

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 63-2706A
Date Received: 10/4/1989
Receipt No: W006150
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JIM DECIME Phone: (208)459-3436
2615 IOWA
CALDWELL ID USA 83605

JUDY A DECIME Phone: (208) 459-3436
2615 IOWA
CALDWELL ID USA 83605

2. Date of Priority: 07/02/1948

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	03W	23	SW SW SW	CANYON	

5. Description of diverting works:

200 FT WELL, 12 INCH CASING, 40 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	1.62	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	03W	22	NE	SE	IRRIGATION	40
					Section Acres	40
03N	03W	23	NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
					Section Acres	80
					Total Acres	120

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

Change in ownership processed 11/10/06 - kw

15. Basis of Claim: License

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.

RECEIVED

NOV 08 2006

RECEIVED

NOV 02 2006

WATER RESOURCES
WESTERN REGION

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

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	63-3146				
	63-2706A				

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

☒ A. The appropriate **FILING FEE**. See instructions for fee amounts.

☒ B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

☒ C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

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

3. Name and Address of Former
Owner/Claimant(s)

Ruby Fogliatti
14255 S. Indiana, Nampa, ID 83651

4. New Owner/Claimant(s)

Judy/Jim Decime

Name Connector (Check one): [] and, [] or, ☒ and/or

New Mailing Address

2615 Iowa

City, State and ZIP Code

Caldwell, ID 83605

New Telephone Number

(208) 459-3436

5. Date you acquired the property

Dec. 17, 1991; June 26, 1996
January 3, 1992

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

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

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

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

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

For Office Use Only

Received by _____ Date _____ Fee N/A
 Receipted by _____ Date _____ Receipt No. _____
 Processed by FW AJ Date 11/10/06 WR _____ Date _____

TITLEONE CORPORATION

Authorized agent for:

FIDELITY NATIONAL TITLE INSURANCE COMPANY

Commitment Number: C058787 JAS/KM

SCHEDULE A

1. Effective Date: April 21, 2005 at 07:30 AM

2. Policy (or Policies) to be issued:

(a) ALTA Own. Policy (10/17/92)	STANDARD COVERAGE	Amount of Insurance:	\$ 1,000,000.00
Proposed Insured:		Premium:	\$ 2,780.00

~~JAMES T. DECIME~~

(b) ALTA Loan Policy (10/17/92)	STANDARD COVERAGE	Amount of Insurance:
Proposed Insured:		Premium:

~~STANDARD COVERAGE, the undersigned hereby assigns to their respective interests
may appear~~

Endorsements:

Charges:

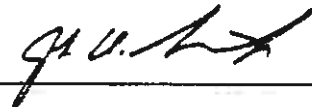
3. The estate or interest in the land described or referred to in this Commitment and covered herein is:
Fee Simple

4. Title to the estate or interest in said land at the effective date is vested in:
JIM DECIME and JUDY DECIME, husband and wife

5. The land referred to in this Commitment is described as follows:
SEE SCHEDULE C ATTACHED HERETO

TITLEONE CORPORATION

By: _____



JOHN A. SMITH, Title Officer

TITLEONE CORPORATION

Authorized agent for:

FIDELITY NATIONAL TITLE INSURANCE COMPANY

Commitment Number: C058787 JAS/KM

SCHEDULE B - SECTION I REQUIREMENTS AND NOTES

The following are the requirements to be complied with:

- a. Necessary conveyance to the proposed insured.
- b. Deed of Trust or Mortgage securing the loan.

NOTE: If a Deed of Trust is contemplated as a part of this transaction, the correct name to be entered as the Trustee is: TITLEONE CORPORATION

NOTE: The Company has conducted a judgment and lien search of the public records, as of the effective date shown on Schedule A, against the vested owner and/or the proposed insured owner/borrower. The Company has found no such items other than those shown on Schedule B, if any.

- c. NOTE: According to the available records, the purported address of said land is:

14255 Indiana Avenue
Nampa, ID 83651

TITLEONE CORPORATION

Authorized agent for:

FIDELITY NATIONAL TITLE INSURANCE COMPANY

Commitment Number: C058787 JAS/KM

SCHEDULE B - SECTION II EXCEPTIONS

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the company:

1. Rights or claims of parties in possession not shown by the public records.
2. Encroachments, overlaps, boundary disputes, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.
3. Easements, or claims of easements, not shown by the public records.
4. Any lien, or right to a lien, for services, labor, or materials heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims to title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
6. Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices to such proceedings whether or not shown by the records of such agency, or by the public records.
7. Taxes, including any assessments collected therewith, for the year 2005 which are a lien not yet due and payable.
8. Taxes for the year 2004 are paid in full.
Parcel Number: R32972-010-0
Code Area: 145-00
Original Amount: \$1407.66
(As to Parcel 1)
9. Taxes for the year 2004 are paid in full.
Parcel Number: R32972-000-0
Code Area: 145-00
Original Amount: \$519.56
(As to Parcel 2)
10. Taxes for the year 2004 are paid in full.
Parcel Number: R32979-010-0
Code Area: 145-00
Original Amount: \$645.84
(As to Parcel 3)
11. Levies and assessments of the Pioneer Irrigation District and the rights, powers, and easements of said district as provided by law.

TITLEONE CORPORATION

Authorized agent for:

FIDELITY NATIONAL TITLE INSURANCE COMPANY

Commitment Number: C058787 JAS/KM

SCHEDULE B - SECTION II

EXCEPTIONS

(Continued)

12. Levies and assessments of the Wilder Irrigation District and the rights, powers, and easements of said district as provided by law.
13. Right-of-way for S. Indiana Avenue and the rights of access thereto for maintenance of said avenue.
14. Right-of-way for Lone Star Road and the rights of access thereto for maintenance of said road.
15. Ditch, road and public utility easements as the same may exist over said premises.
16. Right of way for ditches, tunnels, telephone and distribution lines constructed by authority of the United States, as granted to the United States under the provisions of Section 58-604 Idaho Code.
17. Reservations and exceptions in a United States Patent, and in the act authorizing the issuance thereof.
Recorded: February 26, 1954
Instrument No.: 407581
18. An easement for the purpose shown below and rights incidental thereto as set forth in a document.
Granted to: Idaho Power Company
Purpose: Public Utilities
Recorded: March 18, 1955
Instrument No.: 420126
(Affects the East half of the Southwest quarter of the Southwest quarter, Section 23, Township 3 North, Range 3 West)
19. A Deed of Trust to secure an indebtedness in the amount shown below and any other obligations secured thereby:
Amount: \$65,200.00
Trustor/Grantor: Jim Decime and Judy Decime, husband and wife
Trustee: Alliance Title and Escrow Corp.
Beneficiary: Mountain West Bank
Dated: May 3, 2004
Recorded: May 3, 2004
Instrument No.: 200423755
(Affects Parcel 1)
20. Reservations as disclosed in Warranty Deed recorded April 8, 1970, as Instrument No. 641896, records of Canyon County, Idaho, as follows:

Grantees grant to Grantors the right of ingress and egress to keep Grantor's waste ditch located on aforesaid real property cleaned for irrigation purposes.

TITLEONE CORPORATION

Authorized agent for:

FIDELITY NATIONAL TITLE INSURANCE COMPANY

Commitment Number: C058787 JAS/KM

SCHEDULE C PROPERTY DESCRIPTION

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

PARCEL 1:

Part of the Northeast Quarter of the Southeast Quarter of Section 22, Township 3 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, more particularly described as follows, to-wit:

Commencing at the Southeasterly corner of the Northeast Quarter of the Southeast Quarter, said Section 22; thence running

West along the South boundary line of said Northeast Quarter of the Southeast Quarter, said Section 22, a distance of 235 feet to the POINT OF BEGINNING; thence

North 100 feet on a line parallel to the Easterly boundary of the Northeast Quarter of the Southeast Quarter of said Section 22; thence

223.6 feet Northwest to a point, which point is 200 feet Northerly of the South boundary line of said Northeast Quarter of the Southeast Quarter, said Section 22; thence

South 200 feet on a line parallel to the Easterly boundary of the Northeast Quarter of the Southeast Quarter of said Section 21 to the South boundary line of said Northeast Quarter of the Southeast Quarter, said Section 22; thence

East 200 feet along the Southerly boundary of the Northeast Quarter of the Southeast Quarter of said Section 22 to the POINT OF BEGINNING.

PARCEL 2:

The Northeast Quarter of the Southeast Quarter of Section 22, Township 3 North, Range 3 West of the Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM:

Part of the Northeast Quarter of the Southeast Quarter of Section 22, Township 3 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, more particularly described as follows, to-wit:

Commencing at the Southeasterly corner of the Northeast Quarter of the Southeast Quarter, said Section 22; thence running

West along the South boundary line of said Northeast Quarter of the Southeast Quarter, said Section 22, a distance of 235 feet to the POINT OF BEGINNING; thence

North 100 feet on a line parallel to the Easterly boundary of the Northeast Quarter of the Southeast Quarter of said Section 22; thence

223.6 feet Northwest to a point, which point is 200 feet Northerly of the South boundary line of said Northeast Quarter of the Southeast Quarter, said Section 22; thence

South 200 feet on a line parallel to the Easterly boundary of the Northeast Quarter of the Southeast Quarter of said Section 22 to the South boundary line of said Northeast Quarter of the Southeast Quarter, said Section 22;

TITLEONE CORPORATION

Authorized agent for:

FIDELITY NATIONAL TITLE INSURANCE COMPANY

Commitment Number: C058787 JAS/KM

SCHEDULE C

(Continued)

thence

East 200 feet along the Southerly boundary of the Northeast Quarter of the Southeast Quarter of said Section 22 to the POINT OF BEGINNING.

PARCEL 3:

The West One Half of the Southwest Quarter of Section 23, Township 3 North, Range 3 West of the Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM:

That part of the Northwest Quarter of the Southwest Quarter of Section 23, Township 3 North, Range 3 West of the Boise Meridian, more particularly described as follows, to wit:

Beginning at the quarter corner on the West side of above Section 23; thence East on the quarter section line 325.5 feet; thence

South 35°0' West 580.1 feet to the point on the West line of Section 23, Township 3 North, Range 3 West of the Boise Meridian; thence following the section line

North 475.1 feet to the quarter corner, the POINT OF BEGINNING.

TITLEONE CORPORATION
Authorized agent for:
FIDELITY NATIONAL TITLE INSURANCE COMPANY

Commitment Number: C058787 JAS/KM

CONTACT INFORMATION

We would like to Thank You for your business. We appreciate the opportunity to serve you and the following contact information has been provided for your convenience during this transaction.

If you have any closing questions please contact your Escrow team:

KENNA MERRIGAN
ESCROW OFFICER:
kmerrigan@titleonecorp.com
5700 E. FRANKLIN RD., STE 170
NAMPA, IDAHO 83687
(208) 475-1155 PH
(208) 475-1156 FX

TERRIE HUGHES
ESCROW ASSISTANT:
thughes@titleonecorp.com
5700 E. FRANKLIN RD., SUITE 170
NAMPA, IDAHO 83687
(208) 475-1155 PH
(208) 475-1156 FX

If you have any title questions please contact your Title Officer:

JOHN A. SMITH
TITLE OFFICER:
jsmith@titleonecorp.com
5700 E. FRANKLIN RD., SUITE 170
NAMPA, IDAHO 83687
(208) 475-1136 PH
(208) 475-1156 FX

A copy of this commitment has been provided to:

JAN
WHITE PETERSON
5700 EAST FRANKLIN ROAD, SUITE 200
NAMPA, ID 83687-8402
(208)466-9272

SILVERHAWK REALTY
664 RIVERSHORE DRIVE
EAGLE, ID 83616
(208)489-3838

Visit us at our website: www.titleonecorp.com
1101 West River St., Ste 201 Boise, Idaho 83702 208.424.8511 fax 208.424.0049
12592 W. Explorer Dr., Ste 150 Boise, Idaho 83713 208.323.4888 fax 208.323.4999
1940 S. Bonito Way, #190 Meridian, Idaho 83642 208.493-6350 fax 208.493.6360
5700 E. Franklin Rd., Ste 170 Nampa, Idaho 83687 208.475.1155 fax 208.475.1156
316 12th Ave. Rd Nampa, Idaho 83686 208.249.3999 fax 208.249.3998

Sec. 22 T3N R3W

03N03W22

ORCHARD AVENUE

LAKE LOWELL

BUREAU OF LAND MANAGEMENT

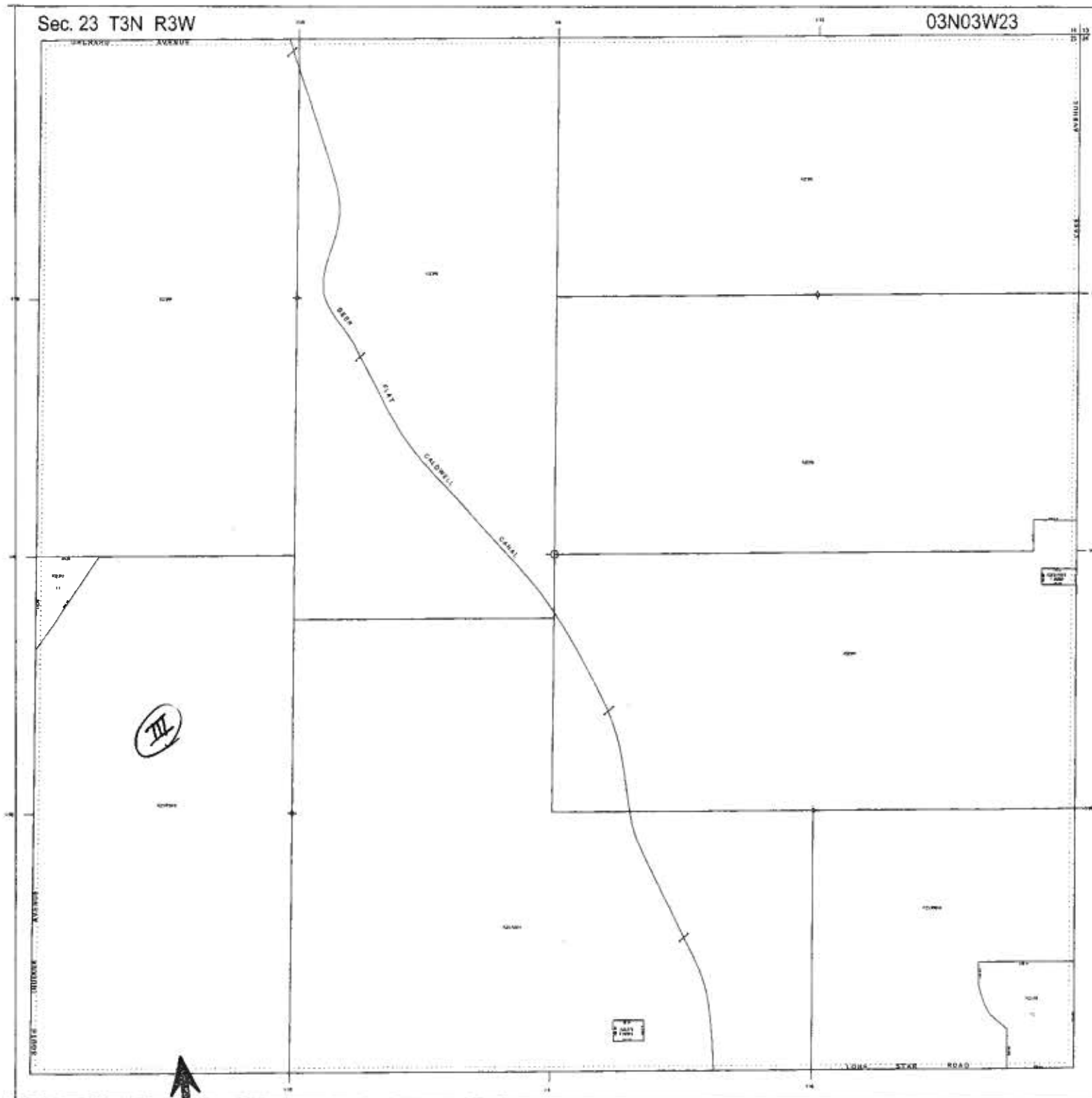
IV

3



Sec. 23 T3N R3W

03N03W23



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: A63-02706A
Date Received: 10/ 4/1989
Receipt No: W006150
Received By: DE JAL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RUBY E FOGLIATTI 208-466-5096
Address: 14255 INDIANA
NAMPA ID 83651

AND/OR

Name: JUDY A DECIME
Address: 2615 IOWA
CALDWELL ID 83605

2. Date of Priority: JUL 2, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	03W	23	SW	SW	SW		CANYON

5. Description of diverting works:
200' WELL, 12" CASING, 40 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.620		

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

8. Total consumptive use is 420.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	03W	22	NE	SE		IRR	40.0

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JUL 25 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	40.0
		23	NW	SW	IRR	40.0
			SW	SW	IRR	40.0
					Section Acres	80.0
					Total Acres	120.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
63-3146

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 20538

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: _____

MICROFILMED
JUL 25 1994

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
JUL 25 1994

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

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

CIVIL CASE NUMBER: 39576
Ident. Number 63-2706H
Date Received 10-4-89
Receipt Number W0006150

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Decima Ruby E. Fagliatti for Judy A. Phone (208) 466-5096
14255 Indiana, Mailing Address Nampa, Ida (or 2615 Iowa Caldwell Zip 83605, 83651

2. Date of Priority (Only one (1) per claim) 7/2/48

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

4. a. Location of existing point of diversion is: Township 34 Range 34 Section 23,
SW 1/4 of SW 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of Canyon

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. 12 inch casing, 200 ft deep,
40 HP motor

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JUL 25 1994

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 1.62 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.62 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 420 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>34</u>	<u>3W</u>	<u>23</u>										<u>40</u>	<u>40</u>						<u>80</u>
		<u>22</u>													<u>40</u>				<u>40</u>

Total number of acres irrigated 120

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

12. Do you own the property listed above as place of use? Yes ✓ 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.
63-3146 or None ()

14. Remarks:

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JUL 25 1994

Last Name Foglietti Ident No. 63-2706

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

~~MICROFILMED~~

JUL 25 1994

Last Name Foglietti

Ident No. 63-2706

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

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 ☒ 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) Ruby E. Fagliatti Date 9/22/89

Date _____

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

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 22 day of September 19 89

SEAL

Notary Public John K. Noyer

Residing at 15470 Homelake Rd
Caldwell, Ida.

My Commission Expires Sept 21, 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 _____

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JUL 25 1994

Last Name Fagliatti Ident. Number 63-2706.

Copies White-State, Yellow-Claimant

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

WR0749NP
No. 63-02706A

OWNER CODE: C HARRY T. FOGLIATTI
NAME & ADDRESS: RT. 1
Nampa ID
PRIORITY DATE: 07/02/1948
WATER USE: IRRIGATION
USE PERIOD FROM: 00-00 00-00
TO: 00-00 00-00
DIVERSION RATE: 1.62 CFS
DIVERSION VOLUME: 1.62 CFS
TOTAL DIVERSION: 1.62 CFS

Stage: LICENSE

Tributary to:

Water Source: GROUNDWATER

Point(s) of Diversion:		T03N R03W S23	SW SW
Place of use Legal Description for: IRRIGATION			
		NE	SE
NENE NUNE SENE		NENW NWNW SNWV SENW	NESE NWSE SWSE SESE
T	R	S	SUM
03N	03W	22	40.0
03N	03W	23	80.0
TOTAL ACRES			120.0

Pou County: CANYON

Other Water Rights Listing Overlapping Place(s) of use:
63-03146

Dates: App. Received: 07/02/1948
Proof Due Date: 07/02/1948
Exam Made Date: 07/02/1948
Exam Sent to S.O.: 07/02/1948

Misc: Water District Number: 00/00/00
Field Exam Fee: 00/00/00

MICROFILMED
JUL 25 1994

POOR ORIGINAL

State of Idaho License and Certificate of Water Right

Water License No. 20538

Amount 1.62 c.f.s.

Water District No.

Priority July 2, 1948

THIS IS TO CERTIFY that

HARRY T. FOGLIATTI

of Route #1, Nampa, Idaho

, made application for a permit to appropriate the

public waters of the State of Idaho, dated

July 2, 1948 ; that Permit No. 20538

was issued under said application; that Certificate of Completion of works, with a carrying capacity of

2.4 second feet, was issued thereunder on August 23, 1956

, showing that said works

were completed on the 7th day of

August

1956 ; and that on the 12th

day of September

1956

HARRY T. FOGLIATTI

of Route #1, Nampa

, 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

, a tributary of

subterranean

, for the purpose of

Irrigation

, under Use Permit No.

20538

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

10 of Licenses at page 6685, on the 4th day of

September

1957 ;

The right hereby confirmed dates from

July 2

1948 ;

The Point of Diversion is located

In the S1/4

SW 1/4

Sec. 23

Tp. 3 N., R. 3 W.

B. M.

County Canyon

That the amount of water to which such right is entitled and aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.62 cubic feet per second.

reby confirmed, for the purposes
ved for said purposes, and shall

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N.	3 W.	23	1/4 SW 1/4	10	10
		22	SW 1/4	10	10
			SE 1/4	10	10
Total number of acres irrigated				120	

MICROFILMED
JUL 25 1994

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

4th day of

September

1957.

/s/ Harry T. Fogliatti

State Reclamation Engineer.

(SEAL)

63 2700

DATE: 02/02/93
PAGE: 1

TOTAL DIVERSION: 1.20 CFS

point(s) of Diversion:

[illegible]

Polu County: CANYON

Audit: 00/00/00

MICROFILMED
JUL 25 1994

12-1-92

ADJUDICATION CLAIM REVIEW CHECKLIST

CLAIMANT'S NAME

Logliatti Ruby

CLAIM IDENT. NO.

AG3-02706

DATE RECEIVED

10-4-89

RECEIPT #

W6150

FEE PAID \$

245

FEE REQ'D \$

YES

NO

Required Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☒ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO *
- See Adjudication Memos #1 and #4 to determine if a Permit is required.
3. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☒ YES ☐ NO N/A
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? ☒ YES ☐ NO *
- The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.
- 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? ☒ YES ☐ NO N/A
- Is the consumptive use correct? ☒ YES ☐ NO N/A
9. Are the non-irrigation uses listed showing # of homes, hd. of stock? ☒ YES ☐ NO *
- If multiple domestic, is single ownership indicated? ☒ YES ☐ NO *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ 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.) ☒ YES ☐ NO N/A
15. Is the basis of the claim indicated? ☒ YES ☐ NO *
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed? ☒ YES ☐ NO N/A
- If yes, compare claim w/existing right and attach proof report noting any differences in comments.
- If no, was water right no. found? ☒ YES ☐ NO *
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim? ☒ YES ☐ NO N/A
- (If yes, attach a proof report & complete number change)
- NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.
18. If the claimant requested a monthly docket sheet, was the fee paid? ☒ YES ☐ NO N/A
19. Is the claim signed by the claimant, and is the signature appropriate? ☒ YES ☐ NO *
20. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
21. Was this claim filed on time? ☒ YES ☐ NO *
- (Check ML3 for date mailed-not all were mailed on the planned date)
- If no, was an extension of time filed & approved? ☒ YES ☐ NO *
22. Is the fee enclosed correct? ☒ YES ☐ NO Exempt *

MICROFILMED

JUL 25 1994

YES NO

23. Is this claim being rejected and returned to claimant? ☐ ☒
24. Can this claim be data entered? ☒ ☐
25. Was claim modified? ☐ ☒
- If yes, do modifications require notification to claimant? ☐ ☐
- Note: Modifications made must be explained in comments stating where the information for any changes was found.

Claim reviewed by: L. Wernier Date 2-2-93

Claim data entered by: JD Date 4-28-93

IF REQUIRED INFORMATION IS INCOMPLETE SEE INSTRUCTIONS TO DECIDE WHETHER THE CLAIM NEEDS TO BE RETURNED OR IF IT CAN BE MODIFIED. IF IT MUST BE RETURNED INSTRUCTIONS WILL SPECIFY WHICH FORM LETTER TO USE.

Comments: This claim is appurtenant to 63-2076A.

MICROFILMED
JUL 25 1994

11/10/2006

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

RIGHT NUMBER: 63-2706A

NAME AND ADDRESS: JUDY A DECIME
2615 IOWA
CALDWELL ID 83605

JIM DECIME
2615 IOWA
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.620 CFS

Rights 63-3146 and 63-2706A when combined shall not exceed a total annual maximum diversion volume of 531.0 af at the field headgate, and the irrigation of 118 acres.

PRIORITY DATE: 07/02/1948

POINT OF DIVERSION:

T03N R03W S23 SWSWSW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	1.620 CFS

PLACE OF USE: IRRIGATION in CANYON County

T03N R03W S22	NESE	40.00	T03N R03W S23	NWSW	38.00
T03N R03W S23	SWSW	40.00			

118 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.



Idaho Department of Water Resources

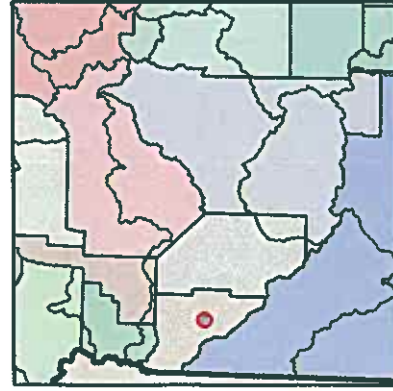
SRBA Recommendation:

63-2706A

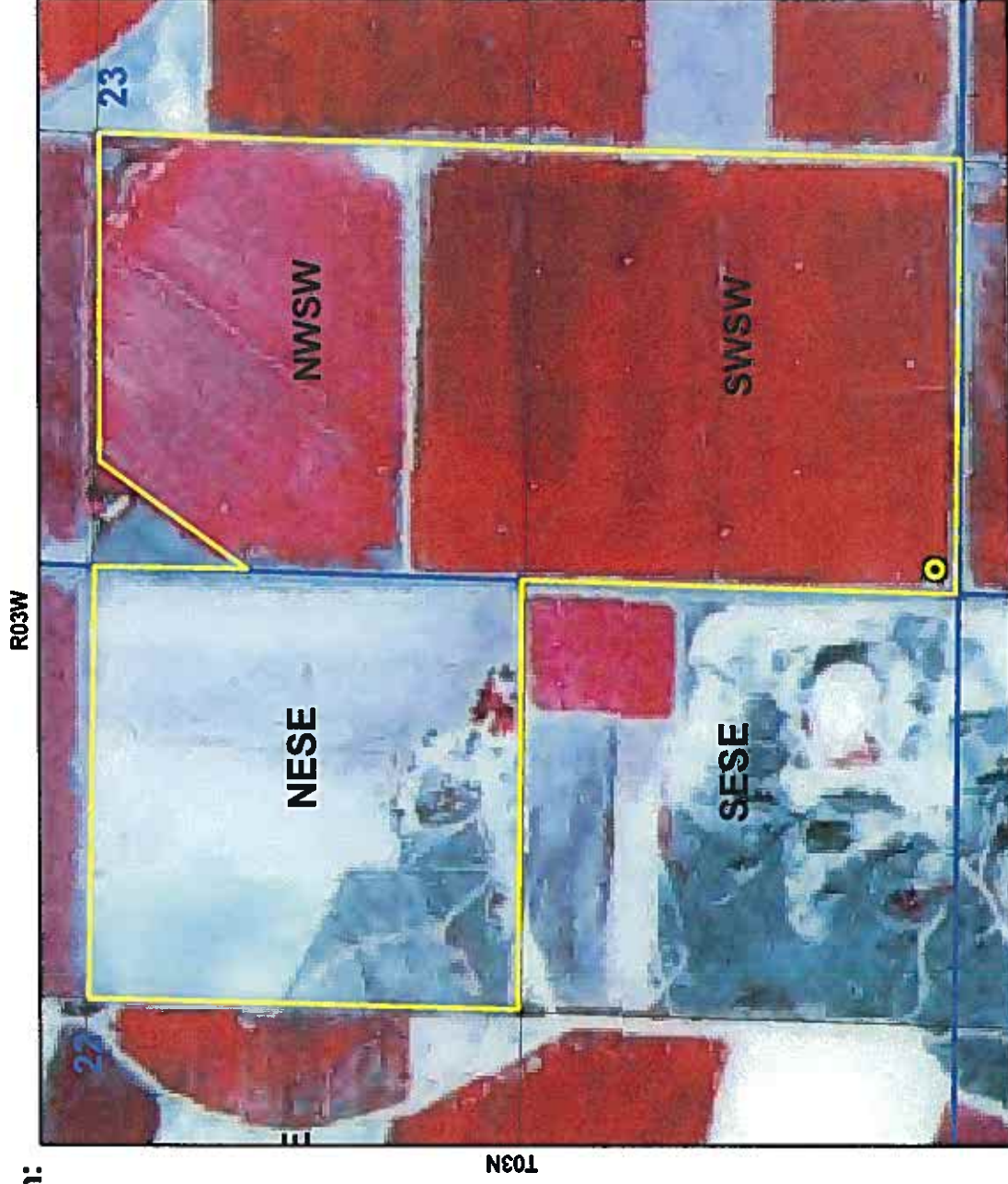
(Irrigation)

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Canyon County
IDWR Basin 63



Prepared by K. Walker
On Friday, November 10, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2706A V1

WATER RIGHT NUMBER: 63-2706A V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	HARRY T FOGLIATTI RT 1 NAMPA, ID
Original Owner	RUBY E FOGLIATTI 14255 INDIANA NAMPA, ID 83651 (208)466-5096
Current Owner	JUDY A DECIME 2615 IOWA CALDWELL, ID 83605 (208) 459-3436
Current Owner	JIM DECIME 2615 IOWA CALDWELL, ID 83605 (208)459-3436

Priority Date: 07/02/1948

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	1.620 CFS	
	<u>Total Diversion:</u>	1.620 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4SW1/4	Sec. 23, Twp 03N, Rge 03W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	03W	22													40.0				40.0
03N	03W	23											38.0	40.0					78.0

Total Acres: 118

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2706A V1

1. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
2. X35 Rights 63-3146 and 63-2706A when combined shall not exceed a total annual maximum diversion volume of 531.0 af at the field headgate, and the irrigation of 118 acres.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:Comments:

1. kwaker 11/10/2006 NOE

Comment: Received change in ownership of this right. Noticed that land in NW corner of NWSW, S23 was owned by another party. Contacted claimant and asked if this 1.8 acres should be included. Claimant stated that property was sold by her father without any water rights. Am removing this piece of land pursuant to claimant contact.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: AND
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
	531	118

Combined Water Rights: 63-2706A , 63-3146

Water Supply Bank:

08/28/2006

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

RIGHT NUMBER: 63-2706A

NAME AND ADDRESS: JUDY A DECIME
2615 IOWA
CALDWELL ID 83605

RUBY E FOGLIATTI
14255 INDIANA
NAMPA ID 83651

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.620 CFS

Rights 63-3146 and 63-2706A when combined shall not exceed a total annual maximum diversion volume of 540.0 af at the field headgate, and the irrigation of 120 acres.

PRIORITY DATE: 07/02/1948

POINT OF DIVERSION:

T03N R03W S23 SWSWSW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	1.620 CFS

PLACE OF USE: IRRIGATION Within CANYON County

T03N R03W S22	NESE	40.00	T03N R03W S23	NWSW	40.00
T03N R03W S23	SWSW	40.00			

120 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.



Idaho Department of Water Resources

SRBA Recommendation:

63-2706A

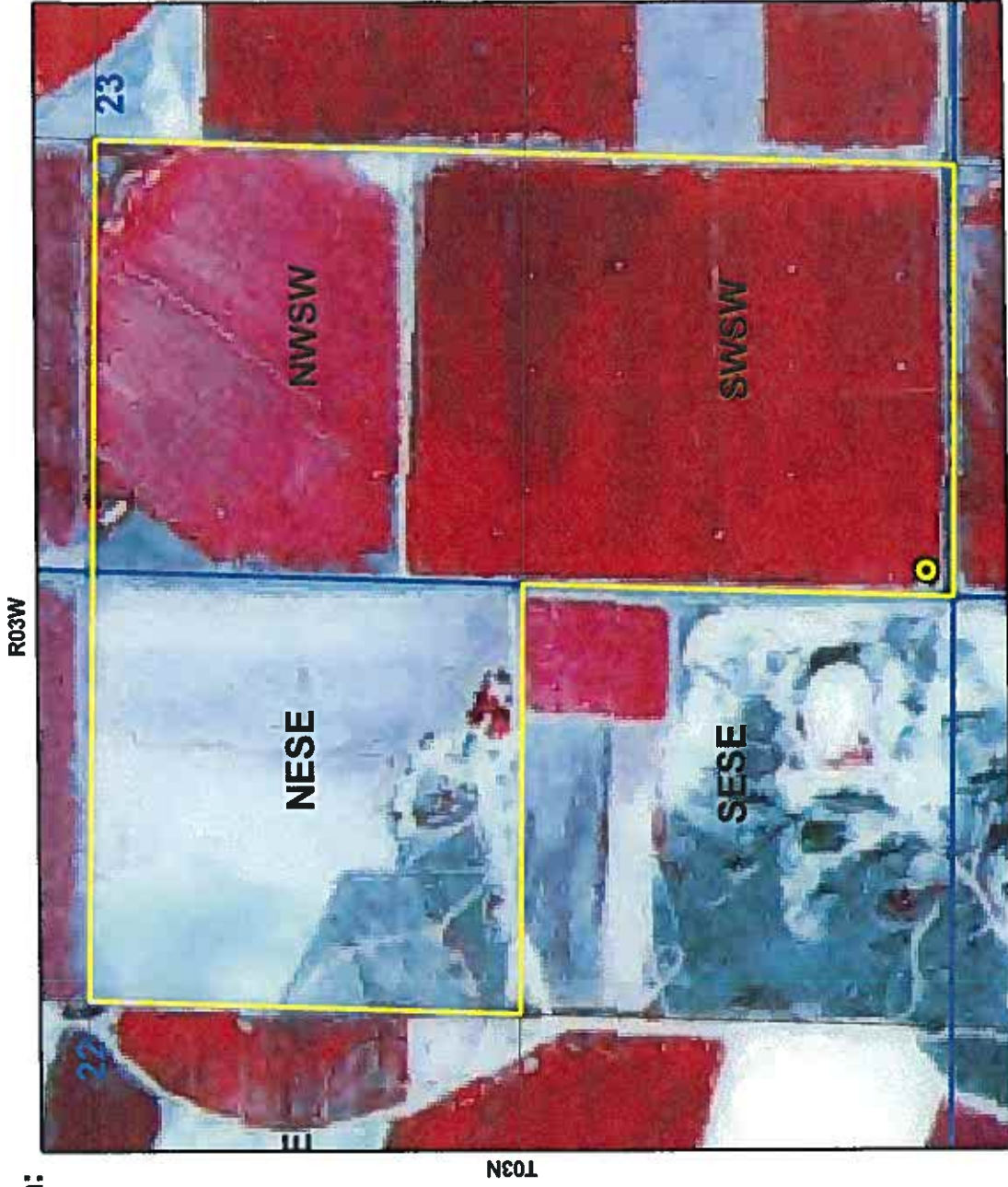
Acres = 120

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Canyon County
IDWR Basin 63



0 0.2 0.4 Miles

Prepared by K. Walker
On Monday, August 28, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2706A

WATER RIGHT NUMBER: 63-2706A

Owner TypeName and Address

Original Owner

~~HARRY T FOGLIATTI
RT 1
NAMPA, ID~~

Current Owner

JUDY A DECIME
2615 IOWA
CALDWELL, ID 83605

Current Owner

RUBY E FOGLIATTI
14255 INDIANA
NAMPA, ID 83651
(208)466-5096

Priority Date: 07/02/1948

Basis: License

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From To

3/15 to 11/15

Diversion Rate

1.620 CFS

Annual VolumeTotal Diversion:

1.620 CFS

Location of Point(s) of Diversion

GROUND WATER

CANYON County

SW1/4SW1/4SW1/4

Sec. 23, Twp 03N, Rge 03W, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	03W	22													40.0				40.0
03N	03W	23									40.0	40.0							80.0

Total Acres: 120

Conditions of Approval:Remarks:

Limit ac & volume
when combined
w/63-3146
120 ac & 540.0 AFA
(120 x 4.5)

claimed as licensed-
in office verification
by KW
8/28/06

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2706A

WATER RIGHT NUMBER: 63-2706A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HARRY T FOGLIATTI RT 1 NAMPA, ID

Priority Date: 07/02/1948

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	1.620 CFS	
	<u>Total Diversion:</u>	1.620 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4	Sec. 23, Twp 03N, Rge 03W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	03W	22													40.0				40.0
03N	03W	23									40.0	40.0							80.0

Total Acres: 120

Conditions of Approval:Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-2706A

03/03/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2706A ✓	Claim	03N	03W	22	NE	SE		IRRIGATION	40/120	JUDY A DECIME
3146 ✓	Claim	03N	03W	22	NE	SE		IRRIGATION	40/120	JUDY A DECIME
2706A ✓	Water Right	03N	03W	22	NE	SE		IRRIGATION	40/120	HARRY T FOGLIATTI
3146 ✓	Water Right	03N	03W	22	NE	SE		IRRIGATION	40/120	HARRY T FOGLIATTI
19081	Water Right	03N	03W	22	NE	SE		~~DOMESTIC~~		JUDY A DECIME
2706A ✓	Claim	03N	03W	23	NW	SW		IRRIGATION	40/120	JUDY A DECIME
3146 ✓	Claim	03N	03W	23	NW	SW		IRRIGATION	40/120	JUDY A DECIME
2706A ✓	Water Right	03N	03W	23	NW	SW		IRRIGATION	40/120	HARRY T FOGLIATTI
3146 ✓	Water Right	03N	03W	23	NW	SW		IRRIGATION	40/120	HARRY T FOGLIATTI
2706A ✓	Claim	03N	03W	23	SW	SW		IRRIGATION	40/120	JUDY A DECIME
3146 ✓	Claim	03N	03W	23	SW	SW		IRRIGATION	40/120	JUDY A DECIME
2706A ✓	Water Right	03N	03W	23	SW	SW		IRRIGATION	40/120	HARRY T FOGLIATTI
3146 ✓	Water Right	03N	03W	23	SW	SW		IRRIGATION	40/120	HARRY T FOGLIATTI

Direct overlap w/ 63-3146 -

Limit to 120 ac & 540.0 AFA
when combined.

$$\begin{aligned}
 63-2706A &= 1.62 \text{ cfs} \\
 63-3146 &= 0.78 \text{ cfs} \\
 \hline
 2.40 \text{ cfs} / 120 \text{ ac} &= 0.02 \text{ cfs/ac} \\
 &\text{kw}
 \end{aligned}$$

Receipt Details for ID W006150

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
10/4/1989 2:53:05 PM	10/4/1989	Western	\$245.00	Check
Payer		FOGLIATTI, RUBY E.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
2966			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$245.00	ADJUDICATION CLAIM FEE	410162	9337	00	00	6490

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	3146		\$110.00	Claim
63	2706	A	\$110.00	Claim
63	19081		\$25.00	Claim

Print Report

✓698

State of Idaho
License and Certificate of Water Right

Water License No. 20538

Amount 1.62 c.f.s.

Water District No.

Priority July 2, 1948

THIS IS TO CERTIFY that HARRY T. FORTLIATTI
of Route #1, Parma, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 2, 1948; that Permit No. 20538
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.4 second feet, was issued thereunder on August 23, 1956, showing that said works
were completed on the 7th day of August, 1956; and that on the 12th
day of September, 1956, HARRY T. FORTLIATTI

of Route #1, Parma, 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

, a tributary of subterranean, for the purpose of Irrigation
, under Use Permit No. 20530 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

10 of Licenses at page 6.65, on the 4th day of September, 1957;
The right hereby confirmed dates from July 2, 1948;

The Point of Diversion is located

in the S. 1/4, Sec. 23, Tp. 3 N., R. 3 E., B. M. County, Oregon

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.62 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3	2	3			

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
4th day of September, 1957.

/s/ Mark R. Kuhn
State Reclamation Engineer.

(SEAL)

63 2706A

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 20538This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant Harry T. Fogliatti2. Source of water supply: Subterranean flow from a well3. Location of point of diversion: Is in the SW $\frac{1}{4}$ Sec. 23T. 3 N. R. 3 W., B.M. County of Canyon4. Describe works as they exist, giving dimensions and capacities of same: U.S. Motor #923401

Laguna Bowler Lurbine. No protection. 4' x 4' concrete base.
Delivery to west into a pool 40' diameter into a buried pipe
line to near house then open ditch. Some open ditch on
East side of road to fields by gravity.

5. Water is used for: Irrigation6. 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):

NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 22, W $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 23, all in Twp. 3 N., Rge. 3 W., 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: _____

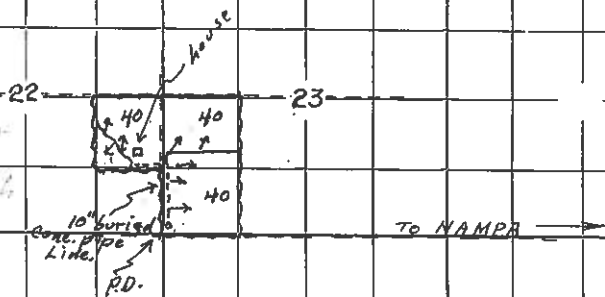
Crops are mostly hay and grain.

This examination was made on the 20 day of May, 1957(Signed) E. H. Humphrey Examiner.

20538

R-3W

T.
3
N.



Subdivisions = Three

Area = 120 acres

Q = 81 inches Spacing meter

T = 53°F

POOR ORIGINAL

State of Idaho
License and Certificate of Water Right

Water License No. 20538

Amount 1.2 second feet

Water District No.

Priority July 2, 1948

THIS IS TO CERTIFY that HARRY T. FOGLIATTI
of Homedale, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 2, 1948; that Permit No. 20538
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.2 second feet, was issued thereunder on August 23, 1956, showing that said works
were completed on the 6th day of December, 1954; and that on the 6th
day of December, 1954,

WESLEY JAMES STECK (Assignee of Harry T. Fogliatti of 80/280 interest)
of Nampa, 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
~~surface~~ (subterranean flow) for the purpose of irrigation and domestic
uses, under Use Permit No. 20538 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
9 of Licenses at page 5777, on the 23rd day of August, 1956;

The right hereby confirmed dates from July 2, 1948;

The Point of Diversion is located

in the NE 1/4 Sec. 22, Twp. 3 N., R. 3 W., B. M. Canyon County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.2 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N.	3 W.	22	NE 1/4 SW 1/4	40 40	40 40
Total Number of Acres Actually Irrigated - -					80

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

23rd day of August, 1956.

(SEAL)

MARY H. EULP
State Reclamation Engineer.

MICROFILMED

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APPLICATION No. 28182
PERMIT No. 26538
DISTRICT No.

1. Name of Applicant: HARRY T. FOGLIATTI

Postoffice address: Hornsdale

County: Canyon

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (b) Treasury stock:
- (d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 5.50

cubic feet per second.

3. Source of water supply: Subterranean flow (3 wells)

which is a tributary of

4. Location of point of diversion: (See Remarks

feet distant from the

corner of Section , T. , R. , B.M., and is in the

of Section , T. 3 N. , R. 3 W. , B.M., County of Canyon

5. Water is to be used for Irrigation and domestic purposes

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B.M., in the of Section , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B.M., in the

of Section , T. , R. , B.M.

7. Estimated cost of works: \$2,000.00

8. Kind of works: Wells, pumps and ditches

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width None feet; height foot.

11. Ditch: Width at bottom 2 feet; width at water line 4 feet; depth of water 1 foot;

dimensions of flume:

Diameter of pipe inches; length of conduit 2 miles.

Average grade per mile 5.23 foot.

12. The time required for the completion of such work is Five (5) years.

13. The time required for the complete application of the water to the proposed use is Six (6) additional years

14. The land to be irrigated is described in the following tabulation: See remarks.

By

Date of first receipt at Department of Reclamation: 3:30 P. M. July 2, 1948

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 20538
 Recorded in Book 74 Page 20538 Approved July 18, 1948
 This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:
 Bond in the sum of \$ to be filed on or before
 Work to begin on or before September 16, 1948 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.
 One-fifth of the work above specified to be completed on or before January 16, 1951
 The whole of said work to be completed on or before July 16, 1953
 Beneficial use of water appropriated in accordance herewith, to be made on or before July 16, 1959

WITNESS My hand this 16th day of July, 1948

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, C. A. ROBINS

Governor of the State of Idaho,

and J. D. "CY" PRICE

Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 16th

STATE OF IDAHO

day of July, 1948

Countersigned:

By C. A. ROBINS

Governor.

(SEAL)

By J. D. "CY" PRICE

Secretary of State.

REMARKS: Point of diversion- Well No. 1- NW 1/4 Sec. 22, Twp. 3 N., Range 3 W., B. M.
 Well No. 2- NE 1/4 Sec. 22
 Well No. 3- SW 1/4 Sec. 23

14. Applicant is filing this application for permit for water right in connection with filing on a desert entry.

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3 N.	3 W.	22	40	40		40					40	40			40				200
		23																	80
Total Number of Acres to be irrigated -																			280

APPLICATION FOR EXTENSION OF TIME
FOR COMPLETION OF WORKS

HARRY T. FOGLIETTI of Homedale, Idaho, being first duly sworn, upon his oath deposes and says:
 That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 20538.
 That under the terms and conditions of said permit, construction work was required to begin on or before September 16, 1948, and the whole of said work was to be completed on or before July 16, 1953.
 That said application for permit was made in connection with desert land entry No. 036311, which was allowed by the Bureau of Land Management until October 30, 1951.
 For that reason an extension is requested for extension of time equivalent to the length of time said has been prevented from proceeding with said work pending allowance of his desert land entry.

HARRY T. FOGLIETTI

Subscribed and sworn to before me this 12th day of January, 1953.

(SEAL)

My commission expires 2-7-54.

Date of receipt at office of Department of Reclamation, Jan. 12, 1953.

Richard B. Kiemann
Notary Public, residing at Homedale, Idaho

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby extend the time for the completion of work under Permit to appropriate the Public Waters of the State of Idaho, No. 20538 to October 30, 1956.
 Witness my hand this 23rd day of January, 1953.

MARK R. KULP
State Reclamation Engineer

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 20538

Comes Now Harry T. Fogliatti, and represents to the State Reclamation Engineer of the State of Idaho: That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 20538. That one point of diversion is described in said permit as being located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 22, Twp. 3 N., Range 3 W., B.M. That he now requests that this point of diversion be changed to a point in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 22, Twp. 3 North, Range 3 West, B.M. that his for desiring to make such change are as follows: His desertland entry on the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 22, Twp. 3 N., Range 3 W. B. was disallowed. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Boise, Idaho this 20th day of May 1953.

Harry T. Fogliatti

Date of receipt at Department of Reclamation May 20, 1953.

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 20538. This approval constitutes a permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Mark R. Kulp
State Reclamation Engineer

ASSIGNMENT

For value received, I hereby assign 80/280 of my right, title, and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. 20538 to Wesley James Steck of Box 722 - Nampa, Idaho for use on the E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 22, Twp 3 North, Range 3 West B.M.

HARRY FOGLIATTI
Permit Holder

RUBY E. FOGLIATTI
Wife of Permit Holder

State of Idaho) ss
County of Canyon)

On this 2 day of Nov., 1954, before me, a Notary Public for the State of Idaho residing at Nampa, Idaho, personally appeared Harry Fogliatti and Ruby E. Fogliatti, known to me to be the person whose name is subscribed to the within in and duly acknowledged to me that they executed the same.

It witness whereof, I have hereunto set my hand and affixed my Notarial seal, the day and year in this certificate above written.

G. R. BALTZOR
Notary Public, residing at Nampa, Idaho

(SEAL)

My commission expires 9-9-56

Received and filed for record in the Department of
Reclamation, at Boise, Idaho, November 4, 1954.

MARK R. KULP
State Reclamation Engineer

Permit No. 20538
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that WESLEY JAMES STECK of Nampa, County of Canyon, and State of Idaho, the holder of 80/280 interest in Permit No. 20538, issued upon Application No. 28182 bearing date of priority of July 2, 1948, authorizing the diversion of 5.60 second feet of the waters of Subterranean flow from 3 wells, County of Canyon, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.2 second feet of the waters of one well; that the point of diversion of said waters is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 22, Township 3 North, Range 3 West, B.M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 22, Township 3 North, Range 3 West, B.M.

Witness my hand this 23rd day of August, A. D. 1956.

MARK R. KULP
State Reclamation Engineer

Proof of completion of works made December 6, 1954
Certificate of Completion of Works issued August 23, 1956.

Twp. 3 N. R. 3 W. B.M.

Note: Points of Diversion - 3 Wells.

21

22

23

Permit Map No. 20538

As Approved

JUL 6 1948
F. K. R. KULP
Civil Engineer