

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 63-31911
Date Received: 9/14/1989
Receipt No:
Received By:

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

1. Name of Claimant(s)

BRENT OETKEN Phone: (208)455-9343
11851 RIO LOBO ST.
CALDWELL ID USA 83686

ANGIE OETKEN Phone: (208)455-9343
11851 RIO LOBO ST.
CALDWELL ID USA 83607

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	7	NW	NW	1	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	0.07	16.7

7. Total Quantity Appropriated is:
0.07 C.F.S. and/or 16.7 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	7	NW	NW	1	IRRIGATION	3.7

Section Acres 3.7

Total Acres 3.7

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

The right holder shall accomplish the change authorized by this transfer within one 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.

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 0.03 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 16, Blk. 1, High Plains Estates Subdivision.

CHANGE OF OWNERSHIP LG- 11-17-2006

15. Basis of Claim: License

RECEIVED

OCT 17 2006

RECEIVED

OCT 13 2006

WATER RESOURCES
WESTERN REGION

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

RECEIVED

OCT 20 2006

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. Indicate, by checking the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
63-31213	31894 31917				
63-31911					

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

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

OR

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

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

Doyle, Christopher E.

4. New Owner/Claimant(s)

Doyle, Tracy

Brent + Angie Oetken

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

New Mailing Address

11851 Rio Lobo St.

City, State and ZIP Code

Caldwell, ID 83607

New Telephone Number

(208) 455-9343

5. Date you acquired the property

4/21/05

SCANNED

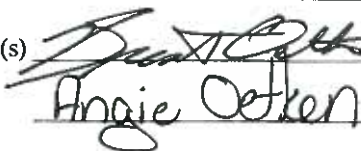
OCT 19 2006

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

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

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

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


Angie Oetken

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

For Office Use Only

Received by legasman Date 10-19-06 Fee 25
 Received by _____ Date _____ Receipt No. W034787
 Processed by _____ AJ Date _____ WR _____ Date _____

SCANNED
OCT 19 2006

27



Order No.: C058636

TITLEONE
REQUEST TYPE Sell FEE 9-

2005 APR 21 PM 4 35
C NOEL HALES
CANYON CNTY RECORDER
BY DHL

RECORDED

200521533

WARRANTY DEED

FOR VALUE RECEIVED,
RTX, LLC

The Grantor(s), does) hereby grant, bargain sell and convey unto
BRENT M. OETKEN and ANGIE J. OETKEN, HUSBAND & WIFE
whose current address is 1203 W. Orchard Ave., Nampa, ID 83651
the Grantee(s), the following described premises, in Canyon County, Idaho, TO WIT:
SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

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 those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and 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.

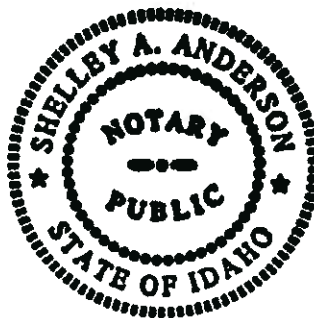
Dated: 04/21/05

[Signature]
RTX, LLC

STATE OF IDAHO
COUNTY OF ADA

ON THIS 21 DAY OF APRIL, IN THE YEAR 2005, BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED RICK THURBER, KNOWN OR IDENTIFIED TO ME TO BE THE MANAGER OR MEMBER OF THE LIMITED LIABILITY COMPANY 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.

[Signature]
COMMISSION EXPIRES: 3/27/09
RESIDING AT:



SCANNED

OCT 19 2006

EXHIBIT "A"

PARCEL 1:

Part of the Northwest Quarter of the Northwest Quarter of Section 7, Township 5 North, Range 2 West, of the Boise Meridian, Canyon County, Idaho, described as follows:

Commencing at a brass cap monument marking the Northwest corner of Section 7, Township 5 North, Range 2 West, of the Boise Meridian, Canyon County, Idaho, and running thence North 89°32'55" East 479.03 feet to the POINT OF BEGINNING; thence North 89°32'55" East 412.00 feet; thence South 0°14'49" East 659.77 feet; thence South 89°34'30" West 412.00 feet; thence North 0°14'49" West 659.58 feet to the POINT OF BEGINNING.

Being Lot 16, High Plains Estates of Record of Survey, recorded April 21, 2004, as Instrument No. 200421334, records of Canyon County, Idaho.

PARCEL 2:

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 1286.78 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 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 94.87 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°38'08" 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

Exhibit "A"

Legal Description

70.45 feet; thence to the left along said curve 78.18 feet; thence South $0^{\circ}02'13''$ East 485.13 feet to a point of curve with a radius of 20.00 feet, a central angle of $75^{\circ}31'21''$ and a chord that bears South $37^{\circ}47'54''$ 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 $255^{\circ}31'21''$ and a chord that bears South $52^{\circ}12'06''$ West 94.87 feet; thence to the right along said curve 267.58 feet; thence North $0^{\circ}02'13''$ West 611.80 feet to a brass cap monument marking the Southwest corner of said Section 6; thence North $89^{\circ}55'43''$ West 658.93 feet to a point of curve with a radius of 60.00 feet, a central angle of $243^{\circ}01'43''$ and a chord that bears North $31^{\circ}31'17''$ 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 $62^{\circ}57'52''$ and a chord that bears South $58^{\circ}26'48''$ East 52.22 feet; thence to the left along said curve 54.95 feet; thence North $89^{\circ}42'46''$ East 1782.95 feet to a point of curve with a radius of 50.00 feet, a central angle of $90^{\circ}16'46''$ and a chord that bears North $44^{\circ}24'31''$ East 70.88 feet; thence to the left along said curve 78.78 feet; thence North $0^{\circ}43'52''$ West 1102.09 feet to a point of curve with a radius of 50.00 feet, a central angle of $89^{\circ}24'52''$ and a chord that bears North $45^{\circ}26'18''$ West 70.35 feet; thence to the left along said curve 78.03 feet; thence South $89^{\circ}51'15''$ West 1208.02 feet; thence South $89^{\circ}53'06''$ West 1316.31 feet; thence North $0^{\circ}02'31''$ East 60.00 feet to the point of beginning.

Exhibit "A"

Legal Description

SCANNED

OCT 19 2006

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 63-31911
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	7	NW NW 1	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	0.07	16.7

7. Total Quantity Appropriated is:
0.07 C.F.S. and/or 16.7 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	7	NW	NW	1	IRRIGATION	3.7
Section Acres							3.7
Total Acres							3.7

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.

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 0.03 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 16, Blk. 1, High Plains Estates Subdivision.

15. Basis of Claim: License

WATER RIGHT NO. 63-31911
As Modified by Transfer No. 71340

In accordance with the approval of Transfer No. 71340, Water Right No. 63-31911 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	10/15	0.07 CFS	16.7 AF
			0.07 CFS	16.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L1 (NWNW) Sec. 7 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	7																	3.7
																			L1

Total Acres: 3.7

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. 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.

WATER RIGHT NO. 63-31911
As Modified by Transfer No. 71340

CONDITIONS OF APPROVAL

6. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
7. Point of diversion and place of use are located within Lot 16, 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. 71340

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>
63-31911	AJC/License	04/26/1971	0.07 cfs	16.7 af	N/A	3.7	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>
63-31911	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>
63-31911	63-31911	0.07 cfs	16.7 af	N/A	3.7		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.07 cfs	16.7 af	N/A	3.7		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 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	1/4	1/4	1/4	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 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																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

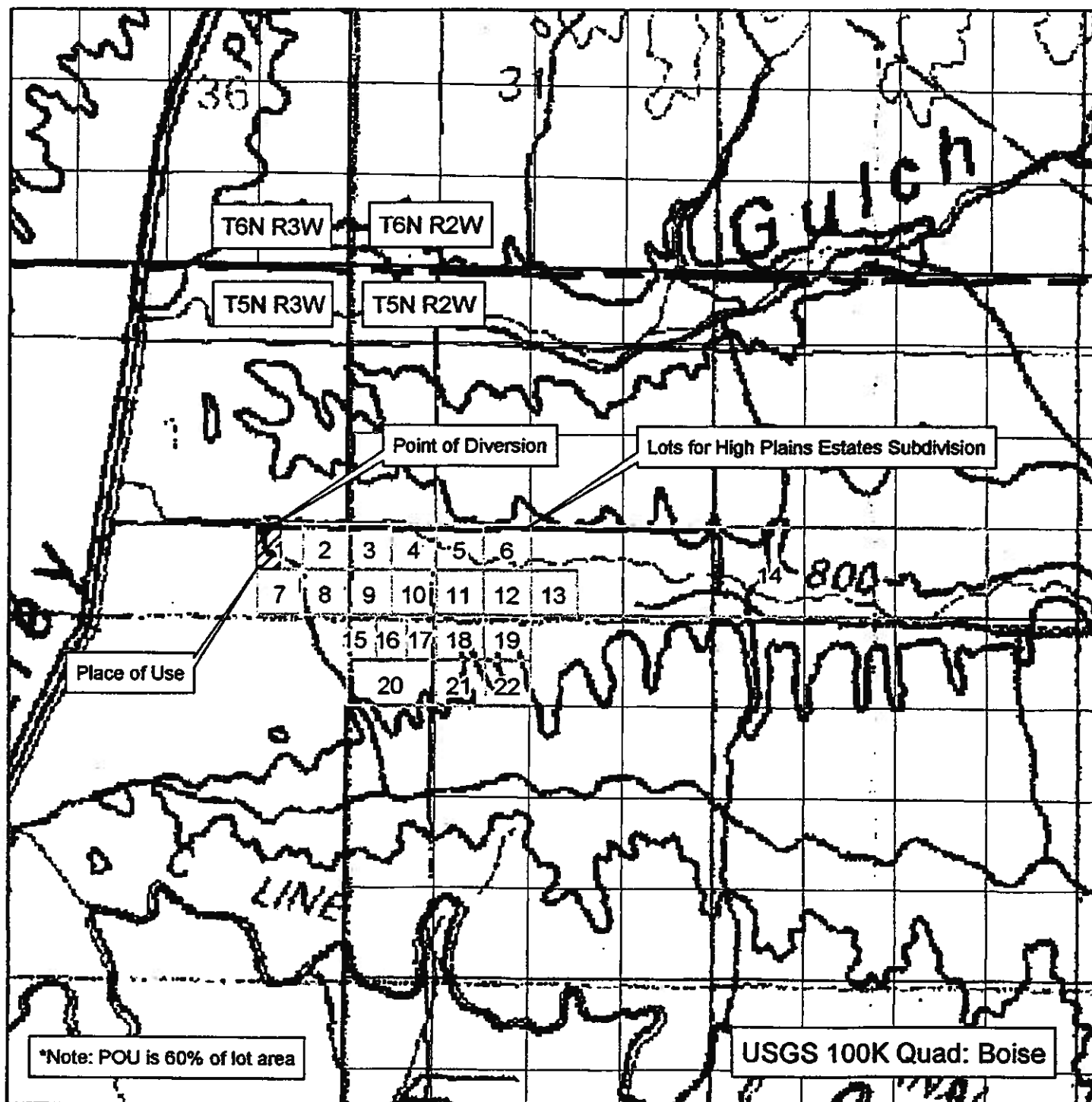
Total Acres 178.5

SCANNED

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.



Scale: 1 inch equals 2000 feet.

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:

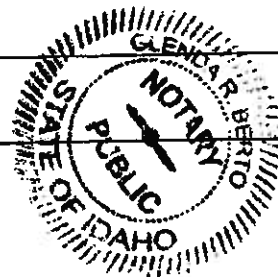
I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

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, 2004

[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

APR 19 2004 33

STATE OF IDAHO

1. The name of the limited liability company is:

High Plains LLC

2. The street address of the initial registered office is:

417 Lark Spur Dr Caldwell ID 83605

and the name of the initial registered agent at the above address is:

Chris E Doyle

3. The mailing address for future correspondence is:

Po Box 1480 Caldwell ID 83605

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.

Name

Address

Chris Doyle

Po Box 1480 Caldwell ID 83605

Frank Ficken

2724 Lavender Dr Walnut Creek CAL 94596

6. Signature of at least one person responsible for forming the limited liability company:

Signature: *Chris Doyle*

Typed Name: Chris Doyle

Capacity: Member/President

Signature: _____

Typed Name: _____

Capacity: _____

Secretary of State use only

IDAHO SECRETARY OF STATE
03/19/2004 05:00
CK: 6220 CT: 166396 DR: 669521
1 @ 100.00 = 100.00 ORGM 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 Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE		Due no later than March 31, 2004 Annual Report Form		2. Registered Agent and Office NO PO BOX CHRIS E DOYLE 417 LARK SPUR DR CALDWELL, ID 83605 3. <u>New</u> Registered Agent Signature	
4. Limited Liability Companies: Enter Names and Addresses of Members.					
<u>Office held</u>	<u>Name</u>	<u>Street or P.O. Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
	Chris + Tracy Doyle	P.O. Box 1480	Caldwell	IDAHO	83606
	DAVID Buich	3497 Holl Dr.	GAGLE	ID	83616
	FRANK FICKEN	2724 Lavender Dr.	Walnut Creek	Ca.	94596
5. Organized Under the Laws of: IDAHO W 23277			6. Signature <u>[Signature]</u> Date <u>1-22-04</u> Name <u>Tracy Doyle</u> Title <u>Member</u>		

Do Not Tape or Staple

B3



Order No.: C033967

 REQUEST
 TYPE *Wet* FEE \$20
 TIMEONE

 2:00 SEP 2 PM 4 35
 G NOEL HALE
 CANYON CNTY RECORDER
 BY *pmhale*

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

NW 1/4
 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: 08/29/03

 CHRISTOPHER E. DOYLE

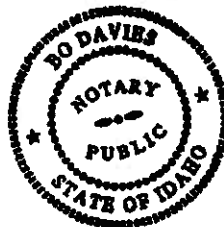
 TRACY DOYLE

State of Idaho)

)ss.

County of Ada)

On this 24th 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.

 Notary Public
 Residing at: *Boise, Idaho*
 Comm. Exp: 5-2-07


T. 71325 - T. 71346.

Attachment C (2 pgs.)



Order No.: C033967

REQUESTED
TYPE: *Adm* FEB 300

TIMEONE

G NOEL HALES
CANYON CNTY RECORDER
BY *pmh*

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. }

← part of
proposed plan
is bolder &
transfer

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

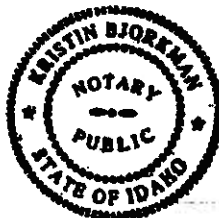
Floyd R. Wilmarth
Floyd R. Wilmarth

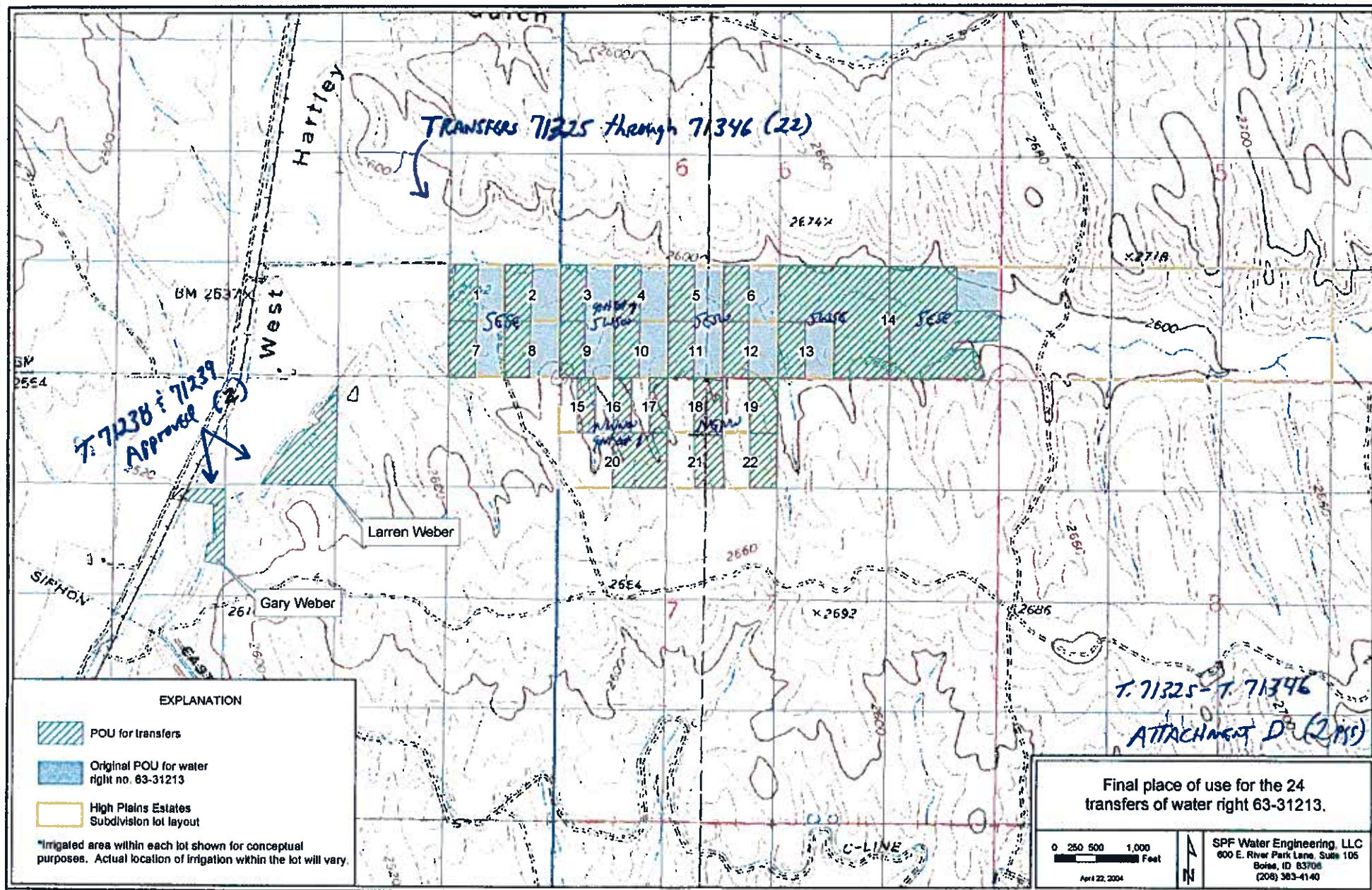
Virginia C. Wilmarth
Virginia C. Wilmarth

State of Idaho)
) ss.
County of Ada)

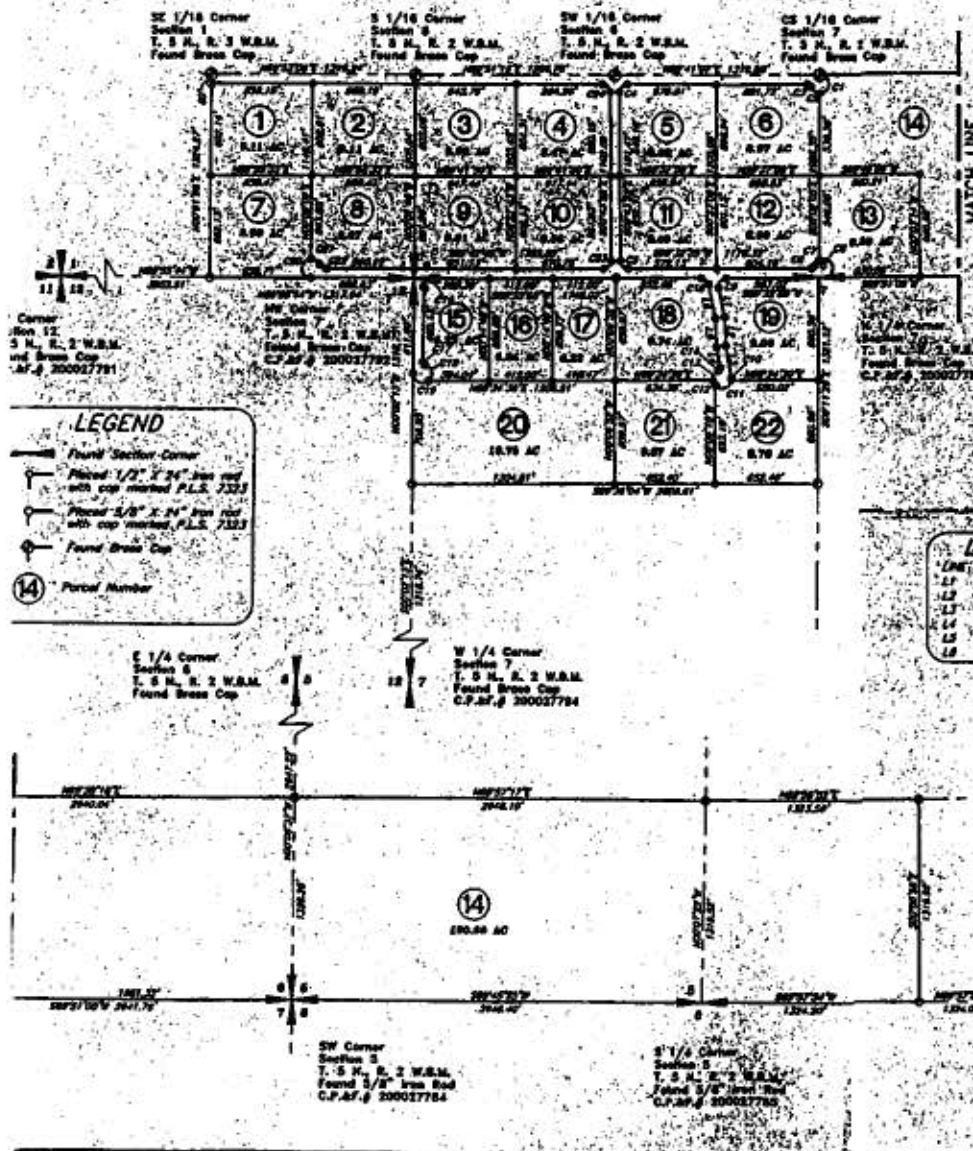
On this 29 day of August, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared Floyd R. Wilmarth and Virginia C. Wilmarth, known or proven to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument, and acknowledged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

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





**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**



LINE TABLE

LINE	BEARING	DISTANCE
L1	S70°07'11"E	184.45
L2	S02°00'01"E	185.61
L3	S10°07'32"E	311.90
L4	N10°07'32"W	138.37
L5	N02°00'01"W	184.80
L6	N12°02'11"W	222.42

RECORDER'S CERTIFICATE

STATE OF IDAHO _____ INSTRUMENT NO. _____
COUNTY OF CANYON _____ REC'D _____

I, THE UNDERSIGNED, HEREBY CERTIFY THAT THIS INSTRUMENT WAS
FILED FOR RECORD AT THE REQUEST OF ARROW LAND SURVEYING, INC.
AT _____ O'CLOCK _____ M. ON THE _____ DAY OF _____
2004.

RECORDED _____ DEPUTY _____

CURVE TABLE

LINE	BEARING	DISTANCE	CHORD BEARING	CHORD DISTANCE
C16	S01°00'00"E	184.45	S01°00'00"E	184.45
C17	S02°00'01"E	185.61	S02°00'01"E	185.61
C18	S10°07'32"E	311.90	S10°07'32"E	311.90
C19	N10°07'32"W	138.37	N10°07'32"W	138.37
C20	N02°00'01"W	184.80	N02°00'01"W	184.80
C21	N12°02'11"W	222.42	N12°02'11"W	222.42

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

D2

ARR-W **RECORD OF SURVEY NO.**
DAYE BUICH/CHRIS DOYLE
T. 5 N., R. 3 W.B.M.
T. 5 N., R. 2 W.B.M.
INDEX # 834-618-7-00-0000
INDEX # 834-618-7-00-0000

Water Right 83-31213	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	8.82	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

Attachment 6 (2 of 1)

AVAILABLE ACRES FOR TRANSFER FROM LOTS 1 - 14 TO LOTS 15-22, G. WEBER, AND L. WEBER		
T5N R3W section 1 SESE: 36 acres - lots irrigated (1,2,7,8)		
available acres to be transferred	15.5 acres	*acres transferred to lots: 19, 15, 16, and partial 17
T5N R2W section 6 SWSW: 35 acres - lots irrigated (3,4,8,10)		
available acres to be transferred	13.6 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	16.6 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 6 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
Larren 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)	5.3 acres 0.11 cfs 23.9 sfa
WR acres already in Lot 14 in SWSE and SESE of section 6	51.2 acres 1.02 cfs 230.4 sfa

CHECK			
	acres	cfs	sfa
Lots 1-13, 15-22	115.5	2.30	520.3
Lot 14 (section 6)	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
Larren 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 sfa 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

SourceTributary

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. psdaggs 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)

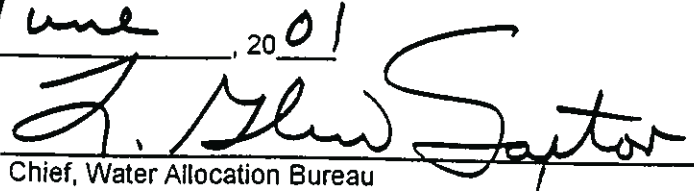
Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
63-11027	YES	YES	YES	YES	NO	NO
63-7421	YES	YES	YES	YES	NO	NO

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.

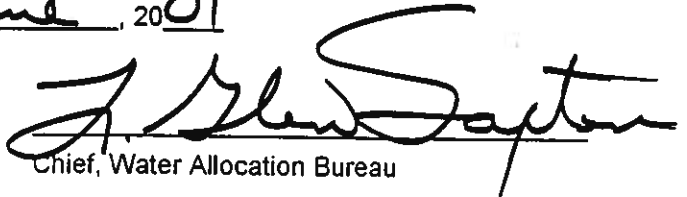
WATER RIGHT NO. 63-31213
As Modified by Transfer No. 69050

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 69050
CEI

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

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

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

Source
GROUND WATER
Tributary to

<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:

I. 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

40

1. If yes, describe

63-7421 PORTION

1. amount 1,372.66 for IRRIGATION purposes from 4/15 to 10/15
 (cts/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cts/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cts/ac-ft) _____

[illegible][illegible]

1. amount 3.68/755.2 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)

[illegible]

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
	3W	1																38	38

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

04/20/2001

WATER RIGHT NO. 63-11027

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

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

Source
GROUND WATER
Tributary to

<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:

PART 2

Transfer No. _____

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

8. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED 63-11027 PORTION

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

1. amount .20/45 for IRRIGATION purposes from 3/15 to 11/15
(cts/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cts/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cts/ac-ft)

2. Point(s) of Diversion:

[illegible]

3. Lands irrigated or place of use:

[illegible]

Total acres 10

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

1. amount 12/27 for IRRIGATION purposes from 3/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

[illegible]

3. Lands irrigated or place of use:

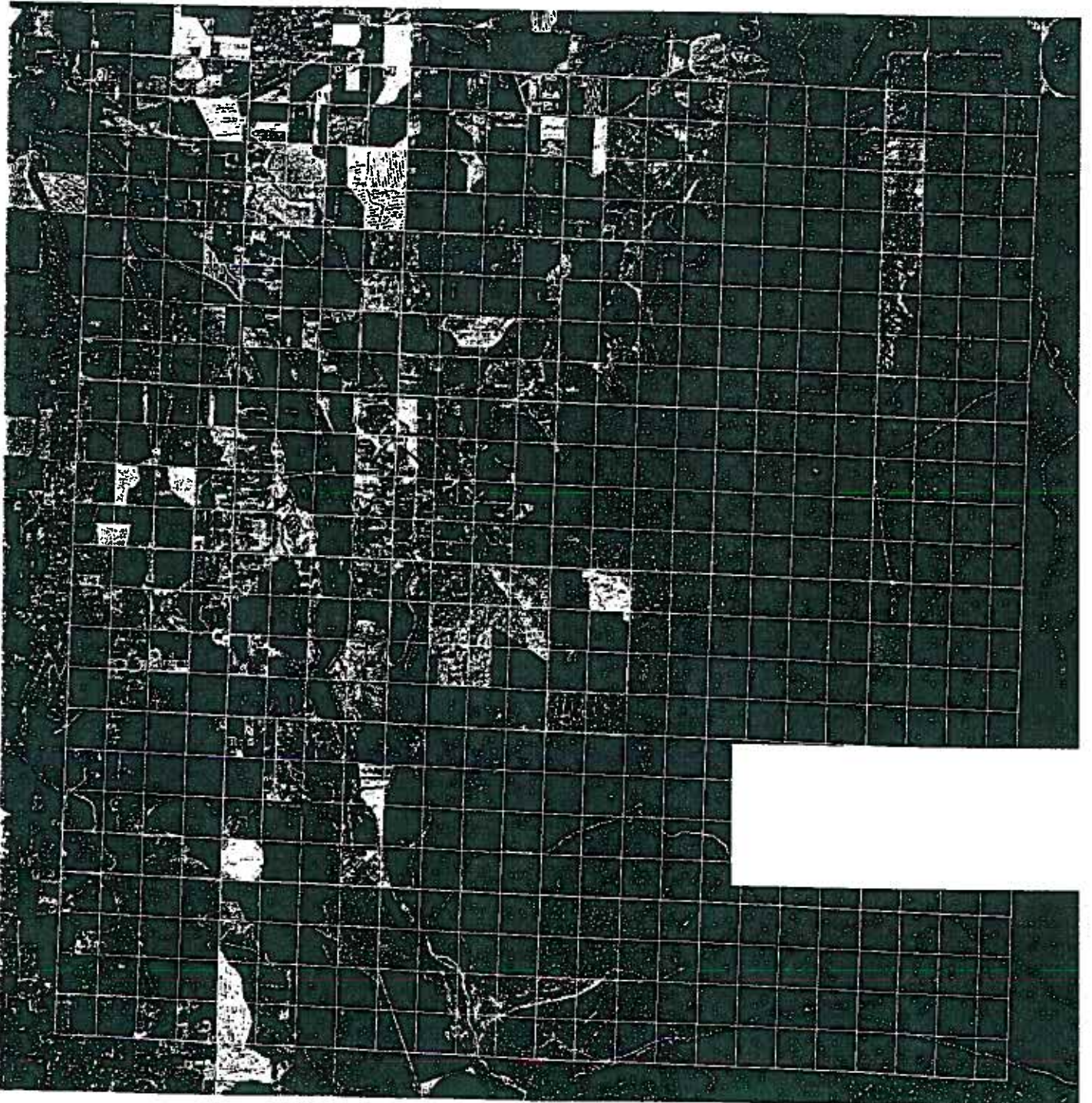
[illegible]

160M →

T5N R2W

Proposed Transfer:
75 acres from S5 to S26

Page 57 of 8



← 7c

PART 3

B. CHANGES IN NATURE OF USE

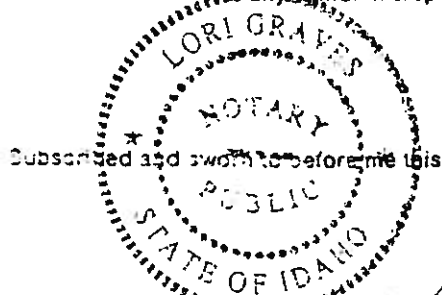
1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

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 day of April, 2001

(Signature of Applicant)

Lori Graves

(Notary Public)

My commission expires

6/18/04

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 6 attachmentsReceived by g Date 4/11/01 Protest filed by _____Prelim. check by DAW Fee 250 #W027545Receipted by g 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 _____

REAL PROPERTY INQUIRY

01 OR37371-000- -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
 LOT 7 SESW

EMMETT RD, CA

+ TOTAL 37,400 79.09
 + 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

CODE: 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
 SUB/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
 FIRST SQ FT 0 EXTERIOR UNKNOWN DECK/PATIO? N
 SECOND SQ FT ROOF UNKNOWN POOL? N
 EDS 0 BSMT SQ FT SPA? N
 ATHS .00 % BSMT FIN LOT SIZE
 RPLC 0 GARAGE N NEIGHBORHOOD 0
 GARAGE SQ FT

COMMENTS

MOBILE HOME ONLY
 WIDTH/LENGTH
 EXPANDO
 REAL ACCOUNT

63-07421 : 63-11027

ATTACHMENT A1

MODE:F ACTION:

PRFCT 01 RETURN TO VIEW ANOTHER ACC NT

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 33606

+++++

06-5N-2W SE

SESE, SWSE

+ TOTAL 37,325 80.00

+ SURVEY INST 9633071

+ DRAIN DR VALUE APPR XGE

+ CLASS REAP 97 MAN UNIT 0

+ PARCEL 0R05N02W068400 H/O N C/B N

+ PRIOR ACCOUNT 9R37369-000- -0

+ 02 MH on Property NO

EMMETT RD, CA

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 37,325 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

63-074219 63-11027

A 2

REAL PROPERTY INQUIRY

 01 0R37368-000- -0 031-00 SCHE134+ 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
 S 1/2 SW, SWSE

+ TOTAL 50,325 120.00

 + SURVEY INST 9633071
 + DRAIN DR VALUE APPR KGE
 + CLASS REAP 97 MAN UNIT 0
 + PARCEL 0R05N02W056000 H/O N C/E N
 + PRIOR ACCOUNT 9R37368-000- -0
 + 02 MH on Property NO

EMMETT RD, CA

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 63-11057

Attachment A3

REAL PROPERTY INQUIRY

 01 OR37634-000- -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
 SESE

+ TOTAL 20,100 40.00

 + 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

nd

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 $\frac{1}{4}$
SW $\frac{1}{4}$ 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 02:30p

TITLE CATTLE CO.

(206) 365-4615

p.2

Apr 06 01 03:03a

Mike Wagner

5853139

p.1

365-4615

RentAgre. 101
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

LENGTH OF TERM: 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 enclosures 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
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. 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.

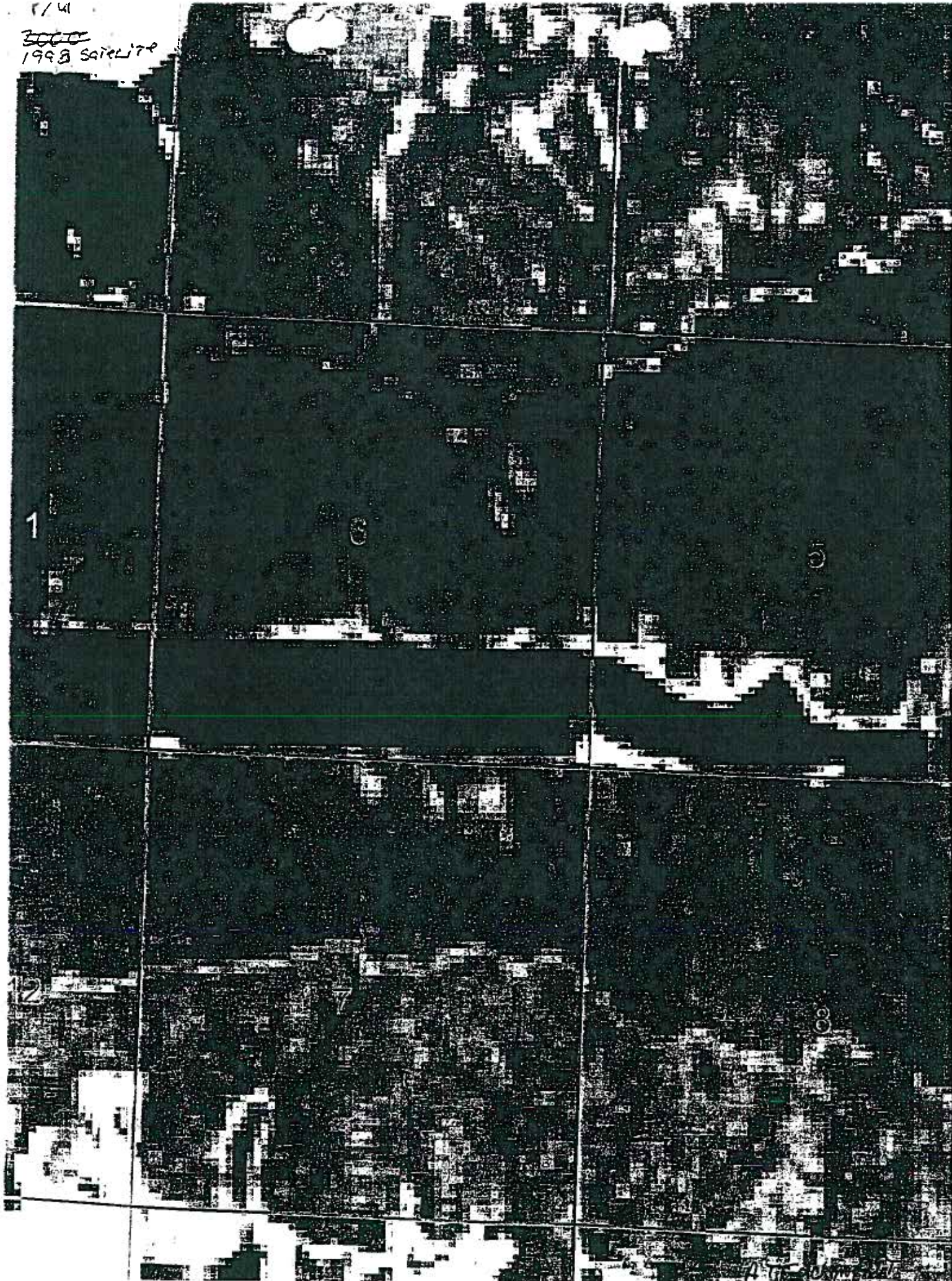
R. J. Little For Little Enterprise, LP - DL Limited Partner
Owner

Mike Wagner
Mike Wagner, Renter

A TTACHMENT C

1/41

~~SECRET~~
1998 Satellite

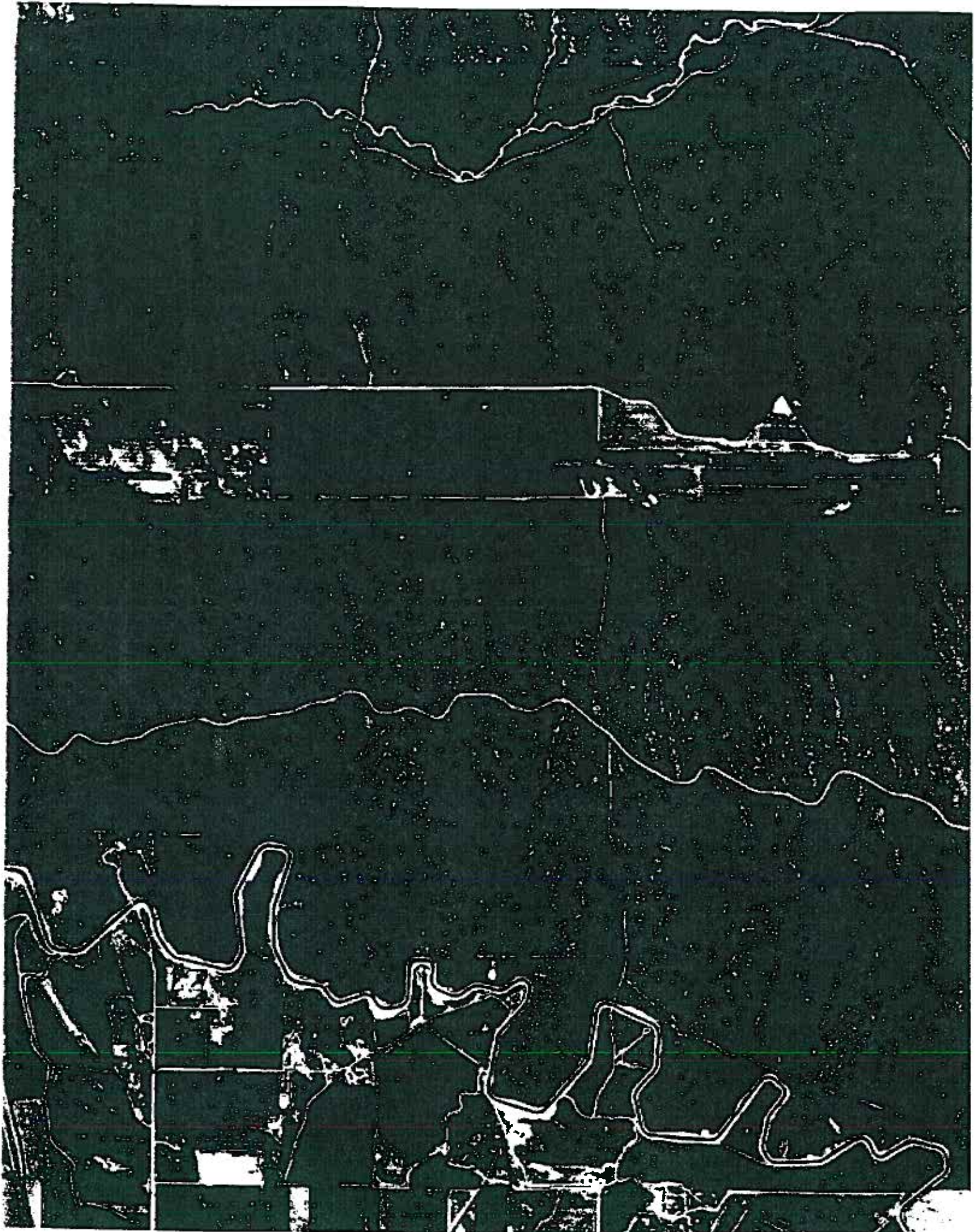


p/u 1994



ATTACHMENT

p/u 1987



IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

04/19/2001

WATER RIGHT NO. 63-7421

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

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

Source
GROUND WATER
Tributary to

<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						
		6		SWSE	15									
				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 & 63-11077

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 NONEProposed NONEl. X SRBA claim(s) SRBA claim on 63-07421
63-11027 Filed AFTER commencement
OF SRBAm. 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 information3. Transfer published correctly? ✓ Yes No4. Affidavit of publication received? ✓ Yes No5. Protests received? Yes ✓ No; Acknowledgement sent? Yes6. Data entry of application completed? ✓ Yes

RECOMMENDED ACTION

1. ✓ Approve See attached memo2. 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 recommend4. By Bey S Date 5/9/00

FILE FORWARDING

1. Copies made for Region file (see attached supplemental page)? Yes2. File forwarded to S.O.: by date

adjudication "shoulder" emails

RECEIVED

APR 14 2000

WATER RESOURCES
WESTERN REGION

✓st
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.

April 6, 13, 2000

KARL J. DREHER, Director
822

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 1/2 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					
	BOISE ID 83704			TOTAL DIVERSION:	4.980 CFS	1022.00 AFA
	(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	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SESW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
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:

63-07421-11027

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

*Applicant's
 here*

P O BOX 1480
 CALDWELL ID 83606

+++++

06-5N-2W SW
 LOT 7 SESW

37,400 79.09

+++++
 + 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
SESE, SWSE

+ TOTAL 37,825 80.00

```

+++++
+ 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

```

EMMETT RD, CA

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

```

63-074219-63-11027

Attachment B2

01 0R37368-000- -0 031-00

05-5X-2X 87

```

+ TOTAL 50,325 120.00
+++++
+ 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
QUIRY TROK318

```

TRAITS INQUIRY

```

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
*****

```

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			

MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO
REAL ACCOUNT

63-07421 .^c 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
 SESE

+ TOTAL 20,100 40.00

+++++

+ 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

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 & 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

+

+

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-fes

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:

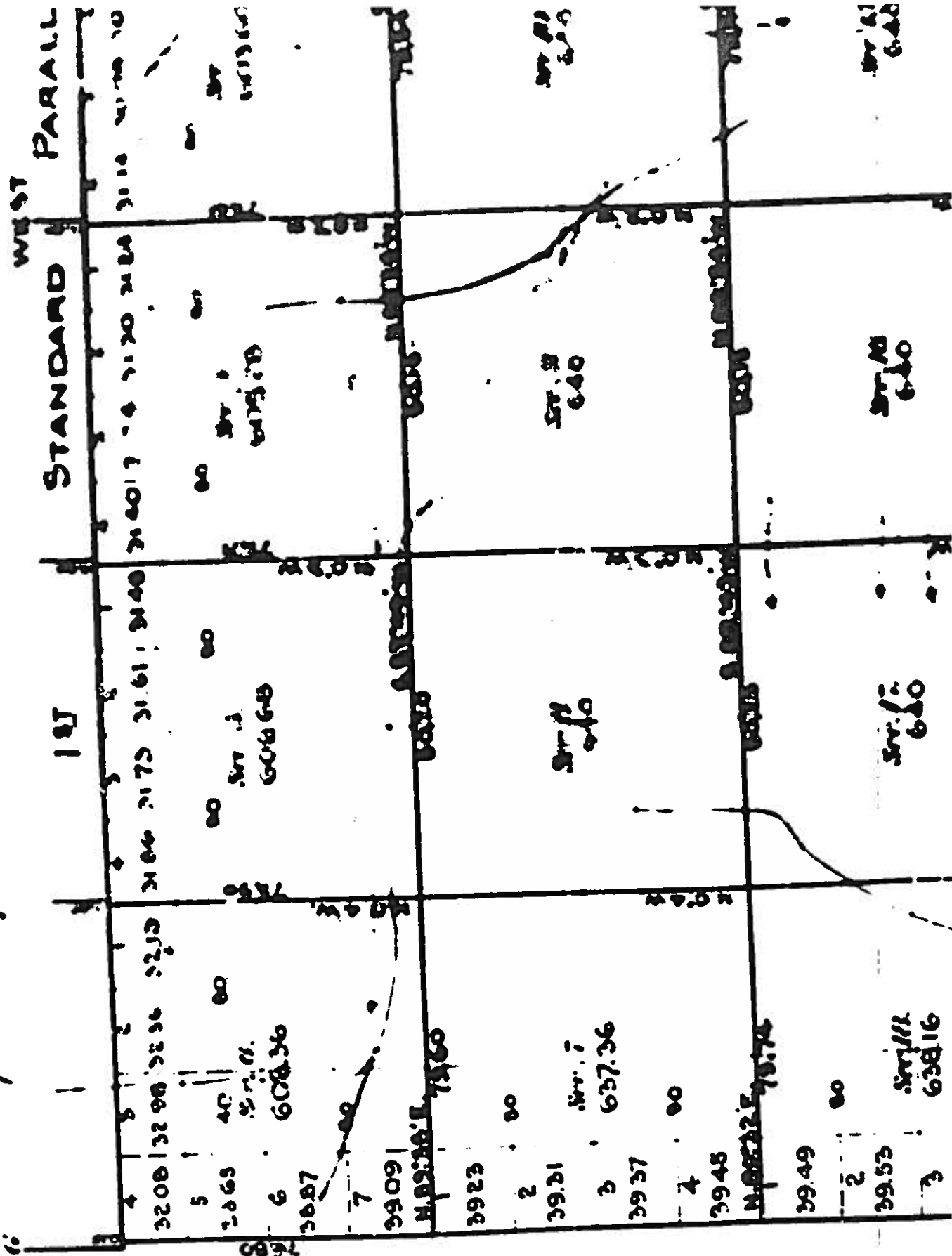
Lessor:

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. (R)



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	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

A63-07421

Page 1

Date: 09/14/89

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

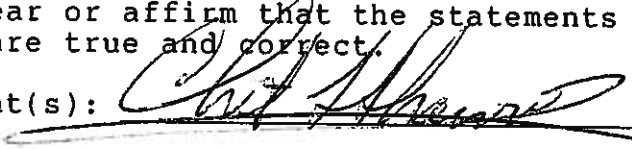
16. Signature(s)

(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:

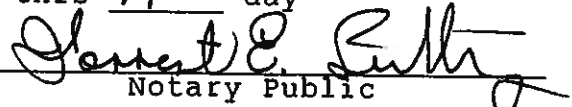
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s):  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 5 & 6

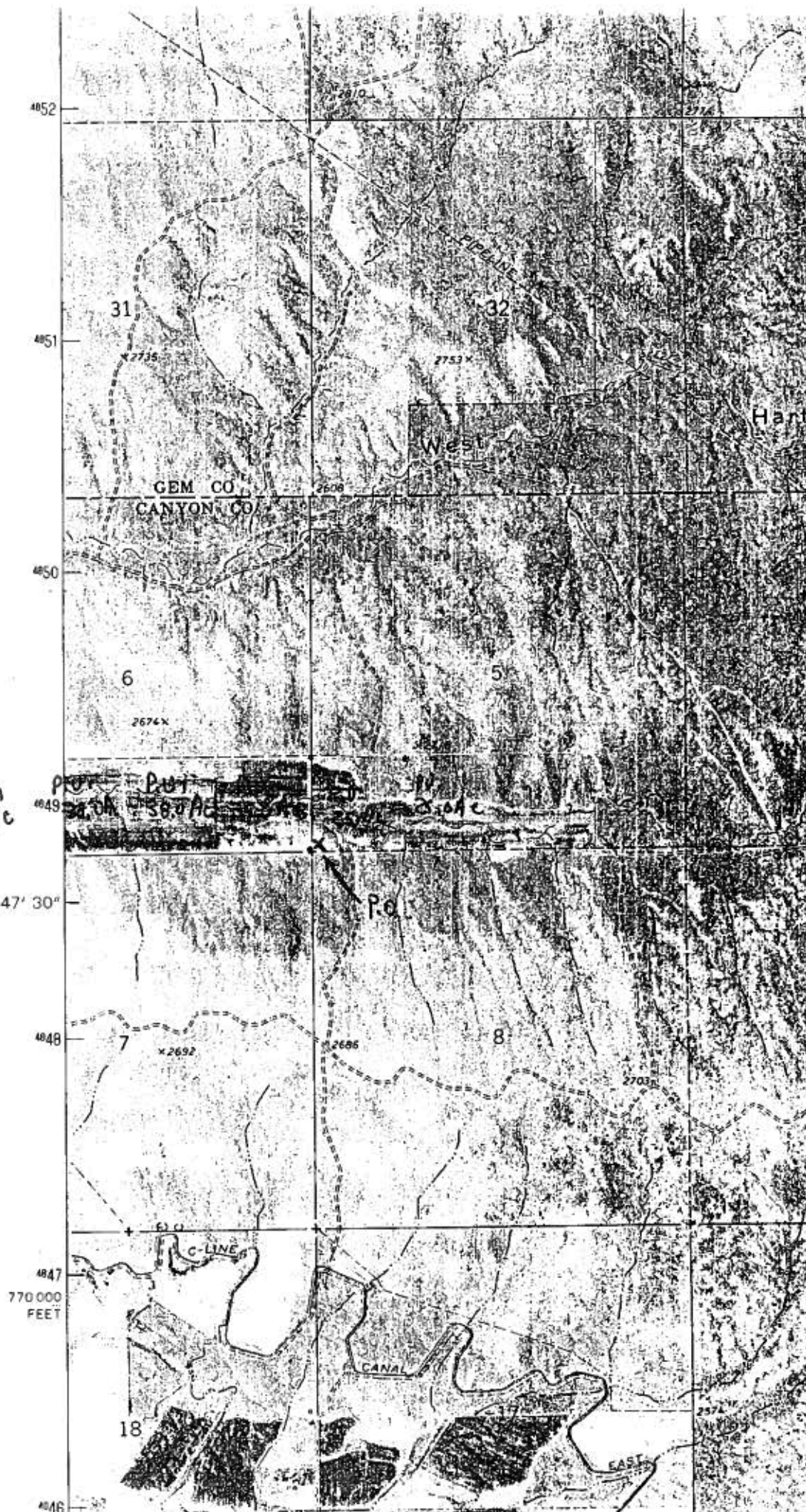
P.O.
343a
Sec 1
38.0Ac

P.O. SW 3/4
33.0Ac

P.O. SW 1/4
38.0Ac

P.O. SW 1/4
38.0Ac

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 4606
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			
	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 5 & 6

P.U. S&S
SEC 1
38.0 AC

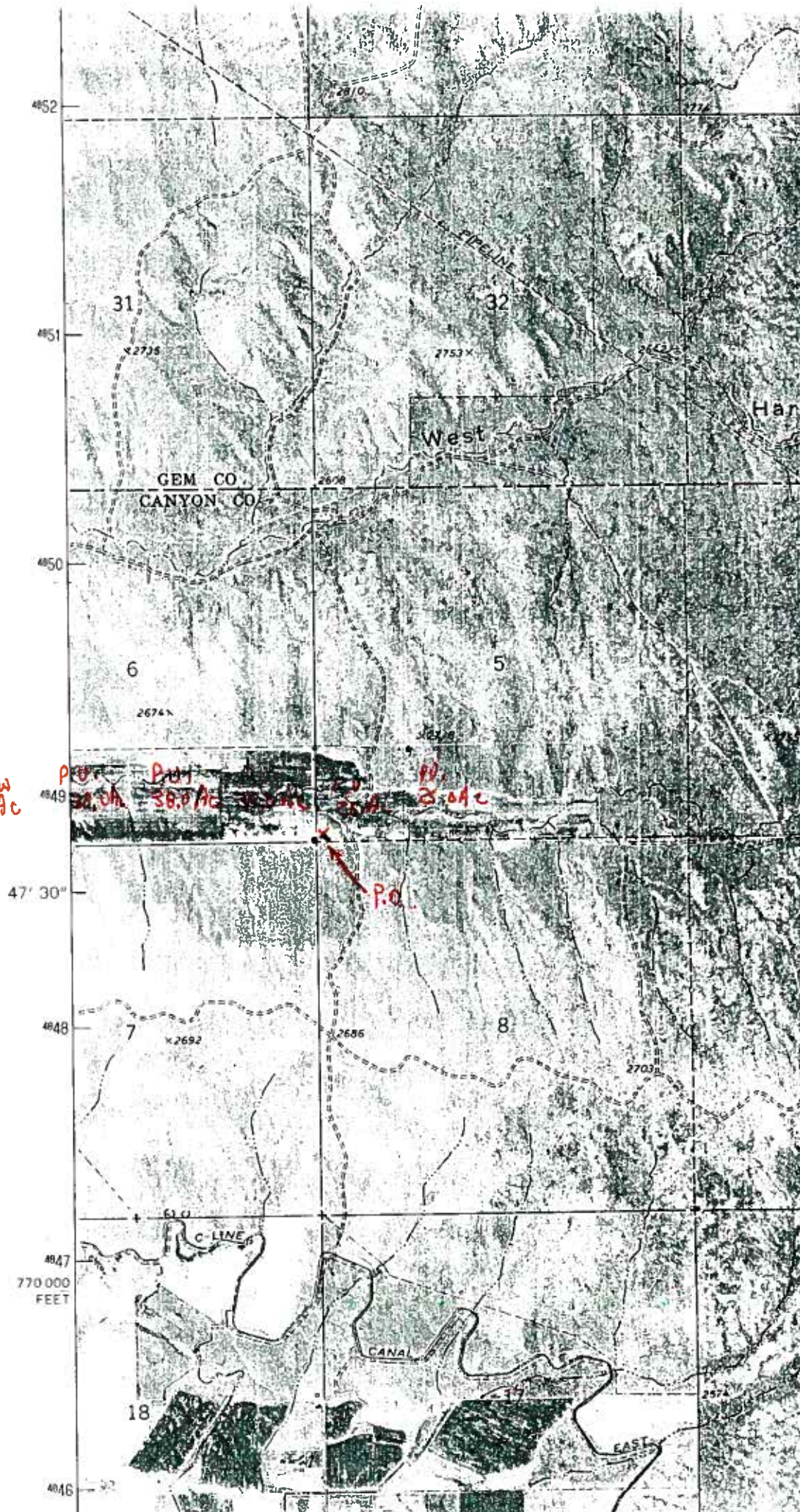
P.U. S&S
33.0 AC

P.U. S&S
38.0 AC

P.U. S&S
38.0 AC

P.O.

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 4606
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): *Chit [Signature]* 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

James E. Butler
Notary Public

Seal

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

T6N
T5N

SECS 5 & 6

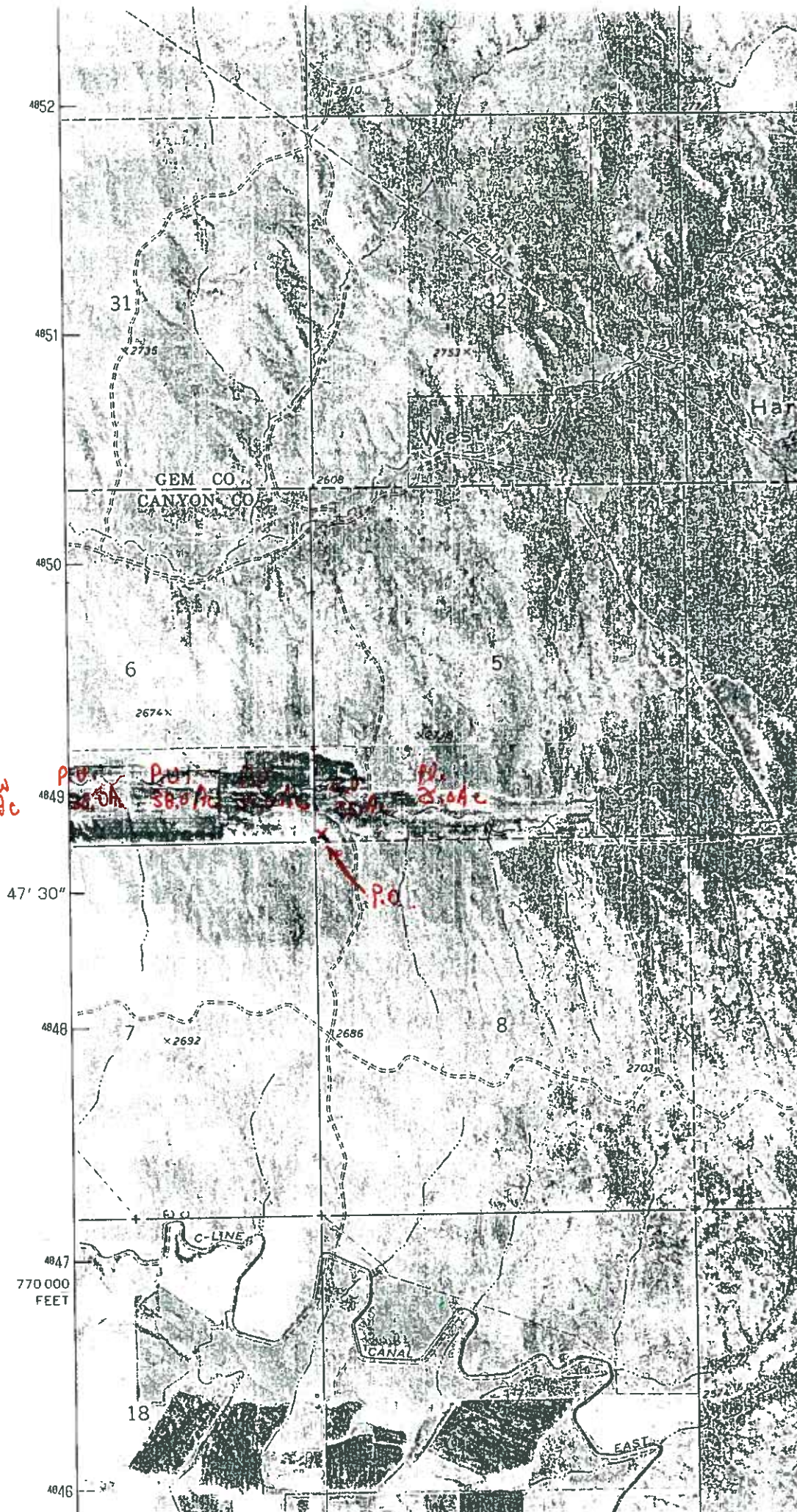
P.U.
SESE
SEC 1
38.0 AC

P.U. SWSW
33.0 AC

P.U. SW 38.0 AC
P.U. SE 38.0 AC
P.U. NE 38.0 AC

P.O.

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: 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 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

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		
				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

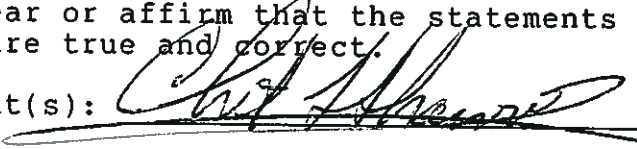
16. Signature(s)

(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 ADA) 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 5 & 6

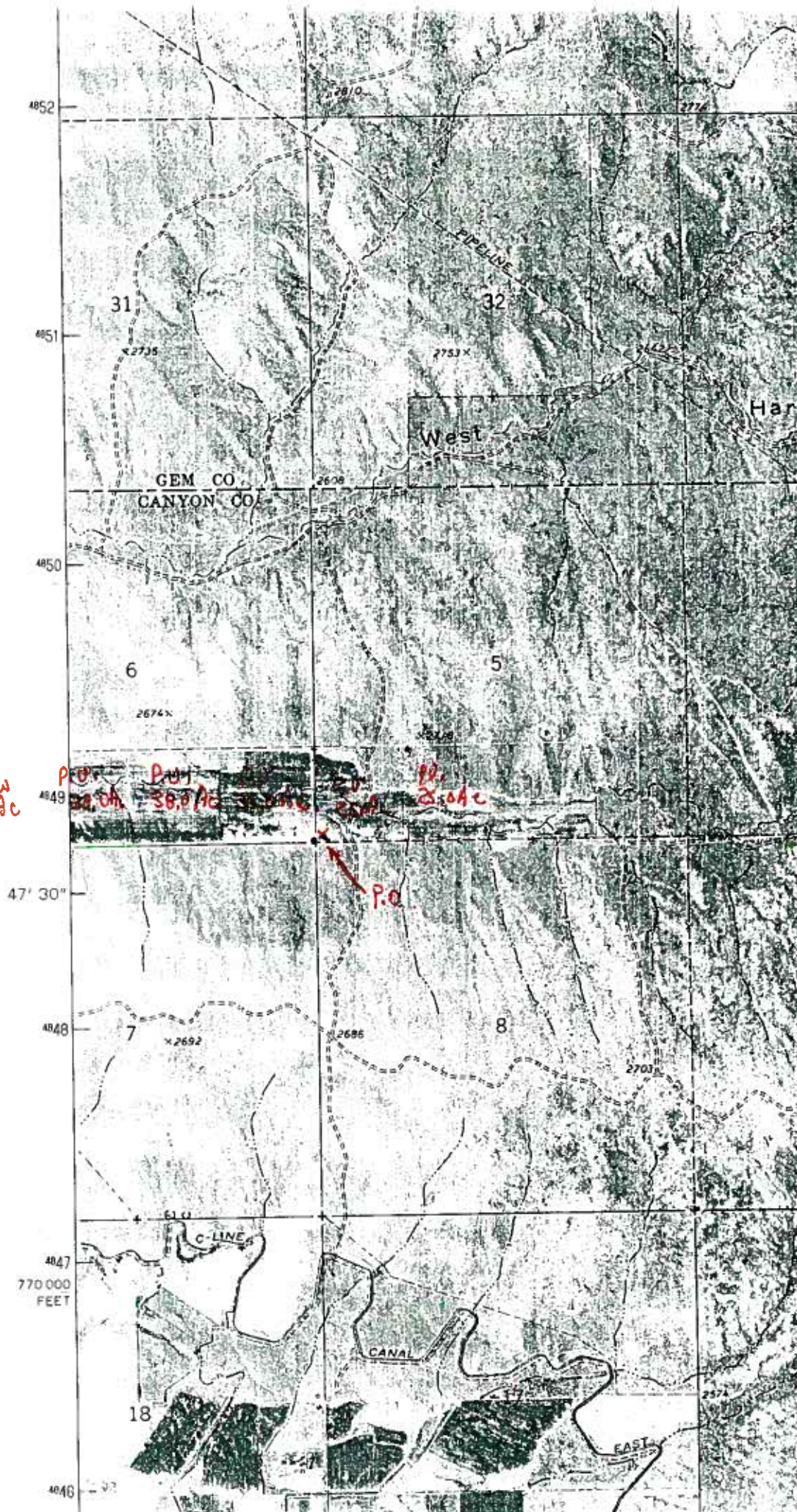
P.U.
SESE
Sec 1
38.0Ac

P.U. SWSW
33.0Ac

P.O. 38.0Ac
P.U. 38.0Ac
P.O. 38.0Ac
P.O. 38.0Ac

P.O.

MICROFILMED
AUG 21 1992



11/17/2006

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

RIGHT NUMBER: 63-31911

NAME AND ADDRESS: ANGIE OETKEN
11851 RIO LOBO ST.
CALDWELL ID 83607

BRENT OETKEN
11851 RIO LOBO ST.
CALDWELL ID 83686

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.070 CFS
15.180 AFY

PRIORITY DATE: 04/26/1971

POINT OF DIVERSION:

T05N R02W S7 NWNW Lot 1 Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/15

0.070 CFS

15.18 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 S07 Lot 1 NWNW 3.70

3.7 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

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

The right holder shall accomplish the change authorized by Transfer 71340 within one year of the date of the approval.

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

Failure of the right holder to comply with the conditions of Transfer No. 71340 is cause for the Director to rescind approval of the transfer.

Property also known as Lot 16, Blk. 1, High Plains Estates Subdivision.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

November 17, 2006

Brent and Angie Oetken
11851 Rio Lobo Rd
Caldwell, ID 83607

JAMES E. RISCH
Governor

KARL J. DREHER
Director

Notice of Claim to a Water Right No. 63-31914

Dear Claimant(s):

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

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

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

Sincerely,

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

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

Enclosure

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

RIGHT NUMBER: 63-31911

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.070 CFS
15.180 AFY

PRIORITY DATE: 04/26/1971

POINT OF DIVERSION:

T05N R02W S7 NWNW Lot 1 Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/15

0.070 CFS

15.18 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 S07 Lot 1 NWNW 3.70

3.7 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

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

The right holder shall accomplish the change authorized by Transfer 71340 within one year of the date of the approval.

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

Failure of the right holder to comply with the conditions of Transfer No. 71340 is cause for the Director to rescind approval of the transfer.

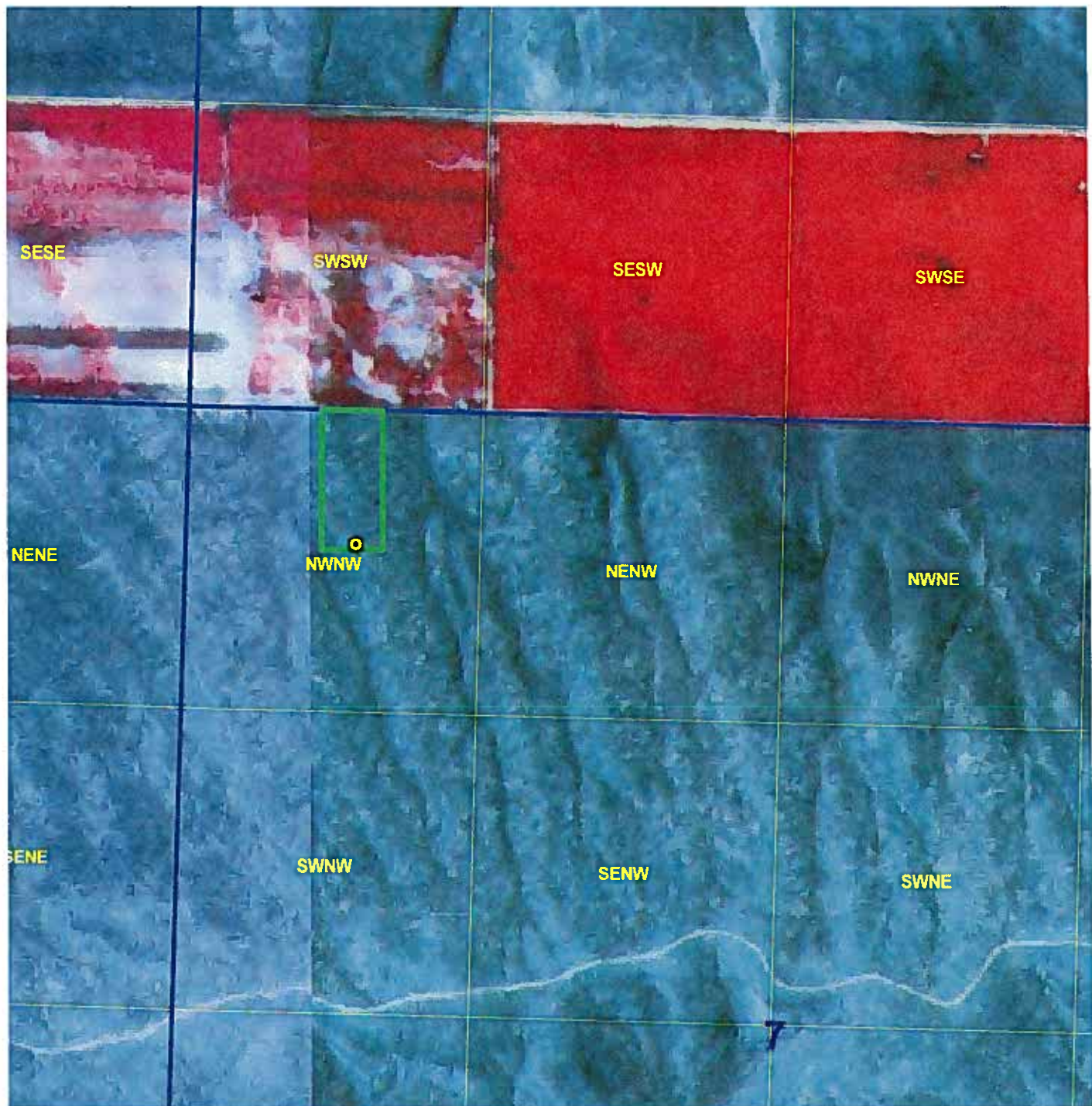
Property also known as Lot 16, Blk. 1, High Plains Estates Subdivision.



Idaho Department of Water Resources

63-31911

T05N R02W S7



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

Total irrigated
acres = 3.7



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 63-31911 V1

WATER RIGHT NUMBER: 63-31911 V1

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

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	0.070 CFS	15.18 AF
	<u>Total Diversion:</u>	0.070 CFS	15.18 AF

Location of Point(s) of Diversion

GROUND WATER	L1 (NW1/4NW1/4)	Sec. 7,	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	7																	3.7
									3.7										
									L 1										

Total Acres: 3.7

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-31911 V1

Conditions of Approval:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. T07 The right holder shall accomplish the change authorized by Transfer 71340 within one year of the date of the approval.
4. P21 THIS RIGHT IS A SPLIT FROM FORMER RIGHT 63-31213.
5. T08 Failure of the right holder to comply with the conditions of Transfer No. 71340 is cause for the Director to rescind approval of the transfer.
6. 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.
7. Property also known as Lot 16, Blk. 1, High Plains Estates Subdivision.

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 9:12:06 AM	segbert			Active
POD	8/10/2006 9:12:25 AM	segbert			Active
Source	8/10/2006 9:13:02 AM	segbert			Active
POU	8/10/2006 9:13:22 AM	segbert			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31911 V1

Use	8/10/2006 9:13:56 AM	segbert	Active
Season	8/10/2006 9:14:15 AM	segbert	Active
Quantity	8/10/2006 9:15:06 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>
POD	8/10/2006 9:12:27 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?
POD	8/10/2006 9:12:47 AM	segbert	Updated shape
Source	8/10/2006 9:13:04 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 9:13:24 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	8/10/2006 9:13:57 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?
Summary	5/10/2004 10:43:26 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31911 V1

Summary	8/10/2006 9:18:32 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?
General	8/10/2006 9:12:08 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?
POU	8/10/2006 9:13:40 AM	segbert	Updated shape for Active POU
Season	8/10/2006 9:14:17 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 9:15:08 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 x acres per license

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31911 V1

WATER RIGHT NUMBER: 63-31911 V1

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

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	0.070 CFS	~~16.70 AF~~
	3-1	to 11-15		15.18
	<u>Total Diversion:</u>		0.070 CFS	~~16.70 AF~~

Location of Point(s) of Diversion

GROUND WATER	L1 (NW1/4NW1/4)	Sec. 7,	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	7						3.7											3.7
								L 1											

Total Acres: 3.7

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-31911 V1

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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. 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.
5. T07 The right holder shall accomplish the change authorized by Transfer 71340 within one year of the date of the approval.
6. P21 THIS RIGHT IS A SPLIT FROM FORMER RIGHT 63-31213.
7. R69 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
8. Property also known as Lot 16, Blk. 1, High Plains Estates Subdivision.

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:

[illegible]

5/23/2006

**Idaho Dept. of Water Resources
Place of Use Comparison Report**

Page2

TClaim	63 31915	HIGH PLAINS LLC,	GROUND WATER	05N02W7						10										10
TClaim	63 31916	Kevin Nelson,	GROUND WATER	05N02W7					5.9											5.9
TClaim	63 31917	HIGH PLAINS LLC,	GROUND WATER	05N02W7					5.9											5.9
Rec	65 2433	UNITED STATES OF AMERICA ACTING THROUGH,	PAYETTE RIVER	05N02W7									X		X	X				0
Rec	65 2900	BLACK CANYON IRRIGATION DIST,	TUNNEL NO 2 DRAIN	05N02W7									X		X	X				0

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-7421 Priority April 26, 1971 Amount 4.98 cfs

THIS IS TO CERTIFY, that C. L. SHAWVER

of Boise, Idaho, has complied with the terms and conditions of Permit No. 63-7421 issued pursuant to Application for Permit dated April 26, 1971, and has submitted proof to the Department of Water Resources on May 16, 1978, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 5.35 cfs of water from a groundwater source, tributary to _____, and that the permit holder has applied to a beneficial use an established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	<u>from April 15 to October 15</u>	<u>4.98 cfs</u>	<u>and 1022 acre feet</u>
_____	_____	_____	_____
_____	_____	_____	_____

Subject, however, to the condition that no more than 4.98 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed 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, B.M. in the County of Canyon

Description and location of place of use:

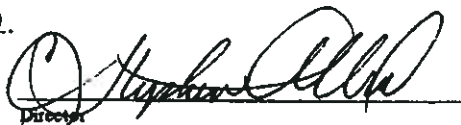
Twp.	Range	Section	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	NE $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	NE $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	NE $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	
5N	2W	5												25	65
		6												38 35	146
5N	3W	1												38	38

Total number of acres irrigated 249

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

4.104AF
per acre