

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: **A63-02906**
Date Received: 2/ 8/1990
Receipt No: W008583
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: WINEMAKERS LLC 509-836-2524
Address: PO BOX 1019
SUNNYSIDE WA 98944-1019

2. Date of Priority: AUG 27, 1952

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	03W	27		SW	SE		CANYON

5. Description of diverting works:
REPLACE WELL, OLD WELL ABANDON, MOVE TO IDEAL LOCATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.600		630.00

7. Total Quantity Appropriated is:
1.600 C.F.S. (and/or) 630.00 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
02N	03W	27	SW	SE		IRR	34.0
			SE	SE		IRR	38.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	72.0
		34	NE	NE	IRR	3.0
					Section Acres	3.0
					Total Acres	75.0

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:

SEE BENEFICIAL USE CLAIM A02-10046 FOR A COMPLETE SYSTEM DESCRIPTION AND MAP.

CLAIM AMENDED PER TRANSFER NO. 3936 APPROVED 6/17/1992.

THE WELL PREVIOUSLY USED TO DIVERT WATER IN THE NWSE, S34, T2N, R3W SHALL BE ABANDONED IN A MANNER APPROVED BY THE DEPARTMENT.

SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY OF APPROVED TRANSFER NO. 3936 APPROVED 6/17/1992.

AMENDED 10/01/1998: ADJUSTED CLAIM TO REFLECT ACTUAL USE OF GROUND WATER SYSTEM SEPARATE FROM SURFACE WATER SYSTEM.

ACRES REDUCED TO 75 PER CFSA CALCULATIONS.

OWNERSHIP CHANGED BY DB 7/29/99.

15. Basis of Claim: LICENSE

Water Right Number: 23012

**STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES**

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

APR 19 1999

WATER RESOURCES
WESTERN REGION

RECEIVED

MAY 03 1999

WATER RESOURCES
WESTERN REGION

1. Water Right No(s):

Adjudication Claim No(s):

463-02906, 402-02219D, 402-10046

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 for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant

DESERT SUN FARMS INC. / CHARLES PINTLER13541 SURRY LN NAMPA

4. New Owner/Claimant(s)

WINEMAKERS LLC

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

P.O. Box 1019

City, State and ZIP Code

SUNNYSIDE, WA 98944-1019

New Telephone Number

(509) 836-2524

5. Date you acquired the property

11/19/98 PJ

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

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.

7. Signature of New Owner or Claimant(s)

Paul D. Lukas
Winemakers LLC

(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..

①

9842977

2.3

PN 50787

WARRANTY DEED

FOR VALUE RECEIVED, DESERT SUN FARMS, INC., an Idaho corporation, Grantor, does hereby convey to WINEMAKERS, LLC, a Washington limited liability company, Grantee, whose address is P.O. Box 1248, Woodinville, Washington 98072, the following described property situated in Canyon County, Idaho:

SEE ATTACHED EXHIBIT "A"

TOGETHER WITH the water rights, if any, appurtenant thereto.

SUBJECT TO: Current taxes, assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions and restrictions as may appear of record.

Grantor does warrant the title against all persons whomsoever, subject to the matters above set forth.

IN WITNESS WHEREOF, Grantor has executed this Warranty Deed this 18th day of November, 1998.

GRANTOR:

DESERT SUN FARMS, INC.,
an Idaho corporation

By: Charles D. Pintler, Pres.
Charles D. Pintler, President

A63-02900

Deed #3

4

STATE OF IDAHO)

) SS.

County of Canyon)

On this 18th day of November, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared Charles D. Pintler, known or identified to me to be the President of DESERT SUN FARMS, INC., the corporation that executed the within and foregoing instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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



 Notary Public for Idaho
 Residing at _____
 My commission expires: _____

$$X = 80$$

Exhibit "A"

$$Y = \varnothing$$

PARCEL VI:

A part of the South Half of the Southeast Quarter of Section 27, and the North Half of the Northeast Quarter of Section 34, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

BEGINNING at the Southeast corner of the Southeast Quarter, Section 27 (section corner common to Sections 26, 27, 34 and 35) said corner monumented with a 3 inch diameter aluminum cap; thence

North 0° 09'40" West, a distance of 1323.44 feet along the Easterly boundary of said Southeast Quarter to the Northeast corner of the Southeast Quarter of the Southeast Quarter (South 1/16 corner) said corner monumented with a 5/8 inch diameter iron pin; thence

South 89° 23'18" West along the North boundary of said South Half of the Southeast Quarter a distance of 2649.60 feet to the Northwest corner of the Southwest Quarter of the Southeast Quarter (Center South 1/16 corner) said corner monumented with a 5/8 inch diameter iron pin; thence

South 0° 05'31" East, a distance of 1233.82 feet along the Westerly boundary of said Southwest Quarter of the Southeast Quarter to a 1/2 inch diameter iron pin; thence

North 80° 59'38" East, a distance of 95.18 feet to a 1/2 inch diameter iron pin; thence

North 87° 47'53" East, a distance of 203.37 feet to a 1/2 inch diameter iron pin; thence

South 88° 47'54" East, a distance of 157.82 feet to a 1/2 inch diameter iron pin; thence

South 84° 32'30" East, a distance of 316.41 feet to a 1/2 inch diameter iron pin; thence

South 81° 00'34" East, a distance of 196.13 feet to a 1/2 inch diameter iron pin; thence

North 89° 15'21" East, a distance of 111.94 feet to a 1/2 inch diameter iron pin; thence

South 75° 18'16" East, a distance of 197.98 feet to a 1/2 inch diameter iron pin; thence

South 68° 53'44" East, a distance of 305.13 feet to a 1/2 inch diameter iron pin; thence

South 65° 48'17" East, a distance of 359.47 feet to a 1/2 inch diameter iron pin; thence

South 71° 12'56" East, a distance of 489.41 feet to a 1/2 inch diameter iron pin; thence

North 38° 22'44" East, a distance of 204.32 feet to a 1/2 inch diameter iron pin; thence

North 55° 39'58" East, a distance of 220.32 feet to a point on the Easterly boundary of the Southeast Quarter, Section 34, said point monumented with a 1/2 inch diameter iron pin; thence

North 0° 11'54" West, a distance of 159.18 feet along the Easterly boundary of said Northeast Quarter to the **REAL POINT OF BEGINNING**.

TOGETHER WITH all easements and rights of way now or hereafter benefitting the property, including without limitation the following:

IRRIGATION PUMP STATION EASEMENT

A easement situated in a part of the SE 1/4,
Section 27, and the NE 1/4, Section 34,
Township 2 North, Range 3 West,
Boise Meridian, Canyon County, Idaho

A irrigation pump station easement more particularly described as follows:

COMMENCING at the northeast corner of the NE 1/4, Section 34;

thence South 89° 21' 11" West, a distance of 1432.11 feet along the northerly boundary of said NW 1/4;

thence South 48° 40' 00" West, a distance of 12.00 feet to the beginning point of said irrigation pump station easement;

thence North 75° 18' 16" West, a distance of 41.00 feet;

thence South 14° 41' 44" West, a distance of 26.52 feet;

thence South 76° 11' 00" East, a distance of 41.00 feet;

thence North 14° 41' 44" East, a distance of 25.89 feet, more or less, to the beginning point of said irrigation pump station easement.

ROAD EASEMENTS

An easement situated in a part of the SE 1/4, Section 27,
and NE 1/4, Section 34, Township 2 North, Range 3 West,
Boise Meridian, Canyon County, Idaho

A 20.00 foot wide road easement lying 10.00 feet on each side of the following described centerline:

COMMENCING at the northeast corner of NE 1/4, Section 34;

thence South 0° 11' 54" East, a distance of 159.18 feet along the easterly boundary of said NE 1/4;

thence South 55° 39' 58" West, a distance of 200.21 feet to the beginning point of said 20.00 foot wide road easement;

thence along the centerline of said road easement the following courses and distances;

South 55° 39' 58" West, 20.00 feet;

South 38° 22' 44" West, 204.32 feet;

North 71° 12' 56" West, 489.41 feet;

North 65° 48' 17" West, 359.47 feet;

North 68° 53' 44" West, 305.13 feet;

North 75° 18' 16" West, 197.98 feet;

South 89° 15' 21" West, 111.94 feet;

North 81° 00' 34" West, 196.13 feet;

North 84° 32' 30" West, 316.41 feet;

North 88° 47' 54" West, 157.82 feet;

South 87° 47' 53" West, 203.37 feet;

South 80° 59' 38" West, 95.18 feet to the terminus point of said 20.00 foot road easement.

An easement situated in a part of the NE 1/4, Section 34, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho

A 30.00 foot wide road easement lying 15.00 feet on each side of the following described centerline:

COMMENCING at the southeast corner of said SE 1/4 (E 1/4 corner);

thence South 89° 21' 06" West, a distance of 562.02 feet along the southerly boundary of said southeast corner to the beginning point of said easement;

thence North 0° 25' 47" East, a distance of 2284.38 feet along the centerline of said easement.

REQUEST
TYPE 1008 FEE 15.00

PIONEER - NANA

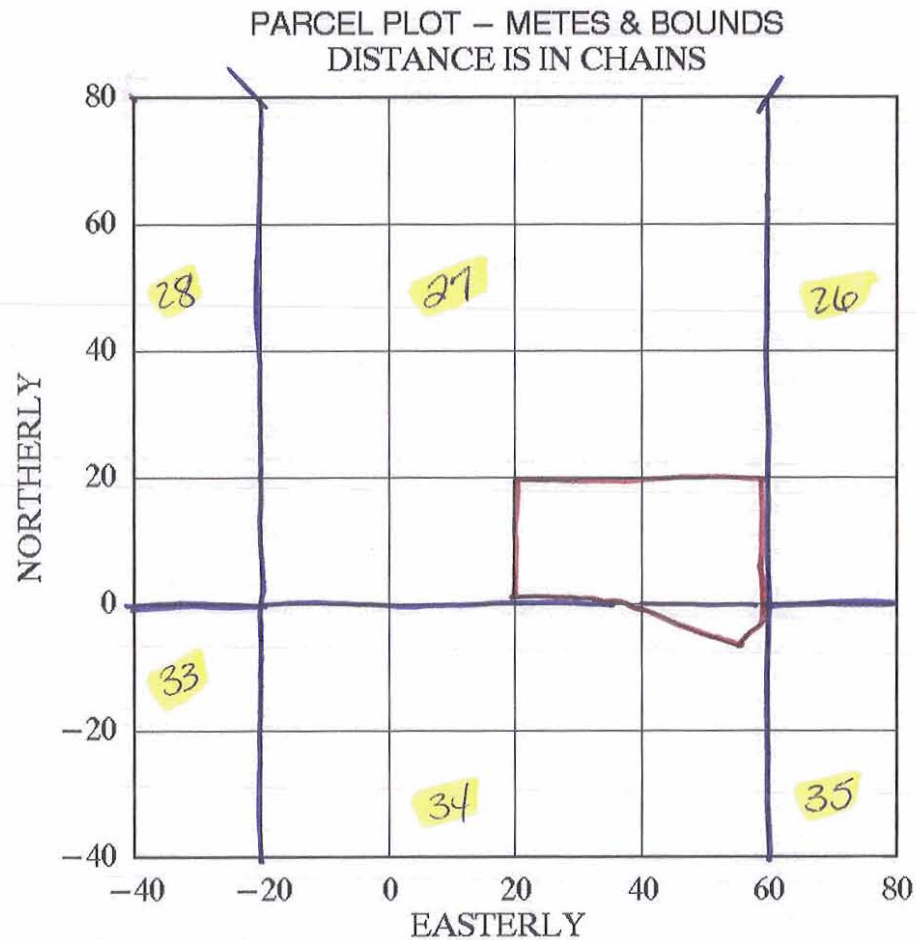
CANYON COUNTY RECORDER
J. KERR

NOV 19 PM 4 12

RECORDED

9842977

Parcel 6 of Deed #3
Desert Sun / Pintler
to Winemakers



2N
3W

— Section lines
— Boundary lines

A63-02906

Parcel 6 of Seed #3
Desert Sun / Pintler
to Winemakers

METES AND BOUNDS TABLE

PRESS ALT P TO PRINT GRAPH

	X-COR	Y-COR	ANGLE			BEARING	DIST (FT)
			DEGREES	MINUTES	SECONDS		
BEGIN POINT COR. (SEE SHEET)	60.00	0.00					
	59.94	20.05	0.00	9.00	40.00	NW	1323.44
	19.80	19.62	89.00	23.00	18.00	SW	2649.60
	19.83	0.93	0.00	5.00	31.00	SE	1233.82
	21.25	1.16	80.00	59.00	38.00	NE	95.18
-QUAD COEF-	24.33	1.27	87.00	47.00	53.00	NE	203.37
IF NE, X=1, Y=1	26.72	1.22	88.00	47.00	54.00	SE	157.82
IF SE, X=1, Y=-1	31.50	0.77	84.00	32.00	30.00	SE	316.41
IF SW, X=-1, Y=-1	34.43	0.30	81.00	0.00	34.00	SE	196.13
IF NW, X=-1, Y=1	36.13	0.32	89.00	15.00	21.00	NE	111.94
	39.03	-0.44	75.00	18.00	16.00	SE	197.98
	43.34	-2.10	68.00	53.00	44.00	SE	305.13
	48.31	-4.33	65.00	48.00	17.00	SE	359.47
	55.33	-6.72	71.00	12.00	56.00	SE	489.41
	57.25	-4.29	38.00	22.00	44.00	NE	204.32
	60.01	-2.41	55.00	39.00	58.00	NE	220.32
	60.00	0.00	0.00	11.00	54.00	NW	159.18

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
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CIVIL CASE NUMBER: 39576

Ident. Number: A63-02906
Date Received: 2/ 8/1990
Receipt No: W008583
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: DESERT SUN FARMS INC 208-466-6951
Address: 13541 SURRY LN
NAMPA ID 83686

2. Date of Priority: AUG 27, 1952

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	03W	27		SW	SE		CANYON

5. Description of diverting works:
REPLACE WELL, OLD WELL ABANDON, MOVE TO IDEAL LOCATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.600		630.00

7. Total Quantity Appropriated is:
1.600 C.F.S. (and/or) 630.00 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
02N	03W	27	SW	SE		IRR	34.0
			SE	SE		IRR	38.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	72.0
		34	NE	NE	IRR	3.0
					Section Acres	3.0
					Total Acres	75.0

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:

SEE BENEFICIAL USE CLAIM A02-10046 FOR A COMPLETE SYSTEM DESCRIPTION AND MAP.
CLAIM AMENDED PER TRANSFER NO. 3936 APPROVED 6/17/1992.
THE WELL PREVIOUSLY USED TO DIVERT WATER IN THE NWSE, S34, T2N, R3W SHALL BE ABANDONED IN A MANNER APPROVED BY THE DEPARTMENT.
SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY OF APPROVED TRANSFER NO. 3936 APPROVED 6/17/1992.
AMENDED 10/01/1998: ADJUSTED CLAIM TO REFLECT ACTUAL USE OF GROUND WATER SYSTEM SEPARATE FROM SURFACE WATER SYSTEM.
ACRES REDUCED TO 75 PER CFSA CALCULATIONS.

15. Basis of Claim: LICENSE

Water Right Number: 23012

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: 2

Charles Benthley

For Organizations:

I do solemnly swear or affirm that I am Pres. of
Title

DESERT SUN FARMS INC, that I have signed the foregoing
Organization

document in the space below as Pres. of
Title

DESERT SUN FARMS INC and that the statements contained in the
Organization

foregoing document are true and correct.

Desert Sun Farms Inc
By Charles D. Penick
Signature of Authorized Agent

Pres
Title and Organization

oct 7-98
Date

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 7th day

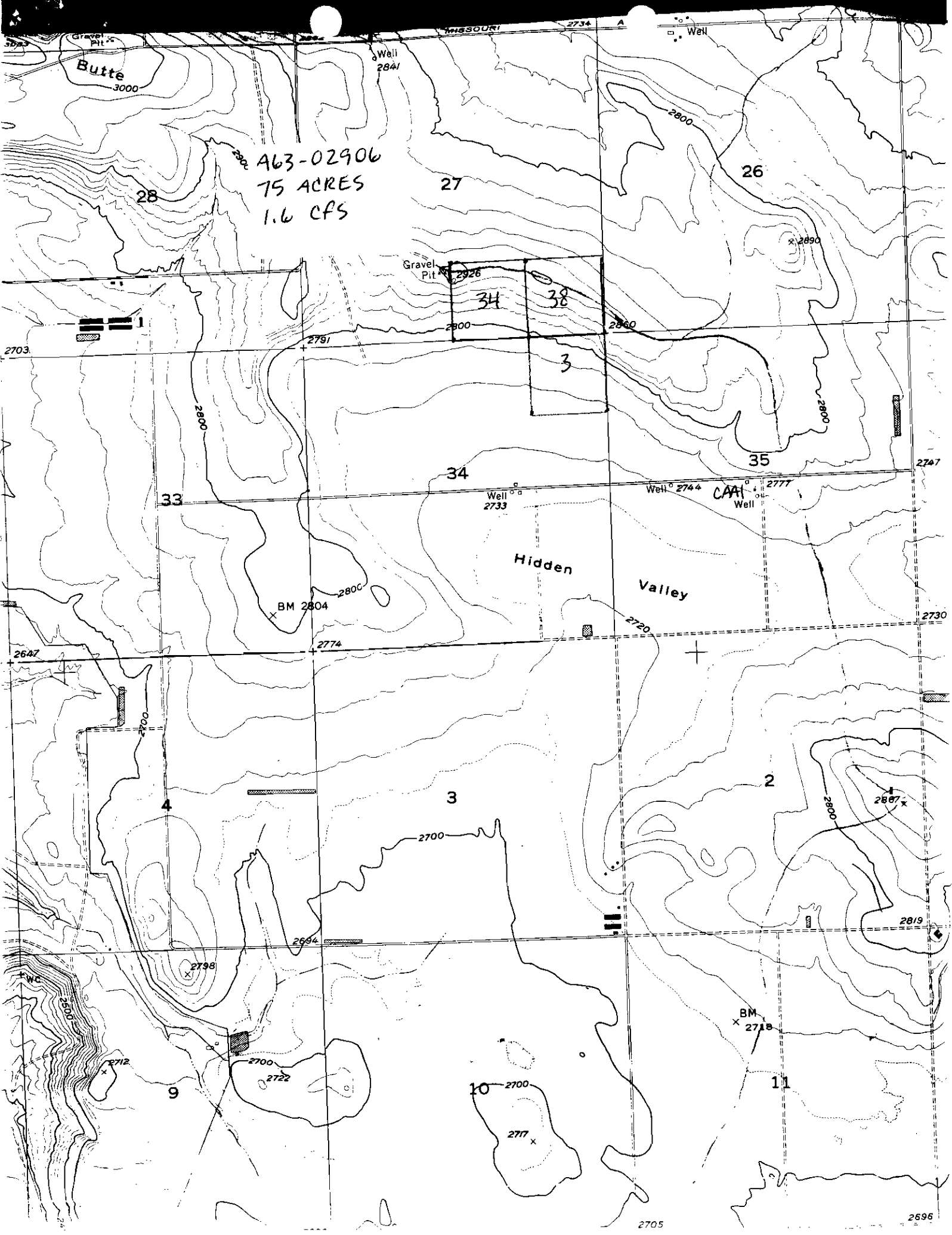
of October 19 98

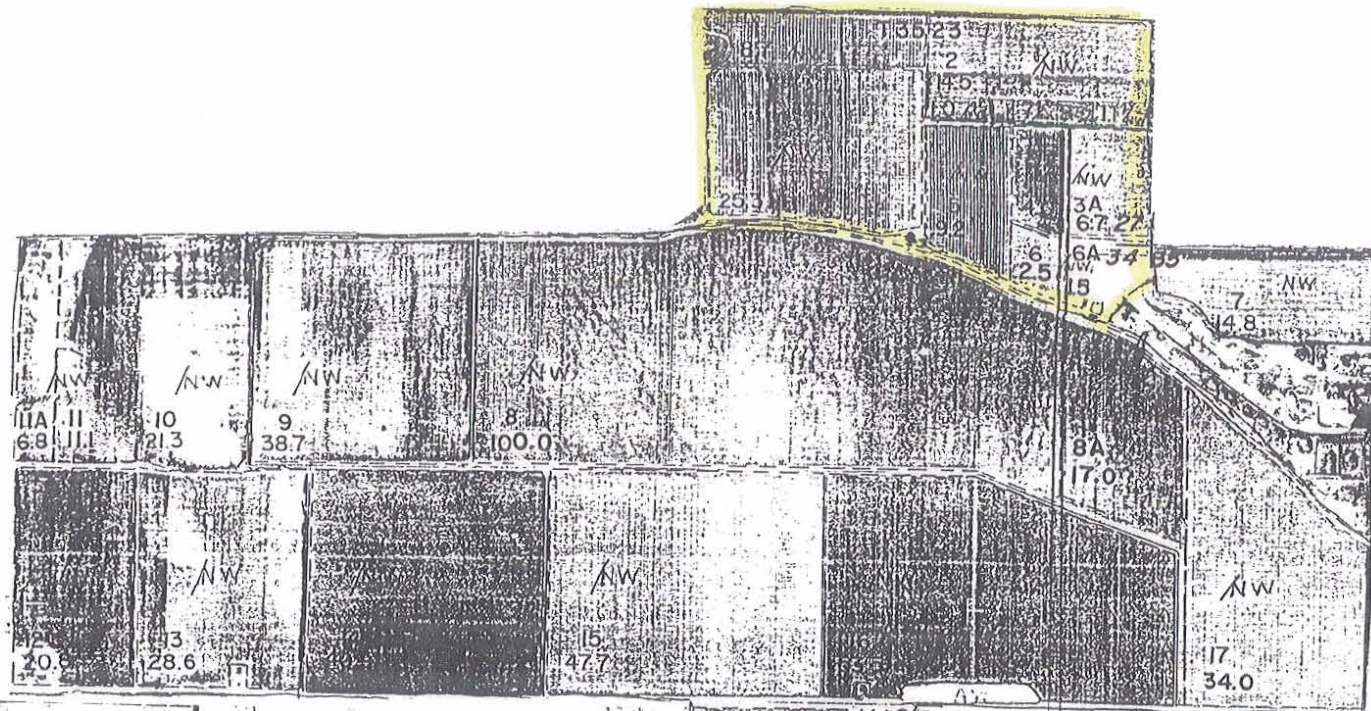
Carrie S. Stout
Notary Public

Seal

Residing at Meridian ID

My Commission Expires 6/10/2002





T3523

105 A.
145.5 A.
165.7 A.
416.2 A.

T3523

NW

23
165.7
33 34

NW

24
145.5

NW

22
17.4

NW

23
165.7

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: A63-02906
Date Received: 2/ 8/1990
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Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DESERT SUN FARMS INC 208-466-6951
Address: 13541 SURRY LN
NAMPA ID 83686

2. Date of Priority: AUG 27, 1952

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
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5. Description of diverting works:
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6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.600		630.00

7. Total Quantity Appropriated is:
1.600 C.F.S. (and/or) 630.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

MICROFILMED

10. Place of Use:

JUL 25 1994

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	03W	34	SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	20.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	140.0
					Total Acres	140.0

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:
A02-02313

14. Remarks:

SEE BENEFICIAL USE CLAIM A02-10046 FOR A COMPLETE SYSTEM
DESCRIPTION AND MAP.
CLAIM AMENDED PER TRANSFER NO. 3936 APPROVED 6/17/1992.
THE WELL PREVIOUSLY USED TO DIVERT WATER IN THE NWSE, S34, T2N,
R3W SHALL BE ABANDONED IN A MANNER APPROVED BY THE DEPARTMENT.
SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY
OF APPROVED TRANSFER NO. 3936 APPROVED 6/17/1992.

15. Basis of Claim: LICENSE

Water Right Number: 23012

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: _____

MICROFILMED

JUL 25 1994

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED

JUL 25 1994

Water Right Number - 63-02906 Prefix Translation: WATER RIGHT Old (D) Number - 23012

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

*** C - CURRENT OWNER ***
DESERT SUN FARMS INC

1 - 13541 SURREY LN
2 -
3 -
City- NAMPA State- ID Zip- 83686
Phone - 208-000-0000

*** O - ORIGINAL OWNER ***
FROST

DONALD W

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

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
08/27/1952 14 WESTERN L - LICENSE

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

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.
02N 03W 27 SW SE (27) CANYON

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 1.600 630.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
1.600 630.00

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
02N 03W 34 SW NE 40.0 01 IRRIGATION (27) CANYON
02N 03W 34 SE NE 40.0 01 IRRIGATION (27) CANYON
02N 03W 34 NW SE 40.0 01 IRRIGATION (27) CANYON
02N 03W 34 SW SE 20.0 01 IRRIGATION (27) CANYON

Total Acres: 140.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
The well previously used to divert water in the NWSE, S34,
T2N, R3W will be abandoned in a manner approved by the

MICROFILMED
JUL 25 1994

Water right number - 63-02906

Prefix Translation: WATER RIGHT

+ - - - - Remarks - - - - -
department.

+ - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - -
T09 - 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.
043 - If construction of the well under this right was not initiated
- prior to July 1, 1987, commencement of well construction or
- diversion of water under this right is prohibited unless a
- drilling permit is obtained from the Department.

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

+ - - - - Comments- - - - -
Date: 06/15/1992 User Id: CURTIS Subject: Trans. 3936
Trans. 3936 was filed to change the point of diversion (well) under this right. The old well is to be abandoned.

+ - - Audit Fields - 05/20/85 05/01/88 CONVERT 06/15/92 CURTIS

+ - - - - 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
Exam to S.O. Date- 00/00/0000	Verified Date - 00/00/0000	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 - T
Decree Date - 00/00/0000	Name Connector -	POU Ownership Flag-
Presumption Flag -		

MICROFILMED
JUL 25 1994

Page 1 of 2STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3936APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Desert Sun Farms Inc. Phone 466-6951Post Office address 13541 Surrey Ln. Nampa ID 83686

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes _____
Replace well and move it to a more ideal location. Old well will be abandon.

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

1. Right Number	Priority	Amount (cfs/ae-ft)	Nature of Use	Period of Use
<u>63-2906</u>	<u>8-27-52</u>	<u>1.6</u>	<u>Irrigation</u>	<u>3/15</u> to <u>11/15</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 1.6 cubic feet per second and/or _____ acre-feet per annum.3. Source of water Ground water tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SW	SE	27	2N	3W	Canyon	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	3W	34			40	40										40	20		140

No Change.

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JUL 25 1994

PART 1

6. General Information:

a. Description of diversion system _____
Drilled 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:
None.

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. 63-02906

And said application is hereby APPROVED, subject to the following limitations and conditions:
SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this 17th day of June, 19 92

J. Glen Saylor
 CHIEF, WATER ALLOC. BUREAU

MICROFILMED

JUL 25 1996

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. 63-2906 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 8-27-52

5. Water is used for the following purpose:

amount 1.6 CFS 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)

6. Total amount of water under right 1.6 CFS 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	34	2N	3W	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	3W	34			40	40										40	20		140

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JUL 25 1994

Total acres _____

9. Describe any other water rights us _____ or the same purpose as described above 22-2313

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

N/A

DISREGARD PARTS B & C

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

1. amount 1.6 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)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SW	SE	27	2N	3W	Campana	

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	3W	34			40	40										40	20		140

Total acres 140

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

N/A

1. amount 1.6 for Irrigation purposes from 3/15 to 4/15
 (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

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	3W	34			40	40										40	20		140

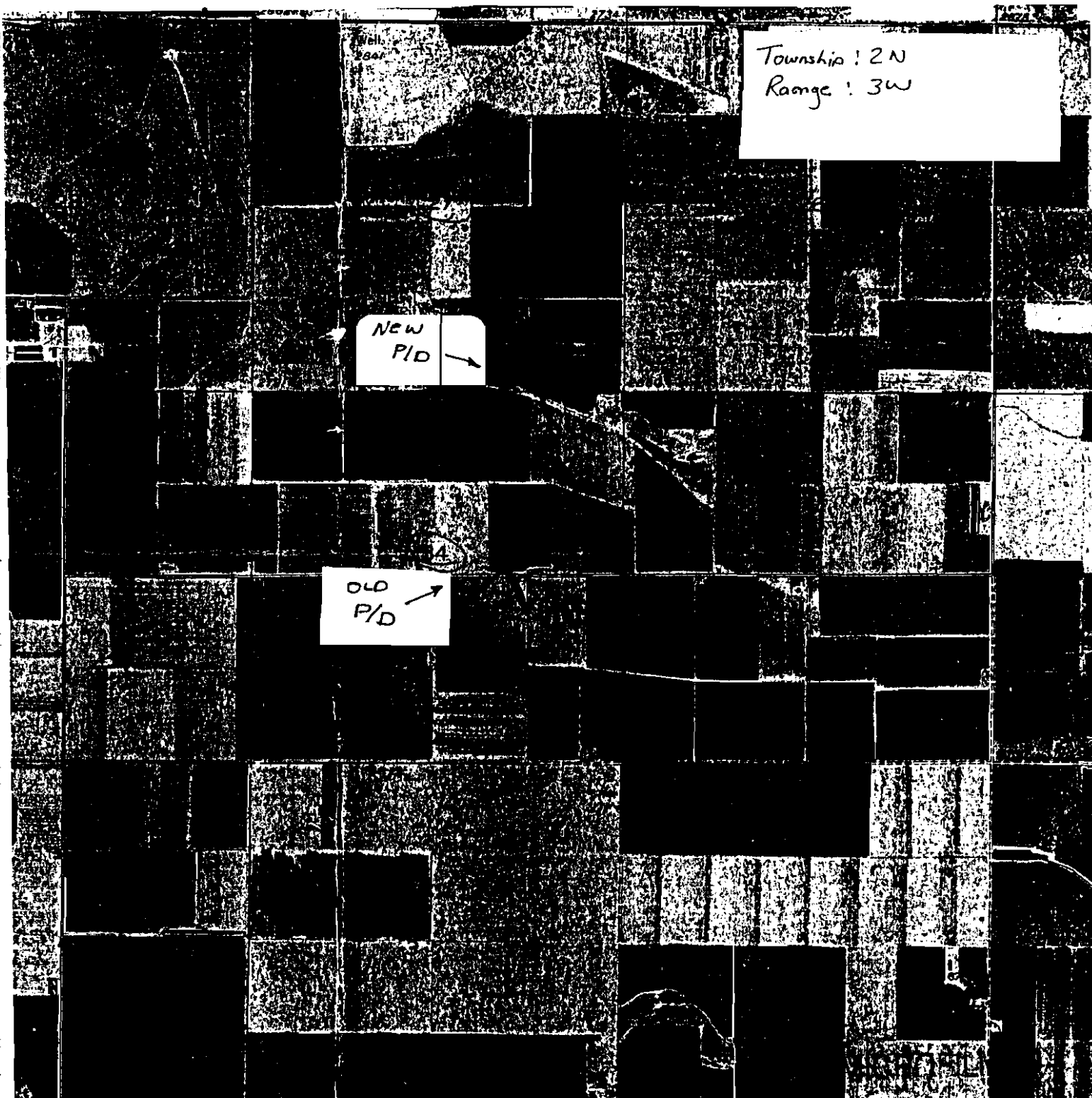
MICROFILMED

JUL 25 1994

Total acres 140

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.



JUL 25 1994

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	<u>None.</u>			_____ to _____
				_____ to _____

2. Quantity and quality of return flows and location of discharge:
No change

3. Describe effects on other water uses resulting from the proposed change:
None

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.

Desert Sun Farms Inc.
By Charles D Smith
(Signature of Applicant)

Subscribed and sworn to before me this 30 day of January, 19 92.

Lori Harris
(Notary Public)

My commission expires 12-8-94

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 0 attachments

Received by JFW Date 1/30/92 Protest filed by _____

Prelim. check by _____ Fee 50.00 62014083

Receipted by JFW Date 1/30/92

Published in Press-Tribune Copies of protest forwarded by _____

Pub. dates 4/1 & 4/8/92 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by DW

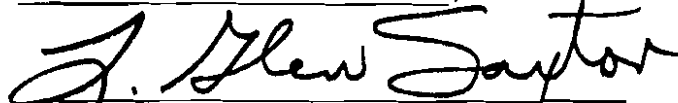
Copy of transfer sent to lien holder _____

MICROFILMED
JUL 25 1994

CONDITIONS OF APPROVAL
Transfer of Water Right No. 63-02906

1. 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.
2. If construction of the well under this right was not initiated prior to July 1, 1987, commencement of well construction or diversion of water under this right is prohibited unless a drilling permit is obtained from the Department.
3. The well previously used to divert water in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, Twp. 2N, Rge. 3W ~~will~~ ^{shall} be abandoned in a manner approved by the department.

Dated this 17th day of June, 1992.


Chief, Water Alloc. Bureau

MICROFILMED

JUL 25 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: **A63-02906**
Date Received: 2/ 8/1990
Receipt No: W008583
Received By: _____

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

1. Name: DESERT SUN FARMS INC. 208-466-6951
Address: 13541 SURRY LN.
Nampa ID 83686

2. Date of Priority: AUG 27, 1952

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4	of 1/4	of 1/4	Lot	County
02N	03W	34	NE	NW	SE		CANYON

5. Description of diverting works:
555' WELL, 12" CASING, 100 HP MOTOR, SPRINKLER/GRAVITY IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.600		

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

8. Total consumptive use is 490.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
02N	03W	34	SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	20.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	140.0
					Total Acres	140.0

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:
A02-02313

14. Remarks:

SEE BENEFICIAL USE CLAIM A02-10046 FOR A COMPLETE SYSTEM
DESCRIPTION AND MAP.

15. Basis of Claim: LICENSE

Water Right Number: 23012

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: _____

MICROFILMED

JUL 25 1994

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
_____, that I have signed the foregoing
document in the space below as _____ of
_____ and that the statements contained in the
_____ foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) ss.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED

JUL 25 1994

770 change on
adverse
02-23/9

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

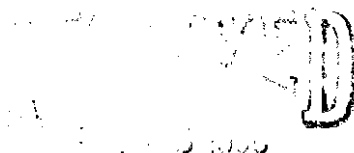
IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 63-2906

Date Received _____

Receipt Number _____



Department of Water Resources
Western Regional Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Desert Sun Farms Inc Phone (208) 466-6951

Mailing Address 13541 Liberty for Nampa Zip 83686
Idaho

2. Date of Priority (Only one (1) per claim) 8-27-52

3. Source of water supply (a) Groundwater
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 24 Range 34 Section 34,
NE 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 _____

5. 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. 12 inch casing, 555 ft

deep, 100 HP motor - sprinkler &
gravity irrigation

MICROFILMED

JUL 25 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3/15 to 11/15 amount 1.6 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.6 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 490 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	34	34			40	40										40	20		140

Total number of acres irrigated 140

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

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.
02-2313 or None ()

14. Remarks:

This well water is pumped into a pond & redistributed.

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JUL 25 1994

Last Name Desert Green Farms Ident No. 63-2906

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

JUL 25 1994

Last Name Blackburn ^{Farm Jr.} Ident No. 63-2906

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 63-2906
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) Desert Sun Farms Inc Date 1/25/90
Charles J. Smith Date _____

For Organizations: I do solemnly swear or affirm that I am V.P. Title _____
of Desert Sun Farms Inc that I have signed the foregoing
Organization
document in the space below as V.P. of Desert Sun Farms Inc
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Charles J. Smith
Title and Organization V.P. Desert Sun Farms Inc Date 1-25-90

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

Subscribed and sworn (or affirmed) before me this 25 day of January 19 90

SEAL

Notary Public John K. Noyce
Residing at 15470 Hamelale Rd
Caldwell, Idaho 83608

My Commission Expires Sept 21, 1991

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 _____

MICROFILMED

JUL 25 1994

Last Name Desert Sun Farms Ident. Number 63-2906

Copies White-State, Yellow-Claimant



POOR ORIGINAL

A63-02906

40 40

40

20

pond

pond

MICROFILME
JUL 25 1994

09/29/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-2906

WINEMAKERS LLC
PO BOX 1019
SUNNYSIDE WA 98944-1019
Telephone Number: (509) 836-2524

RECEIVED
NOV 01 2006
WATER RESOURCES
WESTERN REGION

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 10/25/04 SIGNATURE: Paul D. Lukas
Please print your name: PAUL D. LUKAS

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

07/17/2006

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

RIGHT NUMBER: 63-2906

NAME AND ADDRESS: WINEMAKERS LLC
PO BOX 1019
SUNNYSIDE WA 98944-1019

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.860 CFS
337.500 AFY

PRIORITY DATE: 08/27/1952

POINT OF DIVERSION:

T02N R03W S27 SWSE 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	0.860 CFS 337.50 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T02N R03W S27	SWSE	34.00	T02N R03W S27	SESE	38.00
T02N R03W S34	NENE	3.00			

75 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



Idaho Department of Water Resources

63-2906

T02N R03W S27, 34



● Point of Diversion

□ Place of Use

□ Sections

□ Quarter Quarter

Total irrigated
acres = 75



600 0 600 1200 Feet

IDWR

Prepared by: Sandy Egbert

Date: July 17, 2006

1987 NAAP Photography

RECEIVED

SEP 26 2005

WATER RESOURCES
WESTERN REGION

AFFIDAVIT

RE: WATER RIGHT CLAIM

STATE OF IDAHO)
 : ss
County of Canyon)

CHARLES PINTLER, being first duly sworn, upon his oath
does depose and say:

That I am the President of Desert Sun Farms, Inc.

That I have personal knowledge of the facts contained in
this Affidavit.

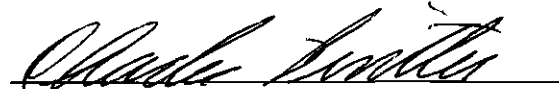
That Desert Sun Farms, Inc.'s is the owner of
approximately 73 or 74 irrigated acres located in the southeast
quarter, Section 27, Township 2 North, Range 3 West, Boise
Meridian, Canyon County, Idaho.

That until it was abandoned, that property was irrigated
out of a well, Water Right No. 63-2906, located in Section 34,
Township 2 North, Range 3 West, Boise Meridian, Canyon County,
Idaho. That Desert Sun Farms, Inc. from that well began irrigating
20 acres of the property in 1964 and the balance of the property
they began irrigating from that well in 1973 or 1974.

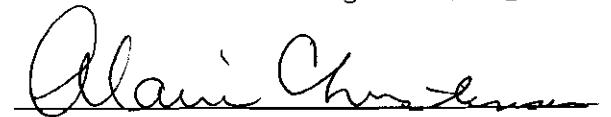
That since 1973 or 1974 all of the above described real
property was continuously irrigated from the well, Water Right No.

63-2906, located in Section 34, Township 2 North, Range 3 West,
Boise Meridian, Canyon County, Idaho, until the well was abandoned.

DATED this 22nd day of September, 2005.


CHARLES PINTLER

SUBSCRIBED AND SWORN TO before me this 22nd day of
September, 2005.


Notary Public for Idaho
Residing at Hailey, Idaho
My Commission expires: 8-18-06

(Seal)

RECEIVED

AFFIDAVIT

SEP 26 2005

RE: WATER RIGHT CLAIM

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO)
 : ss
County of Canyon)

HOMER ZAMORA, being first duly sworn, upon his oath does
depose and say:

That I have worked for Desert Sun Farms, Inc.

That I have personal knowledge of the facts contained in
this Affidavit.

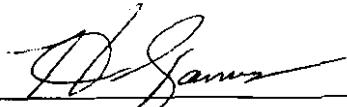
That Desert Sun Farms, Inc.'s is the owner of
approximately 73 or 74 irrigated acres located in the southeast
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That until it was abandoned, that property was irrigated
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Township 2 North, Range 3 West, Boise Meridian, Canyon County,
Idaho. That Desert Sun Farms, Inc. from that well began irrigating
20 acres of the property in 1964 and the balance of the property
they began irrigating from that well in 1973 or 1974.

That since 1973 or 1974 all of the above described real
property was continuously irrigated from the well, Water Right No.

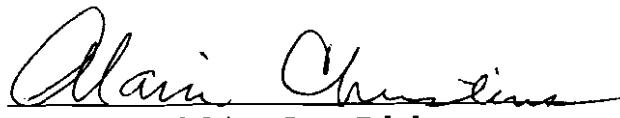
63-2906, located in Section 34, Township 2 North, Range 3 West,
Boise Meridian, Canyon County, Idaho, until the well was abandoned.

DATED this 2nd day of September, 2005.



HOMER ZAMORA

SUBSCRIBED AND SWORN TO before me this 2nd day of
September, 2005.



Notary Public for Idaho
Residing at Naupa, Idaho
My Commission expires: 8-18-06

(Seal)

33

34

PITCH

AJ0749NP
No. R63-02906

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 07/29/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WINEMAKERS LLC PO BOX 1019 SUNNYSIDE WA 989441019 (509) 836-2524	08/27/1952	IRRIGATION	03-15 11-15	1.600 CFS	598.50 AFA
TOTAL DIVERSION:					1.600 CFS	598.50 AFA
CONSUMPTIVE USE:						465.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T02N R03W S27 SWSE

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	Lt	Ac	Lt	Ac	:	SUM
02N	03W	34	:					38		37								38	20	:	133.0
TOTAL ACRES																			:	133.0	

POU County: CANYON

Non-Irrigation Uses: NONE

Other Rights: 02-02313

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A63-02906

Other Water Rights Listing Overlapping Place(s) of Use:
A02-02313 A02-10046 A63-02906

Dates: Exam Made Date: 04/03/1996 Verified Date: Objection Filed Date:

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

Comments: Date: 04/03/1996 User-ID: MMINICUC Subject: COPIED FROM REMARKS
SEE BENEFICIAL USE CLAIM A02-10046 FOR A COMPLETE SYSTEM
DESCRIPTION AND MAP.
CLAIM AMENDED PER TRANSFER NO. 3936 APPROVED 6/17/1992.

→ Changed to Sec. 27 (5 1/2 SE 1/4) & NENE, S34,
per amended claim submitted on 7-29-99.
Evidence of pre 1987 use of the original well (prior
to 1992 xfer) requested from Charles Butler 9-10-05

AJ0749NP
No. R63-02906

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 07/29/99
PAGE: 2

=====

Comments: Date: 04/03/1996 User-ID: MMINICUC Subject: COPIED FROM REMARKS
THE WELL PREVIOUSLY USED TO DIVERT WATER IN THE NWSE, S34, T2N,
R3W SHALL BE ABANDONED IN A MANNER APPROVED BY THE DEPARTMENT.
SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY
OF APPROVED TRANSFER NO. 3936 APPROVED 6/17/1992.

Date: 04/03/1996 User-ID: MMINICUC Subject: ACRES
THE RECOMMENDED ACRES WERE DETERMINED DURING A FIELD EXAM ON THE
OVERLAPPING SNAKE RIVER RIGHT (02-02313) CONDUCTED FOR THE SMALL
02 ADJUDICATION. A COPY OF THE ASCS MAP USED FOR THE 02
RECOMMENDATION IS IN THIS FILE.

Date: 07/29/1999 User-ID: DBUFFING Subject: NAME CHANGE - OWNERSHIP CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN
OWNERSHIP CHANGE.

Audit: 07/29/99 DBUFFING



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

July 29, 1999

DIRK KEMPTHORNE
GOVERNOR

Re: Notice of Claim to a Water Right No. A63-02906 & A02-02219D

KARL J. DREHER
DIRECTOR

WINEMAKERS LLC
PO BOX 1019
SUNNYSIDE WA 98944-1019

Dear Claimants:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

In reviewing this ownership change, we were unable to change claim number A02-10046 at this time. It appears that the Metes and Bounds description listed on the Warranty Deed **could be** incorrect. Enclosed, for your review, is a map showing the property lines as submitted on the deed. Also enclosed is a map showing property lines after we made adjustments. You may need to check with your title company to clarify the legal description on this deed.

If you have any questions concerning the enclosed information, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Records Clerk
Adjudication Section
Western Region Office

DB:db

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

April 19, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Winemakers LLC
PO Box 1019
Sunnyside WA 98944

RE: Notice of Change of Water Right Ownership No. A63-02906,
A02-02219D and A02-10046

Dear Property Owners:

Enclosed is a copy of your Notice of Change of Water Right Ownership form that you recently submitted to our office. However, we cannot continue to process the ownership change without proof of ownership. This proof can be a copy of a warranty deed(s), sales contract or tax assessment in your name(s) which includes the legal description of the property by $\frac{1}{4}$ $\frac{1}{4}$, Section, Township and Range.

Please submit a copy of your proof of ownership, and we will be able to complete the ownership change.

Thank you for your patience and cooperation. Feel free to contact our office if you have any questions concerning this letter.

Sincerely,

Adjudication Section
Western Region
(208) 334-2190

DB:d

Enclosure

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040 1

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T02N R03W S27 SWSE

CANYON County

Place of use Legal Description for: IRRIGATION

PDU County: CANYON

Non-Irrigation Uses: NONE

Other Rights: 02-02313

Dates: Exam Made Date: 04/03/1996 Verified Date: Objection Filed Date:

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

Comments: Date: 04/03/1996 User-ID: MMINICUC Subject: COPIED FROM REMARKS
SEE BENEFICIAL USE CLAIM A02-10046 FOR A COMPLETE SYSTEM
DESCRIPTION AND MAP.
CLAIM AMENDED PER TRANSFER NO. 3936 APPROVED 6/17/1992.
THE WELL PREVIOUSLY USED TO DIVERT WATER IN THE NWSE, S34, T2N,
R3W SHALL BE ABANDONED IN A MANNER APPROVED BY THE DEPARTMENT.
SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY
OF APPROVED TRANSFER NO. 3936 APPROVED 6/17/1992.

Date: 04/03/1996 User-ID: MMINICUC Subject: ACRES
THE RECOMMENDED ACRES WERE DETERMINED DURING A FIELD EXAM ON THE
OVERLAPPING SNAKE RIVER RIGHT (02-02313) CONDUCTED FOR THE SMALL
02 ADJUDICATION. A COPY OF THE ASCS MAP USED FOR THE 02

AJ0749NP
No. R63-02906

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 04/03/96
PAGE: 2

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Comments: Date: 04/03/1996 User-ID: MMINICUC Subject: ACRES
RECOMMENDATION IS IN THIS FILE.

Audit: 04/03/96 MMINICUC

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A63-02906

WR ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
PRIORITY*	In-office		License	N	N	TTT	
PT. OF DIV.	TTT 04/12/1996		Well log	N		04/02/1996	DATA ENTRY COMPLETED BY TTT DATE 04/13/1996
SOURCE	Field exam		5	N			
PL. OF USE	L. Graves		4, 5	N			FINAL RECOMMENDATION
DIV. AMOUNT CFS/AF	03/27/1992		License	N			BY _____ DATE _____
CONSUMPTIVE USE			IDWR STAND.				
NATURE OF USE			5	N			
PERIOD OF USE			IDWR STAND.	N			
BASIS OF CLAIM			License	N			
REMARKS							

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES _____ NO _____.

**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

VERIFICATION CODES

TOPO MAP/ORTHOPHOTO = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER(SEE COMMENTS) = 6

COMMENTS: See A02-10046 for system desc. + map. Review XFER 3936.

ATTACHMENTS: (A) Memo on well abandonment (B) System description (C) License 63-02906 (23012)

(D) Notes from 63-11216 regarding use of 1st well w s.27 (E) ASCS Map from 1987 exam

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A63-02906	02N 03W	27		SW	SE			CANYON		
OTHER AJ CLAIMS WITH SAME AJ POD			WR RECORDS IN SAME 40 ACRE TRACT							
A PREFIX		R PREFIX								
NONE		NONE	63-11216							

SOURCE: GROUNDWATER

TRIB:

NOTES: 04/02/1996: Point of diversion confirmed with well log rec'd by IDWR 07/11/1995. Please see attached memo regarding research on wells which have been drilled for this water right. The first well in S.27 is still used for at least a domestic use; the well log rec'd in 1995 is for the second well in S.27. Unable to locate well log for orig. well in S.34. Well logs for both wells in IDWR W. Region files as well as drilling permits. Copy of Trans. No. 3936 in this file in claim stack. rrr

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (X)

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
02N	03W	27		SW	SE			CANYON		

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: [Signature] DATE: 04/02/1996

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT (X) FROM A02-10046

04/02/1996: Field review + CVR write-up by L. Graves of IDWR W. Region allocations staff. No additional write-up of CVR information except to confirm new POD with well log. Well log fuzzy & will not copy well - please see copy in IDWR files. rrr

04/07/1996: POD review - see following pages - rrr

MEMORANDUM

TO: Rob Whitney, Well Construction Section
FROM: Maria Minicucci, SRBA TTT
DATE: April 2, 1996
RE: 63-02906 well abandonment requirements

FYI

Water right no. 63-02906 was originally licensed from a well located in T02N, R03W, s. 34, NWSE.

On 01/30/1992 Desert Sun Farms Inc submitted an Application for Transfer (No. 3936) to move the point of diversion to T02N, R03W, s. 27 SESWSE.

On 03/27/92 IDWR issued drilling permit 63-92-W-176 for a "new well" for irrigation purposes under water right no. 63-02906 to be located in T02N, R03W, s. 27, SWSE. This well was finished 05/05/1992 and a log submitted to IDWR.

Transfer No. 3936 was approved by IDWR on 06/16/1992. A condition of the transfer approval was that the well in s. 34 be abandoned in a manner approved by IDWR.

On 04/28/95 IDWR issued drilling permit no. 63-95-W-0325-200 for a replacement well for water right no. 63-02906 to be located in T02N, R03W, s. 27, SWSE. This well was finished on 06/19/95 and a log was submitted to IDWR. A condition of the permit was that the well being replaced be abandoned according to IDWR Rules and Regulations for well construction standards.

No records for abandonment of the original well in s. 34 or the first well in s. 27 were located. It appears that the well in s. 27 now supplies domestic water under water right no. 63-11216. It is unclear if the irrigation use of the well is continuing. There is no record of a water right or an SRBA claim with a point of diversion in T02N, R03W, s.34, NWSE.

CC. File A63 -02906

ATTACHMENT (A)

USE TYPEWRITER OR
BALLPOINT PEN

State law requires that this report be filed with the Director, Department of Water Resources, within 30 days after the completion or abandonment of the well.

[illegible]

USE ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT

ATTACHMENT (D)

A. ROOT WATER RIGHT NUMBERS: A63-02906
R63-02906

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
02N	03W	34	SW	NE		DESERT SUN FARMS INC	A63-02906 / 40.0	- /		38	38
02N	03W	34	SE	NE		DESERT SUN FARMS INC	A63-02906 / 40.0	- /		37	37
02N	03W	34	NW	SE		DESERT SUN FARMS INC	A63-02906 / 40.0	- /		38	38
02N	03W	34	SW	SE		DESERT SUN FARMS INC	A63-02906 / 20.0	- /			20

ADDITIONAL POU FOUND

TOTAL ACRES A63-02906 140.00

133

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N(X)

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A63-02906	GROUNDWATER	DESERT SUN FARMS INC	1.600	0.011	630.00	4.50
A02-02313	SNAKE RIVER	DESERT SUN FARMS INC	5.880	0.014	2196.00	5.25
A02-10046	SNAKE RIVER	DESERT SUN FARMS INC	2.100	0.020		
R63-02906	GROUNDWATER	DESERT SUN FARMS INC	1.600	0.011	630.00	4.50

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A63-09258	DOMESTIC	PINTLER, CHARLES D	FROM 01-01 TO 12-31	0.180 CFS	7.20 AF/A
R63-09258	DOMESTIC	PINTLER, CHARLES D	FROM 01-01 TO 12-31	0.180 CFS	7.20 AF/A

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y(☒) N(☐)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A02-02313

See CWR completed by L. Graves (pg. 9).

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☒) N(☐)

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A(☐) Y(☒) N(☐)

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y(☐) N(☒)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y(☐) N(☒)

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;

(X) NAPP, IDWR NO. 45NE; (X) ASCS PHOTO; () OTHER _____

NOTES: 04/03/1996: Verified acres from field exam conducted for small Snake River
Adjudication (12/12/1983). Based on the current field configurations the ground water
may be used in other Q's but there is sufficient surface water on these lands
and it does not appear that any expansion has taken place. (surface H₂O + ground
water add up to more than .02 cfs/acre - see rights listed on place of use Review
sheet. 90

RECOMMENDATIONS:

TOTAL ACRES: 133 N/A()

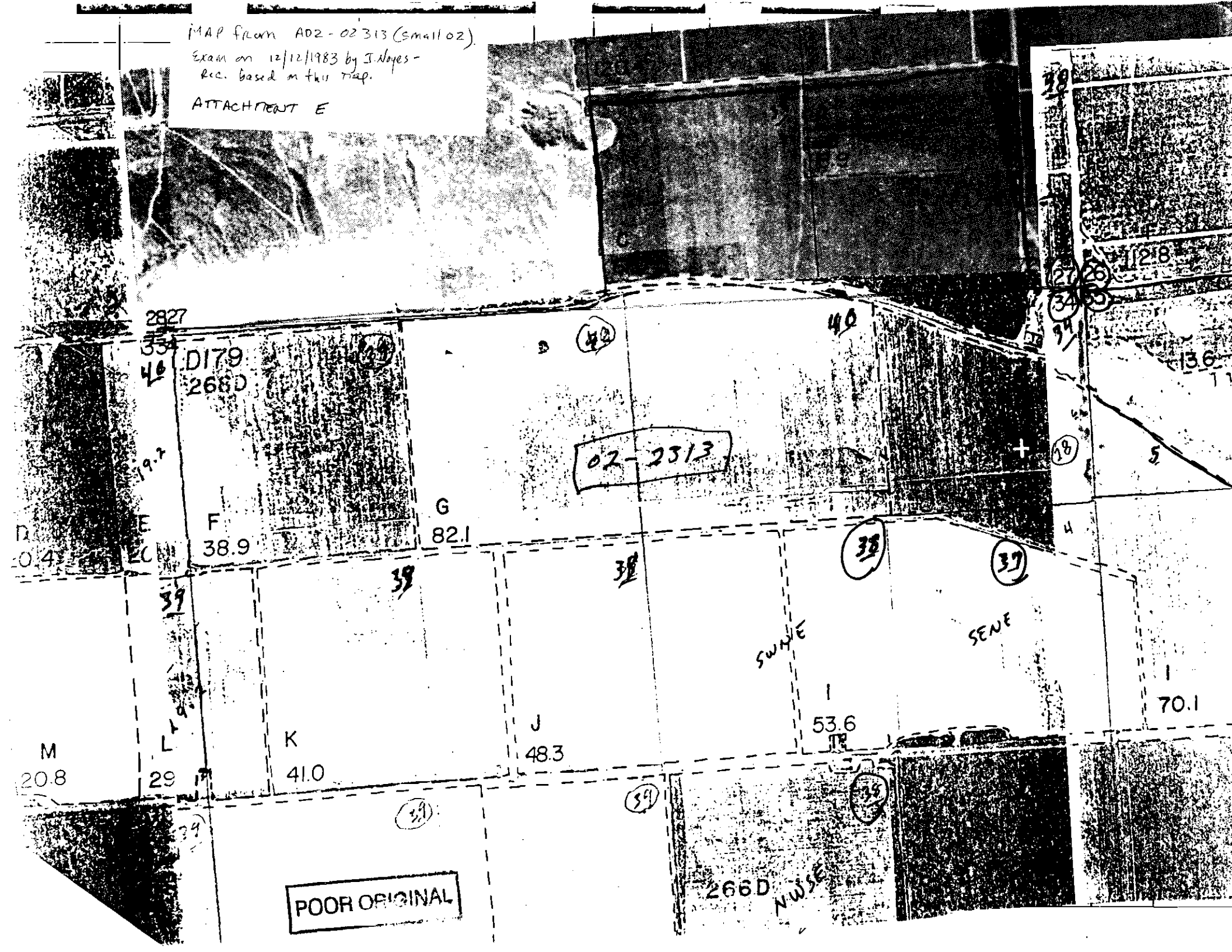
REVIEWED BY: D. J. [Signature]

DATE: 04/03/1996

MAP from AD2-02313 (small 02)

Exam on 12/12/1983 by J. Noyes -
Rec. based on this map.

ATTACHMENT E



State of Idaho

License and Certificate of Water Right

Water License No. G-23012

Amount 1.6 c.f.s.

Water District No.

Priority August 27, 1952

THIS IS TO CERTIFY that DONALD W. FROST

of Nampa, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated August 27, 1952; that Permit No. G-23012 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.6 second feet, was issued thereunder on December 12, 1957, showing that said works were completed on the 7th day of September, 1957; and that on the 7th day of September, 1957, DONALD W. FROST

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

a tributary of subterranean, for the purpose of Irrigation

under Use Permit No. G-23012 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

10 of Licenses at page 6236, on the 12th day of December, 1957;

The right hereby confirmed dates from August 27, 1952;

The Point of Diversion is located

in the NW 1/4 SE 1/4, Sec. 34, Tp. 2 N., R. 3 E., B. M. County Canyon

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 1.6 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
2 N.	3 E.	34	SE 1/4	40	40
			SW 1/4	40	40
			NE 1/4	40	40
			SW 1/4	40	40
Total number of acres irrigated				160	160

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

12th day of December, 1957.

/s/ Mark R. Kuip

State Reclamation Engineer.

(SEAL)

ATTACHMENT

63 29.0

Form 23

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

Permit No. G-23012

This proof is for Completion of Works & Beneficial Use In Water District No.

1. Name of applicant: Donald W. Frost

2. Source of water supply: Subterranean flow from a well

3. Location of point of diversion: Is in the NW 1/4 of Section 34

T. 2 N. R. 3 E. S. 34 County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same: Well 355' x 12"

and 350' h = 325' Lift = 530' 75-hp. Smithway Motor
24772 Byron Jackson Pump. Concrete floor - good
well house. 10" tile pipe to west. All irrigation
by gravity.

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):

NW 1/4 of Sec. 34, T. 2 N., R. 3 E., S. 34

Picks up and reuses all of waste water on
the north. Also pumps to the relift pump.

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

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

Remarks:

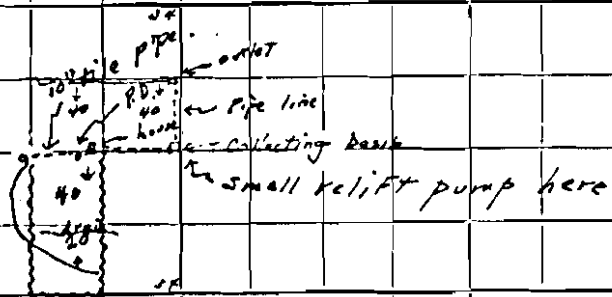
Crops are hay, grain and row crops.
By calculation this pump should deliver 84 inches.

This examination was made on the 2nd day of October, 1957

(Signed) E. H. Humphrey, Engineer

403012

T 3 N. R. 3 W.



Subdivision - Truck	Fault
Area - 60 acres.	140 acres.
Q = 60 inches	80 inches
<u>1.2 cfs.</u>	<u>1.6 cfs.</u>

SYSTEM DESCRIPTION

1,301 ACRES UNDER THE OWNERSHIP OF DESERT SUN FARMS AND CHARLIE D. PINTLER HAVE LICENSED WATER RIGHTS FOR 19.34 CFS SNAKE RIVER WATER AND 4.37 CFS GROUNDWATER. AN ADDITIONAL 105 ACRES WERE DEVELOPED IN 1964, WHICH WAS BEFORE THE MANDATORY PERMIT STATUTE FOR SURFACE WATER. THESE ACRES ARE REPRESENTED BY BENEFICIAL USE CLAIM A02-10046. THE SYSTEM SUPPLIES WATER TO A TOTAL OF 1,406 ACRES.

GROUNDWATER WELLS: T2N R3W SEC 34, NENWSE = 555' X 12" WELL, 120 HP PUMP
35, NENWSW = 555' X 12" WELL, 100 HP PUMP
35, NENESW = 555' X 12" WELL, 150 HP PUMP

SNAKE RIVER DIVERSIONS: T1N R3W SEC 16, SWNWNW = TWELVE 600 HP PUMPS
WEST END PROJECT
36, SWSWNE = TEN 600 HP & ONE 350 HP PUMPS
HAT BUTTE PROJECT

FOUR PONDS ARE ALSO USED TO COLLECT THE IRRIGATION RUN-OFF WATER. BOOSTER PUMPS DIVERT THE DRAIN WATER BACK UNTO THE ACRES IRRIGATED.

PONDS: T2N R3W SEC 34, SWSENE = 300' X 100' X 12', 50 & 100 HP BOOSTER PUMPS
NESWSE = 300' X 40' X 10', 40 HP BOOSTER PUMP
SESESE = 225' X 225' X 10', TWO 15 HP BOOSTER PUMPS
35, NESESE = 250' X 250' X 8', 40 HP BOOSTER PUMP

ATTACHMENT 13

~~XXXXXXXXXXXXXXXXXXXX~~
~~XXXXXXXXXXXXXXXXXXXX~~

- AJ CLAIM TOTAL DIVERSION RATE: 1.600 CFS
- WR ROOT RIGHT TOTAL DIVERSION RATE: 1.600 CFS
- A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(X) N()
- B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y(X) N()
- * ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.
- C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N(X)
- * IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.
- D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N(X)

E. FLOW MEASUREMENT

MEASUREMENT METHOD pump curve - See B's exam, SEE ATTACHED CALCULATIONS.

$$133 \times .02 \text{ CFS/ACRE} = 2.66 \text{ CFS}$$

$$133 \times 4.5 \text{ AFA (Div. Volume)} = 598.5 \text{ AFA}$$

$$133 \times 3.5 \text{ AFA (Cons. Volume)} = 465.5 \text{ AFA}$$

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE CFS		VOL. AF/A		USE	
IRRIGATION	03-15	11-15	DATABASE 1.600	EXAMINER _____	DATABASE 630.00	EXAMINER _____	DATABASE 0.0	EXAMINER _____
_____	_____	_____	_____	_____	_____	_____	_____	_____
<u>IRR</u>	<u>03-15</u>	<u>11-15</u>	<u>1.60</u>	<u>_____</u>	<u>598.5</u>	<u>_____</u>	<u>465.5</u>	<u>_____</u>
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
TOTAL FOR THIS RIGHT			<u>1.60</u>	<u>_____</u>	<u>598.5</u>	<u>_____</u>	<u>465.5</u>	<u>_____</u>

NON-IRRIGATION USES CLAIMED: NONE

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED (N/A)

REVIEWED BY: [Signature]

DATE: 04/02/1996

FLAG: _____

STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE): _____

EXPLANATORY CONDITIONS (CODE): _____

EXPLANATORY REMARKS (CODE): _____

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
(X) NAPP	DATE OF PHOTO <u>07/14/1987</u> IDWR ID NO. <u>VSNE</u>	Y() N(X)
(X) ASCS AERIAL PHOTO	DATE OF PHOTO <u>UNKNOWN - from ADZ-02313</u>	Y(X) N() (E)
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
(X) LICENSING FIELD EXAM	DATE OF FIELD EXAM <u>10/02/1957</u>	<u>2</u>	<u>Delivery System has since changed</u> (E)
(X) WATER RIGHT LICENSE	DATE LICENSE SIGNED <u>12/12/1957</u>	<u>1</u>	<u>Permit was amended for add'l acres</u> (C)
() IOWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
(X) SYSTEM DESCRIPTION	DATE DRAWN <u>System has ?</u>	<u>1</u>	<u>From 63-11216</u> (B)
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
(X) OTHER <u>Well log</u>	DATE <u>05/15/1992</u>	<u>1</u>	<u>Note regarding use of well - this well no longer serves the water right.</u> (D)
(X) OTHER <u>Demo on Abandonments</u>	DATE <u>04/02/1996</u>	<u>1</u>	<u>FYI to Well Const Section</u> (A)

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A63-02906

R ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
PRIORITY*	<u>N</u>	<u>6/3/27/92</u>	<u>12115</u>	<u>N</u>	<u>N</u>	<u>6/3/92</u>	
T. OF DIV.							DATA ENTRY COMPLETED BY _____ DATE _____
SOURCE							
L. OF USE							FINAL RECOMMENDATION BY _____ DATE _____
IV. AMOUNT CFS/AF				<u>✓</u>			
CONSUMPTIVE USE				<u>11</u>			
NATURE OF USE							
PERIOD OF USE							
BASIS OF CLAIM							
REMARKS							

VERIFICATION CODES

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES _____ NO _____.

TOPO MAP/ORTHOPHOTO = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 NAPP PHOTOS = 4
 FIELD EXAM = 5
 OTHER(SEE COMMENTS) = 6

*IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

COMMENTS:

MICROFILMED
JUL 25 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

15:41:32
04/06/92

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A63-02906

LAST: DESERT SUN FARMS INC.
ADDRESS: 13541 SURRY LN.
CITY: NAMPA
PHONE NUMBER: 208-466-6951

FIRST:
STATE: ID ZIP: 83686

OWNER CODE: C

LAST: FROST
ADDRESS:
CITY: NAMPA
PHONE NUMBER: 208-000-0000

FIRST: DONALD W.
STATE: ID ZIP: XXXXX

OWNER CODE: O

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: SEE BENEFICIAL USE CLAIM A02-10046 FOR A COMPLETE SYSTEM
DESCRIPTION AND MAP.

MICROFILMED
JUL 25 1994

CONTACT PERSON: Charlie Pentler

PHONE NUMBER: () 466 6951

DATE OF FIELD EXAM: 3/27/92

APPOINTMENT MADE: Y() N()

TIME: 3:__ A() P(☒)

ACCOMPANIED BY: Charlie

PHONE NUMBER: () __-__

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

MICROFILMED
JUL 25 1994

A. AJ CLAIM: # A63-02906 PRIORITY DATE: 08-27-1952 STAGE: L
B. WR RECORD: # 63-02906 PRIORITY DATE: 08-27-1952 STAGE: L

C. FIELD EXAM REQUIRED? DATABASE FIELD
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) N EXAMINER N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(/)
IF YES EXPLAIN.

REMARKS: _____

=====

RECOMMENDED PRIORITY DATE:
08-27-1952

REVIEWED BY ly 6/18/92 DATE _____

=====

MICROFILMED
JUL 25 1994

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A63-02906	02N	03W	34	NE	NW	SE		CANYON

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
63-02906	02N	03W	34		NW	SE		CANYON

OTHER WR RECORDS WITH SAME WR POD

NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
NONE NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER


REMARKS:

MICROFILMED
JUL 25 1994

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
—	—	—	N/c	—	—	—	—

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: Lg

DATE: 6/18/92

MICROFILMED
JUL 25 1994

A. ROOT WATER RIGHT NUMBERS: A63-02906

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	MR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
02N	03W	34	SW	NE		DESERT SUN FARMS INC.	A63-02906 /40.0	63-02906 /40.0	39.0	40	40
			SW	NE		DESERT SUN FARMS INC.	A02-02313 /40.0	02-02313 /40.0			
			SW	NE		PINTLER, CHARLES D.	A63-09258 /	63-09258 /			
			SW	NE		DESERT SUN FARMS INC.		A02-02313 /38.0			
02N	03W	34	SE	NE		DESERT SUN FARMS INC.	A63-02906 /40.0	63-02906 /40.0	40.0	40	40.0
			SE	NE		DESERT SUN FARMS INC.	A02-02313 /40.0	02-02313 /40.0			
			SE	NE		DESERT SUN FARMS INC.		A02-02313 /37.0			
02N	03W	34	NW	SE		DESERT SUN FARMS INC.	A63-02906 /40.0	63-02906 /40.0	37.0	40	40
			NW	SE		PINTLER, CHARLES D.	A63-09258 /	63-09258 /			
02N	03W	34	SW	SE		DESERT SUN FARMS INC.	A63-02906 /20.0	63-02906 /20.0	40.0	20	20
			SW	SE		DESERT SUN FARMS INC.	A02-10046 /18.0	- /			
TOTAL ACRES							A63-02906	140.00	140.00	156.00	140

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
N

POU COUNTY: CANYON

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: 140

REVIEWED BY: g

DATE: 6/18/92

MICROFILMED
JUL 25 1994

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A63-02906 IRRIGATION	FROM 03-15 TO 11-15	1.600 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.600 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
63-02906 IRRIGATION	FROM TO	1.600 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.600 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	<u> N </u>
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	<u> N </u>
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	<u> N </u>

D. PERIOD OF USE:

RECOMMEND AS CLAIMED? Y(☒) N(☐)

RECOMMEND TO WR STANDARDS OR OTHER? Y(☐) N(☐) Explain in remarks, below.

REMARKS:

MICROFILMED
JUL 25 1994

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 1.600 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.600 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***

** If an amount smaller than the original diversion rate is **

** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER
N

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

B. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☐) N(☐) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: A02-02313

LIST ALL RIGHTS WITH A SAME POI AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A63-02906	GROUNDWATER	DESERT SUN FARMS INC.	1.600	0.011		
A02-02313	SNAKE RIVER	DESERT SUN FARMS INC.	5.880	0.014	2196.00	5.25
A02-10046	SNAKE RIVER	DESERT SUN FARMS INC.	2.100	0.020		

LIST ALL RIGHTS WITH SAME POI BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A63-09258	DOMESTIC	PINTLER, CHARLES D.	FROM 01-01 TO 12-31	.180 CFS	7.20 AF/A

not
Claimed
Permit
relinquished

MICROFILMED
JUL 25 1994

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 140 x 0.02 CFS/ACRE = 2.8 CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(☒)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 490.0 AF/A

ACRES 140 x CONSUMPTIVE VOL. AF/A FOR AREA 3.5 =

TOTAL CONSUMPTIVE USE 490 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 140 x DIVERSION VOL. AF/A FOR AREA 4.5 =

TOTAL DIVERSION VOLUME 630 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(☒)

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

Not Claimed
- use of this rt with rt #A02-02313 is limited to a total combined div rt of 2.8 CFS, a total combined div vol of 63 AFA and a total annual cons use of 490 AF for the 140 acres listed.

MICROFILMED
JUL 25 1994

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	03-15 11-15	DATABASE 1.600 EXAMINER <u> </u>	DATABASE <u> </u> EXAMINER <u>630</u>	DATABASE 490.0 EXAMINER <u> </u>
TOTAL FOR THIS RIGHT		1.600		490.0

REVIEWED BY:

DATE: 6/18/92

MICROFILMED
JUL 25 1994

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
☒	()
<u>N/A</u>	()
	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 63-02906

TOTAL DIVERSION RATE OF WR SPLIYS

DATABASE
1.600

EXAMINER
N/A

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
63-02906	A63-02906	1.600	-		63-02906	1.600
TOTAL CFS		1.600				1.600

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
Y

FIELD
EXAMINER
N/A

REMARKS:

AUTHENTICATION:

SIGNATURE: Loi G. Gower

DATE: 6/18/92

NAME OF FIELD EXAMINER: "

TITLE: En Agent

MICROFILMED
JUL 25 1994

State of Idaho

License and Certificate of Water Right

Water License No. G-23012

Amount 1.6 c.f.s.

Water District No. _____

Priority August 27, 1952

THIS IS TO CERTIFY that DONALD W. FROST
of Nampa, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated August 27, 19 52; that Permit No. G-23012
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.6 second feet, was issued thereunder on December 12, 19 57, showing that said works
were completed on the 7th day of September, 19 57; and that on the 7th
day of September, 19 57, DONALD W. FROST

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
, a tributary of subterranean, for the purpose of Irrigation
, under Use Permit No. G-23012 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
10 of Licenses at page 6236, on the 12th day of December, 19 57;
The right hereby confirmed dates from August 27, 19 52;

The Point of Diversion is located
in the NW 1/4 SE 1/4, Sec. 34, Twp. 2 N., R. 3 W., B. M. County Canyon

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 1.6 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
2 N.	3 W.	34	SE ¹ ₄ NE ¹ ₄	--	40
			SW ¹ ₄ NE ¹ ₄	--	40
			NW ¹ ₄ SW ¹ ₄	40	40
			SW ¹ ₄ SE ¹ ₄	40	<u>20</u>
			Total number of acres 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

12th day of December, 19 57.

/s/ Mark R. Kulp
State Reclamation Engineer.

(SEAL)

63-2906

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 30766
Permit No. G- 23012
District No.

1. Name of Applicant: DONALD W. FROST

Postoffice address: Rt. 5, Nampa

County: Canyon

State: Idaho

2. Quantity of water claimed:

(a) Rate of withdrawal in cubic feet per second. 1.6 or Idaho
Miners' inches 80 or gallons per minute.

(b) Annual withdrawal in acre feet per annum

3. Source of water supply: Subterranean flow from a well

4. Location of point of diversion or well is in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 34
Twp. 2 N. , Rge. 3 W. , B.M., County of Canyon

5. Water is to be used for: Irrigation

6. If for municipal, industrial or recreational purposes, give:

(a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.

(b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.

7. Kind of works: Well, pump and ditches

8. Estimated cost of works: \$ 8,000.00

9. (a) Is reservoir to be used?

(b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is Three (3) years.

11. If applicant is a corporation, give:

I. (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:

12. The land to be irrigated is described in the following tabulation:

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

(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

(b) (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks:

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.

DONALD W. FROST Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 2:15 P. M. August 27, 1952

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 0-23012

Recorded in Book 82 Page 23012 Approved September 9, 1952

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 November 9, 1952 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before March 9, 1954

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before September 9, 1955

Witness my hand this 9th day of September, 1952

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, LEN JORDAN, Governor of the State of Idaho, and IRA H. MASTERS, 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 9th day of September, 1952.

Countersigned:

STATE OF IDAHO

(SEAL)

By IRA H. MASTERS
Secretary of State.

By LEN JORDAN
Governor

12.

Twp.	Range	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	
2 N.	3 W.	34													40	40			80
APPROVAL OF STATE RECLAMATION ENGINEER																			
I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby extend the time for the completion of construction work under Permit to appropriate the Public Waters of the State of Idaho, No. 0-23012 to September 9, 1955.																			
Witness my hand this 28th day of July, 1955.																			
																MARK R. KULP State Reclamation Engineer			

-23012

Application for Amendment
To Permit to Appropriate the Public Waters
of the State of Idaho, No. G-23012

Comes now DONALD W. FROST, and represents to the State Reclamation Engineer of the State of Idaho, That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-23012, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: S $\frac{1}{2}$ NE $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 34, Township 2 North, Range 3 West, B.M., making a total of 140 acres. That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Boise, Idaho, this 6th day of December, 1957

/s/ Donald W. Frost

Date of receipt at office of Department of Reclamation
December 6, 1957.

APPROVAL OF STATE RECLAMATION ENGINEER

I, MARK R. KULP, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. G-23012. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ Mark R. Kulp
State Reclamation Engineer

Recorded: December 6, 1957.

Permit No. G-23012
Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that DONALD W. FROST of Nampa, County of Canyon, and State of Idaho, the holder of Permit No. G-23012, issued upon Application No. G-30766 bearing date of priority of August 27, 1952, authorizing the diversion of 1.6 second feet of the waters of subterranean flow from a well County of Canyon, State of Idaho, for Irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of 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 1.6 second feet of the waters of subterranean flow from a well that the point of diversion of said waters NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, Township 2 North, Range 3 West, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 140 acres in the S $\frac{1}{2}$ NE $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 34, Township 2 North, Range 3 West, B.M. Proof of Completion of Works made: September 7, 1957.

Witness my hand this 12th day of December, A.D. 1957

/s/ Mark R. Kulp
State Reclamation Engineer

Proof of Completion of Works made: September 7, 1957
Certificate of Completion of Works issued: December 12, 1957.

RECEIVED DEC 14 1957
Page-4236

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. 63-2906 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 8-27-52

5. Water is used for the following purpose:

amount 1.6 CFS 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)

6. Total amount of water under right 1.6 CFS 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	34	2N	3W	Campan	

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	3W	34			40	40										40	20		140

JUN 24 1992

Total acres _____

9. Describe any other water rights used for the same purpose as described above 02-2313

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

N/ADISREGARD PARTS B & C

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

1. amount 1.6 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)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SW	SE	27	2N	3W	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	3W	34			40	40										40	20		140

Total acres 140

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

N/A

1. amount 1.6 for Irrigation purposes from 3/15 to 4/15
 (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

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	3W	34			40	40										40	20		140

Total acres 140

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.



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

1	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	<u>None.</u>			_____ to _____
				_____ to _____

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

No change

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

None.

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.

Desert Sun Farms Inc.
By Charles D Smith
(Signature of Applicant)

Subscribed and sworn to before me this 30 day of January, 19 92.

Lori Harris

(Notary Public)

My commission expires 12-8-94

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 0 attachments

Received by JFW Date 1/30/92 Protest filed by _____

Prelim. check by _____ Fee 50⁰⁰ 62014083

Receipted by JFW Date 1/30/92

Published in Press-Tribune Copies of protest forwarded by _____

Pub. dates 4/1 & 4/8/92 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by DW

Copy of transfer sent to lien holder _____

RECEIVED
JUN 24 1992

CONDITIONS OF APPROVAL
Transfer of Water Right No. 63-02906

1. 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.
2. If construction of the well under this right was not initiated prior to July 1, 1987, commencement of well construction or diversion of water under this right is prohibited unless a drilling permit is obtained from the Department.
3. The well previously used to divert water in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, Twp. 2N, Rge. 3W ~~will~~ ^{shall} be abandoned in a manner approved by the department.

Dated this 17th day of June, 1992.

J. Glen Saylor
Chief, Water Alloc. Bureau

RECEIVED
JUN 24 1992

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

Permit No. G-23012

This proof is for Completion of Works of Beneficial Use In Water District No.

1. Name of applicant: Donald W. Frost
2. Source of water supply: Subterranean flow from a well
3. Location of point of diversion: Is in the NW 1/4 of Section 34
T. 2 N. R. 3 W., Co. Canyon

4. Describe works as they exist, giving dimensions and capacities of same: Well 355' x 12"
 # 74772. 75-hp. Smithway Motor
 350' h = 325' lift = 330'
 Byron Jackson Pump. Concrete floor - good
 well house. 10" tile pipe to west. All irrigation
 by gravity.

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):

W 1/4 of Sec. 34, Twp. 2 N., R. 3 W., Co. Canyon

Risks up and re-uses all of waste water on the north. Also pumps to the relift pump.

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

8. What large stream would the water here appropriated finally reach?
- Remarks:

Crops are hay grain and row crops

By calculation this pump should deliver 84 inches

This examination was made on the 2nd day of October, 1957

(Signed) E. N. Humphrey
Examiner.

Donald W. Frost
Rt. #5, Nampa, Idaho

Permit No. G-23012

Examination for Completion of Works & Beneficial Use

County Canyon

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.

RECEIVED
OCT 2 1957

Department of Reclamation

355' x 12" = 4260'

h = 725'

h = 725'

8 x 10" = 80' x 342'

Southway meter 754

4444 1710 1710 1710

1710 1710 1710

Super Jackson Pump

EM Switch panel in N was

59.96

Completion of work

1710 1710 1710

1710 1710 1710

1710 1710 1710

1710 1710 1710

1710 1710 1710

1710 1710 1710

1710 1710 1710

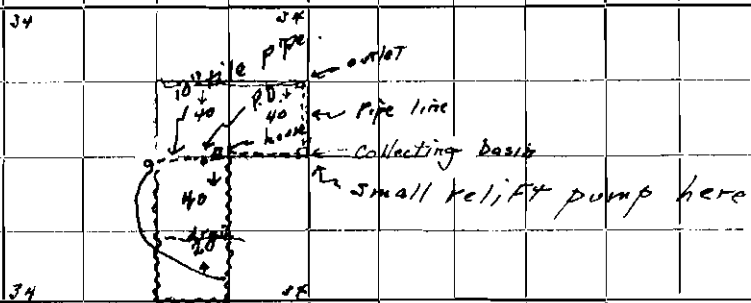
1710 1710 1710

1710 1710 1710

1710 1710 1710

1710 1710 1710

T 2N. R. 3W.



Subdivision - Two	Four
Area - 60 acres.	140 acres.
Q = 60 inches	80 inches
<u>1.2 cfs.</u>	<u>1.6 cfs.</u>

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-23012

REPORT ON PROOF OF Completion of Works - Beneficial Use

Donald W. Frost, Rt. #5, Nampa, Idaho

1.6 cfs
MK

at 1.6 cfs
Sec 4
March 1960