

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 63-32322
Date Received: 3/19/1991
Receipt No: X777777
Received By:

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

1. Name of Claimant(s)

MITTS NAITO Phone: (208)466-3874
9998 HWY 45
NAMPA ID USA 83686

HIRO NAITO Phone: (208)466-3874
9998 HWY 45
NAMPA ID USA 83686

2. Date of Priority: 06/09/1961

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	03W	10	SE NE	CANYON	

5. Description of diverting works:

150' DEEP, APPROX. 12"CS AND 25 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	1.88	528.75

7. Total Quantity Appropriated is:
1.88 C.F.S. and/or 528.75 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
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03N	03W	10	NE	NE	IRRIGATION	38
			NW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	31.5
			SW	NE	IRRIGATION	8
					Section Acres	117.5
					Total Acres	117.5

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

This right is a split from former right 63-3243 .

15. Basis of Claim: License

RECEIVED

MAR 22 2006

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

MAR 21 2006

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-3243	63-3243				

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

- A. The appropriate FILING FEE. See instructions for fee amounts. WAIVED
- B. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, WITH ATTACHED LEGAL DESCRIPTION.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency AERIAL PHOTO with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s) MITTS & JOYCE NAITO &
HIROSHI NAITO 5258 "C" HIGHWAY
DYER DEVELOPMENT NAMPA, ID 836
4. New Owner/Claimant(s) DYER DEVELOPMENT NAMPA, ID 836
- Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 1977 E. OVERLAND
- City, State and ZIP Code MERIDIAN, ID 83642
- New Telephone Number 208) 288-5560
5. Date you acquired the property 12/15/2004

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

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

For Office Use Only			
Received by <u>lg</u>	Date <u>3/21/06</u>	Fee _____	
Received by _____	Date _____	Receipt No. _____	
Processed by <u>lg</u>	AJ Date <u>6/8/12/06</u>	WR _____	Date _____

2004-12-15/pe



A Pioneer Company
PIONEER TITLE COMPANY
OF ADA COUNTY
8151 W. Rifleman Ave. / Boise, Idaho 83704
(208) 377-2700

RECEIVED

MAR 21 2006
DEPARTMENT OF
WATER RESOURCES

2004 DEC 21 PM 4 55
G NOEL HALES
CANYON CNTY RECORDER
R. G. Hammond

RECORDED

200469872

WARRANTY DEED

For Value Received Mitts Naito and Joyce Naito, husband and wife and Hiroshi Naito, a single person

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Dyver Development, LLC

hereinafter referred to as Grantee, whose current address is 1977 E. Overland, Meridian, ID 83642 the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

REQUEST PIONEER-NAMPA
TYPED 2004 FEB 9

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: December 15, 2004

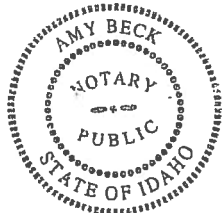
Mitts Naito

Hiroshi Naito

Joyce Naito

STATE OF IDAHO. County of ADA, ss.

On this 21st day of December, in the year of 2004, before me the undersigned, notary public personally appeared Mitts Naito and Joyce Naito and Hiroshi Naito known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Desiree A. Egusquiza Amy Beck
Notary Public of IDAHO
Residing at Nampa, Idaho
Commission expires: March 9, 2006

Residing In Nampa, Idaho
My Commission Expires 4/21/06

PARCEL DESCRIPTION

December 13, 2004

Project: South Park Subdivision-Remainder (Phases 7,9&10)
Parcel No: 31298

A parcel of land being a portion of the northeast ¼ of Section 10, Township 3 North, Range 3 West of the Boise Meridian, City of Caldwell, Canyon County, Idaho, more particularly described as follows:

COMMENCING at the found 5/8" rebar, Corner Record No. 200451057, marking the southwest corner of the said northeast ¼ (center ¼ corner) of Section 10;

Thence North 00°27'03" East coincident with the west line of the said northeast ¼ of Section 10, a distance of 110.89 feet to the **POINT OF BEGINNING**;

Thence North 00°27'03" East coincident with the west line of the said northeast ¼ of Section 10, a distance of 41.11 feet;

Thence South 68°21'58" East, 160.87 feet;

Thence North 00°27'03" East, 465.21 feet;

Thence North 89°57'30" West, 150.00 feet to the west line of the said northeast ¼ of Section 10;

Thence North 00°27'03" East coincident with the said west line of the northeast ¼ of Section 10, a distance of 248.90 feet to the southerly boundary line of South Park 2 Subdivision Unit No. 5;

Thence South 89°30'00" East coincident with the said southerly boundary line of South Park 2 Subdivision Unit No. 5, a distance of 231.82 feet;

Thence North 00°30'00" East coincident with the said southerly boundary line of South Park 2 Subdivision Unit No. 5, a distance of 45.63 feet;

Thence North 84°20'00" East coincident with the said southerly boundary line of South Park 2 Subdivision Unit No. 5, a distance of 121.99 feet;

Thence North 52°35'39" East coincident with the said southerly boundary line of South Park 2 Subdivision Unit No. 5, a distance of 70.49 feet;

Thence South 89°30'00" East coincident with the said southerly boundary line of South Park 2 Subdivision Unit No. 5, a distance of 99.42 feet;

Thence North 00°30'00" East coincident with the said southerly boundary line of South Park 2 Subdivision Unit No. 5, a distance of 62.93 feet;

Thence North 29°10'00" East coincident with the said southerly boundary line of South Park 2 Subdivision Unit No. 5, a distance of 20.00 feet;

Thence North 48°35'00" East coincident with the said southerly boundary line of South Park 2 Subdivision Unit No. 5, a distance of 386.75 feet;

Thence North 40°31'02" East coincident with the said southerly boundary line of South Park 2 Subdivision Unit No. 5, a distance of 57.15 feet;

Thence North 49°35'00" East coincident with the said southerly boundary line of South Park 2 Subdivision Unit No. 5, a distance of 125.62 feet to the centerline of the Phyllis Canal;

Thence South 41°24'43" East coincident with the centerline of said Phyllis Canal, 387.08 feet;

Thence South 39°49'36" East coincident with the centerline of said Phyllis Canal, 232.07 feet;

Thence South 51°25'44" East coincident with the centerline of said Phyllis Canal, 57.45 feet;

Thence South 60°03'26" East coincident with the centerline of said Phyllis Canal, 223.66 feet to the beginning of a tangent curve;

Thence coincident with the centerline of said Phyllis Canal, and along the arc of said curve to the right 317.69 feet, with a central angle of 23°43'05", a radius of 767.45 feet, subtended by a chord bearing South 45°45'44" East, 315.43 feet;

December 13, 2004

DSS/cp

PAGE 1 OF 2

I:\Projects\Hartland Development LLC\31298 So Park Subdivision 7\Survey\Legal\Unit No. 9\TOTAL.doc

Thence South 35°29'03" East coincident with the centerline of said Phyllis Canal, 14.12 feet;

Thence South 35°29'13" East coincident with the centerline of said Phyllis Canal, 176.80 feet;

Thence South 38°52'12" East coincident with the centerline of said Phyllis Canal, 21.02 feet to the northeast corner of South Park 2 Subdivision Unit No. 8 as shown on file in Book 35 of Plats at Page 2, Canyon County Records;

Thence South 51°10'00" West coincident with the northwesterly line of said South Park 2 Subdivision Unit No. 8, a distance of 188.56 feet;

Thence South 00°35'12" West coincident with the westerly line of said South Park 2 Subdivision Unit No. 8, a distance of 235.46 feet to the south line of the northeast ¼ of Section 10;

Thence South 89°52'12" West coincident with said south line of the northeast ¼ of Section 10 a distance of 1540.90 feet;

Thence North 56°32'57" West, 98.19 feet;

Thence North 73°31'27" West, 115.90 feet;

Thence North 68°00'27" West, 62.27 feet to the **POINT OF BEGINNING**.

The basis of bearings is North 00°27'03" East from the found 5/8" rebar, Corner Record No. 200417434, marking the center ¼ corner of Section 10 and the found 5/8" rebar, Corner Record No. 200417435, marking the north ¼ corner of Section 10, both in Township 3 North, Range 3 West of the Boise Meridian, City of Caldwell, Canyon County, Idaho.

The above described parcel contains 38.29 acres, more or less.

Together with and subject to covenants, easements and restrictions of record.

David S. Short Jr., P.L.S.
End of Description

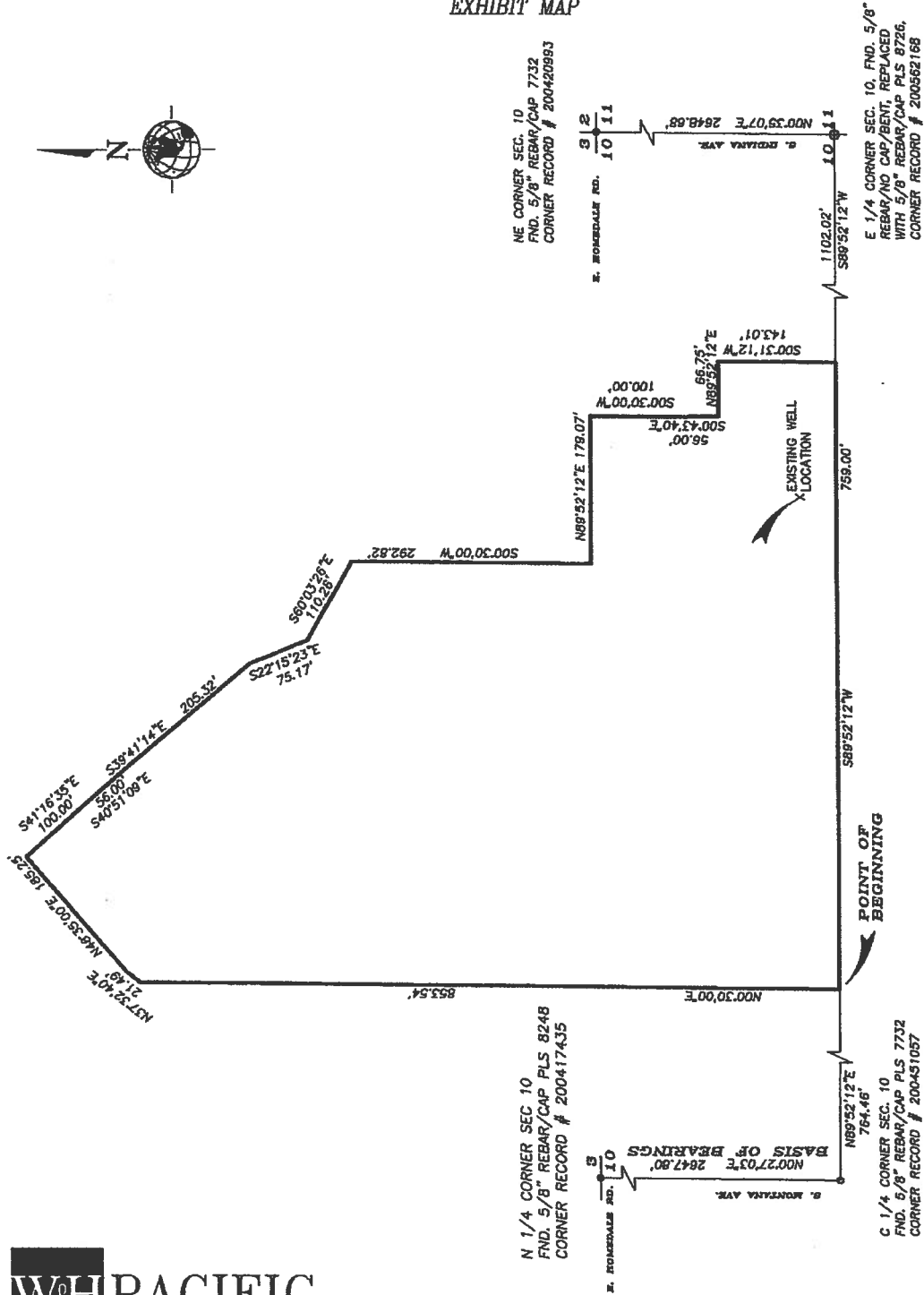


License No. 5461

SOUTH PARK 2 SUBDIVISION UNIT NO. 10

A PARCEL OF LAND LOCATED IN THE NE 1/4 OF SECTION 10, T.3N., R.3W., B.M.,
CITY OF CALDWELL, CANYON COUNTY, IDAHO

2006
EXHIBIT MAP



W&H PACIFIC
3130 S. Owyhee Street
Boise, Idaho 83705
(208) 342-6400

PLANNING • ENGINEERING • SURVEYING • LANDSCAPE ARCHITECTURE

3

03N03W

DYVER DEV LLC
38.5 ACRES

10

1E

63-3243

NAITO
156.0 ACRES
2.5 CFS
702.00 AF

$$2.5 \div 156 = .016 \times 117.5 = 1.88$$
$$.016 \times 38.5 = .62$$

$$702.00 \div 156 = 4.5 \times 117.5 = 528.75$$
$$4.5 \times 38.5 = 173.25$$

63-32322

NAITO
117.5 ACRES
1.88 CFS
528.75 AF

63-32323

DYVER DEVELOPMENT
38.5 ACRES
.62 CFS
173.25 AF

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A63-03243**
Date Received: 5/17/1991
Receipt No: W013129
Received By: LRW

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

1. Name: MITTS NAITO 208-466-3874
Address: 9998 HIGHWAY 45
NAMPA, ID 83686
OR
Name: HIRO NAITO 208-466-3874
Address: 9998 HIGHWAY 45
NAMPA, ID 83686

2. Date of Priority: JUN 9, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	03W	10	SE	NE			CANYON

5. Description of diverting works:
150' DEEP, APPROX. 12"CS AND 25 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.500		702.00

7. Total Quantity Appropriated is:
2.500 C.F.S. (and/or) 702.00 A.F.A.

8. Total consumptive use is 546.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	03W	10	NE	NE		IRR	38.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	03W	10	NW	NE		IRR	40.0
			SW	NE		IRR	38.0
			SE	NE		IRR	40.0
Section Acres							156.0
Total Acres							156.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
PIONEER AND WILDER IRR. DISTRICT

14. Remarks:
SPLIT INTO A63-03243A AND A63-03243B 3/19/91 - KW.
*THIS CLAIM HAS BEEN RECOMBINED. THE NAITOS NOW OWN ALL OF THE
LAND SHOWN UNDER THIS RIGHT. SEE WARRANTY DEED ATTACHED.
L.R.W., 5/17/91

15. Basis of Claim: LICENSE
Water Right Number: 29793

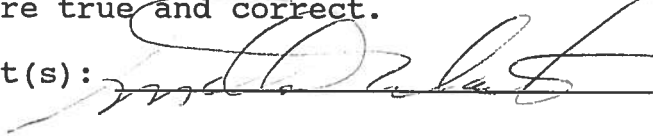
16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s):  Date: May 17, 1991

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 17 day

of May 19 91

Seal

Linda Werner
Notary Public

LINDA WERNER
Residing at RESIDING AT EAGLE, IDAHO
MY COMMISSION EXPIRES DEC. 8, 1994
My Commission Expires _____

(OF WATER RESOURCES

rr

NTERIOR

KEY



MICROFILMED
OCT 02 1996

Read and approved: *[Signature]* 11/14/21

WARRANTY DEED

FOR VALUE RECEIVED, FIRST PRESBYTERIAN CHURCH OF DAVENPORT, IOWA, INC., a corporation, the Grantor, does hereby grant, bargain, sell and convey unto MITTS NAITO and JOYCE S. NAITO, husband and wife, and HIROSHI NAITO, a single man, whose address is 9998 Highway 45, Nampa, Idaho, 83686, the Grantees, the following described premises, including any homestead claim pursuant to the Idaho Homestead Law, Idaho Code, Section 55-1001, et seq., to-wit:

That portion of the Northeast Quarter of Section 10, Township 3 North, Range 3 West, Canyon County, Idaho, lying South and West of the Phyllis Canal;

EXCEPTING THEREFROM:

Commencing at the Southwest Corner of the Southwest Quarter of the Northeast Quarter, Section 10; Township 3 North, Range 3 West of the Boise Meridian; Thence North 0°02'30" East, along the West Boundary of said Southwest Quarter of the Northeast Quarter, a distance of 152.0 feet to the True Point of Beginning; Thence continuing North 0°02'30" East, along said West Boundary, a distance of 406.0 feet; Thence South 89°57'30" East, a distance of 150.0 feet; Thence South 0°02'30" West, parallel with the West Boundary of said Southwest Quarter of the Northeast Quarter, a distance of 465.21 feet to a point on the Northerly Boundary of the Right of Way for the Deer Flat Caldwell Canal; Thence North 68°25' West, along the said Northerly Right of Way Boundary, a distance of 161.26 feet to the True Point of Beginning.

ALSO EXCEPTING THEREFROM:

Beginning at the Southwest Corner of said Southwest Quarter of the Northeast Quarter;

MICROFILMED
OCT 02 1996

Thence North 0°02'30" East a distance of 110.89 feet along the West Boundary of said Southwest Quarter of the Northeast Quarter to a point on the center line of Deer Flat Canal; Thence South 68°25' East a distance of 68.27 feet along the center line of said canal; Thence South 73°56' East a distance of 116.90 feet along the center line of said canal; Thence South 56°57'30" East a distance of 94.16 feet along the center line of said canal to a point on the South Boundary of said Southwest Quarter of the Northeast Quarter; Thence South 89°32' West a distance of 254.82 feet along the South Boundary of said Southwest Quarter of the Northeast quarter to the Point of Beginning.

SUBJECT TO United States patent restrictions and/or State of Idaho deed restrictions;

SUBJECT TO ditch, road and public utility easements as may exist on the premises;

SUBJECT TO right of way for Deer Flat Canal and Phyllis Canal, Indiana Avenue and South Montana Avenue;

SUBJECT TO power line easements in favor of Idaho Power Company, recorded in the records of Canyon County, Idaho, as Instrument Nos. 237775, 237776, and 9012359;

SUBJECT TO a road right-of-way recorded in the records of Canyon County, Idaho, on March 27, 1987, as Instrument No. 8706537, and re-recorded May 6, 1987, as Instrument No. 8709718.

SUBJECT TO all taxes and assessments for the year 1991 and all subsequent years;

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises;

that said premises are free from all encumbrances, and that it will warrant and defend the same from all lawful claims whatsoever.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the Board of the Grantor at a lawful meeting duly held and attended by a quorum.

IN WITNESS WHEREOF, the Grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers, this 30th day of April, 1991.

FIRST PRESBYTERIAN CHURCH
OF DAVENPORT, IOWA, INC.

By: *Ann Pfaeff*
ANN PFAEFF, President

ATTEST:

Kathy Walsh
KATHY WALSH, Secretary

STATE OF IOWA)
: ss
County of SCOTT)

On this 30 day of April, 1991, before me, the undersigned, a Notary Public in and for said State, personally appeared ANN PFAEFF and KATHY WALSH, known to me to be the President and Secretary, respectively, of FIRST PRESBYTERIAN CHURCH OF DAVENPORT, IOWA, INC., an Iowa corporation, the corporation that executed the within and foregoing instrument, and acknowledged to me that said corporation executed the same.

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

Robert A. [Signature]
Notary Public for IOWA
Residence: DAVENPORT IOWA

(Seal)

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A63-03243A

Date Received: 3/19/1991

Receipt No: W013129

Received By: /cw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HIRO NAITO 208-466-3874
Address: 9998 HIGHWAY 45
NAMPA, ID 83686

AND/OR

Name: MITTS NAITO 208-466-3874
Address: 9998 HIGHWAY 45
NAMPA, ID 83686

2. Date of Priority: JUN 9, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	03W	10	SE	NE			CANYON

5. Description of diverting works:
WELL & PUMP TO GRAVITY IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.540		

7. Total Quantity Appropriated is:
1.540 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
03N	03W	10	NE	NE		IRR	33.0

State of Idaho)
County of Ada) SS.

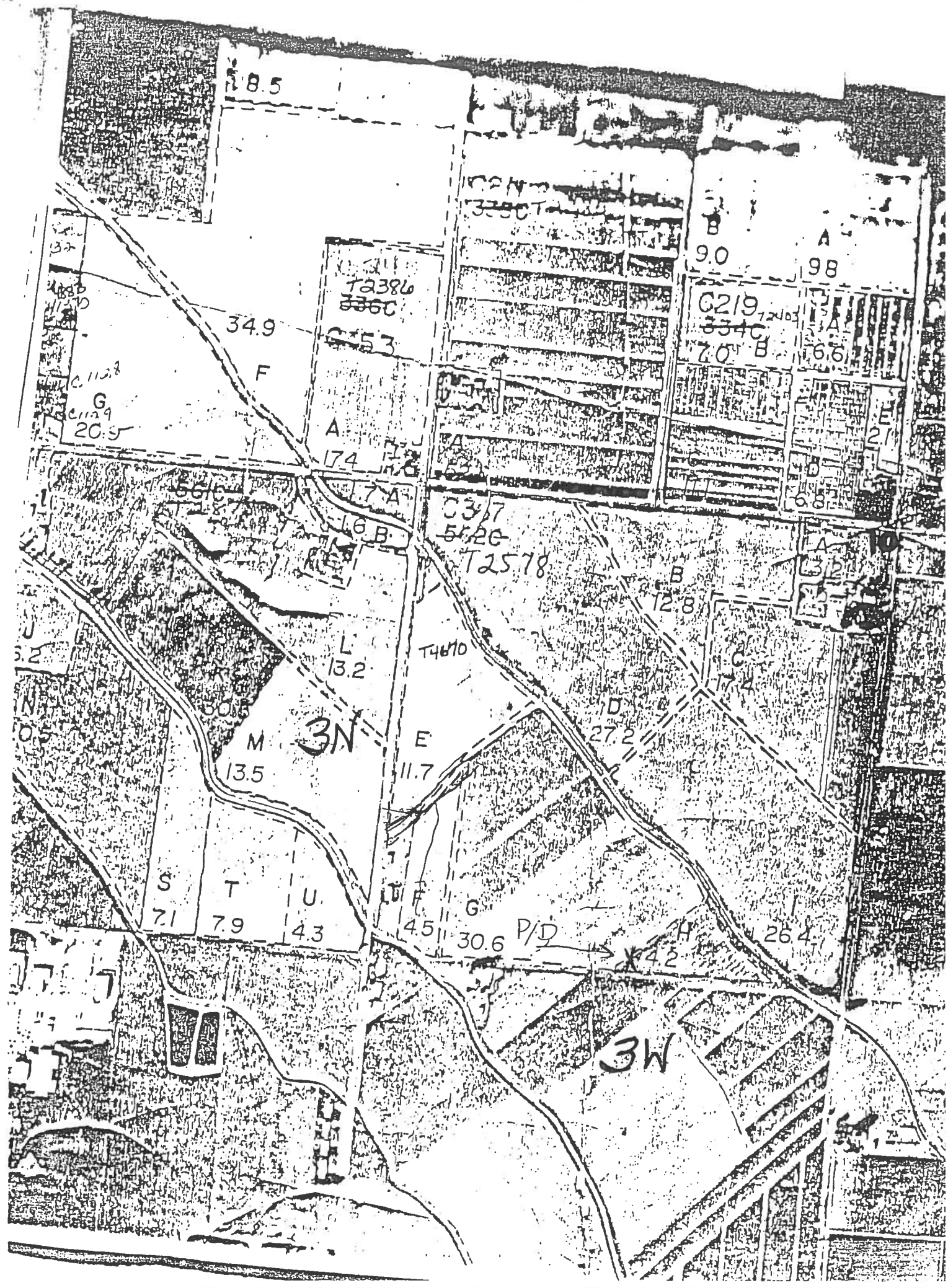
Subscribed and sworn (or affirmed) before me this 19th day
of March 19 91

Richard A. Walker
Notary Public

Seal

Residing at Boise, Id.

My Commission Expires 2-14-1993



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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A63-03243B

Date Received: 3/19/1991

Receipt No: _____

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FIRST PRESBYTERIAN CHURCH 319-326-1691
Address: 1702 IOWA ST.
DAVENPORT, IA 52803

2. Date of Priority: JUN 9, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	03W	10	SE	NE			CANYON

5. Description of diverting works:
WELL, PUMP AND GRAVITY FLOW IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.960		

7. Total Quantity Appropriated is:
0.960 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
03N	03W	10	NW	NE		IRR	8.0
			SW	NE		IRR	33.0
			SE	NE		IRR	10.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	51.0
					Total Acres	51.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

WILDER IRR. DIST.

14. Remarks:

DON BRANDT CAME INTO THE OFFICE TO INITIATE THE FILING OF THIS CLAIM WITH MR. NAITO WHO OWNS THE "A" PORTION. MR. BRANDT HAS TO SEND THIS CLAIM TO IOWA TO GET A SIGNATURE. WILL SUBMIT CLAIM WHEN HE RECEIVES IT BACK. KW

15. Basis of Claim: LICENSE

Water Right Number: 29793

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: _____

MICROFILMED

AUG 18 1992

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
_____, that I have signed the foregoing
document in the space below as _____ of
_____ and that the statements contained in the
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED

AUG 18 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	03W	10	NW	NE	IRR	40.0
			SW	NE	IRR	38.0
			SE	NE	IRR	40.0
Section Acres						156.0
Total Acres						156.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
PIONEER AND WILDER IRR. DISTRICT

14. Remarks:

SPLIT INTO A63-03243A AND A63-03243B 3/19/91 - KW.
*THIS CLAIM HAS BEEN RECOMBINED. THE NAITOS NOW OWN ALL OF THE
LAND SHOWN UNDER THIS RIGHT. SEE WARRANTY DEED ATTACHED.
L.R.W., 5/17/91

THE NAITOS CAME IN ON 3/19/91 AND FILED ON A PORTION OF RIGHT
63-03243 WHICH I NUMBERED A63-03243A. THEY HAD CLAIMED 1.54 CFS
AND 84 ACRES. I ALSO PREPARED CLAIM A63-03243B FOR THE "FIRST
PRESBYTERIAN CHURCH" AT THE SAME TIME SINCE DON BRANDT CAME IN
WITH THE NAITOS AND REQUESTED A CLAIM BE PREPARED. HE WAS TO
SEND THIS CLAIM BACK EAST FOR A SIGNATURE. ON 5/17/91 THE NAITOS
CAME BACK TO THE OFFICE AND SUBMITTED CLAIM A63-03243 WHICH
COVERED THE ENTIRE LICENSED RIGHT. "TEMPORARY" CLAIM A63-03243B
WAS NEVER SUBMITTED BY THE CHURCH AND THE LAND WAS SOLD TO NAITOS
SO CLAIM A63-03243A WAS RECOMBINED UNDER THE WHOLE NUMBER AND
NOW WE HAVE A63-03243 ONLY. KW 11/20/95

*Added then
removed. KW
11/20/95*

15. Basis of Claim: LICENSE

Water Right Number: 29793

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: _____

Water Right Number - 63-03243 Prefix Translation: WATER RIGHT Old (D) Number - 29793
+ - - - - Last Name - - - - + + - - - First Name - - - - + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
CHAPMAN
EDGAR
1 - C/O EDWARD D. AHRENS, ATTY.
2 - P.O. BOX 247
3 -
City- NAMPA State- ID Zip- 836530000
Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
06/09/1961 14 WESTERN L - LICENSE
+ - - - - Source - - - - + + - - - - Tributary - - - - - +

+ - - - - GROUNDWATER
+ - - - - Point of Diversion - - - - - Stream Index (Blank if no Index Code) - - - - +

Twn	Rng	Sec	Tract	Lot	Rflg	County	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
03N	03W	10	SE NE			(27) CANYON	03/15	11/15		2.500	702.00

+ - - Total Div. Rate - - + + - - Total Div. Volume - - + + - - Total Div. Capacity - - + + - - Total Consumptive Use - - + + - - KW Usage - - +
2.500 702.00 2.500

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
03N	03W	10	NE NE	38.0	10	01	IRRIGATION	(27) CANYON
03N	03W	10	NW NE	40.0	10	01	IRRIGATION	(27) CANYON
03N	03W	10	SW NE	38.0	10	01	IRRIGATION	(27) CANYON
03N	03W	10	SE NE	40.0	10	01	IRRIGATION	(27) CANYON
Total Acres:					156.0			

+ - - Diversion Means -
+ - - Non-Irrigation Use -
+ - - Other Rights for Same Use -

+ - - Remarks - - - - - No Remarks found.
+ - - Old Water Right Numbers - - - - - No Old Water Right Numbers found.

+ - - Conditions of Approval - - - - - R32 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the

Hay charged \$3.8 - save

Handwritten: 2388, 2388, 2388

Handwritten: 43-2731, AG 3-1739, AG 2-1109, 2-529

Handwritten: Pioneer 40, 40, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200

Handwritten: 1594.00, 34643.00

MICROFILME
AUG 1-8 1992

WATER RIGHT

(Condition continued from previous page)

+ - Decree Date - +
00/00/0000

-- Comments --
No Comments Found

CURTIS

Water Rights Dates and Flags Area

Proof Due Date	- 06/15/1966	Field Exam Made	- 07/01/1968	Field Exam Fee	-
Approved/Denied	- 06/15/1961	Tested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 05/31/1966	Hearing Date	- 00/00/0000	Temporary Right	-
Start Work Date	- 00/00/0000	Verified Date	- 05/06/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 04/11/1988	Appl Received	- 06/09/1961	Transfer/Amended	-
Decree Date	- 00/00/0000	Microfilm Roll	No -	Presumption Flag	-

AUG 18 1992

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

RIGHT NUMBER: 63-32322

NAME AND ADDRESS: MITTS NAITO
HIRO NAITO
9640 HWY 45
NAMPA ID 83686

~~9998 HWY 45~~
~~NAMPA ID 83686~~

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.880 CFS
504.000 AFY

PRIORITY DATE: 06/09/1961

POINT OF DIVERSION:

T03N R03W S10 SENE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
-----------------------	----------------------	-----------------

IRRIGATION	03/15 11/15	1.880 CFS 504.00 AFY
------------	-------------	-------------------------

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

PLACE OF USE: IRRIGATION in CANYON County

T03N R03W S10	NENE	33.00	T03N R03W S10	NWNE	40.00
T03N R03W S10	SWNE	8.00	T03N R03W S10	SENE	31.00

112 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Right No. 63-32323 is also diverted through point of diversion described above.

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

This right is a split from former right 63-3243.

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

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

In Re SRBA

Case No. 39576

Water Rights: 63-32322

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following administrative proceeding:

XX Address change

☐ Substitution of Party

☐ IC § 42-222 transfer

☐ Point of diversion

☐ Place of use

☐ Period of use

☐ Nature of use

☐ Split of water right

☐ Change in ownership

☐ Other

☐ IC § 42-219 license

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

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

DATED: March 18, 2009


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on March 18, 2009, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

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

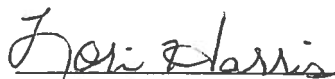
2. Copies to:

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

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

3. Copies to all parties to the subcase:

Mitts Naito	☐	overnight mail
Hiro Naito	☒	regular mail
9640 Hwy 45	☐	hand-delivered
Nampa ID 83686	☐	facsimile
	☐	overnight mail
	☐	regular mail
	☐	hand-delivered
	☐	facsimile



Signature of person mailing this document

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED



NAITO FARMS INC
HIRO NAITO
MITT'S NAITO
9908 HWY 45
NAMPA ID 83686

[Handwritten signature]

RECEIVED

OCT 10 2006

WATER RESOURCES
WESTERN REGION

9640 Hwy 45
Nampa 83686

63-8573

63-32322

Resent 10-12-06

FIRST CLASS



UNITED STATES
02 1A
0004310839 OCT 06 20
\$ 00.87
MAILED FROM ZIP CODE 837

10/26/2006

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

RIGHT NUMBER: 63-32322

NAME AND ADDRESS: MITTS NAITO
9998 HWY 45
NAMPA ID 83686

HIRO NAITO
9998 HWY 45
NAMPA ID 83686

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.880 CFS
504.000 AFY

PRIORITY DATE: 06/09/1961

POINT OF DIVERSION:

T03N R03W S10 SENE Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

1.880 CFS
504.00 AFY

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

PLACE OF USE: IRRIGATION Within CANYON County

T03N R03W S10	NENE	33.00	T03N R03W S10	NWNE	40.00
T03N R03W S10	SWNE	8.00	T03N R03W S10	SENE	31.00

112 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Right No. 63-32323 is also diverted through point of diversion described above.

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

This right is a split from former right 63-3243.

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



Idaho Department of Water Resources

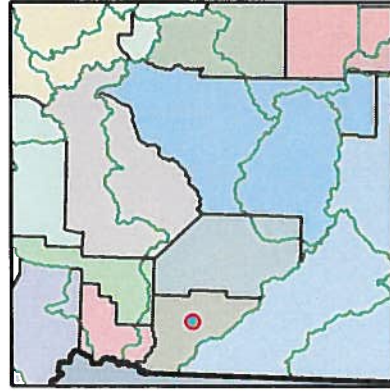
SRBA Recommendation:

63-32322

(Irrigation)

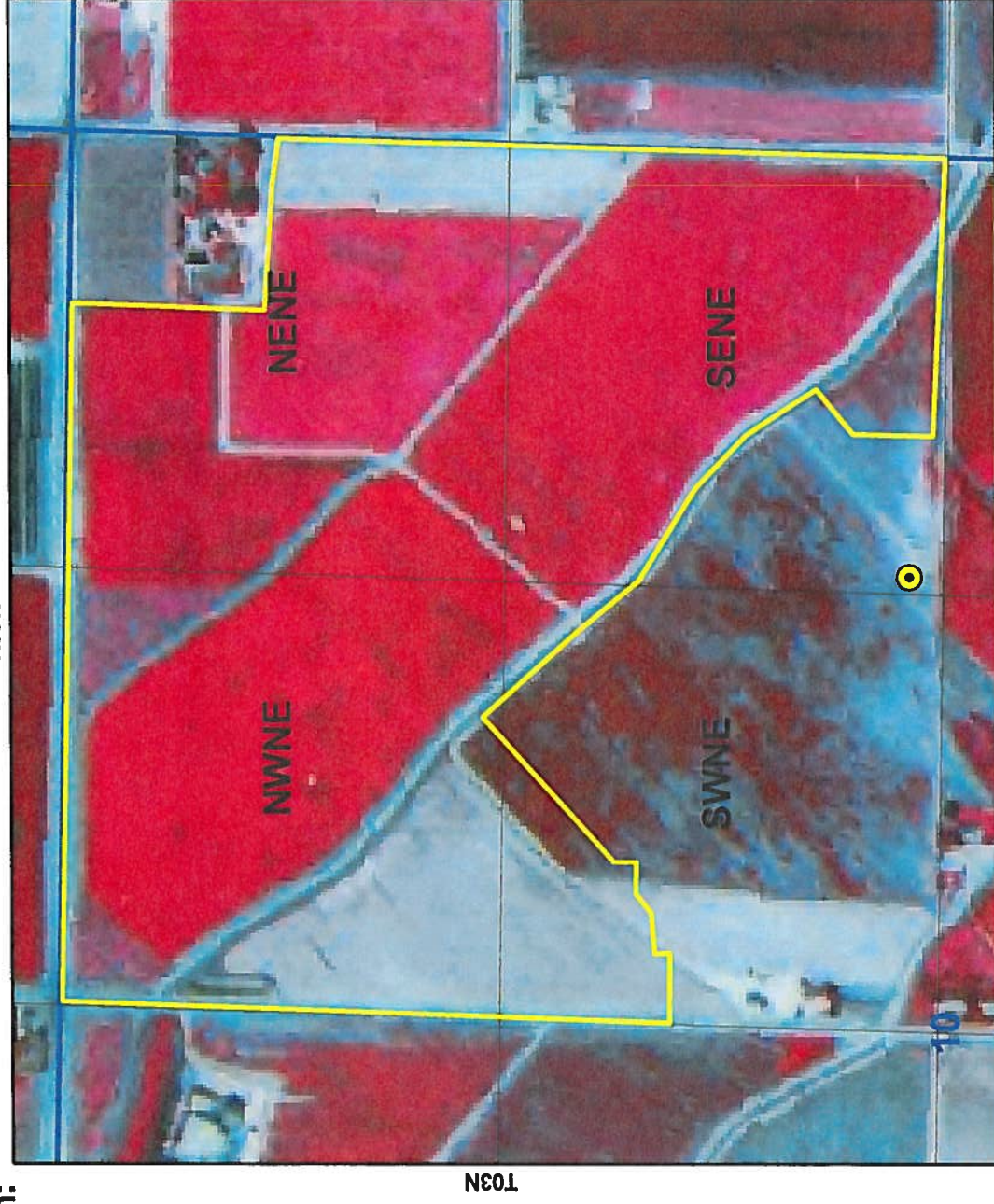
Legend

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



Canyon County
IDWR Basin 63

R03W



T03N

N

Prepared by K. Walker
On Thursday, October 26, 2006
1987/88 Aerial Photography

M.H/s Naito
9640 Hwy 95
Nampa, Id. 83686

BOISE ID 837

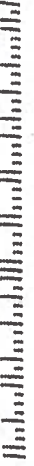
17 OCT 2006PM 1 T



1 DWR Western Region
322 East Front St.
P.O. Box - 8372-0 - 8098
Boise Idaho - 83720-0098

A.H. K. Walb...

8372030098



WA
09/29/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-32322

MITTS NAITO
9998 HWY 45
NAMPA ID 83686
Telephone Number: (208)466-3874

HIRO NAITO
9998 HWY 45
NAMPA ID 83686
Telephone Number: (208)466-3874

RECEIVED
OCT 18 2006
DEPARTMENT OF
WATER RESOURCES

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: _____ SIGNATURE: _____

Please print your name: _____

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190



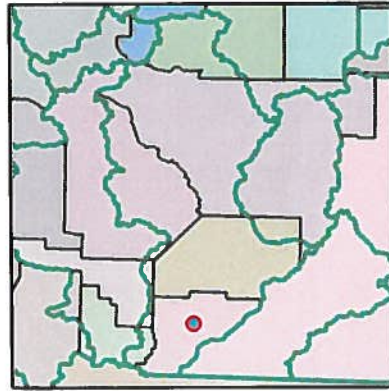
Idaho Department of Water Resources

SRBA Recommendation:

63-32322

Legend

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



Canyon County
IDWR Basin 63



Prepared by K. Walker
On Wednesday, August 30, 2006
1987/88 Aerial Photography

Old Montan Property

08/30/2006

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

RIGHT NUMBER: 63-32322
NAME AND ADDRESS: MITTS NAITO
9998 HWY 45
NAMPA ID 83686
HIRO NAITO
9998 HWY 45
NAMPA ID 83686

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.880 CFS
528.750 AFY

PRIORITY DATE: 06/09/1961

POINT OF DIVERSION:

T03N R03W S10 SENE Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

1.880 CFS
528.75 AFY

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

PLACE OF USE: IRRIGATION Within CANYON County

T03N R03W S10	NENE	38.00	T03N R03W S10	NWNE	40.00
T03N R03W S10	SWNE	8.00	T03N R03W S10	SENE	31.50

117.5 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Right No. 63-32323 is also diverted through point of diversion described above.

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

This right is a split from former right 63-3243.

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

10-17-06.
Mitts Naito
called property
sold to a
developer but he
has not been
paid in full-
fw



Idaho Department of Water Resources

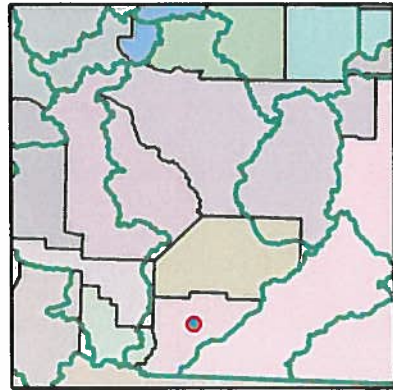
SRBA Recommendation:

63-32322

Acres = 117.5

Legend

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



Canyon County
IDWR Basin 63

Prepared by K. Walker
On Wednesday, August 30, 2006
1987/88 Aerial Photography



IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Claim Report 63-32322

WATER RIGHT NUMBER: 63-32322

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MITTS NAITO 9998 HWY 45 NAMPA, ID 83686 (208)466-3874
Current Owner	HIRO NAITO 9998 HWY 45 NAMPA, ID 83686 (208)466-3874
Original Owner	EDGAR CHAPMAN C/O EDWARD D AHRENS ATTY PO BOX 247 NAMPA, ID 83653

Priority Date: 06/09/1961

Basis: License

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From To

03/15 to 11/15

Diversion Rate

1.880 CFS

Annual Volume

528.75 AF

Total Diversion:

1.880 CFS

Location of Point(s) of Diversion

GROUND WATER

CANYON County

SE1/4NE1/4

Sec. 10, Twp 03N, Rge 03W, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N	03W	10	38.0	40.0	8.0	31.5									117.5

Total Acres: 117.5

Revised per
 NOE = $112 \text{ ac} \times 0.02 = 2.24 \text{ cfs}$

Conditions of Approval:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.
2. This right is a split from former right 63-3243.

Remarks:

C18

per orig. W59 - Wilder
 claims W40 - Pioneer
 63-3243

(Portion) Claimed as licensed -
 in office review
 by KW
 8/30/06

504.0 *
 528.75 AF
 504.0 *
 528.75 AF
 per NOE
 KW
 10/26/06

R65
 exp



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

June 12, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

Mitts & Hiro Naito
9998 Hwy 45
Nampa, ID 83686

Re: Original Notice of Claim to a Water Right No. 63-³²⁴³~~3234~~

Renumbered to Notice of Claim to a Water Right No. 63-32322

Dear Claimant(s):

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

When a portion of the original water right claim has been conveyed to another and the original right has been split, then the original claim number is renumbered by issuing a new water right number to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new claim number reflects your remaining portion of the original claim after the change of ownership. Enclosed is a copy of this new claim for your records. Please refer to your new claim number when corresponding with our office.

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

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

Sincerely,

Adjudication Section
Western Region Office

LG: lg

Enclosure

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-3243

03/09/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
3243	Claim	03N	03W	10	NE	NE		IRRIGATION	38/156	MITTS NAITO
3243	Water Right	03N	03W	10	NE	NE		IRRIGATION	38/156	EDGAR CHAPMAN
3612	Water Right	03N	03W	10	NE	NE		~~STOCKWATER~~		DE BORHA J MERRITT
3612	Water Right	03N	03W	10	NE	NE		DOMESTIC		DE BORHA J MERRITT
3670	Water Right	03N	03W	10	NE	NE		~~DOMESTIC~~		EL JAY WAITE
~~2880~~	~~Claim~~	03N	03W	10	NW	NE		IRRIGATION	24/92	GEM STATE ACADEMY
3243	Claim	03N	03W	10	NW	NE		IRRIGATION	40/156	MITTS NAITO
3243	Water Right	03N	03W	10	NW	NE		IRRIGATION	40/156	EDGAR CHAPMAN
3243	Claim	03N	03W	10	SW	NE		IRRIGATION	38/156	MITTS NAITO
3243	Water Right	03N	03W	10	SW	NE		IRRIGATION	38/156	EDGAR CHAPMAN
3629	Water Right	03N	03W	10	SW	NE		~~DOMESTIC~~		HARRY MATSUI
3243	Claim	03N	03W	10	SE	NE		IRRIGATION	40/156	MITTS NAITO
3243	Water Right	03N	03W	10	SE	NE		IRRIGATION	40/156	EDGAR CHAPMAN

use in NWSE & SWSE, S10 -
not NE 1/4. kw

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-3243

Priority: June 9, 1961 Amount: 2.50 CFS 702.0 AFA

This is to certify, that EDGAR CHAPMAN, DEC.
C/O EDWARD D. AHRENS, ATTY.
P.O. BOX 247
NAMPA, ID 83653

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated June 9, 1961, and has submitted proof to the Department of Water Resources on May 31, 1966, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of 2.50 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>	
Irrigation	03/15 to 11/15	2.50 cfs	702.0 afa	
<u>LOCATION OF POINT OF DIVERSION(S):</u>		SENE , Sec. 10, Township 3N, Range 3W Canyon County		
<u>PLACE OF USE:</u> Irrigation				
<u>TWN</u> <u>RGE</u> <u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
3N 3W 10	NENE 38	NWNE 40	SWNE 38	SENE 40
				156
Total number of acres irrigated:				156

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

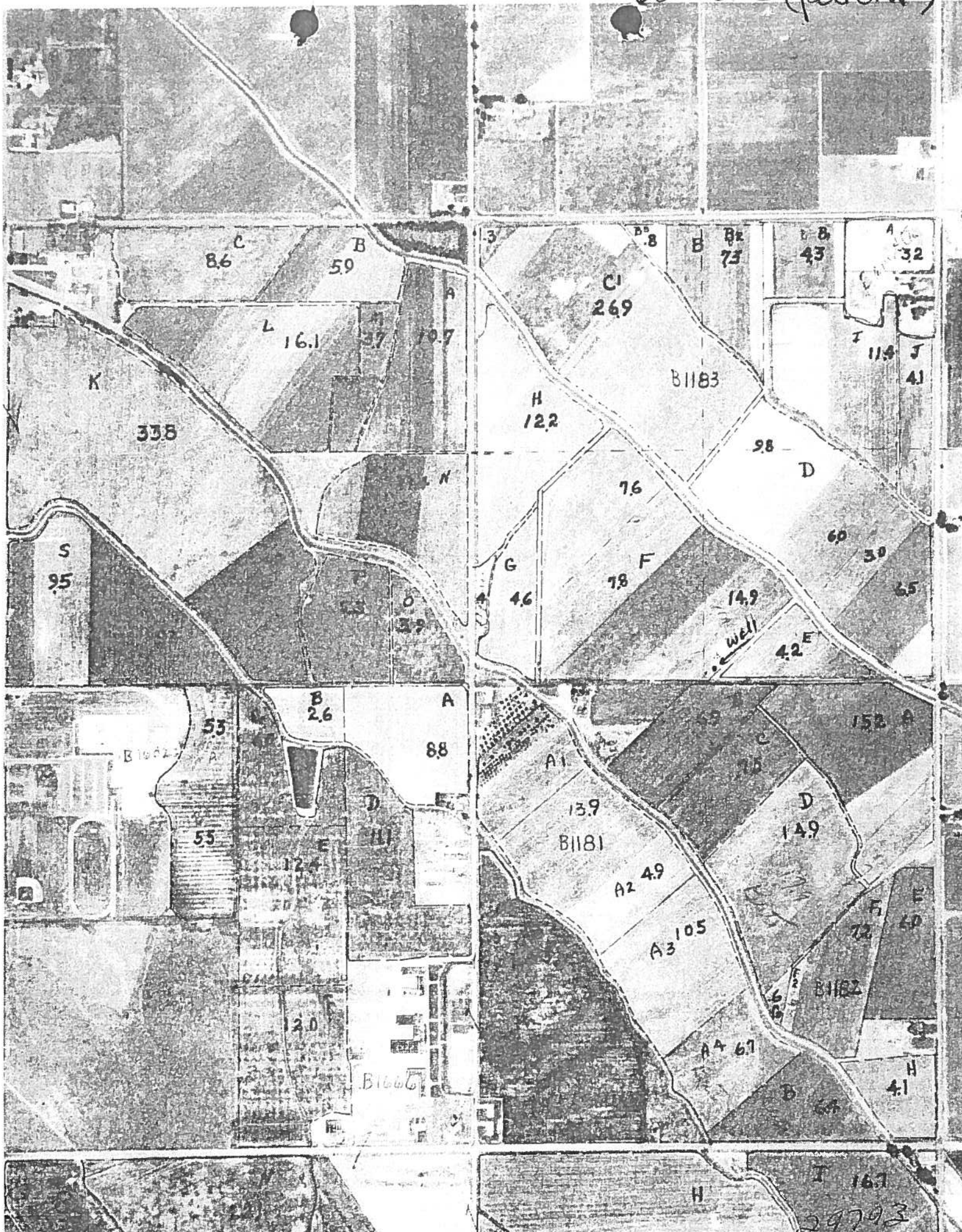
This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 17th day of June, 1988.

MICROFILMED

Director

JUN 30 1988

63-3243 (parent)



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-29793

This proof is for Completion of Works & Beneficial Use in Water District No. _____

1. Name of applicant Edgar Chapman

2. Source of water supply: a well

3. Location of point of diversion: Is in the SW 1/4 of Section 10
T. 3 N R. 3 W., B.M. County of _____ Canyon _____

4. Describe works as they exist, giving dimensions and capacities of same: No Pump
only a drilled and cased well 20" casing on top with 16" perforated
Gravel packed casing inside

Drilled under drought act in 1961

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion: yes

7. 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 other than irrigation):

NE 1/4, Sec. 10, T. 3 N., R. 3 W., B.M.

The PD is in the SW corner of the SE NE Sec. 10, 3 N, 3 W
There is a long 7/8 bolt on the south side of a concrete
lined ditch just north of the 1/4 mile brace point in the fence.
The well is supposed to measure 42' N and 42' east
of the SW cor. SE NE.

The well used the water this year to finish as the canal
companies are out of water for them.
(Submit map on attached plat, showing location and details of above description.)

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

Remarks: Mr. Edgar Chapman and Harry Matsui lessee a large

This well has not been used since it was drilled with the exception
of the test pump and a turbo pump that was run with belted
tractor power. stated it was used approximately 6 weeks at that
time which was right after the test pump test.

I told them they would have to have a pump on the well
and use the water beneficially to grow beneficial crops.

This examination was made on the 8 day of August, 1966

(Signed) Larry Johnson Examiner.

To Caldwell

Rge 3W

Twp 3N

P.D.
40' 40'

Subdivision

AREA

Q

I don't see how we can even issue
a C/W on this

Shirley-John

Form 28

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-29793

REPORT ON PROOF OF Completion of Works & Beneficial Use

WELL HAS BEEN
 APPROPRIATELY
 THE USE OF A
 PUMP &
 PUMP SYSTEM
 NOTE: MR. CHAPMAN
 IS SUPPLIED EVIDENCE
 THIS AFFECTS
 PLANS TO COMPLY
 WITH THE CONDITIONS
 THE PERMIT THIS
 IRRIGATION SEASON
 1968, - by installing
 permanent system.

2-21-68
 D.R.

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

John D. Byrnes
 HJ Wood but perused
 left telephone on far. 3rd day

Edgar Chapman 13
 Rt 3
 Caldwell, Idaho
 Permit No. G-29793

Examination for Completion of Works & Beneficial Use

County: Canyon
 Quantity: 3.2 c.f.s.
 Source: a well
 P.D.: SWANEN, Sec. 10, T. 3 N., R. 3 W., B.M.
 Use: Irrigation
 Filed: June 9, 1961
 Dec: June 15, 1966
 Made: May 31, 1966
 Extension:
 Protest:
 Completion of Works:
 Other Rights: Pioneer & Wilder Irr.

33.85
 32.15
 29.55 L.S.D.
 20" casing with 16" perfor
 Cas inside and gravel packed

459-4927

63-3243

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 37804
Permit No. G- 29793
District No.

1. Name of Applicant: Edgar Chapman
Postoffice address: Rt. #3, Caldwell County: Canyon State: Idaho
2. Quantity of water claimed: 3.2 cubic feet per second
(a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the NE 1/4 of the NE 1/4 of Section 10
Twp. 3 N , Rge. 3 W , B.M., County of Canyon
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
(a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section . Twp. . Rge. . B.M.
7. Kind of works: Well, pump and ditches
8. Estimated cost of works: \$4500
9. (a) Is reservoir to be used? no
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:
Pioneer and Wilder Irr.
(a) 3.2 (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
(b) (cubic feet per second, inches or gallons per minute) is for new lands.

Receipt Details for ID W013129

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
3/19/1991 4:39:53 PM	3/19/1991	Western	\$131.00	Check
Payer		NAITO FARMS, INC.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1851			
Card Expiration Date	Credit Card Transaction #		

Comment LATE FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$81.00	ADJUDICATION FEE	410162	9337	0	0	6490
\$50.00	LATE FEE	410162	9337	0	0	6490

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	3243	A	\$81.00	Claim

#13129 = \$81.
#13329 = 35.
116.

Print Report

acres under Pioneer & Wilder
per file - condition both
rights to reflect this
(63-32322 & 63-32323)

Receipt Details for ID W013329

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
5/17/1991 4:56:16 PM	5/17/1991	Western	\$35.00	Check
Payer	NAITO, MITTS			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1974			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE**Fee Detail:**

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$35.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	3243		\$35.00	Claim

[Print Report](#)

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-3243

WATER RIGHT NUMBER: 63-3243

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EDGAR CHAPMAN C/O EDWARD D AHRENS ATTY PO BOX 247 NAMPA, ID 83653

Priority Date: 06/09/1961

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	2.500 CFS	702.00 AF
	<u>Total Diversion:</u>	2.500 CFS	702.00 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4	Sec. 10, Twp 03N, Rge 03W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	03W	10	38.0	40.0	38.0	40.0													156.0

Total Acres: 156

Conditions of Approval:

1. R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

Remarks:Comments: