

09/29/2006

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

RIGHT NUMBER: 67-2378

NAME AND ADDRESS: JAMES C AMSTUTZ
4685 BEACON AVE
EMMETT ID 83617

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.690 CFS
280.000 AFY

Right Nos. 67-2378 and 67-14316 are limited to a total combined diversion rate of 2.94 cfs and to a total combined annual diversion volume of 968 AF.

PRIORITY DATE: 04/24/1967

POINT OF DIVERSION:

T12N R01W S10 SENW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.690 CFS 280.00 AFY

PLACE OF USE: IRRIGATION Within WASHINGTON County

T12N R01W S10	NENW	32.00	T12N R01W S10	SWNW	3.00
T12N R01W S10	SENE	35.00			

70 ACRES TOTAL

Right Nos. 67-2378 and 67-14316 are limited to the irrigation of a combined total of 242 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2378 V1

WATER RIGHT NUMBER: 67-2378 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JAMES C AMSTUTZ 4685 BEACON AVE EMMETT, ID 83617 (208)365-2649
Original Owner	JAMES D CRAIG 1649 N CRANE RD MIDVALE, ID 83645 (208)355-2480

Priority Date: 04/24/1967

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	3/15 to 11/15	0.690 CFS	280.00 AF
	<u>Total Diversion:</u>	0.690 CFS	280.00 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NW1/4	Sec. 10, Twp 12N, Rge 01W, 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	
12N	01W	10					32.0		3.0	35.0									70.0

Total Acres: 70

Conditions of Approval:

1. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2378 V1

Comments:

1. dsmith 6/8/2004 Point of Diversion
Comment: License shows 1 pod, but claim shows 2, did not digitize
2. dsmith 6/8/2004 period of use
Comment: Season is longer than standards
3. dfavreau 9/28/2006 POD
Comment: POD placed in QQ as licensed in 67-7321 which is an enlargement of 67-2378. Claimant has 2 PODs claimed but "see remarks" indicates that only one well is in use.
4. dfavreau 9/28/2006 POU
Comment: POU adjusted to be completely within POU of 67-14316 (split of 67-7321). Field exam for 67-7321 indicates that POU for 67-2378 is completely contained within 67-7321.
5. dfavreau 9/28/2006 POD
Comment: Phone number in claim is no longer valid. Sept. 2006

Dates and Other Information:

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

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	6/8/2004 12:18:55 PM	dsmith			Active
POD	6/8/2004 12:20:23 PM	dsmith			Active
Source	6/8/2004 12:21:30 PM	dsmith			Active
POU	6/8/2004 12:21:49 PM	dsmith			Active
Use	6/8/2004 12:22:04 PM	dsmith			Active
Season	6/8/2004 12:22:51 PM	dsmith			Active
Quantity	6/8/2004 12:23:55 PM	dsmith			Active
Priority Date	9/28/2006 12:26:33 PM	dfavreau			Active
POD	9/28/2006 12:27:05 PM	dfavreau			Active
Source	9/28/2006 12:29:39 PM	dfavreau			Active
POU	9/28/2006 12:30:01 PM	dfavreau			Active

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POU	9/28/2006 12:32:16 PM	dfavreau	Active
Use	9/28/2006 1:06:23 PM	dfavreau	Active
Season	9/28/2006 1:11:08 PM	dfavreau	Active
Quantity	9/28/2006 1:11:46 PM	dfavreau	Active
Quantity	9/28/2006 1:13:29 PM	dfavreau	Active
Summary	09/28/2006	dfavreau	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	2/4/2004 1:36:07 PM	awarntje	Edited shape boundary
POU	2/4/2004 1:41:19 PM	awarntje	Edited shape boundary
POU	2/4/2004 1:46:31 PM	awarntje	Edited shape boundary
POU	2/4/2004 1:39:59 PM	awarntje	Edited shape boundary
Season	9/28/2006 1:11:09 PM	dfavreau	(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? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	9/28/2006 1:11:47 PM	dfavreau	(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?
Quantity	9/28/2006 1:13:30 PM	dfavreau	(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 - $70 \times 4.0 = 280$

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Adjudication Recommendation Report 67-2378 V1

Summary	9/28/2006 1:14:55 PM	dfavreau	(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? (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?
Use	9/28/2006 1:06:24 PM	dfavreau	(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?
POD	6/8/2004 12:20:24 PM	dsmith	(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	6/8/2004 12:21:31 PM	dsmith	(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	6/8/2004 12:21:50 PM	dsmith	(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	6/8/2004 12:22:05 PM	dsmith	(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?

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Adjudication Recommendation Report 67-2378 V1

Season	6/8/2004 12:22:52 PM	dsmith	(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	6/8/2004 12:23:56 PM	dsmith	(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?
Priority Date	6/8/2004 12:18:56 PM	dsmith	(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?
POU	2/4/2004 1:43:43 PM	awarntje	Edited shape boundary
POU	2/4/2004 1:47:27 PM	awarntje	Edited shape boundary
POD	9/28/2006 12:27:06 PM	dfavreau	(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	9/28/2006 12:29:39 PM	dfavreau	(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	9/28/2006 12:30:02 PM	dfavreau	(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	9/28/2006 12:32:41 PM	dfavreau	Updated shape for Active POU
POU	9/28/2006 12:32:55 PM	dfavreau	Updated PLS for Active POU

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General	9/28/2006 12:26:34 PM	dfavreau	(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	9/28/2006 12:32:17 PM	dfavreau	(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? (No) 6. Can the claimed POU be verified using the water right file? (Yes) 7. Is there evidence that there has been a change in the POU? (Yes) 8. Can the claim be verified as an accomplished transfer? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 8 - 67-2378 licnesed for 38 acres in NENW. 67-7321 completely overlaps 67-2378 and was licensed for 32 acres in NENW. 4 acres moved to other area within 67-7321. Description for Question 13 - True

Water Supply Bank:



Idaho Department of Water Resources

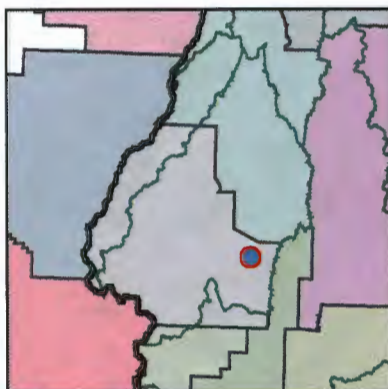
SRBA Recommendation:

67-2378

(Irrigation)

Legend

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



Washington County
IDWR Basin 67



Prepared by D. Favreau
On Thursday, September 28, 2006
1987/88 Aerial Photography

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 33572/67-2378 Priority April 24, 1967 Amount 0.69 cfs

THIS IS TO CERTIFY, that James D. Craig
of Midvale, Idaho, has complied with the terms and conditions of Permit
No. 33572/67-2378 issued pursuant to Application for Permit dated April 24, 1967
and has submitted proof to the Department of Water Administration on April 21, 1969
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.69 cfs and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 0.69 cfs for irrigation from March 15 to Nov. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 0.69 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SE 1/4 NW 1/4 Sec. 10, Twp. 12 N, Rge. 1 W, B.M.

in the county of Washington; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 280 acre feet per year or
4.0 acre feet per acre.

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	1 W	10					38			32									70

Total number of acres irrigated 70

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 1 day of

March, 19 72.

Director

67 2378

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

FIRST CLASS



UNITEL  FITNEY BOWES
02 1A \$ 00.87⁰
0004389393 JAN 18 2007
MAILED FROM ZIP CODE 83702

RECEIVED

JAN 22 2007

DEPARTMENT OF
WATER RESOURCES

67



- ☐ MOVED LEFT NO ADDRESS
- ☐ NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD
- ☐ ATTEMPTED NOT KNOWN
- ☐ UNCLAIMED ☐ REFUSED
- ☐ NO SUCH STREET NUMBER
- ☐ INSUFFICIENT ADDRESS
- ☐ NO MAIL RECEIPT
- ☐ BOX CLOSED NO ORDER
- ☐ DECEASED ☐ VACANT
- ☒ FORWARDING ORDER EXPIRED

JAMES C AMSTUTZ
4685 BEACON AVE
EMMETT ID [REDACTED]

Director's Report
WR# 67-2378

67-7321

67-14244

SCANNED

MAR 13 2007

12/12/2006

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

RIGHT NUMBER: 67-2378

NAME AND ADDRESS: JAMES C AMSTUTZ
4685 BEACON AVE
EMMETT ID 83617

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.690 CFS
280.000 AFY

Right Nos. 67-2378 and 67-7321 are limited to a total combined diversion rate of 3.12 cfs and to a total combined annual diversion volume of 1028.0 AF.

PRIORITY DATE: 04/24/1967

POINT OF DIVERSION:

T12N R01W S10 SENW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.690 CFS 280.00 AFY

PLACE OF USE: IRRIGATION in WASHINGTON County

T12N R01W S10	NENW	32.00	T12N R01W S10	SWNW	3.00
T12N R01W S10	SENW	35.00			

70 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2378 V1

WATER RIGHT NUMBER: 67-2378 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JAMES C AMSTUTZ 4685 BEACON AVE EMMETT, ID 83617 (208)365-2649
Original Owner	JAMES D CRAIG 1649 N CRANE RD MIDVALE, ID 83645 (208)355-2480

Priority Date: 04/24/1967

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	3/15 to 11/15	0.690 CFS	280.00 AF
	<u>Total Diversion:</u>	0.690 CFS	280.00 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NW1/4	Sec. 10, Twp 12N, Rge 01W, B.M.
WASHINGTON County		

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12N 01W 10					32.0		3.0	35.0									70.0

Total Acres: 70

Conditions of Approval:

1. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. E60 Right Nos. 67-2378 and 67-7321 are limited to a total combined diversion rate of 3.12 cfs and to a total combined annual diversion volume of 1028.0 AF.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2378 V1

Comments:

1. dsmith 6/8/2004 Point of Diversion
Comment: License shows 1 pod, but claim shows 2, did not digitize
2. dsmith 6/8/2004 period of use
Comment: Season is longer than standards
3. dfavreau 9/28/2006 POD
Comment: POD placed in QQ as licensed in 67-7321 which is an enlargement of 67-2378. Claimant has 2 PODs claimed but "see remarks" indicates that only one well is in use.
4. dfavreau 9/28/2006 POU
Comment: POU adjusted to be completely within POU of 67-14316 (split of 67-7321). Field exam for 67-7321 indicates that POU for 67-2378 is completely contained within 67-7321.

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:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
3.12	1028	
Combined Water Rights: 67-2378 , 67-7321		

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	6/8/2004 12:18:55 PM	dsmith			Active
POD	6/8/2004 12:20:23 PM	dsmith			Active
Source	6/8/2004 12:21:30 PM	dsmith			Active
POU	6/8/2004 12:21:49 PM	dsmith			Active
Use	6/8/2004 12:22:04 PM	dsmith			Active
Season	6/8/2004 12:22:51 PM	dsmith			Active
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2378 V1

POU	9/28/2006 12:30:01 PM	dfavreau	Active
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Summary	09/28/2006	dfavreau	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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Season	9/28/2006 1:11:09 PM	dfavreau	(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? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	9/28/2006 1:11:47 PM	dfavreau	(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?
Quantity	9/28/2006 1:13:30 PM	dfavreau	(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 - 70*4.0=280

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2378 V1

Summary	9/28/2006 1:14:55 PM	dfavreau	(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? (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?
Use	9/28/2006 1:06:24 PM	dfavreau	(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?
POD	6/8/2004 12:20:24 PM	dsmith	(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	6/8/2004 12:21:31 PM	dsmith	(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	6/8/2004 12:21:50 PM	dsmith	(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	6/8/2004 12:22:05 PM	dsmith	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2378 V1

Season	6/8/2004 12:22:52 PM	dsmith	(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	6/8/2004 12:23:56 PM	dsmith	(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?
Priority Date	6/8/2004 12:18:56 PM	dsmith	(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?
POU	2/4/2004 1:43:43 PM	awarntje	Edited shape boundary
POU	2/4/2004 1:47:27 PM	awarntje	Edited shape boundary
POD	9/28/2006 12:27:06 PM	dfavreau	(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	9/28/2006 12:29:39 PM	dfavreau	(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	9/28/2006 12:30:02 PM	dfavreau	(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	9/28/2006 12:32:41 PM	dfavreau	Updated shape for Active POU
POU	9/28/2006 12:32:55 PM	dfavreau	Updated PLS for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2378 V1

General	9/28/2006 12:26:34 PM	dfavreau	(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	9/28/2006 12:32:17 PM	dfavreau	(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? (No) 6. Can the claimed POU be verified using the water right file? (Yes) 7. Is there evidence that there has been a change in the POU? (Yes) 8. Can the claim be verified as an accomplished transfer? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 8 - 67-2378 licnesed for 38 acres in NENW. 67-7321 completely overlaps 67-2378 and was licensed for 32 acres in NENW. 4 acres moved to other area within 67-7321. Description for Question 13 - True

Water Supply Bank:

MONICA ENCLOSED IS MY NOTICE
AND ERROR FORMS.

ALSO A CHANGE OF WATER RIGHT
OWNERSHIP

ALSO WATER RIGHT 67-07321 SHOULD
NOT HAVE BEEN SPLIT.

ALSO WATER RIGHT 67-14315 SHOULD
HAVE BEEN TRANSFERRED TO ME FROM
JD. CRAIG.

RECEIVED

FEB 01 2007

DEPARTMENT OF
WATER RESOURCES

Thanks Jim Amstutz

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

RECEIVED

FEB 01 2007

DEPARTMENT OF
WATER RESOURCES

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
67-10351	-in name of Amstutz		67-2378	-already listed	
67-2378	-already in name of Amstutz				
67-4417	-already in name of Amstutz				
67-14244	-already in name of Amstutz				
67-14315	recombined into 67-7321 under the name Amstutz 12/12/2006				
67-14316	no change needed now MVB 2-2-2007				

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

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

3. Name and Address of Former Owner/Claimant(s) GAY CRAIG LAND 3905 N. CRANE Rd. MIDVALE Id 83645 208-355-1000

4. New Owner/Claimant(s) JAMES C. AMSTUTZ
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address 1649 N. CRANE Rd MIDVALE Id.

City, State and ZIP Code 83645

New Telephone Number (208) 355-2649

FEB 01 2007
SCANNED

87

5. Date you acquired the property

APRIL 2000

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

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

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

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

OWNER

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____

Date _____

Receipt Amt. _____

Received by _____

Date _____

Receipt No. _____

Processed by _____ AJ

Date _____

WR _____ Date _____

5. Date you acquired the property

APRIL 2000

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

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Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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

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

OWNER

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____ Date _____
 Receipted by _____ Date _____
 Processed by _____ AJ Date _____

Receipt Amt. _____
 Receipt No. _____
 WR _____ Date _____

SCANNED
FEB 01 2007

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESINSTRUCTIONS FOR FILING
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary. Please attach additional sheets to the form if you require additional space to describe or explain any of the questions on the form.

Effective July 1, 2000, the Idaho Legislature amended Section 42-248, Idaho Code to include a provision for fees to file a Notice of Change in Water Right Ownership. Please see details at Line 8, below, to determine if fees are required for your filing.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office if you would like more information or need help completing this form (a list of our offices are listed on page 2 of these instructions), or call 1-800-451-4129. Water right information can be found on the Department's website using the "On-Line Data" search at: www.idwr.idaho.gov.

LINE INSTRUCTIONS:

1. If there are water rights associated with the property, **the seller should be able to provide you with the water right or adjudication claim number(s)**. Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. IDWR cannot process this change without documentation of ownership. The preferred types of documentation are listed. Contact IDWR if you have difficulty obtaining this information. **Do not** obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner/claimant(s) of the water right(s).
4. Enter the name, mailing address, and telephone numbers of the new owner/claimant(s) and indicate the relationship between multiple owners by using the connector "and", "or", or "and/or" as indicated on your deed or other evidence of ownership

SCANNED
FEB 01 2007

5. Provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may have purchased only a portion of the water right(s) held by the seller. If this change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. For each water right requiring a split between owners, fill in the appropriate spaces. Copy the page as many times as necessary to fully describe each water right after the change. Include documentation as necessary to describe nonstandard agreements or arrangements regarding division of the water right(s). **If the water right(s) will not be split, skip line 6 and go to line 7.**
7. The new owner(s) must sign the form in the space(s) provided. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.
8. The Legislature has waived the fee to file a Notice of Change in Water Right Ownership for any water right pending in a general water right adjudication such as the Snake River Basin Adjudication. This waiver ends when a partial decree is issued for the water right that has been claimed. For water rights not pending in a general adjudication, the filing fee is \$25 per water right, except for those water rights that will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right to be divided.
9. When complete, retain a copy and **file the original form with the IDWR office nearest you, with copies of your ownership documents and the appropriate filing fee:**

IDWR Northern Region
7600 Mineral Dr., Suite 100
Coeur d'Alene, ID 83815
(208) 762-2800

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

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

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

- OR -

IDWR State Office
322 East Front St
Sixth Floor
P.O. Box 83720
Boise, ID 83720-0098
(208) 287-4800



Idaho Department of Water Resources

SCANNED
FEB 01 2007

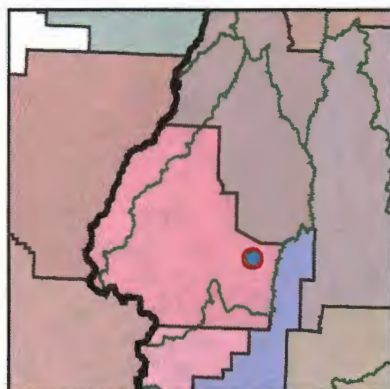
SRBA Recommendation:

67-2378

(Irrigation)

Legend

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



Washington County
IDWR Basin 67



Prepared by IDWR State Office
On Wednesday, December 6, 2006
1987/88 Aerial Photography



Idaho Department of Water Resources

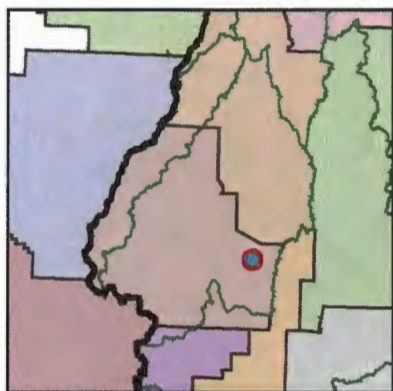
SRBA Recommendation:

67-14316

(Irrigation)

Legend

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



Washington County
IDWR Basin 67



Prepared by IDWR State Office
On Wednesday, December 6, 2006
1987/88 Aerial Photography

Approved by:

Initials: JCA**TRUSTEE'S DEED**

THIS TRUSTEE'S DEED, made by GAY CRAIG, as Trustee of TRUST A of The James D. and Gay Craig Trust, U/T/A dated December 6, 1993, the Grantor herein, for valuable consideration, does hereby sell and convey to JAMES C. AMSTUTZ, as his sole and separate property, the Grantee herein, whose address is: 4685 BEACON AVE
EMMETT ID. 83617, all her interest as Trustee in the following described real estate situated in Washington County, Idaho, to-wit:

IN TOWNSHIP 12 NORTH, RANGE 1 WEST OF THE BOISE MERIDIAN:

Section 10: E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ together with access for road or right of way across NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$.

SUBJECT TO THE FOLLOWING:

Reservations in U.S. Patents recorded in Book 29 Deeds, Page 355, Book 33 Deeds, Page 75, Book 36 Deeds, Page 248, Book 30 Deeds, Page 137, Book 24 Deeds, Page 457, Book 24 Deeds, Page 444, Book 5 Deeds, Page 538, Book 9 Deeds, Page 628, Book 25 Deeds, Page 286, Book 47 Deeds, Page 215 and Book 53 Deeds, Page 545.

Reservation in Deed from State of Idaho to William V. Holbrook, recorded in Book 63 Deeds, Page 408. "...subject to the provisions of Section 56-504, Idaho Code Annotated, which grants over all lands belonging to the state a right of way for ditches, tunnels and telephone and transmission lines, constructed by authority of the United States; and to the provisions of Section 46-701, Idaho Code Annotated, reserving to the state all mineral rights in lands sold subsequent to the 8th day of May, 1923." (E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 16, Twp., 12 N., R. 1 W., B.M.)

Rights of way for railroads, roads or highways or other servitudes, exceptions, provisions and reservations contained in patents etc..as excepted in Deed from The Federal Land Bank of Spokane to Roy H. Holbrook; recorded in Book 49 Deeds, Page 146.

Easement for public roads heretofore laid out or existing as excepted in Deed from Northern Pacific Railway Co. to William McBratney, dated November 22, 1910 and recorded in Book 30 Deeds, Page 37.

Power line easement granted to Idaho Power Company, recorded June 17, 1947, in Book 68 Deeds, Page 63.

Power line easement granted to Idaho Power Company, recorded October 26, 1972, in Book 95 Deeds, Page 791.

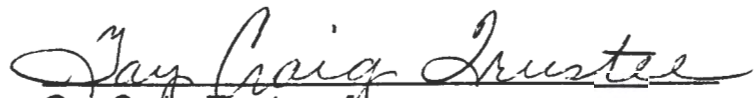
174337

Any and all existing easements, rights of way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

GRANTOR RESERVES the right for herself, Gay Craig, and her immediate family members, Sonia Craig, Lacy Craig and Walker Craig, to visit Riley Butte twice a year. Grantor will give notice to Grantee of her, or her immediate family's, intention to visit Riley Butte 2 to 5 days prior to such visits. This reservation shall run with the land during the lifetime of Grantor and the lifetimes of the above named members of Grantor's family.

The Grantor executes this instrument solely in its fiduciary capacity and covenants only that it is authorized to make this conveyance in such fiduciary capacity. The Grantor hereby disclaims any and all other warranties and covenants, whether express or implied. Any further recourse hereunder is to be only against the aforementioned trust.

DATED this 12 day of April, 2000.


Gay Craig, Trustee of
Trust A of The James D. and Gay Craig Trust

STATE OF IDAHO)
: ss
County of Washington)

On this 12 day of April, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared GAY CRAIG, known to me to be the person whose name is subscribed to the foregoing instrument as Trustee of Trust A of The James D. and Gay Craig Trust U/T/A December 6, 1993, and acknowledged to me that she executed the same for and on behalf of said trust.

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


Notary Public for Idaho
Residing at Weiser, Idaho
Commission Expires: 9/7/2005



Approved by:

Initials: JCM**TRUSTEE'S DEED**

THIS TRUSTEE'S DEED, made by GAY CRAIG, as Trustee of TRUST B of The James D. and Gay Craig Trust, U/T/A dated December 6, 1993, the Grantor herein, for valuable consideration, does hereby sell and convey to JAMES C. AMSTUTZ, as his sole and separate property, the Grantee herein, whose address is: 468 BEACON AVE
EMMETT ID 83617, all her interest as Trustee in the following described real estate situated in Washington County, Idaho, to-wit:

IN TOWNSHIP 12 NORTH, RANGE 1 WEST OF THE BOISE MERIDIAN:

- Section 4: SW $\frac{1}{4}$ NE $\frac{1}{4}$, Lot 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
- Section 5: Lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$;
- Section 8: E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
- Section 9: N $\frac{1}{2}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
- Section 10: W $\frac{1}{2}$ E $\frac{1}{2}$ and W $\frac{1}{2}$ SAVE AND EXCEPT THEREFROM the E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ together with access for road or right of way across NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;
- 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 $\frac{1}{4}$;
- Section 21: SW $\frac{1}{4}$ SE $\frac{1}{4}$;
- Section 29: SW $\frac{1}{4}$ SE $\frac{1}{4}$;

SUBJECT TO THE FOLLOWING:

Reservations in U.S. Patents recorded in Book 29 Deeds, Page 355, Book 33 Deeds, Page 75, Book 36 Deeds, Page 248, Book 30 Deeds, Page 137, Book 24 Deeds, Page 457, Book 24 Deeds, Page 444, Book 5 Deeds, Page 538, Book 9 Deeds, Page 628, Book 25 Deeds, Page 286, Book 47 Deeds, Page 215 and Book 53 Deeds, Page 545.

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Power line easement granted to Idaho Power Company, recorded October 26, 1972, in Book 95 Deeds, Page 791.

Any and all existing easements, rights of way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

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DATED this 12 day of April, 2000.

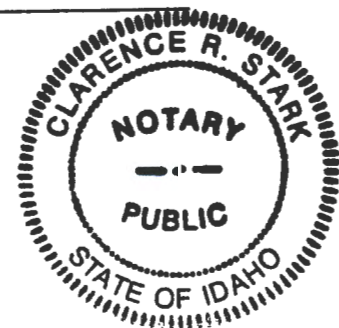

Gay Craig, Trustee of
Trust B of The James D. and Gay Craig Trust

STATE OF IDAHO)
 : ss
County of Washington)

On this 12 day of April, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared GAY CRAIG, known to me to be the person whose name is subscribed to the foregoing instrument as Trustee of Trust B of The James D. and Gay Craig Trust U/T/A December 6, 1993, and acknowledged to me that she executed the same for and on behalf of said trust.

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


Notary Public for Idaho
Residing at Weiser, Idaho
Commission Expires: 9/1/2005



Trustee's Deed - 2

SCANNED

FEB 01 2007

12/06/2006

NOTICE OF ERROR
REPLY

RECEIVED

FEB 01 2007

DEPARTMENT OF
WATER RESOURCES

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 13, 2006

Water right number: 67-2378

JAMES C AMSTUTZ
4685 BEACON AVE
EMMETT ID 83617
Telephone Number: (208)365-2649

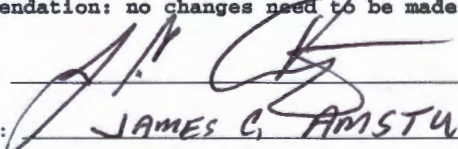
JAMES C. AMSTUTZ
1649 N. CRANE Rd.
MIOVALE Id 83645
208-355-2649

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

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

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

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

DATE: 1-30-07 SIGNATURE: 
Please print your name: JAMES C. AMSTUTZ

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED
FEB 01 2007

12/06/2006

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

RIGHT NUMBER: 67-2378
NAME AND ADDRESS: JAMES C AMSTUTZ
4685 BEACON AVE
EMMETT ID 83617

JAMES C AMSTUTZ
1649 N. CRANE Rd
MIDVALE ID. 83645
208-365-2649

SOURCE: GROUND WATER
QUANTITY: 0.690 CFS
280.00 AFY

TRIBUTARY:

Right Nos. 67-2378 and 67-14316 are limited to a total combined diversion rate of 2.94 cfs and to a total combined annual diversion volume of 968 AF.

PRIORITY DATE: 04/24/1967

POINT OF DIVERSION:
T12N R01W S10 SENW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	3/15 11/15	0.690 CFS 280.00 AFY
PLACE OF USE:	<u>IRRIGATION in WASHINGTON County</u>		
	T12N R01W S10	NENW 32.00	T12N R01W S10 SWNW 3.00
	T12N R01W S10	SEnw 35.00	
	70 ACRES TOTAL		

Right Nos. 67-2378 and 67-14316 are limited to the irrigation of a combined total of 242 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

SCANNED

FEB 01 2007

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: A67-02378
Date Received: 4/17/2000
Receipt No: W026357
Received By: g

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES C AMSTUTZ 208-365-2649
Address: 4685 BEACON AVE
EMMETT ID 83617

2. Date of Priority: APR 24, 1967

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12N	01W	10	SE	NW			WASHINGTON
			SE	SW			WASHINGTON

5. Description of diverting works:
WELL, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.690		280.00

7. Total Quantity Appropriated is:
0.690 C.F.S. (and/or) 280.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	01W	10	NE	NW		IRR	38.0
			SE	NW		IRR	32.0

SCANNED
MAY 10 2004

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	70.0
					Total Acres	70.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
A67-07321

14. Remarks:

9-27-1989: MR. CRAIG, OWNER OF THIS WATER RIGHT, WAS IN THE OFFICE ON THIS DAY TO FILE ADJUDICATION CLAIMS. HE HAS CHOSEN NOT TO CLAIM THIS WATER RIGHT. THIS LICENSE OVERLAPS WITH 67-07321, WHICH WAS AN EXPANSION OF THIS LAND. HE HAS FILED AN ADJUDICATION CLAIM FOR 67-07321, WHICH OVERLAPS WITH THIS ACREAGE AND IS FROM THE SAME WELL. HE DECIDED THAT THE PRIORITY WAS NOT WORTH FILING ON SINCE THIS RIGHT IS FOR .69 CFS AND 70 ACRES. HLHT, BOISE

NEW OWNER DECIDED TO CLAIM THIS LICENSE AND PRIORITY. THE WELL ORIGINALLY DEVELOPED IS NOT THE SAME AS WELL DESCRIBED ABOVE. BOTH WELLS LISTED AS P/D IN CASE NEW OWNER FINDS OLD WELL PRODUCTIVE.

15. Basis of Claim: LICENSE

Water Right Number: 33572

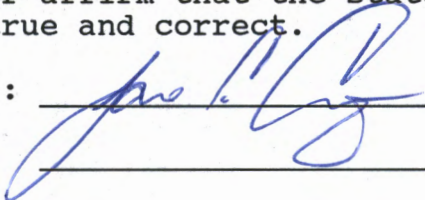
16. Signature(s)

(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: 4/17/2000
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this 17th day
of April 20 00 _____
Notary Public

Seal

Residing at Boise
My Commission Expires 6/18/04