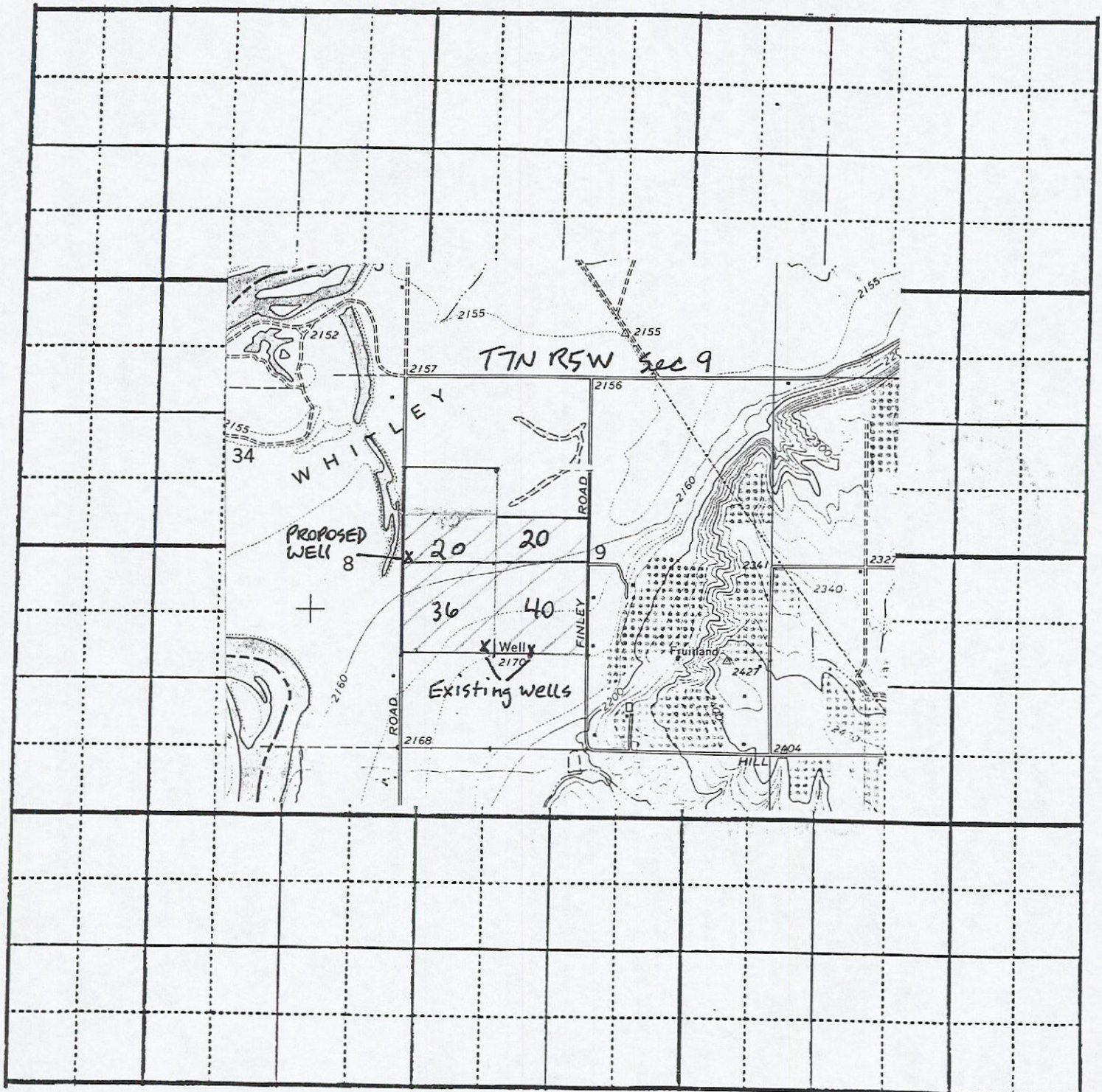


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

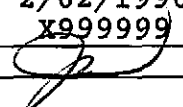


SCALE: 2 inches equal 1 mile. Draw plan in ink.

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: A65-02566
Date Received: 2/02/1990
Receipt No: X999999
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES R. WINEGAR 208-452-3444
Address: 5501 FINLEY RD.
FRUITLAND, ID 83619

OR
Name: NORMA WINEGAR 208-452-3444
Address: 5501 FINLEY RD.
FRUITLAND, ID 83619

2. Date of Priority: MAY 20, 1952

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07N	05W	9	SW	SE	NW		PAYETTE
			SW	NE	SW		PAYETTE

5. Description of diverting works:
SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION.	03/15	11/15	2.160		

7. Total Quantity Appropriated is:
2.160 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

A65-02566

Page 1

Date: 02/02/90

~~MICROFILMED~~
SEP 18 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	05W	9	NE	NW		IRR	30.0
			SW	NW		IRR	30.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
						Section Acres	140.0
						Total Acres	140.0

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:
NONE.

14. Remarks:
DESC. OF DIVERTING WORKS - TWO WELLS, 1-12", APPROX. 100', 20 HP
PUMP, 1-12" WELL, APPROX. 90' DEEP, 1-15 HP PUMP W/OPEN DISCHARGE
INTO DITCHES FOR FLOOD IRRIG.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

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: 6

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): Charles R. Penney Date: 2/2/90

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 2ND day
of February 19 90
Seal [Signature] [Signature]
Notary Public

JAN SHURTE
Residing at RESIDING AT MERIDIAN, IDAHO
My Commission Expires MY COMMISSION EXPIRES SEPT. 14, 1994

02/01/2002

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

RIGHT NUMBER: 65-22427
NAME AND ADDRESS: NORMA WINEGAR
5501 FINLEY RD
FRUITLAND ID 83619

CHARLES R WINEGAR
5501 FINLEY RD
FRUITLAND ID 83619

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 1.39 CFS
315.0 AFY
PRIORITY DATE: 05/20/1952
POINT OF DIVERSION:

T07N R05W S9 SWSWNW Within PAYETTE County
T07N R05W S9 SWNESW Within PAYETTE County
T07N R05W S9 SENWSW Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.390 CFS 315.00 AFY

PLACE OF USE: IRRIGATION Within PAYETTE County

<u>T07N R05W S09</u>	<u>SWNW</u>	<u>20.0</u>	<u>T07N R05W S09</u>	<u>SENW</u>	<u>20.0</u>
<u>T07N R05W S09</u>	<u>NESW</u>	<u>40.0</u>	<u>T07N R05W S09</u>	<u>NWSW</u>	<u>36.0</u>

116 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 70 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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.

THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF DIVERSION UNDER RIGHTS 65-2640 AND 22427 SHALL NOT EXCEED 2.39 CFS, NOR TOTAL COMBINED ANNUAL VOLUME OF 522.0 AF.

EXPLANATORY MATERIAL: Decreed

WATER RIGHT NO. 65-22427
As Modified by Transfer No. 69197

In accordance with the approval of Transfer No. 69197, Water Right No. 65-22427 is now described as follows.

Right Holder: NORMA WINEGAR And
CHARLES R WINEGAR
5501 FINLEY RD
FRUITLAND ID 83619

Priority Date: 05/20/1952

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	1.39 CFS	315.0 AF
			1.39 CFS	315.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWSWNW Sec. 9 Twp 07N Rge 05W PAYETTE County
GROUND WATER	SWNESW Sec. 9 Twp 07N Rge 05W PAYETTE County
GROUND WATER	SENWSW Sec. 9 Twp 07N Rge 05W PAYETTE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N 05W 9							20.0	20.0	40.0	36.0							116.0

Total Acres: 116

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Right 65-22427 is limited to the irrigation of 70.0 acres within the place of use described above in a single irrigation season.
3. The total instantaneous diversion of water from all points of diversion under Rights 65-2640 and 65-22427 shall not exceed 2.39 cfs, nor total combined annual volume of 522.0 af.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
5. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

WATER RIGHT NO. 65-22427
As Modified by Transfer No. 69197

CONDITIONS OF APPROVAL

⑥ This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

⑦ The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

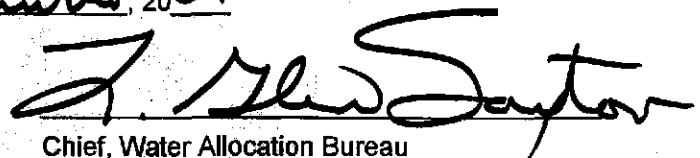
⑧ The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

⑨ Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

⑩ Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 20th day of December, 2001


Chief, Water Allocation Bureau

NO -
SHOULD BE
REMARKS
NOT PUT IN
BUT
DUE TO
REMARKS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69197

RECEIVED

JAN 10 2002

WATER RESOURCES
WESTERN REGION

This is to certify that: CHARLES R WINEGAR And/Or
NORMA WINEGAR
5501 FINLEY RD
FRUITLAND ID 83619
(208)452-3444

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
65-2640	AJC/Decreed	12/30/1958	1.00 cfs		46.0	46.0	GROUND WATER
65-22427	AJC/Decreed	05/20/1952	1.39 cfs		90.0	90.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

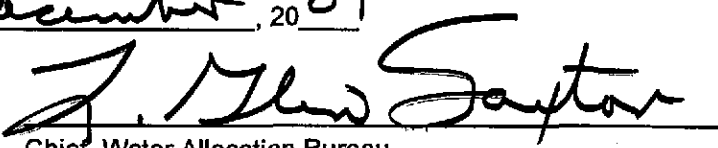
Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
65-2640	NO	NO	YES	YES	NO	NO
65-22427	NO	NO	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
65-2640	65-2640	1.00 cfs	207.0 af	46.0	116.0		N/A	N/A	N/A	N/A
65-22427	65-22427	1.39 cfs	315.0 af	70.0	116.0		N/A	N/A	N/A	N/A
TOTALS		2.39 cfs	522.0 af	N/A	116.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 20th day of December, 2001


Chief, Water Allocation Bureau

APR 25 2001

**WATER RESOURCES
WESTERN REGION**

Transfer No. 69197

PART 1

Name of applicant CHARLES WINEGAR & NORMAN WINEGAR Phone 452-3444

Post Office address 5501 FINLEY RD. FRUITLAND, IN 43612

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes

HAVE SOLD PORTION OF PROPERTY, J.R. SIMPLOT. Would like to add a well and reflect a combined irrigation system

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>65-2640</u>	<u>12/30/58</u>	<u>1.0</u>	<u>Inn</u>	<u>3/15</u> to <u>11/15</u>
<u>- 65-2566</u>	<u>5/20/52</u>	<u>1.39</u>	<u>"</u>	<u>"</u> to <u>"</u>
<u>↑</u>				to
<u>22427</u>				to
<u>Claim</u>				to

2. Total amount of water being transferred 2.39 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Well tributary to _____

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NE	SW	9	7N	5W	PAYETTE	Existing
	SE	NW	SW	9	7N	5W	"	"
	SW	SW	NW	9	7N	5W	"	PROPOSED

5. Lands irrigated or place of use:

[illegible]

Total acres 116

03/09/2001

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

RIGHT NUMBER: 65-2566
NAME AND ADDRESS: NORMA WINEGAR
5501 FINLEY RD
FRUITLAND ID 83619
CHARLES R WINEGAR
5501 FINLEY RD
FRUITLAND ID 83619

*Simplet Purchased
50 acres + .75 cfs
of this rt*

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: *(.4)*
2-160 CFS

PRIORITY DATE: 05/20/1952

POINT OF DIVERSION:

T07N R05W S9 SWSNW Within PAYETTE County *Simplet*
T07N R05W S9 SWNESW Within PAYETTE County *Applicants well*

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	3/15 11/15	2-160 CFS <i>1.39</i>

PLACE OF USE:

IRRIGATION Within PAYETTE County

T07N R05W S09	NENW ~~30.0~~	T07N R05W S09	SWNW	30.0
T07N R05W S09	SENW ~~40.0~~	T07N R05W S09	NESW	40.0
	<i>20</i>			

~~140~~ ACRES TOTAL
90

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

01/08/2001

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

RIGHT NUMBER: 65-2640

NAME AND ADDRESS: CHARLES R WINEGAR
NORMA WINEGAR
5501 FINLEY RD
FRUITLAND, ID 83619

SOURCE: GROUND WATER

QUANTITY: 1 CFS

PRIORITY DATE: 12/30/1958

POINT OF DIVERSION: T07N R05W S9 SENWSW Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	3-15 11-15	1.00 CFS

PLACE OF USE:

<u>IRRIGATION Within PAYETTE County</u>			
T07N R05W S9	SWNW	10	T07N R05W S9 NWSW 36

46 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

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

1. amount _____ for _____ purposes from _____ to _____
(cls/ac-ft) amount
amount _____ for _____ purposes from _____ to _____
(cls/ac-ft) amount
amount _____ for _____ purposes from _____ to _____
(cls/ac-ft)

[illegible][illegible]

1. amount _____ for _____ purposes from _____ to _____
 (cts/ac-ft) amount _____ for _____ purposes from _____ to _____
 (cts/ac-ft) amount _____ for _____ purposes from _____ to _____
 (cts/ac-ft)

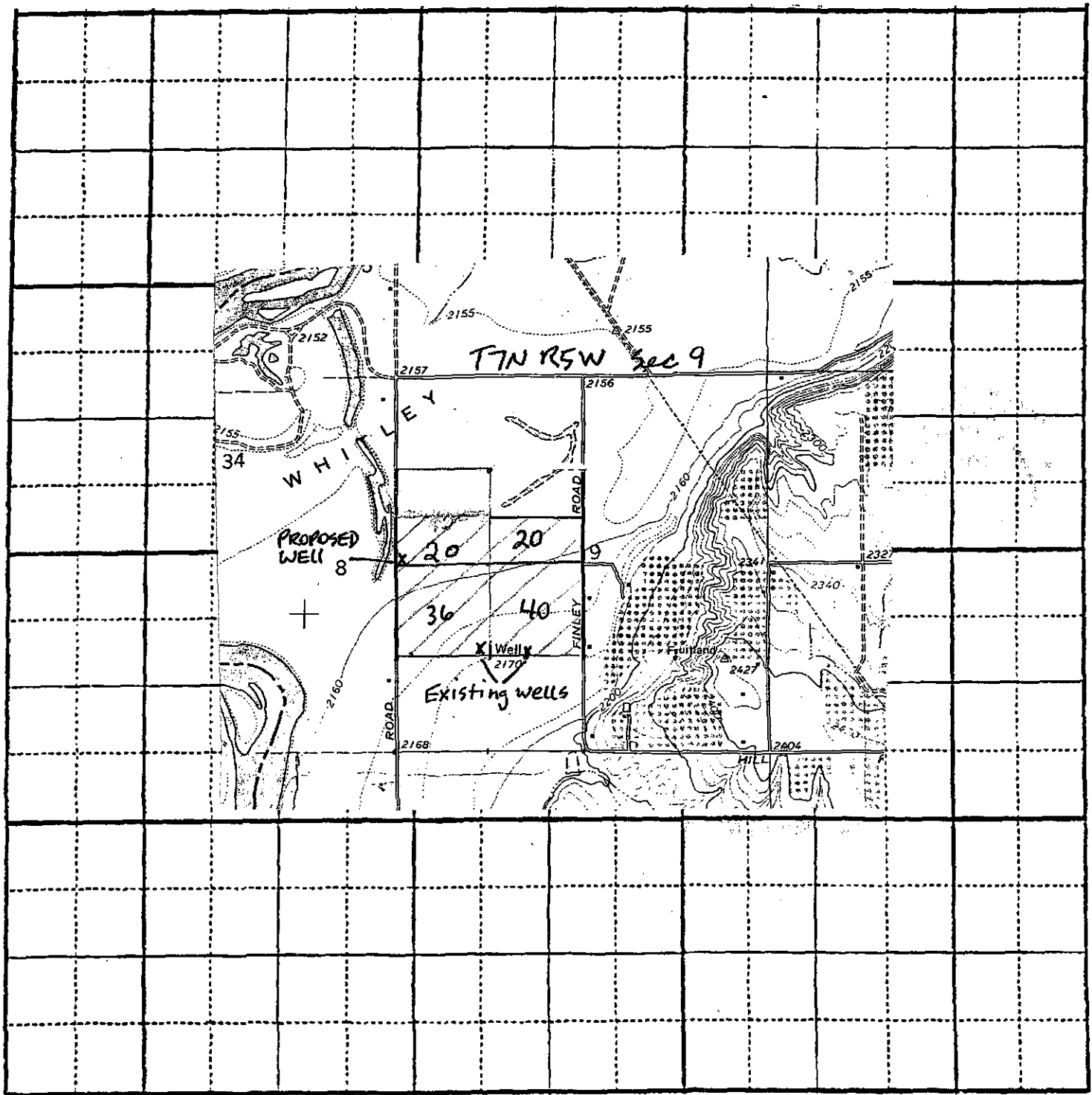
Lot	%	%	%	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

[illegible]**Total acres**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount</u> (cts/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
				to _____
				to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

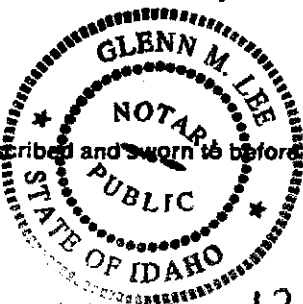
I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 20th day of April, 192001.

Glenn M. Lee
(Notary Public)

My commission expires 12-05-05

**FOR DEPARTMENT USE ONLY**

Transfer contains 7 pages and 1 attachments

Received by [Signature] Date 4/25/01 Protest filed by _____

Prelim. check by _____ Fee \$330

Received by [Signature] INDEPENDENT ENTERPRISE 4/25/01 W027637

Published in _____ Copies of protest forwarded by _____

Pub. dates 6-20-01 7-01 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

202209

WARRANTY DEED

For Value Received,

LAWRENCE T. CLEVERLY and AFTON E. CLEVERLY, husband and wife,

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

CHARLES R. WINEGAR and NORMA WINEGAR, husband and wife,

the grantee s, the following described premises, located in County of Payette, State of Idaho,
to-wit:

918 The S½ of the NW¼, the NE¼ of the NW¼, the NE¼ of the SW¼, and
the NW¼ of the SW¼, Excepting therefrom the East 10 feet of the
West 35 feet, all in Section 9, Township 7 North, Range 5 West
of the Boise Meridna; and

ALSO EXCEPTING therefrom the following tract:

The North 800 feet of the West 1090 feet of the SW¼NW¼ of said
Section 9, Twp. 7 N., R. 5 W., H.M.Subject to existing easements and rights of way for ditches, roads,
etc.Together with all water rights, and also two deep wells, Peerless
pumps, wiring and switches now in place on the property.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee's heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owner in fee simple of said premises; that they are free from all incumbrances.

and that t he y will warrant and defend the same from all lawful claims whatsoever.

Laurence J. Cleary 3-17-72 (SEAL)
Glen E. Cleary 3-17-72 (SEAL)

(SEAL)

(SEAL)

Dated: March 6, 1972.

WASHINGTON
STATE OF ~~IDAHO~~ COUNTY OF Grant - ss.
On this 17 day of March, 1972,
before me, a notary public in and for said State, personally
appeared

Lawrence T. Cleverly and Afton E.
Cleverly, 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.

Residing at 77 - 28 St. Ave.
Comm. Expires 7-23-76

STATE OF IDAHO, COUNTY OF *Payette*
I hereby certify that this instrument was filed for
record at the request of **Land Title Insurance Company**

at 22 minutes past 1:00 o'clock
P. m., this 9th day of January,
1984, in my office, and duly recorded in Book
48 of Deeds at page 202309.

~~Eula Cheesa~~
Ex-Officio Recorder

By Charles Depple Deputy.

Fees \$200
Mail to: Charles R. Winegar, Route 1, Fruitland
Idaho
83619

ATTACH A.2

INSTRUMENT NO: 202205

05/16/2001

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

RIGHT NUMBER: 65-22427

NAME AND ADDRESS: CHARLES R WINEGAR
NORMA WINEGAR
5501 FINLEY RD
FRUITLAND, ID 83619

SOURCE: GROUND WATER

QUANTITY: 1.39 CFS

PRIORITY DATE: 05/20/1952

POINT OF DIVERSION:	T07N R05W S9	SWSNW	Within PAYETTE County
	T07N R05W S9	SWNESW	Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	1.39 CFS

PLACE OF USE:

<u>IRRIGATION Within PAYETTE County</u>			
T07N R05W S9	SWNW	30	T07N R05W S9
T07N R05W S9	NESW	40	SENW 20

90 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

This right is the result of a split due to change in ownership for a portion of 65-02566. DB 5/16/2001

**STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES**

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
APR 12 2001
WATER RESOURCES
WESTERN REGION

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 No(s).: 65-02566
Adjudication Claim No(s).: A65-02566

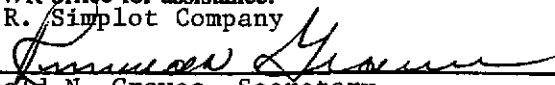
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND See Attached Warranty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

3. Name and Address of Former Owner/Claimant Charles R. Winegar & Norma Winegar
5501 Finley Rd., Fruitland, ID 83619

4. New Owner/Claimant(s) J. R. Simplot Company
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address P. O. Box 27
City, State and ZIP Code Boise, ID 83707
New Telephone Number (208) 336-2110

5. Date you acquired the property June 29, 1990

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 you irrigate 50 Number and type of stock _____
Diversion rate in CFS .75 Number of homes _____ Other uses _____
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.
J. R. Simplot Company

7. Signature of New Owner By: 
or Claimant(s) Ronald N. Graves, Secretary

- (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

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

65-2246 Winger

216 FS

140 acres

0.0134 FS

65-22427

Winger

65-22428

Serpent

SE NW 20
SW NW 30
NE SW 40

90

139 FS

Sec 9 NW 30
SW 20

50

77 FS



J.R. SIMPLOT COMPANY ONE CAPITAL CENTER 999 MAIN STREET SUITE 1300
P.O. BOX 27 BOISE, IDAHO 83707-0027 (208) 336-2110 FAX (208) 389-7515

CORPORATE HEADQUARTERS

April 12, 2001

RECEIVED

APR 12 2001

WATER RESOURCES
WESTERN REGION

Delivery

Jan Shurte
Water Rights Supervisor
State of Idaho
Department of Water Resources
2735 Airport Way
Boise, ID 83705

**Re: IDWR Water Right Nos. 57-11542, 65-02566, 65-02809, 65-7637A, 65-12188,
65-18543.**

Dear Ms. Shurte:

In connection with your Preliminary Recommendations for reporting Snake River Basin Adjudication Claims in Basin 65 Part III, I am enclosing Notices of Error for the following claims:

65-02566, 65-02809, 65-7637A, 65-12188, 65-18543

In connection with the Director's Report of Late Claims & Miscellaneous Claims for Domestic and Stockwater and Irrigation and other Water Rights, I am providing a Notice of Change of Water Right Ownership for the following Claim:

57-11542

All of the enclosed documents relate to updating the ownership for these claims. With respect to claim no. 65-02566, the ownership change only affects a portion of the right. Should you need additional information to complete these ownership changes, please contact me.

Sincerely,

Vic Conrad
Land and Development

Enclosure

03/08/2001

RECEIVED

APR 12 2001

WATER RESOURCES
WESTERN REGION

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 13, 2001

Water right number: 65-02566

Charles R. Winegar
Norma Winegar
5501 Finley Road
Fruitland, ID 83619

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Name, Address, Place of Use, Diversion Rate

2. Describe the changes you wish to make in the proposed recommendation:

The right to irrigate 50 acres out of the total 140 acre place of use should be recommended in the name of the J. R. Simplot Company. To correspond with this portion of the place of use, the rights to divert .75 cfs under this water right should be recommended in the name of J. R. Simplot Company.

3. Give a brief explanation as to why you disagree with these portions:

See "Explanation" below.

I AGREE with this proposed recommendation: no changes need to be made.

J. R. Simplot Company

DATE: April 11, 2001

SIGNATURE: By:

Ronald N. Graves, Secretary

Please print your name:

IDWR Regional Office, 2735 Airport Way, Boise, ID 83705, (208) 334-2190

Explanation:

A portion of the place of use was acquired by Danny M. Cafferty pursuant to the Warranty Deed recorded in the official real property records of Payette County on June 29, 1990 as instrument no. 231009. Danny M. Cafferty then conveyed this same portion of the place of use to J. R. Simplot Company in the Warranty Deed recorded in the official real property records of Payette County on June 29, 1990 as instrument no. 231011. Copies of these Warranty Deeds are attached to the enclosed Notice of Change of Water Right Ownership.

J. R. Simplot Company's portion of the place of use:

T.7N R.5W Section 9	NENW 30
	SENEW 20
	Total 50 acres

J. R. Simplot Company's portion of the quantity:

.75 cfs

J. R. SIMPLOT COMPANY
List of Officers
as of
March 20, 2001

President 03-1-94	Stephen A. Beebe	999 Main Street Suite 1300 Boise, ID 83702
Sr. Vice-President 01-16-97	James R. Munyon	6360 S. Federal Way Boise, ID 83706
Sr. Vice-President 06-30-97	Dennis R. Mogensen	999 Main Street Suite 1300 Boise, ID 83702
Sr. Vice-President 09-01-98	Lawrence S. Hlobik	340 S. 8 th Street Boise, ID 83702
Vice-President and Treasurer 01-10-96	Thomas J. Sorge	999 Main Street Suite 1300 Boise, ID 83702
Vice President and Secretary 10-06-75	Ronald N. Graves	999 Main Street Suite 1300 Boise, ID 83702
Vice-President and Controller 03-20-00	Laura M. Peterson	999 Main Street Suite 1300 Boise, ID 83702

J. R. SIMPLOT COMPANY
List of Directors
as of
April 20, 2000

SCOTT R. SIMPLOT
08-25-70

999 Main Street
Suite 1300
Boise, ID 83702

A. DALE DUNN
10-01-73

999 Main Street
Suite 1300
Boise, ID 83702

DON J. SIMPLOT
05-15-57

999 Main Street
Suite 1300
Boise, ID 83702

GAY SIMPLOT
10-23-89

999 Main Street
Suite 1300
Boise, ID 83702

STEPHEN A. BEEBE
02-01-94

999 Main Street
Suite 1300
Boise, ID 83702

JOHN EDWARD SIMPLOT
02-01-94

999 Main Street
Suite 1300
Boise, ID 83702

JOSEPH MARSHALL
03-01-99

999 Main Street
Suite 1300
Boise, ID 83702

RICHARD HORMACHEA
04-20-00

999 Main Street
Suite 1300
Boise, ID 83702

231009

WARRANTY DEED

GRANTOR, DELL RAY WINEGAR, as Trustee of THE CHARLES R. WINEGAR and NORMA WINEGAR FAMILY TRUST, of the County of Payette, State of Idaho, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto DANNY M. CAFFERTY, individually as his sole and separate property, whose address is 410 S. Orchard, Suite 176, Boise, Ada County, Idaho 83705, as GRANTEE, and to Grantee's heirs, successors and assigns forever, all of that certain real property located in Payette County, Idaho, described as follows:

In Township 7 North, Range 5 West, Boise Meridian, Payette County, Idaho:

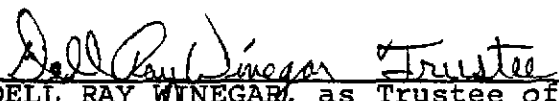
In Section 9: NE1/4NW1/4 and N1/2SE1/4NW1/4.

Together with all improvements, water rights, ditch rights, easements, hereditaments and appurtenances, and any and all additional rights, free and clear of all encumbrances, EXCEPT the lien for real property taxes for the year 1990.

Grantor, for himself, his heirs and assigns, does hereby covenant, warranty and shall defend the quiet and peaceable possession of said premises by the Grantee and his heirs, successors and assigns forever against the lawful claims of all persons.

In construing this Deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, Grantor has hereunto subscribed his name to this instrument this 23rd day of June, 1990.


DELL RAY WINEGAR, as Trustee of
THE CHARLES R. WINEGAR and
NORMA WINEGAR FAMILY TRUST

231009

STATE OF IDAHO)
) ss.
County of Ada)

On this 28th day of June, 1990, before me, a Notary Public in and for said State, personally appeared DELL RAY WINEGAR, as Trustee of THE CHARLES R. WINEGAR and NORMA WINEGAR FAMILY TRUST, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that said person 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, IDAHO
My Commission Expires: 5/13/1994

3913v/06-25-90/11:28

231009

State of Idaho, County of Payette

Certify that this instrument was filed for record at the request of

FIRST AMERICAN TITLE CO,

June 29, 1990 @ 11:32 AM, in Book 48 of Deeds @ Pg. 231009.

Jaura L. Stigile, Ex-Officio Recorder by Colleen Apple, Deputy

Fee: \$ 6.00

231011

WARRANTY DEED

GRANTOR, DANNY M. CAFFERTY, a married individual conveying his sole and separate property, of the County of Ada, State of Idaho, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto J. R. SIMPLOT COMPANY, a Nevada corporation, whose address is P.O. Box 27, Boise, Ada County, Idaho 83707, as GRANTEE, and to Grantee's successors and assigns forever, all of that certain real property located in Payette County, Idaho, described as follows:

In Township 7 North, Range 5 West, Boise Meridian, Payette County, Idaho:

In Section 9: NE1/4NW1/4 and N1/2SE1/4NW1/4.

Together with all improvements, water rights, ditch rights, easements, hereditaments and appurtenances and any and all additional rights, free and clear of all encumbrances, EXCEPT the lien for real property taxes for the year 1990.

Grantor, for himself, his heirs and assigns, does hereby covenant, warranty and shall defend the quiet and peaceable possession of said premises by the Grantee and its successors and assigns forever against the lawful claims of all persons.

In construing this Deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, Grantor has hereunto subscribed his name to this instrument this 28th day of June, 1990.

DANNY M. CAFFERTY

STATE OF IDAHO)
) ss.
County of Ada)

On this 28th day of June, 1990, before me, a Notary Public in and for said State, personally appeared DANNY M. CAFFERTY, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that said person 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, IDAHO

My Commission Expires: 5/13/1994

231011
State of Idaho, County of Payette
I certify that this instrument was filed for record of the record of
June 29 1990 @ 11:36 AM, in Book 48 of Deeds @ Pg. 231011
Laura L. Stigile, Ex-Officio Recorder by Calvin Payne, Deputy
Fee: \$3.00

copy

01/08/2001

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

RIGHT NUMBER: 65-2566

NAME AND ADDRESS: CHARLES R WINEGAR
NORMA WINEGAR
5501 FINLEY RD
FRUITLAND, ID 83619

SOURCE: GROUND WATER

QUANTITY: 2.16 CFS

PRIORITY DATE: 05/20/1952

POINT OF DIVERSION: T07N R05W S9 SWSNW Within PAYETTE County
T07N R05W S9 SWNESW Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3-15 11-15	2.16 CFS

PLACE OF USE:

<u>IRRIGATION Within PAYETTE County</u>					
T07N R05W S9	NENW	30	T07N R05W S9	SWNW	30
T07N R05W S9	SENW	40	T07N R05W S9	NESW	40

140 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



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

February 1, 2002

CHARLES R WINEGAR
NORMA WINEGAR
5501 FINLEY RD
FRUITLAND ID 83619

Dear Mr. & Mrs. Winegar:

Enclosed is a copy of the Notice of Completed Administrative Procedure and pertinent water right(s) recently sent to the Snake River Basin Adjudication Court in Twin Falls. These documents are now required to be filed by the Department in order to notify the Court of any changes to your water right(s).

The change to your water right(s) was a result of an approved transfer. This notification to the Court does not affect the previous approval of this transfer or your water right(s). You will be notified of any future action on your water right(s) by the SRBA Court or Water Resources.

Please contact this office if you have any questions concerning this notification.

Sincerely,

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region Office

JS:lh
Enclosures

**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

Water Rights: 65-2640 & 65-22427

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following administrative proceeding:

☐ Address change

☐ Substitution of Party

XX IC § 42-222 transfer

XX Point of diversion XX Place of use

☐ Period of use ☐ Nature of use

☐ Split of water right ☐ Change in ownership

XX Other – Conditions & Remarks

☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: February 1, 2002



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on February 1, 2002, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Charles R. Winegar
Norma Winegar
5501 Finley Rd.
Fruitland ID 83619

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

☐ overnight mail
☐ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document

**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

_____)

Water Rights: 65-2640 & 65-22427

**NOTICE OF ADMINISTRATIVE
PROCEEDING**

IDWR has received an application for an Administrative Proceeding for the above water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

- ☐ Substitution of Party (waiting for documentation)
- ☐ Substitution of Party/Split Water Right
- ☒ Amended Transfer Pending

IDWR projects the Administrative Proceeding shall be completed not later than:

September 24, 2002

Dated September 24, 2001



Signature of IDWR Representative

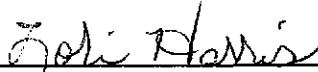
INSTRUCTIONS FOR MAILING

Mail this form to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. **FAX filings will not be accepted by the SRBA Clerk of the Court.**

CERTIFICATE OF MAILING

I certify that on September 24, 2001, I mailed the original and copies of this form to the following persons, postage prepaid, and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls ID 83303-2707
2. One copy to Claimant:
Charles Winegar
Norma Winegar
5501 Finley Rd.
Fruitland ID 83619
3. One copy to:
Each party in the subcase, or attorney of record:



Signature of person or attorney mailing the form



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

May 16, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

CHARLES R WINEGAR
NORMA WINEGAR
5501 FINLEY RD
FRUITLAND ID 83619

Re: Original Notice of Claim to a Water Right No. 65-02566

Renumbered to Notice of Claim to a Water Right No. 65-22427

Dear Claimant(s):

We have received and processed a Change of Ownership for a portion of your original Claim to a Water Right Number as referenced above. This change of ownership resulted in a split of your original claim.

When a portion of the original water right claim has been conveyed to another and the original right has been split, then the original claim number is renumbered by adding alpha suffixes to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new claim number reflects your remaining portion of the original claim after the change of ownership. Enclosed is a copy of this new claim for your records. Please refer to your new claim number when corresponding with our office. Also enclosed is a copy of the original claim for your reference.

If you have any questions concerning this ownership change, or the enclosed claim copy, please feel free to contact this office.

Sincerely,

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB:db

Enclosure