

04/15/2008

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

RIGHT NUMBER: 2-2198

NAME AND ADDRESS: CATHERINE VANDER STELT
12400 LANDAU WAY
NAMPA ID 83686

STEVEN CLARENCE VANDER STELT
12400 LANDAU WAY
NAMPA ID 83686

DONALD LEE VANDER STELT
12400 LANDAU WAY
NAMPA ID 83686

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 2.380 CFS

The rights listed below are limited to a total combined diversion rate of 17.87 cfs.
Combined Right Nos.: 2-2160A, 2-2160B, 2-2162, 2-2167, 2-2170, 2-2171, and 2-2198.

PRIORITY DATE: 01/17/1963

POINT OF
DIVERSION:

T01N R03W S22 SENW Lot 5 Within CANYON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	03/01 11/15	2.380 CFS
PLACE OF USE:	<u>IRRIGATION in CANYON County</u>		
	T01N R03W S10 NENE	39.00	T01N R03W S10 NWNE 39.00
	T01N R03W S10 SWNE	40.00	T01N R03W S10 SENE 40.00

158 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

The following rights are also diverted through point of diversion described above: 2-2160A, 2-2160B, 2-2162, 2-2167, 2-2170, 2-2171, and 2-2198.

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-2198Date: 5-8-02

	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	1N	3W	10	39	39	40	40													158
GIS				39	40	40	39													158
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1Total Claimed Acres: 158

Overlapping POU Claim #'s:

Total GIS Acres: 158

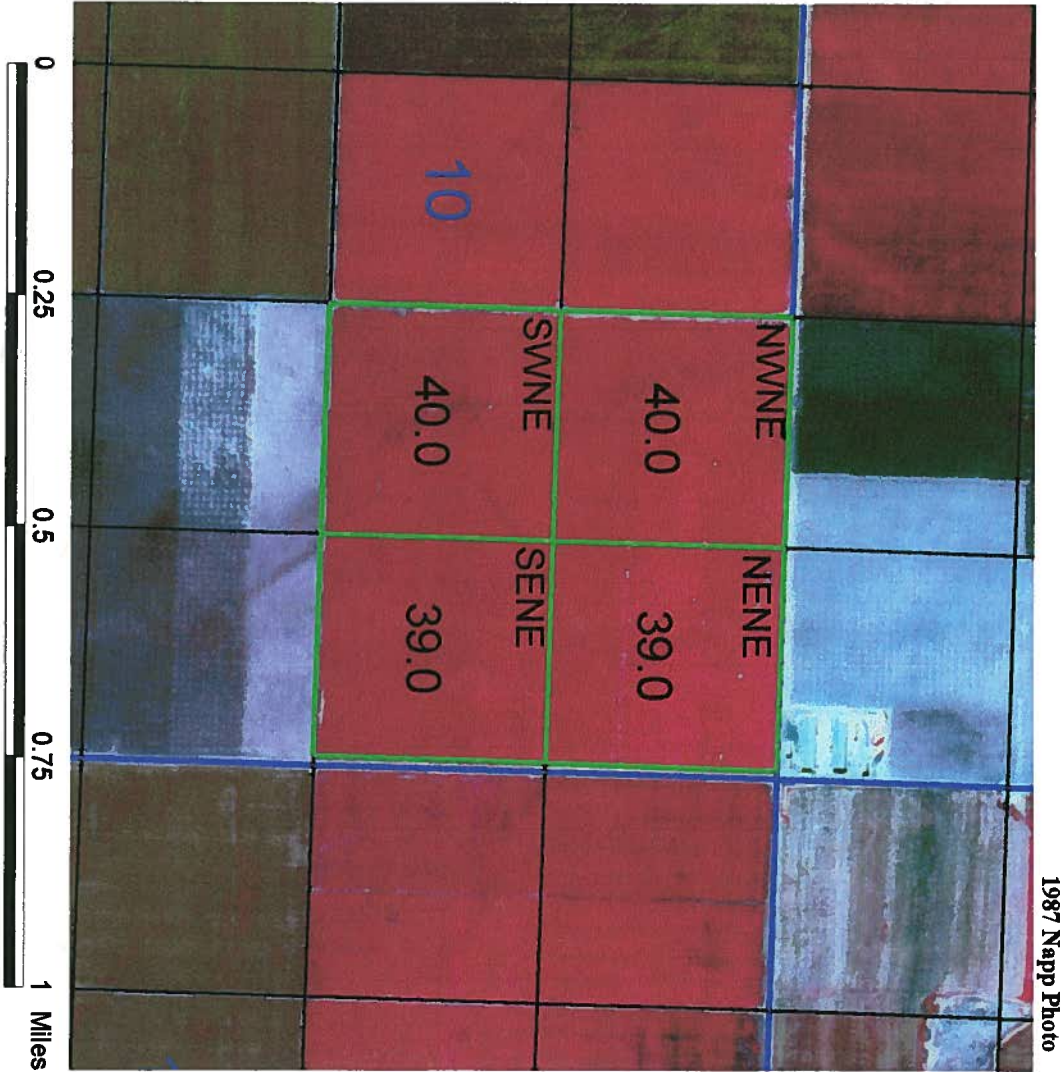
COMMENTS:

POU per claim mapPOD per legal.

Idaho Department of Water Resources

Claim Number: 02-02198
Legal: T01N, R03W, S10
Reviewed By:

- Point of Diversion
(Outside of View)
- Place of Use
- Section Lines
- Quarter Quarter Lines



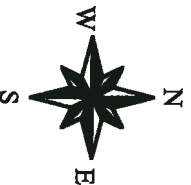
1987 Napp Photo

Reviewed By:



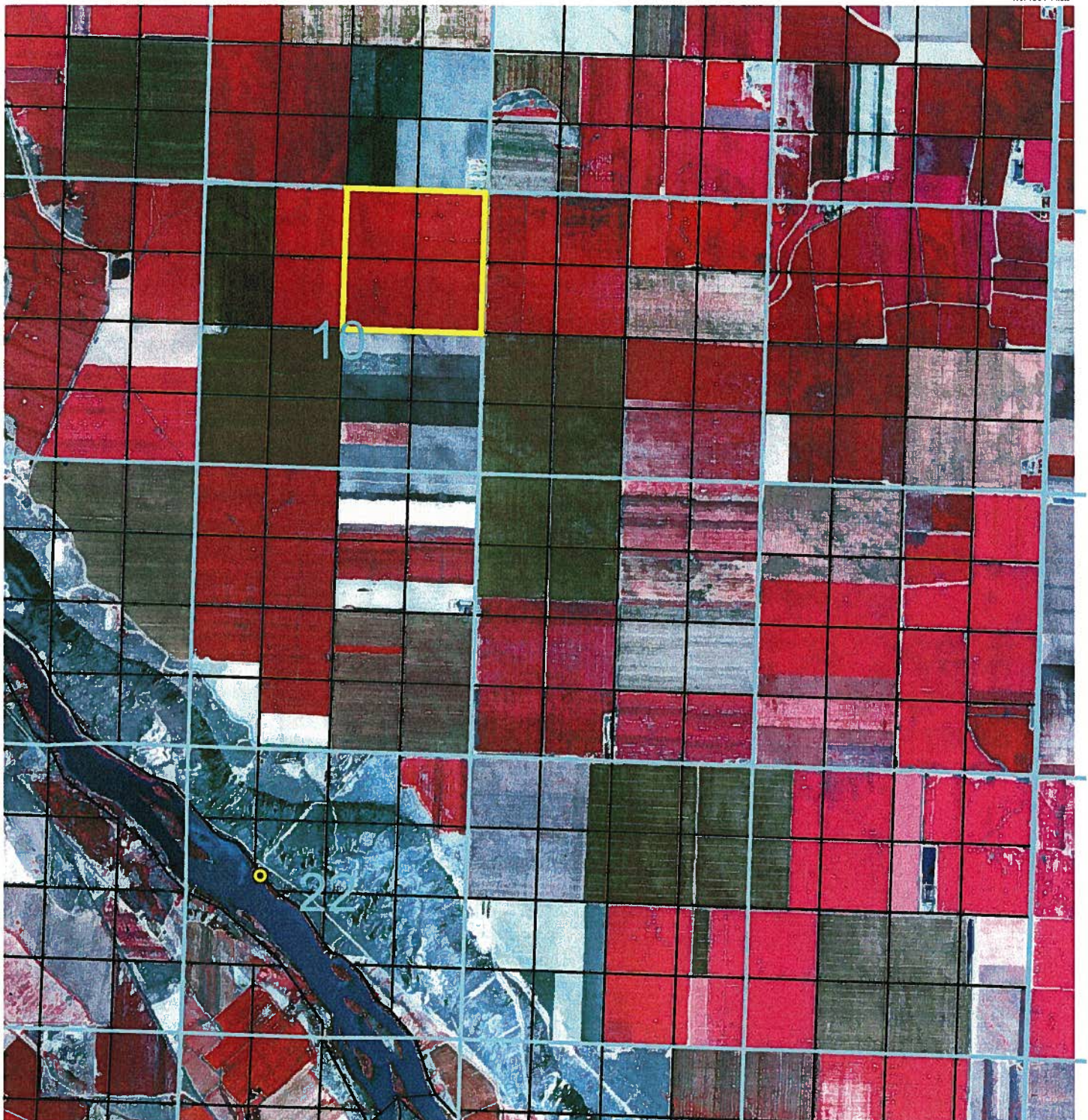
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Idaho Department of Water Resources

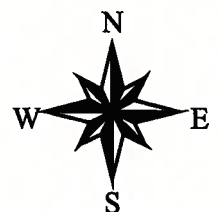
1987 NAAPP Photo



0 1 2 Miles

Claim Number: 02-2198
Legal: T01N, R03W, S10 & 22
Reviewed By: BTD 6/17/05

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



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 2-2198
Date Received: 3/21/1990
Receipt No: W011524
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

EDWARD RAY MONTIERTH
4301 N DALTON LN
BOISE ID USA 83704

Phone: (208) 495-1200

SUSAN L MONTIERTH
4301 N DALTON LN
BOISE ID USA 83704

Phone: (208) 495-1200

HERBERT R MONTIERTH
4301 N DALTON LN
BOISE ID USA 83704

Phone: (208) 495-1200

2. Date of Priority: 01/17/1963

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	Type
01N	03W	22	SE NW 5	CANYON	

5. Description of diverting works:

PUMPING STATION, PIPES, SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	2.38	

7. Total Quantity Appropriated is:
2.38 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	03W	10	NE	NE	IRRIGATION	39
			NW	NE	IRRIGATION	39
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
					Section Acres	158
					Total Acres	158

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:

Ownership changed by DH 7/2/2002

15. Basis of Claim: License

GIVENS PURSLEY LLP

LAW OFFICES

277 North 6th Street, Suite 200
PO Box 2720, Boise, Idaho 83701
TELEPHONE: 208 388-1200
FACSIMILE: 208 388-1300

Gary G. Allen
Christopher J. Beeson
Michael C. Creamer
Thomas E. Dvorak
Roy Lewis Eigoren
Jeffrey C. Fereday
Richard W. Jankowski
Amanda L. Keating
Karl T. Klein
David R. Lombardi
Kimberly D. Maloney

John M. Marshall
Kenneth R. McClure
Cynthia A. Melillo
Christopher H. Meyer
L. Edward Miller
Patrick J. Miller
Judson B. Montgomery
Angela K. Nelson
W. Hugh O'Riordan
Kenneth L. Pursley
Virginia L. Stukel

Conley Ward
Stephanie C. Westemeier
Robert B. White

Reymond D. Givens
James A. McClure
OF COUNSEL

(Direct Line 208-388-1246)

October 1, 1999

RECEIVED

OCT 05 1999

WATER RESOURCES
WESTERN REGION

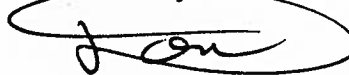
State of Idaho
Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

Re: Bigfoot Farm LLC/Montierth Water Rights Partition
02022162, 0202170, 0202167, and 0202198
Our File: 4463-13

Enclosed are two executed Notice of Change of Water Right Ownership forms and related exhibits which separate the referenced water rights between the parties that have held said rights in common. Please mark your records to reflect the division of the subject rights. We also request that you make appropriate notes in the Adjudication Claim records to reflect these transactions.

If you have any questions, please do not hesitate to call.

Sincerely,



Donald R. Alloway
Legal Assistant

Enclosure

cc David Palfreyman
Herbert Montierth
Ken Pursley

OWNERSHIP TREE

FIVE J'S INC

2162
2167
2170
2198

BIGFOOT FARM LLC
(Herb MONTIERTH)

2162
2167
2170
2198

HERBERT,
Ed & SUSAN MONTIERTH
E $\frac{1}{2}$ S10
NE $\frac{1}{4}$ S15
T1N R3W

2167

2198

BIGFOOT FARM LLC
SE $\frac{1}{4}$ S15
N $\frac{1}{2}$ NE S22
SE NE S22
T1N R3W

2162

2170

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED

OCT 05 1999

WATER RESOURCES
WESTERN REGION

1. Water Right No(s).: 0202167, 0202198
Adjudication Claim No(s).: A0202167, A0202198
 2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in questions, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
 3. Name and Address of Former Owner/Claimant New Owner and Bigfoot Farm LLC
5001 ffishire Place North, Boise, Idaho 83713
 4. New Owner/Claimant(s) Edward Ray Montierth and Susan Montierth
Herbert R. Montierth
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
New Mailing Address 4301 North Dalton Lane
City, State and ZIP Code Boise, Idaho 83704
New Telephone Number (208)495-1200
 5. Date you acquired the property May, 1999
 6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate 473 Number and type of stock _____
Diversion rate in CFS 7.15 Number of homes 1 Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
 7. Signature of New Owner or Claimant(s) Herbert R. Montierth Edward Ray Montierth Susan Montierth
Herbert R. Montierth Edward Ray Montierth Susan Montierth
- (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FIVE J'S INC C/O MRS. ELLEN HODGE 2345 VALLEY VIEW DR WEISER ID 83672 (208) 549-2611	01/17/1963	IRRIGATION	03-15 11-15	2.380 CFS	
				TOTAL DIVERSION:	2.380 CFS	

Water Source:	SNAKE RIVER	Tributary to:	COLUMBIA RIVER	Stage:	LICENSE
s) of Diversion:		T01N R03W S22 Lot05(	SENH)		CANYON County

Point(s) of Diversion: T01N R03W S22 Lot05(SENEW)

Place of use Legal Description for: IRRIGATION																								
NE					NW					SW					SE									
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T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
01N	03W	10	39	39	40	40																		
															TOTAL ACRES									
															158.0									
															158.0									

POU County: CANYON

Non-Irrigation Uses: NONE

Other Rights: A02-02162, -02167, -02170

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
--------	-----------------	----------------	-----------------------

Misc: Water District Number: 02 Field Inspection Flag: Presumption Flag:

Audit: 03/21/90 HOWERTON 03/29/95 POST-STD

SPECIAL WARRANTY DEAD
E1/2 S10
T1N R3W

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT**

DATE: 05/08/02
PAGE: 4

NAME & ADDRESS

~~C FIVE J'S INC
C/O MRS ELLEN HODGE
2345 VALLEY VIEW DR
WEISER ID 83672
(208) 549-2611~~

Water Source: SNAKE RIVER

Tributary to: COLUMBIA RIVER

Stage: LICENSE

Point(s) of Diversion: T01N R03W S22 Lot05(SENW)

T01N R03W S22 Lot05(SENW)

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				
		NENE		NNNE		NENE		NNNW		NNNW		NNSW		NNSE		NNSE		
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
T	R S																	SUM
01N	03W 10	39	39	40	40													158.0
																	TOTAL ACRES	158.0

POU County: CANYON

Non-Irrigation Uses: NONE

Other Rights: A02-02162, -02167, -02170

Dates: **Exam Made Date:**

Verified Date:

Objection Filed Date:

Misc: Water District Number: 02

Field Inspection Flag:

**Field Inspection I
Presumption Flag:**

Audit: 03/21/90 HOWERTON 03/29/95 POST-STD

03/21/90 HOWERTON

03/29/95 POST-STD

WERTON 03/29/95 POST-STD
FIVE I'S TO HERBERT
WARRANTY DEED
EXHIBIT "A"
MONTGOMERY

NE 4

$T_{12}, P_{3\omega}, S_{10}$

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 2-2198

WATER RIGHT NUMBER: 2-2198

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FIVE JS INC C/O MRS ELLEN HODGE 2345 VALLEY VIEW RD WEISER, ID 83672 (208)549-2611

Priority Date: 01/17/1963

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	2.380 CFS	
	<u>Total Diversion:</u>	2.380 CFS	

Location of Point(s) of Diversion

SNAKE RIVER	L5 SE1/4NW1/4	Sec. 22, Twp 01N, 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	
01N	03W	10	39.0	39.0	40.0	40.0													158.0

Total Acres: 158

Conditions of Approval:Remarks:Comments:Dates and Other Information:

(2) PN 54312

9930847

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, BIGFOOT FARM LLC, an Idaho limited liability company, Grantor, does hereby grant, bargain, sell and convey unto HERBERT R. MONTIERTH, a married man as his sole and separate property, as to a one-half undivided interest in the estate hereby being conveyed, and EDWARD RAY MONTIERTH and SUSAN MONTIERTH, husband and wife, as to a one-half undivided interest in the estate hereby being conveyed, to hold such interests as tenants-in-common, Grantees, whose address is 4301 N. Dalton Lane, Boise, Idaho 83704, the following described real property, located in Canyon County, Idaho, to wit:

All of Grantor's one-third tenant's-in-common interest in and to the following described real property, to wit:

The East One-Half of Section 10 and the Northeast Quarter of Section 15, all in Township 1 North, Range 3 West, Boise, Meridian, Canyon County, Idaho;

Together with all of Grantor's right, title, and interest in and to any and all water rights appurtenant to or used on the lands described above including, without limitation, IDWR Water Right No. 0202167 and No. 0202198 (collectively the "Water Rights") and including, but not limited to any right Grantor may have to receive natural flow and/or stored water delivered through the ditch, pentstock, pump base, and other facilities owned jointly by Grantor and others that delivers water from the Snake River to such land, or under entitlements held by Grantor for use on such land. In addition, Grantor hereby conveys, transfers, and assigns to Grantees all licenses, permits, shares, certificates and other documents evidencing such Water Rights and hereby directs Idaho Department of Water Resources and all other applicable parties to transfer on their books and records such Water Rights and the permits, licenses, shares, certificates and other documents evidencing such Water Rights to Grantees;

Said Water Rights are further subject to any changes and/or additions as may occur from proceeds of the Snake River Adjudication;

But reserving therefrom, an easement for the benefit of Grantor's adjacent lands as set out on Exhibit B attached hereto and incorporated herein by this reference;

hereinafter referred to as the "Premises."

TO HAVE AND TO HOLD the Premises, with its appurtenances unto Grantees, Grantees' heirs, successors and assigns forever. And Grantor does hereby covenant to and with Grantees that Grantor is the owner in fee simple of the Premises; that the Premises is free from all liens, claims and encumbrances except for the lien of taxes not yet due and payable and those created or suffered by Grantees and those as set forth on Exhibit A attached hereto and incorporated herein, and that Grantor will warrant and defend the same from all other lawful claims whatsoever.

EXHIBIT A
PERMITTED EXCEPTIONS

EXHIBIT B

EASEMENT

GRANTOR reserves for itself and its successor owners of that certain real property situate in Canyon County, Idaho (the "Benefitted Property") and more particularly described as:

The Southeast Quarter of Section 15 and the North One-Half of the Northeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 22, all in Township 1 North, Range 3 West, Boise, Meridian, Canyon County, Idaho

to run with the land forever, an easement for "Water Delivery Facilities" (as such term is hereafter defined) and their installation, inspection, operation, cleaning, repair, maintenance, and replacement; and for storage and flowage of water pursuant to IDWR Water Right No. 0202162 and No. 0202170 as such rights may be adjudicated, replaced, substituted, and amended from time to time (together the "Water Rights"); in, on, and over that certain real property situate in Canyon County, Idaho (the "Burdened Property") and more particularly described as:

The East One-Half of Section 10 and the Northeast Quarter of Section 15, all in Township 1 North, Range 3 West, Boise, Meridian, Canyon County, Idaho

which such easement shall include the right to use the pond situate on the Burdened Property (the "Pond").

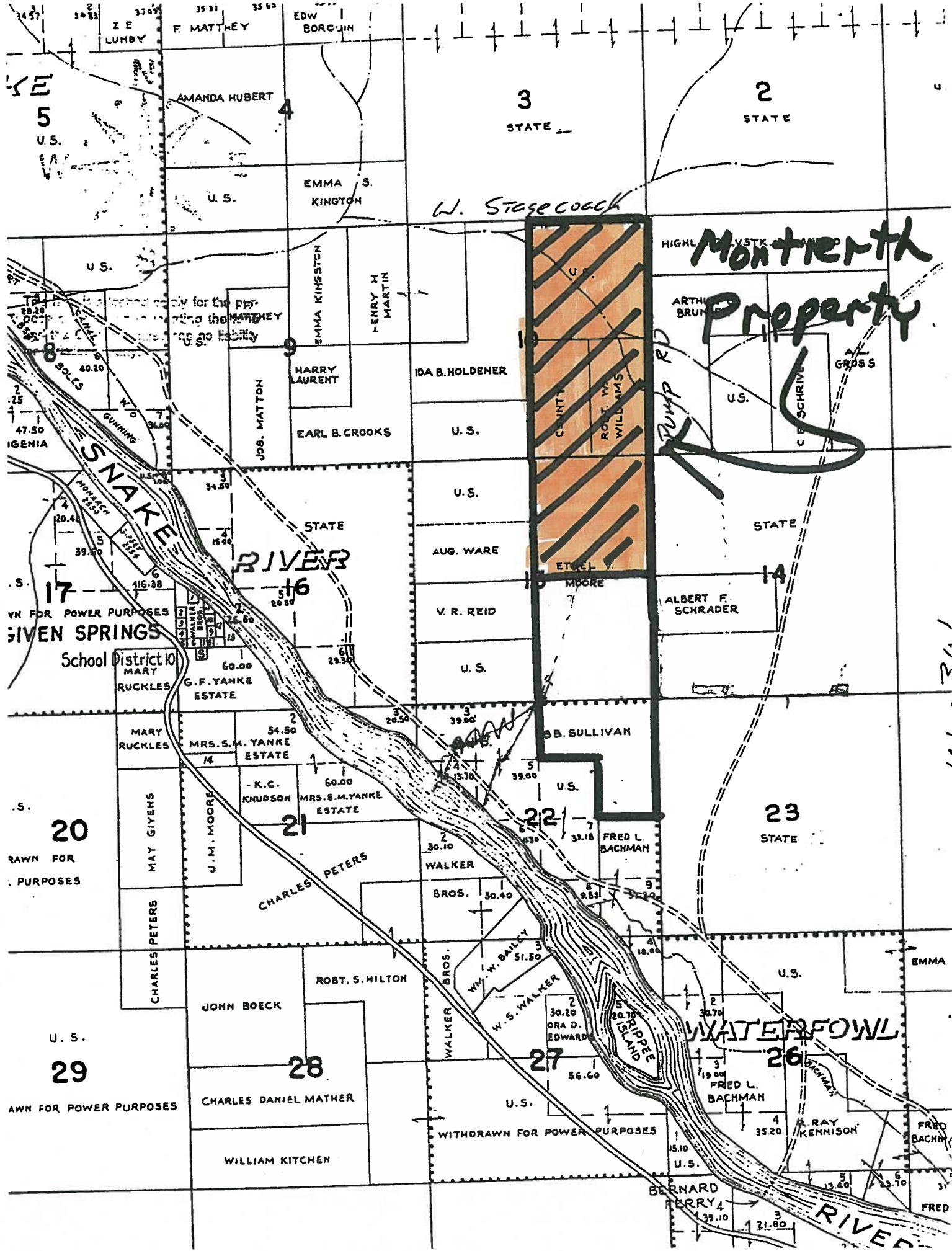
The easement herein granted shall be sufficient in size and location to allow ingress, egress, installation, inspection, operation, cleaning, repair, maintenance, and replacement (together the "Work") of the Water Delivery Facilities and shall include, without limitation, the right to enter the land across which the Water Delivery Facilities extend for the purposes of the Work to the ditch, canal or conduit, and to occupy such width of the land along the banks or centerline of the ditch, canal or conduit as is necessary to properly do the Work to the ditch, canal or conduit with personnel and with such equipment as is commonly used, or is reasonably adapted, to that Work. The easement also includes the right to deposit on the banks of the ditch or canal the debris and other matter necessarily required to be taken from the ditch or canal to properly clean and maintain it.

Pursuant to the easement herein granted, and without limiting the rights herein granted, the owner of the Benefitted Property shall have the right of daily flowage and ponded storage of no less than 5.7816 acre feet of water.

"Water Delivery Facilities" shall mean all of the ditches, laterals, ponds, canals, conduits, pipes, valves, gates, metering devices, pumps, power lines, power line poles and guys, access roadways, and other equipment, now in existence and as supplemented, relocated in accordance with best conservation, efficiency and good water usage policies, and replaced, to deliver the water pursuant to the Water Rights to the Pond and thereafter to pump and otherwise deliver such water to the Benefitted Property. Water Delivery Facilities shall also include so much of the Pond as is required to store a minimum of 5.7816 acre feet of water.

RECORDED
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BY [Signature]
REQUESTED BY [Signature]
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Montienth Property

Pump RD

SNAKE RIVER

WATERFOWL RIVER

WATERFOWL RIVER

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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 2-2198
Date Received: 3/21/1990
Receipt No: W011524
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BIGFOOT FARM LLC
EDWARD RAY MONTIERTH
SUSAN MONTIERTH
HERBERT R MONTIERTH
5001 FIFESHIRE PLACE N
BOISE ID USA 83713

Phone: (208)323-0726

2. Date of Priority: 01/17/1963

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	Type
01N	03W	22	SE NW 5	CANYON	

5. Description of diverting works:

PUMPING STATION, PIPES, SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	2.38	

7. Total Quantity Appropriated is:
2.38 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
01N	03W	10	NE	NE		IRRIGATION	39
			NW	NE		IRRIGATION	39
			SW	NE		IRRIGATION	40
			SE	NE		IRRIGATION	40
						Section Acres	158
						Total Acres	158

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:

15. Basis of Claim: License

GIVENS PURSLEY LLP

RECEIVED

OCT 07 1998

Department of Water Resources

LAW OFFICES
277 North 6th Street, Suite 200
PO Box 2720, Boise, Idaho 83701
TELEPHONE: 208 388-1200
FACSIMILE: 208 388-1201

Gary G. Allen
Christopher J. Beeson
Michael C. Creamer
Thomas E. Dvorak
Roy Lewis Eiguren
Jeffrey C. Fereday
L. W. Grant III
Richard W. Jankowski
Karl T. Klein
David R. Lombardi

Kimberly D. Maloney
Kenneth R. McClure
Cynthia A. Melillo
Christopher H. Meyer
L. Edward Miller
Patrick J. Miller
Judson B. Montgomery
Ramona S. Neal
Aaron H. Nemecek
W. Hugh O'Riordan

Kenneth L. Pursley
Gregory J. Vietz
Conley Ward
Steven R. Weeks
Stephanie C. Westermeier

Raymond D. Givens
James A. McClure
OF COUNSEL

(Direct Line 208-388-1246)

October 6, 1998

RECEIVED

FEB 26 1999

WATER RESOURCES
WESTERN REGION

Pam Skaggs
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Re: Water Rights 0202162, 0202167, 0202170, and 0202198
Our File: 4463-13

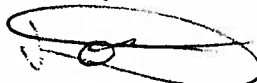
Dear Pam;

Enclosed is a Notice of Change of Water Right Ownership for the Five J's, Inc. ("Seller") water rights being transferred to Bigfoot Farm LLC, Edward Ray Montierth, Susan Montierth, and Herbert R. Montierth ("Purchaser").

Also enclosed is a copy of the deed conveying the land from Seller to Purchaser, a copy of the filed Articles of Organization for Bigfoot Farm LLC, and map of the area involved.

If you have any questions or need additional information, please do not hesitate to call.

Sincerely,



Donald R. Alloway
Legal Assistant

Enclosure

cc David Palfreyman
Ken Pursley

RECEIVED

OCT 07 1998

Department of Water Resources

**STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES**

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED

FEB 26 1999

WATER RESOURCES
WESTERN REGION

1. Water Right No(s): 0202162, 0202167, 0202170, 0202198
Adjudication Claim No(s): A0202162, A0202167, A0202170, A0202198
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in questions, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Five JS INC
2345 Valley View Drive, Weiser, Idaho 83672
4. New Owner/Claimant(s) Bigfoot Farm LLC
Edward Ray Montierth and Susan Montierth
Herbert R. Montierth
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
New Mailing Address 5001 Fifeshire Place North
City, State and ZIP Code Boise, Idaho 83713
New Telephone Number (208)323-0726
5. Date you acquired the property June 29, 1998
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate 639 Number and type of stock _____

Diversion rate in CFS 10.07 Number of homes 1 Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) LLC X Edward Ray Montierth MARY K YER
Rut X Susan Montierth
Herb X Herbert R. Montierth

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

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

INSTRUMENT NO. 9824616



A Pioneer Company

PIONEER TITLE COMPANY
OF ADA COUNTY

821 West State Street / Boise, Idaho 83702-5836 / Telephone (208) 336-6700

P-165993A PN 47658

WARRANTY DEED

(CORPORATE FORM)

FIVE J'S INC. , a corporation
organized and existing under the laws of the State of Idaho, with its principal office at "PUMP ROAD" , ID
of County of ADA , State of Idaho.
grantor, hereby CONVEYS or GRANTS and WARRANTS TO HERBERT R. MONTIERTH, A MARRIED MAN AS
HIS SOLE AND SEPARATE PROPERTY, EDWARD RAY MONTIERTH AND SUSAN MONTIERTH,
HUSBAND AND WIFE AND BIGFOOT FARM LLC AS TENANTS IN COMMON EACH AS TO AN UNDIVIDED
1/3 INTEREST GRANTEEES OF 5001 FIFESHIRE PLACE, BOISE, ID. 83713 for the sum of
TEN DOLLARS AND NO/100 DOLLARS.

the following described tract(s) of land in CANYON County, State of Idaho:
SEE ATTACHED LEGAL DESCRIPTION AS "EXHIBIT A" - - -
(WITH SPECIAL EXCEPTIONS 7-12 INCLUDED)

SEE ATTACHED EXHIBIT "B"- WATER RIGHTS

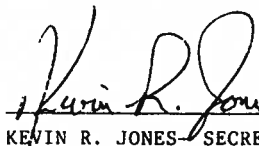
Location of above described property "PUMP ROAD"

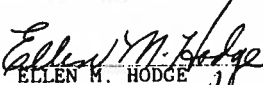
House No.

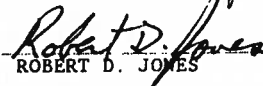
Street

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 directors 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 29 day of June , A.D. 1998

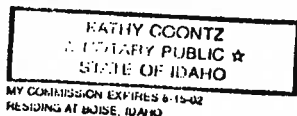

KEVIN R. JONES- SECRETARY

FIVE J'S INC. (CORPORATE NAME)
By:  Pres
ELLEN M. HODGE PRESIDENT

Attest: 
ROBERT D. JONES SECRETARY
VICE- PRESIDENT

STATE OF IDAHO , County of AD , ss.

On this 29 day of June , in the year of 1998 , before me THE UNDERSIGNED , a notary public, personally appeared ELLEN M. HODGE, ROBERT D. JONES, KEVIN R. JONES , known or identified to me to be the person s who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.



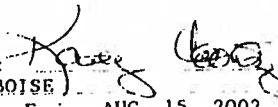
Notary Public: 
Residing at: BOISE
My Commission Expires: AUG. 15, 2002

Exhibit "A"

The Northeast Quarter and the Southeast Quarter of Section 10,

The Northeast Quarter and the Southeast Quarter, Section 15,

The North One-Half of the Northeast Quarter and the Southeast Quarter of the Northeast Quarter, Section 22,

All in Township 1 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

SPECIAL EXCEPTIONS

7. General taxes for the year 1998 which are a lien, payable on or before December 20 of said year and not delinquent until after said date.

~~XXXXXXXXXX No search has been made for water or irrigation and the right to power and easements of any water or irrigation company~~

~~XXXXXXXXXX Water rights claims on the water~~

10. Excepting and reserving, also, to the United States all the oil and gas in the land so patented, and to it or persons authorized by it, the right to prospect for, mine, and remove such deposits from the same upon compliance with the conditions and subject to the provisions and limitations of the Act of July 17, 1914 (38 Stat. 509) as reserved in Patent recorded July 12, 1966 as Instrument No. 583906
11. Easement for any irrigation ditch and the terms and conditions thereof, recorded March 21, 1961 as Instrument No. 499466, Modified by Instrument recorded February 25, 1963 as Instrument No. 529348, records of Canyon County. (Affects parts of Section 22, Township 1 North, Range 3 West)
12. Easements and the terms and conditions thereof recorded February 25, 1963 as Instrument No. 529348, records of Canyon County, Idaho. (Affects this and other property)
13. Easement for an irrigation ditch and the terms and conditions thereof recorded September 3, 1963 as Instrument No. 538460, records of Canyon County, Idaho. (Affects parts of Section 22, Township 1 North, Range 3 West)
14. Power line easement as granted by DALE JONES and ELLEN MAE JONES, B.J. MOORE and ETHEL MOORE, to IDAHO POWER COMPANY, a corporation, by instrument recorded June 8, 1962, as Instrument No. 521268, records of Canyon County, Idaho...including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system. (South One-Half of the Northeast Quarter of Section 15, Township 1 North, Range 3 West)
15. Power line easement as granted by DELTON W. IRISH and MARGURETT M. IRISH, to IDAHO POWER COMPANY, a corporation, by instrument recorded August 17, 1962, as Instrument No. 521279, records of Canyon County, Idaho...including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system. (South One-Half of the Southeast Quarter, Section 15, Township 1 North, Range 3 West)
16. Terms and Conditions of Decision dated March 21, 1961 by the U.S. DEPARTMENT OF INTERIOR BUREAU OF LAND MANAGEMENT recorded January 12, 1963 as Instrument No. 527490, records of Canyon County, Idaho.

PNA. VRT mlt

EXHIBIT "B"

All of Grantor's right, title and interest in and to any and all water rights appurtenant to or used on the lands described in Exhibit A attached hereto (the "Water Rights"), including but not limited to any right Grantor may have to receive natural flow and/or stored water delivered through the ditch, pentstock, pump base, and other facilities owned jointly by Grantor and others that delivers water from the Snake River to such land, or under entitlements held by Grantor for use on such land. In addition, Grantor hereby conveys, transfers and assigns to the Grantees all licenses, permits, shares, certificates and other documents evidencing such Water Rights and hereby directs Idaho Department of Water Resources and all other applicable parties to transfer on their books and records such Water Rights and the permits, licenses shares, certificates and other documents evidencing such Water Rights to the Grantees.

FURTHER SUBJECT TO ANY CHANGES AND/OR ADDITIONS AS MAY OCCUR FROM PROCEEDS OF THE SNAKE RIVER ADJUDICATION.

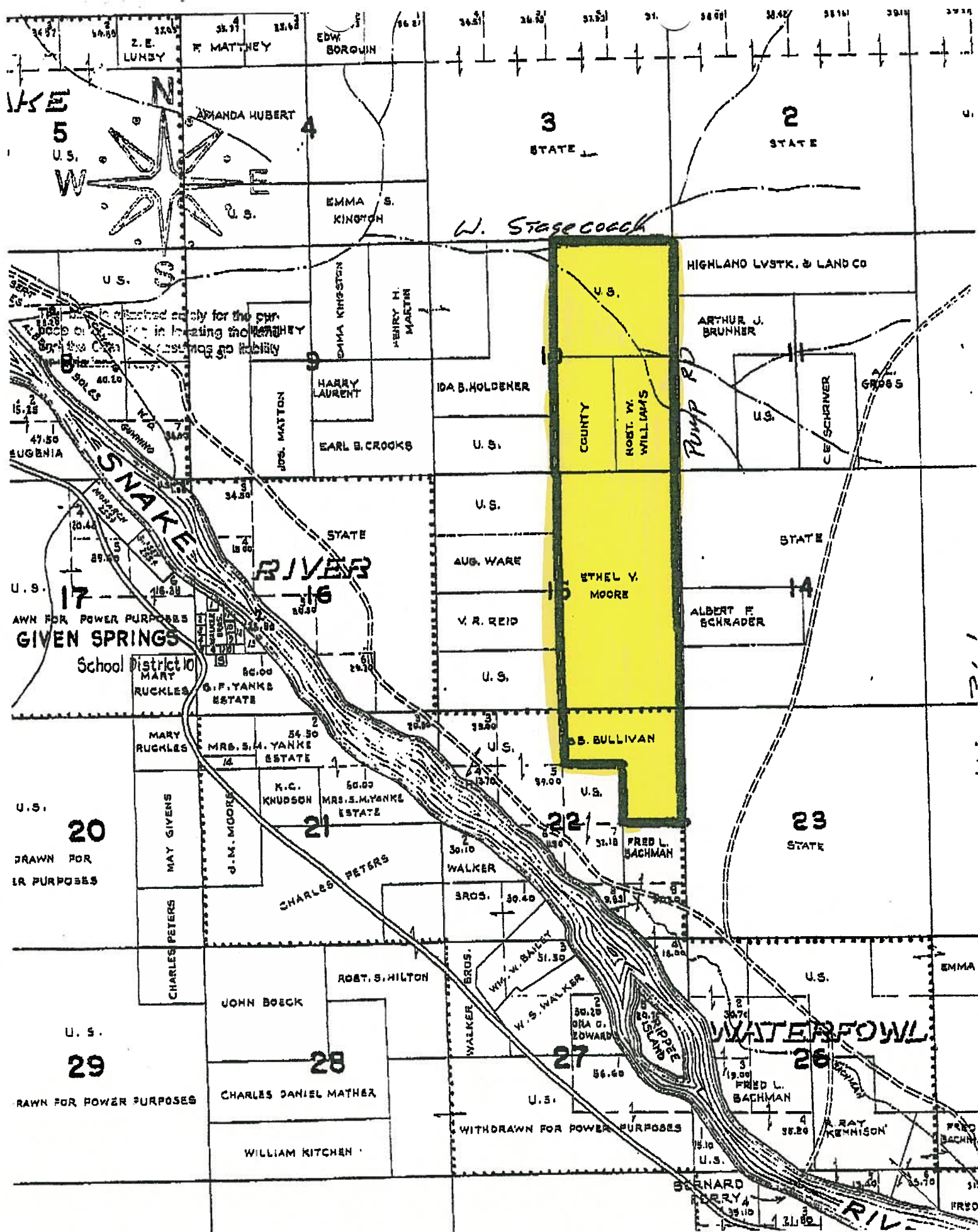
RDJ. EMH
CRJ

REQUEST Deed PIONEER - NAMPA
TYPE Deed FEE 9.00

98 JUN 30 PM 4 12
NED J KERR
CANYON CNTY RECORDER
BY *CH Davis*

RECORDED

9824616



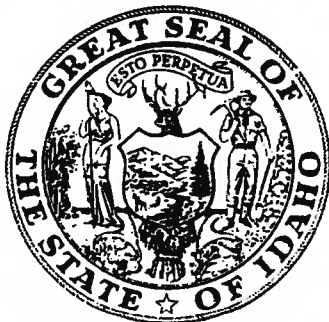
State of Idaho

Department of State

I, PETE T. CENARRUSA, Secretary of State of the State of Idaho, hereby certify that I am the custodian of the corporation, limited liability, and limited partnership records of this State.

I FURTHER CERTIFY That the annexed is a full, true and complete transcript of the articles of organization of BIGFOOT FARM LLC, an Idaho limited liability company, received and filed in this office on June 29, 1998 under the file number W 6437, including any amendments filed thereto, as appears of record in this office as of this date.

Dated: October 5, 1998



Pete T. Cenarrusa
SECRETARY OF STATE

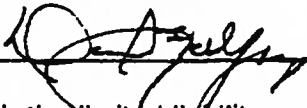
By

Shirley Davis

**ARTICLES OF ORGANIZATION
LIMITED LIABILITY COMPANY**

**To the Secretary of State of Idaho
Corporations Division
700 West Jefferson Room 203
P.O. Box 83720 • Boise, ID 83720-0080**

JUN 29 10 11 AM '98
SECRET

1. The name of the limited liability company is: Bigfoot Farm LLC
2. The address of the initial registered office is: 5001 Fifeshire Place
North, Boise, Idaho 83713 and the name of the initial registered agent at that address is: David L. Palfreyman
Signature of registered agent: 
3. The latest date certain on which the limited liability company will dissolve: _____
4. Is management of the limited liability company vested in a manager or managers?

☒ Yes ☐ No (check appropriate box)

5. If management is vested in one or more manager(s), list the name(s) and address(es) of at least one initial manager. If management is vested in the members, list the name(s) and address(es) of at least one initial member.

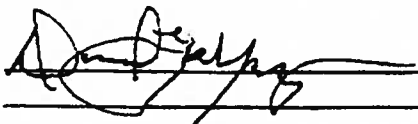
Name

Address

David L. Palfreyman

5001 Fifeshire Place North
Boise, Idaho 83713

6. Signature of at least one person listed in #5 above:



Secretary of State use only

IDAH0 SECRETARY OF STATE
06/29/1998 09:00
CK: 11473 CT: 1626 BM: 123574
I @ 100.00 = 100.00 ORGAN LLC

W6437

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: A02-02198
Date Received: 3/21/1990
Receipt No: W 011524
Received By: Rch

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FIVE J'S, INC. 208-549-2611
Address: C/O MRS. ELLEN HODGE
2345 VALLEY VIEW DR.
WEISER, ID 83672

2. Date of Priority: JAN 17, 1963

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
01N	03W	22	SE	NW		5	CANYON

5. Description of diverting works:
PUMPING STATION, PIPES, SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.380		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	03W	10	NE	NE		IRR	39.0
			NW	NE		IRR	39.0

A02-02198

Page 1

Date: 03/21/90

MICROFILMED
AUG 07 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	03W	10	SW	NE	IRR	40.0
			SE	NE	IRR	40.0
Section Acres						158.0
Total Acres						158.0

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:
A02-02162,-02167,-02170

14. Remarks:

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am President of
Five J's Inc., that I have signed the foregoing
document in the space below as President of
Five J's Inc. and that the statements contained in the
foregoing document are true and correct.

Ellen Hodge
Signature of Authorized Agent

President
Title and Organization

3-21-90
Date

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 21st day
of MAR 19 90

Ron Howerton
Notary Public

Seal

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

402

()

02-02198

28/9

BM
271B

14

BM
2266

MICROFILMED

AUG 07 1992

[illegible]

AUG 07 1992

Court Report Filing	-	00/00/0000	Field Inspection Made	-	00/00/0000	Civil Case Number	-
Objection Filed Date	-	00/00/0000	Field Inspection Flag	-		Old Case Number	-
Response Filed Date	-	00/00/0000	Verified Date	-	00/00/0000	Old Judicial District	-
Claim Received Date	-	00/00/0000	Last Amended Date	-	00/00/0000	Temporary Right	P
Claims Tape Error Flg	-		Receipt Number	-		Water District	02
Fee Exempt Flag	-		POU Ownership Flag	-		Federal/State Indicator	-
			Name Connector	-			

AUG 07 1992

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**

02-2198

I.D. No.

Map No.

\$ 107.00

Fee Paid

20218

Receipt No.

Notice is hereby given that FIVE J'S, INC. c/o Mrs. Ellen Hodge

(Name of Claimant)

Route 1, Weiser, ID 83672

(Mailing Address)

(Zip Code)

Telephone No. 549-2611

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) 1/17/1963
- (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 <u>2.38 cfs</u>
(CFS, GPD, AF) | Use <u>IRRIGATION</u>
(Domestic, Irrigation, stock, etc.) | Period of Use From <u>3/15</u>
(Mo., Day) | To <u>11/15</u>
(Mo., Day) |
| | | (Both dates inclusive) | |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, Irrigation, stock, etc.) | Period of Use From _____
(Mo., Day) | To _____
(Mo., Day) |
| | | (Both dates inclusive) | |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, Irrigation, stock, etc.) | Period of Use From _____
(Mo., Day) | To _____
(Mo., Day) |
| | | (Both dates inclusive) | |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, Irrigation, stock, etc.) | Period of Use From _____
(Mo., Day) | To _____
(Mo., Day) |
| | | (Both dates inclusive) | |
- (4) 2.38 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source SW $\frac{1}{4}$ NW $\frac{1}{4}$
Sec. 22, Twp. 1N, Rge. 3W, B.M., CANYON 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. Total 700 HP - 3 pumps - 2 sprinkles system
- (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.

VRC 0 5 1985
MICROFILMED

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**

02-2198	<u>GUYEN HOT SPRING</u>
I.D. No.	Map No.
\$107.00	20218
Fee Paid	Receipt No.

Notice is hereby given that FIVE J'S, INC. c/o Mrs. Ellen Hodge
(Name of Claimant)

Route 1, Weiser, ID 83672
(Mailing Address)

Telephone No. 549-2611
(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) 1/17/1963
- (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 2.38 cfs Use Irrigation 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) 2.38 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source SW 1/4 SE 1/4 Sec. 22, Twp. 1N, Rge. 3W, B.M., Canyon County 27
Additional Points: SCI: 2720(1) 436.2
- 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.
Total 700 HP - 3 pumps & 8 sprinkles system
- (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.	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	
1N	3W	10	39	39	40	40													158
			39			39													158
			40	40	39	39													158

Total no. of acres 158

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: 158

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 THE MAXIMUM DIVERSION RATE UNDER THIS RIGHT WHEN COMBINED WITH 02-2162, 02-2167, 02-2170 SHALL NOT EXCEED 10.07 CFS. 17.87 CFS
- (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. 02-2198 30913

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.

September 17, 1981
(Date)

State of Idaho

County of Ada

Organization

Seal

On this 17th day of September, in the year 1981 before me
a notary public, personally appeared Mrs. Ellen Hodge

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 Life

Notary Public residing at Boise, Nancy Northway

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by df

Date 12/09/81

Right No. 02-2198

Claimant FIVE 1/3

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

☐ Previous Statutory Claim.

☐ Permits, valid or lapsed. Number(s) if different than above _____

☐ Decree. Name & date _____

☐ 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. 1977

☐ Irrigation Company/District Records. ☐ In file. Or Name & location _____

☐ Historical Books. Name(s) & location _____

☐ Interview(s). Attach conversation memorandum.

☐ Other _____

☐ _____

Field Exam Made: ☐ Yes ☒ No Date _____

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

Measurement _____ cfs. Amount recommended _____ cfs.

Type of measuring device: _____ Meter No. _____

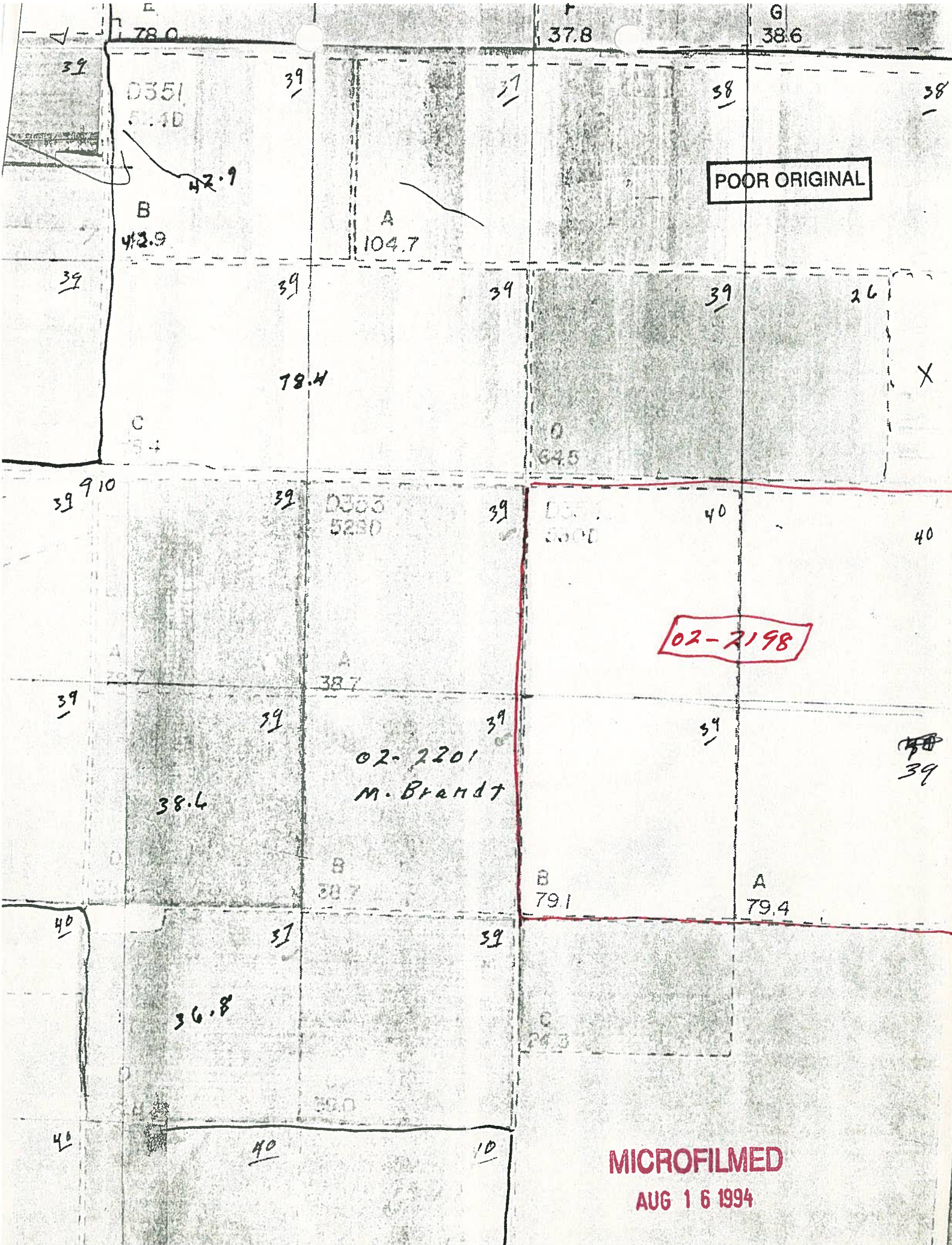
Condition _____ Date _____ Time _____

Adjudication Photo(s) Used: Name or No. BIVENS HOT SPRINGS ^{1980 APPLICABLE} 0-2, 1977 0-2, 2874-77-178

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☐ Yes ☒ No

Remarks P/D IS VERY CLOSE TO SWNW, BUT IS LOT 5 (SENW).
ROADS ON NORTH & EAST SIDES OF 160 ACRES.



MICROFILMED
AUG 16 1994

CONVERSATION MEMORANDUM

DATE 12/28/63

FILE _____

NAME OF PARTY 5 J's - Noble & MorrisEMPLOYEE John K. Moyer.

POOR ORIGINAL

RE: In reviewing all the water rights from
P.D. 45 SE NW Sec 22 T14R3W it appearsthat only 2 rights 02-2198 & 02-2167 need
to be limited. They are the latest rights
in the system belonging to 5 J's Inc.It appears that the only measurement
taken of the total capacity of the system
was measured with a "FH" meter in
a ~~the~~ concrete ditch. The majority of
the rights were calculated from the
number of sprinkler holes or spouting
meter out of the canal.Since there are only three users from
the system, there shouldn't be any
problems.It wouldn't hurt to have another
measurement for this system

MICROFILMED

AUG 16 1994

9-275
January 1952

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY
WATER RESOURCES DIVISION

Date 1/25 DISCHARGE MEASUREMENT NOTES

Abbe Point & Camps River at Point # 29.11 & 30.36 1420302

Angle coef.	Dist. from Initial Point	Width	Depth	Time in seconds	Revolutions	Discharge	Area	Adjusted for angle or	VELOCITY	Mean in vertical	At point	Time in seconds	Revolutions	Discharge	Area	Adjusted for angle or
	2.0	7.5	6.0	2.1	1.28	2.53	2.0									
	2.5	8.0	6.0	2.1	1.28	2.53	2.1									
	3.0	8.5	6.0	2.1	1.28	2.53	2.2									
	3.5	9.0	6.0	2.1	1.28	2.53	2.3									
	4.0	9.5	6.0	2.1	1.28	2.53	2.4									
	4.5	10.0	6.0	2.1	1.28	2.53	2.5									
	5.0	10.5	6.0	2.1	1.28	2.53	2.6									
	5.5	11.0	6.0	2.1	1.28	2.53	2.7									
	6.0	11.5	6.0	2.1	1.28	2.53	2.8									
	6.5	12.0	6.0	2.1	1.28	2.53	2.9									
	7.0	12.5	6.0	2.1	1.28	2.53	3.0									
	7.5	13.0	6.0	2.1	1.28	2.53	3.1									
	8.0	13.5	6.0	2.1	1.28	2.53	3.2									
	8.5	14.0	6.0	2.1	1.28	2.53	3.3									
	9.0	14.5	6.0	2.1	1.28	2.53	3.4									
	9.5	15.0	6.0	2.1	1.28	2.53	3.5									
	10.0	15.5	6.0	2.1	1.28	2.53	3.6									
	10.5	16.0	6.0	2.1	1.28	2.53	3.7									
	11.0	16.5	6.0	2.1	1.28	2.53	3.8									
	11.5	17.0	6.0	2.1	1.28	2.53	3.9									
	12.0	17.5	6.0	2.1	1.28	2.53	4.0									
	12.5	18.0	6.0	2.1	1.28	2.53	4.1									
	13.0	18.5	6.0	2.1	1.28	2.53	4.2									
	13.5	19.0	6.0	2.1	1.28	2.53	4.3									
	14.0	19.5	6.0	2.1	1.28	2.53	4.4									
	14.5	20.0	6.0	2.1	1.28	2.53	4.5									
	15.0	20.5	6.0	2.1	1.28	2.53	4.6									
	15.5	21.0	6.0	2.1	1.28	2.53	4.7									
	16.0	21.5	6.0	2.1	1.28	2.53	4.8									
	16.5	22.0	6.0	2.1	1.28	2.53	4.9									
	17.0	22.5	6.0	2.1	1.28	2.53	5.0									
	17.5	23.0	6.0	2.1	1.28	2.53	5.1									
	18.0	23.5	6.0	2.1	1.28	2.53	5.2									
	18.5	24.0	6.0	2.1	1.28	2.53	5.3									
	19.0	24.5	6.0	2.1	1.28	2.53	5.4									
	19.5	25.0	6.0	2.1	1.28	2.53	5.5									
	20.0	25.5	6.0	2.1	1.28	2.53	5.6									
	20.5	26.0	6.0	2.1	1.28	2.53	5.7									
	21.0	26.5	6.0	2.1	1.28	2.53	5.8									
	21.5	27.0	6.0	2.1	1.28	2.53	5.9									
	22.0	27.5	6.0	2.1	1.28	2.53	6.0									
	22.5	28.0	6.0	2.1	1.28	2.53	6.1									
	23.0	28.5	6.0	2.1	1.28	2.53	6.2									
	23.5	29.0	6.0	2.1	1.28	2.53	6.3									
	24.0	29.5	6.0	2.1	1.28	2.53	6.4									
	24.5	30.0	6.0	2.1	1.28	2.53	6.5									
	25.0	30.5	6.0	2.1	1.28	2.53	6.6									
	25.5	31.0	6.0	2.1	1.28	2.53	6.7									
	26.0	31.5	6.0	2.1	1.28	2.53	6.8									
	26.5	32.0	6.0	2.1	1.28	2.53	6.9									
	27.0	32.5	6.0	2.1	1.28	2.53	7.0									
	27.5	33.0	6.0	2.1	1.28	2.53	7.1									
	28.0	33.5	6.0	2.1	1.28	2.53	7.2									
	28.5	34.0	6.0	2.1	1.28	2.53	7.3									
	29.0	34.5	6.0	2.1	1.28	2.53	7.4									
	29.5	35.0	6.0	2.1	1.28	2.53	7.5									
	30.0	35.5	6.0	2.1	1.28	2.53	7.6									
	30.5	36.0	6.0	2.1	1.28	2.53	7.7									
	31.0	36.5	6.0	2.1	1.28	2.53	7.8									
	31.5	37.0	6.0	2.1	1.28	2.53	7.9									
	32.0	37.5	6.0	2.1	1.28	2.53	8.0									
	32.5	38.0	6.0	2.1	1.28	2.53	8.1									
	33.0	38.5	6.0	2.1	1.28	2.53	8.2									
	33.5	39.0	6.0	2.1	1.28	2.53	8.3									
	34.0	39.5	6.0	2.1	1.28	2.53	8.4									
	34.5	40.0	6.0	2.1	1.28	2.53	8.5									
	35.0	40.5	6.0	2.1	1.28	2.53	8.6									
	35.5	41.0	6.0	2.1	1.28	2.53	8.7									
	36.0	41.5	6.0	2.1	1.28	2.53	8.8									
	36.5	42.0	6.0	2.1	1.28	2.53	8.9									
	37.0	42.5	6.0	2.1	1.28	2.53	9.0									
	37.5	43.0	6.0	2.1	1.28	2.53	9.1									
	38.0	43.5	6.0	2.1	1.28	2.53	9.2									
	38.5	44.0	6.0	2.1	1.28	2.53	9.3									
	39.0	44.5	6.0	2.1	1.28	2.53	9.4									
	39.5	45.0	6.0	2.1	1.28	2.53	9.5									
	40.0	45.5	6.0	2.1	1.28	2.53	9.6									
	40.5	46.0	6.0	2.1	1.28	2.53	9.7									
	41.0	46.5	6.0	2.1	1.28	2.53	9.8									
	41.5	47.0	6.0	2.1	1.28	2.53	9.9									
	42.0	47.5	6.0	2.1	1.28	2.53	10.0									
	42.5	48.0	6.0	2.1	1.28	2.53	10.1									
	43.0	48.5	6.0	2.1	1.28	2.53	10.2									
	43.5	49.0	6.0	2.1	1.28	2.53	10.3									
	44.0	49.5	6.0	2.1	1.28	2.53	10.4									
	44.5	50.0	6.0	2.1	1.28	2.53	10.5									
	45.0	50.5	6.0	2.1	1.28	2.53	10.6									
	45.5	51.0	6.0	2.1	1.28	2.53	10.7									
	46.0	51.5	6.0	2.1	1.28	2.53	10.8									
	46.5	52.0	6.0	2.1	1.28	2.53	10.9									
	47.0	52.5	6.0	2.1	1.28	2.53	11.0									
	47.5	53.0	6.0	2.1	1.28	2.53	11.1									
	48.0	53.5	6.0	2.1	1.28	2.53	11.2									
	48.5	54.0	6.0	2.1	1.28	2.53	11.3									
	49.0	54.5	6.0	2.1	1.28	2.53	11.4									
	49.5	55.0	6.0	2.1	1.28	2.53	11.5									
	50.0	55.5	6.0	2.1	1.28	2.53	11.6									
	50.5	56.0	6.0	2.1	1.28	2.53	11.7									
	51.0	56.5	6.0	2.1	1.28	2.53	11.8									
	51.5	57.0	6.0	2.1	1.28	2.53	11.9									
	52.0	57.5	6.0	2.1	1.28	2.53	12.0									
	52.5	58.0	6.0	2.1	1.28	2.53	12.1									
	53.0	58.5	6.0	2.1	1.28	2.53	12.2									
	53.5	59.0	6.0	2.1	1.28	2.53	12.3									
	54.0	59.5	6.0	2.1	1.28	2.53	12.4									
	54.5	60.0	6.0	2.1	1.28	2.53	12.5									
	55.0	60.5	6.0	2.1	1.28	2.53	12.6									
	55.5	61.0	6.0	2.1	1.28	2.53	12.7									
	56.0	61.5	6.0	2.1	1.28	2.53	12.8									
	56.5	62.0	6.0	2.1	1.28	2.53	12.9									
	57.0	62.5	6.0	2.1	1.28	2.53	13.0									
	57.5	63.0	6.0	2.1	1.28	2.53	13.1									
	58.0	63.5	6.0	2.1	1.28	2.53	13.2									

State of Idaho

POOR ORIGINAL

License and Certificate of Water Right

Water License No. 30913

Priority January 17, 1963

Amount 2.38 c. f. s.

THIS IS TO CERTIFY that Cameron Dale Jones-Assignee-Five J's, Inc.

of Nampa, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated January 17, 1963; that Permit No. 30913 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 3.2 second feet, was issued thereunder on October 13, 1966, showing that said works were completed on the 16th day of September, 1966; and that on the 10th day of February, 1967, Ellen M. Jones

of Nampa, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of Snake River

a tributary of Columbia River for the purpose of irrigation under Use Permit No. 30913 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume of Records at Boise, on the 26 day of June, 1968.

The right hereby confirmed dates from

January 17, 1963

The Point of Diversion is located

in the SW 1/4 NW 1/4, Sec. 22, Twp. 1 N., R. 3 W., B.M. Canyon County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.38 cubic feet per second.

Description and location of use:

Range	Section	Party-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated	
1 N	3 W	10	NE 1/4 NE 1/4	40	39
			NW 1/4 NE 1/4	40	39
			S 1/2 NE 1/4	80	80
Total number of acres irrigated:					158

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 26 day of June, 1968.

R. L. Kidd
State Reclamation Engineer

02-2198

30913

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 30913

REPORT ON PROOF OF Beneficial Use

12/19/67

APR 1 2 1968
MICHOIGAN

30913

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

POOR ORIGINAL

REPORT OF EXAMINER

Permit No. 30913

This proof is for Beneficial Use

In Water District No.

1. Name of applicant Ellen M. Jones

2. Source of water supply: Snake River

3. Location of point of diversion: Is in the SW1/4NW1/4 of Section 22

T. 1 N R. 3 W County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same:

FROM RIVER PUMPS THROUGH PEN STOCK - THROUGH
CONCRETE DITCH TO STORAGE RESERVOIR - DISTRIBUTION BY
75 HP US HELIOSHAFT WATER # 3608303; 1 1/2 B VERT
TURBINE # 44096, 10" DISCHARGE, 150 HP
US HELIOSHAFT # 1167055, 1 1/2 B VERT # 440582

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):

NE1/4, Sec. 10, T. 1 N, R. 3 W, B.M. (160 acres)

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

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

Remarks:

5. 1/2 - HALF WHEEL WHEEL 1/32" PAINTED 30 @ 62165

$$Q = \frac{(330)(5.50 \text{ ft})}{1.488 \text{ ft}^3/\text{sec}} = 1.09 \text{ cfs}$$

NOTE RESULTS: 30500, 30300, 24182

This examination was made on the day of 19 67

(Signed) Examiner.

Adv OK
DW.

1/34

1/2

BEET 39
5 34
RAINF RD 30
TO 40

78

80

158

PHOTO WITH PERMIT # 29492

AREA - 58 ACRES

SUBD - A

Q - ALLOW .753" / A OR 2.378 f.s. (2.38)

↓
PUMP NUMBER

Morris - Noble - Jones RIVER PUMPS

- 6) 200 HP US HOLLOSHAFT # 1319346
L 4 B VERT TURBINE PUMP # 49237
10" DISCHARGE INTO 16" PIPESTOCK INTO 20"
- 5) 200 HP US HOLLOSHAFT # 1217728
WORTHINGTON VERT TURBINE PUMP # 8593
10" DISCHARGE INTO 16" PIPESTOCK INTO 20"
- 9) 100 HP. US HOLLOSHAFT # 1293884
WORTHINGTON VERT TURBINE PUMP # 8594
8" DISCHARGE INTO 16" PIPESTOCK INTO 20"
- 7) 300 HP. U.S. HOLLOSHAFT # 1266433
WINTROATH VERT TURBINE PUMP # 10389
10" DISCHARGE INTO 20" PIPESTOCK
- 1) 150 HP US HOLLOSHAFT # 1263849
WINTROATH VERT TURBINE PUMP # 10335
8" DISCHARGE INTO 20" PIPESTOCK
- 2) 150 HP US HOLLOSHAFT FLEC MOTOR
WINTROATH VERT TURBINE PUMP
8" DISCHARGE INTO 20" PIPESTOCK

MICROFILMED

AUG 16 1994

30360

Pump number

Morris - Noble - Jones

River Pumps —

- 1) 150 HP US HOLLOSHAFT # 1263850
WINTROATH VERT TURBINE PUMP # 10336
8" DISCHARGE INTO A 20" PIPESOCK
- 3) 150 HP US HOLLOSHAFT # 1207695-
WINTROATH VERT TURBINE PUMP # 10337
8" DISCHARGE INTO 20" PIPESOCK
- 8) 300 HP US HOLLOSHAFT # 1280354
WINTROATH VERT TURBINE PUMP # 10388

NOTE # 5 C # 2 OFF

MICROFILMED

AUG 16 1994

30360

220913

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.

Route 4, Box 246, *Snake River, Pocatello, Idaho*
Nampa, Idaho *canal ditch, sprinkler system*
Permit No. 30913 *gorge, Morris, North ditch*
Examination for Beneficial Use

County Canyon

Quantity: 3.2 c.f.s. Sec. 22 T. 1 N. R. 3 W

Source: Snake River

P.D.: SW1/4NW1/4, Sec. 22, T. 1 N, R. 3 W, B.M.

Use: irrigation

Extension:

Protest:

Completion of Works: Sept. 16, 1966

Other Rights:

Filed: Jan. 17, 1963

Due: Jan. 25, 1974

Made: Feb. 10, 1967

Priority: Jan. 17, 1963

RECORDED
JAN 21 1964

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

02-2198	
I.D. No.	Map No.
\$ <u>107.00</u>	<u>20218</u>
Fee Paid	Receipt No.

Notice is hereby given that FIVE J'S, INC. c/o Mrs. Ellen Hodge
(Name of Claimant)
Route 1, Weiser, ID 83672 Telephone No. 549-2611
(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) 1/17/1963

(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 2.38 cfs Use irrigation 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) 2.38 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source SW $\frac{1}{4}$ NW $\frac{1}{4}$
Sec. 22, Twp. 1N, Rge. 3W, B.M., Canyon 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. Total 700 HP - 3 pumps - 8 sprinkler systems

(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.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>1N</u>	<u>3W</u>	<u>10</u>	<u>39</u>	<u>39</u>	<u>40</u>	<u>40</u>													<u>158</u>

Total no. of acres 158

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.
JKN ☐ 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. 02-2198

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.

September 17, 1981
(Date)

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

Individual _____
(Signature of Claimant)
Organization _____
(Signature of Spouse)

(Signature of Authorized Agent)

On this 17th day of September, in the year 1981 before me
a notary public, personally appeared Mrs. Ellen Hodge

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 life Notary Public residing at Boise, Idaho