

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 63-3597H
Date Received: 2/15/1990
Receipt No: X999999
Received By:

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

1. Name of Claimant(s)

CANYON COUNTY LAKES ESTATES Phone:
7488 SKY RANCH ROAD
NAMPA ID USA 83686

2. Date of Priority: 04/13/1967

3. Source: GROUND WATER , GROUND WATER Trib. to: ,

4. Point of Diversion:

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

5. Description of diverting works:

2 WELLS & PUMPS, MAINLINES, SPRINKLER IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.65	310.6

7. Total Quantity Appropriated is:
0.65 C.F.S. and/or 310.6 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
02N	03W	11	SW SW	IRRIGATION	39
			SE SW	IRRIGATION	39

Section Acres 78
Total Acres 78

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:

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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

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.

This right does not grant any right-of-way or easement across the land of another.

After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

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.

The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

The total instantaneous diversion of water from all points of diversion under Rights 63-3597H and 63-31535 shall not exceed 1.20 cfs, nor a total combined annual volume of 351.0 af for the irrigation of 78 acres.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Rights 63-3597F, 65-7156D, 63-31535, 63-31799, 63-31800, 63-31801 and 63-31802 are also diverted through the points of diversion described above.

CHANGE IN OWNERSHIP LG- 7-14-2006 REVIEWED BY SE

15. Basis of Claim: License



ERO Resources Corp.
3314 Groce Street
Boise, ID 83703-5836
(208) 373-7983
Fax: 373-7985
Denver • Boise • Durango
www.eroresources.com
eroboise@eroresources.com

May 22, 2006

Mr. Steve Lester
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

RE: Change in Ownership

Dear Mr. Lester,

Enclosed, please find a Notice in Change in Ownership for water right nos. 63-3597H, 63-31535, 63-31800, and 63-31802.

The preliminary recommendation for these rights is in the name of Rex Evans, Maryon Evans, and Catherine Parker.

Canyon County Lake Estates (CCLE) has purchased the land and water rights and would like to have IDWR's records reflect the correct owner for the upcoming decree.

I understand that the filing fee is waived for water rights pending in the SRBA.

Regards,

A handwritten signature in black ink that reads "Steve R. Hannula". The signature is written in a cursive, flowing style.

Steven R. Hannula

Should questions arise during the processing of this application please contact
Steve Hannula - ERO Resources Corp. (208) 373-7983

RECEIVED

MAY 22 2006

WATER RESOURCES
WESTERN REGION

**STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES
 NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-3597H	_____	_____	_____	_____	_____
63-31535	_____	_____	_____	_____	_____
63-31800	_____	_____	_____	_____	_____
63-31802	_____	_____	_____	_____	_____

2. The following **REQUIRED** information must be submitted with this form:
- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions): **PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

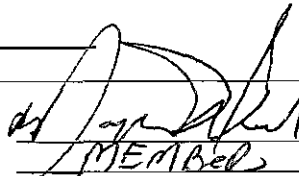
3. Name and Address of Former Owner/Claimant(s) Rex E. Evans and Mayon E. Evans, and Catherine E. Parker
2035 Fairmeadow Dr. Boise, ID 83704
4. New Owner/Claimant(s) Cayon County Lake Estates, LLC
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 7488 Sky Ranch Rd.
- City, State and ZIP Code Nampa, ID 83686
- New Telephone Number (208) 466-5525
5. Date you acquired the property Dec 9, 2005

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT		
(If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT		
(If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)


MEMBER

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by lg Date 5-22-06 Fee 8
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

Dec 22 05 12:06p

P. 2

FILED EFFECTIVE

254



ARTICLES OF AMENDMENT TO ARTICLES OF ORGANIZATION LIMITED LIABILITY COMPANY

(Instructions on back of application)

1. The name of the limited liability company is:

Canyon County Lake Estates LLC

If the LLC has been administratively dissolved and the name is no longer available for use, #3 below must include an amendment of name.

2. The date the articles of organization were filed was: January 25, 2005

COMPLETE ONLY THE APPLICABLE ITEMS

3. The name of the limited liability company is amended to read:

4. The management of the limited liability company shall henceforth be vested in:

☐ Manager(s) ☐ Members

5. The information on the managers/members shall be amended as follows:

Name	Address	Add	Delete	Other
Cordy Rost	7488 Sky Ranch Rd Nampa, ID 83486	☒		
Robert W. George	1261 Terminal Way Suite 222 Reno, NV 89502	☐	☒	
David E. Cox	1350 E. Greg St #3 Sparks, NV 89431	☐	☒	
Marc Ikebasu	2250 Saddle ridge Ct Reno, NV 89508	☐	☐	correction
Morgan Flumi	3628 Beverly Ridge Dr Sherman Oaks, CA 91423	☒	☐	
Flumi Family Trust	201 Ocean Ave Apt 708P Santa Monica, CA 90402	☒	☐	

6. Signature of at least one manager, if any, or at least one member.

Signature: [Signature]Typed Name: Marc IkebasuCapacity: Manager

Signature: _____

Typed Name: _____

Capacity: _____

Secretary of State use only

IDaho SECRETARY OF STATE
12/30/2005 05:00
CK: 1151 DT: 195463 BN: 929391
1 @ 38.00 = 38.00 ORGAN AMEN # 2

436175

After Recording
Return to:

Alliance Title & Escrow Corp.
3307 Nampa-Caldwell Boulevard, Suite 101
Nampa, ID 83651

AT-5100415029 JM

WARRANTY DEED

FOR VALUE RECEIVED, Rex E. Evans, a married man dealing with his sole and separate property, and Catherine E. Parker, a married woman dealing with her sole and separate property, and Maryon E. Evans, an unmarried woman dealing with her sole and separate property, collectively as "**Grantor**," does hereby grant, bargain, sell and convey unto CANYON COUNTY LAKE ESTATES, LLC, an Idaho limited liability company, as "**Grantee**," whose current address is 1281 Terminal Way, Suite 222, Reno, Nevada 89502, the following described premises, in Canyon County, Idaho, to-wit:

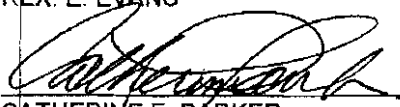
That certain real property consisting of approximately two hundred seven (207) acres located at Lewis Lane in Canyon County, Idaho, more particularly described on **Exhibit A** attached hereto and made a part hereof;

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and Grantee's heirs and assigns forever. Said Grantor does hereby covenant to and with said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances, **EXCEPT** those to which this conveyance is expressly made subject as more particularly set forth on **Exhibit B** attached hereto and made a part hereof, and those made, suffered or done by the Grantee; 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 shall warrant and defend the same from all lawful claims whatsoever.

Dated: December 9, 2005.



REX. E. EVANS



CATHERINE E. PARKER



MARYON E. EVANS

[notary acknowledgments follow]

REQUEST
FEE 15.00

ALLIANCE - NAMPA

CANYON COUNTY RECORDER
G. NOEL HALL

2005 DEC 9 PM 4:29

RECORDED

FOR RECORDING INFORMATION

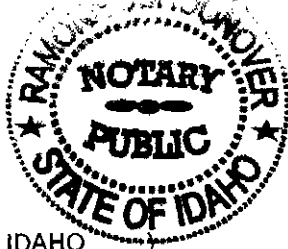
200582717

ACKNOWLEDGMENT

STATE OF IDAHO)
County of Camden) ss.

On this 9th day of December, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared REX E. EVANS, known or identified to me to be the person who signed the within and foregoing document, and acknowledged to me that he executed the same.

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

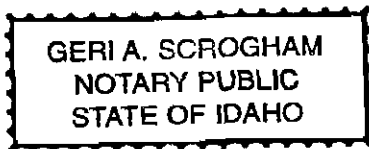


Ramona Chapman
Notary Public for Idaho
Residing at Camden
My commission expires: 12/23/10

STATE OF IDAHO)
County of Ada) ss.

On this 8th day of December, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared CATHERINE E. PARKER, known or identified to me to be the person who signed the within and foregoing document, and acknowledged to me that she executed the same.

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

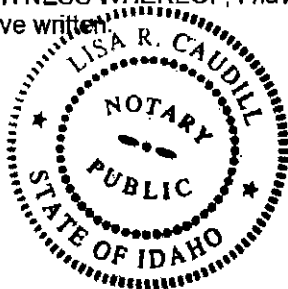


Geri A. Scroggiam
Notary Public for Idaho
Residing at Boise
My commission expires: 12-15-06

STATE OF IDAHO)
County of Ada) ss.

On this 7th day of December, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared MARYON E. EVANS, known or identified to me to be the person who signed the within and foregoing document, and acknowledged to me that she executed the same.

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



Lisa R. Caudill
Notary Public for Idaho
Residing at Kampa, ID
My commission expires: 6-11-09

EXHIBIT A

LEGAL DESCRIPTION OF PREMISES

PARCEL I

The South Half of the Southwest Quarter of Section 11, Township 2 North, Range 3 West, of the Boise Meridian, Canyon County, Idaho.

PARCEL II

Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

Section 11: East Half East Half Northwest Quarter Northwest Quarter, South of the Mora Canal; East Half East Half Southwest Quarter Northwest Quarter; East Half Northwest Quarter, South of the Mora Canal; Northeast Quarter Southwest Quarter; Northwest Quarter Southeast Quarter.

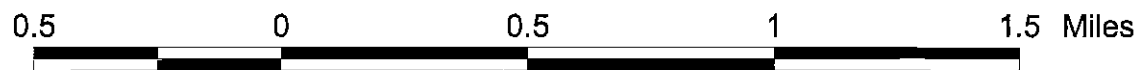
EXHIBIT B

PERMITTED EXCEPTIONS

1. General taxes for the year of Closing which are not yet due and payable.
2. Right of way for ditches, tunnels, telephone and distribution lines constructed by authority of the United States, as granted to the United States under the provisions of Section 58-604 Idaho Code.
3. Ditch, road and public utility easements as the same may exist over said premises.
4. Right-of-way for Mora Canal, and the rights of access thereto for maintenance of said canal.
5. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted to: Idaho Power Company.
Purpose: Public Utilities.
Recorded: June 17, 1969.
Instrument No.: 629771, of Official Records.
6. Except all minerals in or under said land, including but not limited to metals, oil, gas, coal, stone and mineral rights, mining rights and easement rights or other matters relating thereto, whether express or implied, as stated in a Warranty Deed.
Recorded: November 10, 1980.
Instrument No.: 905823, of Official Records.
7. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted to: Idaho Power Company.
Purpose: Public Utilities.
Recorded: April 28, 1988.
Instrument No.: 8808267, of Official Records.
8. Agreement as of July 1, 1988 on Division of Real Property, and the terms and conditions contained therein;
Between: Marion L. James, Roxy Elizabeth McDonough, and Chrystal J. Evans.
Purpose: Division of Real Property.
Dated: July 1, 1988.
Not Recorded.
9. Agreement, and the terms and conditions contained therein;
Between: Marion L. James, R. Elizabeth McDonough, Chrystal J. Evans.
and: Catherine E. Cavaiani, Rex E. Evans, Marvon L. Evans.
Dated: December 28, 1989.
Not Recorded.
10. Agreement, and the terms and conditions contained therein:
Between: Catherine E. Parker, formerly known as Catherine E. Cavaiani, a married woman dealing with her sole and separate property, Rex E. Evans, a married man dealing with his sole and separate property, and Maryon E. Evans, an unmarried woman.
and: Edward T. Evans and Robert L. Bilow, Co-trustees of the Article IV Trust under the Will of Rex S. Jensen, Deceased.
Purpose: Easement Agreement.
Recorded: September 9, 1992.
Instrument No.: 9220403, of Official Records.

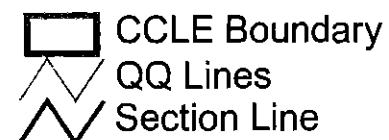
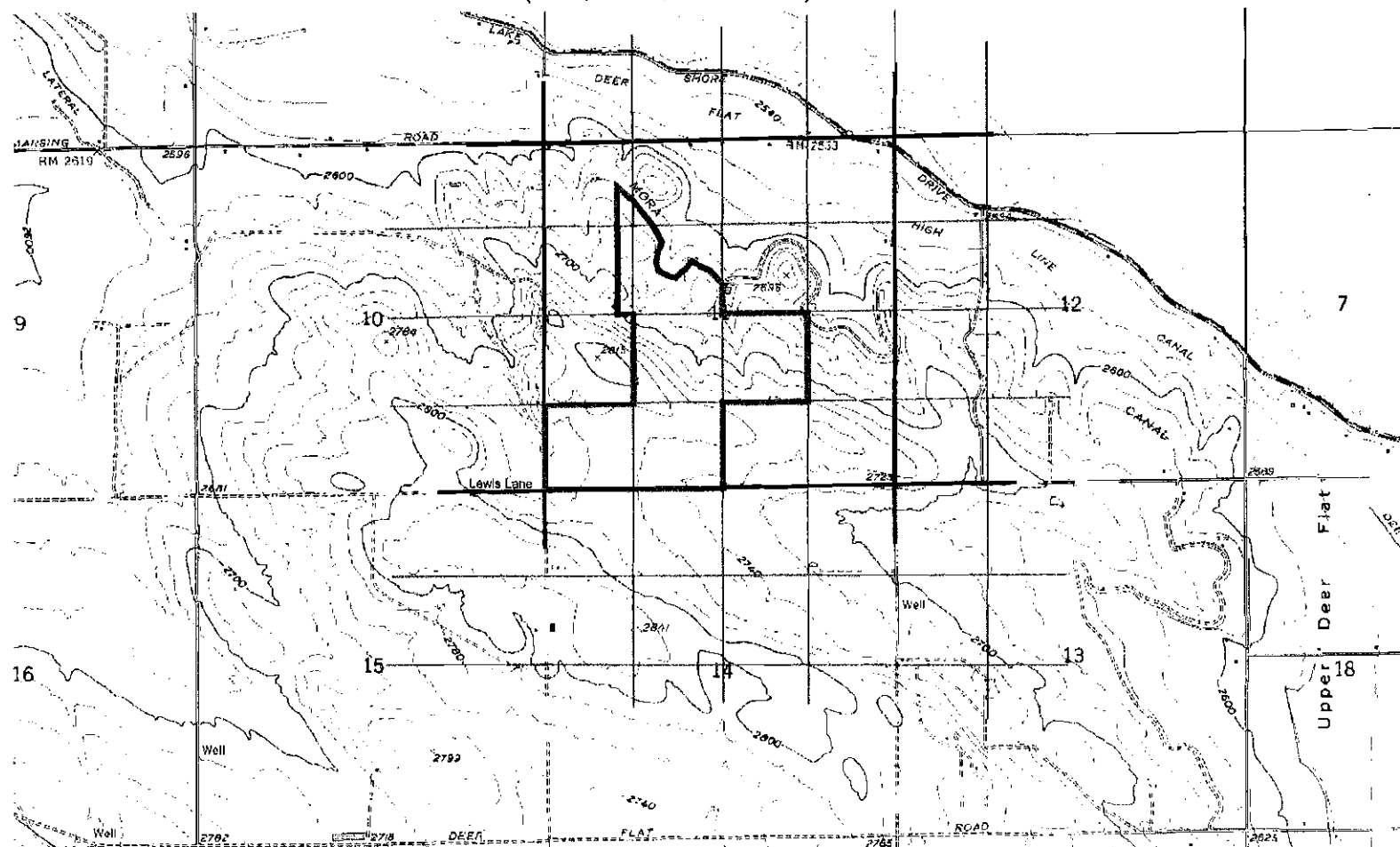
11. Amendment to Agreement, and the terms and conditions contained therein;
Between: Marion L. James, R. Elizabeth McDonough, Chrystal J. Evans.
and: Catherine E. Parker, formerly known as Catherine E. Cavaiani, Rex E. Evans, and
Maryon L. Evans.
Purpose: Amend prior agreements relating to water system repairs and maintenance.
Dated: December ____, 1992.
Not Recorded.
12. Agreement, and the terms and conditions contained therein:
Between: Catherine E. Parker, formerly known as Catherine E. Cavaiani, a married woman
dealing with her sole and separate property, Rex E. Evans, a single man dealing with his sole
and separate property, and Maryon E. Evans, an unmarried woman.
and: Edward T. Evans and Robert L. Bilow, Co-Trustees of the Article IV Trust under the Will
of Rex S. Jensen, Deceased.
Purpose: Easement Agreement
Recorded: December 28, 1992.
Instrument No.: 9229046, of Official Records.
13. Agreement, and the terms and conditions contained therein:
Between: Marion L. James, R. Elizabeth McDonough, Chrystal J. Evans.
and: Catherine E. Parker (formerly known as Catherine E. Cavaiani), Rex E. Evans and
Maryon E. Evans.
Purpose: Memorandum of Agreement
Recorded: December 28, 1992.
Instrument No.: 9229047, of Official Records.
14. Easements, reservations, notes and dedications, as shown on Record of Survey for Rex
Evans.
Recorded: April 15, 1999.
Instrument No.: 9914520, of Official Records.

Canyon County Lake Estates Property Boundary
for Water Right Nos.
63-3597H, 63-31535, 63-31800, and 63-31802
(T2N, R3W, section 11)



- Existing PODs
- CCLE Boundary
- △ QQ Lines
- △ Section Line

Canyon County Lake Estates Property Boundary
for Water Right Nos.
63-3597H, 63-31535, 63-31800, and 63-31802
(T2N, R3W, section 11)



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IN RE THE GENERAL ADJUDICATION
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CIVIL CASE NUMBER: 39576

Ident. Number 63-3597H
Date Received: 2/15/1990
Receipt No: X999999
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

REX E EVANS Phone: (208)378-8813
2035 FAIRMEADOW DR
BOISE ID USA 83704

MARYON E EVANS Phone: (208)378-8813
2035 FAIRMEADOW DR
BOISE ID USA 83704

CATHERINE E PARKER Phone: (208)378-8813
2035 FAIRMEADOW DR
BOISE ID USA 83704

2. Date of Priority: 04/13/1967

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:

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IRRIGATION	03/15	11/15	0.65	310.6

7. Total Quantity Appropriated is:

0.65 C.F.S. and/or 310.6 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	03W	11	SW	SW	IRRIGATION	39
			SE	SW	IRRIGATION	39
					Section Acres	78
					Total Acres	78

11. Place of use in counties: CANYON

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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 does not grant any right-of-way or easement across the land of another.

After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

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.

The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

The total instantaneous diversion of water from all points of diversion under Rights 63-3597H and 63-31535 shall not exceed 1.20 cfs, nor a total combined annual volume of 351.0 af for the irrigation of 78 acres.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Rights 63-3597F, 65-7156D, 63-31535, 63-31799, 63-31800, 63-31801 and 63-31802 are also diverted through the points of diversion described above.

15. Basis of Claim: License

WATER RIGHT NO. 63-3597H
As Modified by Transfer No. 68832

In accordance with the approval of Transfer No. 68832, Water Right No. 63-3597H is now described as follows.

Right Holder: REX E EVANS And
 MARYON E EVANS And
 CATHERINE E PARKER
 2035 FAIRMEADOW DR
 BOISE ID 83704

Priority Date: April 13, 1967

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.65 CFS	310.6 AF
			0.65 CFS	310.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSW	Sec. 11 Twp 02N Rge 03W CANYON County
GROUND WATER	NESE	Sec. 11 Twp 02N Rge 03W CANYON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 03W 11																	78.0

Total Acres: 78

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
4. This right does not grant any right-of-way or easement across the land of another.
5. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

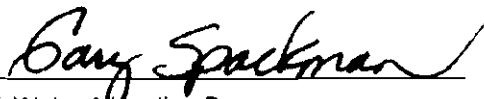
WATER RIGHT NO. 63-3597H
As Modified by Transfer No. 68832

CONDITIONS OF APPROVAL

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- 504 7. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
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9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
10. Rights 63-3597F, 65-7156D, 63-31535, 63-31799, 63-31800, 63-31801 and 63-31802 are also diverted through the points of diversion described above.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 23rd day of August, 20 04


Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED**TRANSFER OF WATER RIGHT*****AMENDED***

TRANSFER NO. 68832

This is to certify that: ESTATE OF REX S JENSEN
C/O E T EVANS CO-TRUSTEE
9990 ROAN MEADOWS DR
BOISE ID 83709
(208)362-9411

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-3597F	AJC/License	04/13/1967	0.72 cfs	344.2 af	86.5	106.0	GROUND WATER
63-3597H	AJC/License	04/13/1967	0.65 cfs	310.6 af	78.0	78.0	GROUND WATER
63-7156D	AJC/License	10/07/1968	0.30 cfs	127.0 af	29.5	106.0	GROUND WATER
63-31535	AJC/License	10/07/1968	0.55 cfs	235.0 af	55.0	78.0	GROUND WATER
63-31799	AJC/License	10/07/1968	0.30 cfs	127.0 af	29.5	144.8	GROUND WATER
63-31800	AJC/License	10/07/1968	0.30 cfs	127.0 af	29.5	124.0	GROUND WATER
63-31801	AJC/License	04/13/1967	0.72 cfs	344.2 af	86.5	144.8	GROUND WATER
63-31802	AJC/License	04/13/1967	0.72 cfs	344.2 af	86.5	124.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-3597F	NO	NO	YES	NO	NO	NO
63-3597H	NO	NO	YES	NO	NO	NO
63-7156D	NO	NO	YES	NO	NO	NO
63-31535	NO	NO	YES	NO	NO	NO
63-31799	NO	NO	YES	NO	NO	NO
63-31800	NO	NO	YES	NO	NO	NO
63-31801	NO	NO	YES	NO	NO	NO
63-31802	NO	NO	YES	NO	NO	NO

63-3597

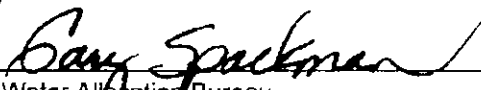
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 68832

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
63-3597F	63-3597F	0.72 cfs	344.2 af	86.5	106.0		N/A	N/A	N/A	N/A
63-3597H	63-3597H	0.65 cfs	310.6 af	78.0	78.0		N/A	N/A	N/A	N/A
63-7156D	63-7156D	0.30 cfs	127.0 af	29.5	106.0		N/A	N/A	N/A	N/A
63-31535	63-31535	0.55 cfs	235.0 af	55.0	78.0		N/A	N/A	N/A	N/A
63-31799	63-31799	0.30 cfs	127.0 af	29.5	144.8		N/A	N/A	N/A	N/A
63-31800	63-31800	0.30 cfs	127.0 af	29.5	124.0		N/A	N/A	N/A	N/A
63-31801	63-31801	0.72 cfs	344.2 af	86.5	144.8		N/A	N/A	N/A	N/A
63-31802	63-31802	0.72 cfs	344.2 af	86.5	124.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		4.26 cfs	2166.0 af	365.0	452.8		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 23rd day of August, 2004



Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
Part 1

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NOV 29 2000

WATER RESOURCES
WESTERN REGION

Name of applicant Estate of Rex S. Jensen

Phone 208-362-9411

Post Office address 9990 Roan Meadows Drive, Boise, Idaho, 83709

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 To reconfigure the place of use and quantity of water appurtenant to lands as described in a legal agreement dated July 1, 1988 (Attachment B), and deed (Attachment C).

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>63-03597D</u>	<u>4-13-1967</u>	<u>2.80</u>	<u>Irrigation</u>	<u>3-15 to 11-15</u>
<u>63-07156B</u>	<u>10-7-1968</u>	<u>1.46</u>	<u>Irrigation</u>	<u>4-1 to 11-1</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 4.26 cubic feet per second and/or 2166 acre-feet per annum.

3. Source of water Groundwater tributary to N/A

4. Point(s) of Diversion:

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

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	3W	11				2	3	23	40	26	40	40	39	39	26	40	39	39	396
2N	3W	10				34.8									19			3	56.8

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NOV 18 2003

Total 452.8

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FEB 6 2001

WATER RESOURCES
WESTERN REGION

PART 1

Page 2 of 8

Transfer No. _____

6. General Information:

- a. Description of diversion system The system consists of two wells, vertical turbine line shaft pumps and a fully interconnected main line distribution system.
- 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: The quantity of water allocated to each acre, presently irrigated, will be increased slightly.
- d. Remarks: Attachment D

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 20 _____

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NOV 18 2003

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. 63-03597D issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to N/A4. Date of priority 4-13-1967

5. Water is used for the following purpose:

Amount 2.8 / 1512 for Irrigation purposes from 3-15 to 11-15

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

6. Total amount of water under right 2.80 cubic feet per second and/or 1512 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	11	2N	3W	Canyon	
		NE	SE	11	2N	3W	Canyon	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	11							36	26	40	40	39	39		40	39	38	337.3

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NOV 18 2003

Total acres 337.39. Describe any other water rights used for the same purpose as described above 63-07156B

PART 2

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

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Points of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

1. Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Points of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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NOV 18 2003

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. 63-07156B issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to N/A

4. Date of priority 10-7-1968

5. Water is used for the following purpose:

Amount 1.46 / 653.9 for Irrigation purposes from 4-1 to 11-1

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

6. Total amount of water under right 1.46 cubic feet per second and/or 653.9 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	11	2N	3W	Canyon	
		NE	SE	11	2N	3W	Canyon	

8. Land irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	11													26	40	40	39	145.3

Total acres 145.3

9. Describe any other water rights used for the same purpose as described above 63-03597B

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NOV 18 2003

PART 2

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

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED*(If the entire right is to be changed by the applicant, omit part B and C.)*

1. Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Points of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

1. Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Points of Diversion:

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

3. Lands irrigated or place of use:

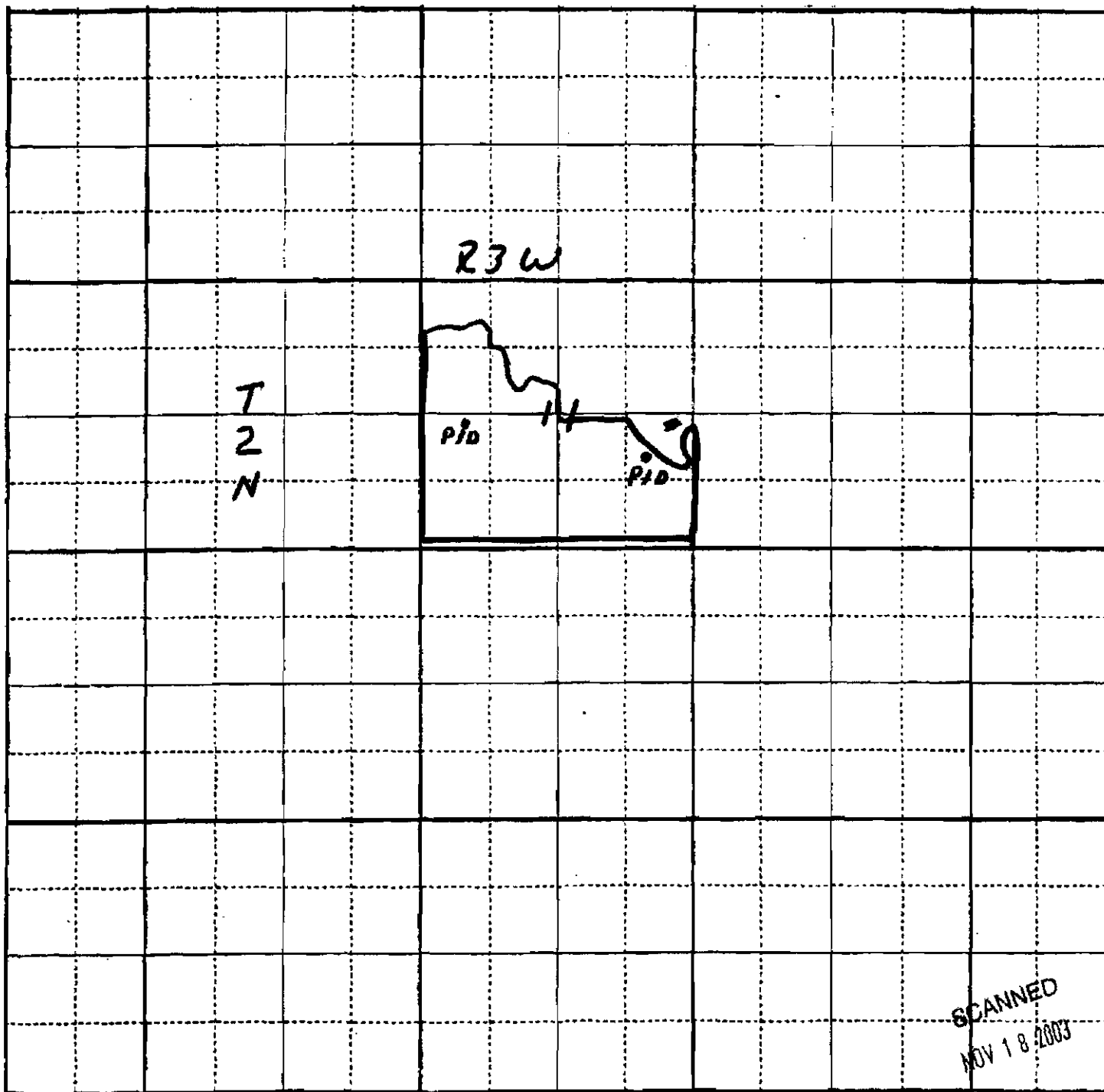
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

SCANNED
NOV 18 2009

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.



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NOV 18 2003

PART 3

B. CHANGES IN NATURE OF USE N/A

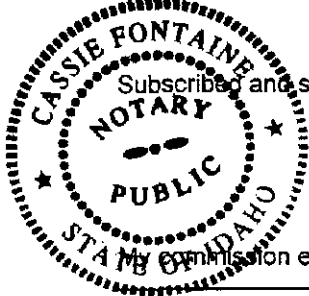
1. New Nature of Use _____ Amount (cfs/ac-ft) _____ Hours/days/year _____ Period of Use _____ to _____
 _____ to _____
2. Quantity and quality of return flows and location of discharge: _____
3. Describe effects on other water uses resulting from the proposed change: _____

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Edward T. Evans and Robert L. Bibow, Co-Personal Representatives
of the Estate of Rex S. Jensen

(Signature of Applicant)

Subscribed and sworn before me this 7th day of November, 2000



(Notary Public)

My commission expires 8/2/2001

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 45 attachments
 Received by LM Date 11-29-00 Protest filed by _____
 Prelim. check by RL Fee 410.00
 Receipted by LM Date 11-29-00 W027179
 Published in Press Tribune Copies of protest forwarded by _____
 Pub. Dates 2-1 + 8-81 Hearing held by _____ Date _____
 Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial
 _____ rec'd. _____ by _____
 Copy of transfer sent to lien holder _____

SCANNED
 NOV 18 2003

November 19, 2003

Mr. Dan Nelson
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

RE: Transfer 68832

Dear Mr. Nelson

My notarized signature below represents my signature for the transfer in the name of
Estate of Rex Jensen (#68832).

Mark McDonough	<u>Mark McDonough</u>	Date	<u>November 21, 03</u>
Catherine Parker	_____	Date	_____
Rex Evans	_____	Date	_____
Maryon Evans	_____	Date	_____
Jason Chan	_____	Date	_____
Jesse Chan	_____	Date	_____
Vanessa Chan	_____	Date	_____
Justin Smith	_____	Date	_____
George Harrison	_____	Date	_____

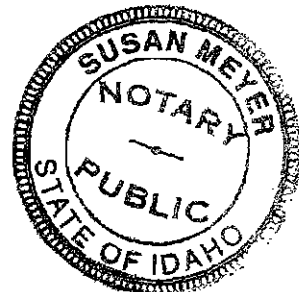
Subscribed and sworn before me this 21 day of Nov 2003

Mark McDonough

Susan Meyer

Notary Public
Residing at Harper Idaho

My commission expires 9-22-09



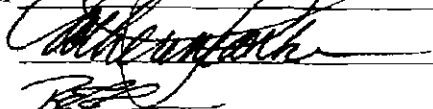
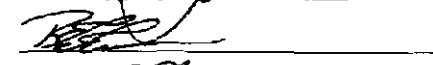
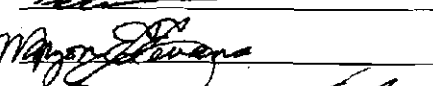
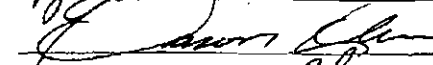
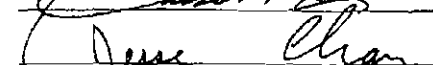
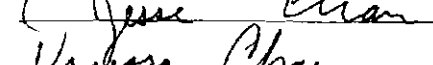
November 19, 2003

Mr. Dan Nelson
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

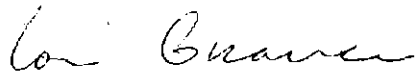
RE: Transfer 68832

Dear Mr. Nelson

My notarized signature below represents my signature for the transfer in the name of
Estate of Rex Jensen (#68832).

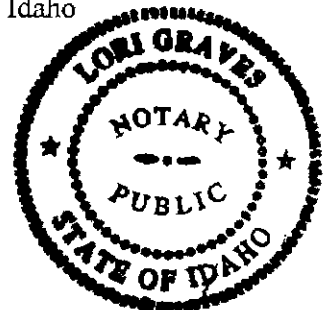
Mark McDonough		Date	
Catherine Parker		Date	12/29/03
Rex Evans		Date	12/29/03
Maryon Evans		Date	12/29/03
Jason Chan		Date	12-29-03
Jesse Chan		Date	12-29-03
Vanessa Chan		Date	12-29-03
Justin Smith		Date	
George Harrison		Date	

Subscribed and sworn before me this 29th day of Dec 2003.



Notary Public
Residing at BOISE, Idaho

My commission expires 6/18/04



RECEIVED

JAN 05 2004

WATER RESOURCES
WESTERN REGION

November 19, 2003

Mr. Dan Nelson
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

RE: Transfer 68832

Dear Mr. Nelson

My notarized signature below represents my signature for the transfer in the name of
Estate of Rex Jensen (#68832).

Mark McDonough	_____	Date	_____
Catherine Parker	_____	Date	_____
Rex Evans	_____	Date	_____
Maryon Evans	_____	Date	_____
Jason Chan	_____	Date	_____
Jesse Chan	_____	Date	_____
Vanessa Chan	_____	Date	_____
Justin Smith	<u>Justin Smith</u>	Date	<u>1/2/04</u>
George Harrison	<u>G. Harrison</u>	Date	<u>1/2/04</u>

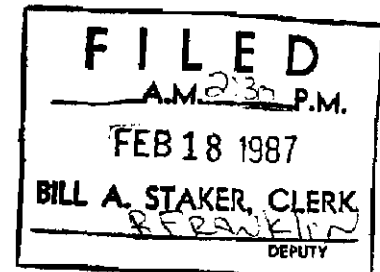
Subscribed and sworn before me Cherie Burt day of January 2004.

Cherie Burt

Notary Public
Residing at Nampa Idaho
STATE OF IDAHO

My commission expires 11-13-06

John McGown, Jr.
HAWLEY TROXELL ENNIS & HAWLEY
P. O. Box 1617
Boise, Idaho 83701
Telephone: (208) 344-6000



IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF CANYON

IN THE MATTER OF THE ESTATE OF)
REX S. JENSEN,)
Deceased.)

Probate Case No. 1P-4984
LETTERS TESTAMENTARY

The will of the decedent Rex S. Jensen, dated August 30, 1984 and the decedent's First Codicil to Last Will and Testament dated April 3, 1986, having been admitted to informal probate in the above-named Court, the persons named as co-personal representatives therein, Robert L. Bilow and Edward T. Evans, are hereby appointed co-personal representatives to administer the estate of Rex S. Jensen, deceased under the will.

WITNESS: STEPHEN W. DRESCHER, Magistrate of
the District Court, County of Canyon, State of Idaho, with the
seal of the Court affixed the 18 day of FEB, 1987.

STEPHEN W. DRESCHER
Magistrate

SCANNED
NOV 18 2003

T. 68832
Attorney A

STATE OF IDAHO)
) ss.
County of Ada)

We, Robert L. Bilow and Edward T. Evans, hereby accept the duties of co-personal representatives of the estate of Rex S. Jensen, deceased, and do solemnly swear that we will perform, according to law, the duties of co-personal representatives of said estate.

Robert L. Bilow
Robert L. Bilow

Edward T. Evans
Edward T. Evans

STATE OF IDAHO)
) ss.
County of Ada)

SUBSCRIBED AND SWORN before me this 18th day of
February, 1987.

Rosemary L. Wimberly
Notary Public for Idaho
Residing at Meridian, Idaho
My commission expires on 4/1, 1987

State of Idaho)
County of Canyon) ss.

I hereby certify that the foregoing instrument is a true and correct copy of the original as the same appears in this office.

DATED

Feb 18, 1987
Bill A. Starnes, Clerk of the District Court
and Ex-Officio Recorder

By *B. Frank*
Deputy

SCANNED
NOV 18 2003

In the Matter of the Estate of
REX S. JENSEN, Deceased

Case No. 1P-4984

CERTIFICATE

I, BILL A. STAKER, Clerk of the District Court of the
THIRD JUDICIAL DISTRICT of the State of Idaho, in and for the
County of Canyon, do hereby certify that the attached LAST WILL
AND TESTAMENT and the FIRST CODICIL TO LAST WILL AND TESTAMENT
dated April 3, 1986, are true and correct copies of the original
probated will and codicil on file in this office and that the
decedent was domiciled in this State and that said will and
codicil were admitted to probate in informal proceedings.

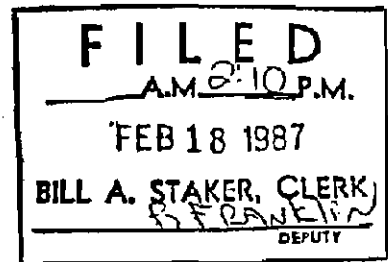
IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal this 18TH day of FEBRUARY, 1987.

BILL A. STAKER,
Clerk of the District Court

By B. Frankel
Deputy

SCANNED
NOV 18 2003

LAST WILL AND TESTAMENT
OF
REX S. JENSEN



I, REX S. JENSEN, a resident of Canyon County, State of Idaho, declare this to be my Last Will and Testament and revoke all prior wills and codicils made by me.

ARTICLE I

FAMILY INFORMATION

My wife is Roxy C. Jensen and all references in this Will to my wife are to her. My children living at the execution of this Will are:

<u>Name</u>	<u>Date of Birth</u>
Marion L. James	December 14, 1916
Roxy Elizabeth McDonough	December 22, 1918
Chrystal J. Evans	January 25, 1927

ARTICLE II

COMMUNITY AND SEPARATE PROPERTY

I confirm to my wife her one-half (1/2) interest in our community property. It is my intent by this Will to dispose of my separate property and my one-half (1/2) interest in our community property. Nevertheless, if my spouse survives me, I


Rex S. Jensen

request that our community property be divided such that the real property comprising 300 acres more or less in Canyon County, Idaho, otherwise known as the Lakeview property, is allocated to my share of our property and other "offsetting" assets of equal value be allocated to my wife's share of our property.

ARTICLE III

TANGIBLE PERSONAL PROPERTY

A. Certain Dispositions by Memorandum. I give certain items of tangible personal property (excluding money, evidences of indebtedness, documents of title, securities, and property used in a trade or business), including insurance policies and claims under such policies, in accordance with a memorandum signed by me or in my handwriting, which I intend to leave at my death.

B. Other Personal Property. I give all my jewelry, clothing, household furniture and furnishings, personal automobiles, and other tangible articles of a personal nature, or my interest in any such property, not otherwise specifically disposed of by this Will or in any other manner, together with any insurance on the property, to my wife if she survives me for ninety (90) days, and if she does not, to my children who survive me for that period in equal shares as they shall agree, or as my


Rex S. Jensen

Personal Representative shall in my Personal Representative's discretion determine if my children do not agree. It should be noted that we do not own our principal residence, it having been previously transferred.

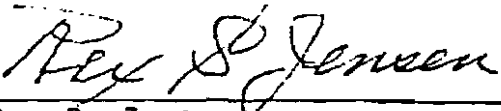
ARTICLE IV

RESIDUARY ESTATE

A. Defined. All of the residue of my estate, both real and personal, of every nature and wherever situated and whenever acquired shall constitute my residuary estate.

B. Gift of Residuary. If my wife survives me by ninety (90) days, then I give my residuary estate to my testamentary Trustee, in trust, on the following terms:

1. So long as my wife survives me, the net income of the trust shall be paid to or applied for the maintenance, education, or support of my wife or of any or all of my children at such times and in such proportions as my Trustee shall determine in his or her absolute discretion. Any accumulated income shall become part of principal. In the event the income shall be insufficient to provide my wife with adequate maintenance or support, the Trustee may invade principal for this purpose. Nevertheless, it is my non-binding


Rex S. Jensen

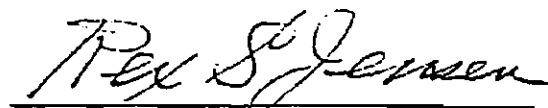
preference that such income or principal be paid or applied for my wife's benefit only in the event her other sources of maintenance or support are inadequate.

2. Upon the death of my wife, the then remaining principal shall be distributed to my then living issue, by right of representation.

3. If any portion of the principal of the trust shall be payable to a beneficiary who is then less than twenty-one (21) years of age, such portion shall immediately vest in such beneficiary, but distribution thereof shall be postponed by the Trustee until such beneficiary attains the age of twenty-one (21) years, and in the meantime the Trustee shall pay such part of the income on such portion, and the principal of such portion, as the Trustee shall deem necessary or proper to provide for such beneficiary's suitable support, education and maintenance, adding any unused income to the principal at the end of each year.

4. Should there be no living beneficiary of this trust, the principal shall go to the person or persons named in Article IV C. of this Will.

5. Prior to actual receipt, no beneficiary of this trust shall have any right to alienate, encumber,


Rex S. Jensen

or hypothecate his or her interest in the principal or income of the trust in any manner, nor shall such interest of any beneficiary be subject to claims of his or her creditors or liable to attachment, execution or other process of law.

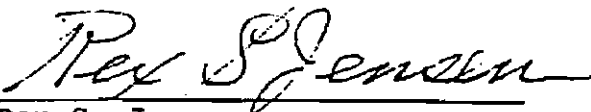
C. First Alternate Gift of Residuary. Should the prior provisions of this Will not dispose of all of my property, I give such property to my issue, by right of representation, but subject to Articles IV B.3. and IV B.5. above.

ARTICLE V

FIDUCIARIES

A. Personal Representative. I appoint Robert L. Bilow and Edward T. Evans as Co-Personal Representatives of this my Last Will and Testament. In the event either is unable or unwilling to serve at any time, I appoint the other as such Personal Representative, or if he is unable or unwilling to serve, I appoint the Trust Department of First Interstate Bank of Idaho, N.A., Boise, Idaho, as my Personal Representative.

B. No Bond. My Personal Representative shall not be required to give any bond for the faithful performance of its duties, and if any bond is required by statute, rule or order of court, then no surety shall be required.

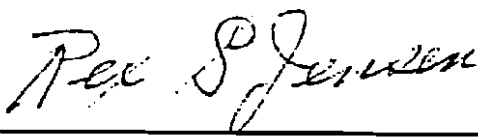

Rex S. Jensen

C. Powers and Duties of Successors. Any successor Personal Representative shall have all of the rights, powers, duties and discretions as my Personal Representative.

D. Unsupervised Estate Administration. My estate shall not be subject to supervised administration unless my Personal Representative petitions therefor, or unless changed circumstances I could not have anticipated would require supervised administration.

E. Trustee. I appoint Robert L. Bilow and Edward T. Evans as the Co-Trustees of the trust created under this Will. In the event one is unable or unwilling to serve, I appoint the other as Trustee.

F. Powers of Trustee. I give to my Trustee and Successor Trustee certain powers in addition to common law and statutory powers. These powers are to be broadly construed. Specifically, I grant the power to do any and every act and thing and to enter into and carry out any and every agreement with respect to the trust property which he or she could do if he or she were the absolute owner thereof. I further grant my Trustee the power to appoint a successor Trustee, if such appointment is in writing executed by the Trustee and acknowledged by him or her before a Notary Public.



Rex S. Jensen

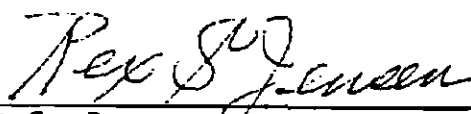
ARTICLE VI

TAXES

A. Death Taxes. All expenses of administering my estate and all federal estate taxes payable by reason of my death, including the federal estate tax with respect to property not passing under this Will, shall be paid, without right of contribution from any person, by my Personal Representative out of my residuary estate.

On behalf of each devisee, I authorize my Personal Representative to pay transfer and inheritance taxes payable by reason of the devisees to that devisee; and the amount paid on behalf of each devisee shall be deemed and treated as a charge against the distributive interest of that devisee.

B. Tax Elections. My Personal Representative may make any tax election available to it, may execute or file or join with others in executing or filing any tax returns, and may take any action with respect to taxation which it deems advisable, and shall have no duty to make any adjustment in the interest of any beneficiary hereunder by reason of the exercise of such election or the taking of such action.


Rex S. Jensen

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ARTICLE VII

RULES AND DEFINITIONS

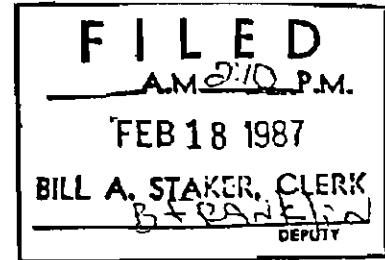
A. Adopted Children. A child adopted by any person and the issue by blood or adoption of such child shall for purposes of this Will be considered the issue of such person and of such person's ancestors, if the adoption is by legal proceeding before the child attains age eighteen (18).

B. Gender, Singular and Plural. Words in this Will in one gender shall be deemed to include other genders, and the singular shall be deemed to include the plural, and the plural the singular.

I, REX S. JENSEN, the Testator, sign my name to this instrument this 30th day of August, 1984, and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument, consisting of nine (9) pages, including the following page, as my Last Will and that I sign it willingly, that I execute it as my free and voluntary act for the purposes herein expressed, and that I am eighteen (18) years of age or older, of sound mind, and under no constraint or undue influence.


Rex S. Jensen, Testator

FIRST CODICIL TO
LAST WILL AND TESTAMENT
OF
REX S. JENSEN



I, REX S. JENSEN, a resident of Canyon County, State of Idaho, hereby make, publish and declare this to be the first codicil to my last will and testament, which was executed by me on August 30, 1984.

ARTICLE 1:

In Article II the last sentence is deleted and the following is substituted therefor:

"Nevertheless, if my spouse survives me, and if my Co-Personal Representatives in their sole discretion find that it is in the best interest of my estate, then I request that my Co-Personal Representatives divide our community property such that the real property comprising 300 acres more or less in Canyon County, Idaho, otherwise know as the Lakeview property, be allocated to my share of our community property and other "offsetting" assets of equal value be allocated to my wife's share of our community property."

ARTICLE 2:

Except as herein expressly amended, I hereby republish, ratify and confirm without change my last will and testament dated August 30, 1984.

I, Rex S. Jensen, the testator, sign my name to this instrument this 2nd day of April, 1986, and being first duly sworn, do hereby declare to the undersigned authority that I

At the request of the Testator, and in the presence of each other, we, Wanda A. Brandt and Mathilda Richardson the witnesses, sign our names to this instrument, being first duly sworn, and do hereby declare to the undersigned authority that the Testator signs and executes this instrument as his Last Will and that he signs it willingly and that each of us, in the presence and hearing of the Testator, hereby signs this Will as the witness to the Testator's signing, and that to the best of our knowledge the Testator is eighteen (18) years of age or older, of sound mind, and under no constraint or undue influence.

Wanda A. Brandt

Witness

Residing at Boise, Idaho

Mathilda Richardson

Witness

Residing at Fernandez, N. Dak.
58438

STATE OF IDAHO

County of Ada

)
) ss.
)

Subscribed, sworn to, and acknowledged before me by
REX S. JENSEN, the Testator and subscribed and sworn to before me
by Wanda A. Brandt and Mathilda Richardson, the
witnesses, this 30th day of August, 1984.

John M. Gown Jr.
Notary Public for Idaho
Residing at Boise

sign and execute this instrument as the first codicil to my last will and testament dated August 30, 1984, and that I sign it willingly, that I execute it as my free and voluntary act for the purposes therein expressed, and that I am 18 years of age or older, of sound mind, and under no constraint or undue influence.

Rex S. Jensen
Rex S. Jensen

We, Belle Waitley and Gladys Boyce the witnesses, sign our names to this instrument, being first duly sworn, and do hereby declare to the undersigned authority that the testator signs and executes this instrument as the first codicil to his last will and testament dated August 30, 1984, and that he signs it willingly, and that each of us, in the presence and hearing of the testator, hereby signs this will as witness to the testator's signing, and that to the best of the knowledge of each witness the testator is 18 years of age or older, of sound mind, and under no constraint or undue influence.

Belle Waitley
Witness

Residing at: Mesa
Ariz.

Gladys Boyce
Witness

Residing at: Mesa
Ariz.

STATE OF IDAHO)
County of Canyon) ss.
Ariz.

Subscribed, sworn to and acknowledged before me by Rex S. Jensen, the testator, and subscribed and sworn to before me by Belle Waitley and Gladys Boyce, witnesses, this 2nd day of April, 1986.

Signe Perry
Notary Public for Idaho
Residing at Mesa, Idaho
My commission expires: 11-12-96

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----- AGREEMENT AS OF JULY 1, 1988 ON DIVISION OF REAL PROPERTY -----

WATER:

There are two wells on the lakeview property at this time. These wells were drilled and developed under previous agreements between Bryce Millar and Rex S. Jensen. The licenses for these wells (63-7156 and 33559/63-3597) are issued to Bryce Millar and, under the original contract, will revert to Rex S. Jensen at such time as Bryce no longer leases the land. These two licenses, as issued, provide for the following amounts and locations:

total licenses; 2.81 cfs and 7.53 cfs = 10.34 cfs total,
total acreage under licenses; 280 + 908 = 1188 acres total as follows,
sec 10 = 414 acres, sec 11 = 498 acres, sec 14 = 120 acres, and
sec 15 = 156 acres, with priority dates of 4/13/67 and 10/7/68.

Subsequently, under a deed dated 10/19/80, 60 inches (1.2 cfs) was assigned specifically to the South 1/2 of the South West 1/4 of Section 11 from the wells in section 11, together with an easement as necessary to transport said water for use on these premises. (Trade for 80 acres and water in sections 13 and 14).

To the best of our knowledge today these two wells are currently capable of producing 3.25 cfs in the spring and taper off to 2.8 cfs by July. Subtracting the 1.2 cfs previously deeded this would leave from 2 cfs (100 inches) down to 1.6 cfs (80 inches) available for the approximately 350 acres under consideration.

We are trying to divide the property into three equal value pieces, as per the appraisal by Idaho Land and Appraisal Service and our own discussions, without unnecessarily complicating management of the parcels. We recognize that this land is subject to a lease to Bryce Millar. We have agreed that:

said lease to Bryce Millar which expires 12/31/2004 will continue as per contract as though there had been no change in ownership,

If for any reason this lease is terminated and the water licenses revert to the heirs of Rex S. Jensen the available water should be equally divided amongst the three of us (or our heirs) with 1/3 of the available water going to each of the daughter's parcels of land,

that this be specified in the deeds we each receive for our parcels of land, and that each parcel be granted the necessary easements to make this water available to our parcels as part of the original distribution.

ROADWAYS AND ACCESS

Parcel #2, as shown on the maps prepared by the appraiser, does not have access to the main road. This parcel will need an easement from the main road to gain access.

BILLING, TAXES, AND MANAGEMENT

It was agreed that each parcel should have an equal say - one vote per parcel - in future decisions. To simplify this each owner, or their successors, must designate one "voting representative" for their parcel with the authority to speak for the parcel. We have agreed that it will be necessary for these "voting representatives" to elect a "management representative" for the collection of rental fees, paying the property taxes, and distributing to each of the other parcels their fair share of the proceeds. It was agreed that this job should be recompensed at the rate of 2% of the rental collected for the present and would be renegotiated in the event the duties increased in the future. The point was made that this job would require working with and cooperating with Bryce to avoid cancellation of the contract.

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NOV 18 2003

T. 68832

Attachment B

WELL, PUMP, OR WATER SYSTEM REPAIRS AND MAINTENANCE OR REPLACEMENT

Under the existing lease, repairs and maintenance are the responsibility of the lessee. In the event this lease is terminated, all repairs, maintenance, or replacement costs to the water system become the responsibility of the owners and costs must be equally shared by the owners of the three parcels because all the water is provided by this one system. In the event of a problem this shall be handled as follows (it is assumed there will be someone renting, farming or providing some supervision on at least one of the parcels):

- 1) When the "management representative" is notified of a problem he shall immediately attempt to define the seriousness of the problem, possible solutions, and probable costs,
- 2) The "management representative" must immediately attempt to communicate this information to the "voting representatives", request their suggestions and determine if, when, and how the problem is to be solved. If any of the "voting representatives" cannot be contacted it will be assumed they would desire to have the system put back into operation.
- 3) If a unanimous decision is reached that the probable costs of solving the problem exceed the benefits this should be agreed upon in writing and the system will be allowed to continue in whatever condition exists,
- 4) If any one or more of the "voting representatives" feel that the benefit of having water outweigh the cost of solving the problem they may direct the "management representative" to proceed in a reasonable manner to get the problem solved, and costs will be billed to the three parcels equally. There is not sufficient water at best to meet the maximum allocation of 1 inch per acre for any of the parcels, so in the event any one or more of the "voting representatives" of these parcels does not promptly (within one week) pay their share upon notification or billing (by registered mail return receipt requested) the water representing their share as above shall be forfeit and shall be divided equally between the owners who do pay their share plus their share of the costs assigned to the forfeiting parcel.

DISCUSSION OF CONSERVATION RESERVE

We have discussed the advisability of putting whatever land is possible in the conservation reserve and have agreed that this is a good idea under present conditions. Bryce Millar will be instructed to pursue this, and, if an agreement satisfactory to him can be negotiated, we agree to place this land in the conservation reserve under the present contract with Bryce.

ALLOCATION OF PARCELS

Using the map and appraisal sheet as prepared by Idaho Land and Appraisal Service as a base we discussed the relative values of the parcels and how they should be allocated. In a free blind ballot, with each daughter indicating her choice of parcels in order from 1-first choice, to 3-last choice, the following selections were made (parcel numbers from appraisal):

Parcel number	CJE choice	MLJ choice	REMcD choice
1	2	1	3
2	3	2	1
3	1	3	2

As each parcel received equal ranking from the three future owners (each parcel receiving one first choice, one second choice, and one third choice) it is apparent that the division made by the appraisers was a good one. Each of the three daughters is to be deeded her first choice parcel with the allocations of water, expenses, and income as discussed above.

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B2

FUTURE SALE OF PARCELS

We have agreed, and so direct our successors, because of the shortage of water for these parcels that in the event any parcel individually is offered for sale the following terms will apply:

- 1) sale of any parcel will be priced in two ways - the land without water and the land with the share of water and responsibilities belonging to said parcel,
- 2) the difference between these two prices shall be considered as the value of the share of water described above,
- 3) the "voting representatives" of the other parcels shall have the right of first refusal of this share of the water (or their proportionate share thereof if more than one parcel wishes to buy additional water) and the responsibilities attached to this water at the value determined above. The "voting representatives" will be bound by the same conditions as described above - the "voting representatives" of these parcels must promptly (within one week) upon notification (by registered mail return receipt requested) indicate their desire to purchase this right or the right shall be forfeit and shall be divided equally between the owners who do indicate their desire to exercise this right - in order that the sale may proceed in a timely manner.

DISCUSSION OF TIMING OF ESTATE DISTRIBUTION

We, the heirs of Rex S. Jensen, discussed the timing of the distribution of the corpus of the estate and the effect such timing would have for us. We agreed that, as our present intention is to re-invest the capital we receive as soon as possible after receipt, there was no reason to try to "outguess" the market in converting the present assets to cash as per our previous agreement. We will request the trustees of the estate to proceed as promptly as prudent, after the above mentioned deeds are prepared, to convert the remainder of the estate to cash and begin the distribution of the assets to the three of us. We suggest that they continue to hold some assets in the trust until such time as they are reasonably certain all bills and liabilities have been satisfied and distribute these assets when the trust is closed.

AGREEMENT

We agree that this is a true statement of our intentions and the agreement we have reached, and that we have served as witnesses for the signatures of our sisters.

Date 7/2/88

Margaret L. James

Date 7/2/88

Roxey Elizabeth Mc Donough

Date 7/2/88

Christal J. Evans

SCANNED
NOV 18 2003

B3

INSTRUMENT NO 905823

WARRANTY DEED

THIS INDENTURE, Made this 19 day of October, 1980, between REX S. JENSEN and ROXY C. JENSEN, husband and wife, of Melba, Idaho, the "Grantor," and CATHERINE E. CAVAIANI, REX E. EVANS and MARYON E. EVANS, whose present address is 9990 Roan Meadows Drive, Boise, Idaho, 83705, the "Grantee";

*New Parker
per S.C.*

WITNESSETH, That the Grantor for and in consideration of an exchange of property, has granted, exchanged, bargained and sold, and by these presents does grant, exchange, bargain, sell, convey and confirm unto the Grantee, the following described property, situated in Canyon County, State of Idaho, to wit:

In Township 2 North, Range 3 West of the Boise
Meridian:
Section 11: The South Half of the Southwest
Quarter.

TOGETHER with a water right of sixty (60) inches, to be made available from any of Grantor's wells (at Grantor's choice) located on land presently owned by Grantor in Section 11, Township 2 North, Range 3 West of the Boise Meridian, and also, TOGETHER with an easement as necessary to transport said water for use on the premises described above, through existing pipelines or otherwise.

EXCEPTING rights-of-way for roads and power lines and EXCEPT all minerals in or under said land, including but not limited to metals, oil, gas, coal, stone and mineral rights, mining rights and easement rights or other matters relating thereto, whether express or implied.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said Grantor.

TO HAVE AND TO HOLD said premises unto the Grantee and their heirs, executors, administrators, personal representatives and assigns forever. The Grantor covenants that the Grantee shall enjoy the quiet and peaceful possession of said premises; that the Grantor is lawfully seized of said premises in fee simple; and the Grantor warrants that the title to said premises is merchantable and free from all liens and encumbrances, excepting those to which this conveyance is expressly made subject, and those made, suffered or done by the Grantee.

IN WITNESS WHEREOF, the Grantor has hereunto set their hands and seals the day and year first above written.

Rex S. Jensen
Rex S. Jensen

Roxy C. Jensen
Roxy C. Jensen

SCANNED
NOV 18 2003

T. 88832

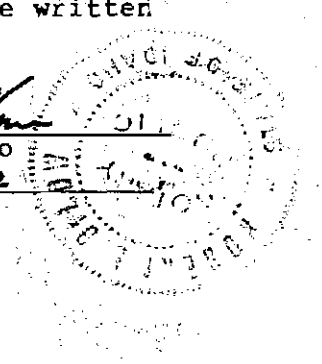
Attachment C

STATE OF IDAHO)
County of Ada)
SS.

On this 19 day of October, 1980, before me, a Notary Public in and for said State, personally appeared REX S. JENSEN and ROXY C. JENSEN, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

Robert L. Kilian
Notary Public for Idaho
Residing at Boise
Idaho



905823

FILED

Nov 10 11 00 AM '80

BILL A. STAKER
CLERK OF DISTRICT COURT

C. Lunt def

RECORDED

AT THE REQUEST OF

Harley, Thordahl, Emmie & H

Deed
FEB 4 1981

Jensen, Rex S.
et al

Cavariani, Catherine E
et al

Deed
Recurrent
100 Box 1617
Boise, Id 83701

SCANNED
NOV 18 2003

C2

Attachment D

Part 1.d. Remarks

The members of the estate of Rex S. Jensen negotiated a settlement with regard to Mr. Jensen's property in Section 11, Township 2 North, Range 3 West, which is set forth in an agreement dated July 1, 1988 (Attachment B). Within that agreement the estate recognized that two water rights, 63-7156 and 63-3597, were appurtenant to Section 11, as well as other property. The agreement ultimately resulted in two water rights being appurtenant to Section 11, 63-3597D and 63-7156B. The total quantity of water under those water rights is 4.26 cfs. Water right 63-7156B has a later priority date but is not a supplemental right in the normal sense of the word. Because the quantity of water appurtenant to the total irrigated lands in Section 11 is much less than one (1) miners inch per acre, both water rights have been used as primary water rights for irrigation of the property. There are no surface water rights for this land.

Because of the agreement and a deed dated October 19, 1980, 1.2 cfs (60 miners inches) was assigned specifically to the south half of the SW $\frac{1}{4}$ of Section 11, Township 2 North, Range 3 West. The balance of the water under the two water rights discussed above was to be distributed equally across the properties within Section 11, held by members of the Rex S. Jensen estate. Unfortunately, the water rights records were not modified to recognize the agreement of July 1, 1988 and the deed. This transfer seeks to accomplish the intent of those documents.

Since modification of water rights and redistribution of water becomes incredibly complex when water is disproportionately assigned to acreage, the applicant requests that the Department approve this Application for Transfer, which distributes the water equally across the unique 365 acres held by the estate of Rex S. Jensen. The applicant further requests that the Department of Water Resources include a condition in the approved Application for Transfer that clearly assigns 1.2 cfs of water under these rights to the south half of the SW $\frac{1}{4}$, Section 11, Township 2 North, Range 3 West. It is the applicant's belief that after consultation with representatives of the Department of Water Resources that this is the easiest and most concise method of recognizing the agreement entered into by the heirs of Mr. Jensen without unnecessarily complicating the water right records of the Department. The applicant has provided a draft condition for insertion into the approved Application for Transfer at the end of this narrative as a convenience for the Department. If this approach is considered inappropriate after review, the applicant requests that they be given an opportunity to modify the transfer application to meet the intent and letter of the agreement and the subsequent deed prior to action of the Department.

Draft Condition

The water rights described in this approved transfer are distributed as follows: **SCANNED**

The lands within the south half of the SW $\frac{1}{4}$, Section 11, Township 2 North, Range 3 West, are assigned 1.2 cfs for irrigation of 78 acres. The balance of the water (3.06 cfs) is distributed evenly over the remaining 287 acres described within the Application for Transfer. **NOV 18 2003**

Trans 58832
Attachment D

ERO Resources Corp.
1106 N. Cole Rd., Suite C
Boise, ID 83704-8661
(208) 373-7983
Fax: 373-7985



Denver • Boise

www.eroresources.com
eroboise@eroresources.com

RECEIVED

FEB 06 2001

WATER RESOURCES
WESTERN REGION

February 5, 2001

Steve Lester
Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, Idaho 83705-5082

RE: ERO Project 1473; Estate of Rex S. Jensen

Dear Steve:

I am in receipt of your letter dated January 23, 2001 regarding the transfer application no. 68832 in the name of the Estate of Rex S. Jensen. I have enclosed the completed page 2 of the transfer application and apologize for my oversight.

Your second question related to the beneficial use of water on the property for the past five years. All of this property has been in the conservation reserve program (CRP) from about 1990 to 2000. It was irrigated up to the point that it was put into the CRP and came out last year. I have acquired documentation of its inclusion in the CRP program and have attached copies. I hope this information is sufficient but if not please let me know.

Again, thank you for your help on this complicated transfer.

Sincerely yours,

A handwritten signature in cursive script that reads "Sheri L. Chapman".

Sheri L. Chapman

SLC:sw

Encl.

SCANNED
NOV 18 2003

Transfer 68832
Attachment E

Consultants in
Natural Resources
and the Environment

CRP-1
(02-21-86)

U.S. DEPARTMENT OF AGRICULTURE
Agricultural Stabilization and Conservation Service
Commodity Credit Corporation

Form Approved - OMB No. 0560-0123

T. & CO. CODE & ID

1. CONTRACT NO.

3. FARM NO.

CONSERVATION RESERVE PROGRAM CONTRACT

NOTE:

The following statements are made in accordance with the Privacy Act of 1974 (5 USC 552a): The authority for requesting the information to be supplied on this form is the Food Security Act of 1985, P.L. 99-198, and the regulations promulgated thereunder (7 CFR Part 704) and the Internal Revenue Code (26 USC 6109). The information requested is necessary for CCC to consider and process the offer to enter into a Conservation Reserve Program Contract, to assist in determining eligibility, and to determine the correct parties to the contract. The information may be furnished to other USDA agencies, IRS, Department of Justice, or other State and Federal law enforcement agencies, and in response to orders of a court, magistrate, or administrative tribunal. Furnishing of the Social Security Number (SSN) is mandatory. Furnishing all other information is voluntary; however, failure to furnish the correct, complete information requested will result in rejection of the offer to enter into the contract.

THIS CONTRACT is entered into between the Commodity Credit Corporation (referred to as "CCC") and the undersigned owners and operators (referred to as "Owner" and "Operator", respectively) on the farm identified above (referred to as "Farm") for the fields and acres (referred to as "designated acreage") identified in Items 8-17 below and on the CRP-1A Addendum, as applicable. The Owner and Operator agree to place the designated acreage into the Conservation Reserve Program ("CRP") for a period of 10 crop years from the date the Contract is executed by the CCC. The Owner and Operator also agree to implement on such designated acreage the Conservation Plan developed for such designated acreage and approved by the applicable local conservation district based upon the conservation practices identified in Items 10 and 15 below and in Items 4 and 9 on the CRP-1A Addendum or such other conservation practices as are identified in the Conservation Plan and agreed to by the Owner and Operator. The Owner and Operator and CCC agree to comply with the terms and conditions contained in this Contract and contained in the Appendix to this Contract, entitled Appendix to CRP-1, Conservation Reserve Program Contract (referred to as "Appendix"). By signing below, each Owner and Operator acknowledges that a copy of the Appendix has been provided to the Owner and Operator and that the Owner and Operator has signed the last page of such Appendix which will be kept on file in the County Agricultural Stabilization and Conservation Service (ASCS) Office. By signing below, the Owner and Operator also agree to allow CCC a period of 30 days from the close of the applicable signup period to accept this Contract and agree to pay liquidated damages in an amount specified in the Appendix if the Owner and Operator do not allow CCC such 30-day period in which to execute this Contract.

4. OWNERS AND OPERATORS

A. OPERATOR NAME AND ADDRESS

OWNER
Rex E Evans
9990 Roan Meadow Rd
Boise, Id 83709

SHARE

SSN

354-40-0745

SIGNATURE

[Signature]

DATE

8/14/93

6.28 %

OWNER NAME AND ADDRESS

Marian L James
7980 Hwy 45
Melba, Id 83641

SHARE

SSN

568 10 6534

SIGNATURE

Marian L James

DATE

8/16/93

0 %

OWNER NAME AND ADDRESS

Roxy E McDonough
6638 57th Ave N
Seattle, Wn 98115

SHARE

SSN

571 24 0113

SIGNATURE

Roxy E McDonough

DATE

8/19/93

0 %

OWNER NAME AND ADDRESS

Maryon E Evans
9990 Roan Meadows
Boise, Id 83706

SHARE

SSN

345-40-9342

SIGNATURE

Maryon Evans

DATE

8/14/93

6.28 %

ACRES FOR CRP

371.5

B. RENTAL RATE PER ACRE

\$

50

7. CONTRACT PERIOD

FROM

TO

FY. 1989

9-30-98

TRACT NO.	FIELD NO.	PRACTICE NO.	ACRES	RATE OF COST-SHARES	TRACT NO.	FIELD NO.	PRACTICE NO.	ACRES	RATE OF COST-SHARES
8	9	10	11	12	13	14	15	16	17
631	1	CP-1	90.9						
1631	2	CP-1	78.9						
1131	3	CP-1	79.4						
431	4	CP-1	122.3						

SCANNED

NOV 18 2003

1. ANNUAL PAYMENT

18,575

19. CCC USE ONLY - Payments according to the shares are approved.

CCC REPRESENTATIVE'S SIGNATURE

[Signature]

DATE

9-14-93

CRP-1
(02-21-86)

U.S. DEPARTMENT OF AGRICULTURE
Agricultural Stabilization and Conservation Service
Commodity Credit Corporation

Form Approved - OMB No. 0560-0123

1. T. & CO. CODE & ID
2. CONTRACT NO.
3. FARM NO.

CONSERVATION RESERVE PROGRAM CONTRACT

16 027 6

NOTE:

The following statements are made in accordance with the Privacy Act of 1974 (5 USC 552a): The authority for requesting the information to be supplied on this form is the Food Security Act of 1985, P.L. 99-198, and the regulations promulgated thereunder (7 CFR Part 704) and the Internal Revenue Code (26 USC 6109). The information requested is necessary for CCC to consider and process the offer to enter into a Conservation Reserve Program Contract, to assist in determining eligibility, and to determine the correct parties to the contract. The information may be furnished to other USDA agencies, IRS, Department of Justice, or other State and Federal law enforcement agencies, and in response to orders of a court, magistrate, or administrative tribunal. Furnishing of the Social Security Number (SSN) is mandatory. Furnishing all other information is voluntary; however, failure to furnish the correct, complete information requested will result in rejection of the offer to enter into the contract.

THIS CONTRACT is entered into between the Commodity Credit Corporation (referred to as "CCC") and the undersigned owners and operators (referred to as "Owner" and "Operator", respectively) on the farm identified above (referred to as "Farm") for the fields and acres (referred to as "designated acreage") identified in Items 8-17 below and on the CRP-1A Addendum, as applicable. The Owner and Operator agree to place the designated acreage into the Conservation Reserve Program ("CRP") for a period of 10 crop years from the date the Contract is executed by the CCC. The Owner and Operator also agree to implement on such designated acreage the Conservation Plan developed for such designated acreage and approved by the applicable local conservation district based upon the conservation practices identified in Items 10 and 15 below and in Items 4 and 9 on the CRP-1A Addendum or such other conservation practices as are identified in the Conservation Plan and agreed to by the Owner and Operator. The Owner and Operator and CCC agree to comply with the terms and conditions contained in this Contract and contained in the Appendix to this Contract, entitled Appendix to CRP-1, Conservation Reserve Program Contract (referred to as "Appendix"). By signing below, each Owner and Operator acknowledges that a copy of the Appendix has been provided to the Owner and Operator and that the Owner and Operator has signed the last page of such Appendix which will be kept on file in the County Agricultural Stabilization and Conservation Service (ASCS) Office. By signing below, the Owner and Operator also agree to allow CCC a period of 30 days from the close of the applicable sign-up period to accept this Contract and agree to pay liquidated damages in an amount specified in the Appendix if the Owner and Operator do not allow CCC such 30-day period in which to execute this Contract.

4. OWNERS AND OPERATORS

A. OPERATOR NAME AND ADDRESS	SHARE	SSN	SIGNATURE	DATE
Bryce Millar 3502 S Midland Nampa, Id 83651	40.78 %	518-32-7872	Bryce Millar	8-16-93
B. OWNER NAME AND ADDRESS	SHARE	SSN	SIGNATURE	DATE
Chrystal J Evans 9990 Roan Meadows Dr Boise, Id 83709	40.38 %	518-26-9317	Chrystal J. Evans	8-16-93
C. NAME AND ADDRESS	SHARE	SSN	SIGNATURE	DATE
Donna Millar 3502 S Midland Nampa, Id 83651	0 %	518-32-8844	Donna Millar	8-16-93
D. NAME AND ADDRESS	SHARE	SSN	SIGNATURE	DATE
Catherine E Parker 990 Roan Meadows Dr Boise, Id 83709	6.28 %	345-40-9364	Catherine E Parker	8/15/93

5. ACRES FOR CRP	6. RENTAL RATE PER ACRE	7. CONTRACT PERIOD
	\$	FROM TO

TRACT NO.	FIELD NO.	PRACTICE NO.	ACRES	RATE OF COST-SHARES	TRACT NO.	FIELD NO.	PRACTICE NO.	ACRES	RATE OF COST-SHARES
8	9	10	11	12	13	14	15	16	17

18. ANNUAL PAYMENT	19. CCC USE ONLY - Payments according to the shares are approved.	CCC REPRESENTATIVE'S SIGNATURE	DATE
			83

Place of Use for estate of Rex S. Jensen transfer

Acres of land
(approximate) 7156B 3597D Combo Total

Parcel 1	SE $\frac{1}{4}$ NE $\frac{1}{4}$ SEC 10	34.8	2.1	15.8	5.0	22.9
(George Harrison	NE $\frac{1}{4}$ SE $\frac{1}{4}$ SEC 10	19	1.1	8.6	2.7	12.5
Vanessa Chan	NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SEC 10	3	0.2	1.4	0.4	2.0
Justin Smith	W $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ W $\frac{1}{4}$ E $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SEC 11	18	1.1	8.2	2.6	11.8
Jason Chan	W $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ W $\frac{1}{4}$ E $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SEC 11	30	1.8	13.6	4.3	19.7
Jesse Chan)	NWSW SEC 11	40	2.4	18.1	5.7	26.3
	Acres	144.8	8.7	65.7	20.8	95.1
	cfs		0.087	0.545	0.381	1.013

Parcel 2	SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SEC 11	3	0.2	1.6	0.5	2.3
(Catherine Parker	E $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SEC 11	5	0.3	2.6	0.8	3.8
Rex E. Evans	E $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SEC 11	10	0.7	5.3	1.7	7.7
Maryon E Evans)	SENE SEC 11	26	1.8	13.8	4.4	19.9
	NESW SEC 11	40	2.8	21.2	6.7	30.7
	NWSE SEC 11	40	2.8	21.2	6.7	30.7
	Acres	124	8.7	65.7	20.8	95.1
	cfs		0.087	0.545	0.381	1.013

78 acre	SWSW SEC 11	39	0	12	27	
(Catherine Parker	SESW SEC 11	39	0	11	28	
Rex E. Evans	Acres	78	0	23	55	78
Maryon Evans)	cfs		0.000	0.191	1.009	1.200

Parcel 3	SESENE SEC 11	2			2.0	2.0
(Mark McDonough)	NESE SEC 11	26		21.9	4.1	26.0
	SWSE SEC 11	39	2.9	21.9	7.75	32.5
	SESE SEC 11	39	5.8	21.9	6.9	34.6
	Acres	106	8.7	65.7	20.8	95.1
	cfs		0.087	0.545	0.381	1.013

SCANNED

NOV 18 2003

RECEIVED

APR 15 2003

WATER RESOURCES
WESTERN REGION

RECEIVED

APR 15 2003

WATER RESOURCES
WESTERN REGION

REX JENSEN FARM
E. T. EVANS, TRUSTEE

SCANNED

NOV 19 2007

NOTE:

BEARINGS AND DISTANCES SHOWN ARE RECORD
INFORMATION WHICH ARE ROTATED TO A COMMON
BASIS OF BEARING. THE SURVEY INFORMATION
SHOWN IS OF PRELIMINARY NATURE ONLY AND IS
NOT REPRESENTED AS AN ACTUAL SURVEY ON THE
GROUND.
CONTOURS ARE TAKEN FROM USGS QUAD MAPS
AND DO NOT REPRESENT ACTUAL FIELD SURVEY
INFORMATION.

Estate lands
divided into three 3 parcels
discussion at July 1, 1988 agreement

Survey of the Rex Jensen Farm, E.T. Evans, Trustee, 188.05
Acres, 188.05 Acres, 188.05 Acres, 188.05 Acres, 188.05 Acres
Survey of the Rex Jensen Farm, E.T. Evans, Trustee, 188.05
Acres, 188.05 Acres, 188.05 Acres, 188.05 Acres, 188.05 Acres
Survey of the Rex Jensen Farm, E.T. Evans, Trustee, 188.05
Acres, 188.05 Acres, 188.05 Acres, 188.05 Acres, 188.05 Acres

78-acre

RECEIVED

APR 15 2003

WATER RESOURCES
WESTERN REGION

DE: F ACTION: PRESS (01 RETURN) TO VIEW ANOTHER ACCOUNT TRQK101
System User- PLATRM Date 03/19/2003 Time 9:23
REAL PROPERTY INQUIRY

=====

01 3R30072-011- -0 211-00 SCH1391	01	50,800	78.50
	19		1.50

=====

CAVAIANI, CATHERINE E
& EVANS, REX E
& EVANS, MARYON E

% EVANS, C J %
9990 ROAN MEADOWS DR
BOISE ID 83705

=====

11-2N-3W SW
S1/2 SW1/4

LEWIS LN, NA

TOTAL 50,800 80.00

=====

SURVEY INST
DRAIN DR VALUE APPR CTR
CLASS REAP 99 MAN UNIT 0
PARCEL 3R02N03W116000 H/D N D/B N
PRIOR ACCOUNT 2R30072-011- -0
02 MH on Property NO
03 Traits 04 Companion Sheet

INSTRUMENT NO. 1203092

this is the
corrected one
to use in
transfer appl.

FILED
A.M. 3:45 P.M.
FEB 06 1992
NED J. KERR, CLERK
T. Lee
DEPUTY CLERK

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF CANYON

EDWARD T. EVANS and ROBERT L.
BILOW, Co-Trustees of the
Article IV Trust under the Will of
Rex S. Jensen, Deceased,
CATHERINE E. PARKER, formerly known
as CATHERINE E. CAVAIANI, REX E.
EVANS, MARYON E. EVANS, and MARK A.
McDONOUGH,

Plaintiffs,

vs.

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
person, WILFORD NOLAN VICTOR, also
known as NOLAN VICTOR, and RUBY C.
VICTOR, husband and wife, ROBERT J.
MEYERS and KATHI L. MEYERS, husband
and wife, FARM CREDIT BANK OF
SPOKANE, a corporation chartered
under the laws of the United
States, successor by merger to
THE FEDERAL LAND BANK OF SPOKANE,
a corporation formerly chartered
under the laws of the United
States, BRYCE D. MILLAR and
DONNA R. MILLAR, husband and wife,
THERON GRIFFIN and LA NELL
GRIFFIN, husband and wife,
and their heirs, representatives
and transferees and their claimants
and encumbrancers, and all of the

Case No. CV91-00666C

JUDGMENT AND DECREE
OF QUIET TITLE

78-acre
ownership

63-03597
;
63-07156

Attachment A

unknown owners of and all of the)
unknown claimants to any right,)
title, estate, lien or interest in)
whole or any part of the following)
described real and personal)
property which is adverse to the)
Plaintiffs' ownership or is a)
cloud upon the Plaintiffs')
interest therein, said real and)
personal property being more)
particularly described as follows:)

PARCEL VIII:)

A portion of Section 11, Township 2)
North, Range 3 West of the Boise)
Meridian, Canyon County, Idaho,)
more particularly described as)
follows:)

All of the NW $\frac{1}{4}$, lying South of the)
Mora Canal;)
All of the N $\frac{1}{4}$ of the SW $\frac{1}{4}$;)
All of the N $\frac{1}{4}$ of the SE $\frac{1}{4}$ lying)
South of the Mora Canal;)
That portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ lying)
South and East of the Mora Canal;)
All of the East $\frac{1}{2}$ of the SW $\frac{1}{4}$ SE $\frac{1}{4}$;)
All of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, excepting the)
following described property;)

Commencing at a point on the east)
boundary line of Section 11)
Township 2 North, Range 3 West,)
Boise Meridian, which is 280 feet)
North of the Southeast corner)
of said section; thence West a)
distance of 25 feet to a point,)
the TRUE POINT OF BEGINNING;)
thence North and parallel to the)
East boundary line of said Section)
a distance of 300 feet; thence)
West a distance of 100 feet;)
thence South and parallel to the)
East boundary line of said section)
a distance of 300 feet; thence East)
a distance of 100 feet to the TRUE)
POINT OF BEGINNING.)

PARCEL IX:

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

Beginning at the section corner
common to Sections 2, 3, 10 and 11,
Township 2 North and Range 3 West
of the Boise Meridian; thence
S 0°4'0" E, 1,358.47 feet along
the East section line (Basis of
Bearing) to the Real Point of
Beginning; thence continuing
S 0°4'0" E, 1,298.48 feet to the
1/4 corner; thence S 0°9'27" E,
1,818.74 feet along the section
line to a point N 0°9'27" W,
836.23 feet to the southeast corner
of said Section 10; thence
N 39°35'0" W, 421.13 feet; thence
N 19°39'55" W, 722.59 feet; thence
N 16°48'33" W, 201.19 feet; thence
N 37°3'36" W, 599.17 feet; thence
N 13°47'14" W, 527.44 feet; thence
N 0°54'43" E, 492.15 feet; thence
N 61°11'12" W, 315.87 feet; thence
N 21°40'11" W, 304.77 feet; thence
N 89°56'0" E, 1,431.45 feet to the
Real Point of Beginning.

PARCEL X: - *McDonough's 19.5 ac*

The West half of the Southwest
Quarter of the Southeast Quarter
of Section 11 in Township 2 North,
Range 3 West of the Boise
Meridian, Canyon County, Idaho.

PARCEL XI: - *78 acre parcel*

The South half of the Southwest
Quarter of Section 11, Township 2
North, Range 3 West, of the Boise
Meridian, Canyon County, Idaho.

<u>Well #2</u>	<u>Serial No.)</u>
100 h.p. General	)
Electric Motor	)
with a Layne & Bowler	EJJ516178)
pump	45112)
75 h.p. General	)
Electric Motor	)
(Booster)	EJJ509590)
with a Layne & Bowler	)
pump	45111)
<u>Well #3</u>	)
125 h.p. U.S. Holoshaft	)
Motor	None)
with a Wellline pump	1552112KH)
100 h.p. U.S. Holoshaft	)
Motor (Booster)	NRR1326904)
with a Wellline pump	17920412KH)
Together with all allied equipment	)
including but not limited to:	)
electrical panels, control boxes,	)
wiring, pipes, valves, casings,	)
and underground irrigation pipe,	)
used in connection with said wells	)
and the above described real	)
property and also together with	)
all water and water rights	)
appurtenant to said above	)
described real property.	)
	)
Defendants.	)

The Plaintiffs' Motion for Entry of Judgment and Decree of Quiet Title having come regularly before the Court, the Plaintiffs and the Defendants H. R. Montierth, also known as Herbert R. Montierth, and Golda D. Montierth, also known as Darlene R. Montierth, husband and wife, Edward R. Montierth, also known as Ray Montierth, and Susan L. Montierth, husband and wife,

Rodney Kent Montierth, a single person, Wilford Nolan Victor, also known as Nolan Victor, and Ruby C. Victor, husband and wife, Robert J. Meyers and Kathi L. Meyers, husband and wife (collectively hereinafter referred to as the "Defendants Montierth"), having entered into that certain Stipulation and Consent to Entry of Judgment and Decree of Quiet Title, and the Defendants Farm Credit Bank of Spokane, a corporation chartered under the laws of the United States, successor by merger to The Federal Land Bank of Spokane, a corporation formerly chartered under the laws of the United States (hereinafter referred to as the "Defendant Farm Credit Bank"), the Defendants Bryce D. Millar and Donna R. Millar, husband and wife (hereinafter referred to as the "Defendants Millar"), subject to their rights as lessees, and the Defendants Theron Griffin and La Nell Griffin, husband and wife (hereinafter referred to as the "Defendants Griffin"), having disclaimed any right, title or interest in and to the real and personal property located in Canyon County, Idaho which is more particularly described herein and in the Complaint on file herein (hereinafter referred to as the "Subject Property") and all claims against the Defendant Farm Credit Bank, the Defendants Millar and the Defendants Griffin having been dismissed and this Court having reviewed all pleadings, motions and other documents filed herein, and this Court being fully advised in the premises;

IT IS ORDERED, ADJUDGED AND DECREED:

1. That the Plaintiffs, E. T. Evans and Robert L. Bilow, as Co-Trustees of the Article IV Trust under the Will of Rex S. Jensen, Deceased, are the owners in fee simple and, subject to the leasehold interest of the Defendants Millar, are entitled to possession of all that certain real property located in Canyon County, Idaho which is more particularly described as Parcels VIII and IX on EXHIBIT "A" attached hereto and incorporated herein by this reference and all of the personal property (irrigation equipment) also described on said EXHIBIT "A." Said real and personal property is hereinafter collectively referred to as the "Jensen Trust Property."

2. That the Plaintiffs Catherine E. Parker, formerly known as Catherine E. Cavaiani, Rex E. Evans and Maryon E. Evans (hereinafter collectively referred to as the "Plaintiffs Parker") are the owners in fee simple and, subject to the leasehold interest of the Defendants Millar, are entitled to possession of all that certain real property located in Canyon County, Idaho which is more particularly described as Parcel XI on said EXHIBIT "A" attached hereto. Said real property is hereinafter referred to as the "Parker Property."

3. That the Plaintiff Mark A. McDonough (hereinafter referred to as the "Plaintiff McDonough") is the owner in fee simple and, subject to the leasehold interest of the Defendants Millar, is entitled to possession of all that certain real

property located in Canyon County, Idaho which is more particularly described as Parcel X on said EXHIBIT "A" attached hereto. Said real property is hereinafter referred to as the "McDonough Property."

4. That the Defendants Montierth, their heirs, representatives, transferees and their claimants and encumbrancers, and all whom claim title under them have no right, title, interest, claim or estate whatsoever in, to or upon the Jensen Trust Property or the Parker Property or the McDonough Property or any part thereof and all of said Defendants Montierth and all persons claiming under them are forever restrained and perpetually forbidden, enjoined and debarred from claiming or asserting any estate, right, title, interest in or claim or lien upon the Jensen Trust Property, or the Parker Property or the McDonough Property or any part thereof.

5. That the fee simple title in and to the Jensen Trust Property and the whole thereof and each and every part thereof is quieted in E. T. Evans and Robert L. Bilow as Co-Trustees of the Article IV Trust under the Will of Rex S. Jensen, Deceased, free of any adverse claim of the Defendants Montierth and their heirs, representatives, transferees, claimants and encumbrancers.

6. That the fee simple title in and to the Parker Property and the whole thereof and each and every part thereof is

quieted in Catherine E. Parker, formerly known as Catherine E. Cavaiani, Rex E. Evans and Maryon E. Evans, free of any adverse claim of the Defendants Montierth and their heirs, representatives, transferees, claimants and encumbrancers.

7. That the fee simple title in and to the McDonough Property and the whole thereof and each and every part thereof is quieted in Mark A. McDonough, free of any adverse claim of the Defendants Montierth and their heirs, representatives, transferees, claimants and encumbrancers.

8. That appurtenant to the Jensen Trust Property is a non-exclusive easement over and across the following described real property for reasonable vehicle and utility service access from that portion of the South One-Half of the North One-Half of Section 10, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho, not included in the property described below to that road known as Dry Lake Road:

PARCEL I:

The South half of the North half of Section 10, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, EXCEPTING therefrom the following described property: Beginning at the section corner common to Sections 2, 3, 10 and 11, Township 2 North and Range 3 West of the Boise Meridian; thence S 0°4'0" E, 1,358.47 feet along the East section line (Basis of Bearing) to the Real Point of Beginning; thence continuing S 0°4'0" E, 1,298.48 feet to the 1/4 corner; thence S 0°9'27" E, 1,818.74 feet along the section line to a point N 0°9'27" W, 836.23 feet to the

southeast corner of said Section 10; thence N 39°35'0" W, 421.13 feet; thence N 19°39'55" W, 722.59 feet; thence N 16°48'33" W, 201.19 feet; thence N 37°3'36" W, 599.17 feet; thence N 13°47'14" W, 527.44 feet; thence N 0°54'43" E, 492.15 feet; thence N 61°11'12" W, 315.87 feet; thence N 21°40'11" W, 304.77 feet; thence N 89°56'0" E, 1,431.45 feet to the Real Point of Beginning.

9. That the Jensen Trust Property, the Parker Property and the McDonough Property are each entitled to its pro rata share of appurtenant licensed water based upon a pro rata allocation of the total appropriated licensed water among the irrigable acres as reflected in State of Idaho Water License No. 63-3597 and Water License No. 63-7156.

10. That each party hereto shall bear its own attorneys' fees and costs which they incurred in connection with this action.

DATED this 6th day of Feb, 1992.

WAYNE P. FULLER

Wayne P. Fuller
District Judge

State of Idaho }
County of Canyon } ss.

I hereby certify that the foregoing instrument is a true and correct copy of the original as the same appears in this office.

DATED

2-7-92

NED J. KERR, Clerk of the District Court
and Ex-Officio Recorder

JUDGMENT AND DECREE OF QUIET TITLE -By Fuller

Deputy

EXHIBIT "A"

PARCEL VIII:

A portion of Section 11, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, more particularly described as follows:

All of the NW $\frac{1}{4}$, lying South of the Mora Canal;
All of the N $\frac{1}{4}$ of the SW $\frac{1}{4}$;
All of the N $\frac{1}{4}$ of the SE $\frac{1}{4}$ lying South of the Mora Canal;
That portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ lying South and East of the Mora Canal;
All of the East $\frac{1}{4}$ of the SW $\frac{1}{4}$ SE $\frac{1}{4}$;
All of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, excepting the following described property;

Commencing at a point on the east boundary line of Section 11 Township 2 North, Range 3 West, Boise Meridian, which is 280 feet North of the Southeast corner of said section; thence West a distance of 25 feet to a point, the TRUE POINT OF BEGINNING; thence North and parallel to the East boundary line of said Section a distance of 300 feet; thence West a distance of 100 feet; thence South and parallel to the East boundary line of said section a distance of 300 feet; thence East a distance of 100 feet to the TRUE POINT OF BEGINNING.

PARCEL IX:

*

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

Beginning at the section corner common to Sections 2, 3, 10 and 11, Township 2 North and Range 3 West of the Boise Meridian; thence S 0°4'0" E, 1,358.47 feet along the East section line (Basis of Bearing) to the Real Point of Beginning; thence continuing S 0°4'0" E, 1,298.48 feet to the 1/4 corner; thence S 0°9'27" E, 1,818.74 feet along the section line to a point N 0°9'27" W, 836.23 feet to the southeast corner of said Section 10; thence N 39°35'0" W, 421.13 feet; thence N 19°39'55" W, 722.59 feet; thence N 16°48'33" W, 201.19 feet; thence N 37°3'36" W, 599.17 feet; thence N 13°47'14" W, 527.44 feet; thence N 0°54'43" E, 492.15 feet; thence N 61°11'12" W, 315.87 feet; thence N 21°40'11" W, 304.77 feet; thence N 89°56'0" E, 1,431.45 feet to the Real Point of Beginning.

* Not included in transfer appl. per telegram
with E. T. Evans, - 1 - 5/1/92, SL

PARCEL X:

The West half of the Southwest Quarter of the Southeast Quarter of Section 11 in Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho.

PARCEL XI:

The South half of the Southwest Quarter of Section 11, Township 2 North, Range 3 West, of the Boise Meridian, Canyon County, Idaho.

Well #2

Serial No.

100 h.p. General Electric Motor
with a Layne & Bowler pump

EJJ516178
45112

75 h.p. General Electric Motor (Booster)
with a Layne & Bowler pump

EJJ509590
45111

Well #3

125 h.p. U.S. Holoshaft Motor with a
Wellline pump

None
1552112KH

100 h.p. U.S. Holoshaft Motor (Booster)
with a Wellline pump

NRR1326904
17920412KH

Together with all allied equipment including but not limited to: electrical panels, control boxes, wiring, pipes, valves, casings, and underground irrigation pipe, used in connection with said wells and the above described real property and also together with all water and water rights appurtenant to said above described real property.

9203092

RECORDED

92 FEB 12 PM 12 40

NED J FERR

CANYON COUNTY RECORDER

BY

C. Ferr

REQUEST

TYPE

Shawley Michael
33
E.H.

Parcel #2

RECEIVED

APR 15 2003

WATER RESOURCES
WESTERN REGION

MODE: F ACTION: PRESS (01 RETURN) TO VIEW ANOTHER ACCOUNT TRGK101
System User- PLATRM Date 03/19/2003 Time 9:02
REAL PROPERTY INQUIRY

```
=====
01 3R30072-013- -0 211-00 BCH1391 01 78,300 121.00
=====
19 3.12
PARKER, CATHERINE E
& EVANS, REX E
& EVANS, MARYON E
% EVANS, MARYON E &
5210 CRAIG LN
NAMPA ID 83686
=====
11-2N-3W NE TOTAL 78,300 124.12
E1/2 E1/2 NW NW S OF MORA CANAL
E1/2 E1/2 SW NW, E1/2 NW S OF
MORA CANAL, NESW, NWSE
LEWIS LN, NA
=====
SURVEY INST 9229052
DRAIN DR VALUE APPR CTR
CLASS REAP 99 MAN UNIT 0
PARCEL 3R02N03W112380 H/D N E/S N
PRIOR ACCOUNT 2R30072-013- -0
02 MH on Property NG
03 Traits 04 Companion Sheet
```

INSTRUMENT NO. 9302905

Parcel #2 ownership

QUITCLAIM DEED
(INCLUDING AFTER-ACQUIRED PROPERTY)

FOR VALUE RECEIVED, EDWARD T. EVANS and CRYSTAL J. EVANS, husband and wife (hereinafter collectively referred to as "Grantor"), do by these presents convey, remise, release and forever quitclaim unto Maryon E. Evans, an unmarried woman (hereinafter referred to as "Grantee"), all right, title and interest which they now have or may hereafter acquire in and to the property situated in Canyon County, Idaho, which is more particularly described on EXHIBIT "A" attached hereto and incorporated herein by this reference, hereinafter referred to as "Subject Property." At the present time we own an undivided one-twelfth (1/12) interest in and to the Subject Property. The current address of the Grantee is 9990 Roan Meadows Drive, Boise, Idaho 83709.

All income, rents, issues, profits, gains and appreciation of and from the Subject property shall be the separate property of the Grantee.

TO HAVE AND TO HOLD the same unto the Grantee and to her successors and assigns forever.

IN WITNESS WHEREOF, this Quitclaim Deed has been duly executed by the Grantor this 4th day of January, 1993.


EDWARD T. EVANS


CRYSTAL J. EVANS

INSTRUMENT NO 9229052

QUITCLAIM DEED
(INCLUDING AFTER-ACQUIRED PROPERTY)

FOR VALUE RECEIVED, EDWARD T. EVANS and CHRYSTAL J. EVANS, husband and wife (hereinafter collectively referred to as "Grantor"), do by these presents convey, remise, release and forever quitclaim all right, title and interest which they now have or may hereafter acquire in and to the property situated in Canyon County, Idaho, which is more particularly described on EXHIBIT "A" attached hereto and incorporated herein by this reference (hereinafter "Subject Property"), as follows:

An undivided one-third (1/3) interest in and to the Subject Property unto Catherine E. Parker, a married woman, as her sole and separate property; and ✓

An undivided one-third (1/3) interest in and to the Subject Property unto Rex E. Evans, an unmarried man; and ✓

An undivided one-fourth (1/4) interest in and to the Subject Property unto Maryon E. Evans, an unmarried woman. ✓

Catherine E. Parker, Rex E. Evans and Maryon E. Evans are hereinafter collectively referred to as the "Grantees." The current address of the Grantees is:

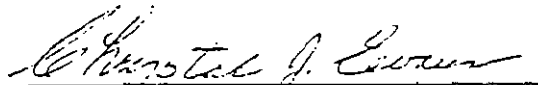
Catherine E. Parker
Rex E. Evans
Maryon E. Evans
c/o E. T. Evans
9990 Roan Meadows Drive
Boise, Idaho 83709

Each Grantee's right, title and interest in and to all income, rents, issues, profits, gains and appreciation of the Subject Property shall be the separate property of each Grantee.

TO HAVE AND TO HOLD the same unto the Grantees and to
their successors and assigns forever.

IN WITNESS WHEREOF, this Quitclaim Deed has been duly
executed by the Grantor this 16th day of December, 1992.

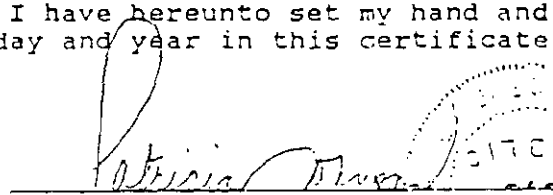

EDWARD T. EVANS


CHRYSTAL J. EVANS

STATE OF IDAHO)
) ss.
County of Ada)

Patricia M. [Signature] On this 16th day of December, 1992, before me,
a Notary Public in and for said
state, personally appeared EDWARD T. EVANS and CHRYSTAL J. EVANS,
husband and wife, 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.

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


Notary Public for Idaho
Residing at Butte
My commission expires 2/1/95

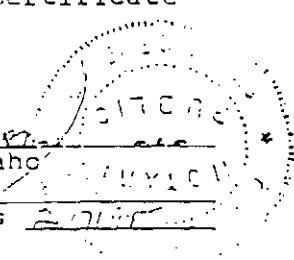


EXHIBIT "A"

Township 2 North, Range 3 West, Boise
Meridian, Canyon County, Idaho

Section 11: E $\frac{1}{4}$ E $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ south of the Mora Canal; E $\frac{1}{4}$ E $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$; E $\frac{1}{4}$ NW $\frac{1}{4}$ south of the Mora Canal; NE $\frac{1}{4}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$.

TOGETHER WITH an undivided one-third (1/3) interest in and to the irrigation wells located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, Township 2 North, Range 3 West, of the Boise Meridian, Canyon County, Idaho and an undivided one-third (1/3) interest in and to all pumps, motors, pipelines and all allied equipment used in connection with or as part of said irrigation wells and irrigation facilities; and

ALSO TOGETHER WITH an undivided one-third (1/3) interest in and to all water diverted from ground water sources located within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, Township 2 North, Range 3 West, of the Boise Meridian, Canyon County, Idaho; and

ALSO TOGETHER WITH a non-exclusive easement of ingress and egress for the purpose of repairing, maintaining and replacing the irrigation wells, pumps, motors, mainline pipe, connecting irrigation equipment and transporting irrigation water to the above-described real property which easement shall be generally restricted to that portion of Section 11, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, wherein the irrigation wells in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and also the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho are located and whereon the mainline pipe leading from said irrigation wells to the above described real property is located; and

ALSO TOGETHER WITH a non-exclusive easement for ingress and egress as provided in that certain Easement Agreement effective as of August 17, 1992 which was recorded on September 9, 1992 as Instrument Number

9220402, records of Canyon County, Idaho and also in that certain Easement Agreement effective as of September 9, 1992 which was recorded on September 9, 1992 as Instrument Number 9220403, records of Canyon County, Idaho.

ALSO TOGETHER WITH all and singular the rights-of-way, easements, tenements, hereditaments and appurtenances thereunto belonging or in anyway appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

SUBJECT TO:

1. A water right of sixty (60) inches which is appurtenant to and which water is to be made available to the S $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11, Township 2 North, Range 3 West, of the Boise Meridian, Canyon County, Idaho from the irrigation wells located in said Section 11; and
2. The right, title and interest of Bryce D. Millar and Donna R. Millar, husband and wife ("Millar"), as Lessee as provided in that certain Farm Lease Agreement dated effective as of January 1, 1984 entered into by Rex S. Jensen, as Lessor and Millar, as Lessee; and
3. The terms and provisions of that certain Agreement as of July 1, 1988 on Division of Real Property entered into by and between Marion L. James, R. Elizabeth McDonough and Chrystal J. Evans, and that certain Agreement dated December 28, 1989 entered into by Marion L. James, R. Elizabeth McDonough, Chrystal J. Evans, Catherine E. Parker (formerly known as Catherine E. Cavaiani, Rex E. Evans and Maryon Evans, all as amended, a Memorandum of which was recorded on Regular 24, 1992, as Instrument Number 422 4047, records of Canyon County, Idaho.

EXHIBIT "A" - 2

92229052

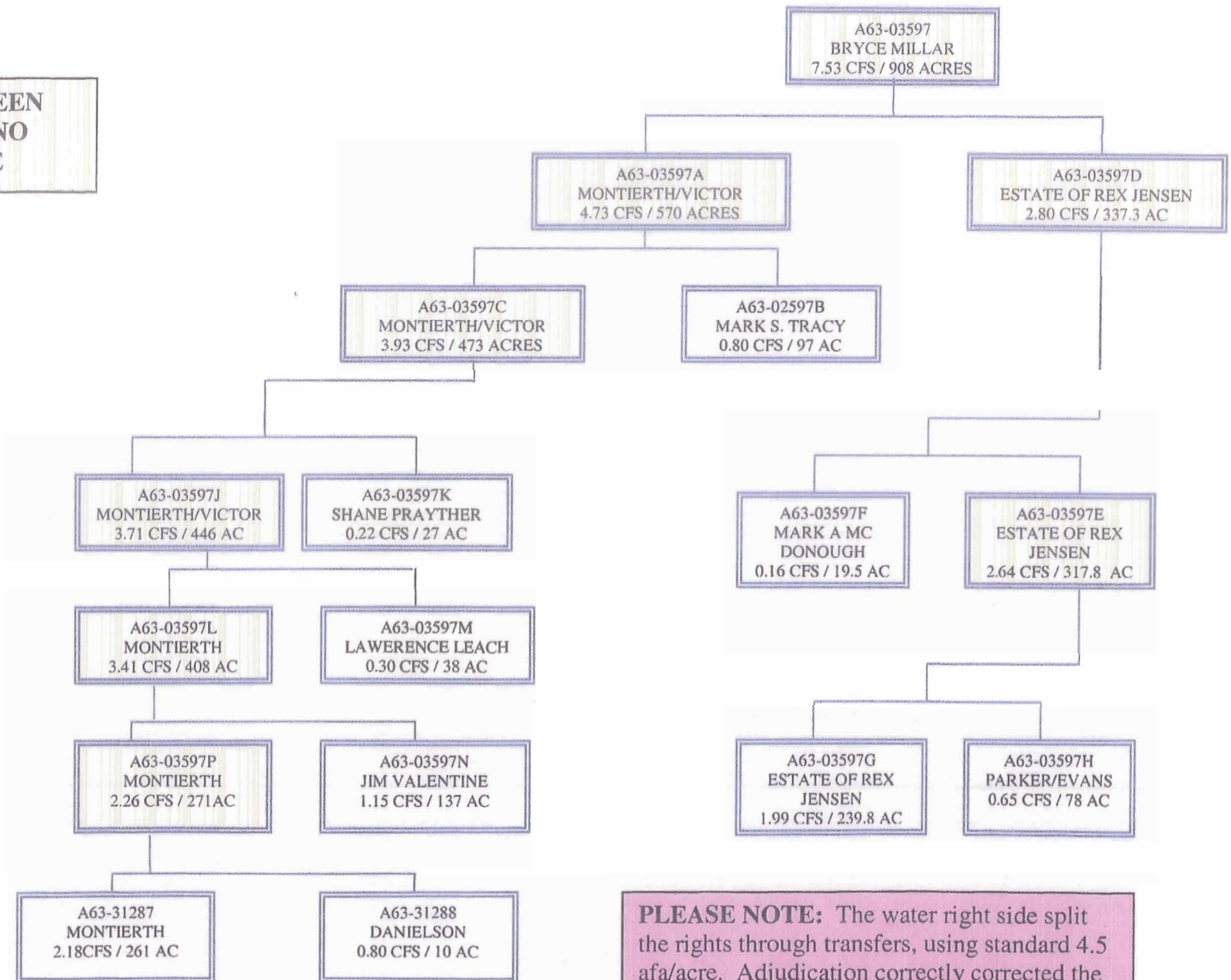
RECORDED

92 DEC 28 09 11 58

CLERK OF DISTRICT COURT
CANYON COUNTY, IDAHO
BY *[Signature]*
TYPED *[Signature]* mlj:ll

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 on 3614:908 x 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
76 AFA
CFS
4.73

A63-03597B
97 Acres
386.10 AFA
.80 CFS

(386.07700)

A63-03597C
473 acres
1882.6 AFA
3.93 CFS

(1882.6273)

A63-03597G
239.8 acres
954.8 AFA
1.99 CFS

(954.4465)

For your
file

78 acres
310.6 AFA
.65 CFS
(310.45320)

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

$3614 \div 908 \times .7 = 2.78$ AFA

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

corrected on AI data vs. Equal to licensed D.I.

therefore UNaccounted for .7 acre.

63-03507
 7080 acres
 3614 AFA
 7.53 CFS

Trans. 3937

63-03597A
 570 Acres

63-03597B
 97004CS
 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 on
 Data Base

	C	+	D	+	B	
TOTALS	Acres	473	+	337.3	+	02 = 907.3 (same as AF)
	AFA	4023.5	+	1512.0	+	388.8 = 5924.3
	CFS	3.93	+	2.8	+	.80 = 7.53

63-03597C

$$(3.93)(1.98)(245) = 1906.443 \text{ AFA}$$

(2122.7 via Transfer)

$$(473)(4.5) = 2128.5 \text{ AFA}$$

63-03597D

$$(2.8)(1.98)(245) = 1358.28 \text{ AFA}$$

(1512.0 via Transfer)

$$(337.3)(4.5) = 1517.85 \text{ AFA}$$

63-03597B

$$(.80)(1.98)(245) = 388.08 \text{ AFA}$$

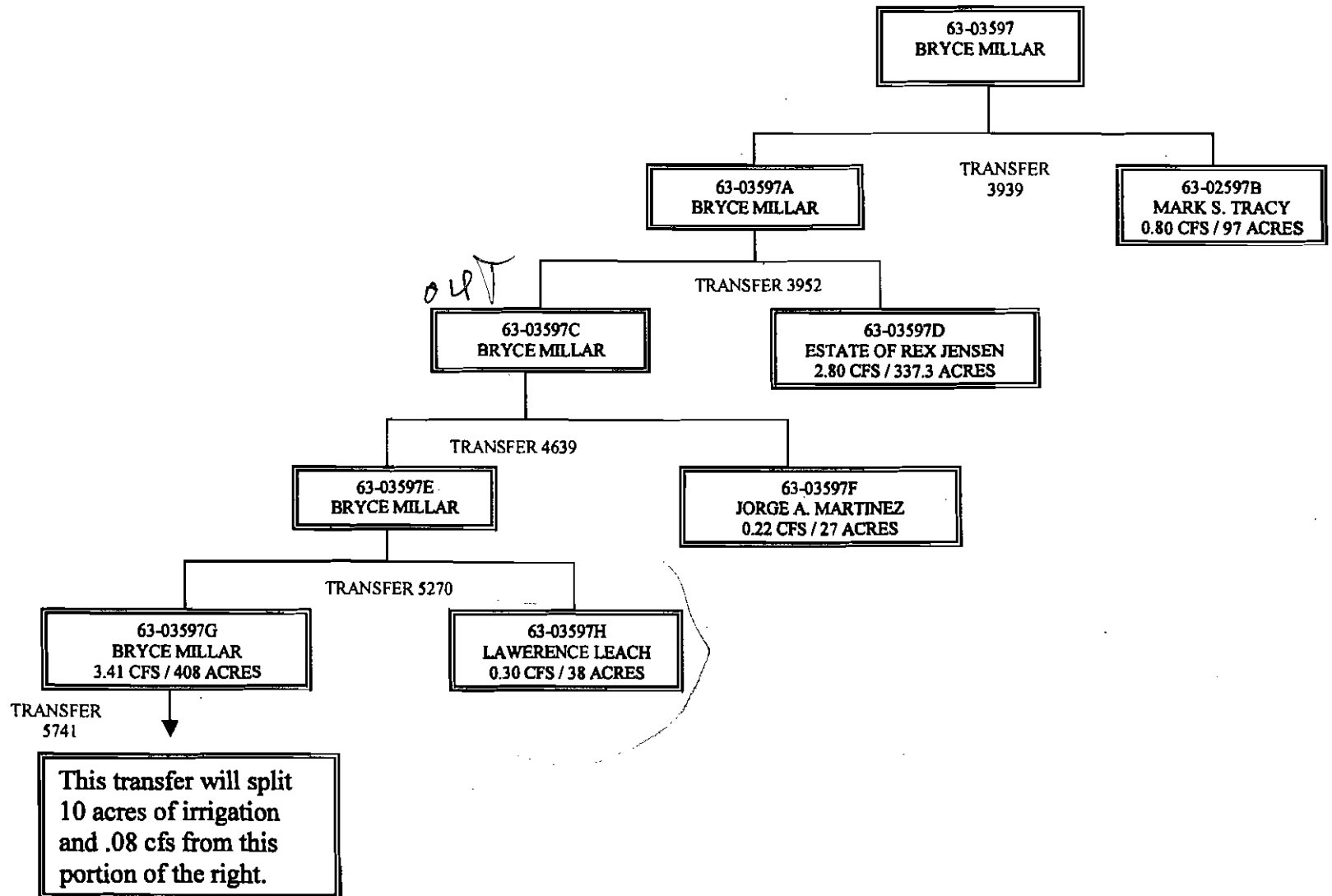
(388.8 via Transfer)

$$(97)(4.5) = 436.5 \text{ AFA}$$

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 that a transfer approves incorrectly? Thanks again. Jan

WATER RIGHT SPLIT TREE FOR AGEE TRANSFER # 5741



L. Rowan
Western AS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5270
WATER RIGHT NO. 63-03597H

This is to certify that: **LAWRANCE L LEACH**
KITTY M LEACH
9770 FARNER 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	0.30 CFS	145.8 AF

SOURCE

GROUNDWATER

Priority: 04/13/1967

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 15, 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 15	NWNW 38			38
Total number of acres irrigated:				38

CONDITIONS OF APPROVAL AND 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 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
3. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.

TRANSFER NO. 5270
WATER RIGHT NO. 63-03597H

CONDITIONS OF APPROVAL AND REMARKS

4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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.

Dated this 12th day of November, 1998.


Chief, Water Allocation Bureau

MEMORANDUM

TO: File 63-03597E

FROM: Pam Skaggs²⁸/State Office

SUBJECT: Transfer 5270

DATE: November 12, 1998

Transfer 5270 changes the point of diversion under a portion of Right 63-03597E, splitting the right into Parts G and H. The applicant has purchased a quarter quarter of land under this right and proposes to drill a separate well for his use.

Recommended conditions include drilling permit requirements, irrigation overlap, future measuring devices & annual reporting, 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: **A63-03597H**
Date Received: 2/15/1990
Receipt No: X777777
Received By: _____

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

1. Name: CATHERINE E PARKER 208-362-9411
Address: C/O M E EVANS
9990 W ROAN MEADOWS DR
BOISE ID 83709

AND/OR

Name: REX E EVANS 208-362-9411
Address: C/O M E EVANS
9990 W ROAN MEADOWS DR
BOISE ID 83709

AND/OR

Name: MARYON E EVANS 208-362-9411
Address: C/O M E EVANS
9990 W ROAN MEADOWS DR
BOISE ID 83709

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	11	NW	SW			CANYON
			NE	SE			CANYON

5. Description of diverting works:
2 WELLS & PUMPS, MAINLINES, SPRINKLER IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.650		310.60

7. Total Quantity Appropriated is:
0.650 C.F.S. (and/or) 310.60 A.F.A.

MICROFILMED

JUL 25 1994

8. Total consumptive use is 273.1 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	11	SW	SW		IRR	39.0
			SE	SW		IRR	39.0
Section Acres							78.0
Total Acres							78.0

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:
63-7156

14. Remarks:

CLAIM AMENDED PURSUANT TO APPROVAL OF TRANSFER NO. 3952.
KW 2/24/1993
THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF
CLAIM NO. A63-03597D, FEE PAID UNDER RECEIPT NO. W008866.
KW 4/9/1993

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: _____

MICROFILMED

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 _____

MICROFILMED

JUL 25 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

APR 1 1993

Department of Water Resources
Western Regional Office

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 2N Range 3W
Section 11, 5 1/2 1/4 of SW 1/4 of _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A63-03597D
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Estate of Rex S. Jensen
% E.T. Evans, Co-Trustee
9990 W. Roan Meadows Dr., Boise, 83709
- ☐ New Owner/Claimant (Purchaser): Catherine E. Parter % Rex E. Evans % Maryon E. Evans
- ☐ New Mailing Address: % M.E. Evans
9990 W. Roan Meadows Dr.
Boise, ID 83709
- ☐ New Telephone Number: (208) 362-9411
- ☐ ^{Per quiet title judgement & decree} 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:
78 acres in NW 1/4 SW 1/4, S11, T2N, R3W, served by both wells, proportionate amount of water
- ☐ Attach proof of ownership, describe proof attached: See Judgement & Decree of Quiet Title in File A63-03597D
(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 _____
% Maryon E. Evans Date _____
- ☐ Signature of Former Owner/Claimant(s): Estate of Rex S. Jensen Co-Trustee Date 4/1/93
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:

MICROFILMED

JUL 25 1994

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

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: **A63-03597D**
Date Received: 2/15/1990
Receipt No: W008866
Received By: IDE-kw

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: ESTATE OF REX S JENSEN
Address: C/O R L BILOW CO-TRUSTEE
BOISE ID 83709

Name: ESTATE OF REX S JENSEN 208-362-9411
Address: C/O E T EVANS CO-TRUSTEE
9990 W ROAN MEADOWS DRIVE
BOISE ID 83709

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	11	NW	SW			CANYON
			NE	SE			CANYON

5. Description of diverting works:
2 WELLS & PUMPS, MAINLINES, SPRINKLER IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.800		1343.00

7. Total Quantity Appropriated is:
2.800 C.F.S. (and/or) 1343.00 A.F.A.

8. Total consumptive use is 1181.0 Acre Feet Per Annum.

9. Non-irrigation uses:

MICROFILMED

JUL 25 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	03W	11	SW	NW		IRR	36.0
			SE	NW		IRR	26.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	39.0
			SE	SW		IRR	39.0
			NW	SE		IRR	40.0
			SW	SE		IRR	39.0
			SE	SE		IRR	38.3

Section Acres 337.3

Total Acres 337.3

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:
63-7156

14. Remarks:
CLAIM AMENDED PURSUANT TO APPROVAL OF TRANSFER NO. 3952.
KW 2/24/1993

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~~ **MICROFILMED**

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 _____

MICROFILMED

JUL 25 1994

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A63-03597D**
Date Received: 2/15/1990
Receipt No: W008866
Received By: DE JEN

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

1. Name: REX JENSEN FAMILY TRUST 208-362-9411
Address: C/O E T EVANS CO-TRUSTEE
9990 W ROAN MEADOWS DRIVE
BOISE ID 83709

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	11	NW	SW			CANYON
			NE	SE			CANYON

5. Description of diverting works:
WELLS, TURBINE PUMPS, MAINLINES, SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.810		868.00

7. Total Quantity Appropriated is:
1.810 C.F.S. (and/or) 868.00 A.F.A.

8. Total consumptive use is 763.0 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	11	NE	NW		IRR	2.0
			NW	NW		IRR	23.0
			SW	NW		IRR	36.0

10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
02N	03W	11	NW	SW		IRR	40.0
			SW	SW		IRR	39.0
			SE	SW		IRR	39.0
			SW	SE		IRR	39.0

Section Acres 218.0

Total Acres	218.0
-------------	-------

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:
63-7156

14. Remarks:

E. T. EVANS IS CO-TRUSTEE FOR THE REX JENSEN FAMILY TRUST.

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: _____

MICROFILMED

JUL 25 1994

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 _____

MICROFILMED

JUL 25 1994

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

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

CIVIL CASE NUMBER: 39576

Ident. Number

A63-03597.D

Date Received

2-18-90

Receipt Number

W008866

Should questions arise during
the processing of this applica-
tion please contact:

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

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

Please type or print clearly

1. Name of Claimant (s) Rex Jensen Family Trust Phone (208) 362-9411
c/o E. T. Evans, Co.-Trustee

Mailing Address 9990 W. Roan Meadows Drive., Boise, ID Zip 83709

2. Date of Priority (Only one (1) per claim) April 13, 1967

3. Source of water supply (a) Ground water
which is tributary to (b) N/A

4. a. Location of existing point of diversion is: Township 2N Range 3W Section 11,
1/4 of NW 1/4 of SW 1/4, Govt. Lot, B.M., County of Canyon

Additional points of diversion if any: T2N, R3W, Sec. 11, NESE

b. If instream flow, beginning point of claimed instream flow is: N/A

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Drilled wells, vertical turbine pumps.
Buried mainlines and sprinkler system for distribution.

MICROFILMED

JUL 25 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount 1.81 or 868

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.81 (cfs) and/or (b) 868 (acre feet)

8. Total consumptive use claimed is 763 acre feet per annum.

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

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
2N	3W	11					2	23	36			40	39	39			39		218

Total number of acres irrigated 218

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

12. Do you own the property listed above as place of use? Yes _____ No X

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

63-7156

or None ()

14. Remarks:

E. T. Evans is Co.-Trustee for the Rex Jensen Family Trust.

MICROFILMED

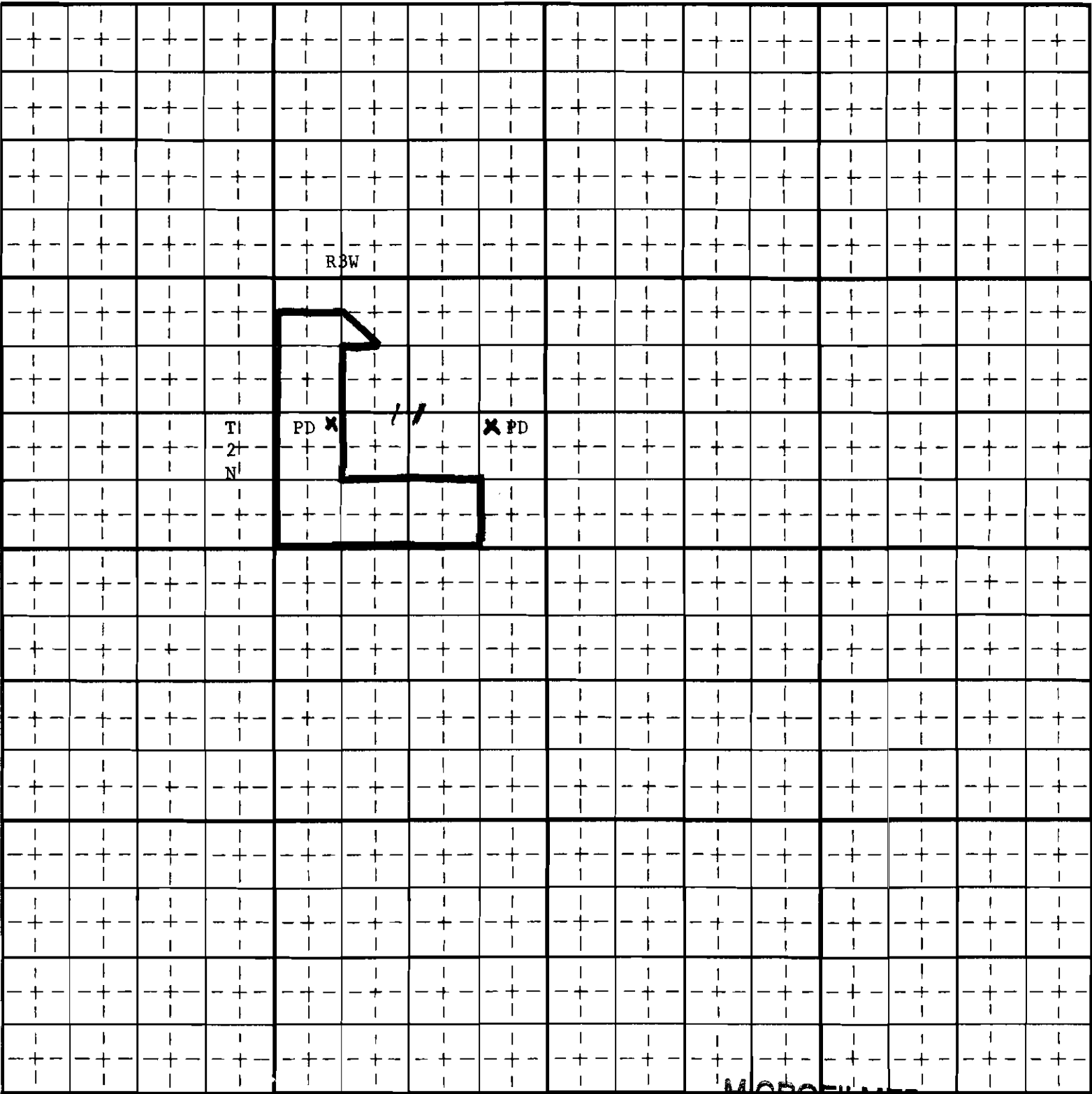
JUL 25 1994

Last Name Jensen Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



MICROFILMED

JUL 25 1994

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 63-3597 (part)
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 0

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

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

For Organizations: I do solemnly swear or affirm that I am Co-Trustee _____
Title _____
of Rex Jensen Family Trust _____, that I have signed the foregoing
Organization _____
document in the space below as Co-Trustee _____ of Rex Jensen Family Trust _____
Title _____ Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]
Title and Organization Co-Trustee; Rex Jensen Family Trust Date 2/12/90

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

Subscribed and sworn (or affirmed) before me this 12 day of February 19 90

Notary Public [Signature]

Residing at 2389 Cottonway Meadows Rd

My Commission Expires 6/14/94

Please Print Name Sheri L. Chapman

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

MICROFILMED

JUL 25 1994

Last Name Jensen Ident. Number _____

Copies White-State, Yellow-Claimant

ADJUDICATION CLAIM REVIEW CHECKLIST

4-3-91

CLAIMANT'S NAME

Jensen

CLAIM IDENT. NO.

A63-03597D

DATE RECEIVED

2-15-90

RECEIPT #

W008866

AMOUNT \$

175.00

YES NO Required Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ Required Info? *
2. Is a priority date entered? ☒ YES ☐ NO ☐ Required Info? *
Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO ☐ Required Info? *
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO ☐ Required Info? *
3. (a) Is a source entered? ☒ YES ☐ NO ☐ Required Info? *
(b) Is a tributary to entered? (if required) N/A ☒ YES ☐ NO ☐ Required Info? *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO ☐ Required Info? *
5. Is there a description of the diverting works? ☒ YES ☐ NO ☐ Required Info? *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form ☒ YES ☐ NO ☐ Required Info? *
Is the period of use included? ☒ YES ☐ NO ☐ Required Info? *
Is a quantity claimed for each use? ☒ YES ☐ NO ☐ Required Info? *
7. Is a total quantity claimed entered? ☒ YES ☐ NO ☐ Required Info? *
8. If required is a consumptive use entered? N/A ☒ YES ☐ NO ☐ Required Info? *
Is the consumptive use correct? N/A ☒ YES ☐ NO ☐ Required Info? *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4 N/A ☒ YES ☐ NO ☐ Required Info? *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO ☐ Required Info? *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO ☐ Required Info? *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO ☐ Required Info? *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO ☐ Required Info? *
(See Item No.'s 16 & 17 for checking other water rights)
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ☒ YES ☐ NO ☐ Required Info? *
15. Is the basis of the claim indicated? ☒ YES ☐ NO ☐ Required Info? *
16. If the basis of claim is shown as license, permit, or decree is the existing water rt. no. listed? N/A ☒ YES ☐ NO ☐ Required Info? *
(Compare claim with the existing water rt. and either attach a proof report or state in comments that the existing right was compared to the claim)
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal desc. or name on the claim? N/A ☒ YES ☐ NO ☐ Required Info? *
(If yes, describe the right in "Comments" and attach a proof report) NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.
18. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A ☒ YES ☐ NO ☐ Required Info? *
19. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ Required Info? *
20. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ Required Info? *
21. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ Required Info? *
22. Is the fee enclosed correct? Exempt ☒ YES ☐ NO ☐ Required Info? *

MICROFILMED

JUL 25 1994

WR5809NP
No. 63-03597D

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/24/92
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ESTATE OF REX S JENSEN	04/13/1967	IRRIGATION	03-15 11-15	2.80 CFS	1512.0 AFA
TOTAL DIVERSION:					2.80 CFS	1512.0 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T02N R03W S11 NW SW NE SE

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	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: SUM
02N	03W	11	:				:	36	26	:	40	40	39	39	:	40	39	38	: 337.3
TOTAL ACRES																		337.3	

Pou County: CANYON

Conditions of Approval:

- T09 - Approval of this transfer does not preclude the opportunity for
- review of the validity of the water right(s) in the ongoing
- Snake River Basin Adjudication.

Dates:	App. Received:	Priority Date:	04/13/1967
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:	09/12/1979	

Misc:	Water District Number:	Field Exam Fee:
-------	------------------------	-----------------

MICROFILMED
JUL 25 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

July 17, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

Canyon County Lakes Estates
7488 Sky Ranch Rd
Nampa, ID 83686

Notice of Claim to a Water Right No. 63-31800, 63-31535, 63-31802, 63-3597H

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflect the change in ownership of the land and appurtenant water rights, covered under the original filing.

Please note that the enclosed Notice of Claim to a Water Right is not a final determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed information, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Liberty Gagnon".

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

Enclosure

COPY

09/29/2006

**NOTICE OF ERROR
REPLY**

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

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

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

Water right number: 63-3597H

CANYON COUNTY LAKES ESTATES
7488 SKY RANCH ROAD
NAMPA ID 83686

RECEIVED

OCT 26 2006

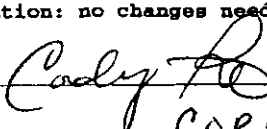
**WATER RESOURCES
WESTERN REGION**

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

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

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

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

DATE: 10-23-06 SIGNATURE: 

Please print your name: CORDY ROST

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

07/14/2006

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

RIGHT NUMBER: 63-3597H

NAME AND ADDRESS: CANYON COUNTY LAKES ESTATES
7488 SKY RANCH ROAD
NAMPA ID 83686

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.650 CFS
310.600 AFY

The total instantaneous diversion of water from all points of diversion under Rights 63-3597H and 63-31535 shall not exceed 1.20 cfs, nor a total combined annual volume of 351.0 af for the irrigation of 78 acres.

PRIORITY DATE: 04/13/1967

POINT OF DIVERSION:

T02N R03W S11 NWSW Within CANYON County

T02N R03W S11 NESE Within CANYON County

Rights 63-3597H, 65-7156D, 63-31535, 63-31799, 63-31800, 63-31801 and 63-31802 are also diverted through the points of diversion described above.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.650 CFS
310.60 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 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 S11 SWSW 39.00 T02N R03W S11 SESW 39.00

78 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

07/14/2006

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

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

The right holder shall accomplish the change authorized by Transfer 68832 within one (1) year of the date of the approval.

rights This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water 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.

After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

provide Prior to diversion of water under this approval, the right holder shall a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

This right does not grant any right-of-way or easement across the land of another.

02/22/2006

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

RIGHT NUMBER: 63-3597H

NAME AND ADDRESS: REX E EVANS
2035 FAIRMEADOW DR
BOISE ID 83704

MARYON E EVANS
2035 FAIRMEADOW DR
BOISE ID 83704

CATHERINE E PARKER
2035 FAIRMEADOW DR
BOISE ID 83704

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.650 CFS
310.600 AFY

The total instantaneous diversion of water from all points of diversion under Rights 63-3597H and 63-31535 shall not exceed 1.20 cfs, nor a total combined annual volume of 351.0 af for the irrigation of 78 acres.

PRIORITY DATE: 04/13/1967

POINT OF DIVERSION:

T02N R03W S11 NWSW Within CANYON County

T02N R03W S11 NESE Within CANYON County

Rights 63-3597F, 65-7156D, 63-31535, 63-31799, 63-31800, 63-31801 and 63-31802 are also diverted through the points of diversion described above.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.650 CFS 310.60 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 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 S11	SWSW	39.00	T02N R03W S11	SESW	39.00
---------------	------	-------	---------------	------	-------

78 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

02/22/2006

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

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

The right holder shall accomplish the change authorized by Transfer 68832 within one (1) year of the date of the approval.

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.

After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

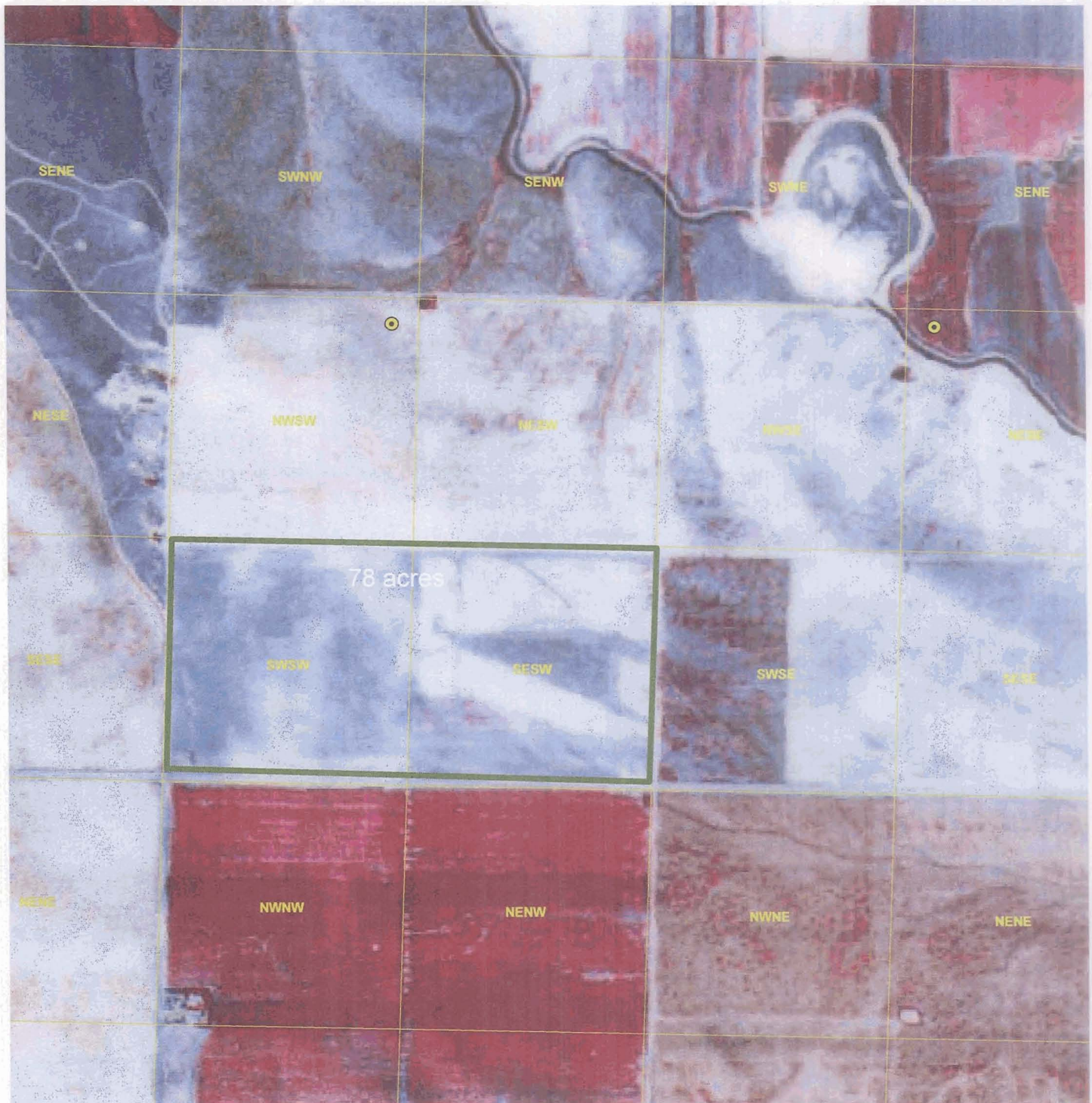
Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

This right does not grant any right-of-way or easement across the land of another.

Idaho Department of Water Resources

63-3597H

T02N R03W S11



- 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: 63-3597H

02/15/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
3597H	Claim	02N	03W	11	SW	SW		IRRIGATION	39/78	REX E EVANS
31535	Claim	02N	03W	11	SW	SW		IRRIGATION	39/78	REX E EVANS
3597H	Claim	02N	03W	11	SE	SW		IRRIGATION	39/78	REX E EVANS
31535	Claim	02N	03W	11	SE	SW		IRRIGATION	39/78	REX E EVANS

09/23/2004

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

RIGHT NUMBER: 63-3597H
NAME AND ADDRESS: REX E EVANS
2035 FAIRMEADOW DR
BOISE ID 83704

MARYON E EVANS
2035 FAIRMEADOW DR
BOISE ID 83704

CATHERINE E PARKER
2035 FAIRMEADOW DR
BOISE ID 83704

SOURCE: GROUND WATER
QUANTITY: 0.650 CFS
310.600 AFY

TRIBUTARY:

The total instantaneous diversion of water from all points of diversion under Rights 63-3597H and 63-31535 shall not exceed 1.20 cfs, nor a total combined annual volume of 351.0 af for the irrigation of 78 acres.

PRIORITY DATE: 04/13/1967

POINT OF DIVERSION:

T02N R03W S11 NWSW Within CANYON County
T02N R03W S11 NESE Within CANYON County
Rights 63-3597F, 65-7156D, 63-31535, 63-31799, 63-31800, 63-31801 and 63-31802 are also diverted through the points of diversion described above.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	0.650 CFS 310.60 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 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 S11	SWSW	39.0	T02N R03W S11	SESW	39.0
---------------	------	------	---------------	------	------

78 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.

The right holder shall accomplish the change authorized by Transfer 68832 within one (1) year of the date of the approval.

EXPLANATORY MATERIAL: License

This right does not grant any right-of-way or easement across the land of another.

After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

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

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.



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

April 9, 1993

RE: Notice of Claim No. A63-03597H

Catherine E. Parker &/or
Rex E. Evans &/or
Maryon E. Evans
c/o M.E. Evans
9990 W. Roan Meadows Dr.
Boise, ID 83709

Dear Claimants:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the lands and appurtenant water right covered under the original filing.

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 the enclosed claim, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Kay Walker".

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosure

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JUL 25 1994



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. A63-03597D and A63-07156B

Estate of Rex S. Jensen
c/o E. T. Evans and R. L. Bilow, Co-Trustees
9990 Roan Meadows Dr.
Boise, ID 83709

Dear Claimants:

Enclosed are amended copies of the above referenced claims which reflect the approved transfers of these water rights. Please be advised that a change in ownership should be filed to identify the lands and appurtenant water rights owned by Catherine Parker and Mark McDonough. Enclosed are two change of ownership forms for this use. The forms should be given to Ms. Parker and Mr. McDonough for completion. After we receive the completed forms, we will split Claim A63-03597D to show each water user (yourself, Ms. Parker and Mr. McDonough). Claim A63-07156B will be split between yourself and Mr. McDonough.

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
Enclosures

3-4-93

Eb Evans called-
will be sending
in changes of
ownership as
requested. MICROFILMED
him there ~~was~~ ^{was} no
hurry to do this.
KW

Page 1 of 1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3952

APPLICATION FOR TRANSFER OF WATER RIGHT

RIGHT APPROVED
AMENDED

PART 1

Department of Water Resources
Western Regional Office
Name of applicant Edward T. Evans and Robert L. Bilow,
CO-TRUSTEES for the Estate of Rex S. Jensen Phone 362-9411 (EVANS)
Post Office address 9990 RONN MEADOWS DRIVE Boise, ID. 83709

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 change wells for 63-03597 & add a well
for 63-07156 for those acres in Section 11 as outlined in the
"Judgment & Decree of Quiet Title" dated 2/12/1992. The acres in S. 11
represent land owned by three parties defined in the judgement.

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

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|-------------------|------------------|-----------------------|-------------------|-----------------------------|
| <u>63-03597</u> | <u>4/13/1967</u> | <u>2.80 cfs</u> | <u>Irrigation</u> | <u>3/15</u> to <u>11/15</u> |
| | | | | to |
| <u>63-07156 B</u> | <u>10/7/1968</u> | <u>1.46</u> | <u>Irrigation</u> | <u>4/1</u> to <u>11/1</u> |
| | | | | to |

2. Total amount of water being transferred 4.26 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water ground water tributary to _____
4. Point(s) of Diversion: _____

[illegible]

5. Lands irrigated or place of use:

[illegible]

PART 1

6. General Information:

- a. Description of diversion system 2 wells & pumps, mainlines, sprinkler irrigation.
Well no. 2 < 100 hp. GE motor #EJ5516178, Loyne & Bowler Pump #45112.
75 hp. GE motor #EJ5509590, Loyne & Bowler Pump #45111.
Well no. 3 < 125 hp. Holstoft motor #?, Wellline Pump #NRR1326904.
100 hp. Holstoft motor #NRR1326904, Wellline Pump #17920412KH.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

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

NO CHANGE in P.O.U.

- d. Remarks:

Balance of land in rights 63-03597A & 63-07156 will
used other wells than wells nos. 2 & 3.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 63-03597B/07156B

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

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.

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Witness my hand this

29th

day of

October

JUL 25 1994

, 19 92

L. Blaw 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 Attachment A Court Judgment3. Source of water ground water tributary to _____4. Date or priority April 13, 1967

5. Water is used for the following purpose:

amount 7.53 cfs for Irrigation purposes from 3/15 to 11/15
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____

6. Total amount of water under right 7.53 cubic feet per second and/or 3614 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	well 1
		NW	SW	11	2N	3W	Canyon	well 2
		SE	SW	14	2N	3W	Canyon	well 9

8. Lands irrigated or place of use:

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

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Total acres 9089. Describe any other water rights used for the same purpose as described above 63-07156 (for some

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

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount 2.80 cfs for Irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. 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	well # 1
		NW	SW	11	2N	3W	"	# 2
		SE	SW	14	2N	3W	"	# 9

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	3W	11							36	26	40	40	39	39		40	39	38.3	337.3

Total acres 337.3**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount _____ for _____ purposes from Balance of right to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

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JUL 25 1994

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

PART 2

(Attach one copy for each right)

1. 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. 63-07156 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 Attachment A Court Judgement

3. Source of water ground water tributary to _____

4. Date or priority Oct. 7, 1968

5. Water is used for the following purpose:

amount 2.81 cfs for Irrigation purposes from 4/1 to 11/1
(cfs/ac-ft)
amount .01 cfs for Stockwater purposes from 1/1 to 12/31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.81 cubic feet per second and/or 1,195 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	11	2N	3W	Canyon	well 3

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	11													40	40	40	40	160
		14		40	40	40													120

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JUL 25 1994

Total acres 280

9. Describe any other water rights used for the same purpose as described above 63-03597 (for some)

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

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED:

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

1. amount 1.46 cfs for Irrigation purposes from 4/1 to 11/1
 (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
		NE	SE	11	2N	3W	Canyon	well #3

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	3W	11													26	40	40	39.3	145.3

Total acres 145.3**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**Balance of right

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

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JUL 25 1994

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.

See Attachments B & C
for p/d's of lands
in S. 11

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JUL 25 1994

PART 3

B. CHANGES IN NATURE OF USE

N/A

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

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

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

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

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

1/15/92 *1/15/92* *1/15/92*
State of Ry. Spruce *1/15/92* *1/15/92* *1/15/92*
Mark McDonough *1/15/92* *1/15/92* *1/15/92*
 (Signature of Applicant)

Subscribed and sworn to before me this 15 day of June, 19 92.

Lori Harris

(Notary Public)

My commission expires 12-8-94

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 5 attachments

Received by SL Date 6/15/92

Protest filed by _____

Prelim. check by SL Fee \$50.00

Receipted by SL Date 1/16/99 #W001977

Published in SEE ORIGINAL appl

Copies of protest forwarded by _____

Pub. dates _____

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☒ approval ☐ denial

_____ rec'd. _____

by *Duo*

Copy of transfer sent to lien holder _____

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1/ E.T. EVANS - Power of Atty. for R. Bitter & C. Burden
3/ S. Chapman " " " " M. McDonough

2/ JUL 25 1994

MEMORANDUM

TO: FILE

FROM: STEVE LESTER

DATE: JUNE 17, 1992

RE: AMENDED TRANSFER OF 63-03597 AND 63-07156

ADVERTISING

The amended transfer application does not need to be readvertised. The 1989 ad listed both well locations in S.11 for both rights. The P/U will not change in the amended transfer; it will be split per ownership. Adequate public notice occurred in 1989 and no protests were received.

SRBA

The original application was advertised prior to inclusion of SRBA claims in the advertising and review process. At this point in the transfer process, it is sufficient to simply note that claims were filed by Sherl Chapman on behalf of the Jensen Family Trust for rights 63-03597 (portion) and 63-07156. The claims remain non-data entered at the region.

I recently thought the best procedure was to amend the transfer to show splits for three new owners defined in transfer Attachment A. However, Mr. Evans and Mr. Chapman have powers of attorney for the three owners and opted for a single split for all of the acres in S.11 under the three owners.

I did not object to this as long as everyone realizes that adjudication recommendations will probably result in defining 63-03597B and 63-07156B as A63-03597B-C-D and A63-07156B-C. Reconciliation of WR and AJ information can occur outside of the current transfer process and should not hinder approval of the amended transfer.

The attached three pages are notes related to the eventual reconciliation of WR and AJ details.

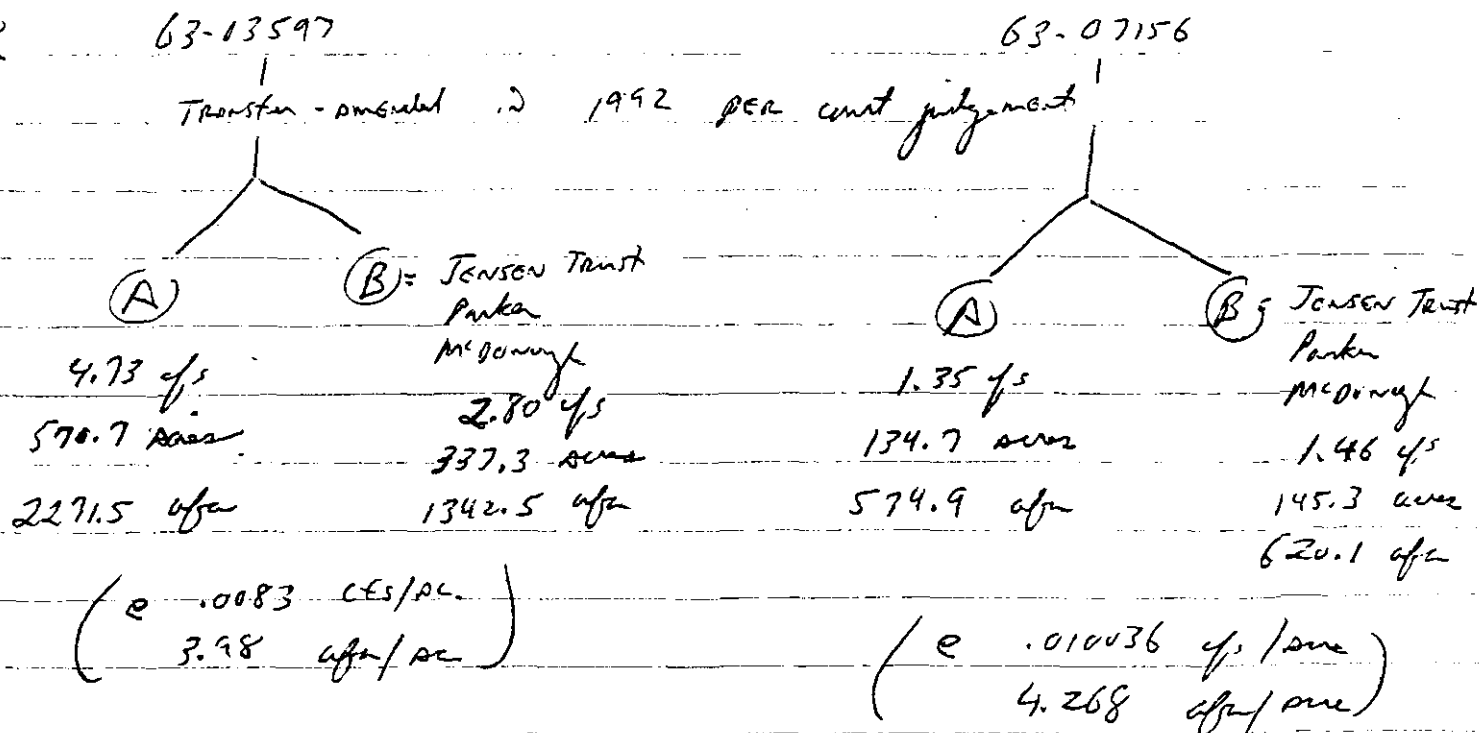
CC: SRBA Claims

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JUL 25 1994

EVENTUAL RECONCILIATION OF WR + AS into ownerships for 63-03597 & 63-07156

WR



RBA

claims filed by Stark Chapman for Jensen Family Trust on 63-03597 (portion) & 63-07156 will eventually be split into 3 ownerships per court judgment (Attch. A in 1992 transfer & in Reg. claims) as follows:

The B portion in 1992 transfer will become:

-03597 {	WR B →	AJ B	Jensen Trust	239.8 ac.
		AJ C	Parker	78 ac.
		AJ D	McDonough	19.5 ac.

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-07156 {	WR B →	AJ B	Jensen Trust	12 JUL 25 1994
		AJ C	McDonough	20 ac.
				145.3 ac.

SRBA (cont.)

ENTHOL RECONCILIATION OF 5.11 PORTIONS
WILL BE AS FOLLOWS —

$$\begin{aligned} \text{AJ B } (239.8 \text{ acres}) & (.0083 \text{ cfs/ac}) = 1.99 \text{ cfs} \\ " & (3.98 \text{ afa/ac}) = 954.4 \text{ afa} \end{aligned}$$

$$\begin{aligned} \text{C } (78 \text{ acres}) & (.0083 \text{ cfs/ac}) = .65 \text{ cfs} \\ " & (3.98 \text{ afa/ac}) = 310.4 \text{ afa} \end{aligned}$$

$$\begin{aligned} \text{D } (19.5 \text{ acres}) & (.0083 \text{ cfs/ac}) = .16 \text{ cfs} \\ " & (3.98 \text{ afa/ac}) = 72.6 \text{ afa} \end{aligned}$$

A63-03597 —

$$\begin{aligned} \text{Sum B + C + D} & \quad \begin{array}{l} 397.3 \text{ acres} \\ 2.80 \text{ cfs} \\ 1342.4 \text{ afa} \end{array} \left. \vphantom{\begin{array}{l} 397.3 \text{ acres} \\ 2.80 \text{ cfs} \\ 1342.4 \text{ afa} \end{array}} \right\} \begin{array}{l} \text{compare to WRB at} \\ \text{top of previous pg., OK} \end{array} \end{aligned}$$

$$\begin{aligned} \text{AJ B } (125.3 \text{ acres}) & (.010036 \text{ cfs/ac}) = 1.26 \text{ cfs} \\ " & (4.268 \text{ afa/ac}) = 534.8 \text{ afa} \end{aligned}$$

$$\begin{aligned} \text{C } (20 \text{ acres}) & (.010036 \text{ cfs/ac}) = .20 \text{ cfs} \\ " & (4.268 \text{ afa/ac}) = 85.4 \text{ afa} \end{aligned}$$

A63-07156 —

$$\begin{aligned} \text{Sum B + C} & \quad \begin{array}{l} 145.3 \text{ acres} \\ 1.46 \text{ cfs} \\ 620.2 \text{ afa} \end{array} \left. \vphantom{\begin{array}{l} 145.3 \text{ acres} \\ 1.46 \text{ cfs} \\ 620.2 \text{ afa} \end{array}} \right\} \begin{array}{l} \text{compare to WRB at} \\ \text{top of previous pg.,} \\ \text{OK} \end{array} \end{aligned}$$

Some minor differences occur due to
rounding

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JUL 25 1994

T2N R2 Section 11 only

LAND LIST ATTACHMENT

Description and location of place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
LICENSE 63-03597										36	26	40	40	39	39		40	39	39	338
CLAIM BY JENSEN Family Trust							2	23	36				40	39	39			39		218
SPLIT PER 1992 court judgement to reflect Licens																				
Split B (Jensen)										36	26	40	40				40	19.5	38.3	239.8
" C (Parker)														39	39					78
" D (McDonnell)																		19.5		19.5
																				(39 total acres in SW 1/4 E)
218 ac. claimed by J.F. Trust - are these a portion of 338 ac. where change in plan occurred before SRBA commenced? Or is this just a mistaken land list? If plan changed, then transfer app. should agree with SRBA info claimed. Want to amend claim & split into 3 errors in 1 step.																				

337.3
became
.7 acre
in SESE
Excluded

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JUL 25 1994

FILED
A.M. 3:45 P.M.
FEB 06 1992
NED J. KERR, CLERK
7 LEC
DEPUTY CLERK

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF CANYON

EDWARD T. EVANS and ROBERT L.)
BILOW, Co-Trustees of the)
Article IV Trust under the Will of)
Rex S. Jensen, Deceased,)
CATHERINE E. PARKER, formerly known)
as CATHERINE E. CAVAIANI, REX E.)
EVANS, MARYON E. EVANS, and MARK A.)
MCDONOUGH,)

Plaintiffs,)

vs.)

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)
person, WILFORD NOLAN VICTOR, also)
known as NOLAN VICTOR, and RUBY C.)
VICTOR, husband and wife, ROBERT J.)
MEYERS and KATHI L. MEYERS, husband)
and wife, FARM CREDIT BANK OF)
SPOKANE, a corporation chartered)
under the laws of the United)
States, successor by merger to)
THE FEDERAL LAND BANK OF SPOKANE,)
a corporation formerly chartered)
under the laws of the United)
States, BRYCE D. MILLAR and)
DONNA R. MILLAR, husband and wife,)
THERON GRIFFIN and LA NELL)
GRIFFIN, husband and wife,)
and their heirs, representatives)
and transferees and their claimants)
and encumbrancers, and all of the)

Case No. CV91-00666C

JUDGMENT AND DECREE
OF QUIET TITLE

Copy from
Transfer Appl.
Filed 1989-1992,
for SRBA claims
related to 7

MICROFILMED

JUL 25 1994

63-03597

63-07156

Attachment A

unknown owners of and all of the)
unknown claimants to any right,)
title, estate, lien or interest in)
whole or any part of the following)
described real and personal)
property which is adverse to the)
Plaintiffs' ownership or is a)
cloud upon the Plaintiffs')
interest therein, said real and)
personal property being more)
particularly described as follows:)

PARCEL VIII:)

A portion of Section 11, Township 2)
North, Range 3 West of the Boise)
Meridian, Canyon County, Idaho,)
more particularly described as)
follows:)

All of the NW $\frac{1}{4}$, lying South of the)
Mora Canal;)
All of the N $\frac{1}{4}$ of the SW $\frac{1}{4}$;)
All of the N $\frac{1}{4}$ of the SE $\frac{1}{4}$ lying)
South of the Mora Canal;)
That portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ lying)
South and East of the Mora Canal;)
All of the East $\frac{1}{2}$ of the SW $\frac{1}{4}$ SE $\frac{1}{4}$;)
All of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, excepting the)
following described property;)

Commencing at a point on the east)
boundary line of Section 11)
Township 2 North, Range 3 West,)
Boise Meridian, which is 280 feet)
North of the Southeast corner)
of said section; thence West a)
distance of 25 feet to a point,)
the TRUE POINT OF BEGINNING;)
thence North and parallel to the)
East boundary line of said Section)
a distance of 300 feet; thence)
West a distance of 100 feet;)
thence South and parallel to the)
East boundary line of said section)
a distance of 300 feet; thence East)
a distance of 100 feet to the TRUE)
POINT OF BEGINNING.)

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PARCEL IX:

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

Beginning at the section corner
common to Sections 2, 3, 10 and 11,
Township 2 North and Range 3 West
of the Boise Meridian; thence
S 0°4'0" E, 1,358.47 feet along
the East section line (Basis of
Bearing) to the Real Point of
Beginning; thence continuing
S 0°4'0" E, 1,298.48 feet to the
1/4 corner; thence S 0°9'27" E,
1,818.74 feet along the section
line to a point N 0°9'27" W,
836.23 feet to the southeast corner
of said Section 10; thence
N 39°35'0" W, 421.13 feet; thence
N 19°39'55" W, 722.59 feet; thence
N 16°48'33" W, 201.19 feet; thence
N 37°3'36" W, 599.17 feet; thence
N 13°47'14" W, 527.44 feet; thence
N 0°54'43" E, 492.15 feet; thence
N 61°11'12" W, 315.87 feet; thence
N 21°40'11" W, 304.77 feet; thence
N 89°56'0" E, 1,431.45 feet to the
Real Point of Beginning.

PARCEL X:

The West half of the Southwest
Quarter of the Southeast Quarter
of Section 11 in Township 2 North,
Range 3 West of the Boise
Meridian, Canyon County, Idaho.

PARCEL XI:

The South half of the Southwest
Quarter of Section 11, Township 2
North, Range 3 West, of the Boise
Meridian, Canyon County, Idaho.

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<u>Well #2</u>	<u>Serial No.</u>
100 h.p. General	
Electric Motor	EJJ516178
with a Layne & Bowler	
pump	45112
75 h.p. General	
Electric Motor	
(Booster)	EJJ509590
with a Layne & Bowler	
pump	45111
<u>Well #3</u>	
125 h.p. U.S. Holoshaft	
Motor	None
with a Wellline pump	1552112KH
100 h.p. U.S. Holoshaft	
Motor (Booster)	NRR1326904
with a Wellline pump	17920412KH
Together with all allied equipment	
including but not limited to:	
electrical panels, control boxes,	
wiring, pipes, valves, casings,	
and underground irrigation pipe,	
used in connection with said wells	
and the above described real	
property and also together with	
all water and water rights	
appurtenant to said above	
described real property.	
Defendants.	

The Plaintiffs' Motion for Entry of Judgment and Decree of Quiet Title having come regularly before the Court, the Plaintiffs and the Defendants H. R. Montierth, also known as Herbert R. Montierth, and Golda D. Montierth, also known as Darlene R. Montierth, husband and wife, Edward R. Montierth, also known as Ray Montierth, and Susan L. Montierth, husband and wife,

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JUL 25 1994

Rodney Kent Montierth, a single person, Wilford Nolan Victor, also known as Nolan Victor, and Ruby C. Victor, husband and wife, Robert J. Meyers and Kathi L. Meyers, husband and wife (collectively hereinafter referred to as the "Defendants Montierth"), having entered into that certain Stipulation and Consent to Entry of Judgment and Decree of Quiet Title, and the Defendants Farm Credit Bank of Spokane, a corporation chartered under the laws of the United States, successor by merger to The Federal Land Bank of Spokane, a corporation formerly chartered under the laws of the United States (hereinafter referred to as the "Defendant Farm Credit Bank"), the Defendants Bryce D. Millar and Donna R. Millar, husband and wife (hereinafter referred to as the "Defendants Millar"), subject to their rights as lessees, and the Defendants Theron Griffin and La Nell Griffin, husband and wife (hereinafter referred to as the "Defendants Griffin"), having disclaimed any right, title or interest in and to the real and personal property located in Canyon County, Idaho which is more particularly described herein and in the Complaint on file herein (hereinafter referred to as the "Subject Property") and all claims against the Defendant Farm Credit Bank, the Defendants Millar and the Defendants Griffin having been dismissed and this Court having reviewed all pleadings, motions and other documents filed herein, and this Court being fully advised in the premises;

IT IS ORDERED, ADJUDGED AND DECREED:

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JUL 25 1994

1. That the Plaintiffs, E. T. Evans and Robert L. Bilow, as Co-Trustees of the Article IV Trust under the Will of Rex S. Jensen, Deceased, are the owners in fee simple and, subject to the leasehold interest of the Defendants Millar, are entitled to possession of all that certain real property located in Canyon County, Idaho which is more particularly described as Parcels VIII and IX on EXHIBIT "A" attached hereto and incorporated herein by this reference and all of the personal property (irrigation equipment) also described on said EXHIBIT "A." Said real and personal property is hereinafter collectively referred to as the "Jensen Trust Property."

2. That the Plaintiffs Catherine E. Parker, formerly known as Catherine E. Cavaiani, Rex E. Evans and Maryon E. Evans (hereinafter collectively referred to as the "Plaintiffs Parker") are the owners in fee simple and, subject to the leasehold interest of the Defendants Millar, are entitled to possession of all that certain real property located in Canyon County, Idaho which is more particularly described as Parcel XI on said EXHIBIT "A" attached hereto. Said real property is hereinafter referred to as the "Parker Property."

3. That the Plaintiff Mark A. McDonough (hereinafter referred to as the "Plaintiff McDonough") is the owner in fee simple and, subject to the leasehold interest of the Defendants Millar, is entitled to possession of all that certain real

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JUL 25 1994

property located in Canyon County, Idaho which is more particularly described as Parcel X on said EXHIBIT "A" attached hereto. Said real property is hereinafter referred to as the "McDonough Property."

4. That the Defendants Montierth, their heirs, representatives, transferees and their claimants and encumbrancers, and all whom claim title under them have no right, title, interest, claim or estate whatsoever in, to or upon the Jensen Trust Property or the Parker Property or the McDonough Property or any part thereof and all of said Defendants Montierth and all persons claiming under them are forever restrained and perpetually forbidden, enjoined and debarred from claiming or asserting any estate, right, title, interest in or claim or lien upon the Jensen Trust Property, or the Parker Property or the McDonough Property or any part thereof.

5. That the fee simple title in and to the Jensen Trust Property and the whole thereof and each and every part thereof is quieted in E. T. Evans and Robert L. Bilow as Co-Trustees of the Article IV Trust under the Will of Rex S. Jensen, Deceased, free of any adverse claim of the Defendants Montierth and their heirs, representatives, transferees, claimants and encumbrancers.

6. That the fee simple title in and to the Parker Property and the whole thereof and each and every part thereof is

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JUL 25 1994

quieted in Catherine E. Parker, formerly known as Catherine E. Cavaiani, Rex E. Evans and Maryon E. Evans, free of any adverse claim of the Defendants Montierth and their heirs, representatives, transferees, claimants and encumbrancers.

7. That the fee simple title in and to the McDonough Property and the whole thereof and each and every part thereof is quieted in Mark A. McDonough, free of any adverse claim of the Defendants Montierth and their heirs, representatives, transferees, claimants and encumbrancers.

8. That appurtenant to the Jensen Trust Property is a non-exclusive easement over and across the following described real property for reasonable vehicle and utility service access from that portion of the South One-Half of the North One-Half of Section 10, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho, not included in the property described below to that road known as Dry Lake Road:

PARCEL I:

The South half of the North half of Section 10, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, EXCEPTING therefrom the following described property: Beginning at the section corner common to Sections 2, 3, 10 and 11, Township 2 North and Range 3 West of the Boise Meridian; thence S 0°4'0" E, 1,358.47 feet along the East section line (Basis of Bearing) to the Real Point of Beginning; thence continuing S 0°4'0" E, 1,298.48 feet to the 1/4 corner; thence S 0°9'27" E, 1,818.74 feet along the section line to a point N 0°9'27" W, 836.23 feet to the

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southeast corner of said Section 10; thence N 39°35'0" W, 421.13 feet; thence N 19°39'55" W, 722.59 feet; thence N 16°48'33" W, 201.19 feet; thence N 37°3'36" W, 599.17 feet; thence N 13°47'14" W, 527.44 feet; thence N 0°54'43" E, 492.15 feet; thence N 61°11'12" W, 315.87 feet; thence N 21°40'11" W, 304.77 feet; thence N 89°56'0" E, 1,431.45 feet to the Real Point of Beginning.

9. That the Jensen Trust Property, the Parker Property and the McDonough Property are each entitled to its pro rata share of appurtenant licensed water based upon a pro rata allocation of the total appropriated licensed water among the irrigable acres as reflected in State of Idaho Water License No. 63-3597 and Water License No. 63-7156.

10. That each party hereto shall bear its own attorneys' fees and costs which they incurred in connection with this action.

DATED this 6th day of Feb, 1992.

WAYNE P. FULLER

Wayne P. Fuller
District Judge

State of Idaho }
County of Canyon } ss.

I hereby certify that the foregoing instrument is a true and correct copy of the original as the same appears in this office.

DATED

2-7-92

NED J. KERR, Clerk of the District Court
and Ex-Officio Recorder

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JUL 25 1994

JUDGMENT AND DECREE OF QUIET TITLE -By Fuller

Deputy

EXHIBIT "A"

PARCEL VIII:

A portion of Section 11, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, more particularly described as follows:

All of the NW $\frac{1}{4}$, lying South of the Mora Canal;
All of the N $\frac{1}{4}$ of the SW $\frac{1}{4}$;
All of the N $\frac{1}{4}$ of the SE $\frac{1}{4}$ lying South of the Mora Canal;
That portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ lying South and East of the Mora Canal;
All of the East $\frac{1}{4}$ of the SW $\frac{1}{4}$ SE $\frac{1}{4}$;
All of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, excepting the following described property;

Commencing at a point on the east boundary line of Section 11 Township 2 North, Range 3 West, Boise Meridian, which is 280 feet North of the Southeast corner of said section; thence West a distance of 25 feet to a point, the TRUE POINT OF BEGINNING; thence North and parallel to the East boundary line of said Section a distance of 300 feet; thence West a distance of 100 feet; thence South and parallel to the East boundary line of said section a distance of 300 feet; thence East a distance of 100 feet to the TRUE POINT OF BEGINNING.

PARCEL IX:

*

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

Beginning at the section corner common to Sections 2, 3, 10 and 11, Township 2 North and Range 3 West of the Boise Meridian; thence S 0°4'0" E, 1,358.47 feet along the East section line (Basis of Bearing) to the Real Point of Beginning; thence continuing S 0°4'0" E, 1,298.48 feet to the 1/4 corner; thence S 0°9'27" E, 1,818.74 feet along the section line to a point N 0°9'27" W, 836.23 feet to the southeast corner of said Section 10; thence N 39°35'0" W, 421.13 feet; thence N 19°39'55" W, 722.59 feet; thence N 16°48'33" W, 201.19 feet; thence N 37°3'36" W, 599.17 feet; thence N 13°47'14" W, 527.44 feet; thence N 0°54'43" E, 492.15 feet; thence N 61°11'12" W, 315.87 feet; thence N 21°40'11" W, 304.77 feet; thence N 89°56'0" E, 1,431.45 feet to the Real Point of Beginning.

* Not included in transter appl. per ~~them~~ **AMICROFILMED**
with E. T. Evans, - 1 - 5/11/92, *JL*
JUL 25 1994

PARCEL X:

The West half of the Southwest Quarter of the Southeast Quarter of Section 11 in Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho.

PARCEL XI:

The South half of the Southwest Quarter of Section 11, Township 2 North, Range 3 West, of the Boise Meridian, Canyon County, Idaho.

Well #2

Serial No.

100 h.p. General Electric Motor
with a Layne & Bowler pump

EJJ516178
45112

75 h.p. General Electric Motor (Booster)
with a Layne & Bowler pump

EJJ509590
45111

Well #3

125 h.p. U.S. Holoshaft Motor with a
Wellline pump

None
1552112KH

100 h.p. U.S. Holoshaft Motor (Booster)
with a Wellline pump

NRR1326904
17920412KH

Together with all allied equipment including but not limited to: electrical panels, control boxes, wiring, pipes, valves, casings, and underground irrigation pipe, used in connection with said wells and the above described real property and also together with all water and water rights appurtenant to said above described real property.

9203092
RECORDED
92 FEB 12 PM 12 40
NED J. KERR
CANYON COUNTY RECORDER
BY *C. Kerr*
REQUEST *Shirley Threlk*
TYPE *33* FEE *33* F.H.
- 2 -
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JUL 25 1994

PRO-RATA SHARES IN SRBA CLAIMS, RE:

63-03597
63-07156

Transfer appl. 1989-92 splits right into two parts:

63-03597 part A, acre in S. 10 & S. 15.

part B, acre in S. 11, 3 owners (2.80 cts & 1342.5 ata)*

63-07156 part A, acre in S. 14.

part B, acre in S. 11, 2 owners (1.46 cts & 620.1 ata)*

* See 2 pg. attachment copied from transfer file & labeled as Attachment D for these splits.

SRBA claims for acres in parts B above

SL
5/6/92

A. 63-03597 337.3 acres for 3 owners as follows:

$$cts/acre = .0083$$

$$ata/acre = 3.98$$

1) A63-03597 B = "Jensen Trust" property for 239.8 ac.

$$(239.8)(.0083) = 1.99 \text{ cts}$$

$$(239.8)(3.98) = 954.4 \text{ ata}$$

2) A63-03597 C = "Baker" property for 78 ac.

$$(78)(.0083) = .65 \text{ cts}$$

$$(78)(3.98) = 310.4 \text{ ata}$$

3) A63-03597 D = "McDonough" property for 19.5 ac.

$$(19.5)(.0083) = .16 \text{ cts}$$

$$(19.5)(3.98) = 77.6 \text{ ata}$$

totals

cts	ata
1.99	954.4
.65	310.4
.16	77.6
2.80	1342.4

↑
OK - some difference
due to rounding, ata
to nearest 1/10

B. 63-07156 145.3 acres for 2 owners as follows:

$$cts/acre = .010036$$

$$ata/acre = 4.268$$

A63-07156 B = "Jensen Trust" property for 125.3 ac.

$$(125.3)(.010036) = 1.26 \text{ cts}$$

$$(125.3)(4.268) = 534.8 \text{ ata}$$

A63-07156 C = "McDonough" property for 20 ac.

$$(20)(.010036) = .20 \text{ cts}$$

totals

cts	ata
1.26	534.8
.20	85.4
1.46	620.2

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ATTACHMENT B

- This two pg. attachment is from transfer appl. filed. 1989's renewal is 1, 2 -

WORKSHEET FOR LICENSE 63-03597

SL
5/11/92

TOTAL FLOW 7.53 cfs

TOTAL VOLUME 3614 AFA

TOTAL ACRES 908

Rate / acre $\frac{7.53}{908} = .0083$ cfs/acre

Volume / acre $\frac{3614}{908} = 3.98$ AFA/acre

Acres for
SPBA
claims

	C&G	ACRES	ACRES IN TRANSFER PARCEL NO.	ACRES	COMMENTS
<u>S.11</u>	SWNW	36	VIII	36	JENSEN TRUST PROPERTY
	SEnw	26	VIII	26	
	NESW	40	VIII	40	
	NWSW	40	VIII	40	
	SWSW	39	XI	39	PARKER PROPERTY
	SESW	39	XI	39	
	NWSE	40	VIII	40	JENSEN TRUST PROP. } Equally 19.5 E 1/2 = } 19.5 W 1/2 = McDONOUGH PROPERTY } split
	SWSE	39	VIII		
			X		
	SESE	39	VIII	38.3	39 acres minus .7 ac. Exclusion
	total	338		337.3	JENSEN TRUST

337.3 ac. x .0083 cfs/acre = 2.80 cfs

x 3.98 AFA/acre = 1342.5 AFA

} Water for
acres in
S.11, this
transfer

Original License

908 ac. 7.53 cfs 3614 AFA

minus transferred acres

337.3 ac. 2.80 cfs 1342.5 AFA

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Remainder of original right (no change in rate or volume per acre)

570.7 ac. 4.73 cfs 2271.5 AFA

/ 4.73/ = .0087 cfs ac. 2271.5 = 398 AFA/acre

Attachment
D. 12 Pgs.)

WORKSHEET FOR LICENSE 63-07156

SL
5/1/92

TOTPL FLOW 2.81 cfs
TOTAL VOLUME 1195 AFD
TOTAL ACRES 280
Rate / acre $\frac{2.81}{280} = .010036$ cfs/acre *
Volume / acre $\frac{1195}{280} = 4.268$ AFD/acre

Area for
STBA
claims

S. 11	C&C	ACRES	ACRES in Transfer		COMMENTS
			PARCEL No.	ACRES	
	NESE	40	VIII	26	JENSEN TRUST PROPERTY includes only acres south of canal
	NWSE	40	VIII	40	JENSEN TRUST
	SWSE	40	VIII	20	E 1/2 = JENSEN TRUST PROP. W 1/2 = McDONOUGH PROPERTY } Equally split
	SESE	40	X	20	
	SESE	40	VIII	39.3	40 acres minus .7 ac. exclusion JENSEN TRUST
	total	160		145.3	

145.3 ac x .010036 cfs/ac = 1.46 cfs
x 4.268 AFD/ac = 620.1 AFD } Water for
acres in S. 11,
this transfer

Original License

280 ac. 2.81 cfs 1195 AFD

minus transferred acres

145.3 ac. 1.46 cfs 620.1 AFD

Remainder of original right (no change in rate or volume per acre)

134.7 ac. 1.35 cfs 574.9 AFD

$$\left(\begin{array}{l} \frac{1.35}{134.7} = .010022 \text{ cfs/ac} * \\ \frac{574.9}{134.7} = 4.268 \text{ AFD/ac} \end{array} \right)$$

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* minor unavoidable discrepancies due to dropping last 3 digits in calculation
There is considered to be equal rates.

POOR ORIGINAL

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 1/4 NW 1/4 Sec. 10; NW 1/4 SW 1/4 Sec. 11;
and SE 1/4 SW 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 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2 N	3 W	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, 1973.

[Signature]
Director

MICROFILMED

63 37 JUL 25 1994

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.

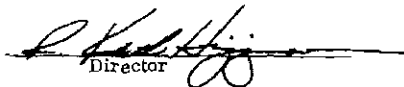
Description and location of place of use:

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 $\frac{1}{4}$	
2 N	3 W	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.

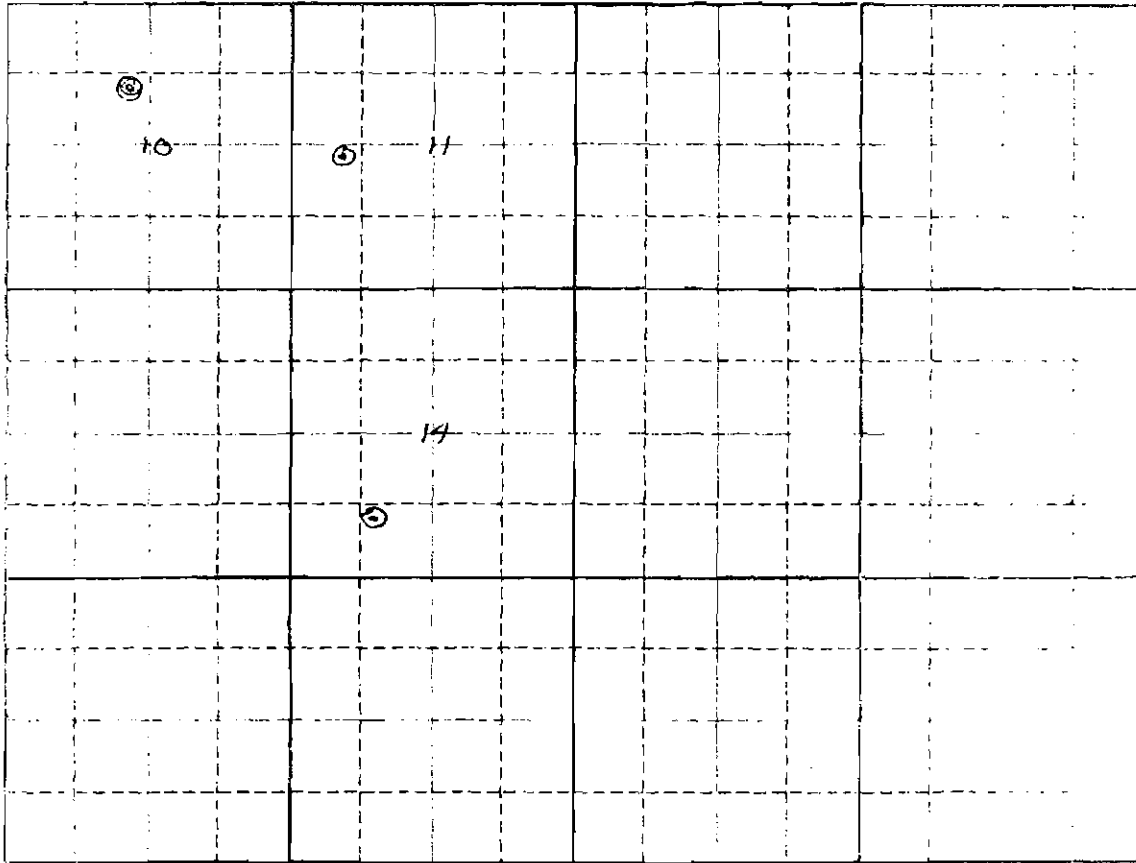

Director

63 3597

63 3597

33597

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 Miller
(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

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder BRYCE MILLAR
Post office address Route #7 Box #7388 Nampa, Idaho Phone _____
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 19.72 c.f.s. for irrigation
 AF/Annum (nature of use)

Period of Use: from March 15 to Nov. 15
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 19.72 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 2 N N/S, Range 3 W E/W, B.M., Section 11, Subdivision SE 1/4 NW 1/4, Canyon County

Township 2 N N/S, Range 3 W E/W, B.M., Section 10, Subdivision Cntr $\frac{1}{4}$ $N\frac{1}{2}$ $\frac{1}{4}$, Canyon
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____
County _____

Other Points of Diversions: _____

Description of diverting works: pump, motor and sprinkler

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]

00 0000 TOTAL ACREAGE _____ 986

R3W

D91
126D

239.6

D84

16 15

D

199.0

D

199.0

E

202.9

D84
07D

B

14.5

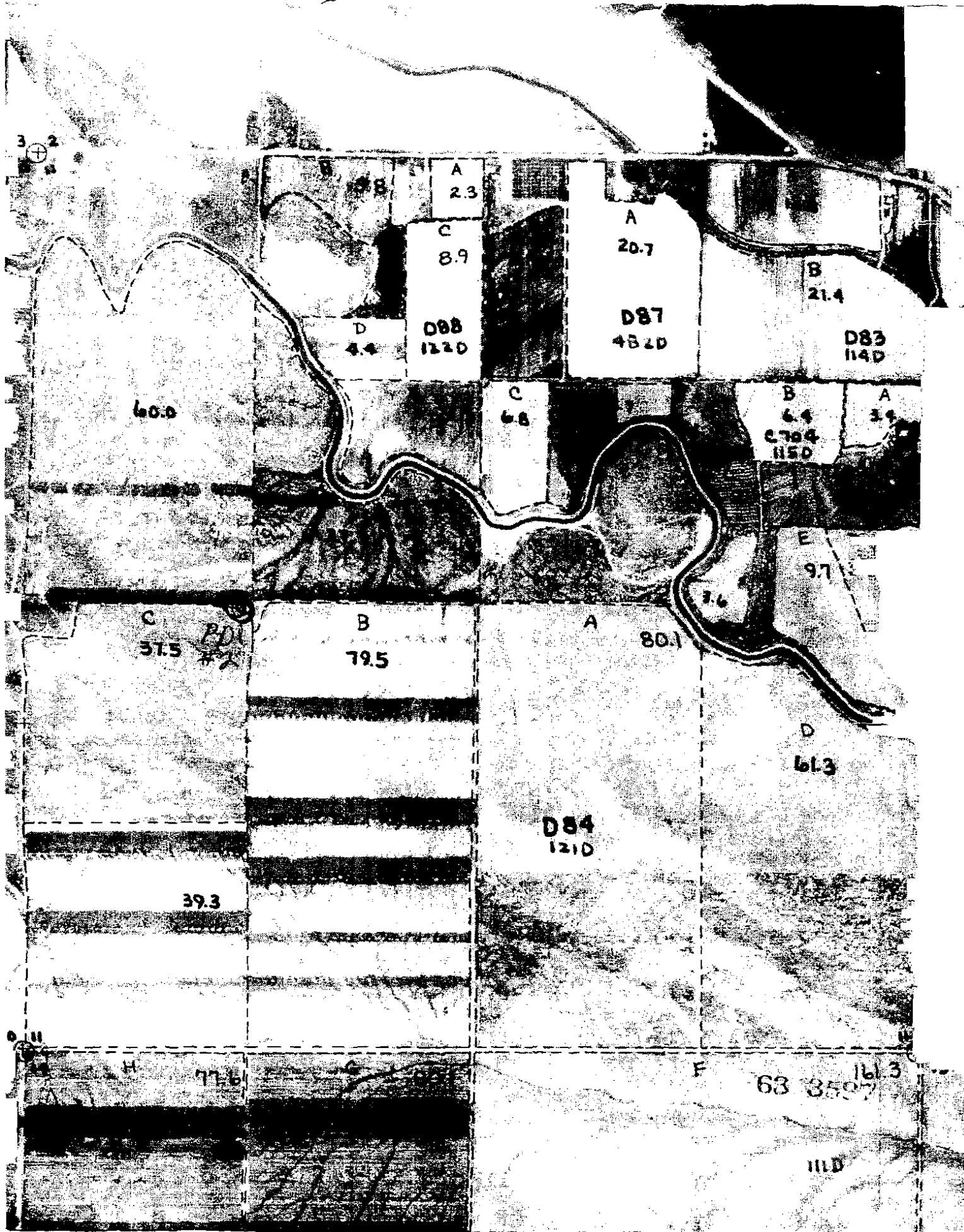
D86

139.0

15

22

Sec 11 T2N R3W



DATE OF EXAM 22 June 72

ACREAGE
Found 908
Recommended 908

Irrigation Requirement 4.5 Ac Ft/Ac

USE
Irrigation Q = 7.53 c.f.s. V = 3614.4 AF/Ann. from Mar 15 to Nov 15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes no

PD#2 Name source: Groundwater
twp. 2 N/S, Rge 3 E/W B.M., Sec. 11, Sub. NW SW 1/4 1/4 Canyon County

Exchange? yes no

PD#3 Name source exchanged with:
twp. 2 N/S, Rge 3 E/W B.M., Sec. 14, Sub. SE SW 1/4 1/4 Canyon County

Point of injection:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Point of exchange:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Total Q measured 7.53 Method of measurement Pitot gauge

Total Q recommended 7.53 Meter No. _____ Type _____ Condition _____

Total V recommended 3614.4

Recommended Amendments:

PD#1 PD I would say Not Center NE but rather SE 1/4 NW 1/4 Sec 10 T2N R3W
Place of Use _____
Other Add PD#3 NW 1/4 SW 1/4 Sec 11 T2N R3W
None _____

MEASUREMENT CALCULATION:

$$Q = 7.53 \text{ cfs}$$
$$V = (4.5)(908) = 4086 \quad V = (2)(7.53)(24 \text{ days}) = 3614.4 \text{ AcFt/Ann}$$
$$A = 908 \text{ Acres}$$

PD #3 300 HP GE Motor 460 Volts 1775 RPM Ser No ACT 11802 Johnston Pump 12" Discharge
to 2 Gate Valves to North South Mainline

SYSTEM DESCRIPTION:

1-113 Hollowshaft Motor 250 HP 440 Volt 1800 RPM 3 phase 60 cycle
Ser # 1582560 Lazen Bunker Pump # 44301 12" discharge through
gate valve to buried North South Mainline

General Electric 300 HP 440 Volt 1775 RPM Ser No ACT 104001 Johnston Pump
12" discharge to 100 HP GE Booster pump (Centrifugal type) then through
REMARKS: gate valves then through Mainline to Second 75 HP Booster

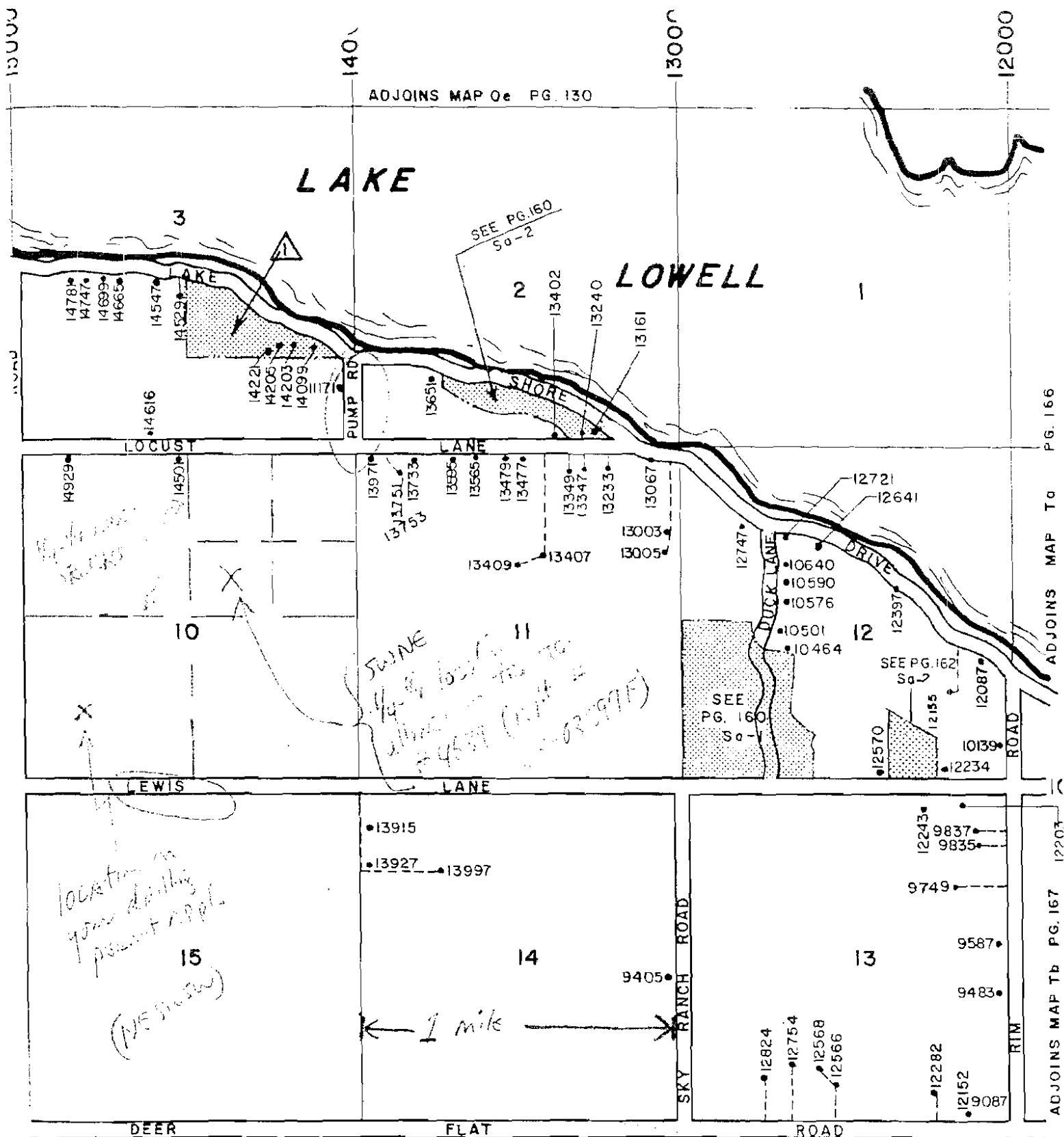
#243 8 1/2 mile (6 head) lines 2 1/2" nozzle at 45 psi } 7.53 cfs
#1 11 1/2 mile (32 head) lines 2 1/2" nozzle at 50 psi }

Examiner's Signature John B. Baker Date 28 July 72

Checked by _____ Date _____

Approved by _____ Date _____

68 3507



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

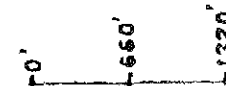
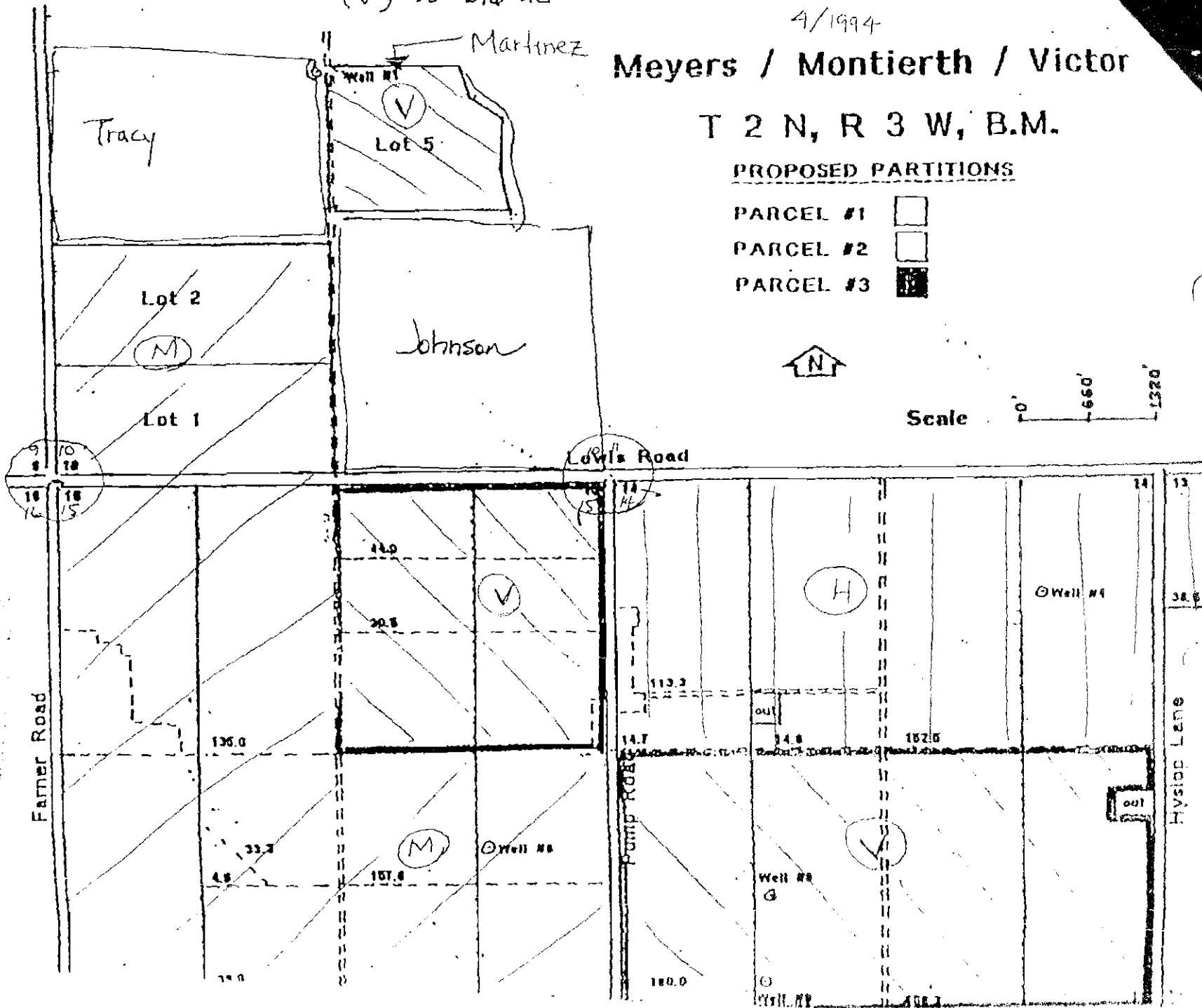


EXHIBIT
A



93.5

TRANS

ACR
Cropped
68.0

ADA

68.0

135.0

228.5

\$
Cropped
67.0

all

2.

10

67.0

TRANS

ADA

1992
T 21 7
Sec 10, 15 2N 3W
Canyon Co.

180.5

3
44.0

Tract

Farm # (old/new)

2130

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

NOV 08 1994

7
109.3

T5377

TRANS

TO

5. ADA
33.3

6.
4.6

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 2167
SEC 1015

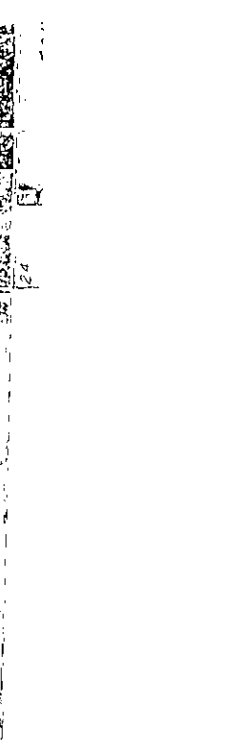
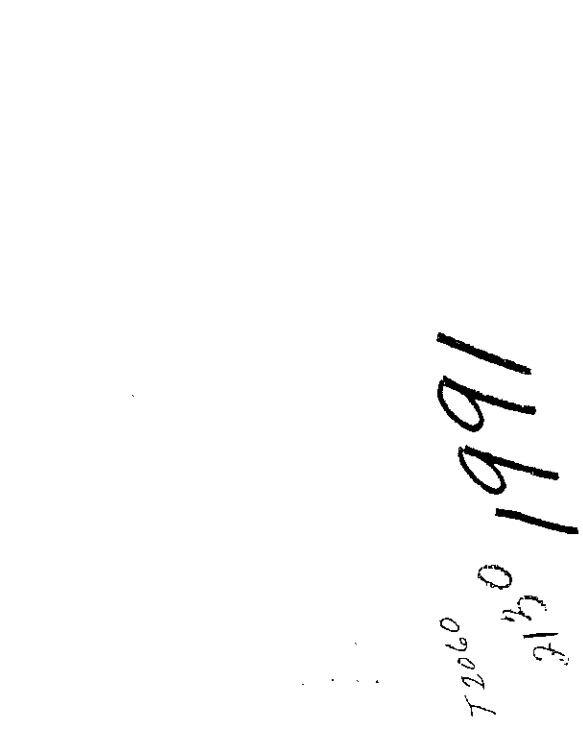
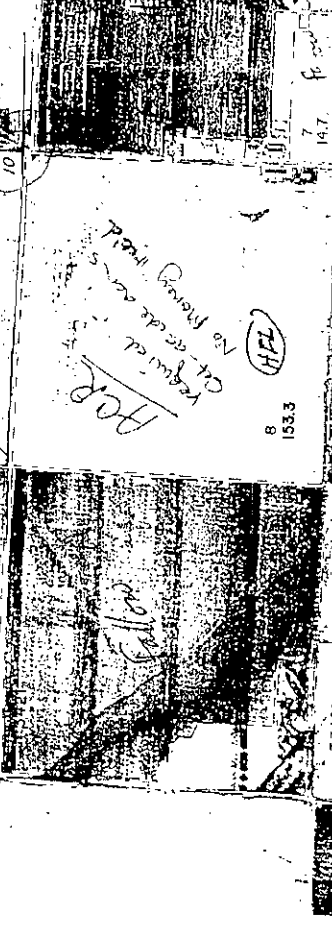
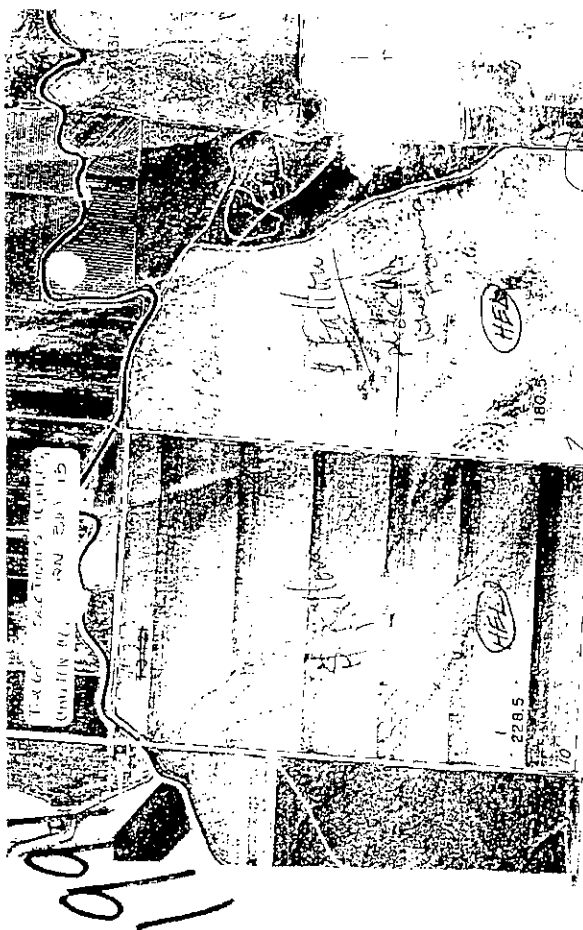
Canyon

180.5

3
44.0

1993
#2456
T2167

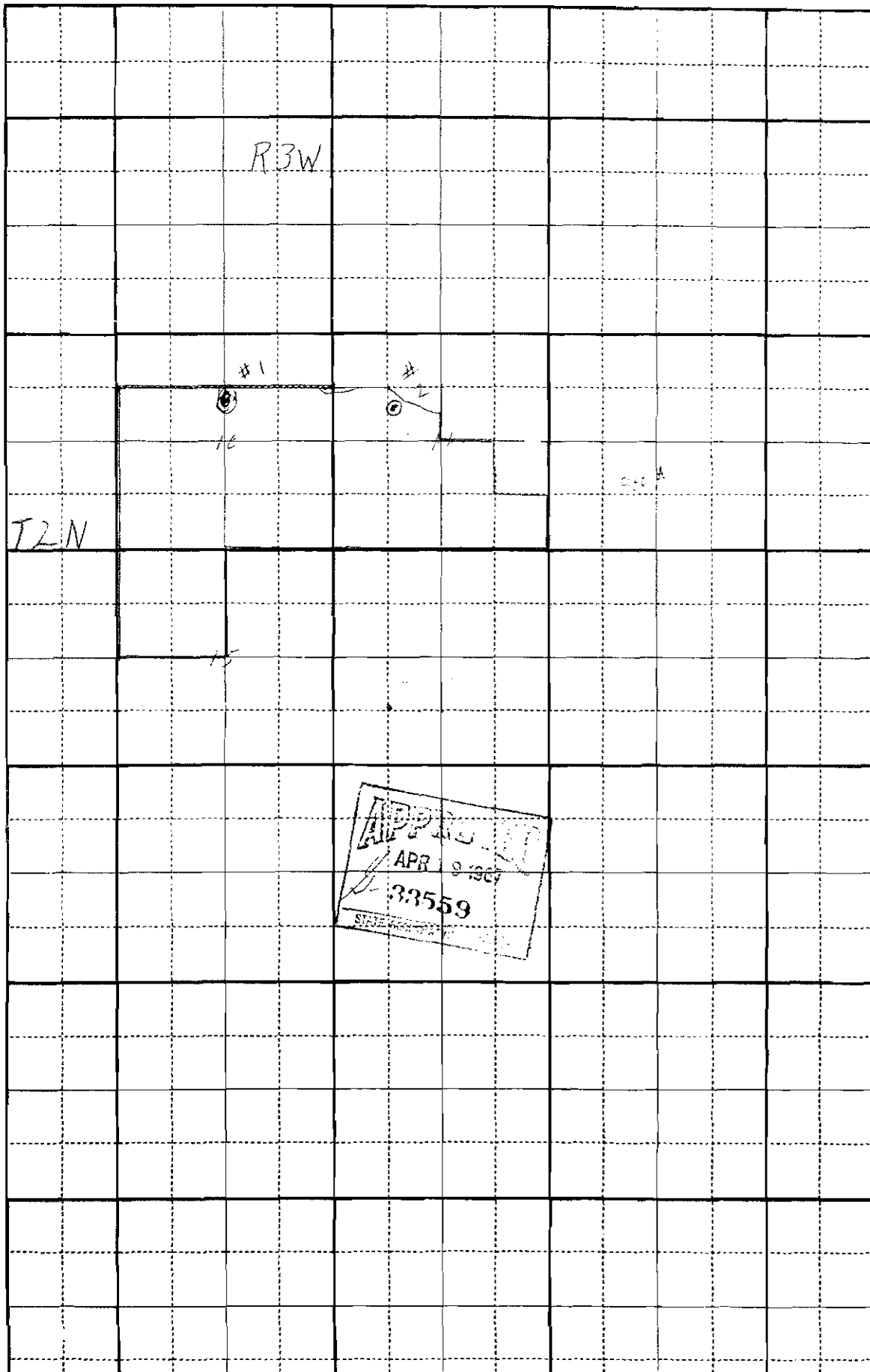
7 NOV 1993
109.3



166101991

NAME OF APPLICANT R. E. JENSEN

Form No. 0



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

NWSE

NESE

SECTION 10

SWSE

SESE

This is the land
associated with
this permit

1954
aerial
photo.

sec 10

SWSE

This is the land that will be irrigated.

MICROFILMED
SEP 07 2004

sec 14

SWNW

This is the land that is going to be dried up

1987 aerial photo