

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

AMENDED

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

AMENDED

1. Name: MARK S TRACY 208-467-3006
Address: 6627 BENNETT RD
NAMPA ID 83686

2. Date of Priority: APR 13, 1967

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
WELL, PUMP & PIPELINE TO DITCHES &/OR SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.800		388.80

7. Total Quantity Appropriated is:
0.800 C.F.S. (and/or) 388.80 A.F.A.

8. Total consumptive use is 339.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	03W	10	SW	NW		IRR	37.0
			SE	NW		IRI	40.0
			NE	SW		IRP	10.0
			NW	SW		IRK	10.0

10. Place of Use: Continued

Section Acres 97.0

Total Acres 97.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP AND TRANSFER OF
A PORTION OF CLAIM NO. A63-03597A, FEE PAID UNDER RECEIPT NO.
N003518. KW 2/23/1993

CLAIM AMENDED PER TRANSFER NO. 4168 APPROVED 9/2/1993.

SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE
COPY OF APPROVED TRANSFER NO. 4168 IN FILE. KW 8/1/95

15. Basis of Claim: LICENSE

Water Right Number: 33559

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4168
WATER RIGHT NO. 63-03597B

✓ Carter
✓ Roxanne
nn Western AJ

This is to certify that: **MARK S TRACY**
6627 BENNETT RD
NAMPA ID 83686

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.80 CFS	388.8 AF

SOURCE

GROUNDWATER

Priority: 04/13/1967

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 10, Township 02N, Range 03W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N 03W 10	SWNW 37	SENW 40	NESW 10	
	NWSW 10			97
				Total number of acres irrigated: 97

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
3. 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.
4. 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.

TRANSFER NO. 4168
WATER RIGHT NO. 63-03597B

CONDITIONS/REMARKS:

Dated this 2nd day of September, 1993

L. Glen Saylor
Chief, Water Alloc. Bureau

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: **A63-03597B**
Date Received: 12/28/1989
Receipt No: X777777
Received By: DE-Kw

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

1. Name: MARK S TRACY 208-467-3006
Address: 6627 BENNETT RD
Nampa ID 83686

Name: SUSAN TRACY 208-467-3006
Address: 6627 BENNETT RD
Nampa ID 83686

2. Date of Priority: APR 13, 1967

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
WELL, PUMP & PIPELINE TO DITCHES &/OR SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.800		386.10

7. Total Quantity Appropriated is:
0.800 C.F.S. (and/or) 386.10 A.F.A.

8. Total consumptive use is 339.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	03W	10	SW	NW		IRR	37.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	03W	10	SE	NW		IRR	40.0
			NE	SW		IRR	10.0
			NW	SW		IRR	10.0
						Section Acres	97.0
						Total Acres	97.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP AND TRANSFER OF
A PORTION OF CLAIM NO. A63-03597A, FEE PAID UNDER RECEIPT NO.
N003518. KW 2/23/1993

15. Basis of Claim: LICENSE

Water Right Number: 33559

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 3-15-92

LEGAL DESCRIPTION OF PROPERTY: Township 2N Range 3W
Section 10, 1/4 of 1/4 of 1/4, Govt. Lot _____, BM. → SWNW
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

SE NW
N 1/2 N 1/2 SW 1/4

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

☒ Water Right Number(s)
Assigned by IDWR: A63-03597A

☐ Name and Address of Former Owner/Claimant(s)(Seller): H R Montierth, et al
1528 Addison Ave East
Twin Falls, ID 83301

☐ New Owner/Claimant (Purchaser): Mark S. &/or Susan Tracy

☐ New Mailing Address: 6627 Bennett Rd.
Nampa, ID 83686

☐ New Telephone Number: () 467-3006

☐ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
97 ac. in S 1/2 NW 1/4, N 1/2 N 1/2 SW 1/4,
Sec. 10, T2N, R3W

☒ Attach proof of ownership, describe proof attached: Real Estate Agreement

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

☒ Signature of New Owner/Claimant(s) [Signature] Date 4-16-92

☐ Signature of Former Owner/Claimant(s): _____ Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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

152 5885
SALE AGREEMENT PIV 20373

(With Earnest Money Provision)
THIS CONTRACT CONTROLS THE TERMS OF SALE OF THE PROPERTY.
READ CAREFULLY BEFORE SIGNING: IF ANY QUESTION, CONSULT YOUR ATTORNEY.
(REVISED)

MARCH TRACY and SUSAN TRACY, husband and wife Nampa Idaho February 7, 1992 19

(hereinafter called "Buyer") agrees to purchase, and the undersigned Seller agrees to sell the following described real estate hereinafter referred to as "premises" located in the City of _____ County of Canyon

State of Idaho, commonly known as VICTOR MEYERS MONTERITH FARM
legally described as: 100 acres (SEE LEGAL WHICH IS HEREBY ATTACHED, AND MADE A PART HEREOF)
SUBJECT to a 30 foot easement across the East Boundary thereof, and all minerals which the
Sellers have shall be given to the buyers.

(A FULL AND COMPLETE LEGAL DESCRIPTION MUST BE INSERTED, ATTACHED OR WRITTEN ON THE REVERSE HEREOF PRIOR TO EXECUTION BY SELLER. Buyer hereby authorizes broker to insert over his signature the correct legal description of the premises if unavailable at time of signing, or to correct the legal description previously entered if erroneous or incomplete.)

1. TOTAL PURCHASE PRICE IS One hundred ten thousand five hundred and No/100 DOLLARS
(\$ 110,500.00) payable as follows:

A. Earnest Money.

a. Buyer deposits and receipt is acknowledged of Five thousand Dollars (\$ 5,000.00) Dollars
evidenced by ☐ Cash, ☒ Personal Check, ☐ Cashiers Check, ☐ Note due, paid or delivered as earnest money in part payment of the purchase price for the premises.

b. Buyer further agrees on or before _____ day of _____, 19____, to pay or deliver as additional earnest money in part
payment of the purchase price for the premises _____ Dollars
(\$ _____) evidenced by ☐ Cash, ☐ Personal Check, ☐ Note due, or _____

c. All Earnest Money and this agreement shall be held by Ace Realty (from agreement 1/21/92) for the benefit of the parties hereto.

B. Balance of purchase price to be paid as follows:
The ADDITIONAL sum of \$25,000.00 to be paid on closing. All remaining balance to be paid
as follows: \$769.31 on April 1, 1992, and a like sum on the 1st day of each and every
month thereafter until the entire unpaid principal balance, together with interest of 8%
per annum has been paid in full. Payments to apply first to accrued interest and the
balance to principal. The Buyer shall have the privilege of making accelerated payments
without penalty.

AT THE TIME OF SIGNING THIS AGREEMENT, THE AGENT WORKING WITH THE BUYER REPRESENTED _____ SELLER
AND THE AGENT WORKING WITH THE SELLER REPRESENTED _____ BUYER. EACH CONFIRMS THAT PRIOR TO THE
DISCLOSURE OF THIS AGREEMENT TO THE OTHER PARTY TO THIS TRANSACTION, EACH PARTY HAS READ AND UNDERSTANDS THE CONTENTS
OF THE AGENCY DISCLOSURE BROCHURE PREVIOUSLY RECEIVED. THE SELLER WILL PAY THE REAL ESTATE SALES COMMISSION.

2. Buyer's offer is made subject to the acceptance of Seller on or before twelve o'clock midnight of February 10, 1992
If Seller does not accept this agreement within the time specified, the earnest money shall be refunded to Buyer on demand.

3. Title of Seller is to be conveyed by Warranty deed, unless otherwise provided, and is to be marketable and insurable except for rights reserved in federal patents, state or Alland
deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit, and rights of way and easements established or of record. Liens,
encumbrances or defects to be discharged by Seller may be paid out of purchase money at date of closing. Any liens, encumbrances or defects which are to be discharged or
assumed by Buyer or to which title is taken subject to (not otherwise set forth above) are: A mortgage payable to Farm Credit Services
and 1992 property taxes.

4. The parties designate _____ Title Company to provide the necessary title insurance and commitment for title insurance required by this agreement.

5. It is hereby agreed that the "closing agent" for the transaction represented by this agreement shall be the title company
Where not otherwise provided in this agreement or by law, the parties shall each pay one-half of said closing agent's fee.

6. Within 30 days after acceptance by seller, or upon removal of any liens, encumbrances or defects to title by Seller, as provided herein, whichever is
later, Buyer and Seller shall deposit with the "closing agent" all funds and instruments to complete the sale in accordance with terms and conditions hereof. Upon receipt of the
items specified in the preceding sentence the closing agent shall close this transaction.

7. All attached floor coverings, attached television antenna, attached plumbing, bathroom and lighting fixtures, window screens, screen doors, storm windows, storm doors,
shades, venetian blinds, curtain rods, trees, plants, shrubbery, water heating apparatus and fixtures, attached fireplace equipment, awnings, ventilating, cooling and heating
systems including built in and "drop in" ranges, (but excluding all other ranges) fuel tanks and irrigation fixtures and equipment, all water and water rights, and ditches and ditch
rights appurtenant thereto that are now on or used in connection with the premises shall be included in the sale unless otherwise provided herein.

The following items of property now on the premises are specifically excluded from the sale: the irrigation well, and pipe line,
and all government grain base, and the pump house on the said property.

The following items of personal property are specifically included in the sale: Buyer shall receive a proportionate share of
filed water rights, according to the net acreage being purchased and the total holdings
of rights of the seller for the entire farm owned by the seller as of 2/7/92

8. Taxes and water assessments (using the last available assessment as a basis), liens, insurance premiums, interest and reserves on loans, encumbrances or obligations
assumed and utilities shall be pro-rated as of the 1st day of March, 1992 or on the date of closing, whichever
shall last occur. Buyer shall pay for fuel in tank, the amount to be determined by the supplier at Seller's expense.

9. Seller shall deliver possession of the premises to Buyer on or before the 1st day of March, 1992 or on
the date of closing, whichever shall last occur.

10. The parties agree that this agreement contains the following additional terms and conditions: Sellers agree to subordinate a five acre
parcel to allow the Buyer to obtain a loan to build a house on the said parcel.

11. The provisions contained on the reverse side of this page shall also constitute part of the agreement of the parties. Each of the parties acknowledges reading this agreement in
full.

Listing Broker: Ace Realty Nolan Victor (Twin Falls) 1/22/92 By _____
Selling Broker: Ace Realty

Buyer: _____ Buyer's Address 6627 Bennett Rd.

Buyer: _____ Buyer's Phone 467-3006

On this date, _____ I We hereby approve and accept the sale set forth in the above agreement and
agree to carry out all the terms thereof on the part of the Seller and the undersigned further agrees to pay a commission of 6% % of selling price or,
DOLLARS (\$ _____)

to the above broker for services. In the event earnest money is forfeited, it shall be apportioned to the Seller and Brokers equally after payment of costs set out in the above
agreement provided the amount to brokers does not exceed the agreed commission. I We further acknowledge receipt of a true copy of this agreement with the complete legal
description of the premises inserted and signed by both parties.

Seller: Nolan Victor AA monterith Seller's Address _____
Seller: Robert J. Meyers Seller's Business Ph _____ Seller's Residence Ph _____

A true copy of the foregoing agreement, signed by the Seller and containing the full and complete legal description of the premises, is hereby received on this

day of _____, 19____, before me, the undersigned, a Notary Public in and for said State, personally appeared
STATE OF IDAHO
County of _____
On this _____ day of _____, 19____, _____ Buyer

EXHIBIT "A"

A tract of land situate in the South One-Half of the Northwest Quarter, and the Northerly 320.00 feet of the Southwest Quarter of Section 10, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

Commencing at the Section corner common to Sections 9, 10, 15 and 16, Township 2 North, Range 3 West, Boise Meridian, marked by a found PK Nail and Washer; thence

North $00^{\circ} 25' 45''$ East along the West line of the Southwest Quarter of Section 10, a distance of 2655.59 feet to a set PK Nail, THE REAL POINT OF BEGINNING; thence continuing

North $00^{\circ} 25' 45''$ East along the West line of the Southwest Quarter, a distance of 320.00 feet to the Southwest corner of the South One-Half of the Northwest Quarter, marked by a found Aluminum Cap Monument L.S. 3627; thence

North $00^{\circ} 26' 00''$ East along the West line of Northwest Quarter of Section 10, a distance of 1327.77 feet to the Northwest corner of the South 1/2 of the Northwest Quarter, marked by a found 5/8" iron pin; thence

South $89^{\circ} 59' 19''$ East along the North line of the South 1/2 of the Northwest Quarter, a distance of 2642.56 feet to the Northeast corner of the South 1/2 of the Northwest Quarter, marked by a set 5/8" iron pin L.S. 4108; thence

South $00^{\circ} 23' 27''$ West along the East line of the South 1/2 of the Northwest Quarter, a distance of 1328.11 feet to the Southeast corner of the South 1/2 of the Northwest Quarter, marked by a set 5/8" Iron Pin L.S. 4108; thence continuing

South $00^{\circ} 23' 27''$ West along the East line of Southwest Quarter, a distance of 320.01 feet to a set 1/2" Iron Pin L.S. 4108; thence

North $89^{\circ} 58' 52''$ West parallel with the North line of the Southwest Quarter, a distance of 2643.76 feet to the POINT OF BEGINNING.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3939

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

APPROVED

Name of applicant Mark S. &/or Susan Tracy Phone 467-3006
Post Office address 6627 Bennett Rd., 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 Purchased property with water rights but no access to wells or pipeline. Need to establish second P/D w/in SENW Sec 10. See remarks.

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

1. Right Number 63-03597B Priority 4-13-1967 Amount (cfs/ac-ft) 0.80 Nature of Use Irrig. Period of Use 3/15 to 11/15
_____ to _____
_____ to _____
_____ to _____
2. Total amount of water being transferred 0.80 cubic feet per second and/or 339.5 acre-feet per annum.
386.1
3. Source of water groundwater tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
				10	2N	3W	Canyon	(2nd P/D in QQ)

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	10							37	40	10	10							97

Total acres 97

PART 1

6. General Information:

a. Description of diversion system Well, pump & pipeline to ditches &/or sprinklers.

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

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

NONE

d. Remarks:

Claim A63-03597A Filed on a portion of original license.

The original well located ⁱⁿ the purchased parcel was excluded from sale. Balance of license still diverting from old well. New well will make a total of 2 P/D's w/in SENW Sec 10. See also attachment D, ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES field report

This is to certify that I have examined Application for Transfer of Water Rights No. 63-3597B

And said application is hereby APPROVED, subject to the following limitations and conditions:

SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL

Witness my hand this 10th day of June, 19 92

A. Glen Saylor
Chief, Water Alloc. Bureau

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. 63-03597 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 Real Estate Agreement

3. Source of water ground water tributary to _____

4. Date or priority 4-13-1967

5. Water is used for the following purpose:

amount 7.53 for irrig. 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 7.53 cubic feet per second and/or 3614.0 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NW	10	2N	3W	Canyon	
		NW	SW	11	"	"	"	
		SE	SW	14	"	"	"	

8. Lands irrigated or place of use:

see attached proof report - Attachment B

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	

Total acres 908

9. Describe any other water rights used for the same purpose as described above NONE

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 TRANSFERREDPart B

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

1. amount 0.80 for Irrig. 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: New well - See page 1

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	
<u>2N</u>	<u>3W</u>	<u>10</u>							<u>37</u>	<u>40</u>	<u>10</u>	<u>10</u>							<u>97</u>

Total acres 97**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** (omit if there is no change)

1. amount 6.73 for Irrig. 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
		<u>SE</u>	<u>NW</u>	<u>10</u>	<u>2N</u>	<u>3W</u>	<u>Canyon</u>	
		<u>NW</u>	<u>SW</u>	<u>11</u>	<u>"</u>	<u>"</u>	<u>"</u>	
		<u>SE</u>	<u>SW</u>	<u>14</u>	<u>"</u>	<u>"</u>	<u>"</u>	

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	
<u>2N</u>	<u>3W</u>	<u>10</u>			<u>36</u>	<u>7</u>					<u>30</u>	<u>29</u>	<u>39</u>	<u>39</u>	<u>21</u>	<u>40</u>	<u>39</u>	<u>37</u>	<u>317</u>
		<u>11</u>							<u>36</u>	<u>26</u>	<u>40</u>	<u>40</u>	<u>39</u>	<u>39</u>		<u>40</u>	<u>39</u>	<u>39</u>	<u>338</u>
		<u>15</u>					<u>39</u>	<u>38</u>	<u>39</u>	<u>40</u>									<u>156</u>

Total acres 811

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. _____ issued by the Idaho Department of Water Resources.

SRBA c. Claim No. A63-03597A 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 Real Estate Agreement

3. Source of water groundwater tributary to _____

4. Date or priority 4-13-1967

5. Water is used for the following purpose:

amount 4.73 for Irrig. purposes from 3/15 to 11/15
 (cfs/ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 4.73 cubic feet per second and/or 1995.0 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NW	10	2N	3W	Canyon	
		NW	SW	11	"	"		
		SE	SW	14	"	"		

8. Lands irrigated or place of use: - See Attachment C

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	10			36	7			37	40	40	39	39	39	21	40	39	37	414
		15					39	38	39	40									156

Total acres 570

9. Describe any other water rights used for the same purpose as described above none

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

NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount 0.80 for irrig. 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: new well- see page 1

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	
<u>2N</u>	<u>3W</u>	<u>10</u>							<u>37</u>	<u>40</u>	<u>10</u>	<u>10</u>							<u>97</u>

Total acres 97

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

1. amount 3.73 for Irrig. 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
		<u>SE</u>	<u>NW</u>	<u>10</u>	<u>2N</u>	<u>3W</u>	<u>Canyon</u>	
		<u>NW</u>	<u>SW</u>	<u>11</u>	<u>"</u>	<u>"</u>	<u>"</u>	
		<u>SE</u>	<u>SW</u>	<u>14</u>	<u>"</u>	<u>"</u>	<u>"</u>	

3. Lands irrigated or place of use:

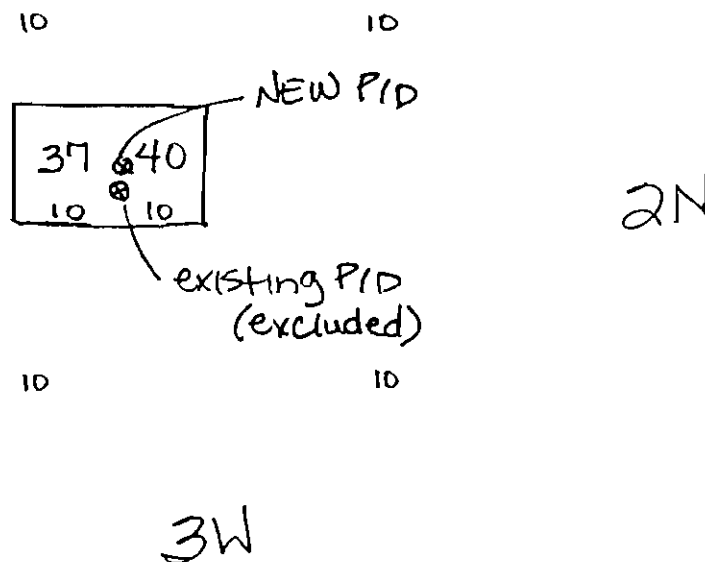
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>2N</u>	<u>3W</u>	<u>10</u>			<u>36</u>	<u>7</u>					<u>30</u>	<u>29</u>	<u>39</u>	<u>39</u>	<u>21</u>	<u>40</u>	<u>39</u>	<u>37</u>	<u>317</u>
		<u>15</u>					<u>39</u>	<u>38</u>	<u>39</u>	<u>40</u>									<u>156</u>

Total acres ~~887~~

473

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

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

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

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

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

X [Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 16th day of April, 1992.

Kathryn A. Walker
(Notary Public)

My commission expires 2-14-1993

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 34 attachments - A, B & C, D

Received by KW Date 4-16-92 Protest filed by _____

Prelim. check by Cy4 Fee \$50.00

Receipted by [Signature] Date 4-16-92 #W014511

Published in PRESS-TRIBUNE Copies of protest forwarded by _____

Pub. dates 5/6 & 5/13/92 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

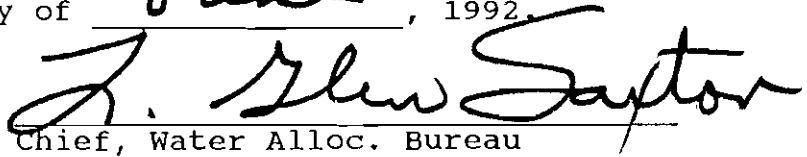
_____ rec'd. _____ by DRS

Copy of transfer sent to lien holder _____

CONDITIONS OF APPROVAL
Transfer of Water Right No. 63-03597B

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.

Dated this 10th day of June, 1992.


Chief, Water Alloc. Bureau

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: A63-03597A
Date Received: 12/28/1989
Receipt No: N003518
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name:	H.R. MONTIERTH	208-733-5217	
Address:	1528 ADDISON AVENUE EAST TWIN FALLS, ID 83301		
Name:	GOLDA D. MONTIERTH	208-733-5217	
Address:	1528 ADDISON AVENUE EAST TWIN FALLS, ID 83301		
Name:	EDWARD MONTIERTH	208-733-5217	
Address:	1528 ADDISON AVENUE EAST TWIN FALLS, ID 83301		
Name:	SUSAN L. MONTIERTH	208-733-5217	
Address:	1528 ADDISON AVENUE EAST TWIN FALLS, ID 83301		
Name:	WILFORD NOLAN VICTOR	208-733-5217	
Address:	1528 ADDISON AVENUE EAST TWIN FALLS, ID 83301		
Name:	RUBY C. VICTOR	208-733-5217	
Address:	1528 ADDISON AVENUE EAST TWIN FALLS, ID 83301		
Name:	ROBERT J. MEYERS	208-733-5217	
Address:	1528 ADDISON AVENUE EAST TWIN FALLS, ID 83301		
Name:	KATHI L. MEYERS	208-733-5217	
Address:	1528 ADDISON AVENUE EAST TWIN FALLS, ID 83301		
Name:	RODNEY KENT MONTIERTH	208-733-5217	

Address: 1528 ADDISON AVENUE EAST
TWIN FALLS, ID 83301

2. Date of Priority: APR 13, 1967

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	4.730		

7. Total Quantity Appropriated is:
4.730 C.F.S. (and/or) 1995.00 A.F.A.

8. Total consumptive use is 1995.0 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	10	SW	NE		IRR	36.0
			SE	NE		IRR	7.0
			SW	NW		IRR	37.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	39.0
			SW	SW		IRR	39.0
			SE	SW		IRR	39.0
			NE	SE		IRR	21.0
			NW	SE		IRR	40.0
			SW	SE		IRR	39.0
			SE	SE		IRR	37.0
			Section Acres				414.0
		15	NE	NW		IRR	39.0
			NW	NW		IRR	38.0
			SW	NW		IRR	39.0
			SE	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	156.0
					Total Acres	570.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM ORIGINALLY HAD 338.0 MORE ACRES THAN IS CLAIMED.
THEREFORE, THIS CLAIM HAS BEEN SPLIT AND ASSIGNED AN "A" SUFFIX.
THE CLAIM DIVERSION IS BASED ON THE PRORATED SHARE CALCULATED
FROM THE PLACE OF USE ACREAGES. THE CLAIMED QUANTITY(4.73) IS
570.0/908.0 OF THE ORIGINAL 7.53 CFS.
THE DIVERSION WORKS INCLUDE 3 WELLS WITH DEEP TURBINE PUMP. THE
WATER IS DISCHARGED INTO PIPELINE SYSTEM FOR SPRINKLER IRRIGATION.

15. Basis of Claim: LICENSE

Water Right Number: 33559

CHANGE IN OWNERSHIP

[] Water Right Number(s): ✓33561/63-3599B; ✓33559/63-3597; G-29632; ✓63-7156; ✓33561/63-3599A; ✓63-7825; ✓33528/63-3589; ✓33303/63-3557A

[] Name and Address of Former Claimant: G-22446; ✓63-7778
✓63-2579
FEDERAL LAND BANK OF SPOKANE

W. 601 1st AVE., TAF-C5
SPOKANE, WA 99220

[] New Claimant(s): H.R. MONTIERTH, GOLDA D. MONTIERTH, EDWARD MONTIERTH,
SUSAN L. MONTIERTH, RODNEY KENT MONTIERTH, WILFORD NOLAN VICTOR,
RUBY C. VICTOR, ROBERT J. MEYERS, KATHI L. MEYERS

[] New Mailing Address: 1528 Addison Avenue East
Twin Falls, ID 83301

New Telephone Number: (208) 733-5217

[] Does the change in ownership result in a splitting of the water right claimed? yes ✓ no

If yes, then describe the portion of the water right that is now claimed by the new owner:

[] Attach proof of ownership
Describe proof attached: COPY OF RECORDED WARRANTY DEED

[] Signature of New Claimant(s): SEE ATTACHED SIGNATURE PAGE

Date: 2-1-90

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

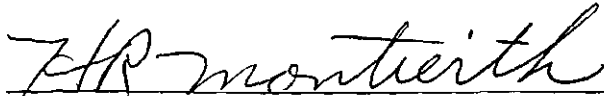
RECEIVED

OCT 24 1990

Department of Water Resources

A63-3597A

SIGNATURE PAGE, ATTACHED TO ALL CLOSING DOCUMENTS



H.R. MONTIERTH, aka Herbert R. Montierth



GOLDA D. MONTIERTH aka Darlene R. Montierth



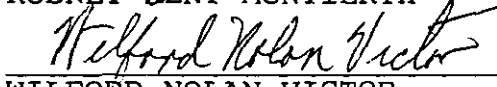
EDWARD RAY MONTIERTH aka Ray Montierth



SUSAN L. MONTIERTH



RODNEY KENT MONTIERTH



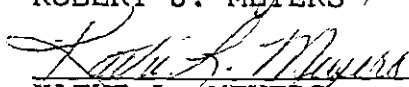
WILFORD NOLAN VICTOR



RUBY C. VICTOR



ROBERT J. MEYERS



KATHI L. MEYERS

PAV 15418

INSTRUMENT NO. 9002195

2077

WARRANTY DEED

GRANTOR, FARM CREDIT BANK OF SPOKANE, a corporation, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto (1) H. R. MONTIERTH, also known as Herbert R. Montierth, and GOLDA D. MONTIERTH, also known as Darlene R. Montierth, husband and wife; EDWARD RAY MONTIERTH, also known as Ray Montierth, and SUSAN L. MONTIERTH, husband and wife; RODNEY KENT MONTIERTH, a single man; grantees collectively as to a one-third undivided interest; (2) WILFORD NOLAN VICTOR and RUBY C. VICTOR, husband and wife, grantees collectively as to a one-third undivided interest; and (3) ROBERT J. MEYERS and KATHI L. MEYERS, husband and wife, grantees collectively as to one-third undivided interest, as tenants in common in the shares provided above, whose current address is Route 1, Kuna, Idaho 83634, as GRANTEE, and to grantee's heirs and assigns forever, all of the real estate located in Canyon County, State of Idaho, more particularly described on Exhibit A, attached hereto and incorporated herein.

Grantor does hereby covenant, warrant and shall defend the quiet and peaceable possession of said premises by the grantee, his heirs and assigns forever against the lawful claims of all persons.

Grantor warrants that it has complied with the applicable provisions of the Agricultural Credit Act of 1987.

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, grantor has hereunto subscribed his name to this instrument this 2 day of February, 1990.

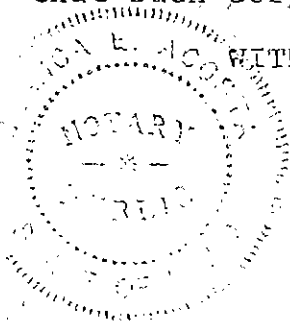
FARM CREDIT BANK OF SPOKANE

By: Daniel R. Hull
Authorized Agent

STATE OF IDAHO)
COUNTY OF Carleton) ss.

On this 2nd day of February, 1990, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Daniel R. Hull, known or identified to me to be the authorized agent of Farm Credit Bank of Spokane, the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

WITNESS my hand and Official Seal.



Daniel R. Hull
Notary Public for Idaho
Residing at Carleton, Idaho
My Commission expires: 8-11-93

EXHIBIT "A"

Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, Section 14:

South Half EXCEPT;

A part of the Southeast Quarter described as:

COMMENCING at the Northeast corner of said Southeast Quarter (East Quarter corner), monumented with an iron pipe, 2 inches diameter; thence

South $0^{\circ} 3'$ East 478.04 feet along the East boundary of said Southeast Quarter; thence

South $89^{\circ} 57'$ West 25 feet to the POINT OF BEGINNING; thence

South $89^{\circ} 57'$ West 396 feet; thence

South $0^{\circ} 3'$ East 220 feet parallel with the East boundary of said Southeast Quarter; thence

North $89^{\circ} 57'$ East 396 feet; thence

North $0^{\circ} 3'$ West 220 feet parallel with the East boundary of said Southeast Quarter to the POINT OF BEGINNING.

Section 15:

Southwest Quarter of the Southeast Quarter; Southeast Quarter of the Southwest Quarter; Northwest Quarter of the Southwest Quarter; Southwest Quarter of the Southwest Quarter; Northeast Quarter of the Southwest Quarter; Northwest Quarter of the Southeast Quarter; East Half of the Southeast Quarter.

Section 13:

Northwest Quarter of the Northwest Quarter.

Section 14:

Northeast Quarter of the Northeast Quarter; Northwest Quarter; Southeast Quarter of the Northeast Quarter; West Half of the Northeast Quarter;

EXCEPT:

A part of the Northwest Quarter, Section 14, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, more particularly described as:

COMMENCING at the Northeast corner of said Section 14 (section corner) monumented with a rebar, 5/8 inches diameter; thence

South $62^{\circ} 48' 15''$ West 4,482.39 feet to the POINT OF BEGINNING; said point bears

South $62^{\circ} 05' 00''$ East 1,480.17 feet from a found 3/8 inch pipe at the Northwest corner of the Southwest Quarter of the Northwest Quarter, Section 14 (North One-Sixteenth Corner). thence

North $89^{\circ} 54' 30''$ East 295.32 feet; thence

North $0^{\circ} 05' 30''$ East 295.00 feet; thence

South $89^{\circ} 54' 30''$ West 295.32 feet; thence

North $0^{\circ} 05' 30''$ West 295.00 feet to the POINT OF BEGINNING.

Section 10

South Half of the Northeast Quarter; Southeast Quarter of the Northwest Quarter; Northeast Quarter of the Southwest Quarter; South Half of the Southwest Quarter; West Half of the Southeast Quarter; Northeast Quarter of the Southeast Quarter; Southeast Quarter of the Southeast Quarter; Southwest Quarter of the Northwest Quarter; Northwest Quarter of the Southwest Quarter;

EXCEPTING THEREFROM:

That portion of the East Half of Section 10, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, described as:

BEGINNING at the section corner common to Section 2, 3, 10 and 11, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho; thence

South $0^{\circ} 4' 0''$ East 1,358.47 feet along the East section line (Basis of Bearing) to the REAL POINT OF BEGINNING; thence continuing

South $0^{\circ} 4' 0''$ East 1,298.48 feet to the quarter corner; thence

South $0^{\circ} 9' 27''$ East 1,818.74 feet along the section line to a point

North $0^{\circ} 9' 27''$ West 836.23 feet of the Southeast corner of said Section 10; thence

North $39^{\circ} 35' 0''$ West 421.13 feet; thence

North $19^{\circ} 35' 55''$ West 722.59 feet; thence

North $16^{\circ} 48' 33''$ West 201.19 feet; thence

North $37^{\circ} 3' 36''$ West 599.17 feet; thence

North $13^{\circ} 47' 14''$ West 527.44 feet; thence

North $0^{\circ} 54' 43''$ East 492.15 feet; thence

North $61^{\circ} 11' 12''$ West 315.37 feet; thence

North $21^{\circ} 40' 11''$ West 394.77 feet; thence

North $89^{\circ} 56' 0''$ East 1,431.45 feet to the POINT OF BEGINNING.

Section 15:

Northwest Quarter; Northeast Quarter.

Together with any and all tenements, hereditaments and appurtenances thereunto belonging or used in connection therewith.

Together with all water and water rights used upon or appurtenant to said property, however evidenced, including but not limited to Permit No. 53-9654 issued by the Water Resources Department of the State of Idaho

9002195

RECORDED

90 FEB 6 PM 12 06

RED J KERR

CANYON COUNTY RECORDER

BY *C. Smith*

REQUEST PIONEER NAIPA

TYPE Acad FILED

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: A63-03597A
Date Received: 12/20/1989
Receipt No: N-3518
Received By: AB

RECEIVED

JAN 02 1990

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FARM CREDIT BANK OF SPOKANE 208-343-7782
Address: P.O. BOX 15367
BOISE, ID 83715

2. Date of Priority: APR 13, 1967

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	4.730		

7. Total Quantity Appropriated is:
4.730 C.F.S. (and/or) 1995.00 A.F.A.

8. Total consumptive use is 1995.0 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	10	SW	NE		IRR	36.0
			SE	NE		IRR	7.0

A63-03597A

Page 1

Date: 12/28/89

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	03W	10	SW	NW		IRR	37.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	39.0
			SW	SW		IRR	39.0
			SE	SW		IRR	39.0
			NE	SE		IRR	21.0
			NW	SE		IRR	40.0
			SW	SE		IRR	39.0
			SE	SE		IRR	37.0
						Section Acres	414.0
		15	NE	NW		IRR	39.0
			NW	NW		IRR	38.0
			SW	NW		IRR	39.0
			SE	NW		IRR	40.0
						Section Acres	156.0
						Total Acres	570.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM ORIGINALLY HAD 338.0 MORE ACRES THAN IS CLAIMED. THEREFORE, THIS CLAIM HAS BEEN SPLIT AND ASSIGNED AN "A" SUFFIX. THE CLAIM DIVERSION IS BASED ON THE PRORATED SHARE CALCULATED FROM THE PLACE OF USE ACREAGES. THE CLAIMED QUANTITY(4.73) IS 570.0/908.0 OF THE ORIGINAL 7.53 CFS. THE DIVERSION WORKS INCLUDE 3 WELLS WITH DEEP TURBINE PUMP. THE WATER IS DISCHARGED INTO PIPELINE SYSTEM FOR SPRINKLER IRRIGATION.

15. Basis of Claim: LICENSE
Water Right Number: 33559

16. Signatures(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 Organizations

I do solemnly swear or affirm that I am the Senior Engineer-Appraiser of Farm Credit Bank of Spokane, that I have signed the foregoing document in the space below as Senior Engineer-Appraiser of Farm Credit Bank of Spokane and that the statements contained in the foregoing document are true and correct.

Herbert J. Sanders
(Signature of authorized Agent)

Senior Engineer-Appraiser
Farm Credit Bank of Spokane
(Title and Organization)

12/28/89
(Date)

State of Idaho)
County of Kootenai) SS.

Subscribed and sworn (or affirmed) before me this 28 day of Dec.,
19 89.

SEAL

Allan B. Bunch

Notary Public

Residing at Booth

My Commission Expires: 7/20/89

Water Right No.	Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
				NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
63-03597A	02N	03W	10			36	7			37	40	40	39	39	39	21	40	39	37	414
TOTAL ACREAGE FOR THE QUARTER-QUARTER						36	7			37	40	40	39	39	39	21	40	39	37	414
63-03557A	02N	03W	13					38												38
TOTAL ACREAGE FOR THE QUARTER-QUARTER								38												38
63-03232	02N	03W	14	26																26
63-03589	02N	03W	14	39				39	40	40		40	40	39	39					316
63-03599A	02N	03W	14	14																14
63-03599B	02N	03W	14									40	40							80
63-07156A	02N	03W	14			40	40	40												120
63-07778	02N	03W	14													40	40	40	40	160
TOTAL ACREAGE FOR THE QUARTER-QUARTER				39	40	40	40	39	40	40		40	40	40	39	40	40	40	40	597
63-02879	02N	03W	15									20	40							60
63-03597A	02N	03W	15					39	38	39	40									156
63-03599B	02N	03W	15									40				40	40	40	40	200
63-07825	02N	03W	15										40	40	40					120
TOTAL ACREAGE FOR THE QUARTER-QUARTER								39	38	39	40	40	40	40	40	40	40	40	40	476

The following water rights are used in the farming of a single operation:

63-02879	63-03599A
63-03232	63-03599B
63-03557A	63-07156A
63-03589	63-07778
63-03597A	63-07825

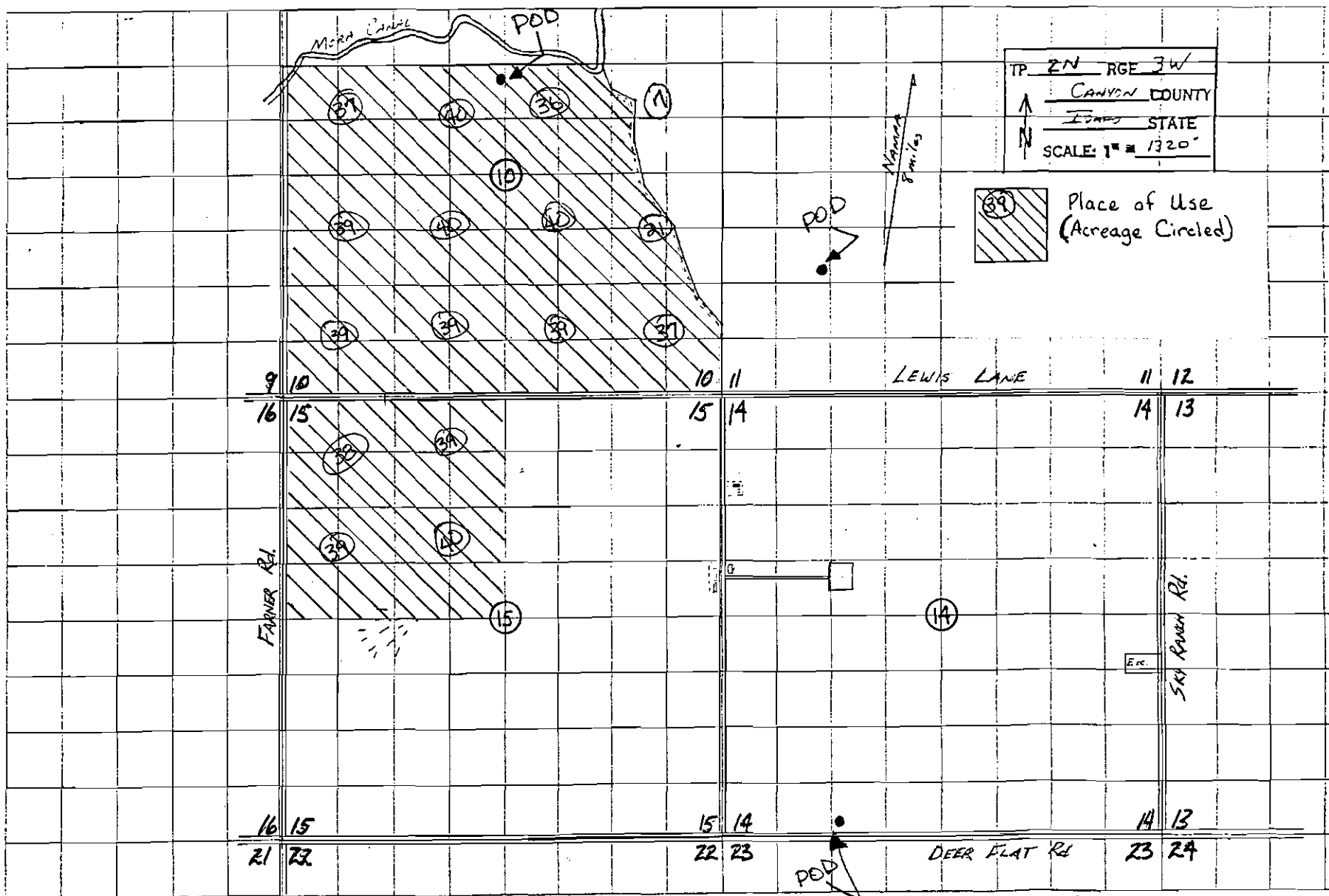
This document is provided to illustrate all water rights used on this farm and to show common place of uses for some of the adjudication claims. The points of diversion are interconnected with the mainline system.

FILING FEES:

Acresage Irrigated at \$1/ac	\$1,525
10 Water Rights at \$50 ea.	\$500
TOTAL DUE	\$2,025

63-03597A

FARM CREDIT BANK



AG3-03597A

FARM CREDIT BANK

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

RIGHT NUMBER: 63-3597B

NAME AND ADDRESS: MARK S TRACY
10506 FARNER RD
Nampa ID 83686

~~6627 BENNETT RD~~
~~Nampa ID 83686~~

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.800 CFS
388.800 AFY

PRIORITY DATE: 04/13/1967

POINT OF DIVERSION:

T02N R03W S10 SWNW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.800 CFS 388.80 AFY

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in CANYON County

T02N R03W S10	SWNW	37.00	T02N R03W S10	SENW	40.00
T02N R03W S10	NESW	10.00	T02N R03W S10	NWSW	10.00

97 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

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

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

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

In Re SRBA

Case No. 39576

Water Rights: 63-3597B

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following administrative proceeding:

☒ Address change

☐ Substitution of Party

☐ IC § 42-222 transfer

☐ Point of diversion ☐ Place of use

☐ Period of use ☐ Nature of use

☐ Split of water right ☐ Change in ownership

☐ Other

☐ IC § 42-219 license

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

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

DATED: November 30, 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on November 30, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

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

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

2. Copies to:

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

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

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

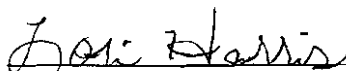
☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Mark Tracy
10506 Farner Rd
Nampa ID 83686

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

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



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

November 30, 2007

MARK TRACY
10506 FARNER RD
NAMPA ID 83686

Re: Water Right No. 63-3597B

Dear Mr. Tracy:

Enclosed is a copy of the above referenced water right, which reflects your change of address. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the Snake River Basin Court as notification of the change.

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

Sincerely,

A handwritten signature in cursive script that reads "Lori Harris". The signature is written in dark ink and is positioned above the typed name and title.

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

LH:1
Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

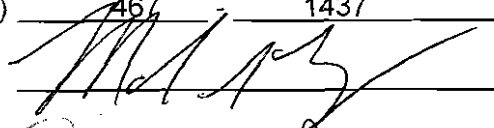
[] Water Right Number(s): 63-3597B

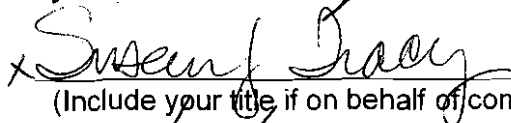
[] Name(s): Mark Tracy

[] Old Mailing Address: 6627 Bennett Road
Nampa, ID 83686

[] New Mailing Address: 10506 Farner Road
Nampa, ID 83686

Telephone Number: (208) 467 1437

[] Signature(s) of Owner(s) 


(Include your title if on behalf of company or organization)

Date: 10/26/2007

Send to:

IDWR Northern Region
7600 Mineral Dr., Suite 100
Coeur d'Alene, ID 83815
(208) 762-2800

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

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

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

RECEIVED

NOV 02 2007

WATER RESOURCES
WESTERN REGION

02/17/2006

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

RIGHT NUMBER: 63-3597B

NAME AND ADDRESS: MARK S TRACY
6627 BENNETT RD
NAMPA ID 83686

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.800 CFS
388.800 AFY

PRIORITY DATE: 04/13/1967

POINT OF DIVERSION:

T02N R03W S10 SWNW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.800 CFS 388.80 AFY
The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.		

PLACE OF USE: IRRIGATION Within CANYON County

T02N R03W S10	SWNW	37.00	T02N R03W S10	SESW	40.00
T02N R03W S10	NESW	10.00	T02N R03W S10	NWSW	10.00

97 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

THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP AND TRANSFER OF A PORTION OF CLAIM NO. A63-03597A, FEE PAID UNDER RECEIPT NO. N003518. KW 2/23/1993 CLAIM AMENDED PER TRANSFER NO. 4168 APPROVED 9/2/1993.

SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY OF APPROVED TRANSFER NO. 4168 IN FILE. KW 8/1/95

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

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

Idaho Department of Water Resources

63-3597B

T02N R03W S10



- Point of Diversion
- ▭ Place of Use
- ▭ Sections
- ▭ Quarter Quarter



400 0 400 800 1200 1600 Feet

IDWR

Prepared by: Sandy Egbert
1987 NAAP Photography

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-3597B

02/15/2006

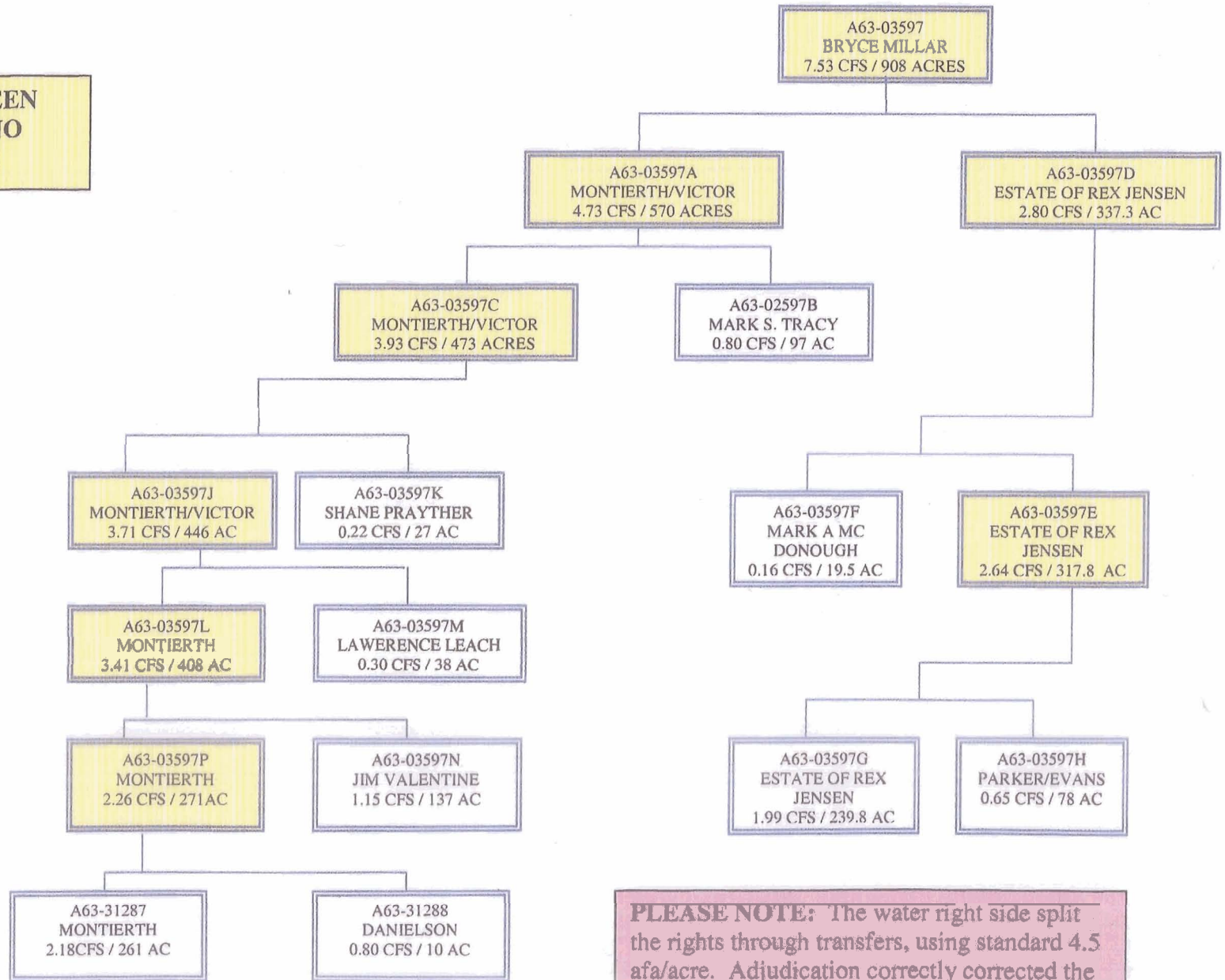
1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
~~1597B~~	Claim	02N	03W	10	SW	NW		IRRIGATION	37/97	MARK S TRACY
~~1597B~~	Water Right	02N	03W	10	SW	NW		IRRIGATION	37/97	MARK S TRACY
~~1597B~~	Claim	02N	03W	10	SE	NW		IRRIGATION	40/97	MARK S TRACY
~~1597B~~	Water Right	02N	03W	10	SE	NW		IRRIGATION	40/97	MARK S TRACY
~~1597B~~	Claim	02N	03W	10	NE	SW		IRRIGATION	10/97	MARK S TRACY
~~3597N~~	Claim	02N	03W	10	NE	SW		IRRIGATION	30/137	DAVIDSON TRUST CO
~~1597B~~	Water Right	02N	03W	10	NE	SW		IRRIGATION	10/97	MARK S TRACY
~~1597B~~	Claim	02N	03W	10	NW	SW		IRRIGATION	10/97	MARK S TRACY
~~3597N~~	Claim	02N	03W	10	NW	SW		IRRIGATION	29/137	DAVIDSON TRUST CO
~~1597B~~	Water Right	02N	03W	10	NW	SW		IRRIGATION	10/97	MARK S TRACY

partial overlap of 3597N

ADJUDICATION CLAIMS SPLIT TREE FOR REX E. JENSEN ESTATE TRANSFER # 68832

**RIGHTS HAVE BEEN
SPLIT AND ARE NO
LONGER ACTIVE**



PLEASE NOTE: The water right side split the rights through transfers, using standard 4.5 afa/acre. Adjudication correctly corrected the volume per split based off original licenses.

() = #'s based - 3614 ÷ 908 = acres

63-03597
908 acres
3614 AFA
7.53 CFS

A63-03597A

570 ACRES
1995 AFA
4.73 CFS

A63-03597D

A63-03597E

A63-03597F

19.5 acres
77.6 AFA
.16 CFS

✓ A63-03597B
97 Acres
386.10 AFA
.80 CFS

(386.0774)

A63-03597C
473 acres
1882.6 AFA
3.93 CFS

(1882.6233)

A63-03597G
239.8 acres
954.8 AFA
1.99 CFS

(954.4425)

A63-03597H
78 acres
310.6 AFA
.65 CFS

(310.45374)

B C G H F

TOTALS :
Acres : 97 + 473 + 239.8 + 78 + 19.5 = 907.3
AFA : 386.10 + 1882.6 + 954.8 + 310.6 + 77.6 = 3611.7
CFS : .80 + 3.93 + 1.99 + .65 + .16 = 7.53

908 - 907.3 = .7 Acres NOT accounted for in splits

3614 - 3611.7 = 2.3 AFA NOT accounted for in splits

3614 ÷ 908 × .7 = 2.78 AFA

(3611.2139) 3614 - 3611.2139 = 2.7861 AFA NOT accounted for if AFA

corrected on AT claims. Equal to licensed D.V.
times the unaccounted for .7 acre.

63-03597
908 acres
3614 AFA
7.53 CFS
TRANS. 3939

63-03597A
570 Acres

63-03597B
97 acres
388.8 AF
.80 CFS

TRANS.
3952

63-03597C
473 Acres
2122.7 AF
3.93 CFS

63-03597D
337.3 Acres
1512.0 AF
2.8 CFS

AF on Transfer or
Data Base

C + D + B

TOTALS Acres 473 + 337.3 + 97 = 907.3 (same as AI)

AFA 4023.5 + 1512.0 + 388.8 = 5924.3

CFS 3.93 + 2.8 + .80 = 7.53

63-03597C

$(3.93)(1.98)(245) = 1906.443$ AFA (2122.7 via Transfer)

$(473)(4.5) = 2128.5$ AFA

63-03597D

$(2.8)(1.98)(245) = 1358.28$ AFA (1512.0 via Transfer)

$(337.3)(4.5) = 1517.85$ AFA

63-03597B

$(.80)(1.98)(245) = 388.08$ AFA (388.8 via Transfer)

$(97)(4.5) = 436.5$ AFA

From: DWR80::JSHURTE 17-NOV-1994 10:43:11.57
To: DWR03::DSHAW
CC: JSHURTE
Subj: WHAT DO WE DO?

Hi Dave. I have an interesting one that I'm not sure about. There was a license that restricted the af amount for irrigation based on the diversion rate. It is a weird license because it limited the af amount to 3614 af based on the diversion rate $7.53 \text{ cfs} \times 2 \times 240 \text{ days}$ (actually should have been 245 days and 1.9835) and then went on to say or 4.5 acre feet per acre. Two transfers have been filed that split the right. The weird thing is that when the first transfer was approved they gave them 4.48 af per acre and did not restrict them according to diversion rate. The last transfer they did restrict according to the diversion rate. We have 3 more splits in the adj. claims than they have and we're not sure what to base the af amount on. These are Basin 63 claims - A63-03597A-F. Now on the water rights side there is a total of 4023 af. So, I guess the question is whether we should use 4.5 af per acre on our splits and when the recommendation comes along we will up the af amount on the one restricted by the diversion rate, or should we restrict them all based on the diversion rate and 3614 af limiter? Also, can we change items a transfer approves incorrectly? Thanks again. Jan

WR5747NP

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NUMBER INDEXDATE: 11/03/95
PAGE: 1

WATER RIGHT NUMBER	NAME	CFS
~~63-03597~~	SPLIT INTO 63-03597A & B BY TRANS. 3939.	
✓ ~~63-03597A~~	Split into 63-03597C & D by Trans. 3952.	
✓ 63-03597B	TRACY, MARK S	0.80
✓ ~~63-03597C~~	Split into 63-03597E & F by Trans. #4639.	
✓ 63-03597D	JENSEN, ESTATE OF REX S	2.80
✓ 63-03597E	MILLAR, BRYCE	3.71
✓ 63-03597F	MARTINEZ, JORGE A	0.22
		7.53
		907.3
		3810.6

WR
↓
388.8
~~386.7~~
1512.0
~~1823.9~~
446ac
27ac 106.9

License for 3614.0 AFA

SD-0607-2 Prefix: A Basin: 63 Starting Water Right: 03597

STATE

Water Right No.	Name Last, First	O W N	Priority Date	Stg/ Sts	Source	Use Code Desc
A63-03597			04/13/1967	/Z	GROUNDWATER SPLIT RIGHT	01 IRR
~~A63-03597A~~	MONTIERTH, RODNEY KENT	C	04/13/1967	(/Z)	GROUNDWATER SPLIT CLAIM	01 IRR
	MONTIERTH, H.R.	C				
	MONTIERTH, GOLDA D.	C				
	MONTIERTH, EDWARD	C				
	MONTIERTH, SUSAN L.	C				
	VICTOR, WILFORD NOLAN	C				
	VICTOR, RUBY C.	C				
	MEYERS, ROBERT J.	C				
	MEYERS, KATHI L.	C				
* A63-03597B	TRACY, MARK S	C	04/13/1967	L/	GROUNDWATER	01 IRR
~~A63-03597C~~	SPLIT CLAIM,	C	04/13/1967	(/Z)	GROUNDWATER SPLIT CLAIM	01 IRR
~~A63-03597D~~	JENSEN, ESTATE OF REX	C	04/13/1967	(/Z)	GROUNDWATER SPLIT CLAIM	01 IRR
	JENSEN, ESTATE OF REX	C				

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

WR)63-03597 =

SD-0607-2 Prefix: A Basin: 63 Starting Water Right. 03597

STATE

Water Right No.	Name Last, First	O W N	Priority Date	Stg/ Sts	Source	Use Code Desc
~~A63-03597E~~	JENSEN, ESTATE OF REX	C	04/13/1967	(Z)	GROUNDWATER	01 IRR
.	JENSEN, ESTATE OF REX	C			SPLIT CLAIM	
A63-03597F	MC DONOUGH, MARK A	C	04/13/1967	L/	GROUNDWATER	01 IRR
A63-03597G	JENSEN, ESTATE OF REX	C	04/13/1967	L/	GROUNDWATER	01 IRR
	JENSEN, ESTATE OF REX	C				
A63-03597H	PARKER, CATHERINE E	C	04/13/1967	L/	GROUNDWATER	01 IRR
	EVANS, REX E	C				
	EVANS, MARYON E	C				
A63-03597J	MONTIERTH, HR	C	04/13/1967	L/	GROUNDWATER	01 IRR
	MONTIERTH, GOLDA D	C				
	MONTIERTH, SUSAN L	C				
	VICTOR, WILFORD NOLAN	C				
	MONTIERTH, RODNEY KENT	C				
	VICTOR, RUBY C	C				
	MEYERS, KATHI L	C				
	MONTIERTH, EDWARD	C				

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

SD-0607-2 Prefix: A Basin: 63 Starting Water Right. 03597

STATE

Water Right No.	Name Last, First	O W N	Priority Date	Stg/ Sts	Source	Use Code Desc
A63-03597J	MEYERS, ROBERT J	C	04/13/1967	L/		
A63-03597K	MARTINEZ, JORGE A	C	04/13/1967	L/	GROUNDWATER	01 IRR
A63-03599A	VICTOR, RUBY C	C	04/13/1967	L/	GROUNDWATER	01 IRR
	MEYERS, ROBERT J	C				
	MEYERS, KATHI L	C				
	MONTIERTH, HR	C				
	MONTIERTH, GOLDA D	C				
	MONTIERTH, EDWARD RAY	C				
	MONTIERTH, SUSAN L	C				
	MONTIERTH, RODNEY KENT	C				
	VICTOR, WILFORD NOLAN	C				
A63-03599B	MONTIERTH, HR	C	04/13/1967	L/	GROUNDWATER	01 IRR
	MONTIERTH, GOLDA D	C				
	MONTIERTH, EDWARD RAY	C				
	MONTIERTH, SUSAN L	C				
	MONTIERTH, RODNEY KENT	C				

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

WR splits - L63-03597 12-22-95

63-03597 -(Z) 7.53 cfs - 908 ac.
Mellai

03597A

T3939

03597B → .80 cfs - 97 acres. *

(Tracy)

03597C (

T3952

03597D → 2.80 cfs - 337.3 ac. *

(Jensen)
~~et al~~

03597E → 3.71 cfs - 446 ac. *

(Mellai)

T4639

03597F → .22 cfs - 27 ac. *

(Martinez)

7.53 cfs 907.3 ac. *

AJ splits

12-22-95

A63-03597 (Z) 7.53 cfs - 908 acres
Muller

03597A (Z) 4.73 cfs - 570 ac.
(Monteith et al)

03597B → .80 cfs - 99 ac. *

+3939

03597C 3.93 cfs - 473 ac. *

03597D (Z) 2.80 cfs - 337.3 ac
(Jensen)

"E" (Z) 2.64 cfs - 317.8 ac
Jensen
+3952

"F"
(McDonough) .16 cfs - 19.5 ac. *

"G"
(Jensen) 1.99 cfs - 239.8 ac *

"H"
(Parker, Evans)

.65 cfs - 78 acres +
7.53 cfs 907.3

✓ A03-03597C 3.93 g₂ - 473cc - 1882.6

P/D: 2N, 3W, Sec 10, SENW

11, NWSW

14, SESW

P/U: 2N, 3W, S10, SWNE - 36 SENE - 7

NESW - 30 NWSW - 29

SWSW - 39 SESW - 39

NESE - 21 NWSE - 40

SWSE - 39 SESE - 37

S15, NENW - 39 NWNW - 38

SWNW - 39 SENW - 40

✓ 03597J DR: 3.71 DU = 1795.1 - 1598.5 CU

(Montez, et al) P/D: Same as "C"

P/U: 2N, 3W, S10, - SWNE - 16

74639

, SW $\frac{1}{4}$ - same as "C"

SE $\frac{1}{4}$ - " " " "

S15, - Same as "C"

✓ 03597K DR: .22 c₂ - DU = 107.5 - CU = 94.5

(Martinez) P/D: 2N, 3W, S10, SWNE

P/U: 2N, 3W, S10, SWNE - 20

SENE - 7

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A63-03597B

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*	<u>N</u>						
PT. OF DIV.	<u>Y</u>						DATA ENTRY COMPLETED BY _____ DATE _____
SOURCE	<u>N</u>						
PL. OF USE	<u>N</u>						FINAL RECOMMENDATION BY _____ DATE _____
DIV. AMOUNT CFS/AF	<u>N</u>						
CONSUMPTIVE USE							
NATURE OF USE	<u>N</u>						
PERIOD OF USE	<u>N</u>						
BASIS OF CLAIM	<u>N</u>						
REMARKS	<u>N</u>						

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

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

COMMENTS: Verify location of new p/d-kw 8/1/95

VERIFICATION CODES

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

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

06/23/95 00:07:25
Page 1

Water Right Number - 63-03597B ✓

Prefix Translation: WATER RIGHT

Old (D) Number - 33559 ✓

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

*** C - CURRENT OWNER ***
TRACY

MARK S

1 - 6627 BENNETT RD

2 -

3 -

City- NAMPA

State- ID Zip- 83686

Phone - 208-467-3006

*** O - ORIGINAL OWNER ***
MILLAR

BRYCE

1 - RT 7 BOX 7380

2 -

3 -

City- NAMPA

State- ID Zip- 83651

Phone - 208-000-0000

+ - - Priority Date - ✓ + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
04/13/1967 ✓ 14 WESTERN L - LICENSE ✓

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

Twn	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
02N ✓	03W ✓	10 ✓	SW NW ✓			(27) CANYON ✓				

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION ✓		03/15 ✓	11/15 ✓	0.800 ✓	388.80 ✓

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.800 388.80

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
02N ✓	03W ✓	10 ✓	SW NW ✓		37.0 ✓	01	IRRIGATION ✓	(27) CANYON
02N	03W	10	SE NW ✓		40.0 ✓	01	IRRIGATION	(27) CANYON
02N	03W	10	NE SW ✓		10.0 ✓	01	IRRIGATION	(27) CANYON
02N	03W	10	NW SW ✓		10.0 ✓	01	IRRIGATION	(27) CANYON
Total Acres:					97.0 ✓			

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

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

Water right number - 63-03597B

Prefix Translation: WATER RIGHT

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

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

No Old Water Right Numbers found.

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

- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- R32 - 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.
- T08 - 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.
- 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.

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +

00/00/0000

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

Date: 06/08/1992 User Id: CURTIS Subject: TRANSFER NO. 3939

Trans. 3939 was filed to add a point of diversion (well) under this right for property purchased with no access to existing wells or pipeline.

Date: 08/26/1993 User Id: SKAGGS Subject: TRANSFER NO. 4168

Transfer No. 4168 was filed to change the point of diversion under Right No. 63-03597B.

+ - - Audit Fields - 06/08/92 08/26/93

+ - - - - 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 - W016301	Water District -
Licensed Date - 09/12/1979	Appl Received - 00/00/0000	Transfer/Amended - B
Decree Date - 00/00/0000	Name Connector -	PDU Ownership Flag- Y
Presumption Flag -		

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 33559/63-3597 Priority April 13, 1967 Amount 7.53 cfs

THIS IS TO CERTIFY, that BRYCE MILLAR
of Nampa, Idaho, has complied with the terms and conditions of Permit
No. 33559/63-3597 issued pursuant to Application for Permit dated April 13, 1967,
and has submitted proof to the Department of Water Administration on January 20, 1972,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 7.53 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 7.53 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 7.53 cfs of water be diverted at
any one time, said waters to be diverted within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10; NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 11;
and SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 14; Twp. 2 N, Rge. 3 W, B.M.
in the county of Canyon; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 3,614 acre feet per year or _____
4.5 acre feet per acre.

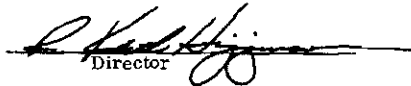
Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
2N	3W	10			36	7			37	40	40	39	39	39	21	40	39	37	414
		11							36	26	40	40	39	39		40	39	39	338
		15					39	38	39	40									156

Total number of acres irrigated 908

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30 day of
January, 19 73.


Director

63 3597

Department of Water Administration

Permit No. 63-3597

Comes now BRYCE MILLAR

__of (address)

Route #7, Box 7380, Nampa, Idaho _____, and represents to the State Reclamation Department of Water Administration

No. 63-3597, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NW ¼ SW ¼, Sec. 11, T. 2 N
3 W, B.M. Other points of diversion SE ¼ NW ¼, Sec. 10, T. 2 N., R. 3 W., B.M.;
SE ¼ SW ¼, Sec. 14, T. 2 N., R. 3 W., B.M.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

mo. - day

mo. - day

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

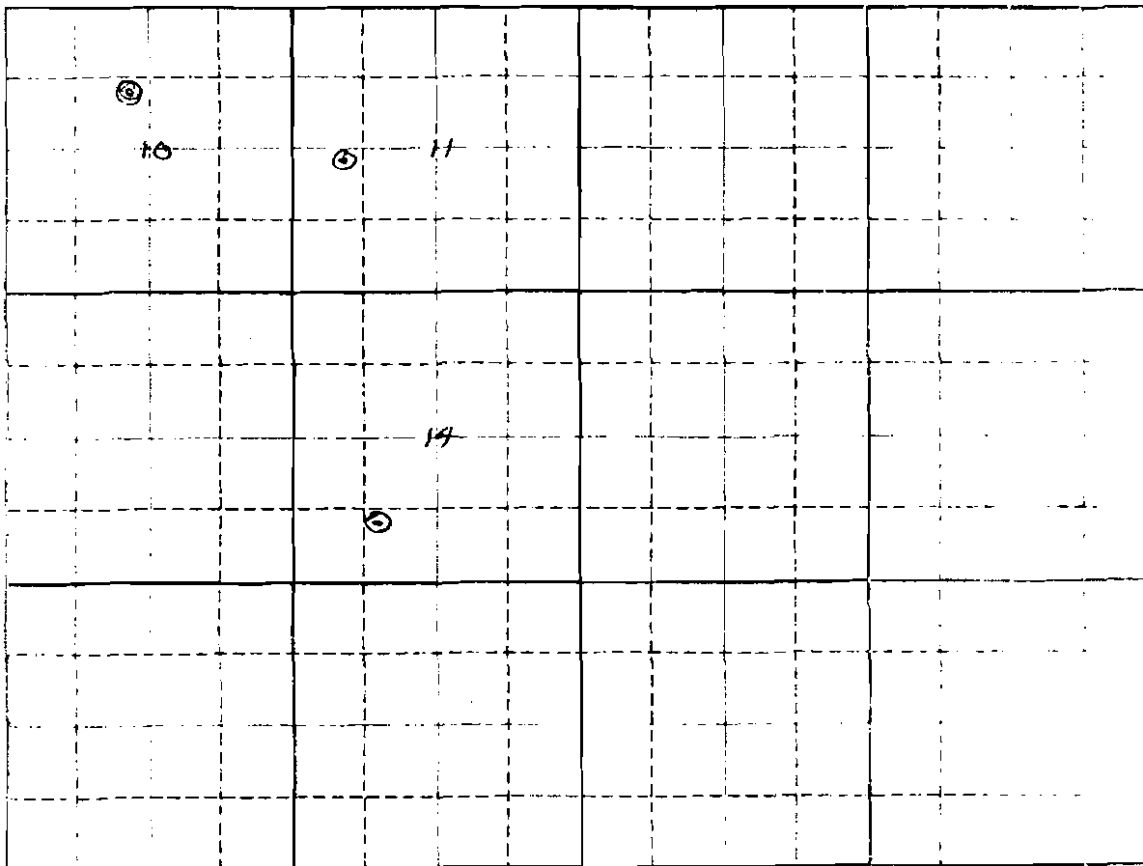
3. Place of use or land to be irrigated:

[illegible]

Total number of acres to be irrigated

63 3597

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Nampa Idaho, this 15 day of Sept 19 72
Bryce Muller
 (signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

I, R. KEITH HIGGINSON, Director of the Department of Water Administration
 hereby approve the above application for amendment for Permit No. 33559/63-3597.

Witness my hand this 12 day of January 19 73

R. Keith Higginson
 Director

FIELD REPORT

TOTAL ACREAGE 985

R3W

D91
1260

235.0

D84

16 15

D

199.0



15

D

199.0



E

202.9

D84
07D



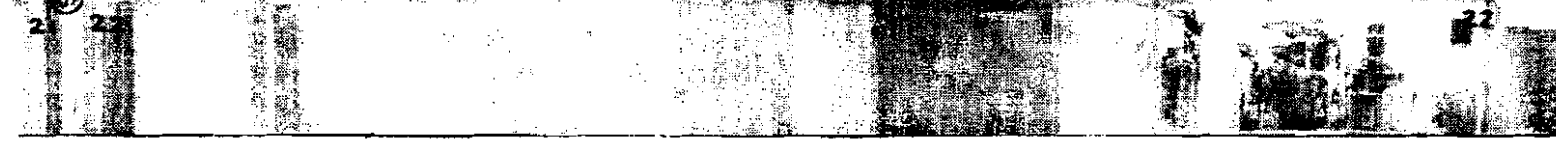
B

114.5

D86

120.0

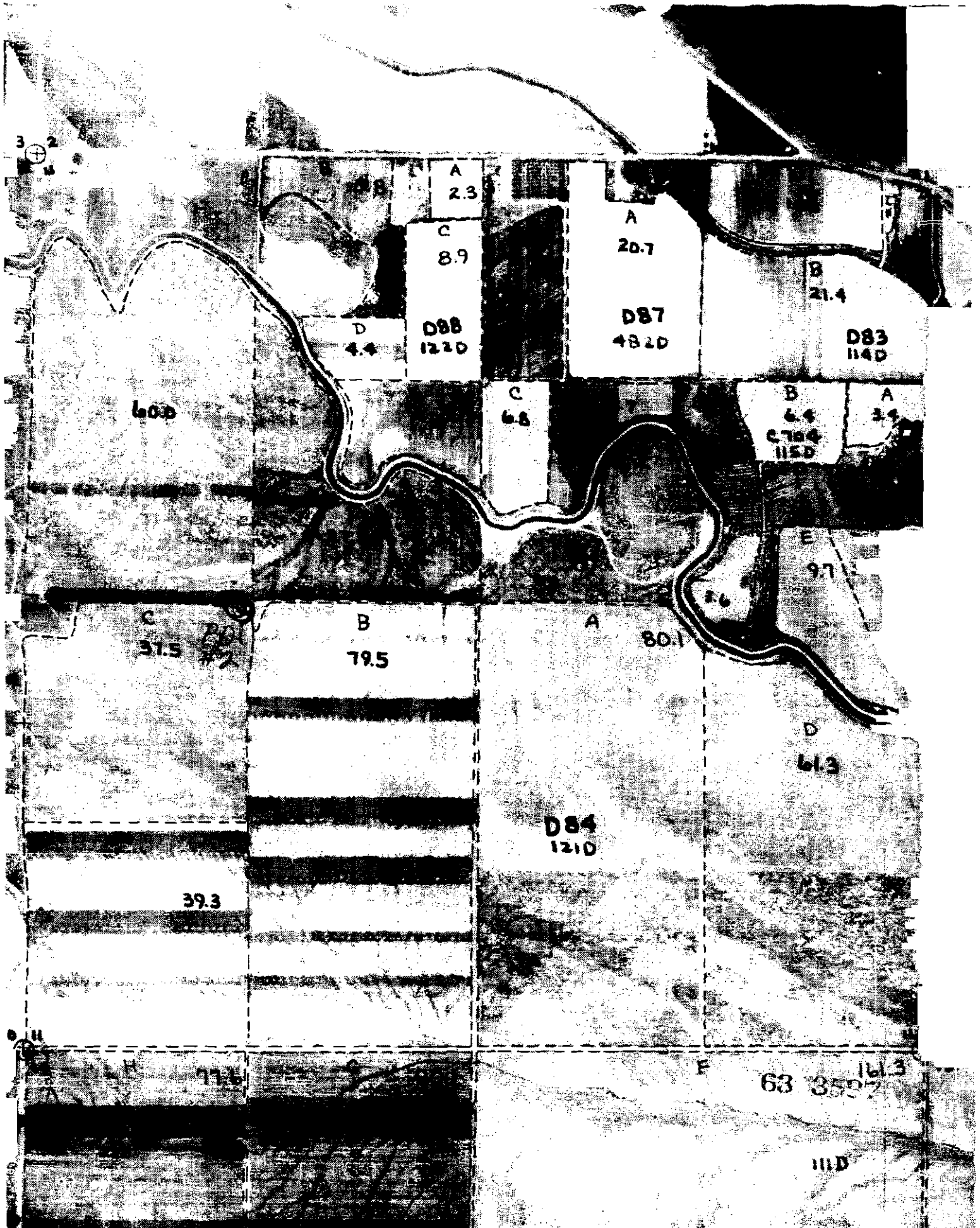
15



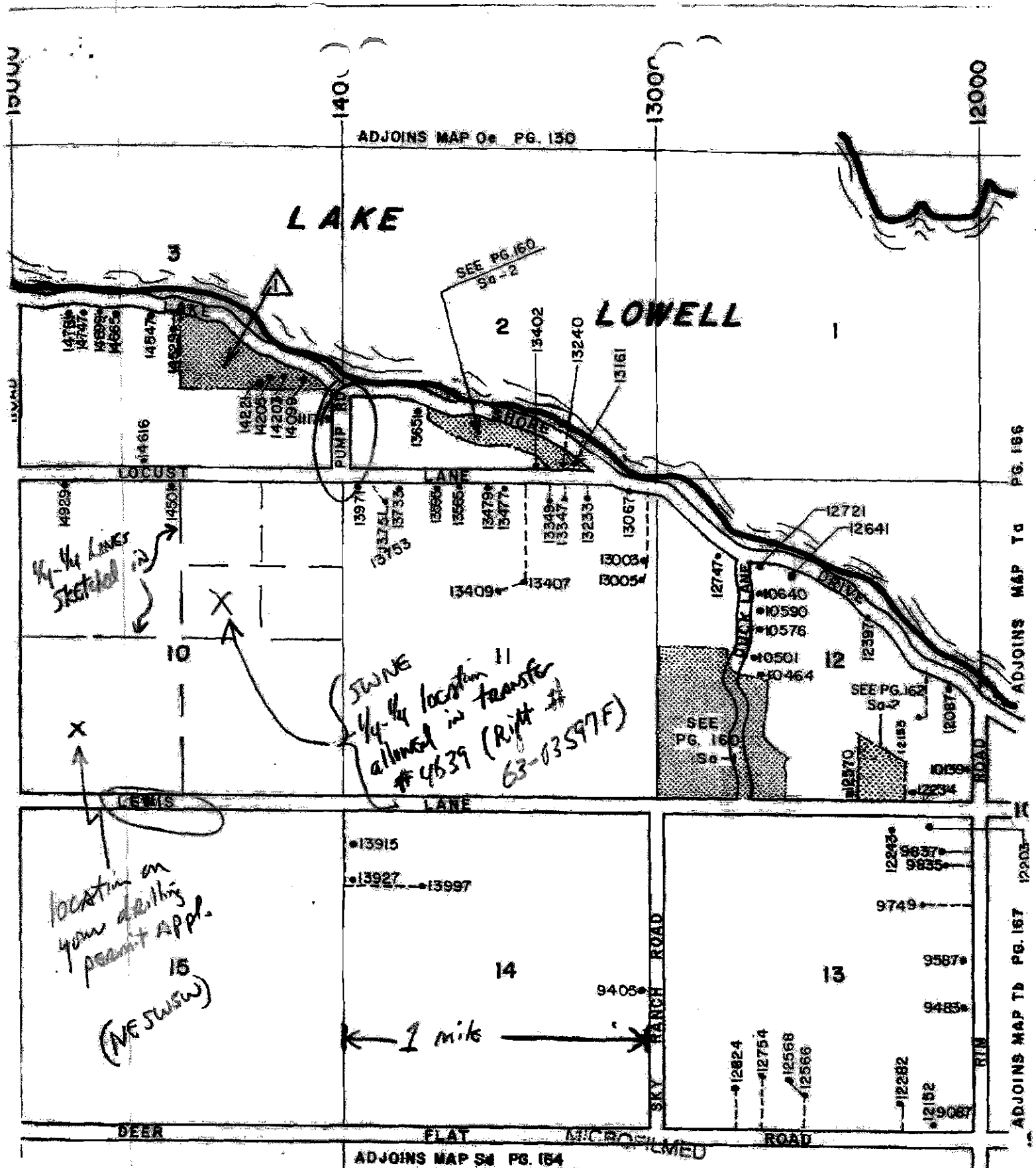
21

22

Sec 11 T2N R3W



63 3505



SECTIONS

1, 2, 3, 10, 11, 12, 13, 14, 15 T.2N., R.3W.

Victor (V) ~ 516 ac

4/1994

Meyers / Montierth / Victor

T 2 N, R 3 W, B.M.

PROPOSED PARTITIONS

PARCEL #1

PARCEL #2

PARCEL #3



Scale

0' 660' 1320'

Farmer Road

Low's Road

Нысрп Ланс

OWell 84

Well it

OWEN MO

du

NOV 03 1995
EXHIBIT A

NOV 08 1995

93.5

TRANS

ACR
Crop land
68.0

ADA

68.0

135.0

228.5

\$ *67.0*

2.

67.0

TRANS

ADA

T5377

TRANS

TO

5. ADA

33.3

6.

4.6

T 21 7

Dec 10, 15 2N 3W

Canyon Co.

1992

180.5

3
44.0

Tract

2147

Farm # (old/new)

2130

Field	1	Crop	<i>CU \$</i>	Year	91	#2130
Field	2	Crop	<i>CU \$</i>	Year	91	#2130
Field	3	Crop	<i>ACR</i>	Year	91	#2130
Field	4	Crop	<i>CU \$</i>	Year	90	#1985
Field	5	Crop	<i>CU \$ / ACR</i>	Year	90	#1985
Field	6	Crop	<i>CU \$</i>	Year	90	#1985

NOV 08 1995

7
109.3

93.5

TRANS

ITO

ADA

68.0

135.0

~~228.5~~

10

67.0

TRANS

ADA

T5377

TRANS

TO

5, ADA

33.3

6.

46.0

T 211
DEC 1945

Canyon

180.5

3
44.0

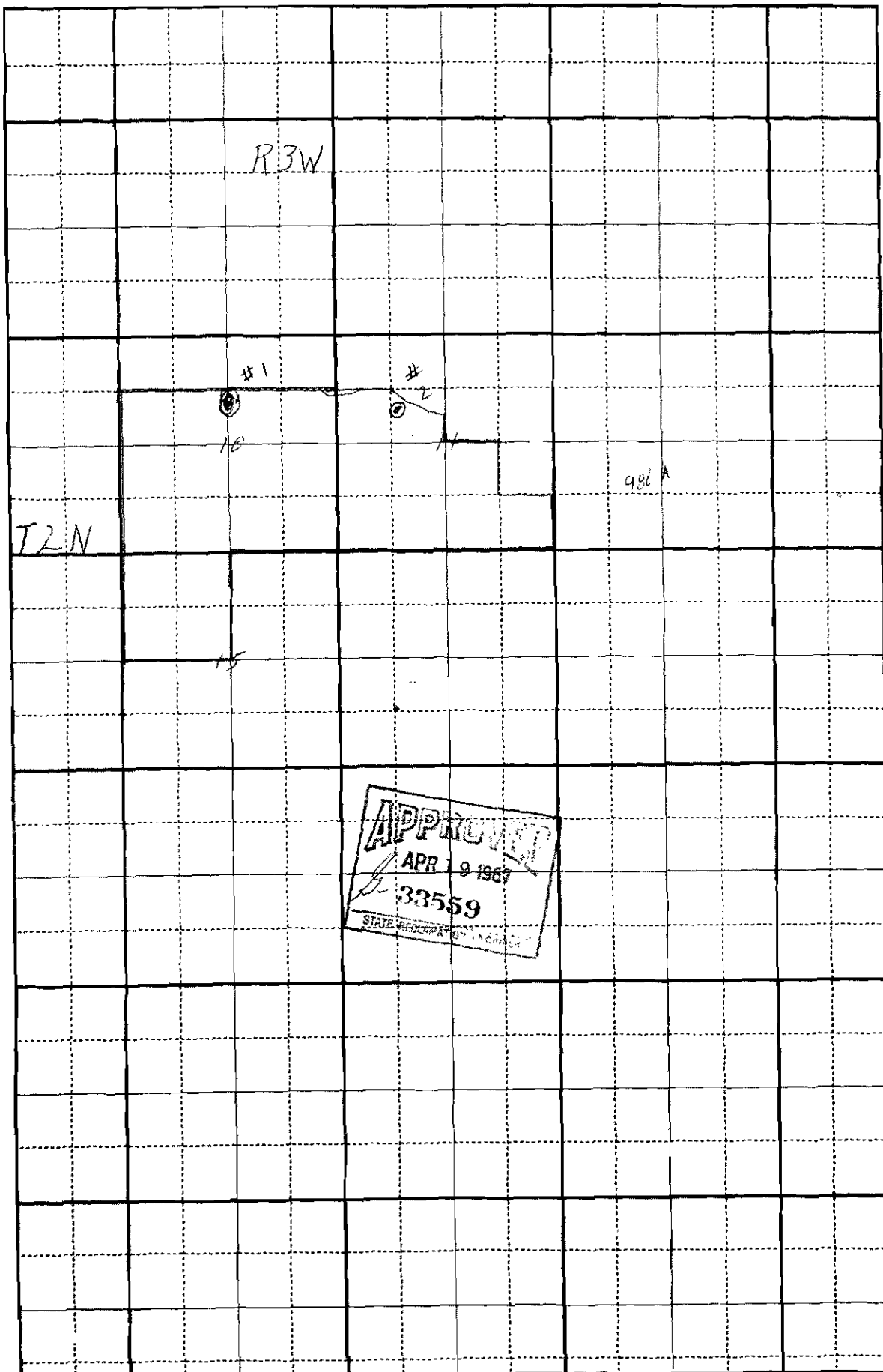
1993
#2456
T2167

7 NOV 08 1955
109.3

T2060
2130 1991

NAME OF APPLICANT Rex Jensen

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

Rex Jensen

NWSE

NESE

SECTION 10

SWSE

SESE

This is the land
associated with
this permit

1954
9/10/101
2/2/10

sec 10

SWSE

This is the land that will be irrigated.

MICROFILMED
SEP 07 2001

sec 14

SWNW

This is the land that is going to be dried up

1987 aerial photo



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 25, 1993

RE: Notice of Claim Nos. A63-03597B

Mark S. &/or Susan Tracy
6627 Bennett Rd.
Nampa, ID 83686

Dear Claimants:

Enclosed is a copy of the above referenced claim which reflects the approved transfer and change in ownership of a portion of Montierth's claim.

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

If you have any questions concerning these claims, please feel free to contact this office.

Sincerely,

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosure