

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 63-3625
Date Received: 4/13/1990
Receipt No: M006628
Received By:

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

1. Name of Claimant(s)

SUE HUFF Phone: (208)674-1210
710 SW DELMAR
PARMA ID USA 83660

DENNIS HUFF Phone: (208)674-1210
710 SW DELMAR
PARMA ID USA 83660

2. Date of Priority: 01/13/1968

3. Source: WHITNEY DRAIN Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07N	05W	33	SW SW	PAYETTE	

5. Description of diverting works:

PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	1.3	292

7. Total Quantity Appropriated is:
1.3 C.F.S. and/or 292 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
----------	-------	---------	----------------	-----	-------

07N	05W	32	SW	SE	IRRIGATION	35
			SE	SE	IRRIGATION	30
					Section Acres	65
					Total Acres	65

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:

CHANGE IN OWNERSHIP LG- 9-21-2006 REVIEWED BY SE

15. Basis of Claim: License

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

RECEIVED

JUN 05 2006

WATER RESOURCES
WESTERN REGION

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>1</u>	<u>AG3-04081</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>31602-1</u>	<u>AG3-03625</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>4</u>	<u>AG3-2230</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>4</u>	<u>AG3</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>1</u>	<u>AG3 22030</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Grant L & Linda A. Weir
1101 Cordova Ave. #417 Anchorage, AK 99501
4. New Owner/Claimant(s) DENNIS + SUE HUFF
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 710 SW DELMAR
- City, State and ZIP Code PARMA ID 83660
- New Telephone Number (208) 674-1210
5. Date you acquired the property 12-07-01

RECEIVED

JUN 05 2006

WATER RESOURCES
WESTERN REGION

DEPT. WATER RESOURCES
WESTERN REGION
BOISE ID.

RE. CHANGE OF OWNERSHIP,

DEAR MR. NELSON,

THANK YOU FOR YOUR EVIDENCE OF PRIORITY LETTER. MY WIFE AND I PURCHASED MOST OF THE WEIR PROPERTY, EXCEPT FOR THE HOUSE AND FIVE ACRES, WHICH WAS PRUCHASED BY THE EVANS.

ENCLOSED IS COPIES OF SOME DOCUMENTS SHOWING OWNERSHIP OF THE MAROSTICAS, AND THE WEIRS, AND THE HUFFS.

WE ARE CURRENTLY FARMING ALL POSSIBLE ACRES WITH THE CURRENT WATER RIGHTS.

PLEASE LOOK OVER ENCLOSED INFORMATION AND LET ME KNOW IF YOU NEED ANY MORE INFORMATION.

YOURS TRULY,

DENNIS HUFF

 5-30-06

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: **A63-04081**
Date Received: 4/13/1990
Receipt No: **M006628**
Received By: DE. C. D.

COPY
FOR YOUR FILES
DO NOT RETURN

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

1. Name: GRANT L WEIR
Address: PO BOX 2403
NYSSA OR 97913

AND/OR

Name: LINDA A WEIR
Address: PO BOX 2403
NYSSA OR 97913

2. Date of Priority: JUN 1, 1954

3. Source: WHITNEY DRAIN Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	05W	33	SW	SW			PAYETTE

5. Description of diverting works:
PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/20	10/20	3.000		

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

8. Total consumptive use is 980.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	05W	32	SW	SE		IRR	35.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	05W	32	SE	SE		IRR	30.0
						Section Acres	65.0
		33	SW	SW		IRR	15.0
						Section Acres	15.0
						Total Acres	80.0

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:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

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: **A63-22030**
Date Received: 4/13/1990
Receipt No: M006628
Received By: DEAN

COPY
IF YOUR FILES
DO NOT RETURN

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

1. Name: GRANT L WEIR 208-674-5567
Address: PO BOX 2403
NYSSA OR 97913
AND/OR
Name: LINDA A WEIR 208-674-5567
Address: PO BOX 2403
NYSSA OR 97913

2. Date of Priority: OCT 8, 1982

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07N	05W	32	NW	SE	SE		PAYETTE

5. Description of diverting works:
108' WELL, 6" CASING, 35 GAL. PER MINUTE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.080		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME

10. Place of Use:

Township 07N Range 05W Section 32 1/4 of 1/4 SE SE Lot Use DOMEST Acres

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: NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____

Date: _____

State of Idaho

County of _____)
) SS.
)

Date: _____

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

Seal

Notary Public

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: **A63-03625**
Date Received: 4/13/1990
Receipt No: **M006628**
Received By: DELAN

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

1. Name: GRANT L WEIR
Address: PO BOX 2403
NYSSA OR 97913

AND/OR

Name: LINDA A WEIR
Address: PO BOX 2403
NYSSA OR 97913

2. Date of Priority: JAN 13, 1968

3. Source: WHITNEY DRAIN Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	05W	33	SW	SW			PAYETTE

5. Description of diverting works:
PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.300		292.00

7. Total Quantity Appropriated is:
1.300 C.F.S. (and/or) 292.00 A.F.A.

8. Total consumptive use is 227.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	05W	32	SW	SE		IRR	35.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	05W	32	SE SE		IRR	30.0
Section Acres						65.0
Total Acres						65.0

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:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 31602

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

303639
WARRANTY DEED

Order No.: 4060200836

FOR VALUE RECEIVED

Grant L. Weir and/or Linda A. Weir and/or their successors in trust, as trustees for the Grant and Linda Weir Family Trust

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Dennis E. Huff and Susan J. Huff, husband and wife

whose current address is

the grantee(s), the following described premises, in Payette County, Idaho, TO WIT:

SW 1/4 The S1/2SE1/4 of Sec. 32, Twp. 7 N., R. 5 W., B.M., Payette County, Idaho, and the SE1/4SW1/4 of Sec. 33, Twp. 7 N., R. 5 W., B.M., Payette County, Idaho.

EXCEPTING THEREFROM the following parcels:

Any portion of the above described property lying within the boundaries of the Weir Acres Subdivision, per Plat filed in Book 6, Page 44, Plat Records, Payette County, Idaho.

ALSO EXCEPTING THEREFROM that portion of the SW1/4SW1/4 lying Southeast of Hwy. 95, in Sec. 33, Twp. 7 N., R. 5 W., B.M., Payette County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 9-11-02

Grant L. Weir and/or Linda A. Weir and/or their successors in trust, as trustees for the Grant and Linda Weir Family Trust

By: Grant L. Weir

Grant L. Weir, Trustee

By: Linda A. Weir

Linda A. Weir, Trustee

State of Idaho

County of Payette

} ss.

303639

STATE OF IDAHO }
County of Payette } ss

I hereby certify that this instrument was filed for record at the request of ALLIANCE TITLE & ESCROW CORP.

Time 4:34 pm

Date Sept 12, 2002

Instrument # 303639

LAURA L. STIGILE

Ex officio Recorder

By [Signature]

Deputy

Fee \$300

On this 11 day of September, in the year 2002, before me, a Notary Public in and for said state, personally appeared Grant L. & Linda A. Weir known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of the Grant and Linda Weir Family Trust and acknowledged to me that

297698

WARRANTY DEED

Order No.:4060100458

FOR VALUE RECEIVED

Grant and Linda Weir Family Trust

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Dennis Huff and Susan Huff, Husband and Wife

whose current address is

6924 Beatrice Drive Fruitland, ID 83619

the grantee(s), the following described premises, in Payette County, Idaho, TO WIT:

Lots 1 and 2 of Weir Acres Subdivision, according to the official plat thereof, filed in Book 6 of Plats at Page(s) 44 Official Records of Payette County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Part of an IRC 1031 Exchange

Dated: 12.7.01

Grant and Linda Weir Family Trust

Grant Weir, Trustee

Linda Weir, Trustee

State of Idaho

County of Payette

297698
STATE OF IDAHO } ss
County of Payette

I hereby certify that this instrument was filed for record at the request of ALLIANCE TITLE & ESCROW CORP.

Time 4:10 pm

Date Dec 7, 2001

Instrument # 297698 Seeds

LAURA L. STIGILE

Ex Officio Recorder

By Deputy

Fee \$300

On this 7 day of December, in the year 2001, before me, a Notary Public in and for said state, personally appeared Grant Weir and Linda Weir known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of the Grant Linda Weir Trust, and acknowledged to me that they executed the same as Trustee.

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



Notary Public for the State of Idaho

Grant L. and Linda A. Weir
P O Box 2403
Nyssa OR 97913

Dear Linda and Grant:

I understand that the Idaho Department of Water Resources is not convinced that when you bought the Idaho property from Marie Marostica on November 3, 1980, that all water rights, including the 100 inches coming down Whitney Wasteway canal was included in the sale.

The contract between Marie Marostica and you folks was dated November 3, 1980. The property was described in the contract. It was in Twp. 7 N., R. 5 W., Section 33: SW $\frac{1}{4}$ SW $\frac{1}{4}$ and Section 32: S $\frac{1}{2}$ SE $\frac{1}{4}$, Payette County, Idaho. The purchase price was \$180,000, with a down payment of \$50,000, bearing interest at 9% per annum, and payable in annual installments of \$20,256.60. The property has been paid for.

Upon Marie Marostica's death, I was appointed as the Personal Representative of her estate, and completed probate of her estate. I was well acquainted with the contract and the intention thereof.

Therefore, this is to inform you that the two of you, as buyers, did acquire all of the water rights, including the 100 inches above-mentioned, and that you are the owners of the same.

Please advise if I am able to ^{do} anything further to clarify the intention between buyer and seller.

Very truly yours,


Gloria Marostica

April 3, 1993

IDAHO POWER

Name:	DENNIS HUFF	Phone:	2086741210			
Meter:	2453892					
Address:	07N05W3306/PARMA,ID					
	Read Date	Days	kW	kWh	Amount	
4/1/2006	4/20/2006	30	0	0	3.05	
3/1/2006	3/21/2006	32	0	0	3.05	
2/1/2006	2/17/2006	29	0	0	3.05	
1/1/2006	1/19/2006	31	0	0	3.05	
Total					\$12.20	
12/1/2005	12/19/2005	32	0	0	3.05	
11/1/2005	11/17/2005	29	0	0	3.05	
10/1/2005	10/19/2005	30	11	355	27.04	
9/1/2005	9/19/2005	32	12	2084	149.65	
8/1/2005	8/18/2005	29	12	1831	139.15	
7/1/2005	7/20/2005	30	11	3164	190.18	
6/1/2005	6/20/2005	32	11	1295	109.94	
5/1/2005	5/19/2005	29	0	0	3	
4/1/2005	4/20/2005	30	0	0	3	
3/1/2005	3/21/2005	32	0	0	3	
2/1/2005	2/17/2005	29	0	0	3	
1/1/2005	1/19/2005	33	0	0	3	
Total					\$637.06	
12/1/2004	12/17/2004	30	0	0	3	
11/1/2004	11/17/2004	29	0	0	3	
10/1/2004	10/19/2004	32	11	713	38.87	
9/1/2004	9/17/2004	30	11	2358	145.76	
8/1/2004	8/18/2004	29	11	2170	138.48	
7/1/2004	7/20/2004	32	11	2695	157.86	
6/1/2004	6/18/2004	30	11	3325	184.48	
5/1/2004	5/19/2004	29	11	470	25.83	
4/1/2004	4/20/2004	32	11	715	37.99	
3/1/2004	3/19/2004	29	0	0	2.5	
2/1/2004	2/19/2004	30	0	0	2.5	
1/1/2004	1/20/2004	33	0	0	2.5	
Total					\$742.77	
12/1/2003	12/18/2003	29	0	0	2.5	
11/1/2003	11/19/2003	30	0	0	2.5	
10/1/2003	10/20/2003	32	12	1716	87.67	
9/1/2003	9/18/2003	30	12	2344	151.19	
8/1/2003	8/19/2003	29	12	2437	155.08	
7/1/2003	7/21/2003	32	15	3532	211.67	
6/1/2003	6/19/2003	30	12	2082	140.22	
5/1/2003	5/20/2003	29	11	739	39.33	
4/1/2003	4/21/2003	34	0	0	5	
3/1/2003	3/18/2003	32	0	0	2.5	
2/1/2003	2/14/2003	29	0	0	2.5	
1/1/2003	1/16/2003	30	0	0	2.5	
Total					\$802.66	
12/1/2002	12/17/2002	29	0	0	2.5	

11/1/2002	11/18/2002	32	1	1	2.55
10/1/2002	10/17/2002	29	12	1298	67.25
9/1/2002	9/18/2002	30	12	1543	118.04
8/1/2002	8/19/2002	32	12	3378	195.36
7/1/2002	7/18/2002	30	11	4202	226.48
6/1/2002	6/18/2002	32	11	1539	114.29
5/1/2002	5/17/2002	25	12	2611	141.22
4/1/2002	4/22/2002	34	0	0	5
3/1/2002	3/19/2002	32	0	0	2.5
2/1/2002	2/15/2002	30	0	0	2.5
1/1/2002	1/16/2002	30	0	0	2.5

Total \$880.19

12/1/2001	12/17/2001	32	0	0	2.5
11/1/2001	11/15/2001	31	0	0	2.5
10/1/2001	10/15/2001	32	0	0	2.5
9/1/2001	9/13/2001	30	11	2195	141.27
8/1/2001	8/14/2001	33	11	3354	189.75
7/1/2001	7/12/2001	31	11	3923	213.55
6/1/2001	6/11/2001	32	11	2511	154.49
5/1/2001	5/10/2001	30	0	0	2.5
4/1/2001	4/10/2001	32	0	0	2.5
3/1/2001	3/9/2001	30	0	0	2.5
2/1/2001	2/7/2001	32	0	0	2.5
1/1/2001	1/6/2001	31	0	0	2.5

Total \$719.06

12/1/2000	12/6/2000	32	0	0	2.5
11/1/2000	11/4/2000	29	11	427	18.25
10/1/2000	10/6/2000	29	11	6974	0
9/1/2000	9/7/2000	30	11	3559	153.14
8/1/2000	8/8/2000	29	11	4959	193.93
7/1/2000	7/10/2000	32	12	3158	145.04
6/1/2000	6/8/2000	30	12	3621	156.46
5/1/2000	5/9/2000	29	11	301	12.74
4/1/2000	4/10/2000	31	0	0	2.5
3/1/2000	3/10/2000	30	0	0	2.5
2/1/2000	2/9/2000	30	0	0	2.5
1/1/2000	1/10/2000	47	0	0	3.92

Total \$693.48

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: **A63-03625**
Date Received: 4/13/1990
Receipt No: **M006628**
Received By: DEAN

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

1. Name: GRANT L WEIR
Address: PO BOX 2403
NYSSA OR 97913

AND/OR

Name: LINDA A WEIR
Address: PO BOX 2403
NYSSA OR 97913

2. Date of Priority: JAN 13, 1968

3. Source: WHITNEY DRAIN Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	05W	33	SW	SW			PAYETTE

5. Description of diverting works:
PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.300		292.00

7. Total Quantity Appropriated is:
1.300 C.F.S. (and/or) 292.00 A.F.A.

8. Total consumptive use is 227.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	05W	32	SW	SE		IRR	35.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	05W	32	SE	SE		IRR	30.0
Section Acres							65.0
Total Acres							65.0

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:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 31602

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

5095

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: A63-03625

Date Received: 4-13-90

Receipt No: M024628

Received By: JB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ~~ANGELO MAROSTICA~~ Grant L & Linda A. Wein
Address: ~~RT. 1 BOX 64~~ P.O. Box 2403
~~ONTARIO, OR~~ Nyssa, OR. 97914 97913
2. Date of Priority: ~~Nov 03, 1980~~ JAN 13, 1968
3. Source: WHITNEY DRAIN Trib. to: SNAKE RIVER
1-13-68 L.A.W.

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
07N	05W	33	SW SW		PAYETTE

5. Description of diverting works: Pump + Pipe Line

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.300		292.00

7. Total Quantity Appropriated is:
1.300 C.F.S. (and/or) 292.00 A.F.A.

8. Total consumptive use is 227.5 Acre Feet Per Annum.

9. Non-irrigation uses: None

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	05W	32	SW SE		IRR	35.0
			SE SE		IRR	30.0
Section Acres						65.0

10. Place of Use: Continued

Total Acres 65.0

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:

15. Basis of Claim: LICENSE
Water Right Number: 31602

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): Linda A. Weir Date: 4-13-90

Date: _____

State of Idaho)
County of Payette) SS.

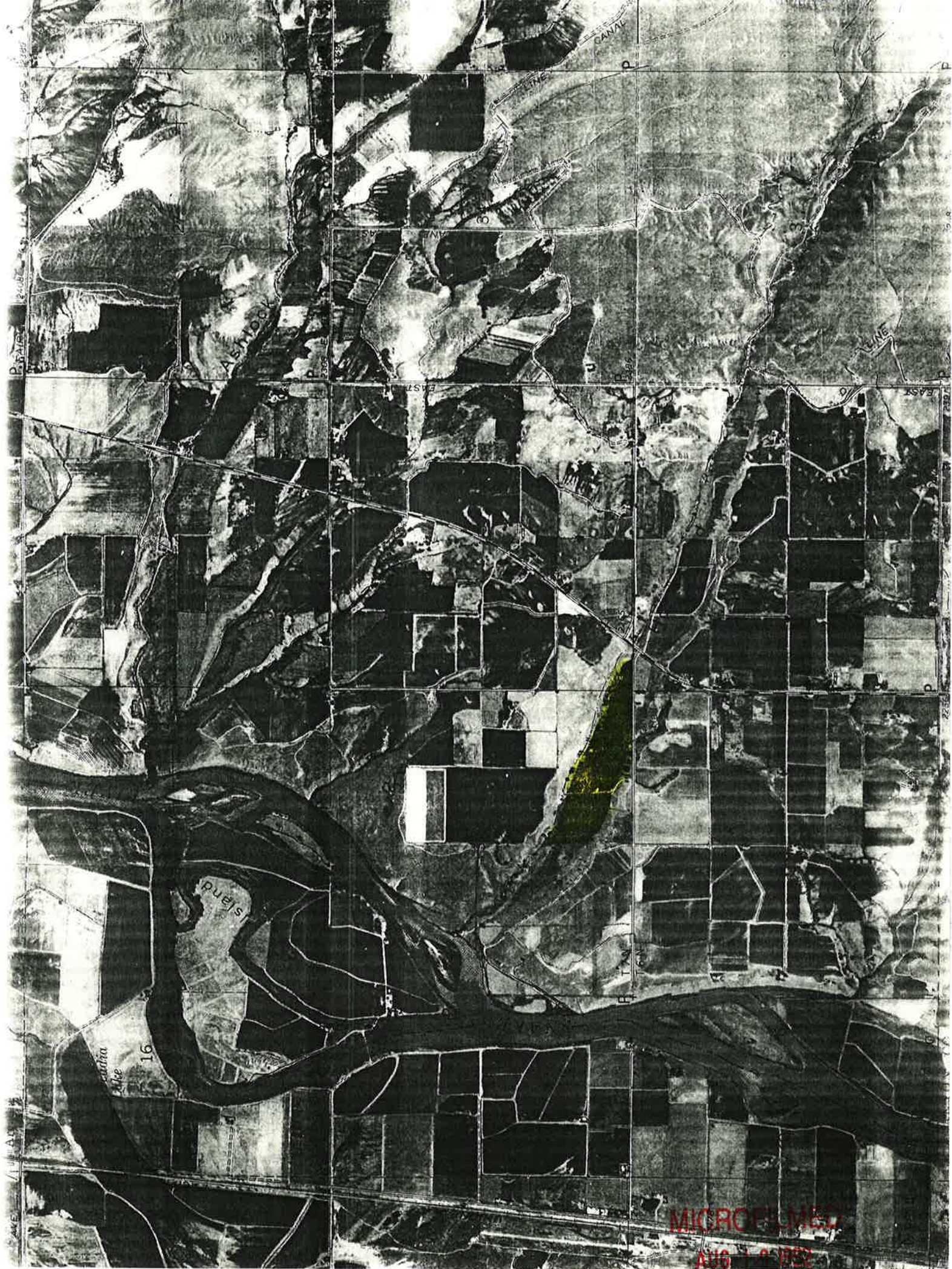
Subscribed and sworn (or affirmed) before me this 13th day

of April 19 90

Sandra Borch
Notary Public

Seal

Residing at Payette, ID
My Commission Expires 1292



MICROFILMED

AUG 1 9 1952

Music, Vicky

From: Music, Vicky
Sent: Thursday, January 22, 2009 11:02 AM
To: Shurte, Jan; 'tbooth@srba.state.id.us'
Subject: RE: 63-3625

The licensed SOU is 3/15 – 11/15 so shoulder remark has been corrected to the following:

The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 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.

From: Shurte, Jan
Sent: Thursday, January 22, 2009 9:38 AM
To: Music, Vicky
Subject: FW: 63-3625

From: Ted Booth [mailto:tbooth@srba.state.id.us]
Sent: Thursday, January 08, 2009 10:15 AM
To: Shurte, Jan
Subject: 63-3625

Jan,
The shoulder remark and/or the SOU needs to be revised.
Ted

Eliminate annoying spam!

My mailbox is protected by iHateSpam, the #1-rated spam buster.
<http://www.ihatespam.net>

01/22/2009

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

RIGHT NUMBER: 63-3625
NAME AND ADDRESS: DENNIS HUFF
710 SW DELMAR
PARMA ID 83660

SUE HUFF
710 SW DELMAR
PARMA ID 83660

SOURCE: WHITNEY DRAIN TRIBUTARY: SNAKE RIVER
QUANTITY: 1.300 CFS
292.000 AFY

PRIORITY DATE: 01/13/1968

POINT OF DIVERSION:

T07N R05W S33 SWSW Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.300 CFS 292.00 AFY
The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 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 in PAYETTE County

T07N R05W S32	NWSE	1.00	T07N R05W S32	SWSE	37.00
T07N R05W S32	SESE	22.00	T07N R05W S33	SWSW	5.00

65 ACRES TOTAL

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

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3625 V1

WATER RIGHT NUMBER: 63-3625 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	GRANT L WEIR PO BOX 2403 NYSSA, OR 97913-2403 (208)674-5567
Current Owner	DENNIS HUFF 710 SW DELMAR PARMA, ID 83660
Original Owner	ANGELO MAROSTICA RT 1 BOX 64 ONTARIO, OR 97914
Original Owner	LINDA A WEIR PO BOX 2403 NYSSA, OR 97913-2403 (208)674-5567
Current Owner	SUE HUFF 710 SW DELMAR PARMA, ID 83660

Priority Date: 01/13/1968

Basis: License

Status: Closed

<u>Source</u>	<u>Tributary</u>
WHITNEY DRAIN	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	1.300 CFS	292.00 AF
	<u>Total Diversion:</u>	1.300 CFS	292.00 AF

Location of Point(s) of Diversion

WHITNEY DRAIN	SW1/4SW1/4	Sec. 33, Twp 07N, Rge 05W, B.M.
PAYETTE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	05W	32														1.0	37.0	22.0	60.0
07N	05W	33											5.0						5.0

Total Acres: 65

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-3625 V1

Conditions of Approval:

1. G16 This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.
2. S39 The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 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.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

Comments:

1. dnelson 9/21/2006 Claim Review

Comment: This claim is based on a license, and will be recommended as licensed for all aspects of the claim, except for the acre description and the source. According to the field exam and the claim maps submitted, all the lands using this water are south of the drain. Therefore, I made my shape based on current mapping technology and found that the actual place of use bleeds over to the SWSW S33 and NWSE S32. There are still 65 total acres being recommended. None of the aerial photos actually show 65 acres being irrigated on this farm. There is closer to 45 actual acres being irrigated, but I cannot tell when or if the acre amounts changed from the time the licensing exam was done in 1971 until the time the aerial photos were taken. Therefore I am recommending the full 65 acres.

The source is listed as Whitney Drain, but the drain on the map does not appear to be named. I am assuming the local name for this drain is the Whitney Drain. I thought about changing this name, but to remain consistent with the license, I decided to leave the source name in place.

2. Igagnon 9/22/2006 CHANGE IN OWNERSHIP

Comment: THE DATA IN THE NAME FIELD HAS BEEN CHANGED TO SHOW THAT THIS RIGHT HAS A CHANGE IN OWNERSHIP.

3. vmusic 1/22/2009 SOU

Comment: THER SOU WAS LICENSED 3-15 TO 11-15. RECOMMENDED SHOULDER REMARK INCORRECT. SHOULDER REMARK CORRECTED THIS DATE PER EMAIL FROM SM BOOTH.

Water Supply Bank:

12/10/2006

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

RIGHT NUMBER: 63-3625
NAME AND ADDRESS: DENNIS HUFF
710 SW DELMAR
PARMA ID 83660

SUE HUFF
710 SW DELMAR
PARMA ID 83660

SOURCE: WHITNEY DRAIN TRIBUTARY: SNAKE RIVER
QUANTITY: 1.300 CFS
292.00 AFY
PRIORITY DATE: 01/13/1968
POINT OF
DIVERSION: T07N R05W S33 SWSW Within PAYETTE County
PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	1.300 CFS 292.00 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 November 15 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 in PAYETTE County

T07N R05W S32	NWSE	1.00	T07N R05W S32	SWSE	37.00
T07N R05W S32	SESE	22.00	T07N R05W S33	SWSW	5.00

65 ACRES TOTAL

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

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

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

Corrected
1-22-09



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

September 22, 2006

Dennis and Sue Huff
710 SW Delmar
Parma, ID 83660

JAMES E. RISCH
Governor

KARL J. DREHER
Director

Notice of Claim to a Water Right No. 63-3625, 63-4081
Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflect the change in ownership of the land and appurtenant water rights, covered under the original filing.

Please note that the enclosed Notice of Claim to a Water Right is not a final determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed information, please feel free to contact this office.

Sincerely,

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

Enclosure

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

09/21/2006

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

RIGHT NUMBER: 63-3625
NAME AND ADDRESS: LINDA A WEIR
PO BOX 2403
NYSSA OR 97913-2403

GRANT L WEIR
PO BOX 2403
NYSSA OR 97913-2403

SOURCE: WHITNEY DRAIN TRIBUTARY: SNAKE RIVER
QUANTITY: 1.300 CFS
292.000 AFY
PRIORITY DATE: 01/13/1968
POINT OF DIVERSION:
T07N R05W S33 SWSW Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.300 CFS 292.00 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 November 15 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

T07N R05W S32	NWSE	1.00	T07N R05W S32	SWSE	37.00
T07N R05W S32	SESE	22.00	T07N R05W S33	SWSW	5.00

65 ACRES TOTAL

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

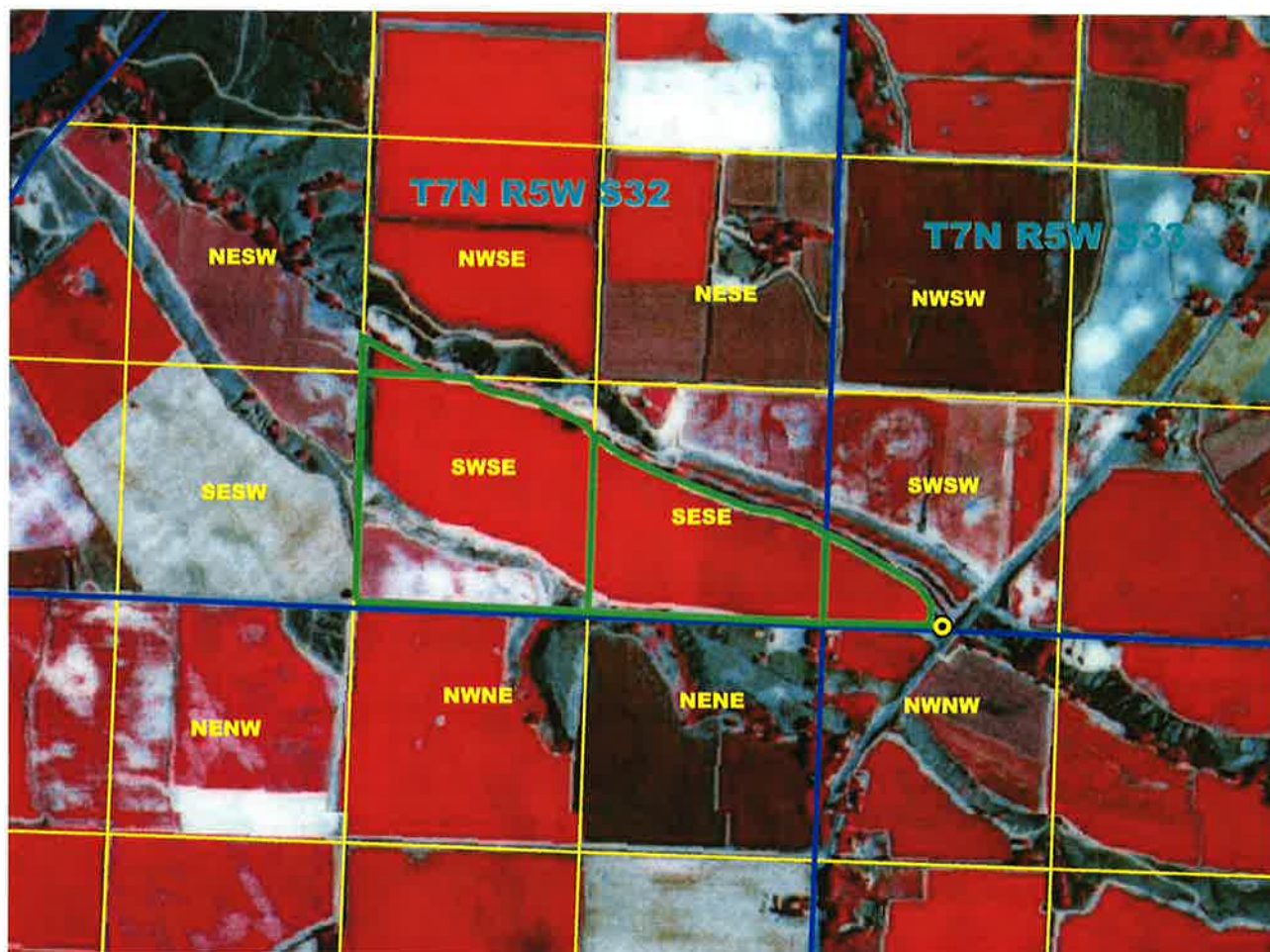
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License



State of Idaho
Idaho Department of Water Resources
Western Region

T7N R5W SECTION(S) 32 & 33
WATER RIGHT(S) : 63-3625



○ Point of Diversion

Place of Use

Section Lines

Quarter Quarter Lines

Total Irrigated Acres = 65 acre(s)

GIS Place of Use Illustration
1987 NAPP Photography
Prepared by: Dan Nelson
Date: September 2006



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3625 V1

WATER RIGHT NUMBER: 63-3625 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LINDA A WEIR PO BOX 2403 NYSSA, OR 97913-2403 (208)674-5567
Current Owner	GRANT L WEIR PO BOX 2403 NYSSA, OR 97913-2403 (208)674-5567
Original Owner	ANGELO MAROSTICA RT 1 BOX 64 ONTARIO, OR 97914

Priority Date: 01/13/1968

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
WHITNEY DRAIN	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	1.300 CFS	292.00 AF
	<u>Total Diversion:</u>	1.300 CFS	292.00 AF

Location of Point(s) of Diversion

WHITNEY DRAIN	SW1/4SW1/4	Sec. 33, Twp 07N, Rge 05W, B.M.
PAYETTE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	05W	32										1.0	37.0	22.0					60.0
07N	05W	33											5.0						5.0

Total Acres: 65

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3625 V1

1. 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 November 15 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.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:Comments:

1. dnelson 9/21/2006 Claim Review

Comment: This claim is based on a license, and will be recommended as licensed for all aspects of the claim, except for the acre description and the source. According to the field exam and the claim maps submitted, all the lands using this water are south of the drain. Therefore, I made my shape based on current mapping technology and found that the actual place of use bleeds over to the SWSW S33 and NWSE S32. There are still 65 total acres being recommended. None of the aerial photos actually show 65 acres being irrigated on this farm. There is closer to 45 actual acres being irrigated, but I cannot tell when or if the acre amounts changed from the time the licensing exam was done in 1971 until the time the aerial photos were taken. Therefore I am recommending the full 65 acres.

The source is listed as Whitney Drain, but the drain on the map does not appear to be named. I am assuming the local name for this drain is the Whitney Drain. I thought about changing this name, but to remain consistent with the license, I decided to leave the source name in place.

Dates and Other Information:

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

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			04/23/2006	scurtis	Active
Contacts	9/21/2006 10:58:56 AM	dnelson			Active
Priority Date	9/21/2006 11:02:22 AM	dnelson			Active
POD	9/21/2006 11:04:54 AM	dnelson			Active
Source	9/21/2006 11:05:20 AM	dnelson			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3625 V1

POU	9/21/2006 11:07:48 AM	dnelson	Active
Use	9/21/2006 11:08:09 AM	dnelson	Active
Season	9/21/2006 11:08:52 AM	dnelson	Active
Quantity	9/21/2006 11:09:58 AM	dnelson	Active
Summary	09/21/2006	dnelson	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	9/21/2006 10:58:57 AM	dnelson	(No) 1. Do you want to schedule an appointment? Comment for 1: Licensing exam is suitable to recommend right.
General	9/21/2006 11:02:23 AM	dnelson	(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?
Source	9/21/2006 11:05:20 AM	dnelson	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	9/21/2006 11:07:30 AM	dnelson	Updated shape for Active POU
POU	9/21/2006 11:07:48 AM	dnelson	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	9/21/2006 11:08:09 AM	dnelson	(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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3625 V1

Summary	4/23/2006 5:39:55 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?
POD	9/21/2006 11:04:54 AM	dnelson	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Season	9/21/2006 11:08:52 AM	dnelson	(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	9/21/2006 11:09:59 AM	dnelson	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - Volume was taken from license, which was based on 4.5 afa per acre for the 65 acres or 292 afa.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3625 V1

Summary	9/21/2006 11:11:44 AM	dnelson	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POD	9/21/2006 11:04:16 AM	dnelson	Updated shape

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3625

WATER RIGHT NUMBER: 63-3625

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LINDA A WEIR PO BOX 2403 NYSSA, OR 97913-2403 (208)674-5567
Current Owner	GRANT L WEIR PO BOX 2403 NYSSA, OR 97913-2403 (208)674-5567
Original Owner	ANGELO MAROSTICA RT 1 BOX 64 ONTARIO, OR 97914

Priority Date: 01/13/1968

Basis: License

Status: Active

Source

WHITNEY DRAIN

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

3/15 to 11/15

Diversion Rate

1.300 CFS

Annual Volume

292.00 AF

Total Diversion:

1.300 CFS

292.00 AF

Location of Point(s) of Diversion

WHITNEY DRAIN

PAYETTE County

SW1/4SW1/4

Sec. 33, Twp 07N, Rge 05W, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
07N	05W	32	1	1	1	1	4

Total Acres: 65

Dates and Other Information:

Claim Received Date: 4/13/1990

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector: AND

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

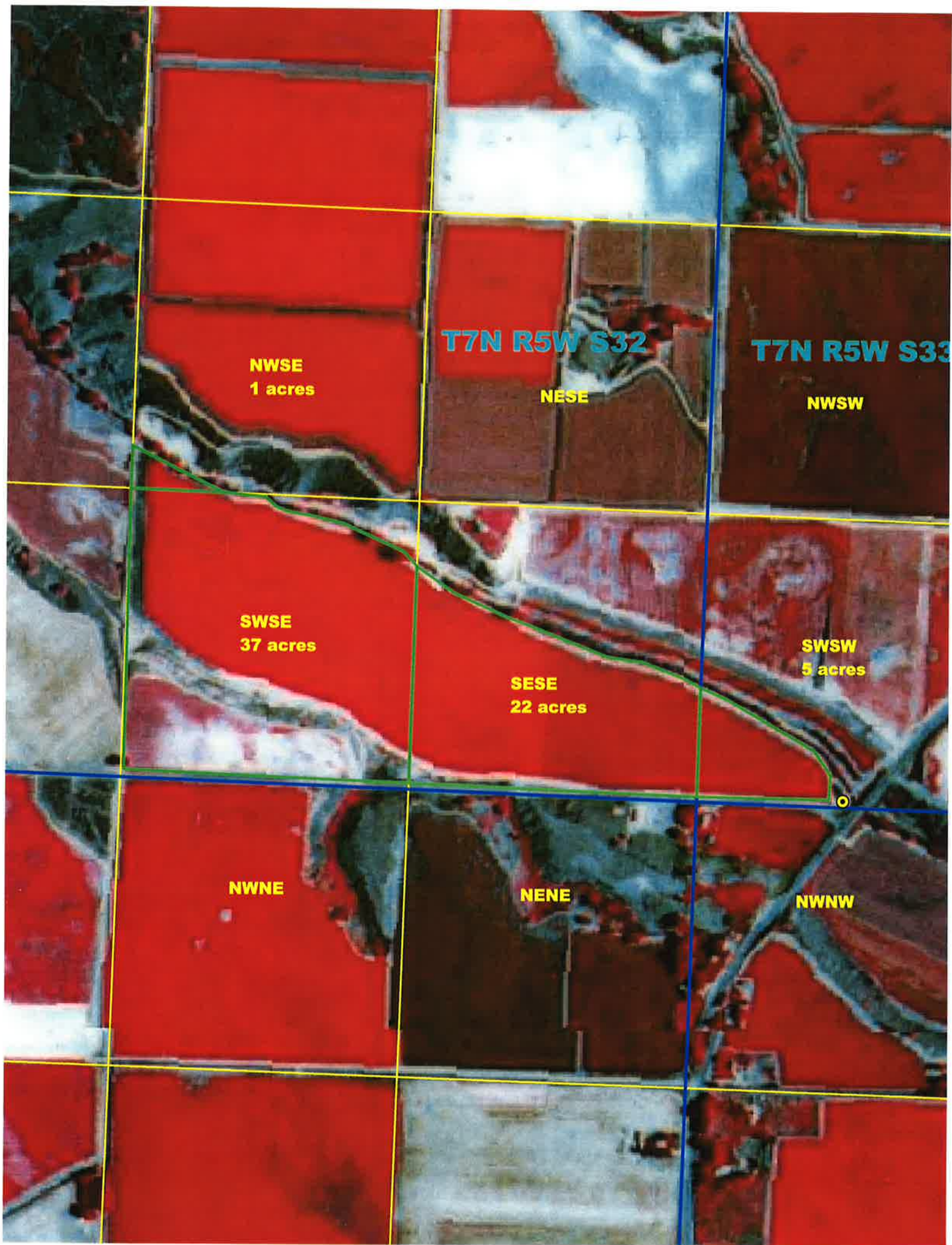
Mitigation Plan: False

Combined Use Limits:

NEW OWNER
Dennis Sue Huff
see change of
ownership.

7N 5W S-33 SWSW-5

USP S 39
condition.



T7N R5W S32

T7N R5W S33

**NWSE
1 acres**

NESE

NWSW

**SWSE
37 acres**

**SESE
22 acres**

**SWSW
5 acres**

NWNE

NENE

NWNW

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 31602/63-3625 Priority Jan. 13, 1968 Amount 1.30 cfs
(late proof)

THIS IS TO CERTIFY, that ANGELO MAROSTICA
of Ontario, Oregon, has complied with the terms and conditions of Permit
No. 31602/63-3625 issued pursuant to Application for Permit dated December 13, 1963,
and has submitted proof to the Department of Water Administration on January 21, 1971,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 3.39 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from surface water (Whitney Drain)
tributary of the Snake River, is hereby confirmed in the following amounts:
Amount 1.30 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 1.30 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 33, Twp. 7 N, Rge. 5 W, B.M.

in the county of Payette; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 292 acre feet per year or
4.5 acre feet per acre.

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 $\frac{1}{4}$	
7 N	5 W	32															35	30	65

Total number of acres irrigated 65

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 23 day of
February, 19 73.


Director

63 3625

16. (a) Is reservoir to be used? If so, fill in (b) and (c) below:
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

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

s/ Angelo Marostica

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 3:00 P.M. 12/13/63

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 31602

Recorded in Book 111 Page 31602 Approved December 20, 1963

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before February 20, 1964 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before June 20, 1964

The whole of said work to be completed on or before December 20, 1964

Beneficial use of water appropriated in accordance herewith, to be made on or before December 20, 1965

WITNESS My hand this 20 day of December, 1963

s/ CARL E. TAPPAN

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho,

and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 20

day of December, 1963.

STATE OF IDAHO

Countersigned:

(SEAL) By s/ ARNOLD WILLIAMS

By s/ ROBERT E. SMYLIE

Governor.

Secretary of State.

REMARKS: Am filing this pending permit from Black Canyon Project for said water

14.

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	
7 N	5 W	32																	65
7 N	5 W	33																	15
																			80

Total Number of Acres to be Irrigated

Permit No. 31602

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that ANGELO MAROSTICA of Parma, County of Canyon, and State of Idaho, the holder of Permit No. 31602, issued upon application No. 39712, bearing date of priority of December 13, 1963, authorizing the diversion of 1.6 second feet of waters of Whitney Drain, County of Payette, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.6 second feet of the waters of Whitney Drain, tributary of Snake River; that the points of diversion of said waters SW 1/4, Sec. 33, T. 7 N., R. 5 W., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

S 1/4 Sec. 32; SW 1/4, Sec. 33, T. 7 N., R. 5 W., B. M.

Witness my hand this 6th day of January, A. D. 1965.

s/ RALPH W. THOMAS, Deputy
State Reclamation Engineer

Proof of Completion of Works Made: December 7, 1964

LICENSE ISSUED FOR 1.30 SEC. FT.
LICENSE PAGE NO.

Application For Permit

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 39712

PERMIT No. 31602

DISTRICT No.

1. Name of Applicant: Angelo Marostica

Postoffice address: Rt. 2, Parma

County: Canyon

State: Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are:

(a) Cash on hand:

(b) Treasury stock:

(c) Bond to be issued:

(d) Other resources:

2. Quantity of water claimed: 1.6

cubic feet per second.

3. Source of water supply: Whitney Drain

which is a tributary of Snake River

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B.M., and is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$

of section 33 , T. 7 N , R. 5 W , B. M., County of Payette

5. Water is to be used for Irrigation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B.M., in the of Section of , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$ 2000.00

8. Kind of works: Pump & Ditches

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom 2 feet; width at water line 4 feet; depth of water 2 $\frac{1}{2}$ feet;
dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is 1 years.

13. The time required for the complete application of the water to the proposed use is 1 additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

FIELD REPORT

3. Water will be used for the following purposes:

80

DATE OF EXAM 8-26-1971

ACREAGE

Found 65.0
Recommended 65.0

Irrigation Requirement 4.5 Ac Ft/Ac

USE

Irrigation Q = 1.30 c.f.s. V = 292.5 AF/Ann. from Apr. 15 to Oct 15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from 3-15 to 11-15
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: unnamed drain
twp. 6 N/S, Rge 5 E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no ☒

Name source exchanged with: NONE
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured 3.39 cfs Method of measurement _____

Total Q recommended 1.3 cfs Meter No. A-722 Type A Condition good

Total V recommended 1.3 cfs 65 X 4.5 AF = 292.5 AF/season

Recommended Amendments:

P.D. From 7N to 6N, 5W, sec. 33, SWSW
Place of Use same as above
Other _____
None _____

MEASUREMENT CALCULATION:

see discharge measurements notes (att.)

SYSTEM DESCRIPTION:

6 pump from drain into open gravity flow
ditch
6 pump 7.5 H.P. motor w/ 7' lift, 12' of pipe
ser # 0 B 137550

REMARKS:

System as described in operation at time
of exam field is swsw never been irrigated
from waste water to high for ditch
recommended 1.3 cfs for 65.0 acres
Also not located in basin 65 (Trick to snake)
should be in 63

Examiner's Signature E. Ballance Date 8-26-1971

Checked by ajg Date 7-22-71

Approved by _____ Date _____

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-3625

WATER RIGHT NUMBER: 63-3625

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ANGELO MAROSTICA RT 1 BOX 64 ONTARIO, OR 97914

Priority Date: 01/13/1968

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
WHITNEY DRAIN	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	1.300 CFS	292.00 AF
	<u>Total Diversion:</u>	1.300 CFS	292.00 AF

Location of Point(s) of Diversion

WHITNEY DRAIN	SW1/4SW1/4	Sec. 33, Twp 07N, Rge 05W, B.M.
PAYETTE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	05W	32															35.0	30.0	65.0

Total Acres: 65

Conditions of Approval:Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-3625

Licensed Date: 9/12/1979
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

Receipt Details for ID M006628

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
4/13/1990 11:30:47 AM	4/13/1990	Mobile	\$205.00	Check
Payer		WEIR FARMS		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1229			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$205.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	22030		\$25.00	Claim
63	3625		\$50.00	Claim
63	4081		\$130.00	Claim

Print Report

Idaho Dept. of Water Resources Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Rec	63 2878	BLACK CANYON IRRIGATION DIST,	ELIJAH DRAIN, WILSON DRAIN	07N05W32	X	X	X	X				X	X	X	X	X	X	X	X	X	0
Rec	63 2322	UNITED STATES OF AMERICA ACTING THROUGH,	ELIJAH SLOUGH, WILSON SLOUGH	07N05W32	X	X	X	X				X	X	X	X	X	X	X	X	X	0
Claim	63 22076	KATHRYN ALBERTSON,	GROUND WATER	07N05W32						2											2
Rec	63 22076	KATHRYN ALBERTSON,	GROUND WATER	07N05W32						2											2
Right	63 10398	LARRY A JOHNSON, LORETTA H JOHNSON,	GROUND WATER	07N05W32										0.4							0.4
Right	63 20857	LORETTA H JOHNSON, LARRY A JOHNSON,	GROUND WATER	07N05W32									X								0
Right	63 22030	LISA ANNE ATAGI, RANDAL B ATAGI,	GROUND WATER	07N05W32															X		0
Right	63 22078	KATHRYN ALBERTSON,	GROUND WATER	07N05W32					X												0
Right	63 22081	KATHRYN ALBERTSON,	GROUND WATER	07N05W32					X												0
Right	63 30083	GILBERT I WELLS,	GROUND WATER	07N05W32										X							0
Right	63 30089	JUDITH POWERS, JAMES I POWERS,	GROUND WATER	07N05W32		X															0
Right	65 13379	GRANT L WEIR, LINDA A WEIR,	GROUND WATER	07N05W32														X			0
Right	65 21567	JOHN SMIT,	GROUND WATER	07N05W32												X					0
Rec	65 2433	UNITED STATES OF AMERICA ACTING THROUGH,	PAYETTE RIVER	07N05W32	X	X	X	X				X	X	X	X	X	X	X	X	X	0
Claim	3 10013	A L SCOTT FARMS LLC,	SNAKE RIVER	07N05W32					8	40											48
Claim	3 10176	WARREN H KELLER,	SNAKE RIVER	07N05W32										4							4
Claim	3 10177	ROBERT L JACKSON, DEBORAH K JACKSON,	SNAKE RIVER	07N05W32										8							8
Claim	3 7016A	WARREN H KELLER,	SNAKE RIVER	07N05W32									15	3		6					24
Rec	3 10013	A L SCOTT FARMS LLC,	SNAKE RIVER	07N05W32					8	40											48
Rec	3 10176	WARREN H KELLER,	SNAKE RIVER	07N05W32										4							4

[illegible]