

laho

MENT OF WATER RESOURCES

UNITED STATES

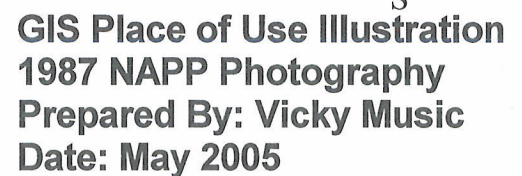
MENT OF THE INTERIOR

OLOGICAL SURVEY

A63-00198AH X57

T3N
R1W





Idaho Department of Water Resources

Claim Number: 63-00198AH
Legal: T03N, R01W, S15
Reviewed By:

1987 Napp Photo



Point of Diversion
(Located outside of view)



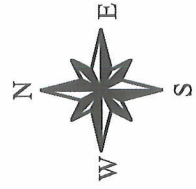
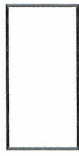
Place of Use



Section Lines



Quarter Quarter Lines



Idaho Department of Water Resources

Claim Number: 63-00198AH
Legal: T03N, R01W, S15
Reviewed By:

1987 Napp Photo



Point of Diversion
(Located outside of view)



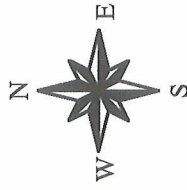
Place of Use



Section Lines



Quarter Quarter Lines



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: A63-00198AH
Date Received: ~~2/21/1990~~ 10-28-94
Receipt No: CD31563
Received By: CA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAVID A MC FADDAN 208-888-1139
Address: 4054 W THORN CREEK CT
MERIDIAN ID 83642

AND/OR

Name: MAUREEN C MC FADDAN 208-888-1139
Address: 4054 W THORN CREEK CT
MERIDIAN ID 83642

2. Date of Priority: JUN 1, 1877

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	03E	29	SW	NW	SW		ADA

5. Description of diverting works:
RIDENBAUGH CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.164		

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

8. Total consumptive use is 93.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	01W	15	NE	SE		IRR	26.7

MICROFILMED
OCT 02 1996

10. Place of Use: Continued

Section Acres 26.7

Total Acres 26.7

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NAMPA & MERIDIAN IRRIGATION DISTRICT

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

FARMERS CO-OP DITCH CO.
Decree Plaintiff

RIVERSIDE IRR. DIST.
vs 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 AM wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 6 pages

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): David A. McFadden Date: 10-28-94

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 28th day
of October 19 94

Carter Fritschle
Notary Public

Seal

Residing at Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My Commission Expires March 21, 2000
My Commission Expires _____

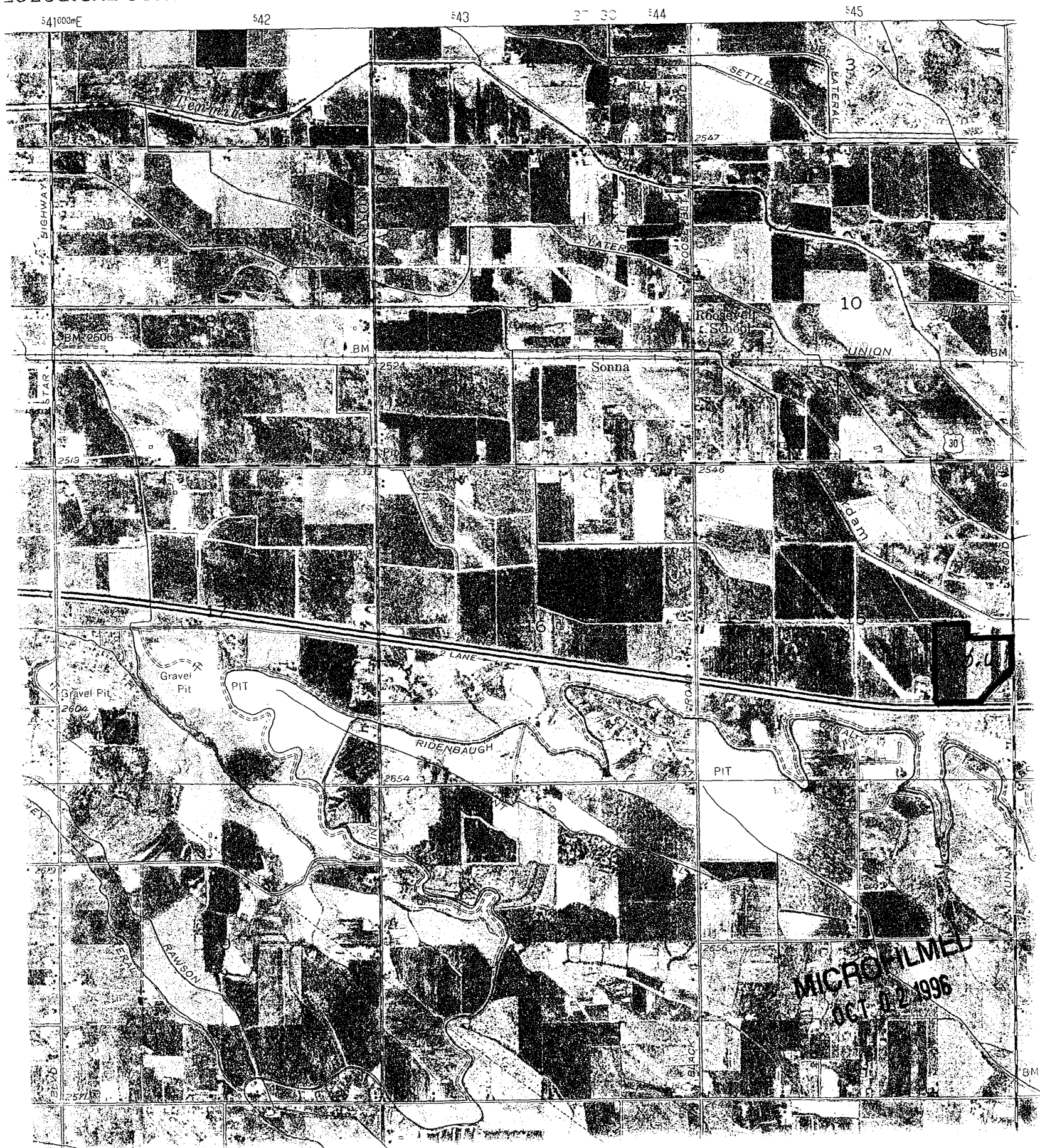
MICROFILMED
OCT 02 1996

daho
MENT OF WATER RESOURCES

UNITED STATES
TMENT OF THE INTERIOR
EOLOGICAL SURVEY

A63-00198AH X57

T3N
R1W



MICROFILMED
OCT 12 1996

ADJ. CLERK RECORDER
J. DAVID HAYWARD
BOISE ID

NAMPA & MERIDIAN IRRIGATION DISTRICT

'94 AUG 5 AM 9 28

FEE 33⁰⁰ J. J. J. J.
RECORDED

AMENDMENT AGREEMENT

THIS AMENDMENT AGREEMENT is made and entered into as of the 2nd day of August, 1994, among NAMPA & MERIDIAN IRRIGATION DISTRICT, an Idaho irrigation district with its office at 1503 First Street South, Nampa, Idaho 83651 (the "District"), and DAVID A. MCFADDAN and MAUREEN C. MCFADDAN, husband and wife, whose address is 4054 West Thorn Creek Ct., Meridian, Idaho 83642 ("McFaddan"), and MARSHALL D. GROSSAINT and CANDICE D. GROSSAINT, husband and wife, whose address is 785 South Ten Mile Road, Meridian, Idaho 83642 ("Grossaint").

RECITALS

1. The parties acknowledge that the following facts form the basis for this agreement.

2. On December 6, 1938, the District and Fred Eggers entered into a written agreement (the "1938 Carriage Agreement"), a copy of which is attached hereto as Exhibit A and by this reference made a part hereof.

3. McFaddan has advised the District that McFaddan, Grossaint and parties named Lubacky are the present owners of 0.2 second feet (cfs) of the water right (IDWR No. 63-0198H) that is the subject of the 1938 Carriage Agreement, and that McFaddan and Grossaint desire to transfer that 0.2 cfs from the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, Township 3 North, Range 1 West, B.M., to portions of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 15.

MICROFILMED
OCT 02 1996

4. The 0.2 cfs of water can be delivered to McFaddan and Grossaint for irrigation of their respective portions of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 15 at the same point as it has in the past been delivered for use on the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 15, and McFaddan and Grossaint are willing to assume complete responsibility for the acquisition, installation, operation and maintenance of any facilities or equipment that might be necessary to conduct the water from the present point of delivery to the point of delivery in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 15.

5. The portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15 which is owned by McFaddan is described in Exhibit B, attached hereto and by this reference made a part hereof, and is hereinafter referred to as the "McFaddan Property," except the portion thereof hereinafter described and identified as the "Grossaint Property." The portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15 owned by the Grossaints is described as follows:

Commencing at the east quarter corner of Section 15, Township 3 North, Range 1 West, B.M., Ada County, Idaho, which is the initial point of this description, thence

South 00°44'16" west a distance of 278.00 feet along the east boundary of said Section 15, thence North 89°00'42" west a distance of 800.00 feet, thence North 00°44'16" east a distance of 278.00 feet to a point on the north boundary of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, thence South 89°00'42" east a distance of 800.00 feet to the initial point of this description.

The last described parcel is hereinafter referred to as the "Grossaint Property." The portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15

MICROFILMED
OCT 02 1996

not included in the McFaddan Property or in the Grossaint property is owned by James D. Lubacky and Tracie Lubacky, husband and wife, and is hereinafter referred to as the "Lubacky Property." The acreages within the three identified parcels are as follows:

<u>Parcel</u>	<u>Acreage</u>
McFaddan	26.71 Acres
Grossaint	4.09 Acres
Lubacky	1.65 Acres

AGREEMENT

6. In consideration of the foregoing premises and the mutual covenants hereinafter set forth, the parties agree as follows:

7. The 1938 Carriage Agreement is hereby amended by substituting the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15 for the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of the same Section 15, in Township 3 North, Range 1 West, B.M., Ada County, Idaho, as the place of use for 0.2 cfs of the water which is the subject of the 1938 Carriage Agreement.

8. McFaddan agrees to indemnify and hold harmless the District from all claims of every kind and nature whatsoever, and from all attorney fees and other costs that might be incurred in defending any claim, by any person, persons or entity claiming any interest in the 0.2 cfs of water under No. 63-0198H that is the subject matter of this Amendment, whether such claim is made on the basis of ownership of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 15 or

MICROFILMED
OCT 02 1996

any other basis.

9. The District does not claim any interest in Water Right 63-0198H, and it shall be McFaddans' and Grossaints' responsibility to file a notice of claim for the water right in the pending Snake River Basin Adjudication, Twin Falls County Case No. 39576. McFaddan and Grossaint acknowledge and agree that, if Water Right No. 63-0198H is reduced to a lesser quantity by the decree in the Snake River Basin Adjudication, or in any other or subsequent adjudication, no water shall be delivered under the water rights of the District to make up the difference between 0.2 cfs and the quantity decreed to McFaddan or Grossaint.

10. The annual assessments under the 1938 Agreement against the McFaddan Property and against the Grossaint Property shall be made on the basis of the acreages set forth in Paragraph 5, above. The District shall assess the other 1.65 acres against the Lubacky property, but if the owners of the Lubacky property decline to pay the assessment, then the District shall be under no obligation to deliver any portion of Water Right No. 63-0198H to the Lubacky property, and the water that otherwise would be delivered to the Lubacky property shall become part of the water right pool of the District and may be delivered to other lands in the District in accordance with the policies, practices and procedures of the District.

11. After allowance for ditch loss as specified in the 1938

MICROFILMED
OCT 02 1996

Agreement, the 0.2 cfs under Water Right No. 63-1098H shall be delivered to the three properties in the following percentages:

<u>Property</u>	<u>Percentage</u>
McFaddan Property	82%
Grossaint Property	13%
Lubacky Property	5%

15. This Agreement shall be binding upon, and the benefits and advantages hereof shall inure to, the parties hereto and their respective heirs, personal representatives, successors and assigns.

IN WITNESS WHEREOF, the District has caused its name to be subscribed by its officers first thereunto duly authorized by resolution of its Board of Directors, and McFaddans and Grossaints have hereunto subscribed their names, all as of the day and year herein first above written.

NAMPA & MERIDIAN IRRIGATION DISTRICT

By R D Scott
Its President

ATTEST:

Darren R Coon
Its Secretary

MICROFILMED
OCT 02 1996

David A. McFaddan
David A. McFaddan

Maureen C. McFaddan
Maureen C. McFaddan

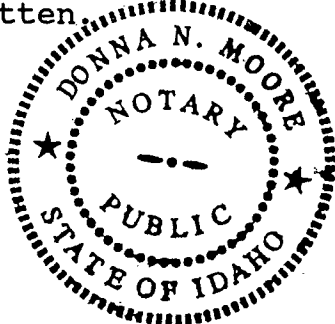
Marshall D. Grossaint
Marshall D. Grossaint

Candice D. Grossaint
Candice D. Grossaint

STATE OF IDAHO)
) ss.
COUNTY OF CANYON)

On this 2nd day of August, 1994, before me, the undersigned, a notary public in and for said state, personally appeared R. D. Scott and Walter R. Cook, known to me to be the President and Secretary, respectively, of NAMPA & MERIDIAN IRRIGATION DISTRICT, the irrigation district that executed the foregoing instrument, and acknowledged to me that such irrigation district 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.



Donna N. Moore
Notary Public for the State of Idaho
Residing at Caldwell, Idaho
My commission expires: 11/04/94

MICROFILMED
OCT 02 1996

STATE OF IDAHO)
) ss.
COUNTY OF Ada)

On this 29th day of July, 1994, before me, the undersigned, a notary public in and for said state, personally appeared DAVID A. McFADDAN and MAUREEN A. McFADDAN, husband and wife, known to me to be the persons whose names are subscribed to the within and foregoing 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.

Karla A. Fisher
Notary Public for the State of Idaho
Residing at Boise, Idaho
My commission expires: 7-1-00

STATE OF IDAHO)
) ss.
COUNTY OF Ada)

On this 29th day of July, 1994, before me, the undersigned, a notary public in and for said state, personally appeared MARSHALL D. GROSSAINT and CANDICE D. GROSSAINT, husband and wife, known to me to be the persons whose names are subscribed to the within and foregoing 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.

Karla A. Fisher
Notary Public for the State of Idaho
Residing at Boise, Idaho
My commission expires: 6-1-00

MICROFILMED
OCT 02 1996

Date Received 10-28-94

State of Idaho
Department of Water Resources
**REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)**

RECEIVED
OCT 31 1994
WATER RESOURCES
WESTERN REGION

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

David G. McFadden (208) 888-1139
Name of Claimant Phone Number
4054 W. Thorn Creek Ct. Meridian ID 83642
Mailing Address City State Zip
Ada 9-8-89
County(s) where place of use is located Date claim originally due
A 63-00198 AH
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

This water is delivered through the Nampa-Meridian Irrigation Canal System. I did not find out until Aug. 1994 that I would need to file on this irrigation water allotment.

Claimant requests an extension to _____, 19 ____
David G. McFadden 10-28, 19 94
Signature Date of request
Owner
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:

and if granted the filing deadline is extended to Oct 28, 19 94
Signed this 31 day of October, 19 94

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

DAVID B. SHAW
Director or his designated agent

MICROFILMED
OCT 02 1996

Date Received 10-28-94

State of Idaho
Department of Water Resources
**REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)**

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

David G. McFadden (208) 888-1139
Name of Claimant Phone Number
4054 W. Thorn Creek Ct. Meridian ID 83642
Mailing Address City State Zip
Ada 9-8-89
County(s) where place of use is located Date claim originally due
A 63-00198 AH
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

This water is delivered through the Nampa-Meridian Irrigation Canal System. I did not find out until Aug. 1994 that I would need to file on this irrigation water allotment.

Claimant requests an extension to _____, 19 ____
David G. McFadden 10-28, 19 94
Signature Date of request
Owner
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [X granted] [____ denied] for the following reasons:

and if granted the filing deadline is extended to Oct 28, 19 94
Signed this 31 day of October, 19 94

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

Director or his designated agent

DAVID B. SHAW

MICROFILMED
OCT 02 1996

Transfer No. _____

Application No. 63-0198H

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant Harold Agee Phone _____

Post office address 1520 S. Tenmile Meridian, ID 83642

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to Middleton Water Co.
in case of _____ (Name)
vs _____
dated June 1, 1877 in 7th Judicial Dist county of Canyon
(Name of court)

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. Transfer Right 392 on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant property
was purchased from Mrs. Fred Eggers wife of original right holder

3. Source of water Boise River tributary to Snake River

4. Date of priority June 1, 1877

5. Water is used for the following purposes:

amount 0.40 for Irrigation purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 0.40 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is _____ ¼ of NW ¼ of Section 11
Township 4 N Range 2 W, B.M., in Ada County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3 N	1 W	14											40						40
		15															40		40

Total number of acres to be irrigated 80

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. 0.20 cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ NW _____ ¼, Section 11 Township 4 N
Range 2 W, B.M., Ada County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3 N	1 W	14											40						40

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion NO CHANGE

a. Amount of water to be diverted _____ c.f.s. &/or _____ acre feet

b. Point(s) of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

c. Description of diverting works _____

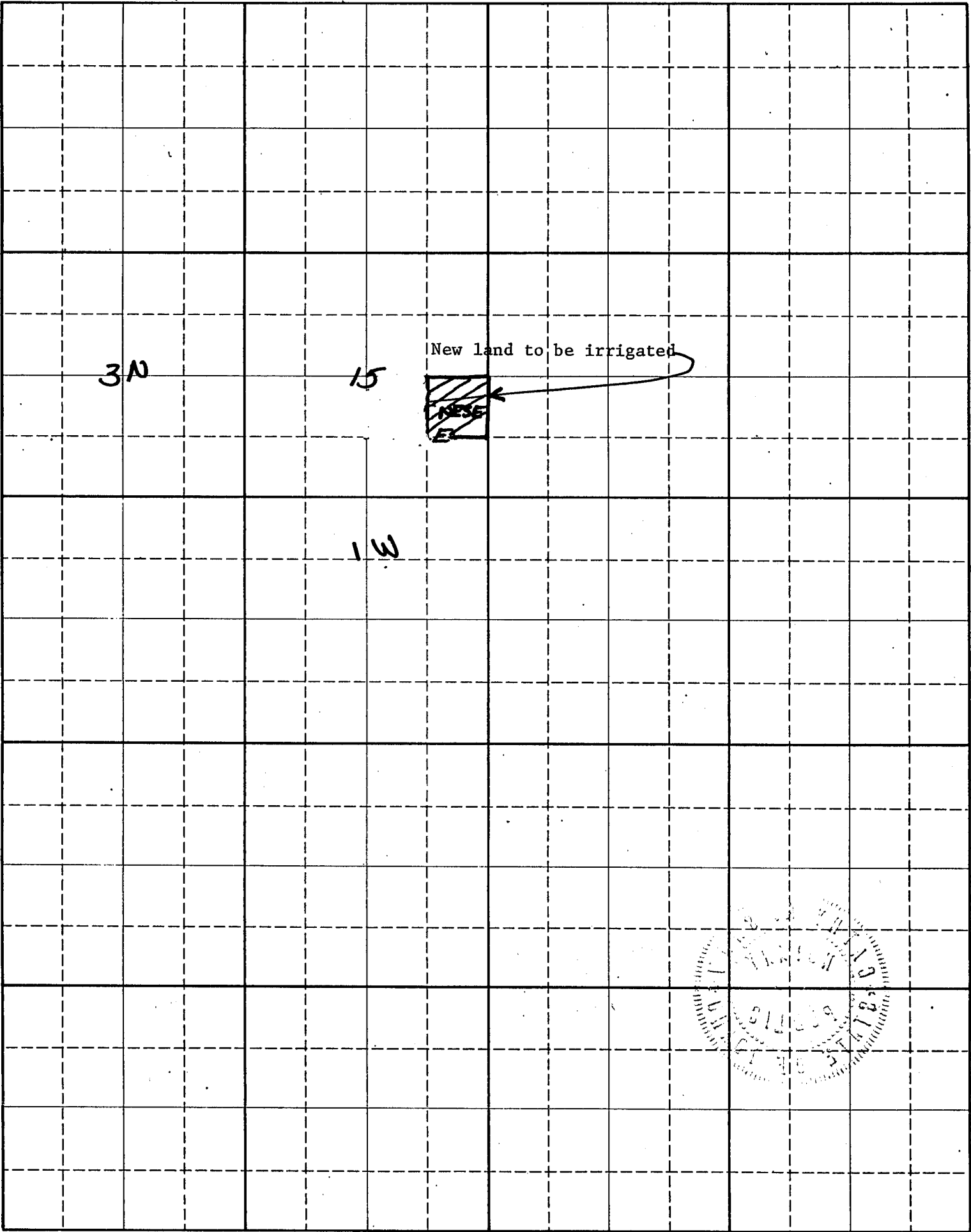
d. Describe the reasons for applying for a change in the point(s) of diversion _____

2. Change in place of use

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3 N	1 W	15													40				40

b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



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

3. Remarks This water has been rotated on this land for many years along with
other ditch rights but now I am selling the NESE, of Sec. 15, T. 3 N, R. 1 W
and want to insure the new owner has some irrigation pertenate to his lands.

I hereby assert that no one will be injured by such change and 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.

Subscribed and sworn to before me this 9th day of September, 19 75
My commission expires 12-26-78

Harold Agge
(Signature of applicant)

Cathy L. Shaw
(Notary public)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 392/63-0198H,
and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

2. Denial of said application is for the following reasons:

Witness my hand this 17 day of November, 19 75

L. Kent Higgins

FOR DEPARTMENT USE ONLY

Received by C/S Date 9/9/75 Protest filed by _____
Prelim. check by EDB Fee 10.00 _____
Receipted by C/S Date 9/9/75 #1308 _____
Published in Mtn Home News Statesman Copies of protest forwarded by _____
Pub. dates Sept 25 & Oct 2 Hearing held by _____ Date _____
Watermaster recommendation requested on _____ Recommended for approval denial
10-14-75 rec'd. _____ by _____

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

RIGHT NUMBER: 63-198AH

NAME AND ADDRESS: SJJV LLC
7893 N VUE ESTATES RD
MERIDIAN ID 83642

~~MAUREEN C MC FADDAN~~
~~DAVID A MC FADDAN~~
~~4054 W THORN CREEK CT~~
~~MERIDIAN ID-83642~~

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.164 CFS

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 06/01/1877

POINT OF DIVERSION:

T03N R03E S29 NWSW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.164 CFS
Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.		

PLACE OF USE: IRRIGATION Within ADA County

T03N R01W S15 NESE 26.70

26.7 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 delivered through the Ridenbaugh Canal pursuant to an agreement with the Nampa-Meridian Irrigation District.

This right is also designated as Right No. 65 in the Boise River Stewart Decree and Boise River Distribution Report.

Use of this right is combined with water from Nampa Meridian Irrigation District.

This right is a split from former right 63-198Q.

**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: 63-198AH

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following administrative proceeding:

☐

Address change

XX

Substitution of Party

☐

IC § 42-222 transfer

☐

Point of diversion

☐

Place of use

☐

Period of use

☐

Nature of use

☐

Split of water right

☐

Change in ownership

☐

Other

☐

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: April 14, 2006


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on April 14, 2006, 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
Off ice 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

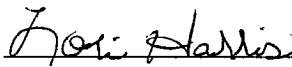
3. Copies to all parties to the subcase:

SJJV LLC
7893 N Vue Estates Rd.
Meridian ID 83642

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

David Mc Faddan
Maureen Mc Faddan
4054 W Thorn Creek Ct
Meridian ID 83642

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



Signature of person mailing this document



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

April 14, 2006

SJJV LLC
7893 N VUE ESTATES RD
MERIDIAN ID 83642

Re: Water Right No. 63-198AH

Dear Sirs:

Enclosed is a copy of the above referenced water right, which reflects the change in ownership of the land, and appurtenant water rights covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the Snake River Basin Court as notification of the change.

If you have any questions concerning the enclosed water right, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Lori Harris".

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region Office

LH:l
Enclosures

cc: David & Maureen Mc Faddan

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

RECEIVED

DEC 19 2005

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-198AH	63-198AH				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) David + Maureen C. McFadden
4. New Owner/Claimant(s) 4054 W. Thorn Creek Ct
Morristown, TN 37642
- New Mailing Address 555V-LLE
7893 N. Vue Estates Rd
- City, State and ZIP Code Morristown - TN 37642
- New Telephone Number (608) 887-9640
5. Date you acquired the property 1/15/2003

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

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

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

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

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 N/A
 Received by _____ Date _____ Receipt No. _____
 Processed by 721 AJ Date 4-12-06 WR _____ Date _____

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 01/15/03 03:19 PM
DEPUTY Joanne Hooper
RECORDED - REQUEST OF
SJJV
AMOUNT 3.00



QUITCLAIM DEED

For Value Received Joseph M. Verska and Samuel S. Jorgenson,

Do hereby convey, release, remise and forever quitclaim unto;

SJJV LLC, an Idaho Limited Liability Company

Whose current address is; 333 N. 1st Street, Suite 160 Boise, Idaho 83702

The following described premises, to-wit:

PROPERTY DESCRIPTION

The land referred to in this Commitment is described as follows:

The Northeast quarter of the Southeast quarter of Section 15, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho.

EXCEPT

All that portion of the Southeast quarter of Section 15, Township 3 North, Range 1 West, Boise Meridian, in Ada County, Idaho, which lies North of Interstate 80N (also known as I-84), South of Brandt access and West of Ten Mile.

ALSO EXCEPT

A tract of land located in the Northeast quarter of the Southeast quarter of Section 15, Township 3 North, Range 1 West, of the Boise Meridian, Ada County, Idaho more particularly described as follows:

Commencing at the East quarter corner of said Section 15, which is the initial point of this description; thence South 00°44'16" West a distance of 278.00 feet along the East boundary of said Section 15; thence North 89°00'42" West a distance of 800.00 feet; thence North 00°44'16" East a distance of 278.00 feet to a point on the North boundary of the Northeast quarter of the Southeast quarter; thence South 89°00'42" East a distance of 800.00 feet to the initial point of this description.

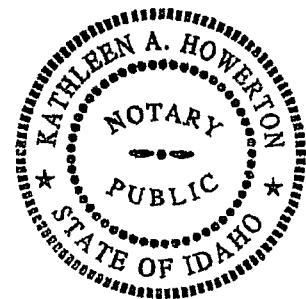
ALSO EXCEPT any portion lying within Ten Mile Road and I-84.

Together with their appurtenances.

Dated: 1/16/03

Dr. Joseph M. Verska

Dr. Samuel S. Jorgenson



State of Idaho, County of Ada

On this 6 day of December 2002 January, 2003

Before me, a notary public in and for the State,

Personally Appeared Joseph M. Verska and Samuel S Jorgenson

Known to me to be the persons whose names subscribes to the within instrument, and acknowledged to me that they executed the same.

Kathleen A. Hansen
Kathleen Ann Hansen, Notary Public

Residing at 1888 E. Rodeo Lane Kuna, Idaho

My commission expires 10/19/06



Year

2005

Parcel #

S1215417262

Property Type

Real

Status

Active

Exemption

None

Code

0

Sub Property Type

None

Code Area

242

Districts

DLL

Appraisers Initials

Details

☒ Taxes Owning

☐ Urban Renewal
☐ Ownership Change
☐ Drop HOE
☐ Circuit Breaker
☐ Bankruptcy

Print

Property Desc.

Cancel

Help

PHYSICAL LOCATION

Property Address

S TEN MILE RD

MERIDIAN ID

00000-0000

Group Type

SECT

Group #

1215

Description

3N 1W 15

Township/Range/Section

3N 1W 15

MLS Area

Zero

Zoning Code

RUT

Reappraisal Year

2004

Physical Inspection

03/17/2004

OWNER INFORMATION

Name

SJJV LLC

Add'l Info

Mailing Address

360 E MONTVUE DR STE 100

MERIDIAN ID

03642-0000

PARCEL VALUES

Assessment Roll	Property Occupancy	State Category Code	Acreage	Assessed Value	Valuation Method	Code Area	Total Parcel Values
Primary	Non-Occupancy	10	31.050	46,000	INCOME	242	Assessed Amt 46,000
Primary	Non-Occupancy	190	2.000	0	INCOME	242	Taxable Amt 46,000

Public Property Description - Display [PT22ff]

State Parcel #

03N01W157262

Property Description

PAR #7262 OF NE4SE4

SEC 15 3N 1W

#417260-8

Total Acreage

33.050

Farm

1

Manufactured

Cancel

TITLEONE

VOBSYTCP

NUM

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

2002 AU -6 PM 4:36

RECORDED-REQUEST OF

FEE 6 DEPUTY DMC

102089104

TITLE ONE

Order No.: A028986 HC/DS

WARRANTY DEED

FOR VALUE RECEIVED,

DAVID A. MCFADDAN AND MAUREEN C. MCFADDAN, husband and wife

The Grantor(s), do(es) hereby grant, bargain sell and convey unto

SAMUEL S. JORGENSEN, and JOSEPH M. VERSKA

whose current address is 4344 N. NINES RIDGE LANE, BOISE, IDAHO 83702

the Grantee(s), the following described premises, in ADA County, Idaho, TO WIT:

**SEE ATTACHED EXHIBIT "A" WHICH BY THIS REFERENCE BECOMES A
PART HEREOF AND CONSIST OF ONE (1) PAGE**

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances EXCEPT: Subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility easements (if any) for the current year, which are not due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: 08/01/02

David A. McFadden
DAVID A. MCFADDAN

Maureen C. McFadden
MAUREEN C. MCFADDAN

STATE OF IDAHO
COUNTY OF ADA

ON THIS 5th OF AUGUST, 2002, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC PERSONALLY APPEARED, DAVID A. MCFADDAN AND MAUREEN C. MCFADDAN, KNOWN TO ME OR PROVEN TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

Dianna L. Stork
DIANNA L. STORK
NOTARY PUBLIC
RESIDING AT: MERIDIAN
MY COMMISSION EXPIRES:
01/23/08
(SEAL)

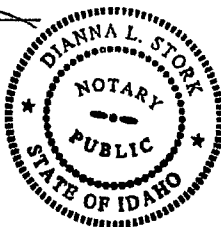


EXHIBIT "A"

The Northeast quarter of the Southeast quarter of Section 15, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho.

EXCEPT

All that portion of the Southeast quarter of Section 15, Township 3 North, Range 1 West, Boise Meridian, in Ada County, Idaho, which lies North of Interstate 80N (also known as I-84), South of Brandt access and West of Ten Mile.

ALSO EXCEPT

A tract of land located in the Northeast quarter of the Southeast quarter of Section 15, Township 3 North, Range 1 West, of the Boise Meridian, Ada County, Idaho more particularly described as follows:

Commencing at the East quarter corner of said Section 15, which is the initial point of this description; thence South 00°44'16" West a distance of 278.00 feet along the East boundary of said Section 15; thence North 89°00'42" West a distance of 800.00 feet; thence North 00°44'16" East a distance of 278.00 feet to a point on the North boundary of the Northeast quarter of the Southeast quarter; thence South 89°00'42" East a distance of 800.00 feet to the initial point of this description.

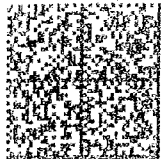
ALSO EXCEPT any portion lying within Ten Mile Road and I-84.

Exhibit "A"

Legal Description

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

FIRST CLASS



02 1A
0004310839 DEC 16 2005
\$00.83
MAILED FROM ZIP CODE 83702

RECEIVED
DEC 28 2005
DEPARTMENT OF
WATER RESOURCES
DEC 29 2005
WATER RESOURCES
WESTERN REGION

Maureen C. Fadden
63-198AH

NOT DELIVERABLE
AS ADDRESSEE
UNABLE TO DELIVER

DAVID A MC FADDAN

MAUREEN C MC FADDAN
4054 W THORN CREEK CT
MERIDIAN ID 83642

UNITED STATES MAIL
NOV 04 0004389393
\$00.
MAILED FROM ZIP CODE 021A
REGISTERED FIRST CLASS PERMIT NO. 1000 NEW YORK, NY 10108
NOV 04 0004389393
\$00.
MAILED FROM ZIP CODE 021A



Dr. Versta
7893 Kth Vth 2
2792 B 3642

NOTHING TO SAY

MAUREEN C MC FADDAN
4054 W THORN CREEK CT
MERIDIAN ID 83642

STJV LLC
360 E Montvue
Meridian 83642

WATER RESOURCES
WESTERN REGION

ADDRESS SERVICE
REQUESTED



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

September 26, 2005

SJJV LLC
333 N 1ST ST STE 160
BOISE ID 83702

RE: NOTICE OF CLAIM NO(S): A63-198AH

Dear Claimant(s):

We are currently preparing the Notice(s) of Claim referenced above for the Director's Report in the Snake River Basin Adjudication. Our research indicates there may have been a change in the ownership for the above claim(s). IDWR records currently show the following name and address as the owner of the claim(s) listed above:

**DAVID MC FADDAN
MAUREEN MC FADDAN
4054 W THORN CREEK CT
MERIDIAN ID 83642**

If our current records, as listed above, are not correct please complete the enclosed Change in Ownership form, as appropriate, to correct our records.

If no response is received from you, all further legal notices concerning the claim(s) will be sent to the name and address shown above. If you have claims other than those referenced here, please contact the Department so we may assist you in updating the information for all your claims. Should you have any questions, or feel that you need assistance, please contact IDWR at (208) 334-2190.

Sincerely,

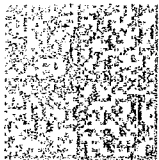
Adjudication Staff
Department of Water Resources
Western Region

LH:l
Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGIONAL OFFICE
735 AIRPORT WAY
BOISE, IDAHO 83705

V

FIRST CLASS



UNITED STATES POSTAGE
02 1A
0004369393 JUN 0
MAILED FROM ZIP CODE

UPD



NOT DELIVERABLE
AS ADDRESS
UNABLE TO FORWARD

MAUREEN C MC FADDAN
DAVID A MC FADDAN
4054 W THORN CREEK CT
MERIDIAN ID 83642

*No Address
Found*

RECEIVED

JUN 13 2005

WATER RESOURCES
WESTERN REGION

*SJ JV hlc
333 N 1st St Ste 160
Boise 83702*

63-198 AH

ADDRESS SERVICE

06/28/2005

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

RIGHT NUMBER: 63-198AH

NAME AND ADDRESS: MAUREEN C MC FADDAN
4054 W THORN CREEK CT
MERIDIAN ID 83642

DAVID A MC FADDAN
4054 W THORN CREEK CT
MERIDIAN ID 83642

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.164 CFS

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 06/01/1877

POINT OF DIVERSION:
T03N R03E S29 NWSW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.164 CFS
Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.		

PLACE OF USE: IRRIGATION Within ADA County
T03N R01W S15 NESE 26.7

26.7 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 delivered through the Ridenbaugh Canal pursuant to an agreement with the Nampa-Meridian Irrigation District.

This right is also designated as Right No. 65 in the Boise River Stewart Decree and Boise River Distribution Report.

Use of this right is combined with water from Nampa Meridian Irrigation District.

This right is a split from former right 63-198Q.



State of Idaho
Idaho Department of Water Resources
Western Region

T3N R1W SECTION 15
Water Right (s): 63-198AH

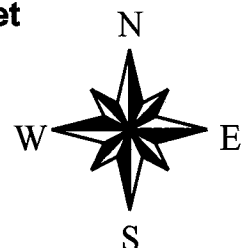


1320 0 1320 2640 3960 5280 6600 7920 Feet



TOTAL IRRIGATED ACRES = 26.7

Point of Diversion located in T3N R3E SECTION 29 NWSW



- **Point of Diversion**
-  **Place of Use**
-  **Section Lines**
-  **Quarter Quarter Lines**

GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: May 2005

05/05/2005

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

RIGHT NUMBER: 63-198AH

NAME AND ADDRESS: MAUREEN C MC FADDAN
4054 W THORN CREEK CT
MERIDIAN ID 83642

DAVID A MC FADDAN
4054 W THORN CREEK CT
MERIDIAN ID 83642

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.164 CFS

PRIORITY DATE: 06/01/1877

POINT OF DIVERSION:

T03N R03E S29 NWSW Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/01 11/15

QUANTITY
0.164 CFS

PLACE OF USE: IRRIGATION Within ADA County

T03N R01W S15 NESE 26.7

26.7 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 Nampa Meridian Irrigation District.

155 ✓ ~~Staple~~
EXP ✓ conveyed thru Ridenbourn
app # ~~155~~ 155 in the Boise R. decree & water DIS REP
app ✓ per changed per trx # 392
24 ✓ split to DM 03-198Q.

WATER RIGHT NUMBER	NAME	CFS
63-00198	SPLIT INTO 63-0198A & 63-0198B BY TRANS. 357.	
63-00198A	WHITAKER , NELLIE B.	0.20
63-00198B	SPLIT INTO 63-0198C & 63-0198D BY TRANS. 374.	
63-00198C	PARKS , H. D. MIDDLETON WATER CO. , -	0.40
63-00198D	SPLIT INTO 63-0198E & 63-0198F BY TRANS. 375.	
63-00198E	WING , A. G.	0.20
63-00198F	SPLIT INTO 63-0198G & 63-0198H BY TRANS. 384.	
63-00198G	LEACH , MARY F.	0.40
63-00198H	SPLIT INTO 63-0198J & 63-0198K BY TRANS. 385.	
63-00198J	SPLIT INTO 63-0198L & 63-0198M BY TRANS. 386.	
63-00198K	MC CONNELL , H. E.	0.23
63-00198L	SPLIT INTO 63-0198N & 63-0198P BY TRANS. 387.	
63-00198M	BARTLETT , W. H.	0.40
63-00198N	SMITH , E. E.	0.40
63-00198P	SPLIT INTO 63-0198Q & 63-0198R BY TRANS. 392.	
63-00198Q	NAMPA & MERIDIAN IRRIGATION DISTRICT	0.40
63-00198R	SPLIT INTO 63-0198T & 63-0198U BY TRANS. 395.	
63-00198T	SPLIT INTO 63-0198V & 63-0198W BY TRANS. 430.	
63-00198U	SPLIT INTO 63-0198AA & 63-0198AB BY TRANS. 57.	
63-00198V	MC GUIRE , G. R.	
63-00198W	SPLIT INTO 63-0198X & 63-0198Y. BY TRANS. 468.	

MICROFILMED
FEB 03 2000

WATER RIGHT NUMBER	NAME	CFS
63-00198X	WOOD , C. C.	0.10
63-00198Y	ALLISON , O. E.	0.15
63-00198AA	MC CLINTOCK , EDWARD L.	0.06
63-00198AB	SPLIT INTO 63-0198AC & 63-0198AD BY TRANS. 84.	
63-00198AC	MIDDLETON WATER CO.	110.09
63-00198AD	RALPHS , J. C.	0.80

MICROFILMED
FEB 03 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5273
WATER RIGHT NO(S). 63-00120F/63-00198Q/63-00199B/63-00200B

This is to certify that: **NAMPA & MERIDIAN IRRIGATION DISTRICT**
1503 FIRST ST S
NAMPA ID 836514395

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>
Right No. 63-00120F : Priority: 06/01/1864 IRRIGATION	03/15 to 11/15	0.40 CFS
Right No. 63-00198Q : Priority: 06/01/1877 IRRIGATION	03/15 to 11/15	0.40 CFS
Right No. 63-00199B : Priority: 05/01/1878 IRRIGATION	03/15 to 11/15	169.60 CFS
INDUSTRIAL	03/15 to 11/15	0.64 CFS
GROUNDWATER RECHARGE	03/15 to 11/15	2.56 CFS
SUBTOTAL:		169.60 CFS
Right No. 63-00200B : Priority: 08/20/1888 IRRIGATION	03/15 to 11/15	361.94 CFS
INDUSTRIAL	03/15 to 11/15	1.36 CFS
GROUNDWATER RECHARGE	03/15 to 11/15	5.44 CFS
SUBTOTAL:		361.94 CFS
TOTAL:		532.34 CFS

SOURCE

BOISE RIVER

TRIBUTARY OF

SNAKE RIVER

MICROFILMED
FEB 03 2000

TRANSFER NO. 5273
WATER RIGHT NO(S). 63-00120F/63-00198Q/63-00199B/63-00200B

LOCATION OF POINT(S) OF DIVERSION:

Surprise Valley Diversion	Lot 6 (NWNE), Sec. 4, Township 02N, Range 03E
Ridenbaugh Canal	Lot 6 (NWSW), Sec. 29, Township 03N, Range 03E ADA County

PLACE OF USE: See Remarks

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
4. Prior to March 15 of each year the right holder shall report to the department the number and location of acres to be irrigated by these rights from the Surprise Valley diversion and shall also report the maximum rate of flow to be diverted for industrial and groundwater recharge purposes at the Surprise Valley diversion. Use of water under these rights each year shall not exceed the reported amounts.
5. The amount of water diverted from the Surprise Valley diversion for irrigation purposes shall be calculated at a diversion rate of 0.0156 cfs per acre to be irrigated, and when combined with any other rights these 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 purposes. This condition shall not be construed as a requirement for the right holder to regulate water on a volumetric basis.
6. The number of acres available for irrigation under these rights from the Surprise Valley diversion each year shall be reduced from a maximum of 1300 by at least the number resulting from the total rate of flow to be diverted for industrial and groundwater recharge purposes divided by 0.0156 cfs per acre.
7. Each year the amount of water available for irrigation at the Surprise Valley diversion shall be reduced by the amount of water to be diverted for industrial and groundwater recharge purposes under these rights.
8. Diversion and use of water for industrial purposes under these rights shall not be more consumptive nor more depletive of water flowing in the Boise River than an equivalent diversion and use of water for irrigation purposes under these rights.

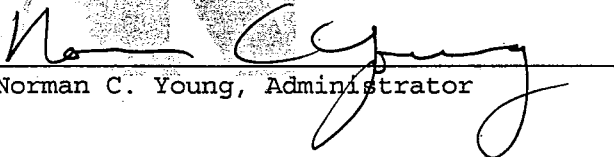
MICROFILMED
FEB 03 2000

TRANSFER NO. 5273
WATER RIGHT NO(S). 63-00120F/63-00198Q/63-00199B/63-00200B

CONDITIONS OF APPROVAL AND REMARKS

9. The rate of flow diverted under these rights at the Surprise Valley Diversion shall not exceed a combined total of 20.34 cfs.
10. When the authorized diversion of water under these rights is reduced at the Ridenbaugh Canal, excluding reductions for canal maintenance, the diversion of water under these rights at the Surprise Valley diversion must also be reduced by an equivalent proportion.
11. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.
12. The annual volume of water used for industrial and groundwater recharge purposes shall be measured using separate totalizing measuring devices and the right holder shall report the totals to the department by Dec. 31 of each year.
13. Place of use is within the Nampa and Meridian Irrigation District boundaries.
14. Right 63-00198Q is limited to the irrigation of 40 acres within the authorized place of use.
15. The place of use for industrial and groundwater recharge purposes under these rights is limited to the lands served by the Surprise Valley diversion.

Dated this 27TH day of JANUARY, 2000.


Norman C. Young, Administrator

MICROFILMED
FEB 03 2000

WATER RIGHT NUMBER	NAME	CFS
63-00198	SPLIT INTO 63-0198A & 63-0198B BY TRANS. 357.	
63-00198A	WHITAKER , NELLIE B.	0.20
63-00198B	SPLIT INTO 63-0198C & 63-0198D BY TRANS. 374.	
63-00198C	PARKS , H. D. MIDDLETON WATER CO. , -	0.40
63-00198D	SPLIT INTO 63-0198E & 63-0198F BY TRANS. 375.	
63-00198E	WING , A. G.	0.20
63-00198F	SPLIT INTO 63-0198G & 63-0198H BY TRANS. 384.	
63-00198G	LEACH , MARY F.	0.40
63-00198H	SPLIT INTO 63-0198J & 63-0198K BY TRANS. 385.	
63-00198J	SPLIT INTO 63-0198L & 63-0198M BY TRANS. 386.	
63-00198K	MC CONNELL , H. E.	0.23
63-00198L	SPLIT INTO 63-0198N & 63-0198P BY TRANS. 387.	
63-00198M	BARTLETT , W. H.	0.40
63-00198N	SMITH , E. E.	0.40
63-00198P	SPLIT INTO 63-0198Q & 63-0198R BY TRANS. 392.	
63-00198Q	AGEE , HAROLD	0.40
63-00198R	SPLIT INTO 63-0198T & 63-0198U BY TRANS. 395.	
63-00198T	SPLIT INTO 63-0198V & 63-0198W BY TRANS. 430.	
63-00198U	SPLIT INTO 63-0198AA & 63-0198AB BY TRANS. 57.	
63-00198V	MC GUIRE , G. R.	0.25

MICROFILMED

FEB 03 2000

WATER RIGHT NUMBER	NAME	CFS
63-00198W	SPLIT INTO 63-0198X & 63-0198Y. BY TRANS. 468.	
63-00198X	WOOD , C. C.	0.10
63-00198Y	ALLISON , O. E.	0.15
63-00198AA	MC CLINTOCK , EDWARD L.	0.06
63-00198AB	SPLIT INTO 63-0198AC & 63-0198AD BY TRANS. 84.	
63-00198AC	MIDDLETON WATER CO.	110.09
63-00198AD	RALPHS , J. C.	0.80

MICROFILMED
FEB 03 2000

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-198AH

8-28-02

WATER RIGHT NUMBER: 63-198AH

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	MIDDLETON WATER CO
	, ZZ
Current Owner	MAUREEN C MC FADDAN 4054 W THORN CREEK CT MERIDIAN, ID 83642 (208)888-1139
Original Owner	HAROLD AGEE 1520 S TEN MILE MERIDIAN, ID 83642
Current Owner	DAVID A MC FADDAN 4054 W THORN CREEK CT MERIDIAN, ID 83642 (208)888-1139

Priority Date: 06/01/1877

Basis: Decreed

Status: Active

Source
BOISE RIVER

Tributary
SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15	11/15	0.164 CFS	
<u>Total Diversion:</u>			0.164 CFS	

Location of Point(s) of Diversion

BOISE RIVER

ADA County

SW 1/4 NW 1/4 SW 1/4

Sec. 29, Twp 03N, Rge 08E, B.M.

Place of UseIRRIGATION Within ADA County

T03N R01W S15 NESE 26.7

Total Acres: 26.7

Conditions of Approval:Remarks:Comments:Dates and Other Information:

Sue,

My initial review of 63-198 indicates this claim is not valid. The water right is held by Mampa-Meridian. The Fadden's need to prove they own part of the water right.

MeL

NW

SW

441-200 ← 441-200
T# 392 to
F. Ebberts

W51 ✓
Mampa-Mer Irr Dig

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-198Q

WATER RIGHT NUMBER: 63-198Q

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	MIDDLETON WATER CO
	, ZZ
Original Owner	HAROLD AGEE 1520 S TEN MILE MERIDIAN, ID 83642

Priority Date: 06/01/1877

Basis:

Status: See Remarks

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	0.400 CFS	
	<u>Total Diversion:</u>	0.400 CFS	

Location of Point(s) of DiversionBOISE RIVER
ADA County

Sec. 11, Twp 04N, Rge 02W, B.M.

Place of UseConditions of Approval:Remarks:

1. General THIS RIGHT HAS BEEN SPLIT AND CLAIMED AS FOLLOWS: A63-00198AH, MC FADDEAN, 0.164 CFS ON 26.7 ACRES A63-00198AJ, NAMPA-MERIDIAN, 0.40 CFS ON DISTRICT LANDS

Comments:Dates and Other Information:

That said defendant THOMAS H. AIKENS is also, and he is hereby awarded the use of the waters of said river, diverted at a point near the center of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 13, T. 4 N. R. 1 E. B.M., for use upon the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 16, T. 4 N. R. 1 E. B.M., in the following amount and from the following date;

3 019540 inches, from June 1, 1891; and hereby designated as Right No. 123.

And be adjudged to pay \$21.00 costs in addition to the costs incurred by him

LV.

That the defendant W. H. CONWAY be, and he is hereby awarded the use of the waters of Boise River, diverted from said river at a point in the SW corner of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 13, T. 4 N. R. 1 E. B.M., for use upon lots 5 and 6 and SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 16, T. 4 N. R. 1 E. B. M., in the following amounts and from the following dates;

3 019646 inches, from June 1, 1877; and hereby designated as Right No. 64.

3 0197110 inches, from June 1, 1891; and hereby designated as Right No. 113.

And be adjudged to pay \$10.85 costs in addition to the costs incurred by him.

LVI.

That the defendant the MIDDLETON WATER COMPANY, a corporation, be, and it is hereby awarded the use of the waters of Boise River, diverted at a point on the north bank of said river in SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 12, T. 4 N. R. 1 W. B.M., for use on the lands lying under its canal system, in the following amount and from the following date;

3 01985704 inches, from June 1, 1877; and hereby designated as Right No. 65.

57 430
468
1864 And be adjudged to pay \$399.23 costs in addition to the costs incurred by it.
P.D. 57
P.D. 75
P.D. 84

LVII.

That the defendant the NAMPA & MERIDIAN IRRIGATION DISTRICT,
(substituted for defendant the Boise City Irrigation & Land Company)
a corporation, be and it is hereby awarded the use of the waters of
Boise River, diverted at a point on the south side of said river in
Lot 6, Sec. 29, T. 3 N. R. 3 E. B.M., for use upon the lands lying
under its canal system, in the following amounts, from the following
dates;

3 0199 8500 inches, from May 1, 1873; and hereby designated as Right No. 37.
-1711

3 0200 18542 inches, from August 20, 1888; and hereby designated as Right No 10.
-466

And be adjudged to pay \$1892.94 costs in addition to the costs in-
curred by it.

LVIII.

That the defendant JULIA MAMMON be, and she is hereby awarded the
use of the waters of Boise River, diverted from said river at a point
in NW corner of Sec. 36, T. 5 N. R. 5 W. B.M., for use upon the SE $\frac{1}{4}$
of SW $\frac{1}{4}$, and S. $\frac{1}{2}$ of SE $\frac{1}{4}$, and lot 7 in Sec. 26, T. 3 N. R. 5 W. B.M.,
in the following amount from the following date;

3 0201 138 inches, from June 1, 1873; and hereby designated as Right No. 68.
-111

And be adjudged to pay \$11.73 costs in addition to the costs in-
curred by her.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Certificate of Water Right
Transferred Right No. 392.

1921

This is to certify that Fred Eggers, of Meridian, County of Ada, State of Idaho, has a right to the use of the waters of Boise River, for irrigation and domestic purposes, and that said right has been confirmed by decree of the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Canyon, in the case of Farmers' Cooperative Ditch Company, plaintiff, vs. Riverside Irrigation District, Ltd., et al., defendants, George H. Stewart, District Judge, wherein certain water was decreed to the Middleton Water Company for use upon lands lying under the Middleton Water Company's Canal, including the Northwest Quarter (NW $\frac{1}{4}$) of Section 11, Township 4 North, Range 2 West of Boise Meridian, belonging to W. S. Kingsbury, said right bearing date of priority of June 1, 1877; that a copy of said decree is now on file in the Department of Reclamation of the State of Idaho at Boise; that, upon the application of Fred Eggers for a transfer of water right made before the Commissioner of Reclamation of the State of Idaho and the said application having been granted, the right to the use of 0.4 second feet of the waters of Boise River is hereby abandoned upon the lands above described and that the lands to be irrigated under such right and to which the water right hereby confirmed shall by this certificate become appurtenant, for irrigation and domestic purposes, are shown in the following table, limited at any given time to an amount actually needed and beneficially used for such purpose and shall not exceed the following amount, to-wit:

0.4 sec. ft., dated June 1, 1877

Twp.	Rge.	Sec.	NE $\frac{1}{4}$			NW $\frac{1}{4}$			SW $\frac{1}{4}$			SE $\frac{1}{4}$			Total
			NE $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3 N.	1 W.	14							40						40
		15										40			40

That the above described water has heretofore been conducted through the Middleton Water Company's Canal but will hereafter by authority of this certificate be diverted in Section 29, Township 3 North, Range 3 East of Boise Meridian and conducted through the Ridenbaugh Canal.

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use herein described, as provided by the laws of the State of Idaho.

WITNESS, The seal and signature of the Commissioner of Reclamation of the State of Idaho, affixed at Boise, Idaho, this 21st day of August, 1926.

(SEAL)



RECEIVED

NAMPA & MERIDIAN IRRIGATION DISTRICT

11 APR 1926

AM PM
7, 8, 9, 10, 11, 12, 1, 2, 3, 4, 5, 6

W. G. SWENDSEN
Commissioner of Reclamation

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-198AH

05/04/2005

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
63-198AH	Claim	03N	01W	15	NE	SE		IRRIGATION	26.7/26.7	MAUREEN C MC FADDAN
63-16174	Water Right	03N	01W	15	NE	SE		DOMESTIC		MAUREEN C MC FADDEN

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-198AH

03/18/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
98AH	Claim	03N	01W	15	NE	SE		IRRIGATION	26.7/26.7	MAUREEN C MC FADDAN

Receipt Details for ID C031563

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
10/28/1994 11:45:23 AM	10/28/1994	State	\$77.00	Check
Payer		MC FADDAN, DAVID/MAUREEN		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1799			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$77.00	ADJUDICATION FEE	41503	337	0	0	1155

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	198	AH	\$77.00	Claim

Print Report

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 63-0198 H

Notice is hereby given that HAROLD AGEE
of 1520 S. Tenmile, Meridian has applied to the Department of Water
Resources
Administration for a change of water amount & place of use of the waters of Boise River trib. to Snake River.

The right sought to be changed is evidenced by decree to Middleton Water Co. dated
June 1, 1877 in the Judicial Dist., Canyon County and is recorded as follows.

Amount: 0.40 cfs Priority: June 1, 1877

Point of Diversion: NW $\frac{1}{4}$, Sec. 11, T. 4 N, R. 2 W, B.M. Ada County

The water is used for Irrigation purposes for 80 acres in the
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 14, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 3 N, R. 1 W, B.M.

TO BE CHANGED AS FOLLOWS

Amount: 0.20 cfs

Point of Diversion: ~~NW $\frac{1}{4}$, Sec. 11, T. 4 N, R. 2 W, B.M. Ada County~~ no change

The water will be used for irrigation purposes for 40 acres in the
NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 3 N, R. 1 W, B.M.

Any protests against approval of the proposed change of water right appli-
cation must be filed with the Department of Water Resources Administration on or before
Oct. 13, 1975.

R. KEITH HIGGINSON
Director

Published in the The Idaho Statesman, Boise
on Sept. 25, 1975 and Oct. 2, 1975.



1 of 1

Sleepy Hollow Farm

FRED EGGERS
MERIDIAN - IDAHO

The following is a list of machinery, grain, tools and other items sold to Harold Agee for the sum of ten thousand (\$10,000.00) dollars to be paid on January 5, 1953-----

D-2 Caterpillar tractor
Ford tractor
International truck
heavy disk
orchard corrigator
Tumble-bug plow
ditcher
land leveler
tractor mower
tractor rake
tractor manure spreader
power take-off
manure loader
cultivating tools for Ford tractor
horse drawn mower, hay rake, manure spreader, cultivator, road grader, harrow, spring-tooth harrow and hay wagon
4-wheel trailer
33 squares of shingles
extra motor and pump for well
electric irrigation pump
20 inches paid-up Middleton water
4 inches paid-up Ridenbaugh Canal water
Wheat, oats, barley, corn and mixed grain per measurements agreed upon

Also all ladders, prune boxes, posts, brick, milk cans, barrels, motors, heavy poles, pipe and fittings, aluminum roofing, cow blankets, fruit picking halters, large tanks, carts, nails, doors, irrigation tile, chemical fertilizer, straw, lumber and barbed wire now on the farm. Also electric drill, pipe threader and other small tools too numerous to mention, and the Hotpoint automatic washer and dryer.

Signed-

Florence Eggers.
Florence Eggers, seller

Dec 16 1952

Harold Agee
Harold Agee, buyer

Dec 16 1952

RECORDED

THIS AGREEMENT, made this 6th day of December, 1933, between Nampa & Meridian Irrigation District, the party of the first part, and Fred Eggors, of Meridian, Idaho, the party of the second part,

WITNESSETH: that

WHEREAS, the second party is the owner of the following described land, to-wit: -

Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section Fourteen (14), and Southeast Quarter (SE¼) of the Southeast Quarter (SE¼) of Section Fifteen (15), all in Township Three (3) North, Range One (1) West of the Boise Meridian, in Ada County, State of Idaho: and

WHEREAS, the party of the second part has heretofore acquired the right to the use of 0.4 second feet of the waters of the Boise River for irrigation and domestic purposes, from the waters of said River heretofore decreed and confirmed by the District Court of the Seventh Judicial District of the State of Idaho, in and for Canyon County, decreed to the Middleton Water Company, with a priority date of June 1, 1877, which said water right was heretofore transferred to use on the lands of second party aforesaid, by order of the Commissioner of Reclamation of the State of Idaho, dated August 21st 1926, and by said order said water right was to be conducted through the Ridenbaugh Canal; and

WHEREAS, the party of the first part is the owner of and operates the said Ridenbaugh Canal; and

WHEREAS, the parties hereto desire that an agreement be made for the permanent carrying of said water right through said Ridenbaugh Canal, and the delivery of same into the lateral or laterals now supplying water for the lands of second party.

NOW THEREFORE, THE said parties do hereby agree as follows: First party agrees to keep and maintain the said Ridenbaugh Canal and to deliver the said water right aforesaid to the lands of the party of the second part at the head-gates where second party receives water for said land, so long

as said water right shall be delivered into the said Ridenbaugh Canal; said water to be carried and delivered as aforesaid, subject to the following conditions; that first party shall be entitled to deduct from the total, 10% for canal losses; that said water right shall be subject to cut in the same amount as the oldest water right owned by the first party, and that second party shall at no time be entitled to receive a greater per centage of said water right than that being delivered to the water users entitled to the oldest appropriation owned by first party, all subject to deduction for canal losses as aforesaid.

The second party agrees to pay first party for carrying said water right, annually a maintenance charge on the total amount of said water right without deduction for canal loss an amount equal to the general maintenance rate on Ridenbaugh water rights lawfully levied by first party against lands within the District for the previous year as provided by law. The charges for maintenance shall be paid in advance on or before the first day of April of each year and first party shall be under no obligation to make any delivery of said water until payment has been made.

This agreement shall bind the parties hereto, their heirs, successors and assigns.

IN WITNESS WHEREOF, the party of the first part has caused its corporate name to be hereunto affixed by its President, and to be attested by its Secretary, and its corporate seal to be affixed, all done pursuant to a resolution of its board of directors duly and regularly adopted, and the party of the second part has hereunto set his hand, all done this the day and year first above written.

Nampa & Meridian Irrigation District

By (s) W T Evans

President

(SEAL)

ATTEST:

(s) Jesse Jones
Secretary

(s) Fred Eggers
Party of the second part

STATE OF IDAHO }
County of Canyon } ss

On this 6th day of December, 1938, before me the undersigned a Notary Public in and for said State, personally appeared W T Evans, known to me to be the President of the Corporation that executed the within instrument, 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.

(SEAL)

(s) Jesse Jones
Notary Public for the State of Idaho
Residing at Nampa, Idaho

STATE OF IDAHO }
County of Canyon } ss

On this 6th day of December, 1938, before me the undersigned a Notary Public in and for the said State, personally appeared Fred Eggers known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.

(SEAL)

(s) Jesse Jones
Notary Public for the State of Idaho
Residing at Nampa, Idaho

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Certificate of Water Right
Transferred Right No. 392.

191

This is to certify that Fred Eggers, of Meridian, County of Ada, State of Idaho, has a right to the use of the waters of Boise River, for irrigation and domestic purposes, and that said right has been confirmed by decree of the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Canyon, in the case of Farmers' Cooperative Ditch Company, plaintiff, vs. Riverside Irrigation District, Ltd., et al., defendants, George H. Stewart, District Judge, wherein certain water was decreed to the Middleton Water Company for use upon lands lying under the Middleton Water Company's Canal, including the Northwest Quarter (NW $\frac{1}{4}$) of Section 11, Township 4 North, Range 2 West of Boise Meridian, belonging to W. S. Kingsbury, said right bearing date of priority of June 1, 1877; that a copy of said decree is now on file in the Department of Reclamation of the State of Idaho at Boise; that, upon the application of Fred Eggers for a transfer of water right made before the Commissioner of Reclamation of the State of Idaho and the said application having been granted, the right to the use of 0.4 second feet of the waters of Boise River is hereby abandoned upon the lands above described and that the lands to be irrigated under such right and to which the water right hereby confirmed shall by this certificate become appurtenant, for irrigation and domestic purposes, are shown in the following table, limited at any given time to an amount actually needed and beneficially used for such purpose and shall not exceed the following amount, to-wit:

0.4 sec. ft., dated June 1, 1877

Twp.	Rge.	Sec.	NE $\frac{1}{4}$			NW $\frac{1}{4}$			SW $\frac{1}{4}$			SE $\frac{1}{4}$			Total
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SE $\frac{1}{4}$	
3 N.	1 W.	14							40						40
		15										40			40

That the above described water has heretofore been conducted through the Middleton Water Company's Canal but will hereafter by authority of this certificate be diverted in Section 29, Township 3 North, Range 3 East of Boise Meridian and conducted through the Ridenbaugh Canal.

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use herein described, as provided by the laws of the State of Idaho.

WITNESS, The seal and signature of the Commissioner of Reclamation of the State of Idaho, affixed at Boise, Idaho, this 21st day of August, 1926.

(SEAL)

RECEIVED

RECEIVED

NAMPA & MERIDIAN IRRIGATION DISTRICT

11 APR 1927

AM

PM

7,8,9,10,11,12,1,2,3,4,5,6

W. G. SWENDSEN

Commissioner of Reclamation

Water Right Number - 63-00198Q Prefix Translation: WATER RIGHT Old (D) Number -

+ - - - - Last Name - - - + + - - - First Name - - - + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
AGEE

HAROLD

1 - 1520 S. TEN MILE

2 -
3 -
City- MERIDIAN State- ID Zip- 83642
Phone -

*** O - ORIGINAL OWNER ***
MIDDLETON WATER CO.

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
06/01/1877 14 WESTERN D - DECREED

+ - - - - Source - - - - - + - - - - - Tributary - - - - - +
BOISE RIVER SNAKE RIVER

+ - - - - - - - - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot Rflg County Diversion Name Diversion Rate Diversion No.

+ - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

0.400

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.400

+ - - - - - - - - - - - Place of Use - - - - - +
TwN Rng Rng Sec Tract Lot Acres Code Description County

03N 01W 15 NE SE 40.0 01 IRRIGATION 1 ADA

Total Acres: 40.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - - - - - - - Remarks - - - - - +

TRANS. 392 & 1864.
P/D IN NW S11, T4N, R2W.

No Old Water Right Numbers found.

Old Water Right Numbers
No Old Water Right Numbers found.

MICROFILMED
OCT 02 1996

This P.O.D. makes absolutely no sense. It may have been the original place of use. Water District 63 records show this right as being diverted into the Ridenbaugh Canal.

WATER RIGHT

- - Conditions of Approval - -
No Conditions of Approval found.

+ - - - Decree Defendant
RIVERSIDE IRR. DIST.

- - -Comments- - -
No Comments Found

Audit Fields - 06/18/85 05/01/88 CONVERT

Water Rights Dates and Flags Area

| | | | | | | | | | | |
|---|-------------------|---|------------|---|-----------------|---|------------|---|--------------------|---|
| - | Proof Due Date | - | 00/00/0000 | - | Field Exam Made | - | 00/00/0000 | - | Field Exam Fee | - |
| - | Approved/Denied | - | 00/00/0000 | - | Protested Date | - | 00/00/0000 | - | Swan Falls | - |
| - | Proof Made Date | - | 00/00/0000 | - | Hearing Date | - | 00/00/0000 | - | Temporary Right | - |
| - | Exam to S.O. Date | - | 00/00/0000 | - | Verified Date | - | 06/18/1985 | - | DLE/Carey Act | - |
| - | Order Show Cause | - | 00/00/0000 | - | Receipt Number | - | | - | Water District | - |
| - | Licensed Date | - | 00/00/0000 | - | Appl Received | - | 00/00/0000 | - | Transfer/Amended | - |
| - | Decree Date | - | 01/18/1906 | - | Name Connector | - | | - | POU Ownership Flag | - |
| - | Presumption Flag | - | | - | | - | | - | | - |

MICROFILMED
OCT 02 1996

Water Right Number - A63-00198Q Prefix Translation: ADJUDICATION CLAIM Old (D) Number -
+ - - - - Last Name - - - - + + - First Name - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SPLIT RIGHT

*** O - ORIGINAL OWNER ***
MIDDLETON WATER CO.

1 -
2 -
3 -
City- X State- ID Zip- 0
Phone - 208-000-0000

AGEE

HAROLD

1 -
2 -
3 -
City- X State- ID Zip- 0
Phone - 208-000-0000
1 - 1520 S. TEN MILE
2 -
3 -
City- MERIDIAN State- ID Zip- 83642
Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/01/1877 14 WESTERN Z - SEE REMARKS

+ - - - - Source - - - - + + - - - - Tributary - - - - - +
BOISE RIVER SNAKE RIVER
SPLIT RIGHT

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County

04N 02W 11 (1) ADA

+ - - - - Description Period From Period To Water Use Diversion Rate Diversion Volume

01 - IRRIGATION

0.400

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Consumptive Use - + + - - KW Usage - +
0.400 0.0

+ - - - - TwN Rng Sec Tract Lot Acres Code Description County

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

MICROFILMED
OCT 02 1996

[illegible]

THIS RIGHT HAS BEEN SPLIT AND CLAIMED AS FOLLOWS:

0.164 CFS BY DAVID & MAUREEN MC FADDAN FOR 26.7 AC. CLF 10-28-94

+ - - - - - Old Water Right Numbers - - - - - +

Conditions of Approval

| | | | | | | |
|-------------------------|--------------------|---------|----------------------|--------------------|---------|---------------------|
| + + - - - | - Decree Plaintiff | - - - + | + - - - | - Decree Defendant | - - - + | + - Decree Date - + |
| FARMERS CO-OP DITCH CO. | | | RIVERSIDE IRR. DIST. | | | 00/00/0000 |

-----Comments-----

+ - - Audit Fields - - +
11/01/94 CFRITSCH

- - Adjudication Rights Dates and Flags Area - -

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 00/00/0000 | Old Judicial District | - |
| Claim Received Date | - 02/21/1990 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - X777777 | Water District | - 63 |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - | Presumption Flag | - |
| | | | | Notice of Error Flag | - |

MICROFILMED
OCT 02 1996

Idaho Department of Water Resources

Claim Number: 63-00198AH
Legal: T03N, R01W, S15
Reviewed By:

Point of Diversion
(Located outside of view)

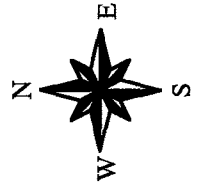
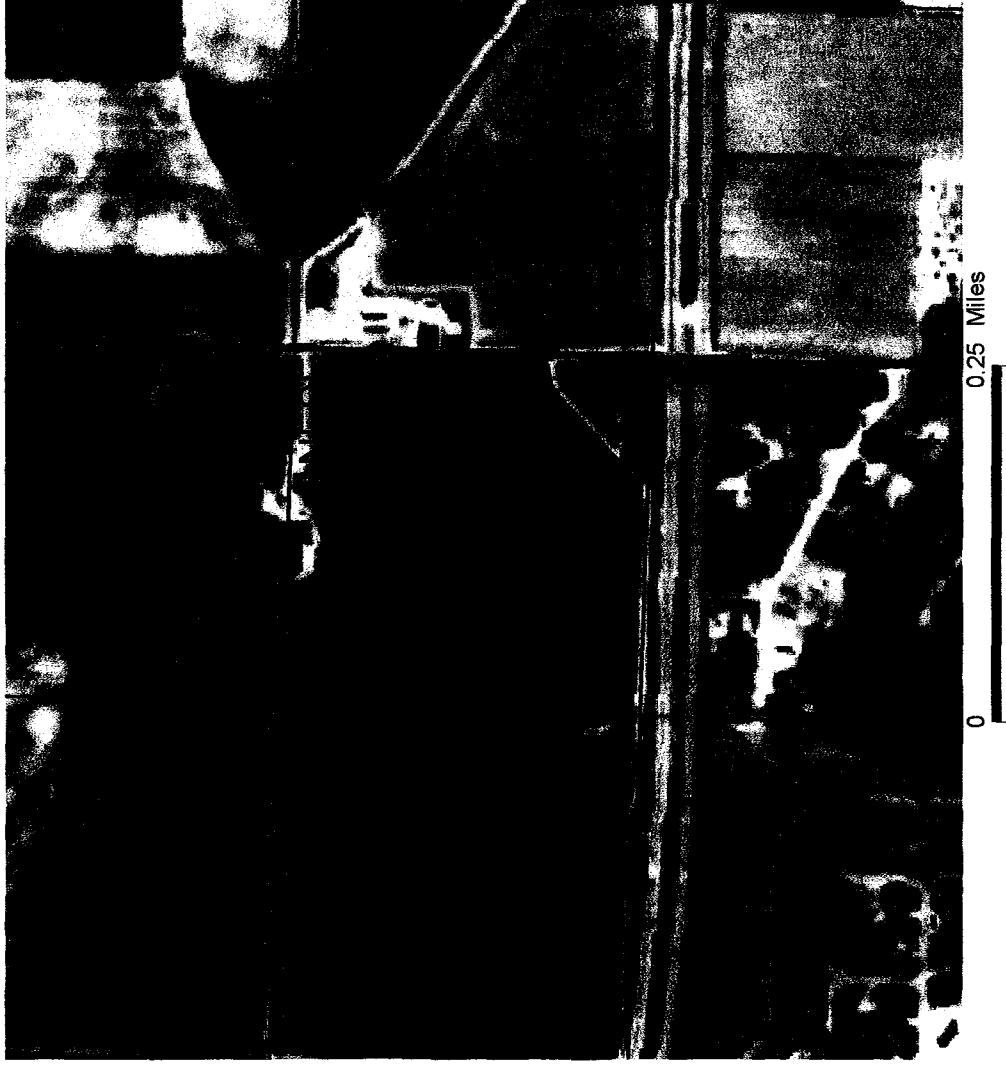


Place of Use

Section Lines

Quarter Quarter Lines

1987 Napp Photo



IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-00198 AH

Date: 10-10-02

| | TNS | RNG | SEC | NE | | | | NW | | | | SW | | | | SE | | | | Sum |
|-------|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|------|----|----|----|------|
| | | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | |
| Claim | 3N | 1W | 15 | | | | | | | | | | | | | 26.7 | | | | 26.7 |
| GIS | | | | | | | | | | | | | | | | 31 | | | | 31 |
| Claim | | | | | | | | | | | | | | | | | | | | |
| GIS | | | | | | | | | | | | | | | | | | | | |
| Claim | | | | | | | | | | | | | | | | | | | | |
| GIS | | | | | | | | | | | | | | | | | | | | |
| Claim | | | | | | | | | | | | | | | | | | | | |
| GIS | | | | | | | | | | | | | | | | | | | | |

Number of POD's 1 (lot 6)

Total Claimed Acres: 26.7

Overlapping FOU Claim #'s:

Total GIS Acres: 31

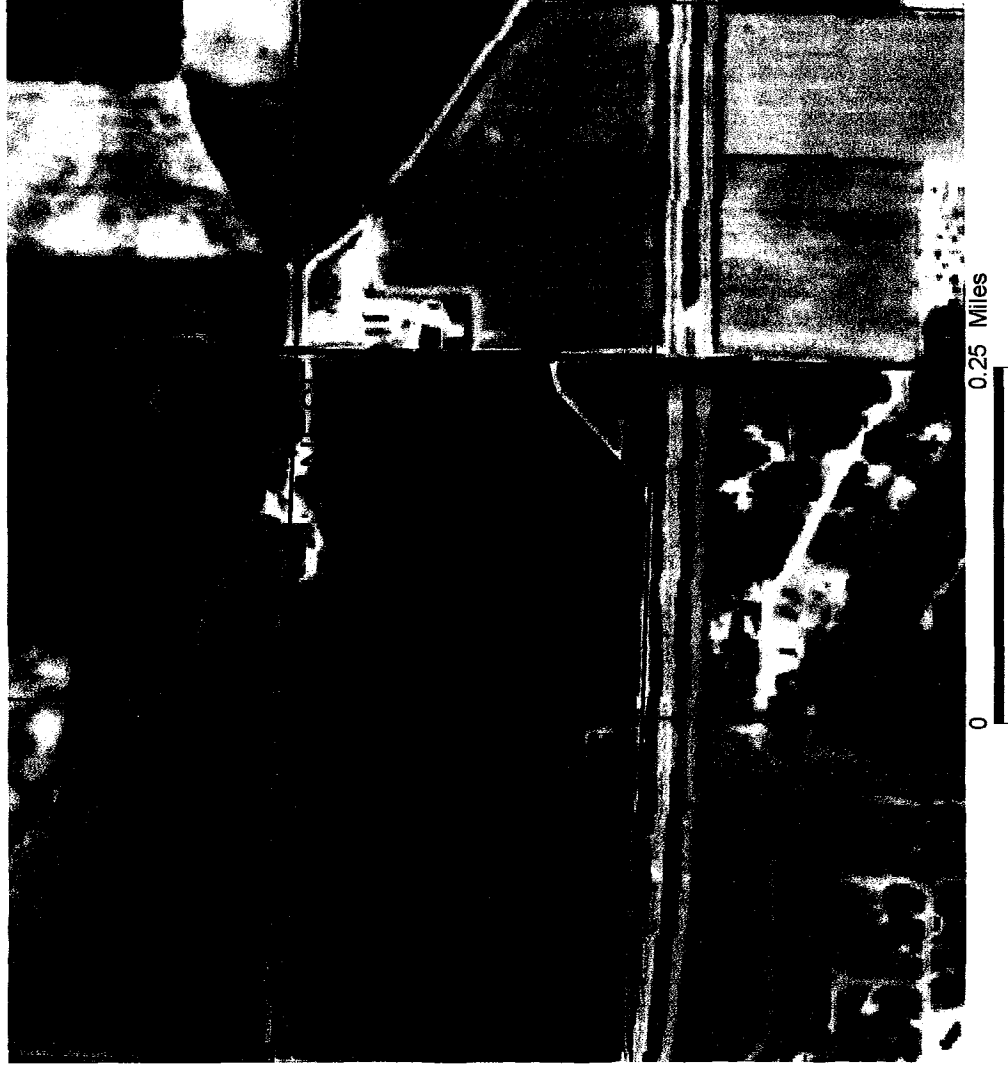
COMMENTS:

Per county data, claimant doesn't own parcel. Per claim map, image interpretation + county boundary. POD estimated per claim legal.

Idaho Department of Water Resources

Claim Number: 63-00198AH
Legal: T03N, R01W, S15
Reviewed By:

1987 Napp Photo



Point of Diversion
(Located outside of view)



Place of Use



Section Lines



Quarter Quarter Lines

