

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4200
WATER RIGHT NO(S). 45-02250B/45-02496/45-02647
45-04100/45-04168

This is to certify that: **R HILTON CRITCHFIELD & SONS**
RT 1 BOX 21E
OAKLEY ID 83346

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 45-02250B : IRRIGATION Priority: 03/29/1948	04/01 to 10/31	1.06 CFS	320.0 AF
Right No. 45-02496 : IRRIGATION Priority: 06/22/1955	04/01 to 10/31	1.68 CFS	492.0 AF
Right No. 45-02647 : IRRIGATION Priority: 03/27/1961	04/01 to 10/31	2.80 CFS	1188.5 AF
Right No. 45-04100 : IRRIGATION Priority: 03/15/1955	04/01 to 10/31	2.50 CFS	628.0 AF
Right No. 45-04168 : IRRIGATION Priority: 06/01/1955	04/01 to 10/31	3.18 CFS	784.0 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 15, Township 13S, Range 22E
SEnw , Sec. 22, Township 13S, Range 22E
SEnw , Sec. 27, Township 13S, Range 22E
TWIN FALLS County

RECORDED

JAN 12 1994

TRANSFER NO. 4200
WATER RIGHT NO(S). 45-02250B/45-02496/45-02647
45-04100/45-04168

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
13S	22E	15	SWSW 38		SESW 38		NWSE 40	116
		22	NENE 40		NWNE 30		SWNE 40	
			SENE 40		NENW 40		NWNW 40	
			SWNW 40		SENW 40		NESE 40	
			NWSE 40					390
		27	NENE 20		NWNE 40		SWNE 40	
			SENE 20		NENW 40		NWNW 38	
			SENW 40					238
Total number of acres irrigated:								744

CONDITIONS/REMARKS:

1. Prior to diversion of water from the newly authorized well, the right holder shall install flow measurement ports or other measuring devices as specified by the Department at each point of diversion.
2. All rights when combined shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
3. Approval of this transfer does not confirm the right(s) claimed under 45-04100 and 45-04168.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
7. Right No. 45-02250B is limited to the irrigation of 80 acres in the place of use described above in a single irrigation season.
8. Right No. 45-02496 is limited to the irrigation of 123 acres in the place of use described above in a single irrigation season.
9. Right No. 45-02647 is limited to the irrigation of 330 acres in the place of use described above in a single irrigation season.
10. Right No. 45-04100 is limited to the irrigation of 157 acres in the place of use described above in a single irrigation season.
11. Right No. 45-04168 is limited to the irrigation of 196 acres in the place of use described above in a single irrigation season.
12. Two points of diversion are located within SENW, S27, T13S, R22E.

Dated this 15th day of December, 1993.

[Signature]
 Chief, Water Alloc. Bureau

RECORDED

JAN 19 1994



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

FEB 11 1980

CLAIM TO A WATER RIGHT

Department of Water Resources
Southern District Office

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that L & M Farms (Name of Claimant)
Oakley, Idaho 83346 (Mailing Address) Telephone No. 862-3616 (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) March 15, 1955

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Groundwater tributary to _____

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>2.5 cfs</u>	Use	<u>irrigation</u>	Period of Use From <u>Mar 15</u>	To <u>Nov 15</u>
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____

(4) 2.5 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ NW ¼, Sec. 27 Twp. 13S Rge. 22E B.M., County of Cassia
Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 12" X 375' well, 150 hp motor, 10" mainline to one ½-mile pivot and four ½-mile wheel lines.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13S	22E	27		34	39		34	20		30									157

No. of acres 157

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: _____

(7) If you are claiming water as a member of an organization, list name of organization: _____

MICROFILMED

[illegible]

Received by J E Stanton Date 2-11-80 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by ADM Date 2-11-80 claimant by: _____
\$20.00 fee received by JS Date 2-11-80 #17101
Published in South Ida. Press None _____
Dates 3/9 & 3/11/80 _____

1 (b) EVELYN LOVELESS and JOHN R. MARTIN shall have the
2 right, upon the consent of the surviving Grantor, to purchase the
3 following described real property, comprising approximately 157
4 acres, for the sum of \$800.00 per acre. The purchase price shall
5 paid in cash, or by payment of 20% of the total purchase price,
6 with the balance to be paid in 20 equal annual amortized install-
7 ments, at the rate of 7% per annum, and properly secured by a
8 mortgage, or an installment sales contract providing for conveyance
9 of the property, and title thereto upon full payment of the
10 purchase price. The purchasers shall have unrestricted prepayment
11 privileges. The real property is described particularly as
12 follows:

13 The North Half of the Northwest Quarter of the
14 Northwest Quarter (N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Twenty-
15 seven (27), Township Thirteen (13) South, Range
Twenty-two (22) East of the Boise Meridian.

16 Tax Number 292, described as follows: Beginning 16
17 rods South of the Northwest corner of the Northeast
18 Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of
19 Section Twenty-seven (27), Township Thirteen (13)
South, Range Twenty-two (22) East of the Boise
Meridian, and running thence East 20 rods; thence
South 24 rods; thence West 20 rods; thence North
24 rods to the Point of Beginning.

20 Tax Number 282, described as follows: Beginning at
21 the Northeast corner of the Northeast Quarter of
22 the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Twenty-
23 seven (27), Township Thirteen (13) South, Range
24 Twenty-two (22) East of the Boise Meridian, and
running thence South 80 rods; thence West 60 rods;
thence North 80 rods; thence East 60 rods to the
Point of Beginning.

25 Tax Number 290, described as follows: Beginning at
26 the Northwest corner of the Northeast Quarter of the
27 Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Twenty-seven
28 (27), Township Thirteen (13) South, Range Twenty-two
(22) East of the Boise Meridian, and running thence
East 10 rods; thence South 16 rods; thence West
10 rods; thence North 16 rods to the Point of
Beginning.

29 Tax Number 284, described as follows: Beginning at
30 the Northeast corner of the Southeast Quarter of the
31 Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Twenty-seven
(27), Township Thirteen (13) South, Range Twenty-two
(22) East of the Boise Meridian, and running thence
32 South 80 rods; thence West 60 rods; thence North 80
rods; thence East 60 rods to the Point of Beginning.

1 The West Half of the Northeast Quarter (W $\frac{1}{2}$ NE $\frac{1}{4}$)
2 of Section Twenty-seven (27), Township Thirteen
3 (13) South, Range Twenty-two (22) East of the
4 Boise Meridian, EXCEPT the West 100 feet thereof,
which has been deeded to the Oakley Canal Company
for canal right-of-way. INCLUDING THEREWITH four
(4) shares of North Oakley Water Company.

5 (c) JOHN R. MARTIN and RONALD K. MARTIN shall have the
6 right, upon the consent of the surviving Grantor, to purchase the
7 following described real property, comprising approximately 79
8 acres, for the sum of \$800.00 per acre. The purchase price
9 shall be paid in cash, or by payment of 20% of the total purchase
10 price, with the balance to be paid in 20 equal annual amortized
11 installments, at the rate of 7% per annum, and properly secured
12 by a mortgage, or an installment sales contract providing for
13 conveyance of the property, and title thereto upon full payment
14 of the purchase price. The purchasers shall have unrestricted
15 prepayment privileges. The real property is described particularly
16 as follows:

17 TOWNSHIP 13 SOUTH, RANGE 22 EAST OF THE
18 BOISE MERIDIAN, CASSIA COUNTY, IDAHO

19 Section 21: North Half Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$),
20 EXCEPTING the following described
21 portion thereof: Beginning where the
22 North boundary line of said Section
23 Twenty-one (21) intersects the East
24 boundary line of Idaho State Highway No.
25 27, and running thence East along the
26 North boundary line of said Section
27 Twenty-one (21) a distance of 210 feet;
thence South 210 feet; thence West
210 feet to the East boundary line of
said State Highway; thence North along
said East boundary line 210 feet, more or
less, to the Point of Beginning.
BUT INCLUDING THEREWITH four (4) shares
of North Oakley Water Company, and
188.8 shares of Oakley Canal Company
water stock.

28 (d) RONALD K. MARTIN shall have the right, upon the
29 consent of the surviving Grantor, to purchase the following
30 described real property, comprising approximately 20 acres, for
31 the sum of \$800.00 per acre. The purchase price shall be paid in
32 cash, or by the payment of 20% of the total purchase price, with

Claim 45-4100

THE HILLTOP

T.13S. R.22E.



17'30"

220 000
FEET

Well
4454

Well

Well
4466

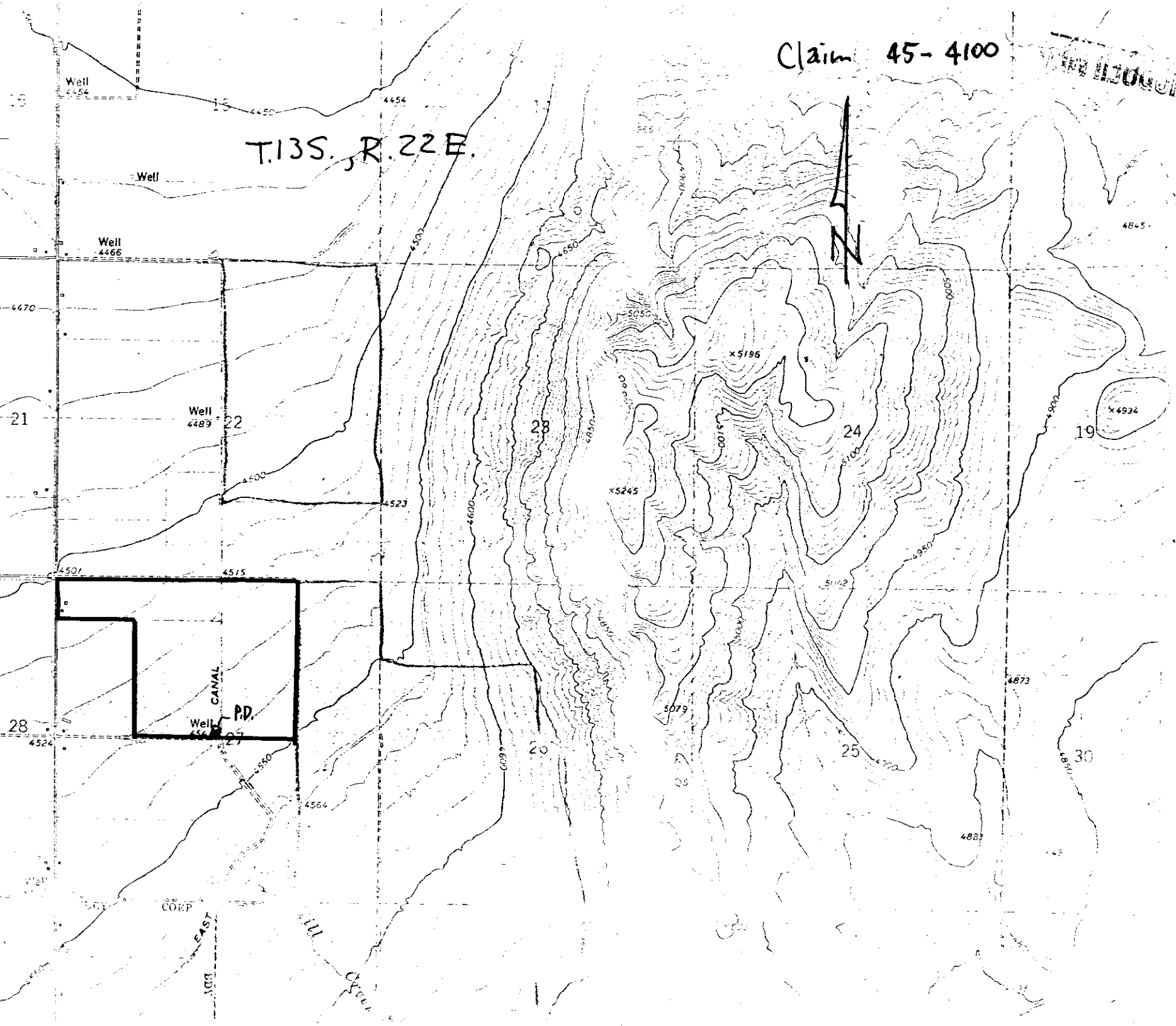
Well
4489

Well
4465

CANAL
PD.

CORP

EAST



SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)

) ss.

STATE OF IDAHO)

Donna Fithugh, being first
duly sworn, deposes and says that he is the

clerk of the South Idaho
Press, a daily newspaper published at Bur-
ley Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for *two*

consecutive weeks, commencing with the issue

dated *March 4* 19*80*, and ending

with the issue dated *March 11*, 19*80*

Donna Fithugh

Subscribed and sworn to before me

this *12th* day of *March*

19*80*...

Norma M. Peterson Notary Public

Cost of Publication *6.97*

Notary Fee

Total Cost *6.97*

NOTARY PUBLIC RESIDING AT
RUPERT, IDAHO. MY COMMISSION
EXPIRES JUNE 21, 1981

OK.
Doris
3/14/80

45-4100
L & M FARMS, GARLEY, ID 83344, Source:
GROUNDWATER, Priority Date: 03/15/1955,
Amount: 2.50 CFS, Diversion Point: SENW Sec 27-T
13S R 22E, CASSIA Co., Use: IRRIGATION (2.50
CFS) from 03/15 to 11/15, Place of Use: NWNE
SWNE NENW NWNW SENW Sec 27 T 13S R 22E FOR
157 ACRES, Diversion Means: WELL, PUMP &
PIPELINE TO SPRINKLER SYSTEM

Any exception to any claim of water right may
be filed with the Director of the Idaho Department
of Water Resources, 1041 Blue Lakes Blvd. North,
Twin Falls, Idaho 83301.

C. STEPHEN ALLRED
Director

Published in the South Idaho Press on March 4,
11, 1980.

RECEIVED
DISTRICT OFFICE
MICROFILMED

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

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dated *March 4* 1980, and ending
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Clenna Fithugh
Subscribed and sworn to before me
this *12th* day of *March*
1980.

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Cost of Publication *6.97*
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RUPERT, IDAHO. MY COMMISSION
EXPIRES JUNE 21, 1981

OK.
DOLIS
3/14/80

45-4100

L & M FARMS, OAKLEY, ID 83346, Source:
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Twin Falls, Idaho 83301.

C. STEPHEN ALLRED
Director

Published in the South Idaho Press on March 4,
11, 1980.

MICROFILMED

MEMORANDUM

TO: FILE 45-0 4100

FROM: PAM SKAGGS

RE: TRANSFER # 4200

DATE: 10-25-93

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 45-02250B.

RECEIVED

JAN 12 1994

T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3578

MARCH 25, 1980

L & M FARMS
OAKLEY

ID 83346

RE: Claim No. 45-4100

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

LOREN O. HOLMES
Southern Region Supervisor

Enclosure

MICROFILMED

DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

FEBRUARY 20, 1980

South Idaho Press
P.O. Box 190
Burley, Idaho 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 21, 1980.

Yours truly,

Mary A. Hill
Secretary

Encl.

MICROFILMED

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

C. STEPHEN ALLRED

Director

Published 3/4 & 3/11/80.

1041

L & M FARMS

OAKLEY, ID 83346

Source: GROUNDWATER

Priority Date: 03/15/1955

Amount: 2.50 CFS

Diversion Point: SENW Sec 27 T 13S R 22E, CASSIA Co.

Use: IRRIGATION (2.50 CFS) from 03/15 to 11/15

Place of Use: NWNE SWNE NENW NWNW SENW Sec 27 T 13S R 22E FOR 157 ACRES

Diversion Means: WELL, PUMP & PIPELINE TO SPRINKLER SYSTEM

Handwritten signature/initials