

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: A63-03080
Date Received: 1/08/1990
Receipt No: W007453
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BRYAN MILLS
Address: 10202 CALICO 208-375-1259
BOISE, ID 83709
OR
Name: DELYNN COLEMAN
Address: 10202 CALICO 208-375-1259
BOISE, ID 83709
2. Date of Priority: OCT 11, 1955
3. Source: UNNAMED DRAIN Trib. to: BOISE RIVER
4. Point of Diversion:
Township Range Section 1/4 of 1/4 of 1/4 Lot County
04N 04W 16 NE SE CANYON
5. Description of diverting works:
GRAVITY
6. Water is used for the following purposes:
Purpose From To C.F.S. (or) A.F.A.
IRRIGATION 04/15 10/15 2.400
7. Total Quantity Appropriated is:
2.400 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 360.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NA

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	04W	16	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			NE	NW		IRR	40.0
Section Acres							120.0
Total Acres							120.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
A63-02249A

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 26373

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 _____

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

RECEIVED
JAN 08 1990

Ident. Number: A63-03080
Date Received: 12/26/1989
Receipt No: _____
Received By: _____

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BRYAN MILLS 208-375-1259
Address: 10202 CALICO
BOISE, ID 83709

OR
Name: DELYNN COLEMAN 208-375-1259
Address: 10202 CALICO
BOISE, ID 83709

2. Date of Priority: OCT 11, 1955

3. Source: UNNAMED DRAIN Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	04W	16	NE	SE			CANYON

5. Description of diverting works:
GRAVITY

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.400		

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

8. Total consumptive use is 360.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NA

A63-03080

Page 1

Date: 12/26/89

MICROFILMED
AUG 18 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	04W	16	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			NE	NW		IRR	40.0

Section Acres 120.0

Total Acres 120.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
A63-02249A

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 26373

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: 1

For Individuals:

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

Signature of Claimant(s): Delynn M Coleman Date: 12-26-89
_____ Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 26 day
of December 19 89 Bruce A. Johnson
Notary Public

Seal

Residing at Boris Adh
My Commission Expires 4/11/95



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

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
JUL 16 2009	
By _____	Clerk
Deputy Clerk	

In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 63-03080

NAME AND ADDRESS:

HILLVIEW FARMS TRUST
21988 TUCKER RD
GREENLEAF, ID 83626

SOURCE:

WEST END DRAIN TRIBUTARY: BOISE RIVER

QUANTITY:

2.40 CFS

This right when combined with Right No. 63-2249A shall provide
no more than .02 cfs per acre.

PRIORITY DATE:

10/11/1955

POINT OF DIVERSION:

T04N R04W S16 NESE Within Canyon County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
Irrigation

PERIOD OF USE
03-01 TO 11-15

QUANTITY
2.40 CFS

PLACE OF USE:

Irrigation

T04N R04W S16

NENE 40.0
NENW 40.0

Within Canyon County

NWNE 40.0

120.0 Acres Total

Right Nos. 63-2249A and 63-3080 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:

The source of this water right includes waste water. The 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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

RECOMMENDATION

JUL 16 2009

John M. Melanson
SPECIAL MASTER

United States on behalf of
Bureau of Reclamation

IDWR Concurrence:

Date _____

Date _____

CERTIFICATE OF MAILING

I certify that on _____, 2009, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

WILDER IRRIGATION DISTRICT
Represented by:
ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139

USDI BUREAU OF RECLAMATION
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

JOHN REDMON
21988 TUCKER RD
GREENLEAF, ID 83626

Signature of person or attorney mailing the form

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

RIGHT NUMBER: 63-3080

NAME AND ADDRESS: HILLVIEW FARMS TRUST
21988 TUCKER RD
GREENLEAF ID 83626

BRYAN MILLS
DELYNN COLEMAN
10202 CALICO
BOISE ID 83709

SOURCE: WEST END DRAIN

TRIBUTARY: BOISE RIVER

QUANTITY: 2,400 CFS

This right when combined with Right No. 63-2249A shall provide no more than .02 cfs per acre.

PRIORITY DATE: 10/11/1955

POINT OF DIVERSION:

T04N R04W S16 NESE Within CANYON County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	2,400 CFS

PLACE OF USE: IRRIGATION in CANYON County

T04N R04W S16	NENE	40.00	T04N R04W S16	NWNE	40.00
T04N R04W S16	NENW	40.00			

120 ACRES TOTAL

Right Nos. 63-2249A and 63-3080 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 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 42-1413(6), Idaho Code.

The source of this water right includes waste water. The 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.

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

RIGHT NUMBER: 63-3080

NAME AND ADDRESS: HILLVIEW FARMS TRUST
21988 TUCKER RD
GREENLEAF ID 83626

~~BRYAN MILLS~~
~~DELYNN COLEMAN~~
~~10202 CALICO~~
~~BOISE ID 83709~~

SOURCE: WEST END DRAIN

TRIBUTARY: BOISE RIVER

QUANTITY: 2.400 CFS

This right when combined with Right No. 63-2249A shall provide no more than .02 cfs per acre.

PRIORITY DATE: 10/11/1955

POINT OF DIVERSION:

T04N R04W S16 NESE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	2.400 CFS

PLACE OF USE: IRRIGATION in CANYON County

T04N R04W S16	NENE	40.00	T04N R04W S16	NWNE	40.00
T04N R04W S16	NENW	40.00			

120 ACRES TOTAL

Right Nos. 63-2249A and 63-3080 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 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.

The source of this water right includes waste water. The 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.

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

RECEIVED

APR 02 2009

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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
63-2249A					
63-3080					
63-2249B					

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

3. Name and Address of Former Owner/Claimant(s)

Coleman-Mills / Neary

4. New Owner/Claimant(s)

Hillview Trust

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

21988 Tucker Road

City, State and ZIP Code

Greenleaf, Idaho 83626

New Telephone Number

(208) 459-6067 / 573-1881

5. Date you acquired the property

1990 63-2249A / 63-2249B
 Coleman-Mills / Neary 1998

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

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

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

7. Signature(s) of New Owner(s) or Claimant(s) John Rechner
 (title if applicable)

 (title if applicable)

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

For IDWR Office Use Only:

Received by Jan
 Received by AJ
 Processed by AJ AJ

Date 4-2-09
 Date _____
 Date 4-8-09

Receipt Amt. N/A
 Receipt No. _____
 WR _____ Date _____

20080008675

RECORDED

2008 FEB 24 PM 2 41

 WILLIAM H. HURST
 CANYON COUNTY RECORDER
 BY *[Signature]*
 REQUEST *[Signature]*
 TYPE *[Signature]* FEE *[Signature]*
WARRANTY DEED

MICHAEL E. NEARY; THOMAS H. NEARY; and NANCY ANNE WHITE,,
 GRANTORS, hereby CONVEY, GRANT and WARRANT to HILL VIEW FARM TRUST,
 GRANTEE, for the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable
 considerations, the following described tract(s) of land in Canyon County, Idaho:

Northwest Quarter of the Northwest Quarter, Section 16, Township 4 North,
 Range 4 West of the Boise Meridian in Canyon County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said
 Grantee, its heirs and assigns forever. The said Grantors do hereby covenant to and with the said
 Grantee, that they are the owners in fee simple of said premises; that said premises are free from
 all encumbrances; except for general taxes and assessments for the year 1998 and subsequent
 years, covenants, conditions, restrictions and easements of record; and that they will warrant and
 defend the same from all lawful claims whatsoever.

WITNESS the hand of said Grantors this 24th day of Septch, 1998.

[Signature: Michael E. Neary]
 MICHAEL E. NEARY

[Signature: Thomas H. Neary]
 THOMAS H. NEARY

[Signature: Nancy Anne White] 9/29/98
 NANCY ANNE WHITE

--Grantors--

STATE OF Idaho)
) ss:
 County of Canyon)

On this 24th day of September, 1998, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared MICHAEL E. NEARY, known to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 24th day of September, 1998.

RESIDING AT BOISE, IDAHO
 COMMISSION EXPIRES: 01-27-2003

(Seal)

[Signature]
 NOTARY PUBLIC FOR Idaho
 Residing at Boise
 My Commission Expires: 1-27-2003

STATE OF Wyoming)
) ss:
 County of Laramie)

On this 25th day of September, 1998, before me, the undersigned, a Notary Public in and for the State of Wyoming, personally appeared THOMAS H. NEARY, known to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 25th day of September, 1998.

(Seal)

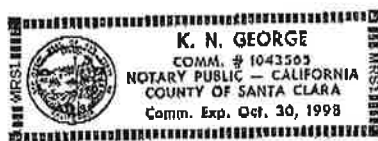
[Signature] PATTI S. MCGHEE, SSgt. USAF
 Paralegal
 NOTARY PUBLIC FOR
 Residing at: Cheyenne, Wyoming
 My Commission Expires: August 2001

STATE OF California)
County of Santa Clara) ss:

On this 29th day of September, 1998, before me, the undersigned, a Notary Public in and for the State of ~~Idaho~~ California, personally appeared NANCY ANNE WHITE, known to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that she executed the same.

29th IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 29th day of September, 1998.

(Seal)



K. N. George
NOTARY PUBLIC FOR California
Residing at: San Jose CA 95129
My Commission Expires: Oct. 30th 1998



A Pioneer Company
PIONEER TITLE COMPANY
 OF ADA COUNTY
 8151 W. Rifleman Ave. / Boise, Idaho 83704
 (208) 377-2700

REQUEST STEWART/STENAPA
 TYPED *W. J.* FEE *3.00*

BY *John G. Redmon*
 G NOEL JAMES
 CANYON CNTY RECORDER

2003 SEP 17 PM 4 50

RECORDED

200357886

QUITCLAIM DEED

Pn76343

For Value Received

JOHN G. REDMON AND IRENE S. REDMON, HUSBAND AND WIFE

do hereby convey, release, remise and forever quit claim unto

HILLVIEW FARMS TRUST

whose address is P.O. BOX 202, GREENLEAF, ID. 83626 ,

the following described premises, to-wit:

THE NORTH ONE-HALF OF THE NORTHEAST QUARTER AND THE NORTHEAST QUARTER OF
 THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 4 NORTH, RANGE 4 WEST, BOISE
 MERIDIAN, CANYON COUNTY, IDAHO

It is the purpose of this Deed to comply with lender's instructions as to names of grantors on security instrument
 together with their appurtenances.

Dated: September 15, 2003

John G. Redmon
 JOHN G. REDMON

Irene S. Redmon
 IRENE D. REDMON

STATE OF ID. County of ADA, ss.

On this 16TH day of SEPTEMBER, in the year of 2003, before me THE UNDERSIGNED, notary public
 personally appeared JOHN G. REDMON AND IRENE S. REDMON known or identified to me to be the
 person/persons whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they
 executed the same.



Kathy Coontz
 KATHY COONTZ
 Notary Public of ID
 Residing at ADA
 Commission expires: August 15, 2009

(INSTRUMENT NO. 9309759

QUITCLAIM DEED

THE GRANTOR is JOHN G. REDMON and BRENDA C. REDMON, husband and wife, (herein called grantor).

THE GRANTEE is John G. Redmon, and Irene S. Redmon, husband and wife whose current address is 21988 Tucker Road, Caldwell, Idaho 83605.

FOR VALUE RECEIVED, the grantor hereby releases, remises and forever quitclaims unto the grantee those premises situated in Canyon County, Idaho and described as follows:

SEE EXHIBIT "A" ATTACHED HERETO.

Together with all and singular the tenements, hereditaments, appurtenances and easements of record thereunto belonging or in anywise appertaining.

DATED: August 21, 1992

John G. Redmon
JOHN G. REDMON,

Brenda C. Redmon
BRENDA C. REDMON, GRANTOR

STATE OF IDAHO)
 : ss.
County of Canyon)

On this date, before me, the undersigned notary public for said state, personally appeared JOHN G. REDMON and BRENDA C. REDMON, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

WITNESS my hand and seal in 21 day of August, 1992.

Marianne P. Pugh
Notary Public for Idaho
Residing at: Caldwell, Idaho

EXHIBIT "A"

THE NORTH HALF OF THE NORTHEAST QUARTER AND THE NORTHEAST QUARTER
OF THE NORTHWEST QUARTER, SECTION 16, TOWNSHIP 4 NORTH, RANGE 4
WEST, BOISE MERIDIAN, CANYON COUNTY, IDAHO.

9309759

RECORDED

93 APR 6 PM 4 42

RECEIVED

CANYON COUNTY RECORDER
BY *[Signature]*

REQUEST *[Signature]*
TYPE *[Signature]* FILE 4-00

NOTICE OF ESCROW SALE

TO: Canyon County Treasurer
Canyon County Courthouse
Post Office Box 1010
Caldwell, Idaho 83605

This is to inform you that the following named Vendors to wit:
BRYAN KURT MILLS, a married man dealing with his sole and separate property, DELYNN M. COLEMAN, a married woman dealing with her sole and separate property, are selling the hereinafter described real property to JOHN G. REDMON, JR., and BRENDA C. REDMON, and it is with the consent of the vendors that the Purchasers have this property assessed to them on the real estate rolls in their name as long as the contract continues. Also, it is with the vendors' consent that the Purchasers have their personal property assessed to this property described herein. The real property is more particularly described as follows:

The North Half of the Northeast Quarter and the Northeast Quarter of the Northwest Quarter, Section 16, Township 4 North, Range 4 West, Boise Meridian, Canyon County, Idaho.

DATED This 15th day of June, 1990.

Bryan Kurt Mills
VENDOR

Delynn M. Coleman
VENDOR

John G. Redmon, Jr.
PURCHASER

Brenda C. Redmon
PURCHASER

21988 Tucker Road
Caldwell, Idaho 83605
Purchasers' Mailing Address

9012776

RECEIVED

'90 JUL 11 PM 1 29

CANYON COUNTY TREASURER
by C. Caldwell up

PIONEER - CALDWELL

RECEIVED
JUL 11 1990
JUL 11 1990

RECEPTION

STATE OF IDAHO)
) ss.
 County of Canyon)

On this 15th day of June, 1990, before me, the undersigned, a Notary Public in and for said State, personally appeared DELYNN M. COLEMAN, a married woman dealing with her sole and separate property, known to me to be the person who executed the foregoing document and acknowledged to me that she 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.

[Signature]
 Notary Public for Idaho
 Residing at: Caldwell

STATE OF OREGON)
) ss.
 County of Marion)

On this 27th day of June, 1990, before me, the undersigned, a Notary Public in and for said State, personally appeared BRYAN KURT MILLS, a married man dealing with his sole and separate property, known to me to be the person who executed the foregoing document and acknowledged to me that he 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.

[Signature]
 Notary Public for Oregon
 Residing at: Eugene

STATE OF IDAHO)
) ss.
 County of Canyon)

On this 18th day of June, 1990, before me, the undersigned, a Notary Public in and for said State, personally appeared JOHN G. REDMON, JR., and BRENDA C. REDMON, husband and wife, known to me to be the persons who executed the foregoing document and acknowledged to me that they 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.

[Signature]
 Notary Public for Idaho
 Residing at: Caldwell

RECEPTION

9-23-08 Status Conference – 63-2249A, B, C, 3080, 3088, 21520 & 21

Jan Shurte

Wilder and Riverside both objected to these claims. Settled the objections and now waiting for an NCAP to be filed after change of ownership submitted. Paul Arrington and Mr. Redmon will be discussing the settlement. Next Status Conference set for 10:30 am on 11-7-08.

11-5-08 – Status Conference

Change of ownership has been hard to do. Neary's land paid off, but others in the name of Mills or Coleman is under contract (carrying papers) so my question is do we wait to do the SF5s until after a change of ownership comes in or can we do them now and then change the ownership when it does come in. Special Master Booth decided to give them more time and sent the next status conference on 2-3-09 at 2P:30. Renea assigned to get in touch with the claimants and have them file a change of ownership.

See 63-2249A for
further status conf.
notes. J

MEMORANDUM

TO: Files 63-2249C, 63-2249B, 63-2249A, 63-3080, 63-3088, 63-21521 and 63-21520

FROM: KAY WALKER

RE: Address and Ownership

Date: June 17, 2008

.....

While preparing for initial hearings on these recommendations it was noted that none of our correspondence had been received by the claimants. In review of Canyon County tax lot information in arc view we found the current owner to be: Hillview Farms Trust, P.O. Box 202, Greenleaf, ID 83626. I discussed this with our attorneys and asked if I should try to contact the owners and notify them of the initial hearings coming up this week and they agreed that I should try to contact if I could.

I searched "Dex" and could not find anything for Bryan Mills or Delynn Coleman or Joseph Neary in the area. I searched for John Redmon and found a John Redmon at 21988 Tucker Road in Greenleaf. It happened to have the same phone number as shown on Mr. Redmon's claims so I called 459-6067 and happened to catch him at home.

Mr. Redmon stated he was "Hillview Farms Trust" and we discussed the recommendations and objections and initial hearings for the above claim files. I scanned and e-mailed copies of these documents to Mr. Redmon at: igrsr@msn.com He also gave me his cell number (573-1881) and his fax (454-8362) in case I could not reach him at his home phone number. Mr. Redmon stated he would attend the initial hearings to be held on Thursday, June 19th.

RECEIVED

MAY 26 2008

DEPARTMENT OF
WATER RESOURCES

2008 MAY 23 PM 12:24
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA	)	ORDER SETTING SUBCASE(S)	
	)	FOR INITIAL HEARING	
Case No. 39576	)		
_____	)	SUBCASE NOS: 63-02249A	63-02249B
		63-02249C	63-03080 63-03088

The Initial Hearing for this subcase will be held before
Special Master THEODORE R. BOOTH

THURSDAY, JUNE 19, 2008 at 10:45 AM (MT)
IDAHO SUPREME COURT BUILDING
451 WEST STATE STREET
BOISE, ID

ATTENDANCE IS MANDATORY. All parties are required to
attend and must have full settlement authority.

At the Initial Hearing you will have an opportunity
to meet with a representative of the Idaho Department of
Water Resources (IDWR) and/or the objector in an attempt
to reconcile any difference between the claim and the
Director's Report. Bring any and all information you
believe is relevant to your claim and/or objection. If
the claim cannot be reconciled at the Initial Hearing,
the court will set the subcase(s) for trial within 45
days of the Initial Hearing. IF YOU INTEND TO AMEND YOUR
CLAIM, YOU MUST DO SO AT OR BEFORE THE INITIAL HEARING.

Settlement documents must be filed with the court by
JUNE 16, 2008 or hearing will not be vacated.

IT IS SO ORDERED.

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

(continued)

Dated: MAY 23, 2008

/S/ THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING
SUBCASE(S) FOR INITIAL HEARING was mailed on MAY 23, 2008,
with sufficient first-class postage to the following:

RIVERSIDE IRRIGATION DISTRICT
WILDER IRRIGATION DISTRICT

Represented by:
ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

USDI BUREAU OF RECLAMATION
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

JOSEPH NEARY
RT 6 BOX 180
CALDWELL, ID 83605
Phone: 208-459-7814

BRYAN MILLS
DELYNN COLEMAN
10202 CALICO
BOISE, ID 83709
Phone: 208-375-1259

IRENE REDMON
JOHN REDMON
21988 TUCKER RD
CALDWELL, ID 83605
Phone: 208-459-6067

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

In Re SRBA) A. Subcase 63-3080
(Insert water right number)
)
Case No. 39576) STANDARD FORM 1
) OBJECTION
)

Please fill in the following information:

RECEIVED

B. NAME AND ADDRESS OF PERSON OBJECTING

JUN 19 2007

Name: Wilder Irrigation District
Address: 709 Cleveland Blvd
Caldwell, ID 83605
Daytime Phone: 208-459-3421

DEPARTMENT OF
WATER RESOURCES

Name & Address of Attorney, if any:

Albert P. Barker
Barker Rosholt & Simpson, LLP
1010 W. Jefferson, Ste. 102, Boise ID 83702

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Bryan Mills and Delynn Coleman
Address: 10202 Calico
Boise, ID 83709

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be: _____

2. ☒ **Source**

Should be: The source should be described as waste waters, and waste waters belong to the Wilder Irrigation District.

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point of Diversion**

Should be: _____

6. ☐ **Instream Flow Beginning and Ending Point**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☐ **Place of Use**

Should be: _____

10. ☐ **I object because:**

☒ This water right Should not exist.

☐ This water right was not recommended, but Should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTIONS(S): There has been no lawful appropriation of this right. The description of the source should have been waste water. The waste waters belong to the Wilder Irrigation District and are not available for private development and appropriation. Further, any attempted development of this right constitutes a trespass against the drains of the Wilder Irrigation District. Proposed wastewater remark does not sufficiently protect original appropriator.

F. VERIFICATION (must be completed)

State of Idaho)

County of Ada) ss.

Albert P. Barker, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and(6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

[Signature]

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 6/18/07



Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 8/2/2012

Karen Joy Edwards

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on JUN 18 2007, 200__, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Bryan Mills and Delynn Coleman
Address: 10202 Calico
Boise, ID 83709

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449



Signature of objector or attorney
mailing on Objector's behalf

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAGE
02 1A \$01.1
0004389393 FEB 02
MAILED FROM ZIP CODE 8:

NSN

63-2249A
63-3080

RECEIVED
FEB 09 2007
WATER RESOURCES
WESTERN REGION

12/10/2006

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

RIGHT NUMBER: 63-3080
NAME AND ADDRESS: BRYAN MILLS
10202 CALICO
BOISE ID 83709

DELYNN COLEMAN
10202 CALICO
BOISE ID 83709

RECEIVED
DEC 12 2006
DEPARTMENT OF
WATER RESOURCES

SOURCE: WEST END DRAIN TRIBUTARY: BOISE RIVER

QUANTITY: 2.400 CFS

This right when combined with Right No. 63-2249A shall provide no more than .02 cfs per acre.

PRIORITY DATE: 10/11/1955

POINT OF
DIVERSION: T04N R04W S16 NESE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	2.400 CFS

PLACE OF USE: IRRIGATION in CANYON County

T04N R04W S16	NENE	40.00	T04N R04W S16	NWNE	40.00
T04N R04W S16	NENW	40.00			

120 ACRES TOTAL

Right Nos. 63-2249A and 63-3080 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 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

Right No. 63-3088 is also diverted through point of diversion described above.

05/09/2006

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

RIGHT NUMBER: 63-3080

NAME AND ADDRESS: BRYAN MILLS
10202 CALICO
BOISE ID 83709

DELYNN COLEMAN
10202 CALICO
BOISE ID 83709

SOURCE: WEST END DRAIN

TRIBUTARY: BOISE RIVER

QUANTITY: 2.400 CFS

This right when combined with Right No. 63-2249A shall provide no more than .02 cfs per acre.

PRIORITY DATE: 10/11/1955

POINT OF DIVERSION:

T04N R04W S16 NESE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	2.400 CFS

PLACE OF USE: IRRIGATION Within CANYON County

T04N R04W S16	NENE	40.00	T04N R04W S16	NWNE	40.00
T04N R04W S16	NENW	40.00			

120 ACRES TOTAL

Right Nos. 63-2249A and 63-3080 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

Right No. 63-3088 is also diverted through point of diversion described above.



Idaho Department of Water Resources

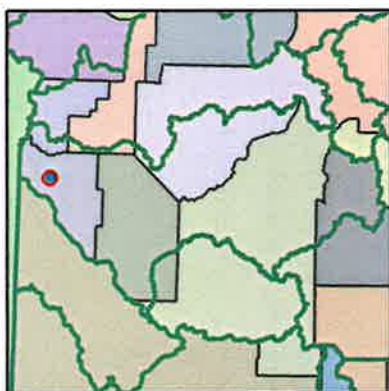
SRBA Recommendation:

63-3080

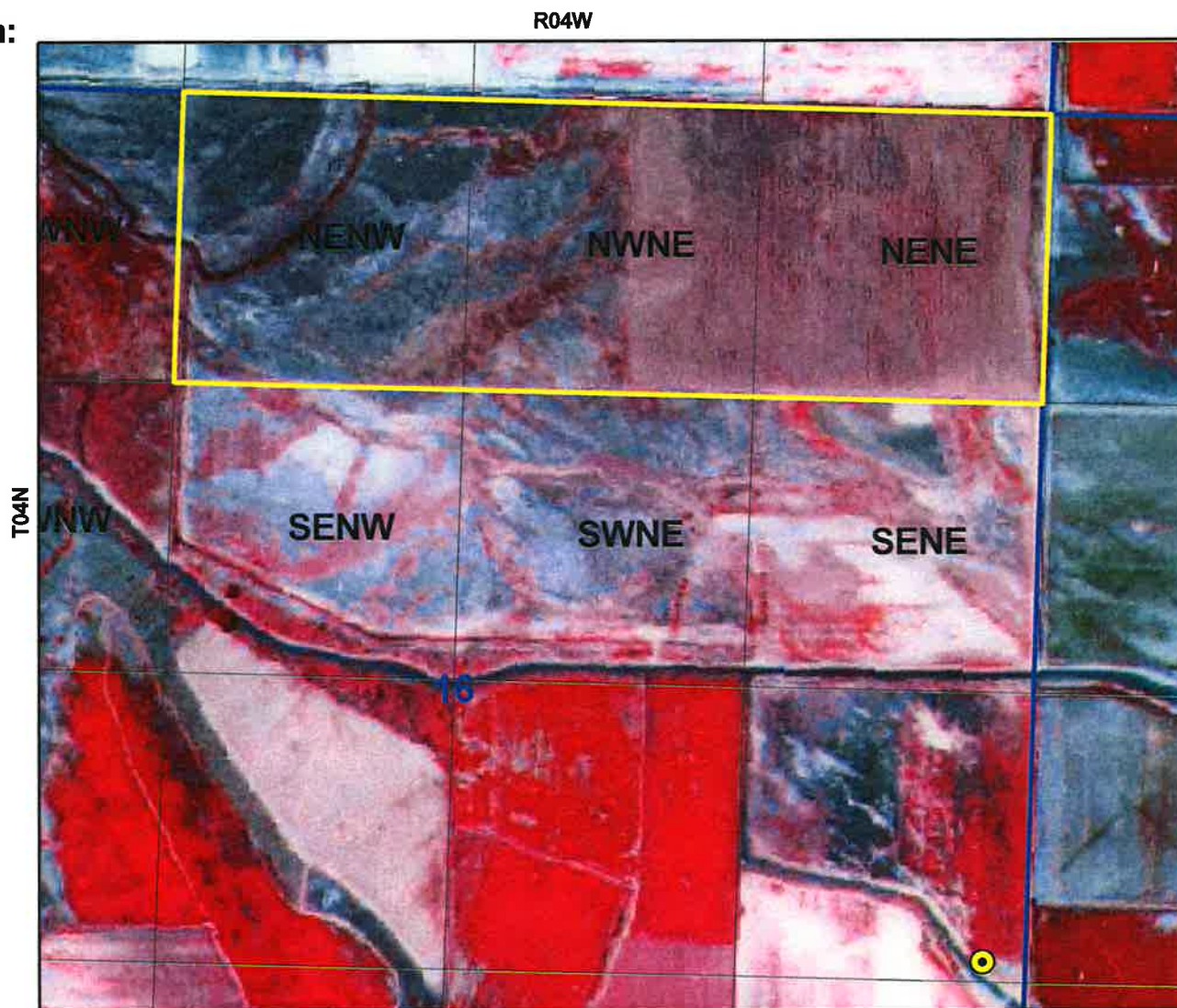
Acres = 120

Legend

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



Canyon County
IDWR Basin 63



0 0.3 0.6 Miles



Prepared by K. Walker
On Tuesday, May 9, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-3080

WATER RIGHT NUMBER: 63-3080 ✓

Owner Type

Current Owner

Name and AddressBRYAN MILLS ✓
10202 CALICO
BOISE, ID 83709
(208)375-1259

Current Owner

DELYNN COLEMAN ✓
10202 CALICO
BOISE, ID 83709
(208)375-1259

Original Owner

BEN ZABALA
RT 1
WILDER, ID 83676

Priority Date: 10/11/1955 ✓

Basis: License ✓

Status: Active

Source

UNNAMED DRAIN

Tributary

BOISE RIVER ✓

Beneficial Use

IRRIGATION ✓

From To

4/15 to 10/15

Diversion Rate

2.400 CFS ✓

Annual Volume

N/A

Total Diversion:

2.400 CFS ✓

Location of Point(s) of Diversion

UNNAMED DRAIN ✓

NE1/4SE1/4 ✓

Sec. 16, Twp 04N, Rge 04W, B.M. ✓

CANYON County

Place of Use

IRRIGATION ✓

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	04W	16	40.0	40.0			40.0												120.0

Total Acres: 120 ✓

(pasture per license)

Conditions of Approval:Remarks:p/d OL
w/63-3088

p/u OL w/63-2249A - E55
 limit to 120 ac
 when combined
 & 0.02 cfs/ac
 E55 when combined

claimed
 as licensed -
 in office
 verification
 by kw
 5/9/04

not on license
 use standard season.

per topo X4

West End

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-3080

WATER RIGHT NUMBER: 63-3080

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BEN ZABALA RT 1 WILDER, ID 83676

Priority Date: 10/11/1955

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED DRAIN	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	2.400 CFS	
	<u>Total Diversion:</u>	2.400 CFS	

Location of Point(s) of Diversion

UNNAMED DRAIN	NE1/4SE1/4	Sec. 16, Twp 04N, Rge 04W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	04W	16	40.0	40.0			40.0												120.0

Total Acres: 120

Conditions of Approval:Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-3080

01/31/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
3080	Claim	04N	04W	16	NE	NE		IRRIGATION	40/120	BRYAN MILLS
3080	Water Right	04N	04W	16	NE	NE		IRRIGATION	40/120	BEN ZABALA
2249A	Claim	04N	04W	16	NW	NE		IRRIGATION	8/47	BRYAN MILLS
3080	Claim	04N	04W	16	NW	NE		IRRIGATION	40/120	BRYAN MILLS
2249	Water Right	04N	04W	16	NW	NE		IRRIGATION	8/109	GEORGE DINES
3080	Water Right	04N	04W	16	NW	NE		IRRIGATION	40/120	BEN ZABALA
2249A	Claim	04N	04W	16	NE	NW		IRRIGATION	39/47	BRYAN MILLS
3080	Claim	04N	04W	16	NE	NW		IRRIGATION	40/120	BRYAN MILLS
2249	Water Right	04N	04W	16	NE	NW		IRRIGATION	39/109	GEORGE DINES
3080	Water Right	04N	04W	16	NE	NW		IRRIGATION	40/120	BEN ZABALA

OL w/ 63-2249A

State of Idaho License and Certificate of Water Right

Water License No. 26373

Amount 2.4 c.f.s.

Water District No.

Priority October 11, 1955

THIS IS TO CERTIFY that BEN ZABALA
of Wilder, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated October 11, 1955; that Permit No. 26373
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.4 second feet, was issued thereunder on April 24, 1958, showing that said works
were completed on the 18th day of April, 1958; and that on the 13th
day of May, 1963,

BEN ZABALA

of Wilder, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho of Idaho, of the right to use the waters of drain
(unnamed stream), a tributary of, for the purpose of irrigation
, under Use Permit No. 26373 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
12 of Licenses at page 7662, on the 14 day of August, 1963;
The right hereby confirmed dates from October 11, 1955;

The Point of Diversion is located

in the NE 1/4 SE 1/4, Sec. 10, Twp. N., R. E. W., B. M. Canyon County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 2.4 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N.	4 W.	10	NE 1/4 NE 1/4	40	40
			NW 1/4 NE 1/4	40	40
			NE 1/4 NW 1/4	40	40
			Total number of acres to be irrigated:		120

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
14th day of August, 1963.

RALPH W. THOMAS

Deputy

State Reclamation Engineer

(SEAL)

6.3-3080

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 26373

This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant Ben Zabala
2. Source of water supply: Drain (un-named stream)
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 16
T. 4 N R. 4 W.B.M. County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same: GRAVITY FLOW CONCRETE WEIR gate with 18" gate valve into 18" x 1320' concrete pipe line into buried concrete distribution tower 36" x 9" into open ditch, distribution tower has a 18" x 30' concrete pipe for discharge of waste water into a drain ditch into a larger drain into Boise River
Source of water is from (NO NAME CANYON) West End Drain - See permission from Riverside
5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: YES

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 16., Twp. 4 N., Rge. 4 W.B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Mr Ben Zabala (owner) participated in examination measurement was made with Cippolletti Weir .58 over 2' weir or 148.5 inches

This examination was made on the 27th day of July, 1963

(Signed) Ron DeBry

Examiner.

26373

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
AUG 2 1955

Department of Reclamation

OD
Security pass
Ben Zabala
Rt. #1, Wilder
MSO
Permit No. 26373

Examination for Beneficial Use

County Canyon

Quantity: 2.4 c.f.s., Sec. 16 T. 4N R. 4 WBM

Source: Drain

P.D.: NE. SE. Sec. 16, T. 4N. R. 4 WBM

Use: Irrigation

Filed: Oct. 11, 1955

Due: June 4, 1963

Extension: —

Protest: —

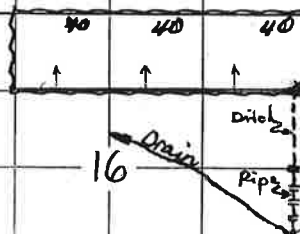
Completion of Works: 4-24-58

Other Rights: none

Installation JC JACKSON

R+4W.

T.
4
N.



120

P.D. 15

22

STATE HWY. NO. 12
TO NAMPA

C/W 2.4 CFS OR 120 inches

SUBDIVISIONS 3

area 120 acres

Allow ϕ 2.4 CFS OR 120 inches

PRODUCTION OF DITCH

2.97 CFS OR 148 1/2 inches

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 26373

REPORT ON PROOF OF Beneficial Use

Ben Zabala, Rt. #1, Wilder, Idaho

63-3080

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 33893
PERMIT No. 26373
DISTRICT No.

1. Name of Applicant: BEN ZABALA

Postoffice address: Rt. 1, Wilder

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) Bonds to be issued:

(d) Other resources:

2. Quantity of water claimed: 2.4 cubic feet per second.

3. Source of water supply: Drain (Un-named) Un-Named Stream, which is a tributary of

4. Location of point of diversion: 1320 N. feet distant from the SE
corner of Section 16, T. 4 N., R. 4 W., B.M., and is in the NE $\frac{1}{4}$ of SE $\frac{1}{4}$
of Section 16, T. 4 N., R. 4 W., B.M., County of Canyon

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 , 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: \$ 3500

8. Kind of works: Pipe

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 1.75 diameter feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;
dimensions of flume:

Diameter of pipe 21 inches; length of conduit $\frac{1}{4}$ miles.

Average grade per mile 3 feet.

12. The time required for the completion of such work is 2 years.

13. The time required for the complete application of the water to the proposed use is 5 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

16. (a) Is reservoir to be used? No 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.

BEN ZABALA

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 3:45 P.M. Oct. 11, 1955

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 26373
Recorded in Book 93 Page 26373 Approved June 4, 1956

Recorded in Book 93 Page 26373 Approved June 4, 1958
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 _____

Bond in the sum of \$ _____ to be filed on or before _____ and to continue diligently and uninterruptedly to completion, Work to begin on or before August 4, 1956 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 4, 1957

The whole of said work to be completed on or before June 4, 1958

The whole of said work to be completed on or before June 4, 1958
Beneficial use of water appropriated in accordance herewith, to be made on or before June 4, 1963

WITNESS My hand this 4th day of June, 1956

MARK R. KULP
State Reclamation Engineer.

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

and JAS. H. YOUNG, 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 4th

day of June, 1956

STATE OF IDAHO

Countersigned:

By ROBERT E. SMYLIE

Governor.

By JAS. H. YOUNG

Secretary of State.

REMARKS: Water is to be taken from an unnamed drain which is not in any drainage district.

14.

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 $\frac{1}{4}$	
4 N.	4 W.	16	40	40			40											120	
Permit No. 26373 Certificate of Completion of Works																			
/																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that BEN ZABALA of Wilder, County of Canyon, and State of Idaho, the holder of Permit No. 26373, issued upon Application No. 33893 bearing date of priority of October 11, 1955, authorizing the diversion of 2.4 second feet of waters of Drain (Un-named) Un-named Stream, County of Canyon, 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 2.4 second feet of the waters of an un-named stream, that the point of diversion of said waters NE$\frac{1}{4}$SE$\frac{1}{4}$ of Section 16, Township 4 North, Range 4 West, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 120 acres in NE$\frac{1}{4}$NW$\frac{1}{4}$ and NW$\frac{1}{4}$SE$\frac{1}{4}$ of Section 16, Township 4 North, Range 4 West, B.M. Proof of Completion of Works made: April 18, 1958																			
Witness my hand this 24th day of April, A.D. 1958																			
/s/ Mark R. Kulp State Reclamation Engineer																			
Proof of Completion of Works made: April 18, 1958 Certificate of Completion of Works issued: April 24, 1958																			
LICENSE ISSUED FOR 2.4 SEC FL Page 7662																			

Receipt Details for ID W007453

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
1/8/1990 2:29:35 PM	1/8/1990	Western	\$245.00	Check
Payer		COLEMAN, DELYNN M.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
8592			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$245.00	ADJUDICATION CLAIM FEE	410162	9337	0 0		6490

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	3080		\$170.00	Claim
63	2249	A	\$50.00	Claim
63	19932		\$25.00	Claim

OK

Print Report