

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 63-32256  
Date Received: 12/28/1989  
Receipt No: X777777  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JULIE SCHELHORN Phone: (208)463-8616  
9135 SKY RANCH RD  
NAMPA ID USA 83686

TIM SCHELHORN Phone: (208)463-8616  
9135 SKY RANCH RD  
NAMPA ID USA 83686

2. Date of Priority: 04/19/1973

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 02N      | 03W   | 14      | SE SW                 | CANYON |      |

5. Description of diverting works:

WELL & TURBINE PUMP DISCHARGES INTO MAINLINE TO SPRINKLER IRR.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 03/15 | 11/15 | 0.51   |            |

7. Total Quantity Appropriated is:  
0.51 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
| 02N      | 03W   | 14      | SW         | SE  | IRRIGATION    | 20    |
|          |       |         | SE         | SE  | IRRIGATION    | 20    |
|          |       |         |            |     | Section Acres | 40    |
|          |       |         |            |     | Total Acres   | 40    |

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

Ownership changed by DB 1/7/2002

THIS CLAIM IS A RESULT OF TRANSFER 4645 APPROVED 10/2/1995 THAT SPLIT CLAIM  
A63-07778, FEE PAID UNDER RECEIPT NO 003518.  
(MTS 10/13/1995)

THE AMENS WERE ADDED AS CURRENT OWNERS TO THIS RIGHT AS THEY HAVE A 1/2  
UNDIVIDED INTEREST AS DO THE SCHELHORNS.

This right is a split from former right 63-7778A.

15. Basis of Claim: License

# SPLIT TREE

CLAIM: 63-7778A

AGENT: Jan Shurte

Date: 10-18-05

FACTOR = CFS .01275 ACRES 80 = 1.02 CFS

SPLIT .01275 = FACTOR x N acres 40 = CFS .51 CFS

SPLIT .01275 = FACTOR x N acres 40 = CFS .51 CFS

TOTALS \_\_\_\_\_

NAME AMEN'S + SCHERHORN'S

RIGHT 63-7778A

CFS 1.02 CFS

ACRES 80 AC

TRACT(S) SWSE - 40

SESE - 40

NAME TIMOTHY & JUNE

SPLIT 63-32256 SCHERHORN

CFS .51 CFS

ACRES 40

TRACT(S) SWSE - 20

SESE - 20

NAME FRANKIE & JEANNE

SPLIT 63-32257 AMEN

CFS .51 CFS

ACRES 40

TRACT(S) SWSE - 20

SESE - 20

POD

SAME AS CLAIMED

POD

SAME AS CLAIMED

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

RECEIVED

MAR 23 2005

WATER RESOURCES  
WESTERN REGION

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

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

| Water<br>Right No(s) | Adjudication<br>Claim No(s) | Split | Water<br>Right No(s) | Adjudication<br>Claim No(s) | Split |
|----------------------|-----------------------------|-------|----------------------|-----------------------------|-------|
|                      | <u>63-7778A</u>             |       |                      |                             |       |
|                      |                             |       |                      |                             |       |
|                      |                             |       |                      |                             |       |
|                      |                             |       |                      |                             |       |

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

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

OR

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

3. Name and Address of Former Owner/Claimant(s) < Timothy & Julie Schelhorn - 9135 Sky Ranch Rd. Nampa, ID  
Frankie & Jeannie Amen - 9125 Sky Ranch Rd. Nampa, ID 8361
4. New Owner/Claimant(s) Frankie & Jeannie Amen  
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 9125 Sky Ranch Road
- City, State and ZIP Code Nampa, Idaho 83686
- New Telephone Number (208) 466-1853
5. Date you acquired the property Aug 31, 1995 & Dec 12, 1995  
Land was split Feb 9, 2005

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

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number <u>63-77784</u>                                                            |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| Total                                                                                                                   | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(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)

Frederick Arner  
Jeanie Arner

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

**For Office Use Only**

Received by LG Date 3/23/05 Fee \_\_\_\_\_  
 Received by \_\_\_\_\_ Date \_\_\_\_\_ Receipt No. \_\_\_\_\_  
 Processed by LG AJ Date 2/27/06 WR \_\_\_\_\_ Date \_\_\_\_\_

# SUBJECT PROPERTY AMENS



CHAPARRAL RANCH DRIVE (PVT.)

SKY RANCH RD

20 AC.  
SCHELHORNS

20 AC.  
SCHELHORNS

10 AC  
AMENS

20 AC.  
AMENS

20 AC.  
AMENS

03-32019 (9.3 AC)

SW SE

SE SE

DEER FLAT RD

14

13

23

24

ORIGINAL

200508215

## GRANT DEED

**FOR VALUE RECEIVED** to include the Grantees' release of Grantees' interest in the North One Half of the South One Half of the Southeast One Quarter of Section 14, Township 2 North, Range 3 West, Boise Meridian, Canyon County Idaho,

GRANTORS, TIMOTHY J. SCHELHORN AND JULIE M. SCHELHORN, HUSBAND AND WIFE, whose current address is 9135 Sky Ranch Road, Nampa, County of Canyon, State of Idaho, do hereby grant, bargain, sell and convey unto FRANKIE AMEN AND JEANIE AMEN, HUSBAND AND WIFE, of 9125 Sky Ranch Road, Nampa, County of Canyon, State of Idaho as GRANTEES, and to Grantees' heirs and assigns forever, all of the following described real property located in Nampa, County of Canyon, Idaho:

The South One Half of the South One Half of the Southeast One Quarter of Section 14, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

More particularly described in EXHIBIT "A", attached hereto which by this reference becomes a part hereof.

Excepting there from the following described parcel:

A parcel of land being a portion of the SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ , Section 14, T.2N., R.3W., B.M., Canyon County, Idaho, said parcel being more particularly described as follows:

Commencing at the iron pin marking the corner common to Sections 14, 13, 24, and 23, T.2N., R.3W., B.M., Canyon County, Idaho; thence, N.0 04'30"W. 486.58 feet along the line common to said Sections 14 and 13 to the REAL POINT OF BEGINNING; thence, S.89 21'43"W. 500.00 feet to an iron pin; thence, N.0 04'30"W. 174.24 feet to an iron pin; thence, N.89 21'43"E. 500.00 feet to the line common to said Sections 14 and 13; thence, S.0 04'30"E. 174.24 feet to the REAL POINT OF BEGINNING, said parcel containing 2.00 acres, more or less.

TO HAVE AND TO HOLD the said premises, with all improvements, water, water rights, ditches, ditch rights and appurtenances thereto unto the said Grantees, and Grantees' heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, the Grantors are the owners in fee simple of said premises; that said premises are free from all encumbrances, subject to the reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessment, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and any encumbrances of record or not of record placed on or otherwise attaching to the property through the acts or omissions of Grantees, and that Grantors will warrant and defend the same from all lawful claims whatsoever.

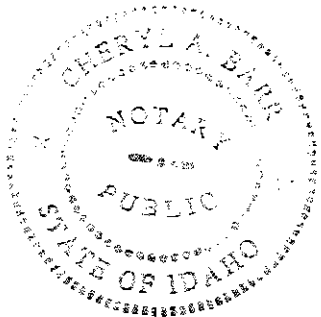
IN WITNESS WHEREOF, Grantors have hereunto subscribed their names to this instrument this \_\_\_\_\_ day of February, 2005.

Timothy J. Schelhorn  
Timothy J. Schelhorn

Julie M. Schelhorn  
Julie M. Schelhorn

STATE OF IDAHO     )  
                                  )SS  
County of Canyon     )

On this 9 day of February, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared TIMOTHY J. SCHELHORN AND JULIE M. SCHELHORN, known or identified to me to the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Cheryl A. Barr  
Notary Public for State of Idaho  
My Com. Exp.: 10/13/10

LEGAL DESCRIPTION  
FOR  
FRANKIE & JEANIE AMEN

A parcel of land being the South  $\frac{1}{2}$  of the South  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of Section 14, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho and more particularly described as follows:

Beginning at the South East Corner of Section 14, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho; said point being the REAL POINT OF BEGINNING;

Thence North  $0^{\circ} 04'30''$  West along the Easterly Boundary of Said Section 14 a distance of 660.82 feet to a point being the South-South  $\frac{1}{64}$  corner on the easterly boundary of Said Section 14;

Thence South  $89^{\circ} 21'43''$  West a distance of 2652.70 feet to a point marking the Center-South-South  $\frac{1}{64}$  Corner of Said Section 14;

Thence South  $00^{\circ} 04'27''$  East a distance of 661.32 feet to a point marking the South  $\frac{1}{4}$  Corner of Said Section 14;

Thence South  $89^{\circ} 21'06''$  West a distance of 2652.72 feet along the southerly boundary of Said Section 14 to the REAL POINT OF BEGINNING, comprising 40.26 Acres, more or less.

200508215

RECORDED

15 FEB 16 PM 4 10

G NOEL HALE  
CANYON CNTY RECORDER

BY *Phoe*

*Frankie Amen*  
TYPE *Seed*



EVIDENCE

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 63-7778A  
Date Received: 12/28/1989  
Receipt No: X999999  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

FRANKIE AMEN Phone: (208)466-1853

9125 SKY RANCH RD  
NAMPA ID USA 83686

JEANIE AMEN Phone: (208)466-1853

9125 SKY RANCH RD  
NAMPA ID USA 83686

TIM SCHELHORN Phone: (208)463-8616

9135 SKY RANCH RD  
NAMPA ID USA 83686

JULIE SCHELHORN Phone: (208)463-8616

9135 SKY RANCH RD  
NAMPA ID USA 83686

2. Date of Priority: 04/19/1973

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 02N      | 03W   | 14      | SE SW                 | CANYON |      |

5. Description of diverting works:

WELL & TURBINE PUMP DISCHARGES INTO MAINLINE TO SPRINKLER IRR.

6. Water is used for the following purposes:

|            |      |       |        |            |
|------------|------|-------|--------|------------|
| Purpose    | From | To    | C.F.S. | (or) A.F.A |
| IRRIGATION | 3/15 | 11/15 | 1.02   |            |

7. Total Quantity Appropriated is:  
1.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
| 02N      | 03W   | 14      | SW         | SE  | IRRIGATION    | 40    |
|          |       |         | SE         | SE  | IRRIGATION    | 40    |
|          |       |         |            |     | Section Acres | 80    |
|          |       |         |            |     | Total Acres   | 80    |

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:

Ownership changed by DB 1/7/2002

THE AMENS WERE ADDED AS CURRENT OWNERS TO THIS RIGHT AS THEY HAVE A 1/2 UNDIVIDED INTEREST AS DO THE SCHELHORNS.

THIS CLAIM IS A RESULT OF TRANSFER 4645 APPROVED 10/2/1995 THAT SPLIT CLAIM A63-07778, FEE PAID UNDER RECEIPT NO 003518.  
(MTS 10/13/1995)

15. Basis of Claim: License

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

Please print or type. Attach pages with additional information if necessary.  
Incomplete forms will be rejected.

1. Please list the water right number(s) and/or adjudication claim number if there is no corresponding water right space provided (under the "split" heading), if the change in division of the existing water right or adjudication claim record

| Water Right No(s) | Adjudication Claim No(s) | Split |
|-------------------|--------------------------|-------|
|                   | 63-77784                 |       |
|                   |                          |       |
|                   |                          |       |
|                   |                          |       |
|                   |                          |       |

LIBERTY - PAZ.  
ADD FRANKIE &  
JEANIE AMEN TO  
THIS RT. A LETTER  
SHOULD BE SENT TO  
BOTH SCHELHORN'S &  
AMEN'S W/COPIES OF  
THE CLAIM. TRS, JAN

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 ownership of the property and water right(s) or claim(s) in question.  
C. Either of the following (if necessary to clarify division of water right):  
**PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the your water right(s) and/or adjudication claim(s) (these are usually attached to the deed).

OR  
If your water right(s) and/or adjudication claim(s) is for ten or more acres, a Service Agency **AERIAL PHOTO** with the irrigated acres outlined. An **AERIAL PHOTO** should be submitted in place of the PLAT OF PROPERTY.

THE LETTER IS A  
LITTLE DIFFERENT -  
IT SHOULD STATE THAT  
THE CLAIMS REFLECT  
THE ADDITION OF THE  
AMEN'S NAMES PER  
THE DEEDS SUBMITTED.  
PLUS, THEY HAVE AN UN-  
DIVIDED 1/2 INTEREST.

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

TRIAL FALLS, IDAHO 83301 (BRYCE MILLAR  
Rt 7 BOX 7380, NAMPA ID 83651)

4. New Owner/Claimant(s)

FRANKIE AMEN + JEANIE AMEN

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

New Mailing Address

9125 Sky Ranch Road

City, State and ZIP Code

Nampa, Idaho 83684

New Telephone Number

(208) 466-1853

5. Date you acquired the property

8/31/95 (AUG 31 1995) AND (DEC 12, 1995)

NOTE: THE ATTACHED DEEDS ADD FRANKIE &

JEANIE AMEN TO THIS RIGHT. THE SCHELHORN'S

ARE ALSO ON THIS RIGHT. IT SHOULD REFLECT

ALL 4 NAMES. REMARKS SHOULD SHOW THAT THE

SCHELHORN'S HAVE AN UNDIVIDED 1/2 INTEREST AS DO THE AMEN'S.

RECEIVED

NOV 29 2004

WATER RESOURCES  
WESTERN REGION

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<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number <u>63-77784</u>                                                            |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              |                                                                            |                                                              |
| Stock                                                                                                                   |                                                                            |                                                              |
| Domestic                                                                                                                |                                                                            |                                                              |
| Other                                                                                                                   |                                                                            |                                                              |
| Total                                                                                                                   |                                                                            |                                                              |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              |                                                                            |                                                              |
| Stock                                                                                                                   |                                                                            |                                                              |
| Domestic                                                                                                                |                                                                            |                                                              |
| Other                                                                                                                   |                                                                            |                                                              |
| Total                                                                                                                   |                                                                            |                                                              |

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

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

|                                |                      |                   |            |
|--------------------------------|----------------------|-------------------|------------|
| <b>For Office Use Only</b>     |                      |                   |            |
| Received by <u>[Signature]</u> | Date <u>11-29-04</u> | Fee <u>N/A</u>    |            |
| Received by <u>N/A</u>         | Date _____           | Receipt No. _____ |            |
| Processed by _____             | AJ Date _____        | WR _____          | Date _____ |

Page 1

12/01/2003

## IDAHO DEPARTMENT OF WATER RESOURCES

~~Acquisition Claim Report 63-7778A~~

WATER RIGHT NUMBER: 63-7778A

| <u>Owner Type</u>         | <u>Name and Address</u>                                                              |
|---------------------------|--------------------------------------------------------------------------------------|
| Original Owner            | FARM CREDIT BANK OF SPOKANE<br>PO BOX 15367<br>BOISE, ID 83715<br>(208)343-7782      |
| Original Owner            | WILFORD NOLAN VICTOR<br>1520 ADDISON AVE E<br>TWIN FALLS, ID 83301<br>(208)733-5217  |
| Original Owner            | EDWARD RAY MONTIERTH<br>1528 ADDISON AVE E<br>TWIN FALLS, ID 83301<br>(208)733-5217  |
| Original Owner            | GOLDA D MONTIERTH<br>1528 ADDISON AVE E<br>TWIN FALLS, ID 83301<br>(208)733-5217     |
| Original Owner            | HERBERT R MONTIERTH<br>1528 ADDISON AVE E<br>TWIN FALLS, ID 83301<br>(208)733-5217   |
| <del>Original Owner</del> | TIM SCHELHORN<br>9135 SKY RANCH RD<br>NAMPA, ID 83686                                |
| Original Owner            | ROBERT J MEYERS<br>1528 ADDISON AVE E<br>TWIN FALLS, ID 83301<br>(208)733-5217       |
| <del>Original Owner</del> | JULIE SCHELHORN<br>9135 SKY RANCH RD<br>NAMPA, ID 83686                              |
| Original Owner            | KATHI L MEYERS<br>1528 ADDISON AVE E<br>TWIN FALLS, ID 83301<br>(208)733-5217        |
| Original Owner            | RODNEY KENT MONTIERTH<br>1528 ADDISON AVE E<br>TWIN FALLS, ID 83301<br>(208)733-5217 |
| Original Owner            | SUSAN L MON<br>1528 ADDISON AVE E<br>TWIN FALLS, ID 83301<br>(208)733-5217           |
| Original Owner            | RUBY C VICTOR<br>1520 ADDISON AVE E<br>TWIN FALLS, ID 83301<br>(208)733-5217         |
| Original Owner            | BRYCE MILL<br>RT 7 BOX 73<br>NAMPA, ID                                               |

The interest  
was previously  
conveyed by inst. #  
9400950

Page 2

12/01/2003

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Claim Report 63-7778A

Priority Date: 04/19/1973

Basis: License

Status: Active

SourceTributary

GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 3/15 to 11/15           | 1.020 CFS             |                      |
|                       | <u>Total Diversion:</u> | 1.020 CFS             |                      |

Location of Point(s) of Diversion

GROUND WATER

SE1/4SW1/4

Sec. 14, Twp 02N, Rge 03W, B.M.

CANYON County

Place of Use

IRRIGATION

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |      |      | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|------|------|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW   | SE   |        |
| 02N 03W 14  |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 40.0 | 40.0 | 80.0   |

Total Acres: 80

Conditions of Approval:Remarks:

- General Ownership changed by DB 1/7/2002
- General THIS CLAIM IS A RESULT OF TRANSFER 4645 APPROVED 10/2/1995 THAT SPLIT CLAIM A63-07778, FEE PAID UNDER RECEIPT NO 003518.  
(MTS 10/13/1985)

Comments:

11-23-04

To: Idaho Dept. of Water Resources  
Attn: Jan  
334-2348

From: Frankie & Jennie Amen  
466-1853

Re: H<sub>2</sub>O Rights

Frankie & I were married & I was added  
as a partner to the deeds. See enclosed  
& second set of deeds. (80 acres)

Thanks for your help.

Jennie

Addition of Partner  
&  
Clarification of Deed

Timothy J. Schelhorn and Julie M. Schelhorn, husband and wife; and Frankie Amen, married to Jeanie M. Amen, request the addition of Jeanie M. Amen, wife of Frankie Amen, to be added as a full and equal partner to the properties and contracts listed below and to read as follows:

First property:

"Timothy J. Schelhorn and Julie M. Schelhorn, husband and wife, as to an undivided one-half interest; and Frankie Amen and Jeanie M. Amen, husband and wife, as to an undivided one-half interest.

Whose address is: 9135 Sky Ranch Road, Nampa Idaho and  
9125 Sky Ranch Road, Nampa Idaho, respectively.

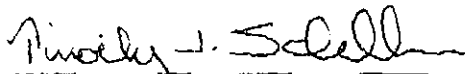
SE 1/4, SE 1/4; Section 14, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho."

Second Property - under contract for purchase:

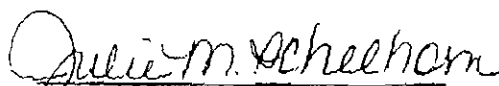
"Timothy J. Schelhorn and Julie M. Schelhorn, husband and wife, as to an undivided one-half interest; and Frankie Amen and Jeanie M. Amen, husband and wife, as to an undivided one-half interest; herein after designated as the buyers."

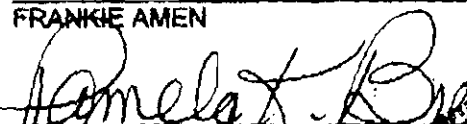
"SW 1/4 SE 1/4; Section 14, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho."

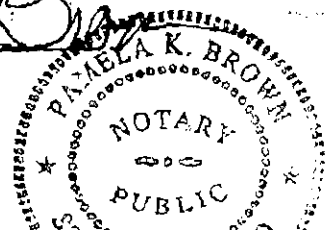
For the purpose of clarification of the Warranty Deed and the Installment Contract for Real Estate, Warranty Deed, we request that the deed and contract be rewritten to include these changes.

  
TIMOTHY J. SCHELHORN

  
FRANKIE AMEN

  
JULIE M. SCHELHORN

  
NOTARY PUBLIC



LT4998

INSTRUMENT NO. 200243510  
**QUITCLAIM DEED**

FOR VALUE RECEIVED

V &amp; M TRUST

do hereby convey, release, remise and forever quit claim

unto Timothy J. Schelhorn and Julie M. Schelhorn, husband and wife, as to an undivided one-half interest; and Frankie Amen and Jeanie M. Amen, husband and wife, as to an undivided one-half interest.

whose address is 9135 Sky Ranch Rd. Nampa, ID; and 9125 Sky Ranch Rd. Nampa, ID respectively.  
 the following described premises, to-wit:

SW 1/4 SE 1/4; Section 14, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

together with their appurtenances.

Dated: 5/15/02

*Kendal F. Egbert*  
 \_\_\_\_\_

STATE OF IDAHO, COUNTY OF *Twin Falls*

On this *15* day of *May*, 2002,  
 before me, a notary public in and for said State, personally  
 appeared

*Kendal F. Egbert*  
 \_\_\_\_\_

known to me to be the person whose name is  
 subscribed to the within instrument, and acknowledged to  
 me that *He* executed the same.

*Walter D. Egbert*  
 Notary Public

Residing at *Twin Falls*, Idaho  
 Comm. Expires *4/12/2005*

RECORDED  
 200243510  
 MAY 18 PM 2 29  
 CANYON CNT RECORDER  
 REQUEST *Frank Amen*  
 DATE *Feb 13-03*

200243510

423 So. Kimball  
 Caldwell, Idaho 83605

**PIONEER TITLE COMPANY**  
 CANYON COUNTY

100 - 10th Ave. South  
 Nampa, Idaho 83651

# WARRANTY DEED

For Value Received

V & M TRUST, and W. NOLAN VICTOR and RUBY C. VICTOR, husband and wife

the grantor, do es hereby grant, bargain, sell and convey unto

TIMOTHY J. SCHELHORN and JULIE M. SCHELHORN, husband and wife, and  
FRANKIE AMEN, a single man,

the grantee, whose current address is 3305 Airport Road, Nampa, Idaho

the following described premises, in Canyon County County, Idaho, to-wit:

The Southwest Quarter of the Southeast Quarter of  
Section 14, Township 2 North, Range 3 West, Boise  
Meridian, Canyon County, Idaho

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s, their  
heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantee, that they are the  
owner s in fee simple of said premises; that they are free from all incumbrances

and that the Y will warrant and defend the same from all lawful claims whatsoever.

Dated: December 12, 1995

*[Signature]*  
V & M TRUST

*[Signature]*  
W. Nolan Victor  
Ruby C. Victor  
by *[Signature]*  
attorney in fact

STATE OF IDAHO )  
COUNTY OF CANYON )

On this 12<sup>th</sup> day of December, 19<sup>95</sup> before me, the undersigned, a  
notary public in and for said state, personally appeared KENDAL F. EGBERT  
known to me to be the TRUSTEE of the V & M TRUST  
and acknowledged to me that he executed the  
within instrument as such TRUSTEE OF THE V & M TRUST

*[Signature]*  
Notary Public  
residing in *[Signature]* 200

LT4922

INSTRUMENT NO. 200243509  
**QUITCLAIM DEED**

FOR VALUE RECEIVED

V &amp; M TRUST

do hereby convey, release, remise and forever quit claim

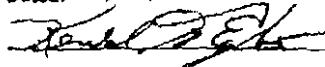
unto Timothy J. Schelhorn and Julie M. Schelhorn, husband and wife, as to an undivided one-half interest; and Frankie Amen and Jeanie M. Amen, husband and wife, as to an undivided one-half interest.

whose address is 9135 Sky Ranch Rd. Nampa, ID; and 9125 Sky Ranch Rd. Nampa, ID respectively, the following described premises, to-wit:

SE 1/4 SE 1/4; Section 14, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

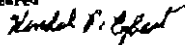
together with their appurtenances.

Dated: 5/15/02



STATE OF IDAHO, COUNTY OF TWIN FALLS

On this 15 day of May, 2002, before me, a notary public in and for said State, personally appeared



known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.


Residing at Twin Falls, Idaho  
 Comm. Expires 4/24/03REQUEST Frank Amen  
 TRIPLE 2002 FEB 20CANYON COUNTY RECORDER  
 2002 FEB 20

MAY 18 PM 3 28

RECORDED

200243509

**PIONEER TITLE COMPANY**  
 BOISE CANYON COUNTY
423 So. Kimball  
 Caldwell, Idaho 83605100 - 10th Ave. South  
 Nampa, Idaho 83601

LT4922

INSTRUMENT NO. 200018752 **WARRANTY DEED**

For Value Received

V &amp; M TRUST

the grantor do es hereby grant, bargain, sell and convey unto

TIMOTHY J. SCHELHORN and JULIE M. SCHELHORN, husband and wife, and  
FRANKIE AMEN, a single person, an undivided one half interest.

the grantee, whose current address is 3305 Airport Road, Nampa, Idaho

the following described premises, in Canyon County, Idaho, to-wit:

SE 1/4 SE 1/4; Section 14, Township 2 North, Range 3  
West, Boise Meridian, Canyon County, Idaho.REQUEST PIONEER-NAMPA  
TYPE A 001 FEE 3 00/00  
CKNOV 20 AM 11 15  
G NOEL HALES  
CANYON COUNTY RECORDER  
BY *[Signature]*

RECORDED

200018752

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their  
heirs and assigns forever. And the said Grantor do es hereby covenant to and with the said Grantee, that they the  
owner s in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: August 31, 1995

*[Signature]* - Trustee

V &amp; M TRUST

STATE OF IDAHO  
I, *[Signature]*, Notary Public, personally appeared  
TIMOTHY J. SCHELHORN, JULIE M. SCHELHORN, and FRANKIE AMEN, TRUSTEES OF THE V & M TRUST,  
known and identified to me to be the person whose name is  
subscribed to the within instrument, and acknowledged to me  
that he executed the same as TRUSTEE OF THE V & M  
TRUST.

Notary Public

Twin Falls, Idaho.

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the  
request ofat \_\_\_\_\_ minutes past \_\_\_\_\_ o'clock M.  
this \_\_\_\_\_ day of \_\_\_\_\_  
19\_\_\_\_, in my office, and duly recorded in Book  
of Deeds at page \_\_\_\_\_

Ex-Officio Recorder

By \_\_\_\_\_

Deputy:

Fees \$  
Mail to:Chicago Title Insurance  
Company of Idaho

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 63-7778A  
Date Received: 12/28/1989  
Receipt No: X777777  
Received By:

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

1. Name of Claimant(s): TIM SCHELHORN Phone: (208) 463-8616  
9135 SKY RANCH RD  
NAMPA ID USA 83686  
  
JULIE SCHELHORN Phone: (208) 463-8616  
9135 SKY RANCH RD  
NAMPA ID USA 83686

2. Date of Priority: 04/19/1973

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 02N      | 03W   | 14      | SE SW                 | CANYON |      |

5. Description of diverting works:

WELL & TURBINE PUMP DISCHARGES INTO MAINLINE TO SPRINKLER IRR.

6. Water is used for the following purposes:

| Purpose    | From | To    | C.F.S. | (or) A.F.A |
|------------|------|-------|--------|------------|
| IRRIGATION | 3/15 | 11/15 | 1.02   |            |

7. Total Quantity Appropriated is:  
1.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
| 02N      | 03W   | 14      | SW SE      |     | IRRIGATION    | 40    |
|          |       |         | SE SE      |     | IRRIGATION    | 40    |
|          |       |         |            |     | Section Acres | 80    |
|          |       |         |            |     | Total Acres   | 80    |

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:

Ownership changed by DB 1/7/2002

THIS CLAIM IS A RESULT OF TRANSFER 4645 APPROVED 10/2/1995 THAT SPLIT CLAIM A63-07778, FEE PAID UNDER RECEIPT NO 003518.  
(MTS 10/13/1995)

15. Basis of Claim: License

RECEIVED

JUN 15 2001

WATER RESOURCES  
WESTERN REGION

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

RECEIVED

SEP 21 2001

WATER RESOURCES  
WESTERN REGION

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

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

| Water<br>Right No(s) | Adjudication<br>Claim No(s) | Split | Water<br>Right No(s) | Adjudication<br>Claim No(s) | Split |
|----------------------|-----------------------------|-------|----------------------|-----------------------------|-------|
| 63-7778A             |                             |       |                      |                             |       |
|                      |                             |       |                      |                             |       |
|                      |                             |       |                      |                             |       |
|                      |                             |       |                      |                             |       |
|                      |                             |       |                      |                             |       |

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

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

OR

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

3. Name and Address of Former Owner/Claimant(s) MEYERS, MONTICATH, & VICTOR  
1528 ADDISON AVENUE EAST T.F. ID 83301
4. New Owner/Claimant(s) Tim & Julie Schelhorn  
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 9135 SKY RANCH RD
- City, State and ZIP Code Nampa, ID. 83686
- New Telephone Number (208) 463-8616
5. Date you acquired the property Sept. 1995 & Dec. 1995

6. If the change in ownership affects the entire water right for each water right, the 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<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| Total                                                                                                                   | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(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)

*TS Solle*  
*Julie Wheelan*

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

**For Office Use Only**

Received by \_\_\_\_\_ Date \_\_\_\_\_ Fee *N/A*  
 Received by \_\_\_\_\_ Date \_\_\_\_\_ Receipt No. \_\_\_\_\_  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_

RECEIVED

SEP 24 2001

WATER RESOURCES  
WESTERN REGION  
214722INSTRUMENT NO. 200018752 **WARRANTY DEED**

For Value Received

V &amp; M TRUST

the grantor do es hereby grant, bargain, sell and convey unto

TIMOTHY J. SCHELHORN and JULIE M. SCHELHORN, husband and wife, and  
FRANKIE AMEN, a single person, an undivided one half interest.

the grantee, whose current address is 3305 Airport Road, Nampa, Idaho

the following described premises, in Canyon County, Idaho, to-wit:

SP. 1/4, Section 14, Township 2 North, Range 3  
West, Boise Meridian, Canyon County, Idaho.

REQUEST PIONEER-NAMPA  
TYPE & FEE \$3.00  
OK

ON MAY 30 AM 11 15  
G NOEL HALE  
CANYON COUNTY RECORDER  
BY [Signature]

RECORDED

200018752

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee their  
heirs and assigns forever. And the said Grantor do es hereby covenant to and with the said Grantee that they the  
owner s in fee simple of said premises: that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: August 31, 1995

[Signature] - Trustee

V & M TRUST

STATE OF IDAHO

COUNTY OF Twin Falls ss

On this 31st day of August, in the  
year 1995, before me, a Notary Public, personally appeared  
Kendal F. Egbert, TRUSTEE, of the V & M TRUST  
known or identified to me to be the person whose name is  
subscribed to the within instrument, and acknowledged to me  
that he executed the same, as TRUSTEE OF THE V & M  
TRUST.

Notary Public

Residing at Twin Falls, Idaho.



STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the  
request of

at \_\_\_\_\_ minutes past \_\_\_\_\_ o'clock M.,  
this \_\_\_\_\_ day of \_\_\_\_\_  
19 \_\_\_\_\_, in my office, and duly recorded in Book  
of Deeds at page \_\_\_\_\_

Ex-Officio Recorder

By \_\_\_\_\_

Deputy.

Fees \$  
Mail to:

INSTRUMENT NO.

INSTALLMENT CONTRACT FOR REAL ESTATE

THIS AGREEMENT Made this 20<sup>th</sup> day of AUGUST by and between

V & M TRUST-----, hereinafter design-

ated as the seller, and TIMOTHY J. SCHUELIORN AND JULIE M. SCHUELIORN, husband and wife  
AND FRANKIE AMEN, a single person, hereinafter designated as the Buyers, WITNESSETH:

1. That in consideration of the stipulations herein contained and the payments to be made as hereinafter specified, the Seller hereby agrees to sell to the Purchaser and Purchases agrees to purchase from the Seller the following described property situated in the County of Canyon State of Idaho, to wit:

SW $\frac{1}{4}$  SE $\frac{1}{4}$ ; Section 14, Township 2 North,  
Range 3 West, Boise Meridian, Canyon  
County, Idaho

2. Said Buyer agrees to pay to the Seller or order for the said described premises, the sum of  
Sixty thousand and no/100----- Dollars (\$ 60,000.00 ) strictly  
within the following terms, to-wit: twelve thousand and no/100-----  
----- Dollars (\$ 12,000.00 ) cash, the receipt of which is hereby acknowledged, and the balance of  
forty eight thousand and no/100----- Dollars  
(\$ 48,000.00 ) shall be paid as follows:  
January 6, 1996  
The sum of \$500.00 on October 1, 1995, and a like amount on the 1st 6th  
day of each and every month thereafter, until August 1, 1998 when all  
remaining unpaid balance together with accrued interest shall be paid in full.

3. All deferred balance of said purchase price, shall bear interest at the rate of ten per cent (10%)  
per annum from ~~the date of~~ until paid; interest is to be paid at the same time as the payment set out above and shall be  
a part of the regular payment above required. The Buyer, at his option at the time of any pay-  
ment, may pay amounts in excess of payments set out above upon the unpaid balance, subject to the limitations of any mortgage  
or contract herein assumed by the Buyer, such payments to be applied to the unpaid principal or if the election is made in writing  
at the time of such said excess payment, then the said payment may be in pre-payment of future installments.  
4. In the event either party desires to refinance or pledge this contract or said property, then the other agrees to coop-  
erate so long as he does not suffer financial detriment or so long as his security is not jeopardized or diminished.  
5. Possession of said premises shall be delivered to the Buyer upon closing this transaction.  
6. It is understood and agreed that, if the Seller accepts payment from the Buyer on this contract less than according  
to the terms herein mentioned, then by doing so he will in no way alter the terms of this contract or waive any rights as to the  
forfeiture hereinafter stipulated or as to any other remedy of the Seller.  
7. It is understood that there presently exists an obligation against the said property in favor of  
none, with an unpaid balance of

\$ as of, which said obligation is to be paid by  
8. The Seller represents that there are no unpaid special improvements or district assessments or taxes covering the  
improvements to the premises now in process of being installed or which have been completed and not paid for outstanding against  
the said property, nor any unpaid claims which could ripen into any lien against the property, except the following:  
1995 property taxes

9. The Buyer agrees to pay all taxes and assessments of every kind and nature which are or which may become due on  
these premises during the life of this agreement, including the taxes and assessments accruing ~~on the premises~~ 1995  
10. The Seller hereby covenants and agrees that there are no taxes or assessments against the premises ~~from~~ the fol-  
lowing: 1995 property taxes

# QUITCLAIM DEED

For Value Received

WILFORD NOLAN VICTOR and RUBY C. VICTOR, husband and wife, ROBERT J. MEYERS and KATHI L. MEYERS, husband and wife

and RUBY C. VICTOR, husband and wife, ROBERT J. MEYERS and KATHI L. MEYERS, husband and wife

ROBERT J. MEYERS

do hereby convey, release, remise and forever quitclaim unto

V & M TRUST

whose current address is 1528 Addison Avenue East  
Twin Falls, Idaho 83301

the following described premises, to-wit:

PARCEL #1

All of right, title, and interest of the said party in Section 10; S $\frac{1}{2}$  14; and 15; Township 2 North, Range 3 West of the Boise Meridian, Canyon County Idaho. TOGETHER with all water rights, government grain base, irrigation wells/pumps, and equipment.

PARCEL #2

The South One-Half; the South One-Half of the North One-Half and the Northwest Quarter of the Northeast Quarter, all in Section 25, Township 5 North, Range 2 West, Boise Meridian, Canyon County, State of Idaho. TOGETHER with all water rights, government grain base, irrigation wells/pumps, and equipment.

## Pioneer Title Company OF CANYON COUNTY



GLEN LORENSEN  
Sr. Title Officer

100 - 10th AVE. S.  
NAMPA, IDAHO 83651

(208) 466-6100  
(208) 342-7799  
Fax (208) 465-3248

REQUEST 1/4 McFarlane  
TYPE A-11 FEE 3.00

RECORDER  
CANYON CNTY RECORDER  
BY [Signature]

94 JUN 11 PM 1 58

RECORDED

9400950

together with their appurtenances.

Dated: 12/30/92

[Signatures of Wilford Nolan Victor and Ruby C. Victor]

[Signatures of Robert J. Meyers and Kathi L. Meyers]

STATE OF IDAHO, COUNTY OF Twin Falls  
On this 30<sup>th</sup> day of December, 1992,  
before me, a notary public in and for the said State, personally appeared

WILFORD NOLAN VICTOR and RUBY C. VICTOR, husband and wife, and  
ROBERT J. MEYERS and KATHI L. MEYERS, husband and wife

known to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

[Notary Seal and Signature]  
Notary Public  
Building at  
Comm. Expires  
Idaho

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of

at \_\_\_\_\_ minutes past \_\_\_\_\_ o'clock M.,  
this \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_, in my office, and duly recorded in Book \_\_\_\_\_  
of Deeds at Page \_\_\_\_\_

Ex-Officio Recorder

By \_\_\_\_\_ Deputy.  
Fees \$ \_\_\_\_\_  
Mail to: \_\_\_\_\_

INSTRUMENT NO.

Trst 9411559

### QUITCLAIM DEED

GRANTOR (ROBERT J. MEYERS and KATHI L. MEYERS, husband and wife; HERBERT R. MONTIERTH; the ESTATE OF GOLDA D. MONTIERTH; EDWARD RAY MONTIERTH and SUSAN L. MONTIERTH, husband and wife; RODNEY KENT MONTIERTH and DOLLIE MONTIERTH, husband and wife, of Kuna, County of Ada, State of Idaho, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby REMISE, RELEASE and forever QUITCLAIM unto W. \* NOLAN VICTOR and RUBY C. VICTOR, husband and wife whose current address is 1528 Addison Ave East, County of Teton, State of Idaho as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate situated in Nampa, County of Canyon, State of Idaho, to-wit:

The NE $\frac{1}{4}$  of Section 15 and the S $\frac{1}{2}$  of Section 14, Township 2 North, Range 3 West, Boise Meridian, Canyon County, excepting therefrom a tract of land commencing at the northeast corner of said southeast quarter (east quarter corner) monument with an iron pipe 2" diameter; thence south 0°3' east 478.04 feet along the east boundary of said southeast quarter; thence south 89°57' west 25 feet to the POINT OF BEGINNING; thence south 89°57' west 396 feet; thence south 0°3' east 220 feet parallel with the east boundary of said southeast quarter; thence north 89°57' east 396 feet; thence north 0°3' west 220 feet parallel with the east boundary of said southeast quarter to the POINT OF BEGINNING.

and

Lot 5 of Meyers/Montierth/Victor acreages in Section 10, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho. (Parcel No. 3).

TOGETHER with all tenements, hereditaments and appurtenances thereunto belonging together with all right, title and interest including well water permits for well Nos. 8 and 9 as designated on Exhibit "A".

QUITCLAIM DEED - 1

4/28/2

No warranties of any kind are implied nor representations made by Pioneer Title Company regarding this document or its affect on the land it involves.

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, Grantor has hereunto subscribed his name to this instrument this 4 day of February, 1994.

Robert J. Meyers  
ROBERT J. MEYERS

Edward Ray Montierth  
EDWARD RAY MONTIERTH

Kathi L. Meyers  
KATHI L. MEYERS

Susan L. Montierth  
SUSAN L. MONTIERTH

Herbert R. Montierth  
HERBERT R. MONTIERTH

Rodney Kent Montierth  
RODNEY KENT MONTIERTH

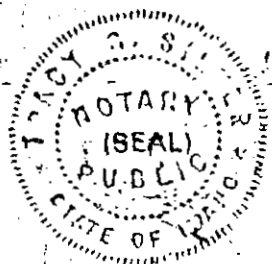
Herbert R. Montierth  
HERBERT R. MONTIERTH  
Personal Representative of the  
Estate of Golda D. Montierth

Dollie Montierth  
DOLLIE MONTIERTH

STATE OF IDAHO )  
County of Ada ) ss.

On this 21<sup>st</sup> day of February, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared RODNEY KENT MONTIERTH and DOLLIE MONTIERTH, known and identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



Tracy A. Smith  
Notary Public for Idaho  
Residing at Boise, Idaho  
Commission expires: \_\_\_\_\_

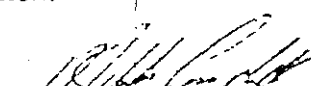
STATE OF IDAHO )

) ss:

County of Ada )

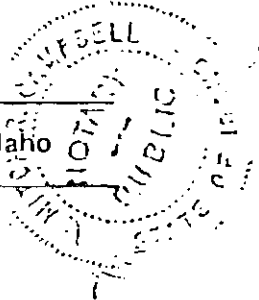
On this 1<sup>st</sup> day of February, 1954, before me the undersigned, a notary public for Idaho, personally appeared ROBERT J. MEYERS and KATHI L. MEYERS known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

  
Notary Public for Idaho

Residing at Tree Lake, Idaho

Commission expires \_\_\_\_\_



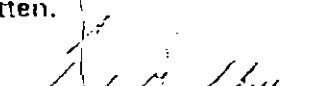
STATE OF IDAHO )

) ss:

County of Ada )

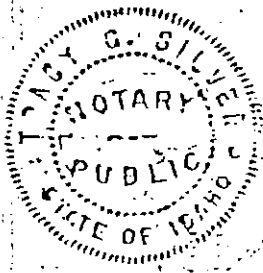
On this 2<sup>nd</sup> day of February, 1954, before me the undersigned, a notary public for Idaho, personally appeared HERBERT R. MONTIERTH, known to me to be the persons whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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

  
Notary Public for Idaho

Residing at Grand View, Idaho

Commission expires \_\_\_\_\_



QUITCLAIM DEED - 3

4/282

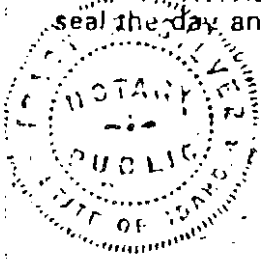
STATE OF IDAHO )

County of Ada )

ss:

On this 15 day of February, 1994, before me the undersigned, a notary public for Idaho, personally appeared HERBERT R. MONTIERTH, known to me to be the persons whose name is subscribed to the within instrument and acknowledged to me that he executed the same as personal representative of the Estate of Golda D. Montierth.

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



Notary Public for Idaho  
Residing at \_\_\_\_\_, Idaho  
Commission expires \_\_\_\_\_

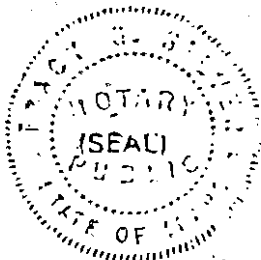
STATE OF IDAHO )

County of Ada )

ss.

On this 15 day of February, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared EDWARD RAY MONTIERTH and SUSAN L. MONTIERTH, known and identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



Notary Public for Idaho  
Residing at \_\_\_\_\_, Idaho  
Commission expires: \_\_\_\_\_

QUITCLAIM DEED - 4  
v/282

REQUEST  
TYPE: Quitclaim FEE: 12.00

CANTON CHIEF RECORDER  
BY C. White

94 APR 20 AM 9 13

RECORDED

9411559

# QUITCLAIM DEED

For Value Received

WILFORD NOLAN VICTOR and RUBY C. VICTOR, husband and wife, and ROBERT J. MEYERS and KATHI L. MEYERS, husband and wife

do hereby convey, release, remise and forever quitclaim unto

V & M TRUST

whose current address is 1528 Addison Avenue East  
Twin Falls, Idaho 83301

the following described premises, to-wit:

PARCEL #1

All of right, title, and interest of the said party in Section 10; S $\frac{1}{2}$  14; and 15; Township 2 North, Range 3 West of the Boise Meridian, Canyon County Idaho. TOGETHER with all water rights, government grain base, irrigation wells/pumps, and equipment.

PARCEL #2

The South One-Half; the South One-Half of the North One-Half and the Northwest Quarter of the Northeast Quarter, all in Section 25, Township 5 North, Range 2 West, Boise Meridian, Canyon County, State of Idaho. TOGETHER with all water rights, government grain base, irrigation wells/pumps, and equipment.

No warranties of any kind are implied nor representations made by Pioneer Title Company regarding this document or its affect on the land it involves.

together with their appurtenances.

Dated: 12/30/92

*Wilford Nolan Victor*

*Ruby C. Victor*

REQUESTED BY *Robert J. Meyers*

CANYON COUNTY RECORDER  
BY *APM*

94 JAN 11 PM 1 58

RECORDED

9400960

TYPE *Quit* FEE *3.00*

STATE OF IDAHO, COUNTY OF Twin Falls  
On this 30th day of December, 1992,  
before me, a notary public in and for the said State, personally appeared

WILFORD NOLAN VICTOR and RUBY C. VICTOR, husband and wife, and  
ROBERT J. MEYERS and KATHI L. MEYERS,  
husband and wife

known to me to be the person whose names are  
subscribed to the within instrument and acknowledged to  
me that they executed the same.

*[Signature]*  
Notary Public  
Residing at \_\_\_\_\_, Idaho  
Comm. Expires \_\_\_\_\_

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at  
the request of

at \_\_\_\_\_ minutes past \_\_\_\_\_ o'clock M.,  
this \_\_\_\_\_ day of \_\_\_\_\_,  
19 \_\_\_\_\_, in my office, and duly recorded in Book  
of Deeds at Page \_\_\_\_\_

Ex-Officio Recorder

By \_\_\_\_\_ Deputy.

Fees \$ \_\_\_\_\_  
Mail to: \_\_\_\_\_

INSTRUMENT NO.

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: **A63-07778A**

Date Received: 12/28/1989

Receipt No: X777777

Received By: \_\_\_\_\_

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

|          |                                                 |              |
|----------|-------------------------------------------------|--------------|
| 1. Name: | GOLDA D MONTIERTH                               | 208-733-5217 |
| Address: | 1528 ADDISON AVENUE EAST<br>TWIN FALLS ID 83301 |              |
| Name:    | EDWARD MONTIERTH                                | 208-733-5217 |
| Address: | 1528 ADDISON AVENUE EAST<br>TWIN FALLS ID 83301 |              |
| Name:    | WILFORD NOLAN VICTOR                            | 208-733-5217 |
| Address: | 1528 ADDISON AVENUE EAST<br>TWIN FALLS ID 83301 |              |
| Name:    | ROBERT J MEYERS                                 | 208-733-5217 |
| Address: | 1528 ADDISON AVENUE EAST<br>TWIN FALLS ID 83301 |              |
| Name:    | KATHI L MEYERS                                  | 208-733-5217 |
| Address: | 1528 ADDISON AVENUE EAST<br>TWIN FALLS ID 83301 |              |
| Name:    | RUBY C VICTOR                                   | 208-733-5217 |
| Address: | 1528 ADDISON AVENUE EAST<br>TWIN FALLS ID 83301 |              |
| Name:    | HR MONTIERTH                                    | 208-733-5217 |
| Address: | 1528 ADDISON AVENUE EAST<br>TWIN FALLS ID 83301 |              |
| Name:    | SUSAN L MONTIERTH                               | 208-733-5217 |
| Address: | 1528 ADDISON AVENUE EAST<br>TWIN FALLS ID 83301 |              |
| Name:    | RODNEY KENT MONTIERTH                           | 208-733-5217 |

Address: 1528 ADDISON AVENUE EAST  
TWIN FALLS ID 83301

2. Date of Priority: APR 19, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 02N      | 03W   | 14      |        | SE     | SW     |     | CANYON |

5. Description of diverting works:  
WELL & TURBINE PUMP DISCHARGES INTO MAINLINE TO SPRINKLER IRR.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 1.020 |      |        |

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

8. Total consumptive use is 280.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township      | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|---------------|-------|---------|--------|--------|-----|-----|-------|
| 02N           | 03W   | 14      | SW     | SE     |     | IRR | 40.0  |
|               |       |         | SE     | SE     |     | IRR | 40.0  |
| Section Acres |       |         |        |        |     |     | 80.0  |
| Total Acres   |       |         |        |        |     |     | 80.0  |

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:

14. Remarks:

THIS CLAIM IS A RESULT OF TRANSFER 4645 APPROVED 10/2/1995  
THAT SPLIT CLAIM A63-07778, FEE PAID UNDER RECEIPT NO 003518.  
(MTS 10/13/1995)

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: \_\_\_\_\_

**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: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of \_\_\_\_\_ ) SS.

Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

6-15

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**TRANSFER OF WATER RIGHT**

TRANSFER NO. 4645  
WATER RIGHT NO. 63-07778B

This is to certify that: **JAMES SCHELHORN**  
**RAY BLUE**  
**3305 AIRPORT RD**  
**NAMPA ID 83687**

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|-----------------------|----------------------|
| IRRIGATION            | 03/15 to 11/15       | 1.01 CFS              | 355.5 AF             |

SOURCE

GROUNDWATER

Priority: 04/19/1973

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 14, Township 02N, Range 03W  
CANYON County

PLACE OF USE: IRRIGATION

| <u>TWN</u>                       | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|----------------------------------|------------|------------|--------------|--------------|--------------|--------------|
| 02N                              | 03W        | 14         | NESE 39      | NWSE 40      |              | 79           |
| Total number of acres irrigated: |            |            |              |              |              | 79           |

CONDITIONS OF APPROVAL AND REMARKS

- 046 1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- R32 2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
- \* 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.

TRANSFER NO. 4645  
WATER RIGHT NO. 63-07778B

CONDITIONS OF APPROVAL AND REMARKS

- T07 4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T08 5. 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.
- T09 6. 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.

Dated this 2<sup>nd</sup> day of October, 1995

  
Chief, Water Alloc. Bureau

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: A63-07778  
Date Received: 12/28/1989  
Receipt No: N003518  
Received By: \_\_\_\_\_

COPY FOR  
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

COPY FOR  
YOUR FILES

|          |                                                  |              |
|----------|--------------------------------------------------|--------------|
| 1. Name: | H.R. MONTIERTH                                   | 208-733-5217 |
| Address: | 1528 ADDISON AVENUE EAST<br>TWIN FALLS, ID 83301 |              |
| Name:    | GOLDA D. MONTIERTH                               | 208-733-5217 |
| Address: | 1528 ADDISON AVENUE EAST<br>TWIN FALLS, ID 83301 |              |
| Name:    | EDWARD MONTIERTH                                 | 208-733-5217 |
| Address: | 1528 ADDISON AVENUE EAST<br>TWIN FALLS, ID 83301 |              |
| Name:    | SUSAN L. MONTIERTH                               | 208-733-5217 |
| Address: | 1528 ADDISON AVENUE EAST<br>TWIN FALLS, ID 83301 |              |
| Name:    | RODNEY KENT MONTIERTH                            | 208-733-5217 |
| Address: | 1528 ADDISON AVENUE EAST<br>TWIN FALLS, ID 83301 |              |
| Name:    | WILFORD NOLAN VICTOR                             | 208-733-5217 |
| Address: | 1528 ADDISON AVENUE EAST<br>TWIN FALLS, ID 83301 |              |
| Name:    | ROBERT J. MEYERS                                 | 208-733-5217 |
| Address: | 1528 ADDISON AVENUE EAST<br>TWIN FALLS, ID 83301 |              |
| Name:    | KATHI L. MEYERS                                  | 208-733-5217 |
| Address: | 1528 ADDISON AVENUE EAST<br>TWIN FALLS, ID 83301 |              |
| Name:    | RUBY C. VICTOR                                   | 208-733-5217 |

Address: 1528 ADDISON AVENUE EAST  
TWIN FALLS, ID 83301

2. Date of Priority: APR 19, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 02N      | 03W   | 14      | SE     | SW     |     |     | CANYON |

5. Description of diverting works:  
WELL & TURBINE PUMP DISCHARGES INTO MAINLINE TO SPRINKLER IRR.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 2.030 |      |        |

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

8. Total consumptive use is 560.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 02N      | 03W   | 14      | NE     | SE  |     | IRR | 40.0  |
|          |       |         | NW     | SE  |     | IRR | 40.0  |
|          |       |         | SW     | SE  |     | IRR | 40.0  |
|          |       |         | SE     | SE  |     | IRR | 40.0  |

Section Acres 160.0

Total Acres 160.0

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:

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number - A63-07778

Adj. Flag Translation: Adjudication Temporary Work Area

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

\*\*\* C - CURRENT OWNER \*\*\*

FARM CREDIT BANK OF SPOKANE

1 - P.O. BOX 15367

2 -

3 -

City- BOISE

State- ID Zip- 83715

Phone - 208-343-7782

\*\*\* O - ORIGINAL OWNER \*\*\*

MILLAR

BRYCE

1 - RT. 7, BOX 7380

2 -

3 -

City- NAMPA

State- ID Zip- 83651

Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +  
04/19/1973 14 ERROR IN REGION L - LICENSE+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +  
GROUNDWATER+ - - - - - Point of Diversion - - - - - +  
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)  
02N 03W 14 SE SW (27) CANYON+ - - - - - Water Use - - - - - +  
Code Description Period From Period To Diversion Rate Diversion Volume  
01 - IRRIGATION 03/15 11/15 2.030+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +  
2.030 560.0+ - - - - - Place of Use - - - - - +  
TwN Rng Sec Tract Lot Acres Code Description County  
<40 ? 02N 03W 14 NE SE 40.0 01 IRRIGATION (27 ) CANYON  
02N 03W 14 NW SE 40.0 01 IRRIGATION (27 ) CANYON  
02N 03W 14 SW SE 40.0 01 IRRIGATION (27 ) CANYON  
02N 03W 14 SE SE 40.0 01 IRRIGATION (27 ) CANYON

Total Acres: 160.0

+ - - Diversion Means - WELL &amp; TURBINE PUMP DISCHARGES INTO MAINLINE TO SPRINKLER IRR.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - - +  
No Remarks found.

Water right number - A63-07778

Adj. flag translation: Adjudication Temporary Work Area

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +  
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +  
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +  
00/00/0000

+ - - - - Comments - - - - - +  
No Comments Found

+ - - Audit Fields - 12/28/89 BEARDSLE

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

|                        |              |                       |              |                         |         |
|------------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing    | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number       | - 39576 |
| Objection Filed Date   | - 00/00/0000 | Field Inspection Flag | -            | Old Case Number         | -       |
| Response Filed Date    | - 00/00/0000 | Verified Date         | - 05/20/1985 | Old Judicial District   | -       |
| Claim Received Date    | - 12/28/1989 | Last Amended Date     | - 00/00/0000 | Temporary Right         | - P     |
| Claims Tape Error Flag | -            | Receipt Number        | - N003518    | Water District          | -       |
| Fee Exempt Flag        | -            | POU Ownership Flag    | - Y          | Federal/State Indicator | - S     |
|                        |              | Name Connector        | -            | Presumption Flag        | -       |



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 28, 1991

H.R., Golda D., Edward Ray,  
Susan L., and Rodney Montierth,  
and Wilford Nolan and Ruby C. Victor,  
and Robert J. and Kathi L. Meyers  
1528 Addison Avenue East  
Twin Falls, ID 83301

RECEIVED  
MAR 03 1991

RE: Snake River Basin Adjudication (SRBA)  
Canyon County - Claims #A63-03232, A63-03599A,  
A63-03599B, A63-03557A, A63-02879, A63-07825,  
A63-07156A, A63-03597A, A63-03589 & A63-07778

Department of Water Resources  
Boise, Idaho 83720

Dear Claimants:

Notice of the change in ownership of the above-referenced water rights has been received. The Claim to Water Rights records of the Department have been changed to reflect such notice.

Claims prepared from the Agency's computer are enclosed for your review and records. If you find the address is incorrect, please contact us.

Yours truly,

*John D. Carlson*

John D. Carlson  
Adjudication Supervisor

JDC:sf:west

Enclosures:

Claims Referenced Above

CHANGE IN OWNERSHIP

[ ] Water Right Number(s): 33561/63-3599B; 33559/63-3597; G-29632; 63-7156;  
33561/63-3599A; 63-7825; 33528/63-3589; 33303/63-3557A  
G-22446; 63-7778

[ ] Name and Address of  
 Former Claimant: FEDERAL LAND BANK OF SPOKANE

W. 601 1ST AVE., TAF-C5  
SPOKANE, WA 99220

[ ] New Claimant(s): H.R. MONTIERTH, GOLDA D. MONTIERTH, EDWARD MONTIERTH,  
SUSAN L. MONTIERTH, RODNEY KENT MONTIERTH, WILFORD NOLAN VICTOR,  
RUBY C. VICTOR, ROBERT J. MEYERS, KATHI L. MEYERS

[ ] New Mailing Address: 1528 Addison Avenue East  
Twin Falls, ID 83301

New Telephone Number: (208) 733-5217

[ ] Does the change in ownership result in a splitting of the  
 water right claimed? yes no

If yes, then describe the portion of the water right that is  
 now claimed by the new owner:

[ ] Attach proof of ownership  
 Describe proof attached: COPY OF RECORDED WARRANTY DEED

[ ] Signature of New Claimant(s): SEE ATTACHED SIGNATURE PAGE

Date: 2-1-90

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

RECEIVED

OCT 24 1990

Department of Water Resources

A63-397A

SIGNATURE PAGE, ATTACHED TO ALL CLOSING DOCUMENTS

*H.R. Montierth*

H.R. MONTIERTH, aka Herbert R. Montierth

*Golda D. Montierth*

GOLDA D. MONTIERTH aka Darlene R. Montierth

*Edward Ray Montierth*

EDWARD RAY MONTIERTH aka Ray Montierth

*Susan L. Montierth*

SUSAN L. MONTIERTH

*Rodney Kent Montierth*

RODNEY KENT MONTIERTH

*Wilford Nolan Victor*

WILFORD NOLAN VICTOR

*Ruby C. Victor*

RUBY C. VICTOR

*Robert J. Meyers*

ROBERT J. MEYERS

*Kathi L. Meyers*

KATHI L. MEYERS

PA 15618      RETURN NO. 9002195      1077

WARRANTY DEED

GRANTOR, FARM CREDIT BANK OF SPOKANE, a corporation, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto (1) H. R. MONTIERTH, also known as Herbert R. Montierth, and GOLDA D. MONTIERTH, also known as Darlene R. Montierth, husband and wife; EDWARD RAY MONTIERTH, also known as Ray Montierth, and SUSAN L. MONTIERTH, husband and wife; RODNEY KENT MONTIERTH, a single man; grantees collectively as to a one-third undivided interest; (2) WILFORD NOLAN VICTOR and RUBY C. VICTOR, husband and wife, grantees collectively as to a one-third undivided interest; and (3) ROBERT J. MEYERS and KATHI L. MEYERS, husband and wife, grantees collectively as to one-third undivided interest, as tenants in common in the shares provided above, whose current address is Route 1, Kuna, Idaho 83634, as GRANTEE, and to grantee's heirs and assigns forever, all of the real estate located in Canyon County, State of Idaho, more particularly described on Exhibit A, attached hereto and incorporated herein.

Grantor does hereby covenant, warrant and shall defend the quiet and peaceable possession of said premises by the grantee, his heirs and assigns forever against the lawful claims of all persons.

Grantor warrants that it has complied with the applicable provisions of the Agricultural Credit Act of 1987.

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, grantor has hereunto subscribed his name to this instrument this 2 day of February, 1990.

FARM CREDIT BANK OF SPOKANE

By: Daniel R. Huff  
Authorized Agent

STATE OF IDAHO )  
COUNTY OF Bozeman ( ss. )

On this 2nd day of February, 1990, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Daniel R. Huff, known or identified to me to be the authorized agent of Farm Credit Bank of Spokane, the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

WITNESS my hand and Official Seal.

James E. Hester  
Notary Public for Idaho  
Residing at Camden, Idaho  
My Commission expires: 8-11-93

EXHIBIT "A"

Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, Section 14:

South Half EXCEPT;

A part of the Southeast Quarter described as:

COMMENCING at the Northeast corner of said Southeast Quarter (East Quarter corner), monumented with an iron pipe, 2 inches diameter; thence

South  $0^{\circ} 3'$  East 478.04 feet along the East boundary of said Southeast Quarter; thence

South  $89^{\circ} 57'$  West 25 feet to the POINT OF BEGINNING; thence

South  $89^{\circ} 57'$  West 396 feet; thence

South  $0^{\circ} 3'$  East 220 feet parallel with the East boundary of said Southeast Quarter; thence

North  $89^{\circ} 57'$  East 396 feet; thence

North  $0^{\circ} 3'$  West 220 feet parallel with the East boundary of said Southeast Quarter to the POINT OF BEGINNING.

Section 15:

Southwest Quarter of the Southeast Quarter; Southeast Quarter of the Southwest Quarter; Northwest Quarter of the Southwest Quarter; Southwest Quarter of the Southwest Quarter; Northeast Quarter of the Southwest Quarter; Northwest Quarter of the Southeast Quarter; East Half of the Southeast Quarter.

Section 13:

Northwest Quarter of the Northwest Quarter.

Section 14:

Northeast Quarter of the Northeast Quarter; Northwest Quarter; Southeast Quarter of the Northeast Quarter; West Half of the Northeast Quarter;

EXCEPT:

A part of the Northwest Quarter, Section 14, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, more particularly described as:

COMMENCING at the Northeast corner of said Section 14 (section corner) monumented with a rebar, 5/8 inches diameter; thence

South  $62^{\circ} 48' 15''$  West 4,452.39 feet to the POINT OF BEGINNING; said point bears

South  $62^{\circ} 05' 00''$  East 1,480.17 feet from a found 3/8 inch pipe at the Northwest corner of the Southwest Quarter of the Northwest Quarter, Section 14 (North One-Sixteenth Corner), thence

North  $89^{\circ} 54' 30''$  East 295.32 feet; thence

South  $0^{\circ} 05' 30''$  East 295.60 feet; thence

South  $89^{\circ} 54' 30''$  West 295.32 feet; thence

North  $0^{\circ} 05' 30''$  West 295.60 feet to the POINT OF BEGINNING.

Section 10

South Half of the Northeast Quarter; Southeast Quarter of the Northwest Quarter; Northeast Quarter of the Southwest Quarter; South Half of the Southwest Quarter; West Half of the Southeast Quarter; Northeast Quarter of the Southeast Quarter; Southeast Quarter of the Southeast Quarter; Southwest Quarter of the Northwest Quarter; Northwest Quarter of the Southwest Quarter;

EXCEPTING THEREFROM:

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

BEGINNING at the section corner common to Section 2, 3, 10 and 11, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho; thence

South  $0^{\circ} 4' 0''$  East 1,358.47 feet along the East section line (Basis of Bearing) to the REAL POINT OF BEGINNING; thence continuing

South  $0^{\circ} 4' 0''$  East 1,298.48 feet to the quarter corner; thence

South  $0^{\circ} 9' 27''$  East 1,818.74 feet along the section line to a point

North  $0^{\circ} 9' 27''$  West 836.23 feet of the Southeast corner of said Section 10; thence

North  $39^{\circ} 35' 0''$  West 421.13 feet; thence

North  $19^{\circ} 39' 55''$  West 722.59 feet; thence

North  $16^{\circ} 48' 33''$  West 201.19 feet; thence

North  $37^{\circ} 3' 36''$  West 599.17 feet; thence

North  $13^{\circ} 47' 14''$  West 527.44 feet; thence

North  $0^{\circ} 54' 43''$  East 492.15 feet; thence

North  $61^{\circ} 11' 12''$  West 315.87 feet; thence

North  $21^{\circ} 40' 11''$  West 304.77 feet; thence

North  $89^{\circ} 56' 0''$  East 1,431.45 feet to the POINT OF BEGINNING.

Section 15:

Northwest Quarter; Northeast Quarter.

Together with any and all tenements, hereditaments and appurtenances thereunto belonging or used in connection therewith.

Together with all water and water rights used upon or appurtenant to said property, however evidenced, including but not limited to Permit No. 53-9654 issued by the Water Resources Department of the State of Idaho

9002195

RECORDED

90 FEB 6 PM 12 06

HED J KEER

CANYON CNTY RECORDER

BY

*C. J. Keer*

REQUEST MINER'S CLAIM

TYPE Miner's Claim

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: A63-07778  
Date Received: 12/20/1989  
Receipt No: N-3518  
Received By: AB

RECEIVED  
JAN 02 1990

Department of Water Resources  
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: FARM CREDIT BANK OF SPOKANE 208-343-7782  
Address: P.O. BOX 15367  
BOISE, ID 83715

2. Date of Priority: APR 19, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 02N      | 03W   | 14      | SE     | SW     |     |     | CANYON |

5. Description of diverting works:  
WELL & TURBINE PUMP DISCHARGES INTO MAINLINE TO SPRINKLER IRR.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 2.030  |      |        |

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

8. Total consumptive use is 560.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 02N      | 03W   | 14      | NE     | SE  |     | IRR | 40.0  |
|          |       |         | NW     | SE  |     | IRR | 40.0  |
|          |       |         | SW     | SE  |     | IRR | 40.0  |
|          |       |         | SE     | SE  |     | IRR | 40.0  |

Section Acres 160.0

A63-07778

Page 1

Date: 12/28/89

10. Place of Use: Continued

Total Acres 160.0

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:

14. Remarks:

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: \_\_\_\_\_

**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: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of \_\_\_\_\_ ) ss.

Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day

of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

16. Signatures(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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments: 2

For Organizations

I do solemnly swear or affirm that I am the Senior Engineer-Appraiser of Farm Credit Bank of Spokane, that I have signed the foregoing document in the space below as Senior Engineer-Appraiser of Farm Credit Bank of Spokane and that the statements contained in the foregoing document are true and correct.

Herbert J. Sanders  
(Signature of authorized Agent)

Senior Engineer-Appraiser  
Farm Credit Bank of Spokane  
(Title and Organization)

12/28/89  
(Date)

State of Idaho )  
County of Kootenai ) SS.

Subscribed and sworn (or affirmed) before me this 26<sup>th</sup> day of Dec.,  
19 89.

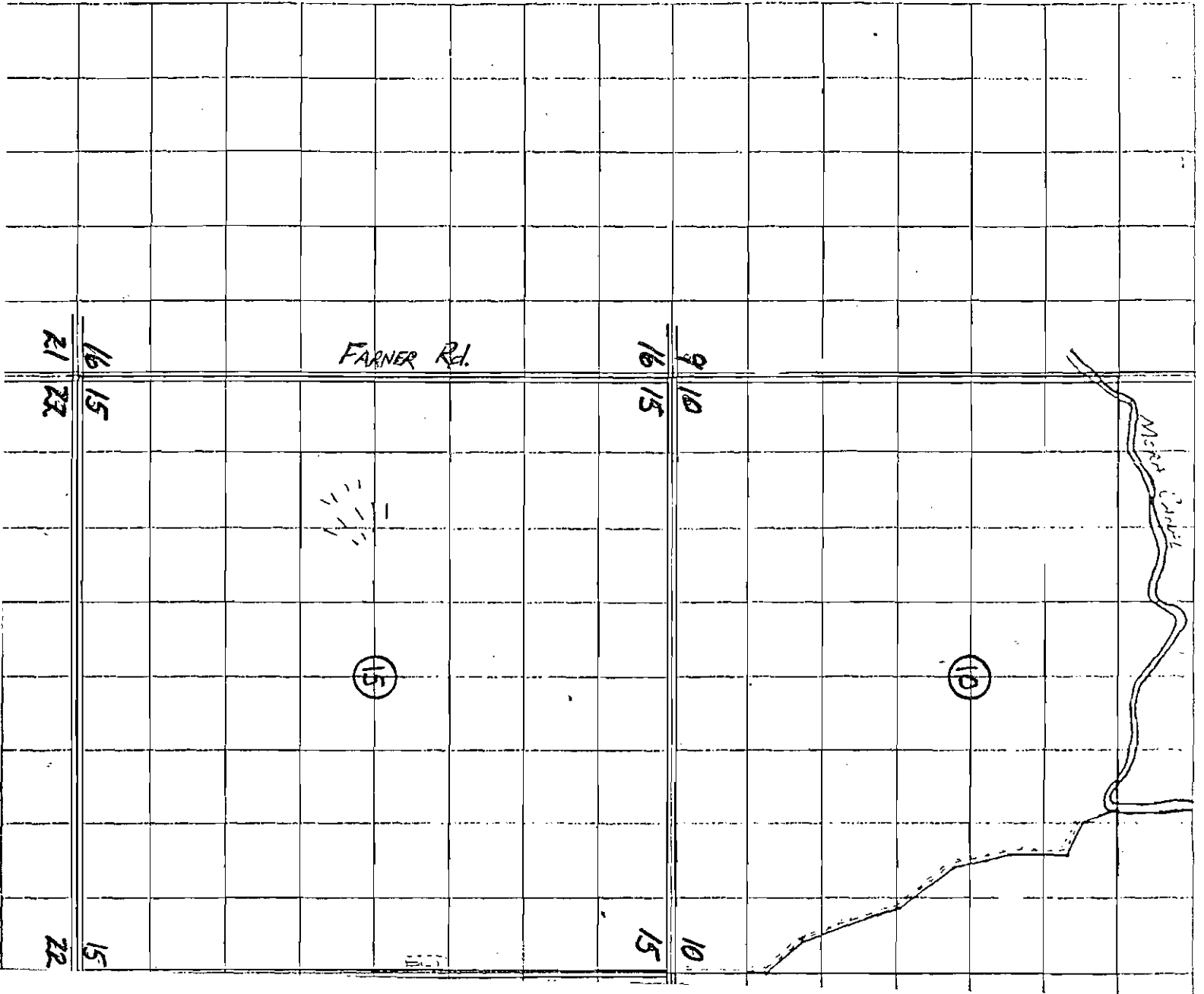
SEAL

Alta Benson

Notary Public

Residing at Rathbun

My Commission Expires: 7/20/94

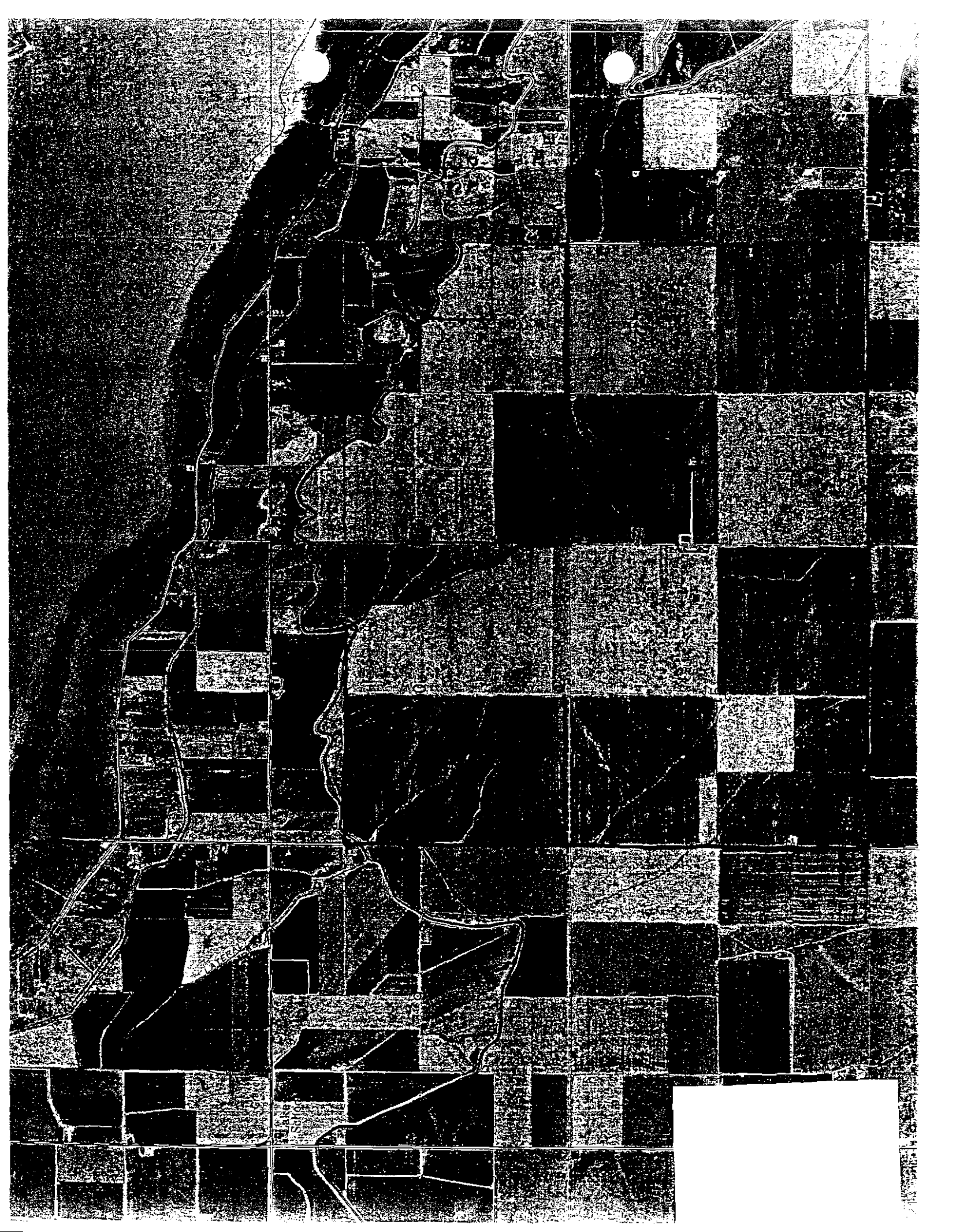


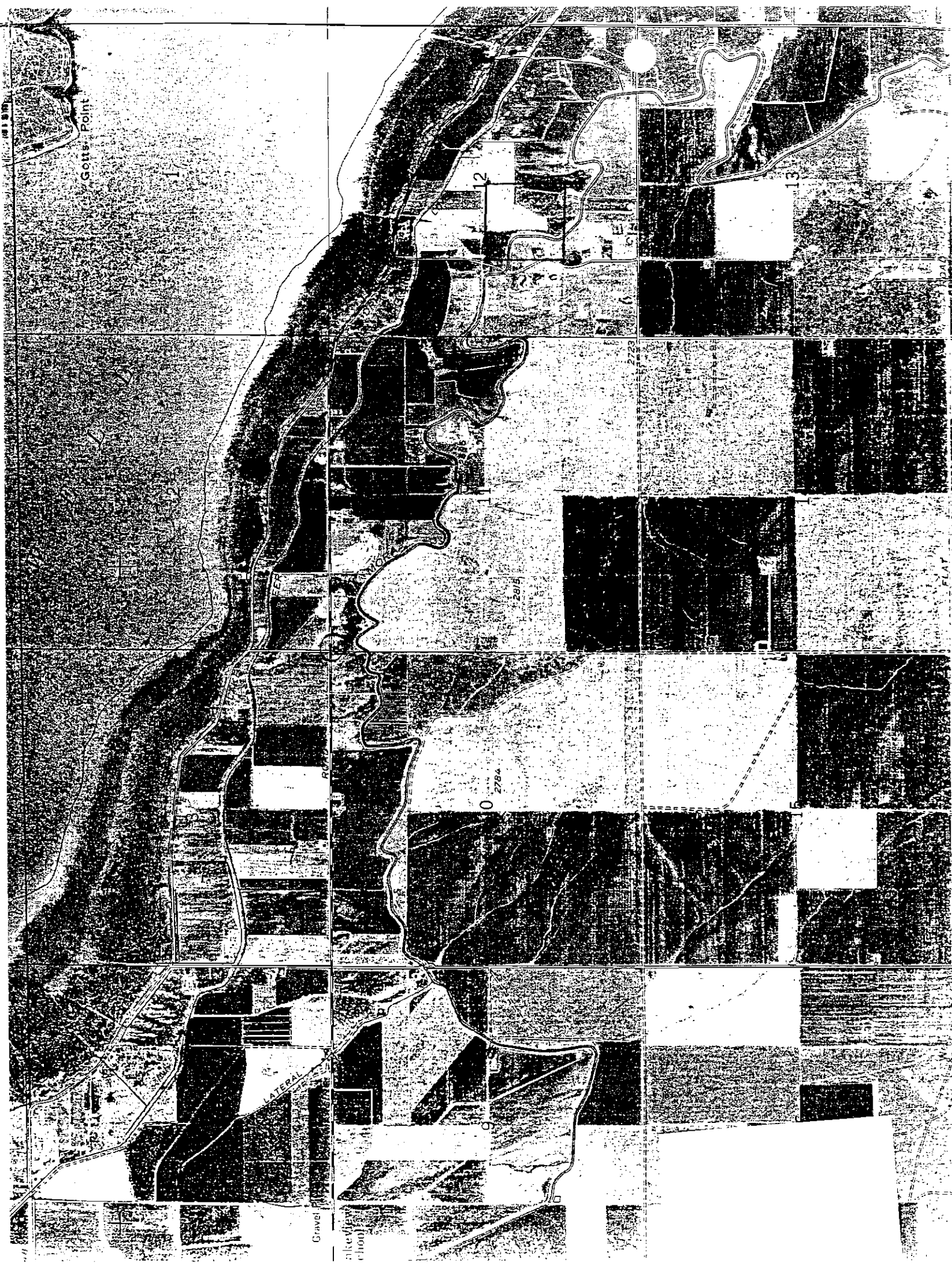
| Water Right No.                       | Twp. | Range | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |
|---------------------------------------|------|-------|------|--------|--------|--------|--------|--------|--------|--------|
|                                       |      |       |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 |
| 63-03597A                             | 02N  | 03W   | 10   |        |        | 36     | 7      |        |        | 37     |
| TOTAL ACREAGE FOR THE QUARTER-QUARTER |      |       |      |        |        | 36     | 7      |        |        | 37     |
| 63-03557A                             | 02N  | 03W   | 13   |        |        |        |        |        | 38     |        |
| TOTAL ACREAGE FOR THE QUARTER-QUARTER |      |       |      |        |        |        |        |        | 38     |        |
| 63-03232                              | 02N  | 03W   | 14   | 26     |        |        |        |        |        |        |
| 63-03589                              | 02N  | 03W   | 14   | 39     |        |        |        | 39     | 40     |        |
| 63-03599A                             | 02N  | 03W   | 14   | 14     |        |        |        |        |        |        |
| 63-03599B                             | 02N  | 03W   | 14   |        |        |        |        |        |        |        |
| 63-07156A                             | 02N  | 03W   | 14   |        | 40     | 40     | 40     |        |        |        |
| 63-0777B                              | 02N  | 03W   | 14   |        |        |        |        |        |        |        |
| TOTAL ACREAGE FOR THE QUARTER-QUARTER |      |       |      | 39     | 40     | 40     | 40     | 39     | 40     |        |
| 63-02879                              | 02N  | 03W   | 15   |        |        |        |        |        |        |        |
| 63-03597A                             | 02N  | 03W   | 15   |        |        |        |        | 39     | 38     | 39     |
| 63-03599B                             | 02N  | 03W   | 15   |        |        |        |        |        |        |        |
| 63-07825                              | 02N  | 03W   | 15   |        |        |        |        |        |        |        |
| TOTAL ACREAGE FOR THE QUARTER-QUARTER |      |       |      |        |        |        |        | 39     | 38     | 39     |

The following water rights are used in the farming of a single operation

|           |           |
|-----------|-----------|
| 63-02879  | 63-03599A |
| 63-03232  | 63-03599B |
| 63-03557A | 63-07156A |
| 63-03589  | 63-0777B  |
| 63-03597A | 63-07825  |

This document is provided to illustrate all water rights used on this farm and to show common place of uses for some of the adjudication claims. The points of diversion are interconnected with the mainline system.





are not mentioned in deed

15

2 N 3 W

14 all SW W 1/2 - A63-03599B, A63-03589 (all)  
all SE A63-07778  
✓ NE NE A63-03599A, A63-03232  
all NW A63-03589  
SE NE }  
NW NE } A63-07156A  
SW NE }

15 SW SE A63-03599B all NE A63-03597  
SE SW } all NW A63-03597  
✓ NW SW } A63-07825 } A63-02879  
SW SW }  
NE SW A63-03599B  
NW SE }  
NE SE } A63-03599B  
SE SE }

✓ 13 NW NW A63-03557A

✓ 10 SW NE } A63-03597 SW NW A63-03597  
SE NE } NW SW A63-03597  
SE NW A63-03597  
NE SW }  
SW SW } A63-03597  
SE SW }  
NW SE }  
SW SE } A63-03597  
NE SE }  
SE SE }

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: 63-32256

TIM SCHELHORN  
9135 SKY RANCH RD  
Nampa ID 83686  
Telephone Number: (208)463-8616

JULIE SCHELHORN  
9135 SKY RANCH RD  
Nampa ID 83686  
Telephone Number: (208)463-8616

**RECEIVED**

**OCT 26 2006**

**WATER RESOURCES  
WESTERN REGION**

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 10-20-06 SIGNATURE: Julie Schelhorn  
Please print your name: Julie Schelhorn

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

05/18/2006

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

RIGHT NUMBER: 63-32256

NAME AND ADDRESS: TIM SCHELHORN  
9135 SKY RANCH RD  
NAMPA ID 83686

JULIE SCHELHORN  
9135 SKY RANCH RD  
NAMPA ID 83686

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.510 CFS  
160.000 AFY

PRIORITY DATE: 04/19/1973

POINT OF DIVERSION:

T02N R03W S14 SESW Within CANYON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u>                                                                                                                                                                                                                                                                                                                                                  | <u>PERIOD OF USE</u> | <u>QUANTITY</u>         |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-------------------------|
| IRRIGATION                                                                                                                                                                                                                                                                                                                                                             | 03/15 11/15          | 0.510 CFS<br>160.00 AFY |
| 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. |                      |                         |

PLACE OF USE: IRRIGATION Within CANYON County

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T02N R03W S14 | SWSE | 20.00 | T02N R03W S14 | SESE | 20.00 |
|---------------|------|-------|---------------|------|-------|

40 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.

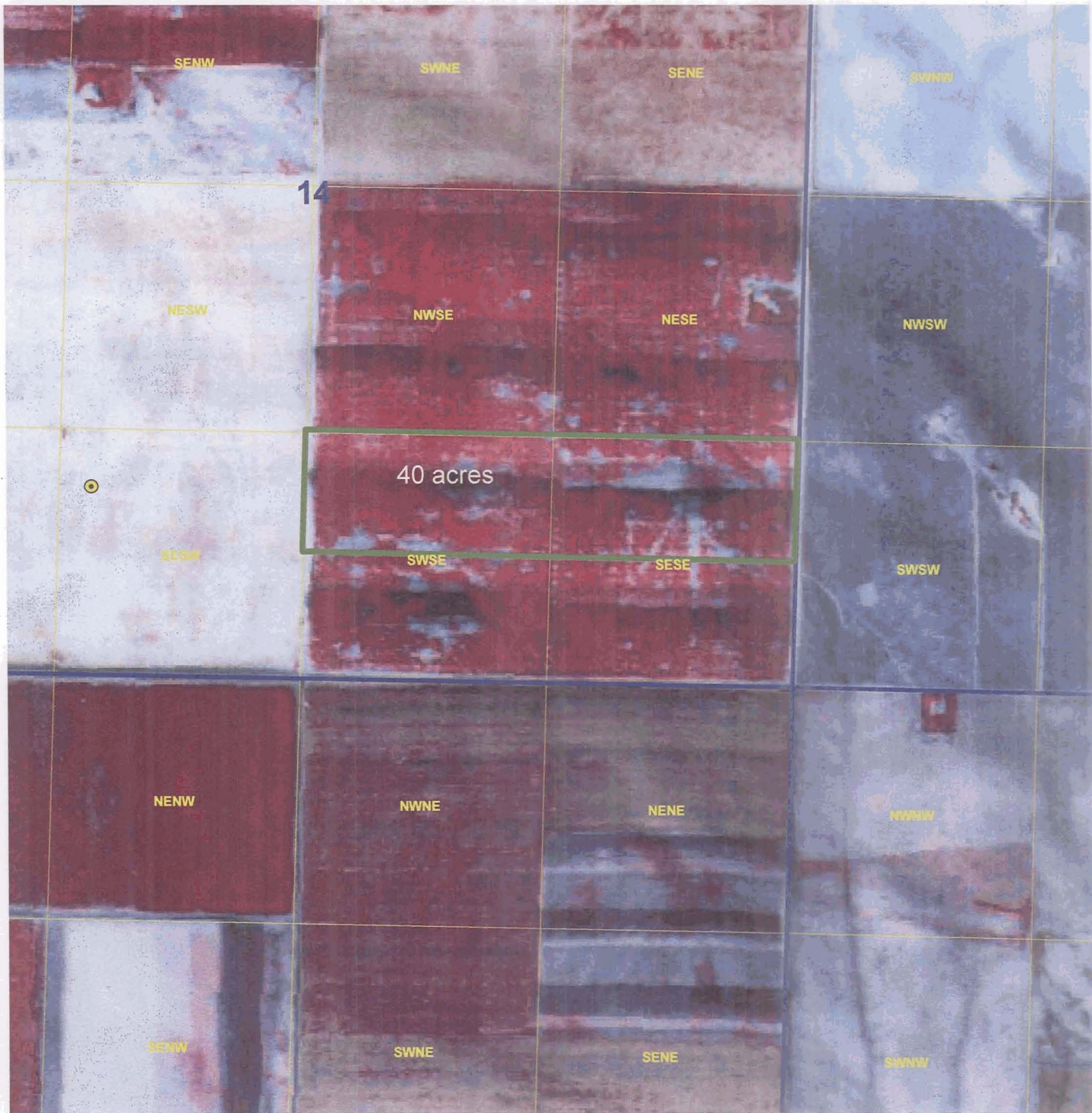
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 63-7778A.

Idaho Department of Water Resources

63-32256

T02N R03W S14



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



400 0 400 800 1200 1600 Feet

IDWR  
Prepared by: Sandy Egbert  
1987 NAAP Photography

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-32256 V1

WATER RIGHT NUMBER: 63-32256 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                                    |
|-------------------|--------------------------------------------------------------------------------------------|
| Original Owner    | KATHI L MEYERS<br>1528 ADDISON AVE E<br>TWIN FALLS, ID 83301<br>(208)733-5217              |
| Original Owner    | SUSAN L MONTIERTH<br>825 HEARTLAND DR<br>NAMPA, ID 83686<br>(208)463-8163                  |
| Original Owner    | BRYCE MILLAR<br>RT 7 BOX 7380<br>NAMPA, ID 83651                                           |
| Original Owner    | RODNEY KENT MONTIERTH<br>1528 ADDISON AVE E<br>TWIN FALLS, ID 83301<br>(208)733-5217       |
| Original Owner    | RUBY C VICTOR<br>1528 ADDISON AVE E<br>TWIN FALLS, ID 83301<br>(208)733-1359               |
| Original Owner    | FARM CREDIT BANK OF SPOKANE<br>PO BOX 15367<br>BOISE, ID 83715<br>(208)343-7782            |
| Original Owner    | EDWARD RAY MONTIERTH<br>825 HEARTLAND DR<br>NAMPA, ID 83686<br>(208) 989-8310              |
| Original Owner    | HERBERT R MONTIERTH JR<br>825 HEARTLAND DR<br>NAMPA, ID 83686<br>(208)463-8163             |
| Original Owner    | ROBERT J MEYERS<br>1528 ADDISON AVE E<br>TWIN FALLS, ID 83301<br>(208)733-5217             |
| Original Owner    | W NOLAN VICTOR<br>1528 ADDISON AVE E<br>TWIN FALLS, ID 83301<br>(208) 733-1359             |
| Original Owner    | THE ESTATE OF GOLDA D MONTIERTH<br>825 HEARTLAND DRIVE<br>NAMPA, ID 83686<br>(208)463-8163 |
| Current Owner     | TIM SCHELHORN<br>9135 SKY RANCH RD<br>NAMPA, ID 83686<br>(208)463-8616                     |
| Current Owner     | JULIE SCHELHORN<br>9135 SKY RANCH RD<br>NAMPA, ID 83686<br>(208)463-8616                   |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-32256 V1

Original Owner FRANKIE AMEN  
9125 SKY RANCH RD  
NAMPA, ID 83686  
(208)466-1853

Original Owner JEANIE AMEN  
9125 SKY RANCH RD  
NAMPA, ID 83686  
(208)466-1853

Priority Date: 04/19/1973

Basis: License

Status: Active

SourceTributary

GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 03/15 to 11/15          | 0.510 CFS             | 160.00 AF            |
|                       | <u>Total Diversion:</u> | 0.510 CFS             | 160.00 AF            |

Location of Point(s) of Diversion

GROUND WATER SE1/4SW1/4 Sec. 14, Twp 02N, Rge 03W, B.M.  
CANYON County

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |      |      | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|------|------|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW   | SE   |        |
| 02N | 03W | 14  |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 20.0 | 20.0 | 40.0   |

Total Acres: 40

Conditions of Approval:

1. 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.
2. 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.
3. This right is a split from former right 63-7778A.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 63-32256 V1

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:  
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> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
| Priority Date  | 2/28/2006 10:24:45 AM     | segbert         |                           |                 | Active        |
| POD            | 2/28/2006 10:25:02 AM     | segbert         |                           |                 | Active        |
| Source         | 2/28/2006 10:26:11 AM     | segbert         |                           |                 | Active        |
| POU            | 2/28/2006 10:26:27 AM     | segbert         |                           |                 | Active        |
| Use            | 2/28/2006 10:27:01 AM     | segbert         |                           |                 | Active        |
| Season         | 2/28/2006 10:27:20 AM     | segbert         |                           |                 | Active        |
| Quantity       | 2/28/2006 10:28:17 AM     | segbert         |                           |                 | Active        |
| Summary        |                           |                 | 02/28/2006                | segbert         | Active        |

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u> |
|----------------|------------------------|-----------------|-----------------|
| POD            | 2/28/2006 10:25:55 AM  | segbert         | Updated shape   |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-32256 V1

|         |                       |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|---------|-----------------------|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Summary | 2/28/2006 10:32:22 AM | segbert | (Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?<br>(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?<br>(No) 5. Does this right have any combined use limits with other rights?<br>(Yes) 6. Is an additional remark and/or condition required?<br>(Yes) 7. Would you like to view the recommended right?<br>(Yes) 8. Is this a split or combined right?<br>(No) 9. Do you have documents you would like to attach or link to the file?<br>(Yes) 10. Would you like to set the verification date? |
| General | 2/28/2006 10:24:46 AM | segbert | (No) 1. Should this water use have been included in a later court decree of the water rights from this source?<br>(Yes) 4. Is the basis of claim decree or license?<br>(Yes) 5. Does the decree or license have a Priority Date?<br>(Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ?<br>(Yes) 15. Is the basis of claim coded correctly?<br>(No) 16. Is a Priority Date remark and/or condition required?                                                                                                                                                                                                                    |
| POD     | 2/28/2006 10:25:03 AM | segbert | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a POD?<br>(Yes) 5. Can the claimed POD be verified using the water right file?<br>(No) 10. Is a POD remark and/or condition required?                                                                                                                                                                                                                                                                                                                                                                                                          |
| Source  | 2/28/2006 10:26:11 AM | segbert | (Yes) 1. Is the basis of claim Decree or License?<br>(Yes) 4. Does the Decree or License have a source?<br>(Yes) 5. Can the claimed source be verified using the water right file?<br>(No) 11. Is a Source remark and/or condition required?                                                                                                                                                                                                                                                                                                                                                                                                        |
| POU     | 2/28/2006 10:26:27 AM | segbert | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 2a. Is the POU required?<br>(Yes) 5. Does the Decree or License have a POU?<br>(Yes) 6. Can the claimed POU be verified using the water right file?<br>(No) 14. Is a POU remark and/or condition required?                                                                                                                                                                                                                                                                                                                                                                        |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-32256 V1

|          |                       |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------|-----------------------|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Use      | 2/28/2006 10:27:02 AM | segbert | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a Purpose of Use?<br>(Yes) 5. Can the claimed Purpose of Use be verified using the water right file?<br>(No) 13. Is a Purpose of Use remark and/or condition required?                                                                                                                                                                                                                                                                                                                                                              |
| Season   | 2/28/2006 10:27:20 AM | segbert | (Yes) 1. Is the basis of claim Decree or License?<br>(Yes) 4. Does the Decree or License have a Period of Use?<br>(Yes) 5. Can the claimed Period of Use be verified using the water right file?<br>(Yes) 14. Is irrigation claimed as a Purpose of Use?<br>(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?<br>(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?<br>(Yes) 18. Is a Period of Use remark and/or condition required? |
| Quantity | 2/28/2006 10:28:17 AM | segbert | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a diversion rate and/or volume?<br>(Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file?<br>(Yes) 8. Does the parent right have an annual diversion volume limit?<br>(Yes) 10. Is a irrigation a purpose of use?<br>(No) 12. Is a Quantity remark or condition required?<br>Description for Question 10 - per license                                                                                                                                                                       |
| POU      | 2/28/2006 10:26:46 AM | segbert | Updated shape for Active POU                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

Water Supply Bank:



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

February 28, 2006

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

Tim and Julie Schelhorn  
9135 Sky Ranch Road  
Nampa ID 83686

Re: Original Notice of Claim to a Water Right No. 63-7778A

Renumbered to Notice of Claim to a Water Right No. 63-32256

Dear Claimant(s):

We have received and processed a Change of Ownership for a portion of your original Claim to a Water Right Number as referenced above. This change of ownership resulted in a split of your original claim.

When a portion of the original water right claim has been conveyed to another and the original right has been split, then the original claim number is renumbered by issuing a new water right number to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new claim number reflects your remaining portion of the original claim after the change of ownership. Enclosed is a copy of this new claim for your records. Please refer to your new claim number when corresponding with our office.

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your right. This claim represents the remaining portion of the claim 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, as we have had several water right changes to process. If you have any questions concerning this ownership change, or the enclosed claim copy, please feel free to contact this office.

Sincerely,

Adjudication Section  
Western Region Office

LG: lg

Enclosure

RECEIVED

MAR 23 2005

March 15, 2005

WATER RESOURCES  
WESTERN REGION

Jan Shurte  
Idaho Department of Water Resources  
2735 Airport Way  
Boise, Idaho 83705-5082

RE: Land Division, Removal of Joint Owner

Dear Jan,

Enclosed is the copy of our new deed showing the change in ownership of our property.

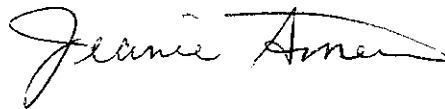
Just for clarification, we originally owned the two 40 acre parcels of water right number 63-7778A jointly with Timothy and Julie Schelhorn. We have now split each 40 acre parcel in half and we solely own the southern one half of each parcel. Tim and Julie Schelhorn solely own the northern one half of each parcel.

So not only did we divide the ownership into sole interest, we changed the shape of the parcels from squares into long, rectangular 40 acre parcels running east to west. I've enclosed a map to help describe my explanation.

I also thought that we had to file an additional point of diversion for our water so that we could put a well on our own land to irrigate from. I can't remember at what time we are supposed to file this. Is it after we receive confirmation of our water right claim or after we are awarded the water rights, after the adjudication is finished?

Thank you again for your helping us get this paperwork filled out and processed. I don't know how you keep up with all the information, but you do a remarkable job!

Sincerely,



Jeanie Amen  
9125 Sky Ranch Road  
Nampa, ID 83686  
(208) 466-1853

AJ5809NP  
No. A63-07778A

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/13/00  
PAGE: 143

| OWNER<br>CODE | NAME & ADDRESS           | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|--------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C             | GOLDA D MONTIERTH        | 04/19/1973       | IRRIGATION | 03-15 11-15           | 1.020 CFS         |                     |
| C             | EDWARD MONTIERTH         |                  |            |                       |                   |                     |
| C             | WILFORD NOLAN VICTOR     |                  |            |                       |                   |                     |
| C             | ROBERT J MEYERS          |                  |            | TOTAL DIVERSION:      | 1.020 CFS         |                     |
| C             | KATHI L MEYERS           |                  |            | CONSUMPTIVE USE:      |                   | 280.00 AFA          |
| C             | RUBY C VICTOR            |                  |            |                       |                   |                     |
| C             | HR MONTIERTH             |                  |            |                       |                   |                     |
| C             | SUSAN L MONTIERTH        |                  |            |                       |                   |                     |
| C             | RODNEY KENT MONTIERTH    |                  |            |                       |                   |                     |
|               | 1528 ADDISON AVENUE EAST |                  |            |                       |                   |                     |
|               | TWIN FALLS ID 83301      |                  |            |                       |                   |                     |
|               | (208) 733-5217           |                  |            |                       |                   |                     |

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T02N R03W S14 SESW

CANYON County

Place of use Legal Description for: IRRIGATION

|     |     |    |   | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |             |    |     |      |
|-----|-----|----|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------------|----|-----|------|
| T   | R   | S  | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac          | :  | SUM |      |
| 02N | 03W | 14 | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |             | :  |     |      |
|     |     |    |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 40          | 40 | :   | 80.0 |
|     |     |    |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | TOTAL ACRES |    | :   | 80.0 |

POU County: CANYON

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):  
A63-03589 A63-03597N A63-03597P R63-03589

Other Water Rights Listing Overlapping Place(s) of Use:  
A63-07778 R63-07778

Remarks: GEN THIS CLAIM IS A RESULT OF TRANSFER 4645 APPROVED 10/2/1995  
THAT SPLIT CLAIM A63-07778, FEE PAID UNDER RECEIPT NO 003518.  
(MTS 10/13/1995)

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

Audit: 10/13/95 MSCHULTE

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-7778A

WATER RIGHT NUMBER: 63-7778A

| <u>Owner Type</u> | <u>Name and Address</u>                                                                    |
|-------------------|--------------------------------------------------------------------------------------------|
| Original Owner    | KATHI L MEYERS<br>1528 ADDISON AVE E<br>TWIN FALLS, ID 83301<br>(208)733-5217              |
| Original Owner    | SUSAN L MONTIERTH<br>825 HEARTLAND DR<br>NAMPA, ID 83686<br>(208)463-8163                  |
| Original Owner    | BRYCE MILLAR<br>RT 7 BOX 7380<br>NAMPA, ID 83651                                           |
| Current Owner     | FRANKIE AMEN<br>9125 SKY RANCH RD<br>NAMPA, ID 83686<br>(208)466-1853                      |
| Original Owner    | RODNEY KENT MONTIERTH<br>1528 ADDISON AVE E<br>TWIN FALLS, ID 83301<br>(208)733-5217       |
| Original Owner    | RUBY C VICTOR<br>1528 ADDISON AVE E<br>TWIN FALLS, ID 83301<br>(208)733-1359               |
| Current Owner     | JEANIE AMEN<br>9125 SKY RANCH RD<br>NAMPA, ID 83686<br>(208)466-1853                       |
| Original Owner    | FARM CREDIT BANK OF SPOKANE<br>PO BOX 15367<br>BOISE, ID 83715<br>(208)343-7782            |
| Original Owner    | EDWARD RAY MONTIERTH<br>825 HEARTLAND DR<br>NAMPA, ID 83686<br>(208) 989-8310              |
| Original Owner    | HERBERT R MONTIERTH JR<br>825 HEARTLAND DR<br>NAMPA, ID 83686<br>(208)463-8163             |
| Original Owner    | ROBERT J MEYERS<br>1528 ADDISON AVE E<br>TWIN FALLS, ID 83301<br>(208)733-5217             |
| Original Owner    | W NOLAN VICTOR<br>1528 ADDISON AVE E<br>TWIN FALLS, ID 83301<br>(208) 733-1359             |
| Original Owner    | THE ESTATE OF GOLDA D MONTIERTH<br>825 HEARTLAND DRIVE<br>NAMPA, ID 83686<br>(208)463-8163 |

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-7778A

Current Owner TIM SCHELHORN  
9135 SKY RANCH RD  
NAMPA, ID 83686  
(208)463-8616

Current Owner JULIE SCHELHORN  
9135 SKY RANCH RD  
NAMPA, ID 83686  
(208)463-8616

Priority Date: 04/19/1973 ✓

Basis: License ✓

Status: Active ✓

Source

GROUND WATER ✓

TributaryBeneficial Use

IRRIGATION ✓

From To

3/15 to 11/15 ✓

Diversion Rate

1.020 CFS

Annual Volume

360

Total Diversion:

1.020 CFS

Location of Point(s) of Diversion

GROUND WATER

SE1/4SW1/4 ✓

Sec. 14, Twp 02N, Rge 03W, B.M.

CANYON County

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| 02N | 03W | 14  | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 80.0 ✓ |

Total Acres: 80

Conditions of Approval:

1. THE AMENS WERE ADDED AS CURRENT OWNERS TO THIS RIGHT AS THEY HAVE A 1/2 UNDIVIDED INTEREST AS DO THE SCHELHORNS.
2. Ownership changed by DB 1/7/2002
3. THIS CLAIM IS A RESULT OF TRANSFER 4645 APPROVED 10/2/1995 THAT SPLIT CLAIM A63-07778, FEE PAID UNDER RECEIPT NO 003518.  
(MTS 10/13/1995)

Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM POU REVIEW REPORT  
ADJUDICATION CLAIM NUMBER: 63-7778A

02/17/2006

1

| Right # | Type        | Twp | Rge | Sec | QQ | Q  | Lot | Purpose of Use | Acres/Total | Name         |
|---------|-------------|-----|-----|-----|----|----|-----|----------------|-------------|--------------|
| '778A   | Claim       | 02N | 03W | 14  | SW | SE |     | IRRIGATION     | 40/80       | FRANKIE AMEN |
| '778A   | Water Right | 02N | 03W | 14  | SW | SE |     | IRRIGATION     | 40/80       | BRYCE MILLAR |
| '778A   | Claim       | 02N | 03W | 14  | SE | SE |     | IRRIGATION     | 40/80       | FRANKIE AMEN |
| '778A   | Water Right | 02N | 03W | 14  | SE | SE |     | IRRIGATION     | 40/80       | BRYCE MILLAR |

State of Idaho  
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-7778 Priority April 19, 1973 Amount 2.03 cfs

THIS IS TO CERTIFY, that Bryce Millar  
of Nampa, Idaho, has complied with the terms and conditions of Permit  
No. 63-7778 issued pursuant to Application for Permit dated April 19, 1973,  
and has submitted proof to the Department of Water Resources on December 22, 1980,  
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a  
capacity for the diversion of 2.03 cfs of water from a groundwater source,  
tributary to \_\_\_\_\_, and that the permit holder has applied to a beneficial use and  
established a right to use water as follows:

| Beneficial Use         | Period of Use                              | Rate of Diversion      | Annual Volume          |
|------------------------|--------------------------------------------|------------------------|------------------------|
| <u>Irrigation</u>      | from <u>March 15</u> to <u>November 15</u> | at <u>2.03</u> cfs and | <u>720.0</u> acre feet |
|                        | from _____ to _____                        | at _____ cfs and       | _____                  |
|                        | from _____ to _____                        | at _____ cfs and       | _____                  |
| (both dates inclusive) |                                            |                        |                        |

Subject, however, to the condition that no more than 2.03 cfs of water be diverted at any one time, and  
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose  
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed  
720.0 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$  Section 14,  
Twp 2N, Rge 3W in the County of Canyon

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 $\frac{1}{4}$ |        |
| 2N   | 3W    | 14   |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 40               | 40               | 40               | 40               | 160    |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres irrigated 160

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, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 9<sup>TH</sup> day of FEBRUARY, 19 84.

Acting for the

Director

MICROFILMED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use

RECEIVED  
MAY 24 1979

Comes now Bryce Millar  
of (address) Route 7, Box 7380, Naampa, ID 83651 and represents to the  
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho  
No. 63-7778, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE 1/4 SW 1/4, Section 14, Township 2N, Range 3W, B.M.,  
County of Canyon. Other points of diversion: NE 1/4 SW 1/4 Sec 14,  
T2N, R3W, BM

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 3.20 for irrigation purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre feet per annum)

3. Place of use or land to be irrigated: No Change

| TWP | RGE | SEC | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTALS |
|-----|-----|-----|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|     |     |     | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres to be irrigated = \_\_\_\_\_

4. a. Who owns the property at the point of diversion? Applicant  
b. Who owns the land to be irrigated or the place of use? Applicant  
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the  
applicant to make this filing: \_\_\_\_\_

RECEIVED

Receipt # 3757

1976

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

# APPLICATION FOR AMENDMENT

Permit No. 63-7778

Comes now Bryce Millar of (address) \_\_\_\_\_  
Route 7, Box 7380, Nampa, ID, and represents to the Director of  
the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 63-7778, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Sec. 14 Twp. 2N  
Rge. 3W, B.M., County of Canyon. Other points of diversion:  
NE $\frac{1}{4}$ SE $\frac{1}{4}$  Sec 11 T2N-R3W; NE $\frac{1}{4}$ NE $\frac{1}{4}$  Sec 15 T2N-R3W

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 3.2 for irrigation purposes from 3-15 to 11-15 (both dates inclusive)  
 Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
 Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
 Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
 (cfs or acre feet per annum)

3. Place of use or land to be irrigated:

[illegible]

|                                       |     |
|---------------------------------------|-----|
| Total number of acres to be irrigated | 160 |
|---------------------------------------|-----|

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

# APPLICATION FOR AMENDMENT

Permit No. 63-7778

Comes now Bryce Millar of (address) \_\_\_\_\_

Route #7, Box 7380, Nampa, ID, and represents to the Director of  
the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 63-7778, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ , Sec. 11 Twp. 2N  
Rge. 3W, B.M., County of Canyon. Other points of diversion:  
NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 14, (2 pts)NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 15, Twp. 2N, Rge. 3W, B.M.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 3.2 for irrigation purposes from Mar. 15 to Nov. 15 (both dates inclusive)  
 Amount        for        purposes from        to        (both dates inclusive)  
 Amount        for        purposes from        to        (both dates inclusive)  
 Amount        for        purposes from        to        (both dates inclusive)  
 (cfs or acre feet per annum)

3. Place of use or land to be irrigated:  
NO CHANGE

[illegible]

Total number of acres to be irrigated

REC-57-1

Identification No. \_\_\_\_\_

Application No. 43-1779

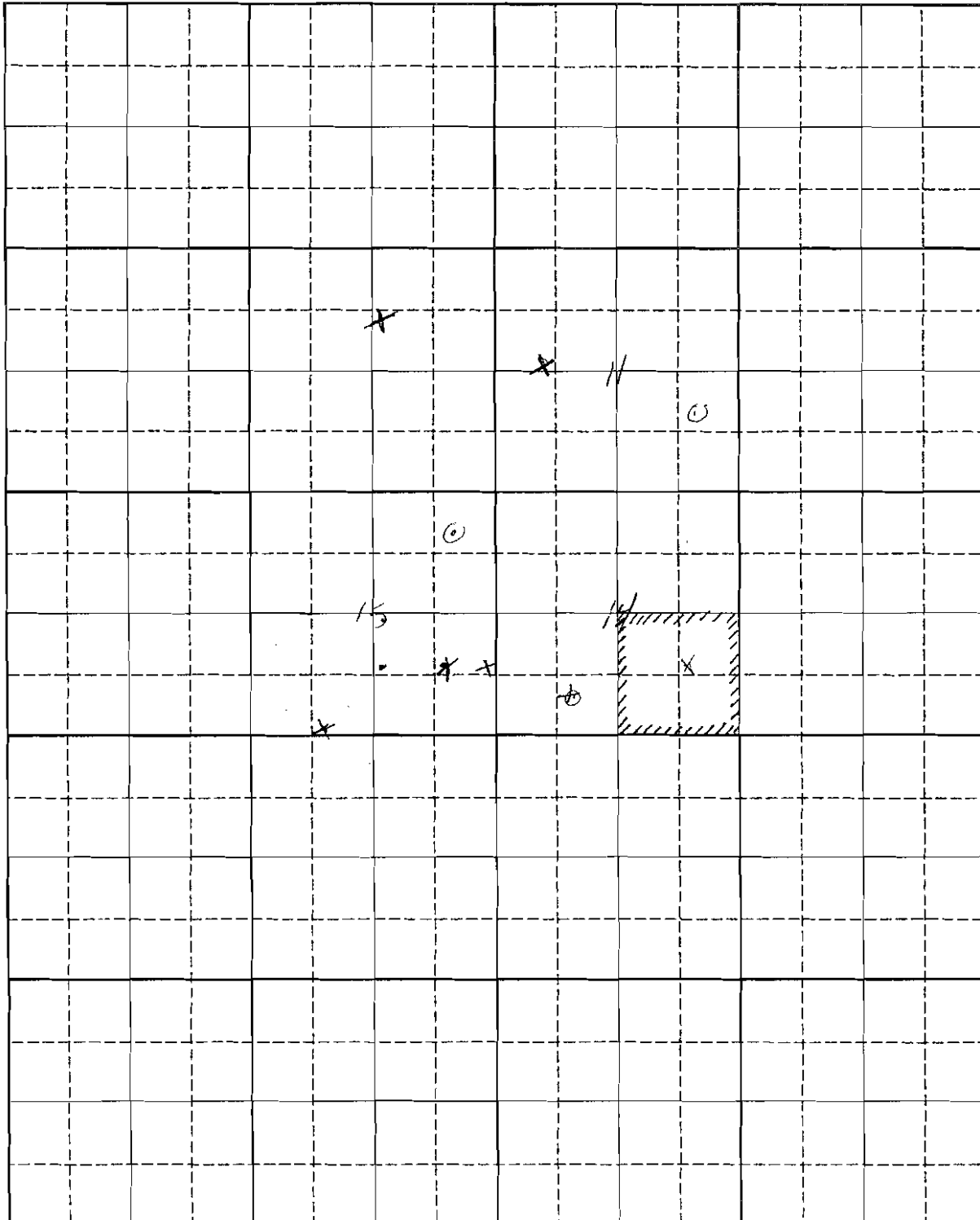
STATE OF IDAHO  
DEPARTMENT OF WATER ADMINISTRATION  
**APPLICATION FOR PERMIT**

**APPROVED**

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

1. Name of applicant Bryce Millar  
post office address Route 7, Box 7380, Nampa, Idaho 466-2906
2. Source of water supply groundwater which is a tributary of --
3. a. Location of point of diversion is NE  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of Section 15 Township 2N  
Range 3W B.M. Canyon County; additional points of diversion if any:  
SESW Sec 14, 2N-3W, B.M. NE<sup>4</sup>SE<sup>4</sup>, Sec. 11, Twp. 2N- Rge. 3W, B.M.
- b. If water is not consumed, it will be discharged into \_\_\_\_\_ at a point in \_\_\_\_\_  $\frac{1}{4}$   
of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ B.M. \_\_\_\_\_
4. Water will be used for the following purposes:  
Amount 3.20 cfs for Irrigation purpose from 3-15 to 11-15 (both dates inclusive)  
(cfs or acre feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purpose from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purpose from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre feet per annum)
5. Total quantity to be appropriated:  
a. 3.20 cubic feet per second and/or  
b. \_\_\_\_\_ acre feet per annum.
6. Proposed diverting works:  
a. Description of ditches, flumes, pumps, headgates, etc. \_\_\_\_\_  
Drilled wells, pumps, motors, pipe
- b. Height of storage dam \_\_\_\_\_ feet, active reservoir capacity \_\_\_\_\_ acre feet; total reservoir capacity \_\_\_\_\_ acre feet, materials used in storage dam: \_\_\_\_\_  
Period of year during which storage will occur \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 16 inches; proposed depth of well is \_\_\_\_\_ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.  
b. Estimated construction cost is \$ \_\_\_\_\_.
8. Description of proposed uses:  
a. If water is **not** for irrigation:  
(1) Give the place of use of water: \_\_\_\_\_  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_  
Range \_\_\_\_\_ B.M. \_\_\_\_\_  
(2) Amount of power to be generated: \_\_\_\_\_ hp under \_\_\_\_\_ feet of head.  
(3) List number of each kind of livestock to be watered \_\_\_\_\_  
\_\_\_\_\_  
(4) Name of municipality to be served \_\_\_\_\_, or number of families to be supplied with domestic water \_\_\_\_\_.  
(5) If water is to be used for other purposes describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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

*Bryce Melan*  
(Applicant)

63 71770



NOT TO SCALE

574

25.9

183

1913

52.7

E

109.9

D

MICROFILMED

21.9

B

81.9

C

153.4

B

37.9

A

37.1

B

36.4

A

179

1112

1067

514

11



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

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

FAX (208) 334-2348

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

December 27, 2004

Frankie Amen  
Jeanie Amen  
9125 Sky Ranch Road  
Nampa, ID 83686

Re: Notice of Claim to a Water Right No. 63-7778A  
Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflect the addition of Frankie and Jeanie Amen's names as having ½ an undivided interest as is stated on the deeds submitted to us.

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



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

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

FAX (208) 334-2348

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

December 27, 2004

Tim Schelhorn  
Julie Schelhorn  
9135 Sky Ranch Rd  
Nampa, ID 83686

Re: Notice of Claim to a Water Right No. 63-7778A  
Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflect the addition of Frankie and Jeanie Amen's names as having ½ an undivided interest as is stated on the deeds submitted to us.

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,

Liberty Gagnon  
Office Specialist 1  
Adjudication Section  
Western Region Office

LG: lg

Enclosure

## MEMO

TO: File 63-7778A  
FROM: Denise Buffington   
DATE: December 26, 2003  
SUBJECT: Ownership and split information

Julie Schelhorn was in the office today to discuss this claim and the ownership of the 80 acres claimed. Julie and her husband Tim are neighbors with Frankie Amen. An ownership change was submitted and processed in January 2002, showing that Schelhorn's are the owners of these 80 acres, along with Frankie Amen. (Mr. Amen's name is listed on the Warranty Deed that was submitted with the ownership change, however his name was not listed on the ownership change form itself, and not added to the claim in the database). Since this time, Mr. Amen has gotten married and new deeds for the property, etc, have been drawn up with his wife's name added.

According to Mrs. Schelhorn, the property is being split to show each individual portion, being Schelhorn's 40 acres, and Amen's 40 acres. (See map attached) They each have 20 acres in the SWSE and 20 acres in the SESE. The actual splitting of the property has not been completed yet. Mrs. Schelhorn took an ownership change form to give to the Amen's. Amen's are supposed to fill it out indicating their portion, and submit to the Department after the property has been split and the deeds are drawn up, etc.

Schelhorn's are planning to drill their own irrigation well on their property in the near future. They will file a transfer to do this, when they are ready. They previously filed a transfer in 2001, however it was returned and money refunded, as they were not ready to drill right away. They submitted the change of ownership for the existing water rights instead. Mrs. Schelhorn was informed that they have (1) one year from the date of the transfer being approved to begin using the water. She was also informed that, after this claim is decreed by the SRBA Court, the forfeiture period begins (5 years of non-use). She understands that if they do not use the water for a continuous (5) five year period, they could lose the water rights for the property.

If the Amen's do not notify the Department that they own 40 of the 80 acres claimed; this claim will be reviewed and most likely recommended in Schelhorn's name for the full 80 acres.

SN 3W S-14

RECEIVED

DEC 26 2003

WATER RESOURCES  
WESTERN REGION

COUNTY

SUBDIVIDED

map  
LIBA

Schenhor →

Amer →

14 13  
23 24



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

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

FAX (208) 334-2348

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

January 7, 2002

TIM SCHELHORN  
JULIE SCHELHORN  
9135 SKY RANCH RD  
NAMPA ID 83686

Re: Notice of Claim to a Water Right No. 63-7778A

Dear Claimant(s):

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

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

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 claim, please feel free to contact this office.

Sincerely,

Denise Buffington  
Office Specialist 1  
Adjudication Section  
Western Region Office

DB: db

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

RECEIVED

SEP 21 2001

WATER RESOURCES  
WESTERN REGION

June 29, 2001

TIM SCHELHORN  
JULIE SCHELHORN  
9135 SKY RANCH RD  
NAMPA ID 83686

RE: Notice of Change of Water Right Ownership Claim No. 63-7778A

Dear Property Owners:

This office has reviewed the Notice of Change of Water Right Ownership you have submitted (enclosed), however, we are unable to complete this ownership change at this time. In order to complete this change we need a completed chain of title. The deeds submitted indicate property being transferred from Wilford & Ruby Victor, and Robert & Kathi Meyers into the name of V & M Trust, then from V & M Trust to you. We also need the deed(s) indicating the property transfer from Edward & Golda Montierth to V & M Trust; H.R. & Susan Montierth to V & M Trust; and Rodney K Montierth to V & M Trust.

If you have this additional information concerning this water right, please forward it to this office and we will be able to complete the ownership change.

Also, please **sign page 2** of the ownership change form prior to returning it to this office.

Thank you for your patience and cooperation, as we have had several ownership changes to process. Please feel free to contact this office if you have any questions concerning this letter.

Sincerely,

Denise Buffington  
Office Specialist I  
Adjudication Section  
Western Region

DB:d

Enclosures

MEMORANDUM TO FILE A63-07778

FROM: MEL SCHULTE

DATE: OCTOBER 13, 1995

THE NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP FILED ON 6/12/1995 BY JAMES SCHELHORN AND RAY BLUE WAS NOT USED BECAUSE IT WAS SUPERCEDED BY APPROVED TRANSFER NO 4645.



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type  
(see instructions on back of page)

RECEIVED

JUN 12 1995

WATER RESOURCES  
WESTERN REGION

DATE OF CLOSING: \_\_\_\_\_

LEGAL DESCRIPTION OF PROPERTY: Township 2N Range 3E  
Section 14, 1/4 of SE 1/4 of Govt. Lot \_\_\_\_\_, BM.

Lot \_\_\_\_\_, Block \_\_\_\_\_, Subdivision/Townsite \_\_\_\_\_.

If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)  
Assigned by IDWR: 63-07.78

☐ Name and Address of Former  
Owner/Claimant(s)(Seller): \_\_\_\_\_

☐ New Owner/Claimant  
(Purchaser): JAMES SCHELHORN + JAY BLUE

☐ New Mailing Address: 3305 AIRPORT RD NASHVILLE TN 37214

☐ New Telephone Number: (208) 466-5753

☐ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no  
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

SEE ATTACHED MEMO 82 6/27/95

☒ Attach proof of  
ownership, describe  
proof attached: \_\_\_\_\_

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New  
Owner/Claimant(s): James Schelhorn

Date 6/12/95

Date 6/12/95

☐ Signature of Former  
Owner/Claimant(s): \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_

(Signature of former claimant(s) is not required if proof of ownership is attached.)

## FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: \_\_\_\_\_ By: \_\_\_\_\_

Further Action Needed:

Further Action Taken

Date: \_\_\_\_\_ By: \_\_\_\_\_

Final Review and Data-Entry

Date: \_\_\_\_\_ By: \_\_\_\_\_

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources  
Copies to Former Owner and New Owner



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type  
(see instructions on back of page)

DATE OF CLOSING: \_\_\_\_\_

LEGAL DESCRIPTION OF PROPERTY: Township 2N Range 30W  
Section 14, 1/4 of 1/4 of SE 1/4, Govt. Lot \_\_\_\_\_, BM.  
Lot \_\_\_\_\_, Block \_\_\_\_\_, Subdivision/Townsite \_\_\_\_\_.  
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)  
Assigned by IDWR: 63-07778
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): \_\_\_\_\_  
\_\_\_\_\_
- ☐ New Owner/Claimant (Purchaser): JAMES SCHELHORN - RAY BLUE
- ☐ New Mailing Address: 3305 AIRPORT RD Nampa ID 83687
- ☐ New Telephone Number: (208) 466-5753
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no  
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:  
SEE ATTACHED MEMO ← SL 6/27/15

- ☒ Attach proof of ownership, describe proof attached: \_\_\_\_\_

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☒ Signature of New Owner/Claimant(s) James Schelhorn Date 6/12/15  
Ray Blue Date 6/12/15
- ☐ Signature of Former Owner/Claimant(s): \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_

(Signature of former claimant(s) is not required if proof of ownership is attached.)

## FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: \_\_\_\_\_ By: \_\_\_\_\_

Further Action Needed:

Further Action Taken

Date: \_\_\_\_\_ By: \_\_\_\_\_

Final Review and Data-Entry

Date: \_\_\_\_\_ By: \_\_\_\_\_

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources  
Copies to Former Owner and New Owner



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type  
(see instructions on back of page)

DATE OF CLOSING: \_\_\_\_\_

LEGAL DESCRIPTION OF PROPERTY: Township 7 N Range 3 E  
Section 14, 1/4 of 1/4 of SE 1/4, Govt. Lot \_\_\_\_\_, BM.  
Lot \_\_\_\_\_, Block \_\_\_\_\_, Subdivision/Townsite \_\_\_\_\_.  
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)  
Assigned by IDWR: 63-07179

☐ Name and Address of Former Owner/Claimant(s)(Seller): \_\_\_\_\_

☐ New Owner/Claimant (Purchaser): JAMES WELLS JR.

☐ New Mailing Address: 3305 S. FOUNTAIN RD. NIPAH, ID 83207

☐ New Telephone Number: (208) 466-5753

☐ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no  
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

SEE ATTACHED MEMO - 52 1/27/15

☒ Attach proof of ownership, describe proof attached: \_\_\_\_\_

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New Owner/Claimant(s) [Signature] Date 1/12/15

Date 10/12/15

☐ Signature of Former Owner/Claimant(s): \_\_\_\_\_ Date \_\_\_\_\_

Date \_\_\_\_\_

(Signature of former claimant(s) is not required if proof of ownership is attached.)

## FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: \_\_\_\_\_ By: \_\_\_\_\_

Further Action Needed:

Further Action Taken

Date: \_\_\_\_\_ By: \_\_\_\_\_

Final Review and Data-Entry

Date: \_\_\_\_\_ By: \_\_\_\_\_

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources  
Copies to Former Owner and New Owner

INTER-DEPARTMENT MEMO

TO: ALL-6700, 1-10

SUBJECT: 1-10

FROM: Steve Lutz

DATE: 1-10

On 1/10/67, I received a letter from the  
State of New York, Department of Social Services,  
Albany, New York, dated 1/10/67, regarding the  
State of New York.

I have been up to date on the State of New York  
and have been up to date on the State of New York  
and have been up to date on the State of New York  
and have been up to date on the State of New York.

( ) For your information

( ) Response required

signature



State of Idaho  
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190  
FAX (208) 334-2348

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

June 27, 1995

James Schelhorn and/or Ray Blue  
3305 Airport Road  
Nampa, ID 83687

**RE: TRANSFER NO. 4645 FOR RIGHT NO. 63-07778**

Dear Sirs:

The above-referenced transfer application to split water right license no. 63-07778 into two portions to allow you to drill a well for your 80 acres is being advertised and otherwise processed.

Before this office can forward the application to the department's central office for final action, proof of ownership of the land now being purchased per pending contract (south half of NWSE) must be submitted. Two methods are available to do this.

One, you might wait until the sale is finalized and then submit proof showing that you own those acres. Secondly, you could obtain documentation from the current owner showing proof of ownership and consent to the proposed change outlined in your transfer application. Sufficient proof of ownership for the balance of the 80 acres was submitted with your application and needs no further attention.

Because the advertising process takes about one month, please provide your written response at the end of that time interval, sometime in late July. Please let me know if I can assist you in any way.

Sincerely,

Steve Lester  
Water Rights Supervisor

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**

Transfer No. 4645

# APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 1

Name of applicant James Schelthones Ray Blue Phone 208 466 5755  
 Post Office address 3305 Airport Rd Nampa 83687

### A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use  
☐ Change nature of use ☐ Change period of use ☐ Other \_\_\_\_\_

2. Describe the reason for the proposed changes To Purchased property with no access to P/D or irrigation system. Would like own system

### 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>63-07778</u> | <u>4/19/198</u> | <u>1.015</u>       | <u>Irrig</u>  | <u>3/15</u> to <u>11/15</u> |
| _____           | _____           | _____              | _____         | _____ to _____              |
| _____           | _____           | _____              | _____         | _____ to _____              |
| _____           | _____           | _____              | _____         | _____ to _____              |

2. Total amount of water being transferred 1.015 cubic feet per second and/or \_\_\_\_\_ 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 |
|-----|-----|-----------|-----------|-----------|-----------|-----------|---------------|--------------------------|
|     |     | <u>Ne</u> | <u>Se</u> | <u>14</u> | <u>2N</u> | <u>3W</u> | <u>Canyon</u> | <u>Proposed P/D</u>      |
|     |     |           |           |           |           |           |               |                          |
|     |     |           |           |           |           |           |               |                          |
|     |     |           |           |           |           |           |               |                          |

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 |           |
| <u>2N</u> | <u>3W</u> | <u>14</u> |        |        |        |        |        |        |        |        |        |        |        |        | <u>40</u> | <u>40</u> |        |        | <u>80</u> |
|           |           |           |        |        |        |        |        |        |        |        |        |        |        |        |           |           |        |        |           |
|           |           |           |        |        |        |        |        |        |        |        |        |        |        |        |           |           |        |        |           |
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|           |           |           |        |        |        |        |        |        |        |        |        |        |        |        |           |           |        |        |           |
|           |           |           |        |        |        |        |        |        |        |        |        |        |        |        |           |           |        |        |           |
|           |           |           |        |        |        |        |        |        |        |        |        |        |        |        |           |           |        |        |           |
|           |           |           |        |        |        |        |        |        |        |        |        |        |        |        |           |           |        |        |           |
|           |           |           |        |        |        |        |        |        |        |        |        |        |        |        |           |           |        |        |           |

Total acres 80

### PART 1

6. General Information:

a. Description of diversion system well pump 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 \_\_\_\_\_ 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:

d. Remarks:

\* 5 1/2 NW SE purchasing on contract - warranty deed available on completion of contract

### 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\_\_\_\_.

INSTRUMENT NO.

9424389

WARRANTY DEED

FOR VALUE RECEIVED V & M TRUST and WILFORD NOLAN VICTOR and RUBY C. VICTOR, husband and wife and ROBERT J. MEYERS and KATHI L. MEYER, husband and wife

the Grantor, do hereby grant, bargain, sell and convey unto <sup>228</sup>JAMES F. SCHELHORN and <sup>DOROTHEA</sup>~~DOROTHEA~~ SCHELHORN, husband and wife and <sup>Q.B.</sup>RAY BLUE and <sup>22</sup>BETTY BLUE, husband and wife

the Grantees, whose address is <sup>212 WEST ELGIN</sup>~~██████████~~, CALDWELL, ID 83605

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE.

WILFORD NOLAN VICTOR and RUBY C. VICTOR, husband and wife and ROBERT J. MEYERS and KATHI L. MEYERS, husband and wife are joining in this conveyance to confirm the conveyance by V & M TRUST to the grantees herein.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they the owners in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 1994 and subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: July 19, 1994

V & M TRUST

BY: Kendal F. Egbert - Trustee  
KENDAL F. EGBERT - TRUSTEE

Robert J. Meyers  
ROBERT J. MEYERS

Kathi L. Meyers  
KATHI L. MEYERS

Wilford Nolan Victor  
WILFORD NOLAN VICTOR

Ruby C. Victor  
RUBY C. VICTOR

PIONEER TITLE COMPANY  
OF CANYON COUNTY

100 10TH AVE SOUTH  
NAMPA, IDAHO 83651

423 SOUTH KIMBALL  
CALDWELL, ID 83605

EXHIBIT "A"

PARCEL I:

The Northeast Quarter of the Southeast Quarter of Section 14, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM:

A part of the Southeast Quarter, Section 14, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, more particularly described as follows:

COMMENCING at the Northeast corner of said Southeast Quarter (East Quarter corner), monumented with an iron pipe, 2 inches in diameter; thence

South 0° 03' 00" East 478.04 feet along the East boundary of said Southeast Quarter; thence

South 89° 57' 00" West 25.00 feet to the POINT OF BEGINNING; thence continuing

South 89° 57' 00" West 396.00 feet; thence

South 0° 03' 00" East 220.00 feet parallel with the East boundary of said Southeast Quarter; thence

North 89° 57' 00" East 396.00 feet; thence

North 0° 03' 00" West 220.00 feet parallel with the East boundary of said Southeast Quarter to the POINT OF BEGINNING.

PARCEL II:

The North One-Half of the Northwest Quarter of the Southeast Quarter of Section 14, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho.

NOTE : 5 1/2 NWSE purchasing on contract,  
proof ownership to be submitted  
upon completion of contract -

per Remarks from transfer Appl.  
filed 6/12/95

-82

7. **POSSESSION.** Buyer shall be entitled to possession on Closing. "Closing" means the date on which all documents are either recorded or accepted by an escrow agent and the sale proceeds are available to Seller.

8. **CLOSING.** On or before the closing date, Buyer and Seller shall deposit with the closing agent all funds and instruments necessary to complete the sale. The closing date shall be on or before August 9, 1, 1994, unless otherwise agreed by the parties. Taxes and water assessments (using the last available assessment as a basis), rents, insurance premiums, interest and reserves on liens, encumbrances or obligations assumed and utilities shall be pro-rated as of Closing.

9. **DEFAULT AND ATTORNEY'S FEES.** If Seller executes this agreement, and title to said premises is marketable and insurable and the Buyer neglects or refuses to comply with the terms or any conditions of sale within five (5) days from the date on which said term or condition is to be complied with, then the Earnest Money shall be forfeited and considered as liquidated damages to Seller, and Buyer's interest in the premises shall be immediately terminated. The closing agent shall pay from said Earnest Money the costs of title insurance, escrow fees, attorney fees and any other expenses directly incurred in connection with this transaction and the remainder shall be paid to the Seller. Such forfeiture and acceptance by Seller of the Earnest Money as liquidated damages constitutes a waiver of other remedies available to Seller.

In the event of default of either of the parties in their performance of the terms and conditions of this agreement, the defaulting party agrees to pay all attorney fees and costs incurred by the non-defaulting party.

10. **INCLUDED ITEMS.** None.

11. **FINANCING REQUIREMENTS.** None.

12. **CONTINGENCY CLAUSE.** *contracted 20 acres*

(a) Closing of this transaction is contingent upon the parties entering a separate agreement whereby the Buyer, or the Buyer's designated partnership or other legal entity shall agree to purchase from the Seller, and the Seller shall agree to sell to the Buyer an additional twenty (20) acre parcel of real property contiguous to the real property described in Exhibit "A" attached hereto. Said additional twenty (20) acres is more fully described with its legal description on Exhibit "B" attached hereto and hereby incorporated by reference. The total purchase price of said twenty acres shall be Forty Thousand and 00/100ths Dollars (\$40,000.00). It is agreed by Seller that it will sell such land to Buyer under a sales contract whereby the Buyer agrees to pay

Five Thousand and 00/100ths Dollars (\$5,000.00) as down payment with the Seller carrying a balance of Thirty Five Thousand and 00/100ths Dollars (\$35,000.00) at an interest rate of eight percent (8%) per annum. Buyer agrees to pay to the Seller a monthly payment of Five Hundred and 00/100ths Dollars (\$500.00) per month with all outstanding balance to be paid five (5) years from the date of execution of said Agreement. Seller shall have the option of prepaying said Agreement without penalty.

(b) In consideration for entering this Agreement, Seller agrees to grant to the Buyer the Right of First Refusal for an additional eighty (80) acre parcel of real property contiguous to the real property described in Exhibits "A" and "B" attached hereto. Said eighty (80) acre parcel is more fully described with its legal description in Exhibit "C" attached hereto and hereby incorporated by reference. Buyer and Seller agree that Buyer's Right of First Refusal for said 80 acres shall include the terms whereby Buyer has the right to purchase the real property for a price of One Hundred Twenty Thousand and 00/100ths Dollars (\$120,000.00). Seller agrees to finance said transaction with Buyer paying a Twelve Thousand and 00/100ths Dollars (\$12,000.00) down payment, interest to be eight percent (8%) per annum with a five (5) year amortization of principal. Buyer shall have the option of making either annual or monthly payments of principal and interest, and Buyer shall have the right to prepay at any time without penalty. Seller agrees to notify Buyer in writing of any firm offer it receives for the purchase of said real property and Buyer shall be granted fifteen (15) calendar days from receipt of such notice to exercise said Right of First Refusal and to notify the Seller in writing. If the Seller receives a firm offer from a third party and said third party offer is for a higher price or on better terms for the Seller than provided by Buyer under the terms in this paragraph, then Buyer's exercise of the Right of First Refusal shall be on the terms and/or price offered by the third party. If there is no third party offer made to the Seller, or such third party offer is on terms or price inferior then called for in this paragraph, then the exercise of the Right of First Refusal by Buyer shall be under the terms and price described in this paragraph. Buyer's Right of First Refusal shall expire at midnight on March 15, 1995. If Buyer exercises the Right of First Refusal, first payment due under the terms of the purchase shall commence not later than thirty (30) days after the closing of the purchase and sale between the parties.

13. **TITLE INSURANCE.** The Seller within a reasonable time after closing shall furnish to the Buyer a title insurance policy in the amount of the purchase price of the premises showing marketable and insurable title subject to no liens, encumbrances and defects. Prior to closing the transaction the Seller shall furnish to the Buyer a commitment for a title insurance policy showing the condition of the title to said premises. Buyer shall have ten (10) days from receipt of the commitment within which to object in writing to the condition of the title as set forth in the report. If the Buyer does not so object, the Buyer shall be deemed to have accepted the



State of Idaho  
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190  
FAX (208) 334-2348

PHILIP E. BATT  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

May 4, 1995

J. J. Howard, P.E./L.S.  
J. J. Howard Consulting Engineer  
2626 N. 32nd St.  
Boise, ID 83703

RE: SKY RANCH ESTATES FOR CANYON COUNTY P & Z

Dear Sir:

This letter is provided at your request for use in the Canyon County planning and zoning process for the above-referenced subdivision located in N 1/2 of SE 1/4, Section 14, T2N, R3W.

According to the plat map (Attachment A), no irrigation water is available and individual wells will be drilled for lots averaging a little over two acres each. Based on normal parameters, I assume that somewhat more than one-half acre of irrigation per lot will occur.

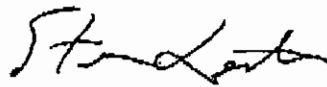
Any well drilled for a single home can be used to irrigate up to one-half acre associated with the home without a water right; irrigation beyond that limit requires a valid water right. Additionally, each well to be drilled must be authorized by an approved well drilling permit, which is an item separate than, although sometimes related to, a water right. Information regarding water rights and well drilling permits can be obtained from this office.

The site in question is listed as part of the place of use of water right license no. 63-07778 (Attachment B). The right provides full irrigation water to the acres from a well in SESW, Section 14. As required by the Snake River Basin Adjudication, the license is protected by virtue of adjudication claim no. A63-07778 (Attachment C) in the name of several owners.

The water right license and claim are assumed to be appurtenant to the land unless legally reserved for other land by way of an approved transfer issued by this agency. No such transfer has been approved; the irrigation right is therefore assumed to be part of the land. Ownership of any portion of the irrigated land conveys a proportional ownership of the right.

I suggest that it might be worth your time to visit with me about this puzzling contradiction to the plat information. Please contact me at your convenience to discuss this.

Sincerely,

  
Steve Lester  
Water Rights Supervisor

FAY #

MEMO TO

3A CLAIM FILE NO. A03

07778 4

- 585

CLAIMANT'S NAME: Montierth, Victor, & Mevers

DATE: 2/21/91

COUNTY: Canyon

EMPLOYEE: Marci Sterling

2 acres in NE"SE" & 2 acres in SE"NW" of Section 14 T2N

R3W are owned by other people with homes & domestic wells

on the property, according to Daniel Huff @ Farm Credit Services.

Please check this during field exam for each claim.

MICROFILMED

AUG 21 1992



**Farm Credit Services**  
Caldwell

423 Blaine Street  
P.O. Box 310  
Caldwell, Idaho 83606-0310  
208/459-4677  
888-7369 (Meridian No.)  
1-800-244-4127 (in state only)  
208/459-4663 FAX

January 31, 1991

John D. Carlson  
Adjudication Supervisor  
Idaho Department of Water Resources  
1301 North Orchard Street  
Statehouse Mail  
Boise, Idaho 83720-9000

RECEIVED  
FEB 1 1991  
Department of Water Resources

RE: Snake River Basin Adjudication (SRBA)  
Canyon County, Water Right 63-07778, 63-03589,  
and 63-03597

Dear John:

As we discussed yesterday on the telephone, Farm Credit Bank sold the Millar place to Herb Montierth, Nolan Victor, Robert Meyers, et al. Farm Credit Bank has a mortgage on the land sold.

Claims No. A63-07778 and A63-03589, as you described in your January 11, 1991 letter, each described 40 acres of irrigated land in the NE 1/4 SE 1/4 and the SE 1/4 NW 1/4 of Section 14, respectively. 2 acres of each 40 acre tract are excluded from the deed to Montierth, et al. On each of these 2 acre exceptions are houses owned by other people. Farm Credit Bank never owned these tracts of land. To my knowledge, these homeowners obtain their water from domestic wells located on their property. They do not receive water from the wells or irrigation system on the farm.

Claim No. A63-03597 describes 338 acres in Section 11 that are not included in the deed from Farm Credit Bank to Montierth. Those acres were never owned by Farm Credit Bank and last I knew these lands were owned by Jensen Estate. The contact person for Jensen Estate is Eb Evans, 362-9411. The last address I have for Eb Evans is 9990 Roan Meadows Drive, Boise, Idaho 83709.

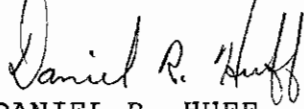
Last spring, the buyers filed suit against Jensen Estate relative to the water rights. Although Farm Credit Bank has not been served, I read in the paper that they have a filed a lawsuit against us.

MICROFILMED  
AUG 21 1992

Once you have reviewed the water rights with your legal counsel,  
please let me know what you suggest.

Sincerely,

FARM CREDIT SERVICES - Credit

A handwritten signature in cursive script that reads "Daniel R. Huff". The signature is written in dark ink and is positioned above the printed name.

DANIEL R. HUFF  
Senior Credit Officer

DRH:sf

MICROFILMED

AUG 21 1992

CLAIMANT'S NAME: Montez (Dan Huff Farm Credit Soc. <sup>Collected</sup>) DATE: 1/30/91  
COUNTY: Canyon  
EMPLOYEE: J DC

Mr. Huff indicated the areas blanked out in 2 rows are not or were not owned by them previously. Sec 14

The larger area in Sec 11 may be owned by Jensen & States

Mr. Huff indicated they may be used by Montez and Montez has already gone to court with Jensen regarding water rights

He will put together in a letter what we discussed and will present to ~~the~~ Dan a copy. what the best route to take might be.

MICROFILMED

AUG 21 1992



# State of Idaho

## DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS  
GOVERNOR

January 11, 1991

R. KEITH HIGGINSON  
DIRECTOR

Federal Land Bank of Spokane  
W. 601 1st Ave., TAF-C5  
Spokane, WA 99220

*Monticello*

RE: Snake River Basin Adjudication (SRBA)  
Canyon County, Water Rights 63-07778, 63-03589,  
& 63-03597

Dear Claimant:

We are writing with regard to the Change in Ownership Form which we received from you. There are a few items which will require clarification before the completion of the change of ownership of the water right claims listed above.

On the form which you returned to our office, you stated that the change in ownership does not result in a splitting of the water rights claimed. However, there are some lands which you have claimed as being irrigated, but are not included in the deed we received from you. I have enclosed a map showing in purple those acres covered by the deed, and in pink the acres not included in the deed, but listed in the above claims as irrigated acres.

If these acres are not irrigated, they should be removed from the claims in question. If the acres are irrigated, the claims must be split so that those portions of the water rights reflect the proper ownership.

Claims #A63-07778 and #A63-03589 each describe 40.0 acres of irrigated land in the NE1/4SE1/4 and SE1/4NW1/4 of Section 14, respectively. Two acres of each forty-acre tract are excluded from the deed and do not appear to be irrigated. Please confirm as to whether those acreages are irrigated and whether total diversion rates and acres should be reduced, or should each claim be split to reflect a different owner for those parcels.

Claim #A63-03597 describes 338.0 acres in Section 11 which are not mentioned in the deed. If those acres are owned by you and are irrigated, please indicate the number of

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AUG 21 1992

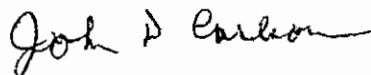
Federal Land Bank of Spokane  
January 11, 1991  
Page 2 - Canyon County

acres you irrigate and the portion of the total diversion rate which is used on those acres. When you supply us with the rate of diversion and acres, we will generate a split for this right and send to you for your approval. The quarter-quarters are listed as follows:

|            |    |    |          |
|------------|----|----|----------|
| Section 11 | SW | NW | 36 Acres |
|            | SE | NW | 26       |
|            | NE | SW | 40       |
|            | SW | SW | 39       |
|            | SE | SW | 39       |
|            | NW | SE | 40       |
|            | SW | SE | 39       |
|            | SE | SE | 39       |

Please send the information to this office to my attention. Please respond to our questions before February 11, 1991. Do not hesitate to contact this office if you have questions or concerns.

Sincerely,



John D. Carlson  
Adjudication Supervisor

JDC:MS:sf:state:tf

Enclosures:

Photocopy-Orthoquad Map  
Proof Reports - Claims #A63-07778,  
A63-03589, A63-03597

cc: H.R. Montierth

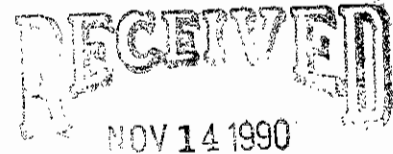
MICROFILMED  
AUG 21 1992



**Farm Credit Services**  
Caldwell

423 Blaine Street  
P.O. Box 310  
Caldwell, Idaho 83606-0310  
208/459-4677  
888-7369 (Meridian No.)  
1-800-244-4127 (in state only)  
208/459-4663 FAX

November 13, 1990



Department of Water Resources

*re: H.R. Montierth*

John D. Carlson  
Adjudication Supervisor  
State of Idaho  
Department of Water Resources  
1301 North Orchard  
Statehouse Mail  
Boise, Idaho 83720

RE: Snake River Adjudication (SRBA)  
CANYON COUNTY, WATER RIGHTS 63-3599B, 63-3499A,  
63-3597, 63-3232, 63-7825, 63-7156A, 63-3589, 63-3557A,  
63-2879 & 63-7778

Dear Mr. Carlson:

Enclosed is the completed, executed Change In Ownership and a copy of the recorded Warranty Deed from Farm Credit Bank Of Spokane to H. R. Montierth, et al.

If you have any questions please call.

Sincerely,

FARM CREDIT SERVICES - Credit

SHIRLEY FARRAR  
Loan Processing Assistant

MICROFILMED  
AUG 21 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

October 29, 1990

*Letter to Herb Matthews*

Federal Land Bank of Spokane  
W. 601 1st Ave., TAF-C5  
Spokane, WA 99220

RE: Snake River Basin Adjudication (SRBA)  
Canyon County, Water Rights 63-3599B, 63-3599A,  
63-3597, 63-3232, 63-7825, 63-7156A, 63-3589,  
63-3557A, 63-2879 & 63-7778

Dear Sirs:

We are returning the Change in Ownership of the above-referenced water rights. Before the Notice of Claim records can be updated to reflect the new ownership, we must have a copy of the signed deed showing complete legal description(s) of the property or the signature of the former claimant(s).

I have enclosed a blank Change of Ownership form for your possible use.

Upon receipt of the Deed copy, Notices of Claim will be prepared from the Agency's computer and sent to the new owners for their review and records.

Yours truly,

John D. Carlson  
Adjudication Supervisor

JDC:sf:state

Enclosure:

Change in Ownership  
Blank Change in Ownership Form

MICROFILMED  
AUG 21 1992