

11/06/2006

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

RIGHT NUMBER: 63-7561

NAME AND ADDRESS: HARVEST FARM CO
13735 MISSOURI AVE
NAMPA ID 83686

SOURCE: GROUND WATER
SNAKE RIVER

TRIBUTARY:
TRIBUTARY: COLUMBIA RIVER

QUANTITY: 2.250 CFS
1,092.00 AFY

Right Nos.63-2754, 63-2867, 63-2975, 63-3104, 63-3490A, 63-3492, 63-7561, 63-7793 and 63-4799 are limited to a total combined annual diversion volume of 4743 AF.

The right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.

PRIORITY DATE: 02/18/1972

POINT OF DIVERSION:

T01N R03W S16 NWNW Within CANYON County
T02N R03W S22 SWNE Within CANYON County
T02N R03W S22 SWNE Within CANYON County
T02N R03W S22 SENW Within CANYON County
T02N R03W S22 SESW Within CANYON County
T02N R03W S22 SESE Within CANYON County
T02N R03W S23 SENE Within CANYON County
T02N R03W S23 NENW Within CANYON County
T02N R03W S23 SWNW Within CANYON County
T02N R03W S23 SWSE Within CANYON County
T02N R03W S26 SENE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.250 CFS 1,092.00 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 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.		

PLACE OF USE:

IRRIGATION in CANYON County

T02N R03W S22	NENE	40.00	T02N R03W S22	NWNE	40.00
T02N R03W S22	SWNE	40.00	T02N R03W S22	SENE	40.00
T02N R03W S22	NENW	40.00	T02N R03W S22	SENW	40.00
T02N R03W S22	NESW	40.00	T02N R03W S22	SESW	40.00
T02N R03W S22	NESE	40.00	T02N R03W S22	NWSE	40.00
T02N R03W S22	SWSE	40.00	T02N R03W S22	SESE	40.00
T02N R03W S23	NENE	40.00	T02N R03W S23	NWNE	40.00
T02N R03W S23	SWNE	40.00	T02N R03W S23	SENE	40.00

640 ACRES TOTAL

Right Nos. 02-68, 63-2754, 63-2867, 63-2975, 63-3104, 63-3490A, 63-3492, 63-7561, 63-7793 and 63-4799 are limited to the irrigation of a combined total of 1454.1 acres from ground water, and no more than 400 acres with water diverted directly from the Snake River, in a single irrigation season

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

The diversion rate of water, and the annual volume of water, diverted at each and every point of diversion shall not exceed the amount originally licensed at that point of diversion.

Each point of diversion shall maintain its original priority date, and in times of water shortage shall be regulated according to the original priority date associated with that point of diversion.

Transfer 2735

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

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Failure to comply with Condition #3 of Transfer 2735 will void Transfers 2730 - 2737.



Idaho Department of Water Resources

SRBA Recommendation:

63-7561

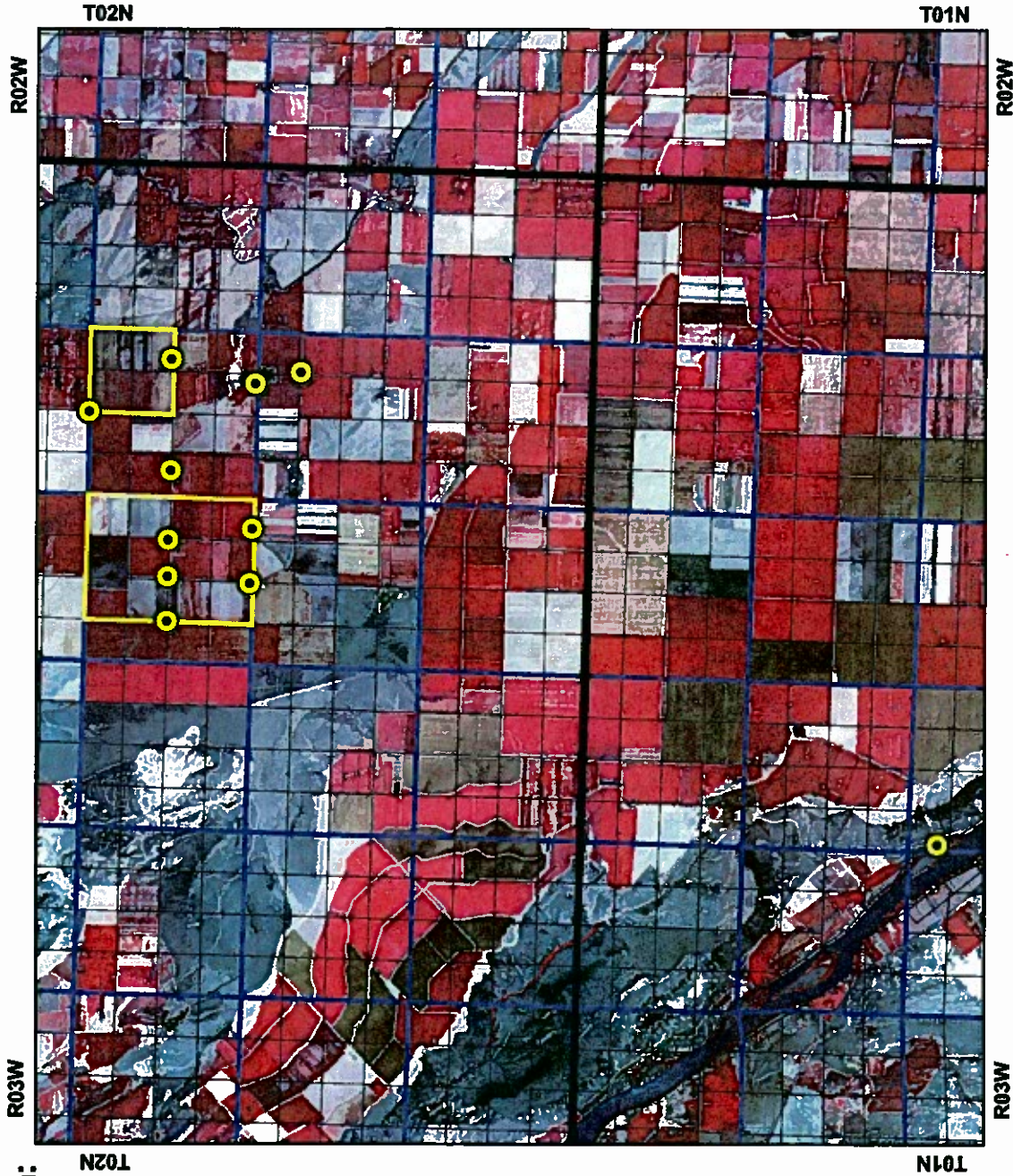
(Irrigation)

Legend

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



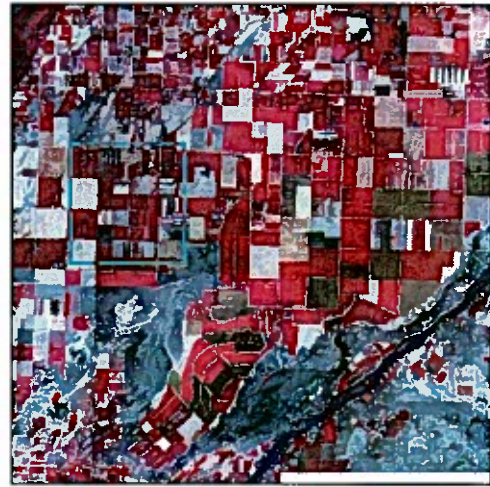
Canyon County
IDWR Basin 63



0 2 4 Miles

Prepared by M. Ciscell
On Monday, November 6, 2006
1987/88 Aerial Photography

Z



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: A63-07561
Date Received: 3/14/1990
Receipt No: W011017
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: HARVEST FARM CO. 800-547-7023
Address: P.O. BOX 650
98 PALMER AVE.
COTTAGE GROVE, OR 97424

2. Date of Priority: FEB 18, 1972

3. Source: GROUNDWATER Trib. to: COLUMBIA RIVER
SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	03W	16	NW	NW			CANYON
02N	03W	22	SW	NE			CANYON
			SE	NW			CANYON
			SE	SW			CANYON
			SW	SE			CANYON
		23	SE	SE			CANYON
			SE	NE			CANYON
			NE	NW			CANYON
		26	SE	NE			CANYON
		27	NE	NW			CANYON

5. Description of diverting works:
8 WELLS, 1 SNAKE R. DIV.(NWNW, S.16) PIPELINES & SPRINK. IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.250		1092.00

7. Total Quantity Appropriated is:
2.250 C.F.S. (and/or) 1092.00 A.F.A.

8. Total consumptive use is 2240.0 Acre Feet Per Annum.

A63-07561

Page 1

Date: 03/20/90

MICROFILMED
AUG 21 1992

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
02N	03W	22	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	480.0
		23	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
							Section Acres	160.0
							Total Acres	640.0

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:
SEE CLAIM NO. A63-02754 REMARKS SEC.

14. Remarks:
TRANS. 2735.
THE DIVERSION RATE AND ANNUAL VOLUME OF WATER DIVERTED AT EACH AND EVERY P/D SHALL NOT EXCEED THE AMOUNT ORIGINALLY LICENSED AT THAT P/D.
EACH P/D SHALL MAINTAIN ITS ORIGINAL PRIORITY DATE AND IN TIMES OF WATER SHORTAGE, EACH P/D SHALL BE REGULATED ACCORDING TO THE ORIGINAL PRIORITY DATE ASSOCIATED WITH THAT P/D.
NO MORE THAN 1454.1 ACRES SHALL BE IRRIGATED DURING ANY IRRIGATION SEASON FROM GROUNDWATER AND NO MORE THAN 400 ACRES SHALL BE IRRIGATED EACH IRRIGATION SEASON WITH WATER DIVERTED

MICROFILMED
AUG 21 1992

14. Remarks: Continued

DIRECTLY FROM THE SNAKE RIVER. FAILURE TO COMPLY WITH CONDITION #3 WILL VOID THE APPROVAL OF TRANSFERS 2730 THROUGH 2737. EXTENSION OF TIME WAS VERBALLY GIVEN BY DAVE SHAW FOR SHERL CHAPMAN ON THIS CLAIM. THE EXTENSION WAS GIVEN ON 3/01/90 UNTIL 3/15/90.

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ 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 _____

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: A63-07561
Date Received: ~~3/05/1990~~ 3-14-91
Receipt No: W016017
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HARVEST FARM CO. 800-547-7023
Address: P.O. BOX 650
98 PALMER AVE.
COTTAGE GROVE, OR 97424

2. Date of Priority: FEB 18, 1972

3. Source: GROUNDWATER Trib. to:
SNAKE RIVER COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	03W	16	NW	NW			CANYON
02N	03W	22	SW	NE			CANYON
			SE	NW			CANYON
			SE	SW			CANYON
			SW	SE			CANYON
			SE	SE			CANYON
		23	SE	NE			CANYON
			NE	NW			CANYON
		26	SE	NE			CANYON
		27	NE	NW			CANYON

5. Description of diverting works:
8 WELLS, 1 SNAKE R. DIV.(NWNW, S.16)PIPELINES & SPRINK. IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.250		1092.00

7. Total Quantity Appropriated is:
2.250 C.F.S. (and/or) 1092.00 A.F.A.

8. Total consumptive use is 2240.0 Acre Feet Per Annum.

A63-07561

Page 1

Date: 03/05/90

MICROFILMED

AUG 21 1992

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
02N	03W	22	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
			Section Acres					480.0
		23	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			Section Acres					160.0
			Total Acres					640.0

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:
SEE CLAIM NO. A63-02754 REMARKS SEC.

14. Remarks:
TRANS. 2735.
THE DIVERSION RATE AND ANNUAL VOLUME OF WATER DIVERTED AT EACH
AND EVERY P/D SHALL NOT EXCEED THE AMOUNT ORIGINALLY LICENSED AT
THAT P/D.
EACH P/D SHALL MAINTAIN ITS ORIGINAL PRIORITY DATE AND IN TIMES
OF WATER SHORTAGE, EACH P/D SHALL BE REGULATED ACCORDING TO THE
ORIGINAL PRIORITY DATE ASSOCIATED WITH THAT P/D.
NO MORE THAN 1454.1 ACRES SHALL BE IRRIGATED DURING ANY
IRRIGATION SEASON FROM GROUNDWATER AND NO MORE THAN 400 ACRES
SHALL BE IRRIGATED EACH IRRIGATION SEASON WITH WATER DIVERTED

14. Remarks: Continued

DIRECTLY FROM THE SNAKE RIVER. FAILURE TO COMPLY WITH CONDITION #3 WILL VOID THE APPROVAL OF TRANSFERS 2730 THROUGH 2737.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: 0 See A02-00068 for fee explanation

For Organizations:

I do solemnly swear or affirm that I am GENERAL MANAGER of Title

HARVEST FARM CO., that I have signed the foregoing Organization

document in the space below as GENERAL MANAGER of Title

 and that the statements contained in the Organization

foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

GENERAL MANAGER, HARVEST FARM CO.
Title and Organization

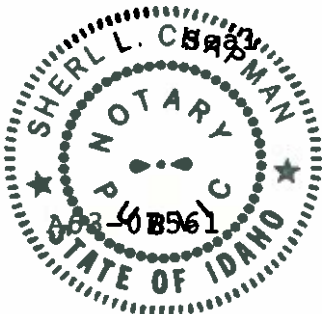
3/13/90
Date

State of Idaho)
County of Adair) SS.

Subscribed and sworn (or affirmed) before me this 13 day
of March 19 90

[Signature]
Notary Public

Residing at 2889 Cattle Way Meridian ID
My Commission Expires 6/14/94



ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO.

463-07561

NR 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*	N						
PT. OF DIV.	N						
SOURCE	Y						
PL. OF USE	N						
DIV. AMOUNT CFS/AF	N						
CONSUMPTIVE USE							
NATURE OF USE	N						
PERIOD OF USE	N						
BASIS OF CLAIM	N						
REMARKS	N						

**IF CLAIMANT CONTACT IS NEEDED, COMPLETE CLAIMANT CONTACT CHECKLIST AND ATTACH.
 **IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN SUBMITTED - YES _____ NO _____.
 VERIFICATION CODES
 TOPO MAP/ORTHO PHOTO = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 NAPP PHOTOS = 4
 FIELD EXAM = 5
 OTHER(SEE COMMENTS) = 6

DATA ENTRY COMPLETED
 BY _____ DATE _____
 FINAL RECOMMENDATION
 BY _____ DATE _____

COMMENTS: _____

Old (D) Number -

1 - 515 S. FLOWER ST.
2 -
3 -
City- LOS ANGELES
Phone - 208-000-0000

State- CA Zip- 90071

1 -
WALTER C.

	State-	ID	Zip-
WALTER C.	1 -		
	2 -		
	3 -		
	City-		
	Phone -	208-000-0000	
DAN	1 -		

```

+ . . . Status . . . +

```

	Source	Tributary							
GROUNDWATER									
Snake River	Point of Diversion	Columbia							
Turn	Ring	Sec	Tract	Lot	Rf1g	County	Diversion Name	Diversion Rate	Diversion No.
01N	03W	16	NW NW			(27) CANYON			
02N	03W	22	SW NE			(27) CANYON			

16	✓	NU	NU	✓	(27)
22	✓	SW	NE	✓	(27)
		SE	NU	✓	CANYON
		SE	SW	✓	(27)
		SE	SE	✓	CANYON
		SW	SE	✓	(27)
23	✓	SE	SE	✓	CANYON
		SE	NE	✓	(27)
26	✓	NE	NU	✓	CANYON
		SE	NE	✓	(27)
27	✓	NE	NU	✓	CANYON

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume		
01 - IRRIGATION		03/15	11/15		2.250	1092.00		
+ - Total Div. Rate - + - Total Div. Volume - + - Total Div. Capacity - +								
					2.250	1092.00		
Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
02N	03W	22	NE NE		40.0		01 IRRIGATION	(27) CANYON

Water right number - 63-07561

Prefix Translation: WATER RIGHT

Twn		Ring	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
02N	✓	03W	22	NW NE	✓	40.0	✓	01	IRRIGATION	(27) CANYON
02N		03W	22	SW NE	✓	40.0	✓	01	IRRIGATION	(27) CANYON
02N		03W	22	SE NE	✓	40.0	✓	01	IRRIGATION	(27) CANYON
02N		03W	22	NE NW	✓	40.0	✓	01	IRRIGATION	(27) CANYON
02N		03W	22	SE NW	✓	40.0	✓	01	IRRIGATION	(27) CANYON
02N		03W	22	NE SW	✓	40.0	✓	01	IRRIGATION	(27) CANYON
02N		03W	22	SE SW	✓	40.0	✓	01	IRRIGATION	(27) CANYON
02N		03W	22	NE SE	✓	40.0	✓	01	IRRIGATION	(27) CANYON
02N		03W	22	SW SE	✓	40.0	✓	01	IRRIGATION	(27) CANYON
02N		03W	22	SE SE	✓	40.0	✓	01	IRRIGATION	(27) CANYON
02N	✓	03W	23	NE NE	✓	40.0	✓	01	IRRIGATION	(27) CANYON
02N		03W	23	SW NE	✓	40.0	✓	01	IRRIGATION	(27) CANYON
02N		03W	23	SE NE	✓	40.0	✓	01	IRRIGATION	(27) CANYON
Total Acres:						640.0	✓			

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - -

TRANS. 2735.
THE DIVERSION RATE AND ANNUAL VOLUME OF WATER DIVERTED AT EACH AND EVERY P/D SHALL NOT EXCEED THE AMOUNT ORIGINALLY LICENSED AT THAT P/D.
EACH P/D SHALL MAINTAIN ITS ORIGINAL PRIORITY DATE AND IN TIMES OF WATER SHORTAGE, EACH P/D SHALL BE REGULATED ACCORDING TO THE ORIGINAL PRIORITY DATE ASSOCIATED WITH THAT P/D.
NO MORE THAN 1454.1 ACRES SHALL BE IRRIGATED DURING ANY IRRIGATION SEASON FROM GROUNDWATER AND NO MORE THAN 400 ACRES SHALL BE IRRIGATED EACH IRRIGATION SEASON WITH WATER DIVERTED DIRECTLY FROM THE SNAKE RIVER. FAILURE TO COMPLY WITH COMDITION #3 WILL VOID THE APPROVAL OF TRANSFERS 2730 THROUGH 2737.

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

+ - - - - - Conditions of Approval - - - - -
016 - See remarks for additional conditions of approval.

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

Prefix translation: WATER RIGHT

+ - - Audit Fields - 06/03/85 CURTIS 05/01/88 CURTIS 06/23/89 CURTIS

+ Water Rights Dates and Flags Area +

Proof Due Date	-	00/00/0000	Field Exam Made	-	00/00/0000	Field Exam Fee	-
Approved/Denied	-	00/00/0000	Tested 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	-	06/03/1985	OLE/Carey Act	-
Order Show Cause	-	00/00/0000	Receipt Number	-		Water District	-
Licensed Date	-	09/13/1979	Appl Received	-	00/00/0000	Transfer/Amended	-
Decree Date	-	00/00/0000	Name Connector	-		POU Ownership Flag-	-
Presumption Flag	-						

HARVEST FARM COMPANY

13735 MISSOURI AVENUE

NAMPA, ID 83686

Tel (208) 467-9712

RECEIVED

APR 6 1992

Department of Water Resources

April 2, 1992

Memo to Department of Water Resources
regarding change of address----

Please change the address for Harvest Farm Company to
13735 Missouri Avenue
Nampa, ID 83686

Currently mail is being sent to Cottage Grove, OR. That is no longer the
address for Harvest Farm Company. Please change all records to the
current address.

Thank you,

Helen J. Magoffin

HARVEST FARM COMPANY

Helen J. Magoffin, office manager

94/95 phone directory:
467-9712
KW

Fourth

12/5/84
J/K/A

63-7561	
I. D. No.	Map No.
S 10 th	3458a
Fee Paid	Receipt No.

Bing/Frost Ranch Co
(Name of Claimant)

Zip Code

and water. T

to

etc.)

(c.)

etc.)

etc.)

4
5
6
7
8

B.M.

ges in the

[illegible]

Total no. of acres	640 ✓
--------------------	-------

se, being as

me of organiza

beneficia

RT

Umsatz

1

100



2010年10月10日

1000

(This ar

42

OFFICIAL SEAL

DIXIEANNA F. GIRARD
NOTARY PUBLIC-CALIFORNIA
PRINCIPAL OFFICE IN
LOS ANGELES COUNTY

_____ before me

4

(5A)

Additional points: $NE\frac{1}{4}NW\frac{1}{4}$ Sec. 27; $SE\frac{1}{4}NE\frac{1}{4}$ Sec. 26; $SE\frac{1}{4}NE\frac{1}{4}$ Sec. 23; $NE\frac{1}{4}NW\frac{1}{4}$ Sec. 23; $SW\frac{1}{4}NE\frac{1}{4}$ Sec. 22; $SE\frac{1}{4}NW\frac{1}{4}$ Sec. 22; $SW\frac{1}{4}SE\frac{1}{4}$ Sec. 22; $SE\frac{1}{4}SE\frac{1}{4}$ Sec. 22 all in T2N, R3W and $NW\frac{1}{4}NW\frac{1}{4}$ Sec. 16, T1N, R3W.

(5B)

Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field etc.) Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.

OK. Pumping Plant and Sprinkler systems - 8 wells.

$SE\frac{1}{4}NW\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$, Sec. 22 T2N, R3W and $NW\frac{1}{4}NW\frac{1}{4}$, Sec. 16, T1N, R3W.

MICROFILMED
JUL 25 1994

JUDICIAL DISTRICT

63-7561	
I.D. No.	Map No.
\$ 100	# 24583
Fee Paid	Receipt No.

Telephone No. 213-488-7338

(11) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right)

27187977

Grundwat

To 11/75 (Mo., Day)

To	
(Mo., Day)	(Mo., Day)

(Mo., Day)	(Mo., Day)
(Both dates inclusive)	

TOTAL QUANTITY CLAIMED.

County

See attached Sheet

A) Describe location of use by listing number of irrigated area, type of irrigation, place an "X" in appropriate box to show location.

Total no. of acres 640

640

1

Remarks
If you are claiming water as a member of an organization, list name of organization:

- ☐ A) Right based on diversion and beneficial use.
- ☐ B) Right decreed by court, cite title of case.

63-7561

Individual

(Signature of Claimant)

(Date)

Construction

(Signature of spouse)

(Signature of Authorized Agent) _____ before me
, in the year 1989 _____
instrument, and acknowledged to me that (he, she, they, corporation,
) executed the same.

My commission expires March 21, 1986

Notary Public residing at Theresa, Board CA

(5A)

Additional points: NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 27; SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 26; SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 23; NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 23; SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 22; SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 22; SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22; SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22 all in T2N, R3W and NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 16, T1N, R3W.

(5B)

Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field etc.) Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.

Pumping Plant and Sprinkler systems - 8 wells.

SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22 T2N, R3W and NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 16, T1N, R3W.

CAT. NO. NN00627
TO 1944 CA (1-83)

 **TICOR TITLE INSURANCE**

(Individual)

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES } ss.

On October 23, 1984 before me, the undersigned, a Notary Public in and for said State, personally appeared F. Daniel Frost

_____, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same.

WITNESS my hand and official seal.

Signature

Dixieanna F. Girard



(This area for official notarial seal)

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-7561 Priority Feb. 18, 1972 Amount 2.25 cfs

THIS IS TO CERTIFY, that WALTER C. &/or DAN RUSSELL
of Caldwell, Idaho, has complied with the terms and conditions of Permit
No. 63-7561 issued pursuant to Application for Permit dated February 18, 1972,
and has submitted proof to the Department of Water Resources on January 29, 1975,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 2.25 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov. 15</u>	at <u>2.25</u> cfs and	<u>1,092</u> acre feet or
	from _____ to _____	cfs and	<u>* 4.5</u> af per acre
	from _____ to _____	at _____ cfs and	
(both dates inclusive)			

Subject, however, to the condition that no more than 2.25 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1,092 acre feet per year, said waters to be diverted within the SE 1/4 NW 1/4 of Sec. 22,
Twp. 2 N, Rge. 3 W, B. M. in the County of Canyon

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2 N	3 W	22	40	40	40	40				40	40			40	40	40	40	40	480
		23	40	40	40	40													160

Total number of acres irrigated 640

* Subject to the condition that the maximum volume per year shall not exceed
4.5 acre feet per acre when combined with Licenses No. 20905/63-2754,
26823/63-3104 and 63-7793.

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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 27 day of
November, 19 76.

Director

If questions arise, please contact:
 Sherl L. Chapman
 921 S. Orchard, Suite N
 Boise, ID 83705
 344-6690

Water Right No. 63-7561

STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES

APPROVED**APPLICATION FOR TRANSFER OF WATER RIGHT****To Change the Point of Diversion and/or the Place of Use**

Name of applicant Bing/Frost Ranch Co. Phone 213-488-7338
 Post office address 515 S. Flower St., Los Angeles, CA 90071

A. DESCRIPTION OF RIGHT AS RECORDED**1. Right evidenced by:**

a. Decree to _____ (Name)
 in case of _____ vs _____
 dated _____ in _____ county of _____
 (Name of court)

b. License No. 63-7561 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Purchase of
land to which right is appurtenant.

3. Source of water Ground Water tributary to -----

4. Date of priority February 18, 1972

5. Water is used for the following purposes:

amount 2.25 cfs for Irrigation purposes from 3-15 to 11-15
 amount _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (month/day - both dates inclusive)

6. Total amount of water under right: a. 2.25 cubic feet per second
 &/or
 b. 1,092 acre feet per annum

7. Location of original point of diversion is SE % of NW % of Section 22
 Township 2N Range 3W, B.M., in Canyon County
 Additional points of diversion, if any _____

8. Lands irrigated or 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	
2N	3W	22	40	40	40	40	40			40	40			40	40	40	40	40	480
2N	3W	23	40	40	40	40													160

Total number of acres to be irrigated 640

9. Describe any other water rights used for the same purposes as described above 63-2754; 63-3104;

63-7793

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____

3. 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	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion

- a. Amount of water to be diverted 2.25 c.f.s. &/or 1,092 acre feet
- b. Point(s) of diversion SE ¼ SW ¼, Section 22 Township 2N
Range 3W, B.M., Canyon County _____
Additional points (1) NE¼ NW¼ Sec. 27; (3) SE¼ NE¼ Sec. 26; (5) SE¼ NE¼ Sec. 23; (6) NE¼ NW¼ Sec. 23;
(7) SW¼ NE¼ Sec. 22; (8) SE¼ NW¼ Sec. 22; (9) SW¼ SE¼ Sec. 22; (10) SE¼ SE¼ Sec. 22 all in T2N, R3W and
NW¼ NW¼ Sec. 16, T1N, R3W.
- c. Description of diverting works 3 wells and one pumping station on the Snake River.

- d. Describe the reasons for applying for a change in the point(s) of diversion See Attachment "A"

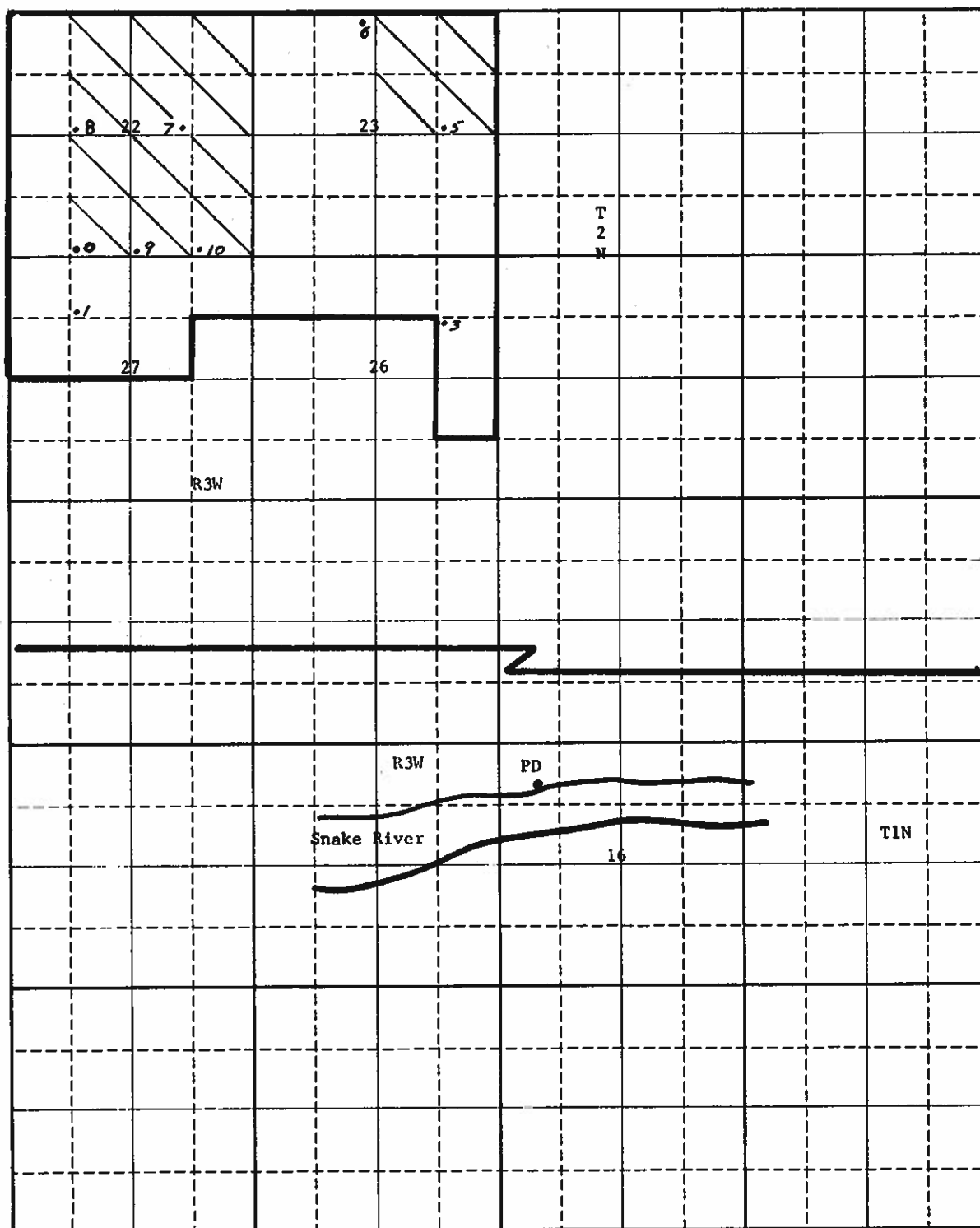
2. Change in place of use NO CHANGE

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

RECEIVED
MAY 19 1964

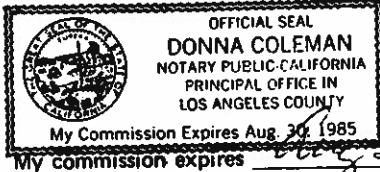
4. Remarks _____

I hereby assert that no one will be injured by such change and 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.

BING FROST RANCH CO., an Idaho Corporation

By: [Signature]
F. Daniel Frost, President
19 82

Subscribed and sworn to before me this 5th day of April



[Signature]
(Notary public)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 63-7561

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

1. The diversion rate of water and annual volume of water diverted at each and every point of diversion shall not exceed the amount originally licensed at that point of diversion.
2. Each point of diversion shall maintain its original priority date and in times of water shortage, each point of diversion shall be regulated according to the original priority date associated with that point of diversion.
3. No more than 1454.1 acres shall be irrigated during any irrigation season from groundwater and no more than 400 acres shall be irrigated each irrigation season with water diverted directly from the Snake River.
4. Failure to comply with condition #3 will void the approval of Transfers 2730 through 2737.

Witness my hand this 18th day of April, 1983.

[Signature]
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by 6/5 Date 4/16/82 Protest filed by _____
Prelim. check by 6/5 Fee 50.00
Receipted by 6/5 Date 4/16/82 # 22956
Published in _____ Copies of protest forwarded by _____
Pub. dates 7/1, 8/1, 9/1, 10/1, 11/1, 12/1 Hearing held by _____ Date _____
Watermaster recommendation requested on _____ Recommended for approval denial
by DES [Signature]

Identification No. 63 7561

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

APPROVED

To appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Walter C. &/or Dan Russell
post office address Route #4, Caldwell, Idaho
2. Source of water supply Ground water which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 22 Township 2N
Range 3W B.M. Canyon County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 5.2 for irrigation purpose from March 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 5.2 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well with pump and motor for
both flood and sprinkler irrigation.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 16 inches; proposed depth of well is 600 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$20,000.00.
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

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

[illegible]

Total number of acres to be irrigated 640

c. Describe any other water rights used for the same purposes as described above.

63-2754, 63-3104

9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

The diagram is drawn on a grid of solid and dashed lines. It features two rectangles. The left rectangle is approximately 2 units wide and 2 units high. A point labeled '22' is located on its left vertical edge, and a point labeled '23' is located on its right vertical edge. The right rectangle is approximately 1 unit wide and 1 unit high, positioned to the right of the first rectangle. A point labeled '24' is located on its right vertical edge. A line segment connects point '22' to point '24'. Inside the right rectangle, there is a vertical line with several horizontal tick marks, resembling a scale or a list of items.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

63 7501

Received by FE Date 2/18/72 Time 3:25

Preliminary check by FE Fee \$ 25.00

63-7561
Receipt # 9065

Received by CF Date 2-18-72

Publication prepared by CF Date 2-25-72

Published in Idaho Free Press

Publication dates 3-2- & 3-9-72

Publication approved CF Date 3-16-72

Priority reduced to 2-18-72 Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by De. DEF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-7561, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 19 77.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 28th day of March, 19 72.


Deputy Director

C

Phone 1702-1246
Phone 457-8331

Phone 457-~~4122~~
8331

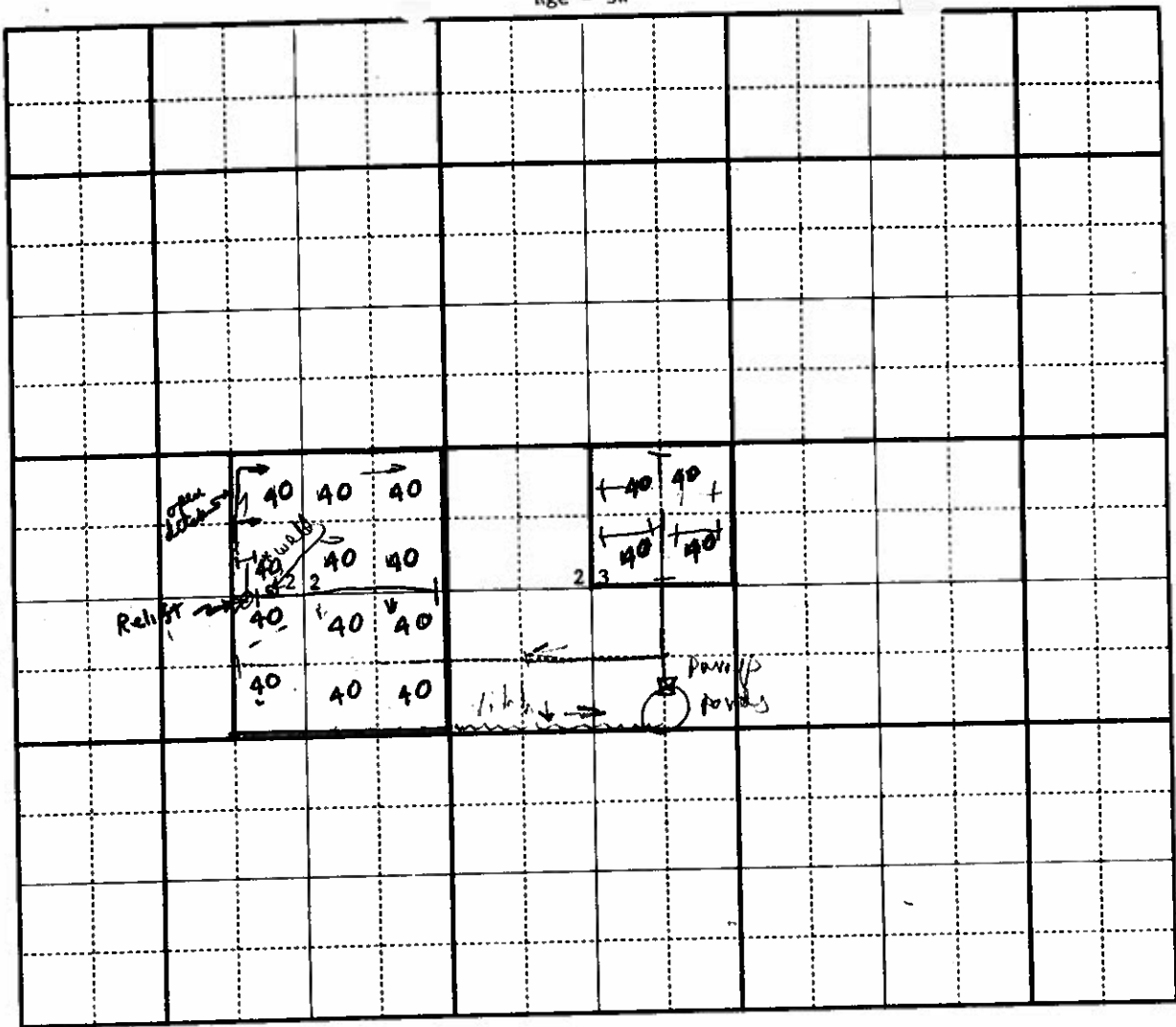
T
2
N

Diagram of System

DATE OF EXAM 6-27-75

ACREAGE
Found 640
Recommended 640

Irrigation Requirement 5.0 Ac Ft/Ac

USE
Irrigation Q = 2.25 c.f.s. V = 14 AF/Ann. from March 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 _____

Name source: Water from other well in system
twp. 2 Rge. 3 B.M., Sec. 23, Sub. 5/20 SE 1/4 Cor. 1/4 County

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 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 1010 gpm = 2.25 cfs Method of measurement gpm

Total Q recommended 2.25 Meter No. 1053885 Type Reddy Condition Good

Total V recommended 1091.5 AF

Recommended Amendments:

P.D. OK
Place of Use OK
Other None
None ☒

MEASUREMENT CALCULATION:

1010 gpm = 2.25 cfs / measured at pump, does not include other wells or point of measurement
$$\text{Total V} = (2.25 \text{ cfs}) \times \left(\frac{1.98 \text{ AF}}{1 \text{ cfs}} \right) \times (245 \text{ day season}) = 1091.5 \text{ AF}$$

SYSTEM DESCRIPTION:

18" 400' well w/ 200 HP GE motor w/ #556278V H1A and a 200' pipe
10" 1/4" Bore pump w/ 10" discharge into 18" main line from well
556278V H1A
measured flow rate in both pressure and flow in

REMARKS:

System operating at time of exam measurement
pressure during exam

Examiner's Signature Ernest Ballou Date 27 June 75

Checked by 720 Date 10-29-75

Approved by _____ Date _____