

10/17/2006

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

RIGHT NUMBER: 63-3175A

NAME AND ADDRESS: COLLEEN DE LAY
3205 C HWY 45
MELBA ID 83641

MICHAEL L DE LAY
3205 C HWY 45
MELBA ID 83641

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.136 CFS
89.10 AFY

Right Nos. 63-3175A and 63-3491A are limited to a total combined diversion rate of 0.396 cfs and to a total combined annual diversion volume of 89.1 AF.

PRIORITY DATE: 12/09/1959

POINT OF DIVERSION:
T01N R02W S16 SESE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	0.136 CFS 89.10 AFY

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

PLACE OF USE: IRRIGATION Within CANYON County

T01N R02W S16 SESE 19.80
19.8 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License



Idaho Department of Water Resources

SRBA Recommendation:

63-3175A

(Irrigation)

Legend

Point of Diversion



Place of Use



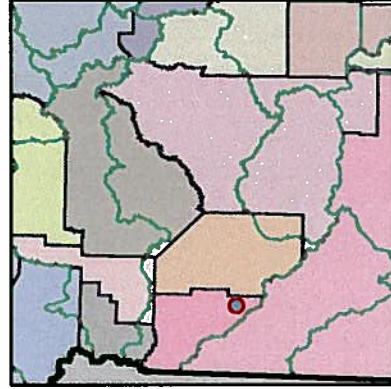
Townships



PLS Sections



Quarter Quarters



Canyon County
IDWR Basin 63



0 0.1 0.2 Miles

Prepared by M. Ciscell
On Tuesday, October 17, 2006
1987/88 Aerial Photography

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: A63-03175A
Date Received: 12/29/1989
Receipt No: X777777
Received By: _____

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

1. Name: MICHAEL L DE LAY 208-495-1010
Address: 3205 C HWY 45
MELBA ID 83641

OR

Name: COLLEEN DE LAY 208-495-1010
Address: 3205 C HWY 45
MELBA ID 83641

2. Date of Priority: DEC 9, 1959

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	02W	16	SE	SE			CANYON

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.136		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	02W	16	SE	SE		IRR	19.8

10. Place of Use: Continued

Section Acres 19.8

Total Acres 19.8

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:
63-3491

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 28317

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: _____

RECEIVED

AUG 19 1998

WATER RESOURCES
WESTERN REGION

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: A63-03175A
Date Received: 12/29/1989
Receipt No: X777777
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: MICHAEL L DELAY 208-495-1010
Address: 3205 C HIGHWAY 45
MELBA ID 83641

OR

Name: COLLEEN DELAY 208-495-1010
Address: 3205 C HIGHWAY 45
MELBA ID 83641

2. Date of Priority: DEC 9, 1959

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	02W	16	SE	SE	SE		CANYON

5. Description of diverting works:
WELL AND PUMP

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Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.136		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	02W	16	SE	SE		IRR	19.8

10. Place of Use: Continued

Section Acres 19.8

Total Acres 19.8

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:
 63-3491

14. Remarks:

15. Basis of Claim: LICENSE

 Water Right Number: 28317

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

RECEIVED
JUL 13 1998
Department of Water Resources

RECEIVED
AUG 19 1998

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

WATER RESOURCES
WESTERN REGION

1. Water Right Number(s) 63-03491 63-03175

Adjudication Claim Number(s) A63-03491 A63-03175

RECEIVED

AUG 03 1998

WATER RESOURCES
WESTERN REGION

2. The following **REQUIRED** information must be submitted with this form.

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

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

3. Name and Address of Former Owner/Claimant(s)

PERRY Beatty (purchased from)

Henry Jensen (previous owner)

4. New Owner/Claimant(s)

Mike L Delay Colleen M Delay

Name connector (Check one): ☐ AND, ☒ OR, ☐ AND/OR

New Mailing Address

3205 C Highway 45

City, State and ZIP Code

MELBA IDAHO

New Telephone Number

(208) 495-1010

5. Date you acquired the property 10-9-96

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

Number of acres actually irrigated 19.8 ^{of 35 Acres} Number and type of stock

Diversion rate in CFS proportional _{cubic feet per second} Number of homes Other uses

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s)

Mike L Delay

Date 7-8-98

Colleen M Delay

Date 7-8-98

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.



Skinner, Earl &
Associates, Inc.

314 Badiola Street
Caldwell, ID 83605
(208) 454-0933
Fax (208) 454-0979

Greg L. Skinner PLS
Gerald L. Earl PLS
Brent A. Claiborn PE

February 11, 1997

Description for
Mike Delay
Job No. JA2697

Parcel 2

This parcel is a portion of the SE1/4 SE1/4 of Section 16, Township 1 North, Range 2 West of the Boise Meridian and is more particularly described as follows:

COMMENCING at the southeast corner of said SE1/4 SE1/4;

thence North 0° 36' 27" East along the east boundary of said SE1/4 SE1/4 a distance of 676.32 feet to the TRUE POINT OF BEGINNING;

thence North 89° 14' 25" West parallel with the south boundary of said SE1/4 SE1/4 a distance of 1332.50 feet to a point on the west boundary of said SE1/4 SE1/4;

thence North 0° 42' 58" East along said west boundary a distance of 647.99 feet to the northwest corner of said SE1/4 SE1/4;

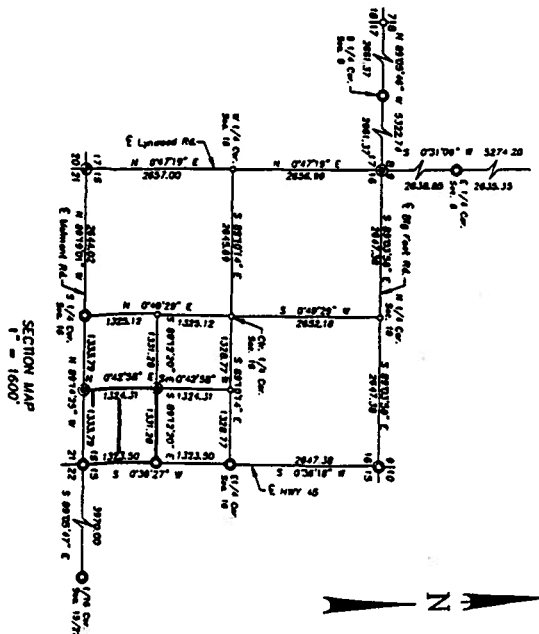
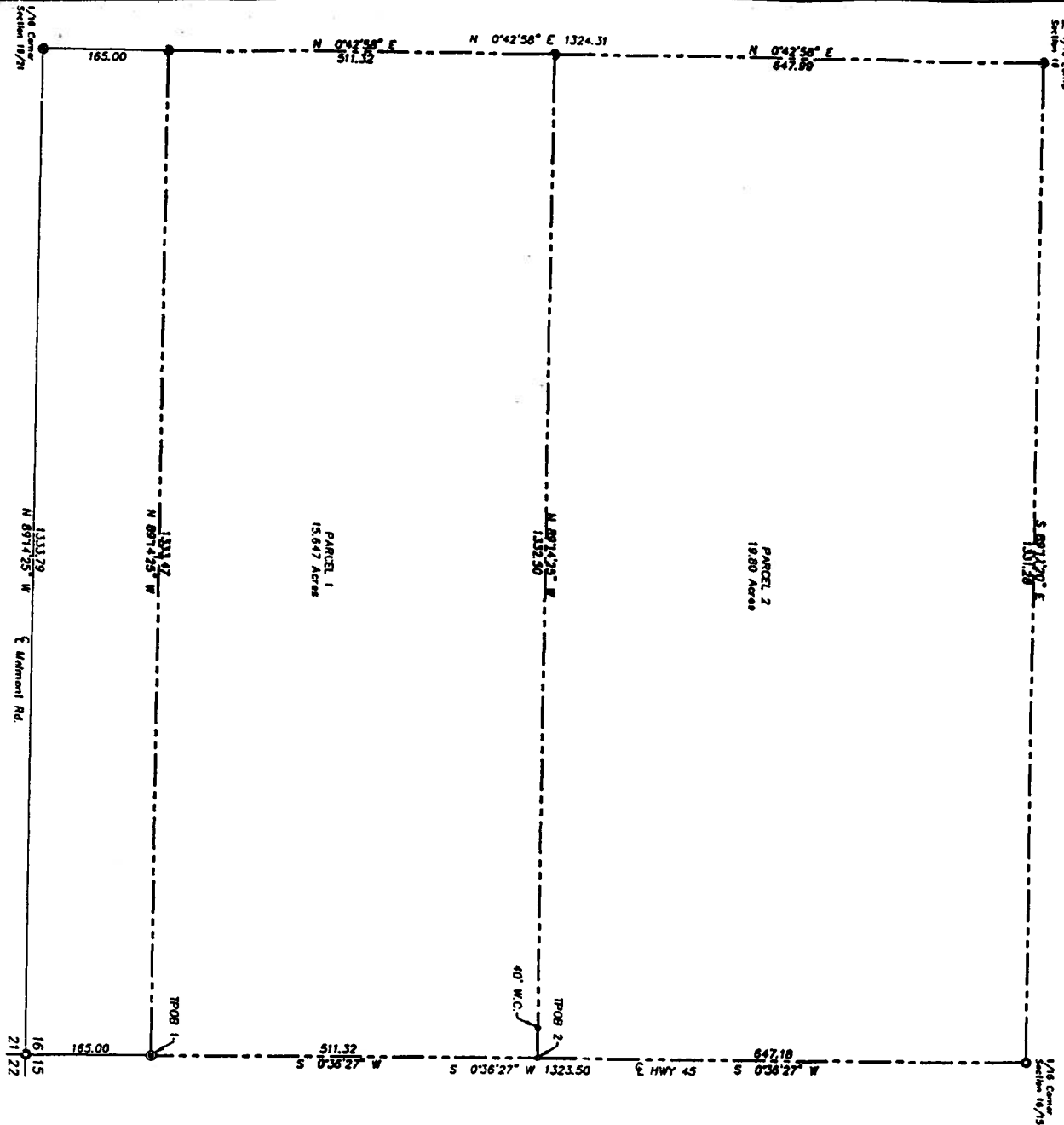
thence South 89° 12' 20" East along the north boundary of said SE1/4 SE1/4 a distance of 1331.28 feet to the northeast corner of said SE1/4 SE1/4;

thence South 0° 36' 27" West along the east boundary of said SE1/4 SE1/4 a distance of 647.18 feet to the TRUE POINT OF BEGINNING.

This parcel contains 19.80 acres, more or less, and is subject to a county road right-of-way along the east boundary and to all other easements and rights-of-way existing or implied.

Greg L. Skinner
PROFESSIONAL LAND
REGISTRAR
3021
Feb 11 1997
STATE OF IDAHO
L. SKINNER

RECORD OF SURVEY A PORTION OF THE SE1/4SE1/4 OF SECTION 16 TOWNSHIP 1 NORTH, RANGE 2 WEST, BOISE MERIDIAN CANYON COUNTY, IDAHO



SCALE: 1" = 100'

BASIS OF BEARING:
R.O.S. Inst. No. 9629747

Reference Survey
R.O.S. Inst. No. 9415058

LEGEND

- BRASS CAP MONUMENT - FOUND
- 5/8" x 30" REBAR - SET
- 5/8" REBAR - FOUND
- 1/2" x 24" REBAR - SET
- 1/2" REBAR - FOUND
- P.K. NAIL & BRASS WASHER
- CALCULATED POINT
- PROPERTY BOUNDARY LINE
- W.C. WITNESS CORNER
- () DATA OF RECORD

CERTIFICATION

I, Greg L. Skinner, do hereby certify that I am a Professional Land Surveyor, licensed by the State of Idaho, and that this map has been made from an actual survey made on the ground under my direct supervision, that this map is an accurate representation of said survey, and that it is in conformity with the requirements of the Professional Land Surveyor Act, Idaho Code 55-1601 through 55-1612.



INDEX NO. 124-16-2-2-0-00-00
SURVEY FOR
MIKE DELAY

Drawn by W.F.J.

Date: FEB. 6, 1997

Book:

Job No. JA2897

Stinner, Earl B.
Geospatial, Inc.
409 White & Caldwell, ID
(208) 454-0835

CANYON COUNTY ASSESSOR
1115 ALBANY ST. RM. 323
CALDWELL, ID 83605

Phone 454-7431

CATEGORY DESCRIPTION
IMPR RUR HOMESITE

IMPORTANT NOTICE-PLEASE READ

PARCEL NO. 7L28516-000- -0
UNIFORM 01N02W169101
TAX CODE 102-00
LOTS/ACRES 102-00
MARKET VALUE 17,500

PRESORTED
FIRST CLASS MAIL
U.S. POSTAGE PAID
CALDWELL, ID 83605-3542
PERMIT NO. 4

1997

TAXPAYER'S

VALUATION

ASSESSMENT NOTICE

TAXES ARE BASED ON THE VALUATION
LISTED ON THIS STATEMENT

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT

NOTIFY THE ASSESSOR'S OFFICE BEFORE

17,500

TOTAL FULL CASH VALUE
SESE LESS \$ 165, LS TX 97401

JANUARY 9, 1998
Homeowner Exemption-Yes

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

2ND OCC ROLL

SEC 16-1N-2W SE

Mail To:
DELAY, MICHAEL L
& DELAY, COLLEEN M-H/W

PROPERTY ADDRESS
3205 HWY 45, ME

3205 HWY 45
MELBA

ID 83641

CANYON COUNTY ASSESSOR
1115 ALBANY ST. RM. 323
CALDWELL, ID 83605

Phone 454-7431

CATEGORY DESCRIPTION
IRRIGATED AGRICUL
HOMESITE RUR LANDS
WASTE

IMPORTANT NOTICE-PLEASE READ

PARCEL NO. 7R28516-000- -0
UNIFORM 01N02W169100
TAX CODE 102-00
LOTS/ACRES 102-00
MARKET VALUE 16,400

1997

TAXPAYER'S

VALUATION

ASSESSMENT NOTICE

TAXES ARE BASED ON THE VALUATION
LISTED ON THIS STATEMENT

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT

NOTIFY THE ASSESSOR'S OFFICE BEFORE

29,400

TOTAL FULL CASH VALUE
SESE LESS \$ 165,

JUNE 18, 1997

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

REGULAR ROLL

SEC 16-1N-2W SE

Mail To:
DELAY, MICHAEL L
& DELAY, COLLEEN M-H/W

PROPERTY ADDRESS

STEWART TITLE

Inst 9327488

READ & APPROVED BY BENEFICIARY: Henry Jensen

SPACE ABOVE THIS LINE FOR RECORDING DATA

{R28516}

DEED OF TRUST

Order No.: 93008031

STC

THIS DEED OF TRUST, Made this 10th day of November in the year of 1993
BETWEEN PERRY BEATTY, A SINGLE MAN, CALDWELL, ID 83605

, herein called GRANTOR,

whose address is: 521 Elmwood Park, Boise, ID 83726

STEWART TITLE OF CANYON COUNTY, INC., an Idaho corporation, herein called TRUSTEE, and HENRY M. JENSEN

AND MARJORIE J. JENSEN, HUSBAND AND WIFE

, herein called BENEFICIARY,

whose address is: 3215 LOCUST, CALDWELL, ID 83605WITNESSETH: That Grantor does hereby irrevocably GRANT, BARGAIN, SELL AND CONVEY TO TRUSTEE IN TRUST, WITH
POWER OF SALE that property in the County of CANYON State of Idaho, described as follows:
situated within an incorporated city or village at the date hereof, or containing not more than twenty acres:

The Southeast Quarter of the Southeast Quarter of Section 16,
Township 1 North, Range 2 West of the Boise Meridian, Canyon
County, Idaho, excepting therefrom the South 165 feet.

IF ALL OR ANY PART OF THE SUBJECT REAL PROPERTY, OR AN INTEREST
THEREIN IS SOLD, TRANSFERRED, OR CONTRACTED TO BE SOLD OR
TRANSFERRED IN THE FUTURE BY AGREEMENT WITHOUT THE BENEFICIARY'S
PRIOR WRITTEN CONSENT, EXCLUDING A TRANSFER BY DEVISE, DESCENT
OR OPERATION OF LAW UPON THE DEATH OF THE GRANTOR, BENEFICIARY
MAY, AT BENEFICIARY'S OPTION, DECLARE ALL SUMS SECURED BY THIS
DEED OF TRUST TO BE IMMEDIATELY DUE AND PAYABLE. IF THE
BENEFICIARY SHALL WAIVE THE OPTION TO ACCELERATE AS PROVIDED BY
ACCEPTING IN WRITING AN ASSUMPTION AGREEMENT OF THE SUCCESSOR IN
Continued on next page

HEREWITH the rents, issues and profits thereof, SUBJECT, HOWEVER, to the right, power and authority hereinafter given to and conferred upon
Beneficiary to collect and apply such rents, issues and profits, for the purpose of securing payment of the indebtedness evidenced by a promissory
note, if ever due herewith, executed by Grantor in the sum of FIFTY-TWO THOUSAND EIGHT HUNDRED

FORTY-SEVEN & 34/100 ****

Dollars, \$52,847.34

first payment due November 10, 2003

and to secure payment of all such future sums as may hereafter be

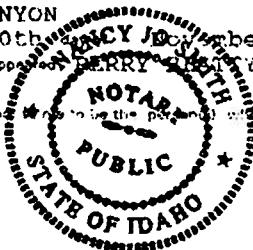
loaned or advanced by the Beneficiary herein to the Grantor herein or any or either of them, with record owner of present interest, for any purpose,
and of any notes, drafts or other instruments representing such future loans, advances or expenditures together with interest on all such sums at the
rate therein provided. Provided, however, that the making of such future loans, advances or expenditures shall be optional with the Beneficiary, and
provided, further that it is the express intention of the parties to this Deed of Trust that it shall stand as continuing security until paid for all such
advances together with interest thereon.

To protect the security of this Deed of Trust, Grantor agrees:

By the execution of this Deed of Trust and the Note hereby secured that provisions 1 to 6 inclusive of Part A and provisions 1 to 5 inclusive of Part B
of the Master Form Deed of Trust which was recorded December 8, 1972, as Instrument No. 829115, Ada County; June 25, 1979, as Instrument
No. 827244, Blaine County; June 22, 1979, as Instrument No. 867125, Bonanza County; May 8, 1978, as Instrument No. 861513, Canyon
County; June 7, 1979, as Instrument No. 129201, Blaine County; June 25, 1978, as Instrument No. 810084, Kootenai County; June 22, 1979, as
Instrument No. 101053, Valley County, Idaho Mortgage Records shall bind and they are hereby incorporated, and made an integral part hereof for all
purposes as though set forth herein at length, a copy of which provisions has been furnished to Grantor and Beneficiary.

Request is hereby made that a copy of any Notice of Default and a copy of any Notice of Sale hereunder be mailed to the Grantor at his address
hereinbefore set forth.

PERRY BEATTY

STATE OF IDAHO
COUNTY OF CANYONOn this 10th day of November in the year of 1993, before me, the undersigned, a Notary Public in and for said
State, personally appeared PERRY BEATTYknown or identified me to be the person who executed this instrument, and acknowledged to me that he/she/they
executed the same.Signature: Nancy Jo SmithName: NANCY JO SMITHResiding at: EAGLEMy Commission Expires: 10/13/99

INSTRUMENT NO.

9722960

KNOW ALL MEN BY THESE PRESENTS, That

HENRY M. JENSEN AND MARJORIE J. JENSEN, HUSBAND AND WIFE

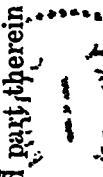
do hereby certify and declare that a certain mortgage, bearing date the 10TH day
 of NOVEMBER, A.D. 1933, made and executed by

PERRY BEATTY, A SINGLE MAN

the part of the first part therein, to

HENRY M. JENSEN AND MARJORIE J. JENSEN, HUSBAND AND WIFE

the part of the second part therein



recorded in the office of the County Recorder of the County of CANYON, State of Idaho
 INST. #9329164 of Mortgages, on page 30th day
 of NOVEMBER, A.D. 19 93, together with the debt thereby secured, is fully paid,
 satisfied and discharged.

IN WITNESS WHEREOF, ha hereunto set hand and seal, the
 day of , A.D. one thousand nine hundred and

Signed, Sealed and Delivered in the Presence of

X Henry M. Jensen [SEAL]

X Marjorie J. Jensen [SEAL]

**ASSIGNMENT AND ASSUMPTION OF NOTE AND DEED OF TRUST
MORTGAGE**

THIS AGREEMENT made and entered into on OCTOBER 9, 1996, by and between
PERRY BEATTY, AN UNMARRIED PERSON
hereinafter referred to as "Assignor" and
MICHAEL L. DELAY AND COLLEEN M. DELAY hereinafter referred to
as "Assignee".

FOR VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, Assignor does hereby sell,
transfer, set over and assign unto Assignee all the Assignor's right, title and interest in and to that certain Note dated
NOVEMBER 10, 1993 wherein Assignor is the Promisor (Borrower) and
HENRY JENSEN AND MARJORIE J. JENSEN is the Promisee (Lender), in the original
amount of \$ 52,847.34 and that certain Deed of Trust given as security for said Note,
dated NOVEMBER 10, 1993 wherein
as Trustee, and HENRY M. JENSEN AND MARJORIE L. JENSEN
is/are named as the Beneficiary, which said Note and Deed of Trust are now held in escrow at
ALLIANCE TITLE as Escrow No. _____

Assignor fully authorizes and empowers the Assignee on performance of the terms and obligations of the Note
and Deed of Trust to demand and receive of the escrow holder holding the same all documents held by said escrow
holder necessary to clear title to Assignee in the subject property, in the same manner to all intents and purposes
as the Assignor might or could do, were these presents not executed, and for such purpose Assignor does make,
constitute and appoint Assignee with full power of substitution, as the true lawful attorney-in-fact of Assignor, with
full power and authority, to have, use, and take all lawful ways and means for the enforcement of all of the
covenants, terms and conditions of said Note and Deed of Trust in Assignor's name or otherwise.

This agreement shall be effective as of OCTOBER 9, 1996. From and after said
effective date, Assignee does hereby assume and agree to pay, perform and discharge promptly when the same
shall be done, all of the remaining duties and obligations of the Assignor under said Note and Deed of Trust hereby
assigned. Assignor warrants that as of the effective date hereof, the unpaid principal balance due under the Note
and Deed of Trust is \$ 41,818.63.

This assignment shall be considered a part of and attached to the Promissory Note described herein as if the
same were made a part hereof. This agreement shall inure to the benefit of and be binding upon the heirs, personal
representatives, successors and assigns of all parties hereto.

Provided, however, that notwithstanding any provision of this agreement to the contrary, Assignor and
Assignee covenant and warrant by their execution hereof that each is aware that the assignment and assumption
of the Note and Deed of Trust is effective and binding between the parties hereto only and that the same has
no effect whatsoever on the ultimate duties and obligations owed by Assignor to the Promisee and
Beneficiary of said Note and Deed of Trust. Assignor understands that Assignor shall remain liable on said Note and
Deed of Trust until said obligations shall be satisfied in full or until Assignee or Assignee's successors in interest shall
reach a cancellation agreement with the Promisee and Beneficiary of the Note and Deed of Trust or otherwise,
resulting in cancellation of said Note and Reconveyance of said Deed of Trust.

All parties to this agreement acknowledge that each has been requested by Stewart Title Guaranty, Inc. to
procure the services of any attorney of their own choosing and at their own expense concerning the legal effects of this
agreement and any other aspect of this transaction.

IN WITNESS WHEREOF the parties hereto have executed this agreement on the date and year first above

Perry Beatty
PERRY BEATTY

"Assignor"

"Assignor"

Michael L. Delay
MICHAEL L. DELAY

"Assignee"

Colleen M. Delay
COLLEEN M. DELAY

"Assignee"

CORPORATE ACKNOWLEDGEMENT

State of _____ County of _____

On this _____ day of _____

in the year of _____ before me, the undersigned, a Notary
Public in and for said State, personally appeared _____

known to me to be the _____

of the corporation that executed the
instrument and the person(s) also executed the instrument on behalf of
said corporation, and acknowledged to me that he executed said instrument

Signature _____

Name _____

Residing at _____

My Commission Expires _____

INDIVIDUAL ACKNOWLEDGEMENT

State of Idaho County of Blaine

On this 10 day of October

in the year of 1996 before me, the undersigned, a Notary
Public in and for said State, personally appeared Perry Beatty and
Michael L. Delay and Colleen M. Delay

known to me to be the person(s) whose name(s)

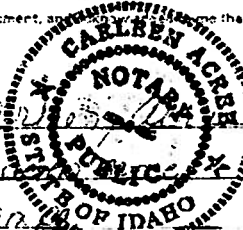
were subscribed to the within instrument, and acknowledged to me that
they executed the same.

Signature Perry Beatty

Name Colleen M. Delay

Residing at Blaine

My Commission Expires 2-9-98



Continuation of Deed of Trust dated November , 1993
Order No.: 93008031

INTEREST, BENEFICIARY SHALL THEN RELEASE GRANTOR UNDER THIS
DEED OF TRUST AND THE NOTE.

3327428

RECORDED

93 NOV 10 PM 4 35

RECEIVED
CANYON CO. RECORDER
C. Smith dk

REQUESTED BY STEWART - CALDWELL

for MARY T. 6

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: A63-03175
Date Received: 12/29/1989
Receipt No: C013739
Received By: JK Ford

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HENRY M JENSEN 208-459-8975
Address: 2215 E LOCUST
CALDWELL ID 83605

2. Date of Priority: DEC 9, 1959

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	02W	16	SE	SE			CANYON

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.240		

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

8. Total consumptive use is 105.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	02W	16	SE	SE		IRR	35.0

Section Acres 35.0

Total Acres 35.0

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:
63-3491

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 28317

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

MICROFILMED

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 3175
Date Received 12/29/89
Receipt Number 6013739

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
DEC 29 1989

Please type or print clearly

Department of Water Resources

1. Name of Claimant (s) HENRY M. JENSEN Phone (208) 459-8975
Mailing Address 2215 LOCUST ST. COLDWELL ID Zip 836050

2. Date of Priority (Only one (1) per claim) 12/9/59

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

4. a. Location of existing point of diversion is: Township 01N Range 02W Section 16,
_____ 1/4 of SE 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Canyon

Additional points of diversion if any: _____

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

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

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

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Well and Pump.

RECEIVED

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/15 to 10/15 amount 0.24 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.24 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 10.5 acre feet per annum.

9. Non-irrigation uses; describe fully, (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) NA

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	
<u>1N</u>	<u>2W</u>	<u>16</u>																<u>35</u>	<u>35</u>

Total number of acres irrigated 35

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
63-3491 or None ()

14. Remarks:

MICROFILMED

JUN 1984

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

A 20x20 grid of graph paper. Each cell contains a dashed crosshair. In the center of the grid, the number '16' is handwritten in a large, stylized font. The grid is divided into four quadrants by a vertical line between the 10th and 11th columns and a horizontal line between the 10th and 11th rows. The bottom-right quadrant (columns 11-20, rows 11-20) is shaded with diagonal lines.

DECLASSIFIED

756

Copies: White-State, Yellow-Claimant

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

16. Signature (s)

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

Number of attachments 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) Henry M. Jensen Date 12-27-89

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 27 day of December 19 89

SEAL

Notary Public Donna A. [Signature]

Residing at Boise Idaho

My Commission Expires 4/11/95

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

MICROFILMED

JUL 25 1997

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

Water Right Number - 63-03175 Prefix Translation: WATER RIGHT Old (D) Number - 28317

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

*** C - CURRENT OWNER ***
BARRETT HAROLD G. 1 - RT. 1
2 -
3 -
City- MELBA State- ID Zip- 83641
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
12/09/1959 14 WESTERN L - LICENSE

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

+ - - - - - - - - - - - - - - - - - Point of Diversion - - - - - - - - - - - - - - - - +
Twn Rng Sec Tract Lot Rflg County Stream Index (Blank if no Index Code)

01N 02W 16 SE SE (27) CANYON

+ - - - - - - - - - - - - - - - - - Water Use - - - - - - - - - - - - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 0.240
43 - DOMESTIC

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - +
0.240

+ - - - - - - - - - - - - - - - - - Place of Use - - - - - - - - - - - - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

01N 02W 16 SE SE 35.0 01 IRRIGATION (27) CANYON

Total Acres: 35.0

+ - - - - Diversion Means -

+ - - - - Non-Irrigation Use -

+ - - - - Other Rights for Same Use -

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

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

+ - - - - - - - - - - - - - - - - - Conditions of Approval - - - - - - - - - - +
No Conditions of Approval found.

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

MICROFILMED
JUL 21 1993

| | | | | | |
|-------------------|--------------|------------------|--------------|------------------|---|
| Proof Due Date | - 00/00/0000 | Field Exam Made | - 00/00/0000 | Field Exam Fee | - |
| Approved/Denied | - 00/00/0000 | Protested Date | - 00/00/0000 | Swan Falls | - |
| Proof Made Date | - 00/00/0000 | Hearing Date | - 00/00/0000 | Temporary Right | - |
| Exam to S.O. Date | - 00/00/0000 | Verified Date | - 05/06/1985 | DLE/Carey Act | - |
| Order Show Cause | - 00/00/0000 | Receipt Number | - | Water District | - |
| Licensed Date | - 08/28/1979 | Appl Received | - 00/00/0000 | Transfer/Amended | - |
| Decree Date | - 00/00/0000 | Presumption Flag | - | | - |

MICROFILMED

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. 463-03175

| WR ELEMENT | FIELD EXAM
Y/N-IF NO,
DO OFFICE
VERIFICATION | FIELD EXAM
OR IN-OFFICE
VERIFICATION | WHOM/DATE | CLAIM
VERIFIED BY
CODE
(SEE BELOW) | CHANGE
CLAIM
Y/N | CLAIMANT CONTACT
NEEDED - Y/N** | REVIEW
COMPLETED
WHOM/DATE | "R" RECORD |
|-----------------------|---|--|-----------|---|------------------------|------------------------------------|----------------------------------|------------|
| PRIORITY* | <u>N</u> | | | | | | | |
| PT. OF DIV. | <u>N</u> | | | | | | | |
| SOURCE | <u>N</u> | | | | | | | |
| PL. OF USE | <u>N</u> | | | | | | | |
| DIV. AMOUNT
CFS/AF | <u>N</u> | | | | | | | |
| CONSUMPTIVE
USE | <u>Y</u> | | | | | | | |
| NATURE OF
USE | <u>N</u> | | | | | | | |
| PERIOD OF
USE | <u>Y</u> | | | | | | | |
| BASIS OF
CLAIM | <u>N</u> | | | | | | | |
| REMARKS | <u>N</u> | | | | | | | |

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

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

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

COMMENTS:

Water Right Number - 63-03175 ✓ Prefix Translation: WATER RIGHT Old (D) Number - 28317 ✓
+ - - - - Last Name - - - - + - - - - First Name - - - - + - - - - Address - - - - - +*** C - CURRENT OWNER ***
BARRETT

HAROLD G.

1 - RT. 1
2 -
3 -
City- MELBA
Phone -

State- ID Zip- 83641

+ - - - - Priority Date - - - - + - - - - Region - - - - + - - - - Stage - - - - + - - - - Status - - - - +
12/09/1959 ✓ 14 WESTERN L - LICENSE ✓+ - - - - Source - - - - + - - - - Tributary - - - - - +
GROUNDWATER ✓+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

01N ✓ 02W ✓ 16 ✓ SE SE ✓ (27) CANYON ✓

+ - - - - Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION ✓ 4/15 10/15 0.240 ✓
~~43 DOMESTIC~~+ - - - - Total Div. Rate - - - - + - - - - Total Div. Volume - - - - + - - - - Total Div. Capacity - - - - +
0.240 ✓+ - - - - TwN Rng Sec Tract Lot Acres Code Description Place of Use County
01N ✓ 02W ✓ 16 ✓ SE SE ✓ 35.0 ✓ 01 IRRIGATION ✓ (27) CANYON ✓
Total Acres: 35.0 ✓

+ - - - - Diversion Means -

+ - - - - Non-Irrigation Use -

+ - - - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

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

00/00/0000

WATER RIGHT

Water Rights Dates and Flags Area

| | | | | | |
|-------------------|--------------|-----------------|--------------|--------------------|---|
| Proof Due Date | - 00/00/0000 | Field Exam Made | - 00/00/0000 | Field Exam Fee | - |
| Approved/Denied | - 00/00/0000 | Protested Date | - 00/00/0000 | Swan Falls | - |
| Proof Made Date | - 00/00/0000 | Hearing Date | - 00/00/0000 | Temporary Right | - |
| Exam to S.O. Date | - 00/00/0000 | Verified Date | - 05/06/1985 | DLE/Carey Act | - |
| Order Show Cause | - 00/00/0000 | Receipt Number | - | Water District | - |
| Licensed Date | - 08/28/1979 | Appl Received | - 00/00/0000 | Transfer/Amended | - |
| Decree Date | - 00/00/0000 | Name Connector | - | POU Ownership Flag | - |
| Presumption Flag | - | | | | |