

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 63-21436
Date Received: 3/15/1990
Receipt No: C015627
Received By:

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

1. Name of Claimant(s)

LEOLA JOY BROWN Phone: (208)454-8456
23818 WAGNER ROAD
CALDWELL ID USA 83605

2. Date of Priority: 06/01/1935

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
04N	03W	6	NE	NE	NE	CANYON	

5. Description of diverting works:

WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
COMMERCIAL	1/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.04 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of	1/4 Lot	Use	Acres
04N	03W	6	NE	NE	COMMERCIAL	

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:

14. Remarks:

#4

CHANGE IN OWNERSHIP LG- 7-13-2006

15. Basis of Claim: Beneficial Use

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

RECEIVED
 APR 24 2006
 WATER RESOURCES
 WESTERN REGION

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
63-21436	63-21436	☐			☐
		☐			☐
		☐			☐
		☐			☐
		☐			☐

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- 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) Enrose Farms Inc
23955 Wagner Road, Caldwell, ID 83605
4. New Owner/Claimant(s) Leola Joy Brown
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 23818 Wagner Road
- City, State and ZIP Code Caldwell, ID 83605
- New Telephone Number (208) 454-8456
5. Date you acquired the property Dec. 8th 1994

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	_____	_____

N/A

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)

Leola Jay Brown

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 eg Date 4-24-06 Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by eg AJ Date 7-14-06 WR _____ Date _____

reviewed by KB

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-21436

WATER RIGHT NUMBER: 63-21436

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ENROSE FARMS INC 23955 WAGNER RD CALDWELL, ID 83605 (208)459-7155

Priority Date: 06/01/1935

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
COMMERCIAL	1/01 to 12/31	0.040 CFS	
<u>Total Diversion:</u>		0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4NE1/4	Sec. 6,	Twp 04N,	Rge 03W, B.M.
CANYON County				

Place of Use

COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	03W	6	X																

Conditions of Approval:

1. #4

Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-21436

Claim Received Date: 3/15/1990

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

200585755

RECORDED

2005 DEC 22 AM 9 57

G NOEL HALES

CANYON COUNTY RECORDER

R. J. H. Hales

REQUESTED BY
TYPE deed FEE \$100

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

THORNTON BYRON LLP
3101 W. MAIN, SUITE 200
POST OFFICE BOX 7156
BOISE, ID 83707-1156
208-344-8600

(SPACE ABOVE LINE FOR RECORDER'S USE)

STATUTORY WARRANTY DEED

FOR VALUE RECEIVED, LEOLA JOY BROWN, AS THE SURVIVING TRUSTEE OF THE BILLIE AND LEOLA JOY BROWN FAMILY TRUST, Grantor, does hereby grant, bargain, sell and convey to LEOLA JOY BROWN, a single woman, whose current address is 23818 Wagner Road, Caldwell, Idaho 83605, Grantee, all of Grantor's right, title and interest in and to certain real property located in Canyon County, Idaho, more particularly described on Exhibit A attached hereto and made a part hereof by this reference.

TOGETHER WITH all improvements, easements, hereditaments and appurtenances thereto, and subject to such other rights, easements, covenants, restrictions and zoning regulations as appear of record or based upon the premises.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee and Grantee's successors and assigns forever. Grantor hereby covenants to and with the said Grantee that 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; AND subject to reservations, restrictions, dedications, easements, rights of way and agreements, if any, of record, and general taxes and assessments (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable.

Grantor, its successors and assigns shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of the Grantee, its successors and assigns, against Grantor, its successors and assigns, and against all and every person and persons whomsoever lawfully claiming the same, shall and will WARRANT and by these PRESENTS forever defend.

IN WITNESS WHEREOF, Grantor has hereunto subscribed its name to this instrument effective the first day of November, 2005.

GRANTOR:

BILLIE AND LEOLA JOY BROWN FAMILY TRUST

BY: Leola Joy Brown
LEOLA JOY BROWN, SURVIVING TRUSTEE

STATE OF IDAHO)
 ss.
COUNTY OF ADA)

On this 29th day of November, 2005, before me, the undersigned Notary Public in and for said State, personally appeared LEOLA JOY BROWN, known or identified to me to be the Surviving Trustee of the BILLIE AND LEOLA JOY BROWN FAMILY TRUST, the within named Grantor, and the person whose name is subscribed to the within instrument, and acknowledged to me that said Trust executed the same for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

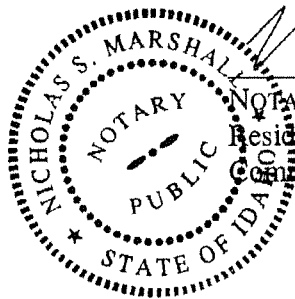
 Nicholas Marshall
NOTARY PUBLIC, State of Idaho
Residing at Boise, Idaho
Commission expires: 3/5/2010

EXHIBIT A

* * * * *

APN R3456900000 - 23181 WAGNER ROAD:

Lot 4 (being the same as the Northwest Quarter of the Northwest Quarter) of Section 5, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

SUBJECT TO:

- 1) Liens and assessments of the Black Canyon Irrigation District, and the rights and powers of said district as by law provided.
- 2) Provisions, reservations and restrictions as shown by the several contracts between the United States of America and Black Canyon Irrigation District, and the amendments thereto, or between the present owner or past owners of the real property herein described and the Black Canyon Irrigation District or the United States of America, whether said contracts be of record in the office of the Recorder of Canyon County, Idaho, or on file with the Secretary of Black Canyon Irrigation District.
- 3) Rights of way for irrigation and drainage ditches and canals and roads.
- 4) Water rights.
- 5) Any right, title or interest in any minerals, gravel, mineral rights or related matters, including, but not limited to, oil, gas, coal and other hydrocarbons. Matters may appear of record affecting said rights, but neither this deed nor the forthcoming title policy covers an examination or of insurance as to the ownership or condition of minerals.

200585754

RECORDED

DEC 22 AM 9 57

G NOEL HALES

CANYON CNTY RECORDER

BY *CMcLaughlin* sp.

REQUEST *Thornton Byron*
TYPE *Deed* FEE *27.00*

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

THORNTON BYRON LLP
3101 W. MAIN, SUITE 200
POST OFFICE BOX 7156
BOISE, ID 83707-1156
208-344-8600

(SPACE ABOVE LINE FOR RECORDER'S USE)

STATUTORY WARRANTY DEED

* * * * *

FOR VALUE RECEIVED, LEOLA JOY BROWN, AS THE SURVIVING TRUSTEE OF THE BILLIE AND LEOLA JOY BROWN FAMILY TRUST, Grantor, does hereby grant, bargain, sell and convey to BROWN FAMILY FARMS LP, an Idaho limited partnership, whose current address is 23818 Wagner Road, Caldwell, Idaho 83605, Grantee, all of Grantor's right, title and interest in and to certain real property located in Canyon County, Idaho, more particularly described on Exhibit A attached hereto and made a part hereof by this reference.

TOGETHER WITH all improvements, easements, hereditaments and appurtenances thereto, and subject to such other rights, easements, covenants, restrictions and zoning regulations as appear of record or based upon the premises.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee and Grantee's successors and assigns forever. Grantor hereby covenants to and with the said Grantee that 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; AND subject to reservations, restrictions, dedications, easements, rights of way and agreements, if any, of record, and general taxes and assessments (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable.

Grantor, its successors and assigns shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of the Grantee, its successors and assigns, against Grantor, its successors and assigns, and against all and every person and persons whomsoever lawfully claiming the same, shall and will WARRANT and by these PRESENTS forever defend.

IN WITNESS WHEREOF, Grantor has hereunto subscribed its name to this instrument effective the first day of November, 2005.

GRANTOR:

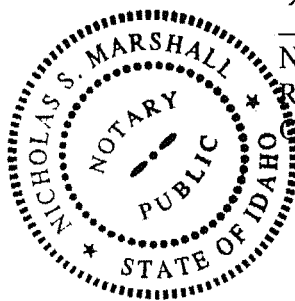
BILLIE AND LEOLA JOY BROWN FAMILY TRUST

BY Leola Joy Brown
LEOLA JOY BROWN, SURVIVING TRUSTEE

STATE OF IDAHO)
 ss.
COUNTY OF ADA)

On this 29th day of November, 2005, before me, the undersigned Notary Public in and for said State, personally appeared LEOLA JOY BROWN, known or identified to me to be the Surviving Trustee of the BILLIE AND LEOLA JOY BROWN FAMILY TRUST, the within named Grantor, and the person whose name is subscribed to the within instrument, and acknowledged to me that said Trust executed the same for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Nicholas Marshall

NOTARY PUBLIC, State of Idaho

Residing at Boise, Idaho

Commission expires: 3/5/2010

EXHIBIT A

APN R34578010A0 - MINK ROAD:

A portion of the Northwest Quarter of the Southeast Quarter and of the Northeast Quarter of the Southwest Quarter of Section 6, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

COMMENCING at the Northwest corner of said Northwest Quarter of the Southeast Quarter; thence

North 89° 35' 44" East along the North boundary of said Northwest Quarter of the Southeast Quarter a distance of 29.05 feet to the TRUE POINT OF BEGINNING; thence continuing

North 89° 35' 44" East along the North boundary of said Northwest Quarter of the Southeast Quarter a distance of 1,295.21 feet to the Northeast corner of said Northwest Quarter of the Southeast Quarter; thence

South 1° 04' 29" West along the East boundary of said Northwest Quarter of the Southeast Quarter a distance of 1,326.58 feet to the Southeast corner of said Northwest Quarter of the Southeast Quarter; thence

South 89° 29' 56" West along the South boundary of said Northwest Quarter of the Southeast Quarter a distance of 850.07 feet to a point on the Northerly right-of-way for the Sabree Canal; thence traversing said right-of-way as follows:

North 47° 27' 54" West a distance of 55.98 feet; thence

North 62° 04' 30" West a distance of 110.06 feet; thence

North 71° 18' 49" West a distance of 282.92 feet; thence

North 79° 43' 06" West a distance of 187.65 feet; thence

North 62° 16' 27" West a distance of 81.35 feet; thence

North 30° 51' 05" West a distance of 60.56 feet; thence

North 6° 31' 02" West a distance of 253.38 feet; thence

North 35° 17' 22" West a distance of 94.33 feet; thence leaving

said right-of-way and bearing

North 21° 26' 24" East a distance of 501.34 feet; thence

North 47° 19' 56" East a distance of 242.81 feet; thence

North 5° 07' 15" West a distance of 58.34 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO a 15.00-foot-wide irrigation pipe easement.

This easement lies in the Northwest Quarter of the Southeast Quarter and in the Northeast Quarter of the Southwest Quarter of Section 6, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho and the centerline is described as follows:

COMMENCING at the Northwest corner of said Northeast Quarter of the Southwest Quarter; thence

North 89° 35' 44" East along the North boundary of said

APN R34578010A0 - MINK ROAD (CONT'D):

Northeast Quarter of the Southwest Quarter a distance of 143.59 feet; thence

South 0° 31' 26" West a distance of 3.23 feet to the TRUE POINT OF BEGINNING for said centerline; thence

South 79° 32' 41" East a distance of 955.56 feet; thence

South 16° 32' 16" East a distance of 745.70 feet to the TERMINATION POINT for said centerline.

SUBJECT TO a 15.00 foot wide irrigation easement.

This easement lies in the Northwest Quarter of the Southeast Quarter of Section 6, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, and the centerline is described as follows:

COMMENCING at the Northeast corner of said Northwest Quarter of the Southeast Quarter; thence

South 89° 35' 44" West along the North boundary of said Northwest Quarter of the Southeast Quarter a distance of 7.50 feet to the TRUE POINT OF BEGINNING for said centerline; thence continuing

South 89° 35, 44" West along said North boundary a distance of 470.00 feet; thence

South 37° 48' 39" West a distance of 890.94 feet to the TERMINATION POINT for said easement.

APN R3812500000 - 16992 WILLIS ROAD:

All of the Southwest Quarter of Section 32, Township 5 North, Range 3 West, Boise Meridian, Canyon County, Idaho;

EXCEPTING THEREFROM that portion known as the personal residence of Norma E. Batt and thereof described as

All of that certain parcel of real property situate in the Southeast Quarter of the Southwest Quarter of Section 32, T5N, R3W, B.M. being more particularly described as follows:

Beginning at a point on the south line of said Section 32, from which the southwest corner of said Section 32 bears S89°10'00"W, 1839.22 feet,

THENCE; N00°14'27"W, 349.73 feet,

THENCE; N89°32'15"E, 212.49 feet,

THENCE; S00°09'46" E, 348.36 feet, to a point on said south line of section 32,

THENCE; S89°10'00"W, 212.02 feet, to the point of beginning.

The above described parcel of real property contains 1.701 acres, more or less, and is subject to all easements and reservations.

THE BASIS OF BEARING for this description is said south line of Section 32, ie. N89°10'00"E.

APN R3812500000 - 16992 WILLIS ROAD (CONT'D):

SUBJECT TO:

- 1) Liens and assessments of the Black Canyon Irrigation District, and the rights and powers of said district as by law provided.
- 2) Provisions, reservations and restrictions as shown by the several contracts between the United States of America and Black Canyon Irrigation District, and the amendments thereto, or between the present owner or past owners of the real property herein described and the Black Canyon Irrigation District or the United States of America, whether said contracts be of record in the office of the Recorder of Canyon County, Idaho, or on file with the Secretary of Black Canyon Irrigation District.

APN R3461800000 - HWY 44:

The Northeast Quarter of the Northwest Quarter and that part of the Northwest Quarter of the Northeast Quarter lying Southwesterly of the centerline of the right of way of the Notus Canal, also known as the Black Canyon Canal, in Section 9, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM

A parcel of land being on both sides of the centerline of said Interstate 80N, Project No. I-80N-1(19)25 Highway Survey, and being a portion of the Northwest Quarter of the Northeast Quarter of Section 9, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, described as follows, to-wit:

BEGINNING at the Southeast corner of the Northwest Quarter of the Northeast Quarter of Section 9, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho; thence

Westerly along the South line of said Northwest Quarter of the Northeast Quarter a distance of 427.0 feet, more or less, to a point in a line parallel with and 120 feet Westerly from the centerline of said Interstate 80N, Project No. I-80N-1(19)25 Highway Survey and being the REAL POINT OF BEGINNING; thence

North 1° 59' 40" West along said parallel line 220.0 feet, more or less, to a point in the centerline of the Black Canyon Canal (Notus Canal); thence

Southeasterly along the centerline of said canal 380.0 feet, more or less, to a point in the South line of said Northwest Quarter of the Northeast Quarter; thence

Westerly along said South line 300.0 feet, more or less, to the REAL POINT OF BEGINNING.

Highway Station Reference: 133+75 to 1336+87.

APN R3461800000 - HWY 44 (CONT'D):

ALSO EXCEPTING THEREFROM

This parcel is a portion of the Northeast Quarter of the Northwest Quarter and of the Northwest Quarter of the Northeast Quarter of Section 9, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

BEGINNING at the Northwest corner of said Northwest Quarter of the Northeast Quarter; thence

North 89° 39' 16" East along the Northerly boundary of said Northwest Quarter of the Northeast Quarter a distance of 92.88 feet (formerly shown of record as 95 feet) to a point in the centerline of the Notus Canal; thence traversing said centerline as follows:

South 28° 25' 23" East a distance of 227.68 feet; thence

South 36° 07' 18" East a distance of 98.17 feet; thence leaving said centerline and bearing

South 89° 38' 14" West parallel with the Northerly boundary of the said Northeast Quarter of the Northwest Quarter a distance of 419.82 feet; thence

North 0° 06' 54" West a distance of 280.61 feet to a point on said Northerly boundary of said Northeast Quarter of the Northwest Quarter; thence

North 89° 38' 14" East along said Northerly boundary a distance of 161.26 feet to the POINT OF BEGINNING.

APN R3457400000 - MINK ROAD:

The Northeast Quarter of the Southeast Quarter of Section 6, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM

This parcel is situated in the Northeast Quarter of the Southeast Quarter of Section 6, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

BEGINNING at the Southeast corner of said Northeast Quarter of the Southeast Quarter; thence

South 88° 19' 30" West along the South boundary of said Northeast Quarter of the Southeast Quarter a distance of 250 feet; thence

North 0° 04' 00" East along a line parallel with the East boundary of said Northeast Quarter of the Southeast Quarter a distance of 230 feet; thence

North 88° 19' 30" East along a line parallel with said South boundary a distance of 250 feet to a point on said East boundary; thence

South 0° 04' 00" West along said East boundary a distance of 230 feet to the POINT OF BEGINNING.

WARRANTY
Deed

APN R3457000000 - WILLIS ROAD:

Lot 1 (which is the same as the Northeast Quarter of the Northeast Quarter) of Section 6, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM

That part of Lot 1 of Section 6, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

BEGINNING at the Northeast corner of Section 6, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, the REAL POINT OF BEGINNING; thence
South 1° 6' West 172.4 feet along the East line of said Section 6; thence
South 89° 12' West 170.3 feet on a line parallel to the North line of said Section 6;
thence
North 1° 6' East 172.4 feet on a line parallel to the East line of said Section 6;
thence
North 89° 12' East 170.3 feet along the North line of said Section 6 to the REAL POINT OF BEGINNING,

ALSO EXCEPTING THEREFROM

That part of Lot 1 of Section 6, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

BEGINNING at the Northeast corner of Section 6, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, and running thence
South 1° 6' West 172.4 feet along the East boundary line of said Section 6 to the REAL POINT OF BEGINNING; thence continue
South 1° 6' West 263.2 feet along the East line of said Section 6; thence
South 89° 12' West 300 feet on a line parallel with the North boundary line of said Section 6; thence
North 1° 6' East 435.6 feet on a line parallel with the East boundary line of said Section 6 to a point in the North boundary line of said Section 6; thence
North 89° 12' East 129.7 feet along the North line of said Section 6; thence
South 1° 6' West 172.4 feet on a line parallel with the East boundary line of said Section 6; thence
North 89° 12' East on a line parallel with the North boundary line of said Section 6 a distance of 170.3 feet to the REAL POINT OF BEGINNING.

SUBJECT TO:

- 1) Liens and assessments of the Black Canyon Irrigation District, and the rights and powers of said district as by law provided.
- 2) Provisions, reservations and restrictions as shown by the several contracts between the United States of America and Black Canyon Irrigation District, and the amendments thereto, or between the present owner or past owners

APN R3457000000 - WILLIS ROAD (CONT'D):

of the real property herein described and the Black Canyon Irrigation District or the United States of America, whether said contracts be of record in the office of the Recorder of Canyon County, Idaho, or on file with the Secretary of Black Canyon Irrigation District.

- 3) Rights of way for irrigation and drainage ditches and canals and roads.
- 4) Power Line Easement as granted to IDAHO POWER COMPANY, a corporation, by instrument recorded July 21, 1958 as Instrument No. 459256, records of Canyon County, Idaho...including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system.
- 5) Water rights.
- 6) Any right, title or interest in any minerals, gravel, mineral rights or related matters, including, but not limited to, oil, gas, coal and other hydrocabrons. Matters may appear of record affecting said rights, but neither this deed nor the forthcoming title policy covers an examination or of insurance as to the ownership or condition of minerals.

APN R3457200000 - WAGNER ROAD:

563-21436
↓

That part of Lot 1 of Section 6, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

BEGINNING at the Northeast corner of Section 6, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, the REAL POINT OF BEGINNING; thence

South 1° 6' West 172.4 feet along the East line of said Section 6'; thence

South 89° 12' West 170.3 feet on a line parallel to the North line of said Section 6; thence

North 1° 6' East 172.4 feet on a line parallel to the East line of said Section 6; thence

North 89° 12' East 170.3 feet along the North line of said Section 6 to the REAL POINT OF BEGINNING.

AND

That part of Lot 1 of Section 6, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

APN R3457200000 - WAGNER ROAD (CONT'D):

BEGINNING at the Northeast corner of Section 6, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, and running thence

South 1° 6' West 172.4 feet along the East boundary line of said Section 6 to the REAL POINT OF BEGINNING; thence continue

South 1° 6' West 263.2 feet along the East line of said Section 6; thence

South 89° 12' West 300 feet on a line parallel with the North boundary line of said Section 6; thence

North 1° 6' East 435.6 feet on a line parallel with the East boundary line of said Section 6 to a point in the North boundary line of said Section 6; thence

North 89° 12' East 129.7 feet along the North line of said Section 6; thence

South 1° 6' West 172.4 feet on a line parallel with the East boundary line of said Section 6; thence

North 89° 12' East on a line parallel with the North boundary line of said Section 6 a distance of 170.3 feet to the REAL POINT OF BEGINNING.

SUBJECT TO:

- 1) Liens and assessments of the Black Canyon Irrigation District, and the rights and powers of said district as by law provided.
- 2) Provisions, reservations and restrictions as shown by the several contracts between the United States of America and Black Canyon Irrigation District, and the amendments thereto, or between the present owner or past owners of the real property herein described and the Black Canyon Irrigation District or the United States of America, whether said contracts be of record in the office of the Recorder of Canyon County, Idaho, or on file with the Secretary of Black Canyon Irrigation District.
- 3) Rights of way for irrigation and drainage ditches and canals and roads.
- 4) Power Line Easement as granted to IDAHO POWER COMPANY, a corporation, by instrument recorded July 21, 1958 as Instrument No. 459256, records of Canyon County, Idaho...including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system.
- 5) Water rights.
- 6) Any right, title or interest in any minerals, gravel, mineral rights or related matters, including, but not limited to, oil, gas, coal and other hydrocarbons. Matters may appear of record affecting said rights, but neither this deed nor the forthcoming title policy covers an examination or of insurance as to the ownership or condition of minerals.

IN WITNESS WHEREOF, Grantor has hereunto subscribed its name to this instrument effective the first day of November, 2005.

GRANTOR:

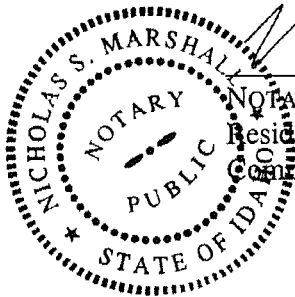
BILLIE AND LEOLA JOY BROWN FAMILY TRUST

BY: Leola Joy Brown
LEOLA JOY BROWN, SURVIVING TRUSTEE

STATE OF IDAHO)
 ss.
COUNTY OF ADA)

On this 29th day of November, 2005, before me, the undersigned Notary Public in and for said State, personally appeared LEOLA JOY BROWN, known or identified to me to be the Surviving Trustee of the BILLIE AND LEOLA JOY BROWN FAMILY TRUST, the within named Grantor, and the person whose name is subscribed to the within instrument, and acknowledged to me that said Trust executed the same for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Nicholas Marshall
NOTARY PUBLIC, State of Idaho
Residing at Boix, Idaho
Commission expires: 3/5/2010



Canyon County, ID



**Farm 8533
Tract 1305**

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: A63-21436
Date Received: 3/09/1990
Receipt No: C015627
Received By: SEA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ENROSE FARMS INC. 208-459-7155
Address: 23955 WAGNER RD.
CALDWELL, ID 83605
2. Date of Priority: JUN 01, 1935
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	03W	6	NE	NE	NE		CANYON
5. Description of diverting works:
WELL AND PUMP
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.040		
7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
COMMERCIAL, OFFICE AND SHOP
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	03W	6	NE	NE		COMMER	
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:
NONE

14. Remarks:
#4

15. Basis of Claim: BENEFICIAL USE

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 xx 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 _____ Secretary _____ of
Title

Enrose Farms, Inc., that I have signed the foregoing
Organization
document in the space below as _____ Secretary _____ of
Title

Enrose Farms, Inc. and that the statements contained in the
Organization
foregoing document are true and correct. Linda M. Robertson
Signature of Authorized Agent

Secretary, Enrose Farms, Inc.
Title and Organization

March 12, 1990
Date

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 12th day
of March 19 90

Jane R. Cook
Notary Public

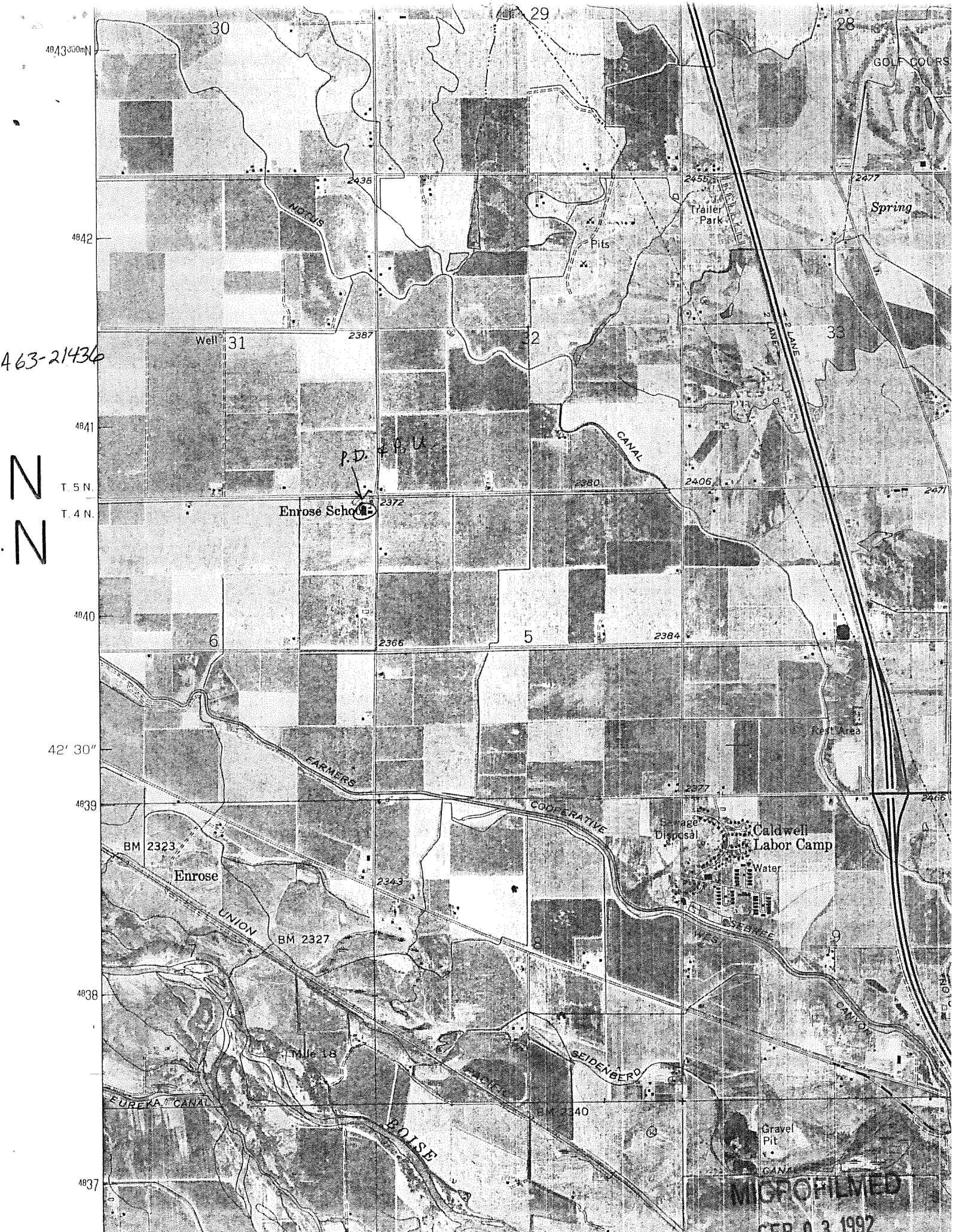
Seal

Residing at Nampa, Idaho

My Commission Expires 6-10-1993

463-21436

N
N



MICROFILMED
SEP 2 1997

11/17/2006

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

RIGHT NUMBER: 63-21436

NAME AND ADDRESS: LEOLA JOY BROWN
23818 WAGNER ROAD
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
24.800 AFY

PRIORITY DATE: 06/01/1935

POINT OF DIVERSION:

T04N R03W S6 NENENE Lot 1 Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

COMMERCIAL

01/01 12/31

0.040 CFS

24.80 AFY

PLACE OF USE: COMMERCIAL in CANYON County

T04N R03W S06 Lot 1 NENE

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 - Beneficial Use
Commercial use is in an office and shop.

07/17/2006

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

RIGHT NUMBER: 63-21436

NAME AND ADDRESS: ENROSE FARMS INC
23955 WAGNER RD
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
24.800 AFY

PRIORITY DATE: 06/01/1935

POINT OF DIVERSION:

T04N R03W S6 NENENE Lot 1 Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
COMMERCIAL

PERIOD OF USE
01/01 12/31

QUANTITY
0.040 CFS
24.80 AFY

PLACE OF USE: COMMERCIAL Within CANYON County
T04N R03W S06 Lot 1 NENE

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 - Beneficial Use

Commercial use is in an office and shop.

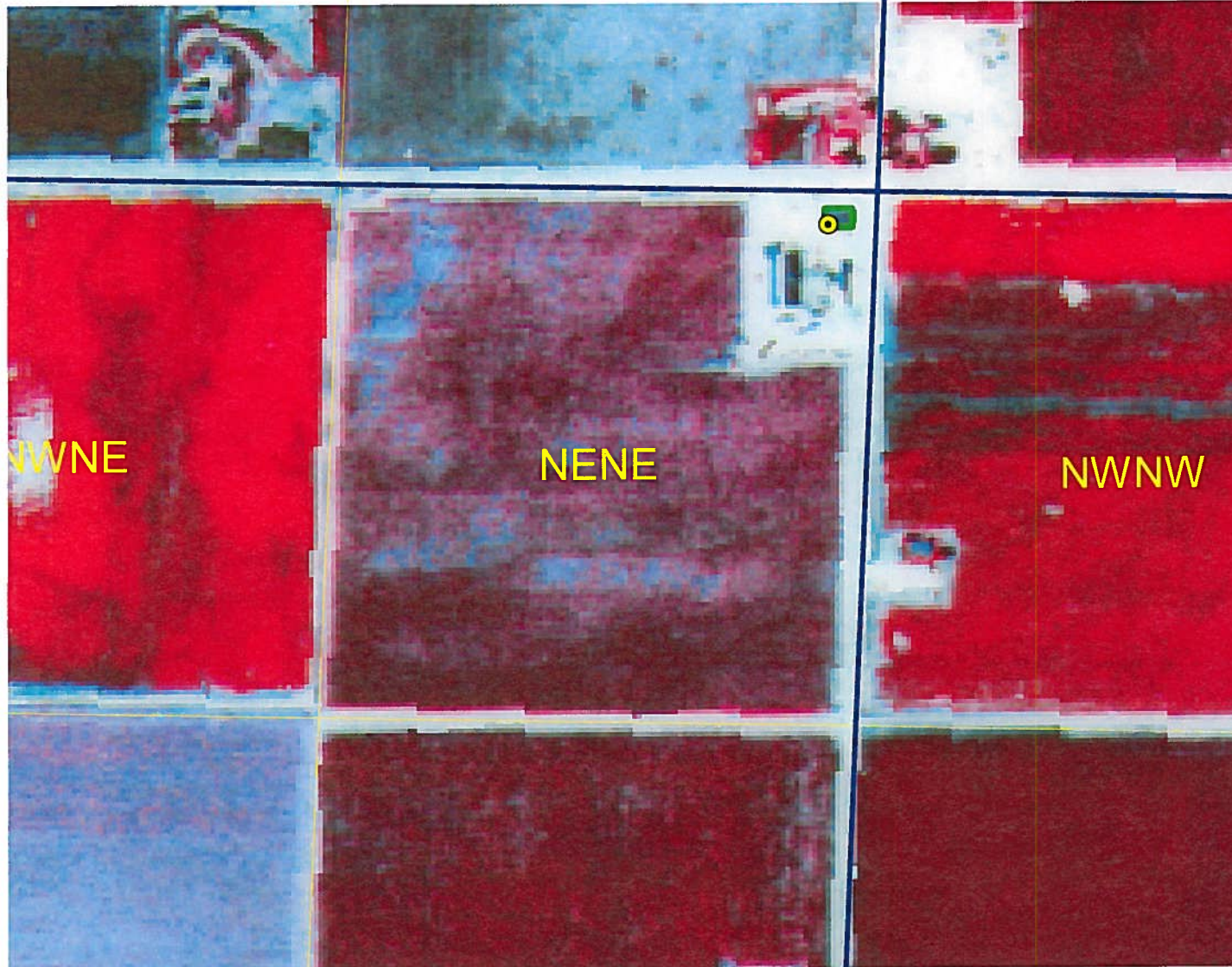
Idaho Department of Water Resources

**T04N, R03W,
SEC 6**

Claim No: 63-21436

Prepared By: Kimberly Brown

Date: July 17, 2006



Place of Use



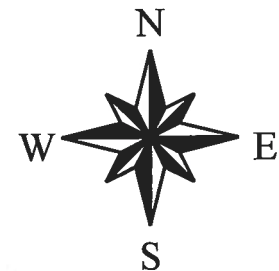
Section Lines



1/4 1/4



Point of Diversion



1987 NAPP

0.005016 Miles



Property Address:

Ø Wagner Rd., Caldwell

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-21436

WATER RIGHT NUMBER: 63-21436 ✓

Owner Type

Current Owner

office address →

Name and Address

ENROSE FARMS INC
23955 WAGNER RD
CALDWELL, ID 83605
(208)459-7155

deceased Current Owner -
(Billie) & Leola Joy Brown Trust
23818 Wagner Rd.
Caldwell 83607

Priority Date: 06/01/1935 ✓

Basis: Beneficial Use ✓

Status: Active

Source

GROUND WATER ✓

Tributary

Beneficial Use

COMMERCIAL ✓

From To

1/01 to 12/31 ✓

Diversion Rate

0.040 CFS ✓

Annual Volume

24.8 AFA

Total Diversion:

0.040 CFS ✓

24.8 AFA

Location of Point(s) of Diversion

GROUND WATER

CANYON County ✓

NE1/4NE1/4NE1/4 ✓

Sec. 6, Twp 04N, Rge 03W, B.M. ✓

ADD: Government lot 1

Place of Use

COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
✓ 04N	03W	6	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			X																
			L1																

Conditions of Approval:

1. #4

ADD- Commercial use is forⁱⁿ an office and shop.

Remarks:

Comments:

Parcel No: R 3457700000. (3.0 AC)

(in-office review)

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$54.00
- ☐ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information Govt. lot 1 applicable
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☒ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) AG3-21436Owner: Enrose Farms, Inc. Phone No. 459-7155Current Address: 23955 Wagner Rd., Caldwell 83605

- ☐ No change NAME IS THE SAME
- ☒ NEW OWNER Billie and Leola Joy Brown
- ☐ No change Address
- ☒ NEW ADDRESS 23818 Wagner Rd., Caldwell 83607
- ☐ How long owned property? _____

Accompanied by: N/A**PRIORITY DATE**

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☒ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 06/01/1935 * An affidavit signed by Frank Ascuaga was submitted on 7/14/06

(If priority date, based on your exam, seems questionable, explain below.)

Source: Ground Water Tributary to _____

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☐ No change
- ☒ POD found is different than claimed: ADD: Government lot 1
- ☐ If different, when did POD change? _____

Regarding the location of the POD, the Notice of Claim project map does not depict its exact location. Therefore, the location of the POD in ArcView was estimated.

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
	①								

Description of diverting works

Well & pump.**OVERLAP REVIEW**Other water rights with the same point of diversion: 63-8981

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

WATER USES

- ☐ No change
☐ Different Uses

Use Commercial From _____ To _____ Amount _____ CFS 24.8 AFA
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA

0.04 cfs x 1.9835 x 313 days**TOTAL VOLUME - Groundwater only**

- ☒ Incomplete on claim, the total is, Amount _____ CFS 24.8 AFA
☐ Changes found, the new total is, Amount _____ CFS _____ AFA
☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

- ☒ No change
☐ Changes Exam found: Domestic # of homes _____ Stock # _____
 Types _____ Additional comments: _____

PLACE OF USE:

- ☐ No Change
☒ Changes shown below:

ADD: Govt. lot 1

RE:

SHAPEFILE:

(*) Three buildings are circled on the Notice of Claim project map # 63-8981 covers a mint still and a hops processing plant, so I am assuming that the office is located closest to the road.

Parcel No: R3457200000. (3.0 Ac)

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			L1																

Overlap with other water rights: 63-8981

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

no overlap - 63-8981 should be licensed for 107.0 acres of
irrigation (of which 35.0 acres are located in the NE1/4, S6 and
do not overlap with the shop/office POU.

Delivery System Narrative:

Pump.

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS: N/A

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

[illegible]

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 7.17.06 (in-office review)

FIELD EXAMINER: Kimberly Brown

Commercial Volume —

Exhibit 14

PUBLIC BUILDING WATER REQUIREMENTS

Kind of Building		Number of Fixtures				See Notes
		0-50	51-100	101-200	201-400	
Hotels/Clubs	Gpm/Fixture	0.65	0.55	0.45	0.35	A B
	Min. Gpm	25	35	60	100	
	Max. Gpm	33	55	90	140	
Hospitals	Gpm/Fixture	1	0.8	0.6	0.5	A B
	Min. Gpm	25	55	85	125	
	Max. Gpm	50	80	120	200	
Apartments/Hotels	Gpm/Fixture	0.5	0.35	0.3	0.28	A
	Min. Gpm	16	30	40	65	
	Max. Gpm	25	35	60	115	
Mercantile	Gpm/Fixture	1.3	0.75	0.7	0.6	A C
	Min. Gpm	40	70	80	150	
	Max. Gpm	65	75	140	240	
Office	Gpm/Fixture	1.1	0.7	0.6	0.5	A C
	Min. Gpm	35	60	80	140	
	Max. Gpm	55	70	120	200	
Schools/Churches	Gpm/Fixture	1	0.6	0.5	0.4	A
	Min. Gpm	20	50	70	110	
	Max. Gpm	50	60	100	160	

A. Table are based on equal number of men and women. If major number of occupants are women increase capacity 15%.

B. Where laundry is operated in connection with building increase capacity 15%.

C. These estimates do not include water for special process work. The extra amount should be determined and added to the total capacity.

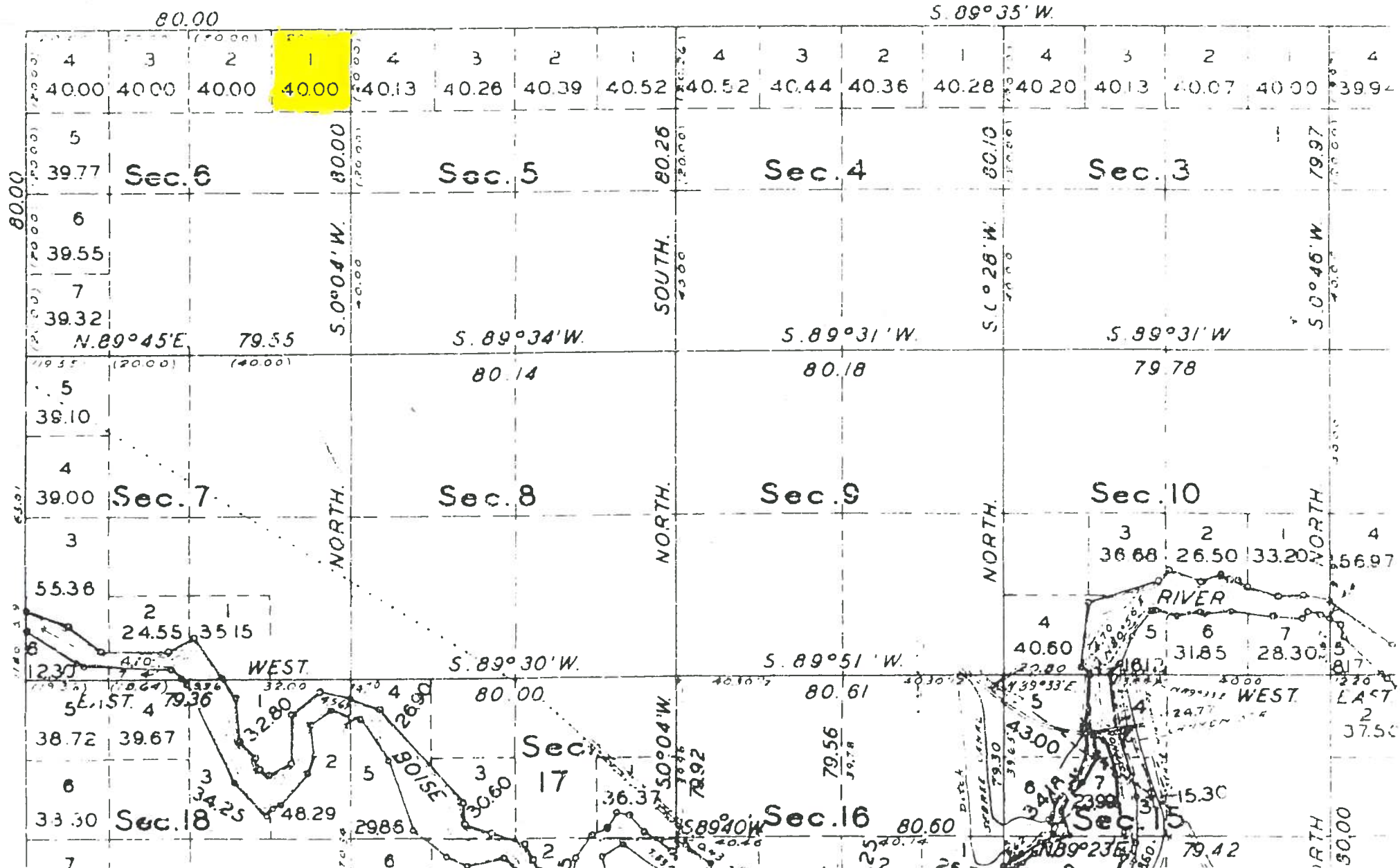
Source, Hydraulic Handbook, Colt Industries, 1979, p. 90.

Date 4/7/00 sig. B. Coutor

Claim _____
Doc Source DAIR Field
Examiner's Handbook

COMPOSITE PLAT OF

P N° 4 NORTH, RANGE N° 3 WEST OF T



#63-21436
2004 NAPP

✓ I am assuming
this is the old Enrose
School (now the
office/shop) based on
its size + proximity
to the road.

↖ ↗
I am assuming that
one of these two build-
ings is the mint still
and the other is the
hops processing plant
covered by #63-8981.

NENE

IDAHO DEPARTMENT OF WATER RESOURCES
 ADJUDICATION CLAIM POU REVIEW REPORT
 ADJUDICATION CLAIM NUMBER: 63-21436

03/23/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2322	Claim	04N	03W	6	NE	NE		IRRIGATION	40/6152	UNITED STATES OF AMERICA ACTING THROUGH
2322A	Claim	04N	03W	6	NE	NE		IRRIGATION	40/6152	BLACK CANYON IRRIGATION DIST
2878	Claim	04N	03W	6	NE	NE		IRRIGATION	40/6927	BLACK CANYON IRRIGATION DIST
8981	Claim	04N	03W	6	NE	NE		IRRIGATION	40/120	JOY BROWN
2322	Water Right	04N	03W	6	NE	NE		IRRIGATION	40/6152	US DEPT OF INTERIOR
8981	Claim	04N	03W	6	NE	NE		INDUSTRIAL		JOY BROWN
~~21436~~	~~Claim~~	~~04N~~	~~03W~~	~~6~~	~~NE~~	~~NE~~		~~COMMERCIAL~~		~~ENROSE FARMS INC~~

- no overlap w/ #63-8981 - which should be licensed for 107 acres of irrigation (35 of which are in the HENE, S6 + do not overlap with the shop/office)

REAL PROPERTY INQUIRY

```

+++++
01 6R34572-000- -0 082-00 SCH135+ 01 1,700 2.00
+++++
BROWN, BILLIE + 32 105,500
& BROWN, LEOLA JOY FAMILY TRST +
% BROWN, BILLIE W & +
% BROWN, L JOY-TRUSTEES +
+
23818 WAGNER RD +
CALDWELL ID 83607 +
+++++
06-4N-3W NE + TOTAL 134,700 3.00
TX 2 & 99884 IN GOVT LT 1 IN NENE +
+ SURVEY INST 9946996
+ DRAIN DR VALUE APPR BWL
+ CLASS BF REAP 02 MAN 01 UNIT 0
+ PARCEL 6R04N03W060010 H/O N C/B N
+ PRIOR ACCOUNT 5R34572-000- -0
+ 02 MH on Property NO
SEE R34570
MODE:F ACTION: TRAITS INQUIRY TRQK318

```

ACCOUNT NUMBER R34572000 0 UNIT 001 TOTAL UNITS

```

SITE WAGNER RD CA SEC/TWN/RNG 06-4N-3W
ASSESSED VALUE 134,700 ACREAGE 3.00
SUB/PARK NAME YEAR/MAKE
CLASS BF FARM OUTBUILDINGS WITH NO RESIDEN SPACE LOT BLOCK
+++++
YR BUILT 0 AIR COND AIR - NONE CARPORT N
STORY NO BLDG HEATING CARPORT SQ FT
FIRST SQ FT 0 EXTERIOR UNKNOWN DECK/PATIO? N
SECOND SQ FT ROOF UNKNOWN POOL? N
BEDS 0 BSMT SQ FT SPA? N
BATHS .00 % BSMT FIN LOT SIZE
FRPLC 0 GARAGE N NEIGHBORHOOD 0
GARAGE SQ FT
+++++
COMMENTS MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO

```

MODE:F ACTION: PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT TRQK101

System User- IDWRR Date 03/24/2006 Time 10:45

REAL PROPERTY INQUIRY

```

+++++
01 6R34574-000- -0 082-00 SCH135+ 01 30,700 36.00
+++++
BROWN, BILLIE +
& BROWN, LEOLA FAMILY TRUST +
% BROWN, BILLIE W & +
% BROWN, LEOLA JOY-TRUSTEES +
+
23818 WAGNER RD +
CALDWELL ID 83607 +
+++++
06-4N-3W SE + TOTAL 30,700 38.68
NESE LESS TAX 3 +
+ SURVEY INST 200008875
+ DRAIN DR VALUE APPR CTR
+ CLASS REAP 02 MAN UNIT 0
+ PARCEL 6R04N03W067200 H/O N C/B N
+ PRIOR ACCOUNT 5R34574-000- -0
+ 02 MH on Property NO

```

TOTAL UNITS

SITE	MINK RD	CA	SEC/TWN/RNG	06-4N-3W	
ASSESSED VALUE	30,700		ACREAGE	38.68	
SUB/PARK NAME			YEAR/MAKE		
CLASS	NO BUILDING CLASS		SPACE	LOT	BLOCK
+++++					
YR BUILT	0	AIR COND	AIR - NONE	CARPORT	N
STORY	NO BLDG	HEATING		CARPORT SQ FT	
FIRST SQ FT	0	EXTERIOR	UNKNOWN	DECK/PATIO?	N
SECOND SQ FT		ROOF	UNKNOWN	POOL?	N
BEDS	0	BSMT SQ FT		SPA?	N
BATHS	.00	% BSMT FIN		LOT SIZE	
FRPLC	0	GARAGE	N	NEIGHBORHOOD	0
		GARAGE SQ FT			
+++++					
COMMENTS				MOBILE HOME ONLY	
				WIDTH/LENGTH	
				EXPANDO	

```
MODE:F ACTION:          PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT          TRQK101
      System User- IDWRR      Date 03/24/2006      Time 10:45
                        REAL PROPERTY INQUIRY
```

+++++			
01 6R34570-000- -0 082-00	SCH135+	01	30,200 35.50
+++++		19	1.50
BROWN, BILLIE	+		
& BROWN, LEOLA JOY FAMILY TRST	+		
% BROWN, BILLIE W &	+		
% BROWN, L JOY-TRUSTEES	+		
	+		
23818 WAGNER RD	+		
CALDWELL ID 83605	+		
+++++			
06-4N-3W NE	+	TOTAL	30,200 37.00
GOVT LT 1 LS TX 2 & 99884	+++++		
	+	SURVEY	INST 9946996
	+	DRAIN DR VALUE	APPR CTR
	+	CLASS REAP 02 MAN	UNIT 0
WILLIS RD, CA	+	PARCEL 6R04N03W060015	H/O N C/B N
	+	PRIOR ACCOUNT	5R34570-000- -0
SEE R34572	+	02 MH on Property NO	

MODE:F ACTION: TRAITS INQUIRY TRQK318

TOTAL UNITS

SITE	WILLIS RD	CA	SEC/TWN/RNG	06-4N-3W	
ASSESSED VALUE	30,200		ACREAGE	37.00	
SUB/PARK NAME			YEAR/MAKE		
CLASS	NO BUILDING CLASS		SPACE	LOT	BLOCK
+++++					
YR BUILT	0	AIR COND	AIR - NONE	CARPORT	N
STORY	NO BLDG	HEATING		CARPORT SQ FT	
FIRST SQ FT	0	EXTERIOR	UNKNOWN	DECK/PATIO?	N
SECOND SQ FT		ROOF	UNKNOWN	POOL?	N
BEDS	0	BSMT SQ FT		SPA?	N
BATHS	.00	% BSMT FIN		LOT SIZE	
FRPLC	0	GARAGE	N	NEIGHBORHOOD	0
		GARAGE SQ FT			
+++++					
COMMENTS			MOBILE HOME ONLY		
			WIDTH/LENGTH		
			EXPANDO		

Receipt Details for ID C015627

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
3/15/1990 3:44:49 PM	3/15/1990	State	\$1,056.00	Check
Payer		ENROSE FARMS, INC.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
19622			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$1,056.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	21432		\$25.00	Claim
63	21433		\$25.00	Claim
63	21434		\$25.00	Claim
63	21406		\$25.00	Claim
63	21408		\$25.00	Claim
63	21407		\$25.00	Claim
63	21436		\$54.00	Claim
63	21435		\$51.00	Claim
63	21401		\$60.00	Claim

63	21404	\$130.00	Claim
63	10494	\$90.00	Claim
63	8725	\$58.00	Claim
63	7553	\$237.00	Claim
63	8981	\$170.00	Claim
63	21431	\$56.00	Claim

[Print Report](#)

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-21436

WATER RIGHT NUMBER: 63-21436

RECEIVED

JUL 14 2006

WATER RESOURCES
WESTERN REGIONOwner Type

Current Owner

Name and Address

ENROSE FARMS INC
23955 WAGNER RD
CALDWELL, ID 83605
(208)459-7155

Jay Brown
23818 Wagner Rd
Caldwell ID 83607
454-8456

Priority Date: 06/01/1935

Basis: Beneficial Use

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

COMMERCIAL

From To

1/01 to 12/31

Diversion Rate

0.040 CFS

Annual VolumeTotal Diversion:

0.040 CFS

Location of Point(s) of Diversion

GROUND WATER

NE1/4NE1/4NE1/4

Sec. 6, Twp 04N, Rge 03W, B.M.

CANYON County

Place of Use

COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	03W	6	X																

Conditions of Approval:

1. #4

Remarks:Comments:

63-21436

RECEIVED

JUL 14 2006

WATER RESOURCES
WESTERN REGIONIN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO. (S))
#63-21436)

AFFIDAVIT

State of Idaho)
County of Canyon)Frank Ascuaga

deposes and says: There was a well at
23955 Wagner in 1935 for the Enrose
School. It was then made into
a shop for farming & maintenance

Frank A. Ascuaga
(Signature)

RECEIVED

63-21436

JUL 14 2006

WATER RESOURCES
WESTERN REGION**COMMERCIAL USE VOLUME**

* Please keep in mind that these questions pertain only to the use of the water listed on the enclosed **Adjudication Claim Report #63-21436**.

Type of Establishment: (example - camp, church, country club, bar/lounge, boardinghouse, factory, motel, highway rest area, hospital, laundry, office, park, restaurant, school, service station, theater)

Office - Shop

Type of Facilities: (example: kitchen facility/cafeteria, lavatory facilities, shower(s), bath(s), sink(s), trailers, flush toilets)

Number of Fixtures: (example: number of flush toilets, number of bathtubs, number of bathroom/kitchen sinks, number of showers, etc.)

2 flush toilets
2 sinks

How many employees (and/or public individuals) per day use each of the facilities your commercial use is based upon?

3

How many hours per day is the facility open for this specific use?

8 hrs

How many days per week is the facility open for this use?

6

Jul. 12. 2006 3:27PM

Idaho Dept. of Water Resources

No. 5240 P. 3

63-21436

Is this facility open year round? ☒ Yes ☐ No
If not, please indicate the length of time the facility is open during the year.

** Most businesses have a good idea of how many gallons of water per day they use. If this is true in your case, please indicate how many **total gallons of water** you use for the commercial purposes explained above:

20 gals per day approximately

Additional information you feel may be pertinent:

L. Joy Brown
Your name

454-8456
Business telephone number

Please return to:

ATTN: Kimberly Brown
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

* * * Memory TX Result Report (Jul.12. 2006 3:27PM) * * *

1) Idaho Dept. of Water Resources
2)

Date/Time: Jul.12. 2006 3:26PM

File No. Mode	Destination	Pg(s)	Result	Page Not Sent
5240 Memory TX	94548456	P. 4	OK	

Reason for error

E. 1) Hang up or line fail
E. 3) No answer
E. 5) Exceeded max. E-mail size

E. 2) Busy
E. 4) No facsimile connection

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-21436

WATER RIGHT NUMBER: 63-21436

Owner Type Name and Address
Current Owner ENROSE FARMS INC
23955 WAGNER RD
CALDWELL, ID 83605
(208)459-7155

Priority Date: 05/01/1935

Basis: Beneficial Use

Status: Active

Source

GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
COMMERCIAL	1/01 to 12/31	0.040 CFS	
<u>Total Diversion:</u>		0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER NE1/4NE1/4NE1/4 Sec. 5, Twp 04N, Rge 03W, B.M.
CANYON County

Place of Use

COMMERCIAL

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	03W	6	X				

Conditions of Approval:

1. #4

Remarks:Comments:



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

July 12, 2006

Leola Joy Brown
23818 Wagner Rd
Caldwell, ID 83605

JAMES E. RISCH
Governor

KARL J. DREHER
Director

Notice of Claim to a Water Right No. 63-21436

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflect the change in ownership of the land and appurtenant water rights, covered under the original filing.

Please note that the enclosed Notice of Claim to a Water Right is not a final determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed information, please feel free to contact this office.

Sincerely,

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

Enclosure

CONVERSATION MEMORANDUM

**RE: Snake River Basin Adjudication Water Right Nos. A63-21436
Evidence of Priority and Commercial Use Volume**

April 6, 2006

Bobbi Bicandi, who rents the office space located at 23955 Wagner from the Browns, called in response to the evidence of priority request I recently sent to Enrose Farms. Ms. Bicandi informed me that, "Enrose Farms went through bankruptcy about 10 years ago, at the very least; maybe 12 years ago." According to Ms. Bicandi, the property is now owned by widower Joy Brown, since Bill Brown passed away – therefore, there is a trust. Ms. Bicandi said that they have rented the office space for 10 years.

Regarding evidence, Ms. Bicandi said that they are not able to contact Enrose Farms for well information because the sale of the property to the Browns was "a hostile take-over." Ms. Bicandi knows that the irrigation well was drilled in 1977, but may have difficulty substantiating the "domestic" well. She said she would speak with Mrs. Brown.

July 12, 2006 9:12 a.m.

Since I have not received any evidence, I decided to call Leola Joy Brown at #454-8456. Mrs. Brown was not aware that evidence was required. She said that she knows a neighbor who can probably go back to 1935. Regarding the commercial use volume, she will try to get a hold of Bobbi Bicandi to see if she still has the questionnaire that I sent in April.

July 12, 2006 3:13 p.m.

Mrs. Joy Brown called back to let me know that she found a neighbor that can fill-out an affidavit. She also found that Ms. Bicandi is on vacation and, therefore, asked that I FAX (#454-8456) the Commercial Use Volume questionnaire to her. In addition, I also faxed a blank affidavit form and a 63-21436 Adjudication Claim Report. I also spoke to her briefly regarding the need to calculate a commercial volume. Mrs. Brown said that there are only three employees, two sinks, and two toilets involved with the office/shop.

Kimberly Brown, Senior Water Resource Agent, Western Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

March 29, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

ENROSE FARMS INC
23955 WAGNER RD
CALDWELL ID 83605

RE: EVIDENCE OF PRIORITY

Snake River Basin Claim No(s): A63-21436

Dear Claimants,

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out. You indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled. **"What Kind of Evidence is Required"** and **"Some Examples of Documents Which May Be Evidence of the Priority Date."**

It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future.

The required evidence supporting the priority date(s) requested needs to be submitted by April 19, 2006. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

In addition, since it is our goal to decree the historical water right within the Snake River Basin as accurately as possible, field exams are now being conducted by Department water resource agents to verify claims in this area. In the near future, you may be receiving a call from us in order to set-up an appointment for a field exam.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

Respectfully Submitted,

Kimberly Brown

Kimberly Brown
Water Resource Agent
Adjudication Bureau

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-21436

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 28, 2006

ENROSE FARMS INC
23955 WAGNER RD
CALDWELL ID 83605

RE: Commercial use for Snake River Basin Adjudication claims 63-21436

To Whom It May Concern,

The Idaho Department of Water Resources is currently reviewing the claim to a water right you filed during claims taking in the Snake River Basin Adjudication (SRBA). During the initial review of this claim, we found that you claimed a commercial use that requires a volume amount be included in our recommendation to the SRBA Court (please refer to the enclosed copy of your adjudication claim report: under **Annual Volume**). In order for us to calculate your annual volume, it is necessary that we ask for additional information not gathered when you, or the original claimant, filed this water right.

Please refer to the **Commercial Use Volume** sheet (enclosed), answer the appropriate questions as specifically as possible, and return it to this office by April 19, 2006 so that we are able to calculate the annual volume associated with your water right; as required by the SRBA Court.

This review of your claim, in addition to the submittal of our recommendation to the SRBA Court, will result in a decreed right for your property. This water right then remains with the land as long as it is being used. We will give you the opportunity to review our recommendation and provide feedback, if necessary, prior to its submittal to the SRBA Court.

Please feel free to contact me at 334-2190 if you have any questions.

Respectfully submitted,

A handwritten signature in cursive script that reads 'Kim Brown'.

Kimberly Brown
Water Resource Agent

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 21, 2006

Billie Brown
23818 Wagner Rd
Caldwell ID 83607

RE: NOTICE OF CLAIM NO(S): A63-8725, A63-21435, A63-21436, A63-31219

Dear Mr. Brown:

We are currently preparing the Notice(s) of Claim referenced above for the Director's Report in the Snake River Basin Adjudication. Enclosed is a computer printout of the claim(s) for your reference. Our research indicates there may have been a change in the ownership for the above claim(s). Idaho Department of Water Resources (IDWR) records currently show the following name and address as the owner of the claim(s) listed above:

**ENROSE FARMS INC.
23955 WAGNER RD
CALDWELL ID 83605**

The Idaho statutes require that (IDWR) be informed of a change in water right ownership within 120 days of the property transaction. If you purchased the property referenced in this letter, please fill out the change in ownership form and send it with the required documentation to my attention at 2735 Airport Way, Boise ID 83705. If no response is received from you, all further legal notices concerning the claim(s) will be sent to the name and address of the original claimant shown above. Please call me at (208) 334-2190 if you have questions.

Sincerely,

Lori Graves
Sr. Water Resource Agent
Department of Water Resources
Western Region

Enclosures



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

PHILIP E. BATT
GOVERNOR

June 10, 1996

KARL J. DREHER
DIRECTOR

RECEIVED

JUN 10 1996

WATER RESOURCES
WESTERN REGION

ENROSE FARMS
16652 WILLIS RD
CALDWELL ID 83605

Re: Snake River Basin Adjudication (SRBA)
Notice of Claim No. A63-07553, A63-08725, A63-08981,
A63-21434, A63-21435 & A63-21436
Change of Address

Dear Claimant,

IDWR has been notified the address presently in our claim records is incorrect. Although we have reached you at the address above, we need you to confirm this is your correct mailing address. Future notices related to your SRBA claim(s) can be sent only to the address on your claim(s) or as otherwise changed by you. The staff of this agency must avoid relying upon the word of others about your mailing address.

If the address above is correct, please sign your name at the bottom of this letter, and return it to this office. Otherwise, please make the proper corrections, sign, and return this letter. Thank you for your help. We hope to assure that you receive future notices about SRBA matters.

If the ownership of the property to which the water right(s) referenced above apply has changed, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the claim record.

Sincerely,

Adjudication Bureau Staff

SO:ss:region

#####

The address is correct as shown above or as otherwise changed.

Claimant Signature

MICROFILMED
OCT 09 1996

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

In Re Snake River Basin Adjudication Case
No. 39576

) Notice of Filing Director's Report and Supplemental
) Director's Report Part II & III, United States' and Tribal
Non-consumptive Claims.

TO: ALL CLAIMANTS OF RIGHTS TO THE USE OF WATER IN THE SNAKE RIVER BASIN
YOU ARE HEREBY NOTIFIED OF THE FOLLOWING:

THE DIRECTOR'S REPORT PART II & III FOR THE UNITED STATES' AND TRIBAL NON-CONSUMPTIVE CLAIMS HAS BEEN FILED WITH THE DISTRICT COURT. A SUPPLEMENTAL DIRECTOR'S REPORT PART II & III HAS ALSO BEEN FILED WITH THE DISTRICT COURT. THIS NOTICE CONTAINS IMPORTANT INFORMATION ABOUT THE DIRECTOR'S REPORTS, AND DEADLINES AND FURTHER PROCEEDINGS ON THESE WATER RIGHT CLAIMS.

IMPORTANT NOTICE REGARDING YOUR WATER RIGHT

**THIS CONTAINS YOUR LEGAL NOTICE OF THE DIRECTOR'S REPORTS OF U.S. AND
TRIBAL NON-CONSUMPTIVE CLAIMS IN THE SNAKE RIVER BASIN ADJUDICATION
THESE CLAIMS COULD AFFECT YOUR WATER RIGHT**

40961
Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720

RECEIVED

JUN 10 1996

WATER RESOURCES
WESTERN REGION

Presorted
First Class Mail
U.S. Postage Paid
Boise, Idaho
Permit No. 1

RECEIVED

APR 21 1995

Department of Water Resources

ENROSE FARMS INC
23955 WAGNER RD
CALDWELL ID 83605

send to 16652 Willis Rd.
Cldwl, 83605
(address from P.A.I.S. 5-28-96)

ENR0955 836052010 1345 04/20/95

ENROSE FARMS
MOVED LEFT NO ADDRESS
UNABLE TO FORWARD
RETURN TO SENDER

|||||

MICROFILMED
OCT 09 1996

MLC, 01053 ✓
- 08725 ✓
- 08981 ✓
- 21434 ✓
- 21435 ✓
- 21436 ✓