



## State of Idaho

### DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

April 10, 2000

Duane Pancheri  
19010 S. Can-Ada Road  
Melba, ID 83641

*Initial Butte Farms*

*02-02341*

*02-02358*

*02-02420*

Dear Mr. Pancheri:

Thank you for considering including your pumping site in our cooperative study with the U. S. Geological Survey (USGS). The data from this study will be used to help us more accurately estimate the total water use by all water users in the State of Idaho. We have updated our estimates of water use approximately every five years since the creation of the Idaho Water Resource Board in 1965.

Although the USGS will be measuring your pumping rate, we are concerned with obtaining accurate estimates of water diversion and use by entire basin and not by individual user. Your diversion rate will be used to estimate all other diversions in your area.

Also please be assured that this study has no relationship to the ongoing Snake River adjudication. You have licensed rights that are intact and those field exams and associated rates of diversion are legal evidence of your water use and right to divert water.

In fact your assistance will help us in our effort to protect Idaho's use of Snake River waters. Our planning studies will document and quantify current water use, which in turn serves to establish and preserve this use when others may wish to appropriate our waters.

We appreciate your help in this effort and please feel free to call me at 327-7989 if you have questions or wish to discuss this further.

Sincerely,

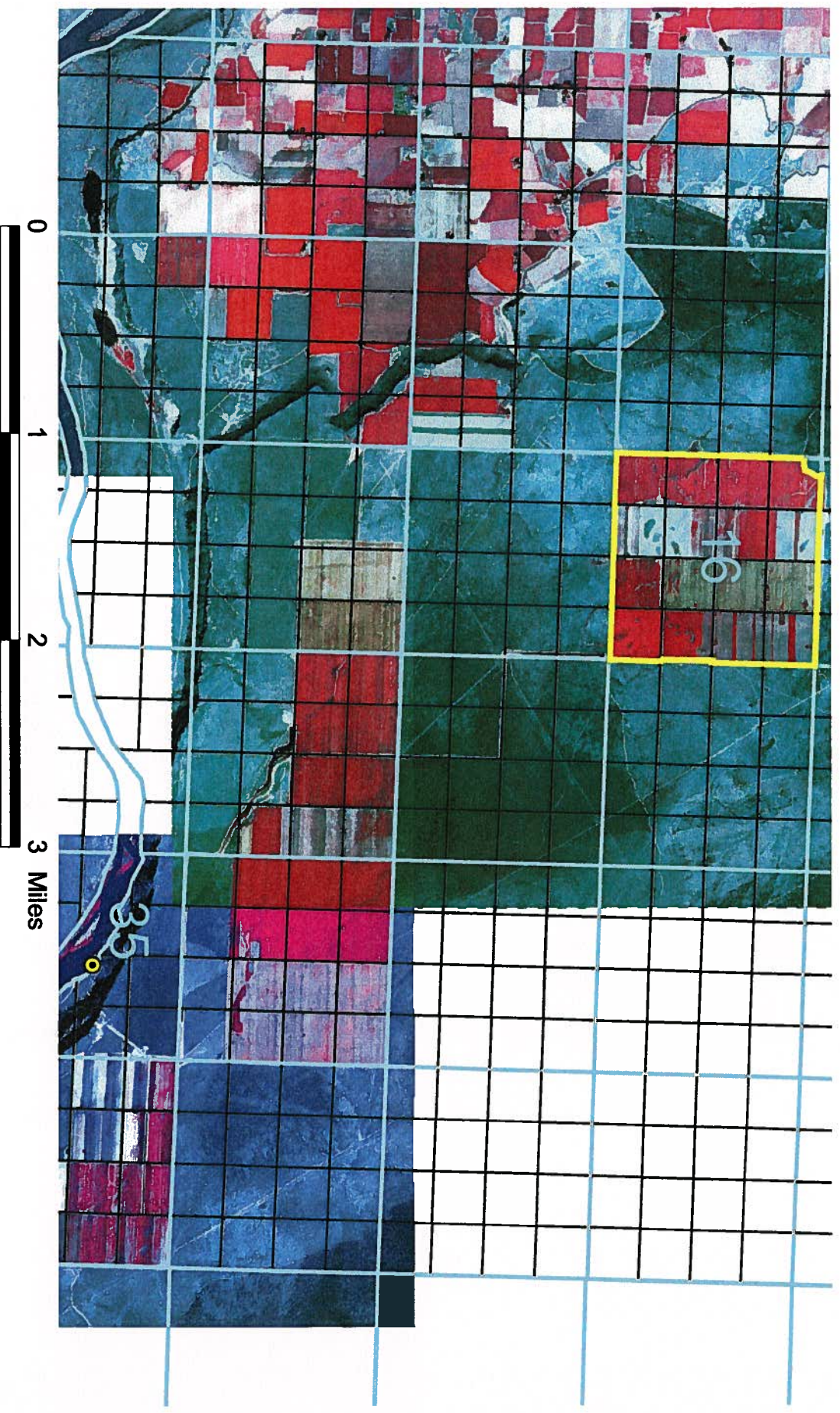
Bob Sutter

Hydrology Section Manager

Copies: Molly Maupin, Project Manager, USGS

Don Shaff, IDWR Adjudications Section Manager ✓

# Idaho Department of Water Resources

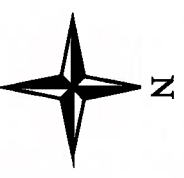


Claim Number: 02-02341

Legal: T01S, R01W, S16 & 35

Reviewed By: BTD 5/23/05

- 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 02-2341  
Date Received: 5/25/1989  
Receipt No: C007048  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

UNITED WATER IDAHO INC  
8248 VICTORY RD  
PO BOX 190420  
BOISE ID USA 83719-0420

Phone: (208) 362-7325

2. Date of Priority: 12/28/1964

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 |
|----------|-------|---------|-----------------------|--------|------|
| 01S      | 01W   | 35      | SW NE 4               | ADA    |      |

5. Description of diverting works:

4 PUMPS IN RIVER

6. Water is used for the following purposes:

| Purpose    | From | To    | C.F.S. | (or) A.F.A |
|------------|------|-------|--------|------------|
| IRRIGATION | 3/15 | 11/15 | 12.52  | 2817       |

7. Total Quantity Appropriated is:  
12.52 C.F.S. and/or 2817 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 |
|---------------|-------|---------|------------|-----|------------|-------|
| 01S           | 01W   | 16      | NE         | NE  | IRRIGATION | 39    |
|               |       |         | NW         | NE  | IRRIGATION | 39    |
|               |       |         | SW         | NE  | IRRIGATION | 40    |
|               |       |         | SE         | NE  | IRRIGATION | 39    |
|               |       |         | NE         | NW  | IRRIGATION | 39    |
|               |       |         | NW         | NW  | IRRIGATION | 37    |
|               |       |         | SW         | NW  | IRRIGATION | 39    |
|               |       |         | SE         | NW  | IRRIGATION | 40    |
|               |       |         | NE         | SW  | IRRIGATION | 40    |
|               |       |         | NW         | SW  | IRRIGATION | 39    |
|               |       |         | SW         | SW  | IRRIGATION | 39    |
|               |       |         | SE         | SW  | IRRIGATION | 39    |
|               |       |         | NE         | SE  | IRRIGATION | 39    |
|               |       |         | NW         | SE  | IRRIGATION | 40    |
|               |       |         | SW         | SE  | IRRIGATION | 39    |
|               |       |         | SE         | SE  | IRRIGATION | 39    |
| Section Acres |       |         |            |     |            | 626   |
| Total Acres   |       |         |            |     |            | 626   |

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

Ownership changed by DH 11/12/2002

Ownership changed by DH 4/18/2003

THIS RT. WHEN COMBINED WITH RTS. 02-2358 & 02-2420 SHALL NOT EXCEED 35.21 CFS.

15. Basis of Claim: License

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

**RECEIVED****JUL 16 2002****WATER RESOURCES  
WESTERN REGION**

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

1. 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<br>Right No(s). | Adjudication<br>Claim No(s). | Split                    | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split                    |
|-----------------------|------------------------------|--------------------------|-----------------------|------------------------------|--------------------------|
| 02-02341              | A02-02341                    | <input type="checkbox"/> |                       |                              | <input type="checkbox"/> |
| 02-02358              | A02-02358                    | <input type="checkbox"/> |                       |                              | <input type="checkbox"/> |
| 02-02420              | A02-02420                    | <input type="checkbox"/> |                       |                              | <input type="checkbox"/> |
|                       |                              | <input type="checkbox"/> |                       |                              | <input type="checkbox"/> |
|                       |                              | <input type="checkbox"/> |                       |                              | <input type="checkbox"/> |

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. N/A
- 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) Southwest Inc.-c/o Gene Stunz-824 Reece Ave, Nyssa, OR 97913  
Duane & Laura Pancheri-19010 S. Canada Rd, Melba, ID 83614
4. New Owner/Claimant(s) United Water Idaho Inc.  
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 8248 Victory Road
- City, State and ZIP Code Boise, ID 83709
- New Telephone Number (208) 362-7325
5. Date you acquired the property June 26, 2002

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<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| Total                                                                                                                   | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(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) President, United Water Idaho Inc.

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.

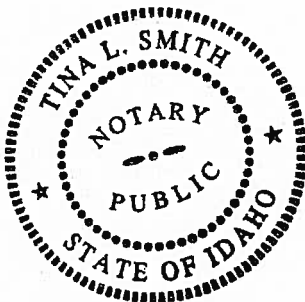
For Office Use Only: Received by DH Date 7-16-02 Fee 0  
 Received by \_\_\_\_\_ Date \_\_\_\_\_ Receipt No. \_\_\_\_\_  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_



STATE OF IDAHO )  
 ) ss.  
County of Ada )

On this 26<sup>th</sup> day of June, in the year 2002, before me, a Notary Public in and for the State of Idaho, personally appeared Gene Stunz and Rosemary Henigson, of Southwest, Inc., known or identified to me to be the president and secretary of the corporation that executed the instrument or the person or persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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



Tina L. Smith  
Notary Public for Idaho  
Residing at: Boise  
My commission expires: 7-25-05

## EXHIBIT A

### Legal Description of Real Property to Which the Water Rights Are Appurtenant

Water Right No. 02-02341: All of Section 16, Township 1 South, Range 1 West, B.M., Ada County, on 626 acres.

Water Right No. 02-02358: NW $\frac{1}{4}$  and N $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 26; N $\frac{1}{2}$  and NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 27; and NE $\frac{1}{4}$  of Section 28, all in Township 1 South, Range 1 West, B.M., Ada County, on 725 acres.

Water Right No. 02-02420: NE $\frac{1}{4}$  and N $\frac{1}{2}$ SE $\frac{1}{4}$  in Section 26; and N $\frac{1}{2}$  and SE $\frac{1}{4}$  of Section 36, all in Township 1 South, Range 1 West, B.M., Ada County, on 704 acres.

WZLD.ML

ADA COUNTY RECORDER  
J. DAVID NAVARRO  
BOISE, IDAHO

RECORDED - REQUEST OF

FEE 9- *Chad Davis* DEPOSIT

When recorded return to:

2002 JUN 26 PM 12:07

102071817

FIRST AMERICAN

GIVENS PURSLEY LLP  
277 North Sixth Street, Suite 200  
P.O. Box 2720  
Boise, Idaho 83701-2720  
Attn: Deborah E. Nelson

### WATER RIGHT GENERAL WARRANTY DEED AND ASSIGNMENT

FOR VALUE RECEIVED, Duane Pancheri and Laura Pancheri, husband and wife, whose address is 19010 South Canada Road, Melba, Idaho 83614 ("Grantors"), do hereby grant, bargain, sell, convey, and assign unto United Water Idaho Inc., an Idaho corporation whose address is 8248 Victory Road, Boise, Idaho 83709 ("Grantee"), all of Grantors' right, title and interest in and to the water right represented by Water Right License Number 02-02358 and Snake River Basin Adjudication ("SRBA") Claim Number A02-02358 (the "Water Right"), and also assigns such license and SRBA claim to Grantee. The Water Right heretofore has been diverted and beneficially used by Grantors and is appurtenant to real property located in Ada County, Idaho, more particularly described on Exhibit A attached hereto.

TO HAVE AND TO HOLD the Water Right unto the Grantee, its successors and assigns, forever.

The Idaho Department of Water Resources shall be entitled to enter the change in ownership of the Water Right effected hereby upon its records and those of the Snake River Basin Adjudication, Fifth Judicial District, in the State of Idaho, in and for the County of Twin Falls, Case No. 39576.

IN WITNESS WHEREOF, the Grantors have caused the Grantors' names to be subscribed to the within instrument effective the 26<sup>th</sup> day of June, 2002.

GRANTORS: DUANE PANCHERI

*Duane Pancheri*

LAURA PANCHERI

*Laura Pancheri*

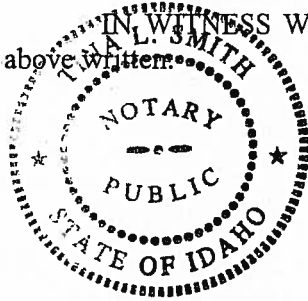
WATER RIGHTS GENERAL WARRANTY DEED AND ASSIGNMENT - 1

S:\clients\30\116\General Warranty Deed

STATE OF IDAHO     )  
                                  ) ss.:  
County of Ada         )

On this 20<sup>th</sup> day of June, 2002, before me, a Notary Public of the State of Idaho, appeared Duane Pancheri, known or identified to me to be the person who executed the foregoing instrument and acknowledged to me that they executed same.

IN WITNESS WHEREOF I have hereunto set my hand and seal as of the date and year first above written.

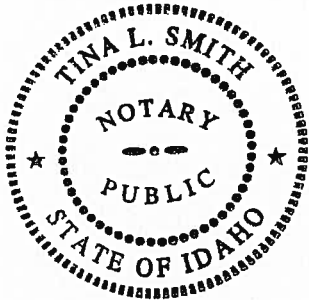


Tina L. Smith  
Notary Public of the State of Idaho  
Residing at: Boise  
My Commission Expires: 7-25-05

STATE OF IDAHO     )  
                                  ) ss.:  
County of Ada         )

On this 20<sup>th</sup> day of June, 2002, before me, a Notary Public of the State of Idaho, appeared Laura Pancheri, known or identified to me to be the person who executed the foregoing instrument and acknowledged to me that they executed same.

IN WITNESS WHEREOF I have hereunto set my hand and seal as of the date and year first above written.



Tina L. Smith  
Notary Public of the State of Idaho  
Residing at: Boise  
My Commission Expires: 7-25-05

## **EXHIBIT A**

### **Legal Description of Real Property to Which the Water Right Is Appurtenant**

Water Right No. 02-02358: NW $\frac{1}{4}$  and N $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 26; N $\frac{1}{2}$  and NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 27; and NE $\frac{1}{4}$  of Section 28, all in Township 1 South, Range 1 West, B.M., Ada County, on 725 acres.

2

12

YEAR 1987

4

9

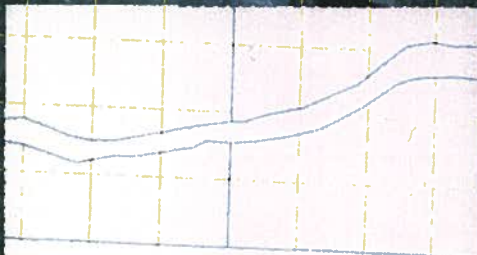
16

28

27

26

36





2

12

16

YEAR 2000

28

27

26

36

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 02-2341  
Date Received: 5/25/1989  
Receipt No: C007048  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SOUTHWEST INC  
PO BOX 2562  
NYSSA OR USA 97913

Phone: (541) 372-3921

2. Date of Priority: 12/28/1964

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 |
|----------|-------|---------|-----------------------|--------|------|
| 01S      | 01W   | 35      | SW NE 4               | ADA    |      |

5. Description of diverting works:

4 PUMPS IN RIVER

6. Water is used for the following purposes:

| Purpose    | From | To    | C.F.S. | (or) A.F.A |
|------------|------|-------|--------|------------|
| IRRIGATION | 3/15 | 11/15 | 12.52  | 2817       |

7. Total Quantity Appropriated is:  
12.52 C.F.S. and/or 2817 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 |
|---------------|-------|---------|-----|--------|-----|------------|-------|
| 01S           | 01W   | 16      | SE  | NE     |     | IRRIGATION | 39    |
|               |       |         | NE  | NW     |     | IRRIGATION | 39    |
|               |       |         | NW  | NW     |     | IRRIGATION | 37    |
|               |       |         | SW  | NW     |     | IRRIGATION | 39    |
|               |       |         | SE  | NW     |     | IRRIGATION | 40    |
|               |       |         | NE  | SW     |     | IRRIGATION | 40    |
|               |       |         | NW  | SW     |     | IRRIGATION | 39    |
|               |       |         | SW  | SW     |     | IRRIGATION | 39    |
|               |       |         | SE  | SW     |     | IRRIGATION | 39    |
|               |       |         | NE  | SE     |     | IRRIGATION | 39    |
|               |       |         | NW  | SE     |     | IRRIGATION | 40    |
|               |       |         | SW  | SE     |     | IRRIGATION | 39    |
|               |       |         | SE  | SE     |     | IRRIGATION | 39    |
|               |       |         | NE  | NE     |     | IRRIGATION | 39    |
|               |       |         | NW  | NE     |     | IRRIGATION | 39    |
|               |       |         | SW  | NE     |     | IRRIGATION | 40    |
| Section Acres |       |         |     |        |     |            | 626   |
| Total Acres   |       |         |     |        |     |            | 626   |

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

Ownership changed by DH 11/12/2002

THIS RT. WHEN COMBINED WITH RTS. 02-2358 & 02-2420 SHALL NOT EXCEED 35.21 CFS.

15. Basis of Claim: License

Contact: Gene Stunz

(541) 372-3921

Will be difficult to  
contact after 7-13-00.

# STATE OF IDAHO

## IDAHO DEPARTMENT OF WATER RESOURCES

### NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

**RECEIVED**  
**JUN 23 2000**  
WATER RESOURCES  
DIVISION

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

|                           | SEC. 16<br>02-2341<br>32159 | SEC. 26<br>02-2358<br>02-2420 | SEC. 36<br>02-2420 | DOMESTIC WELL<br>SEC. 36 |
|---------------------------|-----------------------------|-------------------------------|--------------------|--------------------------|
| 1. Water Right No(s):     |                             |                               |                    |                          |
| Adjudication Claim No(s): | A02-02341                   | A02-02420                     | A02-02420          | A63-15479                |

2. The following **REQUIRED** information must be submitted with this form:A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim 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**. **POINT OF DIVERSION IS IN SEC. 35**

3. Name and Address of Former Owner/Claimant

INITIAL BUTTE PARTNERSHIP (FORMERLY INITIAL BUTTE FARMS, INC.)  
Box 2562  
NYSSA, OR. 97913

4. New Owner/Claimant(s)

SOUTHWEST, INC.

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

Box 2562

City, State and ZIP Code

NYSSA, OR 97913

New Telephone Number

(541) 372-3921

**RECEIVED****JUN 19 2000**

Department of Water Resources

5. Date you acquired the property

AUGUST 11, 1999

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners.** If necessary, attach additional pages. 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.

|                                                                   |                                                        |
|-------------------------------------------------------------------|--------------------------------------------------------|
| SEC. 16 - 626 AC.; SEC. 26 - 464 AC.; SEC. 36 - 471 AC.           |                                                        |
| Number of acres you irrigate with this water right <u>26.5736</u> | Number and type of stock _____                         |
| Diversion rate in CFS _____                                       | Number of homes you acquired <u>1</u> Other uses _____ |

7. Signature of New Owner(s) or Claimant(s)

SOUTHWEST, INC.

By Gene Stung, PRESIDENT

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.

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RECORDED - REQUEST OF

9- (100) DEPT. 99081041  
FIRST AMERICAN

FA-130943

99081041  
FIRST AMERICAN

ALSO SUBJECT TO tenancy in common agreement for water, and maintenance provisions contained therein, recorded May 21, 1982, as Instrument No. 8221756, and amended by an Instrument recorded June 18, 1982, as Instrument No. 8226056, Official Records.

ALSO SUBJECT TO an oil and gas lease dated August 25, 1982, executed by United States Department of the Interior, Bureau of Land Management, as lessor, and by Cities Service Company, as lessee, for the period and upon the terms, conditions, and covenants therein contained, recorded October 21, 1982, as Instrument No. 8243608, Official Records, reference being hereby made to the record thereof for full particulars.

Assignment of said lease to CSC-PR Limited Partnership (49.71428%), CSC-ML 1982 Limited Partnership (28.57143%), CSC-NW 1982 Limited Partnership (13.71429%), CSC-AL 1982 Limited Partnership (3.428857%), CSC-JTT 1982 Limited Partnership (4.57143%), recorded December 5, 1982, as Instrument No. 8250889, Official Records. (Affects the N $\frac{1}{2}$ , and the N $\frac{1}{2}$ S $\frac{1}{2}$  of Sec. 26)

ALSO SUBJECT TO road rights of way for Swan Falls Road. (Affects Secs. 26 and 36.)

ALSO SUBJECT TO easement for a cattleguard over a portion of said premises as disclosed by permit for installation of cattleguard recorded January 24, 1991, as Instrument No. 9104116, Official Records. (Affects a portion of the SE $\frac{1}{4}$  of Sec. 36.)

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances belonging to the described property or in any manner appertaining to the property, the reversion and reversions, remainder and remainders, rents, issues, and profits of the property; and all estate, right, title, and interest in and to the property, as well in law as in equity.

TO HAVE AND TO HOLD, all and singular the described property together with the appurtenances to Grantee and Grantee's successors and assigns forever.

And Grantor and Grantor's successors and assigns shall and will warrant and, by these presents, forever defend the described property in the quiet and peaceable possession of Grantee, Grantee's successors and assigns, against Grantor and Grantor's successors and against all and every person and persons whomever, lawfully claiming the same.

IN WITNESS OF THE ABOVE, Grantor has set Grantor's hand and seal on the date first above written.

INITIAL BUTTE PARTNERSHIP

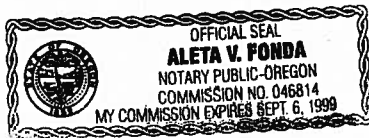
By Gene Stunz  
Gene Stunz, Managing Partner

By Rosemary Hennigson  
Rosemary Hennigson, Managing Partner

STATE OF OREGON     )  
                              )  
County of Malheur    )

ss.

On this 11<sup>th</sup> day of August, 1999, before me, Aleta V. Fonda, a Notary Public, personally appeared Gene Stunz and Rosemary Henigson, known to me to be two partners in the partnership of Initial Butte Partnership, who subscribed the partnership name to the foregoing instrument, and acknowledged to me that they executed the same in the partnership name.



Aleta V. Fonda  
Notary Public for Oregon  
Residing at Nyssa, OR  
My Commission Expires: 9/6/99

71817

H

HEL  
NU  
156.2

HEL  
NU  
150.8

HEL  
NU  
152.2

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NU  
154.8

17/16

16/15

14/13

27 26

T1793

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NW

242.9

HEL

2.26  
2398

27 25

27 26  
31 35

HEL

HEL

27 25  
35 36

24/25  
36

10133

NHE/10 70.9

NHE/10 118.7

T1804 154.1

NHE/10

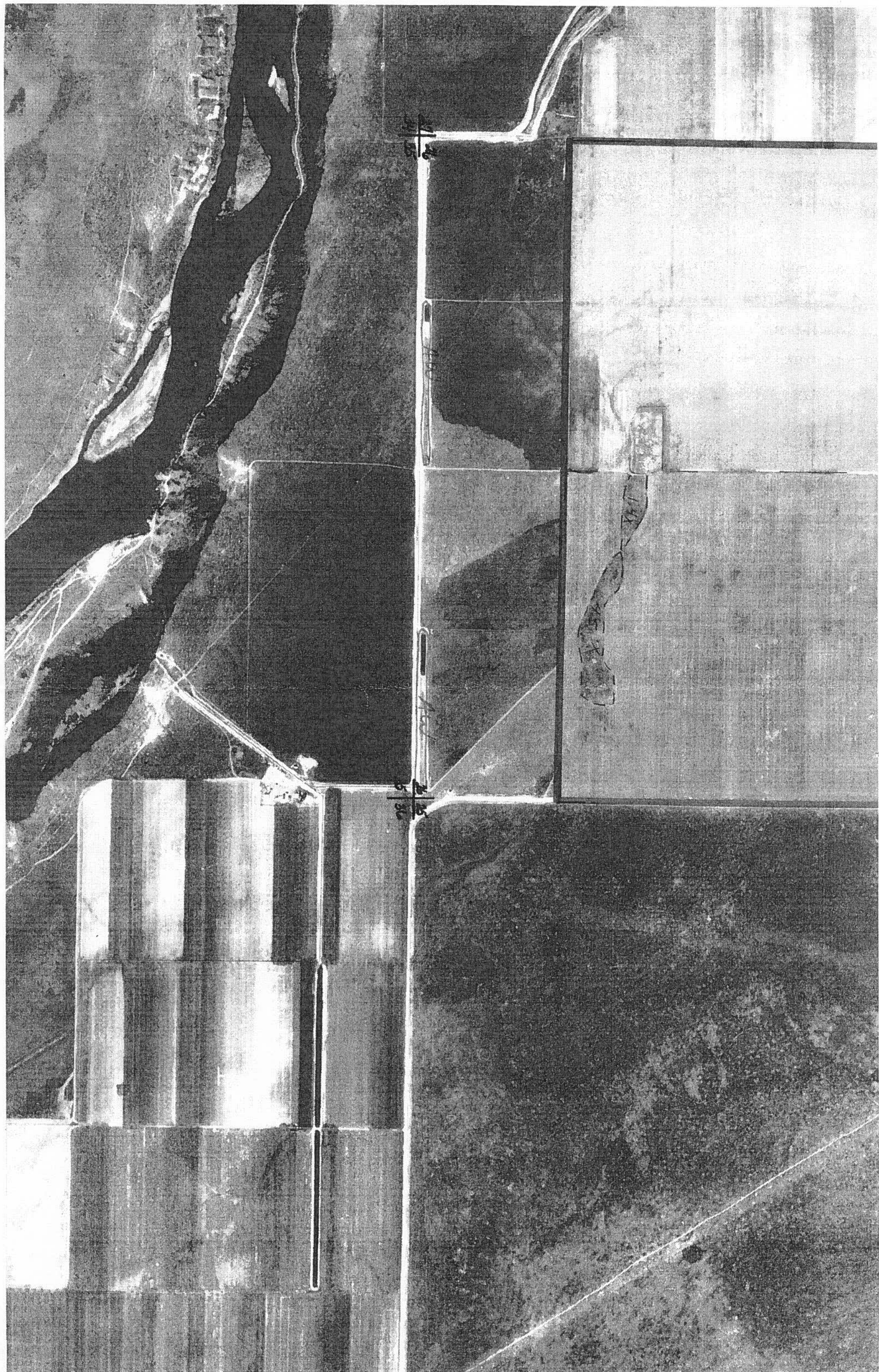
NHE/10 79.4

NHE/10 80.4

24/25  
36

NAPP 16001-4224

Swan



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: A02-02341  
Date Received: 5/25/1989  
Receipt No: C007048  
Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: INITIAL BUTTE PARTNERSHIP 503-889-6935  
Address: P.O. BOX 1565  
NYSSA, OR 97913

2. Date of Priority: DEC 28, 1964

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 |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 01S      | 01W   | 35      | SW     | NE     |     | 4   | ADA    |

5. Description of diverting works:  
4 PUMPS IN RIVER

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S  | (or) | A.F.A.  |
|------------|-------|-------|--------|------|---------|
| IRRIGATION | 03/15 | 11/15 | 12.520 |      | 2817.00 |

7. Total Quantity Appropriated is:  
12.520 C.F.S. (and/or) 2817.00 A.F.A.

8. Total consumptive use is 2191.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 01S      | 01W   | 16      | NE     | NE  |     | IRR | 39.0  |
|          |       |         | NW     | NE  |     | IRR | 39.0  |
|          |       |         | SW     | NE  |     | IRR | 40.0  |

A02-02341

Page 1

Date: 05/25/89

MICROFILMED  
AUG 07 1992

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 01S      | 01W   | 16      | SE     | NE  |     | IRR | 39.0  |
|          |       |         | NE     | NW  |     | IRR | 39.0  |
|          |       |         | NW     | NW  |     | IRR | 37.0  |
|          |       |         | SW     | NW  |     | IRR | 39.0  |
|          |       |         | SE     | NW  |     | IRR | 40.0  |
|          |       |         | NE     | SW  |     | IRR | 40.0  |
|          |       |         | NW     | SW  |     | IRR | 39.0  |
|          |       |         | SW     | SW  |     | IRR | 39.0  |
|          |       |         | SE     | SW  |     | IRR | 39.0  |
|          |       |         | NE     | SE  |     | IRR | 39.0  |
|          |       |         | NW     | SE  |     | IRR | 40.0  |
|          |       |         | SW     | SE  |     | IRR | 39.0  |
|          |       |         | SE     | SE  |     | IRR | 39.0  |

Section Acres 626.0

Total Acres 626.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:  
NONE

14. Remarks:  
THIS RT. WHEN COMBINED WITH RTS. 02-2358 & 02-2420 SHALL NOT  
EXCEED 35.21 CFS.

15. Basis of Claim: LICENSE  
Water Right Number: 32159

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: 0

For Organizations:

I do solemnly swear or affirm that I am A PARTNER of  
Title  
INITIAL BUTTE PARTNERSHIP, that I have signed the foregoing  
Organization  
document in the space below as A PARTNER of  
Title  
INITIAL BUTTE PARTNERSHIP and that the statements contained in the  
Organization  
foregoing document are true and correct.

[Signature]  
Signature of Authorized Agent

PARTNER - INITIAL BUTTE PARTNERSHIP  
Title and Organization

5/25/89  
Date

State of Idaho )  
County of ADA ) SS.

Subscribed and sworn (or affirmed) before me this 25<sup>TH</sup> day  
of MAY 19 89

[Signature]  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

Jeff Peppersack, Notary Public  
Residing at Boise, Idaho  
My Commission Expires Nov. 8, 1994



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

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

FAX (208) 334-2348

April 17, 2003

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

UNITED WATER IDAHO INC  
8248 VICTORY RD  
PO BOX 190420  
BOISE ID 83719-0420

Re: Notice of Claim to a Water Right No. 02-02341, 02-02420 & 02-2358

Dear Claimant(s):

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

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your water right. This claim was 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.

Please note claim number 02-2358 had been previously split due to another ownership change received, into claim numbers 02-10214 & 02-10215. However during review of the ownership change from Pancheri and Southwest Inc to United Water filed in July 2002, it was discovered that United Water has now obtained all of the acres claimed on the prior split. Therefore, we combined 02-10214 & 02-10215 back to the original number of 02-2358.

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

Sincerely,

Denise Hatfield  
Office Specialist 1  
Adjudication Section  
Western Region Office

DH: dh

Enclosure

RECEIVED

JUL 16 2002

WATER RESOURCES  
WESTERN REGION

LAW OFFICES  
277 North 6th Street, Suite 200  
PO Box 2720, Boise, Idaho 83701  
TELEPHONE: 208 388-1200  
FACSIMILE: 208 388-1300  
WEBSITE: www.givenspursley.com

Gary G. Allen  
Christopher J. Beeson  
Michael C. Creamer  
Jeffrey A. DeVoe  
Emily MacMaster Durkee  
Thomas E. Dvorak  
Roy Lewis Eiguren  
Timothy P. Feamside  
Jeffrey C. Fereday  
Steven J. Hippler  
Karl T. Klein  
Debora K. Kristensen  
Anne C. Kunkel

Franklin G. Lee  
David R. Lombardi  
D. David Lorello, Jr.  
Kevin T. Maloney  
Kimberly D. Maloney  
John M. Marshall  
Kenneth R. McClure  
Kelly Greene McConnell  
Cynthia A. Melillo  
Christopher H. Meyer  
Kendall L. Miller  
L. Edward Miller  
Patrick J. Miller

Judson B. Montgomery  
Angela K. Nelson  
Deborah E. Nelson  
W. Hugh O'Riordan  
Kenneth L. Pursley  
Brad V. Sneed  
Conley E. Ward  
Robert B. White

Raymond D. Givens  
James A. McClure  
Stephanie C. Westermeier  
OF COUNSEL

July 15, 2002

Idaho Department of Water Resources  
Western Region  
2735 Airport Way  
Boise, ID 83705

RE: Change in Water Right Ownership  
Water Right Nos. 02-2341, 02-2358, and 02-2420  
Our File No. 30-116

Dear IDWR Staff:

I am enclosing United Water Idaho's completed Notice of Change in Water Right Ownership for Water Right Nos. 02-2341, 02-2358, and 02-2420, with supporting documents: two deeds conveying the rights to United Water Idaho and two aerial photos showing irrigated acres for the years 1987 and 2000. Because the Legislature has waived the fee to file a Notice of Change in Water Right Ownership for any water right pending in the Snake River Basin Adjudication, no filing fee is enclosed.

Please contact me if you have any questions about the Notice or if you need further documentation.

Sincerely,



Deborah E. Nelson

Enclosures

cc: Scott Rhead (w/o enclosures)

DEN:kdt S:\Clients\30\116\corr\2002-07-15 DEN Ltr to IDWR re Ownership Change.doc

**Shurte, Jan**

---

**From:** Lester, Steve  
**Sent:** Friday, December 27, 2002 4:15 PM  
**To:** Shaff, Don; Shurte, Jan; Skaggs, Pam  
**Subject:** Application for Exchange

United Water ID filed an application for exchange involving 2-2341, 2-2358 and 2-2420. The ajclaims are the same except 2-2358 was recently split into 2-10214 and 2-10215. The applicant provided sufficient information for wr *and* aj records to be updated to United Water upon approval of the exchange.

The application is being processed. Statewide legal notices will run the last half of January with an early February protest deadline.

Exchanges are processed outside of Work Flow so an application id number is n/a. I created an electronic folder in the "Transfer\Western Region" site on A012 to store things. The e'folder name is "United Water 2-2341."

At this time, the legal notice and draft review memo are stored there. In the next week or so when the application is run through the advertising process, the application will be scanned to the e'folder.

Although parallel processing is not required, I used this technique to make information more readily available to Western aj staff, Western office day staff, and SO staff in lieu of copying the application etc.

Please let me know if you have any questions about this exchange application. The draft review memo tells the story if you are interested at this point.

Steve

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

|                                      |               |
|--------------------------------------|---------------|
| <u>02-2341</u><br><del>02-2342</del> | INITIAL POINT |
| I.D. No.                             | Map No.       |
| \$ <u>10.00</u>                      | <u>18838</u>  |
| Fee Paid                             | Receipt No.   |

Notice is hereby given that INITIAL BUTTE FARMS, INC.  
(Name of Claimant)

Box 277, Nampa, ID 83651 Telephone No. 467-2552  
(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) 12/28/1941
- (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 12.8 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 12.52 cfs Use \_\_\_\_\_ Period of Use From \_\_\_\_\_ To \_\_\_\_\_  
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)  
(Both dates inclusive)
- (4) 12.8 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 NE)  
Sec. 35, Twp. 1S, Rge. 1W, B.M., Ada County  
Additional Points: SCI: 2720(1) 452.6  
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.  
(4) 600 HP motor - 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 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    |                |
| <u>1S</u> | <u>1W</u> | <u>16</u> | <u>40</u> | <u>40</u> | <u>40</u> | <u>40</u> | <u>40</u> | <u>40</u> | <u>40</u> | <u>40</u> | <u>40</u> | <u>40</u> | <u>40</u> | <u>40</u> | <u>40</u> | <u>40</u> | <u>40</u> | <u>40</u> | <u>640 626</u> |
|           |           |           | <u>39</u> | <u>39</u> |           | <u>39</u> | <u>39</u> | <u>37</u> | <u>39</u> |           | <u>39</u> | <u>39</u> | <u>39</u> | <u>39</u> | <u>39</u> | <u>39</u> | <u>39</u> | <u>39</u> |                |
|           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |                |
|           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |                |
|           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |                |

Total no. of acres 640 626

- 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 This right to agree with license to be issued. THE MAXIMUM DIVERSION RATE UNDER THIS RIGHT WHEN COMBINED WITH 02-2358 & 02-2420 SHALL NOT EXCEED 35.2 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. 02-2341

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.

4/17/81 (Date) (Signature of Claimant)

State of IDAHO Organization Initial Butte Farms Inc  
County of ADA ss. By Byron Anderson VP  
Seal (Signature of Authorized Agent)

On this 17 day of APRIL, in the year 1981 before me  
a notary public, personally appeared BYRON ANDERSON  
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, ID 83731

State of Idaho  
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by 9/15/81Date 9/13/81Right No. 02-2341Claimant INITIAL BOTTE FARMS INC

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. Number if different than above \_\_\_\_\_☐ 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. Or, Name & location \_\_\_\_\_☐ 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. 1979 IND. FARM MAPS☐ Irrigation Company/District Records. ☐ In File. Or Name & location \_\_\_\_\_☐ Historical Books. Name(s) & location \_\_\_\_\_☐ Interview(s). Attach conversation memorandum.☒ Other Other. Went over findings with Byrum & Anderson, Pres.Field Exam Made 8/3/81

Date \_\_\_\_\_

Measurement 35.21 cfs. Amount recommended 12.52 cfs.Meter Type AA flow meter

Condition \_\_\_\_\_

Date \_\_\_\_\_ Time \_\_\_\_\_

Adjudication Photographs Used No. 1977-0-2 #2833-77-138Field Photographs Taken ☐ Yes ☒ NoMemorandum in file ☐ Yes ☒ No

Remarks RECOMMENDED ACREAGES REFLECT ROAD & DISCHARGES AT PERIMETERS  
& HALF-SECTION LINES OF SECTIONS & FARMSTEADS, BLOCS, ETC. NOT IRRIGATED

8/21/83

Sent rough draft file to Dave for review.

State of Idaho  
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 02-2341 Priority December 28, 1964 Amount 12.52 cfs

THIS IS TO CERTIFY, that Initial Butte Farms  
of Nampa, Idaho, has complied with the terms and conditions of Permit  
No. 02-2341 issued pursuant to Application for Permit dated December 28, 1964,  
and has submitted proof to the Department of Water Resources on December 17, 1979,  
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a  
capacity for the diversion of 35.21 cfs of water from Snake River,  
tributary to Columbia River, and that the permit holder has applied to a beneficial use and  
established a right to use water as follows:

| Beneficial Use    | Period of Use                              | Rate of Diversion       | Annual Volume           |
|-------------------|--------------------------------------------|-------------------------|-------------------------|
| <u>Irrigation</u> | from <u>March 15</u> to <u>November 15</u> | at <u>12.52</u> cfs and | <u>2817.0</u> acre feet |
|                   | from _____ to _____                        | at _____ cfs and        | _____                   |
|                   | from _____ to _____                        | at _____ cfs and        | _____                   |

(both dates inclusive)

Subject, however, to the condition that no more than 12.52 cfs of water be diverted at any one time, and  
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose  
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed  
2817.0 acre feet per year, said waters to be diverted within the Government Lot 4 (SW $\frac{1}{4}$ NE $\frac{1}{4}$ ),  
Section 35, Twp. 1S, Rge. 1W in the County of Ada

Description and location of place of use:

| Twp. | Range | Sec. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | Totals |
|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|      |       |      | 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 $\frac{1}{4}$ |        |
| 1S   | 1W    | 16   | 39               | 39               | 40               | 39               | 39               | 37               | 39               | 40               | 40               | 39               | 39               | 39               | 39               | 40               | 39               | 39               | 626    |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres irrigated 626

This right when combined with Rights 02-2358 and 02-2420 shall not exceed  
35.21 cfs.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho  
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use  
herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 2nd day of  
May, 19 83.

Acting for the Director

*Norman C. Young*

ROUGH DRAFT

Department of Water Resources

WATER RIGHT LICENSE

ROUGH DRAFT

License of Water Right No. 02-2341 Priority 12/28/41 64 Amount 12.52

THIS IS TO CERTIFY, that INTIA 1 BUTTE FARMS INC  
 of Box 277 Nampa 83651, has complied with the terms and conditions of Permit  
 No. \_\_\_\_\_ issued pursuant to Application for Permit dated \_\_\_\_\_,  
 and has submitted proof to the Department of Water Resources on \_\_\_\_\_,  
 that he has applied water to a beneficial use; an examination by the Department indicates that the works have a  
 capacity for the diversion of ~~35.72~~ 35.21 of water from Snake River,  
 tributary to Columbia River, and that the permit holder has applied to a beneficial use and  
 established a right to use water as follows:

| Beneficial Use                     | Period of Use | Rate of Diversion    | Annual Volume    |
|------------------------------------|---------------|----------------------|------------------|
| <u>Irrigation</u> from <u>5/15</u> | <u>11/15</u>  | <u>12.52</u> cfs and | <u>3130 2817</u> |
| _____ from _____                   |               | cfs and              |                  |
| _____ from _____                   |               | cfs and              |                  |

(both dates inclusive)

Subject, however, to the condition that no more than 12.52 of water be diverted at any one time, and  
 that the amount of water so diverted and to which such right is entitled and confirmed over the purpose  
 aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed  
3130 acre feet per year, and waters to be diverted within the SW NE (44) Sec 35  
T15 R1W in the County of Canyon

Description and location of place of use:

| Twp. | Range | Sec. | NEW |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | Totals |    |    |    |     |
|------|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|----|----|----|-----|
|      |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |    |    |    |     |
| 15   | 1W    | 16   | 39  | 39  | 40  | 39  | 39  | 37  | 34  | 40  | 40  | 39  | 39  | 39  | 39     | 40 | 39 | 39 | 626 |

Total number of acres irrigated 626

No more than 35.21 cfs shall be diverted under this  
 right and 02-2420 and 02-2358 combined.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho  
 Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this \_\_\_\_\_ day of

\_\_\_\_\_, 19 \_\_\_\_.

ROUGH DRAFT

Director

7 Nilial Butte Farms, +

P/O (20+5) SWNE, S. 35

T. 15

R. 1 W

# 02-2341

Permit No.

CONTACT WITH PERMIT HOLDER

DATE \_\_\_\_\_

INITIALS

REMARKS

✓ Appointment letter mailed:

Telephone call made:  
(List Telephone No. used)

Appointment scheduled for:  
(Date, time, location)

## EXAMINATION

EXAMINATION

Date 8/3/81 Accompanied by Byron Anderson Total Q measured ~~35.77~~ 35.2

If source is surface water, estimate total flow of source

Methods of measurement AA Flow meter Meets Permit requirements?

Measurement calculations:

Measurement calculations:

See attached discharge measurement notes. 626 acres  $\times 4.5 = 2817$   
Recommend 12.52 cfs 626 acres  $\times 1.02 = 12.52$  cfs

| WELL/DIVERSION*<br>NO. | HP  | MOTOR<br>MAKE | MOTOR<br>SERIAL NO. | PUMP<br>MAKE | PUMP<br>SERIAL NO. | MEASURING<br>DEVICE TYPE | CONDITION OF<br>MEAS. DEV. | REMARKS |
|------------------------|-----|---------------|---------------------|--------------|--------------------|--------------------------|----------------------------|---------|
|                        | 600 |               | 1403663             |              |                    |                          |                            |         |
|                        | 600 |               | 1381659             |              |                    |                          |                            |         |
|                        | 600 |               | 1385792             |              |                    |                          |                            |         |

## System Description

| System Description                                       | 100 | 150 | 200 |
|----------------------------------------------------------|-----|-----|-----|
| concrete ditch from outlet of penstock - sprinkler syste |     |     |     |

\*Code with map on reverse side. Disregard code if only one.

## RECOMMENDED AMOUNTS

USE

Irrigation requirement = 4.5 AFA/Acre

Q (cfs)

V (afa)

FROM

TC

irrigation

12.52

3130 2817

3/15      11/

Total

12.52

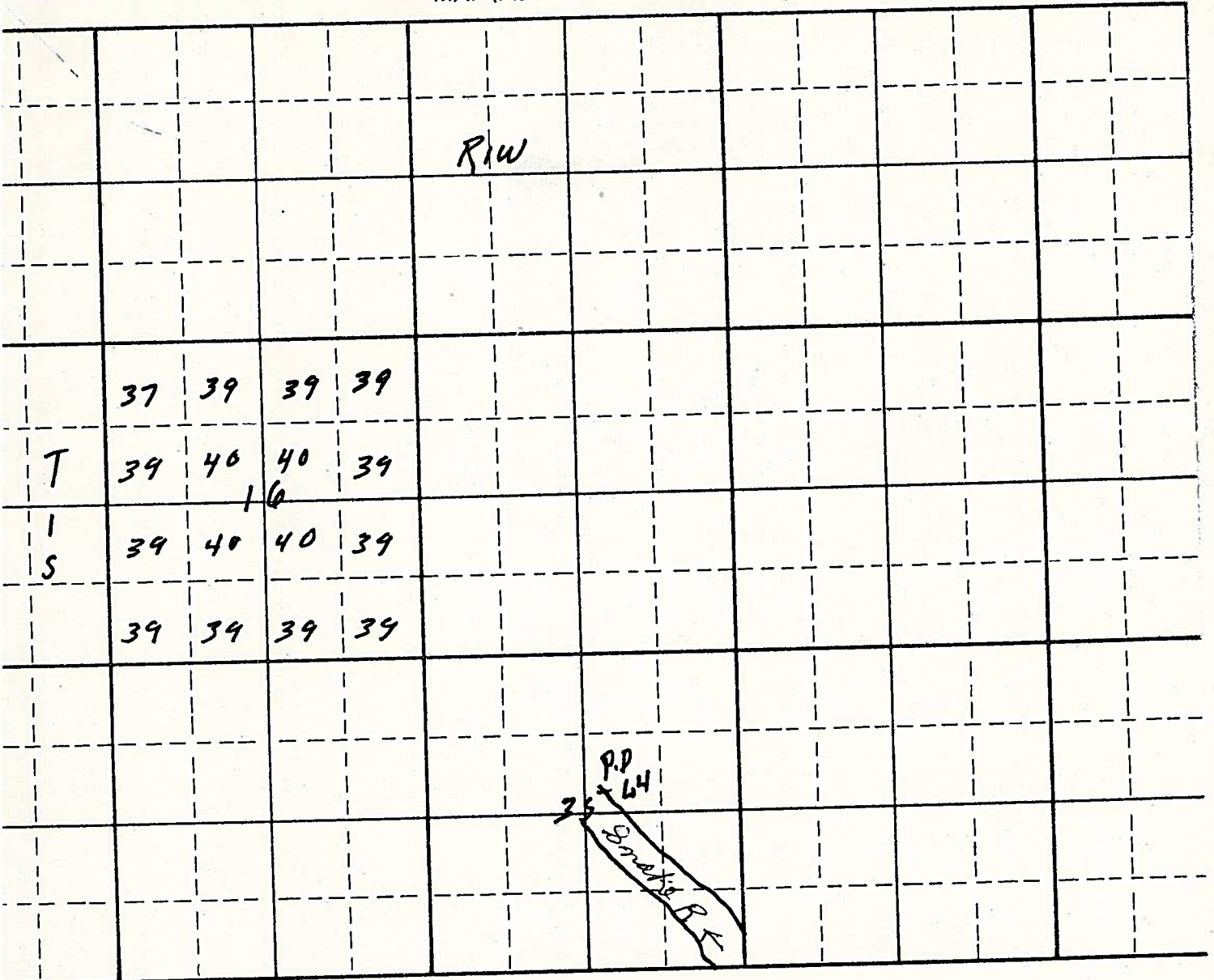
31302817

Remarks

Portion of the total it from the same source.

APR 1 1968  
MICHOIGAN

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: SW NE (44) Sec 35 T1S R1W

Place(s) of Use

| TWP. | RGE. | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|------|------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|      |      |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 1S   | 1W   | 16   | 39  | 39  | 40  | 39  | 39  | 37  | 39  | 40  | 40  | 39  | 39  | 39  | 39  | 40  | 39  | 39  | 626    |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Recommended Amendments:

- ☒ Change P.D. as reflected above      ☐ Add P.D. as reflected above  
☐ Change P.U. as reflected above      ☐ Add P.U. as reflected above

- ☐ None  
☐ Other

APR 1 2 1981

NICHOLSON

Signature

John K. Moyer

Date 8/11/81

Date 10/29/81

Date

POOR ORIGINAL.

9

116

D604.  
604.1, 79

37

39

39

9 10

16 15

39

39

40

40

39

514

40

816

39

40

40

39

02-2341

39

39

39

39

116

E.  
46.5

E.  
398

P.  
406

116 15

21

21 22

MICROFILMED  
AUG 16 1994

State of Idaho  
DEPARTMENT OF WATER RESOURCES  
FIELD REPORT

P/O (Lot 5) SWNE, S. 3  
T. 15  
R. 1 W

# 02 - 2341  
Permit No.

Need to be  
done July 10 or ABOUTS

see 2341 2358  
2420

CONTACT WITH PERMIT HOLDER

DATE INITIALS REMARKS

☒ NO Appointment letter mailed:

☐ Telephone call made:  
(List Telephone No. used)

☐ Appointment scheduled for:  
(Date, time, location)

EXAMINATION

Date 8/3/81 Accompanied by Byrum Anderson Total Q measured ~~35.77~~ 35.2  
If source is surface water, estimate total flow of source \_\_\_\_\_  
Methods of measurement FF Flow Meter Meets Permit requirements? \_\_\_\_\_

Measurement calculations:

See attached discharge measurement notes. 626 acres  $\times 4.5 = 2817$   
Recommend 12.52 cfs 626 acres  $\times .02 = 12.52 cfs$

| WELL/DIVERSION*<br>NO. | HP  | MOTOR<br>MAKE | MOTOR<br>SERIAL NO. | PUMP<br>MAKE | PUMP<br>SERIAL NO. | MEASURING<br>DEVICE TYPE | CONDITION OF<br>MEAS. DEV. | REMARKS |
|------------------------|-----|---------------|---------------------|--------------|--------------------|--------------------------|----------------------------|---------|
|                        | 600 |               | 1403663             |              |                    |                          |                            |         |
|                        | 600 |               | 1381659             |              |                    |                          |                            |         |
|                        | 600 |               | 1395792             |              |                    |                          |                            |         |

System Description 700 1367201  
concrete ditch from outlet of penstock - sprinkler system

\*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

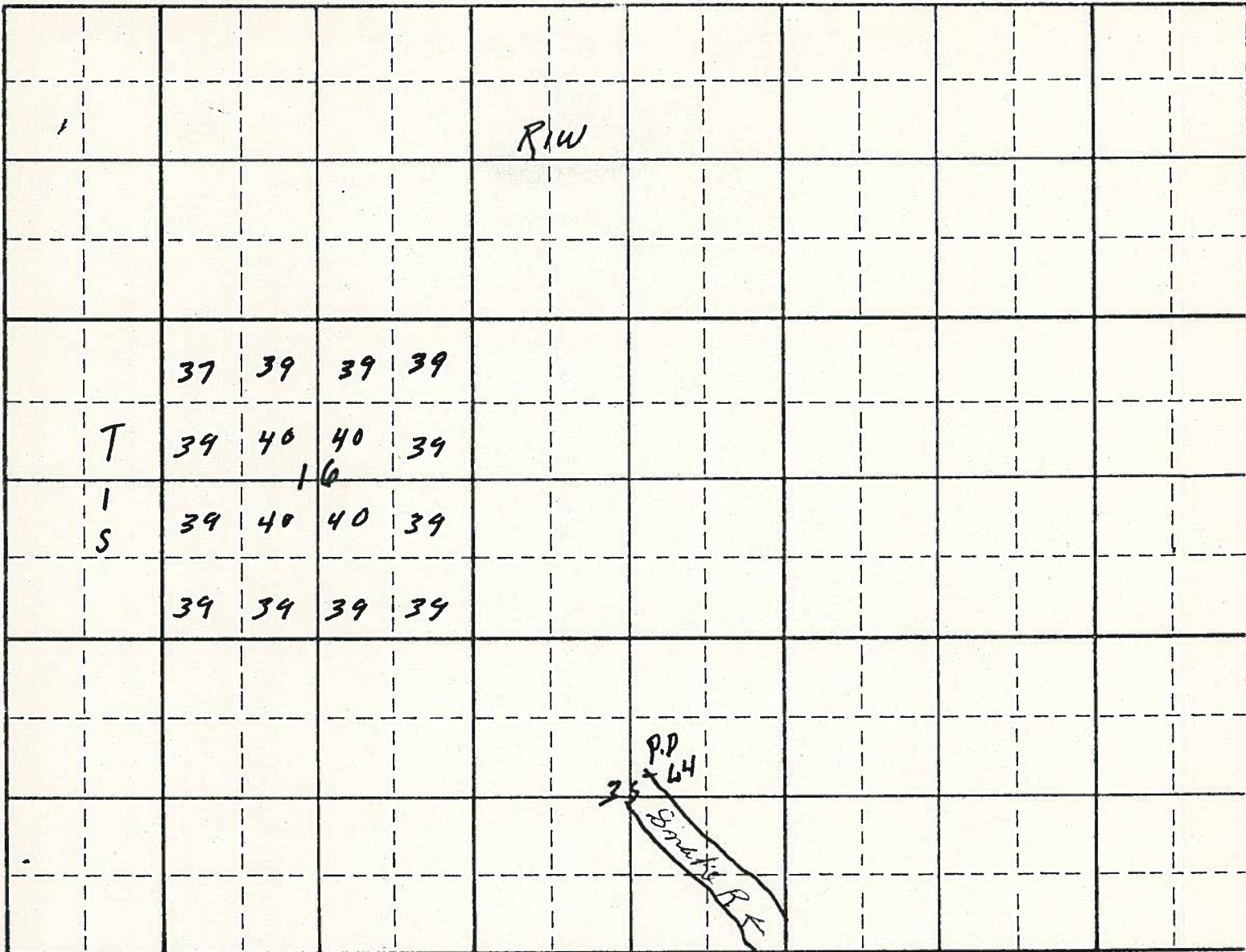
Irrigation requirement = 4.5 AFA/Acre  
USE Q (cfs) V (afa) FROM TO

|                   |              |                  |             |              |
|-------------------|--------------|------------------|-------------|--------------|
| <u>Irrigation</u> | <u>12.52</u> | <u>3130 2817</u> | <u>3/15</u> | <u>11/15</u> |
|                   |              |                  |             |              |
|                   |              |                  |             |              |
|                   |              |                  |             |              |
|                   |              |                  |             |              |
| Total             | <u>12.52</u> | <u>3130 2817</u> |             |              |

Remarks \_\_\_\_\_

Portion of the total is from the same source.

VOL 1 E 1984  
MICROFILMED



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: SW NE (44) 35 T IS R1W

Place(s) of Use

| TWP. | RGE. | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|------|------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|      |      |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 1S   | 1W   | 16   | 39  | 39  | 40  | 39  | 39  | 37  | 39  | 40  | 40  | 39  | 39  | 39  | 39  | 40  | 39  | 39  | 6.26   |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Recommended Amendments:

- ☒ Change P.D. as reflected above  
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above  
☐ Add P.U. as reflected above

- ☐ None  
☐ Other

NOV 18 1981

MICHOIGAN

Examiner's Signature John K. Meyer  
Checked by DIS  
Approved by \_\_\_\_\_

Date 8/11/81  
Date 10/29/81  
Date \_\_\_\_\_

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

IN THE MATTER OF THE GENERAL DETER-  
MINATION OF RIGHTS TO THE USE OF \_\_\_\_\_  
Snake River from base of Milner  
Dam to Oregon ☒ DRAINAGE BASIN.  
Border.

NOTICE OF CLAIM  
TO A  
WATER RIGHT

|                               |             |
|-------------------------------|-------------|
| 02-2341<br><del>02-2342</del> |             |
| I.D. No.                      | Map No.     |
| \$ 10.00                      | 18838       |
| Fee Paid                      | Receipt No. |

Notice is hereby given that INITIAL BUTTE FARMS, INC.  
(Name of Claimant)

Box 277, Nampa, ID 83651 Telephone No. 467-2552  
(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) 12/28/1941

(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 12.8 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) 12.8 cfs TOTAL QUANTITY CLAIMED. (Lot 5)  
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source SW  $\frac{1}{4}$  NE  $\frac{1}{4}$   
Sec. 35, Twp. 1S, Rge. 1W, B.M., Ada 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. (4) 600 HP motor - 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 $\frac{1}{4}$ |       |
| 1S | 1W | 16   | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 40               | 640   |
|    |    |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |
|    |    |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |
|    |    |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |
|    |    |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |

Total no. of acres 640

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 This right to agree with license to be issued.

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

JKN

☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. 02-2341

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

Individual

(Signature of Claimant)

(Date)

(Signature of Spouse)

State of IDAHO  
County of ADA ss.

Organization  
Seal

(Signature of Authorized Agent)

On this 17 day of APRIL, in the year 1981 before me  
a notary public, personally appeared BYRON ADDERSON

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 LOVE

Notary Public residing at BOISE, ID 83703

# IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-02341

Date: 5-14-02

|       | 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 | 15  | 1W  | 16  | 39 | 39 | 40 | 39 | 39 | 37 | 39 | 40 | 40 | 39 | 39 | 39 | 39 | 40 | 39 | 39 | 626 |
| GIS   |     |     |     | 40 | 40 | 40 | 40 | 40 | 36 | 40 | 40 | 40 | 40 | 39 | 39 | 38 | 40 | 39 | 39 | 630 |
| Claim |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |
| GIS   |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |
| Claim |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |
| GIS   |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |
| Claim |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |
| GIS   |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |

Number of POD's 1

Total Claimed Acres: 626

Overlapping FOU Claim #'s:

Total GIS Acres: 630

## COMMENTS:

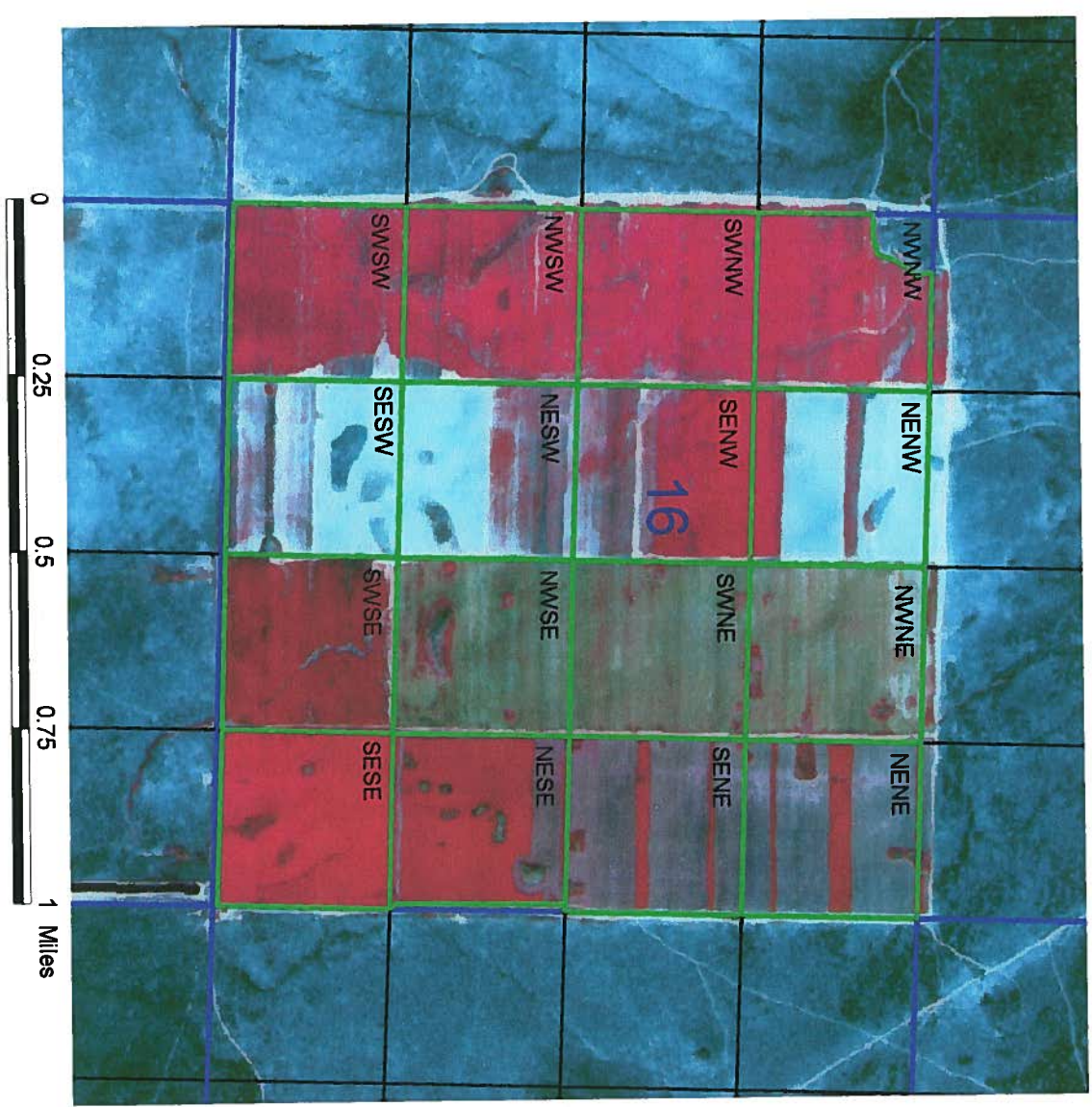
POU per license map

POD per license map.

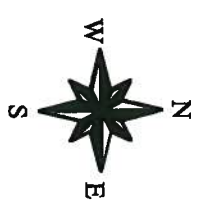
# Idaho Department of Water Resources

Claim Number: 02-02341  
Legal: T01S, R01W, S16  
Reviewed By:

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



1987 Napp Photo



# Idaho Department of Water Resources

Claim Number: 02-02341  
Legal: T01S, R01W, S16  
Reviewed By:

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

1987 Napp Photo

