

06/19/2006

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

RIGHT NUMBER: 63-8081A

NAME AND ADDRESS: JEFFERY HYATT
3400 2ND LN E
PARMA ID 83660

KATHERINE L HYATT
3400 2ND LN E
PARMA ID 83660

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.160 CFS
486.000 AFY

The rights listed below are limited to a total combined diversion rate of 4.9 cfs and to a total combined annual diversion volume of 1237.5 AF. Combined Right Nos.: 63-8081A and 63-8117.

Right Nos. 63-8081A and 63-8081B are limited to a total combined diversion rate of 2.4 cfs and to a total combined annual diversion volume of 540 AF.

PRIORITY DATE: 02/04/1975

POINT OF DIVERSION:

T07N R05W S34 SWSE Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	2.160 CFS 486.00 AFY

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before March 15 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within PAYETTE County

T06N R05W S03 Lot 2 NWNE	32.00	T06N R05W S03	SWNE	38.00
T07N R05W S34	SWSE	38.00		

108 ACRES TOTAL

Right Nos. 63-8081A and 63-8081B are limited to the irrigation of a combined total of 120 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

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

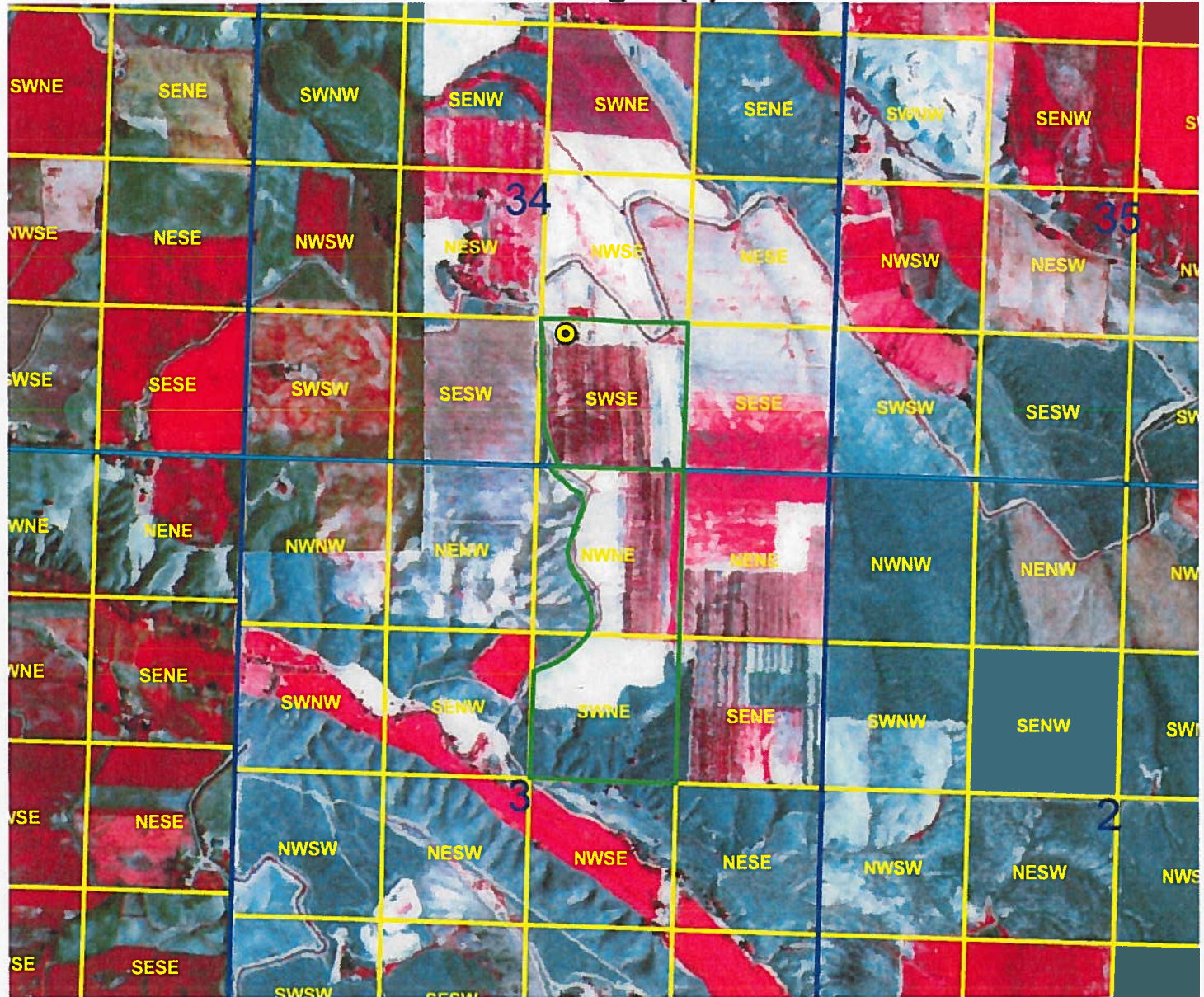
Right No. 63-8117 is also diverted through point of diversion described above.



State of Idaho
Idaho Department of Water Resources
Western Region

T6N R5W SECTION 3
T7N R5W SECTION 34

Water Right (s): 63-8081A



1320 0 1320 2640 Feet

TOTAL IRRIGATED ACRES = 108



- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines

GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: June 2006

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A63-08081A**
Date Received: 4/16/1990
Receipt No: C016287
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: KATHERINE L HYATT
Address: 3400 2ND LANE E
PARMA ID 83660

AND/OR

Name: JEFFERY HYATT
Address: 3400 2ND LANE E
PARMA ID 83660

2. Date of Priority: FEB 4, 1975

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	05W	34		SW	SE		PAYETTE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	10/31	2.160		486.00

7. Total Quantity Appropriated is:
2.160 C.F.S. (and/or) 486.00 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
06N	05W	3	NW	NE	2	IRR	32.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	05W	3	SW	NE		IRR	38.0
						Section Acres	70.0
07N	05W	34	SW	SE		IRR	38.0
						Section Acres	38.0
						Total Acres	108.0

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

14. Remarks:

TRANS. 2348.

OWNERSHIP CHANGED BY KW 6/6/1994.

OWNERSHIP CHANGED BY LH 7/21/97.

15. Basis of Claim: LICENSE



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

March 20, 1998

KATHERINE & JEFFERY HYATT
3400 2ND LANE E
PARMA ID 83660

Correct

RECEIVED
MAR 30 1998
Department of Water Resources

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Re: Snake River Basin Adjudication (SRBA)
Water Right No. A63-29980, A63-03606, A63-08081A, A63-08081B,
A63-08117, A63-09262
Change of Address

Dear Water Right Holder:

IDWR has been notified the address presently on our records is incorrect. Although we have reached you at the address above we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your claim or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office postmarked by April 10, 1998. Make corrections to your name and address if necessary before returning this letter. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change of ownership of any of the properties connected with the water right referenced above, please call this office toll-free at 1-800-451-4129 to obtain a form to make this required change to the water right records.

Yours truly,

Sandy Egbert

Sandy Egbert
Clerical Specialist

The address is correct as shown above or as otherwise changed.

Katherine Hyatt

Signature of water right claimant

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A63-08081A**
Date Received: 4/16/1990
Receipt No: C016287
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: KATHERINE L HYATT 412-458-4711
Address: 425 GROVE CITY RD
SLIPPERY ROCK PA 16057
AND/OR
Name: JEFFERY HYATT 412-458-4711
Address: 425 GROVE CITY RD
SLIPPERY ROCK PA 16057

2. Date of Priority: FEB 4, 1975

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	05W	34		SW	SE		PAYETTE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	10/31	2.160		486.00

7. Total Quantity Appropriated is:
2.160 C.F.S. (and/or) 486.00 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
06N	05W	3	NW	NE	2	IRR	32.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	05W	3	SW	NE		IRR	38.0
						Section Acres	70.0
07N	05W	34	SW	SE		IRR	38.0
						Section Acres	38.0
						Total Acres	108.0

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

14. Remarks:

TRANS. 2348.

OWNERSHIP CHANGED BY KW 6/6/1994.

OWNERSHIP CHANGED BY LH 7/21/97.

15. Basis of Claim: LICENSE

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED**JUN 11 1997****NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP****WATER RESOURCES
WESTERN REGION**

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

1. Water Right No(s).: See attached
 Adjudication Claim No(s).: _____

2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Paradise Ridge Orchard Co
5575 Fire Mountain Road, Hood River, OR 97031

4. New Owner/Claimant(s) Katherine L. Hyatt & Jeffrey A. Hyatt
Name Connector (Check one): ☐ and, ☒ or ☐ and/or
 New Mailing Address 425 Grove City Road
 City, State and ZIP Code Slippery Rock, PA 16057
 New Telephone Number (412) 458-4711

5. Date you acquired the property 6/6/97

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) Katherine L. Hyatt
Jeffrey A. Hyatt
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

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

FA8682 155,156,156-1,157,
157-2,159,1136-1,1141,
1141-1 & 1142-1

DEED

RECEIVED

JUL 16 1997

WATER RESOURCES
WESTERN REGION

For Value Received

PARADISE RIDGE ORCHARD CO.,
a corporation duly organized and existing under the laws of the State
of Idaho, grantor,
does hereby GRANT, BARGAIN, SELL AND CONVEY unto

KATHERINE L. HYATT AND JEFFERY A. HYATT, MOTHER AND SON,
UNMARRIED PERSONS

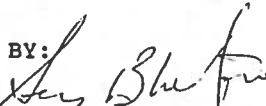
whose current address is

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TO HAVE AND TO HOLD the said premises, with their appurtenances unto
the said grantees, heirs and assigns forever. And the said grantor
does hereby covenant to and with the said grantees that they are the
owner in fee simple of said premises; that they are free from all
encumbrances,
excepting reservations, easements, encumbrances, restrictions and
rights of way appearing of record and/or existing and that they will
warrant and defend the same from all lawful claims whatsoever.
IN WITNESS WHEREOF The Grantor, pursuant to a resolution of its Board
of Directors has caused its corporate name to be hereunto subscribed
by its President and its corporate seal to be affixed by its Secretary
this 9TH DAY OF JUNE

BY:


GEORGE W. WERTGEN

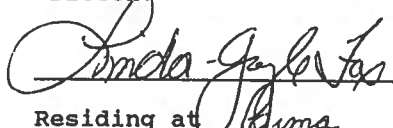
PRESIDENT

STATE OF IDAHO, COUNTY OF PAYETTE

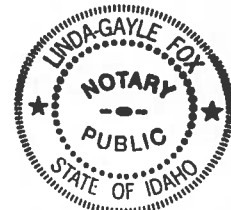
On this 9TH day of JUNE, 1997, before me, a
notary public in and for the said State, personally appeared
GEORGE W. WERTGEN

known to me to be the PRESIDENT of the corporation that executed this
instrument or the persons who executed the instrument of behalf of
said corporation, and acknowledged to me that such corporation
executed the same.

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


Residing at Boise
Comm. Expires 2/15/2002

Notary Public
, Idaho



RECEIVED

JUL 16 1997

WATER RESOURCES
WESTERN REGION

EXHIBIT "A"

Land in the County of Payette, Idaho, as follows:

PARCEL I:

In Township 6 North, Range 5 West of the Boise Meridian, Payette County, Idaho in Section 3:

The East half of Government Lot 1 and the Southeast Quarter of the Northeast Quarter.

PARCEL II:

In Township 7 North, Range 5 West of the Boise Meridian, Payette County, Idaho in Section 34:

The Southeast Quarter of the Southeast Quarter; and that portion of the Northeast Quarter of the Southeast Quarter and The Northwest Quarter of the Southeast Quarter lying South of Black Canyon Irrigation District "A" Line Canal right of way.

PARCEL III:

In Township 6 North, Range 5 West of the Boise Meridian, Payette County, Idaho in Section 3:

The West half of Government Lot 1.

PARCEL IV:

In Township 6 North, Range 5 West of the Boise Meridian, Payette County, Idaho in Section 3:

Government Lot 2:

EXCEPTING that portion lying West of Black Canyon Irrigation District "A" Line Canal right of way;

and the Southwest Quarter of the Northeast Quarter;

EXCEPTING that portion lying West of Black Canyon Irrigation District "A" Line Canal right of way.

CONTINUED

RECEIVED

JUL 16 1997

WATER RESOURCES
WESTERN REGION

FA-8682

EXHIBIT "A" CONTINUED

PARCEL V:

In Township 7 North, Range 5 West of the Boise Meridian, Payette County, Idaho in Section 34:

The Southwest Quarter of the Southeast Quarter;

EXCEPTING that portion lying West of Black Canyon Irrigation District "A" Line Canal right of way.

PARCEL VI:

In Township 6 North, Range 5 West of the Boise Meridian, Payette County, Idaho in Section 34:

That Portion of Government Lot 3; and

The Southwest Quarter of the Northeast Quarter lying West of the Black Canyon Irrigation District "A" Line Canal right of way;

Government Lot 3 and the East 43.53 rods of Government Lot 4.

PARCEL VII:

In Township 7 North, Range 5 West of the Boise Meridian, Payette County, Idaho in Section 34:

The South Half of the Southwest Quarter; and

That Portion of the Southwest Quarter of the Southeast Quarter lying West of the Black Canyon Irrigation District "A" Line Canal right of way;

EXCEPTING from the Southwest Quarter of the Southwest Quarter the West 660 feet of the North 1280 feet thereof.

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A63-08081A**
Date Received: 4/16/1990
Receipt No: C016287
Received By: _____

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

1. Name: PARADISE RIDGE ORCHARD CO 503-386-3841
Address: 2875 FIR MTN RD
HOOD RIVER OR 97031

2. Date of Priority: FEB 4, 1975

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	05W	34		SW	SE		PAYETTE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	10/31	2.160		486.00

7. Total Quantity Appropriated is:
2.160 C.F.S. (and/or) 486.00 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
06N	05W	3	NW	NE	2	IRR	32.0
			SW	NE		IRR	38.0

For Organizations:

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

RECEIVED

JUN 03 1994

WATER RESOURCES
WESTERN REGION

DATE OF CLOSING: _____

 LEGAL DESCRIPTION OF PROPERTY: Township 06N Range 05W
 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.

- [] 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) A-63-08117, A63-08081B, A63-09262
Assigned by IDWR: A63-08081A, A63-29980
- [] Name and Address of Former Owner/Claimant(s)(Seller): _____
- [] New Owner/Claimant (Purchaser): PARADISE RIDGE ORCHARD CO
- [] New Mailing Address: 2875 Fir Mt Rd.
Andover River, Oregon 97031
- [] New Telephone Number: (503) 386-3841
- [] 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: Tax Notices (x10)
(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) Paradise Ridge Orchard Co Date _____
by [Signature] Date 6/1/94
- [] 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: 6-6-94 By: tw

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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

MICROFILMED

JUL 25 1994

See copies
of tax notices
in file
A63-08081A
tw

PAYETTE COUNTY ASSESSOR
J130 3RD AVE. NORTH
PAYETTE, ID 83661

IMPORTANT NOTICE - PLEASE READ

PRESORTED
FIRST CLASS MAIL
U. S. POSTAGE PAID
PAYETTE, ID 83661
PERMIT NO. 46

ADDRESS CORRECTION REQUESTED

PARCEL NO. 1141- 1-0

TAX CODE

LOTS / ACRES

37

MARKET VALUE

CATEGORY DESCRIPTION

01 IRRGTD AGRICUL.	36.00	18,585
05 DRY GRAZING	4.66	93
19 WASTE	.34	

TOTALS 41.00* 18,678*

1993
TAXPAYERS
VALUATION

ASSESSMENT NOTICE
Taxes are based on the valuation
listed on this statement

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUN 25, 1993

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

TAX ROLL:REAL

PROPERTY ADDRESS
PREVIOUS NUMBER

Mail To:

SESW & SWSE LYING W OF
BLACK CANYON A LINE
CANAL SEC 34-7-5 MTG

PARADISE RIDGE ORCHARDS CO.
2875 FIR MOUNTAIN ROAD
HOOD RIVER, OREG. 97931

BOB MACKENZIE
PAYETTE COUNTY ASSESSOR
J130 3RD AVE. NORTH
PAYETTE, ID 83661

IMPORTANT NOTICE - PLEASE READ

PRESORTED
FIRST CLASS MAIL
U. S. POSTAGE PAID
PAYETTE, ID 83661
PERMIT NO. 46

ADDRESS CORRECTION REQUESTED

PARCEL NO. 157

TAX CODE

LOTS / ACRES

37

MARKET VALUE

CATEGORY DESCRIPTION

01 IRRGTD AGRICUL.	60.00	24,097
05 DRY GRAZING	10.59	212

TOTALS 70.59* 24,309*

1993
TAXPAYERS
VALUATION

ASSESSMENT NOTICE
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JUN 25, 1993

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TAX ROLL:REAL

PROPERTY ADDRESS
PREVIOUS NUMBER

Mail To:

GOVT LOT 3 E 24.95 A
GOVT LOT 4
SEC 3-6-5

PARADISE RIDGE ORCHARDS CO.
2875 FIR MOUNTAIN ROAD
HOOD RIVER, OREGON 97931

SESSOR
RTH
61
REQUESTED

IMPORTANT NOTICE - PLEASE READ

PARCEL NO. 159

TAX CODE
LOTS / ACRES 37 MARKET VALUE

DESCRIPTION

AGRICUL.	35.00	18,069	1993
ING	5.00	100	TAXPAYERS
TOTALS	40.00*	18,169*	VALUATION

ASSESSMENT NOTICE
Taxes are based on the valuation listed on this statement

IF THERE ARE ANY QUESTIONS REGARDING THIS STATEMENT NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUN 25, 1993

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

Mail To:

PARADISE RIDGE ORCHARD
2875 FIR MTN RD
HOOD RIVER, OR. 97031

PAYETTE COUNTY ASSESSOR
1130 3RD AVE. NORTH
PAYETTE, ID 83661

IMPORTANT NOTICE - PLEASE READ

PARCEL NO. 155

TAX CODE
LOTS / ACRES 37 MARKET VALUE

ADDRESS CORRECTION REQUESTED

CATEGORY-DESCRIPTION

01 IRRGTD AGRICUL.	22.84	11,791	1993
TOTALS	22.84*	11,791*	TAXPAYERS

ASSESSMENT NOTICE
Taxes are based on the valuation listed on this statement

IF THERE ARE ANY QUESTIONS REGARDING THIS STATEMENT NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUN 25, 1993

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

Mail To:

PARADISE RIDGE ORCHARD
2875 FIR MTN. RD.
HOOD RIVER, OR. 97031

SESSOR
RTH
61
REQUESTED

IMPORTANT NOTICE - PLEASE READ

PARCEL NO. 1136- 1-0

TAX CODE
LOTS / ACRES 37 MARKET VALUE

DESCRIPTION

AGRICUL.	77.00	39,750	1993
ING	1.00	20	TAXPAYERS
TOTALS	78.00*	39,770*	VALUATION

ASSESSMENT NOTICE
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IF THERE ARE ANY QUESTIONS REGARDING THIS STATEMENT NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUN 25, 1993

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

Mail To:

PARADISE RIDGE ORCHARD
2875 FIR MTN. RD.
HOOD RIVER, OR. 97031

BOB MACKENZIE
PAYETTE COUNTY ASSESSOR
1130 3RD AVE. NORTH
PAYETTE, ID 83661

IMPORTANT NOTICE - PLEASE READ

PARCEL NO. 157- 2-0

TAX CODE
LOTS / ACRES 37 MARKET VALUE

ADDRESS CORRECTION REQUESTED

CATEGORY DESCRIPTION

01 IRRGTD AGRICUL.	22.84	11,791	1993
TOTALS	22.84*	11,791*	TAXPAYERS

ASSESSMENT NOTICE
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JUN 25, 1993

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Mail To:

PARADISE RIDGE ORCHARD
2875 FIR MTN RD
HOOD RIVER, OR. 97031

MICROFILMED
11 25 1994

BOB MACKENZIE
PAYETTE COUNTY ASSESSOR
1130 3RD AVE. NORTH
PAYETTE, ID 83661

IMPORTANT NOTICE - PLEASE READ

PARCEL NO. 1142- 1-0

TAX CODE 37
LOTS / ACRES MARKET VALUE

ADDRESS CORRECTION REQUESTED

CATEGORY DESCRIPTION

01 IRRGTD AGRICUL.	20.27	10,463
19 WASTE	.34	
TOTALS	20.61*	10,463*

PRESORTED
FIRST CLASS MAIL
U. S. POSTAGE PAID
PAYETTE, ID 83661
PERMIT NO. 46

1993
TAXPAYERS

VALUATION

ASSESSMENT NOTICE

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listed on this statement

IF THERE ARE ANY QUESTIONS
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NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUN 25, 1993

See the reverse side for further references
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Mail To:

PARADISE RIDGE ORCHARD CO.
2875 FIR MOUNTAIN ROAD
HOOD RIVER, OREGON 97031

BOB MACKENZIE
PAYETTE COUNTY ASSESSOR
1130 3RD AVE. NORTH
PAYETTE, ID 83661

IMPORTANT NOTICE - PLEASE READ

PARCEL NO. 156- 1-0

TAX CODE 37
LOTS / ACRES MARKET VALUE

ADDRESS CORRECTION REQUESTED

CATEGORY DESCRIPTION

01 IRRGTD AGRICUL.	12.00	4,359
05 DRY GRAZING	3.00	60
TOTALS	15.00*	4,419*

TAX
VAL

ASSESSM

Taxes are bas
listed on l

IF THERE AR
REGARDING
NOTIFY THE ASSE

JUN

See the reverse s
KEEP THIS COPY

TAX ROLL:REAL

PROPERTY ADDRESS
PREVIOUS NUMBER

Mail To:

LOT 2 SWNE BOTH W OF
B C A LINE CANAL
SEC 3-6-5

PARADISE RIDGE OR
2875 FIR MOUNTAIN
HOOD RIVER, OREGO

BOB MACKENZIE
PAYETTE COUNTY ASSESSOR
1130 3RD AVE. NORTH
PAYETTE, ID 83661

IMPORTANT NOTICE - PLEASE READ

PARCEL NO. 156

TAX CODE 37
LOTS / ACRES MARKET VALUE

ADDRESS CORRECTION REQUESTED

CATEGORY DESCRIPTION

01 IRRGTD AGRICUL.	44.00	22,714
05 DRY GRAZING	23.00	460
TOTALS	67.00*	23,174*

PRESORTED
FIRST CLASS MAIL
U. S. POSTAGE PAID
PAYETTE, ID 83661
PERMIT NO. 46

1993
TAXPAYERS

VALUATION

ASSESSMENT NOTICE

Taxes are based on the valuation
listed on this statement

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUN 25, 1993

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

Mail To:

PARADISE RIDGE ORCHARD CO.
2875 FIR MOUNTAIN RD
HOOD RIVER, OR. 97031

BOB MACKENZIE
PAYETTE COUNTY ASSESSOR
1130 3RD AVE. NORTH
PAYETTE, ID 83661

IMPORTANT NOTICE - PLEASE READ

PARCEL NO. 1141

TAX CODE 37
LOTS / ACRES MARKET VALUE

ADDRESS CORRECTION REQUESTED

CATEGORY DESCRIPTION

01 IRRGTD AGRICUL.	35.00	18,069
05 DRY GRAZING	2.00	40
10 RUR.HMSIT-CAT 1-9	2.00	15,000
32 IMP. ON CAT. 1-12	.00	7,416
46 MOBILE HOME	.00	19,826
46 MOBILE HOME	.00	7,111
TOTALS	39.00*	67,462*

TAXI
VALI

ASSESSM

Taxes are base
listed on th

IF THERE ARE
REGARDING
NOTIFY THE ASSE

JUN

See the reverse sid
KEEP THIS COPY

TAX ROLL:REAL

PROPERTY ADDRESS 3400 2 LANE EAST
PREVIOUS NUMBER

Mail To:

SWSE LYING E OF A
LINE CANAL SEC. 34-7-5
WBM MTG

PARADISE RIDGE OR
2875 FIR MOUNTAIN
HOOD RIVER, OR. 97

HOMEOWNER'S EXEMPTION: N

PRE
FIR
U. S
PAY
PER

ADJUDICATION MEMORANDUM

CLAIM NO.: _____

SUBJECT: Parcel Nos. - Legal Descrip

EMPLOYEE: Kay Walker

DATE: 6-6-94

Per. Payette Co. Assessor's Office (642-6012)

Parcel #159 - Paradise Orchards

SENE, Sec. 3 6N 5W

Parcel #1136 - 1-0 Paradise Orchards

E $\frac{1}{2}$ SE $\frac{1}{4}$ S $\frac{1}{2}$ of A-Line Canal

NWSE E of A-Line Canal Sec. 34 7N
5W

Parcel #1142 - 1-0 - Paradise Orchards

SWSW (Less W 660' S'40')

Sec. 34 7N 5W

MICROFILMED

JUL 25 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: **A63-08081A**
Date Received: 4/13/1990
Receipt No: C016287
Received By: _____

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

1. Name: EMBASSY INC.
Address: C/O RICHARD M. PHILLIPS. PRES.
3325 DAVIS DR.
MERIDIAN ID 83642

2. Date of Priority: FEB 4, 1975

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	05W	34		SW	SE		PAYETTE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	10/31	2.160		486.00

7. Total Quantity Appropriated is:
2.160 C.F.S. (and/or) 486.00 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
06N	05W	3	NW	NE	2	IRR	32.0
			SW	NE		IRR	38.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	70.0
07N	05W	34	SW	SE	IRR	38.0
					Section Acres	38.0
					Total Acres	108.0

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

14. Remarks:

TRANS. 2348.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Organizations:

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A63-08081A

Date Received: 4/11/1990

Receipt No: C016287

Received By: updated 5/23/94
KW

RECEIVED
APR 02 1991
Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EMBASSY INC.
Address: C/O RICHARD M. PHILLIPS. PRES.
3325 DAVIS DR.
MERIDIAN, ID 83642

2. Date of Priority: FEB 04, 1975

3. Source: Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07N	05W	34	SW	SE			PAYETTE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	10/31	2.160		486.00

7. Total Quantity Appropriated is:
2.160 C.F.S. (and/or) 486.00 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 of	Lot	Use	Acres
06N	05W	3	NW	NE	2	IRR	32.0
			SW	NE		IRR	38.0
Section Acres							70.0

A63-08081A

Page 1

Date: 04/11/90

MICROFILMED

JUL 25 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	05W	34	SW SE		IRR	38.0
Section Acres						38.0
Total Acres						108.0

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

14. Remarks:
TRANS. 2348.

15. Basis of Claim: LICENSE

16. Signature(s)

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

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): Cascade Orchards Inc Date: 11-4-90
by Bill Reese Date: _____

State of Idaho)
County of Payette) SS.

Subscribed and sworn (or affirmed) before me this 11 day

of April 19 90

John Salas
Notary Public

Seal

Residing at Point 71

My Commission Expires 4/2/94

Receipt Details for ID C016287

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
4/16/1990 9:22:24 AM	4/16/1990	State	\$662.00	Check
Payer		CASCADE ORCHARDS INC.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
389			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE - BILL REECE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$662.00	ADJUDICATION FEE - BILL REECE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	29980		\$25.00	Claim
63	9262		\$200.00	Claim
63	8117		\$217.00	Claim
63	8081	A	\$158.00	Claim
63	8081	B	\$62.00	Claim

Print Report

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8081A V1

WATER RIGHT NUMBER: 63-8081A V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JEFFERY HYATT 3400 2ND LN E PARMA, ID 83660
Original Owner	PARADISE RIDGE ORCHARD CO 2875 FIR MTN RD HOOD RIVER, OR 97031 (503)386-3841
Current Owner	KATHERINE L HYATT 3400 2ND LN E PARMA, ID 83660
Original Owner	EMBASSY INC C/O RICHARD M PHILLIPS PRES 3325 DAVIS DR MERIDIAN, ID 83642

Priority Date: 02/04/1975

Basis: License

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 10/31	2.160 CFS	486.00 AF
	<u>Total Diversion:</u>	2.160 CFS	486.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4	Sec. 34, Twp 07N, Rge 05W, B.M.
PAYETTE County		

Place of UseIRRIGATION Within PAYETTE County

T06N R05W S03 Lot 2 NWNE 32.0 T06N R05W S03 SWNE 38.0

T07N R05W S34 SWSE 38.0

Total Acres: 108

Conditions of Approval:

1. E61 The rights listed below are limited to a total combined diversion rate of 4.9 cfs and to a total combined annual diversion volume of 1237.5 AF. Combined Right Nos.: 63-8081A and 63-8117.
2. E55 Right Nos. 63-8081A and 63-8081B are limited to the irrigation of a combined total of 120 acres in a single irrigation season.
3. R01 A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8081A V1

4. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
5. E60 Right Nos. 63-8081A and 63-8081B are limited to a total combined diversion rate of 2.4 cfs and to a total combined annual diversion volume of 540 AF.
6. S39 The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before March 15 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
7. F05 Right No. 63-8117 is also diverted through point of diversion described above.

Remarks:Comments:

1. vmusic 6/19/2006 TRANSFER 2348

Comment: TRANSFER SPLIT THE PARENT AND TRANSFERRED THE POD OF THE B PORTION ONLY.

2. vmusic 6/19/2006 SURFACE RTS

Comment: UNKNOWN. NO MENTION OF SURFACE RTS IN CLAIM OR LICENSE FILE

3. vmusic 6/19/2006 OVERLAPS

Comment: NO POU OVERLAPS. POD CAPACTIY LIMITS 63-8181A AND 63-8117 TO 4.9 CFS

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	6/19/2006 4:00:28 PM	vmusic	Updated shape
Source	6/19/2006 4:01:07 PM	vmusic	(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	6/19/2006 4:01:24 PM	vmusic	(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? (Yes) 14. Is a POU remark and/or condition required?
POU	6/19/2006 4:02:09 PM	vmusic	Updated shape for Active POU
POU	6/19/2006 4:02:29 PM	vmusic	Updated shape for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8081A V1

Use	6/19/2006 4:02:48 PM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	6/19/2006 4:03:12 PM	vmusic	(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?
Quantity	6/19/2006 4:03:47 PM	vmusic	(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? (Yes) 12. Is a Quantity remark or condition required? Description for Question 10 - SEE LICENSING EXAM
Summary	6/19/2006 4:10:45 PM	vmusic	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8081A V1

Summary	5/16/2006 2:13:10 PM	scurtis	(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?
Contacts	6/19/2006 2:39:42 PM	vmusic	(No) 1. Do you want to schedule an appointment?
POD	6/19/2006 2:40:15 PM	vmusic	Comment for 1: LICENSE (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? (Yes) 10. Is a POD remark and/or condition required?
General	6/19/2006 2:40:01 PM	vmusic	(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?

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8081A

WATER RIGHT NUMBER: 63-8081A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JEFFERY HYATT 3400 2ND LN E PARMA, ID 83660
Original Owner	PARADISE RIDGE ORCHARD CO 2875 FIR MTN RD HOOD RIVER, OR 97031 (503)386-3841
Current Owner	KATHERINE L HYATT 3400 2ND LN E PARMA, ID 83660
Original Owner	EMBASSY INC C/O RICHARD M PHILLIPS PRES 3325 DAVIS DR MERIDIAN, ID 83642

Priority Date: 02/04/1975 ✓

Basis: License

Status: Active

Source

GROUND WATER

Beneficial Use

IRRIGATION

<u>From</u>	<u>To</u>
3/15	10/31

Diversion Rate

2.160 CFS ✓

Annual Volume

486.00 AF ✓

Total Diversion:

2.160 CFS ✓

486.00 AF ✓

Location of Point(s) of Diversion

GROUND WATER

SW1/4SE1/4

Sec. 34, Twp 07N, Rge 05W, B.M. ✓

PAYETTE County

Place of UseIRRIGATION Within PAYETTE County

T06N R05W S03 Lot 2 NWNE 32.0

T06N R05W S03

SWNE 38.0

T07N R05W S34 SWSE 38.0

Total Acres: 108 ✓

Conditions of Approval:

1. R01 A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
2. TRANS. 2348.
OWNERSHIP CHANGED BY KW 6/6/1994
OWNERSHIP CHANGED BY LH 7/21/97.

Remarks:

3/15 & 11/15
need shoulder remark for
Tributary

3/15 & 11/15
limited to 2.4 cfs & 120 ac w/ 63-8081A
E05

3/15 & 11/15
limited to 4.9 cfs & 1237.5 ac w/ 63-8081A
E05

63-8117 diverted thru POD

*transfer 2348 split rt. & transfer POD of "B" portion only.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-8081A

06/19/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
0081A	Claim	06N	05W	3	NW	NE	2	IRRIGATION	32/108	JEFFERY HYATT
0081A	Water Right	06N	05W	3	NW	NE	2	IRRIGATION	32/108	EMBASSY INC
0081B	Claim	06N	05W	3	NW	NE	2	IRRIGATION	8/12	KATHERINE L HYATT
0081B	Water Right	06N	05W	3	NW	NE	2	IRRIGATION	8/12	PHILLIPS ENTERPRISES INC
0081A	Claim	06N	05W	3	SW	NE		IRRIGATION	38/108	JEFFERY HYATT
0081B	Water Right	06N	05W	3	SW	NE		IRRIGATION	2/12	PHILLIPS ENTERPRISES INC
0081A	Water Right	06N	05W	3	SW	NE		IRRIGATION	38/108	EMBASSY INC
0081B	Claim	06N	05W	3	SW	NE		IRRIGATION	2/12	KATHERINE L HYATT
0081A	Claim	07N	05W	34	SW	SE		IRRIGATION	38/108	JEFFERY HYATT
0081A	Water Right	07N	05W	34	SW	SE		IRRIGATION	38/108	EMBASSY INC
0081B	Claim	07N	05W	34	SW	SE		IRRIGATION	2/12	KATHERINE L HYATT
0081B	Water Right	07N	05W	34	SW	SE		IRRIGATION	2/12	PHILLIPS ENTERPRISES INC

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-8081A

06/19/2006

1

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-8081A	Claim	07N	05W	34	SW	SE		GROUND WATER	JEFFERY HYATT
63-8117	Claim	07N	05W	34	SW	SE		GROUND WATER	JEFFERY A HYATT
63-8081A	Water Right	07N	05W	34	SW	SE		GROUND WATER	EMBASSY INC
63-8117	Water Right	07N	05W	34	SW	SE		GROUND WATER	RICHARD M PHILLIPS

AJ0749NP
No. A63-08081A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 04/28/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KATHERINE L HYATT	02/04/1975	IRRIGATION	03-15 10-31	2.16 CFS	486.00 AFA
C	JEFFERY HYATT					
	3400 2ND LANE E					
	PARMA ID 83660			TOTAL DIVERSION:	2.16 CFS	486.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T07N R05W S34

SWSE

PAYETTE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
06N	05W	3	:			02-32		38												:	70.0
07N	05W	34	:															38		:	38.0
																			TOTAL ACRES	:	108.0

POU County: PAYETTE

Conditions of Approval:

- R01 - A measuring device of a type approved by this Department shall
- be maintained as a part of the diverting works.

Remarks: GEN TRANS. 2348.
OWNERSHIP CHANGED BY KW 6/6/1994.
OWNERSHIP CHANGED BY LH 7/21/97.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 21, 1997

Re: Notices of Claim to a Water Right Nos. A63-03606, A63-08081A,
A63-08081B, A63-08117, A63-09262, A63-29980

KATHERINE L HYATT
JEFFERY A HYATT
425 GROVE CITY RD
SLIPPERY ROCK PA 16057

Dear Ms. Hyatt. & Mr. Hyatt:

Enclosed are copies of the above referenced claims which reflect 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 these claims for final court decree.

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

Sincerely,

A handwritten signature in cursive script that reads "Lori Harris".

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region Office

LH:1

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 30, 1997

KATHERINE L HYATT
JEFFREY A HYATT
425 GROVE CITY ROAD
SLIPPERY ROCK PA 16057

Dear Mr. & Mrs. Hyatt:

Enclosed is a copy of your Notice of Change of Water Right Ownership form that you recently submitted to our office. However, we cannot continue to process the ownership change without proof of ownership. This proof can be a copy of a warranty deed, sales contract or tax assessment in your name which includes the legal description of the property by 1/41/4, Section, Township and Range. Please submit a copy of your proof of ownership and we will complete the ownership change.

Feel free to contact our office if you have any questions concerning this letter.

Sincerely,

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region

LH:1

Enclosure

* = WELL IN T07N R05W S. 34
SWSW

2.06 CFS LIMITATION

63-03606, -08081B, -09262

O = WELL IN T07N R05W S. 34
SWSE.

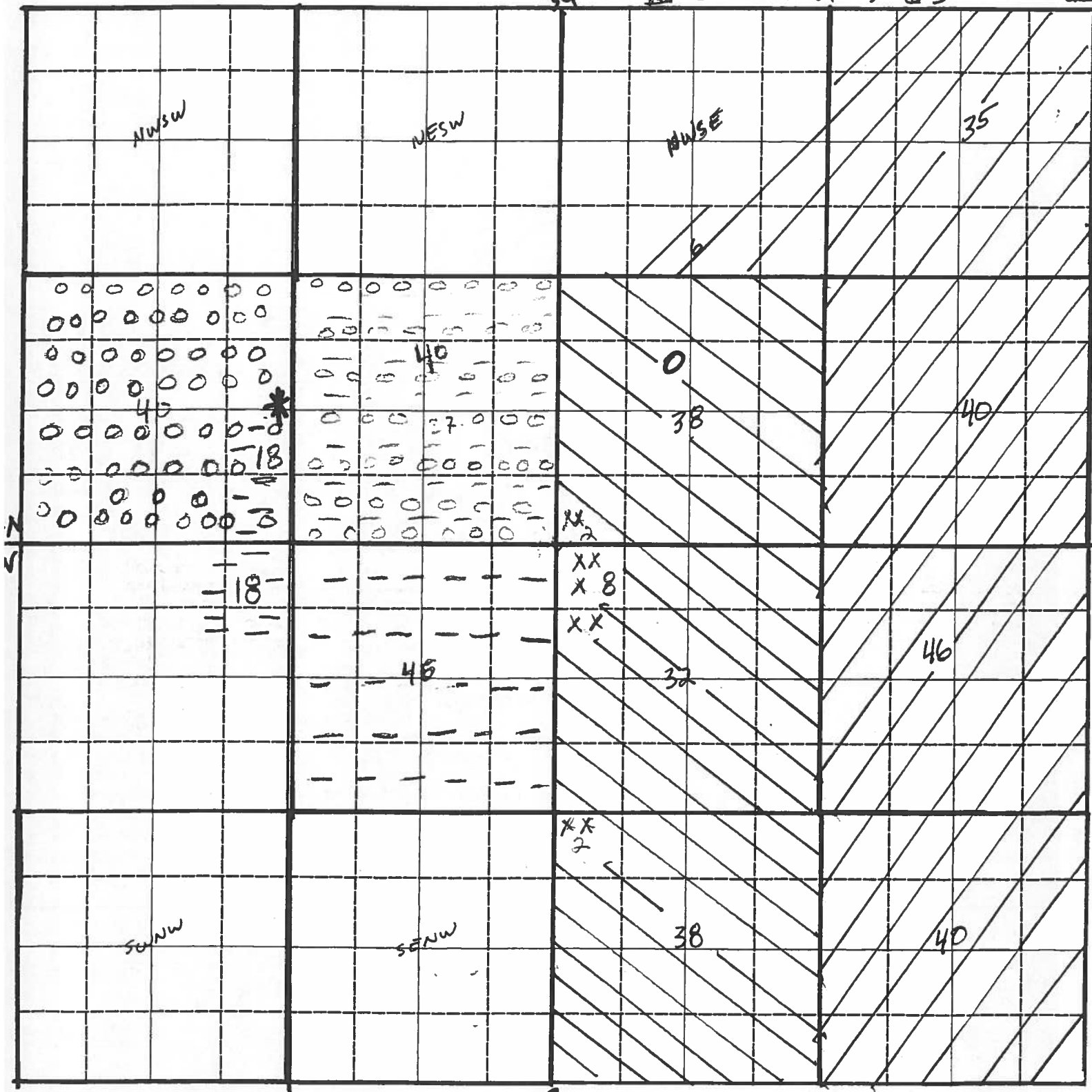
4.09 CFS LIMITATION

000

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

34

63-08081A, 63-08117



Scale: 2 inches equal 1 mile.

3

SW

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

(Applicant)

no interest

ADJUDICATION MEMORANDUM

CLAIM NO.: 463-03606, -08081A, -08081B
-09262, -08117

SUBJECT:

EMPLOYEE:

DATE:

10/24/1995

Minicucci

Two gentlemen (I did not record their names) came into the office to inquire about these claims as they are potential buyers of the property. After researching the water right files and reviewing the microfiche, it appears that the original well licensed under 63-03606 is no longer used at all, with a replacement well drilled in 1979. This well also serves water rights nos. 63-09262, 63-08081B. The B/U exam for 63-09262 found the well connected to another well on the same property. This second well serves water rights nos. 63-08081A & 63-08117. No transfers have been filed to tie the wells &/or acres together. Field exam in June 1977 did not mention second well, only well in SWSE. We discussed at length the system limitations on 63-08117 & 63-09262. I believe they clearly understood that the water rights were not the total CFS of all licenses, but are limited by the system capacity at the time of licensing. As a footnote, they may not purchase all of the SWSW of S. 34 - A63-03606 may be split in the future and the system limitation will be a factor in that split. When we discussed transfers, I don't know if it was clear that they did not have to include all of the acres on each water right (ppu) but could simply put both wells on all water rights.

63-08081 split into 63-08081A & B. XFER2348. POD Added (@ same time?).
Apparently both properties Now owned by Paradise Ridge Orchard Co.

LAND LIST ATTACHMENT

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	
FC96N	5W	3					45	25											70
			P 46	E 32	E 38	P 40													166
			PE 8	PE 2															
FC97N	5W	34									40	40	P 35	P 6	E 38	P 40			201
															PE 2				

437
acres

1 domestic = \$25.
 4 at \$50 = \$200.
 \$225
 437
 \$1662.

DO NOT FILM



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 6, 1994

RE: Notice of Claims to Water Right Nos. A63-08081A, A63-08081B,
A63-08117, A63-09262, and A63-29980

Paradise Ridge Orchard Co.
2875 Fir Mtn. Rd.
Hood River, OR 97031

Gentlemen:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the lands 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 these claims for final court decree.

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

Sincerely,

A handwritten signature in cursive script that reads "Kay Walker".

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures

MICROFILMED

JUL 25 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 24, 1994

RE: Notice of Claims to Water Rights filed in the Snake River Basin
Adjudication

Paradise Ridge
2875 Fir Mountain Rd.
Hood River, OR 97931

Gentlemen:

We are reviewing some claims submitted in the Snake River Basin Adjudication by Cascade Orchards Inc. and found that you may be the current owner of the lands that these water rights are located on. Enclosed are copies of the claims as submitted for your information.

Each of the claims were submitted with different names (i.e Richard M. Phillips, Phillips Enterprises Inc., Farm Credit Services, Embassy Inc. and Cascade Orchards Inc.). We could not determine who to send our correspondence regarding the claims to so we then contacted the Payette County Assessor's Office and were told you are the owner of most of the lands under the claims. There was a small portion the assessor's office said you were selling to Francisco & Carmen Lastrì but I did not notate which lands they were.

Since you now own most of the lands under these claims we need to request that you submit the enclosed "Notice of Change of Water Right Ownership" form to bring our records up to date. I have enclosed this form for your convenience. Please complete this form, sign where indicated, attach a copy of your warranty deed or tax notices showing the legal descriptions of the property, and return to this office.

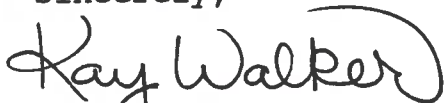
You will also need to complete one of these forms to transfer water rights to the Lastrì's if they have purchased some of the property. Enclosed is a brochure entitled "Property Owners - The Snake River Basin Adjudication of Water Rights may Affect the Buying and Selling of Real Estate in Idaho", which may help explain why it is important to notify our Department of water right ownership changes. I am also including a pamphlet entitled "Idaho Water Rights - A Primer" which explains how Idaho water rights work.

MICROFILMED

JUL 25 1994

If you have any questions in regard to this letter, please do not hesitate to contact our office.

Sincerely,

A handwritten signature in black ink that reads "Kay Walker". The signature is fluid and cursive, with a large loop at the end of the last name.

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures

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JUL 25 1994

ADJUDICATION MEMORANDUM

CLAIM NO.:

EMPLOYEE:

Kay Walker

SUBJECT:

Ownership

DATE:

5-23-1994

→ 1 dom - Cascade Orchards Inc.
A63-08081B - Phillips Enterprises Inc.
A63-09262 - Farm Credit Services
A63-08081A - Embassy Inc.
A63-08117 - Richard Phillips

5 claims - 5 different ^{names} /
receipt - all signed by Bill
Beuce for Cascade Orchards Inc.

6N 5W Sec. 3 NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$

7N 5W Sec. 34 S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ (except
NWSE - only 6 ac.)

Per Payette Co. Assessor's 642-6012

Lands in Sec. 3 - NE $\frac{1}{4}$ - Paradise Ridge
NENW - 2875 Fir
Mtn Rd.

Hood River
OR → 97931

Sec. 34 - Paradise Ridge
portion → % Francisco Latri
& Carmen

3620 1st Ln East
Parma 83660

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JUL 25 1994

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 05/23/94
Time: 12:01:51

Rec/No - C016287 AR/No -
From: - CASCADE ORCHARDS INC.

Receipt Type - CK Doc/No - 389
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 04/16/1990

Type Of Payment	Fund	FD	PCA	Obj	Subsid	Fee
ADJUDICATION FEE - BILL REECE	9337		410162	6490		662.00

Total Due - 662.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
	662.00				

(ENTER=CONTINUE)

(GOLD7=SELECTION SCREEN)

(GOLD8=CANCEL)

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JUL 25 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-8081 Priority February 4, 1975 Amount 2.40 cfs

THIS IS TO CERTIFY, that EMBASSY, INC.
of Meridian, Idaho, has complied with the terms and conditions of Permit
No. 63-8081 issued pursuant to Application for Permit dated February 4, 1975,
and has submitted proof to the Department of Water Resources on May 9, 1977,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 4.91 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>October 31</u>	at <u>2.40</u> cfs and	<u>540</u> acre feet
	from _____	at _____ cfs and	
	from _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 2.40 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
540 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34,
Twp. 7N, Rge. 5W, B.M. in the County of Payette

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 $\frac{1}{4}$	
6N	5W	3			40	40													80
7N	5W	34															40		40

Total number of acres irrigated 120

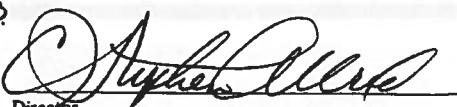
CONDITION: A measuring device of a type approved by the Department shall be
maintained as a part of the diversion works.

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 27 day of

February, 19 78


Director

Transfer No. 2348Water Right No. 63-8081

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant PHILLIPS ENTERPRISES INC Phone 376-4661
Post office address 4774 Chinden Boise, Id 83704

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)

b. License No. 63-8081 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

3. Source of water Groundwater tributary to _____

4. Date of priority 2/4/75

5. Water is used for the following purposes:

amount 2.40 for Irrigation purposes from 3/15 to 10/31
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)

6. Total amount of water under right: a. 2.40 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 34
Township 7N Range 5W, B.M., in Payette County
Additional points of diversion, if any _____

8. Lands irrigated or 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 $\frac{1}{4}$	
<u>6N</u>	<u>SW</u>	<u>3</u>		<u>L+2</u>	<u>40</u>	<u>40</u>													<u>80</u>
<u>7N</u>	<u>SW</u>	<u>34</u>																	<u>40</u>

Total number of acres to be irrigated 120

9. Describe any other water rights used for the same purposes as described above None

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B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. 0.24 cubic feet per second &/or
b. _____ acre feet per annum
2. Point of diversion SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 34 Township 7N
Range SW, B.M., Payette County
Additional points _____

3. 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 $\frac{1}{4}$	
<u>7N</u>	<u>SW</u>	<u>34</u>															<u>2</u>		<u>2</u>
<u>6N</u>	<u>SW</u>	<u>3</u>			<u>4² 8</u>	<u>2</u>													<u>10</u>

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE 12

1. Change in point of diversion

- a. Amount of water to be diverted 0.24 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 34 Township 7N
Range SW, B.M., _____ County
Additional points _____

c. Description of diverting works 16" well, 150 HP MOTOR -

d. Describe the reasons for applying for a change in the point(s) of diversion most of land was sold except for land identified herein under item B.3.

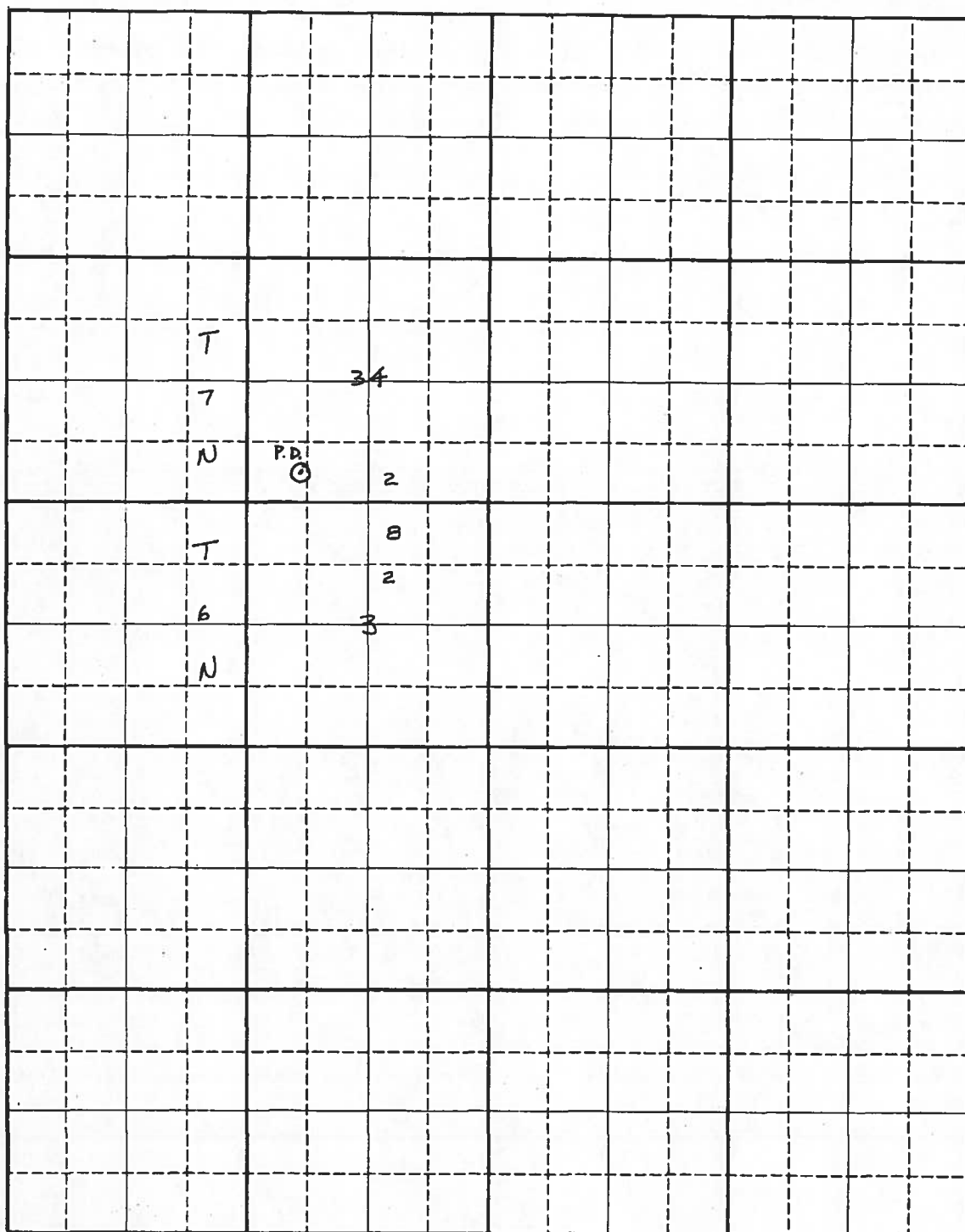
2. Change in place of use No change

- a. Describe the lands or place of use to which the right will be transferred:

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 $\frac{1}{4}$	

Total number of acres to be irrigated _____

3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

4. Remarks _____

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

Ind. Enterprise Inc. [Signature]
(Signature of applicant) (PRESIDENT)

Subscribed and sworn to before me this 20 day of JULY, 19 79.

David R. Tuttle
(Notary public)

My commission expires Sept 10, 1980

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 63-8081 and said application is hereby approved, subject to the following limitations and conditions:

Witness my hand this 15 day of September, 19 79.

Norman C. Young
NORMAN C. YOUNG
Administrator, Resources Admin. Div.

FOR DEPARTMENT USE ONLY

Received by EW Date 7/23/79 Protest filed by _____
J.S. 7/20/79
Prelim. check by CWB Fee 35.00
Received by CWB Date 7/27/79 # 14475
Published in Ind. Enterprise Copies of protest forwarded by _____
Pub. dates 8/6 + 8/23/79 Hearing held by _____ Date _____
Watermaster recommendation requested on _____ Recommended for approval denial
_____ rec'd. _____ by DAS [Signature]

638081 ✓

