

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 63-32257
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)

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

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	<u>AMEN'S & SCHLHORN'S</u>
RIGHT	<u>63-7778A</u>
CFS	<u>1.02 CFS</u>
ACRES	<u>80 AC</u>
TRACT(S)	<u>SWSE - 40</u>
	<u>SESE - 40</u>

NAME	<u>TIMOTHY & JUNE</u>
SPLIT	<u>63-32256</u> <u>SCHLHORN</u>
CFS	<u>.51 CFS</u>
ACRES	<u>40</u>
TRACT(S)	<u>SWSE - 20</u>
	<u>SESE - 20</u>

POD

SAME AS CLAIMED

NAME	<u>FRANKIE & JEANNE</u>
SPLIT	<u>63-32257</u> <u>AMEN</u>
CFS	<u>.51 CFS</u>
ACRES	<u>40</u>
TRACT(S)	<u>SWSE - 20</u>
	<u>SESE - 20</u>

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 Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication 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.
- 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 83615
Frankie & Jennie Amen - 9125 Sky Ranch Rd. Nampa, ID 83615
4. New Owner/Claimant(s) FRANKIE & JENNIE 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 (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 (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

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

Frederick A. 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 3/23/05 LG Date 3/23/05 Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by LG AJ Date 2/27/06 WR _____ Date _____

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.

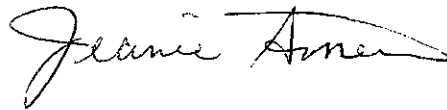
Just for clarification, we originally owned the two 40 acre parcels of water right number 63-7778A jointly with Timothy and Julie Schelhorn. We have now split each 40 acre parcel in half and we solely own the southern one half of each parcel. Tim and Julie Schelhorn solely own the northern one half of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

A handwritten signature in cursive script that reads "Jeanie Amen". The signature is fluid and written in dark ink.

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

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

63-32019 (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, T2N., R3W., 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.

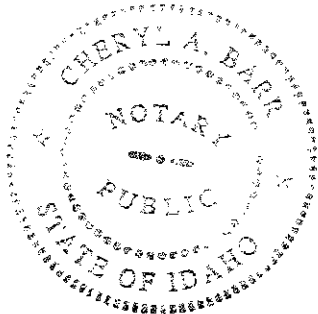
IN WITNESS WHEREOF. Grantors have hereunto subscribed their names to this instrument this _____ day of February, 2005.

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 ½ of the South ½ of the Southeast ¼ 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° 04'30" West along the Easterly Boundary of Said Section 14 a distance of 660.82 feet to a point being the South-South 1/64 corner on the easterly boundary of Said Section 14;

Thence South 89° 21'43" West a distance of 2652.70 feet to a point marking the Center-South-South 1/64 Corner of Said Section 14;

Thence South 00° 04'27" East a distance of 661.32 feet to a point marking the South ¼ Corner of Said Section 14;

Thence South 89° 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

FEB 16 PM 4 10

C. HOLL NILES
CANYON CNTY RECORDER

BY *Dee*

Frankie Amen
RECORDING
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
IRRIGATION

From To C.F.S.
3/15 11/15 1.02

(or) A.F.A

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.
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
	63-7778A	

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, CONTRA** 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 copy of the most recent **AERIAL PHOTO** with the irrigated acres outlined. An **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

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

4. New Owner/Claimant(s)

New Mailing Address

City, State and ZIP Code

New Telephone Number

5. Date you acquired the property

LIBERTY- PHZ.
ADD FRANKIE?
JEANIE AMEN TO
THIS RT. A LETTER
SHOULD BE SENT TO
BOTH SCHERHORN'S +
AMEN'S W/COPIES OF
THE CLAIM. TRS, JAN

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.

TWIN FALLS, IDAHO 83301

FRANKIE AMEN + JEANIE AMEN

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

9125 Sky Ranch Road

Nampa, Idaho 83684

(208) 466-1853

88 (AUG 31 1995) AND (DEC 12, 1995)

NOTE: THE ATTACHED DEEDS ADD FRANKIE?

JEANIE AMEN TO THIS RIGHT. THE SCHERHORN'S

ARE ALSO ON THIS RIGHT? IT SHOULD REFLECT

ALL 4 NAMES. REMARKS SHOULD SHOW THAT THE

SCHERHORN'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 (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 (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation		
Stock		
Domestic		
Other		
Total		

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

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

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 [Signature] Date 11-29-04 Fee N/A
 Received by N/A 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 PO BOX 15367 BOISE, ID 83715 (208)343-7782
Original Owner	WILFORD NOLAN VICTOR 1520 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Original Owner	EDWARD RAY MONTIERTH 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Original Owner	GOLDA D MONTIERTH 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Original Owner	HERBERT R MONTIERTH 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
~~Current Owner~~	TIM SCHELHORN 9135 SKY RANCH RD NAMPA, ID 83686
Original Owner	ROBERT J MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
~~Current Owner~~	JULIE SCHELHORN 9135 SKY RANCH RD NAMPA, ID 83686
Original Owner	KATHI L MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Original Owner	RODNEY KENT MONTIERTH 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Original Owner	SUSAN L MON 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Original Owner	RUBY C VICTOR 1520 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Original Owner	BRYCE MILL RT 7 BOX 73 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

Beneficial Use

From To

Diversion RateAnnual Volume

IRRIGATION

3/15 to 11/15

1.020 CFS

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
			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 10/13/1995)

Comments:

11-23-04

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

From: Frankie & Jennie Amen
466-1853

Re: H₂O Rights

Frankie & I were married & I was added
as a partner to the deeds. See enclosed
to 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."

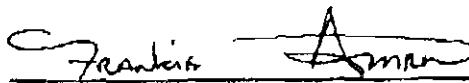
Second Property - under contract for purchase:

"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."

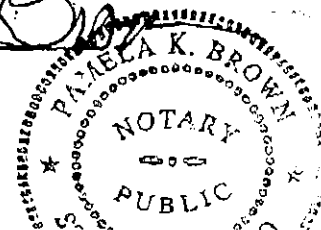
For the purpose of clarification of the Warranty Deed and the Installment Contract for Real Estate, Warranty Deed, we request that the deed and contract be rewritten to include these changes.


TIMOTHY J. SCHELHORN


FRANKIE AMEN


JULIE M. SCHELHORN


NOTARY PUBLIC



LT4998

INSTRUMENT NO. 200243510
QUITCLAIM DEED

FOR VALUE RECEIVED

V & 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

[Signature]

STATE OF IDAHO, COUNTY OF Teton Falls

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

Kendal F. Beyer

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

[Signature]
 Notary Public

Residing at Teton Falls, Idaho
 Comm. Expires 4/12/2007

RECORDED
 2002 SEP 18 PM 3 20
 C. NOEL SALES
 CANYON CNT RECORDER
 BY *[Signature]*
 SECURED *[Signature]*
 TYPE *[Signature]* FEB 3-02

200243510

PIONEER TITLE COMPANY
 CANYON COUNTY

423 So. Kimball
 Caldwell, Idaho 83605

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]
W & M TRUST

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

STATE OF IDAHO)
COUNTY OF CANYON)

On this 12th day of December, 1995 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]* Idaho, 209

LT4922

INSTRUMENT NO. 200243509
QUITCLAIM DEED

FOR VALUE RECEIVED

V & 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

[Signature]

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

[Signature]

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

[Signature]

Notary Public
 Residing at Twin Falls, Idaho
 Comm. Expires 4/24/05

REQUEST
 Frank Amen
 TYPED, FEB 2, 2003

UNDEL. SALES
 CANYON CNTY RECORDER
[Signature]

SEP 18 PM 3 29

RECORDED

200243509

PIONEER TITLE COMPANY
 FOR CANYON COUNTY

423 So. Kimball
 Caldwell, Idaho 83605

100 - 10th Ave. South
 Nampa, Idaho 83651

LT4922

INSTRUMENT NO. 200018752 **WARRANTY DEED**

For Value Received

V & 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 & FEE \$3.00

OK

NOV 20 8 11 15
CANYON COUNTY RECORDER
G. NOEL HALE

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

Timothy J. Schelhorn - Trustee

V & M TRUST

STATE OF IDAHO

COUNTY OF TWIN FALLS

On this 31st day of August, 1995, I, _____, Notary Public, 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 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 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:

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

RECEIVED

SEP 21 2001

WATER RESOURCES
WESTERN REGION

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

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
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, MONTIEATH, VICTOR
1528 ADDISON AVENUE EAST T.F. ID 83301
4. New Owner/Claimant(s) Tim & Julie Schellhorn
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 adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

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

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

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

To Sell
Julie Wheelman

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*
 Receipted 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 & 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:

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

REQUEST PIONEER-NAMPA
TYPE 1001 FEE 3.00
OK

NOEL HALE
CANYON COUNTY RECORDER
BY [Signature]
200

NOV 30 AM 11 15

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 is 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

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 20th day of AUGUST by and between

V & M TRUST-----

, hereinafter design-

ated as the seller, and

TIMOTHY J. SCHELIORN AND JULIE M. SCHELIORN, 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 the balance is paid in full when all remaining unpaid balance together with accrued interest shall be paid in full.

INITIAL

3. All deferred balance of said purchase price, shall bear interest at the rate of ten per cent (10%) per annum from the date 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 payment, 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 cooperate 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 after December 31, 1995

10. The Seller hereby covenants and agrees that there are no taxes or assessments against the premises at the following: 1995 property taxes

QUITCLAIM DEED

For Value Received

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

ROBERT J.

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 V & M Trust
TPE Aud FEE 3.00

CANYON COUNTY RECORDER
BY [Signature]

NEED CLERK

94 JUN 11 PM 1 58

RECORDED

9400960

together with their appurtenances.

Dated:

12/20/92
[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 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 persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

[Notary Seal and Signature]
Notary Public
Twin Falls, Idaho
Building at
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.

Tract 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. West, County of Latah, 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

Kathy L. Meyers
KATHY L. MEYERS

Susan L. Montierth
SUSAN L. MONTIERTH

Herbert R. Montierth
HERBERT R. MONTIERTH

Rodney Kent Montierth
RODNEY KENT MONTIERTH

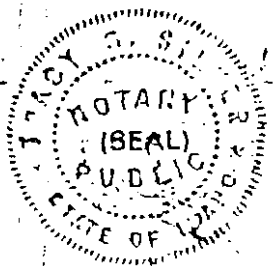
Herbert R. Montierth
HERBERT R. MONTIERTH
Personal Representative of the
Estate of Golda D. Montierth

Dollie Montierth
DOLLIE MONTIERTH

STATE OF IDAHO)
County of Ada) ss.

On this 31st 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 32nd Ave, Idaho
Commission expires: _____

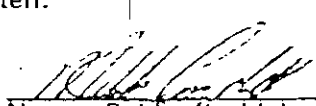
STATE OF IDAHO)

) ss:

County of Ada)

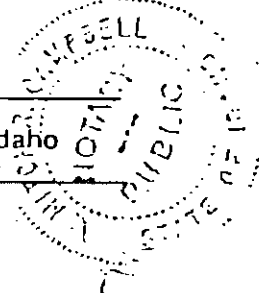
On this 1 day of February, 1954, before me the undersigned, a notary public for Idaho, personally appeared ROBERT J. MEYERS and KATHI L. MEYERS known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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 View, Idaho

Commission expires _____



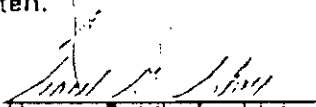
STATE OF IDAHO)

) ss:

County of Ada)

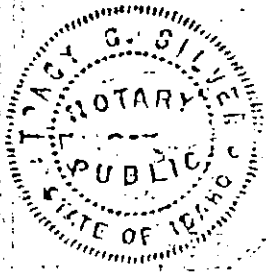
On this 1 day of February, 1954, before me the undersigned, a notary public for Idaho, personally appeared HERBERT R. MONTIERTH, known to me to be the persons whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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

8/282

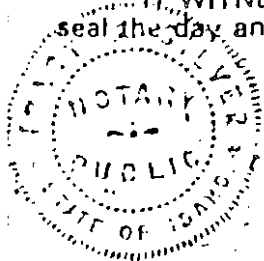
STATE OF IDAHO)

County of Ada)

ss:

On this 12 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 _____

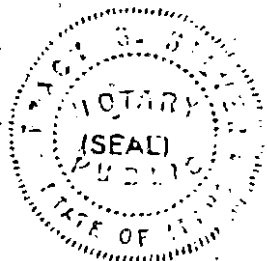
STATE OF IDAHO)

County of Ada)

ss.

On this 12 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
4/282

REQUEST
TYPE Quitclaim FILE 122

CANYON CHIEF RECORDER
BY C. Smith

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

REQUEST *W & M Trust*
TYPE *Quit* FEE *3.00*

NEED
CANYON COUNTY RECORDER
BY *W. McLaughlin*

94 JAN 11 PM 1 58

RECORDED

9400950

Robert J. Meyers

Kathi L. Meyers

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

Residing at
Comm. Expires

Notary Public
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.

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 TWIN FALLS ID 83301	
Name:	EDWARD MONTIERTH	208-733-5217
Address:	1528 ADDISON AVENUE EAST TWIN FALLS ID 83301	
Name:	WILFORD NOLAN VICTOR	208-733-5217
Address:	1528 ADDISON AVENUE EAST TWIN FALLS ID 83301	
Name:	ROBERT J MEYERS	208-733-5217
Address:	1528 ADDISON AVENUE EAST TWIN FALLS ID 83301	
Name:	KATHI L MEYERS	208-733-5217
Address:	1528 ADDISON AVENUE EAST TWIN FALLS ID 83301	
Name:	RUBY C VICTOR	208-733-5217
Address:	1528 ADDISON AVENUE EAST TWIN FALLS ID 83301	
Name:	HR MONTIERTH	208-733-5217
Address:	1528 ADDISON AVENUE EAST TWIN FALLS ID 83301	
Name:	SUSAN L MONTIERTH	208-733-5217
Address:	1528 ADDISON AVENUE EAST 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	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	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)
) SS.
County of _____)

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 2nd 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 TWIN FALLS, ID 83301		
Name:	GOLDA D. MONTIERTH	208-733-5217	
Address:	1528 ADDISON AVENUE EAST TWIN FALLS, ID 83301		
Name:	EDWARD MONTIERTH	208-733-5217	
Address:	1528 ADDISON AVENUE EAST TWIN FALLS, ID 83301		
Name:	SUSAN L. MONTIERTH	208-733-5217	
Address:	1528 ADDISON AVENUE EAST TWIN FALLS, ID 83301		
Name:	RODNEY KENT MONTIERTH	208-733-5217	
Address:	1528 ADDISON AVENUE EAST TWIN FALLS, ID 83301		
Name:	WILFORD NOLAN VICTOR	208-733-5217	
Address:	1528 ADDISON AVENUE EAST TWIN FALLS, ID 83301		
Name:	ROBERT J. MEYERS	208-733-5217	
Address:	1528 ADDISON AVENUE EAST TWIN FALLS, ID 83301		
Name:	KATHI L. MEYERS	208-733-5217	
Address:	1528 ADDISON AVENUE EAST 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

Adj. Flag Translation: Adjudication Temporary Work Area Old (D) Number -

*** 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	

Twn	Rng	Sec	Tract	Lot	RF1g	County	Point of Diversion	Stream Index (Blank if no Index Code)
02N	03W	14	SE SW			(27) CANYON		

Code	Description	Period From	Period To	Water Use	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		

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use 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 & 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 Flg ~	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 05 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
Snake River Basin Adjudication

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:

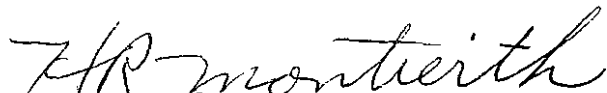
RECEIVED

OCT 24 1990

Department of Water Resources

63-3597A

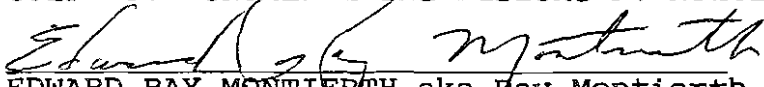
SIGNATURE PAGE, ATTACHED TO ALL CLOSING DOCUMENTS



H.R. MONTIERTH, aka Herbert R. Montierth



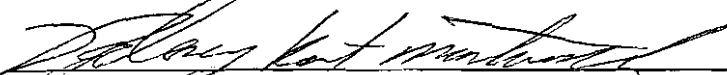
GOLDA D. MONTIERTH aka Darlene R. Montierth



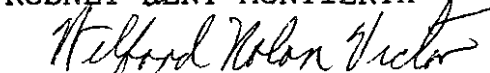
EDWARD RAY MONTIERTH aka Ray Montierth



SUSAN L. MONTIERTH



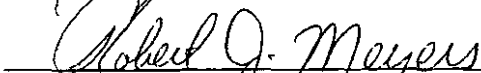
RODNEY KENT MONTIERTH



WILFORD NOLAN VICTOR



RUBY C. VICTOR



ROBERT J. MEYERS



KATHI L. MEYERS

PA-75418

RECORD NO. 9002195

21077

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.

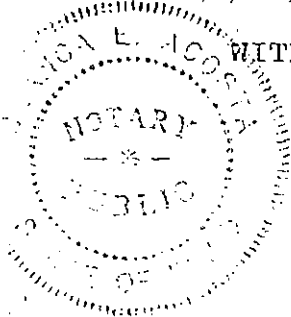
FARM CREDIT BANK OF SPOKANE

By: Daniel R. Huff
Authorized Agent

STATE OF IDAHO)
COUNTY OF Carleton (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.



Harold E. Hueste
Notary Public for Idaho
Residing at Carleton, 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 4,462.39 feet to the POINT OF BEGINNING; said point bears

South $63^{\circ} 05' 00''$ 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 295.00 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 315.37 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

RED J KERR

CANYON CNTY RECORDER
BY *C. Smith*

REQUEST WINTER - WAPA
TYPE Abundant 12 12 11

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

RECEIVED
JAN 02 1990

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

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 28th day of Dec.,
19 89.

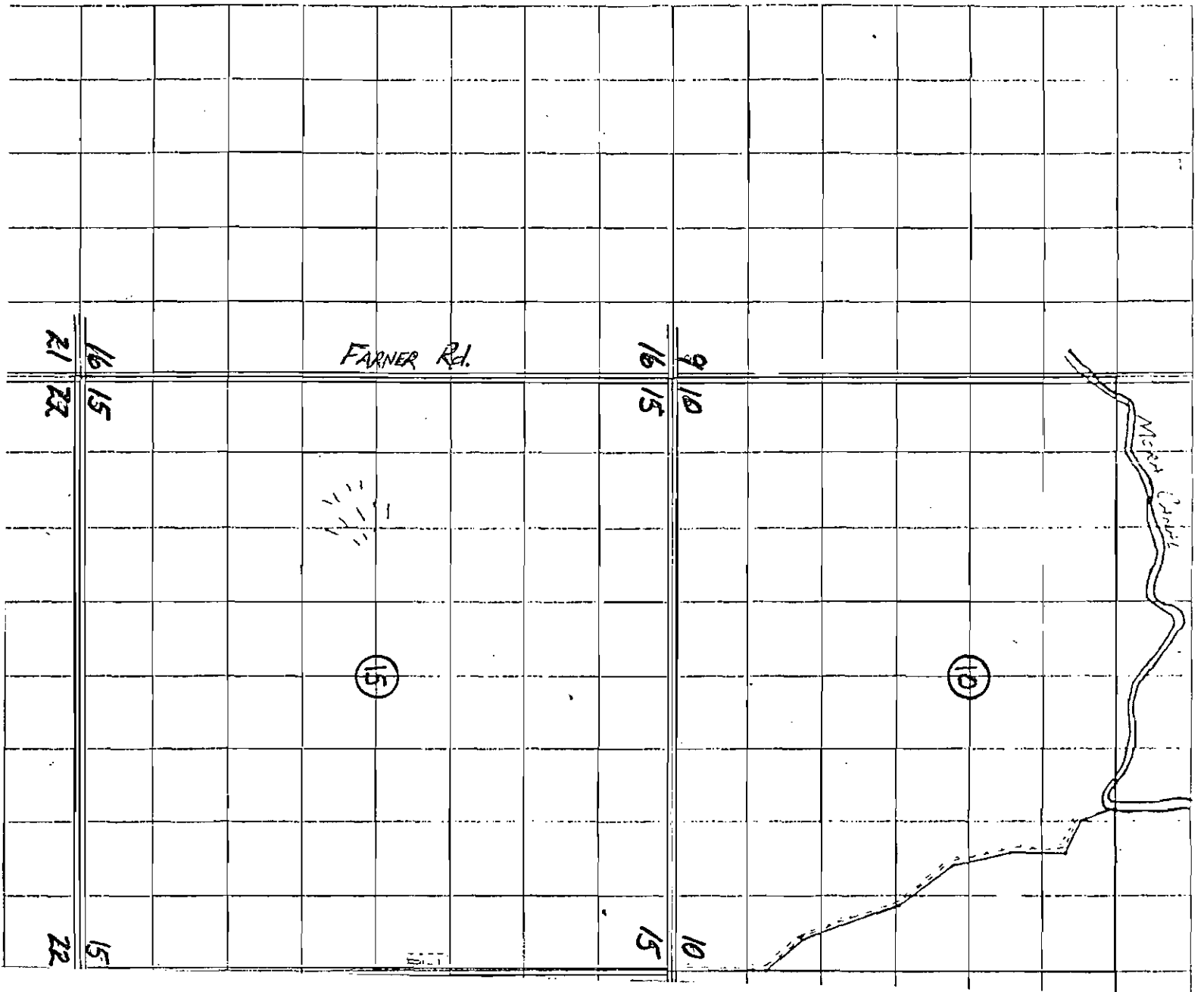
SEAL

Alva Beardslee

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			
63-07778	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	63-07778
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.



Goats Point

11

2

13

2723

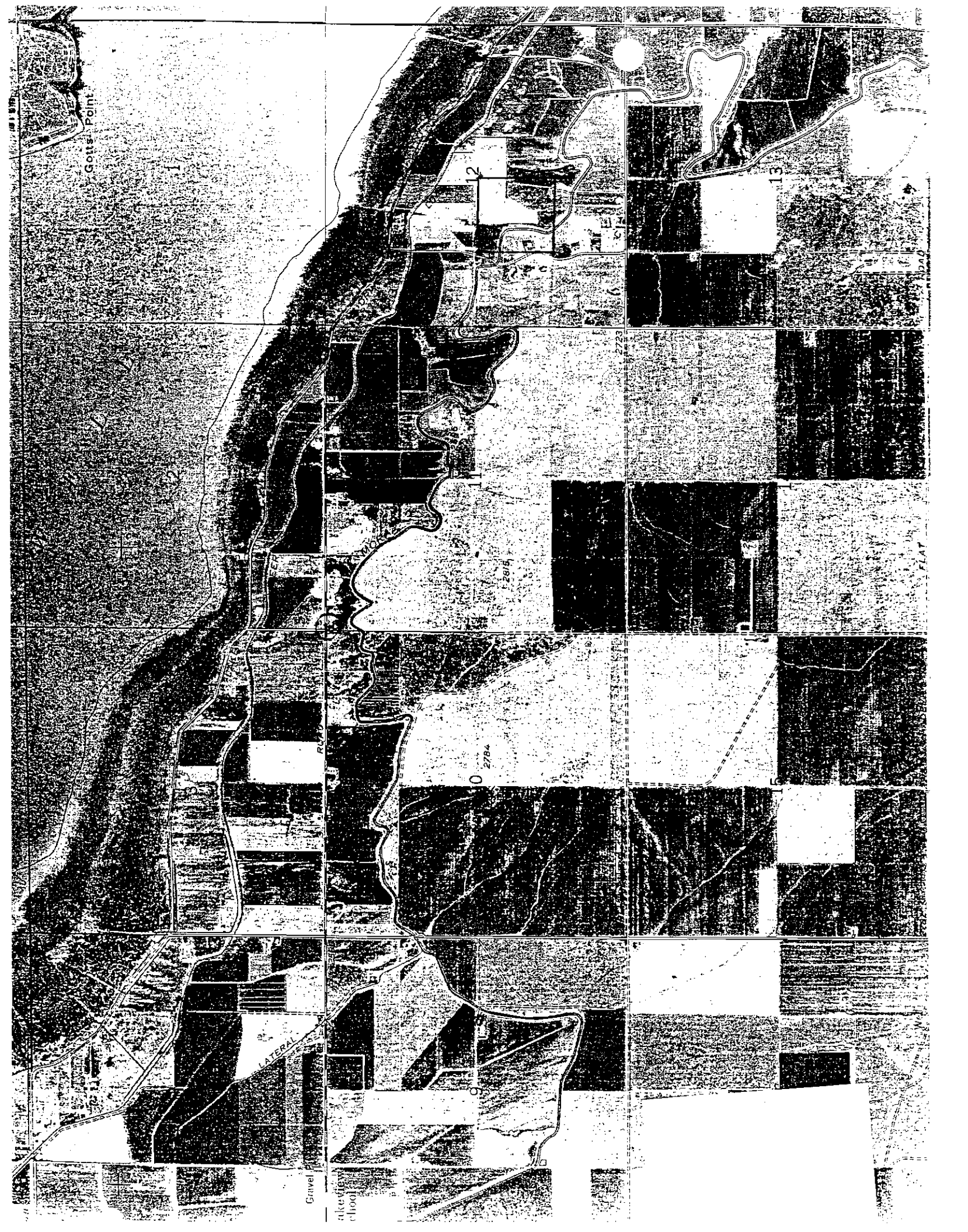
2815

2784

LATERAL

Gravel

lake view
cllood



are not mentioned in deed

MS

2 N 3 W

14 all SW W 1/2 - A63-03599 B , A63-03589 (all)
all SE A63-07778
✓ NE NE A63-03599 A , A63-03232
all NW A63-03589
SE NE }
NW NE } A63-07153 A
SW NE }

15 SW SE A63-03599 B

all NE A63-03597

all NW A63-0359

SE SW

NW SW

SW SW

NE SW

NW SE

NE SE

SE SE

A63-07825

A63-02879

A63-03599 B

A63-03599 B

✓ 13 NW NW A63-03557 A

10 SW NE } A63-03597

SE NE

SE NW A63-03597

NE SW

SW SW } A63-03597

SE SW

NW SE

SW SE } A63-03597

NE SE

SE SE

SW NW A63-03597

NW SW A63-03597

09/29/2006

NOTICE OF ERROR
REPLY

RECEIVED

NOV 27 2006

WATER RESOURCES
WESTERN REGION

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: 63-32257

FRANKIE AMEN
9125 SKY RANCH RD
NAMPA ID 83686
Telephone Number: (208)466-1853

JEANIE AMEN
9125 SKY RANCH RD
NAMPA ID 83686
Telephone Number: (208)466-1853

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

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

DATE: 11-21-06

SIGNATURE:

Please print your name:

Frankie Amen / Jeanie Amen
Frankie Amen / Jeanie Amen

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: 63-32257

NAME AND ADDRESS: FRANKIE AMEN
9125 SKY RANCH RD
NAMPA ID 83686

JEANIE AMEN
9125 SKY RANCH RD
NAMPA ID 83686

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.510 CFS
180.000 AFY

PRIORITY DATE: 04/19/1973

POINT OF DIVERSION:

T02N R03W S14 SESW Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.510 CFS

180.00 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.

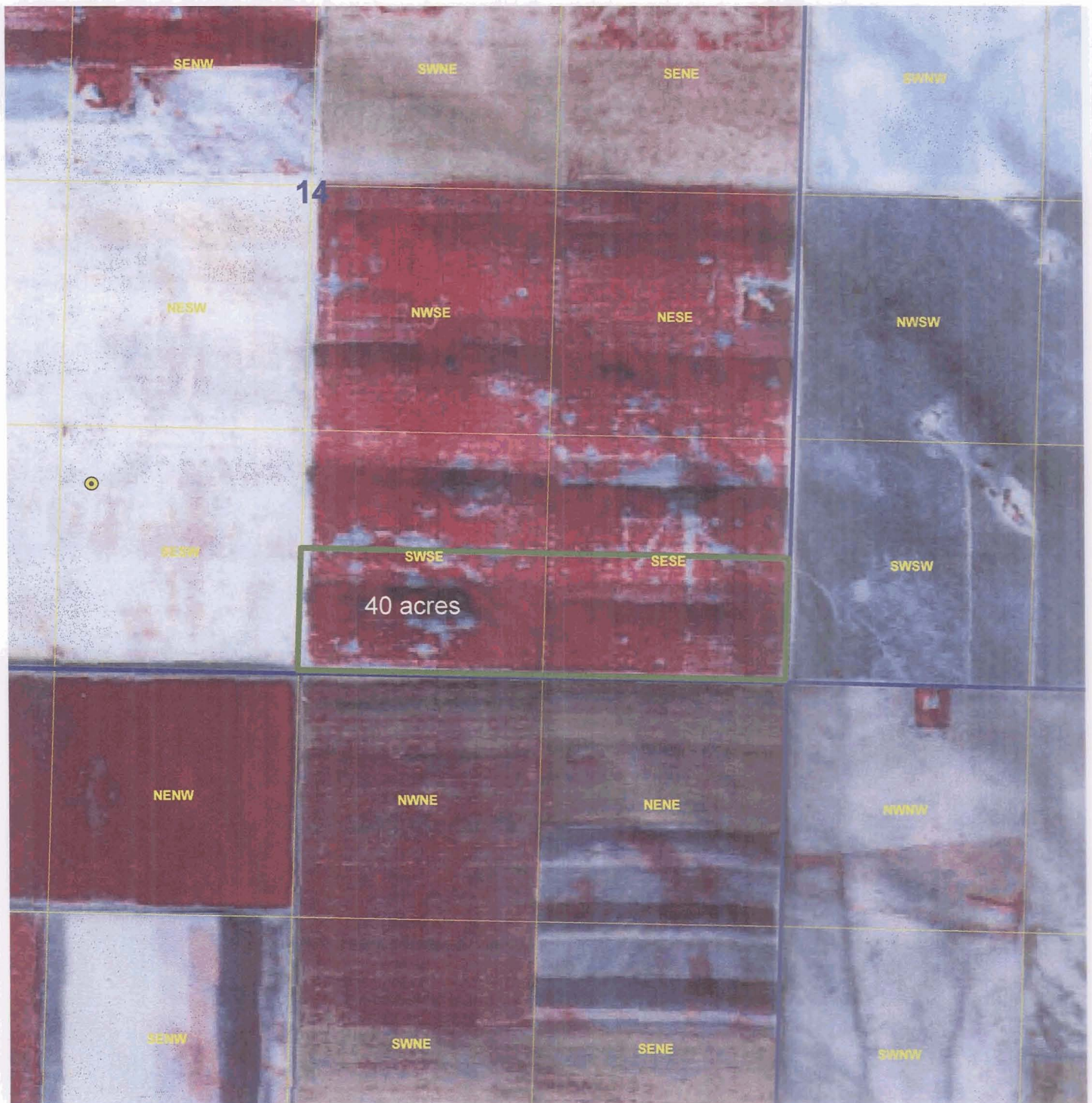
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

Idaho Department of Water Resources

63-32257

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 63-32257 V1

WATER RIGHT NUMBER: 63-32257 V1

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32257 V1

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

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	180.00 AF
	<u>Total Diversion:</u>	0.510 CFS	180.00 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. This right is a split from former right 63-7778A.
3. S39 The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-32257 V1

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: AND
 Water District Number:
 Generic Max Rate Per Acre:
 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 10:42:55 AM	segbert			Active
POD	2/28/2006 10:43:15 AM	segbert			Active
Source	2/28/2006 10:44:33 AM	segbert			Active
POU	2/28/2006 10:44:47 AM	segbert			Active
Use	2/28/2006 10:45:24 AM	segbert			Active
Season	2/28/2006 10:45:42 AM	segbert			Active
Quantity	2/28/2006 10:46:31 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>
Summary	2/28/2006 11:04:12 AM	segbert	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32257 V1

Source	2/28/2006 10:44:33 AM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	2/28/2006 10:44:47 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
POU	2/28/2006 10:45:04 AM	segbert	Updated shape for Active POU
POD	2/28/2006 10:43:32 AM	segbert	Updated shape
Quantity	2/28/2006 10:46:31 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - per license
General	2/28/2006 10:42:55 AM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	2/28/2006 10:43:16 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Use	2/28/2006 10:45:24 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32257 V1

Season	2/28/2006 10:45:43 AM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
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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

Frankie and Jeanie Amen
9125 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. 63-32257

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

DATE: 11/13/00
PAGE: 143

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

CANYON County

SE1/4SW1/4 ✓

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

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	
																	40.0	40.0	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. 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 <u> </u> to <u> </u> at <u> </u> cfs and <u> </u>		
	from <u> </u> to <u> </u> at <u> </u> cfs and <u> </u>		

(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 1/4 SW 1/4 Section 14,
Twp 2N, Rge 3W in the County of Canyon

Description and location of place of use:

Twp.	Range	Sec.	NEW				NW 1/4				SW 1/4				Totals			
			NEW	NW 1/4	SW 1/4	SE 1/4	NEW	NW 1/4	SW 1/4	SE 1/4	NEW	NW 1/4	SW 1/4	SE 1/4	NEW	NW 1/4	SW 1/4	SE 1/4
2N	3W	14													40	40	40	40

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 9TH day of
FEBRUARY, 19 84.

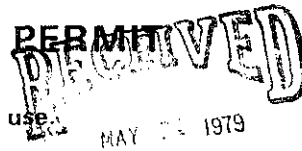
Acting for the

Director

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



Comes now Bryce Millar Department of Water Resources
of (address) Route 7, Box 7380, Nampa, 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:

- 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

- 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)

- 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 = _____

- Who owns the property at the point of diversion? Applicant
 - Who owns the land to be irrigated or the place of use? Applicant
 - 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

1975

APPLICATION FOR AMENDMENT

Permit No. 63-7778[illegible]

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

Identification No. _____

Application No. 63-1773

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPROVED

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

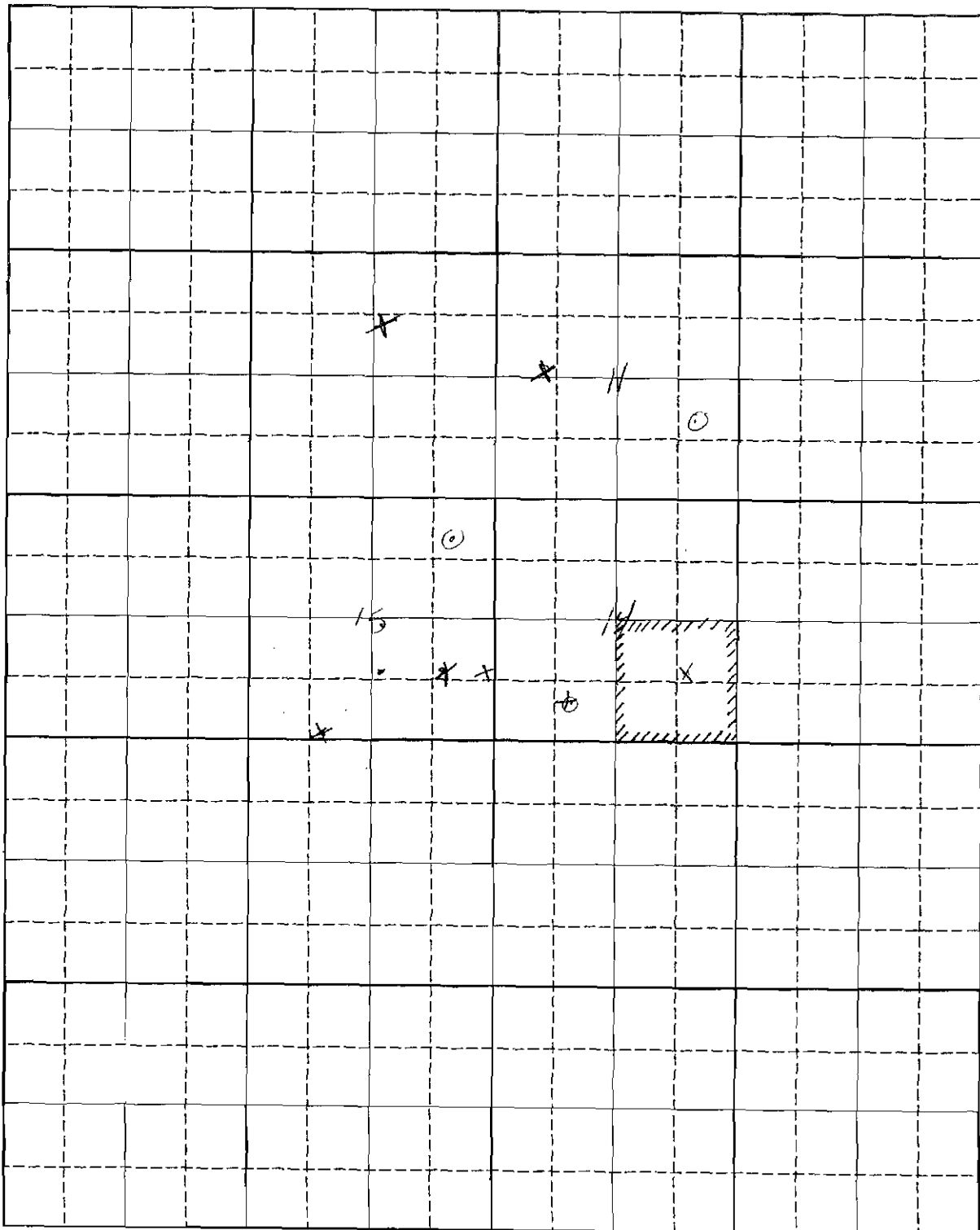
(TYPE OR PRINT IN INK)

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. NE⁴SE⁴, 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: _____

63-1773

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 Miller
(Applicant)

63 7770

~~##~~ ^{plu} overlap - none as per plu microfische

NOT TO SCALE

574

75.9

083

1413

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

178

1413

514



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,

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 5-14

RECEIVED

DEC 26 2003

WATER RESOURCES
WESTERN REGION

COUNTY

SUBDIVIDED

map
LIBA

Schellhorn →

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 1
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 3W
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 83687

☐ New Telephone Number:

(208) 466-5753 466 5755 BWS

☐ 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
Ray Blue

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 3W
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 83697
- ☐ 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 - 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
Ray Blue Date 6/12/95
- ☐ Signature of Former Owner/Claimant(s): _____ 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 7N Range 9W
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 CHAPMAN JR - 201 SUNF
- ☐ New Mailing Address: 3305 LUTHER RD IDAHO 83407
- ☐ 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 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 Chapman Jr Date 6/2/15
James Chapman Jr 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

INTER-DEPARTMENT MEMO

TO: A63-67778 & T. 4645

SUBJECT: 5 1/2" Ownership

FROM: Steve Lester

DATE: 6-27-95

On 6/12/95, received transfer appl. & change concerning form to
 int'l for owner off to new owners (J. Schelhorn & Ray Blue).
 Per license/clearance, B parties to become (2.03 ch / 160 acres) (80 acres) = 1.515 ch.
 N 1/2 SE 1/4 S. 14.

Print ownership attached - pending print for 5 1/2 NWSE, per info in progress.
 When receive final print of print, will provide copy to AT file.
 Copies of pgs 1-2 of T. 4645 included with change of ownership
 Form forwarded to Region AT staff today.

() For your information

() Response required

Orig - T. 4645
 cc - A63-67778

SL
 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 Schellhous Rky 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>4/19/1988</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>

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.

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

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 JAMES F. SCHELHORN and ~~DOROTHEA SCHELHORN~~ ^{DOROTHEA} SCHELHORN, husband and wife and RAY BLUE and BETTY BLUE, husband and wife

the Grantees, whose address is ~~212 WEST ELGIN~~ ^{212 WEST ELGIN}, 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

Confirmed by
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 $0^{\circ} 03' 00''$ East 478.04 feet along the East boundary of said Southeast Quarter; thence

South $89^{\circ} 57' 00''$ West 25.00 feet to the POINT OF BEGINNING; thence continuing

South $89^{\circ} 57' 00''$ West 396.00 feet; thence

South $0^{\circ} 03' 00''$ East 220.00 feet parallel with the East boundary of said Southeast Quarter; thence

North $89^{\circ} 57' 00''$ East 396.00 feet; thence

North $0^{\circ} 03' 00''$ 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 : $5\frac{1}{2}$ 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.

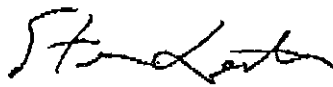
Any well drilled for a single home can be used to irrigate up to one-half acre associated with the home without a water right; irrigation beyond that limit requires a valid water right. Additionally, each well to be drilled must be authorized by an approved well drilling permit, which is an item separate 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 #

CLAIMANT'S NAME: Montierth, Victor, & Mevers DATE: 2/21/91COUNTY: CanyonEMPLOYEE: Marci Sterling2 acres in NE"SE" & 2 acres in SE"NW" of Section 14 T2NR3W are owned by other people with homes & domestic wellson the property, according to Daniel Huff @ Farm Credit Services.Please check this during field exam for each claim.

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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.

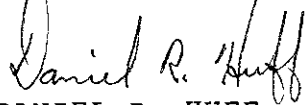
Last spring, the buyers filed suit against Jensen Estate relative to the water rights. Although Farm Credit Bank has not been served, I read in the paper that they have a filed a lawsuit against us.

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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".

DANIEL R. HUFF
Senior Credit Officer

DRH:sf

MICROFILMED

AUG 21 1992

CLAIMANT'S NAME: Montez (Don Huff, Farm Credit Serv. Collector) DATE: 1/30/91
COUNTY: Compton
EMPLOYEE: J PC

Mr. Huff indicated the areas labeled out in 2 rows are not ~~as~~ ^{are} ~~are~~ ^{not} owned by ~~them~~ ^{them} previously. Sec 14

the larger area in Sec 11 may be owned by Jones Estates

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

He will put together in a letter what we discussed and will present to ~~Don~~ Don & Lynn. 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~~ *Monticello*
W. 601 1st Ave., TAF-C5
Spokane, WA 99220

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

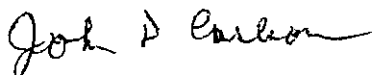
Federal Land Bank of Spokane
January 11, 1991
Page 2 - Canyon County

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

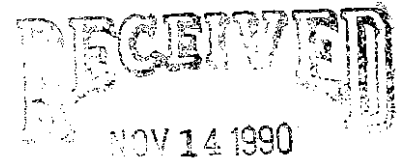
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AUG 21 1992



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 Master

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