

06/19/2006

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

RIGHT NUMBER: 63-8081B

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

JEFFERY A HYATT
3400 2ND LN E
PARMA ID 83660

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.240 CFS
54.000 AFY

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.

The rights listed below are limited to a total combined diversion rate of 2.06 cfs and to a total combined annual diversion volume of 702 AF. Combined Right Nos.: 63-3606, 63-8081B and 63-9262.

PRIORITY DATE: 02/04/1975

POINT OF DIVERSION:

T07N R05W S34 SWSW Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 10/31

0.240 CFS
54.00 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	8.00	T06N R05W S03	SWNE	2.00
T07N R05W S34	SWSE	2.00		

12 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 Nos. 63-3606 and 63-9262 are also diverted through point of diversion described above.

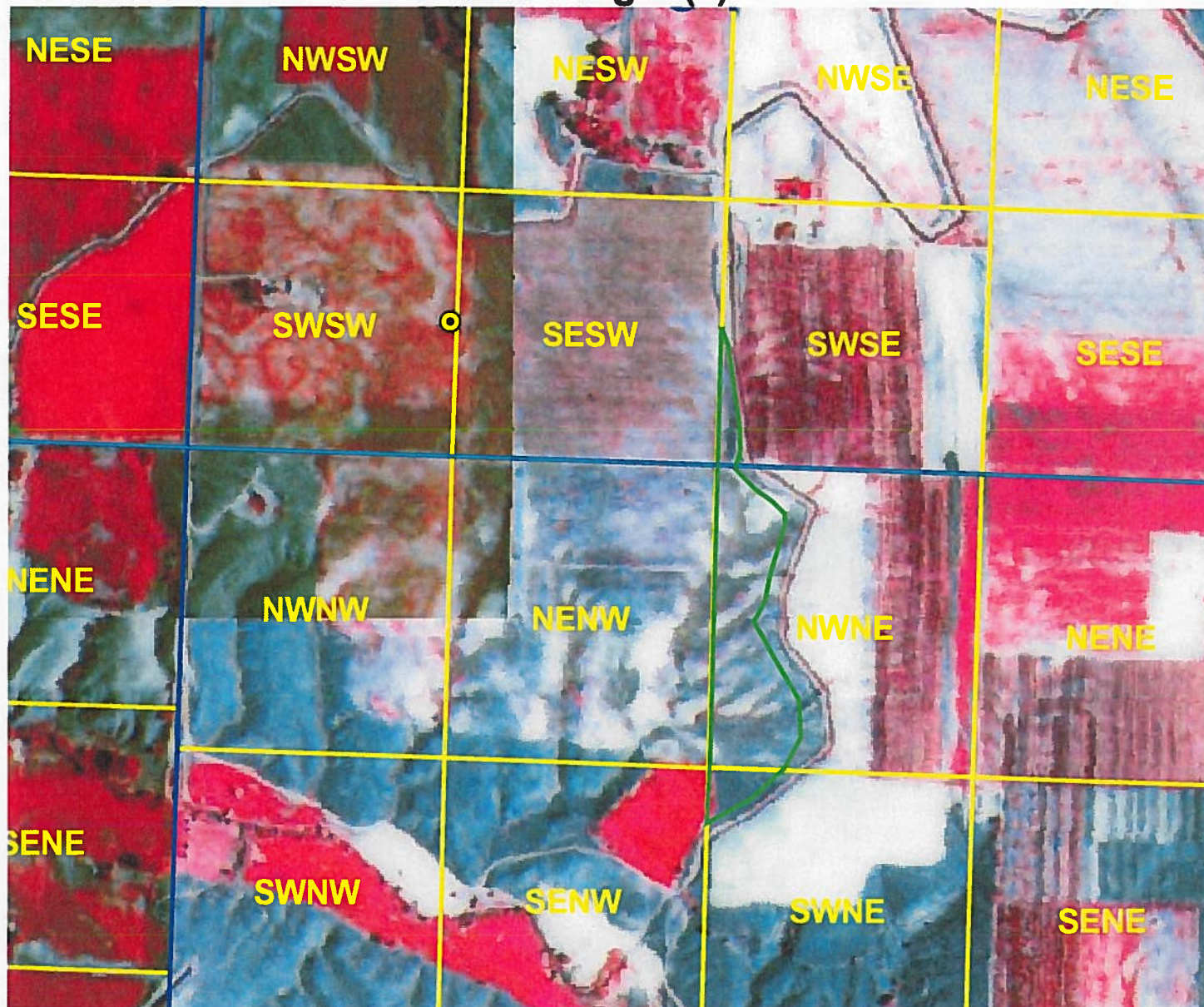


State of Idaho
Idaho Department of Water Resources
Western Region

T6N R5W SECTION 3

T7N R5W SECTION 34

Water Right (s): 63-8081B



1320 0 1320 2640 Feet

TOTAL IRRIGATED ACRES = 12



- 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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8081B V1

WATER RIGHT NUMBER: 63-8081B V1

Owner Type Name and Address
 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 PHILLIPS ENTERPRISES INC
 4774 CHINDEN BLVD
 BOISE, ID 83714
 Original Owner EMBASSY INC
 , ZZ
 Current Owner JEFFERY A HYATT
 3400 2ND LN E
 PARMA, ID 83660

Priority Date: 02/04/1975

Basis: 11C

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From	To	Diversion Rate	Annual Volume
3/15	10/31	0.240 CFS	54.00 AF
Total Diversion:		0.240 CFS	54.00 AF

Location of Point(s) of Diversion

GROUND WATER

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

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
06N	05W	3	8.0	2.0			10.0
07N	05W	34			2.0		2.0

Total Acres: 12

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. R01 A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
3. TRANS. 2348. OWNERSHIP CHANGED BY KW 6/6/1994. OWNERSHIP CHANGED BY LH 7/21/97.

Dates and Other Information:

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: AND
 Water District Number:

Combined Use Limits:

Surf. Par. H₂O - no mention (2.06)(1.0835)(1.267) = 1062.36 afa

need shoulder remark for 3/15 & 11/15

3/15 & 11/15 shoulder remark for 3/15 & 11/15
 limited to 2.06 w/ 63-3606, 9262
 same rod: 63-3606, 9262

limited to 2.4 E100 & 120 ac w/ 63-8081A

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8081B V1

WATER RIGHT NUMBER: 63-8081B V1

<u>Owner Type</u>	<u>Name and Address</u>
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	PHILLIPS ENTERPRISES INC 4774 CHINDEN BLVD BOISE, ID 83714
Original Owner	EMBASSY INC , ZZ
Current Owner	JEFFERY A HYATT 3400 2ND LN E PARMA, ID 83660

Priority Date: 02/04/1975

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 10/31	0.240 CFS	54.00 AF
	<u>Total Diversion:</u>	0.240 CFS	54.00 AF

Location of Point(s) of Diversion

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

Place of UseIRRIGATION Within PAYETTE County

T06N R05W S03 Lot 2 NWNE 8.0 T06N R05W S03 SWNE 2.0

T07N R05W S34 SWSE 2.0

Total Acres: 12

Conditions of Approval:

1. 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.
2. 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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8081B V1

3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. R01 A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
5. E61 The rights listed below are limited to a total combined diversion rate of 2.06 cfs and to a total combined annual diversion volume of 702 AF. Combined Right Nos.: 63-3606, 63-8081B and 63-9262.
6. F05 Right Nos. 63-3606 and 63-9262 are also diverted through point of diversion described above.
7. 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.

Remarks:

Comments:

1. vmusic 6/19/2006 TRANSFER

Comment: TRANSFER 2348 SPLIT THE LICENSED RIGHT AND CHANGED THE POD FOR THE B PORTION ONLY. POD CHANGED FROM SWSE TO SWSW

2. vmusic 6/19/2006 SURFACE RTS

Comment: UNKNOWN - NO MENTION OF SURFACE RIGHTS IN CLAIM OR LICENSE FILE

3. vmusic 6/19/2006 POD OVERLAPS

Comment: SAME POD AS 63-3606, 63-9262.

4. vmusic 6/19/2006 POU OVERLAPS

Comment: NONE

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	5/16/2006 2:12:33 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 1:21:13 PM	vmusic	(No) 1. Do you want to schedule an appointment? Comment for 1: LICENSE

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8081B V1

General	6/19/2006 1:21:32 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?
POD	6/19/2006 1:22:10 PM	vmusic	(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?
Source	6/19/2006 1:27:59 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 1:28:24 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?
Use	6/19/2006 1:29:17 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 1:29:39 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8081B V1

Quantity	6/19/2006 1:30:55 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 AND SPLIT
POU	6/19/2006 2:17:50 PM	vmusic	Updated shape for Active POU
POD	6/19/2006 1:27:31 PM	vmusic	Updated shape
Summary	6/19/2006 1:58:41 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?
POU	6/19/2006 1:31:50 PM	vmusic	Updated shape for Active POU

Water Supply Bank:

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: **A63-08081B**
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: JEFFERY A HYATT
Address: 3400 2ND LANE E
PARMA ID

83660

AND/OR

Name: KATHERINE L 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	SW			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	0.240		54.00

7. Total Quantity Appropriated is:
0.240 C.F.S. (and/or) 54.00 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	8.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	05W	3	SW	NE		IRR	2.0
						Section Acres	10.0
07N	05W	34	SW	SE		IRR	2.0
						Section Acres	2.0
						Total Acres	12.0

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: **A63-08081B**
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 A 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	SW		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	0.240		54.00

7. Total Quantity Appropriated is:
0.240 C.F.S. (and/or) 54.00 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	8.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	05W	3	SW	NE		IRR	2.0
						Section Acres	10.0
07N	05W	34	SW	SE		IRR	2.0
						Section Acres	2.0
						Total Acres	12.0

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**

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

JUN 11 1997

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
2575 Fir 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

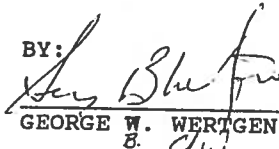
whose current address is

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

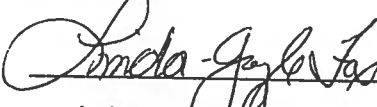
STATE OF IDAHO, COUNTY OF PAYETTE

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

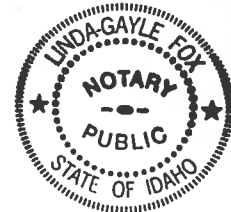
GEORGE W. WERTGEN

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 Buna, Idaho
Comm. Expires 2/5/2002

Notary Public



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: A63-08081B
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	SW			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	0.240		54.00

7. Total Quantity Appropriated is:
0.240 C.F.S. (and/or) 54.00 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	8.0
			SW	NE		IRR	2.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	10.0
07N	05W	34	SW	SE	IRR	2.0
					Section Acres	2.0
					Total Acres	12.0

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.

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
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)
Assigned by IDWR:

A-63-08117, A63-08081B, A63-09262
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

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: kw

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
kw

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

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

1. Name: PHILLIPS ENTERPRISES INC.
Address: 4774 CHINDEN
BOISE ID 83704

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	SW		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	0.240		54.00

7. Total Quantity Appropriated is:
0.240 C.F.S. (and/or) 54.00 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	8.0
			SW	NE		IRR	2.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	10.0
07N	05W	34	SW	SE	IRR	2.0
					Section Acres	2.0
					Total Acres	12.0

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
_____ Title

_____, that I have signed the foregoing
Organization
document in the space below as _____ of

_____ Title
_____ and that the statements contained in the
Organization
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: A63-08081B

Date Received: 4/11/1990

Receipt No: C016287

Received By: updated 5/23/94
kw

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
APR 17 1990

1. Name: PHILLIPS ENTERPRISES INC.
Address: 4774 CHINDEN
BOISE, ID

83704

2. Date of Priority: FEB 04, 1975

Department of Water Resources

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	SW	SW		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	0.240		54.00

7. Total Quantity Appropriated is:
0.240 C.F.S. (and/or) 54.00 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	8.0
			SW	NE		IRR	2.0
Section Acres							10.0

A63-08081B

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	2.0
Section Acres						2.0
Total Acres						12.0

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: 4-11-90
by Bill Reece Date: _____

State of Idaho)
County of Payette) SS.

Subscribed and sworn (or affirmed) before me this 11 day
of April 19 90

John Dal. Coder
Notary Public

Seal

Residing at Boise ID
My Commission Expires 6/8/94

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 CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-8081B**

06/19/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
1081A	Claim	06N	05W	3	NW	NE	2	IRRIGATION	32/108	JEFFERY HYATT
1081B	Claim	06N	05W	3	NW	NE	2	IRRIGATION	8/12	KATHERINE L HYATT
1081B	Water Right	06N	05W	3	NW	NE	2	IRRIGATION	8/12	PHILLIPS ENTERPRISES INC
1081A	Water Right	06N	05W	3	NW	NE	2	IRRIGATION	32/108	EMBASSY INC
1081A	Claim	06N	05W	3	SW	NE		IRRIGATION	38/108	JEFFERY HYATT
1081B	Water Right	06N	05W	3	SW	NE		IRRIGATION	2/12	PHILLIPS ENTERPRISES INC
1081B	Claim	06N	05W	3	SW	NE		IRRIGATION	2/12	KATHERINE L HYATT
1081A	Water Right	06N	05W	3	SW	NE		IRRIGATION	38/108	EMBASSY INC
1081A	Claim	07N	05W	34	SW	SE		IRRIGATION	38/108	JEFFERY HYATT
1081A	Water Right	07N	05W	34	SW	SE		IRRIGATION	38/108	EMBASSY INC
1081B	Claim	07N	05W	34	SW	SE		IRRIGATION	2/12	KATHERINE L HYATT
1081B	Water Right	07N	05W	34	SW	SE		IRRIGATION	2/12	PHILLIPS ENTERPRISES INC

AJ0749NP
No. A63-08081B

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	JEFFERY A HYATT	02/04/1975	IRRIGATION	03-15 10-31	0.24 CFS	54.00 AFA
C	KATHERINE L HYATT					
	3400 2ND LANE E					
	PARMA ID 83660					
				TOTAL DIVERSION:	0.24 CFS	54.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T07N R05W S34 SWSW

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	:			02-08		02												:	10.0
07N	05W	34	:																02	:	2.0
																			TOTAL ACRES	:	12.0

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,

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region Office

LH:1

Enclosures

AJ5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

09/08/95 10:32:43

Page 1

Water Right Number - A63-080818

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
PARADISE RIDGE ORCHARD CO

1 - 2875 FIR MTN RD
2 -
3 -
City- HOOD RIVER State- OR Zip- 97031
Phone - 503-386-3841

*** O - ORIGINAL OWNER ***
EMBASSY INC

1 -
2 -
3 -
City- X State- ID Zip- X
Phone - 208-000-0000
1 - 4774 CHINDEN
2 -
3 -
City- BOISE State- ID Zip- 83704
Phone - 208-000-0000

PHILLIPS ENTERPRISES INC

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
02/04/1975 14 WESTERN L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name
07N 05W 34 SW SW (75) PAYETTE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 10/31 0.240 54.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.240 54.00 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
06N 05W 3 NW NE 2 8.0 01 IRRIGATION (75) PAYETTE
06N 05W 3 SW NE 2.0 01 IRRIGATION (75) PAYETTE
07N 05W 34 SW SE 2.0 01 IRRIGATION (75) PAYETTE

Total Acres: 12.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

MICROFILMED
OCT 07 1996

Prefix Translation: ADJUDICATION CLAIM

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 04/16/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- C016287	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	-	Notice of Error Flag	-

MICROFILMED
OCT 07 1996

* - WELL IN TOWN ROWS S W S W

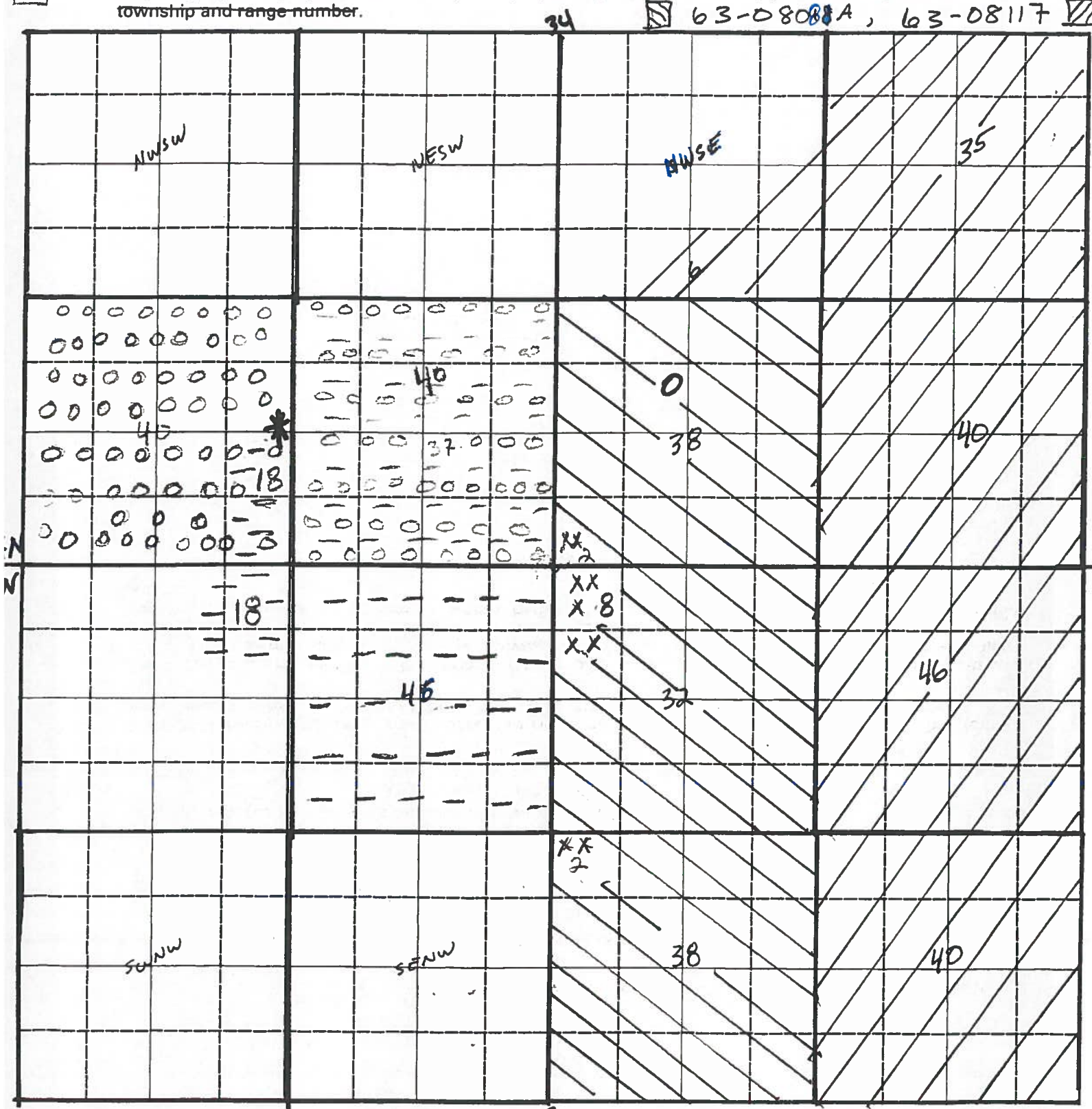
2.56 CFS LIMITATION

63-03606, -08081B, -09262

O = WELL IN TOWN ROWS S. 34
S W S E.

4.09 CFS LIMITATION

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



Scale: 2 inches equal 1 mile.

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.

MICROFILMED
OCT 07 1998

(Applicant)

10/25/1995

ADJUDICATION MEMORANDUM

CLAIM NO.: 63-03606, -08081A, -08081B
-09262, -08117

SUBJECT: _____

EMPLOYEE: _____

DATE: 10/24/1995

TTTINICUCCI

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.

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 - 63-03606 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.

MICROFILMED
OCT 07 1996

63-08081A & B Do NOT appear to have overlapping acres, different wells



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 Lastris but I did not notate which lands they were.

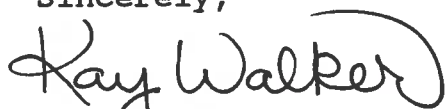
Since you now own most of the lands under these claims we need to request that you submit the enclosed "Notice of Change of Water Right Ownership" form to bring our records up to date. I have enclosed this form for your convenience. Please complete this form, sign where indicated, attach a copy of your 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 Lastris'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 cursive script that reads "Kay Walker". The signature is written in dark ink and is positioned above the typed name.

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures

MICROFILMED

JUL 25 1994

ADJUDICATION MEMORANDUM

CLAIM NO.:

EMPLOYEE:

A63-08081B - Phillips Enterprises Inc.
A63-09262 - Farm Credit Services
A63-08081A - Embassy Inc.
A63-0811M - Richard Phillips

SUBJECT:

DATE:

Ownership

5-23-1994

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 $\rightarrow$ 97931

Sec. 34 - Paradise Ridge
portion $\rightarrow$ % Francisco Latri
Carmen

3620 1st Ln East
Parma 83660

MICROFILMED

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
ADJUDICATION FEE - BILL REECE

Fund	FD	PCA	Obj	Subsid	Fee
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)

MICROFILMED
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>	<u>from March 15 to October 31</u>	<u>at 2.40 cfs and</u>	<u>540 acre feet</u>
_____	_____	_____	_____
_____	_____	_____	_____

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

Total number of acres irrigated 120

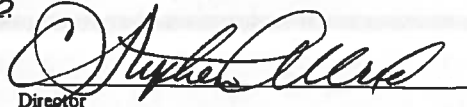
CONDITION: A measuring device of a type approved by the Department shall be
maintained as a part of the diversion works.

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.

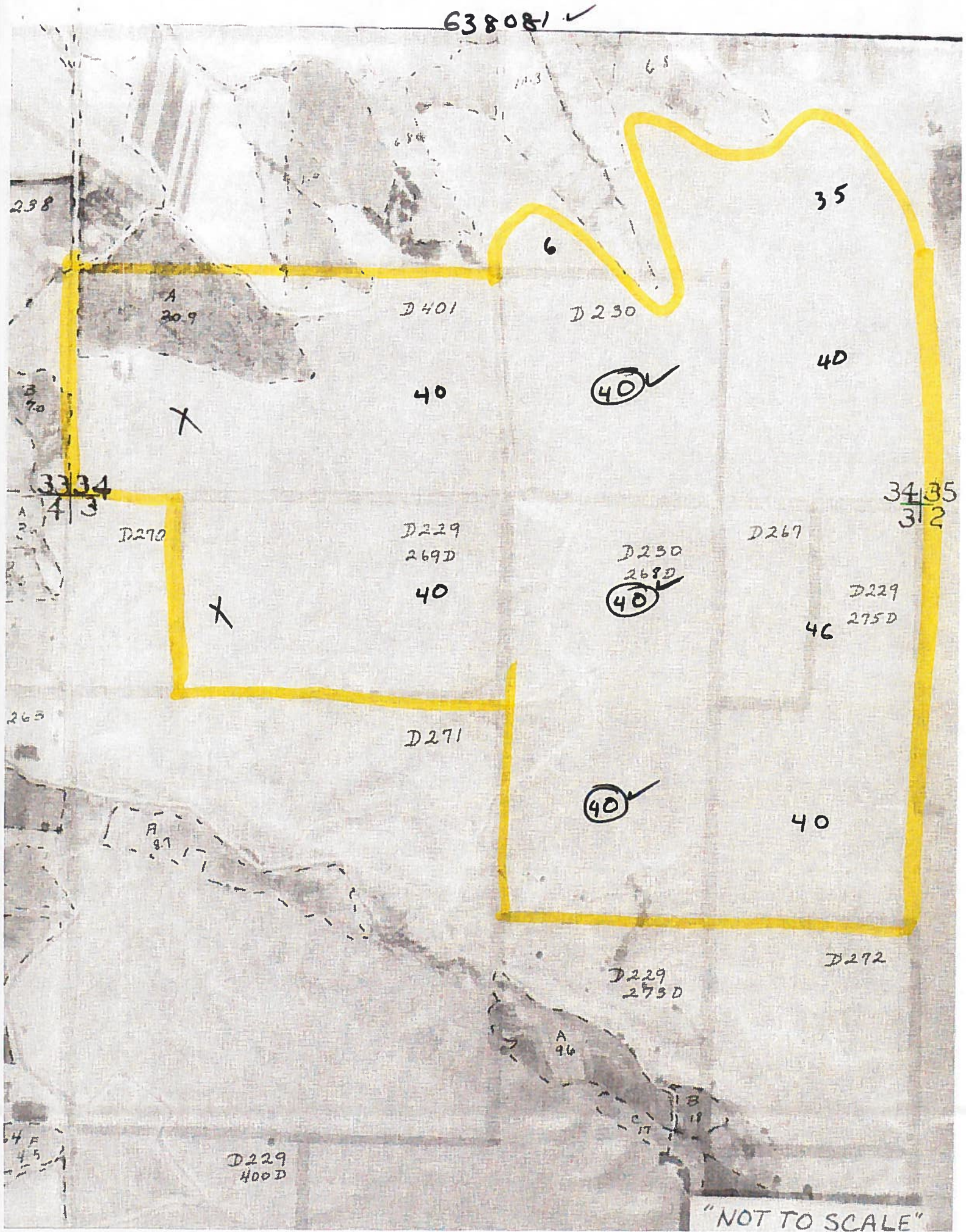
The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

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

February, 19 78


Director

638081 ✓



"NOT TO SCALE"

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
b. _____ &/or
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>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

MICROFILMED

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.

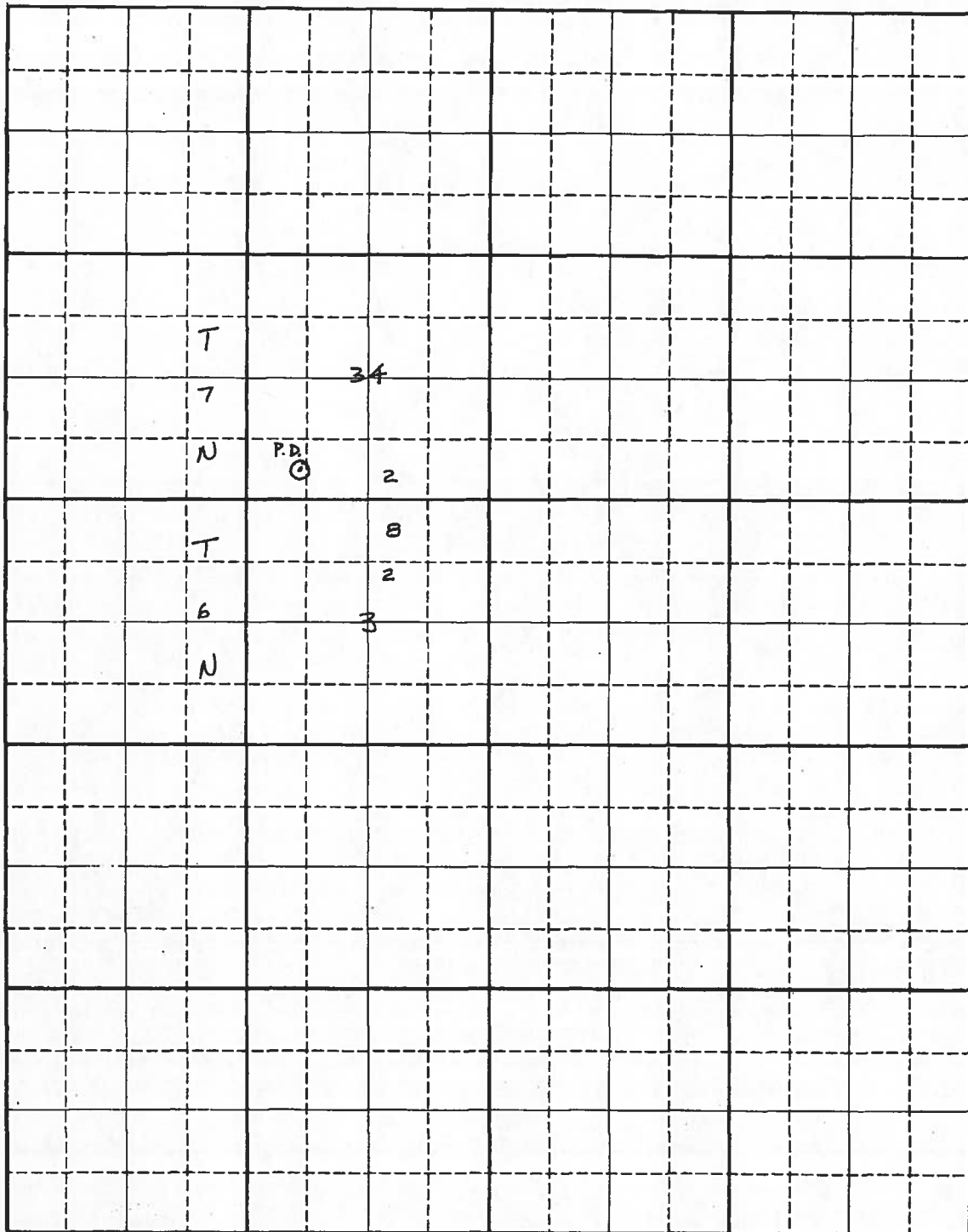
2. Change in place of use No change

- 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.

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