

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 63-33138
Date Received: 3/7/1990
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MIDDLETON SCHOOL DISTRICT # 134 Phone: (208)585-3027
5 S 3RD AVE W
MIDDLETON ID USA 83644-5563

2. Date of Priority: 08/30/1977

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	1	NE	NW	3	CANYON	

5. Description of diverting works:

309' WELL, 40 HP DIESEL ENGINE, 600 GPM PUMP, 241' 16" CASING.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
IRRIGATION	03/15	11/15	0.57		171

7. Total Quantity Appropriated is:

0.57 C.F.S. and/or 171 A.F.A.

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	1	NW	NW	4	IRRIGATION
			SW	NW		IRRIGATION
						Section Acres
						Total Acres
						38
						38

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:

This right is a split from former right 63-9017 .

15. Basis of Claim: License

RECEIVED

DEC 11 2008

WATER RESOURCES
WESTERN REGION

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

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-9017	63-9017	X			

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.

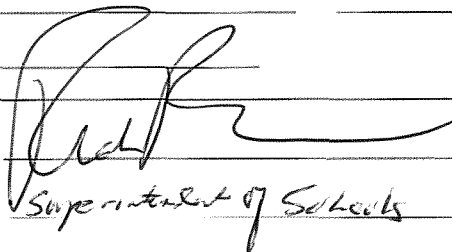
3. Name and Address of Former Owner/Claimant(s) Larry D Green
27265 Farnway Rd, Caldwell, ID 83605
4. New Owner/Claimant(s) Middleton School District #134
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 5 South 3rd Avenue West
 City, State and ZIP Code Middleton, ID 83644
- New Telephone Number (208) 585-3027
5. Date you acquired the property 12/20/2003

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 <u>63-9017</u>		
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	<u>0.57 cfs; 171 AFA</u>	<u>38 acres</u>
Stock		
Domestic		
Other		
Total	<u>0.57 cfs; 171 AFA</u>	

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)


Superintendent of Schools

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

For Office Use Only

Received by [Signature] Date Dec. 11, 08 Fee N/A
 Receipted by [Signature] Date 12-12-08 Receipt No. _____
 Processed by [Signature] AJ Date 12-12-08 WR _____ Date _____

INSTRUMENT NO. 200378475

PC55406

ABSTRACT OF AGREEMENT

CC 1854-002

THIS IS AN ABSTRACT OF THE AGREEMENT dated the 23rd day of December, 2003, between SELLER, LARRY D. GREEN, a married man dealing with his sole and separate property, of 27265 Farmway Road, Caldwell, Canyon County, Idaho 83607, and BUYER, MIDDLETON SCHOOL DISTRICT #134, of 5 South 3rd Avenue West, Middleton, Canyon County, Idaho 83644, concerning the property located in Canyon County, Idaho, and more particularly described as follows:

See Exhibit "A" attached hereto and incorporated herein by reference and identified as "Green/Middleton School District Property".

For good and valuable consideration, Seller has agreed to sell to Buyer, and Buyer has agreed to buy from Seller, the property described above pursuant to the terms and conditions contained in a certain title reserving contract escrowed at Pioneer Title Company of Canyon County, Caldwell Branch, the terms of which are incorporated in this Abstract by this reference.

This Abstract is not a complete summary of the Agreement. Provisions in this Abstract shall not be used in interpreting the Agreement provisions. In the event of a conflict between the Abstract and other parts of the Agreement, the other parts of the Agreement shall control.

The purpose of this Abstract is to put the world on Notice that Seller has reserved title until the entire contract balance is paid in full.

IN WITNESS WHEREOF, the parties hereto have executed this Abstract of Agreement.

Dated: 12/23/03

Larry D. Green
LARRY D. GREEN

SELLER

Dated: 12-23-03

MIDDLETON SCHOOL DISTRICT #134

By [Signature]
Its Chairman

BUYER

PIONEER-CALDWELL

REQUEST

TYPE B/A FEE 9.00

ABSTRACT OF AGREEMENT - PAGE 1

2003 DEC 24 AM 11 25
C NOEL HALES
CANYON CNTY RECORDER

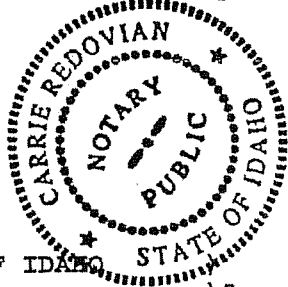
RECORDED

200378475

STATE OF IDAHO)
) S:
County of Canyon

On this 23rd day of Dec., 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared **LARRY D. GREEN**, a married man dealing with his sole and separate property, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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

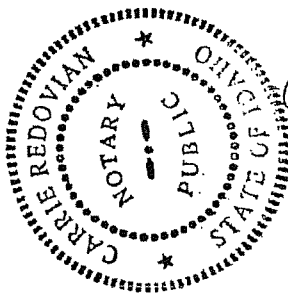


Carrie Redovian
Notary Public for Idaho
Residing at: Melby
My commission expires: 3/10/09

STATE OF IDAHO)
) S:
County of Canyon

On this 23rd day of Dec., 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared Steve Cluff, who being by me first duly sworn, declared that he is the **Chairman of the Board for Middleton School District #134**, and whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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



Carrie Redovian
Notary Public for Idaho
Residing at: Melby
My commission expires: 3/10/09

PC 55406

Exhibit "A".

PARCEL 2

This parcel is the South Half of Government Lot 4 of Section 1, Township 4 North, Range 3 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

LDG

BEGINNING at the Southwest corner of said Government Lot 4; thence North 01° 53' 47" East along the West boundary of said Government Lot 4 a distance of 654.45 feet to the Northwest corner of said South Half of Government Lot 4; thence

South 89° 39' 48" East along the North boundary of said South Half of Government Lot 4; a distance of 1,334.15 feet to the Northeast corner of said South Half of Government Lot 4; thence

South 01° 34' 07" West along the East boundary of said Government Lot 4 a distance of 656.68 feet to the Southeast corner of said Government Lot 4; thence

North 89° 33' 49" West along the South boundary of said Government Lot 4 a distance of 1,337.85 (1,338.15) feet to the POINT OF BEGINNING.

SUBJECT to a county road right-of-way along the West boundary.

PARCEL 3

This parcel is the North Half of the Southwest Quarter of the Northwest Quarter of Section 1, Township 4 North, Range 3 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

BEGINNING at the Northwest corner of said North Half of the Southwest Quarter of the Northwest Quarter; thence

South 89° 33' 49" East along the North boundary of said North Half of the Southwest Quarter of the Northwest Quarter a distance of 1,337.85 (1,338.15) feet to the Northeast corner of said North Half of the Southwest Quarter of the Northwest Quarter; thence

South 01° 34' 07" West along the East boundary of said North Half of the Southwest Quarter of the Northwest Quarter a distance of 660.17 feet to the Southeast corner of said North Half of the Southwest Quarter of the Northwest Quarter; thence

North 89° 35' 52" West along the South boundary of said North Half of the Southwest Quarter of the Northwest Quarter a distance of 1,341.65 feet to the Southwest corner of said North Half of the Southwest Quarter of the Northwest Quarter; thence

North 01° 53' 46" East along the West boundary of said North Half of the Southwest Quarter of the Northwest Quarter a distance of 661.05 feet to the POINT OF BEGINNING.

SUBJECT to a county road right-of-way along the West boundary.

2006096727

RECORDED

2006 DEC 6 PM 3 30

CANYON COUNTY RECORDER
BY *DW*

REQUEST *Taylor Land Planning*
TYPE *Deed* FEE *15*

GIFT DEED GRANT AND CONVEYANCE

FOR VALUE RECEIVED, the Grantor, J.A.P.S. of Idaho, LLC, an Idaho limited liability company, whose address is 10167 Willis Road, Middleton, Idaho 83644, does hereby convey, grant, bargain, confirm and sell forever, from the effective date hereof, unto the Grantee, Middleton School District #134, who's address is 5 South 3rd Avenue West, Middleton, Idaho 83644, which is a school district organized and existing as provided in Title 33 Chapter 3 of Idaho Code, the following described real property together with all water rights, ditches and rights-of-way for ditches appurtenant thereto and surface water, groundwater, wells, pumps, pumping and distribution lines and equipment fixed thereto (individually and collectively herein referred to as "Premises"), in Canyon County, Idaho, to-wit:

The legal description for the real property is attached hereto as Exhibit "A" and incorporated by reference herein.

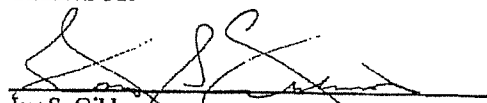
To have and to hold said premises, with all tenements, hereditaments and appurtenances thereto belonging or used in connection therewith unto the said Grantee, Grantee's successors and assigns forever. Grantor declares that the grant and conveyance of the premises is hereby made unto the Grantees "as is" without warranty or representation as to zoning or land use regulation. Grantor does hereby covenant to and warrant to Grantee that Grantor is the owner in fee simple of

said premises; that the signor below is a member of J.A.P.S. of Idaho, LLC, and is authorized to executed this instrument on behalf of J.A.P.S. of Idaho, LLC, and executed this instrument on behalf of J.A.P.S. of Idaho, LLC; that said premises are free from all encumbrances and that Grantor will warrant and defend the same from all lawful claims, except and subject only to the following encumbrances: restrictions imposed by law, ordinance or regulation by any governmental entity, department or agency; all rights-of-way or easements affecting the premises regardless of how evidenced or acquired and whether the same appear of record or not; all taxes and assessments of all taxing entities or units not yet due and payable; reservations in patents or state grants or in acts authorizing the issuance thereof; and the bonded debt of all taxing units within which said premises are located.

DATED:

GRANTOR

November 30th, 2006


Jay S. Gibbons
J.A.P.S. of Idaho, LLC

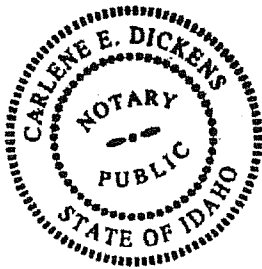
ACKNOWLEDGEMENT

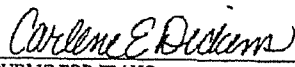
STATE OF IDAHO)

S.S.

County of Canyon)

Be it remembered that on this 30th day of November, 2006, before me, the undersigned, a notary public in and for said State, personally appeared Jay S. Gibbons, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he is a member of J.A.P.S. of Idaho, LLC, and is authorized to execute this instrument on behalf of J.A.P.S. of Idaho, LLC, and executed this instrument on behalf of J.A.P.S. of Idaho, LLC.



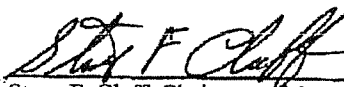

NOTARY PUBLIC FOR IDAHO
My Commission Expires: Aug. 24, 2012

Middleton School District #134 does hereby accept this Gift Deed Grant and Conveyance of the Premises in accordance with the terms and warrants herein provided for.

DATED:

GRANTEE

December 1, 2006

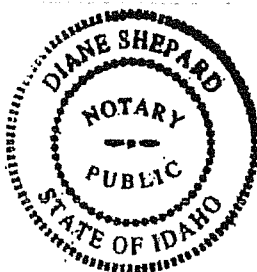

Steve F. Cluff, Chairman of the Board
Middleton School District #134

ACKNOWLEDGEMENT

STATE OF IDAHO)

S.S.

County of Canyon)



Be it remembered that on this 1 day of December, 2006, before me, the undersigned, a notary public in and for said State, personally appeared Steve F. Cluff, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he is the chairman of the Board for Middleton School District #134, and is authorized to executed this instrument on behalf of Middleton School District #134, and executed this instrument on behalf of Middleton School District #134.

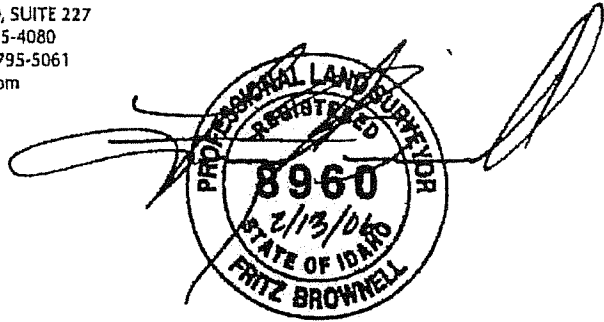
Diane Shepard
NOTARY PUBLIC FOR IDAHO

My Commission Expires: 3-31-2011

TOOTHMAN-ORTON ENGINEERING COMPANY

CONSULTING ENGINEERS, SURVEYORS AND PLANNERS

CORNERSTONE BUILDING
524 CLEVELAND BOULEVARD, SUITE 227
CALDWELL, IDAHO 83605-4080
208-795-5058 • FAX 208-795-5061
caldwell@toengrco.com



Project: 06014
Date: February 13, 2006
Page: 1 of 1

PARCEL 1

This parcel is a portion of Government Lot 3 of Section 1, Township 4 North, Range 3 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

BEGINNING at the northwest corner of said Government Lot 3; thence along the north boundary of said Government Lot 3'

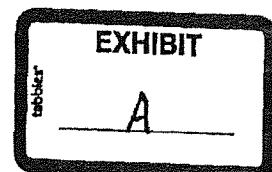
- 1) S.89°45'40"E., 43.82 feet; thence parallel with the west boundary of said Government Lot 3,
- 2) S.01°34'06"W., 73.13 feet; thence parallel with the north boundary of said Government Lot 3,
- 3) N.89°45'40"W., 43.82 feet to a point on the west boundary of said Government Lot 3; thence along said west boundary,
- 4) N.01°34'06"E., 73.13 feet to the **POINT OF BEGINNING**.

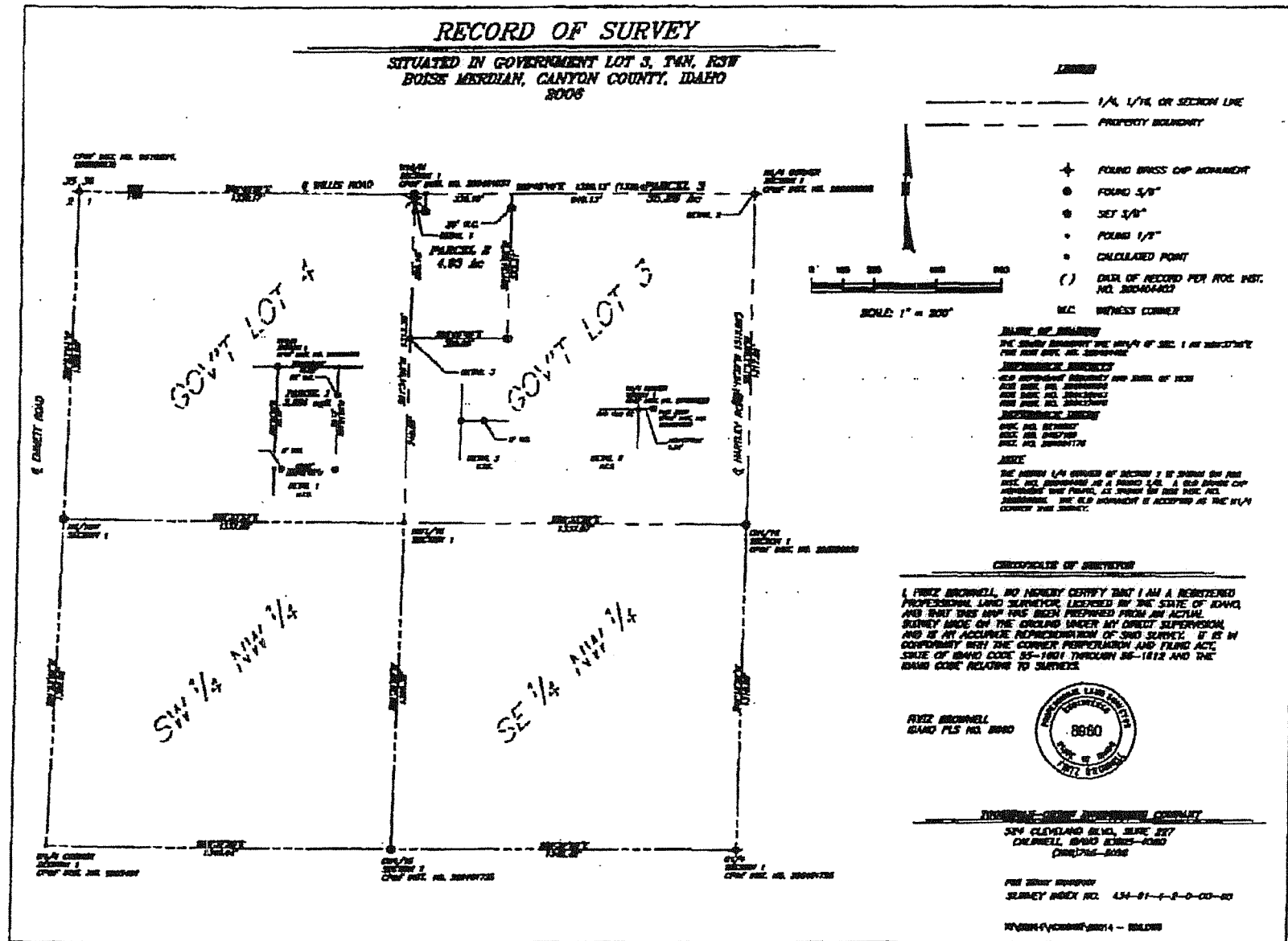
CONTAINING 3,204 square feet, more or less.

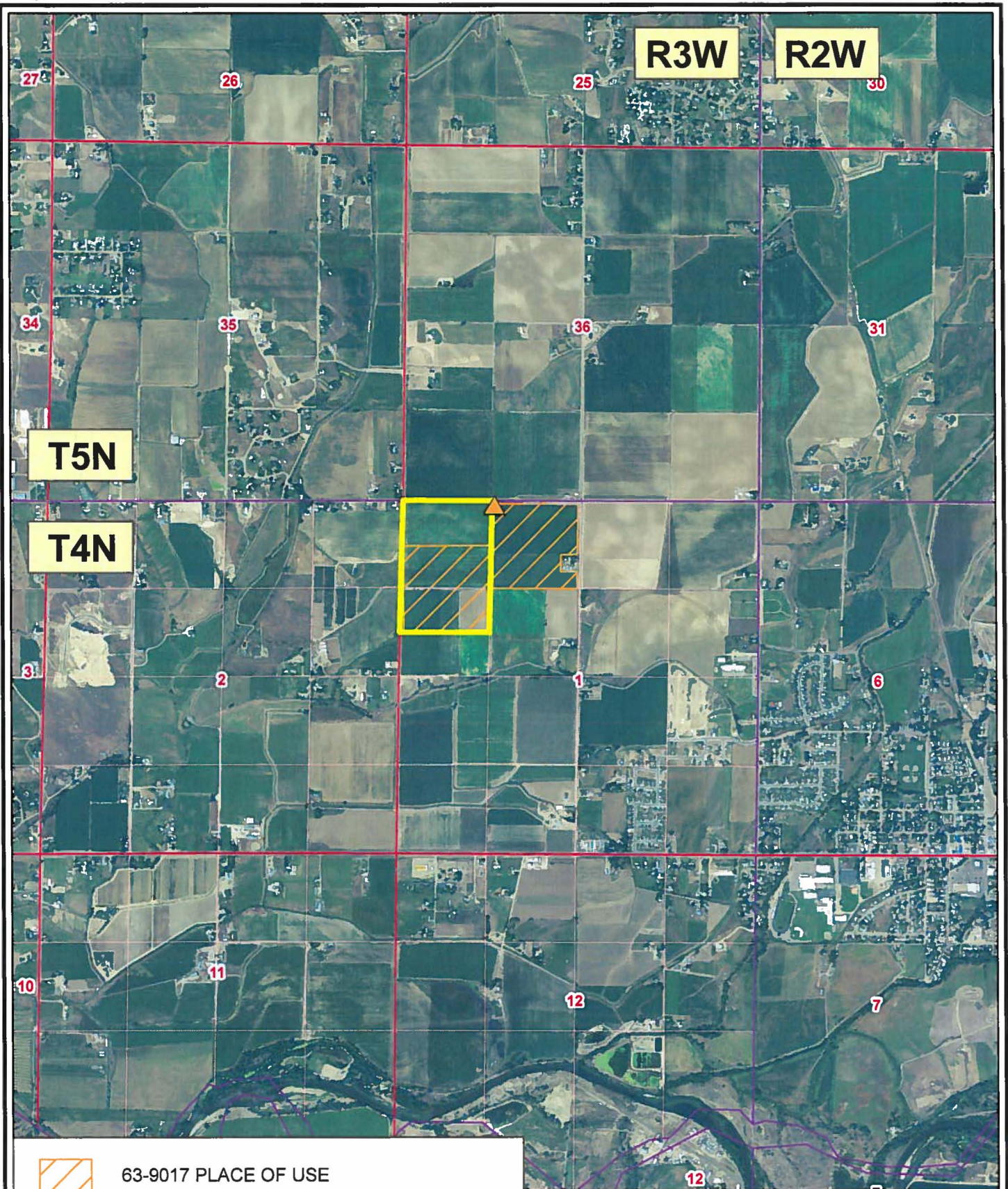
SUBJECT TO All Covenants, Rights, Rights-of-Way, Easements of Record and any other Encumbrances.

K:\06014\wpfiles\Parcel 1.doc

BOISE • COEUR d'ALENE • CALDWELL







63-9017 PLACE OF USE



63-9017 POINT OF DIVERSION



MIDDLETON SCHOOL DISTRICT PROPERTY

POD AND POU FOR WATER RIGHT 63-9017
MIDDLETON SCHOOL DISTRICT #134



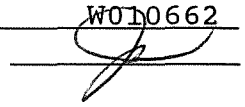
0 0.25 0.5
Miles



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: A63-09017
Date Received: 9/ 7/1990
Receipt No: W010662
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LARRY GREEN 208-454-8341
Address: 27265 FARMWAY RD
CALDWELL ID 83605

2. Date of Priority: AUG 30, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	03W	1	NE	NW		3	CANYON

5. Description of diverting works:
309' WELL, 40 HP DIESEL ENGINE, 600 GPM PUMP, 241' 16" CASING.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.100		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	03W	1	NE	NW	3	IRR	35.0
			NW	NW	4	IRR	19.0
			SW	NW		IRR	19.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	73.0
					Total Acres	73.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
BLACK CANYON IRRIGATION DISTRICT

14. Remarks:
SEE 63-09017 FOR MAP. OWNERSHIP CHANGE SUBMITTED 3-9-93.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
) SS.
County of _____)

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED
FEB 9 1993

DATE OF CLOSING: N/A

LEGAL DESCRIPTION OF PROPERTY: Township 4N Range 3W

Section 1, 1/4 of 1/4 of 1/4 of 1/4 Govt. Lot BM

Lot , Block , Subdivision/Townsite .

If you have additional legal descriptions, please attach separate sheet.

Department of Water Resources
Western Regional Office

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: A63-09017 & A63-27902

☐ Name and Address of Former
Owner/Claimant(s)(Seller): JAMES E. GREEN

23815 HARTLEY LN

MIDDLETON, ID 83644

☐ New Owner/Claimant
(Purchaser): LARRY GREEN

☐ New Mailing Address: 27265 FARMWAY RD

CALDWELL, IDAHO

83605

☐ New Telephone Number: (208) 454-8341

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☒ Attach proof of
ownership, describe
proof attached: DEED OF DISTRIBUTION

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New
Owner/Claimant(s): Larry D Green Date 02-08-93

Date

☐ Signature of Former
Owner/Claimant(s): _____ Date _____

Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

MICROFILMED

JUL 25 1994

EXHIBIT "A"

The N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, the South Half of Lot 4, and all of Lot 3 in Section 1, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho;

Together with all water, water rights, ditches, and rights of way for ditches appurtenant thereto or in anywise appertaining;

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining;

Together with Idaho Water Right license #63-09017.

RESERVING, HOWEVER, to DALE G. GREEN the right to reside in the residence located thereon during his lifetime.

9219567

RECORDED

'92 AUG 28 PM 2 35

NEI PER
CANYON ONE RECORDER
BY *De lae*

REQUEST
ALEXANDERSON-DAVIS-T-W ATTYS

TYPE *Deed* PRE 600

Department of Water Resources
Western Regional Office

[illegible]

RECEIVED

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

Department of Water Resources
Western Regional Office

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 A63-9017
Date Received 3-7-90
Receipt Number WD10662

RECEIVED

MAR 07 1990

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

- Name of Claimant (s) James E. Green Phone () 585-2598
Mailing Address 23815 Hartley Ln., Middleton ID Zip 83644
- Date of Priority (Only one (1) per claim) Aug 30, 1977
- Source of water supply (a) Groundwater
which is tributary to (b) _____
- a. Location of existing point of diversion is: Township 4N Range 3W Section 1,
_____ 1/4 of NE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Canyon
Additional points of diversion if any: _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
- Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.
WELL DEPTH: 309 FT.
TURBINE PUMP: 600 GPM AT 90 FT.
CAGING: 241 FT 16" PLUS RESCUE MESS SCREEN 70 FT X 16"
40 HORSE POWER DIESEL ENGINE

MICROFILMED

JUL 25 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3-15 to 11-15 amount 1,10 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1,10 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4N	3W	1					1+3 35	10+4 19	19										73

Total number of acres irrigated 73

11. In which county (ies) are lands listed above as place of use located? Canyon

12. Do you own the property listed above as place of use? Yes — No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
Black Canyon or None ()

14. Remarks: See 63-9017 for map. Possible fee overlap.

Last Name GREEN Ident No. 63-9017

Copies: White-State, Yellow-Claimant

MICROFILMED

Scale: 2 inches equals 1 mile

R 3 W WELL

900710 N
1/1
T 4 A

MICROFILMED

MICROFILMED

JUL 22 1994

63-9017

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) James E. Green Date 3-5-90

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 5 day of March 19 90

SEAL

Notary Public Linda Werner

Residing at LINDA WERNER

RESIDING AT EAGLE, IDAHO

My Commission Expires COMMISSION EXPIRES DEC. 8, 1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name GREEN Ident. Number 63-9017

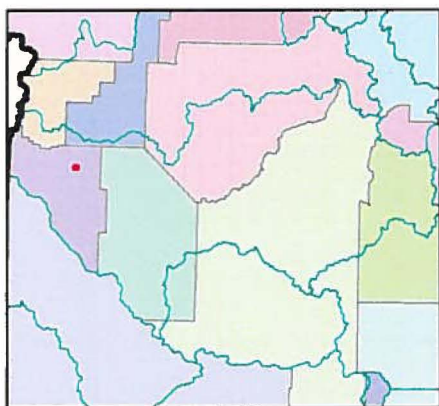
MICROFILMED
Copies White-State, Yellow-Claimant
JUL 25 1994



SRBA Recommendation
63-33138
(IRRIGATION)

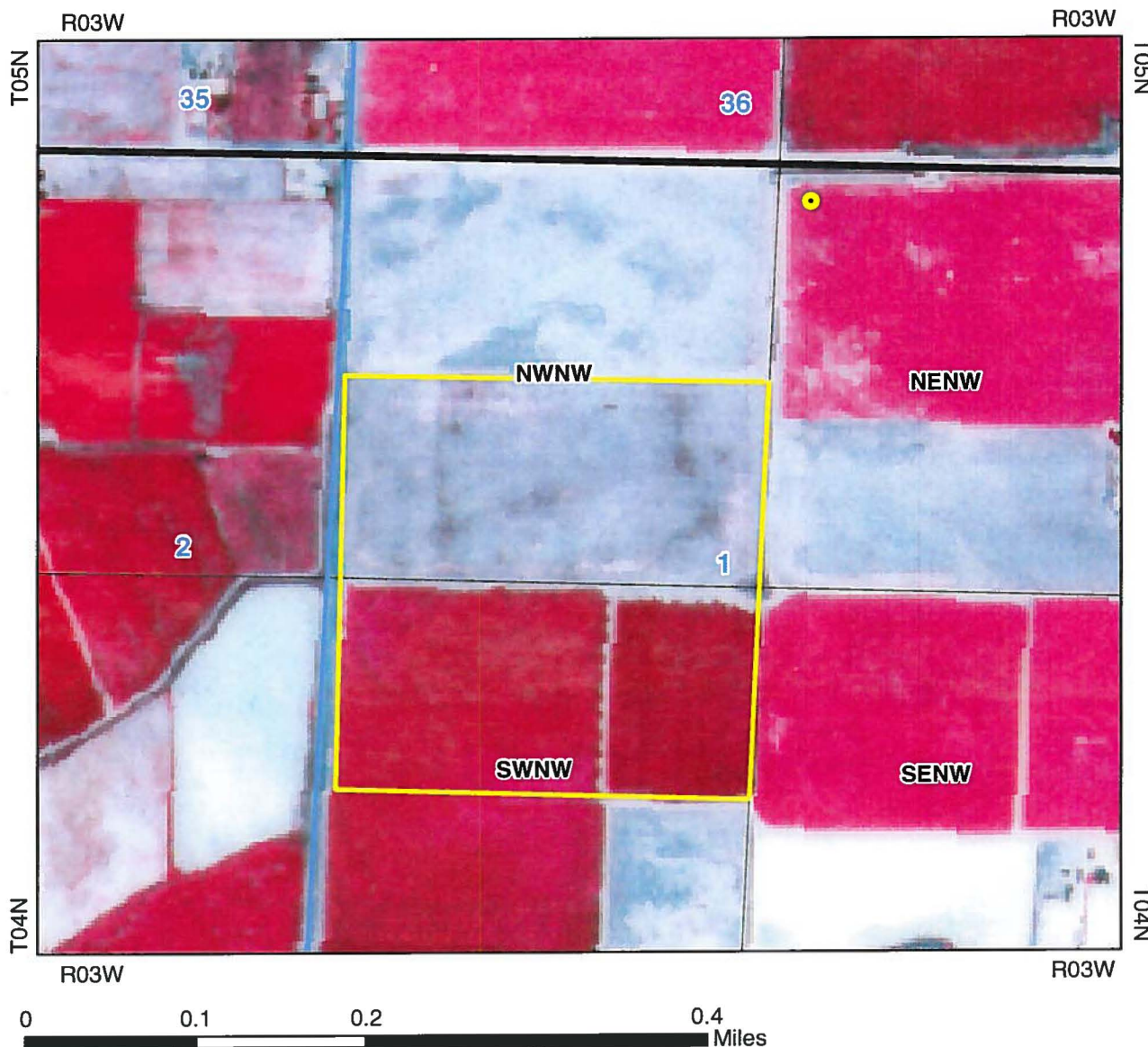
Legend

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



Canyon County
IDWR Basin 63

Prepared by Kay Walker
On December 17, 2008
1987/88 Aerial Photography



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

RIGHT NUMBER: 63-33138

NAME AND ADDRESS: MIDDLETON SCHOOL DISTRICT # 134
5 S 3RD AVE W
MIDDLETON ID 83644-5563

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.570 CFS
171.000 AFY

PRIORITY DATE: 08/30/1977

POINT OF DIVERSION:

T04N R03W S1 NENW Lot 3 Within CANYON County

The following rights are diverted through point(s) of diversion described above: 63-33137 & 63-33138 .

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.570 CFS
171.00 AFY

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in CANYON County

T04N R03W S01 Lot 4 NWNW 19.00 T04N R03W S01 SWNW 19.00

38 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 Black Canyon Irrigation District.

This right is a split from former right 63-9017 .

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

In Re SRBA	)	Water Rights: 63-9017 (Split)
	)	63-33137, 63-33138
Case No. 39576	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE
_____	)	PROCEEDING

IDWR has completed the following administrative proceeding:

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

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

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

DATED: December 17, 2008



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on December 17, 2008, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

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

2. Copies to:

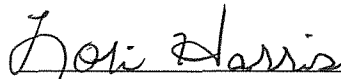
Clive Strong	☐ overnight mail
Off ice of the Attorney General	☒ regular mail
P.O. Box 44449	☐ hand-delivered
Boise, ID 83711-4449	☐ facsimile

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

3. Copies to all parties to the subcase:

Larry D. Green	☐ overnight mail
27265 Farmway Rd.	☒ regular mail
Caldwell ID 83605	☐ hand-delivered
	☐ facsimile

Middleton School District #134	☐ overnight mail
5 South 3 rd Ave. W	☒ regular mail
Middleton ID 83644-5563	☐ hand-delivered
	☐ facsimile


Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

December 17, 2008

MIDDLETON SCHOOL DISTRICT #134
5 SOUTH 3RD AVE W
MIDDLETON ID 83644-5563

Re: Original Water Right No. 63-9017

Renumbered to Water Right Nos. 63-33138

Dear Sir or Madam:

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This change of ownership resulted in a split of the original claim.

When a portion of the original water right has been conveyed to another and the original right has been split, then the original right number is renumbered to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new water right number reflects your remaining portion of the original right after the change of ownership. Enclosed is a copy of this new water right for your records. Please refer to your new number when corresponding with our office. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the SRBA Court as notification of this change.

If you have any questions concerning this ownership change, or the enclosed copy, please feel free to contact this office.

Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

LH:1
Enclosures