

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

RE THE GENERAL ADJUDICATION
RIGHTS TO THE USE OF WATER FROM
SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-02660
Date Received: 3/20/1990
Receipt No: W011472
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Name: J & S FARMS INC 208-722-6568
Address: 24996 GOODSON RD
PARMA ID 83660

Date of Priority: JUL 15, 1947

Source: GROUNDWATER Trib. to:

Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	04W	21	NE	SW	SE		CANYON

Description of diverting works:
WELL, 10" CASING, SURFACE PUMP, GATED PIPE, CONC. DITCHES, GRAV. FLOWS

Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.000		

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

Total consumptive use is Acre Feet Per Annum.

Non-irrigation uses:
NONE

Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05N	04W	21	SE	SW		IRR	35.0
			SW	SE		IRR	38.0
			SE	SE		IRR	32.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	105.0
					Total Acres	105.0

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:
A63-08521, FARMERS CO-OP

14. Remarks:
OWNERSHIP CHANGED BY RDH ON 2-24-94.

15. Basis of Claim: LICENSE
Water Right Number: 20032

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read understand the form entitled "How you will receive notice in the Snake Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive 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: _____

NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

FEB 18 1994

WATER RESOURCES
WESTERN REGION

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

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 5N Range 4W
Section 21, NE 1/4 of SW 1/4 of SE 1/4, Gov. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

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

Water Right Number(s)
Assigned by IDWR:

A 63-02660

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

John I Haas INC
PO Box 1441 YAKIMA WA 98907

New Owner/Claimant
(Purchaser):

~~Del Jennett~~ J+S FARMS, INC.

New Mailing Address:

24996 Goodson Rd
Parma ID 83660

New Telephone Number:

(208) 722-6568

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

Attach proof of
ownership, describe
proof attached:

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

Signature of New
Owner/Claimant(s):

J+S Farms, Inc. Del Jennett Date 2-11-94 X

Signature of Former
Owner/Claimant(s):

John I Haas Inc Gene Polansky Date Feb 7 1994

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date _____ By _____

Further Action Needed

Further Action Taken
Date _____ By _____

Final Review and Data-Entry
Date _____ By _____

Claim Numbers of Split, if any

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



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 4-21-93

Department of Water Resources

APR 26 1993

RECEIVED

SWSE
SWSE

also

LEGAL DESCRIPTION OF PROPERTY: Township 5N Range 4W Section 21, 1/4 of SW 1/4 of SW 1/4 of Gov. Lot 1, BM.

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

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

Water Right Number(s) Assigned by IDWR: A03-0240, A03-0852

Department of Water Resources

APR 26 1993

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

J+S Farms, Inc.

New Mailing Address:

PARMA, IN 46340
PARMA, IN 46340
PARMA, IN 46340

New Telephone Number:

(008) 722-10508

Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no

If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
FOR A03-0852 ONLY - THAT PORTION OF PLACE OF USE & THE POINT OF DIVERSION IN SECTION 21.

Attach proof of ownership, describe proof attached:

Marriage Deed

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

Signature of New Owner/Claimant(s)

David J. Smith (Owner)

Signature of Former Owner/Claimant(s):

Date

Date 4-21-93

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

FOR IDWR USE ONLY
Initial Review and Date-Entry
Date
Further Action Needed
Date
Further Action Taken
Date
Final Review and Date-Entry
Date
Claim Number of Split, if any

Original to be mailed to Idaho Department of Water Resources

Confer to Former Owner and New Owner

CORPORATION WARRANTY DEED

D.J.

JOHN I. HAAS, INC., a corporation,

Grantor, does hereby GRANT, BARGAIN, SELL and CONVEY TO

J & S FARMS, INC., a corporation,

whose current address is 24996 Goodson Road, Parma, Idaho 83660, Grantee, for good and valuable consideration, the following described real property in Canyon County, State of Idaho:

The Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4), and the Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4), and all that part of the Southeast Quarter (SE1/4) of the Southeast Quarter (SE1/4), lying Southwest of and below the main canal of the Farmers' Co-Operative Ditch Company, all in Section 21, Township 5 North, Range 4 West of the Boise Meridian,

Together with all water, water rights, ditches and rights-of-way for ditches appurtenant thereto, and together with 55 shares of stock in the Farmers' Co-Operative Ditch Company, a corporation, but also all water rights appurtenant to said premises or any portion thereof as contained in License Numbers 63-2660 and 63-08521, issued by the Department of Water Resources, State of Idaho, but excluding any water right or ditch rights of way referred to or contained in said License No. 63-08521 which relates in any way to lands or wells located in the SE1/4 NE1/4 and the NE1/4 of SE1/4 of Section 29, Twp. 5 North, Range 4 West of B. M., Canyon County.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that said premises are free from all encumbrances except:

- 1. Taxes and assessments of all taxing units not yet due and payable.**
- 2. Reservations in patents or state grants or in acts authorizing the issuance thereof.**
- 3. All repayment contracts between any irrigation districts within which the premises are situated and any government or agency.**
- 4. The bonded debt of all taxing units within which said premises are located.**
- 5. Restrictions imposed by law, ordinance, or regulation imposed by any government entity, department or agency.**

6. Restrictions contained in any covenants of record affecting the premises.

7. All rights of way or easement affecting the premises regardless of how evidenced or acquired and whether the same appear of record or note.

8. Questions of location, boundary and area; overlaps encroachments.

The officers who sign this Deed hereby certify that this Deed and the transfer represented thereby was duly authorized under a Resolution duly adopted by the Board of Directors of the Grantor at a lawful meeting duly held and attended by a quorum at which the undersigned was authorized to execute this instrument.

IN WITNESS WHEREOF, the Grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 21st day of April, 1993.

JOHN I. HAAS, INC.,

By: Gene Probasco
Vice President

STATE OF Idaho)
COUNTY OF Canyon) SS:

On this 21st day of April, 1993, A.D., personally appeared before me, GENE PROBASCO, who being by me duly sworn did say, each for himself, that he, the said GENE PROBASCO is the Vice President, of JOHN I. HAAS, INC., a corporation, and that the within and foregoing instrument was signed in behalf of said corporation by authority of a Resolution of its Board of Directors and said GENE PROBASCO has duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of said corporation.

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

James Kratzberg
Notary Public for Idaho
Residing at Caldwell, Idaho
My Commission Expires: 2-3-98

REQUEST
TYPED
FILED
CANYON

BY
CANYON ONE RECOR
D
J. Kratzberg

'93 APR 22 AM 11

RECORDED

930840



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

February 25, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

J & S Farms Inc.
24996 Goodson Rd
Parma, Id 83660

NOTICE OF CLAIM NO. (S)
A63-02660

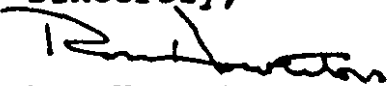
Dear J & S Farms Inc:

Enclosed is a copy(s) of the above referenced claim(s) which reflects the **CHANGE IN OWNERSHIP** of the lands and appurtenant water rights covered by this claim(s).

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

If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,


Ron Howerton
ADJUDICATION STAFF
Department of Water Resources
Western Region Office
(208) 334-2190

Attachment

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: A63-02660
Date Received: 3/20/1990
Receipt No: W011472
Received By: Rdh

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN I. HASS, INC. 208-459-3901
Address: P.O. BOX 146
NOTUS, ID 83656

2. Date of Priority: JUL 15, 1947

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	04W	21	NE	SW	SE		CANYON

5. Description of diverting works:
WELL, 10" CASING, SURFACE PUMP, GATED PIPE, CONC. DITCHES, GRAV. FLOWS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	04W	21	SE	SW		IRR	35.0
			SW	SE		IRR	38.0
			SE	SE		IRR	32.0

Section Acres 105.0

10. Place of Use: Continued

Total Acres 105.0

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:
A63-08521, FARMERS CO-OP

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 20032

5. 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 small annual fee for monthly copies of the docket sheet.

Number of attachments:

For Organizations:

I do solemnly swear or affirm that I am Manager of

John I. Haas Inc, that I have signed the foregoing
Organization

document in the space below as Manager of
Title

John I. Haas Inc and that the statements contained in the
Organization

foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Manager John I. Haas Inc
Title and Organization

3/20/90
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 20th day

of MAR 19 90

Ron Howerton
Notary Public

Seal

Residing at Ron Howerton
Residing at Boise, Idaho

My Commission Expires My Commission Expires December 8, 1994



IDaho DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT

Water Right Number - 63-02660 Adj. Flag Translation: Standard Water Right Number Old (D) Number - 20032

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

*** C - CURRENT OWNER ***
HIGHLAND LIVESTOCK & LAND CO.

1 - C/O ROBERT MAYLOR, PRES.
2 -
3 -
City- EMMETT State- ID Zip- 83617
Phone -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
07/15/1947 14 1 - LICENSE

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - - - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - - - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

05N 04W 21 ~~05-05~~ (27) CANYON

NESWSE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 2.000

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - + + - - Total Consumptive Use - + + - - KW Usage - +
2.000

+ - - - - Place of Use - - - - - - - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
05N	04W	21	SE SW			01	IRRIGATION	(27) CANYON
05N	04W	21	SW SE			01	IRRIGATION	(27) CANYON
05N	04W	21	SE SE			01	IRRIGATION	(27) CANYON

Total Acres: 103.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

AL7-08521, FARMERS /BLK CAN

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

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

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

12/04/2006

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

RIGHT NUMBER: 63-2660

NAME AND ADDRESS: J & S FARMS INC
24996 GOODSON RD
PARMA ID 83660

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.000 CFS
472.500 AFY

PRIORITY DATE: 07/15/1947

POINT OF DIVERSION:

T05N R04W S21 NESWSE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	2.000 CFS 472.50 AFY

PLACE OF USE: IRRIGATION in CANYON County

T05N R04W S21	SESW	35.00	T05N R04W S21	SWSE	38.00
T05N R04W S21	SESE	32.00			

105 ACRES TOTAL

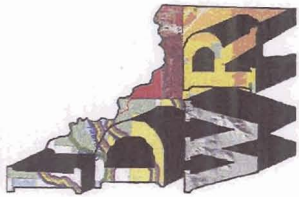
Right Nos. 63-2660 and 63-8521B are limited to the irrigation of a combined total of 105 acres in a single irrigation season.

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 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.



Idaho Department of Water Resources

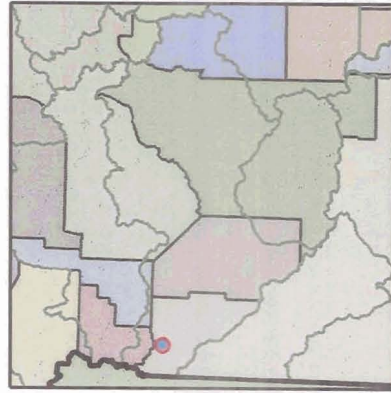
SRBA Recommendation:

63-2660

(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Canyon County
IDWR Basin 63



0 0.3 0.6 Miles

Prepared by S. Egbert
On Monday, December 4, 2006
1987/88 Aerial Photography

State of Idaho

License and Certificate of Water Right

Water License No. 20032

Amount Two second feet

Water District No. _____

Priority July 15, 1947

THIS IS TO CERTIFY that HIGHLAND LIVESTOCK AND LAND COMPANY of Emmett, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated March 10, 1947; that Permit No. 20032 was issued under said application; that Certificate of Completion of works, with a carrying capacity of Two second feet, was issued thereunder on November 5, 1947, showing that said works were completed on the 20th day of September, 1947; and that on the 15th day of November, 1947,

HIGHLAND LIVESTOCK AND LAND COMPANY of Emmett, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of _____, for the purpose of irrigation, under Use Permit No. 20032 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 8 of Licenses at page 4449, on the 28th day of February, 1949; The right hereby confirmed dates from July 15, 1947; The Point of Diversion is located

in the SE 1/4 SE 1/4, Sec. 21, Tp. 5 N., R. 4 W., B. M. (Canyon County)

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed Two (2) cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 N.	4 W.	21	NW $\frac{1}{4}$ NW $\frac{1}{4}$	30	--
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	30	--
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	30	--
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	35	35
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	30	30
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	32	32
			Number of Acres Actually Irrigated -		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 28th day of February, 1949.

MARK R. KULP

State Reclamation Engineer

(SEAL)

63 2650

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 20032This proof is for Beneficial use

In Water District No. _____

1. Name of applicant Highland Livestock & Land Company, Emmett, Idaho
2. Source of water supply: Subterranean (well)
3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21
T. 5 N. R. 4 W. County of Canyon
4. Describe works as they exist, giving dimensions and capacities of same: A Drilled Well 135 feet deep, cased with perforated casing for the entire depth. Equipment includes A General Electric Pomona pump driven by a ten H.P. motor, 6 cycles, 1760 R.P.M. Pump has a 6 inch outlet, and ditches are from two to three feet wide, and 1 $\frac{1}{2}$ feet deep.
5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: Yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 21, Twp. 5 North, Range 4 West, P.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Unknown

Remarks: Water table is 9 feet deep, and pump drawdown is 8 feetThis examination was made on the 26th day of October, 1948

(Signed) _____

Examiner.

20032

Highland Livestock & Land Co. 37
C/o Robert M. Naylor- Emmett, Idaho ✓

Permit No. 20032

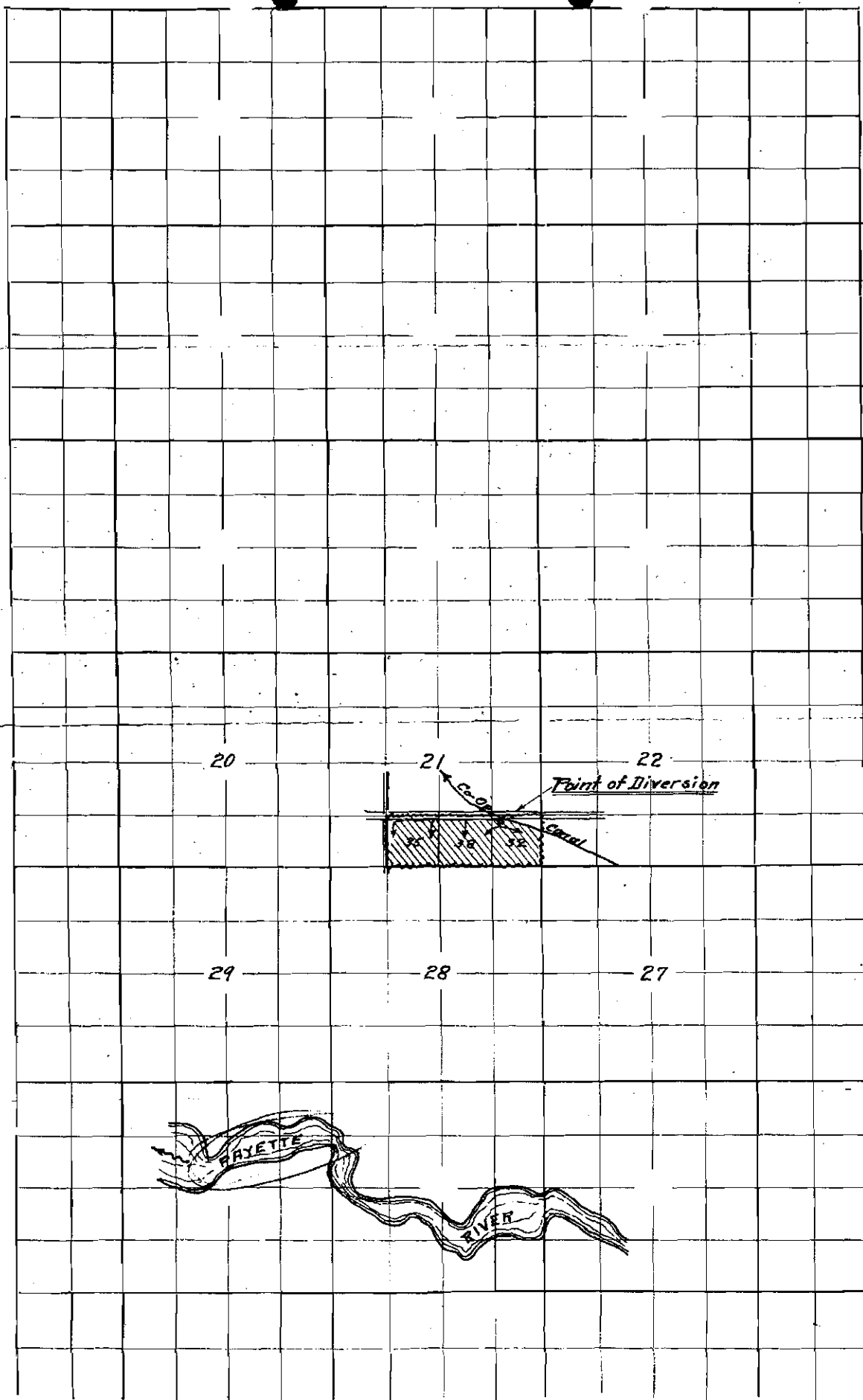
Examination for Beneficial use

County Canyon

RECEIVED
JAN 20 1949
Department of Reclamation

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.



Scale: 2 Inches Equals 1 Mile. Draw Map in Ink.

20032

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 20031

REPORT ON PROOF OF Beneficial use

2 cfs
3 msk

app. 200's

105 amr

3-40's