

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: **A67-02372**
Date Received: 1/25/1990
Receipt No: C014221
Received By: _____

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

1. Name: SEWARD PROSSER MELLON 412-238-7085
Address: PO RKM
LIGONIER PA 15658

2. Date of Priority: SEP 19, 1966

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12N	04W	5	SW	SE	SW		WASHINGTON

5. Description of diverting works:
WELL, 289' DEPTH, 10' CAS. PUMP INTO CK. TO DIV. DAM, PUMP & DIV. DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.750		150.00

7. Total Quantity Appropriated is:
0.750 C.F.S. (and/or) 150.00 A.F.A.

8. Total consumptive use is 114.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
12N	04W	9	NE	SE		IRR	5.0
			NW	SE		IRR	10.0
			SW	SE		IRR	7.0
			SE	SE		IRR	16.0

**SCANNED
MAY 10 2004**

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	38.0
					Total Acres	38.0

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:
N/A

14. Remarks:
OWNERSHIP CHANGED BY LH 3/21/95.

15. Basis of Claim: LICENSE

Water Right Number: 33355

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)
) SS.
County of _____)

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)

RECEIVED

MAR 17 1995

WATER RESOURCES
WESTERN REGIONDATE OF CLOSING: 1/3/95

LEGAL DESCRIPTION OF PROPERTY: Township 12 NORTH Range 4 WEST
 Section 1/4 of 1/4 of 1/4 Govt. Lot 1, BM.
 Lot 1, Block 1, Subdivision/Townsite 1.
 If you have additional legal descriptions, please attach separate sheet.

☐ 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:

A67-02372

☐ Name and Address of Former Owner/Claimant(s)(Seller): DAN & LISA FOX AND MATT & COREEN OLIVER

7766 ARFONS DRIVE

☐ New Owner/Claimant (Purchaser):

SAN DIEGO, CA 92126SEWARD PROSSER MELLON

☐ New Mailing Address:

P.O. RKMLIGONIER, PA 15658

☐ New Telephone Number: (412) 238 - 7085

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes XX 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)

Seward Prosser Mellon

Date

12-27-94

Date

☐ 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: 3-21-95 By: JD

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 3-21-95 By: JD

Claim Numbers of Split, if any:

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

MICROFILMED

OCT 22 1996

100-94-4728

WARRANTY DEED

For Value Received

DAN FOX AND LISA LYNN FOX, husband and wife AND MATT OLIVER AND COREEN K. OLIVER,
husband and wife

The grantors, do hereby grant, bargain, sell and convey unto

SEWARD PROSSER MELLON

the grantee, whose current address is

P.O. BOX RKM, LIGONIER, PA 15658

the following described premises, in WASHINGTON

County Idaho, to-wit:

PARCEL I

In Township 12 North, Range 4 West of the Boise Meridian,
Washington County, Idaho:Section 5: S $\frac{1}{2}$ S $\frac{1}{2}$;Section 8: NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;Section 9: NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$;Section 17: N $\frac{1}{2}$ NE $\frac{1}{4}$.

PARCEL II

In Township 12 North, Range 4 West of the Boise Meridian,
Washington County, Idaho:Section 10: NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$;Section 15: NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$;Section 16: E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$.Together with all water, water rights, ditches and ditch rights appurtenant
thereto and in anywise belonging.Subject to all valid outstanding reservations, easements, rights-of-way,
restrictions, dedications, mineral leases, mineral reservations and mineral
conveyances of record.TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee
his heirs and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantee, that they the owners in fee simple of said premises; that they are free
from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: DECEMBER 22, 1994

Dan Fox

DAN FOX

Lisa Lynn Fox

LISA LYNN FOX

Matt Oliver

MATT OLIVER

Coreen K. Oliver

COREEN K. OLIVER

CALIFORNIA
STATE OF ~~XXXX~~, COUNTY OFOn this 22 day of DECEMBER, 1994,
before me, a notary public in and for the said State, personally
appearedDAN FOX AND LISA LYNN FOX
MATT OLIVER AND COREEN K. OLIVERknown or identified to me to be the person whose name I
subscribed to the within instrument, and acknowledged to me
that THEY executed the same.*Marlene Louise Jarmusch*
Notary PublicResiding at EL CAJON
Comm. Expires AugMARLENE LOUISE JARMUSCH
NOTARY PUBLIC - CALIFORNIA
SAN DIEGO COUNTY
My Comm. Expires Aug. 25, 1995

STATE OF IDAHO, COUNTY OF WASHINGTON

I hereby certify that this instrument was filed for record at the
request of WEISER VALLEY TITLEat 50 minutes past FIFTEEN o'clock P.M.,
this 3RD day of JANUARY
1995, in my office, and duly recorded in ~~XXX~~
Xf Deeds at ~~Page~~ BY #162206

MARY KAUTZ

Ex-Officio Recorder

By *Lisa M. Knight*

Fees \$3.00

Mail to: WEISER VALLEY TITLE

Deputy.

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

INSTRUMENT NO.

RECEIVED

MAR 17 1995

WATER RESOURCES
WESTERN REGION

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: **A67-02372**
Date Received: 1/25/1990
Receipt No: C014221
Received By: _____

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

1. Name: DAN E FOX
Address: 13512 VINTAGE PLACE
CHINO CA 91710
AND
Name: LISA LYNN FOX
Address: 13512 VINTAGE PLACE
CHINO CA 91710
AND
Name: MATTHEW B OLIVER
Address: 13512 VINTAGE PLACE
CHINO CA 91710
AND
Name: COREEN K OLIVER
Address: 13512 VINTAGE PLACE
CHINO CA 91710

2. Date of Priority: SEP 19, 1966

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12N	04W	5	SW	SE	SW		WASHINGTON

5. Description of diverting works:
WELL, 289' DEPTH, 10' CAS. PUMP INTO CK. TO DIV. DAM, PUMP & DIV. DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.750		150.00

7. Total Quantity Appropriated is:
0.750 C.F.S. (and/or) 150.00 A.F.A.

MICROFILMED
AUG 05 1994

8. Total consumptive use is 114.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	04W	9	NE	SE		IRR	5.0
			NW	SE		IRR	10.0
			SW	SE		IRR	7.0
			SE	SE		IRR	16.0
Section Acres							38.0
Total Acres							38.0

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:
N/A

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 33355

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: _____

MICROFILMED

AUG 05 1994

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
AUG 05 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 9/30/92

RECEIVED

JAN 6 1993

Department of Water Resources

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 ATTACHED WARRANTY DEED DESCRIPTION

- ☐ 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)

JAN 06 1993

Department of Water Resources
Western Regional Office

- ☐ Water Right Number(s)

Assigned by IDWR:

WATER RIGHT LICENSE 33355/67-2372

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

HOWARD C. LACEY

- ☐ New Owner/Claimant (Purchaser):

DAN E. & LISA LYNN FOX

- ☐ New Mailing Address:

MATTHEW B. & COREEN K. OLIVER

13512 VINTAGE PLACE

CHINO, CA. 91710

- ☐ New Telephone Number:

() _____ - _____

- ☐ 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)

Dan E. & Lisa Lynn Fox
Matthew B. & Coreen K. Oliver

Date

Date 9/28/92

- ☐ Signature of Former Owner/Claimant(s):

Howard Lacey

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: 1-7-93 By: gnd

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 1-7-93 By: gnd

Claim Numbers of Split, if any:

MICROFILMED

AUG 05 1994

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

State of Idaho
Department of Water Resources

POOR ORIGINAL

WATER RIGHT LICENSE

License of Water Right No. 33355/67-2372 Priority Sept. 19, 1966 Amount 0.75 cfs

THIS IS TO CERTIFY, that HOWARD LACEY
of Weiser, Idaho, has complied with the terms and conditions of Permit
No. 33355/67-2372 issued pursuant to Application for Permit dated September 19, 1966,
and has submitted proof to the Department of Water Resources on May 3, 1968,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.79 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov. 15</u> at <u>0.75</u> cfs and <u>150 acre feet or</u>		
	from _____ to _____ at _____ cfs and _____		
	from _____ to _____ at _____ cfs and _____		
	(both dates inclusive)		

Subject, however, to the condition that no more than 0.75 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
150 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 5.
Twp. 12 N, Rge. 4 W, B.M. in the County of Washington

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
12N	4W	9													4.5	10	7	16	37.5

Total number of acres irrigated 37.5

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 27 day of
November, 19 76.

Director

POOR ORIGINAL

State of Idaho

JUN 06 1993

JUN - 3 1966

WATER LICENSE

Department of Water Resources
Western Regional Office

Water License No. 33356/67-2373 Priority September 19, 1966 Amount 1.60 c.f.s.

THIS IS TO CERTIFY, that HOWARD LACEY

of Weiser, Idaho, made application for a permit to appropriate the public waters of

the State of Idaho, dated September 19, 1966; that Permit 33356/67-2373 was issued pursuant

to said application; that the proposed works were completed on or about June 13, 1967,

with a storage/or carrying capacity of 1.60 c.f.s., said works consisting of

pumps and sprinkler system; and that on November 20, 1967,

proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 464

acre feet per season, with a maximum rate of diversion of 1.60 cubic feet per second of the waters

of Thousand Springs Valley Creek and East /, tributary of Branch of Thousand Springs Valley Creek
Weiser River

for the purpose of Irrigation from April 1 to October 31;

and for from to; and for

from to; and that the use

of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-

mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is

located in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, T. 12 N, R. 4 W B.M., and SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 9, T. 12
other additional points NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8; NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, /, in the County of R. 1

Washington; and that the amount of water to which such right is

entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially

used for said purposes and shall not exceed 464 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
12 N	4 W	8		21	9										17				47
		9													25	9	6	29	69

Total number of acres irrigated 116

The right to the use of the water 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

27th day of October, 19 69.

R. Keith Higgs
State Reclamation Engineer

67 2373

33356

67-237

WARRANTY DEED

For Value Received HOWARD C. LACEY AND VIRGINIA LACEY
HUSBAND AND WIFERECEIVED
JAN 06 1993Department of Water Resources
Western Regional OfficeThe grantor_s, do hereby grant, bargain, sell and convey unto

DAN FOX, A single man, and

the grantee, whose current address is MATT OLIVER, A single man

the following described premises, in

Washington

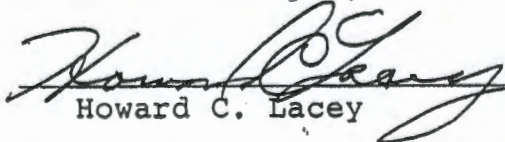
County Idaho, to-wit:

See Attached Exhibit "A"

SUBJECT TO Mortgage recorded August 23, 1967 as Instrument No. 92254,
Book 54, page 287. And Mortgage recorded June 25, 1986 as Instrument
No. 140662, Book 61, page 909, official records.TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee
heirs and assigns forever. And the said Grantor do hereby covenant to and
with the said Grantee, that he the owner in fee simple of said premises; that they are free
from all incumbrances

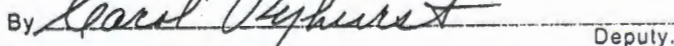
and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: February 9, 1990.


Howard C. Lacey
Virginia LaceySTATE OF IDAHO, COUNTY OF Washington
On this 9 day of February, 19 90
before me, a notary public in and for the said State, personally
appearedHoward C. Lacey and
Virginia Laceyknown or identified to me to be the person_s whose name
subscribed to the within instrument, and acknowledged to me
that they executed the same.
Notary PublicResiding at Weiser
Comm. Expires 3/26/91STATE OF IDAHO, COUNTY OF WASHINGTON
I hereby certify that this instrument was filed for record at the
request of WEISER VALLEY TITLEat 01 minutes past 15:00 o'clock P.M.,
this 1ST day of OCT.
19 92, in my office, and duly recorded in Book
of Deeds at ~~XXX~~ # 155496

MARY KAUTZ

Ex-Officio Recorder

By  Deputy.

Fees \$6.00

Mail to: WEISER VALLEY TITLE

Cmp. Index
Cmp. Rel.
Film
Compare
Card Rel.
Bk. Rel.
Up-date
Return

EXHIBIT A

That certain real property in the State of Idaho, County of Washington, commonly known as the Howard Lacey Thousand Springs Farm, more particularly described as follows, to wit:

IN TOWNSHIP 12 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN:

Section 5: S $\frac{1}{2}$ S $\frac{1}{2}$

Section 8: NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 9: NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$

Section 17: N $\frac{1}{2}$ NE $\frac{1}{4}$

Together with all and singular all CRP rights, water, water rights, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, including the home, outbuildings and other improvements located thereon.

MICROFILMED
AUG 05 1994

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A67-02372
Date Received: 1/25/1990
Receipt No: CO 14221
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HOWARD LACEY 208-549-9362
Address: THOUSAND SPRINGS VALLEY RD.
WEISER, ID 83672

2. Date of Priority: SEP 19, 1966

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12N	04W	5	SW	SE	SW		WASHINGTON

5. Description of diverting works:
WELL, 289' DEPTH, 10' CAS. PUMP INTO CK. TO DIV. DAM, PUMP & DIV. DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.750		150.00

7. Total Quantity Appropriated is:
0.750 C.F.S. (and/or) 150.00 A.F.A.

8. Total consumptive use is 114.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	04W	9	NE	SE		IRR	5.0
			NW	SE		IRR	10.0
			SW	SE		IRR	7.0

A67-02372

Page 1

Date: 01/25/90

MICROFILMED
OCT 02 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
12N	04W	9	SE	SE	IRR	16.0
Section Acres						38.0
Total Acres						38.0

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:
N/A

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 33355

MICROFILMED
OCT 02 1992

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: 1

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): *Hanna Dacey* Date: 1/25/90
Date: _____

State of Idaho)
County of AOA) SS.

Subscribed and sworn (or affirmed) before me this 25th day
of JANUARY 19 90 *Donald E. Luthy*
Notary Public

Seal

Residing at BOISE, ID
My Commission Expires 11/08/1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 33355/67-2372 Priority Sept. 19, 1966 Amount 0.75 cfs

THIS IS TO CERTIFY, that HOWARD LACEY

of Weiser, Idaho, has complied with the terms and conditions of Permit No. 33355/67-2372 issued pursuant to Application for Permit dated September 19, 1966, and has submitted proof to the Department of Water Resources on May 3, 1968, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 0.79 cfs of water from a ground water source, tributary to _____, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov. 15</u>	at <u>0.75</u> cfs and	<u>150 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>4.0 af per acre</u>
	from _____ to _____	at _____ cfs and	
(both dates inclusive)			

Subject, however, to the condition that no more than 0.75 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 150 acre feet per year, said waters to be diverted within the SE 1/4 SW 1/4 of Sec. 5

Twp. 12 N, Rge. 4 W, B. M. in the County of Washington

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
12 N	4 W	9													4.5	10	7	16	37.5

Total number of acres irrigated 37.5

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 27 day of November, 19 76.

Director

MICROFILMED
000 02 1992

Moffatt Thomas

MOFFATT THOMAS BARRETT ROCK & FIELDS, CHTD.

Eugene C. Thomas
John W. Barrett
R. B. Rock
Richard C. Fields
John S. Simko
John C. Ward
D. James Manning
Gary T. Dance
Larry C. Hunter
Randall A. Peterman
Mark S. Prusynski
Stephen R. Thomas
Glenna M. Christensen
Gerald T. Husch
Scott L. Campbell
Robert B. Burns

Michael E. Thomas
Patricia M. Olsson
Bradley J. Williams
Lee Radford
Michael O. Roe
David S. Jensen
James L. Martin
C. Clayton Gill
Michael W. McGreaham
David P. Gardner
Julian E. Gabiola
Angela Schaefer Kaufmann
Kimberly D. Evans Ross
Paul D. McFarlane
Jon A. Stenquist
Tyler J. Henderson

Jason G. Murray
Mark C. Peterson
Andrew J. Waldera
Tyler J. Anderson
Dylan B. Lawrence
Russell G. Metcalf
Benjamin C. Ritchie
Rebecca A. Rainey

Robert E. Bakes, *of counsel*
Morgan W. Richards, *of counsel*

Willis C. Moffatt, 1907-1980
Kirk R. Helvie, 1956-2003

RECEIVED

DEC 08 2006

DEPARTMENT OF
WATER RESOURCES

December 8, 2006
via Hand Delivery

Boise
Idaho Falls
Pocatello
Twin Falls

US Bank Plaza Building
101 S Capitol Blvd 10th Fl
PO Box 829
Boise Idaho 83701 0829

208 345 2000
800 422 2889
208 385 5384 Fax
www.moffatt.com

Dave Tuthill
Idaho Department of Water Resources
322 E. Front St
Boise, Idaho 83720-0098

Re: Seward Prosser Mellon
MTBR&F File No. 18977.4

Dear Dave::

Enclosed please find the original Notice of Error Reply form for each of the following water rights: 67-14110, 67-14013, 67-2372, 67-14545 and 67-8004. We are submitting the enclosed Notices on behalf of our client, Seward Prosser Mellon. A copy of each form is also enclosed. Please receive stamp the copies and return them in the enclosed self-addressed, stamped envelope.

Thank you for your assistance to this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,



Scott L. Campbell

SLC/kcs
Enclosures

SCANNED
DEC 11 2006

201_1172:635399.1



12/08/2006

NOTICE OF ERROR

REPLY

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006.

Water right number: 67-2372

SEWARD PROSSER MELLON
PO BOX RKM
LIGONIER, PA 15658-0780
Telephone Number: (724) 238-6731

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

Quantity; Place of Use

- Describe the changes you wish to make in the proposed recommendation:

Quantity: Remove the following Remark: "The rights listed below are limited to a total combined diversion rate of 4.61 cfs and to a total combine annual diversion volume of 1038 AF. Combined Right Nos. 67-2372 & 67-8004." *NO - overlapping POW. C. Smith 12-18-06*

Place of Use: Quantities under the Irrigation in Washington County should be listed as follows:

TWP	RNG	SEC	1/4 of	1/4	Quantity	County
12N	4W	9	NE	SE	~~8~~ 4.5	Washington
12N	4W	9	SE	SE	16	Washington
12N	4W	9	NW	SE	10	Washington
12N	4W	9	SW	SE	7	Washington

*ok. Per
license
changes made
C. Smith
12-18-06*

Place of Use: Remove the following remark: "The rights listed below are limited to the irrigation of a combined total of 230.6 acres in a single irrigation season. Combined Right Nos.: 67-8004 & 67-14110

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

Quantity: There is no basis for including the remark as it was not contained in the license.

*67-2372
made change,
did not remove.
C. Smith
12-18-06*

SCANNED

DEC 11 2006

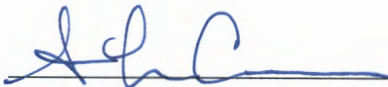
BOI_MT2:635331.1

Place of Use: The quantities for the "Irrigation in Washington County" were not listed in the Preliminary Recommendation.

Place of Use: There is no basis for including the remark as it was not contained in the license.

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

DATE: 12/8/06

SIGNATURE: 

Please print your name:

Scott L. Campbell
Moffatt, Thomas, Barrett, Rock & Fields, Chartered
PO Box 8729
Boise, Idaho 83701

Counsel of record for Seward Prosser Mellon

IDWR Regional Office, 2735 Airport Way, Boise, ID 83705, 208-334-2190

SCANNED

DEC 11 2006

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License



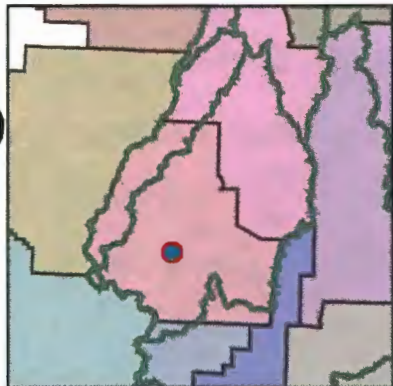
Idaho Department of Water Resources

SRBA Recommendation:

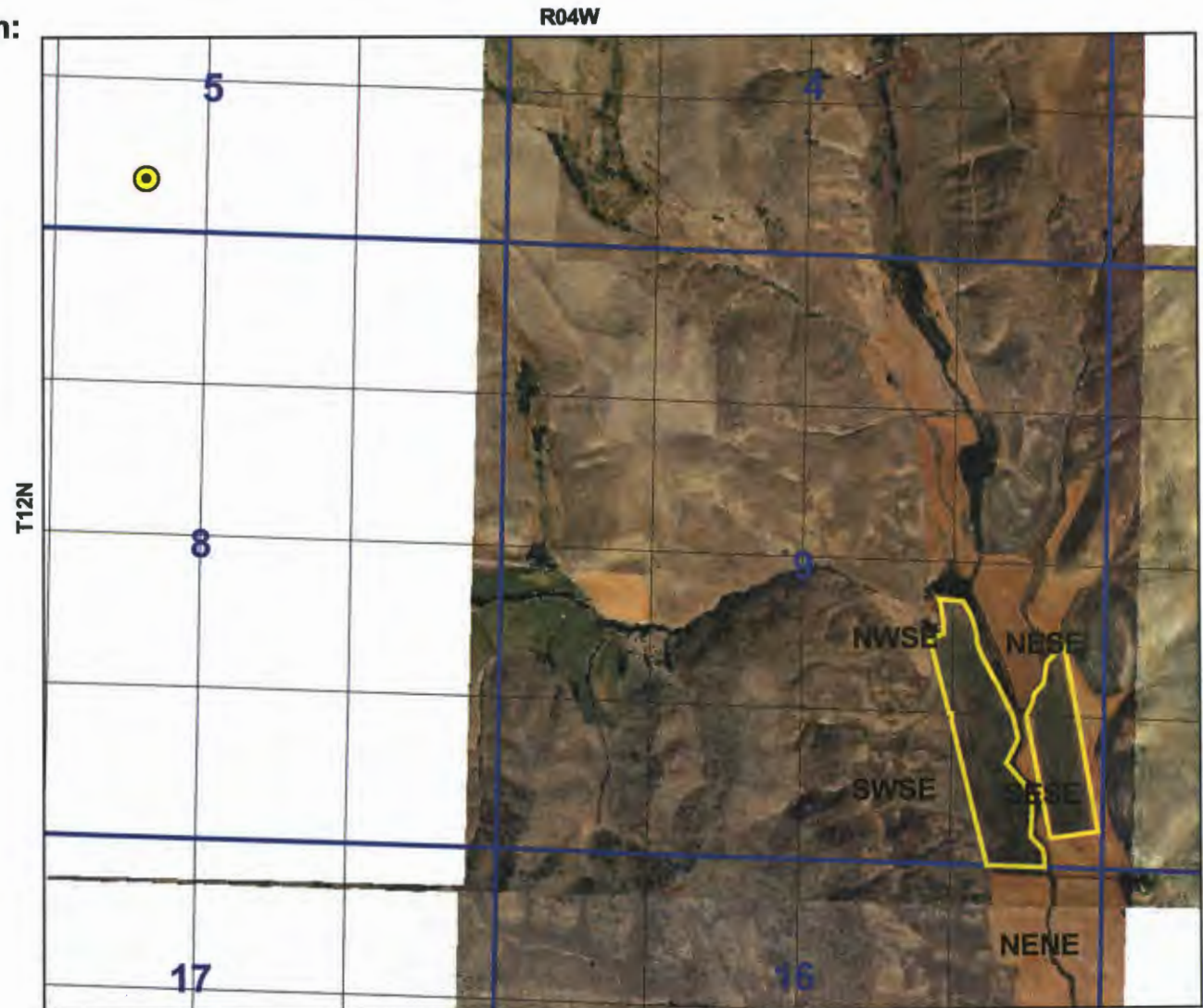
67-2372

Legend

-  **Point of Diversion**
-  **Place of Use**
-  **Townships**
-  **PLS Sections**
-  **Quarter Quarters**



Washington County
IDWR Basin 67



0 0.6 1.2 Miles

Prepared by C. Saxton
On Thursday, July 6, 2006
1987/88 Aerial Photography

67-2372



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2372 V1

WATER RIGHT NUMBER: 67-2372 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SEWARD PROSSER MELLON PO BOX RKM LIGONIER, PA 15658-0780 (412)238-7085
Original Owner	HOWARD LACEY THOUSAND SPRINGS VALLEY RD WEISER, ID 83672 (208)549-9362
Original Owner	MATTHEW B OLIVER 13512 VINTAGE PL CHINO, CA 91710
Original Owner	COREEN K OLIVER 13512 VINTAGE PLACE CHINO, CA 91710
Original Owner	DAN E FOX 13512 VINTAGE PL CHINO, CA 91710
Original Owner	LISA LYNN FOX 13512 VINTAGE PL CHINO, CA 91710
Attorney	SCOTT L CAMPBELL MOFFATT THOMAS BARRETT ROCK & FIELDS CHTD PO BOX 829 BOISE, ID 83701-0829 (208) 345-2000

Priority Date: 09/19/1966

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.750 CFS	150.00 AF
	<u>Total Diversion:</u>	0.750 CFS	150.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4SW1/4	Sec. 5,	Twp 12N,	Rge 04W, B.M.
WASHINGTON County				

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
			NE	NW	SW	SE	

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2372 V1

	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12N 04W 9													4.5	10.0	7.0	16.0	37.5

Total Acres: 37.5

Conditions of Approval:

1. E61 The rights listed below are limited to a total combined diversion rate of 4.61 cfs and to a total combined annual diversion volume of 1038 AF. Combined Right Nos.: 67-2372 & 67-8004
2. E56 The rights listed below are limited to the irrigation of a combined total of 230.6 acres in a single irrigation season. Combined Right Nos.: 67-8004 & 67-2372
3. 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.

Remarks:Comments:

1. mcase 6/1/2004 Period of Use
Comment: Licensed Period of Use shorter than standard Season of Use. Shoulder remark needed.
2. csaxton 7/6/2006 POD
Comment: POD not on claimants property.
3. csaxton 12/18/2006 NOE
Comment: POU and conditions amended per NOE.

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:

Rate	Volume	Acres
		230.6
Combined Water Rights: 67-2372 , 67-8004		

Element Reviewed/Verified Dates:

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2372 V1

Priority Date	4/14/2004 2:43:17 PM	mcase	Active
POD	4/14/2004 2:55:54 PM	mcase	Active
Source	4/14/2004 2:56:02 PM	mcase	Active
POU	4/14/2004 4:42:45 PM	mcase	Active
Use	4/14/2004 4:42:58 PM	mcase	Active
Season	4/14/2004 4:43:23 PM	mcase	Active
Quantity	4/14/2004 4:43:45 PM	mcase	Active
Season	6/1/2004 4:00:50 PM	mcase	Active
Contacts	7/6/2006 3:35:11 PM	csaxton	Active
Priority Date	7/6/2006 3:37:00 PM	csaxton	Active
POD	7/6/2006 3:37:09 PM	csaxton	Active
Source	7/6/2006 3:37:46 PM	csaxton	Active
POU	7/6/2006 3:37:59 PM	csaxton	Active
Use	7/6/2006 3:39:18 PM	csaxton	Active
Season	7/6/2006 3:40:01 PM	csaxton	Active
Quantity	7/6/2006 3:40:54 PM	csaxton	Active
Summary		07/06/2006 csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	4/14/2004 2:55:19 PM	mcase	Edited point location
POD	4/14/2004 2:55:53 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	4/14/2004 2:56:02 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	4/14/2004 2:58:42 PM	mcase	Edited shape boundary
POU	4/14/2004 4:42:44 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2372 V1

Priority Date	4/14/2004 2:43:16 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?
POU	4/14/2004 2:57:52 PM	mcase	Edited shape boundary
Use	4/14/2004 4:42:57 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	4/14/2004 4:43:22 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?
Quantity	4/14/2004 4:43:44 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? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? Description for Question 10 - Diversion licensed for 150 AF.
Contacts	7/6/2006 3:35:17 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop Review
POU	7/6/2006 3:38:57 PM	csaxton	Updated shape for Active POU
General	7/6/2006 3:37:07 PM	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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2372 V1

POD	7/6/2006 3:37:16 PM	csaxton	(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?
Source	7/6/2006 3:37:53 PM	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?
POU	7/6/2006 3:38:05 PM	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	7/6/2006 3:39:07 PM	csaxton	Updated PLS for Active POU
Use	7/6/2006 3:39:25 PM	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	7/6/2006 3:40:08 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2372 V1

Quantity	7/6/2006 3:41:01 PM	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? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - As licensed
Summary	7/6/2006 3:45:31 PM	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? (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?
POU	2/4/2004 9:42:01 AM	awarntje	Edited shape boundary
POU	2/4/2004 9:55:18 AM	awarntje	Edited shape boundary
POU	2/4/2004 9:57:12 AM	awarntje	Edited shape boundary
POU	2/4/2004 9:58:39 AM	awarntje	Edited shape boundary
POU	2/4/2004 9:50:17 AM	awarntje	Edited shape boundary
Season	6/1/2004 4:00:51 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use?

Water Supply Bank:

RECEIVED

AUG 19 1996

ELAM & BURKE
A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

WATER RESOURCES
WESTERN REGION

TELEPHONE
208-343-5454

FACSIMILE
208-384-5844

SCOTT L. CAMPBELL

August 16, 1996

Ms. Lori Harris
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

Re: Water Rights for Seward Prosser Mellon

Dear Ms. Harris:

Pursuant to our recent telephone conversation, I am enclosing a Notice of Appearance for Scott L. Campbell. Mr. Campbell, and the law firm of Elam & Burke, should be listed as attorneys of records for all present and future water rights owned by Seward Prosser Mellon.

Please feel free to contact me should you have any future requirements or questions.

Very truly yours,

ELAM & BURKE
A Professional Association



KC Colvin
Legal Secretary to Scott L. Campbell

KC: g:\kcci\wpdata\6681\00010.ltr
Enclosure

SCANNED
MAY 10 2004

MICROFILMED
OCT 22 1996

Scott L. Campbell
ELAM & BURKE, P.A.
Key Financial Center, 10th Floor
702 West Idaho
Post Office Box 1539
Boise, Idaho 83701
(208) 343-5454

RECEIVED

AUG 19 1996

WATER RESOURCES
WESTERN REGION

Attorneys for Seward Prosser Mellon

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

In Re:

Seward Prosser Mellon

NOTICE OF APPEARANCE

PLEASE TAKE NOTICE that Scott L. Campbell, a shareholder of the firm of Elam & Burke, P.A., 702 West Idaho, Post Office Box 1539, Boise, Idaho, 83701, hereby enters their appearance as Attorneys of Record for the following water rights held in the name of Seward Prosser Mellon:

A67-02372	A67-14110
A67-10232	A67-10233
A67-10250	A67-10402
A67-07182	A67-10217
A67-10219	A67-10221
A67-10222	A67-10223
A67-10224	A67-10225
A67-10226	A67-10227
A67-10229	A67-10230
A67-10231	A67-10232
A67-10233	A67-10250

NOTICE OF APPEARANCE - 1

MICROFILMED
OCT 22 1996

A67-10402
A67-14016
A67-14014
A67-14009

A67-14027
A67-14015
A67-14013

Any future pleadings or correspondence should be addressed to:

Scott L. Campbell
Elam & Burke, P.A.
702 West Idaho
Post Office Box 1539
Boise, Idaho 83701

DATED this 15th day of August, 1996.

ELAM & BURKE, P.A.

By Scott L. Campbell
Scott L. Campbell



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

R. KEITH HIGGINSON
DIRECTOR

March 21, 1995

Re: Notice of Claim to a Water Right No. A67-02372

Seward Prosser Mellon
P.O. RKM
Ligonier, PA 15658

Mr. Mellon:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

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

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

Sincerely,

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

LH:l

Enclosure

cc: Dan & Lisa Fox
Matt & Coreen Oliver

MICROFILMED
OCT 22 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 7, 1993

Re: Notice of Claim to a Water Right No. A67-02372

Dan E. Fox
Lisa Lynn Fox
Matthew B. Oliver
Coreen K. Oliver
13512 Vintage Place
Chino, CA 91710

Mr. & Mrs. Fox & Mr. & Mrs. Oliver:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water rights covered under the original filings.

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

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

Sincerely,

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

LH:1
Enclosure

MICROFILMED
AUG 05 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 33355/67-2372 Priority Sept. 19, 1966 Amount 0.75 cfs

THIS IS TO CERTIFY, that HOWARD LACEY
of Weiser, Idaho, has complied with the terms and conditions of Permit
No. 33355/67-2372 issued pursuant to Application for Permit dated September 19, 1966,
and has submitted proof to the Department of Water Resources on May 3, 1968,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.79 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov. 15</u>	at <u>0.75</u> cfs and	<u>150 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>4.0 af per acre</u>
	from _____ to _____	at _____ cfs and	
(both dates inclusive)			

Subject, however, to the condition that no more than 0.75 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
150 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 5,
Twp. 12 N, Rge. 4 W, B. M. in the County of Washington

Description and location of place of use:

Twp.	Range	Sec.	NEW																Totals
			NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
12 N	4 W	9													4.5	10	7	16	37.5

Total number of acres irrigated 37.5

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 27 day of
November, 19 76.

Director

Make exam in July or Aug.

William

Permit No. G-33355/67-2372
Examination for B/U .

Other uses: _____

Max Rate of Diversion 4.76 cubic feet per second and annual volume _____ AF/Annum.

Location of Point(s) of Diversion:

Township 12 N N/S, Range 4 W E/W, B.M., Section 5, Subdivision SW 1/4 SE 1/4 Washington
County

Township 12 N N/S, Range 4 W E/W, B.M., Section 8, Subdivision NW 1/4 NE 1/4 Washington
County

Township 12 N N/S, Range 4 W E/W, B.M., Section 9, Subdivision SW 1/4 SE 1/4 Washington
County

Other Points of Diversions: _____

Measuring device required: yes ☐ no ☒

MICROFILMED

TOTAL AC SCORE

R. 4 W.

T.
12
N.

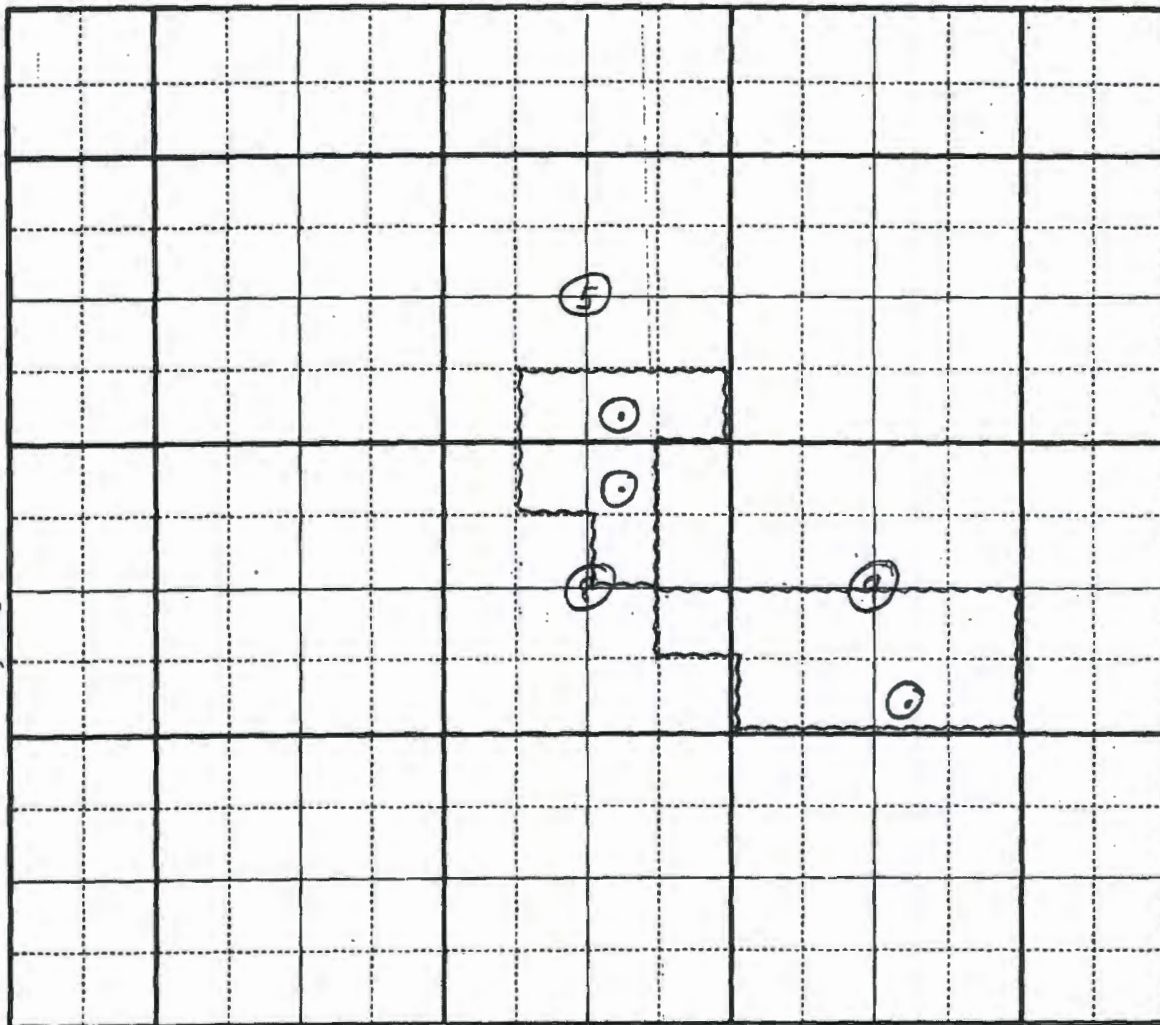


Diagram of System

DATE 25 May 74 EXAMINATION RECORDS
Ask Fred about previous
exam (if any)

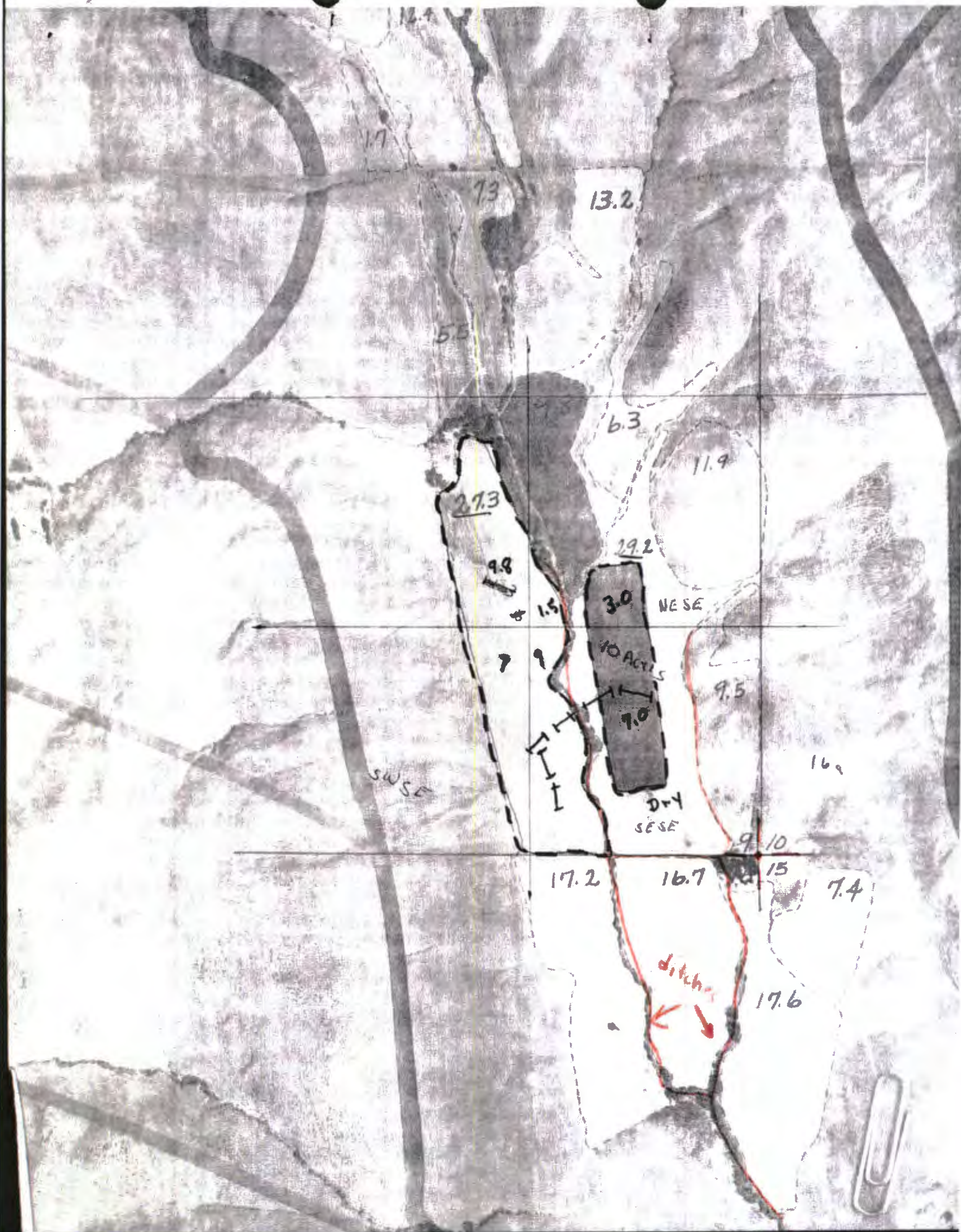
by: JSB
Pump only operating in
July or Aug. (Make Adjust.)

by: _____

 by: _____

 by: _____

Spaulding meter will be needed
 8" discharge into creek





Howard Lacey

Form No. 0

North

5

SE SW SWSE SESE #1 well
#2 well

#2 well

N³

3

2

23

1

1
2
3
4

10.1381/journal.mmr.2011.0001

ms.

2

1

494

...

1

2000

1

1

十

DEC 13 1966

33355

South

SCALE: 2 inches Equal 1 Mile. Draw Plan in Ink.

33355

BM 3197
What Play?

Reservoir as proposed
& wells #1, #2, & #3
upstream of reservoir
One or more springs at
reservoir site.

32647

UPPER WILLAMETTE
DAM
(2-04042)

LOWER WITHIN
DAN, BREACHED
(404)

Replicate and
Expand Lower
down

Clarify

- ① SWSE 5.33 pH?
- ② NWNF 5.4 pH?
- ③ What is circled area
5.9 - is SENEWE (no
known pond exists
there per topog
dem safety files)?
- ④ re process now-in
only: what is plan
for now-in uses?
- fr 5/15/17

67-08004

1-63
 2:00 PM
 60° F.
 70/30

STATE OF IDAHO DEPARTMENT OF RECLAMATION

Date 6-14-1976 Discharge Measurement Notes

Stn.	Dist. from initial point	Width	Depth	Observation depth	Revolutions	Time in seconds	VELOCITY		Adjust- ed for hor. angle or	Area	Discharge
							At point	Mean in vertical			
1	3.0										
2	3.3	0.3	.2		30	43		.724		.06	.04344
3	3.6	0.3	.2		60	47		1.29		.06	.0774
4	3.9	0.3	.25		70	42		1.69		.075	.12675
5	4.2	0.3	.25		90	45		2.0		.075	.15
6	4.5	0.3	.25		70	41		1.71		.075	.12825
7	4.8	0.3	.25		60	42		1.44		.075	.108
8	5.1	0.3	.25		60	52		1.17		.075	.08775
9	5.4	0.3	.2		20	46		.448		.06	.02688
10	5.7	0.3	.2		30	50		.628		.06	.03768
11	6.0										.078615
12											
13											
14											
15											
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30											

DATE OF EXAM 6-14-76

ACREAGE

Found 37.3

Recommended 37.3

Irrigation Requirement 4.0 Ac Ft/Ac

USE

Irrigation Q = 0.75 c.f.s. V = 150 AF/Ann. from April 15 to Oct 15

Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

288
105

Is water co-mingled? yes _____ no X

Name source: _____

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

County

Exchange? yes _____ no X

Name source exchanged with: _____

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

County

Point of injection:

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

County

Point of exchange:

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

County

Total Q measured 0.78615 cfs Method of measurement Pygmy Meter

Total Q recommended 0.75 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 150 AF

Recommended Amendments:

P.D. SE 1/4 SW 1/4, Sec 5, T12N, R4W

Place of Use _____

Other _____

None _____

MEASUREMENT CALCULATION:

Total V = 37.3 acres x 4.0 AF = 149.2

0.75 x 1.48 x 183 = 271.755 AF

SYSTEM DESCRIPTION:

5 M diesel engine type # 3W-15 with PTO running pump. Pumping
water from 12' well 284 deep - pumping into pond and then into
open ditch - measurement made above where ditch is joined by
springs.

REMARKS:

Only one well has been drilled under this permit

Examiner's Signature Peter J. Chomeli Date 6-15-76

Checked by JH Date 6-16-76

Approved by _____ Date _____

RECEIVED

SEP 27 1966

REPORT OF WELL DRILLER
State of Idaho

Department of Reclamation

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

WELL OWNER:

Name Howard LaceyAddress Routa 2Weiser, IdahoOwner's Permit No. 93355NATURE OF WORK (check): Replacement well ☐New well ☒ Deepened ☐ Abandoned ☐Water is to be used for: IrrigationMETHOD OF CONSTRUCTION: Rotary ☒ Cable ☐Dug ☐ Other ☐

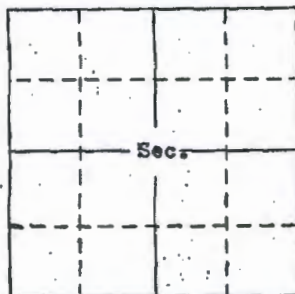
(explain)

CASING SCHEDULE: Threaded ☐ Welded ☐"Diam. from ft. to ft."Diam. from ft. to ft."Diam. from ft. to ft."Diam. from ft. to ft.Thickness of casing: Material: Steel ☐ concrete ☐ wood ☐ other ☐

(explain)

PERFORATED? Yes ☐ No ☐ Type ofperforator used: Size of perforations: " by "perforations from ft. to ft.perforations from ft. to ft.perforations from ft. to ft.perforations from ft. to ft.WAS SCREEN INSTALLED? Yes ☐ No ☐Manufacturer's name Type Model No. Diam. Slot size Set from ft. to ft.Diam. Slot size Set from ft. to ft.CONSTRUCTION: Well gravel packed? Yes ☐No ☐ size of gravel Gravelplaced from ft. to ft. Surface sealprovided? Yes ☐ No ☐ To what depth? ft. Material used in seal: Did any strata contain unusable water? Yes ☐No ☐ Type of water: Depth of strata ft. Method of sealingstrata off: Surface casing used? Yes ☐ No ☐Cemented in place? Yes ☐ No ☐

Locate well in section

LOCATION OF WELL: County WashingtonSE 1/4 SW 1/4 Sec. 5 T. 12 N. 4 R. 4 W. WBM

Use other side for additional remarks

Size of drilled hole: Total
depth of well: 450 Standing water
level below ground: Temp. Fahr. Test delivery: gpmor cfs Pump? ☐ Bail ☐Size of pump and motor used to make test: Length of time of test: Hrs. Min.Drawdown: ft. Artesian pressure: ft.above land surface Give flow cfsor gpm. Shutoff pressure: Controlled by: Valve ☐ Cap ☐ Plug ☐No control ☐ Does well leak around casing?Yes ☐ No ☐

DEPTH	MATERIAL	WATER	
FROM TO		YES OR N	
FEET FEET			
0	10	Top Soil	
10	20	Sand & Clay (chalk rock)	
20	30	Clay & shale (chalk rock)	
30	40	Lava, boulders, shale - chalk rock	
40	50	Lava, boulders, shale - chalk rock	
50	60	Lava, boulders, shale - sand	
60	70	Blue shale - sand	
70	80	Lava Rock	
80	84	Lava rock	
84	87	Lava rock	
87	90	Lava rock	
90	92	Lava rock	
92	100	Lava cinders	
100	110	Lava cinders	
110	120	Lava cinders - red	
120	126	Lava cinders - red	
126	128	hard lava rock	
128	131	hard lava rock	
131	133	hard lava rock	
133	135	hard lava rock	
135	136	hard lava rock	
136	138	hard lava rock	
138	140	Lava rock	
140	142	Lava (red) rock	
142	152	Lava rock - red & black	
152	154	Lava rock	
154	169	Lava rock	
169	172	Lava rock	
172	175	Lava rock	
175	178	Lava rock	
178	181	Lava rock	
181	184	Lava rock	
184	187	Lava rock	
187	190	Lava rock	
190	193	Lava rock	
193	196	Lava rock	
196	199	Lava rock	
199	201	Lava rock	