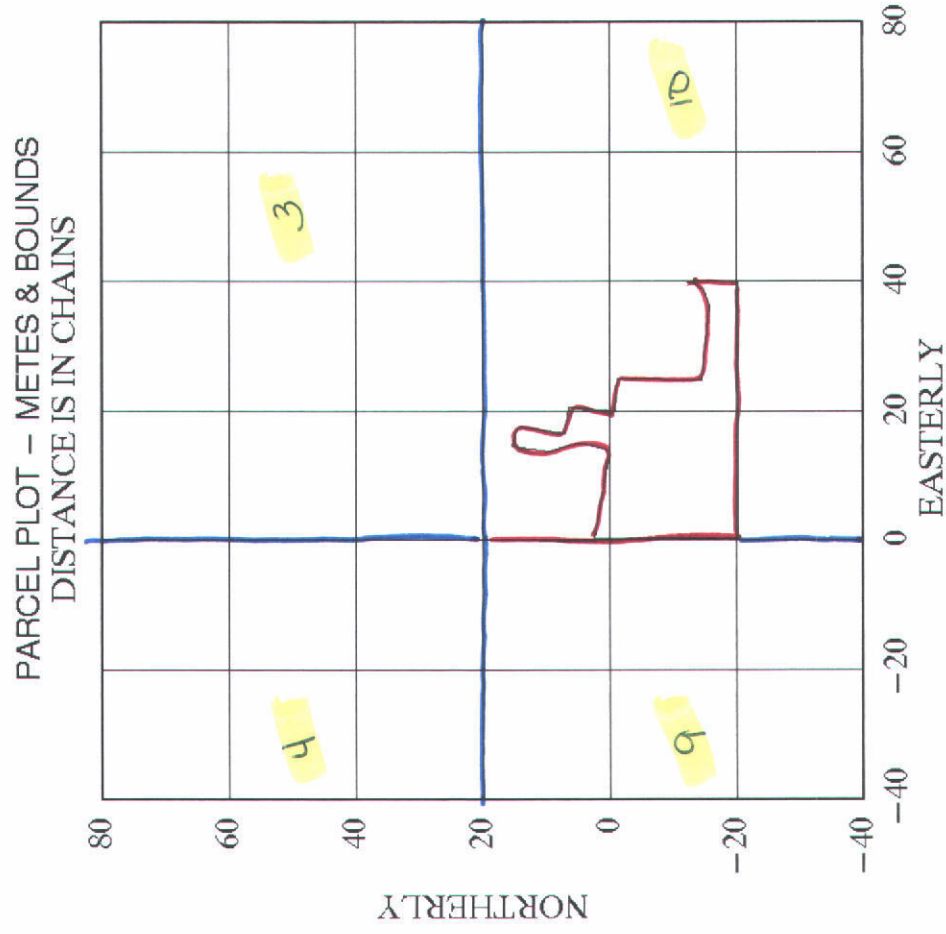


"Exhibit A" Parcel A

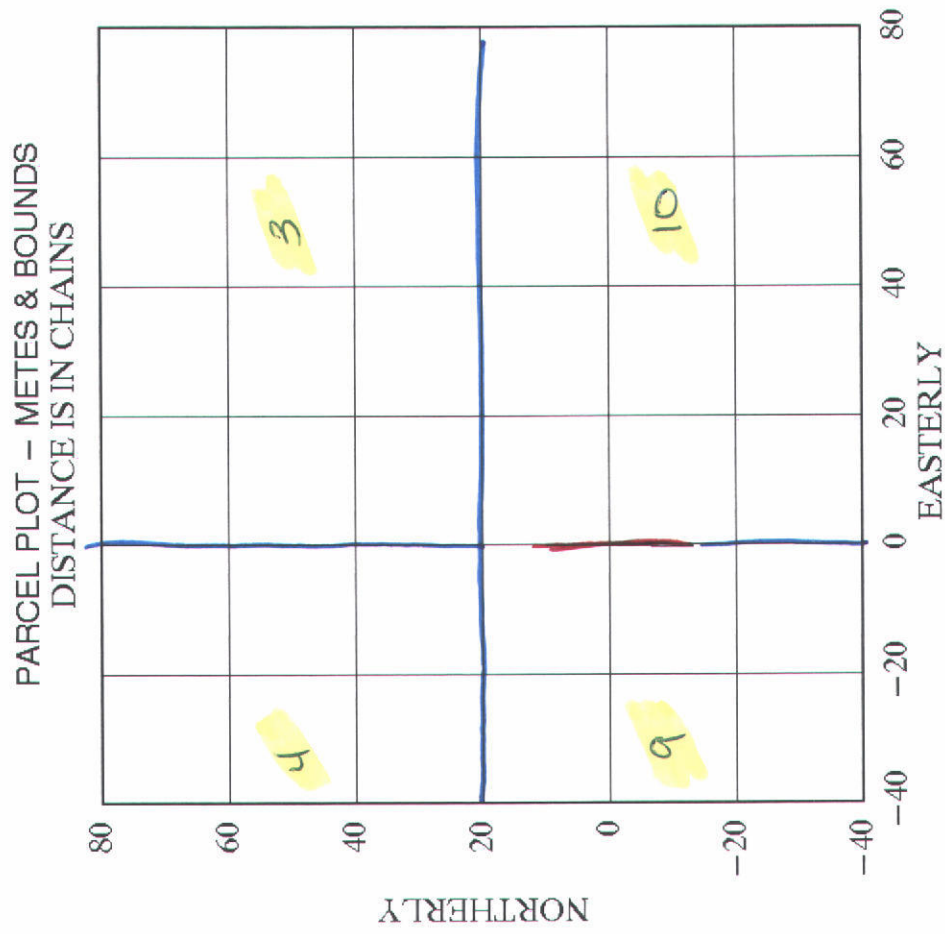
unable to put in
all curves.



- Section lines
- Property boundaries

"Exhibit A"

(Exception) road?...



Section lines

Boundaries of
M & b

Exhibit B

Parcel 1

unable to put
in all dimensions
of curves.

— Section Line
— Property Line

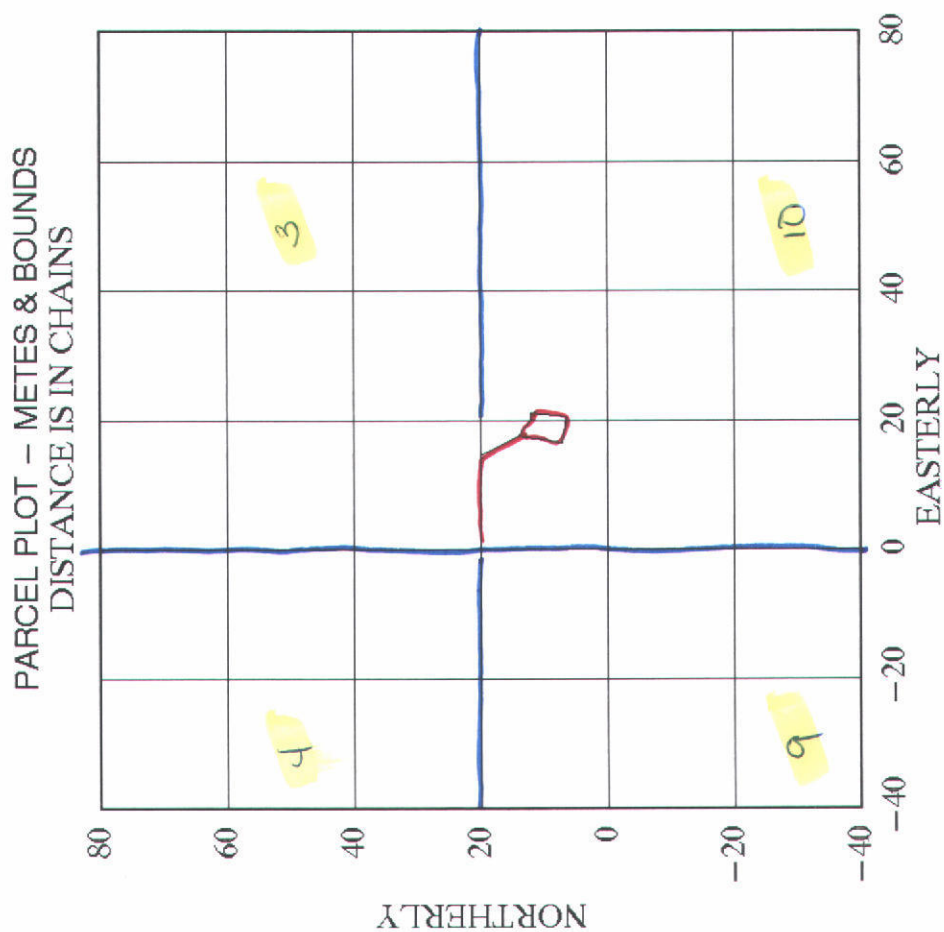
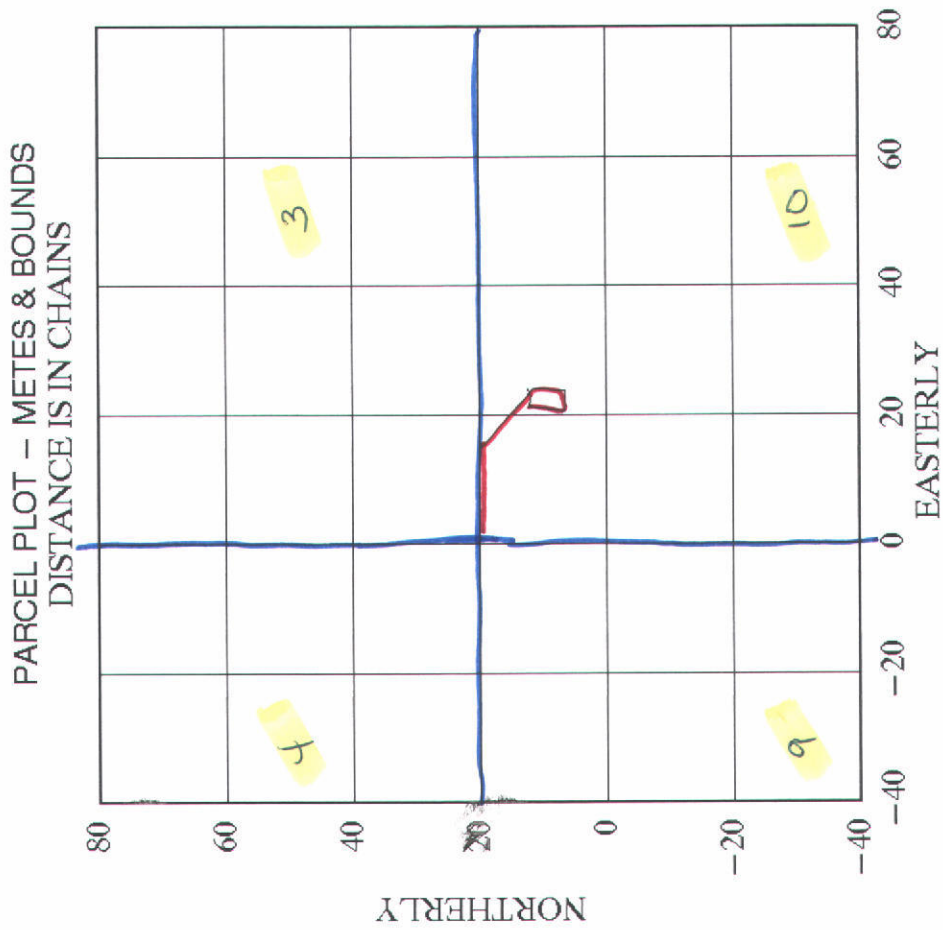


Exhibit B Parcel 2

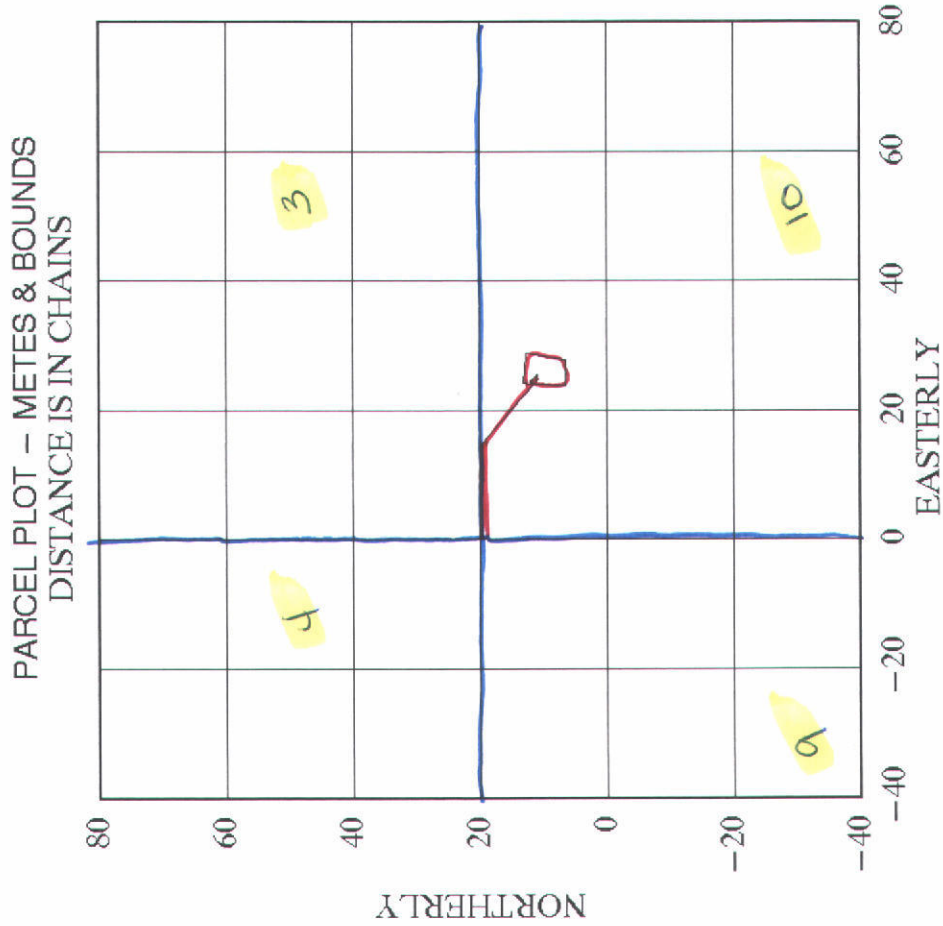


unable to put in
all dimensions
of curves.

— section lines
— property lines

Exhibit B

Parcel 3

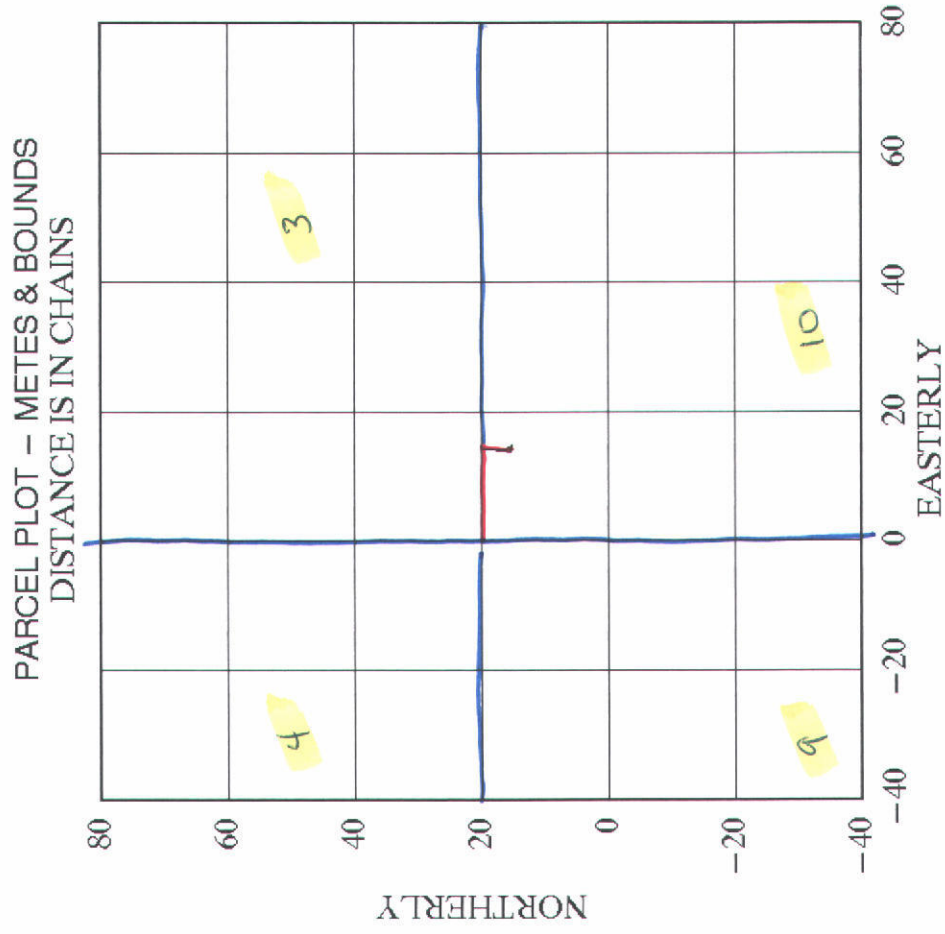


unable to put
in all dimensions
of curves.

— section Lines
— property lines

Exhibit B Common Area "A"

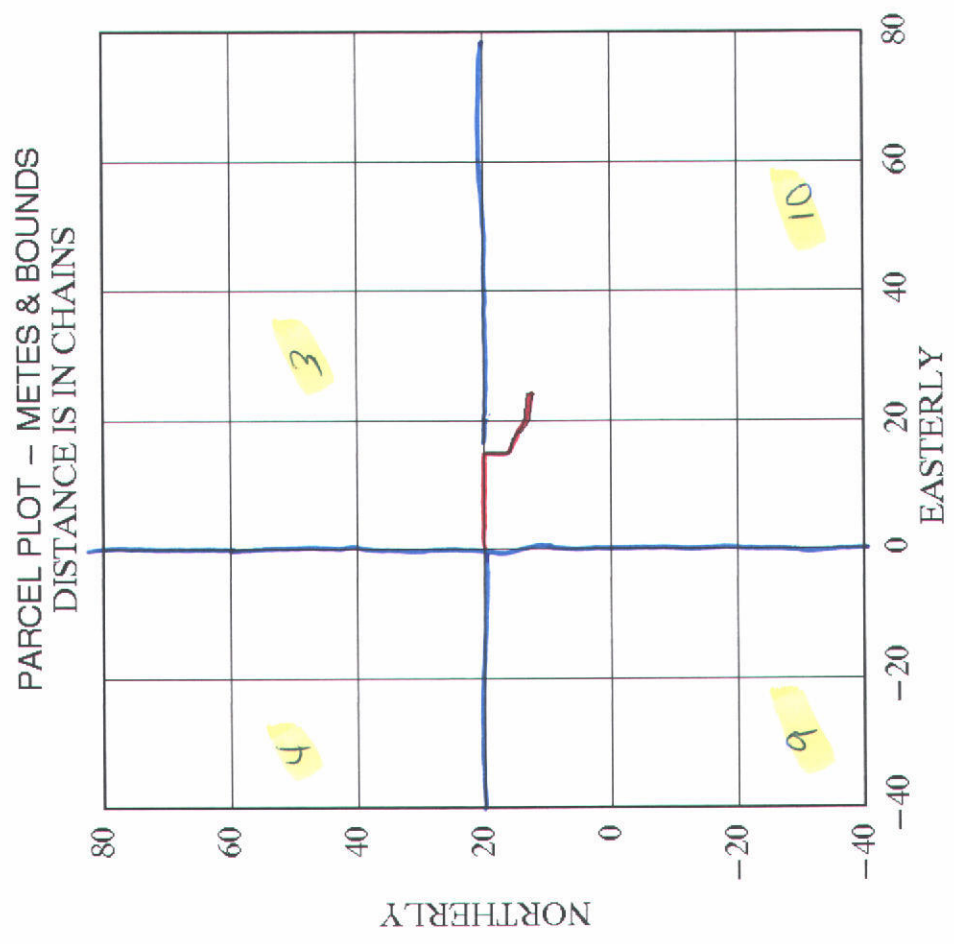
unable to put in
all dimensions of
curves.



— Section lines
— Property lines

Exhibit B

Common area "B"



unable to put in
all dimensions
of curves.

— section lines
— property lines

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A63-19470**
Date Received: 8/ 4/1989
Receipt No: C008891
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

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

2. Date of Priority: DEC 31, 1975

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
WELL, 6" CASING, 75' DEEP, 3/4 HP PUMP TO SHED AND ONE HOUSE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
SMALL DOMESTIC FOR ONE MACHINE SHOP & SHED

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	01W	10	SW	NW		DOMEST	

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

1 OTHER DOMESTIC USE FROM SAME WELL FILED SEPARATELY

14. Remarks:

ADDRESS CHANGE 11/21/1995 BY MTS

DOMESTIC USE IS LIMITED TO 2500 GPD FOR USE IN A SHOP & SHED

THIS WELL SERVES AS A BACKUP TO AN ADJACENT SINGLE DOMESTIC HOME

CLAIM AMENDED TO CORRECT ERRORS IN ORIGINAL FILING FOR P/D & P/U

AND CLARIFY ACTUAL USE.

15. Basis of Claim: BENEFICIAL USE

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 _____

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: A63-19470
Date Received: 8/ 4/1989
Receipt No: C008891
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

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

2. Date of Priority: DEC 31, 1975

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
WELL, 6" CASING, 75' DEEP, 3/4 HP SUBM. PUMP, PIPE TO HOUSE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC 1 HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	01W	10	NE	NW		DOMEST	

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

3 OTHER DOMESTIC WELL, FILED SEPARATELY

14. Remarks:

ADDRESS CHANGE 11/21/1995 BY MTS

15. Basis of Claim: BENEFICIAL USE

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number (s): A63-02757, A63-19469, A63,19470
A63-08609, A63,19471, A63,19472

[] Old Mailing Address: 4659 Enterprise
Bosse ID 83705

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

New Telephone Number: () 922-5070

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: ~~7-6-95~~ 11-21-95 By: MTS

MAKROFILMED

OCT 09 1996

DATA ENTRY BY

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: A63-19470
Date Received: 8/04/1989
Receipt No: C008891
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BALIVI CHEMICAL CO. 208-344-3531
Address: 4659 ENTERPRISE ST.
BOISE, ID 83705

2. Date of Priority: DEC 31, 1975

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
WELL, 6" CASING, 75' DEEP, 3/4 HP SUBM. PUMP, PIPE TO HOUSE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC 1 HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	01W	10	NE	NW		DOMEST	

11. Place of use in counties: ADA

A63-19470

Page 1

Date: 11/06/89

MICROFILMED

SEP 02 1992

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

13. Other Water Rights Used:

3 OTHER DOMESTIC WELL, FILED SEPARATELY

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
Title

_____, that I have signed the foregoing
Organization

document in the space below as _____ of
Title

_____, and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires

A63-19470

Page

2

Date: 11/06/89

MICROFILMED

SEP 02 1992

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. AG3-19470Date Received 8-4-89Receipt Number 008891NOTICE OF CLAIM
TO A
WATER RIGHTRECEIVED
MAY 04 1989

AUG 04 1989

ACQUIRED UNDER STATE LAW

Department of Water Resources

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Bacivi Chemical Phone (208) 344-3531Mailing Address 4659 ENTERPRISE ST. BOISE, ID. Zip 837052. Date of Priority (Only one per claim) 1975 Month/Day/Year3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____
Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 02N Range 01WSection 10, _____ 1/4 of NE 1/4 of NW 1/4, Govt. Lot _____, BM.,County of ADA

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. WELL 6" CASING 75' deep 3/4 HP SUBMERSIBLE PUMP
pipe to house

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For DOMESTIC purposes from 1-1 Month/Day to 12-31 Month/Day amount 0.04 (cfs)

(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.04 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) DOMESTIC - 1 household

MICROFILMED

SEP 02 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

10. Place of use is: Township: _____ Range _____

Section _____ 1/4 of _____ 1/4, Govt. Lot _____, B.M.,

County of Ada for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? Ada

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

THREE OTHER DOMESTIC WELLS - SEE OTHER CLAIM FORMS

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

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

Number of Attachments 0

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Jerry Frederick Date 4-6-89

Date _____

For Organizations: I do solemnly swear or affirm that I am Administrator

of Balivi Chemical that I have signed the foregoing

document in the space below as Administrator of Balivi Chemical

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Jerry Frederick Date 4-6-89

Title and Organization Administrator, Balivi Chemical

State of Idaho/or _____)

County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 6th day of April 19 89

SEAL

Notary Public Kenneth R. Hunter

Residing at Boise, Idaho

My Commission Expires 5/20/91

Last Name Balivi Chemical Co. Ident No. 82-0343636

MICROFILMED
Copies: White-State, Yellow-Claimant
SEP 02 1992

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

C008891

CLAIMANT'S NAME

Balivi Chemical

CLAIM IDENT. NO.

A63-

DATE RECEIVED

8-4-89

CK # 2850

AMOUNT \$

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? 12-31-1975 ☒ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO *
3. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (if required) N/A ☒ YES ☐ NO *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO *
5. Is there a description of the diverting works? ☒ YES ☐ NO *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO *
- Is the period of use included? ☒ YES ☐ NO *
- Is a quantity claimed for each use? ☒ YES ☐ NO *
7. Is a total quantity claimed entered? ☒ YES ☐ NO *
8. If required is a consumptive use entered? N/A ☒ YES ☐ NO *
- Is the consumptive use correct? N/A ☒ YES ☐ NO *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A ☒ YES ☐ NO *
10. Is (are) the place(s) of use and purpose(s) indicated? See #4 ☒ YES ☐ NO *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ☒ YES ☐ NO *
15. Is the basis of the claim indicated? ☒ YES ☐ NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A ☒ YES ☐ NO *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *
20. Is the fee enclosed correct? Exempt ☒ YES ☐ NO *
21. If this claim is based on an existing water right, has the identification number been entered? N/A ☒ YES ☐ NO *
22. Should this claim be data entered? ☒ YES ☐ NO *

Claim checked by: hatDate: 11-6-89

Claim must be returned to claimant:

(Yes) ☒ (No) ☐

Claimant must be notified of modifications:

(Yes) ☒ (No) ☐

Receipt Prepared by:

Date:

Claim data entered by:

Date:

Sent to claimant by:

Date:

Checked by:

Date:

Comments:

MICROFILMED

SEP 02 1992

AJ5856NP

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

DATE: AUG-26-1999
PAGE: A-2

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 63-19470

NAME & ADDRESS: JERRY FREDERICK
4401 BALIVI LN
NAMPA ID 83687

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 2,500
GALLONS PER DAY.

PRIORITY DATE: 12/31/1975

POINT OF DIVERSION: T02N R01W S10 SWNW Within ADA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC	01-01 12-31	0.04 CFS

DOMESTIC USE IS FOR SHOP & SHED.

PLACE OF USE: DOMESTIC Within ADA County
T02N R01W S10 SWNW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP S1310223092
PROPERTY ALSO KNOWN AS 4401 COLUMBIA.

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

In Re SRBA)
Case No. 39576) NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDINGS
Water Rights 63-30295 and 63-19470

IDWR has completed the following Administrative Proceeding:

☐ Change of Address
☒ Substitution of Party
☐ I.C. 42-222 Transfer

SUBSTITUTION OF PARTY

Does the change in "ownership" result in a splitting of the water
right claimed? ☐ Yes ☒ No

If yes, does the split involve an I.C. 42-222 transfer? ☐ Yes ☐ No

Water Right(s): 63-30295 and 63-19470

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
8/26/1999

63-30295 AND 63-19470

PAGE 1

From (Claimant/Seller):

Name of Claimant: BALIVI CHEMICAL CO
Address: 4401 BALIVI LN
NAMPA ID 83687
Phone: (208) 922-5070

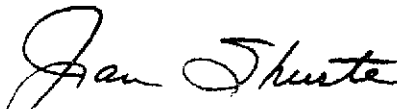
To (Claimant/Purchaser):

Name of Claimant: JERRY FREDERICK
Address: 4401 BALIVI LN
NAMPA ID 83687
Phone: (208) 888-9578

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

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

DATED: August 26, 1999



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on August 26, 1999 I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:

BALIVI CHEMICAL CO
4401 BALIVI LN
NAMPA ID 83687
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

JERRY FREDERICK
4401 BALIVI LN
NAMPA ID 83687
4. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
5. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724

Denise Buffington
Signature of person or attorney mailing the form

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
JUN 12 1998
WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: A63-30295, A63-19470, A63-08609, A63-02757
Adjudication Claim No(s).: ATS809NP, ATS809NP, AJ0729N, ATS809NP
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked. IDWR Baseline File
3. Name and Address of Former Owner/Claimant Balivi Chemical CO
4401 Balivi Ln Nampa Id 83687
4. New Owner/Claimant(s) Jerry Frederick
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 4401 Balivi Ln
City, State and ZIP Code Nampa Id 83687
New Telephone Number (208) 888-9578 (W) 208-922-5070
5. Date you acquired the property 1/12/98
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages. 43.3% of A63-08609 sold to Jerry Frederick
See Note on Profile sheet
Number of acres you irrigate 65 Number and type of stock 50 Head Cows/Horses
Diversion rate in CFS ? Number of homes 2 Other uses _____
7. Signature of New Owner or Claimant(s) Jerry Frederick 6/9/98
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1**. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3**.
4. The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6**.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

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

IDWR Southern Region, 1341 Fillmore St. N., Twin Falls, ID 83301-3380 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
 Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

JUN 12 1998

WATER RESOURCES
 WESTERN REGION

PHILIP E. BATT
 GOVERNOR

KARL J. DREHER
 DIRECTOR

April 24, 1998

~~BALIVI CHEMICAL CO~~
 PO BOX 190209
 BOISE ID 83719-0209

Jerry Frederick K
4401 Balivi Ln
Nampa Id 83687

Re: Snake River Basin Adjudication (SRBA)
 Water Right No. 63-30294, 63-30295, 63-19468, 63-19469, 63-19470,
 63-19471, 63-19472, 63-02757, 63-08609

Change of Address

Dear Water Right Holder:

IDWR has been notified the address presently on our records is incorrect. Although we have reached you at the address above we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your claim or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office postmarked by May 11, 1998. Make corrections to your name and address if necessary before returning this letter. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change of ownership of any of the properties connected with the water right referenced above, please call this office toll-free at 1-800-451-4129 or call 327-7906 to obtain a form to make this required change to the water right records.

Yours truly,
Sandy Egbert
 Sandy Egbert
 Clerical Specialist

 The address is correct as shown above or as otherwise changed.

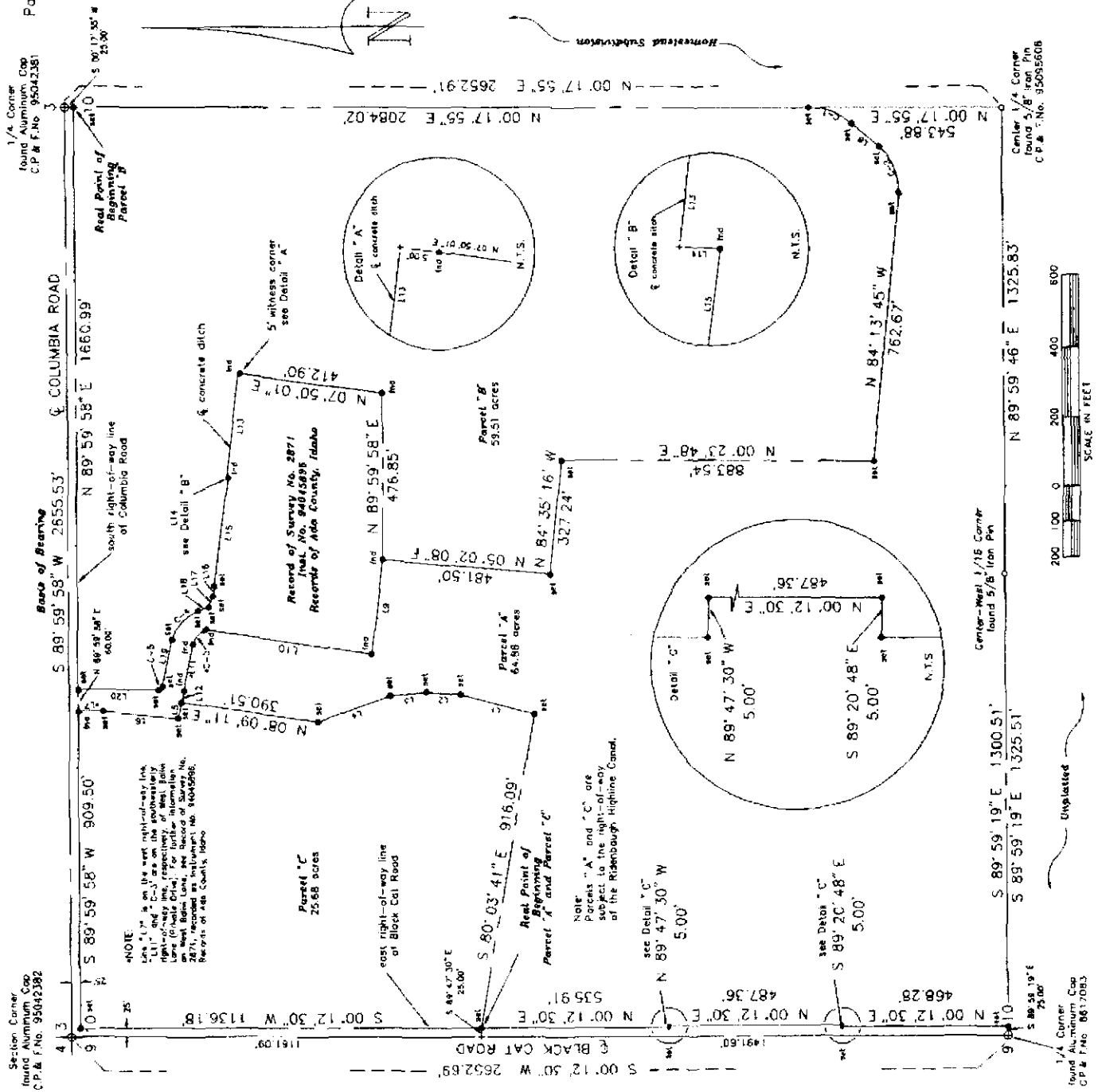
 Signature of water right claimant

Note some water rights are Jerry Frederick's
Some Dan Van Groen
Some Balivi Homeowner Association

RECORD OF SURVEY NO. 4177

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

AMENDED BALM CHEMICAL COMPANY SURVEY NO. 3



CURVE TABLE

CURVE	DELTA	CHORDS	ARC	TANGENT	CHORD BIC.
1	40° 30' 41"	187.00'	132.45'	69.26'	52.37' 15"
2	54° 49' 41"	158.00'	103.45'	81.45'	48.24' 10"
3	58° 32' 44"	138.00'	93.45'	93.45'	44.24' 10"
4	58° 32' 44"	138.00'	93.45'	93.45'	44.24' 10"
5	17° 40' 35"	11.32'	15.35'	3.11'	36.50' 20"

LINE TABLE

LINE	BEARING	DISTANCE
1	N 14° 22' 25" E	217.80'
2	N 05° 14' 28" E	87.95'
3	N 13° 15' 05" E	178.50'
4	N 77° 40' 32" E	45.70'
5	N 05° 47' 33" E	210.47'
6	N 05° 47' 33" E	210.47'
7	N 05° 47' 33" E	210.47'
8	N 05° 47' 33" E	210.47'
9	N 05° 47' 33" E	210.47'
10	N 05° 47' 33" E	210.47'
11	N 05° 47' 33" E	210.47'
12	N 05° 47' 33" E	210.47'
13	N 05° 47' 33" E	210.47'
14	N 05° 47' 33" E	210.47'
15	N 05° 47' 33" E	210.47'
16	N 05° 47' 33" E	210.47'
17	N 05° 47' 33" E	210.47'
18	N 05° 47' 33" E	210.47'
19	N 05° 47' 33" E	210.47'
20	N 05° 47' 33" E	210.47'

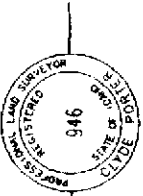
LEGEND

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

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

CERTIFICATE OF SURVEYOR

I, Clyde Porter, do hereby certify that I am a Professional Land Surveyor, licensed by the State of Idaho, and that this map was drawn from on-the-ground surveying, and that the points marked hereon, and, in conformity with the State of Idaho Code relating to plats, surveys, and the Corner Reestablishment and Filing Act, Idaho Code.



Signed & sealed by C. Porter, 2/26/98
Clyde Porter P.L.S. 946

STATE OF IDAHO) INSTRUMENT NO. 98017178
COUNTY OF ADA)

RECORDER'S CERTIFICATE

Filed for record at the request of Clyde Porter at 36 Minutes past 1 o'clock P.M. this 26th day of February 1998

J. David Navarro, Ada County Recorder
By R. Ferreira Deputy

PORTER'S LAND SURVEYING, INC.

Planning
Boise, Idaho
Job NO. 798R053A

Copyright © January 26, 1998 Porter's Land Surveying, Inc.
Index No. 2-1-4-10-4-0-0-00-00

97070792
When recorded return to:

98002494

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

ALLIANCE TITLE
'98 JAN 12 PM 4 25

FEE 36.00 SEP 12 1998
RECORDED AT THE REQUEST OF

(space above for recorder)

WARRANTY DEED WITH REVERSION

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

See Exhibit "A" attached hereto and incorporated herein.

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

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

EXHIBIT A

EXHIBIT "A"

X = Ø
Y = Ø 20
Adjusted

PARCEL A

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

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

Continuation of Exhibit A

Order No.:97070792 EBN

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

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

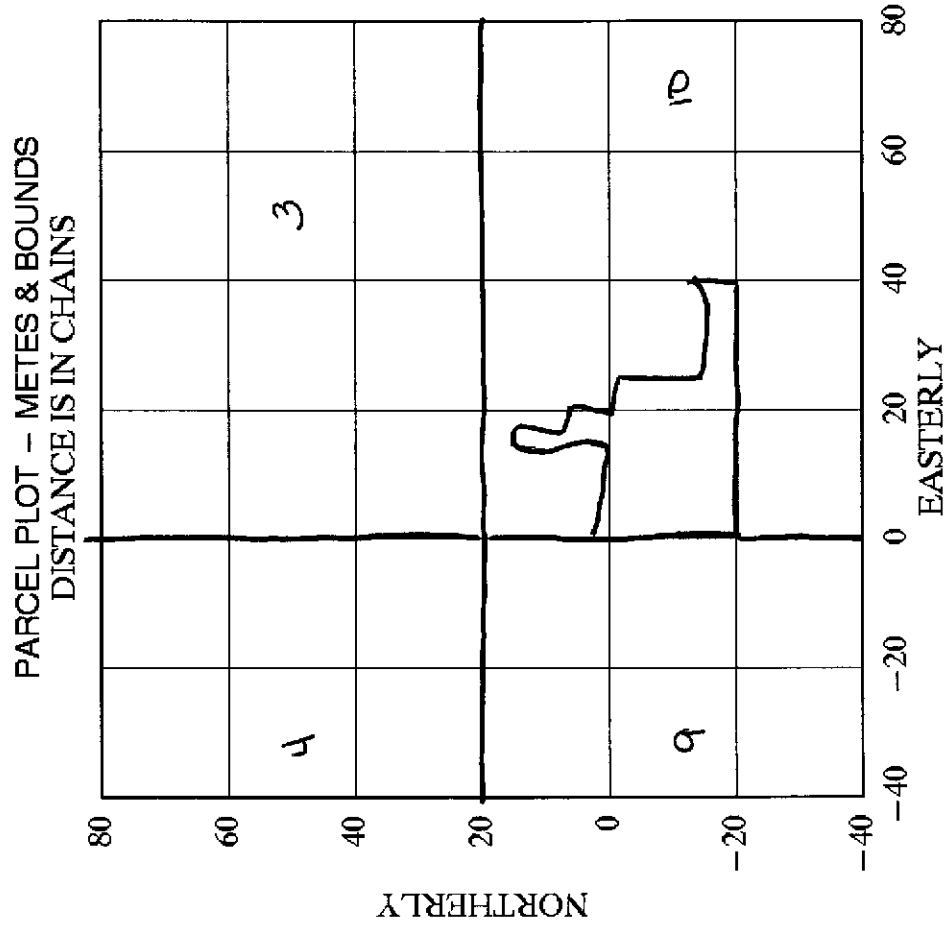
EXCEPT the following parcel:

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

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

"Exhibit A" Parcel A

Unable to put in
all curves.



- Section lines
- Property boundaries

"Exhibit A"

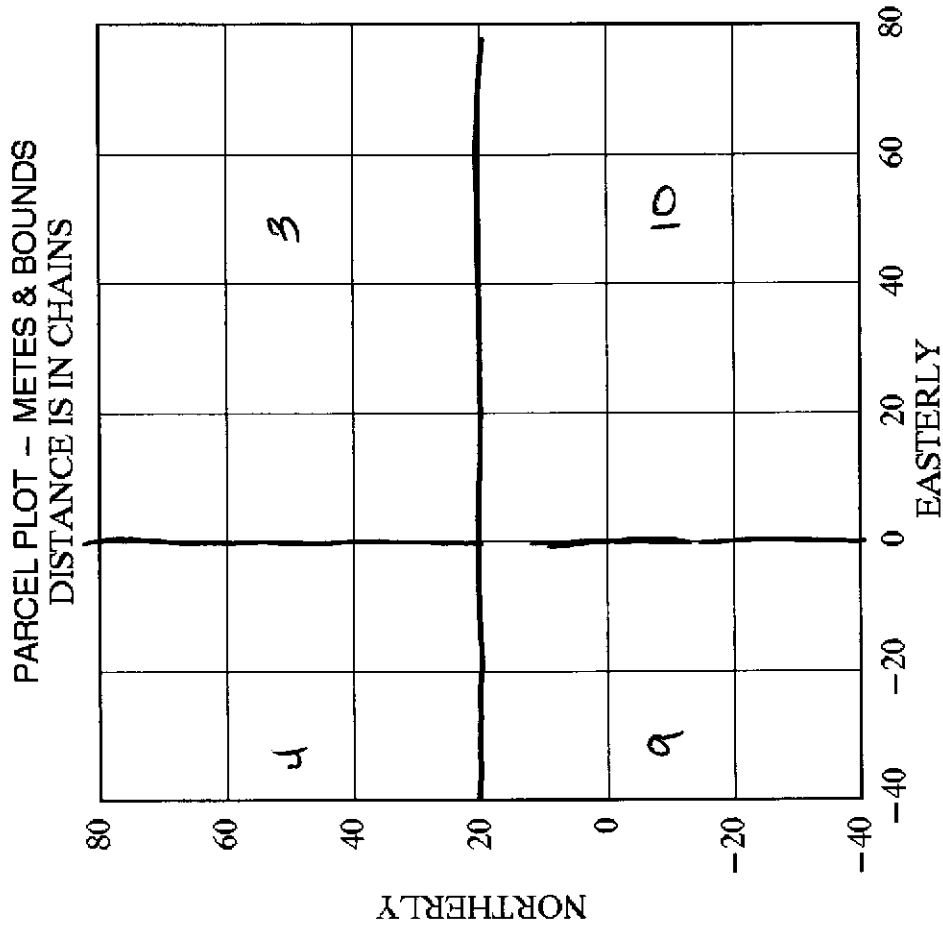
Parcel A

METES AND BOUNDS TABLE

PRESS ALT P TO PRINT GRAPH

	X-COR	Y-COR	ANGLE			BEARING	DIST (FT)
			DEGREES	MINUTES	SECONDS		
BEGIN POINT COR. (SEE SHEET)	0.00	20.00					
	-0.06	2.41	0.00	12.00	30.00	SW	1161.09
	0.31	2.41	89.00	47.00	30.00	SE	25.00
	0.23	-20.19	0.00	12.00	30.00	SW	1491.51
	19.94	-20.20	89.00	59.00	19.00	SE	1300.51
-QUAD COEF-	40.03	-20.19	89.00	59.00	46.00	NE	1325.83
IF NE, X=1,Y=1	40.07	-11.95	0.00	17.00	55.00	NE	543.88
IF SE, X=1,Y=-1	39.38	-13.80	20.00	37.00	15.00	SW	129.89
IF SW, X=-1,Y=-1	38.37	-14.95	40.00	56.00	34.00	SW	100.79
IF NW, X=-1,Y=1	36.33	-15.76	68.00	21.00	25.00	SW	145.49
	24.83	-14.60	84.00	13.00	45.00	NW	762.67
	24.92	-1.21	0.00	23.00	48.00	NE	883.54
	19.99	-0.75	84.00	35.00	16.00	NW	327.24
	20.63	6.52	5.00	2.00	8.00	NE	481.50
	16.56	7.02	83.00	3.00	49.00	NW	270.51
	17.61	14.17	8.00	22.00	52.00	NE	477.42
	17.00	14.70	49.00	24.00	10.00	NW	53.32
	14.51	15.24	77.00	40.00	32.00	NW	167.93
	13.67	9.38	8.00	9.00	11.00	SW	390.51
	14.77	6.26	19.00	19.00	55.00	SE	218.20
	14.94	4.69	6.00	16.00	35.00	SE	104.83
	14.81	3.21	5.00	14.00	28.00	SW	97.95
	13.99	0.01	14.00	22.00	25.00	SW	217.80
	0.31	2.41	80.00	3.00	41.00	NW	916.09

"Exhibit A" (Exception) Road?



— Section lines
— Boundaries of
 $n \neq b$

(Exception)

Exhibit A

METES AND BOUNDS TABLE

PRESS ALT P TO PRINT GRAPH

	X-COR	Y-COR	ANGLE			BEARING	DIST (FT)
			DEGREES	MINUTES	SECONDS		
BEGIN POINT COR. (SEE SHEET)	0.00	20.00					
	-0.17	-0.10	0.00	28.00	18.00	SW	1326.32
	-0.27	-13.09	0.00	28.00	18.00	SW	858.00
	0.11	-13.10	89.00	31.00	42.00	SE	25.00
	0.18	-13.10	89.00	5.00	0.00	SE	5.00
-QUAD COEF-	0.24	-5.71	0.00	28.00	18.00	NE	487.36
IF NE, X=1,Y=1	0.17	-5.71	89.00	31.00	42.00	NW	5.00
IF SE, X=1,Y=-1	0.21	-0.10	0.00	28.00	18.00	NE	370.68
IF SW, X=-1,Y=-1	-0.17	-0.10	89.00	31.00	42.00	NW	25.00
IF NW, X=-1,Y=1	-0.17	-0.10					

EXHIBIT B



PORTER'S LAND SURVEYING

821 S. Curtie Road
Boise, Idaho 83709

(208) 344-3650

April 29, 1994

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

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

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

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

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

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

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

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

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

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

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

said parcel contains 2.31 acres, more or less;

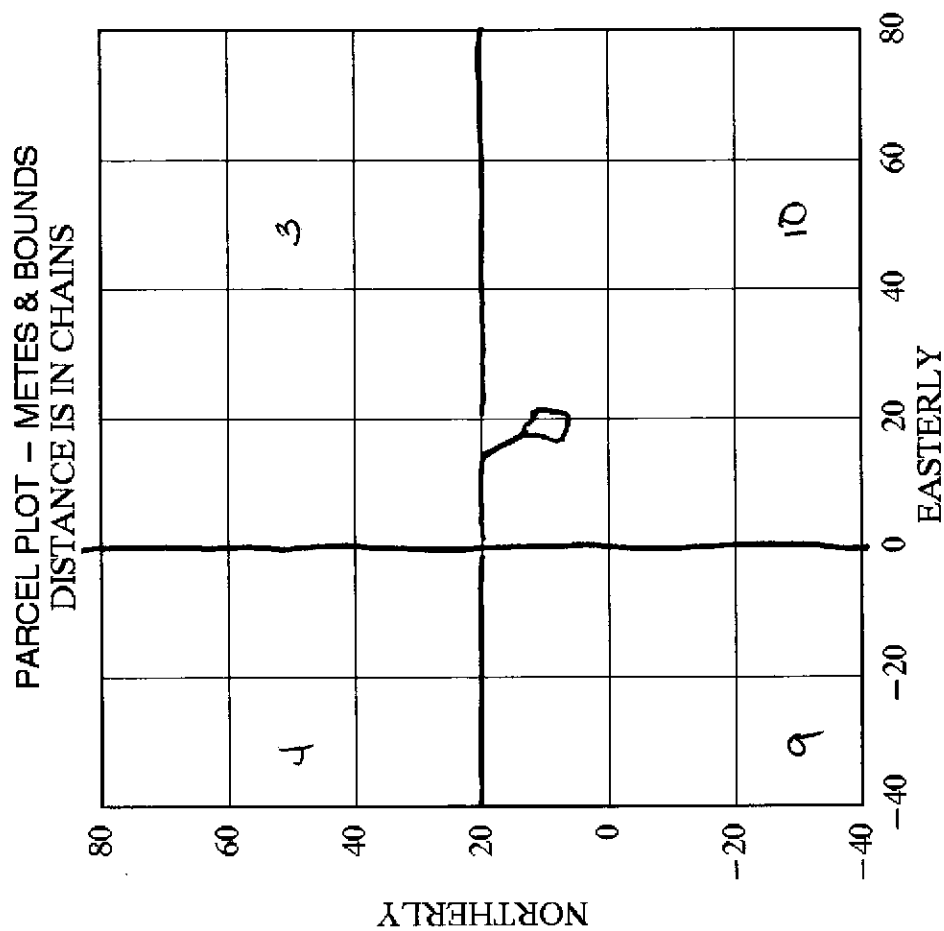
said parcel is subject to any other right-of-ways or easements, of record or in use.

Exhibit B

Parcel 1

unable to put
in all dimensions
of curves.

— Section Line
— Property Line



METES AND BOUNDS TABLE

PRESS ALT P TO PRINT GRAPH

	X-COR	Y-COR	ANGLE			BEARING	DIST (FT)
			DEGREES	MINUTES	SECONDS		
BEGIN POINT COR. (SEE SHEET)	0.00	20.00					
	14.46	20.00	89.00	59.00	58.00	NE	954.41
	17.61	14.17	28.00	23.00	51.00	SE	437.26
	16.56	7.02	8.00	22.00	52.00	SW	477.42
	20.63	6.52	83.00	3.00	49.00	SE	270.51
-QUAD COEF-	21.11	12.05	5.00	2.00	8.00	NE	366.27
IF NE, X=1, Y=1	19.97	12.19	83.00	3.00	49.00	NW	76.00
IF SE, X=1, Y=-1	17.69	13.96	52.00	5.00	48.00	NW	190.40
IF SW, X=-1, Y=-1	17.61	14.17	21.00	7.00	48.00	NW	15.00
IF NW, X=-1, Y=1	17.61	14.17					



PORTER'S LAND SURVEYING

821 S. Curtis Road
Boise, Idaho 83709

(208) 344-3850

April 29, 1994

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

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

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

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

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

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

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

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

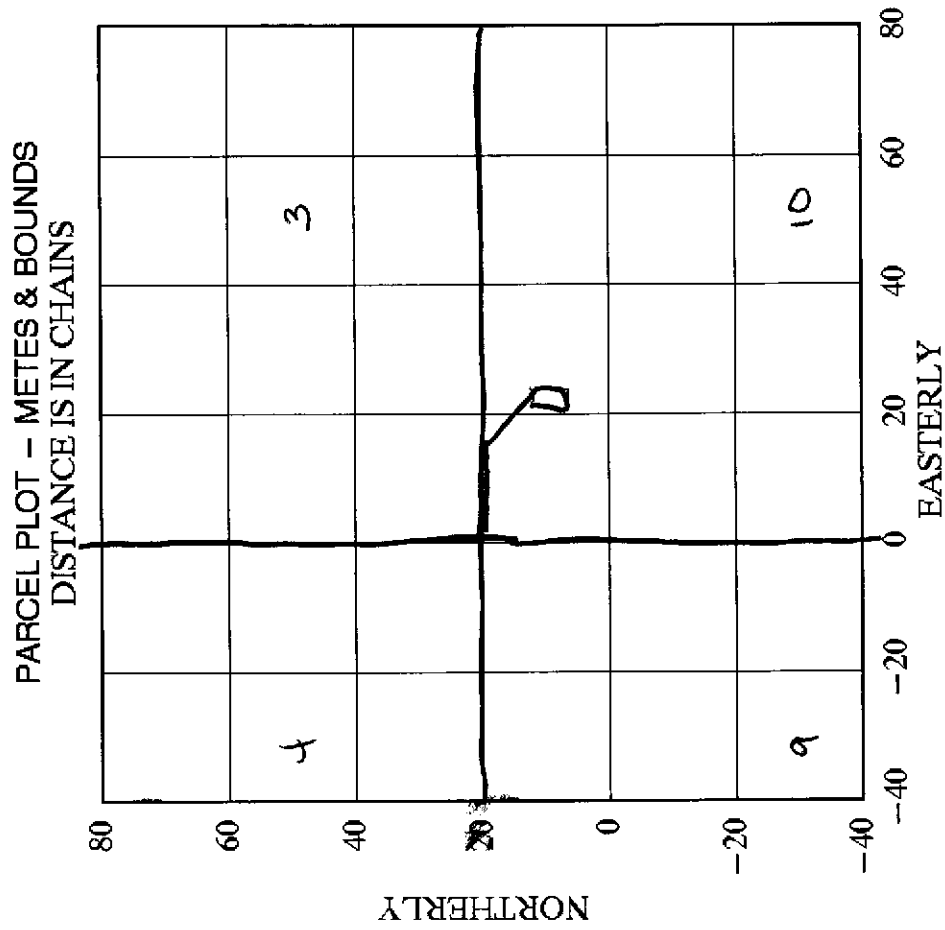
thence, along said right-of-way line, S 83°03'49" E 100.00 feet to an Iron Pin;

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

said parcel contains 1.64 acres, more or less;

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

Exhibit B Parcel 2



unable to put in
all dimensions
of curves.

— section lines
— property lines

METES AND BOUNDS TABLE

PRESS ALT P TO PRINT GRAPH

	X-COR	Y-COR	ANGLE			BEARING	DIST (FT)
			DEGREES	MINUTES	SECONDS		
BEGIN POINT COR. (SEE SHEET)	0.00	20.00					
	14.46	20.00	89.00	59.00	58.00	NE	954.41
	24.06	11.44	48.00	16.00	25.00	SE	849.13
	23.81	6.52	2.00	53.00	30.00	SW	324.89
	20.63	6.52	89.00	59.00	58.00	SW	210.45
-QUAD COEF-	21.11	12.05	5.00	2.00	8.00	NE	366.27
IF NE, X=1,Y=1	22.62	11.87	83.00	3.00	49.00	SE	100.00
IF SE, X=1,Y=-1	24.06	12.29	73.00	28.00	49.00	NE	99.53



PORTER'S LAND SURVEYING

921 S. Curtis Road
Boise, Idaho 83709

(208) 344-3650

April 29, 1994

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

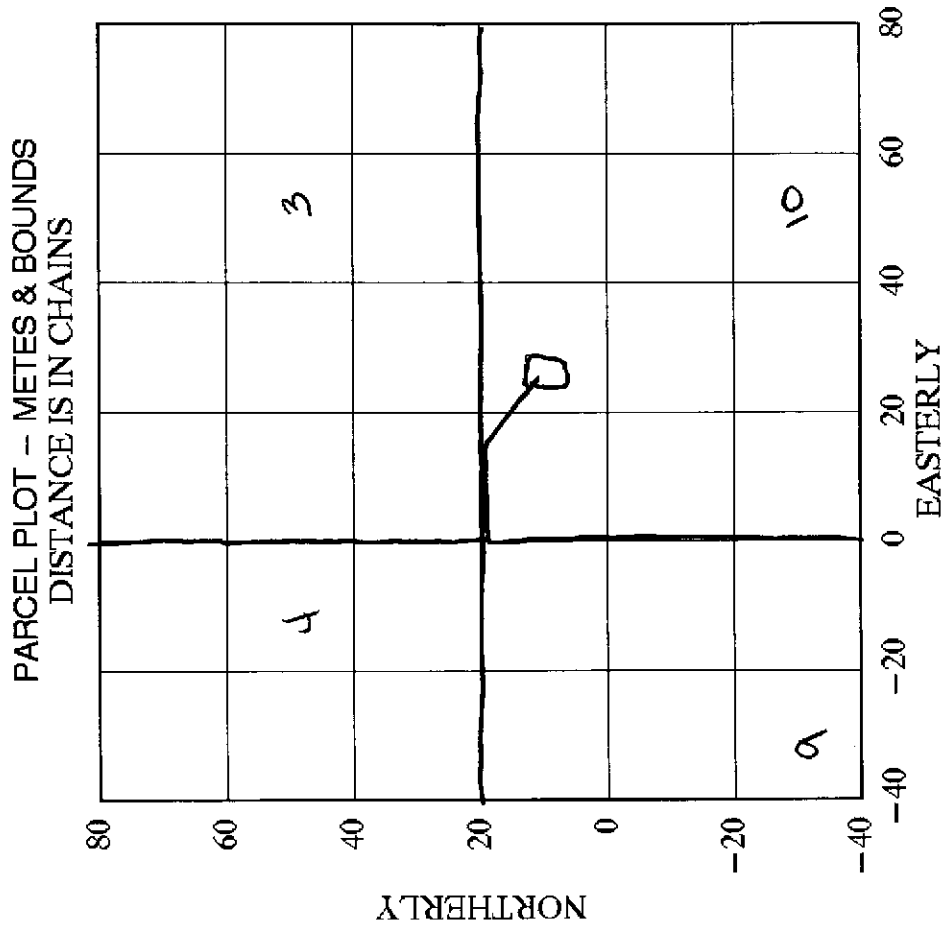
thence, along a curve to the left having a radius of 20.00 feet, a central angle of $52^{\circ}01'12''$, an arc length of 18.16 feet, and a chord which bears $N 37^{\circ}53'13'' W$ 17.54 feet to an Iron Pin;

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

said parcel contains 2.62 acres, more or less;

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

Exhibit B
Parcel 3



unable to put
in all dimensions
of curves.

— section lines
— property lines

METES AND BOUNDS TABLE

PRESS ALT P TO PRINT GRAPH

	X-COR	Y-COR	ANGLE			BEARING	DIST (FT)
			DEGREES	MINUTES	SECONDS		
BEGIN POINT COR. (SEE SHEET)	0.00	20.00					
	14.46	20.00	89.00	59.00	58.00	NE	954.41
	24.06	11.44	48.00	16.00	25.00	SE	849.13
	23.81	6.52	2.00	53.00	30.00	SW	324.89
	27.85	6.52	89.00	59.00	58.00	NE	266.40
-QUAD COEF-	28.70	12.72	7.00	50.00	1.00	NE	412.90
IF NE, X=1,Y=1	28.69	12.64	7.00	50.00	1.00	SW	5.00
IF SE, X=1,Y=-1	24.15	13.19	83.00	6.00	28.00	NW	302.36
IF SW, X=-1,Y=-1	24.14	13.12	2.00	53.00	30.00	SW	5.00
IF NW, X=-1,Y=1	24.08	11.94	2.00	53.00	30.00	SW	77.95
	24.32	11.83	65.00	19.00	55.00	SE	16.98
	24.45	11.76	63.00	53.00	49.00	SE	10.00
	24.72	11.76	89.00	54.00	25.00	SE	17.54
	25.63	10.85	44.00	54.00	25.00	SE	85.10
	24.35	11.01	82.00	53.00	13.00	NW	85.10
	24.18	11.22	37.00	53.00	13.00	NW	17.54
	24.05	11.29	63.00	53.00	49.00	NW	10.00



PORTER'S LAND SURVEYING

921 S. Curtis Road
Boise, Idaho 83709

(208) 344-3650

April 29, 1994

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

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

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

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

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

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

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

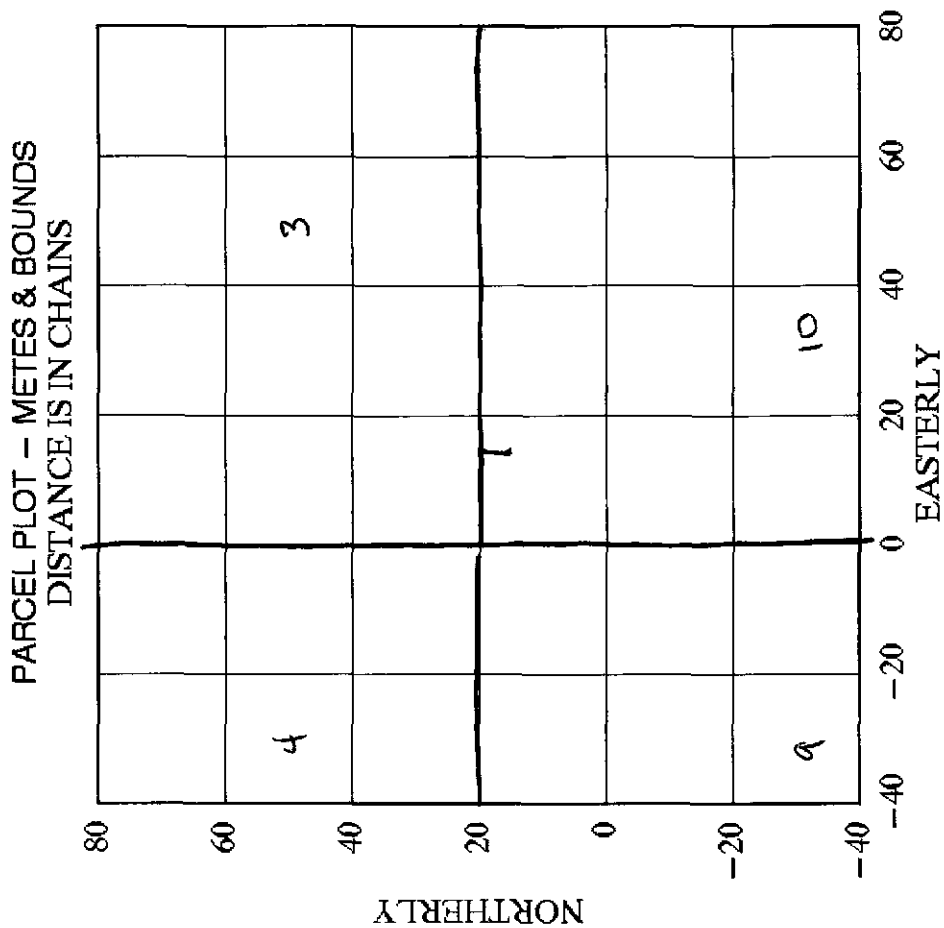
thence, leaving said right-of-way line, N 77°40'32" W 79.16 feet to a point;

thence, N 5°47'33" E 210.42 feet to the REAL POINT OF BEGINNING;

said parcel contains 2,920 square feet, or 0.07 acres, more or less;

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

Exhibit B Common Area "A"



unable to put in
all dimensions of
curves.

— Section lines
— property lines

METES AND BOUNDS TABLE ***PRESS ALT P TO PRINT GRAPH***

	X-COR	Y-COR	ANGLE			BEARING	DIST (FT)
			DEGREES	MINUTES	SECONDS		
BEGIN POINT COR. (SEE SHEET)	0.00	20.00					
	14.16	20.00	89.00	59.00	58.00	NE	934.41
	14.16	18.56	0.00	0.00	2.00	SE	95.01
	14.16	16.19	0.00	0.00	2.00	SE	156.56
	15.01	15.13	38.00	50.00	17.00	SE	89.45
-QUAD COEF-	13.84	15.39	77.00	40.00	32.00	NW	79.16
IF NE, X=1,Y=1	14.16	18.56	5.00	47.00	33.00	NE	210.42



PORTER'S LAND SURVEYING

821 S. Curtis Road
Boise, Idaho 83709

(208) 344-3650

April 29, 1994

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

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

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

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

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

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

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

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

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

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

thence, along a curve to the left having a radius of 145.02 feet, a central angle of 61°56'01", an arc length of 156.76 feet, and a chord which bears S 52°05'48" E 149.24 feet to an Iron Pin;

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

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

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

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

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

thence, N 65°35'24" W 30.75 feet to a point;

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

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

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

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

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

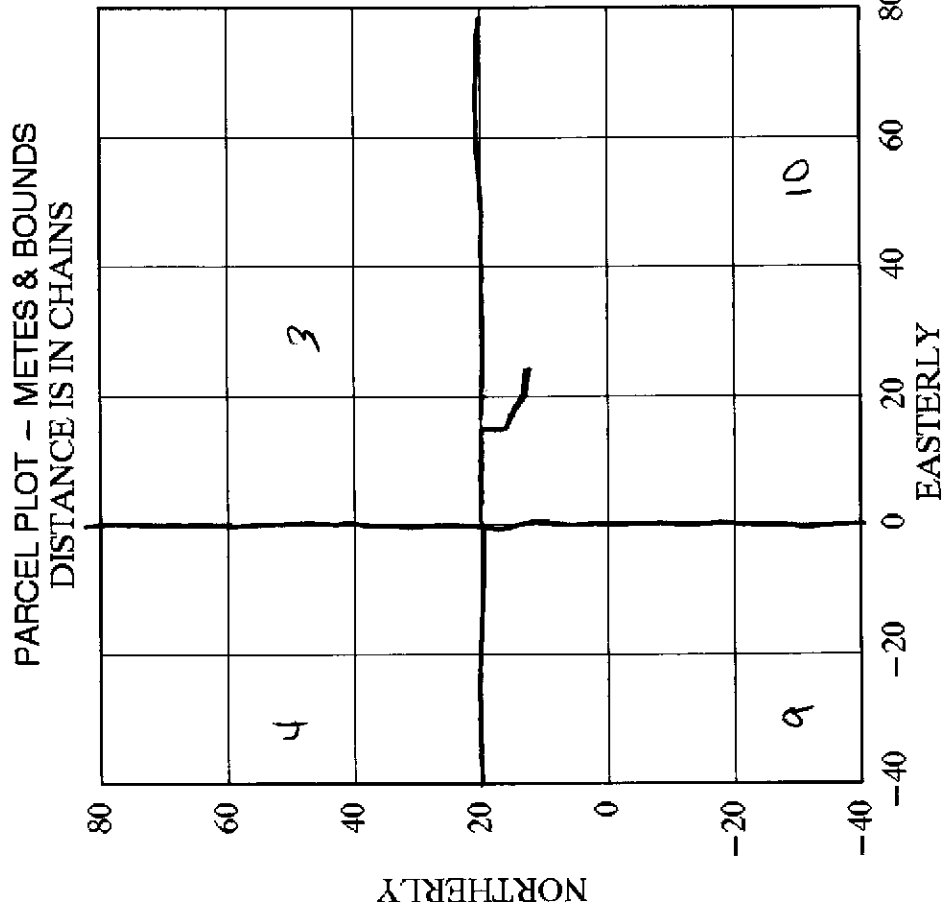
thence, along said right-of-way line, S 89°59'58" W 20.00 feet to the REAL POINT OF BEGINNING;

said parcel contains 0.74 acres, more or less;

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

Exhibit B

Common area "B"



unable to put in
all dimensions
of curves.

— section lines
— property lines

METES AND BOUNDS TABLE

PRESS ALT P TO PRINT GRAPH

	X-COR	Y-COR	ANGLE			BEARING	DIST (FT)
			DEGREES	MINUTES	SECONDS		
BEGIN POINT COR. (SEE SHEET)	0.00	20.00					
	14.76	20.00	89.00	59.00	58.00	NE	974.41
	14.76	19.62	0.00	0.00	2.00	SE	25.00
	14.76	16.19	0.00	0.00	2.00	SE	226.57
	15.14	15.72	38.00	50.00	17.00	SE	39.28
-QUAD COEF-	17.13	15.29	77.00	40.00	32.00	SE	134.47
IF NE, X=1,Y=1	18.18	14.39	49.00	24.00	10.00	SE	91.21
IF SE, X=1,Y=-1	18.26	14.18	21.00	7.00	48.00	SE	15.00
IF SW, X=-1,Y=-1	20.04	12.79	52.00	5.00	48.00	SE	149.24
IF NW, X=-1,Y=1	22.69	12.47	83.00	3.00	49.00	SE	176.00
	24.10	12.09	74.00	54.00	55.00	SE	96.08
	24.15	13.19	2.00	53.00	30.00	NE	72.95
	19.48	13.77	82.00	54.00	8.00	NW	310.91
	19.06	13.86	78.00	12.00	35.00	NW	28.39
	18.63	14.06	65.00	35.00	24.00	NW	30.75
	18.46	14.50	21.00	7.00	48.00	NW	31.47
	17.19	15.59	49.00	24.00	10.00	NW	110.16
	15.20	16.02	77.00	40.00	32.00	NW	134.47
	15.07	16.19	38.00	50.00	17.00	NW	14.20
	15.07	19.62	0.00	0.00	2.00	NW	226.57
	14.76	19.62	89.00	59.00	58.00	SW	20.00
	14.76	19.62					

WATER RIGHTS

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

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

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

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

AJ5809NP
No. A63-19470

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/19/97
PAGE: 4

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BALIVI CHEMICAL CO 4401 BALIVI LANE NAMPA ID 83687 (208) 922-5070	12/31/1975	DOMESTIC	01-01 12-31	0.04 CFS	
	TOTAL DIVERSION:				0.04 CFS	

New owner
change it
Jerry Frederick
4401 Balivi Ln
Nampa Id 83687
(H) 208-888-9578
(W) 208-922-5070

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: 102N R01W S10 SWNW ADA County

Place of Use Legal Description for: DOMESTIC

NE				NW				SW				SE												
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENE		NENE		NWSE		SWSE		SESE		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
02N	01W	10	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:

POU County: ADA

Non-Irrigation Uses: SMALL DOMESTIC FOR ONE MACHINE SHOP & SHED

Other Rights: 1 OTHER DOMESTIC USE FROM SAME WELL FILED SEPARATELY

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A63-30295 R63-19470

Other Water Rights Listing Overlapping Place(s) of Use:
A63-02757 A63-08609

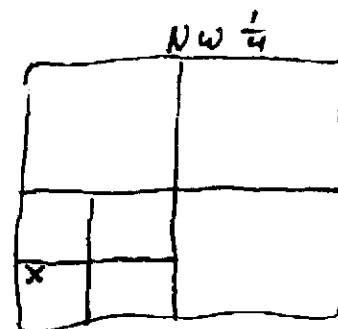
Remarks: GEN ADDRESS CHANGE 11/21/1995 BY MTS
DOMESTIC USE IS LIMITED TO 2500 GPD FOR USE IN A SHOP & SHED
THIS WELL SERVES AS A BACKUP TO AN ADJACENT SINGLE DOMESTIC HOME
CLAIM AMENDED TO CORRECT ERRORS IN ORIGINAL FILING FOR P/D & P/U
AND CLARIFY ACTUAL USE.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 11/06/89 HARRINGT 03/30/95 POST-STD 11/21/95 MSCHULTE 12/05/95 MSCHULTE

SW corner old Farm house & storage shed
Property sold as of 1/12/98 to Jerry Frederick
Per Deed 97070792



DATE: 08/24/99
PAGE: 1

DIVERSION
VOL 11#6

TOTAL DIVERSION: 0.040 CFS

Field Inspection Flag:

Field Inspection

AJ0749NP
No. 63-19470

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 08/24/99
PAGE: 2

Comments:

Date: 02/19/1997 User-ID: CORR3 Subject: COPIED FROM REMARKS
ADDRESS CHANGE 11/21/1995 BY MTS
THIS WELL SERVES AS A BACKUP TO AN ADJACENT SINGLE DOMESTIC HOME
CLAIM AMENDED TO CORRECT ERRORS IN ORIGINAL FILING FOR P/D & P/U
AND CLARIFY ACTUAL USE.

Date: 08/24/1999 User-ID: DBUFFING Subject: NAME CHANGE - OWNERSHIP CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN
OWNERSHIP CHANGE.

Audit: 08/24/99 DBUFFING



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

August 26, 1999

DIRK KEMPTHORNE
GOVERNOR

RE: Water Right No. 63-19470 & 63-30295

KARL J. DREHER
DIRECTOR

JERRY FREDERICK
4401 BALIVI LN
NAMPA ID 83687

Dear Mr. Frederick:

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

Thank you for your patience and cooperation. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

Denise Buffington

Denise Buffington
Records Clerk
Adjudication Section
Western Region

DB:db

Enclosures

cc: Balivi Chemical Co

AJ0749NP
No. R63-19470

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 06/11/98
PAGE: 2

Comments: Date: 02/19/1997 User-ID: CORR3 Subject: COPIED FROM REMARKS
AND CLARIFY ACTUAL USE.

Audit: 06/11/98 LHARRIS

AJ5809NP
No. R63-19470

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/29/98
PAGE: 5

Comments: Date: 02/19/1997 User-ID: CORR3 Subject: COPIED FROM REMARKS
AND CLARIFY ACTUAL USE.

Audit: 02/19/97 CORR3 02/24/97 CORR5

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

06/09/91 01:05:34
PAGE 1

AJ5808NP
(DD-26)

WATER RIGHT NUMBER - A63-19470 PREFIX TRANSLATION: ADJUDICATION CLAIM OLD (D) NUMBER -

+ - - - - LAST NAME - - - - + + - FIRST NAME - - - - + - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
BALIVI CHEMICAL CO.

1 - 4659 ENTERPRISE ST.

2 -

3 -

CITY- BOISE

PHONE - 208-344-3531

STATE- ID ZIP- 83705

+ - - PRIORITY DATE - - +
12/31/1975

+ - - - REGION - - - +
14 WESTERN

+ - - - STAGE - - - +
J - BENEFICIAL USE

+ - - - STATUS - - - +

+ - - - SOURCE - - - - +
GROUNDWATER

+ - - - - TRIBUTARY - - - - - +

+ - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

02N 01W 10 NE NW (1) ADA

+ - - - - DESCRIPTION PERIOD FROM PERIOD TO WATER USE - - - - - +
CODE DIVERSION RATE DIVERSION VOLUME

43 - DOMESTIC 01/01 12/31 0.040

+ - - TOTAL DIV. RATE - + - TOTAL DIV. VOLUME - + - TOTAL DIV. CAPACITY - + - TOTAL CONSUMPTIVE USE - + - KW USAGE - +
0.040

+ - - - - PLACE OF USE - - - - - +
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY

02N 01W 10 NE NW 43 DOMESTIC (1) ADA

+ - - DIVERSION MEANS - WELL, 6" CASING, 75' DEEP, 3/4 HP SUBM. PUMP, PIPE TO HOUSE

+ - - NON-IRRIGATION USE - DOMESTIC 1 HOUSEHOLD

+ - - OTHER RIGHTS FOR SAME USE - 3 OTHER DOMESTIC WELL, FILED SEPARATELY

+ - - - - REMARKS - - - - - +
NO REMARKS FOUND.

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - - + + - - - DECREE DEFENDANT - - - - + + - DECREE DATE - - +
00/00/0000

+ - - AUDIT FIELDS - 11/06/89 HARRINGT

[illegible]

CIVIL CASE NUMBER	-	39576
OLD CASE NUMBER	-	
OLD JUDICIAL DISTRICT	-	
TEMPORARY RIGHT	-	P
WATER DISTRICT	-	
FEDERAL/STATE INDICATOR	-	S
PRESUMPTION FLAG	-	

PROOF
JUL 23 1991

CERTIFIED
JAN 26 1993
WATER EXAMINER

VERIFIED
JAN 24 1983

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

In Re Snake River Basin Adjudication Case)
No. 39576)

Notice of Filing Director's Report and Supplemental
Director's Report Part II & III, United States' and Tribal
Non-consumptive Claims.

TO: ALL CLAIMANTS OF RIGHTS TO THE USE OF WATER IN THE SNAKE RIVER BASIN
YOU ARE HEREBY NOTIFIED OF THE FOLLOWING:

THE DIRECTOR'S REPORT PART II & III FOR THE UNITED STATES' AND TRIBAL NON-CONSUMPTIVE CLAIMS HAS BEEN FILED WITH
THE DISTRICT COURT. A SUPPLEMENTAL DIRECTOR'S REPORT PART II & III HAS ALSO BEEN FILED WITH THE DISTRICT COURT.
THIS NOTICE CONTAINS IMPORTANT INFORMATION ABOUT THE DIRECTOR'S REPORTS, AND DEADLINES AND FURTHER PRO-
CEEDINGS ON THESE WATER RIGHT CLAIMS.

IMPORTANT NOTICE REGARDING YOUR WATER RIGHT

**THIS CONTAINS YOUR LEGAL NOTICE OF THE DIRECTOR'S REPORTS OF U.S. AND
TRIBAL NON-CONSUMPTIVE CLAIMS IN THE SNAKE RIVER BASIN ADJUDICATION
THESE CLAIMS COULD AFFECT YOUR WATER RIGHT**

63076
Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720

Presorted
First Class Mail
U.S. Postage Paid
Boise, Idaho
Permit No. 1

A63-02757

✓ - 08609

✓ - 19471

✓ - 30294

✓ - 19469

✓ - 30295

✓ - 19470

*new address in
database by 9-6-95.
Mel S.*

RECEIVED

FEB 16 1996 RECEIVED

WATER RESOURCES
WESTERN REGION
APR 21 1995

Department of Water Resources

BALIVI CHEMICAL CO
4659 ENTERPRISE ST
BOISE ID 83705

BALI659 837052018 IN 04/19/95
RETURN TO SENDER
NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER
OCT 09 1996

|||||

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO. (S))
A63-02757, 19469,)
19470, 19471, 19472)
08604)
State of Idaho)
County of Ada)

AFFIDAVIT

Jerry Frederick being first duly sworn,
deposes and says: Belivi Chemical Co has owned the
property subject to the above claims since
about 1980. The irrigation delivery system and
fields irrigated have been the same since 1980
with the exception of the home sites developed
in the N $\frac{1}{2}$ of Sec 10, 2N, 1W. Also, the
current system of domestic wells tied into
one delivery system was in place prior
to 1987.

Jerry Frederick, V.P. Belivi Chemical Co.

Jerry Frederick

(Signature)

Subscribed and sworn to before me this
day 13th of December, 1995.

SEAL

Alan Hansen

(Notary Public)

Residing at Boise, Idaho.

My Commission Expires 06/25/1995.

MICROFILMED

OCT 09 1996

ADJUDICATION MEMORANDUM

CLAIMANT: Jerry Frederick, V.P.
Balivi Chemical Co

DATE: December 6, 1995

EMPLOYEE: Mel Schulte *MTS*

SUBJECT: Domestic claims, irrigation diversion system, place of use for irrigation rights.

On December 4, 1995 Jerry Frederick and I reviewed in our office the four domestic claims filed by Balivi Chemical Co. We discovered several major errors in the legal descriptions used for the P/D's and P/U's as they relate to the specific claims.

Mr. Frederick stated that the current system of three wells tied together into one system was in place prior to the claims being filed in 1989. Why this was not recognized at that time is unknown. We also discovered the P/U's stated in two of the claims was incorrect and two domestic uses that should have been claimed in the 1989 filings were missed.

Based on the information provided by Mr Frederick, the four domestic claims, A63-19469, A63-19470, A63-19471 & A63-19472 were amended to reflect the P/D's, P/U's and delivery system as they existed the 1989. Also, two new domestic claims A63-30294 & A63-30295 were prepared and mailed to Mr Frederick for signature.

I also reviewed the delivery system and P/U for A63-02757 with Mr Frederick. We concurred the 40 acres as originally licensed does not appear to be realistic. He agreed to the 40 acres as I propose for recommendation: SENW--7 acres, NWNW--11 acres, SWNW--22 acres. He indicated the current system and place of use for the entire farm is the same as when they purchased it in about 1980 with the exception of the domestic sites they developed in the

N 1/2 of the Section. He said he would provide an Affidavit to confirm these facts and the domestic claim information mentioned above.

MTS

JournalBalivimemo

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OCT 09 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

November 20, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JERRY FREDERICK
BALIVI CHEMICAL CO
4401 BALIVI LANE
NAMPA ID 83687

Re: Domestic Claims

Dear Jerry:

After our telephone conversation last week, I reviewed the files relating to the four domestic claims you filed. The claims indicate all four wells and all four domestic uses are in the same legal 40 acre parcel, the NENW, Section 10. Since this is not true, you need to amend the claims to reflect the correct locations. I think this could be best accomplished in our office using an ASCS aerial map.

Another concern is that I find no domestic claim filed for the house near the pond in the SWNW. If you want to file a claim for this use we can also take care of this matter when you are in the office. Please call me at your convenience to set an appointment time to insure I will be available.

Sincerely,

A handwritten signature in cursive script that reads "Mel Schulte".

Mel Schulte
ADJUDICATION BUREAU
Department of Water Resources
Western Region Office
(208) 334-2190

CONTACTFREDERICKLETTER

MICROFILMED

OCT 09 1996

Balivi Chemical Corporation

Potato Sprout Inhibitors

4659 Enterprise Street

Boise, Idaho 83705

(208) 343-1151

August 2, 1989

Donald U. Shaff
c/o State of Idaho
Dept. of Water Resources
1301 N. Orchard Street
Statehouse Mail
Boise, ID 83720

RECEIVED
AUG 04 1989
Department of Water Resources

Dear Mr. Shaff,

Upon receiving your July 20, 1989 letter, may I take this opportunity to withdraw our 1977 priority dated claim, as we agree this appears to indeed be a duplicate claim.

Also please find Item #6 & #7 of 1950 priority dated claim modified to show rate of diversion requested.

I am also enclosing our check #2950 in the amount of \$187.00 for fees on the four domestic wells. Please return mail receipt for our files. Should there be anything else needed, please feel free to call me.

Sincerely,

BALIVI CHEMICAL CORP.



Jim Bower

JB:ca

Enclosure

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SEP 02 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

July 20, 1989

Mr. Jim Bower
Balivi Chemical Company
4659 Enterprise
Boise, Idaho 83705

Re: Snake River Basin Adjudication SRBA
Claim #A63-08609 - Ada County

Dear Mr. Bower:

As you discussed with Helen Harrington-Thornton, we are returning the attached claims. Also enclosed is Receipt #C006672 for \$196.00.

In reference to the claim with the 1977 priority date, you are afforded this opportunity to withdraw the claim. As you discussed with Helen, it appears that this claim is for the same water right as identified in Claim #A63-08609. I have enclosed a copy of #A63-08609 as it has been data-entered for your information.

We are also returning the claim with the 1950 priority from the unnamed drain. As you and Helen discussed, Items #6 and #7 need to be modified to reflect a rate of diversion.

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SEP 02 1992

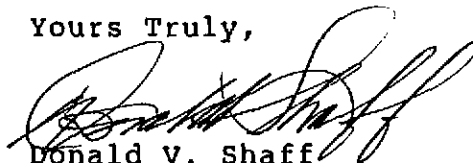
Mr. Jim Bower
Page 2
July 20, 1989

We are unable to process either of the four domestic claims nor the claim for water from the unnamed drain until the appropriate fees are received. The fees are as follows:

Domestic claims (@\$25.00 each)	\$100.00
Irrigation from Unnamed Drain	<u>87.00</u>
Total Due	\$187.00

Please contact Helen if you have any questions. If these claims are returned to this office by August 20, 1989, late fees will not be assessed.

Yours Truly,



Donald V. Shaff
Manager, Adjudication Section

DVS:HHT:mcc:state

Enclosures:

Claim #A63-08609
Claim (1977 Priority Date)
Claim (1950 Priority Date)
Claims (4 Domestic)
Receipt #C006672

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