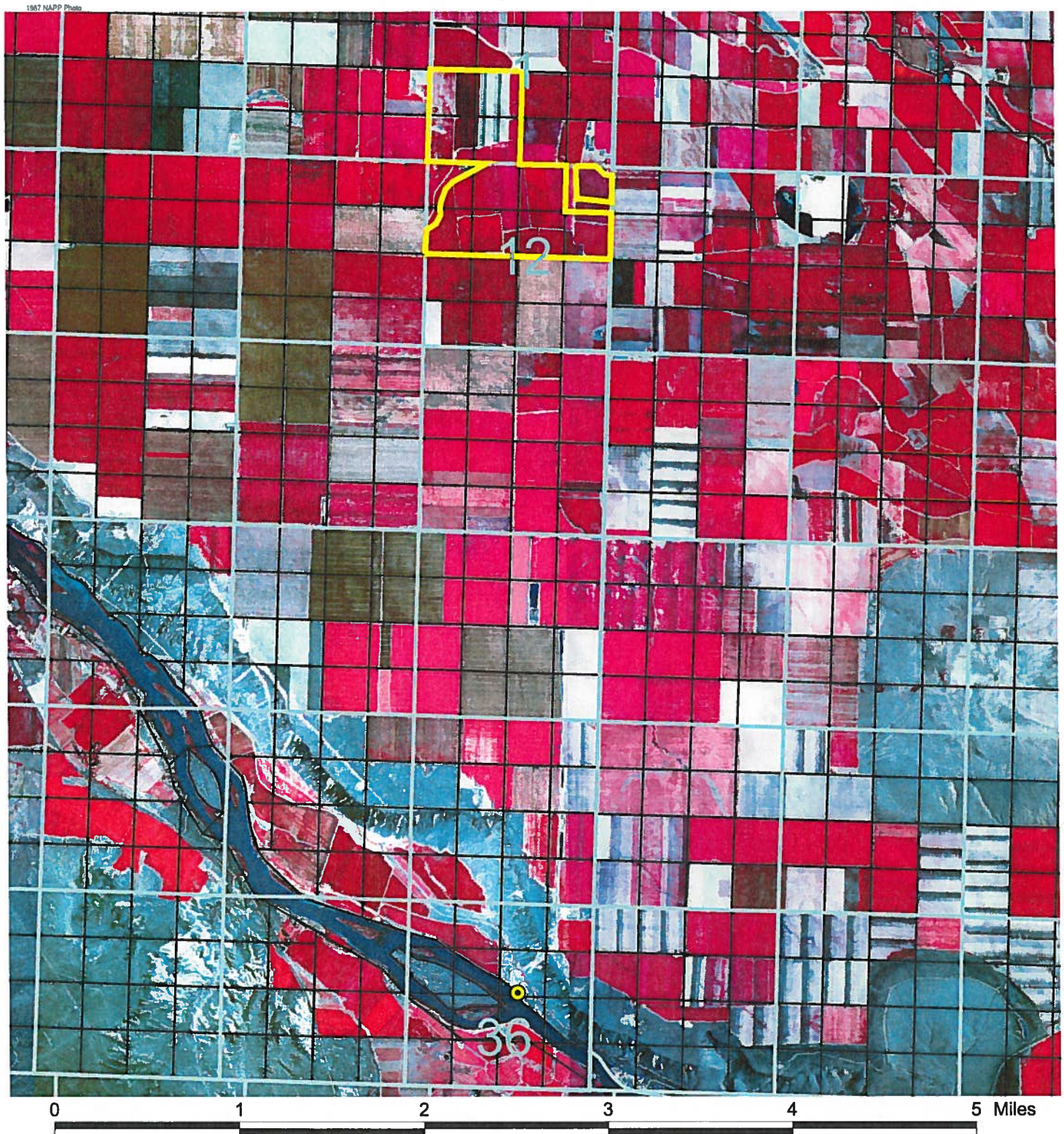
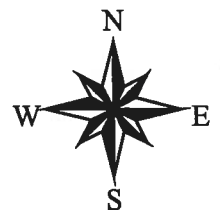


Idaho Department of Water Resources



Claim Number: **02-10218**, 2-10220
Legal: T01N, R03W S36
T01N, R02W, S1 & 12
Reviewed By: SJR 3/31/05

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



04/01/2005

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

RIGHT NUMBER: 2-10218

NAME AND ADDRESS: MARTHA R ROSTI
C/O DUANE & DARREL ROSTI
5248 SKY RANCH RD
NAMPA ID 83686

SUNRIDGE DAIRY LLC
4890 DRY LAKE RD
NAMPA ID 83686

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.300 CFS
325.000 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 365 AF. COMBINED RIGHT NOS.: 63-3275, 2-10219

PRIORITY DATE: 10/09/1981

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	1.300 CFS 325.00 AFY

The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early 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

T01N R03W S01	NESW	39.0	T01N R03W S01	NWSW	40.0
T01N R03W S01	SWSW	39.0	T01N R03W S01	SESW	39.0
T01N R03W S12	NENE	21.0	T01N R03W S12	NWNE	40.0
T01N R03W S12	SWNE	39.0	T01N R03W S12	SENE	40.0
T01N R03W S12	NENW	39.0	T01N R03W S12	NWNW	17.0
T01N R03W S12	SWNW	36.0	T01N R03W S12	SENW	39.0

428 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: License

Water Right 2-10218

1

04/01/2005

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

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.

This right is a split from former right 2-7363.

B

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 30900/02-2194 Priority Jan. 11, 1963 Amount 1.12 cfs
(part)

THIS IS TO CERTIFY, that BARBARA L. CLEMENTS
of Nampa, Idaho, has complied with the terms and conditions of Permit
No. 30900/02-2194 issued pursuant to Application for Permit dated January 11, 1963,
and has submitted proof to the Department of Water Administration on November 17, 1967,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 88.02 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from the Snake River
tributary of the Columbia River, is hereby confirmed in the following amounts:
Amount 1.12 cfs for irrigation from March 15 to Nov. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 1.12 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NW $\frac{1}{4}$ SE $\frac{1}{4}$ (Lot # 7), Sec. 36, Twp. 1 N, Rge. 3 W, B. M.

in the county of Canyon; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 360 acre feet per year or _____
4.5 acre feet per acre.

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 $\frac{1}{4}$	
1 N	3 W	1									40	40							80

Total number of acres irrigated 80

Subject to the condition that the maximum rate of diversion shall not exceed 88.02 cfs
when combined with other licensed rights diverted through this system.

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 24 day of

April, 19 72.


Director

2 2194

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that James F. &/or Martha Rosti

Beneficial Use Period of Use Rate of Diversion Annual Volume

Irrigation from March 15 to November 15 at 1.46 cfs and 365.0 acre feet

from _____ cfs and _____

from _____ at _____ cfs and _____

(both dates inclusive)

Description and location of place of use:

[illegible]

Total number of acres irrigated 73

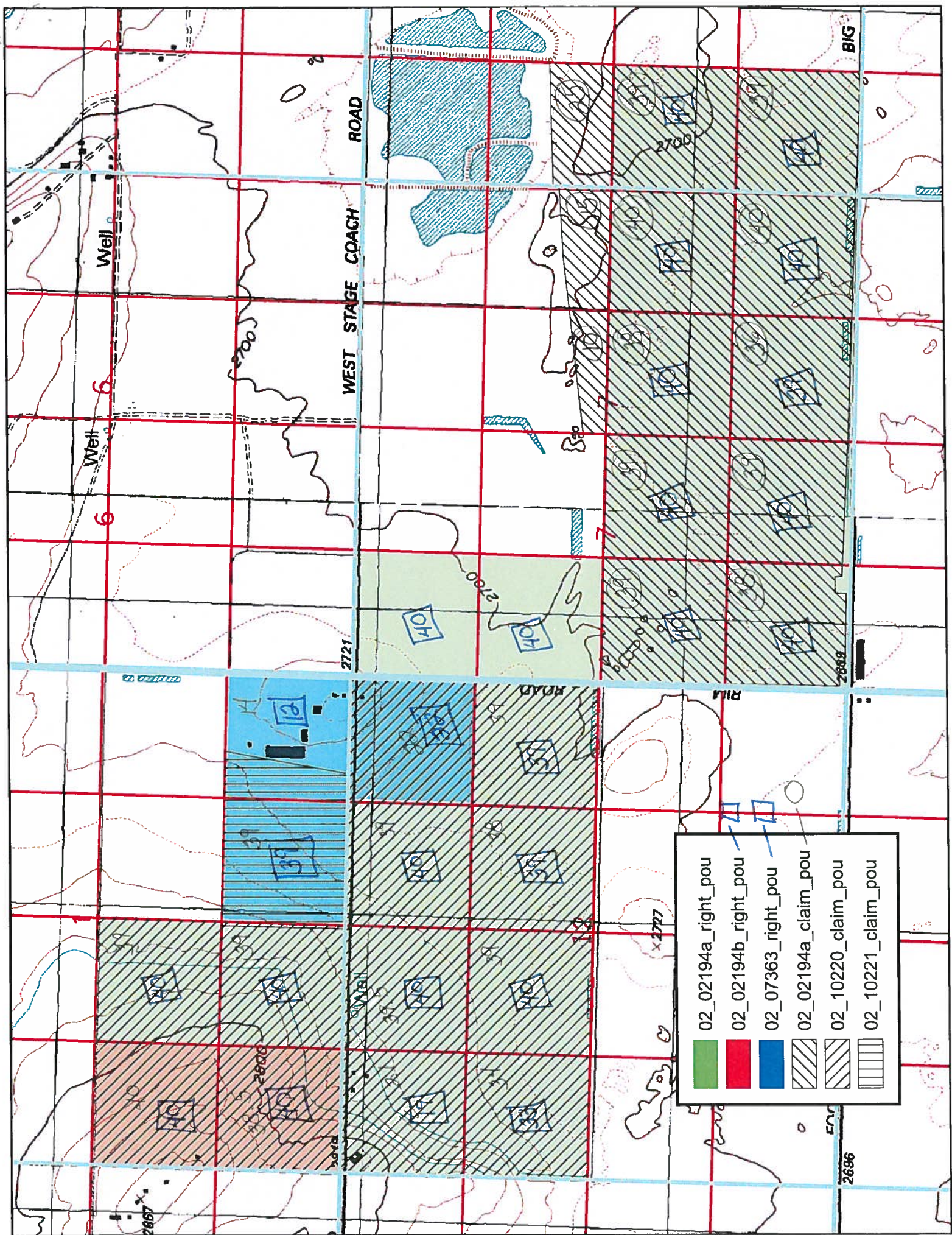
Witness the seal and signature of the Director, affixed at Boise, Idaho, this 21st day of January, 19 86

MICROFILMED

Conditions of License No. 02-7363:

1. Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 5.0 afa per acre for the lands above.
3. This right when combined with Right Nos. 02-2172, 02-2177, 02-2184, 02-2185, 02-2191, 02-2192, 02-2193, 02-2194A, 02-2194B, 02-2194C, 02-2195, 02-2196, 02-2199, 02-2208, 02-2280, 02-2363, 02-2368, 02-2422, 02-7010, 02-7011, 02-7078 & 02-7081 shall not exceed 74.30 cfs.

MICROFILMED



	02_02194a_right_pou
	02_02194b_right_pou
	02_07363_right_pou
	02_02194a_claim_pou
	02_10220_claim_pou
	02_10221_claim_pou

2-2194A > ? < 2-2194A
2-2194B 2-10056 > PPOU
2-7363

Licensed Totals

2-2194A + 2-2194B + 2-7363

$$Q = W = 12.88 + 1.12 + 1.46 = 15.46$$

$$ac = 809 + 80 + 73 = 962$$

$$V = 3640.5 + 360 + 365 = 4365.5$$

(408 ac in signed claim)
2-10056

Claims

2-2194A + 2-10220 + 2-10221 + 2-10218 + 2-10219

$$W = 6.0 + 7.26 + 0.9 + 1.3 + 0.16 = 15.62$$

$$ac = 437 + 428 + 53 + 428 + 53 = 918$$

PPOU

split by range

2-2194A - sections 7, 8 in 02W, licensed acres = 399 + 80 = 479

claim for 437 ac, accomplished transfer to 57 SWNE (10), SENE (25), 58 SWNW (25)
80 licensed acres not in claim in 57 NNW (40), SWNW (40)

479 licensed acres - 80 not in claim + 10 + 25 + 25 = 459

remainder - sections 1, 12 in 03W, licensed acres $80(1) + 250(12) + 80(1) = 410$ acres
2-2194A 2-2194B

claim for 408 (2-10056)

plus 73 from 2-7363 = 481 = claim for PPOU { 2-10220 + 2-10221 ← from 2194
2-10218 + 2-10219 ← from 7363

2-2194A gets 437 acres as claimed
 $\Rightarrow (12.88 / 809) 437 = 6.96$ entitled, claiming 6.00

remainder gets 481 acres as claimed
 $\Rightarrow (12.88 + 1.12 + 1.46) - 6.96 = 8.5$ cfs entitled

- claiming $7.26 + 0.9 + 1.3 + 0.16 = 9.62$

if the $6.96 - 6 = 0.96$ transfers from 2-2194A $\rightarrow$ remainder
 - remainder gets $8.5 + 0.96 = 9.46 < 9.46 < 8.00$ (2-10220, 2-10221) $\rightarrow$ remainder
 1.46 (2-10218, 2-10219) $\rightarrow$ 1.3 (2-10218) $\rightarrow$ 1.6 (2-10219)

$$\begin{array}{r} 437 \\ 437 \div 809 = 0.54 \\ \hline 53 \\ 437 \div 809 = 0.54 \end{array} \quad \begin{array}{r} 8 \\ 8 \\ 8 \end{array}$$

Summary

2-2194A 6.0 cfs, 437 ac, 1966.5 afy

Remainder

2-10218 1.3 cfs, 428 on 481 ppor, $(73 * 5) (\frac{428}{481}) = 325$ afy Σ
 2-10219 0.16 cfs, 53 on 481 ppor, $(73 * 5) - 325 = 40$ afy Σ
 2-10220 7.12 cfs, 428 on 481 ppor, $(408 * 4.5) (\frac{428}{481}) = 1634$ afy Σ
 2-10221 0.88 cfs, 53 on 481 ppor, $(408 * 4.5) - 1634 = 202$ afy Σ

res - $6.0 + 1.46 + 8.0 = 15.46$, $437 + 481 = 918$, $1966.5 + 325 + 40 + 1634 + 202 = 4167.5$
 $\Sigma \Sigma$ ac - $12.88 + 1.12 + 1.46 = 15.46$, $479 + 483 = 962$, $3640.5 + 360 + 365 = 4365.5$
 $(-42) (-2)$

as recommended

*

Diversion maintained
 Acres reduced (per claims)
 V reduced (per ac on claims)

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 Noyescopy
from 7-2280
claim file

RE: Reviewing Kat Butte ownership with Don Brandt attached claims have a total of 94.82 CSS less permits 02-2363 & 02-7363 of 4.66 CSS equal 90.16 CSS claimed in 1983. On lic 02-2194 shows a total diversion rate of 88.02 CSS, no indication in S.O file on how measurement was arrived at or method of calculations appears to be excessive.

Ekerl Chapman did a measurement of sparkling meters on the system & arrived at 67.28 CSS. Brandt agency sent a letter to this office showing measurement taken by John Hower - 68.36 CSS 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 CSS total - 68.36 = 21.80 CSS needing limiters - Starting with latest rights

	Priority	CSS
02-2081	4/29/71	1.39
02-7078	5/24/68	2.4
02-7011	3/11/68	12.8
02-7010	3/11/68	1.80
02-2368	4/8/65	9.96

Total 27.25 CSS

21.80 needed.

MICROFILMED

AUG 16 1994

CONVERSATION MEMORANDUM

DATE 10/11/84

FILE _____

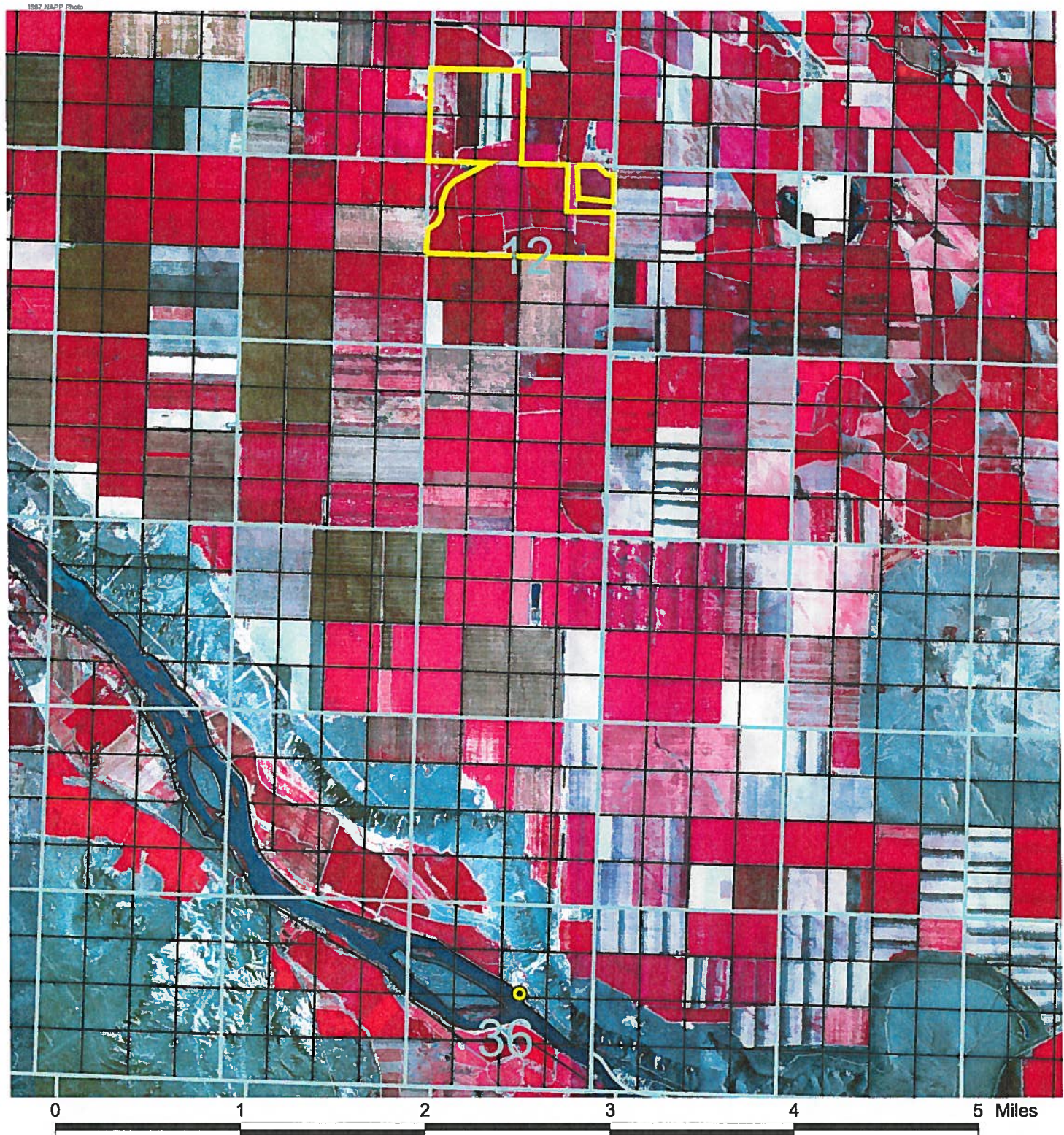
NAME OF PARTY Hat Butte

EMPLOYEE John K Moyer

RE: Reviewed Hat Butte ownership with
Don Brandt. Measured water 7/20/84 under
pressure of canal running over - Srintant 74.07 css
computed css 74.3. Idaho Tower 68.36 css
Eng report on 02-2194 needs 88.02 css
Can not find supporting data on this st.
Use 74 css for total capacity of system.
Rights total 94.82 css - 74 css = 20.8 diff.
limited sta. 02-7363, 02-2363, 02-7078,
02-7081, 02-7010, 02-7011.

copy from
 2-2194A
 Jan 85

Idaho Department of Water Resources



Claim Number: 02-10218, 2-10220
Legal: T01N, R03W S36
T01N, R02W, S1 & 12
Reviewed By: SJR 3/31/05

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



RECEIVED

FEB 28 2003

Department of Water Resources

February 26, 2003

Martha R. Rosti
5248 Sky Ranch Rd
Nampa, ID 83686

Dear Mrs. Rosti:

Enclosed are copies of your Claim Nos. 02-10218 and 02-10220. These claims were a result of a split of Claim Nos. 02-7363 and 02-10056.

Claim No. 02-7363 was originally filed for 73 acres, 1.46 cfs with a 10-9-1981 priority date. Claim No. 02-10056 was originally filed for 408 acres, 8.16 cfs with a 1-11-1963 priority date. These claims were then amended to show a permissible place of use of 481 acres for each claim. The amounts of water for each right remained the same.

A change of ownership was submitted which split these rights resulting in 53 acres to Charles & Carol Pintler and 428 acres to yourself. It also resulted in .9 cfs of the 1963 right and .16 cfs of the 1981 right going to the Pintler's for a total of 1.06 cfs or 53 inches of water for the 53 acres. Your remaining portion resulted in 7.26 cfs of the 1963 right and 1.3 cfs of the 1981 right for a total of 8.56 cfs or 428 inches of water for the 428 remaining acres.

If you have any questions concerning these claims, please feel free to contact me.

Sincerely,

JAN SHURTE
Water Rights Supervisor
Adjudication Section
Western Region

Enclosures

Cc: Darrel Rosti
12799 Stagecoach Rd
Nampa, ID 83686

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 2-10218

WATER RIGHT NUMBER: 2-10218

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	JAMES F ROSTI 5248 SKY RANCH RD NAMPA, ID 83686 (208)467-9622
Original Owner	CAROL L PINTLER 13541 SURREY LN NAMPA, ID 83686 (208)466-6951
Original Owner	CHARLES D PINTLER 13541 SURREY LN NAMPA, ID 83686 (208)466-6951
Current Owner	MARTHA R ROSTI 5248 SKY RANCH RD NAMPA, ID 83686 (208)467-9622

Priority Date: 10/09/1981

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	1.300 CFS	
	<u>Total Diversion:</u>	1.300 CFS	

Location of Point(s) of Diversion

SNAKE RIVER	NW1/4NW1/4SE1/4	Sec. 36, Twp 01N, Rge 03W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	03W	1									39.0	40.0	38.5	39.0					156.5
01N	03W	12	22.0	39.0	38.0	39.0	39.5	21.0	34.0	39.0									271.5

Total Acres: 428

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 2-10218

Remarks:

1. General This claim is the result of a split due to change in ownership for a portion of 02-7363. DH
1/9/2003

Comments:

Dates and Other Information:

Claim Received Date: 1/16/1990
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	<u>02-7363</u>	___			___
	<u>02-10056</u>	___			___
		___			___
		___			___
		___			___

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) are 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)

JAMES F. & /or MARTHA R. ROSTI
5248 JKY RANCH RD.

4. New Owner/Claimant(s)

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

New Mailing Address

City, State and ZIP Code

New Telephone Number

NAMPA, ID 83686
CHARLES D. & /or CAROL L. PINETTER
13541 SURREY LN., NAMPA, ID 83686
208 466-6951
7-10-2001

5. Date you acquired the property

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

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

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

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

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

For Office Use Only

Received by _____ Date _____ Fee 0
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

200127384

PN63455

WARRANTY DEED

FOR VALUE RECEIVED MARTHA R. ROSTI, a widow, an undivided 51% interest, DUANE ^{C.P.P.} ~~F.A.~~ ROSTI, an undivided 24.5% interest and DARREL L. ROSTI, an undivided 24.5% interest ^{C.R.P.}

the Grantors, do hereby grant, bargain, sell and convey unto CHARLES L. PINTLER and CAROL L. PINTLER, husband and wife

the Grantees, whose address is 13541 SUTTER AV. Nampa ID 83686

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 2001 and subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: July 10, 2001

Martina R. Rosti
MARTHA R. ROSTI

Duane F. Rosti
DUANE F. ROSTI

Darrel L. Rosti
DARREL L. ROSTI

STATE OF IDAHO
COUNTY OF CANYON

On this 10 day of July, 2001, before me, a notary public, personally appeared MARTHA R. ROSTI, DUANE F. ROSTI AND DARREL L. ROSTI, known or identified to me to be the person(s) who(se) name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Carol Shaw
Notary Public
Residing at Nampa
My commission expires: 8-27-02



PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

PN63455

Exhibit "A"

This parcel is a portion of the South Half of the Southeast Quarter and of the Southeast Quarter of the Southwest Quarter of Section 1, Township 1 North, Range 3 West, Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

COMMENCING at the Southeast corner of said South Half of the Southeast Quarter; thence South 89° 55'14" West along the South boundary of said South Half of the Southeast Quarter a distance of 1019.28 feet to the TRUE POINT OF BEGINNING; thence continuing

South 89° 55'14" West along said South boundary a distance of 1641.65 feet to the Southwest corner of said South Half of the Southeast Quarter; thence

South 89° 55'14" West along the South boundary of said Southeast Quarter of the Southwest Quarter a distance of 19.97 feet; thence

North 0° 15'12" West a distance of 1329.57 feet to a point on the North boundary of said Southeast Quarter of the Southwest Quarter; thence

North 89° 51'07" East along said North boundary a distance of 27.12 feet to the Northwest corner of said South Half of the Southeast Quarter; thence

North 89° 51'16" East along the North boundary of said South Half of the Southeast Quarter a distance of 1841.51 feet; thence

South 8° 35'12" West a distance of 1347.09 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO a 15.00 foot ingress-egress easement along the West boundary, the centerline of which is more particularly described as follows:

COMMENCING at the Southwest corner of said South Half of the Southeast Quarter; thence

South 89° 55'14" West a distance of 19.97 feet to the centerline of said easement; thence

North 0° 15'12" West along said centerline a distance of 1329.57 feet to the POINT OF TERMINUS.

200127384
RECORDED
01 JUL 10 PM 11 08
CANYON COUNTY RECORDER
REQUEST PIONEER-NAMPA
TYPE *[Signature]* FEE *[Signature]*

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 2-7363

WATER RIGHT NUMBER: 2-7363

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	JAMES F ROSTI 5248 SKY RANCH RD NAMPA, ID 83686 (208)467-9622
Original Owner	CHARLES D PINTLER 13541 SURREY LN NAMPA, ID 83686 (208)466-6951
Original Owner	MARTHA R ROSTI 5248 SKY RANCH RD NAMPA, ID 83686 (208)467-9622
Original Owner	CAROL L PINTLER 13541 SURREY LN NAMPA, ID 83686 (208)466-6951

Priority Date: 10/09/1981

Basis: License

Status: Parent

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	1.460 CFS	
<u>Total Diversion:</u>		1.460 CFS	

Location of Point(s) of Diversion

SNAKE RIVER	NW1/4NW1/4SE1/4	Sec. 36, Twp 01N, Rge 03W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	03W	1									39.0	40.0	40.0	39.0			39.0	12.0	209.0
01N	03W	12	22.0	39.0	38.0	39.0	40.0	21.0	34.0	39.0									272.0
Total Acres: 481							39.5												

Conditions of Approval:

TOTAL - 481 AC
+ 9.62 CFS

SAME TOTAL AS:
02-7363- 73 AC + 1.46 CFS
+ 8.16 CFS

53 PINTLER'S
(1.06 CFS)
428 ROSTI'S
(8.56 CFS)

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 2-7363

Remarks:

1. General This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 5.0 afa per acre for the lands above.
2. General Ownership changed by DH 12/12/2002
3. General Amended claim to create permissible Place of Use. DH 12/12/2002
4. General This claim has been split. See nos. 02-10218 & 02-10219. DH 1/9/2003

Comments:Dates and Other Information:

Claim Received Date: 1/16/1990
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

RECEIVED

JAN 09 2003

WATER RESOURCES
WESTERN REGION

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 2-7363
Date Received: 1/16/1990
Receipt No: W007610
Received By:

AMENDED

COPY

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

1. Name of Claimant(s)

CHARLES D PINTLER
13541 SURREY LN
NAMPA ID USA 83686

Phone: (208)466-6951

CAROL L PINTLER
13541 SURREY LN
NAMPA ID USA 83686

Phone: (208)466-6951

2. Date of Priority: 10/09/1981

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	03W	36	NW NW SE	CANYON	

5. Description of diverting works:

HAT BUTTE CANAL SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	1.46	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
01N	03W	1	NE	SW		IRRIGATION	39
			NW	SW		IRRIGATION	40
			SW	SW		IRRIGATION	40
			SE	SW		IRRIGATION	39
			SW	SE		IRRIGATION	39
			SE	SE		IRRIGATION	12
			Section Acres				
01N	03W	12	NW	NE		IRRIGATION	39
			SW	NE		IRRIGATION	38
			SE	NE		IRRIGATION	39
			NE	NW		IRRIGATION	40
			NW	NW		IRRIGATION	21
			SW	NW		IRRIGATION	34
			SE	NW		IRRIGATION	39
			NE	NE		IRRIGATION	22
Section Acres						272	
Total Acres						481	

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 5.0 afa per acre for the lands above.

Ownership changed by DH 12/12/2002

Amended claim to create permissible Place of Use. DH 12/12/2002

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.

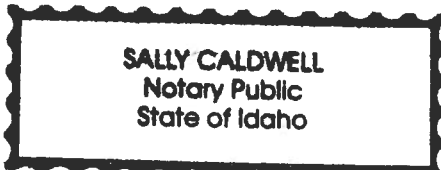
Signature of Claimant(s): Charles D. Pinter Date: 1-7-03

Date:

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this
of January 2003

Sally Caldwell
Notary Public



Residing at Nampa
My commission Expires 11-13-08

MEMORANDUM

TO: Claim File Nos. 02-10218 thru 10221

FROM: Jan Shurte

SUBJECT: Amended Claim and Splits

DATE: 1-21-03

Darrell Rosti, Duane Rosti and Charles Pintler came into my office concerning an ownership change for 02-7363 and 02-10056. Right No. 02-7363 has a priority date of 1981 and 02-10056 (which is a combination of 02-2194B & C) has a priority date of 1963.

Mr. Pintler was under the impression that when he purchased the 53 irrigated acres in the SWSE and SESE, S1, T1N, R3W that he purchased some water rights with a 1963 priority date. The SWSE and SESE, S1 were actually covered under 02-7363 (1981 date) only. Since the system under these two rights is a combined system irrigating a total of 481 acres they all decided to complete a permissible place of use for each right, then split the rights according to Mr. Pintler's 53 acres and the remaining 428 acres for the Rosti's. They are still operating the system as one system at this time.

The result of those splits are 02-10218 (1981) and 02-10221 (1963) for Mr. Pintler's portion and 02-10219 (1981) and 02-10220 (1963) for the Rosti's portion. These rights were proportioned out based on the permissible place of use for 481 acres and a total of 9.62 cfs (the total of 02-7363 & 02-10056). The permissible place of use amended claims were based on an accomplished transfer prior to 1987.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

January 10, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

MARTHA R ROSTI
5248 SKY RANCH RD
NAMPA ID 83686

Re: Original Notice of Claim to a Water Right No. 02-07363
Renumbered to Notice of Claim to a Water Right No. 02-10218

Original Notice of Claim to a Water Right No. 02-10056
Renumbered to Notice of Claim to a Water Right No. 02-10220

Dear Claimant(s):

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

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

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

If you have any questions concerning this ownership change, or the enclosed claim copy, please feel free to contact this office.

Sincerely,

Adjudication Section
Western Region Office

DH: dh

Enclosure