

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: A63-07753B
Date Received: 1/14/1992
Receipt No: X777777
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: ABRAHAM DEVRIES 909-597-1183
Address: 15524 GROVE
CHINO CA 91710
AND/OR
Name: HERMINA DEVRIES 909-597-1183
Address: 15524 GROVE
CHINO CA 91710

2. Date of Priority: APR 15, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	01W	16	SE	NE			ADA

5. Description of diverting works:
WELLS, PUMPS & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.270		360.00
STOCKWATER	01/01	12/31	0.610		113.00
COMMERCIAL	01/01	12/31	0.610		88.90

7. Total Quantity Appropriated is:
1.880 C.F.S. (and/or) 561.90 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
COMMERCIAL DAIRY, 2500 MILKING & 1000 NON-MILKING COWS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	01W	16	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	35.0
			SE	NE		STOCK	
			SE	NE		COMMER	

Section Acres 155.0

Total Acres 155.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

REINSTATED 5/4/1978.

P/D AND P/U MAP WILL BE PREPARED FROM LICENSE FIELD EXAM.

CLAIM AMENDED PER LICENSE ISSUED 7/24/1996.

THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF A63-07753, FEE PAID UNDER C036145.

THIS CLAIM AMENDED PER TRANSFER 5232 APPROVED 5/28/1998. SEE ADDITIONAL CONDITIONS APPROVAL IN TRANSFER 5232. MTS 2/5/1999.

TWO POINTS OF DIVERSION ARE LOCATED IN SENE, S16, T01N, R01W. THE TOTAL DIVERSION UNDER THIS RIGHT SHALL NOT EXCEED 1.88 CFS NOR A COMBINED TOTAL ANNUAL VOLUME OF 561.9 AF.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80 ACRES IN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

STOCKWATER AND COMMERCIAL USES ARE FOR A DAIRY.

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 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5232
WATER RIGHT NO. 63-07753B

RECEIVED

JUN 23 1998

WATER RESOURCES
WESTERN REGION

This is to certify that: **A DE VRIES**
15524 GROVE
CHINO CA 91710

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	1.27 CFS	360.0 AF
STOCKWATER	01/01 to 12/31	0.61 CFS	113.0 AF
COMMERCIAL	01/01 to 12/31	0.61 CFS	88.9 AF
	SUBTOTAL:	* 0.61 CFS	201.9 AF
	TOTAL:	** 1.88 CFS	** 561.9 AF

SOURCE
GROUNDWATER

Priority: 04/15/1973

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 16, Township 01N, Range 01W
ADA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	01W	16	NENE 40	NWNE 40	SWNE 40	155
			SENE 35			155
Total number of acres irrigated:						*** 155

PLACE OF USE: STOCKWATER & COMMERCIAL

TWN RGE SEC
01N 01W 16 SENE

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- 2. Two points of diversion are located within SENE, S16, T01N, R01W.
3. 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.

TRANSFER NO. 5232
WATER RIGHT NO. 63-07753B

CONDITIONS OF APPROVAL AND REMARKS

- ** 4. The total instantaneous diversion of water from all points of diversion under Transfer 5232 shall not exceed 1.88 cfs, nor a total combined annual volume of 561.9 af.
- 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.
- *** 6. Right 63-07753B is limited to the irrigation of 80.0 acres in the place of use described above in a single irrigation season.
- 7. 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.
- 8. Stockwater and commercial uses are for a dairy.
- * 9. Stockwater and commercial uses when combined shall not exceed a diversion rate of 0.61 cfs.
- 10. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
- 11. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
- 12. The water used for stockwater and commercial uses under this right is applied to and irrigates land listed in the place of use to satisfy water quality requirements. Water from the dairy shall not irrigate growing plants unless the water is first used for stockwater and commercial uses as authorized by this right.
- 13. The remainder of Right 63-07753 is identified as 63-07753A and is limited to a diversion rate of 2.12 cfs, an annual diversion volume of 702.0 af, and irrigation of 156.0 acres each year.
- 14. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- 15. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- 16. 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 22nd day of

May, 1998.

J. Glen Saylor
Chief, Water Allocation Bureau

MEMORANDUM

TO: File 63-07753 *PS*
FROM: Pam Skaggs/State Office
SUBJECT: Transfer 5232
DATE: May 19, 1998

OK

Transfer 5232 changes and adds a point of diversion, and changes the place, nature and season of use under a portion of Right 63-07753, splitting the right into Parts A and B.

The applicant has purchased the 155 acre place of use described under this transfer. He is adding a second well near the existing irrigation well in SENE, S16, T01N, R01W. A portion of the irrigation right is being changed to stockwater and commercial use for a dairy proposed to be built within the same quarter-quarter. The exact size of the dairy and corrals has not been determined at this time, but will remove available acres from the described irrigation permissible place of use. The wastewater from the dairy will be land applied to meet water quality guidelines on the remaining acres.

The dairy use has been identified as 100% consumptive, resulting in an irrigation reduction of 58 acres to compensate for the change in nature of use. No expansion occurs through this change in nature of use.

<u>Change in Nature of Use Evaluation</u>				
	<u>Rate</u>	<u>Use</u>	<u>Acres</u>	<u>Div. Vol./C. U. Vol</u>
63-07753	4.00 cfs	IRR	294 acres	1323.0 afa/1029.0 afa
Part A)	2.12 cfs	IRR	156 acres	702.0 afa/ 546.0 afa
Part B)	1.27 cfs	IRR	80 acres	360.0 afa/ 280.0 afa
	0.61 cfs	STOCK	-----	113.0 afa/113.0 afa
	<u>0.61 cfs</u>	COMM	-----	<u>88.9 afa/ 88.9 afa</u>
	0.61 cfs	Dairy Use	-----	201.9 afa/201.9 afa
	1.88 cfs		80 acres	561.9 afa/ 481.9 afa
Combined				
Parts A & B)	4.00 cfs		236 acres	1263.9 afa/1027.9 afa

Recommended conditions include drilling permit conditions, multiple points of diversion\ measuring devices, permissible place of use, irrigation overlap, dairy limits, acres removed by construction of dairy, zoning, water quality, future annual reporting, land application limits, Part A limits and standard transfer conditions.

Page 1 of 9STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 5232

RECEIVED

MAR 02 1998

WATER RESOURCES
WESTERN REGIONAmendedAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant A. DeVries Phone 909-597-1183Post Office address 15524 Grove, Chino, California 91710

RECEIVED

A. PURPOSE OF TRANSFER

MAY 05 1998

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☒ Change period of use ☐ Other _____

Department of Water Resources

2. Describe the reason for the proposed changes A portion of water right license 63-07753B will be converted from irrigation use to stock water and commercial use for a dairy. Irrigation of the remaining 93 irrigated acres will occur within a 160-acre permissible place of use. A small well for the dairy will be drilled in the 40-acre parcel where the current irrigation well is located.

3. 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>63-07753B</u>	<u>04/15/1973</u>	<u>1.27 cfs</u>	<u>irrigation</u>	<u>3/15</u> to <u>11/15</u>
		<u>.61 cfs *</u>	<u>commercial and</u>	<u>01/01</u> to <u>12/31</u>
			<u>stock water</u>	to _____
<u>* See calculation on attached</u>				to _____
<u>Dairies: Water Use Worksheet</u>				to _____

2. Total amount of water being transferred 1.88 cubic feet per second and/or 621 acre-feet per annum.

3. Source of water ground water tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NE	16	01N	01W	Ada	(2 points of diversion)

5. Lands irrigated or place of use: 93 acres will be irrigated within a 160-acre permissible place of use. The dairy will be located in the SENE Section 16.

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	
01N	01W	16	40	40	40	40													160
						S													
						C													

MICROFILMED
JUN 04 1998Total acres 160

PART 1**6. General Information:**a. Description of diversion system Wellb. 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:

None. Applicant will continue to irrigate within the NE1/4 of Section 16. The
transfer would allow the applicant to choose which 93 acres within the NE1/4 will
be irrigated during a given irrigation season.

d. Remarks:

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 _____, 19____.

MICROFILMED
JUN 04 1998

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 (See attached profile report for 63-07753)

1. Right evidenced by:

(Pages 8 & 9)

a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____

b. License No. 63-07753 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 _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purpose:

amount _____ for _____ purposes from _____ to _____
(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 _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

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

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	

MICROFILMED

Total acres 304 0 4 1998

9. Describe any other water rights used for the same purpose as described above _____

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 63-07753B

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

1. amount 1.88 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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NE	16	01N	01W	Ada	

3. Lands irrigated or place of use: 45 acres of irrigated land will be retired to allow .61 cfs for the dairy.

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	
01N	01W	16	26	32	40	40													138
			The 45 acres have been irrigated within these 138 acres.																

Total acres 138

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change) 63-07753A

1. amount 2.12 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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	15	01N	01W	Ada	
		NW	SE	16	01N	01W	Ada	

3. Lands irrigated or place of use:

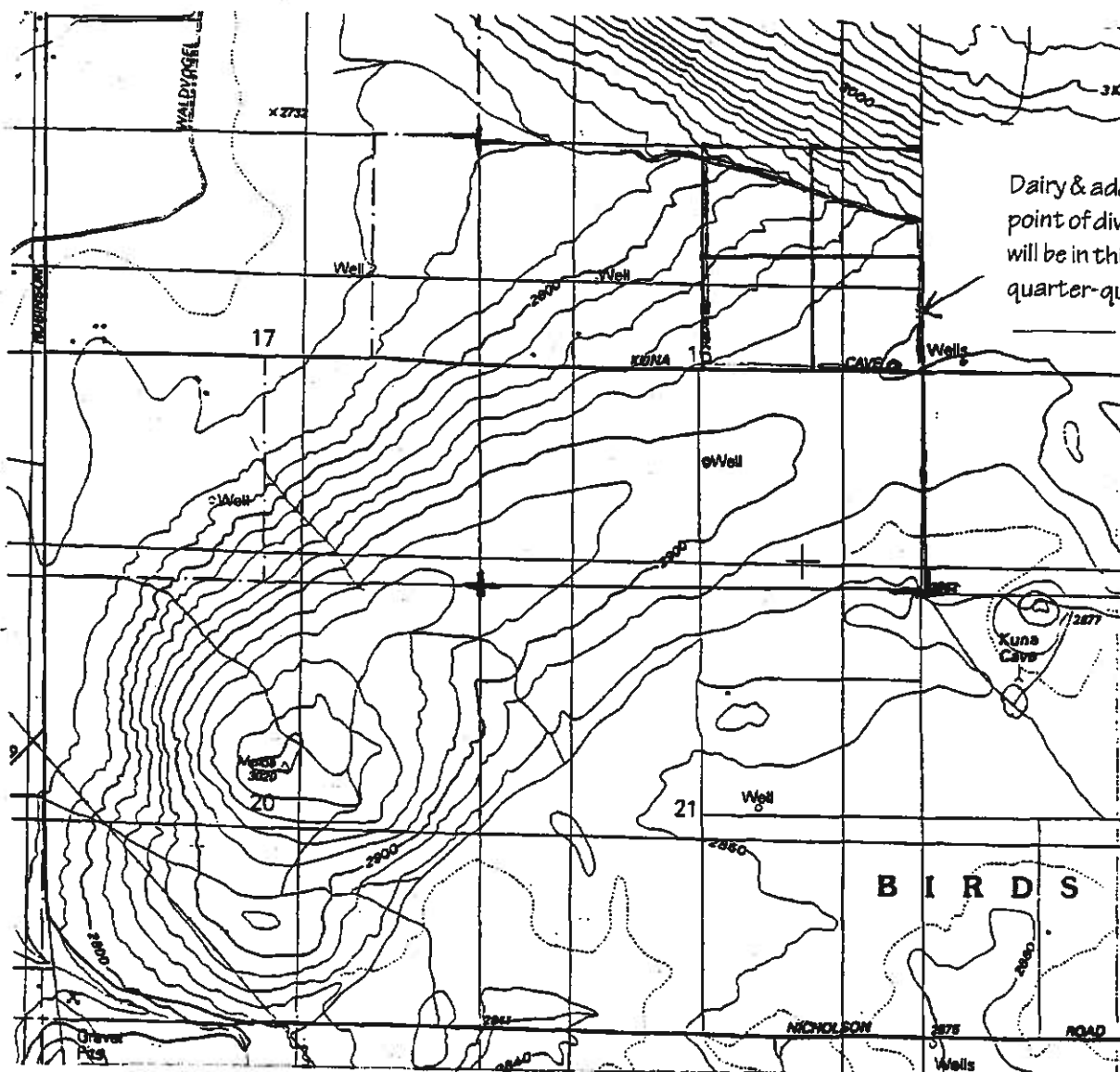
Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
01N	01W	16													39	40	39	38	156

MICROFILMED
 JUN 8 4 1998

Total acres 156

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.



Y7
 (1992)
 KUNA
 T01N
 R01W
 S.16

MICROFILMED
 JUN 04 1993

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	stockwater and commercial (Dairy with 2,500 milking cattle & 1,000 non-milking cattle)	.61 cfs (201.9 AFA)	365 days/year	01/01 to 12/31

2. Quantity and quality of return flows and location of discharge: The dairy will use a retention pond from which water will be reused for irrigation in accordance with the Idaho Waste Management Guidelines for Confined Feeding Operations.

3. Describe effects on other water uses resulting from the proposed change:
None.

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.

A. K. Davis

(Signature of Applicant)

Subscribed and sworn to before me this _____ day of February, 19 98.

See Attached

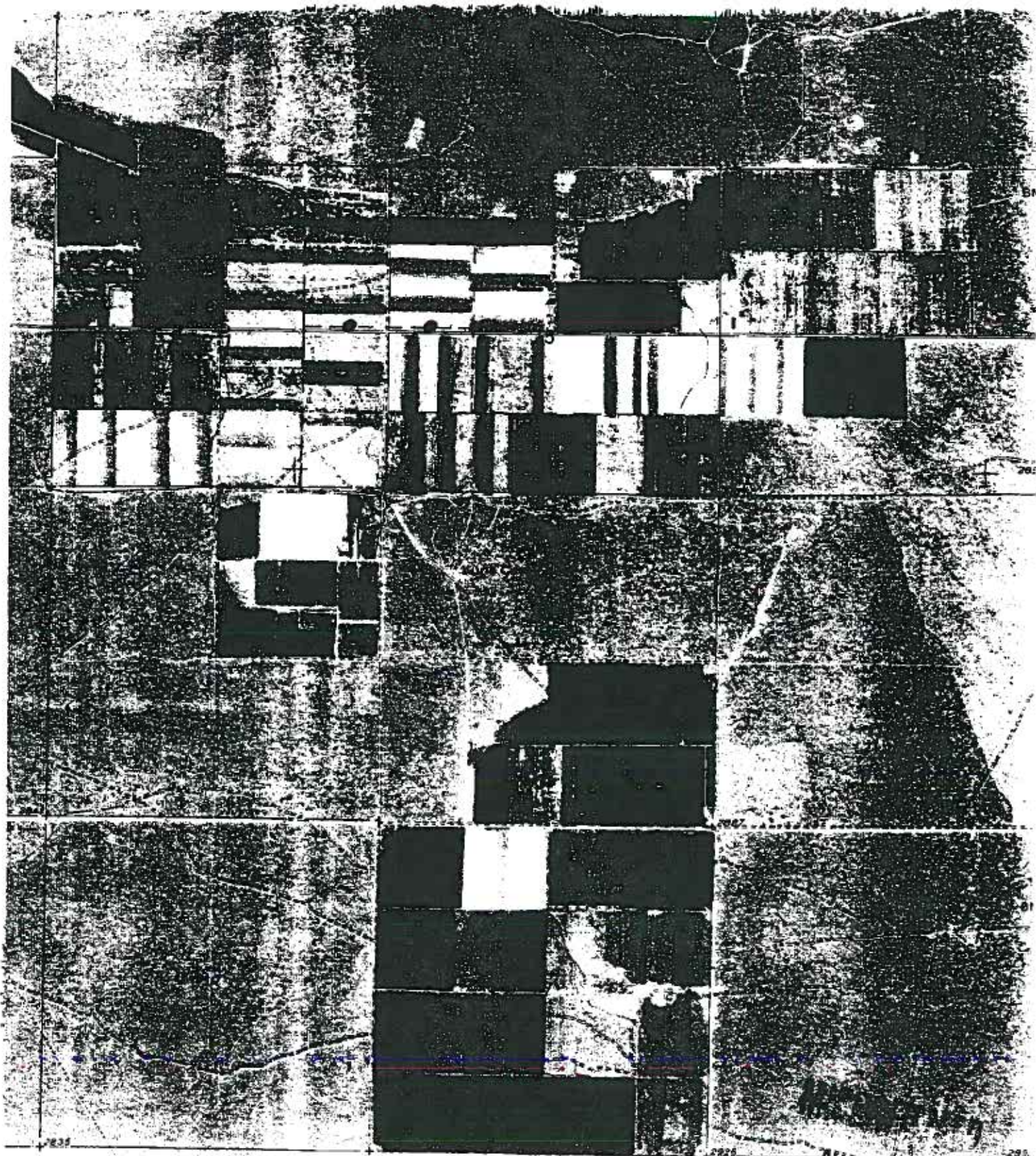
(Notary Public)

My commission expires _____

FOR DEPARTMENT USE ONLY

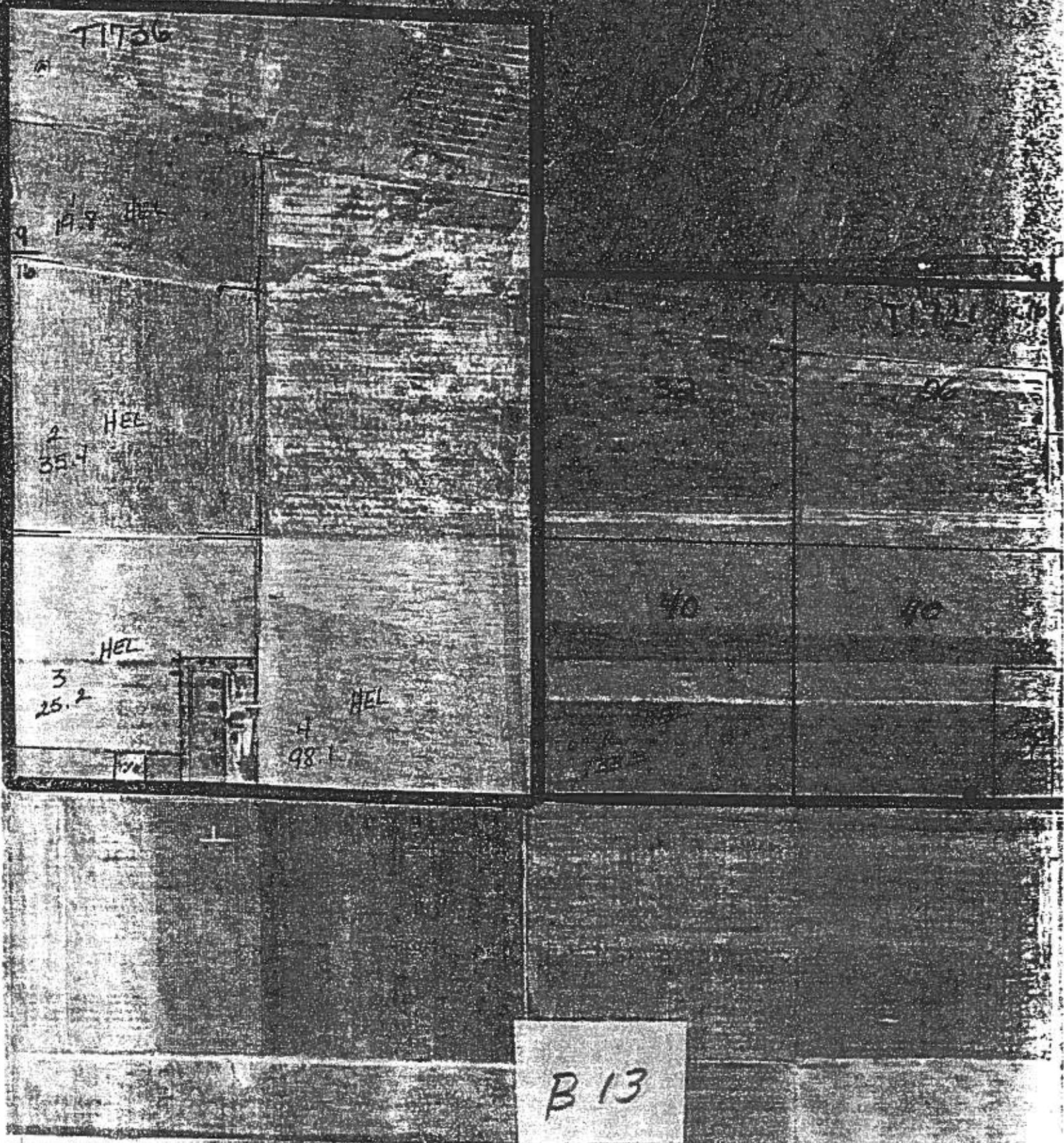
Transfer contains 9 pages and 3 attachments A1, B1, C1-C7
Received by KW-Amended Date 3/3/98 Protest filed by _____
Prelim. check by TTT Fee 100.00
Receipted by KG Date 12/11/97 W023304
Published in Idaho Statesman Copies of protest forwarded by _____
Pub. dates 3-19 & 26-98 Hearing held by _____ Date _____
Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial
_____ rec'd. _____ by _____
Copy of transfer sent to lien holder _____

MICROFILMED
JUN 04 1998



AUG 09 1950

UNCLASSIFIED



NOT TO SCALE

DeVries ATTACHMENT A1

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

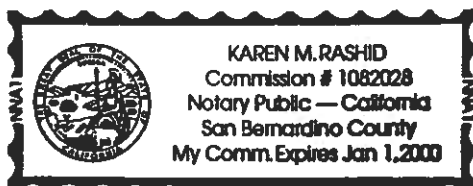
State of California

County of San Bernardino

On February 23, 1998 before me, Karen M. Rashid, Notary
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared A. De Vries
Name(s) of Signer(s)

☒ personally known to me – OR – ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Karen M. Rashid
Signature of Notary Public
Karen M. Rashid

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer
Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer
Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

FILE # or NAME ----- A. DEVRIES
 REVIEWER -----
 DATE ----- 24-Nov-97

IDAHO DEPARTMENT OF WATER RESOURCES

DAIRIES: WATER USE WORKSHEET

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE ----- 2500
 NUMBER OF NONMILKING CATTLE ----- 1000
 IF LAGOON IS AEROBIC, ENTER ITS SURFACE AREA IN ACRES;
 IF ANAEROBIC, ENTER ZERO ----- 3.0
 EVAPOTRANSPIRATION FACTOR FOR AREA (AC-FT/AC-YR) ----- 4
 ENTER 1 FOR MANUAL COW WASHING, 2 FOR AUTOMATIC, OR 3 IF
 SPRINKLERS ARE USED TO FLUSH HOLDING PEN AND WASH COWS - 3
 NUMBER OF MILKINGS PER DAY ----- 2

CALCULATIONS

DIVERSION RATE FOR STOCKWATER (CFS): ****

MILKING CATTLE @35 GPD/HD ----- 1.62
 MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * --- 1.62
 NONMILKING CATTLE @12 GPD/HD ----- 0.22
 NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * 0.22
 TOTAL (BASED UPON ROUNDED NUMBERS) ----- 1.85

DIVERSION VOLUME (AFA):

STOCKWATER

MILKING CATTLE @35 GPD/HD ----- 98.0
 MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * --- 99.0
 NONMILKING CATTLE @12 GPD/HD ----- 13.4
 NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * 14.0
 TOTAL (BASED UPON ROUNDED NUMBERS) ----- 113.0

COMMERCIAL

WASHING OF BULK TANK AND RELATED EQUIPMENT ----- 0.4
 PARLOR FLOOR AND MILKHOUSE FLOOR ----- 0.1
 CATTLE WASHING BASED UPON METHOD OF WASHING ----- 88.4
 TOTAL ----- 88.9

TOTAL DIVERSION VOLUME ----- 201.9

CONSUMPTIVE USE VOLUME (AFA):

STOCKWATER

MILKING ----- 14.5
 NONMILKING ----- 0.0
 TOTAL ----- 14.5

COMMERCIAL ----- 12.0

TOTAL CONSUMPTIVE USE ----- 26.5

THEORETICAL FLOW ESTIMATION

REQUIRED PUMP INFORMATION

	PUMP 1	PUMP 2	PUMP 3
PUMP HORSEPOWER (HP) -----	25.00	0.00	
LIFT (FT) -----	150	0	
DISCHARGE PRESSURE (PSI) -----	50	0	
FRICTION LOSSES (FT) -----	0.0	0.0	

CALCULATIONS

	PUMP 1	PUMP 2	PUMP 3
THEORETICAL FLOW RATE (CFS) ** -----	0.58	0.00	0.00
DIVERSION VOLUME (AFA) *** -----	419.9	0.0	0.0

* NUMBER OF CATTLE ROUNDED UP TO AGREE WITH EXISTING TABLES.

** PUMP EFFICIENCY WAS ASSUMED TO BE 70%.

*** DIVERSION VOLUME IS THE ABSOLUTE MAXIMUM VOLUME BASED ON THE THEORETICAL FLOW RATE ASSUMING PUMP RUNS CONTINUOUSLY EVERY DAY OF THE YEAR.

**** BASED ON 2 HOUR DIVERSION TO MEET VOLUME

$$\div 4.5 = 2500 \times 0.0136 = 34 \text{ cfs}$$

$$= 2000 \times 0.0136 = 27 \text{ cfs}$$

$$\div 4.5 = 450000 \times 0.0136 = 61 \text{ cfs}$$

Dev.: M Sterling
 Mod.: ADM & KKC
 Mod.: 8/5/94 DRJ

Stage: LICENSE

Audit: 11/10/87 05/01/88 CONVERT 06/01/88 CURTIS 06/29/95 STAYLOR
11/22/95 STAYLOR 08/02/95 CZIMMERM 04/29/96 CZIMMERM 04/30/96 CZIMMERM

WR5809NP

No. 63-07753

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/03/98

PAGE: 9

=====

Audit: 05/09/96 CZIMMERM 05/15/96 CZIMMERM 07/22/96 SKEEN

INFORMATION REQUIRED TO USE THE DAIRY LOTUS PROGRAM

NOV 20 1997

PERMIT NO _____

WATER RESOURCES
WESTERN REGION

EXAMINER _____

DATE _____

REQUIRED DAIRY DATA

Number of Milking Cattle ----- 2500

Number of Nonmilking Cattle ----- 600

Type of Lagoon 400 CALVES

if aerobic; determine surface area in acres
 ft by ft by ft deep -- 3 ACS

if anaerobic; enter zero -----

Evapotranspiration Factor for Area (AC-FT/AC-YR)

Method of Washing

if manual cow washing; ----- enter 1

if automatic washing; ----- enter 2

if sprinkler system to wash cows
 and flush holding pen ----- enter 3 = 3

Number of Milkings per Day ----- 2

Comments WASH PEN NOT USED DURING
COLD WEATHER

 INFORMATION REQUIRED FOR THEORETICAL FLOW ESTIMATION
 (IF NECESSARY)

	Pump 1	Pump 2	Pump 3
Pump Horsepower (HP)	<u>25</u>	_____	_____
Lift (FT)	<u>150 FT</u>	_____	_____
Discharge Pressure (PSI)	<u>50 LB</u>	_____	_____
Friction Losses (FT)	_____	_____	_____

Comments THIS WELL WOULD BE FOR DAIRY
ONLY.

DeVries, ATTACHMENT B1



ADA CO. ORDER
J. DAVID CATANEO
BOISE ID

PIONEER TITLE COMPANY
OF ADA COUNTY

821 West State Street / Boise, Idaho 83702-5836

'97 OCT 8 PM 4:38
Telephone (208) 336-6700

FEE 6.00
RECORDED AT THE REQUEST OF

Pioneer Title
PIONEER TITLE CO.

P-158546 KC/HEH

WARRANTY DEED
(INDIVIDUAL)

FOR VALUE RECEIVED

RODNEY KENT MONTIERTH AND DOLLIE L. MONTIERTH, HUSBAND AND WIFE

Grantor , does hereby grant, bargain, sell and convey unto
DE VRIES, HUSBAND AND WIFE

ABRAHAM DE VRIES AND HERMINA

the Grantee s , whose current address is: 15524 GROVE, CHINO, CA 91710
the following described real property in Ada County, State of Idaho, more particularly described as follows, to-wit:
SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF

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

Dated: October 07, 1997

RODNEY KENT MONTIERTH

DOLLIE L. MONTIERTH

STATE OF idaho , County of ada , ss.

On this 07 day of October , in the year of 1997 , before me the undersigned , a notary public, personally appeared RODNEY KENT MONTIERTH AND DOLLIE L. MONTIERTH , known or identified to me to be the person s whose name s are subscribed to the within instrument, and acknowledged to me that they executed the same.

KATHY COONTZ
★ NOTARY PUBLIC ★
STATE OF IDAHO

Notary Public:
Residing at: BOISE
My Commission Expires: AUG. 15, 2002

MY COMMISSION EXPIRES 8-15-02
RESIDING AT BOISE, IDAHO

DeVries
Attachment
CI

EXHIBIT A

THAT PORTION OF THE EAST HALF OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 1 WEST OF BOISE MERIDIAN IN ADA COUNTY, IDAHO, LYING NORTHERLY OF THE NORTHERLY LINE OF KUNA CAVE ROAD RIGHT OF WAY.

EXCEPT THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST 1/4 CORNER OF SECTION 16, TOWNSHIP 1 NORTH RANGE 1 WEST OF THE BOISE MERIDIAN AND RUNNING THENCE
NORTH 0 DEGREES 02' WEST 660.00 FEET; THENCE
SOUTH 89 DEGREES 58' WEST 330.00 FEET; THENCE
SOUTH 0 DEGREES 02' EAST 660.00 FEET; THENCE
NORTH 89 DEGREES 58' EAST 330.00 FEET TO THE POINT OF BEGINNING.

END OF LEGAL DESCRIPTION

DeVries Attachment C2

Owner's Policy

American Land Title Association Owner's Policy 10-17-92

RECEIVED

NOV 12 1997

WATER RESOURCES
WESTERN REGION



Policy Number **SV 2654802**

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS.

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, a Minnesota corporation, herein called the Company,

insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

IN WITNESS WHEREOF, the said Old Republic National Title Insurance Company has caused its corporate name and seal to be hereunto affixed by its duly authorized officers as of the date shown in Schedule A, the policy to be valid when countersigned by an authorized officer or agent of the Company.

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including, but not limited to, building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims, or other matters:
 - (a) created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or creating subsequent to Date of Policy; or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.
4. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
 - (a) the transaction creating the estate or interest insured by this policy being deemed a fraudulent conveyance or fraudulent transfer; or
 - (b) the transaction creating the estate or interest insured by this policy being deemed a preferential transfer except where the preferential transfer results from the failure:
 - (i) to timely record the instrument of transfer; or
 - (ii) of such recordation to impart notice to a purchaser for value or a judgment or lien creditor.

Issued through the Office of:

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

A Stock Company

400 Second Avenue South, Minneapolis, Minnesota 55401

(612) 371-1111

By

Authorized Signatory

DeVries Attachment C3 Attest

President

Secretary

Agent#	State	Cty.	Prop.	Iran	Reissue Amt.	Re.	Simultaneous	Issue
A11006	11	001	1	010	\$			

OWNERS

SCHEDULE A

<u>OFFICE FILE #</u>	<u>POLICY NUMBER</u>	<u>DATE OF POLICY</u>	<u>AMT OF INSURANCE</u>	<u>TOTAL PREMIUM</u>
P158546	SV 2654802	October 8, 1997 AT 4:38 PM	\$316,000.00	\$1,191.00

1. Name of Insured:

ABRAHAM DE VRIES AND HERMINA DE VRIES

2. The estate or interest in the land to as covered by the policy is:

FEE SIMPLE

3. Title to the estate or interest in land is vested in:

ABRAHAM DE VRIES AND HERMINA DE VRIES, HUSBAND AND WIFE

4. The land herein described is encumbered by the following mortgage or Trust Deed, and assignments:

NONE

5. The land referred to in this Policy is described as follows:

SEE SCHEDULE C

DeVries ATTACHMENT C4

OWNER
SCHEDULE B

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorney's fees or expenses) which arise by reason of the following:

General Exceptions:

- (1) Rights or claims of parties in possession not shown by the public records.
- (2) Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.
- (3) Easements, or claims or easements, not shown by the public records.
- (4) Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
- (5) (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims to title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
- (6) Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices to such proceedings, whether or not shown by the records of such agency or by the public records.

Special Exceptions: The mortgage, if any, referred to in Item 4 of Schedule A.

1. GENERAL TAXES FOR THE YEAR 1997, WHICH ARE LIENS, ARE NOT YET DUE AND PAYABLE.
2. RIGHTS AND CLAIMS IN AND TO ANY DITCH CANAL AND/OR LATERAL RIGHT OF WAYS.
3. EXCEPTIONS AND RESERVATIONS CONTAINED IN DEED FROM THE STATE OF IDAHO WHEREBY SAID GRANTOR EXCEPTS ALL MINERAL RIGHTS AS DEFINED BY SECTION 47-701 OF IDAHO CODE. TOGETHER WITH RIGHTS AND CLAIMS OF PARTIES CLAIMING BY THROUGH OR UNDER THEM.
RECORDED: MARCH 2, 1983
INSTRUMENT NO./BOOK AND PAGE: 8309960

CONTINUED

DeVries
Attachment C5

SCHEDULE C

THAT PORTION OF THE EAST HALF OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 1 WEST OF BOISE MERIDIAN IN ADA COUNTY, IDAHO, LYING NORTHERLY OF THE NORTHERLY LINE OF KUNA CAVE ROAD RIGHT OF WAY.

EXCEPT THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST 1/4 CORNER OF SECTION 16, TOWNSHIP 1 NORTH RANGE 1 WEST OF THE BOISE MERIDIAN AND RUNNING THENCE
NORTH 0 DEGREES 02' WEST 660.00 FEET; THENCE
SOUTH 89 DEGREES 58' WEST 330.00 FEET; THENCE
SOUTH 0 DEGREES 02' EAST 660.00 FEET; THENCE
NORTH 89 DEGREES 58' EAST 330.00 FEET TO THE POINT OF BEGINNING.

END OF LEGAL DESCRIPTION

De Vries
Attachment C 7

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: A63-07753B
Date Received: 1/14/1992
Receipt No: X777777
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: ABRAHAM DEVRIES
Address: 15524 GROVE
CHINO CA 91710 909-597-1183

AND/OR

Name: HERMINA DEVRIES
Address: 15524 GROVE
CHINO CA 91710 909-597-1183

2. Date of Priority: APR 15, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	01W	16	SE	NE			ADA

5. Description of diverting works:
WELLS, PUMPS & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.880		621.00

7. Total Quantity Appropriated is:
1.880 C.F.S. (and/or) 621.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	01W	16	NE	NE		IRR	26.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	01W	16	NW	NE		IRR	32.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
Section Acres							138.0
Total Acres							138.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

REINSTATED 5/4/1978.

P/D AND P/U MAP WILL BE PREPARED FROM LICENSE FIELD EXAM.

CLAIM AMENDED PER LICENSE ISSUED 7/24/1996.

THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF A63-07753, FEE PAID UNDER C036145.

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 _____

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

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

1. Water Right Number(s) 03-07753
Adjudication Claim Number(s) A63-07753
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) Mony Pension INS. Corp (Mowtierth)
(Mony Ag Investments)
4. New Owner/Claimant(s) Abraham & Hermine DeVries
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 15524 Grove
City, State and ZIP Code Chino, CA 91710
New Telephone Number (909) 597-1183
5. Date you acquired the property 10-7-97
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ 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) A. DeVries Date 10-14-97

Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

A63-07753B

T1736

1
19.8 HEL

2
35.4 HEL

3
25.2 HEL

4
98.1 HEL

T1721

32

36

40

40

B 13

Not To scale

Split Tree A63-07753

A63-07753 N/O Many Pension Insurance Corp.

QR: 4.00 cfs DV: 1323 cfs

POD: 01N, 01W, S15, SWNW

S16, SENE, NWSE

POU: 1N, 1W, S16, NENE-26 NWNE-32

SWNE-40 SENE-40

NESE-39 NWSE-40

SWSE, L6-39 SESE L7, 38

294

-07753A N/O Many Pension

QR: 2.12 cfs DV: 702 cfs

POD: 01N, 01W, S15, SWNW

S16, NWSE

POU: 01N, 01W, S16, NESE-39 NWSE-40

SWSE L6-39 SESE L7-38

156

-07753B N/O Abraham & Hermine DeVries

QR: 1.88 cfs DV: 621 cfs

POD: 1N, 1W, S16, SENE

POU: 1N, 1W, S16, NENE-26 NWNE-32

SWNE-40 SENE-40

138



A Pioneer Company

PIONEER TITLE COMPANY
OF ADA COUNTY

821 West State Street / Boise, Idaho 83702-5836

IDA CO. RECORDER
J. DAVID MAYNARD
BOISE ID

97 OCT 8 PM 4 38
Telephone (208) 336-6700

REC'D BY Miller
RECORDED AT THE REQUEST OF

Pioneer Title

P-158546 KC/HEH

WARRANTY DEED
(INDIVIDUAL)

FOR VALUE RECEIVED
WIFE

RODNEY KENT MONTIERTH AND DOLLIE L. MONTIERTH, HUSBAND AND

Grantor , does hereby grant, bargain, sell and convey unto
DE VRIES, HUSBAND AND WIFE

ABRAHAM DE VRIES AND HERMINA

the Grantee s , whose current address is: 15524 GROVE, CHINO, CA 91710

the following described real property in Ada

County, State of Idaho, more particularly described as

follows, to-wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF

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

Dated: October 07, 1997

[Signature]
RODNEY KENT MONTIERTH

[Signature]
DOLLIE L. MONTIERTH

STATE OF Idaho , County of Ada , ss.

On this 07 day of October , in the year of 1997 , before me the undersigned

sonally appeared RODNEY KENT MONTIERTH AND DOLLIE L. MONTIERTH , a notary public, personally known or identified to me to be the person s whose name s are subscribed to the within instrument, and acknowledged to me that they executed the same.

KATHY COONTZ
★ NOTARY PUBLIC ★
STATE OF IDAHO

Notary Public: *[Signature]*
Residing at: BOISE
My Commission Expires: AUG. 15, 2002

MY COMMISSION EXPIRES 8-15-02
RESIDING AT BOISE, IDAHO

EXHIBIT A

THAT PORTION OF THE EAST HALF OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 1 WEST OF BOISE MERIDIAN IN ADA COUNTY, IDAHO, LYING NORTHERLY OF THE NORTHERLY LINE OF KUNA CAVE ROAD RIGHT OF WAY.

EXCEPT THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST 1/4 CORNER OF SECTION 16, TOWNSHIP 1 NORTH RANGE 1 WEST OF THE BOISE MERIDIAN AND RUNNING THENCE
NORTH 0 DEGREES 02' WEST 660.00 FEET; THENCE
SOUTH 89 DEGREES 58' WEST 330.00 FEET; THENCE
SOUTH 0 DEGREES 02' EAST 660.00 FEET; THENCE
NORTH 89 DEGREES 58' EAST 330.00 FEET TO THE POINT OF BEGINNING.

END OF LEGAL DESCRIPTION

Owner's Policy

American Land Title Association Owner's Policy 10-17-92



Policy Number **SV 2654802**

RECEIVED

NOV 12 1997

**WATER RESOURCES
WESTERN REGION**

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS,

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, a Minnesota corporation, herein called the Company,

insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

IN WITNESS WHEREOF, the said Old Republic National Title Insurance Company has caused its corporate name and seal to be hereunto affixed by its duly authorized officers as of the date shown in Schedule A, the policy to be valid when countersigned by an authorized officer or agent of the Company.

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including, but not limited to, building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims, or other matters:
 - (a) created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or creating subsequent to Date of Policy; or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.
4. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
 - (a) the transaction creating the estate or interest insured by this policy being deemed a fraudulent conveyance or fraudulent transfer; or
 - (b) the transaction creating the estate or interest insured by this policy being deemed a preferential transfer except where the preferential transfer results from the failure:
 - (i) to timely record the instrument of transfer; or
 - (ii) of such recordation to impart notice to a purchaser for value or a judgment or lien creditor.

Issued through the Office of:

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

A Stock Company

400 Second Avenue South, Minneapolis, Minnesota 55401

(612) 371-1111

By

President

Attest

Secretary


Authorized Signatory

Agent#	State	Cty.	Prop.	Iran	Reissue Amt.	Re. . . an	Simultaneous	Issue
A11006	11	001	1	010	\$			

OWNERS

SCHEDULE A

<u>OFFICE FILE #</u>	<u>POLICY NUMBER</u>	<u>DATE OF POLICY</u>	<u>AMT OF INSURANCE</u>	<u>TOTAL PREMIUM</u>
P158546	SV 2654802	October 8, 1997 AT 4:38 PM	\$316,000.00	\$1,191.00

1. Name of Insured:

ABRAHAM DE VRIES AND HERMINA DE VRIES

2. The estate or interest in the land to as covered by the policy is:

FEE SIMPLE

3. Title to the estate or interest in land is vested in:

ABRAHAM DE VRIES AND HERMINA DE VRIES, HUSBAND AND WIFE

4. The land herein described is encumbered by the following mortgage or Trust Deed, and assignments:

NONE

5. The land referred to in this Policy is described as follows:

SEE SCHEDULE C

**OWNER
SCHEDULE B**

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorney's fees or expenses) which arise by reason of the following:

General Exceptions:

- (1) Rights or claims of parties in possession not shown by the public records.
- (2) Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.
- (3) Easements, or claims or easements, not shown by the public records.
- (4) Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
- (5) (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims to title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
- (6) Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices to such proceedings, whether or not shown by the records of such agency or by the public records.

Special Exceptions: The mortgage, if any, referred to in Item 4 of Schedule A.

1. GENERAL TAXES FOR THE YEAR 1997, WHICH ARE LIENS, ARE NOT YET DUE AND PAYABLE.
2. RIGHTS AND CLAIMS IN AND TO ANY DITCH CANAL AND/OR LATERAL RIGHT OF WAYS.
3. EXCEPTIONS AND RESERVATIONS CONTAINED IN DEED FROM THE STATE OF IDAHO WHEREBY SAID GRANTOR EXCEPTS ALL MINERAL RIGHTS AS DEFINED BY SECTION 47-701 OF IDAHO CODE. TOGETHER WITH RIGHTS AND CLAIMS OF PARTIES CLAIMING BY THROUGH OR UNDER THEM.
RECORDED: MARCH 2, 1983
INSTRUMENT NO./BOOK AND PAGE: 8309960

CONTINUED

4. RIGHTS OF WAY FOR DITCHES, TUNNELS AND TELEPHONE AND TRANSMISSION LINES CONSTRUCTED BY AUTHORITY OF THE UNITED STATES, AS GRANTED TO THE UNITED STATES UNDER THE PROVISIONS OF SECTION 58-604 IDAHO CODE 1947.

END OF EXCEPTIONS

NOTE:

THERE IS NO NOTICE OF RECORD AND THEREFORE NO SEARCH HAS BEEN MADE FOR ANY UNPAID ASSESSMENTS, CHARGES OR FEES FOR SEWER, WATER, GARBAGE, IRRIGATION AND OTHER POSSIBLE UTILITY SERVICES.

SCHEDULE C

THAT PORTION OF THE EAST HALF OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 1 WEST OF BOISE MERIDIAN IN ADA COUNTY, IDAHO, LYING NORTHERLY OF THE NORTHERLY LINE OF KUNA CAVE ROAD RIGHT OF WAY.

EXCEPT THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST 1/4 CORNER OF SECTION 16, TOWNSHIP 1 NORTH RANGE 1 WEST OF THE BOISE MERIDIAN AND RUNNING THENCE

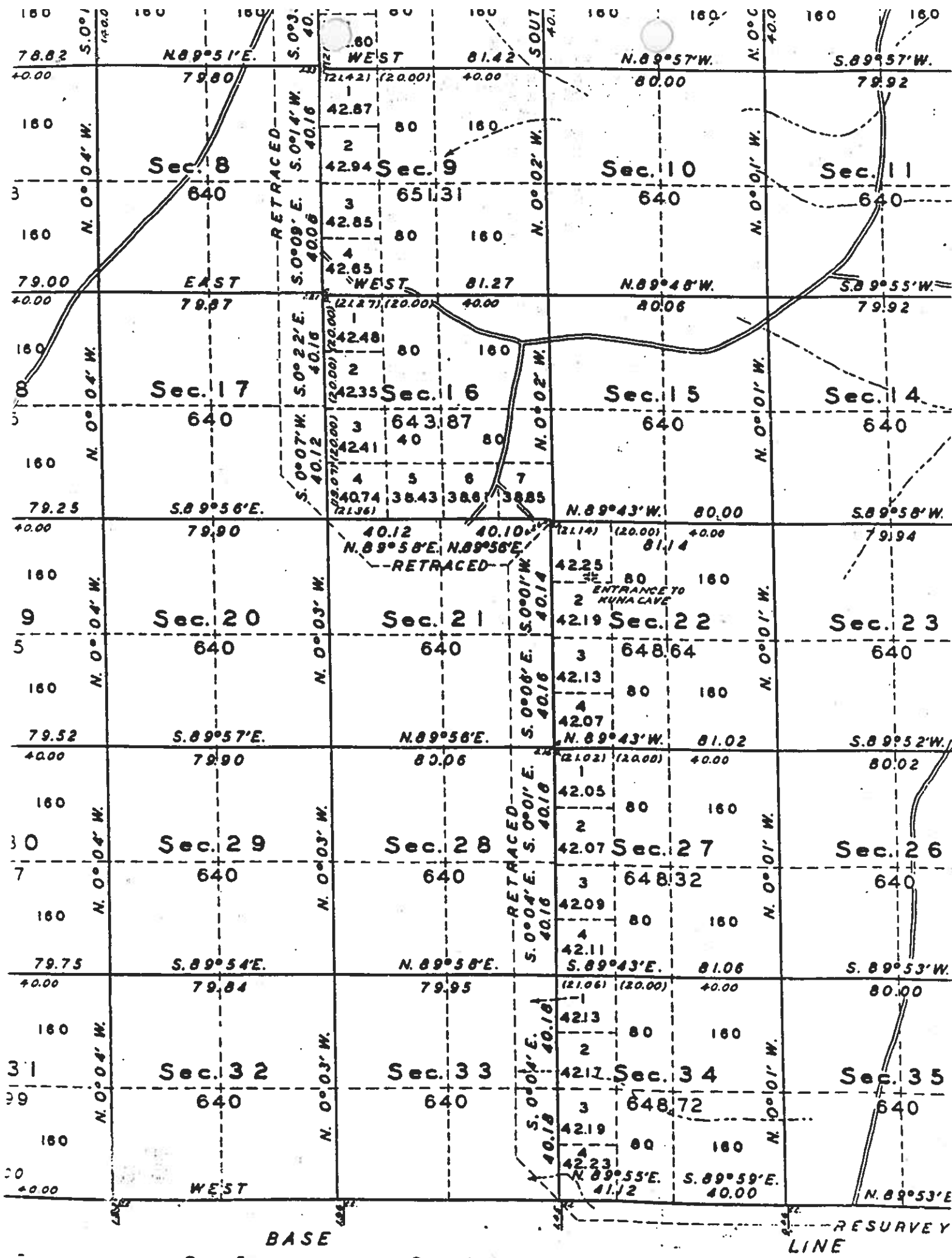
NORTH 0 DEGREES 02' WEST 660.00 FEET; THENCE

SOUTH 89 DEGREES 58' WEST 330.00 FEET; THENCE

SOUTH 0 DEGREES 02' EAST 660.00 FEET; THENCE

NORTH 89 DEGREES 58' EAST 330.00 FEET TO THE POINT OF BEGINNING.

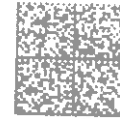
END OF LEGAL DESCRIPTION



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAGE
02 15 \$01.1
0004389393 FEB 02 21
MAILED FROM ZIP CODE 83

RECEIVED
FEB 08 2007
WATER RESOURCES
WESTERN REGION

63-7753B



HERMINA DEVRIES

ABRAHAM DEVRIES
15524 GROVE
SPRING CA 91710

NO SUCH
NUMBER

ASG
53

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES
02 14
0004310839 OCT 06
\$ 00
MAILED FROM ZIP CODE

NO SUCH
NUMBER

HERMINA DEVRIES

ADMINISTRATIVE
PERSONNEL
CERRECA, IDAHO

RECEIVED

OCT 16 2006

WATER RESOURCES
WESTERN REGION

63-77538

09/12/2006

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

RIGHT NUMBER: 63-7753B

NAME AND ADDRESS: HERMINA DEVRIES
15524 GROVE
CHINO CA 91710

ABRAHAM DEVRIES
15524 GROVE
CHINO CA 91710

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.880 CFS
561.900 AFY

PRIORITY DATE: 04/15/1973

POINT OF DIVERSION:

T01N R01W S16 SENE Within ADA County

Two points of diversion are located within SENE, S16, T01N, R01W.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.610 CFS 113.00 AFY
COMMERCIAL	1/01 12/31	0.610 CFS 88.90 AFY
IRRIGATION	3/15 11/15	1.270 CFS 360.00 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 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 ADA County

T01N R01W S16	NENE	40.00	T01N R01W S16	NWNE	40.00
T01N R01W S16	SWNE	40.00	T01N R01W S16	SENE	35.00

STOCKWATER Within ADA County

T01N R01W S16 SENE

COMMERCIAL Within ADA County

T01N R01W S16 SENE

155 ACRES TOTAL

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

09/12/2006

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

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.

The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.

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.

Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.

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.

Stockwater and Commercial uses are for a dairy and when combined shall not exceed a diversion rate of .61 cfs.

The total instantaneous diversion of water from all points of diversion under Transfer 5232 shall not exceed 1.88 cfs, nor a total combined annual volume of 561.9 af.

The remainder of Right 63-07753 is identified as 63-07753A and is limited to a diversion rate of 2.12 cfs, an annual diversion volume of 702.0 af, and irrigation of 156.0 acres each year.

Right 63-07753B is limited to the irrigation of 80.0 acres in the place of use described above in a single irrigation season.

The water used for stockwater and commercial uses under this right is applied to and irrigates land listed in the place of use to satisfy water quality requirements.

Water from the dairy shall not irrigate growing plants unless the water is first used for stockwater and commercial uses as authorized by this right.

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.



Idaho Department of Water Resources

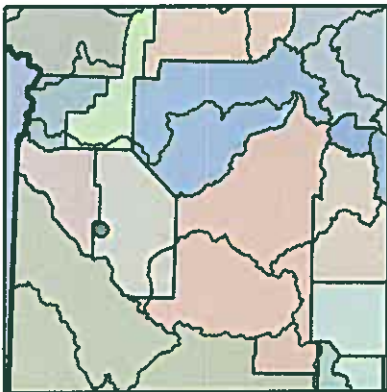
SRBA Recommendation:

63-7753B

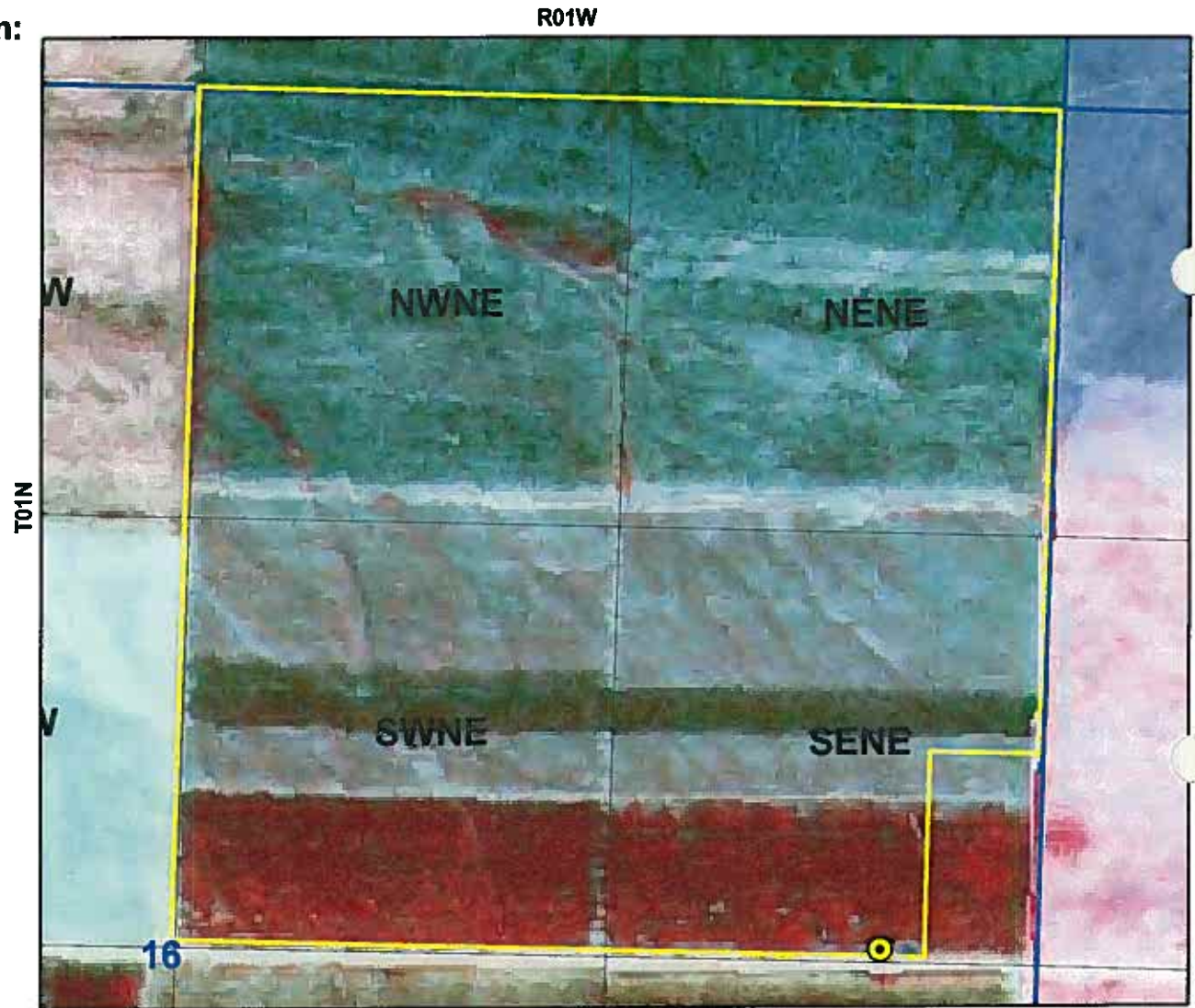
(Irrigation)

Legend

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



Ada County
IDWR Basin 63



0

0.2

0.4 Miles

Prepared by S. Egbert
On Tuesday, September 12, 2006
1987/88 Aerial Photography

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-07753

Priority: April 15, 1973

Maximum Diversion Rate:

4.00 CFS

Maximum Diversion Volume:

1323.0 AF

This is to certify, that MONY PENSION INSURANCE CORP

C/O DAVID L BROWN

1 MID RIVERS DR STE 120

ST PETERS MO 63376

has complied with the terms and conditions

of the permit, issued pursuant to Application for Permit dated March 20, 1973; and has submitted Proof of Beneficial Use on April 27, 1978. An examination indicates that the works have a diversion capacity of 12.410 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	4.00 CFS	1323.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 15, Township 01N, Range 01W
SENE , Sec. 16, Township 01N, Range 01W
NWSE , Sec. 16, Township 01N, Range 01W
ADA County

PLACE OF USE: IRRIGATION

TWN RGE SEC

01N 01W 16

ACRES

NENE 28

SENE 40

Lot 6 (SWSE) 39

ACRES

NWNE 32

NESE 39

Lot 7 (SESE) 38

ACRES

SWNE 40

NWSE 40

TOTAL

294

Total number of acres irrigated: 294

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

AUG 1978

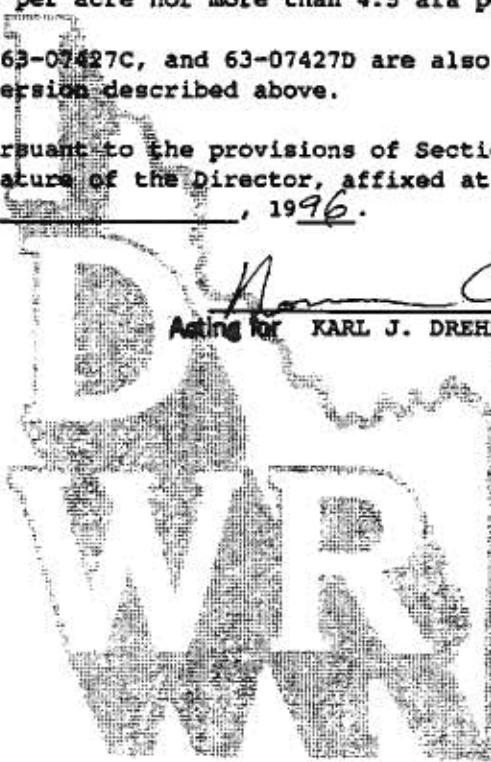
State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 63-07753

CONDITIONS OF APPROVAL AND REMARKS

5. 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.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
7. Rights 63-03311, 63-07427C, and 63-07427D are also diverted at the points of diversion described above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 24th day of July, 1996.




Acting for KARL J. DREHER, Director

AJ5809NP
No. A63-07753B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/13/00
PAGE: 140

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ABRAHAM DEVRIES	04/15/1973	IRRIGATION	03-15 11-15	1.270 CFS	360.00 AFA
C	HERMINA DEVRIES		STOCKWATER	01-01 12-31	0.610 CFS	113.00 AFA
	15524 GROVE		COMMERCIAL	01-01 12-31	0.610 CFS	88.90 AFA
	CHINO CA 91710					
	(909) 597-1183					
TOTAL DIVERSION:					1.880 CFS	561.90 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T01N R01W S16

SENE

ADA County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
01N	01W	16	:	40		40		40		35										155.0	
																				TOTAL ACRES	155.0

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
01N	01W	16	:					S												

Place of use Legal Description for: COMMERCIAL

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
01N	01W	16	:					C												

POU County: ADA

Non-Irrigation Uses: COMMERCIAL DAIRY, 2500 MILKING & 1000 NON-MILKING COWS

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A63-07427E

Other Water Rights Listing Overlapping Place(s) of Use:
A63-07753

Conditions of Approval:

- 001 - A measuring device of a type approved by the Department shall
- be permanently installed and maintained as part of the diverting
- works.

Remarks: GEN REINSTATED 5/4/1978.

AJ5809NP
No. A63-07753B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/13/00
PAGE: 141

Remarks: P/D AND P/U MAP WILL BE PREPARED FROM LICENSE FIELD EXAM.
CLAIM AMENDED PER LICENSE ISSUED 7/24/1996.
THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF
A63-07753, FEE PAID UNDER C036145.
THIS CLAIM AMENDED PER TRANSFER 5232 APPROVED 5/28/1998. SEE
ADDITIONAL CONDITIONS APPROVAL IN TRANSFER 5232. MTS 2/5/1999.
TWO POINTS OF DIVERSION ARE LOCATED IN SENE, S16, T01N, R01W.
THE TOTAL DIVERSION UNDER THIS RIGHT SHALL NOT EXCEED 1.88 CFS
NOR A COMBINED TOTAL ANNUAL VOLUME OF 561.9 AF.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80 ACRES IN THE PLACE
OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
STOCKWATER AND COMMERCIAL USES ARE FOR A DAIRY.

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	Presumption Flag:
Audit:	11/14/97 MSCHULTE	02/05/99 MSCHULTE	

PAGE: 1

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

R65 - 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.

081 - Use of water under this approval shall comply with applicable
- water quality standards of the Division of Environmental Quality
- of the Idaho Department of Health and Welfare.

082 - The dairy operation authorized under this approval shall comply
- with applicable county zoning and use ordinances.

T07 - The right holder shall accomplish the change authorized by this
- transfer within one (1) year of the date of this approval.

T08 - Failure of the right holder to comply with the conditions of this
- transfer is cause for the Director to rescind approval of the
- transfer.

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

Conditions of Approval:

- Snake River Basin Adjudication.
- T17 - 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.

Remarks: GEN The total instantaneous diversion of water from all points of diversion under Transfer 5232 shall not exceed 1.88 cfs, nor a total combined annual volume of 561.9 af. The remainder of Right 63-07753 is identified as 63-07753A and is limited to a diversion rate of 2.12 cfs, an annual diversion volume of 702.0 af, and irrigation of 156.0 acres each year. Right 63-07753B is limited to the irrigation of 80.0 acres in the place of use described above in a single irrigation season. Stockwater and commercial uses are for a dairy. Stockwater and commercial uses when combined shall not exceed a diversion rate of 0.61 cfs. The water used for stockwater and commercial uses under this right is applied to and irrigates land listed in the place of use to satisfy water quality requirements. Water from the dairy shall not irrigate growing plants unless the water is first used for stockwater and commercial uses as authorized by this right. Two points of diversion are located within SENE, S16, T01N, R01W. 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.

Dates: App. Received: 03/20/1973 Priority Date: 04/15/1973 (Priority Date Advanced.)
Proof Due Date: 04/01/1978 Proof Made Date: 04/27/1978 (Proof Received Late.)
Exam Made Date: 12/28/1994 Exam Sent to S.O.: 05/08/1995
Licensed Date: 07/24/1996

Misc: Water District Number: Field Exam Fee: R (Received)

Comments: Date: 03/11/1998 User-ID: STAYLOR Subject: TRANSFER NO. 5232
Transfer is filed to add/change diversion points, change place,
nature & season of use under a portion of Right 63-07753,
splitting the right into Parts A & B.

Audit: 03/11/98 STAYLOR 05/19/98 PSKAGGS 05/22/98 PSKAGGS

RECEIVED

SEP - 5 2002

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

63-7753B

PRESORTED
FIRST CLASS



ABRAHAM DEVRIES
HERMINA DEVRIES
15524 GROVE
CHINO CA 91710

RECEIVED

JUN 12 2002

WATER RESOURCES
WESTERN REGION

1019 Gridley Dr.
Hagerman 83332

IRD
DER

NOT DELIVERABLE
AS ADDRESSED
UNABLE TO FORW
RETURN TO SEN

NOT DELIVERABLE
AS ADDRESSED
FORWARD
SEND

Sent again 6/14/02 83720-0098-715



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

December 30, 1997

A DE VRIES
15524 GROVE
CHINO CA 91710

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Dear Mr. De Vries:

The Application for Transfer you submitted to this office is being returned to you with this letter. The form is incomplete, as described below, and did not include your notarized signature.

Also enclosed are Instructions for filing an application for transfer as well as an IDWR Information Sheet. These documents are intended to assist you in completing the application form.

Please note that Part 1 of the application is a description of the water right after your proposed change is completed. In your case, the proposed water right will look somewhat like the your claim as shown by the Snake River Basin Adjudication (SRBA), labeled A63-07753B. However the irrigated acres will be reduced to compensate for the addition of the dairy use.

Based on the information that you provided with your application, the dairy use will require 201.9 acre-feet of water per year at a diversion rate of .61 cfs. This amount of water is equivalent to irrigation water for 45 acres at the licensed rate of diversion. You must identify the location of the remaining irrigated acres in Part 1.B.5, along with the location of the dairy.

Enclosed are "Profile Reports" which can be used as a substitute for completion of Part 2.A. Part 2.B is similar to Part 1, and Part 2.C. requires information on the portion of the water right which will not be changed (usually the portion owned by another party).

Part 3.A. requires a map which shows the use of water after the proposed change. A copy of a USGS topographical map is enclosed for your use to complete Part 3.A. Part 3.B. asks for additional information. Finally, the application must be completed with your notarized signature.

If you have any questions or need additional information please do not hesitate to contact me. If no response to this letter is received within 30 days of the date of this letter, it will be assumed that you do not wish to proceed with the changes to the water right and your application fee will be refunded to you.

Sincerely,


Maria Minicucci
Senior Water Agent

CC: A63-07753B



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

November 14, 1997

PHILIP E. BATT
GOVERNOR

Mr & Mrs Abe DeVries
15524 Grove
Chino CA 91710

KARL J. DREHER
DIRECTOR

Re: A63-07753B

Dear Mr & Mrs DeVries:

Enclose for your records is a copy of claim A63-07753B. It reflects your portion of claim A63-07753 that was split by the Notice of Change of Ownership you filed on 10/14/1997. Also enclosed is a copy of the Split Tree I prepared as part of the splitting procedures.

If you will complete the enclosed dairy information sheet and return it to my attention we will prepare an estimate of the annual volume needed for the transfer you intend to file for your new dairy use.

Call me at 208-334-2190 if you have any questions.

Sincerely,

Mel Schulte
ADJUDICATION BUREAU
Department of Water Resources
Western Region Office
(208) 334-2190

Enc.

N DIVIDE
OF ROAD U

EXHIBIT A

The East half of Section 16, Township 1 North, Range 1 West, Boise Meridian, Ada County, Idaho. (ENTIRE 320 - ONLY 1/2 SOLD)

LESS AND EXCEPTING THEREFROM THE FOLLOWING:

A parcel of land lying the Southeast Quarter of the Northeast Quarter of Section 16, Township 1 North, Range 1 West of the Boise Meridian, Ada County, Idaho, more particularly described as follows:

Beginning at the East 1/4 corner of Section 16, Township 1 North, Range 1 West of the Boise Meridian, and running thence
North 0°02' West 660.00 feet; thence
South 89°58' West 330.00 feet; thence
South 0°02' East 660.00 feet; thence
North 89°58' East 330.00 feet to the point of beginning.

ALSO EXCEPT ANY PORTION OF SAID LAND LYING WITHIN RIGHT OF WAY FOR KUNA CAVE ROAD

WATER RIGHT LIST
Rod Montlerth
Exhibit B

Water Rights

State of Idaho Permit # 63-7753
State of Idaho Permit # 63-7927

3208 KUNA CAVE RD

1208 327-7900