

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 63-31800
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	0.3	127

7. Total Quantity Appropriated is:

0.3 C.F.S. and/or 127 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

NE	SW	IRRIGATION	40
SE	NW	IRRIGATION	26
NE	NW	IRRIGATION	3
NW	NW	IRRIGATION	5
SW	NW	IRRIGATION	10

Section Acres 124

Total Acres 124

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 right is a split from former right 63-31534.

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 29.5 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 63-31800 and 63-31802 shall not exceed 1.02 cfs, nor a total combined annual volume of 428.0 af for the irrigation of 95.1 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, 63-31535, 63-31799, 63-31801 and 63-31802 are also diverted through the points of diversion described above.

CHANGE IN OWNERSHIP LG 7-17-06 REVIEWED BY SE

15. Basis of Claim: License



ERO Resources Corp.
3314 Groce 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, appearing to read "Steve R. Hannula". The signature is fluid and cursive, with a large, sweeping "H" and a long, trailing flourish at the end.

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
<u>63-3597H</u>	_____	_____	_____	_____	_____
<u>63-31535</u>	_____	_____	_____	_____	_____
<u>63-31800</u>	_____	_____	_____	_____	_____
<u>63-31802</u>	_____	_____	_____	_____	_____

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.

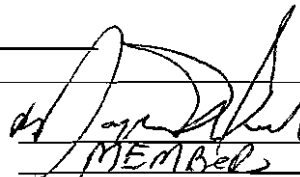
3. Name and Address of Former Owner/Claimant(s) Rex E. Evans and Mayon E. Evans, and Catherine E. Parker
2035 Fairmeadow Dr. Boise, ID 83704
4. New Owner/Claimant(s) Cayon County Lake Estates, LLC
 Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address 7488 Sky Ranch Rd.
- City, State 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 lg Date 7-14-06 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 8:43
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 83686	☒		
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 89508	☐	☐	correction
Morgan Flumi	3628 Beverly Ridge Dr Sherman Oaks, CA 91423	☒	☐	
Flumi Family Trust dated 02/28/00	201 Ocean Ave Apt 708P Santa Monica, CA 90402	☒	☐	

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

Signature: [Signature]

Typed Name: Marc Ikebasu

Capacity: ☒ Manager

Signature: _____

Typed Name: _____

Capacity: _____

Secretary of State use only

IDAHO SECRETARY OF STATE
12/30/2005 05:00
OK: 1151 CT: 195463 BH: 929391
1 2 30.00 = 30.00 ORGAN AMEN # 2

436175

After Recording
Return to:

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

REQUEST
FEE

ALLIANCE - NAMPA

CANYON COUNTY RECORDS
RECEIVED
JAN 11 2006

2005 DEC 9 PM 4:20

RECORDED

200582717

FOR RECORDING INFORMATION

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:

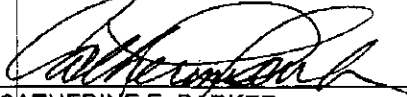
That certain real property consisting of approximately two hundred seven (207) acres located at Lewis Lane in Canyon County, Idaho, more particularly described on **Exhibit A** attached hereto and made a part hereof;

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

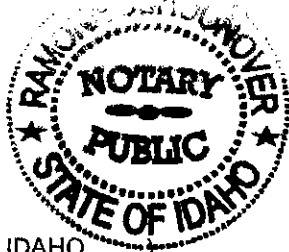
[notary acknowledgments follow]

ACKNOWLEDGMENT

STATE OF IDAHO)
) ss.
 County of Canyon)

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.

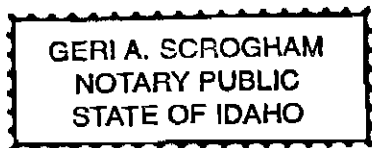


Ramona Schaeffer
 Notary Public for Idaho
 Residing at Lamar
 My commission expires: 12/23/10

STATE OF IDAHO)
) ss.
 County of Ada)

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: 12-13-06

STATE OF IDAHO)
) ss.
 County of Ada)

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 Nampa, 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.

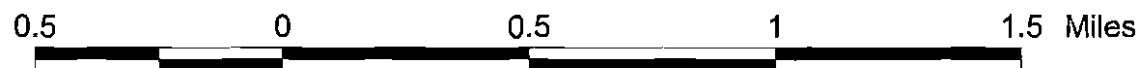
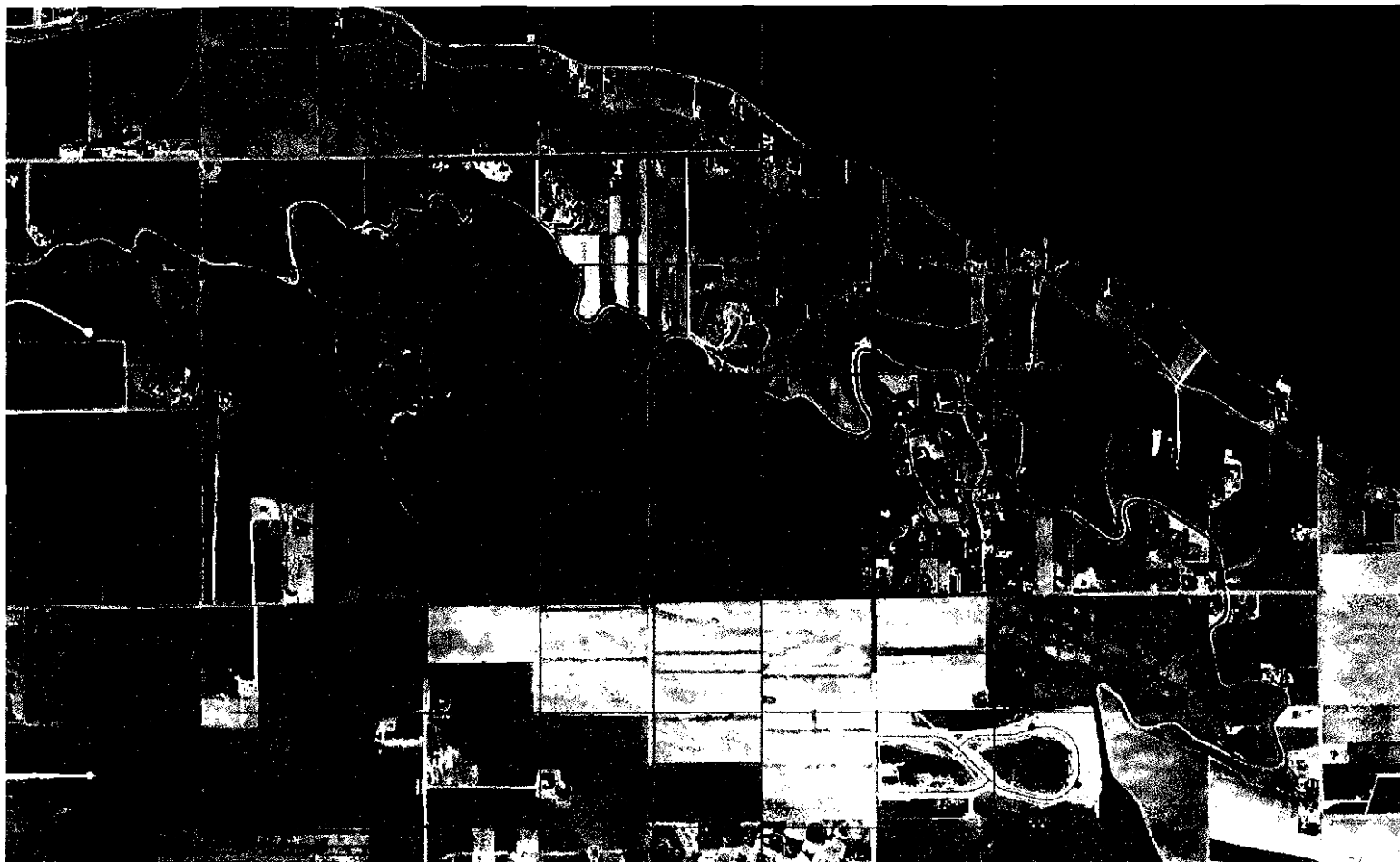
EXHIBIT B

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.

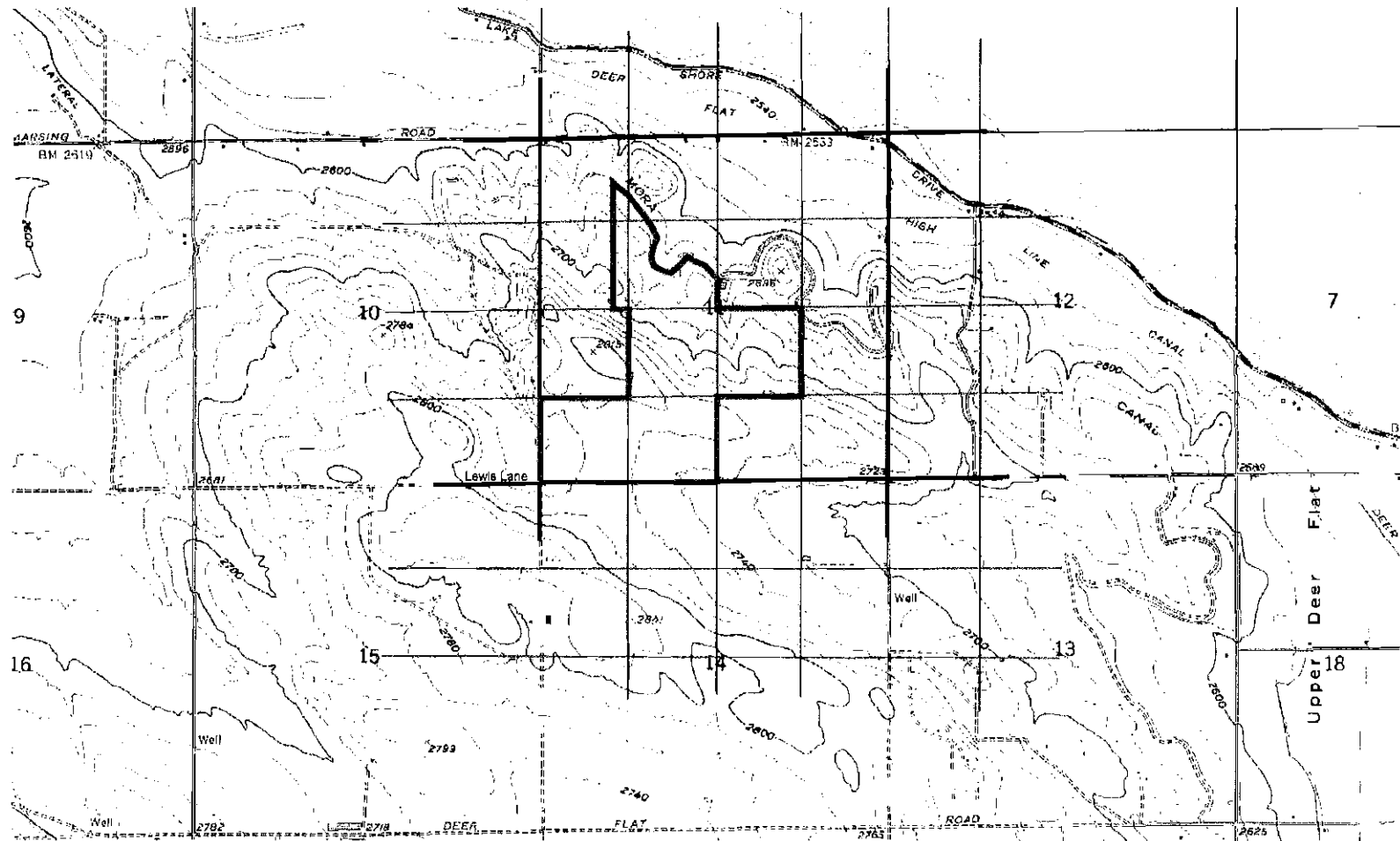
11. Amendment to Agreement, and the terms and conditions contained therein;
Between: Marion L. James, R. Elizabeth McDonough, Chrystal J. Evans.
and: Catherine E. Parker, formerly known as Catherine E. Cavaiani, Rex E. Evans, and
Maryon L. Evans.
Purpose: Amend prior agreements relating to water system 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)



0.5 0 0.5 1 1.5 Miles

CCLE Boundary
QQ Lines
Section Line

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 63-31800
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

MARYON 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

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	0.3	127

7. Total Quantity Appropriated is:

0.3 C.F.S. and/or 127 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
			NE	SW	IRRIGATION	40
			SE	NW	IRRIGATION	26
			NE	NW	IRRIGATION	3
			NW	NW	IRRIGATION	5
			SW	NW	IRRIGATION	10
					Section Acres	124
					Total Acres	124

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:

This right is a split from former right 63-31534.

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 29.5 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 63-31800 and 63-31802 shall not exceed 1.02 cfs, nor a total combined annual volume of 428.0 af for the irrigation of 95.1 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, 63-31535, 63-31799, 63-31801 and 63-31802 are also diverted through the points of diversion described above.

15. Basis of Claim: License

WATER RIGHT NO. 63-31800
As Modified by Transfer No. 68832

In accordance with the approval of Transfer No. 68832, Water Right No. 63-31800 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	0.30 CFS	127.0 AF
		0.30 CFS	127.0 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					3.0	5.0	10.0	26.0	40.0						40.0		124.0

Total Acres: 124

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.
4. This right does not grant any right-of-way or easement across the land of another.
5. 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.

CAB

WATER RIGHT NO. 63-31800
As Modified by Transfer No. 68832

CONDITIONS OF APPROVAL

6. 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.
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 29.5 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 63-31800 and 63-31802 shall not exceed 1.02 cfs, nor a total combined annual volume of 428.0 af for the irrigation of 95.1 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, 63-31535, 63-31799, 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

AMENDED**TRANSFER OF WATER RIGHT*****AMENDED***

TRANSFER NO. 68832

This is to certify that: ESTATE OF REX S JENSEN
C/O E T EVANS CO-TRUSTEE
9990 ROAN MEADOWS DR
BOISE ID 83709
(208)362-9411

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-3597F	AJC/License	04/13/1967	0.72 cfs	344.2 af	86.5	106.0	GROUND WATER
63-3597H	AJC/License	04/13/1967	0.65 cfs	310.6 af	78.0	78.0	GROUND WATER
63-7156D	AJC/License	10/07/1968	0.30 cfs	127.0 af	29.5	106.0	GROUND WATER
63-31535	AJC/License	10/07/1968	0.55 cfs	235.0 af	55.0	78.0	GROUND WATER
63-31799	AJC/License	10/07/1968	0.30 cfs	127.0 af	29.5	144.8	GROUND WATER
63-31800	AJC/License	10/07/1968	0.30 cfs	127.0 af	29.5	124.0	GROUND WATER
63-31801	AJC/License	04/13/1967	0.72 cfs	344.2 af	86.5	144.8	GROUND WATER
63-31802	AJC/License	04/13/1967	0.72 cfs	344.2 af	86.5	124.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-3597F	NO	NO	YES	NO	NO	NO
63-3597H	NO	NO	YES	NO	NO	NO
63-7156D	NO	NO	YES	NO	NO	NO
63-31535	NO	NO	YES	NO	NO	NO
63-31799	NO	NO	YES	NO	NO	NO
63-31800	NO	NO	YES	NO	NO	NO
63-31801	NO	NO	YES	NO	NO	NO
63-31802	NO	NO	YES	NO	NO	NO

63-3597

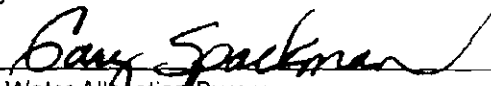
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 68832

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
63-3597F	63-3597F	0.72 cfs	344.2 af	86.5	106.0		N/A	N/A	N/A	N/A
63-3597H	63-3597H	0.65 cfs	310.6 af	78.0	78.0		N/A	N/A	N/A	N/A
63-7156D	63-7156D	0.30 cfs	127.0 af	29.5	106.0		N/A	N/A	N/A	N/A
63-31535	63-31535	0.55 cfs	235.0 af	55.0	78.0		N/A	N/A	N/A	N/A
63-31799	63-31799	0.30 cfs	127.0 af	29.5	144.8		N/A	N/A	N/A	N/A
63-31800	63-31800	0.30 cfs	127.0 af	29.5	124.0		N/A	N/A	N/A	N/A
63-31801	63-31801	0.72 cfs	344.2 af	86.5	144.8		N/A	N/A	N/A	N/A
63-31802	63-31802	0.72 cfs	344.2 af	86.5	124.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		4.26 cfs	2166.0 af	365.0	452.8		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

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

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NOV 18 2003

Total 452.8

RECEIVED

FEB 6 2001

WATER RESOURCES
WESTERN REGION

Page 2 of 8

PART 1

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 16 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	¼	¼	¼	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 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							36	26	40	40	39	39		40	39	38	337.3

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NOV 18 2003

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

PART 2

Transfer No. _____

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/A

4. 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	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. Land 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													26	40	40	39	145.3

Total acres 145.3

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

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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:

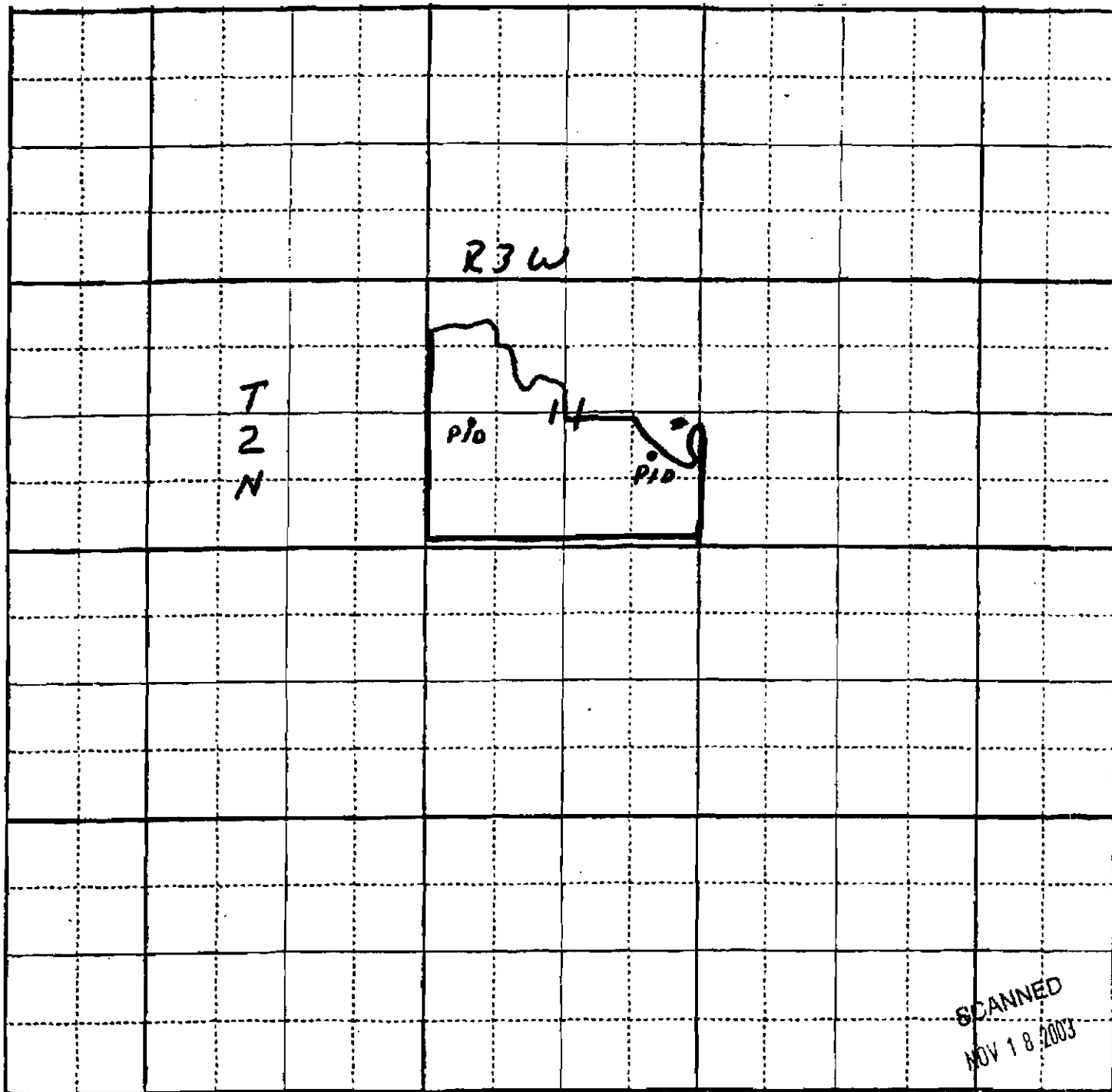
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

SCANNED
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.



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.

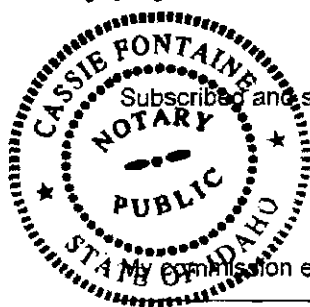
Edward T. Evans and Robert L. Bibow, Co-Personal Representatives
of the Estate of Rex S. Jensen

(Signature of Applicant)

Subscribed and sworn before me this

7th

day of

November, 20 00

Cassie Fontaine

(Notary Public)

My commission expires

8/2/2001

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 45 attachmentsReceived by LM Date 11-29-00 Protest filed by _____Prelim. check by RL Fee 410.00Receipted by LM Date 11-29-00 W027179Published in Press Tribune Copies of protest forwarded by _____Pub. Dates 2-7 + 9-01 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	_____

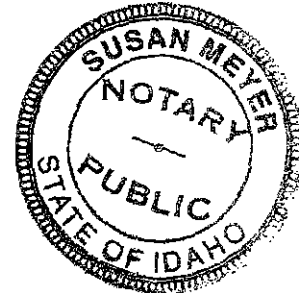
Subscribed and sworn before me this 21 day of Nov 2003.

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

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 29th day of Dec 2003.

Lori Graves

Notary Public
Residing at BOISE, Idaho

My commission expires

6/18/04



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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).

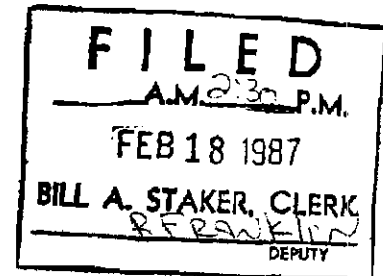
Mark McDonough	_____	Date	_____
Catherine Parker	_____	Date	_____
Rex Evans	_____	Date	_____
Maryon Evans	_____	Date	_____
Jason Chan	_____	Date	_____
Jesse Chan	_____	Date	_____
Vanessa Chan	_____	Date	_____
Justin Smith	<u>Justin Smith</u>	Date	<u>1/2/04</u>
George Harrison	<u>[Signature]</u>	Date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

Subscribed and sworn before me Charles R. [Signature] day of January 2004.

Charles R. [Signature]
NOTARY PUBLIC
STATE OF IDAHO
Residing at Nampa, 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) Probate Case No. 1P-4984
REX S. JENSEN,)
Deceased.)
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. STANLEY, Clerk of the District Court
and EX-OFFICIO Recorder

By *B. Frank*
Deputy

SCANNED
NOV 18 2003

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.

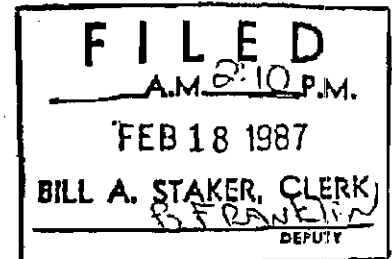
BILL A. STAKER,
Clerk of the District Court

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

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.

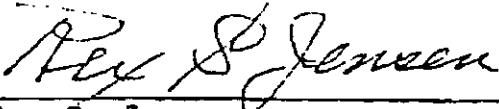
ARTICLE IV

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

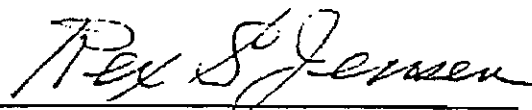
preference that such income or principal be paid or applied for my wife's benefit only in the event her other sources of maintenance or support are inadequate.

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.

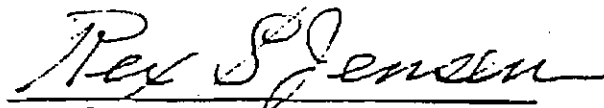
C. First Alternate Gift of Residuary. Should the prior provisions of this Will not dispose of all of my property, I give such property to my issue, by right of representation, but subject to Articles IV B.3. and IV B.5. above.

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.

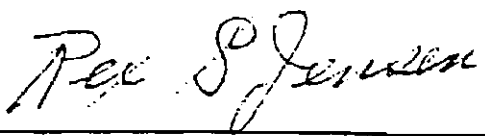

Rex S. Jensen

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
Rex S. Jensen

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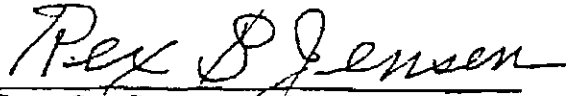
ARTICLE VII

RULES AND DEFINITIONS

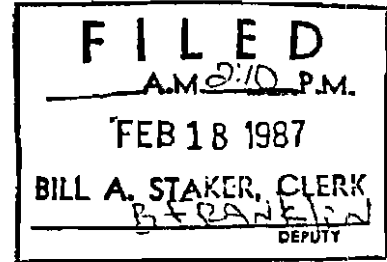
A. Adopted Children. A child adopted by any person and the issue by blood or adoption of such child shall for purposes of this Will be considered the issue of such person and of such person's ancestors, if the adoption is by legal proceeding before the child attains age eighteen (18).

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. Gown 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 Waitley and Gladya Royce 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 Waitley
Witness

Residing at: Mesa
Id.

Gladya Royce
Witness

Residing at: Mesa
Id.

STATE OF IDAHO)
County of Canyon) ss.
Ada

Subscribed, sworn to and acknowledged before me by Rex S. Jensen, the testator, and subscribed and sworn to before me by Belle Waitley and Gladya Royce, witnesses, this 2nd day of April, 1986.

Shirley 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

B2

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 <u>7/2/88</u>	<u>Marion L. James</u>
Date <u>7/2/88</u>	<u>Roxey Elizabeth McLaughlin</u>
Date <u>7/2/88</u>	<u>Crystal J. Evans</u>

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

SCANNED
NOV 18 2003

T. 88832

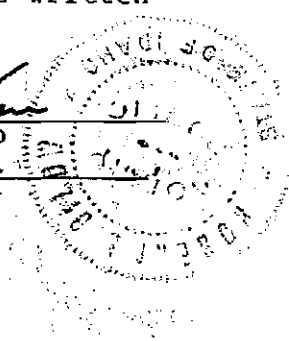
Attachment C

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. Kilian
Notary Public for Idaho
Residing at Boise
Idaho



905823

FILED

Nov 10 11 08 AM '80

BILL A. STAKER
NOTARY PUBLIC

C. L. Lint. dep

RECORDED

AT THE REQUEST OF

Howley, Thordell Emmie & H

Deed

400

Jensen, Rex S.

Cavariani, Catherine E

et al

Deed

Record

10 Nov 16 1980
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. **NOV 19 2003**

Trans 68832
Attachment D

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

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,

A handwritten signature in dark ink, appearing to read "Sherl L. Chapman". The signature is fluid and cursive, with the first name "Sherl" being more prominent.

Sherl L. Chapman

SLC:sw

Encl.

SCANNED

NOV 18 2003

Transfer 68832
Attachment E

Consultants in
Natural Resources
and the Environment

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

T. & CO. CODE & ID

1. CONTRACT NO.

3. FARM NO.

CONSERVATION RESERVE PROGRAM CONTRACT

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 signup 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		SHARE	SSN	SIGNATURE		DATE
OWNER Rex E Evans 9990 Roan Meadow Rd Boise, Id 83709		6.28 %	354-40-0745			8/14/93
OWNER NAME AND ADDRESS		SHARE	SSN	SIGNATURE		DATE
Marian L James 798C Hwy 45 Melba, Id 83641		0 %	568 10 6534	Marian L James		8/16/93
OWNER NAME AND ADDRESS		SHARE	SSN	SIGNATURE		DATE
Roxy E McDonough 6638 57th Ave N Seattle, Wn 98115		0 %	571 24 0113	Roxy E McDonough		8/19/93
OWNER NAME AND ADDRESS		SHARE	SSN	SIGNATURE		DATE
Maryon E Evans 9990 Roan Meadows Boise, Id 83706		6.28 %	345-40-9342	Maryon E Evans		8/14/93

ACRES FOR CRP

6. RENTAL RATE PER ACRE

7. CONTRACT PERIOD

371.5	\$ 50.00	FROM 1-1-1989	TO 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	99.4						
431	4	CP-1	122.3						

SCANNED
NOV 18 2003

1. ANNUAL PAYMENT

18,575.

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

CCC REPRESENTATIVE'S SIGNATURE

DATE

9-14-93

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

T. & CO. CODE & ID

2. CONTRACT NO.

CONSERVATION RESERVE PROGRAM CONTRACT

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	SHARE	SSN	SIGNATURE	DATE
Bryce Millar 3502 S Midland Nampa, Id 83651	40.78 %	518-32-7872	Bryce Millar	8-16-93
B. OWNER NAME AND ADDRESS	SHARE	SSN	SIGNATURE	DATE
Chrystal J Evans 9990 Roan Meadows Dr Boise, Id 83709	40.38 %	518-26-9317	Chrystal J Evans	8-16-93
C. NAME AND ADDRESS	SHARE	SSN	SIGNATURE	DATE
Donna Millar 3502 S Midland Nampa, Id 83651	0 %	518-32-8844	Donna Millar	8-16-93
D. NAME AND ADDRESS	SHARE	SSN	SIGNATURE	DATE
Catherine E Parker 990 Roan Meadows Dr Boise, Id 83709	6.28 %	345-40-9364	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

SCANNED
NOV 19 2003

18. ANNUAL PAYMENT

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

CCC REPRESENTATIVE'S SIGNATURE

DATE

E3

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 $\frac{1}{4}$ SEC $\frac{1}{4}$ 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 $\frac{1}{4}$ E $\frac{1}{4}$ 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 $\frac{1}{4}$ E $\frac{1}{4}$ 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

RECEIVED

APR 15 2003

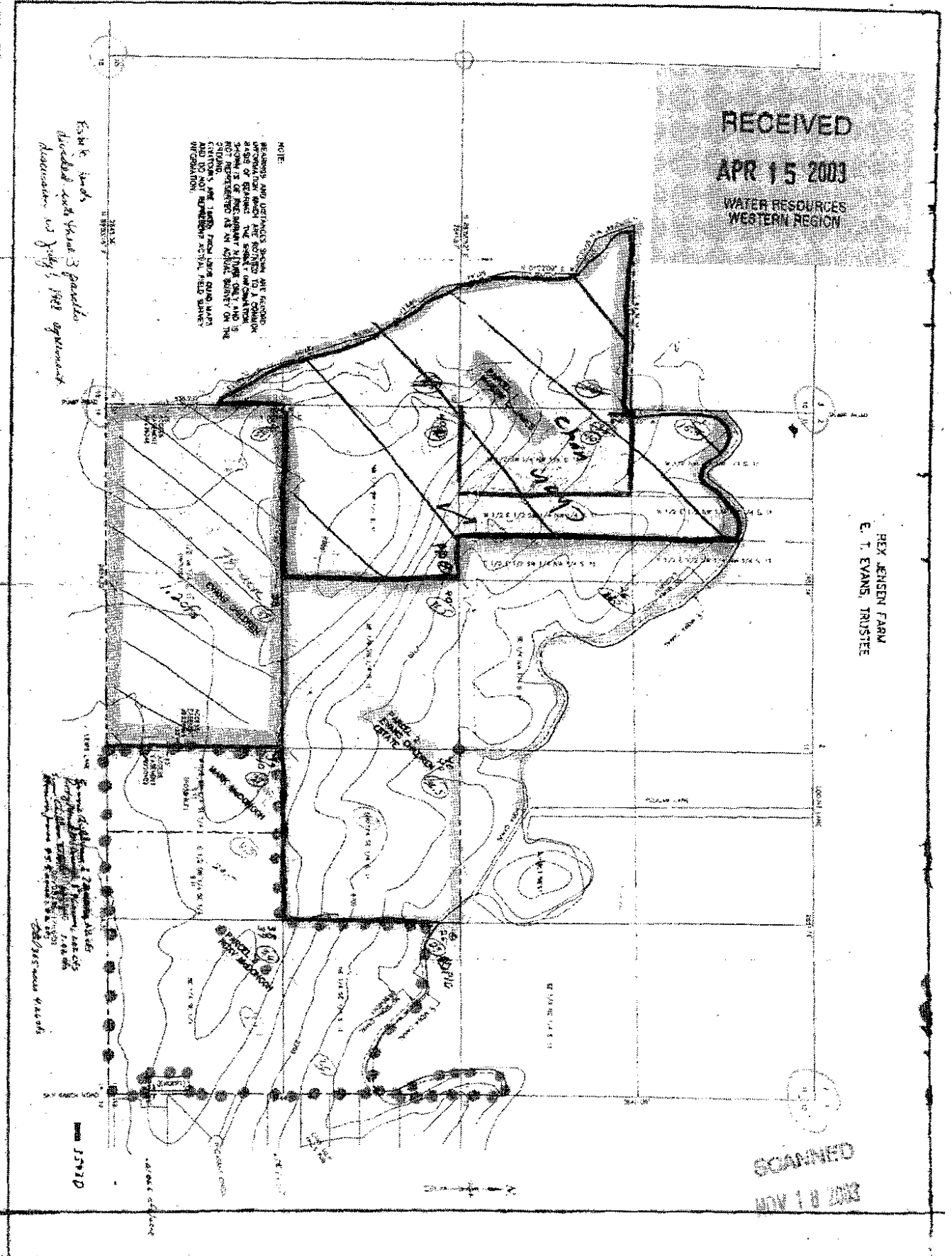
WATER RESOURCES
WESTERN REGION

REX JENSEN FARM
E. T. EVANS, TRUSTEE

NOTE:
BEARINGS AND DISTANCES SHOWN ARE BASED ON
APPROXIMATION BASED ON A COMPARISON
OF THE SURVEY WITH THE AERIAL PHOTOGRAPHY
AND THE RESULTS OF THE SURVEY. THE RESULTS
DO NOT REPRESENT AN ACTUAL SURVEY OF THE
PROPERTY. THE RESULTS ARE BASED ON THE
SURVEY AND THE RESULTS OF THE SURVEY
DO NOT REPRESENT AN ACTUAL SURVEY
OF THE PROPERTY.

Point 1 and
located with three 3' grade
diameter in July 1988 against

Survey of the property of Rex Jensen Farm
by E. T. Evans, Trustee, dated April 15, 2003.
The survey shows the property of Rex Jensen Farm
to be 1.00 acre.



SCANNED

NOV 18 2003

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 63-31534
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)

ESTATE OF REX S JENSEN
C/O E T EVANS CO-TRUSTEE
9990 ROAN MEADOWS DR
BOISE ID USA 83709

Phone: (208)362-9411

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

Phone:

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	0.86	366.18

7. Total Quantity Appropriated is:

0.86 C.F.S. and/or 366.18 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	NE	SE	IRRIGATION	26
			SW	SE	IRRIGATION	20.5
			SE	SE	IRRIGATION	39.3
					Section Acres	85.8
					Total Acres	85.8

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:

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.

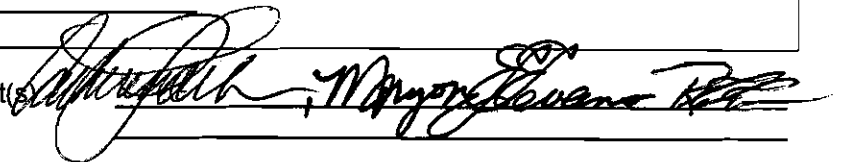
3. Name and Address of Former Owner/Claimant(s) Estate of Rex S. Jensen
4. New Owner/Claimant(s) Rex E. Evans, Maryon E. Evans, and Catherine Parker
Name Connector (Check one): [X] and, [] or, [] and/or
- New Mailing Address 2035 Fairmeadow Dr.
- City, State and ZIP Code Boise, Idaho 83704
- New Telephone 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 _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

4.267AFA

63-7156C 125.8 acres = .01 cfs/acre

63-31534

Estate (Jensen)

Parker

63-31535

Mayron Evans, Rex Evans

NE 2E 26

NW 2E 0

SW 2E 20.5

SE 2E 39.3

85.8 acres

0.86 cfs

366.18 AFA

0

40

0

0

40

0.40 cfs

170.72 AFA

* for comments -

→ per deed, Parker retains $\frac{1}{3}$ interest, Rex Evans $\frac{1}{3}$ interest, + Mayron Evans $\frac{1}{4}$ interest.

Other rights cover this property + deeds provided, however, Skel/Chapman said the ownership of those rights is being handled through the transfer process.

(2-14-90)

63-7156C

Calculated From claim in File
125.8 acres 1.26 cfs / 536.9 AFA

Jensen

.86 cfs

366.18 AFA

Evans / Parker

.40 cfs

170.72 AFA

2N 3W (11) NESE 26 AC
SWSE ~~20.5~~ 20.5 AC
SESE 39.3 AC

2N 3W (11) NWSE
40 AC

85.8 AC

60" available to S¹/₂SW¹/₄ Sec 11

35970 { SWSW 39 - 0.64708
SESW 39 - 349.65 AFA

35974 ↑ Same 0.65 FS
310.6 AFA

35976 { NWSE 40 ACRES
71262

661

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

T. & CO. CODE # 10

2. CONTRACT NO. 16

16 027 6

3. FARM NO.

CONSERVATION RESERVE PROGRAM CONTRACT

NOTE: The following statements are made in accordance with the Privacy Act of 1974 (5 USC 552a): The authority for requesting the information is 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 signup 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	SHARE	SSN	SIGNATURE	DATE
Steve McLean 3500 S Midland Nampa, Id 83651	40.78 %	518-32-7872	<i>Steve McLean</i>	8-16-9
B. OWNER NAME AND ADDRESS	SHARE	SSN	SIGNATURE	DATE
Crystal J Evans 9990 Roan Meadows Dr Boise, Id 83709	40.58 %	518-26-9317	<i>Crystal J. Evans</i>	8-16-9
C. NAME AND ADDRESS	SHARE	SSN	SIGNATURE	DATE
Donna McLean 3500 S Midland Nampa, Id 83651	0 %	518-32-8847	<i>Donna McLean</i>	8-16-9
D. NAME AND ADDRESS	SHARE	SSN	SIGNATURE	DATE
Catherine E Parker 990 Roan Meadows Dr Boise, Id 83709	6.03 %	345-40-9364	<i>Catherine E Parker</i>	8/15/93

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 chart are approved	CCC REPRESENTATIVE'S SIGNATURE	DATE

CONSERVATION RESERVE PROGRAM CONTRACT

1. FARM CODE NO. 10

2. CONTRACT NO. 7B

3. FARM NO. 4103

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.

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4. OWNERS AND OPERATORS

OWNER NAME AND ADDRESS	SHARE	SSN	SIGNATURE	DATE
OWNER Ox E Evans 990 Roan Meadows Rd Elba, Id 83709	6.25%	354-40-0745	<i>[Signature]</i>	8/14/93
OWNER NAME AND ADDRESS	SHARE	SSN	SIGNATURE	DATE
Marian L James 7930 Hwy 45 Elba, Id 83641	0%	568 10 6534	<i>Marian L James</i>	8/16/93
OWNER NAME AND ADDRESS	SHARE	SSN	SIGNATURE	DATE
Ox E McDonough 658 57th Ave N Rattle Run 93115	0%	571 24 0115	<i>Ox E McDonough</i>	5/19/93
OWNER NAME AND ADDRESS	SHARE	SSN	SIGNATURE	DATE
Maryon E Evans 990 Roan Meadows Elba, Id 83706	6.25%	345-40-9342	<i>Maryon E Evans</i>	8/14/93

ITEMS FOR CRP	5. RENTAL RATE PER ACRE		7. CONTRACT PERIOD	
	FROM	TO	FROM	TO
3715	\$ 50	—	5-1-1989	9-30-98

CT	FIELD NO.	PRACTICE NO.	ACRES	RATE OF COST-SHARES	TRACT NO.	FIELD NO.	PRACTICE NO.	ACRES	RATE OF COST-SHARES
	9	10	11	12	13	14	15	16	17
1	1	CP-1	90.9						
21	2	CP-1	78.9						
31	3	CP-1	79.4						
41	4	CP-1	122.3						

INITIAL PAYMENT	19. CCC USE ONLY: Payment according to the terms set forth in the contract	CCC REPRESENTATIVE'S SIGNATURE	DATE
3715		<i>[Signature]</i>	9-21-93

INSTRUMENT NO. 9302905

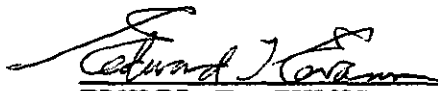
QUITCLAIM DEED
(INCLUDING AFTER-ACQUIRED PROPERTY)

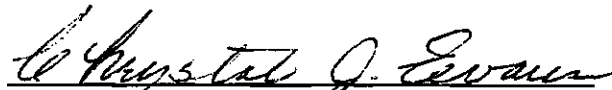
FOR VALUE RECEIVED, EDWARD T. EVANS and CHRYSTAL J. EVANS, husband and wife (hereinafter collectively referred to as "Grantor"), do by these presents convey, remise, release and forever quitclaim unto Maryon E. Evans, an unmarried woman (hereinafter referred to as "Grantee"), all right, title and interest 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.

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.

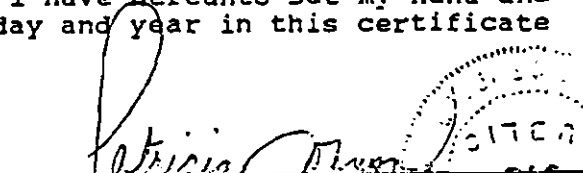

EDWARD T. EVANS


CHRYSTAL J. EVANS

STATE OF IDAHO)
) ss.
County of Ada)

On this 16th day of December, 1992, before me,
Patricia 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 2/7/95

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

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

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 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 November 22, 1992, as Instrument Number 422 4047, records of Canyon County, Idaho.

EXHIBIT "A" - 2

RECORDED

92 DEC 28 AM 11 58

RECEIVED
CANYON COUNTY RECORDS
BY *Chrystal J. Evans*
DATE *12-1-92*
BY *Donna R. Millar*

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 of	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: _____

~~MICROFILMED~~



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

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: 63-31800

CANYON COUNTY LAKES ESTATES
7488 SKY RANCH ROAD
NAMPA ID 83686

RECEIVED

OCT 26 2006

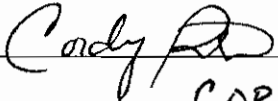
**WATER RESOURCES
WESTERN REGION**

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:

☒ 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

07/17/2006

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

RIGHT NUMBER: 63-31800

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.300 CFS
127.000 AFY

The total instantaneous diversion of water from all points of diversion under Rights 63-31800 and 63-31802 shall not exceed 1.02 cfs, nor a total combined annual volume of 428.0 af for the irrigation of 95.1 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, 63-31535, 63-31799, 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	0.300 CFS 127.00 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	NENW	3.00	T02N R03W S11	NWNW	5.00
T02N R03W S11	SWNW	10.00	T02N R03W S11	SENW	26.00
T02N R03W S11	NESW	40.00	T02N R03W S11	NWSE	40.00

124 ACRES TOTAL

This right is limited to the irrigation of 29.5 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

provide

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 Transfer 68832 is cause for the Director to rescind approval of the transfer.

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.

03/03/2006

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

RIGHT NUMBER: 63-31800

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

MARYON E EVANS
2035 FAIRMEADOW DR
BOISE ID 83704

CATHERINE E PARKER
2035 FAIRMEADOW DR
BOISE ID 83704

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.300 CFS
127.000 AFY

The total instantaneous diversion of water from all points of diversion under Rights 63-31800 and 63-31802 shall not exceed 1.02 cfs, nor a total combined annual volume of 428.0 af for the irrigation of 95.1 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, 63-31535, 63-31799, 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	0.300 CFS 127.00 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	NENW	3.00	T02N R03W S11	NWNW	5.00
T02N R03W S11	SWNW	10.00	T02N R03W S11	SENW	26.00
T02N R03W S11	NESW	40.00	T02N R03W S11	NWSE	40.00

124 ACRES TOTAL

This right is limited to the irrigation of 29.5 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

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 Transfer 68832 is cause for the Director to rescind approval of the transfer.

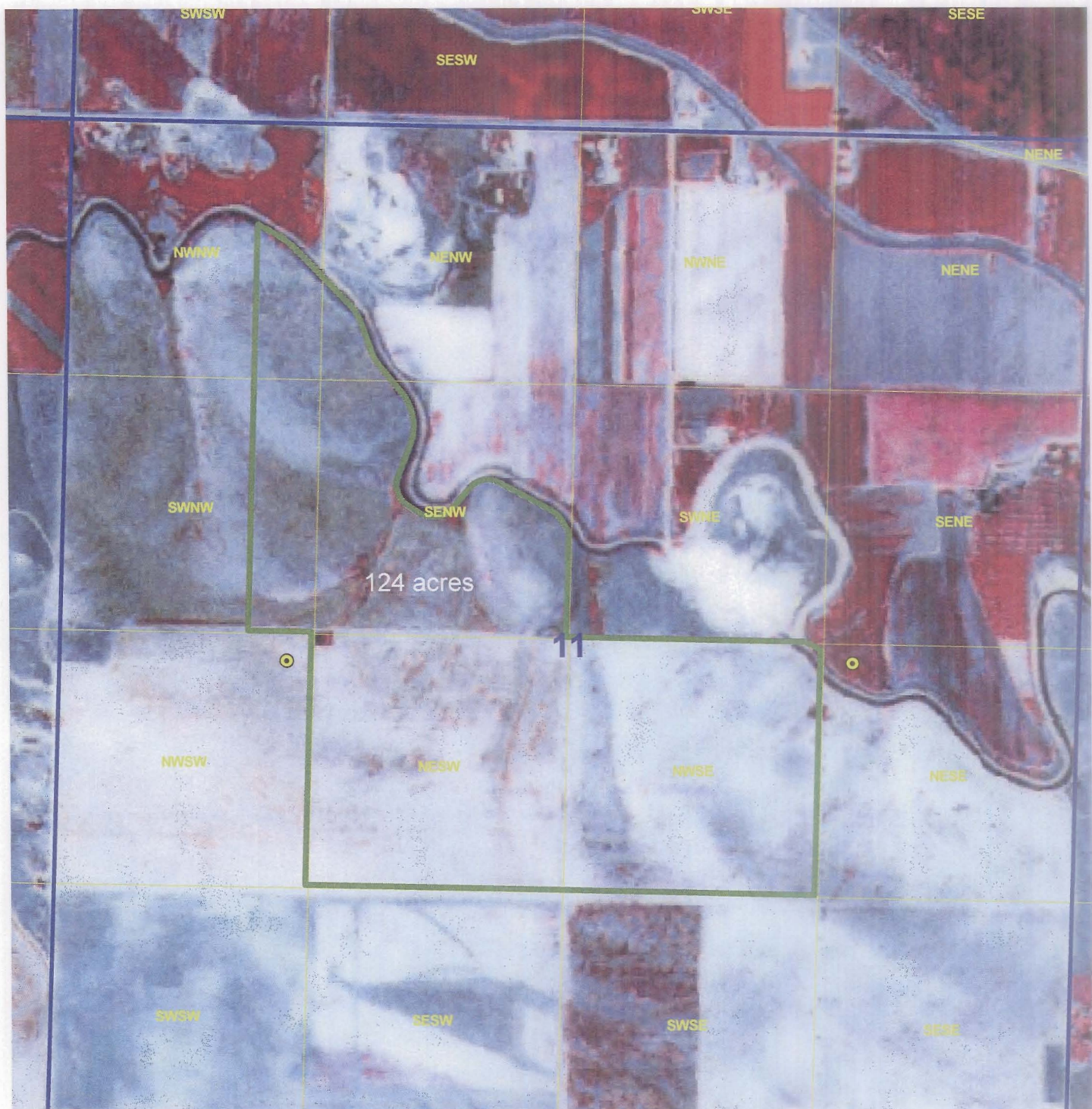
The right holder shall accomplish the change authorized by Transfer 68832 within one (1) year of the date of the approval.

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

Idaho Department of Water Resources

63-31800

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 3, 2006

1987 NAAP Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31800 V1

WATER RIGHT NUMBER: 63-31800 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	MARYON E EVANS 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	CATHERINE E PARKER 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	0.300 CFS	127.00 AF
	<u>Total Diversion:</u>	0.300 CFS	127.00 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					3.0	5.0	10.0	26.0	40.0								124.0

Total Acres: 124

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31800 V1

Total Acres: 124

Conditions of Approval:

1. 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.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. 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.
4. X27 This right is limited to the irrigation of 29.5 acres within the place of use described above in a single irrigation season.
5. WB4 The total instantaneous diversion of water from all points of diversion under Rights 63-31800 and 63-31802 shall not exceed 1.02 cfs, nor a total combined annual volume of 428.0 af for the irrigation of 95.1 acres.
6. Failure of the right holder to comply with the conditions of Transfer 68832 is cause for the Director to rescind approval of the transfer.
7. T07 The right holder shall accomplish the change authorized by Transfer 68832 within one (1) year of the date of the approval.
8. This right does not grant any right-of-way or easement across the land of another.
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. X36 Rights 63-3597F, 63-3597H, 63-7156D, 63-31535, 63-31799, 63-31801 and 63-31802 are also diverted through the points of diversion described above.

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 63-31800 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	3/3/2006 9:50:47 AM	segbert			Active
POD	3/3/2006 9:51:30 AM	segbert			Active
Source	3/3/2006 9:52:30 AM	segbert			Active
POU	3/3/2006 9:52:46 AM	segbert			Active
Use	3/3/2006 9:53:39 AM	segbert			Active
Season	3/3/2006 9:54:26 AM	segbert			Active
Quantity	3/3/2006 9:54:54 AM	segbert			Active
Summary			03/03/2006	segbert	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	3/3/2006 9:51:54 AM	segbert	Updated shape
POU	3/3/2006 9:53:11 AM	segbert	Updated shape for Active POU
General	3/3/2006 9:50:48 AM	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 63-31800 V1

POD	3/3/2006 9:51:31 AM	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	3/3/2006 9:52:31 AM	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? (Yes) 11. Is a Source remark and/or condition required?
POU	3/3/2006 9:52:47 AM	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	3/3/2006 9:53:40 AM	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	3/3/2006 9:54:27 AM	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 63-31800 V1

Quantity	3/3/2006 9:54:55 AM	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
POD	3/3/2006 9:52:17 AM	segbert	Updated shape
Summary	3/3/2006 9:59:06 AM	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 63-31800

WATER RIGHT NUMBER: 63-31800

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	BRYCE MILLAR
Current Owner	NAMPA, ID 83651 REX E EVANS ✓ 2035 FAIRMEADOW DR BOISE, ID 83704 (208)378-8813
Current Owner	MARYON E EVANS ✓ 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	CATHERINE E PARKER ✓ 2035 FAIRMEADOW DR BOISE, ID 83704 (208)378-8813

Priority Date: 10/07/1968 ✓

Basis: License ✓

Status: Active ✓

Source

GROUND WATER ✓

TributaryBeneficial Use

IRRIGATION ✓

From To

04/01 to 11/01 ✓

Diversion Rate

0.300 CFS ✓

Annual Volume

127.00 AF ✓

3-1 to 4-15
Total Diversion:

0.300 CFS ✓

127.00 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					3.0	5.0	10.0	26.0	40.0						40.0		124.0

Total Acres: 124 ✓

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31800

Total Acres: 124

Conditions of Approval:

1. 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.
2. ~~X61~~
S 39 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.
3. WB4 The total instantaneous diversion of water from all points of diversion under Rights 63-31800 and 63-31802 shall not exceed 1.02 cfs, nor a total combined annual volume of 428.0 af for the irrigation of 95.1 acres.
4. X36 Rights 63-3597F, 63-3597H, 63-7156D, 63-31535, 63-31799, 63-31801 and 63-31802 are also diverted through the points of diversion described above.
5. ~~T06~~ 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.
6. 004 This right does not grant any right-of-way or easement across the land of another.
7. P21 This right is a split from former right 63-31534.
8. 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.
9. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval. ~~417~~ 68832
10. X27 This right is limited to the irrigation of 29.5 acres within the place of use described above in a single irrigation season.
11. 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. ~~417~~ 68832
12. 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 63-31800

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

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 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				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
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. psdaggs 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:

09/29/2004

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

RIGHT NUMBER: 63-31800

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

MARYON E EVANS
2035 FAIRMEADOW DR
BOISE ID 83704

CATHERINE E PARKER
2035 FAIRMEADOW DR
BOISE ID 83704

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.300 CFS
127.000 AFY

The total instantaneous diversion of water from all points of diversion under Rights 63-31800 and 63-31802 shall not exceed 1.02 cfs, nor a total combined annual volume of 428.0 af for the irrigation of 95.1 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, 63-31535, 63-31799, 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	0.300 CFS 127.00 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	NENW	3.0	T02N R03W S11	NWNW	5.0
T02N R03W S11	SWNW	10.0	T02N R03W S11	SENW	26.0
T02N R03W S11	NESW	40.0	T02N R03W S11	NWSE	40.0

124 ACRES TOTAL

This right is limited to the irrigation of 29.5 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.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-31800

02/21/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
31800	Claim	02N	03W	11	NE	NW		IRRIGATION	3/124	REX E EVANS
31802	Claim	02N	03W	11	NE	NW		IRRIGATION	3/124	REX E EVANS
31799	Claim	02N	03W	11	NW	NW		IRRIGATION	18/144.8	VANESSA CHAN
31800	Claim	02N	03W	11	NW	NW		IRRIGATION	5/124	REX E EVANS
31801	Claim	02N	03W	11	NW	NW		IRRIGATION	18/144.8	JESSE CHAN
31802	Claim	02N	03W	11	NW	NW		IRRIGATION	5/124	REX E EVANS
34015	Water Right	02N	03W	11	NW	NW		DOMESTIC		DALE E ALLEN
38212	Water Right	02N	03W	11	NW	NW		DOMESTIC		HERBERT W HENDERSHOT
31799	Claim	02N	03W	11	SW	NW		IRRIGATION	30/144.8	VANESSA CHAN
31800	Claim	02N	03W	11	SW	NW		IRRIGATION	10/124	REX E EVANS
31801	Claim	02N	03W	11	SW	NW		IRRIGATION	30/144.8	JESSE CHAN
31802	Claim	02N	03W	11	SW	NW		IRRIGATION	10/124	REX E EVANS
31800	Claim	02N	03W	11	SE	NW		IRRIGATION	26/124	REX E EVANS
31802	Claim	02N	03W	11	SE	NW		IRRIGATION	26/124	REX E EVANS
31800	Claim	02N	03W	11	NE	SW		IRRIGATION	40/124	REX E EVANS
31802	Claim	02N	03W	11	NE	SW		IRRIGATION	40/124	REX E EVANS
31800	Claim	02N	03W	11	NW	SE		IRRIGATION	40/124	REX E EVANS
31802	Claim	02N	03W	11	NW	SE		IRRIGATION	40/124	REX E EVANS

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 acre feet</u>	
<u>Irrigation</u>	from <u>April 1</u> to <u>Nov. 1</u> at <u>2.81</u> cfs and	<u>1,191 acre feet or</u>	
	from _____ to _____ at _____ cfs and	<u>4.5 af per acre</u>	

(short dates inclusive)

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 1,195 acre feet per year, said waters to be diverted within the NE 1/4 Sec. 11, Twp. 21N, Rge. 3W, B.M. in the County of Canyon

Description and location of place of use:

Twp.	Range	Sec.	1NE				1NW				1SW				1SE				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

63-756

T2N R3W

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Bryce Mellar
(Signature)

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

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 28 M.C. R.
LICENSE PAG. NO. _____

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 $\frac{1}{4}$ of SE $\frac{1}{4}$ 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 $\frac{1}{4}$
of SE $\frac{1}{4}$ 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: _____ $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 11 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:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
2 N	3 W	11													40	40	40	40	160
2 N	3 W	14	40	40	40	40													160

Total number of acres to be irrigated 320

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

(Note) ~~NE1/4~~, 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

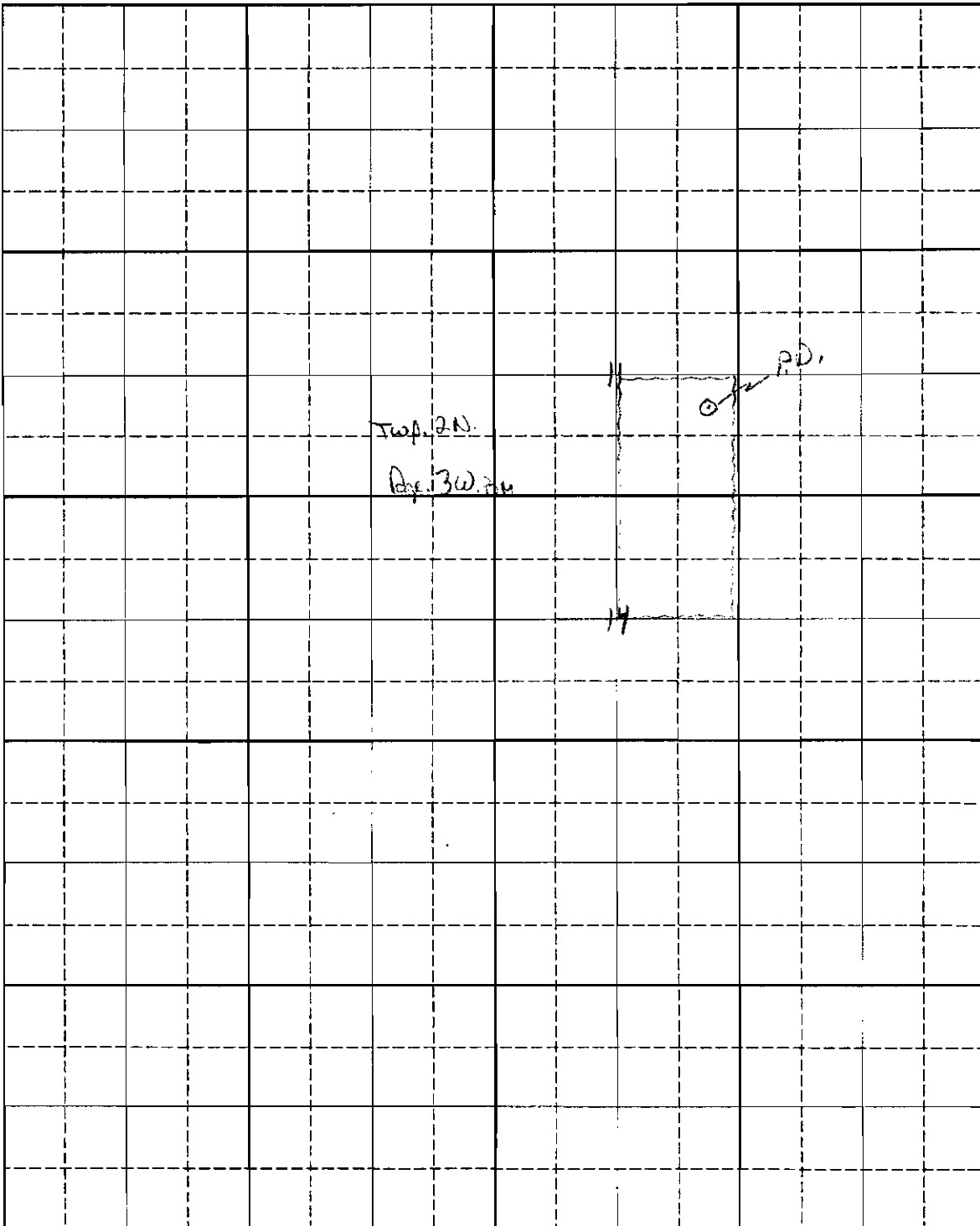
b. Who owns the land to be irrigated or place of use " " "

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)

6-2-7-06

Received by ef Date 10-7-68 Time 2:30pm
Preliminary check by DR Fee \$ 50.00
Received by ef Date 10-7-68
Publication prepared by KS Date 10-14-68
Published in IDAHO RIVER PRESS
Publication dates 10-24 & 31-68
Publication approved KS Date 10-27-68
Priority reduced to _____ Reason _____

Protests filed by: NONE

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by CH R

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 466 2906

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 onnual 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 _____

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]

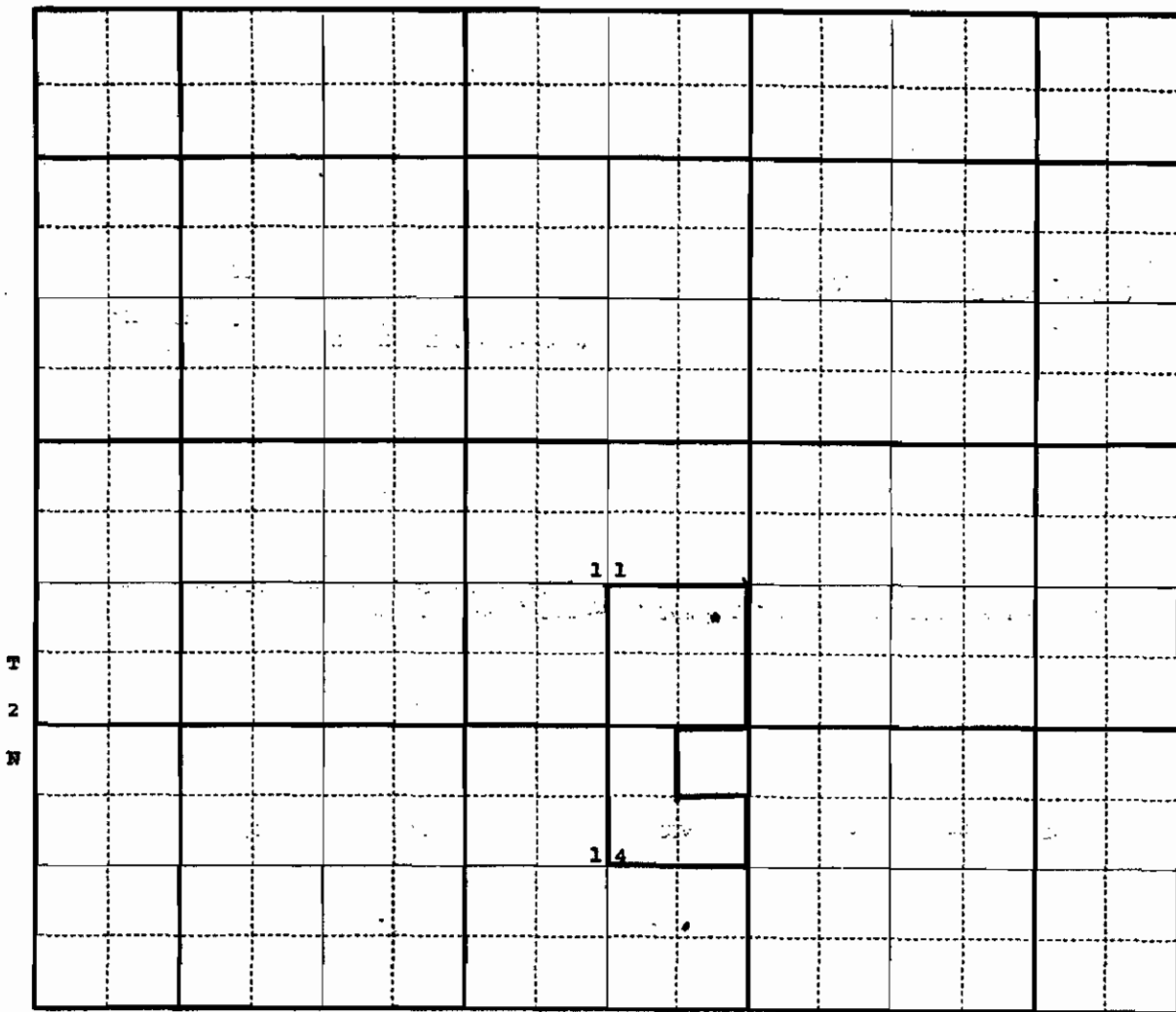
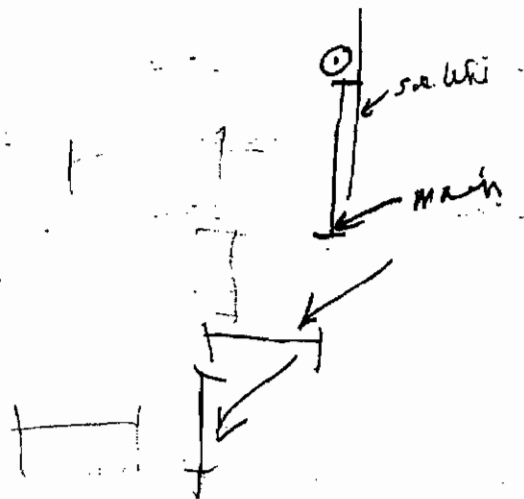


Diagram of System



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 _____

2.28
1.46
1.16
2.940

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 2.81

SYSTEM DESCRIPTION:

604 well x 16" well w/ 200 HP ^{Hollow shaft} pump motor
sub No. 1382500

REMARKS:

System operating within of claim
with no other present survey claim

Examiner's Signature Quinn Ballan Date 16 July 74

Checked by _____ Date _____

Approved by _____ Date _____