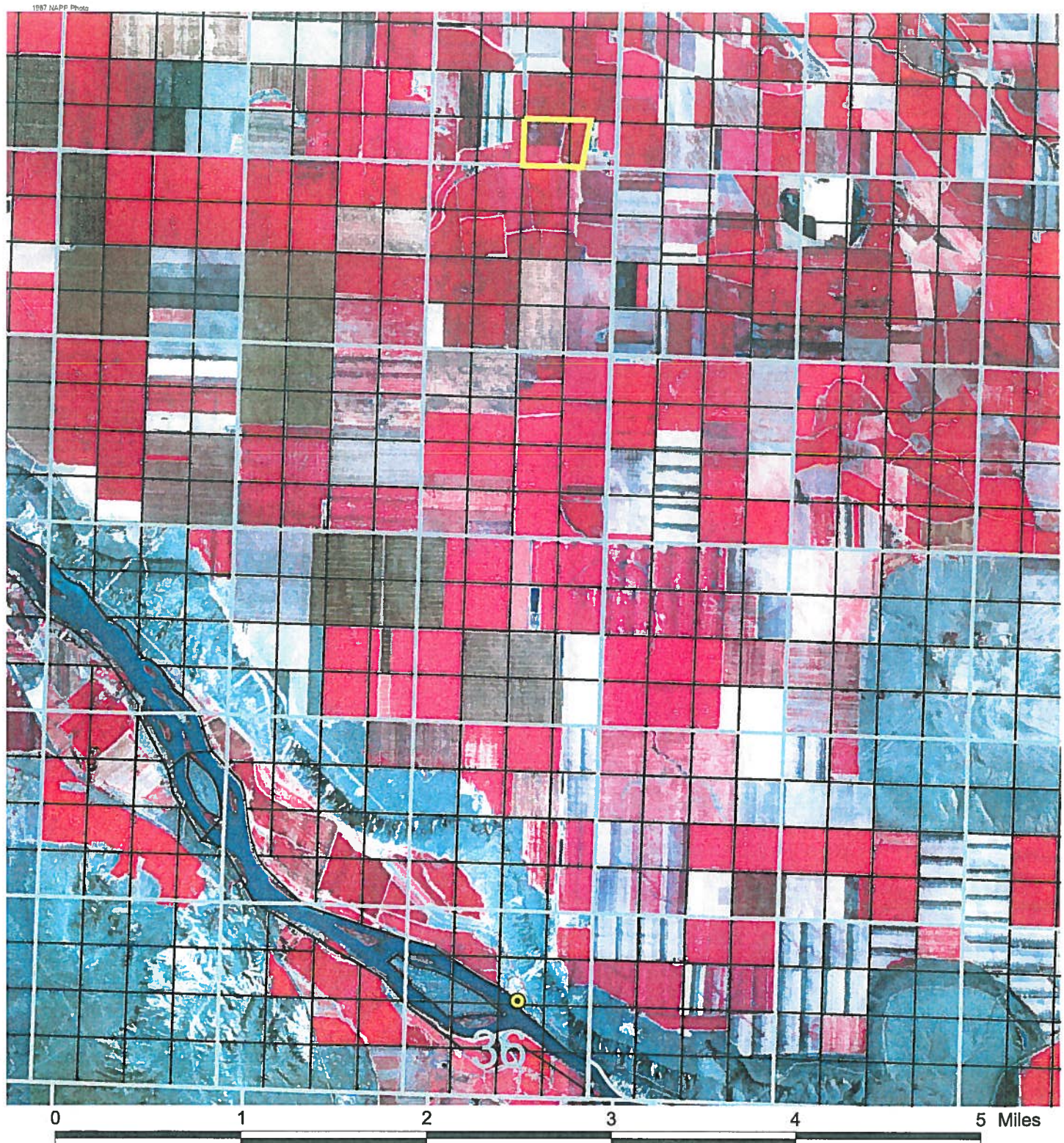


Idaho Department of Water Resources



Claim Number: 02-10219, 2-10221

Legal: T01N, R03W S36

T01N, R02W, S1

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: 2-10221

NAME AND ADDRESS: PAUL A RASGORSHEK
12770 W ROOSEVELT AVE
NAMPA ID 83686

MARILYN RASGORSHEK
12770 W ROOSEVELT AVE
NAMPA ID 83686

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.880 CFS
202.000 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 1836 AF. COMBINED RIGHT NOS.: 63-3275, 2-10220

PRIORITY DATE: 01/11/1963

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	0.880 CFS 202.00 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	SWSE	39.0	T01N R03W S01	SESE	14.0
---------------	------	------	---------------	------	------

53 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

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 2-10056.

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

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 02-7363 Priority October 9, 1981 Amount 1.46 cfs

THIS IS TO CERTIFY, that James F. &/or Martha Rosti
of Nampa, Idaho, has complied with the terms and conditions of Permit
No. 02-7363 issued pursuant to Application for Permit dated October 9, 1981,
and has submitted proof to the Department of Water Resources on December 7, 1982,
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 74.30 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>	<u>from March 15 to November 15</u>	<u>at 1.46 cfs</u>	<u>and 365.0 acre feet</u>
	<u>from</u>	<u>cfs and</u>	
	<u>from</u>	<u>at cfs and</u>	

Subject, however, to the condition that no more than 1.46 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 for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
365.0 acre feet per year, said waters to be diverted within the Government Lot 7 (SW 1/4 NE 1/4),
Section 36, Twp. 1N, Rge. 3W in the County of Canyon

Description and location of place of use:

Twp.	Range	Section																Totals
		SW 1/4	SW 1/4	SW 1/4	SW 1/4	SW 1/4	SW 1/4	SW 1/4	SW 1/4	SW 1/4	SW 1/4	SW 1/4	SW 1/4	SW 1/4	SW 1/4	SW 1/4	SW 1/4	
1N	3W	1																51
		12	22															22

See attached list of license conditions.

Total number of acres irrigated 73

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 21st day of

January, 19 86.

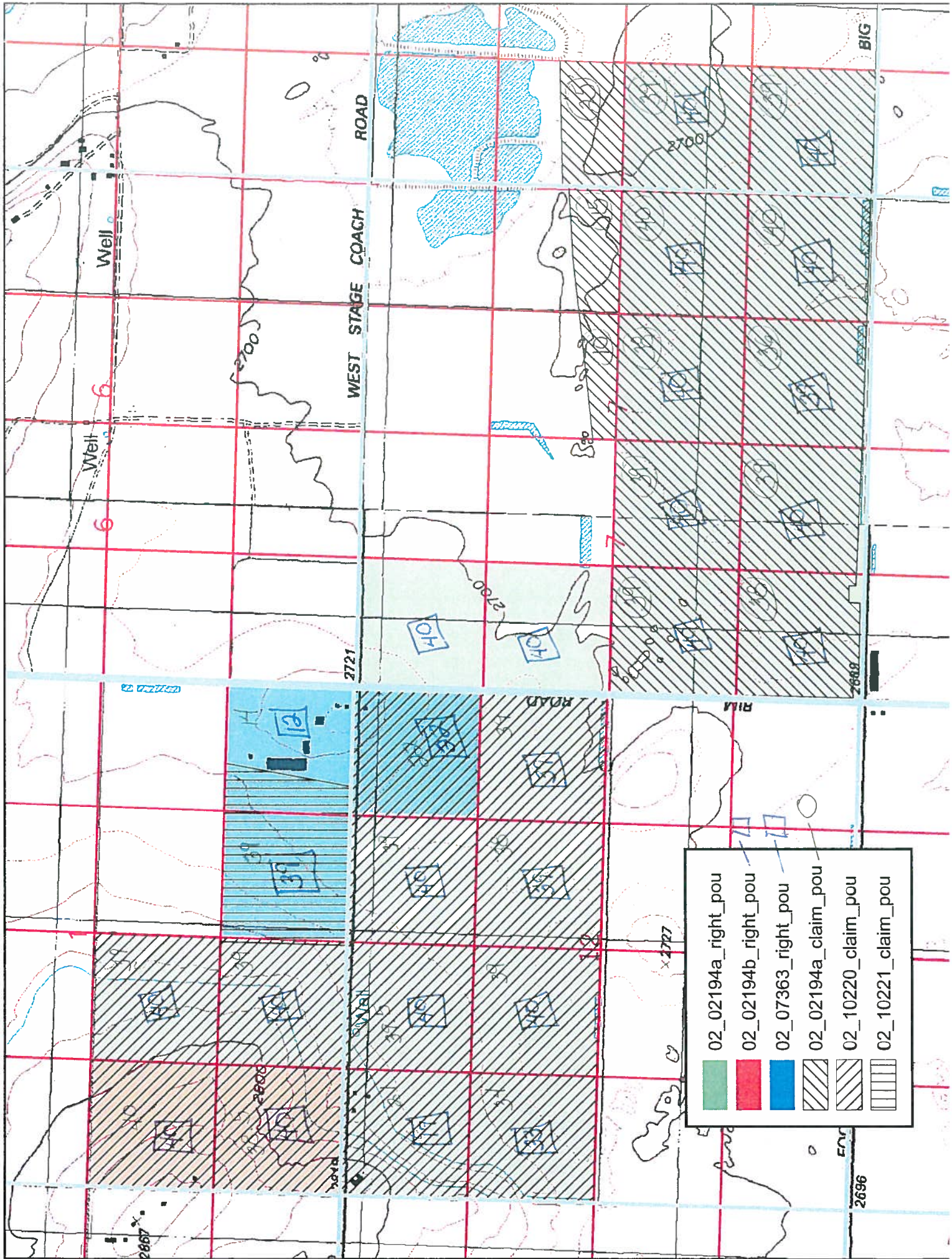
Acting for the Director

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



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

2-10213, 2-10219

PPOU

2-10056

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 on original claim)

2-10056

Claims

2-2194A + 2-10230 + 2-10221 + 2-10218 + 2-10219

(79 ac)

2-7363

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

$$ac = 437 + 528 + 53 + 423 + 53 = 918$$

PPOU

split by range

2-2194A - section 7, 8 on 03W, licensed acres = 349 + 80 = 429

claim for 437 ac, remainder transferred to 57 SWNE (10), SENE (25), S8 SWNW (35)

80 licensed acres, not on claim on 57 NNWN (40), SWNW (40)

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

$$\text{remainder - section 1, 12 on 03W, licensed acres } 80(1) + 250(12) + 80(1) = 410 \text{ acres}$$

claim for 408 (2-10056)

2-10230 + 2-10221 ← from 2194

plus 73 from 2-7363 = 481 = claim for PPOU (2-10213 + 2-10219 ← from 7363

2-2194A y to 737 rows as claimed
 $\Rightarrow (12.33 \cdot 809) 437 = 6.96$ entitled, cumming 6.00

summarized g to 481 rows as claimed
 $\Rightarrow (12.88 + 1.12 + 1.40) - 6.96 = 8.5$ qtu entitled

- cumming 7.2 10.9 + 1.3 + 0.16 = 9.62

y of the 6.96 - 6.00 = 0.96 rows y from 2-2194A $\rightarrow$ 7.12 (2-10220)
 - summarized y to 8.5 + 0.96 = 9.46 8.00 (2-10220, 2-10221) < 7.12 (2-10220)
 1.40 (2-10212, 2-10219) < 1.3 (2-10218) < 1.6 (2-10219)

$$\begin{array}{r} 437 \\ 437 \cdot 809 \\ \hline 353 \\ 437 \cdot 809 \\ \hline 353 \end{array} \quad \begin{array}{r} 8 \\ 8 \\ 8 \end{array}$$

discretion maintained
 across periods (for currency)
 V payment (for ac on currency)

2-2194A 6.00 y, 437 ac, 1466.5 ytu

2-10218 1.5 ytu, 437 on 481 p. row, $(73 \cdot 5) \cdot \frac{437}{481} = 325$ ytu
 2-10219 0.16 ytu, 53 on 481 p. row, $(73 \cdot 5) - 325 = 40$ ytu

2-10220 7.12 ytu, 437 on 481 p. row, $(408 \cdot 4.5) \cdot \frac{437}{481} = 1634$ ytu
 2-10221 0.33 ytu, 53 on 481 p. row, $(408 \cdot 4.5) - 1634 = 202$ ytu

ac - 6.0 + 1.46 + 8.0 = 15.46, 437 + 481 = 918, 1966.5 + 335 + 40 + 1634 + 202 = 4177.5
 ac - 12.88 + 1.12 + 1.40 = 15.40, 479 + 483 = 962, 3640.5 + 360 + 365 = 4365.5
 (-48) (-2)

as recommended

*

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
- ✗ 2-2195 < ✗ 2-10185 - 2.49
- ✗ 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 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 88.07 CSS, no indication in S.O file on how measurement was arrived at or method of calculations appears to be excessive.

Ekval 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 Lower - 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	2.14
02-7011	3/1/68	12.8
02-7010	3/11/68	.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 Hal Butte
EMPLOYEE John X Noyes

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 Tower 68.36 cfs
Eng report on 02-2194 reads 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 = 20.8 diff.
limited sta. 02-7363, 02-2363, 02-7078,
02-7081, 02-7010, 02-7011.

copy from
7-2194A
claim file

February 26, 2003

Charles &/or Carol Pintler
13541 Surrey Ln
Nampa, ID 83686

Enclosed are copies of your Claim Nos. 02-10219 and 02-10221. 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 resulted in a split of these water rights. Your portion of this split is .9 cfs of the 1963 right and .16 cfs of the 1981 right for a total of 1.06 cfs or 53 inches for 53 acres. Martha Rosti's remaining portion is 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 for 428 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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 2-10221

WATER RIGHT NUMBER: 2-10221

<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	MARTHA R ROSTI 5248 SKY RANCH RD NAMPA, ID 83686 (208)467-9622
Current Owner	CHARLES D PINTLER 13541 SURREY LN NAMPA, ID 83686 (208)466-6951
Current Owner	CAROL L PINTLER 13541 SURREY LN NAMPA, ID 83686 (208)466-6951

Priority Date: 01/11/1963

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.900 CFS	
	<u>Total Diversion:</u>	0.900 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	14.0	53.0

Total Acres: 53

Conditions of Approval:Remarks:

See map of 53 acres in 02-10220.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 2-10221

1. General This claim is the result of a split due to change in ownership for a portion of 02-10056. 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
	02-7363				
	02-10056				

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 JAY 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 8360
CHARLES D. +/OR CAROL L. PINTLER
13541 SURREY LN., NAMPA, ID 8360
208 466-6951

5. Date you acquired the property

7-10-2001

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 D. Smith
(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.} 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 LN. 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

MARTHA R. ROSTI
DARREL L. ROSTI

DUANE ROSTI
DUANE 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 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.

200127387
RECORDED
01 JUL 10 PM 4 08
CANYON COUNTY RECORDER
G. M. SALES
REQUEST PIONEER-NAMPA
TYPE 100-2 FEE 6.00

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 2-10056

WATER RIGHT NUMBER: 2-10056

<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	MARTHA R ROSTI 5248 SKY RANCH RD NAMPA, ID 83686 (208)467-9622

Priority Date: 01/11/1963

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	3/15 to 11/15	8.160 CFS	
	<u>Total Diversion:</u>	8.160 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	42.0	209.0
													39.5				PARENT		
01N	03W	12	22.0	39.0	38.0	39.0	40.0	21.0	34.0	39.0									272.0
							39.5										PARENT		

Total Acres: 481

Conditions of Approval:Remarks:

- General THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 02-02194B AND 02-02194C.
- General Amended claim to create permissible Place of Use. DH 12/12/2002
- General Removal of James F Rosti (deceased) per claimant request. DH 12/12/2002

53 PINTLER
(1.06 CFS)
ROSTI
(8.56 CFS)

TOTAL 481 AC
+ 9.62 CFS
(SAME TOTAL AS
02-7363 + 02-1005
(1.46 CFS) (8.16 CFS)
73 AC 408 AC

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 2-10056

4. General This claim has been split. See nos. 02-10220 & 02-10221. 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: AND
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

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

AMENDED

Ident. Number 02-10056
Date Received: 1/16/1990
Receipt No: W007610
Received By:

COPY

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

1. Name of Claimant(s)

MARTHA R ROSTI
5248 SKY RANCH RD
NAMPA ID USA 83686

Phone: (208) 467-9622

2. Date of Priority: 01/11/1963

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

4. Point of Diversion:

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

5. Description of diverting works:

HAT BUTTE CANAL SYSTEM, PUMPING PLANT, GRAVITY IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	8.16	

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

8. Total consumptive use:

9. Non-irrigation uses:

RECEIVED
JAN 07 2003
WATER RESOURCES
WESTERN REGION

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:

Amended claim to create permissible Place of Use. DH 12/12/2002
 Removal of James F Rosti (deceased) per claimant request. DH 12/12/2002
 THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 02-02194B AND 02-02194C.

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 X do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

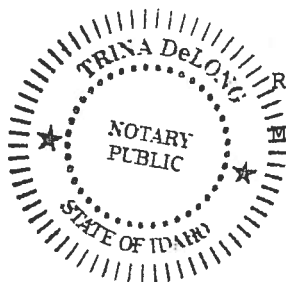
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Martha R. Roste Date: 1-6-03

Date:

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this
of 6th Jan 2003



[Signature]
Notary Public
Residing at Caldwell, ID
My commission Expires 11-15-06

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

CHARLES D PINTLER
CAROL L PINTLER
13541 SURREY LN
NAMPA ID 83686

Re: Original Notice of Claim to a Water Right No. 02-07363
Renumbered Notice of Claim to a Water Right No. 02-10219

Original Notice of Claim to a Water Right No. 02-10056
Renumbered Notice of Claim to a Water Right No. 02-10221

Dear Claimant(s):

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This Change of Ownership required a split of the original claim resulting in renumbering this claim, using a new water right number to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time.

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your water right. This claim represents a split of the claim filed by a previous owner 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 feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

Adjudication Section
Western Region

DH: dh

Enclosure