

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: A63-08455
Date Received: 2/06/1990
Receipt No: W011131
Received By: _____

RECEIVED

MAR 14 1990

*Rec'd from SO
1-25-93*

Department of Water Resources
Western Regional Office

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

1. Name: WESTERN FARMS 208-454-9906
Address: 1102 WEST LINDEN
CALDWELL, ID 83605

2. Date of Priority: FEB 16, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
WELL, PUMP & DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.400		

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

8. Total consumptive use is 245.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02N	03W	4	NW	NW		IRR	35.0
			SW	NW		IRR	35.0
Section Acres							70.0

A63-08455

Page 1

Date: 02/06/90

MICROFILMED

JUL 25 1994

10. Place of Use: Continued

Total Acres 70.0

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:
NAMPA-MERIDIAN IRR. DIST.

14. Remarks:

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 Organizations:

I do solemnly swear or affirm that I am Partner Joe West of

Organization, that I have signed the foregoing
document in the space below as Partner of

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

Signature of Authorized Agent

Partner Western Farms
Title and Organization

1-13-93
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 13th day
of January 19 93

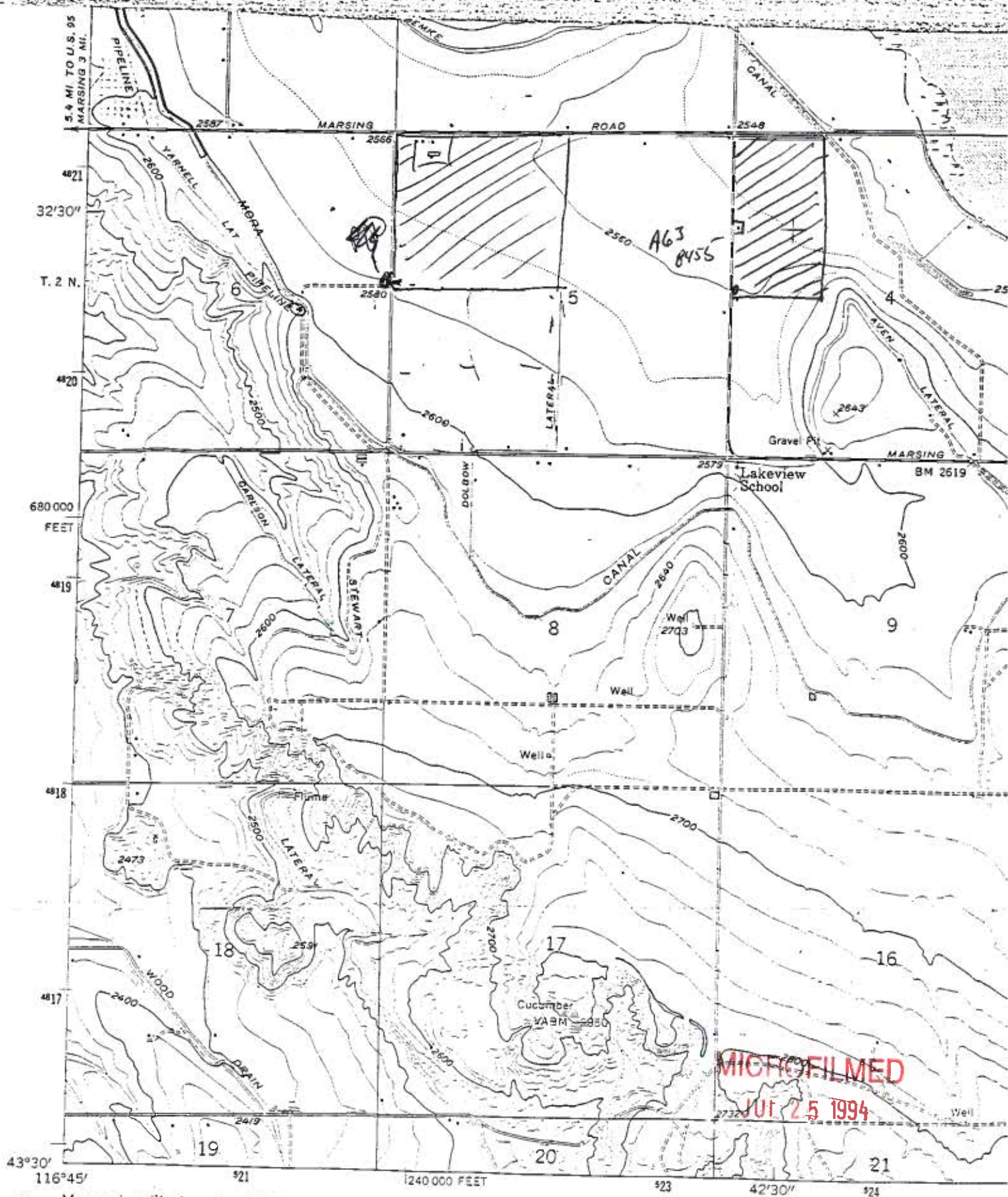
Seal

Sally Frazee
Notary Public

Residing at SALLY FRAZEE, Notary Public
Residing at Boise, Idaho

My Commission Expires 11-14-1998

POOR ORIGINAL



CLAIMANT'S NAME Western Farms CLAIM IDENT. NO. A63-08455DATE RECEIVED 3/14/90 RECEIPT W011131 FEE PAID \$ 50.00 FEE REQ'D \$ 120.00

	YES	NO	Required Info:
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates? *			
See Adjudication Memos #1 and #4 to determine if a Permit is required. *			
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required) N/A	☒	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form?	☒	☐	*
The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.			
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered? N/A	☒	☐	
Is the consumptive use correct? N/A	☒	☐	
9. Are the non-irrigation uses listed showing # of homes, hd. of stock?	☒	☐	*
If multiple domestic, is single ownership indicated?	☒	☐	
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A	☒	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed? N/A	☒	☐	
If yes, compare claim w/existing right and attach proof report noting any differences in comments.	☒	☐	
If no, was water right no. found?	☒	☐	*
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim? N/A	☒	☐	
(If yes, attach a proof report & complete number change)	☒	☐	
NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.			
18. If the claimant requested a monthly docket sheet, was the fee paid? N/A	☒	☐	
19. Is the claim signed by the claimant, and is the signature appropriate?	☒	☐	*
20. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
21. Was this claim filed on time?	☒	☐	*
(Check ML3 for date mailed-not all were mailed on the planned date)	☒	☐	
If no, was an extension of time filed & approved?	☒	☐	*
22. Is the fee enclosed correct? Exempt	☒	☐	*

MICROFILMED

JUL 25 1994

23. Is this claim being rejected and returned to claimant? ☒
24. Can this claim be data entered? ☐
25. Was claim modified? ☐
- If yes, do modifications require notification to claimant? ☐
- Note: Modifications made must be explained in comments stating where the information for any changes was found.

Claim reviewed by: RMF Date 1-4-93

Claim data entered by: Date

IF REQUIRED INFORMATION IS INCOMPLETE SEE INSTRUCTIONS TO DECIDE WHETHER THE CLAIM NEEDS TO BE RETURNED OR IF IT CAN BE MODIFIED. IF IT MUST BE RETURNED INSTRUCTIONS WILL SPECIFY WHICH FORM LETTER TO USE.

Comments: computer-generated claim; not
signed, need additional \$70.00

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

RIGHT NUMBER: 63-8455

NAME AND ADDRESS: JOSEPH R WEITZ
16909 MARSING RD
CALDWELL ID 83607

~~WESTERN FARMS~~
~~1102 W LINDEN~~
~~CALDWELL ID 83605~~

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.400 CFS
315.000 AFY

PRIORITY DATE: 02/16/1977

POINT OF DIVERSION:

T02N R03W S4 SWNW 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	1.400 CFS 315.00 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 in CANYON County

T02N R03W S04	NWNW	35.00	T02N R03W S04	SWNW	35.00
---------------	------	-------	---------------	------	-------

70 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Use of this right is combined with water from Nampa Meridian Irrigation District.

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

In Re SRBA

Case No. 39576

Water Rights: 63-8455, 63-9939

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

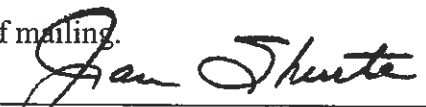
IDWR has completed the following administrative proceeding:

- ☐ Address change
- XX Substitution of Party
- ☐ IC § 42-222 transfer
- ☐ Point of diversion ☐ Place of use
- ☐ Period of use ☐ Nature of use
- ☐ Split of water right ☐ Change in ownership
- ☐ Other
- ☐ IC § 42-219 license

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

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

DATED: June 29, 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on June 29, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court	☐ overnight mail
Snake River Basin Adjudication	☒ regular mail
P.O. Box 2707	☐ hand-delivered
Twin Falls, ID 83303-2707	☐ facsimile

2. Copies to:

Clive Strong	☐ overnight mail
Off ice of the Attorney General	☒ regular mail
P.O. Box 44449	☐ hand-delivered
Boise, ID 83711-4449	☐ facsimile

United States Dept of Justice	☐ overnight mail
Environment & Natural Resource Div	☒ regular mail
550 West Fort Street MSC 033	☐ hand-delivered
Boise ID 83724	☐ facsimile

3. Copies to all parties to the subcase:

Joseph R. Weitz	☐ overnight mail
16909 Marsing Rd.	☒ regular mail
Caldwell ID 83607	☐ hand-delivered
	☐ facsimile

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



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

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

WESTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

June 29, 2007

JOSEPH R WEITZ
16909 MARSING RD
CALDWELL ID 83607

Re: Water Right No. 63-8455, 63-9939

Dear Mr. Weitz:

Enclosed is a copy of the above referenced water right, which reflects the change in ownership of the land and appurtenant water rights, covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the Snake River Basin Court as notification of the change.

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

Sincerely,

A handwritten signature in cursive script that reads "Lori Harris".

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

LH:l
Enclosures

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

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-9939					
63-8455					

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

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

OR

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

3. Name and Address of Former Owner/Claimant(s) Joseph R. Weitz
Western Farms
4. New Owner/Claimant(s) Joseph R. Weitz
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 16909 Marsing Road
- City, State and ZIP Code Caldwell, ID 83607
- New Telephone Number (208) 880-3445
5. Date you acquired the property March 11 2002

RECEIVED

JUN 05 2007

**WATER RESOURCES
 WESTERN REGION**

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

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

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

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

Joseph Weitz
Joseph Weitz

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

For Office Use Only
 Received by *[Signature]* Date 6-5-07 Fee N/A
 Receipted by *[Signature]* Date _____ Receipt No. _____
 Processed by *[Signature]* AJ Date 6-26-07 WR _____ Date _____

RECEIVED
JUL 11 2007
SNAKE RIVER BASIN
ADJUDICATION CLAIMS

INSTRUMENT NO. 200211668

QUITCLAIM DEED

FOR VALUE RECEIVED Western Farms, an Idaho General Partnership
does hereby convey, release, remise and forever quit claim
unto Joseph R. Weitz, a married man
whose address is 16909 Marsing Road, Caldwell, Idaho 83607
the following described premises, to-wit:

SEE ATTACHED EXHIBIT "A"

together with their appurtenances.

Dated: March 11, 2002

Joseph R. Weitz
Joseph R. Weitz, Partner

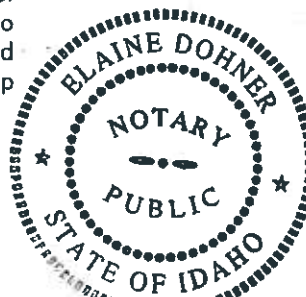
Anthony L. Weitz
Anthony L. Weitz, Partner

STATE OF IDAHO

COUNTY OF CANYON

On this 11th day of March in the year 2002, before me, a Notary Public, personally appeared Joseph R. Weitz and Anthony L. Weitz known or identified to me to be the partners in the partnership of Western Farms, an Idaho General Partnership and the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said partnership name.

Elaine Dohner
Notary Public
Residing at Caldwell, ID
My commission expires 4-1-02



PIONEER TITLE COMPANY
OF CANYON COUNTY

610 SOUTH KIMBALL AVENUE
CALDWELL, IDAHO 83605

RECEIVED

JUN 05 2007

WATER RESOURCES
WESTERN REGION

(208) 459-1651
FAX: (208) 455-1138

PC 04965

EXHIBIT "A"

A tract of land located in the Northeast Quarter of the Southeast Quarter, Section 6, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

COMMENCING at the Northeast corner of said Section 6; thence

South 2,487.5 feet, more or less, to a point of intersection of the East boundary of said Section 6 and the centerline of the McCall Lateral, which is the REAL POINT OF BEGINNING; thence

West 160 feet along the centerline of the McCall Lateral; thence
South 40 feet; thence

East 160 feet; thence

North 40 feet to the REAL POINT OF BEGINNING.

200211668

RECORDED

2002 MAR 12 PM 4 35

G NOEL HALES

CANYON CNTY RECORDER

BY

McLaughlin

REQUEST PIONEER - CALDWELL

TYPE *Doed Fee - 00*

F
INSTRUMENT NO. 200211670

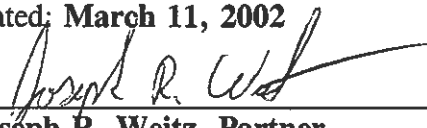
QUITCLAIM DEED

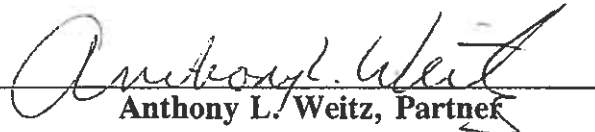
FOR VALUE RECEIVED Western Farms, an Idaho General Partnership
does hereby convey, release, remise and forever quit claim
unto **Joseph R. Weitz, a married man**
whose address is **16909 Marsing Road, Caldwell, Idaho 83607**
the following described premises, to-wit:

SEE ATTACHED Exhibit "A"

together with their appurtenances.

Dated: March 11, 2002

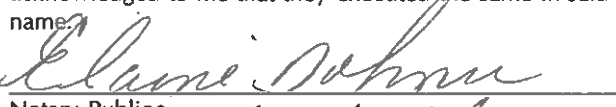

Joseph R. Weitz, Partner

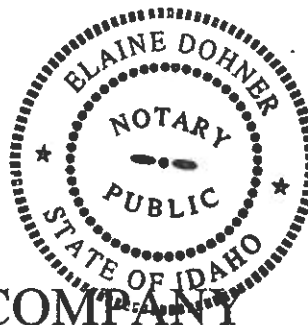

Anthony L. Weitz, Partner

STATE OF IDAHO

COUNTY OF CANYON

On this 11th day of March in the year 2002, before me, a Notary Public, personally appeared Joseph R. Weitz and Anthony L. Weitz known or identified to me to be the partners in the partnership of Western Farms, an Idaho General Partnership and the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said partnership name.


Notary Public
Residing at Caldwell, Id
My commission expires 4-1-02



PIONEER TITLE COMPANY
OF CANYON COUNTY

610 SOUTH KIMBALL AVENUE
CALDWELL, IDAHO 83605

(208) 459-1651
FAX: (208) 455-1138

Exhibit "A"

Government Lot 4 and the Southwest Quarter of the Northwest Quarter of Section 4, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM:

A Tract of land situated in the Northwest Quarter of Section 4, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho and more particularly described as follows:

COMMENCING at the Southwest corner of said Northwest Quarter (West Quarter corner); thence

North 0° 05' 00" East, a distance of 891.87 feet along the Westerly boundary of said Northwest Quarter to the POINT OF BEGINNING; thence continuing

North 0° 05' 00" East, a distance of 166.50 feet along said Westerly boundary; thence

South 86° 45' 25" East, a distance of 311.64 feet parallel with the Southerly boundary of a concrete field ditch; thence

South 0° 05' 00" West, a distance of 166.50 feet parallel with the Westerly boundary of said Northwest Quarter; thence

North 86° 45' 25" West, a distance of 311.64 feet to the POINT OF BEGINNING.

200211670

RECORDED

2002 MAR 12 PM 4 35

G NOEL HALES

CANYON CNTY RECORDER

BY *[Signature]*

REQUEST PIONEER - CALDWELL

TYPE *[Signature]* 2002

INSTRUMENT NO. 2002/1669

QUITCLAIM DEED

FOR VALUE RECEIVED Western Farms, an Idaho General Partnership
does hereby convey, release, remise and forever quit claim
unto **Joseph R. Weitz, a married man**
whose address is **16909 Marsing Road, Caldwell, Idaho 83607**
the following described premises, to-wit:

See Attached Exhibit "A"

together with their appurtenances.

Dated: **March 11, 2002**

Joseph R. Weitz
Joseph R. Weitz, Partner

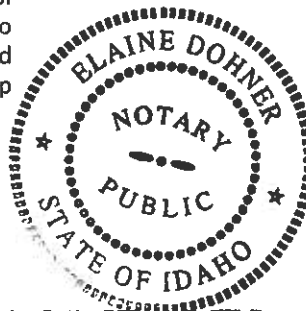
Anthony L. Weitz
Anthony L. Weitz, Partner

STATE OF IDAHO

COUNTY OF CANYON

On this 11th day of March in the year 2002, before me, a Notary Public, personally appeared Joseph R. Weitz and Anthony L. Weitz known or identified to me to be the partners in the partnership of Western Farms, an Idaho General Partnership and the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said partnership name.

Elaine Dohner
Notary Public
Residing at Caldwell, ID
My commission expires 4-1-02



PIONEER TITLE COMPANY
OF CANYON COUNTY

610 SOUTH KIMBALL AVENUE
CALDWELL, IDAHO 83605

(208) 459-1651
FAX: (208) 455-1138

Exhibit "A"

The Southwest Quarter and Goverment Lots 3 and 4 and the South One-Half of the Northwest Quarter of Section 5, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

200211669

RECORDED

2002 MAR 12 PM 4 35

G NOEL HALES

CANYON CNTY RECORDER

BY

Cheryl Laughlin

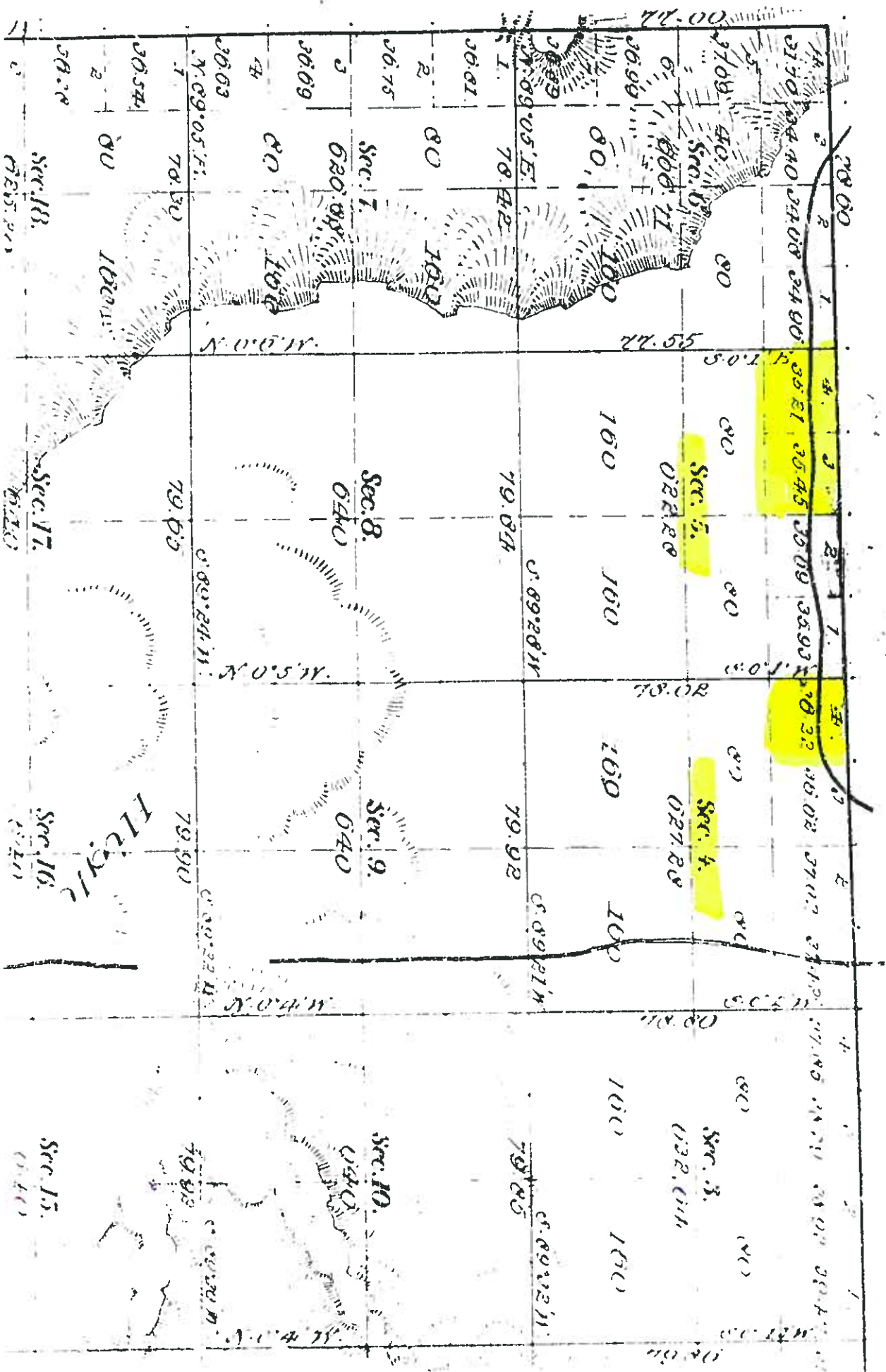
de

REQUEST PIONEER - CALDWELL

TYPE *Dead Feele* - 00

Township No. 2 North Range No. 3 West of the 11th

G
 F
 E
 D
 C





State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

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

WESTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

April 11, 2007

GEO A WEITZ INC
JOSEPH WEITZ
16909 MARSING RD
CALDWELL ID 83605

RE: Snake River Basin Adjudication (SRBA)
Water Right Nos. 63-8455, 63-9939

Dear Sirs:

We have been advised you may be the new owner of the property with the water rights referenced above (see enclosed report).

Before we can modify our records to reflect your ownership of these water rights, we need to have the enclosed Notice of Change of Water Right Ownership form completed. Please follow the instructions included with this form and return to our office with all of the required information.

If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region

LH:1
Enclosures

L PROPERTY INQUIRY

```

+++++
01 6R30003-000- -0 181-00 SCH139+ 01 60,700 73.40
+++++ 19 1.63
WEITZ GEO A INC +
WEITZ JOSEPH R +
+
+
+
16909 MARSING RD +
CALDWELL ID 83605 +
+++++
04-2N-3W NW + TOTAL 60,700 75.03
LOT 4 & SWNW LESS TAX 11 +++++
+ SURVEY INST 200211670
+ DRAIN DR VALUE APPR RET
+ CLASS REAP 04 MAN UNIT 0
0 PERCH RD, CA + PARCEL 6R02N03W043001 H/O N C/B N
+ PRIOR ACCOUNT 5R30003-000- -0
+ 02 MH on Property NO
+ 03 Traits 04 Companion Sheet

```

MODE:F ACTION:

COMPANION SHEET INQUIRY

TRQK361

```

01 ACCOUNT: 6R30003-000- -0 AREA 181-00 DRAIN VALUE CLASS H/O N
SEC 04 TWN 2N RNG 3W QTR NW CITY/SUB 0 BLK LOT 3001
OWNERSHIP MUST BE 'C' FOR CURRENT OR 'P' FOR PREVIOUS
OWNERSHIP C OWNERSHIP P
WEITZ, GEO A INC WESTERN FARMS, PTNRSHIP
& WEITZ, JOSEPH R & WEITZ, GEO A INC

```

MAILING ADDRESS

16909 MARSING RD
CALDWELL ID 83605

SITE ADDRESS

0 PERCH RD CA

COMMENTS

PRIOR ACCOUNT 5R30003000 0
PARCEL 02N03W043001 SRVY
INSTR 200211670 ACRES 75.03
SPLIT YR DOCUMENT WD
DATE DONE 05/07/2002 INITIALS GJ

THIS ACCOUNT HAS OWNERSHIP TRACK RECORD!

LEGALS

04-2N-3W NW
LOT 4 & SWNW LESS TAX 11

REMARKS

9224131 WESTERN TO EQUITY-1/8 INT
9224130 EQUITY 1/8 INT TO ID FRMWY
9506251 ID FRMWY TO WEITZ INC-1/8
LTR SENT 4/26/95-LEGAL,200211670
9515220 CORR CORP WD
02 Ownership Tract Record

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2705 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAGE
02 1A \$01.1
0004389393 FEB 02 2
MAILED FROM ZIP CODE 83

RETURNED
TO
SENDER
UNDELIVERABLE AS
ADDRESSED
FORWARDING ORDER

RECEIVED
FEB 07 2007
WATER RESOURCES
WESTERN REGION

~~WESTERN FARMS
1102 W LINDEN
CALDWELL ID 83605~~

~~Geo A Weitz
Joseph Weitz
16909 Marsing Rd
Caldwell 83605~~

63-8455
63-4934

DIVISION OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2725 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED

FIRST CLASS



RECEIVED
OCT 12 2006
WATER RESOURCES
WESTERN REGION

WESTERN FARMS
1102 W. LINDEN
CALDWELL ID 83605

UNDELIVERABLE AS
ADDRESSED
FORWARDING ORDER

63-8455

~~9939~~

9939

03/01/2006

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

RIGHT NUMBER: 63-8455

NAME AND ADDRESS: WESTERN FARMS
1102 W LINDEN
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.400 CFS
315.000 AFY

PRIORITY DATE: 02/16/1977

POINT OF DIVERSION:

T02N R03W S4 SWNW Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

1.400 CFS
315.00 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 CANYON County

T02N R03W S04

NWNW

35.00

T02N R03W S04

SWNW

35.00

70 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Use of this right is combined with water from Nampa Meridian Irrigation District.

Idaho Department of Water Resources

63-8455

T02N R03W S4



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



400 0 400 800 1200 1600 Feet

IDWR

Prepared by: Sandy Egbert

Date: March 1, 2006

1987 NAAP Photography

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-8455**

02/21/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
8455	Claim	02N	03W	4	NW	NW		IRRIGATION	35/70	WESTERN FARMS
8455	Water Right	02N	03W	4	NW	NW		IRRIGATION	35/70	MILDRED MOWRER
8455	Claim	02N	03W	4	SW	NW		IRRIGATION	35/70	WESTERN FARMS
8455	Water Right	02N	03W	4	SW	NW		IRRIGATION	35/70	MILDRED MOWRER

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-8455 Priority February 16, 1977 Amount 1.4 cfs

THIS IS TO CERTIFY, that ROBERT F. &/or MILDRED MOWRER
of Ontario, Oregon, has complied with the terms and conditions of Permit
No. 63-8455 issued pursuant to Application for Permit dated February 16, 1977,
and has submitted proof to the Department of Water Resources on August 7, 1980,
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 2.5 cfs of water from a groundwater 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
Irrigation	from <u>March 15</u> to <u>November 15</u> at <u>1.4 cfs</u> and <u>315 acre feet</u>		
	from _____ to _____ at _____ cfs and _____		
	from _____ to _____ at _____ cfs and _____		
(both dates inclusive)			

Subject, however, to the condition that no more than 1.4 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
315 acre feet per year, said waters to be diverted within the SW1/4, Sec. 4, Twp. 2N,
Rge. 3W, B.M. in the County of Canyon

Description and location of place of use:

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
2N	3W	4					35	35											70

Total number of acres irrigated 70

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 24 day of
July, 19 81.

Director

Identification No. _____

Application No. 63-2455

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant ROBERT F. &/or MILDRED MOWRER Phone: 503-889-8042
post office address P. O. Box 322, Ontario, OR
2. Source of water supply groundwater which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 4 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 1.52 for Irrigation purpose from Mar 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. 1.52 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 gravity flow
ditches.

- 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 300 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.
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: _____

RECEIVED

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

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	
2N	3W	4					Lot 4 36	40											76

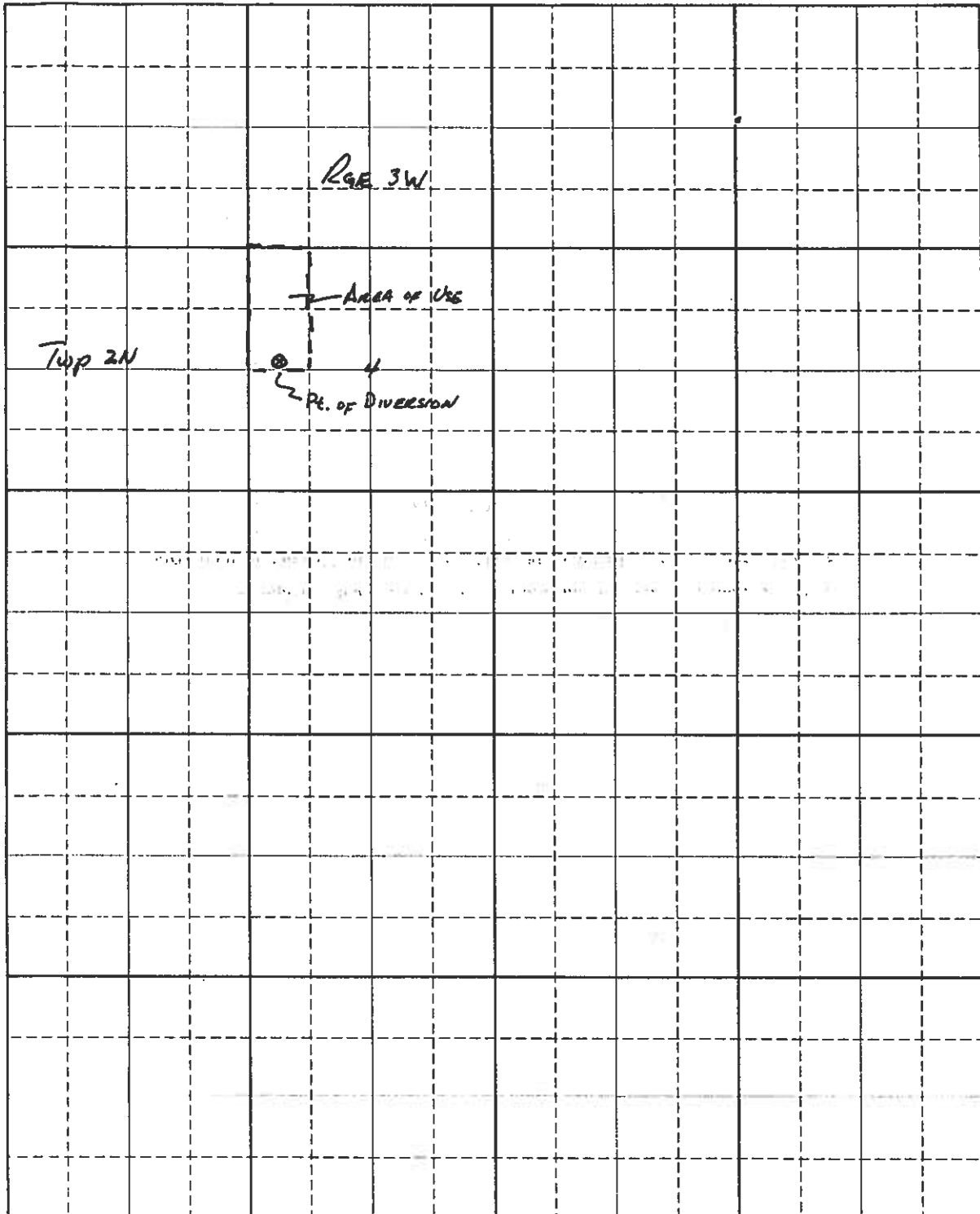
Total number of acres to be irrigated 76

c. Describe any other water rights used for the same purposes as described above.
Land irrigated from Nampa-Meridian Irrigation District

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 This is a supplemental water to primary water from irrigation district.
Total combined amount of water used shall not exceed 4.5 A.F. per year per acre.

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



Scale: 2 inches equal 1 mile

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.

Robert F. Mower
(Applicant)

Proposed Priority 2/16/77
Received by Wf Date 2-16-77 Time 11:24
Preliminary check by Wf Fee \$ 35.00
Receipted by Wf Date 2-16-77 # late 68
Publication prepared by C.S. Date Feb 17, 1977
Published in Idaho Free Press
Publication dates Feb 24, 1977 + March 3, 1977
Publication approved Wf Date 4-18-77
Priority reduced to _____ Reason _____

Protests filed by: Don J. McClenahan on behalf
of Anna Mary Miller

Copies of protests forwarded by Wf 3-16-1977
Hearing held by protest withdrawn Date _____
Recommended for approval denial by Wf

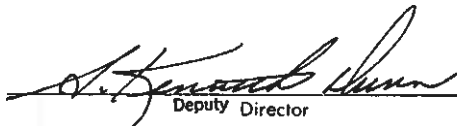
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-8455, 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 May 1, 19 82.
- c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.
The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Witness my hand this 11 day of May 19 77.


Deputy Director

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

63-8455

Permit No.

70 ACRES

CONTACT WITH PERMIT HOLDER

DATE

INITIALS

REMARKS

☐ Appointment letter mailed:☐ Telephone call made:

(List Telephone No. used)

☐ Appointment scheduled for:

(Date, time, location)

EXAMINATION

Date 29 July Accompanied by EARL LYONS Total Q measured 2.50 CFS

If source is surface water, estimate total flow of source

Methods of measurement ORIFICE, PIEZOMETERMeets Permit requirements? yes

Measurement calculations:

8" pipe 6 in. ORIFICE 53.0 in. Head

 $= 1120 \text{ gpm}$

448.8

2.50 CFS

capacity

Allow .02 cfs/ac

70 AC X .02 = 1.4 ✓

 $V = 70 \times 4.5 = 3150$ ✓ $1.4 \times 1.9835 \times 245 = 680.3$

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
1	50	GE	KUT371491	421112	45889			

System Description Pump into ditch system with siphon tubes, well

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE

Irrigation requirement = 4.5 AFA/Acre

Q (cfs)

V (afa)

FROM

TO

IRRIGATION

1.40 ✓315 ✓3-1511-25

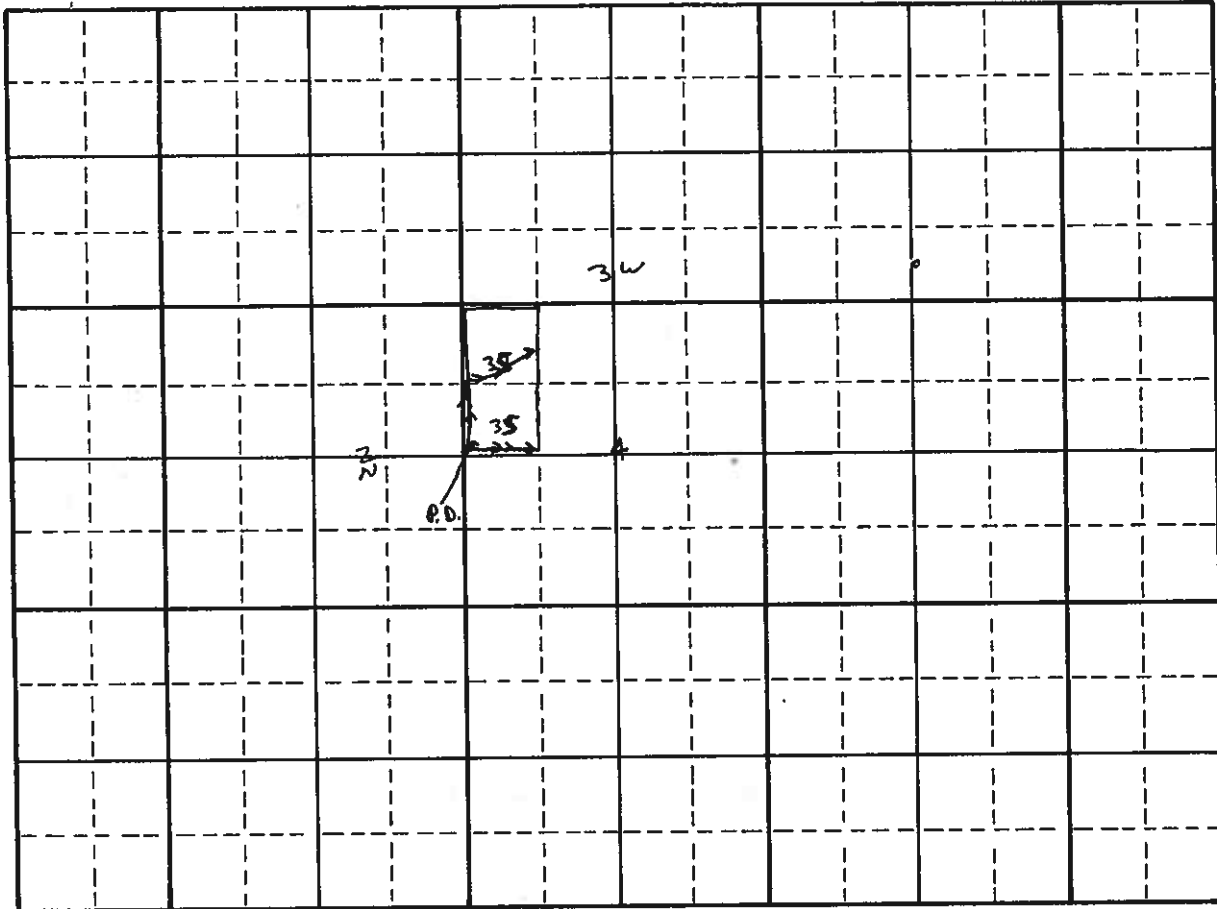
Total

1.40315Remarks Recommend Beneficial use for irrigation for 1.40 cfs.

uses

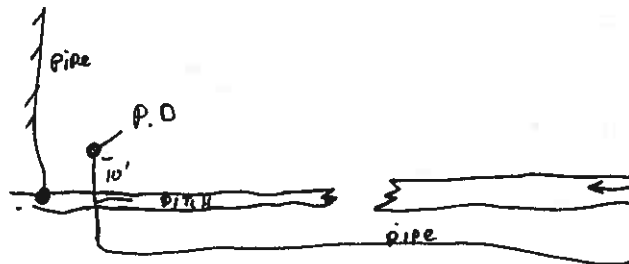
ditch water ALSO

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: SW 1/4 Sec. 4 2N 3W

Place(s) of Use

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	3W	4						35	35										70

Recommended Amendments:

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

☒ None

☐ Other

Examiner's Signature G. J. F. M.

Date 24 July 1980

Checked by DBS

Date 8/26/80

Approved by [Signature]

Date 3/17/81

6/23/81



Water Right Number - 63-08455

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***

MOWRER

ROBERT F.

1 - P.O. BOX 322

2 -

3 -

City- ONTARIO

State- OR Zip- 97914

Phone -

MOWRER

MILDRED

1 - P.O. BOX 322

2 -

3 -

City- ONTARIO

State- OR Zip- 97914

Phone -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
02/16/1977 14 WESTERN L - LICENSE+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
+ - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.
02N 03W 4 SW NW (27) CANYON+ - - - - Water Use - - - - - +
+ - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 1.400 315.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
1.400 315.00+ - - - - Place of Use - - - - - +
+ - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
02N 03W 4 NW NW 35.0 01 IRRIGATION (27) CANYON
02N 03W 4 SW NW 35.0 01 IRRIGATION (27) CANYON

Total Acres: 70.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NAMPA-MERIDIAN IRR. DIST.

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

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

07/13/95 00:14:37
Page 2

Water right number - 63-08455

Prefix Translation: WATER RIGHT

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

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

+ - - - - Comments - - - - - +
No Comments Found

+ - - Audit Fields - 05/20/85 05/01/88

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 01/01/1900	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date- 00/00/0000	Verified Date - 05/20/1985	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 04/19/1982	Appl Received - 00/00/0000	Transfer/Amended -
Decree Date - 00/00/0000	Name Connector -	POU Ownership Flag-
Presumption Flag -		



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 8, 1993

Western Farms

1102 W. Linden Rd
Caldwell, ID 83605

Re: Snake River Basin Adjudication (SRBA)
Canyon County - Claim Nos. A63-08455, A63-09939

Dear Claimant,

We are returning the Notices of Claim to a Water Right referenced above. We are also enclosing Receipt No. W011131 in the amount of \$125.00, for a portion of the filing fees. Please retain the receipt for your records. We have noted some problems with your claims which require your attention.

Claim A63-08455 requires your signature. After you have signed the form and obtained the notary public's verification of your signature at the bottom of the last page we may continue to process your claim. Also, the correct filing fee of \$120.00 for this claim was not enclosed. The correct and full filing fees must be submitted with the Notice of Claim in order to include your water right in the report to the court. Please enclose an additional \$70.00 when resubmitting this claim.

The un-numbered claim must be signed by an individual authorized to act on behalf of Western Farms. The individual signature, as it has been done, does not protect the interest of the organization submitting this claim. Please have an officer or designated agent sign in the organization block of the claim form before a notary public.

The correct filing fee of \$191.00 for A63-09939 was not enclosed. Please enclose \$141.00 when resubmitting this claim. (The total fees for A63-09939 and A63-08455 are \$211.00.)

Please return these documents to my attention by February 8, 1993, or late fees will apply. If we do not receive the documents by that date, we will assume you do not wish to continue the filing

MICROFILMED

JUL 25 1994

Western Farms
January 8, 1993
Page 2 - Canyon County

process and will begin the refund process of your filing fees. Do not hesitate to contact this office if you have any questions.

Sincerely,



Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

RM:sf:state:tf

Enclosures:

Claim Nos. A63-08455, A63-09939
Un-numbered Claim
Receipt No. W011131

MICROFILMED

JUL 25 1994