

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: A63-03196D
Date Received: 1/14/1992
Receipt No: X777777
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: JOHN OORD
Address: DBA DOUBLE O DAIRY
2101 W KUNA CAVE RD
KUNA ID 83634 208-922-9808

2. Date of Priority: MAY 4, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	01W	15	NE	SE			ADA

5. Description of diverting works:
WELL, PUMP, & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.700		382.50
STOCKWATER	01/01	12/31	0.380		56.00
COMMERCIAL	01/01	12/31	0.380		79.80

7. Total Quantity Appropriated is:
2.080 C.F.S. (and/or) 518.30 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	01W	15	NE	SE		IRR	10.0
			NE	SE		COMMER	

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	01W	15	NE		SE		STOCK	
			NW		SE		IRR	10.0
			NW		SE		COMMER	
			NW		SE		STOCK	
			SW		SE		IRR	25.0
			SE		SE		IRR	40.0
							Section Acres	85.0
							Total Acres	85.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE

14. Remarks:

SPLIT RIGHT FOR 149 OF THE 275 ACRES IN LICENSE. EACH ACRE IS ENTITLED TO .02 CFS, 4.5 AFA DIV. VOLUME, 3.5 AFA CONSUMPTIVE VOLUME.

PART A CLAIMED BY SHANE BEUS. THE 4 ACRES IN SENE CLAIMED BY MR. MONTIERTH ARE AROUND THE MONTIERTH HOMESITE.

THIS CLAIM IS A SPLIT OF A63-03196B PER TRANSFER 4912 APPROVED 3/21/97. SEE TRANSFER 4912 FOR ADDITIONAL CONDITIONS AND REMARKS.

15. Basis of Claim: LICENSE

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

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

NOV 25 1998
WATER RESOURCES
WESTERN REGION

1. Water Right Number(s) 63-03311 + 63-03196B
Adjudication Claim Number(s) Split to C + D
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 on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) C. Carl F. Eshelman
4. New Owner/Claimant(s) John Sand / dba Double O Dairy
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 2101 W. Kuna Cave Rd
City, State and ZIP Code Kuna ID 83634
New Telephone Number (208) 922-9808
5. Date you acquired the property 11/6/96
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 actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
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/Claimant(s) John Sand Date 11/19/98
Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

DOUBLE O DAIRY

2101 W. Kuna Cave Rd.

Kuna, ID 83634

Tele: (208) 922-9808 Fax: (208) 922-9809

John Oord - Cellular
(208) 867-5624

Brian Oord - Cellular
(208) 850-7537

960632238

THIS FORM FURNISHED COURTESY OF:

ALLIANCE TITLE & ESCROW CORP.

READ & APPROVED BY GRANTEE(S):

{0000}

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

ALLIANCE TITLE

'96 NOV 6 PM 2 25

FEE 6.00 DER B. B. B. B.
RECORDED AT THE REQUEST OF

SPACE ABOVE THIS LINE FOR RECORDING DATA

Order No.: 96063100X (0000-1000)

WARRANTY DEED

FOR VALUE RECEIVED H.R. MONTIERTH, also known as HERBERT R. MONTIERTH and CAROLYN MONTIERTH, husband and wife and HERBERT R. MONTIERTH as the Personal Representative of the Estate of Golda Darlene Montierth, Deceased

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto DOUBLE O DAIRY, a Washington general partnership

GRANTEE(S), whose current address is: 2371 STOVER ROAD, GRANDVIEW, WA 98930

the following described real property in ADA County, State of Idaho, more particularly described as follows, to wit:

The Northwest Quarter and the South Half of Section 15, Township 1 North, Range 1 West, Boise Meridian, Ada County, Idaho

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: October 30, 1996

The Estate of Golda Darlene Montierth, Deceased

By: Herbert R. Montierth
Herbert R. Montierth, Personal Representative

Herbert R. Montierth
Herbert R. Montierth

Carolyn Montierth
Carolyn Montierth

STATE OF IDAHO, County of Ada, ss.

On this 6th day of November in the year of 1996,
before me, the undersigned, a Notary Public in and for said
State, personally appeared Herbert R. Montierth known or
identified to me to be the person whose name is subscribed to
the within instrument, as the Personal Representative of the
Estate of Golda Darlene Montierth and acknowledged to me that he
executed the same as such Personal Representative of the Estate
of Golda Darlene Montierth.

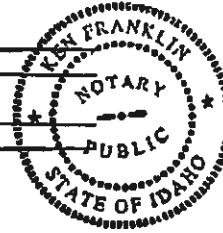
Signature: [Signature]

Name: _____

(Type or Print)

Residing At: Boise

My Commission expires: 10-5-98



STATE OF IDAHO, County of Ada, ss.

On this 6th day of November in the year of 1996,
before me, the undersigned, a Notary Public in and for said
State, personally appeared Herbert R. Montierth and Carolyn
Montierth known or identified to me to be the persons whose
names are subscribed to the within instrument, and acknowledged
to me that they executed the same.

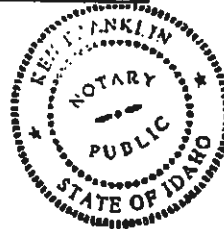
Signature: [Signature]

Name: _____

(Type or Print)

Residing At: Boise

My Commission expires: 10-5-98



ALLIANCE TITLE & ESCROW CORP.

250 SO. 5TH STREET SUITE 100

BOISE, ID 83702

FACSIMILE TRANSMITTAL SHEET

TO:	DENISE BUFFINGTON	FROM:	Ken Franklin, Sr. Commercial Escrow Officer Direct line 208.947.9113 Fax - 208.947.9199 Toll Free - 1.888.311.2194 E-MAIL: kenf@mail.alliancetitle.com
COMPANY:	DEPARTMENT OF WATER RESOURCES	DATE:	10/19/99
FAX NUMBER:	334.2348	TOTAL NO. OF PAGES INCLUDING COVER:	3
PHONE NUMBER:		SENDER'S REFERENCE NUMBER:	
RE:	DOUBLE O DAIRY JOHN OORD	YOUR REFERENCE NUMBER:	

☐ URGENT ☒ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

PER OUR CONVERSATION I AM ENCLOSING A COPY OF THE RECORDED WARRANTY DEED FROM MONTIERTH TO DOUBLE O DAIRY. PLEASE ASSIST MR. OORD IN TRANSFERRING WATER RIGHTS.

CC: JOHN OORD
922.9809

11/19/98

to whom it may concern:

RECEIVED

NOV 20 1998

Water Resources

I filled out the form you requested. I thought this was all taken care of when I received water right # 63-03196. I am confused on this water right 63-03196_B + 63-03196_A. I will send copies of some paperwork I have. Please call me or write to me so that I know that everything is ok + in the agency's name.

Thank-you

Jorn Cord / Double O Dairy

RECEIVED

NOV 25 1998

WATER RESOURCES
WESTERN REGION

NOV-06-96 11:16 AM DOUBLE O DAIRY

509 637 2006

P.01

NOV-06-1996 11:58 FROM STEWART TITLE-WH/ST.OFF TO

91506372006140 P.02

BUYER (S) FINAL CLOSING STATEMENT

Prepared by
Alliance Title & Escrow Corp.
1412 West Idaho Street
Boise, Idaho 83702-5245
(208) 336-6815

Buyer(s)..... DOUBLE O DAIRY
Seller(s)..... PIONEER 1031 COMPANY
Lender.....
Property..... NM4 & S2 SEC 15 T1N, R1W KUNA, ID
Closing date..... 11/06/1996
File Number..... 96063100
Expiration date: 11/06/1996

	DEBIT	CREDIT
SALES PRICE.....	850,000.00	
DEPOSITS:		
Earnest Money/Deposit from Buyer.....		15,000.00
REMITTER: DOUBLE O DAIRY		
ESCROW CHARGES:		
Escrow Fee - 1/2.....	375.00	
PAYEE..... ALLIANCE TITLE & ESCROW CORP.		
TITLE CHARGES:		
Lender's Title Policy.....	3,665.50	
Liability amount (MTP) \$1,950,000.00		
PAYEE..... ALLIANCE TITLE & ESCROW CORP.		
Endorsement to Mortgage Policy -	135.00	
100, 116 & 100 MOD		
PAYEE..... ALLIANCE TITLE & ESCROW CORP.		
RECORDING FEES/TRANSFER CHARGES:		
Recording Fee Deed amount \$5.00 D/T amount \$66.00	72.00	
PAYEE..... ALLIANCE TITLE & ESCROW CORP.		
.....SUBTOTALS:	854,238.50	15,000.00
.....BALANCE DUE FROM BUYER:		839,238.50
.....TOTALS:	854,238.50	854,238.50

WE APPROVE THE FOREGOING SETTLEMENT STATEMENT, IN ITS ENTIRETY, AUTHORIZE
PAYMENTS IN ACCORDANCE THEREWITH AND ACKNOWLEDGE RECEIPT OF A COPY THEREOF.

DATED THIS 6th DAY OF November IN THE YEAR 1996

DOUBLE O DAIRY

By: [Signature] By: _____

ALLIANCE TITLE & ESCROW CORP.

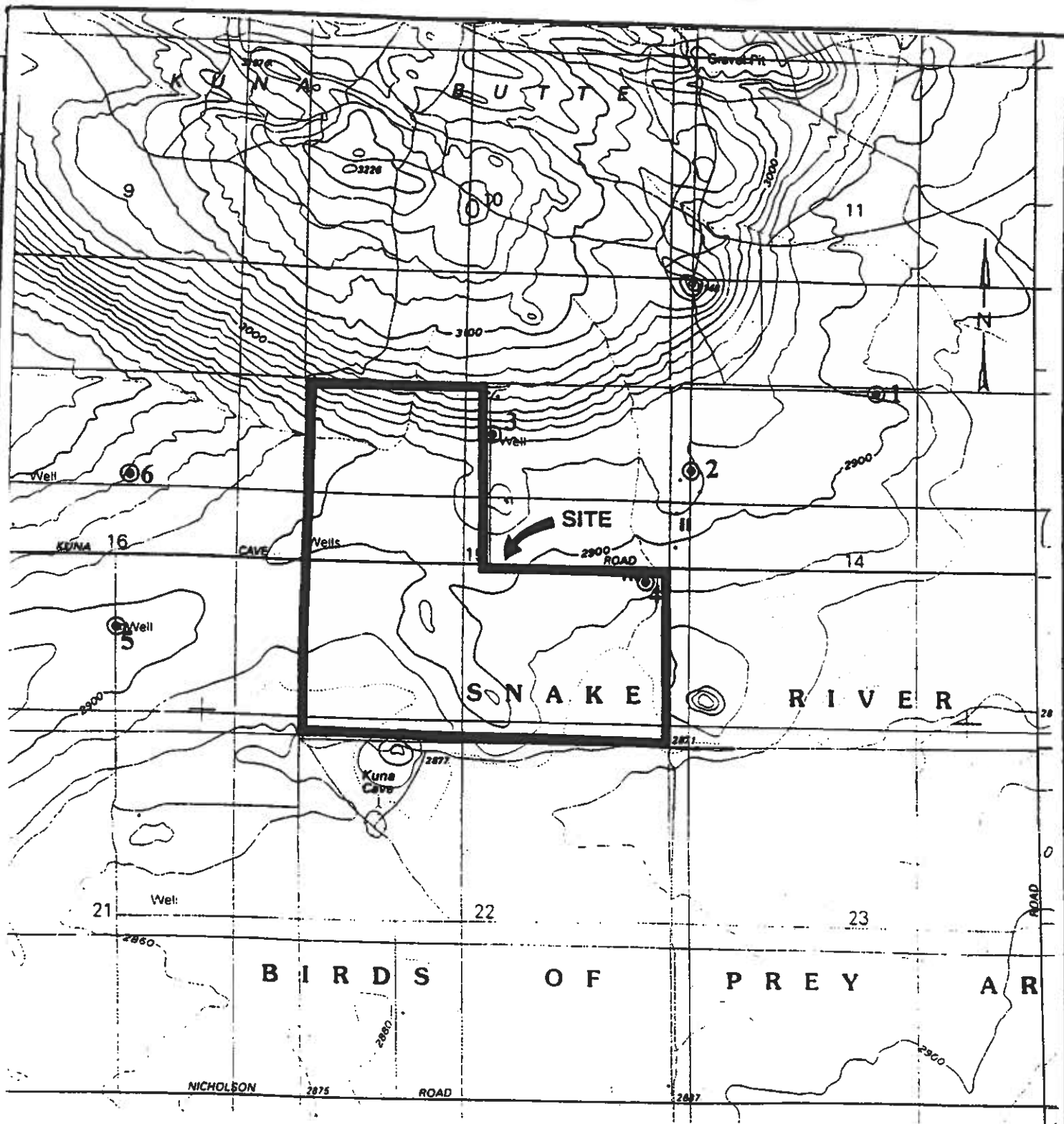
By: [Signature] DATE: 11/6/96

**EXHIBIT A
TO
MORTGAGE**

Legal Description

The Land is located in Ada County, Idaho, and is legally described as follows:

**The Northwest quarter and the South half of Section 15, Township 1 North, Range 1
West, Boise Meridian, Ada County, Idaho**



EXPLANATION

- Site Boundary
- ⊙ 5 Water Supply Wells

Scale: 1 inch = 2,000 feet



Map adapted from USGS 7.5 Minute
Topographic Map, Kuna, Idaho, 1992.

FIGURE 1 - Site Location Map

PROJECT NUMBER: 6580006.204

DATE: 10/96

DWG. NO: CG

PROJECT MANAGER: TPR

REVISED

PHASE I ESA

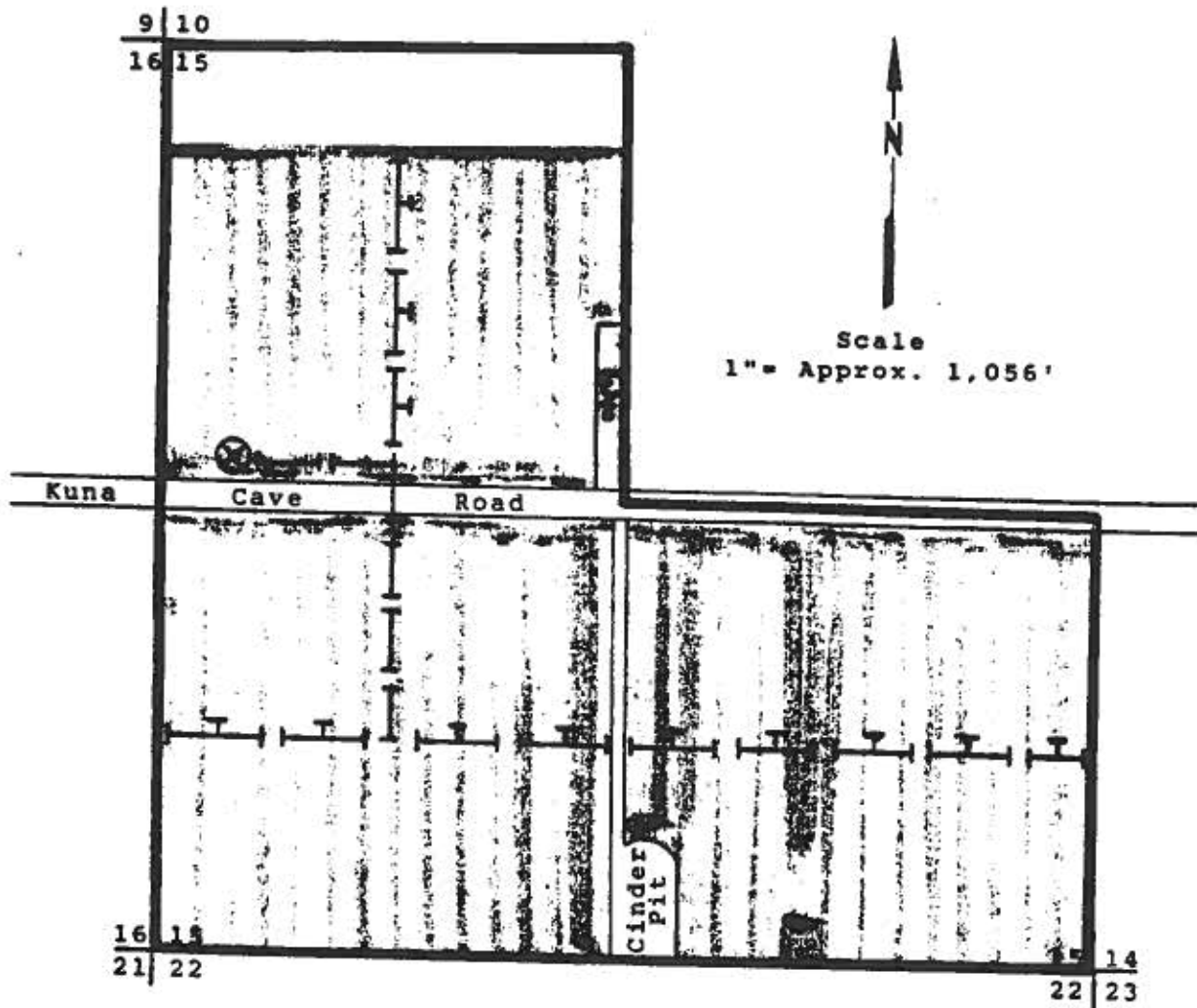
HERB MONTIERTH PROPERTY

T1N, R1W, S ½ Sec. 15, NW ¼ Sec. 15



CASCADE EARTH SCIENCES, LTD
Oregon - Washington - Idaho

SUBJECT PROPERTY PLAT



Legend

-  Irrigation Well
-  Buried Mainline
-  Buried Mainline w/risers
-  Wheel Line Irrigated Land
-  Dry Land

Split Tree: 63-03196 & A63-03196B

①

63-03196 ✓

QR: 5.5 cfs

POB: TOIN, ROIW, SIS, NESE

POU: TOIN, ROIW, SIS, NENE - 35ac NWNE - 15ac

SWNE - 40 SENE - 40

NESE - 40 NWSE - 40

SWSE - 25 SESE - 40

Total = 275ac

A63-03196A ✓ N/O Share Bore.

QR: 2.60 cfs

POB: TOIN, ROIW, SIS, NESE

POU: TOIN, ROIW, SIS, NENE - 35ac NWNE - 15ac

SWNE - 40ac SENE - 40ac

Total = 130ac

A63-03196B ✓ N/O Share Bore

* QR: 2.98 cfs

POB: TOIN, ROIW, SIS, NESE

POU: TOIN, ROIW, SIS, NESE - 40ac NWSE - 40ac

SWSE - 25ac SESE - 40ac

* SENE - 40ac

Total = 149ac

* overclaimed by 4 acres and .08 cfs.

✓ A63-03196C N/O Monticelli

DR: .08 cfs

~~total 1.70 cfs~~

POD: TOIN, ROW, S15, NESE

POU: TOIN, ROW, S15, SENE - 4 ac

* A63-03196D N/O John Oord dba Double D Dairy

DR: Irrigation = 1.70 cfs

AV: 382.5 AF

Stockwater = .38 cfs

56 AF

Commercial = .38 cfs

79.8 AF

Totals = 2.08 cfs

518.3 AF

POD: TOIN, ROW, S15, SWNW

S15, NWSE

POU: Irrigation - TOIN, ROW, S15, NESE-10 NWSE-1

SWSE-25 SESE-4

Commercial - TOIN, ROW, S15, NESE, NWSE

Stockwater - TOIN, ROW, S15 NESE, NWSE

* GEN. RMK: This is a split of A63-03196B for Transfer 4912 approved 3-21-97. See Transfer 4912 for additional conditions and remarks.

WESTERN 4/27/60

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4912
WATER RIGHT NO. 63-03196B

This is to certify that: **JOHN OORD**
2371 STOVER RD
GRANDVIEW WA 98930

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	1.70 CFS	382.5 AF
STOCKWATER	01/01 to 12/31	0.38 CFS	56.0 AF
COMMERCIAL	01/01 to 12/31	0.38 CFS	79.8 AF
	Totals	* 2.08 CFS	* 518.3 AF

SOURCE

GROUNDWATER

Priority: 05/04/1960

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 15, Township 01N, Range 01W
NWSE , Sec. 15, Township 01N, Range 01W
ADA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	01W	15	NESE 10	NWSE 10	SWSE 25	85
			SESE 40			85
Total number of acres irrigated:						85

PLACE OF USE: STOCKWATER

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>
01N	01W	15
		NESE
		NWSE

PLACE OF USE: COMMERCIAL, same as STOCKWATER use

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
2. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.

TRANSFER NO. 4912
WATER RIGHT NO. 63-03196BCONDITIONS OF APPROVAL AND REMARKS

3. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. 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.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- * 8. The total instantaneous diversion of water from all points of diversion under Transfer No. 4912 shall not exceed 2.08 cfs, nor total combined annual volume of 518.3 af.
9. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
10. The remainder of Right No. 63-03196 is identified as 63-03196A and is limited to a diversion rate of 2.60 cfs, an annual diversion volume of 585.0 af, and irrigation of 130.0 acres each year.
11. Prior to use of water for irrigation purposes under Right No. 63-03196A, the right holder shall install a measuring device to measure the amount of water diverted and shall annually report the diversion to the department. The right holder shall obtain prior approval from the department of the type of measuring device to install.
12. Commercial use is for a dairy.

Dated this 21st day of March, 1997.


Chief, Water Alloc. Bureau

MEMORANDUM

TO: FILE NO. 63-03196
 FROM: PAM SKAGGS²³/STATE OFFICE
 SUBJECT: TRANSFER NO. 4912
 DATE: March 12, 1997

Transfer No. 4912 adds and changes the points of diversion, changes the place, nature and season of use under a portion of Right No. 63-03196, splitting the right into parts A and B. The applicant has purchased the SE, S15, T01N, R01W and plans to develop a dairy on a portion of the irrigated land (60 acres; 30 acres in both the NESE & NWSE, S15).

The applicant provided specific needs of the proposed dairy and this information was used to evaluate the extent of beneficial and consumptive use of water under his portion of the right. Region staff modified the diversion rate & volume identified on the front page of the application with a transposition error in the volume figures related to the dairy uses that does not affect the total diversion volume.

The net result of the transfer is a reduction of irrigated acres, diversion rate, diversion and consumptive use volumes. The applicant has identified 60 acres needed to construct the dairy and stock area, which is more than sufficient to provide for all the dairy uses.

Change in Nature of Use Evaluation

				Div.Vol./C.U.Vol.
63-03196:	5.50 cfs IRR	275.0 acres		1237.5 af/962.5 af
63-03196A:	2.60 " IRR	130.0 "		585.0 af/455.0 af
63-03196B:	1.70 " IRR	85.0 "		382.5 af/297.5 af
	0.38 " STOCK	(12.4 ")		56.0 af/ 10.0 af
	0.38 " COMMER	(17.7 ")		79.8 af/ 31.5 af
	2.08 cfs	85.0 acres		518.3 af/339.0 af
Totals After:	4.68 cfs	215.0 acres		1103.3 af/794.0 af

Season of use for commercial and stockwater were adjusted to year round use. Recommended conditions include irrigation overlap, multiple points of diversion/measuring devices, future annual reporting, water quality, limits of remaining irrigation (Part A) and standard transfer conditions.

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: A63-03196B
Date Received: ~~1/8/1992~~ 1/13/99
Receipt No: 2014008
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: H.R. MONTIERTH
Address: 2409 W KUNA CAVE ROAD 208-922-4237
KUNA ID 83634

2. Date of Priority: MAY 4, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	01W	15	NE	SE			ADA

5. Description of diverting works:
WELL, PUMP, & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.900		

7. Total Quantity Appropriated is:
2.980 C.F.S. (and/or) 670.50 A.F.A.

8. Total consumptive use is 521.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	01W	15	SE	NE		IRR	4.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	25.0

A63-03196B

Page 1

Date: 01/08/92

MICROFILMED

AUG 18 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	01W	15	SE	SE		IRR	40.0

Section Acres 149.0

Total Acres	149.0
-------------	-------

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE

14. Remarks:

SPLIT RIGHT FOR 149 OF THE 275 ACRES IN LICENSE. EACH ACRE IS ENTITLED TO .02 CFS, 4.5 AFA DIV. VOLUME, 3.5 AFA CONSUMPTIVE VOLUME.

PART A CLAIMED BY SHANE BEUS. THE 4 ACRES IN SENE CLAIMED BY MR. MONTIERTH ARE AROUND THE HOMESITE. S.L. 1/8/92.

15. Basis of Claim: LICENSE

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

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): FR Monticelli Date: 1-13-92

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 13 day
of January 19 92

Lori Harris
Notary Public

Seal

Residing at LORE HARRIS
My Commission Expires DEC. 8, 1994

Draft

05/31/2005

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

RIGHT NUMBER: 63-3196D

NAME AND ADDRESS: JOHN OORD
DBA DOUBLE O DAIRY
2101 W KUNA CAVE RD
KUNA ID 83634

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.080 CFS
518.300 AFY

PRIORITY DATE: 05/04/1960

POINT OF DIVERSION:

T01N R01W S15 NESE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.380 CFS 56.00 AFY
IRRIGATION	03/15 11/15	1.700 CFS 382.50 AFY
COMMERCIAL	01/01 12/31	0.380 CFS 79.80 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:

STOCKWATER Within ADA County

T01N R01W S15	NESE	T01N R01W S15	NESE
T01N R01W S15	NWSE		

IRRIGATION Within ADA County

T01N R01W S15	NESE	10.0	T01N R01W S15	NWSE	10.0
T01N R01W S15	SWSE	25.0	T01N R01W S15	SESE	40.0

COMMERCIAL Within ADA County

T01N R01W S15	NESE	T01N R01W S15	NWSE
---------------	------	---------------	------

85 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: License

Water Right 63-3196D



Idaho Department of Water Resources

SRBA Recommendation:

63-3196D

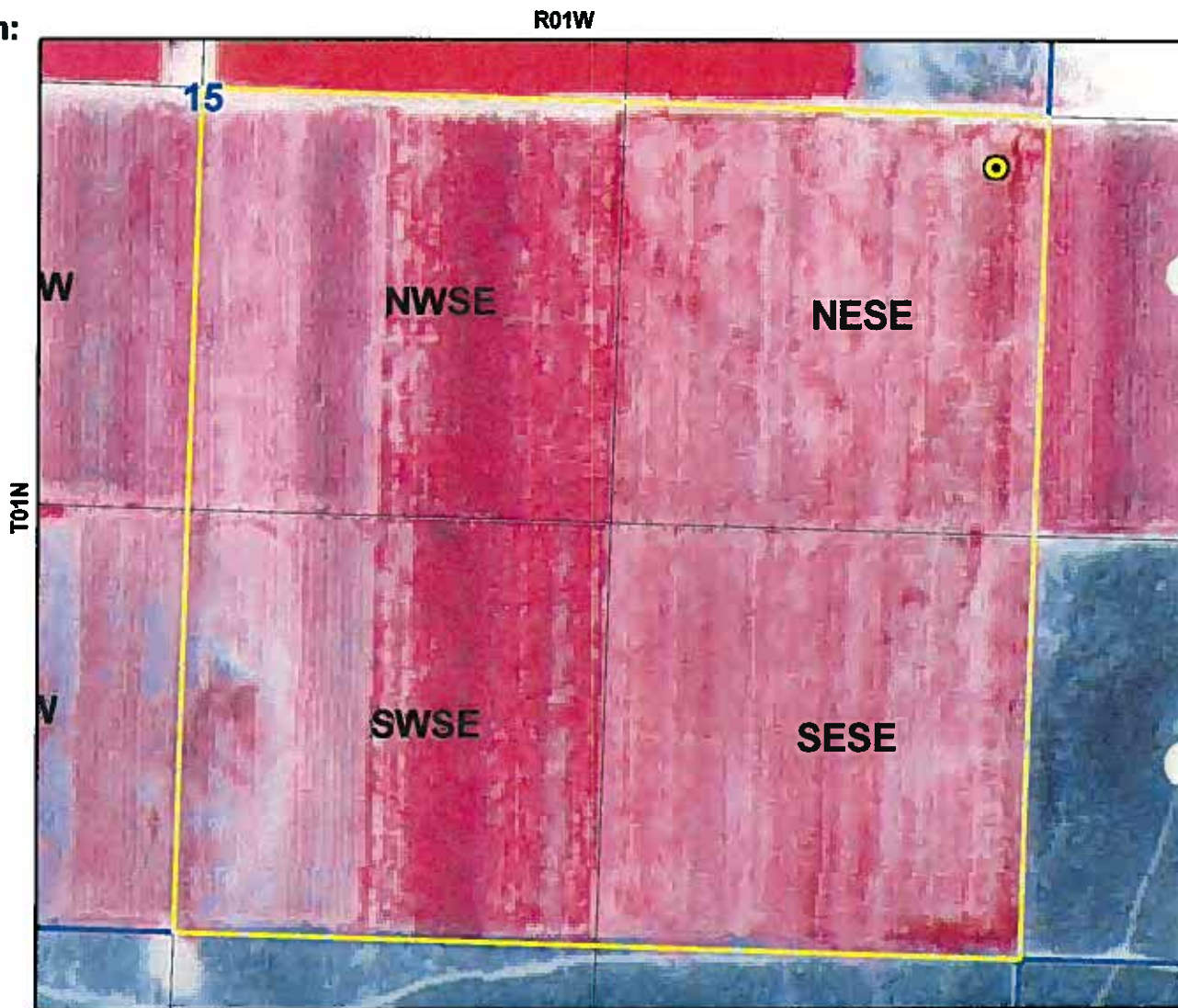
(Irrigation)

Legend

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



Ada County
IDWR Basin 63



0 0.2 0.4 Miles



Prepared by S. Egbert
On Thursday, September 14, 2006
1987/88 Aerial Photography

AJ5809NP
No. A63-03196D

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/13/00
PAGE: 55

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN OORD DBA DOUBLE O DAIRY 2101 W KUNA CAVE RD KUNA ID 83634 (208) 922-9808	05/04/1960	IRRIGATION STOCKWATER COMMERCIAL	03-15 11-15 01-01 12-31 01-01 12-31	1.700 CFS 0.380 CFS 0.380 CFS	382.50 AFA 56.00 AFA 79.80 AFA
TOTAL DIVERSION:					2.080 CFS	518.30 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T01N R01W S15

NESE

ADA 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	
01N	01W	15	:															10	10	25	40	85.0
																				TOTAL ACRES	85.0	

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
01N	01W	15	:															S	S	:	

Place of use Legal Description for: COMMERCIAL

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
01N	01W	15	:															C	C	:	

POU County: ADA

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A63-03196A A63-03196C A63-03601A A63-03601B R63-03196A R63-03601A R63-03601B

Other Water Rights Listing Overlapping Place(s) of Use:
A63-03196 A63-03196B

Remarks: GEN SPLIT RIGHT FOR 149 OF THE 275 ACRES IN LICENSE. EACH ACRE IS ENTITLED TO .02 CFS, 4.5 AFA DIV. VOLUME, 3.5 AFA CONSUMPTIVE VOLUME.
PART A CLAIMED BY SHANE BEUS. THE 4 ACRES IN SENE CLAIMED BY MR. MONTIERH ARE AROUND THE MONTIERH HOMESITE.
THIS CLAIM IS A SPLIT OF A63-03196B PER TRANSFER 4912 APPROVED

AJ5809NP
No. A63-03196D

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/13/00
PAGE: 56

=====

Remarks: 3/21/97. SEE TRANSFER 4912 FOR ADDITIONAL CONDITIONS AND REMARKS.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

Audit: 10/22/99 DBUFFING 10/27/99 DBUFFING

State of Idaho

License and Certificate of Water Right

Water License No. G-28679 Priority May 4, 1960 Amount 5.5 c.f.s.THIS IS TO CERTIFY that CHARLES H. ESHELMAN

of Nampa, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated May 4, 1960; that Permit No. G-28679 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 5.5 second feet, was issued thereunder on June 29, 1966, showing that said works were completed on the 22nd day of April, 1966; and that on the 22nd day of April, 1966

CHARLES H. ESHELMAN

of Kuna, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well

a tributary of subterranean flow for the purpose of irrigation, under Use Permit No. G-28679 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 13 of Licenses, at Page 8519, on the 29th day of June, 1966.

The right hereby confirmed dates from May 4, 1960.

The Point of Diversion is located

in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, Twp. 1 N, R. 1 W, B.M. Ada County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 5.5 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 N	1 W	15	NE¼ NE¼	40	35 -
			NW¼ NE¼	40	15 -
			S½ NE¼	80	80 -
			N½ SE¼	80	80
			SW¼ SE¼	40	25
			SE¼ SE¼	40	40
Total number of acres to be irrigated					275

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 29th day of June, 1966.

R. Keith Higgins
Deputy State Reclamation Engineer.

63 3196

28679



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 13, 2002

JOHN OORD
2101 W KUNA CAVE RD
KUNA ID 83634

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 63-3311 & 63-3196D

Dear Property Owner(s):

Thank you for advising the Department of the upcoming changes regarding the above referenced water right claims. Enclosed are copies of the claims for your review.

As we discussed over the phone, before we can modify our records to reflect correct ownership of these water right, we need to have the enclosed Notice of Change of Water Right Ownership form completed. Please relay this information to the new owner(s) and have them review the instructions, complete the form and return to this office with all of the required information.

If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

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

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB: db

Enclosures



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

October 25, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JOHN OORD
DBA DOUBLE O DAIRY
2101 W KUNA CAVE RD
KUNA ID 83634

Re: Original Notice of Claim to a Water Right No. A63-03196B

Renumbered to Notice of Claim to a Water Right No. A63-03196D

Dear Claimants:

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

When a portion of the original water right claim has been conveyed to another and the original right has been split, then the original claim number is renumbered by adding alpha suffixes to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new claim number reflects your remaining portion of the original claim after the change of ownership. Enclosed is a copy of this new claim for your records. Please refer to your new claim number when corresponding with our office.

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

Sincerely,

Adjudication Section
Western Region Office

DB:d

Enclosure