

06/14/2006

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

RIGHT NUMBER: 63-32294

NAME AND ADDRESS: CYNTHIA SARGENT
13663 SANTA RITA DR
NAMPA ID 83686

RUSSELL SARGENT
13663 SANTA RITA DR
NAMPA ID 83686

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.060 CFS
20.250 AFY

PRIORITY DATE: 03/22/1967

POINT OF DIVERSION:

T02N R03W S11 NWSW Within CANYON County

T02N R03W S14 SESW Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.060 CFS

20.25 AFY

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

PLACE OF USE: IRRIGATION Within CANYON County

T02N R03W S14 NESW 4.50

4.50 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 63-32078 .

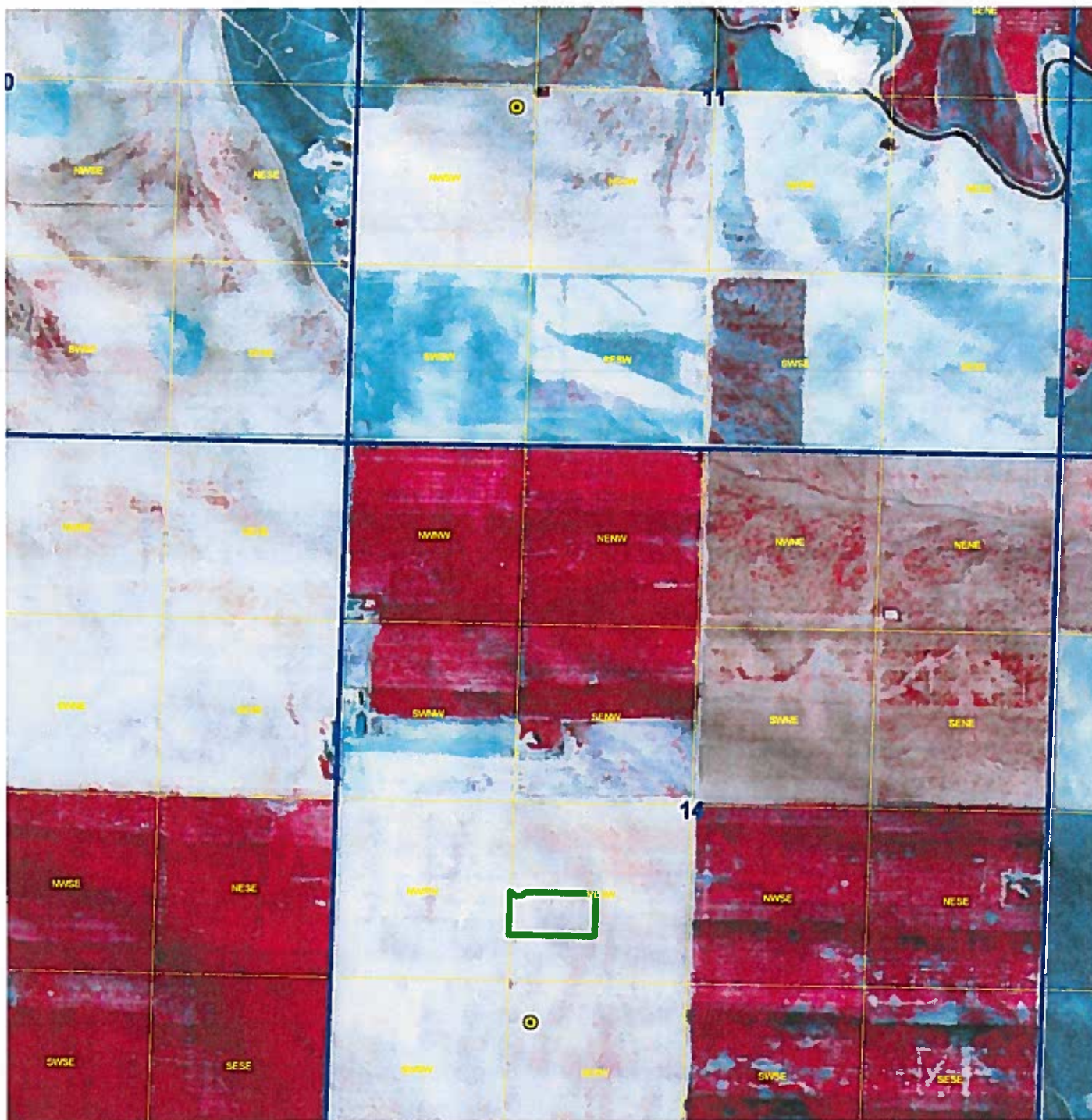
Right 63-32293 is also diverted through the point(s) of diversion described above.



Idaho Department of Water Resources

63-32294

T02N R03W S14



- Point of Diversion
- ▭ Place of Use
- ▭ Sections
- ▭ Quarter Quarter

Total irrigated
acres = 4.5



800 0 800 Feet

IDWR

Prepared by: Sandy Egbert

Date: June 14, 2006

1987 NAAP Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32294 V1

WATER RIGHT NUMBER: 63-32294 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	FARM CREDIT BANK OF SPOKANE PO BOX 15367 BOISE, ID 83715 (208)343-7782
Original Owner	THE ESTATE OF GOLDA D MONTIERTH 825 HEARTLAND DRIVE NAMPA, ID 83686 (208)463-8163
Original Owner	HERBERT R MONTIERTH JR 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Original Owner	SUSAN L MONTIERTH 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Original Owner	W NOLAN VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208) 733-1359
Original Owner	ROBERT J MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	CYNTHIA SARGENT 13663 SANTA RITA DR NAMPA, ID 83686
Original Owner	BRYCE MILLAR RT 7 BOX 7380 NAMPA, ID 83651
Original Owner	RODNEY KENT MONTIERTH 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Original Owner	EDWARD RAY MONTIERTH 825 HEARTLAND DR NAMPA, ID 83686 (208) 989-8310
Original Owner	RUBY C VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-1359
Original Owner	KATHI L MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	RUSSELL SARGENT 13663 SANTA RITA DR NAMPA, ID 83686

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-32294 V1

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:**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>
Priority Date	6/14/2006 1:56:31 PM	segbert			Active
POD	6/14/2006 1:56:57 PM	segbert			Active
Source	6/14/2006 1:57:58 PM	segbert			Active
POU	6/14/2006 1:58:14 PM	segbert			Active
Use	6/14/2006 1:58:50 PM	segbert			Active
Season	6/14/2006 1:59:10 PM	segbert			Active
Quantity	6/14/2006 1:59:57 PM	segbert			Active
Summary			06/14/2006	segbert	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	6/14/2006 1:58:40 PM	segbert	Updated shape for Active POU
General	6/14/2006 1:56:35 PM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?

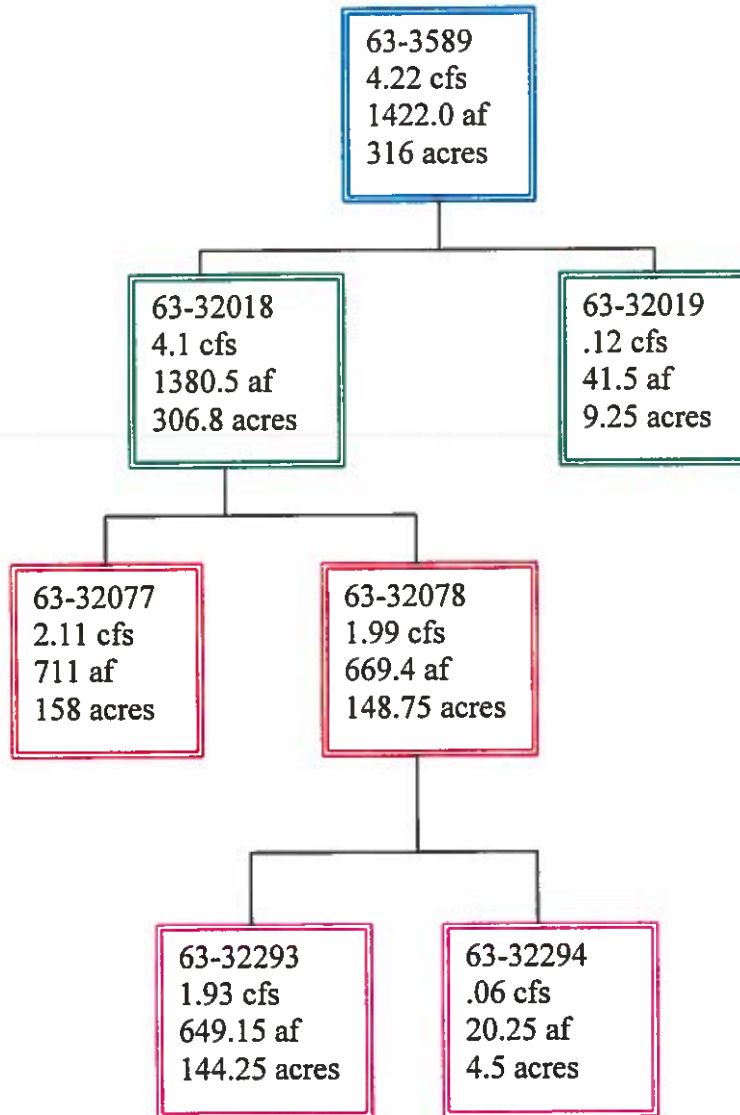
IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32294 V1

Quantity	6/14/2006 2:00:01 PM	segbert	(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? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - as licensed
POD	6/14/2006 1:57:49 PM	segbert	Updated shape
Summary	6/14/2006 2:04:50 PM	segbert	(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? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

Water Supply Bank:

Split Tree for 63-3589



State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 33528/63-3589 Priority March 22, 1967 Amount 4.22 cfs

THIS IS TO CERTIFY, that BRYCE MILLAR
of Nampa, Idaho, has complied with the terms and conditions of Permit
No. 33528/63-3589 issued pursuant to Application for Permit dated March 22, 1967,
and has submitted proof to the Department of Water Administration on January 20, 1972,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 4.22 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 4.22 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 4.22 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 11 and SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 14, Twp. 2 N, Rge. 3 W, B. M.

in the county of Canyon; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 1,422 acre feet per year or _____
4.5 acre feet per acre.

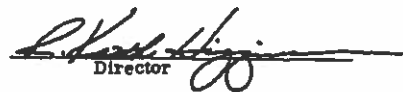
Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
2 N	3 W	14					39	39	40	40	40	40	39	39					316

Total number of acres irrigated 316

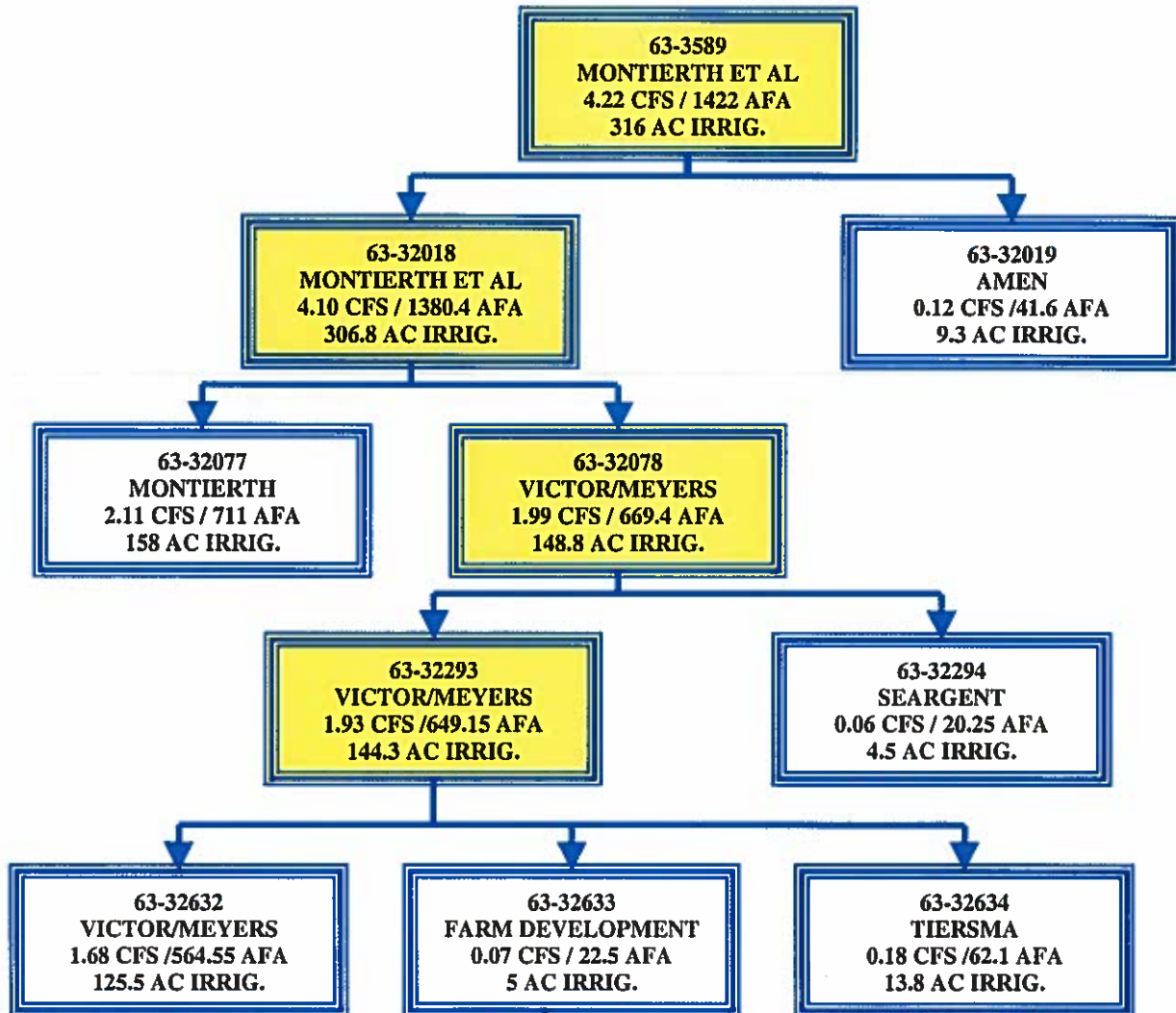
The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30 day of
January, 19 73.


Director

63 3589

SPLIT TREE FOR 63-3589



Volume will be reduced in the transfer to the historic consumptive use or 15.6 afa. However, for purposes of the adjudication split it will remain at the diversion volume amount of 22.5 afa.

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

Case No. 39576

Water Rights: 63-32294

NOTICE OF ADMINISTRATIVE
PROCEEDING

IDWR has received an application for an Administrative Proceeding for the above water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

- ☐ Substitution of Party (waiting for documentation)
- ☐ Substitution of Party/Split Water Right
- ☒ Amended Transfer Pending

IDWR projects the Administrative Proceeding shall be completed not later than:

February 6, 2008

Dated February 6, 2007


Signature of IDWR Representative

INSTRUCTIONS FOR MAILING

Mail this form to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. **FAX filings will not be accepted by the SRBA Clerk of the Court.**

CERTIFICATE OF MAILING

I certify that on February 6, 2007, I mailed the original and copies of this form to the following persons, postage prepaid, and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls ID 83303-2707
2. One copy to Claimant:
Cynthia Sargent
Russell Sargent
13663 Santa Rita Dr
Nampa ID 83686
3. One copy to:
Each party in the subcase, or attorney of record:



Signature of person or attorney mailing the form

09/29/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-32294

CYNTHIA SARGENT
13663 SANTA RITA DR
Nampa ID 83686

RUSSELL SARGENT
13663 SANTA RITA DR
Nampa ID 83686

RECEIVED

OCT 13 2006

WATER RESOURCES
WESTERN REGION

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 10/9/06

SIGNATURE: _____

Please print your name: _____

RUSSELL SARGENT

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

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 63-32294
Date Received: 3/14/2005
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CYNTHIA SARGENT Phone: (208)461-4771
13663 SANTA RITA DR
NAMPA ID USA 83686

RUSSELL SARGENT Phone: (208)461-4771
13663 SANTA RITA DR
NAMPA ID USA 83686

2. Date of Priority: 03/22/1967

3. Source: GROUND WATER, GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	03W	11	NW SW	CANYON	
02N	03W	14	SE SW	CANYON	

5. Description of diverting works:

2 WELL & DEEP WELL TURBINES, PUMPED TO MAINLINES TO IRR. SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.06	

7. Total Quantity Appropriated is:
0.06 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
02N	03W	14	NE	SW	IRRIGATION	4.5
Section Acres						4.5
Total Acres						4.5

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:

This right is a split from former right 63-32078.

15. Basis of Claim: License

canyon

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

OCT 03 2005

WATER RESOURCES
WESTERN REGION

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
63-32078					

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)

4. New Owner/Claimant(s)

RUSSELL R. SARGENT, Cynthia A. Sargent
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

13663 SANTA RITA Dr.

City, State and ZIP Code

Nampa, ID 83686

New Telephone Number

208) 461-4771

5. Date you acquired the property

11/12/2003

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 <u>63-32078 (Lot 6, Blk 2, Chaparral Ranch Sub)</u>		
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	_____	<u>4.5 acres</u>
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)

[Signature] / [Signature]

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 [Signature] Date 10-3-05 Fee 0
 Receipted by [Signature] Date 10-3-05 Receipt No. N/A
 Processed by [Signature] AJ Date 5-4-06 WR _____ Date _____

A

PC54991 INSTRUMENT NO. 200370700

CC1713

WARRANTY DEED

FOR VALUE RECEIVED David W. Washburn and Kelly L. Washburn,
husband and wife

the Grantors, do hereby grant, bargain, sell and convey unto Russell R. Sargent and Cynthia
A. Sargent, husband and wife

the Grantees, whose address is 13663 Santa Rita Drive, Nampa, ID, 83686

the following described premises, to-wit:

LOT 6 IN BLOCK 2 OF CHAPARRAL RANCH SUBDIVISION, CANYON COUNTY,
IDAHO, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED IN BOOK 30 OF
PLATS AT PAGE 46, RECORDS OF SAID COUNTY.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns
forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said
premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 2002 and
subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same
from all lawful claims whatsoever.

DATED: November 13, 2003

David W. Washburn
David W. Washburn

Kelly L. Washburn
Kelly L. Washburn

STATE OF IDAHO

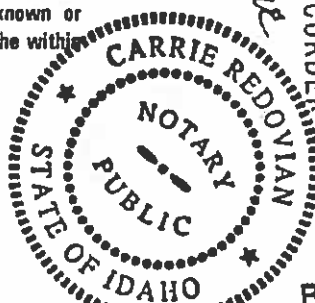
COUNTY OF CANYON

On this 13th day of November in the year 2003, before me, a Notary Public,
personally appeared David W. Washburn & Kelly L. Washburn known or
identified to me to be the persons whose names are subscribed to the within
instrument, and acknowledged to me that they executed the same.

Carrie Redovian
Notary Public

Residing at Melba

My commission expires 3/10/09



PIONEER TITLE COMPANY
OF CANYON COUNTY
"CANYON OFFICE"

5680 E. FRANKLIN, STE. 150
NAMPA, IDAHO 83686

TEL. (208) 465-6655
FAX. (208) 465-6556

RECORDED
2003 NOV 14 PM 2 14
CANYON CNTY RECORDER
G NOEL HALES
PIONEER-CALDWELL
REQUEST
TYPE Deed FEE 3.00

200370700

63-32078

VICTOR/MEYERS

148.75 ACRES

1.99 CFS

$$1.99 \div 148.75 = .013 \times 144.25 = 1.93 \text{ CFS}$$

$$.013 \times 4.5 = .06 \text{ CFS}$$



63-32293

VICTOR/MEYERS

144.25 ACRES

1.93 CFS

63-32294

SARGENT

4.5 ACRES

.06 CFS

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 63-32078
Date Received: 3/14/2005
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RUBY C VICTOR Phone: (208)733-1359

1528 ADDISON AVE E
TWIN FALLS ID USA 83301

W NOLAN VICTOR Phone: (208) 733-1359

1528 ADDISON AVE E
TWIN FALLS ID USA 83301

KATHI L MEYERS Phone: (208)733-5217

1528 ADDISON AVE E
TWIN FALLS ID USA 83301

ROBERT J MEYERS Phone: (208)733-5217

1528 ADDISON AVE E
TWIN FALLS ID USA 83301

2. Date of Priority: 03/22/1967

3. Source: GROUND WATER , GROUND WATER Trib. to: ,

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
02N	03W	11	NW	SW		CANYON	
02N	03W	14	SE	SW		CANYON	

5. Description of diverting works:

2 WELL & DEEP WELL TURBINES, PUMPED TO MAINLINES TO IRR. SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	1.99	

7. Total Quantity Appropriated is:
1.99 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
02N	03W	14	NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	39
			SE	SW	IRRIGATION	29.75
Section Acres						148.75
Total Acres						148.75

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

This right is a split from former right 63-32018.

15. Basis of Claim: License

Liberty -

The only thing happening from the paperwork submitted is the removal of Reidner & Dolly Montworth from the rights. The Victor's and Nevers are also being removed.

Before completing the data entry, we should obtain a signed copy of the Decree of Partition by stipulation & order. Then, the above listed names can be removed from 63-3557A/3232/7156A & 3599A.

63-3589 has already been split by a previous ownership change into 63-32018 and 63-32019. Attached are prop. reports of the claim & recomm. for the 2 new numbers. I've written some notes on the recomm. prop. And I marked up the claim report for 63-32018, showing how this new split should be made.

Let me know if you have any questions.

Thalia

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32018 V1

WATER RIGHT NUMBER: 63-32018 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EDWARD RAY MONTIERTH 1601 POEN RD KUNA, ID 83634 (208)463-8163
Original Owner	BRYCE MILLAR RT 7 BOX 7380 NAMPA, ID 83651
Current Owner	RUBY C VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-1359
Current Owner	GOLDA D MONTIERTH RT 1 BOX 156 KUNA, ID 83634
Current Owner	HERBERT R MONTIERTH JR 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Current Owner	W NOLAN VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208) 733-1359
Current Owner	ROBERT J MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	KATHI L MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	SUSAN L MONTIERTH 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Original Owner	FARM CREDIT BANK OF SPOKANE PO BOX 15367 BOISE, ID 83715 (208)343-7782
Current Owner	RODNEY KENT MONTIERTH 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217

*Recomm. needs to
be updated
according to
claim record*

Priority Date: 03/22/1967

Basis:

Status:

SourceTributary

GROUND WATER

Beneficial UseFrom ToDiversion RateAnnual Volume

IRRIGATION

3/15 to 11/15

4.220 CFS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32018 V1

Total Diversion: 4.220 CFSLocation of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4	Sec. 11, Twp 02N, Rge 03W, B.M.
CANYON County		
GROUND WATER	SE1/4SW1/4	Sec. 14, Twp 02N, Rge 03W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	03W	14					39.0	39.0	40.0	40.0	40.0	40.0	39.0	39.0					316.0

Total Acres: 316

Conditions of Approval:Remarks:Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-32018

WATER RIGHT NUMBER: 63-32018

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	FARM CREDIT BANK OF SPOKANE PO BOX 15367 BOISE, ID 83715 (208)343-7782
Current Owner	W NOLAN VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208) 733-1359
Current Owner	GOLDA D MONTIERTH RT 1 BOX 156 KUNA, ID 83634
Current Owner	EDWARD RAY 1601 KUNA (208)4
Original Owner	BRYCE RT 7 BOX NAMPA,
Current Owner	RODNEY 1528 ADD TWIN FALLS (208)733-5
Current Owner	KATHI L ME 1528 ADDIS TWIN FALLS, (208)733-5217
Current Owner	SUSAN L MON 825 HEARTLAND NAMPA, ID 836 (208)463-8163
Current Owner	RUBY C VICTOR 1528 ADDISON A TWIN FALLS, ID 83301 (208)733-1359
Current Owner	HERBERT R MONTIERTH JR 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Current Owner	ROBERT J MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217

changed portion = 
remaining - not

63-32077
63-32078

Priority Date: 03/22/1967

Basis: License

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From To

03/15 to 11/15

Diversion Rate

4.100 CFS

2.11 cfs

1.99 CFS

Annual Volume

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-32018

Total Diversion: 4.100 CFSLocation of Point(s) of Diversion

GROUND WATER

CANYON County

NW1/4SW1/4

Sec. 11, Twp 02N, Rge 03W, B.M.

GROUND WATER

CANYON County

SE1/4SW1/4

Sec. 14, Twp 02N, Rge 03W, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
02N	03W	14	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	306.8
							39.0	39.0	40.0	40.0	40.0	40.0	39.0	29.8					

Total Acres: 306.75

*changed**remainder*Conditions of Approval:Remarks:

1. Explanatory This right is a split from former right 63-3589.

Comments:Dates and Other Information:

Claim Received Date: 1/10/2005

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32019 V1

WATER RIGHT NUMBER: 63-32019 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RUBY C VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-1359
Original Owner	FARM CREDIT BANK OF SPOKANE PO BOX 15367 BOISE, ID 83715 (208)343-7782
Current Owner	RODNEY KENT MONTIERTH 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	GOLDA D MONTIERTH RT 1 BOX 156 KUNA, ID 83634
Current Owner	W NOLAN VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208) 733-1359
Current Owner	ROBERT J MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	KATHI L MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	SUSAN L MONTIERTH 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Current Owner	HERBERT R MONTIERTH JR 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Current Owner	EDWARD RAY MONTIERTH 1601 POEN RD KUNA, ID 83634 (208)463-8163
Original Owner	BRYCE MILLAR RT 7 BOX 7380 NAMPA, ID 83651

*Recomm. needs to
be updated
according to
claim record*

Priority Date: 03/22/1967

Basis:

Status:

SourceTributary

GROUND WATER

Beneficial UseFrom ToDiversion RateAnnual Volume

IRRIGATION

3/15 to 11/15

4,220 CFS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-32019

WATER RIGHT NUMBER: 63-32019

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	BRYCE MILLAR RT 7 BOX 7380 NAMPA, ID 83651
Original Owner	GOLDA D MONTIERTH RT 1 BOX 156 KUNA, ID 83634
Original Owner	W NOLAN VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208) 733-1359
Original Owner	ROBERT J MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208) 733-5217
Original Owner	HERBERT R MONTIERTH JR 825 HEARTLAND DR NAMPA, ID 83686 (208) 463-8163
<u>Current Owner</u>	JEANIE AMEN 9125 SKY RANCH RD NAMPA, ID 83686 (208) 466-1853
Original Owner	FARM CREDIT BANK OF SPOKANE PO BOX 15367 BOISE, ID 83715 (208) 343-7782
Original Owner	RODNEY KENT MONTIERTH 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208) 733-5217
Original Owner	KATHI L MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208) 733-5217
Original Owner	RUBY C VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208) 733-1359
<u>Current Owner</u>	FRANKIE AMEN 9125 SKY RANCH RD NAMPA, ID 83686 (208) 466-1853

Priority Date: 03/22/1967

Basis: License

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From To

03/15 to 11/15

Diversion Rate

0.120 CFS

Annual Volume

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-32019

Total Diversion: 0.120 CFSLocation of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4	Sec. 11, Twp 02N, Rge 03W, B.M.
CANYON County		
GROUND WATER	SE1/4SW1/4	Sec. 14, Twp 02N, Rge 03W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	03W	14												9.3					9.3

Total Acres: 9.25

Conditions of Approval:Remarks:

1. Explanatory This right is a split from former right 63-3589.

Comments:Dates and Other Information:

Claim Received Date: 1/10/2005
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

DEC 20 2004

WATER RESOURCES
WESTERN REGION

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
63-3557A		N/A			
63-3589		1/2			
63-3232		N/A			
63-7156A		N/A			
63-3599A		N/A			

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

- A. The appropriate FILING FEE. See instructions for fee amounts. N/A
- B. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, WITH ATTACHED LEGAL DESCRIPTION.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
 PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
 OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency AERIAL PHOTO with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s) SEE ATTACHED WATER RIGHTS (MULTIPLE NAMES)
4. New Owner/Claimant(s) MONTIERTH, EDWARD RAY (OR) SUSAN L. (OR) H.R. (OR)
 Name Connector (Check one): [] and, [] or, [] and/or ESTATE OF GOLDA
- New Mailing Address 825 HEARTLAND DR
- City, State and ZIP Code Nampa, ID 83686
- New Telephone Number 208 463-8163
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 <u>63-3589 (only split)</u>		
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	<u>2.2</u>	<u>158</u>
Stock		
Domestic		
Other		
Total	<u>2.2 cfs</u>	<u>158 ac</u>

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)

AP Montemith
AP Montemith

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 _____

本論文は、2001年11月25日現在、東京大学大学院経済学研究科に在籍中の博士課程2年生の佐藤 大樹によるものである。

THIS FORM FURNISHED COURTEOUSLY OF:

**ALLIANCE TITLE &
ESCROW CORP.**

READ & APPROVED BY GRANTEE(S):

Order No.: 00024348 XD/CH

WARRANTY DEED

FOR VALUE RECEIVED KENDAL F. EGBERT, TRUSTEE OF THE V & M TRUST

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto SOUTHSIDE, INC., an Idaho corporation

GRANTEE(S), whose current address is: 420 SHERRY RD. NAMPA, ID 83686
the following described real property in CANYON County, State of Idaho, more particularly
described as follows, to wit:

The Southwest Quarter of Section 14, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: October 31, 2000

V & M TRUST

By: Kendal F. Echert, Trustee

STATE OF IDAHO
COUNTY OF TWIN Falls

On this 1 day of November, in the year 2000, before me a Notary Public, personally appeared Kenneth F. Egbert, known to me (identified to me) to be the person whose name is subscribed to this within instrument as the trustee of Y & M Trust, and acknowledged to me that he executed the same as such trustee.

Notary Public

My commission expires on: 4/27/2003
Residing at: 11111 1st St

Residing at: Greenwich

NOV 09 3 PM '47
G HOEL HALES
CANYON CNTY RECORDER
BY *[Signature]*
REQUEST ALLIANCE COUNCIL
TYPE - 100-8

RECORDED

200038800



200038799

THIS FORM FURNISHED COURTESY OF:

ALLIANCE TITLE &
ESCROW CORP.

READ & APPROVED BY GRANTEE(S):

REQUEST ALLIANCE NAME
TYPE 1 Fee 37C MOEL HALES
CANYON CNT RECORD

RECORDED

NOV 01 3 PM 4 27

SHOTS ABOVE THIS LINE FOR RECORDING DATE
Order No.: 24348/CN 100

WARRANTY DEED

FOR VALUE RECEIVED ROBERT J. MEYERS & KATHI L. MEYERS, husband & wife
AND WILFORD NOLAN VICTOR, also shown of record as W. NOLAN VICTOR &
RUBY C. VICTOR, HUSBAND & WIFE
GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto V & M TRUST

GRANTEE(S), whose current address is: 420 Sherry Rd Nampa ID 83686
the following described real property in CANYON County, State of Idaho, more particularly
described as follows, to wit:

The Southwest Quarter of Section 14, Township 2 North, Range
3 West, Boise Meridian, Canyon County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and
Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said
Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from
all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered
or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and
agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments,
if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend
the same from all lawful claims whatsoever.

Dated: November 01, 2000

ROBERT J. MEYERS

WILFORD NOLAN VICTOR

KATHI L. MEYERS

RUBY C. VICTOR

STATE OF IDAHO
COUNTY OF TWID FALLS }

On this 1st day of November, in the year of 2000, before me, the undersigned, a Notary
Public in and for said State, personally appeared ROBERT J. MEYERS, KATHI L. MEYERS,
WILFORD NOLAN VICTOR & RUBY C. VICTOR

known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and
acknowledged to me that he/she/they executed the same.

BONNY J. MOORE

NOTARY PUBLIC
STATE OF IDAHO

Residing at:

My Commission Expires: 8-28-04

PN-54353
PN-54419
INSTRUMENT NO. 9924656

BRIAN F. McCOLL
WILSON, CARNAHAN & McCOLL
420 W. Washington
P.O. Box 1544
Boise, Idaho 83701
Telephone: 208-345-9100
Attorney for Defendants Montierth

NO. _____ FILED 2:45
AM. _____ PM.

APR 13 1994

DAVID NAVARRO, CLERK
DEPUTY

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF

THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

W. NOLAN VICTOR and RUBY C.)
VICTOR, husband and wife; and)
ROBERT J. MEYERS and KATHI L.)
MEYERS, husband and wife,)

Plaintiffs,)

vs.)

HERBERT R. MONTIERTH and THE)
ESTATE OF GOLDA D. MONTIERTH;)
EDWARD RAY MONTIERTH and SUSAN L.)
MONTIERTH, husband and wife;)
RODNEY KENT MONTIERTH and DOLLIE)
MONTIERTH, husband and wife;)
MONTIERTH ENTERPRISES, a)
Partnership consisting of each of)
the above-named individual)
Defendants; and NORWEST)
AGRICULTURAL CREDIT, INC., a)
foreign corporation authorized to)
do business in the State of Idaho,)

Defendants.)

Case No. 95729

DECREE OF PARTITION BY
STIPULATION AND ORDER

RECITALS

By Pre-Trial Order entered by this Court on February 12, 1993, the trial in this matter was bifurcated with issues pertaining to a partition of the real estate presented at Court Trial on February 19, 1993. At the conclusion of that trial, the Court orally entered its Findings of Fact and Conclusions of Law with respect to the partition of the real estate which Findings and Conclusions have been transcribed.

By agreement between the parties, a 400 acre parcel of the so-called Star Farm was sold to a third party on May 13, 1993; and, by another agreement between the parties, the Montierths Defendants conveyed their interest in the remaining 520 acres of the Star Farm to the Plaintiffs on or about November 12, 1993.

Pursuant to Idaho Code §6-512, the Court entered its Order of Reference on June 9, 1993 wherein W. Roy Brown, Anthony Moreda and Robert W. Smith were appointed referees with directions to determine a proper division of the portion of the real property known as the "Nampa Farm".

Thereafter, the Court entered its Order on Referee's Report on October 4, 1993 directing that the parties conduct a lottery to determine which party would receive which parcels. On October 5, 1993, the parties with their counsel met, the lottery was conducted and with certain modifications to the referee's Report, the parties stipulated to a division of the Nampa Farm.

Attached hereto as Exhibit "A" and by this reference made a part hereof is a schematic map of the real property known to the

parties as the Nampa Farm containing thereon, in addition to the real property, certain ground water wells.

STIPULATION

1. The following real and personal property is awarded to and fee simple title shall be vested in Herbert R. Montierth and the Estate of Golda D. Montierth, Edward Ray Montierth and Susan L. Montierth, husband and wife, Rodney Kent Montierth and Dolly Montierth (hereinafter "Montierths"):

The NW¼ of the NW¼ of Section 13 and the NW¼ of Section 14 of Township 2 North, Range 3 West, Boise Meridian, County of Canyon, excepting therefrom a tract of land commencing at the northeast corner of said Section 14 monumented with a rebar, 5/8" in diameter; thence south 62°48'15" west 4,482.39 feet to the POINT OF BEGINNING; said point bears 63°05'00" east 1,480.17 feet from a found 3/8" pipe at the northwest corner of the southwest corner of the southwest quarter of the northwest quarter, Section 14 (north 1/16 corner); thence north 89°54'30" east 295.32 feet; thence south 0°05'30" east 295.00 feet; thence south 89°54'30" west 295.32 feet; thence north 0°05'30" west 295.00 feet to the POINT OF BEGINNING. (Parcel No. 1)

Together with all right, title and interest in, including well water permits for well No. 1 and well No. 4 as designated in Exhibit "A"; together with that certain easement for the benefit of the referenced Parcel No. 1, which easement is more particularly described on Exhibit "B" attached hereto and by this reference incorporated herein.

2. The following real and personal property is awarded to and fee simple title shall be vested in Robert J. Meyers and Kathi L. Meyers (hereinafter "Meyers"):

The W½ and the SE¼ of Section 15 of Township 2 North, Range 3 West, Boise Meridian, Canyon County.

and

Lots 1 and 2 of Meyers/Montierth/Victor acreages in Section 10, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho. (Parcel No. 2)

Together with all right, title and interest in, including well water permits for wells Nos. 5, 6 and 7 as designated on Exhibit "A".

3. The following real and personal property is award to and fee simple title shall be vested in W. Nolan Victor and Ruby C. Victor (hereinafter "Victors"):

The NE¼ of Section 15 and the S¼ of Section 14, Township 2 North, Range 3 West, Boise Meridian, Canyon County, excepting therefrom a tract of land commencing at the northeast corner of said southeast quarter (east quarter corner) monument with an iron pipe 2" diameter; thence south 0°3' east 478.04 feet along the east boundary of said southeast quarter; thence south 89°57' west 25 feet to the POINT OF BEGINNING; thence south 89°57' west 396 feet; thence south 0°3' east 220 feet parallel with the east boundary of said southeast quarter; thence north 89°57' east 396 feet; thence north 0°3' west 220 feet parallel with the east boundary of said southeast quarter to the POINT OF BEGINNING.

and

Lot 5 of Meyers/Montierth/Victor acreages in Section 10, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho. (Parcel No. 3)

Together with all right, title and interest in, including well water permits for wells Nos. 8 and 9 as designated on Exhibit "A".

4. Any and all government allotments used in connection with and appurtenant to all of the above described real property shall be divided and awarded in three equal shares, one each to the Montierths, Victors and Meyers.

5. Parcel No. 1 awarded to the Montierths is currently subject to a first mortgage lien in favor of Farm Credit Bank of Spokane as mortgagee, whose mortgagee's interest was subsequently assigned to W. Nolan Victor and Robert J. Meyers. It is agreed that the Montierths' share of the unpaid balance due, and that therefore the only obligation in reference to this mortgage that encumbers the property shall be the sum of \$68,436.00 as of June 28, 1993; which unpaid principal balance shall be paid by the Montierths together with interest on the unpaid principal balance at the rate of ten percent (10%) per annum by the payment of \$21,474.05 on or before February 1, 1994 and each February 1 thereafter until the principal balance plus accrued interest shall be paid in full. All other terms and conditions of the original Promissory Note and Mortgage, including penalty interest, shall remain in full force and effect. Victor and Meyers acknowledge receipt of the February 1, 1994 payment.

6. The Court appointed referee has submitted his invoice in the sum of \$3,076.00. Each of the Montierths, Victors and Meyers shall be responsible for one-third (1/3) of the invoiced amount. It is acknowledged that this invoice has been paid accordingly.

7. The parties reserve all rights and claims with respect to attorney fees incurred herein.

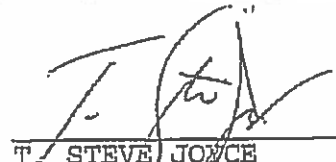
8. With respect to Parcel Nos. 1, 2 and 3, the parties to whom each parcel is not awarded, shall execute Quitclaim Deeds to the party to whom the parcel is awarded; and the Plaintiffs shall execute the original Exhibit "B", all of such acts shall be subject to the requirements and sanctions of Rule 70, I.R.C.P.

9. The Montierths, Meyers and Victors shall each take one-third of all irrigation hand lines, wheel lines and portable aluminum main line sections currently located on the Nampa farm.

DATED this 12th day of April 1994.



STEPHEN W. BEANE
Attorney for Victors and Meyers



T. STEVE JOYCE
Attorney for the Estate of
Golda Montierth

WILSON, CARNAHAN & MCCOLL

BY 

BRIAN F. MCCOLL
Attorney for Montierths

ORDER

Upon reading the foregoing Recitals and Stipulation and good cause appearing therefore;

IT IS HEREBY ORDERED that all terms and conditions of the foregoing Stipulation be adjudicated and decreed to be a Final Judgment of this Court.

DATED this 13th day of April, 1994.


D. DUFF MCKEE
District Judge

RULE 54(b) CERTIFICATION

With respect to the issues determined by the above Judgment or Order, it is hereby certified in accordance with Rule 54(b) of the Idaho Rules of Civil Procedure that the Court has determined that there is no just reason for delay of the entry of the final judgment and that the Court has and does hereby direct that the above Judgment or Order shall be a final Judgment upon which execution may issue and appeal may be taken as provided by the Idaho Appellate Rules.

DATED this 13th day of April, 1994.

STATE OF IDAHO
COUNTY OF ADA
SS.

I, J. DAVID NAVARRO, CLERK OF THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, AND ADA, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THIS 13th DAY OF APRIL, 1994.

J. DAVID NAVARRO, CLERK

BY:  DEPUTY

DECREE OF PARTITION BY STIPULATION AND ORDER - 7
s/259

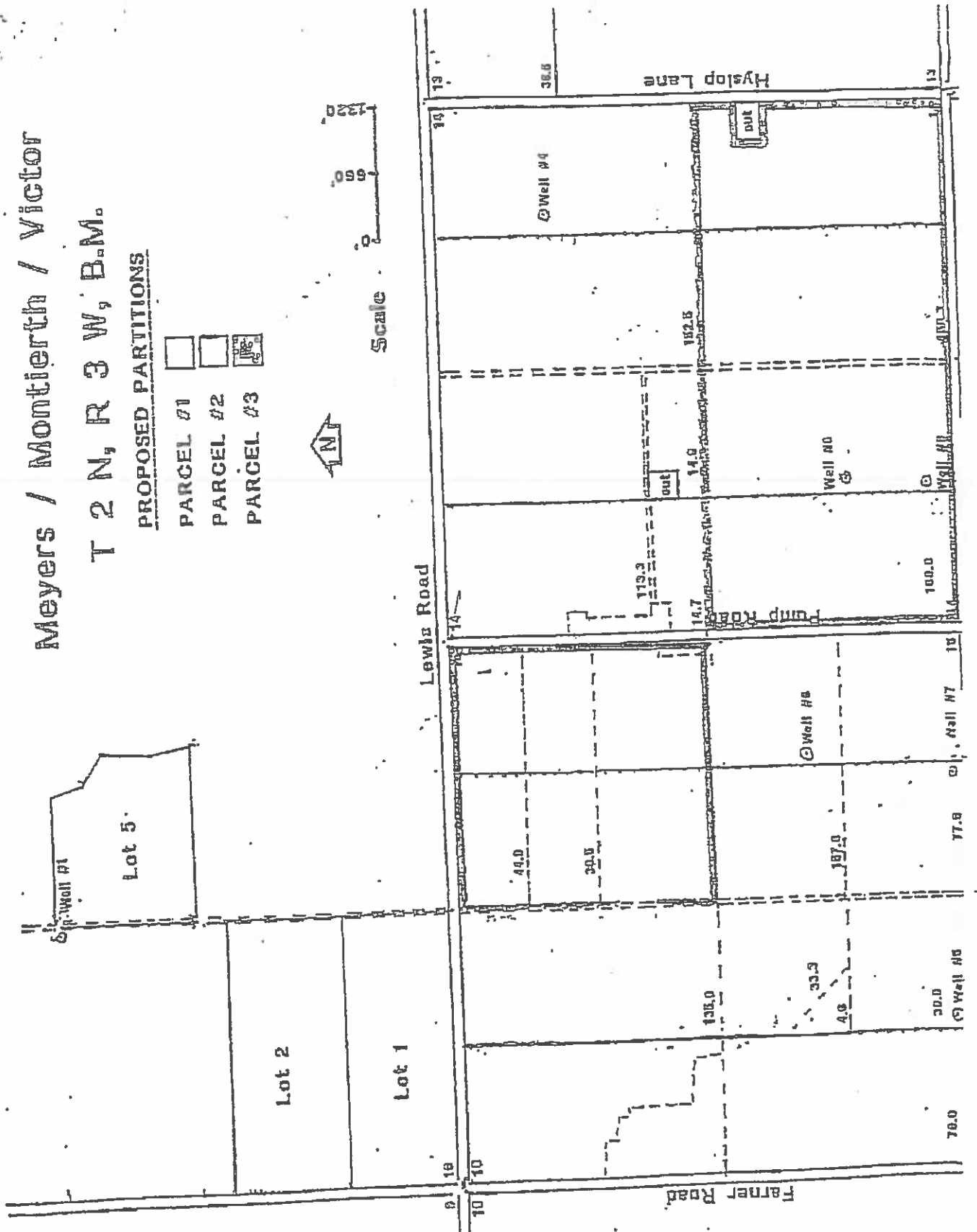

D. DUFF MCKEE
District Judge

Meyers / Montierth / Victor

T 2 N, R 3 W, B.M.

PROPOSED PARTITIONS

- PARCEL #1 
- PARCEL #2 
- PARCEL #3 



EASEMENT

GRANTOR: Robert J. Meyers and Kathi L. Meyers,
husband and wife and W. Nolan Victor and
Ruby C. Victor, husband and wife

GRANTEE: Herbert R. Montierth and The Estate of Golda
D. Montierth; Edward Ray Montierth and
Susan L. Montierth, husband and wife;
Rodney Kent Montierth and Dollie Montierth,
husband and wife

GRANTEE'S ADDRESS: 1601 Poen Road
Kuna, Idaho 83634

WHEREAS, Grantor Robert J. Meyers and Kathi L. Meyers are the owners in fee simple of the following described real property:

Lots 1 and 2 of Meyers/Montierth/Victor Acreage in Section
10, Township 2 North, Range 3 West, Boise Meridian,
Canyon County, Idaho (hereinafter "Servient Parcel No. 1");
and

WHEREAS, Grantor and W. Nolan Victor and Ruby C. Victor are the owners in fee simple of the following described real property:

The Northeast quarter of Section 15, Township 2 North,
Range 3 West, Boise Meridian, Canyon County, Idaho
(hereinafter "Servient Parcel No. 2");

WHEREAS, Grantor and Grantee have heretofore reserved and/or acquired certain easements for ingress and egress and maintenance for a powerline easement and an underground irrigation line easement, which various easements are reserved and/or acquired in Instrument Nos. 9218571, 9218572, 9222003, 92220181,

EASEMENT - 1
s/264

EXHIBIT B

records Canyon County, Idaho, which easements (hereinafter the "Existing Easements") provide in general for the use of an existing lane and the use and maintenance of an existing underground irrigation line lying on both the east and west sides of the north/south mid-section line of said Section 10.

WHEREAS, Grantee is the owner in fee simple of the following described real property:

The Northwest quarter of the Northwest quarter of Section 13 and the North half of Section 14, Township 2 North, Range 3 West, Boise Meridian, Ada County, Idaho (hereinafter the "Dominant Parcel").

FOR VALUE RECEIVED, the above named Grantor does hereby grant, bargain, sell and convey unto the above described Grantee, its successors and assigns, a perpetual easement for the construction, operation and maintenance of an underground irrigation line along and across a strip of land twenty-five feet (25') in width on the above described Servient Parcel Nos. 1 and 2 for the benefit of the Dominant Parcel, which strip of land is more particularly described as follows:

Commencing at the Northeast corner of the referenced Lot 2 of Meyers/Montierth/Victor Acreage, then running southerly across the easterly twenty-five feet (25') of Servient Parcel No. 1 to the southeast corner of said Lot 1 of Meyers/Montierth/Victor Acreage, thence commencing at the Northwest corner of the Servient Parcel No. 2, thence running easterly across the northerly twenty-five feet (25') of the above described Servient Parcel No. 2 to the northwest corner of the Dominant Parcel.

Further, Grantor does relinquish to Grantee any and all right to use and maintain the existing underground irrigation line on the Existing Easements. It being further understood that the ingress/egress use of the Existing Easements shall be non-exclusive for the benefit of all parties hereto and their successors and assigns.

This easement is subject to the following terms and conditions, to which Grantor and Grantee agree on behalf of themselves and their respective heirs, personal representative, successors and assigns forever:

1. The easement granted hereby shall be appurtenant to the land of Dominant Parcel and shall run with said land forever.

2. All use of the easement granted hereby shall be at the sole risk of the user or users thereof.

3. The Grantee, their successors and assigns shall be responsible for the costs of constructing and maintaining the underground irrigation lines.

4. In the event the Grantee shall subdivide the above described Dominant Parcel in any manner permitted by law, Grantee shall have the right to grant and convey to the owners of each of such subdivided parcels the permit right to use the easement granted herein.

DATED this 4th day of March, 1994.

GRANTOR:

Robert J. Meyers
ROBERT J. MEYERS

Kathleen Meyers
KATHLEEN MEYERS

W. Nolan Victor
W. NOLAN VICTOR

Ruby C. Victor
RUBY C. VICTOR

GRANTEE:

Herbert R. Montierth
HERBERT R. MONTIERTH

Herbert R. Montierth
ESTATE OF GOLDA D. MONTIERTH by
Herbert R. Montierth, Personal
Representative

Edward Ray Montierth
EDWARD RAY MONTIERTH

Susan L. Montierth
SUSAN L. MONTIERTH

Rodney Kent Montierth
RODNEY KENT MONTIERTH

Dollie Montierth
DOLLIE MONTIERTH

STATE OF IDAHO

County of Twin Falls

) ss.

On this 14th day of March, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared ROBERT J. MEYERS, known and identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

(SEAL)

[Signature]
Notary Public for Idaho
Residing at Twin Falls, Idaho
Commission expires: _____

STATE OF IDAHO

County of Twin Falls

) ss.

On this 14th day of March, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared KATHI L. MEYERS, known and identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

(SEAL)

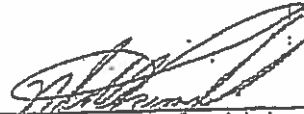
[Signature]
Notary Public for Idaho
Residing at Twin Falls, Idaho
Commission expires: _____

STATE OF IDAHO)
County of Ada) ss.

On this 4th day of March, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared W. NOLAN VICTOR, known and identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

(SEAL)

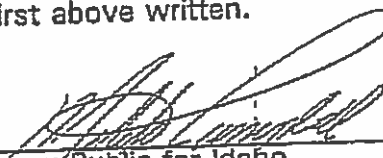

Notary Public for Idaho
Residing at Twin Falls, Idaho
Commission expires: _____

STATE OF IDAHO)
County of Ada) ss.

On this 4th day of March, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared RUBY C. VICTOR, known and identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

(SEAL)


Notary Public for Idaho
Residing at Twin Falls, Idaho
Commission expires: _____

STATE OF IDAHO)
) ss.
County of Ada)

On this 11th day of April, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared HERBERT R. MONTIERTH, known and identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

(SEAL)

Donald R. Boive
Notary Public for Idaho
Residing at Buna, Idaho
Commission expires: May 7-94

STATE OF IDAHO)
) ss.
County of Ada)

On this 11th day of April, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared HERBERT R. MONTIERTH, known and identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same as personal representative of the Estate of Golda D. Montierth.

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

(SEAL)

Donald R. Boive
Notary Public for Idaho
Residing at Buna, Idaho
Commission expires: May 7-94

STATE OF IDAHO)
) ss.
County of Ada)

On this 16th day of April, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared EDWARD RAY MONTIERTH, known and identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

(SEAL)

Donald Rowe
Notary Public for Idaho
Residing at Buna, Idaho
Commission expires: May 7-94

STATE OF IDAHO)
) ss.
County of Ada)

On this 16th day of April, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared SUSAN L. MONTIERTH, known and identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

(SEAL)

Donald Rowe
Notary Public for Idaho
Residing at Buna, Idaho
Commission expires: May 7-94

STATE OF IDAHO)
) ss.
County of Ada)

On this 11th day of April, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared RODNEY KENT MONTIERTH, known and identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

(SEAL)

S. Donald Rowe
Notary Public for Idaho
Residing at Acme, Idaho
Commission expires: May 7 - 94

STATE OF IDAHO)
) ss.
County of Ada)

On this 11th day of April, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared DOLLIE MONTIERTH, known and identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

(SEAL)

S. Donald Rowe
Notary Public for Idaho
Residing at _____, Idaho
Commission expires: May 7 - 94

EASEMENT - 8
1/284

RECEIVED
TYPE Misc FEB 5 1994

PIONEER - NAMPA

CANYON CNTY RECORDER
BY SHAW

39 JUN 23 PM 4 11

RECORDED

9924656

Chaparral Ranch Subdivision

CERTIFICATE OF COUNTY TREASURER

I, Frank L. Shiner, do hereby certify that on the County of Canyon State at Idaho, from the records of the County of Canyon State, I have this day received for Chaparral Ranch Subdivision, and that this property included in this proposed subdivision have been paid in full.

This certificate is made on the 10th day of May 1924.

Date

County Treasurer

County Seal

Idaho

SURVEYOR'S CERTIFICATE

I, Frank L. Shiner, do hereby certify that on the County of Canyon State at Idaho, from the records of the County of Canyon State, I have this day received for Chaparral Ranch Subdivision, and that this property included in this proposed subdivision have been paid in full.

This certificate is made on the 10th day of May 1924.



OWNERS' CERTIFICATE

We, Southside, Inc., being first duly sworn deposes and say we are the owners of CHAPARRAL RANCH SUBDIVISION, more particularly described in the legal description known, state that it is our intention to include said property in the subdivision, and that we do for ourselves our heirs, transferees, successors, and assigns, hereby declare, stipulate, and convey to the public (first) the public streets shown on the plan, the easements shown on the plan and intended for the right and purpose set forth and no structures other than those for utility, irrigation, or drainage purposes are to be erected within limits of the easements. Also we hereby certify that this subdivision is in compliance with paragraph 1, section 58-1023 of the Idaho Code.

This portion of said certificate of the SW 1/4 of Section 14, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

Beginning at the southwest corner of said SW 1/4;

thence North 00° 31' 25" East along the west boundary of said SW 1/4 a distance of 1322.65 feet to the southwest corner of the NW 1/4 of said SW 1/4;

thence continuing North 00° 31' 25" East along said west boundary a distance of 1322.65 feet to the northwest corner of the NW 1/4 of said SW 1/4;

thence South 00° 31' 25" East along the north boundary of said SW 1/4 a distance of 1322.65 feet to the northwest corner of the NW 1/4 of said SW 1/4;

thence continuing South 00° 31' 25" East along said north boundary a distance of 1322.65 feet to the northwest corner of the NW 1/4 of said SW 1/4, and thence South 00° 31' 25" East along the north boundary of said SW 1/4 a distance of 1322.65 feet to the northwest corner of the NW 1/4 of said SW 1/4;

thence South 00° 31' 25" East along the east boundary of said SW 1/4 a distance of 1322.65 feet to the northeast corner of the NE 1/4 of said SW 1/4, and thence North 00° 31' 25" West along the north boundary of said SW 1/4 a distance of 1322.65 feet to the northwest corner of the NW 1/4 of said SW 1/4;

thence South 00° 31' 25" East along the east boundary of said SW 1/4 a distance of 1322.65 feet to the northeast corner of the NE 1/4 of said SW 1/4, and thence North 00° 31' 25" West along the north boundary of said SW 1/4 a distance of 1322.65 feet to the northwest corner of the NW 1/4 of said SW 1/4;

thence South 00° 31' 25" East along the east boundary of said SW 1/4 a distance of 1322.65 feet to the northeast corner of the NE 1/4 of said SW 1/4, and thence North 00° 31' 25" West along the north boundary of said SW 1/4 a distance of 1322.65 feet to the northwest corner of the NW 1/4 of said SW 1/4;

thence North 00° 31' 25" East along the east boundary of said SW 1/4 a distance of 1322.65 feet to the northeast corner of the NE 1/4 of said SW 1/4;

thence continuing North 00° 31' 25" East along said east boundary a distance of 1322.65 feet to the northeast corner of the NE 1/4 of said SW 1/4, and thence North 00° 31' 25" East along the north boundary of said SW 1/4 a distance of 1322.65 feet to the northwest corner of the NW 1/4 of said SW 1/4;

Dana Washburn, President, Southside, Inc.

ACKNOWLEDGEMENT

Be it remembered that on this _____ day of _____, 2000, personally appeared Dana Washburn, President, Southside, Inc., who is known to me to be the owner of Chaparral Ranch Subdivision, and that executed the above instrument.

Notary Public for _____
Residing at _____
Commission expires _____

CERTIFICATION AND APPROVAL OF COUNTY SURVEYOR

I, Dennis A. (Dip.) Canyon County Surveyor, do hereby certify that I have examined the plan of Chaparral Ranch Subdivision and that it complies with the requirements of Idaho State Code.

County Seal

Idaho

CERTIFICATION AND APPROVAL OF SOUTHWEST DISTRICT HEALTH DEPARTMENT

Subdivision restrictions of this plan are hereby reviewed according to the letter to be read on file with the Canyon County Recorder or his/her agent during the examination of original.

Southwest District Health Department

Date

CERTIFICATION AND APPROVAL OF Nampa Hwy. Dist.

Nampa Highway District can be responsible for the streets shown on this plan, unless and until a petition has been received and passed together with a description of right-of-way and evidence that road street meets current District Standards for Construction.

Chairman

Date

CERTIFICATION AND APPROVAL OF CANYON COUNTY PLANNING AND ZONING COMMISSION

Accepted and approved this _____ day of _____, 2001 by the Canyon County Planning and Zoning Commission, Canyon County, Idaho.

Chairman

CERTIFICATION AND APPROVAL OF CANYON COUNTY COMMISSIONERS

Accepted and approved this _____ day of _____, 2001 by the Canyon County Commissioners, Canyon County, Idaho.

Commissioner

Date



Page 2 of 2

BK. PG.

NOT OFFICIAL DOCUMENT

200212585

RECORDED

1992 APR 19 AM 11 22

3 NOEL HALES
CANYON CITY RECORDER
PY *C. Hales*

Basin	Seq	Basis	Status	Blgnt ID	Priority	Rate(cfs)	Source	Water Use(s)	Owner(s)	Source Table
63	3589	License	Parent	294234	3/22/1967	4.1	GROUND WATER	IRRIGATION	MEYERS, KATHI L : MEYERS, ROBERT J : MONTIERTH JR, HERBERT R : MONTIERTH, EDWARD RAY : MONTIERTH, GOLDA D : MONTIERTH, RODNEY KENT : MONTIERTH, SUSAN L : VICTOR, RUBY C : VICTOR, W NOLAN	wrAdjudicationClaim
63	3589	License	Parent	229292	3/22/1967	4.22	GROUND WATER	IRRIGATION	MEYERS, KATHI L : MEYERS, ROBERT J : MONTIERTH JR, HERBERT R : MONTIERTH, EDWARD RAY : MONTIERTH, GOLDA D : MONTIERTH, RODNEY KENT : MONTIERTH, SUSAN L : VICTOR, RUBY C : VICTOR, W NOLAN	wrAdjudicationRecomm
63	3589	License	Active	52971	3/22/1967	4.22	GROUND WATER	IRRIGATION	MILLAR, BRYCE	wrWaterFight

see 17

Entire Rt Mac i .28 cfs

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3599A

WATER RIGHT NUMBER: 63-3599A

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	FARM CREDIT BANK OF SPOKANE PO BOX 15367 BOISE, ID 83715 (208)343-7782
Current Owner	RUBY C VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-1359
Original Owner	CHRYSTAL R EVANS 9990 ROAN MEADOWS DR BOISE, ID 83705
Current Owner	SUSAN L MONTIERTH 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Current Owner	KATHI L MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	GOLDA D MONTIERTH RT 1 BOX 156 KUNA, ID 83634
Current Owner	RODNEY KENT MONTIERTH 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Original Owner	EDWARD T EVANS 9990 ROAN MEADOWS DR BOISE, ID 83709 (208)362-9411
Current Owner	W NOLAN VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208) 733-1359
Current Owner	EDWARD RAY MONTIERTH 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Current Owner	ROBERT J MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	HERBERT R MONTIERTH JR 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-3599A

Priority Date: 04/13/1967

Basis: License

Status: Active

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.280 CFS	
	<u>Total Diversion:</u>	0.280 CFS	

Location of Point(s) of Diversion

GROUND WATER

NE1/4NE1/4

Sec. 14, Twp 02N, Rge 03W, B.M.

CANYON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	03W	14	14.0																14.0 ✓

Total Acres: 14

Conditions of Approval:

Remarks:

1. General

THE DIVERSION WORKS CONSIST OF A WELL, PUMP & MOTOR, THE WATER IS DISCHRGD INTO AN OPEN POND. THE WATER IS PUMPED TO SPRINKLER SYSTEM.

Comments:

NE of NE - 14
14 acres .280 CFS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3557A

WATER RIGHT NUMBER: 63-3557A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KATHI L MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	W NOLAN VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208) 733-1359
Original Owner	CHRYSTAL R EVANS 9990 ROAN MEADOWS DR BOISE, ID 83705
Current Owner	HERBERT R MONTIERTH JR 825 HEARTLAND DR NAMP, ID 83686 (208)463-8163
Original Owner	EDWARD T EVANS 9990 ROAN MEADOWS DR BOISE, ID 83709 (208)362-9411
Current Owner	SUSAN L MONTIERTH 825 HEARTLAND DR NAMP, ID 83686 (208)463-8163
Current Owner	GOLDA D MONTIERTH RT 1 BOX 156 KUNA, ID 83634
Original Owner	FARM CREDIT BANK OF SPOKANE PO BOX 15367 BOISE, ID 83715 (208)343-7782
Current Owner	ROBERT J MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	RODNEY KENT MONTIERTH 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	RUBY C VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-1359
Current Owner	EDWARD RAY MONTIERTH 825 HEARTLAND DR NAMP, ID 83686 (208)463-8163

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3557A

Priority Date: 10/31/1966

Basis:	License
--------	---------

Status: Active

Source

Tributary

GROUND WATER

Beneficial Use

From _____ To _____

Diversion Rate

Annual Volume

IRRIGATION

3/15 to 11/15

0.760 CFS

Total Diversion:

0.760 CFS

Location of Point(s) of Diversion

GROUND WATER

NE1/4NE1/4

Sec. 14, Twp 02N, Rge 03W, B.M.

CANYON County

Place of Use

IRRIGATION

[illegible]

Total Acres: 38

Conditions of Approval:

Remarks:

Comments:

= ~~1000~~ NW 13 - ~~1000~~
~~1000~~ NW 13 - 3800
 NW - NW $\frac{1}{4}$ $\rightarrow$ 760 CFS

75ac .52

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3232

WATER RIGHT NUMBER: 63-3232

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RODNEY KENT MONTIERTH 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	SUSAN L MONTIERTH 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Current Owner	GOLDA D MONTIERTH RT 1 BOX 156 KUNA, ID 83634
Current Owner	RUBY C VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-1359
Current Owner	ROBERT J MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Original Owner	LADISLAV MAGLECIC 12754 DEER FLAT RD NAMPA, ID 83686 (208)466-3075
Current Owner	W NOLAN VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208) 733-1359
Current Owner	EDWARD RAY MONTIERTH 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Original Owner	FARM CREDIT BANK OF SPOKANE PO BOX 15367 BOISE, ID 83715 (208)343-7782
Current Owner	HERBERT R MONTIERTH JR 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Current Owner	KATHI L MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217

Priority Date: 04/17/1961

Basis: License

Status: Active

Source

GROUND WATER

Tributary

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION

3/15 to 11/15

0.520 CFS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3232

Total Diversion: 0.520 CFS

Location of Point(s) of Diversion

GROUND WATER

CANYON County

NE1/4NE1/4

Sec. 14, Twp 02N, Rge 03W, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	03W	14	26.0																26.0

Total Acres: 26

Conditions of Approval:

Remarks:

1. General

THE DIVERSION WORKS CONSIST OF A WELL, PUMP & MOTOR, THE WATER IS DISCHARGED INTO AN OPEN POND. THE POND WATER IS PUMPED TO SPRINKLER SYSTEM.

Comments:

NE 1/4 NE 1/4 sec 14
26 acres
.520 CFS

120 ac , 1.2 cfs

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-7156A

WATER RIGHT NUMBER: 63-7156A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RUBY C VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-1359
Original Owner	FARM CREDIT BANK OF SPOKANE PO BOX 15367 BOISE, ID 83715 (208)343-7782
Original Owner	BRYCE MILLAR NAMPA, ID 83651
Current Owner	ROBERT J MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	GOLDA D MONTIERTH RT 1 BOX 156 KUNA, ID 83634
Current Owner	EDWARD RAY MONTIERTH 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Current Owner	W NOLAN VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208) 733-1359
Current Owner	HERBERT R MONTIERTH JR 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Current Owner	SUSAN L MONTIERTH 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Current Owner	RODNEY KENT MONTIERTH 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	KATHI L MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217

Priority Date: 10/07/1968

Basis: License

Status: Active

Source

Tributary

GROUND WATER

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION

4/01 to 11/01

1.200 CFS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-7156ATotal Diversion: 2.810 CFSLocation of Point(s) of Diversion

GROUND WATER

NE1/4SE1/4

Sec. 11, Twp 02N, Rge 03W, B.M.

CANYON County

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 03W 14		40.0	40.0	40.0													120.0
		X	X														

Total Acres: 120

STOCKWATER same as IRRIGATIONConditions of Approval:

1. 001 A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

Remarks:

1. General THE DIVERSION WORKS INCLUDE A WELL WITH A DEEP WELL TURBINE PUMP PRESSURIZED DISCHARGE INTO A MAINLINE FOR SPRINKLER IRR. THE ORIGINAL LICENSE LISTED AN ADDITIONAL 160 ACRES IN SEC.11. THIS CLAIM WAS SPLIT TO AN "A" SUFFIX CLASSIFICATION. THIS CLAIM NOW EXCLUDES 160 ACRES IN SEC.11. THE CLAIMED DIVERSION QUANTITY (1.20 CFS) IS BASED ON A PRORATED SHARE, CALCULATED USING PLACE OF USE ACREAGES. THEREFORE, THE CLAIM IS FOR 120.0/280.0 OF THE ORIGINAL 2.81 CFS.

Comments:

NW & NE 40
 SW & NE 40
 SE & NE 40
 SE 120



PIONEER TITLE COMPANY
OF ADA COUNTY

821 West State Street / Boise, Idaho 83702
(208) 336-6700

8151 W. Rifleman Street / Boise, Idaho 83704
(208) 377-2700

REQUEST
TYPE Doc FEEL 3.00
PIONEER - CALDWELL

CANYON CNTY RECORDER
BY C. J. Kerr

NED J KERR

98 FEB 17 PM 12 10

RECORDED

9805377

SPACE ABOVE FOR RECORDING DATA

WMD

98-386

QUITCLAIM DEED

FOR VALUE RECEIVED

RODNEY KENT MONTIERTH, WHO ACQUIRED TITLE AS ROD MONTIERTH, A SINGLE MAN, AND
DOLLIE L. MONTIERTH, HUSBAND AND WIFE, AS THEIR INTEREST MAY APPEAR

do hereby convey, release, remise and forever quitclaim

unto HERBERT R. MONTIERTH, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY AND
HERBERT R. MONTIERTH AS PER SONAL REPRESENTATIVE OF THE ESTATE OF GOLDA
whose address is: DARLENE MONTIERTH, DECEASED
4301 N. Dalton Lane, Boise, Id. 83704

the following described premises, to wit:

A tract of land situated in Section 34, Township 2 North, Range 1
East, Boise Meridian, Ada County, Idaho, more particularly
described as follows:
Beginning at a point marking the section corner common to
Section 34, Township 2 North, Range 1 East,
Boise Meridian, Ada County, Idaho, also being the REAL POINT
OF BEGINNING, thence along the centerline of Cloverdale
Road:
North 0° 02' 05" West, 812.05 feet to a PK Nail; thence
South 89° 40' 04" East, 672.40 feet to an iron pin; thence
North 0° 02' 05" West, 1,282.22 feet to an iron pin; thence
South 89° 40' 04" East, 798.10 feet to a point; thence
South 0° 15' 43" West, 2,097.05 feet to a point on the centerline
of Kuna Home Road; thence, along the centerline of Kuna
Home Road:
North 89° 42' 08" West, 661.57 feet to a point, said point being
the REAL POINT OF BEGINNING.

EXCEPT ditch and road rights-of-way.

State of Idaho
County of Canyon
I hereby certify that the foregoing instrument
is a true and correct copy of the original as the
same appears in this office.
DATED 12-16-01

G. Noel Hales, Clerk of the District Court
and Ex Officio Recorder

By [Signature] Deputy

together with their appurtenances.

Dated: Feb 12, 1998

[Signature]
RODNEY KENT MONTIERTH

[Signature]
DOLLIE L. MONTIERTH

STATE OF Idaho, County of Ada, ss.

On this 13th day of February, in the year of 1998, before me
the undersigned Rodney Kent Montierth and Dollie L. Montierth, a notary public,
personally appeared, Rodney Kent Montierth and Dollie L. Montierth
known or identified to me to be the person(s) whose name(s) are _____ subscribed to the within
instrument, and acknowledged to me that they executed the same.

KATHY COONTZ
★ NOTARY PUBLIC ★
STATE OF IDAHO

MY COMMISSION EXPIRES 8-16-02
RECORDED AT BOISE, IDAHO

Notary Public: [Signature]
Residing at: Boise
My Commission Expires: Aug. 15, 2002

ACCOMMODATION Pioneer-Ada
RECORDING W- 2316108

2003 APR 8 PM 4 02
RECORDED
G. NOEL HALES
CANYON CNTY RECORDER
G. Noel Hales

200320849

CORRECTION QUITCLAIM DEED

REQUEST FOR REEF-NAMPA
TYPE Deed FEE 9.00 *ok*

FOR VALUE RECEIVED

Grantors, Rodney Kent Montierth, who originally acquired title as Rod Montierth, a single man, and Dollie L. Montierth, husband and wife, as their separate interests may appear, of 11505 Melba Road, Melba, Idaho, 83641, Canyon County, State of Idaho, for good and valuable consideration, the receipt of which is hereby acknowledged and to correct a clerical error in the execution of an original Quitclaim Deed dated February 12, 1998 between the same parties which instrument was recorded February 26, 1998 as instrument number 98017376, records of Ada County Recorder and by inadvertent clerical error omitted certain real property which was intended to be transferred as part of the original deed from February, 1998, and therefore, issue this corrective Deed and hereby REMISE, RELEASE AND FOR EVER QUITCLAIM unto Herbert R. Montierth, a married man, as his sole and separate property, of 4301 N. Dalton Lane, Boise, Ada County, Idaho, 83704, Grantee, and to Grantee's heirs and assigns forever, all of the following described real estate situate in Canyon County, State of Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

State of Idaho }
County of Canyon } ss.

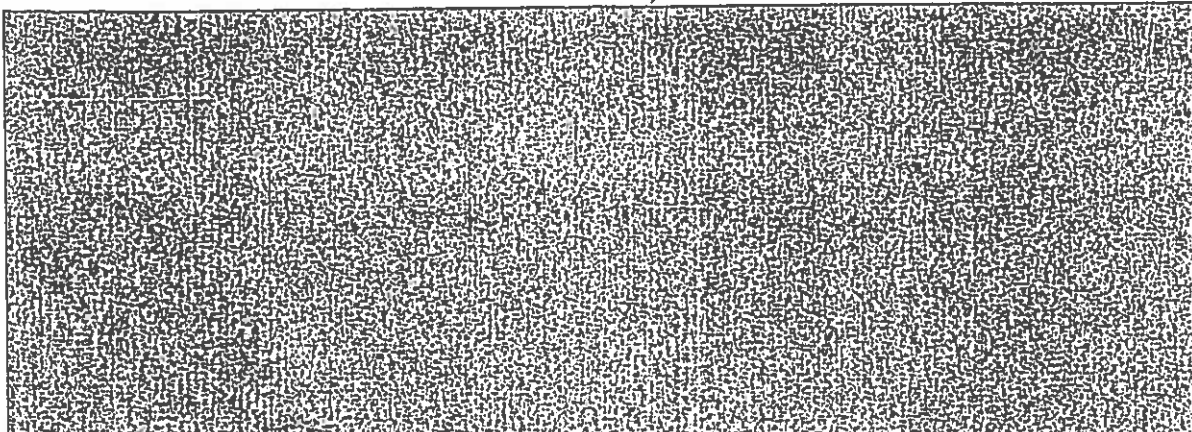
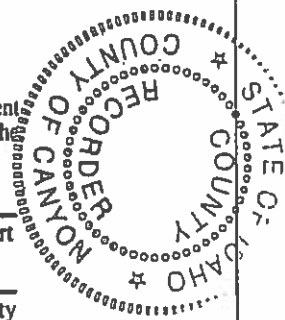
I hereby certify that the foregoing instrument is a true and correct copy of the original as the same appears in this office.

DATED

12-16-04
G. Noel Hales, Clerk of the District Court
and Ex. Office Recorder.

By

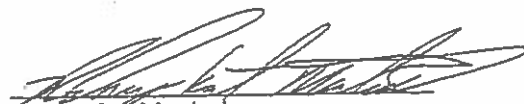
[Signature]
Deputy

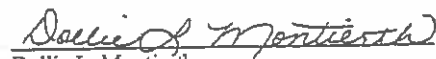


TOGETHER, with all tenements, hereditaments, and appurtenances thereunto
belonging.

In construing this Deed, and where the context so requires, the singular includes
the plural and masculine, the feminine and the neuter.

IN WITNESS WHEREOF, the Grantors have hereunto subscribed their names to
this instrument, this 27th day of April, 2003.


Rodney Kent Montierth


Dollie L. Montierth

STATE OF IDAHO)
 ADA)
COUNTY OF CANYON) .ss

On this 27th day of April, 2003, before me, the undersigned, a notary public,
personally appeared Rodney Kent Montierth and Dollie L. Montierth, known or
identified to me to be the persons whose names are subscribed to the within instrument,
and acknowledged to me that they executed the same.

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


Notary Public for Idaho
Residing at: Bon
My Commission Expires: 8-15-03

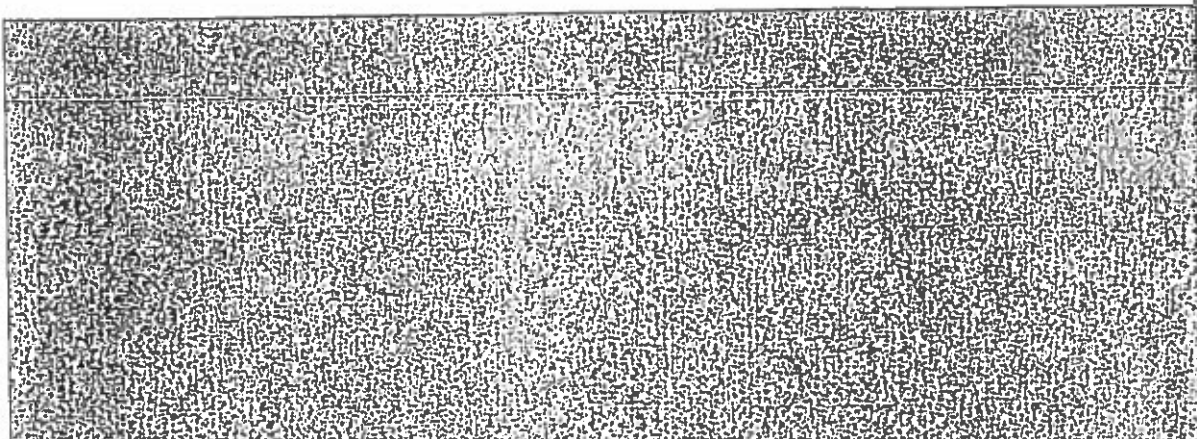


EXHIBIT A

The NW¼ of the NW¼ of Section 13 and the N½ of Section 14 of Township 2 North, Range 3 West, Boise Meridian, County of Canyon, excepting therefrom a tract of land commencing at the northeast corner of said Section 14 monumented with a rebar, 5/8" in diameter; thence south 62°48'15" west 4,482.39 feet to the POINT OF BEGINNING; said point bears 63°05'00" east 1,480.17 feet from a found 3/8" pipe at the northwest corner of the southwest corner of the southwest quarter of the northwest quarter, Section 14 (north 1/16 corner); thence north 89°54'30" east 295.32 feet; thence south 0°05'30" east 295.00 feet; thence south 89°54'30" west 295.32 feet; thence north 0°05'30" west 295.00 feet to the POINT OF BEGINNING.

TOGETHER with all tenements, hereditaments and appurtenances thereunto belonging together with all right, title and interest including well water permits for well No. 1 and well No. 4

9411240

QUITCLAIM DEED

GRANTOR, W. NOLAN VICTOR and RUBY C. VICTOR, husband and wife and ROBERT J. MEYERS and KATHI L. MEYERS, husband and wife of Boise, County of Ada, State of Idaho, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby REMISE, RELEASE and forever QUITCLAIM unto HERBERT R. MONTIERTH; the ESTATE OF GOLDA D. MONTIERTH; EDWARD RAY MONTIERTH and SUSAN L. MONTIERTH, husband and wife; RODNEY KENT MONTIERTH and DOLLIE MONTIERTH, husband and wife, whose current address is 1601 Poen Rd., Kuna, County of Ada, State of Idaho as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate situated in Nampa, County of Canyon, State of Idaho, to-wit:

The NW¼ of the NW¼ of Section 13 and the N¼ of Section 14 of Township 2 North, Range 3 West, Boise Meridian, County of Canyon, excepting therefrom a tract of land commencing at the northeast corner of said Section 14 monumented with a rebar, 5/8" in diameter; thence south 62°48'15" west 4,482.39 feet to the POINT OF BEGINNING; said point bears 63°05'00" east 1,480.17 feet from a found 3/8" pipe at the northwest corner of the southwest corner of the southwest quarter of the northwest quarter, Section 14 (north 1/16 corner); thence north 89°54'30" east 295.32 feet; thence south 0°05'30" east 295.00 feet; thence south 89°54'30" west 295.32 feet; thence north 0°05'30" west 295.00 feet to the POINT OF BEGINNING.

TOGETHER with all tenements, hereditaments and appurtenances thereunto belonging together with all right, title and interest including well water permits for well No. 1 and well No. 4 as designated on Exhibit "A".

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

QUITCLAIM DEED - 1
1/282

State of Idaho }
County of Canyon } ss.

I hereby certify that the foregoing instrument is a true and correct copy of the original as same appears in this office.

DATED

G. Noel Hales, Clerk of the District Court
and Ex-Officio Recorder

By

Deputy



IN WITNESS WHEREOF, Grantor has hereunto subscribed his name to this instrument this 4 day of April, 1994.

W. Nolan Victor
W. NOLAN VICTOR

Ruby C. Victor
RUBY C. VICTOR

Robert J. Meyers
ROBERT J. MEYERS

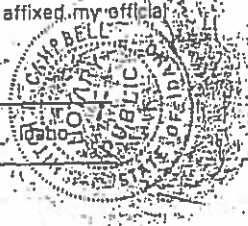
Kathi L. Meyers
KATHI L. MEYERS

STATE OF IDAHO)
) ss:
County of Ada)

On this 4 day of April, 1994, before me the undersigned, a notary public for Idaho, personally appeared W. NOLAN VICTOR and RUBY C. VICTOR, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

W. C. Campbell
Notary Public for Idaho
Residing at Las Vegas
Commission expires _____

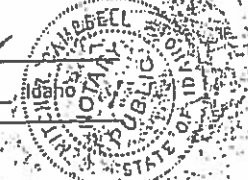


STATE OF IDAHO)
) ss:
County of Ada)

On this 4 day of April, 1994, before me the undersigned, a notary public for Idaho, personally appeared ROBERT J. MEYERS and KATHI L. MEYERS, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

W. C. Campbell
Notary Public for Idaho
Residing at Las Vegas
Commission expires _____



QUITCLAIM DEED - 2
#1282

REQUESTED BY: W. C. Campbell
TYPE: Quitclaim Deed FEE: 6.00

CANYON CITY RECORDER
BY: W. C. Campbell

91 APR 10 PM 2 09

RECORDED

9411240

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 63-32018
Date Received: 1/10/2005
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

W NOLAN VICTOR Phone: (208) 733-1359

1528 ADDISON AVE E
TWIN FALLS ID USA 83301

GOLDA D MONTIERTH Phone:

RT 1 BOX 156
KUNA ID USA 83634

EDWARD RAY MONTIERTH Phone: (208) 463-8163

1601 POEN RD
KUNA ID USA 83634

RODNEY KENT MONTIERTH Phone: (208) 733-5217

1528 ADDISON AVE E
TWIN FALLS ID USA 83301

KATHI L MEYERS Phone: (208) 733-5217

1528 ADDISON AVE E
TWIN FALLS ID USA 83301

SUSAN L MONTIERTH Phone: (208) 463-8163

825 HEARTLAND DR
NAMPA ID USA 83686

RUBY C VICTOR Phone: (208) 733-1359

1528 ADDISON AVE E
TWIN FALLS ID USA 83301

HERBERT R MONTIERTH JR Phone: (208) 463-8163

825 HEARTLAND DR
NAMPA ID USA 83686

ROBERT J MEYERS Phone: (208)733-5217

1528 ADDISON AVE E
TWIN FALLS ID USA 83301

2. Date of Priority: 03/22/1967

3. Source: GROUND WATER , GROUND WATER Trib. to: ,

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot		County	Type
02N	03W	11	NW	SW	CANYON	
02N	03W	14	SE	SW	CANYON	

5. Description of diverting works:

2 WELL & DEEP WELL TURBINES, PUMPED TO MAINLINES TO IRR. SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	4.1	

7. Total Quantity Appropriated is:
4.1 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
02N	03W	14	NE	NW	IRRIGATION	39
			NW	NW	IRRIGATION	39
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	39

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3589

WATER RIGHT NUMBER: 63-3589

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GOLDA D MONTIERTH RT 1 BOX 156 KUNA, ID 83634
Current Owner	RODNEY KENT MONTIERTH 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Original Owner	BRYCE MILLAR RT 7 BOX 7380 NAMPA, ID 83651
Current Owner	W NOLAN VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208) 733-1359
Current Owner	KATHI L MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	SUSAN L MONTIERTH 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Current Owner	EDWARD RAY MONTIERTH 1601 POEN RD KUNA, ID 83634 (208)463-8163
Current Owner	ROBERT J MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	RUBY C VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-1359
Original Owner	FARM CREDIT BANK OF SPOKANE PO BOX 15367 BOISE, ID 83715 (208)343-7782
Current Owner	HERBERT R MONTIERTH JR 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163

Priority Date: 03/22/1967

Basis: License

Status: Parent

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	4.220 CFS	

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3589

Total Diversion: 4.100 CFSLocation of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4	Sec. 11, Twp 02N, Rge 03W, B.M.
CANYON County		
GROUND WATER	SE1/4SW1/4	Sec. 14, Twp 02N, Rge 03W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 03W 14					39.0	39.0	40.0	40.0	40.0	40.0	39.0	29.8					306.8

Total Acres: 306.75

Conditions of Approval:Remarks:

- General SPLIT RIGHT: SEE RIGHT NOS.63-32018 AND 63-32019.

Comments:Dates and Other Information:

Claim Received Date: 12/28/1989
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
---------	--------------------	----------	--------------------	----------	--------

Verification Log:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3589

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

SPLIT TREE

CLAIM: 63-3589

AGENT: Jan Shurte

Date: 12-27-04

FACTOR = CFS 4.22 / ACRES 316 = .01335 CFS/AC

SPLIT .01335 = FACTOR x N acres 9.25 = CFS .12 CFS

SPLIT .01335 = FACTOR x N acres 306.75 = CFS 4.10 CFS

TOTALS 316 4.22 CFS

NAME MONTIERTH, VICTOR, MEYERS

RIGHT 63-3589

CFS 4.22 CFS

ACRES 316 AC

TRACT(S) SEE RT.

NAME MONTIERTH, VICTOR, MEYERS

SPLIT NEW #63-32018

CFS 4.10 CFS

ACRES 306.75

TRACT(S) ALL THE NW 1/4 SAME

ALL THE SW 1/4 SAME EXCEPT
FOR THE SE 1/4 = 29.75 AC

JAMIE POD'S

NAME FRANKIE & JEANNE A.

SPLIT NEW #63-32019

CFS .12 CFS

ACRES 9.25

TRACT(S) SE 1/4, S. 1/4,

T. 2N, R. 3W.

JAMIE POD'S

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
	63-3589				

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) WILFORD, 20 ADDISON AVE E. ?
TWIN FALLS, IDAHO 83301-MONTIERTH ?
- ☒ 4. New Owner/Claimant(s) Frankie Amen & Jeanie Amen
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 9125 Sky Ranch Road
- City, State and ZIP Code 11amp4 Idaho 83686
- New Telephone Number (208) 466-1853
- ☒ 5. Date you acquired the property April 23, 2004

RECEIVED

NOV 29 2004

WATER RESOURCES
WESTERN REGION

RECEIVED
NOV 26 2004
DEPARTMENT OF
WATER RESOURCES

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 <u>63-3589</u>		
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	<u>.13 CFS</u>	<u>10 ACRES</u> <u>19.25 AC</u>
Stock		<u>DER PLAT MAT</u>
Domestic		
Other		
Total	<u>.13</u>	

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)

Francie Arnes
Francie Arnes

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 _____

NO
FEE
ON ADJ.
CLAIMS

PC57732

CC2682 CTR

INSTRUMENT NO. 200442531

WARRANTY DEED

FOR VALUE RECEIVED Steve A. Rouppe and Linda Rouppe, husband & wife

the Grantors, do hereby grant, bargain, sell and convey unto Frankie Amen and Jeanie Amen, husband and wife

the Grantees, whose address is 9125 Sky Ranch Rd., Nampa, ID 83686

the following described premises, to-wit:

THE SOUTH ONE HALF OF LOT 12 BLOCK 1, CHAPARRAL RANCH SUBDIVISION, CANYON COUNTY, IDAHO, ACCORDING TO THE PLAT FILED IN BOOK 30 OF PLATS, PAGE 46, RECORDS OF SAID COUNTY.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 2003 and subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: April 23, 2004

Steve A. Rouppe
Steve A. Rouppe

Linda Rouppe
Linda Rouppe

STATE OF IDAHO

COUNTY OF CANYON

On this 23rd day of April in the year 2004, before me, a Notary Public, personally appeared Steve A. Rouppe & Linda Rouppe known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Quise Redovian
Notary Public

Residing at Malba

My commission expires 3/10/09



CANYON COUNTY RECORDER
G. NOEL SALES

2004 APR 24 PM 3 52

RECORDED

200442531

PIONEER TITLE COMPANY
OF CANYON COUNTY
"CANYON OFFICE"

5680 E. FRANKLIN, STE. 150
NAMPA, IDAHO 83686

PIONEER-CALDWELL

REQUEST 102 FEE 3.00

TEL. (208) 465-6655
FAX. (208) 465-6556

Concept 2a1 Plan

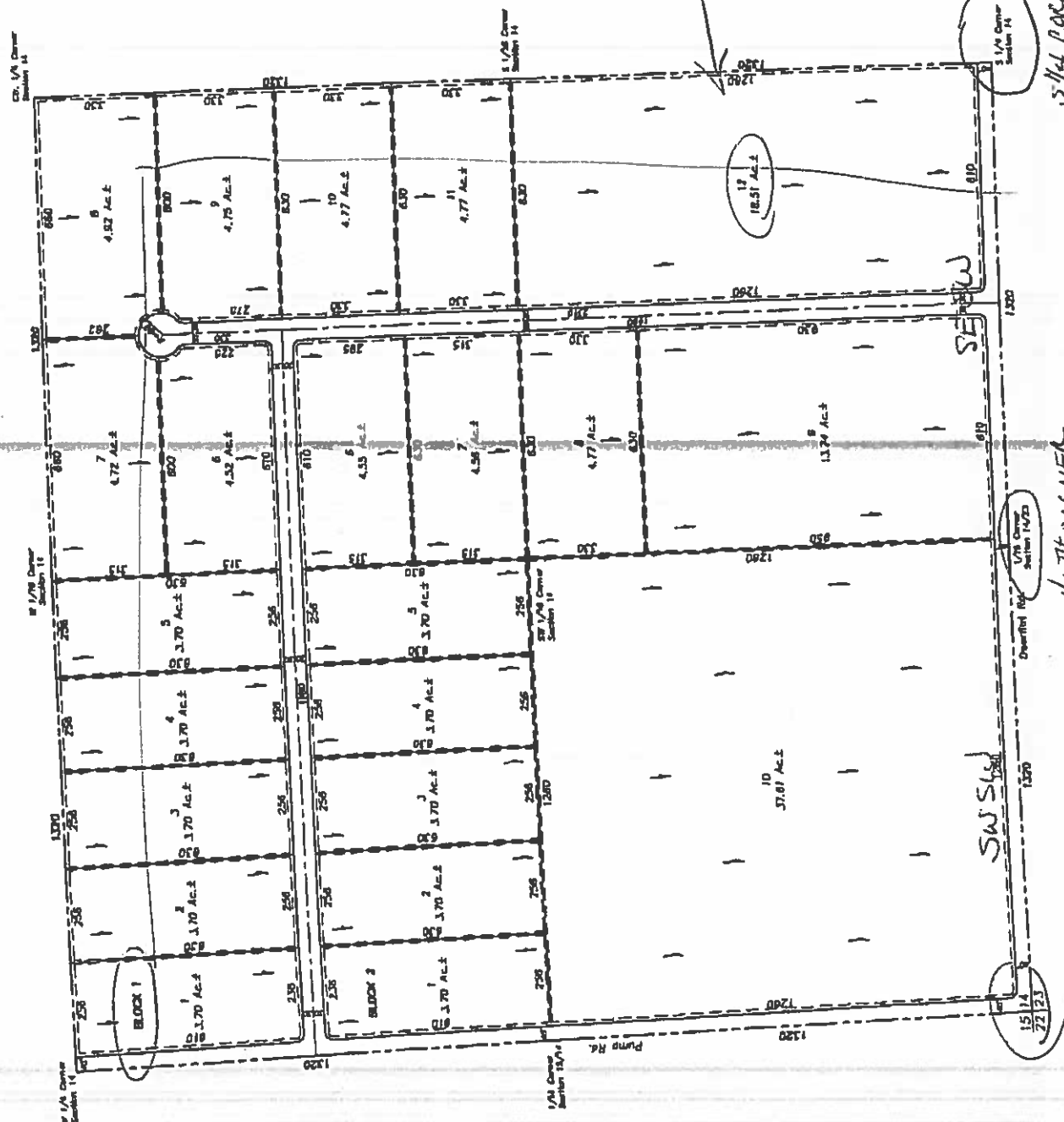
THE SW 1/4 OF SECTION 14
TOWNSHIP 2 NORTH, RANGE 3 WEST, BOISE MERIDIAN
CANYON COUNTY, IDAHO



0 200 400
Scale: 1" = 200'

LEGEND

- PROPERTY BOUNDARY LINE
- EASEMENT LINE
- DIRECTION OF SLOPE
- UTILITY, drainage and irrigation easement.
- Unless otherwise noted widths shall be:
10 feet along street frontage
10 feet on each side of back lot lines
5 feet on each side of interior lot lines



INDEX No. 234-14-3-0-0-00

SURVEY FOR

BRIAN MILLAR

Skinner Land
Survey Co. Inc.

Drawn By: MFL

Date: OCT. 11, 2000

Book:

Job No. 001000

1/4 Corner
Section 14

SW 1/4 CORNER

SE 1/4 CORNER

1/4 Corner
Section 14

SW 1/4

SE 1/4

To: Idaho Dept. of Water Resources
Attn: Jan
334-2348

From: Frankie & Jennie Amen
466-1853

Re: H2O Rights

Frankie & I were married & I was added
as a partner to the deeds. See enclosed
& second set of deeds. (80 acres)

Thanks for your help.

Jennie

Addition of Partner
&
Clarification of Deed

Timothy J. Schelhorn and Julie M. Schelhorn, husband and wife; and Frankie Amen, married to Jeanie M. Amen, request the addition of Jeanie M. Amen, wife of Frankie Amen, to be added as a full and equal partner to the properties and contracts listed below and to read as follows:

First property:

"Timothy J. Schelhorn and Julie M. Schelhorn, husband and wife, as to an undivided one-half interest; and Frankie Amen and Jeanie M. Amen, husband and wife, as to an undivided one-half interest.

Whose address is: 9135 Sky Ranch Road, Nampa Idaho and
9125 Sky Ranch Road, Nampa Idaho, respectively.

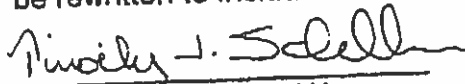
SE 1/4, SE 1/4; Section 14, Township 2 North, Range 3 West, Boise
Meridian, Canyon County, Idaho."

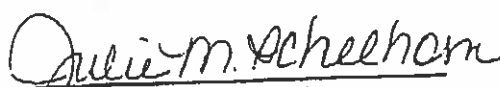
Second Property - under contract for purchase:

~~"Timothy J. Schelhorn and Julie M. Schelhorn, husband and wife, as to an undivided one-half interest; and Frankie Amen and Jeanie M. Amen, husband and wife, as to an undivided one-half interest; herein after designated as the buyers."~~

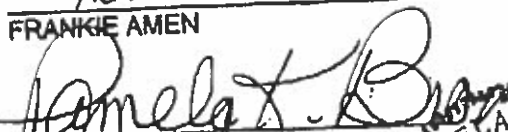
"SW 1/4 SE 1/4; Section 14, Township 2 North, Range 3 West, Boise
Meridian, Canyon County, Idaho."

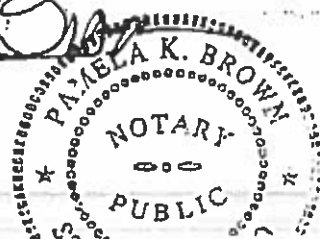
For the purpose of clarification of the Warranty Deed and the Installment Contract for Real Estate, Warranty Deed, we request that the deed and contract be rewritten to include these changes.


TIMOTHY J. SCHELHORN


JULIE M. SCHELHORN


FRANKIE AMEN


NOTARY PUBLIC



Page 1

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Claim Report 63-3589

WATER RIGHT NUMBER: 83-3589

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GOLDA D MONTIERTH RT 1 BOX 156 KUNA, ID 83634
Current Owner	RODNEY KENT MONTIERTH 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Original Owner	BRYCE MILLAR RT 7 BOX 7380 NAMPA, ID 83651
Current Owner	W NOLAN VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208) 733-1359
Current Owner	KATHI L MEYERS 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	SUSAN L MONTIERTH 825 HEARTLAND DR NAMPA, ID 83686
Current Owner	EDWARD RAY MONTIERTH 825 HEARTLAND DR NAMPA, ID 83686
Current Owner	ROBERT J MEYERS 1528 ADDISON AVE E ~~TWIN FALLS, ID 83301~~ (208)733-5217
Current Owner	RUBY C VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-1359
Original Owner	FARM CREDIT BANK OF SPOKANE PO BOX 15367 BOISE, ID 83715 (208)343-7782
Current Owner	HERBERT R MONTIERTH JR 825 HEARTLAND DR NAMPA, ID 83686

Priority Date: 03/22/1967

Basis: License

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From To
 3/15 to 11/15

Diverslon Rate
 4.220 CFS

Annual Volume

Total Diverslon: 4.220 CFS

1.13 CFS
 10 acres

Page 2

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3589

GROUND WATER

CANYON County

NW1/4SW1/4

Sec. 11, Twp 02N, Rge 03W, B.M.

GROUND WATER

CANYON County

SE1/4SW1/4

Sec. 14, Twp 02N, Rge 03W, B.M.

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
02N 03W 14	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	316.0
					39.0	39.0	40.0	40.0	40.0	40.0	39.0	39.0					

Total Acres: 316



SESW
Conditions of Approval:Remarks:Comments:

(10 ACRES)
 NOTE: THE SESESW IS LOCATED WITHIN
 THE SESW AS LISTED ABOVE.

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: A63-03589
Date Received: 12/28/1989
Receipt No: N003518
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name:	H.R. MONTIERTH		208-733-5217
Address:	1528 ADDISON AVENUE EAST	83301	
	TWIN FALLS, ID		
Name:	GOLDA D. MONTIERTH		208-733-5217
Address:	1528 ADDISON AVENUE EAST	83301	
	TWIN FALLS, ID		
Name:	EDWARD MONTIERTH		208-733-5217
Address:	1528 ADDISON AVENUE EAST	83301	
	TWIN FALLS, ID		
Name:	SUSAN L. MONTIERTH		208-733-5217
Address:	1528 ADDISON AVENUE EAST	83301	
	TWIN FALLS, ID		
Name:	RODNEY KENT MONTIERTH		208-733-5217
Address:	1528 ADDISON AVENUE EAST	83301	
	TWIN FALLS, ID		
Name:	WILFORD NOLAN VICTOR		208-733-5217
Address:	1528 ADDISON AVENUE EAST	83301	
	TWIN FALLS, ID		
Name:	RUBY C. VICTOR		208-733-5217
Address:	1528 ADDISON AVENUE EAST	83301	
	TWIN FALLS, ID		
Name:	ROBERT J. MEYERS		208-733-5217
Address:	1528 ADDISON AVENUE EAST	83301	
	TWIN FALLS, ID		
Name:	KATHI L. MEYERS		208-733-5217

A63-03589

Page 1

Date: 02/21/91

MICROFILMED

Address: 1528 ADDISON AVENUE EAST
TWIN FALLS, ID 83301

2. Date of Priority: MAR 22, 1967

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	03W	11		NW	SW		CANYON
		14		SE	SW		CANYON

5. Description of diverting works:
2 WELL & DEEP WELL TURBINES, PUMPED TO MAINLINES TO IRR. SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	4.220		

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

8. Total consumptive use is 1106.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02N	03W	14	NE	NW		IRR	39.0
			NW	NW		IRR	39.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	39.0
			SE	SW		IRR	39.0

Section Acres 316.0

Total Acres 316.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
80 ACRES CONCURRENT WITH A63-03599B

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 33528

CHANGE IN OWNERSHIP

[] Water Right Number(s): 33561/63-3599B; 33559/63-3597; G-29632; 63-7156; 33561/63-3599A; 63-7825; 33528/63-3589; 33303/63-3557A

[] Name and Address of Former Claimant: G-22446; 63-7778
63-2579
FEDERAL LAND BANK OF SPOKANE

W. 601 1ST AVE., TAF-C5
SPOKANE, WA 99220

[] New Claimant(s): H.R. MONTIERTH, GOLDA D. MONTIERTH, EDWARD MONTIERTH,
SUSAN L. MONTIERTH, RODNEY KENT MONTIERTH, WILFORD NOLAN VICT
RUBY C. VICTOR, ROBERT J. MEYERS, KATHI L. MEYERS

[] New Mailing Address: 1528 Addison Avenue East
Twin Falls, ID 83301

New Telephone Number: (208) 733-5217

[] Does the change in ownership result in a splitting of the water right claimed? yes no

If yes, then describe the portion of the water right that is now claimed by the new owner:

[] Attach proof of ownership
Describe proof attached: COPY OF RECORDED WARRANTY DEED

[] Signature of New Claimant(s): SEE ATTACHED SIGNATURE PAGE

Date: 2-1-90

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

RECEIVED

OCT 24 1990

Department of Water Resources

A63-3571

SIGNATURE PAGE, ATTACHED TO ALL CLOSING DOCUMENTS

HR Montierth
H.R. MONTIERTH, aka Herbert R. Montierth

Golda D. Montierth
GOLDA D. MONTIERTH aka Darlene R. Montierth

Edward Ray Montierth
EDWARD RAY MONTIERTH aka Ray Montierth

Susan L. Montierth
SUSAN L. MONTIERTH

Rodney Kent Montierth
RODNEY KENT MONTIERTH

Wilford Nolan Victor
WILFORD NOLAN VICTOR

Ruby C. Victor
RUBY C. VICTOR

Robert J. Meyers
ROBERT J. MEYERS

Kathi L. Meyers
KATHI L. MEYERS

MICROFILMED

AUG 19 1992

PAV-15618.

INSTRUMENT NO. 9002195

4077

WARRANTY DEED

GRANTOR, FARM CREDIT BANK OF SPOKANE, a corporation, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto (1) H. R. MONTIERTH, also known as Herbert R. Montierth, and GOLDA D. MONTIERTH, also known as Darlene R. Montierth, husband and wife; EDWARD RAY MONTIERTH, also known as Ray Montierth, and SUSAN L. MONTIERTH, husband and wife; RODNEY KENT MONTIERTH, a single man; grantees collectively as to a one-third undivided interest; (2) WILFORD NOLAN VICTOR and RUBY C. VICTOR, husband and wife, grantees collectively as to a one-third undivided interest; and (3) ROBERT J. MEYERS and KATHI L. MEYERS, husband and wife, grantees collectively as to one-third undivided interest, as tenants in common in the shares provided above, whose current address is Route 1, Kuna, Idaho 83634, as GRANTEE, and to grantee's heirs and assigns forever, all of the real estate located in Canyon County, State of Idaho, more particularly described on Exhibit A, attached hereto and incorporated herein.

Grantor does hereby covenant, warrant and shall defend the quiet and peaceable possession of said premises by the grantee, his heirs and assigns forever against the lawful claims of all persons.

WARRANTY DEED

MICROFILMED
AUG 19 1992

Grantor warrants that it has complied with the applicable provisions of the Agricultural Credit Act of 1987.

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, grantor has hereunto subscribed his name to this instrument this 2 day of February, 1990.

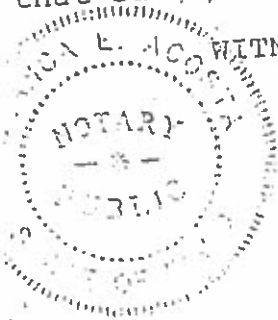
FARM CREDIT BANK OF SPOKANE

By: Daniel R. Huff
Authorized Agent

STATE OF IDAHO)
COUNTY OF Bozeman) ss.

On this 2nd day of February, 1990, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Daniel R. Huff, known or identified to me to be the authorized agent of Farm Credit Bank of Spokane, 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.



Daniel R. Huff
Notary Public for Idaho
Residing at Bozeman, Idaho
My Commission expires: 5-11-93

WARRANTY DEED

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: A63-03589
Date Received: 12/20/1989
Receipt No: N-3518
Received By: AG

RECEIVED

JAN 02 1990

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

208-343-7782

1. Name: FARM CREDIT BANK OF SPOKANE
Address: P.O. BOX 15367
BOISE, ID

83715

2. Date of Priority: MAR 22, 1967

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	03W	11		NW	SW		CANYON
		14		SE	SW		CANYON

5. Description of diverting works:
2 WELL & DEEP WELL TURBINES, PUMPED TO MAINLINES TO IRR. SYSTEM

~~6. Water is used for the following purposes:~~

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	4.220		

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

8. Total consumptive use is 1106.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	03W	14	NE	NW		IRR	39.0
			NW	NW		IRR	39.0
			SW	NW		IRR	40.0

A63-03589

Page 1

Date: 12/28/89

MICROFILMED

AUG 19 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
02N	03W	14	SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	39.0
			SE		SW		IRR	39.0
Section Acres								316.0
Total Acres								316.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
80 ACRES CONCURRENT WITH A63-03599B

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 33528

16. Signatures(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet

Number of Attachments: 2

For Organizations

I do solemnly swear or affirm that I am the Senior Engineer-Appraiser of Farm Credit Bank of Spokane, that I have signed the foregoing document in the space below as Senior Engineer-Appraiser of Farm Credit Bank of Spokane and that the statements contained in the foregoing document are true and correct.

Herbert J. Sanders
(Signature of authorized Agent)

Senior Engineer-Appraiser
Farm Credit Bank of Spokane
(Title and Organization)

12/28/89
(Date)

State of Idaho)
County of Kootenai) SS.

Subscribed and sworn (or affirmed) before me this 28th day of Dec, 1989.

SEAL

Allen Beardslee
Notary Public
Residing at Rathbun
My Commission Expires: 7/20/94

MICROFILMED

APR 4 1992

EXHIBIT "A"

Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, Section 14:

South Half EXCEPT:

A part of the Southeast Quarter described as:

COMMENCING at the Northeast corner of said Southeast Quarter (East Quarter corner), monumented with an iron pipe, 2 inches diameter; thence

South $0^{\circ} 3'$ East 478.04 feet along the East boundary of said Southeast Quarter; thence

South $89^{\circ} 57'$ West 25 feet to the POINT OF BEGINNING; thence

South $89^{\circ} 57'$ West 396 feet; thence

South $0^{\circ} 3'$ East 220 feet parallel with the East boundary of said Southeast Quarter; thence

North $89^{\circ} 57'$ East 396 feet; thence

North $0^{\circ} 3'$ West 220 feet parallel with the East boundary of said Southeast Quarter to the POINT OF BEGINNING.

Section 15:

Southwest Quarter of the Southeast Quarter; Southeast Quarter of the Southwest Quarter; Northwest Quarter of the Southwest Quarter; Southwest Quarter of the Southwest Quarter; Northeast Quarter of the Southwest Quarter; Northwest Quarter of the Southeast Quarter; East Half of the Southeast Quarter.

Section 13:

Northwest Quarter of the Northwest Quarter.

Section 14:

Northeast Quarter of the Northeast Quarter; Northwest Quarter; Southeast Quarter of the Northeast Quarter; West Half of the Northeast Quarter;

EXCEPT:

A part of the Northwest Quarter, Section 14, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, more particularly described as:

COMMENCING at the Northeast corner of said Section 14 (section corner) monumented with a rebar, 5/8 inches diameter; thence

South $62^{\circ} 48' 15''$ West 4,482.39 feet to the POINT OF BEGINNING; said point bears

South $62^{\circ} 05' 00''$ East 1,480.17 feet from a found 3/8 inch pipe at the Northwest corner of the Southwest Quarter of the Northwest Quarter, Section 14 (North One-Sixteenth Corner); thence

North $89^{\circ} 54' 30''$ East 295.32 feet; thence

South $0^{\circ} 05' 30''$ East 295.00 feet; thence

South $89^{\circ} 54' 30''$ West 295.32 feet; thence

North $0^{\circ} 05' 30''$ West 295.00 feet to the POINT OF BEGINNING.

Section 10

MICROFILMED
AUG 19 1992

South Half of the Northeast Quarter; Southeast Quarter of the Northwest Quarter; Northeast Quarter of the Southwest Quarter; South Half of the Southwest Quarter; West Half of the Southeast Quarter; Northeast Quarter of the Southeast Quarter; Southeast Quarter of the Southwest Quarter; Northwest Quarter of the Southwest Quarter;

EXCEPTING THEREFROM:

That portion of the East Half of Section 10, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, described as:

BEGINNING at the section corner common to Section 2, 3, 10 and 11, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho; thence

South $0^{\circ} 4' 0''$ East 1,358.47 feet along the East section line (Basis of Bearing) to the REAL POINT OF BEGINNING; thence continuing

South $0^{\circ} 4' 0''$ East 1,298.48 feet to the quarter corner; thence

South $0^{\circ} 9' 27''$ East 1,818.74 feet along the section line to a point

North $0^{\circ} 9' 27''$ West 836.23 feet of the Southeast corner of said Section 10; thence

North $39^{\circ} 35' 0''$ West 421.13 feet; thence

North $19^{\circ} 35' 55''$ West 722.59 feet; thence

North $16^{\circ} 48' 33''$ West 201.19 feet; thence

North $37^{\circ} 3' 36''$ West 599.17 feet; thence

North $13^{\circ} 47' 14''$ West 527.44 feet; thence

North $0^{\circ} 54' 43''$ East 492.15 feet; thence

North $61^{\circ} 11' 12''$ West 315.87 feet; thence

North $21^{\circ} 40' 11''$ West 304.77 feet; thence

North $89^{\circ} 56' 0''$ East 1,431.45 feet to the POINT OF BEGINNING.

Section 15:

Northwest Quarter; Northeast Quarter.

Together with any and all tenements, hereditaments and appurtenances thereunto belonging or used in connection therewith.

Together with all water and water rights used upon or appurtenant to said property, however evidenced, including but not limited to Permit No. 63-9654 issued by the Water Resources Department of the State of Idaho

REQUEST PIONEER MAPS
TYPE Map FILED 2

CANYON CNTY RECORDER
BY C. Smith

REC'D J. KERR

90 FEB 6 PM 12 06

RECORDED

9002195

Claim # A63-03597 → Portions in Sec. 11 ~~are~~
are not mentioned in deed

11-20-0

MS

2 N 3 W

14 all SW W 1/2 - A63-03599 B, A63-03589 (all)

all SE A63-07778

NE NE A63-03599 A, A63-03232

all NW A63-03589

SE NE }

NW NE } A63-07156 A

SW NE }

15 SW SE A63-03599 B

all NE A63-03597

all NW A63-03597

SE SW }

NW SW }

A63-07825

A63-02879

SW SW }

NE SW }

A63-03599 B

NW SE }

NE SE }

A63-03599 E

SE SE }

13 NW NW A63-03557 A

10 SW NE }

SE NE }

A63-03597

SE NW }

A63-03597

NE SW }

SW SW }

A63-03597

SE SW }

NW SE }

SW SE }

A63-03597

NE SE }

SW NW A63-03597

NW SW A63-03597

MICROFILMED

AUG 19 1992

Gotts Point

Not in deed, but in Claims A03-03597, 1100 00001, 1100 00002

T. 2 N. R. 3 W.



MICROFILMED

AUG 14 1992

OK

Water Right Number - A63-03589 Adj. Flag Translation: ADJUDICATION CLAIM Old (D) Number - 33528

*** C - CURRENT OWNER ***
FARM CREDIT BANK OF SPOKANE

1 - P.O. BOX 15367
2 -
3 -
City- BOISE State- ID Zip- 83715
Phone - 208-343-7782

*** O - ORIGINAL OWNER ***
MILLAR

1 - RT. 7, BOX 7380
2 -
3 -
City- NAMPA State- ID Zip- 83651
Phone - 208-000-0000

Priority Date - - + Region - - + Stage - - + Status - - - +
03/22/1967 14 Error in Region L - LICENSE

Source - - - + Tributary - - - - +

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

Water Use - - - - - Diversion Rate Diversion Volume

01 - IRRIGATION 03/15 11/15 4.220

Total Div. Rate - + Total Div. Volume - + Total Div. Capacity - + Total Consumptive Use - + KW Usage - +
4.220

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
02N	03W	14	NE NW	39.0	01	IRRIGATION	01	(27) CANYON	(27) CANYON
02N	03W	14	NW NW	39.0	01	IRRIGATION	01	(27) CANYON	(27) CANYON
02N	03W	14	SW NW	40.0	01	IRRIGATION	01	(27) CANYON	(27) CANYON
02N	03W	14	SE NW	40.0	01	IRRIGATION	01	(27) CANYON	(27) CANYON
02N	03W	14	NE SW	40.0	01	IRRIGATION	01	(27) CANYON	(27) CANYON
02N	03W	14	NW SW	40.0	01	IRRIGATION	01	(27) CANYON	(27) CANYON
02N	03W	14	SW SW	39.0	01	IRRIGATION	01	(27) CANYON	(27) CANYON
02N	03W	14	SE SW	39.0	01	IRRIGATION	01	(27) CANYON	(27) CANYON

Total Acres: 316.0

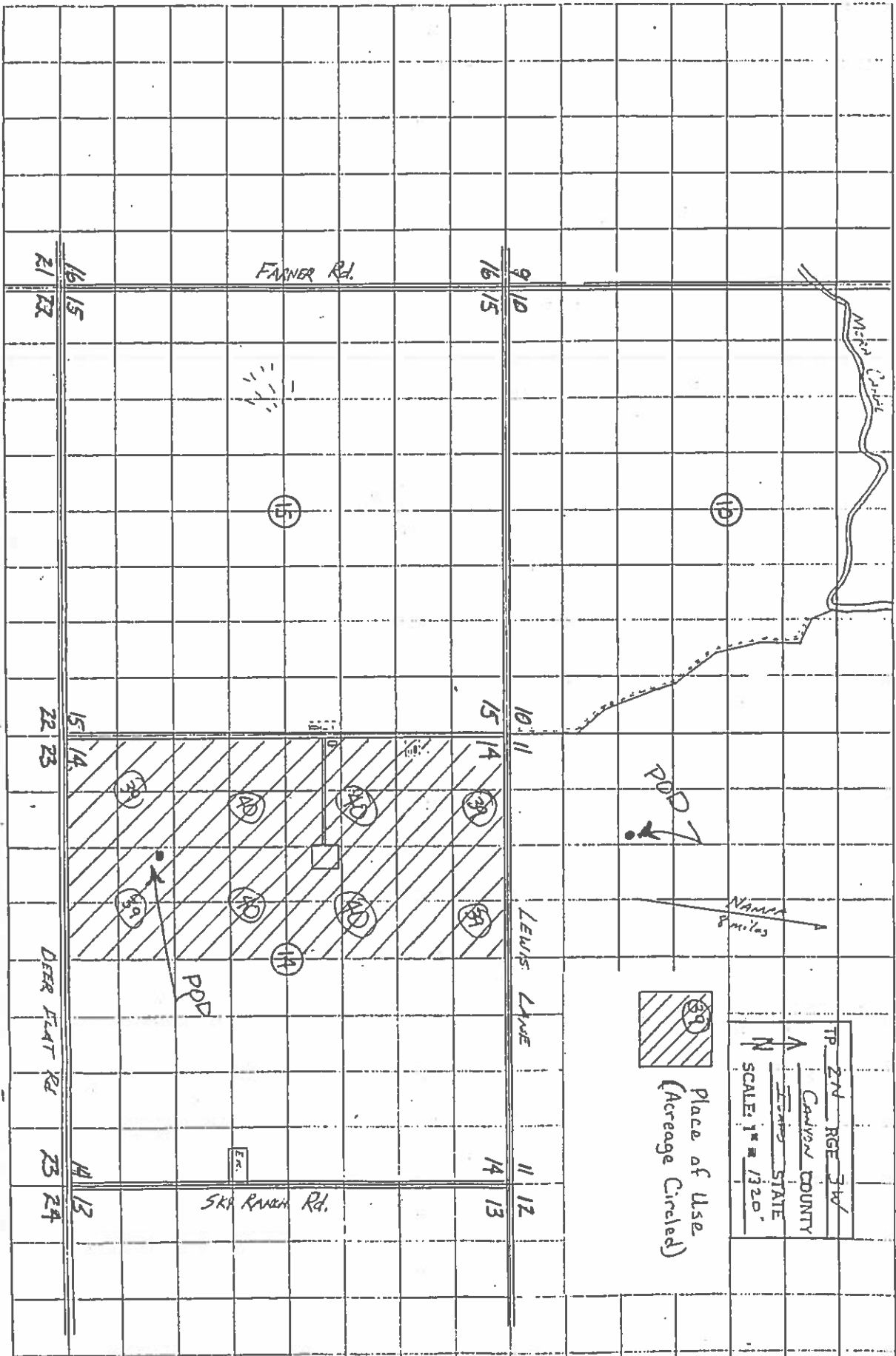
- - - Diversion Means - 2 WELL & DEEP WELL TURBINES, PUMPED TO MAINLINES TO IRR. SYSTEM

- - - Non-Irrigation Use -

MICROFILMED

AUG 19 1992

AUG 19 1992



TP 24 RGE 34
CANYON COUNTY
STATE
SCALE 1" = 1/320"



Place of Use
(Acreage Circled)



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

April 26, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

V & M TRUST
C/O NOLAN VICTOR
1528 ADDISON AVE EAST
TWIN FALLS, ID 83301

RE: Changes of Ownership

Dear Nolan:

The copies of Deeds you provided were very helpful in trying to determine the ownership of the SRBA claims, and subsequent splits of some of the claims, that were originally filed by the Montierths, Victors & Meyers. Using those Deeds and copies of others we had in our files, I think I have determined which claims still need to be changed to coincide with the ownership of the land. However, prior to completing any ownership changes I need the enclosed Notice of Change of Water Right Ownership form signed by the trustee of V & M Trust.

The claim numbers described on the form are those that I believe should be in the name of V & M Trust. Enclosed are copies of profile reports for you to review as a double check against my review. Let me know if you disagree.

At the same time that I change the ownership of V & M Trust's claims I will remove the names of Victors and Meyers from the following claims that are appurtenant to the land in the names of the Montierths: A63-07156A, A63-03557A, A63-03232, A63-03589A & A63-03599A.

All of the changes described above are based on Deeds and information currently in our possession. If you know of any additional information we should have that will contribute to the accuracy of our records please let me know.

Cordially,

Mel Schulte
Senior Water Right Agent
208-334-2190

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): _____
Adjudication Claim No(s): A63-03597P, A63-07778A, A63-03599C, A63-0358
2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
AND
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s).
(These are usually attached to your deed or on file with the county.)
OR
 - C. If your water right or adjudication claim 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 Montierths, Victors, Meyers
Various addresses
4. New Owner/Claimant(s) V & M Trust
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 1528 Addison Ave East
City, State and ZIP Code Twin Falls, ID 83301
New Telephone Number () _____
5. Date you acquired the property _____
6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____	Number and type of stock _____
Diversion rate in CFS _____	Number of homes you acquired _____
Other uses _____	

7. Signature of New Owner(s) _____
or Claimant(s) _____

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

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

Claims in the IVO V & M Trust only.

A63-03597P

A63-07778A

-03599C

~~-03599A~~

-03589B

Claims in the S/O Mortgages only

A63-07156A

-03557A

-03232

-03589.A

-03599A

Split tree A03-03589

A63-03589 N/O Monticello, Victor, Meyers

DR: 4.22 cf_2 CU: 1106 AF.

POB: T02N, R03W, S11, NWSW
S14, SESW

POU: T02N, R03W, S14, NENW-39_{ac} NWNW-39_{ac}
SWNW-40 SENW-40
NESW-40 NWSW-40
SWSW-39 SESW-39 3

A63-03589 A N/O Monticello

DR: 2.11 cf_2 CU: 553 AF

POB: 2N, 3W, S11, NWSW
S14, SESW

POU: 2N, 3W, S14, NENW-39 NWNW-39
SWNW-40 SENW-40 15

A63-03589 B N/O V & M Trust

DR: 2.11 cf_2 CU: 553 AF

POB: 2N, 3W, S11, NWSW
S14, SESW

POU: 2N, 3W, S14, NESW-40 NWSW-40
SWSW-39 SESW-39 15

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GOLDA D MONTERTH	03/22/1967	IRRIGATION	03-15 11-15	4.220 CFS	
C	EDWARD MONTERTH					
C	WILFORD NOLAN VICTOR					
C	RUBY C VICTOR					
C	KATHI L MEYERS					
C	HR MONTERTH					
C	SUSAN L MONTERTH					
C	RODNEY KENT MONTERTH					
C	ROBERT J MEYERS					
	1528 ADDISON AVENUE EAST					
	TWIN FALLS ID 83301					
	(208) 733-5217					
			TOTAL DIVERSION:		4.220 CFS	
			CONSUMPTIVE USE:			1106.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: TO2N R03W S11 S14 NWSW SESW CANYON County CANYON County

Place of use Legal Description for: IRRIGATION											
			NE			NW			SW		
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt
02N	03W	14	:						:		
			:	39		39	40		40		
			:						40		
			:							40	
			:								39
			:								39
			:								
TOTAL ACRES										:	316.0
										:	316.0

POU County: CANYON

Other Rights: 80 ACRES CONCURRENT WITH A63-035998

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag: Presumption Flag:

Audit: 12/28/89 BEARDSLE 02/21/91 STERLING 03/30/95 POST-STD

QUITCLAIM DEED

For Value Received

WILFORD NOLAN VICTOR and RUBY C. VICTOR, husband and wife, and ROBERT J. MEYERS and KATHI L. MEYERS, husband and wife

do hereby convey, release, remise and forever quitclaim unto

V. & M. TRUST

whose current address is 1528 Addison Avenue East
Twin Falls, Idaho 83301

the following described premises, to-wit:

PARCEL #1

All of right, title, and interest of the said party in Section 10; S $\frac{1}{2}$ 14; and 15; Township 2 North, Range 3 West of the Boise Meridian, Canyon County Idaho. TOGETHER with all water rights, government grain base, irrigation wells/pumps, and equipment.

PARCEL #2

The South One-Half; the South One-Half of the North One-Half and the Northwest Quarter of the Northeast Quarter, all in Section 25, Township 5 North, Range 2 West; Boise Meridian, Canyon County, State of Idaho. TOGETHER with all water rights, government grain base, irrigation wells/pumps, and equipment.

together with their appurtenances.

Dated:

STATE OF IDAHO, COUNTY OF Twin Falls

On this 30th day of December, 1992,
before me, a notary public in and for the said State, per-
sonally appeared _____

WILFORD NOLAN VICTOR and RUBY C. VICTOR, husband and wife; and ROBERT J. MEYERS and KATHI L. MEYERS, husband and wife

known to me to be the person s whose names are
 subscribed to the within instrument, and acknowledged to
 me that they executed the same

Reading a
Com. El...

Notary Public

REQUESTED BY: JENNIFER
TYPE: PLC FEE: 3.00

BY CHN RECORDED

NEED - KERR

94 JAN 11 PM 1 58

RECORDED

09600950

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of

at _____ minutes past _____ o'clock _____ M.,
 this _____ day of _____,
 19____, in my office, and duly recorded in Book
 of Deeds at Page _____.

Ex-Officio Recorder

BY

Deputy.

Free \$
Mail to:

INSTRUMENT NO.

Inst 9411559

2-4-94

QUITCLAIM DEED

GRANTOR, ROBERT J. MEYERS and KATHI L. MEYERS, husband and wife; HERBERT R. MONTIERTH; the ESTATE OF GOLDA D. MONTIERTH; EDWARD RAY MONTIERTH and SUSAN L. MONTIERTH, husband and wife; RODNEY KENT MONTIERTH and DOLLIE MONTIERTH, husband and wife, of Kuna, County of Ada, State of Idaho, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby REMISE, RELEASE and forever QUITCLAIM unto W. NOLAN VICTOR and RUBY C. VICTOR, husband and wife whose current address is 1528 Adeline Ave East, County of Turner, State of Idaho as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate situated in Nampa, County of Canyon, State of Idaho, to-wit:

The NE $\frac{1}{4}$ of Section 15 and the S $\frac{1}{2}$ of Section 14, Township 2 North, Range 3 West, Boise Meridian, Canyon County, excepting therefrom a tract of land commencing at the northeast corner of said southeast quarter (east quarter corner) monument with an iron pipe 2" diameter; thence south 0°3' east 478.04 feet along the east boundary of said southeast quarter; thence south 89°57' west 25 feet to the POINT OF BEGINNING; thence south 89°57' west 396 feet; thence south 0°3' east 220 feet parallel with the east boundary of said southeast quarter; thence north 89°57' east 396 feet; thence north 0°3' west 220 feet parallel with the east boundary of said southeast quarter to the POINT OF BEGINNING.

and

Lot 5 of Meyers/Montierth/Victor acreages in Section 10, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho. (Parcel No. 3)

TOGETHER with all tenements, hereditaments and appurtenances thereunto belonging together with all right, title and interest including well water permits for well Nos. 8 and 9 as designated on Exhibit "A".

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, Grantor has hereunto subscribed his name to this instrument this 4 day of February, 1994.

Robert J. Meyers
ROBERT J. MEYERS

Edward Ray Montierth
EDWARD RAY MONTIERTH

Kathi L. Meyers
KATHI L. MEYERS

Susan L. Montierth
SUSAN L. MONTIERTH

Herbert R. Montierth
HERBERT R. MONTIERTH

Rodney Kent Montierth
RODNEY KENT MONTIERTH

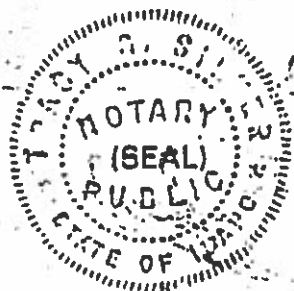
Herbert R. Montierth
HERBERT R. MONTIERTH
Personal Representative of the
Estate of Golda D. Montierth

Dollie Montierth
DOLLIE MONTIERTH

STATE OF IDAHO)
County of Ada) ss.

On this 21st day of ~~February~~ March, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared RODNEY KENT MONTIERTH and DOLLIE MONTIERTH, known and identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



Tracy A. Smith
Notary Public for Idaho
Residing at Grand Haven, Idaho
Commission expires: _____

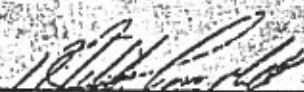
STATE OF IDAHO

County of Ada

SS:

On this 2 day of February, 1994, before me the undersigned, a notary public for Idaho, personally appeared ROBERT J. MEYERS and KATHI L. MEYERS known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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


Notary Public for Idaho
Residing at Terre Haute, Idaho
Commission expires _____



STATE OF IDAHO

County of Ada

SS:

On this 2 day of February, 1994, before me the undersigned, a notary public for Idaho, personally appeared HERBERT R. MONTIERTH, known to me to be the persons whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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


Notary Public for Idaho
Residing at Grand View, Idaho
Commission expires _____



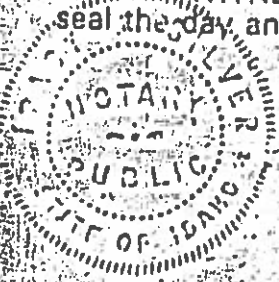
STATE OF IDAHO

County of Ada

ss:

On this 1st day of February, 1994, before me the undersigned, a notary public for Idaho, personally appeared HERBERT R. MONTIERTH, known to me to be the persons whose name is subscribed to the within instrument and acknowledged to me that he executed the same as personal representative of the Estate of Golda D. Montierth.

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



[Signature]
Notary Public for Idaho
Residing at 1000 W. Main, Idaho
Commission expires 12/31/95

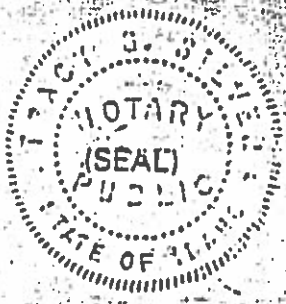
STATE OF IDAHO)

) ss.

County of Ada)

On this 2nd day of February, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared EDWARD RAY MONTIERTH and SUSAN L. MONTIERTH, known and identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



[Signature]
Notary Public for Idaho
Residing at 1000 W. Main, Idaho
Commission expires: 12/31/95

QUITCLAIM DEED - 4
#282

REQUEST BY McBride
TYPE Deed FEE 1.25

RED J. RRR
CANYON CNTY RECORDER
BY C. Smith

94 APR 20 AM 9 13

RECORDED

9411559

9411240

QUITCLAIM DEED

3-4-94

GRANTOR, W. NOLAN VICTOR and RUBY C. VICTOR, husband and wife and ROBERT J. MEYERS and KATHI L. MEYERS, husband and wife of Boise, County of Ada, State of Idaho, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby REMISE, RELEASE and forever QUITCLAIM unto HERBERT R. MONTIERTH; the ESTATE OF GOLDA D. MONTIERTH; EDWARD RAY MONTIERTH and SUSAN L. MONTIERTH, husband and wife; RODNEY KENT MONTIERTH and DOLLIE MONTIERTH, husband and wife, whose current address is 1601 Poen Rd., Kuna, County of Ada, State of Idaho as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate situated in Nampa, County of Canyon, State of Idaho, to-wit:

The NW¼ of the NW¼ of Section 13 and the N½ of Section 14 of Township 2 North, Range 3 West, Boise Meridian, County of Canyon, excepting therefrom a tract of land commencing at the northeast corner of said Section 14 monumented with a rebar, 5/8" in diameter; thence south 62°48'15" west 4,482.39 feet to the POINT OF BEGINNING; said point bears 63°05'00" east 1,480.17 feet from a found 3/8" pipe at the northwest corner of the southwest corner of the southwest quarter of the northwest quarter, Section 14 (north 1/16 corner); thence north 89°54'30" east 295.32 feet; thence south 0°05'30" east 295.00 feet; thence south 89°54'30" west 295.32 feet; thence north 0°05'30" west 295.00 feet to the POINT OF BEGINNING.

TOGETHER with all tenements, hereditaments and appurtenances thereunto belonging together with all right, title and interest including well water permits for well No. 1 and well No. 4 as designated on Exhibit "A".

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, Grantor has hereunto subscribed his name to this
Instrument this 4 day of February, 1994.

W. Nolan Victor
W. NOLAN VICTOR

Robert J. Meyers
ROBERT J. MEYERS

Ruby C. Victor
RUBY C. VICTOR

Kathi L. Meyers
KATHI L. MEYERS

STATE OF IDAHO)
County of Ada) ss:

On this 4th day of February, 1994, before me the undersigned, a notary public for Idaho, personally appeared W. NOLAN VICTOR and RUBY C. VICTOR, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

Notary Public for Idaho
Residing at Two Falls
Commission expires _____

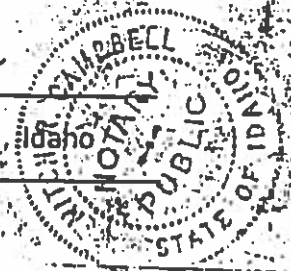


STATE OF IDAHO)
County of Ada) ss:

On this 4th day of February, 1994, before me the undersigned, a notary public for Idaho, personally appeared ROBERT J. MEYERS and KATHI L. MEYERS, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

Notary Public for Idaho
Residing at Two Falls
Commission expires _____



QUITCLAIM DEED - 2
#282

REQUEST William J. Herr
TYPE Deed FEE 6.00

RED J. HERR
CANYON CITY RECORDER
BY William J. Herr

'94 APR 18 PM 2 09

RECORDED

9411240

Tract 9411558

QUITCLAIM DEED

3-4-94

GRANTOR, W. NOLAN VICTOR and RUBY C. VICTOR, husband and wife; HERBERT R. MONTIERTH; the ESTATE OF GOLDA D. MONTIERTH; EDWARD RAY MONTIERTH and SUSAN L. MONTIERTH, husband and wife; RODNEY KENT MONTIERTH and DOLLIE MONTIERTH, husband and wife, of Kuna, County of Ada, State of Idaho, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby REMISE, RELEASE and forever QUITCLAIM unto ROBERT J. MEYERS and KATHI L. MEYERS, husband and wife whose current address is 3024 Harbridge, County of Terre Haute, State of Idaho as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate situated in Nampa, County of Canyon, State of Idaho, to-wit:

The W $\frac{1}{2}$ and the SE $\frac{1}{4}$ of Section 15 of Township 2 North, Range 3 West, Boise Meridian, Canyon County.

and

Lots 1 and 2 of Meyers/Montierth/Victor acreages in Section 10, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

TOGETHER with all tenements, hereditaments and appurtenances thereunto belonging together with all right, title and interest including well water permits for well Nos 5, 6 and 7 as designated on Exhibit "A".

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, Grantor has hereunto subscribed his name to this instrument this 14 day of March, 1994.

W. Nolan Victor
W. NOLAN VICTOR

Ruby C. Victor
RUBY C. VICTOR

Herbert R. Montierth
HERBERT R. MONTIERTH

Herbert R. Montierth
HERBERT R. MONTIERTH,
Personal Representative of the
Estate of Golda D. Montierth

Edward Ray Montierth
EDWARD RAY MONTIERTH

Susan L. Montierth
SUSAN L. MONTIERTH

Rodney Kent Montierth
RODNEY KENT MONTIERTH

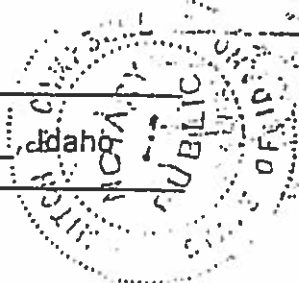
Dollie Montierth
DOLLIE MONTIERTH

STATE OF IDAHO)
County of Ada) ss:

On this 14 day of March, 1994, before me the undersigned, a notary public for Idaho, personally appeared W. NOLAN VICTOR and RUBY C. VICTOR, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IT WITNESS WHEREOF; I have hereunto set my hand and affixed my official seal the day and year first above written.

[Signature]
Notary Public for Idaho
Residing at Turner Falls Idaho
Commission expires _____



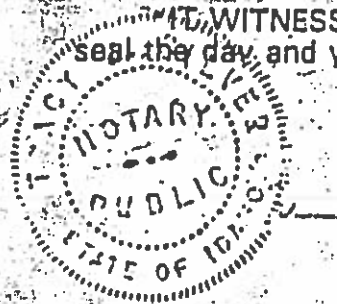
STATE OF IDAHO

County of Ada

ss:

On this 21st day of February, 1994, before me the undersigned, a notary public for Idaho, personally appeared HERBERT R. MONTIERTH, known to me to be the persons whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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



[Signature]
Notary Public for Idaho
Residing at Busch Street, Idaho
Commission expires _____

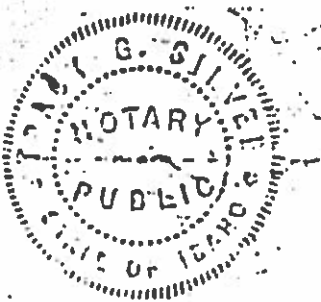
STATE OF IDAHO

County of Ada

ss:

On this 21st day of February, 1994, before me the undersigned, a notary public for Idaho, personally appeared HERBERT R. MONTIERTH, known to me to be the persons whose name is subscribed to the within instrument and acknowledged to me that he executed the same as personal representative of the Estate of Golda D. Montierth.

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

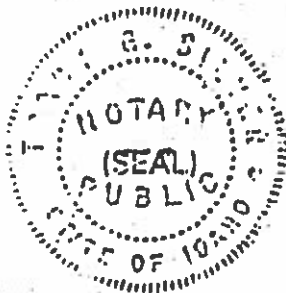


[Signature]
Notary Public for Idaho
Residing at Busch Street, Idaho
Commission expires _____

STATE OF IDAHO)
County of Ada) ss.

On this 21st day of February, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared EDWARD RAY MONTIERTH and SUSAN L. MONTIERTH, known and identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

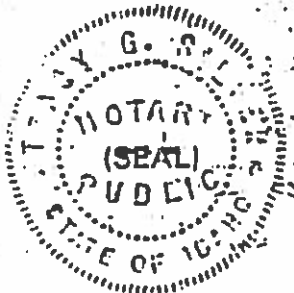


[Signature]
Notary Public for Idaho
Residing at Grand View, Idaho
Commission expires: _____

STATE OF IDAHO)
County of Ada) ss.

On this 21st day of February, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared RODNEY KENT MONTIERTH and DOLLIE MONTIERTH, known and identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



[Signature]
Notary Public for Idaho
Residing at Grand View, Idaho
Commission expires: _____

QUITCLAIM DEED - 4
#292

REQUEST 14779
TYPE Quitclaim FEE 13.50

RECORDED
91 APR 20 AM 9 13
NEW J. BERR
CANYON COUNTY RECORDER
BY C. Smith

9411558



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

March 14, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

W Nolan & Ruby Victor
Robert & Kathy Meyers
1528 Addison Ave E
Twin Falls ID 83301

Re: Original Notice of Claim to a Water Right No. 63-32018
Renumbered to Notice of Claim to a Water Right No. 63-32078

Dear Claimant(s):

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

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

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

Thank you for your patience, as we have had several water right changes to process. If you have any questions concerning this ownership change, or the enclosed claim copy, please feel free to contact this office.

Sincerely,

Adjudication Section
Western Region Office

LG: lg

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

May 5, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Russell & Cynthia Sargent
13663 Santa Rita Dr
Nampa, ID 83686

Re: Original Notice of Claim to a Water Right No. 63-32078

Renumbered Notice of Claim to a Water Right No. 63-32294

Dear Claimant(s):

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

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

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

Thank you for your patience, as we have had several water right changes to process. Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

Adjudication Section
Western Region

LG: lg

Enclosure