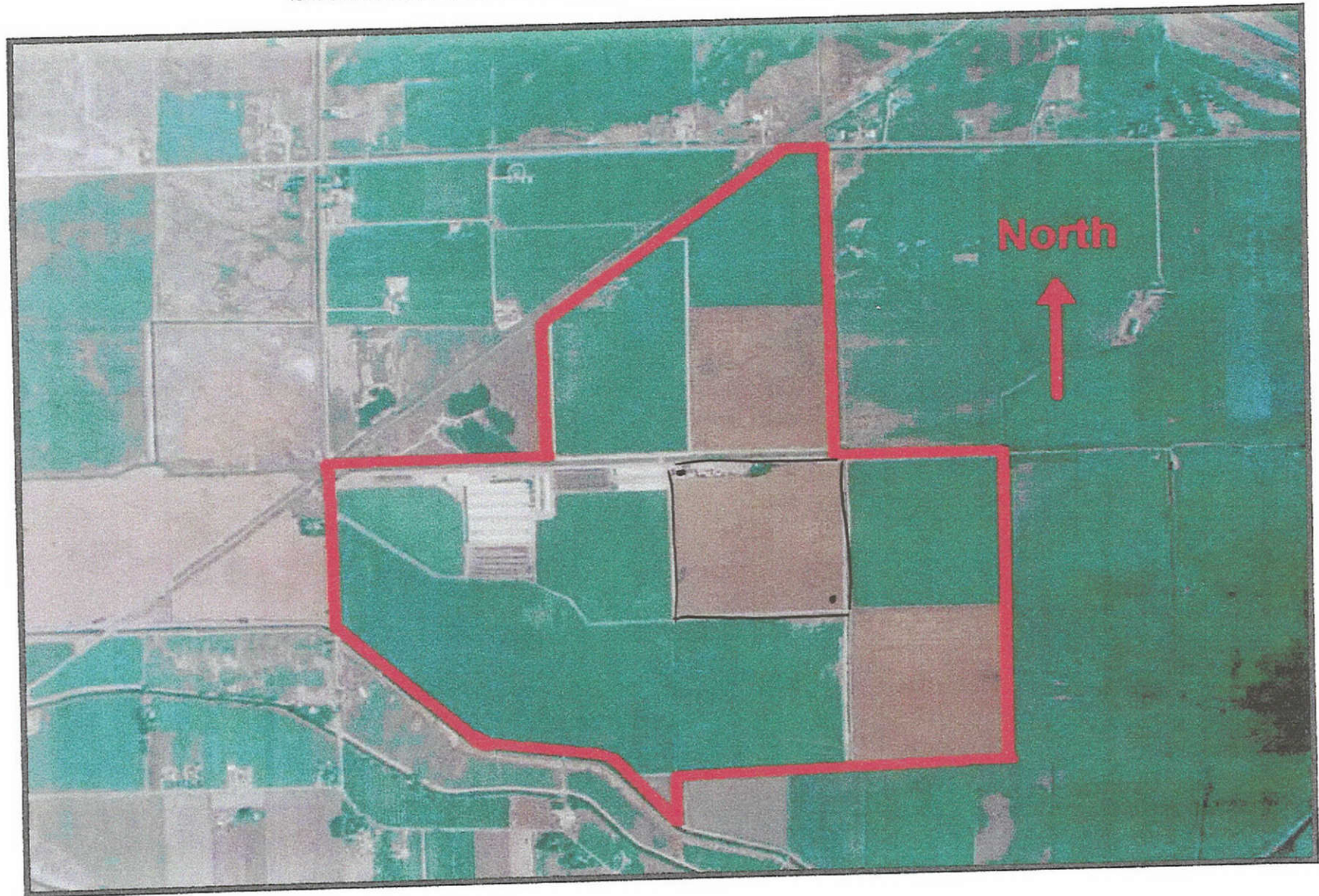
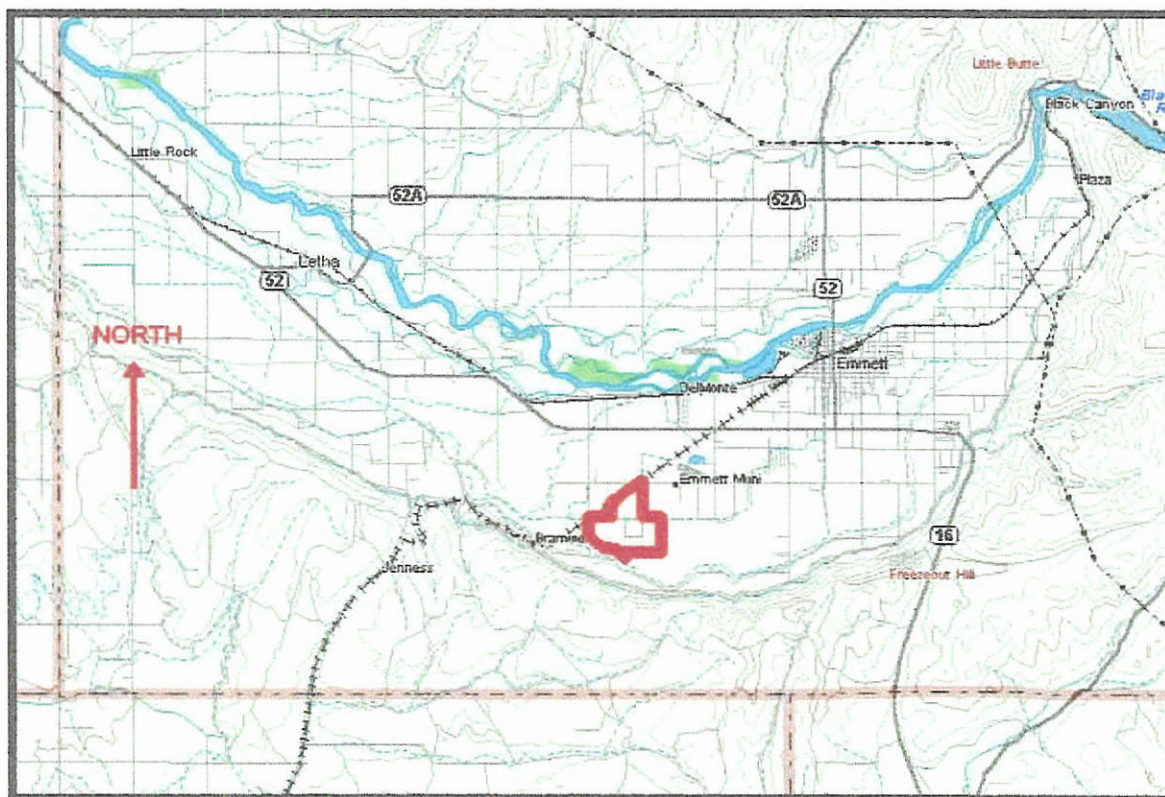
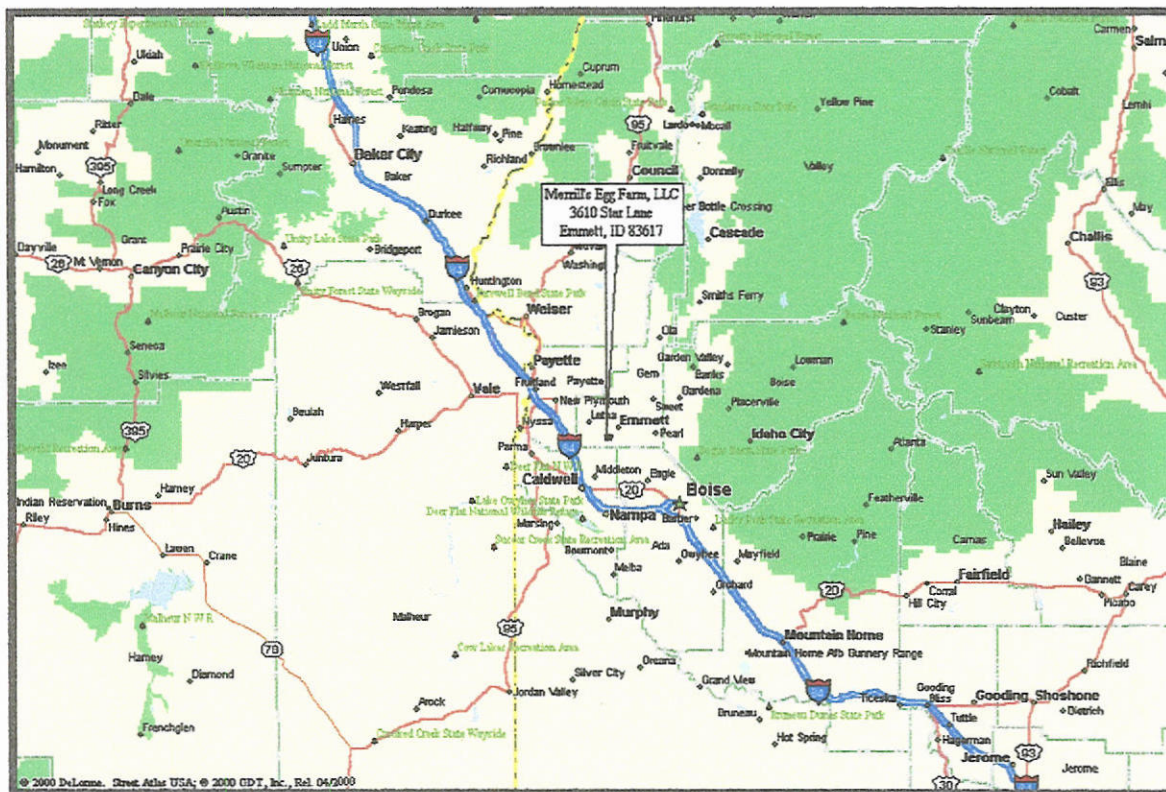


SUBJECT PROPERTY - AERIAL PHOTOGRAPH



LOCATION MAPS



T06N R02W
S22

Idaho Department of Water Resources

Claims: 65-02450

Prepared by:

RON HOWERTON

Date: 18 SEP 00

 Place of use

 POD

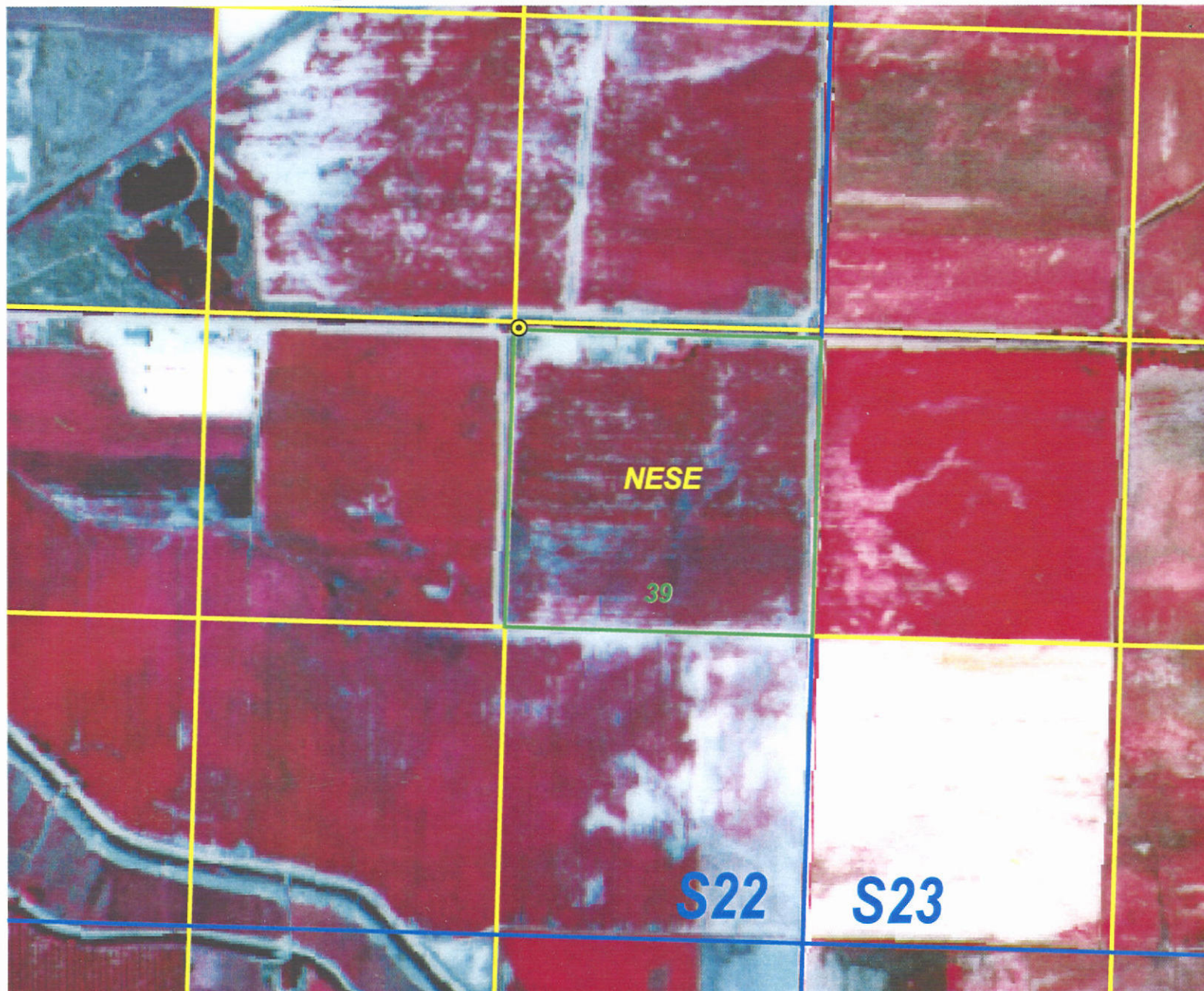
 SECTION

 1/4 1/4

39 Acres



1987 NAPP



0 0.25 0.5 0.75 Miles



**T06N R02W
S22**

Idaho Department of Water Resources

**Claims: 65-02450
Prepared by:
RON HOWERTON
Date: 18 SEP 00**

 **Place of use**

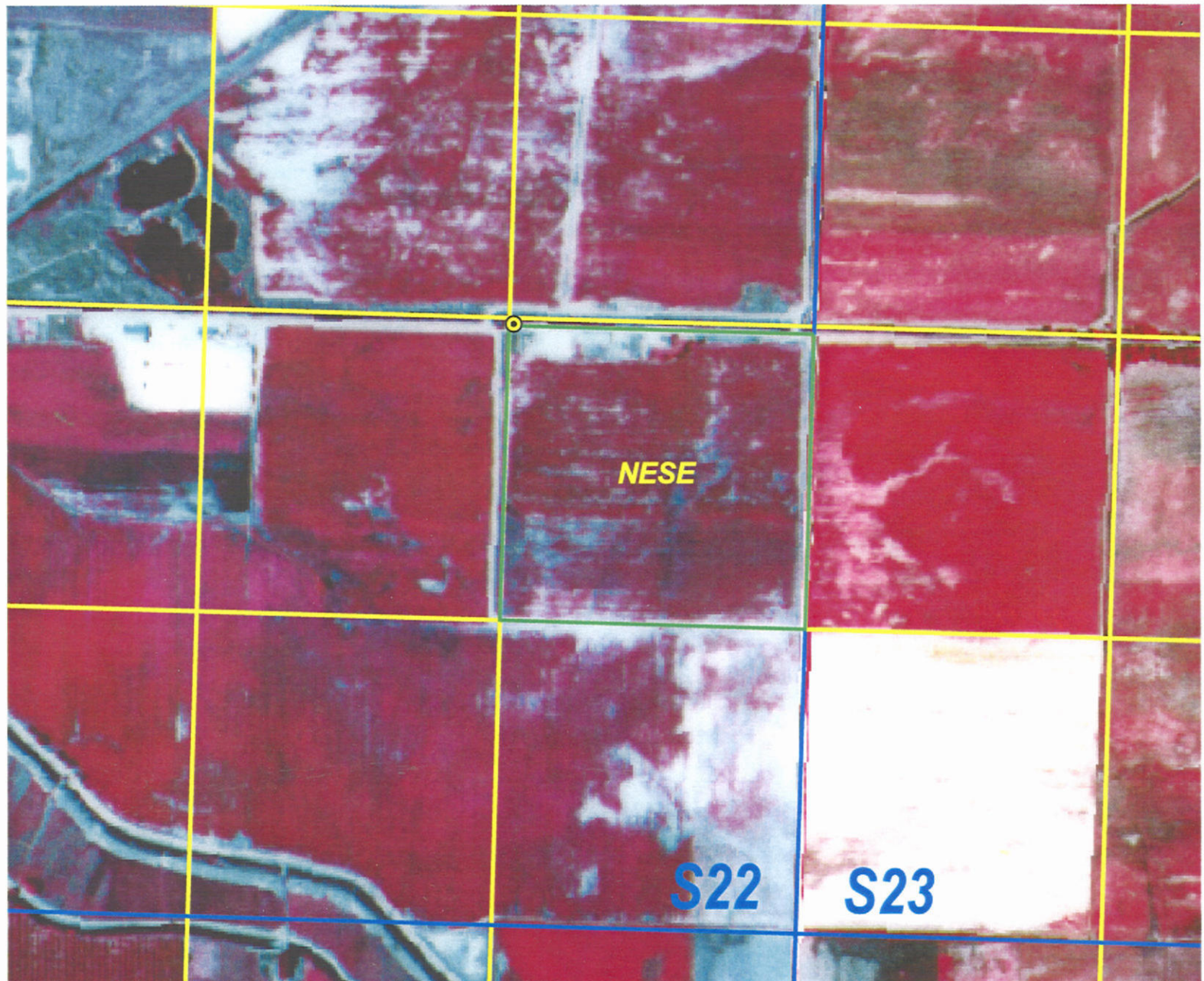
 **POD**

 **SECTION**

 **1/4 1/4**



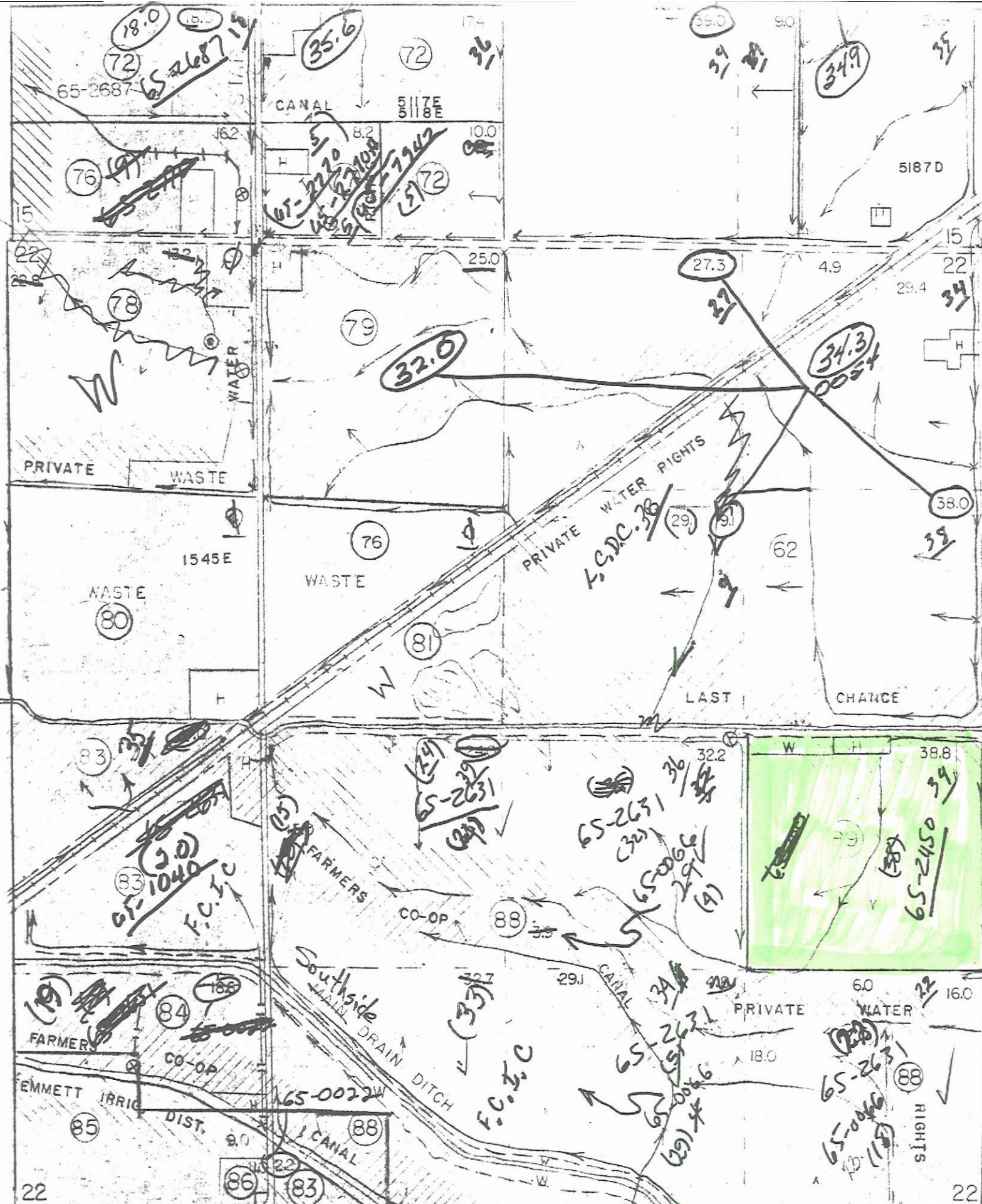
1987 NAPP



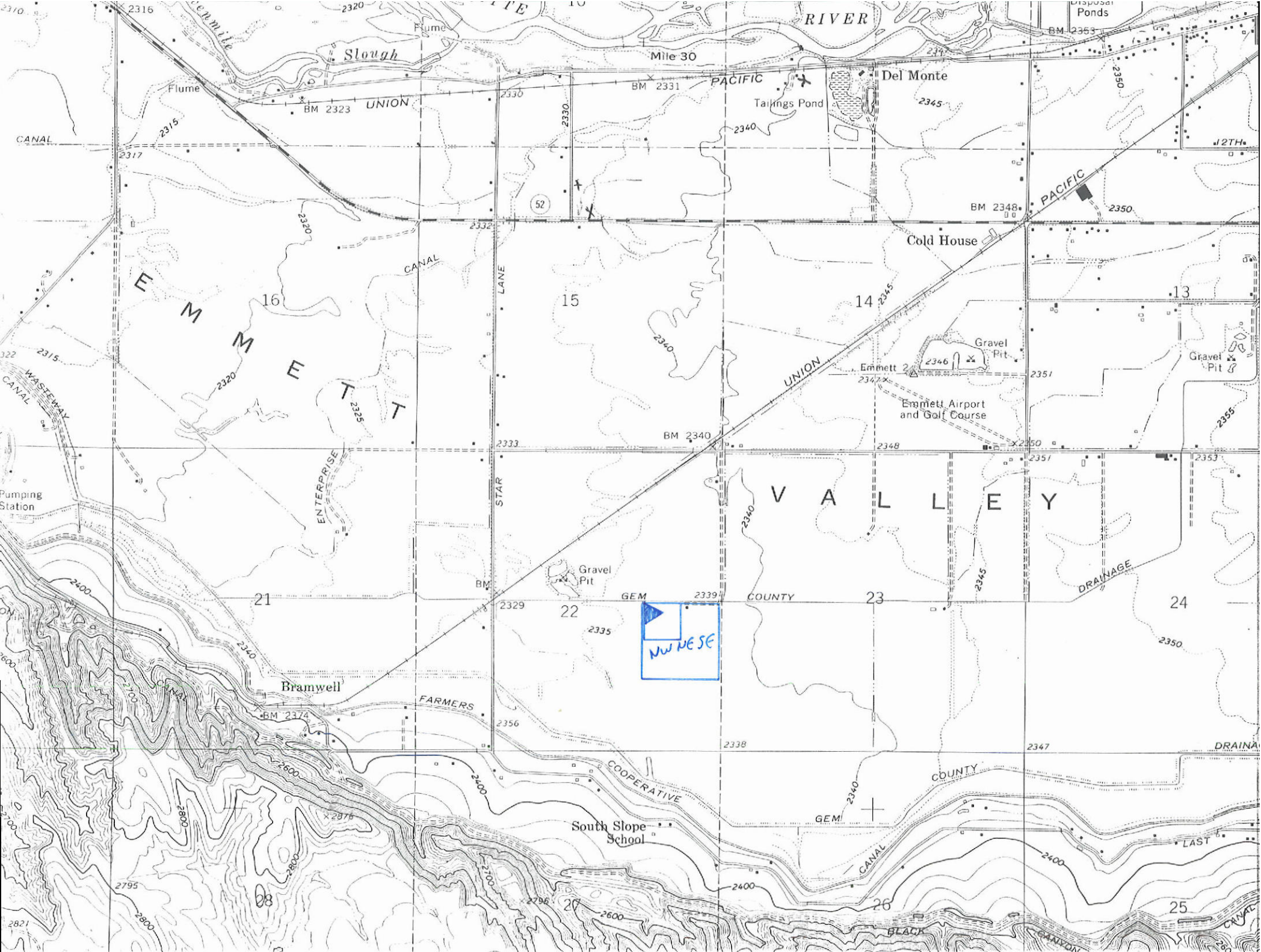
0 0.25 0.5 0.75 Miles



PRBA BLUELINE MAP D T6N R2W S22



Claimant	Claim No.	Current Owner	
EY, Garney B.	3430D	(1) FORD, Frank	18. PRATT, William 3455D
EY, Garney B.		(2) CONKLIN, Joseph	19. CLEMENTS, Asa (19)
EY, Anna B.			20. HARTSOCK, Hiram (20)
EY, Charles			21. POWELL, R. W. 1808D
			22. BREMMER, Jos. B. (22)



W56 1970 TOPO T6N R2W S22 NW NESE

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 65-2450
Date Received: 1/12/90
Receipt No: X999999
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s): MERRILLS EGG FARM INC
3610 STAR LN
EMMETT ID USA 83617

Phone: (208) 365-7216

2. Date of Priority: 08/26/1944

3. Source: NORTHSIDE DRAIN Trib. to: TUNNEL NO. SEVEN WASTEWAY

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	02W	22	NW NE SE	GEM	

5. Description of diverting works:

PUMP IN DRAIN WITH GRAVITY IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.76	

7. Total Quantity Appropriated is:
0.76 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	02W	22	NE SE		IRRIGATION	39
					Section Acres	39
					Total Acres	39

11. Place of use in counties: GEM

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

Ownership changed by DB 7/30/2001

15. Basis of Claim: Decreed

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 19 2001

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

JUL 17 2001

WATER RESOURCES Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Department of Water Resources
WESTERN REGION Incomplete forms will be returned. Adjudication Bureau

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, 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
-----------------------	------------------------------	-------	-----------------------	------------------------------	-------

~~65-5420~~

65-2450

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) are 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)

Ellen M-Louis Proctor
3440 S. Johns Avenue
Emmett, ID 83617

4. New Owner/Claimant(s)

Merrill's Egg Farm LLC 3610 STAR LANE Emmett
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or IDAHO 83617

New Mailing Address

3610 STAR LANE

City, State and ZIP Code

Emmett, IDAHO 83617

New Telephone Number

(208) 365-7216

5. Date you acquired the property

3-20-1985

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) Robert L. Merrill, Owner
(include title if applicable)

President Merrill Egg Farm 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 _____	Date _____	Fee _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

WARRANTY DEED

MERRILL'S EGG FARM, INC., an Idaho corporation, hereinafter referred to as "Grantor," for \$10.00 and other valuable consideration in hand paid, the receipt and sufficiency whereof is hereby acknowledged, does hereby grant, bargain, sell, convey, and warrant unto MERRILL'S EGG FARM, LLC, hereinafter referred to as "Grantee," the real property located in Gem County, Idaho, more particularly described on Exhibit A:

TO HAVE AND TO HOLD the Property, together with its tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, including, without limitation, all water and water rights, if any, ditches and ditch rights, if any, the right to groundwater, mineral rights, easements, and rights-of-way, if any, unto Grantee, and Grantee's heirs, successors and assigns forever. And Grantor does hereby covenant to and with Grantee that Grantor is the owner in fee simple of the Property; that the Property are free from all liens, claims and encumbrances, and that Grantor shall warrant and defend the same from all claims whatsoever.

Provided, however, this conveyance by Grantor to Grantee is made subject to the following:

1. All taxes and assessments levied and assessed against the Property, including liens and assessments of any irrigation district, for the year 1998 and thereafter. All such taxes and assessments, including liens and assessments of any irrigation district, for the year 1997 shall be pro-rated between Grantor and Grantee as of the date of this Warranty Deed. All such taxes and assessments, including liens and assessments of any irrigation district for the year 1996, and before shall be paid by Grantor.
2. Easements and rights-of-way for roads, ditches, tunnels, utilities and other purposes and uses, which easements and rights-of-way are of record on the date hereof or visible upon a physical inspection of the Subject Property.

3. Exceptions, reservations, terms, covenants and conditions of record.

IN WITNESS WHEREOF, the undersigned have caused their names to be hereunto subscribed this 12 day of December, 1997.

MERRILL'S EGG FARM, INC., an Idaho corporation

By: 
Reid W. Merrill, President

STATE OF IDAHO)
) ss.
County of Ada)

On this 12 day of December, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared Reid W. Merrill, known or identified to me to be the President of MERRILL'S EGG FARM, INC., the Idaho corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

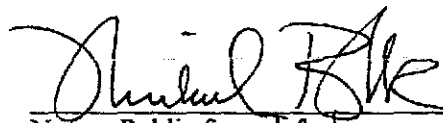

Notary Public for Idaho
Residing at Boise
My commission expires: 7/28/98

EXHIBIT A

Legal Description

Parcel No. 1:

Township 6 North, Range 2 West, B.M., Gem County, Idaho.

Section 23: W $\frac{1}{2}$ SW $\frac{1}{4}$
Section 22: SE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$, lying North of the Drainage Ditch Gem County No. 1.

Section 27: NW $\frac{1}{4}$ NE $\frac{1}{4}$, lying North of the Drainage Ditch Gem County No. 1.

~~EXCEPT~~ 100 feet right of way for Idaho Northern Railway Company Limited, as granted by Deed recorded in Book B of Deeds, Page 115, records of Gem County, Idaho.

EXCEPT roads, ditch and ditch rights of way.

Parcel No. 2:

Township 6 North, Range 2 West, B.M., Gem County, Idaho.

Section 22: NE $\frac{1}{4}$ SE $\frac{1}{4}$.

Parcel No. 3:

That portion of the NE $\frac{1}{4}$, Section 22, Township 6 North, Range 2 West, B.M., Gem County, Idaho, lying South of the Oregon Shortline Railroad.

EXCEPT that portion described as follows:

A tract of land situate in a portion of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 22, T. 6 N., R. 2 W., B.M., Gem County, Idaho, more particularly described as follows:

COMMENCING at the North quarter corner of Section 22, T. 6 N., R. 2 W., marked by a found Brass Cap Monument CE 878; thence
South 00°05'40" West along the North/South mid-section line, a distance of 1689.44 feet to a point on the Southerly right of way line of the Idaho Northern Railroad Co., Limited as described in Book 4 of Deeds at Page 19, records of Gem County, Idaho, marked by a set $\frac{1}{2}$ iron pin L.S. 4108, THE REAL POINT OF BEGINNING; thence
North 54°29'43" East along the Southern right of way line of the Idaho Northern Railroad Co., Limited, a distance of 505.20 feet to a set $\frac{1}{2}$ " iron pin L.S. 4108; thence
South 00°05'40" West, a distance of 1208.72 feet to a point on the East/West mid-section line; thence
North 89°33'05" West along the East/West mid-section line, a distance of 410.79 feet to the center of said Section 22; thence
North 00°05'40" East along the North/South mid-section line, a distance of 912.10 feet to the REAL POINT OF BEGINNING.

WARRANTY DEED

FOR VALUE RECEIVED DONALD EUGENE HARDIN and ELDA HARDIN, husband and wife,

the grantors, hereby grant, bargain, sell and convey unto

MERRILL'S EGG FARM, INC, an Idaho corporation, the grantees, whose current address is 1125 E. State St., Eagle, Idaho 83616, the following described premises, situate in Gem County, Idaho, to-wit:

The NE1/4 SE1/4, Section 22, Twp. 6 N., R. 2 W., B.M., Gem County, Idaho.

Including all water and ditch rights appurtenant thereto or used in connection therewith, and including any easements or rights of ways appurtenant to or used for the benefit of, or dedicated to said described premises. Subject to easements, rights of ways, reservations and exceptions, if any.

Said property is conveyed "as is" under existing boundary fences, if any, after reasonable inspection by the grantee and grantor does not make any representations or warranties as to the qualifications or suitability of said land or premises for water or electrical power, or as to said land or improvements meeting any Federal, State or local laws, rules or regulations pertaining to zoning, building, subdividing, platting, surveys, planning and use, health, ecology, drainage, irrigation, water quality, sewage or disposal systems. Grantor makes no warranties as to surveys, boundaries or any matter mentioned in this paragraph. There are no warranties, express or implied, as to merchantability, in a general sense or for a particular purpose, except as herein contained in writing, if any.

TO HAVE AND TO HOLD, the said premises, with their appurtenances, unto the said Grantee, its successors or assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that they are free from all encumbrances, except as may be otherwise stated herein, and they will warrant and defend the same from all lawful claims whatsoever.

DATED: 3-20-85

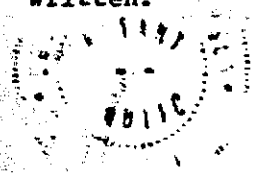
Donald E. Hardin
Ellda Hardin

STATE OF IDAHO;)
) ss.
County of Gem.)

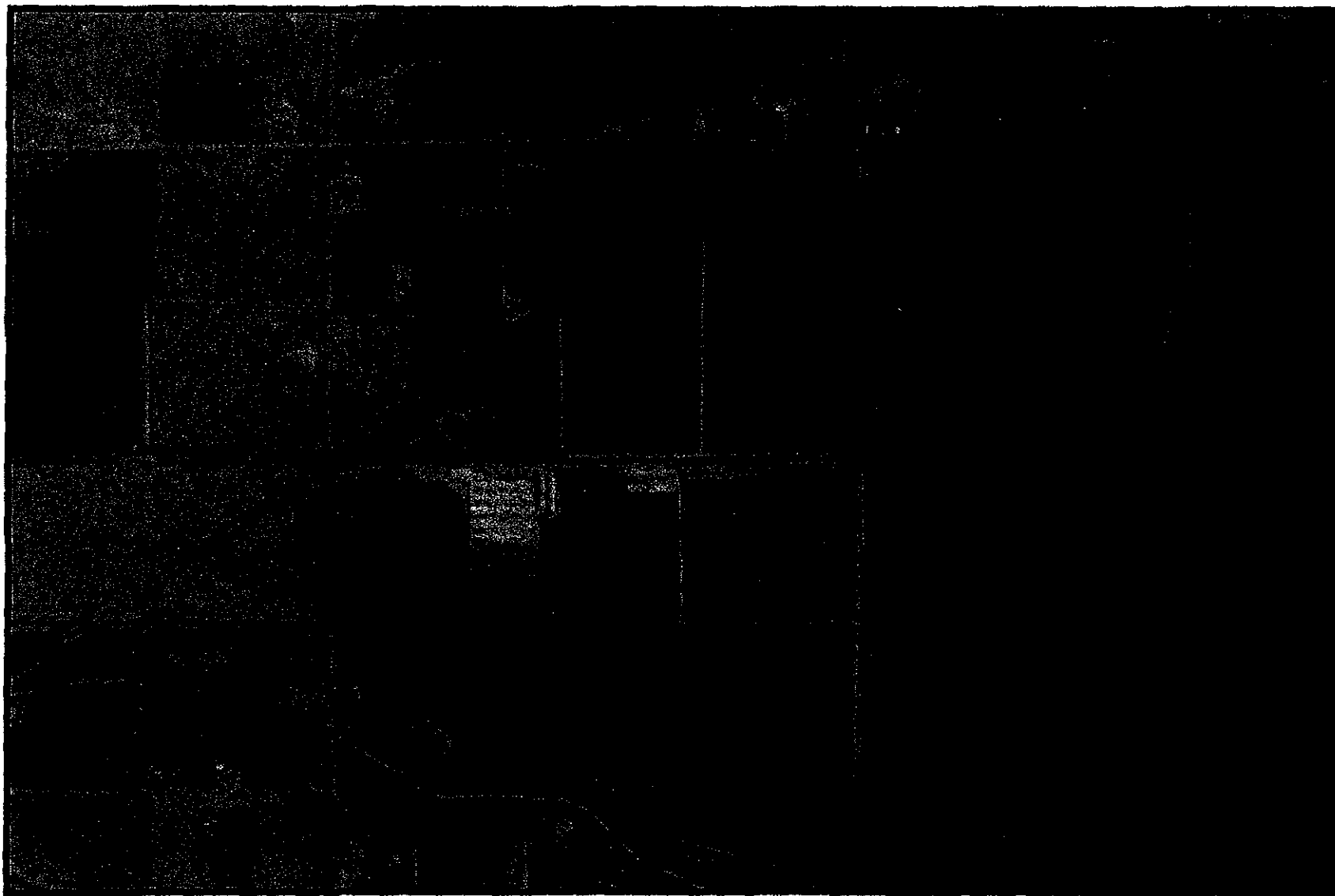
On this 20 day of March, 1985, before me, the undersigned, a Notary Public in and for said state, personally appeared DONALD EUGENE HARDIN and ELDA HARDIN, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

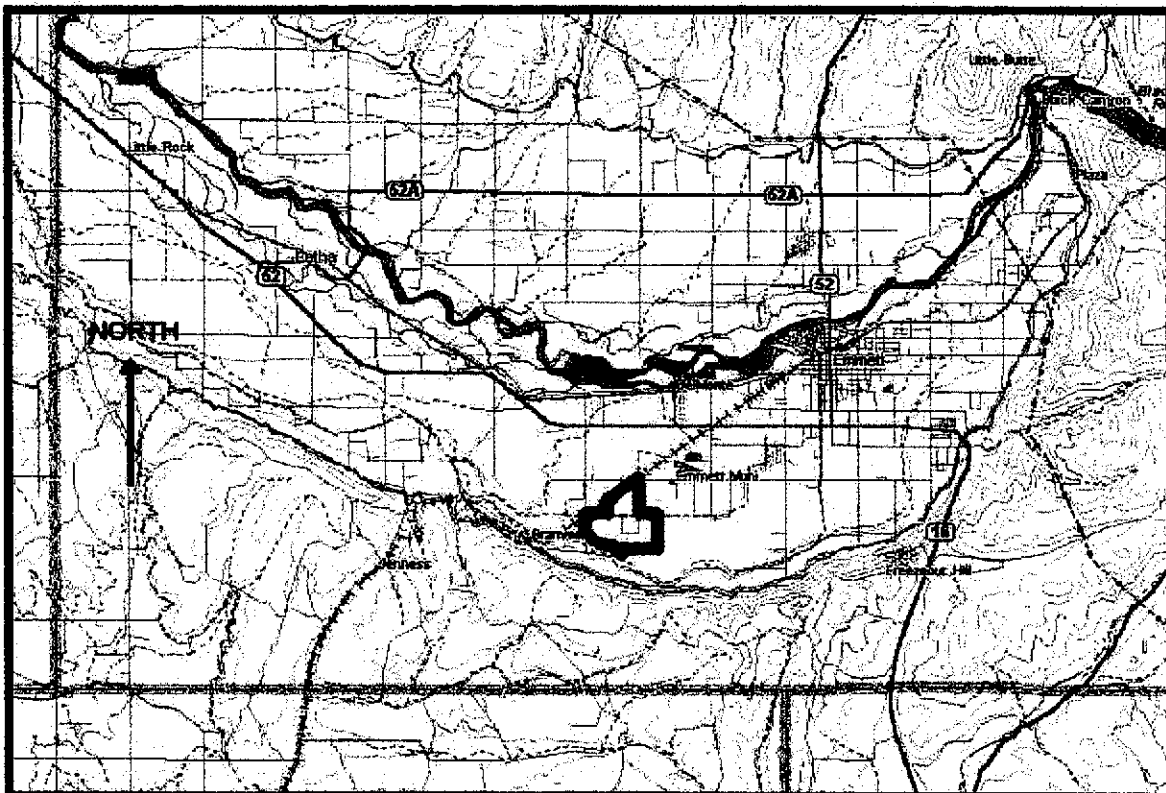
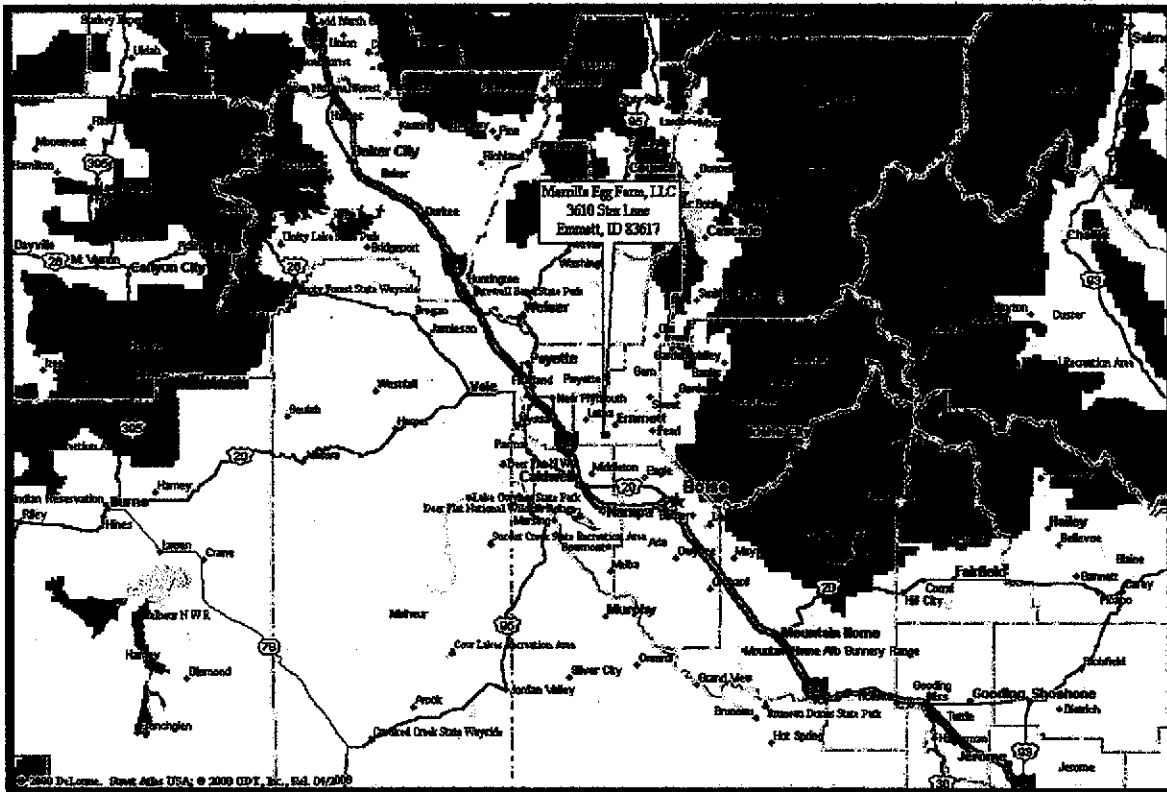
Lilliana M. Spencer
Notary Public for Idaho;
Residing at Emmett, Idaho.



SUBJECT PROPERTY - AERIAL PHOTOGRAPH



LOCATION MAPS



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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A65-02450
Date Received: 1/12/1990
Receipt No: X999999
Received By: [Signature]



Department of Water Resources
**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: ELLEN M. PROCTOR 208-365-4840
Address: 3440 S. JOHNS AVE.
EMMETT, ID 83617
OR
Name: LOUIS PROCTOR 208-365-4840
Address: 3440 S. JOHNS AVE.
EMMETT, ID 83617
2. Date of Priority: AUG 26, 1944
3. Source: NORTHSIDE DRAIN Trib. to: TUNNEL NO. SEVEN WASTEWAY
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	02W	22	NW	NE	SE		GEM
5. Description of diverting works:
PUMP IN DRAIN WITH GRAVITY IRRIGATION
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.760		
7. Total Quantity Appropriated is:
0.760 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 137.0 Acre Feet Per Annum.
9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	02W	22	NE SE		IRR	39.0
Section Acres						39.0
Total Acres						39.0

11. Place of use in counties: GEM

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
LAST CHANCE DITCH WATER ON GROUND

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *Sam Porto* Date: 1-12-90

Date: _____

State of Idaho)
County of Coe) SS.

Subscribed and sworn (or affirmed) before me this 12th day
of JANUARY 19 90

Dennis E. Sullivan
Notary Public

Seal

Residing at Boise, ID
My Commission Expires 11/08/1994

07/30/2001

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-2450

NAME AND ADDRESS: MERRILLS EGG FARM INC
3610 STAR LN
EMMETT, ID 83617

SOURCE: NORTHSIDE DRAIN TRIBUTARY: TUNNEL NO 7 WASTEWAY

QUANTITY: 0.76 CFS

THIS RIGHT WHEN COMBINED WITH RIGHTS OF LAST
CHANCE DITCH CO. SHALL PROVIDE NO MORE THAN .02 CFS
PER ACRE.

PRIORITY DATE: 08/26/1944

POINT OF DIVERSION: T06N R02W S22 NWNESE Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3-15 11-15	0.76 CFS

PLACE OF USE:

<u>IRRIGATION Within GEM County</u>		
T06N R02W S22	NESE	39

39 ACRES TOTAL

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. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

USE OF THIS RIGHT IS COMBINED WITH WATER FROM LAST
CHANCE DITCH CO.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 30, 2001

MERRILL'S EGG FARM INC
3610 STAR LN
EMMETT ID 83617

Re: Notice of Claim to a Water Right No. 65-2450

Dear Claimants:

Enclosed is a copy of the above referenced claim, which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

Thank you for your patience and cooperation, as we have had several ownership changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist I
Adjudication Section
Western Region Office

DB:db

Enclosure



State of Idaho *RON 65-2450 Proctor Part 3*

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

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

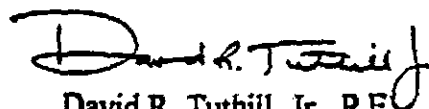
IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. To have a timely filing you must file this claim with IDWR by May 25, 2001. IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,


David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief

RIGHT NUMBER: 65-2450
NAME AND ADDRESS: ELLEN M PROCTOR
3440 S JOHNS AVE
EMMETT ID 83617

LOUIS PROCTOR
3440 S JOHNS AVE
EMMETT ID 83617

SOURCE: NORTHSIDE DRAIN

TRIBUTARY: TUNNEL NO. SEVEN
WASTEWAY

QUANTITY: 0.76 CFS

THIS RIGHT WHEN COMBINED WITH RIGHTS OF LAST CHANCE DITCH CO. SHALL
PROVIDE NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 08/26/1944

POINT OF DIVERSION:

T06N R02W S22 NWNESE Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.760 CFS

PLACE OF USE:

IRRIGATION Within GEM County

T06N R02W S22 NESE 39.0

39 ACRES TOTAL

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. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: Decreed

USE OF THIS RIGHT IS COMBINED WITH WATER FROM LAST CHANCE DITCH
CO.

AJ5809NP
No. A65-02450

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/14/00
PAGE: 2



OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ELLEN M PROCTOR	08/26/1944	IRRIGATION	03-15 11-15	0.760 CFS	
C	LOUIS PROCTOR 3440 S JOHNS AVE EMMETT ID 83617 (208) 365-4840					
TOTAL DIVERSION:					0.760 CFS	
CONSUMPTIVE USE:						137.00 AFA

Water Source: NORTHSIDE DRAIN

Tributary to: TUNNEL NO. SEVEN WASTEWAY

Stage: DECREED

Point(s) of Diversion: T06N R02W S22

NWNESE OK

DF Standards
OK

GEM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
06N	02W	22	:																	:	39.0
TOTAL ACRES																				39.0	

POU County: GEM

Non-Irrigation Uses: STOCKWATER INCIDENTAL TO IRRIGATION

ADD
COMMENT

Other Rights: LAST CHANCE DITCH WATER ON GROUND

QNT E 28 S W 26

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

218

State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

WR5809NP
No. 65-02450

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/14/00
PAGE: 2



OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ELLEN M. PROCTOR	08/26/1944	IRRIGATION	03/15 11/15	0.760 CFS	
C	LOUIS PROCTOR					
	3440 S. JOHNS AVE.					
	EMMETT ID 83617					
TOTAL DIVERSION:					0.760 CFS	

Water Source: NORTHSIDE DRAIN

Tributary to: TUNNEL NO. SEVEN WASTEWAY

Stage: DECREED

Point(s) of Diversion: T06N R02W S22 NESE

GEM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
---	---	---	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	---
06N	02W	22	:					:					:					:					:	39.0
TOTAL ACRES																							39.0	

Pou County: GEM

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
65-05421

Dates:	App. Received:	Priority Date:	08/26/1944
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR
KARL J. DREHER
DIRECTOR

T06N R02W
S22

Idaho Department of Water Resources

Claims: 65-02450
Prepared by:
RON HOWERTON
Date: 18 SEP 00

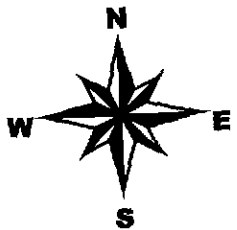
 Place of use

 POD

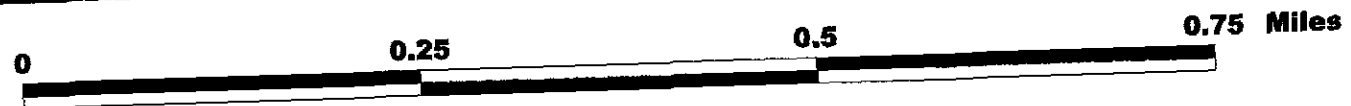
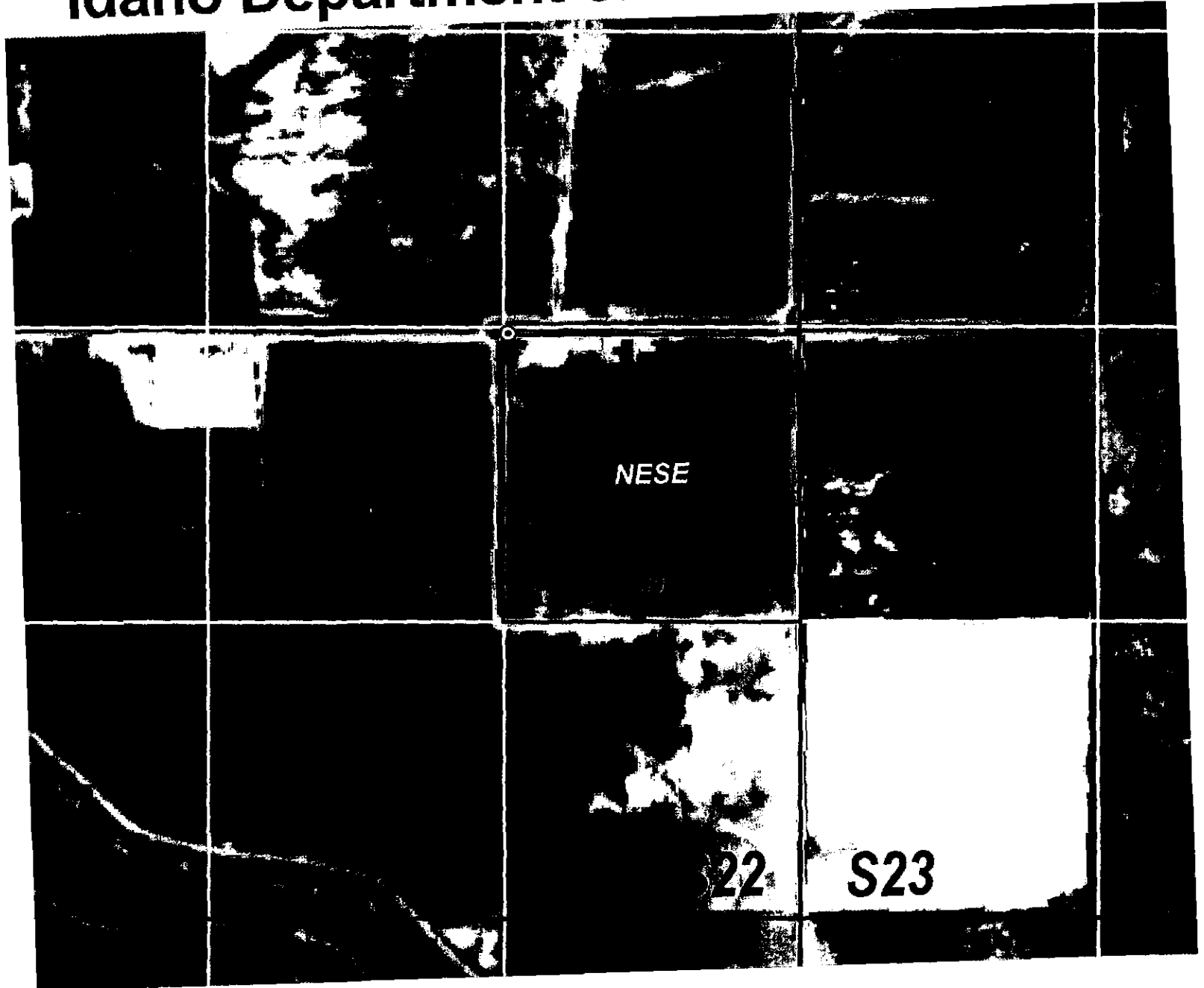
 SECTION

1/4 1/4

39 Acres



1987 NAPP



**T06N R02W
S22**

Idaho Department of Water Resources

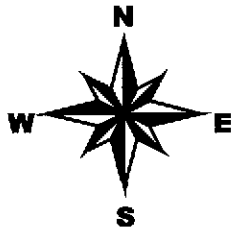
**Claims: 65-02450
Prepared by:
RON HOWERTON
Date: 18 SEP 00**

 **Place of use**

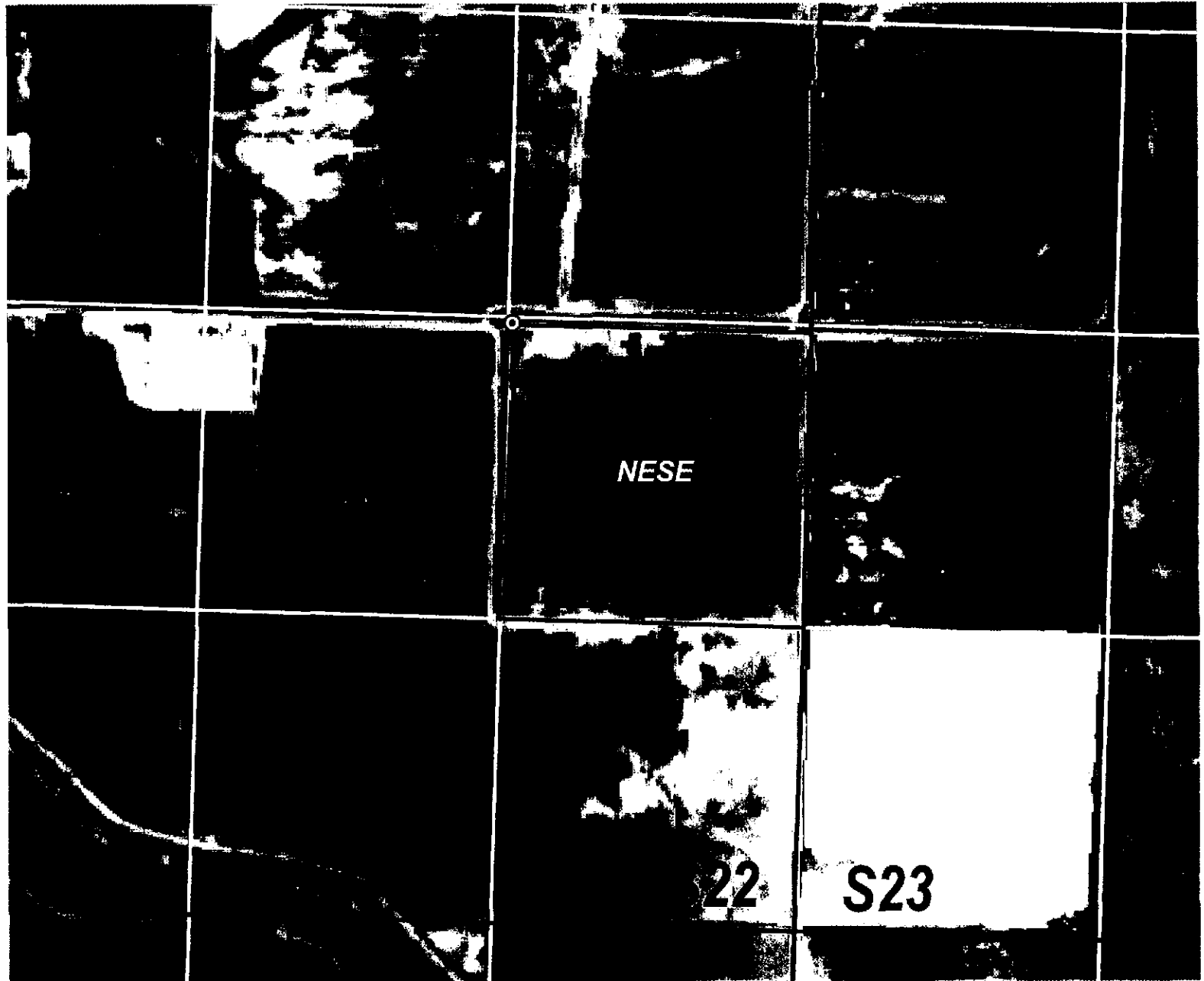
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 **SECTION**

1/4 1/4



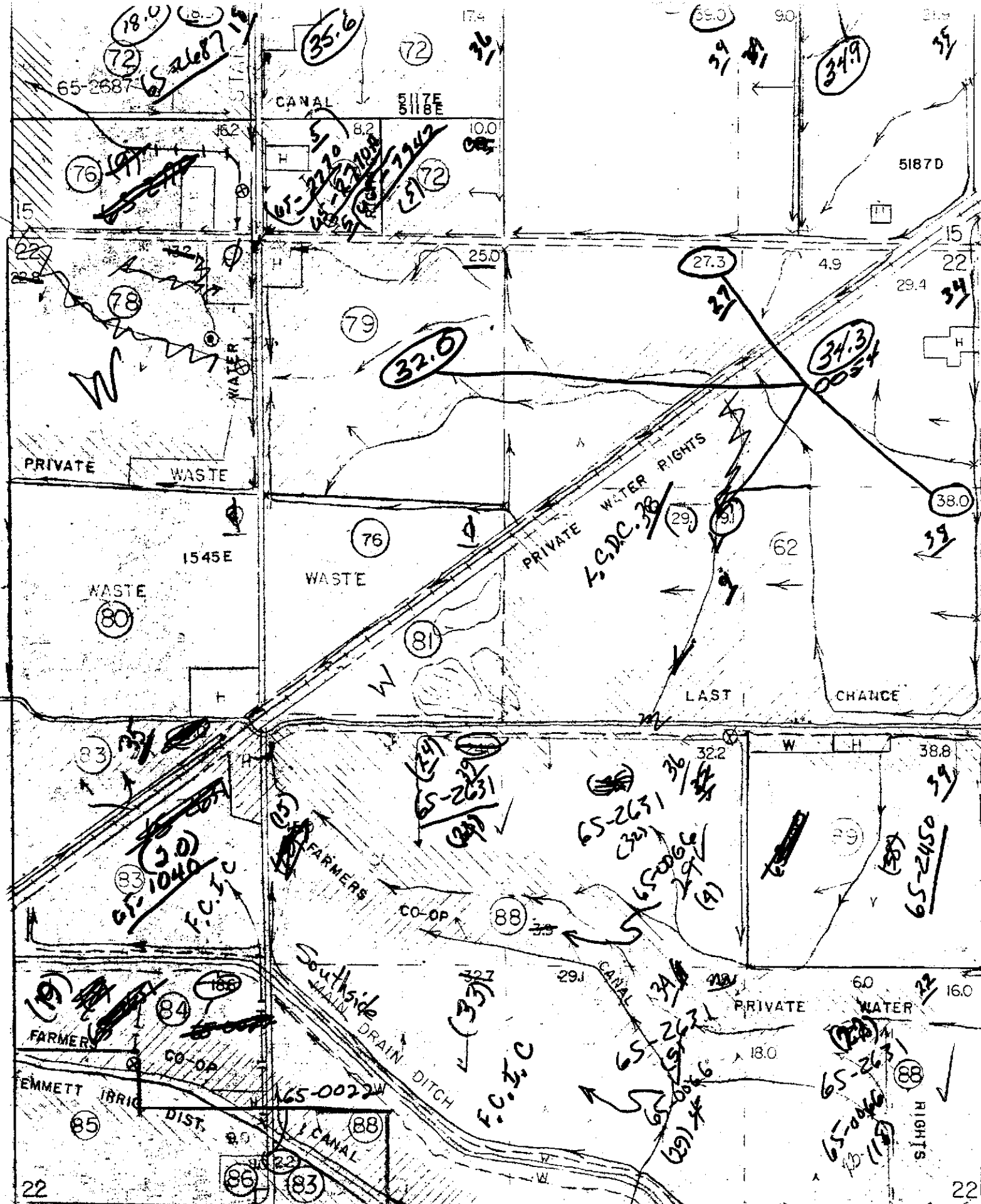
1987 NAPP



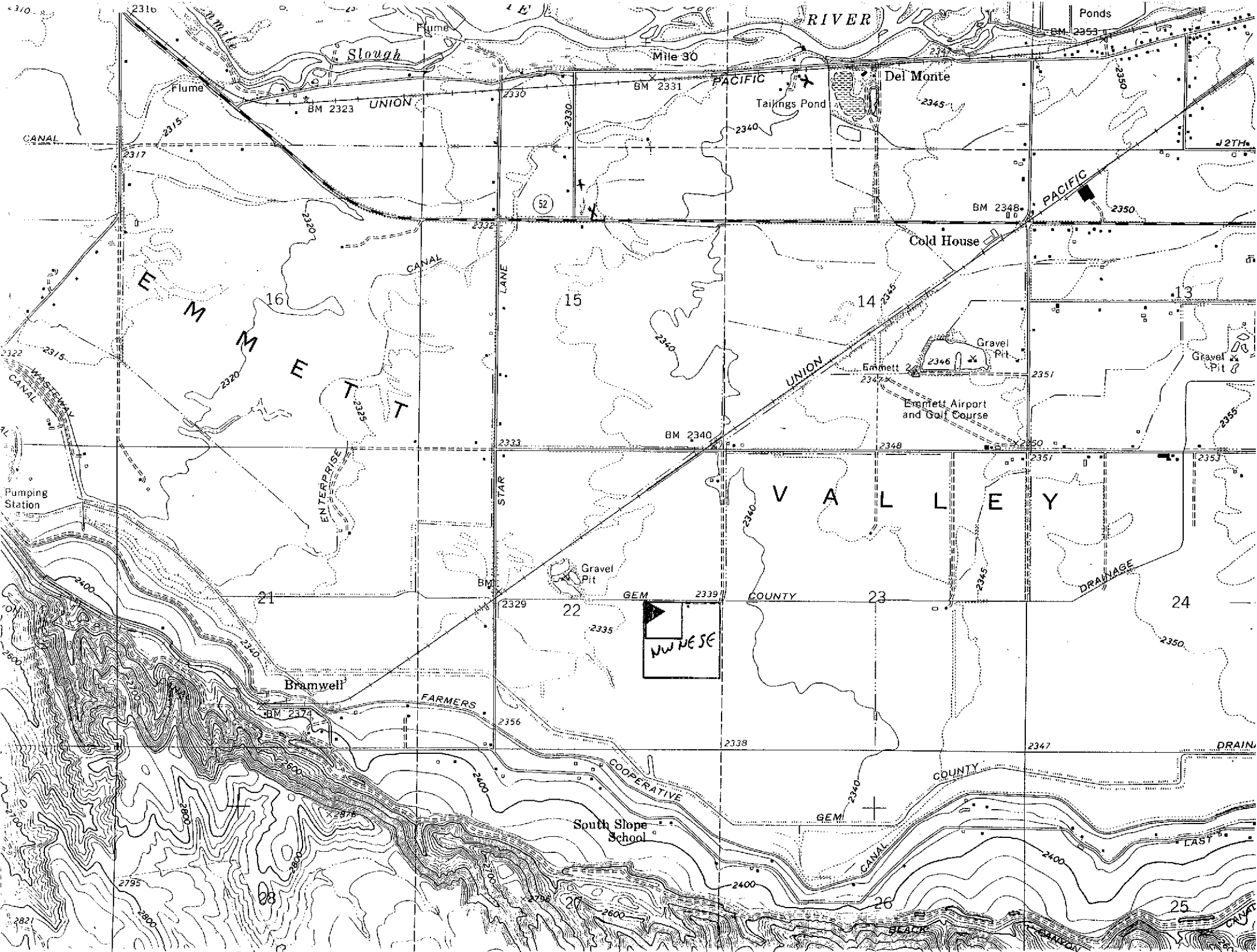
0 0.25 0.5 0.75 Miles



PRBA BLUELINE MAP D T6N R2W S22



Claimant	Claim No.	Current Owner			
EY, Garney B.	3430D	(1) FORD, Frank	18. PRATT, William	3455D	
EY, Garney B.		(2) CONKLIN, Joseph	19. CLEMENTS, Asa		(19)
EY, Anna B.			20. HARTSOCK, Hiram		(20)
			21. POWELL, R. W.	1808D	
			22. BREMMER, Jos. B.		(22)



W56 1970 TOPO T6N R2W S27 NW NESE

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHT TO THE USE OF THE SURFACE AND GROUND WATERS OF THE PAYETTE RIVER DRAINAGE BASIN

NOTICE OF CLAIM

IDENT. NO.

TO A

WATER RIGHT

65-2450

MAP NO. 1

Notice is hereby given that Louis and/or Ellen M. Proctor

(Name of Claimant)

Route 1, Emmett, Idaho 83617

(Mailing Address)

claims a right to the diversion

and beneficial use of the surface or groundwater, of or tributary to the Payette River;

The extent and nature of said claim is as follows:

- The extent and nature of said claim is as follows:
- (1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) 8/26/1944
- (2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) North Side Com Co Drain #7
Drain ditch #2 tribe to
Trane 1st Wasteway
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- Use 76 Irrigation 775 AF Period of Use From 7/15 To 10/31
(Domestic, Irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive) (Mo., Day)
- Use 775 AF Period of Use From 7/15 To 10/31
(Domestic, Irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive) (Mo., Day)
- Use 775 AF Period of Use From 7/15 To 10/31
(Domestic, Irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive) (Mo., Day)
- (4) Quantity of water claimed: 76 Cubic Feet Per Second, or 76 Acre Feet Per Annum,
and/or 76 Gals. Per Minute.
- (5) A) Point of Diversion: Give location of point where water is diverted from its source NE 1/4 SE 1/4.
Sec. 22 Twp. 6N Rge. 2W B.M.; additional points:

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. Pump 5hp. 6" pipe into Gravity Ditch

- (6) 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.

[illegible]

Total No. of acres 35

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

- (7) Effluent, sewage waste, or return water from this use is discharged into _____
- (8) If you are claiming water as a member of an organization, list name of organization _____
- (9) Remarks _____
- (10) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case _____
☒ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No.: _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

8/25/71 (Date)

E. Allen Taylor
(Signature & Claimant)

(Signature of Spouse)

Organization

(Signature of Authorized Agent)

State of Idaho } ss.
County of Ada } C.

On this 25 day of August, in the year 1971, before me,

a notary public, personally appeared Low's Pl. Doctor
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they,
corporation, partnership or _____) executed the same. Jan 7 1968

Notary Public residing at Bahse, Idaho

My commission expires _____

Notary Public
7/29/1975
Rev. 4/1/77 964