

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: A63-08573
Date Received: 1/16/1990
Receipt No: W007601
Received By:

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

1. Name: NAITO FARMS, INC. 208-466-3874
Address: C/O MITTS NAITO
9998 HWY. 45
NAMPA, ID 83686

2. Date of Priority: MAR 09, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	02W	18	SE	SW			CANYON

5. Description of diverting works:
WELL,

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.600		

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

8. Total consumptive use is 280.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	02W	18	NE	SW		IRR	40.0
			SE	SW		IRR	40.0
Section Acres							80.0

A63-08573

Page 1

Date: 01/16/90

MICROFILMED

AUG 24 1992

Total Acres	80.0
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12. Do you own the property listed above as place of use? YES

14. Remarks:

16. Signature(s)

Number of attachments:

I do solemnly swear or affirm that I am Mrs. of Title

Walter L. Jones, Jr., that I have signed the foregoing
organization document in the space below as Pres. of

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

[Signature]
Signature of Authorized Agent

Walter J. Lamm
Title and Organization

1-16-90
Date

AUG 24 1992

State of Idaho)
County of Ada) SS.

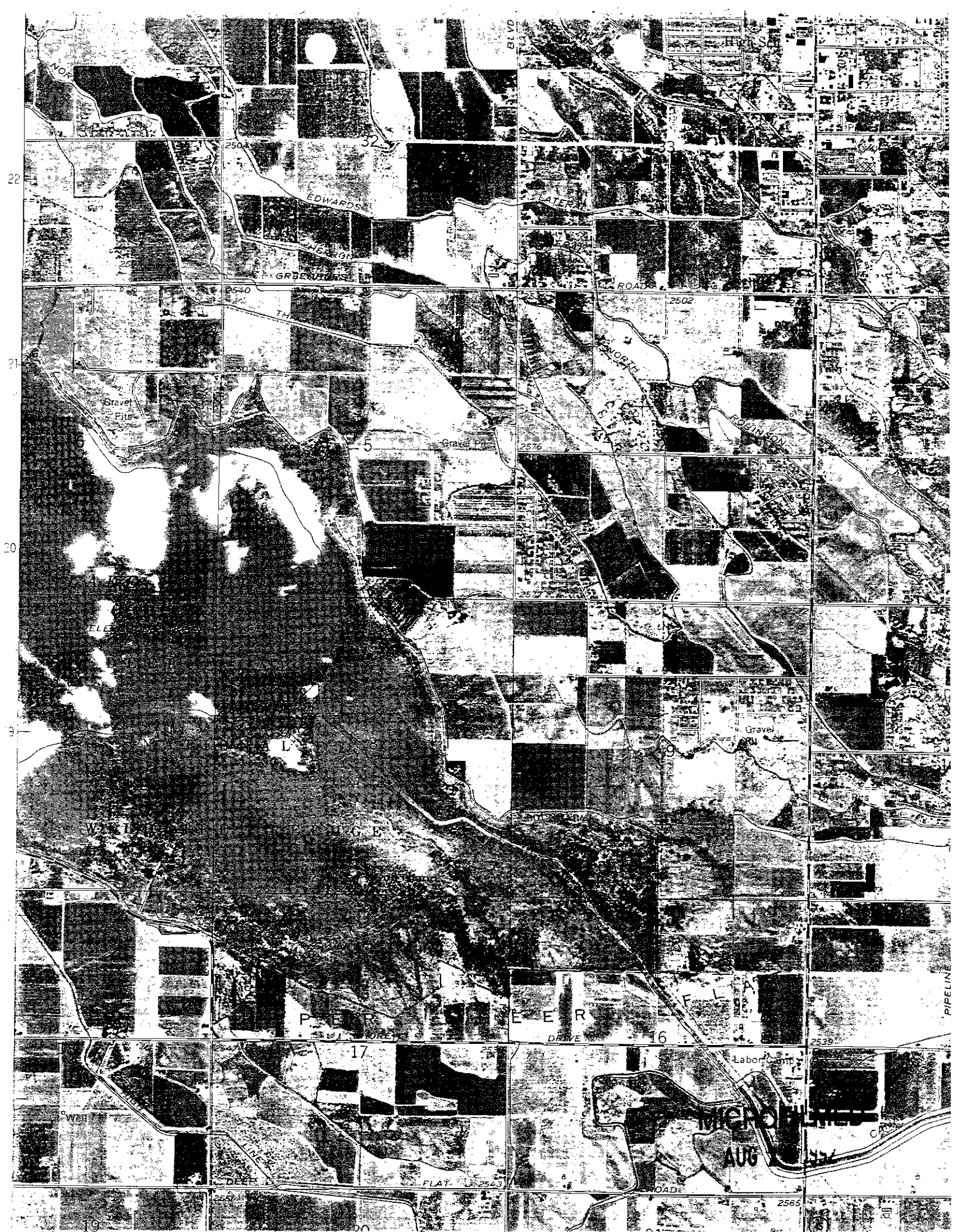
Subscribed and sworn (or affirmed) before me this _____ day

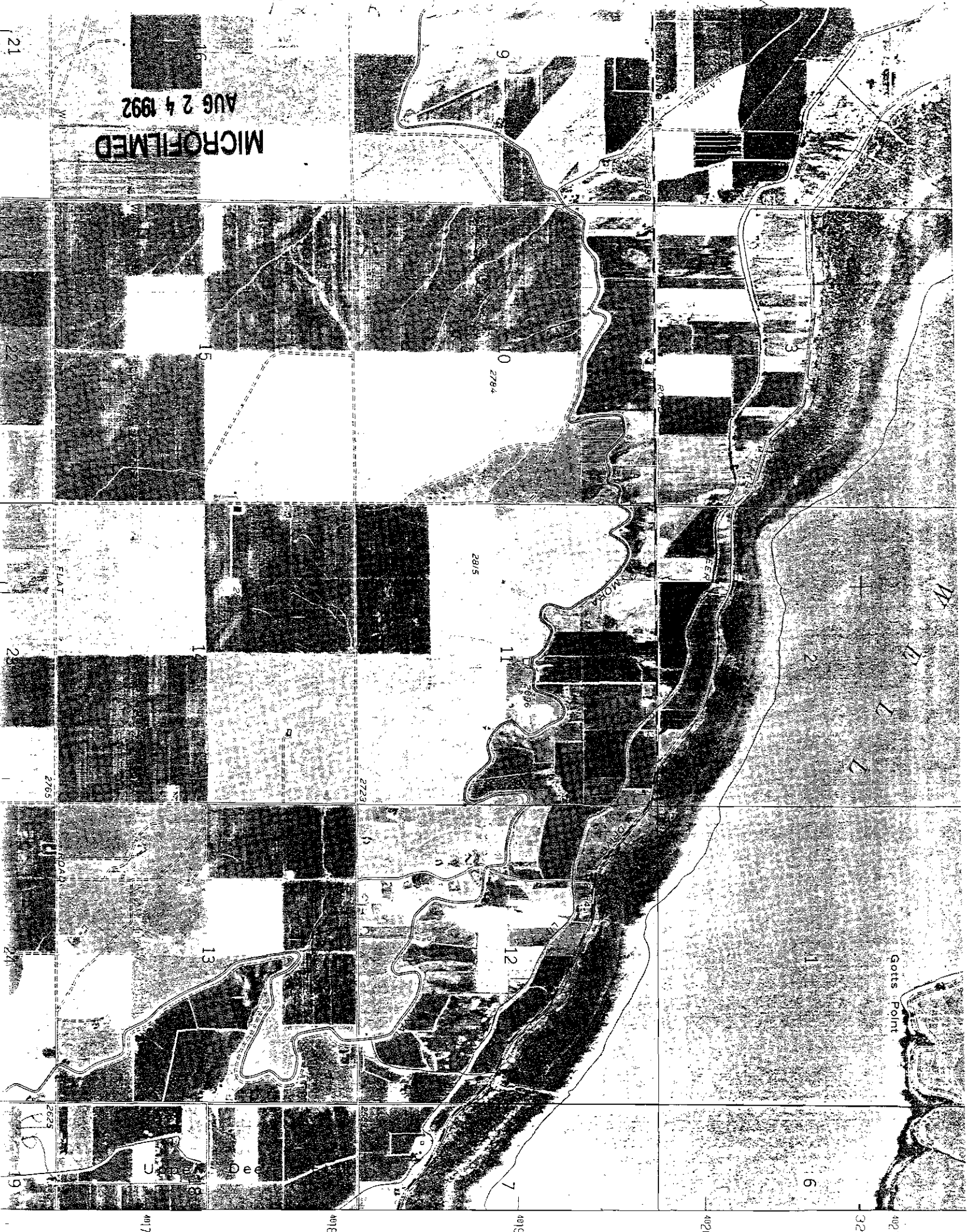
of Jan. 19 _____

Seal

Linda A. Werner
Notary Public

Residing at Boise, Idaho
My Commission Expires December 8, 1994





MICROFILMED

AUG 24 1992

Gotts Point

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40708

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40721

40722



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

JAMES E. RISCH
Governor

KARL J. DREHER
Director

October 30, 2006

NAITO FARMS INC
C/O MITTS NAITO
9998 HWY 45
NAMPA ID 83686

RE: Notice of Error Reply – Water Right No. 63-8573

Dear Mr. Naito:

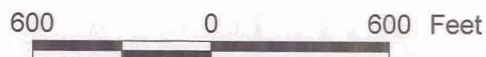
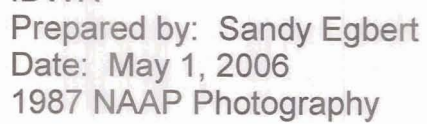
We have received your Notice of Error Reply form on which you stated 18 acres were left off the Recommendation for 63-8573. The field exam done in 1993 states that the northern part of the NESW (18 acres) was watered by irrigation company water. The Recommendation for 63-8573 is only for land irrigated by your well. It does not reflect the total number of acres you own nor the land that you water with irrigation company water.

The license for your water right 63-8573 also states that there are only 57 acres being irrigated with this well and we cannot recommend more than the licensed amount. I have enclosed a copy of the license for your records.

If you have any questions, please call 334-2190 and I would be happy to answer them for you.

Sincerely,

Sandy Egbert
GIS Specialist
Western Region



09/29/2006

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

RIGHT NUMBER: 63-8573

NAME AND ADDRESS: NAITO FARMS INC
C/O MITTS NAITO
9998 HWY 45
NAMPA ID 83686

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.140 CFS
256.50 AFY

PRIORITY DATE: 03/06/1979

POINT OF DIVERSION:
T02N R02W S18 SESW Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

1.140 CFS
256.50 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 R02W S18

NESW

20.00

T02N R02W S18

SESW

37.00

= 75 Acres

3. 57 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 Boise-Kuna Irrigation District.

Total = 75 Acres

09/29/2006

**NOTICE OF ERROR
REPLY**

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

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

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

Water right number: 63-8573

NAITO FARMS INC
C/O MITTS NAITO
9998 HWY 45
Nampa ID 83686
Telephone Number: (208)466-3874

RECEIVED

OCT 20 2006

**WATER RESOURCES
WESTERN REGION**

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

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

Total Acre's of 57 to 75 Acre's

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

due too - the land of eighty Acre's - you left out 18 Acre's

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

DATE:

Oct 16 - 06

SIGNATURE:

Naito Farms Inc

Please print your name:

*Naito Farms Inc
Mitte Naito*

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

QUITCLAIM DEED

FOR VALUE RECEIVED

SIDNEY NAITO AND KRISTINE NAITO, husband and wife

do hereby convey, release, remise and forever quit claim

unto NAITO FARMS, INC., AN IDAHO CORPORATION

whose address is 9646 Hwy 45, Nampa ID 83686
the following described premises, to-wit:

See attached Exhibit "A"

together with their appurtenances.

Dated: X 12-28-01

X Sidney Naito

X Kristine Naito

STATE OF IDAHO, COUNTY OF Canyon

On this 28th day of December, 2001,
before me, a notary public in and for said State, personally
appeared

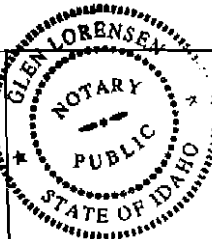
Sidney Naito &
Kristine Naito

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Notary Public

Residing at Boise, Idaho

Comm. Expires 2-11-2005



PIONEER TITLE COMPANY
OF CANYON COUNTY

423 So. Kimball
Caldwell, Idaho 83605

100 - 10th Ave. South
Nampa, Idaho 83651

2nd
Dec
2001

PN60325

Exhibit "A"

This parcel is a portion of the East Half of the Southwest Quarter of Section 18, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

BEGINNING at the Southwest corner of said East Half of the Southwest Quarter, the REAL POINT OF BEGINNING; thence

North 00° 48'59" East along the West boundary of said East Half of the Southwest Quarter a distance of 417.42 feet; thence

South 89° 32'43" East parallel with the South boundary of said East Half of the Southwest Quarter a distance of 208.71 feet; thence

South 00° 48'59" West parallel with said West boundary a distance of 417.42 feet to a point on said South boundary; thence

North 89° 32'43" West along said South boundary a distance of 208.71 feet to the REAL POINT OF BEGINNING.

EXCEPTING THEREFROM:

PARCEL IR:

This parcel is a portion of the East Half of the Southwest Quarter of Section 18, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

BEGINNING at the Southwest corner of said East Half of the Southwest Quarter; thence

North 00° 48'59" East along the West boundary of said East Half of the Southwest Quarter a distance of 295.16 feet; thence

South 89° 32'43" East parallel with the South boundary of said East Half of the Southwest Quarter a distance of 295.16 feet; thence

South 00° 48'59" West parallel with said West boundary a distance of 295.16 feet to a point on said South boundary; thence

North 89° 32'43" West along said South boundary a distance of 295.16 feet to the REAL POINT OF BEGINNING.

REQUEST PIONEER MAP
TYPE *add* FEE *1120*

2001 DEC 28 PM 4 17
G NOEL HALE
CANYON COUNTY RECORDER
BY *[Signature]*

RECORDED

200154874

①

INSTRUMENT NO 200146846

2001
1ST
Nov

QUITCLAIM DEED

FOR VALUE RECEIVED NAITO FARMS, INC., as to a portion and SIDNEY NAITO AND KRISTINE NAITO, husband and wife as to a portion

docs hereby convey, release, remise and forever quit claim

unto **SIDNEY NAITO AND KRISTINE NAITO**, husband and wife

whose address is **11734 Deer Flat Rd., Nampa, ID 83686**

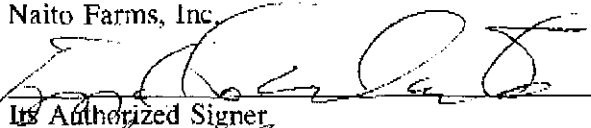
the following described premises, to-wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF

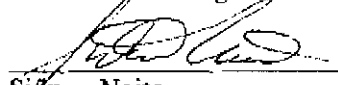
together with their appurtenances.

Dated: **November 5, 2001**

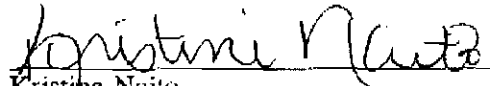
Naito Farms, Inc.



Its Authorized Signer



Sidney Naito



Kristine Naito

STATE OF IDAHO

County of Canyon

On this 5th day of November, 2001, before me, a Notary Public in and for the State, personally appeared Mitts Naito known to me to be the President of Naito Farms, Inc. and that the within and foregoing instrument was signed on behalf of said corporation by authority of a resolution of its board of directors and said Mitts Naito did acknowledge to me that said corporation executed the same.

Melanie Flynn
Residing at: Meridian, Idaho
My commission expires: 9-18-07



STATE OF IDAHO
COUNTY OF CANYON

On this 5th day of November, 2001, before me, a notary public, personally appeared Sidney Naito and Kristine Naito, known or identified to me to be the person(s) who(s) name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Melanie Flynn
Notary Public: Meridian, Idaho
exp: 9-18-07



PN 65827

Exhibit "A"

POOR COPY

PARCEL IR:

This parcel is a portion of the East Half of the Southwest Quarter of Section 18, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

BEGINNING at the Southwest corner of said East Half of the Southwest Quarter; thence North 00° 48'59" East along the West boundary of said East Half of the Southwest Quarter a distance of 295.16 feet; thence South 89° 32'43" East parallel with the South boundary of said East Half of the Southwest Quarter a distance of 295.16 feet; thence South 00° 48'59" West parallel with said West boundary a distance of 295.16 feet to a point on said South boundary; thence North 89° 32'43" West along said South boundary a distance of 295.16 feet to the REAL POINT OF BEGINNING.

POOR COPY

2001 NOV 9 AM 11 08
G NOEL HALES
CANYON COUNTY RECORDER
BY *[Signature]*
REQUEST ENGINEER-NAMPA
TYPE *[Signature]* FEE 10.00

RECORDED

200146846

IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
735 AIRPORT WAY
BOISE, IDAHO 83708

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NAITO FARMS INC
HIRO NAITO
MITTS NAITO
9998 HWY 45
NAMPA ID 83686

RECEIVED

OCT 10 2006

WATER RESOURCES
WESTERN REGION

9640 Hwy 45
Nampa 83686

63-8573

63-32322

Resent 10-12-06

05/01/2006

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

RIGHT NUMBER: 63-8573

NAME AND ADDRESS: NAITO FARMS INC
C/O MITTS NAITO
9998 HWY 45
NAMPA ID 83686

JB FARMS
203 11TH AVE S
NAMPA ID 83651

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.140 CFS
256.500 AFY

PRIORITY DATE: 03/06/1979

POINT OF DIVERSION:

T02N R02W S18 SESW 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	1.140 CFS 256.50 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 R02W S18	NESW	20.00	T02N R02W S18	SESW	37.00
---------------	------	-------	---------------	------	-------

57 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

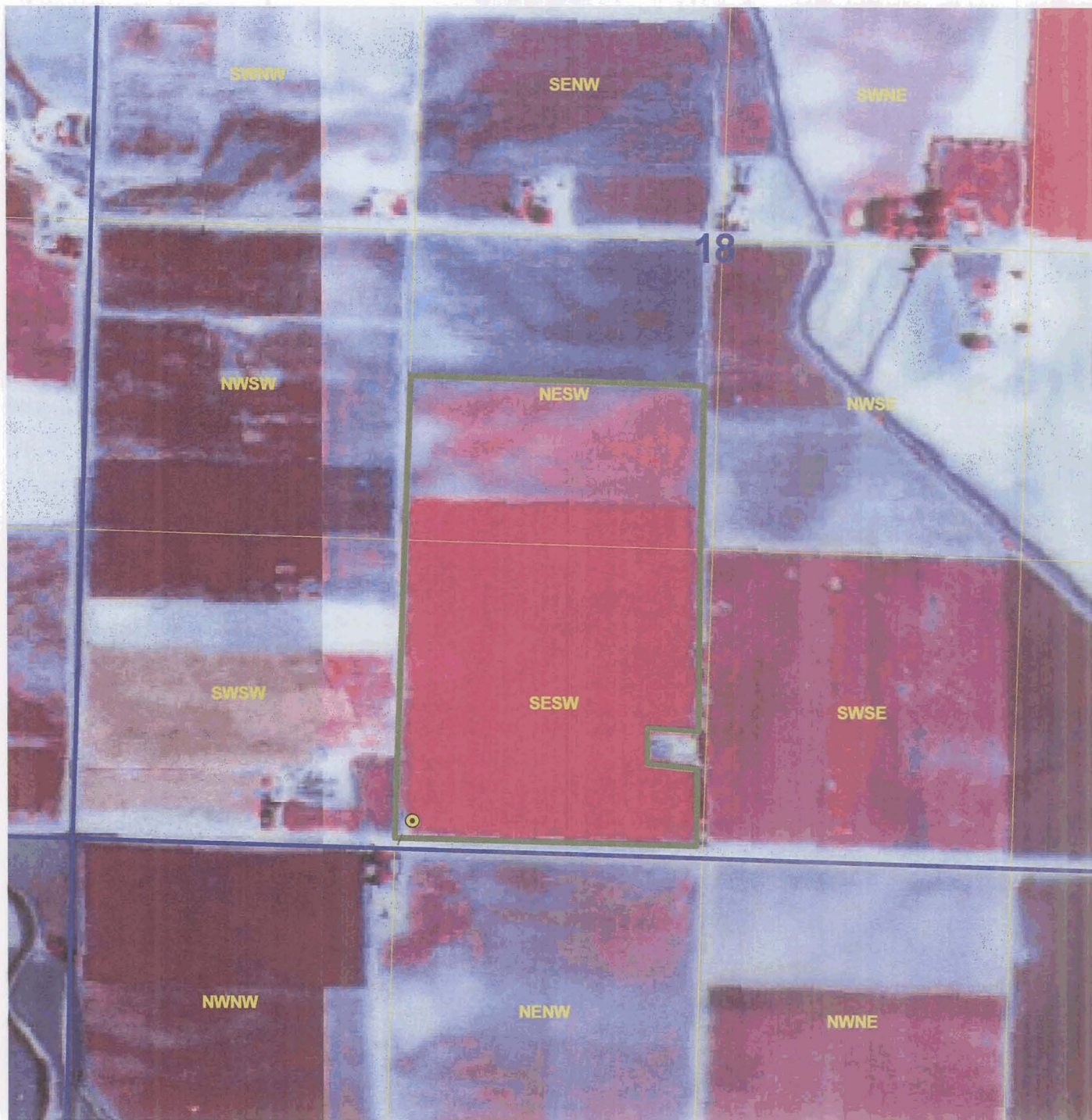
Use of this right is combined with water from Boise-Kuna Irrigation District.



Idaho Department of Water Resources

63-8573

T02N R02W S18



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

Total irrigated
acres = 57



600 0 600 Feet

IDWR
Prepared by: Sandy Egbert
Date: May 1, 2006
1987 NAAP Photography

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 83-8573

04/11/2006

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
63-8573	Claim	02N	02W	18	NE	SW		IRRIGATION	40/80	NAITO FARMS INC
63-8573	Water Right	02N	02W	18	NE	SW		IRRIGATION	20/57	NAITO FARMS
63-8573	Claim	02N	02W	18	SE	SW		IRRIGATION	40/80	NAITO FARMS INC
63-8573	Water Right	02N	02W	18	SE	SW		IRRIGATION	37/57	NAITO FARMS

AJ5809NP
No. A63-08573

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/13/00
PAGE: 162

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
P	JB FARMS 203 11TH AVE S NAMPA ID 83651 (208) 466-7821	03/09/1977	IRRIGATION	03-15 11-15	1.600 CFS	
				TOTAL DIVERSION: CONSUMPTIVE USE:	1.600 CFS	280.00 AFA

C NAITO FARMS INC
MITTS NAITO
9998 HWY 45
NAMPA ID 83686
(208) 466-3874

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T02N R02W S18 SESW

CANYON 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														
02N	02W	18	:																	:	80.0														
																				:	40											:	80.0		
																						TOTAL ACRES													

POU County: CANYON

Other Rights: BOISE-KUNA IRR.

Other Water Rights Listing Overlapping Place(s) of Use:
A63-3018120

Conditions of Approval:

- 01B - The right holder shall either install a measuring device or
- provide a certified measurement by a professional engineer or
- install an access port or other device as specified by the
- Department.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 01/16/90 WERNER 08/29/94 RMCCARTH 03/30/95 JSHURTE 03/30/95 POST-STD

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

15:52:10
08/31/99
16

PAGE: 16
PROFILE REPORT

CLAIM NUMBER: A63-08573

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
P	JB FARMS	03/09/1977	IRRIGATION	03-15 11-15	1.600 CFS	
C	NAITO FARMS INC					
TOTAL DIVERSION:					1.600 CFS	
CONSUMPTIVE USE:						280.00 AFA
Water Source: GROUNDWATER		Tributary to:			Stage: PERMIT	
Point(s) of Diversion:		T02N R02W S18 SESW			CANYON County	
Place of use Legal Description for: IRRIGATION						
NE NW SW SE						
NENE NWNE SWNE SENE		NENW NWNW SWNW SENW		NESW NWSW SWSW SESW		NESE NWSE SWSE SESE
T	R S	Lt Ac Lt Ac Lt Ac Lt Ac	Lt Ac Lt Ac Lt Ac Lt Ac	Lt Ac Lt Ac Lt Ac Lt Ac	Lt Ac Lt Ac Lt Ac Lt Ac	SUM
02N 02W 18		:	:	40	40	80.0
TOTAL ACRES						80.0

POU County: CANYON

Other Rights: BOISE-KUNA IRR.

Conditions of Approval:

- 01B - The right holder shall either install a measuring device or
- provide a certified measurement by a professional engineer or
- install an access port or other device as specified by the
- Department.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

AJ5815NP

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT

DATE: 08/31/99

OPTION: IRRIGATION USES ONLY

ADJUDICATION CLAIM NUMBER: A63-08573

PAGE: 1

A. ROOT WATER RIGHT NUMBERS: A63-08573

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/USE/ACRES	WR #/USE/ACRES	LANDSAT DATA
02N	02W	18	NE	SW		NAITO FARMS INC	A63-08573 /01/40.0	63-08573 /01/20.0	34.0
			NE	SW		NAMPA & MERIDIAN IRRIGATION DIA63-3018120/01/	- / /		
02N	02W	18	SE	SW		NAITO FARMS INC	A63-08573 /01/40.0	63-08573 /01/37.0	38.0
			SE	SW		NAMPA & MERIDIAN IRRIGATION DIA63-3018120/01/	- / /		
TOTAL ACRES							A63-08573	80.00	57.00 72.00

POU COUNTY: CANYON

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-08573

Priority: January 6, 1979

Maximum Diversion Rate: 1.14 CFS
Maximum Diversion Volume: 256.5 AF

This is to certify, that NAITO FARMS
C/O MITTS NAITO
RT 4 BOX 4171
NAMPA ID 83651

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated March 9, 1977; and
has submitted Proof of Beneficial Use on April 28, 1982. An examination indicates
that the works have a diversion capacity of 1.480 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	1.14 CFS	256.5 AF

LOCATION OF POINT(S) OF DIVERSION: SESW , Sec. 18, Township 02N, Range 02W
CANYON 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>	
02N	02W	18	NESW	20	SESW	37	57

Total number of acres irrigated: 57

CONDITIONS/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.
5. 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.
6. The right holder shall fully use all surface water rights appurtenant to the lands identified above prior to using water under this right.

MICROFILMED

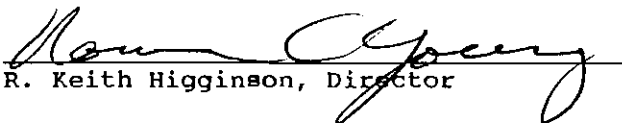
AUG 03 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-08573

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 28TH
day of MARCH, 1994.


R. Keith Higginson, Director

MICROFILMED
AUG 03 1994

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT	)	
	)	
NO. 63-8573 IN THE NAME OF	)	ORDER OF REINSTATEMENT
	)	
NAITO FARMS	)	
_____	)	

This matter having come before the Department of Water Resources (Department) as a result of preparing Permit No. 63-8573 for issuance of a license, the Department finds, concludes and orders:

FINDINGS OF FACT

1. The Department approved Application for Permit No. 63-8573 to appropriate the public waters of the State of Idaho with a proposed priority of MARCH 09, 1977.

2. On APRIL 30, 1986 the Department advised the permit holder that a license examination fee was required before an examination could be conducted to confirm the extent of use developed under the permit. The examination fee was due on JUNE 29, 1986.

3. The license examination fee was not paid within one year of the date, and the permit lapsed for failure to pay the license examination fee.

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AUG 03 1994

4. The license examination fee was received on
APRIL 28, 1988, 668 day(s) late.

CONCLUSIONS OF LAW

1. The Director may advance the priority date of the permit one day for each day the license examination fee is late, pursuant to the provisions of Section 42-217, Idaho Code.

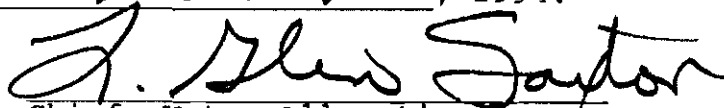
2. The date of priority of Permit No. 63-8573 should be advanced 668 day(s).

ORDER

IT IS HEREBY ORDERED that Permit to Appropriate Water No. 63-8573 is reinstated.

IT IS FURTHER ORDERED that the date of priority of Permit No. 63-8573 is advanced to JANUARY 06, 1979.

Dated this 7th day of March, 1994.


Chief, Water Allocation Bureau

REINSTATEMENT ORDER-PAGE 2

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AUG 03 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

October 29, 1992

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Philip D. Di Gregorio
Patricia D. Di Gregorio
72 Johnson Lane
Mc Call, ID 83638

? water claims?

Dear Mr. & Mrs. Di Gregorio:

Enclosed are copies of claims you recently requested a change of ownership be done on. According to our records you had already filed on these claims, but we had a different address on file, so we changed the records to show your current address.

If you have any questions regarding these claims, please contact a water right agent in our office.

Sincerely,

A handwritten signature in cursive script that reads 'Jan Shurte'.

Jan Shurte
Water Rights Supervisor
Adjudication Section

JS:lh

Enclosures

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AUG 03 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. [REDACTED]

Priority: January 6, 1979

Maximum Diversion Rate: 1.14 CFS

Maximum Diversion Volume: 256.5 AF

This is to certify, that NAITO FARMS

C/O MITTS NAITO

RT 4 BOX 4171

NAMPA ID 83651

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<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	1.14 CFS	256.5 AF

LOCATION OF POINT(S) OF DIVERSION: SESW , Sec. 18, Township 02N, Range 02W
CANYON 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>
02N	02W	18	NESW 20	SESW 37		57

Total number of acres irrigated: 57

CONDITIONS/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.
5. 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.
6. The right holder shall fully use all surface water rights appurtenant to the lands identified above prior to using water under this right.

MAINTAINED

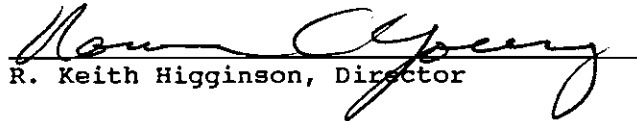
APR 13 1984

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-08573

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 28TH
day of MARCH, 1994.


R. Keith Higginson, Director

RECORDED

APR 13 1994

Identification No. _____

Application No. 63-8573

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant NAITO FARMS, MITTS NAITO, PRES. Phone: 466-3874
post office address Rt. 1, Box 7129, Nampa, ID
2. Source of water supply groundwater which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 18 Township 2N
Range 2W 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 1.6 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. 1.6 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. pump with gravity flow

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 12 inches; proposed depth of well is 200 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 \$ 10,000.
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: _____

MICROFILMED

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

TWP.	RANGE	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
2N	2W	18									40			40					80

Total number of acres to be irrigated.....

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

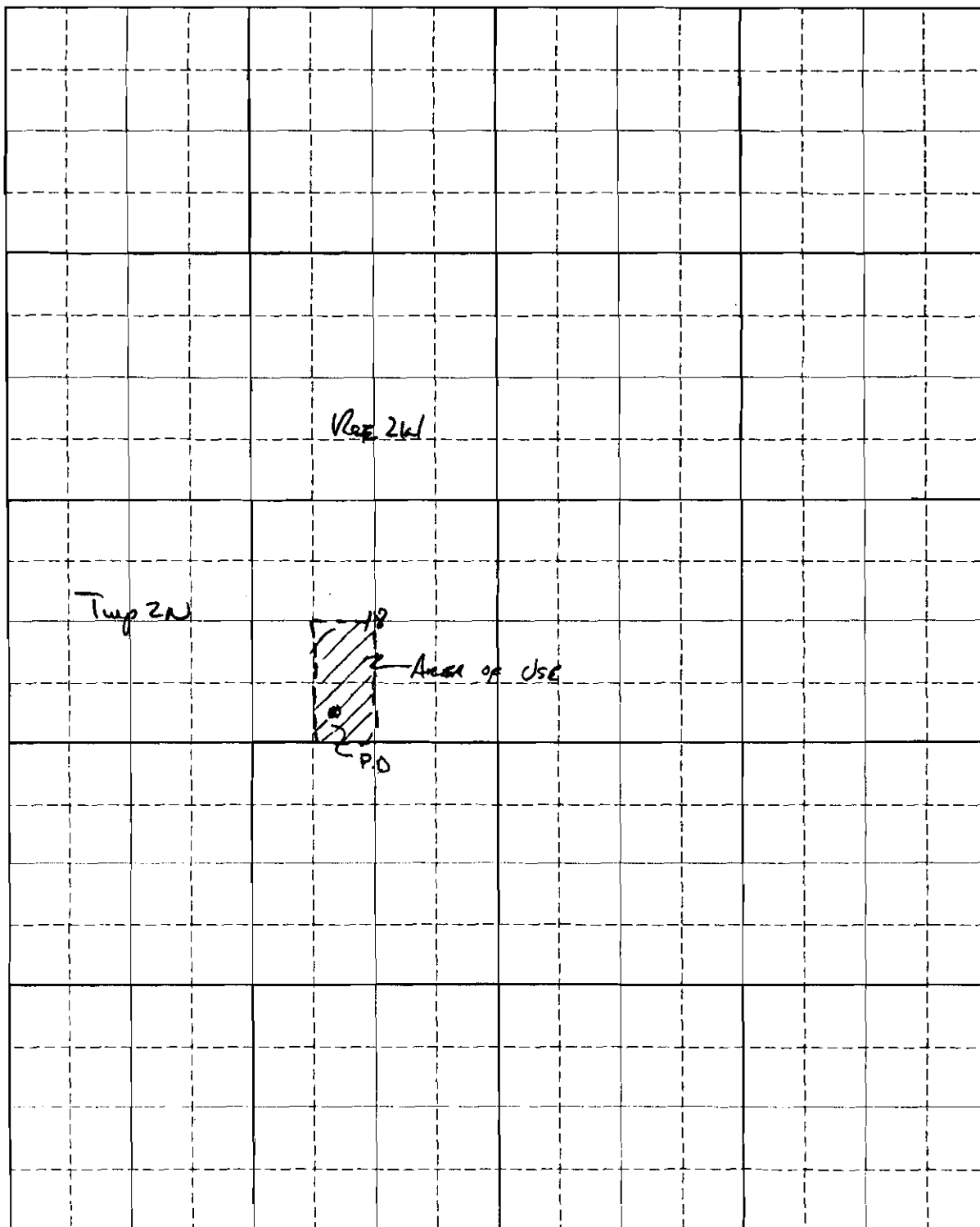
9. a. Who owns the property at the point of diversion Applicant

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 Total water used not to exceed 0.02 c.f.s.

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.

Walter J. Smith
by (Applicant) *Walter J. Smith* pres.

Proposed Priority 3/ 9/77

Received by RL Date 3-9-77 Time 5 PM

Preliminary check by W.H. Free \$ 35.00 # 7015

Receipted by RL Date 3-9-77

Publication prepared by CS Date 3-10-77

Published in Idaho Free Press

Publication dates 3-17-77 + 3-24-77

Publication approved 1/4 Date 4-4-77

Priority reduced to 1/4 Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RL jc

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. 63-8573, 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.

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

Witness my hand this 4 day of May, 19 77.


for Director

6/9

RECEIVED

FEB 18 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 63-85731. Owner: Naito Farms Phone No. 466 3874Current Address: Rt 1 Box 7129 Nampa ID 836512. Accompanied by: No one EXAM DATE: 10/21/93

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	SE	SW	18	2N	2W	Canyon	Site visit, orthophotoquad

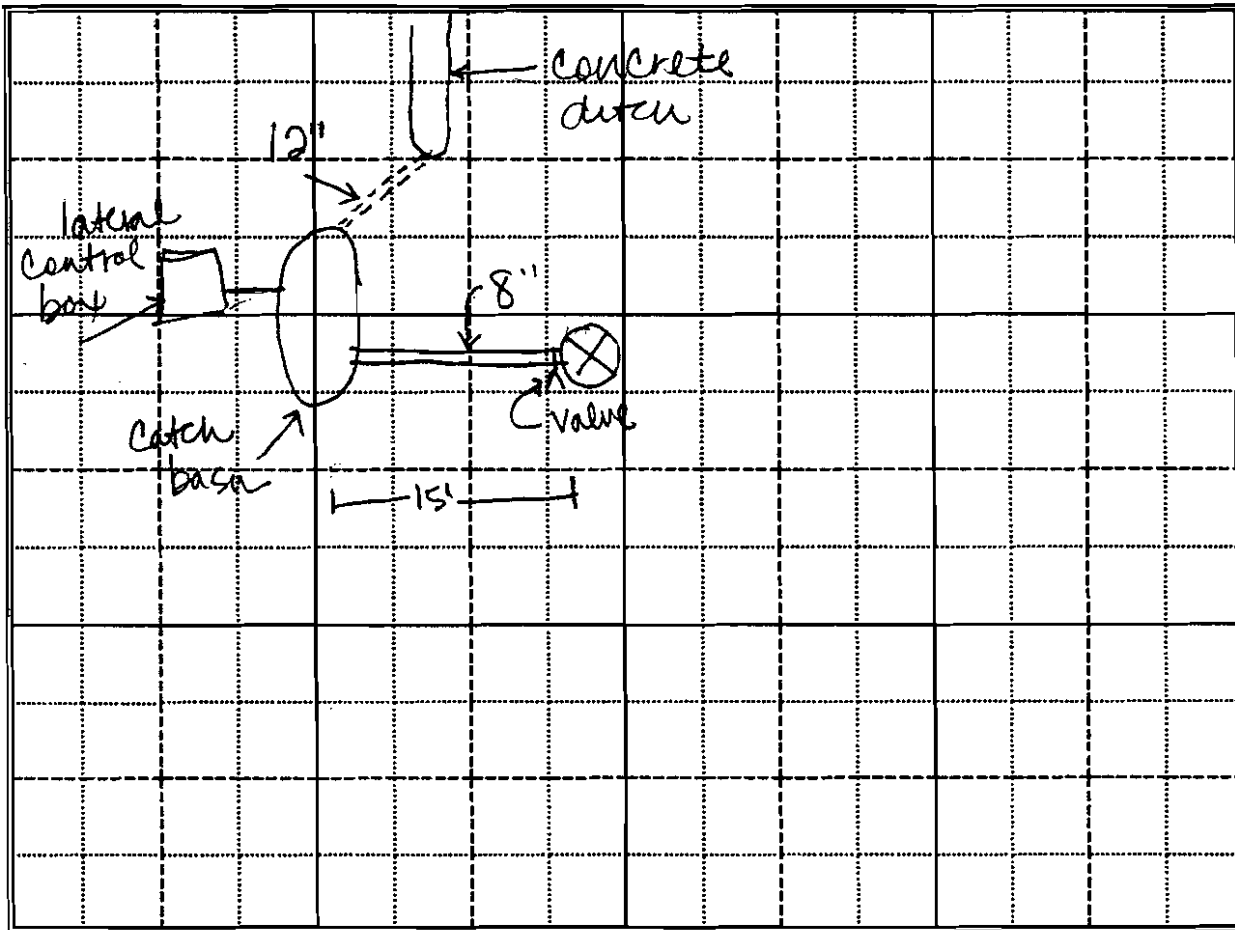
2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	2W	18									20			37					57

APR 13 1994

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.D. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	USELEC	25	F422/204807 0R024F13	wel-line	46149 / 8"

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: Theoretical, from layne pump, TD = 104',
pump set @ 80' open discharge PS = 0

APR 13 1994

E. NARRATIVE/REMARKS/COMMENTS

12" well w/ 25 HP turbine motor, discharge into ditch lateral control basin and into concrete ditch along west side of irrigated area, for gravity irrigation to the east.

Ditch runs only to top (Northend) of Field #2 - See ASCS photography. Field #1 receives I.D. water from the north & is not deliverable under this permit - has been dropped from permit. Field #1 is upgrade from end of cement ditch receiving well flows.

No meas. device - none necessary. Theoretical flows may be used or point of discharge meas. could be made.

Have conditions of permit approval been met? ☐ yes ☒ no

APR 13 1994

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

HP equation

$$\frac{25 \times 8.8 \times 7}{75} = 2.05 \text{ cfs}$$

allow 1.14 cfs for 57 acres

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 57 \times 4.5 = 256.5$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.14 \times 246 \times 1.9835 = 556$$

$$V = \text{Smaller of } V_{LR} \text{ and } V_{D.R.} = 256.5$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRR	3/15	11/15	1.14	256.5
Totals:			1.14	256.5

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

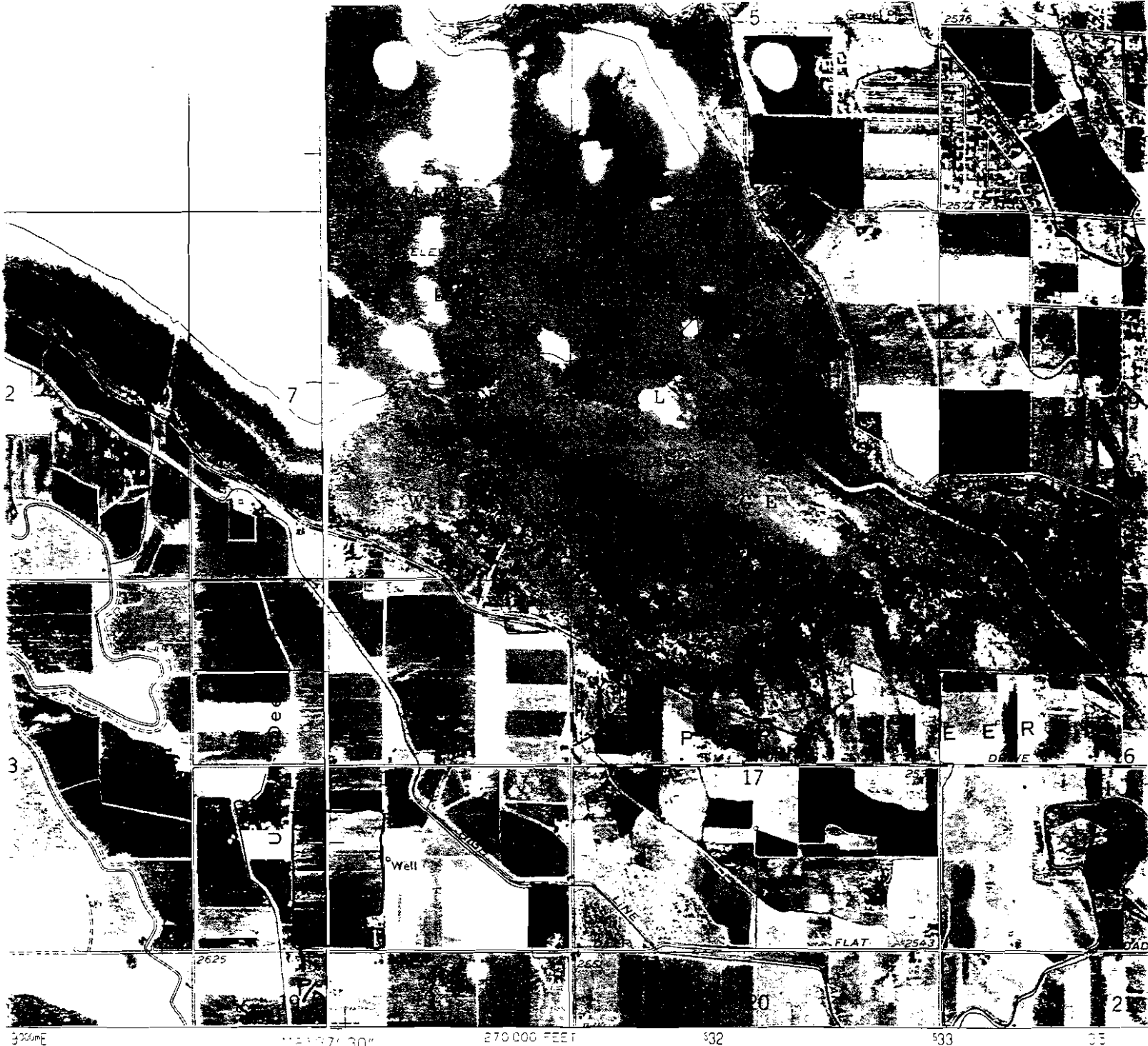
I. AUTHENTICATION

Field Examiner's Name C. J. Hodges Date 1/26/93

Reviewer _____ Date _____

SEAL

APR 18 1994



Produced by the Geological Survey

Orthophotograph prepared from 1:80,000-scale aerial
photographs taken July 8, 1981

Projection and 10,000-foot grid ticks, Idaho
coordinate system, west zone
Transverse Mercator)

1000-meter Universal Transverse Mercator grid, zone 11
1927 North American Datum

LAKE LOWELL, IDAHO

N4330—W11637.5/7.5

1981

To place on the predicted North American Datum 1983 move
the projection lines 16 meters north and 78 meters east
is shown by dashed corner ticks

Photomimagery rectified by optical scanning
Where double or mismatched image occur use the
mean of image position for map point

Land lines from Nampa, Idaho

1:24,000-scale topographic map dated 1971

There may be discrepancies between positions on land lines
and photomimagery

63-8573

ZN 2W
Sec 18

NORTH

APR 13 1982

T5446

T4079

20.9

T5445 H/NW

19.4

2
54.7

2
1.2

2
9.4

T3400

Delivery

Ends
HERE

18.6

3
3.0

H/
2
2.9

H/

T338

IC

4
13.1

H/

5

15

T3401

30.5

13

18 3
4.6

2
56.5

24

2
35.4

1
39.4

H/

T3390

2
37.9

T3629

H/NW

H/NW

H/NW

3
19.9

2
28.9

1
24.6

T3360

H/NW

2
9.5

H/NW

3
9.0

H/NW

T3390

APR 13 1994

T3392

T3391

10/21/93

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. DRILLING PERMIT NO: None found OTHER APPLICABLE NO: 63-8573
2. OWNER: NAITO FARMS Phone: _____
Address: _____
3. WELL LOCATION: Twp 2N, Rge. 2W, Sec. 18, SE 1/4 SW 1/4
County Canyon (Provide sketch map and photo on reverse.)
4. DRILLER: DOTY Lic. No. _____
When Drilled? 1977
5. WELL CONSTRUCTION:
Casing Diameter 12 inches Water tight cap? ☐ Yes ☒ No ** See remarks* Access Port: ☐ Yes ☒ No
Casing $\geq$ 12 inches above ground? ☒ Yes ☐ No - Describe _____
Depth of Casing N/A ft. Method Drilled _____
Condition of Well Casing: ☒ Good ☐ Fair ☐ Poor Describe _____
Control Valve? ☒ Yes ☐ No Pressure Gauge: ☐ Yes ☒ No
Condition of Piping and Valving OK
Auger to a depth of _____ ft. Evidence of Annular Seal ☐ Yes ☐ No
Are there obvious construction problems that may be a source for contamination or waste of water?
☒ Yes ☐ No (Describe in Remarks and Attach Photo - On Reverse)
** See remarks*
6. HYDROLOGIC INFORMATION:
Depth to Static Water N/A ft. Water Temperature _____ °F
Flowing Artesian ☐ Yes ☒ No Pressure: _____ (psi)
Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose _____
Water Quality Measurements/Observations (Describe) _____
7. WELL USE:
☐ Domestic ☒ Irrigation ☐ Stock
☐ Test ☐ Municipal ☐ Industrial
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used
☐ Other: _____

APR 13 1994

8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☐ No

Is there a possible source of contamination nearby? ☐ Yes ☒ No

If yes, what Type? _____

How far away from the well is this source? _____

9. REMARKS: Motor not set on concrete pad. Under motor base, there are gaps ~~around~~ between pump column and casing.

C. J. Hodges
Signature of Dept. Representative & Title

10/21/93
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

RECEIVED

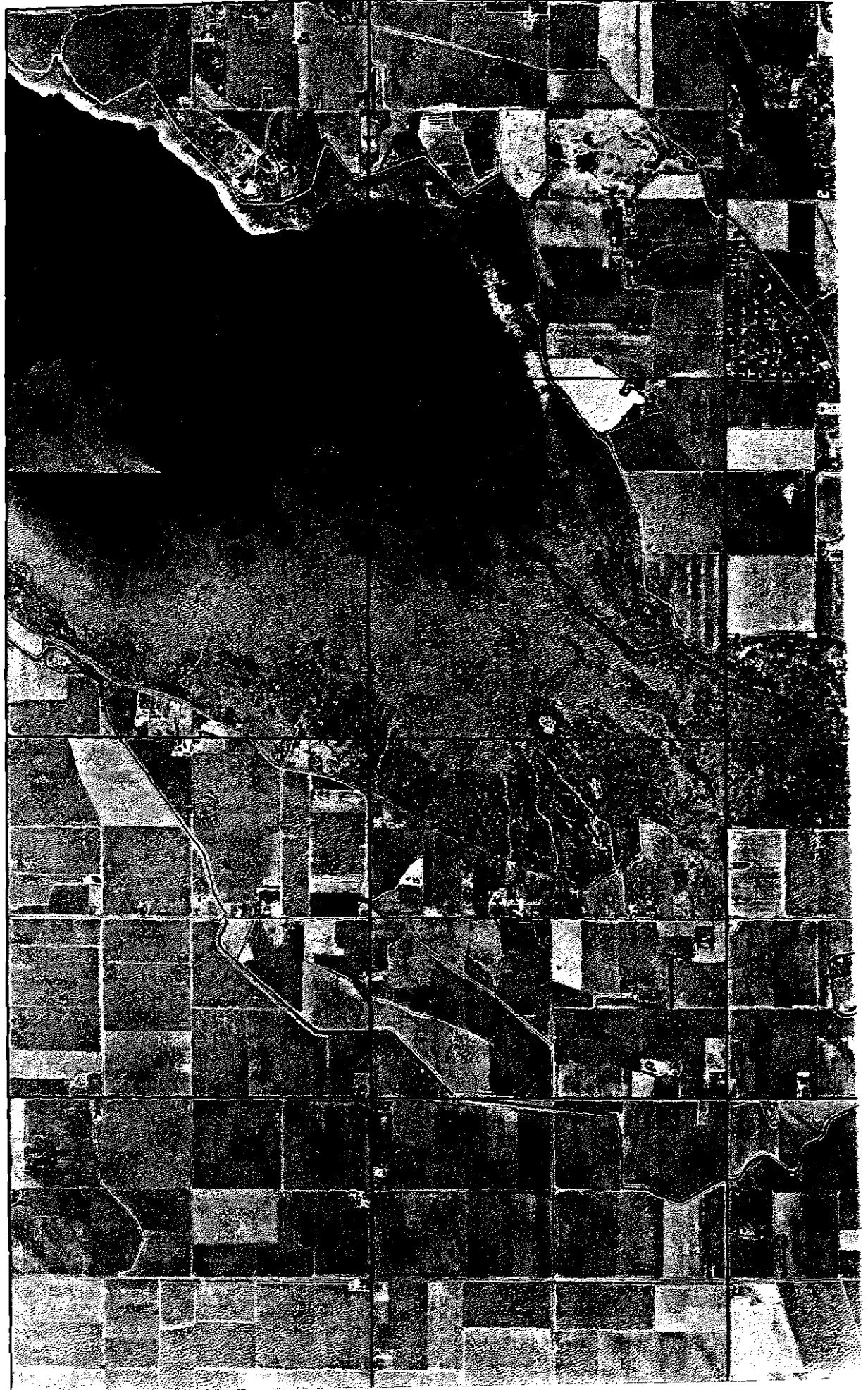
APR 13 1994

Bois Valley Project

T2N, R2W
1994

J4

518





State of Idaho
DEPARTMENT OF WATER RESOURCES

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

May 31, 1991

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Mitts Naito
9998 Hwy 45
Nampa, ID 83686

Dear Mr. Naito:

I am writing in regard to your request for refund of \$78.00 relating to Notice of Claim number A63-08573.

We are unable to process this refund request at this time. Our records indicate that Boise-Kuna Irrigation District has not yet paid for the claims they filed in the Adjudication. This is because their storage water is under Federal jurisdiction and have not yet been required to pay filing fees.

You may want to get in touch with the Boise-Kuna management to see where they stand on their fees. The District Court judge Daniel Hurlbutt, Jr. ruled recently that the Federal government must pay fees for their Adjudication claims. Based on this information we cannot issue a refund at this time.

Feel free to contact me if you have any further questions.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

MICROFILMED

AUG 24 1992

IDAHO DEPARTMENT OF WATER RESOURCES

MEMO-REPLY	Date <u>5-06-91</u>
------------	---------------------

To L. Werner

From D. Shaff

- | | |
|---|---|
| ☒ Take Appropriate Action | ☐ For Your Information |
| ☐ Draft A Reply | ☐ For Your Approval |
| ☐ Action Required By _____ | ☐ For Your Comments |
| ☐ See Me | ☐ As You Requested |
| ☐ Call Me | ☐ Copy (____ Copies) |
| ☐ Return To Me | ☐ File |

Comments No overlap analysis has been made. POU inquiry does not show Boise-Tuna that has filed claim, but data base shows no POU. I do not recall B-K paying for all acres within its boundaries. In fact, B-K on C009156 has paid no variable fee. Jan has a "to do" to solicit a POU & variable fees from B-K.

Reply 5-31-91 - To file
Based on the above info. & Don's request I have sent Naito the attached letter dated 5-31-91.

J.R.W.

MICROFILMED

AUG 24 1992

Signed _____ Date _____

63

REFUND REQUEST

Hold Until _____ To Fiscal _____

TO: Debbie Allen

THRU: Don Shaff

FROM: John Carlson

RE: Payor

Address

Mitts Naito
9998 Hwy. 45
Nampa, ID 83686

Initials/Date

Approved

Approved

Claimant if NOT Payor _____

Receipt # W007601 Attached ☒

Amount \$ 78.00

W/R #(s) A63-08573

Logged 9-21-90 *sf*

Claim Location western/db

Extension Filed? Y/N NA

Copy Attached? Y/N NA

Late Fees Paid? Y/N NA

On Receipt # —

Refund Generated By L. Werner

Not Refunded as of 9-21-90 *sf*

Reason for Refund overpmt.

Date of Last Correspondence 6

Data Base Modified? Y/N NA By _____ Date _____

REMARKS: fees also pd by Boise-Luna Inv.

09/20/90

MICROFILMED

AUG 24 1992

TO: Debbie Allen

FROM: D. Shaff

DATE: 4-3-90

RE: Receipt W007601 Refund

Please process a refund of \$78.⁰⁰ to:

Mitts Naito
9998 Hwy. 45
Nampa, ID 83686

AG 3-8573

(Fees also pd by Boise. Kuna Irr.)

MICROFILMED

AUG 24 1992

...TER-DEPARTMENT MEMO — 1

FROM Linda Werner
TO Don Shaff

DATE 1-14-90

SUBJECT Please issue a refund in the amount of \$78.00 to Mitte Naito. This is for 78 acres which was already paid for by Boise-Kuna Irr. in their filing. Thanks

9998 Hwy 45
Nampa, ID 83686

AG3-8573

MICROFILMED

AUG 24 1992

Linda

SIGNATURE

? 1990

Mitts Naito
9998 Hwy. 45
Nampa, ID 83686

RE: Snake River Basin Adjudication (SRBA)
Canyon County - #A63-08573
Receipt #W007601 - \$78.00

Dear Mr. Naito:

An overpayment of your filing fees has been brought to our attention on your above claim in the amount of \$78.00. The refund process has been initiated with the State Auditor's Office, and you should receive your check in the near future.

Sincerely,

John C. Carlson
Adjudication Supervisor

JDC:sf:ref ~~XXXX~~

MICROFILMED

AUG 24 1992