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

WATER RESOURCES
WESTERN REGION

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 65-10532
Date Received: 4-5-01
Receipt No: x99999
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MERRILLS EGG FARM INC Phone: (208)365-7216

3610 STAR LANE
EMMETT ID 83617

2. Date of Priority: 06/01/1960

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		CountyType
06N	02W	22	NW	SE	GEM
06N	02W	23	NW	SW	GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	1/01	12/31	0.09	5.4

7. Total Quantity Appropriated is:
0.09 C.F.S. and/or 5.4 A.F.A.

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	NW	SE	STOCKWATER	
06N	02W	23	NW	SW	STOCKWATER	

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:

15. Basis of Claim: Decreed

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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Co-Owner of
Title
Merrill Egg Farm LLC, that I have signed the foregoing
Organization
document in the space below as Co-Owner of
Title
Merrill Egg Farm LLC and that the statements contained in the
Organization
foregoing document are true and correct.

Nancy E Merrill
Signature of Authorized Agent
Co-Owner Merrill Egg Farm LLC
Title and Organization

April 05, 2001
Date

State of Idaho)
County of ADA) SS.

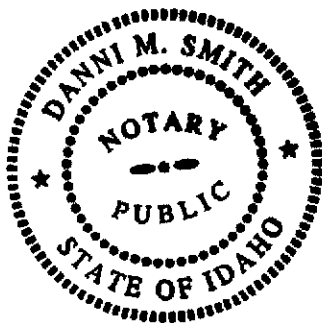
Subscribed and sworn (or affirmed) before me this 5th day
of APRIL 2001

Dani M Smith

Notary Public

Residing at Boise ID

My commission Expires 12/5/06



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 65-10532 V1

WATER RIGHT NUMBER: 65-10532 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MERRILLS EGG FARM INC 3610 STAR LANE EMMETT, ID 83617 (208)365-7216
Original Owner	LEWIS FULLER 1690 KATHY ST EMMETT, ID 83617

Priority Date: 06/01/1960

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
NORTHSIDE DRAIN	TUNNEL NO 7 WASTEWAY

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.090 CFS	5.40 AF
	<u>Total Diversion:</u>	0.090 CFS	5.40 AF

Location of Point(s) of Diversion

NORTHSIDE DRAIN	NW1/4SE1/4	Sec. 22, Twp 06N, Rge 02W, B.M.
GEM County		
NORTHSIDE DRAIN	NW1/4SW1/4	Sec. 23, Twp 06N, Rge 02W, B.M.
GEM County		

Place of UseSTOCKWATER Within GEM County

T06N R02W S22 NWSE T06N R02W S23 NWSW

Total Acres: 0

Conditions of Approval:

1. C18 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.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 65-10532 V1

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

05/04/2001

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

RIGHT NUMBER: 65-10532

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

SOURCE: NORTHSIDE DRAIN

TRIBUTARY: TUNNEL NO. SEVEN WASTEWAY

QUANTITY: 0.09 CFS
5.4 AFY

PRIORITY DATE: 06/01/1960

POINT OF DIVERSION: T06N R02W S22 NWSE
T06N R02W S23 NWSW

Within GEM County
Within GEM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
01-01 12-31

QUANTITY
0.09 CFS
5.40 AFY

PLACE OF USE:

STOCKWATER Within GEM County
T06N R02W S22 NWSE

T06N R02W S23 NWSW

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

WR5809NP
No. 65-10532

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/22/01
PAGE: 12

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LEWIS FULLER 1690 KATHY ST. EMMETT ID 83617	06/01/1960	STOCKWATER	01/01 12/31	0.090 CFS	5.40 AFA
TOTAL DIVERSION:					0.090 CFS	5.40 AFA

Water Source: NORTHSIDE DRAIN

Tributary to: TUNNEL NO. SEVEN WASTEWAY

Stage: DECREED

Point(s) of Diversion:

T06N R02W S22
S23

NWSE
NWSW

GEM County
GEM County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
06N	02W	22	:																	:
06N	02W	23	:																	:

Pou County: GEM

Dates:	App. Received:	Priority Date:	06/01/1960
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

05/03/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

WATER RIGHT NO. 65-10532

Owner Type
Current OwnerName and Address
LEWIS FULLER
1690 KATHY ST
EMMETT, ID 83617MERBILLS Egg Farm Inc.
3610 STAR Lane
EMMETT, ID 83617Priority Date: 06/01/1960 ✓
Basis: Decreed ✓
Status: ActiveSource
NORTHSIDE DRAIN ✓Tributary to
TUNNEL NO. SEVEN WASTEWAY ✓

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER ✓	1/01	12/31	0.09 CFS ✓	5.4 AFA ✓	
Total Diversion			0.09 CFS	5.4 AFA	

Location of Point(s) of Diversion:

NORTHSIDE DRAIN ✓	NWSE ✓	Sec. 22 ✓	Township 06N	Range 02W	GEM County
NORTHSIDE DRAIN ✓	NWSW ✓	Sec. 23	Township 06N	Range 02W	GEM County

Place(s) of use:

Place of Use Legal Description: STOCKWATER

GEM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06N	02W	22		NWSE										
		23		NWSW										

Dates:

Licensed Date:
Decreed Date: 01/21/1986
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

C18

Other Information:

Receipt Number(s):
State or Federal:
Owner Name Connector:
Water District Number: 65
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:

Mitigation Plan: False