

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 63-203C
Date Received: 3/19/1990
Receipt No: C015709
Received By:

AMENDED

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

1. Name of Claimant(s)

DONNA WESTON Phone: (208)722-7112
10895 HORSESHOE BEND RD
BOISE ID USA 83714

2. Date of Priority: 06/01/1878

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	05W	22	NW NE SW	CANYON	

5. Description of diverting works:

Diversion dam in river with headgate and gravity ditch

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	11/15	0.63	

7. Total Quantity Appropriated is:
0.63 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
05N	05W	8	NE SE	IRRIGATION	39
			NW SE	IRRIGATION	39
			SE NW	IRRIGATION	27
			SW NE	IRRIGATION	16
			NE SW	IRRIGATION	30
Section Acres					151
Total Acres					151

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: 63-204C, 63-209

14. Remarks:

Flow rate amended to pro-rated share of original decree for NESE acres.

P/D amended to actual diversion out of the river.

Acres amended to 151-acre ppu (additional acres previously paid per receipt no. C014701).

CHANGE IN OWNERSHIP LG 6-28-2006

15. Basis of Claim: Decreed

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): Donna Weston Date: 8-17-06

Date:

State of Idaho)
County of Canyon) SS.

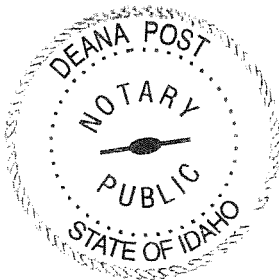
Subscribed and sworn (or affirmed) before me this 17
of August 2006

Deana Post

Notary Public

Residing at Parma

My commission Expires 12-10-2008



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
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CIVIL CASE NUMBER: 39576

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

1. Name of Claimant(s)

DONNA WESTON Phone: (208)722-7112

10895 HORSESHOE BEND RD
BOISE ID USA 83714

2. Date of Priority: 06/01/1878

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	05W	16	NE SW SE	CANYON	

5. Description of diverting works:

HAVE 40 SHARES OF ALL 4 WATER RIGHTS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.09	

7. Total Quantity Appropriated is:
0.09 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
05N	05W	8	NE SE	IRRIGATION	38.5
Section Acres					38.5

Total Acres 38.5

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:

CHANGE IN OWNERSHIP LG 6-28-2006

15. Basis of Claim: Beneficial Use

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 (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>A63-203C</u>	_____	_____	_____	_____
_____	<u>A63-204C</u>	_____	_____	_____	_____
_____	<u>A63-5129A + C</u>	_____	_____	_____	_____
_____	<u>A63-5130A + C</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) CLASON FAMILY REVOCABLE LIVING TRUST
900 E 13th, THE DAILES OR 97058
4. New Owner/Claimant(s) DONNA WESTON
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 10895 HORSESHOE BEND RD
 City, State and ZIP Code BOISE ID 83714
 New Telephone Number (208) 722-7112, 208-870-8231
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	_____	_____

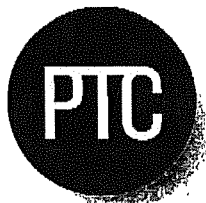
DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes,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

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable) Donna Weston

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 _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____



Pioneer Title Co.

GOING BEYOND

610 South Kimball Avenue / Caldwell, Idaho 83605 / (208) 459-1651

WARRANTY DEED

For Value Received Don K Weilmunster, also known as Donald K. Weilmunster, a single man at the date of acquiring title, now a married man dealing as his sole and separate property hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Pioneer Exchange Accommodation Titleholder #114, LLC

hereinafter referred to as Grantee, whose current address is
703 Americana Blvd #120, Boise, ID 83702,
the following described premises, to-wit:

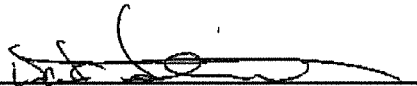
SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF
Subject to those items shown on Exhibit B attached hereto and made a part hereof.

Grantor herein reserves exclusive hunting privileges on all undeveloped property for a period of five years from April 1, 2006.

INITIAL

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: April 7, 2006


Donald K Weilmunster

State of Idaho

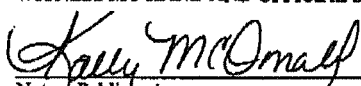
County of Canyon

ss.

On this 7 day of April, 2006, before me, the undersigned, a Notary Public, in and for said State, personally appeared Donald K. Weilmunster known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

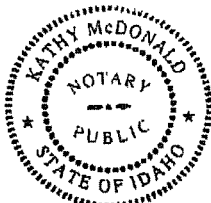
WITNESS MY HAND AND OFFICIAL SEAL

(SEAL)


Notary Public

Residing at: Caldwell

Commission Expires: 5-27-11



File No.: 200500272

EXHIBIT A**Parcel I:**

The South half of the Southwest Quarter of Section 5;
The South half of the Southeast Quarter of Section 6;
The Northeast Quarter of the Northeast Quarter of Section 7;
The North half of the Northeast Quarter; the North half of the Northwest Quarter; and the Southwest Quarter of the Northwest Quarter of the Section 8, all being in Township 5 North, Range 5 West of the Boise Meridian, Canyon County, Idaho;

EXCEPTING the right of way of the Oregon Short Line Railroad Company;

ALSO EXCEPTING THEREFROM:

All that portion of the North one half of the Northeast Quarter of lying North of the Railroad in Section 8 Township 5N, Range 4 West Boise Meridian, Canyon County, Idaho

ALSO EXCEPTING THEREFROM:

All the Portion of the South one-half of the Southwest quarter lying North and East of the Railroad in Section 5 Township 5 North, Range 5 West Boise Meridian, Canyon County, Idaho.

ALSO EXCEPTING:

BEGINNING at the Northeast corner of said Section 8 and run thence

South 450 feet; thence

West 250 feet; thence

North 450 feet; thence

East 250 feet to the **POINT OF BEGINNING**;

ALSO EXCEPTING THEREFROM property conveyed to The Amalgamated Sugar Company, a corporation, by Deed dated December 16, 1946, recorded February 3, 1947, in Book 168 of Deeds, Page 209 and in Deed dated August 18, 1954, recorded August 25, 1954, in Book 231 of Deeds, Page 72, records of Canyon County, Idaho, said excepted portions further described as follows:

BEGINNING at the point of intersection of the Southerly boundary line of the right of way of the Oregon Short Line Railroad Company with the East boundary line of Section 8; thence Northwesterly along said Southwesterly boundary line to point of intersection with the North boundary line of said Section 8; thence West along said North boundary line 493.7 feet, more or less, to point of intersection with the North bank of the River Flat Irrigation District Ditch; thence Southeasterly along said North bank to point in the North bank of Sage Creek; thence Easterly Continued on next page.along the meandering North bank of Sage Creek to point of intersection with the East boundary line of said Section 8; thence North along said East line to **POINT OF BEGINNING**;

ALSO EXCEPTING THEREFROM:

This parcel is a portion of the Northeast Quarter Northeast Quarter Section 8, Township 5 North, Range 5 West, Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

File No.: 200500272

COMMENCING at the Northeast corner of said Northeast Quarter Northeast Quarter; thence South $0^{\circ} 05' 59''$ West along the East boundary of said Northeast Quarter Northeast Quarter a distance of 482.46 feet to the **TRUE POINT OF BEGINNING**; thence continuing South $0^{\circ} 05' 59''$ West along the East boundary a distance of 711.54 feet; thence North $18^{\circ} 17' 45''$ West a distance of 419.67 feet; thence North $42^{\circ} 53' 36''$ East a distance of 13.96 feet; thence North $18^{\circ} 12' 50''$ West a distance of 316.77 feet; thence North $81^{\circ} 15' 12''$ East a distance of 66.11 feet; thence South $87^{\circ} 03' 07''$ East a distance of 157.36 feet to the **TRUE POINT OF BEGINNING**.

Parcel II:

COMMENCING at the Northwest corner of the Northeast Quarter Southwest Quarter of Section 6, Township 5 North, Range 5 West of the Boise Meridian, Canyon County, Idaho; thence running due East 80 rods; thence due South 80 rods; thence Northwest diagonally on a straight line running from the Southeast corner of the Northeast Quarter Southwest Quarter of said Section 6, to the **REAL POINT OF BEGINNING**; Also, beginning at a point 20 rods South of the Northwest corner of the Northeast Quarter Southwest Quarter of said Section 6, Township 5 North, Range 5 West of the Boise Meridian, Canyon County, Idaho; thence running due North 20 rods; thence Southeast diagonally on a straight line running from the Northwest corner of the Northeast Quarter Southwest Quarter to the Southeast corner of said Northeast Quarter Southwest Quarter of said Section 6, and running thence due South 800 feet; thence due West 700 feet; thence running on a straight line in a Northwesterly direction 1,585 feet to the **POINT OF BEGINNING**, all in Section 6, Township 5 North, Range 5 West of the Boise Meridian, Canyon County, Idaho.

Parcel III:

The Northeast Quarter of the Southeast quarter of Section 8, Township 5 North, Range 5 West, Boise Meridian, Canyon County, Idaho;

EXCEPTING THEREFROM

BEGINNING at the Southeast corner of said Northeast Quarter of Southeast Quarter, Section 8; thence West a distance of 75 feet to the **REAL POINT OF BEGINNING**; thence West a distance of 110 feet; thence North a distance of 170 feet; thence East a distance of 110 feet; thence South a distance of 170 feet to the **REAL POINT OF BEGINNING**.

EXHIBIT B

1. Current year's taxes, levies and assessments.
2. Zoning and land use restrictions, reservations in U.S. Patents, restrictions, easements and agreements of record and easements visible upon the premises.
3. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
4. Easements, claims of easement or encumbrances which are not shown by the public record.
5. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records.
6. Unpatented mining claims: reservations or exceptions in patents or in acts authorizing the issuance thereof: water rights, claims, or title to water.
7. Liens and assessments of Parma Ditch Company
8. Liens and assessments of River Flat Irrigation District Ditch Company
9. Taxes and assessments, if any, on water rights for irrigation and drainage, the lands not being in any regularly organized irrigation district.
10. Rights of way for irrigation and drainage ditches and canals and roads, including but not limited to Hexon Road; Apple Valley Road; Walker Road, Sharp Lane; Bar Diamond Lane; Sand Hollow Creek; Sage Creek River Flat Irrigation Ditch and unnamed Drainage Ditch lying within the Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northwest Quarter of said Section 8
11. Agreement for establishing a public road along the North line of the Northeast Quarter of the Southwest Quarter and along the East and North lines of Lot 5 of said Section 6, recorded December 30, 1918, Instrument No. 92412
Affects Parcel I
12. Power Line Easement as granted to IDAHO POWER COMPANY, a corporation, by instrument recorded April 29, 1942 as Instrument No. 271199, records of Canyon County, Idaho...including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system.
Affects Parcel II

13. Power Line Easement as granted to IDAHO POWER COMPANY, a corporation, by Instrument recorded April 15, 1943 as Instrument No. 278565, records of Canyon County, Idaho...including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system.
Affects Parcel I
14. Right of Way for public highway commencing at the point where the North section line of said Section 8 intersects the North line of the Oregon Short Line Railroad Company right of way and running thence West 3400 feet to the Northwest corner of said Section 8, as referred to in Certified Copy of Commissioner's Minutes recorded August 9, 1949 Instrument No. 352918
Affects Parcel I
15. Channel Change Easement to State of Idaho recorded September 24, 1952 Instrument No. 392531, providing permission to occupy a strip of land 40 feet in width for the purpose of construction a Channel Change of Sand Hollow Creek.
Affects Parcel III
16. Easement to The State of Idaho for the use and benefit of the Department of Fish and Game, recorded November 27, 1959 Instrument No. 479733.
Affects Parcel II
17. Right of Way of the Oregon Short Line Railroad
18. Any Interest of the State of Idaho in and to that portion of said land lying below the high water mark of the Boise River.
19. Any claim arising from the difference in the mean high water line of the Boise River and the meander line as shown by the original government survey.
20. A portion of this property appears to have been acquired by accretion or avulsion due to the changes of the mean high water line of the Boise River.



Pioneer Title Co.

GOING BEYOND



610 South Kimball Avenue / Caldwell, Idaho 83605 / (208) 459-1651

CORPORATE WARRANTY DEED

FOR VALUE RECEIVED,

W&L Land & Livestock Co.

a corporation duly organized and existing under the laws of the State of, grantor, does hereby Grant, Bargain, Sell and Convey unto

Pioneer Exchange Accommodation Titleholder #114, LLC

hereinafter referred to as Grantee, whose current address is

703 Americana Blvd #120, Boise, ID 83702,

the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF
Subject to those items shown on Exhibit B attached hereto and made a part hereof.



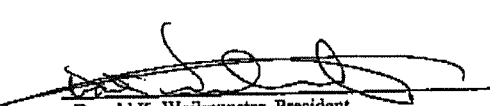
Grantor herein reserves exclusive hunting privileges on all undeveloped property for a period of five years from April 1, 2006.

INITIAL

SUBJECT TO current years taxes, irrigation district assessment, public utility easements, subdivision, restrictions, U.S. patent reservations, easements of record and easements visible upon the said premises.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in a fee simple of said premises; that they are free from all encumbrances and that it will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its officers on April 7, 2006.


Donald K. Weilmunster, President

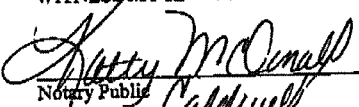
State of Idaho

ss.

County of Canyon
On this 7 day of April, 2006, before me, the undersigned, a Notary Public, in and for said State, personally appeared Donald K. Weilmunster known and/or identified to me on the basis of satisfactory evidence, to be the President of the Corporation that executed the within instrument or the person who executed the instrument on behalf of said Corporation and acknowledged to me that such Corporation executed the same.

WITNESS MY HAND AND OFFICIAL SEAL

(SEAL)


Notary Public

Residing at: Caldwell

Commission Expires: 5-27-11



File No. 200500272

EXHIBIT A

Parcel IV:

**The Southwest Quarter of the Northeast Quarter;
The Southeast Quarter of the Northwest Quarter;
The Northeast Quarter of the Southwest Quarter; and,
The Northwest Quarter of the Southeast Quarter all being in Section 8, Township 5 North,
Range 5 West of the Boise Meridian, Canyon County, Idaho.**

EXCEPT THEREFROM:

This parcel is situated in the Southwest Quarter Northeast Quarter and the Southeast Quarter Northwest Quarter of Section 8, Township 5 North, Range 5 West, Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

**COMMENCING at the Northeast corner of said Southwest Quarter Northeast Quarter;
thence**

South 0° 03' 53" West along the East boundary of said Southwest Quarter Northeast Quarter, a distance of 23.00 feet to the TRUE POINT OF BEGINNING; thence

**South 0° 03' 53" West along the East boundary of said Southwest Quarter Northeast Quarter, a distance of 750.85 feet to a point on the centerline of a drain ditch;
thence traversing said centerline**

North 37° 52' 12" West a distance of 235.66 feet;

North 87° 14' 12" West a distance of 98.18 feet;

South 51° 15' 01" West a distance of 198.19 feet;

North 83° 24' 59" West a distance of 189.77 feet;

South 77° 11' 01" West a distance of 225.07 feet;

North 87° 36' 09" West a distance of 861.19 feet;

North 74° 22' 51" West a distance of 244.37 feet;

North 50° 59' 26" West a distance of 321.15 feet;

North 06° 55' 46" West a distance of 87.44 feet;

North 42° 32' 41" West a distance of 161.85 feet;

North 22° 03' 05" East a distance of 143.94 feet;

North 18° 44' 45" West a distance of 44.45 feet;

North 61° 49' 01" West a distance of 62.19 feet;

North 45° 11' 01" West a distance of 69.82 feet; thence

South 88° 39' 31" East a distance of 1,006.66 feet; thence

**South 88° 47' 02" East a distance of 1,329.96 feet to the TRUE POINT OF
BEGINNING.**

EXHIBIT B

1. Current year's taxes, levies and assessments.
2. Zoning and land use restrictions, reservations in U.S. Patents, restrictions, easements and agreements of record and easements visible upon the premises.
3. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
4. Easements, claims of easement or encumbrances which are not shown by the public record.
5. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records.
6. Unpatented mining claims: reservations or exceptions in patents or in acts authorizing the issuance thereof: water rights, claims, or title to water.
7. Liens and assessments of Parma Ditch Company
8. Liens and assessments of River Flat Irrigation District Ditch Company
9. Taxes and assessments, if any, on water rights for irrigation and drainage, the lands not being in any regularly organized irrigation district.
10. Rights of way for irrigation and drainage ditches and canals and roads, including but not limited to Hexon Road; Apple Valley Road; Walker Road, Sharp Lane; Bar Diamond Lane; Sand Hollow Creek; Sage Creek River Flat Irrigation Ditch and unnamed Drainage Ditch lying within the Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northwest Quarter of said Section 8
11. Agreement for establishing a public road along the North line of the Northeast Quarter of the Southwest Quarter and along the East and North lines of Lot 5 of said Section 6, recorded December 30, 1918, Instrument No. 92412
Affects Parcel I
12. Power Line Easement as granted to IDAHO POWER COMPANY, a corporation, by Instrument recorded April 29, 1942* as Instrument No. 271199, records of Canyon County, Idaho...including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system.
Affects Parcel II

13. Power Line Easement as granted to IDAHO POWER COMPANY, a corporation, by instrument recorded April 15, 1943 as Instrument No. 278565, records of Canyon County, Idaho...Including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system.
Affects Parcel I
14. Right of Way for public highway commencing at the point where the North section line of said Section 8 intersects the North line of the Oregon Short Line Railroad Company right of way and running thence West 3400 feet to the Northwest corner of said Section 8, as referred to in Certified Copy of Commissioner's Minutes recorded August 9, 1949 Instrument No. 352918
Affects Parcel I
15. Channel Change Easement to State of Idaho recorded September 24, 1952 Instrument No. 392531, providing permission to occupy a strip of land 40 feet in width for the purpose of construction a Channel Change of Sand Hollow Creek.
Affects Parcel III
16. Easement to The State of Idaho for the use and benefit of the Department of Fish and Game, recorded November 27, 1959 Instrument No. 479733.
Affects Parcel II
17. Right of Way of the Oregon Short Line Railroad
18. Any Interest of the State of Idaho in and to that portion of said land lying below the high water mark of the Boise River.
19. Any claim arising from the difference in the mean high water line of the Boise River and the meander line as shown by the original government survey.
20. A portion of this property appears to have been acquired by accretion or avulsion due to the changes of the mean high water line of the Boise River.



Pioneer Co.

Pioneer Title Company

610 S. Kimball Ave. Caldwell, ID 83605

Phone: 208-459-1651 Fax: 208-455-1138

To: Lori 334-2348

From: **Melissa Enrico, Escrow Assistant**

Date: 6-27-06

If there has been an error with this transmission, or if you have any questions please contact me at 459-1651

Reference: Donna Weston Deeds

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: **A63-00203C**
Date Received: 3/19/1990
Receipt No: C015709
Received By: _____

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

1. Name: CLASON FAMILY REVOCABLE LIVING TRUST 503-298-1950
Address: ROBERT B CLASON TRUSTEE
WANDA M CLASON TRUSTEE
900 E 13TH
THE DALLES OR 97058

2. Date of Priority: JUN 1, 1878

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	05W	16	NE	SW	SE		CANYON

5. Description of diverting works:
PARMA DITCH CO. CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.090		

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

8. Total consumptive use is 134.7 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

MICROFILMED
JUL 25 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	05W	8	NE	SE		IRR	38.5

10. Place of Use: Continued

Section Acres 38.5

Total Acres 38.5

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:
A63-00204C, A63-05129C, A63-05130C

14. Remarks:
HAVE 40 SHARES OF ALL 4 WATER RIGHTS

15. Basis of Claim: BENEFICIAL USE

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 _____
~~MICROFILMED~~

JUL 25 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 3-22-93

LEGAL DESCRIPTION OF PROPERTY: Township 05N Range 05W
Section 16, NE 1/4 of SW 1/4 of SE 1/4, Govt. Lot N/A, BM.
Lot _____, Block, _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet. See attached Deeds

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☒ Water Right Number(s) Assigned by IDWR: A63-00203C, A63-05129C, A63-00204C, A63-05130C

☒ Name and Address of Former Owner/Claimant(s)(Seller): Wanda M. Clason
900 E. 13th

☒ New Owner/Claimant (Purchaser): The Dalles, Oregon 97058
Robert B. Clason and Wanda M. Clason, Trustees of the
Clason Family Revocable Living Trust, Dated 2/11/93

☒ New Mailing Address: 900 E. 13th
The Dalles, Oregon 97058

☒ New Telephone Number: 503) 298 - 1950

☒ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☒ Attach proof of ownership, describe proof attached: See four (4) attached Bargain and Sale Deeds

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New Owner/Claimant(s): Robert B. Clason Trustee Date 4-22-93
Wanda M. Clason Trustee Date 4-22-93

☒ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 7-8-93 By: [Signature]

Further Action Needed:

N/A

Further Action Taken

Date: N/A By: _____

Final Review and Data-Entry

Date: 7-9-93 By: [Signature]

Claim Numbers of Split, if any:

MICROFILMED

JUL 25 1994

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

POOR ORIGINAL

9307091

BARGAIN AND SALE DEED

Department of Water Resources
Eastern Regional Office

THE GRANTOR is WANDA M. CLASON, a married woman dealing with her sole and separate property (herein called grantor).

THE GRANTEE is ROBERT B. CLASON and WANDA M. CLASON, the trustees of the CLASON FAMILY REVOCABLE LIVING TRUST created by that certain agreement in writing dated February 11, 1993, wherein ROBERT B. CLASON and WANDA M. CLASON appear as "settlor" and ROBERT B. CLASON and WANDA M. CLASON appear as "trustee" (herein called grantee) whose current address is 900 East 13th, The Dalles, OR 97058.

FOR VALUE RECEIVED, the grantor hereby bargains, sells and conveys unto the grantee those premises situated in Canyon County, Idaho, and described as follows:

The NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, Township 5 North, Range 5 West of the Boise Meridian, Canyon County Idaho EXCEPTING THEREFROM: Beginning at the SE corner of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8; thence West 75 feet to the REAL POINT OF BEGINNING; thence West 110 feet; thence North 170 feet; thence East 110 feet; thence South 170 feet to the Real Point of Beginning.

TOGETHER with all water rights, including but not limited to 40 shares of capital stock of the Parma Ditch Company, Limited, and all ditch rights, rights of way, improvements, fixtures, tenements, hereditaments and appurtenances thereto belonging or used in connection therewith.

SUBJECT to the following: all current taxes and assessments of every kind whatsoever; all patent and state deed reservations; the bonded debt of all taxing units; all repayment contracts between any irrigation district in which the premises may be situated and the United States; and all rights of way over the premises regardless of how evidenced or acquired and whether the same appear of record or not.

TO HAVE AND TO HOLD the premises and its appurtenances unto the grantee and the grantee's successors and assigns forever.

INTERPRETATION: Singular terms used herein shall be read as if written in the plural when the context so requires or permits. The date this deed is dated immediately below is the date on which it will take effect.

DATED:

3-22-93

Wanda M. Clason
Wanda M. Clason, Grantor.

THIS DEED IS
APPLICABLE TO CLAIM
NOS. A63-00203C, A63-
00204C, A63-05129C &
A63-05130C.
MICROFILMED

JUL 25 1994

STATE OF OREGON, County of Wasco) ss

On this date, before me, the undersigned notary public for such state, personally appeared **WANDA M. CLASON**, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

WITNESS my hand and seal on 3-22-93.

Samuel R. Pauloff Notary Public.

MY COMMISSION EXPIRES 1-9-94

9307091

RECORDED

'93 APR 6 PM 2 08

MEL J. LARK

CANYON COUNTY RECORDER

BY

W. Clason

REQUEST

TYPE

Deed

FEE

6.00

County Clerk Office

MICROFILMED

JUL 25 1994



POOR ORIGINAL

BARGAIN AND SALE DEED

Department of Water Resources
Western Regional Office

THE GRANTOR is ROBERT B. CLASON and WANDA M. CLASON, husband and wife (herein called grantor).

THE GRANTEE is ROBERT B. CLASON and WANDA M. CLASON, the trustees of the CLASON FAMILY REVOCABLE LIVING TRUST created by that certain agreement in writing dated February 11, 1993, wherein ROBERT B. CLASON and WANDA M. CLASON appear as "settlor" and ROBERT B. CLASON and WANDA M. CLASON appear as "trustee" (herein called grantee) whose current address is 900 East 13th, The Dalles, OR 97058.

FOR VALUE RECEIVED, the grantor hereby bargains, sells and conveys unto the grantee those premises situated in Canyon County, Idaho, and described as follows:

BEGINNING at the Easterly corner of Block 7 of DORMAN ADDITION, CALDWELL, IDAHO; according to the official Plat of said Block 7 on file and of record in the office of the County Recorder of Canyon County, Idaho, said point of beginning being the intersection of the Northwestern boundary line of 18th Avenue East (now known as 18th Avenue) with the Southwesterly boundary line of Main Street South (now known as Main Street) of Caldwell, Idaho; thence running Southwesterly along the Southeasterly boundary line of said Block 7, a distance of 60 feet; thence running Northwesterly on a line parallel with the said Southwesterly boundary line of Main Street, a distance of 100 feet to a point in the Northwesterly boundary line of Lot 9 in said Block 7; thence running Northeasterly on the Northwesterly boundary line of said Lot 9, a distance of 60 feet to the Northerly corner of said Lot 9; thence run Southeasterly on the Northeasterly boundary line of said Block 7 (being on the Southwesterly boundary line of said Main Street), a distance of 100 feet to the point of beginning;

(The tract above conveyed constitutes the Northeasterly one-half of Lots 9, 10, 11 and 12 in Block 7 aforesaid.)

TOGETHER with all water rights, ditch rights, rights of way, improvements, fixtures, tenements, hereditaments and appurtenances thereto belonging or used in connection therewith.

SUBJECT to the following: all current taxes and assessments of every kind whatsoever; all patent and state deed reservations; the bonded debt of all taxing units; all repayment contracts between any irrigation district in which the premises may be situated and the United States; and all rights of way over the premises regardless of how evidenced or acquired and whether the same appear of record or not.

MICROFILMED

JUL 25 1994

TO HAVE AND TO HOLD the premises and its appurtenances unto the grantee and the grantee's successors and assigns forever.

INTERPRETATION: Singular terms used herein shall be read as if written in the plural when the context so requires or permits. The date this deed is dated immediately below is the date on which it will take effect.

DATED: 3-22-93

Robert B. Clason
Robert B. Clason, Grantor.

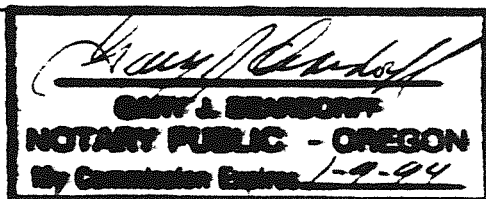
Wanda M. Clason
Wanda M. Clason, Grantor.

STATE OF OREGON, County of WASCO) ss

On this date, before me, the undersigned notary public for such state, personally appeared **ROBERT B. CLASON** and **WANDA M. CLASON**, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

WITNESS my hand and seal on 3-22-93.

Notary Public.



REQUEST
TYPE Deed FEE 6.00

FILED
CANYON CH. RECORDER
BY W. Clason

'93 APR 6 PM 2 08

RECORDED

9307089

MICROFILMED

JUL 25 1994

POOR ORIGINAL

RECEIVED

APR 30 1993

BARGAIN AND SALE DEED

Department of Water Resources

THE GRANTOR is ROBERT B. CLASON and WANDA M. CLASON, husband and wife (herein called grantor).

THE GRANTEE is ROBERT B. CLASON and WANDA M. CLASON, the trustees of the CLASON FAMILY REVOCABLE LIVING TRUST created by that certain agreement in writing dated February 11, 1993, wherein ROBERT B. CLASON and WANDA M. CLASON appear as "settlor" and ROBERT B. CLASON and WANDA M. CLASON appear as "trustee" (herein called grantee) whose current address is 900 East 13th, The Dalles, OR 97058.

FOR VALUE RECEIVED, the grantor hereby bargains, sells and conveys unto the grantee the premises situated in Canyon County, Idaho, and described as follows:

~~BE~~ BEGINNING at the Easterly corner of Block 7 of Dorman Addition to Caldwell, Idaho, according to the official plat of said Addition on file and of record in the office of the County Recorder of Canyon County, Idaho, said point of beginning being the intersection of the Northwesterly boundary line of 10th Avenue East (now known as 18th Avenue) with the Southwesterly boundary line of Main Street South (now known as Main Street) of Caldwell, Idaho; thence running Southwesterly along the Southeasterly boundary line of said Block 7, a distance of 60 feet to THE REAL POINT OF BEGINNING:

Thence continue Southwesterly along said Southeasterly boundary line (and said line extended) a distance of 60 feet; thence running Northwesterly along a line parallel with the Southwesterly boundary line of Main Street, a distance of 100 feet; thence running Northeasterly on a line parallel with the Northwesterly boundary line of said 18th Avenue, a distance of 60 feet; thence running Southeasterly a distance of 100 feet to the real point of beginning.

(Tract here described being the Southwesterly one-half of vacated Lots 9, 10, and 11 and part of Lot 12 of Block 7 of Dorman Addition to Caldwell, Idaho, and a part of vacated Block 1 of Washington Heights, Steuenberg and Hand's Addition to Caldwell, Idaho, according to the recorded plats thereof.)

TOGETHER with all water rights, ditch rights, rights of way, improvements, fixtures, tenements, hereditaments and appurtenances thereto belonging or used in connection therewith.

SUBJECT to the following: all current taxes and assessments of every kind whatsoever; all patent and state deed reservations; the bonded debt of all taxing units; all repayment contracts between any

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JUL 25 1994

POOR ORIGINAL

irrigation district in which the premises may be situated and the United States; and all rights of way over the premises regardless of how evidenced or acquired and whether the same appear of record or not.

TO HAVE AND TO HOLD the premises and its appurtenances unto the grantee and the grantee's successors and assigns forever.

INTERPRETATION: Singular terms used herein shall be read as if written in the plural when the context so requires or permits. The date this deed is dated immediately below is the date on which it will take effect.

DATED: 3-22-93

Robert B. Clason
Robert B. Clason, Grantor.

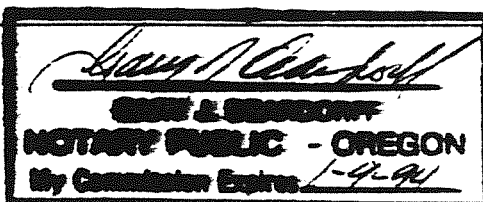
Wanda M. Clason
Wanda M. Clason, Grantor.

STATE OF OREGON, County of Wasco) ss

On this date, before me, the undersigned notary public for such state, personally appeared **ROBERT B. CLASON** and **WANDA M. CLASON**, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

WITNESS my hand and seal on 3-22-93

Notary Public.



REQUEST
BY Deed Rec 600

FILED
CANYON CN. RECORDER
BY W. H. H. H.

'93 APR 6 PM 2 08

RECORDED

9307090

MICROFILMED

JUL 25 1994

BARGAIN AND SALE DEED

THE GRANTOR is WANDA M. CLASON, a married woman dealing with her sole and separate property (herein called grantor).

THE GRANTEE is ROBERT B. CLASON and WANDA M. CLASON, the trustees of the CLASON FAMILY REVOCABLE LIVING TRUST created by that certain agreement in writing dated February 11, 1993, wherein ROBERT B. CLASON and WANDA M. CLASON appear as "settlor" and ROBERT B. CLASON and WANDA M. CLASON appear as "trustee" (herein called grantee) whose current address is 900 East 13th, The Dalles, OR 97058.

FOR VALUE RECEIVED, the grantor hereby bargains, sells and conveys unto the grantee those premises situated in Owyhee County, Idaho, and described as follows:

Lots 5 and 6 of Block 20 as shown on the amended plat of the Homedale Townsite on file and of record in the office of the recorder for Owyhee County, Idaho.

AND

POOR ORIGINAL

Commencing at a point 144.5 feet South of the NW corner of Block 66 of the Homedale Townsite as shown on the amended plat thereof on file and of record in the office of the County Recorder for Owyhee County, Idaho, being the real point of beginning; thence East on a line parallel with the South boundary line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, Township 3 North, Range 5 West, B.M., a distance of 250 feet; thence South to a point 60 feet North of the South boundary line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 9, T3N, R5W, B.M.; thence West on a line parallel with the South boundary line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 9, T3N, R5W, B.M., a distance of 250 feet; thence North to the real point of beginning.

~~TOGETHER~~ with all water rights, ditch rights, rights of way, improvements, fixtures, tenements, hereditaments and appurtenances thereto belonging or used in connection therewith.

SUBJECT to the following: all current taxes and assessments of every kind whatsoever; all patent and state deed reservations; the bonded debt of all taxing units; all repayment contracts between any irrigation district in which the premises may be situated and the United States; and all rights of way over the premises regardless of how evidenced or acquired and whether the same appear of record or not.

TO HAVE AND TO HOLD the premises and its appurtenances unto the grantee and the grantee's successors and assigns forever.

INTERPRETATION: Singular terms used herein shall be read as if written in the plural when the context so requires or permits. The

MICROFILMED

JUL 25 1994

date this deed is dated immediately below is the date on which it will take effect.

DATED: 3-22-93

Wanda M. Clason
Wanda M. Clason, Grantor.

STATE OF OREGON, County of WASCO) ss

On this date, before me, the undersigned notary public for such state, personally appeared WANDA M. CLASON, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

WITNESS my hand and seal on 3-22-93

[Signature] Notary Public.

MY COMMISSION EXPIRES 1-9-94

210021

FILED-RECORDED

'93 APR 7 PM 1 03

BARBARA L. WOOD
CLERK OF DISTRICT COURT

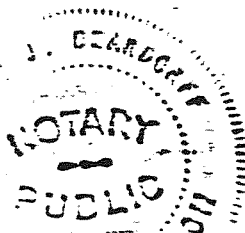
DEPUTY
C. C. McArthur

REQUEST OF
Clason Law Office

FILE 6.00

INDEX

NOTED



MICROFILMED

MAR 25 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: A63-00203C
Date Received: 3/19/1990
Receipt No: CO 15709
Received By: AWA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WANDA M. CLASON 503-298-1950
Address: 900 E. 13TH
THE DALLES, OR 97058

2. Date of Priority: JUN 01, 1878

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	05W	16	NE	SW	SE		CANYON

5. Description of diverting works:
PARMA DITCH CO. CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.090		

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

8. Total consumptive use is 134.7 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	05W	8	NE	SE		IRR	38.5
Section Acres							38.5

10. Place of Use: Continued

Total Acres 38.5

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:

A63-00204C, A63-05129C, A63-05130C

14. Remarks:

HAVE 40 SHARES OF ALL 4 WATER RIGHTS

15. Basis of Claim: BENEFICIAL USE

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: 3

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): Wanda M. Clason Date: 3-19-90

Date: _____

State of Idaho)
County of Ada) SS.

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

Sally Frazee
Notary Public

Seal

SALLY FRAZEE, Notary Public
Residing at _____ Residing at Boise, Idaho
My Commission Expires November 14, 1992
My Commission Expires _____

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

WR0723NP
(OD-26)

Water Right Number - 63-00203 Adj. Flag Translation: Standard Water Right Number Old (D) Number -

+ - - - - Last Name - - - + + - - - First Name - - - + + - - - Address - - - - - +

*** C - CURRENT OWNER ***
STOCKTON

R. H.

1 -
2 -
3 -

City- State- ID Zip-
Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/01/1878 14 D - DECREED

+ - - Source - - - - - + + - - - Tributary - - - - - + + - - - Status - - - +
BOISE RIVER SNAKE RIVER

+ - - - - - - - - - - - - - - - Point of Diversion - - - - - Stream Index (Blank if no Index Code) - - - - - +

Twn Rng Sec Tract Lot RFlg County (27) CANYON

+ - - - - - - - - - - - - - - - Water Use - - - - - Diversion Rate Diversion Volume - - - - - +

01 - IRRIGATION 4.400

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - + + - - Total Consumptive Use - + + - - KW Usage - +

+ - - - - - - - - - - - - - - - Place of Use - - - - - Description - - - - - County - - - - - +

| Twn | Rng | Sec | Tract | Lot | Acres | Code | Description | County |
|-----|-----|-----|-------|-----|-------|------|-------------|-------------|
| 05N | 05W | 8 | SE SW | | | 01 | IRRIGATION | (27) CANYON |
| 05N | 05W | 8 | NE SE | 4.5 | .09 | 01 | IRRIGATION | (27) CANYON |
| 05N | 05W | 8 | SW SE | | | 01 | IRRIGATION | (27) CANYON |
| 05N | 05W | 8 | SE SE | | | 01 | IRRIGATION | (27) CANYON |
| 05N | 05W | 16 | NE NW | | | 01 | IRRIGATION | (27) CANYON |
| 05N | 05W | 16 | SE NW | | | 01 | IRRIGATION | (27) CANYON |
| 05N | 05W | 17 | NE NE | | | 01 | IRRIGATION | (27) CANYON |

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - - - - - - - - - - - Remarks - - - - - +
P/D IN SE, S16, T5N, R5W.

MICROFILMED

AUG 17 1990

Water right number - 63-00203

```

+-----+-----+-----+-----+-----+-----+-----+-----+
- - - - - Conditions of Approval - - - - -
- - - - - No Conditions of Approval found.

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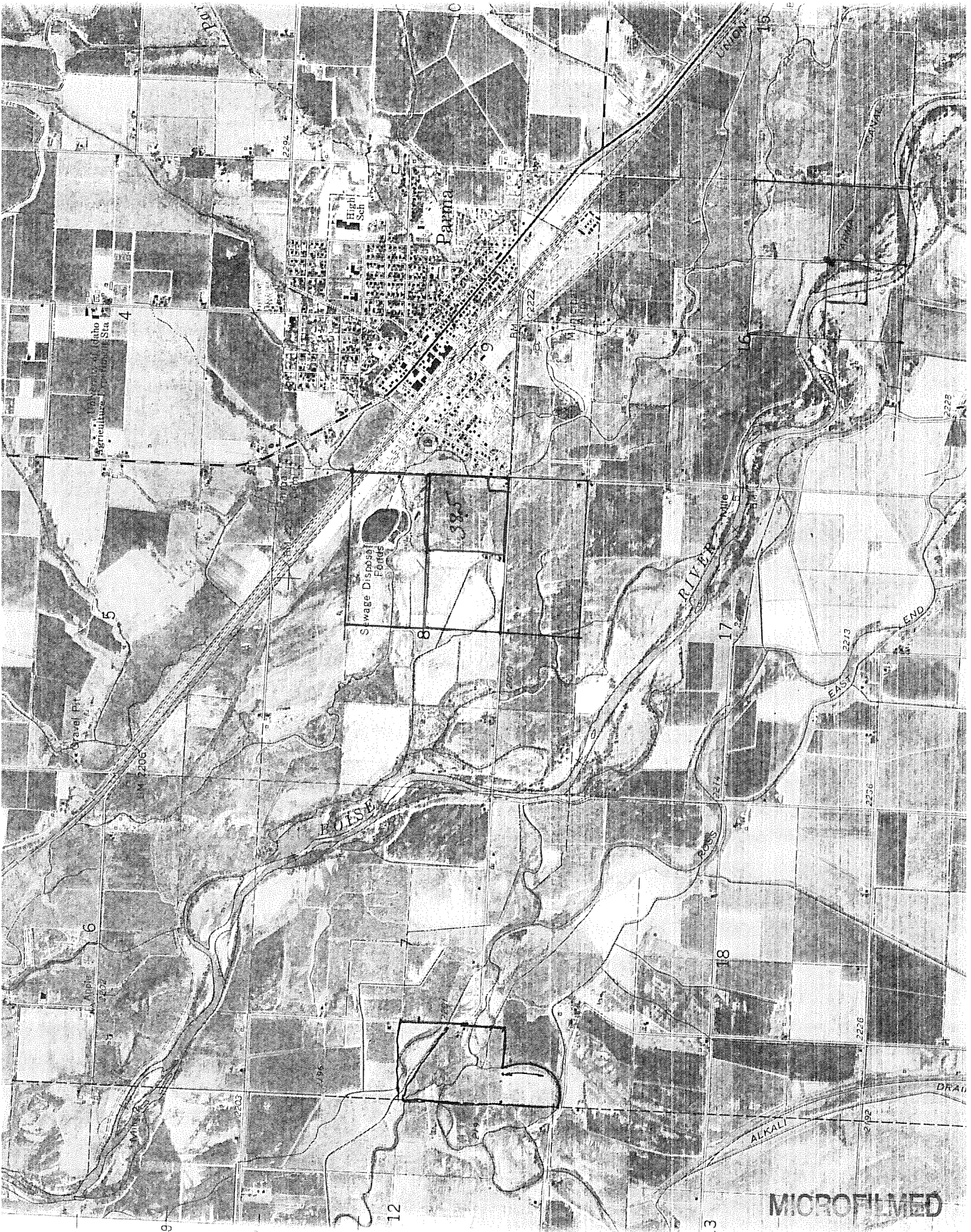
| | | | | | | | | |
|---|---|---|----------------|----------|----------|---------|----------|--------|
| + | - | - | Audit Fields - | 02/11/86 | 05/01/88 | CONVERT | 08/01/89 | CURTIS |
|---|---|---|----------------|----------|----------|---------|----------|--------|

[illegible]

| | | | | | |
|--------------------|--------------|------------------|--------------|-----------------------|------|
| Proof Due Date | - 00/00/0000 | Field Exam Made | - 00/00/0000 | Field Exam Fee | - |
| Approved/Denied | - 00/00/0000 | Protested Date | - 00/00/0000 | Swan Falls | - |
| Preproof Made Date | - 00/00/0000 | Hearing Date | - 00/00/0000 | Temporary Right | - P |
| Start Work Date | - 00/00/0000 | Verified Date | - 00/00/0000 | DLE/Carney Act | - |
| Order Show Cause | - 00/00/0000 | Receipt Number | - | Water District | - 63 |
| Licensed Date | - 00/00/0000 | Appl. Received | - 00/00/0000 | Transfer/Amended | - |
| Decree Date | - 01/18/1906 | Presumption Flag | - | Microfilm Roll Number | |

Microfilm Roll Number -

AUG 17 1964



MICROFILMED

AUG 27 1969



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 9, 1993

Re: Notices of Claim to a Water Right Nos. A63-00203C, A63-00204C,
A63-05129C, A63-05130C

Clason Family Revocable Living Trust
Robert B. & Wanda M. Clason, Trustees
900 E. 13th
The Dalles, OR 97058

Claimants:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water rights covered under the original filings.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

If you have any questions concerning the enclosed claims, please feel free to contact this office.

Sincerely,

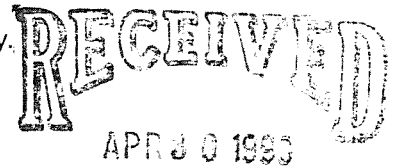
Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

LH:1
Enclosure

cc: R. Craig Hindley

MICROFILMED
JUL 25 1994

R. CRAIG HINDLEY
ATTORNEY AT LAW
9800 S.W. Beaverton Hillsdale Hwy.
Suite 200
Beaverton, Oregon 97005-3361
(503) 644-7191



April 27, 1993

Department of Water Resources
Western Regional Office

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705
ATTN: Ms. Jan Schurte

RE: Clason Family Revocable Living Trust
Notice of Change of Water Right Ownership
IDWR Nos: A63-00203C, A63-05129C, A63-00204C &
A63-05130C

Dear Ms. Schurte:

I represent Robert B. Clason and Wanda Clason, who recently established the Clason Family Revocable Living Trust and transferred to it all their right, title and interest in and to certain water rights in the State of Idaho.

The Clasons have already transferred ownership of their Idaho real property to their Trust.

Enclosed please find the following items:

1. New Property Owner Notice of Change of Water Right Ownership (Form 42-1409[7]), signed by Mr. & Mrs. Clason, as Trustees;
2. Copies of four Bargain and Sale Deeds which were recorded on April 6th or 7th, transferring ownership of the subject parcels of real property to Mr. & Mrs. Clason's Trust; and
3. Copies of the initial Notices of Claim to a Water Right Acquired Under State Law, issued in 1990.

Please do all things necessary to amend your official records to show ownership of these water rights in the name:

"ROBERT B. CLASON and WANDA M. CLASON,
Trustees of the Clason Family Revocable Living Trust,
dated February 11, 1993."

MICROFILMED
JUL 25 1994

Please return official confirmation of new ownership to my attention at the above address.

If you have any questions, or if I can be of additional assistance, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in cursive script, reading "R. Craig Hindley".

R. CRAIG HINDLEY

RCH:mj

Enclsr

cc: Robert B. Clason
Wanda M. Clason
Richard B. Eismann, Esq.

MICROFILMED

JUL 25 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

June 28, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

Donna Weston
10895 Horseshoe Bend Rd
Boise, ID 83714

Notice of Claim to a Water Right No. 63-203C, 63-204C, 63-5129A, 63-5129C, 63-5130A, 63-5130C

Dear Claimant(s):

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

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

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

Sincerely,

A handwritten signature in cursive script that reads "Liberty Gagnon".

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

Enclosure

MEMORANDUM

Office Visit

✓ Telephone

Meeting

TO 63-203C 63-204C 63-209
 FROM JL
 DATE 8/21/08
 RE Questions c Rights DONNA Weston 870-8231

BASIC questions c what rights provide:

| # | Priority | cts | Acres |
|-----------------|----------|------|-----------------|
| - 203C | 1878 | .61 | 39 in 147 |
| - 204C | 1894 | .25 | 39 in 147 |
| combined limits | | .78 | SAME 39 in 147 |
| - 209 | 1880 | 1.18 | 108 in same 147 |

• APPEARS all 3 provide enough for 147 acres when combined

• APPEARS all 3 delivered via PARAM Ditch Co. system.

• REferred her to consultants c market value of rights - depends on lots of variables: pricing vs. supplemental, priority commitments (probably not been a problem for pln below 1500 but could be in future?), etc.

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

RIGHT NUMBER: 63-203C

NAME AND ADDRESS: DONNA WESTON
PO BOX 656
PARMA ID 83660-0656

~~10895 HORSESHOE BEND RD~~
~~BOISE ID 83714~~

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.610 CFS

Whenever it becomes necessary for the watermaster to deliver this right the following condition shall apply. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

Right Nos. 63-203C and 63-204C are limited to a total combined diversion rate of 0.78 cfs.

PRIORITY DATE: 06/01/1878

POINT OF DIVERSION:

T05N R05W S22 NESW Within CANYON County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|---|----------------------|-----------------|
| IRRIGATION | 03/01 11/15 | 0.610 CFS |
| Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only when the natural flow in the Boise River below the Star Bridge in Township 04 North, Range 01 West, Section 18, NE¼ of the SE¼ of the SE¼, Boise Meridian (approximate river mile 33.9) is sufficient for water to be available for diversion at the point of diversion described above, provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576. | | |

PLACE OF USE:

IRRIGATION in CANYON County

| | | | | | |
|---------------|------|-------|---------------|------|-------|
| T05N R05W S08 | SWNE | 16.00 | T05N R05W S08 | SENE | 23.00 |
| T05N R05W S08 | NESW | 30.00 | T05N R05W S08 | NESE | 39.00 |
| T05N R05W S08 | NWSE | 39.00 | | | |

147 ACRES TOTAL

This right is limited to the irrigation of 39 acres within the place of use described above in a single irrigation season.

Right Nos. 63-203C and 63-204C are limited to the irrigation of a combined total of 39 acres 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is also designated as Right No. 71 in the Boise River Stewart Decree and Boise River Water Distribution Report.

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

Right is diverted at the Parma Ditch Company headgate and delivered by the Parma Ditch Company.

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

| | | |
|----------------|---|--|
| In Re SRBA |) | Water Rights: 63-203C, 63-204C, |
| |) | 63-209 |
| Case No. 39576 |) | NOTICE OF COMPLETED |
| |) | ADMINISTRATIVE |
| _____ |) | PROCEEDING |

IDWR has completed the following administrative proceeding:

XX Address change

Substitution of Party

☐ IC § 42-222 transfer

☐ Point of diversion

☐ Place of use

☐ Period of use

☐ Nature of use

☐ Split of water right

☐ Change in ownership

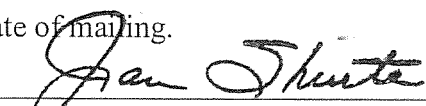
☐ Other

☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: March 2, 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on March 2, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

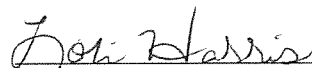
☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Donna Weston
PO Box 656
Parma ID 83660-0656

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

☐ overnight mail
☐ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

WESTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

March 2, 2007

DONNA WESTON
PO BOX 656
PARMA ID 83660-0656

Re: Water Right Nos. 63-203C, 63-204C, 63-209

Dear Ms. Weston:

Enclosed are copies of the above referenced water rights, which reflect your new address. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the Snake River Basin Court as notification of the change.

If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Lori Harris". The signature is written in dark ink and is positioned above the typed name and title.

Lori Harris
Technical Records Specialist 1
Adjudication Section
Western Region Office

LH:1
Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

RETURN TO SENDER

U.S.P.S. Form 3547

fee due 75 ¢

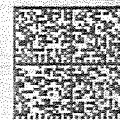
U.S. POSTAL SERVICE
FORM 3547

ADDRESS SERVICE
REQUESTED

WEST895 837142024 1A06 10 02 06 07
WESTON PO BOX 656
PARMA ID 83660-0656

DONNA WESTON
10895 HORSESHOE BEND RD
BOISE ID 83714

FIRST CLASS



UNITED STATES POSTAGE
02 1A
000438933
MAILED FROM ZIP CODE 83
\$01.1
FEB 02 2

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

RETURN TO SENDER

U.S.P.S. Form 3547

fee due 75 ¢

U.S. POSTAL SERVICE
FORM 3547

63-203C
63-204C
63-209

RECEIVED

FEB 12 2007

WATER RESOURCES
WESTERN REGION

09/20/2006

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

RIGHT NUMBER: 63-203C

NAME AND ADDRESS: DONNA WESTON
10895 HORSESHOE BEND RD
BOISE ID 83714

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.610 CFS

Whenever it becomes necessary for the watermaster to deliver this right the following condition shall apply. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

Right Nos. 63-203C and 63-204C are limited to a total combined diversion rate of 0.78 cfs.

PRIORITY DATE: 06/01/1878

POINT OF DIVERSION:

T05N R05W S22 NESW Within CANYON County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|---|----------------------|-----------------|
| IRRIGATION | 03/01 11/15 | 0.610 CFS |
| Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only when the natural flow in the Boise River below the Star Bridge in Township 04 North, Range 01 West, Section 18, NE¼ of the SE¼ of the SE¼, Boise Meridian (approximate river mile 33.9) is sufficient for water to be available for diversion at the point of diversion described above, provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576. | | |

PLACE OF USE: IRRIGATION Within CANYON County

| | | | | | |
|---------------|------|-------|---------------|------|-------|
| T05N R05W S08 | SWNE | 16.00 | T05N R05W S08 | SENE | 23.00 |
| T05N R05W S08 | NESW | 30.00 | T05N R05W S08 | NESE | 39.00 |
| T05N R05W S08 | NWSE | 39.00 | | | |

147 ACRES TOTAL

09/20/2006

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

This right is limited to the irrigation of 39 acres within the place of use described above in a single irrigation season.

Right Nos. 63-203C and 63-204C are limited to the irrigation of a combined total of 39 acres 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is also designated as Right No. 71 in the Boise River Stewart Decree and Boise River Water Distribution Report.

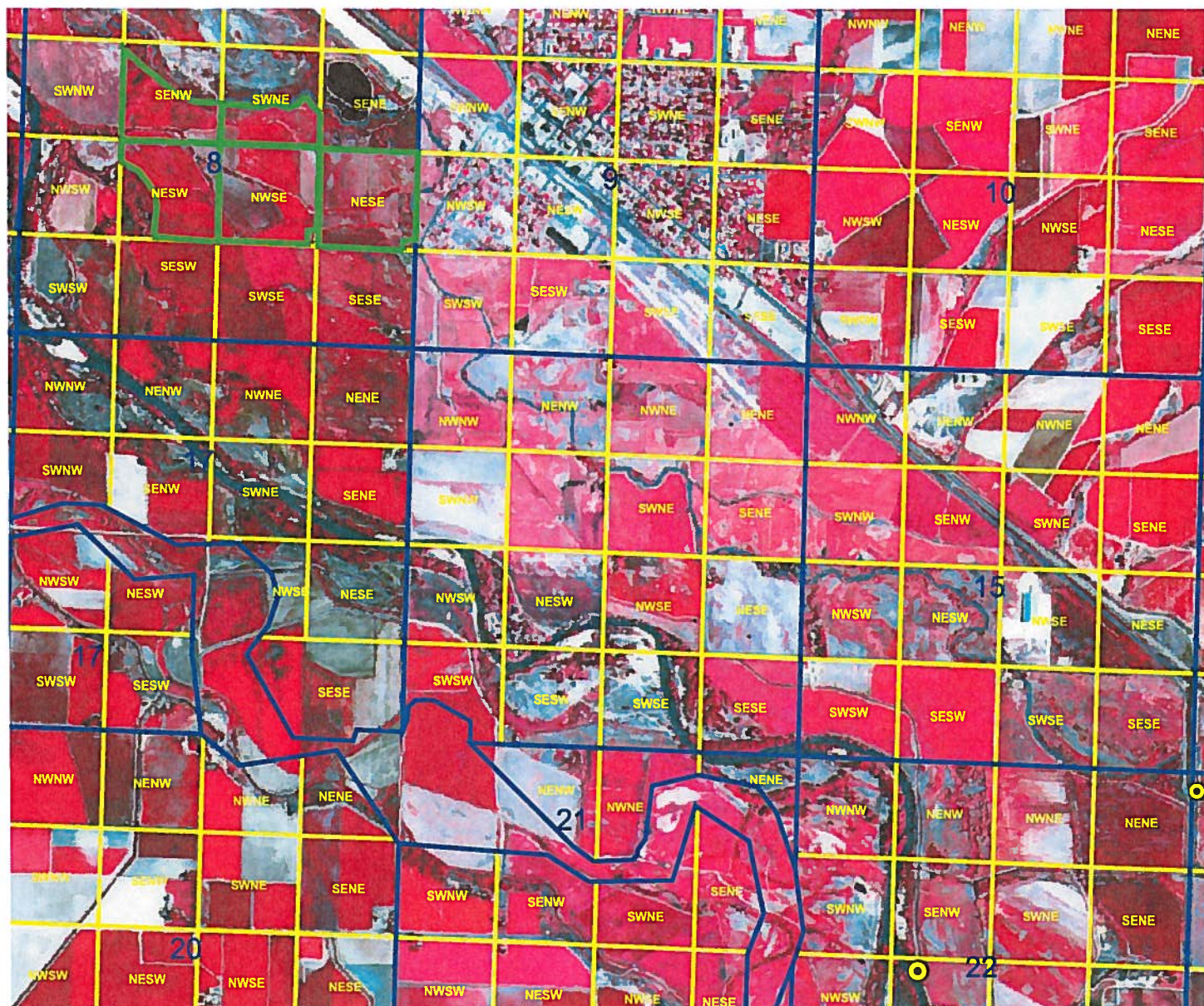
Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Right is diverted at the Parma Ditch Company headgate and delivered by the Parma Ditch Company.



State of Idaho
Idaho Department of Water Resources
Western Region

T5N R5W SECTIONS 8 and 22
Water Rights: 63-203C, 63-204C and 63-209



1320 0 1320 2640 3960 5280 6600 7920 Feet

PPU = 147 acres



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

GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: September 2006

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-203C V1

WATER RIGHT NUMBER: 63-203C V1

| <u>Owner Type</u> | <u>Name and Address</u> |
|-------------------|--|
| Original Owner | WANDA M CLASON
900 E 13TH
THE DALLES, OR 97058
(503)298-1950 |
| Current Owner | DONNA WESTON
10895 HORSESHOE BEND RD
BOISE , ID 83714 |
| Original Owner | CLASON FAMILY REVOCABLE LIVING TRUST
ROBERT B CLASON TRUSTEE
WANDA M CLASON TRUSTEE
900 E 13TH
THE DALLES, OR 97058
(503)298-1950 |

Priority Date: 06/01/1878

Basis: Decreed

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| BOISE RIVER | SNAKE RIVER |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION | 03/01 to 11/15 | 0.610 CFS | |
| | <u>Total Diversion:</u> | 0.610 CFS | |

Location of Point(s) of Diversion

| | | |
|---------------|--------------|---------------------------------|
| BOISE RIVER | NE 1/4SW 1/4 | Sec. 22, Twp 05N, Rge 05W, B.M. |
| CANYON County | | |

Place of Use

IRRIGATION Within CANYON County

| | | | | | |
|---------------|------|------|---------------|------|------|
| T05N R05W S08 | SWNE | 16.0 | T05N R05W S08 | SENE | 23.0 |
| T05N R05W S08 | NESW | 30.0 | T05N R05W S08 | NESE | 39.0 |
| T05N R05W S08 | NWSE | 39.0 | | | |

Total Acres: 147

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-203C V1

1. 183 Whenever it becomes necessary for the watermaster to deliver this right the following condition shall apply. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.
2. K06 This right is limited to the irrigation of 39 acres within the place of use described above in a single irrigation season.
3. This right is also designated as Right No. 71 in the Boise River Stewart Decree and Boise River Water Distribution Report.
4. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
5. F01 Right is diverted at the Parma Ditch Company headgate and delivered by the Parma Ditch Company.
6. S49 Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only when the natural flow in the Boise River below the Star Bridge in Township 04 North, Range 01 West, Section 18, NE¼ of the SE¼ of the SE¼, Boise Meridian (approximate river mile 33.9) is sufficient for water to be available for diversion at the point of diversion described above, provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.
7. E51 Right Nos. 63-203C and 63-204C are limited to a total combined diversion rate of 0.78 cfs.
8. 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.
9. E55 Right Nos. 63-203C and 63-204C are limited to the irrigation of a combined total of 39 acres in a single irrigation season.

Remarks:

Comments:

1. vmusic 9/20/2006 POD

Comment: DOWNSTREAM OF STAR BRIDGE. CANNOT FIND TRANSFER 103 FOR TRANSFER OF POD FROM SEC 16 TO SEC 23, PARMA DITCH CO HEADGATE. WILL CONSIDER IT AN ACC TRANSFER IN POD BECAUSE AERIALS REVEAL THAT DITCH WAS CONSTRUCTED WITH POD IN SEC 22 BETWEEN 1939 AND 1964

2. vmusic 9/20/2006 AMENDED CLAIM-PPU

Comment: NEW OWNER AMENDED CLAIM TO A 151 ACRE PPU . AGENT LORI GRAVES TALKED TO HER AND PRIOR OWNER DON WEILMUNSTER - BOTH STATED THAT IT HAS ALWAYS BEEN A COMMON SYSTEM OF DITCHES . GRAVITY IRRIGATION OF ALL PROPERTY UNDER 63-203C, 204C AND 209 . HOWEVER I COULD ONLY FIND 147 ACRES SO THAT IS WHAT I RECOMMENDED. THIS RIGHT LIMITED TO 39 ACRES IN NESE SEC 8 WHICH WAS DECREED UNDER THIS RIGHT.

3. vmusic 9/20/2006 RECOMMENDATION

Comment: RECOMMENDED 39 ACRES IN DECREED QQ NESE SEC 8 AT DECREED RATE OF .016 CFS PER ACRE IN THE PPU

4. vmusic 9/20/2006 OVERLAP

Comment: THE SAME 39 ACRES ARE DECREED UNDER 63-204C. COMBINED USE LIMIT OF .78 CFS [.02 CFS PER ACRE] AND 30 ACRES.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-203C V1

Element Reviewed/Verified Dates:

| <u>Element</u> | <u>Last Reviewed Date</u> | <u>Reviewer</u> | <u>Last Verified Date</u> | <u>Verifier</u> | <u>Status</u> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
| Contacts | 9/20/2006 10:52:44 AM | vmusic | | | Active |
| Priority Date | 9/20/2006 10:53:00 AM | vmusic | | | Active |
| POD | 9/20/2006 10:54:24 AM | vmusic | | | Active |
| Source | 9/20/2006 10:55:32 AM | vmusic | | | Active |
| POU | 9/20/2006 10:56:15 AM | vmusic | | | Active |
| Use | 9/20/2006 10:57:16 AM | vmusic | | | Active |
| Season | 9/20/2006 10:57:38 AM | vmusic | | | Active |
| Quantity | 9/20/2006 11:02:18 AM | vmusic | | | Active |
| Summary | | | 09/20/2006 | vmusic | Active |
| Summary | | | 09/20/2006 | vmusic | Active |

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u> |
|----------------|------------------------|-----------------|--|
| Quantity | 9/20/2006 11:02:19 AM | vmusic | (Yes) 1. Is the basis of this claim a Decree or License?
(Yes) 4. Does the Decree or License have a diversion rate and/or volume?
(Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file?
(No) 8. Does the parent right have an annual diversion volume limit?
(No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit?
(No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use?
(Yes) 12. Is a Quantity remark or condition required? |
| Summary | 9/20/2006 11:37:15 AM | vmusic | (Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?
(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?
(No) 5. Does this right have any combined use limits with other rights?
(Yes) 6. Is an additional remark and/or condition required? |

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-203C V1

| | | | |
|----------|-----------------------|--------|---|
| Summary | 9/20/2006 11:50:17 AM | vmusic | <p>(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?</p> <p>(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?</p> <p>(No) 5. Does this right have any combined use limits with other rights?</p> <p>(Yes) 6. Is an additional remark and/or condition required?</p> <p>(Yes) 7. Would you like to view the recommended right?</p> <p>(No) 8. Is this a split or combined right?</p> <p>(No) 9. Do you have documents you would like to attach or link to the file?</p> <p>(Yes) 10. Would you like to set the verification date?</p> |
| POU | 9/20/2006 1:49:25 PM | vmusic | Updated shape for Active POU |
| POU | 9/20/2006 10:56:59 AM | vmusic | Updated shape for Active POU |
| POD | 9/20/2006 10:55:09 AM | vmusic | Updated shape |
| Contacts | 9/20/2006 10:52:45 AM | vmusic | <p>(No) 1. Do you want to schedule an appointment?</p> <p>Comment for 1: DESKTOP REVIEW</p> |
| General | 9/20/2006 10:53:00 AM | vmusic | <p>(No) 1. Should this water use have been included in a later court decree of the water rights from this source?</p> <p>(Yes) 4. Is the basis of claim decree or license?</p> <p>(Yes) 5. Does the decree or license have a Priority Date?</p> <p>(Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ?</p> <p>(Yes) 15. Is the basis of claim coded correctly?</p> <p>(No) 16. Is a Priority Date remark and/or condition required?</p> |
| POD | 9/20/2006 10:54:24 AM | vmusic | <p>(Yes) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 4. Does the Decree or License have a POD?</p> <p>(No) 5. Can the claimed POD be verified using the water right file?</p> <p>(Yes) 6. Is there evidence that there has been a change in the POD?</p> <p>(No) 7. Can the change be verified as an accomplished transfer?</p> <p>(Yes) 8. Was a transfer filed?</p> <p>(Yes) 10. Is a POD remark and/or condition required?</p> |
| Source | 9/20/2006 10:55:32 AM | vmusic | <p>(Yes) 1. Is the basis of claim Decree or License?</p> <p>(Yes) 4. Does the Decree or License have a source?</p> <p>(Yes) 5. Can the claimed source be verified using the water right file?</p> <p>(No) 11. Is a Source remark and/or condition required?</p> |

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-203C V1

| | | | |
|--------|-----------------------|--------|--|
| POU | 9/20/2006 10:56:15 AM | vmusic | (Yes) 1. Is the basis of this claim a Decree or License?
(Yes) 2a. Is the POU required?
(Yes) 5. Does the Decree or License have a POU?
(Yes) 6. Can the claimed POU be verified using the water right file?
(No) 14. Is a POU remark and/or condition required? |
| Use | 9/20/2006 10:57:16 AM | vmusic | (Yes) 1. Is the basis of this claim a Decree or License?
(Yes) 4. Does the Decree or License have a Purpose of Use?
(Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
(No) 13. Is a Purpose of Use remark and/or condition required? |
| Season | 9/20/2006 10:57:38 AM | vmusic | (Yes) 1. Is the basis of claim Decree or License?
(No) 4. Does the Decree or License have a Period of Use?
(No) 6. Is there evidence that there has been a change in the Period of Use?
(Yes) 12. Does the file contain all the necessary information to verify the Period of Use?
(No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined?
(Yes) 15. Is irrigation claimed as a Purpose of Use?
(Yes) 18. Is a Period of Use remark and/or condition required? |

Water Supply Bank:

CONVERSATION MEMO

Date: 6/6/2006

Agent: Lori Graves

With: Paul Stallcop, Sam Smyser

Subject: Parma Ditch Co.

Claim No.(s): A63-21605, A63-203B, A63-204B

Paul Stallcop telephoned and said that he purchased the NENE 40 acres from the original claimants and subdivided the property into 10-acre lots. County tax records indicate the four owners are Socorro Ortega-Pastor, Raymond Tschohl, Paul Stallcop and Kelly Hallemann. Paul said that he had just recently sold his 10 acres to Raymond who now owns 20. Paul also said that the owners of the properties all pay to for irrigation water delivered by Parma Ditch Co. The watermaster and president is Sam Smyser. Parma Ditch Co. water rights did not show up in the overlap report.

I called Sam Smyser (722-5713) regarding Parma Ditch Co. adjudication claims. He stated that he filed. As it turns out, the water rights delivered by Parma Ditch Co. are decrees 63-203 and 63-204. SRBA claims were filed on these rights by separate individuals including Sam Smyser probably because the company is so small (623 shares).

The original claimants that filed A63-21605 also filed A63-203B and A63-204B for their delivered water. Decrees 63-203 and 63-204 covered all 40 acres, but they only claimed 10 acres. Since a map was not included with the claims, Jan Shurte said to recommend 10 acres where the claimant's home was located, which is the farthest north 10 acres now owned by Socorro Ortega-Pastor. This was evidenced by domestic right 63-26271 decreed in the name of Mona Martin, who was the original claimant that lived on the property. The other three parcels will not be recommended for irrigation under the decreed rights.

MEMO

DATE: 6/28/2006

TO: Files

FR: Lori Graves

RE: A63-5129A, A63-5130A, A63-5129C, A63-5130C

Don Weilmunster originally filed claims A63-5129A and A63-5130A listing 2 acres the SWNW and 5 acres in the NWSW S9 and 12 acres in SENE S8 that he has never owned. These acres are owned by the City of Parma.

Interestingly, the Clason Family filed claims A63-5129C and A63-5130C for the NESE acres in S8 also listed on Weilmunster's claims.

Donna Weston has since purchased the property associated with the above claims (excluding the City of Parma property). The acres are irrigated with decrees 63-203C, 63-204C and 63-209 from the Boise River. Donna withdrew all four statutory claims because of the overlapping decrees and because proof of priority and beneficial use could not be established for the claims.

Graves, Lori

From: Favreau, Danielle
Sent: Tuesday, June 06, 2006 3:01 PM
To: Warntjes, Anita
Cc: Tuthill, Dave; Graves, Lori
Subject: RE: Parma Ditch Company

Hi,

At this time I have no information on the Parma Ditch Company. There is no filing in the SRBA so there is no shape at this time.

63-203 and 63-204 were decreed to R.H. Stockon, a private individual.

63-203 has been claimed by 4 private individuals including Sam Smyser.

63-204 has been claimed by 4 private individuals including Sam Smyser. (Same ones as 63-203)

Given the separate filings by Sam Smyer and that the "company" that only consists of 634 acres, I am skeptical that it would qualify as a Large Place of Use. The Parma Ditch Co. would have to find 2 more users and then file competing claims against the private claims.

As for Franklin Ditch Co., it has gone through some extensive review by Dave and I as well as a legal review so I would doubt that their claimed rights are involved with the Parma Ditch Co. other than sharing a ditch.

Danielle

Danielle Bruno-Favreau
GIS Specialist
Idaho Water Resource Research Institute
Idaho Department of Water Resources
322 East Front St.
PO Box 83720
Boise, ID 83720-0098
Phone: (208) 287-4938
Fax: (208) 287-6701

-----Original Message-----

From: Warntjes, Anita
Sent: Tuesday, June 06, 2006 2:38 PM
To: Favreau, Danielle
Cc: Tuthill, Dave
Subject: Parma Ditch Company

Hi:

Lori Graves just called telling me that she talked to Sam Smyser, President and watermaster for the Parma Ditch Company. She said he was elderly and remembers way back in time. Parma Ditch Company is administering their decreed rights, but have not filed in the SRBA. They have decreed rights: 63-203 and 63-204. There may be more rights. According to Boise River Black Book, water rights flowing through the Parma Ditch also includes Franklin Ditch Company 63-167 which looks like it is split into A-D and 63-247.

Do you have any info on this company? What does the GIS look like for it?

Desktop review/1/11

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-2036

Owner: _____ Phone No. _____

Current Address: _____

- ☐ No change NAME IS THE SAME
- ☒ NEW OWNER C/O PROGRESS
- ☐ No change Address
- ☐ NEW ADDRESS _____
- ☐ How long owned property? _____

Accompanied by: _____

PRIORITY DATE

- ☐ No change – Complete evidence submitted or not necessary decided
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: _____

(If priority date, based on your exam, seems questionable, explain below.)

Source: Baker R. Tributary to _____

- ☒ No Change –SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change received POD = trx 103 (cannot find) changed POD to the Parma Ditch CO. headgate in sec 2
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

assumed acc. trx btwn 1939-1964

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

| ID # | Govt Lot # | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Method of Determination/Remarks
GPS ID |
|------|------------|-----|-----|-----|------|------|------|--------|---|
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |

Description of diverting works

*SH dam***OVERLAP REVIEW**

Other water rights with the same point of diversion: _____

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain: _____

WATER USES☒ No change☐ Different Uses

Use *1VV* From *3/1* To *11/15* Amount *.61* CFS _____ AFA _____
Use _____ From _____ To _____ Amount _____ CFS _____ AFA _____
Use _____ From _____ To _____ Amount _____ CFS _____ AFA _____

TOTAL VOLUME – Groundwater only

- ☐ Incomplete on claim, the total is, Amount *NA* CFS _____ AFA _____
☐ Changes found, the new total is, Amount _____ CFS _____ AFA _____
☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:☒ No change☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☐ No Change☒ Changes shown below:

147
Claimant amended claim to a 151 acres PPH
no info that change happened < 1987
Lori Graves conversations w/ Donna Weston & Don Westmister

| Place of Use | | | NE | | | | NW | | | | SW | | | | SE | | | | Totals |
|--------------|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| TWP | RGE | SEC | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | |
| | | | | | | | | | | | | | | | | | | | |
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| | | | | | | | | | | | | | | | | | | | |

Overlap with other water rights: _____

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative: _____

| Well or Diversion Identification No
GPS ID | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or
Discharge size |
|---|------------|----|------------------|-----------|--------------------------------------|
| | | | | | |
| | | | | | |

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

544 ✓ 500 Boise R. E55 limited to 30 ac w/ 63-2041
 182 ✓ stop down E51 limited to .76 cfs w/ 6321
 06P # 11 in Boise R canal
 40 ✓ diverted @ & delivered by Parma Ditch Co.
 406 ✓ limited to 30 acres. no ppu evidence
 003 ✓ acc for POD btwn 1939-1961
 acc for ppu < 1939 into ppu

- (1) POD is downstream of Star Bridge
- (2) cannot find transfer 103 - DWR vault does not have it
- (3) now under Amendment claim for 151 PPU but provided no info that change took place < 1997. needs to get transfer. Reduced acres to 39 demand under 63-203C
- (4) confirmed Wilton Graves that PPU is common system has always been a PPU

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 9-20-06

FIELD EXAMINER: Wiley Umric

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-203C

WATER RIGHT NUMBER: 63-203C

| <u>Owner Type</u> | <u>Name and Address</u> |
|-------------------|--|
| Original Owner | WANDA M CLASON
900 E 13TH
THE DALLES, OR 97058
(503)298-1950 |
| Current Owner | DONNA WESTON
10895 HORSESHOE BEND RD
BOISE, ID 83714 |
| Original Owner | CLASON FAMILY REVOCABLE LIVING TRUST
ROBERT B CLASON TRUSTEE
WANDA M CLASON TRUSTEE
900 E 13TH
THE DALLES, OR 97058
(503)298-1950 |

Priority Date: 06/01/1878

Basis: Decreed

Status: Active

260 ac. in decree (1.4 cfs)/200 ac = .0157

Source

BOISE RIVER

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

03/01 to 11/15

Diversion Rate

0.630 CFS

Total Diversion:

0.630 CFS

*.62*Annual VolumeLocation of Point(s) of Diversion

BOISE RIVER

CANYON County

NW1/4NE1/4SW1/4

Sec. 22, Twp 05N, Rge 05W, B.M.

Place of Use

IRRIGATION Within CANYON County

T05N R05W S08

SWNE 16.0

T05N R05W S08

SENE 27.0

T05N R05W S08

NESW 30.0

T05N R05W S08

NESE 39.0

T05N R05W S08

NWSE 39.0

Total Acres: 151

*141*Conditions of Approval:

1. CHANGE IN OWNERSHIP LG 6-28-2006

Remarks:*It limited to 34 ac*Comments:

*claim
Amended
as PDU*

28.4 not decreed in 203

not decreed in 63-203 (.0157)(39) = .62

The statutory claims were split in the SRBA as follows:

| SRBA # | POD/POU
LEGAL | # ACRES | Q | CLAIMANT
NAME | P DATE |
|----------------------|--------------------------|---------|----------|------------------|----------|
| 63-5129A - withdrawn | | | | | |
| 63-5129B | same as 273, 5130B | | 1.39 CFS | MCNALL | 4-1-1878 |
| 63-5129C - withdrawn | | | | | |
| 63-5129D | same as 271A, 272, 5130D | | 5.2 CFS | TREDWAY | 4-1-1878 |
| 63-5129E | same as 275, 5130E | | 2.28 CFS | RUDOLPH | 4-1-1878 |
| 63-5129F | | | .87 CFS | SIMPLOT | 4-1-1878 |

| SRBA # | POD/POU
LEGAL | # ACRES | Q | CLAIMANT
NAME | P DATE |
|----------------------|--------------------------|---------|----------|------------------|----------|
| 63-5130A - withdrawn | | | | | |
| 63-5130B | same as 273, 5129B | | .83 CFS | MCNALL | 4-1-1877 |
| 63-5130C - withdrawn | | | | | |
| 63-5130D* | same as 271A, 272, 5129D | | 3.08 CFS | TREDWAY | 4-1-1877 |
| 63-5130E* | same as 275, 5129E | | 1.71 CFS | RUDOLPH | 4-1-1877 |
| 63-5130F | | | .51 CFS | SIMPLOT | 4-1-1877 |

* claimed Boise R as source

The claimed places of use are not in any irrigation district or canal company service areas. There was no response to requests for evidence of priority sent to the all 63-5129 and 63-5130 claimants. None of the mailed requests were returned as undeliverable.

I am disallowing all of the 63-5129 and 63-5130 claims because all of the claims date back into the Boise River decree which decreed all claims to water delivered through the Parma Ditch Co. If I hear from them and the claimants provide additional information regarding these claims, I will suggest the following:

- 1 – advance the priority date to 2/15/1929, which is the day after the decree, if they can provide evidence of priority, or to 3/1/1939. the 1939 aerial clearly shows the Parma Ditch Co. ditches. Additionally, I have the IDSOS that states the ditch company was incorporated in 1915.

- 2 – Analyze the acres and quantity. Advise that all rights combined will not exceed .02 cfs/acre so that if the decreed Q is for .02 cfs / acre, then all rights combined are not to exceed .02 cfs/acre.

Note re 63-5129D and 63-5130D: Claimant is Tredway. Total claims from the 4 claims, the statutory plus 63-271A and 63-272, is 9.88 cfs for 120 acres. $120 \times .02 \text{ cfs} = 2.4 \text{ cfs}$

VLM

MEMORANDUM TO CLAIM FILE

TO: CLAIM FILE NOS. 63-5129B, D, E AND 63-5130B,D,E

FROM: VICKY L MUSIC, SR WATER RESOURCE AGENT, IDWR / WESTERN REGION

SUBJECT: CLAIM ANALYSIS - BASIS OF DISALLOWAL

DATE: 8/9/2006

CC:

Statutory claims 63-5129 [source: Boise R] and 63-5130 [source: wastewater] were filed in 1983 by the Parma Irrigation District for irrigation of 623 acres from the Boise R. via a ditch system. I found information on the Parma Ditch Co, Inc on the IDSOS site. Sam Smyser is the registered agent for the Ditch Co. and he filed the statutory claims. It is still a viable non-profit privately owned corporation.

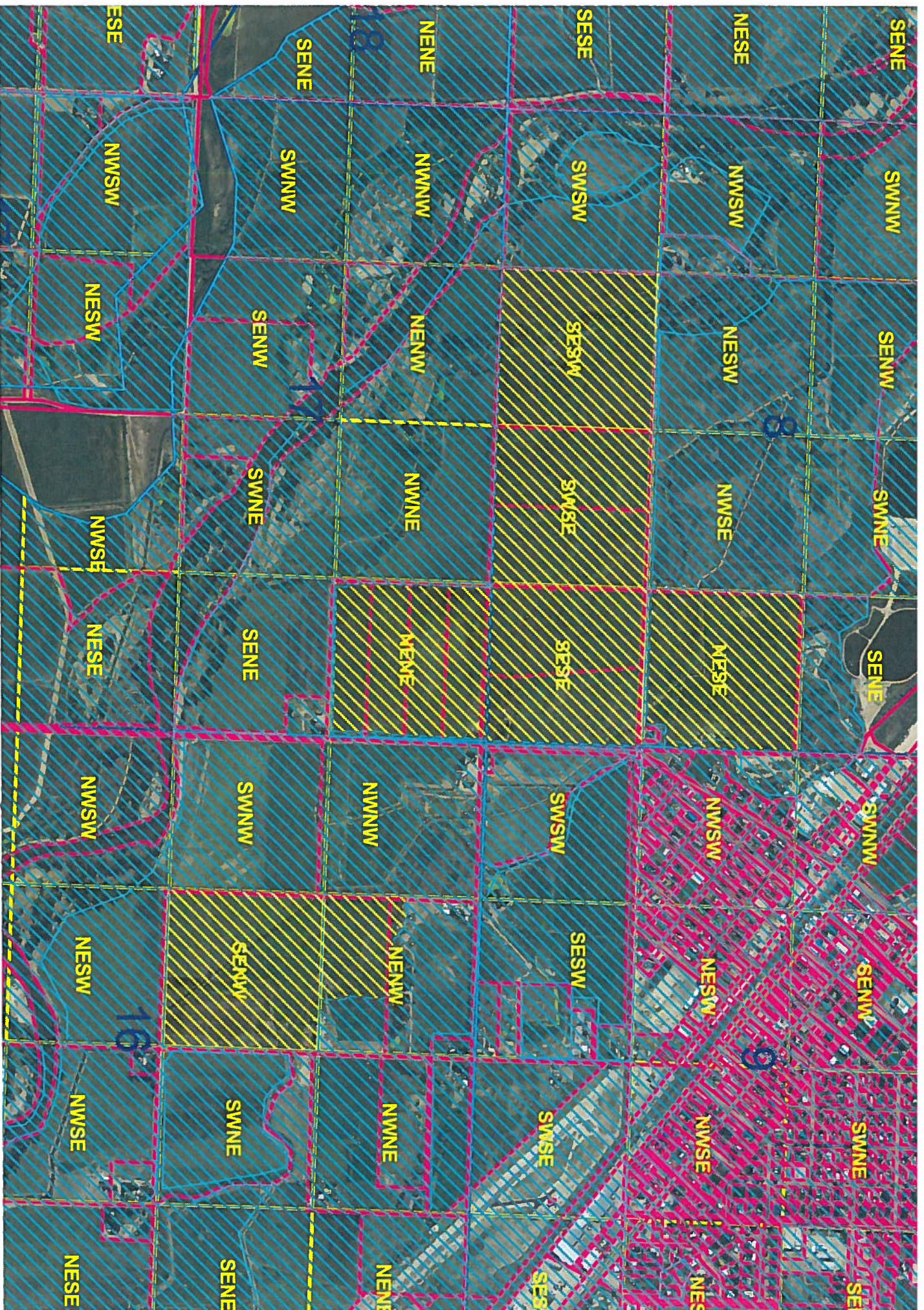
The statutory claims claim an 1878 [year only is claimed] priority date and the SRBA claims claim a priority date of 4/1/1878. The split claims A and C portions have been withdrawn.

The Boise River decree included rights delivered through the Parma Ditch Co. It did not decree the rights to the ditch company but to the individual property owners. The Boise River decree map does not include the Parma Ditch co. ditch system but does indicate that these claims are not in other irrigation district service area. Here is information regarding the decreed rights through the Parma Ditch Co.

| SRBA # | BOISE R
DECREE # | POD/POU
LEGAL | # ACRES | Q | DECREED
NAME | P DATE |
|---------|---------------------|---|---------|---------------|-----------------|----------|
| 63-203* | 71 | **SE 16/E/2 NW 16,
NENE 17, S/2 SE 8, SESW 8, NESE 8 | 220 | 4.4 CFS/220" | STOCKTON | 6-1-1878 |
| 63-209# | 74 | **SE 16/ SENW 8,
NESW 8, NWSE 8, SWNE 8 | 88 | 1.76CFS/ 88" | STOCKTON | 6-1-1880 |
| 63-204+ | 125 | ** SE 16/ E/2 NW 16,
NENE 17, S/2 SE 8, SESW 8, NESE 8 | 88 | 1.76 CFS/ 88" | STOCKTON | 6-1-1894 |
| 63-272 | 77A | SESE 16/ SENE, NWNE 17 | 80 | 1.6 CFS/ 80" | BARTH | 6-1-1881 |
| 63-273 | 77D | SESE 16/ NESW 16 | 65 | 1.3 CFS/65" | JURRIES | 6-1-1881 |
| 63-274 | 77B | SESE 16/ SWSE 9 | 17 | .34 CFS/17" | FINLAY | 6-1-1881 |
| 63-275 | 77C | SESE 16/NWNW 16. | 40 | .8 CFS/40" | SHIPPY | 6-1-1881 |
| 63-271% | 114B | SENW 17/NENW 17 | 40 | .8 CFS/40" | BARTH | 5-1-1889 |

* split into 63-23270 & 62-32371
split into 63-32372 & 63-32373
+ split into A,B,C,D
** trx 103 in POD
% trx 257





63-204-2004 AERIAL CLAIM AND TAXLOTS

h3-203

same pdf for both ribbons

like class-discriminative system

System

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-203C

09/20/2006

1

| Water Right # | Type | Twp | Rge | Sec | QQ | Q | Lot | Source | Name |
|---------------|-------------|-----|-----|-----|----|----|-----|-------------------------|-----------------------|
| 63-5129 | Claim | 05N | 05W | 22 | NE | SW | | BOISE RIVER SNAKE RIVER | |
| 63-5129B | Claim | 05N | 05W | 22 | NE | SW | | BOISE RIVER SNAKE RIVER | KENNETH H MC NALL |
| 63-5129F | Claim | 05N | 05W | 22 | NE | SW | | BOISE RIVER SNAKE RIVER | JOHNSON RESEARCH LLC |
| 63-203A | Claim | 05N | 05W | 22 | NE | SW | | BOISE RIVER SNAKE RIVER | SAM H SMYSER |
| 63-203B | Claim | 05N | 05W | 22 | NE | SW | | BOISE RIVER SNAKE RIVER | VIVIAN PORTENIER |
| 63-203C | Claim | 05N | 05W | 22 | NE | SW | | BOISE RIVER SNAKE RIVER | DONNA WESTON |
| 63-203D | Claim | 05N | 05W | 22 | NE | SW | | BOISE RIVER SNAKE RIVER | JOHN R LE FAVE |
| 63-204A | Claim | 05N | 05W | 22 | NE | SW | | BOISE RIVER SNAKE RIVER | SAM H SMYSER |
| 63-204B | Claim | 05N | 05W | 22 | NE | SW | | BOISE RIVER SNAKE RIVER | VIVIAN PORTENIER |
| 63-204C | Claim | 05N | 05W | 22 | NE | SW | | BOISE RIVER SNAKE RIVER | DONNA WESTON |
| 63-204D | Claim | 05N | 05W | 22 | NE | SW | | BOISE RIVER SNAKE RIVER | JOHN R LE FAVE |
| 63-209 | Claim | 05N | 05W | 22 | NE | SW | | BOISE RIVER SNAKE RIVER | DONNA WESTON |
| 63-271A | Claim | 05N | 05W | 22 | NE | SW | | BOISE RIVER SNAKE RIVER | DONALD B TREDWAY |
| 63-272 | Claim | 05N | 05W | 22 | NE | SW | | BOISE RIVER SNAKE RIVER | DONALD B TREDWAY |
| 63-275 | Claim | 05N | 05W | 22 | NE | SW | | BOISE RIVER SNAKE RIVER | NORM E RUDOLPH |
| 63-5129A | Claim | 05N | 05W | 22 | NE | SW | | BOISE RIVER SNAKE RIVER | DONNA WESTON |
| 63-5129D | Claim | 05N | 05W | 22 | NE | SW | | BOISE RIVER SNAKE RIVER | DONALD B TREDWAY |
| 63-5129E | Claim | 05N | 05W | 22 | NE | SW | | BOISE RIVER SNAKE RIVER | NORM E RUDOLPH |
| 63-5130D | Claim | 05N | 05W | 22 | NE | SW | | BOISE RIVER SNAKE RIVER | M TERESSA TREDWAY |
| 63-5130E | Claim | 05N | 05W | 22 | NE | SW | | BOISE RIVER SNAKE RIVER | NORM E RUDOLPH |
| 63-21605 | Claim | 05N | 05W | 22 | NE | SW | | BOISE RIVER SNAKE RIVER | VIVIAN PORTENIER |
| 63-32370 | Claim | 05N | 05W | 22 | NE | SW | | BOISE RIVER SNAKE RIVER | SAM H SMYSER |
| 63-32371 | Claim | 05N | 05W | 22 | NE | SW | | BOISE RIVER SNAKE RIVER | MARGARET R. FARMER |
| 63-32372 | Claim | 05N | 05W | 22 | NE | SW | | BOISE RIVER SNAKE RIVER | SAM H SMYSER |
| 63-32373 | Claim | 05N | 05W | 22 | NE | SW | | BOISE RIVER SNAKE RIVER | MARGARET R. FARMER |
| 63-5129 | Water Right | 05N | 05W | 22 | NE | SW | | BOISE RIVER SNAKE RIVER | PARMA IRRIGATION DIST |

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-203C

09/20/2006

1

| Right # | Type | Twp | Rge | Sec | QQ | Q | Lot | Purpose of Use | Acres/Total | Name |
|---------|-------------|-----|-----|-----|----|----|-----|----------------|-------------|-----------------------|
| 203C | Claim | 05N | 05W | 8 | SW | NE | | IRRIGATION | 16/151 | DONNA WESTON |
| 204C | Claim | 05N | 05W | 8 | SW | NE | | IRRIGATION | 16/151 | DONNA WESTON |
| -209 | Claim | 05N | 05W | 8 | SW | NE | | IRRIGATION | 16/151 | DONNA WESTON |
| 21779 | Claim | 05N | 05W | 8 | SW | NE | | IRRIGATION | 23/869 | RIVER FLAT DITCH CO |
| 21780 | Claim | 05N | 05W | 8 | SW | NE | | IRRIGATION | 23/869 | RIVER FLAT DITCH CO |
| -209 | Water Right | 05N | 05W | 8 | SW | NE | | IRRIGATION | | SMITH STOCKTON |
| 5129 | Water Right | 05N | 05W | 8 | SW | NE | | IRRIGATION | 40/623 | PARMA IRRIGATION DIST |
| 5130 | Water Right | 05N | 05W | 8 | SW | NE | | IRRIGATION | 40/623 | PARMA IRRIGATION DIST |
| 203C | Claim | 05N | 05W | 8 | SE | NW | | IRRIGATION | 27/151 | DONNA WESTON |
| 204C | Claim | 05N | 05W | 8 | SE | NW | | IRRIGATION | 27/151 | DONNA WESTON |
| -209 | Claim | 05N | 05W | 8 | SE | NW | | IRRIGATION | 27/151 | DONNA WESTON |
| 21779 | Claim | 05N | 05W | 8 | SE | NW | | IRRIGATION | 27/869 | RIVER FLAT DITCH CO |
| 21780 | Claim | 05N | 05W | 8 | SE | NW | | IRRIGATION | 27/869 | RIVER FLAT DITCH CO |
| -209 | Water Right | 05N | 05W | 8 | SE | NW | | IRRIGATION | | SMITH STOCKTON |
| 203C | Claim | 05N | 05W | 8 | NE | SW | | IRRIGATION | 30/151 | DONNA WESTON |
| 204C | Claim | 05N | 05W | 8 | NE | SW | | IRRIGATION | 30/151 | DONNA WESTON |
| -209 | Claim | 05N | 05W | 8 | NE | SW | | IRRIGATION | 30/151 | DONNA WESTON |
| -209 | Water Right | 05N | 05W | 8 | NE | SW | | IRRIGATION | | SMITH STOCKTON |
| 5129 | Water Right | 05N | 05W | 8 | NE | SW | | IRRIGATION | 40/623 | PARMA IRRIGATION DIST |
| 5130 | Water Right | 05N | 05W | 8 | NE | SW | | IRRIGATION | 40/623 | PARMA IRRIGATION DIST |
| 203C | Claim | 05N | 05W | 8 | NE | SE | | IRRIGATION | 39/151 | DONNA WESTON |
| 204C | Claim | 05N | 05W | 8 | NE | SE | | IRRIGATION | 39/151 | DONNA WESTON |
| -209 | Claim | 05N | 05W | 8 | NE | SE | | IRRIGATION | 39/151 | DONNA WESTON |
| -203 | Water Right | 05N | 05W | 8 | NE | SE | | IRRIGATION | | R H STOCKTON |
| -204 | Water Right | 05N | 05W | 8 | NE | SE | | IRRIGATION | | R H STOCKTON |
| 5129 | Water Right | 05N | 05W | 8 | NE | SE | | IRRIGATION | 40/623 | PARMA IRRIGATION DIST |
| 5130 | Water Right | 05N | 05W | 8 | NE | SE | | IRRIGATION | 40/623 | PARMA IRRIGATION DIST |
| 203C | Claim | 05N | 05W | 8 | NW | SE | | IRRIGATION | 39/151 | DONNA WESTON |

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-203C

09/20/2006

2

| Right # | Type | Twp | Rge | Sec | QQ | Q | Lot | Purpose of Use | Acres/Total | Name |
|---------|-------------|-----|-----|-----|----|----|-----|----------------|-------------|-----------------------|
| 204C | Claim | 05N | 05W | 8 | NW | SE | | IRRIGATION | 39/151 | DONNA WESTON |
| -209 | Claim | 05N | 05W | 8 | NW | SE | | IRRIGATION | 39/151 | DONNA WESTON |
| -209 | Water Right | 05N | 05W | 8 | NW | SE | | IRRIGATION | | SMITH STOCKTON |
| 5129 | Water Right | 05N | 05W | 8 | NW | SE | | IRRIGATION | 40/623 | PARMA IRRIGATION DIST |
| 5130 | Water Right | 05N | 05W | 8 | NW | SE | | IRRIGATION | 40/623 | PARMA IRRIGATION DIST |

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-203

WATER RIGHT NUMBER: 63-203

Owner Type Name and Address
 Current Owner R H STOCKTON
 PARMA, ID 83660

Priority Date: 06/01/1878

Basis: Decreed

Status: Active

Source Tributary
 BOISE RIVER SNAKE RIVER

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION / to / 4.400 CFS
 Total Diversion: 4.400 CFS

Location of Point(s) of Diversion

BOISE RIVER Sec. 16, Twp 05N, Rge 05W, 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 | |
| 05N | 05W | 8 | | | | | | | | | | | | X | X | | X | X | |
| 05N | 05W | 16 | | | | | X | | X | | | | | | | | | | |
| 05N | 05W | 17 | X | | | | | | | | | | | | | | | | |

Conditions of Approval:

1. P/D IN SE, S16, T5N, R5W.

Licensed Date:

Decreed Date: 1/18/1906

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number: 63

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant: Riverside Irrigation District, Ltd, et al

Decree Plaintiff: Farmers Cooperative Ditch Co

Civil Case Number:

Judicial District: Seventh District

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

STEWART AND BRYAN DECREES GROUPED UNDER CANAL HEADINGS

CHAPT NO. 3

| NAME OF CANAL | CHANGE IN
P. OF D. | TRANSFER | NO. | PRIORITY
DATE | AMOUNT DECREED | | | INCHES | TOTAL
SEC. FT. |
|---------------|-----------------------|-----------|-------|------------------|-------------------|-------------------|-----------------|--------|-------------------|
| | | | | | STEWART
DECREE | STEWART
DECREE | BRYAN
DECREE | | |
| NEW YORK | | | 131 | 3-23-1900 | 219.10 | | | 10955 | |
| | | | | 3-23-1900 | | | 58.86 | 2943 | |
| | | | | 12-14-1903 | | | 1354.58 | 57729 | |
| | | | | 6-16-1909 | | | 926.50 | 46325 | |
| | | (790-111) | 8 | 9-1-1864 | 20.00 | | | 1000 | |
| | | | 45 | 6-1-1869 | .34 | | | 17 | |
| | | (790-111) | 96 | 10-1-1887 | 1.20 | | | 60 | |
| | | 466 | 106 | 8-20-1888 | 8.90 | | | 445 | |
| | | 701 | 30 | 5-1-1866 | 2.00 | | | 100 | |
| | | 823 | 30 | 5-1-1866 | 6.00 | | | 300 | |
| | | 976 | 30 | 5-1-1866 | 1.50 | | | 75 | |
| | | 1007 | 30 | 5-1-1866 | 1.00 | | | 50 | |
| | | 1010 | 30 | 5-1-1866 | 2.00 | | | 100 | |
| | | 1017 | 30 | 5-1-1866 | .60 | | | 30 | |
| | | 1074 | 30 | 5-1-1866 | 2.00 | | | 100 | 2604.58 |
| PARMA DITCH | | | 71 | 6-1-1878 | 4.40 | | | 220 | |
| | | | 74 | 6-1-1880 | 1.76 | | | 88 | |
| | | | 125 | 6-1-1894 | 1.76 | | | 88 | |
| | | | 77-A | 6-1-1881 | | 1.60 | | 80 | |
| | | | 77-E | 6-1-1881 | | .34 | | 17 | |
| | | | 77-C | 6-1-1881 | | .80 | | 40 | |
| | | | 77-D | 6-1-1881 | | 1.30 | | 65 | |
| | 257 | | 114-B | 5-1-1889 | | .80 | | 40 | 12.76 |
| PENITENTIARY | 46 | | 50 | 6-1-1870 | 2.24 | | | 112 | 2.24 |
| PHYLISS | | | 90 | 6-1-1884 | 53.10 | | | 2655 | |
| | | | 117 | 9-1-1890 | 200.00 | | | 10000 | |
| | | | 135 | 4-1-1904 | 56.34 | | | 2817 | |
| | | | | 4-1-1905 | | | 306.56 | 15328 | |
| | | | | 4-1-1908 | | | 54.50 | 2725 | |
| | | 1038 | 30 | 5-1-1866 | 21.715 | | | 1086 | 692.215 |
| | | | | | | | | | |

*SUBTRACT

LIX.

That the defendant CHARLES ALLMAN be, and he is hereby awarded the use of the waters of Boise River, diverted at a point at the NW corner of Sec. 36, T. 5 N. R. 5 W. B.M., for use upon lots 3 and 4 and NW 1/4 of NW 1/4 of Sec. 22, and lots 3, 4, 6, 7, 8 and 9 in NW 1/4 of SE 1/4 of Sec. 21, and lot 10 in Sec. 21, lot 5 in Sec. 22, lot 4 in Sec. 27, and NE 1/4 of NW 1/4 of Sec. 28, all in T. 5 N. R. 5 W. B.M., in the following amount and from the following

date;

6202

1/4 440 inches, from June 1, 1878; and hereby designated as Right No. 70. and be adjudged to pay \$30.80 costs in addition to the costs incurred by him

LX.

That the defendant R. H. STOKTON be, and he is hereby awarded the use of the waters of Boise River, diverted from said river at a point in the SE 1/4 of Sec. 16, T. 5 N. R. 5 W. B.M., for use upon the E. 1/2 of NW 1/4 of Sec. 16, NE 1/4 of NE 1/4 of Sec. 17, S. 1/2 of SE 1/4, SE 1/4 of SW 1/4, NE 1/4 of SE 1/4 of Sec. 8, 11 in T. 5 N. R. 5 W. B.M., in the following amounts and from the following dates;

63 0203

P.D. 103 220 inches, from June 1, 1878.; and hereby designated as Right No. 71.

63 0204

P.D. 103 220 inches, from June 1, 1894.; and hereby designated as Right No. 125.

And be adjudged to pay \$21.56 costs, in addition to the costs incurred by him.

POD
SE 16
POU
E/2 NW 16 280 ac.
NE NE 17
S/2 SE 38
SE SW 38
NE SE
220" = 4.4 ac.

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

FARMERS CO-OPERATIVE DITCH COMPANY.

Plaintiff,

-vs-

RIVERSIDE IRRIGATION DISTRICT, Ltd.,

A Corporation,

Defendant.

GUS A. BARTH, LESTER J. SHIPPY,

CHARLES JURRIES and JAMES FINLAY,

Intervenors.

D E C R E E

ENTERED AND

FILED

5:15 P.M.

MAR 3 - 1928

MYRTLE BERNARD, Clerk

Rose Edwards, Deputy.

- O -

This matter coming on regularly to be heard on the 27th day of February, 1928, upon the Complaint in Intervention of the intervenors, Guss A. Barth, Lester J. Shippy, Charles Jurries and James Finlay, the default of all the other parties to this action, after due and legal service of the Complaint in Intervention having been duly and regularly entered, and the Court having filed its Findings of Fact and Conclusions of Law from which it appears that all the material facts stated in said Complaint in Intervention are true and sustained by competent evidence, and that the matters so alleged and proved are sufficient in law to entitle the intervenors, Guss A. Barth, Lester J. Shippy, Charles Jurries and James Finlay, and each of them, to the relief prayed for in said Complaint in Intervention.

That said intervenors are the owners of the respective pieces of land described in the Complaint in Intervention and hereinafter described; that said intervenors, and each of them, are entitled to the use of the water of the Boise

Decree # XIV

63-7

VHM WORKING
COPY

63-211✓

63-212

63-213

63-214

63-215

River and its tributaries in the amount claimed in their Complaint in Intervention, and that the intervenors have priority of right to the use of the water of the Boise River and its tributaries and the Court being fully advised in the premises,

IT IS ORDERED, ADJUDGED AND DECREED, That the quantity of water required for the successful cultivation and irrigation of said lands, measured at the point where said ditches take water from the said Boise River, is one (1) inch per acre; that said one (1) inch per acre is understood to be in the same status as the one (1) inch per acre in the judgment entered in the above entitled action on January 19, 1906 and is subject to such modifications and temporary orders as this Court may make for the above entitled cause.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED That the intervenor, [REDACTED] be and he is hereby awarded the use of the water of the Boise River and the tributaries thereof, subject to the above modifications from [REDACTED] to be carried through a ditch taking water from the Boise River One Hundred Fifty (150) feet down the River from the point where [REDACTED] formerly took water from said River in the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$), Section Seventeen (17), Township Five (5) North of Range Five (5) West of the Boise Meridian, in Canyon County, Idaho, in the quantity of forty (40) inches of water, measured under a four (4) inch pressure, said forty (40) inches and the whole thereof to be appurtenant to and to be used upon the following described property, situated in Canyon County, Idaho, to-wit:

the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$), Section Seventeen (17), Township Five (5) North of Range Five (5) West of the Boise Meridian,

63-271

POD
SENE 17 5N5W

40"

POD
NENW 17 5N5W

and the said intervenor, [REDACTED], be and he is hereby
awarded the use of the water of the Boise River and the
tributaries thereof, subject to the modifications, from
[REDACTED], to be carried through a ditch taking water
from Boise River at a point near the Southeast corner of
the Southeast Quarter (SE $\frac{1}{4}$), Section Sixteen (16), Town-
ship Five (5) North of Range Five (5) West of the Boise
Meridian, in Canyon County, Idaho, in the quantity of
eighty (80) inches, measured under a four (4) inch pressure,
said eighty (80) inches and the whole thereof to be appur-
tenant to and to be used upon the following described pro-
perty situated in Canyon County, Idaho, to-wit:

The Southeast Quarter (SE $\frac{1}{4}$) of the Northeast
Quarter (NE $\frac{1}{4}$), and the Northwest Quarter (NW $\frac{1}{4}$)
of the Northeast Quarter (NE $\frac{1}{4}$), Section Seven-
teen (17), Township Five (5) North of Range
Five (5) West of the Boise Meridian.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That

the intervenor, [REDACTED], be and he is hereby
awarded the use of the water of the Boise River and
the tributaries thereof, subject to the above modifi-
cations, from [REDACTED], to be carried through
a ditch taking water from Boise River at a point near
the Southeast corner of the Southeast Quarter (SE $\frac{1}{4}$),
Section Sixteen (16), Township Five (5) North of Range
Five (5) West of the Boise Meridian, in Canyon County,
Idaho, in the quantity of Sixty-five (65) inches, measured
under a four (4) inch pressure, said Sixty-five (65)
inches and the whole thereof to be appurtenant to and to
be used upon the following described property situated
in Canyon County, Idaho, to-wit:

63-272

POD: SESE 16 5N5W

80"

POU:

SENE
NWNE

17 5N5W

63-273

POD: SESE 16

65"

POU:

NE 9W 16

63 0272

63 0273

The Northeast Quarter (NE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$), Section Sixteen (16), Township Five (5) North of Range Five (5) West of the Boise Meridian, and beginning at a point 80 rods South of the Northwest corner of said Section 16, Township and Range aforesaid; thence South 118 rods; thence Southeasterly to the Northeast corner of the Southwest forty of said Section 16 to a point intersecting the Boise River; thence North 160 rods; thence West 80 rods to the point of beginning.

63 0274

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That the intervenor, [REDACTED], be and he is hereby awarded the use of the water of the Boise River and the tributaries thereof, subject to the above modifications, from [REDACTED], to be carried through [REDACTED] taking water from Boise River at a point near the Southeast corner of the Southeast Quarter (SE $\frac{1}{4}$), Section Sixteen (16), Township Five (5) North of Range Five (5) West of the Boise Meridian, in Canyon County, Idaho, in the quantity of seventeen (17) inches, measured under a four (4) inch pressure, said seventeen (17) inches and the whole thereof to be appurtenant to and to be used upon the following described property situated in Canyon County, Idaho, to-wit:

Beginning at the Southwest corner of Section Nine (9), Township Five (5) North of Range Five (5) West of the Boise Meridian; thence North on the section line 1320 feet; thence South 33° 20' East 680 feet; thence South 68° 35' East 522 feet; thence South 18° 04' East 480 feet; thence South 22° 26' West 145 feet to the South line of said Section 9; thence West 955 feet to the point of beginning, containing seventeen (17) acres, more or less.

63 0275

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That the intervenor, [REDACTED], be and he is hereby awarded the use of the water of the Boise River and the tributaries thereof, subject to the above modifications, from [REDACTED], to be carried through a [REDACTED] taking water from Boise River at a point near the Southeast corner of the Southeast Quarter (SE $\frac{1}{4}$), Section Sixteen (16), Township Five (5) North of Range Five (5) West of the Boise Meridian, in Canyon County,

63-274

POD: SESE 16

17"

POD: 12 acres

SWSW 9

63-275

POD: SESE 16

40"

POD: NW NW 16

Idaho, in the quantity of forty (40) inches, measured under a four (4) inch pressure, said forty (40) inches and the whole thereof to be appurtenant to and to be used upon the following described property situated in Canyon County, Idaho, to-wit:

The Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$), Section Sixteen (16), Township Five (5) North of Range Five (5) West of the Boise Meridian.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That the complaint, cross-complaint and all pleadings filed in this case be and the same are hereby amended to conform to the facts as herein found by the Court.

Done in open Court this the 27th day of February, 1928.

Ed. L. Bryan,
District Judge.

STATE OF IDAHO, }
County of Canyon, } ss.

I, Myrtle Bernard, Clerk of the District Court and Ex-officio Recorder of the County of Canyon, State of Idaho, do hereby certify that the foregoing copy of Decree

has been compared by me with the original, and that it is a correct transcript therefrom, and of the whole of such original Decree

as the same appears on record in my office

In TESTIMONY WHEREOF I have hereunto set my hand and affixed my seal this 16th day of July, 1929.

Myrtle Bernard
Clerk of the District Court and Ex-officio Recorder.
By Anna J. J. J. Deputy.