

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: **A67-02223**
Date Received: 10/18/1989
Receipt No: W006381
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: WINDING BROOK CORP
Address: C/O AGRIVEST
R H MOORE
PO BOX 53
NAMPA ID

208-466-0419

83653

2. Date of Priority: AUG 20, 1952

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11N	05W	34	NW	NE			WASHINGTON

5. Description of diverting works:

100' WELL W/10" CASING, 30 HP PUMP, DUG IN 1949.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.700		

7. Total Quantity Appropriated is:

0.700 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
11N	05W	34	NW	NE		IRR	35.0
			SW	NE		IRR	15.0

SCANNED
MAY 10 2004

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OCT 22 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	50.0
					Total Acres	50.0

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:
NONE

14. Remarks:
OWNERSHIP CHANGED 12/27/1995 BY MM.

15. Basis of Claim: LICENSE

Water Right Number: 23256



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

DEC 26 1995

WATER RESOURCES
WESTERN REGIONDATE OF CLOSING: 4-13-94

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. SEE WARRANTY DEED, ATTACHED.

☐ 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) A67-04150, A67-10248
Assigned by IDWR: A67-02223, A67-10241 A67-10244

☐ Name and Address of Former Owner/Claimant(s)(Seller): S + S LAND & CATTLE CO.

P.O. Box 671

WEISER, ID. 83672

☐ New Owner/Claimant (Purchaser): WINDING BROOK CORP

☐ New Mailing Address: 40 AGRIVEST - R.H. MOORE
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 ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: RECORDED WARRANTY 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. Date _____
by Rodney H. Moore V-PRES Date 12/15/95

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

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 12/27/1995 By: MM

Further Action Needed:

Notes & Bounds plat

Further Action Taken

Date: 12/27/1995 By: MM

Final Review and Data-Entry

Date: 12/27/1995 By: MM

Claim Numbers of Split, if any:

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

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DEC 5 9 1992

WESTERN REGION
WATER RESOURCES

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

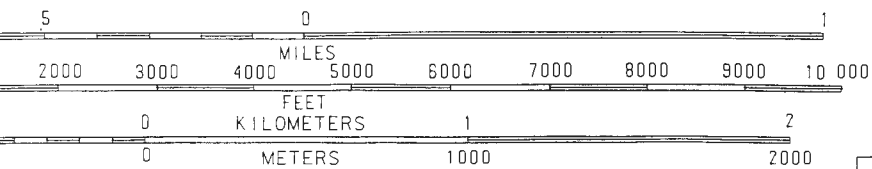
After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

SCALE 1:24 000



CONTOUR INTERVAL 40 FEET

SUPPLEMENTAL CONTOUR INTERVAL 20 FEET



QUADRANGLE LOCATION

1	2	3	
			1 Olde Ferry NE
			2 Mann Creek NW
			3 Midvale Hill
			4 Porters Flar

Improved
Unimpro
Trail . .

Inters

Recorded
Microfilmed
Indexed

333

Platted Deed Card Compared

1111

Key Punched
Master File
Abstracted

☐

To Treasurer ☐

INSTRUMENT NO. 159882
PAGE 1 OF 3

(DO NOT WRITE ABOVE THIS LINE

OCT 22 1996

IN WASHINGTON COUNTY, IDAHO:

TOWNSHIP 10 NORTH, RANGE 5 WEST OF THE BOISE MERIDIAN:

Section 2: Lot 4, all that part of Lot 3 lying southerly of Idaho Northern Pacific Railroad Company's right of way, and all that part of the S $\frac{1}{2}$ NW $\frac{1}{4}$ and the N $\frac{1}{2}$ S $\frac{1}{2}$ lying northerly of the main channel of Welser River;

Section 3: Lots 1, 2, and 3, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and all that part of Lot 4, the S $\frac{1}{2}$ NW $\frac{1}{4}$, the SW $\frac{1}{4}$ NE $\frac{1}{4}$, and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ lying northerly and/or easterly of Welser River;

TOWNSHIP 11 NORTH, RANGE 5 WEST OF THE BOISE MERIDIAN:

Section 35: That part of the SW $\frac{1}{4}$ lying southerly of the right of way of the Idaho Northern and Pacific Railroad; AND ALSO

A parcel of land situated within the S1/2S1/2 of Section 27, and the N1/2 of Section 34 said Township and Range, more particularly described as follows:

(A) Beginning at the Section Corner common to Sections 27, 28, 33, and 34 of T.11N., R.5W., B.M.; thence N 0° 30' 54" E, a distance of 1319.06 feet along the west line of the S1/2S1/2 of said Section 27; thence S 85° 41' 30" E, a distance of 1088.60 feet; thence S 54° 25' 25" E, a distance of 1122.50 feet; thence S 59° 28' 36" E, a distance of 480.16 feet; thence S 49° 31' 38" E, a distance of 500.49 feet to a point within the N1/2 of said Section 34; thence S 89° 48' 00" E, a distance of 460.36 feet; thence S 51° 16' 51" E, a distance of 1012.28 feet; thence S 1° 22' 01" W, a distance of 1332.87 feet; thence N 76° 36' 27" W, a distance of 1164.74 feet; thence S 13° 07' 17" W, a distance of 450.57 feet to a point on the northeasterly right-of-way of an existing County Road known as Welser River Road; thence northwesterly along the northeasterly right-of-way of said Welser River Road to a point on the west line of said N1/2 of said Section 34; thence N 0° 00' 00" E, a distance of 1113.70 feet along the west line of said N1/2 to the point of beginning, AND ALSO

All that part of said Section 34 said Township and Range lying South of Welser River Road EXCEPT THE FOLLOWING DESCRIBED PARCELS:

A parcel of land situated within the W1/2NW1/4 of Section 34, and the E1/2NE1/4 of Section 33, said Township and Range, more particularly described as follows:

(B) Beginning at the southwest corner of the W1/2NW1/4 of Section 34, T.11N., R.5W., B.M.; thence N 0° 00' 00" E, a distance of 1027.51 feet along the west line of said W1/2NW1/4 to the TRUE POINT OF BEGINNING; thence S 57° 17' 20" W, a distance of 32.96 feet to a point within the E1/2NE1/4 of said Section 33; thence N 0° 04' 39" W, a distance of 449.93 feet to a point on the southerly right-of-way of an existing County Road known as Welser River Road; thence N 87° 55' 02" E, a distance of 272.58 feet along the southerly right-of-way of said Welser River Road; thence S 88° 23' 58" E, a distance of 99.00 feet along said southerly right-of-way; thence S 2° 04' 56" W, a distance of 348.51 feet; thence N 88° 47' 04" W, a distance of 141.97 feet; thence S 74° 24' 12" W, a distance of 48.15 feet; thence S 66° 42' 26" W, a distance of 52.40 feet; thence S 57° 17' 20" W, a distance of 111.62 feet to the TRUE POINT OF BEGINNING; ALSO EXCEPTING

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A parcel of land situated within the SE1/4 of Section 34, said Township and Range, more particularly described as follows:

Beginning at the southeast corner of Section 34, T.11N., R.5W., B.M.; thence N 0° 06' 20" W, a distance of 460.72 feet along the east line of the SE1/4 of said Section 34 to the TRUE POINT OF BEGINNING, which point is on the northeasterly right-of-way of the Idaho Northern and Pacific Railroad; thence northwesterly along the northeasterly right-of-way of said Railroad, along the arc of a curve right with a long chord bearing N 71° 09' 41" W - 450.95 feet; thence N 67° 29' 34" W, a distance of 948.94 feet along the northeasterly right-of-way of said Railroad; thence N 4° 04' 18" E, a distance of 367.26 feet; thence N 24° 20' 50" E, a distance of 39.01 feet; thence N 88° 15' 17" E, a distance of 30.64 feet; thence N 1° 04' 19" E, a distance of 78.46 feet to a point on the southerly right-of-way of existing County Road known as Sand Road; thence southeasterly along the southwesterly right-of-way of said Sand Road to a point on the east line of said SE1/4; thence S 0° 06' 20" E, a distance of 604.60 feet along the east line of said SE1/4 to the TRUE POINT OF BEGINNING; ALSO EXCEPTING

That portion of the E½ of Section 34, said Township and Range, lying northerly and easterly of Sand Road and Southerly of Welser River Road;

Except rights of way for County Roads, Idaho Northern and Pacific Railroad, Welser Irrigation District Canal and Mill Ditch Canal as now established.

INSTRUMENT NO. 159882
STATE OF IDAHO, COUNTY OF WASHINGTON ss.
Filed for record at the request of

WASHINGTON COUNTY TITLE
15 Min. past FIFTEEN o'clock P.M.

This 14TH day of APRIL 19 94

INDEX TO DEEDS

MARY KAUFZ, Recorder. Fee \$9.00

By J. C. McKnight Deputy

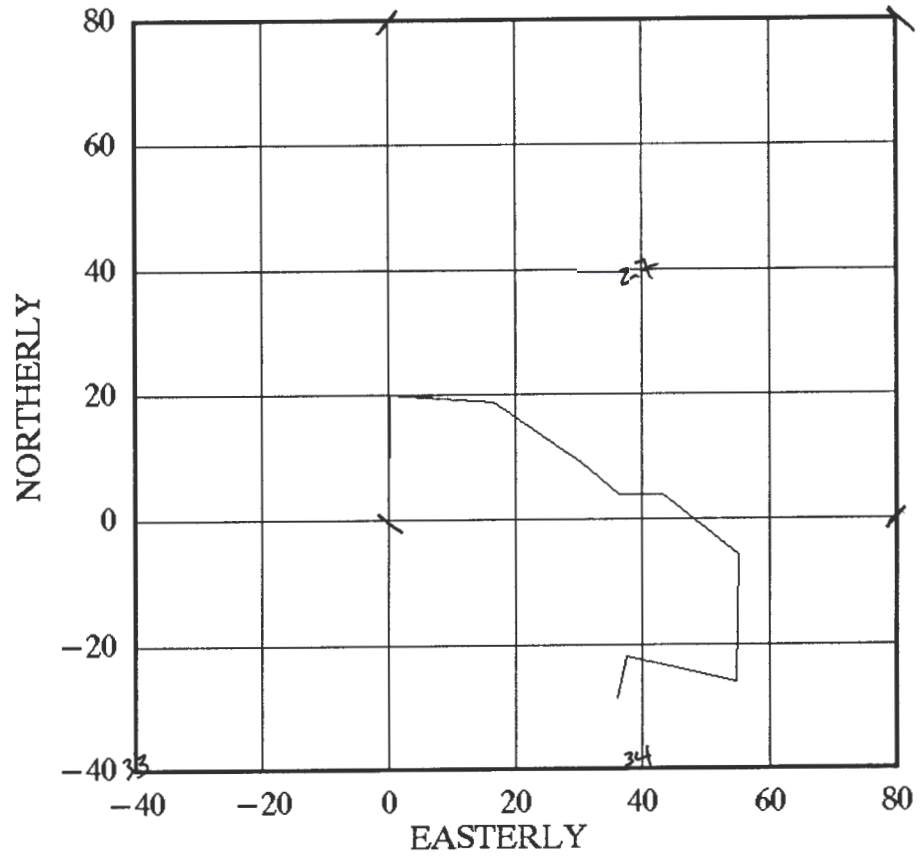
WASHINGTON COUNTY TITLE

☒ Imp. Index
☐ Cmp. Rel.
☐ Film
☐ Compare
☐ Card Rel.
☐ Bk. Rel.
☐ Up-date
☐ Return
☐ Copy

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS

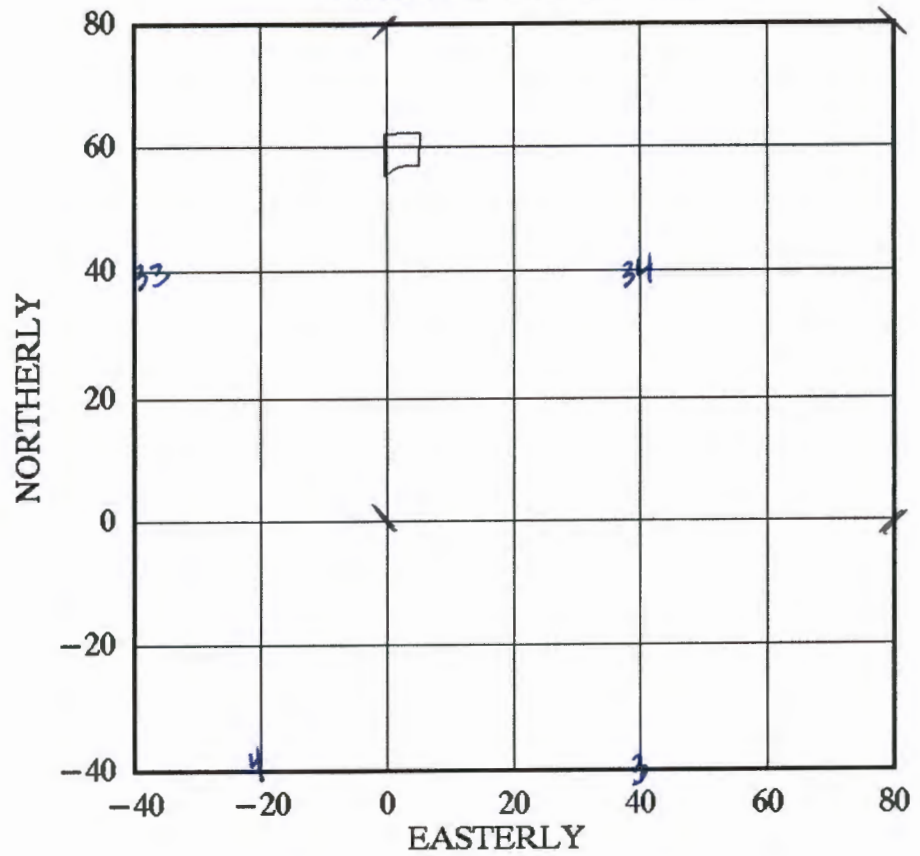
Winding Brook

(A) Metes +
Bounds description



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PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS

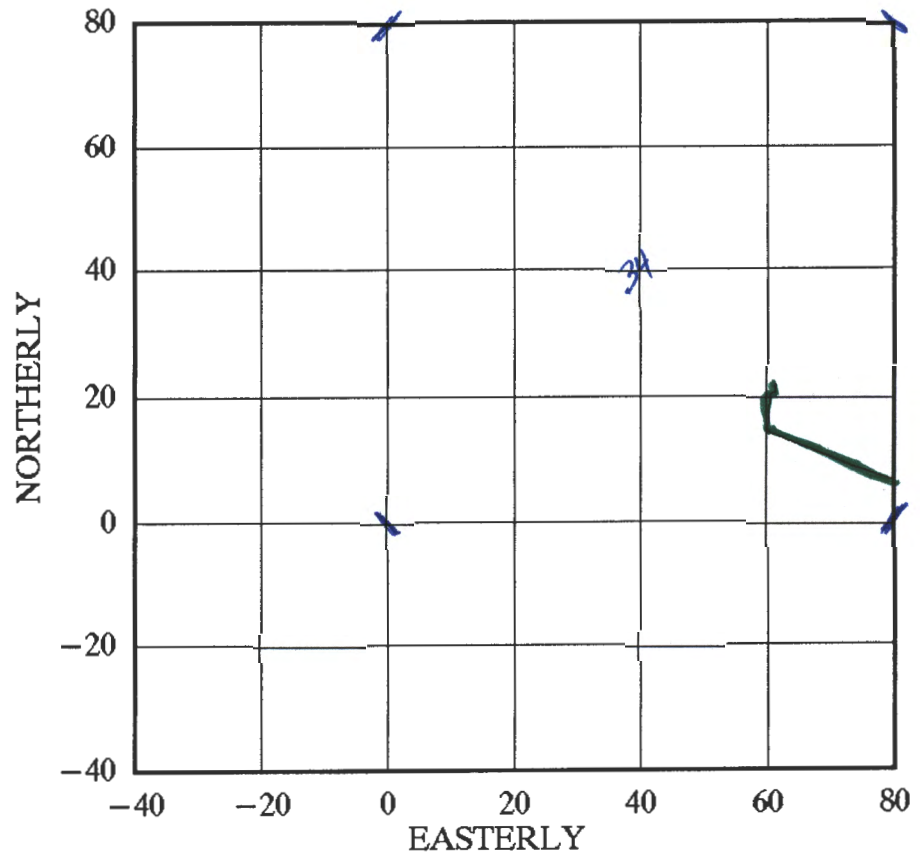


Winding Brook

⑧ Metes & bounds
description

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OCT 22 1996

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS

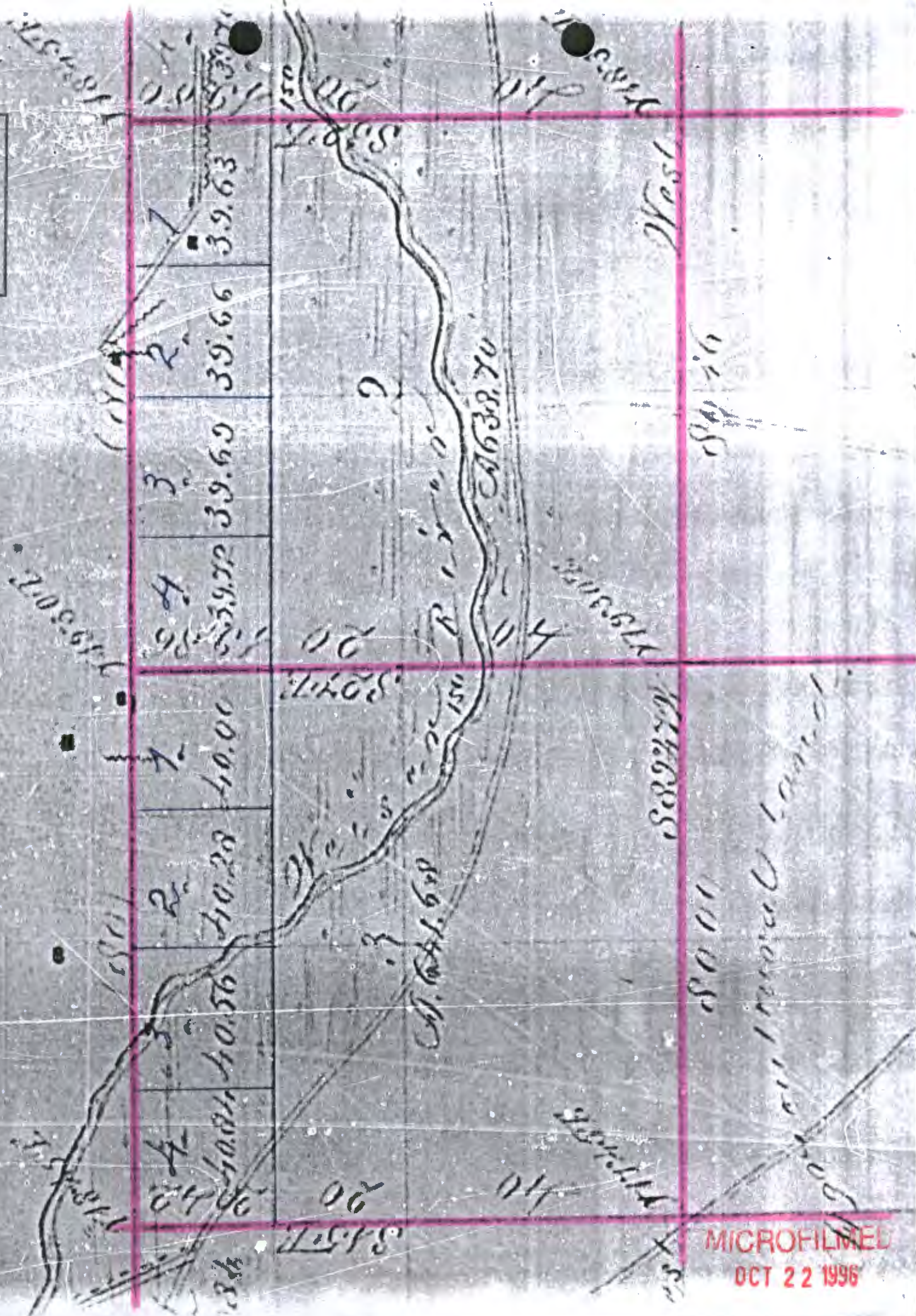


Winding Brook

© Metes & Bounds
clarification

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OCT 22 1996

POOR ORIGINAL



POOR ORIGINAL

State of Idaho

License and Certificate of Water Right

Water License No. G-23256

Amount 0.7 second foot

Water District No.

Priority August 20, 1952

THIS IS TO CERTIFY that CLAUDE C. and RUBY A. CARPENTER of Weiser, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated August 20, 1952; that Permit No. G-23256 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.7 second foot, was issued thereunder on November 7, 1953, showing that said works were completed on the 7th day of April, 1953; and that on the 7th day of April, 1953,

CLAUDE C. and RUBY A. CARPENTER 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 a well (subterranean flow), a tributary of, for the purpose of irrigation, under Use Permit No. G-23256 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 5178, on the 7th day of November, 1953; The right hereby confirmed dates from August 20, 1952;

The Point of Diversion is located in the NW 1/4 NE 1/4, Sec. 34, Tp. 11 N., R. 5 E., B. M. County Washington

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 0.7 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 N.	5 E.	34	NW 1/4 NE 1/4 SW 1/4 NE 1/4	40 15.58	35 15
			Number of acres actually irrigated -		50

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

7th day of November, 1953.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

67 2220
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PD is in NW NE approx 50 feet from E of canal
 Area = 50 acres.
 Q = 35 inches
 T = Not taken

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43356

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-23256

This proof is for Completion of Works and Beneficial Use Water District No.

1. Name of applicant Claude C. & Ruby A. Carpenter, Route 2, Weiser, Idaho

2. Source of water supply: Subterranean flow from a well

3. Location of point of diversion: Is in the NW 1/4 NE 1/4 of Section 34

T. 11 N. R. 5 W. County of Washington

4. Describe works as they exist, giving dimensions and capacities of same Sprinkler system.

Hand dug well 43' balance 12" drilled well. Depth is 65'. H is 43'.
 22' of perforated casing. 3 phase 440v. 30 hp. electric motor connected to
 a 5"x4" centrifugal pump. Pump and motor supported 2' above the water.
 Drawdown approx. 2 feet. 6" main pipe line extends to the NE up the hill.
 880' x 1/2", 920' x 3/4", 150' x 2" Al. lateral. 42 sprinkler heads size 3/32 x
 5/32" and 1/8" x 3/16". Water has to be lifted 40' to the highest part of
 the field.

5. Water is used for: 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):

NE 1/4 Section 34, Township 11 North, Range 5 West, E. 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?

Remarks: Grain, sugar beets, and melons raised this year. Owner is a partial
 cripple and place is rented.

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This examination was made on the 2nd day of Nov., 1953.

(Signed) E. M. Humphrey Examiner.

G 23256

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: A67-02223
Date Received: 10/18/1989
Receipt No: W006381
Received By: DE AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: S & S LAND & CATTLE CO. 208-549-0975
Address: P.O. BOX 671
WEISER, ID 83672

2. Date of Priority: AUG 20, 1952

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11N	05W	34	NW	NE			WASHINGTON

5. Description of diverting works:
100' WELL W/10" CASING, 30 HP PUMP, DUG IN 1949.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.700		

7. Total Quantity Appropriated is:
0.700 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
11N	05W	34	NW	NE		IRR	35.0
			SW	NE		IRR	15.0

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OCT 01 1992

AG7-02223

Page 1

Date: 10/19/89

10. Place of Use: Continued

Total Acres 50.0

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:
NONE

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 23256

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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 _____

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OCT 01 1992

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 A 67-02223
Date Received 10/18/89
Receipt Number W00 6381

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) STS Land & Cattle Phone (208) 549-0975
Mailing Address PO BOX 671 Weiser Idaho Zip 83672

2. Date of Priority (Only one (1) per claim) 8-20-1952

3. Source of water supply (a) Ground WATER
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 11N Range 5W Section 34,
SW 1/4 of NW 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Washington

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

Well 10" casing 100ft Deep 30 horse pump
Dug in 1949

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HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 3-15 to 11-15 amount 0.7 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.7 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) NONE

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
11W	SW	34		35	15														50

Total number of acres irrigated 50

11. In which county (ies) are lands listed above as place of use located? WASHINGTON

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
can also be irrigated by other water rights or None ()

14. Remarks:

Last Name _____ Ident No. _____

MICROFILMED

Copies: White - State, Yellow - Claimant

OCT 01 1992

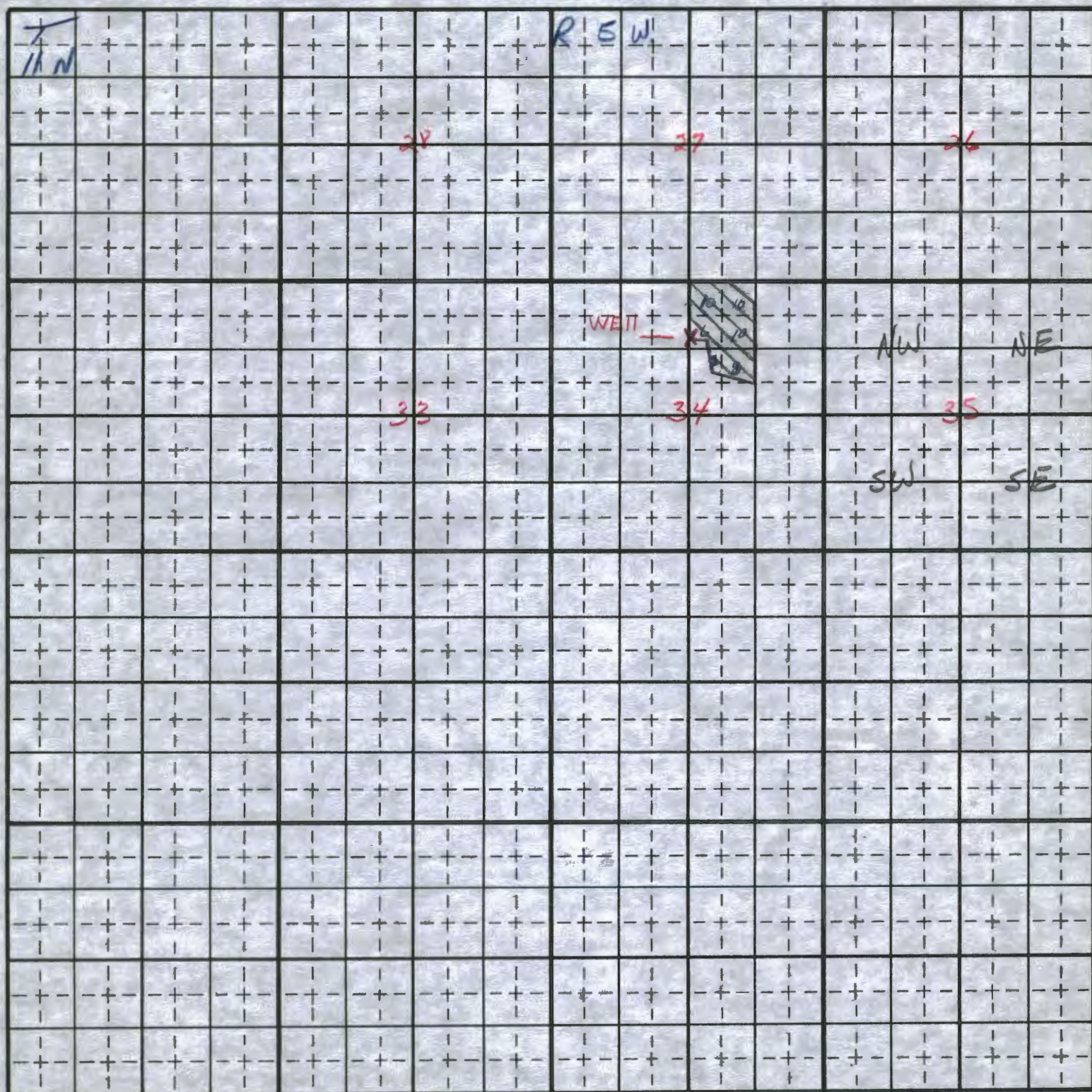
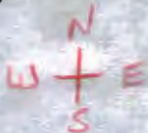
It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

Scale: 2 inches equals 1 mile



Copies: White-State, Yellow-Claimant

OCT 01 1992

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit ☒
Decree _____
If applicable provide IDWR Water Right Number 61-2223
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Vice-President
Title

of S+S Land and Cattle Co.
Organization

document in the space below as Vice President of S+S Land & Cattle Co.
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Thomas A. Juvet

Title and Organization Vice Pres. S+S Land & Cattle

Date 10-18-89

State of Idaho/or _____)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 18th day of Oct 19 89

SEAL

Notary Public Ron Howerton

Residing at _____

Ron Howerton

My Commission Expires _____

Residing at Boise, Idaho

My Commission Expires December 8, 1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED

OCT 01 1992

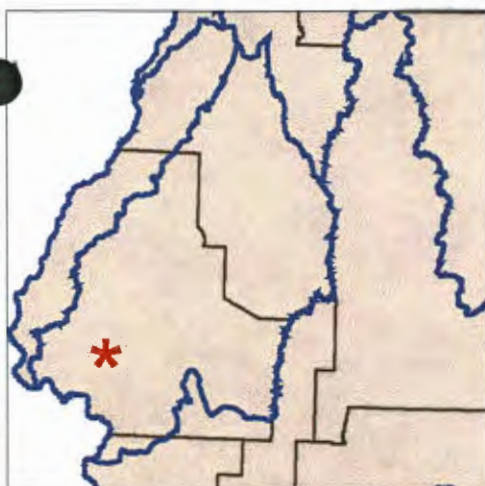
Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

Idaho Department of Water Resources

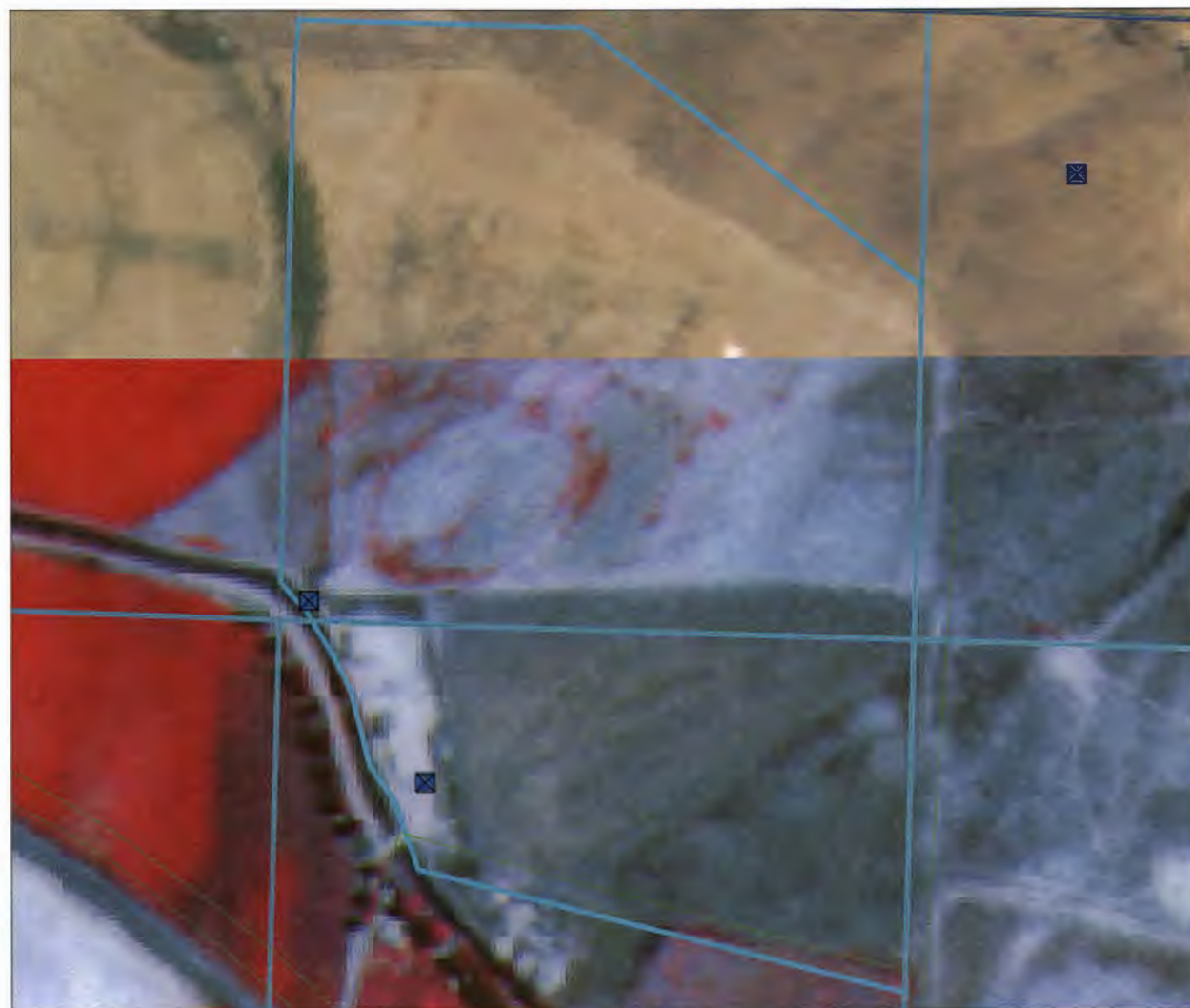


Adjudication Claim Number: **67-2223**



Legend

- Washington taxlots
- GCDB11N05W GCDB
- Recommendation POD
- PLSS Section LinesGcdb_sections.shp
- Recommendation POU



0 0.2 0.4 Miles

Prepared by M. Van Bussum
On Thursday, May 19, 2005
1987 Aerial Photography

Total Irrigated Acres: 50

05/19/2005

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

RIGHT NUMBER: 67-2223
NAME AND ADDRESS: WINDING BROOK CORP
C/O RODNEY H MOORE
PO BOX 53
NAMPA ID 83653-0053

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.700 CFS

PRIORITY DATE: 08/20/1952

POINT OF DIVERSION:

T11N R05W S34 NWNE 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	0.700 CFS

PLACE OF USE: IRRIGATION Within WASHINGTON County

T11N R05W S34	NWNE	35.0	T11N R05W S34	SWNE	15.0
---------------	------	------	---------------	------	------

50 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: License

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2223 V1

WATER RIGHT NUMBER: 67-2223 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WINDING BROOK CORP C/O RODNEY H MOORE PO BOX 53 NAMPA, ID 83653-0053 (208)466-0419
Original Owner	S & S LAND & CATTLE CO 1765 FAIRVIEW DR WEISER, ID 83672 (208)549-0975
Original Owner	RUBY A CARPENTER WEISER, ID
Original Owner	CLAUDE C CARPENTER WEISER, ID

Priority Date: 08/20/1952

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	03/01 to 11/15	0.700 CFS	
	<u>Total Diversion:</u>	0.700 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4	Sec. 34, Twp 11N, 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	
11N	05W	34		35.0	15.0														50.0

Total Acres: 50

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2223 V1

Remarks:Comments:

1. awarntje 1/15/2004 POU
Comment: Taxlots shows a different owner. Winding Brook Corp is over a quarter section. Check POU.
2. mcase 4/22/2004 Period of Use
Comment: No licensed Period of Use. I recommended standard Season of Use.
3. mcase 4/22/2004 Quantity
Comment: No licensed annual diversion. Could not determine recommended volume.
4. mvanbussum 5/19/2005 Volume
Comment: Volume calculated from acreage and field headgate requirement for POU. 50 ac * 4.5 ac-ft/ac
5. mvanbussum 5/19/2005 Period of Use
Comment: Claimed 03/15 to 11/15. Recommended 03/01 to 11/15 based on standard season of use for this area.

Dates and Other Information:

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

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	4/22/2004 2:17:39 PM	mcase			Active
POD	4/22/2004 2:24:39 PM	mcase			Active
Source	4/22/2004 2:25:44 PM	mcase			Active
POU	4/22/2004 2:25:54 PM	mcase			Active
Use	4/22/2004 2:26:20 PM	mcase			Active
Season	4/22/2004 2:26:58 PM	mcase			Active
Quantity	4/22/2004 2:27:59 PM	mcase			Active
Season	6/1/2004 2:31:36 PM	mcase			Active
Contacts	5/19/2005 7:27:20 AM	mvanbussum			Active
Priority Date	5/19/2005 7:28:13 AM	mvanbussum			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2223 V1

POD	5/19/2005 7:29:07 AM	mvanbussum	Active
Source	5/19/2005 7:33:14 AM	mvanbussum	Active
POU	5/19/2005 7:33:46 AM	mvanbussum	Active
Use	5/19/2005 7:40:57 AM	mvanbussum	Active
Season	5/19/2005 8:26:43 AM	mvanbussum	Active
Quantity	5/19/2005 8:34:18 AM	mvanbussum	Active
Summary		05/19/2005 mvanbussum	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	1/15/2004 2:36:52 PM	awarntje	Edited shape boundary
Source	5/19/2005 7:33:15 AM	mvanbussum	(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?
Season	6/1/2004 2:31:36 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?
Season	5/19/2005 8:26:43 AM	mvanbussum	(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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2223 V1

Summary	5/19/2005 8:36:37 AM	mvanbussum	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 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?
Priority Date	4/22/2004 2:17:40 PM	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?
POD	4/22/2004 2:24:07 PM	mcase	Edited point location
Quantity	4/22/2004 2:27:59 PM	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? (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?
Contacts	5/19/2005 7:27:20 AM	mvanbussum	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop review.
POD	4/22/2004 2:24:40 PM	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	4/22/2004 2:25:44 PM	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

Adjudication Recommendation Report 67-2223 V1

POU	4/22/2004 2:25:54 PM	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	4/22/2004 2:26:20 PM	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	4/22/2004 2:26:59 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?
POD	5/19/2005 7:31:38 AM	mvanbussum	Edited point location
POD	5/19/2005 7:32:38 AM	mvanbussum	Edited point location
POU	5/19/2005 7:33:46 AM	mvanbussum	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	5/19/2005 7:40:57 AM	mvanbussum	(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?
General	5/19/2005 7:28:14 AM	mvanbussum	(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?
POD	5/19/2005 7:29:08 AM	mvanbussum	(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? (No) 10. Is a POD remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2223 V1

POU	5/19/2005 7:39:36 AM	mvanbussum	Edited shape boundary
POU	5/19/2005 7:39:57 AM	mvanbussum	Edited shape boundary
Quantity	5/19/2005 8:34:19 AM	mvanbussum	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the Decree or License have a diversion rate and/or volume? (No) 7. Is a flow measurement required? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required?

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.

4-12-05: Washington CO Tax lot data says this is now owned by Robert Woods.

Don't worry about this now. Just meet with Wendling Brook and ask them our questions.

: Since this is a license, we wouldn't necessarily have to go out there. But since you will be there anyway, Just Verify:

POU on map: The license/claim is for 80 ac. My shape is about 40 ac and that is stretching it.

Have Claimant Draw in POU on map.

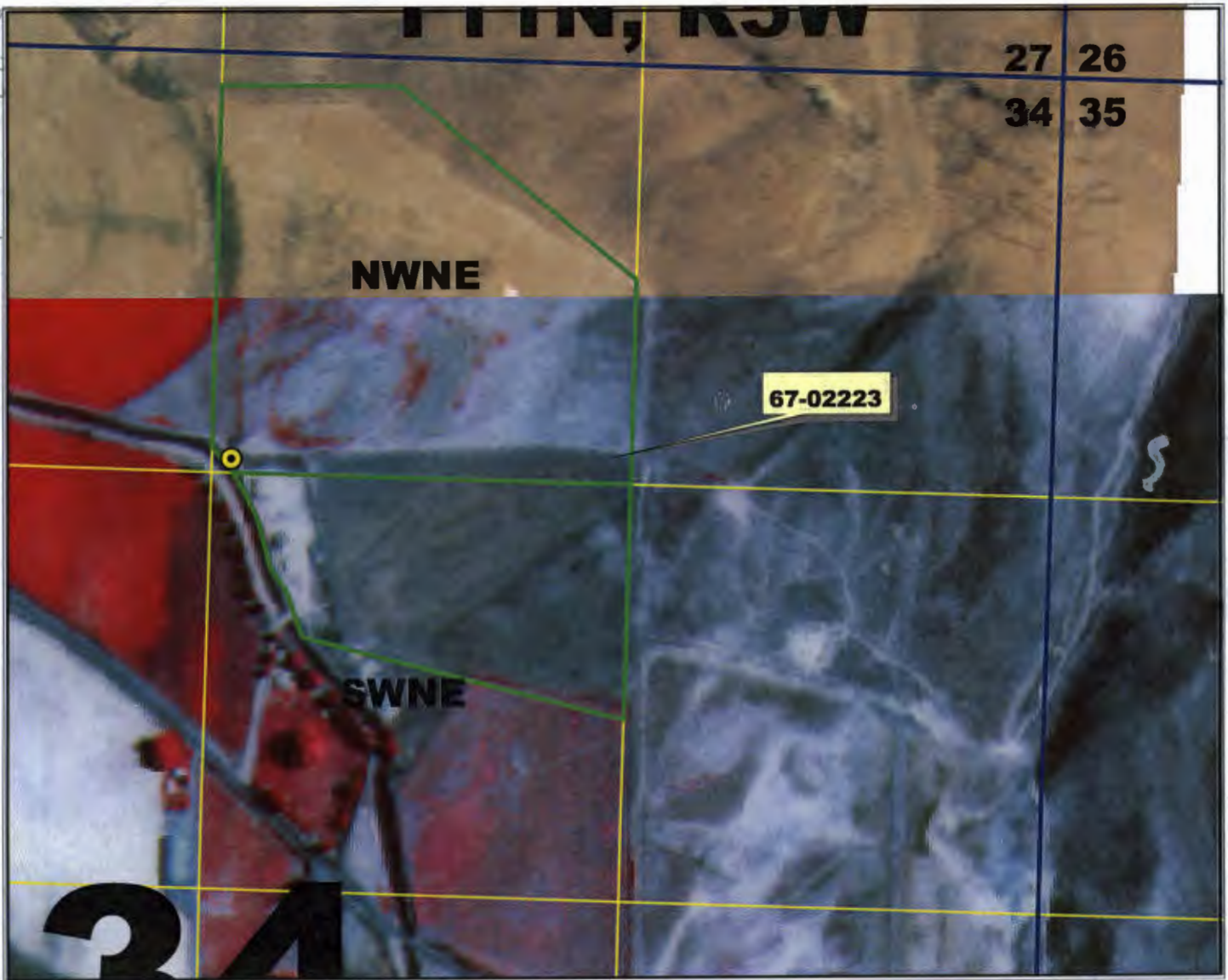
POD: Have them draw it in on map. Don't need GPS Point or picture unless you are right there.



State of Idaho

POU Claim Map 67-02223

Map Source: 1987 Napp



1320

0

1320 Feet

○ Claimed Point of Diversion

□ Claimed Place of Use

□ N/A

□ Tax Lot Data

□ Quarter Quarter Lines

□ Section Lines

Claimed Irrigated Acres: 50



Prepared By: Craig L. Saxton
Date: April 2005



State of Idaho

POU Claim Map 67-02223

Map Source: USGS DOQQ



1320

0

1320 Feet

○ Claimed Point of Diversion

□ Claimed Place of Use

▤ N/A

□ Tax Lot Data

□ Quarter Quarter Lines

□ Section Lines

Claimed Irrigated Acres: 50



Prepared By: Craig L. Saxton
Date: April 2005

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	WINDING BROOK CORP	C/O RODNEY H MOORE PO BOX 53	NAMPA	ID	83653-005	(208)466-0419
Original Owner	S & S LAND & CATTLE CO	1765 FAIRVIEW DR	WEISER	ID	83672	(208)549-0975
Original Owner	RUBY A CARPENTER		WEISER	ID		
Original Owner	CLAUDE C CARPENTER		WEISER	ID		

Date of Field Exam: _____ Time: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

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

Tax lot data says this belongs to: Robert C. Woods

Reviewer: _____

Date: _____

Priority Date Data Entry Form

Claim Number 67-2223

Claimed Priority Date: 8/20/1952

Claimed Basis: License

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

Water Right Priority Date: 8/20/1952

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

Reviewer: _____

Date: _____

Point of Diversion and Source Data Entry Form

Claim Number 67-2223

Claimed Point of Diversion and Source

T11N R05W S34 NWNE Within WASHINGTON County Source: GROUND WATER

☒ **Use Claimed POD and Source as Recommended POD and Source**

Water Right Point of Diversion and Source

T11N R05W S34 NWNE 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:

Reviewer: _____

MVP

Date: _____

Place Of Use Data Entry Form

Claim Number 67-2223

Claimed Place Of Use

T11N R05W S34 NWNE 35.0 T11N R05W S34 SWNE 15.0

Total Acres 50

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

T11N R05W S34 NWNE 35.0 T11N R05W S34 SWNE 15.0

Total Acres 50

Recommended Place of Use

☐ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

See map in file

Reviewer: _____

MKS

Date: _____

Purpose of Use Data Entry Form

Claim Number 67-2223

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

Document how the Purpose of Use was verified:

Reviewer:

MVB

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number 67-2223

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	3/15	11/15	0.7	

Overall Diversion Rate	0.7	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	/	/	0.7	

Overall Diversion Rate 0.7 Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Inv	3/1	11/15	0.7	225

Overall Diversion Rate 0.7 Overall Diversion Volume _____

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

As licensed

Vol: $(\overset{260}{\cancel{360}} \text{ days})(1.4935)(0.7 \text{ cgs}) = 361.0 \text{ AP}$

$(\overset{01}{\underline{50}} \text{ ac})(4.5 \text{ AP per ac}) = \underline{225}$

↑
yet to be determined.

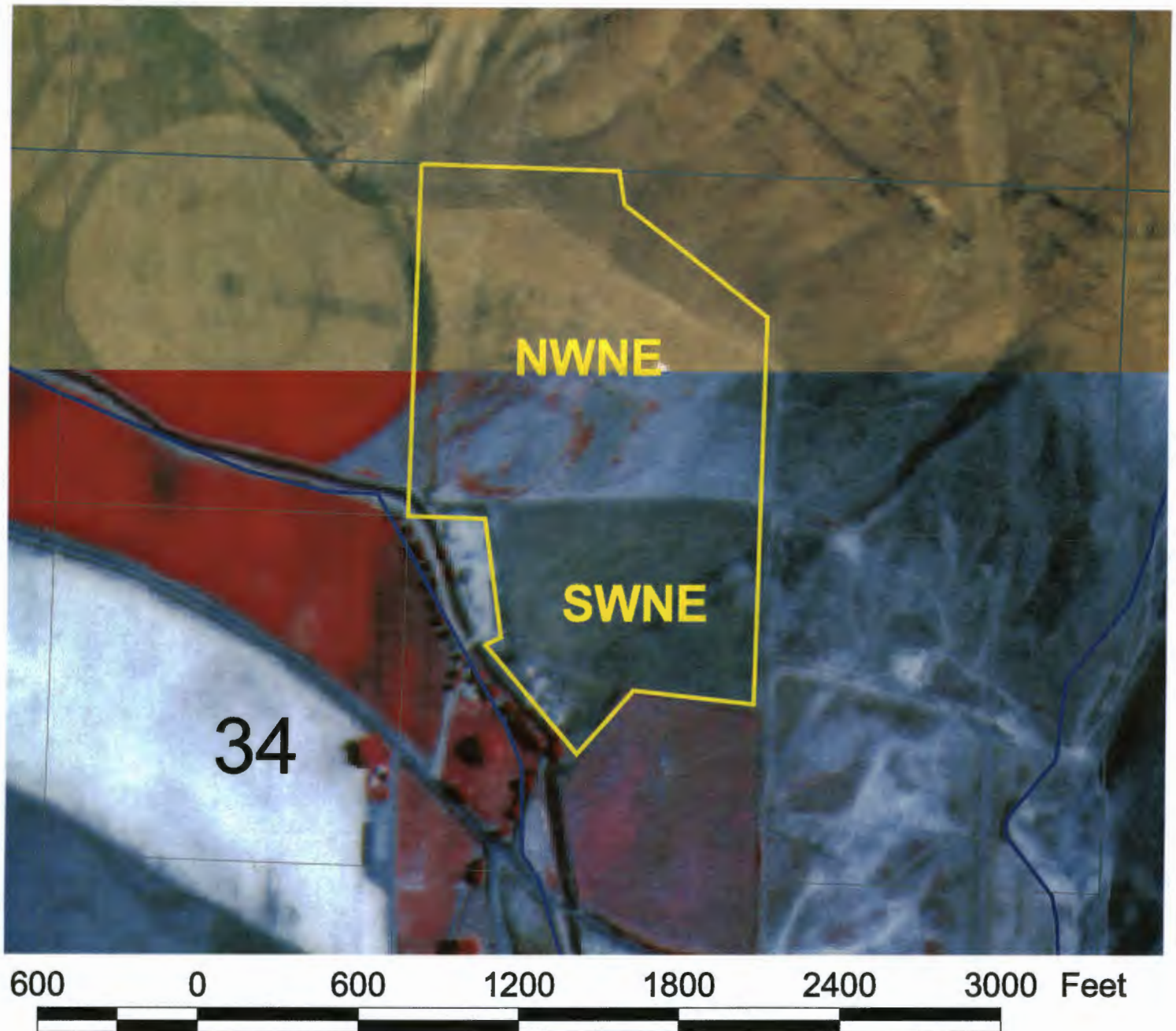
} use lesser of the two

Reviewer: MVB

Date: _____

Idaho Department of Water Resources

67-2223



T11N, R05W, S34



Prepared by Anita L. Warntjes
January 15, 2004
1993/94 True Color Photo

DO NOT SCAN

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2223 V1

WATER RIGHT NUMBER: 67-2223 V1

Owner Type Name and Address
Current Owner WINDING BROOK CORP
C/O RODNEY H MOORE
PO BOX 53
NAMP, ID 83653-0053
(208)466-0419
Original Owner S & S LAND & CATTLE CO
PO BOX 671
WEISER, ID 83672
(208)549-0975
Original Owner RUBY A CARPENTER
Original Owner WEISER, ID
CLAUDE C CARPENTER
WEISER, ID

Priority Date: 08/20/1952

Basis:

Status:

Source Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.700 CFS	
	<u>Total Diversion:</u>	0.700 CFS	

Location of Point(s) of Diversion
GROUND WATER NW1/4NE1/4 Sec. 34, Twp 11N, Rge 05W, B.M.
WASHINGTON County

Place of Use
IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
11N	05W	34	35.0	15.0			50.0

Total Acres: 50

Conditions of Approval:

Remarks:

DRAFT

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2223 V1

Comments:

1. awamtje 1/15/2004 POU
Comment: Taxlots shows a different owner. Winding Brook Corp is over a quarter section. Check POU.
2. mcase 4/22/2004 Period of Use
Comment: No licensed Period of Use. I recommended standard Season of Use.
3. mcase 4/22/2004 Quantity
Comment: No licensed annual diversion. Could not determine recommended volume.

Dates and Other Information:

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

Combined Use Limits:

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Priority Date	4/22/2004 2:17:39 PM	mcase			
POD	4/22/2004 2:24:39 PM	mcase			
Source	4/22/2004 2:25:44 PM	mcase			
POU	4/22/2004 2:25:54 PM	mcase			
Use	4/22/2004 2:26:20 PM	mcase			
Season	4/22/2004 2:26:58 PM	mcase			
Quantity	4/22/2004 2:27:59 PM	mcase			

Verification Log:

Element	Date Time Stamp	Reviewer	Log text
POU	1/15/2004 2:36:52 PM	awamtje	Edited shape boundary

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2223 V1

Priority Date	4/22/2004 2:17:40 PM	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?
POD	4/22/2004 2:24:07 PM	mcase	Edited point location
Quantity	4/22/2004 2:27:59 PM	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? (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?
POD	4/22/2004 2:24:40 PM	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	4/22/2004 2:25:44 PM	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?
POU	4/22/2004 2:25:54 PM	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	4/22/2004 2:26:20 PM	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	4/22/2004 2:26:59 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?

State of Idaho

License and Certificate of Water Right

Water License No. G-23256

Amount 0.7 second foot

Water District No. _____

Priority August 20, 1952

THIS IS TO CERTIFY that CLAUDE C. and RUBY A. CARPENTER
of Weiser, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated August 20, 19 52; that Permit No. G-23256
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.7 second foot, was issued thereunder on November 7, 19 53, showing that said works
were completed on the 7th day of April, 19 53; and that on the 7th
day of April, 19 53,

CLAUDE C. and RUBY A. CARPENTER
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 a well (subter-
ranean flow), a tributary of _____, for the purpose of irrigation
_____, under Use Permit No. G-23256 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 5178, on the 7th day of November, 19 53;
The right hereby confirmed dates from August 20, 19 52;
The Point of Diversion is located

in the NW 1/4 NE 1/4, Sec. 34, Tp. 11 N. R. 5 W., B. M. _____ County Washington

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 0.7 cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 N.	5 W.	34	NW 1/4 NE 1/4 SW 1/4 NE 1/4	40 15.58	35 15
Number of acres actually irrigated -				- - -	50

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
7th day of November, 19 53.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

SCANNED
MAY 10 2004

67 2220

MICROFILMED

OCT 01 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 27, 1995

S & S LAND & CATTLE CO
PO BOX 671
WEISER ID 83672

RE: Notices of Claim to a Water Right Nos: A67-02223, A67-10241,
A67-10244, A67-10248

Dear Claimant:

Enclosed is a copy of the "Notice of Change of Water Right Ownership" form which has been submitted to this office. This form identifies you as the former owner of the above-referenced water right claims filed in the Snake River Basin Adjudication.

This letter is to notify you that the ownership of the water right claims has been changed to Winding Brook Corporation. This reflects the change in ownership of the land and appurtenant water rights to the new owner.

Please carefully review your records of the water right claims which have been changed. If you have any questions regarding this matter, please contact this office.

Sincerely,

Adjudication Staff
Western Region Office

MM:m

Enc.

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OCT 22 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 27, 1995

R H MOORE
WINDING BROOK CORP
C/O AGRIVEST
PO BOX 53
NAMPA ID 83653

RE: Notices of Claim to a Water Right Nos. A67-04150, A67-02223, A67-10241
A67-10244, A67-10248

Dear Mr. Moore:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the lands and appurtenant water rights to your company. The address on claim no. A67-04150 has been updated to the Nampa address.

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

If you have any questions in regard to your water rights, please do not hesitate to contact this office.

Sincerely,

ADJUDICATION STAFF
WESTERN REGION OFFICE

MM:m

Enc.

MICROFILMED
OCT 22 1996

Batterymarch: AgriVest

December 21, 1995

RECEIVED

DEC 26 1995

WATER RESOURCES
WESTERN REGION

RODNEY H. MOORE, A.R.A.
VICE PRESIDENT

Ms. Maria Minicucci
Water Agent, Adjudication Bureau
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

Re: WBC #68, Weiser Farm
Washington County, ID
Water Rights

Dear Maria:

This letter will acknowledge receipt of yours dated October 14 that included reports on water rights. In reviewing the legal description of the property acquired by WBC, the water right profile information supplied, and the ownership plat, I have determined the water rights that belong to the above-captioned property.

For Claim #A67-04150, please change the mailing address to reflect what is on the change of ownership form enclosed. Also listed are the other rights on the change of ownership form, which includes the attached warranty deed. Claim #A67-04150 is water rights for two river pumps in the Weiser River. Claim A67-02223 covers an irrigation well, the other four water rights are for domestic water.

Please file this form and return with the adjudication forms and change of ownership. If you have any questions, please do not hesitate to call my office in Nampa. Thanks for your assistance in this matter.

Sincerely,

Rodney H. Moore
Vice-president

Enclosures

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OCT 22 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

October 14, 1994

R. KEITH HIGGINSON
DIRECTOR

WINDING BROOK CORPORATION
ATTN: GEORGE SCHWAB
C/O BATTERMARCH: AGRIVEST
SUITE 3001
11330 IH 10 WEST
SAN ANTONIO TX 78249

WBC # 68 - Weiser Farm REC'D NAMPA, ID

OCT 25 1994

RE: Notice of Change of Water Right Ownership

Batterymarch: AgriVest

Dear Mr. Schwab:

Winding Brook Corp. submitted a change of ownership form for three claims, numbers A67-04150, A67-03090, and A67-02280. Of these claims, only A67-04150 is appurtenant to the property description in the warranty deed submitted to this office. Claim number A67-02280 is not appurtenant to the property, and IDWR has no claim or existing water right on file with the number (A)67-03090. A copy of claim number A67-04150, which has been changed to reflect the change in ownership, is enclosed.

Also enclosed are reports of other claims which appear to be appurtenant to the property. The first group of claims, listed below, appear to require a change of ownership. Please review these reports carefully and complete the change of ownership form for the claims which should be in your name.

A67-02223 ✓	A67-10241	A67-10242	A67-10244 ✓
WELL	STOCKWATER	DOMESTIC - H ₂ O	STOCKWATER

The second group of claims, listed below, may or may not be appurtenant to the property depending on exactly where in the 1/4 1/4 the place of use is located. You may want to consult with the former owner to determine if any of these claims require a change of ownership.

NO - A67-10235	A67-10236	A67-10240 - NO.
NO - A67-10243	A67-10246	A67-10248 - YES domestic

If you have any questions or need additional information, please do not hesitate to contact this office.

Sincerely,

Maria Minicucci
Water Agent, Adjudication Bureau

MM:m

Enc: Claim No. A67-04150, Referenced profile reports, Change of Ownership forms (2)

Fill out forms for above 4 rights to property - mail -

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OCT 22 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

October 14, 1994

R. KEITH HIGGINSON
DIRECTOR

WINDING BROOK CORPORATION
ATTN: GEORGE SCHWAB
C/O BATTERMARCH:AGRIVEST
SUITE 3001
11330 IH 10 WEST
SAN ANTONIO TX 78249

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A67-10235 A67-10236 A67-10240
A67-10243 A67-10246 A67-10248

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Sincerely,

Maria Minicucci
Water Agent, Adjudication Bureau

MM:m

Enc: Claim No. A67-04150, Referenced profile reports, Change of
Ownership forms (2)

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OCT 22 1996