

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4340
WATER RIGHT NO. 63-02684B

This is to certify that: **ANDY WARD**
CARLA WARD
10497 LAKESHORE DR
NAMPA ID 83686

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.16 CFS	45.0 AF

SOURCE

GROUNDWATER

Priority: 02/23/1948

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 17, Township 02N, Range 02W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N	02W	17	NWSE	10		10
Total number of acres irrigated:						10

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

RECEIVED

AUG 04 1994

PAGE 2

TRANSFER NO. 4340
WATER RIGHT NO. 63-02684B

CONDITIONS/REMARKS:

Dated this 11th day of

July, 1994.

J. Blum Saylor

Chief, Water Alloc. Bureau

AUG 04 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4346

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

RECEIVED
JUN 08 1994

Department of Water Resources

Name of applicant Andy & Lu Clark Ward Phone 465-5101
Post Office address 10497 Lakeshore Dr. Nampa ID 83686A. PURPOSE OF TRANSFER - SEE MEMO (Attachment A)

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 NEW OWNER will make use of an existing domestic well (SEE REMARKS) to serve as new diversion for OWNER'S share of licensed right appurtenant to property.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 63-02684C Priority 2/23/1948 Amount (cfs/ac-ft) .125 cfs Nature of Use Irrigation Period of Use 3/15 to 11/15
2. Total amount of water being transferred .125 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
-		NW	SE	17	2N	2W	CANYON	NEW WELL

5. Lands irrigated or place of use:

NO CHANGE - SEE PART 2, B3

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
* 2N	2W	17														10			10

* These are the Applicant's 10 acres listed by:

Total acres 10

PART 1

6. General Information:

a. Description of diversion system 8" well, pump & sprinklers

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N/A 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:

NO CHANGE IN PLACE OF USE ACRES

d. Remarks:

Proposes use of well recently drilled per 63-94-W-0162-000.
Balance of irrig. drilling permit fee will need to be paid (\$200-\$75=\$165).

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 _____

[Signature]

AUG 04 1994

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 63-02684

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	2.00 CFS
DOMESTIC	to	
	Totals	2.00 CFS

SOURCE

GROUNDWATER

Priority: 02/23/1948

LOCATION OF POINT(S) OF DIVERSION:NWSE , Sec. 17, Township 02N, Range 02W
CANYON CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N 02W 17	NESE 40	NWSE 40	SWSE 40	160
	SESE 40			160
		Total number of acres irrigated:		160

PLACE OF USE: DOMESTIC, same as IRRIGATION useCONDITIONS/REMARKS:

1. TO GLEN COPENHAVER: 33 INCHES PRIMARY TO NWSE.
2. 17 INCHES SUPPLEMENTAL TO NESE.
3. TO J. P. HAYES: 40 INCHES PRIMARY TO S1/2 SE1/4.
4. 10 INCHES SUPPLEMENTAL TO S1/2 SE1/4.

AUG 04 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 63-02884 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 a 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 Groundwater tributary to _____

4. Date or priority 2/23/1948

5. Water is used for the following purpose:

amount 2.00 cfs for Irrigation purposes from undefined to _____
 (cfs/ac-ft)
 amount undefined for Domestic purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 2.00 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SE	17	2N	2W	CANYON	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	2W	17													40	40	40	40	160

Total acres 160

9. Describe any other water rights used for the same purpose as described above NAMPA-MERIDIAN

Irrig. District WATER

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 _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED- Will be 63-02684C (See Attachment A)

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

1. amount .125 for Irrigation purposes from 3/15 to 11/15 (assumed season)
 (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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SE	17	2N	2W	Canyon	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	2W	17														10			10

Total acres 10**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 1.875 for Irrigation purposes from 3/15 to 11/15 (assumed season)
 (cfs/ac-ft)
 amount — for Domestic purposes from 1/1 to 12/31 (assumed season)
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
							AS Above	

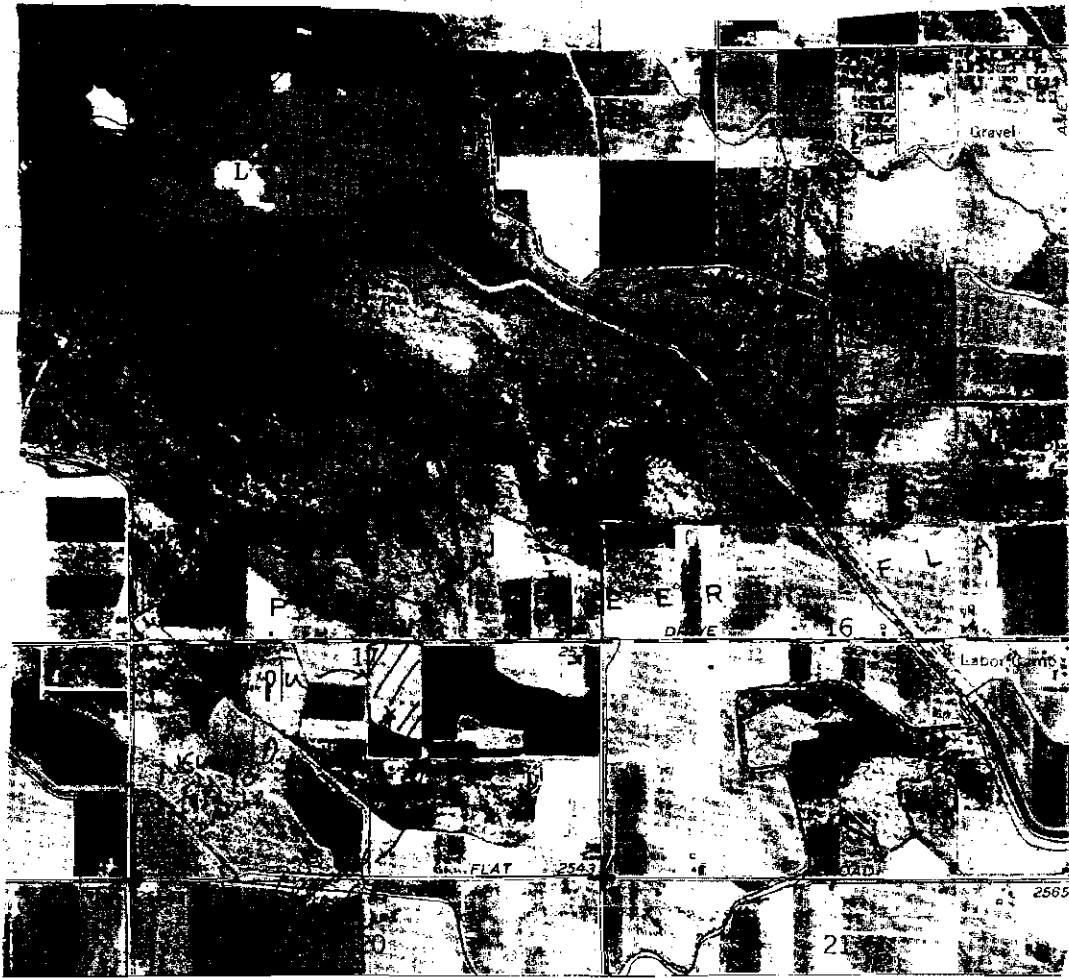
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
															40	30	40	40	150

Total acres 150

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

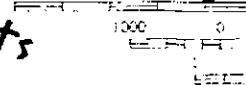
- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**



Geological Survey
 pared from 1:80,000-scale aerial
 uly 8, 1981
 0-foot grid ticks: Idaho
 west zone
 t)

*T2N
 R2W
 S.17
 NWSE, No govt lots*

*III = 63-02684 C
 (ward)*



1000 0 1000

PART 3

B. CHANGES IN NATURE OF USE

N/A

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to _____
				to _____

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

3. 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.

x Carla Ward

(Signature of Applicant)

Subscribed and sworn to before me this 18th day of April, 19 94.

Loi Granger

(Notary Public)

My commission expires 6/18/98

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 2 attachments
 Received by SL Date 4-18-94 Protest filed by _____
 Prelim. check by SL Fee \$30 W017373 _____
 Receipted by SL Date 4-18-94 _____
 Published in Press Tribune Copies of protest forwarded by _____
 Pub. dates May 4, 11, 12, 94 Hearing held by _____ Date _____
 Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial
 _____ rec'd. _____ by DPT
 Copy of transfer sent to lien holder _____

RECEIVED

AUG 11 1994

MEMORANDUM

TO: FILE

FROM: STEVE LESTER

DATE: APRIL 20, 1994

RE: TRANSFER APPLICATION FOR 63-02684C (WARD)

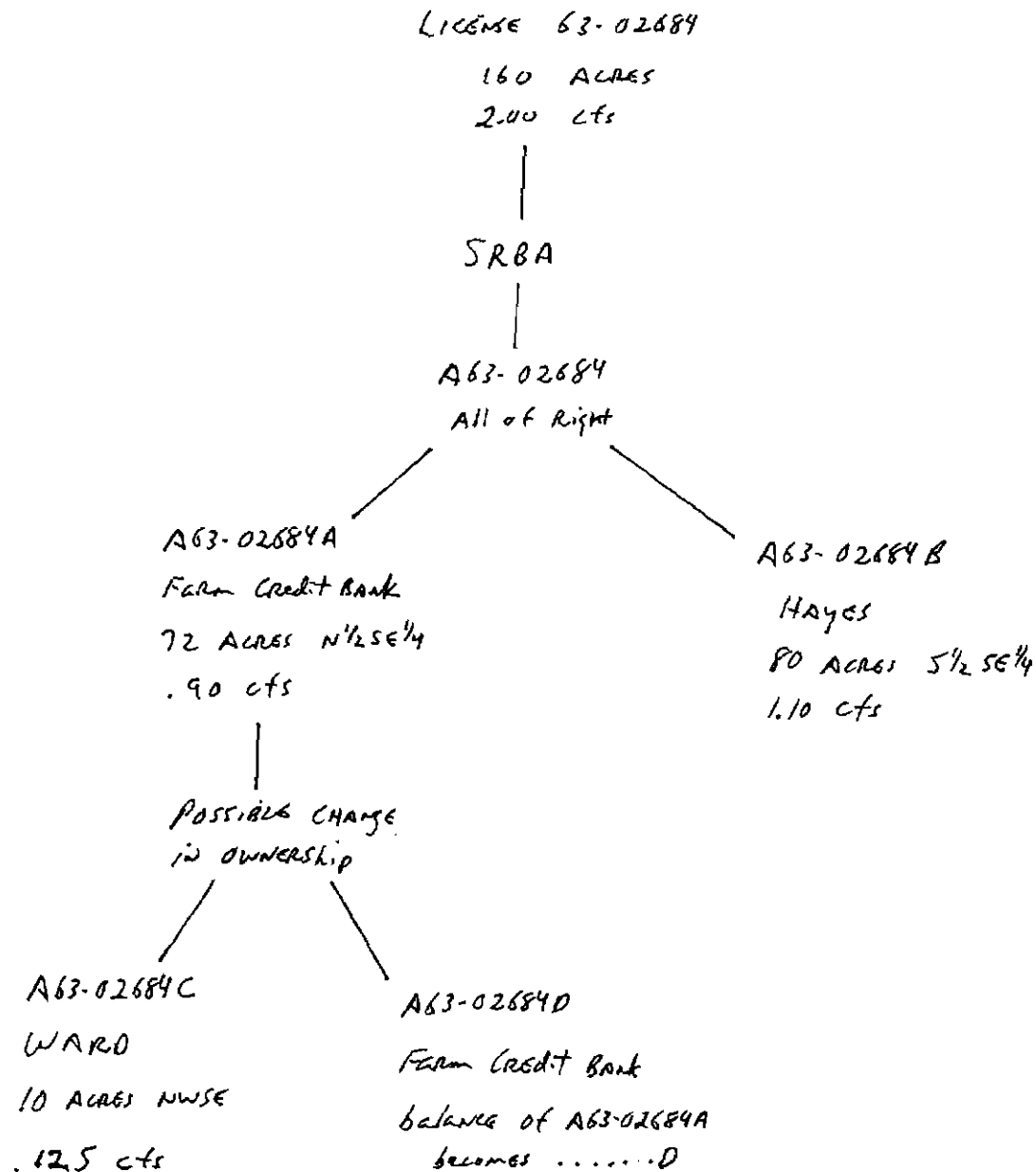
This is a memo of explanation. The applicants bought ten acres in NWSE S17 and recently drilled a domestic well under drilling permit 63-94-W-0162-000. They now wish to use the well for irrigation of their portion of the original P/U of license 63-02684.

The land has been irrigated by a supplemental¹ well located southeast of the Ward's new home. Because they will use their own well for their acres but not the old well, the transfer has been shown as a change in P/D for ten acres rather than an additional P/D.

After the protest deadline but before the region forwards the file to the S.O., the applicants will pay the outstanding balance for an irrigation well drilling permit (\$200-\$35 = \$165 owed). The applicants are aware of this and will be contacted by the regional reviewer.

Regarding the number shown on page 1 of the application, some explanation is needed. Suffix C was used due to SRBA complications and to avoid a water right suffix not agreeing with a SRBA suffix. See the attached flowchart for a pictorial view of the scenario. Basically, the entire license was claimed and then split into two parts (A and B). The Wards bought ten acres listed under A63-02684A (Farm Credit Bank). Thus, claim A will be split now or in the future into C (Ward) and D (Farm Credit Bank). The SRBA change in ownership process can be worked out between the two parties outside of the scope of this transfer. Claim B refers to separate land in the S 1/2 SE 1/4 S17 (Hayes), thus the typical transfer split into A and B would result in unnecessary confusion.

1. Appears that license supplements irrigation district water per SRBA claims but water right remarks indicate that 63-02684 has been primary right on land bought by Wards. Applicant stated during office visit that ditch water has not been available to the acres for some undetermined time, thus it is unclear if well use is supplemental or not for the ten acres - appears that it is not.



NOTE: split will occur automatically per transfer process, then bank can correct that situation if have legal concerns.

AUG 04 1994

AJ0729NP
No. A63-02684

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/18/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J. P. HAYES	02/23/1948	IRRIGATION	03-15 11-15	2.00 CFS	
X	ID X					
TOTAL DIVERSION:					2.00 CFS	

C GLENN COPENHAVER
RT. 4
NANPA ID 83651

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T02N R02W S17

SENESE

CANYON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S		NESE	NWSE	SWSE	SESE	NESE	NWSE	SWSE	SESE	NESE	NWSE	SWSE	SESE	NESE	NWSE	SWSE	SESE	SUM
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
02N	02W	17	:													40	40	40	40	160.0
TOTAL ACRES																			160.0	

PDU County: CANYON

Non-Irrigation Uses: NONE

Other Rights: NANPA-MERIDIAN IRR. DISTRICT

Other Water Rights with Same Point(s) of Diversion and Source:
A63-02684A A63-02684B

Other Water Rights Listing Overlapping Place(s) of use:
A63-02684A A63-02684B

Conditions of Approval:

016 - See remarks for additional conditions of approval.

Remarks: TO GLEN COPENHAVER: 33 INCHES PRIMARY TO NWSE.
17 INCHES SUPPLEMENTAL TO NESE.
TO J. P. HAYES: 40 INCHES PRIMARY TO S1/2 SE1/4.
10 INCHES SUPPLEMENTAL TO S1/2 SE1/4.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

*License & claim same,
no advertising complications*

AUG 04 1994

Attachment B (SRBA Claims) 3 pgs

AJ0729NP
No. A63-02684A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/18/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FARM CREDIT BANK OF SPOKANE C/O DANIEL R. HUFF P.O. BOX 310 CALDWELL ID 83606 (208) 459-4677	02/23/1948	IRRIGATION	03-15 11-15	0.90 CFS	
TOTAL DIVERSION:					0.90 CFS	
CONSUMPTIVE USE:						252.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T02N R02W S17

SENWSE

CANYON County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE					
T	R	S		NE	NW	SE	NE	NE	NW	SW	SE	NE	NW	SE	SE	SUM	
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
02N	02W	17	:														
																32	
																40	
																TOTAL ACRES	72.0
																	72.0

POU County: CANYON

Non-Irrigation Uses: NONE

Other Rights: NADPA-MERIDIAN IRR. DISTRICT, 52.34 ACRES ASSESSED

Other Water Rights with Same Point(s) of Diversion and Source:
A63-02684 A63-02684B

Other Water Rights Listing Overlapping Place(s) of use:
A63-02684

Conditions of Approval:
016 - See remarks for additional conditions of approval.

Remarks: RECEIPT NO. W008770 COVERS PARTIAL ACREAGE PAID BY GENE HAYES FOR
CLAIM NUMBER A63-02684.

Dates: Exam Made Date: Verified Date:

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

AUG 04 1994

AJ0729WP
No. A63-02684B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/18/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EUGENE HAYES 2007 COLORADO CALDWELL ID 83605 (208) 459-8917	02/23/1948	IRRIGATION	03-15 11-15	1.10 CFS	
					TOTAL DIVERSION:	1.10 CFS
					CONSUMPTIVE USE:	280.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T02N R02W S17

SENWSE

CANYON County

Place of Use Legal Description for: IRRIGATION

NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
02N	02W	17	:														
																TOTAL ACRES	80.0

POU County: CANYON

Non-Irrigation Uses: NONE

Other Rights: NAMPA-MERIDIAN IRR. DISTRICT

Other Water Rights with Same Point(s) of Diversion and Source:
A63-02684 A63-02684A

Other Water Rights Listing Overlapping Place(s) of use:
A63-02684

Conditions of Approval:

016 - See remarks for additional conditions of approval.

Remarks: TO GLEN COPENHAVER: 33 INCHES PRIMARY TO NWSE.
17 INCHES SUPPLEMENTAL TO NESE.
TO J. P. HAYES: 40 INCHES PRIMARY TO S1/2 SE1/4.
10 INCHES SUPPLEMENTAL TO S1/2 SE1/4.
*THIS IS A SPLIT OFF OF A63-02684.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

AUG 04 1994

WR5809NP
No. 63-02684

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/18/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GLENN COPENHAVER	02/23/1948	IRRIGATION	00-00 00-00	2.00 CFS	
C	J. P. HAYES		DOMESTIC	00-00 00-00		
TOTAL DIVERSION:					2.00 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T02N R02W S17

NWSE

CANYON County

Place of Use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S		NESE	NWSE	SWSE	SESE	:	NESE	NWSE	SWSE	SESE	:	SUM		
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:			
02N	02W	17	:					:					:			
								:	40		40		:	160.0		
													TOTAL ACRES	160.0		

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: CANYON

Conditions of Approval:

016 - See remarks for additional conditions of approval.

Remarks: TO GLEN COPENHAVER: 33 INCHES PRIMARY TO NWSE. } SEE A63-02684A
17 INCHES SUPPLEMENTAL TO NESE.
TO J. P. HAYES: 40 INCHES PRIMARY TO S1/2 SE1/4. } SEE A63-02684B
10 INCHES SUPPLEMENTAL TO S1/2 SE1/4.

Dates: App. Received: Priority Date: 02/23/1948
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 08/28/1979

Misc: Water District Number: Field Exam Fee:

- Audit: 05/20/85 05/01/88 CONVERT

$$\frac{2 \text{ cfs}}{160 \text{ AC}} = .0125 \text{ cfs/AC}$$

$$(10 \text{ AC})(.0125 \text{ cfs/AC}) = .125 \text{ cfs}$$

RECEIVED
JUL 21 1994

AUG 04 1994

State of Idaho

License and Certificate of Water Right

Water License No. 20318

Amount Two second feet

Water District No.

Priority February 23, 1948

THIS IS TO CERTIFY that GLENN COPENHAVER and J. P. HAYES of Nampa, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated February 23, 1948; that Permit No. 20318 was issued under said application; that Certificate of Completion of works, with a carrying capacity of Two second feet, was issued thereunder on February 6, 1950, showing that said works were completed on the 6th day of February, 1950; and that on the 3rd day of March, 1952,

GLENN COPENHAVER and J. P. HAYES of Nampa, 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 ~~subterranean~~ (subterranean flow) for the purpose of irrigation and domestic use under Use Permit No. 20318 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 4923, on the 2nd day of June, 1952; The right hereby confirmed dates from February 23, 1948;

The Point of Diversion is located in the NW 1/4 SE 1/4, Sec. 17, Tp. 2 N., R. 2 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:

Tract	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
2 N.	2 W.	17	NE 1/4 SE 1/4	40	40
			SE 1/4 SE 1/4	40	40
			SW 1/4 SE 1/4	40	40
			SW 1/4 SW 1/4	40	40
Number of Acres Actually Irrigated					160
GLENN COPENHAVER - One cubic foot per second, or fifty (50) inches; 35 inches primary water appurtenant to NW 1/4 SE 1/4 17 " supplemental " " NE 1/4 SE 1/4 Section 17, Twp. 2 N., Range 2 W., B. M.					
J. P. HAYES - One cubic foot per second, or fifty (50) inches; 40 inches primary water appurtenant to SE 1/4 SE 1/4 10 " supplemental " " SW 1/4 SE 1/4 Section 17, Twp. 2 N., Range 2 W., B. M.					

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 2nd day of June, 1952.

MARK R. KELP
State Reclamation Engineer

(SEAL)

63 2684

N^o 20318
63-2684

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

Application No. 27931
Permit No. 20318
District No.

Glenn Copenhaver
Rt. 4, Nampa, Idaho

1. Name of Applicant: GLEN COPENHAVER and J. P. HAYES

Postoffice address: Nampa

County: Canyon

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: Two (2) cubic feet per second.

3. Source of water supply: Subterranean flow (well) which is a tributary of

4. Location of point of diversion: feet distant from the
corner of Section , T. , R. , B.M., and is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$
of Section 17 , T. 2 N. , R. 2 W. , B.M., County of Canyon

5. Water is to be used for Irrigation and domestic purposes

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section
T. , R. , B.M., in the of Section , T. , R. , B.M.
(b) Amount of power generated: H.P., under feet head.
(c) Water is to be returned to at a point feet
distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$ 3,000.00

8. Kind of works: Well, pump and ditches

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

10. Size of headgate: Width feet; height feet;

11. Ditch: Width at bottom 2.5 feet; width at water line 6 feet; depth of water 1 feet;

dimensions of flume:

Diameter of pipe inches; length of conduit One miles.

Average grade per mile 10 feet.

12. The time required for the completion of such work is Two (2) years.

13. The time required for the complete application of the water to the proposed use is Two (2) additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

14-A. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

15. (a) Is reservoir to be used? If so, fill in (b) and (c) below.
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

GLENN COPENHAVER *Applicant.*
 J. P. HAYES

By *Agent.*

Date of first receipt at Department of Reclamation: 3:00 P. M. February 23, 1948

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 20318
 Recorded in Book 73 Page 20318 Approved March 5, 1948
 This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:
 Bond in the sum of \$ to be filed on or before
 Work to begin on or before May 5, 1948 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.
 One-fifth of the work above specified to be completed on or before March 5, 1949
 The whole of said work to be completed on or before March 5, 1950
 Beneficial use of water appropriated in accordance herewith, to be made on or before March 5, 1952

Witness my hand this 5th day of March, 1948

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, C. A. ROBINS, Governor of the State of Idaho, and J. D. "CY" PRICE, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 5th day of March, 1948.

Countersigned: STATE OF IDAHO
 (SEAL) By J. D. "CY" PRICE, Secretary of State, and C. A. ROBINS, Governor.

Remarks: Size of proposed well 12" approximately 100 foot depth

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals
			NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	
2 N.	2 W.	17				40 40 40 40	160
Permit No. 20318 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that Glen Copenhaver and J. P. Hayes of Nampa, County of Canyon, and State of Idaho, the holders of Permit No. 20318, issued upon Application No. 27931 bearing date of priority of February 23, 1948, authorizing the diversion of Two (2) second feet of the waters of a well, County of Canyon, State of Idaho, for irrigation and domestic purposes, have fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use Two (2) second feet of the waters of said well; that the point of diversion of said waters is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17, Township 2 North, Range 2 West, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE $\frac{1}{4}$ Section 17, Township 2 North, Range 2 West, B.M. Witness my hand this 6th day of February, A. D. 1950. Proof of Completion of Works made February 6, 1950. Certificate of Completion of Works issued February 6, 1950. LICENSE ISSUED FOR 2 SEC. FT. 02-4923							
						MARK R. KULP State Reclamation Engineer	

Part B

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: LyAPPLICANT Andy +/or Carla Ward

1. Right number 63-02684
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☒ Change of point of diversion ☐ Add diversion point(s) ☐ Change of place of use
☐ Change nature of use ☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use ☐ SRBA claim
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☐ All of right.
 - b. ☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred.
 - h. ☒ Check for expansion in use of right. Comments _____
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) _____
 - j. ☒ SRBA claim. Comments A63-02684A + B see transfer memo + attachments
 - k. ☒ Use within Water District? ☐ Yes ☐ No
If yes, what district? _____ Comment letter sent ☐ Yes ☐ No
 - l. ☒ Legal notice electronically transmitted to DWR03::Vault? st

FINAL PROCESSING REVIEW BY: DW

1. Watermaster recommendation requested on N/A Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

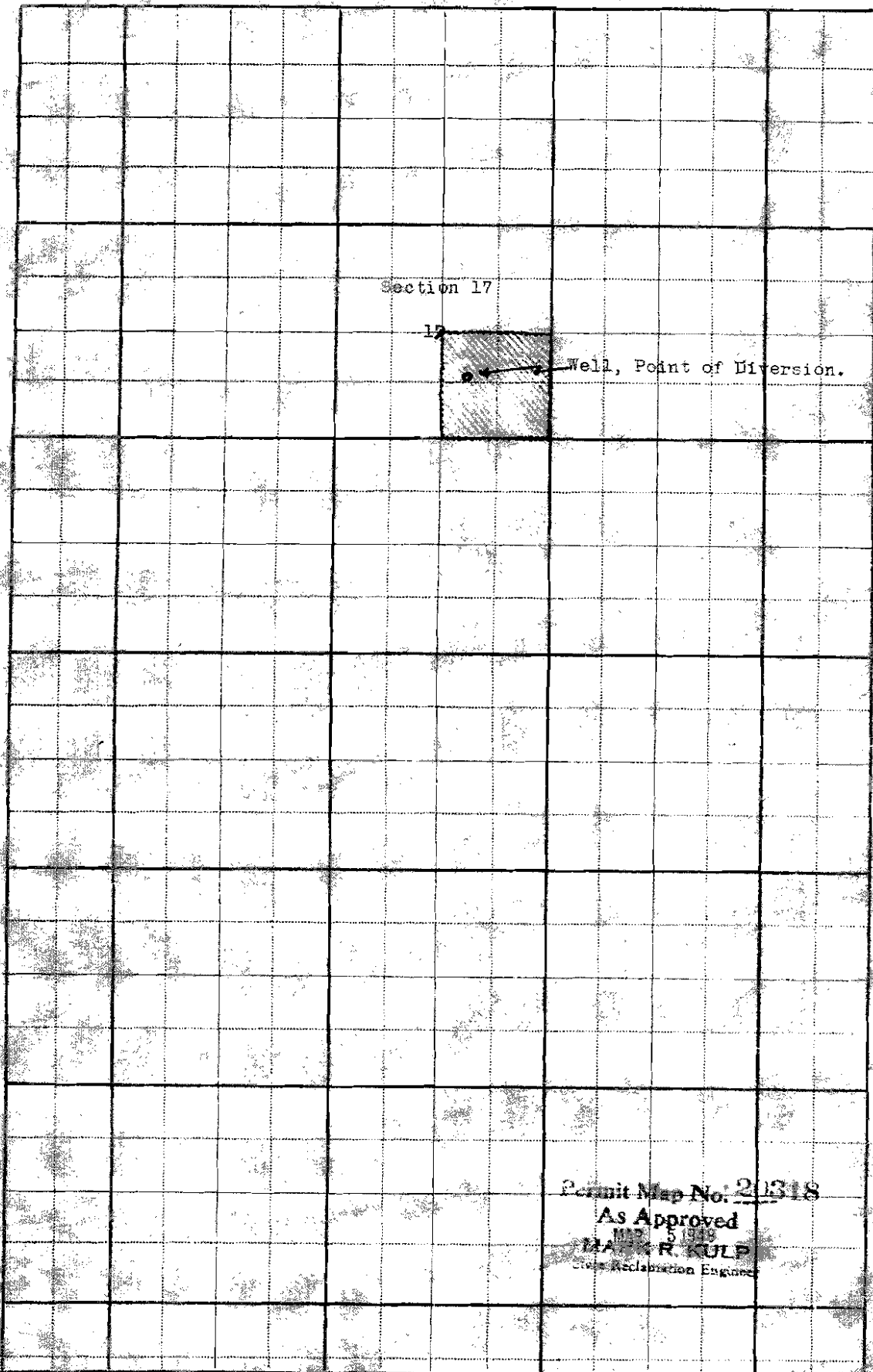
RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* _____
4. By DW Date 6/6/94

*All uses within Water Districts require special conditions.

NAME OF APPLICANT Glenn Copenhagen, J.P. Hayes,

FORM No. 0



Permit Map No. 20318

As Approved

MAY 5 1949
HAROLD R. KULP
Civil Reclamation Engineer

SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK

20318

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	63-02684	Glen Copenhaver J.P. Hayes	2.00

SPLIT INTO PARTS A & B BY TRANSFER #4340

Partial Assignment	63-02684A	Glen Copenhaver J.P. Hayes	1.84
Partial Assignment	63-02684B	Andy Ward Carla Ward	0.16

RECEIVED

AUG 04 1994

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: A63-02684A
Date Received: 1/23/1991
Receipt No: W012954
Received By: LCW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FARM CREDIT BANK OF SPOKANE 208-459-4677
Address: C/O DANIEL R. HUFF
P.O. BOX 310
CALDWELL, ID 83606

2. Date of Priority: FEB 23, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	02W	17	SE	NW	SE		CANYON

5. Description of diverting works:
80' DEEP, 25 HP PUMP, GRAVITY & SPRINKLER IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.900		

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

8. Total consumptive use is 252.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	02W	17	NE	SE		IRR	32.0
			NW	SE		IRR	40.0

A63-02684A

Page 1

Date: 01/29/91

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AUG 18 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	72.0
					Total Acres	72.0

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:

NAMPA-MERIDIAN IRR. DISTRICT, 52.34 ACRES ASSESSED

14. Remarks:

RECEIPT NO. W008770 COVERS PARTIAL ACREAGE PAID BY GENE HAYES FOR
CLAIM NUMBER A63-02684.

15. Basis of Claim: LICENSE

Water Right Number: 20318

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 A 63-02684
Date Received 1-23-91
Receipt Number W0162954

RECEIVED
JAN 23 1991

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
JAN 23 1991

Department of Water Resources
Western Regional Office

Please type or print clearly

- Name of Claimant (s) Farm Credit Bank of Spokane Phone (208) 459-4677
Mailing Address P.O. Box 310, Caldwell, Id Zip 83606
- Date of Priority (Only one (1) per claim) Feb 23, 1948
- Source of water supply (a) Groundwater
which is tributary to (b) _____
- a. Location of existing point of diversion is: Township 2N Range 2W Section 17,
SE 1/4 of NW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Canyon
Additional points of diversion if any: _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____
- Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.
80' deep, 25 h.p. pump, Gravity and sprinkler irrigation.

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AUG 18 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/12 to 11/15 amount 0.90 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.90 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 252 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) None

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
2N	2W	17													32	40			72

Total number of acres irrigated 72

11. In which county (ies) are lands listed above as place of use located? Canyon

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
Nampa Meridian Irrigation District, 52.34 acres Assessed or None ()

14. Remarks:

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Last Name _____ Ident No. _____

Copies: White - 1 8 1992

Scale: 2 inches equals 1 mile

RDW

T
12
N

10

40 30

18 17 17 16

MICROFILMED
Copies: White-State, Yellow-Claimant
AUG 18 1992

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number A63-02684
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Authorized Agent
Title
of Farm Credit Bank of Spokane
Organization, that I have signed the foregoing
document in the space below as Authorized Agent
Title of Farm Credit Bank of Spokane
Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Daniel R. Hoff
Title and Organization Authorized agent Date 1/14/91

State of Idaho/or _____)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 14th day of January 19 91

SEAL

Notary Public Shirley L. Harris

Residing at Pampa, Idaho

My Commission Expires 7-28-94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

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Copies White-State, Yellow-Claimant
AUG 18 1992

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

12/21/90 10:18:18
Page 1

Water Right Number - 63-02684

Adj. Flag Translation: WATER RIGHT

Old (D) Number - 20318

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

*** C - CURRENT OWNER ***
COPENHAVER

GLENN

1 - RT. 4
2 -
3 -
City- NAMPA
Phone -

State- ID Zip- 83651

HAYES

J. P.

1 -
2 -
3 -
City-
Phone -

State- Zip-

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
02/23/1948 14 ERROR IN REGION L - LICENSE

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

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
02N 02W 17 NW SE (27) CANYON

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 72 Ac: 0.90 2.000
43 - DOMESTIC

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
2.000 3.2 88 Ac 1.1 cfs @ 80 Ac

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
02N 02W 17 NE SE 40.0 01 IRRIGATION (27) CANYON
NW SE 40.0 (27) CANYON
SW SE 40.0 (27) CANYON
SE SE 40.0 (27) CANYON

Total Acres: 160.0

+ - - Diversion Means -

- - Non-Irrigation Use -

- - Other Rights for Same Use -

63-2388 Dept. of Interior - x16

AUG 18 1992

MICROFILMED

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

12/21/90 10:18:18
Page 2

Water right number - 63-02684

Adj. flag translation: WATER RIGHT

+ - - - - Remarks - - - - - +

TO GLEN COPENHAVER: 33 INCHES PRIMARY TO NWSE.
17 INCHES SUPPLEMENTAL TO NESE.
TO J. P. HAYES: 40 INCHES PRIMARY TO S1/2 SE1/4.
10 INCHES SUPPLEMENTAL TO S1/2 SE1/4.

+ - - - - Conditions of Approval - - - - - +

016 - See remarks for additional conditions of approval.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +

00/00/0000

+ - - - - Comments - - - - - +

No comments Found

+ - - Audit Fields -

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Start Work Date - 00/00/0000	Verified Date - 05/20/1985	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 08/28/1979	Appl Received - 00/00/0000	Transfer/Amended -
Decree Date - 00/00/0000		

MICROFILMED

AUG 18 1992

③ PC02577

RE-RECORDED TO ADD LEGAL

INSTRUMENT NO. 9022293

INSTRUMENT NO. 9022380

NONMERGER WARRANTY DEED IN LIEU OF FORECLOSURE

FCB Loan No. 8267

Prior Loan No. 182862-3

Until a change is requested,
all tax statements shall be
sent to the following address:

Farm Credit Bank of Spokane
c/o Farm Credit Services
P. O. Box 279
Ontario, OR 97914

THIS DEED, made this 19 day of November, 1990, between Gerald T. Copenhaver and Phyllis V. Copenhaver, husband and wife, the Grantors, and FARM CREDIT BANK OF SPOKANE, a corporation chartered under the laws of the United States, (FCB) successor by merger to The Federal Land Bank of Spokane, a corporation formerly chartered under the laws of the United States, whose mailing address is West 601 First Avenue, TAF-C5, Spokane, Washington 99220, the Grantee,

WITNESSETH, that for and in consideration of the covenants hereinafter contained, the avoidance of the costs and expense of foreclosure litigation, the payment by Grantee of all title insurance premiums and recording and transfer fees, costs and expenses, and other good and valuable consideration, the Grantors do by these presents grant, convey and warrant forever unto the Grantee, and to its successors and assigns, all the property described on Exhibit "A" attached hereto and incorporated herein.

pe
JTC
RH
ALL SITUATE IN County of Canyon, State of Idaho, subject to rights of way and easements for roads, utilities and irrigation ditches as same exist or appear of record, unpaid real property taxes, ^{water easements} and mortgage to Grantee dated March 21, 1980 and recorded March 26, 1980.

TOGETHER WITH all water and water rights of every kind and description and however evidenced, used upon or appurtenant to said property, which in any manner entitle Grantors to water.

TOGETHER WITH any and all tenements, hereditaments, easements, rights, privileges and appurtenances thereunto belonging or used in connection therewith, and the reversions, remainders, rents, issues and profits thereof.

TOGETHER WITH the following described personal property:
1/2 undivided interest in a 25 HP, 1750 RPM GE motor and Aurora turbine pump.

TO HAVE AND TO HOLD, all and singular, the said property, together with the appurtenances, unto the said Grantee, and to its successors and assigns forever. Grantors covenant with Grantee that the former is now seized in fee simple of the property granted; that the latter shall enjoy the same without any lawful disturbance; that the same is free from all encumbrances (except those set forth above); that Grantors and all persons acquiring any interest in the same through or for them will, on demand, execute and deliver to Grantee at Grantee's expense, any further assurance of the same that may be reasonably required; and that Grantors will warrant to Grantee all of the said property against every person lawfully claiming the same, except those claiming under the above exceptions.

This deed is absolute in effect and conveys fee simple title of the property above described to the Grantee and does not operate as a rescission or as a mortgage, trust conveyance, or security agreement of any kind.

Grantee's acceptance of this conveyance is conditioned upon there being no liens against the property, except for those set forth above.

This deed does not effect a merger of the fee ownership and the lien of the

mortgage described herein. The fee and lien shall hereafter remain separate and distinct. It is not the intent of the parties to affect the subrogation rights of any third parties.

By acceptance of this deed, Grantee covenants and agrees that it shall not enforce any judgment against Grantors for the indebtedness evidenced by the promissory note secured by that certain mortgage executed by Gerald T. Copenhaver and Phyllis V. Copenhaver, husband and wife, Mortgagors, to The Federal Land Bank of Spokane, a corporation, Mortgagee, dated March 21, 1980, and recorded on March 26, 1980, as Instrument No. 889031, in the official records of Canyon County, Idaho. This deed shall not operate to preclude Grantee from proceeding in any action to enforce the mortgage, but shall preclude Grantee from obtaining a deficiency judgment against Grantors.

Grantors do hereby waive, surrender, convey, and relinquish any equity of redemption and statutory rights of redemption concerning the property and mortgage described above.

Grantors hereby surrender and deliver possession of the property to Grantee. Grantors declare that this conveyance is freely and fairly made, and Grantors are not acting under any misapprehension as to the legal effect of this deed, nor under any duress, undue influence, or misrepresentation of Grantee, its agent, or attorney, or any other person.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands the day and year first above written.

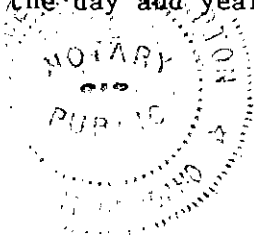
Gerald T. Copenhaver
Gerald T. Copenhaver

Phyllis V. Copenhaver
Phyllis V. Copenhaver

STATE OF IDAHO)
County of Canyon) ss.

On this 19th day of November, 1990, before me the undersigned, a Notary Public for the State of Idaho, personally appeared Gerald T. Copenhaver and Phyllis, V. Copenhaver, to me known to be the persons who subscribed and swore to the within instrument and acknowledged to me that they executed the same as their free act and deed.

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



Larry C. Combs
Notary Public for the State of Idaho
Residing at Caldwell
My commission expires 1-27-93

90 DEC 4 PM 4 47
RECORDED
NED J KERR
CANYON COUNTY RECORDER
BY Beaver
REQUEST PIONEER - CALDWELL
TYPE Deed FILE 6-00

9022293

PC 02577

EXHIBIT "A"

The North Half of the Southeast Quarter in Section 17, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM

BEGINNING at the East Quarter corner of Section 17, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, marked by a 5/8-inch rebar driven into the asphalt road at the intersection of Lake Shore and Lynwood Roads; thence

South 0° 14' 55" West 626.98 feet along the East side of said Section 17 to a steel pin; thence

North 89° 49' 55" West 500.26 feet to a steel rebar; thence

North 00° 10' 25" West 625.62 feet between a concrete ditch and a large equipment shed, to a steel pin; thence

East 00° 00' 00" South 504.78 feet along the East-West centerline of said Section 17 to the POINT OF BEGINNING.

9022380

RECORDED

90 DEC 5 PM 3 24

NED J KERR

CANYON CNTY RECORDER
BY *C. Smith*

PIONEER — CALDWELL

REQUEST
TYPE *Real* PER *92*

MICROFILMED

AUG 18 1992

INSTRUMENT NO. 9022294

INSTRUMENT NO. 9022381

ESTOPPEL AFFIDAVIT
FCB Loan No. 8267
Prior Loan No. 182862-3

STATE OF IDAHO)

: ss.

County of Canyon)

Gerald T. Copenhaver and Phyllis V. Copenhaver, husband and wife, being first duly sworn, depose and say: That they are the identical parties who made, executed, and delivered that certain Deed to the FARM CREDIT BANK OF SPOKANE, a corporation chartered under the laws of the United States, successor by merger to The Federal Land Bank of Spokane, a corporation formerly chartered under the laws of the United States, as Grantee, dated November 19, 1990, conveying the property situate in County of Canyon, State of Idaho, and more particularly described in said Deed.

That the Deed was intended to be and was an absolute conveyance of the title to the property to the Grantee named therein and was not and is not now intended as a rescission or as a mortgage, trust conveyance, or security agreement of any kind; that Affiants intended to convey and did convey to the Grantee all of their right, title, and interest absolutely in and to the property; and that possession of the property has been surrendered to the Grantee.

That in the execution and delivery of the Deed, the Affiants acted freely and voluntarily and not under coercion, duress or any misapprehension as to the legal effect thereof.

That the Deed was not given as a preference against any other creditors of the Affiants; that at the time it was given there was no person, firm or corporation, other than the Grantee therein named, having an interest either directly or indirectly in the property; that the Affiants are solvent and have no other creditors whose rights would be prejudiced by such conveyance; and that the Affiants are not obligated upon any bond or other mortgage whereby any lien has been created or exists against the property.

That the consideration for said Deed is Grantee's covenant that it shall not enforce any judgment against Grantors by obtaining a deficiency judgment against them on the promissory note secured by mortgage by Gerald T. Copenhaver and Phyllis V Copenhaver, husband and wife, Mortgagors, to The Federal Land Bank of Spokane, a corporation, Mortgagee, dated March 21, 1980, and recorded on March 26, 1980, as Instrument No. 889031, in the official records of Canyon County, Idaho. At the time of making said Deed, Affiants believed and now believe that the consideration for the Deed represents the fair value of the property.

That Affiants acknowledge Affiants have been provided with a copy of Twelfth Farm Credit District Distressed Loan Restructuring Policy under the Agricultural Credit Act of 1987 (herein "Policy") which affects certain loans Grantees have with borrowers generally and which contains provisions relating to restructuring loans as set forth therein; that Affiants have read the Policy and reviewed its contents with their attorney or were given the opportunity to so read and review the Policy and elected to not do so. Affiants elect to complete this conveyance in lieu of any rights or privileges to which are, or may have been, conferred upon them under the provisions of the Policy, and evidence said election by the execution of this affidavit, the Assignment and Deed described above, and all other documents related thereto.

Affiant represents and warrants that no Hazardous Materials (a substance, waste or material which is regulated as hazardous or dangerous by any federal, state or local governmental agency) have been generated, stored, deposited, disposed of, or released in, on or under the Property except those which have been disclosed to Farm Credit Bank of Spokane by Affiant in writing.

Affiant represents and warrants that any and all improvements on the Property made by the Affiant or under their authority while they were in possession of the Property do not incorporate lead, asbestos, or PCBs, except as has been disclosed to Farm Credit Bank of Spokane in writing.

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That before executing the Deed and this Affidavit, the Affiants consulted with experts or other sources of their own choice, including their attorney, in order that the Affiants might use their own judgment in deciding whether to execute the Deed.

That this Affidavit is made for the protection and benefit of the Grantee in said Deed, its successors and assigns, and all other parties hereafter dealing with or who may acquire an interest in the property.

That the Affiants will testify, declare, depose, or certify in open court, by deposition or by written statements to the truth of the particular facts set forth above, in any case now pending or which may hereafter be instituted.

Executed this 9 day of November, 1990

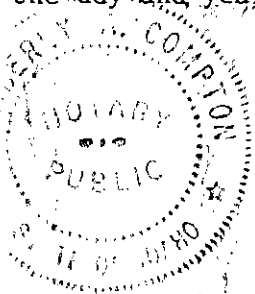
Gerald T. Copenhagen
Gerald T. Copenhagen

Phyllis V. Copenhagen
Phyllis V. Copenhagen

STATE OF IDAHO)
County of Canyon) ss.

On this 19th day of November, 1990, before me the undersigned, a Notary Public for the State of Idaho, personally appeared Gerald T. Copenhagen and Phyllis V. Copenhagen, to me known to be the persons who subscribed and swore to the within instrument and acknowledged to me that they executed the same as their free act and deed.

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



Terry J. Compton
Notary Public for the State of Idaho
Residing at Caldwell
My commission expires 1-27-93

REQUEST PIONEER - CALDWELL
TYPE Wac 6-00

NED J KERR
CANYON COUNTY RECORDER
BY J. Beaver

'90 DEC 4 PM 4 47

RECORDED

9022294

PC 02577

EXHIBIT "A"

The North Half of the Southeast Quarter in Section 17, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM

BEGINNING at the East Quarter corner of Section 17, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, marked by a 5/8-inch rebar driven into the asphalt road at the intersection of Lake Shore and Lynwood Roads; thence

South 0° 14' 55" West 626.98 feet along the East side of said Section 17 to a steel pin; thence

North 89° 49' 55" West 500.26 feet to a steel rebar; thence

North 00° 10' 25" West 625.62 feet between a concrete ditch and a large equipment shed, to a steel pin; thence

East 00° 00' 00" South 504.78 feet along the East-West centerline of said Section 17 to the POINT OF BEGINNING.

9022381

RECORDED

90 DEC 5 PM 3 24

NED J KERR

CANYON CNTY RECORDER

BY

Caldwell

REQUEST PIONEER — CALDWELL

TYPE *Memo* 9 20

MICROFILMED

AUG 18 1992

PC 2577
INSTRUMENT NO. 9022297

ASSIGNMENT OF AGREEMENT

FCB Loan No. 8267 301
Prior Loan No. 182862-3
Gerald Copenhaver

WHEREAS, Glenn Copenhaver and Hazel Copenhaver, husband and wife, and James P. Hayes and Beulah J. Hayes, husband and wife, entered into that certain Agreement dated June 5, 1951, and recorded June 6, 1952, as Instrument No. 389685, records of Canyon County, Idaho, hereby attached as Exhibit "B".

AND WHEREAS, the prior interest of James P. Hayes and Beulah J. Hayes has transferred to Eugene F. Hayes and Virginia L. Hayes, husband and wife.

AND WHEREAS, the prior interest of Glenn Copenhaver and Hazel Copenhaver, husband and wife, is now owed by Gerald T. Copenhaver and Phyllis V. Copenhaver, husband and wife, hereinafter referred to as "Copenhaver".

WHEREAS, Copenhaver, for value received, has executed and delivered to Farm Credit Bank of Spokane, a corporation, hereinafter referred to as FCB, a Deed to the following-described premises situate in Canyon County, State of Idaho, attached as Exhibit "A".

NOW, THEREFORE, Copenhaver does hereby assign, transfer, and set over unto FCB all of their right, title and interest in and to the aforesaid Agreement. By its signature affixed hereto, FCB hereby consents to and accepts this assignment.

DATED this 20th day of November, 1990.

Gerald T. Copenhaver
Gerald T. Copenhaver
Phyllis V. Copenhaver
Phyllis V. Copenhaver

FARM CREDIT BANK OF SPOKANE,
a corporation

By: Hugh W. Ross
Authorized Agent

CONSENT TO ASSIGNMENT

By their signature below, Eugene F. Hayes and Virginia L. Hayes, husband and wife, of Canyon County, Idaho, consents to the aforesaid Assignment of Agreement.

Eugene F. Hayes
Eugene F. Hayes
Virginia L. Hayes
Virginia L. Hayes

9022297

RECORDED

'90 DEC 4 PM 4 47

NED J KERR
CANYON COUNTY RECORDER
BY C. Copenhaver

REQUEST PIONEER - CALDWELL
TYPE B&A FEE 15.00

389685 ✓

Glenn Copenhaver and Hazel Copenhaver, h & w

-with-

J.P. Hayes and Beulah Hayes. h & w.

AGREEMENT

Dated, June 5, 1952

Recorded, June 6, 1952. 12:16 PM

Book 18 B&A Page 346

Signed: Glenn Copenhaver, Hazel Copenhaver, FIRST PARTIES J.P. Hayes, Beulah Hayes, SECOND PARTIES.
Ack. CCI, June 5, 1952 by Glenn Copenhaver and Hazel Copenhaver, h & w and J.P. Hayes and Beulah Hayes
h & w before Kathryn Fogleman N.P. for I. Residing at Nampa, I. (S)

WHEREAS, The First Parties are the owners of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ in Sec. 17 T
2 NR 2 WBM CCI; and,

WHEREAS, The Second Parties are the owners of the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 17 Twp. 2 NR 2 WBM CCI; and

WHEREAS, On February 23, 1948, the parties hereto received priority date for the beneficial use of
water of subterranean flows in CC I, and in pursuance of said right, caused a well to be jointly
drilled under Use Permit No. 20318, of the S. of I., as more fully appears in the records and files of
the State Reclamation Engineer at Boise, Idaho.

NOW, THEREFORE, For and in consideration of the sum of \$1.00, each to the other paid, and the terms,
covenants and conditions hereinafter contained, the parties agree that all expenses of drilling and
equipping said well for irrigation use has been, or will be, divided equally between the parties, and
that hereafter, all expenses in connection with the maintenance and operation of said well shall be
paid equally by the parties, and that each party shall be entitled to $\frac{1}{2}$ of the volume of water pumped
from said well.

IT IS FURTHER UNDERSTOOD AND AGREED By the parties that should either of the parties fail or
refuse to pay his proportionate share of the maintenance and operation of said well, the offended party
may pay such charges and recover the same from the offending party.

IT IS FURTHER UNDERSTOOD AND AGREED By the parties that the First Parties herein give and grant unto
the Second Parties, an easement over, through and upon the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 17 Twp. 2 NR 2
West B.M. C.C.I., for the purpose of ingress and egress to and from said well for the maintenance,
operation and repair thereof.

IT IS FURTHER UNDERSTOOD AND AGREED By the parties that this easement shall run with the land and
shall be perpetual.

IT IS FURTHER UNDERSTOOD AND AGREED By the parties that this agreement may be amended or abrogated
at any time by a writing duly executed and recorded on the records of the County Recorder in C.C.I. and
if amended, any part of this agreement in conflict therewith shall be abrogated and void.

IT IS FURTHER UNDERSTOOD AND AGREED By the parties that this agreement shall bind the heirs, adminis-
trators, executors and assigns of the parties hereto.

Initials

P.W.

PLAT OF FARM

No. _____

Use Standard Legend. Indicate roads and show direction and distance to nearest town. Indicate points of compass—show scale of map.
Designate section numbers at section centers. If more than one source of irrigation supply, indicate area served by each.

Lake Lowell

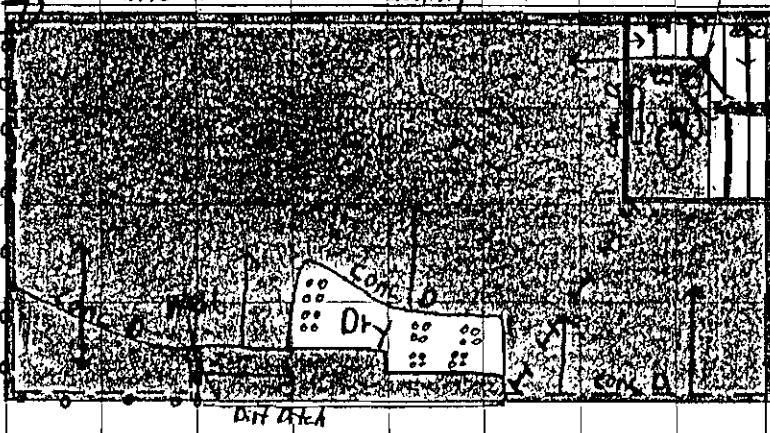
Partial Release
December 4, 1990

Approx 7.25 acres

Lake Shore Drive County Oil

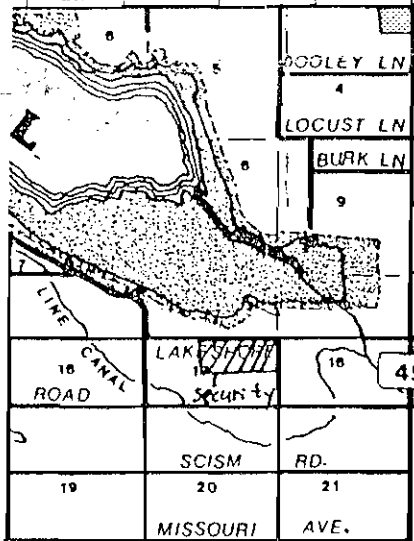
Mile East, 3 Miles North to
Nampa.

Lynwood Road
County Oil



TP. 2N		RGE. 2W	
Canyon		COUNTY	
Idaho		STATE	
SCALE: 1" = 660'			
PLATTED BY		VERIFIED BY	
<i>P.W.</i>		<i>[Signature]</i>	
TITLE REPORT		DESCR.	
VERIFIED BY			

17	16
20	21



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AUG 18 1992

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - A63-02684A

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number - 20318

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

*** C - CURRENT OWNER ***
SPLIT CLAIM

1 -
2 -
3 -
City- X State- ID Zip- X
Phone - 208-000-0000

*** O - ORIGINAL OWNER ***
HAYES

J P

1 -
2 -
3 -
City- X State- ID Zip- X
Phone - 208-000-0000

COPENHAVER

GLENN

1 - RT 4
2 -
3 -
City- NAMPA State- ID Zip- 83651
Phone - 208-000-0000
1 - C/O DANIEL R HUFF
2 - PO BOX 310
3 -
City- CALDWELL State- ID Zip- 83606
Phone - 208-459-4677

FARM CREDIT BANK OF SPOKANE

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
02/23/1948 14 WESTERN Z - SEE REMARKS

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER
SPLIT CLAIM SEE REMARKS

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
02N 02W 17 SE NW SE (27) CANYON

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 0.900

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.900 252.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
02N 02W 17 NE SE 32.0 01 IRRIGATION (27) CANYON
02N 02W 17 NW SE 40.0 01 IRRIGATION (27) CANYON

Total Acres: 72.0

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OCT 02 1996

Water right number - A63-02684A Prefix Translation: ADJUDICATION CLAIM

+ - - Diversion Means - 80' DEEP, 25 HP PUMP, GRAVITY & SPRINKLER IRR.

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - NAMP-MERIDIAN IRR. DISTRICT, 52.34 ACRES ASSESSED

+ - - - - - Remarks - - - - - +

GEN RECEIPT NO. W008770 COVERS PARTIAL ACREAGE PAID BY GENE HAYES FOR
CLAIM NUMBER A63-02684.
THIS CLAIM HAS BEEN SPLIT INTO A63-02684C & A63-02684D BY
TRANSFER NO. 4340, APPROVED 07/11/1994, AS FOLLOWS: .
A63-02684C: WARD .16 CFS, 10 ACRES NWSE
A63-02684D: FARM CREDIT, .74 CFS, 30 ACRES NWSE, 32 ACRES NESE

+ - - - - - Old Water Right Numbers - - - - - +
6302684

+ - - - - - Conditions of Approval - - - - - +
016 - See remarks for additional conditions of approval.

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

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

+ - - Audit Fields - - +
04/12/96 MMINICUC

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 01/23/1991	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- W012954	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
OCT 02 1996

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2684A

WATER RIGHT NUMBER: 63-2684A

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	FARM CREDIT BANK OF SPOKANE C/O DANIEL R HUFF PO BOX 310 CALDWELL, ID 83606 (208)459-4677
Original Owner	J P HAYES , ID
Original Owner	GLENN COPENHAVER RT 4 NAMPA, ID 83651

Priority Date: 02/23/1948

Basis:

Status: See Remarks

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15	to 11/15	0.900 CFS	
	<u>Total Diversion:</u>		0.900 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4NW1/4SE1/4	Sec. 17, Twp 02N, Rge 02W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	02W	17														32.0	40.0		72.0

Total Acres: 72

Conditions of Approval:

- 016 See remarks for additional conditions of approval.
- RECEIPT NO. W008770 COVERS PARTIAL ACREAGE PAID BY GENE HAYES FOR CLAIM NUMBER A63-02684.
THIS CLAIM HAS BEEN SPLIT INTO A63-02684C & A63-02684D BY TRANSFER NO. 4340, APPROVED 07/11/1994, AS FOLLOWS:
A63-02684C: WARD .16 CFS, 10 ACRES NWSE A63-02684D: FARM CREDIT, .74 CFS, 30 ACRES NWSE, 32 ACRES NESE

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-2684A

Remarks:

Comments:

Dates and Other Information:

Claim Received Date: 1/23/1991

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 63-2684A

WATER RIGHT NUMBER: 63-2684A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	J P HAYES
	, ID
Current Owner	GLENN COPENHAVER
	RT 4
	NAMPA, ID 83651

Priority Date: 02/23/1948

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	/ to /		
IRRIGATION	/ to /	1.840 CFS	
	<u>Total Diversion:</u>	1.840 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4SE1/4	Sec. 17, Twp 02N, Rge 02W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	02W	17													40.0	30.0	40.0	40.0	150.0

Total Acres: 150

DOMESTIC same as IRRIGATION

Conditions of Approval:

1. TO GLEN COPENHAVER: 25 INCHES PRIMARY TO NWSE.
17 INCHES SUPPLEMENTAL TO NESE.
TO J. P. HAYES: 40 INCHES PRIMARY TO S1/2 SE1/4.
10 INCHES SUPPLEMENTAL TO S1/2 SE1/4.
2. 016 See remarks for additional conditions of approval.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 63-2684A

Comments:

1. SKAGGS 6/10/1994 TRANSFER NO. 4340

Comment: Transfer No. 4340 was filed by a new property owner to change the point of diversion under a portion of Right No. 63-02684, splitting the right into parts A and B. The transferred portion has been proposed as Part C under the SRBA Claim A63-02684.

Dates and Other Information:

Licensed Date: 8/28/1979
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

Water Supply Bank: