

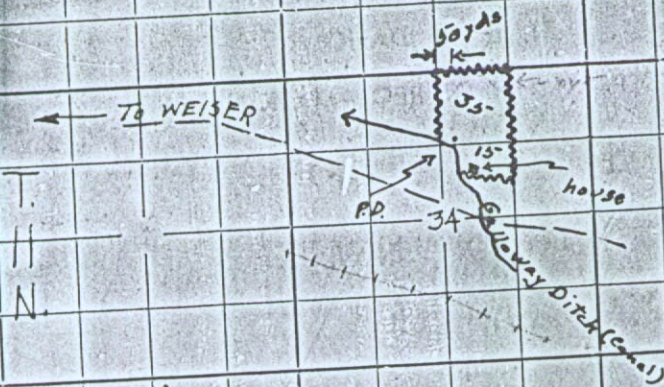
GOV'T PLANT (1870) T10N R05W S-2 E-3

POOR ORIGINAL

MICROFILMED
OCT 22 1996

POOR ORIGINAL

R-15W



PD is in NW NE approx 50 Feet from E of canal

Area = 50 acres.

$G = 35$ inches

T = Not taken

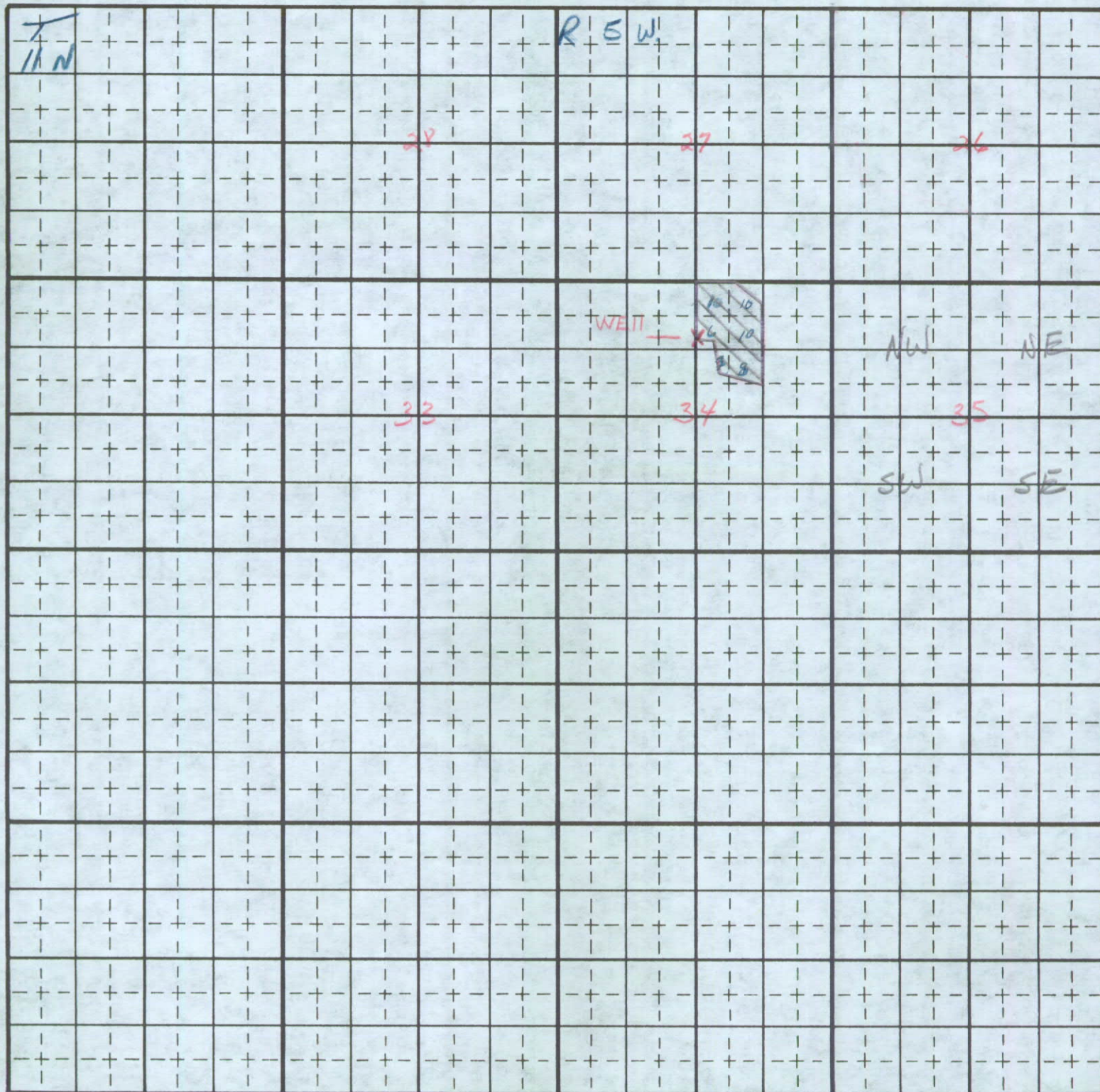
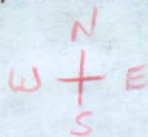
MICROFILMED
OCT 22 1988

Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

423254

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

Scale: 2 inches equals 1 mile



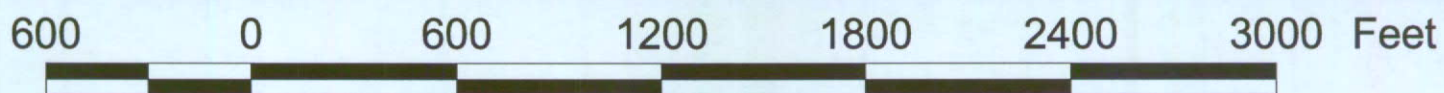
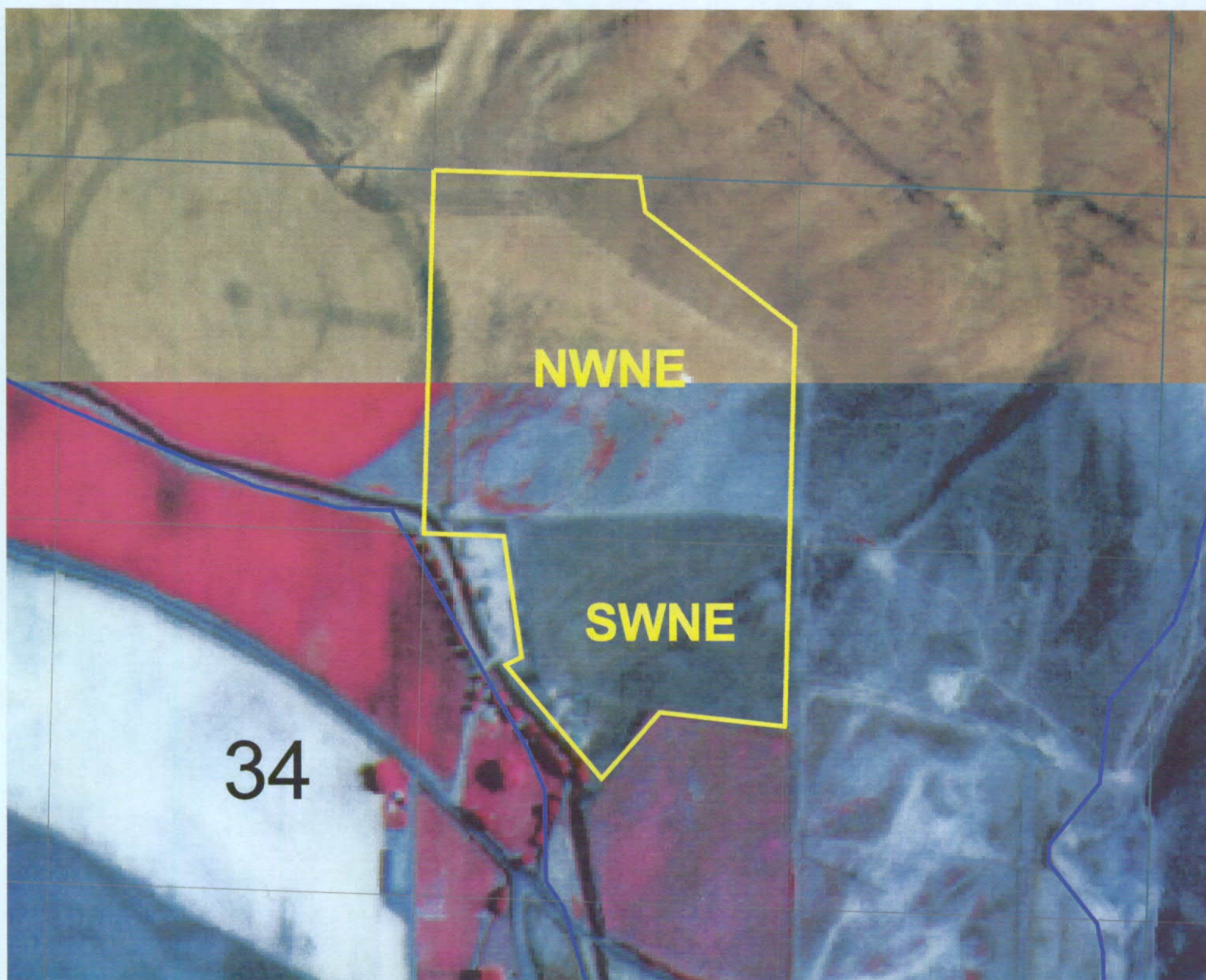
Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

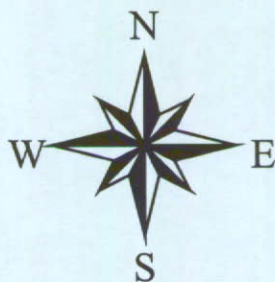
OCT 01 1992

Idaho Department of Water Resources

67-2223



T11N, R05W, S34



Prepared by Anita L. Warntjes
January 15, 2004
1993/94 True Color Photo

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: A67-02223
Date Received: 10/18/1989
Receipt No: W006381
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: WINDING BROOK CORP
Address: C/O AGRIVEST
R H MOORE
PO BOX 53
NAMPA ID

208-466-0419

83653

2. Date of Priority: AUG 20, 1952

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11N	05W	34	NW	NE			WASHINGTON

5. Description of diverting works:
100' WELL W/10" CASING, 30 HP PUMP, DUG IN 1949.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.700		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	05W	34	NW	NE		IRR	35.0
			SW	NE		IRR	15.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	50.0
					Total Acres	50.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
NONE

14. Remarks:
OWNERSHIP CHANGED 12/27/1995 BY MM.

15. Basis of Claim: LICENSE
Water Right Number: 23256



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

DEC 26 1995

WATER RESOURCES
WESTERN REGIONDATE OF CLOSING: 4-13-94

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet. SEE WARRANTY DEED, ATTACHED.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) A67-04150, A67-10248
Assigned by IDWR: A67-02223, A67-10241 A67-10244
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): S + S LAND & CATTLE CO.
P.O. Box 671
WEISER, ID. 83672
- ☐ New Owner/Claimant (Purchaser): WINDING BROOK CORP
- ☐ New Mailing Address: CO AGRI VEST - R.H. MOORE
P.O. Box 53
NAMPA, ID. 83653
- ☐ New Telephone Number: (208) 466 - 0419
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: RECORDED WARRANTY DEED

(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 owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) WINDING BROOK CORP. Date _____
by Rodney H. Moore V. Pres Date 12/15/95
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 12/27/1995 By: MM

Further Action Needed:

Notes & Bounds plat

Further Action Taken

Date: 12/27/1995 By: MM

Final Review and Data-Entry

Date: 12/27/1995 By: MM

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

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OCT 22 1996

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DEC 10 1987

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

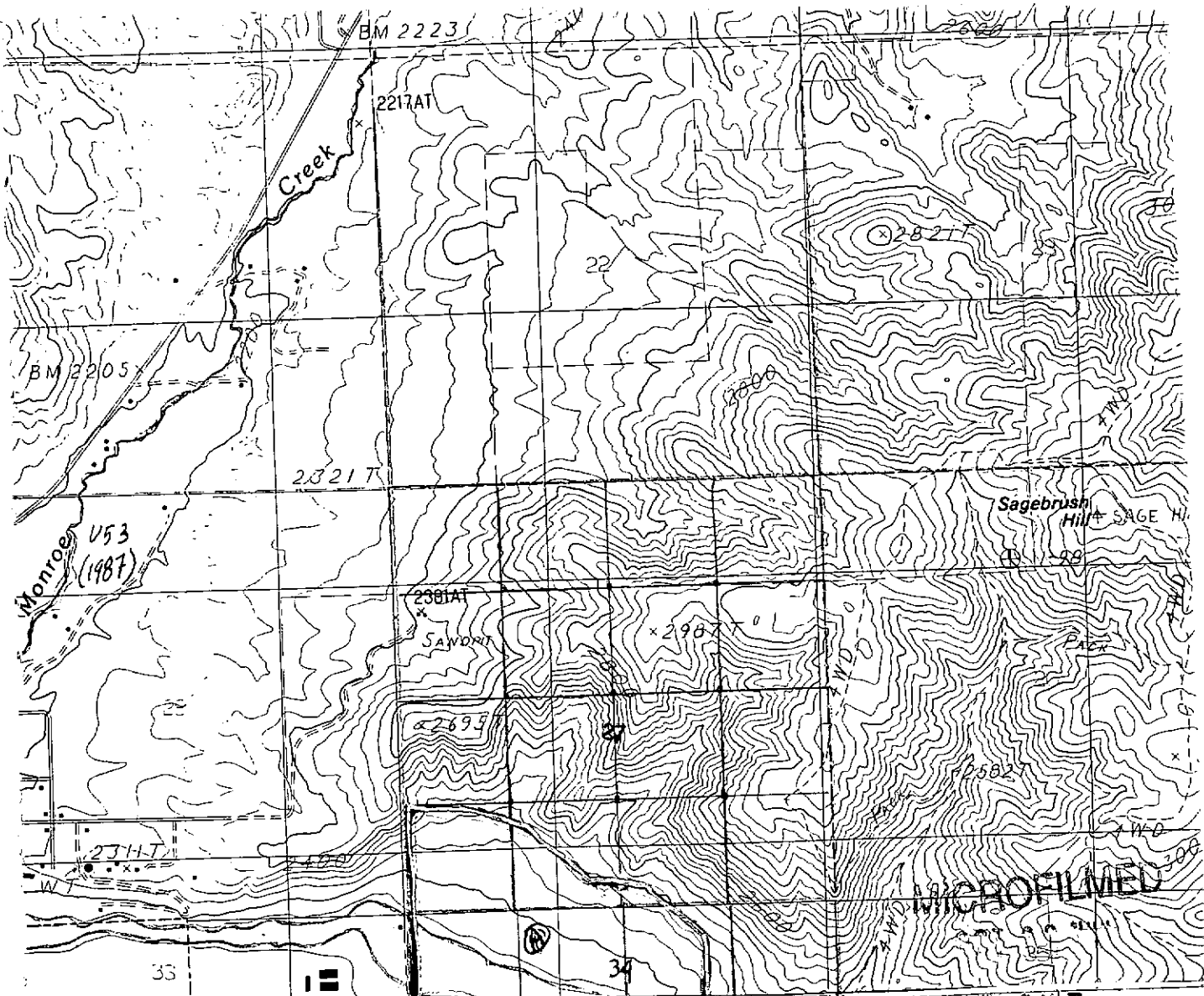
If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

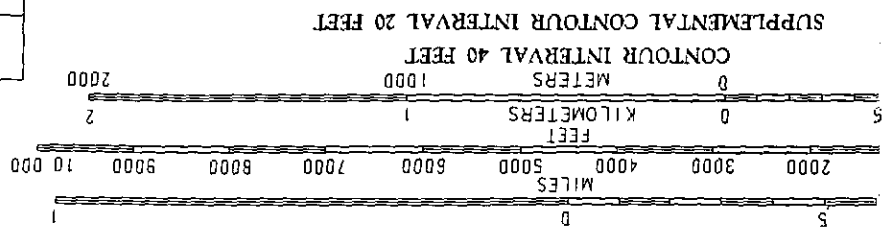
If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.



SCALE 1:24 000



SUPPLEMENTAL CONTOUR INTERVAL 20 FEET

CONTOUR INTERVAL 40 FEET

1	2	3	4
Old Ferry NE	Manon Creek NW	Midvale Hill	Powers Hill

QUADRANGLE LOCATION



Improv.
Unimp.
Trail
Inters

INTS

(Optional)
Recorded ☐
Microfilmed ☐
Indexed ☐

Platted ☐
Deed Card ☐
Compared ☐

Key Punched ☐
Master File ☐
Abstracted ☐

To Treasurer ☐

INSTRUMENT NO. 159882
PAGE 1 OF 3

(DO NOT WRITE ABOVE THIS LINE)

WARRANTY DEED

(CORPORATE FORM)

S & S LAND & CATTLE CO., an Idaho corporation

organized and existing under the laws of the State of Idaho, with its principal office at
Weiser of County of Washington
grantor, hereby CONVEYS or GRANTS and WARRANTS TO

, a corporation

State of Idaho,

WINDING BROOK CORPORATION

of

grantee
for the sum of

TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION----- DOLLARS,
the following described tract(s) of land in Washington County,
State of Idaho:

More particularly described on attached Exhibit "A".

TOGETHER with all minerals, oil and gas, geothermal rights and water rights, licenses and permits held in conjunction with the land which Seller directly owns or controls.
AND TOGETHER with all water rights associated with the property and appurtenant thereto.

Location of above described property

House No.

Street

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 13th day of April, A. D. 1994

RECEIVED

DEC 26 1995

WATER RESOURCES
WESTERN REGION

(CORPORATE SEAL)

S & S LAND & CATTLE CO.

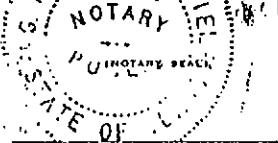
(CORPORATE NAME)

By Thomas H. Sweet PRESIDENT

Attest: Julia M. Sweet SECRETARY

State of Idaho
County of Washington } ss.

On the 13th day of April, A. D. 1994
personally appeared before me THOMAS H. SWEET and
who being by me duly sworn did say, each for himself, that he, the said THOMAS H. SWEET
is the president, and she, the said JULIA M. SWEET is the secretary
of S & S LAND & CATTLE CO., a corporation, and that the within and
foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board
of directors and said Thomas H. Sweet and Julia M. Sweet and
each duly acknowledged to me that said corporation executed the same and that the seal affixed is the
seal of said corporation.



Thomas H. Sweet
(NOTARY PUBLIC)

My residence is Weiser, Idaho
My commission expires 9/1/98

MAIL TAX NOTICE TO:

MAIL TAX NOTICE TO:

Name Winding Brook Corporation

Address 670 Rodney H. Moore

P. O. Box 53 Battleground, Arriest

City & State Nampa, ID

OCT 22 1996

IN WASHINGTON COUNTY, IDAHO:

TOWNSHIP 10 NORTH, RANGE 5 WEST OF THE BOISE MERIDIAN:

Section 2: Lot 4, all that part of Lot 3 lying southerly of Idaho Northern Pacific Railroad Company's right of way, and all that part of the S $\frac{1}{2}$ NW $\frac{1}{4}$ and the N $\frac{1}{2}$ S $\frac{1}{2}$ lying northerly of the main channel of Welser River;

Section 3: Lots 1, 2, and 3, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and all that part of Lot 4, the S $\frac{1}{2}$ NW $\frac{1}{4}$, the SW $\frac{1}{4}$ NE $\frac{1}{4}$, and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ lying northerly and/or easterly of Welser River;

TOWNSHIP 11 NORTH, RANGE 5 WEST OF THE BOISE MERIDIAN:

Section 35: That part of the SW $\frac{1}{4}$ lying southerly of the right of way of the Idaho Northern and Pacific Railroad; AND ALSO

A parcel of land situated within the S1/2S1/2 of Section 27, and the N1/2 of Section 34 said Township and Range, more particularly described as follows:

(A) Beginning at the Section Corner common to Sections 27, 28, 33, and 34 of T.11N., R.5W., B.M.; thence N 0° 30' 54" E, a distance of 1319.06 feet along the west line of the S1/2S1/2 of said Section 27; thence S 85° 41' 30" E, a distance of 1088.60 feet; thence S 54° 25' 25" E, a distance of 1122.50 feet; thence S 59° 28' 36" E, a distance of 480.16 feet; thence S 49° 31' 38" E, a distance of 500.49 feet to a point within the N1/2 of said Section 34; thence S 89° 48' 00" E, a distance of 460.36 feet; thence S 51° 16' 51" E, a distance of 1012.28 feet; thence S 1° 22' 01" W, a distance of 1332.87 feet; thence N 76° 36' 27" W, a distance of 1164.74 feet; thence S 13° 07' 17" W, a distance of 450.57 feet to a point on the northeasterly right-of-way of an existing County Road known as Welser River Road; thence northwesterly along the northeasterly right-of-way of said Welser River Road to a point on the west line of said N1/2 of said Section 34; thence N 0° 00' 00" E, a distance of 1113.70 feet along the west line of said N1/2 to the point of beginning, AND ALSO

All that part of said Section 34 said Township and Range lying South of Welser River Road EXCEPT THE FOLLOWING DESCRIBED PARCELS:

A parcel of land situated within the W1/2NW1/4 of Section 34, and the E1/2NE1/4 of Section 33, said Township and Range, more particularly described as follows:

(B) Beginning at the southwest corner of the W1/2NW1/4 of Section 34, T.11N., R.5W., B.M.; thence N 0° 00' 00" E, a distance of 1027.51 feet along the west line of said W1/2NW1/4 to the TRUE POINT OF BEGINNING; thence S 57° 17' 20" W, a distance of 32.96 feet to a point within the E1/2NE1/4 of said Section 33; thence N 0° 04' 39" W, a distance of 449.93 feet to a point on the southerly right-of-way of an existing County Road known as Welser River Road; thence N 87° 55' 02" E, a distance of 272.58 feet along the southerly right-of-way of said Welser River Road; thence S 88° 23' 58" E, a distance of 99.00 feet along said southerly right-of-way; thence S 2° 04' 56" W, a distance of 348.51 feet; thence N 88° 47' 04" W, a distance of 141.97 feet; thence S 74° 24' 12" W, a distance of 48.15 feet; thence S 66° 42' 26" W, a distance of 52.40 feet; thence S 57° 17' 20" W, a distance of 111.62 feet to the TRUE POINT OF BEGINNING; ALSO EXCEPTING

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OCT 22 1996

A parcel of land situated within the SE1/4 of Section 34, said Township and Range, more particularly described as follows:

Beginning at the southeast corner of Section 34, T.11N., R.5W., B.M.; thence N 0° 06' 20" W, a distance of 460.72 feet along the east line of the SE1/4 of said Section 34 to the TRUE POINT OF BEGINNING, which point is on the northeasterly right-of-way of the Idaho Northern and Pacific Railroad; thence northwesterly along the northeasterly right-of-way of said Railroad, along the arc of a curve right with a long chord bearing N 71° 09' 41" W - 450.95 feet; thence N 67° 29' 34" W, a distance of 948.94 feet along the northeasterly right-of-way of said Railroad; thence N 4° 04' 18" E, a distance of 367.26 feet; thence N 24° 20' 50" E, a distance of 39.01 feet; thence N 88° 15' 17" E, a distance of 30.64 feet; thence N 1° 04' 19" E, a distance of 78.46 feet to a point on the southerly right-of-way of existing County Road known as Sand Road; thence southeasterly along the southwesterly right-of-way of said Sand Road to a point on the east line of said SE1/4; thence S 0° 06' 20" E, a distance of 604.60 feet along the east line of said SE1/4 to the TRUE POINT OF BEGINNING; ALSO EXCEPTING

That portion of the E½ of Section 34, said Township and Range, lying northerly and easterly of Sand Road and Southerly of Welser River Road;

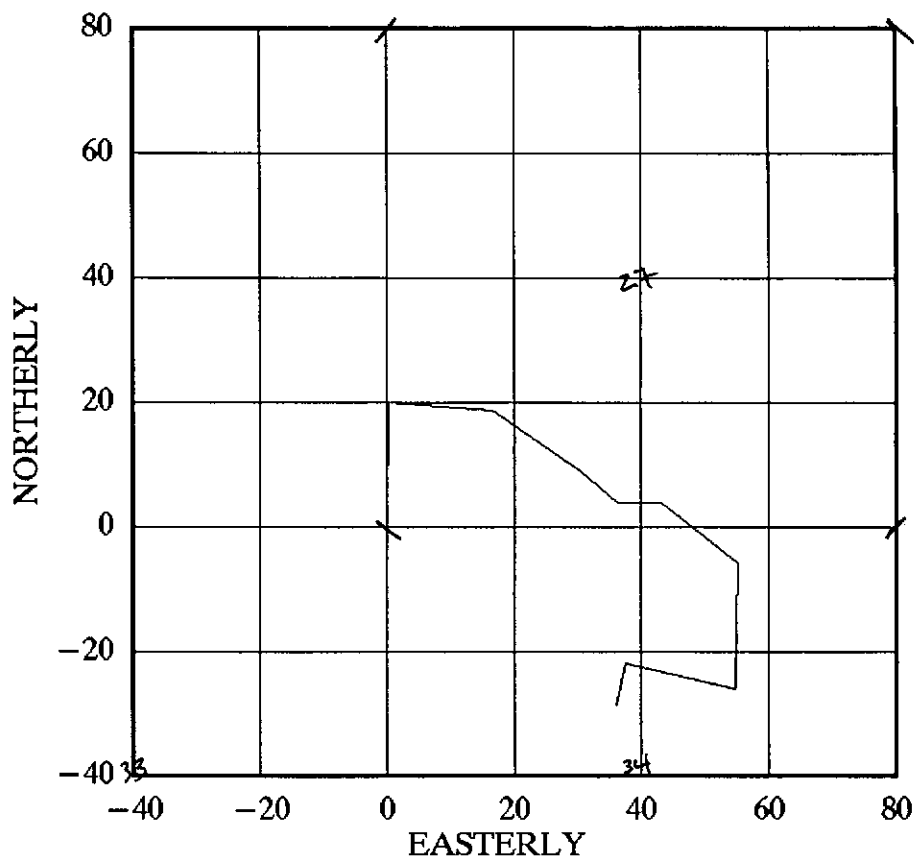
Except rights of way for County Roads, Idaho Northern and Pacific Railroad, Welser Irrigation District Canal and Mill Ditch Canal as now established.

INSTRUMENT NO. 159882
STATE OF IDAHO, COUNTY OF WASHINGTON ss.
Filed for record at the request of

WASHINGTON COUNTY TITLE
15 Min. past FIFTEEN o'clock P.M.
This 14TH day of APRIL 19 94
INDEX TO DEEDS
MARY KALITZ, Recorder, Fee, \$9.00
By J. C. McKnight Deputy
WASHINGTON COUNTY TITLE

☒ Orig. Index
☐ Comp. Rel.
☐ Film
☐ Compare
☐ Card Rel.
☐ Bk. Rel.
☐ Up-date
☐ Return
☐ Copy

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS

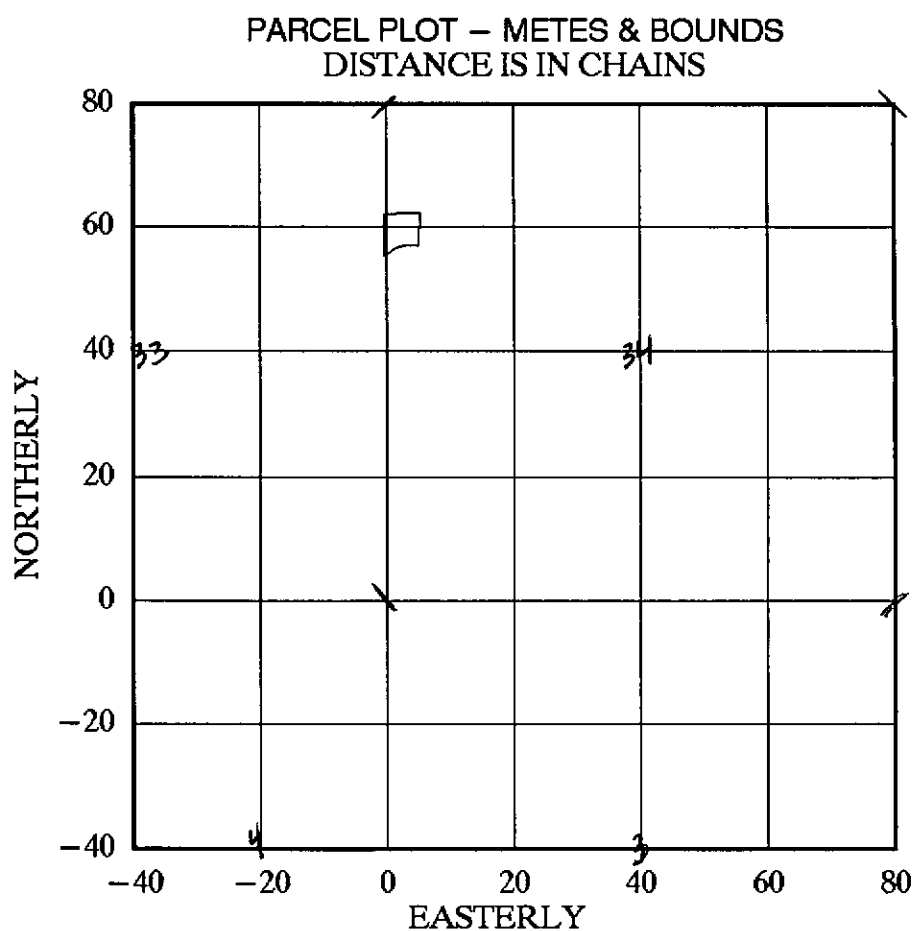


Winding Brook

① Metes +
Bounds description

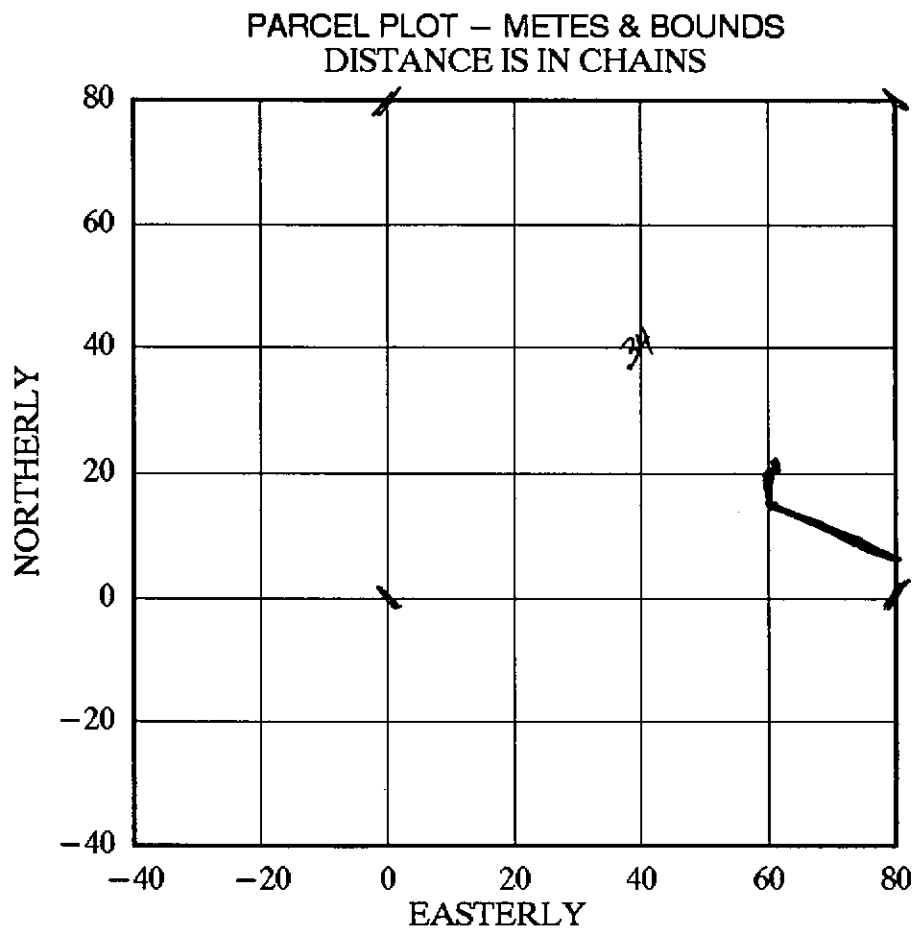
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OCT 22 1996

Winding Brook
⑧ Metes & bounds
description



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OCT 22 1996

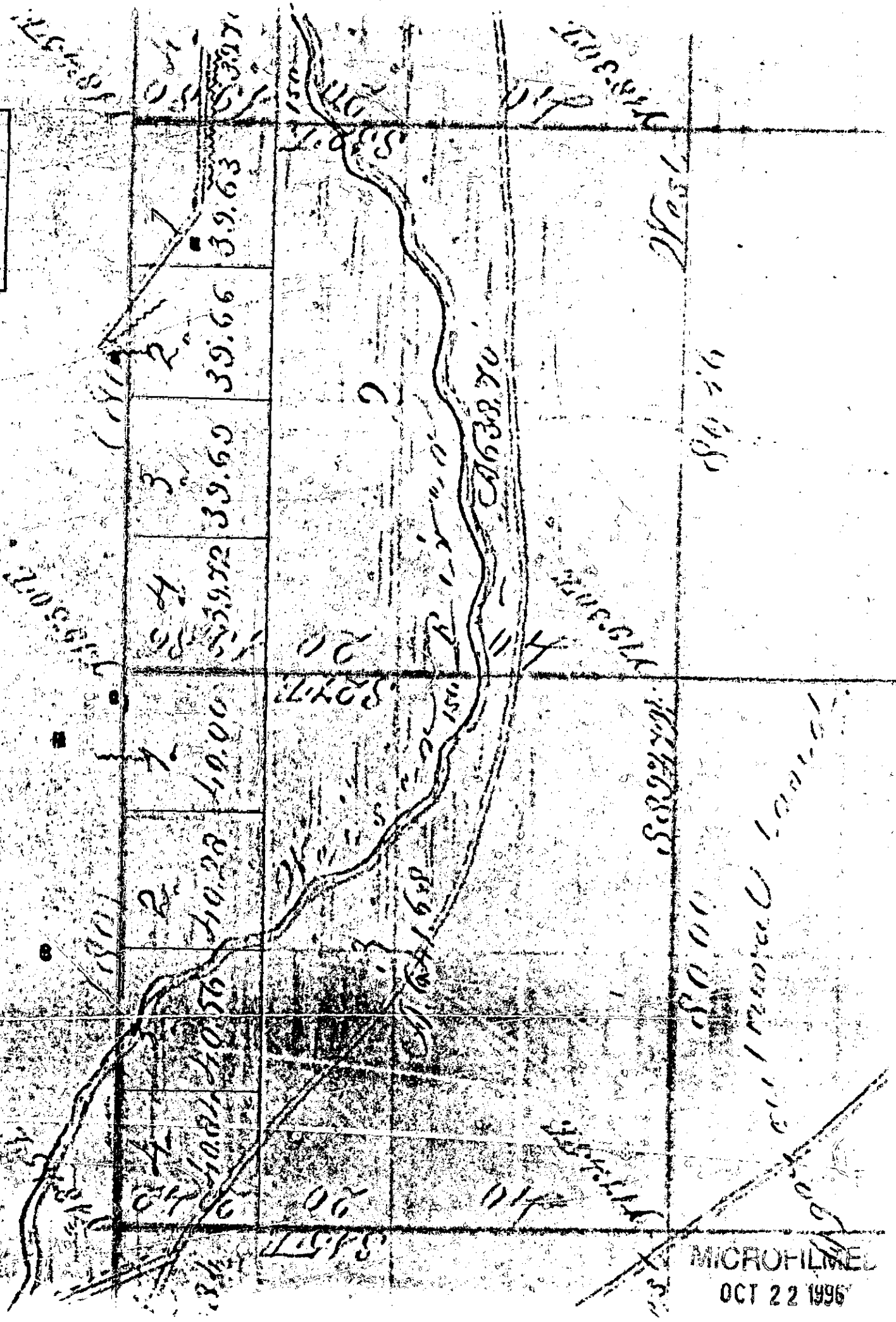
Winding Brook
Metes & Bounds
description



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GOVT PLAT MAP (1870) TION EOSEW S-2 & 3

POOR ORIGINAL



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OCT 22 1996

POOR ORIGINAL

State of Idaho License and Certificate of Water Right

Water License No. G-23256Amount 0.7 second foot

Water District No. _____

Priority August 20, 1952

THIS IS TO CERTIFY that CLAUDE C. and RUBY A. CARPENTER
of Weiser, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated August 20, 19 52; that Permit No. G-23256
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.7 second foot, was issued thereunder on November 7, 19 53, showing that said works
were completed on the 7th day of April, 19 53; and that on the 7th
day of April, 19 53.

CLAUDE C. and RUBY A. CARPENTER
of Weiser, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well (subter-
ranean flow), a tributary of _____, for the purpose of irrigation
under Use Permit No. G-23256 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
B of Licenses at page 5178, on the 7th day of November, 19 53.

The right hereby confirmed dates from August 20, 19 52.

The Point of Diversion is located

in the NW 1/4 NE 1/4, Sec. 34, Tp. 11 N., R. 5 W., B.M. _____, County Washington.

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 0.7 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 N.	5 W.	34	NW 1/4	40	35
			SW 1/4	15.58	15
			Number of acres actually irrigated - - - 50		

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

7th day of November, 19 53.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

67

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OCT 21 1954

STATE OF IDAHO

POOR ORIGINAL

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-23256

This proof is for... Completion of Works and Beneficial Use Water District No.

1. Name of applicant Claude C. & Ruby A. Carpenter, Route 2, Weiser, Idaho

2. Source of water supply: Subterranean flow from a well

3. Location of point of diversion: Is in the NW¹ NE¹ of Section 34

T. 11 N. R. 5 W. County of Washington

4. Describe works as they exist, giving dimensions and capacities of same. Sprinkler system.

Hand dug well 43' balance 12" drilled well. Depth is 65'. H is 43'.
 22' of perforated casing. 3 phase 440v. 30 hp. electric motor connected to
 a 5"x4" centrifugal pump. Pump and motor supported 2' above the water.
 Drawdown approx. 2 feet. 6" main pipe line extends to the NE up the hill.
 880' x 4", 920' x 3", 150' x 2" Al. lateral. 42 sprinkler heads size 3/32 x
 5/32" and 1/8" x 3/16". Water has to be lifted 40' to the highest part of
 the field.

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number
 of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other
 than irrigation):

NW¹ NE¹ Section 34, Township 11 North, Range 5 West, B. M.

See map

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Grain, sugar beets, and melons raised this year. Owner is a partial
 cripple and place is rented.

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This examination was made on the 2nd day of Nov., 1953.

(Signed)

E. N. Humphrey

Examiner

8 23256

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: A67-02223
Date Received: 10/18/1989
Receipt No: W006381
Received By: DE AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: S & S LAND & CATTLE CO. 208-549-0975
Address: P.O. BOX 671
WEISER, ID 83672

2. Date of Priority: AUG 20, 1952

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11N	05W	34	NW	NE			WASHINGTON

5. Description of diverting works:
100' WELL W/10" CASING, 30 HP PUMP, DUG IN 1949.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.700		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

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10. Place of Use:

OCT 01 1992

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	05W	34	NW	NE		IRR	35.0
			SW	NE		IRR	15.0

10. Place of Use: Continued

Total Acres 50.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 23256

MICROFILMED

OCT 01 1992

16. Signature(s)

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

Number of attachments: _____

For 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 _____

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OCT 01 1992

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

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

CIVIL CASE NUMBER: 39576
Ident. Number A 67-02223
Date Received 10/18/89
Receipt Number W00 6381

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) STS Land & Cattle Phone (208) 549-0975
Mailing Address PO BOX 671 Weiser Idaho Zip 83672

2. Date of Priority (Only one (1) per claim) 8-20-1952

3. Source of water supply (a) Ground WATER
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 11N Range 5W Section 34,
SW 1/4 of NW 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Washington

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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 10" casing 100ft Deep 30 horse pump
Dug in 1949

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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.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 3-15 to 11-15 amount 0.7 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.7 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) NONE

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>11N</u>	<u>SW</u>	<u>34</u>		<u>35</u>	<u>15</u>														<u>50</u>

Total number of acres irrigated 50

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

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.
can also be irrigated by other water rights or None ()

14. Remarks:

Last Name _____ Ident No. _____

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Copies: White - State, Yellow - Claimant
OCT 01 1992

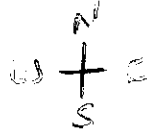
It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

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.

Scale: 2 inches equals 1 mile



COPIES: White States Yellow Claimant

OCT 01 1992

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 61-2223 ~~61-2223~~
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Number of attachments _____
For **Individuals**: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.
Signature of Claimant (s) _____ Date _____
_____ Date _____

For **Organizations**: I do solemnly swear or affirm that I am Vice-President
of St S Land and Cattle Co. Title _____
that I have signed the foregoing
document in the space below as Vice President of St S Land & Cattle Co.
Title _____ Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Thomas H. Huerst
Title and Organization Vice Pres. St S Land & Cattle Date 10-18-89

State of Idaho/or _____)
County of ADA) SS.
Subscribed and sworn (or affirmed) before me this 18th day of Oct 19 89

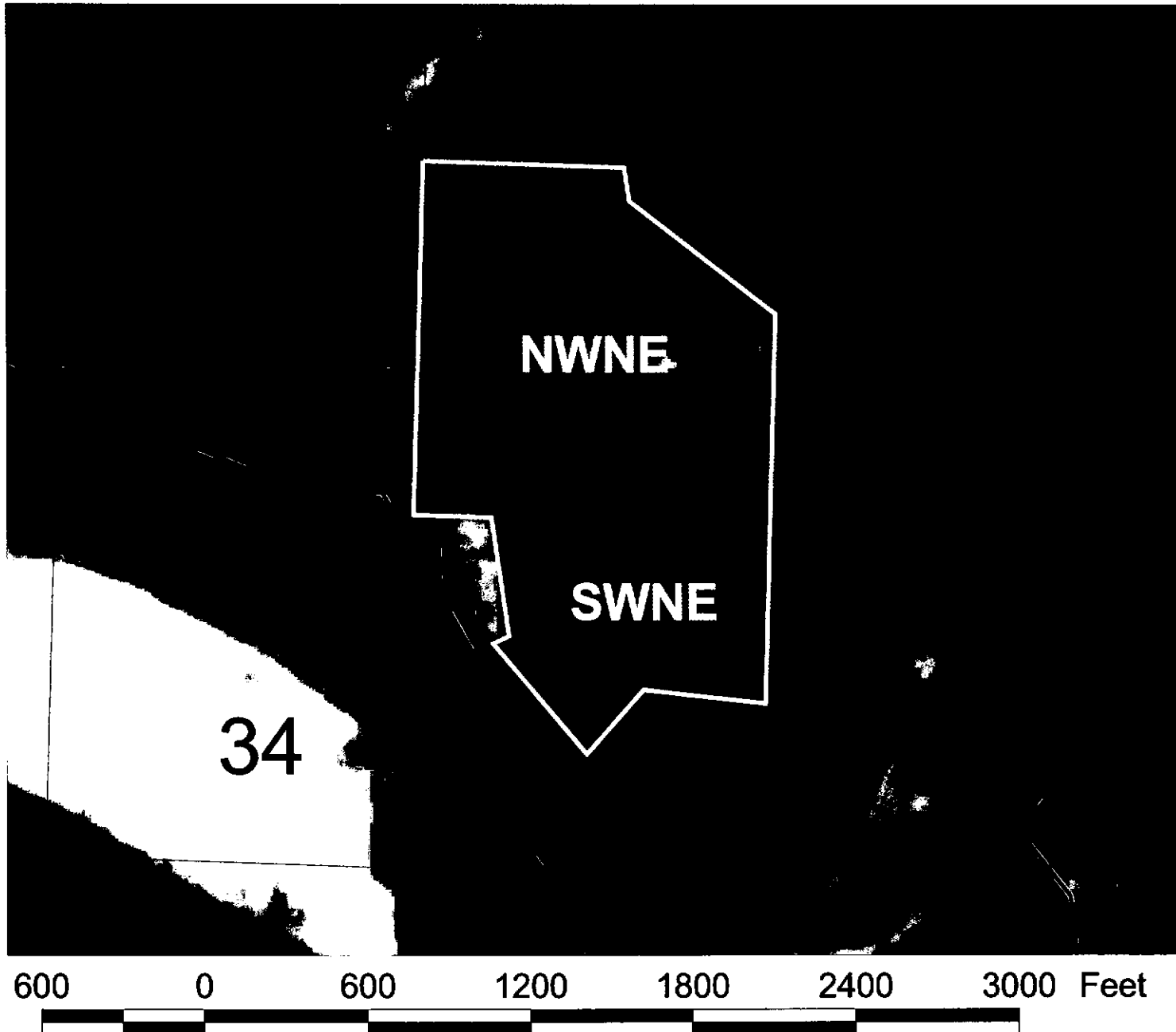
SEAL Notary Public Ron Howerton
Residing at Ron Howerton
My Commission Expires Residing at Boise, Idaho
My Commission Expires December 8, 1994
Please Print Name _____

17. Notice of Appearance:
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

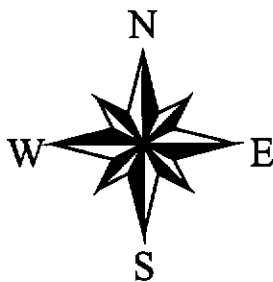
Signature _____
Address _____
Date _____

Idaho Department of Water Resources

67-2223



T11N, R05W, S34



**Prepared by Anita L. Warntjes
January 15, 2004
1993/94 True Color Photo**

State of Idaho

License and Certificate of Water Right

Water License No. G-23256

Amount 0.7 second foot

Water District No. _____

Priority August 20, 1952

THIS IS TO CERTIFY that CLAUDE C. and RUBY A. CARPENTER
of Weiser, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated August 20, 19 52; that Permit No. G-23256
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.7 second foot, was issued thereunder on November 7, 19 53, showing that said works
were completed on the 7th day of April, 19 53; and that on the 7th
day of April, 19 53,

CLAUDE C. and RUBY A. CARPENTER
of Weiser, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well (subter-
anean flow), a tributary of _____, for the purpose of irrigation
under Use Permit No. G-23256 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
8 of Licenses at page 5178, on the 7th day of November, 19 53;
The right hereby confirmed dates from August 20, 19 52;

The Point of Diversion is located
in the NW 1/4 NE 1/4 Sec. 34, Tp. 11 N., R. 5 W., B. M. _____ County Washington

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 0.7 cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
<u>11 N.</u>	<u>5 W.</u>	<u>34</u>	<u>NW 1/4 NE 1/4</u> <u>SW 1/4 NE 1/4</u>	<u>40</u> <u>15.58</u>	<u>35</u> <u>15</u>
Number of acres actually irrigated -				<u>50</u>	

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

7th day of November, 19 53.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

67 2220

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OCT 01 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 27, 1995

S & S LAND & CATTLE CO
PO BOX 671
WEISER ID 83672

RE: Notices of Claim to a Water Right Nos: A67-02223, A67-10241,
A67-10244, A67-10248

Dear Claimant:

Enclosed is a copy of the "Notice of Change of Water Right Ownership" form which has been submitted to this office. This form identifies you as the former owner of the above-referenced water right claims filed in the Snake River Basin Adjudication.

This letter is to notify you that the ownership of the water right claims has been changed to Winding Brook Corporation. This reflects the change in ownership of the land and appurtenant water rights to the new owner.

Please carefully review your records of the water right claims which have been changed. If you have any questions regarding this matter, please contact this office.

Sincerely,

Adjudication Staff
Western Region Office

MM:m

Enc.

MICROFILMED
OCT 22 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 27, 1995

R H MOORE
WINDING BROOK CORP
C/O AGRIVEST
PO BOX 53
NAMPA ID 83653

RE: Notices of Claim to a Water Right Nos. A67-04150, A67-02223, A67-10241
A67-10244, A67-10248

Dear Mr. Moore:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the lands and appurtenant water rights to your company. The address on claim no. A67-04150 has been updated to the Nampa address.

The Department will contact you in the future concerning any requirements that may be needed in order to process the claims for final court decree.

If you have any questions in regard to your water rights, please do not hesitate to contact this office.

Sincerely,

ADJUDICATION STAFF
WESTERN REGION OFFICE

MM:m

Enc.

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OCT 22 1996

Batterymarch: AgrVest

December 21, 1995

RECEIVED

DEC 26 1995

WATER RESOURCES
WESTERN REGION

RODNEY H. MOORE, A.R.A.
VICE PRESIDENT

Ms. Maria Minicucci
Water Agent, Adjudication Bureau
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

Re: WBC #68, Weiser Farm
Washington County, ID
Water Rights

Dear Maria:

This letter will acknowledge receipt of yours dated October 14 that included reports on water rights. In reviewing the legal description of the property acquired by WBC, the water right profile information supplied, and the ownership plat, I have determined the water rights that belong to the above-captioned property.

For Claim #A67-04150, please change the mailing address to reflect what is on the change of ownership form enclosed. Also listed are the other rights on the change of ownership form, which includes the attached warranty deed. Claim #A67-04150 is water rights for two river pumps in the Weiser River. Claim A67-02223 covers an irrigation well, the other four water rights are for domestic water.

Please file this form and return with the adjudication forms and change of ownership. If you have any questions, please do not hesitate to call my office in Nampa. Thanks for your assistance in this matter.

Sincerely,

Rodney H. Moore
Vice-president

Enclosures

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OCT 22 1996



State of Idaho DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

October 14, 1994

R. KEITH HIGGINSON
DIRECTOR

WINDING BROOK CORPORATION
ATTN: GEORGE SCHWAB
C/O BATTERMARCH: AGRIVEST
SUITE 3001
11330 IH 10 WEST
SAN ANTONIO TX 78249

WBC # 68 - WEISER FARM REC'D NAMPA, ID

OCT 25 1994

Batterymarch: AgriVest

RE: Notice of Change of Water Right Ownership

Dear Mr. Schwab:

Winding Brook Corp. submitted a change of ownership form for three claims, numbers A67-04150, A67-03090, and A67-02280. Of these claims, only A67-04150 is appurtenant to the property description in the warranty deed submitted to this office. Claim number A67-02280 is not appurtenant to the property, and IDWR has no claim or existing water right on file with the number (A)67-03090. A copy of claim number A67-04150, which has been changed to reflect the change in ownership, is enclosed.

✓
2 WEISER
RIVER
PUMPS

Also enclosed are reports of other claims which appear to be appurtenant to the property. The first group of claims, listed below, appear to require a change of ownership. Please review these reports carefully and complete the change of ownership form for the claims which should be in your name.

A67-02223 ✓	A67-10241 ^{yes}	A67-10242 ^{NO}	A67-10244 ^{YES} ✓
WELL	STOCKWATER	DOMESTIC - H ₂ O	STOCKWATER

The second group of claims, listed below, may or may not be appurtenant to the property depending on exactly where in the 1/4 1/4 the place of use is located. You may want to consult with the former owner to determine if any of these claims require a change of ownership.

NO - A67-10235	A67-10236 ^{NO}	A67-10240 - NO.
NO - A67-10243	A67-10246 ^{NO}	A67-10248 ^{yes domestic}

If you have any questions or need additional information, please do not hesitate to contact this office.

Sincerely,

Maria Minicucci
Water Agent, Adjudication Bureau

MM:m

Enc: Claim No. A67-04150, Referenced profile reports, Change of Ownership forms (2)

FILL OUT FORMS FOR ABOVE 4 RIGHTS TO PROPERTY - MAIL -

MICROFILMED

OCT 22 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

October 14, 1994

R. KEITH HIGGINSON
DIRECTOR

WINDING BROOK CORPORATION
ATTN: GEORGE SCHWAB
C/O BATTERMARCH: AGRIVEST
SUITE 3001
11330 IH 10 WEST
SAN ANTONIO TX 78249

RE: Notice of Change of Water Right Ownership

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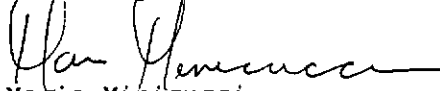
A67-02223 A67-10241 A67-10242 A67-10244

The second group of claims, listed below, may or may not be appurtenant to the property depending on exactly where in the 1/4 1/4 the place of use is located. You may want to consult with the former owner to determine if any of these claims require a change of ownership.

A67-10235 A67-10236 A67-10240
A67-10243 A67-10246 A67-10248

If you have any questions or need additional information, please do not hesitate to contact this office.

Sincerely,


Maria Minicucci
Water Agent, Adjudication Bureau

MM:m

Enc: Claim No. A67-04150, Referenced profile reports, Change of
Ownership forms (2)

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OCT 22 1996