

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 63-32884
Date Received: 12/20/1989
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CHARLENE LUEDDEKE Phone: (208)453-2739
9620 FARNER RD
NAMPA ID USA 83686

2. Date of Priority: 04/13/1967

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	03W	15	SE NW	CANYON	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.165	79.6

7. Total Quantity Appropriated is:
0.165 C.F.S. and/or 79.6 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
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02N	03W	15	SE	NW	IRRIGATION	20
					Section Acres	20
					Total Acres	20

11. Place of use in counties: CANYON

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

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

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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

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.

This right is a split from former right 63-31287.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This right is a split from former right 63-32056 .

15. Basis of Claim: License

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

RECEIVED

SEP 26 2007

DEPARTMENT OF
WATER RESOURCES

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 IDWR will produce new water right number(s) for the split(s).

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SEP 28 2007
WATER RESOURCES
WESTERN REGION

Water Right No(s).	Adjudication Claim No(s).	Split(s)	Water Right No(s).	Adjudication Claim No(s).	Split(s)
63-32056		✓			

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 on file with the county Planning and Zoning or Recorder's Office).
OR
- D. 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 or equivalent **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)

Charlene Lueddake
 9620 Farner Rd. Nampa, ID 83686

4. New Owner/Claimant(s)

Ronald Kirk and/or Carolyn Kirk

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

New Mailing Address

18159 Royal Way

City, State and ZIP Code

Nampa ID 83687

New Telephone Number

(208) 442-6475

5. Date you acquired the property

10/5/05

SCANNED

SEP 27 2007

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number <u>63-32056</u>		
Irrigation	<u>.33</u>	<u>20 acres, 4 horses, 6 cows</u>
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number <u>63-22056</u>		
Irrigation		
Stock		
Domestic	<u>.33</u>	<u>1 acre, 1 home</u>
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s) Ronald D. White
(title if applicable)
Carolyn E. Turk
(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by AMB
Received by AMB
Processed by AJ AJ

Date 9-26-07
Date 9-26-07
Date 10-2-07

Receipt Amt. \$100.00
Receipt No. CD84996
WR _____ Date _____

ALLIANCE
TITLE & ESCROW CORP

200564514

2005 OCT 5 PM 4 34

RECORDED

REQUEST TYPE FEE \$3.00

ALLIANCE - NAMPA

WARRANTY DEED

Order No.: AT-5100517192JM

FOR VALUE RECEIVED

Charlene Lueddeke, a married woman as her sole and separate property,
the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Ronald W. Kirk and Carolyn E. Kirk, Husband and Wife,

whose current address is

1283 Mark West Springs Road, Santa Rosa, CA, 95404,

the grantee(s), the following described premises, in Canyon County, Idaho, TO WIT:

The South Half of the Southeast Quarter of the Northwest Quarter of Section 15, 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, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: September 18, 2005

Charlene Lueddeke

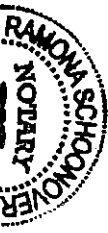
State of Idaho

County of San Juan

On this 18th day of September, 2005,

before me, a Notary Public in and for said state, personally appeared Charlene Lueddeke, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed 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 the State of Idaho
Residing at:
Commission Expires:

Notary in Canyon, Idaho
by Commission expires 12-31-2010

SCANNED
SEP 27 2007

LEWIS LANE

DIVERSION PT.

FARNER RD

FOR _____

Name Lueddcke

40 acres 3.3 cfs 159.2 AF

Domestic cfs AF

TOTAL cfs AF

Name Lueddeke

20 acres .165 cfs 79.6 AF

Domestic cfs AF

TOTAL	<u>cfs</u>	<u>AF</u>
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Name Kirk

20 acres .165 cfs 79.6 AF

Domestic cfs AF

TOTAL	<u>cfs</u>	<u>AF</u>
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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 63-32056
Date Received: 12/20/1989
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CHARLENE LUEDDEKE Phone: (208)453-2739
15375 LAKE SHORE DR
CALDWELL ID USA 83607

2. Date of Priority: 04/13/1967

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	03W	15	SE NW	CANYON	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.33	159.2

7. Total Quantity Appropriated is:
0.33 C.F.S. and/or 159.2 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
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02N	03W	15	SE	NW	IRRIGATION	40
					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? No

13. Other Water Rights Used:

14. Remarks:

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

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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

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.

The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

This right is a split from former right 63-31287.

15. Basis of Claim: License

WATER RIGHT NO. 63-32056
As Modified by Transfer No. 71674

In accordance with the approval of Transfer No. 71674, Water Right No. 63-32056 is now described as follows.

Right Holder: CHARLENE LUEDDEKE
 15375 LAKE SHORE DR
 CALDWELL ID 83607

Priority Date: April 13, 1967

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.33 CFS	159.2 AF
			0.33 CFS	159.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENW Sec. 15 Twp 02N Rge 03W CANYON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N 03W 15								40.0									40.0

Total Acres: 40

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. 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.

WATER RIGHT NO. 63-32056
As Modified by Transfer No. 71674

CONDITIONS OF APPROVAL

6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 13th day of April, 20 05


Chief, Water Allocation Bureau

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71674**

This is to certify that: CHARLENE LUEDDEKE
15375 LAKE SHORE DR
CALDWELL ID 83607
(208)453-2739

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-32056	AJC/License	04/13/1967	0.33 cfs	159.2 af	N/A	40.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-32056	NO	YES	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-32056	63-32056	0.33 cfs	159.2 af	N/A	40.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.33 cfs	159.2 af	N/A	40.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 13th day of April, 20 05



Chief, Water Allocation Bureau

RECEIVED

age _____ of _____

SEP 14 2004

STATE OF IDAHO

Transfer No. 71674

DEPARTMENT OF WATER RESOURCES

WATER RESOURCES

WESTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant Charlene Lueddike Phone 208-483-2739

Post Office address 15375 Lake Shore Dr. Caldwell, ID 83607

I. 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 Wish to add a private well to irrigate my parcel

3. 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>63-31287</u>	<u>4-13-1967</u>	<u>.33</u>	<u>irrig.</u>	<u>3/15</u> to <u>11/15</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred .33 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water _____ tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
				<u>15</u>	<u>02N</u>	<u>03W</u>	<u>Canyon County</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	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>02N</u>	<u>03W</u>	<u>15</u>								<u>40</u>									<u>40</u>

Total Acres 40

PART 1

General Information:

- a. Description of diversion system well

- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
 _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
No change

- d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
 the said application is hereby _____, subject to the following conditions:

less my hand this _____ day of _____, 20 _____.

 For the Director

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Transfer No. _____
 Receipt No. _____

Current Water Right No. 63-31287

Priority Date: 04/13/1967

Origin: Adjudication Claim

Basis: License

Status: Active

Source: GROUND WATER

Tributary to:

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	2.18 CFS	1,124.2 AFA	
Total Diversion		2.18 CFS	1,124.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESW	02N 03W	14	CANYON
GROUND WATER	SENW	02N 03W	10	CANYON
GROUND WATER	NWSW	02N 03W	11	CANYON

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 10			16.0										21.0	40.0	29.0	37.0	143.0
02N 03W 15					39.0		39.0	40.0									118.0

Total Acres: 261

Conditions/Remarks:

1. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
3. Approval of Transfer 66108 is not a confirmation of the validity of this water right and does not preclude the opportunity for review in the ongoing Snake River Basin Adjudication.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Transfer No. _____

Receipt No. _____

Current Water Right No. 63-31287

Documentation of Ownership of the Current Place of Use
SRBA Claim Record

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances? *No*

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer *No change*

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use? *No per adjudication claim*

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

1. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount .33 cfs for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
<u>N/A</u>								

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>02N</u>	<u>03W</u>	<u>15</u>								<u>40</u>									

Total Acres 40

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

1. amount 1.85 for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
<u>No Change</u>								

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>02N</u>	<u>03W</u>	<u>15</u>					<u>39</u>		<u>39</u>										<u>78</u>
<u>02N</u>	<u>08W</u>	<u>10</u>			<u>16</u>										<u>21</u>	<u>40</u>	<u>29</u>	<u>37</u>	<u>1430</u>

Total Acres 221

age _____ of _____

Transfer NO. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

I. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by:

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

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

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purposes:

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

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

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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

See attached map

PART 3**CHANGES IN NATURE OF USE**

<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____

Quantity and quality of return flows and location of discharge: _____

Describe effects on other water uses resulting from the proposed change: _____

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

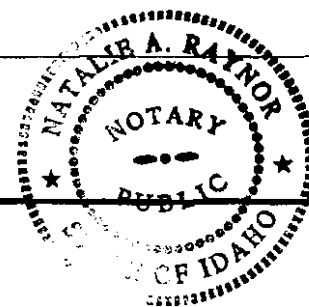
I understand that any willful misrepresentations made in this application may result in voiding its approval.

[Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 16th day of August, 20 04.

[Signature]
(Notary Public)

My commission expires 9/14/07

**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by DB Date 9-14-04 Protest filed by _____

Prelim. Check by _____ Fee \$250-

Received by DO W032224 Date 9-14-04

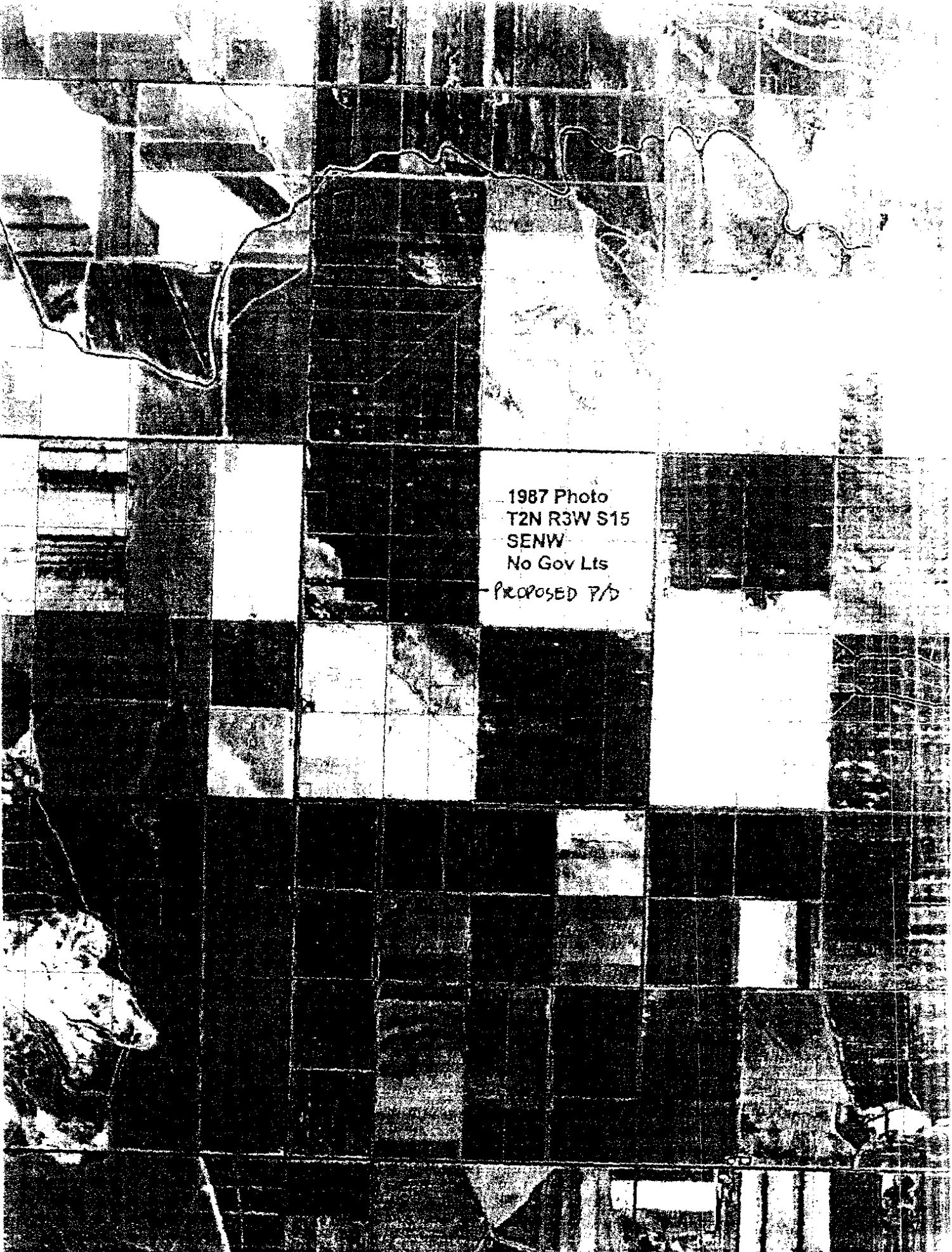
Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

An aerial photograph of a landscape, possibly a wetland or marsh, with a grid overlay. The grid consists of dark and light rectangular blocks. A central white rectangular label contains text. The background shows various textures, including what appears to be water, vegetation, and possibly some structures or roads.

1987 Photo
T2N R3W S15
SENW
No Gov Lts
PROPOSED 7/5

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

RECEIVED

SEP 14 2004

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

WATER RESOURCES
WESTERN REGION

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
	63-31287	✓			

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) Ruby C. Victor & Others
1528 Addison Ave E., Twin Falls, ID 83301
4. New Owner/Claimant(s) Charlene Lueddelle
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 15375 Lakeshore Dr
- City, State and ZIP Code Caldwell ID 83607
- New Telephone Number (208) 453-2739
5. Date you acquired the property March 16, 2004 / April 28, 2004

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	.33	40 A
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)

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 JS Date 9-14-04 Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

③ PN 78823

200415495

RECORDED

MAR 23 PM 4 24

8 HOLE PUNCH

CANYON CITY RECORDER
REQUEST PIONEER TITLE
CANYON CITY RECORDER

WARRANTY DEED

FOR VALUE RECEIVED WAYNE R PARK and CAROL A. PARK, husband and wife

the GrantorS, do hereby grant, bargain, sell and convey unto CHARLENE LUEDDEKE, A MARRIED WOMAN AS HER SOLE AND SEPERATE PROPERTY

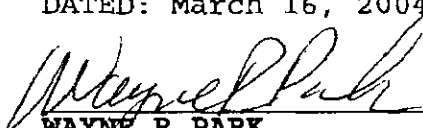
the Grantee, whose address is

the following described premises, to-wit:

THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 15, 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, HER heirs and assigns forever. And the said GrantorS do hereby covenant to and with the said Grantee, that They ARE the ownerS in fee simple of said premises; that said premises are free from all encumbrances, except for general taxes and assessments for the year 2004 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: March 16, 2004

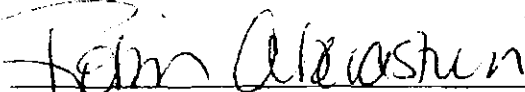

WAYNE R. PARK


CAROL A. PARK

By  HER
ATTY IN FACT

STATE OF IDAHO
COUNTY OF CANYON

On this 17 day of MARCH, 2004, before me, a notary public, personally appeared WAYNE R. PARK AND CAROL A. PARK, known or identified to me to be the person(s) who(se) name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.



Notary Public
Residing at HOMEDALE, IDAHO
My commission expires: 03262010



PIONEER TITLE COMPANY

WARRANTY DEED

STATE OF IDAHO
COUNTY OF CANYON

On this 18 day of March, 2008
before me, a notary public, personally appeared **WAYNE R. PARK**,
known to me to be the person(s) whose name(s) is/are subscribed
to the within instrument as **ATTORNEY IN FACT** of **CAROL A.**
PARK and acknowledged to me that he/she/they executed the
same as such **ATTORNEY IN FACT**.

Rain Aberasturi

Notary Public

Residing at HOMEDALE, IDAHO, Idaho

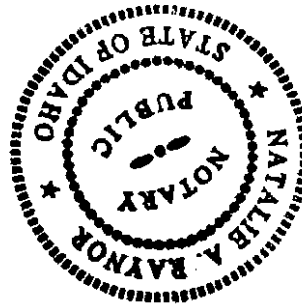
My commission expires: 03-26-2010



Copy of original Warranty Deed

Natalie A. Reynor

Commission expires 9/4/07



⑦ INSTRUMENT NO.

200424099

PN 78865

WARRANTY DEED

FOR VALUE RECEIVED PETER J CINTORINO, A MARRIED MAN

the Grantor, doES hereby grant, bargain, sell and convey unto CHARLENE LUEDDEKE, A MARRIED WOMAN AS HER SOLE AND SEPERATE PROPERTY

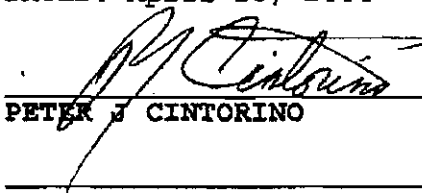
the Grantee, whose address is

the following described premises, to-wit:

THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 2 NORTH, RANGE 3 WEST, BOISE MEIRIDAN, CANYON COUNTY, IDAHO

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, HER heirs and assigns forever. And the said Grantor doES hereby covenant to and with the said Grantee, that he IS the owner in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 2004 and subsequent years, covenants, conditions, restrictions and easements of record; and that he will warrant and defend the same from all lawful claims whatsoever.

DATED: April 28, 2004


PETER J CINTORINO

STATE OF IDAHO
COUNTY OF CANYON

On this 5th day of MAY, 2004, before me, a notary public, personally appeared PETER J. CINTORINO, known or identified to me to be the person(s) who(se) name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

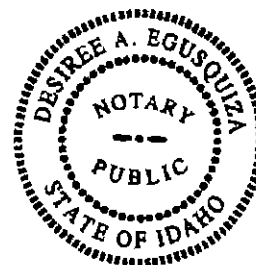

Notary Public

Residing at HOMEDALE, IDAHO

My commission expires: 03-26-2010

REQUEST PIONEER-NAMPA
TYPE And FEE 30

RECORDED
2004 MAY 5 PM 4 13
C NOEL HALES
CANYON CNTY RECORDER
By 



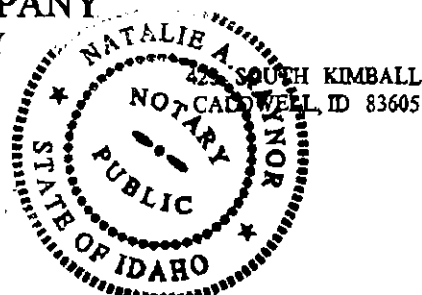
PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

Copy of original Warranty Deed


Natalie A Kimball

Commission expires 7/4/07



200424099

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 63-31287
Date Received: 12/28/89
Receipt No: X777777-
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RUBY C VICTOR Phone: (208) 733-5217
1528 ADDISON AVE E
TWIN FALLS ID USA 83301

WILFORD NOLAN VICTOR Phone: (208) 733-5217
1528 ADDISON AVE E
TWIN FALLS ID USA 83301

RODNEY KENT MONTIERTH Phone: (208) 733-5217
1528 ADDISON AVE E
TWIN FALLS ID USA 83301

GOLDA D MONTIERTH Phone: (208) 733-5217
1528 ADDISON AVE E
TWIN FALLS ID USA 83301

EDWARD MONTIERTH Phone: (208) 733-5217
1528 ADDISON AVE E
TWIN FALLS ID USA 83301

SUSAN L MONTIERTH Phone: (208) 733-5217
1528 ADDISON AVE E
TWIN FALLS ID USA 83301

H R MONTIERTH Phone: (208) 733-5217
1528 ADDISON AVE E
TWIN FALLS ID USA 83301

ROBERT J MEYERS Phone: (208) 733-5217
1528 ADDISON AVE E
TWIN FALLS ID USA 83301

KATHI L MEYERS Phone: (208) 733-5217
1528 ADDISON AVE E
TWIN FALLS ID USA 83301

2. Date of Priority: 04/13/1967

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
02N	03W	14	SE	SW		CANYON	
02N	03W	10	SE	NW		CANYON	
02N	03W	11	NW	SW		CANYON	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	2.18	1124.2

7. Total Quantity Appropriated is:
2.18 C.F.S. and/or 1124.2 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	03W	10	SE	SE	IRRIGATION	37
			NW	SE	IRRIGATION	40
			NE	SE	IRRIGATION	21
			SW	SE	IRRIGATION	29
			SW	NE	IRRIGATION	16
					Section Acres	143
02N	03W	15	SW	NW	IRRIGATION	39
			NE	NW	IRRIGATION	39
			SE	NW	IRRIGATION	40
					Section Acres	118
					Total Acres	261

11. Place of use in counties: CANYON

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

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.

The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

Approval of Transfer 66108 is not a confirmation of the validity of this water right and does not preclude the opportunity for review in the ongoing Snake River Basin Adjudication.

15. Basis of Claim: License

WATER RIGHT NO. 63-31287
As Modified by Transfer No. 66108

In accordance with the approval of Transfer No. 66108, Water Right No. 63-31287 is now described as follows.

Right Holder: RUBY C VICTOR
 WILFORD NOLAN VICTOR
 RODNEY KENT MONTIERTH
 GOLDA D MONTIERTH
 EDWARD MONTIERTH
 SUSAN L MONTIERTH
 H R MONTIERTH
 KATHI L MEYERS
 ROBERT J MEYERS
 1528 ADDISON AVE E
 TWIN FALLS ID 83301

Priority Date: 04/13/1967

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	2.18 CFS	1,124.2 AF
			2.18 CFS	1,124.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESW Sec. 14 Twp 02N Rge 03W CANYON County

GROUND WATER SENW Sec. 10 Twp 02N Rge 03W CANYON County

GROUND WATER NWSW Sec. 11 Twp 02N Rge 03W 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 10			16.0										21.0	40.0	29.0	37.0	143.0
02N 03W 15					39.0		39.0	40.0									118.0

Total Acres: 261

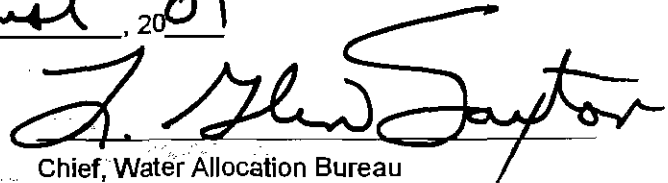
WATER RIGHT NO. 63-31287
As Modified by Transfer No. 66108

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
2. 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.
3. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
4. Approval of Transfer 66108 is not a confirmation of the validity of this water right and does not preclude the opportunity for review in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 29th day of August, 2001


Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 66108

RECEIVED
AUG 31 2001
WATER RESOURCES
WESTERN REGION

This is to certify that: JON M AGEE
15603 RIVERSIDE RD
CALDWELL ID 83607

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
63-3597P	AJC/License	04/13/1967	2.26 cfs	1095.5 af	271.0	271.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

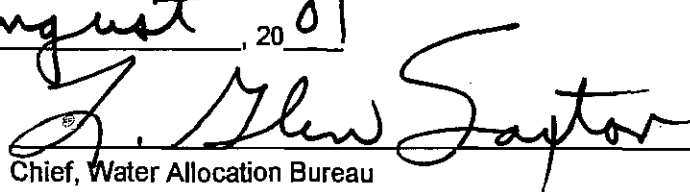
Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
63-3597P	YES	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
63-3597P	63-31288	0.08 cfs	41.3 af	10.0	10.0	63-31287	2.18 cfs	1124.2 af	261.0	261.0
TOTALS		0.08 cfs	41.3 af	10.0	10.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 29th day of August, 2001


Chief, Water Allocation Bureau

(Internet)

Page 1 of 2

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5741
66108

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Jon Hye Phone 208 954-3980
Post Office address 15603 Riverside Rd Caldwell ID 83607

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 split right
2. Describe the reason for the proposed changes more water to new land
and drill new well for 03-589 03589 on land
part of diversion for existing right @ 03-03592
(portion of)

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 |
|--|----------|-----------------------|------------------|---------------------------------|
| 63 03589B | 03/20/67 | .13/45 | irrigation | 03/15 to 11/15 |
| 63 03597 I | 04/13/67 | .08/40 | irrigation | ~~03/15~~ 03/15 to 11/15 |
| | | | | to |
| | | | | to |
| | | | | to |
| 2. Total amount of water being transferred <u>.20</u> cubic feet per second and/or <u>45</u> acre-feet per annum | | | | |
| 3. Source of water _____ tributary to _____ | | | | |
| 4. Point(s) of Diversion: | | | | |

[illegible]

5. Lands irrigated or place of use:

[illegible]

PART 1

6. General Information:

a. Description of diversion system well to sprinkler system

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

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

Land will be used for
future development

d. Remarks:

None

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 _____

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BRYCE MILLAR RT. 7, BOX 7380 NAMPA ID 83651	03/22/1967	IRRIGATION	03/15 11/15	4.220 CFS	1422.00 AFA
					TOTAL DIVERSION:	4.220 CFS 1422.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:	T02N R03W S11	NWSW	CANYON County
	S14	SESW	CANYON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE										
				NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
---	---	---	:	-----	-----	-----	-----	:	-----	-----	-----	-----	:	-----	-----	-----	-----	:	-----	-----	-----	-----	-----	:	-----	
02N	D3W	14	:					:	39	39	40	40	:	40	40	39	39	:						:	316.0	
																							TOTAL ACRES	316.0		

Pou County: CANYON

Dates: App. Received: Priority Date: 03/22/1967
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 09/12/1979

Misc: Water District Number: Field Exam Fee:

Audit: 04/23/85 05/01/88 CONVERT

No If yes, describe _____

Position 63 0358.

1. amount 13/45 for irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

[illegible][illegible]

Apurton 6303589 Total acres 10

1. amount 4.09/1377 for irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

[illegible][illegible]

WR5809NP

No. 63-03597G

Page 5 of 8

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT PROFILE REPORT

DATE: 05/05/00

PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BRYCE MILLAR RT 7 BOX 7380 NAMPA ID 83651	04/13/1967	IRRIGATION	03/15 11/15	3.410 CFS	1657.10 AFA
TOTAL DIVERSION:					3.410 CFS	1657.10 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:	T02N R03W S10	SENW	CANYON County
	S11	NWSW	CANYON County
	S14	SESW	CANYON County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE					
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM	
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
02N	03W	10		16				30	29	39	39	21	40	39	37		290.0
02N	03W	15			39		39	40									118.0
TOTAL ACRES																408.0	

Pow County: CANYON

Dates:	App. Received:	Priority Date:	04/13/1967
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:	09/12/1979	

Misc:	Water District Number:	Field Exam Fee:
-------	------------------------	-----------------

Comments: Date: 11/01/1995 User-ID: SCURTIS Subject: TRANSFER 4639
Trans. #4639 was filed to add a point of diversion under a portion of Right 63-03597C, splitting it into parts E & F.

Date: 11/10/1998 User-ID: PSKAGGS Subject: TRANSFER 5270
Transfer 5270 changes the point of diversion under a portion of Right 63-03597E, splitting the right into Parts G & H.

Audit: 11/10/98 PSKAGGS

Page 7

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

Page 7 OF 8

PART 3

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



SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	<u>irrigation</u>	<u>13/45</u>		<u>03/15</u> to <u>4/15</u>
				to _____

2. Quantity and quality of return flows and location of discharge:

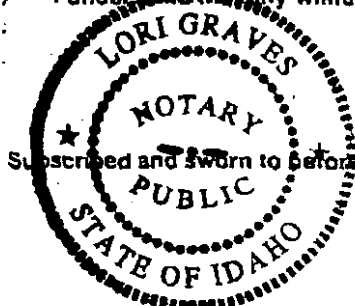
N.A.

3. Describe effects on other water uses resulting from the proposed change:

no effect

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

I understand that any willful misrepresentations made in this application may result in voiding its approval.



Subscribed and sworn to before me this

27th

day of

April2000

(Signature of Applicant)

Lori Graves

(Notary Public)

My commission expires

6/18/04**FOR DEPARTMENT USE ONLY**Transfer contains 8 pages and _____ attachmentsReceived by DAN Date 4-27-00

Protest filed by _____

Prelim. check by _____ Fee \$100.00 43026395Received by DAN Date 4-27-00Published in Press Tribune

Copies of protest forwarded by _____

Pub. dates 6-1 + 8-00

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

rec'd. _____

by _____

Copy of transfer sent to lien holder _____

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: A63-03597P
Date Received: 12/28/1989
Receipt No: X777777
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name:	EDWARD MONTIERTH	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:	GOLDA D 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:	WILFORD NOLAN VICTOR	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:	KATHI L MEYERS	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:	RUBY C VICTOR	208-733-5217	

Address: 1528 ADDISON AVENUE EAST
TWIN FALLS ID 83301

2. Date of Priority: APR 13, 1967

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	03W	10		SE	NW		CANYON
		11		NW	SW		CANYON
		14		SE	SW		CANYON

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.260		1095.50

7. Total Quantity Appropriated is:
2.260 C.F.S. (and/or) 1095.50 A.F.A.

8. Total consumptive use is 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	10	SW	NE		IRR	16.0
			NE	SE		IRR	21.0
			NW	SE		IRR	40.0
			SW	SE		IRR	39.0
			SE	SE		IRR	37.0
						Section Acres	153.0
		15	NE	NW		IRR	39.0
			SW	NW		IRR	39.0
			SE	NW		IRR	40.0
						Section Acres	118.0
						Total Acres	271.0

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 SPLITTING A63-03597C PER APPROVED
TRANSFER 4639. MTS 12/22/1995

THIS CLAIM COINCIDES WITH WATER RIGHT 63-03597E
FEE PAID UNDER RECEIPT NO N003518

THE DIVERSION WORKS INCLUDE 3 WELLS WITH DEEP TURBINE PUMP. THE
WATER IS DISCHARGED INTO PIPELINE SYSTEM FOR SPRINKLER IRRIGATION.
THIS CLAIM IS A RESULT OF A CHANGE OF OWNERSHIP FOR A PORTION OF
CLAIM NO. A63-03597J, FEE PAID UNDER NO. N003518.

SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY
OF APPROVED TRANSFER NO. 5270 IN FILE.

CLAIM AMENDED PER TRANSFER NO. 5270 APPROVED 11/12/1998.

THIS CLAIM IS A RESULT OF SPLITTING A63-03579J PER APPROVED
TRANSFER 5270. 12/31/1998 SB.

THIS CLAIM IS A RESULT OF A CHANGE OF OWNERSHIP SPLITTING CLAIM
A63-03597L BY MTS 2/24/2000. FEE PAID UNDER N003518.

15. Basis of Claim: LICENSE

Water Right Number: 33559

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 _____ 20 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

RECEIVED

APR 21 2000

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

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

1. Water Right No(s): 63-035976
 Adjudication Claim No(s): A63-03597L

2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
AND
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s).
 (These are usually attached to your deed or on file with the county.)
OR
 - C. If your water right or adjudication claim 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 Nolan Vidon + Robert Meyers V + M Trust
15²8 Addison Ave East, Twin Falls ID 83301

4. New Owner/Claimant(s) Jim Valentine Sherril Valentine, D.A. Davidson
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
 New Mailing Address 14284 W. Lewis LN NAMPA ID 83686
 City, State and ZIP Code _____
 New Telephone Number (208) 467-3388

5. Date you acquired the property June 28, 1999

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____	Number and type of stock _____
Diversion rate in CFS _____	Number of homes you acquired _____
Other uses _____	

7. Signature of New Owner(s) Jim Valentine
 or Claimant(s) _____

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

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

WARRANTY DEED

FOR VALUE RECEIVED Kendal F. Egbert, trustee of Village Trust

the Grantor, does hereby grant, bargain, sell and convey unto Jim Valentine and Sherri Valentine, husband and wife

the Grantees, whose address is 14284 W. Lewis Lane, Nampa, ID 83686

the following described premises, to-wit:

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

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 are 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 1999 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: June 28, 1999

Village Trust

Kendal F. Egbert, trustee

STATE OF IDAHO

COUNTY OF CANYON *Twin Falls*

On this 29 day of June, 1999,
before me, a notary public, personally appeared Kendal F. Egbert, known to me to be the person(s) whose name(s) is/are subscribed to the within instrument as trustee of VILLAGE TRUST and acknowledged to me that he/she/they executed the same as such trustee.

Notary Public *Twin Falls*
Residing at Greentree, Idaho

My commission expires: ~~9-1-99~~ 4/27/2003

PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

Exhibit "A"

PARCEL I:

A tract of land in Section 10, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

BEGINNING at the South Quarter corner of said Section 10; thence
South 89° 55'10" West a distance of 404.76 feet; thence
North 0° 08'43" East a distance of 1,966.85 feet; thence
North 48° 44'25" East a distance of 552.96 feet; thence
South 0° 23'27" West a distance of 2,330.99 feet along the center Section line of
said Section 10 to the POINT OF BEGINNING.

PARCEL II:

A tract of land in Section 10, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

BEGINNING at the Southwest corner of said Section 10; thence
North 89° 55'10" East a distance of 1,741.90 feet along the Southerly Section line
of said Section 10 to the TRUE POINT OF BEGINNING; thence
North 0° 08'43" East a distance of 1,529.08 feet; thence
North 48° 44'25" East a distance of 664.89 feet; thence
South 0° 08'43" West a distance of 1,966.85 feet; thence
South 89° 55'10" West a distance of 498.70 feet to the TRUE POINT OF BEGINNING.

PARCEL III:

A tract of land in Section 10, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

BEGINNING at the Southwest corner of said Section 10; thence
North 89° 55'10" East a distance of 1,024.69 feet along the Southerly Section line
of said Section 10 to the TRUE POINT OF BEGINNING; thence
North 0° East a distance of 897.50 feet; thence
North 48° 44'25" East a distance of 959.23 feet; thence
South 0° 08'43" West a distance of 1,529.08 feet; thence
South 89° 55'10" West a distance of 717.21 feet to the TRUE POINT OF BEGINNING.

REAL ESTATE PURCHASE AND SALE AGREEMENT

This is a legal binding contract, read the entire document carefully, and consult your attorney if you feel the need to do so.

ID# _____, Nampa, Idaho, April 30, 1999

AGENCY: In this transaction, the brokerage (s) had the following relationship with the BUYER ("agent" or "nonagent" or limited dual agent") Listing broker acted as a ☐ non-agent ☐ agent ☐ limited dual agent for the BUYER. Selling broker acted as a ☐ non-agent ☐ agent ☐ limited dual agent for the BUYER to this transaction. The brokerage (s) involved had the following relationship with the SELLER ("agent" or "nonagent" or limited dual agent") Listing broker acted as a ☐ non-agent ☐ agent ☐ limited dual agent for the SELLER. Selling broker acted as a ☐ non-agent ☐ agent ☐ limited dual agent for the SELLER. Each party signing this document confirms that he or she has received, read and understood the Agency Disclosure brochure and has elected the relationship confirmed above, in addition, each party confirms that the broker's agency office policy was made available for inspection and review. EACH PARTY UNDERSTANDS THAT HE OR SHE IS A "CUSTOMER" AND IS NOT REPRESENTED BY A BROKER UNLESS THERE IS A SIGNED WRITTEN AGREEMENT FOR AGENCY REPRESENTATION.

BUYER: JIM VALENTINE and SHERRI VALENTINE, husband and wife

Hereinafter called "Buyer" agrees to purchase and the undersigned Seller agrees to sell the following described real estate hereinafter referred to as "Property"

PROPERTY ADDRESS AND LEGAL DESCRIPTION: Parcel 1, 2, and 3, Section 10, T2N, R3W, B.M. Cyn Co. Id. See Exhibit "A" which is hereby attached and made a part hereof.

PRICE/TERMS: Total purchase price is \$118,150.00 dollars (\$118,150.00) \$25,000.00
Cash down payment, including earnest money deposit \$ 5,000.00 balance of the purchase price to be paid as follows: entire unpaid balance, together with interest of 10% per annum, due May 15, 2001. Buyer agrees to pay accrued interest every 3 months starting 8/15/99. Buyer shall have option of making accelerated payments at any time without penalty.

EARNST MONEY: Buyer hereby deposits as Earnst Money and receipt is hereby acknowledged of \$ 5,000.00. Evidenced by Check Cash O Cashier's Check PIONEER TITLE CO. NAMPA, IDAHO. Earnst money to be deposited in trust account upon acceptance by all parties and shall be held by PIONEER TITLE CO. NAMPA, IDAHO for the benefit of all parties.

INCLUDED ITEMS: All attached floor coverings, attached television antennae, satellite dish (s), and receiving equipment, attached plumbing, bathroom lighting fixtures, window screens, screen doors, storm windows, storm doors, window coverings, exterior trees, plants or shrubbery, water hauling equipment, attached fireplace equipment, awnings, ventilating, cooling, and heating systems, built in and "drop in" ranges, (but excluding all other ranges), A/C tanks, irrigation fixtures and equipment, and any and all, if any, water and water rights, and any and all if any ditches and ditch rights that are appurtenant thereto that are now on or used in connection with the premises shall be included in the sale unless otherwise provided herein. Other items specifically included in this sale

ADDITIONAL TERMS/CONDITIONS OR CONTINGENCIES:

It is agreed that the Seller is using IRS 1031 Exchange for closing transaction.

Seller agrees to convey any water rights, but does not warrant ownership of any.

Transaction not voided if delay obtaining correction deed from Montierth to Sellers.

TITLE COMPANY/CLOSING AGENCY: The parties agree that Pioneer Title Co. Title Company shall provide any required Title Policy and preliminary report of commitment, and shall be the closing agent/long term storage agent unless otherwise stated, herein.

TITLE INSURANCE: Seller to pay for a standard Owner's or Purchaser's Title Policy premium in this transaction. Buyer shall have until 5 days

To object in writing to the condition of the title as set forth in the report. In event Buyer makes written objections to the title Seller shall have a reasonable time, not to exceed 5 days to cure the defects of title or provide affirmative Title Insurance. Buyer makes elect, at his sole remedy, to either terminate this

Agreement or cure the defects at Buyer's expense, or proceed to closing, taking title subject to such defects. If Buyer does not so object, Buyer shall be deemed to have accepted the condition of the title. In the event Buyer elects to terminate this agreement due to unsatisfactory title conditions, Buyer shall be

entitled to the return of all refundable deposits made by him but that such return of deposits shall not constitute a waiver of other remedies available to Buyer.

CLOSING DATE: On or before the closing date, Buyer and Seller shall deposit with the Closing Agency all funds and instruments necessary to complete the sale. The closing date shall be no later than May 15, 1999, 199. "Closing Date" means the date on which all documents are either

recorded or accepted by an escrow/collection agency and the sale proceeds are available to Seller.

BUYER'S REFUSAL TO CLOSE: If the above conditions dealing with title defects are not present, or if the Buyer fails to close this transaction when good marketable title is available, and Buyer refuses to close this transaction, All parties agree that the earnest money shall be disbursed as follows:

1. Payment of any cancellation title fee or escrow fee. 2. Divide remaining earnest money equally between the Seller and the Real Estate Agents herein.

CONDITION OF PROPERTY AT CLOSING: Buyer agrees to purchase the Property in as is condition, where is, with all faults. Buyer will assume all obligations with respect to the Property.

INSPECTION: Buyer hereby acknowledges further that Buyer has not received or relied upon any statements or representations by Broker or Broker's representatives or by Seller which are not herein expressed. Buyer has entered into this agreement relying upon information and knowledge obtained from

Buyer's own investigation or personal inspection of the Property.

COMMISSION: Seller hereby agrees to pay the sum of \$ 7,089.00 for broker's fee, to be divided ☐ ADDENDUM IS HEREBY ATTACHED ☐ SEE REVERSE SIDE FOR ADDENDUM/ACKNOWLEDGEMENT (5)

ENTIRE AGREEMENT: This agreement, including any Addendums or exhibits, constitutes the entire agreement between the parties and no warranty, including any warranty of habitability, agreements or representations have been made or shall be binding upon either party unless herein set forth.

TIME IS THE ESSENCE IN THIS AGREEMENT

ACCEPTANCE: Buyer's offer is made subject to the acceptance of Seller on or before (Date) 5/3/99, 199 and (Time) _____

If Seller does not accept this Agreement within the time specified the entire earnest money shall be refunded to Buyer on demand.

SELLER PAY: ☒ Title Insurance ☒ Escrow fee ☒ Document preparation ☐ Appraisal fee ☐ Inspection fee ☐ Closing fee ☐ Loan assumption

BUYER PAY: ☐ Title Insurance ☒ Escrow fee ☒ Document preparation ☐ Appraisal fee ☐ Inspection fee ☐ Closing fee ☐ Loan assumption

LISTING AGENT: Ace Realty Phone 733-521 **SELLING AGENT:** Ace Realty Phone 733-5217

BUYER'S SIGNATURE: _____ **BUYER'S SIGNATURE:** _____
DATE: _____ TIME: _____ PHONE: _____ DATE: _____ TIME: _____ PHONE: _____

SELLER'S SIGNATURE: _____ **SELLER'S SIGNATURE:** _____
DATE: 4/30/99 TIME: 11:00 AM PHONE: (208) 733-606 DATE: _____ TIME: _____ PHONE: _____

On (date) _____, we hereby acknowledge receipt of a true copy of this agreement containing the signature of the Seller.
BUYER'S SIGNATURE: _____ **BUYER'S SIGNATURE:** _____

FSA-476 - Notice of Contract Acreage, Payment Yields
and CRP Reduction
(03-31-1996)

CANYON COUNTY FSA OFFICE
2208 E CHICAGO ST
SUITE B
CALDWELL
(208) 454-8695

ID 83605-4475

Mailing Date: 04/18/2000

JIM VALENTINE
14284 W LEWIS
NAMPA

ID 83686-0000

-- Year: 2000-2002

Farm No: 7345

Crop	Contract Acreage	Farm Program Payment Yield	CRP Reduction	CRP Pending
Wheat	0.0	0	0.0	0.0
Corn	0.0	0	0.0	0.0
Barley	132.5	86	0.0	0.0

Remarks:

A husband and wife may sign on behalf of each other unless written denial has been provided to the county office.
A new CCC-478 must be filed within 30 calendar days of the date of this notice for this farm to be enrolled in AMTA.

REMEMBER!!! PFC CONTRACT MUST BE UPDATED WITHIN 30 DAYS OF THE DATE OF THIS LETTER. HELC/PAYMENT LIMITATION STATUS MAY NEED UPDATED ALSO.

Operator JIM VALENTINE
Owner Multiple
Ag Use Acres 135.0
Cropland Acres 135.0
Farm Identifier DIV 6680

Final Date for Appeal/Review: 05/18/2000

WARRANTY DEED

FOR VALUE RECEIVED Kendal F. Egbert, trustee of The Village Trust

the Grantor, does hereby grant, bargain, sell and convey unto Davidson Trust Co., trustee for Medical Center Physicians Group Profit Sharing Plan

the Grantee, whose address is _____

the following described premises, to-wit:

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

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that they are 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 1999 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: June 28, 1999

Village Trust

X By: Kendal F. Egbert

Kendal F. Egbert, trustee

STATE OF IDAHO

COUNTY OF CANYON *TWIN FALLS*

On this 29 day of June, 1999,
before me, a notary public personally appeared Kendal F. Egbert, known to me to be the person(s) whose name(s) is/are subscribed to the within instrument as trustee of Village Trust and acknowledged to me that he/she/they executed the same as such trustee.

Kelen Victor
Notary Public *TWIN FALLS*
Residing at *Coeur d'Alene*, Idaho
My commission expires: ~~2-1-99~~

PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

REAL ESTATE PURCHASE AND SALE AGREEMENT

This is a legal binding contract, read the entire document carefully, and consult your attorney if you feel the need to do so.

City Nampa State Idaho Date April 30, 1999

AGENCY: In this transaction, the brokerage (s) had the following relationship with the BUYER ("agent" or "nonagent" or limited dual agent") Listing broker acted as a ☒ non-agent ☐ agent ☐ limited dual agent for the BUYER. Selling broker acted as a ☒ non-agent ☐ agent ☐ limited dual agent for the BUYER in this transaction. The brokerage (s) involved had the following relationship with the SELLER ("agent" or "nonagent" or limited dual agent") Listing broker acted as a ☒ non-agent ☐ agent ☐ limited dual agent for the SELLER. Each party signing this document certifies that he or she has received, read and understood the Agency Disclosure brochure and has elected the relationship confirmed above. In addition, each party certifies that the broker's agency office policy was made available for inspection and review. EACH PARTY UNDERSTANDS THAT HE OR SHE IS A "CUSTOMER" AND IS NOT REPRESENTED BY A BROKER UNLESS THERE IS A SIGNED WRITTEN AGREEMENT FOR AGENCY REPRESENTATION.

BUYER: MEDICAL CENTER PHYSICIANS P.A. EMPLOYEES PROFIT SHARING PLAN

Hereinafter called "Buyer" agrees to purchase and the undersigned Seller agrees to sell the following described real estate hereinafter referred to as "Property"

PROPERTY ADDRESS AND LEGAL DESCRIPTION: PARCELS 4, 5, 6, and 7, Section 10, T2N, R3W, E4, Cyn Co. Id.

See Exhibit "A" which is hereby attached and made a part hereof.

PRICE/TERMS: Total purchase price is \$176,850.00 Dollars (\$ 176,850.00) = 176,850.00

Cash down payment, including earnest money deposit, \$ 5 balance of the purchase price to be paid as follows:

Entire purchase price to be paid in full on closing.

EARNEST MONEY: Buyer hereby deposits as Earnest Money and receipt is hereby acknowledged of \$ 5. Evidenced by D Check Cash ☐ Cashier's check ☐ Note or _____. Earnest money to be deposited in trust account upon acceptance by all parties and shall be held by _____ for the benefit of all parties.

INCLUDED ITEMS: All attached floor coverings, attached television systems, satellite dish (s), and receiving equipment, attached plumbing, bathroom lighting fixtures, window screens, screen doors, storm windows, storm doors, window coverings, exterior trees, plants or shrubbery, water heating equipment, attached fireplace equipment, awnings, ventilating, cooling, and heating systems, built in and "drop in" ranges, (but excluding all other ranges), fuel tanks, irrigation fixtures and equipment, and any and all, if any, water and water rights, and any and all if any dishes and dish rights that are appurtenant thereto that are now on or used in connection with the premises shall be included in the sale unless otherwise provided herein. Other items specifically included in this sale none

ADDITIONAL TERMS/CONDITIONS OR CONTINGENCIES: Seller to use IRS 1031 Exchange to close transaction. Seller agrees to convey any water rights, but does not represent or warrant any. Transaction not voided if delay obtaining correction deed from Montierth to Sellers.

TITLE COMPANY/CLOSING AGENCY: The parties agree that Pioneer Title/Nampa. This Company shall provide any required Title Policy and preliminary report of commitment, and shall be the closing agent/long term escrow agent unless otherwise stated, herein.

TITLE INSURANCE: Seller to pay for a standard Owner's or Purchaser's Title Policy premium in this transaction. Buyer shall have until 5 days To object in writing to the condition of the title as set forth in the report. In event Buyer makes written objections to the title Seller shall have a reasonable time, not to exceed 5 days to cure the defects of title or provide alternatives Title Insurance. Buyer make elect, at its sole remedy, to either terminate this Agreement or cure the defects at Buyer's expense, or proceed to closing, taking title subject to such defects. If Buyer does not so object, Buyer shall be deemed to have accepted the condition of the title. In the event Buyer agrees to terminate this agreement due to unsatisfactory title conditions, Buyer shall be entitled to the return of all refundable deposits made by him but that such return of deposits shall not constitute a waiver of other remedies available to Buyer.

CLOSING DATE: On or before the closing date, Buyer and Seller shall deposit with the Closing Agency all funds and instruments necessary to complete the sale. The closing date shall be no later than MAY 15, 1999. "Closing Date" means the date on which all documents are either recorded or accepted by an escrow/closing agency and the sale proceeds are available to Seller.

BUYER'S REFUSAL TO CLOSE: If the above conditions dealing with title defects are not precept, or if the Buyer fails to close this transaction when good marketable title is available, and Buyer refuses to close this transaction, All parties agree that the earnest money shall be disbursed as follows:

1. Payment of any resale title fee and escrow fees. 2. Divide remaining earnest money equally between the Seller and the Real Estate Agents herein.

CONDITION OF PROPERTY AT CLOSING: Buyer agrees to purchase the Property in as is condition, where is, with all faults. Buyer will assume all obligations with respect to the Property.

INSPECTION: Buyer hereby acknowledges that he or she has not received or relied upon any statements or representations by Broker or Broker's representatives or by Seller which are not herein expressed. Buyer has entered into this agreement relying upon information and knowledge obtained from Buyer's own investigation or personal inspection of the Property.

COMMISSION: Seller hereby agrees to pay the sum of \$10,611.00 for broker's fee, to be divided _____

ADDITIONAL IS HEREBY ATTACHED ☐ SEE REVERSE SIDE FOR ADDENDUM ACKNOWLEDGEMENT (S)

ENTIRE AGREEMENT: This agreement, including any Addendums or exhibits, constitutes the entire agreement between the parties and no warranties, including any warranty of habitability, agreements or representations have been made or shall be binding upon either party herein set forth.

TIME IS THE ESSENCE IN THIS AGREEMENT

ACCEPTANCE: Buyer's offer is made subject to the acceptance of Seller on or before (Date) MAY 3, 1999 and (Time) _____

If Seller does not accept this Agreement within the time specified the entire earnest money shall be refunded to Buyer on demand.

SELLER PAY: ☒ Title insurance ☒ Escrow fee ☒ 1/2 document preparation ☐ Appraisal fee ☐ 1/2 Inspection fees ☐ 1/2 Closing fee ☐ Loan assumption

BUYER PAY: ☒ Title insurance ☒ 1/2 escrow fee, ☒ 1/2 document preparation ☐ Appraisal fee ☐ 1/2 Inspection fees ☐ 1/2 Closing fee ☐ Loan assumption

LISTING AGENT: ACS Realty Theresa Velt Phone 733-5217 SELLING AGENT: ACS Realty Theresa Velt Phone 733-5217

BUYER'S SIGNATURE: X DATE: 5-4-99 TIME: _____ PHONE: _____

SELLER'S SIGNATURE: William T. Tanta DATE: 4/30/99 TIME: 11:00 AM PHONE: (208) 733-5217

On (date) 5-4-99, we hereby acknowledge receipt of a true copy of this instrument containing the signature of the Seller.

BUYER'S SIGNATURE: X Davidson Trust Co BUYER'S SIGNATURE: William T. Tanta

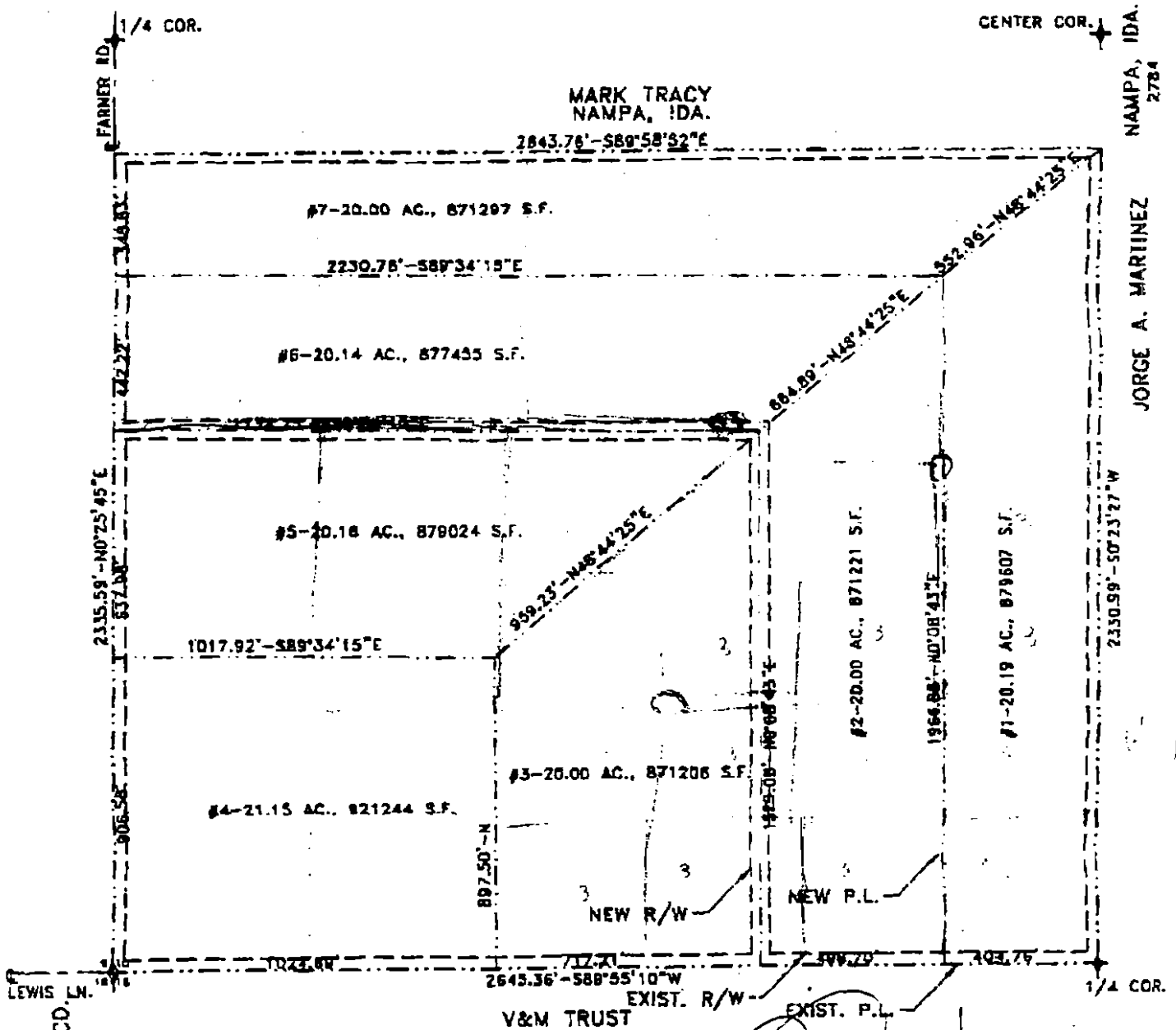
PROPERTY
DESIGN

JOB# NV4
FOR: V&M TRUST
TWIN FALLS, ID.

DATE:
SEP. '97
AMEND. MAR., '98

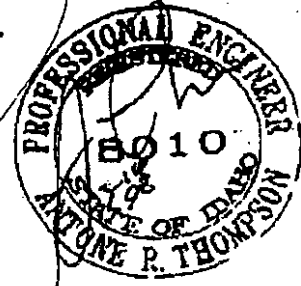
Engineering
150 SOUTH 500 WEST
Cedar City, UT 84720
P. & FAX. (801) 586-1345

PAGE#
1



Part 81.45 ac.

9 acres.
60.19



Total 141.64
acres

ATTENTION
NEL

EXHIBIT "A"

WARRANTY DEED

Amended Mar. 16, '98

For Value Received V & M TRUST, the grantor, does hereby grant, bargain, sell and convey unto, VILLAGE TRUST, the grantee, whose current postal address is 1528 Addison Avenue East, Twin Falls, Idaho 83301, the following described premises, in Canyon County, Idaho, to-wit:

LEGAL DESCRIPTIONS OF LAND PARCELS IN SEC. 10, T2N, R3W, B.M., CYN. CO., ID.

DESCRIPTION 1

A tract of land in Sec. 10, T2N, R3W, B.M., Canyon Co., Ida. Beg. @ the S1/4 Cor. of said Section 10; th. S89°55'10"W 404.76'; th. N0°08'43"E 1966.85'; th. N48°44'25"E 552.96'; th. S0°23'27"W 2,330.99' along the Center section line of said Sec. 10 to the P.O.B. Excepting a 40' ingress & egress of an existing road & utility right-of-way along the S'ly sec. line of said section 10. Excepting a 30' ingress & egress of an existing road & utility right-of-way along the center sec. line of said sec. 10.

DESCRIPTION 2

A tract of land in Sec. 10, T2N, R3W, B.M., Canyon Co., Ida. Beg. @ the SW Cor. of said Section 10; th. N89°55'10"E 1741.90' along the S'ly section line of said Sec. 10 to the true P.O.B.; th. N0°08'43"E 1529.08'; th. N48°44'25"E 664.89'; th. S0°08'43"W 1966.85'; th. S89°55'10"W 498.70' to the true P.O.B. Excepting a 40' ingress & egress of existing road & utility right-of-way along the S'ly sec. line of said section 10. Excepting a 30' ingress & egress of a future road & utility right-of-way along the W'ly line of said property.

DESCRIPTION 3

A tract of land in Sec. 10, T2N, R3W, B.M., Canyon Co., Ida. Beg. @ the SW Cor. of said Section 10; th. N89°55'10"E 1024.69' along the S'ly section line of said Sec. 10 to the true P.O.B.; th. N0° E 897.50'; th. N48°44'25"E 559.23'; th. S0°08'43"W 1529.08'; th. S89°55'10"W 717.21' to the true P.O.B. Excepting a 40' ingress & egress of existing road & utility right-of-way along the S'ly sec. line of said section 10. Excepting a 30' ingress & egress of a future road & utility right-of-way along the E'ly line of said property.

DESCRIPTION 4

A tract of land in Sec. 10, T2N, R3W, B.M., Canyon Co., Ida. Beg. @ the SW Cor. of said Section 10; th. N0°25'45"E 906.58' along the W'ly section line of said Sec. 10; th. S89°34'15"E 1017.92'; th. S0°E 897.50'; th. S89°55'10"W 1024.69' to the P.O.B. Excepting a 40' ingress & egress of existing road & utility right-of-way along the W'ly & S'ly sec. line of said section 10.

DESCRIPTION 5

A tract of land in Sec. 10, T2N, R3W, B.M., Canyon Co., Ida. Beg. @ the SW Cor. of said Section 10; th. N0°25'45"E 906.53' along the W'ly section line of said Sec. 10 to the true P.O.B.; th. N0°25'45"E 637.98'; th. S89°34'13"E 1734.25'; th. S48°44'25"W 959.23'; th. N89°34'15"W 1017.92' to the true P.O.B.

Excepting a 40' ingress & egress of existing road & utility right-of-way along the W'ly sec. line of said section 10.

Excepting a 30' ingress & egress of a future road & utility right-of-way along the N'ly line of said property.

DESCRIPTION 6

A tract of land in Sec. 10, T2N, R3W, B.M., Canyon Co., Ida. Beg. @ the SW Cor. of said Section 10; th. N0°25'45"E 1544.56' along the W'ly section line of said Sec. 10 to the true P.O.B.; th. N0°25'45"E 442.22'; th. S89°34'15"E 2230.76'; th. S48°44'25"W 664.89'; th. N89°34'15"W 1734.25' to the true P.O.B.

Excepting a 30' ingress & egress of a future road & utility right-of-way along the S'ly property line.

Excepting a 40' ingress & egress of an existing road & utility right-of-way along the W'ly line of sec. 10.

DESCRIPTION 7

A tract of land in Sec. 10, T2N, R3W, B.M., Canyon Co., Ida. Beg. @ the SW Cor. of said Section 10; th. N0°25'45"E 1986.76' along the W'ly section line of said Sec. 10 to the true P.O.B.; th. N0°25'45"E 348.83'; th. S89°58'52"E 2643.76'; th. S48°44'25"W 552.96'; th. N89°34'15"W 2230.76' to the true P.O.B.

Excepting a 40' ingress & egress of existing road & utility right-of-way along the W'ly sec. line of said section 10.

Excepting a 30' ingress & egress of a future road & utility right-of-way along the N'ly line of said property.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever, And the said Grantor does hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all incumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

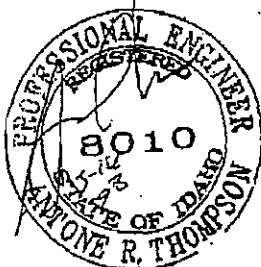
DATED: 3/18/98

Kendal F. Egbert Trustee V & M TRUST

STATE OF IDAHO)

COUNTY OF TWIN FALLS) ss

On the 18th day of March, 1998, before me, a Notary Public in and for said State, personally appeared Kendal F. Egbert, known or identified to me to be the Trustee of the V & M Trust that executed this instrument, or the person who executed the instrument on behalf of said Trust, and acknowledged to me that he executed the same as such Trustee.



Nolan Victor
Notary Public for Idaho
Residing in Twin Falls, Idaho
Commission Expires 4/22/2003



Split Tree A63-03597L

A63-03597 L (N/O Monticelli, Victor et al)

DR: 3.41 cfs

AV: 1649.30

POD's: 2N, 3W, S10, SENEW

S11, NWSW

S14, SESW

POU: 2N, 3W, S10, SWNE -16ac

NESW - 30

NWSW - 29

SWSW - 39

SESW - 39

NESE - 21

NWSE - 40

SWSE - 39

SESE - 37

29

S15, NENW - 39

SWNW - 39

SENW - 40

118

408

A63-03597P (N/O Monticelli, Victor et al)

DR: 226 cfs

AV: 1095.5 AF

POD: 2N, 3W, S10, SENEW

S11, NWSW

S14, SESW

POU: 2N, 3W, S10, SWNE -16

NESE - 21

NWSE - 40

SWSE - 39

SESE - 37

15

S15, NENW - 39

SWNW - 39

SENW - 40

118

271

A63-03597N

N/O Valentine & Davidson Trustee

DR: 1.15 cfs

AV: 553,8 AF

POD: same

POU: 2N, 3W, S10, NESW-30 NWSW-29

SWSW-39 SESW-39 137a

These splits are based on ownership change
filed 4-21-2000 by Jim Valentine

Remark: 42% ownership to Jim & Sheri Valentin
58% ownership to Davidson Trust Co.
trustee for Medical Center Physicians
Fbo Jim Valentine

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

RIGHT NUMBER: 63-32884

NAME AND ADDRESS: CHARLENE LUEDDEKE
9620 FARNER RD
NAMPA ID 83686

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.165 CFS
79.600 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 04/13/1967

POINT OF DIVERSION:

T02N R03W S15 SENW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.165 CFS 79.60 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 in CANYON County

T02N R03W S15 SENW 20.00

20 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

This right is a split from former right 63-32056 .

Failure of the right holder to comply with the conditions of Transfer 71674 is cause for the Director to rescind approval of the transfer.

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.

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA	)	Water Rights: 63-32056 (Split)
	)	63-32884, 63-32885
Case No. 39576	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE
_____	)	PROCEEDING

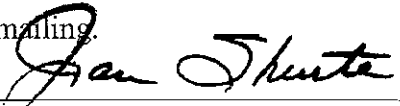
IDWR has completed the following administrative proceeding:

- ☐ Address change
- XX Substitution of Party
- ☐ IC § 42-222 transfer
 - ☐ Point of diversion ☐ Place of use
 - ☐ Period of use ☐ Nature of use
 - ☐ Split of water right ☐ Change in ownership
 - ☐ Other
- ☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: October 5, 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on October 5, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Charlene Lueddeke
9620 Farner Rd.
Nampa ID 83686

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Ronald Kirk
Carolyn Kirk
18159 Royal Way
Nampa ID 83687

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

October 5, 2007

CHARLENE LUEDDEKE
9620 FARNER RD
NAMPA ID 83686

Re: Original Water Right No. 63-32056

Renumbered to Water Right Nos. 63-32884

Dear Ms. Lueddeke:

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

When a portion of the original water right has been conveyed to another and the original right has been split, then the original right number is renumbered to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new water right number reflects your remaining portion of the original right after the change of ownership. Enclosed is a copy of this new water right for your records. Please refer to your new number when corresponding with our office. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the SRBA Court as notification of this change.

If you have any questions concerning this ownership change, or the enclosed copy, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Lori Harris".

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

LH:1
Enclosures