

17

33.76 ACRES

5

25.05 ACRES

6

NWSW

NESW

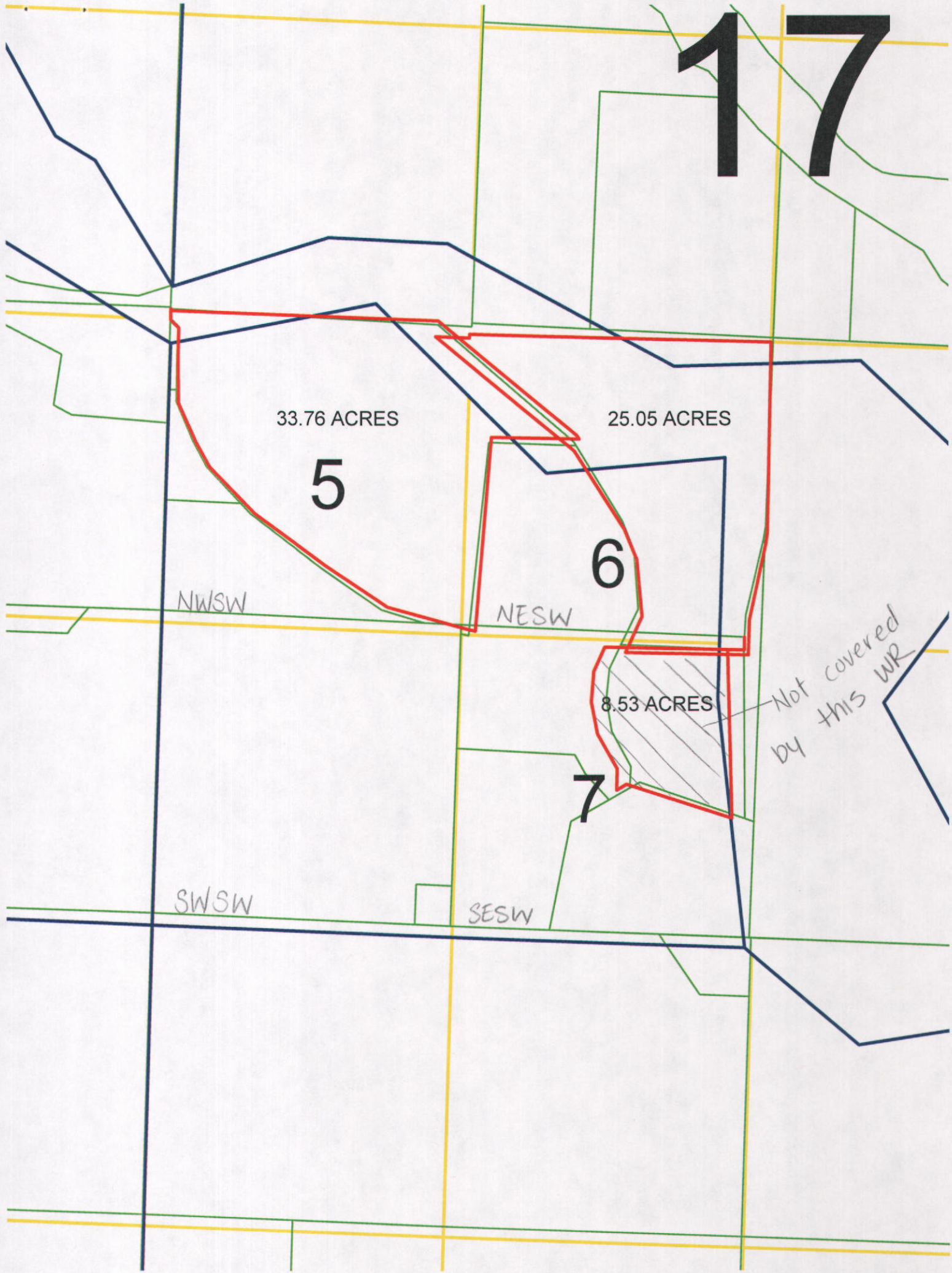
8.53 ACRES

7

SWSW

SESW

Not covered
by this WR



63-3001B

FOSS

65 ACRES

1.30 CFS

227.5 AFA

$$1.30 \div 65 = .02 \times 13.44 = .27 \text{ CFS}$$

$$.02 \times 51.56 = 1.03 \text{ CFS}$$

$$227.5 \div 65 = 3.5 \times 13.44 = 47.04 \text{ AFA}$$

$$3.5 \times 51.56 = 180.46 \text{ AFA}$$



63-32165

FOSS

51.56 ACRES

1.03 CFS

180.46 AFA

63-32166

MERGES

13.44 ACRES

.27 CFS

47.04 AFA

8

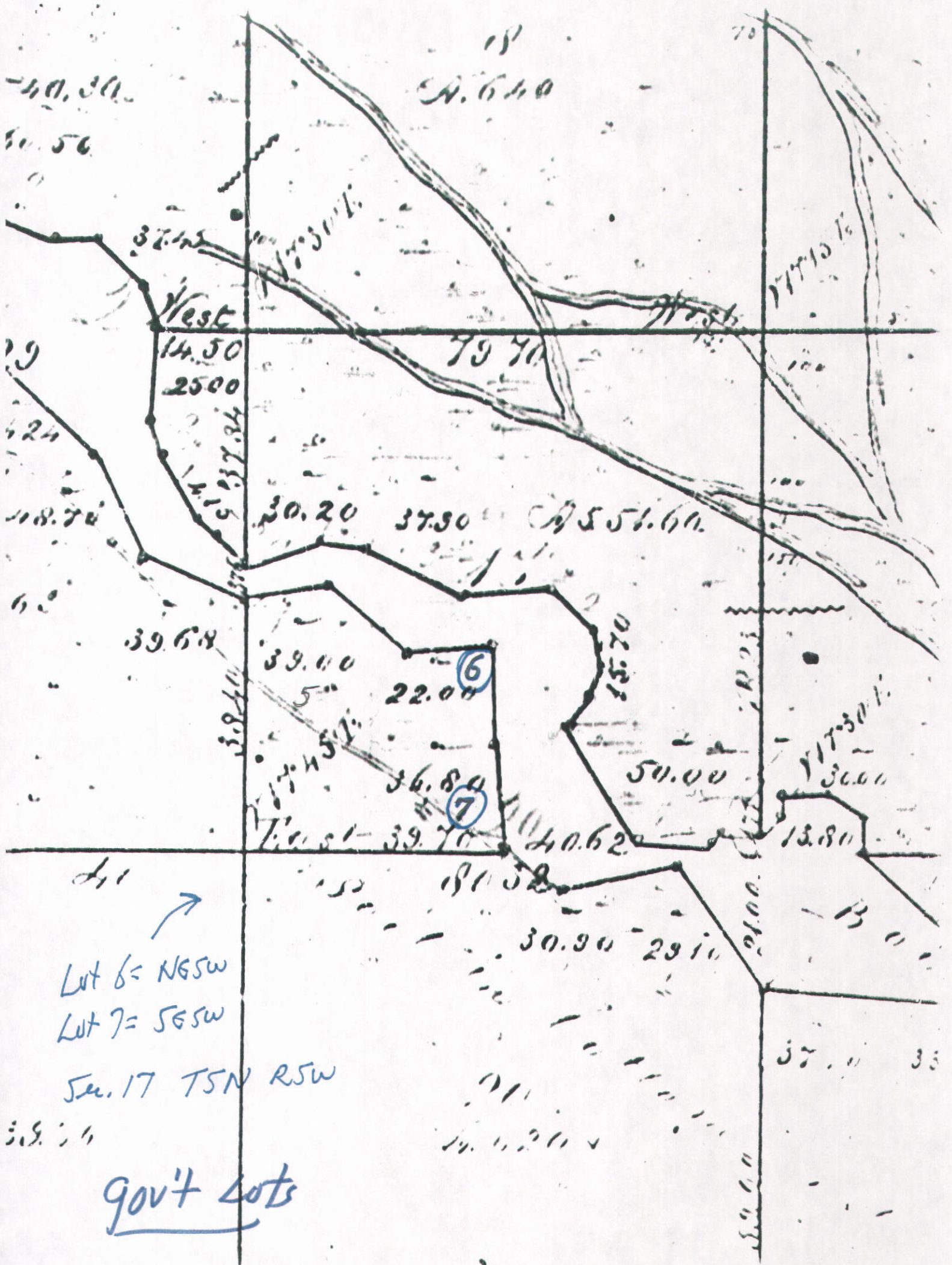
17

11.44

9.22

only
2 acres
irri.

20



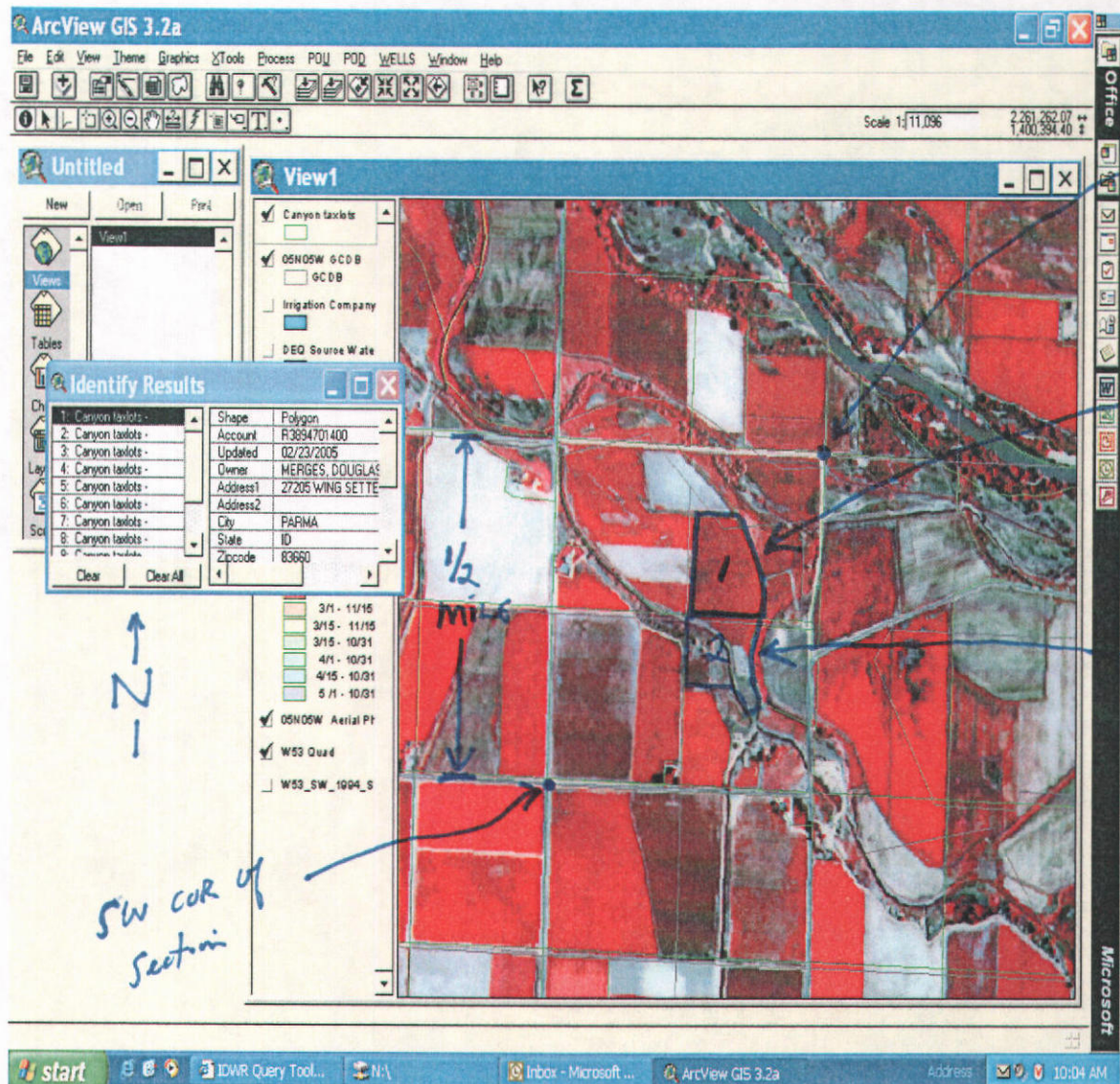
Lot 6 = N6SW
Lot 7 = S6SW

Sec. 17 T5N R5W

Gov't Lots

Merges

T5N R5W. Sec. 17



↓ TOTAL = 20.66 Ac. 5 1/2 SW 1/4 9000 LOTS 6 & 7

① 11.44 Ac. TX 99046 R3894701400

② 9.22 Ac. TX 99046 R389480100 (assessment into range
SWSW but actually SE5W)

Merges total land

Idaho Department of Water Resources

1987 Napp Photo

Merge split of 63-3001B

Claim Number: 63-03001B
 Legal: T05N, R05W, S17
 Reviewed By:

● Point of Diversion



Place of Use



Section Lines



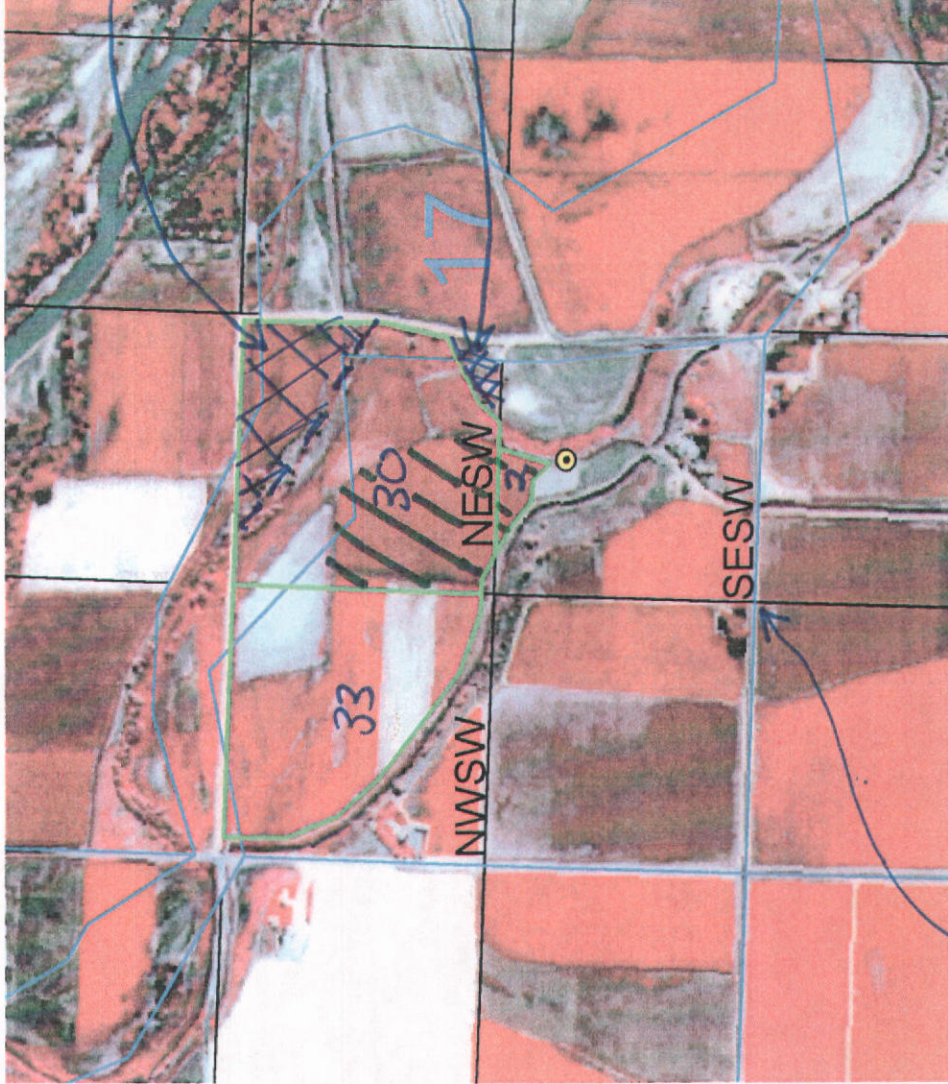
Quarter Quarter Lines

*STARS RECOMMENDATION
 NOT RECORDED yet
 12/18/10*

DRAFT

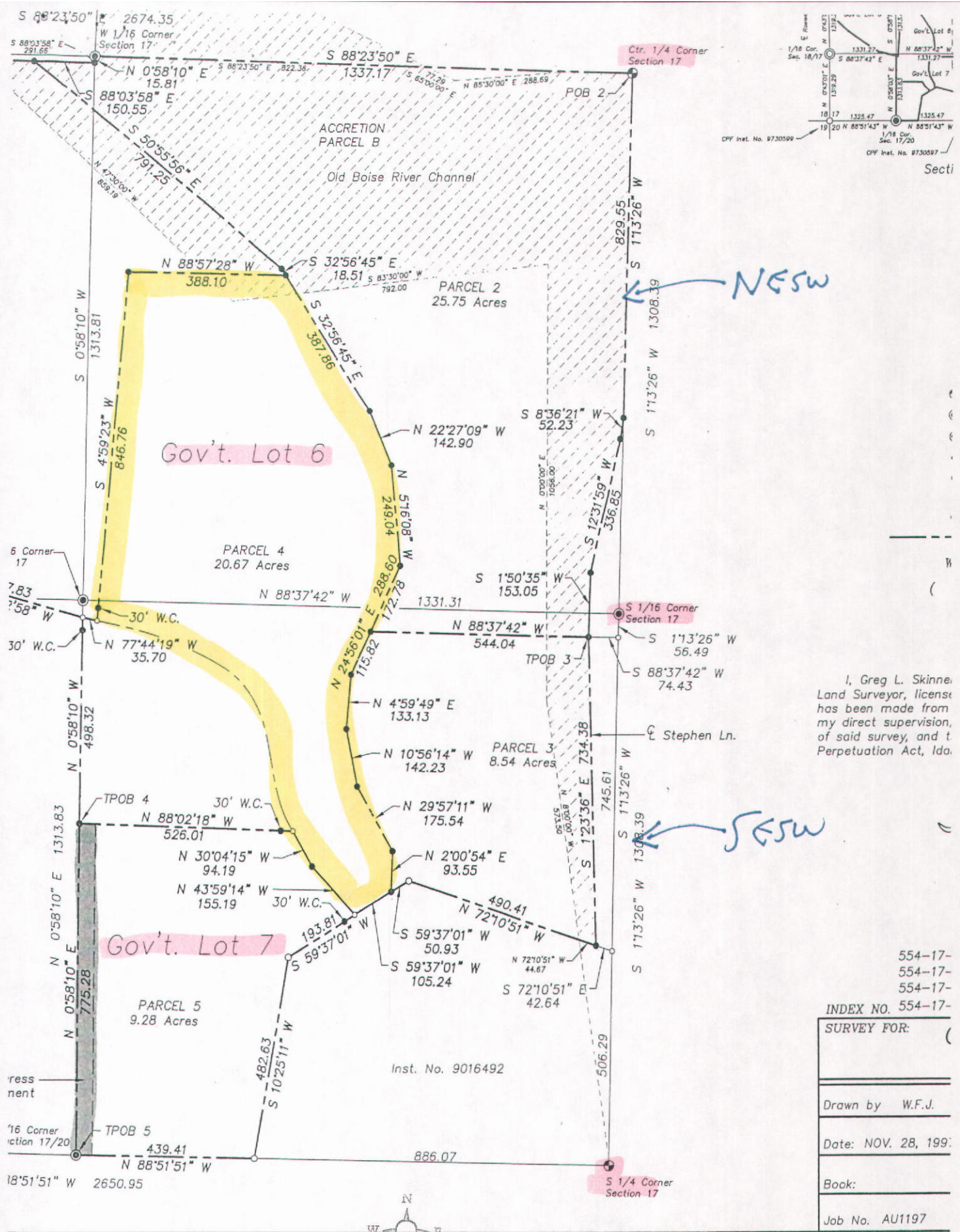


/// = 13.94 ac. e merges



0 0.25 0.5 0.75 Miles

*Which 6 Acres in SESW 9, Lot 7 were merged
 in WR 63-3001?
 Claim 63-3001B 1.57 2 Acres here*



THIS MAP IS ATTACHED SOLELY FOR THE PURPOSE OF ASSISTING IN LOCATING THE LAND AND THE COMPANY ASSUMES NO LIABILITY FOR VARIATIONS IF ANY

Idaho Department of Water Resources

1987 Napp Photo

Claim Number: 63-03001B
Legal: T05N, R05W, S17
Reviewed By:

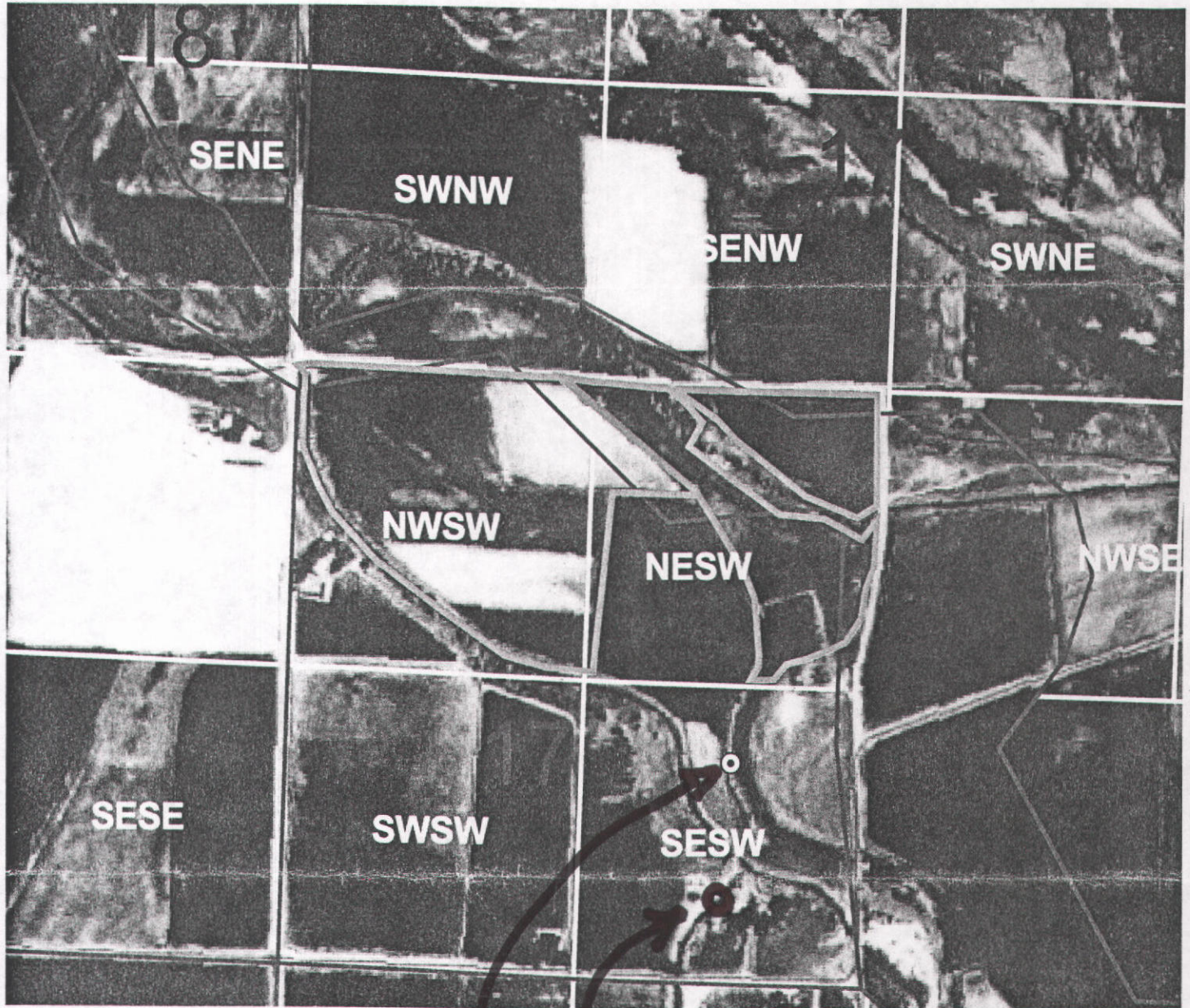
- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines





State of Idaho
Idaho Department of Water Resources
Western Region

T5N R5W SECTION 17
Water Right: 63-32165



1320 0 1320 Feet

*No
Correct
Loc POD*



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

GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: September 2006



State of Idaho
Idaho Department of Water Resources
Western Region

T5N R5W SECTION 17
Water Right: 63-32165



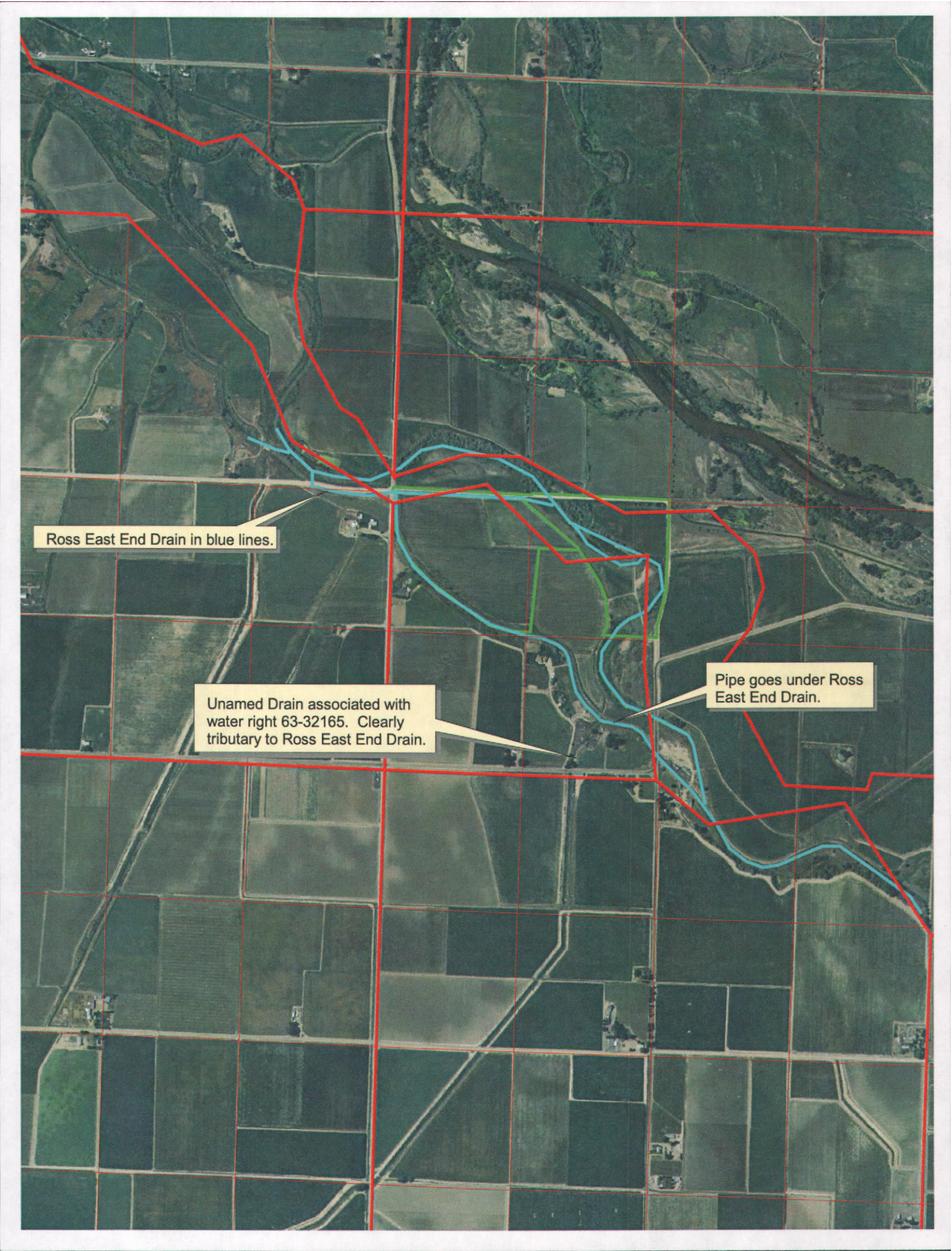
1320 0 1320 Feet

TOTAL IRRIGATED ACRES = 51.6

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



GIS Place of Use Illustration
2000 Aerial Photography
Prepared By: Vicky Music
Date: October 2006



Ross East End Drain in blue lines.

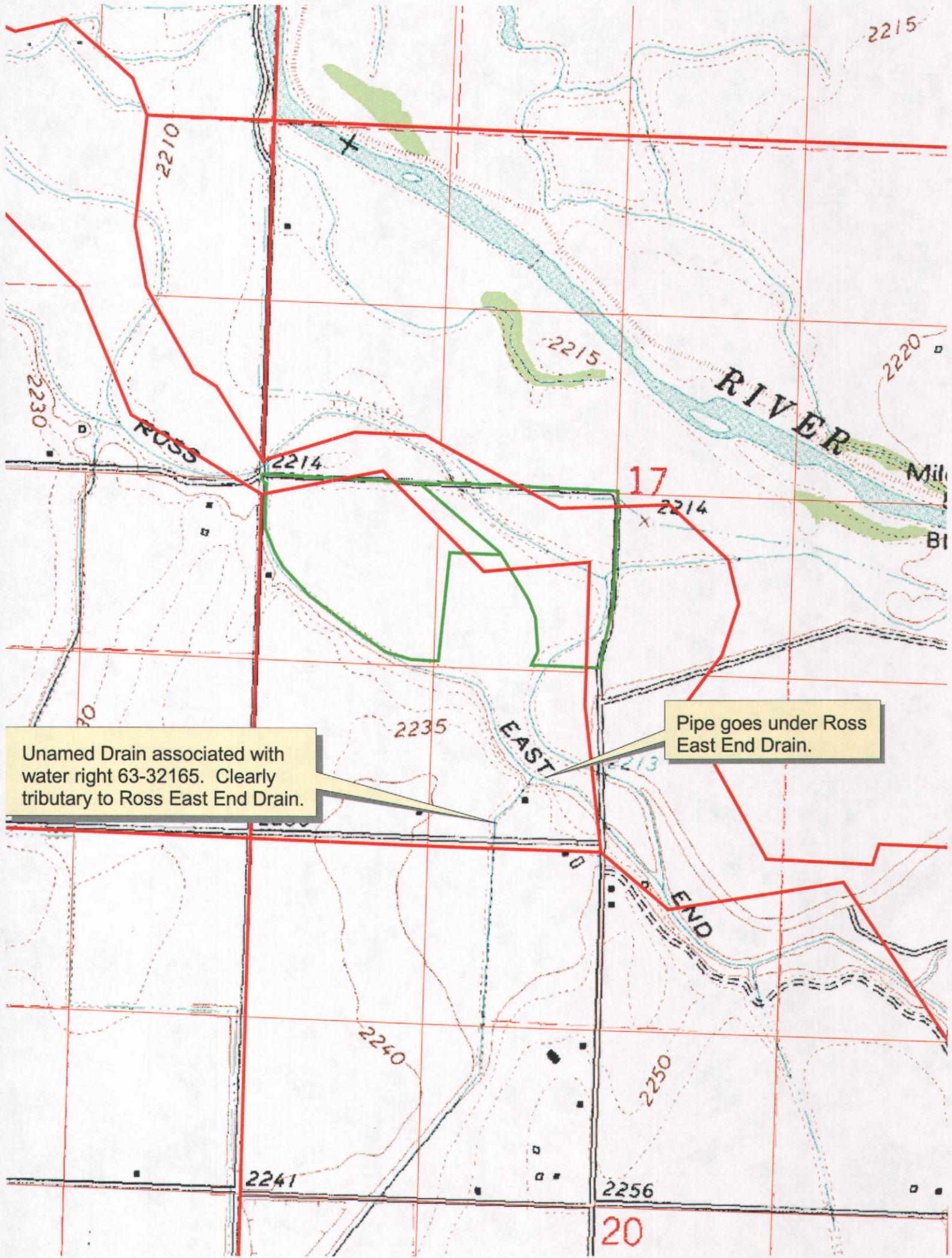
This is an aerial photograph of a rural landscape with a grid of red lines. A network of blue lines, representing the Ross East End Drain, winds through the fields. A green line also follows a similar path in some areas. A callout box points to a specific section of the blue lines.

Unnamed Drain associated with water right 63-32165. Clearly tributary to Ross East End Drain.

This callout box points to a small, narrow channel or pipe that joins the main network of blue lines from the left.

Pipe goes under Ross East End Drain.

This callout box points to a location where a pipe crosses beneath the main drainage line, indicated by a change in the line's path.



Unnamed Drain associated with water right 63-32165. Clearly tributary to Ross East End Drain.

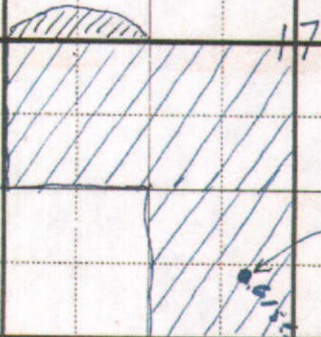
Pipe goes under Ross East End Drain.

$$Q = 1.4 \text{ cfs.}$$

NAME OF APPLICANT

M. W. CARLILE

FORM No. 0



Permit Map No. 25107
As Approved
AUG 21 1954
MARK R. KULP
State Reclamation Engineer

SCALE: 2 INCHES EQUALS 1 MILE. DRAW PLAN IN INK.

25107

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 63-32165
Date Received: 9/2/2005
Receipt No:
Received By:

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

1. Name of Claimant(s)

CLASSEN & CO LLC Phone: (208)854-1037
6417 PLANTATION LN
BOISE ID USA 83703

2. Date of Priority: 08/04/1954

3. Source: UNNAMED DRAIN Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	05W	17	SE SW 7	CANYON	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	1.03	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
----------	-------	---------	----------------	-----	-------

05N	05W	17	NW	SW	5	IRRIGATION	33
			NE	SW	6	IRRIGATION	18.56
						Section Acres	51.56
						Total Acres	51.56

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

THIS IS A SPLIT WATER RIGHT. WATER QUANTITY HAS BEEN PRO-RATED AND AMOUNTS TO 0.0179 CFS PER ACRE. L.W.-11/27/90

This right is a split from former right 63-3001B.

CHANGE IN OWNERSHIP LG 12/15/05

15. Basis of Claim: License

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 63-32165
Date Received: 9/2/2005
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JANE FOSS Phone: (208)722-7908
29570 HEXON RD
PARMA ID USA 83660

ART FOSS Phone: (208)722-7908
28749 HEXON RD
PARMA ID USA 83660

2. Date of Priority: 08/04/1954

3. Source: UNNAMED DRAIN Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	05W	17	SE SW 7	CANYON	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	1.03	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
05N	05W	17	NW	SW	5	IRRIGATION	33
			NE	SW	6	IRRIGATION	18.56
						Section Acres	51.56
						Total Acres	51.56

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

THIS IS A SPLIT WATER RIGHT. WATER QUANTITY HAS BEEN PRO-RATED AND AMOUNTS TO 0.0179 CFS PER ACRE. L.W.-11/27/90

This right is a split from former right 63-3001B.

15. Basis of Claim: License

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 63-32165
Date Received: 9/2/2005
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JANE FOSS Phone: (208)722-7908
29570 HEXON RD
PARMA ID USA 83660

ART FOSS Phone: (208)722-7908
28749 HEXON RD
PARMA ID USA 83660

2. Date of Priority: 08/04/1954

3. Source: UNNAMED DRAIN Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	05W	17	SE SW 7	CANYON	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	1.03	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	05W	17	NW	SW	5	IRRIGATION 33
			NE	SW	6	IRRIGATION 18.56
					Section Acres	51.56
					Total Acres	51.56

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

THIS IS A SPLIT WATER RIGHT. WATER QUANTITY HAS BEEN PRO-RATED AND AMOUNTS TO 0.0179 CFS PER ACRE. L.W.-11/27/90

This right is a split from former right 63-3001B.

15. Basis of Claim: License

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: A63-03001B
Date Received: 8/29/1990
Receipt No: W012668
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ART FOSS 208-722-7908
Address: 28749 HEXON RD.
PARMA, ID 83660

OR

Name: JANE FOSS 208-722-7908
Address: 28749 HEXON RD.
PARMA, ID 83660

2. Date of Priority: AUG 04, 1954

3. Source: UNNAMED DRAIN Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	05W	17	SE	SW		7	CANYON

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.300		

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

8. Total consumptive use is 227.5 Acre Feet Per Annum.

9. Non-irrigation uses:
LIVESTOCK FROM 1/1 TO 12/31

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	05W	17	NE	SW	6	IRR	30.0
			NW	SW	5	IRR	33.0
			SE	SW	7	IRR	2.0
						Section Acres	65.0
						Total Acres	65.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
SEE REMARKS

14. Remarks:
THIS IS A SPLIT WATER RIGHT. WATER QUANTITY HAS BEEN PRO-RATED
AND AMOUNTS TO 0.0179 CFS PER ACRE. L.W.-11/27/90

15. Basis of Claim: LICENSE

Water Right Number: 25107

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 Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ 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 _____

*canyon
county*

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

RECEIVED

SEP 23 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
	~~65~~				
	63-32165				
	~~63-3001B~~				

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

- ☒ A. The appropriate **FILING FEE**. See instructions for fee amounts. *N/A*
- ☒ 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) Art & Jane Foss
28749 Hexon Rd Parma ID 83660
4. New Owner/Claimant(s) Classon & Co. LLC
Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address 6417 Plantation Lane
- City, State and ZIP Code Boise ID 83703
- New Telephone Number (208) 854-1037
5. Date you acquired the property Nov. 22, 2000

SCANNED

SEP 22 2005

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)

James S. Klassen
Gen. Mgr. Klassen & Co. LLC

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

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

SCANNED

SEP 22 2005

7726982
PC20854

WARRANTY DEED

FOR VALUE RECEIVED James Arthur Foss and Jane Foss, husband and wife

the Grantors, do hereby grant, bargain, sell and convey unto Whiskey Bottom Limited Partnership

the Grantee, whose address is 2205 W. Mace Rd, Eagle, ID 83614

the following described premises, to-wit:

See attached Exhibit "A", which by this reference is made a part hereof and is comprised of two (2) pages.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances, except for general taxes and assessments for the year 1997 and subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: August 13, 1997

James Arthur Foss
James Arthur Foss

Jane Foss
Jane Foss

STATE OF IDAHO

COUNTY OF CANYON

On this 13th day of August in the year 1997, before me, a Notary Public, personally appeared James Arthur Foss and Jane Foss, known and identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Walter A. Corbett
Notary Public
Residing at Caldwell
My commission expires 1-27-99

PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

SCANNED

SEP 22 2005

PC 20854

Exhibit "A"

BEGINNING at the Northwest corner of Government Lot 3, Section 17, Township 5 North, Range 5 West, Boise Meridian, Canyon County, Idaho; running thence

Easterly along the North line of Government Lot 3 of said Section 17 a distance of 1,000 feet, more or less, to a point on the mean high water line on the left (Southerly bank) of the Boise River; thence

Southeasterly along the said mean high water line to a point on the East line of the Southwest Quarter of the Northeast Quarter of said Section 17; thence

Southerly along the East line of the said Southwest Quarter of the Northeast Quarter a distance of 265.0 feet, more or less, to the Southeast corner thereof; thence

Westerly along the South line of the said Southwest Quarter of the Northeast Quarter to the Southwest corner thereof; thence

Southerly along the East line of said Government Lot 3 and the Southerly extension thereof to a point on the South line of said Section 17; thence

Westerly along the Easterly extension of the South line and the South line of Government Lot 7 to said Section 17 a distance of 1,320 feet, more or less, to the Southwest corner thereof; thence

Northerly along the West line of said Government Lot 7 to the Northwest corner thereof; thence

Northwesterly along the centerline of the drain ditch to the Westerly line of said Section 17; thence

Northerly along the West line of said Section 17, 475 feet, more or less, to the centerline of the County Road; thence in an

Easterly direction along the centerline of said County Road 1,320 feet, more or less, to the Southerly extension of the West line of Lot 3 in said Section 17; thence

North 1,320 feet, more or less, to the Northwest corner of said Lot 3, the POINT OF BEGINNING.

EXCEPTING THEREFROM:

This parcel is a portion of Government Lot 7 and of the original Boise River Channel as shown on Government Land Office plat of the 1868 survey of Section 17, Township 5 North, Range 5 West, Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

COMMENCING at the Southwest corner of said Section 17; thence

East along the Southerly boundary of said Section 17 a distance of 1,764.88 feet to the TRUE POINT OF BEGINNING; thence

North 9° 16' 56" East a distance of 482.63 feet; thence

North 58° 28' 46" East a distance of 349.98 feet; thence

(continued)

South 73° 19' 06" East a distance of 548.84 feet to a point on the Southerly extension of the Easterly boundary of Government Lot 3 of said Section 17; thence

South 0° 04' 19" East along said extension a distance of 501.74 feet to a point on the Southerly boundary of said Section 17; thence

North 90° 00' 00" West along said Southerly boundary a distance of 902.56 feet to the TRUE POINT OF BEGINNING.

This parcel is subject to County road rights of way along the Southerly and Easterly boundaries and is also subject to maintenance and access easements lying 20.00 feet either side of the centerline of those irrigation drain ditches traversing said parcel.

9726982

RECORDED

97 AUG 15 PM 4 30

NED J KERR

CANYON CNTY RECORDER

BY *[Signature]*

PIONEER - CALDWELL

REQUEST

TYPE *[Signature]* REC. *[Signature]*

PC36151

200041447

WARRANTY DEED

FOR VALUE RECEIVED Whiskey Bottom Limited Partnership

the Grantors, do hereby grant, bargain, sell and convey unto Classen & ~~Company, L.L.C.~~ Co., LLC

the Grantees, whose address is 6417 Plantation Ln., Boise, ID

the following described premises, to-wit:

83703

See attached Exhibit "A", which by this reference is made a part hereof and is comprised of three(3) pages.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 2000 and subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: November 22, 2000

[Signature] General Partner
Whiskey Bottom Limited Partnership

STATE OF IDAHO

COUNTY OF CANYON

On this 27th day of November in the year 2000, before me, a Notary Public, personally appeared Charles H. Lobdell known or identified to me to be the partner in the partnership of Whiskey Bottom Limited Partnership and the partner who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

[Signature]
Notary Public
Residing at Caldwell
My commission expires 2/3/04

PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

610 SOUTH KIMBALL
CALDWELL, ID 83605

SCANNED

SEP 27 2005

PIONEER TITLE COMPANY
OF CANYON COUNTY
423 S. KIMBALL AVE.
P. O. BOX 610
CALDWELL, IDAHO 83606-0610
(208)459-1651

Classen & Co., LLC
6417 Plantation Lane
Boise, Idaho 83703

Escrow No. PC36151
RE: Whiskey Bottom to Classen
Date: November 30, 2000

In Connection with the above numbered Escrow, we enclose the following:

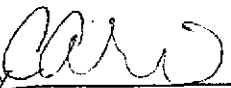
- (X) ORIGINAL Deed recorded 11-27-2000 Instrument No. 200041447
- () Title Insurance Policy TO FOLLOW!!
- () Copies of Executed Closing Documents
- () Our check # in the sum of \$.

Remember to take your deed to the Canyon County Assessors office to file for your Homeowners Exemption, if this is your principal residence.

Contact the County Treasurer the first of December for your tax bill for 2000.

Yours very truly,

PIONEER TITLE COMPANY
OF CANYON COUNTY

By 
Tammy Kratzberg

SCANNED

SEP 22 2005

PC 36151

Exhibit "A"

PARCEL 1

A portion of Government Lots 5, 6 and 7 of the Southwest Quarter of the Southwest Quarter and of the Boise River Channel as shown on the 1868 G.L.O. Survey Plat for Section 17, Township 5 North, Range 5 West of the Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

N 1400932.87 E 2260782.09

COMMENCING at the West Quarter corner of said Section 17, as monumented by a brass cap monument; thence

South 0° 43' 01" West along the West boundary of said Section 17 a distance of 8.09 feet to a point in the centerline of Boulder Road, said point being the TRUE POINT OF BEGINNING; thence

South 88° 03' 58" East along said centerline a distance of 1,186.70 feet; thence

South 50° 55' 56" East a distance of 791.25 feet; thence

South 32° 56' 45" East a distance of 18.51 feet; thence

North 88° 57' 28" West a distance of 388.10 feet; thence

South 4° 59' 23" West a distance of 846.76 feet to a point in the centerline of the Ross East End Drain; thence traversing said centerline as follows:

North 77° 44' 19" West a distance of 35.70 feet;

North 74° 52' 58" West a distance of 367.83 feet;

North 56° 53' 02" West a distance of 323.56 feet;

North 54° 19' 35" West a distance of 389.54 feet;

North 44° 32' 12" West a distance of 284.11 feet;

North 29° 41' 45" West a distance of 123.38 feet;

North 24° 24' 13" West a distance of 188.45 feet;

North 0° 24' 55" West a distance of 206.63 feet;

North 1° 44' 29" East a distance of 120.27 feet;

North 45° 57' 48" West a distance of 49.67 feet to a point on the West boundary of said Section 17; thence

North 0° 43' 01" East along said West boundary a distance of 40.62 feet to the POINT OF BEGINNING.

SUBJECT TO a county road right-of-way along the North boundary and to all other easements and rights-of-way of record or implied.

EXCEPTING THEREFROM

Any portion situated in the Southwest Quarter of the Southwest Quarter, Section 17, Township 5 North, Range 5 West, Boise Meridian in Canyon County, Idaho.

(continued)

SCANNED

SEP 22 2005

PARCEL 2

A portion of Government Lots 6 and 7 and of the old original Boise River Channel as shown on the 1868 G.L.O. Survey of Section 17, Township 5 North, Range 5 West of the Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

N 1400889.23 E 2261593.53
BEGINNING at the Center Quarter corner for said Section 17; thence
South 1° 13' 26" West along the North-South midsection line for said Section 17 a distance of 829.55 feet to a point in the centerline of Stephen Lane; thence traversing said centerline as follows:
South 8° 36' 21" West a distance of 52.23 feet;
South 12° 31' 59" West a distance of 336.85 feet;
South 1° 50' 35" West a distance of 153.05 feet; thence leaving said centerline and bearing
North 88° 37' 42" West a distance of 544.04 feet to the centerline of an existing ditch; thence traversing said centerline as follows:
North 24° 56' 01" East a distance of 172.78 feet;
North 5° 16' 08" West a distance of 249.04 feet;
North 22° 27' 09" West a distance of 142.90 feet;
North 32° 56' 45" West a distance of 406.37 feet;
North 50° 55' 56" West a distance of 791.25 feet to a point in the centerline of Boulder Road; thence
South 88° 03' 58" East along said centerline a distance of 150.55 feet to a point on the Northerly extension of the West boundary of said Government Lot 6; thence
North 0° 58' 10" East along said extension a distance of 15.81 feet to the West One Sixteenth corner of said Section 17; thence
South 88° 23' 50" East along the East-West midsection line of said Section 17 a distance of 1,337.17 feet to the POINT OF BEGINNING.

SUBJECT TO a county road right-of-way along the North boundary and along the East boundary and to all other easements and rights-of-way of record or implied.

PARCEL 3

N 1400497.68 E 2261557.06
A portion of Government Lot 7 and of the old original Boise River Channel as shown on the 1868 G.L.O. Survey for Section 17, Township 5 North, Range 5 West of the Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

COMMENCING at the South One Sixteenth corner for said Section 17; thence
South 1° 13' 26" West along the North-South midsection line of said Section 17 a distance of 56.49 feet; thence
North 88° 37' 42" West a distance of 74.43 feet to a point in the centerline of Stephen Lane, which point is the TRUE POINT OF BEGINNING; thence
South 1° 23' 36" East along said centerline a distance of 734.38 feet to a point on the Northerly boundary of the parcel described as the exception in the Warranty Deed filed as Instrument No. 9016492, records of Canyon County, Idaho; thence

(continued)

North 72° 10' 51" West along said North boundary a distance of 490.41 feet; thence

South 59° 37' 01" West continuing along said boundary a distance of 50.93 feet to a point in the centerline of an existing ditch; thence traversing said centerline as follows:

North 2° 00' 54" East a distance of 93.55 feet;

North 29° 57' 11" West a distance of 175.54 feet;

North 10° 56' 14" West a distance of 142.23 feet;

North 4° 59' 49" East a distance of 133.13 feet;

North 24° 56' 01" East a distance of 115.82 feet; thence leaving said ditch centerline and bearing

South 88° 37' 42" East a distance of 544.04 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO a county road right-of-way along the East boundary and to all other easements and rights-of-way or record or implied.



200041447

RECORDED

00 NOV 27 PM 12 01

C NOEL HALES

CANYON CNTY RECORDER

BY *Jackie Brown*

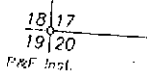
REQUEST PIONEER - CALDWELL

TYPED *Jack* FEE *12.00*

SCANNED

SFP 2 2 2005

A PORTION OF THE NE1/4SW1/4, SE1/4SW1/4, SW1/4SW1/4 AND THE NW1/4SW1/4
SECTION 17, TOWNSHIP 5 NORTH, RANGE 5 WEST, BOISE MERIDIAN
CANYON COUNTY, IDAHO



NO	LENGTH	BEARING
L1	125.00	N 27°12'45" E
L2	34.98	N 25°50'11" W
L3	33.91	S 08°02'10" E
L4	18.67	S 25°50'12" E
L5	114.74	S 27°12'45" W
L6	33.40	N 88°31'51" W



THIS IS NOT A SURVEY. THIS MAP IS FOR INFORMATIONAL PURPOSES ONLY. PIONEER TITLE COMPANY MAKES NO REPRESENTATIONS AS TO THE ACCURACY OF THE MAP AND ASSUMES NO LIABILITY FOR IT.

SCANNED

SEP 22 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

September 2, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Art and Jane Foss
29750 Hexon Road
Parma, ID 83660

Re: Original Notice of Claim to a Water Right No. 63-3001B

Renumbered to Notice of Claim to a Water Right No. 63-32165

Dear Claimant(s):

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

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

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your right. This claim represents the remaining portion of the claim filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

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

Sincerely,

Adjudication Section
Western Region Office

LG: lg

Enclosure

17

33.76 ACRES

5

25.05 ACRES

6

NW/4

NE/4

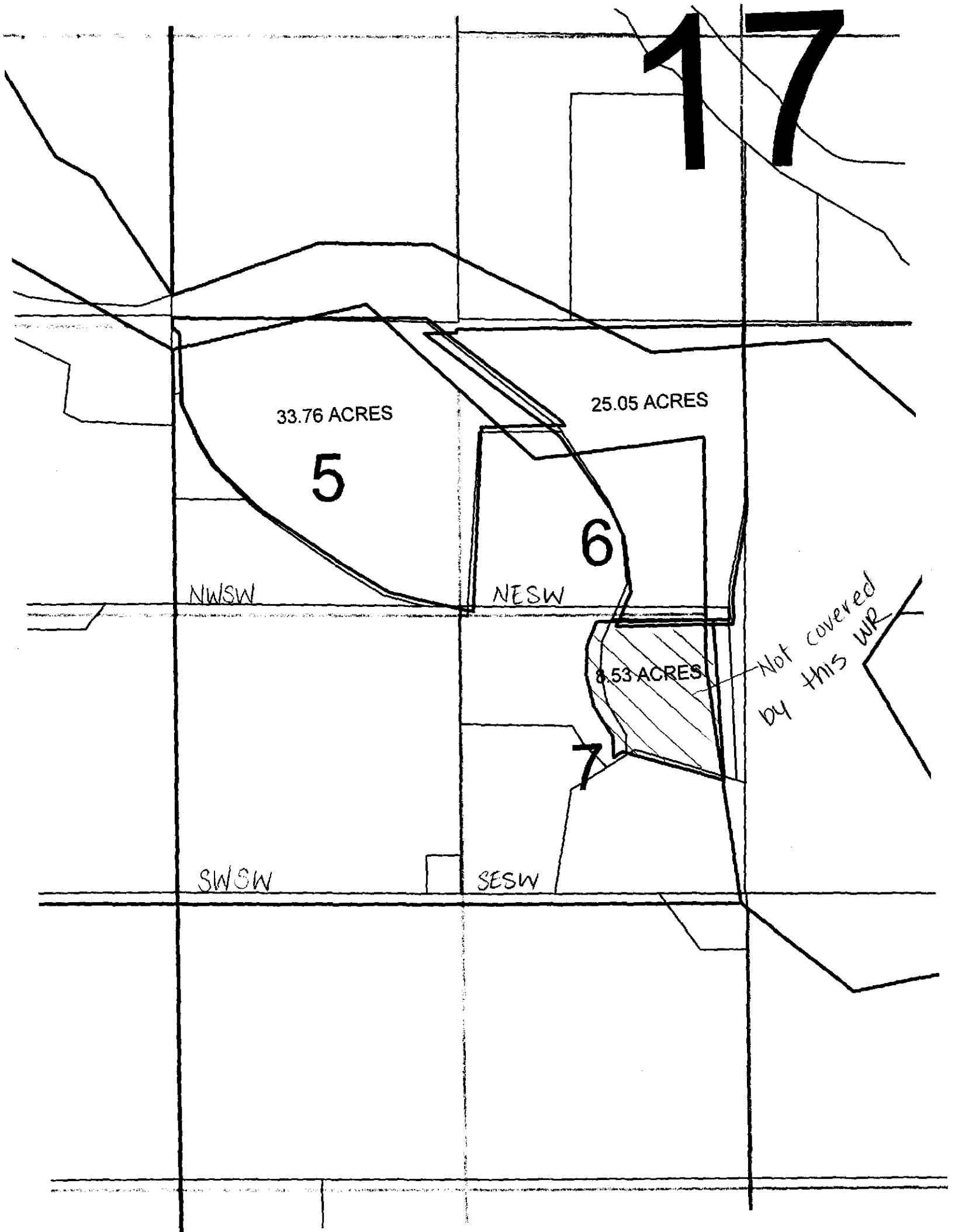
8.53 ACRES

Not covered
by this WP

7

SW/4

SE/4



63-3001B

FOSS

65 ACRES

1.30 CFS

227.5 AFA

$$1.30 \div 65 = .02 \times 13.44 = .27 \text{ CFS}$$

$$.02 \times 51.56 = 1.03 \text{ CFS}$$

$$227.5 \div 65 = 3.5 \times 13.44 = 47.04 \text{ AFA}$$

$$3.5 \times 51.56 = 180.46 \text{ AFA}$$



63-32165

FOSS

51.56 ACRES

1.03 CFS

180.46 AFA

63-32166

MERGES

13.44 ACRES

.27 CFS

47.04 AFA

8

17

11.44

9.22

only
2 acres
irri.

20

RECEIVED

AUG 30 2005

WATER RESOURCES
WESTERN REGION

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

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
	63-3001B	YES			

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) JANE & ART FOSS
4. New Owner/Claimant(s) 28749 HEXON RD. PARMA, ID. 83660
DOUGLAS M. ^{AND} LORI ANN MERGES
Name Connector (Check one): [] and, [] or, ☒ and/or
- New Mailing Address 27205 WING SETTER LN.
- City, State and ZIP Code PARMA, ID. 83660
- New Telephone Number (208) 722-7440
5. Date you acquired the property 1/11/1999

CONVERSATION MEMORANDUM

DATE 8/26/05

FILE 63-3001 A

NAME OF PARTY

EMPLOYEE

" B
" C

RE: AJ CLAIM Splits

LICENSE 63-3001 1.40 cfs 78 Acres

AJ Splits :

C F S

	<u>A</u>	<u>B</u>	<u>C</u>	<u>total</u>
<u>CLAIMED</u>	<u>.08</u>	<u>1.30</u>	<u>.18</u>	<u>1.56</u>

<u>if .0179 cfs/Ac per</u>	<u>.07</u>	<u>1.16</u>	<u>.16</u>	<u>1.39</u>
<u>claim d'base *</u>				

<u>if # Acres x $\frac{1.40 \text{ cfs}}{78 \text{ Acres}}$</u>	<u>.07</u>	<u>1.17</u>	<u>.16</u>	<u>1.40</u>
<u>4 ACRES</u>	<u>65 ACRES</u>	<u>9 ACRES</u>		

CORRECT

splits should be

* See condition #1 in claim & prorated shares

9904904

PC28574

WARRANTY DEED

FOR VALUE RECEIVED Whiskey Bottom Limited Partnership

the Grantor, does hereby grant, bargain, sell and convey unto Douglas M. Merges and Lori Ann Merges, husband and wife

the Grantees, whose address is 3016 Westview Lane, Nampa, ID, 83686

the following described premises, to-wit:

See attached Exhibit "A", which by this reference is made a part hereof and is comprised of two (2) pages.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 1999 and subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: February 2, 1999

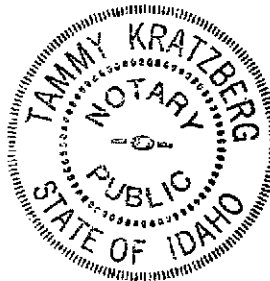

Whiskey Bottom Limited Partnership

STATE OF IDAHO

COUNTY OF CANYON

On this 2nd day of February in the year 1999, before me, a Notary Public, personally appeared Charles H. Lobdell known or identified to me to be the general partner in the partnership of Whiskey Bottom Limited Partnership and the general partner who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.


Notary Public
Residing at Caldwell
My commission expires 2/3/04



PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

Exhibit "A"

A portion of Government Lots 6 and 7 and of the original Boise River Channel as shown on the 1868 G.L.O. Survey for Section 17, Township 5 North, Range 5 West, Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

COMMENCING at the West 1/16 corner on the South line of said Section 17 as it presently exists; thence

North 0° 58' 10" East along the West boundary of said Government Lot 7 a distance of 775.28 feet to the TRUE POINT OF BEGINNING; thence continuing

North 0° 58' 10" East along said West boundary a distance of 498.32 feet to a point in the centerline of the Ross East End drain; thence

South 77° 44' 19" East along said centerline a distance of 35.70 feet; thence leaving said centerline bearing

North 4° 59' 23" East a distance of 846.76 feet; thence

South 88° 57' 28" East a distance of 388.10 feet to a point in the centerline of an existing ditch; thence traversing said centerline as follows:

South 32° 56' 45" East a distance of 387.86 feet; thence

South 22° 27' 09" East a distance of 142.90 feet; thence

South 5° 16' 08" East a distance of 249.04 feet; thence

South 24° 56' 01" West a distance of 288.60 feet; thence

South 4° 59' 49" West a distance of 133.13 feet; thence

South 10° 56' 14" East a distance of 142.23 feet; thence

South 29° 57' 11" East a distance of 175.54 feet; thence

South 2° 00' 54" West a distance of 93.55 feet to a point on the Northerly boundary of the parcel described as the exception in the Warranty Deed filed as Instrument No. 9016492, records Canyon County, Idaho; thence

South 59° 37' 01" West along said boundary a distance of 105.24 feet to a point in the centerline of said Ross East End drain; thence traversing said centerline as follows:

North 43° 59' 14" West a distance of 155.19 feet; thence

North 30° 04' 15" West a distance of 94.19 feet; thence leaving said centerline and bearing

North 88° 02' 18" West a distance of 526.01 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH use of an ingress-egress and utility easement, this easement lies in Government Lot of Section 17, Township 5 North, Range 5 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

(continued)

Handwritten signature and initials

COMMENCING at the Southwest corner of said Government Lot 7; thence
South 88° 51' 51" East along the South boundary of said
Government Lot 7 a distance of 372.42 feet to the TRUE POINT OF
BEGINNING; thence

North 27° 12' 45" East a distance of 125.00 feet; thence
North 10° 25' 11" East a distance of 322.71 feet; thence
North 36° 19' 01" West a distance of 390.57 feet; thence
North 25° 50' 11" West a distance of 34.98 feet; thence
South 88° 02' 18" East a distance of 33.91 feet; thence
South 25° 50' 11" East a distance of 15.67 feet; thence
South 36° 19' 01" East a distance of 401.39 feet; thence
South 10° 25' 11" West a distance of 340.29 feet; thence
South 27° 12' 45" West a distance of 114.74 feet to a point on
said South boundary; thence

North 88° 51' 51" West along said South boundary a distance of
33.40 feet to the TRUE POINT OF BEGINNING.

Handwritten signatures and initials

9904904

RECORDED

99 FEB 8 PM 4 40

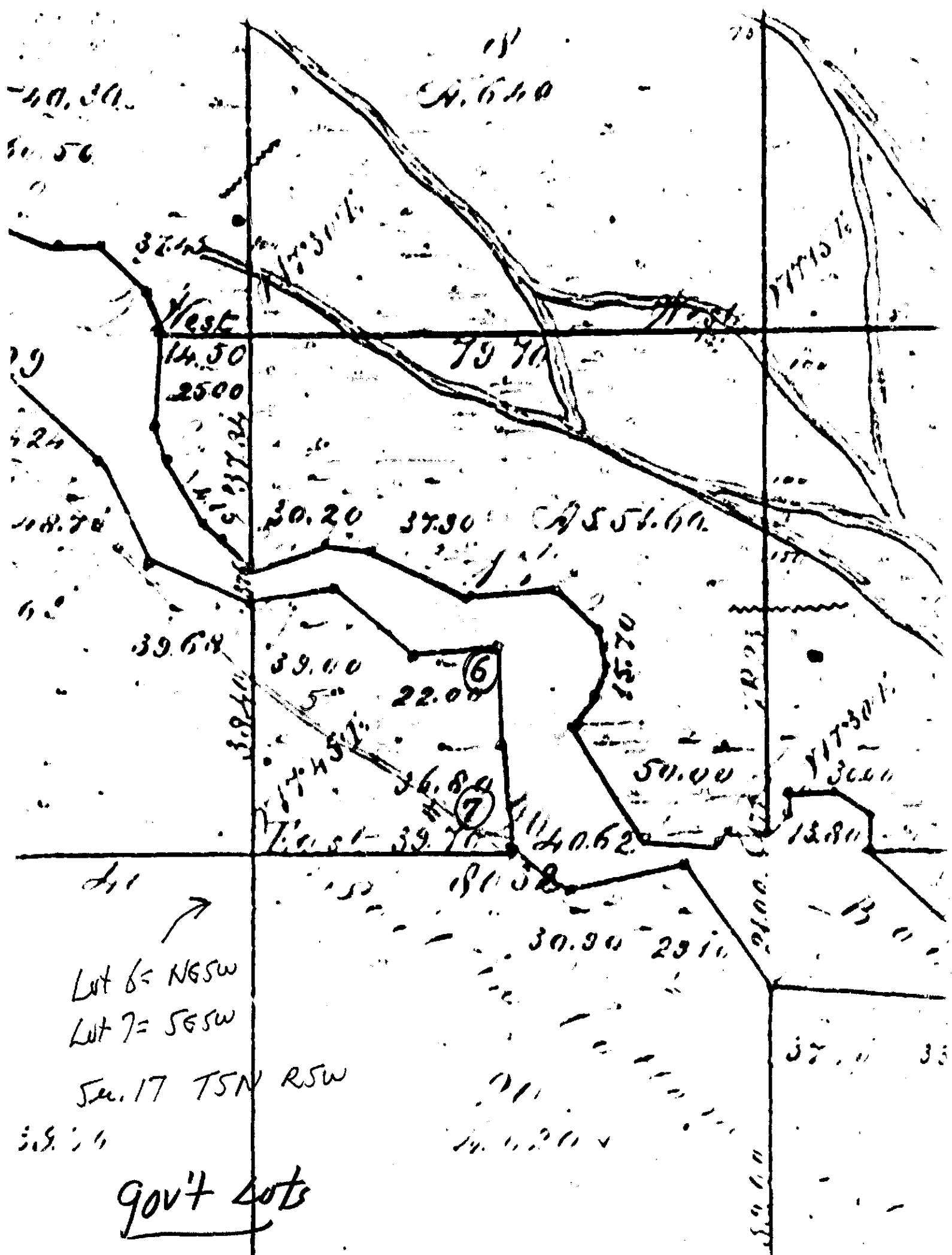
CINCEL HALES

CANYON CITY RECORDER

BY *Debbie Hales*

PIONEER — CALDWELL

REQUIRE TYPE *Handwritten* *pro*



49.30
10.56

54.640

West

14.50
2500

79 90

424
108.78
6.9

20.20 37.90 55.60

39.64

39.00

22.00

6

39.40

26.80

7

39.70

40.62

50.00

30.00

12.80

41

181.52

30.90 29.10

Lot 6 = N6SW

Lot 7 = S6SW

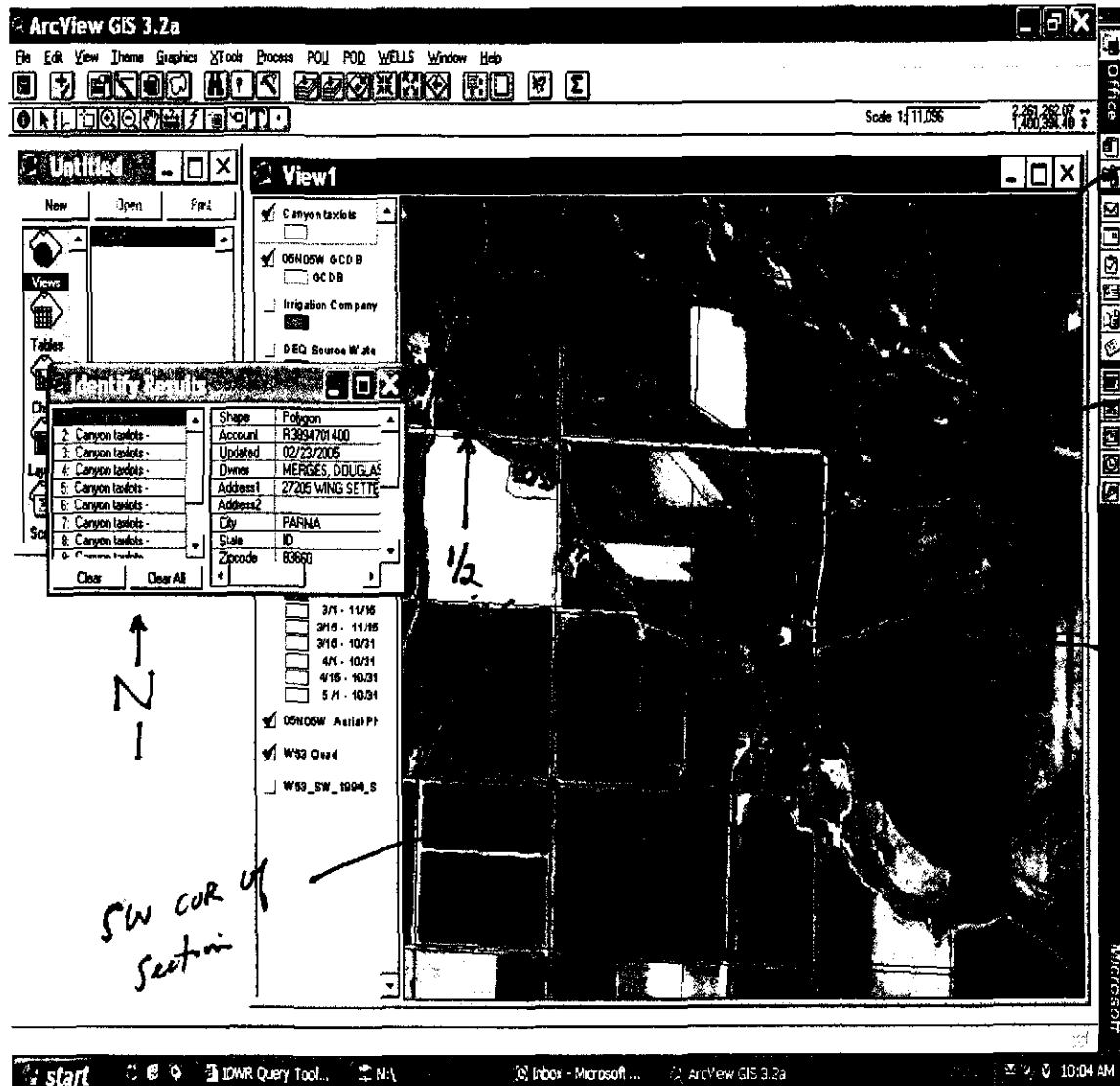
Sec. 17 T5N R5W

3.9.14

Gov't Lots

MERGES

T5N. R5W. Sec. 17



Center of Section

①
N5SW
9.6
11.44 AC.

②
S6SW
9.6
9.22 AC.

TOTAL = 20.66 AC. E 1/2 SW 1/4 90 ft LOTS 6 & 7

① 11.44 AC. TX 99046 R3894701400

② 9.22 AC. TX 99046 R3894801D0 (assessment into rays
SWSW but actually S6SW)

Merges total land

Idaho Department of Water Resources

1987 Napp Photo

Claim Number: 63-03001B
 Legal: T05N, R05W, S17
 Reviewed By:

MERSEY split of 63-3001B

⊙ Point of Diversion

☐

Place of Use

☐

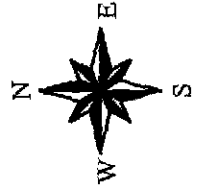
Section Lines

☐

Quarter Quarter Lines

STARS
 RECOMMENDED
 BUT MERSEY
 1/2 1/2 1/2 1/2
 1/2 1/2 1/2 1/2

DRAFT



/// = 13.94 ac. e merges



0 0.25 0.5 0.75 Miles

which 8 acres in T05N, R05W, S17 were merged
 in WA 63-3001B?

Claim 63-3001B 1/4 2 acres here

PIONEER TITLE COMPANY

Caldwell Office

P. O. Box 610 • 423 S. Kimball
Caldwell, Idaho 83605-0610

PHONE: (208) 459-1651

FAX: (208) 459-6635 (TITLE)
(208) 455-1138 (ESCROW)

COMMITMENT FOR TITLE INSURANCE

ISSUED BY

First American Title Insurance Company

AGREEMENT TO ISSUE POLICY

We agree to issue a policy to you according to the terms of this Commitment. When we show the policy amount and your name as the proposed insured in Schedule A, this Commitment becomes effective as of the Commitment Date shown in Schedule A.

If the Requirements shown in this Commitment have not been met within six months after the Commitment Date, our obligation under this Commitment will end. Also, our obligation under this Commitment will end when the Policy is issued and then our obligation to you will be under the Policy.

Our obligation under this Commitment is limited by the following:

The Provisions in Schedule A.

The Requirements in Schedule B-1.

The Exceptions in Schedule B-2.

The Conditions on the other side of this page 1.

This Commitment is not valid without SCHEDULE A and Sections 1 and 2 of SCHEDULE B.

First American Title Insurance Company

BY  PRESIDENT

ATTEST  SECRETARY

BY  COUNTERSIGNED



The Title Insurance Commitment is a legal contract between you and the company. It is issued to show the basis on which we will issue a Title Insurance Policy to you. The Policy will insure you against certain risks to the land title, subject to the limitations shown in the Policy.

The Company will give you a sample of the Policy form, if you ask.

The Commitment is based on the land title as of the Commitment Date. Any changes in the land title or the transaction may affect the Commitment and the Policy.

The Commitment is subject to its Requirements, Exceptions and Conditions.

THIS INFORMATION IS NOT PART OF THE TITLE INSURANCE COMMITMENT.

TABLE OF CONTENTS

	Page
AGREEMENT TO ISSUE POLICY	1
SCHEDULE A	
1. Commitment Date	2
2. Policies to be Issued, Amounts and Proposed Insureds	2
3. Interest in the Land and Owner	2
4. Description of the Land	2
SCHEDULE B-1 — Requirements	3
SCHEDULE B-2 — Exceptions	4
CONDITIONS	other side of 1

YOU SHOULD READ THE COMMITMENT VERY CAREFULLY.

If you have any questions about the Commitment, please contact the issuing office.

SCHEDULE A

Commitment No.: **PC 28574**

Effective Date: **January 11, 1999 as of 7:30 a.m.**

Prepared by: **John R. Farmer**

TO: **PIONEER TITLE COMPANY**
Escrow Department
Attn: Tammy Kratzberg

Proposed Insured:

DOUGLAS M. MERGES and LORI ANN MERGES

Policy or Policies to be issued:		Amount	Premium
Owner's coverage	(x) Standard	\$66,000.00	\$436.00
Form 1402.92 (10-17-92)	() Extended		
Purchaser's coverage	() Standard		
Form 1402.92 (10-17-92)			
Mortgagee's coverage	() Standard		
Form 1056.92 (10-17-92)	() Extended		
Endorsements			
Easement coverage			

Fee simple interest in the land described in this Commitment is owned,
at the Commitment Date by:

WHISKEY BOTTOM LIMITED PARTNERSHIP

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

See attached Exhibit "A"

PC 28574

Exhibit "A"

A portion of Government Lots 6 and 7 and of the original Boise River Channel as shown on the 1868 G.L.O. Survey for Section 17, Township 5 North, Range 5 West, Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

COMMENCING at the West 1/16 corner on the South line of said Section 17 as it presently exists; thence

North 0° 58' 10" East along the West boundary of said Government Lot 7 a distance of 775.28 feet to the TRUE POINT OF BEGINNING; thence continuing

North 0° 58' 10" East along said West boundary a distance of 498.32 feet to a point in the centerline of the Ross East End drain; thence

South 77° 44' 19" East along said centerline a distance of 35.70 feet; thence leaving said centerline bearing

North 4° 59' 23" East a distance of 846.76 feet; thence

South 88° 57' 28" East a distance of 388.10 feet to a point in the centerline of an existing ditch; thence traversing said centerline as follows:

South 32° 56' 45" East a distance of 387.86 feet; thence

South 22° 27' 09" East a distance of 142.90 feet; thence

South 5° 16' 08" East a distance of 249.04 feet; thence

South 24° 56' 01" West a distance of 288.60 feet; thence

South 4° 59' 49" West a distance of 133.13 feet; thence

South 10° 56' 14" East a distance of 142.23 feet; thence

South 29° 57' 11" East a distance of 175.54 feet; thence

South 2° 00' 54" West a distance of 93.55 feet to a point on the Northerly boundary of the parcel described as the exception in the Warranty Deed filed as Instrument No. 9016492, records Canyon County, Idaho; thence

South 59° 37' 01" West along said boundary a distance of 105.24 feet to a point in the centerline of said Ross East End drain; thence traversing said centerline as follows:

North 43° 59' 14" West a distance of 155.19 feet; thence

North 30° 04' 15" West a distance of 94.19 feet; thence leaving said centerline and bearing

North 88° 02' 18" West a distance of 526.01 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH use of a 40-foot-wide of the ingress-egress and utility easement described as the West 40 feet South 775.28 feet of Government Lot 7 of Section 17, Township 5 North, Range 5 West, Boise Meridian, Canyon County, Idaho.

SCHEDULE B - Section 1

REQUIREMENTS

The following requirements must be met:

- (a) Pay the agreed amounts for the interest in the land and/or the Mortgage to be insured.
- (b) Pay us the premiums, fees and charges for the Policy.
- (c) Documents satisfactory to us creating the interest in the land and/or the Mortgage to be insured must be signed, delivered and recorded.
- (d) You must tell us in writing the name of anyone not referred to in this Commitment who will get an interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.

SCHEDULE B - Exceptions

Commitment No.: PC 28574

The policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the Company.

(Only an Extended Coverage Policy may eliminate Exceptions 1 through 6, provided they are taken care of to our satisfaction.)

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interest, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims, or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
6. Any liens, or rights to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.
7. General taxes for the year 1999, which are a lien, payable on or before December 20 of said year and not delinquent until after said date.
8. Liens and assessments of the Riverside Irrigation District, and the rights and powers of said district as by law provided. Paid current.
9. Rights of way for irrigation and drainage ditches and canals and roads.
10. Right of way for drain ditches conveyed in Quitclaim Deed recorded October 28, 1918 as Instrument No. 90882, records of Canyon County, Idaho.
11. Power Line Easement as granted to IDAHO POWER COMPANY, a corporation, by instrument recorded January 15, 1937 as Instrument No. 223429, records of Canyon County, Idaho...including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system.

(continued)

12. Power Line Easement as granted to IDAHO POWER COMPANY, a corporation, by instrument recorded April 10, 1975 as Instrument No. 748438, records of Canyon County, Idaho...including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system.
13. Any claim arising from the difference in the mean high water line of the Boise River and the meander line as shown by the government survey.
14. A portion of this property appears to have been acquired by accretion or avulsion in the changes of the mean high water line of the Boise River. This Report is issued and accepted upon the assumption that title to the alluvion follows that of the abutting property and liability thereon is excepted.
15. Any loss or liability due to the change of the Old Boise River Channel and the New Boise River Channel we take exception to.
16. Easement for Maintenance and Access or irrigation ditches referred to in Warranty Deed recorded September 6, 1990 as Instrument No. 9016492, records of Canyon County, Idaho.
17. Disclaimer of Interest No. 148 by State of Idaho to Whiskey Bottom Limited Partnership by Charles H. Lobdell and Joanne W. Lobdell, general partnership recorded March 18, 1998 as Instrument No. 9809666, records of Canyon County, Idaho. (See copy attached.)

NOTE: PURSUANT TO THE STATE OF IDAHO INSURANCE REGULATIONS, A CANCELLATION FEE IS TO BE CHARGED ON ALL CANCELLED ORDERS. UNLESS OTHERWISE ADVISED, ORDERS WILL BE CONSIDERED CANCELLED SIX MONTHS AFTER THE EFFECTIVE DATE ON THE COMMITMENT. THE AMOUNT OF THE FEE ASSESSED SHALL BE IN ACCORDANCE WITH OUR RATE FILING WITH THE IDAHO DEPARTMENT OF INSURANCE.

The following page is a copy of the Canyon County Treasurer's records and is for your information only and not within the insuring provision of the Commitment or Policy.

MODE:F ACTION:
8R38948010 0

1998 TAX INQUIRY as of 01/21/99 10:37
05N05W176602

TRQK701

051-00 * * CHECK FOR DELINQUENCIES * *

WHISKEY BOTTOM LIMITED PTNRSH

Original Tax 83.64

2205 W MACE RD
EAGLE

ID 83616

Total Due 83.64

17-5N-5W SW
LT 7 LS TX 3, 98027 IN SW

41.82	41.82
-------	-------

STEPHEN LN, PA

Outstanding Tax .00

FCV / QTY 5,500 / 27.77

Information on this screen is subject to change without notice

Alt-Z FOR HELP| VT100 | FDX | 9600 N81 | LOG CLOSED | PRT OFF | ANY_PORT

MODE:F ACTION:

PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT

TRQK101

REAL PROPERTY INQUIRY

01 9R38948-010- -0 051-00	SCH137	01	5,600	9.00
WHISKEY BOTTOM LIMITED PTNRSH		05	500	15.02
		19		3.75
2205 W MACE RD				
EAGLE ID 83616				
17-5N-5W SW				
LT 7 LS TX 3, 98027 IN SW				
TOTAL 6,100 27.77				
SURVEY INST 9726982				
DRAIN DR VALUE APPR MKB				
CLASS BF REAP 99 MAN 93 UNIT 0				
PARCEL 9R05N05W176602 H/O N C/B N				
PRIOR ACCOUNT 8R38948-010- -0				
STEPHEN LN, PA				
SEE R38947				
02 MH on Property NO				
03 Traits Inquiry				

Alt-Z FOR HELP| VT100 | FDX | 9600 N81 | LOG CLOSED | PRT OFF | ANY_PORT

MODE:F ACTION:
8R38947000 0

1998 TAX INQUIRY as of 01/21/99 10:36
05N05W175000
142-00

TRQK701

* * CHECK FOR DELINQUENCIES * *

WHISKEY BOTTOM LIMITED PTRNSHP

Original Tax 455.52

2205 W MACE RD
EAGLE ID 83616

Total Due 455.52

17-5N-5W SW
LT 5 NE OF DRAIN DITCH & LT 6 LS
TX 98027

227.76	227.76
--------	--------

BOULDER RD, PA

Outstanding Tax .00

FCV / QTY 29,200 / 67.53

Information on this screen is subject to change without notice

Alt-Z FOR HELP| VT100 | FDX | 9600 N81 | LOG CLOSED | PRT OFF | ANY_PORT

MODE:F ACTION:

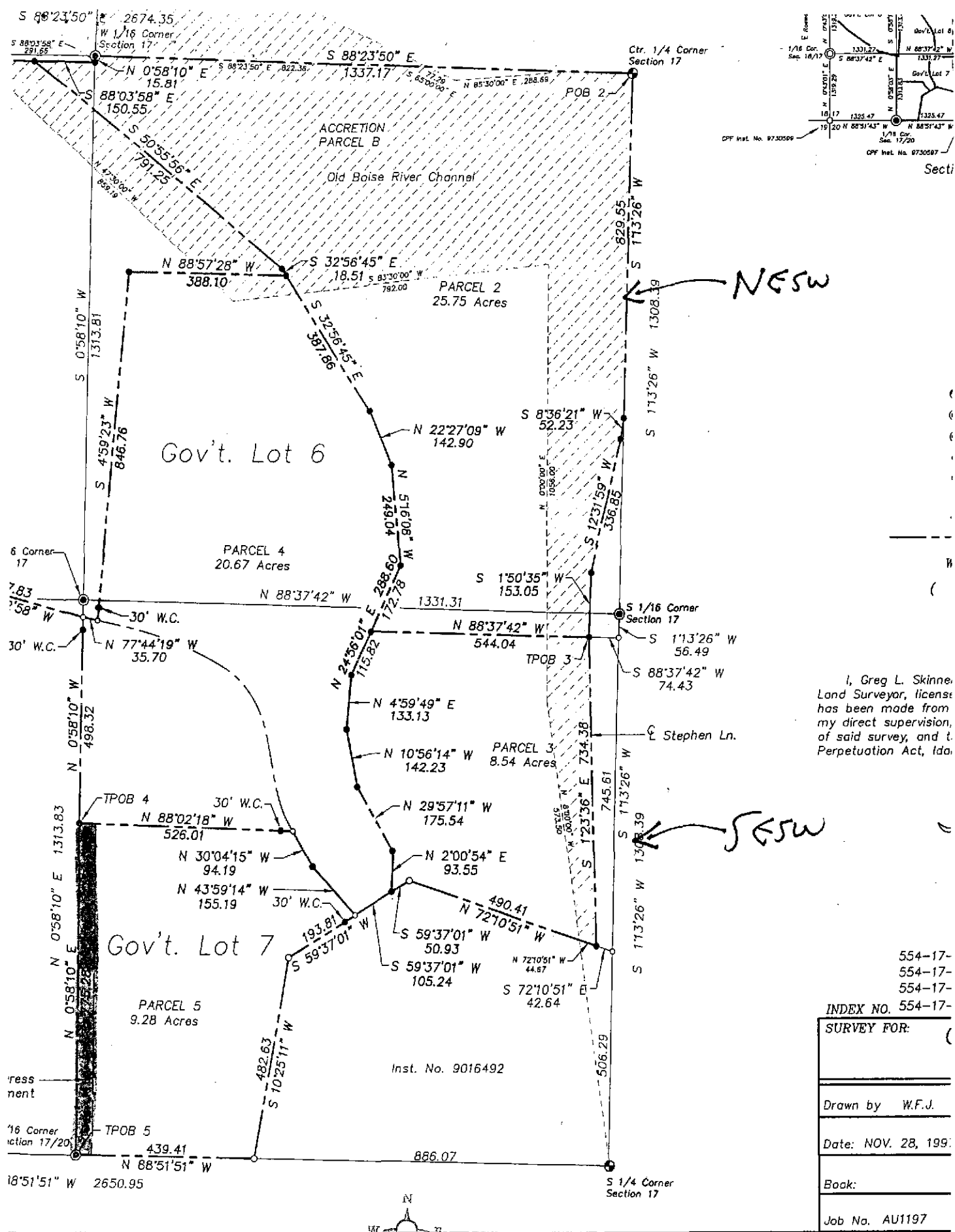
PRESS (01 RETURN) TO VIEW ANOTHER ACCOUNT

TRQK101

REAL PROPERTY INQUIRY

01 9R38947-000- -0 142-00 G SCH137	01	25,900	37.23
WHISKEY BOTTOM LIMITED PTRNSHP	02	7,600	23.30
	05	100	3.00
	19		4.00
2205 W MACE RD			
EAGLE ID 83616			
17-5N-5W SW			
LT 5 NE OF DRAIN DITCH & LT 6 LS			
TX 98027			
BOULDER RD, PA			
SEE R38948-010			
	TOTAL	33,600	67.53
	SURVEY 9800443	INST 9726982	
	DRAIN DR VALUE	APPR BWL	
	CLASS REAP 99 MAN	UNIT 0	
	PARCEL 9R05N05W175000	H/O N C/B N	
	PRIOR ACCOUNT 8R38947-000- -0		
		02 MH on Property NO	
		03 Traits Inquiry	

Alt-Z FOR HELP| VT100 | FDX | 9600 N81 | LOG CLOSED | PRT OFF | ANY_PORT



THIS MAP IS ATTACHED SOLELY FOR THE
PURPOSE OF ASSISTING IN LOCATING THE
LAND AND THE COMPANY ASSUMES NO
LIABILITY FOR VARIATIONS IF ANY

PC 24445
INSTRUMENT NO. 9809666

STATE OF IDAHO

Disclaimer of Interest No. 148

THE STATE OF IDAHO, Department of Lands, 954 W. Jefferson Street, P.O. Box 83720, Boise, Idaho 83720-0050, acting by and through the STATE BOARD OF LAND COMMISSIONERS, does hereby release and disclaim to **WHISKEY BOTTOM LIMITED PARTNERSHIP**, by Charles H. Lobdell and Joanne W. Lobdell, General Partners, of 2205 Mace Road, Eagle, Idaho 83616, their successors in interest, and assigns, all interests to the following described parcel of accretion land situated in and/or adjacent to portions of Government Lots 3, 5, 6 and 7, of Section 17, Township 5 North, Range 5 West, Boise Meridian, Canyon County, Idaho.

PARCEL 1

This parcel is a portion of the Boise River Channel as shown on the 1868 G.L.O. Survey Plat for said Section 17, and is more particularly described as follows:

Commencing at the west $\frac{1}{4}$ corner of said Section 17, as monumented by a brass cap monument, said corner being the REAL POINT OF BEGINNING; thence South $0^{\circ}43'01''$ West, 8.09 feet along the west boundary of said Section 17 to a point in the centerline of Boulder Road; thence South $88^{\circ}03'58''$ East, 407.65 feet along said centerline to a point on the southerly boundary of said 1868 Boise River Channel; thence South $77^{\circ}15'00''$ West, 382.34 feet along said southerly boundary to a point in the centerline of the Ross East End Drain; thence North $1^{\circ}44'29''$ East, 23.00 feet along said centerline; thence North $45^{\circ}57'48''$ West, 49.67 feet continuing along said centerline to a point on the west boundary of said Section 17; thence North $0^{\circ}43'01''$ East, 40.62 feet along said west boundary returning to the real point of beginning, containing 0.46 of an acre, more or less.

PARCEL 2

This parcel is a portion of the Boise River Channel as shown on the 1868 G.L.O. Survey Plat for said Section 17, and is more particularly described as follows:

Commencing at the center one-quarter ($\frac{1}{4}$) corner of said Section 17, monumented by a brass cap monument, said corner being the REAL POINT OF BEGINNING; thence South $1^{\circ}13'26''$ West, 829.55 feet along the north - south mid-section line of said Section 17 to a point in the centerline of Stephen Lane; thence traversing said centerline as follows: South $8^{\circ}36'21''$ West, 52.23 feet; thence South $12^{\circ}31'59''$ West, 336.85 feet; thence South $1^{\circ}50'35''$ West, 153.05 feet; thence South $1^{\circ}23'36''$ East, 734.38 feet; thence leaving said centerline and bearing North $72^{\circ}10'51''$ West, 44.67 feet to a point on the southerly and westerly boundary for said 1868 Boise River Channel as defined by the meander line from said 1868 Survey; thence traversing said meander line as follows: North $8^{\circ}00'00''$ West, 573.50 feet; thence North $0^{\circ}00'00''$ East a distance of 1,056.00 feet; thence South $83^{\circ}30'00''$ West, 792.00 feet; thence North $47^{\circ}30'00''$ West, 859.19 feet to a point in the centerline of Boulder Road; thence South $88^{\circ}03'58''$ East, 291.66 feet along said centerline to a point on the northerly extension of the west boundary of Government Lot 6 as shown on said 1868 Survey; thence North $0^{\circ}58'10''$ East, 15.81 feet along said extension to a point on the southerly extension of the west boundary

of Government Lot 3 of said 1868 Survey; thence North 0°59'07" East, 357.51 feet along said extension to a point on the northerly boundary for said 1868 Boise River Channel; thence traversing said northerly boundary as follows: South 65°00'00" East, 977.53 feet; thence North 85°30'00" East, 825.00 feet; South 49°30'00" East, 90.71 feet to a point on the east - west mid-section line for said Section 17; thence North 88°24'18" West, 447.04 feet along said mid-section line returning to the real point of beginning, containing 24.12 acres, more or less.

The total area contained in this Disclaimer of Interest being 24.58 acres, more or less.

SUBJECT TO all existing easements and road rights-of-way of record or appearing on the above described parcel of land.

This disclaimer of interest was approved by the State Board of Land Commissioners on February 10, 1998.

By this document, the state is disclaiming all title and interest to the previous channel of the Boise River as described above which is now dry riverbed.

EXECUTED this 2nd day of March, 1998.

STATE BOARD OF LAND COMMISSIONERS

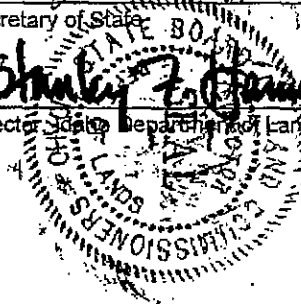
Philip E. ...

Governor of the State of Idaho and President of the
State Board of Land Commissioners

COUNTERSIGNED:

Pete ...
Secretary of State

Shirley ...
Director, State Department of Lands



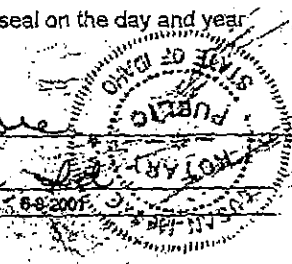
State of Idaho
Disclaimer of Interest No. 148
Page 3 of 3

STATE OF IDAHO)
(ss.
County of Ada)

On this 2nd day of March, 1998, before me, a Notary Public in and for said State, personally appeared PHILIP E. BATT, known to me to be the Governor of the State of Idaho and President of the State Board of Land Commissioners; PETE T. CENARRUSA, known to me to be the Secretary of State of the State of Idaho; and STANLEY F. HAMILTON, known to me to be the Director of the Department of Lands of the State of Idaho, that executed the said instrument and acknowledged to me that such State of Idaho and State Board of Land Commissioners executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last written above.

Susan Moore
NOTARY PUBLIC for Idaho
Residing at: Bonneville
My Commission Expires: 6-8-2001



c:\marty\disc\aim\disa.148

RECORDED
98 MAR 19, AM 8:55
NED J KERR
CANYON CNTY RECORDER
BY C. McLaughlin
REQUEST PIONEER - CALDWELL
TYPE Misc FEE 9.00

November 27, 1990

Wanda Groot
Atkeson Realty
PO Box 33
Parma, ID 83660

SUBJECT: Woodrow Harrold Water Right
A63-03001

Dear Ms. Groot:

Enclosed are three copies of the above Notice of Claim to a Water Right. These copies show the way this has been split between the Harrolds and the Foss's.

Note that when I split these rights I also had to split the amount of water. I did this on the basis that the total amount of water licensed was 1.4 cubic foot per second (cfs) for 78 acres. By pro-rating this amount the amount of cfs per acre came out to 0.0179 cfs per acre, of which I rounded up to 0.02 cfs. I also left the non-irrigation uses as is (item 9) which allows for livestock on a year around basis. I deleted the description of diversion works (item 5) for all but Mr. W. Harrold's claim as I was not sure if all parties were using the same type of system.

Please be sure to contact me if you have any questions regarding the water right as split.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosures

MICROFILMED

AUG 18 1992

RECEIVED

OCT 09 1990

CHANGE IN OWNERSHIP

Department of Water Resources Page 1

Western Regional Office

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.

☒ Water Right Number(s): A63-03001

☐ Name and Address of Former Claimant(s): Woodrow J. Harrold

28594 French Road

Parma, Idaho 83660

☒ New Claimant(s): Art or Jane Foss

28749 Hexon Road

☒ New Mailing Address: 28749 Hexon Road

Parma, Idaho 83660

New Telephone Number: (208) 722-7908

☒ Does the change in ownership result in a splitting of the water right claimed? xx yes no
If yes, then describe the portion of the water right that is now claimed by the new owner:

On the attached description of the property -Total consumption use
is Seventy Eight, (78) Acre feet Per Annum.

THE NEW OWNER TOTAL CONSUMPTION USE IS-SEVENTY FOUR, (74), Acre Ft. per
Annum.

☐ Attach proof of ownership
Describe proof attached: See attached description
(Proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former claimant.)

☐ Signature of New Claimant(s): Art Foss

Date: 10/1/90

MICROFILMED

AUG 18 1992

attachment

Parma, Idaho 83660
10/3/90

This is on Water Right # A63-03001

Name: Woodrow J. Harrold

Two, (2) acre feet per annum for the following description of property:

Lot 4, and that part of Lot 1, all in Section 17, T5N., R5W of Boise Meridian, lying South of the Main Channel of the Boise River. Together with all water, water rights, ditches and rights of way for ditches appurtenant thereto.

MICROFILMED

AUG 18 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

September 26, 1990

Wanda Groot
Atkeson Realty
PO Box 33
Parma, ID 83660

Dear Mrs. Groot:

Enclosed is the information you requested. If I can be of further assistance, feel free to contact me.

Sincerely,

Linda A. Werner

Linda A. Werner
Sr. Water Resource Agent
Adjudication

Enclosure

RECEIVED
OCT 09 1990

Department of Water Resources
Western Regional Office

Dear Linda;

Thanks for helping me try and help these new claimants, they will have 74 acre feet for Foss and 2 acre feet for D. Harrold. Woodrow J. Harrold will keep 2 acre feet for his pasture. From what I gather Woodrow J. Harrold filed on the entire amount of land in his family, however there is no shortage. If this does not clear it up, if you could let me know and I will try some more. Dave Harrold is Woodrow J. Harrolds nephew and has only 10 acres that he can irrigate from the original 78 acre feet. I am sending the description from the Title Insurance. I will include Dave Harrolds description with his.

I understand the fee W. J. Harrold paid takes care of this, is this correct?

Thank you very much,

Wanda
MICROFILMED

AUG 18 1992

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-03001B Date: 12-15-01

	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	5W	17									30	33		2					65
GIS												37	26.9		1.5					65.4
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 65

Overlapping POU Claim #'s:

Total GIS Acres: 65

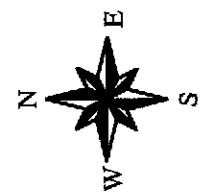
COMMENTS:

per claim & county data

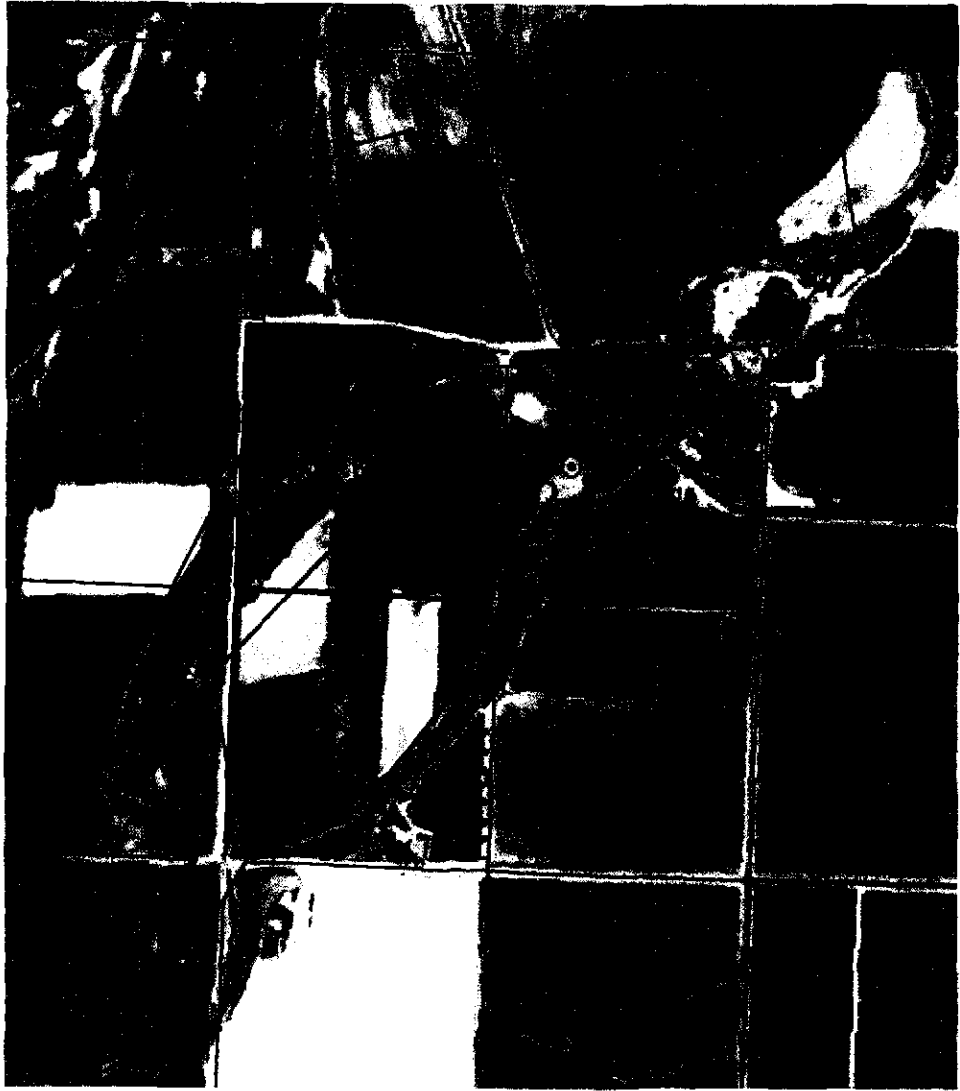
Idaho Department of Water Resources

Claim Number: 63-03001B
Legal: T05N, R05W, S17
Reviewed By:

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



1987 Napp Photo



Receipt Details for ID W012668

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
8/29/1990 12:54:47 PM	8/29/1990	Western	\$178.00	Check
Payer		HARROLD, WOODROW J.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
2141			
Card Expiration Date	Credit Card Transaction #		

Comment LATE FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$128.00	ADJUDICATION CLAIM FEE	410162	9337	0	0	6490
\$50.00	LATE 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	3001		\$128.00	Claim
63	3001	A	\$50.00	Claim

[Print Report](#)

RECEIVED

JUN 19 2007

DEPARTMENT OF
LAND & WATER RESOURCES

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) A. Subcase 63-32165
(Insert water right number)
)
Case No. 39576) STANDARD FORM 1
) OBJECTION
)

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Riverside Irrigation District
Address: PO Box 1080
Parma, ID 83660
Daytime Phone: 208-880-3449

Name & Address of Attorney, if any:

Albert P. Barker
Barker Rosholt & Simpson, LLP
1010 W. Jefferson, Ste. 102, Boise ID 83702

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Classen & Co LLC
Address: 6417 Plantation Ln
Boise, ID 83703

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ Name and Address

Should be: _____

2. ☒ Source

Should be: The source should be described as waste waters, and waste waters belong to the Riverside Irrigation District.

3. ☐ Quantity ☐

Should be: _____

4. ☐ Priority Date

Should be: _____

5. ☐ Point of Diversion

Should be: _____

6. ☐ Instream Flow Beginning and Ending Point

Should be: _____

7. ☐ Purpose(s) of Use

Should be: _____

8. ☐ Period of Year

Should be: _____

9. ☐ Place of Use

Should be: _____

10 ☐ I object because:

☐ This water right Should not exist.

☐ This water right was not recommended, but Should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTIONS(S): There has been no lawful appropriation of this right. The description of the source should have been waste water. The waste waters belong to the Riverside Irrigation District and are not available for private development and appropriation. Further, any attempted development of this right constitutes a trespass against the drains of the Riverside Irrigation District. Proposed waste water remark does not sufficiently protect original appropriator.

F. VERIFICATION (must be completed)

State of IDAHO)
County of ADA)ss.

Albert D. BARLER, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and(6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

Albert D. Barler
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: June 18, 2007



Suzanne Estes
Notary Public for Idaho
Residing at: Boise
My Commission Expires: June 1, 2012

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on JUN 18 2007, 200__, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

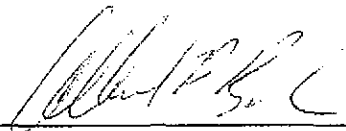
Name: Classen & Co LLC
Address: 6417 Plantation Ln
Boise, ID 83703

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449



Signature of objector or attorney
mailing on Objector's behalf

12/10/2006

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

RIGHT NUMBER: 63-32165

NAME AND ADDRESS: CLASSEN & CO LLC
6417 PLANTATION LN
BOISE ID 83703

SOURCE: UNNAMED DRAIN

TRIBUTARY: ROSS EAST END DRAIN

QUANTITY: 1.030 CFS

Right Nos. 63-32165 and 63-32166 are limited to a total combined diversion rate of 1.4 cfs.

PRIORITY DATE: 08/04/1954

POINT OF
DIVERSION: T05N R05W S17 SESW Lot 7 Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	1.030 CFS

PLACE OF USE: IRRIGATION in CANYON County

T05N R05W S17 Lot 6 NESW	18.60	T05N R05W S17 Lot 5 NWSW	33.00
--------------------------	-------	--------------------------	-------

51.6 ACRES TOTAL

Right Nos. 63-32165 and 63-32166 are limited to the irrigation of a combined total of 78 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

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

This right is a split from former right 63-3001B.

Right No. 63-32166 is also diverted through point of diversion described above.

09/29/2006

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: October 31, 2006

Water right number: 63-32165

CLASSEN & CO LLC
6417 PLANTATION LN
BOISE ID 83703
Telephone Number: (208)854-1037

RECEIVED

OCT 13 2006

WATER RESOURCES
WESTERN REGION

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

Period of use

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

Change to 03/15 11/15

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

Detailed listing of my water right

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

DATE: 10/9/06

SIGNATURE:

James S. Classen Gen. Mgr

Please print your name:

James S. Classen

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

See map copy for location of
POD.

10-11-06 TET Mr Classen. Will change POD. SDU recommended
is current IDWR standard. REC won't change.

09/29/2006

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

RIGHT NUMBER: 63-32165

NAME AND ADDRESS: CLASSEN & CO LLC
6417 PLANTATION LN
BOISE ID 83703

SOURCE: UNNAMED DRAIN

TRIBUTARY: ROSS EAST END DRAIN

QUANTITY: 1.030 CFS

Right Nos. 63-32165 and 63-32166 are limited to a total combined diversion rate of 1.4 cfs.

PRIORITY DATE: 08/04/1954

POINT OF DIVERSION:

T05N R05W S17 SESW Lot 7 Within CANYON County

PURPOSE AND
PERIOD OF USE:

Incorrect on map

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

1.030 CFS

PLACE OF USE:

IRRIGATION Within CANYON County

T05N R05W S17 Lot 6 NESW 18.60 T05N R05W S17 Lot 5 NWSW 33.00

51.6 ACRES TOTAL

Right Nos. 63-32165 and 63-32166 are limited to the irrigation of a combined total of 78 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

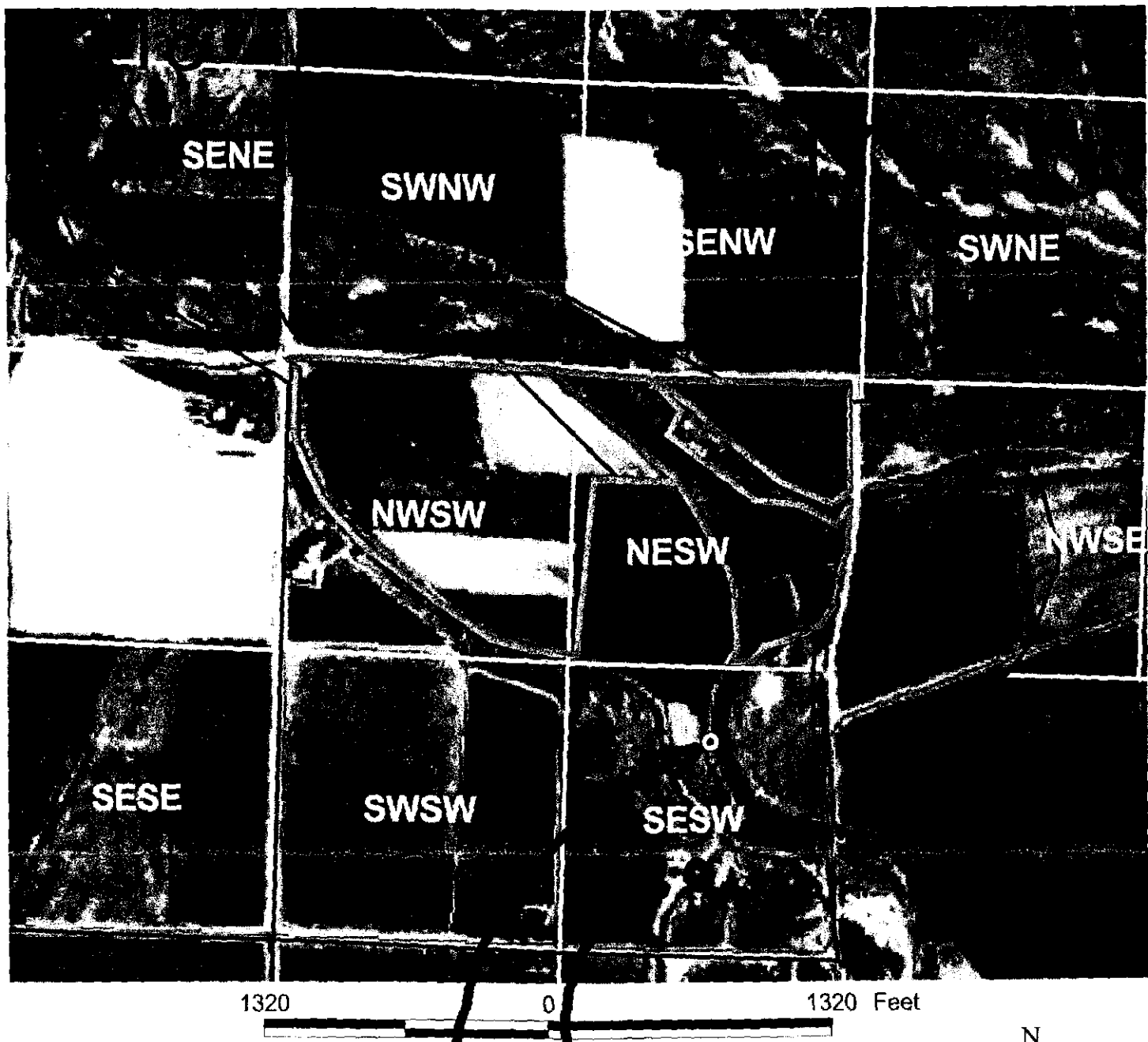
This right is a split from former right 63-3001B.

Right No. 63-32166 is also diverted through point of diversion described above.



State of Idaho
Idaho Department of Water Resources
Western Region

T5N R5W SECTION 17
Water Right: 63-32165



*No
Correct
Loc POD*

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

GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: September 2006

09/23/2006

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

RIGHT NUMBER: 63-32165

NAME AND ADDRESS: CLASSEN & CO LLC
6417 PLANTATION LN
BOISE ID 83703

SOURCE: UNNAMED DRAIN

TRIBUTARY: ROSS EAST END DRAIN

QUANTITY: 1.030 CFS

Right Nos. 63-32165 and 63-32166 are limited to a total combined diversion rate of 1.4 cfs.

PRIORITY DATE: 08/04/1954

POINT OF DIVERSION:

T05N R05W S17 SESW Lot 7 Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	1.030 CFS

PLACE OF USE: IRRIGATION Within CANYON County

T05N R05W S17 Lot 6 NESW 18.60 T05N R05W S17 Lot 5 NWSW 33.00

51.6 ACRES TOTAL

Right Nos. 63-32165 and 63-32166 are limited to the irrigation of a combined total of 78 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 63-3001B.

Right No. 63-32166 is also diverted through point of diversion described above.



State of Idaho
Idaho Department of Water Resources
Western Region

T5N R5W SECTION 17
Water Right: 63-32165



1320 0 1320 Feet



TOTAL IRRIGATED ACRES = 51.6



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

GIS Place of Use Illustration
2000 Aerial Photography
Prepared By: Vicky Music
Date: October 2006

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32165 V1

WATER RIGHT NUMBER: 63-32165 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	JANE FOSS 29570 HEXON RD PARMA, ID 83660 (208)722-7908
Current Owner	CLASSEN & CO LLC 6417 PLANTATION LN BOISE, ID 83703 (208)854-1037
Original Owner	ART FOSS 28749 HEXON RD PARMA, ID 83660 (208)722-7908
Original Owner	M W CARLYLE , ID
Original Owner	WOODROW J HARROLD PARMA, ID 83660

Priority Date: 08/04/1954

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED DRAIN	ROSS EAST END DRAIN

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	1.030 CFS	
	<u>Total Diversion:</u>	1.030 CFS	

Location of Point(s) of Diversion

UNNAMED DRAIN	L7 (SE1/4SW1/4)	Sec. 17, Twp 05N, Rge 05W, B.M.
CANYON County		

Place of UseIRRIGATION Within CANYON County

T05N R05W S17 Lot 6 NESW 18.6 T05N R05W S17 Lot 5 NWSW 33.0

Total Acres: 51.6

Conditions of Approval:

1. E51 Right Nos. 63-32165 and 63-32166 are limited to a total combined diversion rate of 1.4 cfs.
2. This right is a split from former right 63-3001B.
3. F05 Right No. 63-32166 is also diverted through point of diversion described above.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32165 V1

4. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
5. E55 Right Nos. 63-32165 and 63-32166 are limited to the irrigation of a combined total of 78 acres in a single irrigation season.

Remarks:Comments:

1. vmusic 8/28/2006 SURFACE RTS
 Comment: UNKNOWN - NOT MENTIONED IN CLAIM OR LICENSE FILES. MUCH OF POU IS NOT IN AN IRRIGATION DISTRICT OR CANAL CO SERVICE AREA BUT THE POU IS BOUNDED BY RIVERSIDE IRR, ISLAND HIGHLINE DITCH CO AND THE HASS DITCH CO.

2. vmusic 8/28/2006 RECOMMENDATION
 Comment: RECOMMENDED PER SPLIT

3. vmusic 8/28/2006 PARENT
 Comment: SPLIT OF 63-3001B

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			05/15/2006	scurtis	Active
Contacts	8/28/2006 3:53:05 PM	vmusic			Active
Priority Date	8/28/2006 3:53:19 PM	vmusic			Active
POD	8/28/2006 3:53:36 PM	vmusic			Active
Source	8/28/2006 3:58:17 PM	vmusic			Active
POU	8/28/2006 4:03:07 PM	vmusic			Active
Use	8/28/2006 4:03:38 PM	vmusic			Active
Season	8/28/2006 4:13:16 PM	vmusic			Active
Quantity	8/28/2006 4:14:12 PM	vmusic			Active
Summary			08/28/2006	vmusic	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	9/23/2006 2:53:16 PM	vmusic	Updated shape for Active POU
Contacts	8/28/2006 3:52:47 PM	vmusic	(No) 1. Do you want to schedule an appointment? Comment for 1: DESKTOP REVIEW

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32165 V1

POD	8/28/2006 3:53:18 PM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (Yes) 10. Is a POD remark and/or condition required?
POU	8/28/2006 4:02:47 PM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
General	8/28/2006 3:53:01 PM	vmusic	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	8/28/2006 3:54:42 PM	vmusic	Updated shape
Use	8/28/2006 4:03:18 PM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
POU	8/28/2006 4:11:44 PM	vmusic	Updated shape for Active POU
Source	8/28/2006 3:57:58 PM	vmusic	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (Yes) 11. Is a Source remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32165 V1

Season	8/28/2006 4:12:55 PM	vmusic	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
Quantity	8/28/2006 4:13:51 PM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - SEE LICENSING EXAM
Summary	8/28/2006 4:19:17 PM	vmusic	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Summary	5/15/2006 2:52:57 PM	scurtis	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?

Water Supply Bank:



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

December 15, 2005

Classen and Co., LLC
6417 Plantation Ln
Boise, ID 83703

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Notice of Claim to a Water Right No. 63-32165

Dear Claimant(s):

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

Please note that the enclosed Notice of Claim to a Water Right is not a final determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

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

Sincerely,

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

September 2, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Art and Jane Foss
29750 Hexon Road
Parma, ID 83660

Re: Original Notice of Claim to a Water Right No. 63-3001B

Renumbered to Notice of Claim to a Water Right No. 63-32165

Dear Claimant(s):

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

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

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your right. This claim represents the remaining portion of the claim filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

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

Sincerely,

Adjudication Section
Western Region Office

LG: lg

Enclosure

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32165 V1

WATER RIGHT NUMBER: 63-32165 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	JANE FOSS 29570 HEXON RD PARMA, ID 83660 (208)722-7908
Current Owner	CLASSEN & CO LLC 6417 PLANTATION LN BOISE, ID 83703 (208)854-1037
Original Owner	ART FOSS 28749 HEXON RD PARMA, ID 83660 (208)722-7908
Original Owner	M W CARLYLE , ID
Original Owner	WOODROW J HARROLD PARMA, ID 83660

Priority Date: 08/04/1954

Basis:

Status: Active

Source

UNNAMED DRAIN

Tributary

~~BOISE RIVER~~

ross East End Drain

Beneficial Use

IRRIGATION

~~From~~ To

03/15 to 11/15

Diversion Rate

1.030 CFS

1,030 CFS

Annual Volume

~~CPA. 46~~

Location of Point(s) of Diversion

UNNAMED DRAIN

CANYON County

L7 (SE1/4SW1/4)

Sec. 17, Twp 05N, Rge 05W, B.M.

Place of Use

IRRIGATION

Twp Rge Sec

Twp	Rge	Sec	NE				NW				~~SW~~				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	05W	17										18.6	33.0						51.6
												L 6	L 5						

Total Acres: 51.56

of which

Conditions of Approval:

1. This right is a split from former right 63-3001B.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. THIS IS A SPLIT WATER RIGHT. WATER QUANTITY HAS BEEN PRO-RATED AND AMOUNTS TO 0.0179 CFS PER ACRE. L.W.-11/27/90
4. CHANGE IN OWNERSHIP LG 12/15/05

Dates and Other Information:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector:

Water District Number:

Combined Use Limits:

FOI ✓ 63-32166 also diverted w/le
EHS ✓ limited to 7B AC w/ 63-32166
EHS ✓ limited to 1-4 CTS & w/ 63-32166

MEMORANDUM

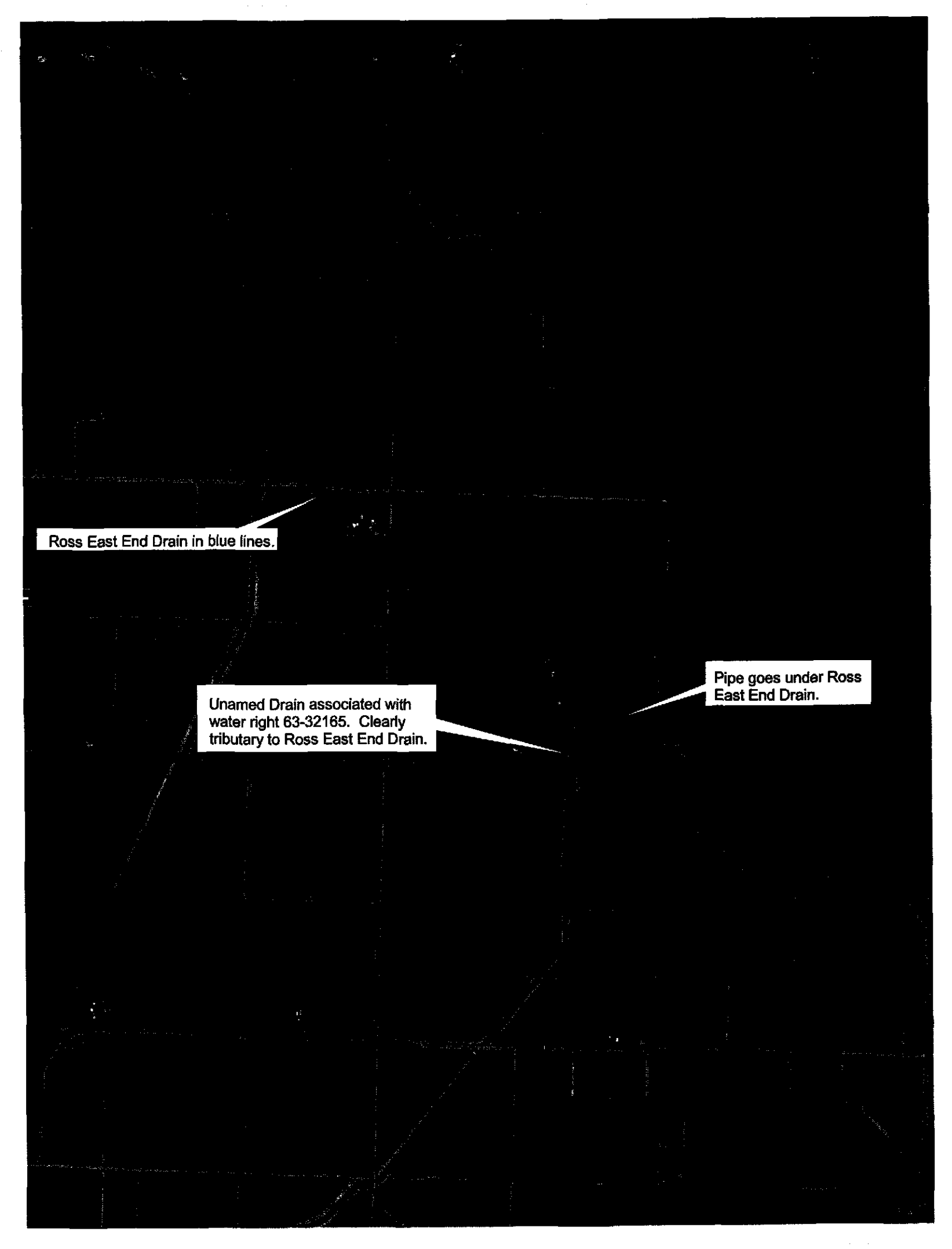
TO: ADJUDICATION FILE 63-32165

FROM: DANIEL A. NELSON

DATE: 12/22/05

SUBJECT: TRIBUTARY CLARIFICATION

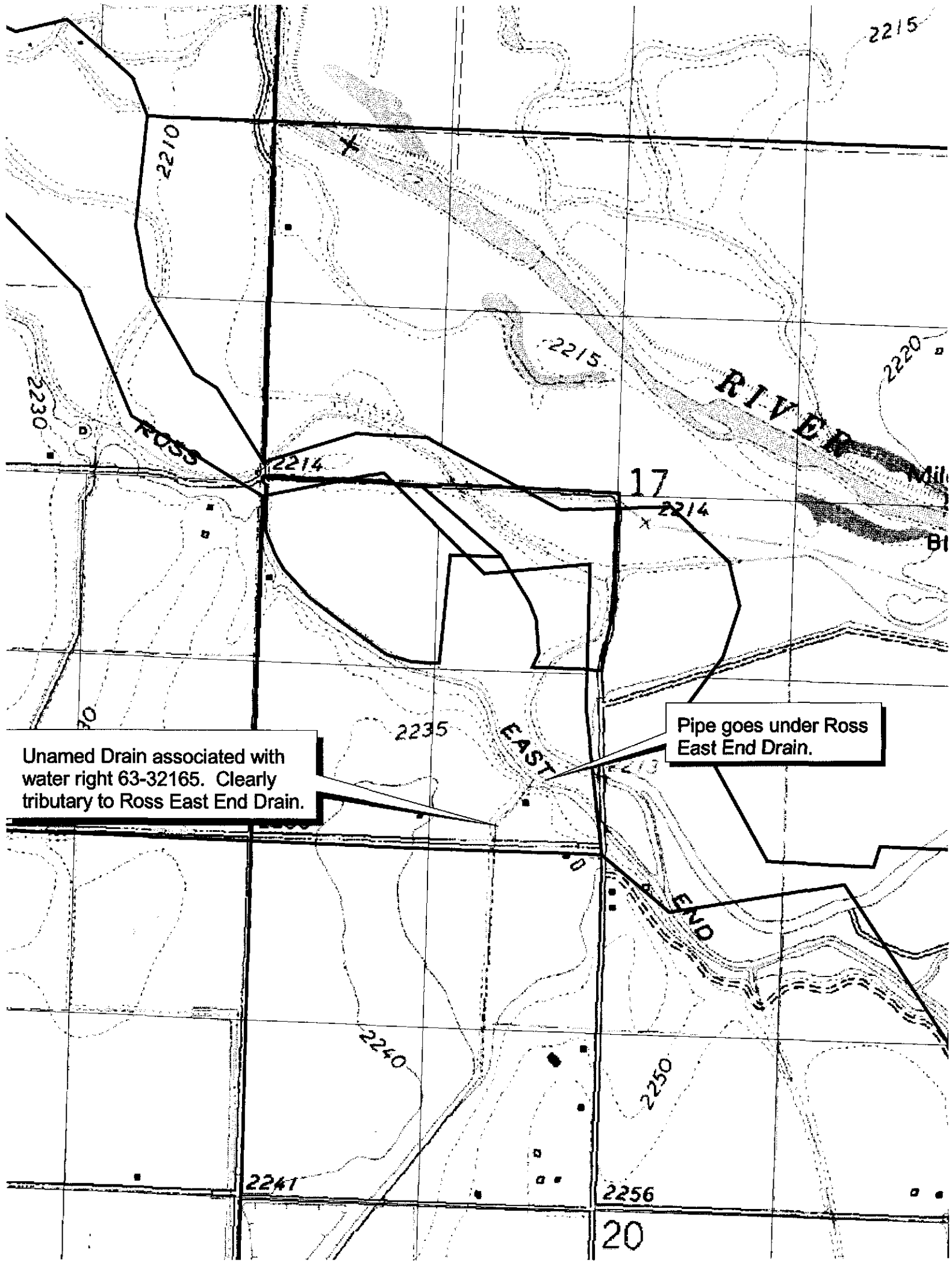
I recently worked on an application for permit for Classen & Co. LLC that will use the same point of diversion, source, and delivery system as adjudication claim 63-32165. In speaking with the applicant, James Classen, I discovered that the unnamed drain where the water is diverted is tributary to the Ross East End Drain instead of the Boise River. I am not sure if the drain was named at the time of the original field exam in 1955, or if it was not required to name the tributary if it was a drain at that time. Either way, the reality is that water right 63-32165 should be described as Unnamed Drain tributary to the Ross East End Drain. Mr. Classen didn't feel a need to amend the adjudication claim, and said it would be acceptable to him to have the tributary corrected during the recommendation process. Please see the attached map for verification. Thank you.

An aerial photograph of a landscape with a grid of thin white lines. Several blue lines, representing drains, are visible. One set of blue lines runs horizontally across the upper middle of the image. Another set of blue lines runs diagonally from the lower left towards the center. A third set of blue lines runs vertically in the center-right area. Three white callout boxes with black text and leader lines point to specific features on the map. The first callout points to the horizontal blue lines. The second callout points to a diagonal blue line. The third callout points to a vertical blue line.

Ross East End Drain in blue lines.

Unnamed Drain associated with
water right 63-32165. Clearly
tributary to Ross East End Drain.

Pipe goes under Ross
East End Drain.



Unnamed Drain associated with water right 63-32165. Clearly tributary to Ross East End Drain.

Pipe goes under Ross East End Drain.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-32165

08/28/2006

1

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-3001	Claim	05N	05W	17	SE	SW	7	UNNAMED DRAIN BOISE RIVER	
63-3001A	Claim	05N	05W	17	SE	SW	7	UNNAMED DRAIN BOISE RIVER	WOODROW J HARROLD
63-3001B	Claim	05N	05W	17	SE	SW	7	UNNAMED DRAIN BOISE RIVER	JANE FOSS
63-3001C	Claim	05N	05W	17	SE	SW	7	UNNAMED DRAIN BOISE RIVER	DAVE HARROLD
63-32165	Claim	05N	05W	17	SE	SW	7	UNNAMED DRAIN BOISE RIVER	CLASSEN & CO LLC
63-32166	Claim	05N	05W	17	SE	SW	7	UNNAMED DRAIN BOISE RIVER	LORI ANN MERGES
63-28129	Claim	05N	05W	17	SE	SW	7	GROUND WATER	WOODROW J HARROLD
63-3001	Water Right	05N	05W	17	SE	SW	7	UNNAMED DRAIN BOISE RIVER	WOODROW J HARROLD
63-28129	Water Right	05N	05W	17	SE	SW	7	GROUND WATER	WOODROW J HARROLD

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-32165**

08/28/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
172B	Claim	05N	05W	17	NE	SW		IRRIGATION	8/632	HAAS DITCH CO
202B	Claim	05N	05W	17	NE	SW		IRRIGATION	8/632	HAAS DITCH CO
-291	Claim	05N	05W	17	NE	SW		IRRIGATION	24/930	ISLAND HIGHLINE DITCH CO
-292	Claim	05N	05W	17	NE	SW		IRRIGATION		ISLAND HIGHLINE DITCH CO
-293	Claim	05N	05W	17	NE	SW		IRRIGATION	0/930	ISLAND HIGHLINE DITCH CO
-291	Water Right	05N	05W	17	NE	SW		IRRIGATION		ISLAND HIGHLINE DITCH CO
-292	Water Right	05N	05W	17	NE	SW		IRRIGATION		ISLAND HIGHLINE DITCH CO
-293	Water Right	05N	05W	17	NE	SW		IRRIGATION		ISLAND HIGHLINE DITCH CO
32165	Claim	05N	05W	17	NE	SW	6	IRRIGATION	18.56/51.56	CLASSEN & CO LLC
32166	Claim	05N	05W	17	NE	SW	6	IRRIGATION	11.44/13.44	LORI ANN MERGES
2279	Water Right	05N	05W	17	NE	SW	6	IRRIGATION	22/4496	THE RIVERSIDE IRRIGATION DIST LTI
3001	Water Right	05N	05W	17	NE	SW	6	IRRIGATION	30/78	WOODROW J HARROLD
-226	Claim	05N	05W	17	NW	SW		IRRIGATION	10/7139.3	THE RIVERSIDE IRRIGATION DIST LTI
-227	Claim	05N	05W	17	NW	SW		IRRIGATION	10/7139.3	THE RIVERSIDE IRRIGATION DIST LTI
-228	Claim	05N	05W	17	NW	SW		IRRIGATION	10/7139.3	THE RIVERSIDE IRRIGATION DIST LTI
-229	Claim	05N	05W	17	NW	SW		IRRIGATION	10/7139.3	THE RIVERSIDE IRRIGATION DIST LTI
-291	Claim	05N	05W	17	NW	SW		IRRIGATION	25/930	ISLAND HIGHLINE DITCH CO
-292	Claim	05N	05W	17	NW	SW		IRRIGATION		ISLAND HIGHLINE DITCH CO
-293	Claim	05N	05W	17	NW	SW		IRRIGATION	0/930	ISLAND HIGHLINE DITCH CO
-299	Claim	05N	05W	17	NW	SW		IRRIGATION	10/7139.3	THE RIVERSIDE IRRIGATION DIST LTI
-300	Claim	05N	05W	17	NW	SW		IRRIGATION	10/7139.3	THE RIVERSIDE IRRIGATION DIST LTI
2279	Claim	05N	05W	17	NW	SW		IRRIGATION	10/7139.3	THE RIVERSIDE IRRIGATION DIST LTI
2374	Claim	05N	05W	17	NW	SW		IRRIGATION	10/7139.3	THE RIVERSIDE IRRIGATION DIST LTI
2389	Claim	05N	05W	17	NW	SW		IRRIGATION	10/7139.3	THE RIVERSIDE IRRIGATION DIST LTI
4007	Claim	05N	05W	17	NW	SW		IRRIGATION	10/7139.3	THE RIVERSIDE IRRIGATION DIST LTI
4008	Claim	05N	05W	17	NW	SW		IRRIGATION	10/7139.3	THE RIVERSIDE IRRIGATION DIST LTI
4010	Claim	05N	05W	17	NW	SW		IRRIGATION	10/7139.3	THE RIVERSIDE IRRIGATION DIST LTI
-291	Water Right	05N	05W	17	NW	SW		IRRIGATION		ISLAND HIGHLINE DITCH CO

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-32165**

08/28/2006

2

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
-292	Water Right	05N	05W	17	NW	SW		IRRIGATION		ISLAND HIGHLINE DITCH CO
-293	Water Right	05N	05W	17	NW	SW		IRRIGATION		ISLAND HIGHLINE DITCH CO
26036	Water Right	05N	05W	17	NW	SW		DOMESTIC		EDITH STUTHEIT
26236	Water Right	05N	05W	17	NW	SW		DOMESTIC		LOUIS STUTHEIT
2165	Claim	05N	05W	17	NW	SW	5	IRRIGATION	33/51.56	CLASSEN & CO LLC
2279	Water Right	05N	05W	17	NW	SW	5	IRRIGATION	39/4496	THE RIVERSIDE IRRIGATION DIST LTI
3001	Water Right	05N	05W	17	NW	SW	5	IRRIGATION	33/78	WOODROW J HARROLD

State of Idaho License and Certificate of Water Right

Water License No. 25107Amount 1.4 second feet

Water District No. _____

Priority August 4, 1954THIS IS TO CERTIFY that M. W. CARLYLEof Parma, Idaho

, made application for a permit to appropriate the

public waters of the State of Idaho, dated August 4, 19 54; that Permit No. 25107 was issued under said application; that Certificate of Completion of works, with a carrying capacity ofsix (6) second feet, was issued thereunder on February 25, 19 55, showing that said workswere completed on the 21st day of February, 19 55; and that on the 21stday of February, 19 55,M. W. CARLYLEof Parma, State of Idaho

, made proof to the satisfaction of the

State Reclamation Engineer

of Idaho, of the right to use the waters of an un-named drain

ditch ~~XXXXXXXXXX~~, for the purpose of irrigation, under Use Permit No. 25107 of the Department of Reclamation

and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

9 of Licenses at page 5498, on the 3rd day of June, 19 55;To WOODROW J. HARROLD, of Parma, Idaho,
The right hereby confirmed dates from August 4, 19 54;

The Point of Diversion is located in Lot 7, Section 17,

~~XXXXXX~~ ~~XX~~ ~~XXXXXX~~, Tp. 5 N., R. 5 W., B. M. Canyon County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall

not exceed 1.4 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 N.	5 W.	17	Lot 4)	70	9
			Lot 5)		33
			Lot 6)		30
			Lot 7)		6
			Number of Acres	Actually Irrigated	- - 78

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 Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

3rd day of June, 19 55.MARK R. KULP

State Reclamation Engineer.

(SEAL)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 25107

REPORT ON PROOF OF Beneficial use

MARTIN W. CARLYLE, Route 1, Parma, Idaho

*1.2 of
max*

Ref 12107

78-11-10

41-112

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
MAR 28 1955

Department of Reclamation

Martin W. Carlyle

Rt. 1, Parma, Idaho

Permit No. 25107

42588 Pa.

Examination for Beneficial Use

County Canyon

17-5N.-5W.

Q - 1.9 a.f.s.

S - Irrigation

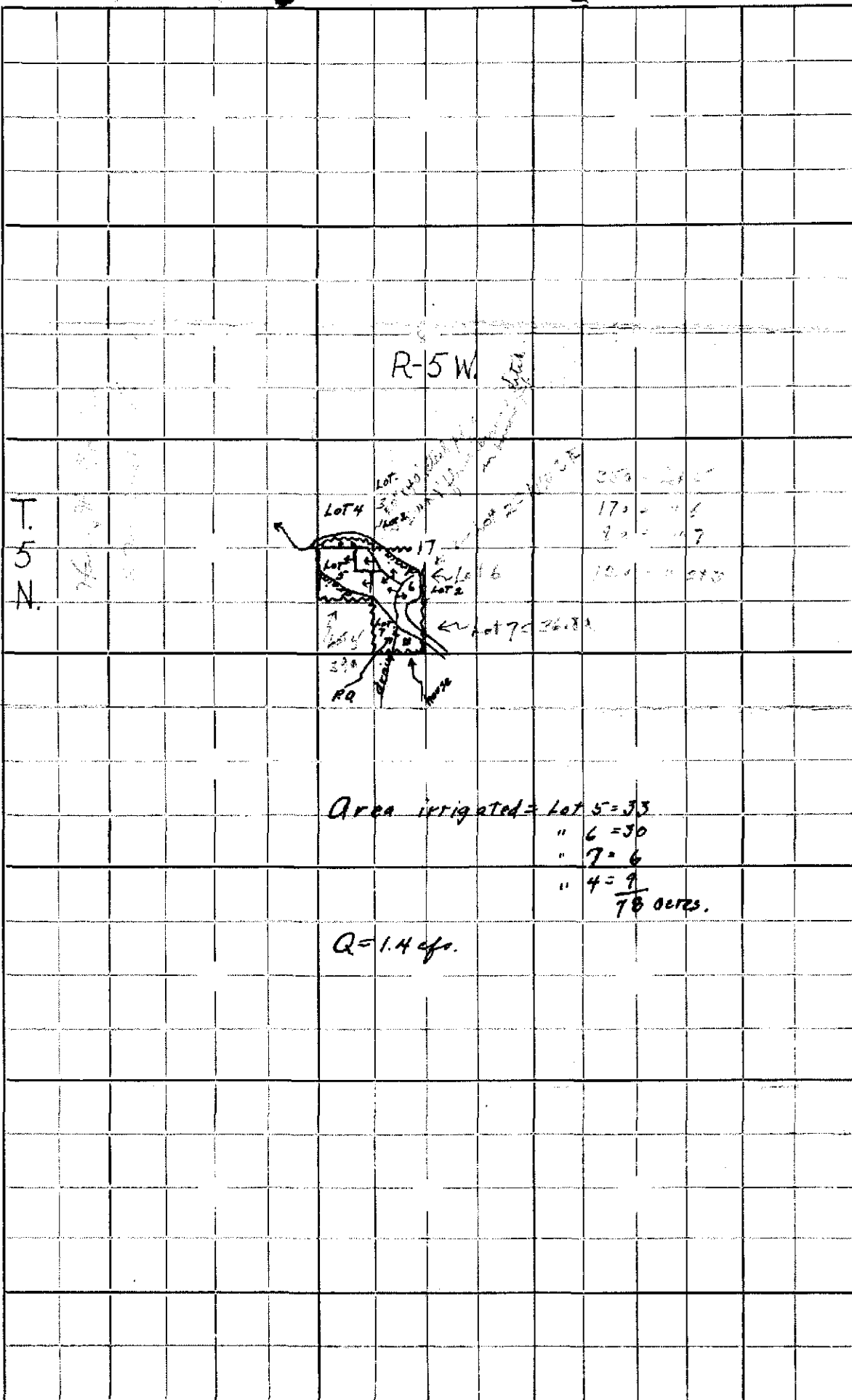
P.D. = 615' NW. from S.E. cor.
of Lot 7, Sec. 17, T. 5N. - R. 5W

Use - Irrigation

Priority = Aug. 4, 1954
Date = Nov. 21, 1954

C/W - 2-25-55

18" concrete pipe.
7 1/4" x 3' h. concrete
headgates in banyard.
approx. 150' pipe line.



Area irrigated = Lot 5 = 33

" 6 = 30

" 7 = 6

" 4 = 9

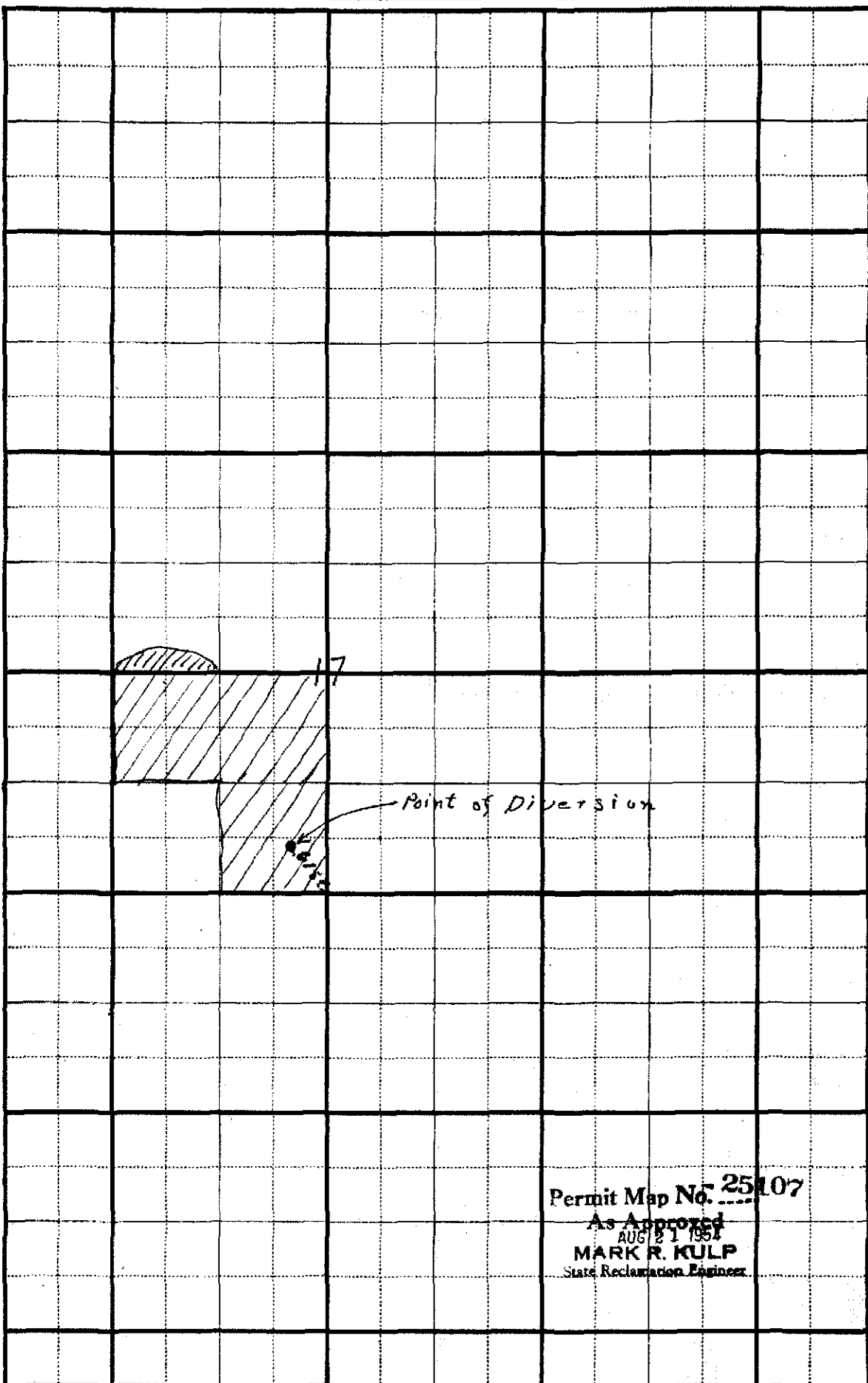
78 acres.

Q = 1.4 cfs.

NAME OF APPLICANT

M. W. CARLISLE

FORM No. 0



SCALE: 2 INCHES EQUALS 1 MILE. DRAW PLAN IN INK.

25107