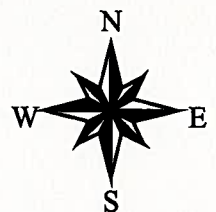


Idaho Department of Water Resources



Claim Number: **02-2368**, 02-2422
Legal: T01N, R03W S36
T02N, R03W, S36
Reviewed By: SJR 4/6/05

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



04/06/2005

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

RIGHT NUMBER: 2-2368

NAME AND ADDRESS: HARVEST FARM CO
98 PALMER AVE
PO BOX 650
COTTAGE GROVE OR 97424

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 9.860 CFS
2,218.500 AFY

Rights 2-2172, 2-2177, 2-2184, 2-2185, 2-2191A, 2-2191B, 2-2192, 2-2193, 2-2194A, 2-2196, 2-2199, 2-2208, 2-2280, 2-2363, 2-2368, 2-2422, 2-7010, 2-7011, 2-7078, 2-7081, 2-10184, 2-10185 2-10218, 2-10219, 2-10220 and 2-10221 when combined shall not exceed a total diversion rate of 74.30 cfs.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 3330 AF. COMBINED RIGHT NOS.: 2-2422, 63-31977

PRIORITY DATE: 04/08/1965

POINT OF DIVERSION:

T01N R03W S36 SWSWNE Lot 7 Within CANYON County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	9.860 CFS 2,218.50 AFY

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

PLACE OF USE: IRRIGATION Within CANYON County

T02N R03W S36	NENE	39.0	T02N R03W S36	NWNE	39.0
T02N R03W S36	SWNE	39.0	T02N R03W S36	SENE	39.0
T02N R03W S36	NENW	39.0	T02N R03W S36	NWNW	39.0
T02N R03W S36	SWNW	39.0	T02N R03W S36	SENW	38.0
T02N R03W S36	NESW	39.0	T02N R03W S36	NWSW	39.0
T02N R03W S36	SWSW	39.0	T02N R03W S36	NESE	35.0
T02N R03W S36	NWSE	39.0	T02N R03W S36	SWSE	39.0
T02N R03W S36	SESE	39.0			

580 ACRES TOTAL

This right is limited to the irrigation of 493 acres within the place of use described above in a single irrigation season.

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.

04/06/2005

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

EXPLANATORY MATERIAL: License

Rights 2-2172, 2-2177, 2-2184, 2-2185, 2-2191A, 2-2191B, 2-2192, 2-2193, 2-2194A, 2-2196, 2-2199, 2-2208, 2-2280, 2-2363, 2-2368, 2-2422, 2-7010, 2-7011, 2-7078, 2-7081, 2-10184, 2-10185 2-10218, 2-10219, 2-10220 and 2-10221 are diverted from the point of diversion described above.

USE OF WATER UNDER THIS RIGHT IS SUBJECT TO THE PROVISIONS OF AN AGREEMENT AND STIPULATION BETWEEN THE WATER RIGHT HOLDER AND PROTESTANTS DATED 8/3/1992.

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

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 32308/02-2368 Priority April 8, 1965 Amount 9.86 cfs

THIS IS TO CERTIFY, that David and Glenn Allen dba Allen Brothers
of Nampa, Idaho, has complied with the terms and conditions of Permit
No. 32308/02-2368 issued pursuant to Application for Permit dated April 8, 1965,
and has submitted proof to the Department of Water Resources on February 4, 1976,
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 12.44 cfs of water from the Snake River,
tributary to the 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>Nov. 15</u>	at <u>9.86</u> cfs and	<u>2,218.5</u> acre feet
	from _____ to _____	_____ cfs and	<u>or 4.5</u> af per acre
	from _____ to _____	_____ cfs and	
(both dates inclusive)			

Subject, however, to the condition that no more than 9.86 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
2,218.5 acre feet per year, said waters to be diverted within the NW 1/4 Sec. 36,
Twp. 1 N, Rge. 3 W, B. M. in the County of Canyon

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	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	
2 N	3 W	36	40	30	40	25	10	15	39	2 38	40	39	37 5	40	40	40	39		493

Total number of acres irrigated 493

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 16 day of
August, 19 76.

Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 02-02368 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☒ Warranty Deed

☐ Other _____

3. Source of water Snake River tributary to Columbia River

4. Date or priority 4-8-65

5. Water is used for the following purpose:

amount 9.86/1725.5 cu for Irrigation purposes from 3-15 to 11-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 9.86 cubic feet per second and/or 2218.5 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
7		SW NW	NE SE	36	1N	3W	Canyon	Hat Butte

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
2N	3W	36	39	30	39	26	11	15	38	38	39	40	39		20	40	40	39	493
			40		40	25	10		39.2		40	39	37.8						

Total acres 493

9. Describe any other water rights used for the same purpose as described above _____

Should questions arise during the processing of this application, please contact:

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3699

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

APR 03 1990

APPROVED

Department of Water Resources
Western Regional Office

Phone 800-547-7023

Name of applicant Harvest Farms Co.

Post Office address P.O. Box 650, Cottage Grove, OR 97424

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Add additional source
2. Describe the reason for the proposed changes Acquisition of additional farms with numerous points of diversion.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

	Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
(A)	<u>02-02280</u>	<u>3-2-64</u>	<u>.8</u>	<u>Irrigation</u>	<u>3-15</u> to <u>11-15</u>
(B)	<u>02-02368</u>	<u>4-8-65</u>	<u>9.86</u>	<u>Irrigation</u>	<u>3-15</u> to <u>11-15</u>
(C)	<u>02-02422</u>	<u>5-12-66</u>	<u>1.74</u>	<u>Irrigation</u>	<u>3-15</u> to <u>11-15</u>
(D)	<u>63-03593</u>	<u>3-29-67</u>	<u>3.94</u>	<u>Irrigation</u>	<u>3-15</u> to <u>11-15</u>

2. Total amount of water being transferred 16.34 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Snake River tributary to Columbia River
Groundwater (63-03593) N/A
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
7		SW	NE	36	1N	3W	Canyon County	Hat Butte - all surface rights
	NW	NW	NW	31	2N	2W	Canyon County	Nato

5. Lands irrigated or place of use:

	Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
				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	
(A)	2N	3W	36												40					40
(B)	2N	3W	36	39	30	39	26	11	15	38	38	39	40	39		20	40	40	39	493
(C)	2N	3W	36		9		13	28	23											87
(D)	2N	2W	31			25		40	40	40	40									185

Total acres 805

PART 1**6. General Information:**

- a. Description of diversion system Rights from Snake River served by 11-600 HP pumps, 1-300 HP pump through penstock to delivery point on land. Groundwater served by one drilled well with vertical turbine pump. All water pumped to a common pond and redistributed through a common irrigation system.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes. N/A
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

N/A**d. Remarks:**

The applicant intends to increase flexibility of the system by using a common distribution point and delivery through a common irrigation system. No more than 620 acres will be irrigated with surface water and no more than 185 acres will be irrigated with groundwater.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

02-02280/02368/

This is to certify that I have examined Application for Transfer of Water Rights No. 02422, 63-03593And said application is hereby APPROVED, subject to the following limitations and conditions:SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.**MICROFILMED**

FEB 16 1993

Witness my hand this

8th

day of

February, 19 93J. Glen Saylor
CHIEF, WATER ALLOC. BUREAU

**CONDITIONS OF APPROVAL
Transfer of Water Right
No. 02-02280/02368/02422, 63-03593**

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. Use of water under these rights is subject to the provisions of an Agreement and Stipulation between the water right holder and protestants dated 8/3/92.
5. The water right holder shall maintain a bi-directional flow meter in the line between Section 36, T2N, R3W and Section 31, T2N, R2W, B.M. This meter shall be open for inspection by the Hat Butte Canal Co. ditch rider and by the Department.
6. There shall be no net exchange of water between the above-referenced sections, as determined during each two week period when the Hat Butte system is delivering water to Hat Butte members.
7. These rights are limited to a combined annual volume of 2790.0 acre feet from the Snake River and 832.5 acre feet from groundwater. *4.5th claimed 185 ac*
8. These rights when considered separately are limited to the irrigation of the following number of irrigated acres in a single irrigation season:

02-02280	40 acres
02-02368	493 acres
02-02422	87 acres
63-03593	185 acres

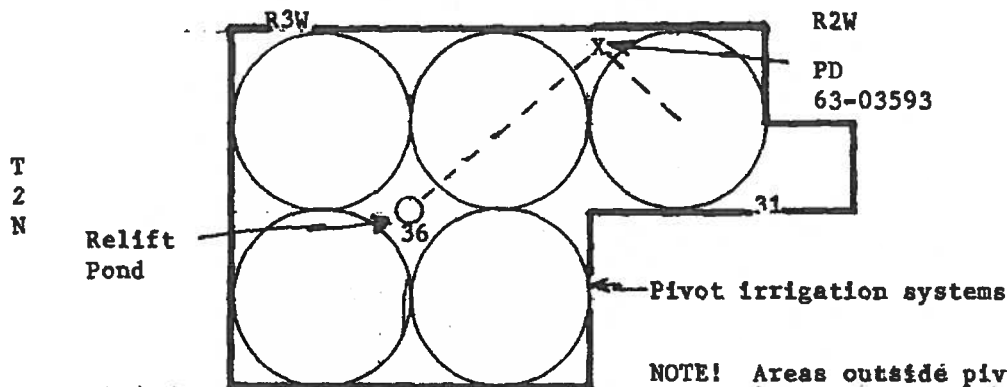
Dated this 8th day of February, 1993.

J. Alan Saylor
Chief, Water Alloc. Bureau

FEB 16 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



NOTE! PD for Snake River rights off map.



RECEIVED

FEB 16 1993

MEMORANDUM

TO: Transfer File No. 71517

FROM: Lori Graves 

DATE: 8/24/04

RE: Evaluation of Sufficiency of Information Submitted

Brief: The purpose of the transfer is to split the right and use a proposed well to irrigate applicants parcel resulting from the split instead of using the original well that served the entire acreage. The proposed well will be shared. See accompanying transfer no. 71518.

The site is located 3 miles south of Lake Lowell, and 2 ½ miles west of Hwy 45.

Authority to File: Applicant provided a warranty deed for the proposed p/u, along with an easement description for the proposed p/d. Please note that the p/d easement refers to parcel no. 2, which is a different parcel located west of parcel no. 2 indicated on attachment A. The proposed p/d will be located on adjoining land located west of the lands covered by water right 63-3593.

Water Right Validity: Right presumed valid since the right was claimed in 1990 and beneficial use occurred within the five year period prior to that date. Beneficial use was confirmed by a preliminary SRBA review by Jan Schurte and a 1987 arc view photo.

Injury to Other Water Rights: None anticipated.

Enlargement of Use: No change in nature of use has been proposed.

Local Public Interest: No negative impacts are anticipated.

Beneficial Use/Conservation of Water Resources: Applicant proposed beneficial use consistent with conservation of water resources in Idaho.

Review of the application finds there is no clear inconsistency with criteria of I.C. § 42-222 preventing processing of this application.

Additional Information: The warranty deed attached is in the applicants name and Jana Blacker's (wife) name. Pam Skaggs confirmed that after notifying the applicant, the department can add Jana's name to the transfer without her signature because of the nature of the transfer. If water was being transferred away, a signature would have been required.

License 63-3593 was included on protested transfer no. 3699 that was approved in 1993. The protestants were all select members of Hat Butte Mutual Canal Company. Notice will be sent to Hat Butte Mutual Canal Company.

Discussion: This right was originally licensed for 197.2 acres, 3.94 cfs and 888 afa. As a result of approved transfer no. 3699, the license is now limited to 185 acres, 3.94 cfs and 832.5 afa. The flow rate did not get reduced in proportion with the acres, however, the volume did. On the new transfer, applicant has chosen to transfer only one inch per acre to prevent controversy and confusion. The SRBA can decide what to do with the excessive flow rate left on the remaining acres.

It appears that Snake River rights 2-2280, 2-2368 and 2-2422 cover the same acres listed on right 63-3593. The ground water was originally licensed to lands in S31, aka the Naito place, and the Snake River water was originally licensed to lands in S36, aka the Allen place. The transfer was filed as a result of complaints received by the department that waters from both sources were being used on both places via a common re-lift pond. The transfer was subsequently protested by members of the Hat Butte Mutual Canal Company. For fear of expansion, the protestants did not want Snake River water used on the Naito place. A stipulation agreement was reached, involving the installation of a bi-directional flow meter in the mainline that assured Hat Butte members that there would be no net exchange of water between the two farms, as determined each two week period when the Hat Butte system is delivering Snake River water to Hat Butte members. Basically, if the ground water pump went down, Snake River water could be used from the re-lift pond, but would have to be replaced by ground water within two weeks.

Approved transfer no. 3699 reflects a combined irrigation system, however, the transfer conditions have kept the rights separate regarding supplementation.

The proposed p/d will be shared with right 63-31978 (applicant's parents). The p/d is located on the parents' land (see accompanying transfer no. 71518). There will be two separate pumps in the well to serve separate systems. Each applicant plans to build a new home that the well will also serve. Rob Whitney stated that the well would probably be drilled as a domestic well initially, then upgraded it to an irrigation well upon approval of the transfers. The well will be located in the Dry Lake area, which is an area of drilling concern, however, Rob did not have issues regarding this well proposal because the department has not designated this area as a management area.

Conditions: Assuming protests are not filed and/or other information does not contradict the above analysis, and assuming it is determined the application should be approved, the conditions listed on the draft transfer approval should be applied.

Harvest Timing Transfer

2-2280	3/2/64	0.5	40	180	3/15-11/15
2-2368	4/8/65	9.86	493	3318.5	3/15-11/15
2-2422	5/12/66	1.74	87	391.5	3/15-11/15
63-3593	3/29/67	3.94	185	832.5	3/15-11/15

2318.5 + 391.5 + 720 = 3330

31977 goes 720

Amended claims indicate ^{from transfer (3699)} application

Post transfer consider a PPOU of $\Sigma = 805$ acres

no overlaps among rights, all have acre limit upon PPOU

63-3593 has been split into 63-31977, 31978, 31979.

- transfers for specific to indicate separate rights (71517, 71518 transfers)

Transfer (3699) application ΔPOU & box is unchanged

16 signed documents indicating large POU acre

Will recommend as separate rights, V limitation including 63-31977 for 720 AFV (832.5 - 4.5 * 25)

Rights

- ✕ 2-2172 - 2.5
- ✕ 2-2177 - 5.18
- ✕ 2-2184 - 5.33
- ✕ 2-2185 - 6.4
- ✕ 2-2191A - 0.17
- ✕ 2-2191B - 8.47
- ✕ 2-2192 - 2.64
- ✕ 2-2193 - 4.46
- ✕ 2-2194A - 6.0
- ✓ 2-2194B > 2-10056 < 2-10220 - 7.12
- ✓ 2-2194C < 2-10221 - 0.88
- ✓ 2-2195 < 2-10184 - 0.01
- ✕ 2-2196 - 2.5
- ✕ 2-2199 - 1.56
- ✕ 2-2208 - 5.0
- ✕ 2-2280 - 0.8
- ✕ 2-2363 - 2.6
- ✕ 2-2368 - 9.86
- ✓ 2-2422 - 1.74
- ✕ 2-7010 - 0.8
- ✓ 2-7011 - 12.8
- ✓ 2-7078 - 2.4
- ✓ 2-7081 - 1.39
- ✕ 2-10218 and - 1.3
- ✓ 2-10219 - 0.16

are diverted from the point of diversion described above.

DATE 1/3/84

FILE _____

NAME OF PARTY Kat ButteEMPLOYEE John K Noyes

RE: Reviewing Kat Butte ownership with Don Brandt attached claims have a total of 94.82 CFS less permits 02-2363 & 02-7363 of 4.66 CFS equal 90.16 CFS claimed in 1983. On lic 02-2194 shows a total diversion rate of 88.07 CFS, no indication in S.O file on how measurement was arrived at or method of calculation appears to be excessive.

Skwal Chapman did a measurement of sparkling meters on the system & arrived at 67.28 CFS. Brandt agency sent a letter to this office showing measurement taken by John Hower - 68.36 CFS measurement made in 1983. This is the figure I'll use until a better figure is arrived at. 90% of the measurement made on this system are from sparkling meter out of the canal or by counting the sprinkler heads.

Method of limiters

90.16 CFS total - 48.36 = 21.80 CFS needing limiters - Starting with latest rights

	Priority	CFS
02-2081	4/29/71	1.39
02-7078	5/24/68	2.4
02-7011	3/1/68	12.8
02-7010	3/1/68	1.80
02-2368	4/8/65	9.96

MICROFILMED

AUG 16 1984

Total 27.25 CFS
21.80 needed.

CONVERSATION MEMORANDUM

DATE 10/11/84

FILE _____

NAME OF PARTY Hal Butte

EMPLOYEE John K Moyer

RE: Reviewed Hal Butte ownership with
Don Brandt. Measured water 7/20/84 under
pressure of canal running over - Brintant 74.07 cfs
computed cfs 74.3. Idaho Power 68.36 cfs
Eng report on 02-2194 needs 88.02 cfs
can not find supporting data on this st.
Use 74 cfs for total capacity of system.
Rights total 94.82 cfs - 74 cfs = 20.82 cfs.
limited sta. 02-7363, 02-2363, 02-7078,
02-7081, 02-7010, 02-7011.

copy from
 2-2194A claim file

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-02368

Date: 5-24-02

	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	2N	2W	31			25		40	-1	-2	40									185
GIS						25		40	41	41	40									187
Claim	2N	3W	36	39	39	39	39	39	38	38	38	39	40	39	40	34	40	40	39	620
GIS				40	40	40	40	40	40	40	40	40	40	40	40	39	40	40	39	638
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 2

Total Claimed Acres: 805

Overlapping POU Claim #'s:

Total GIS Acres: 825

02-02280 , 02-02422

COMMENTS:

Per overlapping claim in Basin 63 (63-03593?)

POD- per claim legal

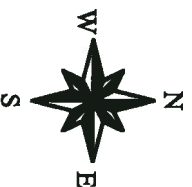
1987 Napp Photo

Legal: T02N, R02W, S31

Reviewed By:



1001



1987 Napp Photo

Legal: T02N, R02W, S31

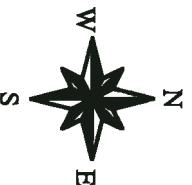
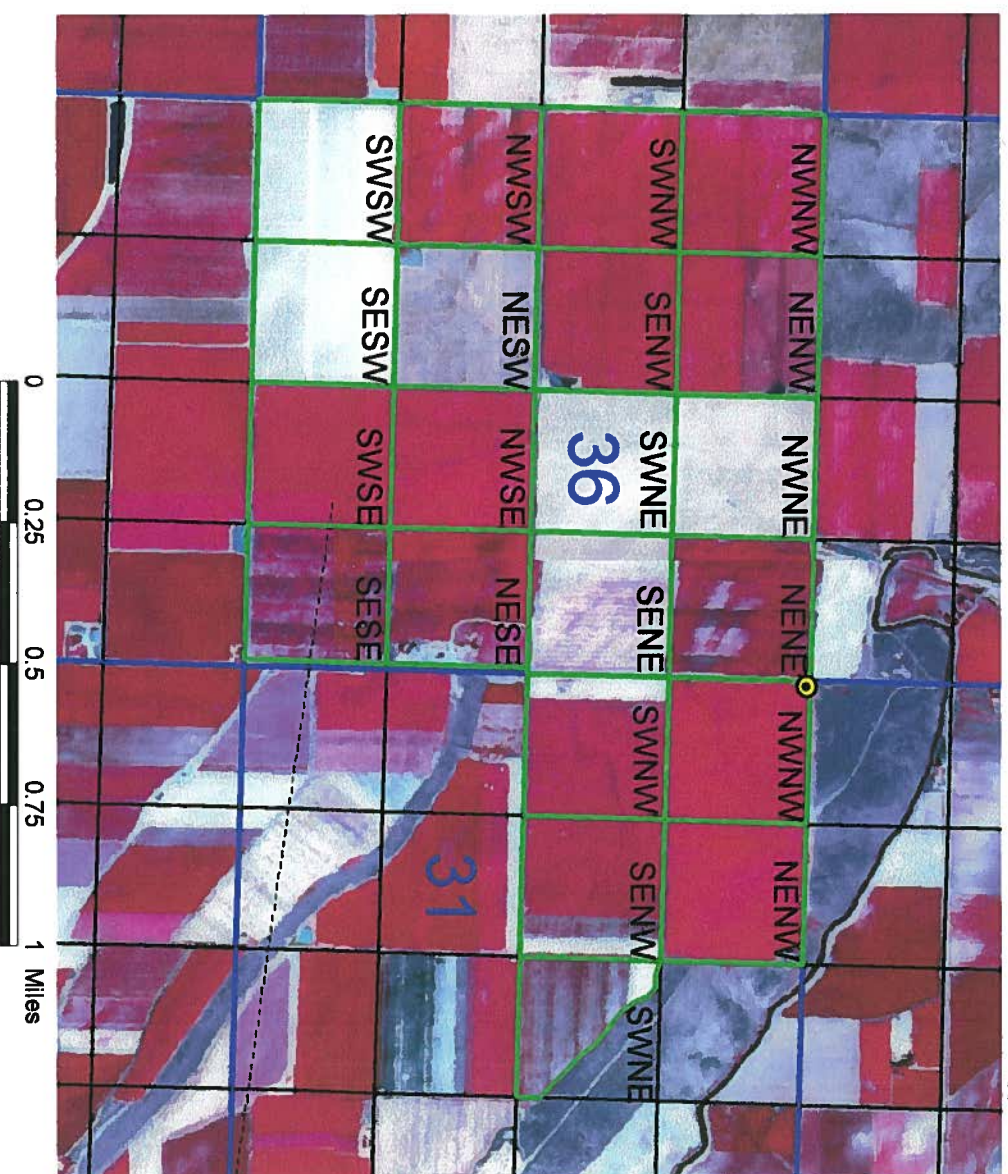
Reviewed By:



10

1881

1



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: A02-02368
Date Received: 3/14/1990
Receipt No: W011017
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: HARVEST FARM CO. 800-547-7023
Address: P.O. BOX 650
98 PALMER AVE.
COTTAGE GROVE OR 97424

2. Date of Priority: APR 8, 1965

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	03W	36		SW	NE	7	CANYON
02N	02W	31	NW	NW	NW		CANYON

5. Description of diverting works:

11 - 600, 1 - 300 HP PUMP, PENSTOCK, PIPELINE & 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	9.860		

7. Total Quantity Appropriated is:

9.860 C.F.S. (and/or) 2218.50 A.F.A.

8. Total consumptive use is 1725.5 Acre Feet Per Annum.

9. Non-irrigation uses:

NONE.

MICROFILMED

AUG 16 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	02W	31	SW	NE		IRR	25.0

10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
02N	02W	31	NE	NW		IRR	40.0
			NW	NW	1	IRR	40.0
			SW	NW	2	IRR	40.0
			SE	NW		IRR	40.0
						Section Acres	185.0
	03W	36	NE	NE		IRR	39.0
			NW	NE		IRR	39.0
			SW	NE		IRR	39.0
			SE	NE		IRR	39.0
			NE	NW		IRR	39.0
			NW	NW		IRR	38.0
			SW	NW		IRR	38.0
			SE	NW		IRR	38.0
			NE	SW		IRR	39.0
			NW	SW		IRR	40.0
			SW	SW		IRR	39.0
			SE	SW		IRR	40.0
			NE	SE		IRR	34.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	39.0
						Section Acres	620.0
						Total Acres	805.0

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:

CLAIM NO.'S A02-02280, A02-02422, A63-03593

14. Remarks:

EXTENSION OF TIME WAS VERBALLY GIVEN BY DAVE SHAW FOR SHERL CHAPMAN ON THIS CLAIM. THE EXTENSION WAS GIVEN ON 3/01/90 UNTIL 3/15/90.

AC. IRR.=197.2.

TRANS. 2521.

EXTENSION OF TIME WAS VERBALLY GIVEN BY DAVE SHAW FOR SHERL CHAPMAN ON THIS CLAIM. THE EXTENSION WAS GIVEN ON 3/01/90 UNTIL 3/15/90.

CLAIM AMENDED 7/29/1993 TO REFLECT TRANS. 3699.

USE OF WATER UNDER THESE RIGHTS IS SUBJECT TO THE PROVISIONS OF AN AGREEMENT AND STIPULATION BETWEEN THE WATER RIGHT HOLDER AND

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14. Remarks: Continued

PROTESTANTS DATED 8/3/1992.

THE WATER RIGHT HOLDER SHALL MAINTAIN A BI-DIRECTIONAL FLOW METER IN THE LINE BETWEEN SECTION 36, T2N, R3W, AND SECTION 31, T2N, R2W, B.M. THIS METER SHALL BE OPEN FOR INSPECTION BY THE HAT BUTTE CANAL CO. DITCH RIDER AND BY THE DEPARTMENT. THERE SHALL BE NO NET EXCHANGE OF WATER BETWEEN THE ABOVE REFERENCED SECTIONS, AS DETERMINED DURING EACH TWO WEEK PERIOD WHEN THE HAT BUTTE SYSTEM IS DELIVERING WATER TO HAT BUTTE MEMBERS.

THIS RIGHT WHEN COMBINED WITH RIGHTS 02-02280/02422, 63-03593 IS LIMITED TO A COMBINED ANNUAL VOLUME OF 2790.0 ACRE FEET FROM THE SNAKE RIVER AND 832.5 ACRE FEET FROM GROUNDWATER.

THIS RIGHT WHEN CONSIDERED SEPARATELY IS LIMITED TO THE IRRIGATION OF 493 ACRES IN A SINGLE IRRIGATION SEASON.

THE INCLUSION OF GROUNDWATER AS A SOURCE UNDER THIS RIGHT IS THE RESULT OF A TRANSFER REFLECTING CO-MINGLING OF SNAKE RIVER WATER (ORIGINALLY LISTED UNDER THIS RIGHT AND RIGHTS 02-02280/02422) AND GROUNDWATER (UNDER RIGHT 63-03593).

15. Basis of Claim: LICENSE

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AUG 16 1994

ADJ

Should questions arise during the processing of this application please contact:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3699

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

APR 03 1990

FEB 22 1993

APPROVED

Department of Water Resources
Western Regional Office

Phone 800-547-7023

Name of applicant Harvest Farms Co.

Post Office address P.O. Box 650, Cottage Grove, OR 97424

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion
 ☒ Add diversion point(s)
 ☐ Change place of use
 ☐ Change nature of use
 ☐ Change period of use
 ☒ Other Add additional source
- Describe the reason for the proposed changes Aquisition of additional farms with numerous points of diversion.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

	Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
(A)	02-02280	3-2-64	.8	Irrigation	3-15 to 11-15
(B)	02-02368	4-8-65	9.86	Irrigation	3-15 to 11-15
(C)	02-02422	5-12-66	1.74	Irrigation	3-15 to 11-15
(D)	63-03593	3-29-67	3.94	Irrigation	3-15 to 11-15

- Total amount of water being transferred 16.34 cubic feet per second and/or _____ acre-feet per annum.
- Source of water Snake River tributary to Columbia River
Groundwater (63-03593) N/A
- Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
7		SW	NE	36	1N	3W	Canyon County	Hat Butte - all surface rights
	NW	NW	NW	31	2N	2W	Canyon County	Nato

5. Lands irrigated or place of use:

	Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
				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	
A)	2N	3W	36												40					40 ^A 02280
B)	2N	3W	36	39	30	39	26	11	15	38	38	39	40	39		20	40	40	39	493 ^A 02368
C)	2N	3W	36		9		13	28	23							14				87 ^A 02422
D)	2N	2W	31			25		40	40	40	40									185 ^A 03593
									4.1	4.2										

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AUG 16 1994

PART 1**6. General Information:**

a. Description of diversion system Rights from Snake River served by 11-600 HP pumps, 1-300 HP pump through penstock to delivery point on land. Groundwater served by one drilled well with vertical turbine pump. All water pumped to a common pond and redistributed through a common irrigation system.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes. N/A

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

N/A

d. Remarks:

The applicant intends to increase flexibility of the system by using a common distribution point and delivery through a common irrigation system. No more than 620 acres will be irrigated with surface water and no more than 185 acres will be irrigated with groundwater.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

02-02280/02368/

This is to certify that I have examined Application for Transfer of Water Rights No. 02422, 63-03593And said application is hereby APPROVED, subject to the following limitations and conditions:SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.**MICROFILMED****AUG 16 1994**

Witness my hand this

day of

8th February, 19 93J. Glen Saylor
CHIEF, WATER ALLOC. BU¹ 4U

CONDITIONS OF APPROVAL
Transfer of Water Right
No. 02-02280/02368/02422, 63-03593

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. Use of water under these rights is subject to the provisions of an Agreement and Stipulation between the water right holder and protestants dated 8/3/92.
5. The water right holder shall maintain a bi-directional flow meter in the line between Section 36, T2N, R3W and Section 31, T2N, R2W, B.M. This meter shall be open for inspection by the Hat Butte Canal Co. ditch rider and by the Department.
6. There shall be no net exchange of water between the above-referenced sections, as determined during each two week period when the Hat Butte system is delivering water to Hat Butte members.
7. These rights are limited to a combined annual volume of 2790.0 acre feet from the Snake River and 832.5 acre feet from groundwater.
8. These rights when considered separately are limited to the irrigation of the following number of irrigated acres in a single irrigation season:

02-02280	40 acres
02-02368	493 acres
02-02422	87 acres
63-03593	185 acres

Dated this 8th day of February, 1993.


Chief, Water Alloc. Bureau

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AUG 16 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 02-02280 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other

*N/A pld i
source
transfer*

3. Source of water SNAKE RIVER tributary to COLUMBIA RIVER

4. Date or priority 3-2-64

5. Water is used for the following purpose:

amount .8/140 cu for Irrigation purposes from 3-15 to 11-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right .8 cubic feet per second and/or 180 ~~140 cu~~ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
7		SW NW	NE SE	36	1N	3W	Canyon	Hat Butte

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
2N	3W	36												40					40

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AUG 16 1994

Total acres 40

9. Describe any other water rights used for the same purpose as described above _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 02-02368 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water SNAKE RIVER tributary to COLUMBIA RIVER

4. Date or priority 4-8-65

5. Water is used for the following purpose:

amount 9.86/1725.5 cu for IRRIGATION purposes from 3-15 to 11-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 9.86 cubic feet per second and/or 2218.5 ~~1725.5 cu~~ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
7		SW	NE	36	1N	3W	Canyon	Hat Butte
		NW	SE					

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	36	39	30	39	26	11	15	38	38	39	40	39		20	40	40	39	493
			40		40	25	10		39.2		40	39	37.8						

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AUG 16 1994

Total acres 493

9. Describe any other water rights used for the same purpose as described above _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 02-02422 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☒ Warranty Deed

☐ Other _____

3. Source of water SNAKE RIVER tributary to COLUMBIA RIVER

4. Date or priority 5-12-66

5. Water is used for the following purpose:

amount ^{1.84} 1.74/305.4 cu for Irrigation purposes from 3-15 to 11-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right ^{1.84} 1.74 cubic feet per second and/or ^{414.0} 304.5 cu acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
7		SW	NE	36	1N	3W	Canyon	Hat Butte
		NW	SE					

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	3W	36		9		13	28	23							14				87
				10		11	28.5	25							17.5				92

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AUG 16 1994

Total acres 87 92

9. Describe any other water rights used for the same purpose as described above _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED**1. Right evidenced by:**

- a. Decree No. _____ Decreed to _____
 In case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 63-03593 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to N/A

4. Date or priority 3-29-87

5. Water is used for the following purpose:

amount 3.94/888 ~~eu~~ for Irrigation purposes from 3-15 to 11-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 3.94 cubic feet per second and/or 888 ~~eu~~ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NW	NW	31	2N	2W	Canyon	Naito
		NE						
01		NW	NW	31	2N	2W	Canyon	Naito

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	2W	31			25		40	40	40	40									185
					39		38.7			39.5									197.2
								↑	↑										
								Lot 1	Lot 2										

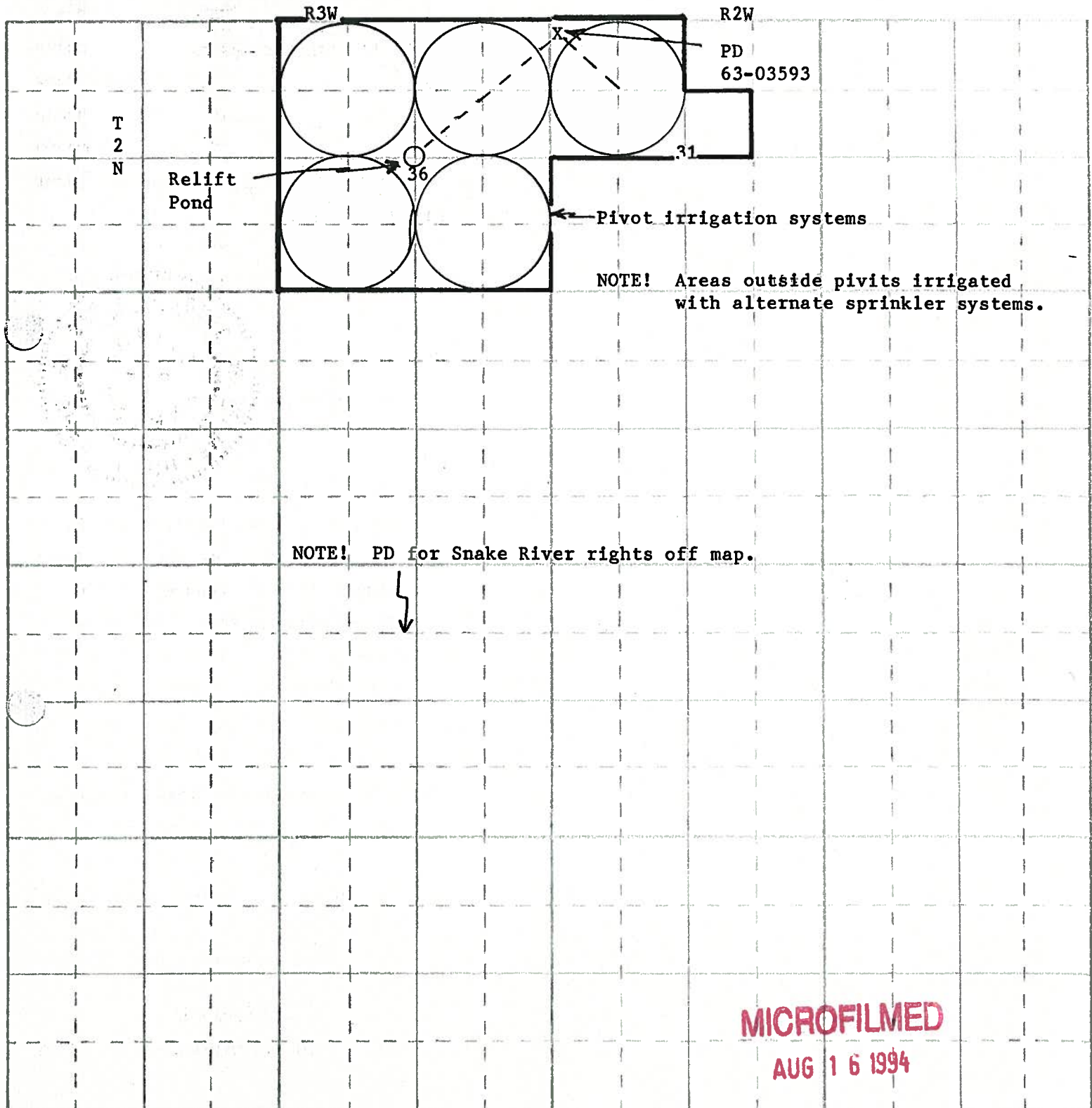
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AUG 16 1994

Total acres ~~185~~ 197.2

9. Describe any other water rights used for the same purpose as described above _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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PART 3**B. CHANGES IN NATURE OF USE** N/A

1.	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
				_____ to _____
				_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



[Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 3 day of April, 19 90.

[Signature]
(Notary Public)

My commission expires 6/14/94

FOR DEPARTMENT USE ONLYTransfer contains 12 pages and 2 attachmentsReceived by SL Date 4/3/90

Protest filed by _____

Prelim. check by SL Fee \$50Receipted by SL Date 4/3/90 WU11812Published in Press-Tribune ID STATESMAN, PR, LM, TN

Copies of protest forwarded by _____

Pub. dates 4/18 & 4/25/90 4/19 & 4/26/1990

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☒ approval ☐ denial

_____ rec'd. _____

by DRT

Copy of transfer sent to lien holder _____

MICROFILMED**AUG 16 1994**

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: A02-02368
Date Received: 3/14/1990
Receipt No: W011017
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: HARVEST FARM CO. 800-547-7023
Address: P.O. BOX 650
98 PALMER AVE.
COTTAGE GROVE, OR 97424

2. Date of Priority: APR 08, 1965

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	03W	36	SW	NE		7	CANYON

5. Description of diverting works:
11 - 600, 1 - 300 HP PUMP, PENSTOCK, PIPELINE & 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	9.860		

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

8. Total consumptive use is 1725.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02N	03W	36	NE	NE		IRR	39.0
			NW	NE		IRR	30.0

A02-02368

Page 1

Date: 03/20/90

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	03W	36	SW	NE		IRR	39.0
			SE	NE		IRR	26.0
			NE	NW		IRR	11.0
			NW	NW		IRR	15.0
			SW	NW		IRR	38.0
			SE	NW		IRR	38.0
			NE	SW		IRR	39.0
			NW	SW		IRR	40.0
			SW	SW		IRR	39.0
			NE	SE		IRR	20.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	39.0
						Section Acres	493.0
						Total Acres	493.0

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:
CLAIM NO.'S A02-02280 & A02-02422.

14. Remarks:
EXTENSION OF TIME WAS VERBALLY GIVEN BY DAVE SHAW FOR SHERL
CHAPMAN ON THIS CLAIM. THE EXTENSION WAS GIVEN ON 3/01/90 UNTIL
3/15/90.

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 Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

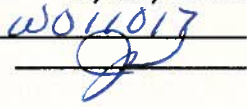
IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A02-02368

Date Received: ~~3/05/1990~~ 3/14/90

Receipt No: W016017

Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HARVEST FARM CO. 800-547-7023
Address: P.O. BOX 650
98 PALMER AVE.
COTTAGE GROVE, OR 97424

2. Date of Priority: APR 08, 1965

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	03W	36	SW	NE		7	CANYON

5. Description of diverting works:
11 - 600, 1 - 300 HP PUMP, PENSTOCK, PIPELINE & 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	9.860		

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

8. Total consumptive use is 1725.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02N	03W	36	NE	NE		IRR	39.0
			NW	NE		IRR	30.0

A02-02368

Page 1

Date: 03/05/90

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AUG 07 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
02N	03W	36	SW		NE		IRR	39.0
			SE		NE		IRR	26.0
			NE		NW		IRR	11.0
			NW		NW		IRR	15.0
			SW		NW		IRR	38.0
			SE		NW		IRR	38.0
			NE		SW		IRR	39.0
			NW		SW		IRR	40.0
			SW		SW		IRR	39.0
			NE		SE		IRR	20.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	39.0
Section Acres								493.0
Total Acres								493.0

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:
CLAIM NO.'S A02-02280 & A02-02422.

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0 See A02-00068 for fee calculation + explanation.

For Organizations:

I do solemnly swear or affirm that I am GENERAL MANAGER of _____ Title

HARVEST FARM CO., that I have signed the foregoing Organization

document in the space below as GENERAL MANAGER of Title

_____ and that the statements contained in the Organization

foregoing document are true and correct.

[Signature]

Signature of Authorized Agent

GENERAL MANAGER, HARVEST FARM CO.
Title and Organization

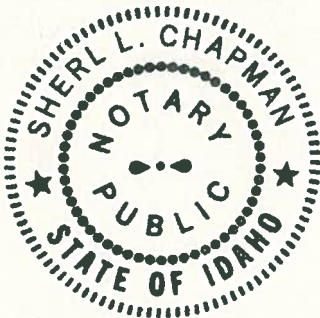
3/13/90
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 13 day
of March 19 90

[Signature]
Notary Public

Seal



Residing at 2889 Coffey Meadows Rd
My Commission Expires 6/14/94

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 BORDER DRAINAGE BASIN.

**NOTICE OF CLAIM
TO A
WATER RIGHT**

02-2368	I.D. No.	Map No.
\$10.00	#20363	11/23/81
Fee Paid	Receipt No.	

Notice is hereby given that DAVID AND GLENN ALLEN, A PARTNERSHIP

(Name of Claimant)

Rt. 4, Box 4234A, Nampa, ID 83651

(Mailing Address)

(Zip Code)

Telephone No. 466-5020

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) April 8, 1965

(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 9.86 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) 9.86 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source SW NW 1/4 SE NE 1/4
Sec. 36, Twp. 1N, Rge. 3W, B.M., Canyon County

Additional Points: SCI: 2720(1) 439.5

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.

11-600 hp pumps and 1-300 hp pump with double penstock to pipeline and sprinkler system. Hat Butte Mutual Canal Co. 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	
2N	3W	36	40	30	40	25	10	15	39	38	40	39	38		20	40	40	39	493
			29	39	39	15	15	39	38	38	39	40	39		20	40	40	39	493
				30		26	11	15											493

Total no. of acres 493 493

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 the maximum diversion rate under this act when combined with

(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. 02-2368

KEYPUNCHED

DW 10/19/84

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

11-23-81
(Date)

State of Idaho

Organization

County of Ada

ss.

Seal

Organization David and Glenn Allen, A Partnership

David Allen Partner
(Signature of Authorized Agent)

On this 23 day of November, in the year 1981 before me

a notary public, personally appeared

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

My commission expires Life

Notary Public residing at

Boise

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 32308/02-2368 Priority April 8, 1965 Amount 9.86 cfs

THIS IS TO CERTIFY, that David and Glenn Allen dba Allen Brothers
of Nampa, Idaho, has complied with the terms and conditions of Permit
No. 32308/02-2368 issued pursuant to Application for Permit dated April 8, 1965
and has submitted proof to the Department of Water Resources on February 4, 1976
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 12.44 cfs of water from the Snake River
tributary to the 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>Nov. 15</u>	at <u>9.86</u> cfs and	<u>2,218.5 acre feet</u>
	from _____ to _____	at _____ cfs and	<u>or 4.5 af per acre</u>
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 9.86 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
2,218.5 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 36,
Twp. 1 N, Rge. 3 W, B. M. in the County of Canyon

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 $\frac{1}{4}$	
2 N	3 W	36	40	30	40	25	10	15	39.2	38	40	39	37.8		20	40	40	39	493

Total number of acres irrigated 493

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 14 day of
August, 19 76.

Director

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by JKH

Date 10/11/84

Right No. 02-2368

Claimant David & Glenn Miller

Recommendation differs from claim: ☒ Yes ☒ No ☐ Disallow
(Document any differences)

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 attached

☐ 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 7/20/84

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

Measurement 74 cfs. Amount recommended 9.84 cfs.

Type of measuring device: AA Flow meter Meter No. _____

Condition _____ Date 7/20/84 Time _____

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

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☐ Yes ☒ No

Remarks See 02-2194A for measurements & etc.

RECEIVED
NICHOLSON

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM
REPORT OF EXAMINERS

Claim No. 02-2368

1. Name of Applicant David & Glenn Allen

2. Priority 4/8/65

3. Source of Water Snake R

4. (Quantity) (Domestic, Irri., Stock Water, etc.) (Period of Use)
_____ cfs Use _____ From _____ to _____

9.96 cfs Use gr From 3/15 to 11/15

_____ cfs Use _____ From _____ to _____

5. Location of Point of Diversion: Lot 7 SW NE of Section 36

Twp. 31N, Rge. 3W, County of Canyon

6. Describe Diversion Works: _____

7. Describe Location of Use: _____

TWP	RGE	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SE $\frac{1}{4}$ SW				SW $\frac{1}{4}$ SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>2N</u>	<u>3W</u>	<u>36</u>	<u>39</u>	<u>30</u>	<u>39</u>	<u>26</u>	<u>11</u>	<u>15</u>	<u>38</u>	<u>38</u>	<u>39</u>	<u>40</u>	<u>39</u>		<u>20</u>	<u>40</u>	<u>40</u>	<u>39</u>	<u>493</u>

TWP.	RGE.				COUNTY				SCALE: 1" = 1 MILE			

8. Purpose other than irrigation: none

9. Remarks: _____

This examination was made on the 5 day of Dec, 1983.

(Signed) John K. Meyer
Examiner

NOV 12 1983
MICROFILMED

POOR ORIGINAL

C
54.5

G
88

DIB
119

DIB
181

A

45

25 25

35 35

DIB

2050

02-2368

15

02-2422

23

11

39

10A
02-2422

30

9

39

A

83.5

38

38

39

39

02-2368

E

71.3

D

53.3

C

37.1

B

36.2

26
13

38

40

39

40

20

14A

02-2422

40

34

F

46.5

G

40.8

H

30.1

14

39

39

40

39

02-2280

L

76.5

K

80.4

MICROFILMED

AUG 16 1994

39.0

35 35

21

35

David & Glenn Allen

Township	Range	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			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	
2N	3W	34	39	39	39	39	39	38	38	38	39	40	39	39	34	40	40	39	39 419
22-2280											39								39
22-2422				9		140	28	25							14				849
22-2368			39	30	39	26	11	15	38	38	39	40	39		20	40	40	39	492 669

MICROFILMED
AUG 16 1994

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

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF _____
SNAKE RIVER FROM BASE OF MT. LER
TO OREGON BORDER DRAINAGE BASIN.

NOTICE OF CLAIM
TO A
WATER RIGHT

02-2368	I.D. No.	Map No.
\$10.00	#20363	11/23/81
Fee Paid	Receipt No.	

Notice is hereby given that DAVID AND GLENN ALLEN, A PARTNERSHIP
(Name of Claimant)
Rt. 4, Box 4234A, Nampa, ID 83651 Telephone No. 466-5020
(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) April 8, 1965
- (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>9.86 cfs</u>
(CFS, GPD, AF) | Use <u>irrigation</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>3/15</u> To <u>11/15</u>
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
- (4) 9.86 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source NW 1/4 SE 1/4
Sec. 36, 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. 11-600 hp pumps and 1-300 hp pump with double penstock to pipeline and sprinkler system. Hat Butte Mutual Canal Co. 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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
NW	3W	36	40	30	40	25	10	15	39	38	40	39	38		20	40	40	39	403

Total no. of acres 403

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

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

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

- (9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case. _____
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. 02-2368

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

11-23-81
(Date)

State of Idaho
County of Ada ss.

Organization
Seal

(Signature of Claimant)
David and Glenn Allen Partnership
(Signature of Spouse)
David Allen
(Signature of Authorized Agent)

On this 23 day of November, in the year 1981 before me
a notary public, personally appeared _____

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

My commission expires Life Notary Public residing at 10150