

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 63-32363
Date Received: 2/2/1990
Receipt No: X777777
Received By:

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

1. Name of Claimant(s)

ALLEN BROTHERS INC Phone: (208)466-3961
9101 S POWERLINE RD
NAMPA ID USA 83686

2. Date of Priority: 02/15/1977

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	02W	15	NE NE SE	CANYON	

5. Description of diverting works:

300' WITH 12" CASING 2 5 HP SUB. PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.72	162

7. Total Quantity Appropriated is:
0.72 C.F.S. and/or 162 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
02N	02W	15	SW NE	IRRIGATION	36
Section Acres					36

Total Acres 36

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

This right is a split from former right 63-8449 .

15. Basis of Claim: License

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

RECEIVED**MAY 09 2003****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
	63-8449	Yes			

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. *= No fee for Adjudication claims*
- 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

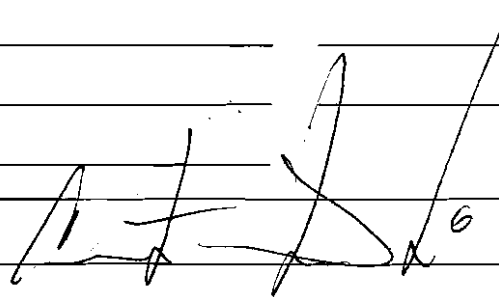
If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY**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

3. Name and Address of Former Owner/Claimant(s) Allen Brothers Inc
9101 S. Powerline Rd Nampa ID 83686
4. New Owner/Claimant(s) Costen & Elizabeth Dembi
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address 9443 S. Powerline Rd
- City, State and ZIP Code NAMPA ID 83686
- New Telephone Number (208) 467-7706
5. Date you acquired the property OCT 25, 2000

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>63-8449</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	<u>.40 cfs</u>	<u>20 acres</u>
Stock	<u>aerial photo states 19.2 acre field # T6280. Dombis</u>	
Domestic	<u>own the entire 20 acre parcel shown in field exam</u>	
Other	<u>map attached. Assuming this means a 20 acre split,</u>	
Total	<u>not 19.2 acres.</u>	

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)

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 SC Date 5/9/03 Fee N/A
 Receipted by _____ Date _____ Receipt No. _____
 Processed by eq AJ Date 7-18-06 WR _____ Date _____
 reviewed by SE

63-8449

56 acres

1.12 cfs

252 afa

63-32363

Allen Brothers

.72 cfs

162.0 af

63-32364

Dembi

.4 cfs

90.0 af

INTER-DEPARTMENT MEMO--1

FROM Steve Lester

DATE 5/9/03

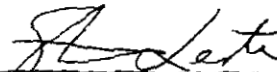
TO File

SUBJECT Dembi Split of A63-8449

From previous research & several conversations, I helped Mr. Dembi file ownership split. He said he owns 23 acres north of canal in NESE (note that A63-8426 covers 10 acres NESE but south of canal).

Appears Dembi has the 20 acres in that tract for A63-8449. But CFSA photo fits 19.2 acres in the field. Since Dembi appears to own all the land north of canal in NESE, I assumed a 20 acres vs. 19.2 acres split. Told him that result might be 19.2 acres but proceeded on 20 acres assumption.

This seems reasonable.


SIGNATURE

① PU 58309 200037955

WARRANTY DEED

FOR VALUE RECEIVED ALLEN BROS., Inc.

the Grantor, does hereby grant, bargain, sell and convey unto COSTEA DEMBI and ELIZABETH DEMBI, husband and wife

the Grantees, whose address is 2108 W. ORCHARDS Nampa, ID 83651

the following described premises, to-wit:

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

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, heirs and assigns forever. And the said Grantor 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 2000 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: October 25, 2000

Allen Bros., Inc. Shirley Carlson Pres
ALLEN BROS., Inc.

STATE OF OREGON
County of Washington

On this 27th day of October, 2000,
before me, a Notary Public in and for the State, personally
appeared Shirley Carlson known to me to be
the President of ALLEN BROS.,
INC., a corporation and that the within and foregoing
instrument was signed on behalf of said corporation by
authority of a resolution of its board of directors and said
NA did duly acknowledge to me
that said corporation executed the same.

Teresa J. Kittleson, Notary Public
Notary Public residing at: Clackamas Co.

My commission expires: 1-4-02



**PIONEER TITLE COMPANY
OF CANYON COUNTY**

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

Exhibit "A"

A portion of the Northeast Quarter of the Southeast Quarter of Section 15, Township 2 North, Range 2 West of the Boise Meridian, Canyon County, Idaho, more particularly described as follows:

COMMENCING at the Northeast corner of said Northeast Quarter of the Southeast Quarter; thence

North 89° 12'17" West along the North boundary of said Northeast Quarter of the Southeast Quarter a distance of 243.50 feet to the TRUE POINT OF BEGINNING; thence

South 0° 50'58" West parallel with the East boundary of said Northeast Quarter of the Southeast Quarter a distance of 268.00 feet; thence

South 89° 12'17" East parallel with the North boundary of said Northeast Quarter of the Southeast Quarter a distance of 243.50 feet to a point on the East boundary of said Northeast Quarter of the Southeast Quarter; thence

South 0° 50'58" West along said East boundary a distance of 581.64 feet to a point on the centerline of the New York Canal; thence traversing said centerline as follows:

North 86° 18'32" West a distance of 982.14 feet;

North 89° 12'07" West a distance of 342.51 feet; thence leaving said centerline and bearing

North 0° 49'07" East along the West boundary of said Northeast Quarter of the Southeast Quarter a distance of 800.00 feet to a point on the North boundary of said Northeast Quarter of the Southeast Quarter; thence

South 89° 12'17" East along said North boundary a distance of 1080.37 feet to the TRUE POINT OF BEGINNING.

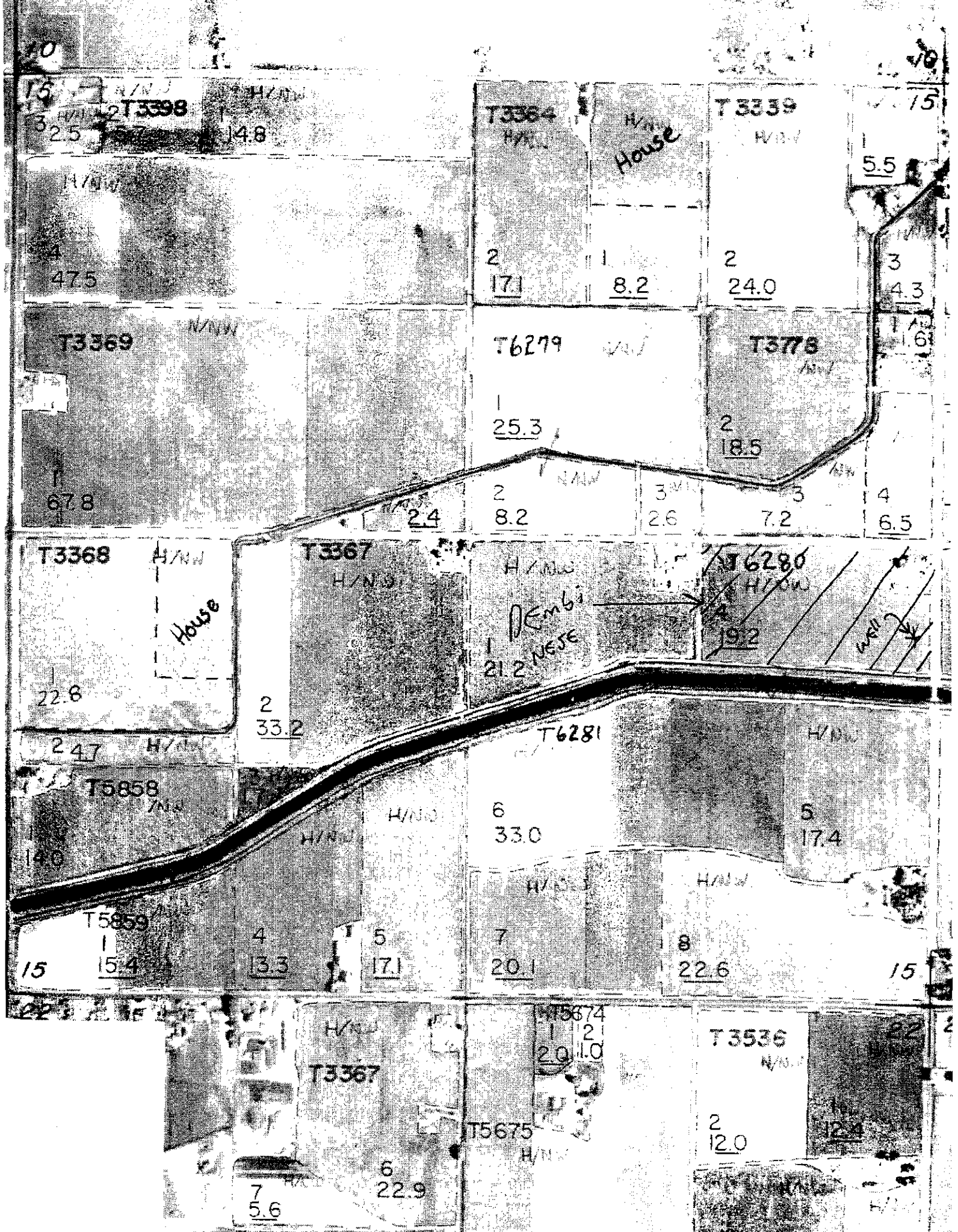
200037955

RECORDED

OCT 30 PM 3 52

NOEL HALE
CANYON CNTY RECORDER
BY *[Signature]*

REQUEST PIONEER-NAMPA
TYPE *[Signature]* 10-1



10

10

16
3 2.5
T3398
4.8

T3364
H/V

T3339
H/V

15

House

5.5

H/V

47.5

2

17.1

8.2

2

24.0

3

4.3

T3369

H/V

T6279

T3778

H/V

1.6

67.8

25.3

2

18.5

2.4

2

8.2

3

2.6

3

7.2

4

6.5

T3368

H/V

T3367

H/V

H/V

T6280

H/V

House

Demb
21.2 NESE

Well

22.8

2

33.2

24.7

H/V

21.2 NESE

19.2

T6281

H/V

6

33.0

5

17.4

T5858

H/V

H/V

H/V

H/V

H/V

T5859

4

13.3

5

17.1

7

20.1

8

22.6

15

15.4

15

T3367

H/V

T5674

20.0

T3536

H/V

T5675

H/V

2

12.0

6

22.9

7

5.6

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8449

WATER RIGHT NUMBER: 63-8449

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ALLEN BROTHERS INC 9101 S POWERLINE RD NAMPA, ID 83686 (208)466-3961

Priority Date: 02/15/1977

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	1.120 CFS	252.00 AF
	<u>Total Diversion:</u>	1.120 CFS	252.00 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4SE1/4	Sec. 15, Twp 02N, Rge 02W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
02N	02W	15	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
					36.0										20.0				56.0

Total Acres: 56

20 Acres in NE 1/4 SE 1/4

Conditions of Approval:

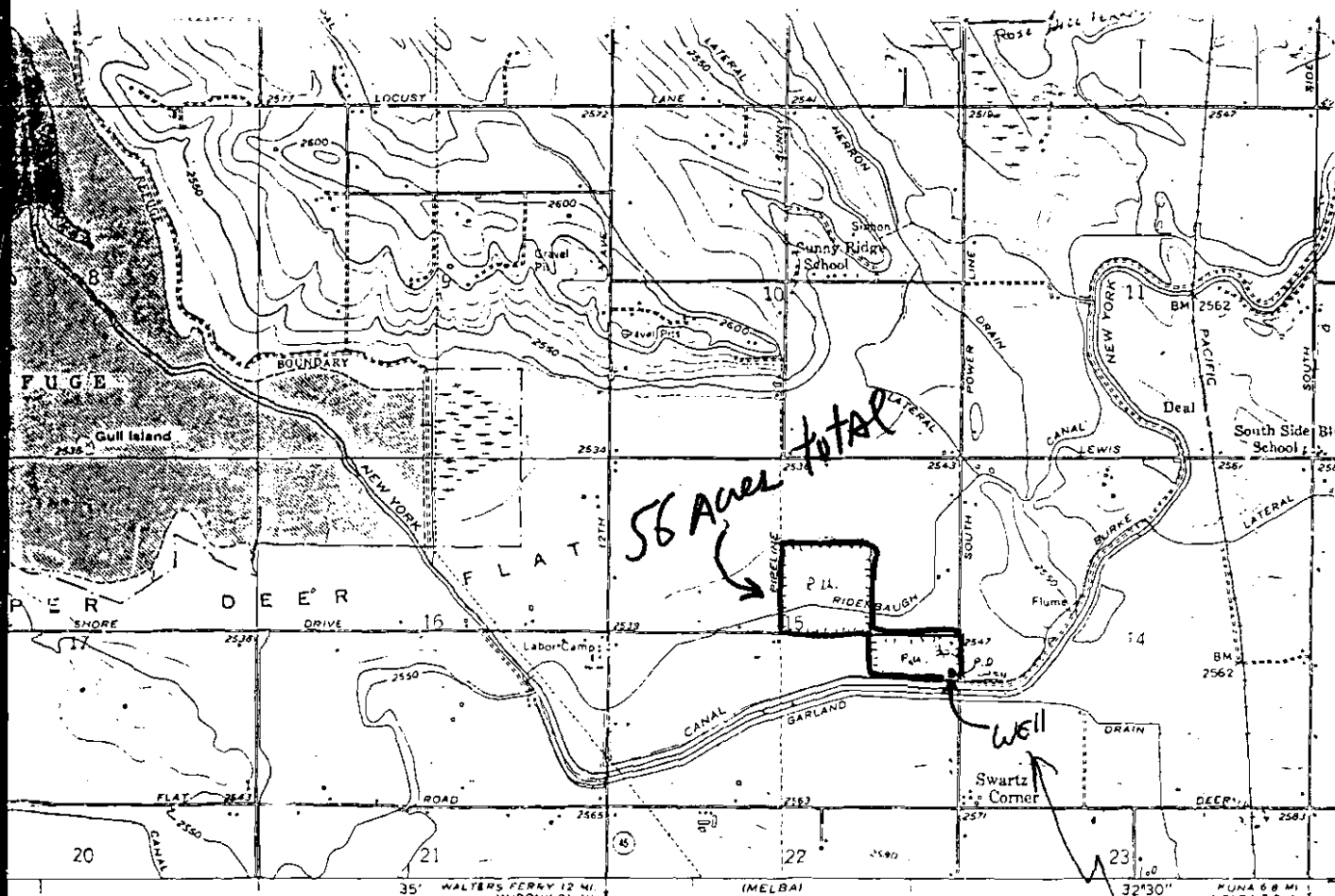
1. R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

Remarks:Comments:

<u>Dates and Other Information:</u>	Claim Received Date: 2/2/1990
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$$\frac{1.12 \text{ cfs}}{56 \text{ Acres}} \times 20 \text{ Acres} = .40 \text{ cfs}$$

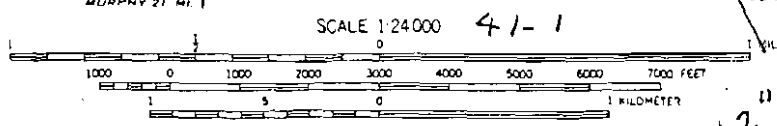
split to Rembi



ological Survey

mmetric methods
raphs taken 1954

tum
cm, west zone
icks,



CONTOUR INTERVAL 10 FEET
DOTTED LINES REPRESENT 5-FOOT CONTOURS
DATUM IS MEAN SEA LEVEL

12" 300' WELL in
Southeast CORNER
of property

for NE SE Sec 15:
this covers 20 Acres
in $N\frac{1}{2}$ of NE SE

63-8449
North of canal & West of
Power Line Road

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8426

WATER RIGHT NUMBER: 63-8426

Owner Type Name and Address
 Current Owner ALLEN BROTHERS INC
 9101 S POWERLINE RD
 NAMPA, ID 83686
 (208)466-3961

Priority Date: 02/09/1977

Basis: License

Status: Active

Source Tributary
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	1.690 CFS	418.50 AF
	<u>Total Diversion:</u>	1.690 CFS	418.50 AF

Location of Point(s) of Diversion

GROUND WATER SE1/4SE1/4SE1/4 Sec. 15, Twp 02N, Rge 02W, B.M.
 CANYON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
02N	02W	15														10.0	7.0	39.0	37.0	93.0

Total Acres: 93

10 Acres in NE 1/4 SE 1/4

Conditions of Approval:

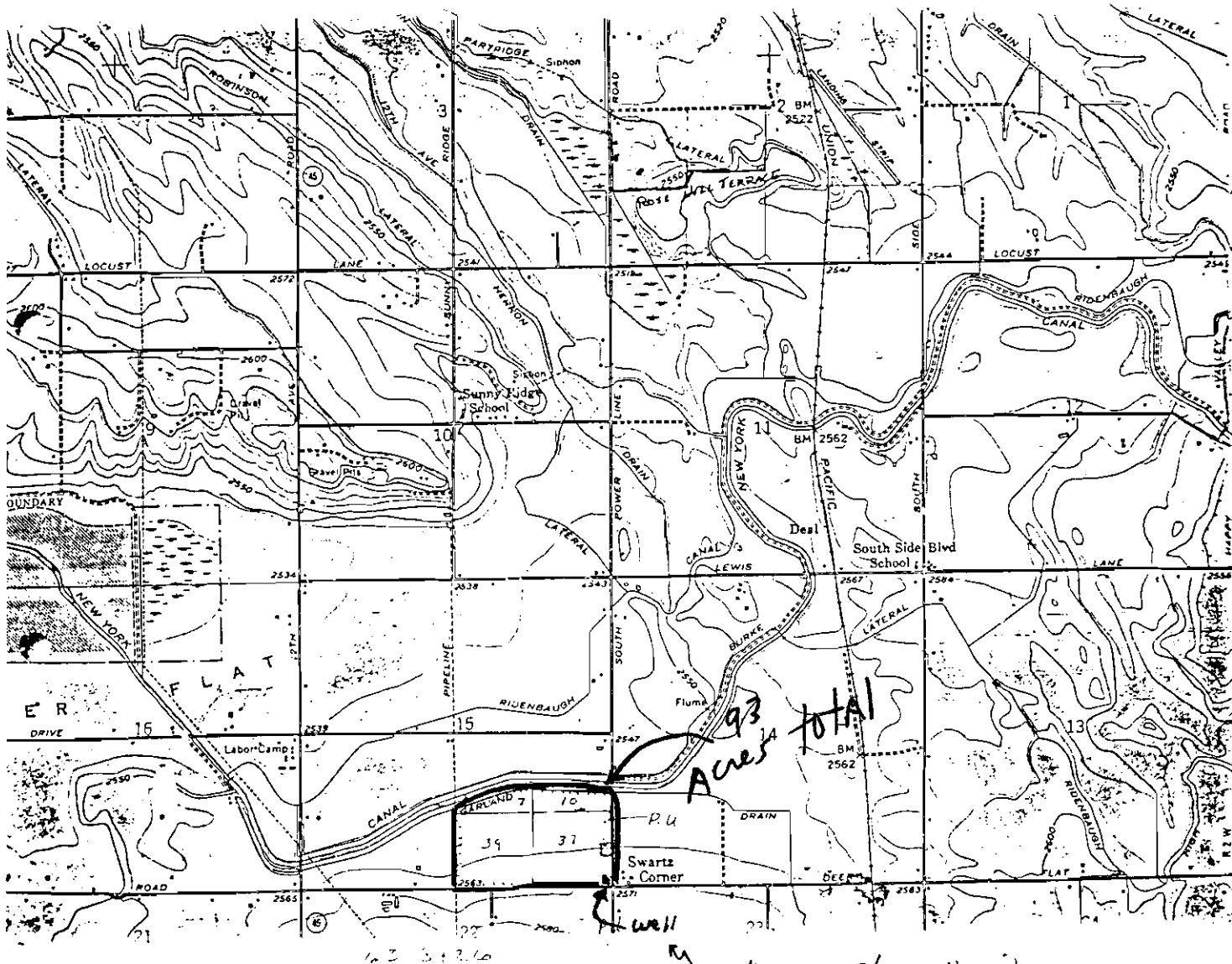
1. R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

Remarks:Comments:

Dates and Other Information: Claim Received Date: 2/2/1990

SEPARATE ~~acres~~ acres from Ambit
 rpt of A63-8449.

-JL 5/9/03



12" 125' well in
southeast corner of property

for NE SE Sec. 15:

this covers 10 Acres
in $5\frac{1}{2}$ of NE SE

63-8426

South of canal & west
of Power Line Road

ALLEN BROTHERS INC
WATER RESOURCES
REGIONAL OFFICE
2201 S. 4TH AVE
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAGE
02 1A
0004380393
MAILED FROM ZIP CODE 83702
\$01.11⁰
FEB 02 2007
ALLEN BROTHERS



NOT DELIVERABLE
AS ADDRESSED,
UNABLE TO FORWARD

RECEIVED

FEB 05 2007

WATER RESOURCES
WESTERN REGION

UTK
R7
W

ALLEN BROTHERS INC
9101 S POWERLINE RD
Nampa ID 83686

63-8426
63-20564
63-32363

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES
02 1A
0004310838 OCT 06 200
\$ 01.11
MAILED FROM ZIP CODE 8370

NOT DELIVERABLE
AS ADDRESSED,
UNABLE TO FORWARD

LET
P
N

ALLEN BROTHERS INC
9101 S POWERLINE RD
NAMPA ID 83386

RECEIVED

OCT 10 2006

WATER RESOURCES
WESTERN REGION

63-8426

63-32363

07/19/2006

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

RIGHT NUMBER: 63-32363

NAME AND ADDRESS: ALLEN BROTHERS INC
9101 S POWERLINE RD
NAMP A ID 83686

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.720 CFS
162.000 AFY

PRIORITY DATE: 02/15/1977

POINT OF DIVERSION:

T02N R02W S15 NENESE Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.720 CFS

162.00 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 R02W S15 SWNE 36.00

36 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 63-8449.



Idaho Department of Water Resources

63-32363

T02N R02W S15



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

Total irrigated
acres = 36



600 0 600 1200 Feet

IDWR
Prepared by: Sandy Egbert
Date: July 19, 2006
1987 NAAP Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32363 V1

WATER RIGHT NUMBER: 63-32363 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ALLEN BROTHERS INC 9101 S POWERLINE RD NAMPA, ID 83686 (208)466-3961

Priority Date: 02/15/1977

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.720 CFS	162.00 AF
	<u>Total Diversion:</u>	0.720 CFS	162.00 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4SE1/4	Sec. 15, Twp 02N, Rge 02W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	02W	15			36.0														36.0

Total Acres: 36

Conditions of Approval:

1. This right is a split from former right 63-8449 .
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. 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:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-32363 V1

Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 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	7/19/2006 10:58:09 AM	segbert			Active
POD	7/19/2006 10:59:22 AM	segbert			Active
Source	7/19/2006 11:00:03 AM	segbert			Active
POU	7/19/2006 11:00:23 AM	segbert			Active
Use	7/19/2006 11:01:14 AM	segbert			Active
Season	7/19/2006 11:01:40 AM	segbert			Active
Quantity	7/19/2006 11:02:11 AM	segbert			Active
Summary			07/19/2006	segbert	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
General	7/19/2006 10:58:04 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32363 V1

POD	7/19/2006 10:59:17 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
POD	7/19/2006 10:59:39 AM	segbert	Updated shape
Source	7/19/2006 10:59:58 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	7/19/2006 11:00:18 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	7/19/2006 11:01:09 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	7/19/2006 11:01:35 AM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32363 V1

Quantity	7/19/2006 11:02:06 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - 4.5 x acres per license
Summary	7/19/2006 11:06:45 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?
POU	7/19/2006 11:00:38 AM	segbert	Updated shape for Active POU

Water Supply Bank:

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. [REDACTED]

Priority: February 15, 1977 Amount: 1.12 CFS 252.0 AFA

This is to certify, that ALLEN BROS., INC.

RT. 7 BOX 7206

NAMPA, ID 83651

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated February 15, 1977, and has submitted proof to the Department of Water Resources on January 6, 1982, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of 2.09 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>	
Irrigation	03/15 to 11/15	1.12 cfs	252.0 afa	
<u>LOCATION OF POINT OF DIVERSION(S):</u>		NESE , Sec. 15, Township 2N, Range 2W Canyon County		
<u>PLACE OF USE:</u> Irrigation				
<u>TWN</u> <u>RGE</u> <u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
2N 2W 15	SWNE 36	NESE 20		56
Total number of acres irrigated:				56

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. 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.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 23RD day of April, 1987.

RECORDED

Acting for the Director

Norman C. Young

MAY 12 1987

Identification No. _____

Application No. 63-8449

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant ALLEN BROS, INC. Phone: 466-3961
post office address Rt. 7, Box 7206, Nampa, ID 83651
2. Source of water supply groundwater which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 15 Township 2N
Range 2W B.M. Canyon County; additional points of diversion if any: _____

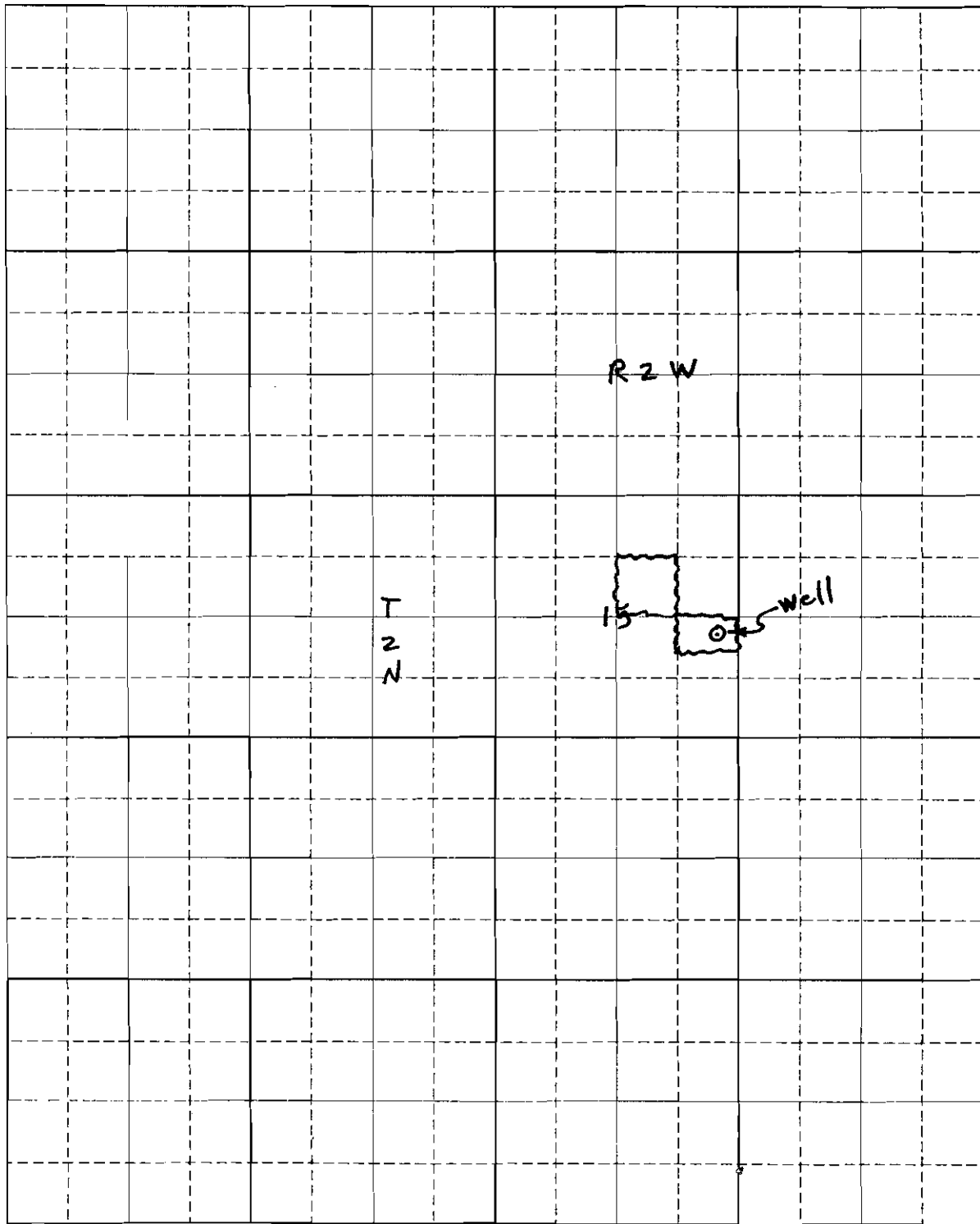
b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 1.22 for Irrigation purpose from Mar 15 to Nov 15 (both dates inclusive)
(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. 1.22 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well, pump & ditches

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 12 inches; proposed depth of well is 120 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: _____

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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.

ALLENBROS. Inc
by Ernest Allen Pres.
(Applicant)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

Permit No. 63-8449**A. GENERAL INFORMATION**

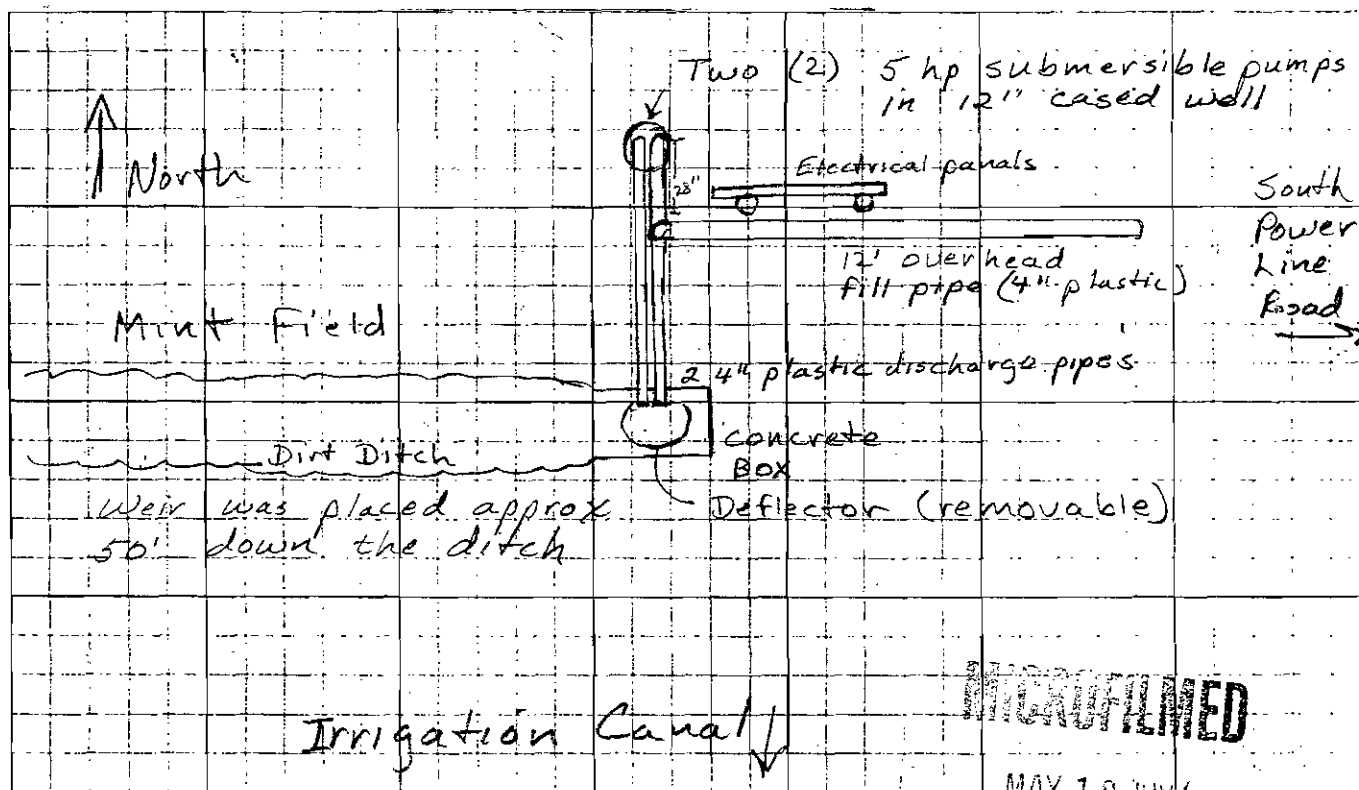
1. Owner: Allen Brothers Phone No. 466-3981
 Current Address: Rt 7 Box 7206, Nampa, ID 83651
2. Accompanied by: Rex Runkle EXAM. DATE: 7-3-86
 Address: Rt 7 Box 7207 Phone No. 466-1954
 Relationship to Permit Holder: Renter
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 63-8426 used on adjacent land
Canal water from Nampa-Meridian Irrigation ☒ Copies Attached
2. Other water rights with same point of diversion: None
☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached

Scale: 1" = 5'

2. ☒ Copy of U.S.G.S. Quadrangle Attached
 Showing location(s) of point(s) of diversion and place(s) of use (required). ☒ Aerial Photo Attached
 (required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached
 (required for all but single household domestic groundwater, and stockwater).

System Description (continues)

3. Narrative: Description. (operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

System has a 12" cased well approx 300' deep. Two (2) 5 H.P. Red Jacket submersible pumps are set at 40' and 45' respectively. Each pump has a 4" plastic discharge pipe and are capable of independent operation. The portable weir had only about 2" to 3" of drop so the measured head gave a higher reading for the amount of water being pumped. A 5 gallon bucket was used as an alternate method.

CONT.

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Red Jacket	5	Submersible	Red Jacket	4" discharge
	Red Jacket	5	Submersible	Red Jacket	4" discharge

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NE	SE	15	2N	2W	Canyon	Aerial Photo & Topographic Map

6. Place(s) of Use:

Indicate Method of Determination

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	
2N	2W	15			36										20				56

RECORDED

MAY 12 1981

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Cipolletti Weir		Water Users			2'	
5 gallon Bucket					5	
Stop watch						
Staff gauge					1'	

2. Measurements:

Cipolletti Weir .46' head & 2' crest length
 filled 5 gallon bucket in 1 second or less OFF OF
 EACH PUMP (2)
 .02 x 56 acres = 1.12 cfs allowed

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: .46' Head 2' crest length (Table 2 pg 21) $\Rightarrow Q = 2.09$
 $2 (5 \text{ gal} / 15 \text{ sec}) \left(\frac{60 \text{ sec}}{\text{min}} \right) = 600 \text{ gpm} \frac{600 \text{ gpm}}{448.8} = 1.34 \text{ cfs}$
 2. Alternate Method for Checking Purposes: Est. pumping level 35'
 $2 \left(\frac{5 \text{ H.P.} \times 8.8 \times .8}{35 + 2.31(6)} \right) = 2.01 \text{ cfs}$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)
 Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) $\div$ 8.8 = _____ (5)
 Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)
 Meter Input HP: (6) x 1.34 = _____ (7)
 Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)
 Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 56 \times 4.5 = 252 \text{ afa}$
 $V_{OR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.12 \times 245 \times 1.9835 = 544.3 \text{ afa}$
 $V = \text{Smaller of } V_{IR} \text{ and } V_{OR} = 252 \text{ afa}$

2. Volume Calculations for Other Uses:

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H. REMARKS AND OVERVIEW REVIEW ANALYSIS

of measurement: Each pump could fill the 5 gallon bucket in 1 second or less. The system distributes water via dirt ditches with siphon tube take out. It can operate 80 1/2" ID tubes + 70 3/4" ID tubes. Water is currently being used as the only source of water for the 20 acres in the NESE 1/4 of Sec. 15 2N 2W and supplemental irrigation water for the 36 acres in the SWNE 1/4 of Sec 15 2N 2W. Crops currently being grown include mint, sugar beets and beans.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	3-15	11-15	1.12	252
Totals:			1.12	252

2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

J. AUTHENTICATION

Field Examiner's Name Carter Fritschle
 Signature Carter Fritschle
 Certification Date
 Field Report Preparation Date 7-3-86

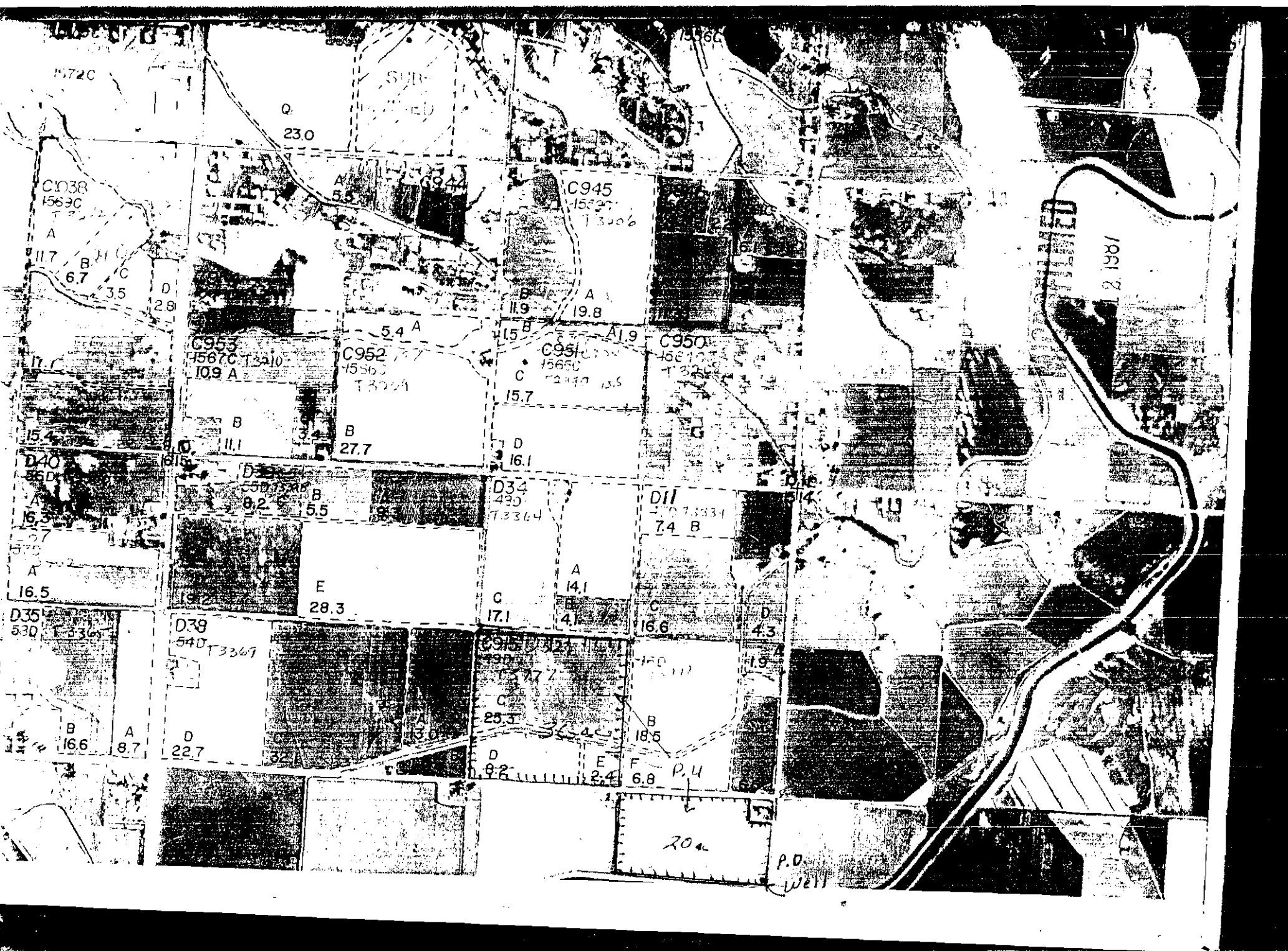
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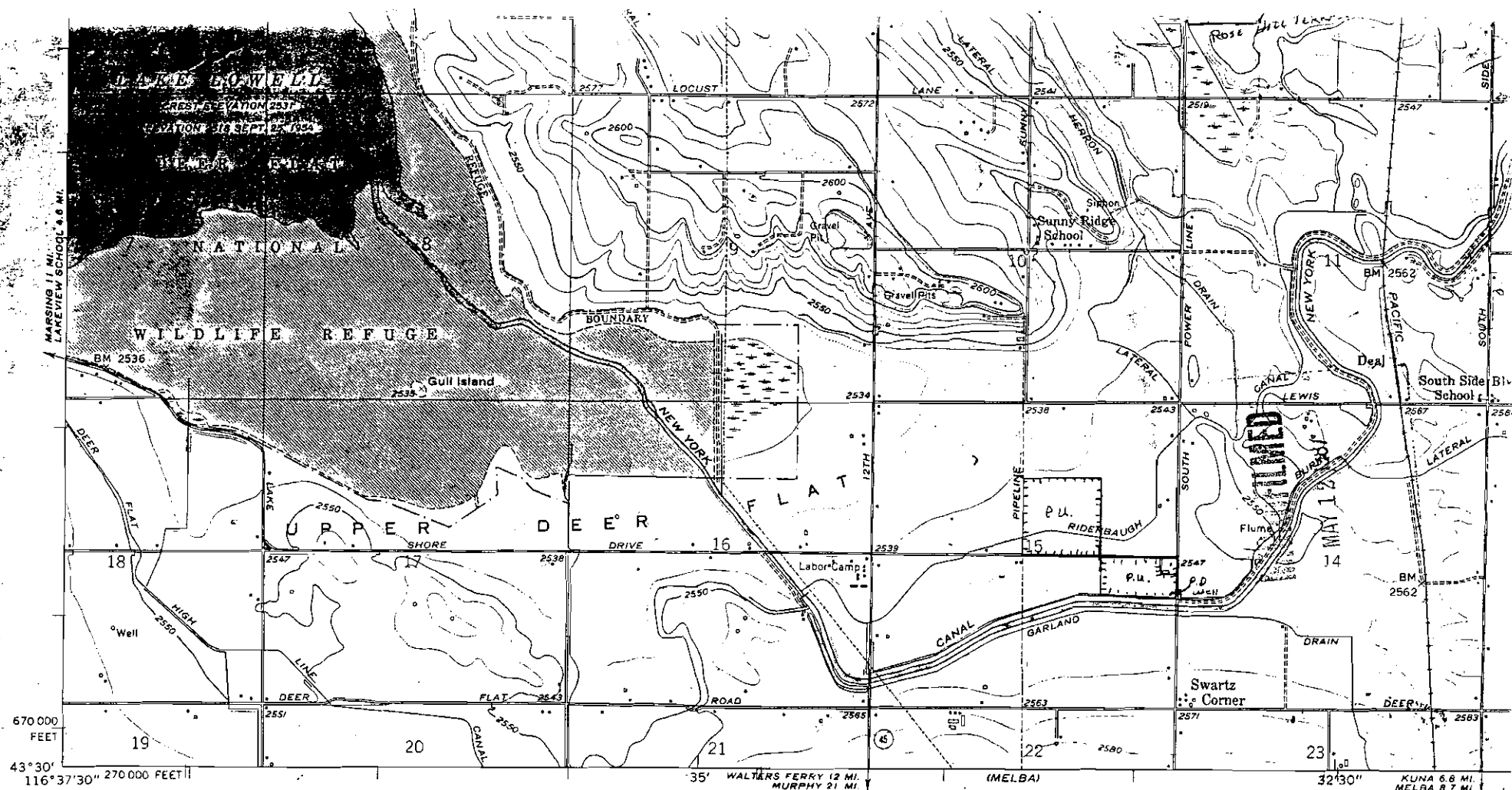
CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

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MAY 12 1987

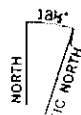




Mapped, edited, and published by the Geological Survey
Control by USGS and USC&GS

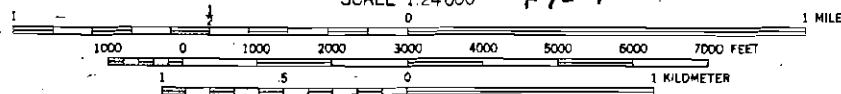
Topography from aerial photographs by photogrammetric methods
and by planetable surveys 1958. Aerial photographs taken 1954

Polyconic projection. 1927 North American datum
10,000-foot grid based on Idaho coordinate system, west zone
1000-meter Universal Transverse Mercator grid ticks,
zone 11, shown in blue



SCALE 1:24,000

41-1



CONTOUR INTERVAL 10 FEET
DOTTED LINES REPRESENT 5-FOOT CONTOURS
DATUM IS MEAN SEA LEVEL



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

July 18, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

Allen Brothers, Inc.
9101 S. Powerline Rd
Nampa, ID 83686

Re: Original Notice of Claim to a Water Right No. 63-8449

Renumbered to Notice of Claim to a Water Right No. 63-32363

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