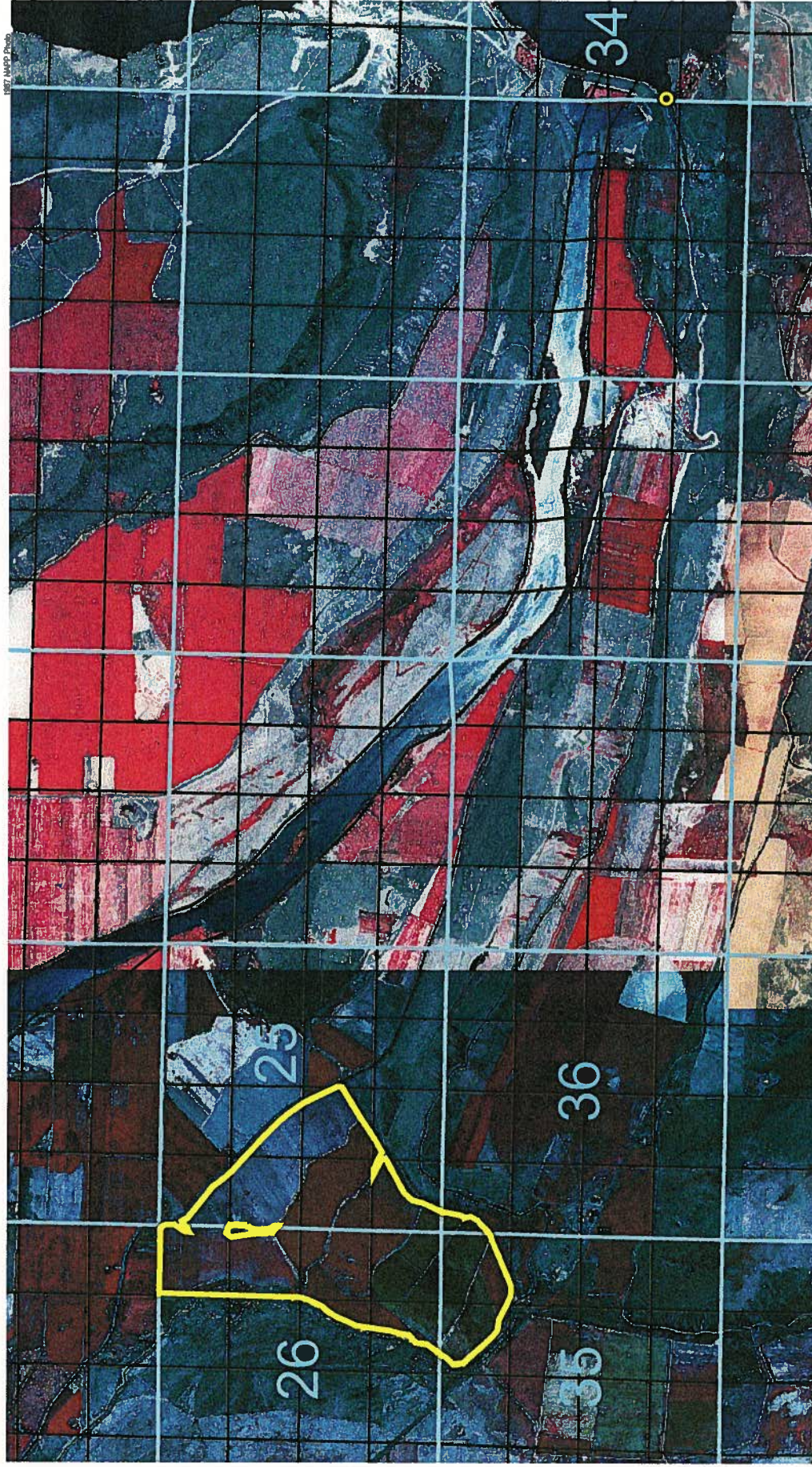


Idaho Department of Water Resources



0 1 2 3 4 5 Miles



- Claim Number: 02-00056
Legal: T05S, R04E, S34 &
T05S, R03E, S25, S26, S35 & S36
Reviewed By: JLD 8/4/05
- Point of Diversion
 - Place of Use
 - Section Lines
 - Quarter Quarter Lines

08/04/2005

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

RIGHT NUMBER: 2-56
NAME AND ADDRESS: PATRICK FIELD
PO BOX 245
GRAND VIEW ID 83624

LISA FIELD
PO BOX 245
GRAND VIEW ID 83624

ALVIN G DALLEY
BOX 213
DRIGGS ID 83422

LAJEAN DALLEY
BOX 213
DRIGGS ID 83422

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
QUANTITY: 8.240 CFS
PRIORITY DATE: 02/15/1925
POINT OF DIVERSION:

T05S R04E S34 NWSW Lot 10 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	8.240 CFS

PLACE OF USE: IRRIGATION Within OWYHEE County

T05S R03E S25	NWNW	12.0	T05S R03E S25	SWNW	39.0
T05S R03E S25	SENW	14.0	T05S R03E S25	NESW	32.0
T05S R03E S25	NWSW	40.0	T05S R03E S25	SWSW	25.0
T05S R03E S25	SESW	1.0	T05S R03E S26	NENE	38.0
T05S R03E S26	SENE	37.0	T05S R03E S26	NESE	40.0
T05S R03E S26	NWSE	8.0	T05S R03E S26	SWSE	20.0
T05S R03E S26	SESE	40.0	T05S R03E S35	NENE	36.0
T05S R03E S35	NWNE	24.0	T05S R03E S36	NWNW	6.0

412 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

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

2-00056

JLD 7/7/05 Don says recommend priority date one day after decree (Decree issued 14 Feb 1925)

Proofs: Permit 15608 cancelled 1925 (see microfilm), Permit signed in 1922 calls back to a possible 1912 priority date (claimed priority date), License 51-2250C, engineers report (undated) says that Grand View Extension Irrigation Co pulled from the Snake River when water was low in the Bruneau, describes POD and diversion works. In 1920 GV Extension Irrigation Co named in lawsuit with GV Irrigation District. Between 1920 and 1925 (when the lawsuit became decreed) the GV Extension Irrigation Co/Shoofly Farms dropped from the complaint. See Decree 51A.

Owner: Tax lots mostly line up with claim shape

Priority date: Permit 15608 records "This application is filed without waving any rights to the use of said water heretofore acquired by the actual beneficial use of said waters since the year 1912" Sufficient evidence of use since 1912., should have been included in the decree, recommend one day after decree 15 Feb 1925

POD: Conversation memo (prepared by Don Shaff) in claim file verifies POD at Idaho Power Canal as per conversation with Merv Christensen 2/16/1982. (Christensen prepared the claim for the claimants)

Source: As per conversation memo, Idaho Power Canal draws from CJ Strike of Snake River

POU: 290/412 acres previously licensed as 51-2250C, 1974 aerial photos show irrigation of all land.

Use: Irrigation as per previous license

Period: 3/15-11/15 as per Idaho Power Company agreement 4/10/1952

Quantity: Idaho Power Company agreement 4/10/1952 for Shoofly Farms (previous owner) limits diversion + diversion of DO Bybee to 17.4 cfs

NEEDS: Resolution of recommendation from legal (with transferred water from basin 51, should have been included in the decree?)

Feb 22, 1904	Roberts, Hunter & Co	Application 686	240 cfs
Apr 30, 1904	Roberts, Hunter & Co	Permit 559	240 cfs
May 7, 1904	Roberts, Hunter & Co to J. Garbutt & R.C. Massey		240 cfs
Feb 27, 1909	J. Garbutt & R.C. Massey to GV Land & Irrigation		240 cfs
Feb 20, 1909	GV Land & Irrigation	Proof of diversion	240 cfs
May 29 1913	GV Land & Irrigation to	GV Extension Irrigation	120 cfs
Jun 17 1912	GV Land & Irrigation to	GV Irrigation District	120 cfs
Apr 30 1913	GV Irrigation District	Proof of BU	96 cfs
Nov 30, 1915			

Feb 22 1904	Roberts, Hunter & Co	Application 686	240 cfs
Apr 30 1904	Roberts, Hunter & Co	Permit 557	240 cfs
May 7 1904	Roberts, Hunter & Co to James Garbutt & R.C. Massey		240 cfs
Feb 27, 1909	Garbutt & Massey to GV Land & Irrigation		240 cfs
Feb 20, 1909	GV Land & Irrigation	Proof of Diversion	240 cfs
May 29 1913	GV Land & Irrigation to GV Extension Irrigation		120 cfs
Apr 30 1913	GV Extension Irrigation	Proof of BU	7 cfs irrig 27 cfs power/pu
Nov 30 1915	GV Extension Irrigation	confirmed right	34 cfs
Feb 22, 1904	POD 5S 4E S 36	520 acres	
Pumping plant at	5S 4E S 32 Lot 8	Land in Land List 6.	

23 NE SW 12
SW SE 20
SE SE 17

25 NE SW 40
NW SW 40
SE SW 40
SWSW 40
SW SE 30
26 NE NE 36
SE NE 40
NE SE 40
SE SE 30

35 NENE 20
NW NE 20
36 NWNW 28
NE NW 25
NW NE 20
NE NE 25

26 July 1912

Agreement: March 14, 1911
A.E. Bailey, Otto R. Bolen, N.G. Massey
Directors of GV Irrig Dist.

A.P. Adair - Receiver
Rep. of GV Investment Co.

District: acquire deeds or deed rights
to all water w/in bounds.

GV Irrigation District, vs. GV Land & Irrigation Co Ltd.

Amended Water License No. 559

Feb 22 1904	R.D. Roberts & H.P. Hunter & Co.	Application 686	240 cfs
Apr 30 1904	R.D. Roberts & H.P. Hunter & Co.	Permit 559	240 cfs
Mar 7 1904	R.D. Roberts & H.P. Hunter & Co. to James Garbutt & Russell C. Massey		240 cfs
Feb 27 1909	James Garbutt & Russell C. Massey to Grandview Land & Irrigation Co., Ltd		240 cfs
Feb 20 1909	Grandview Land & Irrigation Co., Ltd	Proof of diversion	240 cfs
May 29 1913	Grandview Land & Irrigation Co., Ltd to Grandview Extension Irrigation Co		120 cfs
Jun 17 1912	Grandview Land & Irrigation Co., Ltd to Grandview Irrigation District		120 cfs
Apr 30 1913	Grandview Irrigation District	Proof of BU	115.28 cfs
Jun 19 1918	Grandview Irrigation District	Priority date / POI ammend Feb 22 1904	115.28 cfs

State of Idaho Water License No. 559

Feb 22 1904	Roberts, Hunter & Co	Application 686	240 cfs
Apr 30 1904	Roberts, Hunter & Co	Permit 559	240 cfs
May 7 1904	Roberts, Hunter to Garbutt & Massey		240 cfs
Feb 27 1909	Garbutt & Massey to Grandview Land & Irrigation		240 cfs
Feb 20 1909	GV Land & Irrigation	Proof of diversion	240 cfs
May 29 1913	GV Land & Irrigation to GV Extension Irrigation		120 cfs
Jun 17 1912	GV Land & Irrigation to GV Irrigation District		120 cfs
Apr 30 1913	GV Irrigation District		96 cfs
Nov 30 1915	GV Irrigation District Feb 22 1904	confirmed right	96 cfs

Feb 22 1904	Roberts, Hunter & Co	Application 686	240 cfs
Apr 30 1904	Roberts, Hunter & Co	Permit 559	240 cfs
May 7 1904	Roberts, Hunter & Co to ^{James} Garbutt & Massey		240 cfs
Feb 27 1909	Garbutt & Massey to GV Land & Irrigation		240 cfs
Feb 20 1909	GV Land & Irrigation	Proof of diversion	240 cfs
Mar 17 1906	GV Land & Irrigation to Florence Garbutt appurtenant to Land List 4 (LL4 modified to match "license")		0.143 cfs
Jun 16 1908	Florence Garbutt to James Garbutt		0.143 cfs
Apr 10 1913	James Garbutt	Proof of BU	2 cfs
Nov 30 1915	James Garbutt	confirmed right	2 cfs
Feb 22 1904	, POD 55 4E 536	138 acres	

Feb 22 1904	Roberts, Hunter & Co	Application 686	240 cfs
Apr 30 1904	Roberts, Hunter & Co	Permit 559	240 cfs
May 7 1904	Roberts, Hunter & Co to James Garbutt & ^{Russell C.} Massey		240 cfs
Feb 27 1909	Garbutt & Massey to GV Land & Irrigation		240 cfs
Feb 20 1909	GV Land & Irrigation	Proof of diversion	240
May 29 1913	GV Land & Irrigation to Loyal N. Massey appurtenant to Land List 5 (LL5 modified to match "license")		0.143 cfs
April 30 1913	Loyal N. Massey	Proof of BU	0.4714 cfs
Nov 30 1915	Loyal N. Massey	confirmed right	0.4714 cfs
Feb 22, 1904	POD 55 4E 536	33 acres	

51-2250 →
 51-2250 →
 →
 claimed as
 51-2250F →
 claimed as
 51-2250E →

Claim #	Diversion	Acres	Priority Date	Basis
2-29	190 cfs	6863	4/1/1952	BU
2-202A	1.1 cfs	58	6/1/1912	License
2-202B	.4 cfs	20	6/1/1912	License
2-203	150 cfs	6863	2/22/1904	Decree
2-2034	60 cfs	6863	2/12/1920	License
2-10141	122.73 cfs	6863	2/22/1904	License
2-10142	4.98 cfs	6863	2/22/1907	License

203 Decree: Third Court
 Grandview Irrigation District vs. Buckaroo Coop. Ditch Co. et al

Right #	Diversion	Acres	Priority Date	Basis
51-1	150 cfs		2/22/1904	Decree
2-2034	60 cfs	6863	2/12/1920	License
51-2250A	2 cfs	138	2/22/1904	License
51-2250B	.47 cfs	33	2/22/1904	License
51-2250C	34 cfs (74)	530	2/22/1904	License
51-2250D	115.28 cfs	5787	2/22/1904	License
51-2250E	4.98 cfs	249	2/22/1907	License

51-1 is 2-203 ✓
 2-2034 is 2-2034 ✓
 51-2250A + 51-2250B + 51-2250D = 2-10141
 51-2250E is 2-10142

Claims
 2-202A + 2-202B = 1.5 cfs 6/1/1912
 2-29 190 cfs 4/1/52

Rights
 51-2250C 34 cfs 2/22/1904

Claim #	Diversion	Acres	Priority Date	Basis
2-56	884 cfs 5.89	412	6/1/1912	BU
2-202A	1.1 cfs	58	6/1/1912	License
2-202B	.4 cfs	20	6/1/1912	License
2-x y z	Fl .02/Ac 2.95	490 acres	4/6/1952	

→ some acres match w/ 51-2250C

Right #	Diversion	Acres	Priority Date	Basis
51-2250C	34 cfs 7 cfs irrigation 27 cfs power	530	2/22/1904	License

Water Right #	Old #	Priority Date	Signed Date	Owner	Amount	Land List	Split Suffix	Basin 02 #
51-2250	559	2/22/1907	1/23/1924	Grand View Irrigation District	4.98	1	E	02-10142
51-2250	559	2/22/1904	6/19/1918	Grand View Irrigation District	115.28	2	D	
51-2250	559	2/22/1904	11/30/1915	Grand View Irrigation District	96	3	Cancelled	Cancelled
51-2250	559	2/22/1904	11/30/1915	James Garbutt	2	4	A	
51-2250	559	2/22/1904	11/30/1915	Loyal N. Massey	0.4714	5	B	
51-2250	559	2/22/1904	11/30/1915	Grand View Extension Irrigation Co	34	6	C	2-202
51-2250	559	2/22/1904		Grand View Irrigation District	122.73	Claim	F	02-10141

Water Claim #	Prev. Wa	Priority Date	Owner	Amount
02-00202 A	51-2250	6/1/1912	Ted & Sandy Cantrell	1.1
			Tracy & Tereasa Silver	
			Gilbert Wallers Farm (Farmers Home Admin)	
02-00202 B	51-2250	6/1/1912	Roland G Boatright	0.4
			Shoofly Ranch Inc/Mona L. Spaulding	
			Franklin, Rosanna, & Jennifer Ginn	

$$71 + 4027 + 7344 = .02 \text{ cfs/acre}$$

APR - 2242

71 - Holly: Reg Meaker
7/1/1964
418 acres
.5 cfs
0.0012 cfs/acre
Beneficial Use

56 - Alvin: Lajeau Dalley: Lisa: Patrick Field
6/1/1912
412 acres
8.84 cfs
.0215 cfs/acre
Beneficial Use

4027 - Holly: Reg Meaker
5/1/1962
418 acres
5 cfs
0.012 cfs/acre
Beneficial Use

10031 - Kelly Darlington
6/1/1912
29 acres
.5 cfs
.0172 cfs/acre
Beneficial Use

7344 - Holly: Reg Meaker
5/6/1981
418 acres
2.86 cfs
0.0068 cfs/acre
License

10167 - Howard J Field
5/2/1967
287 acres
4.44 cfs
0.155 cfs/acre
Beneficial Use

Split from 2-00053 with 2-10168

2242 - Nice View Investors Farms
11/18/1963
320 acres
6.38 cfs
1595 AFY
.0199 cfs/acre
4.98 AFY/acre
License

10169 - Howard J Field
7/15/81
301 acres
6.02 cfs
1505 AFY
.02 cfs/acre
5 AFY/acre
License

Split from 2-07357 with 2-10170

See original in 2-71-

04/27/2007

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

RIGHT NUMBER: 2-56

NAME AND ADDRESS: THOMAS M RICKS
1560 N PARK LN
EAGLE ID 83616

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 8.240 CFS

PRIORITY DATE: 02/15/1925

POINT OF
DIVERSION:

T05S R04E S34 NWSW Lot 10 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	8.240 CFS
PLACE OF USE: <u>IRRIGATION in OWYHEE County</u>		
T05S R03E S25 NWNW 12.00	T05S R03E S25 SWNW	39.00
T05S R03E S25 SENW 14.00	T05S R03E S25 NESW	32.00
T05S R03E S25 NWSW 40.00	T05S R03E S25 SWSW	25.00
T05S R03E S25 SESW 1.00	T05S R03E S26 NENE	38.00
T05S R03E S26 SENE 37.00	T05S R03E S26 NESE	40.00
T05S R03E S26 NWSE 8.00	T05S R03E S26 SWSE	20.00
T05S R03E S26 SESE 40.00	T05S R03E S35 NENE	36.00
T05S R03E S35 NWNE 24.00	T05S R03E S36 NWNW	6.00

412 ACRES TOTAL

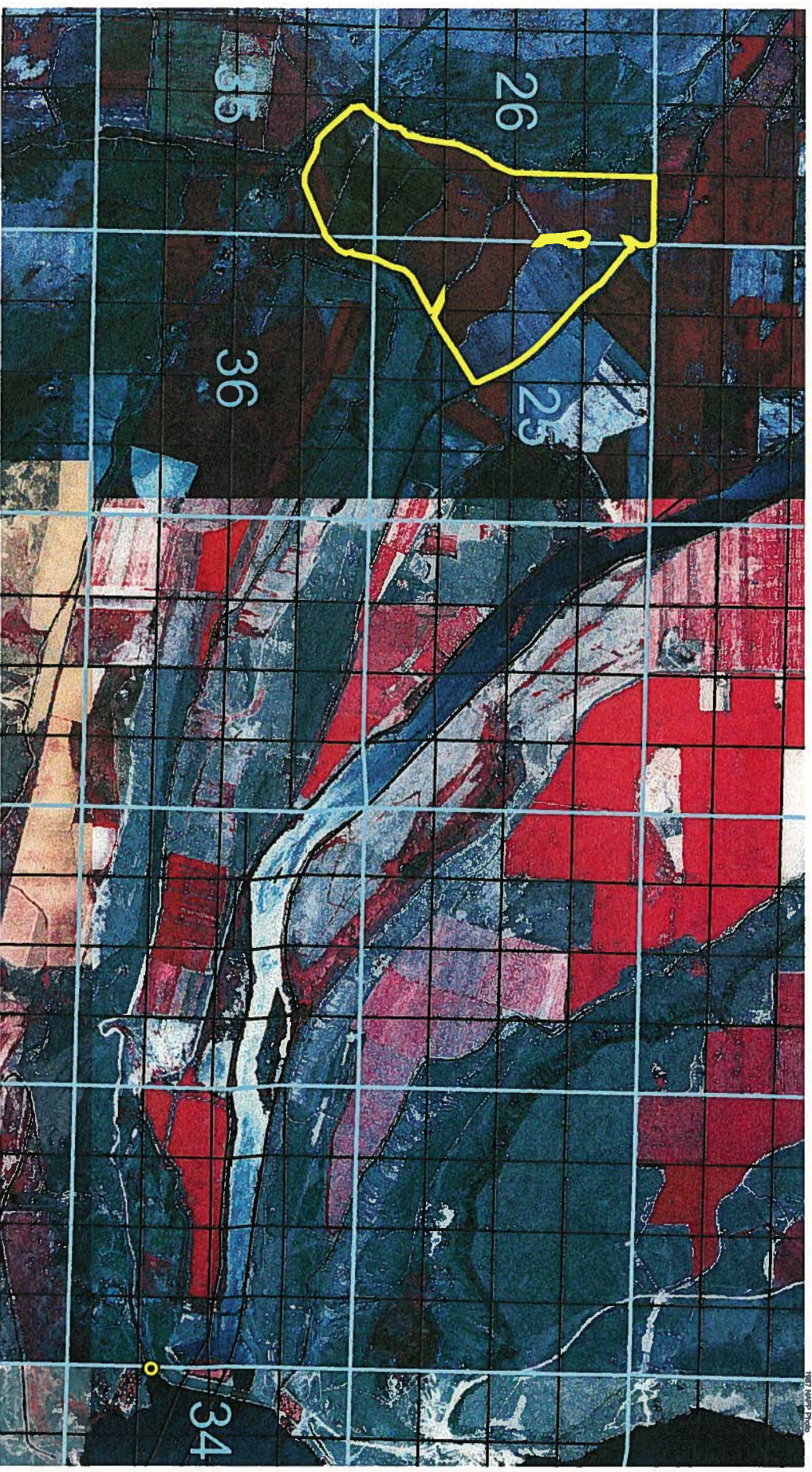
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Idaho Department of Water Resources



Claim Number: 02-00056
Legal: T05S, R04E, S34 &
T05S, R03E, S25, S26, S35 & S36
Reviewed By: JLD 8/4/05

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



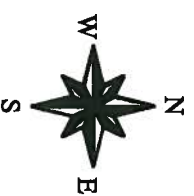
Idaho Department of Water Resources

Claim Number: 02-00056

Legal: T05S, R03E, S25, 26, 35, 36

Reviewed By:

-  Point of Diversion
(located outside view)
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



1987 Naipp Photo



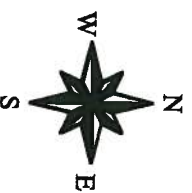
Idaho Department of Water Resources

Claim Number: 02-00056

Legal: T05S, R03E, S25, 26, 35, 36

Reviewed By:

-  Point of Diversion
(located outside view)
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-00056

Date: 7-19-02

	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	55	3E	25						12	37	18	38	39	26	2		1			173
GIS									12	39	14	31	40	23	7					159.7
Claim			26	35			31									39	7	19	40	171
GIS				39			38									40	9.2	21	40	187.2
Claim			35	38	24															62
GIS				35	25															60
Claim			36						6											6
GIS									5.1											5.1

Number of POD's 1

Total Claimed Acres: 412

Overlapping FOU Claim #'s:

Total GIS Acres: 412

COMMENTS:

POU per claim map & image interpretation.

POD per claim legal.

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: A02-00056
Date Received: 12/14/1988
Receipt No: M002181
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name:	ALVIN G DALLEY	208-354-2926
Address:	BOX 213	
	DRIGGS ID	83422
AND		
Name:	LISA FIELD	208-834-2963
Address:	PO BOX 245	
	GRANDVIEW ID	83624
AND		
Name:	LAJEAN DALLEY	208-354-2926
Address:	BOX 213	
	DRIGGS ID	83422
AND		
Name:	PATRICK FIELD	208-834-2963
Address:	PO BOX 245	
	GRANDVIEW ID	83624

2. Date of Priority: JUN 1, 1912

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
05S	04E	34		NW	SW	10	OWYHEE

5. Description of diverting works:
PUMP, PIPELINE & CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	10/31	8.840		

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

15. Basis of Claim: BENEFICIAL USE

From: DWR03::DSHAFF
To: DWR80::MMINICUC
CC: DSHAFF
Subj: DATA ENTRY

14-APR-1995 16:22:26.69

Would you take another look at 57-10796 v. A02-00056? In one
name the initials of a claimant are different. thanks

MICROFILMED

SEP 19 1996

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A02-00056
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Receipt No: M002181
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name:	ALVIN E DALLEY	208-354-2926
Address:	BOX 213	
	DRIGGS ID	83422
AND		
Name:	LISA FIELD	208-834-2963
Address:	PO BOX 245	
	GRANDVIEW ID	83624
AND		
Name:	LAJEAN DALLEY	208-354-2926
Address:	BOX 213	
	DRIGGS ID	83422
AND		
Name:	PATRICK FIELD	208-834-2963
Address:	PO BOX 245	
	GRANDVIEW ID	83624

2. Date of Priority: JUN 1, 1912

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
05S	04E	34		NW	SW	10	OWYHEE

5. Description of diverting works:
PUMP, PIPELINE & CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	10/31	8.840		

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

Acre Feet Per Annum.

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
05S	03E	25	NW	NW		IRR	12.0
			SW	NW		IRR	37.0
			SE	NW		IRR	18.0
			NE	SW		IRR	38.0
			NW	SW		IRR	39.0
			SW	SW		IRR	26.0
			SE	SW		IRR	2.0
			NW	SE		IRR	1.0

26	NE	NE	IRR	35.0
	SE	NE	IRR	31.0
	NE	SE	IRR	39.0
	NW	SE	IRR	7.0
	SW	SE	IRR	19.0
	SE	SE	IRR	40.0

35	NE	NE	IRR	38.0
	NW	NE	IRR	24.0

36	NW	NW	IRR	6.0
----	----	----	-----	-----

Total Acres	412.0
-------------	-------

13. Other Water Rights Used:
NONE

MAYBE SOME DUPLICATE RIGHTS FROM THE SHOOFLY CANAL.
OWNERSHIP CHANGED 04/06/1995 BY MM.

15. Basis of Claim: BENEFICIAL USE



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources

MAR 15 1995

RECEIVED

DATE OF CLOSING: 3/8/1994 (see instructions on back of page)

LEGAL DESCRIPTION OF PROPERTY: Township 5S Range 3E
Section 25, 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. (Sheet attached to warranty deed)

[] 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)

RECEIVED

MAR 20 1995

[] Water Right Number(s)
Assigned by IDWR: A02-00056

WATER RESOURCES
WESTERN REGION

[] Name and Address of Former
Owner/Claimant(s)(Seller):

SHOO FLY TRUST

MARGARET L. DORRIS, TRUSTEE

P.O. BOX 563, WINCHESTER OR. 97450

[] New Owner/Claimant
(Purchaser):

PATRICK & LISA FIELD

ALVIN & LAJEAN DALLEY
BOX 212

[] New Mailing Address:

P.O. BOX 245

DRIGGS IDAHO

GRANDVIEW IDAHO

83422

[] New Telephone Number:

(208) 834-2963

208-354-2926

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

Undivided 1/2 interest to each
party

[] Attach proof of
ownership, describe
proof attached:

warranty deeds attached

(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)

Alvin Dalley
Patrick D. Field

Date march 15, 1995

Date 3-15-95

[] 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: 03/24/1995 By: TTT

Further Action Needed:

Deed from Dalley's - Request 03/24/1995
Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 04/06/1995 By: TTT

Claim Numbers of Split, if any:

P Code 03/30/1995

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

MICROFILMED

SEP 19 1996

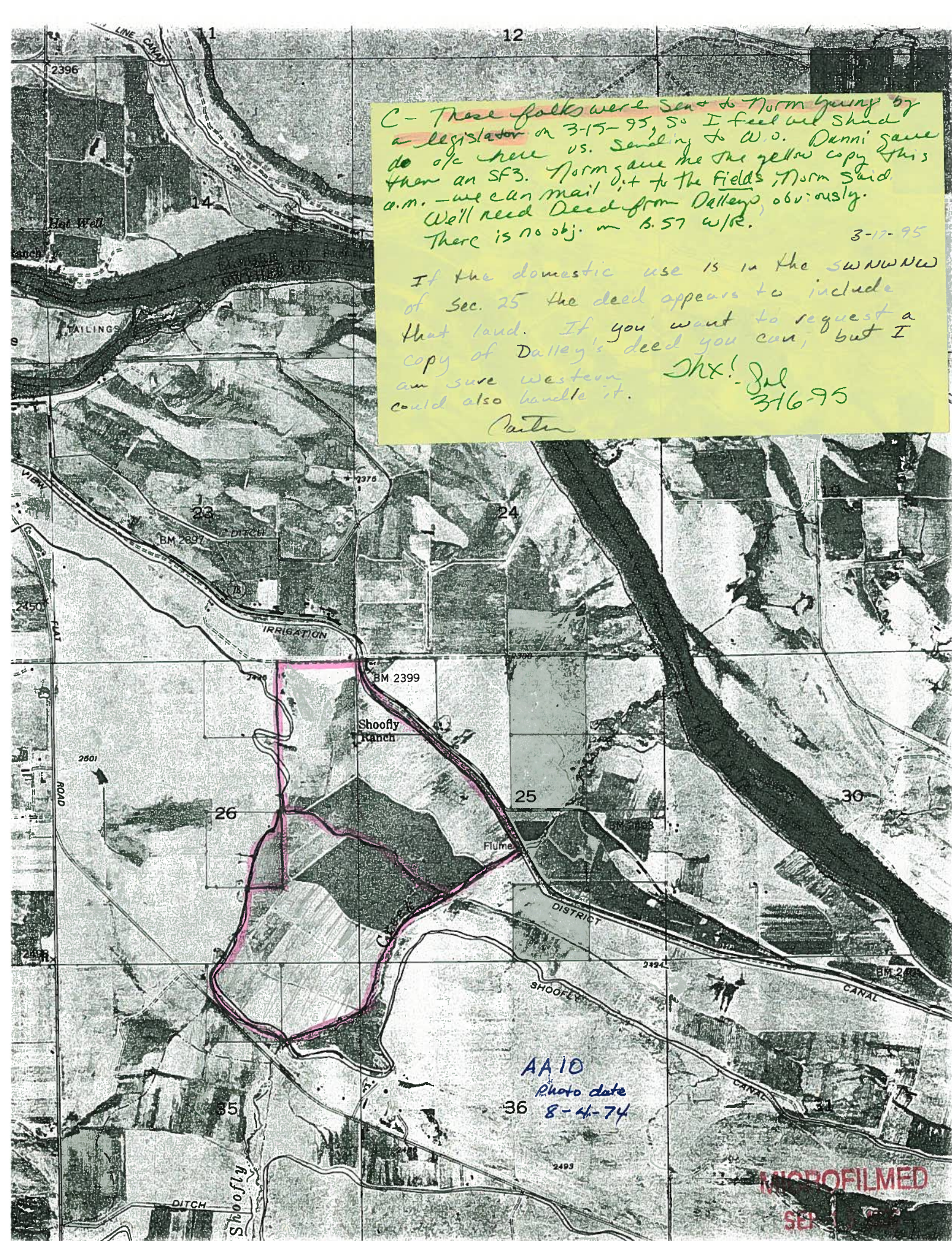
C- These folks were sent to Norm Gundy by a legislator on 3-15-95, so I feel we should do o/c there vs. sending to W.O. Danni gave them an SF3. Norm gave me the yellow copy this a.m. - we can mail it to the fields, Norm said. We'll need Deed from Dalley, obviously. There is no obj. on B.57 w/r.

3-17-95

If the domestic use is in the SWNW of Sec. 25 the deed appears to include that land. If you want to request a copy of Dalley's deed you can, but I am sure western could also handle it.

Jhx! - Jnl
3/16/95

Carton



AA10

Photo date

36 8-4-74

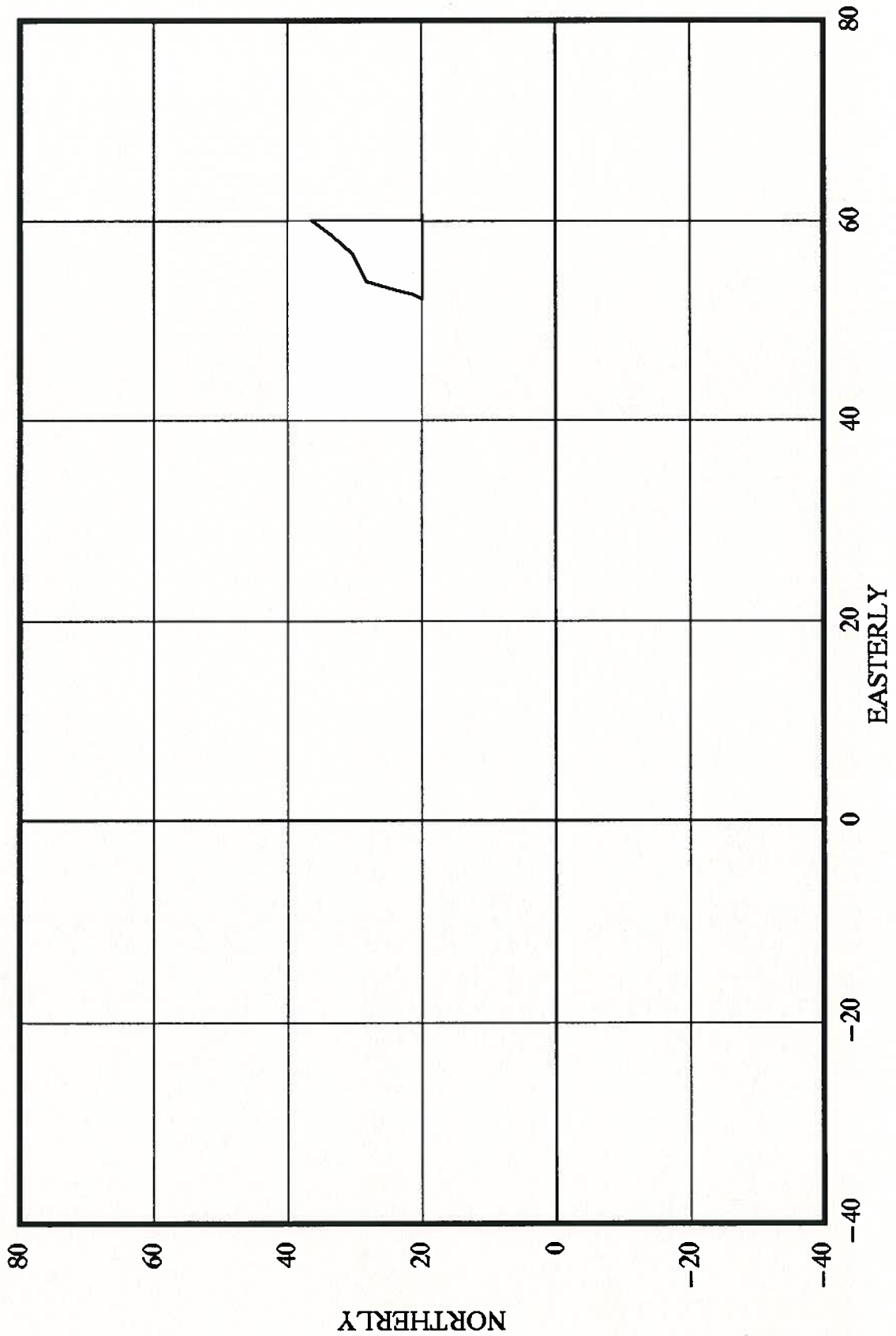
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SEP

Parcel described as being in
Toss RO3E 5.26

PARCEL PLOT - METES & BOUNDS

DISTANCE IS IN CHAINS

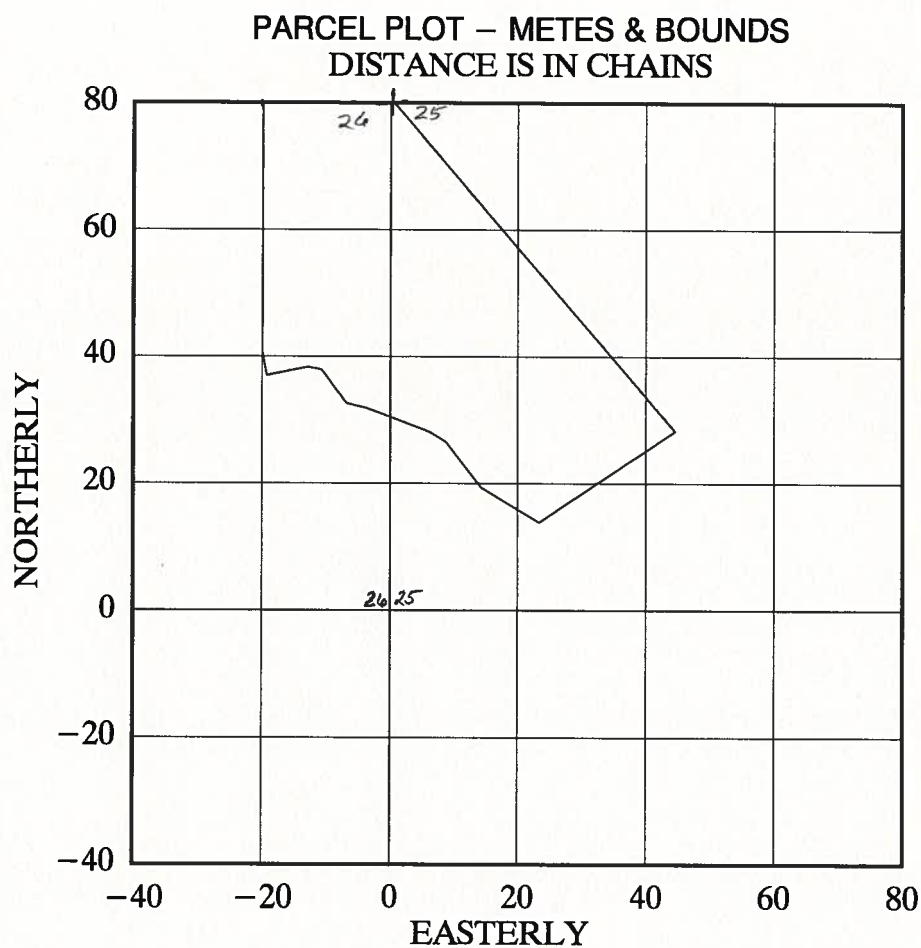


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SEP 19 1996

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MAR 20 1995

WATER RESOURCES
WESTERN REGION



Parcel described as being in T5S, R3E Sec25,
fractions of $W\frac{1}{2}NW\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$, $SE\frac{1}{4}$ and
Sec. 26, fractions of $E\frac{1}{2}NE\frac{1}{4}$, $NE\frac{1}{4}$, $SE\frac{1}{4}$

MICROFILMED

SEP 19 1996

WARRANTY DEED

For Value Received SHOO FLY TRUST as created by Declaration of Trust dated May 29, 1985, wherein Margaret Lorraine Dorius and James Spooner are named Trustees

the grantors, do hereby grant, bargain, sell and convey unto
ALVIN G. DALLEY and LaJEAN B. DALLEY, husband and wife

the grantees, whose current address is, P O Box 213, Driggs, ID 83422
the following described premises, to-wit:

As per Exhibit "A" attached hereto and by reference thereto made a part hereof.

Together with all water rights, ditch rights, rights of way, tenements, hereditaments and appurtenances thereto belonging or used in connection therein.

Subject to exceptions and reservations contained in patents from the United States.

Subject to all easements, restrictions and reservations of record and of use.

SUBJECT TO unrecorded farm lease dated January 22, 1993 by and between Shoo Fly Trust, Lessor, and Randy Hipwell and Nancy Hipwell, husband and wife, Lessee, which lease terminates December 31st, 1995.

RECEIVED
APR 05 1995
WATER RESOURCES
WESTERN REGION

FILED - RECORDED
94 JUN 22 PM 1 35
BARBARA JAYO
OWYHEE COUNTY RECORDER
BY *[Signature]*
DEPUTY
FEE *[Signature]*

213093

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee s that they are the owners in fee simple of said premises; that said premises are free from all incumbrances except taxes and assessments levied for the year 1994 and subsequent years.

and that they will warrant and defend the same from all lawful claims whatsoever.
Dated: March 8, 1994

Shoo Fly Trust

By *[Signature]*
Margaret Lorraine Dorius, Trustee

Shoo Fly Trust
By *[Signature]*
James Spooner, Trustee

Oregon

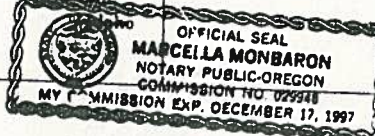
STATE OF ~~INXND~~ COUNTY OF DOUGLAS
On this *9th* day of *June*, 19 *94*,
before me, a notary public in and for said State, personally
appeared

Margaret Lorraine Dorius
Trustee of Shoo Fly Trust

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

[Signature]
Residing at *Sheridan, Oregon*
Comm. Expires *12/17/97*

Notary Public



STATE OF IDAHO
COUNTY OF *5th*

On this *5th* day of *June* in the
year 19 *94*, before me, a Notary Public, personally appeared

James Spooner, Trustee of Shoo Fly Trust
known or identified to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me that
he executed the same.

[Signature]
Notary Public
Residing at *Driggs, ID*

MICROFILMED
SEP 19 1994

EXHIBIT "A"

AN UNDIVIDED ONE-HALF (1/2) INTEREST

IN TOWNSHIP 5 SOUTH, RANGE 3 EAST, B.M., OWYHEE COUNTY, IDAHO
Section 25, being fractions of $W\frac{1}{2}NW\frac{1}{2}$, $SE\frac{1}{2}NW\frac{1}{2}$, $SW\frac{1}{2}$, $NW\frac{1}{2}SE\frac{1}{2}$,
Section 26, being fractions of $E\frac{1}{2}NE\frac{1}{2}$, $NE\frac{1}{2}SE\frac{1}{2}$, more particularly
described as follows:

BEGINNING at the Northwest corner of $NE\frac{1}{2}NE\frac{1}{2}$, Section 26,
T5S, R3E, B.M., Owyhee County, Idaho; thence South $0^{\circ}03'$ East a
distance of 2600 feet, to a point on the West boundary line of
 $E\frac{1}{2}NE\frac{1}{2}$; thence South $9^{\circ}54'$ East, a distance of 249.5 feet to a
point on the East right-of-way line of the Grand View Mutual
Canal; thence North $78^{\circ}16'$ East along a ditch 433.0 feet to a
point; thence South $80^{\circ}04'$ East along a ditch 145.5 feet to a
point; thence South $36^{\circ}04'$ East along a ditch 430.0 feet to a
point; thence South $77^{\circ}04'$ East along a ditch 209.5 feet to a
point; thence South $69^{\circ}16'$ East along a ditch 700.0 feet to a
point; thence South $57^{\circ}56'$ East along a ditch 200.0 feet to a
point; thence South $37^{\circ}56'$ East along a ditch 600.0 feet to a
point; thence South $58^{\circ}56'$ East along a ditch 692.0 feet to the
centerline of Shoofly Creek; thence North $56^{\circ}03'$ East, a distance
of 1690.4 feet more or less to a point on the Southwest sideline
of the R/W of the Grand View Canal; thence Northwest along the
above R/W line of the Grand View Canal, a distance of 4488 feet,
more or less, to a point on the North Section line of Section 25,
T5S, R3E, B.M.; thence North $89^{\circ}57'$ West, a distance of 1403
feet, more or less, to the Northwest corner of $NE\frac{1}{2}NE\frac{1}{2}$, THE POINT
OF BEGINNING.

IN TOWNSHIP 5 SOUTH, RANGE 3 EAST, B.M., OWYHEE COUNTY, IDAHO

A parcel of land lying in the following Sections:

Section 25: fractions of $SE\frac{1}{2}SW\frac{1}{2}$, $W\frac{1}{2}SW\frac{1}{2}$

Section 26: fractions of $SE\frac{1}{2}$

Section 35: fractions of $NE\frac{1}{2}$

Section 36: fractions of $NW\frac{1}{2}NW\frac{1}{2}$ more particularly described as
follows:

BEGINNING at the Northwest corner of $NE\frac{1}{2}NE\frac{1}{2}$, Sec.
26, T5S, R3E, B.M.; thence South $0^{\circ}03'$ East, 2600 feet to THE
TRUE POINT OF BEGINNING; thence South $0^{\circ}03'$ East, 1360 feet to
the Northwest corner of $SE\frac{1}{2}SE\frac{1}{2}$, Section 26; thence West 553 feet
along the North boundary line of $SW\frac{1}{2}SE\frac{1}{2}$, Section 26, to a point
on said boundary line, 15 feet West of the West side of Shoofly
Canal (now Grand View Mutual Canal); thence Southerly on a
meandering line 15 feet West and parallel to the West side of
Shoofly Canal (now Grand View Mutual Canal) for a distance of
3571 feet, more or less, to a point on the South boundary, also
referred to as the South sideline, of $NW\frac{1}{2}NE\frac{1}{2}$, Section 35, T5S,
R3E, B.M.; thence East a distance of 200 feet more or less to the
center of Shoofly Creek; thence Northeasterly along the

CONTINUED

centerline of Shoofly Creek a distance of 3592.58 feet more or less to a point; thence North 58°56' West along a ditch 692.0 feet to a point; thence North 37°56' West along a ditch 600.0 feet to a point; thence North 57°56' West along a ditch 200.0 feet to a point; thence North 65°16' West along a ditch 700.00 feet to a point; thence North 77°04' West along a ditch 209.5 feet to a point; thence North 36°04' West along a ditch 430.0 feet to a point; thence North 80°04' West along a ditch 145.5 feet to a point; thence South 78°16' West along a ditch 433.0 feet to a point; thence North 9°54' West, a distance of 249.5 feet to the POINT OF BEGINNING.

IN TOWNSHIP 5 SOUTH, RANGE 3 EAST, B.M., OWYHEE COUNTY, IDAHO
Section 26: A tract of lying South and East of the Grand View Mutual Canal main canal in the NW¼NE¼ and more particularly described as follows: BEGINNING at the Southeast corner of NW¼SE¼, Section 26, T5S, R3E, B.M., THE TRUE POINT OF BEGINNING; thence North 0°03' East along the East boundary line of the NW¼SE¼, Section 26, as described above, 1,077.24 feet to a point on the Grand View Mutual Canal; thence South 27°18' West, 235.52 feet along the Grand View Mutual Canal right-of-way to a point; thence South 31°27' West, 235.25 feet along the Grand View Mutual Canal right-of-way to a point; thence South 55°20' West, 217.40 feet along the Grand View Mutual Canal right-of-way to a point; thence South 19°23' West 357.42, feet along the Grand View Mutual Canal right-of-way to a point; thence South 8°04' West, 93.55 feet along the Grand View Mutual Canal right-of-way to a point; thence South 16°51' West, 114.31 feet to a point on the South boundary line of the NW¼SE¼ of Section 26; thence East 554.8 feet along the South boundary line of the NW¼SE¼ of Section 26 to THE TRUE POINT OF BEGINNING.

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SEP 19 1996

QUITCLAIM DEED

For Value Received RELLIS Q. DORIUS

does ~~de~~ hereby convey, release, remise and forever quit claim

an undivided one half interest
 unto ALVIN G. DALLEY and LaJEAN B. DALLEY, husband and wife, /and
 PATRICK B. FIELD and LISA D. FIELD, husband and wife, an undivided one half
 the following described premises, to-wit: interest

As per Exhibit "A" attached hereto and by reference thereto made a
 part hereof.

RECEIVED

MAR 29 1995

WATER RESOURCES
WESTERN REGION

FILED-RECORDED

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BARBARA JAYO

OWYHEE COUNTY RECORDER

BY

DEPUTY

REQUEST OF
Dorrie J. Hilde Co.

FEE

\$4.00

INDEXED

MICROFILMED

together with their appurtenances.

Dated: March 8, 1994

Rellis Q. Dorius
 Rellis Q. Dorius

CREDA

STATE OF ~~IDAHO~~ ^{OREGON}, COUNTY OF ~~Owyhee~~ ^{DOUGLAS}

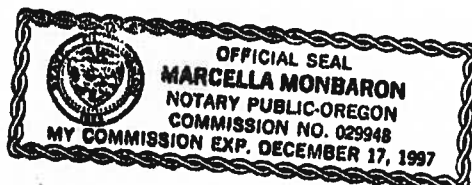
On this 8th day of March, 1994,
 before me, a notary public in and for said State, personally
 appeared

Rellis Q. Dorius

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

Marcella Monbaron
 Notary Public

Residing at *Gutherlin Oregon* ~~Boise~~ ^{Idaho}
 Comm. Expires *12/17/97* ~~7/22/99~~



WARRANTY DEED

For Value Received SHOO FLY TRUST as created by Declaration of Trust dated May 29, 1985, wherein Margaret Lorraine Dorius and James Spooner are named Trustees

the grantors , do hereby grant, bargain, sell and convey unto
PATRICK B. FIELD and LISA D. FIELD, husband and wife

the grantees , whose current address is, P O Box 245, Grand View, ID 83624
the following described premises, to-wit:

As per Exhibit "A" attached hereto and by reference thereto made a part hereof.

Together with all water rights, ditch rights, rights of way, tenaments, hereditaments and appurtenances thereto belonging or used in connection therein.

Subject to exceptions and reservations contained in patents from the United States.

Subject to all easements, restrictions and reservations of record and of use.

SUBJECT TO unrecorded farm lease dated January 22, 1993 by and between Shoo Fly Trust, Lessor, and Randy Hipwell and Nancy Hipwell, husband and wife, Lessee, which lease terminates December 31st, 1995.

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MAR 20 1995
WATER RESOURCES
WESTERN REGION

INDEXED
MICROFILMED

REQUEST OF
Dorothy J. Hill Co.
FEB 9 1995

BARBARA JAYO
OWYHEE COUNTY RECORDER
BY E. K. K. K. K. K.
DEPUTY

94 JUN 22 PM 1 35

FILED-RECORDED

213094

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee s that they are the owners in fee simple of said premises; that said premises are free from all incumbrances except taxes and assessments levied for the year 1994 and subsequent years.

and that the y will warrant and defend the same from all lawful claims whatsoever.
Dated: March 8, 1994

Shoo Fly Trust

Shoo Fly Trust

By Margaret Lorraine Dorius
Margaret Lorraine Dorius, Trustee

By James Spooner
James Spooner, Trustee

Oregon

STATE OF INXMA COUNTY OF DOUGLAS

On this 9th day of June, 19 94,
before me, a notary public in and for said State, personally appeared

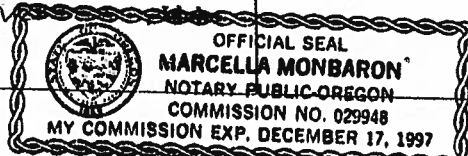
Margaret Lorraine Dorius
Trustee of Shoo Fly Trust

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

Marcella Monbaron

Notary Public

Residing at Sheridan, Oregon
Comm. Expires 12/17/97



STATE OF IDAHO
COUNTY OF

On this 8 day of June in the
year 19 94, before me, a Notary Public, personally appeared

James Spooner, Trustee of Shoo Fly Trust
known or identified to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me that
he executed the same.

David A. K. K. K.
Notary Public
Residing at Idaho

INSTRUMENT NO.

EXHIBIT "A"

IN TOWNSHIP 5 SOUTH, RANGE 3 EAST, B.M., OWYHEE COUNTY, IDAHO
Section 25, being fractions of W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 26, being fractions of E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, more particularly
described as follows:

BEGINNING at the Northwest corner of NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 26,
T5S, R3E, B.M., Owyhee County, Idaho; thence South 0°03' East a
distance of 2600 feet, to a point on the West boundary line of
E $\frac{1}{2}$ NE $\frac{1}{4}$; thence South 9°54' East, a distance of 249.5 feet to a
point on the East right-of-way line of the Grand View Mutual
Canal; thence North 78°16' East along a ditch 433.0 feet to a
point; thence South 80°04' East along a ditch 145.5 feet to a
point; thence South 36°04' East along a ditch 430.0 feet to a
point; thence South 77°04' East along a ditch 209.5 feet to a
point; thence South 69°16' East along a ditch 700.0 feet to a
point; thence South 57°56' East along a ditch 200.0 feet to a
point; thence South 37°56' East along a ditch 600.0 feet to a
point; thence South 58°56' East along a ditch 692.0 feet to the
centerline of Shoofly Creek; thence North 56°03' East, a distance
of 1690.4 feet more or less to a point on the Southwest sideline
of the R/W of the Grand View Canal; thence Northwest along the
above R/W line of the Grand View Canal, a distance of 4488 feet,
more or less, to a point on the North Section line of Section 25,
T5S, R3E, B.M.; thence North 89°57' West, a distance of 1403
feet, more or less, to the Northwest corner of NE $\frac{1}{4}$ NE $\frac{1}{4}$, THE POINT
OF BEGINNING.

IN TOWNSHIP 5 SOUTH, RANGE 3 EAST, B.M., OWYHEE COUNTY, IDAHO

A parcel of land lying in the following Sections:

Section 25: fractions of SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$

Section 26: fractions of SE $\frac{1}{4}$

Section 35: fractions of NE $\frac{1}{4}$

Section 36: fractions of NW $\frac{1}{4}$ NW $\frac{1}{4}$ more particularly described as
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BEGINNING at the Northwest corner of NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec.
26, T5S, R3E, B.M.; thence South 0°03' East, 2600 feet to THE
TRUE POINT OF BEGINNING; thence South 0°03' East, 1360 feet to
the Northwest corner of SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 26; thence West 553 feet
along the North boundary line of SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 26, to a point
on said boundary line, 15 feet West of the West side of Shoofly
Canal (now Grand View Mutual Canal); thence Southerly on a
meandering line 15 feet West and parallel to the West side of
Shoofly Canal (now Grand View Mutual Canal) for a distance of
3571 feet, more or less, to a point on the South boundary, also
referred to as the South sideline, of NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 35, T5S,
R3E, B.M.; thence East a distance of 200 feet more or less to the
center of Shoofly Creek; thence Northeasterly along the

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MAR 29 1995

WATER RESOURCES
WESTERN REGION

MICROFILMED

SEP 19 1996

centerline of Shoofly Creek a distance of 3592.58 feet more or less to a point; thence North 58°56' West along a ditch 692.0 feet to a point; thence North 37°56' West along a ditch 600.0 feet to a point; thence North 57°56' West along a ditch 200.0 feet to a point; thence North 69°16' West along a ditch 700.00 feet to a point; thence North 77°04' West along a ditch 209.5 feet to a point; thence North 36°04' West along a ditch 430.0 feet to a point; thence North 80°04' West along a ditch 145.5 feet to a point; thence South 78°16' West along a ditch 433.0 feet to a point; thence North 9°54' West, a distance of 249.5 feet to the POINT OF BEGINNING.

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MAR 29 1995

WATER RESOURCES
WESTERN REGION

MICROFILMED

SEP 19 1996

EXHIBIT "A"

AN UNDIVIDED ONE-HALF (1/2) INTEREST

IN TOWNSHIP 5 SOUTH, RANGE 3 EAST, B.M., OWYHEE COUNTY, IDAHO
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Section 26, being fractions of $E\frac{1}{2}NE\frac{1}{2}$, $NE\frac{1}{2}SE\frac{1}{2}$, more particularly
described as follows:

BEGINNING at the Northwest corner of $NE\frac{1}{2}NE\frac{1}{2}$, Section 26,
T5S, R3E, B.M., Owyhee County, Idaho; thence South $0^{\circ}03'$ East a
distance of 2600 feet, to a point on the West boundary line of
 $E\frac{1}{2}NE\frac{1}{2}$; thence South $9^{\circ}54'$ East, a distance of 249.5 feet to a
point on the East right-of-way line of the Grand View Mutual
Canal; thence North $78^{\circ}16'$ East along a ditch 433.0 feet to a
point; thence South $80^{\circ}04'$ East along a ditch 145.5 feet to a
point; thence South $36^{\circ}04'$ East along a ditch 430.0 feet to a
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of the R/W of the Grand View Canal; thence Northwest along the
above R/W line of the Grand View Canal, a distance of 4488 feet,
more or less, to a point on the North Section line of Section 25,
T5S, R3E, B.M.; thence North $89^{\circ}57'$ West, a distance of 1403
feet, more or less, to the Northwest corner of $NE\frac{1}{2}NE\frac{1}{2}$, THE POINT
OF BEGINNING.

IN TOWNSHIP 5 SOUTH, RANGE 3 EAST, B.M., OWYHEE COUNTY, IDAHO

A parcel of land lying in the following Sections:

Section 25: fractions of $SE\frac{1}{2}SW\frac{1}{2}$, $W\frac{1}{2}SW\frac{1}{2}$

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Section 35: fractions of $NE\frac{1}{2}$

Section 36: fractions of $NW\frac{1}{2}NW\frac{1}{2}$ more particularly described as
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the Northwest corner of $SE\frac{1}{2}SE\frac{1}{2}$, Section 26; thence West 553 feet
along the North boundary line of $SW\frac{1}{2}SE\frac{1}{2}$, Section 26, to a point
on said boundary line, 15 feet West of the West side of Shoofly
Canal (now Grand View Mutual Canal); thence Southerly on a
meandering line 15 feet West and parallel to the West side of
Shoofly Canal (now Grand View Mutual Canal) for a distance of
3571 feet, more or less, to a point on the South boundary, also
referred to as the South sideline, of $NW\frac{1}{2}NE\frac{1}{2}$, Section 35, T5S,
R3E, B.M.; thence East a distance of 200 feet more or less to the
center of Shoofly Creek; thence Northeasterly along the

CONTINUED

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REAL ESTATE PURCHASE AND SALE AGREEMENT AND RECEIPT FOR EARNEST MONEY

This contract stipulates the terms of sale of the property. Read carefully before signing. (Including information on reverse side). This is a legally binding contract. IF YOU HAVE ANY QUESTIONS, CONSULT YOUR ATTORNEY BEFORE SIGNING.

Grandview, Idaho Feb 16, 1994
Alvin G. Dalley and LaJean B. Dalley, husband and wife, or Assigns
 hereinafter called "Buyer") agrees to purchase, and the undersigned Seller agrees to sell the following described real estate hereinafter referred to

"premises" commonly known as Shoo Fly Farm
 of Grandview County of Owyhee, Idaho legally described as: As per attached
being part of Section 25 and 26 T5S, R3E, B.M., Owyhee County, Idaho

FULL AND COMPLETE LEGAL DESCRIPTION MUST BE INSERTED, ATTACHED OR WRITTEN ON THE REVERSE HEREOF PRIOR TO EXECUTION BY SELLER. Buyer hereby authorizes broker to insert over his signature the correct legal description of the premises if unavailable at the time of signing, or to correct the legal description previously entered if erroneous or incomplete.)

EARNEST MONEY
 Buyer hereby deposits as earnest money and a receipt is hereby acknowledged of Five hundred and no/100 dollars

(\$ 500.00) evidenced by: ☐ Cash, ☒ Personal Check, ☐ Cashiers Check, ☐ Note Due, ☐ or

Earnest Money to be deposited in trust account upon acceptance by all parties and shall be held by ☐ Listing Broker, ☐ Selling Broker, ☒ Other

Owyhee County Title for the benefit of the parties hereto, and N/A (Broker) shall hold

the completely executed broker's copy of this agreement and is responsible for the closing.

If all conditions have been met by Buyer, Buyer and Seller agree that the earnest money (less credit report fees, and any other Buyer's costs) shall be refunded to Buyer

in the event the financing contemplated herein by Buyer is not obtainable.

The parties agree that Owyhee County Title Company shall provide said title policy and preliminary report of commitment and the

"closing agent" for this transaction shall be Owyhee County Title. If a long term escrow/collection is involved, then the escrow

holder shall be Owyhee County Title Co

TOTAL PURCHASE PRICE IS Six Hundred Eighty Thousand and no/100 DOLLARS (\$ 680,000.00)

payable as follows:

80,500.00

a. \$ See Addendum Cash down, including above Earnest Money (Closing costs are additional).

b. \$ See Addendum Balance of the purchase price (M.I.P. not included).

FINANCING. This agreement is contingent upon Buyer qualifying for: N/A

☐ FHA, ☐ VA, ☐ Conventional, ☐ FHA. Purchase loan balance as noted above for a period of _____ years at _____ % per annum. (If FHA or VA loan is sought,

read the applicable provisions on the reverse side hereof.) Buyer shall pay no more than _____ points plus origination fee if any. Seller to pay only the discount

points necessary in order to obtain above described financing but not to exceed _____ %.

☐ Assumption of existing loan of approximately \$ _____ at no more than _____ % with monthly payments of \$ _____ P _ I _ T _ I _

Type of loan _____ Buyer shall apply for such loan or assumption within three (3) banking days after Seller's acceptance of this agreement.

OTHER FINANCING, TERMS & CONDITIONS: See Addendum

Seller hereby acknowledges that it is the intention of the Buyer to complete an IRA Code

Section 1031 tax deferred exchange & that the Seller's rights and obligations under this

agreement may be assigned to Rocky Mountain Accommodators, Inc. for the purpose of completing

such exchange. Seller agrees to cooperate with Buyer & accommodator as necessary to complete

said exchange at no additional cost or liability to the Seller.

THIS AGREEMENT IS, and is not CONTINGENT upon sale and closing of _____ on or before

_____ listed with _____

(If a contingency is noted please read applicable conditions on the reverse hereof.)

PERSONAL PROPERTY SPECIFICALLY INCLUDED IN THIS SALE: Lift pump, motor and power meter base

24 X 52 Nashua Mobile Home

ITEMS SPECIFICALLY EXCLUDED IN THIS SALE: None

COSTS PAID BY:

Costs in addition to those listed below may be incurred by Buyer and Seller. Unless otherwise agreed herein, or provided by law or required by lender, Buyer shall

purchase Seller's reserve account if loan assumption.

☐ Yes ☒ No. Purchaser's Extended Coverage Title Policy requested. Additional premium paid by _____ See Item #17 on reverse side.

If requested by lender or otherwise stated herein, the below costs will be paid as indicated.

Costs Paid By	Appraisal	Loan Assump.	Well Inspect.	Pump/Inspect Septic	City/County Code Inspect. If required	Contract and/or Document Prep.	Closing Agent's Fee	Long Term Escrow Fees	Lender or Code Repairs	1031 Exchange
BUYER										X
VA	X	X	X	X	X				X	
SELLER										
SPLIT EQUALLY						X	X	X		

Cost of lender or code repairs not to exceed \$ N/A. Discount points to be paid as agreed on line 29 and 30. SELLER UNDERSTANDS

that as a result of any city or county inspections HE MAY BE REQUIRED TO MAKE REPAIRS to the property in order to comply with the housing code WHETHER OR NOT

A SALE IS COMPLETED UNDER THIS AGREEMENT. Per terms and upon expiration of existing Farm Lease &

POSSESSION. Buyer shall be entitled to possession on _____ closing _____ House Rental/Lease

either recorded or accepted by an escrow agent and the sale proceeds are available to Seller. Taxes and water assessments (using the last available assessment

as a basis), rents, insurance premiums, interest and reserves on liens, encumbrances or obligations assumed and utilities shall be pro-rated as of _____ Buyer

assuming 1994 taxes & water _____ Buyer shall pay for fuel in tank, amount to be determined by the supplier at Seller's expense.

CLOSING. On or before the closing date, Buyer and Seller shall deposit with the closing agent all funds and instruments necessary to complete the sale. The closing

date shall be no later than March 10, 1994 but preferable by March 1, 1994.

ACCEPTANCE. Buyer's offer is made subject to the acceptance of Seller on or before 12:00 o'clock midnight of February 21, 1994. If Seller does

not accept this agreement within the time specified, the entire Earnest Money shall be refunded to Buyer on demand. Seller's counter offer (if any) is made subject

to the acceptance of Buyer on or before 12:00 o'clock midnight of _____. TIME IS OF THE ESSENCE OF THIS AGREEMENT.

IMPORTANT: It is understood that the REALTORS are agents of and represent only the Seller unless otherwise stipulated and as such will not be compensated by the Buyer.

Listing Agency: N/A Selling Agency: N/A

By: _____ Phone: _____ By: _____ Phone: _____

Buyer: _____ Buyer's Address: _____

Buyer: _____ Buyer's Phone: Residence _____ Business _____

On this date, _____ I/We hereby approve and accept the sale set forth in the above agreement and agree to carry out all the

terms thereof on the part of the Seller and the undersigned further agrees to pay a commission of _____

to the above named Broker(s) for services. Commission will be paid in cash unless otherwise agreed in writing. I/We further acknowledge receipt of a true copy of

this agreement signed by both parties.

Seller: _____ Seller's Address: _____

Seller: _____ Seller's Phone: Residence _____ Business _____

true copy of the foregoing agreement, signed by the Seller and containing the full and complete legal description of the premises, is hereby received on this

_____ day of _____, 19_____

Buyer: _____

E PROVISIONS CONTAINED ON THE REVERSE SIDE OF THIS PAGE SHALL ALSO CONSTITUTE PART OF THE AGREEMENT OF THE PARTIES. EACH OF

E PARTIES ACKNOWLEDGES READING THIS AGREEMENT IN FULL.

Buyer's Initial

Seller's Initial

Addendum to Real Estate Purchase and Sale Agreement

Buyer: Alvin G. Dalley and LaJean B. Dalley

Seller: Shoo Fly Trust

1(b) and 2. Balance of Purchase price shall be paid as follows:

1) Accommodator shall assign to Seller at closing the Mortgage secured by Demand Note dated January 26, 1994 executed by Edwin James Thomas II recorded as Instrument No. 115207, Madison County, Idaho in the principal sum of \$93,500.00. Seller shall receive all interest and payments under said note and mortgage. (A copy of said mortgage and note is attached)

2) Because sale is subject to an existing Lease on the Land and Improvements Seller shall not be obligated to deliver possession and shall receive all lease payments for 1994 and 1995 as follows:

A) Farm lease for 1994 of \$52,000.00 plus house lease of \$4,200.00

B) Farm Lease for 1995 of \$54,000.00 plus house lease of \$4,200.00.

C) Total sum of leases being One Hundred Fourteen Thousand Four Hundred Dollars (\$114,400.00) to be deducted from the Sales Price.

3) Balance of purchase price shall be payable as follows:

Buyer shall executed a promissory note secured by a first mortgage in favor of the Seller in the principal sum of Three Hundred Ninety One Thousand Six Hundred Dollars (\$391,600.00) plus interest at six percent (6%) per annum payable as follows:

A) Interest shall commence January 1, 1996.

B) Semi-annual payment in the sum of Twenty Six Thousand Dollars (\$26,000.00) payable June 30 and December 31 of each year commencing in 1996.

C) Prepayment in full or in part may be made at any time.

D) If not paid sooner the entire balance shall be due and payable in full December 1, 2005.

7. As additional consideration Buyer agrees to assume and pay all 1994 and 1995 County taxes and water assessments.

Special provisions: Buyer agrees to complete filing of all Snake River Water rights adjudication as Buyer's expense. Seller acknowledges that the only water right currently on file for the real property is "Beneficial Use" and Seller agrees to provide such information as Seller may have available. Buyer agrees to provide Seller with copies of said filings on or before September 30, 1994. Buyer shall not be obligated to perfect 1912 priority as currently calmed.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF ID
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: 3957

Ident. Number: A02-00056
Date Received: 12/14/1988
Receipt No: m002181
Received By: LW

RECEIVED
JAN 17 1989

Department of Water Resources
Western Regional Office

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

1. Name: SHOO FLY TRUST
Address: C/O MARGARET L. DORIUS
BOX 563
WINCHESTER, OR

503-672-7053

97495

2. Date of Priority: JUN 01, 1912

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
05S	04E	34	NW SW	10	OWYHEE

5. Description of diverting works:
PUMP, PIPELINE & CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	10/31	8.840		

7. Total Quantity Appropriated is:
8.840 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
05S	03E	25	NW NW		IRR	12.0
			SW NW		IRR	37.0
			SE NW		IRR	18.0

A02-00056

Page 1

Date: 12/14/88

MICROFILMED

AUG 17 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres	
05S	03E	25	NE		SW		IRR	38.0	
			NW		SW		IRR	39.0	
			SW		SW		IRR	26.0	
			SE		SW		IRR	2.0	
			NW		SE		IRR	1.0	
			Section Acres						173.0
		26	NE		NE		IRR	35.0	
			SE		NE		IRR	31.0	
			NE		SE		IRR	39.0	
			NW		SE		IRR	7.0	
			SW		SE		IRR	19.0	
			SE		SE		IRR	40.0	
			Section Acres						171.0
		35	NE		NE		IRR	38.0	
			NW		NE		IRR	24.0	
			Section Acres						62.0
		36	NW		NW		IRR	6.0	
			Section Acres						6.0
			Total Acres						412.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
NONE

14. Remarks:
MAYBE SOME DUPLICATE RIGHTS FROM THE SHOOFLY CANAL.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: 2

For Organizations:

I do solemnly swear or affirm that I am Trustee
Title
Shos Fly Trust, that I have signed the foregoing
Organization
document in the space below as Trustee of
Title
Shos Fly Trust and that the statements contained in the
Organization
foregoing document are true and correct.

Margaret L. Darcis
Signature of Authorized Agent
Trustee Shos Fly Trust
Title and Organization
Dec. 14, 1988
Date

State of Idaho)
County of Owyhee) SS.

Subscribed and sworn (or affirmed) before me this 14 day
of Dec. 19 88
Linda Werner
Notary Public

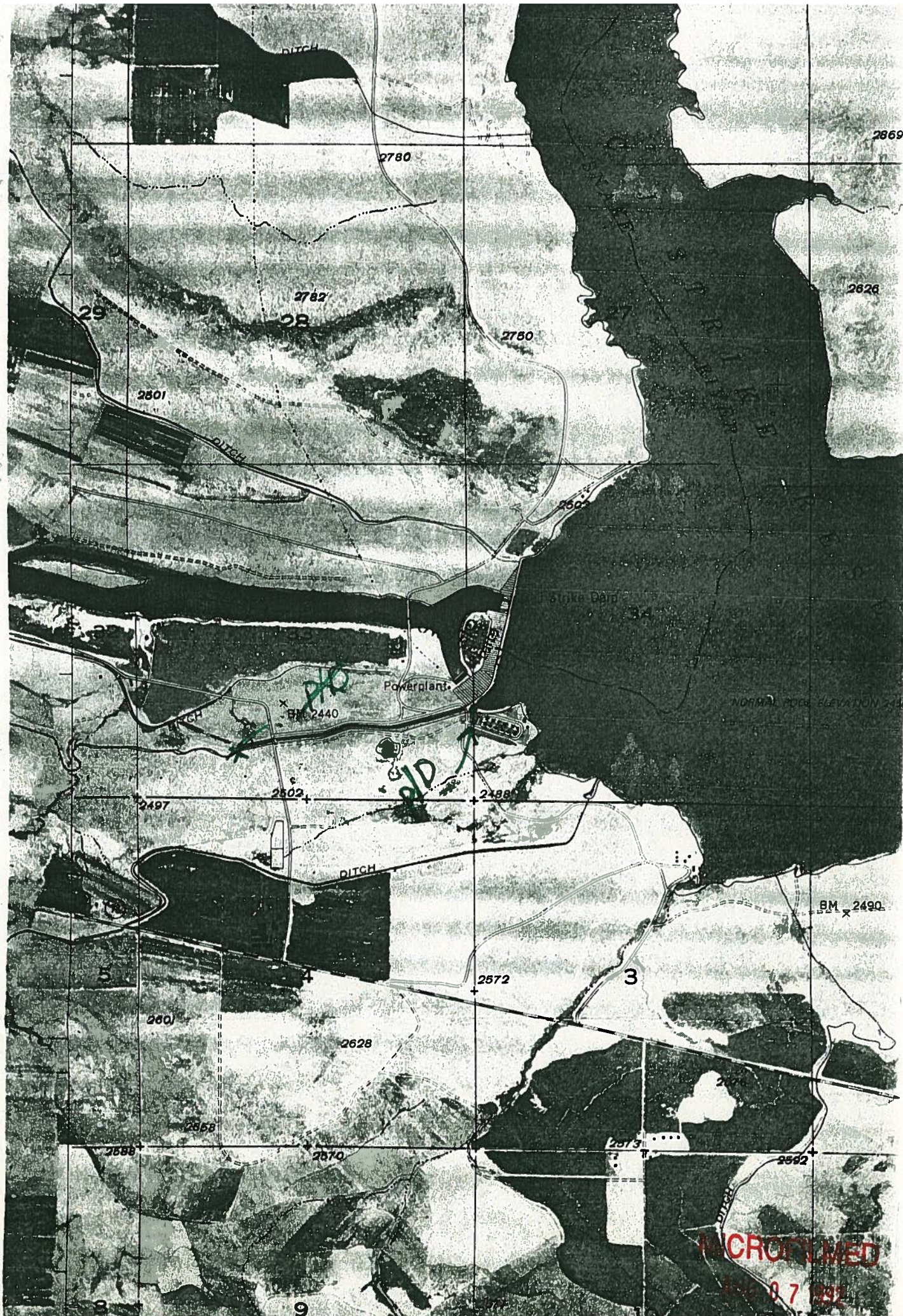
Seal

Residing at Boise ID
My Commission Expires 12-8-1994



402-00058

5S, 4E, Sec. 34





State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 6, 1995

[ALVIN E DALLEY]
LAJEAN DALLEY
BOX 213
DRIGGS ID 83422

[]

RE: Notice(s) of claim to a water right no(s). A02-00056

Dear Claimant:

Enclosed is a copy of the above referenced claim(s) which reflect the change in ownership of the lands and appurtenant water right(s) to you.

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.

If you have any questions in regard to your water right(s), please do not hesitate to contact this office.

Sincerely,

ADJUDICATION STAFF
WESTERN REGION OFFICE

MM:M

Enc.

MICROFILMED
SEP 19 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 6, 1995

[LISA FIELD]
PATRICK FIELD
PO BOX 245
GRANDVIEW ID 83624

[]

RE: Notice(s) of claim to a water right no(s). A02-00056

Dear Claimant:

Enclosed is a copy of the above referenced claim(s) which reflect the change in ownership of the lands and appurtenant water right(s) to you.

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.

If you have any questions in regard to your water right(s), please do not hesitate to contact this office.

Sincerely,

ADJUDICATION STAFF
WESTERN REGION OFFICE

MM:M

Enc.

MICROFILMED
SEP 19 1996

State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

DATE April 6, 1995

[MARGARET L DORIUS, TRUSTEE
SHOO FLY TRUST
PO BOX 563
WINCHESTER OR 97495]

RE: Notice of Claim(s) No(s): A02-00056, A57-10796

Dear Claimant:

Enclosed is a copy of the "Notice of Change of Water Right Ownership" which has been submitted to this office. This form identifies you as the former owner of the above-referenced water right(s).

This letter is to notify you that the ownership of the water right(s) has been changed to the name(s) identified as the New Owner/Claimant. This reflects the change in ownership of the land and appurtenant water right(s).

If you have any questions regarding this matter, please contact this office.

Sincerely,

Adjudication Staff
Western Region Office

MM/m
Enc.

MICROFILMED
SEP 19 1996

WARRANT'S NAME: Shoo Fly Trust / Dalley - Field DATE: _____
TYPE: Owyhee
OFFICE: TTT/Murderer

03/24/1995: Mr. Alvin Dalley confirmed that all four persons own all of the land. He will send a warranty deed to IDWR which shows Dalleys' ownership.

03/30/1995: Called Mrs. LaJean Dalley, who asked that I call the Fields, as she had no knowledge of the paperwork. I called Lisa Field and explained that although R. Dorius had quitclaimed any interest to the property, IDWR requires proof that Shoo Fly Trust sold to Dalley. Mrs. Field indicated that she would contact the title co. for that documentation and update me ASAP.

MICROFILMED
SEP 19 1996

POOR ORIGINAL

RECEIVED

APR 17 1986

To Whom it Concerns:

Department of Water Resources

We, Shoo Fly Trust, on this 7th day of April, 1986, hereby state that we now own the water under Claim No. A02-0056. We would like to be added as current owners of said claim to the Department of Water Resources records for future references.

Our mailing address is as follows:

Box 368

Grand View, Idaho, 83624

Signed this 7th day of April, 1986.

Margaret L. Dorius, Trustee

Sworn to before me this 7th day of April, 1986.

Kathleen A. Walker
Notary Public
Residing at: Eagle, Idaho

My Commission expires: 2/15/1987

Mr. Dorius, not a
trustee, is;
Rellis (Rel) G.
Dorius

MICROFILMED
AUG 10 1994

IN THE DISTRICT COURT OF THE Fourth JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF Ada

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF

SNAKE RIVER FROM BASE OF MILNER
DAM TO OREGON DRAINAGE BASIN
Border.

**NOTICE OF CLAIM
TO A
WATER RIGHT**

02-0056	
I.D. No.	Map No.
\$ 205-	1934
Fee Paid	Receipt No.

Notice is hereby given that Bybee Farms, Inc. - c/o Keith Bybee
(Name of Claimant)

Rt. B, Box 325 - Grandview, Idaho 83624

(Mailing Address)

(Zip Code)

Telephone No. _____

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) June 1, 1912
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) SNAKE RIVER
tributary to COLUMBIA RIVER
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity 8.84cfs 8.0 Use IRRIGATION Period of Use From MARCH 1/15 To OCT. 31
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day) 19/31
(Both dates inclusive)
Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
- (4) 8.84cfs 8.0 8.84 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source LOT 8 NW 1/4 SW
Sec. 32 34, Twp. 5S, Rge. 4E, B.M., Owyhee 73 County
Additional Points: SCI: 2720(1) 492.1
B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
Pump - Pipeline - 90 ft. lift to a Canal leading in a Westerly - Northwestern direction to lands being irrigated. Require about 100 - 150 HP
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5S	3E	25																	171 173
		26		35		23									39	25	2.8		172 171
		35	30		24	8.0													73 70
		36																	26 18

Total no. of acres 442 432

See Exhibit 'A'
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization: _____
- (8) Remarks DIVERSION MEASURED AT HEAD OF MUTUAL CANAL. INCLUDES 17
LOSS OF 10%.
- (9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use. See Exhibit Department of Water Resources
☐ B) Right decreed by court, cite title of case. Western Regional Office
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

KEYPUNCHED

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

June 16, 1981
(Date)

State of Idaho

Organization

County of Ada

ss.

Seal

(Signature of Claimant)

(Signature of Spouse)

Organization

BYBEE FARMS INC.

Keith Bybee Pres.
(Signature of Authorized Agent)

On this 16 day of June, in the year 1981 before me

a notary public, personally appeared Keith Bybee, President, Bybee Farms, Inc.

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

My commission expires January 22, 1983

Notary Public residing at Boise, Idaho

IN THE DISTRICT COURT OF THE Fourth JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF Ada

IN THE MATTER OF THE GENERAL DETERMINATION OF RIGHTS TO THE USE OF

Snake River from base of Milner Dam to Oregon DRAINAGE BASIN.
Border.

NOTICE OF CLAIM
TO A
WATER RIGHT

02-0056	
I.D. No.	Map No.
\$ 205	19434
Fee Paid	Receipt No.

Notice is hereby given that Bybee Farms, Inc. - c/o Keith Bybee
(Name of Claimant)

Rt. B, Box 325 - Grandview, Idaho 83624 Telephone No. _____
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) June 1, 1912

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River
tributary to Columbia River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity 8.84cfs Use Irrigation Period of Use From March 1 To Oct. 31
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) 8.84cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source Lot 8 ¼ _____ ¼ _____
Sec. 32, Twp. 5S, Rge. 4E, B.M., Owyhee County

Additional Points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.

Pump - Pipeline - 90 ft. lift to a Canal leading in a Westerly - Northwesterly direction to lands being irrigated.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5S	3E	25						15	35	15	35	39	25	5		2			171
		26		35		33									40	5	19	40	172
		35		39	24	10													73
		36						16	10										26

Total no. of acres 442

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks

(9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use. ☐ B) Right decreed by court, cite title of case.

☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

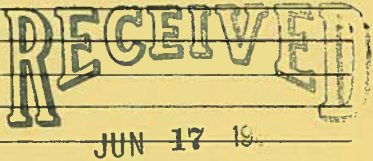
Individual

June 16, 1981
(Date)

State of Idaho Organization _____
County of Ada ss. Seal _____

On this 16 day of June, in the year 1981 before me
a notary public, personally appeared Keith Bybee, President, Bybee Farms, Inc.
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

My commission expires January 30, 1983 Notary Public residing at Boise, Idaho



See Exhibit 'B'
Department of Water Resources
Western Regional Office

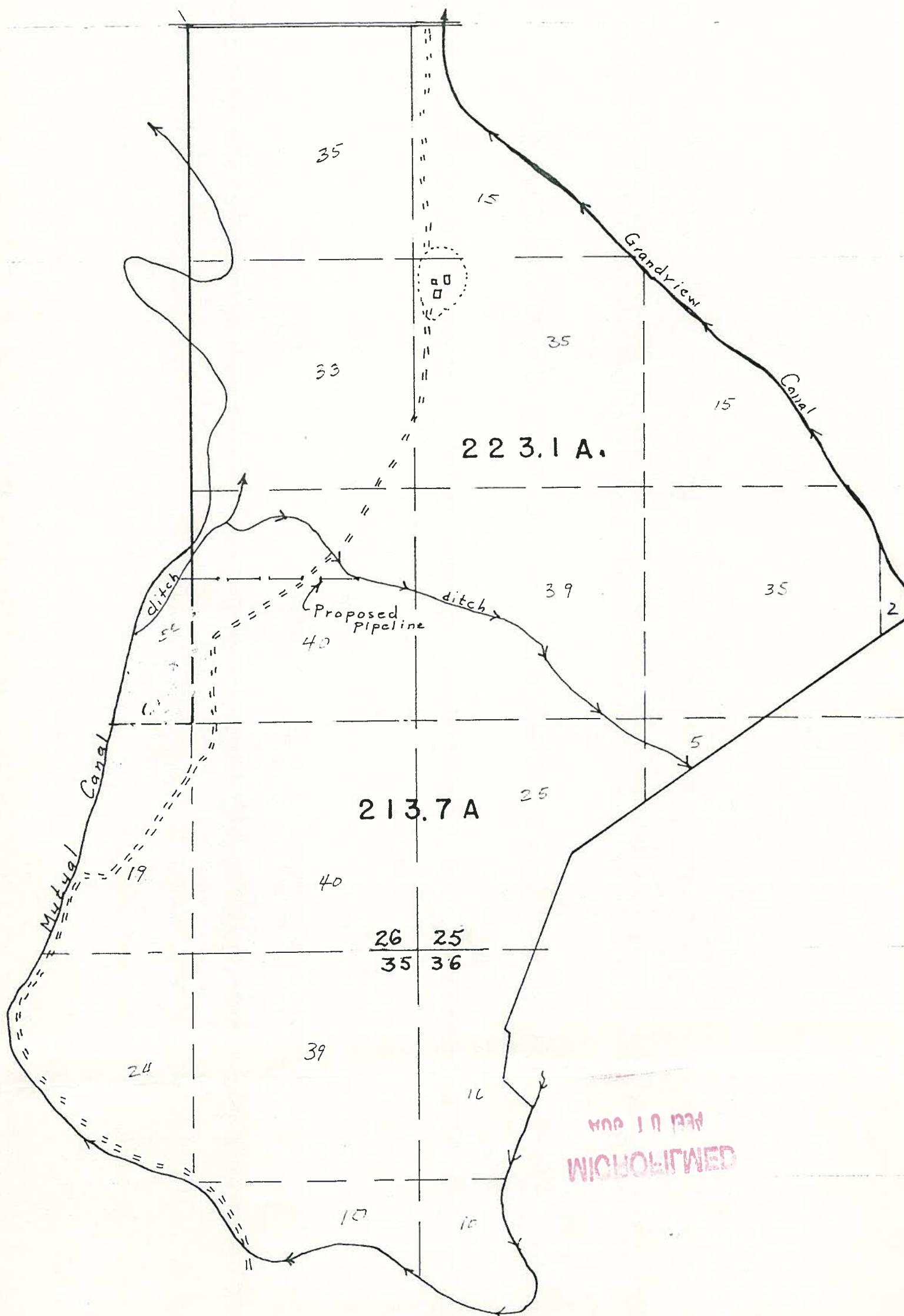
Ex A"

SHOOFLY FARM

POOR ORIGINAL

T 5 S R 3 E

TOTAL 436.846 A.



WICHOLITWED
ADD 10 PPM

scale: 1" = 660'

POOR ORIGINAL

№ 15008

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 22182
Permit No. 15008
District No. 56

1. Name of Applicant: Shoshly Farm Company,

Postoffice address: Boise,

County:

Ada,

State:

Idaho

2. If applicant is a corporation, give:

(a) Date and place of incorporation: January, 1917, Boise, Idaho.

(b) Amount of capital stock: \$25,000.00

(c) Amount paid in: \$25,000.00

(d) Names and addresses of directors: A. C. Hasey, Edwin Snow, Boise, Idaho.
C. J. Hofer, Grandview, Idaho

3. The financial resources of the applicant are:

(a) Cash on hand: \$1500.00

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources: Real and personal property \$50,000.00

4. Quantity of water claimed: 11

cubic feet per second.

5. Source of water supply: Shoshly Creek,

which is a tributary of Snake River

6. Location of point of diversion: 400

feet distant from the northeast

of the 3d 1/4 1/4

corner of Section 36, T. 6 S., R. 3 E., B. M., and is in the SW 1/4 of the NW 1/4

of Section 36, T. 6 S., R. 3 E., B. M., County of Cwyhee.

7. Water is to be used for: Irrigation purposes.

8. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water:

feet distant from

corner of Section

T. R. B. M., in the

of Section

T. R. B. M.

(b) Amount of power generated:

H. P., under

feet head.

(c) Water is to be returned to

at a point

feet

distant from the

corner of Section

T. R. B. M., in the

of Section

T. R. B. M.

T. R. B. M.

9. Estimated cost of works: \$ 1,000.00

10. Kind of works: Dam and ditches

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POOR ORIGINAL

1. Water is to be returned to at a point
divert from the corner of Section . T. . R. . B. M. in the
of Section . T. . R. . B. M. feet
2. Estimated cost of works: \$ 1,000.00
3. Kind of works: ear. and ditches
4. Height of dam 81x feet: length of dam at top 25 feet: length of dam at bottom 15
feet: material used in dam earth, wood and concrete
5. Size of headgate: width 11 feet height feet
6. Arch: Width at bottom four feet: width at water line 81x feet: depth of water one
feet: dimensions of flume
Diameter of pipe inches: length of conduit three-fourths
Average grade per mile two and one-half feet miles
7. The time required for the completion of each work is two years.
8. The time required for the complete application of the water to the proposed use is two additional years.
9. The land to be irrigated is described in the following tabulation: See Barnard.

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AUG 10 1994

POOR ORIGINAL

Returned to applicant for correction.
Corrected application received.

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 15608
Recorded in Book 88 Page 15608
Approved October 5, 1922.
This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho and hereby approve the same, subject to the following limitations and conditions:
Bond in the sum of \$ _____ to be filed on or before _____ and to continue diligently and uninterruptedly to completion.
Work to begin on or before December 4, 1922,
unless temporarily interrupted by circumstances over which permit holder has no control.
One-fifth of the work above specified to be completed on or before October 5, 1923.
The whole of said work to be completed on or before October 5, 1924.
Beneficial use of water appropriated in accordance herewith, to be made on or before October 5, 1926.
Witness my hand this 5th day of October, 1922.
W. C. SWENDELL,
Commissioner of Reclamation.

Remarks:

14 Twp.	Range	Sec.	NE 1/4			NW 1/4			SW 1/4			SE 1/4			Totals	
			NE 1/4	NW 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4		
6 3.	3 E.	25													200	
		26	40												155	
		35	40	25												65
		36														10
										</						

This application is filed without waiving any rights to the use of said water heretofore required by the actual beneficial use of said waters since the year 1912.
The works shown on the accompanying map were built by the Grandview Extension Irrigation Company, but now owned by applicant and are practically complete at the present time.
The "Ditch from pumping plant" shown on accompanying map is used to divert water from Snake River and crosses Shootly Creek at the indicated point of diversion. The waters of Shootly Creek are picked up in this canal at the point of crossing and are used for irrigation purposes at such times as there is water in Shootly Creek.

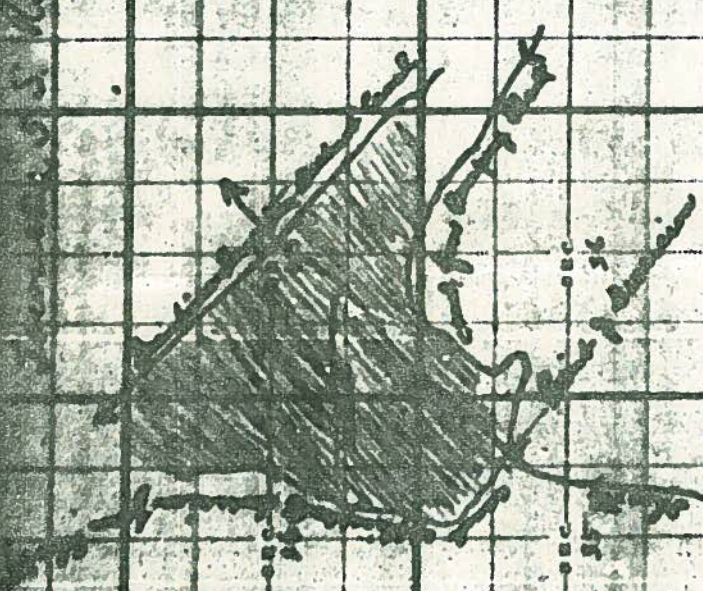
MICROFILMED
AUG 10 1994

POOR ORIGINAL

Ex B

There is a small
quantity of land
containing 1.000 ft.
of water, and in
Oryza Co.

1000 ft. of water



1000 ft. of water
1000 ft. of water

M E M O R A N D U M

DATE: 3/5/82

TO: File 02-0056

FROM: Don Shaff *DS*

SUBJECT: Review and Analysis

The changes to the point of diversion and the irrigated acreage in the place of use were made with the concurrence of an interview with Merv Christensen. The contents of that conversation are in a memorandum within this file.

The priority date was legitimate in light of the lapsed permit that was submitted with the claim. The water license No. 559/51-2250 conferred a water right to the Grand View Irrigation Co., predecessor to the claimant, from 1915 for a water right from the Bruneau River. But in the Grand View Irrigation District vs Bruneau Buckaroo lawsuit the predecessor filed a Disclaimer to old water rights from the Bruneau River. The Disclaimer was filed May 25, 1921 citing that the Corporation was and had long been defunct. Several months later, however, the Shoofly Farms Co. filed the permit 15608. Later on August 28, 1922 a ^{suit}~~defunct~~ order in the Grand View Irrigation District law suit was filed against Shoofly Farms Co. among other parties on water rights from the Bruneau River. The Disclaimer and default were apparently the result of the Shoofly Farms Co. and Grand View Extension Irrigation Co. exercising the diversion of water from the pump in the Snake River for the irrigation of the land formerly irrigated by the Bruneau River water.

The point of diversion of this pumping plant has now been abandoned. The timber and concrete platform still exist between the county road and the river and segments of the pipeline in the road cut south of the county road are still visible. This right is now exercised through the diversion of the Idaho Power Canal.

The quantity of water and the period of use were reduced in conformity with the 1952 Idaho Power Co. agreement and the current records of the Grand View Mutual Canal Co.

MICROFILMED

AUG 10 1984

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by RL

Date 3/04/82

Right No. 02-0056

Claimant BYBEE FARMS

Recommendation differs from claim:
(Document any differences)

☒ Yes

☐ No

☐ Disallow

Claim Details Verified Against:

Check (X or ✓) those searched. Circle records used for recommendation.
Include copies or memos where applicable to explain findings.

☒ License 51-2250

☐ Previous Statutory Claim.

☒ Permits, valid or lapsed. Number(s) if different than above 15608 (LAPSED)

☒ Decree. Name & date GRANDVIEW RR. DIST vs BRUNEAU BUCKAROO 2/14/1925
ASSOCIATED DOCUMENTS

☐ Conveyance Loss Calculations. See printout included.

☐ Title abstract. ☐ In file. Or, Name & location _____

☐ County records. ☐ In file. Or, Name & location _____

☐ Affidavits. ☐ In file.

☐ Posted Notices, Water Locations Notices. ☐ In file.

☐ Deed Records. ☐ In file. Or, Name & location _____

☐ Patent Records. ☐ In file. Or, Name & location _____

☐ Metzker Maps. Identify _____

☐ A.S.C.S. Records. Year & Photograph No. _____

☒ Irrigation Company/District Records. ☐ In file. Or Name & location GRAND MUTUAL CANAL CO. RECORDS, GRANDVIEW

☐ Historical Books. Name(s) & location _____

☒ Interview(s). Attach conversation memorandum.

☐ Other _____

☐ _____

Field Exam Made: ☐ Yes ☒ No Date _____

RELIED ON 51-2250 EXAM

☐ Adj. Report in file ☐ Beneficial Use Report in License (S.O.) File

Measurement _____ cfs. Amount recommended _____ cfs.

Type of measuring device: _____ Meter No. _____

Condition _____ Date _____ Time _____

Adjudication Photo(s) Used: Name or No. _____

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☒ Yes ☐ No

Remarks _____

POOR ORIGINAL

nty:Owyhee
eam: Bruneau River
unt: 34 Sec.ft.
: Irrigation, Domestic, power.
ority: Feb. 22, 1904.

STATE OF IDAHO.

Water License No. 559.

WHEREAS, On the 22nd day of February, A.D. 1904, R.D. Roberts and H.P. Hunter & Co., of
se, County of Ada, State of Idaho, duly made application (No. 686) to the State Engineer
the State of Idaho for permit to use two hundred and forty (240) cubic feet per second of the
ers of Bruneau river, County of Owyhee, State of Idaho, for irrigation and domestic purposes,

WHEREAS, On the 30th day of April, A.D. 1904, Permit No. 559, was issued to said appli-
ts for the diversion of said water and providing for the completion of the works of diver-
n therein described on or before the 30th day of April, A.D. 1909, and for the application to
official use of said water on or before the 30th day of April, A.D. 1913, and,

WHEREAS, On the 7th day of May, A.D. 1904, R.D. Roberts and H.P. Hunter & Co., the holders
said permit, transferred to James Garbutt and Russell C. Massey all their right, title and
erest in and to said permit, and,

WHEREAS, On the 27th day of February, A.D. 1909, there was received and filed for record in
office of the State Engineer, at Boise, Idaho, an assignment whereby James Garbutt and
sell C. Massey, the holders of said permit, transferred to the Grandview Land & Irrigation Com-
y, Limited, all their right, title and interest in and to said permit, and,

WHEREAS, On the 30th day of February, A.D. 1909, the Grandview Land & Irrigation Company,
ited, the holder of said permit, duly made proof of the completion of adequate works for
diversion of two hundred and forty (240) cubic feet per second of said waters, as evidenced
ay Certificate No. 559, dated March 12, 1909, confirming the completion of works of sufficient
city for diverting and conveying to the place of intended use two hundred and forty (240)
ic feet per second of said water, with date of priority of February 22, 1904, and,

WHEREAS, On the 21st day of May, A.D. 1913, there was received and filed for record in the
ice of the State Engineer at Boise, Idaho, an assignment whereby the Grandview Land & Irri-
ion Company, Limited, the holder of said permit, transferred to the Grandview Extension Irri-
on Company one hundred and twenty (120) cubic feet per second of the waters of Bruneau river,
ropriated under said permit, and,

WHEREAS, on the 30th day of April, A.D. 1913, the Grandview Extension Irrigation Company duly
proof of the application to beneficial use of seven (7) cubic feet per second of said waters
irrigation purposes and 27 cubic feet per second of said waters for power for pumping purposes.

POOR ORIGINAL

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to the Grandview Extension Irrigation Company, of Boise, County of Ada, State of Idaho, a perpetual right, dating from February 22, 1904, to the use of thirty-four (34) cubic feet per second of the waters of Bruneau river, in the County of Owyhee and State of Idaho, on so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 0° 08' W. 1102 ft. from the quarter corner on south line of Section 36, Township 5 South, Range 3 East of the Boise Meridian, seven (7) cubic feet per second of said waters to be conducted to an area on about 520 acres of land, as follows: 40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 40 acres in S $\frac{1}{2}$ SW $\frac{1}{4}$, 40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ and 30 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 25; 38 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 30 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 26; 20 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 25 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 35; 28 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 25 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 20 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ and 25 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36; 12 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 20 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 17 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 23; all in Township 5 South, Range 3 East of the Boise Meridian, and twenty-seven (27) cubic feet per second of said waters to be used for generating power for pumping purposes, the pumping plant being located on Lot 9, Sec. 32, Township 5 South, Range 4 East of the Boise Meridian, said water to be used for irrigation, domestic and power purposes, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or common customs, rules, and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, and such rules and regulations have for their object the economical use of such water.

WITNESS My hand and the seal of my office at Boise, Idaho, this 30th day of November, 1915. Nineteen hundred and fifteen.

J.H. SMITH,
State Engineer.

LL.

51 2250

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Supplemental REPORT OF ENGINEER

Permit No.

This project is for

In Water District No.

1. Name of applicant:
2. Source of water supply:
3. Location of point of diversion: Is in the _____ of Section _____

T. _____ R. _____ County of _____

4. Describe works as they exist, giving dimensions and capacities of same: *For detailed description see original report dated Sept 18, 1921. Capacity of plant as measured Sept 8, 1923 = 60.44 Sec. Ft.*

5. Water is used for: *Irrigation*
6. State whether or not water has been turned into works of diversion: *yes*

List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation.)

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriate? finally reach?

Remarks: *At time of first inspection (9.8.23) 1 sample taken from plat on line and then at time of second inspection it stated 50.44 Sec. Ft. instead of 60.44 Sec. Ft. at 1st*

Inspection was made on the 8th day of Sept 1923

(Signed)

Edw. H. [Signature]
Engineer

14553

02-2034

REPORT OF ENGINEER

This report is for Comp. works

In Water District No.

57-A

State name of applicant and number of permit Grandview Irr. Dist. - Permit 14553State source of water supply Snake River Pumping SystemLocation of point of diversion Pumping plant in Lot 8, Sec. 32, Twp. 53, N. 4 E., S. 2.

4. Describe works as they exist, giving dimensions and capacities of same: Pumping station built of concrete & lumber gouted with 2 Byron Jackson pumps of 8 1/2 x 10 in. ft. capacity respectively direct connected to Westinghouse Motors. Connected steel 4 in. iron fittings connect with 36" bonded wood pipe. Lift of 46 feet to discharge into main canal about 1/2 ft from station, in a canal 16 ft wide on bottom 3/4 from 5 ft 6 in deep. Distance from pumping station to lower end of system 18 miles approx.

5. State whether or not water has been turned into works of diversion: Yes

6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. Describe manner and place of use if for other than irrigation): Approximately all lands within the Grandview Irrigation Dist., 6255.46 acres.

7. Submit map on enclosed plat, showing location and details of above description.

How many parties to the water in this system? Grand View Irrigation District

Give names and amount of each right:

What large stream would the water here appropriated finally reach? Snake River

Describe the various tributaries en route from point of diversion to the principal drainage

Remarks

(Signed)

Edw. J. L. ...

1921

Examiner

02-2034

PERMIT NO. 453

DEPOSITION OF HOLDER

Ans. See above. 1923-42, 1944.
Asian and West Pacific. 1. and 2. and 3. and 4.

Ans. Grand View Irrigation District; place of business, Grand
Idaho; I am President of Board of Directors and am duly
authorized to represent the same.

Ans. Sixty (60) cu. ft. per second; from Snake River; at
pumping plant in Lot 8, of sec. 32, T 5 S, R 4 E, B M in Owyhee
county, Idaho.

Ans. Used for irrigation; for 6285.46 acres, and other lands, all situate within the Grand View Irrigation District, county of Owyhee, State of Idaho.

Ans. Water was pumped continuously from July 31, 1920 to October 1, 1920. Which is about the full period desired each year, from as an auxiliary supply. The full capacity (60 cu ft) was used.

Ans. Works are fully completed; They do comply in all respects with terms of permit.

Ans. Pumping plant consisting of two pumps, a twenty and a twenty-four inch Bryon Jackson motor-driven, with capacity of 20 and forty u ft per sec. respectively (total 60 cu ft); lift 43 ft.; pipe 4" x 2 of 36 inch to canal, which is 16 ft. wide at bottom, 26 ft wide at water line, depth of water 3 ft.
Cost of Plant; - about \$31,000.

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, in San Francisco, California this 14th day of April, 1914.

State of Idaho, on this

A. D. 1927

My Commission expires Oct 10 1882

Notes: 1. The first two columns of the table are the same as in the previous table.

14533

02-2034

CONVERSATION MEMORANDUM

DATE FEB. 16, 1982

FILE 02-0056

NAME OF PARTY MERV CHRISTENSEN

EMPLOYEE D. SHAFF

RE: BYBEE FARMS, INC. CLAIM

CHRISTENSEN WAS ASKED ABOUT THE LOCATION OF THE POINT OF DIVERSION WHEN HE WAS IN THE OFFICE ON THIS DATE. HE SAID THE DIVERSION IS THROUGH THE IDAHO POWER CANAL, NOT DOWN-STREAM AT THE OLD PUMP SITE.

FURTHER HE OFFERED HE HAD "NO PROBLEM" WITH 432 ACRES AS OPPOSED TO 442.

(CHRISTENSEN PREPARED THE CLAIM FOR THE CLAIMANTS.)

MICROFILMED

AUG 10 1994

IN THE DISTRICT COURT OF THE _____ JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF _____

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF _____

**NOTICE OF CLAIM
TO A
WATER RIGHT**

51-2250C	
I.D. No.	Map No.
\$	
Fee Paid	Receipt No.

Notice is hereby given that ~~C.V. STRIKE DAM~~

(Name of Claimant)

Telephone No. _____

(Mailing Address)

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 2/22/1904

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) SR tributary to CTR

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity 7.0 Use IRR Period of Use From 3/15 To 11/15
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) 7.0 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source Lot 8 SW 1/4 NW 1/4
Sec. 38, Twp. 55, Rge. 3E, B.M., OWYHEE, County _____

Additional Points: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. _____

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location. _____

MOVED TO C.V. STRIKE DAM & DISTRICT CANAL
ON STRIKE DAM PUMP & CANAL IN GRAND VIEW CANAL TO SHOOFLY CANAL
MOVED TO C.V. STRIKE DAM THROUGH SHOOFLY CANAL

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
55	3E	125								40			40	40	40		30		190
		26	38													40		30	148
		35	20	25															45
		36	25	20						25	28								98
		23																	

Total no. of acres 20 17 49
530

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: _____

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks LICENSE ISSUED TO GRAND VIEW EXTENSION IRR. Co.

(9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case. _____

☒ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. 559/51-2250

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

(Signature of Claimant)

(Signature of Spouse)

Organization

(Signature of Authorized Agent)

(Date)

State of _____

Organization

County of _____

ss.

Seal

On this _____ day of _____, in the year _____ before me

a notary public, personally appeared _____

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

My commission expires _____

Notary Public residing at _____

[illegible]

MICROFILMED
AUG 10 1984