

39
11/07/2002

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 72-4080AB

WATER RIGHT NUMBER: 72-4080AB

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOSE DITCH CO INC PO BOX 274 CHALLIS, ID 83226 (208)879-5696
Original Owner	NICK PIVA PO BOX 718 CHALLIS, ID 83226 (208)879-2274
Original Owner	JANETTE PIVA PO BOX 718 CHALLIS, ID 83226 (208)879-2274

Priority Date: 12/11/1888

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/1 to 10/31	0.100 CFS	
	<u>Total Diversion:</u>	0.100 CFS	

Location of Point(s) of Diversion

SALMON RIVER	L2 (NE1/4SW1/4NE1/4)	Sec. 16, Twp 13N, Rge 19E, B.M.
CUSTER 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	
14N	19E	27																.4	.4
14N	19E	34	1.6																1.6

Total Acres: 2

Conditions of Approval:

- c18 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.

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 72-4080AB

Remarks:

1. Explanatory WATER IS DELIVERED THROUGH THE JOSE DITCH.
2. Explanatory PROPERTY IS ALSO KNOWN AS LOT 11, BLK 1, WILD RIVER ESTATES.

Comments:

Dates and Other Information:

Decreed Date: 9/17/2002
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Notice of Error Flag:
State or Federal: S
Owner Name Connector:
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.

RECEIVED
FEB 25 2002
 Department of Water Resources
 Southern Region

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>See exhibit A attached</u>		<u>None</u>	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) See exhibit A attached
4. New Owner/Claimant(s) Jose Ditch Company, Inc.
Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address PO Box 274
- City, State and ZIP Code Challis, ID 83226
- New Telephone Number (208) 879-5696 - Sharlene Miller Secretary/Treasurer
5. Date you acquired the property NA

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.
- None

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) Cliff M. Hansen
(include title if applicable)
Cliff M. Hansen - President
for the Jose Ditch Company, Inc.
See attached Idaho Annual Report Form

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 _____
 Received by [Signature] Date _____ Receipt No. _____
 Processed by [Signature] Date _____ WR _____ Date _____

JOSE Ditch RIGHTS

Basin	Sequence	Split	Basis	Status	Priority	Date	Division	Source	List	Water Use	Li	Owner	List	Ver	Source	Table	Application
72	4080	AB	Beneficial Use	Active	1888-12-11	0.1	SALMON RIVERRIGATION	PINA, JANETTE	(C)rrw	Adjudication	Claim						
72	4055	A	Beneficial Use	Active	1888-12-11	1.9	SALMON RIVERRIGATION	FUNK, ELAINE L	1	wr	Adjudication	Recommendation					
72	4080	B	Beneficial Use	Active	1888-12-11	0.36	SALMON RIVERRIGATION	LEUZINGER, RIC	1	wr	Adjudication	Recommendation					
72	4080	C	Beneficial Use	Active	1888-12-11	4.18	SALMON RIVERRIGATION	MC GOWAN, THO	1	wr	Adjudication	Recommendation					
72	4080	E	Beneficial Use	Active	1888-12-11	1.37	SALMON RIVERRIGATION	SAVAGE, BILL N	1	wr	Adjudication	Recommendation					
72	4080	G	Beneficial Use	Active	1888-12-11	0.04	SALMON RIVERRIGATION	SEVERE, CLAYTO	1	wr	Adjudication	Recommendation					
72	4080	J	Beneficial Use	Active	1888-12-11	0.2	SALMON RIVERRIGATION	CORGATELLI, EL	1	wr	Adjudication	Recommendation					
72	4080	K	Beneficial Use	Active	1888-12-11	1.75	SALMON RIVERRIGATION	COOK, ROBERTA	1	wr	Adjudication	Recommendation					
72	4080	L	Beneficial Use	Active	1888-12-11	0.39	SALMON RIVERRIGATION	KUDER, DAN R	(C)	1	wr	Adjudication	Recommendation				
72	4080	M	Beneficial Use	Active	1888-12-11	0.5	SALMON RIVERRIGATION	WARNECKE, CHA	1	wr	Adjudication	Recommendation					
72	4080	N	Beneficial Use	Active	1888-12-11	0.51	SALMON RIVERRIGATION	OUELLET, BERN	1	wr	Adjudication	Recommendation					
72	4080	P	Beneficial Use	Active	1888-12-11	0.43	SALMON RIVERRIGATION	RUKAVINA, MIKE	1	wr	Adjudication	Recommendation					
72	4080	Q	Beneficial Use	Active	1888-12-11	0.4	SALMON RIVERRIGATION	RUKAVINA, MIKE	1	wr	Adjudication	Recommendation					
72	4080	S	Beneficial Use	Active	1888-12-11	0.18	SALMON RIVERRIGATION	PETERSON, L DE	1	wr	Adjudication	Recommendation					
72	4080	T	Beneficial Use	Active	1888-12-11	0.08	SALMON RIVERRIGATION	BABB, CHARLES	1	wr	Adjudication	Recommendation					
72	4080	V	Beneficial Use	Active	1888-12-11	0.37	SALMON RIVERRIGATION	SARRELS, JESSI	1	wr	Adjudication	Recommendation					
72	4080	X	Beneficial Use	Active	1888-12-11	0.31	SALMON RIVERRIGATION	ROYCE, STANLE	1	wr	Adjudication	Recommendation					
72	16279	A	Beneficial Use	Active	1888-12-11	12.78	SALMON RIVERRIGATION	HANSEN, CLIFF	(	2	wr	Adjudication	Recommendation				
72	16279	B	Beneficial Use	Active	1888-12-11	0.81	SALMON RIVERRIGATION	MORTIER, LYNN	1	wr	Adjudication	Recommendation					
72	4080	U	Decreed	Active	1888-12-11	0.53	SALMON RIVERRIGATION	CORGATELLI, ELLEN	wr	Water Right							
72	4144	C	Beneficial Use	Active	4/4/1920	1.44	SALMON RIVERRIGATION	CHESTER, JOE	(	3	wr	Adjudication	Recommendation				
72	4144	A	Beneficial Use	Active	4/4/1920	0.85	SALMON RIVERRIGATION	LAVERTY, GLADY	(	3	wr	Adjudication	Recommendation				
72	16506		Beneficial Use	Active	10/27/1965	0.8	SALMON RIVERRIGATION	PROPA FISH & GAME	(also known as)								
					total =		30.29										

Note:

this is

A Late

Claim

Water Rights
being transferred
into
Jose Ditch Company,
Inc. ownership
See attached
Assignments

Post-it® Fax Note		7671	Date 10-23-01	# of pages 1
To	Shaklene Miller	From	Steve Clelland	
Co./Dept.		Cc.		
Phone #	Jose Ditch	Phone #		
Fax #	879-2020	Fax #		



STATE OF IDAHO
PETE T. CENARRUSA
SECRETARY OF STATE
700 WEST JEFFERSON
PO BOX 83720
BOISE, ID 83720-0080

PRESORTED
FIRST-CLASS
U.S. POSTAGE PAID
Boise, ID
PERMIT No. 1

IDAHO ANNUAL REPORT FORM

C 127416

RETURN SERVICE REQUESTED

THIS IS THE ONLY NOTICE YOU WILL RECEIVE

JOSE DITCH COMPANY, INC., AN IDAHO NONPROFIT CORPOR
PO BOX 274
CHALLIS, ID 83226

AUP 1 83226



No. C 127416	Due no later than Feb 28, 2002 Annual Report Form	2. Registered Agent and Office NO PO BOX
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080	1. Mailing Address - Correct in this box, if applicable JOSE DITCH COMPANY, INC., AN IDAHO PO BOX 274 CHALLIS, ID 83226	SHARLENE H. MILLER HC 63 BOX 1771-1 CHALLIS, ID 83226
IO FILING FEE IF RECEIVED BY DUE DATE		3. New Registered Agent Signature

Corporations: Enter Names and Business Addresses of President, Secretary and Directors.

Office held	Name	Street or P.O. Address	City	State	Zip
resident	Cliff M. Hansen	HC 63 Box 1777	Challis	ID	83226
ice-Pres	Bill N. Savage	PO Box 5	Challis	ID	83226
irector	Thomas V. McGowan	PO Box 1040	Challis	ID	83226
ecretary	Sharlene H. Miller	HC 63 Box 1771-1	Challis	ID	83226

Organized Under the Laws of: IDAHO C 127416	6. Signature Name (Typed or Printed) Sharlene H. Miller Date 12/18/2001 Title Secretary
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Issued 12/03/2001

Do Not Tape or Staple

724

Fold, seal and mail this portion.

C

Mailed 12-19-2001
PM

ASSIGNMENT

Nick Piva and Janette Piva (hereinafter collectively referred to as "Assignor"), herein assign all of their right, title and interest in and to Water Right No. 72-4080AB to **JOSE DITCH COMPANY, INC** an Idaho non-profit irrigation corporation (hereinafter referred to as "Assignee") in consideration of the receipt of 5 shares of stock in Jose Ditch Company, Inc. Said Water Right No. 72-4080AB is fully described on Exhibit "A" attached hereto and made a part of this Assignment by reference.

DATED this 2nd day of January 20 02.

"ASSIGNOR"

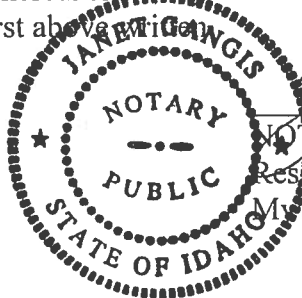
Nick Piva
Nick Piva

Janette Piva
Janette Piva

STATE OF IDAHO)
) ss,
County of Custer)

On this 2nd day of January, 20 02, before me, a Notary Public for said County and State, personally appeared Nick Piva and Janette Piva, known or identified to me, to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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



Janet Dargis
NOTARY PUBLIC FOR IDAHO
Residing at: Challis
My commission expires: 4/30/04

12/18/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 72-4080AB

WATER RIGHT NUMBER: 72-4080AB

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NICK PIVA PO BOX 718 CHALLIS, ID 83226 (208)879-2274
Current Owner	JANETTE PIVA PO BOX 718 CHALLIS, ID 83226 (208)879-2274

Priority Date: 12/11/1888
 Basis: Beneficial Use
 Status: Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	0.100 CFS	
	<u>Total Diversion:</u>	0.100 CFS	X 60 = 5 shares

Location of Point(s) of Diversion
 SALMON RIVER
 CUSTER County

L2 NE1/4SW1/4NE1/4

Sec. 16, Twp 13N, Rge 19E, B.M.

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	
14N 19E 27																1.0	1.0
14N 19E 34	2.5																2.5

Total Acres: 3.5

Conditions of Approval:Remarks:

1.

WATER IS DELIVERED THROUGH JOSE DITCH. PROPERTY IS ALSO KNOWN AS LOT 11,
 BLK 1, WILD RIVER ESTATES.