

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: **A63-29028**
Date Received: 3/14/1990
Receipt No: W011067
Received By: _____

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

1. Name: WILDER SCHOOL DISTRICT NO 133 208-482-6228
Address: PO BOX 488
WILDER ID 83676

2. Date of Priority: SEP 1, 1925

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	05W	14	SE	SW			CANYON

5. Description of diverting works:
40' WELL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	10/01	0.100		

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

8. Total consumptive use is 17.5 Acre Feet Per Annum.

9. Non-irrigation uses:

MICROFILMED

10. Place of Use:

AUG 03 1994

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	05W	14	SW	SE		IRR	5.0

Section Acres 5.0

Total Acres 5.0

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:
WILDER IRRIGATION DISTRICT

14. Remarks:

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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED

AUG 03 1994

**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 A63-29028Date Received 3/14/90Receipt Number W011067

RECEIVED

MAR 14 1990

Department of Water Resources
Western Regional Office

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

Please type or print clearly1. Name of Claimant (s) WILDER SCHOOL DISTRICT NUMBER 133 Phone (208) 482 6228Mailing Address P. O. Box 488, Wilder, Idaho Zip 836762. Date of Priority (Only one (1) per claim) September 1, 19253. Source of water supply (a) Groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 4 N. Range 5 W.B.M. Section 14,
N 3/4 1/4 of SE 1/4 1/4 of SW 1/4 1/4, Govt. Lot, 2423 B.M., County of CanyonAdditional points of diversion if any: Wilder Irrigation District

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 _____

5. 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 40ft. deep

MICROFILMED

AUG 03 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from May 1 to October 1 amount .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) .10 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 17.5 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	5W	14															5		5

Total number of acres irrigated 5

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 xx 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.
Wilder Irrigation District or None ()

14. Remarks:

MICROFILMED

AUG 03 1994

Last Name Wilder School Dist #133 Ident No. _____

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

• = well

[illegible]

MICROFILMED

AUG 03 1994

Last Name Wilder School Dist Ident No.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ^{xx} _____ 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 ^x _____ 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) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Clerk/Treasurer
of _____ Title
Wilder School District Number 133 _____, that I have signed the foregoing
Organization
document in the space below as _____ Clerk/Treasurer of _____ Wilder School District
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent *Lynne K. Quinn*
Title and Organization Wilder School Dist #133 Date 3/13/90

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

Subscribed and sworn (or affirmed) before me this 13th day of March 19 90

SEAL

Notary Public *Shirley A. Osborn*

Residing at Wilder, Id.

My Commission Expires 3-25-92

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 Wilder School Dist Ident. Number _____

MICROFILMED

AUG 03 1994

Copies White-State, Yellow-Claimant

ADJUDICATION CLAIM REVIEW CHECKLIST

12-1-92

CLAIMANT'S NAME Wilder School Dist. No. 133 CLAIM IDENT. NO. A63-

DATE RECEIVED 3/14/90 RECEIPT # W011067 FEE PAID \$ 55 FEE REQ'D \$ 55

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

MICROFILMED

AUG 03 1994

	YES	NO
23. Is this claim being rejected and returned to claimant?	—	✓
24. Can this claim be data entered?	✓	—
25. Was claim modified?	—	✓
If yes, do modifications require notification to claimant?	—	✓

Note: Modifications made must be explained in comments stating where the information for any changes was found.

Claim reviewed by: HHT Date 2/5/93
 Claim data entered by: AD Date 7-12-93

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

Comments: Only existing rts on file are Bur Rec.

06/09/2006

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

RIGHT NUMBER: 63-29028

NAME AND ADDRESS: WILDER SCHOOL DISTRICT # 133
PO BOX 488
WILDER ID 83676-6098

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.100 CFS
22.500 AFY

PRIORITY DATE: 03/01/1950

POINT OF DIVERSION:

T04N R05W S14 SESW Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.100 CFS
22.50 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T04N R05W S14 SESW 5.00

5 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 - Beneficial Use

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

Idaho Department of Water Resources

T04N, R05W,
SEC 14

Claim No: 63-29028

Prepared By: Kimberly Brown

Date: June 6, 2006



Place of Use



Section Lines

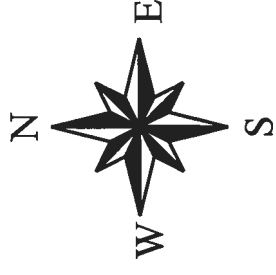


1/4 1/4



Point of Diversion

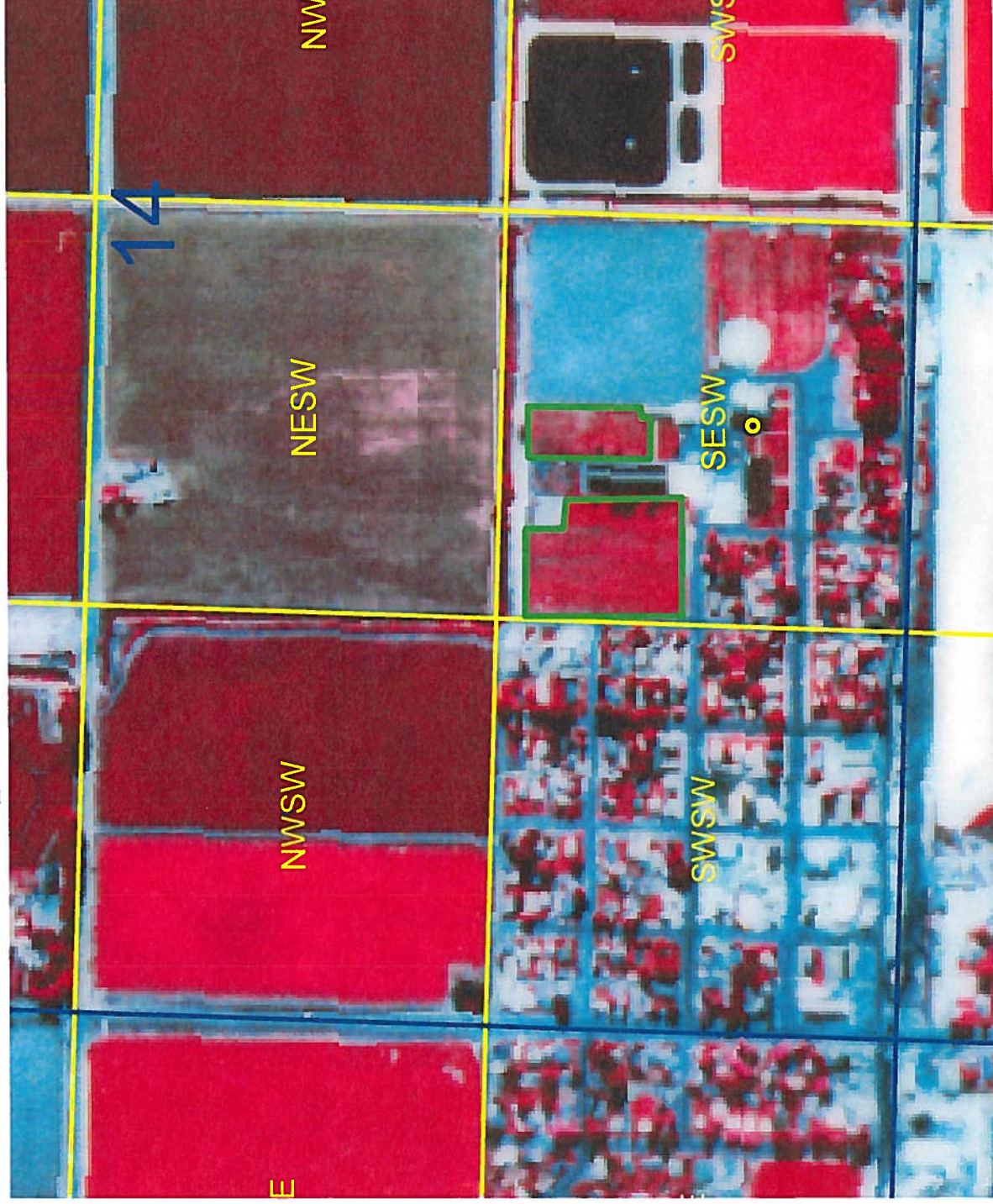
Irrigated Acres = 5



0 0.03 Miles



1987 NAPP



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-29028

WATER RIGHT NUMBER: 63-29028 ✓

Property Address:Q Huff Rd.
WilderOwner Type

Current Owner

Name and AddressWILDER SCHOOL DISTRICT # 133 ✓
PO BOX 488
WILDER, ID 83676-6098
(208)482-6228

Priority Date: 03 09/01/1925 ✓

Basis: Beneficial Use ✓ 1950

Status: Active

Source

GROUND WATER ✓

TributaryBeneficial Use

IRRIGATION ✓

From To

5/01 to 10/01 ✓

Diversion Rate

0.100 CFS ✓

Annual Volume

22.5 AF

Total Diversion:

0.100 CFS ✓

22.5 AF

Location of Point(s) of Diversion

GROUND WATER

CANYON County ✓

SE1/4SW1/4 ✓

Sec. 14, Twp 04N, Rge 05W, B.M. ✓

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	05W	14	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	5.0
																			5.0

Total Acres: 5

Conditions of Approval:

ADD W59- Use is combined with Wilder Irr. D.

Remarks:Comments:

Parcel No: R 3681700000. (30 AC)

Field Exam Date 6.6.06

(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 \$ 55.00
- ☐ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information None in 814
- ☒ 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 complete

Claim No(s) A63-29028

Owner: Wilder School Dist. #133 Phone No. 482-6228

Current Address: P.O. Box 488, Wilder

Property Address:

Ø Hwy. 95
Wilder

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER
- ☒ No change Address
- ☐ NEW ADDRESS
- ☐ 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: 09/01/1950

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

The new standard season of use for irrigation
is March 1st, therefore, the P.D. will be
recommended as 03/01/1950.

* Affidavit signed by
Sylvia Wise, business
manager who filled
out the original
Notice of Claim,
submitted 6/01/06
Plus, Warranty
Deed & Plough
Agreement

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:
- ☐ If different, when did POD change?

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

Description of diverting works

40' well**OVERLAP REVIEW**Other water rights with the same point of diversion: None

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

WATER USESSeason of use is 3/1 to 11/15.☐ No change☐ Different UsesUse Irrigation From 3/1 To 11/15 Amount _____ CFS 22.5 AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

5.0 acres x 4.5 af/acre = 22.5 af/annum (V) 0.1 cfs x 1.9835 x 230 days = 51.6 af/annum

TOTAL VOLUME - Groundwater only

☒ Incomplete on claim, the total is, Amount _____ CFS 22.5 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:

None

The schools are not located in the SWSE, 14. They are located in the SESE, 514.

Parcel No: a portion of R36B1700000.²

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	
4N	5W	14												5.0					

Overlap with other water rights: Wilder Irrigation District water used

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

Delivery System Narrative: _____

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: 6.6.06 (in-office review)

FIELD EXAMINER: Kimberly Brown

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-29028

01/27/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
29028	Claim	04N	05W	14	SW	SE		IRRIGATION	5/5	WILDER SCHOOL DISTRICT # 133

— supplemental to Wilder Irr.
District water

Receipt Details for ID W011067

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
3/15/1990 8:23:35 AM	3/15/1990	Western	\$55.00	Check
Payer		WILDER SCHOOL DIST. #133		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
33681			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$55.00	ADJUDICATION CLAIM 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	29028		\$55.00	Claim

✓ Correct Amount

Print Report

CONVERSATION MEMORANDUM

**RE: Snake River Basin Adjudication Water Right Nos. A63-29028
Evidence of Priority**

June 7, 2006

I called Superintendent Dan Arriola (#482-6228 x402) and left a message on his answering machine. I informed Mr. Arriola that we received Sylvia Wise's Affidavit, a copy of the Warranty Deed, and a copy of the Purchase Agreement; but I requested that he also send a copy of the Abstract of Title that he had spoken about in our previous conversations and that is referenced in the Affidavit. In our previous conversations, Mr. Arriola had mentioned that the Abstract went back to 1914 and if I have a copy for the file, I believed it would lend credence to the claimed 1925 priority date.

June 8, 2006

Mr. Arriola returned my call. He stated that after he looked through all of the Deeds and reviewed the Titles more closely since my call yesterday, he suggested that I go with 1950 as the priority date. I replied that if he sent me a copy of the Abstracts of Title, that I may be able to go back to the 1925 claimed priority date. Mr. Arriola felt it would be more appropriate if I recommended 1950 as the priority date, because that is when the School District bought the land. I explained that their particular parcel of land may have been irrigated by their well long before that and that Dr. Boston may have suggested 1925 for that reason, but Mr. Arriola felt that 1950 would be more legitimate.

Kimberly Brown
Senior Water Resource Agent
Western Region

CONVERSATION MEMORANDUM

**RE: Snake River Basin Adjudication Water Right Nos. A63-29028
Evidence of Priority**

April 27, 2006

Dan Arriola, from the Wilder School District (W)482-6228 x402, (cell)573-4880, called in response to the evidence of priority letter. Mr. Arriola asked if I could come out to Wilder, but I endeavored to answer his questions over the telephone. Mr. Arriola had no idea how the claimed priority date of 1925 was established. After numerous questions, I established that Mrs. Sylvia Wise, the woman who filled out the original *Notice of Claim*, was still working for the school district; so I suggested that he speak with her. Mr. Arriola asked for an additional 2 weeks to supply evidence.

May 3, 2006

Mr. Arriola called to let me know that he is "still working on this little project." He said that he found a *Notice of Claim to a Water Right*, so I explained why that would not work as evidence. Mr. Arriola had not spoken with Sylvia Wise yet, so I suggested, again, that he speak with her.

Since there is nothing in the file that indicates the POU and POD locations, I asked Mr. Arriola to help me. Mr. Arriola said that the well water is used to irrigate the High School grounds and behind the Elementary School. The baseball diamond, he said, is flood irrigated with Wilder Irrigation District water. It was at this point that I realized that the POU is not located in the SWSE, S14. It is located in the SESW, S14. I also asked Mr. Arriola to describe the location of the well; which I placed in ArcView.

May 30, 2006

Dan Arriola called to tell me that he has "not been able to find out more." He said that he cannot find anyone or any document. He said that Dr. Boston, who gave the information to Sylvia Wise to file the claim, is alive; but, unfortunately, has no memory. "A lot of the old-timers have passed away," he said. He told me that he found a document that shows

that the property was purchased in 1914. I asked if he had spoken with Sylvia Wise and he said that he had. Mr. Arriola said that she merely put down all of the information that Dr. Boston gave her, including the date. I told Mr. Arriola to have Sylvia Wise fill-out an affidavit stating that, when filling out the *Notice of Claim*, she wrote down all the information that Dr. Boston gave her. I also asked that Mr. Arriola send me a copy of the 1914 document.

Kimberly Brown
Senior Water Resource Agent
Western Region

WILDER SCHOOL DISTRICT NO. 133

210 A Avenue East
P.O. Box 488
Wilder, Idaho 83676

RECEIVED

JUN 01 2006

WATER RESOURCES
WESTERN REGION

May 31, 2006

63-29028

Department of Water Resources
Kimberly Brown
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

Dear Kimberly:

I have enclosed for you an affidavit from our business manager Sylvia Wise, a copy of the warranty deed purchasing the ground and well site dated December 30, 1950, a copy of the purchase agreement for the ground and well site dated August 15, 1949, and two maps contained in our records showing the ground and well site.

I hope these documents will provide you with the necessary information pertaining to your questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel B. Arriola", with a large, stylized initial "D" and "A".

Daniel B. Arriola
Superintendent of Schools

RECEIVED

JUN 01 2006

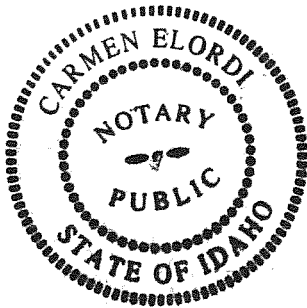
WATER RESOURCES
WESTERN REGION

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO. 39576)
WILDER SCHOOL DISTRICT)
#133)
STATE OF IDAHO)
COUNTY OF CANYON)

AFFIDAVIT

SYLVIA K. WISE

Disposes and says: Information stated in the Notice of Claim to a Water Right form and
Statement dated March 13, 1990 was taken from the Abstract of Title and from
information obtained by the Superintendent, Bedford Boston. It is the only information
available to us. The shallow well water is used for irrigation purposes only.



Sylvia K. Wise
(Signature)

They
Did not (called 6/6/06)
send copy of
Abstract of
Title —

Notary: Carmen Elordi

5/31/06

My Commission expires 10/14/2010

P. G. Batt and Cornelia M. Batt,
husband and wife
-TO-
INDEPENDENT SCHOOL DISTRICT No. 34,
Canyon County, State of Idaho,
an independent school district
of the State of Idaho

WARRANTY DEED. No. 1
Dated, December 30, 1950
Recorded, February 27, 1951
at 10:40 A.M.
Book Deeds, page
Consideration \$1.00 and other
good and valuable considerations
\$11.00 I.R. Stamps cancelled
Document No. 372775

Signed: P. G. Batt, Cornelia M. Batt

Acknowledged, Canyon County, Idaho, December 30, 1950 by P. G. BATT
and CORNELIA M. BATT, husband and wife, before Kathryn H. Hartkopf,
Notary Public for the State of Idaho, Residing at Caldwell, Idaho. (SEAL)

PROPERTY:
The N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 14 in Twp. 4 N.R. 5 W.B.M.
excepting therefrom a tract of land described as follows: Beginning
at a point 330 feet W. of the SE. corner of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the
said SW $\frac{1}{4}$; thence N. 13 feet; thence W. 330 feet; thence S. 13 feet;
thence E. 330 feet to place of beginning.
Together with all water, water rights, ditches and rights of way
for ditches, belonging to said land or used in connection therewith.
The property covered by this deed contains 18.56 acres, more or less.

- - - - -

The Undersigned hereby certifies, That the foregoing abstract of title, consisting of sheets numbered ~~1000~~ 49 ~~is a true and correct abstract of all instruments of writing, of record in the office of the County Recorder, and of all probate and special proceedings as abstracted on said sheets, as appears by the records and files in the offices of the Probate Court and Clerk of the District Court, all in and for Canyon County and State of Idaho, and conveying or affecting the title to or constituting liens on the following described real estate situated in said Canyon County and State of Idaho, to-wit:~~

The N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 14 in Twp. 4 N.R. 5 W.B.M. EXCEPTING THEREFROM the following described tract of land, to-wit:

Beginning at the SE. corner of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 14; thence W. 330 feet to the REAL POINT OF BEGINNING; thence N. 13 feet; thence W. 330 feet; thence S. 13 feet; thence E. 330 feet to the real point of beginning, all in Canyon County, Idaho.

SUBSEQUENT to December 8, 1950 at 5.00 o'clock P.M.

Exclusive of chattel liens, and of water rights, and of rights of way for ditches and canals.

Undersigned further certifies, That there are no unredeemed tax sales or delinquent entries on taxes levied or assessed on the lands above described and as shown by the records in the Office of the County Treasurer and Tax Collector, or as filed by taxing units with the Auditor and Recorder all in and for Canyon County, Idaho, EXCEPT as herein further certified by the additional statement as to taxes, and that all State and County taxes to and including the year 1950, Have Been Paid.

Assessments of Golden Gate Highway District and of Wilder Cemetery Association are certified to the Ex-officio Tax Collector of Canyon County and are collected with the general state and county taxes.

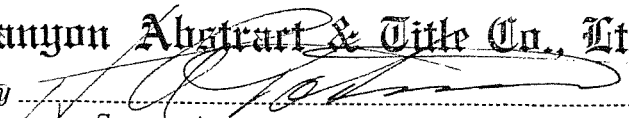
Wilder Irrigation District taxes are paid to and including the year 1949; 1/2 of the 1950 assessment has been paid.

Undersigned further certifies, That there are no judgments or liens of any kind as appears by the Judgment Docket in the offices of the Clerk of the District Court of the Seventh Judicial District and Auditor and Recorder in and for said Canyon County, Idaho, against any of the within named Grantees, except as shown in said Abstract, and that the United States Courts do not hold terms in said Canyon County, Idaho.

This Certificate is attached to Abstract No. 65674, is made for and at the request of

Wilder School District No. 34

In Witness Whereof, Undersigned has caused this Certificate to be executed
this Third day of March, 1951, at 5.00 o'clock P.M.

Canyon Abstract & Title Co., Ltd.
By  Secretary

OPTION TO PURCHASE

THIS AGREEMENT, Made and entered into this 15th day of August, 1949, by and between P. G. BATT and CORNELIA M. BATT, husband and wife, Canyon County, Idaho, parties of the first part, hereinafter referred to as "Owners", and INDEPENDENT SCHOOL DISTRICT No. 34, Wilder, Idaho, hereinafter referred to as "Purchaser", party of the second part, WITNESSETH:

That Whereas, the owners own the following described premises:

The North $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ (except a tract bounded as follows: Beginning at a point 300' West of the Southeast corner of the North $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$; thence North 13'; thence West 300'; thence South 13'; thence East 300' to place of beginning) of Section 14, Township 4 North, Range 5, West of the Boise Meridian, containing 18.56 acres, and

WHEREAS, The purchaser is to enter into an option for the purchase of said premises,

NOW THEREFORE, It is agreed that the purchaser will pay the owners the sum of \$100.00 cash, receipt whereof is hereby acknowledged, said \$100.00 being the consideration for the Option to Purchase the above described premises according to the terms hereof.

The purchase price of the said premises is \$10,000.00 cash; said sum to be paid in full upon delivery by the owners to the District of a warranty deed conveying said premises from the owners to the purchaser, together with an abstract of title showing a merchantable title in the owners, said abstract of title to be dated at a date subsequent to this agreement.

The purchaser has the sole right to purchase the above described premises at any time from the date of this agreement to and including the 31st day of December, 1950. If said purchaser elects to exercise its option to purchase said premises before February 1st, 1950, possession will be given by the owners to the purchaser at the time of payment, provided however, that if the payment is made prior

to November 15th, 1949, in that event, the owners are to have possession until November 15th, 1949, or until they have harvested their 1949 crop.

If the Option is exercised after February 1st, 1950, then in that event the owners are to have possession and control of the premises until the 1950 crops have been harvested.

The owners agree to furnish the purchaser with an abstract of title continued to a date subsequent to this agreement showing a merchantable title in the owners, subject only to the usual covenants, restrictions and patent restrictions.

W.S.D. PKB In the event the Option is not exercised ~~within the time~~ on or before December 31, 1950, ~~year~~ the sum of money paid for that consideration shall remain the sole possession of the owners and the rights, duties and obligations under said Option shall terminate absolutely. In the event the Option is exercised, the \$100.00 paid for the Option is not to be considered as part of the Option price for said land.

IT IS FURTHER AGREED That the terms of this Option shall be binding upon the owners, administrators, assigns, heirs and Executors of the owners.

IN WITNESS WHEREOF, The owners have hereunto set their hands and the purchaser has caused this Option to be signed by its Chairman and attested by its Secretary.

P. G. Batt
P. G. Batt

Cornelia M. Batt
Cornelia M. Batt

Owners

ATTEST:

Therese K. Bushnell
Secretary

INDEPENDENT SCHOOL DISTRICT NO. 34

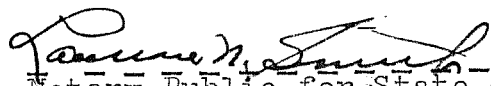
W. C. Swiger
Chairman

STATE OF IDAHO)
County of Canyon) ss

On this 19th day of Sept, in the year 1949, before me,
LAURENCE N. SMITH, a Notary Public in and for said State, personally
appeared P. G. BATT and CORNELIA M. BATT, husband and wife, known to
me to be the persons whose names are subscribed to the within instru-
ment, and acknowledged to me that they 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.

(S E A L)

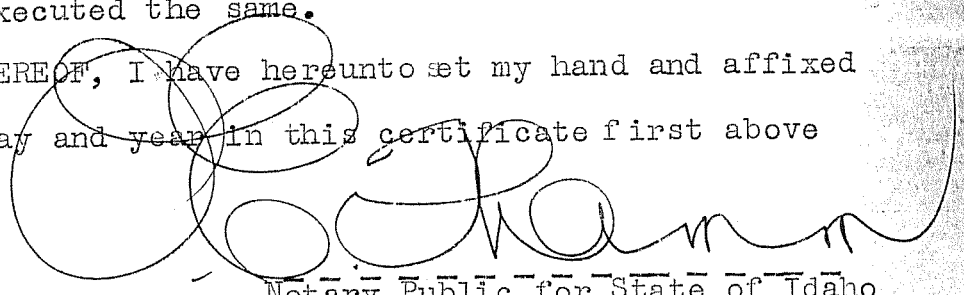

Notary Public for State of Idaho
Residing at Caldwell, Idaho

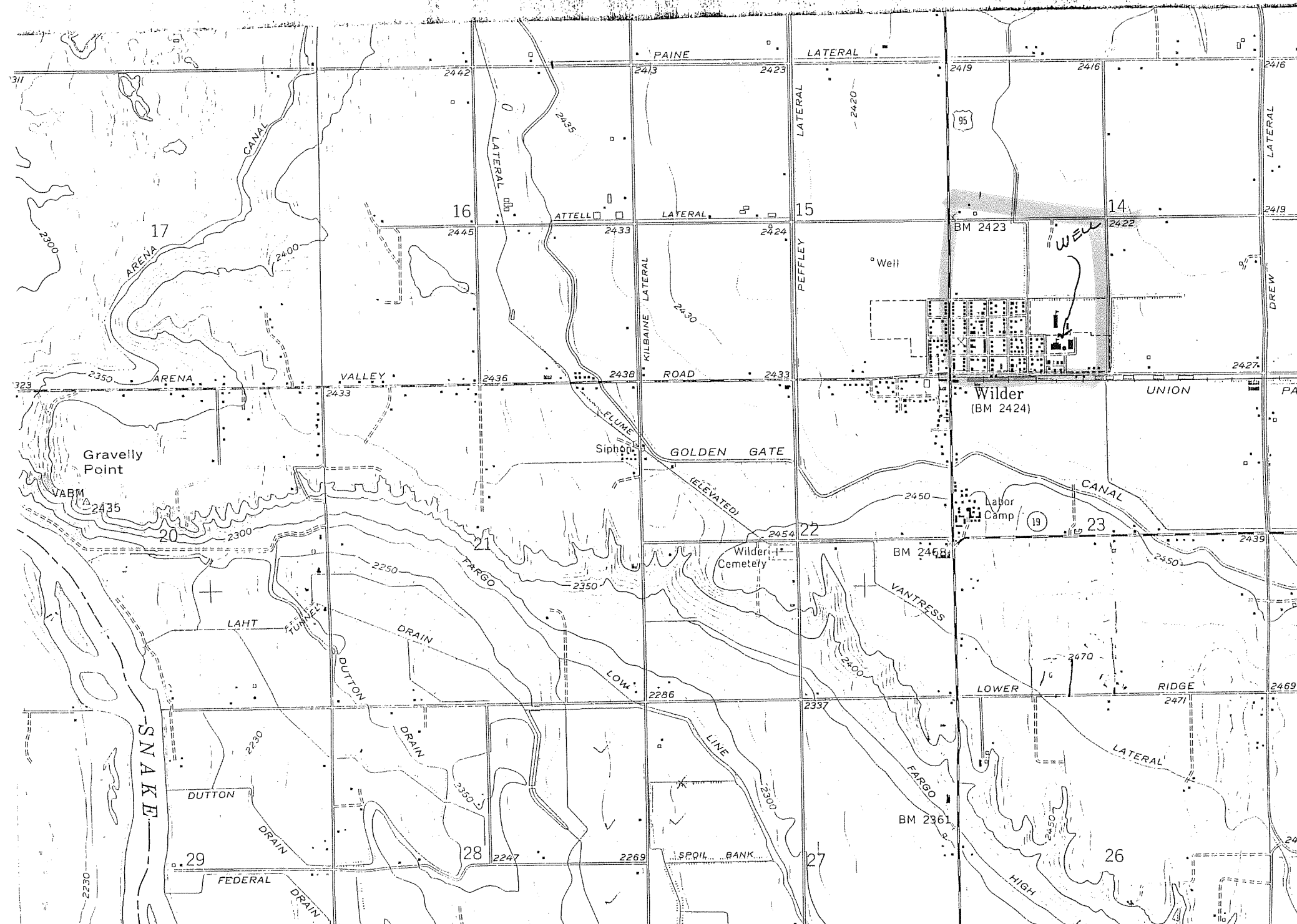
STATE OF IDAHO)
County of Canyon) ss

On this 19th day of Sept, in the year 1949, before me,
THE UNDERSIGNED, a Notary Public in and for said State, personally
appeared W. C. Swigert
Chairman of the Board of Trustees of the corporation that executed
the instrument, and Marjorie K. Bushnell
Secretary of the Board of Trustees of the corporation that executed
the instrument on behalf of said corporation and acknowledged to me
that such corporation 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.

(S E A L)


Notary Public for State of Idaho
Residing at Wilder Idaho
My commission expires



1-A



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

March 30, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

CITY OF WILDER
PO BOX 687
WILDER ID 83676

*(+) sent 2004 NAPP -
asking for POD
location*

RE: EVIDENCE OF PRIORITY

SNAKE RIVER BASIN CLAIM NO(S): A63-29028

Dear Claimants,

In the past, Wilder School District 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. The School District 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 21, 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



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

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.

Respectfully Submitted,

Kimberly Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-29028

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

February 2, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

WILDER SCHOOL DISTRICT NO 133
PO BOX 488
WILDER ID 83676-6098

(+) Sent 2004 NAPP
to SWSE -
asking for
POB & POB
info.

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-2

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 February 24, 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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Respectfully Submitted,

Kimberly Brown

Kimberly Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-29028

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.