

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: A63-03145
Date Received: 3/13/1990
Receipt No: W010918
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: SAXTON FRUIT FARMS INC
Address: 16729 LAKE SHORE DR
CALDWELL ID

208-459-7237

83605

2. Date of Priority: JAN 15, 1959

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	03W	17	SW	SW	NE		CANYON

5. Description of diverting works:
6" CASING; 185' DEEP; 5HP PUMP; SPRINKLER IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.100		

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

8. Total consumptive use is 17.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	03W	17	SW	NE		IRR	5.0

A63-03145

Page 1

Date: 03/05/92

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	5.0
					Total Acres	5.0

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:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 27719

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 63-3145

Date Received 3/13/90

Receipt Number 0010918

RECEIVED

MAR 13 1990

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Sapton Fruit Farm Inc. Phone (208) 459-7237

Mailing Address 16729 Lake Shore Dr. Caldwell, ID Zip 83605

2. Date of Priority (Only one (1) per claim) 11/15/1959

3. Source of water supply (a) Groundwater
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 3N Range 3W Section 17,
SW 1/4 of SW 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Canyon

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Catch casing, 185 ft deep.

5 HP motor

sprinkler irrigation

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HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3/15 to 11/15 amount 110 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 110 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 17.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) none

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>3N</u>	<u>3W</u>	<u>17</u>			<u>5</u>														

Total number of acres irrigated 5

11. In which county (ies) are lands listed above as place of use located? Canyon

12. Do you own the property listed above as place of use? Yes ☒ No ☐

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None (☒)

14. Remarks:

Last Name Saxton Ident No. 63-3145

Copies: White State Yellow Claimant

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AUG 18 1992

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

Total number of articles

Information Sheet

Aug 18 1935

Scale: 2 inches equals 1 mile

A 16x16 grid of graph paper. Handwritten notes in blue ink are present in the following cells:

- Row 4, Column 7: $R\ 3.4$
- Row 6, Column 7: BAC and 170
- Row 7, Column 4: 3 and A

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____

Decree _____

If applicable provide IDWR Water Right Number 63-3145

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am VICE PRES

Title

of SARTON FRUIT FARMS, INC. _____, that I have signed the foregoing

Organization

document in the space below as VICE PRES of SARTON FRUIT FARMS, INC.

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent William M. Barrus

Title and Organization

Sarton Fruit Farms, Inc.

Date 3/9/90

State of Idaho/or Idaho)

SS.

County of Canyon)

Subscribed and sworn (or affirmed) before me this 9 day of March 19 90

SEAL

Notary Public

John R. Noyes

Residing at

15470 Homedale Rd
Caldwell, Idaho 83605

My Commission Expires

Sept 21, 1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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Last Name Sarton Ident. Number 63-3145

Copies White-State, Yellow-Claimant
AUG 18 1992

Water Right Number - 63-03145

Prefix Translation: WATER RIGHT

Old (D) Number - 27719

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

*** C - CURRENT OWNER ***
SAXTON FRUIT FARMS INC.

1 - RT. 4
2 -
3 -
City- CALDWELL State- ID Zip- 83605
Phone -

*** O - ORIGINAL OWNER ***
WINTERS

R. E.

1 -
2 -
3 -
City- State- Zip-
Phone -

WINTERS

HARRIET V.

1 -
2 -
3 -
City- State- Zip-
Phone -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
01/15/1959 14 WESTERN L - LICENSE

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

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)
03N 03W 17 SW NE (27) CANYON

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 0.100
43 - DOMESTIC

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.100

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
03N 03W 17 SW NE 5.0 01 IRRIGATION (27) CANYON
Total Acres: 5.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

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AUG 18 1992

Water right number - 63-03145

Prefix Translation: WATER RIGHT

+ - - - - Remarks - - - - -
No Remarks found.

+ - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - -
No Comments Found

+ - - Audit Fields - 05/06/85 05/01/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 00/00/0000	Verified Date - 05/06/1985	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 08/28/1979	Appl Received - 00/00/0000	Transfer/Amended -
Decree Date - 00/00/0000	Presumption Flag -	

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AUG 18 1992

03/23/2006

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

RIGHT NUMBER: 63-3145

NAME AND ADDRESS: SAXTON FRUIT FARMS INC
PO BOX 1009
CALDWELL ID 83606-1009

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.100 CFS
22.500 AFY

PRIORITY DATE: 01/15/1959

POINT OF DIVERSION:

T03N R03W S17 SWSWNE Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.100 CFS
22.50 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T03N R03W S17 SWNE 5.00

5 ACRES TOTAL

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

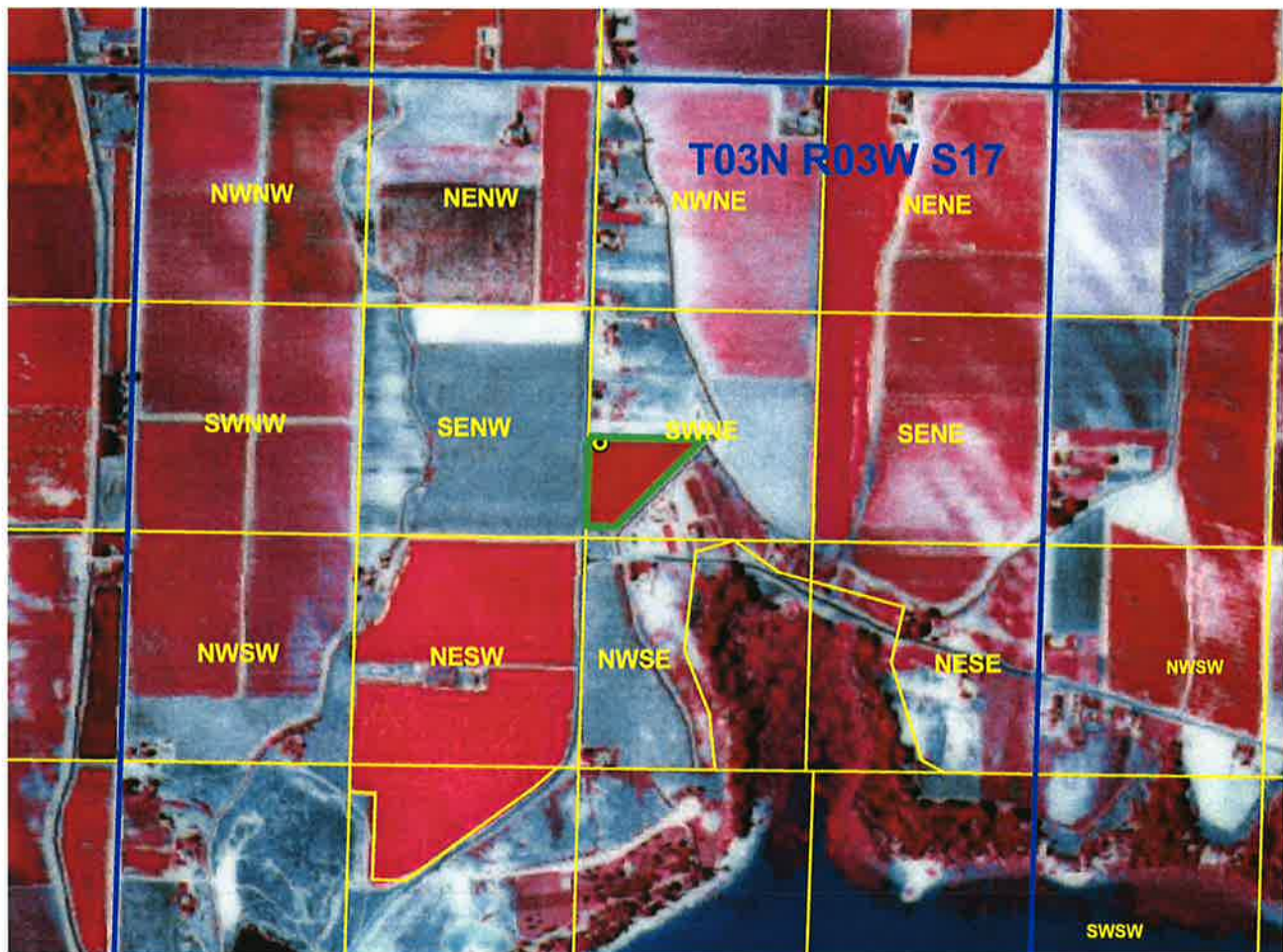
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License



State of Idaho
Idaho Department of Water Resources
Western Region

T3N R3W SECTION(S) 17
WATER RIGHT (S): 63-3145



0.5 0 0.5 1 Miles

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

Total Irrigated Acres = 5 acres

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



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3145 V1

WATER RIGHT NUMBER: 63-3145 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	HARRIET V WINTERS
	, ZZ
Current Owner	SAXTON FRUIT FARMS INC PO BOX 1009 CALDWELL, ID 83606-1009 (208)459-7237
Original Owner	R E WINTERS C/O DARLING MOTEL 900 N KIMBALL CALDWELL, ID 83605

Priority Date: 01/15/1959

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.100 CFS	22.50 AF
	<u>Total Diversion:</u>	0.100 CFS	22.50 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4NE1/4	Sec. 17, Twp 03N, Rge 03W, B.M.
CANYON 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	
03N	03W	17			5.0														5.0

Total Acres: 5

Conditions of Approval:

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

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3145 V1

Comments:

1. JGIVENS 8/3/1998 COPIED FROM REMARKS

Comment: ADDRESS CHANGE 8/3/98 BY JG.

2. dnelson 3/23/2006 Claim Review

Comment:

This claim is based on a small 5-acre field in the SWNW. The field exam map provided adequate information to recommend this water right. It appears as though the property has recently been subdivided, and it appeared as though construction was started in the 2004 aerial photo. However, the recommendation is based on the use as of 1987. No ownership changes have been received for this use. The claim was recommended as licensed. No Domestic use was claimed for this water right, and no domestic use was shown on the 1987 aerial photo. There was also no domestic use shown on the field exam. There was only a comment stating the well was used for domestic purposes, but the exam was done without being accompanied by the owner.

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: NONE RECEIVED

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	3/23/2006 8:19:32 AM	dnelson			Active
Priority Date	3/23/2006 8:20:24 AM	dnelson			Active
POD	3/23/2006 8:21:42 AM	dnelson			Active
Source	3/23/2006 8:22:01 AM	dnelson			Active
POU	3/23/2006 8:23:09 AM	dnelson			Active
Use	3/23/2006 8:27:23 AM	dnelson			Active
Season	3/23/2006 8:28:42 AM	dnelson			Active
Quantity	3/23/2006 8:30:06 AM	dnelson			Active
Summary			03/23/2006	dnelson	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3145 V1

General	3/23/2006 8:20:24 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?
POD	3/23/2006 8:21:05 AM	dnelson	Updated shape
POD	3/23/2006 8:21:42 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?
Use	3/23/2006 8:27:24 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?
Quantity	3/23/2006 8:30:07 AM	dnelson	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the Decree or License have a diversion rate and/or volume? (No) 7. Is a flow measurement required? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - The field exam provided an adequate measurement to recommend claim. Description for Question 10 - 5 acres X 4.5 afa/ac = 22.5 afa

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3145 V1

Summary	3/23/2006 8:32:19 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? (Yes) 6. Is an additional remark and/or condition required? (No) 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?
Source	3/23/2006 8:22:01 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	3/23/2006 8:22:54 AM	dnelson	Updated shape for Active POU
POU	3/23/2006 8:23:10 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?
Season	3/23/2006 8:28:43 AM	dnelson	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (Yes) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 18. Is a Period of Use remark and/or condition required?
Contacts	3/23/2006 8:19:33 AM	dnelson	(No) 1. Do you want to schedule an appointment?

Comment for 1: Previously licensed right, original field exam adequate to recommend claim.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-3145 V1

Water Supply Bank:

MEMORANDUM

TO: ADJUDICATION CLAIM FILE 63-3145

FROM: DANIEL A. NELSON

DATE: 3/23/06

SUBJECT: CLAIM REVIEW

This claim is based on a small 5-acre field in the SWNW. The field exam map provided adequate information to recommend this water right. It appears as though the property has recently been subdivided, and it appeared as though construction was started in the 2004 aerial photo. However, the recommendation is based on the use as of 1987. No ownership changes have been received for this use. The claim was recommended as licensed. No Domestic use was claimed for this water right, and no domestic use was shown on the 1987 aerial photo. There was also no domestic use shown on the field exam. There was only a comment stating the well was used for domestic purposes, but the exam was done without being accompanied by the owner.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3145

WATER RIGHT NUMBER: 63-3145

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SAXTON FRUIT FARMS INC PO BOX 1009 CALDWELL, ID 83606-1009 (208)459-7237
Original Owner	R E WINTERS C/O DARLING MOTEL 900 N KIMBALL CALDWELL, ID 83605
Original Owner	HARRIET V WINTERS

, ZZ

Priority Date: 01/15/1959

Basis: License

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From To

3/15 to 11/15

Diversion Rate

0.100 CFS

Total Diversion:

0.100 CFS

Annual Volume

5 acres x 4.5 = 22.5

22.5

Location of Point(s) of Diversion

GROUND WATER

CANYON County

SW1/4SW1/4NE1/4

Sec. 17, Twp 03N, Rge 03W, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
03N	03W	17	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	5.0
					5.0														5.0

Total Acres: 5

Conditions of Approval:

1. ADDRESS CHANGE 8/3/98 BY JG.

Remarks:

- FROM LICENSE

OK

OK

3-1 TO 11-15
STANDARD.

OK Per license

OK Per chain

- Per
License.

OK Per License.

- MOVE TO COMMENTS

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-3145

WATER RIGHT NUMBER: 63-3145

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SAXTON FRUIT FARMS INC 16729 LAKE SHORE DR CALDWELL, ID 83605 (208)459-7237
Original Owner	R E WINTERS C/O DARLING MOTEL 900 N KIMBALL CALDWELL, ID 83605
Original Owner	HARRIET V WINTERS

, ZZ

Priority Date: 01/15/1959

Basis: License

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	/ to /		
IRRIGATION	/ to /	0.100 CFS	
	<u>Total Diversion:</u>	0.100 CFS	

Location of Point(s) of DiversionGROUND WATER
CANYON County

SW1/4NE1/4

Sec. 17, Twp 03N, Rge 03W, B.M.

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	
03N 03W 17			5.0														5.0

Total Acres: 5

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:

State of Idaho License and Certificate of Water Right

Water License No. G-27719

Amount 0.1 c.f.s.

Water District No. _____

Priority January 15, 1959

THIS IS TO CERTIFY that R. E. & HARRIET V. WINTERS - Assignee - SAXTON FRUIT FARMS, INC. of Caldwell, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated January 15, 1959; that Permit No. G-27719 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.1 second feet, was issued thereunder on May 14, 1964, showing that said works were completed on the 27th day of December, 1963; and that on the 27th day of December, 1963,

SAXTON FRUIT FARMS, INC.

of Caldwell, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean flow, for the purpose of irrigation and domestic use, under Use Permit No. G-27719 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 7833, on the 14 day of May, 1964; The right hereby confirmed dates from January 15, 1959;

The Point of Diversion is located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, Tp. 3 N, R. 3 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 0.1 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N	3 W	17	SW $\frac{1}{4}$ NE $\frac{1}{4}$	5	5

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 May, 1964.

/s/ RALPH M. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

63 3145

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 35655
Permit No. G- 27719
District No.

R. E. & Harriet V. Winters
Rt. # 2
Caldwell, Idaho

1. Name of Applicant: R. E. & HARRIET V. WINTERS
Postoffice address: Rt. # 2, Caldwell County: Canyon State: Idaho
2. Quantity of water claimed: 0.1 cubic feet per second
 (a) Rate of withdrawal in cubic feet per second 0.1 or Idaho
 Miners' inches 5 or gallons per minute
 (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 17
 Twp. 3 N. , Rge. 3 W. , B.M., County of Canyon
5. Water is to be used for: Irrigation and domestic
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
 Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
 at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Well, pump, pipe and ditches
8. Estimated cost of works: \$ 2500
9. (a) Is reservoir to be used? No
 (b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (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:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: Permit No. 24436 for same land was cancelled 3-6-57
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 0.1 (cubic feet per second, inches or gallons per minute) is for new lands.

*captioned Trust
Farm, Inc.
Rt. # 2 - Caldwell
Idaho*

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

/s/ Harriet V. Winters
Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 3:15 P. M. January 15, 1959

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 27719

Recorded in Book 98 Page 27719 Approved January 20, 1959

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 _____ and to continue diligently and uninterruptedly to completion, unless

temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before July 20, 1961

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before January 20, 1964

Witness my hand this 20th day of January, 1959

/s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, 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 20th day of January, 1959.

Countersigned:

STATE OF IDAHO

(SEAL)

By /s/ ARNOLD WILLIAMS
Secretary of State.

By /s/ ROBERT E. SMYLIE
Governor

12.

Twp.	Range	Sec.	NE ¹ / ₄ NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NW ¹ / ₄ NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	SW ¹ / ₄ NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	SE ¹ / ₄ NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	Totals
3 N.	3 W.	17	5				5
↓ ASSIGNMENT ✓ For value received, I hereby assign all of my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. G-27719 to Saxon Fruit Farms, Inc., Route #4, Caldwell, Idaho s/ R. E. WINTERS Permit Holder s/ HARRIET V. WINTERS Wife of Permit Holder STATE OF IDAHO) County of Canyon) On this 30th day of June, 1961, before me, a Notary Public for the State of Idaho, residing at Caldwell, Idaho, personally appeared R. E. WINTERS and HARRIETT V. WINTERS, known to me to be the persons whose names are subscribed to the within instrument and duly acknowledged to me that they executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written. My commission expires May 14, 1962							
						Wm. F. Gigray, Jr. Notary Public, Residing at Caldwell, Idaho	

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No G-27719This proof is for Completion of Works & Beneficial Use In Water District No. _____1. Name of applicant Gordon A. Sexton, Sexton Fruit Farm, Inc.,2. Source of water supply: Subterranean3. Location of point of diversion: Is in the SW 1/4 NE 1/4 of Section 17T. 3 N R. 3 W.B.M. County of Canyon4. Describe works as they exist, giving dimensions and capacities of same: 5" P. BerkeleySubmersible Pump #6031108 2 1/2" discharge reduced to 3/4" to a 100 gal.Pressure storage tank ^{East} 12' x 8' to a 4" buried main line South16 5/32" nozzle - Well - 120' x 8" - cased 120' x 8" h: 20'5. Water is used for: irrigation and domestic6. 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):

5 acres in SW 1/4 NE 1/4 Sec. 17, Twp. 3 N., Rge. 3 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: No one around. (Had contacted Sexton 4/21/64, he stated pump would be on in a week or 10 days. To measure it when ever I found it on.)16 - 5/32" nozzle @ 48# = 4.93 GPM each = 78.88 GPM or .175 cfs.This examination was made on the 6th day of May, 1964

(Signed) _____

Examiner.

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
MAY 7 1964

Department of Reclamation

120-12048
12-86m 1964
Saxon Fruit Farm
Route #4
Caldwell, Idaho
Permit No. G-27719

Examination for Completion of Works & Beneficial Use

County Canyon

Sec. 17 T. 3N R. 3 WEM

Quantity: 0.1 CFS.

Source: Well

P.D.: SWNE, 17-3N-3W

Use: Irrigation & Domestic

Filed: 1-15-59

Due: 1-20-64

Extension:

Completion of Works:

Other Rights:

26
 47
 48
 50
 191
 48

12
 Caldwell

R 3 W

34 [72] to US [39] →

1
 3
 N

18

16

LOWELL

19 LAKE

20

Subdivision

1

AREA

5 acs

Allow

Q

970 cfs or 5 in/hr

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-27719

REPORT ON PROOF OF Completion of Works & Beneficial Use

Saxton Fruit Farm, Inc., Rt. #4, Caldwell, Idaho

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-3145

03/09/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
3145	Claim	03N	03W	17	SW	NE		IRRIGATION	5/5	SAXTON FRUIT FARMS INC
10485	Claim	03N	03W	17	SW	NE		IRRIGATION	20/43	SHIRLEY J FLOYD
2709	Water Right	03N	03W	17	SW	NE		IRRIGATION	4/4	CLYDE L BEOUGHER
3145	Water Right	03N	03W	17	SW	NE		IRRIGATION	5/5	SAXTON FRUIT FARMS INC
10485	Water Right	03N	03W	17	SW	NE		IRRIGATION	15/40	SHIRLEY J FLOYD
19418	Water Right	03N	03W	17	SW	NE		DOMESTIC		VETERANS ADMINISTRATION
20894	Water Right	03N	03W	17	SW	NE		DOMESTIC		VELMA ILENE MILBURN
20896	Water Right	03N	03W	17	SW	NE		DOMESTIC		VELMA ILENE MILBURN
25819	Water Right	03N	03W	17	SW	NE		DOMESTIC		FRED E BELL
26052	Water Right	03N	03W	17	SW	NE		DOMESTIC		BETTY L SCHROEDER
26823	Water Right	03N	03W	17	SW	NE		DOMESTIC		ROBERT J WINDER

AJ0749NP
No. R63-03145

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

DATE: 08/03/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SAXTON FRUIT FARMS INC PO BOX 1009 CALDWELL ID 836061009 (208) 459-7237	01/15/1959	IRRIGATION	03-15 11-15	0.10 CFS	
TOTAL DIVERSION:					0.10 CFS	

Water Source: GROUNDWATER

Point(s) of Diversion:

Tributary to:

T03N R03W S17

SWSWNE

Stage: BENEFICIAL USE

Place of use Legal Description for:

IRRIGATION

CANYON County

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
03N	03W	17	:				05	:					:					:					:	5.0
																							TOTAL ACRES	5.0

POU County: CANYON

Non-Irrigation Uses: NONE

Other Rights: NONE

Dates: Exam Made Date:

Verified Date:

08/03/1998

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Comments: Date: 08/03/1998 User-ID: JGIVENS Subject: COPIED FROM REMARKS
ADDRESS CHANGE 8/3/98 BY JG.

Audit: 08/03/98 JGIVENS

SAXTON FRUIT FARMS, INC.
16729 Lake Shore Drive
Caldwell, ID 83605

Phone: (208) 459-7237
Fax: (208) 454-8274

To: STATE OF IDAHO
DEPT. OF WATER RESOURCES

Date: 7/17/98
From: LYNNE YATES
OFFICE MANAGER

Fax #: 327-7866

of Pages (including cover): 1

Message:

OUR MAILING ADDRESS HAS CHANGED. PLEASE CHANGE
YOUR RECORDS TO REFLECT THE FOLLOWING MAILING
ADDRESS: SAXTON FRUIT FARMS, INC.
P.O. Box 1009
CALDWELL, ID 83606-1009.
THANK YOU.



Receipt Details for ID W010918

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
3/13/1990 1:32:26 PM	3/13/1990	Western	\$1,237.00	Check
Payer		SAXTON FRUIT FARMS, INC.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
26549			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$1,237.00	ADJUDICATION CLAIM 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	2827		\$712.00	Claim
63	2887		\$25.00	Claim
63	2930		\$25.00	Claim
63	3145		\$25.00	Claim
63	3227		\$25.00	Claim
63	8687		\$25.00	Claim
63	26334		\$25.00	Claim
63	26335		\$25.00	Claim
63	26336		\$25.00	Claim

63	26337	\$25.00	Claim
63	26338	\$25.00	Claim
63	26340	\$25.00	Claim
63	26341	\$50.00	Claim
63	26342	\$50.00	Claim
63	30993	\$50.00	Claim
63	30994	\$50.00	Claim
63	26343	\$25.00	Claim
63	30993	\$25.00	Claim

[Print Report](#)