

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 A03-02050
Date Received: 10/18/89
Receipt No: W006388
Received By:

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

1. Name of Claimant(s): B Y ENTERPRISES Phone: (208) 549-2378
PO BOX 54
WEISER ID USA 83672
- RAY BURZOTA Phone: (208) 549-2378
PO BOX 54
WEISER ID USA 83672
- PABLO YZQUIERDO Phone: (208) 549-2378
PO BOX 54
WEISER ID USA 83672

2. Date of Priority: 01/15/1962

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
11N	06W	34	SW NE	WASHINGTON

5. Description of diverting works:

PUMP AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.42	

7. Total Quantity Appropriated is:
0.42 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
11N	06W	34	SW NE		IRRIGATION	16
			NW SE		IRRIGATION	5
					Section Acres	21
					Total Acres	21

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

14. Remarks:

OWNERSHIP CHANGED BY DB 9/18/2000.

15. Basis of Claim: License

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

RECEIVED

NOV 27 1998

WATER RESOURCES
WESTERN REGION

1. Water Right Number(s) _____
 Adjudication Claim Number(s) _____

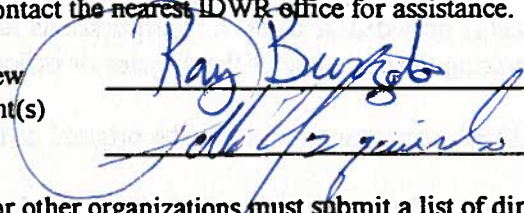
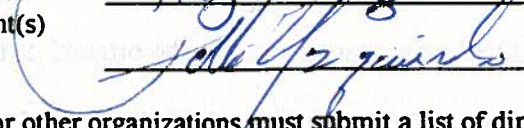
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
 OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) TSUTOMU B. IMADA AND ALMA M. IMADA
1310 AIRPORT ROAD, WEISER, ID 83672

4. New Owner/Claimant(s) B.Y. ENTERPRISES, a partnership consisting of RAY BURZOTA
Name connector (Check one): [] AND, [] OR, [] AND/OR AND PABLO YZQUIERDO
 New Mailing Address P.O. BOX 54
 City, State and ZIP Code WEISER, ID 83672
 New Telephone Number (208) 549 - 2378

5. Date you acquired the property 11/12/98

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres actually irrigated _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s)  Date _____
 Date 11-12-98

8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
 For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

100-98-6731

WARRANTY DEED

INSTRUMENT NO. 174607
PAGE 1 OF 1

For Value Received

TSUTOMU B. IMADA AND ALMA M. IMADA, husband and wife

The grantors, do hereby grant, bargain, sell and convey unto

B.Y. ENTERPRISES, a partnership consisting of RAY BURZOTA AND PABLO YZQUIERDO

the grantee, whose current address is

P.O. BOX 54, WEISER, ID 83672

the following described premises, in WASHINGTON

County Idaho, to-wit:

Commencing at a point 112 16/57 rods South of the Northwest corner of the Northeast Quarter of Section 34, Township 11 North, Range 6 West of the Boise Meridian, Washington County, Idaho; and from thence run East 57 rods; thence South to Snake River; thence down and along said Snake River to the North and South center line of Section 34 of Said Township and Range; thence North along said North and South center line to the place of beginning.

Together with all water, water rights, ditches and ditch rights appurtenant thereto and in anywise belonging.

Subject to all valid outstanding reservations, easements, rights-of-way, restrictions, dedications, mineral leases, mineral reservations and mineral conveyances of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: NOVEMBER 12, 1998

TSUTOMU B. IMADA
TSUTOMU B. IMADA

ALMA M. IMADA
ALMA M. IMADA

STATE OF IDAHO, COUNTY OF WASHINGTON

On this 12th day of NOVEMBER, 1998, before me, a Notary Public, in and for the said State, personally appeared

TSUTOMU B. IMADA AND ALMA M. IMADA

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

Charles W. Vicker
Notary Public
Residing at WEISER, Idaho
Comm. Expires 11/4/2003

STATE OF IDAHO, COUNTY OF WASHINGTON

I hereby certify that this instrument was filed for record at the request of WEISER VALLEY TITLE

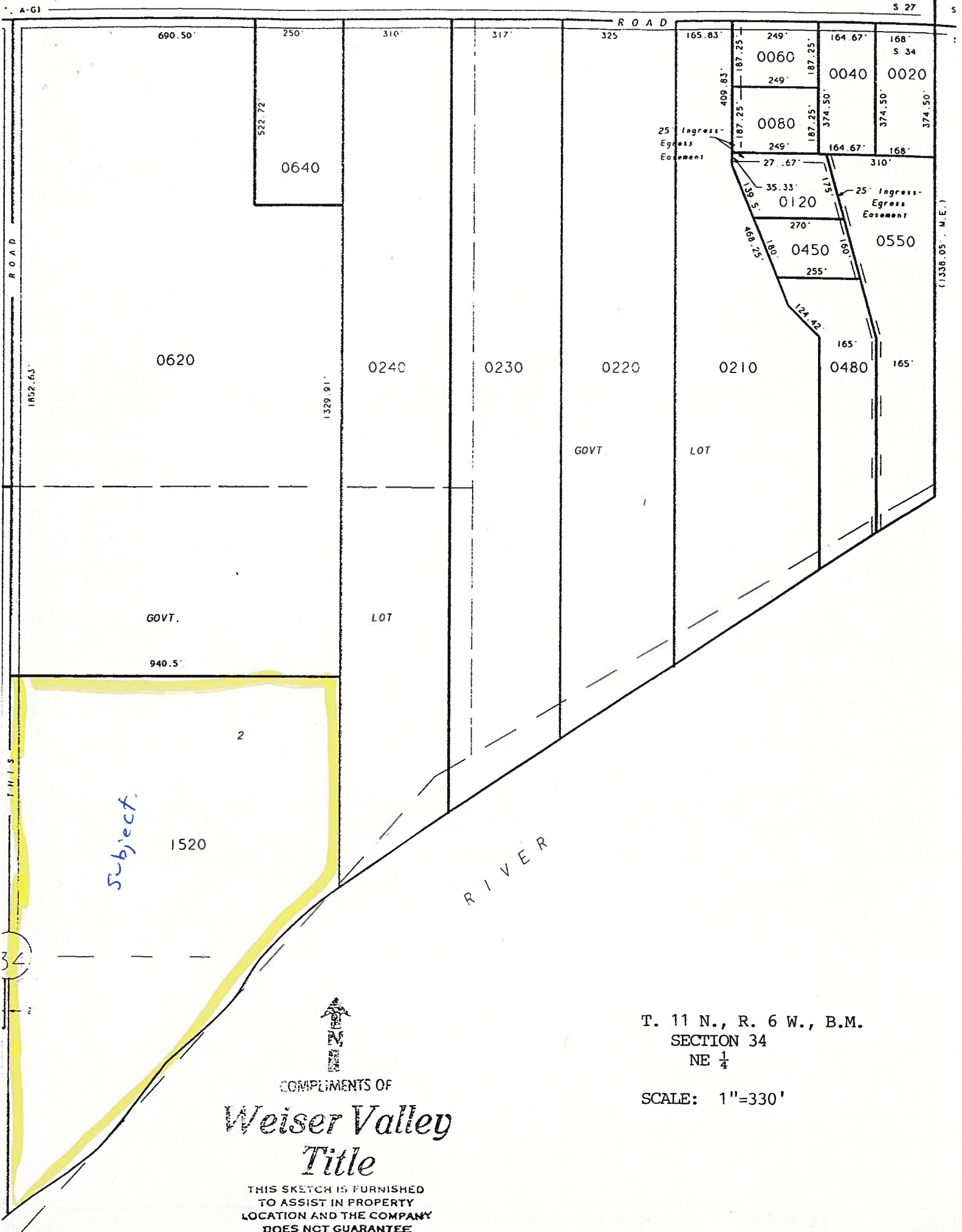
at 47 minutes past FIFTEEN o'clock P. M.,
this 12TH day of NOVEMBER
1998, in my office, and duly recorded in ~~BOOK~~
Deeds ~~BOOK~~ BY #174607

SHARON WIDNER
Ex-Officio Recorder

By Miss McLaughlin
Fees \$ 3.00
Mail to: WEISER VALLEY TITLE

Cmp. Index
Cmp. Rel.
Film
Compare
Card Rel.
Bk. Rel.
Deputy Up-date
Return
Copy

INSTRUMENT NO.



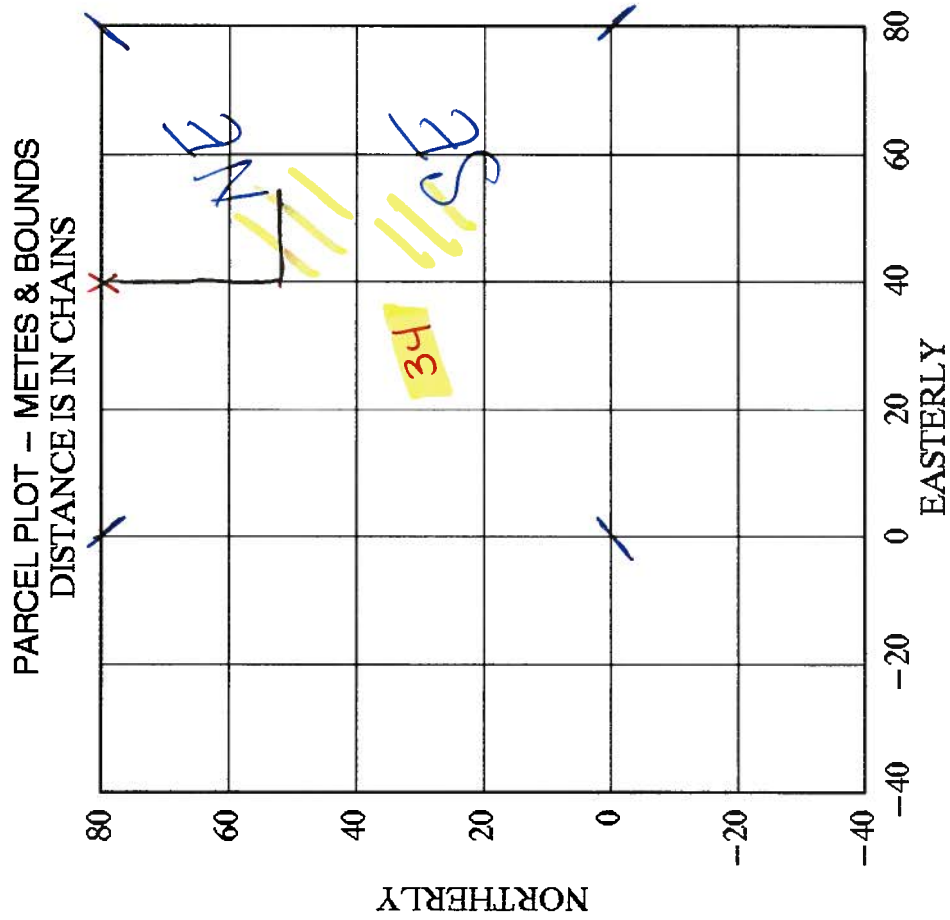
T. 11 N., R. 6 W., B.M.
SECTION 34
NE $\frac{1}{4}$

SCALE: 1"=330'

COMPLIMENTS OF
Weiser Valley
Title

THIS SKETCH IS FURNISHED
TO ASSIST IN PROPERTY
LOCATION AND THE COMPANY
DOES NOT GUARANTEE
ITS ACCURACY

11N 6W (34)



X = beginning point

(path follows
along river)

METES AND BOUNDS TABLE

PRESS ALT P TO PRINT GRAPH

	X-COR	Y-COR	ANGLE			BEARING	DIST (FT)
			DEGREES	MINUTES	SECONDS		
BEGIN POINT COR. (SEE SHEET)	40.00	80.00					
	40.00	51.93	0.00	0.00	0.00	SE	1852.62
	54.25	51.93	90.00	0.00	0.00	NE	940.50
	54.25	51.93					
	54.25	51.93					
-QUAD COEF-	54.25	51.93					
IF NE, X=1,Y=1	54.25	51.93					

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: A03-02050
Date Received: 10/18/1989
Receipt No: W006308
Received By: REN

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TSUTOMU BEN IMADA 208-549-2857
Address: 1310 AIRPORT RD.
WEISER, ID 83672

2. Date of Priority: JAN 15, 1962

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11N	06W	34	SW	NE			WASHINGTON

5. Description of diverting works:
PUMP AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.420		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	06W	34	SW	NE		IRR	16.0
			NW	SE		IRR	5.0

Section Acres 21.0

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AUG 10 1992

10. Place of Use: Continued

Total Acres 21.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 30358

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

Signature of Claimant(s): Lutoma B. Imala Date: 10-18-89

Date: _____

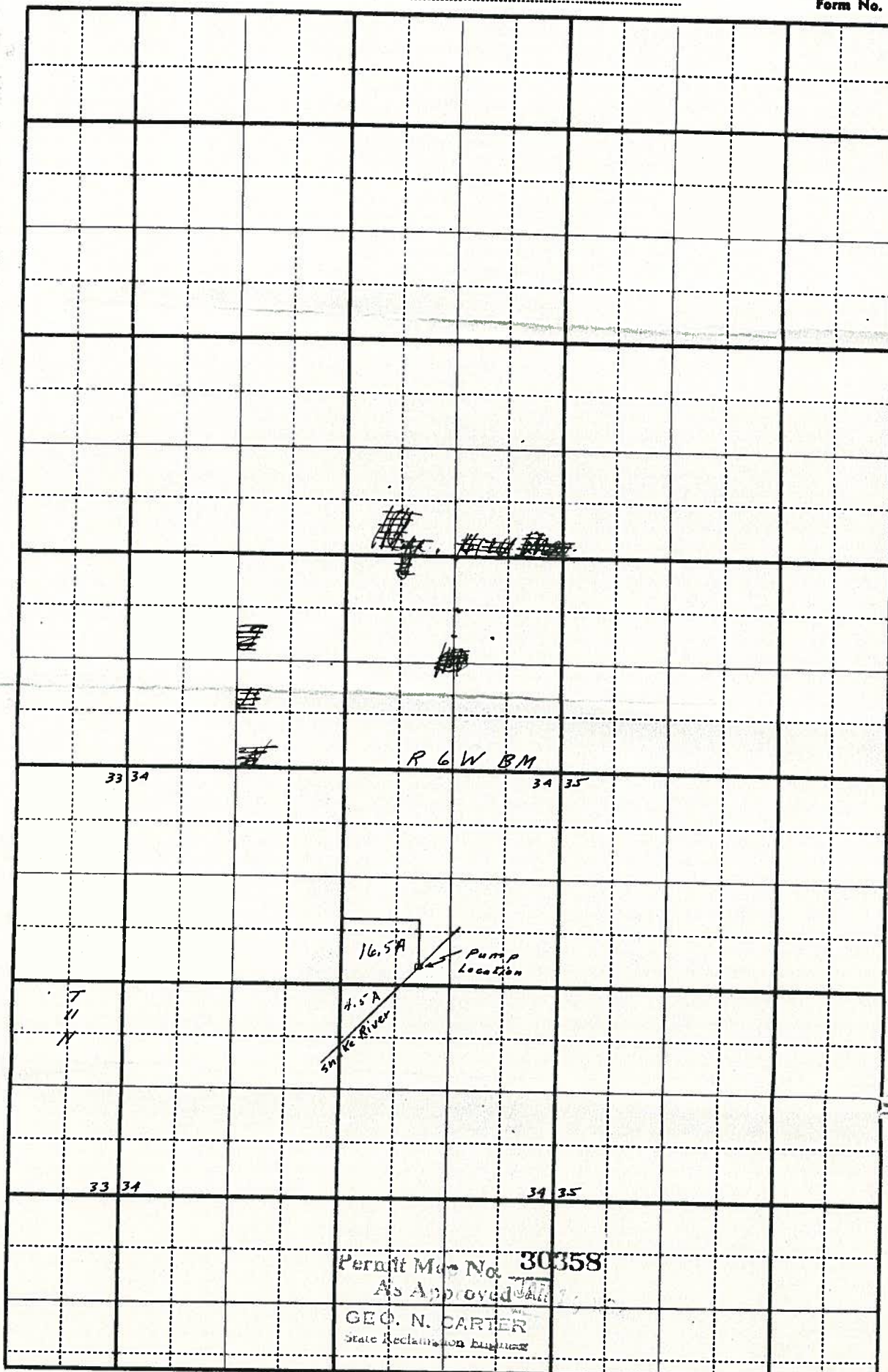
State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 10th day
of Oct 19 89

Ron Howerton
Notary Public

Seal

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



SCALE: 1/4" = 1 Mile. Draw Plan in Ink.

4

Permit Map No. 30358

As Approved

GEO. N. CARTER
State Reclamation Engineer

03-62050

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AUG 10 1992

**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 _____

Date Received _____

Receipt Number _____

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

Please type or print clearly

1. Name of Claimant (s) Tsutomu Ben Imada Phone (208) 549-2857

Mailing Address 1310 Airport Road, Weiser, Idaho Zip 83672

2. Date of Priority (Only one (1) per claim) January 15, 1962

3. Source of water supply (a) Snake River

which is tributary to (b) Columbia River

4. a. Location of existing point of diversion is: Township 11N Range 6W Section 34,

1/4 of SW 1/4 of NE 1/4, Govt. Lot, B.M., County of Washington

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 _____

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. _____

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AUG 10 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/31/89 to 11/15/89 amount 0.42 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.42 (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:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
6W	11N	34								5	16								21

Total number of acres irrigated 21

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

12. Do you own the property listed above as place of use? Yes x 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.
_____ or None ()

14. Remarks:

Last Name Imada Ident No. _____

Copies: White -State, Yellow-Claimant

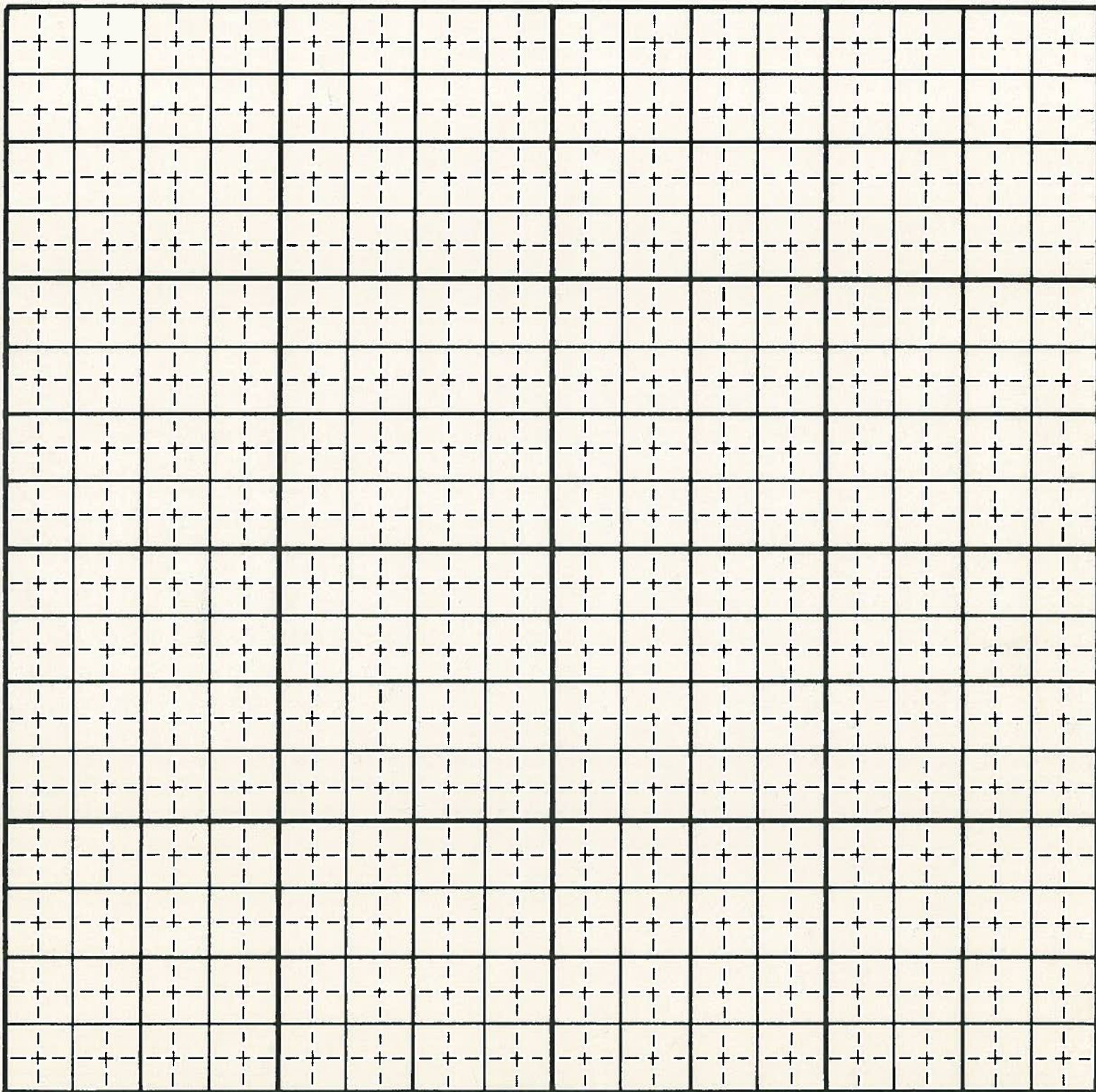
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1992

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

Scale: 2 inches equals 1 mile

See Attached



MICROFILMED

Last Name Imada Ident No.

Copies: White-State, Yellow-Claimant
Aug 18 1992

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) _____ Date _____
 _____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
 of _____ Organization _____, that I have signed the foregoing
 document in the space below as _____ Title _____ of _____ 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 Washington) SS.

Subscribed and sworn (or affirmed) before me this _____ day of _____ 19 89

SEAL

Notary Public _____

Residing at Weiser, Idaho

My Commission Expires _____

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Robert M. Taisey, Jr. 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 Robert M. Taisey, Jr.

Address Post Office Box 125, Weiser, Idaho 83672

Date 10/10/89

Last Name Imada Ident. Number _____

MICROFILMED

Copies White-State, Yellow-Claimant

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND • THIS PAPER CONTAINS FLUORESCENT FIBERS AND OTHER SECURITY FEATURES



Escrow Trust Account
P.O. Box 591 • 128 E. Main Street
Weiser, ID 83672
(208) 414-1792

BANK OF THE WEST
34 E. Main Street
Weiser, ID 83672

90-78
1211

12111

2004-147
WATER TRANSFER FEE
B.Y. ENTERPRISES

—Two Hundred Fifty and 00/100— Dollars

DATE
July 12, 2004
AMOUNT
\$ *****250.00

PAY
TO THE STATE OF IDAHO DEPT. OF WATER RESOURCES
ORDER
OF

2 SIGNATURES REQUIRED

[Signature]
[Signature]

⑈0000000000⑈ ⑈0000000000⑈ ⑈0000000000⑈

check returned . See letter dated 7-20-04



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

September 18, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

B Y ENTERPRISES
RAY BURZOTA
PABLO YZQUIERDO
PO BOX 54
WEISER ID 83672

Re: Notice of Claim to a Water Right No. A03-02050

Dear Claimants:

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

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

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

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB:db

Enclosure

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 03-02050

Date: 11-18-02

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	11N	6W	34			16											5			21
GIS						26.3											3.8			30.1
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 21

Overlapping POU Claim #'s:

Total GIS Acres: 30.1

COMMENTS:

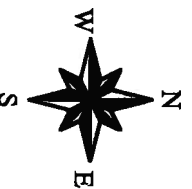
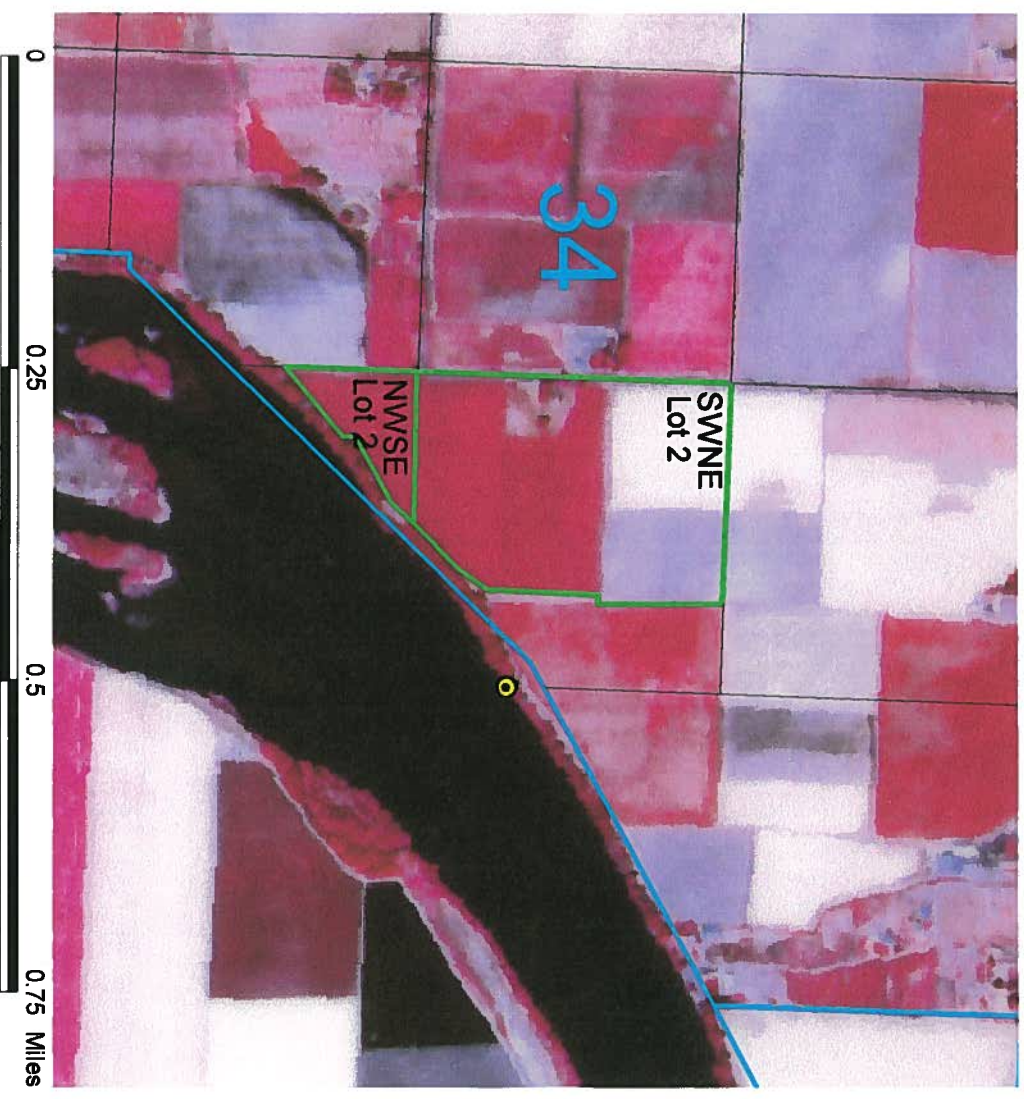
*Per county data, claimant doesn't own all of the parcels.
Mapped per plot and claim maps.*

Idaho Department of Water Resources

Claim Number: 03-02050
Legal: T11N, R06W, S34
Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

1987 Napp Photo



Idaho Department of Water Resources

Claim Number: 03-02050
Legal: T11N, R06W, S34
Reviewed By:

- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines

1987 Napp Photo

