

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: 63-31219

BROWN FAMILY FARMS LP
23818 WAGNER ROAD
CALDWELL ID 83605

RECEIVED

OCT 20 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: 10-18-06

SIGNATURE:

Brown Family Farms LP L. Joy Brown

Please print your name:

L. Joy Brown

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

07/20/2006

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

RIGHT NUMBER: 63-31219

NAME AND ADDRESS: BROWN FAMILY FARMS LP
23818 WAGNER ROAD
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.760 CFS
368.300 AFY

Right Nos. 63-31219 and 63-8725 are limited to a total combined annual diversion volume of 666.0 AF.

PRIORITY DATE: 02/08/1972

POINT OF DIVERSION:

T05N R03W S32 NWNESW Within CANYON County

T05N R03W S32 NESWSW Lot 4 Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.760 CFS
368.30 AFY

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

PLACE OF USE: IRRIGATION Within CANYON County

T05N R03W S32	NESW	29.00	T05N R03W S32	NWSW	36.00
T05N R03W S32 Lot 4	SWSW	37.00	T05N R03W S32 Lot 3	SESW	40.00

142 ACRES TOTAL

Right Nos. 63-31219 and 63-8725 are limited to the irrigation of a combined total of 148 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 63-7553.

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

Use of this right is combined with water from Black Canyon Irrigation District.

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

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

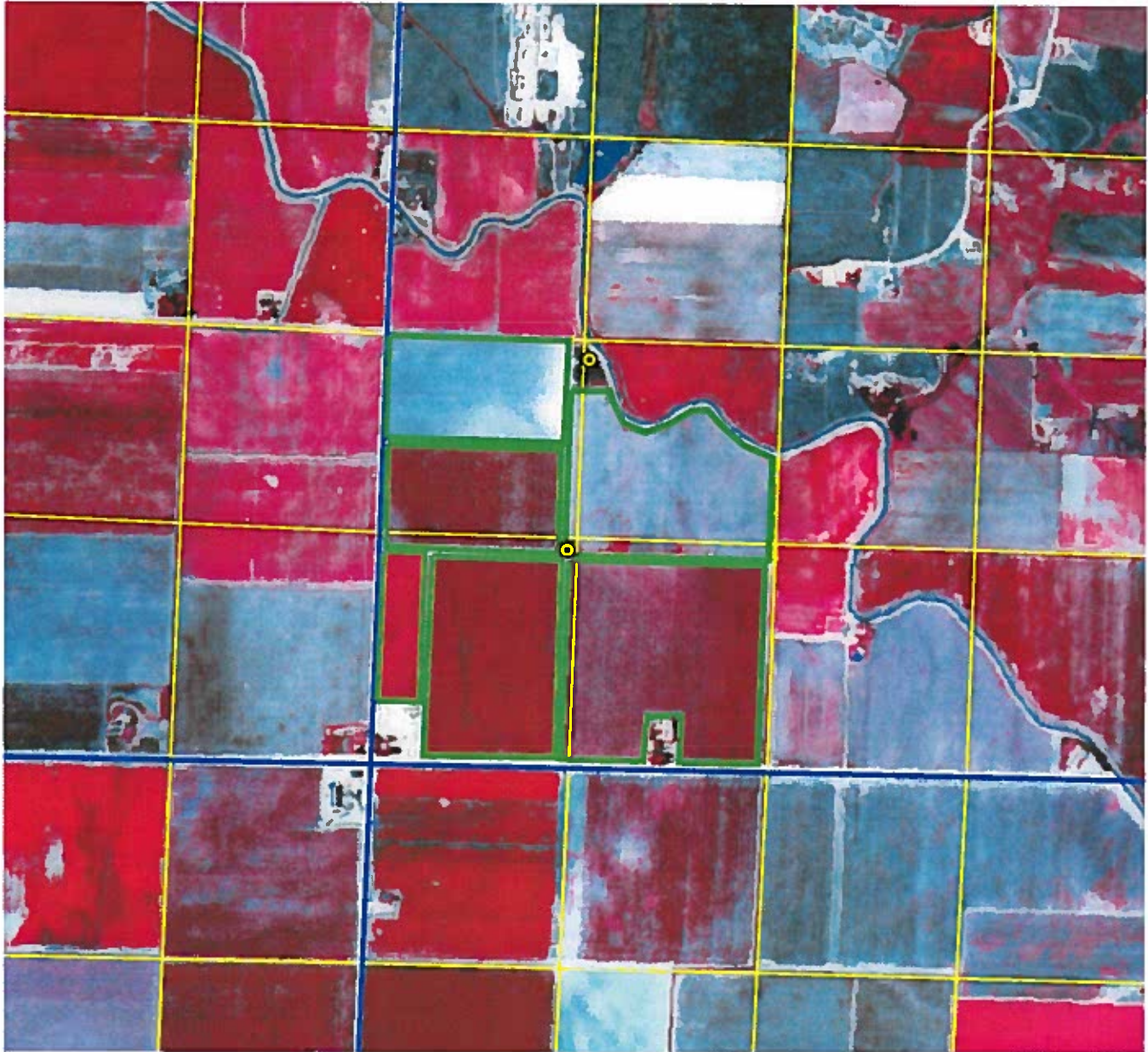
Right No. 63-8725 is also diverted through points of diversion described above.



Idaho Department of Water Resources

63-31219

05N 03W Section 32



-  POU
-  POD
-  Sections
-  Quarter/Quarter

Total Irrigated
Acres: 142

10000 Feet




IDWR
Prepared by: Lori Graves
Date: 07-17-06
1986-87 Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31219 V1

WATER RIGHT NUMBER: 63-31219 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	VERNON M BATT RT 5 CALDWELL, ID 83605
Current Owner	BROWN FAMILY FARMS LP 23818 WAGNER ROAD CALDWELL, ID 83605
Original Owner	ENROSE FARMS INC 23955 WAGNER RD CALDWELL, ID 83605 (208)459-7155

Priority Date: 02/08/1972

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.760 CFS	368.30 AF
	<u>Total Diversion:</u>	0.760 CFS	368.30 AF

Location of Point(s) of Diversion

GROUND WATER	L4 (NE1/4SW1/4SW1/4)	Sec. 32, Twp 05N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NW1/4NE1/4SW1/4	Sec. 32, Twp 05N, 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	
05N	03W	32									29.0	36.0	37.0	40.0					142.0
													L 4	L 3					

Total Acres: 142

Conditions of Approval:

1. P21 This right is a split from former right 63-7553.
2. S39 The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31219 V1

3. R01 A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
4. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
5. W14 Use of this right is combined with water from Black Canyon Irrigation District.
6. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
7. E53 Right Nos. 63-31219 and 63-8725 are limited to a total combined annual diversion volume of 666.0 AF.
8. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
9. E55 Right Nos. 63-31219 and 63-8725 are limited to the irrigation of a combined total of 148 acres in a single irrigation season.
10. F05 Right No. 63-8725 is also diverted through points of diversion described above.

Remarks:Comments:

1. Igraves 7/17/2006 P/Ds

Comment: One well in the SWSE was licensed to right 63-7553. Three wells, including the licensed well, were claimed. The claim was then split. Portion 63-31220 uses the licensed well and portion 63-31219 uses the other two wells. The well claimed in the NWNESW was drilled in 1977 for license 63-8725. The well claimed in the SENESW is actually located in the NESWSW was drilled and added prior to 1987 per teleconversation with Leola Joy Brown 7/18/06. The well is also evidenced on the 1987 aerial photo.

2. Igraves 7/17/2006 Overlaps

Comment: This right directly overlaps right 63-8725, which uses the same wells for the same acres. When combined, the acres have been licensed at full volume but not flow rate resulting in condition E53. Irrigation from ground water is supplemental to surface water from BCID.

3. Igraves 7/17/2006 P/U

Comment: The fields identified in the shape file account for 136 acres, which is the same area originally licensed for 142 acres, however, the acre discrepancy is less than five percent.

4. Igraves 7/20/2006 Parcel No.

Comment: irrigation is within Parcel No. R3812500000.

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 63-31219

WATER RIGHT NUMBER: 63-31219

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	VERNON M BATT RT 5 CALDWELL, ID 83605
Current Owner	BROWN FAMILY FARMS LP 23818 WAGNER ROAD CALDWELL, ID 83605
Original Owner	ENROSE FARMS INC 23955 WAGNER RD CALDWELL, ID 83605 (208)459-7155

Priority Date: 02/08/1972

Basis: License

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From To

03/15 to 11/15

Diversion Rate

0.760 CFS

Annual Volume

368.30 AF

Total Diversion:

0.760 CFS

368.30 AF

Location of Point(s) of Diversion

GROUND WATER

SE1/4NE1/4SW1/4

Sec. 32, Twp 05N, Rge 03W, B.M.

CANYON County

GROUND WATER

63-8725

NW1/4NE1/4SW1/4

Sec. 32, Twp 05N, Rge 03W, B.M.

CANYON County

1977 well

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	03W	32									29.0	38.0	35.0	40.0					142.0
													L 4	L 3					

Total Acres: 142

36 37 40

Conditions of Approval:

X

CHANGE IN OWNERSHIP LG-7-14-2006 REVIEWED BY LORI G.

X

This claim is the result of a split due to change in ownership for a portion of 63-07553. DB 5/1/2001
Chain of title info: Batt - went into foreclosure; then went to sheriff sale; Brown bought at sheriff sale
with one year redemption period; Siple paid off and redeemed property; Siple sold to Payne.

add W14-BCID
C03 - P/D change
C05 - P/U shuffler
539 - 3/1 - 11/15

E53 - combined vol limiter
F05 - overlapping P/d
E55 - limited to 148 ac when combined
wi 63-8725, P21 - split for
13-7557

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-7553 Priority February 8, 1972 Amount 1.0 cfs

THIS IS TO CERTIFY, that Vernon M. Batt
of Caldwell, Idaho, has complied with the terms and conditions of Permit
No. 63-7553 issued pursuant to Application for Permit dated February 8, 1972,
and has submitted proof to the Department of Water Resources on February 17, 1977,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.0 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>March 15</u> to <u>November 15</u>	<u>1.0</u> cfs and	<u>485</u> acre feet
	from _____	cfs and	
	from _____	cfs and	

(from date exclusive)

Subject, however, to the condition that no more than 1.0 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
485 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, Twp. 5N,
Rge. 3W, B. M. in the County of Canyon

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 $\frac{1}{4}$	
5N	3W	32									29	38	85	40	2	33	10		187

Total number of acres irrigated 187

A measuring device of a type approved by the Department shall be maintained as
part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 23 day of
February, 19 78.

Director

DATE OF EXAM 13 April 77

ACREAGE

Found _____
Recommended 198.1

Irrigation Requirement 4.5 Ac Ft/Ac

USE

Irrigation Q= _____ c.f.s. V= 891 AF/Ann. from _____ to _____
Domestic Q= _____ c.f.s. V= 886.95 AF/Ann. from _____ to _____
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no _____

Name source: _____

hwp _____ N/S, Rge _____ E/W, B.M., Sec _____ Sub _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no _____

Name source exchanged with: _____

hwp _____ N/S, Rge _____ E/W, B.M., Sec _____ Sub _____ 1/4 _____ 1/4 _____
County _____

Point of injection: _____

hwp _____ N/S, Rge _____ E/W, B.M., Sec _____ Sub _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: _____

hwp _____ N/S, Rge _____ E/W, B.M., Sec _____ Sub _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 450 gpm Method of measurement gpm

Total Q recommended 1.45 Meter No. _____ Type B-104 Condition Good

Total V recommended 886.95 AF/Ann

Recommended Amendments:

P.D. _____

Place of Use Add 2 676 acres NWSE GN 3 W 54E 32

Other _____

None _____

MEASUREMENT CALCULATION:

450 gpm 1.0 cfs

AF calc
 $198 (4.5) = 891$

$1 (1.98) \times 447 = 886.95$

$891 - 886.95 = 4.05$ control

SYSTEM DESCRIPTION:

62" w 11" x 10" w 10 HP Peerless pump 5000 GPM 6X 6X 12
and 10 HP pump for General Electric 5000 GPM 6X 6X 12
2500 3 HPS

2X H10

REMARKS:

2/5 min in operation at time of exam no Bots present

Examiner's Signature _____

Jim G Ballan
PH

Date 29 April 77

Checked by _____

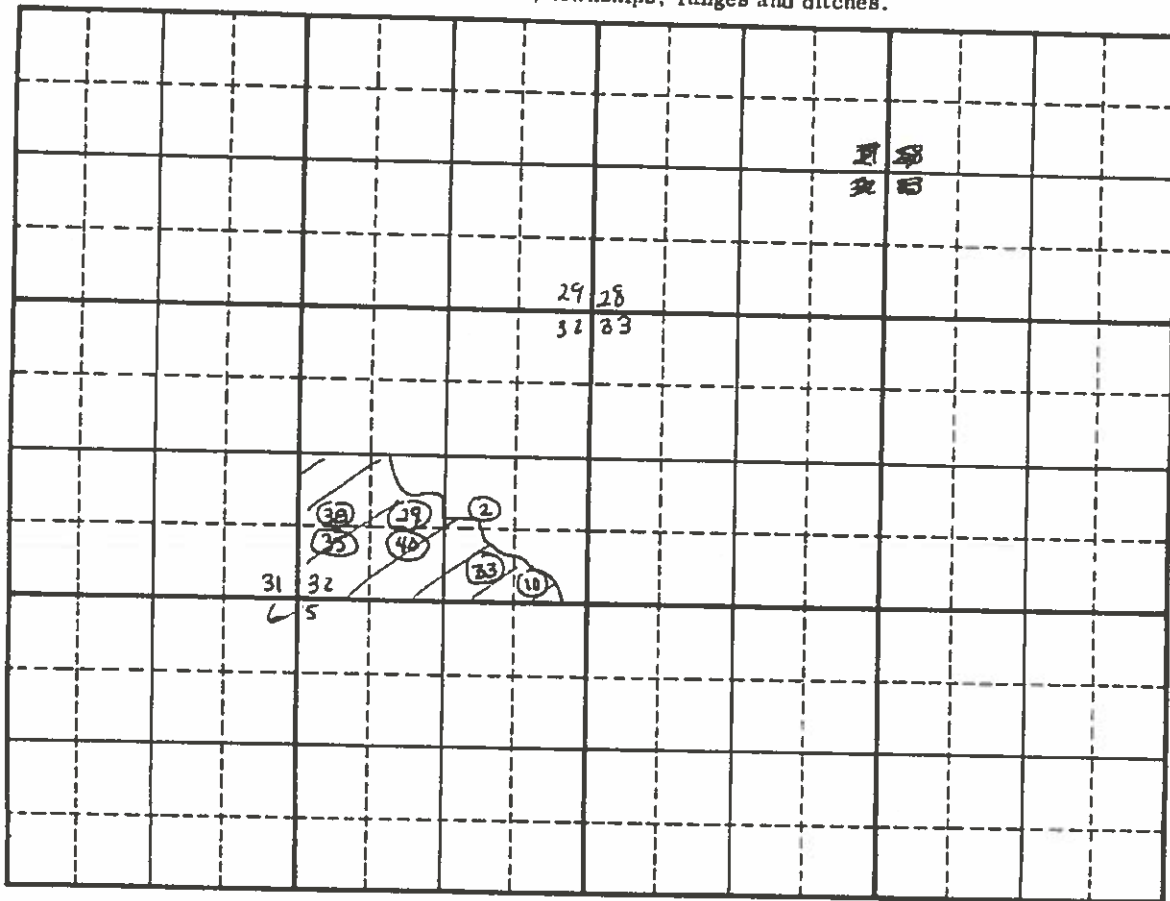
Date 5-17-77

Approved by _____

Date _____

TOTAL ACREAGE

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

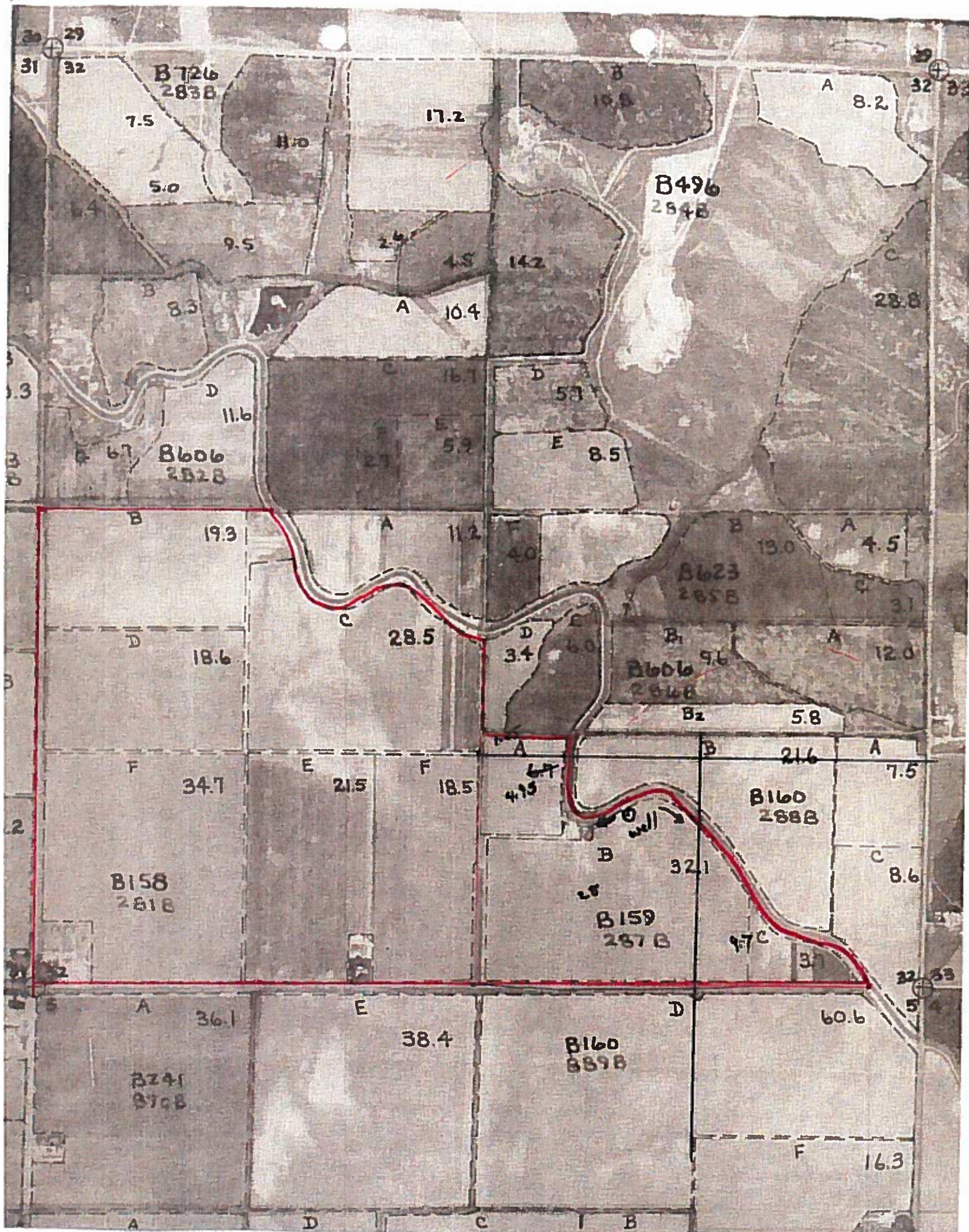
That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Caldwell, Idaho, this 10 day of Feb., 19 78.
Warren H. Batt
 (signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, C. STEPHEN ALLRED, Director of the Department of Water Resources hereby approve the above application for amendment for Permit No. 63-7553.

Witness my hand this 23 day of February, 19 78.
C. Stephen Allred
 Director





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 21, 2006

Billie Brown
23818 Wagner Rd
Caldwell ID 83607

RE: NOTICE OF CLAIM NO(S): A63-8725, A63-21435, A63-21436, A63-31219

Dear Mr. Brown:

We are currently preparing the Notice(s) of Claim referenced above for the Director's Report in the Snake River Basin Adjudication. Enclosed is a computer printout of the claim(s) for your reference. Our research indicates there may have been a change in the ownership for the above claim(s). Idaho Department of Water Resources (IDWR) records currently show the following name and address as the owner of the claim(s) listed above:

**ENROSE FARMS INC.
23955 WAGNER RD
CALDWELL ID 83605**

The Idaho statutes require that (IDWR) be informed of a change in water right ownership within 120 days of the property transaction. If you purchased the property referenced in this letter, please fill out the change in ownership form and send it with the required documentation to my attention at 2735 Airport Way, Boise ID 83705. If no response is received from you, all further legal notices concerning the claim(s) will be sent to the name and address of the original claimant shown above. Please call me at (208) 334-2190 if you have questions.

Sincerely,

Lori Graves
Sr. Water Resource Agent
Department of Water Resources
Western Region

Enclosures

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 63-31219
Date Received: 3/9/1990
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BROWN FAMILY FARMS LP Phone:
23818 WAGNER ROAD
CALDWELL ID USA 83605

2. Date of Priority: 02/08/1972

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
05N	03W	32	SE	NE	SW	CANYON	
05N	03W	32	NW	NE	SW	CANYON	

5. Description of diverting works:

3 WELLS, PUMPS, GRAVITY AND SPRINKLER IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.76	368.3

7. Total Quantity Appropriated is:

0.76 C.F.S. and/or 368.3 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of	1/4 Lot	Use	Acres
05N	03W	32	NW	SW	IRRIGATION	38
			SW	SW	IRRIGATION	35

SE	SW	3	IRRIGATION	40
NE	SW		IRRIGATION	29
			Section Acres	142
			Total Acres	142

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 claim is the result of a split due to change in ownership for a portion of 63-07553. DB 5/1/2001
Chain of title info: Batt - went into foreclosure; then went to sheriff sale; Brown bought at sheriff sale with one year redemption period; Siple paid off and redeemed property; Siple sold to Payne.

CHANGE IN OWNERSHIP LG-7-14-2006 REVIEWED BY LORI G.

15. Basis of Claim: License

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

RECEIVED

APR 24 2006

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
<u>63-8725</u>	<u>63-8725</u>	☐	_____	_____	☐
<u>63-31219</u>	<u>63-31219</u>	☐	_____	_____	☐
<u>63-21435</u>	<u>63-21435</u>	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐

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

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

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

3. Name and Address of Former Owner/Claimant(s) Enrose Farms Inc
23955 Wagner Road, Caldwell, ID 83605
4. New Owner/Claimant(s) Brown Family Farms LP
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 23818 Wagner Road
 City, State and ZIP Code Caldwell, ID 83605
 New Telephone Number (208) 454-8456
5. Date you acquired the property Dec 8th 1994

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

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

N/A

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) Brown Family Farm LP
(include title if applicable) Lesla Jay Brown

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 eg Date 4/24/06 Fee _____
 Received by eg Date _____ Receipt No. _____
 Processed by eg AJ Date 7-14-06 WR _____ Date _____
 reviewed by eg - Lori G

RECORDED

005 DEC 22 AM 9 57

G NOEL HALE S

CANYON CITY RECORDER

Y. V. Savitskiy

REQUEST Admission
TYPE Rec'd FEE 9.00

THORNTON BYRON LLP
3101 W. MAIN, SUITE 200
POST OFFICE BOX 7156
BOISE, ID 83707-1156
208-344-8600

(SPACE ABOVE LINE FOR RECORDER'S USE)

* * * * *

TOGETHER WITH all improvements, easements, hereditaments and appurtenances thereto, and subject to such other rights, easements, covenants, restrictions and zoning regulations as appear of record or based upon the premises.

Grantor, its successors and assigns shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of the Grantee, its successors and assigns, against Grantor, its successors and assigns, and against all and every person and persons whomsoever lawfully claiming the same, shall and will WARRANT and by these PRESENTS forever defend.

IN WITNESS WHEREOF, Grantor has hereunto subscribed its name to this instrument effective the first day of November, 2005.

GRANTOR:

BILLIE AND LEOLA JOY BROWN FAMILY TRUST

BY: Leola Joy Brown
LEOLA JOY BROWN, SURVIVING TRUSTEE

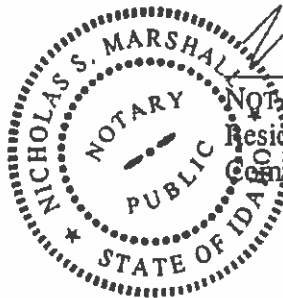
STATE OF IDAHO)

ss.

COUNTY OF ADA)

On this 29th day of November, 2005, before me, the undersigned Notary Public in and for said State, personally appeared LEOLA JOY BROWN, known or identified to me to be the Surviving Trustee of the BILLIE AND LEOLA JOY BROWN FAMILY TRUST, the within named Grantor, and the person whose name is subscribed to the within instrument, and acknowledged to me that said Trust executed the same for the uses and purposes therein mentioned.

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



Nicholas Marshall
NOTARY PUBLIC, State of Idaho
Residing at Boise, Idaho
Commission expires: 3/5/2010

EXHIBIT A

APN R3456900000 - 23181 WAGNER ROAD:

Lot 4 (being the same as the Northwest Quarter of the Northwest Quarter) of Section 5, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

SUBJECT TO:

- 1) Liens and assessments of the Black Canyon Irrigation District, and the rights and powers of said district as by law provided.
- 2) Provisions, reservations and restrictions as shown by the several contracts between the United States of America and Black Canyon Irrigation District, and the amendments thereto, or between the present owner or past owners of the real property herein described and the Black Canyon Irrigation District or the United States of America, whether said contracts be of record in the office of the Recorder of Canyon County, Idaho, or on file with the Secretary of Black Canyon Irrigation District.
- 3) Rights of way for irrigation and drainage ditches and canals and roads.
- 4) Water rights.
- 5) Any right, title or interest in any minerals, gravel, mineral rights or related matters, including, but not limited to, oil, gas, coal and other hydrocarbons. Matters may appear of record affecting said rights, but neither this deed nor the forthcoming title policy covers an examination or of insurance as to the ownership or condition of minerals.

200585754

RECORDED

DEC 22 AM 9 57

G NOEL MALES
CANYON CNTY RECORDER
BY *CMcLaughlin* Apr.

REQUEST *Thornton Byron*
TYPE *Deed* FEE *27.00*

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

THORNTON BYRON LLP
3101 W. MAIN, SUITE 200
POST OFFICE BOX 7156
BOISE, ID 83707-1156
208-344-8600

(SPACE ABOVE LINE FOR RECORDER'S USE)

STATUTORY WARRANTY DEED

FOR VALUE RECEIVED, LEOLA JOY BROWN, AS THE SURVIVING TRUSTEE OF THE BILLIE AND LEOLA JOY BROWN FAMILY TRUST, Grantor, does hereby grant, bargain, sell and convey to BROWN FAMILY FARMS LP, an Idaho limited partnership, whose current address is 23818 Wagner Road, Caldwell, Idaho 83605, Grantee, all of Grantor's right, title and interest in and to certain real property located in Canyon County, Idaho, more particularly described on Exhibit A attached hereto and made a part hereof by this reference.

TOGETHER WITH all improvements, easements, hereditaments and appurtenances thereto, and subject to such other rights, easements, covenants, restrictions and zoning regulations as appear of record or based upon the premises.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee and Grantee's successors and assigns forever. Grantor hereby covenants to and with the said Grantee that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; 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.

Grantor, its successors and assigns shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of the Grantee, its successors and assigns, against Grantor, its successors and assigns, and against all and every person and persons whomsoever lawfully claiming the same, shall and will WARRANT and by these PRESENTS forever defend.

IN WITNESS WHEREOF, Grantor has hereunto subscribed its name to this instrument effective the first day of November, 2005.

GRANTOR:

BILLIE AND LEOLA JOY BROWN FAMILY TRUST

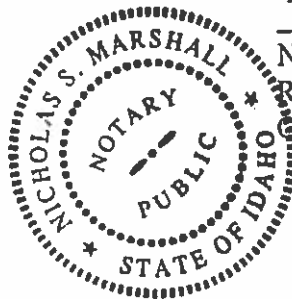
BY:

Leola Joy Brown
LEOLA JOY BROWN, SURVIVING TRUSTEE

STATE OF IDAHO)
 ss.
COUNTY OF ADA)

On this 29th day of November, 2005, before me, the undersigned Notary Public in and for said State, personally appeared LEOLA JOY BROWN, known or identified to me to be the Surviving Trustee of the BILLIE AND LEOLA JOY BROWN FAMILY TRUST, the within named Grantor, and the person whose name is subscribed to the within instrument, and acknowledged to me that said Trust executed the same for the uses and purposes therein mentioned.

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



Nicholas Marshall
NOTARY PUBLIC, State of Idaho
Residing at Boise, Idaho
Commission expires: 3/5/2010

EXHIBIT A

APN R34578010A0 - MINK ROAD:

A portion of the Northwest Quarter of the Southeast Quarter and of the Northeast Quarter of the Southwest Quarter of Section 6, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

COMMENCING at the Northwest corner of said Northwest Quarter of the Southeast Quarter; thence

North 89° 35' 44" East along the North boundary of said Northwest Quarter of the Southeast Quarter a distance of 29.05 feet to the TRUE POINT OF BEGINNING; thence continuing

North 89° 35' 44" East along the North boundary of said Northwest Quarter of the Southeast Quarter a distance of 1,295.21 feet to the Northeast corner of said Northwest Quarter of the Southeast Quarter; thence

South 1° 04' 29" West along the East boundary of said Northwest Quarter of the Southeast Quarter a distance of 1,326.58 feet to the Southeast corner of said Northwest Quarter of the Southeast Quarter; thence

South 89° 29' 56" West along the South boundary of said Northwest Quarter of the Southeast Quarter a distance of 850.07 feet to a point on the Northerly right-of-way for the Sabree Canal; thence traversing said right-of-way as follows;

North 47° 27' 54" West a distance of 53.98 feet; thence

North 62° 04' 30" West a distance of 110.06 feet; thence

North 71° 18' 49" West a distance of 282.92 feet; thence

North 78° 43' 06" West a distance of 187.65 feet; thence

North 62° 16' 27" West a distance of 81.35 feet; thence

North 30° 51' 05" West a distance of 60.56 feet; thence

North 6° 31' 02" West a distance of 253.38 feet; thence

North 35° 17' 22" West a distance of 94.33 feet; thence leaving

said right-of-way and bearing

North 21° 26' 24" East a distance of 501.34 feet; thence

North 47° 19' 56" East a distance of 242.81 feet; thence

North 5° 07' 15" West a distance of 58.34 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO a 15.00-foot-wide irrigation pipe easement.

This easement lies in the Northwest Quarter of the Southeast Quarter and in the Northeast Quarter of the Southwest Quarter of Section 6, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho and the centerline is described as follows:

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

North 89° 35' 44" East along the North boundary of said

APN R34578010A0 - MINK ROAD (CONT'D):

Northeast Quarter of the Southwest Quarter a distance of 143.59 feet; thence

South 0° 31' 26" West a distance of 3.23 feet to the TRUE POINT OF BEGINNING for said centerline; thence

South 79° 32' 41" East a distance of 955.56 feet; thence

South 46° 32' 16" East a distance of 745.70 feet to the TERMINATION POINT for said centerline.

SUBJECT TO a 15.00 foot wide irrigation easement.

This easement lies in the Northwest Quarter of the Southeast Quarter of Section 6, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, and the centerline is described as follows:

COMMENCING at the Northeast corner of said Northwest Quarter of the Southeast Quarter; thence

South 89° 35' 44" West along the North boundary of said Northwest Quarter of the Southeast Quarter a distance of 7.50 feet to the TRUE POINT OF BEGINNING for said centerline; thence continuing

South 89° 35' 44" West along said North boundary a distance of 470.00 feet; thence

South 37° 48' 39" West a distance of 890.94 feet to the TERMINATION POINT for said easement.

APN R3812500000 - 16992 WILLIS ROAD:

All of the Southwest Quarter of Section 32, Township 5 North, Range 3 West, Boise Meridian, Canyon County, Idaho;

EXCEPTING THEREFROM that portion known as the personal residence of Norma E. Batt and thereof described as

All of that certain parcel of real property situate in the Southeast Quarter of the Southwest Quarter of Section 32, T5N, R3W, B.M. being more particularly described as follows:

Beginning at a point on the south line of said Section 32, from which the southwest corner of said Section 32 bears S89°10'00"W, 1839.22 feet,

THENCE; N00°14'27"W, 349.73 feet,

THENCE; N89°32'15"E, 212.49 feet,

THENCE; S00°09'46" E, 348.36 feet, to a point on said south line of section 32,

THENCE; S89°10'00"W, 212.02 feet, to the point of beginning.

The above described parcel of real property contains 1.701 acres, more or less, and is subject to all easements and reservations.

THE BASIS OF BEARING for this description is said south line of Section 32, i.e. N89°10'00"E.

APN R3812500000 - 16992 WILLIS ROAD (CONT'D):

SUBJECT TO:

- 1) Liens and assessments of the Black Canyon Irrigation District, and the rights and powers of said district as by law provided.
- 2) Provisions, reservations and restrictions as shown by the several contracts between the United States of America and Black Canyon Irrigation District, and the amendments thereto, or between the present owner or past owners of the real property herein described and the Black Canyon Irrigation District or the United States of America, whether said contracts be of record in the office of the Recorder of Canyon County, Idaho, or on file with the Secretary of Black Canyon Irrigation District.

APN R3461800000 - HWY 44:

The Northeast Quarter of the Northwest Quarter and that part of the Northwest Quarter of the Northeast Quarter lying Southwesterly of the centerline of the right of way of the Notus Canal; also known as the Black Canyon Canal, in Section 9, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM

A parcel of land being on both sides of the centerline of said Interstate 80N, Project No. I-80N-1(19)25 Highway Survey, and being a portion of the Northwest Quarter of the Northeast Quarter of Section 9, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, described as follows, to-wit:

BEGINNING at the Southeast corner of the Northwest Quarter of the Northeast Quarter of Section 9, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho; thence

Westerly along the South line of said Northwest Quarter of the Northeast Quarter a distance of 427.0 feet, more or less, to a point in a line parallel with and 120 feet Westerly from the centerline of said Interstate 80N, Project No. I-80N-1(19)25 Highway Survey and being the REAL POINT OF BEGINNING; thence

North 1° 59' 40" West along said parallel line 220.0 feet, more or less, to a point in the centerline of the Black Canyon Canal (Notus Canal); thence

Southeasterly along the centerline of said canal 380.0 feet, more or less, to a point in the South line of said Northwest Quarter of the Northeast Quarter; thence

Westerly along said South line 300.0 feet, more or less, to the REAL POINT OF BEGINNING.

Highway Station Reference: 133+75 to 1336+87.

APN R3461800000 - HWY 44 (CONT'D):

ALSO EXCEPTING THEREFROM

This parcel is a portion of the Northeast Quarter of the Northwest Quarter and of the Northwest Quarter of the Northeast Quarter of Section 9, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

BEGINNING at the Northwest corner of said Northwest Quarter of the Northeast Quarter; thence

North 89° 39' 16" East along the Northerly boundary of said Northwest Quarter of the Northeast Quarter a distance of 92.88 feet (formerly shown of record as 95 feet) to a point in the centerline of the Notus Canal; thence traversing said centerline as follows:

South 28° 25' 23" East a distance of 227.68 feet; thence

South 36° 07' 18" East a distance of 98.17 feet; thence leaving said centerline and bearing

South 89° 38' 14" West parallel with the Northerly boundary of the said Northeast Quarter of the Northwest Quarter a distance of 419.82 feet; thence

North 0° 06' 54" West a distance of 280.61 feet to a point on said Northerly boundary of said Northeast Quarter of the Northwest Quarter; thence

North 89° 38' 14" East along said Northerly boundary a distance of 161.26 feet to the POINT OF BEGINNING.

APN R3457400000 - MINK ROAD:

The Northeast Quarter of the Southeast Quarter of Section 6, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM

This parcel is situated in the Northeast Quarter of the Southeast Quarter of Section 6, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

BEGINNING at the Southeast corner of said Northeast Quarter of the Southeast Quarter; thence

South 88° 19' 30" West along the South boundary of said Northeast Quarter of the Southeast Quarter a distance of 250 feet; thence

North 0° 04' 00" East along a line parallel with the East boundary of said Northeast Quarter of the Southeast Quarter a distance of 230 feet; thence

North 88° 19' 30" East along a line parallel with said South boundary a distance of 250 feet to a point on said East boundary; thence

South 0° 04' 00" West along said East boundary a distance of 230 feet to the POINT OF BEGINNING.

WARRANTY
11/11

APN R3457000000 - WILLIS ROAD:

Lot 1 (which is the same as the Northeast Quarter of the Northeast Quarter) of Section 6, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM

That part of Lot 1 of Section 6, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

BEGINNING at the Northeast corner of Section 6, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, the REAL POINT OF BEGINNING; thence
South 1° 6' West 172.4 feet along the East line of said Section 6; thence
South 89° 12' West 170.3 feet on a line parallel to the North line of said Section 6; thence
North 1° 6' East 172.4 feet on a line parallel to the East line of said Section 6; thence
North 89° 12' East 170.3 feet along the North line of said Section 6 to the REAL POINT OF BEGINNING,

ALSO EXCEPTING THEREFROM

That part of Lot 1 of Section 6, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

BEGINNING at the Northeast corner of Section 6, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, and running thence
South 1° 6' West 172.4 feet along the East boundary line of said Section 6 to the REAL POINT OF BEGINNING; thence continue
South 1° 6' West 263.2 feet along the East line of said Section 6; thence
South 89° 12' West 300 feet on a line parallel with the North boundary line of said Section 6; thence
North 1° 6' East 435.6 feet on a line parallel with the East boundary line of said Section 6 to a point in the North boundary line of said Section 6; thence
North 89° 12' East 129.7 feet along the North line of said Section 6; thence
South 1° 6' West 172.4 feet on a line parallel with the East boundary line of said Section 6; thence
North 89° 12' East on a line parallel with the North boundary line of said Section 6 a distance of 170.3 feet to the REAL POINT OF BEGINNING.

SUBJECT TO:

- 1) Liens and assessments of the Black Canyon Irrigation District, and the rights and powers of said district as by law provided.
- 2) Provisions, reservations and restrictions as shown by the several contracts between the United States of America and Black Canyon Irrigation District, and the amendments thereto, or between the present owner or past owners

APN R3457000000 - WILLIS ROAD (CONT'D):

of the real property herein described and the Black Canyon Irrigation District or the United States of America, whether said contracts be of record in the office of the Recorder of Canyon County, Idaho, or on file with the Secretary of Black Canyon Irrigation District.

- 3) Rights of way for irrigation and drainage ditches and canals and roads.
- 4) Power Line Easement as granted to IDAHO POWER COMPANY, a corporation, by instrument recorded July 21, 1958 as Instrument No. 459256, records of Canyon County, Idaho...including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system.
- 5) Water rights.
- 6) Any right, title or interest in any minerals, gravel, mineral rights or related matters, including, but not limited to, oil, gas, coal and other hydrocarbons. Matters may appear of record affecting said rights, but neither this deed nor the forthcoming title policy covers an examination or of insurance as to the ownership or condition of minerals.

APN R3457200000 - WAGNER ROAD:

5 63-21436
↓

That part of Lot 1 of Section 6, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

BEGINNING at the Northeast corner of Section 6, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, the REAL POINT OF BEGINNING; thence
South 1° 6' West 172.4 feet along the East line of said Section 6; thence
South 89° 12' West 170.3 feet on a line parallel to the North line of said Section 6;
thence
North 1° 6' East 172.4 feet on a line parallel to the East line of said Section 6;
thence
North 89° 12' East 170.3 feet along the North line of said Section 6 to the REAL
POINT OF BEGINNING.

AND

That part of Lot 1 of Section 6, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

APN R3457200000 - WAGNER ROAD (CONT'D):

BEGINNING at the Northeast corner of Section 6, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, and running thence

South 1° 6' West 172.4 feet along the East boundary line of said Section 6 to the REAL POINT OF BEGINNING; thence continue

South 1° 6' West 263.2 feet along the East line of said Section 6; thence

South 89° 12' West 300 feet on a line parallel with the North boundary line of said Section 6; thence

North 1° 6' East 435.6 feet on a line parallel with the East boundary line of said Section 6 to a point in the North boundary line of said Section 6; thence

North 89° 12' East 129.7 feet along the North line of said Section 6; thence

South 1° 6' West 172.4 feet on a line parallel with the East boundary line of said Section 6; thence

North 89° 12' East on a line parallel with the North boundary line of said Section 6 a distance of 170.3 feet to the REAL POINT OF BEGINNING.

SUBJECT TO:

- 1) Liens and assessments of the Black Canyon Irrigation District, and the rights and powers of said district as by law provided.
- 2) Provisions, reservations and restrictions as shown by the several contracts between the United States of America and Black Canyon Irrigation District, and the amendments thereto, or between the present owner or past owners of the real property herein described and the Black Canyon Irrigation District or the United States of America, whether said contracts be of record in the office of the Recorder of Canyon County, Idaho, or on file with the Secretary of Black Canyon Irrigation District.
- 3) Rights of way for irrigation and drainage ditches and canals and roads.
- 4) Power Line Easement as granted to IDAHO POWER COMPANY, a corporation, by instrument recorded July 21, 1958 as Instrument No. 459256, records of Canyon County, Idaho...including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system.
- 5) Water rights.
- 6) Any right, title or interest in any minerals, gravel, mineral rights or related matters, including, but not limited to, oil, gas, coal and other hydrocarbons. Matters may appear of record affecting said rights, but neither this deed nor the forthcoming title policy covers an examination or of insurance as to the ownership or condition of minerals.

IN WITNESS WHEREOF, Grantor has hereunto subscribed its name to this instrument effective the first day of November, 2005.

GRANTOR:

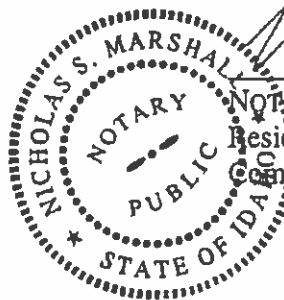
BILLIE AND LEOLA JOY BROWN FAMILY TRUST

BY: Leola Joy Brown
LEOLA JOY BROWN, SURVIVING TRUSTEE

STATE OF IDAHO)
 ss.
COUNTY OF ADA)

On this 29th day of November, 2005, before me, the undersigned Notary Public in and for said State, personally appeared LEOLA JOY BROWN, known or identified to me to be the Surviving Trustee of the BILLIE AND LEOLA JOY BROWN FAMILY TRUST, the within named Grantor, and the person whose name is subscribed to the within instrument, and acknowledged to me that said Trust executed the same for the uses and purposes therein mentioned.

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



Nicholas Marshall
NOTARY PUBLIC, State of Idaho
Residing at Boise, Idaho
Commission expires: 3/5/2010



Canyon County, ID



**Farm 8533
Tract 1218**



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

July 14, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

Brown Family Farms LP
23818 Wagner Road
Caldwell, ID 83605

Notice of Claim to a Water Right No. 63-8725, 63-21435, 63-31219

Dear Claimant(s):

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

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

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

Sincerely,

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

Enclosure

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 63-31219
Date Received: 3/9/90
Receipt No:
Received By:

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

1. Name of Claimant(s): ENROSE FARMS INC
23955 WAGNER RD
CALDWELL ID 83605

Phone: (208)459-7155

2. Date of Priority: 02/08/1972

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	03W	32	SE NE SW	CANYON	
05N	03W	32	NW NE SW	CANYON	

5. Description of diverting works:

3 WELLS, PUMPS, GRAVITY AND SPRINKLER IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A.
IRRIGATION	03/15	11/15	0.76	368.3

7. Total Quantity Appropriated is:
0.76 C.F.S. and/or 368.3 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	03W	32	NW SW		IRRIGATION	38
			SW SW	4	IRRIGATION	35
			SE SW	3	IRRIGATION	40
			NE SW		IRRIGATION	29
Section Acres						142
Total Acres						142

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 claim is the result of a split due to change in ownership for a portion of 63-07553. DB 5/1/2001
Chain of title info: Batt - went into foreclosure; then went to sheriff sale; Brown bought at sheriff sale with one year redemption period; Siple paid off and redeemed property; Siple sold to Payne.

15. Basis of Claim: License

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
<u>Irrigation</u>	<u>.45 cfs @ 157 AFA</u>	<u>45 acres</u>
Stock		
Domestic		
Other		
These are <u>guess</u> figures. Need to be checked. cfs came out to be around .005/acre.		
YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)	
Total		

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

Greg S. Payne Greg S. Payne

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

For Office Use Only

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

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

RECEIVED

MAR 14 2001

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	<u>A63-07553</u>				

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

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

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

3. Name and Address of Former Owner/Claimant(s)

Vernon Batt (deceased) or Enrose Farms
Caldwell, ID

4. New Owner/Claimant(s)

Greg S. Payne
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

22777 Ballard Lane

City, State and ZIP Code

Caldwell, ID 83607

New Telephone Number

(208) 459-6372

5. Date you acquired the property

Feb 25, 2000

63-7553

187 acres
1.00 FS
485AFA

Chain of title

Enrol Batt -

went into foreclosure.

Then to sheriff sale

Brown bought at sheriff sale.
w/ one year redemption period.

Siple paid + redeemed
property.

Siple sold to Payne.

63-31220

(2) 35
(1) 10
45

.24 FS
116.7 AFA
POD Sec 32
NWSWSE

.76

POD

Sec 32

NWNESL-
SENESW

* Please include in comments the
Chain of title info.

DIVERSION RATE
DIVERSION VOLUME

1.000 CFS

1.000 CFS

1,000 CFS

Stage: LICENSE

MSHMS

1

1	---	27	AC	LT	MSBN	AN
2	---	27	AC	LT	MSBN	AN
3	---	27	AC	LT	MSBN	AN

29

- A measuring device of a type approved by this Department shall
- be maintained as a part of the diverting works.

Presumption Flag:

Stage: LICENSE
CANYON County

your Part of Rt.

RECEIVED

INSTRUMENT NO. 200007545

PC32187

MAR 14 2001

WATER RESOURCES
WESTERN REGION

WARRANTY DEED

FOR VALUE RECEIVED Ronald L. Siple, a married man, as his sole and separate property

the Grantor, does hereby grant, bargain, sell and convey unto Greg S. Payne and Pamela D. Payne, husband and wife

the Grantees, whose address is 22777 Ballard Lane, Caldwell, ID 83607

the following described premises, to-wit:

See attached Exhibit "A", which by this reference is made a part hereof and is comprised of six (6) pages.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 2000 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: February 25, 2000

Ronald L. Siple
Ronald L. Siple

STATE OF COLORADO

COUNTY OF Arapahoe

On this 28th day of February in the year 2000, before me, a Notary Public, personally appeared Ronald L. Siple known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Heather Boschee
Notary Public
Residing at 5105 DTC PKWY
My commission expires 4-27-03



My Commission Expires 04/27/2003

PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

INSTRUMENT NO. 9906411

RECEIVED

MAR 14 2001

WATER RESOURCES
WESTERN REGION

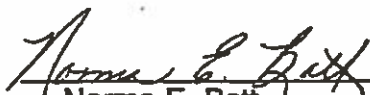
ASSIGNMENT OF RIGHTS OF REDEMPTION

THIS ASSIGNMENT, made and entered into as of the 20th day of January, 1999, by and between **NORMA E. BATT**, individually and as co-trustee of Trust B of the Vernon and Norma Batt Family Trust under trust agreement dated 11/25/86, and **TIMOTHY A. BATT**, individually and as co-trustee of Trust B of the Vernon and Norma Batt Family Trust under trust agreement dated 11/25/86, and each and both of them in all such capacities, all referred to as 'Assignor', and **RONALD L. SIPLE**, whose address is 5974 S. Akron Circle, Englewood, CO 80111, hereinafter referred to as 'Assignee.'

FOR VALUABLE CONSIDERATION, the receipt whereof is hereby acknowledged, Assignor does hereby sell, transfer, set over, and assign unto Assignee, all of Assignor's right, title and interest in and to the rights of redemption granted by the laws of the State of Idaho pertaining to the premises described as PARCELS 1 AND 2 as described in those certain Sheriff's Certificate of Sale on Real Estate Sold Under Execution, true and correct copies of which are attached hereto and made a part hereof. This agreement shall be effective as of January 20, 1999. Assignor does further convey and quitclaim all of Assignor's right, title and interest in and to the real property described in such Certificates of Sale, and this Assignment may be construed as a deed for such purpose.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the day and year first above written.

NORMA E. BATT, individually and as co-trustee of Trust B of the Vernon and Norma Batt Family Trust under trust agreement dated 11/25/86, and **TIMOTHY A. BATT**, individually and as co-trustee of Trust B of the Vernon and Norma Batt Family Trust under trust agreement dated 11/25/86


Norma E. Batt

Assignor


Timothy A. Batt

Assignor

ASSIGNMENT OF RIGHT OF REDEMPTION-1

ACCEPTED:

Ronald L. Siple
Ronald L. Siple

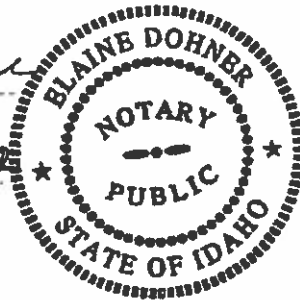
Assignee

STATE OF IDAHO)
) ss.
COUNTY OF CANYON)

On this 10th day of Feb 1999, before me the undersigned Notary Public, personally appeared NORMA E. BATT and TIMOTHY A. BATT, known to me to be the duly authorized and acting Trustees of Trust B of the Vernon and Norma Batt Family Trust, and the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same as such Trustees, and individually..

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

Blaine Dohner
Notary Public for Idaho
Residing at Mendon Idaho
My Commission Expires 4-2-02

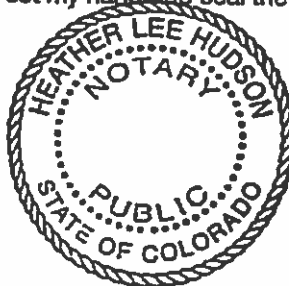


STATE OF COLORADO)
) ss.
COUNTY OF Apache)

On this 17 day of February 1999, before me the undersigned Notary Public, personally appeared RONALD L. SIPLE, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same.

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

Heather Lee Hudson
Notary Public for Colorado
Residing at Pinewood, Colorado
My Commission Expires 7/31/00



My Commission Expires 7/31/2000

ASSIGNMENT OF RIGHT OF REDEMPTION--2

9968331

RECEIVE

MAR 14 20

WATER RESOURC
WESTERN REGIO

ORIGINAL

SHERIFF'S CERTIFICATE OF REDEMPTION
REAL ESTATE SOLD UNDER ORDER OF SALE

I, GEORGE W. NOURSE, Sheriff of Canyon County, State of Idaho, hereby certify that by virtue of a Order of Sale, attested the 24th day of November, 1998 and issued out of the Third Judicial District, State of Idaho, in and for the County of Canyon, on a Judgment rendered in said Court in a action entitled S.S. STEINER, INC., a New Jersey corporation -vs- NORMA E. BATT individually and as co-trustee of Trust B of the Vernon and Norma Batt Family Trust under trust agreement dated 11/25/86; TIMOTHY A. BATT individually and as co-trustee of Trust B of the Vernon and Norma Batt Family Trust under trust agreement dated 11/25/86; NORTHWEST FARM CREDIT SERVICES, ACA, successor by merger to Interstate Production Credit Association; and any and all unknown owners or unknown heirs or unknown devisee of any deceased person, or unknown claimants, claiming any interest in the property which is the subject of this action, referred to for convenience by the fictitious designation of DOE I THROUGH DOE XX, Case # CV9506760, in favor of the Plaintiff and against the Defendant, the sum of Three Hundred Thirty Thousand Six Hundred Ninety Dollars and 67/100 (\$330,690.67) with interest until paid, in United States Currency, Satisfaction or partial satisfaction was made out of the real property belonging to the said Defendant(s), pursuant to the directions of the Plaintiff.

I further certify that the property was levied upon and sold at public auction on the 19th day of January, 1999, at 10:00 o'clock a.m., the following described real property to-wit:

PARCEL NO. 1-FARM

That part of Lots 1 and 2 in the Southeast Quarter of Section 32, Township 5 North, Range 3 West, Boise Meridian, Canyon County, Idaho, lying South and West of the Black Canyon Irrigation Lateral.

EXCEPTING THEREFROM

A portion of the Southwest Quarter of the Southeast Quarter of Section 32, Township 5 North, Range 3 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

BEGINNING at the Southeast corner of said Section 32; thence South 89 10'00" West along the South boundary of said Section 32 a distance of 1,959.25 feet to the TRUE POINT OF BEGINNING; thence continuing South 89 10'00" West a distance of 160 feet; thence North 0 12'52" West a distance of 868.53 feet; thence North 89 10'00" East parallel with the said South boundary a distance of 160 feet; thence South 0 12'52" East a distance of 868.53 feet to the TRUE POINT OF BEGINNING.

by which this reference is incorporated herein, to Bill W. Brown and or L. Joy Brown, at 23818 Wagner Road Caldwell, Idaho 83605, who submitted the highest bid in the sum of One hundred Thirty Thousand and no/100 (\$130,000.00).

I further certify that subject property consists of a tract of land less than twenty (20) acres and was, therefore, sold subject to redemption for a period of six (6) months, (Idaho Code Section 11-410 (2)).

I further certify that on the 19th day of February, 1999 our officer received Notice of Redemption from the undersigned Ronald L. Siple as Assignee of Norma E. Batt, et al.

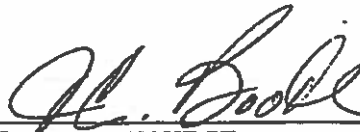
NOW THEREFORE, in accordance with Idaho Code Section 11-402, Ronald L. Siple gave notice of its redemption of the Subject Property and tendered a cashier's check in the amount of One Hundred Thirty Three Thousand Eighty Dollars and 22/100 (\$133,080.22) which is calculated as follows:

PRINCIPAL PAID:	\$130,000.00
INTEREST, 12% X 31 DAYS	1,324.93
TAX PAYMENT DATE: FEBRUARY 3, 1999	
TAXES PAID:	1,746.10
INTEREST, 12% X 16 DAYS	9.19
TOTAL TENDERED:	\$133,080.22

Payment was made in accordance with Idaho Code Section 11-404 to our office, Canyon County Sheriff as the officer who made the sale.

WHEREAS in accordance with Idaho Code Section 11-405, attached hereto and incorporated herein is a copy of the Notice of Redemption, Assignment of Rights of Redemption, and the Supplement to Notice of Redemption of Parcel 1--Farm, the Sheriff issues in pursuance to said Redemption, the herein Certificate of Redemption.

IN WITNESS WHEREOF, said grantor, as Sheriff aforesaid, hereunto sets his hand this 22nd day of February, 1999 in the City of Canyon, County of Canyon, State of Idaho.

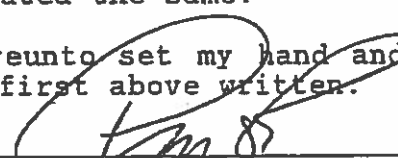


GEORGE W. NOURSE
Sheriff of Canyon County,
State of Idaho

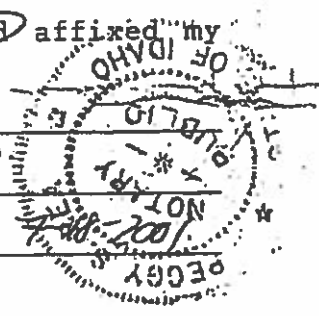
STATE OF IDAHO)
County of Canyon) ss.

On this 22nd day of February, 1999, before me, a Notary Public in and for said state, personally appeared JC Bouth, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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


Notary Public for Idaho
Residing at Kana

My Commission expires _____



9908331

RECORDED

'99 MAR 4 PM 3 36

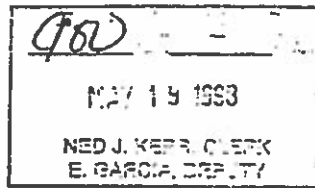
C NOE1 'IALES
CANYON CN, Y RECORDER
BY Jackie Drum

REQUEST Ringier Clark
TYPE None FEE 12.00

INSTRUMENT NO. 9819663

COPY

Richard B. Eismann
Eismann Law Offices
3016 Caldwell Boulevard
Nampa, Idaho 83651-6416
Telephone: (208) 467-3100
Facsimile: (208) 466-4498
JS/4/RBE



RECEIVED

MAR 14 2001

WATER RESOURCES
WESTERN REGION

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

S. S. STEINER, INC.,
a New Jersey corporation.

Plaintiff,

-vs-

Case No. CV95-06760

NORMA E. BATT individually
and as co-trustee of
Trust B of the Vernon and Norma
Batt Family Trust under trust
agreement dated 11/25/86;
TIMOTHY A. BATT individually
and as co-trustee
of Trust B of the Vernon and
Norma Batt Family Trust under
trust agreement dated 11/25/86;
NORTHWEST FARM CREDIT
SERVICES, ACA, successor by
merger to Interstate Production Credit
Association; and any and all
unknown owners or unknown heirs
or unknown devisees of any
deceased person, or unknown
claimants, claiming any interest
in the property which is the

REQUESTED BY
Richard B. Eismann
Type Jnd. 2160

BY *Richard B. Eismann*
CANYON CNTY RECORDER

'98 MAY 28 PM 4 07

RECORDED

9819663

AMENDED JUDGMENT, DECREE OF FORECLOSURE AND ORDER OF SALE AFTER FINDINGS OF
FACT AND CONCLUSIONS OF LAW - PAGE 1

subject of this action, referred)
to for convenience by the)
fictitious designation of)
DOE I THROUGH DOE XX.)
Defendants.)

**AMENDED
JUDGMENT, DECREE OF FORECLOSURE
AND ORDER OF SALE
AFTER FINDINGS OF FACT AND CONCLUSIONS OF LAW**

THIS CASE came on for trial before the Court sitting without a jury on the date of February 23, 1998.

THE APPEARANCES made were: Richard B. Eismann appeared as counsel for the plaintiff, and Daniel L. Hawkley appeared as counsel for the defendant, Norma E. Batt, individually and as co-trustee of Trust B of the Vernon and Norma Batt Family Trust.

THE TRIAL was held on the issues raised by the pleadings of the parties on file herein and the case was submitted to the Court for decision.

THE COURT, having heard the testimony and having considered the evidence and having filed herein its Findings of Fact and Conclusions of Law, hereby enters judgment in accordance therewith.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

1. **Definitions.** When used herein the terms following shall have the meanings following:

--- "subject defendants" means the defendant Norma E. Batt, individually and as co-

AMENDED JUDGMENT, DECREE OF FORECLOSURE AND ORDER OF SALE AFTER FINDINGS OF
FACT AND CONCLUSIONS OF LAW - PAGE 2

Parcel No. 1 - Farm:

That part of Lots 1 and 2 in the Southeast Quarter of Section 32, Township 5 North, Range 3 West, Boise Meridian, Canyon County, Idaho, lying South and West of the Black Canyon Irrigation Lateral.

EXCEPTING THEREFROM

A portion of the Southwest Quarter of the Southeast Quarter of Section 32, Township 5 North, Range 3 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

BEGINNING at the Southeast corner of said Section 32; thence South $89^{\circ}10'00''$ West along the South boundary of said Section 32 a distance of 1,959.25 feet to the TRUE POINT OF BEGINNING; thence continuing South $89^{\circ}10'00''$ West a distance of 160 feet; thence North $0^{\circ}12'52''$ West a distance of 868.53 feet; thence North $89^{\circ}10'00''$ East parallel with the said South boundary a distance of 160 feet; thence South $0^{\circ}12'52''$ East a distance of 868.53 feet to the TRUE POINT OF BEGINNING.

Parcel No. 2 - Residence:

All of that certain parcel of real property situate in the Southeast Quarter of the Southwest Quarter of Section 32, Township 5 North, Range 3 West, Boise Meridian, Canyon County, Idaho, being more particularly described as follows:

BEGINNING at a point on the South line of said Section 32 from which the Southwest corner of said Section 32 bears South $89^{\circ}10'00''$ West a distance of 1,839.22 feet; thence North $00^{\circ}14'27''$ West a distance of 349.73 feet; thence North $89^{\circ}32'15''$ East a distance of 212.49 feet; thence South $00^{\circ}09'46''$ East a distance of 348.36 feet to a point on said South line of Section 32; thence South $89^{\circ}10'00''$ West a distance of 212.02 feet to the POINT OF BEGINNING.

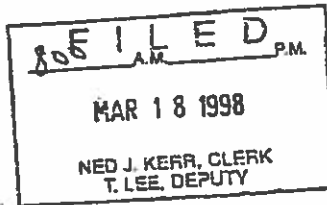
The basis of bearing for this description is said South line of Section 32, i.e., North $89^{\circ}10'00''$ East.

2. **Judgment on subject notes.** That the plaintiff shall recover from the subject defendants the sum of \$290,230.03 plus interest thereon from February 23, 1998, until paid in full at the judgment interest rate provided by law.

AMENDED JUDGMENT, DECREE OF FORECLOSURE AND ORDER OF SALE AFTER FINDINGS OF FACT AND CONCLUSIONS OF LAW - PAGE 5

CERTIFIED
COPY

9811481



RECEIVED
MAR 14 2001
WATER RESOURCES
WESTERN REGION

Richard B. Eismann
Eismann Law Offices
3016 Caldwell Boulevard
Nampa, Idaho 83651-6416
Telephone: (208) 467-3100
Facsimile: (208) 466-4498
JS/4/RBE

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
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S. S. STEINER, INC.,
a New Jersey corporation,

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merger to Interstate Production Credit
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or unknown devisees of any
deceased person, or unknown
claimants, claiming any interest
in the property which is the

REQUEST
FILED
MAR 21 1998
Richard B. Eismann

BY
NED J. KERR
CANYON CNTY RECORDER

'98 MAR 31 PM 2 58

RECORDED

9811481

JUDGMENT, DECREE OF FORECLOSURE AND ORDER OF SALE AFTER FINDINGS OF FACT AND
CONCLUSIONS OF LAW - PAGE 1

EISMANN LAW OFFICES
3016 CALDWELL BLVD.
NAMPA, IDAHO 83651-6416
(208) 467-3100

9932725

EASEMENT

PUBLIC UTILITIES DRAINAGE AND IRRIGATION EASEMENT

KNOW ALL MEN BY THESE PRESENTS: Wm M. Schmidt being the owner of all the described real property in Exhibit "A" hereinafter referred to as "Grantor", hereby grant convey unto the public a public utilities drainage and irrigation easement.

The precise location of this easement is identified as a public utilities drainage and irrigation easement and legally described in Exhibit "A".

This easement shall run with the land.

EXECUTED this 8-17-99 day of August, 1999

Wm M. Schmidt

State of Idaho)
County of Canyon) SS.

On this 17 day of August, 1999, before me, a Notary Public in and for said State, personally appeared before me Wm M. Schmidt who, being by me first duly sworn, declared that he is the owner of Lots 2, 5, 6, and 7 Block 1, Schmidt Subdivision that he signed the foregoing document as owner of Lots 2, 5, 6 and 7, Block 1, Schmidt Subdivision, and that the statements therein contained are true.

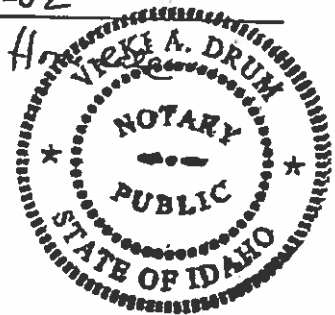
WITNESS my hand and official seal

Vicki A. Drum
Notary Public

My commission expires:

12-20-02

Resides: Home



009932725

RECORDED

39 AUG 17 AM 11 49

G NOEL HALES
CANYON CNTY RECORDER
BY Vicki A. Drum

WITNESS Tom Gledhill
TYPE WARRANT FEE 12.00

Parcel No. 1 - Farm:

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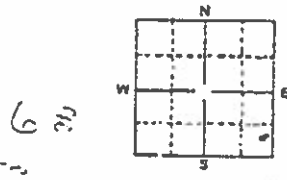
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JUDGMENT, DECREE OF FORECLOSURE AND ORDER OF SALE AFTER FINDINGS OF FACT AND CONCLUSIONS OF LAW - PAGE 5

WELL DRILLER'S REPORT

State law requires that this report be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

1. WELL OWNER Name <u>Herman BATT</u> Address <u>Caldwell Idaho</u> Owner's Permit No. _____	7. WATER LEVEL Static water level <u>11</u> feet below land surface Flowing? ☐ Yes ☒ No G.P.M. flow _____ Temperature <u>60</u> ° F. Quality <u>Good</u> Artesian closed-in pressure _____ p.s.i. Controlled by ☐ Valve ☐ Cap ☐ Plug																																														
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____	8. WELL TEST DATA ☒ Pump ☐ Bailor ☐ Other <table border="1"> <thead> <tr> <th>Discharge G.P.M.</th> <th>Draw Down</th> <th>Hours Pumped</th> </tr> </thead> <tbody> <tr> <td><u>400</u></td> <td><u>40'</u></td> <td><u>5</u></td> </tr> </tbody> </table>	Discharge G.P.M.	Draw Down	Hours Pumped	<u>400</u>	<u>40'</u>	<u>5</u>																																								
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3. PROPOSED USE ☐ Domestic ☐ Irrigation ☒ Test ☐ Municipal ☐ Industrial ☐ Stock	9. LITHOLOGIC LOG <table border="1"> <thead> <tr> <th rowspan="2">Hole Diam.</th> <th colspan="2">Depth</th> <th rowspan="2">Material</th> <th colspan="2">Water</th> </tr> <tr> <th>From</th> <th>To</th> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr> <td><u>16</u></td> <td><u>0</u></td> <td><u>3</u></td> <td><u>SIL. SAND</u></td> <td></td> <td>☒</td> </tr> <tr> <td><u>16</u></td> <td><u>3</u></td> <td><u>15</u></td> <td><u>CLAY HARD</u></td> <td></td> <td></td> </tr> <tr> <td><u>16</u></td> <td><u>15</u></td> <td><u>16</u></td> <td><u>SAND BROWN</u></td> <td></td> <td>☒</td> </tr> <tr> <td><u>16</u></td> <td><u>16</u></td> <td><u>20</u></td> <td><u>CLAY BROWN</u></td> <td></td> <td>☒</td> </tr> <tr> <td><u>12</u></td> <td><u>20</u></td> <td><u>30</u></td> <td><u>CLAY BROWN</u></td> <td></td> <td>☒</td> </tr> <tr> <td><u>12</u></td> <td><u>30</u></td> <td><u>57</u></td> <td><u>SAND + GRAVEL</u></td> <td></td> <td>☒</td> </tr> </tbody> </table>	Hole Diam.	Depth		Material	Water		From	To	Yes	No	<u>16</u>	<u>0</u>	<u>3</u>	<u>SIL. SAND</u>		☒	<u>16</u>	<u>3</u>	<u>15</u>	<u>CLAY HARD</u>			<u>16</u>	<u>15</u>	<u>16</u>	<u>SAND BROWN</u>		☒	<u>16</u>	<u>16</u>	<u>20</u>	<u>CLAY BROWN</u>		☒	<u>12</u>	<u>20</u>	<u>30</u>	<u>CLAY BROWN</u>		☒	<u>12</u>	<u>30</u>	<u>57</u>	<u>SAND + GRAVEL</u>		☒
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<u>12</u>	<u>30</u>	<u>57</u>	<u>SAND + GRAVEL</u>		☒																																										
4. METHOD DRILLED ☒ Cable ☐ Rotary ☐ Dug ☐ Other																																															
5. WELL CONSTRUCTION Diameter of hole <u>12</u> inches Total depth <u>62</u> feet Casing schedule: ☒ Steel ☐ Concrete <table border="1"> <thead> <tr> <th>Thickness</th> <th>Diameter</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td><u>4</u> inches</td> <td><u>12</u> inches</td> <td><u>2</u> feet</td> <td><u>62</u> feet</td> </tr> <tr> <td>_____ inches</td> <td>_____ inches</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ inches</td> <td>_____ inches</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ inches</td> <td>_____ inches</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ inches</td> <td>_____ inches</td> <td>_____ feet</td> <td>_____ feet</td> </tr> </tbody> </table> Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☒ Knife ☐ Torch Size of perforation <u>3/16</u> inches by <u>1</u> inches <table border="1"> <thead> <tr> <th>Number</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td><u>1776</u> perforations</td> <td><u>2</u> feet</td> <td><u>62</u> feet</td> </tr> <tr> <td>_____ perforations</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ perforations</td> <td>_____ feet</td> <td>_____ feet</td> </tr> </tbody> </table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☒ Yes ☐ No Size of gravel <u>3/4</u> Placed from _____ feet to _____ feet Surface seal? ☒ Yes ☐ No To what depth <u>20</u> feet Material used in seal ☒ Cement grout ☐ Pudding clay	Thickness	Diameter	From	To	<u>4</u> inches	<u>12</u> inches	<u>2</u> feet	<u>62</u> feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	Number	From	To	<u>1776</u> perforations	<u>2</u> feet	<u>62</u> feet	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet											
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6. LOCATION OF WELL Sketch map location must agree with written location.  County <u>CANYON</u> <u>SE 1/4 Sec. 32, T. 5 N, R. 3 E</u>	10. Work started <u>2-10-73</u> finished <u>2-28-73</u> 11. DRILLER'S CERTIFICATION This well was drilled under my supervision and this report is true to the best of my knowledge. <u>HOLLOWAY DRILLING</u> <u>53</u> Driller's or Firm's Name Number <u>ONTARIO OREGON</u> State <u>Max Holloway</u> <u>3-25-73</u> Signed by Date																																														

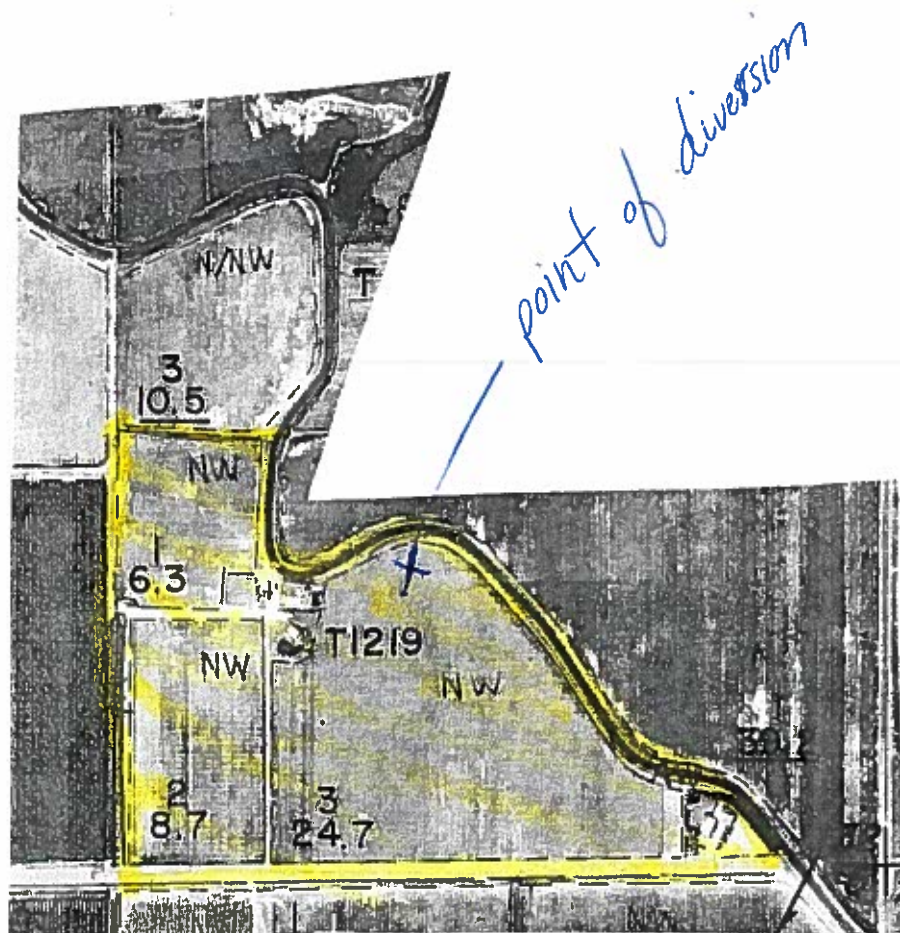
USE ADDITIONAL SHEETS IF NECESSARY

FORWARD THE WHITE, BLUE, AND PINK COPIES TO THE DEPARTMENT

RECEIVED

MAR 14 200

WATER RESOURCE
WESTERN REGION



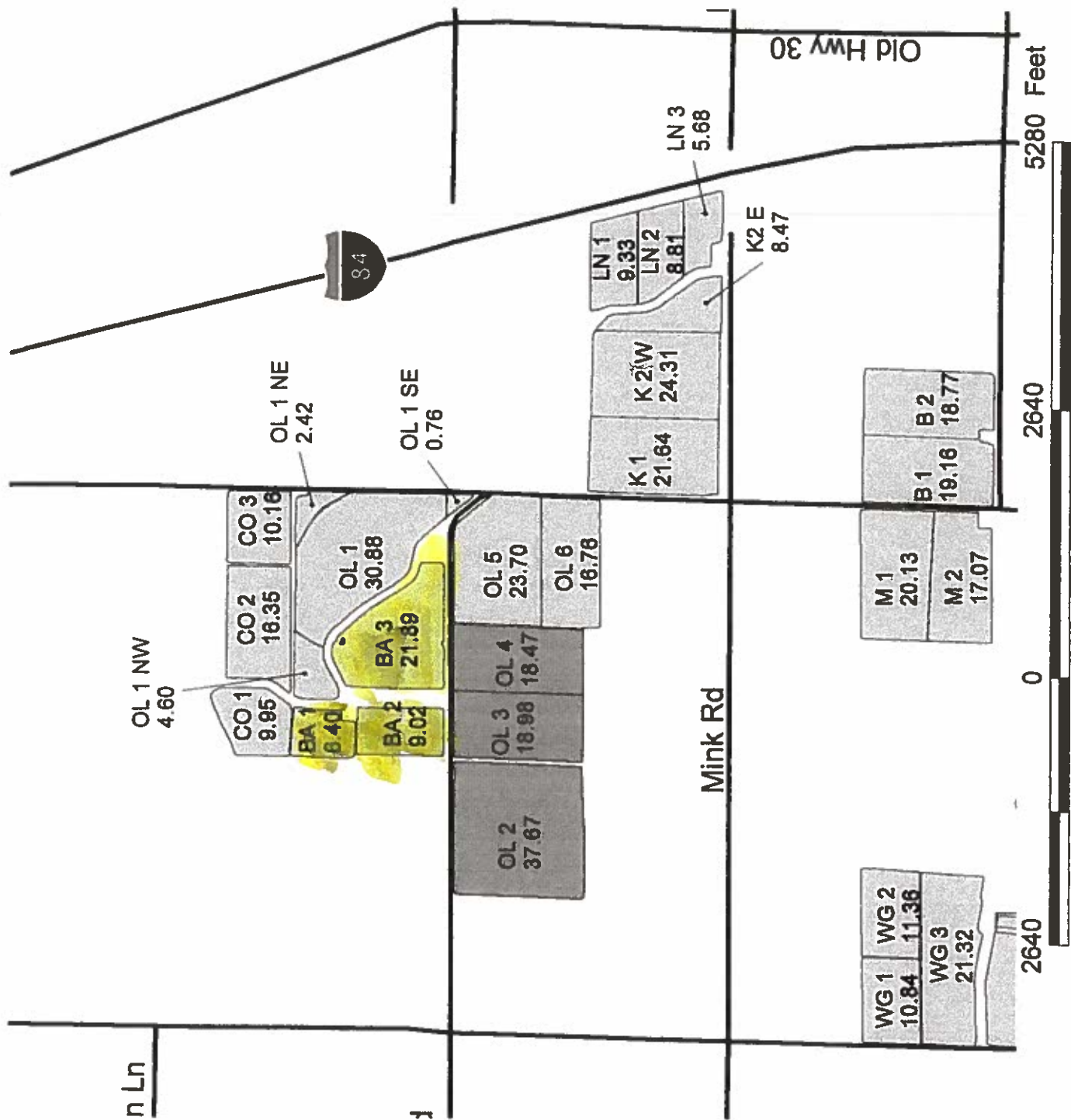
Payne Farms
Canyon County
Caldwell, Idaho
March 4, 1999

Payne3x00.shp
AJP Farms
GSP Farms
JLP Farms
Transportation
Idcanyw.shp



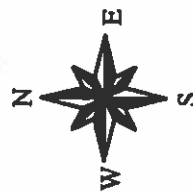
Simplot Soilbuilders
GIS Lab
Caldwell, Idaho

Simplot



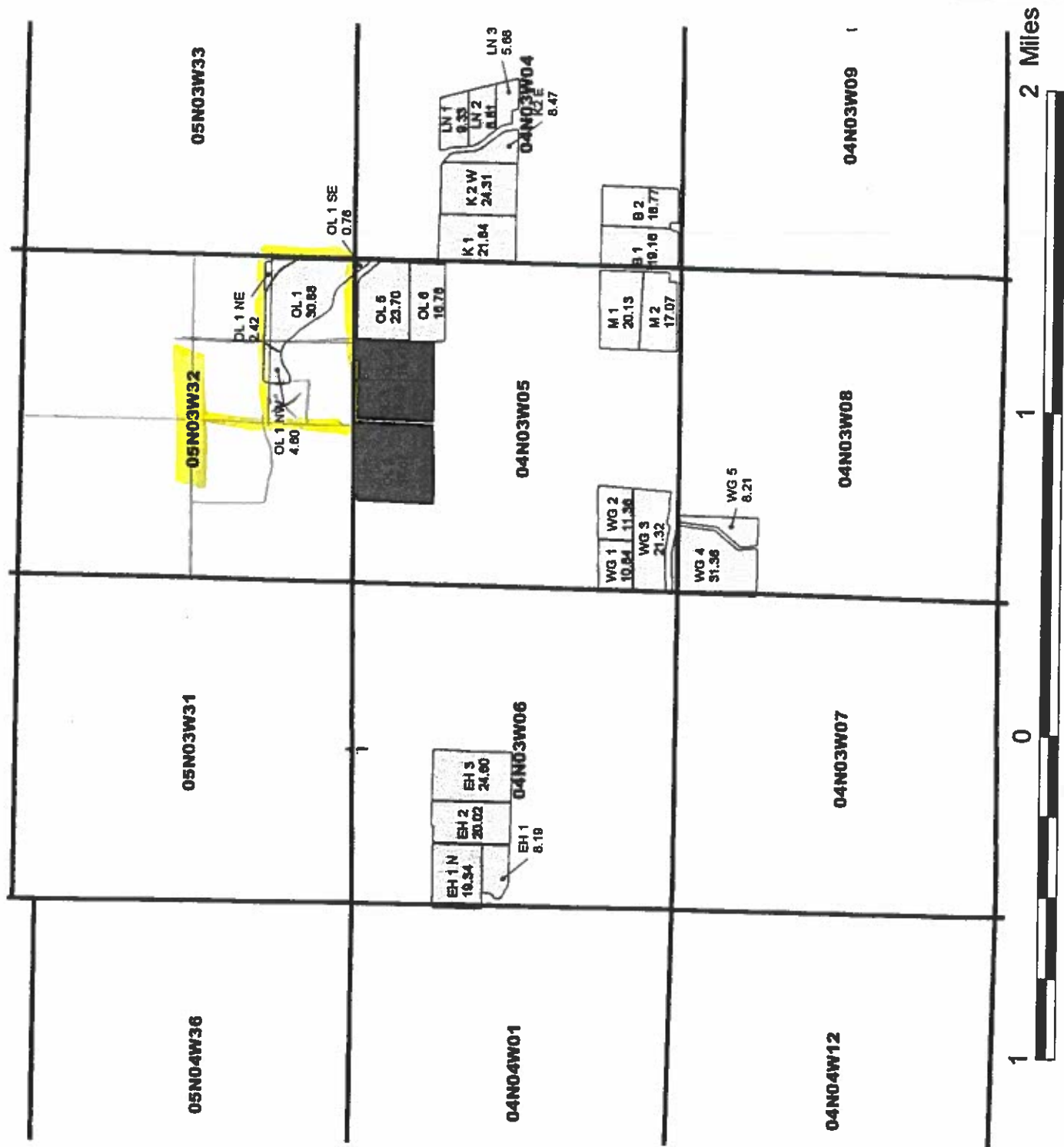
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March 4, 1999

Sections
Payne Farms
AJP Farms
GSP Farms
JLP Farms
Non-Crop



Simplot Soilbuilders
GIS Lab
Caldwell, Idaho

Simplot





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

May 1, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

ENROSE FARMS INC
23955 WAGNER RD
CALDWELL ID 83605

Re: Original Notice of Claim to a Water Right No. 63-07553

Renumbered to Notice of Claim to a Water Right No. 63-31219

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 adding alpha suffixes 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. Also enclosed is a copy of the original claim for your reference.

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

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist I
Adjudication Section
Western Region Office

DB:db

Enclosure

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: A63-07553
Date Received: 3/09/1990
Receipt No: CD 15627
Received By: ES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ENROSE FARMS INC. 208-459-7155
Address: 23955 WAGNER RD.
CALDWELL, ID 83605

2. Date of Priority: FEB 08, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	03W	32	NW	NE	SW		CANYON
			SE	NE	SW		CANYON
			NW	SW	SE		CANYON

5. Description of diverting works:
3 WELLS, PUMPS, GRAVITY AND SPRINKLER IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.000		

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

8. Total consumptive use is 654.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05N	03W	32	NE	SW		IRR	29.0
			NW	SW		IRR	38.0

A63-07553

Page 1

Date: 03/09/90

MICROFILMED
AUG 21 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	03W	32	SW	SW	4	IRR	35.0
			SE	SW	3	IRR	40.0
			SW	SE	2	IRR	35.0
			SE	SE	1	IRR	10.0

Section Acres 187.0

Total Acres 187.0

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:

BLACK CANYON IRRIGATION DISTRICT, 63-08725

14. Remarks:

WELLS, #6, #7, AND #8

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ Secretary _____ of _____ Title _____

Enrose Farms, Inc. _____, that I have signed the foregoing Organization _____

document in the space below as _____ Secretary _____ of _____ Title _____

Enrose Farms, Inc. _____ and that the statements contained in the Organization _____

foregoing document are true and correct.

Linda M. Korbuckle
Signature of Authorized Agent

Secretary, Enrose Farms, Inc.
Title and Organization

March 12, 1990
Date

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 12th day
of March 19 90

Dane R. Cook
Notary Public

Seal

Residing at Tanner Idaho

My Commission Expires 6-10-1992