

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 63-31908
Date Received: 9/14/1989
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

HIGH PLAINS LLC Phone: (925)963-0895
C/O FRANK FICKEN
2724 LAVENDER DR
WALNUT CREEK CA USA 94596

2. Date of Priority: 04/26/1971

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	02W	6	SW SE	CANYON	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	0.12	26.6

7. Total Quantity Appropriated is:
0.12 C.F.S. and/or 26.6 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
05N	02W	6	SW	SE	IRRIGATION	5.9
Section Acres						5.9
Total Acres						5.9

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

The right holder shall accomplish the change authorized by this transfer within one 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 this water right in the ongoing Snake River Basin Adjudication.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

After specific notification by the Department, the right holder shall install a suitable measuring device 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.

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 4/15 and after 10/15 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 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.

Point of diversion and place of use are located within Lot 13, Blk. 1, High Plains Estates Subdivision.

15. Basis of Claim: License

WATER RIGHT NO. 63-31908
As Modified by Transfer No. 71337

In accordance with the approval of Transfer No. 71337, Water Right No. 63-31908 is now described as follows.

Right Holder: HIGH PLAINS LLC
 C/O FRANK FICKEN
 2724 LAVENDER DR
 WALNUT CREEK CA 94596

Priority Date: April 26, 1971

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to 10/15	0.12 CFS	26.6 AF
		0.12 CFS	26.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSE Sec. 6 Twp 05N Rge 02W CANYON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05N 02W 6															5.9		5.9

Total Acres: 5.9

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one 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 this water right in the ongoing Snake River Basin Adjudication.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. After specific notification by the Department, the right holder shall install a suitable measuring device 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.

WATER RIGHT NO. 63-31908
As Modified by Transfer No. 71337

CONDITIONS OF APPROVAL

6. 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 4/15 and after 10/15 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.
7. 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.
8. Point of diversion and place of use are located within Lot 13, Blk. 1, High Plains Estates Subdivision.

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 15th day of December, 20 04


Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71337

This is to certify that: HIGH PLAINS LLC
C/O FRANK FICKEN
2724 LAVENDER DR
WALNUT CREEK CA 94596
(925)963-0895

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>
63-31908	AJC/License	04/26/1971	0.12 cfs	26.6 af	N/A	5.9	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>
63-31908	NO	YES	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-31908	63-31908	0.12 cfs	26.6 af	N/A	5.9		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.12 cfs	26.6 af	N/A	5.9		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 15th day of December, 20 04



Chief, Water Allocation Bureau

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 71325

RECEIVED

APR 27 2004

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1WATER RESOURCES
Name WESTERN REGION High Plains LLC, c/o Frank Ficken Phone (925) 963-0895Post Office address 2724 Lavender Dr., Walnut Creek, CA 94596

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 Applicant proposes to split water right 63-31213 into twenty-two pieces for irrigation of residential lots at High Plains Estates subdivision. This transfer is for lot 1 of block 1.

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
TBD 4/26/1971 0.11 / 24.8 irrigation 4/15 to 10/15
(portion of 63-31213)

2. Total amount of water being transferred 0.11 cubic feet per second and/or 24.8 acre-feet per annum.

3. Source of water ground water tributary to NA

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		SE	SE	1	5N	3W	Canyon	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	3W	1																5.5	5.5

SCANNED
JUN 29 2004Total Acres 5.5

PART 1

6. General Information:

a. Description of diversion system Well with electric pump.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
 Yes X 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:

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

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

For the Director

SCANNED

JUN 29 2004

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 as evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-31213 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 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 ground water tributary to NA4. Date or priority 4/26/1971

5. Water is used for the following purposes:

amount 3.68 / 828 for irrigation purposes from 4/15 to 10/15
(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 3.68 cubic feet per second and/or 828 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
	SW	SW	SW	5	5N	2W	Canyon	

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	2W	6											35	38			38	35	146
5N	3W	1																38	38

Total Acres 1849. Describe any other water rights used for the same purpose as described above None

SCANNED

JUN 29 2004

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 0.11 / 24.8 for irrigation purposes from 4/15 to 10/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	SW	SW	SW	5	5N	2W	Canyon	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	3W	1																5.5	5.5

Total Acres 5.5**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** *(omit if there is no change)*

1. amount 3.57 / 803.2 for irrigation purposes from 4/15 to 10/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	SW	SW	SW	5	5N	2W	Canyon	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	2W	6											35	38			38	35	146
5N	3W	1																32.5	32.5

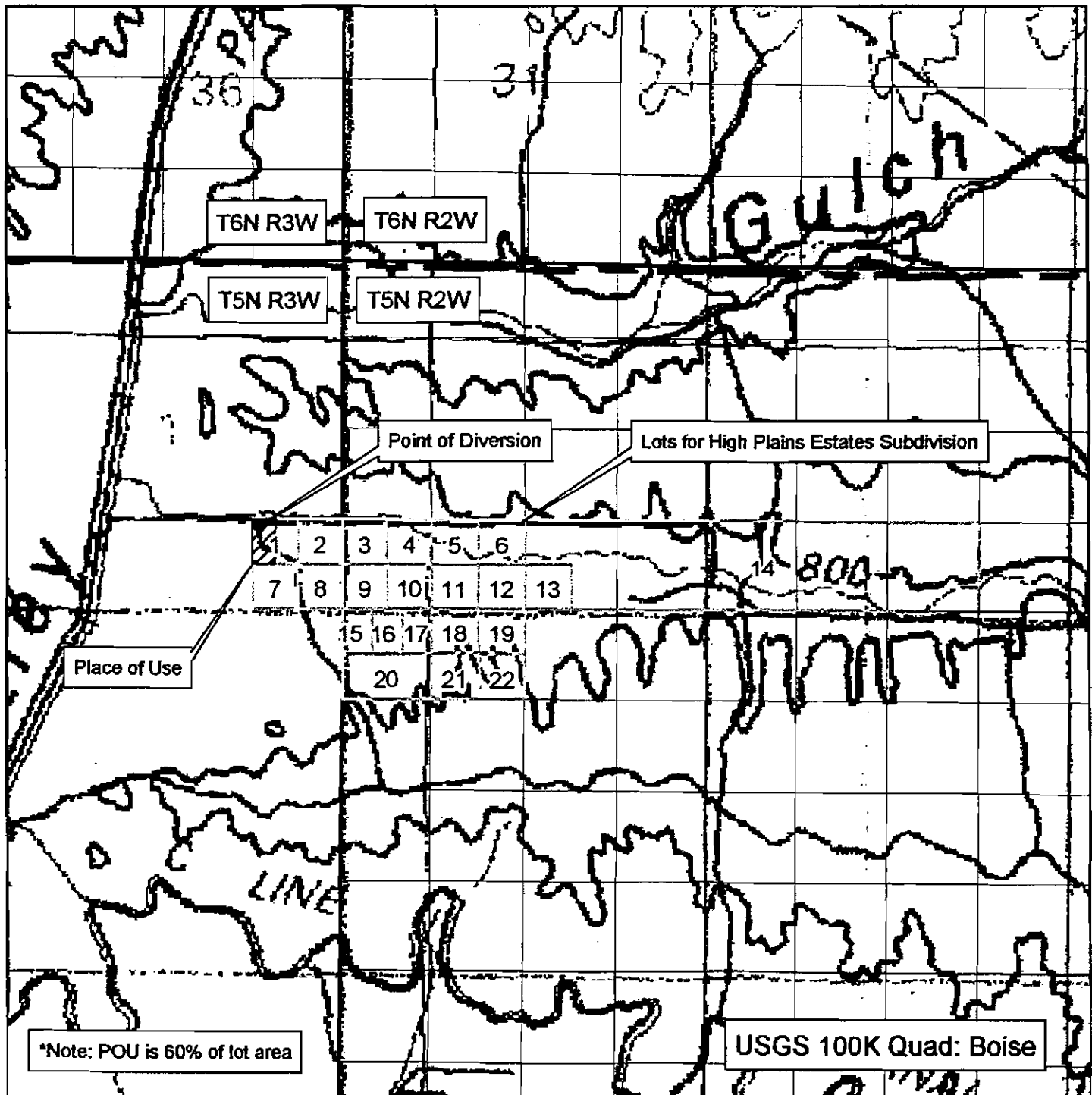
SCANNED

Total Acres 178.5

JUN 29 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION 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 the rights described in part 1. Clearly depict the land by section, township and range number.



SCANNED

JUN 29 2004

PART 3**B. CHANGES IN NATURE OF USE**

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

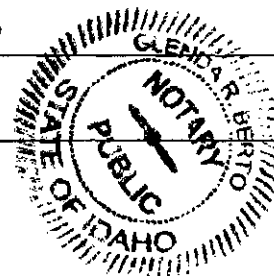
I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

[Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 14th day of April, 20 04

[Signature]
(Notary Public)



My commission expires 5-15-08

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 5 attachments

Received by HL Date 4/27/04 Protest filed by _____

Prelim. Check by HL Fee 100.00

Received by HL Date 4/27/04 W031609

Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

SCANNED

JUN 29 2004



April 26, 2004

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

RECEIVED

APR 27 2004

WATER RESOURCES
WESTERN REGION

Subject: Water Right Transfer Applications – High Plains LLC

Dear Dan:

On behalf of High Plains LLC, I am please to enclose 22 applications for transfer of water right 63-31213 associated with High Plains Estates subdivision.

The transfers propose to divide water right 63-31213 into 22 pieces for irrigation of 22 residential lots. A plat of the subdivision is attached. Each lot will have a separate point of diversion. Lots 1 through 14 are within the existing place of use of the water right, and Lots 15 through 22 are located on lands south of the existing place of use. Lot 14 will retain the original point of diversion of the water right.

Water right 63-31213 is also the subject of two pending applications submitted by Chris Doyle for transfer of 4 and 8 acres to Gary Weber and Larren Weber, respectively. Mr. Doyle is a member of High Plains LLC. Other members of High Plains LLC are Tracy Doyle, David Buich, and Frank Ficken. Documentation for High Plains LLC is attached.

The land that the water right is currently appurtenant to, and the land to which the water right will be transferred, is owned by High Plains LLC. Copies of the deeds for these lands are attached.

The 22 transfers, plus the pending 4 and 8 acre transfers to Gary Weber and Larren Weber, are summarized on the attached figure and table. Note that the transfer for Lot 14 moves water rights onto lands in the SESE of Section 6 from which water is being transferred to Gary Weber and Larren Weber.

The applicant anticipates that all of the lots will be sold, and all of the wells will be drilled within one year of transfer approval. A cashier's check for \$2,390 is enclosed for the transfer filing fee. The filing fee is based on 21 transfers of 0.20 cfs or less at \$100 each, and one transfer of 1.14 cfs at \$290. Please contact me with any questions.

Sincerely,

Terry M. Scanlan, P.E.

T. 71325 through T. 71346

Attachment A

251

	ARTICLES OF ORGANIZATION LIMITED LIABILITY COMPANY (Instructions on back of application)	FILED EFFECTIVE FILED 6/10/03 STATE OF IDAHO												
1. The name of the limited liability company is: <u>High Plains LLC</u>														
2. The street address of the initial registered office is: <u>417 Lark Spur Dr Caldwell ID 83605</u> and the name of the initial registered agent at the above address is: <u>Chris E Doyle</u>														
3. The mailing address for future correspondence is: <u>Po Box 1480 Caldwell ID 83605</u>														
4. Management of the limited liability company will be vested in: Manager(s) ☐ or Member(s) ☒ (please check the appropriate box)														
5. If management is to be vested in one or more manager(s), list the name(s) and address(es) or at least one initial manager. If management is to be vested in the member(s), list the name(s) and address(es) of at least one initial member. <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%; text-align: center;">Name</th> <th style="width: 50%; text-align: center;">Address</th> </tr> </thead> <tbody> <tr> <td><u>Chris Doyle</u></td> <td><u>Po Box 1480 Caldwell ID 83605</u></td> </tr> <tr> <td><u>Frank Ficken</u></td> <td><u>2724 Lavender Dr Walnut Creek CAL 94596</u></td> </tr> <tr> <td>_____</td> <td>_____</td> </tr> <tr> <td>_____</td> <td>_____</td> </tr> <tr> <td>_____</td> <td>_____</td> </tr> </tbody> </table>			Name	Address	<u>Chris Doyle</u>	<u>Po Box 1480 Caldwell ID 83605</u>	<u>Frank Ficken</u>	<u>2724 Lavender Dr Walnut Creek CAL 94596</u>	_____	_____	_____	_____	_____	_____
Name	Address													
<u>Chris Doyle</u>	<u>Po Box 1480 Caldwell ID 83605</u>													
<u>Frank Ficken</u>	<u>2724 Lavender Dr Walnut Creek CAL 94596</u>													
_____	_____													
_____	_____													
_____	_____													
6. Signature of at least one person responsible for forming the limited liability company: Signature: <u><i>Chris Doyle</i></u> Typed Name: <u>Chris Doyle</u> Capacity: <u>Member/President</u> Signature: _____ Typed Name: _____ Capacity: _____														
		Secretary of State use only IDAHO SECRETARY OF STATE 03/19/2003 05:00 CK: 6220 CT: 164396 DR: 669521 1 @ 100.00 = 100.00 ORGAN LLC # 2												

W 23277



Idaho Secretary of State Viewing Business Entity

[[New Search](#)] [[Back to Summary](#)]
[[Get a certificate of existence for HIGH PLAINS LLC](#)]

HIGH PLAINS LLC

PO BOX 1480
CALDWELL, ID 83605

Type of Business: LIMITED LIABILITY COMPANY

Status: EXISTING, ANREPT SENT 05 Jan 2004

State of Origin: IDAHO

Date of 19 Mar 2003

Origination/Authorization:

Current Registered Agent: CHRIS E DOYLE
417 LARK SPUR DR
CALDWELL, ID 83605

File Number: W23277

Date of Last Annual Report: 26 Jan 2004

Amendments:

Amendment filed 19 Mar 2003 ARTICLES OF
ORGANIZATION

[View Document](#)
[Online](#)
[Download \(TIFF](#)
[format\)](#)

Annual Reports:

Report for year 2004 ANNUAL REPORT

[View Document Online](#)
[Download \(TIFF format\)](#)

[Idaho Secretary of State's Main Page](#)

[State of Idaho Home Page](#)

Comments, questions or suggestions can be emailed to: sosinfo@idsos.state.id.us

B2

No. W 23277		Due no later than March 31, 2004 Annual Report Form		2. Registered Agent and Office NO PO BOX	
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080		HIGH PLAINS LLC PO BOX 1480 CALDWELL, ID 83605		CHRIS E DOYLE 417 LARK SPUR DR CALDWELL, ID 83605	
NO FILING FEE IF RECEIVED BY DUE DATE				3. New Registered Agent Signature	
4. Limited Liability Companies: Enter Names and Addresses of Members.					
Office held	Name	Street or P.O. Address	City	State	Zip
	Chris + Tracy Doyle	P.O. Box 1480	Caldwell	IDAHO	83606
	David Buich	3497 Holl Dr.	GAGLE ID	83616	
	Frank Ficken	2734 Lavender Dr.	Walnut Creek	Ca.	94596
5. Organized Under the Laws of:			6.		
IDAHO W 23277			Signature 		Date 1-22-04
			Name TRACY DOYLE		Title Member
Do Not Tape or Staple					

B3

355.0010



Order No.: C033967

REQUIRE
TYPE *W* FEE *30*
TIMEONE

CANYON COUNTY RECORDER
BY *[Signature]*

2003 SEP 2 PM 4 35

RECORDED

200354512

QUITCLAIM DEED

FOR VALUE RECEIVED, CHRISTOPHER E. DOYLE AND TRACY DOYLE, do hereby convey, release, remise and forever quit claim unto HIGH PLAINS LLC whose current address is P.O. Box 1480, Caldwell, Idaho 83606, the following described premises, in Canyon County, Idaho, TO WIT:

PARCEL I:

The South half of the Southwest quarter and the Southwest quarter of the Southeast quarter of Section 5, Township 5 North, Range 2 West, of the Boise Meridian, Canyon County, Idaho; and the Southeast quarter of the Southeast quarter and the Southwest quarter of the Southeast quarter of Section 6, Township 5 North, Range 2 West, of the Boise Meridian, Canyon County, Idaho, excepting one-half of the gas and oil rights.

AND *NW1/4*

Lot 7 and the Southeast quarter of the Southwest quarter of Section 6, Township 5 North, Range 2 West, Boise Meridian, Canyon County, Idaho; and the Southeast quarter of the Southeast quarter of Section 1, Township 5 North, Range 3 West, Boise Meridian, Canyon County, Idaho, excepting one-half of the gas and oil rights.

p/m. 63-31213

PARCEL II:

Easements for ingress and egress as conveyed by instruments recorded May 26, 1970, as Instrument No. 641312 and October 17, 1978, as Instrument No. 844258 and also May 30, 2003, as Instrument No. 200332335.

TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs and assigns forever.

Dated: 08/20/03

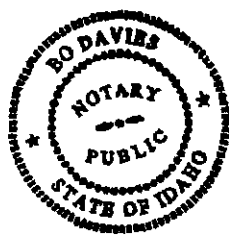
[Signature]
CHRISTOPHER E. DOYLE

[Signature]
TRACY DOYLE

State of Idaho)
) ss.
County of Ada)

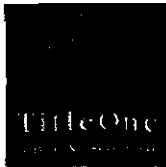
On this 20th day of September, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared CHRISTOPHER E. DOYLE and TRACY DOYLE, known or proven to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

[Signature]
Notary Public
Residing at: *Bosc, Idaho*
Comm. Exp: 5-2-07



T. 71325 - T. 71346.

Attachment C (2 pgs.)



Order No.: C033967

REQUEST
TYPE *Warranty* FEE *300*

TIMEONE

W. Wilmarth
CANYON CITY RECORDER
G. NOEL NALES

2003 SEP 2 PM 4 35

RECORDED

200354511

WARRANTY DEED

FOR VALUE RECEIVED, Floyd R. Wilmarth and Virginia C. Wilmarth, husband and wife, the Grantors, do hereby grant, bargain sell and convey unto HIGH PLAINS LLC whose current address is P.O. Box 1480, Caldwell, Idaho 83606, the Grantee, the following described premises, in Canyon County, Idaho, TO WIT:

Lot 1 and the Northeast quarter of the Northwest quarter all in Section 7,
Township 5 North, Range 2 West of the Boise Meridian, Canyon County,
Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all encumbrances EXCEPT: Subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility easements (if any) for the current year, which are not due and payable, and that Grantors will warrant and defend the same from all lawful claims whatsoever.

Dated: 08/29/03

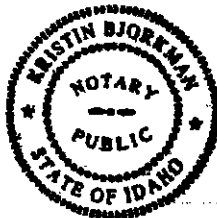
Floyd R. Wilmarth
Floyd R. Wilmarth

Virginia C. Wilmarth
Virginia C. Wilmarth

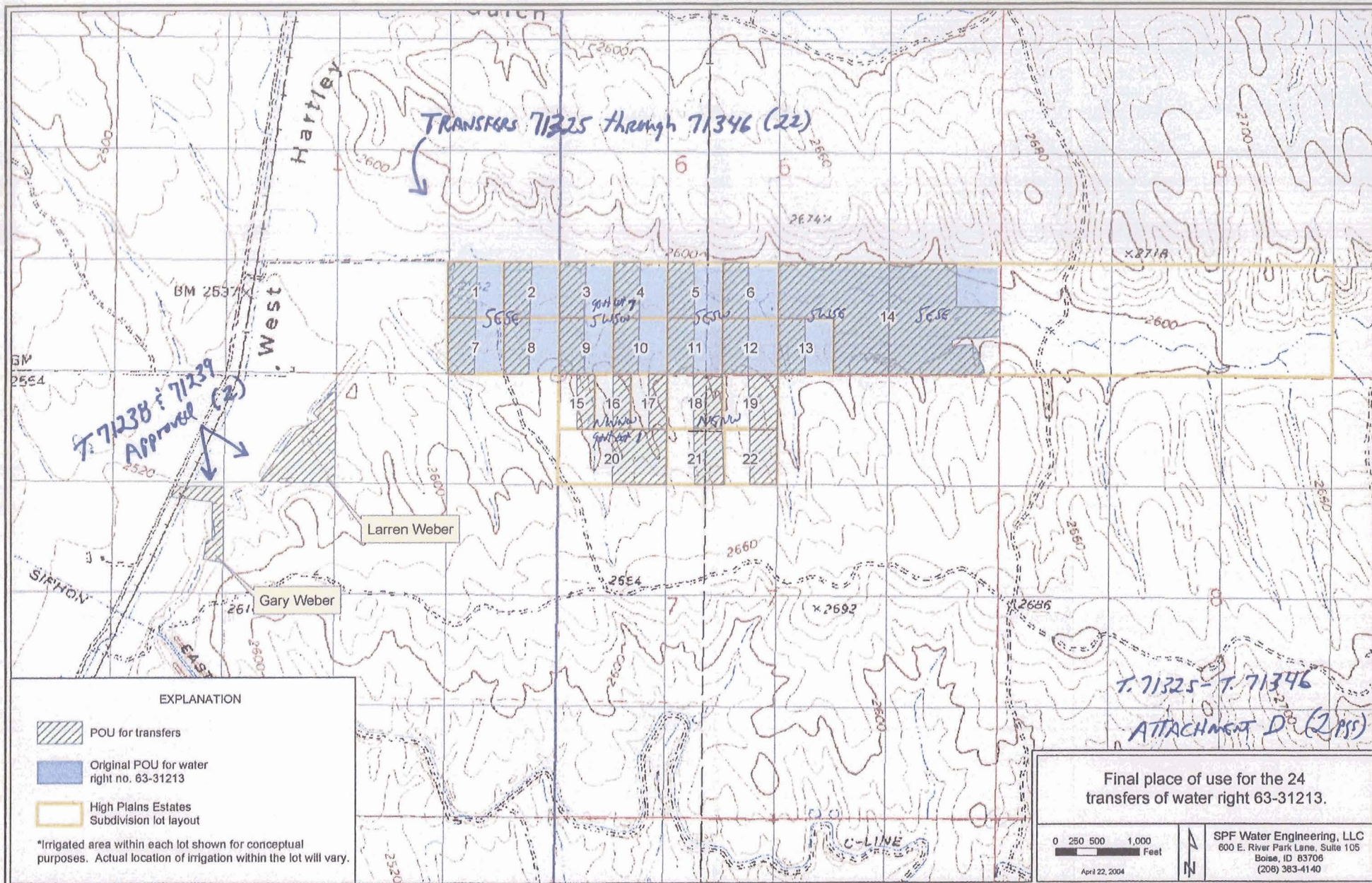
State of Idaho)
County of Ada)

On this 29 day of August, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared Floyd R. Wilmarth and Virginia C. Wilmarth, known or proven to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

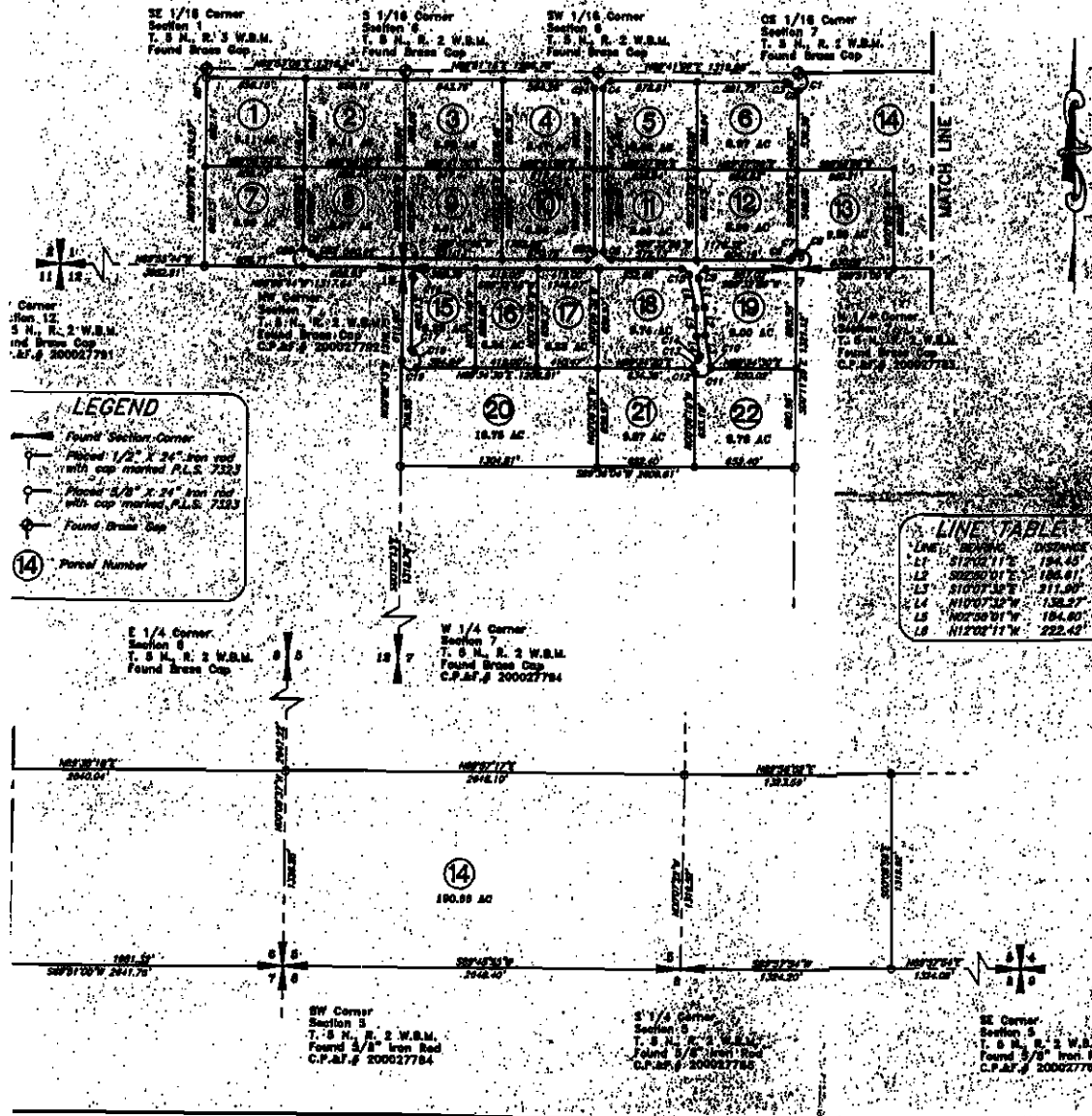
Kristin Bjorkman
Notary Public
Residing at: *BOISE, ID*
Comm. Exp: *8/10/2008*



← part of
proposed plat
is back of
transfer



**SURVEYED PORTION OF
SECTION 1, T. 5 N., R. 3 W.B.M. &
SECTIONS 5, 6, & 7, T. 5 N., R. 2 W.B.M.
CANYON COUNTY, IDAHO**



RECORDER'S CERTIFICATE

STATE OF IDAHO, COUNTY OF CANYON, INSTRUMENT NO. _____
FEE: _____
I, THE UNDERSIGNED, HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF ARROW LAND SURVEYING, INC. AT _____ MINUTES PAST _____ O'CLOCK _____ M. ON THE _____ DAY OF _____, 2004.

RECORDER _____ DEPUTY _____

SURVEY TABLE

LINE	BEARING	DISTANCE	AREA
C1	S17°02'11"E	194.45'	122.00'
C10	S02°00'17"E	188.61'	177.22'
C11	S10°07'30"E	111.50'	177.22'
C12	N10°07'30"E	138.27'	177.22'
C13	N02°00'17"E	184.60'	177.22'
C14	N12°02'11"W	222.43'	177.22'

SURVEYOR'S CERTIFICATE

I, DARREN R. LEWIS, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED BY THE STATE OF IDAHO, AND THAT THIS MAP HAS BEEN PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, AND THAT THIS MAP IS AN ACCURATE REPRESENTATION OF SAID SURVEY.

DARREN R. LEWIS, P.L.S.



IDAHO LICENSE NO. 7323

ARR & W LAND SURVEYING & ENGINEERING 1117 E. 2ND STREET, SUITE 100 BOISE, IDAHO 83702 INDEX # 634-678-2000 INDEX # 634-678-2000	RECORD OF SURVEY NO. DAVE BUCH/CHRIS DOYLE SEC. 1, T. 5 N., R. 3 W.B.M. SEC. 5, 6, & 7, T. 5 N., R. 2 W.B.M. CANYON COUNTY, IDAHO INDEX # 634-678-2000
---	--

Water Right 63-31213	acres	cfs	afa
	184	3.68	828

Lot Number	Lot acres	Lot irrigated acres	cfs	afa	township	range	section	qq
1	9.11	5.5	0.11	24.8	T5N	R3W	1	SESE
2	9.11	5.5	0.11	24.8	T5N	R3W	1	SESE
3	8.93	5.4	0.11	24.3	T5N	R2W	6	SWSW
4	8.47	5.1	0.10	23.0	T5N	R2W	6	SWSW
5	8.62	5.2	0.10	23.4	T5N	R2W	6	SESW
6	8.97	5.4	0.11	24.3	T5N	R2W	6	SESW
7	9.90	6.0	0.12	27.0	T5N	R3W	1	SESE
8	9.07	5.5	0.11	24.8	T5N	R3W	1	SESE
9	9.01	5.5	0.11	24.8	T5N	R2W	6	SWSW
10	8.56	5.2	0.10	23.4	T5N	R2W	6	SWSW
11	8.60	5.2	0.10	23.4	T5N	R2W	6	SESW
12	8.99	5.4	0.11	24.3	T5N	R2W	6	SESW
13	9.80	5.9	0.12	26.6	T5N	R2W	6	SWSE
14	190.73	56.5	1.13	254.3	T5N	R2W	5,6	-
15	6.23	3.7	0.07	16.7	T5N	R2W	7	NWNW
16	6.24	3.7	0.07	16.7	T5N	R2W	7	NWNW
17	6.23	3.7	0.07	16.7	T5N	R2W	7	NWNW
18	9.74	5.8	0.12	26.1	T5N	R2W	7	NENW
19	9.00	6.0	0.12	27.0	T5N	R2W	7	NENW
20	19.75	10.0	0.20	45.0	T5N	R2W	7	NWNW
21	9.87	5.9	0.12	26.6	T5N	R2W	7	NENW
22	9.78	5.9	0.12	26.6	T5N	R2W	7	NENW
Gary Weber	-	4.0	0.08	18.0	T5N	R3W	12	SWNW
Larren Weber	-	8.0	0.16	36.0	T5N	R3W	12	NENW
Totals	-	184.0	3.67	828.6	-	-	-	-

T. 71325-T. 71346

Attolnst E (2011)

AVAILABLE ACRES FOR TRANSFER FROM LOTS 1 - 14 TO LOTS 15-22, G. WEBER, AND L. WEBER		
T5N R3W section 1 SESE: 38 acres - lots irrigated (1,2,7,8)		
available acres to be transferred	15.5 acres	*acres transferred to lots: 19, 18, 16, and partial 17
T5N R2W section 6 SWSW: 35 acres - lots irrigated (3,4,9,10)		
available acres to be transferred	13.8 acres	*acres transferred to lots: partial 17, 18, and partial 20
T5N R2W section 6 SESW: 38 acres - lots irrigated (5,6,11,12)		
available acres to be transferred	16.8 acres	*acres transferred to lots: partial 20, 21, and 22
T5N R2W section 6 SWSE: lot 13 - irrigated acres		
available acres to be transferred	3.9 acres	
T5N R2W section 6 SWSE: lot 14		
available acres to be transferred	28.2 acres	
T5N R2W section 8 SESE: lot 14		
available acres to be transferred	35.0 acres	
total available acres to be transferred to lots	113.2 acres	

TRANSFERRED ACRES	
acres transferred to lots 15-22 from lots 1-13	44.7 acres
Gary Weber transfer from lot 14 T5N R2W section 6 SESE	4.0 acres
Larry Weber transfer from lot 14 T5N R2W section 6 SESE	8.0 acres

REMAINING ACRES AVAILABLE FOR TRANSFER	
T5N R2W section 6 SESW	1.4 acres
T5N R2W section 6 SWSE	3.9 acres
T5N R2W section 6 SWSE lot 14	28.2 acres
T5N R2W section 6 SESE lot 14	23.0 acres

TRANSFER ACRES FROM LOTS 1-13 TO LOT 14	
total acres to be transferred to lot 14 (left from transferred acres)	6.3 acres 0.11 cfs 23.9 afa
WR acres already in Lot 14 in SWSE and SESE of section 6	51.2 acres 1.02 cfs 230.4 afa

CHECK			
	acres	cfs	afa
Lots 1-13, 15-22	115.5	2.30	520.3
Lot 14 (section 8)	51.2	1.02	230.4
transfer to Lot 14 (section 6 SESE)	5.3	0.11	23.9
Gary Weber	4.0	0.08	18.0
Larry Weber	8.0	0.16	36.0
Total**	184.0	3.67	828.6

Note: ** diversion rate is 0.01 cfs less than license and diversion volume is 0.6 afa more than license due to rounding error

62

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31213

WATER RIGHT NUMBER: 63-31213

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	D J SHAWVER 2710 ESQUIRE DR BOISE, ID 83704 (208)375-2477
Original Owner	C L SHAWVER 2710 ESQUIRE DR BOISE, ID 83704 (208)375-2477
Current Owner	CHRISTOPHER E DOYLE PO BOX 1480 CALDWELL, ID 83606 (208)941-6777
Current Owner	TRACY DOYLE PO BOX 1480 CALDWELL, ID 83606 (208)941-6777

Priority Date: 04/26/1971

Basis: License

Status: PARENT

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/15	3.680 CFS	828.00 AF
	<u>Total Diversion:</u>	3.680 CFS	828.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4SW1/4	Sec. 5,	Twp 05N,	Rge 02W, B.M.
CANYON County				

Place of UseIRRIGATION Within CANYON County

T05N R02W S06	SWSW	35.0	T05N R02W S06	SESW	38.0
T05N R02W S06	SWSE	38.0	T05N R02W S06	SESE	35.0
T05N R03W S01	SESE	38.0			

Total Acres: 184

Conditions of Approval:

1. 01M After specific notification by the Department, the right holder shall install a suitable measuring device 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. 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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31213

3. WD9 Approval of Transfer 69050 is not a confirmation of the validity of this water right and does not preclude the opportunity for review in the ongoing Snake River Basin Adjudication.
4. X61 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 4/15 and after 10/15 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.

Remarks:

1. General SPLIT RIGHT: SEE RIGHT NOS. 63-31894 THRU 63-31917.

Comments:

1. pskaggs 6/25/2001 1:30:00 PM Transferred Right
Comment: This is now an approved transfer, transfer number = 69050

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69050

RECEIVED

JUN 27 2001

WATER RESOURCES
WESTERN REGION

This is to certify that: CHRIS DOYLE
PO BOX 1480
CALDWELL ID 83606
(208)941-6777

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. 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

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
63-11027	WR/License	09/14/1989	0.32 cfs	72.0 af	16.0	16.0	GROUND WATER
63-7421	AJC/License	04/26/1971	4.98 cfs	1022.0 af	249.0	249.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

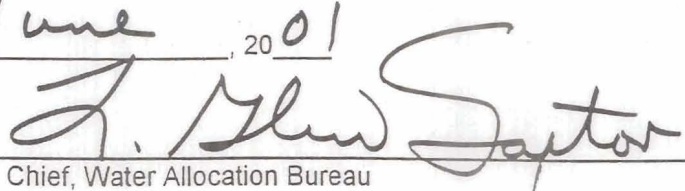
Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
63-11027	YES	YES	YES	YES	NO	NO
63-7421	YES	YES	YES	YES	NO	NO

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
63-11027	63-31216	0.20 cfs	45.0 af	10.0	75.0	63-31215	0.12 cfs	27.0 af	6.0	6.0
63-7421	63-31214	1.30 cfs	292.5 af	65.0	75.0	63-31213	3.68 cfs	828.0 af	184.0	184.0
TOTALS		1.50 cfs	337.5 af	75.0	75.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 25th day of June, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 63-31213
As Modified by Transfer No. 69050

In accordance with the approval of Transfer No. 69050, Water Right No. 63-31213 is now described as follows.

Right Holder: CHRISTOPHER E DOYLE And
 TRACY DOYLE
 PO BOX 1480
 CALDWELL ID 83606

Priority Date: 04/26/1971

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/15	3.68 CFS	828.0 AF
			3.68 CFS	828.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSWSW Sec. 5 Twp 05N Rge 02W 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	
05N 02W 6											35.0	38.0			38.0	35.0	146.0
05N 03W 1															38.0		38.0

Total Acres: 184

CONDITIONS OF APPROVAL

1. 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 4/15 and after 10/15 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.
2. 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.

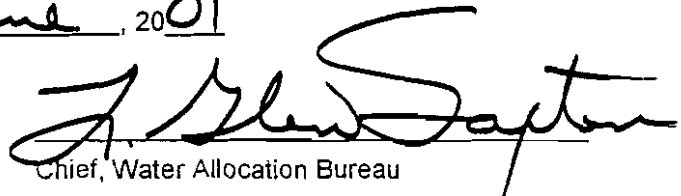
WATER RIGHT NO. 63-31213
As Modified by Transfer No. 69050

CONDITIONS OF APPROVAL

3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
4. Approval of Transfer 69050 is not a confirmation of the validity of this water right and does not preclude the opportunity for review in the ongoing Snake River Basin Adjudication.

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 25th day of June, 2001


Chief, Water Allocation Bureau

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 69050
ICE

APPLICATION FOR TRANSFER OF WATER RIGHT

JUN 13 2001

PART 1

Name of applicant CHRIS DOYLE Phone 208-941-6777
Post Office address PO BOX 1480, CALDWELL ID 83606

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 TEMPORARILY TRANSFER GROUND WATER APPURTENANT TO APPLICANT'S PROPERTY TO LEASED ACRES, WHICH USE A DIFFERENT IRRIGATION SYSTEM, BUT SAME SOURCE. LEASED ACRES ARE APPROXIMATELY 4 MILES SOUTH OF APPLICANT'S LICENSED ACRES.

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>63-7421</u>	<u>4/26/1971</u>	<u>1.3/266.8</u>	<u>IRRIGATION</u>	<u>4/15</u> to <u>10/15</u>
<u>63-11027</u>	<u>9/14/1989</u>	<u>.20/45</u>	<u>IRRIGATION</u>	<u>3/15</u> to <u>11/15</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 1.5 cubic feet per second and/or 311.8 acre-feet per annum.3. Source of water GROUND WATER tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NE	NE	35	5N	2W	CANYON	EXISTING
	SE	NW	NW	35	5N	2W	CANYON	EXISTING

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	
5N	2W	26				38									37				75

Total acres

75

PART 1

6. General Information:

a. Description of diversion system 2 WELLS, PUMPS, SPRINKLERS

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes XXX 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:
ACRES WILL BE TEMPORARILY RETIRED FROM IRRIGATION. NO EXPANSION IS PROPOSED.

d. Remarks:
MIKE WAGNER IS LEASING THE PROPOSED P/U FROM BRAD LITTLE AND THE WATER FROM
CHRIS DOYLE. THIS TRANSFER REPLACES TRANSFER NO. 5690, WHICH
HAS BEEN WITHDRAWN.

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 _____, 19 _____

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

04/19/2001

WATER RIGHT NO. 63-7421

Owner Type Name and Address
Current Owner C L SHAWVER
Current Owner DJ SHAWVER
 2710 ESQUIRE DR
 BOISE, ID 83704
 (208)375-2477

Priority Date: 04/26/1971
Basis: License
Status: Active

Source Tributary to
GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15	11/15	4.98 CFS	1022 AFA	
Total Diversion			4.98 CFS	1022 AFA	

Location of Point(s) of Diversion:

GROUND WATER SWSWSW Sec. 05 Township 05N Range 02W CANYON County

IRRIGATION Use:
Acre Limit: 249

Place(s) of use:

Place of Use Legal Description: IRRIGATION CANYON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
05N	02W	5		SWSW	25		SESW	25						
				SWSE	15									
		6		SWSW	35		SESW	38						
				SWSE	38		SESE	35						
	03W	1		SESE	38									

Total Acres: 249

Remarks:

1. General THE RANCH WHERE THIS RIGHT IS USED IS KNOWN AS C & D FARMS.
 POSTAL ADDRESS FOR THE FARM IS BOX 29260, RT. # 7, EMMETT ROAD, CALDWELL IDAHO 83605.
 THE PRESENT WELL IS A REPLACEMENT WELL FOR THE INITIAL WELL. THE INITIAL WELL IS NOW
 USED FOR DOMESTIC AND STOCKWATER PURPOSES

Dates:
Licensed Date: 04/12/1982
Claim Received Date:
Decreed Date:

Water Right 63-7421

Attach A1

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	
5N	2W	6											35	38			38	35	146
	3W	1																38	38

04/20/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

WATER RIGHT NO. 63-11027

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	C L SHAWVER
Current Owner	D J SHAWVER
	2710 ESQUIRE DR
	BOISE, ID 83704
	(208)375-2477

Priority Date: 09/14/1989
Basis: License
Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15	11/15	0.32 CFS	72 AFA	
Total Diversion			0.32 CFS	72 AFA	

Location of Point(s) of Diversion:

GROUND WATER	SWSWSW	Sec. 05	Township 05N	Range 02W	CANYON County
--------------	--------	---------	--------------	-----------	---------------

Licensed Diversion Capacity: 4.03

IRRIGATION Use:
Acre Limit: 16

Place(s) of use:

Place of Use Legal Description: IRRIGATION	CANYON County
--	---------------

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
05N	02W	5		SWSW	1		SESW	7						
				SWSE	2									
		6		SWSW	3									
				SESE	3									

Total Acres: 16

Conditions of Approval:

1. R52 This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

Dates:

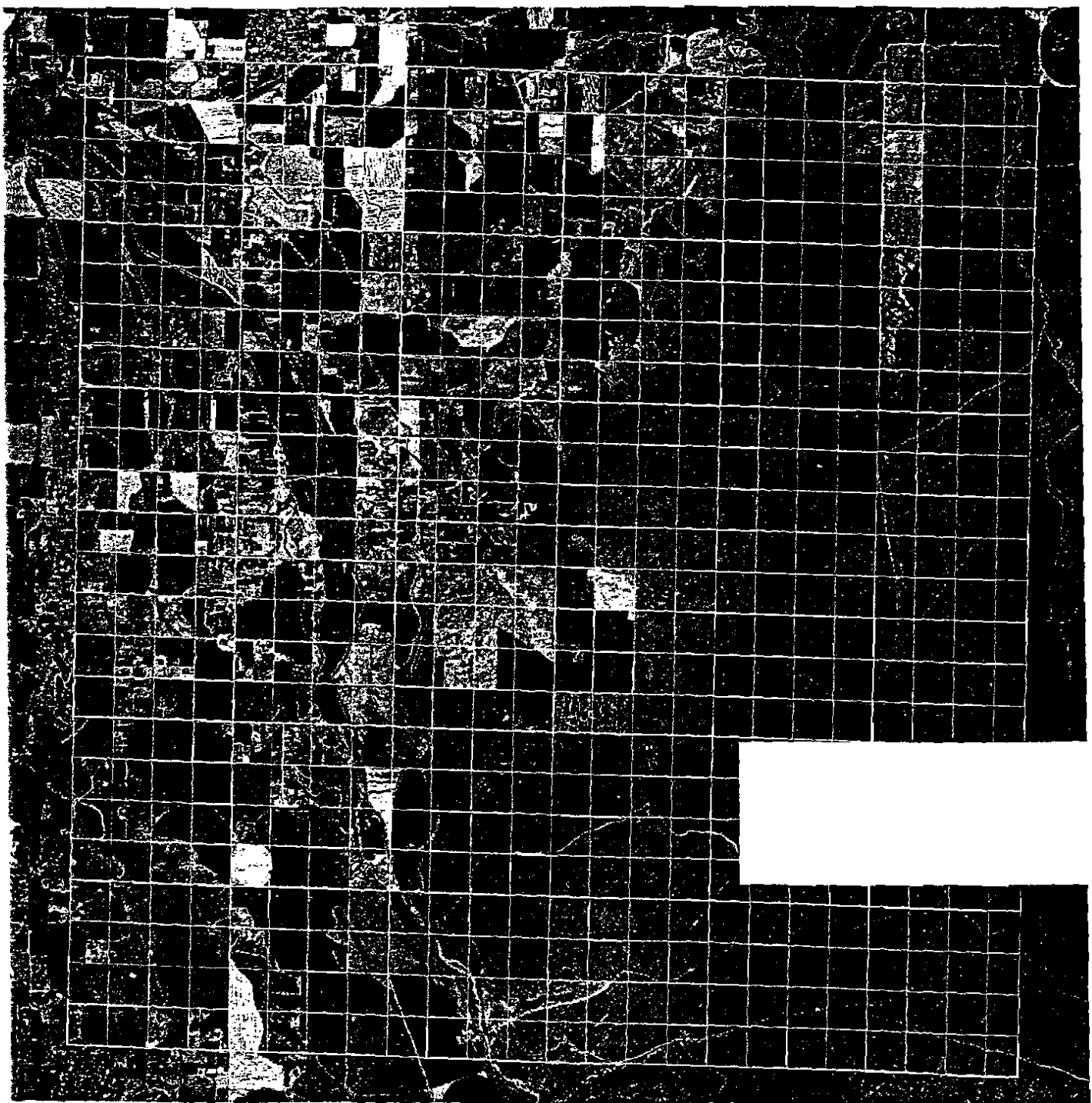
Licensed Date:	06/09/1994
Decreed Date:	
Permit Proof Due Date:	2/1/92
Permit Proof Made Date:	5/24/90
Permit Approved Date:	1/17/90
Permit Moratorium Expiration Date:	
Enlargement Use Priority Date:	

1-60M →

T5N R2W

Proposed Transfer:
75 acres from S5 to S26

Page 57 of 88



← Tc

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

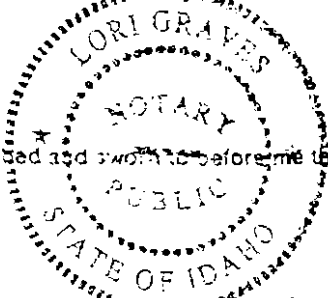
2. Quantity and quality of return flows and location of discharge:

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.

Subscribed and sworn to before me this



11th

(Signature of Applicant)

day of April, 192001

Lori Graves

(Notary Public)

My commission expires

6/18/04**FOR DEPARTMENT USE ONLY**Transfer contains 8 pages and 6 attachmentsReceived by 6 Date 4/11/01 Protest filed by _____Prelim. check by DAW Fee 250 #W027545Receipted by 6 Date 4/11/01Published in Press Tribune Copies of protest forwarded by _____Pub. dates 5-3 + 10-01 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

MODE:F ACTION:

PRESS (01 RETURN) TO VIEW ANOTHER ACT IT

TRQK101

REAL PROPERTY INQUIRY

```

*****
01 0R37371-000- -0 031-00 SCH134+ 01 37,200 74.00
*****
05 200 5.09
*****
+
DOYLE, CHRISTOPHER E &
DOYLE, TRACY-H/W
+
+
+
P O BOX 1480
CALDWELL ID 83606
*****
06-5N-2W SW + TOTAL 37,400 79.09
LOT 7 SESW *****
+ SURVEY INST 9633071
+ DRAIN DR VALUE APPR GTK
+ CLASS REAP 97 MAN UNIT 0
EMMETT RD, CA + PARCEL 0R05N02W066000 H/O N C/B N
+ PRIOR ACCOUNT 9R37371-000- -0
+ 02 MH on Property NO
MODE:F ACTION: TRAITS INQUIRY TRQK318

```

ACCOUNT NUMBER R37371000 0 UNIT 001 TOTAL UNITS

```

ITE EMMETT RD CA SEC/TWN/RNG 06-5N-2W
ASSESSED VALUE 37,400 ACREAGE 79.09
UE/PARK NAME YEAR/MAKE
CLASS NO BUILDING CLASS SPACE LOT BLOCK
*****
R BUILT 0 AIR COND AIR - NONE CARPORT N
TORY NO BLDG HEATING CARPORT SQ FT
IRST SQ FT 0 EXTERIOR UNKNOWN DECK/PATIO? N
ECOND SQ FT ROOF UNKNOWN POOL? N
IDS 0 BSMT SQ FT SPA? N
ATHS .00 % BSMT FIN LOT SIZE
RPLC 0 GARAGE N NEIGHBORHOOD 0
GARAGE SQ FT
*****
MENTS MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO
REAL ACCOUNT

```

63-07421 : 63-11027
 attachment A

MODE:F ACTION:

PRESS (01 RETURN) TO VIEW ANOTHER ACCOUNT

TRQK101

REAL PROPERTY INQUIRY

```

+++++
01 0R37369-000- -0 031-00 SCH134+ 01 37,700 69.00
+++++
05 125 11.00
+
DOYLE, CHRISTOPHER E &
DOYLE, TRACY-H/W
+
+
P O BOX 1480
CALDWELL ID 83606
+
+++++
06-5N-2W SE + TOTAL 37,825 80.00
SESE, SWSE +
+ SURVEY INST 9633071
+ DRAIN DR VALUE APPR KGE
+ CLASS REAP 97 MAN UNIT 0
EMMETT RD, CA + PARCEL 0R05N02W068400 H/O N C/B N
+ PRIOR ACCOUNT 9R37369-000- -0
+ 02 MH on Property NO
MODE:F ACTION: TRAITS INQUIRY TRQK313

```

ACCOUNT NUMBER R37369000 0 UNIT 001 TOTAL UNITS

```

SITE EMMETT RD CA SEC/TWN/RNG 06-5N-2W
ASSESSED VALUE 37,825 ACREAGE 80.00
SUB/PARK NAME YEAR/MAKE
CLASS NO BUILDING CLASS SPACE LOT BLOCK
+++++
FR BUILT 0 AIR COND AIR - NONE CARPORT N
STORY NO BLDG HEATING CARPORT SQ FT
FIRST SQ FT 0 EXTERIOR UNKNOWN DECK/PATIO? N
SECOND SQ FT ROOF UNKNOWN POOL? N
BEDS 0 BSMT SQ FT SPA? N
BATHS .00 % BSMT FIN LOT SIZE
CRPLC 0 GARAGE N NEIGHBORHOOD 0
GARAGE SQ FT
+++++
COMMENTS MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO
REAL ACCOUNT

```

63-07421, 63-11027
 12

MODE: F ACTION:

PRESS [01 RETURN] TO VIEW ANOTHER UNIT

NO. 002 P. 2/5

TRQK101

REAL PROPERTY INQUIRY

```

*****
01 0R37368-000- -0 031-00 SCHL34+ 01 32,400 60.00
*****
05 1,925 59.00
+ 10 16,000 1.00
+
DOYLE, CHRISTOPHER E &
DOYLE, TRACY-H/W
+
P O BOX 1480
CALDWELL ID 83606
+
*****
05-5N-2W SW + TOTAL 50,325 120.00
S 1/2 SW, SWSE
+ SURVEY INST 9633071
+ DRAIN DR VALUE APPR KGE
+ CLASS REAP 97 MAN UNIT 0
+ PARCEL 0R05N02W056000 E/O N C/B N
+ PRIOR ACCOUNT 9R37368-000- -0
+ 02 MH on Property NO

```

MODE: F ACTION:

TRAITS INQUIRY

TRQK318

ACCOUNT NUMBER R37368000 0 UNIT 001 TOTAL UNITS

```

SITE EMMETT RD CA SEC/TWN/RNG 05-5N-2W
ASSESSED VALUE 50,325 ACREAGE 120.00
SUB/PARK NAME YEAR/MAKE
CLASS NO BUILDING CLASS SPACE LOT BLOCK
*****
YR BUILT 0 AIR COND AIR - NONE CARPORT N
STORY NO BLDG HEATING CARPORT SQ FT
FIRST SQ FT 0 EXTERIOR UNKNOWN DECK/PATIO? N
SECOND SQ FT ROOF UNKNOWN POOL? N
BEDS 0 BSMT SQ FT SPA? N
BATHS .00 + BSMT FIN LOT SIZE
TRPLC 0 GARAGE N NEIGHBORHOOD 0
GARAGE SQ FT

```

COMMENTS

```

MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO
REAL ACCOUNT

```

63-07421 63-11027

Attachment A3

MODE:F ACTION:

PRESS (01 RETURN) TO VIEW ANOTHER ACCOUNT

TRQK101

REAL PROPERTY INQUIRY

```

*****
01 0R37634-000- -0 031-00 SCH134+ 01 20,100 40.00
*****

```

DOYLE, CHRISTOPHER E &

DOYLE, TRACY-H/W

P O BOX 1480

CALDWELL

ID 83606

```

*****
01-5N-3W SE + TOTAL 20,100 40.00
SESE +
+ SURVEY INST 9633071
+ DRAIN DR VALUE APPR GTK
+ CLASS REAP 98 MAN UNIT 0
+ PARCEL 0R05N03W019000 H/O N C/B N
+ PRIOR ACCOUNT 9R37634-000- -0
+ 02 MH on Property NO

```

HOLLOW RD, MI

MODE:F ACTION:

TRAITS INQUIRY

TRQK318

ACCOUNT NUMBER R37634000 0 UNIT 001 TOTAL UNITS

```

SITE HOLLOW RD MI SEC/TWN/RNG 01-5N-3W
ASSESSED VALUE 20,100 ACREAGE 40.00
SUB/PARK NAME YEAR/MAKE
CLASS NO BUILDING CLASS SPACE LOT BLOCK
*****
YR BUILT 0 AIR COND AIR - NONE CARPORT N
STORY NO BLDG HEATING CARPORT SQ FT
FIRST SQ FT 0 EXTERIOR UNKNOWN DECK/PATIO? N
SECOND SQ FT ROOF UNKNOWN POOL? N
BEDS 0 BSMT SQ FT SPA? N
BATHS .00 % BSMT FIN LOT SIZE
FRPLC 0 GARAGE N NEIGHBORHOOD 0
GARAGE SQ FT

```

COMMENTS

MOBILE HOME ONLY

WIDTH/LENGTH

EXPANDO

REAL ACCOUNT

63-07421 5 63-11027

A N G

365-4615

RentAgre.101
Rental Agreement
12/13/91

THIS AGREEMENT was made this 1st day of April, 2001, between Chris Doyle, hereinafter referred to as the "Owner" and MIKE WAGNER, hereinafter referred to as the "Renter".

WITNESSETH, that the Owner, for and in consideration of the covenants and agreements hereinafter mentioned to be kept and performed by the Renter has demised and leased to the Renter the farm land and buildings described:

Farm Land consisting of SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 1
TSW R 3W S $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec 4, S $\frac{1}{2}$ SW $\frac{1}{4}$
SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 5 TSW R 2W a total of 320 AC.

LENGTH OF TENURE: The term of this lease shall be from this day to the 31st day of December, 2001

RENT AND TIME OF PAYMENT: The Renter agrees to pay the Owner share of the income from the crop(s) raised on the rented acreage during the 2001 crop season.

OWNER'S OBLIGATIONS: Owner agrees to furnish the described property and to pay the items of expense listed below:

1. Taxes on the land and improvements leased hereunder for the term of the lease.
2. Owner agrees that the Renter shall have the right of Ingress and Egress to said land at all times over any existing entrances and structures, for all of the purposes related to the farming of the crops for the term of this lease.
- 3.

RENTER'S OBLIGATIONS: The Renter covenants and agrees as follows:

1. To farm the said premises and whole thereof throughout the said term in keeping with the best practice of husbandry and not allow or suffer any damage or waste thereto.
2. Not to remove or change existing fences, buildings, roadways, and irrigation system, without prior consent of the Owner. A conscious attempt will be made to minimize soil erosion.
3. To keep ditch banks, fence rows and roadsides reasonably free of weeds; also, to eradicate gophers and weeds and comply with the statutes of the State of Idaho to that end.
4. To permit the Owner and her Farm Manager, her agent or agents, to enter into and upon the said premises and each and every portion thereof, at any reasonable time or times, for the inspection thereof and any necessary repairs and/or improvements.
5. To keep and save harmless the said premises and the crops grown thereon, and the Owner herein, from any liens against the same on account of bills, debts for labor or materials incurred by the Renter.
6. To carry adequate public liability and property damage insurance on the premises, and will hold the Owner harmless for any suit or action arising out of the duties or activities of the Renter under this lease or his agents or servants.
- 7.
8. If the Renter fails to cultivate said premises as herein agreed, or shall fail to keep any of the covenants contained in this lease, or shall assign the lease or underlet said premises, or any part thereof, then this lease shall, at the election of the Owner, be null and void and the Owner's legal representative shall have the right to take possession of said premises, using such force as may be necessary with or without process of law, and all damage growing out of the failure to perform any of the covenants in this lease, shall be added to and become a part of the rent recoverable as rent. The covenants and agreement herein contained shall extend to, and be binding upon, the heirs, executors, administrators, and successors of the parties to this lease.

Chris Doyle Big Valley Ranch
Owner

Mike Wagner
Mike Wagner, Renter

Attachment B

Apr 06 01 03:11a

Mike Wagner

5853139

p.2

Apr 06 01 02:30p

TITLE CATTLE CO.

(206) 465-4615

p.1

Apr 06 01 03:03a

Mike Wagner

5853139

p.1

365-4615

Rentagreement
Rental Agreement
12/13/91

THIS AGREEMENT was made this 1st day of April, 2001, between
hereinafter referred to as the "Owner" and MIKE WAGNER, hereinafter referred to
as the "Renter".

WITNESSETH, that the Owner, for and in consideration of the covenants and agreements hereinafter mentioned
to be kept and performed by the Renter has demised and leased to the Renter the farm land and buildings
described:

Farm Ground in the NE¹/₄ of SE¹/₄ and
SE¹/₄ of NE¹/₄ of Section 26 Township 5
North, Range 2 West of the Boise
meridian Approx 80 ac

TERM OF LEASE: The term of this lease shall be from this day to the 31st day of December, 2001.

RENT AND TIME OF PAYMENT: The Renter agrees to pay the Owner share of the income from the crop(s) raised
on the rented acreage during the wildcrop season.

OWNER'S OBLIGATIONS: Owner agrees to furnish the described property and to pay the items of expense listed
below:

1. Taxes on the land and improvements leased hereunder for the term of the lease.
2. Owner agrees that the Renter shall have the right of ingress and egress to said land at all times over
any existing encumbrances and structures, for all of the purposes related to the farming of the crops for
the term of this lease.
- 3.

RENTER'S OBLIGATIONS: The Renter covenants and agrees as follows:

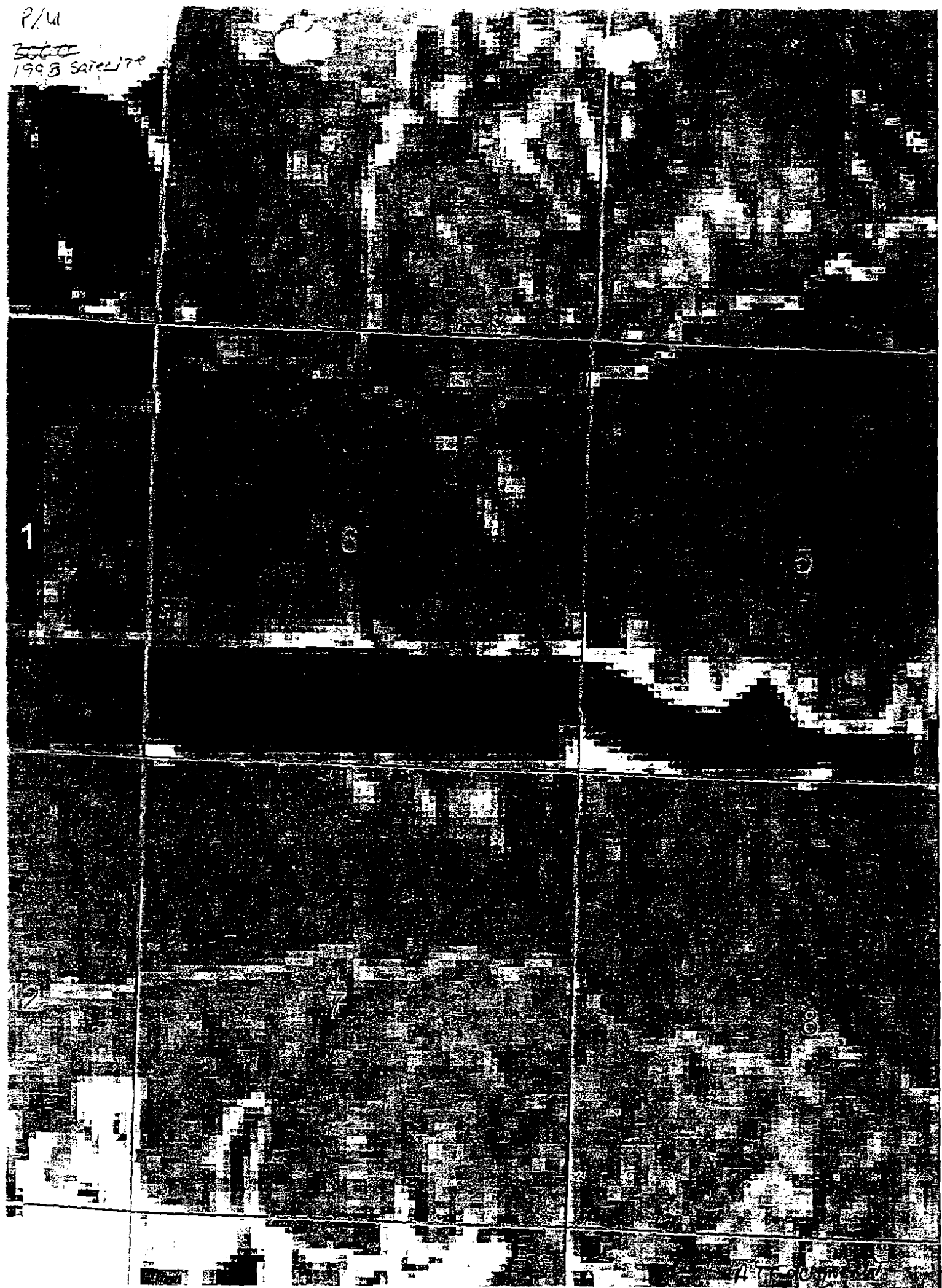
1. To farm the said premises and whole thereof throughout the said term in keeping with the best practice
of husbandry and not allow or suffer any damage or waste thereof.
2. Not to remove or change existing fences, buildings, roads, and irrigation system, without prior
consent of the Owner. A conscious attempt will be made to minimize soil erosion.
3. To keep ditch banks, fence rows and roadsides reasonably free of weeds; also, to eradicate gophers and
grubs and comply with the statutes of the State of Idaho to that end.
4. To permit the Owner and her Farm Manager, her agent or agents, to enter into and upon the said premises
and each and every portion thereof, at any reasonable time or times, for the inspection thereof and any
necessary repairs and/or improvements.
5. To keep and save harmless the said premises and the crops grown thereon, and the Owner herein, from any
liens against the same on account of bills, debts for labor or materials incurred by the Renter.
6. To carry adequate public liability and property damage insurance on the premises, and will hold the Owner
harmless for any suit or action arising out of the duties or activities of the Renter under this lease or
his agents or servants.
7. Provide water through Transfer and Irrigation system from existing wells.
8. If the Renter fails to cultivate said premises as herein agreed, or shall fail to keep any of the covenants
contained in this lease, or shall assign the lease or underlet said premises, or any part thereof, then
this lease shall, at the election of the Owner, be null and void and the Owner's legal representative shall
have the right to take possession of said premises, using such force as may be necessary with or without
process of law, and all damage growing out of the failure to perform any of the covenants in this lease,
shall be added to and become a part of the rent recoverable as rent. The covenants and agreement herein
contained shall extend to, and be binding upon, the heirs, executors, administrators, and successors of the
parties to this lease.

[Signature] For Little Enterprise, LP - [Signature] DL Limited Partner
OWNER

[Signature]
Mike Wagner, Renter

ATTACHMENT C

P/4
3000
1998 SATellite



1

6

5

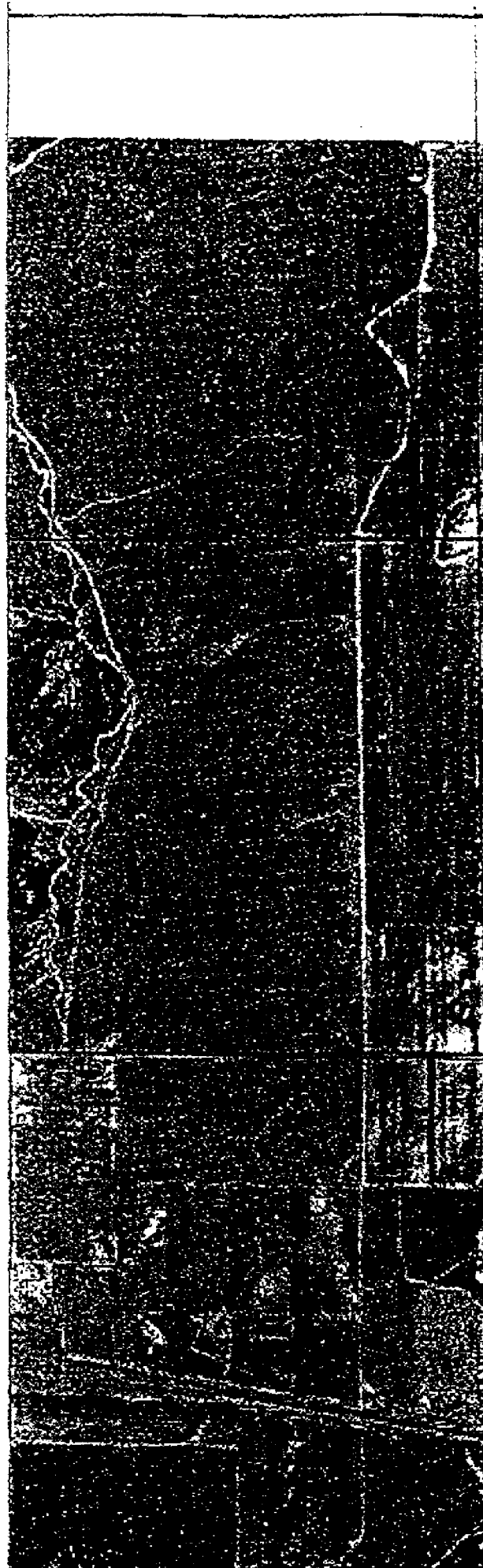
12

7

8

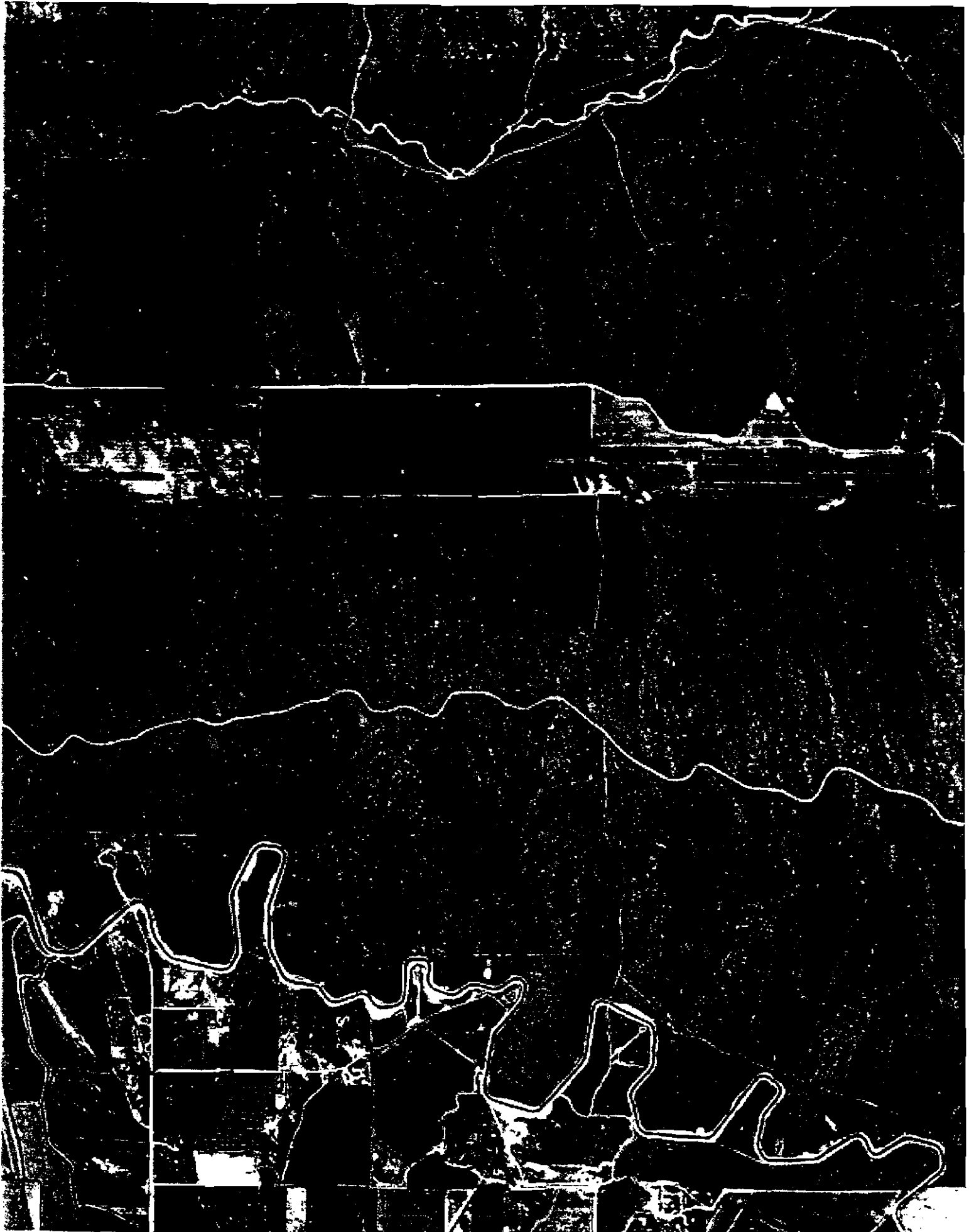
4-15-2000

plu 1994



Attachment E

P/u 1987



04/19/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

WATER RIGHT NO. 63-7421

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	C L SHAWVER 2710 ESQUIRE DR BOISE, ID 83701

Priority Date: 04/26/1971
Basis: License
Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/15	10/15	4.98 CFS	1022 AFA	
Total Diversion			4.98 CFS	1022 AFA	

Location of Point(s) of Diversion:

GROUND WATER	SWSW	Sec. 05	Township 05N	Range 02W	CANYON County
--------------	------	---------	--------------	-----------	---------------

IRRIGATION Use:
Acre Limit: 249

Place(s) of use:

Place of Use Legal Description: IRRIGATION CANYON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
05N	02W	5		SWSW	25		SESW	25						
				SWSE	15									
		6		SWSW	35		SESW	38						
				SWSE	38		SESE	35						
	03W	1		SESE	38									

Total Acres: 249

Dates:

Licensed Date: 04/12/1982
Decreed Date:
Permit Proof Due Date: 7/1/81
Permit Proof Made Date: 1/1/1900
Permit Approved Date: 7/6/71
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

APPLICANT Chris Doyle TRANSFER NO. 5690

INITIAL ALLOCATION REVIEW BY DAN DATE 3-14-200

1. Right number(s) 63-07421 & 63-11027

2. Type of right ☐ Decree ☒ License ☐ Statutory Claim
 ☐ SRBA Beneficial Use Claim

3. Purpose of transfer ☐ Change P/D ☐ Add P/D ☒ Change P/U
 ☐ Change N/U ☒ Change Period ☐ Split Right
 ☐ Other: _____

4. Check Existing Right: ☒ Source ☒ Priority ☒ Amount ☒ Purpose
 ☒ Period ☒ SRBA Claim ONLY ON 63-07421
 ☒ Description of original point(s) of diversion
 ☒ Description of original place of use
 ☒ Overlapping rights on original place of use

5. Check Proposed Right for amount of land &/or water transferred:

- a. ☒ Analysis memo (always - unless justify why not needed)
- b. ☒ All of right
- c. ☐ Part of right (**NOTE!** Part B should be filled in only if part of right is owned by the applicant)
- d. ☒ Description of point(s) of diversion
- e. ☒ Description of place of use
- f. ☒ Map showing P/D & P/U after transfer
- g. ☒ Correct notarized signature and \$100 fee
- h. ☒ Proof of ownership of right &/or land from which water is transferred
- i. ☒ Expansion in use of right: check rate of flow, diversion volume and consumptive use volume. Discuss in memo.
- j. ☒ Surface water source: IDFG letter; notify Water Planning Bureau if protected river or minimum flow reach.

k. X Overlapping rights: check current & proposed scenarios:

Current NOWP

Proposed NOWP

l. X SRBA claim(s) SRBA claim on 63-0742/
63-11027 Filed AFTER commencement
OF SRBA

m. X Comment letters Yes X No
 If yes Water District #
 Other, see #2 below for name
 and address

PUBLICATION REVIEW

1. Legal Notice electronically sent to DWR03::VAULT? ✓ Yes

2. COMMENT LETTERS

Watermaster recommendation requested on , Received on

Other comments letters: See attached information

3. Transfer published correctly? ✓ Yes No

4. Affidavit of publication received? ✓ Yes No

5. Protests received? Yes ✓ No; Acknowledgement sent? Yes

6. Data entry of application completed? ✓ Yes

RECOMMENDED ACTION

1. ✓ Approve See attached memo

2. Deny due to

3. Conditions (special conditions in Water Districts) See Dan Nelson's memo
dated 3/15/2000. I prefer to recognize current season of use, but recommend

4. By Ben S Date 5/9/00

FILE FORWARDING

1. Copies made for Region file (see attached supplemental page)? Yes

2. File forwarded to S.O.: by date

adjudication "shoulder" results

RECEIVED
APR 14 2000
WATER RESOURCES
WESTERN REGION

vat

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS, TRANSFER NO. 5690

Notice is given that **CHRIS DOYLE** of PO Box 1480 Caldwell, ID 83606 has applied to the Department of Water Resources to change the place of use and season of use pursuant to I.C. § 42-222 for 2 rights recorded as follows in Canyon County.

LICENSE 63-07421, priority 4/26/1971, 4.98 cfs, between 4/15 to 10/15, Ground-water diverted in SWSW S5 T5N R2W and used in S 1/2 SW S5 and S 1/2 of the S 1/2 S6 in T5N R2W and SESE S1 T5N R3W, 249 acres.

LICENSE 63-11027, priority 9/14/1989, .32 cfs, between 3/15 to 11/15, Ground-water diverted in SWSW S5 T5N R2W and used in S 1/2 SW S5 and S 1/2 of the S 1/2 S6 in T5N R2W, 16 acres.

Snake River Basin Adjudication (SRBA) claim filed on 63-07421 as licensed except with an irrigation season of 3/15 to 11/15.

PROPOSED CHANGE FOR ALL RIGHTS

Combine rights into a common place of use of 246 acres on the lands described above and move the 75 acres in S5 to the N 1/2 of NW S7 in T5N R2W. Applicant also asked to have a common season of use for both rights of 3/15 to 11/15.

Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 for each application on or before April 24, 2000. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director
822

April 6, 13, 2000

MEMORANDUM

TO: FILE

FROM: DANIEL A. NELSON *DAN*

DATE: 3/15/2000

RE: CHRIS DOYLE TRANSFER, RIGHT 63-07421 AND 6311027

The transfer proposes dry up 75 acres in SESE and S1/2 SW S5 and move those acres to N ½ NW S7 in T5N R2W. The applicant has also requested the same season of use of 3/15 to 11/15 be given to both rights.

DOCUMENTS AND APPLICATION PREPARATION

The application consists of 8 pages and 4 attachments. Note the location of the following application items:

Attach. A – Adjudication claim for 63-07421

Attach. B – Ownership documentation of applicant's property (B1 – B4)

Attach. C – Ownership documentation of leased property

Attach. D – Lease agreement between property owner and applicant

Attach. E – Government Plat map showing Government Lots

The applicant prepared the application with assistance from Lori Graves, IDWR.

Other information used in this review includes diagram showing ownership, place of use comparison report, 1987 aerial photo, 1994 aerial photo, 1998 satellite photo, and a memo from Lori Graves. All of these items are attached to this memo.

CURRENT RECORDS & PROPOSED CHANGE

This application is based on 2 licenses (63-07421 and 63-11027). The transfer will move water from the lands described in Section 5 and move it to Section 7 in T5N R2W from both rights. An adjudication claim was filed on 63-07421 as licensed, except for the season of use was changed to 3/15 to 11/15. Water right 63-11027 was received after the adjudication process started and does not require an adjudication claim.

VERIFICATION & OTHER ANALYSIS

All of this information that shows use of these rights in 1987 and in the last 5 years is attached to this memo. The applicant has supplied ownership information that shows he owns the land that the water is being taken from. He has also supplied the lease agreement of the property where the water is being moved. He also supplied information showing the lessors ownership of the property.

The question on this application is the changed season of use for water right 63-07421. Ron Howerton stated that the adjudication would not recommend this right with a new season of use. However, they create a shoulder remark on the decree allowing the beginning of the season as soon as 3/1 and as late as 11/15. This remark would infer that he could use this earlier right as soon as 3/1. Having separate season of uses out of the same well would be a regulation nightmare on these wells. I believe it would be prudent to allow the change of season of use, but to limit the applicant the annual volume originally licensed.

RECOMENDATIONS

I recommend that this transfer be approved as shown on the transfer application and the season of use for both rights should be 3/15 to 11/15 and the annual volume for both rights should remain the same as licensed.

AJ0749NP
No. A63-07421

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

DATE: 02/01/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	C L SHAWVER	04/26/1971	IRRIGATION	03-15 11-15	4.980 CFS	1022.00 AFA
C	DJ SHAWVER					
	2710 ESQUIRE DR			TOTAL DIVERSION:	4.980 CFS	1022.00 AFA
	BOISE ID 83704					
	(208) 375-2477					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T05N R02W S05 SWSWSW

CANYON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE							
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM		
05N	02W	5	:											25	25			15		:	65.0		
05N	02W	6	:											35	38			38	35	:	146.0		
05N	03W	1	:																38	:	38.0		
																			TOTAL ACRES				249.0

POU County: CANYON

Non-Irrigation Uses: N/A

Other Rights: N/A

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
63-18929 A63-18929

Remarks: GEN THE RANCH WHERE THIS RIGHT IS USED IS KNOWN AS C & D FARMS.
POSTAL ADDRESS FOR THE FARM IS BOX 29260, RT. # 7, EMMETT ROAD,
CALDWELL IDAHO 83605.
THE PRESENT WELL IS A REPLACEMENT WELL FOR THE INITIAL WELL. THE
INITIAL WELL IS NOW USED FOR DOMESTIC AND STOCKWATER PURPOSES

Dates: Exam Made Date: 09/05/1991 Verified Date: Objection Filed Date:

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

63-07421-1027

REAL PROPERTY INQUIRY

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+++++
01 0R37371-000- -0 031-00 SCH134+ 01 37,200 74.00
+++++
05 200 5.09
+++++
+

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DOYLE, CHRISTOPHER E &
DOYLE, TRACY-H/W

*Applicant's
here*

P O BOX 1480
CALDWELL ID 83606

```

+++++
06-5N-2W SW 37,400 79.09
LOT 7 SESW
+++++
+ SURVEY INST 9633071
+ DRAIN DR VALUE APPR GTK
+ CLASS REAP 97 MAN UNIT 0
+ PARCEL 0R05N02W066000 H/O N C/B N
+ PRIOR ACCOUNT 9R37371-000- -0
+ 02 MH on Property NO

```

EMMETT RD, CA

MODE:F ACTION: TRAITS INQUIRY TRQK318

ACCOUNT NUMBER R37371000 0 UNIT 001 TOTAL UNITS

```

SITE EMMETT RD CA SEC/TWN/RNG 06-5N-2W
ASSESSED VALUE 37,400 ACREAGE 79.09
SUB/PARK NAME YEAR/MAKE
CLASS NO BUILDING CLASS SPACE LOT BLOCK
+++++
YR BUILT 0 AIR COND AIR - NONE CARPORT N
STORY NO BLDG HEATING CARPORT SQ FT
FIRST SQ FT 0 EXTERIOR UNKNOWN DECK/PATIO? N
SECOND SQ FT ROOF UNKNOWN POOL? N
BEDS 0 BSMT SQ FT SPA? N
BATHS .00 % BSMT FIN LOT SIZE
FRPLC 0 GARAGE N NEIGHBORHOOD 0
GARAGE SQ FT

```

```

+++++
COMMENTS MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO
REAL ACCOUNT

```

63-07421 : 63-11027
Attachment B,

REAL PROPERTY INQUIRY

```

+++++
01 0R37369-000- -0 031-00      SCH134+      01      37,700      69.00
+++++
                                05      125      11.00
+++++
DOYLE, CHRISTOPHER E &
DOYLE, TRACY-H/W
+
P O BOX 1480
CALDWELL      ID 83606
+++++
06-5N-2W SE      +      TOTAL      37,825      80.00
SESE, SWSE      ++++++
+ SURVEY      INST 9633071
+ DRAIN      DR VALUE      APPR KGE
+ CLASS      REAP 97  MAN      UNIT 0
+ PARCEL 0R05N02W068400  H/O N C/B N
+ PRIOR ACCOUNT  9R37369-000- -0
+      02 MH on Property NO

```

MODE:F ACTION:

TRAITS INQUIRY

TRQK318

ACCOUNT NUMBER R37369000 0 UNIT 001 TOTAL UNITS

```

SITE      EMMETT RD      CA      SEC/TWN/RNG 06-5N-2W
ASSESSED VALUE      37,825      ACREAGE      80.00
SUB/PARK NAME      YEAR/MAKE
CLASS      NO BUILDING CLASS      SPACE      LOT      BLOCK
+++++
YR BUILT      0      AIR COND      AIR - NONE      CARPORT      N
STORY      NO BLDG      HEATING      CARPORT SQ FT
FIRST SQ FT      0      EXTERIOR      UNKNOWN      DECK/PATIO?      N
SECOND SQ FT      ROOF      UNKNOWN      POOL?      N
BEDS      0      BSMT SQ FT      SPA?      N
BATHS      .00      % BSMT FIN      LOT SIZE
FRPLC      0      GARAGE      N      NEIGHBORHOOD      0
GARAGE SQ FT

```

COMMENTS

```

MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO
REAL ACCOUNT

```

63-07421, 63-11027

Attachment B2

PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT

TRQK101

REAL PROPERTY INQUIRY

```

+++++
01 0R37368-000- -0 031-00 SCHL34+ 01 32,400 60.00
+++++
05 1,925 59.00
10 16,000 1.00
+
DOYLE, CHRISTOPHER E & +
DOYLE, TRACY-H/W +
+
P O BOX 1480 +
CALDWELL ID 83606 +
+++++
05-5N-2W SW + TOTAL 50,325 120.00
S 1/2 SW, SWSE +
+ SURVEY INST 9633071
+ DRAIN DR VALUE APPR KGE
+ CLASS REAP 97 MAN UNIT 0
+ PARCEL 0R05N02W056000 H/O N C/B N
+ PRIOR ACCOUNT 9R37368-000- -0
+ 02 MH on Property NO

```

MODE:F ACTION:

TRAITS INQUIRY

TRQK318

ACCOUNT NUMBER R37368000 0 UNIT 001 TOTAL UNITS

```

SITE EMMETT RD CA SEC/TWN/RNG 05-5N-2W
ASSESSED VALUE 50,325 ACREAGE 120.00
SUB/PARK NAME YEAR/MAKE
CLASS NO BUILDING CLASS SPACE LOT BLOCK
+++++
YR BUILT 0 AIR COND AIR - NONE CARPORT N
STORY NO BLDG HEATING CARPORT SQ FT
FIRST SQ FT 0 EXTERIOR UNKNOWN DECK/PATIO? N
SECOND SQ FT ROOF UNKNOWN POOL? N
BEDS 0 BSMT SQ FT SPA? N
BATHS .00 ‡ BSMT FIN LOT SIZE
FRPLC 0 GARAGE N NEIGHBORHOOD 0
GARAGE SQ FT

```

COMMENTS

```

MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO
REAL ACCOUNT

```

63-07421 63-11027

Attachment B3

MODE:F ACTION:

PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT

TRQK101

REAL PROPERTY INQUIRY

```

*****
01 0R37634-000- -0 031-00 SCH134+ 01 20,100 40.00
*****

```

```

+
DOYLE, CHRISTOPHER E &
DOYLE, TRACY-H/W
+

```

P O BOX 1480

CALDWELL ID 83606

```

*****
01-5N-3W SE + TOTAL 20,100 40.00
SESE +*****

```

```

+ SURVEY INST 9633071
+ DRAIN DR VALUE APPR GTK
+ CLASS REAP 98 MAN UNIT 0
+ PARCEL 0R05N03W019000 H/O N C/B N
+ PRIOR ACCOUNT 9R37634-000- -0
+ 02 MH on Property NO

```

HOLLOW RD, MI

MODE:F ACTION:

TRAITS INQUIRY

TRQK318

ACCOUNT NUMBER R37634000 0 UNIT 001 TOTAL UNITS

```

SITE HOLLOW RD MI SEC/TWN/RNG 01-5N-3W
ASSESSED VALUE 20,100 ACREAGE 40.00
SUB/PARK NAME YEAR/MAKE
CLASS NO BUILDING CLASS SPACE LOT BLOCK
*****
YR BUILT 0 AIR COND AIR - NONE CARPORT N
STORY NO BLDG HEATING CARPORT SQ FT
FIRST SQ FT 0 EXTERIOR UNKNOWN DECK/PATIO? N
SECOND SQ FT ROOF UNKNOWN POOL? N
BEDS 0 BSMT SQ FT SPA? N
BATHS .00 % BSMT FIN LOT SIZE
FRPLC 0 GARAGE N NEIGHBORHOOD 0
GARAGE SQ FT

```

COMMENTS

```

MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO
REAL ACCOUNT

```

63-07421 5 63-11027

Attachment B4

MODE:F ACTION:

PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT

TRQK101

334

2348

REAL PROPERTY INQUIRY

+++++
 01 0R37372-000- -0 031-00 SCH134+ 05 2,575 79.23
 +
 WILMARTH, FLOYD R +
 +

Sec 5 South

Leased
 Area

P O BOX 35

PECK

ID 83545

+++++

07-5N-2W NW

2,575 79.23

LOT 1 NENW

+++++

+ SURVEY INST
 + DRAIN DR VALUE APPR KGE
 + CLASS REAP 97 MAN UNIT 0
 + PARCEL 0R05N02W072400 H/O N C/B N
 + PRIOR ACCOUNT 9R37372-000- -0
 + 02 MH on Property NO

EMMETT RD, CA

MODE:F ACTION:

TRAITS INQUIRY

TRQK318

ACCOUNT NUMBER R37372000 0 UNIT 001 TOTAL UNITS

SITE EMMETT RD CA		SEC/TWN/RNG 07-5N-2W	
ASSESSED VALUE 2,575		ACREAGE 79.23	
SUB/PARK NAME		YEAR/MAKE	
CLASS	NO BUILDING CLASS	SPACE	LOT BLOCK
YR BUILT 0	AIR COND	AIR - NONE	CARPORT N
STORY NO BLDG	HEATING		CARPORT SQ FT
FIRST SQ FT 0	EXTERIOR	UNKNOWN	DECK/PATIO? N
SECOND SQ FT	ROOF	UNKNOWN	POOL? N
BEDS 0	BSMT SQ FT		SPA? N
BATHS .00	% BSMT FIN		LOT SIZE
FRPLC 0	GARAGE	N	NEIGHBORHOOD 0
	GARAGE SQ FT		

+++++
COMMENTS

MOBILE HOME ONLY
 WIDTH/LENGTH
 EXPANDO
 REAL ACCOUNT

63-07421; 63-11027

Attachment C

Effective
upon approval
of the x-fer

LEASE AGREEMENT

This lease agreement entered into on February 2000, 2000 between Mr. Floyd Wilmarth (landowner) and Mr. Christopher Doyle (lessor).

Whereas the landowner, Mr. Wilmarth agrees to lease 80 acres of land he owns between Middleton and Emmett Idaho to the lessor, Mr. Doyle.

This lease shall run on a year to year basis for 3 years beginning in the year 2000 and running through the year 2002. The lease amount shall be \$30 per acre. Total yearly lease payment to be \$2,400.00/yr. Lease payments shall be due no later than April 1st of each year this lease agreement is in affect.

Either the lessor or the landowner may cancel this agreement by giving written notice 30 days prior to the due date of the lease or no later than March 1st of each year.

Lessor will pay all costs associated with planting, growing and harvesting of the crops. All water costs will be the responsibility of the lessor. After the term of this lease has expired, all water shares that have been transferred to the landowner's property from the adjacent lessor's property will be reconveyed to the lessor's property where those water shares originated.

All taxes due on the landowner's property will remain the responsibility of the landowner.

Signed and agreed to by;

Landowner:

Lessor:

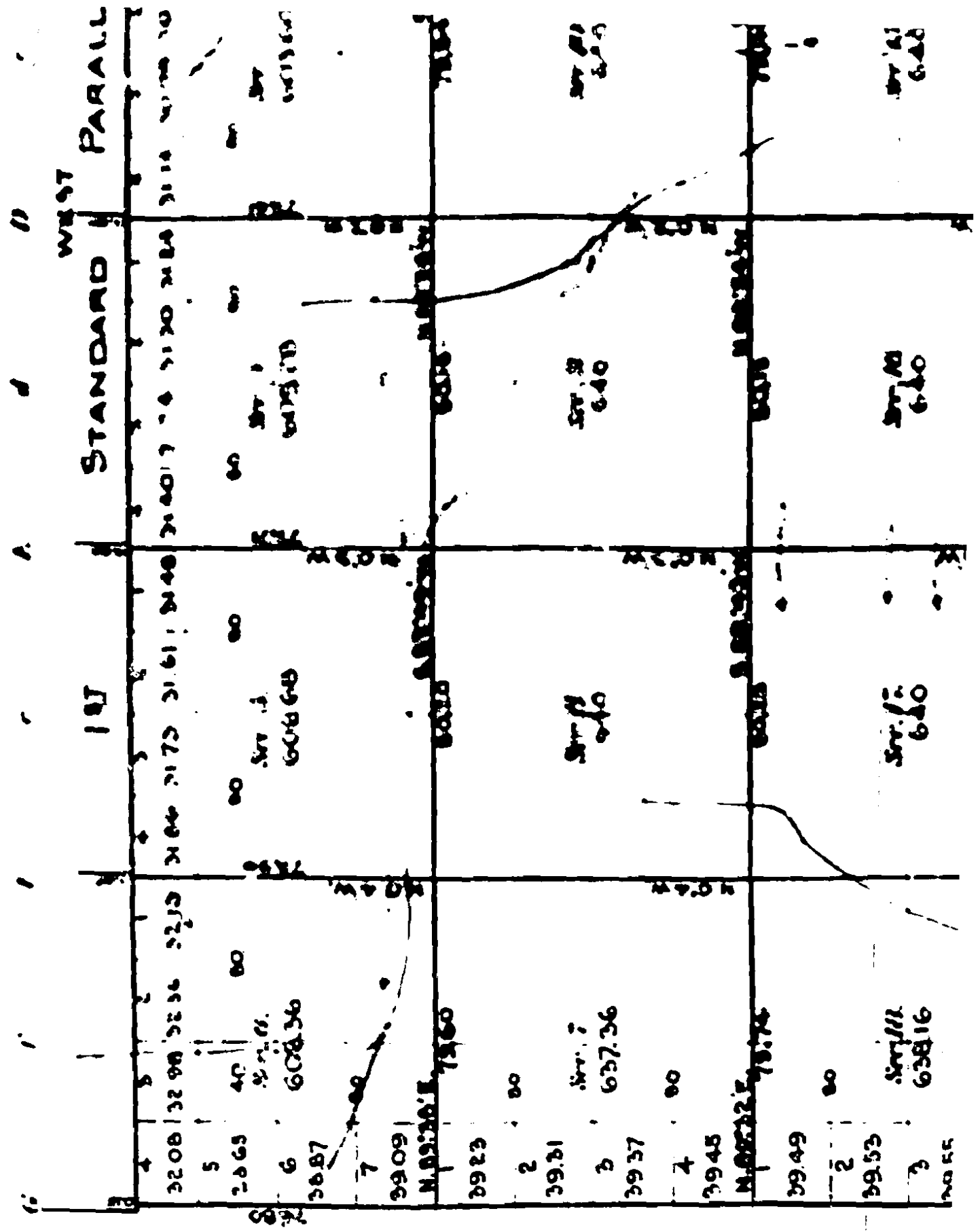
Floyd Wilmarth
440 Pine St.
PO Box 35
Peck, Idaho 83545

Christopher Doyle
PO Box 1480
Caldwell, Idaho 83605

63-074219-63-11027

Attachment D

Township No 5 North. Range No 2 West (A)



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: A63-07421
Date Received: 9/14/1989
Receipt No: CO 4606
Received By: EX

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: C. L. SHAWVER 208-375-2477
Address: 2710 ESQUIRE DR.
BOISE, ID 83704
OR
Name: D.J. SHAWVER 208-375-2477
Address: 2710 ESQUIRE DR.
BOISE, ID 83704

2. Date of Priority: APR 26, 1971

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	02W	5	SW	SW	SW		CANYON

5. Description of diverting works:
WELL & PUMP, 490', 16" CASING, W/300HP PUMP, PIPELINE, & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	4.980		1022.00

7. Total Quantity Appropriated is:
4.980 C.F.S. (and/or) 1022.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

MICROFILMED
AUG 21 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres	
05N	02W	5	SW	SW		IRR	25.0	
			SE	SW		IRR	25.0	
			SW	SE		IRR	15.0 ✓	
					Section Acres		65.0	
		6	SW	SW		IRR	35.0 ✓	
			SE	SW		IRR	38.0 ✓	
			SW	SE		IRR	38.0 ✓	
			SE	SE		IRR	35.0 ✓	
					Section Acres		146.0	
		03W	1	SE	SE		IRR	38.0 ✓
				Section Acres		38.0		
				Total Acres		249.0		

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
N/A

14. Remarks:

THE RANCH WHERE THIS RIGHT IS USED IS KNOWN AS C & D FARMS.
POSTAL ADDRESS FOR THE FARM IS BOX 29260, RT. # 7, EMMETT ROAD,
CALDWELL IDAHO 83605.
THE PRESENT WELL IS A REPLACEMENT WELL FOR THE INITIAL WELL. THE
INITIAL WELL IS NOW USED FOR DOMESTIC AND STOCKWATER PURPOSES

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: 1 (ONE)

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *[Signature]* Date: 9-14-89
Date:

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 14th day
of SEPTEMBER 19 89 *[Signature]*
Notary Public

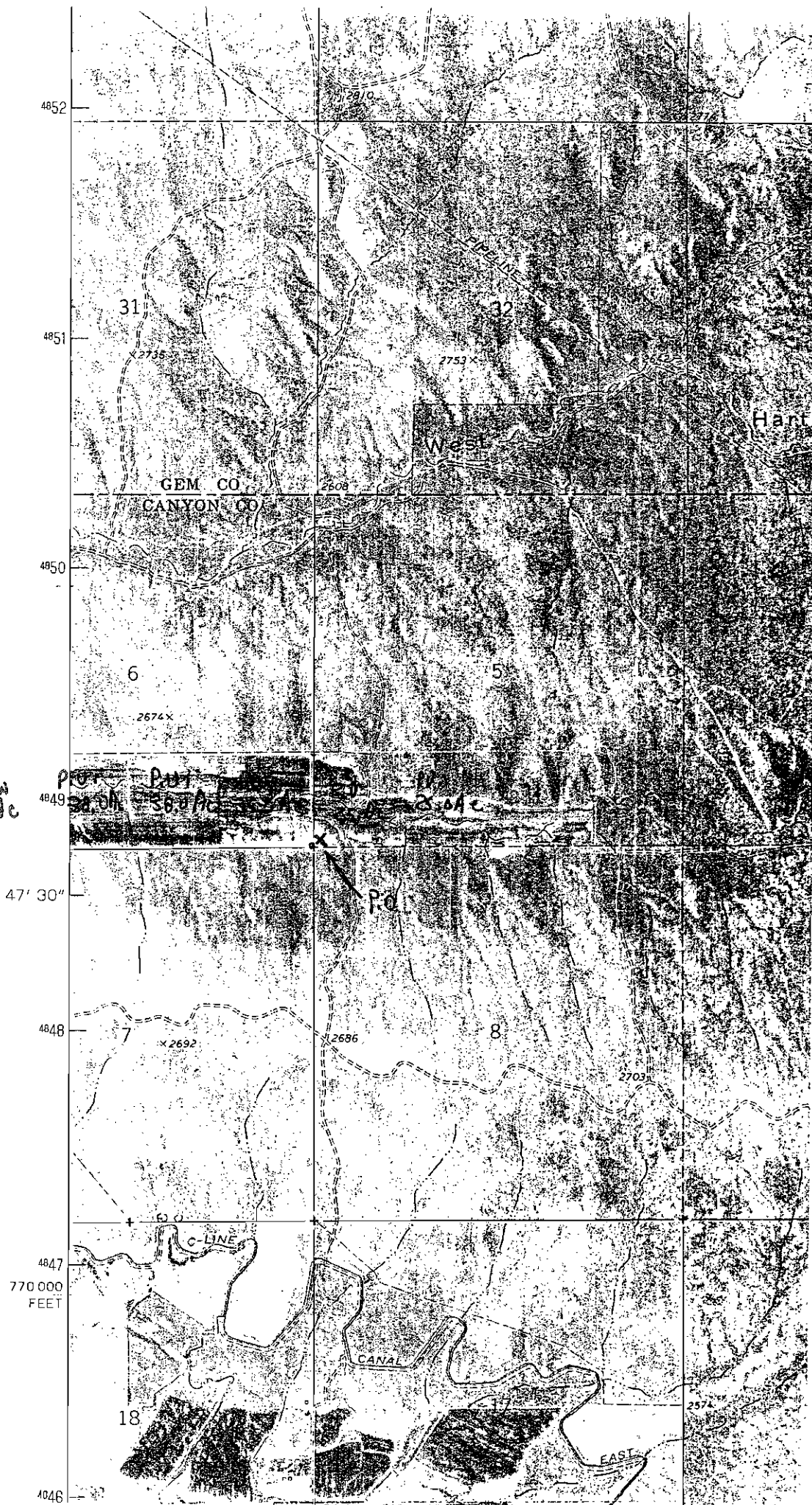
Seal

Residing at Boise, ID
My Commission Expires 11/08/1994

T6N
T5N
SECS 346

P.O. P.O. SW SW
SE SE 330 AC
Sec 1 38.0 AC

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AUG 21 1992



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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A63-07421
Date Received: 9/14/1989
Receipt No: CO 11606
Received By: EX

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: C. L. SHAWVER 208-375-2477
Address: 2710 ESQUIRE DR.
BOISE, ID 83704
OR
Name: D.J. SHAWVER 208-375-2477
Address: 2710 ESQUIRE DR.
BOISE, ID 83704
2. Date of Priority: APR 26, 1971
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	02W	5	SW	SW	SW		CANYON
5. Description of diverting works:
WELL & PUMP, 490', 16" CASING, W/300HP PUMP, PIPELINE, & SPRINKLERS.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	4.980		1022.00
7. Total Quantity Appropriated is:
4.980 C.F.S. (and/or) 1022.00 A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
N/A

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05N	02W	5	SW		SW		IRR	25.0
			SE		SW		IRR	25.0
			SW		SE		IRR	15.0 ✓
			Section Acres					65.0
		6	SW		SW		IRR	35.0 ✓
			SE		SW		IRR	38.0 ✓
			SW		SE		IRR	38.0 ✓
			SE		SE		IRR	35.0 ✓
			Section Acres					146.0
	03W	1	SE		SE		IRR	38.0 ✓
			Section Acres					38.0
			Total Acres					249.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
N/A

14. Remarks:

THE RANCH WHERE THIS RIGHT IS USED IS KNOWN AS C & D FARMS.
POSTAL ADDRESS FOR THE FARM IS BOX 29260, RT. # 7, EMMETT ROAD,
CALDWELL IDAHO 83605.
THE PRESENT WELL IS A REPLACEMENT WELL FOR THE INITIAL WELL. THE
INITIAL WELL IS NOW USED FOR DOMESTIC AND STOCKWATER PURPOSES

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: 1 (ONE)

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *Chris Thomas* Date: 9-14-89
Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 14th day
of SEPTEMBER 19 89

James E. Smith
Notary Public

Seal

Residing at Boise, ID
My Commission Expires 11/08/1994

T6N
T5N

SECS 3 & 6

P.U.
SE 32
SEC 1
38.0 AC

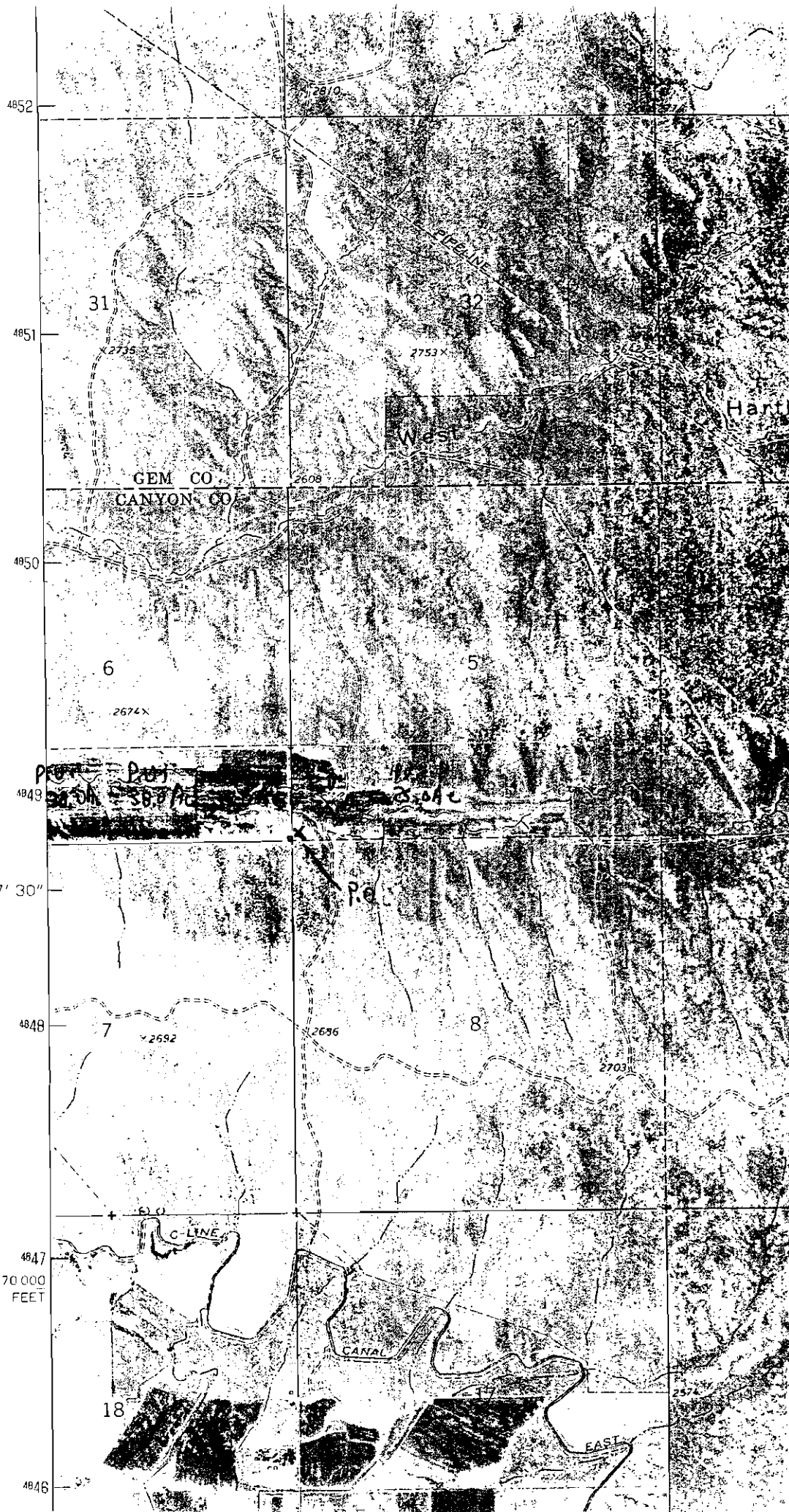
P.U. SW 32
38.0 AC

P.U. SW 32
38.0 AC

47' 30"

4847
770 000
FEET

MICROFILMED
AUG 21 1992



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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A63-07421
Date Received: 9/14/1989
Receipt No: CO 11606
Received By: ES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: C. L. SHAWVER 208-375-2477
Address: 2710 ESQUIRE DR.
BOISE, ID 83704

OR

Name: D.J. SHAWVER 208-375-2477
Address: 2710 ESQUIRE DR.
BOISE, ID 83704

2. Date of Priority: APR 26, 1971

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	02W	5	SW	SW	SW		CANYON

5. Description of diverting works:
WELL & PUMP, 490', 16" CASING, W/300HP PUMP, PIPELINE, & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	4.980		1022.00

7. Total Quantity Appropriated is:
4.980 C.F.S. (and/or) 1022.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

MICROFILMED
AUG 21 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05N	02W	5	SW		SW		IRR	25.0
			SE		SW		IRR	25.0
			SW		SE		IRR	15.0 ✓
							Section Acres	65.0
		6	SW		SW		IRR	35.0 ✓
			SE		SW		IRR	38.0 ✓
			SW		SE		IRR	38.0 ✓
			SE		SE		IRR	35.0 ✓
							Section Acres	146.0
	03W	1	SE		SE		IRR	38.0 ✓
							Section Acres	38.0
							Total Acres	249.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
N/A

14. Remarks:

THE RANCH WHERE THIS RIGHT IS USED IS KNOWN AS C & D FARMS.
POSTAL ADDRESS FOR THE FARM IS BOX 29260, RT. # 7, EMMETT ROAD,
CALDWELL IDAHO 83605.
THE PRESENT WELL IS A REPLACEMENT WELL FOR THE INITIAL WELL. THE
INITIAL WELL IS NOW USED FOR DOMESTIC AND STOCKWATER PURPOSES

15. Basis of Claim: LICENSE

MICROFILMED
AUG 21 1992

16. Signature(s)

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

Number of attachments: 1 (ONE)

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *Chris Howard* Date: 9-14-89

Date: _____

State of Idaho)
County of BOA) SS.

Subscribed and sworn (or affirmed) before me this 14th day
of SEPTEMBER 19 89

Glenn E. Luthy
Notary Public

Seal

Residing at Boise, ID
My Commission Expires 11/08/1994

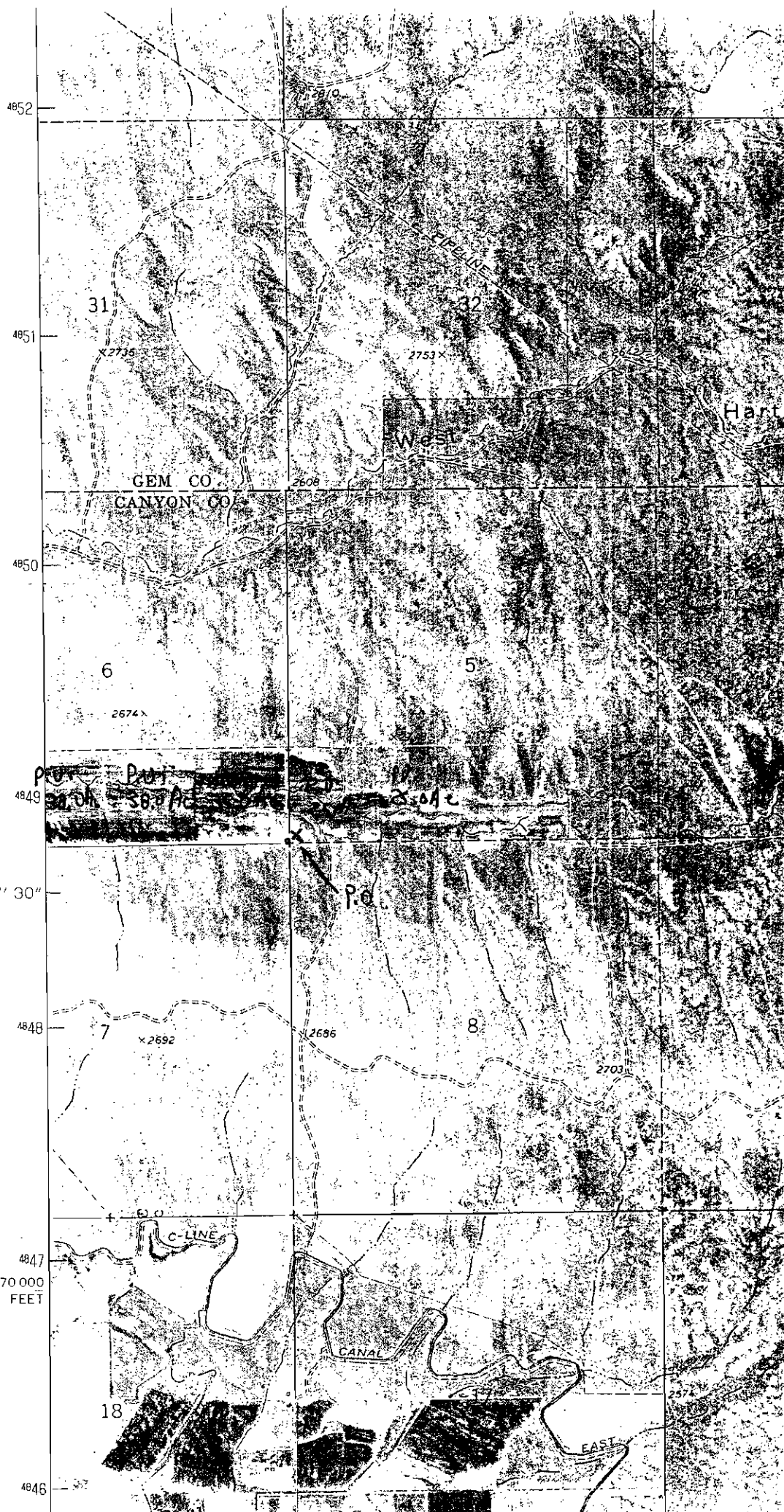
T6N
T5N
SECS 346

P.O. P.O. SWSW
SESE 38.0 AC
SEC 1
38.0 AC

47' 30"

4847
770 000
FEET

MICROFILMED
AUG 21 1992



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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A63-07421
Date Received: 9/14/1989
Receipt No: CO 1606
Received By: SA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: C. L. SHAWVER 208-375-2477
Address: 2710 ESQUIRE DR.
BOISE, ID 83704

OR
Name: D.J. SHAWVER 208-375-2477
Address: 2710 ESQUIRE DR.
BOISE, ID 83704

2. Date of Priority: APR 26, 1971

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	02W	5	SW	SW	SW		CANYON

5. Description of diverting works:
WELL & PUMP, 490', 16" CASING, W/300HP PUMP, PIPELINE, & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	4.980		1022.00

7. Total Quantity Appropriated is:
4.980 C.F.S. (and/or) 1022.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05N	02W	5	SW		SW		IRR	25.0
			SE		SW		IRR	25.0
			SW		SE		IRR	15.0 ✓
			Section Acres					65.0
		6	SW		SW		IRR	35.0 ✓
			SE		SW		IRR	38.0 ✓
			SW		SE		IRR	38.0 ✓
			SE		SE		IRR	35.0 ✓
			Section Acres					146.0
	03W	1	SE		SE		IRR	38.0 ✓
			Section Acres					38.0
			Total Acres					249.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
N/A

14. Remarks:

THE RANCH WHERE THIS RIGHT IS USED IS KNOWN AS C & D FARMS.
POSTAL ADDRESS FOR THE FARM IS BOX 29260, RT. # 7, EMMETT ROAD,
CALDWELL IDAHO 83605.
THE PRESENT WELL IS A REPLACEMENT WELL FOR THE INITIAL WELL. THE
INITIAL WELL IS NOW USED FOR DOMESTIC AND STOCKWATER PURPOSES

15. Basis of Claim: LICENSE

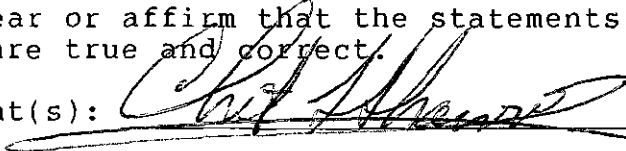
16. Signature(s)

(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: 1 (ONE)

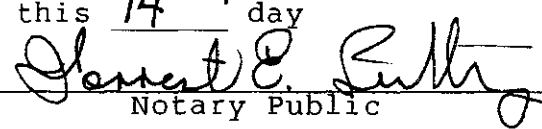
For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s):  Date: 9-14-89
Date: _____

State of Idaho)
County of BOA) SS.

Subscribed and sworn (or affirmed) before me this 14th day
of SEPTEMBER 19 89


Notary Public

Seal

Residing at Boise, ID
My Commission Expires 11/08/1994

T6N
T5N
SECS 346

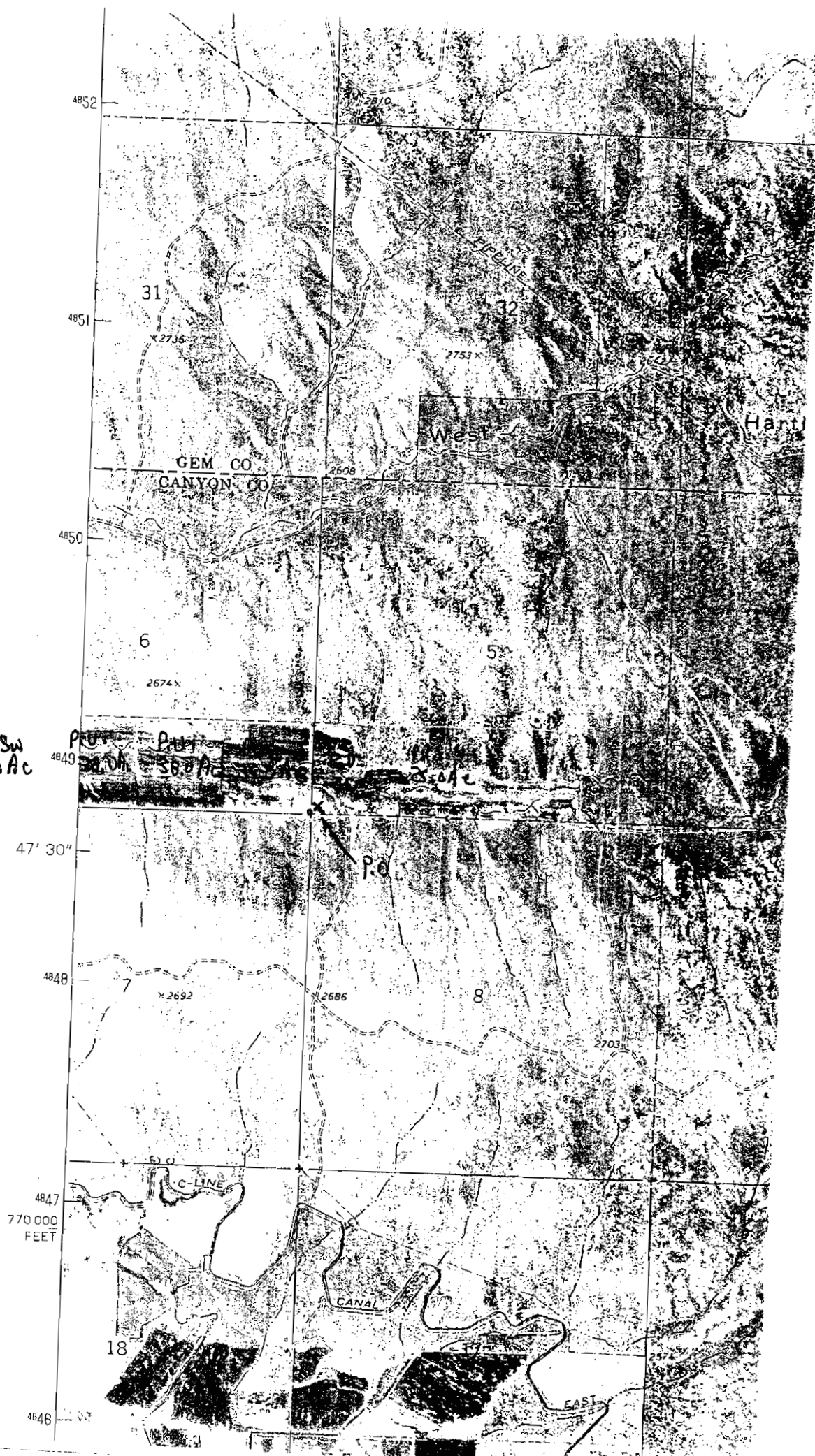
P.U.
SE 1/4
Sec 1
38.0 AC

P.U. SW 1/4
38.0 AC

P.U. SW 1/4
38.0 AC

P.U. SW 1/4
38.0 AC

MICROFILMED
AUG 21 1992



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

RIGHT NUMBER: 63-31908

NAME AND ADDRESS: WILLIAM B FRIEND
11494 RIO LOBO
CALDWELL ID 83607

TONI BACCIERO
11494 RIO LOBO
CALDWELL ID 83607

HIGH PLAINS LLC
G/O FRANK FICKEN
2724 LAVENDER DR
WALNUT CREEK CA 94596

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.120 CFS
24.200 AFY

PRIORITY DATE: 04/26/1971

POINT OF DIVERSION:

T05N R02W S6 SWSE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	0.120 CFS 24.20 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 15 and after October 15 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 in CANYON County

T05N R02W S06 SWSE 5.90

5.9 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

The right holder shall accomplish the change authorized by Transfer 71337 within one year of the date of the approval.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Failure of the right holder to comply with the conditions of Transfer No. 71337 is cause for the Director to rescind approval of the transfer.

Property also known as Lot 13, Blk. 1, High Plains Estates Subdivision.

After specific notification by the Department, the right holder shall install a suitable measuring device 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.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 63-31213.

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

In Re SRBA

Case No. 39576

Water Rights: 63-31908

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following administrative proceeding:

☐ Address change

XX Substitution of Party

☐ IC § 42-222 transfer

☐ Point of diversion

☐ Place of use

☐ Period of use

☐ Nature of use

☐ Split of water right

☐ Change in ownership

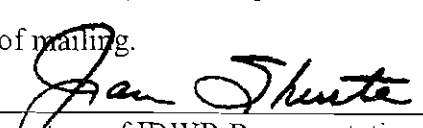
☐ Other

☐ IC § 42-219 license

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

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

DATED: September 28, 2007


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on September 28, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court	☐ overnight mail
Snake River Basin Adjudication	☒ regular mail
P.O. Box 2707	☐ hand-delivered
Twin Falls, ID 83303-2707	☐ facsimile

2. Copies to:

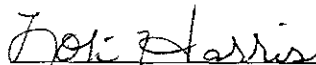
Clive Strong	☐ overnight mail
Off ice of the Attorney General	☒ regular mail
P.O. Box 44449	☐ hand-delivered
Boise, ID 83711-4449	☐ facsimile

United States Dept of Justice	☐ overnight mail
Environment & Natural Resource Div	☒ regular mail
550 West Fort Street MSC 033	☐ hand-delivered
Boise ID 83724	☐ facsimile

3. Copies to all parties to the subcase:

William B. Friend	☐ overnight mail
Toni Bacciero	☒ regular mail
11494 Rio Lobo	☐ hand-delivered
Caldwell ID 83607	☐ facsimile

☐	overnight mail
☐	regular mail
☐	hand-delivered
☐	facsimile



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

September 28, 2007

WILLIAM B FRIEND
TONI BACCIERO
11494 RIO LOBO
CALDWELL ID 83607

Re: Water Right No. 63-31908

Dear Mr. Friend & Ms. Bacciero:

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

If you have any questions concerning the enclosed water right, please feel free to contact this office.

Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

LH:l
Enclosures

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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
~~63-31713~~		Y			
AT 63-31908		N			

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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. 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 or equivalent **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)

High Plains LLC (David A. Quirk) member

4. New Owner/Claimant(s)

William B. Finner Toni Bacciero

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

New Mailing Address

11494 Rio Lobo

City, State and ZIP Code

Caldwell Id 83607

New Telephone Number

(208) 455-2126

RECEIVED

APR 10 2007

WATER RESOURCES
WESTERN REGION

5. Date you acquired the property

June 9 2004

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number <u>63-31908</u>		
Irrigation	<u>0.12 CFS</u>	<u>5.9 Acres</u>
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number <u>63-31213</u>		
Irrigation	<u>0.07 CFS</u>	<u>5.9 acres</u>
Stock		
Domestic		<u>63-31908 is a split from 63-31213</u>
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s) William B. Linn 4-1-07
(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by JAD

Date 4-10-07

Receipt Amt. N/A

Received by JAD

Date 9-24-07

Receipt No. _____

Processed by JAD AJ

Date 9-24-07

WR _____ Date _____



QUEST
RECEIVED
FEB 9-02

TITLEONE

CANYON COUNTY RECORDER
BY [Signature]

2001 JUN 9 PM 4 31

RECORDED

200430992

WARRANTY DEED

FOR VALUE RECEIVED,
HIGH PLAINS, LLC

The Grantor(s), do(es) hereby grant, bargain sell and convey unto

WILLIAM B. FRIEND, AN UNMARRIED MAN AND TONI JO BUCCIERO, AN UNMARRIED

Whose current address is

776 MONARCH, EAGLE, ID 83616

the Grantee(s), the following described premises, in Canyon County, Idaho, TO WIT:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

TOGETHER WITH 5.9 /184ths of water right no. 63-31213 which interest is conveyed hereby as a separate and distinct interest, and not as a joint tenancy or tenant in common interest.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances EXCEPT: Subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility easements (if any) for the current year, which are not due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: 05/01/04

HIGH PLAINS LLC, BY: [Signature]

DAVID A. BUICH, MEMBER

STATE OF IDAHO
COUNTY OF ADA

ON THIS DAY OF , 2004, BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED DAVID A. BUICH, KNOWN OR IDENTIFIED TO ME TO BE THE MEMBER OF HIGH PLAINS, LLC, LIMITED LIABILITY COMPANY, KNOWN OR IDENTIFIED TO ME TO BE THE PERSON THAT EXECUTED THE INSTRUMENT OR THE PERSON(S) WHO EXECUTED THE INSTRUMENT ON BEHALF OF SAID LIMITED LIABILITY COMPANY, AND ACKNOWLEDGED TO ME THAT SUCH LIMITED LIABILITY COMPANY EXECUTED THE SAME.

NOTARY PUBLIC
COMMISSION EXPIRES: 6/19/06
RESIDING AT: EAGLE, ID

AMY GUNNING
NOTARY PUBLIC
STATE OF IDAHO

EXHIBIT "A"

PARCEL I:

That portion of the Southwest quarter of the Southwest quarter of the Southeast quarter of Section 6, Township 5 North, Range 2 West of the Boise Meridian described as follows:

Commencing at brass cap monument marking the Southwest corner of Section 6, Township 5 North, Range 2 West of the Boise Meridian and running thence
North 89°32'55" East 2606.07 feet, said point being the South quarter corner of said Section 6 and also the POINT OF BEGINNING; thence
North 89°51'00" East 29.84 feet to a point of curve with a radius of 50.00 feet a central angle of 209°34'40" and a chord that bears North 15°56'21" West 116.02 feet; thence to the left along said curve 219.47 feet; thence
North 0°02'05" West 548.00 feet; thence
North 89°48'56" East 660.21 feet; thence
South 0°03'14" East 660.58 feet; thence
South 89°51'00" West 630.59 feet to the POINT OF BEGINNING.

Being Lot 13, HIGH PLAINS ESTATES, record of survey recorded April 21, 2004, as Instrument No. 200421334.

PARCEL II:

A 60-foot wide right-of-way to be used for ingress egress and utilities lying in the Southeast Quarter of Section 1, Township 5 North, Range 3 West of the Boise Meridian, the South half of Section 6, Township 5 North, Range 2 West of the Boise Meridian and the North half of Section 7, Township 5 North, Range 2 West of the Boise Meridian described as follows:

Beginning at a brass cap monument marking the Southeast 1/16 corner of Section 1, Township 5 North, Range 3 West of the Boise Meridian and running thence
North 89°53'06" East 1316.24 feet to a brass cap monument marking the South 1/16 corner of said Section 1; thence
North 89°51'15" East 1266.76 feet to a brass cap monument marking the Southwest 1/16 corner of Section 6, Township 5 North, Range 2 West of the Boise Meridian; thence
North 89°41'07" East 1319.08 feet to a brass cap monument marking the center South 1/16 corner of said Section 6; said point being a point of curve with a radius of 60.00 feet, a central angle of 255°44'17" and a chord that bears South 37°35'11" West 95.05 feet; thence to the right along said curve 267.81 feet to a point of reverse curve with a radius of 20.00 feet, a central angle of 75°31'21" and a chord that bears North 52°33'13" West 24.49 feet; thence to the left along said curve 26.36 feet; thence
South 89°41'07" West 1160.53 feet to a point of curve with a radius of 50.00 feet, a central angle of 90°24'59" and a chord that bears South 44°28'37" West 70.97 feet; thence to the left along said curve 78.90 feet; thence
South 0°43'52" East 1101.47 feet to a point of curve with a radius of 50.00 feet, a central angle of 89°43'13" and a chord that bears South 45°35'29" East 70.54 feet; thence to the left along said curve 78.30 feet; thence
North 89°32'55" East 1224.01 feet; thence
North 89°51'00" East 2641.63 feet; thence
South 0°09'00" East 60.00 feet to a 5/8" iron rod with yellow plastic cap marked P.L.S. 7323 marking the Southeast corner of said Section 6; thence
South 89°51'00" West 2641.75 feet to a 5/8" iron rod with yellow plastic cap marked P.L.S. 7323 marking the South Quarter corner of said Section 6; thence
South 89°32'55" West 587.02 feet to a point of curve with a radius of 50.00 feet, a central angle of 101°35'06" and a chord that bears South 38°45'22" West 77.49 feet; thence to the left along said curve 88.65 feet; thence
South 12°02'11" East 194.45 feet; thence
South 2°50'01" East 185.61 feet; thence

Exhibit "A"

Legal Description

South 10°07'32" East 211.90 feet to a point of curve with a radius of 60.00 feet, a central angle of 255°31'21" and a chord that bears North 62°21'52" West 94.67 feet; thence to the right along said curve 267.58 feet to a point of reverse curve with a radius of 20.00 feet, a central angle of 75°31'21" and a chord that bears North 27°30'08" East 24.49 feet; thence to the left along said curve 26.36 feet; thence North 10°07'32" West 138.27 feet; thence North 2°50'01" West 184.60 feet; thence North 12°02'11" West 222.42 feet to a point of curve with a radius of 50.00 feet, a central angle of 78°24'54" and a chord that bears North 51°14'38" West 63.21 feet; thence to the left along said curve 68.43 feet; thence South 89°32'55" West 1746.08 feet to a point of curve with a radius of 50.00 feet, a central angle of 89°35'08" and a chord that bears South 44°45'21" West 70.45 feet; thence to the left along said curve 78.18 feet; thence South 0°02'13" East 485.13 feet to a point of curve with a radius of 20.00 feet, a central angle of 75°31'21" and a chord that bears South 37°47'54" East 24.49 feet; thence to the left along said curve 26.36 feet to a point of reverse curve with a radius of 60.00 feet, a central angle of 255°31'21" and a chord that bears South 52°12'06" West 94.67 feet; thence to the right along said curve 267.58 feet; thence North 0°02'13" West 511.60 feet to a brass cap monument marking the Southwest corner of said Section 6; thence North 89°55'43" West 658.93 feet to a point of curve with a radius of 50.00 feet, a central angle of 243°01'43" and a chord that bears North 31°31'17" East 102.30 feet; thence to the right along said curve 254.50 feet to a point of reverse curve with a radius of 50.00 feet, a central angle of 62°57'52" and a chord that bears South 58°26'48" East 52.22 feet; thence to the left along said curve 54.95 feet; thence North 89°42'46" East 1782.95 feet to a point of curve with a radius of 50.00 feet, a central angle of 90°16'46" and a chord that bears North 44°24'31" East 70.88 feet; thence to the left along said curve 78.78 feet; thence North 0°43'52" West 1102.89 feet to a point of curve with a radius of 50.00 feet, a central angle of 89°24'52" and a chord that bears North 45°26'18" West 78.35 feet; thence to the left along said curve 78.03 feet; thence South 89°51'15" West 1208.02 feet; thence South 89°53'06" West 1316.31 feet; thence North 0°02'31" East 60.00 feet to the POINT OF BEGINNING.

Exhibit "A"

Legal Description

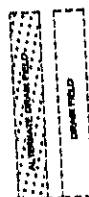
R
20

S
10

Approximately

F
30

INDICATES THAT THE HOLL IS 100'
AWAY FROM THE SEPTIC AND DRAIN FIELDS



SEPTIC

4" HIGH CONCRETE
W/ EXPANSION JOINTS



14" x 14" HOE GRAVEL DRIVEWAY
W/ BACKUP AREA

C-8 R=600.00'
CHORD=18.02'
S. 14° 56' 21" E.

PL=630.34' S. 24° 51' 00" W.

NOT TO SCALE

C-8 R=600.00'
CHORD=18.02'
S. 14° 56' 21" E.

DESIGN CRITERIA

CODE: IRC 2003
ASSUMED SOIL BEARING: 1500 PSF
BASIC WIND SPEED: 40 MPH
FROST DEPTH: 24"
ENERGY STANDARD: 2000 IBCG
ROOF LOADS: LIVE LOAD 20 PSF
DEAD LOAD 17 PSF
TOTAL LOAD 48 PSF
FLOOR LOADS: LIVE LOAD 40 PSF
DEAD LOAD 12 PSF
TOTAL LOAD 52 PSF



PLOT PLAN

SCALE: 1" = 20'-0"
LOT IS SEE ATTACHED LEGAL DESCRIPTION
HIGH PLAINS SUB.
ADNA COUNTY, IDAHO.
PRIVATE WATER AND SEWER
BUILDING
PLAN 1: BILL FRIED RESIDENCE
NOTES:
1. THE SHADES ARE TO BE SUPPLIED
BY THE BUILDER.
2. LOCATE AND VERIFY ALL SETBACKS
AND EASEMENTS PRIOR TO CONSTRUCTION.
3. PROVIDE 8% SLOPE THE FIRST 10
FEET AWAY FROM THE FOUNDATION,
2% THEREAFTER TO PROPERTY LINE.

ALL IDEAL DESIGNS, ARRANGEMENTS AND DRAWINGS SET FORTH IN THESE
PLANS ARE THE ORIGINAL WORK PRODUCT OF, OWNED BY AND ARE THE
PROPERTY OF GOVANNWOOD ASSOCIATES, INC. USE OF THE NAME
GOVANNWOOD ASSOCIATES, INC. OR THE NAME OF ANY OF THE
WORK PRODUCT IS LIMITED TO A LICENSED DESIGN OF THE FIRM AND
FOR THE CONSTRUCTION OF ONE BUILDING ON ONE LOT. ANY
REPRODUCTION OF THIS PROJECT IN ANY FORM, IN ANY MANNER,
FOR THE PURPOSE OF REPRODUCTION, REUSE, REVISION AND/OR
ARRANGEMENTS, OTHER THAN BY GOVANNWOOD ASSOCIATES, INC. IS
STRICTLY PROHIBITED BY LAW WITHOUT THE WRITTEN PERMISSION OF
GOVANNWOOD ASSOCIATES, INC.
CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS
AND CONDITIONS ON THE JOB AND THIS OFFICE MUST BE NOTIFIED OF
ANY VARIATIONS FROM THE DIMENSIONS AND CONDITIONS SHOWN ON THESE
DRAWINGS. SHOP DETAILS MUST BE SUBMITTED TO THIS OFFICE FOR
APPROVAL BEFORE PROCEEDING WITH FABRICATION.

© COPYRIGHT, ALL RIGHTS RESERVED, GOVANNWOOD ASSOCIATES, INC.
BOISE, IDAHO 83706

RECEIVED

JUL 22 2004

WATER RESOURCES
WESTERN REGION

State of Idaho
Department of Water Resources

APPLICATION FOR DRILLING PERMIT
(FOR THE CONSTRUCTION OF A WELL)

1. Owner (please print): JDA Builders
2. Mailing Address: 17448 Copper Spur Ave.
City: Nampa State: ID Zip Code: 83687 Telephone: 208-468-3736
3. Proposed Well Location: Twp. 5N Rge. 2W Sec. 6 1/4 SW 1/4 SE
Gov't Lot No. _____ County Canyon Lat. _____ Long. _____
Street Address of Well Site 11494 Rio Lobo City Middleton
Lot, block and subdivision Lot 13, High Plains Subdiv.

4. Proposed Use of Well:

☒ **DOMESTIC:** The use of water for homes, organization camps, public campgrounds, livestock (1,000 head or less) and any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd, or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 25,000 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or lawn establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 25,000 gpd.

NON-DOMESTIC:

☒ Irrigation
☐ Stock

(Over 1,000 Head)

☐ Municipal
☐ Test

☐ Industrial
☐ Other

(Describe)

☐ INJECTION

☐ **MONITORING:** A well bore schematic and map is required for each blanket permit.
No. of proposed wells: _____

5. Well Construction Information:

A. ☒ New well ☐ Modify ☐ Replace

B. Proposed Casing Diameter 6" Proposed Maximum Depth 450

C. Anticipated bottom hole temperature:

☒ 85°F or less
(Cold Water Well)

☐ 85°F to 212°F
(Low Temp. Geo. Well)

☐ 212°F or more
(Geothermal Well)

6. Construction Start Date: 6-30-04

7. Anticipated Well Driller: DOWN RIGHT DRILLING & PUMP Driller's Lic. No. 637
NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's Signature: [Signature] Date 6/29/04

Address (if different than owner): 6025 Little Freeze Out Rd

City: Caldwell State: ID Zip Code: 83607 Telephone: 208-454-3098

Title: Owner Down Right Drilling & Pump
(If Owner Firm Representative (Other))

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is

Approved

Date

6-30-04

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY

GENERAL CONDITIONS:

1. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
2. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well. All wells must be drilled a minimum distance of 100 feet from a drain field. Domestic and Public Water Supply wells must be drilled a minimum of 50 feet and 100 feet respectively from a septic tank.
3. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
4. Approval of this drilling permit does not authorize trespass on the land of another party.
5. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
7. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
8. Idaho Code, S 55-2201 - 55-2210 requires the applicant and/or his contractors to contact "DigLine" (DigLine is a one-call center for utility notification) not less than 2 working days prior to the start of any excavation for this project. The "DigLine" Number for your area is 1-800-342-1585.

SPECIFIC CONDITIONS:

This well shall not be used for irrigation exceeding 1/2 acre until the pending Water Right transfer is approved (63-31908) and until an additional \$125⁰⁰ up-grade fee for this drilling permit is received by IDWR.

[Signature]
Signature of Authorized Department Representative

Sr WR Agent
Title

Receipt No.

Permit Tag

Received by

Fee

75⁰⁰

Date

upgrade

125⁰⁰

EXTENSION OF DRILLING PERMIT

Extension approved by

Approval Date

his extension expires

08/10/2006

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

RIGHT NUMBER: 63-31908

NAME AND ADDRESS: HIGH PLAINS LLC
C/O FRANK FICKEN
2724 LAVENDER DR
WALNUT CREEK CA 94596

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.120 CFS
24.200 AFY

PRIORITY DATE: 04/26/1971

POINT OF DIVERSION:

T05N R02W S6 SWSE Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/15

0.120 CFS

24.20 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 15 and after October 15 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

T05N R02W S06 SWSE 5.90

5.90 ACRES TOTAL

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

08/10/2006

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

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

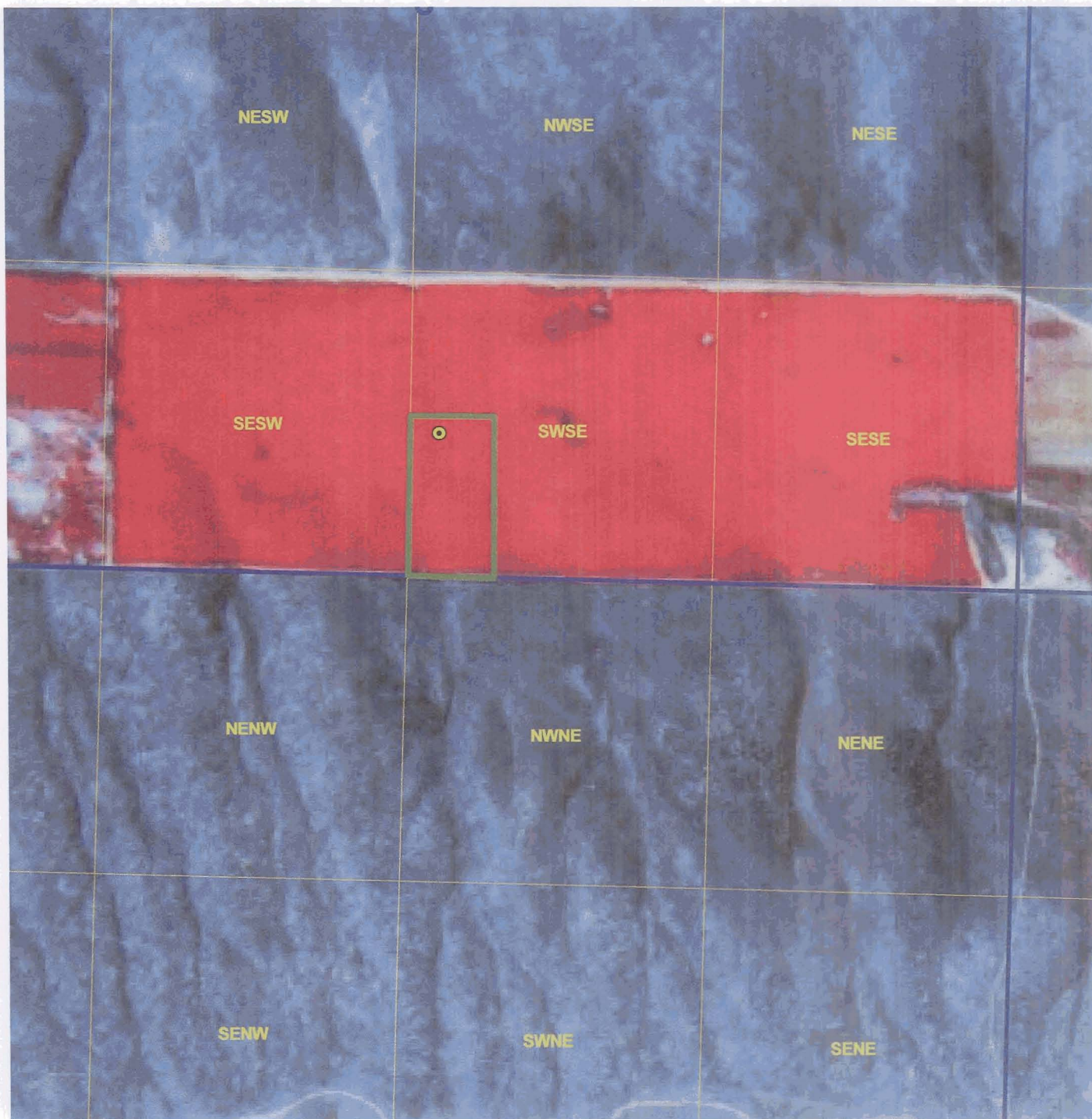
Failure of the right holder to comply with the conditions of Transfer No. 71337 is cause for the Director to rescind approval of the transfer.



Idaho Department of Water Resources

63-31908

T05N R02W S6



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

Total irrigated
acres = 5.9



600 0 600 1200 Feet

IDWR

Prepared by: Sandy Egbert

Date: August 10, 2006

1987 NAAP Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31908 V1

WATER RIGHT NUMBER: 63-31908 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	C L SHAWVER 2710 ESQUIRE DR BOISE, ID 83704 (208)375-2477
Original Owner	TRACY DOYLE PO BOX 1480 CALDWELL, ID 83606 (208)941-6777
Original Owner	D J SHAWVER 2710 ESQUIRE DR BOISE, ID 83704 (208)375-2477
Original Owner	CHRISTOPHER E DOYLE PO BOX 1480 CALDWELL, ID 83606 (208) 573-4952
Current Owner	HIGH PLAINS LLC C/O FRANK FICKEN 2724 LAVENDER DR WALNUT CREEK, CA 94596 (925)963-0895

Priority Date: 04/26/1971

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	04/15 to 10/15	0.120 CFS	24.20 AF
	<u>Total Diversion:</u>	0.120 CFS	24.20 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4	Sec. 6,	Twp 05N,	Rge 02W, 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	
05N	02W	6																	5.9

Total Acres: 5.9

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-31908 V1

Conditions of Approval:

1. The right holder shall accomplish the change authorized by Transfer 71337 within one year of the date of the approval.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. T08 Failure of the right holder to comply with the conditions of Transfer No. 71337 is cause for the Director to rescind approval of the transfer.
5. Property also known as Lot 13, Blk. 1, High Plains Estates Subdivision.
6. After specific notification by the Department, the right holder shall install a suitable measuring device 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.
7. P21 THIS RIGHT IS A SPLIT FROM FORMER RIGHT 63-31213.
8. 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 15 and after October 15 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.

Remarks:Comments: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>
Summary			05/10/2004	lharris	Active
Priority Date	8/10/2006 9:42:30 AM	segbert			Active
POD	8/10/2006 9:42:46 AM	segbert			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31908 V1

Source	8/10/2006 9:43:18 AM	segbert	Active
POU	8/10/2006 9:43:32 AM	segbert	Active
Use	8/10/2006 9:44:04 AM	segbert	Active
Season	8/10/2006 9:44:32 AM	segbert	Active
Quantity	8/10/2006 9:45:13 AM	segbert	Active
Summary		08/10/2006 segbert	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	5/10/2004 10:33:59 AM	lharris	(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?
General	8/10/2006 9:42:33 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?
POD	8/10/2006 9:42:49 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	8/10/2006 9:43:21 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? (No) 11. Is a Source remark and/or condition required?
POU	8/10/2006 9:43:35 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31908 V1

Use	8/10/2006 9:44:07 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	8/10/2006 9:44:35 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?
Quantity	8/10/2006 9:45:16 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 - 4.104 per acre per license
POD	8/10/2006 9:43:06 AM	segbert	Updated shape
POU	8/10/2006 9:43:53 AM	segbert	Updated shape for Active POU
Summary	8/10/2006 9:50:30 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? (Yes) 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 Recommendation Report 63-31908 V1

WATER RIGHT NUMBER: 63-31908 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	C L SHAWVER 2710 ESQUIRE DR BOISE, ID 83704 (208)375-2477
Original Owner	TRACY DOYLE PO BOX 1480 CALDWELL, ID 83606 (208)941-6777
Original Owner	D J SHAWVER 2710 ESQUIRE DR BOISE, ID 83704 (208)375-2477
Original Owner	CHRISTOPHER E DOYLE PO BOX 1480 CALDWELL, ID 83606 (208) 573-4952
Current Owner	HIGH PLAINS LLC C/O FRANK FICKEN 2724 LAVENDER DR WALNUT CREEK, CA 94596 (925)963-0895

Priority Date: 04/26/1971 ✓

Basis: License ✓

Status: Active ✓

SourceTributary

GROUND WATER ✓

Beneficial Use ✓

IRRIGATION

From To

04/15 to 10/15

3-1 to 11-15

Diversion Rate

0.120 CFS ✓

Total Diversion:

0.120 CFS ✓

Annual Volume~~26.60 AF~~

24.2

~~26.60 AF~~Location of Point(s) of Diversion

GROUND WATER

SW1/4SE1/4

Sec. 6, Twp 05N, Rge 02W, 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	
05N	02W	6															5.9		5.9

Total Acres: 5.9

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-31908 V1

Conditions of Approval:

1. The right holder shall accomplish the change authorized by Transfer 71337 within one year of the date of the approval.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. Property also known as Lot 13, Blk. 1, High Plains Estates Subdivision.
5. After specific notification by the Department, the right holder shall install a suitable measuring device 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.
6. P21 THIS RIGHT IS A SPLIT FROM FORMER RIGHT 63-31213.
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 4/15 and after 10/15 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. 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. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Remarks:

Comments:

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:

5/23/2006

Idaho Dept. of Water Resources Place of Use Comparison Report

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Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Rec	63 31898	HIGH PLAINS LLC,	GROUND WATER	05N02W6											5.4						5.4
Rec	63 31899	HIGH PLAINS LLC,	GROUND WATER	05N02W6											5.1						5.1
Rec	63 31900	HIGH PLAINS LLC,	GROUND WATER	05N02W6												5.2					5.2
Rec	63 31901	HIGH PLAINS LLC,	GROUND WATER	05N02W6												5.4					5.4
Rec	63 31904	HIGH PLAINS LLC,	GROUND WATER	05N02W6											5.5						5.5
Rec	63 31905	HIGH PLAINS LLC,	GROUND WATER	05N02W6											5.2						5.2
Rec	63 31906	HIGH PLAINS LLC,	GROUND WATER	05N02W6												5.2					5.2
Rec	63 31907	HIGH PLAINS LLC,	GROUND WATER	05N02W6												5.4					5.4
Rec	63 31908	HIGH PLAINS LLC,	GROUND WATER	05N02W6															5.9		5.9
Rec	63 32131	HIGH PLAINS LLC,	GROUND WATER	05N02W6															28.2	21.3	49.5
Right	63 31215	CHRISTOPHER E DOYLE, TRACY DOYLE,	GROUND WATER	05N02W6											3					3	6
TClaim	63 31213	CHRISTOPHER E DOYLE, TRACY DOYLE,	GROUND WATER	05N02W6											35	38			38	35	146
TClaim	63 31898	HIGH PLAINS LLC,	GROUND WATER	05N02W6											5.4						5.4
TClaim	63 31899	HIGH PLAINS LLC,	GROUND WATER	05N02W6											5.1						5.1
TClaim	63 31900	HIGH PLAINS LLC,	GROUND WATER	05N02W6												5.2					5.2
TClaim	63 31901	HIGH PLAINS LLC,	GROUND WATER	05N02W6												5.4					5.4
TClaim	63 31904	HIGH PLAINS LLC,	GROUND WATER	05N02W6											5.5						5.5
TClaim	63 31905	HIGH PLAINS LLC,	GROUND WATER	05N02W6											5.2						5.2
TClaim	63 31906	HIGH PLAINS LLC,	GROUND WATER	05N02W6												5.2					5.2

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Idaho Dept. of Water Resources Place of Use Comparison Report

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TClaim	63 31907	HIGH PLAINS LLC,	GROUND WATER	05N02W6												5.4					5.4	
TClaim	63 31908	HIGH PLAINS LLC,	GROUND WATER	05N02W6															5.9		5.9	
TClaim	63 31909	HIGH PLAINS LLC,	GROUND WATER	05N02W6															28.2	28.3	56.5	
TClaim	63 32131	HIGH PLAINS LLC,	GROUND WATER	05N02W6															28.2	21.3	49.5	
TClaim	63 7421		GROUND WATER	05N02W6												35	38			38	35	146
TRight	63 11027		GROUND WATER	05N02W6												3					3	6

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that C. L. SHAWVER

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from April 15 to October 15	at 4.98 cfs and	1022 acre feet

Subject, however, to the condition that no more than 4.98 cfs of water be diverted any one time, and that the amount of water so diverted and to which such right is entitled and confirmed for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 1022 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, Twp. 5N,
Rge. 2W, Blm. in the County of Canyon

[illegible]

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 26 day of November, 19 80


Director

4.104 AF
per acre

DER - 55