

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 63-31535
Date Received: 2/14/1990
Receipt No:
Received By:

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

1. Name of Claimant(s)

CANYON COUNTY LAKES ESTATES Phone:

7488 SKY RANCH ROAD
NAMPA ID USA 83686

2. Date of Priority: 10/07/1968

3. Source: GROUND WATER , GROUND WATER Trib. to: ,

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	03W	11	NE SE	CANYON	
02N	03W	11	NW SW	CANYON	

5. Description of diverting works:

2 WELLS, PUMPS, MAINLINES, SPRINKLER SYSTEMS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.55	235

7. Total Quantity Appropriated is:

0.55 C.F.S. and/or 235 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
02N	03W	11	SW SW	IRRIGATION	39

SE	SW	IRRIGATION	39
		Section Acres	78
		Total Acres	78

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:

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

This right does not grant any right-of-way or easement across the land of another.

After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 and after 11/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

This right is limited to the irrigation of 55 acres within the place of use described above in a single irrigation season.

The total instantaneous diversion of water from all points of diversion under Rights 63-3597H and 63-31535 shall not exceed 1.20 cfs, nor a total combined annual volume of 351.0 af for the irrigation of 78 acres.

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.

Rights 63-3597F, 63-3597H, 63-7156D, 63-31799, 63-31800, 63-31801 and 63-31802 are also diverted through the points of diversion described above.

CHANGE IN OWNERSHIP LG 7-12-2006 REVIEWED BY SE

15. Basis of Claim: License



ERO Resources Corp.
3314 Grace Street
Boise, ID 83703-5836
(208) 373-7983
Fax: 373-7985
Denver • Boise • Durango
www.eroresources.com
eroboise@eroresources.com

May 22, 2006

Mr. Steve Lester
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

RE: Change in Ownership

Dear Mr. Lester,

Enclosed, please find a Notice in Change in Ownership for water right nos. 63-3597H, 63-31535, 63-31800, and 63-31802.

The preliminary recommendation for these rights is in the name of Rex Evans, Maryon Evans, and Catherine Parker.

Canyon County Lake Estates (CCLE) has purchased the land and water rights and would like to have IDWR's records reflect the correct owner for the upcoming decree.

I understand that the filing fee is waived for water rights pending in the SRBA.

Regards,

A handwritten signature in black ink that reads "Steve R. Hannula". The signature is written in a cursive, flowing style.

Steven R. Hannula

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

RECEIVED

MAY 22 2006

WATER RESOURCES
WESTERN REGION

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

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-3597H	_____	_____	_____	_____	_____
63-31535	_____	_____	_____	_____	_____
63-31800	_____	_____	_____	_____	_____
63-31802	_____	_____	_____	_____	_____

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.

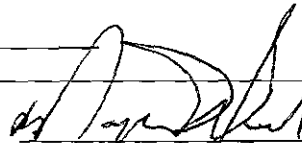
3. Name and Address of Former Owner/Claimant(s) Rex E. Evans and Mayon E. Evans, and Catherine E. Parker
2035 Fairmeadow Dr. Boise, ID 83704
4. New Owner/Claimant(s) Cayon County Lake Estates, LLC
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 7488 Sky Ranch Rd.
- City, State and ZIP Code Nampa, ID 83686
- New Telephone Number (208) 466-5525
5. Date you acquired the property Dec 9, 2005

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

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

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

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


MEMBER

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 lg Date 5-22-06 Fee 0
 Receipted by _____ Date _____ Receipt No. _____
 Processed by lg AJ Date 7-14-06 IDWR _____ Date _____
 Reviewed by SE

Dec 22 05 12:06p

p. 2

FILED EFFECTIVE

254



ARTICLES OF AMENDMENT TO ARTICLES OF ORGANIZATION LIMITED LIABILITY COMPANY

DEC 30 AM 8:49
SECRETARY OF STATE
STATE OF IDAHO

(Instructions on back of application)

1. The name of the limited liability company is:

Canyon County Lake Estates LLC

If the LLC has been administratively dissolved and the name is no longer available for use, #3 below must include an amendment of name.

2. The date the articles of organization were filed was: January 25, 2005

COMPLETE ONLY THE APPLICABLE ITEMS

3. The name of the limited liability company is amended to read:

4. The management of the limited liability company shall henceforth be vested in:

☐ Manager(s) ☐ Members

5. The information on the managers/members shall be amended as follows:

Name	Address	Add	Delete	Other
Cordy Rost	7488 Sky Ranch Rd Nampa, ID 83486	☒	☐	
Robert W. George	1281 Terminal Way Suite 222 Reno, NV 89502	☐	☒	
David E. Cox	1350 E. Greg St #3 Sparks, NV 89431	☐	☒	
Marc Ikebasu	2250 Saddle ridge Ct Reno, NV 89509	☐	☐	correction
Morgan Fiumi	3628 Beverly Ridge Dr Sherman Oaks, CA 91423	☒	☐	
Fiumi Family Trust dated 02/28/00	201 Ocean Ave Apt 700P Santa Monica, CA 90402	☒	☐	

6. Signature of at least one manager, if any, or at least one member.

Signature: [Signature]Typed Name: Marc IkebasuCapacity: Manager

Signature: _____

Typed Name: _____

Capacity: _____

Secretary of State use only

IDAHO SECRETARY OF STATE
12/30/2005 05:00
CX: 1151 CT: 195463 BH: 929391
1 # 38.00 = 38.00 ORGAN AMEN # 2

436175

After Recording
Return to:

Alliance Title & Escrow Corp.
3307 Nampa-Caldwell Boulevard, Suite 101
Nampa, ID 83651

AT-5100415029 JM

WARRANTY DEED

FOR VALUE RECEIVED, Rex E. Evans, a married man dealing with his sole and separate property, and Catherine E. Parker, a married woman dealing with her sole and separate property, and Maryon E. Evans, an unmarried woman dealing with her sole and separate property, collectively as "Grantor," does hereby grant, bargain, sell and convey unto CANYON COUNTY LAKE ESTATES, LLC, an Idaho limited liability company, as "Grantee," whose current address is 1281 Terminal Way, Suite 222, Reno, Nevada 89502, the following described premises, in Canyon County, Idaho, to-wit:

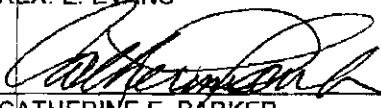
That certain real property consisting of approximately two hundred seven (207) acres located at Lewis Lane in Canyon County, Idaho, more particularly described on **Exhibit A** attached hereto and made a part hereof;

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and Grantee's heirs and assigns forever. Said Grantor does hereby covenant to and with said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject as more particularly set forth on **Exhibit B** attached hereto and made a part hereof, and those made, suffered or done by the Grantee; and subject to reservations, restrictions, dedications, easements, rights of way and agreements (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor shall warrant and defend the same from all lawful claims whatsoever.

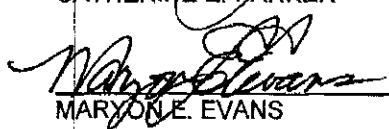
Dated: December 9, 2005.



REX. E. EVANS



CATHERINE E. PARKER



MARYON E. EVANS

[notary acknowledgments follow]

REQUEST
FEE 15.00

ALLIANCE - NAMPA

CANYON COUNTY RECORDER
NOEL HALE

2005 DEC 9 PM 4:20

RECORDED

FOR RECORDING INFORMATION

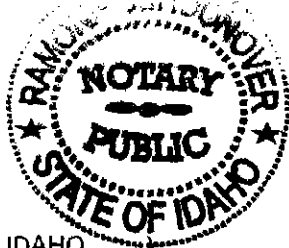
200582717

ACKNOWLEDGMENT

STATE OF IDAHO)
County of Canyon) ss.

On this 9th day of December, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared REX E. EVANS, known or identified to me to be the person who signed the within and foregoing document, and acknowledged to me that he executed the same.

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

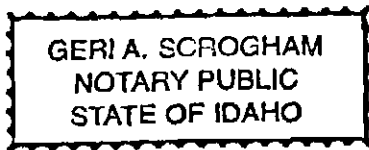


Ramona P. Chapman
Notary Public for Idaho
Residing at Canyon
My commission expires: 12/23/10

STATE OF IDAHO)
County of Ada) ss.

On this 8th day of December, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared CATHERINE E. PARKER, known or identified to me to be the person who signed the within and foregoing document, and acknowledged to me that she executed the same.

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

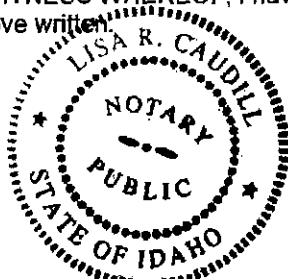


Geri A. Scroggum
Notary Public for Idaho
Residing at Boise
My commission expires: 12-15-06

STATE OF IDAHO)
County of Ada) ss.

On this 7th day of December, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared MARYON E. EVANS, known or identified to me to be the person who signed the within and foregoing document, and acknowledged to me that she executed the same.

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



Lisa R. Caudill
Notary Public for Idaho
Residing at ampa, ID
My commission expires: 6-11-09

EXHIBIT A

LEGAL DESCRIPTION OF PREMISES

PARCEL I

The South Half of the Southwest Quarter of Section 11, Township 2 North, Range 3 West, of the Boise Meridian, Canyon County, Idaho.

PARCEL II

Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

Section 11: East Half East Half Northwest Quarter Northwest Quarter, South of the Mora Canal; East Half East Half Southwest Quarter Northwest Quarter; East Half Northwest Quarter, South of the Mora Canal; Northeast Quarter Southwest Quarter; Northwest Quarter Southeast Quarter.

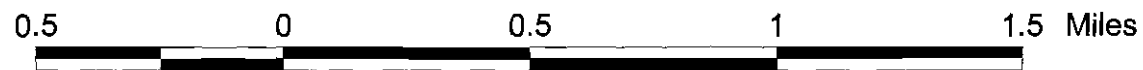
EXHIBIT B

PERMITTED EXCEPTIONS

1. General taxes for the year of Closing which are not yet due and payable.
2. 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.
3. Ditch, road and public utility easements as the same may exist over said premises.
4. Right-of-way for Mora Canal, and the rights of access thereto for maintenance of said canal.
5. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted to: Idaho Power Company.
Purpose: Public Utilities.
Recorded: June 17, 1969.
Instrument No.: 629771, of Official Records.
6. Except all minerals in or under said land, including but not limited to metals, oil, gas, coal, stone and mineral rights, mining rights and easement rights or other matters relating thereto, whether express or implied, as stated in a Warranty Deed.
Recorded: November 10, 1980.
Instrument No.: 905823, of Official Records.
7. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted to: Idaho Power Company.
Purpose: Public Utilities.
Recorded: April 28, 1988.
Instrument No.: 8808267, of Official Records.
8. Agreement as of July 1, 1988 on Division of Real Property, and the terms and conditions contained therein;
Between: Marion L. James, Roxy Elizabeth McDonough, and Chrystal J. Evans.
Purpose: Division of Real Property.
Dated: July 1, 1988.
Not Recorded.
9. Agreement, and the terms and conditions contained therein;
Between: Marion L. James, R. Elizabeth McDonough, Chrystal J. Evans.
and: Catherine E. Cavaiani, Rex E. Evans, Maryon L. Evans.
Dated: December 28, 1989.
Not Recorded.
10. Agreement, and the terms and conditions contained therein:
Between: Catherine E. Parker, formerly known as Catherine E. Cavaiani, a married woman dealing with her sole and separate property, Rex E. Evans, a married man dealing with his sole and separate property, and Maryon E. Evans, an unmarried woman.
and: Edward T. Evans and Robert L. Bilow, Co-trustees of the Article IV Trust under the Will of Rex S. Jensen, Deceased.
Purpose: Easement Agreement.
Recorded: September 9, 1992.
Instrument No.: 9220403, of Official Records.

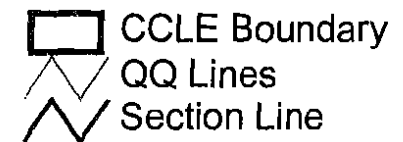
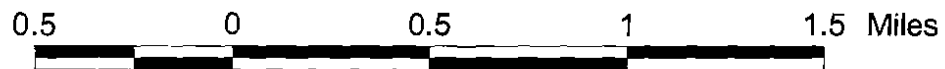
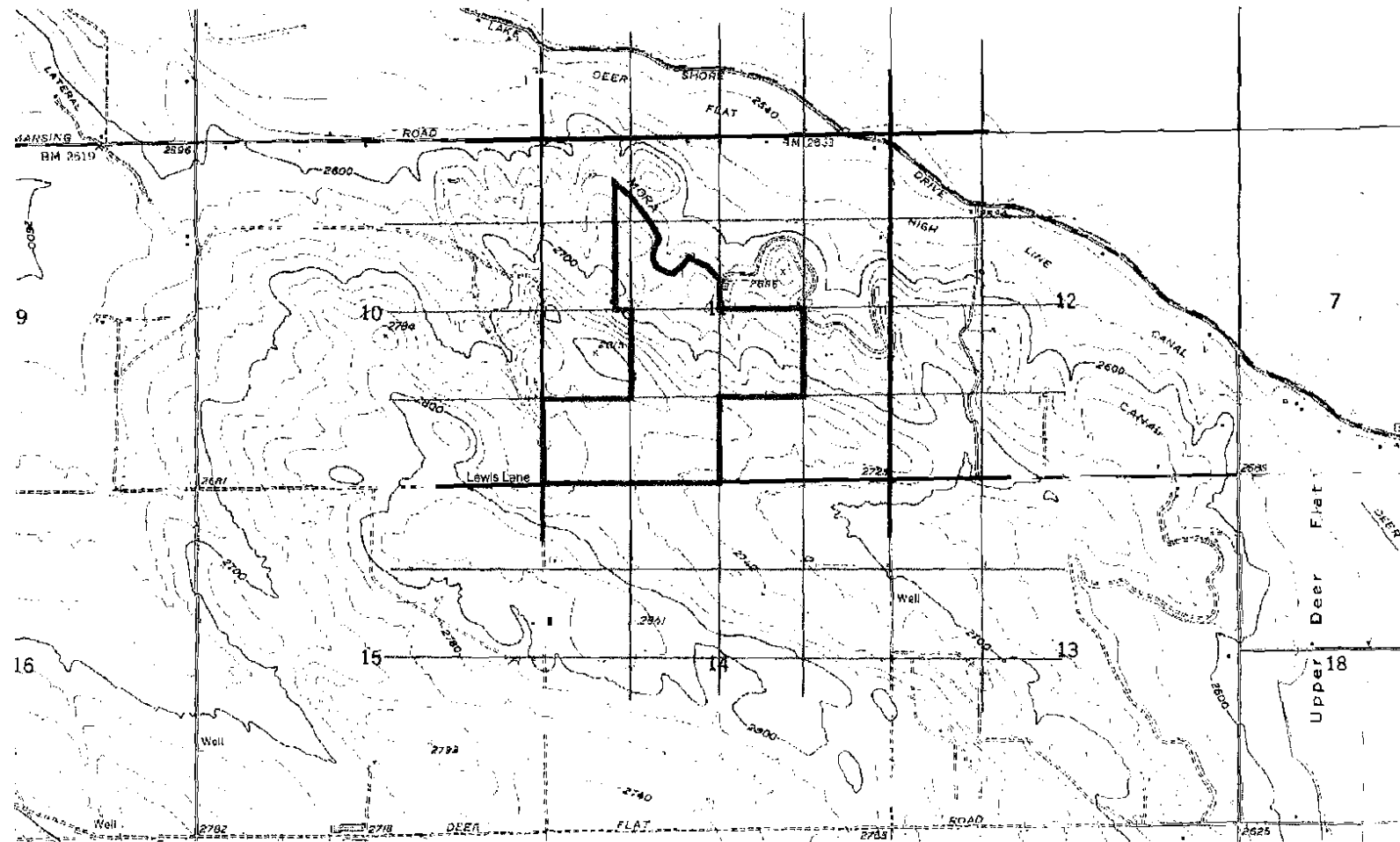
11. Amendment to Agreement, and the terms and conditions contained therein;
Between: Marion L. James, R. Elizabeth McDonough, Chrystal J. Evans.
and: Catherine E. Parker, formerly known as Catherine E. Cavaiani, Rex E. Evans, and Maryon L. Evans.
Purpose: Amend prior agreements relating to water system repairs and maintenance.
Dated: December ____, 1992.
Not Recorded.
12. Agreement, and the terms and conditions contained therein:
Between: Catherine E. Parker, formerly known as Catherine E. Cavaiani, a married woman dealing with her sole and separate property, Rex E. Evans, a single man dealing with his sole and separate property, and Maryon E. Evans, an unmarried woman.
and: Edward T. Evans and Robert L. Bilow, Co-Trustees of the Article IV Trust under the Will of Rex S. Jensen, Deceased.
Purpose: Easement Agreement
Recorded: December 28, 1992.
Instrument No.: 9229046, of Official Records.
13. Agreement, and the terms and conditions contained therein:
Between: Marion L. James, R. Elizabeth McDonough, Chrystal J. Evans.
and: Catherine E. Parker (formerly known as Catherine E. Cavaiani), Rex E. Evans and Maryon E. Evans.
Purpose: Memorandum of Agreement
Recorded: December 28, 1992.
Instrument No.: 9229047, of Official Records.
14. Easements, reservations, notes and dedications, as shown on Record of Survey for Rex Evans.
Recorded: April 15, 1999.
Instrument No.: 9914520, of Official Records.

Canyon County Lake Estates Property Boundary
for Water Right Nos.
63-3597H, 63-31535, 63-31800, and 63-31802
(T2N, R3W, section 11)



- Existing PODs
- CCLE Boundary
- ∧ QQ Lines
- ∧ Section Line

Canyon County Lake Estates Property Boundary
for Water Right Nos.
63-3597H, 63-31535, 63-31800, and 63-31802
(T2N, R3W, section 11)



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 63-31535
Date Received: 2/14/1990
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

REX E EVANS Phone: (208)378-8813
2035 FAIRMEADOW DR
BOISE ID USA 83704

CATHERINE E PARKER Phone: (208)378-8813
2035 FAIRMEADOW DR
BOISE ID USA 83704

MARYON E EVANS Phone: (208)378-8813
2035 FAIRMEADOW DR
BOISE ID USA 83704

2. Date of Priority: 10/07/1968

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
02N	03W	11	NE	SE		CANYON	
02N	03W	11	NW	SW		CANYON	

5. Description of diverting works:

2 WELLS, PUMPS, MAINLINES, SPRINKLER SYSTEMS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.55	235

7. Total Quantity Appropriated is:

0.55 C.F.S. and/or 235 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	03W	11	SW	SW	IRRIGATION	39
			SE	SW	IRRIGATION	39
					Section Acres	78
					Total Acres	78

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

This right does not grant any right-of-way or easement across the land of another.

After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 and after 11/1 is subordinate to all water rights having no

subordinated early or late irrigation use and a priority date earlier than the date of this approval.

This right is limited to the irrigation of 55 acres within the place of use described above in a single irrigation season.

The total instantaneous diversion of water from all points of diversion under Rights 63-3597H and 63-31535 shall not exceed 1.20 cfs, nor a total combined annual volume of 351.0 af for the irrigation of 78 acres.

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.

Rights 63-3597F, 63-3597H, 63-7156D, 63-31799, 63-31800, 63-31801 and 63-31802 are also diverted through the points of diversion described above.

15. Basis of Claim: License

WATER RIGHT NO. 63-31535
As Modified by Transfer No. 68832

In accordance with the approval of Transfer No. 68832, Water Right No. 63-31535 is now described as follows.

Right Holder: REX E EVANS And
 MARYON E EVANS And
 CATHERINE E PARKER
 2035 FAIRMEADOW DR
 BOISE ID 83704

Priority Date: October 07, 1968

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.55 CFS	235.0 AF
			0.55 CFS	235.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSW Sec. 11 Twp 02N Rge 03W CANYON County
 GROUND WATER NESE Sec. 11 Twp 02N Rge 03W 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	
02N 03W 11											39.0	39.0					78.0

Total Acres: 78

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
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WATER RIGHT NO. 63-31535
As Modified by Transfer No. 68832

CONDITIONS OF APPROVAL

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7. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 and after 11/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
8. This right is limited to the irrigation of 55 acres within the place of use described above in a single irrigation season.
9. The total instantaneous diversion of water from all points of diversion under Rights 63-3597H and 63-31535 shall not exceed 1.20 cfs, nor a total combined annual volume of 351.0 af for the irrigation of 78 acres.
10. 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.
11. Rights 63-3597F, 63-3597H, 63-7156D, 63-31799, 63-31800, 63-31801 and 63-31802 are also diverted through the points of diversion described above.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 23rd day of August, 2004


Chief, Water Allocation Bureau

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

RECEIVED
NOV 29 2000
WATER RESOURCES
WESTERN REGION

Name of applicant Estate of Rex S. Jensen

Phone 208-362-9411

Post Office address 9990 Roan Meadows Drive, Boise, Idaho, 83709

A. Purpose of Transfer

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other
2. Describe the reason for the proposed changes To reconfigure the place of use and quantity of water appurtenant to lands as described in a legal agreement dated July 1, 1988 (Attachment B), and deed (Attachment C).

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>63-03597D</u>	<u>4-13-1967</u>	<u>2.80</u>	<u>Irrigation</u>	<u>3-15 to 11-15</u>
<u>63-07156B</u>	<u>10-7-1968</u>	<u>1.46</u>	<u>Irrigation</u>	<u>4-1 to 11-1</u>

_____ to _____
 _____ to _____

2. Total amount of water being transferred 4.26 cubic feet per second and/or 2166 acre-feet per annum.

3. Source of water Groundwater tributary to N/A

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	11	2N	3W	Canyon	
		NE	SE	11	2N	3W	Canyon	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	3W	11				2	3	23	40	26	40	40	39	39	26	40	39	39	396
2N	3W	10				34.8									19			3	56.8

SCANNED
NOV 18 2003

Total 452.8

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FEB 6 2001

WATER RESOURCES
WESTERN REGION

PART 1

Page 2 of 8

Transfer No. _____

6. General Information:

- a. Description of diversion system The system consists of two wells, vertical turbine line shaft pumps and a fully interconnected main line distribution system.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer: The quantity of water allocated to each acre, presently irrigated, will be increased slightly.
- d. Remarks: Attachment D

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 20 _____.

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NOV 18 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
Part 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-03597D issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to N/A4. Date of priority 4-13-1967

5. Water is used for the following purpose:

Amount 2.8 / 1512 for Irrigation purposes from 3-15 to 11-15
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.80 cubic feet per second and/or 1512 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	11	2N	3W	Canyon	
		NE	SE	11	2N	3W	Canyon	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	3W	11							36	26	40	40	39	39		40	39	38	337.3

Total acres 337.39. Describe any other water rights used for the same purpose as described above 63-07156B

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NOV 18 2003

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Points of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Points of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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NOV 18 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
Part 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-07156B issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to N/A4. Date of priority 10-7-1968

5. Water is used for the following purpose:

Amount 1.46 / 653.9 for Irrigation purposes from 4-1 to 11-1

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

6. Total amount of water under right 1.46 cubic feet per second and/or 653.9 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	11	2N	3W	Canyon	
		NE	SE	11	2N	3W	Canyon	

8. Land irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	11													26	40	40	39	145.3

Total acres 145.39. Describe any other water rights used for the same purpose as described above 63-03597B

SCANNED
NOV 18 2003

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED***(If the entire right is to be changed by the applicant, omit part B and C.)*

1. Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Points of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Points of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

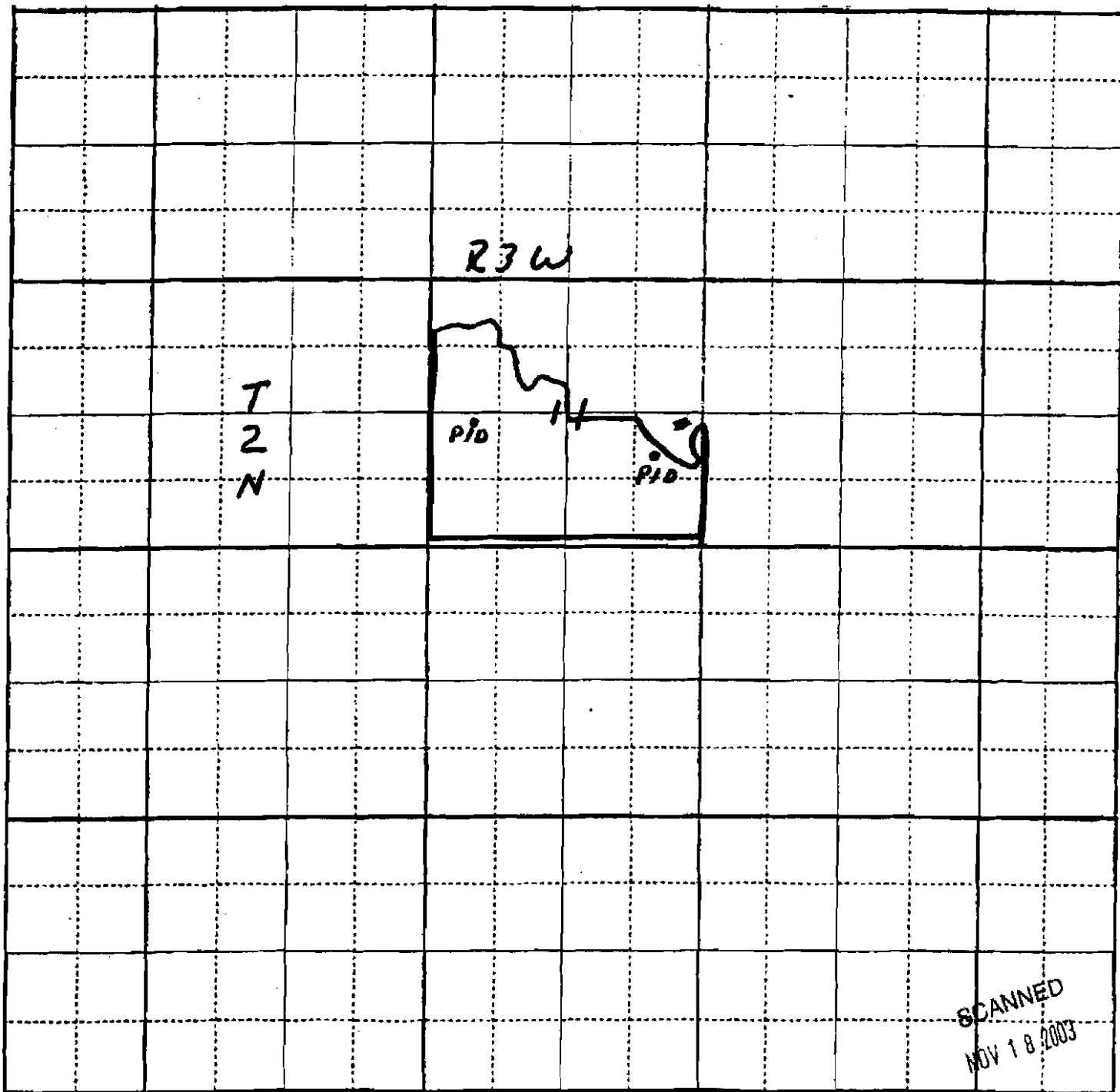
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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NOV 18 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
Part 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCANNED
NOV 18 2003

PART 3

B. CHANGES IN NATURE OF USE N/A

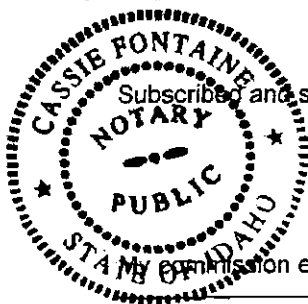
1. New Nature of Use _____ Amount (cfs/ac-ft) _____ Hours/days/year _____ Period of Use _____ to _____
 _____ to _____
2. Quantity and quality of return flows and location of discharge: _____
3. Describe effects on other water uses resulting from the proposed change: _____

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Edward T. Evans and Robert L. Bibwi, Co-Personal Representatives
of the Estate of Rex S. Jensen

(Signature of Applicant)

Subscribed and sworn before me this 7th day of November, 2000



(Notary Public)

My commission expires 8/2/2001

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 45 attachments

Received by LM Date 11-29-00 Protest filed by _____

Prelim. check by RL Fee 410.00

Receipted by LM Date 11-29-00 W027179

Published in Press Tribune Copies of protest forwarded by _____

Pub. Dates 2-1 + 8-01 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

SCANNED
 NOV 18 2003

November 19, 2003

Mr. Dan Nelson
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

RE: Transfer 68832

Dear Mr. Nelson

My notarized signature below represents my signature for the transfer in the name of
Estate of Rex Jensen (#68832).

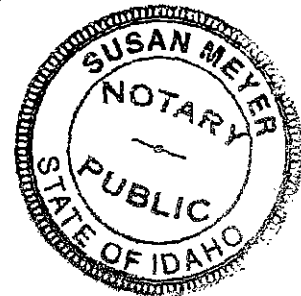
Mark McDonough	<u>Mark McDonough</u>	Date	<u>November 21, 03</u>
Catherine Parker	_____	Date	_____
Rex Evans	_____	Date	_____
Maryon Evans	_____	Date	_____
Jason Chan	_____	Date	_____
Jesse Chan	_____	Date	_____
Vanessa Chan	_____	Date	_____
Justin Smith	_____	Date	_____
George Harrison	_____	Date	_____

Subscribed and sworn before me this 21 day of Nov 2003

Mark McDonough

Susan Meyer
Notary Public
Residing at Idaho

My commission expires 9-22-09



November 19, 2003

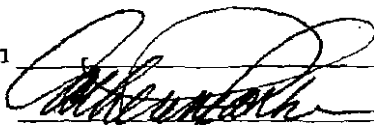
Mr. Dan Nelson
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

RE: Transfer 68832

Dear Mr. Nelson

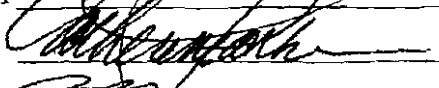
My notarized signature below represents my signature for the transfer in the name of
Estate of Rex Jensen (#68832).

Mark McDonough



Date

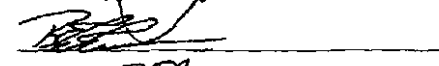
Catherine Parker



Date

12/29/03

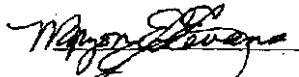
Rex Evans



Date

12/29/03

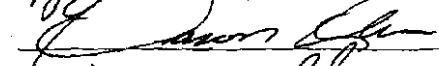
Maryon Evans



Date

12/29/03

Jason Chan



Date

12-29-03

Jesse Chan



Date

12-29-03

Vanessa Chan



Date

12-29-03

Justin Smith



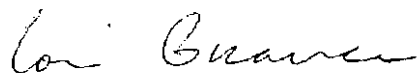
Date

George Harrison



Date

Subscribed and sworn before me this 29th day of Dec 2003.

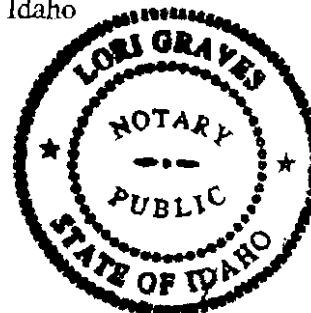


Notary Public

Residing at BOISE, Idaho

My commission expires

6/18/04



RECEIVED

JAN 05 2004

WATER RESOURCES
WESTERN REGION

November 19, 2003

Mr. Dan Nelson
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

RE: Transfer 68832

Dear Mr. Nelson

My notarized signature below represents my signature for the transfer in the name of
Estate of Rex Jensen (#68832).

Mark McDonough	_____	Date	_____
Catherine Parker	_____	Date	_____
Rex Evans	_____	Date	_____
Maryon Evans	_____	Date	_____
Jason Chan	_____	Date	_____
Jesse Chan	_____	Date	_____
Vanessa Chan	_____	Date	_____
Justin Smith	<u>Justin Smith</u>	Date	<u>1/2/04</u>
George Harrison	<u>[Signature]</u>	Date	<u>1/2/04</u>

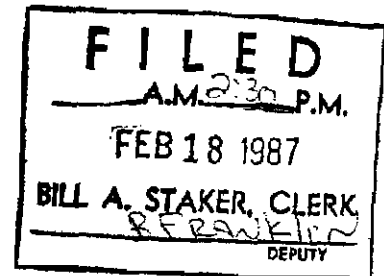
Subscribed and sworn before me on 1st day of January 2004.

[Signature]

NOTARY PUBLIC
Residing at Nampa, Idaho
STATE OF IDAHO

My commission expires 11-13-06

John McGown, Jr.
HAWLEY TROXELL ENNIS & HAWLEY
P. O. Box 1617
Boise, Idaho 83701
Telephone: (208) 344-6000



IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF CANYON

IN THE MATTER OF THE ESTATE OF)
REX S. JENSEN,)
Deceased.)

Probate Case No. 1P-4984
LETTERS TESTAMENTARY

The will of the decedent Rex S. Jensen, dated August 30, 1984 and the decedent's First Codicil to Last Will and Testament dated April 3, 1986, having been admitted to informal probate in the above-named Court, the persons named as co-personal representatives therein, Robert L. Bilow and Edward T. Evans, are hereby appointed co-personal representatives to administer the estate of Rex S. Jensen, deceased under the will.

WITNESS: STEPHEN W. DRESCHER, Magistrate of
the District Court, County of Canyon, State of Idaho, with the
seal of the Court affixed the 18 day of FEB, 1987.

STEPHEN W. DRESCHER
Magistrate

SCANNED
NOV 19 2003

T. 68832
Attorney A

STATE OF IDAHO)
) ss.
County of Ada)

We, Robert L. Bilow and Edward T. Evans, hereby accept the duties of co-personal representatives of the estate of Rex S. Jensen, deceased, and do solemnly swear that we will perform, according to law, the duties of co-personal representatives of said estate.

Robert L. Bilow
Robert L. Bilow

Edward T. Evans
Edward T. Evans

STATE OF IDAHO)
) ss.
County of Ada)

SUBSCRIBED AND SWORN before me this 18th day of
February, 1987

Rosemary L. Wimberly
Notary Public for Idaho
Residing at Murdan, Idaho
My commission expires on 4/1, 1987

State of Idaho }
County of Canyon } ss.

I hereby certify that the foregoing instrument is a true and correct copy of the original as the same appears in this office.

DATED

Feb 18, 1987

Bill A. Starnes, Clerk of the District Court
and ex-officio Notary

By *B. Frank*
Deputy

LETTERS TESTAMENTARY - 2

SCANNED
NOV 18 2003

A2

In the Matter of the Estate of
REX S. JENSEN, Deceased

Case No. 1P-4984

CERTIFICATE

I, BILL A. STAKER, Clerk of the District Court of the
THIRD JUDICIAL DISTRICT of the State of Idaho, in and for the
County of Canyon, do hereby certify that the attached LAST WILL
AND TESTAMENT and the FIRST CODICIL TO LAST WILL AND TESTAMENT
dated April 3, 1986, are true and correct copies of the original
probated will and codicil on file in this office and that the
decedent was domiciled in this State and that said will and
codicil were admitted to probate in informal proceedings.

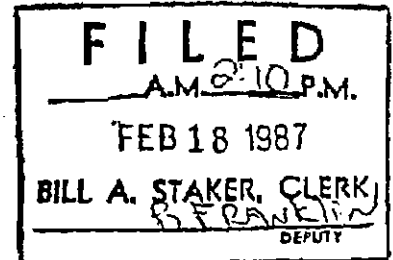
IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal this 18TH day of FEBRUARY, 1987.

BILL A. STAKER,
Clerk of the District Court

By B. Frankel
Deputy

SCANNED
NOV 18 2003

LAST WILL AND TESTAMENT
OF
REX S. JENSEN



I, REX S. JENSEN, a resident of Canyon County, State of Idaho, declare this to be my Last Will and Testament and revoke all prior wills and codicils made by me.

ARTICLE I

FAMILY INFORMATION

My wife is Roxy C. Jensen and all references in this Will to my wife are to her. My children living at the execution of this Will are:

<u>Name</u>	<u>Date of Birth</u>
Marion L. James	December 14, 1916
Roxy Elizabeth McDonough	December 22, 1918
Chrystal J. Evans	January 25, 1927

ARTICLE II

COMMUNITY AND SEPARATE PROPERTY

I confirm to my wife her one-half (1/2) interest in our community property. It is my intent by this Will to dispose of my separate property and my one-half (1/2) interest in our community property. Nevertheless, if my spouse survives me, I


Rex S. Jensen

SCANNED
NOV 18 2003

request that our community property be divided such that the real property comprising 300 acres more or less in Canyon County, Idaho, otherwise known as the Lakeview property, is allocated to my share of our property and other "offsetting" assets of equal value be allocated to my wife's share of our property.

ARTICLE III

TANGIBLE PERSONAL PROPERTY

A. Certain Dispositions by Memorandum. I give certain items of tangible personal property (excluding money, evidences of indebtedness, documents of title, securities, and property used in a trade or business), including insurance policies and claims under such policies, in accordance with a memorandum signed by me or in my handwriting, which I intend to leave at my death.

B. Other Personal Property. I give all my jewelry, clothing, household furniture and furnishings, personal automobiles, and other tangible articles of a personal nature, or my interest in any such property, not otherwise specifically disposed of by this Will or in any other manner, together with any insurance on the property, to my wife if she survives me for ninety (90) days, and if she does not, to my children who survive me for that period in equal shares as they shall agree, or as my


Rex S. Jensen

Personal Representative shall in my Personal Representative's discretion determine if my children do not agree. It should be noted that we do not own our principal residence, it having been previously transferred.

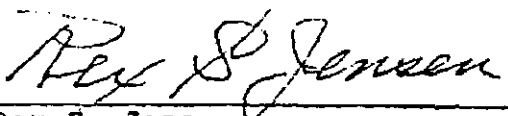
ARTICLE IV

RESIDUARY ESTATE

A. Defined. All of the residue of my estate, both real and personal, of every nature and wherever situated and whenever acquired shall constitute my residuary estate.

B. Gift of Residuary. If my wife survives me by ninety (90) days, then I give my residuary estate to my testamentary Trustee, in trust, on the following terms:

1. So long as my wife survives me, the net income of the trust shall be paid to or applied for the maintenance, education, or support of my wife or of any or all of my children at such times and in such proportions as my Trustee shall determine in his or her absolute discretion. Any accumulated income shall become part of principal. In the event the income shall be insufficient to provide my wife with adequate maintenance or support, the Trustee may invade principal for this purpose. Nevertheless, it is my non-binding


Rex S. Jensen

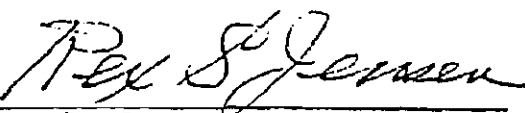
preference that such income or principal be paid or applied for my wife's benefit only in the event her other sources of maintenance or support are inadequate.

2. Upon the death of my wife, the then remaining principal shall be distributed to my then living issue, by right of representation.

3. If any portion of the principal of the trust shall be payable to a beneficiary who is then less than twenty-one (21) years of age, such portion shall immediately vest in such beneficiary, but distribution thereof shall be postponed by the Trustee until such beneficiary attains the age of twenty-one (21) years, and in the meantime the Trustee shall pay such part of the income on such portion, and the principal of such portion, as the Trustee shall deem necessary or proper to provide for such beneficiary's suitable support, education and maintenance, adding any unused income to the principal at the end of each year.

4. Should there be no living beneficiary of this trust, the principal shall go to the person or persons named in Article IV C. of this Will.

5. Prior to actual receipt, no beneficiary of this trust shall have any right to alienate, encumber,


Rex S. Jensen

or hypothecate his or her interest in the principal or income of the trust in any manner, nor shall such interest of any beneficiary be subject to claims of his or her creditors or liable to attachment, execution or other process of law.

C. First Alternate Gift of Residuary. Should the prior provisions of this Will not dispose of all of my property, I give such property to my issue, by right of representation, but subject to Articles IV B.3. and IV B.5. above.

ARTICLE V

FIDUCIARIES

A. Personal Representative. I appoint Robert L. Bilow and Edward T. Evans as Co-Personal Representatives of this my Last Will and Testament. In the event either is unable or unwilling to serve at any time, I appoint the other as such Personal Representative, or if he is unable or unwilling to serve, I appoint the Trust Department of First Interstate Bank of Idaho, N.A., Boise, Idaho, as my Personal Representative.

B. No Bond. My Personal Representative shall not be required to give any bond for the faithful performance of its duties, and if any bond is required by statute, rule or order of court, then no surety shall be required.

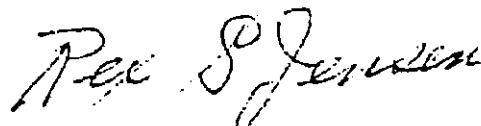

Rex S. Jensen

C. Powers and Duties of Successors. Any successor Personal Representative shall have all of the rights, powers, duties and discretions as my Personal Representative.

D. Unsupervised Estate Administration. My estate shall not be subject to supervised administration unless my Personal Representative petitions therefor, or unless changed circumstances I could not have anticipated would require supervised administration.

E. Trustee. I appoint Robert L. Bilow and Edward T. Evans as the Co-Trustees of the trust created under this Will. In the event one is unable or unwilling to serve, I appoint the other as Trustee.

F. Powers of Trustee. I give to my Trustee and Successor Trustee certain powers in addition to common law and statutory powers. These powers are to be broadly construed. Specifically, I grant the power to do any and every act and thing and to enter into and carry out any and every agreement with respect to the trust property which he or she could do if he or she were the absolute owner thereof. I further grant my Trustee the power to appoint a successor Trustee, if such appointment is in writing executed by the Trustee and acknowledged by him or her before a Notary Public.



Rex S. Jensen

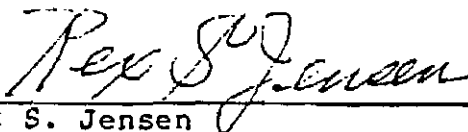
ARTICLE VI

TAXES

A. Death Taxes. All expenses of administering my estate and all federal estate taxes payable by reason of my death, including the federal estate tax with respect to property not passing under this Will, shall be paid, without right of contribution from any person, by my Personal Representative out of my residuary estate.

On behalf of each devisee, I authorize my Personal Representative to pay transfer and inheritance taxes payable by reason of the devises to that devisee; and the amount paid on behalf of each devisee shall be deemed and treated as a charge against the distributive interest of that devisee.

B. Tax Elections. My Personal Representative may make any tax election available to it, may execute or file or join with others in executing or filing any tax returns, and may take any action with respect to taxation which it deems advisable, and shall have no duty to make any adjustment in the interest of any beneficiary hereunder by reason of the exercise of such election or the taking of such action.


Rex S. Jensen

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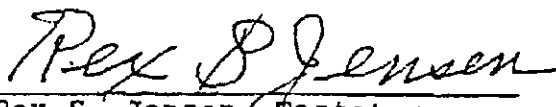
ARTICLE VII

RULES AND DEFINITIONS

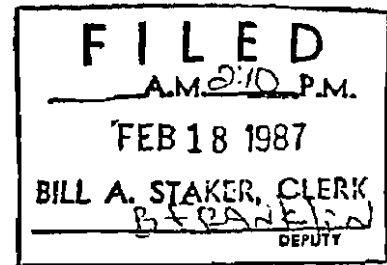
A. Adopted Children. A child adopted by any person and the issue by blood or adoption of such child shall for purposes of this Will be considered the issue of such person and of such person's ancestors, if the adoption is by legal proceeding before the child attains age eighteen (18).

B. Gender, Singular and Plural. Words in this Will in one gender shall be deemed to include other genders, and the singular shall be deemed to include the plural, and the plural the singular.

I, REX S. JENSEN, the Testator, sign my name to this instrument this 30th day of August, 1984, and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument, consisting of nine (9) pages, including the following page, as my Last Will and that I sign it willingly, that I execute it as my free and voluntary act for the purposes herein expressed, and that I am eighteen (18) years of age or older, of sound mind, and under no constraint or undue influence.


Rex S. Jensen, Testator

FIRST CODICIL TO
LAST WILL AND TESTAMENT
OF
REX S. JENSEN



I, REX S. JENSEN, a resident of Canyon County, State of Idaho, hereby make, publish and declare this to be the first codicil to my last will and testament, which was executed by me on August 30, 1984.

ARTICLE 1:

In Article II the last sentence is deleted and the following is substituted therefor:

"Nevertheless, if my spouse survives me, and if my Co-Personal Representatives in their sole discretion find that it is in the best interest of my estate, then I request that my Co-Personal Representatives divide our community property such that the real property comprising 300 acres more or less in Canyon County, Idaho, otherwise know as the Lakeview property, be allocated to my share of our community property and other "offsetting" assets of equal value be allocated to my wife's share of our community property."

ARTICLE 2:

Except as herein expressly amended, I hereby republish, ratify and confirm without change my last will and testament dated August 30, 1984.

I, Rex S. Jensen, the testator, sign my name to this instrument this 2nd day of April, 1986, and being first duly sworn, do hereby declare to the undersigned authority that I

At the request of the Testator, and in the presence of each other, we, Wanda A. Brandt and Mathilda Richardson the witnesses, sign our names to this instrument, being first duly sworn, and do hereby declare to the undersigned authority that the Testator signs and executes this instrument as his Last Will and that he signs it willingly and that each of us, in the presence and hearing of the Testator, hereby signs this Will as the witness to the Testator's signing, and that to the best of our knowledge the Testator is eighteen (18) years of age or older, of sound mind, and under no constraint or undue influence.

Wanda A. Brandt

Witness

Residing at Boise, Idaho

Mathilda Richardson

Witness

Residing at Fessenden, N. Dak.
58438

STATE OF IDAHO)

County of Ada)

) ss.

Subscribed, sworn to, and acknowledged before me by
REX S. JENSEN, the Testator and subscribed and sworn to before me
by Wanda A. Brandt and Mathilda Richardson, the
witnesses, this 30th day of August, 1984.

John M. Gower Jr.

Notary Public for Idaho

Residing at Boise

sign and execute this instrument as the first codicil to my last will and testament dated August 30, 1984, and that I sign it willingly, that I execute it as my free and voluntary act for the purposes therein expressed, and that I am 18 years of age or older, of sound mind, and under no constraint or undue influence.

Rex S. Jensen
Rex S. Jensen

We, Belle Waiter and Gladya Boyer, the witnesses, sign our names to this instrument, being first duly sworn, and do hereby declare to the undersigned authority that the testator signs and executes this instrument as the first codicil to his last will and testament dated August 30, 1984, and that he signs it willingly, and that each of us, in the presence and hearing of the testator, hereby signs this will as witness to the testator's signing, and that to the best of the knowledge of each witness the testator is 18 years of age or older, of sound mind, and under no constraint or undue influence.

Belle Waiter
Witness

Residing at: Mesa
Id.

Gladya Boyer
Witness

Residing at: Mesa
Id.

STATE OF IDAHO)
County of Canyon) ss.

Subscribed, sworn to and acknowledged before me by Rex S. Jensen, the testator, and subscribed and sworn to before me by Belle Waiter and Gladya Boyer, witnesses, this 3rd day of April, 1986.

Gloria Perry
Notary Public for Idaho
Residing at Mesa, Idaho
My commission expires: 11-12-86

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----- AGREEMENT AS OF JULY 1, 1988 ON DIVISION OF REAL PROPERTY -----

WATER:

There are two wells on the lakeview property at this time. These wells were drilled and developed under previous agreements between Bryce Millar and Rex S. Jensen. The licenses for these wells (63-7156 and 33559/63-3597) are issued to Bryce Millar and, under the original contract, will revert to Rex S. Jensen at such time as Bryce no longer leases the land. These two licenses, as issued, provide for the following amounts and locations:

total licenses; 2.81 cfs and 7.53 cfs = 10.34 cfs total,
total acreage under licenses; 280 + 908 = 1188 acres total as follows,
sec 10 = 414 acres, sec 11 = 498 acres, sec 14 = 120 acres, and
sec 15 = 156 acres, with priority dates of 4/13/67 and 10/7/68.

Subsequently, under a deed dated 10/19/80, 60 inches (1.2 cfs) was assigned specifically to the South 1/2 of the South West 1/4 of Section 11 from the wells in section 11, together with an easement as necessary to transport said water for use on these premises. (Trade for 80 acres and water in sections 13 and 14).

To the best of our knowledge today these two wells are currently capable of producing 3.25 cfs in the spring and taper off to 2.8 cfs by July. Subtracting the 1.2 cfs previously deeded this would leave from 2 cfs (100 inches) down to 1.6 cfs (80 inches) available for the approximately 350 acres under consideration.

We are trying to divide the property into three equal value pieces, as per the appraisal by Idaho Land and Appraisal Service and our own discussions, without unnecessarily complicating management of the parcels. We recognize that this land is subject to a lease to Bryce Millar. We have agreed that:

said lease to Bryce Millar which expires 12/31/2004 will continue as per contract as though there had been no change in ownership,

if for any reason this lease is terminated and the water licenses revert to the heirs of Rex S. Jensen the available water should be equally divided amongst the three of us (or our heirs) with 1/3 of the available water going to each of the daughter's parcels of land, that this be specified in the deeds we each receive for our parcels of land, and that each parcel be granted the necessary easements to make this water available to our parcels as part of the original distribution.

ROADWAYS AND ACCESS

Parcel #2, as shown on the maps prepared by the appraiser, does not have access to the main road. This parcel will need an easement from the main road to gain access.

BILLING, TAXES, AND MANAGEMENT

It was agreed that each parcel should have an equal say - one vote per parcel - in future decisions. To simplify this each owner, or their successors, must designate one "voting representative" for their parcel with the authority to speak for the parcel. We have agreed that it will be necessary for these "voting representatives" to elect a "management representative" for the collection of rental fees, paying the property taxes, and distributing to each of the other parcels their fair share of the proceeds. It was agreed that this job should be recompensed at the rate of 2% of the rental collected for the present and would be renegotiated in the event the duties increased in the future. The point was made that this job would require working with and cooperating with Bryce to avoid cancellation of the contract.

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NOV 18 2003

T. 68832

Attachment B

WELL, PUMP, OR WATER SYSTEM REPAIRS AND MAINTENANCE OR REPLACEMENT

Under the existing lease, repairs and maintenance are the responsibility of the lessee. In the event this lease is terminated, all repairs, maintenance, or replacement costs to the water system become the responsibility of the owners and costs must be equally shared by the owners of the three parcels because all the water is provided by this one system. In the event of a problem this shall be handled as follows (it is assumed there will be someone renting, farming or providing some supervision on at least one of the parcels):

- 1) When the "management representative" is notified of a problem he shall immediately attempt to define the seriousness of the problem, possible solutions, and probable costs,
- 2) The "management representative" must immediately attempt to communicate this information to the "voting representatives", request their suggestions and determine if, when, and how the problem is to be solved. If any of the "voting representatives" cannot be contacted it will be assumed they would desire to have the system put back into operation.
- 3) If a unanimous decision is reached that the probable costs of solving the problem exceed the benefits this should be agreed upon in writing and the system will be allowed to continue in whatever condition exists,
- 4) If any one or more of the "voting representatives" feel that the benefit of having water outweigh the cost of solving the problem they may direct the "management representative" to proceed in a reasonable manner to get the problem solved, and costs will be billed to the three parcels equally. There is not sufficient water at best to meet the maximum allocation of 1 inch per acre for any of the parcels, so in the event any one or more of the "voting representatives" of these parcels does not promptly (within one week) pay their share upon notification or billing (by registered mail return receipt requested) the water representing their share as above shall be forfeit and shall be divided equally between the owners who do pay their share plus their share of the costs assigned to the forfeiting parcel.

DISCUSSION OF CONSERVATION RESERVE

We have discussed the advisability of putting whatever land is possible in the conservation reserve and have agreed that this is a good idea under present conditions. Bryce Millar will be instructed to pursue this, and, if an agreement satisfactory to him can be negotiated, we agree to place this land in the conservation reserve under the present contract with Bryce.

ALLOCATION OF PARCELS

Using the map and appraisal sheet as prepared by Idaho Land and Appraisal Service as a base we discussed the relative values of the parcels and how they should be allocated. In a free blind ballot, with each daughter indicating her choice of parcels in order from 1-first choice, to 3-last choice, the following selections were made (parcel numbers from appraisal):

Parcel number	CJE choice	MLJ choice	REMcD choice
1	2	1	3
2	3	2	1
3	1	3	2

As each parcel received equal ranking from the three future owners (each parcel receiving one first choice, one second choice, and one third choice) it is apparent that the division made by the appraisers was a good one. Each of the three daughters is to be deeded her first choice parcel with the allocations of water, expenses, and income as discussed above.

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NOV 18 2003

Bz

FUTURE SALE OF PARCELS

We have agreed, and so direct our successors, because of the shortage of water for these parcels that in the event any parcel individually is offered for sale the following terms will apply:

- 1) sale of any parcel will be priced in two ways - the land without water and the land with the share of water and responsibilities belonging to said parcel,
- 2) the difference between these two prices shall be considered as the value of the share of water described above,
- 3) the "voting representatives" of the other parcels shall have the right of first refusal of this share of the water (or their proportionate share thereof if more than one parcel wishes to buy additional water) and the responsibilities attached to this water at the value determined above. The "voting representatives" will be bound by the same conditions as described above - the "voting representatives" of these parcels must promptly (within one week) upon notification (by registered mail return receipt requested) indicate their desire to purchase this right or the right shall be forfeit and shall be divided equally between the owners who do indicate their desire to exercise this right - in order that the sale may proceed in a timely manner.

DISCUSSION OF TIMING OF ESTATE DISTRIBUTION

We, the heirs of Rex S. Jensen, discussed the timing of the distribution of the corpus of the estate and the effect such timing would have for us. We agreed that, as our present intention is to re-invest the capital we receive as soon as possible after receipt, there was no reason to try to "outguess" the market in converting the present assets to cash as per our previous agreement. We will request the trustees of the estate to proceed as promptly as prudent, after the above mentioned deeds are prepared, to convert the remainder of the estate to cash and begin the distribution of the assets to the three of us. We suggest that they continue to hold some assets in the trust until such time as they are reasonably certain all bills and liabilities have been satisfied and distribute these assets when the trust is closed.

AGREEMENT

We agree that this is a true statement of our intentions and the agreement we have reached, and that we have served as witnesses for the signatures of our sisters.

Date 7/2/88

Date 7/2/88

Date 7/2/88

Marion L. James

Roxey Elizabeth McDonough

Elizabeth J. Evans

SCANNED
NOV 18 2003

B3

INSTRUMENT NO 905823

WARRANTY DEED

THIS INDENTURE, Made this 19 day of October, 1980, between REX S. JENSEN and ROXY C. JENSEN, husband and wife, of Melba, Idaho, the "Grantor," and CATHERINE E. CAVAIANI, REX E. EVANS and MARYON E. EVANS, whose present address is 9990 Roan Meadows Drive, Boise, Idaho, 83705, the "Grantee";

*Now Parker
per S.C.*

WITNESSETH, That the Grantor for and in consideration of an exchange of property, has granted, exchanged, bargained and sold, and by these presents does grant, exchange, bargain, sell, convey and confirm unto the Grantee, the following described property, situated in Canyon County, State of Idaho, to wit:

In Township 2 North, Range 3 West of the Boise Meridian:
Section 11: The South Half of the Southwest Quarter.

TOGETHER with a water right of sixty (60) inches, to be made available from any of Grantor's wells (at Grantor's choice) located on land presently owned by Grantor in Section 11, Township 2 North, Range 3 West of the Boise Meridian, and also, TOGETHER with an easement as necessary to transport said water for use on the premises described above, through existing pipelines or otherwise.

EXCEPTING rights-of-way for roads and power lines and EXCEPT all minerals in or under said land, including but not limited to metals, oil, gas, coal, stone and mineral rights, mining rights and easement rights or other matters relating thereto, whether express or implied.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said Grantor.

TO HAVE AND TO HOLD said premises unto the Grantee and their heirs, executors, administrators, personal representatives and assigns forever. The Grantor covenants that the Grantee shall enjoy the quiet and peaceful possession of said premises; that the Grantor is lawfully seized of said premises in fee simple; and the Grantor warrants that the title to said premises is merchantable and free from all liens and encumbrances, excepting those to which this conveyance is expressly made subject, and those made, suffered or done by the Grantee.

IN WITNESS WHEREOF, the Grantor has hereunto set their hands and seals the day and year first above written.

Rex S. Jensen
Rex S. Jensen

Roxy C. Jensen
Roxy C. Jensen

SCANNED
NOV 18 2003

7.88832

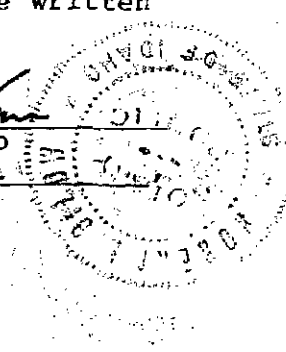
Attachment C

STATE OF IDAHO)
County of Ada) ss.

On this 19 day of October, 1980, before me, a Notary Public in and for said State, personally appeared REX S. JENSEN and ROXY C. JENSEN, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

Robert L. Kilmer
Notary Public for Idaho
Residing at Boise
Idaho



905823

FILED

Nov 10 11 00 AM '80

BILL A. STAKER
HYDRA-CITY RECORDER

C. L. Lunt, Secy

RECORDED

AT THE REQUEST OF

Rowley, Thordell, Emmie & H

Deed

FEE 4.00

GRANTEE

Jensen, Rex S.

GRANTOR

Cavanaugh, Catherine E

et al

RETURN TO

Deed

Record

Box 1617

Boise, ID 83701

SCANNED
NOV 18 2003

C2

Attachment D

Part 1.d. Remarks

The members of the estate of Rex S. Jensen negotiated a settlement with regard to Mr. Jensen's property in Section 11, Township 2 North, Range 3 West, which is set forth in an agreement dated July 1, 1988 (Attachment B). Within that agreement the estate recognized that two water rights, 63-7156 and 63-3597, were appurtenant to Section 11, as well as other property. The agreement ultimately resulted in two water rights being appurtenant to Section 11, 63-3597D and 63-7156B. The total quantity of water under those water rights is 4.26 cfs. Water right 63-7156B has a later priority date but is not a supplemental right in the normal sense of the word. Because the quantity of water appurtenant to the total irrigated lands in Section 11 is much less than one (1) miners inch per acre, both water rights have been used as primary water rights for irrigation of the property. There are no surface water rights for this land.

Because of the agreement and a deed dated October 19, 1980, 1.2 cfs (60 miners inches) was assigned specifically to the south half of the SW $\frac{1}{4}$ of Section 11, Township 2 North, Range 3 West. The balance of the water under the two water rights discussed above was to be distributed equally across the properties within Section 11, held by members of the Rex S. Jensen estate. Unfortunately, the water rights records were not modified to recognize the agreement of July 1, 1988 and the deed. This transfer seeks to accomplish the intent of those documents.

Since modification of water rights and redistribution of water becomes incredibly complex when water is disproportionately assigned to acreage, the applicant requests that the Department approve this Application for Transfer, which distributes the water equally across the unique 365 acres held by the estate of Rex S. Jensen. The applicant further requests that the Department of Water Resources include a condition in the approved Application for Transfer that clearly assigns 1.2 cfs of water under these rights to the south half of the SW $\frac{1}{4}$, Section 11, Township 2 North, Range 3 West. It is the applicant's belief that after consultation with representatives of the Department of Water Resources that this is the easiest and most concise method of recognizing the agreement entered into by the heirs of Mr. Jensen without unnecessarily complicating the water right records of the Department. The applicant has provided a draft condition for insertion into the approved Application for Transfer at the end of this narrative as a convenience for the Department. If this approach is considered inappropriate after review, the applicant requests that they be given an opportunity to modify the transfer application to meet the intent and letter of the agreement and the subsequent deed prior to action of the Department.

Draft Condition

The water rights described in this approved transfer are distributed as follows: **SCANNED**

The lands within the south half of the SW $\frac{1}{4}$, Section 11, Township 2 North, Range 3 West, are assigned 1.2 cfs for irrigation of 78 acres. The balance of the water (3.06 cfs) is distributed evenly over the remaining 287 acres described within the Application for Transfer.

Trans 58832
Attachment D

ERO Resources Corp.
1106 N. Cole Rd., Suite C
Boise, ID 83704-8661
(208) 373-7983
Fax: 373-7985

ERO

Denver • Boise

www.eroresources.com
eroboise@eroresources.com

RECEIVED

FEB 06 2001

WATER RESOURCES
WESTERN REGION

February 5, 2001

Steve Lester
Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, Idaho 83705-5082

RE: ERO Project 1473; Estate of Rex S. Jensen

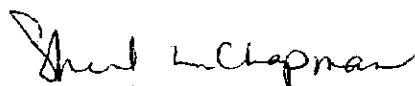
Dear Steve:

I am in receipt of your letter dated January 23, 2001 regarding the transfer application no. 68832 in the name of the Estate of Rex S. Jensen. I have enclosed the completed page 2 of the transfer application and apologize for my oversight.

Your second question related to the beneficial use of water on the property for the past five years. All of this property has been in the conservation reserve program (CRP) from about 1990 to 2000. It was irrigated up to the point that it was put into the CRP and came out last year. I have acquired documentation of its inclusion in the CRP program and have attached copies. I hope this information is sufficient but if not please let me know.

Again, thank you for your help on this complicated transfer.

Sincerely yours,



Sherl L. Chapman

SLC:sw

Encl.

SCANNED

NOV 18 2003

Transg 68832
Attachment E

Consultants in
Natural Resources
and the Environment

CHP-1
(02-21-86)U.S. DEPARTMENT OF AGRICULTURE
Agricultural Stabilization and Conservation Service
Commodity Credit Corporation

T. & CO. CODE & 2. CONTRACT NO.

15

3. FARM NO.

CONSERVATION RESERVE PROGRAM CONTRACT

16-027-6

4103

NOTE:

The following statements are made in accordance with the Privacy Act of 1974 (5 USC 552a): The authority for requesting the information to be supplied on this form is the Food Security Act of 1985, P.L. 99-198, and the regulations promulgated thereunder (7 CFR Part 704) and the Internal Revenue Code (26 USC 6109). The information requested is necessary for CCC to consider and process the offer to enter into a Conservation Reserve Program Contract, to assist in determining eligibility, and to determine the correct parties to the contract. The information may be furnished to other USDA agencies, IRS, Department of Justice, or other State and Federal law enforcement agencies, and in response to orders of a court, magistrate, or administrative tribunal. Furnishing of the Social Security Number (SSN) is mandatory. Furnishing all other information is voluntary; however, failure to furnish the correct, complete information requested will result in rejection of the offer to enter into the contract.

THIS CONTRACT is entered into between the Commodity Credit Corporation (referred to as "CCC") and the undersigned owners and operators (referred to as "Owner" and "Operator", respectively) on the farm identified above (referred to as "Farm") for the fields and acres (referred to as "designated acreage") identified in Items 8-17 below and on the CRP-1A Addendum, as applicable. The Owner and Operator agree to place the designated acreage into the Conservation Reserve Program ("CRP") for a period of 10 crop years from the date the Contract is executed by the CCC. The Owner and Operator also agree to implement on such designated acreage the Conservation Plan developed for such designated acreage and approved by the applicable local conservation district based upon the conservation practices identified in Items 10 and 15 below and in Items 4 and 9 on the CRP-1A Addendum or such other conservation practices as are identified in the Conservation Plan and agreed to by the Owner and Operator. The Owner and Operator and CCC agree to comply with the terms and conditions contained in this Contract and contained in the Appendix to this Contract, entitled Appendix to CRP-1, Conservation Reserve Program Contract (referred to as "Appendix"). By signing below, each Owner and Operator acknowledges that a copy of the Appendix has been provided to the Owner and Operator and that the Owner and Operator has signed the last page of such Appendix which will be kept on file in the County Agricultural Stabilization and Conservation Service (ASCS) Office. By signing below, the Owner and Operator also agree to allow CCC a period of 30 days from the close of the applicable sign-up period to accept this Contract and agree to pay liquidated damages in an amount specified in the Appendix if the Owner and Operator do not allow CCC such 30-day period in which to execute this Contract.

4. OWNERS AND OPERATORS

A. OPERATOR NAME AND ADDRESS

OWNER
Rex E Evans
9990 Roan Meadow Rd
Boise, Id 83709

SHARE

SSN

354-40-0745

SIGNATURE

[Signature]

DATE

8/14/93

6.28 %

B. OWNER NAME AND ADDRESS

Marian L James
798C Hwy 45
Melba, Id 83641

SHARE

SSN

568 10 6534

SIGNATURE

Marian L James

DATE

8/16/93

0 %

C. OWNER NAME AND ADDRESS

Roxy E McDonough
6638 57th Ave N
Seattle, Wn 98115

SHARE

SSN

571 24 0113

SIGNATURE

Roxie McDonough

DATE

8/19/93

0 %

D. OWNER NAME AND ADDRESS

Maryon E Evans
9990 Roan Meadows
Boise, Id 83706

SHARE

SSN

345-40-9342

SIGNATURE

Maryon E Evans

DATE

8/14/93

6.28 %

ACRES FOR CRP

371.5

6. RENTAL RATE PER ACRE

\$

50

7. CONTRACT PERIOD

FROM

TO

FY. 1989

9-30-98

TRACT NO.	FIELD NO.	PRACTICE NO.	ACRES	RATE OF COST-SHARES	TRACT NO.	FIELD NO.	PRACTICE NO.	ACRES	RATE OF COST-SHARES
8	9	10	11	12	13	14	15	16	17
631	1	CP-1	90.9						
1631	2	CP-1	78.9						
1131	3	CP-1	79.4						
1031	4	CP-1	122.3						

SCANNED

NOV 18 2003

E2

1. ANNUAL PAYMENT

18,575.

19. CCC USE ONLY - Payments according to the shares are approved.

CCC REPRESENTATIVE'S SIGNATURE

[Signature]

DATE

9-11-93

Place of Use for estate of Rex S. Jensen transfer

Acres of land
(approximate) 7156B 3597D Combo Total

Parcel 1	SE $\frac{1}{4}$ NE $\frac{1}{4}$ SEC 10	34.8	2.1	15.8	5.0	22.9
(George Harrison)	NE $\frac{1}{4}$ SE $\frac{1}{4}$ SEC 10	19	1.1	8.6	2.7	12.5
Vanessa Chan	NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SEC 10	3	0.2	1.4	0.4	2.0
Justin Smith	W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ W $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SEC 11	18	1.1	8.2	2.6	11.8
Jason Chan	W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ W $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SEC 11	30	1.8	13.6	4.3	19.7
Jesse Chan)	NWSW SEC 11	40	2.4	18.1	5.7	26.3
	Acres	144.8	8.7	65.7	20.8	95.1
	cfs		0.087	0.545	0.381	1.013

Parcel 2	SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SEC 11	3	0.2	1.6	0.5	2.3
(Catherine Parker	E $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SEC 11	5	0.3	2.6	0.8	3.8
Rex E. Evans	E $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SEC 11	10	0.7	5.3	1.7	7.7
Maryon E Evans)	SENE SEC 11	26	1.8	13.8	4.4	19.9
	NESW SEC 11	40	2.8	21.2	6.7	30.7
	NWSE SEC 11	40	2.8	21.2	6.7	30.7
	Acres	124	8.7	65.7	20.8	95.1
	cfs		0.087	0.545	0.381	1.013

78 acre	SWSW SEC 11	39	0	12	27	
(Catherine Parker	SESW SEC 11	39	0	11	28	
Rex E. Evans	Acres	78	0	23	55	78
Maryon Evans)	cfs		0.000	0.191	1.009	1.200

Parcel 3	SESENE SEC 11	2			2.0	2.0
(Mark McDonough)	NESE SEC 11	26		21.9	4.1	26.0
	SWSE SEC 11	39	2.9	21.9	7.75	32.5
	SESE SEC 11	39	5.8	21.9	6.9	34.6
	Acres	106	8.7	65.7	20.8	95.1
	cfs		0.087	0.545	0.381	1.013

SCANNED

NOV 18 2003

RECEIVED

APR 15 2003

WATER RESOURCES
WESTERN REGION

WATER RESOURCES
WESTERN REGION

SEARCHED
SERIALIZED
INDEXED
FILED

BEHAVIOR AND STRESSING SPECIES ARE BEHOLD
INFORMATION WHICH ARE ASSIGNED TO A COMMON
BASES OF RESEARCH USE SUBJECT INFORMATION
SPECIES IS OF THE SUBJECT INFORMATION ONLY AND IS
NOT REPRESENTED AS AN ACTUAL BARRIER ON THE
GROUND.

Comments are taken from both sides, maps
and up to 1000 feet from actual field sites.
Information.

3101st. Bonds
dividend and interest
discovered on July 1, 1908 approximately

Bureau of Information, 7 Madison Ave.
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 100-100000-339, 100-100000-340
 100-100000-341, 100-100000-342

Received 5-5-93

78-acre

RECEIVED

APR 15 2003

**WATER RESOURCES
WESTERN REGION**

CODE: F ACTION: PRESS (01 RETURN) TO VIEW ANOTHER ACCOUNT TRACK101
System User- PLATRM Date 03/19/2003 Time 9:23
REAL PROPERTY INQUIRY

*****	*****	*****	*****
01 GR90072-011-- -O	211-00	SCH1991	01
			50.000
			78.50
			1.50

CAVAIANI, CATHERINE E
& EVANS, REX E
& EVANS, MARYON E

% EVANS, C J %
9990 ROAN MEADOWS DR
BOISE ID 83705

	TOTAL	50,800	80.00
11-2N-3W SW			
91/2 SW1/4			

LEWIS LN. NA

LEWIS LN. NA

INSTRUMENT NO. 7203092

this is the
corrected one
to use in
transfer appl.

FILED
A.M. 3:45 P.M.
FEB 06 1992
NED J. KERR, CLERK
T. L. L.
DEPUTY CLERK

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF CANYON

EDWARD T. EVANS and ROBERT L.)
BILOW, Co-Trustees of the)
Article IV Trust under the Will of)
Rex S. Jensen, Deceased,)
CATHERINE E. PARKER, formerly known)
as CATHERINE E. CAVAIANI, REX E.)
EVANS, MARYON E. EVANS, and MARK A.)
McDONOUGH,)

Plaintiffs,)

vs.)

H. R. MONTIERTH, also known as)
HERBERT R. MONTIERTH, and GOLDA D.)
MONTIERTH, also known as DARLENE R.)
MONTIERTH, husband and wife,)
EDWARD RAY MONTIERTH, also known)
as RAY MONTIERTH, and SUSAN L.)
MONTIERTH, husband and wife,)
RODNEY KENT MONTIERTH, a single)
person, WILFORD NOLAN VICTOR, also)
known as NOLAN VICTOR, and RUBY C.)
VICTOR, husband and wife, ROBERT J.)
MEYERS and KATHI L. MEYERS, husband)
and wife, FARM CREDIT BANK OF)
SPOKANE, a corporation chartered)
under the laws of the United)
States, successor by merger to)
THE FEDERAL LAND BANK OF SPOKANE,)
a corporation formerly chartered)
under the laws of the United)
States, BRYCE D. MILLAR and)
DONNA R. MILLAR, husband and wife,)
THERON GRIFFIN and LA NELL)
GRIFFIN, husband and wife,)
and their heirs, representatives)
and transferees and their claimants)
and encumbrancers, and all of the)

Case No. CV91-00666C

JUDGMENT AND DECREE
OF QUIET TITLE

78 acre
ownership

63-03597
5
63-07156

Attachment A

unknown owners of and all of the)
unknown claimants to any right,)
title, estate, lien or interest in)
whole or any part of the following)
described real and personal)
property which is adverse to the)
Plaintiffs' ownership or is a)
cloud upon the Plaintiffs')
interest therein, said real and)
personal property being more)
particularly described as follows:)

PARCEL VIII:)

A portion of Section 11, Township 2)
North, Range 3 West of the Boise)
Meridian, Canyon County, Idaho,)
more particularly described as)
follows:)

All of the NW $\frac{1}{4}$, lying South of the)
Mora Canal;)
All of the N $\frac{1}{4}$ of the SW $\frac{1}{4}$;)
All of the N $\frac{1}{4}$ of the SE $\frac{1}{4}$ lying)
South of the Mora Canal;)
That portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ lying)
South and East of the Mora Canal;)
All of the East $\frac{1}{2}$ of the SW $\frac{1}{4}$ SE $\frac{1}{4}$;)
All of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, excepting the)
following described property;)

Commencing at a point on the east)
boundary line of Section 11)
Township 2 North, Range 3 West,)
Boise Meridian, which is 280 feet)
North of the Southeast corner)
of said section; thence West a)
distance of 25 feet to a point,)
the TRUE POINT OF BEGINNING;)
thence North and parallel to the)
East boundary line of said Section)
a distance of 300 feet; thence)
West a distance of 100 feet;)
thence South and parallel to the)
East boundary line of said section)
a distance of 300 feet; thence East)
a distance of 100 feet to the TRUE)
POINT OF BEGINNING.)

PARCEL IX:

That portion of Section 10,
Township 2 North, Range 3 West, of
the Boise Meridian, Canyon County,
Idaho, described as follows:

Beginning at the section corner
common to Sections 2, 3, 10 and 11,
Township 2 North and Range 3 West
of the Boise Meridian; thence
S 0°4'0" E, 1,358.47 feet along
the East section line (Basis of
Bearing) to the Real Point of
Beginning; thence continuing
S 0°4'0" E, 1,298.48 feet to the
1/4 corner; thence S 0°9'27" E,
1,818.74 feet along the section
line to a point N 0°9'27" W,
836.23 feet to the southeast corner
of said Section 10; thence
N 39°35'0" W, 421.13 feet; thence
N 19°39'55" W, 722.59 feet; thence
N 16°48'33" W, 201.19 feet; thence
N 37°3'36" W, 599.17 feet; thence
N 13°47'14" W, 527.44 feet; thence
N 0°54'43" E, 492.15 feet; thence
N 61°11'12" W, 315.87 feet; thence
N 21°40'11" W, 304.77 feet; thence
N 89°56'0" E, 1,431.45 feet to the
Real Point of Beginning.

PARCEL X: - *McDonough's 19.5 ac*

The West half of the Southwest
Quarter of the Southeast Quarter
of Section 11 in Township 2 North,
Range 3 West of the Boise
Meridian, Canyon County, Idaho.

PARCEL XI: - *78 acre parcel*

The South half of the Southwest
Quarter of Section 11, Township 2
North, Range 3 West, of the Boise
Meridian, Canyon County, Idaho.

<u>Well #2</u>	<u>Serial No.)</u>
100 h.p. General	)
Electric Motor	)
with a Layne & Bowler	EJJ516178)
pump	45112)
75 h.p. General	)
Electric Motor	)
(Booster)	EJJ509590)
with a Layne & Bowler	)
pump	45111)
<u>Well #3</u>	)
125 h.p. U.S. Holoshaft	)
Motor	None)
with a Wellline pump	1552112KH)
100 h.p. U.S. Holoshaft	)
Motor (Booster)	NRR1326904)
with a Wellline pump	17920412KH)
Together with all allied equipment	)
including but not limited to:	)
electrical panels, control boxes,	)
wiring, pipes, valves, casings,	)
and underground irrigation pipe,	)
used in connection with said wells	)
and the above described real	)
property and also together with	)
all water and water rights	)
appurtenant to said above	)
described real property.	)
Defendants.	)

The Plaintiffs' Motion for Entry of Judgment and Decree of Quiet Title having come regularly before the Court, the Plaintiffs and the Defendants H. R. Montierth, also known as Herbert R. Montierth, and Golda D. Montierth, also known as Darlene R. Montierth, husband and wife, Edward R. Montierth, also known as Ray Montierth, and Susan L. Montierth, husband and wife,

Rodney Kent Montierth, a single person, Wilford Nolan Victor, also known as Nolan Victor, and Ruby C. Victor, husband and wife, Robert J. Meyers and Kathi L. Meyers, husband and wife (collectively hereinafter referred to as the "Defendants Montierth"), having entered into that certain Stipulation and Consent to Entry of Judgment and Decree of Quiet Title, and the Defendants Farm Credit Bank of Spokane, a corporation chartered under the laws of the United States, successor by merger to The Federal Land Bank of Spokane, a corporation formerly chartered under the laws of the United States (hereinafter referred to as the "Defendant Farm Credit Bank"), the Defendants Bryce D. Millar and Donna R. Millar, husband and wife (hereinafter referred to as the "Defendants Millar"), subject to their rights as lessees, and the Defendants Theron Griffin and La Nell Griffin, husband and wife (hereinafter referred to as the "Defendants Griffin"), having disclaimed any right, title or interest in and to the real and personal property located in Canyon County, Idaho which is more particularly described herein and in the Complaint on file herein (hereinafter referred to as the "Subject Property") and all claims against the Defendant Farm Credit Bank, the Defendants Millar and the Defendants Griffin having been dismissed and this Court having reviewed all pleadings, motions and other documents filed herein, and this Court being fully advised in the premises;

IT IS ORDERED, ADJUDGED AND DECREED:

1. That the Plaintiffs, E. T. Evans and Robert L. Bilow, as Co-Trustees of the Article IV Trust under the Will of Rex S. Jensen, Deceased, are the owners in fee simple and, subject to the leasehold interest of the Defendants Millar, are entitled to possession of all that certain real property located in Canyon County, Idaho which is more particularly described as Parcels VIII and IX on EXHIBIT "A" attached hereto and incorporated herein by this reference and all of the personal property (irrigation equipment) also described on said EXHIBIT "A." Said real and personal property is hereinafter collectively referred to as the "Jensen Trust Property."

2. That the Plaintiffs Catherine E. Parker, formerly known as Catherine E. Cavaiani, Rex E. Evans and Maryon E. Evans (hereinafter collectively referred to as the "Plaintiffs Parker") are the owners in fee simple and, subject to the leasehold interest of the Defendants Millar, are entitled to possession of all that certain real property located in Canyon County, Idaho which is more particularly described as Parcel XI on said EXHIBIT "A" attached hereto. Said real property is hereinafter referred to as the "Parker Property."

3. That the Plaintiff Mark A. McDonough (hereinafter referred to as the "Plaintiff McDonough") is the owner in fee simple and, subject to the leasehold interest of the Defendants Millar, is entitled to possession of all that certain real

property located in Canyon County, Idaho which is more particularly described as Parcel X on said EXHIBIT "A" attached hereto. Said real property is hereinafter referred to as the "McDonough Property."

4. That the Defendants Montierth, their heirs, representatives, transferees and their claimants and encumbrancers, and all whom claim title under them have no right, title, interest, claim or estate whatsoever in, to or upon the Jensen Trust Property or the Parker Property or the McDonough Property or any part thereof and all of said Defendants Montierth and all persons claiming under them are forever restrained and perpetually forbidden, enjoined and debarred from claiming or asserting any estate, right, title, interest in or claim or lien upon the Jensen Trust Property, or the Parker Property or the McDonough Property or any part thereof.

5. That the fee simple title in and to the Jensen Trust Property and the whole thereof and each and every part thereof is quieted in E. T. Evans and Robert L. Bilow as Co-Trustees of the Article IV Trust under the Will of Rex S. Jensen, Deceased, free of any adverse claim of the Defendants Montierth and their heirs, representatives, transferees, claimants and encumbrancers.

6. That the fee simple title in and to the Parker Property and the whole thereof and each and every part thereof is

quieted in Catherine E. Parker, formerly known as Catherine E. Cavaiani, Rex E. Evans and Maryon E. Evans, free of any adverse claim of the Defendants Montierth and their heirs, representatives, transferees, claimants and encumbrancers.

7. That the fee simple title in and to the McDonough Property and the whole thereof and each and every part thereof is quieted in Mark A. McDonough, free of any adverse claim of the Defendants Montierth and their heirs, representatives, transferees, claimants and encumbrancers.

8. That appurtenant to the Jensen Trust Property is a non-exclusive easement over and across the following described real property for reasonable vehicle and utility service access from that portion of the South One-Half of the North One-Half of Section 10, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho, not included in the property described below to that road known as Dry Lake Road:

PARCEL I:

The South half of the North half of Section 10, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, EXCEPTING therefrom the following described property: Beginning at the section corner common to Sections 2, 3, 10 and 11, Township 2 North and Range 3 West of the Boise Meridian; thence S 0°4'0" E, 1,358.47 feet along the East section line (Basis of Bearing) to the Real Point of Beginning; thence continuing S 0°4'0" E, 1,298.48 feet to the 1/4 corner; thence S 0°9'27" E, 1,818.74 feet along the section line to a point N 0°9'27" W, 836.23 feet to the

southeast corner of said Section 10; thence N 39°35'0" W, 421.13 feet; thence N 19°39'55" W, 722.59 feet; thence N 16°48'33" W, 201.19 feet; thence N 37°3'36" W, 599.17 feet; thence N 13°47'14" W, 527.44 feet; thence N 0°54'43" E, 492.15 feet; thence N 61°11'12" W, 315.87 feet; thence N 21°40'11" W, 304.77 feet; thence N 89°56'0" E, 1,431.45 feet to the Real Point of Beginning.

9. That the Jensen Trust Property, the Parker Property and the McDonough Property are each entitled to its pro rata share of appurtenant licensed water based upon a pro rata allocation of the total appropriated licensed water among the irrigable acres as reflected in State of Idaho Water License No. 63-3597 and Water License No. 63-7156.

10. That each party hereto shall bear its own attorneys' fees and costs which they incurred in connection with this action.

DATED this 6th day of Feb, 1992.

WAYNE P. FULLER

Wayne P. Fuller
District Judge

State of Idaho }
County of Canyon } ss.

I hereby certify that the foregoing instrument is a true and correct copy of the original as the same appears in this office.

DATED

2-7-92

NED J. KERR, Clerk of the District Court
and Ex-Officio Recorder

JUDGMENT AND DECREE OF QUIET TITLE - By Fuller

EXHIBIT "A"

PARCEL VIII:

A portion of Section 11, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, more particularly described as follows:

All of the NW $\frac{1}{4}$, lying South of the Mora Canal;
All of the N $\frac{1}{4}$ of the SW $\frac{1}{4}$;
All of the N $\frac{1}{4}$ of the SE $\frac{1}{4}$ lying South of the Mora Canal;
That portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ lying South and East of the Mora Canal;
All of the East $\frac{1}{2}$ of the SW $\frac{1}{4}$ SE $\frac{1}{4}$;
All of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, excepting the following described property;

Commencing at a point on the east boundary line of Section 11 Township 2 North, Range 3 West, Boise Meridian, which is 280 feet North of the Southeast corner of said section; thence West a distance of 25 feet to a point, the TRUE POINT OF BEGINNING; thence North and parallel to the East boundary line of said Section a distance of 300 feet; thence West a distance of 100 feet; thence South and parallel to the East boundary line of said section a distance of 300 feet; thence East a distance of 100 feet to the TRUE POINT OF BEGINNING.

PARCEL IX:

*

That portion of Section 10, Township 2 North, Range 3 West, of the Boise Meridian, Canyon County, Idaho, described as follows:

Beginning at the section corner common to Sections 2, 3, 10 and 11, Township 2 North and Range 3 West of the Boise Meridian; thence S 0°4'0" E, 1,358.47 feet along the East section line (Basis of Bearing) to the Real Point of Beginning; thence continuing S 0°4'0" E, 1,298.48 feet to the 1/4 corner; thence S 0°9'27" E, 1,818.74 feet along the section line to a point N 0°9'27" W, 836.23 feet to the southeast corner of said Section 10; thence N 39°35'0" W, 421.13 feet; thence N 19°39'55" W, 722.59 feet; thence N 16°48'33" W, 201.19 feet; thence N 37°3'36" W, 599.17 feet; thence N 13°47'14" W, 527.44 feet; thence N 0°54'43" E, 492.15 feet; thence N 61°11'12" W, 315.87 feet; thence N 21°40'11" W, 304.77 feet; thence N 89°56'0" E, 1,431.45 feet to the Real Point of Beginning.

* Not included in transfer appl. per telegram
with E. T. Evans, - 1 - 5/1/92, SA

PARCEL X:

The West half of the Southwest Quarter of the Southeast Quarter of Section 11 in Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho.

PARCEL XI:

The South half of the Southwest Quarter of Section 11, Township 2 North, Range 3 West, of the Boise Meridian, Canyon County, Idaho.

Well #2

Serial No.

100 h.p. General Electric Motor
with a Layne & Bowler pump

EJJ516178
45112

75 h.p. General Electric Motor (Booster)
with a Layne & Bowler pump

EJJ509590
45111

Well #3

125 h.p. U.S. Holoshaft Motor with a
Wellline pump

None
1552112KH

100 h.p. U.S. Holoshaft Motor (Booster)
with a Wellline pump

NRR1326904
17920412KH

Together with all allied equipment including but not limited to: electrical panels, control boxes, wiring, pipes, valves, casings, and underground irrigation pipe, used in connection with said wells and the above described real property and also together with all water and water rights appurtenant to said above described real property.

9203092

RECORDED

92 FEB 12 PM 12 40

NEED FERR
CANYON CNTY RECORDER
BY C. Smith dt

REQUEST *Shirley Michael*
TYPE *Just* FEB 33
F 44

Parcel #2

RECEIVED

APR 15 2003

WATER RESOURCES
WESTERN REGION

MODE: F ACTION: PRESS (01 RETURN) TO VIEW ANOTHER ACCOUNT TRK101
System User- PLATRM Date 03/19/2003 Time 9:02
REAL PROPERTY INQUIRY

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01 3R30072-013- -0 211-00 SCH1391 01 78,300 121.00
=====
19 3.12
PARKER, CATHERINE E
& EVANS, REX E
& EVANS, MARYON E
% EVANS, MARYON E %
5210 CRAIG LN
NAMPA ID 83686
=====
11-2N-3W NE TOTAL 78,300 124.12
E1/2 E1/2 NWNW S OF MORA CANAL
E1/2 E1/2 SWNW, E1/2 NW S OF
MORA CANAL, NESW, NWSE
LEWIS LN, NA
SURVEY INST 9229052
DRAIN DR VALUE APPR CTR
CLASS REAP 99 MAN UNIT 0
PARCEL 3R02N03W112380 H/O N C/B N
PRIOR ACCOUNT 2R30072-013- -0
02 MH on Property ND
03 Traits 04 Companion Sheet
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INSTRUMENT NO. 9302905

Parcel #2 ownership

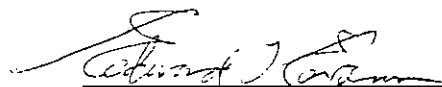
QUITCLAIM DEED
(INCLUDING AFTER-ACQUIRED PROPERTY)

FOR VALUE RECEIVED, EDWARD T. EVANS and CHRYSTAL J. EVANS, husband and wife (hereinafter collectively referred to as "Grantor"), do by these presents convey, remise, release and forever quitclaim unto Maryon E. Evans, an unmarried woman (hereinafter referred to as "Grantee"), all right, title and interest which they now have or may hereafter acquire in and to the property situated in Canyon County, Idaho, which is more particularly described on EXHIBIT "A" attached hereto and incorporated herein by this reference, hereinafter referred to as "Subject Property." At the present time we own an undivided one-twelfth (1/12) interest in and to the Subject Property. The current address of the Grantee is 9990 Roan Meadows Drive, Boise, Idaho 83709.

All income, rents, issues, profits, gains and appreciation of and from the Subject property shall be the separate property of the Grantee.

TO HAVE AND TO HOLD the same unto the Grantee and to her successors and assigns forever.

IN WITNESS WHEREOF, this Quitclaim Deed has been duly executed by the Grantor this 4th day of January, 1993.


EDWARD T. EVANS


CHRYSTAL J. EVANS

INSTRUMENT NO 9229052

QUITCLAIM DEED
(INCLUDING AFTER-ACQUIRED PROPERTY)

FOR VALUE RECEIVED, EDWARD T. EVANS and CHRYSTAL J. EVANS, husband and wife (hereinafter collectively referred to as "Grantor"), do by these presents convey, remise, release and forever quitclaim all right, title and interest which they now have or may hereafter acquire in and to the property situated in Canyon County, Idaho, which is more particularly described on EXHIBIT "A" attached hereto and incorporated herein by this reference (hereinafter "Subject Property"), as follows:

An undivided one-third (1/3) interest in and to the Subject Property unto Catherine E. Parker, a married woman, as her sole and separate property; and ✓

An undivided one-third (1/3) interest in and to the Subject Property unto Rex E. Evans, an unmarried man; and ✓

An undivided one-fourth (1/4) interest in and to the Subject Property unto Maryon E. Evans, an unmarried woman. ✓

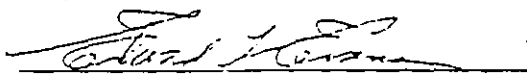
Catherine E. Parker, Rex E. Evans and Maryon E. Evans are hereinafter collectively referred to as the "Grantees." The current address of the Grantees is:

Catherine E. Parker
Rex E. Evans
Maryon E. Evans
c/o E. T. Evans
9990 Roan Meadows Drive
Boise, Idaho 83709

Each Grantee's right, title and interest in and to all income, rents, issues, profits, gains and appreciation of the Subject Property shall be the separate property of each Grantee.

TO HAVE AND TO HOLD the same unto the Grantees and to
their successors and assigns forever.

IN WITNESS WHEREOF, this Quitclaim Deed has been duly
executed by the Grantor this 16th day of December, 1992.


EDWARD T. EVANS


CHRYSTAL J. EVANS

STATE OF IDAHO)
) ss.
County of Ada)

On this 16th day of December, 1992, before me,
Patricia M. [Signature], a Notary Public in and for said
state, personally appeared EDWARD T. EVANS and CHRYSTAL J. EVANS,
husband and wife, known or identified to me to be the persons
whose names are subscribed to the within instrument, and
acknowledged to me that they executed the same.

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

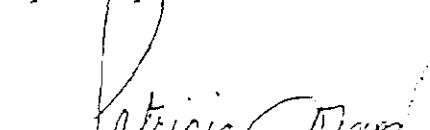

Notary Public for Idaho
Residing at [Signature]
My commission expires 2/1/95

EXHIBIT "A"

Township 2 North, Range 3 West, Boise
Meridian, Canyon County, Idaho

Section 11: E $\frac{1}{4}$ E $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ south of the Mora Canal; E $\frac{1}{4}$ E $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$; E $\frac{1}{4}$ NW $\frac{1}{4}$ south of the Mora Canal; NE $\frac{1}{4}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$.

TOGETHER WITH an undivided one-third (1/3) interest in and to the irrigation wells located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, Township 2 North, Range 3 West, of the Boise Meridian, Canyon County, Idaho and an undivided one-third (1/3) interest in and to all pumps, motors, pipelines and all allied equipment used in connection with or as part of said irrigation wells and irrigation facilities; and

ALSO TOGETHER WITH an undivided one-third (1/3) interest in and to all water diverted from ground water sources located within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, Township 2 North, Range 3 West, of the Boise Meridian, Canyon County, Idaho; and

ALSO TOGETHER WITH a non-exclusive easement of ingress and egress for the purpose of repairing, maintaining and replacing the irrigation wells, pumps, motors, mainline pipe, connecting irrigation equipment and transporting irrigation water to the above-described real property which easement shall be generally restricted to that portion of Section 11, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, wherein the irrigation wells in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and also the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho are located and whereon the mainline pipe leading from said irrigation wells to the above described real property is located; and

ALSO TOGETHER WITH a non-exclusive easement for ingress and egress as provided in that certain Easement Agreement effective as of August 17, 1992 which was recorded on September 9, 1992 as Instrument Number

9220402, records of Canyon County, Idaho and also in that certain Easement Agreement effective as of September 9, 1992 which was recorded on September 9, 1992 as Instrument Number 9220403, records of Canyon County, Idaho.

ALSO TOGETHER WITH all and singular the rights-of-way, easements, tenements, hereditaments and appurtenances thereunto belonging or in anyway appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

SUBJECT TO:

1. A water right of sixty (60) inches which is appurtenant to and which water is to be made available to the S $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11, Township 2 North, Range 3 West, of the Boise Meridian, Canyon County, Idaho from the irrigation wells located in said Section 11; and
2. The right, title and interest of Bryce D. Millar and Donna R. Millar, husband and wife ("Millar"), as Lessee as provided in that certain Farm Lease Agreement dated effective as of January 1, 1984 entered into by Rex S. Jensen, as Lessor and Millar, as Lessee; and
3. The terms and provisions of that certain Agreement as of July 1, 1988 on Division of Real Property entered into by and between Marion L. James, R. Elizabeth McDonough and Chrystal J. Evans, and that certain Agreement dated December 28, 1989 entered into by Marion L. James, R. Elizabeth McDonough, Chrystal J. Evans, Catherine E. Parker (formerly known as Catherine E. Cavaiani, Rex E. Evans and Maryon Evans, all as amended, a Memorandum of which was recorded on September 24, 1992, as Instrument Number 922 4047, records of Canyon County, Idaho.

RECORDED
92 DEC 28 AM 11 58
CANYON COUNTY, IDAHO
BY *[Signature]*
REQUEST *[Signature]*
TYPED *[Signature]*

WATER RIGHT SPLITS FOR 63-7156

WATER RIGHT SIDE

63-7156
MILLAR
2.81 CFS IRR
1191 AFA
280 AC
0.02 CFS STOCK
4.0 AF

63-7156A
MILLAR
1.35 CFS IRR
606.2 AFA
134.7 AC
0.01 CFS STOCK
4.0 AF

63-7156B
REX JENSEN EST
1.46 CFS IRR
653.9 AFA
145.3 AC

PLEASE NOTE: The volumes of the two splits do not match the original licensed volume. The volume should be limited to 57.3 af for the A portion and 617 af for the B portion to match the original licensed acres.

ADJUDICATION SIDE

A63-7156 - MILLAR
2.81 CFS IRR - 1191 AFA - 280 AC
0.01 CFS STOCK - 4.0 AF

A63-7156A - MONTIERTH
1.20 CFS IRR - 120 AC
0.01 CFS STOCK - 4.0 AF

A63-7156B - REX JENSEN EST
1.46 CFS IRR - 620 AFA
145.3 AC
SHOULD BE 617 AFA

A63-7156C - REX JENSEN EST
1.46 CFS IRR - 620 AFA
145.3 AC
SHOULD BE 534.1 AFA

A63-7156D MC DONOUGH
0.20 CFS - 83.2 AFA
19.5 AC
SHOULD BE 82.9 AFA

A63-31534 - REX JENSEN EST
1.46 CFS IRR - 366.2 AFA
145.3 AC
SHOULD BE 365 AFA

A63-~~7156B~~ - EVANS
0.40 CFS IRR - 170.7 AFA
40 AC
SHOULD BE 170.1 AFA

31535

PLEASE NOTE: The volumes of the splits did not match the acres in the split. The change is in Red

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 63-31535
Date Received: 2/14/1990
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

REX E EVANS
2035 FAIRMEADOW DR
BOISE ID USA 83704

Phone: (208) 378-8813

MARYON E EVANS
2035 FAIRMEADOW DR
BOISE ID USA 83704

Phone: (208) 378-8813

CATHERINE E PARKER
2035 FAIRMEADOW DR
BOISE ID USA 83704

Phone: (208) 378-8813

2. Date of Priority: 10/07/1968

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
02N	03W	11	NE	SE		CANYON	
02N	03W	11	NW	SW		CANYON	

5. Description of diverting works:

2 WELLS, PUMPS, MAINLINES, SPRINKLER SYSTEMS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.4	170.72

7. Total Quantity Appropriated is:
0.4 C.F.S. and/or 170.72 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	03W	11	NW	SE	IRRIGATION	40
					Section Acres	40
					Total Acres	40

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

This claim is the result of a split due to change in ownership for a portion of 63-7156C. DH 8/22/2002

Note: Per deed, Parker retains 1/3 interest, Rex Evans 1/3 interest and Maryon Evans 1/4 interest. Other rights cover this property and deeds provided, however, Sherl Chapman said the ownership of those rights is being handled through the transfer process.

15. Basis of Claim: License

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

RECEIVED

MAR 22 2002

WATER RESOURCES
WESTERN REGION

*Should questions arise during the processing of this application please contact:
Sheri L. Chapman - ERO Resources Corp. (208) 373-7983*

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
63-07156B	A63-07156B	XX			

→ split into
C + D

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. N/A
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions): **PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

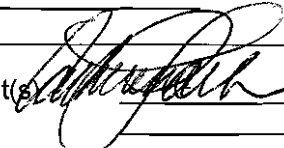
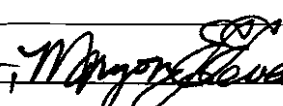
If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY**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

3. Name and Address of Former Owner/Claimant(s) Estate of Rex S. Jensen
4. New Owner/Claimant(s) Rex E. Evans, Maryon E. Evans, and Catherine Parker
Name Connector (Check one): [X] and, [] or, [] and/or
- New Mailing Address 2035 Fairmeadow Dr.
- City, State and ZIP Code Boise, Idaho 83704
- New Telephone Number (208) 378-8813
5. Date you acquired the property December 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 <u>63-07156B</u>		
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	<u>.40</u>	<u>40 acres</u>
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	<u>.40 cfs</u>	

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

U.S. DEPARTMENT OF AGRICULTURE
Agricultural Stabilization and Conservation Service
Commodity Credit Corporation

CONSERVATION RESERVE PROGRAM CONTRACT

T. & CO. CODE # 2. CONTRACT NO.

16 027 6

3. FARM NO.

NOTE:

The following statements are made in accordance with the Privacy Act of 1974 (5 USC 552a): The authority for requesting the information to be supplied on this form is the Food Security Act of 1985, P.L. 99-198, and the regulations promulgated thereunder (7 CFR Part 704) and the Internal Revenue Code (26 USC 6109). The information requested is necessary for CCC to consider and process the offer to enter into a Conservation Reserve Program Contract, to assist in determining eligibility, and to determine the correct parties to the contract. The information may be furnished to other USDA agencies, IRS, Department of Justice, or other State and Federal law enforcement agencies, and in response to orders of a court, magistrate, or administrative tribunal. Furnishing of the Social Security Number (SSN) is mandatory. Furnishing all other information is voluntary; however, failure to furnish the correct, complete information requested will result in rejection of the offer to enter into the contract.

THIS CONTRACT is entered into between the Commodity Credit Corporation (referred to as "CCC") and the undersigned owners and operators (referred to as "Owner" and "Operator", respectively) on the farm identified above (referred to as "Farm") for the fields and acres (referred to as "designated acreage") identified in Items 8-17 below and on the CRP-1A Addendum, as applicable. The Owner and Operator agree to place the designated acreage into the Conservation Reserve Program ("CRP") for a period of 10 crop years from the date the Contract is executed by the CCC. The Owner and Operator also agree to implement on such designated acreage the Conservation Plan developed for such designated acreage and approved by the applicable local conservation district based upon the conservation practices identified in Items 10 and 15 below and in Items 4 and 9 on the CRP-1A Addendum or such other conservation practices as are identified in the Conservation Plan and agreed to by the Owner and Operator. The Owner and Operator and CCC agree to comply with the terms and conditions contained in this Contract and contained in the Appendix to this Contract, entitled Appendix to CRP-1, Conservation Reserve Program Contract (referred to as "Appendix"). By signing below, each Owner and Operator acknowledges that a copy of the Appendix has been provided to the Owner and Operator and that the Owner and Operator has signed the last page of such Appendix which will be kept on file in the County Agricultural Stabilization and Conservation Service (ASCS) Office. By signing below, the Owner and Operator also agree to allow CCC a period of 30 days from the close of the applicable sign-up period to accept this Contract and agree to pay liquidated damages in an amount specified in the Appendix if the Owner and Operator do not allow CCC such 30-day period in which to execute this Contract.

4. OWNERS AND OPERATORS

A. OPERATOR NAME AND ADDRESS

Stacey McCall
5502 S Midland
Nampa, Id 83651

SHARE SSN

1 518-32-7872

SIGNATURE

Stacey McCall 8-16-93

B. OWNER NAME AND ADDRESS

Chrystal J Evans
9990 Road Meadows Dr
Solise, Id 83709

SHARE SSN

518-26-9317

SIGNATURE

Chrystal J. Evans 8-16-93

C. NAME AND ADDRESS

Donna McCall
5502 S Midland
Nampa, Id 83651

SHARE SSN

518-32-8544

SIGNATURE

Donna McCall 8-16-93

D. NAME AND ADDRESS

Catherine E Parker
9990 Road Meadows Dr
Solise, Id 83709

SHARE SSN

345-40-9364

SIGNATURE

Catherine E Parker 8/15/93

5. ACRES FOR CRP

6. RENTAL RATE PER ACRE

7. CONTRACT PERIOD

FROM

TO

\$

TRACT NO.	FIELD NO.	PRACTICE NO.	ACRES	RATE OF COST-SHARES	TRACT NO.	FIELD NO.	PRACTICE NO.	ACRES	RATE OF COST-SHARES
8	9	10	11	12	13	14	15	16	17

18. ANNUAL PAYMENT

19. CCC USE ONLY: Payment according to the terms are approved.

CCC REPRESENTATIVE'S SIGNATURE

DATE

CRP-1
02-21-84U.S. DEPARTMENT OF AGRICULTURE
Agricultural Stabilization and Conservation Service
Commodity Credit Corporation

Form Approved OMB No. 0360-0123

CONSERVATION RESERVE PROGRAM CONTRACT

1. A CO. CODE

2. CONTRACT NO.

3. FARM NO.

NOTE: The following statements are made in accordance with the Privacy Act of 1974 (5 USC 552a): The authority for requesting the information to be supplied on this form is the Food Security Act of 1985, P.L. 99-198, and the regulations promulgated thereunder (7 CFR Part 704) and the Internal Revenue Code (26 USC 5109). The information requested is necessary for CCC to consider and process the offer to enter into a Conservation Reserve Program Contract, to assist in determining eligibility, and to determine the correct parties to the contract. The information may be furnished to other USDA agencies, IRS, Department of Justice, or other State and Federal law enforcement agencies, and in response to orders of a court, magistrate, or administrative tribunal. Furnishing of the Social Security Number (SSN) is mandatory. Furnishing all other information is voluntary; however, failure to furnish the correct, complete information requested will result in rejection of the offer to enter into the contract.

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4. OWNERS AND OPERATORS

OPERATOR NAME AND ADDRESS

OWNER
Rex E Evans
9990 Roan Meadow Rd
Boise, Id 83709

SHARE SSN

354-40-0745

SIGNATURE

6.23 %

DATE
8/14/93

OWNER NAME AND ADDRESS

Marian L James
7980 Hwy 45
Melba, Id 83641

SHARE SSN

568 10 6534

SIGNATURE

0 %

Marian L James

DATE
8/14/93

OWNER NAME AND ADDRESS

Roxie E McDonough
6638 57th Ave N
Seattle, Wn 98115

SHARE SSN

571 01 0113

SIGNATURE

0 %

Roxie E McDonough

DATE
5/19/93

OWNER NAME AND ADDRESS

Maryon E Evans
9990 Roan Meadows
Boise, Id 83706

SHARE SSN

345-40-9342

SIGNATURE

6.23 %

Maryon E Evans

DATE
8/14/93

ITEMS FOR CRP

6. RENTAL RATE PER ACRE

7. CONTRACT PERIOD

5715

5

50 ! -

54.1989

9.30-98

TRACT NO.	FIELD NO.	PRACTICE NO.	ACRES	RATE OF COST-SHARES	TRACT NO.	FIELD NO.	PRACTICE NO.	ACRES	RATE OF COST-SHARES
8	9	10	11	12	13	14	15	16	17
31	1	CP-1	90.9						
32	2	CP-1	78.9						
33	3	CP-1	79.4						
34	4	CP-1	122.3						

ANNUAL PAYMENT

13 5725

19. CCC USE ONLY: Payment according to the terms are approved

CCC REPRESENTATIVE'S SIGNATURE

Maryon E Evans

DATE

9-21-93

INSTRUMENT NO. 9302905

QUITCLAIM DEED
(INCLUDING AFTER-ACQUIRED PROPERTY)

FOR VALUE RECEIVED, EDWARD T. EVANS and CHRYSTAL J. EVANS, husband and wife (hereinafter collectively referred to as "Grantor"), do by these presents convey, remise, release and forever quitclaim unto Maryon E. Evans, an unmarried woman (hereinafter referred to as "Grantee"), all right, title and interest which they now have or may hereafter acquire in and to the property situated in Canyon County, Idaho, which is more particularly described on EXHIBIT "A" attached hereto and incorporated herein by this reference, hereinafter referred to as "Subject Property." At the present time we own an undivided one-twelfth (1/12) interest in and to the Subject Property. The current address of the Grantee is 9990 Roan Meadows Drive, Boise, Idaho 83709.

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IN WITNESS WHEREOF, this Quitclaim Deed has been duly executed by the Grantor this 4th day of January, 1993.


EDWARD T. EVANS


CHRYSTAL J. EVANS

INSTRUMENT NO 9229052

QUITCLAIM DEED
(INCLUDING AFTER-ACQUIRED PROPERTY)

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An undivided one-third (1/3) interest in and to the Subject Property unto Catherine E. Parker, a married woman, as her sole and separate property; and

An undivided one-third (1/3) interest in and to the Subject Property unto Rex E. Evans, an unmarried man; and

An undivided one-fourth (1/4) interest in and to the Subject Property unto Maryon E. Evans, an unmarried woman.

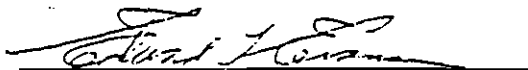
Catherine E. Parker, Rex E. Evans and Maryon E. Evans are hereinafter collectively referred to as the "Grantees." The current address of the Grantees is:

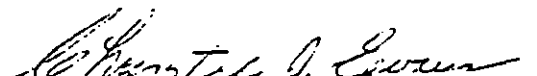
Catherine E. Parker
Rex E. Evans
Maryon E. Evans
c/o E. T. Evans
9990 Roan Meadows Drive
Boise, Idaho 83709

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TO HAVE AND TO HOLD the same unto the Grantees and to
their successors and assigns forever.

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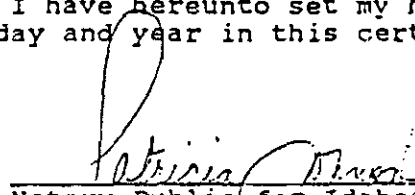

EDWARD T. EVANS

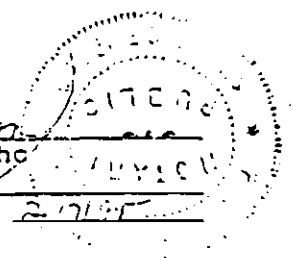

CHRYSTAL J. EVANS

STATE OF IDAHO)
) ss.
County of Ada)

On this 16th day of December, 1992, before me,
Patricia Whelan, a Notary Public in and for said
state, personally appeared EDWARD T. EVANS and CHRYSTAL J. EVANS,
husband and wife, known or identified to me to be the persons
whose names are subscribed to the within instrument, and
acknowledged to me that they executed the same.

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


Notary Public for Idaho
Residing at Boise
My commission expires 2/1/95



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-7156C

WATER RIGHT NUMBER: 63-7156C

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ESTATE OF REX S JENSEN C/O E T EVANS CO-TRUSTEE 9990 ROAN MEADOWS DR BOISE, ID 83709 (208)362-9411
Current Owner	ESTATE OF REX S JENSEN C/O R L BILOW CO-TRUSTEE BOISE, ID 83709
Original Owner	BRYCE MILLAR NAMPA, ID 83651
Original Owner	ESTATE OF REX S JENSEN C/O E T EVANS CO-TRUSTEE 9990 ROAN MEADOWS DR BOISE, ID 83709 (208)362-9411

Priority Date: 10/07/1968

Basis: License

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	1.260 CFS	536.90 AF
	<u>Total Diversion:</u>	1.260 CFS	536.90 AF

Location of Point(s) of Diversion

GROUND WATER	1/3	NE 1/4 SE 1/4	Sec. 11, Twp 02N, Rge 03W, B.M.
CANYON County			
GROUND WATER	60"	NW 1/4 SW 1/4	Sec. 11, Twp 02N, 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	
02N	03W	11													26.0	40.0	20.5	39.3	125.8

Total Acres: 125.8

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-7156C

1. T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remarks:

1. General CLAIM AMENDED DUE TO APPROVED TRANSFER 3952.
THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF CLAIM
A63-07156B, FEE PAID UNDER RECEIPT W008866. KW 4/9/1993

Comments:Dates and Other Information:

Claim Received Date: 2/14/1990
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
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

EXHIBIT "A"

Township 2 North, Range 3 West, Boise
Meridian, Canyon County, Idaho

Section 11: E $\frac{1}{4}$ E $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ south of the Mora Canal; E $\frac{1}{4}$ E $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ E $\frac{1}{4}$ NW $\frac{1}{4}$ south of the Mora Canal; NE $\frac{1}{4}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$.

TOGETHER WITH an undivided one-third (1/3) interest in and to the irrigation wells located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, Township 2 North, Range 3 West, of the Boise Meridian, Canyon County, Idaho and an undivided one-third (1/3) interest in and to all pumps, motors, pipelines and all allied equipment used in connection with or as part of said irrigation wells and irrigation facilities; and

ALSO TOGETHER WITH an undivided one-third (1/3) interest in and to all water diverted from ground water sources located within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, Township 2 North, Range 3 West, of the Boise Meridian, Canyon County, Idaho; and

ALSO TOGETHER WITH a non-exclusive easement of ingress and egress for the purpose of repairing, maintaining and replacing the irrigation wells, pumps, motors, mainline pipe, connecting irrigation equipment and transporting irrigation water to the above-described real property which easement shall be generally restricted to that portion of Section 11, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, wherein the irrigation wells in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and also the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho are located and whereon the mainline pipe leading from said irrigation wells to the above described real property is located; and

ALSO TOGETHER WITH a non-exclusive easement for ingress and egress as provided in that certain Easement Agreement effective as of August 17, 1992 which was recorded on September 9, 1992 as Instrument Number

9220402, records of Canyon County, Idaho and also in that certain Easement Agreement effective as of September 9, 1992 which was recorded on September 9, 1992 as Instrument Number 9220403, records of Canyon County, Idaho.

ALSO TOGETHER WITH all and singular the rights-of-way, easements, tenements, hereditaments and appurtenances thereunto belonging or in anyway appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

SUBJECT TO:

1. A water right of sixty (60) inches which is appurtenant to and which water is to be made available to the S4SW4 of Section 11, Township 2 North, Range 3 West, of the Boise Meridian, Canyon County, Idaho from the irrigation wells located in said Section 11; and
2. The right, title and interest of Bryce D. Millar and Donna R. Millar, husband and wife ("Millar"), as Lessee as provided in that certain Farm Lease Agreement dated effective as of January 1, 1984 entered into by Rex S. Jensen, as Lessor and Millar, as Lessee; and
3. The terms and provisions of that certain Agreement as of July 1, 1988 on Division of Real Property entered into by and between Marion L. James, R. Elizabeth McDonough and Chrystal J. Evans, and that certain Agreement dated December 28, 1989 entered into by Marion L. James, R. Elizabeth McDonough, Chrystal J. Evans, Catherine E. Parker (formerly known as Catherine E. Cavaiani, Rex E. Evans and Maryon Evans, all as amended, a Memorandum of which was recorded on December 28, 1992, as Instrument Number 922 4047, records of Canyon County, Idaho.

EXHIBIT "A" - 2

RECORDED
92 DEC 28 PM 11 58
CANYON CO. RECORDS
BY
TYPED BY
m1200

9229052



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: A63-07156C
Date Received: 2/14/1990
Receipt No: X777777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ESTATE OF REX S JENSEN 208-362-9411
Address: C/O E T EVANS CO-TRUSTEE
9990 ROAN MEADOWS DR
BOISE ID 83709

Name: ESTATE OF REX S JENSEN
Address: C/O R L BILOW CO-TRUSTEE
BOISE ID 83709

2. Date of Priority: OCT 7, 1968

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	03W	11	NW	SW			CANYON
			NE	SE			CANYON

5. Description of diverting works:
2 WELLS, PUMPS, MAINLINES, SPRINKLER SYSTEMS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.260		536.90

7. Total Quantity Appropriated is:
1.260 C.F.S. (and/or) 536.90 A.F.A.

8. Total consumptive use is 440.3 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	03W	11	NE	SE		IRR	26.0
			NW	SE		IRR	40.0
			SW	SE		IRR	20.5
			SE	SE		IRR	39.3

Section Acres 125.8

Total Acres 125.8

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:
63-3597

14. Remarks:

CLAIM AMENDED DUE TO APPROVED TRANSFER 3952.

THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF
CLAIM A63-07156B, FEE PAID UNDER RECEIPT W008866. KW 4/9/1993

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.

Number of attachments: _____

09/29/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-31535

CANYON COUNTY LAKES ESTATES
7488 SKY RANCH ROAD
NAMPA ID 83686

RECEIVED

OCT 26 2006

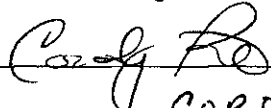
WATER RESOURCES
WESTERN REGION

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

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

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

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

DATE: 10-23-06 SIGNATURE: 
Please print your name: CORDY ROST

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

July 17, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

Canyon County Lakes Estates
7488 Sky Ranch Rd
Nampa, ID 83686

Notice of Claim to a Water Right No. 63-31800, 63-31535, 63-31802, 63-3597H

Dear Claimant(s):

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

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

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

Sincerely,

A handwritten signature in cursive script that reads "Liberty Gagnon".

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

Enclosure

COPY

07/17/2006

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

RIGHT NUMBER: 63-31535

NAME AND ADDRESS: CANYON COUNTY LAKES ESTATES
7488 SKY RANCH ROAD
NAMPA ID 83686

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.550 CFS
235.000 AFY

The total instantaneous diversion of water from all points of diversion under Rights 63-3597H and 63-31535 shall not exceed 1.20 cfs, nor a total combined annual volume of 351.0 af for the irrigation of 78 acres.

PRIORITY DATE: 10/07/1968

POINT OF DIVERSION:

T02N R03W S11 NWSW Within CANYON County

T02N R03W S11 NESE Within CANYON County

Rights 63-3597F, 63-3597H, 63-7156D, 63-31799, 63-31800, 63-31801 and 63-31802 are also diverted through the points of diversion described above.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/01

0.550 CFS
235.00 AFY

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

PLACE OF USE: IRRIGATION Within CANYON County

T02N R03W S11 SWSW 39.00 T02N R03W S11 SESW 39.00

78 ACRES TOTAL

This right is limited to the irrigation of 55 acres within the place of use described above in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

07/17/2006

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

The right holder shall accomplish the change authorized by Transfer 68832 within one (1) year of the date of the approval.

This right does not grant any right-of-way or easement across the land of another.

After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

Prior to diversion of water under this approval, the right holder shall provide

a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

03/02/2006

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

RIGHT NUMBER: 63-31535

NAME AND ADDRESS: REX E EVANS
2035 FAIRMEADOW DR
BOISE ID 83704

CATHERINE E PARKER
2035 FAIRMEADOW DR
BOISE ID 83704

MARYON E EVANS
2035 FAIRMEADOW DR
BOISE ID 83704

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.550 CFS
235.000 AFY

The total instantaneous diversion of water from all points of diversion under Rights 63-3597H and 63-31535 shall not exceed 1.20 cfs, nor a total combined annual volume of 351.0 af for the irrigation of 78 acres.

PRIORITY DATE: 10/07/1968

POINT OF DIVERSION:

T02N R03W S11 NWSW Within CANYON County

T02N R03W S11 NESE Within CANYON County

Rights 63-3597F, 63-3597H, 63-7156D, 63-31799, 63-31800, 63-31801 and 63-31802 are also diverted through the points of diversion described above.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/01

0.550 CFS
235.00 AFY

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

PLACE OF USE: IRRIGATION Within CANYON County

T02N R03W S11 SWSW 39.00 T02N R03W S11 SESW 39.00

78 ACRES TOTAL

This right is limited to the irrigation of 55 acres within the place of use described above in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

The right holder shall accomplish the change authorized by Transfer 68832 within one (1) year of the date of the approval.

This right does not grant any right-of-way or easement across the land of another.

After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

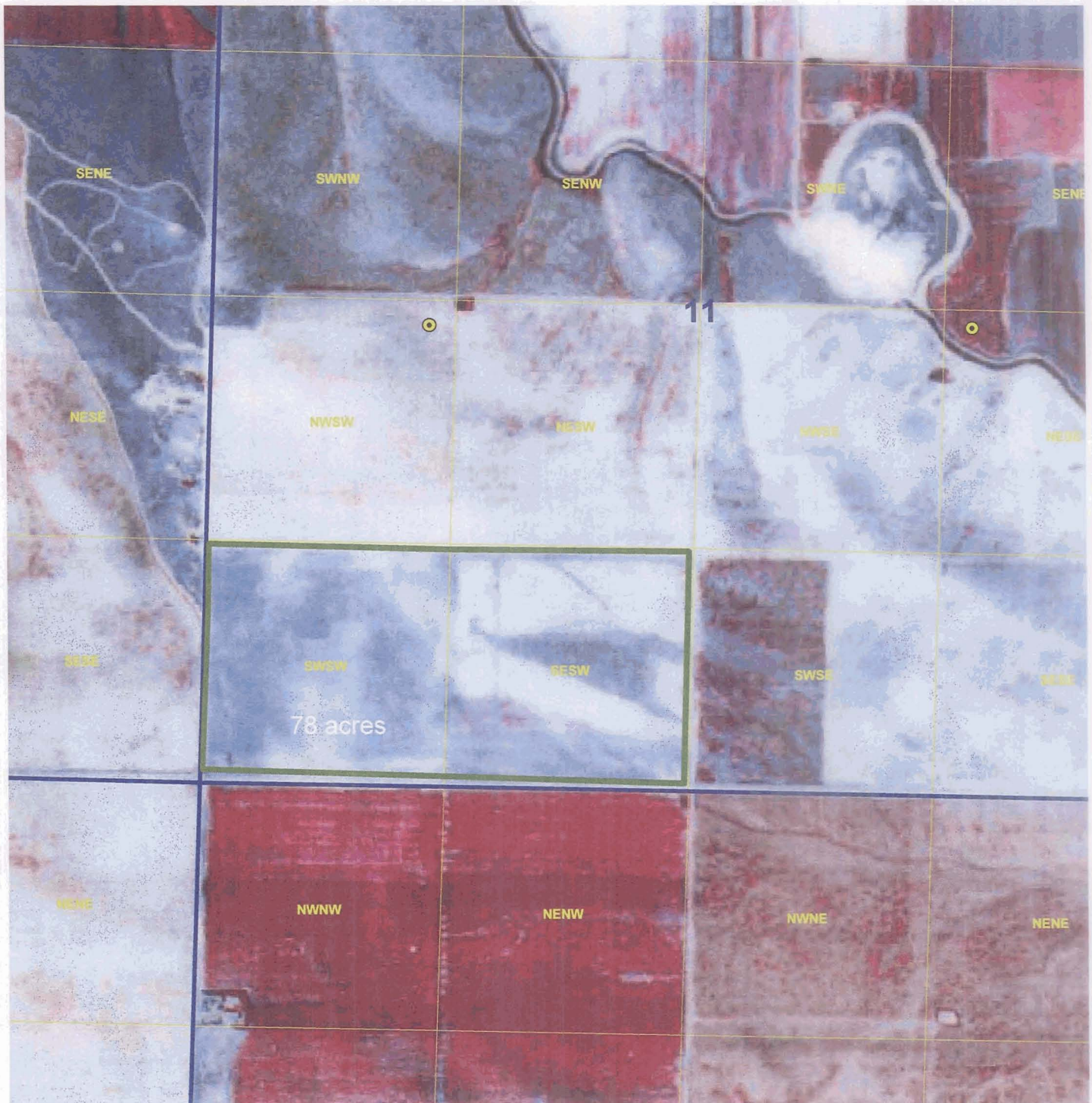
Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Idaho Department of Water Resources

63-31535

T02N R03W S11



- Point of Diversion
- ▭ Place of Use
- Sections
- Quarter Quarter



400 0 400 800 1200 1600 Feet

IDWR

Prepared by: Sandy Egbert

Date: March 2, 2006

1987 NAAP Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31535 V1

WATER RIGHT NUMBER: 63-31535 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	BRYCE MILLAR
	NAMPA, ID 83651
Current Owner	REX E EVANS 2035 FAIRMEADOW DR BOISE, ID 83704 (208)378-8813
Current Owner	CATHERINE E PARKER 2035 FAIRMEADOW DR BOISE, ID 83704 (208)378-8813
Original Owner	ESTATE OF REX S JENSEN C/O E T EVANS CO-TRUSTEE 9990 ROAN MEADOWS DR BOISE, ID 83709 (208)362-9411
Current Owner	MARYON E EVANS 2035 FAIRMEADOW DR BOISE, ID 83704 (208)378-8813

Priority Date: 10/07/1968

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	04/01 to 11/01	0.550 CFS	235.00 AF
	<u>Total Diversion:</u>	0.550 CFS	235.00 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4	Sec. 11, Twp 02N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NW1/4SW1/4	Sec. 11, Twp 02N, 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	
02N	03W	11																	
														39.0	39.0				78.0

Total Acres: 78

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31535 V1

Total Acres: 78

Conditions of Approval:

1. T07 The right holder shall accomplish the change authorized by Transfer 68832 within one (1) year of the date of the approval.
2. This right does not grant any right-of-way or easement across the land of another.
3. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
4. WB4 The total instantaneous diversion of water from all points of diversion under Rights 63-3597H and 63-31535 shall not exceed 1.20 cfs, nor a total combined annual volume of 351.0 af for the irrigation of 78 acres.
5. X27 This right is limited to the irrigation of 55 acres within the place of use described above in a single irrigation season.
6. 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.
7. X36 Rights 63-3597F, 63-3597H, 63-7156D, 63-31799, 63-31800, 63-31801 and 63-31802 are also diverted through the points of diversion described above.
8. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
9. S39 The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Remarks:Comments:

1. psdaggs 8/9/2004 11:44:38 AM Transferred Right
Comment: This is now a approved transfer, transfer number = 68832

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31535 V1

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: 0.02
 Generic Max Volume Per Acre: 4.5
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	3/2/2006 2:15:12 PM	segbert			Active
POD	3/2/2006 2:15:27 PM	segbert			Active
Source	3/2/2006 2:16:23 PM	segbert			Active
POU	3/2/2006 2:16:49 PM	segbert			Active
Use	3/2/2006 2:17:20 PM	segbert			Active
Season	3/2/2006 2:17:43 PM	segbert			Active
Quantity	3/2/2006 2:18:33 PM	segbert			Active
Summary			03/02/2006	segbert	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	3/2/2006 2:15:50 PM	segbert	Updated shape
POU	3/2/2006 2:17:08 PM	segbert	Updated shape for Active POU
POD	3/2/2006 2:16:12 PM	segbert	Updated shape
General	3/2/2006 2:15:14 PM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31535 V1

POD	3/2/2006 2:15:30 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Source	3/2/2006 2:16:26 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	3/2/2006 2:16:52 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	3/2/2006 2:17:23 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	3/2/2006 2:17:46 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31535 V1

Quantity	3/2/2006 2:18:36 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - per transfer
Summary	3/2/2006 2:24:01 PM	segbert	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31535

WATER RIGHT NUMBER: 63-31535

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	BRYCE MILLAR
	NAMPA, ID 83651
Current Owner	REX E EVANS 2035 FAIRMEADOW DR BOISE, ID 83704 (208)378-8813
Current Owner	CATHERINE E PARKER 2035 FAIRMEADOW DR BOISE, ID 83704 (208)378-8813
Original Owner	ESTATE OF REX S JENSEN C/O E T EVANS CO-TRUSTEE 9990 ROAN MEADOWS DR BOISE, ID 83709 (208)362-9411
Current Owner	MARYON E EVANS 2035 FAIRMEADOW DR BOISE, ID 83704 (208)378-8813

Priority Date: 10/07/1968 ✓

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 ✓	04/01 to 11/01 ✓ 3-1 to 11-15	0.550 CFS	235.00 AF
	<u>Total Diversion:</u>	0.550 CFS	235.00 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4 ✓	Sec. 11, Twp 02N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NW1/4SW1/4 T	Sec. 11, Twp 02N, Rge 03W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
02N	03W	11	NE	NW	SW	SE	
			39.0	39.0			78.0

Total Acres: 78

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31535

Total Acres: 78

Conditions of Approval:

1. X27 This right is limited to the irrigation of 55 acres within the place of use described above in a single irrigation season.
2. 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.
3. X36 Rights 63-3597F, 63-3597H, 63-7156D, 63-31799, 63-31800, 63-31801 and 63-31802 are also diverted through the points of diversion described above.
4. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer. + 68832
5. WB4 The total instantaneous diversion of water from all points of diversion under Rights 63-3597H and 63-31535 shall not exceed 1.20 cfs, nor a total combined annual volume of 351.0 af for the irrigation of 78 acres.
6. 01Q After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department. + 68832
7. T07 The right holder shall accomplish the change authorized by ~~the~~ transfer within one (1) year of the date of ~~this~~ approval. + 68832
8. 004 ~~the~~ This right does not grant any right-of-way or easement across the land of another.
9. ~~T09~~ Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
10. ~~X61~~ 539 The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 and after 11/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
11. T17 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Remarks:

Comments:

1. pskaggs 8/9/2004 11:44:37 AM Transferred Right
Comment: This is now an approved transfer, transfer number = 68832

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31535

Lessor Name: CATHERINE E PARKER
Lease Status: Application
Lease Amount: All
Rental Availability: All
Date Received: 12/15/2004
Lease Begin Date:
Expiration Date:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-7156C

WATER RIGHT NUMBER: 63-7156C

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ESTATE OF REX S JENSEN C/O E T EVANS CO-TRUSTEE 9990 ROAN MEADOWS DR BOISE, ID 83709 (208)362-9411
Original Owner	ESTATE OF REX S JENSEN C/O R L BILOW CO-TRUSTEE BOISE, ID 83709
Original Owner	BRYCE MILLAR NAMPA, ID 83651

Priority Date: 10/07/1968

Basis: License

Status: Parent

<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	4/01 to 11/01	1.260 CFS	536.90 AF
	<u>Total Diversion:</u>	1.260 CFS	536.90 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4	Sec. 11, Twp 02N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NW1/4SW1/4	Sec. 11, Twp 02N, 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					
02N	03W	11																	26.0	40.0	20.5	39.3	125.8

Total Acres: 125.8

Conditions of Approval:

- CLAIM AMENDED DUE TO APPROVED TRANSFER 3952.
THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF CLAIM
A63-07156B, FEE PAID UNDER RECEIPT W008866. KW 4/9/1993

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-7156C

2. T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
3. This claim has been split. See nos. 63-31534 & 63-31535. DH 8/22/2002

Remarks:

Comments:

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-7156B

WATER RIGHT NUMBER: 63-7156B

<u>Owner Type</u>	<u>Name and Address</u>
Trustee	ROBERT L BILOW
	, ID
Current Owner	ESTATE OF REX S JENSEN C/O E T EVANS CO-TRUSTEE 9990 ROAN MEADOWS DR BOISE, ID 83709 (208)362-9411
Original Owner	BRYCE MILLAR
	NAMPA, ID 83651
Trustee	EDWARD T EVANS 9990 ROAN MEADOWS DR BOISE, ID 83709 (208)362-9411

Priority Date: 10/07/1968

Basis: License

Status: Active Transferred

<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	4/01 to 11/01	1.460 CFS	653.90 AF
	<u>Total Diversion:</u>	1.460 CFS	653.90 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4	Sec. 11, Twp 02N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NW1/4SW1/4	Sec. 11, Twp 02N, Rge 03W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N 03W 11													26.0	40.0	40.0	39.3	145.3

Total Acres: 145.3

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-7156B

1. T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remarks:

Comments:

1. CURTIS 8/13/1992 Trans. 3952

Comment: Trans. 3952 was filed to change a point of diversion and add a point of diversion under this right and Right 63-03597B.

2. pskaggs 8/9/2004 11:44:17 AM Approved Transfer 68832

Comment: Approved transfer 68832 is associated with all or part of this Right and the following records.

Claim 63-3597F 0.72 cfs 344.2 afa 106 total acres

Claim 63-3597H 0.65 cfs 310.6 afa 78 total acres

Claim 63-7156D 0.3 cfs 127 afa 106 total acres

Claim 63-31535 0.55 cfs 235 afa 78 total acres

Claim 63-31799 0.3 cfs 127 afa 144.8 total acres

Claim 63-31800 0.3 cfs 127 afa 124 total acres

Claim 63-31801 0.72 cfs 344.2 afa 144.8 total acres

Claim 63-31802 0.72 cfs 344.2 afa 124 total acres

Water Supply Bank:

Receipt Details for ID W008866

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
2/15/1990 8:26:53 AM	2/15/1990	Western	\$505.00	Check
Payer		EVANS, E. T.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
295			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$505.00	ADJUDICATION CLAIM FEE	410162	9337	0	0	6490

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	7156	B	\$78.00	Claim
63	3597	D	\$388.00	Claim

Print Report

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-31535**

02/21/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
1597H	Claim	02N	03W	11	SW	SW		IRRIGATION	39/78	REX E EVANS
~~31535~~	Claim	02N	03W	11	SW	SW		IRRIGATION	39/78	REX E EVANS
1597H	Claim	02N	03W	11	SE	SW		IRRIGATION	39/78	REX E EVANS
~~31535~~	Claim	02N	03W	11	SE	SW		IRRIGATION	39/78	REX E EVANS

09/24/2004

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

RIGHT NUMBER: 63-31535

NAME AND ADDRESS: REX E EVANS
2035 FAIRMEADOW DR
BOISE ID 83704

CATHERINE E PARKER
2035 FAIRMEADOW DR
BOISE ID 83704

MARYON E EVANS
2035 FAIRMEADOW DR
BOISE ID 83704

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.550 CFS
235.000 AFY

The total instantaneous diversion of water from all points of diversion under Rights 63-3597H and 63-31535 shall not exceed 1.20 cfs, nor a total combined annual volume of 351.0 af for the irrigation of 78 acres.

PRIORITY DATE: 10/07/1968

POINT OF DIVERSION:

T02N R03W S11 NWSW Within CANYON County

T02N R03W S11 NESE Within CANYON County

Rights 63-3597F, 63-3597H, 63-7156D, 63-31799, 63-31800, 63-31801 and 63-31802 are also diverted through the points of diversion described above.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.550 CFS 235.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within CANYON County

T02N R03W S11	SWSW	39.0	T02N R03W S11	SESW	39.0
---------------	------	------	---------------	------	------

78 ACRES TOTAL

This right is limited to the irrigation of 55 acres within the place of use described above in a single irrigation season.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no

later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The right holder shall accomplish the change authorized by Transfer 68832 within one (1) year of the date of the approval.

EXPLANATORY MATERIAL: License

This right does not grant any right-of-way or easement across the land of another.

After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 22, 2002

REX E EVANS
MARYON E EVANS
CATHERINE PARKER
2035 FAIRMEADOW DR
BOISE ID 83704

Re: Original Notice of Claim to a Water Right No. 63-7156C

Renumbered Notice of Claim to a Water Right No. 63-31535

Dear Claimants:

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

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

Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

A handwritten signature in cursive script that reads "Denise Hatfield".

Denise Hatfield
Office Specialist I
Adjudication Section
Western Region

DH: dh

Enclosure

cc: Sherl L Chapman @ ERO Resources Corp

ERO Resources Corp.
1106 N. Cole Rd., Suite C
Boise, ID 83704-8661
(208) 373-7983
Fax: 373-7985



Denver • Boise

www.eroresources.com
eroboise@eroresources.com

RECEIVED

MAR 22 2002

WATER RESOURCES
WESTERN REGION

March 20, 2002

Gary Spackman
Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

Dear Mr. Spackman:

Please find enclosed a Notice of Change in Water Right Ownership in behalf of Rex E. Evans, Maryon E. Evans, and Catherine Parker for water right no. 63-07156B. I believe all of the information you need is enclosed but if you need additional items please don't hesitate to contact me.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Sherl", written over a horizontal line.

Sherl L. Chapman

SLC:sw

Encl.

cc: Catherine Parker

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-7156 Priority Oct. 7, 1968 Amount 2.81 cfs

THIS IS TO CERTIFY, that BRYCE MILLAR
of Nampa, Idaho, has complied with the terms and conditions of Permit
No. 63-7156 issued pursuant to Application for Permit dated October 7, 1968,
and has submitted proof to the Department of Water Resources on September 21, 1973,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 2.81 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Stockwater</u>	from <u>Jan. 1</u> to <u>Dec. 31</u> at <u>0.01</u> cfs and	<u>4.0</u> acre feet	
<u>Irrigation</u>	from <u>April 1</u> to <u>Nov. 1</u> at <u>2.81</u> cfs and	<u>1,191</u> acre feet or <u>4.5</u> af per acre	
	from _____ to _____ at _____ cfs and		

Subject, however, to the condition that no more than 2.81 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed

1,191 acre feet per year, said waters to be diverted within the NE 1/4 Sec. 11,
Twp. 2N, Rge. 3W, B. M. in the County of Canyon

Description and location of place of use:

Twp.	Range	Sec.	11E				12E				13E				14E				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	3W	11													40	40	40	40	160
		14		40	40	40													120

Total number of acres irrigated 280

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 25 day of
April, 19 75.

Director

Permit No. 63-7156

_____, Route 4, Nampa, Idaho, and represents to the State Reclamation
Engineer of the State of Idaho:

1. Point of diversion: _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Sec. _____, T. _____

mo. - day mo. - day

For Stock water purposes from January 1 to December 31 (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

[illegible]

289

Total number of acres to be irrigated

62-7510

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.

T2N R3W

Scale: 2 inches equal 1 mile

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 28 day of March, 1969.

Bryce Muller
(signature)

ACTION OF STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, State Reclamation Engineer of the State of Idaho, hereby APPROVE the above application for amendment for Permit No. 63-7156.

Witness my hand this 2nd day of April, 1969.

R. Keith Higgins
State Reclamation Engineer

Identification No. 63-7156

Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR PERMIT

APPROVED

LICENSE ISSUED FOR 2.81 110.74
LICENSE FEE 60.00

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

1. Name of applicant Bryce Millar
post office address Route 4, Nampa, Idaho
2. Source of water supply Subterranean which is a tributary of _____
3. a. Location of point of diversion is NE 1/4 of SE 1/4 of Section 11 Township 2 N
Range 3 W B.M. Canyon County; additional points of diversion if any: None
- b. If water is not consumed, it will be discharged into Mora Canal at a point in NW 1/4
of SE 1/4 of Section 11 Township 2 N Range 3 W B.M. Canyon
4. Water will be used for the following purposes:
Amount 6.4 for Irrigation purpose from April 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .01 for Stockwater purpose from January 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 6.4 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
Deep well turbine - sprinkler irrigation
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 16 inches; proposed depth of well is 650 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 60,000.
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: _____ SE 11
_____ NE 1/4 of Section 14 Township 2 N
Range 3 W B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 300 head beefstock
(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

63-7156

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

[illegible]

Total number of acres to be irrigated 320

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

(Note) NE¹/₄NE¹/₄, Sec. 14, Twp. 2 N, Rge. 3 W presently owned by Magleic

Applicant plans to incorporate this 40 within this filing.

9. a. Who owns the property at the point of diversion Mr. Rex Jensen

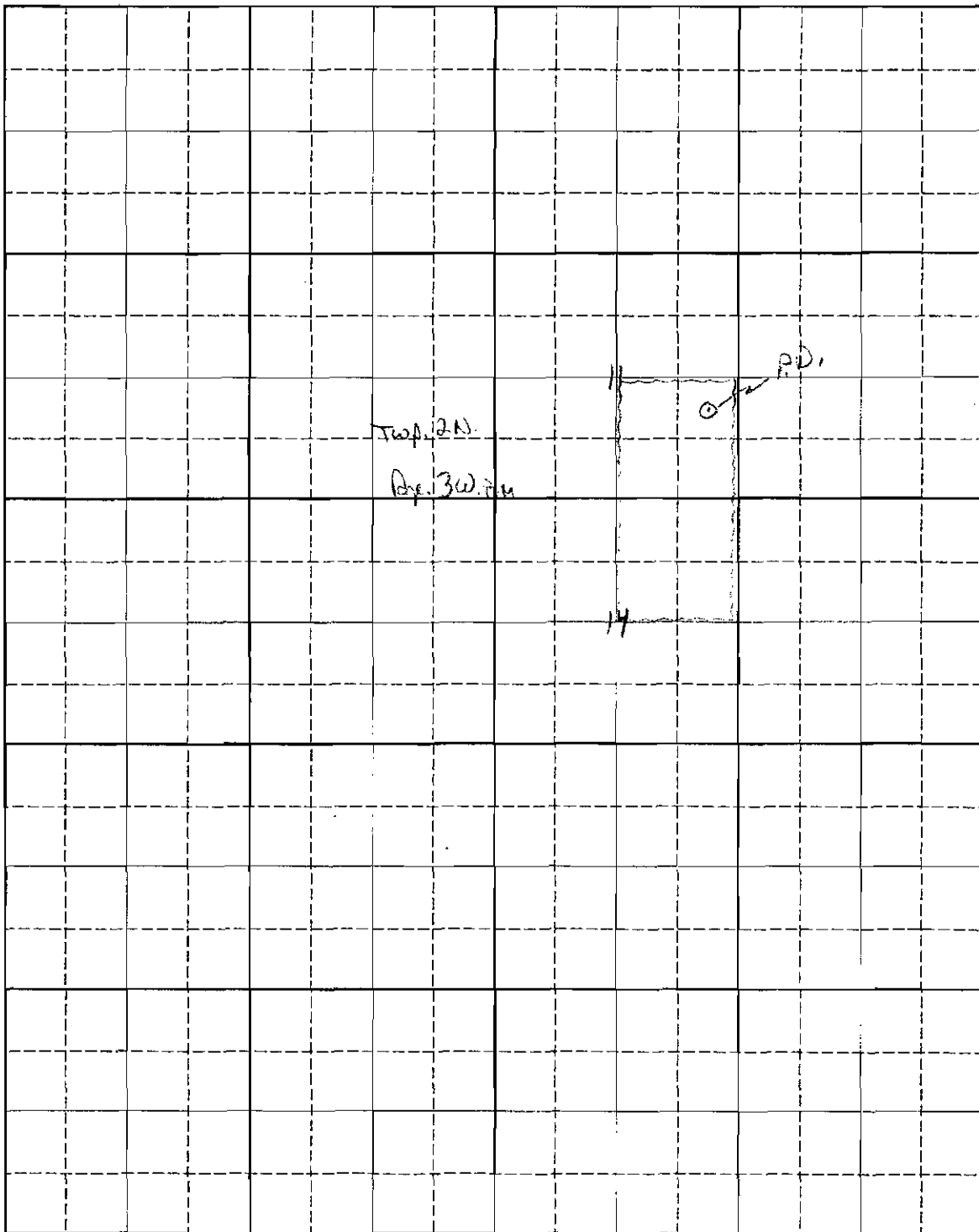
b. Who owns the land to be irrigated or place of use _____ " " "

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

Cash - 7 year lease - option to buy

10. Remarks

11. Map of proposed project:



Scale: 2 inches equal 1 mile

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

Bryce Miller
(Applicant)

68-7156

Received by af Date 10-7-68 Time 2:30pm
Preliminary check by DR Fee \$ 50.00
Received by af Date 10-7-68
Publication prepared by KS Date 10-14-68
Published in IDAHO TRAIL PRESS
Publication dates 10-24 & 31-68
Publication approved KS Date 10-21-68
Priority reduced to _____ Reason _____

Protests filed by: NONE

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by CH

APPROVED

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-7156, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1973.
- c. Other: The applicant shall permanently install a measuring device of a type approved by the department as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 19th day of November, 19 68.

Jack A. Barnett
Deputy State Reclamation Engineer

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Bryce Millar

Post office address Route #4, Nampa, Idaho 83651

Phone

Person to contact

Phone

2. Source of water supply: Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 6.4 c.f.s. for irrigation
AF/Annum (nature of use)

Period of Use: from Apr. 1 to Nov. 1
(mo.-day) inclusive (mo.-day)

Amount .01 c.f.s. for stockwater
 Af/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 6.4 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 2N N/S, Range 3W E/W, B.M., Section 11, Subdivision NE $\frac{1}{4}$ SE $\frac{1}{4}$, Canyon
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____

County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____

Other Points of Diversions:

Description of diverting works: 250 hp motor, 10" pump, 16" well, 604' well, lift 245' underground mainline and sprinkler laterals.

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

280

Permit No. 003-1136
Examination for 6/4

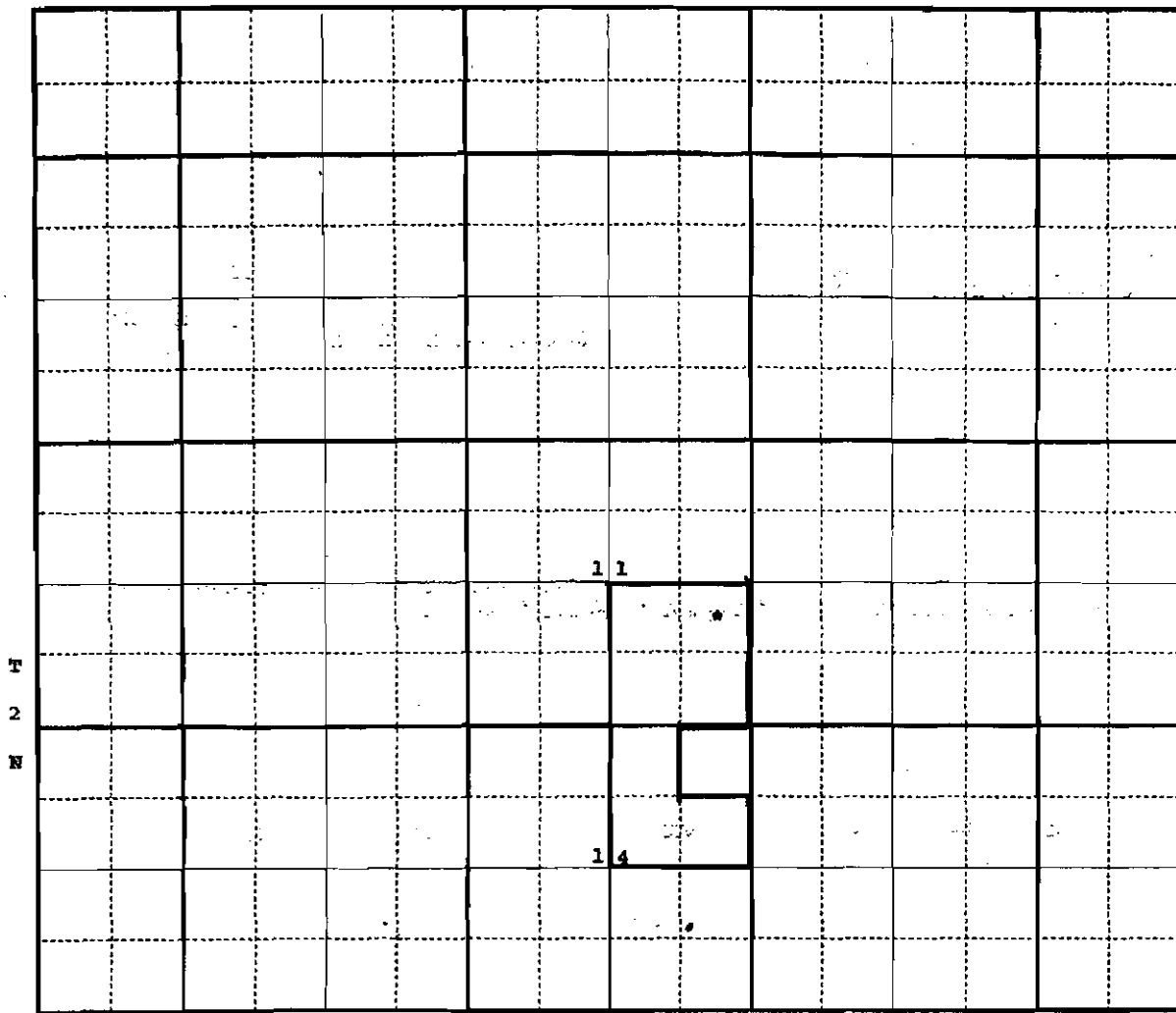
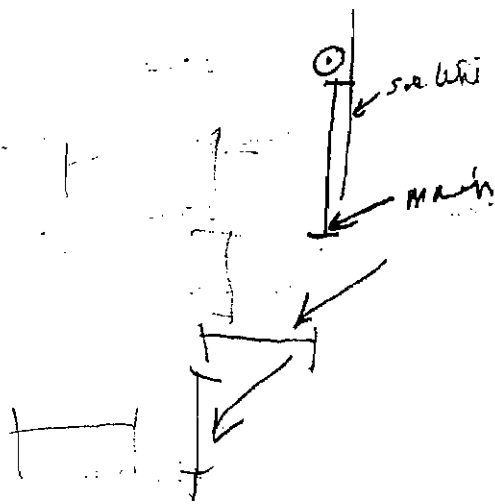


Diagram of System



1 mi west

DATE OF EXAM 16 July 74

ACREAGE
Found _____
Recommended _____

Irrigation Requirement 4.5 Ac Ft/Ac

USE
Irrigation Q = 2.9 c.f.s. V = 1260 AF/Ann. from 4-1 to 11-1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes ☒ no _____

Name source: _____
Twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no _____

Name source exchanged with: _____
Twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: _____
Twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: _____
Twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured 1260 gpm / 2.9 cfs Method of measurement flow meter

Total Q recommended 2.9 cfs Meter No. 10588557 Type Badger Condition New

Total V recommended 1260 AF/Ann

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None _____

MEASUREMENT CALCULATION:

(gpm) 1260 gpm = 2.9 cfs 2.8'

SYSTEM DESCRIPTION:

60 ft well x 16" well w/ 200 HP 45 pump motor
Serial No. 1382500

REMARKS:

System operating within of claim
min. water present during exam

Examiner's Signature Quinn Ballan Date 16 July 74

Checked by _____ Date _____

Approved by _____ Date _____