

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 63-31977
Date Received: 3/14/1990
Receipt No:
Received By:

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

1. Name of Claimant(s)

HARVEST FARM CO Phone: 208-467-9712

13735 MISSOURI AVE
NAMPA ID USA 83686

2. Date of Priority: 03/29/1967

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
02N	02W	31	NW	NW	NW	CANYON	

5. Description of diverting works:

DRILLED WELL, VERTICAL TURBINE PUMP, PIVOTS & SOLID SET SPRINKLER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	3.44	720

7. Total Quantity Appropriated is:
3.44 C.F.S. and/or 720 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
02N	02W	31	NE	NW		IRRIGATION	40
			NW	NW	1	IRRIGATION	40
			SW	NW	2	IRRIGATION	40
			SE	NW		IRRIGATION	40
						Section Acres	160
02N	03W	36	NE	NE		IRRIGATION	39
			NW	NE		IRRIGATION	39
			SW	NE		IRRIGATION	39
			SE	NE		IRRIGATION	39
			NE	NW		IRRIGATION	39
			NW	NW		IRRIGATION	38
			SW	NW		IRRIGATION	38
			SE	NW		IRRIGATION	38
			NE	SW		IRRIGATION	39
			NW	SW		IRRIGATION	40
			SW	SW		IRRIGATION	39
			SE	SW		IRRIGATION	40
			NE	SE		IRRIGATION	34
			NW	SE		IRRIGATION	40
			SW	SE		IRRIGATION	40
			SE	SE		IRRIGATION	39
						Section Acres	620
						Total Acres	780

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

This right is a split from former right 63-3593.

15. Basis of Claim: License

MEMORANDUM

TO: Transfer File No. 71517

FROM: Lori Graves 

DATE: 8/24/04

RE: Evaluation of Sufficiency of Information Submitted

Brief: The purpose of the transfer is to split the right and use a proposed well to irrigate applicants parcel resulting from the split instead of using the original well that served the entire acreage. The proposed well will be shared. See accompanying transfer no. 71518.

The site is located 3 miles south of Lake Lowell, and 2 ¼ miles west of Hwy 45.

Authority to File: Applicant provided a warranty deed for the proposed p/u, along with an easement description for the proposed p/d. Please note that the p/d easement refers to parcel no. 2, which is a different parcel located west of parcel no. 2 indicated on attachment A. The proposed p/d will be located on adjoining land located west of the lands covered by water right 63-3593.

Water Right Validity: Right presumed valid since the right was claimed in 1990 and beneficial use occurred within the five year period prior to that date. Beneficial use was confirmed by a preliminary SRBA review by Jan Schurte and a 1987 arc view photo.

Injury to Other Water Rights: None anticipated.

Enlargement of Use: No change in nature of use has been proposed.

Local Public Interest: No negative impacts are anticipated.

Beneficial Use/Conservation of Water Resources: Applicant proposed beneficial use consistent with conservation of water resources in Idaho.

Review of the application finds there is no clear inconsistency with criteria of I.C. § 42-222 preventing processing of this application.

Additional Information: The warranty deed attached is in the applicants name and Jana Blacker's (wife) name. Pam Skaggs confirmed that after notifying the applicant, the department can add Jana's name to the transfer without her signature because of the nature of the transfer. If water was being transferred away, a signature would have been required.

License 63-3593 was included on protested transfer no. 3699 that was approved in 1993. The protestants were all select members of Hat Butte Mutual Canal Company. Notice will be sent to Hat Butte Mutual Canal Company.

Discussion: This right was originally licensed for 197.2 acres, 3.94 cfs and 888 afa. As a result of approved transfer no. 3699, the license is now limited to 185 acres, 3.94 cfs and 832.5 afa. The flow rate did not get reduced in proportion with the acres, however, the volume did. On the new transfer, applicant has chosen to transfer only one inch per acre to prevent controversy and confusion. The SRBA can decide what to do with the excessive flow rate left on the remaining acres.

It appears that Snake River rights 2-2280, 2-2368 and 2-2422 cover the same acres listed on right 63-3593. The ground water was originally licensed to lands in S31, aka the Naito place, and the Snake River water was originally licensed to lands in S36, aka the Allen place. The transfer was filed as a result of complaints received by the department that waters from both sources were being used on both places via a common re-lift pond. The transfer was subsequently protested by members of the Hat Butte Mutual Canal Company. For fear of expansion, the protestants did not want Snake River water used on the Naito place. A stipulation agreement was reached, involving the installation of a bi-directional flow meter in the mainline that assured Hat Butte members that there would be no net exchange of water between the two farms, as determined each two week period when the Hat Butte system is delivering Snake River water to Hat Butte members. Basically, if the ground water pump went down, Snake River water could be used from the re-lift pond, but would have to be replaced by ground water within two weeks.

Approved transfer no. 3699 reflects a combined irrigation system, however, the transfer conditions have kept the rights separate regarding supplementation.

The proposed p/d will be shared with right 63-31978 (applicant's parents). The p/d is located on the parents land (see accompanying transfer no. 71518). There will be two separate pumps in the well to serve separate systems. Each applicant plans to build a new home that the well will also serve. Rob Whitney stated that the well would probably be drilled as a domestic well initially, then upgraded it to an irrigation well upon approval of the transfers. The well will be located in the Dry Lake area, which is an area of drilling concern, however, Rob did not have issues regarding this well proposal because the department has not designated this area as a management area.

Conditions: Assuming protests are not filed and/or other information does not contradict the above analysis, and assuming it is determined the application should be approved, the conditions listed on the draft transfer approval should be applied.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3699

Should questions arise during the processing of this application, please contact:

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

APR 03 1990

APPROVED

Department of Water Resources
Western Regional Office Phone 800-547-7023

Name of applicant Harvest Farms Co.
Post Office address P.O. Box 650, Cottage Grove, OR 97424

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 Add additional source
2. Describe the reason for the proposed changes Aquisition of additional farms with numerous points of diversion.

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

	Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
(A)	<u>02-02280</u>	<u>3-2-64</u>	<u>.8</u>	<u>Irrigation</u>	<u>3-15 to 11-15</u>
(B)	<u>02-02368</u>	<u>4-8-65</u>	<u>9.86</u>	<u>Irrigation</u>	<u>3-15 to 11-15</u>
(C)	<u>02-02422</u>	<u>5-12-66</u>	<u>1.74</u>	<u>Irrigation</u>	<u>3-15 to 11-15</u>
(D)	<u>63-03593</u>	<u>3-29-67</u>	<u>3.94</u>	<u>Irrigation</u>	<u>3-15 to 11-15</u>

2. Total amount of water being transferred 16.34 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Snake River tributary to Columbia River
Groundwater (63-03593) N/A
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
7		SW	NE	36	1N	3W	Canyon County	Hat Butte - all surface rights
	NW	NW	NW	31	2N	2W	Canyon County	Nato

5. Lands irrigated or place of use:

	Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
				NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
(A)	2N	3W	36																	40
(B)	2N	3W	36	39	30	39	26	11	15	38	38	39	40	39		20	40	40	39	493
(C)	2N	3W	36		9		13	28	23							14				87
(D)	2N	2W	31				25	40	40	40	40									185
								4.1	4.2											

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PART 1

6. General Information:

a. Description of diversion system Rights from Snake River served by 11-600 HP pumps, 1-300 HP pump through penstock to delivery point on land. Groundwater served by one drilled well with vertical turbine pump. All water pumped to a common pond and redistributed through a common irrigation system.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes. N/A

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
N/A

d. Remarks:
The applicant intends to increase flexibility of the system by using a common distribution point and delivery through a common irrigation system. No more than 620 acres will be irrigated with surface water and no more than 185 acres will be irrigated with groundwater.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

02-02280/02368/

This is to certify that I have examined Application for Transfer of Water Rights No. 02422, 63-03593

And said application is hereby APPROVED, subject to the following limitations and conditions:

SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

FEB 18 1993

Witness my hand this

8th day of

February, 19 93

J. Glen Saylor
CHIEF, WATER ALLOC. BU¹ AU

CONDITIONS OF APPROVAL
Transfer of Water Right
No. 02-02280/02368/02422, 63-03593

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. Use of water under these rights is subject to the provisions of an Agreement and Stipulation between the water right holder and protestants dated 8/3/92.
5. The water right holder shall maintain a bi-directional flow meter in the line between Section 36, T2N, R3W and Section 31, T2N, R2W, B.M. This meter shall be open for inspection by the Hat Butte Canal Co. ditch rider and by the Department.
6. There shall be no net exchange of water between the above-referenced sections, as determined during each two week period when the Hat Butte system is delivering water to Hat Butte members.
7. These rights are limited to a combined annual volume of 2790.0 acre feet from the Snake River and 832.5 acre feet from groundwater.
8. These rights when considered separately are limited to the irrigation of the following number of irrigated acres in a single irrigation season:

02-02280	40 acres
02-02368	493 acres
02-02422	87 acres
63-03593	185 acres

Dated this 8th day of February, 1993.

J. Alan Saylor
Chief, Water Alloc. Bureau

FEB 18 1993

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT**

**PART 2
(Attach one copy for each right)**

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 02-02280 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

- Tax Notice
 Warranty Deed
 Other N/A pld i source transfer

3. Source of water Snake River tributary to Columbia River

4. Date or priority 3-2-64

5. Water is used for the following purpose:

amount .8/140 for Irrigation purposes from 3-15 to 11-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right .8 cubic feet per second and/or 180 ~~140~~ cu acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
7		SW	NE	36	1N	3W	Canyon	Hat Butte
		NW	SE					

8. Lands irrigated or piece of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	36																40	40

Total acres 40

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9. Describe any other water rights used for the same purpose as described above _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT**

**PART 2
(Attach one copy for each right)**

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 02-02368 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

- Tax Notice Warranty Deed Other _____

3. Source of water Snake River tributary to Columbia River

4. Date or priority 4-8-65

5. Water is used for the following purpose:

- amount 9.86 ~~1725.5~~ ^{cu} 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) amount _____ for _____ purposes from _____ to _____

6. Total amount of water under right 9.86 cubic feet per second and/or 2218.5 ~~1725.5~~ ^{cu} acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
7		SW	NE	36	1N	3W	Canyon	Hat Butte
		NW	SE					

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	36	39	30	39	26	11	15	38	38	39	40	39		20	40	40	39	493
			40		40	25	10		39.2		40	39	37.8						

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Total acres 493

9. Describe any other water rights used for the same purpose as described above _____

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

PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 02-02422 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

- Tax Notice Warranty Deed Other _____

3. Source of water Snake River tributary to Columbia River

4. Date or priority 5-12-66

5. Water is used for the following purpose:

amount ^{1.84} 1.74/305.4 cfs for Irrigation purposes from 3-15 to 11-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right ^{1.84} 1.74 cubic feet per second and/or ^{414.0} 304.5 cu acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
7		SW	NE	36	1N	3W	Canyon	Hat Butte
		NW	SE					

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	36		9		13	28	23								14			87
				10		11	28.5	25								17.5			92

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Total acres 87 92

9. Describe any other water rights used for the same purpose as described above _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT**

**PART 2
(Attach one copy for each right)**

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-03593 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

- Tax Notice Warranty Deed Other _____

3. Source of water Groundwater tributary to N/A

4. Date or priority 3-29-87

5. Water is used for the following purpose:

amount 3.94/888 for Irrigation purposes from 3-15 to 11-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 3.94 cubic feet per second and/or 888 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NW	NW	31	2N	2W	Canyon	Naito
		NE						
01		NW	NW	31	2N	2W	CANYON	Naito

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	2W	31			25		40	40	40	40									185
					39		38.7			39.5									197.2
								↑	↑										
								Lot 1	Lot 2										

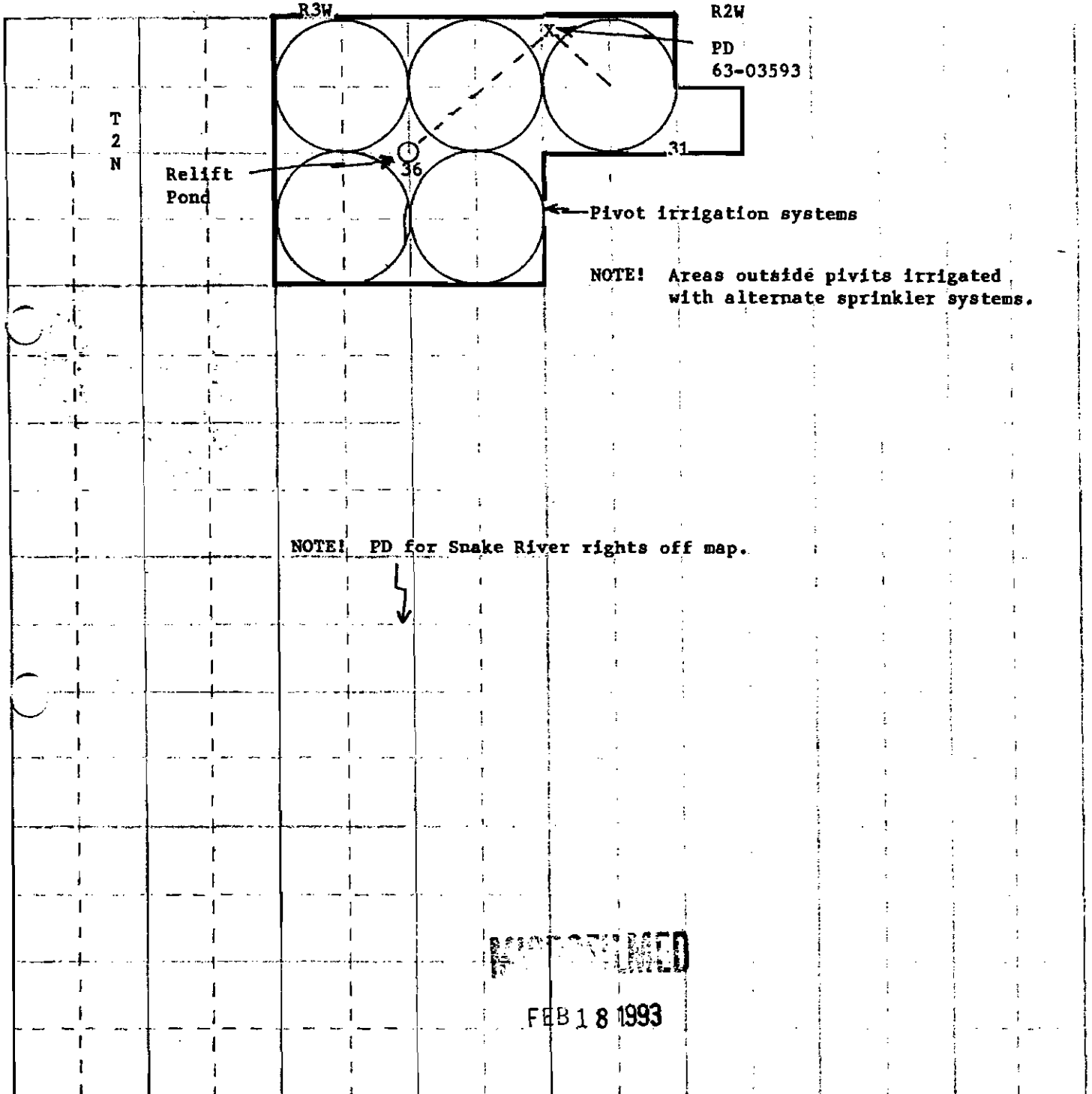
Total acres ~~185~~ 197.2

9. Describe any other water rights used for the same purpose as described above _____

FEB 18 1993

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

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



RECEIVED

FEB 18 1993

PART 3

B. CHANGES IN NATURE OF USE N/A

1.	<u>New Nature of Use</u>	<u>Amount (cfs/ac-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:

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 3 day of April, 19 90.

[Signature]

(Notary Public)

My commission expires 6/14/94



FOR DEPARTMENT USE ONLY

Transfer contains 12 pages and 2 attachments

Received by SC Date 4/3/90 Protest filed by _____

Prelim. check by SC Fee \$50

Received by PL Date 4/3/90 WU11812

Published in Press-Tribune ID. STATEMAN, P.R., L.M., T.V. Copies of protest forwarded by _____

Pub. dates 4/18 & 4/25/90 4/19 & 4/26/1990 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for approval denial

_____ rec'd. by DRT

Copy of transfer sent to lien holder _____

FEB 18 1993

09/29/2006

NOTICE OF ERROR
REPLY

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

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

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

Water right number: 63-31977

HARVEST FARM CO
13735 MISSOURI AVE
NAMPA ID 83686
Telephone Number: 208-467-9712

RECEIVED

OCT 26 2006

WATER RESOURCES
WESTERN REGION

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


The place of use is also has a water right from the Snake River. Will this be addressed in a separate process?

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

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

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

DATE: 11-24-06

SIGNATURE: 

Please print your name: Letland Tivy - 572-1390

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

*water rights for Snake are in
in Basin 02*

MEMORANDUM

Type: In Office Conversation

Telephone
Meeting Notes

Follow-up
Log of Events
Other _____

To: Dan

From: J. Westra, Western Reg.

Date: 10/17/06

RE: Harvest Farms - Loland Teigs - Field Exam.

Questions

West End How much? 7.7 CFS

When was farm purchased by current owner? 1981

63-31997



Idaho Department of Water Resources

63-31977

T02N R02W S31, 36



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

Total irrigated
acres = 179



1000 0 1000 Feet

IDWR
Prepared by: Sandy Egbert
Date: June 23, 2006
1987 NAAP Photography

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 63-31977 V1

WATER RIGHT NUMBER: 63-31977 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	NAITO BROTHERS
	, ID
Original Owner	JOHN SKAGGS 1325 SHARON WAY RENO, NV 89509
Current Owner	HARVEST FARM CO 13735 MISSOURI AVE NAMPA, ID 83686 208-467-9712
Original Owner	RUBY SKAGGS 1325 SHARON WAY RENO, NV 89509

Priority Date: 03/29/1967

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	3.440 CFS	720.00 AF
	<u>Total Diversion:</u>	3.440 CFS	720.00 AF

Location of Point(s) of Diversion

GROUND WATER NW1/4NW1/4NW1/4 Sec. 31, Twp 02N, 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					
02N	02W	31					40.0	40.0	40.0	40.0													160.0
02N	03W	36	39.0	39.0	39.0	39.0	39.0	38.0	38.0	38.0	39.0	40.0	39.0	40.0	34.0	40.0	40.0	39.0					620.0

Total Acres: 780

Conditions of Approval:

1. P21 This right is a split from former right 63-3593.

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 63-31977 V1

- 2. K06 This right is limited to the irrigation of 179 acres within the place of use described above in a single irrigation season.
- 3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
- 4. S39 The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Remarks:

Comments:

Dates and Other Information:

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

Combined Use Limits:

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			08/11/2004	Iharris	Active
Priority Date	6/23/2006 9:09:25 AM	segbert			Active
POD	6/23/2006 9:09:50 AM	segbert			Active
Source	6/23/2006 9:11:17 AM	segbert			Active
POU	6/23/2006 9:11:41 AM	segbert			Active
Use	6/23/2006 9:11:59 AM	segbert			Active
Season	6/23/2006 9:12:25 AM	segbert			Active
Quantity	6/23/2006 9:13:44 AM	segbert			Active
Summary			06/23/2006	segbert	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31977 V1

General	6/23/2006 9:09:15 AM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	6/23/2006 9:09:40 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Source	6/23/2006 9:11:05 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	6/23/2006 9:11:29 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	6/23/2006 9:11:46 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	6/23/2006 9:12:12 AM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31977 V1

Quantity	6/23/2006 9:13:30 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 - as licensed
Summary	6/23/2006 9:17:20 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?
POU	6/23/2006 9:06:54 AM	segbert	Updated shape from PLS
POD	6/23/2006 9:10:01 AM	segbert	Updated shape
Summary	8/11/2004 2:23:01 PM	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?

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Claim Report 63-31977

WATER RIGHT NUMBER: 63-31977

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	NAITO BROTHERS
	, ID
Original Owner	JOHN SKAGGS 1325 SHARON WAY RENO, NV 89509
Current Owner	HARVEST FARM CO 98 PALMER AVE PO BOX 650 COTTAGE GROVE, OR 97424 (800)547-7023
Original Owner	RUBY SKAGGS 1325 SHARON WAY RENO, NV 89509

Priority Date: 03/29/1967 ✓
 Basis: License ✓
 Status: Active ✓

Source Tributary
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15 ✓	3.440 CFS	720.00 AF
	3-1 <u>Total Diversion:</u>	3.440 CFS	720.00 AF

Location of Point(s) of Diversion

GROUND WATER NW1/4NW1/4NW1/4 Sec. 31, Twp 02N, 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	
02N 02W 31					40.0	40.0	40.0	40.0									160.0
						L 1	L 2										
02N 03W 36	39.0	39.0	39.0	39.0	39.0	38.0	38.0	38.0	39.0	40.0	39.0	40.0	34.0	40.0	40.0	39.0	620.0

Total Acres: 780

Conditions of Approval:

- P21 This right is a split from former right 63-3593.

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-31977**

04/11/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
31977	Claim	02N	02W	31	NE	NW		IRRIGATION	40/780	HARVEST FARM CO
2280	Claim	02N	02W	31	NE	NW		IRRIGATION	40/805	HARVEST FARM CO
2422	Claim	02N	02W	31	NE	NW		IRRIGATION	40/805	HARVEST FARM CO
2280	Water Right	02N	02W	31	NE	NW		IRRIGATION	40/805	HARVEST FARM CO
2368	Water Right	02N	02W	31	NE	NW		IRRIGATION	40/805	HARVEST FARM CO
2422	Water Right	02N	02W	31	NE	NW		IRRIGATION	40/805	HARVEST FARM CO
2368	Claim	02N	02W	31	NE	NW		IRRIGATION	40/805	HARVEST FARM CO
2280	Claim	02N	02W	31	NW	NW	1	IRRIGATION	40/805	HARVEST FARM CO
2422	Water Right	02N	02W	31	NW	NW	1	IRRIGATION	40/805	HARVEST FARM CO
2280	Water Right	02N	02W	31	NW	NW	1	IRRIGATION	40/805	HARVEST FARM CO
2368	Water Right	02N	02W	31	NW	NW	1	IRRIGATION	40/805	HARVEST FARM CO
2368	Claim	02N	02W	31	NW	NW	1	IRRIGATION	40/805	HARVEST FARM CO
2422	Claim	02N	02W	31	NW	NW	1	IRRIGATION	40/805	HARVEST FARM CO
31977	Claim	02N	02W	31	NW	NW	1	IRRIGATION	40/780	HARVEST FARM CO
2368	Claim	02N	02W	31	SW	NW	2	IRRIGATION	40/805	HARVEST FARM CO
31977	Claim	02N	02W	31	SW	NW	2	IRRIGATION	40/780	HARVEST FARM CO
2280	Water Right	02N	02W	31	SW	NW	2	IRRIGATION	40/805	HARVEST FARM CO
2368	Water Right	02N	02W	31	SW	NW	2	IRRIGATION	40/805	HARVEST FARM CO
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31977	Claim	02N	02W	31	SE	NW		IRRIGATION	40/780	HARVEST FARM CO

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-31977**

04/11/2006

2

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2280	Claim	02N	03W	36	NE	NE		IRRIGATION	39/805	HARVEST FARM CO
2368	Water Right	02N	03W	36	NE	NE		IRRIGATION	39/805	HARVEST FARM CO
2422	Water Right	02N	03W	36	NE	NE		IRRIGATION	39/805	HARVEST FARM CO
2422	Claim	02N	03W	36	NE	NE		IRRIGATION	39/805	HARVEST FARM CO
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2280	Water Right	02N	03W	36	NE	NE		IRRIGATION	39/805	HARVEST FARM CO
2368	Claim	02N	03W	36	NW	NE		IRRIGATION	39/805	HARVEST FARM CO
21977	Claim	02N	03W	36	NW	NE		IRRIGATION	39/780	HARVEST FARM CO
2368	Water Right	02N	03W	36	NW	NE		IRRIGATION	39/805	HARVEST FARM CO
2280	Claim	02N	03W	36	NW	NE		IRRIGATION	39/805	HARVEST FARM CO
2422	Claim	02N	03W	36	NW	NE		IRRIGATION	39/805	HARVEST FARM CO
2422	Water Right	02N	03W	36	NW	NE		IRRIGATION	39/805	HARVEST FARM CO
2280	Water Right	02N	03W	36	NW	NE		IRRIGATION	39/805	HARVEST FARM CO
2368	Claim	02N	03W	36	SW	NE		IRRIGATION	39/805	HARVEST FARM CO
2422	Claim	02N	03W	36	SW	NE		IRRIGATION	39/805	HARVEST FARM CO
2280	Water Right	02N	03W	36	SW	NE		IRRIGATION	39/805	HARVEST FARM CO
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2280	Water Right	02N	03W	36	SE	NE		IRRIGATION	39/805	HARVEST FARM CO

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-31977**

04/11/2006

3

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2368	Water Right	02N	03W	36	NE	NW		IRRIGATION	39/805	HARVEST FARM CO
2280	Claim	02N	03W	36	NE	NW		IRRIGATION	39/805	HARVEST FARM CO
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**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-31977**

04/11/2006

4

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**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-31977**

04/11/2006

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Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
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2422	Water Right	02N	03W	36	SE	SE		IRRIGATION	39/805	HARVEST FARM CO

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 33534/63-3593 Priority March 29, 1967 Amount 3.94 cfs

THIS IS TO CERTIFY, that The Travelers Insurance Company
of Portland, Oregon, has complied with the terms and conditions of Permit
No. 33534/63-3593 issued pursuant to Application for Permit dated March 29, 1967
and has submitted proof to the Department of Water Administration on May 7, 1971
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 5.85 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 3.94 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 3.94 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 31, Twp. 2 N, Rge. 2 W, B.M.

in the county of Canyon; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 888 acre feet per year or _____
4.5 acre feet per acre.

Description and location of place of use:

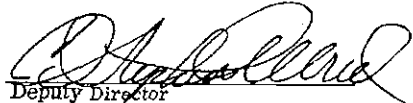
TWP	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
2 N	2 W	31			39		38.7	40	40	38.5								197.2	

Total number of acres irrigated 197.2

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 12 day of

April, 19 73.


Deputy Director

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