

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 67-2204
Date Received: 1/3/1995
Receipt No: W018479
Received By:

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

1. Name of Claimant(s)

NEVITT FARMS, LLLP Phone: (480) 987-9540

8493 E BELLA VISTA
QUEEN CREEK AZ USA 85242`

2. Date of Priority: 07/11/1951

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
10N	05W	3	SW SE NW	WASHINGTON	

5. Description of diverting works:

PUMPS & PIPELINE INTAKE ON WEISER RIVER FOR IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	2.24	

7. Total Quantity Appropriated is:
2.24 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
10N	05W	3	SW NE	IRRIGATION	1
			SE NW	IRRIGATION	6
			NE SW	IRRIGATION	38

NW	SW	IRRIGATION	37
SE	SW	IRRIGATION	27
NW	SE	IRRIGATION	33
SW	SE	IRRIGATION	40
SE	SE	IRRIGATION	4

Section Acres 186

10N 05W 10

NE	NE	IRRIGATION	32
NW	NE	IRRIGATION	35
NE	NW	IRRIGATION	8

Section Acres 75

Total Acres 261

11. Place of use in counties: WASHINGTON

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

CHANGE OF OWNERSHIP BY MTS 9/6/1995

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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 4, 2006

NEVITT FARMS, LLLP
8493 E BELLA VISTA
QUEEN CREEK AZ 85242

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim to a Water Right #67-2200, 67-2204, 67-4504, 67-14018, and
67-14020

Dear Claimants:

We have processed your change in ownership of the Notices of Claim referenced above. Thank you for your patience.

Enclosed are copies of the Notices of Claim for your file. Please refer to these record numbers in any future inquiries or correspondence.

If your mail delivery address changes in any form, please contact us in writing so we can update our records to assure you receive important notices concerning your claims.

Respectfully submitted,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

SS:region

Enclosures:

Copies of Notices of Claim Referenced 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: A67-02204
Date Received: 1/ 3/1995
Receipt No: W018479
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WINDING BROOK CORPORATION 208-466-0419
Address: C/O BATTERYMARCH: AGRIVEST CO
310 3RD ST SOUTH
PO BOX 53
NAMPA ID 83653

2. Date of Priority: JUL 11, 1951

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	05W	3	SW	SE	NW		WASHINGTON

5. Description of diverting works:
PUMPS & PIPELINE INTAKE ON WEISER RIVER FOR IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.240		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	05W	3	SW	NE		IRR	1.0
			SE	NW		IRR	6.0

SCANNED
MAY 10 2004

MICROFILMED
JUL 22 1996

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
10N	05W	3	NE		SW		IRR	38.0
			NW		SW		IRR	37.0
			SE		SW		IRR	27.0
			NW		SE		IRR	33.0
			SW		SE		IRR	40.0
			SE		SE		IRR	4.0
			Section Acres					186.0
		10	NE		NE		IRR	32.0
			NW		NE		IRR	35.0
			NE		NW		IRR	8.0
			Section Acres					75.0
			Total Acres					261.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
A67-02200 & A67-04504.

14. Remarks:
CHANGE OF OWNERSHIP BY MTS 9/6/1995

15. Basis of Claim: LICENSE

Water Right Number: 22249

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 2/8/95

RECEIVED

MAY 03 1995

WATER RESOURCES
WESTERN REGION

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.
If you have additional legal descriptions, please attach separate sheet.

RECEIVED

SEP 06 1995

WATER RESOURCES
WESTERN REGION

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

☐ Water Right Number(s)
Assigned by IDWR:

A67-02200, A67-02204, A67-04504
A67-14018, A67-14020
SEE ATTACHED

Claim numbers
Added 9-6-1995
by Mel Schulte

☐ Name and Address of Former
Owner/Claimant(s)(Seller):

JUST RITE FARMS, INC.

P.O. BOX 250

ONTARIO, OR 97914

☐ New Owner/Claimant
(Purchaser):

WINDING BROOK CORPORATION

☐ New Mailing Address:

C/O BATTERYMARCH: AGRIVEST CO.

310 3RD ST. SOUTH, P.O. BOX 53

NAMPA, ID 83653

☐ New Telephone Number:

(208) 466 - 0419

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes XX no 8/31/95
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
SEE ATTACHED LEGAL ON RECORDED DEED

☐ Attach proof of
ownership, describe
proof attached:

RECORDED DEED

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

☐ Signature of New
Owner/Claimant(s)

WINDING BROOK CORP.
by Rodney H. Moore, V. Pres.

Date

2/7/95

☐ Signature of Former
Owner/Claimant(s):

Stephen D. Dunsen
Mel Schulte

Date

2/1/95
2-8-95

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 8-30-95 By: MTS

Further Action Needed:

Further Action Taken

Date: 8-30-95 By: MTS

Final Review and Data-Entry

Date: 9-6-95 By: MTS

Claim Numbers of Split, if any:

See A67-02200 For Original

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OCT 22 1996

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

August 30, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

From: Jan Thompson
Winding Brook Corp.
310 3rd St. South
Nampa ID 83653

REC'D NAMPA, ID

AUG 31 1995

Batterymarch: AgriVest

Dear Jan:

Enclosed is the Notice of Change of Water Right Ownership we discussed in our recent telephone conversation. Please have Rodney Moore initial and date next to the line that changes the instructions to not split the water rights. After you return the amended form I will change our records and then provide you with copies for your files.

Call me at the number below if you have any questions or discussion.

Sincerely,

Mel Schulte

To: → Mel Schulte
ADJUDICATION BUREAU
Department of Water Resources
Western Region Office
(208) 334-2190

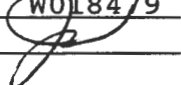
RECEIVED
SEP 06 1995
WATER RESOURCES
WESTERN REGION

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OCT 22 1996

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: A67-02204
Date Received: 1/ 3/1995
Receipt No: W018479
Received By: 

COPY

FOR YOUR FILES NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JUST RITE FARMS
Address: PO BOX 250
ONTARIO OR

503-889-5337

97914

RECEIVED

2. Date of Priority: JUL 11, 1951

MAY 03 1995

3. Source: WEISER RIVER

Trib. to: SNAKE RIVER

WATER RESOURCES
WESTERN REGION

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	05W	3	SW	SE	NW		WASHINGTON

5. Description of diverting works:

PUMPS & PIPELINE INTAKE ON WEISER RIVER FOR IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.240		

7. Total Quantity Appropriated is:

2.240 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	05W	3	SW	NE		IRR	1.0
			SE	NW		IRR	6.0
			NE	SW		IRR	38.0
			NW	SW		IRR	37.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
10N	05W	3	SE		SW		IRR	27.0
			NW		SE		IRR	33.0
			SW		SE		IRR	40.0
			SE		SE		IRR	4.0
			Section Acres					186.0
		10	NE		NE		IRR	32.0
			NW		NE		IRR	35.0
			NE		NW		IRR	8.0
			Section Acres					75.0
			Total Acres					261.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
A67-02200 & A67-04504.

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 22249

16. Signature(s)

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

Number of attachments: _____

COPY
FOR YOUR FILES

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
_____, that I have signed the foregoing
document in the space below as _____ of
_____ and that the statements contained in the
_____ foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

C O P Y
FOR YOUR FILES

RECEIVED
MAY 03 1995
WATER RESOURCES
WESTERN REGIONGENERAL CORPORATE WARRANTY DEED

JUST RITE FARMS, INC., a corporation organized and existing under the laws of the State of Oregon and authorized to conduct business in the State of Idaho, with its principal office at 633 S.E. First, P.O. Box 250, Ontario, Oregon 97914, hereinafter referred to as "Grantor", conveys, grants, sells, and warrants to WINDING BROOK CORPORATION, a Massachusetts corporation and authorized to conduct business in the State of Idaho, with its principal office at 500 Winding Brook Drive, Glastonbury, Connecticut 06033, hereinafter referred to as "Grantee", for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the following described tract of land in Washington County, State of Idaho:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS
REFERENCE MADE A PART HEREOF

Together with all of Grantor's water rights in the Weiser Cove Irrigation District and Crane Creek Water Users Company consisting of 436 acres.

Together with all and singular the tenements, hereditaments, and appurtenances belonging to the described property or in any manner appertaining to such property, the reversion and reversions, remainder and remainders, rents, issues, and profits of such property; and all estate, right, title and interest in and to such property; and subject to matters appearing of record in the Office of the County Recorder for Washington County, Idaho.

Grantee shall have and hold all and singular the described property together with the appurtenances for Grantee and Grantee's heirs, successors and assigns forever.

Grantor and Grantor's heirs, successors and assigns shall and will warrant and by these presents forever defend the described property in the quiet and peaceable possession of the Grantee, Grantee's heirs, successors and assigns against the Grantor and Grantor's heirs, successors and assigns, and any and every other persons, firms, and corporations whomsoever lawfully claiming the same.

The officers who sign this Deed hereby certify that this Deed and the transfer represented thereby was duly authorized by a resolution duly adopted by the Board of Directors of Grantor at a lawful meeting duly held and attended by a quorum.

MICROFILMED
OCT 22 1996

IN WITNESS WHEREOF, The Grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 8TH day of February, 1995.

JUST RITE FARMS, INC.

By Shigeru Hironaka
President

ATTEST:

Margie Ann Anderson
Secretary

INSTRUMENT NO. 162457
STATE OF IDAHO, COUNTY OF WASHINGTON ss.
Filed for record at the request of

WEISER VALLEY TITLE

23 Min. past FIFTEEN o'clock P.M.
This 8TH day of FEBRUARY 19 95

Index to: DEEDS

SHARON WIDNER, Recorder, Fee: \$15.00

By Jr 12 McNaught Deputy
WEISER VALLEY TITLE

Comp. Index
Comp. Rel.
Film
Compare
Card Rel.
Bk. Rel.
Up-date
Return
Copy

STATE OF ~~IDAHO~~ OREGON)
MALHEUR) ss.
County of ~~WASHINGTON~~)

On this 8TH day of February, 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared SHIGERU HIRONAKA and MARGIE ANN ANDERSON, who being by me duly sworn did say, each for himself, that he, the said SHIGERU HIRONAKA, is the ^{VICE} President, and that he, the said MARGIE ANN ANDERSON, is the Secretary of JUST RITE FARMS, INC., a corporation, and that the within and foregoing instrument was signed on behalf of said corporation by authority of a resolution of its Board of Directors, and said VICE-PRESIDENT and SECRETARY each duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of said corporation.

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

Janet Palmer
Notary Public for ~~Idaho~~ Oregon
Residing at Harper, ~~Idaho~~ Oregon
My Commission Expires 6-24-98



In Township 10 North, Range 5 West of the Boise Meridian,
Washington County, Idaho:

In Sec. 3: N $\frac{1}{2}$ SW $\frac{1}{4}$, and all that part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ lying Southwesterly of the Weiser River, and all that part of the S $\frac{1}{2}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ described as follows: Commencing at a point which is 816 feet West of the NE corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 3; thence South to a point of intersection with the lowest line along the bottom of a certain draw, running in a Northwesterly direction across said quarter section, thence Southeasterly along the lowest line of said draw, to the South line of said Quarter section; thence West to a point which is 825 feet West of the SE corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Sec. 3; thence North 1320 feet, more or less, to the North line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 3; thence East 2,649 feet, more or less, to the place of beginning.

also

Beginning at a point 825 feet West of the Southeast corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 3; thence North 1,320 feet to the North line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$; thence West 146 feet along said North line; thence South 1,320 feet; thence East 146 feet the point and place of beginning; SAVE AND EXCEPT THEREFROM the following tract of land: Commencing at a point 922.5 feet West of the southeast corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$; thence West 48.5 feet, more or less; thence North to a line bearing South 52° 30' East from a point 5 feet south of the Northwest corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$; thence following said line in a southeasterly direction to the place of beginning.

In Sec. 10: All that part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ lying East of the County road SAVE and EXCEPT the following described parcel: Beginning at the SE corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$; thence North along the East line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ 500 feet; thence West 500 feet to the County Road right-of-way; thence Southerly along said road right-of-way to the South line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$; thence East 280 feet to the place of beginning.

continued

EXHIBIT "A"

page 1

MICROFILMED
OCT 22 1996

All that part of the N $\frac{1}{2}$ NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ lying northeasterly of the County Road (known as the Cove Road) and westerly of the lowest line of a certain draw running northwesterly across the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 10, said draw being a continuation of the draw in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3.

also

A portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ described as follows: Beginning at a point on the Easterly boundary of the Lower Payette Ditch Company right-of-way where it intersects the North boundary line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10; thence East to the County Road as now exists; thence Southeasterly along said County Road a distance of 650 feet to the True Point of Beginning; thence Southeasterly along the said County Road right-of-way to its point on intersection with the East line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$; thence South along the East line 50 feet; thence West, parallel to the South boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ to the Lower Payette Ditch Company right-of way; thence Northwesterly along said right-of-way 680 feet, more or less, to a point West of the Point of Beginning; thence East parallel to the North boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ to the True Point of Beginning.

also

S $\frac{1}{2}$ NE $\frac{1}{4}$ SAVE and EXCEPT all that portion lying south and west of the right-of-way of the County Road.

SAVE AND EXCEPT A parcel of land situated within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3 and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, Township 10 North, Range 5 West, Boise Meridian, more particularly described as follows: Beginning at the northeast corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T. 10 N., R. 5 W., B.M.; thence N 89°56'09" W, a distance of 662.12 feet along the north line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ to the TRUE POINT OF BEGINNING; thence S 6°22'11" E, a distance of 1273.68 feet; thence S 73°26'37" W, a distance of 219.12 feet to a point within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, T. 10 N., R. 5 W., B.M.; thence S 89°48'16" W, a distance of 500.56 feet; thence N 0°29'22" W, a distance of 1330.67 feet to a point on the north line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$; thence S 89°56'09" E, a distance of 580.65 feet along the north line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ to the TRUE POINT OF BEGINNING.

In Sec. 11: SW $\frac{1}{4}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$.

EXHIBIT "A"

page 2

MICROFILMED
OCT 22 1996

also SAVE AND EXCEPT the following described parcel of land:

A parcel of land situated within the SE1/4SE1/4 of Section 3, Township 10 North, Range 5 West, Boise Meridian, more particularly described as follows:

Beginning at the northeast corner of the SE1/4SE1/4 of Section 3, T. 10N., R.5W., B.M.; thence N 89° 56' 09" W, a distance of 662.12 feet along the north line of said SE1/4SE1/4; thence S 6° 22' 11" E, a distance of 1273.68 feet; thence N 86° 54' 03" E, a distance of 235.20 feet to a point on the lowest line along the bottom of a certain draw running in a northwesterly direction across said SE1/4SE1/4; thence southeasterly, a distance of 80 feet, more or less, along the lowest line of said draw to a point on the south line of said SE1/4SE1/4; thence east, a distance of 265 feet, more or less, along the south line of said SE1/4SE1/4 to the southeast corner of said SE1/4SE1/4; thence N 0° 27' 00" W, a distance of 1326.54 feet along the east line of said SE1/4SE1/4 to the point of beginning.

EXHIBIT "A"

PAGE 3

MICROFILMED
OCT 22 1996

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: A67-02204
Date Received: 9/22/1989
Receipt No: W078479
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JUST RITE FARMS 503-889-5337
Address: PO BOX 250
ONTARIO OR 97914

2. Date of Priority: JUL 11, 1951

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	05W	3	SW	SE	NW		WASHINGTON

5. Description of diverting works:
PUMPS & PIPELINE INTAKE ON WEISER RIVER FOR IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.240		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	05W	3	SW	NE		IRR	1.0
			SE	NW		IRR	6.0
			NE	SW		IRR	38.0
			NW	SW		IRR	37.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10N	05W	3	SE	SW	IRR	27.0
			NW	SE	IRR	33.0
			SW	SE	IRR	40.0
			SE	SE	IRR	4.0
			Section Acres			186.0
		10	NE	NE	IRR	32.0
			NW	NE	IRR	35.0
			NE	NW	IRR	8.0
			Section Acres			75.0
			Total Acres			261.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
A67-02200 & A67-04504.

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 22249

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0 SEE MAP IN A67-02200

For Individuals:

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

Signature of Claimant(s): Thomas Lewis, Pres Date: 12/29/94

East Gate Farms, Inc. Date:

State of Oregon)
County of Malheur) SS.

Subscribed and sworn (or affirmed) before me this 29th day
of December 19 94

Janet Palmer
Notary Public

Seal



Residing at Harper, Oregon
My Commission Expires June 24, 1998

04/25/2006

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

RIGHT NUMBER: 67-2204

NAME AND ADDRESS: NEVITT FARMS, LLLP
8493 E BELLA VISTA
QUEEN CREEK AZ 85242

SOURCE: WEISER RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 2.240 CFS

PRIORITY DATE: 07/11/1951

POINT OF DIVERSION:

T10N R05W S3 SWSNW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	2.240 CFS

PLACE OF USE: IRRIGATION Within WASHINGTON County

T10N R05W S03	SWNE	0.40	T10N R05W S03	SENW	6.00
T10N R05W S03	NESW	38.00	T10N R05W S03	NWSW	37.00
T10N R05W S03	SESW	28.00	T10N R05W S03	NWSE	33.00
T10N R05W S03	SWSE	39.00	T10N R05W S03	SESE	2.20
T10N R05W S10	NENE	32.00	T10N R05W S10	NWNE	36.00
T10N R05W S10	NENW	9.40			

261 ACRES TOTAL

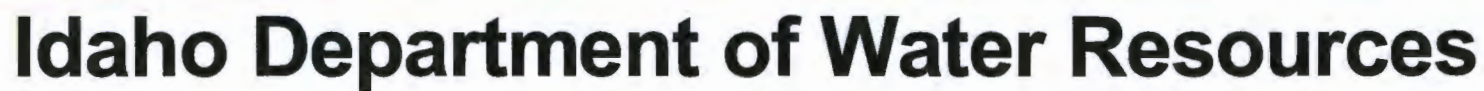
The rights listed below are limited to the irrigation of a combined total of 261.0 acres in a single irrigation season. Combined Right Nos.: 67-2200, 67-2204, and 67-4504.

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

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



67-2204

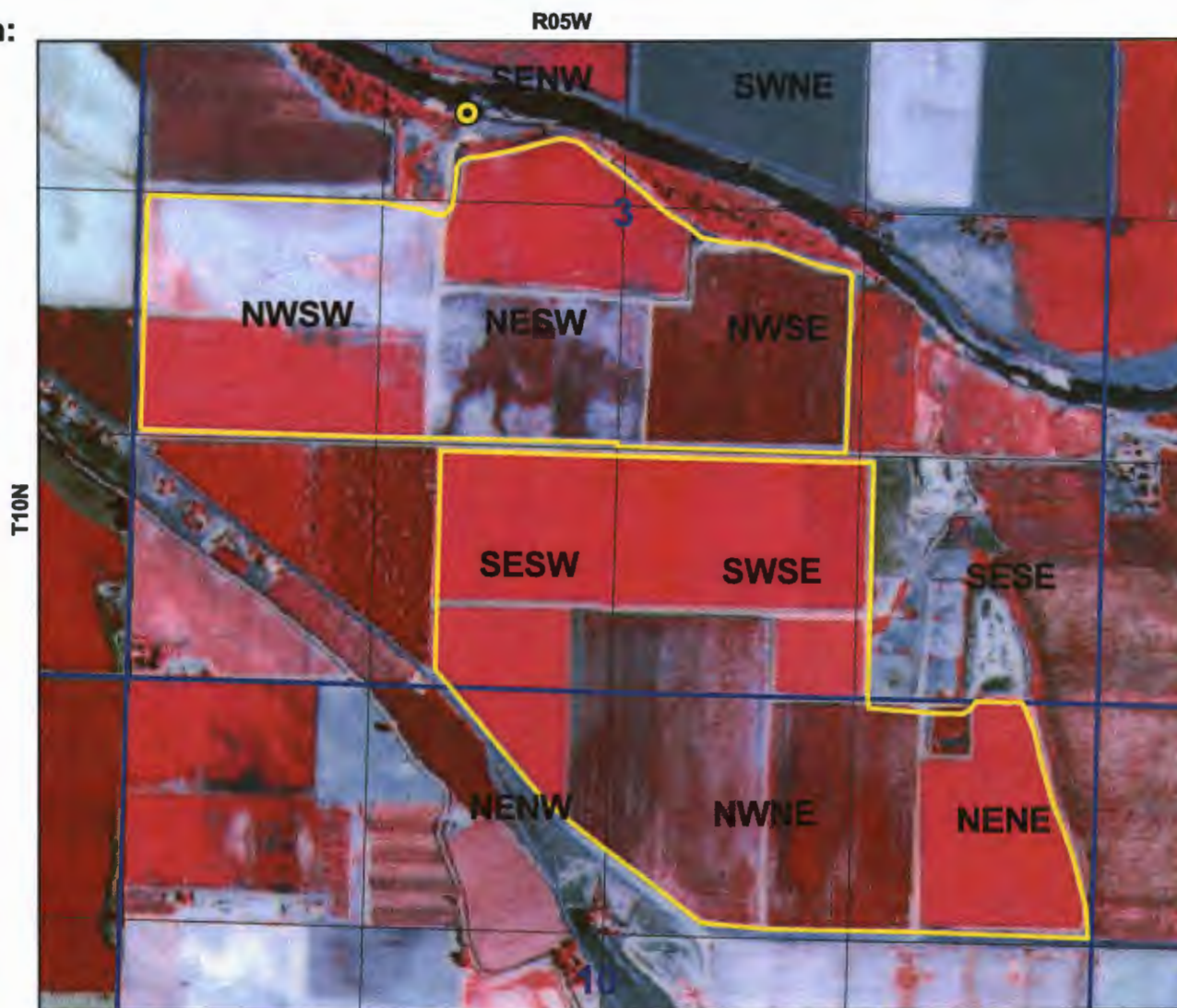
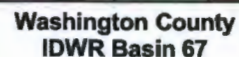
🕒 Point of Diversion

Place of Use

Townships

PLS Sections

Quarter Quarters



0.8 Miles

**Prepared by C. Saxton
On Tuesday, April 25, 2006
1987/88 Aerial Photography**

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2204 V1

WATER RIGHT NUMBER: 67-2204 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NEVITT FARMS, LLLP 8493 E BELLA VISTA QUEEN CREEK, AZ 85242 (480) 987-9540
Original Owner	EDWIN D FORD JR
Original Owner	WEISER, ID JUST RITE FARMS INC PO BOX 250 ONTARIO, OR 97914 (503)889-5337
Original Owner	WINDING BROOK CORP C/O RODNEY H MOORE PO BOX 53 NAMPA, ID 83653-0053 (208)466-0419

Priority Date: 07/11/1951

Basis: License

Status: Active

Source

WEISER RIVER

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

03/01 to 11/15

Diversion Rate

2.240 CFS

Annual VolumeTotal Diversion:

2.240 CFS

Location of Point(s) of Diversion

WEISER RIVER

SW1/4SE1/4NW1/4

Sec. 3, Twp 10N, Rge 05W, B.M.

WASHINGTON 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	
10N	05W	3			.4					6.0	38.0	37.0		28.0		33.0	39.0	2.2	183.6
10N	05W	10	32.0	36.0			9.4												77.4

Total Acres: 261

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2204 V1

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 261.0 acres in a single irrigation season. Combined Right Nos.: 67-2200, 67-2204, and 67-4504.
2. 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.
3. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Remarks:Comments:

1. mcase 4/23/2004 POD
Comment: Claimed POD differs from licensed POD. I recommended claimed POD.
2. mcase 4/23/2004 POU
Comment: Overlaps with WR 67-2200. Claims less than licensed irrigated acreage.
3. mcase 4/23/2004 Period of Use
Comment: No licensed Period of Use. I recommended the standard Season of Use.
4. csaxton 4/25/2006 POD
Comment: License 67-2200 and 67-2204 were licensed for the same POU but for two different PODs. However, the irrigation system was connected so the water from each POD could reach all of the licensed POU. Thus in reality, this license was a PPU. The claimant claimed the POD that was licensed under 67-2200. This will be recommended as an accomplished change in POD.
5. csaxton 4/25/2006 Quantity
Comment: Claimed and recommended diversion rate is a proportionate share of the original license. Or, 67-2204 was licensed for 6 cfs on 699 acres or 0.00858 cfs per acre. $0.00858 \text{ cfs} \times 261 \text{ acres} = 2.24 \text{ cfs}$.

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: 67
 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	4/23/2004 11:28:49 AM	mcase			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2204 V1

POD	4/23/2004 11:41:10 AM	mcase	Active
Source	4/23/2004 11:41:22 AM	mcase	Active
POU	4/23/2004 11:43:22 AM	mcase	Active
Use	4/23/2004 11:46:22 AM	mcase	Active
Season	4/23/2004 11:46:55 AM	mcase	Active
Quantity	4/23/2004 11:47:03 AM	mcase	Active
Season	6/1/2004 2:17:43 PM	mcase	Active
Contacts	4/25/2006 11:06:10 AM	csaxton	Active
Priority Date	4/25/2006 11:06:46 AM	csaxton	Active
POD	4/25/2006 11:07:22 AM	csaxton	Active
Source	4/25/2006 11:07:31 AM	csaxton	Active
POU	4/25/2006 11:08:18 AM	csaxton	Active
Use	4/25/2006 11:10:11 AM	csaxton	Active
Season	4/25/2006 11:10:23 AM	csaxton	Active
Quantity	4/25/2006 11:10:56 AM	csaxton	Active
Summary	04/25/2006	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	4/25/2006 11:06:20 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop Review
General	4/25/2006 11:06:56 AM	csaxton	(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?
Source	4/25/2006 11:07:42 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2204 V1

POU	4/25/2006 11:08:28 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
POU	4/25/2006 11:09:52 AM	csaxton	Updated shape for Active POU
Use	4/25/2006 11:10:21 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	6/1/2004 2:17:43 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use?
Priority Date	4/23/2004 11:28:48 AM	mcase	(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?
POU	4/23/2004 11:43:21 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file?
Use	4/23/2004 11:46:22 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2204 V1

Season	4/23/2004 11:46:54 AM	mcase	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use?
Quantity	4/23/2004 11:47:03 AM	mcase	(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?
POD	4/25/2006 11:07:32 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (No) 5. Can the claimed POD be verified using the water right file? (Yes) 6. Is there evidence that there has been a change in the POD? (Yes) 7. Can the change be verified as an accomplished transfer? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required? Description for Question 6 - See comment in Quicklook.
POU	4/25/2006 11:10:02 AM	csaxton	Updated PLS for Active POU
Season	4/25/2006 11:10:34 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	4/25/2006 11:11:07 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2204 V1

Summary	4/25/2006 11:12:46 AM	csaxton	(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? (Yes) 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?
POD	4/23/2004 11:36:36 AM	mcase	Edited point location
POD	4/23/2004 11:38:19 AM	mcase	Edited point location
POD	4/23/2004 11:39:41 AM	mcase	Edited PLS
POD	4/23/2004 11:41:09 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?
Source	4/23/2004 11:41:22 AM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?

Water Supply Bank:

MEMORANDUM

Date: April 15, 2005

To: Roger Meyer
Bosco Bosler

From: Craig L. Saxton

Subject: 67-2200, 67-2204, 67-02223, 67-4504, 67-4150, 67-10899, 67-11178, 67-14018, and 67-14020.

Claims: 67-2200, 67-2204, 67-4504, 67-14018, and 67-14020:

All of the above claim the same point of diversion. We need to know the capacity of that point of diversion. How much it will pump.

The story with this is that in 1950 during the licensing Field exam for license 67-2200, it was determined that the pump could divert 5.15 cfs. However, the sum of these 5 claims from that point of diversion is 8.36 cfs. We need to know if the pump can produce that much water. The place of use and priority date can all be verified using the information in the files.

All I need is the capacity of that point of diversion, GPS point and picture of the pump, and when (after 1950) that system was changed so they could pump 8.36 cfs. I am giving you the files anyway in case other questions come up.

Claim 67-04150:

This claim was brought to attention because it used to be owned by Winding Brook Corp and I thought if you were meeting with them anyway, they might be able to provide you with some information. Needs full field exam.

Claim 67-11178:

This claim was brought to this group because part of the claimed POU is the same as the licensed POU for 67-02200 and 67-02204. But ignore that for now and treat as separate right. This needs a full field exam.

Claim 67-10899:

This claim was brought to this group because part of the claimed POU is the same as the licensed POU for 67-02200 and 67-02204. But ignore that for now and treat as separate right. This needs a full field exam.

Claim 67-02223:

This claim is under Winding Brooks name, but it doesn't look like they own it anymore. I thought since you were meeting with Winding Brook, you could ask them about it. See notes in file.

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
Original Owner	EDWIN D FORD JR		WEISER	ID		
Original Owner	JUST RITE FARMS INC	PO BOX 250	ONTARIO	OR	97914	(503)889-5337
Current Owner	WINDING BROOK CORP	C/O RODNEY H MOORE PO BOX 53	NAMPA	ID	83653-005 3	(208)466-0419

Date of Field Exam: _____ Time: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Directions to Property (if different from above) and/or update owner information:

As Claimed : Tax lot Data matches Claimant

Reviewer: _____

Date: 4-12-04

Priority Date Data Entry Form

Claim Number 67-2204

Claimed Priority Date: 7/11/1951

Claimed Basis: License

☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date: 7/11/1951

Water Right Basis: License

Recommended Priority Date ____

Recommended Basis _____

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

As Licensed

CS

Reviewer: Craig L. Saxton

Date: 4-12-05

Point of Diversion and Source Data Entry Form

Claim Number 67-2204

Claimed Point of Diversion and Source

T10N R05W S3 SWSE Within WASHINGTON County Source: WEISER RIVER SNAKE RIVER

☒ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

T10N R05W S2 SWSE Within WASHINGTON County

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

_____	_____
_____	_____
_____	_____

Tw	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

Other rights from this POD? _____

Document how the POD and Source were verified:

Claimed POD is different than licensed, But licensing
FE map shows Claimed POD was in place @ time
of Exam in 1952, Add C#3

Reviewer: _____

Date: 4-12-05

Place Of Use Data Entry Form

Claim Number 67-2204

Claimed Place Of Use

T10N R05W S03	SWNE	1.0	T10N R05W S03	SENE	6.0
T10N R05W S03	NESW	38.0	T10N R05W S03	NWSW	37.0
T10N R05W S03	SESW	27.0	T10N R05W S03	NWSE	33.0
T10N R05W S03	SWSE	40.0	T10N R05W S03	SESE	4.0
T10N R05W S10	NENE	32.0	T10N R05W S10	NWNE	35.0
T10N R05W S10	NENW	8.0			

Total Acres 261

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

T10N R05W S02	SWSW	40.0	T10N R05W S02	SESW	40.0
T10N R05W S02	SWSE	39.0	T10N R05W S03	NESW	40.0
T10N R05W S03	NWSW	40.0	T10N R05W S03	SWSW	18.0
T10N R05W S03	SESW	37.0	T10N R05W S03	NESE	20.0
T10N R05W S03	NWSE	37.0	T10N R05W S03	SWSE	40.0
T10N R05W S03	SESE	40.0	T10N R05W S04	NESE	20.0
T10N R05W S10	NENE	40.0	T10N R05W S10	NWNE	37.0
T10N R05W S10	NENW	7.0	T10N R05W S11	NWNE	40.0
T10N R05W S11	SWNE	40.0	T10N R05W S11	SENE	20.0
T10N R05W S11	NENW	40.0	T10N R05W S11	NWNW	40.0
T10N R05W S11	NESW	6.0			

Total Acres 681

Recommended Place of Use

☐ See corrections to claimed POU above**See GIS Map on Next Page:**

Total Acres _____

Document how the POU was verified:

Reviewer: Craig L. Saxton

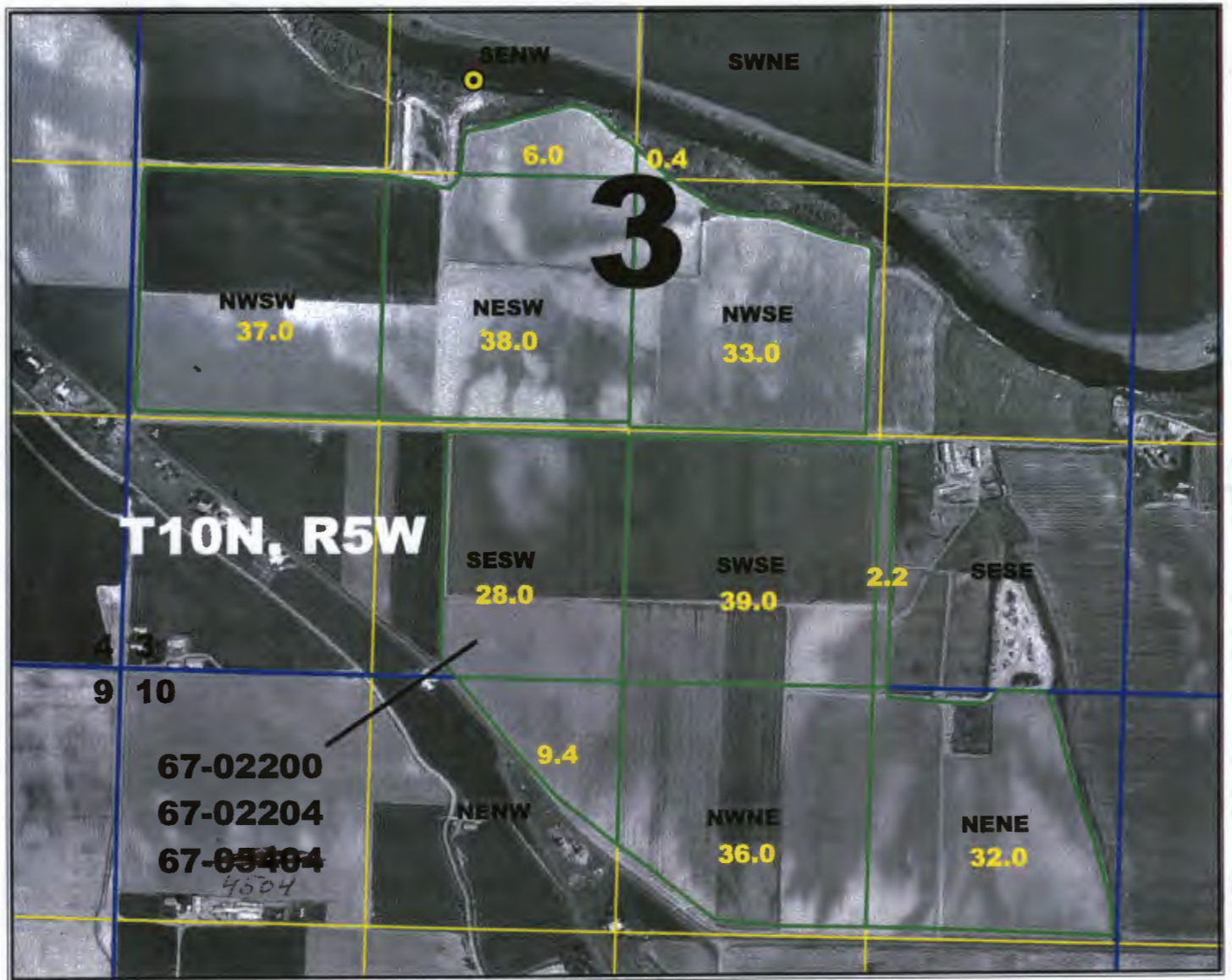
Date: 4-12-05



State of Idaho

POU Claim Map 67-02204

Map Source: USGS DOQQ



1320 0 1320 2640 3960 Feet

○ Claimed Point of Diversion

□ Claimed Place of Use

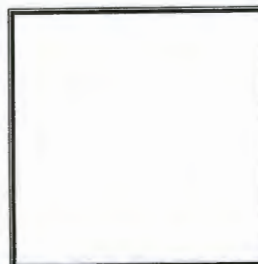
▤ N/A

□ Tax Lot Data

□ Quarter Quarter Lines

□ Section Lines

Claimed Irrigated Acres: 261.0



Prepared By: Craig L. Saxton
Date: April 2005



State of Idaho

POU Claim Map 67-02204

Map Source: 1987 NAPP



1320 0 1320 2640 3960 Feet

○ Claimed Point of Diversion

□ Claimed Place of Use

▤ N/A

□ Tax Lot Data

□ Quarter Quarter Lines

□ Section Lines

Claimed Irrigated Acres: ~~161.0~~

261



Prepared By: Craig L. Saxton
Date: April 2005

Purpose of Use Data Entry Form

Claim Number 67-2204

Claimed Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

IRRIGATION

☒ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

IRRIGATION

Recommended Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

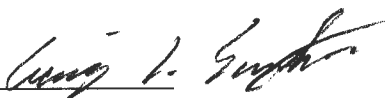
Number of Other

Irr				

Document how the Purpose of Use was verified:

Used to Add overlap Remarks

Reviewer:



Date:

4/12/04

Period of Use and Quantity Data Entry Form

Claim Number 67-2204

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/01	11/01	2.24	

Overall Diversion Rate 2.24

Overall Diversion Volume

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	3/15	11/15	6	

Overall Diversion Rate 6

Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Jr	3-1	11-15	2.24	n/a
				n/a

Overall Diversion Rate

Overall Diversion Volume

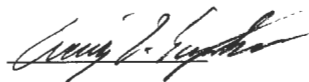
Document how the Period of Use and/or Diversion Rate were verified:

Need Overlap Remarks

licensed: $6.01 \text{ cfs} \div 699 = 0.0086 \text{ cfs/acre}$

Claimed: $261 \text{ ac} \times 0.0086 \text{ cfs} = 2.24 \text{ cfs}$ Good

Reviewer:



Date:

4-12-05

DO NOT
SCAN

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2204 V1

WATER RIGHT NUMBER: 67-2204 V1

Owner Type Name and Address
Original Owner EDWIN D FORD JR

Original Owner WEISER, ID
JUST RITE FARMS INC
PO BOX 250
ONTARIO, OR 97914
(503)889-5337

Current Owner WINDING BROOK CORP
C/O RODNEY H MOORE
PO BOX 53
NAMPA, ID 83853-0053
(208)466-0419

Priority Date: 07/11/1951

Basis:

Status:

Source
WEISER RIVER

Tributary
SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	2.240 CFS	
	<u>Total Diversion:</u>	2.240 CFS	

Location of Point(s) of Diversion

WEISER RIVER SW 1/4 SE 1/4 NW 1/4 Sec. 3, Twp 10N, Rge 05W, B.M.
WASHINGTON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SE	NW	SW	SE	NW	SW	SE	NW	SW	SE	Totals
10N	05W	3	1.0			6.0	37.0	27.0	33.0	40.0	4.0				186.0
10N	05W	10	32.0	35.0		8.0									75.0

Total Acres: 261

Conditions of Approval:

Remarks:

DRAFT

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2204 V1

Comments:

1. mcase 4/23/2004 - POD
Comment: Claimed POD differs from licensed POD. I recommended claimed POD.
2. mcase 4/23/2004 - POU
Comment: Overlaps with WR 65-2200. Claims less than licensed irrigated acreage.
3. mcase 4/23/2004 - Period of Use
Comment: No licensed Period of Use. I recommended the standard Season of Use.
4. mcase 4/23/2004 - Quantity
Comment: Claims less flow than licensed. Could not determine recommended flow or annual diversion.

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: S
State or Federal: S
Owner Name Connector:
Water District Number: 67
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	4/23/2004 11:28:49 AM	mcase			
POD	4/23/2004 11:41:10 AM	mcase			
Source	4/23/2004 11:41:22 AM	mcase			
POU	4/23/2004 11:43:22 AM	mcase			
Use	4/23/2004 11:46:22 AM	mcase			
Season	4/23/2004 11:46:55 AM	mcase			
Quantity	4/23/2004 11:47:03 AM	mcase			

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2204 V1

Priority Date	4/23/2004 11:28:48 AM	mcase	(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?
POU	4/23/2004 11:43:21 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file?
Use	4/23/2004 11:46:22 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
Season	4/23/2004 11:46:54 AM	mcase	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use?
Quantity	4/23/2004 11:47:03 AM	mcase	(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?
POD	4/23/2004 11:36:36 AM	mcase	Edited point location
POD	4/23/2004 11:38:19 AM	mcase	Edited point location
POD	4/23/2004 11:39:41 AM	mcase	Edited PLS
POD	4/23/2004 11:41:09 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?
Source	4/23/2004 11:41:22 AM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?

Idaho Department of Water Resources

67-2204



900 0 900 1800 2700 3600 4500 5400 Feet

T10N, R05W, S3 & S10



Prepared by Anita L. Warntjes
January 13, 2004
1993/94 True Color Photo



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

September 6, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Jan Thompson
Winding Brook Corporation
310 3rd St South
Nampa ID 83653

Re: Changes of Ownership: A67-02200, 02204, 04504, 14018, 14020

Dear Jan:

Enclosed for your records are copies of the ownership change documentation for the above referenced SRBA claims for your records. Also enclosed are copies of the claim forms to show Winding Brook Corporation as the current owner. These copies are for your records and do not require any additional action on your part at this time.

Call me at the number below if you have any questions or need additional information.

Sincerely,

Mel Schulte
ADJUDICATION BUREAU
Department of Water Resources
Western Region Office
(208) 334-2190

Enc

OWNERWINDINGBROOKA6702200ETAL

MICROFILMED
OCT 22 1998

State of Idaho

License and Certificate of Water Right

Water License No. 22249Amount 6 second feet

Water District No. _____

Priority July 11, 1951THIS IS TO CERTIFY that EDWIN D. FORD, JR.

of Weiser, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated July 11, 1951; that Permit No. 22249 was issued under said application; that Certificate of Completion of works, with a carrying capacity of six (6) second feet, was issued thereunder on December 18, 1952, showing that said works were completed on the 6th day of August, 1952; and that on the 6th day of August, 1952,

EDWIN D. FORD, JR.

of Weiser, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Weiser River, irrigation, for the purpose of irrigation

, under Use Permit No. 22249 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 8 of Licenses at page 5035, on the 18th day of December, 1952;

The right hereby confirmed dates from July 11, 1951;

The Point of Diversion is located

in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, Tp. 10 N., R. 5 W., B. M. Washington County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed six (6) cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
10 N.	5 W.	2	S $\frac{1}{4}$ SE $\frac{1}{4}$	80	80
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	39
		3	S $\frac{1}{4}$	320	272
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	18
		4	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	20
			NE $\frac{1}{4}$ NE $\frac{1}{4}$	80	77
		10	NE $\frac{1}{4}$ NE $\frac{1}{4}$	80	7
			NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
		11	S $\frac{1}{4}$ NE $\frac{1}{4}$	80	60
			NE $\frac{1}{4}$ NE $\frac{1}{4}$	80	80
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	6
			Number of acres actually irrigated -		699

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

18th day of December, 1952.

MARK R. KULP

State Reclamation Engineer

(SEAL)

67 2204

Form 23

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 22249This proof is for Completion of Works and Beneficial Use Water District No. _____1. Name of applicant Edwin D. Ford, Jr., Box 207, Weiser, Idaho2. Source of water supply: Weiser River3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2T. 10 N. R. 5 W. County of Washington

4. Describe works as they exist, giving dimensions and capacities of same: Two Weisman G-L centrifugal pumps with 8" intake and 6" discharge, 18" impellers (no number plates).
1st G.E. motor # SH 6 870 469, 100 HP., 440 V., 1760 rpm., 120 amp., 3 phase, 60 cycle.
2nd G.E. motor # SJ 8 005 876, 75 HP., 440 V., 1770 rpm., 91 amp., 3 phase, 60 cycle.
Two Square-D switches, 575 V., 400 amp. Two D.E. starters. Westinghouse safety switch.
G.E. meter # 30 030 235, 480 V., 60 cycle, 3 phase, demand 2.0 X 30.
Metal pumphouse 8'x 17'. Concreted sump 6'x 8' and 15' deep. Water lift to pump is
13'. 7" intake pipe 16' long and discharge pipe 9' long and 8" dia. to 12" mainline
for pump with 75 HP. motor. 9" intake pipe 16' long and discharge pipe 3' long and
8" dia. to valve to 12" mainline through a reducer for pump with 100 HP. motor.
25' of 30" pipe from river to sump with vertical gate at intake end.
5. Water is used for: Sprinkler irrigation

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

S $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 2;S $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 3;NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 4;N $\frac{1}{4}$ NE $\frac{1}{4}$ and N $\frac{1}{4}$ NW $\frac{1}{4}$ Section 10;NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11;All in Twp. 10 North, Range 5 West, B. M.See Map

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Weiser RiverRemarks: Crops: grain, beans, hay, and beets.

The actual point of diversion is approx. 5' north of 40 acre line (see map). Pumps and sump are south of said line. The diversion works are situated on the bank of the river which is being repaired to resist erosion. If, however, the erosion is not stopped the river will force the point of diversion south of the 40 acre line.

This is the third of three sprinkler installations. The mainline of all three systems are interconnected so that water from any of the three systems can be put into any part of the entire system.

The other two systems are described in permit # 21717.

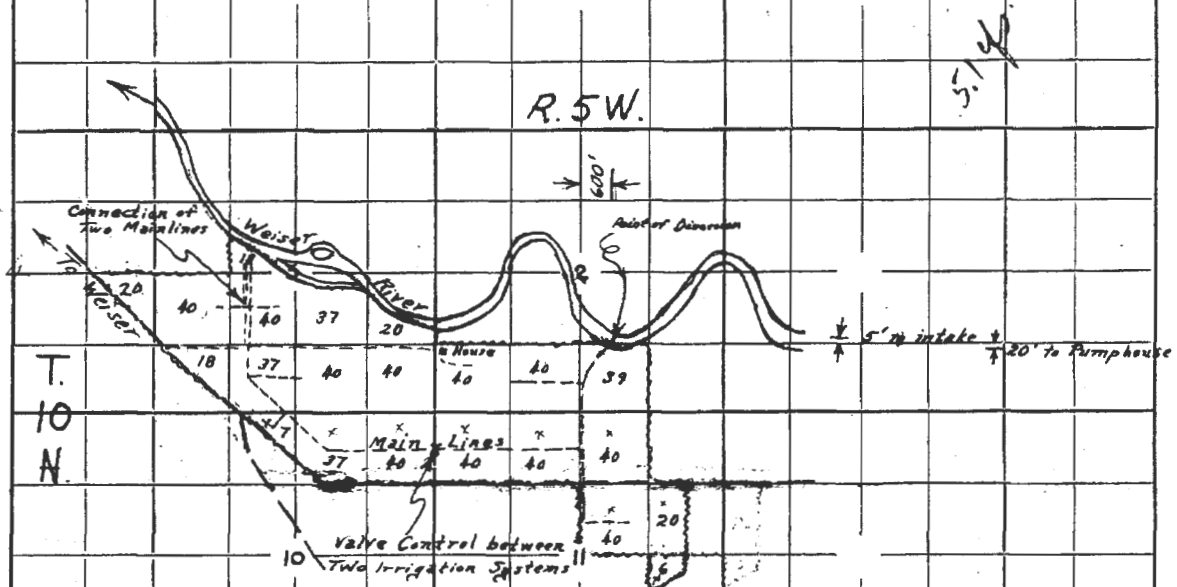
Mr. Philip Ford accompanied examiner on inspection.

This examination was made on the 25th day of September, 1952(Signed) Alfred J. Larson

Examiner.

22249

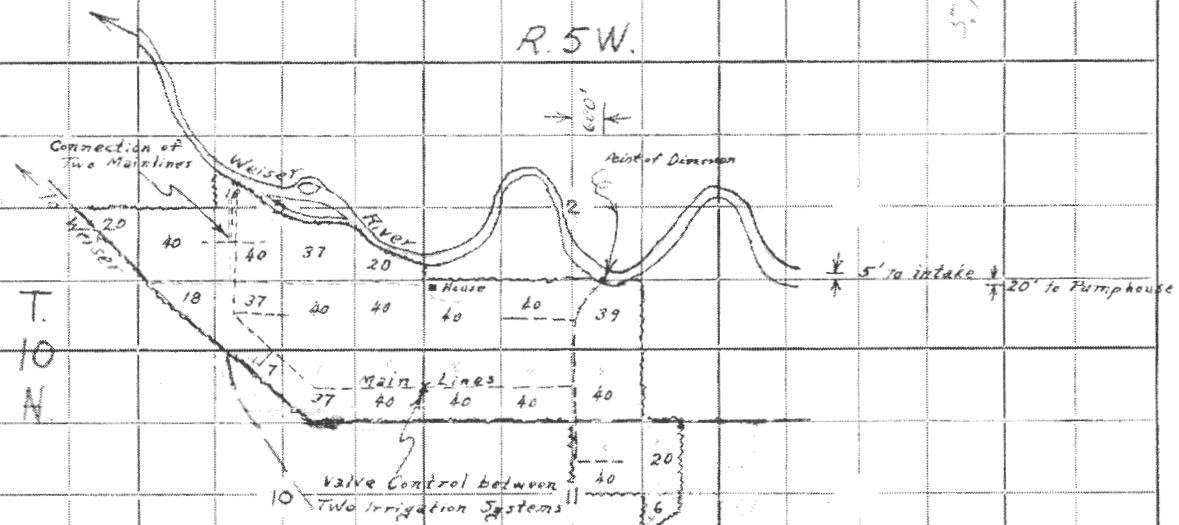
Acres Irrigated = 699 Acres



Scale: 2 Inches Equals 1 Mile. Draw Map in Ink.

22249 -

Acres Irrigated = 699 Acres



INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

Edwin D. Ford, Jr.
Box 207, Weiser, Idaho

Permit No. 22249

Examination for... Completion of Works and
Beneficial Use
County... Washington

$Q = 6.0$ cfs

$S =$ Weiser River

P.D. = SW. 34. Sec. 2, T. 10N. - R. 5W.

Use = Irrigation-sprinkler
360 acres

RECEIVED
NOV 21 1952

Depa... on

Priority - July 16, 1951
Due - July 16, 1956

2. Heinman centrifugal 6-L
pumps 8" intake 8" discharge
18" impellers (no S.M. plate)

GE motor # SH 687 0469
100 HP 440 V 1760 RPM
178 amps 3 phase 60 cys.

GE motor # SJ 8005876
75 HP 440 V 1770 RPM
91 amps 3 phase 60 cys.

GE motor # 30.030 235
480 V 60 cys. 3 phase
demand 2.0 X 30

Square D switches 575 V
400 amps

2 GE starters

Waukegan safety switch

Pump house (metal) 8' X 17'

30" metal pipe 25' long from
River to concrete pump (6' X 8' X
15' deep). Water lift 13'

1 intake pipe 9" dia.
1 intake 7" dia.

both pipes three ft horizontal
then 90° turn to 13' vertical

* discharge from each pump
 8" x 9' into 12" mainline to W
 large pump
 8" x 3' to mainline to 12" mainline
 via reducer to West
 12" mainline 2200' steel pipe
 buried
 5490' x 8" steel buried mainline
 850' x 6" above surface "
 660' x 6" steel buried "
 15' lead msp. in piter
 154' dy. elev.
 38# 1 1/2" 29# at last designed
 17 spinners to lateral
 16,000' of 3" aluminum lateral
 1740' of 4" aluminum pipe to
 260' and lateral
 Rain Bird 40' 374 spinners
 1/2" x 7/8" original stop
 54 spinners to? spinners
 1980' x 5" aluminum mainline

PAGE 23

STATE OF IDAHO DEPARTMENT OF RECLAMATION BOISE REPORT OF ENGINEER

PERMIT NO. 22249

REPORT ON PROGRESS OF COMPLETION OF WORKS AND BENEFICIAL USE

EDWIN D. FORD, JR., Engineer, Idaho

See Also Permit No. 21717

1000 cfs. 2900 gpm
 max

app. 6 cfs.

699 acres

28-40's

(Revised 21717)