



State of Idaho
Idaho Department of Water Resources
Western Region

T2N R1W SECTION 10
Water Right (s): 63-8609B



1320 0 1320 2640 3960 5280 Feet N

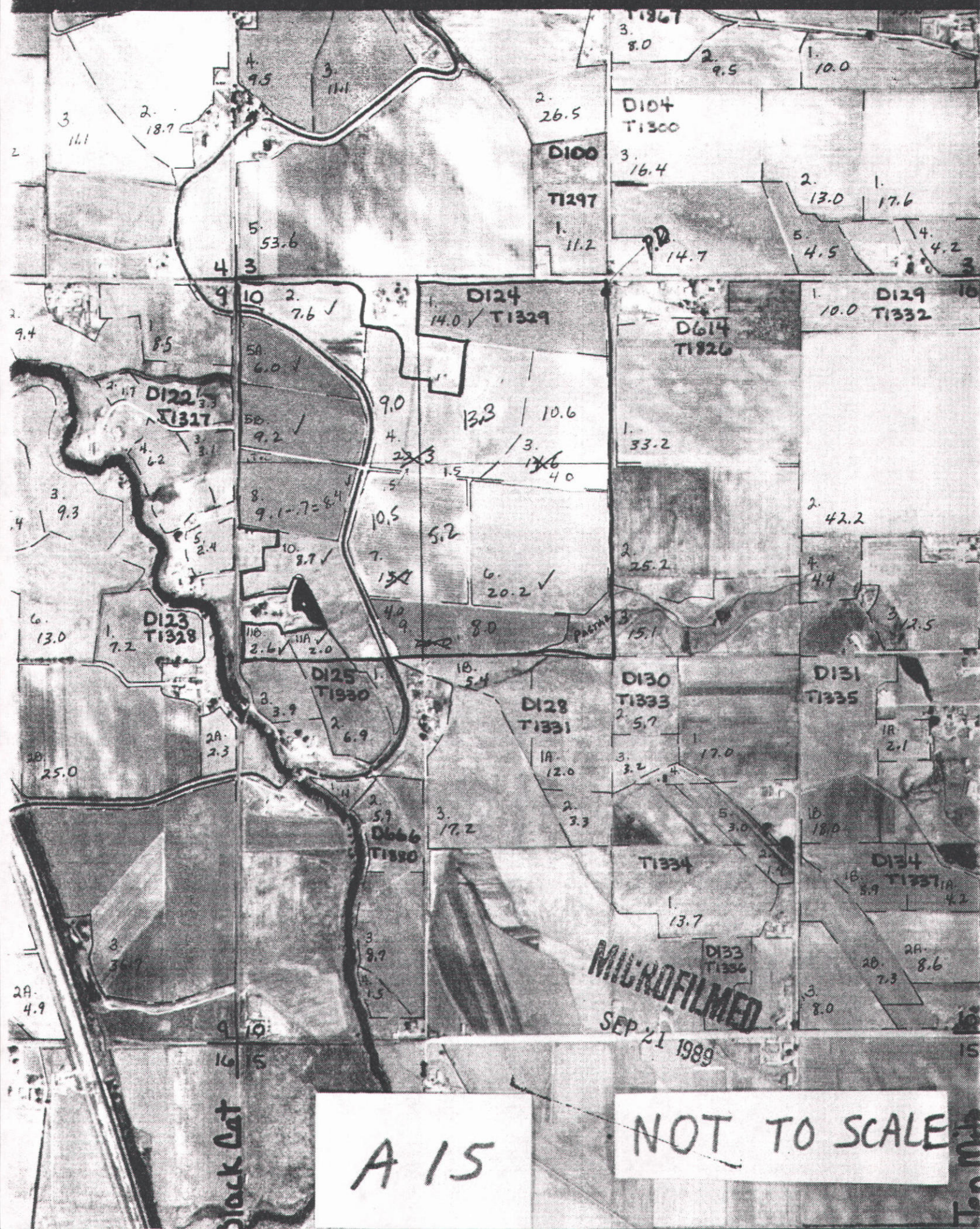
TOTAL IRRIGATED ACRES = 58



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

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

63-8609



MICROFILMED
SEP 21 1989

A 15

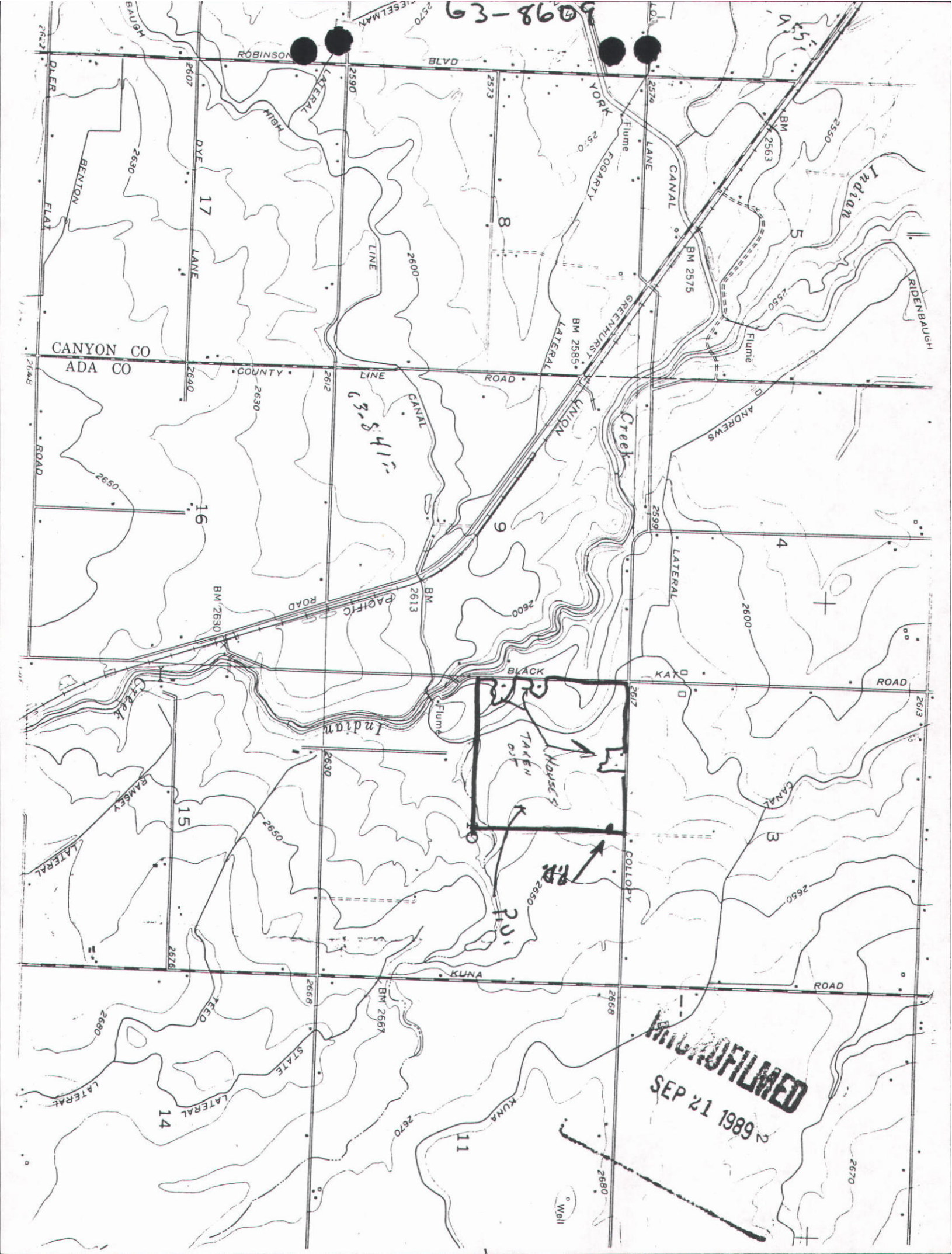
NOT TO SCALE

63-8609

63-8415

HOUSE
TAKEN
OFF
RD 2630

REPROFILMED
SEP 21 1989



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: **A63-08609B**
Date Received: 5/ 4/1989
Receipt No: X999999
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: JERRY FREDERICK 208-888-9578
Address: 4401 BALIVI LN
NAMPA ID 83687

2. Date of Priority: OCT 23, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	01W	10		NE	NW		ADA

5. Description of diverting works:
WELL, PUMP & GRAVITY FLOW.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.340		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	01W	10	NW	NW		IRR	9.0
			SW	NW		IRR	36.0
			SE	NW		IRR	13.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	58.0
					Total Acres	58.0

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:
BOISE-KUNA & NAMPA-MERIDIAN IRR. DIST.

14. Remarks:
2 POINTS OF DIVERSION LOCATED IN NENW, SEC. 10, T 2 N, R 1 W.
ADDRESS CHANGE BY MTS 9/6/1995
THIS RIGHT IS A PORTION OF A63-08609. DB 8/26/99

15. Basis of Claim: PERMIT

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED
JUN 12 1998
WATER RESOURCES
WESTERN REGION

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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).: A63-30295, A63-19470, A63-08609, A63-02757
 Adjudication Claim No(s).: ATS809NP, ATS809NP, ATD729N, ATS809NP
 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
 - 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. IDWR Map on File
 3. Name and Address of Former Owner/Claimant Balivi Chemical Co
4401 Balivi Ln Nampa Id 83687
 4. New Owner/Claimant(s) Jerry Frederick
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 4401 Balivi Ln
 City, State and ZIP Code Nampa Id 83687
 New Telephone Number (208) 888-9578 (W) 208-922-5070
 5. Date you acquired the property 1/12/98
 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. 43.3% of A63-08609 sold to Jerry Frederick
See Note on Profile sheet
 Number of acres you irrigate 65 Number and type of stock 50 Head Cows/Horses
 Diversion rate in CFS? ? Number of homes 2 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.
7. Signature of New Owner or Claimant(s) Jerry Frederick 6/9/98
 (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..

8-25-99

Split Tree A63-08609

A63-08609 N/O Balivi Chemical

QR: .79 cfs

POB: 02N, 01W, S10, NENW

POU: 02N, 01W, S10, NENW - 38ac NWNW - 33ac

SWNW - 36ac SENW - 39ac
146ac

A63-08609A N/O Balivi Chemical

* QR: .45 cfs

POB: 02N, 01W, S10, NENW

** POU: 02N, 01W, S10, NENW - 38ac NWNW - 24

SENW - 26

88ac

A63-08609B N/O Zredewick

* QR: .34 cfs

POB: 02N, 01W, S10, NENW

** POU: 02N, 01W, S10, NWNW - 9ac

SWNW - 36ac SENW - 13ac
58ac

1. Based on 6-9-98 change of ownership
- * 2. Based on Water Rights Affidavit to purchase of a portion of property by Zredewick
- ** 3. Based on legal descriptions supporting Deed from Balivi to Zredewick Inst. #99070792

RECORD OF SURVEY NO. 4177

Parcels of land located in the Northwest 1/4 of Section 10,
Township 2 North, Range 1 West, Boise Meridian,
Ada County, Idaho
1998

AMENDED BALIM CHEMICAL COMPANY SURVEY NO. 3

CURVE TABLE

CURVE	DELTA	RADIUS	ARC	CHORD	PERCENT	CHORD BEG.
1	90° 30' 30"	100.00'	157.08'	100.00'	12.50%	3 30.37' 15"
2	90° 30' 30"	100.00'	157.08'	100.00'	12.50%	5 48' 21' 35"
3	90° 30' 30"	100.00'	157.08'	100.00'	12.50%	7 48' 21' 35"
4	90° 30' 30"	100.00'	157.08'	100.00'	12.50%	9 48' 21' 35"
5	90° 30' 30"	100.00'	157.08'	100.00'	12.50%	11 48' 21' 35"

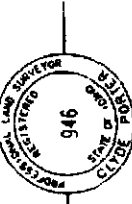
LEGEND

- Brass Cap Monument
- Aluminum Cap Monument
- 5/8" dia. iron pin
- 1/2" dia. iron pin
- PK nail

NOTE: This Record of Survey corrects Record of Survey No. 4075, recorded on Instrument No. 9708202, Records of Ada County, Idaho. The correction is made to the east right-of-way of Black Cat Road in Parcel "A". The right-of-way has changed from 25 feet from the centerline of Black Cat Road to 30 feet from said centerline in one area (see Detail "C").

CERTIFICATE OF SURVEYOR

I, Clyde Porter, do hereby certify that I am a Professional Land Surveyor, licensed by the State of Idaho; and, that this map was drawn from an actual survey on the ground under my direct supervision, and, accurately represents the points mapped herein; and, is in conformity with the State of Idaho Code relating to plats, surveys, and the Corner Perpetuation and Filing Act, Idaho Code.



Signed & sealed by C. Porter, 2/26/98
Clyde Porter P.L.S. #46

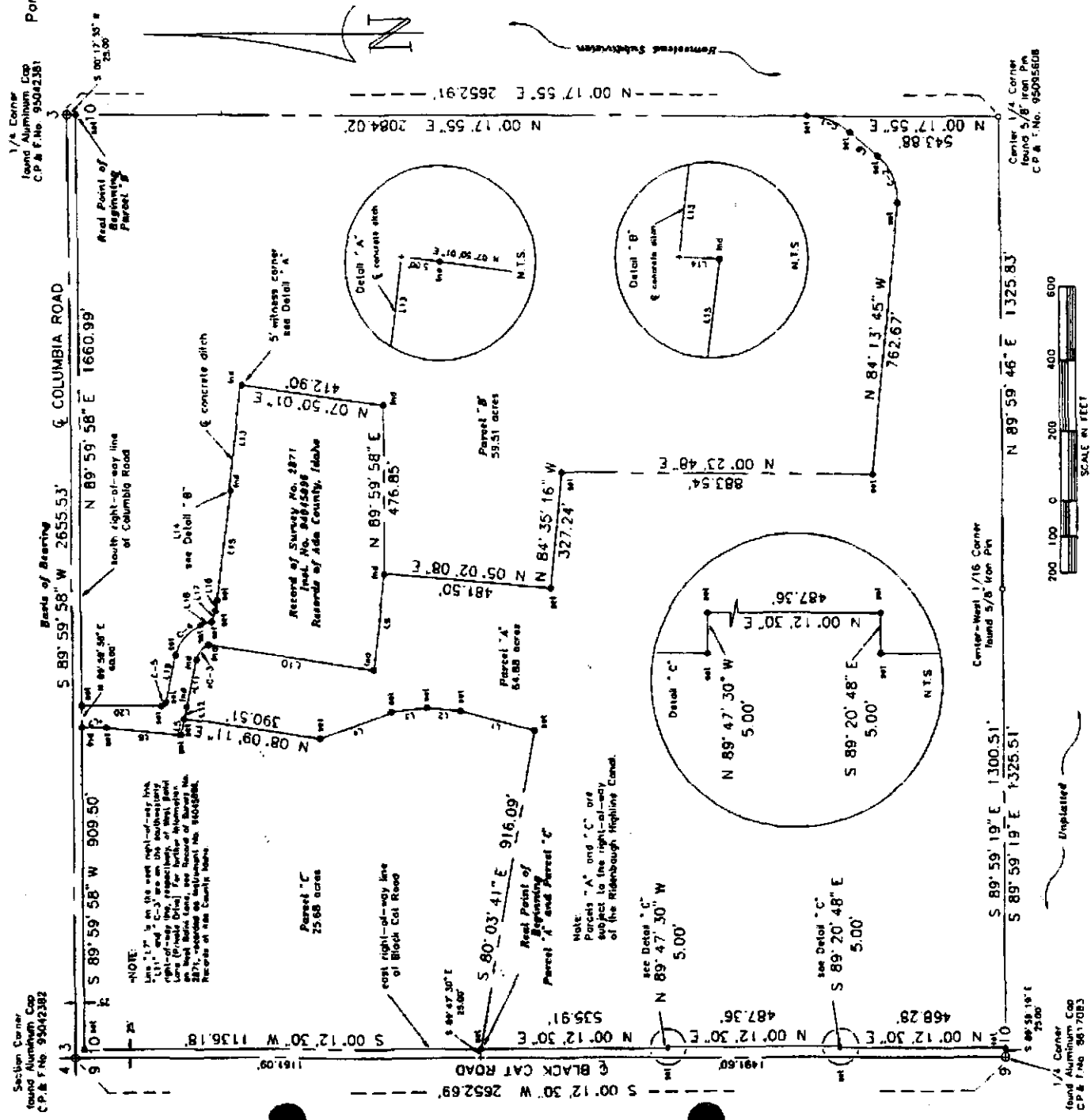
STATE OF IDAHO
COUNTY OF ADA

RECORDED'S CERTIFICATE
Filed for record at the recorder's office of Ada County, Idaho, on this 26th day of February, 1998, at 10:36 minutes past 1 o'clock P.M.

J. David Navarre, Ada County Recorder
By: R. Ferrell, Deputy

PORTER'S LAND SURVEYING, INC.

Planning
Boise, Idaho
Job No. 7980533A
Copyright © January 26, 1998 Porter's Land Surveying, Inc.
Index No. 2-1-4-10-4-0-00-00



97070292
When recorded return to:

98002494

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

ALLIANCE TITLE

'98 JAN 12 PM 4 25

FEE 36.00
RECORDED AT THE REQUEST OF

(space above for recorder)

WARRANTY DEED WITH REVERSION

FOR VALUE RECEIVED, BALIVI, CHEMICAL CORPORATION, an Idaho corporation (aka BALIVI, INC.), as Grantor, does hereby grant, bargain, sell and convey unto JERRY D. FREDERICK and VIVIAN J. FREDERICK, as Grantee, whose current address is 4401 Balivi Lane, Nampa, Idaho 83687, the following described premises in Ada County, Idaho, to-wit:

See Exhibit "A" attached hereto and incorporated herein.

TO HAVE AND TO HOLD The said premises, with their appurtenances, unto the said Grantee, and said Grantee's heirs and assigns, forever

PROVIDED HOWEVER, reserving unto Grantor and Grantor's successors and assigns, a full and complete reversion of the said real property and appurtenances back to Grantor and Grantor's successors and assigns, in the event the said real property is used at any time as a cattle or other farm animal feeding operation (including use of the real property as a dairy operation or cattle feed lot but excluding normal grazing in fenced areas and excluding feeding of not more than 60 head of livestock in an area no farther north than 1000 feet of the southerly boundary of the said real property), to the effect that in the event the said real property is so used, all right title and interest therein shall immediately revert back to Grantor and Grantor's successors and assigns. Said right of reversion shall remain in effect for so long as any of the parcels of real property described in Exhibit "B" hereto (the "Balivi Lane Residences") are used and occupied as residences.

The said Grantor does hereby covenant to and with the said Grantee that the Grantor is the owner in fee simple of said premises, that said premises are free from all encumbrances except those of record, and that Grantor will warrant and defend the same from all lawful claims whatsoever which do not appear of record as of the date hereof.

Dated this 12 day of January, 1998.

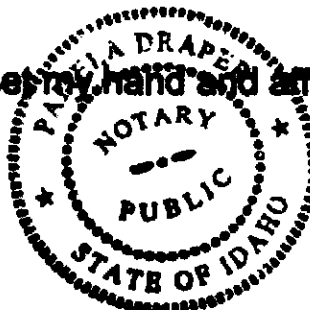
BALIVI CHEMICAL CORPORATION (aka BALIVI, INC.)
an Idaho corporation

By Kenneth B Hunter Date: 1/12/98
Its President

STATE OF IDAHO)
) : ss.
County of Ada)

On this 12 day of January, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared Kenneth B Hunter the President of BALIVI CHEMICAL CORPORATION (aka BALIVI, INC.), known to me to be the person who executed the within and foregoing instrument for and on behalf of said corporation, and acknowledged to me that said corporation executed the same.

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



Pamela Draper
Notary Public for Idaho
Residing At: Boise Id
My Commission Expires: 4/16/2003

EXHIBIT A

EXHIBIT "A"

X = Ø
Y = Ø 20
Adjusted

PARCEL A

A parcel of land being a portion of the Northwest Quarter of Section 10, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho, more particularly described as follows:

BEGINNING at an Aluminum Cap marking the Section Corner common to Sections 3, 4, 9, and 10, Township 2 North, Range 1 West, Boise Meridian; thence, along the Section line common to Sections 9 and 10, also being the centerline of Black Cat Road,
South 00 degrees 12'30" West, 1,161.09 feet to a point; thence, leaving said Section line,
South 89 degrees 47'30" East 25.00 feet to an iron pin on the East right-of-way line of said Black Cat Road; also being the REAL POINT OF BEGINNING; thence, along the East right-of-way line of said Black Cat Road,
South 00 degrees 12'30" West 1,491.51 feet to an iron pin marking the intersection of said East right of way line and along said East-West center Quarter section line of said Section 10; thence, leaving said East right of way line, and along said East-West center Quarter section line,
South 89 degrees 59'19" East 1,300.51 feet to an iron pin marking the center-West 1/16 corner of said Section 10; thence, continuing along said East-West center Quarter section line,
North 89 degrees 59'46" East 1,325.83 feet to an iron pin marking the center Quarter corner of said Section 10; thence, leaving said East-West center Quarter section line, and along the North-South center Quarter section line of said Section 10,
North 00 degrees 17'55" East, 543.88 feet to an iron pin; thence, leaving said North-South center Quarter section line, and along a curve to the right having a radius of 187.00 feet, a central angle of 40 degrees 38'39", an arc length of 132.65 feet, and a chord which bears
South 20 degrees 37'15" West 129.89 feet to an iron pin; thence,
South 40 degrees 56'34" West 100.79 feet to an iron pin; thence, along a curve to the right having a radius of 158.00 feet a central angle of 54 degrees 49'41", an arc length of 151.20 feet, and a chord which bears
South 68 degrees 21'25" West 145.49 feet to an iron pin; thence
North 84 degrees 13'45" West 762.67 feet to an iron pin; thence
North 00 degrees 23'48" East 883.54 feet to an iron pin; thence
North 84 degrees 35'16" West 327.24 feet to an iron pin; thence
North 05 degrees 02'08" East 481.50 feet to an iron pin; thence
North 83 degrees 03'49" West 270.51 feet to an iron pin; thence
North 08 degrees 22'52" East 477.42 feet to an iron pin on the Southwesterly right of way line of West Balivi Lane

Continuation of Exhibit A

Order No.:97070792 EBN

(a private drive), as shown on Record of Survey No. 2871, recorded as Instrument No. 94045896, records of Ada County, Idaho; thence, along the Southwesterly right of way line of said West Balivi Lane, and along a curve to the left having a radius of 56.28 feet, a central angle of 56 degrees 32'44", an arc length of 55.54 feet and a chord which bears

North 49 degrees 24'10" West 53.32 feet to an iron pin; thence
North 77 degrees 40'32" West 167.93 feet to an iron pin; thence
leaving said right of way line,
South 08 degrees 09'11" West 390.51 feet to an iron pin; thence
South 19 degrees 19'55" East 218.20 feet to an iron pin; thence
South 06 degrees 16'35" East 104.83 feet to an iron pin; thence
South 05 degrees 14'28" West 97.95 feet to an iron pin; thence
South 14 degrees 22'25" West 217.80 feet to an iron pin; thence
North 80 degrees 03'41" West 916.09 feet to the REAL POINT OF
BEGINNING.

EXCEPT the following parcel:

A parcel of land for public right of way more particularly described as follows:

COMMENCING at the Section corner common to Sections 3, 4, 9 and 10, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho; thence
South 00 degrees 28'18" West along the Section line common to Sections 9 and 10, a distance of 1,326.32 feet to a point for the REAL PLACE OF BEGINNING; thence
continuing along the Section line
South 00 degrees 28'18" West a distance of 858.00 feet to a point; thence
South 89 degrees 31'42" East a distance of 25.00 feet to a point; thence
South 89 degrees 05'00" East a distance of 5.00 feet to a point; thence
North 00 degrees 28'18" East a distance of 487.36 feet to a point; thence
North 89 degrees 31'42" West a distance of 5.00 feet to a point; thence
North 00 degrees 28'18" East a distance of 370.68 feet to a point; thence
North 89 degrees 31'42" West a distance of 25.00 feet to the
REAL PLACE OF BEGINNING.



PORTER'S LAND SURVEYING

821 S. Curtis Road
Boise, Idaho 83709

(208) 344-3050

April 29, 1994

Legal Description for Balivi Chemical Company Survey No. 2 Parcel 1

A parcel of land being a portion of the Northwest 1/4 of Section 10, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho; more particularly described as follows:

Beginning at an Iron Pin marking the Section Corner common to Sections 3, 4, 9 and 10, T. 2 N., R. 1 W., B.M.;

thence, along the section line common to said Sections 3 and 10, also being the centerline of Columbia Road, N 89°59'58" E 954.41 feet to an Iron Pin at the intersection of said Columbia Road and W. Balivi Lane, a private drive;

thence, leaving said section line, S 28°23'51" E 437.26 feet to an Iron Pin on the southerly right-of-way line of said Balivi Lane, also being the REAL POINT OF BEGINNING;

thence, leaving said right-of-way line, S 8°22'52" W 477.42 feet to an Iron Pin;

thence, S 83°03'49" E 270.51 feet to an Iron Pin;

thence, N 5°02'08" E 366.27 feet to an Iron Pin on the southerly right-of-way line of said Balivi Lane;

thence, along said right-of-way line, N 83°03'49" W 76.00 feet to an Iron Pin;

thence, along a curve to the right having a radius of 185.02 feet, a central angle of 61°56'01", an arc length of 200.00 feet, and a chord which bears N 52°05'48" W 190.40 feet to an Iron Pin;

thence, N 21°07'48" W 15.00 feet to the REAL POINT OF BEGINNING;

said parcel contains 2.31 acres, more or less;

said parcel is subject to any other right-of-ways or easements, of record or in use.



PORTER'S LAND SURVEYING

821 S. Curtis Road
Boise, Idaho 83700

(208) 344-3850

April 29, 1994

Legal Description for Balivi Chemical Company Survey No. 2 Parcel 2

A parcel of land being a portion of the Northwest 1/4 of Section 10, Township 2 North, Range 1 West, Boise Meridian; Ada County, Idaho; more particularly described as follows:

Beginning at an Iron Pin marking the Section Corner common to Sections 3, 4, 9 and 10, T. 2 N., R. 1 W., B.M.;

thence, along the section line common to said Sections 3 and 10, also being the centerline of Columbia Road, N 89°59'58" E 954.41 feet to an Iron Pin at the intersection of said Columbia Road and W. Balivi Lane, a private drive;

thence, leaving said section line, S 48°16'25" E 849.13 feet to an Iron Pin on the southerly right-of-way line of said Balivi Lane, also being the REAL POINT OF BEGINNING;

thence, leaving said right-of-way line, S 2°53'30" W 324.89 feet to an Iron Pin;

thence, S 89°59'58" W 210.45 feet to an Iron Pin;

thence, N 5°02'08" E 366.27 feet to an Iron Pin on the southerly right-of-way line of said Balivi Lane;

thence, along said right-of-way line, S 83°03'49" E 100.00 feet to an Iron Pin;

thence, along a curve to the right having a radius of 298.93 feet, a central angle of 19°10'00", an arc length of 100.00 feet, and a chord which bears N 73°28'49" E 99.53 feet to the REAL POINT OF BEGINNING;

said parcel contains 1.64 acres, more or less;

said parcel is subject to any other right-of-ways or easements, of record or in use.



PORTER'S LAND SURVEYING

321 S. Curtis Road
Boise, Idaho 83709

(208) 344-3850

April 29, 1994

Legal Description for Balivi Chemical Company Survey No. 2 Parcel 3

A parcel of land being a portion of the Northwest 1/4 of Section 10, Township 2 North, Range 1 West, Boise Meridian; Ada County, Idaho; more particularly described as follows:

Beginning at an Iron Pin marking the Section Corner common to Sections 3, 4, 9 and 10, T. 2 N., R. 1 W., B.M.;

thence, along the section line common to said Sections 3 and 10, also being the centerline of Columbia Road, N 89°59'58" E 954.41 feet to an Iron Pin at the intersection of said Columbia Road and W. Balivi Lane, a private drive;

thence, leaving said section line, S 48°16'25" E 849.13 feet to an Iron Pin on the southerly right-of-way line of said Balivi Lane, also being the REAL POINT OF BEGINNING;

thence, leaving said right-of-way line, S 2°53'30" W 324.89 feet to an Iron Pin;

thence, N 89°59'58" E 266.40 feet to an Iron Pin;

thence, N 7°50'01" E 412.90 feet to a point in the centerline of a concrete irrigation ditch, said point being witnessed by an Iron Pin which bears S 7°50'01" W 5.00 feet from the true corner;

thence, along the centerline of said irrigation ditch, N 83°06'28" W 302.36 feet to a point, said point being witnessed by an Iron Pin which bears S 2°53'30" W 5.00 feet from the true corner;

thence, leaving said irrigation ditch, S 2°53'30" W 77.95 feet to an Iron Pin on the northerly right-of-way line of said Balivi Lane;

thence, along said right-of-way line, and along a curve to the right having a radius of 338.93 feet, a central angle of 2°52'12", an arc length of 16.98 feet, and a chord which bears S 65°19'55" E 16.98 feet to an Iron Pin;

thence, S 63°53'49" E 10.00 feet to an Iron Pin;

thence, along a curve to the left having a radius of 20.00 feet, a central angle of 52°01'12", an arc length of 18.16 feet, and a chord which bears S 89°54'25" E 17.54 feet to an Iron Pin;

thence, along a curve to the right having a radius of 45.00 feet, a central angle of $142^{\circ}01'12''$, an arc length of 111.54 feet and a chord which bears $S 44^{\circ}54'25'' E$ 85.10 feet to an Iron Pin;

thence, continuing along a curve to the right having a radius of 45.00 feet, a central angle of $142^{\circ}01'12''$, an arc length of 111.54 feet and a chord which bears $N 82^{\circ}53'13'' W$ 85.10 feet to an Iron Pin;

thence, along a curve to the left having a radius of 20.00 feet, a central angle of $52^{\circ}01'12''$, an arc length of 18.16 feet, and a chord which bears $N 37^{\circ}53'13'' W$ 17.54 feet to an Iron Pin;

thence, $N 63^{\circ}53'49'' W$ 10.00 feet to the REAL POINT OF BEGINNING;

said parcel contains 2.62 acres, more or less;

said parcel is subject to any other right-of-ways or easements, of record or in use.



PORTER'S LAND SURVEYING

821 S. Curtis Road
Boise, Idaho 83708

(208) 344-3650

April 29, 1994

Legal Description for Balivi Chemical Company Survey No. 2 Common Area "A"

A parcel of land being a portion of the Northwest 1/4 of the Northwest 1/4 of Section 10, Township 2 North, Range 1 West, Boise Meridian; Ada County, Idaho; more particularly described as follows:

Beginning at an Iron Pin marking the Section Corner common to Sections 3, 4, 9, and 10, T. 2 N., R. 1 W., S.M.;

thence, along the section line common to said Sections 3 and 10, N 89°59'58" E 934.41 feet to a point;

thence, leaving said section line, S 0°00'02" E 95.01 feet to a point on the west right-of-way line of W. Balivi Lane, a private drive, also being the REAL POINT OF BEGINNING;

thence, continuing along said right-of-way line, S 0°00'02" E 156.56 feet to an Iron Pin;

thence, along a curve to the left having a radius of 71.32 feet, a central angle of 77°40'30", an arc length of 96.69 feet, and a chord which bears S 38°50'17" E 89.45 feet to an Iron Pin;

thence, leaving said right-of-way line, N 77°40'32" W 79.16 feet to a point;

thence, N 5°47'33" E 210.42 feet to the REAL POINT OF BEGINNING; said parcel contains 2,920 square feet, or 0.07 acres, more or less;

said parcel is subject to any other right-of-ways or easements, of record or in use.



PORTER'S LAND SURVEYING

821 S. Curtis Road
Boise, Idaho 83708

(208) 344-3860

April 29, 1994

Legal Description for Salivi Chemical Company Survey No. 2 Common Area "B"

A parcel of land being a portion of the North 1/2 of the Northwest 1/4 of Section 10, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho; more particularly described as follows:

Beginning at an Iron Pin marking the Section Corner common to Sections 3, 4, 9, and 10, T. 2 N., R. 1 W., B.M.;

thence, along the section line common to said Sections 3 and 10, also being the centerline of Columbia Road, N 89°59'58" E 974.41 feet to a point;

thence, leaving said section line, S 0°00'02" E 25.00 feet to an Iron Pin at the intersection of the south right-of-way line of said Columbia Road and the east right-of-way line of W. Salivi Lane, a private drive, also being the REAL POINT OF BEGINNING;

thence, leaving the said south right-of-way line of Columbia Road, and along the said east right-of-way line of W. Salivi Lane, S 0°00'02" E 226.57 feet to an Iron Pin;

thence, along a curve to the left having a radius of 31.32 feet, a central angle of 77°40'30", an arc length of 42.46 feet, and a chord which bears S 38°50'17" E 39.28 feet to an Iron Pin;

thence, S 77°40'32" E 134.47 feet to an Iron Pin;

thence, along a curve to the right having a radius of 96.28 feet, a central angle of 56°32'44", an arc length of 95.02 feet, and a chord which bears S 49°24'10" E 91.21 feet to an Iron Pin;

thence, S 21°07'48" E 15.00 feet to an Iron Pin;

thence, along a curve to the left having a radius of 145.02 feet, a central angle of 61°58'01", an arc length of 156.76 feet, and a chord which bears S 52°05'48" E 149.24 feet to an Iron Pin;

thence, S 83°03'49" E 176.00 feet to an Iron Pin;

thence, along a curve to the right having a radius of 338.93 feet, a central angle of 16°17'48", an arc length of 96.40 feet, and a chord which bears S 74°54'55" E 96.08 feet to an Iron Pin;

thence, leaving said right-of-way line, N 2°53'30" E 72.95 feet to an Iron Pin;

thence, N 82°54'08" W 310.91 feet to a point;

thence, W 78°12'35" W 28.39 feet to a point;

thence, N 65°35'24" W 30.78 feet to a point;

thence, N 21°07'48" W 31.47 feet to a point;

thence, along a curve to the left having a radius of 116.28 feet, a central angle of 56°32'44", an arc length of 114.76 feet, and a chord which bears N 49°24'10" W 110.16 feet to a point;

thence, N 77°40'32" W 134.47 feet to a point;

thence, along a curve to the right having a radius of 11.32 feet, a central angle of 77°40'30", an arc length of 15.35 feet, and a chord which bears N 38°50'17" W 14.20 feet to a point;

thence, N 0°00'02" W 226.57 feet to a point on the south right-of-way line of Columbia Road;

thence, along said right-of-way line, S 89°59'58" W 20.00 feet to the REAL POINT OF BEGINNING;

said parcel contains 0.74 acres, more or less;

said parcel is subject to any other right-of-ways or easements, of record or in use.

WATER RIGHTS

- 1. No. A63-08609
Irrigation Wells - N.E. Corner**

Purchaser to receive the right to 43.3% of the total allowable diversion.

Purchaser shall be allowed to transport such water through the existing ditches on the real property described in Exhibit "E" hereto, and Purchaser shall be required to reimburse the owner of the real property described in Exhibit "E" hereto for the costs associated with pumping water for Purchaser.

- 2. No. A63-30295
Domestic Well**
- 3. No. A63-19470
Domestic Well**
- 4. No. A63-02757
Unnamed Drain Tributary to Indian Creek for Irrigation/Stock Water**
- 5. Nampa Meridian Irrigation District to be allocated by the district based on irrigable acres.**
- 6. Boise Kuna Irrigation District to be allocated by the district based on irrigable acres.**

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: A63-08609
Date Received: 5/ 4/1989
Receipt No: C006672
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BALIVI CHEMICAL CO 208-922-5070
Address: 4401 BALIVE LANE
NAMPA ID 83687

2. Date of Priority: OCT 23, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	01W	10	NE	NW			ADA

5. Description of diverting works:
WELL, PUMP & GRAVITY FLOW.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.790		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	01W	10	NE	NW		IRR	38.0
			NW	NW		IRR	33.0
			SW	NW		IRR	36.0
			SE	NW		IRR	39.0

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number (s): 463-02757
463-08609

[] Old Mailing Address: 4659 Enterprise
Bowie ID 83705

[] New Mailing Address: 4401 Balivi Lane
Nampa ID 83687

New Telephone Number: (1) 922-5070

[] Signature of Claimant: Jerry Frederick V.P.
Date: 8-17-95

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 9-6-95 By: MTS

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: A63-08609
Date Received: 5/04/1989
Receipt No: C006672
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BALIVI CHEMICAL CO.
Address: 4659 ENTERPRISE
BOISE, ID

83705

2. Date of Priority: OCT 23, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	01W	10	NE	NE	NW		ADA

5. Description of diverting works:
WELL, PUMP & GRAVITY FLOW.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.790		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	01W	10	NE	NW		IRR	38.0
			NW	NW		IRR	33.0
			SW	NW		IRR	36.0
			SE	NW		IRR	39.0

Section Acres 146.0

MICROFILMED
AUG 24 1992

10. Place of Use: Continued

Total Acres 146.0

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:

BOISE-KUNA & NAMPA-MERIDIAN IRR. DIST.

14. Remarks:

2 POINTS OF DIVERSION LOCATED IN NENW, SEC. 10, T 2 N, R 1 W.

15. Basis of Claim: PERMIT

MICROFILMED
AUG 24 1992

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____, Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
AUG 24 1992

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: A63-08609
Date Received: 5-4-89
Receipt No: C004672
Received By:
RET 4-7-89

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BALIVI CHEMICAL CO.
Address: 4659 ENTERPRISE
BOISE, ID

83705

2. Date of Priority: ~~MAY 12, 1977~~ OCT 23, 1977

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	01W	10	NE	NW			ADA

5. Description of diverting works:
WELL, PUMP & GRAVITY FLOW.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	11/15	3.200	.79
STOCKWATER	01/01	12/31	0.050		

7. Total Quantity Appropriated is:
~~3.250~~ C.F.S. (and/or) .79

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	01W	10	NE	NW		IRR	40.0 38.0
			NW	NW		IRR	40.0 33.0
			SW	NW		IRR	40.0 36.0

A63-08609

Page 1

Date: 04/07/89

MICROFILMED
AUG 24 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	01W	10	SE NW		IRR	
						~~40.0~~ 39.0 JH
					Section Acres	~~160.0~~ 146.0 JH
					Total Acres	~~160.0~~ 146.0 JH

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:
BOISE-KUNA & NAMPA-MERIDIAN IRR. DIST.

14. Remarks:
~~REINSTATED 12-20-1982.~~
2 points of diversion located in NENW, Sec. 10, T2N, R1W JH

15. Basis of Claim: PERMIT

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am administrator of
Title
Balini Chemical, that I have signed the foregoing
Organization
document in the space below as administrator of
Title
Balini Chemical and that the statements contained in the
Organization
foregoing document are true and correct.

Jerry Frederick
Signature of Authorized Agent
administrator Balini Chemical
Title and Organization
5-1-89
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 1st day
of May 19 89

K. Keith R. Hunter
Notary Public

Seal

Residing at Bare Id
My Commission Expires 5/20/91

Receipt Details for ID C006672

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
5/9/1989 11:57:54 AM	5/9/1989	State	\$196.00	Check
Payer		BALIVI CHEMICAL COMPANY		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
2790			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$196.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	8609		\$196.00	Claim

☒ Print Report

AT - Vicky

Transfer No. _____

Should questions arise during the processing of this application please contact:
David Shaw ERO Resources Corp. (208) 373-7983

WR - DAN

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant Jerry Frederick

Phone (208) 888-9578

Post Office address 4401 Balivi Ln, Nampa, ID 83687

A. Purpose of Transfer

1. ☒ X Change point of diversion ☐ Add diversion point(s) ☒ X Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Applicant is selling property without this right and moving part of this right and its POD to other property he owns. Applicant will place part of this right in the water bank when transfer is approved.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
63-8609B 10/23/1977 0.34 Irrigation 3/15 to 11/15

2. Total amount of water being transferred 0.34 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Ground Water tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NW	SW	10	2N	1W	Ada	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	1W	10						5.5	40			12.5							58

Total acres 58

RECEIVED
MAY 24 2005

11/09/2005

RECEIVED

NOV 16 2005

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: November 23, 2005

Water right number: 63-8609B

JERRY FREDERICKS
4401 BALIVI LN
NAMPA ID 83687
Telephone Number: (208) 870-8810

✓ Done
for 12/1/05

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

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

Spelling Frederick

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

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

DATE:

11/10/05

SIGNATURE:

Jerry Frederick

Please print your name:

Jerry Frederick

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

11/02/2005

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

RIGHT NUMBER: 63-8609B

NAME AND ADDRESS: JERRY FREDERICKS
4401 BALIVI LN
NAMPA ID 83687

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.340 CFS
175.340 AFY

PRIORITY DATE: 10/23/1977

POINT OF DIVERSION:

T02N R01W S10 NENW Within ADA County

T02N R01W S10 NENW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.340 CFS 175.34 AFY

The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within ADA County

T02N R01W S10	NWNW	9.0	T02N R01W S10	SWNW	36.0
T02N R01W S10	SENW	13.0			

58 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.

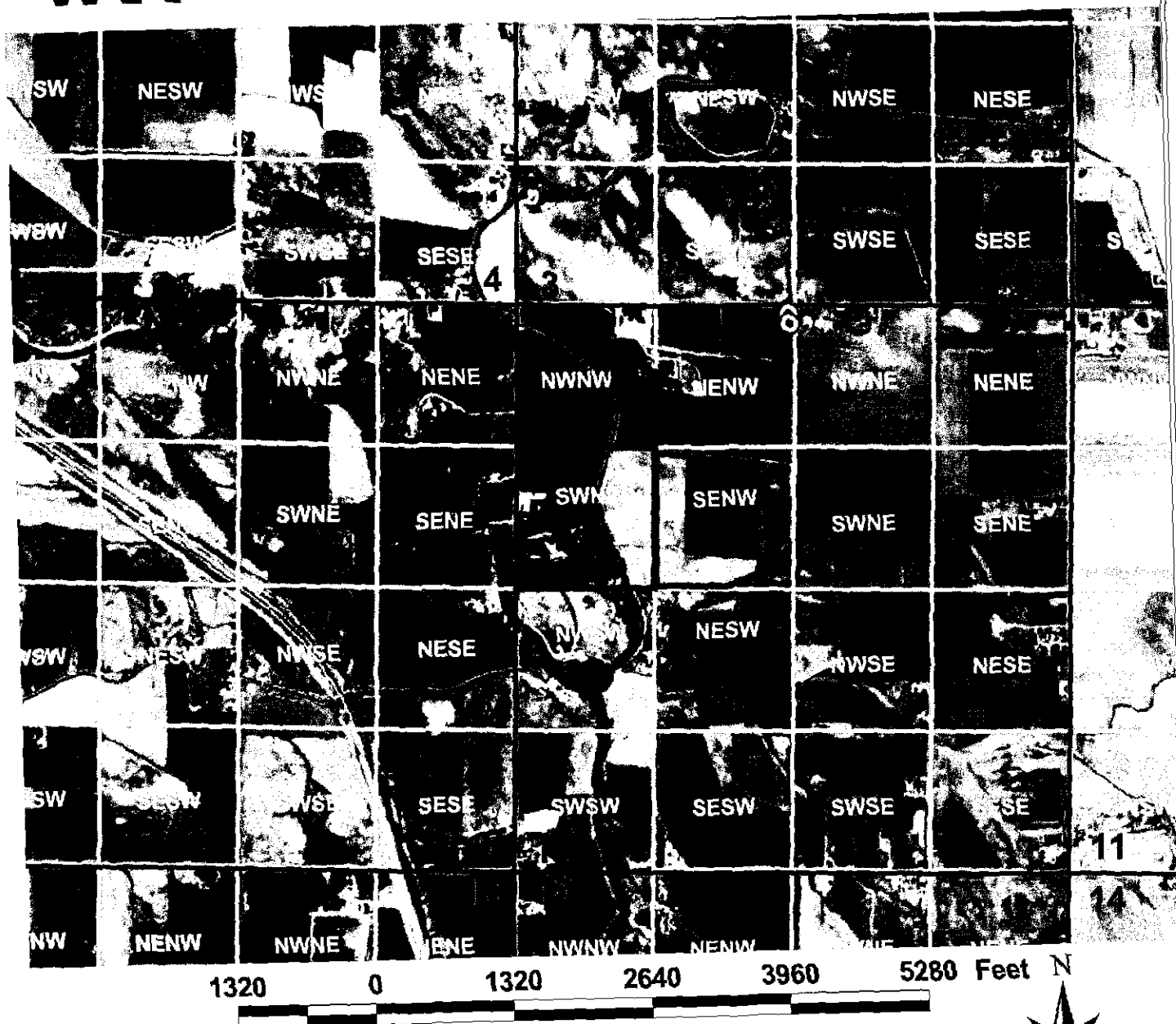
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Use of this right is supplemental to water from Nampa Meridian Irrigation District.

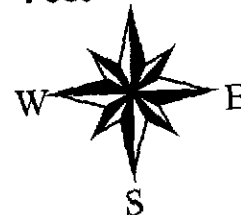


State of Idaho
Idaho Department of Water Resources
Western Region

T2N R1W SECTION 10
Water Right (s): 63-8609B



TOTAL IRRIGATED ACRES = 58



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

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

August 26, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JERRY FREDERICK
4401 BALIVI LN
NAMPA ID 83687

Re: Original Notice of Claim to a Water Right No. A63-08609

Renumbered Notice of Claim to a Water Right No. A63-08609B

Dear Claimant:

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This Change of Ownership required a split of the original claim resulting in renumbering this claim by adding alpha suffixes to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time. You will be notified of any future action taken on this claim.

Please note, the ownership has also been changed on claim number A63-02757, and a copy is enclosed.

Thank you for your patience in this process. Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

Adjudication Section
Western Region

DB:d

Enclosure

Desktop Review / VLM

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

11/16/11

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) 63-8609B

Owner: _____ Phone No. _____

Current Address: _____

- ☒ No change NAME IS THE SAME
- ☒ NEW OWNER _____
- ☐ No change Address
- ☐ NEW ADDRESS _____
- ☐ How long owned property? _____

Accompanied by: _____

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: _____

(If priority date, based on your exam, seems questionable, explain below.)

Source: POU Tributary to _____

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

transfer to change POU/POD on adj. hold.

- ☒ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

2 PODs

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

see channel

OVERLAP REVIEW

Other water rights with the same point of diversion:

63-0609 A

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

split of channel

WATER USES

☒ No change

☐ Different Uses

Use *IRR* From *3/15* To *11/15* Amount *.34 CFS* ~~*175.34*~~ *175.34* AFA
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA

(.34)(1.9835)(260) = 175.34 afa OR (58)(4.5) = 261. afa
TOTAL VOLUME - Groundwater only

☐ Incomplete on claim, the total is, Amount *.34* CFS *175.35* AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

NA

☒ No change

☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:

transfer for channel in POU/POD on adj. hold.

☒ No Change

☐ Changes shown below:

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: 63-2757

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain: 11 acres for water right

Delivery System Narrative: 661 114452

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

W51 11 is added to NW1D
530' 50" shoulder for 3/1
2 PDS in NW1D SEC 10

AFTER EXAM THE FILE SHOULD CONTAIN:

- DATE EXAM CONDUCTED:

FIELD EXAMINER:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8609B

WATER RIGHT NUMBER: 63-8609B

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	BALIVI CHEMICAL CO 4401 BALIVE LN NAMPA, ID 83687 (208)922-5070
Original Owner	ROSE BOWER ID
Current Owner	JERRY FREDRICKS 4401 BALIVI LN NAMPA, ID 83687 (208) 870-8810
Original Owner	DONALD R BOWER ID

Priority Date: 10/23/1977

Basis: License

Status: Active

Source

GROUND WATER

EQN shoulder

TributaryBeneficial Use

IRRIGATION

From To

3/15 to 11/15

Diversion Rate

0.340 CFS

Total Diversion:

0.340 CFS

Annual VolumeLocation of Point(s) of Diversion

GROUND WATER

NE1/4NW1/4

Sec. 10, Twp 02N, Rge 01W, B.M.

ADA County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
02N	01W	10	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
							9.0	36.0	13.0										58.0

Total Acres: 58

1. General

2 POINTS OF DIVERSION LOCATED IN NENW, SEC. 10, T 2 N, R 1 W.

ADDRESS CHANGE BY MTS 9/6/1995 THIS RIGHT IS A PORTION OF A63-08609. DB
8/26/99Comments:Dates and Other Information:ext

EQN shoulder

Supp to Balivi-Kuma & NWID

needed duty of water =
.0054/ac. x 58 ac = .31 CFS
however, A & B = .79
SO don't decrease.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-8609

WATER RIGHT NUMBER: 63-8609

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	DONALD R BOWER
	, ID
Current Owner	BALIVI CHEMICAL CO
	4659 ENTERPRISE
	BOISE, ID 83705
	(208)344-3531
Original Owner	ROSE BOWER
	, ID

Priority Date: 10/23/1977

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.790 CFS	383.90 AF
	<u>Total Diversion:</u>	0.790 CFS	383.90 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4	Sec. 10, Twp 02N, Rge 01W, B.M.
ADA 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	
02N	01W	10					38.0	33.0	36.0	39.0									146.0

Total Acres: 146

Conditions of Approval:

1. R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

Remarks:

1. General 2 points of diversion located in NENW, S10, T2N, R1W.

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-8609B**

03/29/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
1609A	Claim	02N	01W	10	NW	NW		IRRIGATION	24/88	BALIVI CHEMICAL CO
1609B	Claim	02N	01W	10	NW	NW		IRRIGATION	9/58	JERRY FREDRICKS
8609	Water Right	02N	01W	10	NW	NW		IRRIGATION	33/146	BALIVI CHEMICAL CO
10294	Claim	02N	01W	10	NW	NW		DOMESTIC		BALIVI CHEMICAL CO
19471	Water Right	02N	01W	10	NW	NW		DOMESTIC		BALIVI CHEMICAL CO
2757	Claim	02N	01W	10	SW	NW		IRRIGATION	30/40	JERRY FREDRICKS
1609B	Claim	02N	01W	10	SW	NW		IRRIGATION	36/58	JERRY FREDRICKS
2757	Water Right	02N	01W	10	SW	NW		IRRIGATION	30/40	CHARLES C TOBIAS
8609	Water Right	02N	01W	10	SW	NW		IRRIGATION	36/146	BALIVI CHEMICAL CO
19470	Water Right	02N	01W	10	SW	NW		DOMESTIC		JERRY FREDRICKS
10295	Water Right	02N	01W	10	SW	NW		DOMESTIC		JERRY FREDRICKS
2757	Claim	02N	01W	10	SE	NW		IRRIGATION	10/40	JERRY FREDRICKS
1609A	Claim	02N	01W	10	SE	NW		IRRIGATION	26/88	BALIVI CHEMICAL CO
1609B	Claim	02N	01W	10	SE	NW		IRRIGATION	13/58	JERRY FREDRICKS
2757	Water Right	02N	01W	10	SE	NW		IRRIGATION	10/40	CHARLES C TOBIAS
8609	Water Right	02N	01W	10	SE	NW		IRRIGATION	39/146	BALIVI CHEMICAL CO

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-08609

Priority: October 23, 1977

Maximum Diversion Rate: 0.79 CFS
Maximum Diversion Volume:¹ 383.9 AF

This is to certify, that BALIVI CHEMICAL CO.
4659 ENTERPRISE
BOISE, ID 83705

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 12, 1977; and has submitted Proof of Beneficial Use on April 26, 1982. An examination indicates that the works have a diversion capacity of .790 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.79 CFS	383.9 AF

LOCATION OF POINT(S) OF DIVERSION: NENW , Sec. 10, Township 02N, Range 01W
ADA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N	01W	10	NENW 38	NWNW 33	SWNW 36	146
			SENW 39			

Total number of acres irrigated: 146

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
6. 2 points of diversion located in NENW, S10, T2N, R1W.

MICROFILMED

SEP 21 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-08609

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 18th
day of SEPTEMBER, 19 87.

Acting for


R. Keith Higginson, Director

MICROFILMED

SEP 21 1989

Identification No. _____

Application No. 63-8609

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To Appropriately the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Donald R. &/or Rose Bower Phone: 466-1752
post office address Route 6 Nampa, Idaho
2. Source of water supply groundwater which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 10 Township 2N
Range 1W B.M. Ada County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 3.2 for irrigation purpose from Apr 1 to Oct 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .05 for stockwater purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 3.25 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, pump and gravity
system

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 12 inches; proposed depth of well is 100 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 5000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 10 Township 2N
Range 1W B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 200 head beef stock

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____

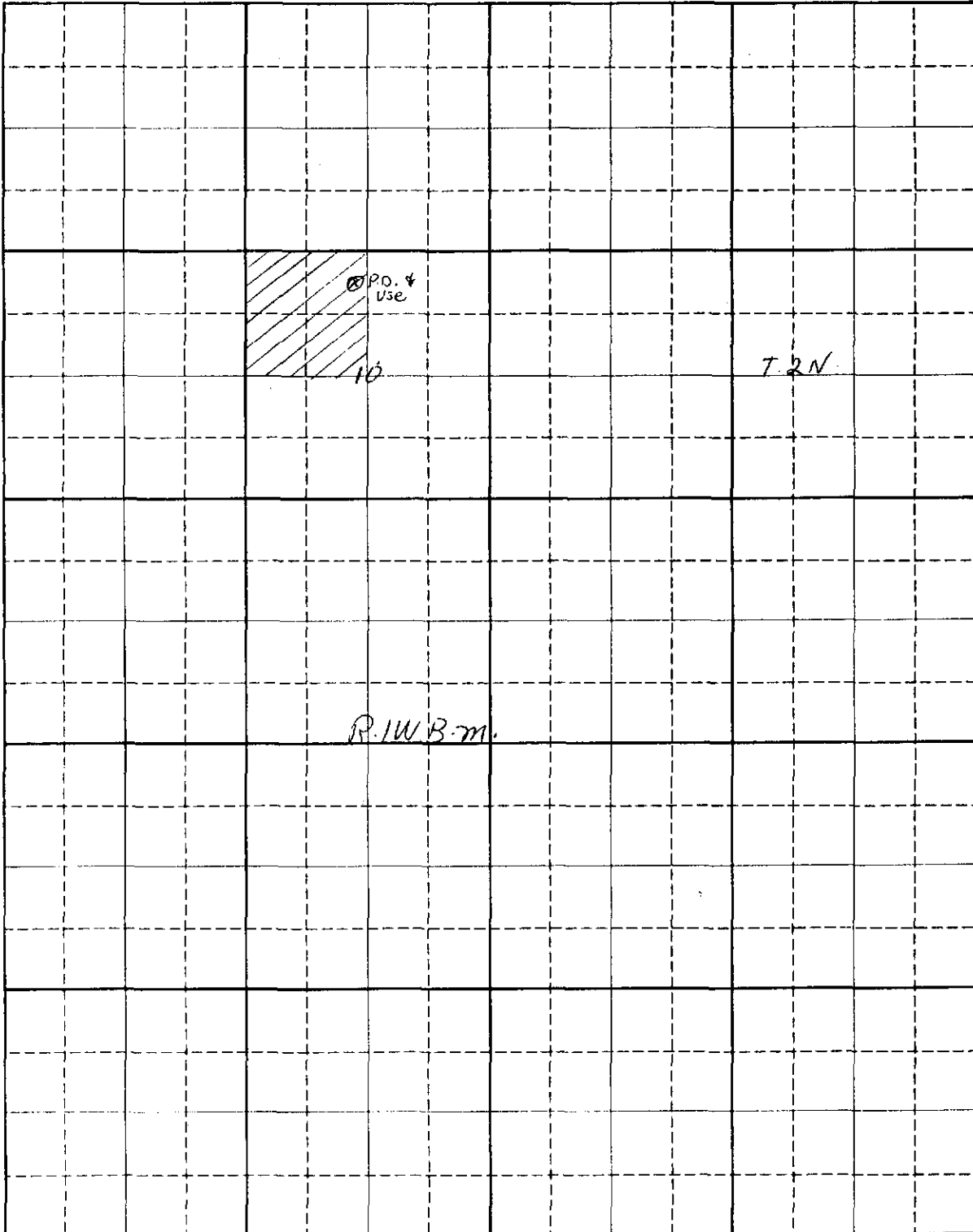
MICROFILMED

[illegible]

Boise-Kuna and Nampa-Meridian Irrigation Districts

10. Remarks _____

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Donald R. Brown
(Applicant)

Proposed Priority 3/25/77

Received by RWH Date 3-25-77 Time 9:45 A.M.

Preliminary check by RWH Fee \$ 55.00

Received by Y Date 3-25-77 117068

Publication prepared by Y Date 3-31-77

Published in Idaho Free Press

Publication dates April 7+14, 1977

Publication approved Y Date 4-15-77

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by YHJ

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-8509, and said application is hereby APPROVED.

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

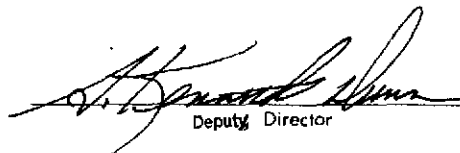
a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 19 82.

c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Witness my hand this 11 day of May, 19 77.


Deputy Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

FORMATION

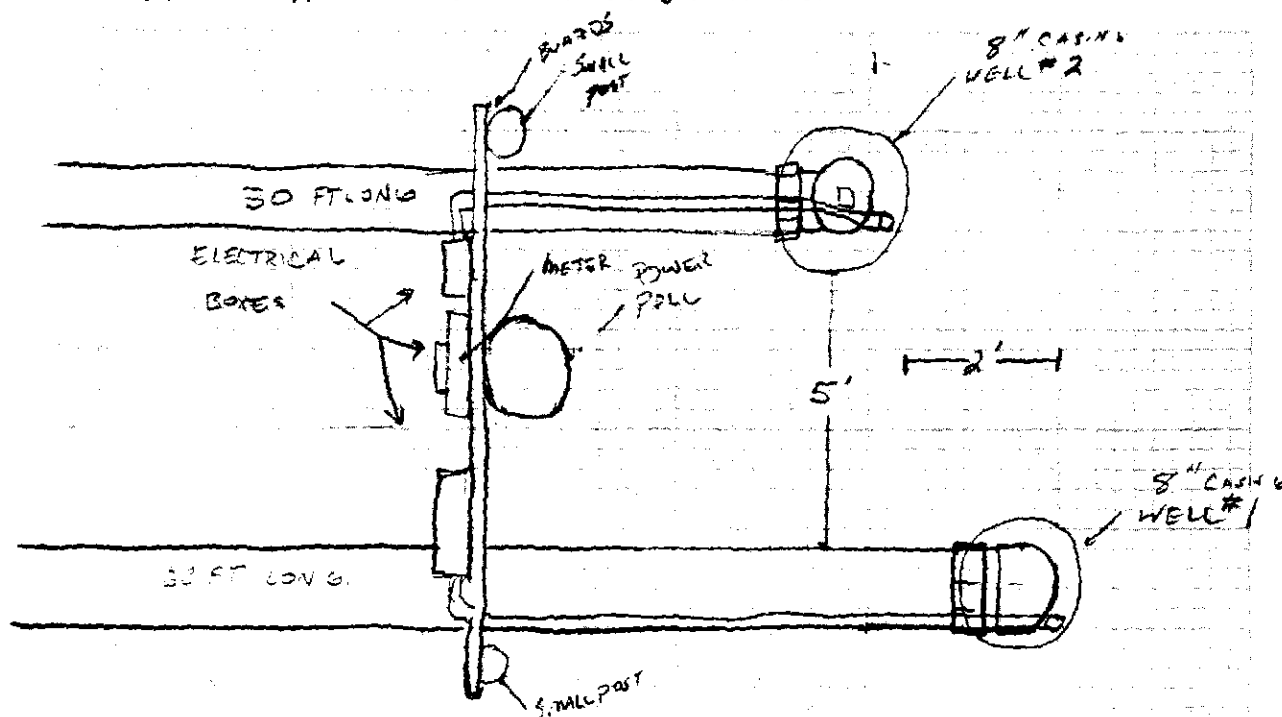
Permit No. 13-8609
Phone No. 246-3531
Address: LAKE ENTERPRISE ST. SWEET TONHO 83705
by: RON JAEGER EXAM. DATE: 6-24-87
RT. 6 Box 6600 NAMPA Phone No. 888-6229
Tip to Permit Holder: MANAGEMENT
GROUNDWATER tributary to _____

REVIEW

or rights with same place of use: NONE -> SUPPLEMENTAL TO ROUSE-KUNA
2A MERIDIAN IRRIGATION DISTRICTS ☐ Copies Attached
or rights with same point of diversion: NONE
☐ Copies Attached ☐ Copies of Field Exam's Attached

DESCRIPTION

1 System Diagram: Indicate all major components and distances between components. Indicate weir
size/pipe i.d. as applicable. ☐ Alternative diagram attached



FILED

SEP 21 1989

Copy of U.S.G.S. Quadrangle Attached
showing location(s) of point(s) of diversion and
face(s) of use (required).

☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).

Photo of Diversion and System Attached
required for all but single household domestic groundwater, and stockwater.

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

2 WELLS 5 FT A PART BOTH WITH 8" CASING ONE
WELL HAS 7 1/2 HP PUMP WITH 5" DISCHARGE, THE OTHER
IS 5 HP WITH 4" DISCHARGE THEY BOTH DISCHARGE INTO
THE SAME CEMENT DITCH 33 FT AWAY

☐ See Remarks on page 4 for continuation

- 4.

5' Dia

4' Dia

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
#1 BIGGER	FRANKLIN Elec	7 1/2	2822012201	?	?
#2 SMALLER	FRANKLIN Elec	5 HP	?	RED TAKER	500 T1

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
#1 & 2		NE	NE	NN	10	2N	1W	ADA	1565 QAD

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	1W	10					38	33	36	39									146

H. REMARKS AND OVERLAP REVIEW ANALYSIS

THIS WATER IS ~~THE~~ SUPPLEMENTAL TO WATER
 GOTTEN FROM BOISE - KUNA + Nampa MERIDIAN IRRIGATION
 DISTRICTS

* ORIGINALLY THE PERMIT WAS FOR STOCKWATER
 TOO, BUT THEY DO NOT USE IT FOR THAT,
 AND THEY HAVEN'T USED IT FOR THAT IN THE
 PAST 5 YEARS.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
IRRIGATION	APR. 1	OCT. 31	.79 cfs	309.7 afa
Totals:			.79 cfs	309.7 afa

2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

J. AUTHENTICATION

Field Examiner's Name QUENTIN NESSITT

Signature Quentin Nessitt

Certification Date _____

Field Report Preparation Date 8-13-87

CONSULTANT SEAL

BD
 8/14/87

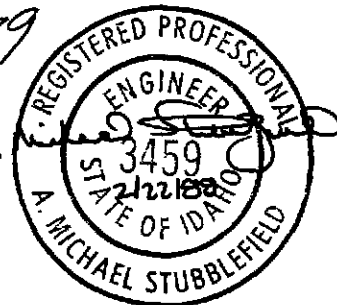
K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

LICENSE CONDITIONS: R01, R32

Bryanne McCarty 1/13/89

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SEP 21 1989



Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
WEIR MADE						
By MANAGER						
"V" NOTCH						
18"						

2. Measurements:

ON 18" WEIR I MEASURED .39 FT BEFORE PUMPS
WERE ON AND .54 FT ON STAFF GAUGE AFTER THEY
WERE TURNED ON .39 = 1.23 cfs & .54 = 2.02 cfs
2.02 - 1.23 = .79 cfs = 39.5 INCHES

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: WEIR → .79 cfs

2. Alternate Method for Checking Purposes: THEORETICAL ^{50 FT CWT} $\frac{7.5 \times 2.2 \times 8}{50 + (2.31 \times 2)} = 1.05 + \frac{5 \times 2.2 \times 8}{50 + (2.31 \times 2)} = 1.704$ cfs = 1.76 cfs > .79

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: 0 psi x 2.31 = 0 ft (1); Dynamic pumping level: 1 ft (2) ^{WELL} _{SUBMERGED PUMP}
Total Head: (1) + (2) = 1 (3) : Flow rate: 0.79 cfs (4)

Water HP: (3) x (4) ÷ 8.8 = 0.9 (5)
Meter Input KW: 3.6 x 0 KH x 0 CTR or 0 MULT x 0 PTR x 0 N/ 0 T = 0 (6)
Meter Input HP: (6) x 1.34 = 0 (7)
Panel Input KW: 0 Ave PF x 0 Ave Volts x 0 Amps x .001732 = 0 (6)
Panel Input HP: (6) x 1.34 = 0 (7) Efficiency: (5)/(7) x 100 = 0 %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 146 \times 4.5 \text{ in} = 657 \text{ in}$
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.98 \times 198 \text{ Days} \times .79 \text{ cfs} = 309.7 \text{ in}$
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 309.7 \text{ in}$

2. Volume Calculations for Other Uses:

[illegible][illegible]

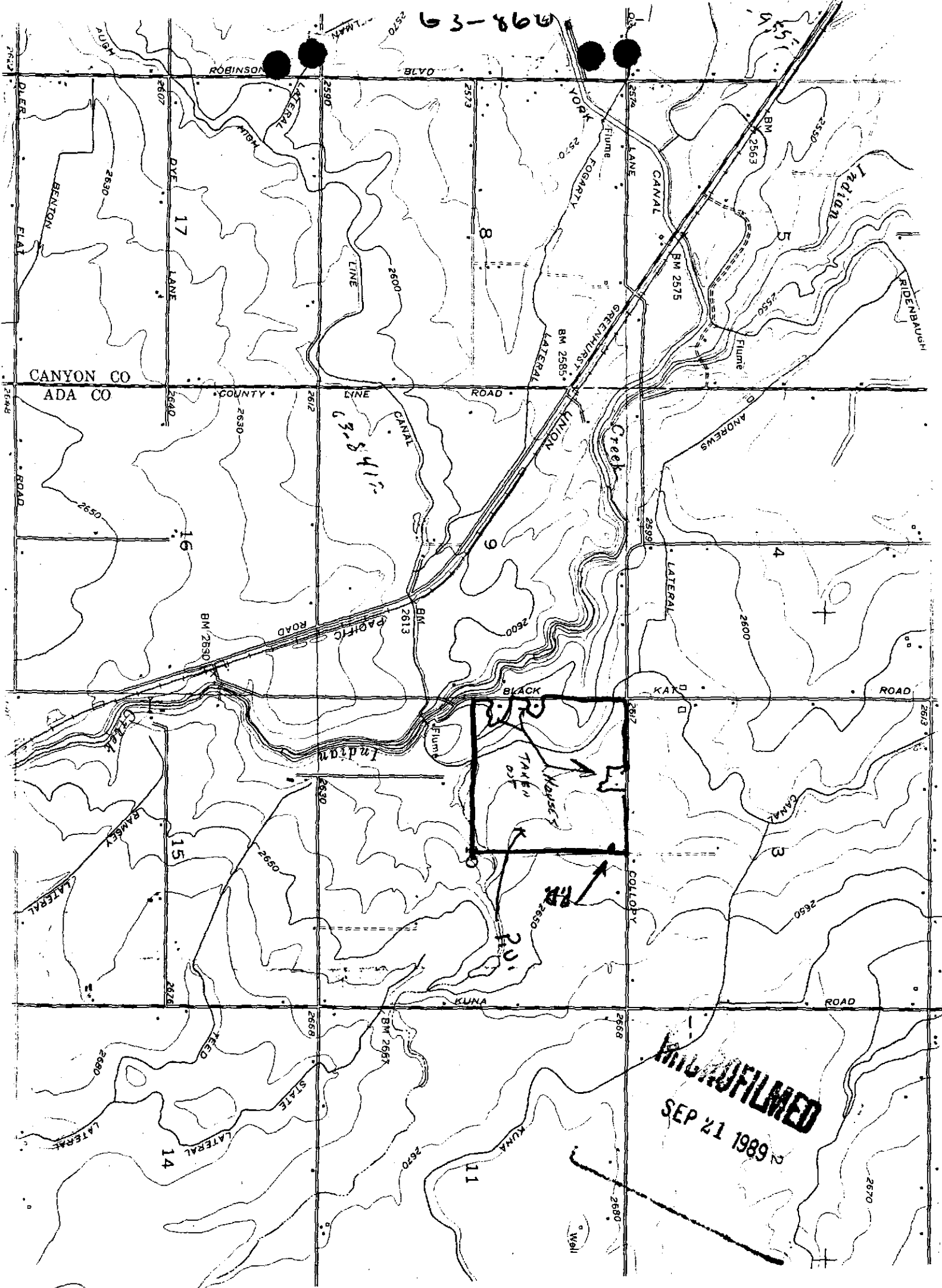
63-8609

A 15

NOT TO SCALE

MICROFILMED
SEP 21 1989

An aerial photograph overlaid with a cadastral or surveying map. The map shows various land parcels outlined by thin black lines. Handwritten numbers are scattered throughout, often near parcel boundaries or specific points of interest. Some parcels are labeled with codes such as "D104 T1300", "D106 T1297", "D124 T1329", "D618 T1320", "D129 T1332", "D123 T1328", "D130 T1333", "D131 T1335", and "T1334". A prominent winding road or canal runs vertically through the left side of the map. In the bottom right corner, there is a rectangular stamp that reads "MICROFILMED SEP 21 1989". Below the entire map area, there are two white boxes containing handwritten text: "A 15" on the left and "NOT TO SCALE" on the right.



REPRODUCED
SEP 21 1989

Identification No. _____

Application No. 63-8609

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Donald R. &/or Rose Bower Phone: 466-1752
post office address Route 6 Nampa, Idaho
2. Source of water supply groundwater which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 10 Township 2N
Range 1W B.M. Ada County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 3.2 for irrigation purpose from Apr 1 to Oct 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .05 for stockwater purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 3.25 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, pump and gravity
system

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 12 inches; proposed depth of well is 100 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 5000.
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 10 Township 2N
Range 1W B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 200 head beef stock

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

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MICROFILMED
AUG 24 1992

[illegible]

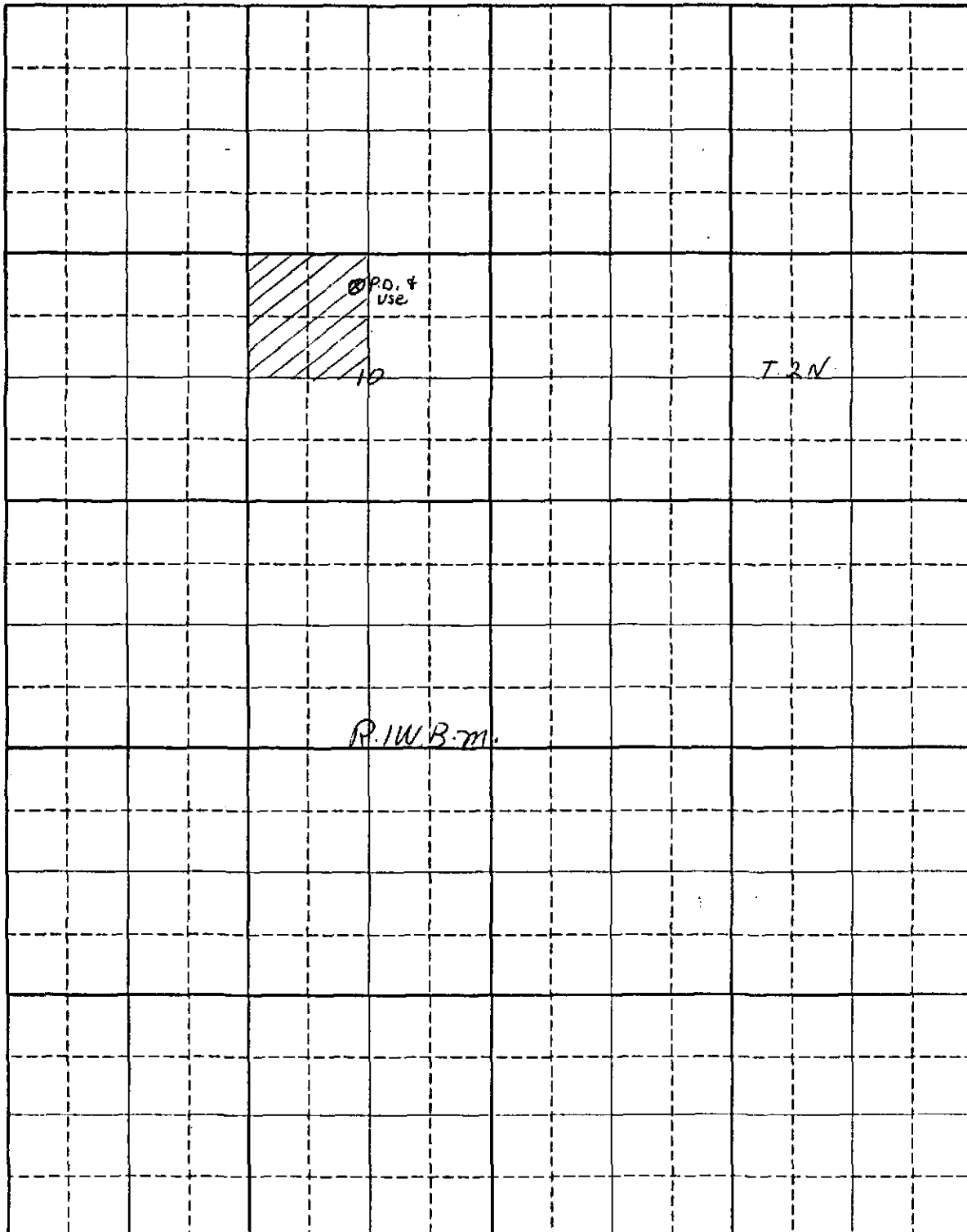
c. Describe any other water rights used for the same purposes as described above.

Boise-Kuna and Nampa-Meridian Irrigation Districts

10. Remarks _____

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~~AUG 24 1992~~

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MICROFILMED

AUG 24 1982

Donald R. Brown
(Applicant)

Proposed Priority 3/25/77

Received by RWH Date 3-25-77 Time 9:45A.M.

Preliminary check by RWH Fee \$ 55.00

Received by Y Date 3-25-77 # 17068

Publication prepared by Y Date 3-31-77

Published in Idaho Free Press

Publication dates April 7-14, 1977

Publication approved Y Date 4-15-77

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by YHJ

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-8609, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 19 82.
- c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.
The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Witness my hand this 11 day of May, 19 77.


Deputy Director

MICROFILMED
AUG 24 1992