

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: **A63-03175A**
Date Received: 12/29/1989
Receipt No: X777777
Received By: _____

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

1. Name: MICHAEL L DE LAY 208-495-1010
Address: 3205 C HWY 45
MELBA ID 83641

OR

Name: COLLEEN DE LAY 208-495-1010
Address: 3205 C HWY 45
MELBA ID 83641

2. Date of Priority: DEC 9, 1959

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	02W	16	SE	SE			CANYON

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.136		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	02W	16	SE	SE		IRR	19.8

10. Place of Use: Continued

Section Acres 19.8

Total Acres 19.8

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:
63-3491

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 28317

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: _____

RECEIVED

AUG 19 1998

WATER RESOURCES
WESTERN REGION

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
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COPY FOR
YOUR FILES

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14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 28317

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

RECEIVED
JUL 13 1998
Department of Water Resources

RECEIVED

AUG 19 1998

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

WATER RESOURCES
WESTERN REGION

1. Water Right Number(s) 63-03491 63-03175

Adjudication Claim Number(s) A63-03491 A63-03175

RECEIVED

AUG 03 1998

WATER RESOURCES
WESTERN REGION

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

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

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

PERRY Beatty (purchased from)

Henry Jensen (previous owner)

4. New Owner/Claimant(s)

Mike L Delay Colleen M Delay

Name connector (Check one): ☐ AND, ☒ OR, ☐ AND/OR

New Mailing Address

3205 C Highway 45

City, State and ZIP Code

MELBA IDAHO

New Telephone Number

(208) 495-1010

5. Date you acquired the property 10-9-96

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated 19.8 ^{of 35 Acres} Number and type of stock

Diversion rate in CFS proportional _{cubic feet per second} Number of homes Other uses

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s)

Mike L Delay

Date 7-8-98

Colleen M Delay

Date 7-8-98

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights, and, if a required claim for the water right has not been filed, to file the needed claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believe there are water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector "and", "or" or "and/or". If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign, however only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

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

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161



Skinner, Earl &
Associates, Inc.

314 Badiola Street
Caldwell, ID 83605
(208) 454-0933
Fax (208) 454-0979

Greg L. Skinner PLS
Gerald L. Earl PLS
Brent A. Claiborn PE

February 11, 1997

Description for
Mike Delay
Job No. JA2697

Parcel 2

This parcel is a portion of the SE1/4 SE1/4 of Section 16, Township 1 North, Range 2 West of the Boise Meridian and is more particularly described as follows:

COMMENCING at the southeast corner of said SE1/4 SE1/4;

thence North 0° 36' 27" East along the east boundary of said SE1/4 SE1/4 a distance of 676.32 feet to the TRUE POINT OF BEGINNING;

thence North 89° 14' 25" West parallel with the south boundary of said SE1/4 SE1/4 a distance of 1332.50 feet to a point on the west boundary of said SE1/4 SE1/4;

thence North 0° 42' 58" East along said west boundary a distance of 647.99 feet to the northwest corner of said SE1/4 SE1/4;

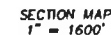
thence South 89° 12' 20" East along the north boundary of said SE1/4 SE1/4 a distance of 1331.28 feet to the northeast corner of said SE1/4 SE1/4;

thence South 0° 36' 27" West along the east boundary of said SE1/4 SE1/4 a distance of 647.18 feet to the TRUE POINT OF BEGINNING.

This parcel contains 19.80 acres, more or less, and is subject to a county road right-of-way along the east boundary and to all other easements and rights-of-way existing or implied.

Greg L. Skinner
PROFESSIONAL LAND
REGISTRAR
STATE OF IDAHO
Feb 11 1997

A PORTION OF THE SE1/4SE1/4 OF SECTION 16
TOWNSHIP 1 NORTH, RANGE 2 WEST, BOISE MERIDIAN
CANYON COUNTY, IDAHO



LEGEND

- ## CERTIFICATION

I, Greg L. Skinner, do hereby certify that I am a Professional Land Surveyor, licensed by the State of Idaho, and that this map has been made from an actual survey made on the ground under my direct supervision, that this map is an accurate representation of said survey, and that it is in conformity with the Corner of Repealation Act, Idaho Code 55-1601 through 55-1612.



INDEX NO. 124-16-2-2-0-00-00

SURVEY FOR

MIKE DELAY

Drawn by W.F.J.

Date: FEB. 6, 1997

Book:

Job No. JA2697



Skinner, Earl &
Associates, Inc.

403 Maine • Caldwell, ID
(208) 464-0833

CANYON COUNTY ASSESSOR
1115 ALBANY ST. RM. 323
CALDWELL, ID 83605

IMPORTANT NOTICE-PLEASE READ

PARCEL NO 7L28516-000- -0
UNIFORM 01N02W169101
TAX CODE 102-00 12-30-97
LOTS/ACRES MARKET VALUE
17,500

PRESORTED
FIRST CLASS MAIL
U.S. POSTAGE PAID
CALDWELL, ID 83605-3542
PERMIT NO. 4

Phone 454-7431
CATEGORY DESCRIPTION
IMPR RUR HOMESITE

1997

TAXPAYER'S
VALUATION

ASSESSMENT NOTICE

TAXES ARE BASED ON THE VALUATION
LISTED ON THIS STATEMENT

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT

NOTIFY THE ASSESSOR'S OFFICE BEFORE

TOTAL FULL CASH VALUE
SESE LESS S 165' LS TX 97401

17,500 JANUARY 9, 1998
Homeowner Exemption-Yes

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

2ND OCC ROLL

SEC 16-1N-2W SE

Mail To:
DELAY, MICHAEL L
& DELAY, COLLEEN M-H/W

PROPERTY ADDRESS
3205 HWY 45, ME

3205 HWY 45
MELBA

ID 83641

CANYON COUNTY ASSESSOR
1115 ALBANY ST. RM. 323
CALDWELL, ID 83605

THIS IS NOT A BILL
IMPORTANT NOTICE-PLEASE READ

PARCEL NO 7R28516-000- -0
UNIFORM 01N02W169100
TAX CODE 102-00 05-17-97
LOTS/ACRES MARKET VALUE

PRESORTED
FIRST CLASS MAIL
U.S. POSTAGE PAID
CALDWELL, ID 83605-3542
PERMIT NO. 4

Phone 454-7431
CATEGORY DESCRIPTION
IRRIGATED AGRICUL
HOMESITE RUR LANDS
WASTE

33.50 16,400
1.00 13,000
.50

1997

TAXPAYER'S
VALUATION

ASSESSMENT NOTICE

TAXES ARE BASED ON THE VALUATION
LISTED ON THIS STATEMENT

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT

NOTIFY THE ASSESSOR'S OFFICE BEFORE

TOTAL FULL CASH VALUE
SESE LESS S 165'

29,400 JUNE 18, 1997

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

REGULAR ROLL

SEC 16-1N-2W SE

Mail To:
DELAY, MICHAEL L
& DELAY, COLLEEN M-H/W

PROPERTY ADDRESS
7227C HWY 45, ME

712 F HAWAII AVE

STEWART TITLE

Inst 9327488

READ & APPROVED BY BENEFICIARY: *[Signature]*

SPACE ABOVE THIS LINE FOR RECORDING DATA

{R28516}

DEED OF TRUST

Order No.: 93008031

S7C

THIS DEED OF TRUST, Made this 10th day of November in the year of 1993

BETWEEN PERRY BEATTY, A SINGLE MAN, CALDWELL, ID 83605

, herein called GRANTOR,

whose address is: 501 Flying Saucer, Coeur, ID 83601

STEWART TITLE OF CANYON COUNTY, INC., an Idaho corporation, herein called TRUSTEE, and HENRY M. JENSEN

AND MARJOPIE J. JENSEN, HUSBAND AND WIFE

, herein called BENEFICIARY,

whose address is: 3215 LOCUST, CALDWELL, ID 83605

WITNESSETH: That Grantor does hereby irrevocably GRANT, BARGAIN, SELL AND CONVEY TO TRUSTEE IN TRUST, WITH

POWER OF SALE that property in the County of

CANYON

State of Idaho, described as follows,

either located within an incorporated city or village at the date hereof, or containing not more than twenty acres:

The Southeast Quarter of the Southeast Quarter of Section 16,
Township 1 North, Range 2 West of the Boise Meridian, Canyon
County, Idaho, excepting therefrom the South 165 feet.

IF ALL OR ANY PART OF THE SUBJECT REAL PROPERTY, OR AN INTEREST
THEREIN IS SOLD, TRANSFERRED, OR CONTRACTED TO BE SOLD OR
TRANSFERRED IN THE FUTURE BY AGREEMENT WITHOUT THE BENEFICIARY'S
PRIOR WRITTEN CONSENT, EXCLUDING A TRANSFER BY DEVISE, DESCENT
OR OPERATION OF LAW UPON THE DEATH OF THE GRANTOR, BENEFICIARY
MAY, AT BENEFICIARY'S OPTION, DECLARE ALL SUMS SECURED BY THIS
DEED OF TRUST TO BE IMMEDIATELY DUE AND PAYABLE. IF THE
BENEFICIARY SHALL WAIVE THE OPTION TO ACCELERATE AS PROVIDED BY
ACCEPTING IN WRITING AN ASSUMPTION AGREEMENT OF THE SUCCESSOR IN

Continued on next page

HEREWITH with the rents, issues and profits thereof, SUBJECT, HOWEVER, to the right, power and authority hereinafter given to and conferred upon
Beneficiary to collect and apply such rents, issues and profits, for the purpose of securing payment of the indebtedness evidenced by a promissory
note, of even date herewith, executed by Grantor in the sum of FIFTY-TWO THOUSAND EIGHT HUNDRED

FORTY-SEVEN & 34/100 ****Dollars, \$ 52,847.34first payment due November 10, 2003

and to secure payment of all such further sums as may hereafter be
loaned or advanced by the Beneficiary herein to the Grantor herein or either of them, with record owner of present interest, for any purpose
and of any notes, drafts or other instruments representing such further loans, advances or expenditures together with interest on all such sums at the
rate therein provided. Provided, however, that the making of such further loans, advances or expenditures shall be optional with the Beneficiary, and
provided, further that it is the express intention of the parties to this Deed of Trust that it shall stand as continuing security until paid for all such
advances together with interest thereon.

To protect the security of this Deed of Trust, Grantor agrees:

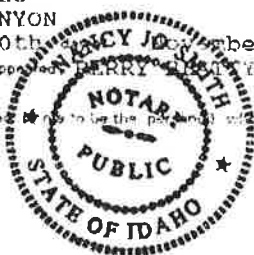
By the execution of this Deed of Trust and the Note hereby signed that provisions 1 to 6 inclusive of Part A and provisions 1 to 9 inclusive of Part B
of the Master Form Deed of Trust which was recorded December 8, 1972, as Instrument No. 823115, Ada County; June 25, 1979, as Instrument
No. 827244, Bannock County; June 22, 1979, as Instrument No. 567395, Bonneville County; May 8, 1979, as Instrument No. 861513, Canyon
County; June 7, 1979, as Instrument No. 129201, Fremont County; June 25, 1975, as Instrument No. 810084, Kootenai County; June 22, 1979, as
Instrument No. 101053, Valley County, Idaho Mortgage Records shall bind and they are hereby incorporated and made an integral part hereof for all
purposes, as though set forth herein at length, a copy of which provisions has been furnished to Grantor and Beneficiary.

Request is hereby made that a copy of any Notice of Default and a copy of any Notice of Sale hereunder be mailed to the Grantor at his address
hereinbefore set forth.

PERRY BEATTY

STATE OF IDAHO
COUNTY OF CANYONOn this 10th day of November in the year of 1993, before me, the undersigned, a Notary Public in and for saidState, personally appeared PERRY BEATTY

known or identified to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she/they
executed the same.

Signature Nancy Jo SmithName: NANCY JO SMITH

(Type or print)

Residing at EAGLEMy Commission Expires 10/13/99

INSTRUMENT NO.

9722960

2 KNOW ALL MEN BY THESE PRESENTS, That

HENRY M. JENSEN AND MARJORIE J. JENSEN, HUSBAND AND WIFE

do hereby certify and declare that a certain mortgage, bearing date the 10TH day
of NOVEMBER , A.D. 1993 , made and executed by

PERRY BEATTY, A SINGLE MAN

the part of the first part therein, to

HENRY M. JENSEN AND MARJORIE J. JENSEN, HUSBAND AND WIFE

the part of the second part therein

recorded in the office of the County Recorder of the County of CANYON , State of Idaho
~~INDEXED~~ INST. #9329164 of Mortgages, on page on the 30th day
of NOVEMBER , A.D. 19 93 , together with the debt thereby secured, is fully paid,
satisfied and discharged.

IN WITNESS WHEREOF, ha hereunto set hand and seal , the
day of , A.D. one thousand nine hundred and

Signed, Sealed and Delivered in the Presence of

X *Henry M. Jensen*
X *Marjorie J. Jensen*

[SEAL]

[SEAL]

**ASSIGNMENT AND ASSUMPTION OF NOTE AND DEED OF TRUST
MORTGAGE**

THIS AGREEMENT made and entered into on OCTOBER 9, 1996, by and between
PERRY BEATTY, AN UNMARRIED PERSON
hereinafter referred to as "Assignor", and
MICHAEL L. DELAY AND COLLEEN M. DELAY hereinafter referred to
as "Assignee",

FOR VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, Assignor does hereby sell,
transfer, set over and assign unto Assignee all the Assignor's right, title and interest in and to that certain Note dated
NOVEMBER 10, 1993 wherein Assignor is the Promisor (Borrower) and
HENRY JENSEN AND MARJORIE J. JENSEN is the Promisee (Lender), in the original
amount of \$ 52,847.34 and that certain Deed of Trust given as security for said Note,
dated NOVEMBER 10, 1993, wherein HENRY M. JENSEN AND MARJORIE L. JENSEN is named
as Trustee, and HENRY M. JENSEN AND MARJORIE L. JENSEN is/are named as the Beneficiary, which said Note and Deed of Trust are now held in escrow at
ALLIANCE TITLE as Escrow No. _____

Assignor fully authorizes and empowers the Assignee on performance of the terms and obligations of the Note
and Deed of Trust to demand and receive of the escrow holder holding the same all documents held by said escrow
holder necessary to clear title to Assignee in the subject property, in the same manner to all intents and purposes
as the Assignor might or could do, were these presents not executed, and for such purpose Assignor does make,
constitute and appoint Assignee with full power of substitution, as the true lawful attorney-in-fact of Assignor, with
full power and authority, to have, use, and take all lawful ways and means for the enforcement of all of the
covenants, terms and conditions of said Note and Deed of Trust in Assignor's name or otherwise.

This agreement shall be effective as of OCTOBER 9, 1996. From and after said
effective date, Assignee does hereby assume and agree to pay, perform and discharge promptly when the same
shall be due, all of the remaining duties and obligations of the Assignor under said Note and Deed of Trust hereby
assigned. Assignor warrants that as of the effective date hereof, the unpaid principal balance due under the Note
and Deed of Trust is \$ 41,818.63.

This assignment shall be considered a part of and attached to the Promissory Note described herein as if the
same were made a part hereof. This agreement shall endure to the benefit of and be binding upon the heirs, personal
representatives, successors and assigns of all parties hereto.

Provided, however, that notwithstanding any provision of this agreement to the contrary, Assignor and
Assignee covenant and warrant by their execution hereof that each is aware that the assignment and assumption
of the Note and Deed of Trust is effective and binding between the parties hereto only and that the same has
absolutely no effect whatsoever on the ultimate duties and obligations owed by Assignor to the Promisee and
Beneficiary of said Note and Deed of Trust. Assignor understands that Assignor shall remain liable on said Note and
Deed of Trust until said obligations shall be satisfied in full or until Assignee or Assignee's successors in interest shall
reach a final assumption agreement with the Promisee and Beneficiary of the Note and Deed of Trust or otherwise,
effect a cancellation of said Note and Reconveyance of said Deed of Trust.

All parties to this agreement acknowledge that each has been requested by Stewart Title - Idaho, Inc. to
procure advice of any attorney of their own choosing and at their own expense concerning the legal effects of this
agreement and any other aspect of this transaction.

IN WITNESS WHEREOF the parties hereto have executed this agreement on the date and year first above

Perry Beatty
PERRY BEATTY

"Assignor"

Michael L. Delay
MICHAEL L. DELAY

"Assignee"

"Assignor"

Colleen M. Delay
COLLEEN M. DELAY

"Assignee"

CORPORATE ACKNOWLEDGEMENT

State of _____ County of _____

On this _____ day of _____
in the year of _____ before me, the undersigned, a Notary
Public, in and for said State, personally appeared _____

Known and identified to me to be the _____
of the corporation that executed the
Assignment of the personal who executed the instrument on behalf of
said corporation, and acknowledged to me that such executed the same.

Signature _____

Title _____

Residing at _____

My Commission Expires _____

INDIVIDUAL ACKNOWLEDGEMENT

State of Idaho County of Blaine

On this 10 day of October
in the year of 1996, before me, the undersigned, a Notary
Public in and for said state, personally appeared Perry Beatty and
Michael L. Delay and Colleen M. Delay

Known and identified to me to be the person(s) whose name(s)
were subscribed to the within instrument, and acknowledged to me that
they executed the same.

Signature _____

Name _____

Residing at _____

My Commission Expires 2-9-98



10/17/2006

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

RIGHT NUMBER: 63-3175A

NAME AND ADDRESS: COLLEEN DE LAY
3205 C HWY 45
MELBA ID 83641

MICHAEL L DE LAY
3205 C HWY 45
MELBA ID 83641

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.136 CFS
89.10 AFY

Right Nos. 63-3175A and 63-3491A are limited to a total combined diversion rate of 0.396 cfs and to a total combined annual diversion volume of 89.1 AF.

PRIORITY DATE: 12/09/1959

POINT OF DIVERSION:
T01N R02W S16 SESE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	0.136 CFS 89.10 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 April 15 and after October 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 CANYON County

T01N R02W S16 SESE 19.80
19.8 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



Idaho Department of Water Resources

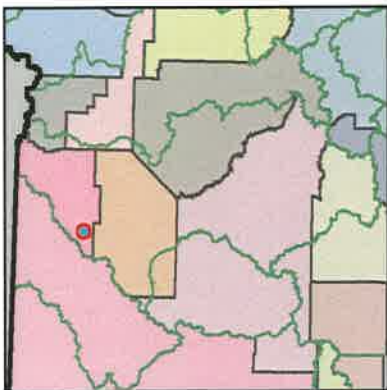
SRBA Recommendation:

63-3175A

(Irrigation)

Legend

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



Canyon County
IDWR Basin 63



0 0.1 0.2 Miles

Prepared by M. Ciscell
On Tuesday, October 17, 2006
1987/88 Aerial Photography

Continuation of Deed or Trust dated November , 1993
Order No.: 93008031

INTEREST, BENEFICIARY SHALL THEN RELEASE GRANTOR UNDER THIS
DEED OF TRUST AND THE NOTE.

3327488

RECORDED

93 NOV 10 PM 4 35

REC'D
CANYON CREDIT RECORDS
D. A. Smith

REQUESTED BY STEWART - CALDWELL

W. M. D. T. 6

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: **A63-03175**
Date Received: 12/29/1989
Receipt No: C013739
Received By: W.R. Ford

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

1. Name: HENRY M JENSEN 208-459-8975
Address: 2215 E LOCUST
CALDWELL ID 83605

2. Date of Priority: DEC 9, 1959

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	02W	16	SE	SE			CANYON

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.240		

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

8. Total consumptive use is 105.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	02W	16	SE	SE		IRR	35.0

Section Acres 35.0

Total Acres 35.0

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:
63-3491

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 28317

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 _____

RECEIVED
JAN 1 1993

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:

Ident. Number

Date Received

Receipt Number

39576

63 3175

12/29/89

6013739

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

DEC 29 1989

Please type or print clearly

Department of Water Resources

1. Name of Claimant (s) HENRY M. JENSEN Phone (208) 459-8975

Mailing Address 2215 LOCUST ST. CALDWELL ID Zip 836050

2. Date of Priority (Only one (1) per claim) 12/9/59

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

4. a. Location of existing point of diversion is: Township 01N Range 02W Section 16,
_____ 1/4 of SE 1/4 of SE 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. Well and Pump.

NOT RECORDED

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/15 to 10/15 amount 0.24 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.24 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 10.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) N4

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>N</u>	<u>2W</u>	<u>16</u>																<u>35</u>	<u>35</u>

Total number of acres irrigated 35

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.
63-3491 or None ()

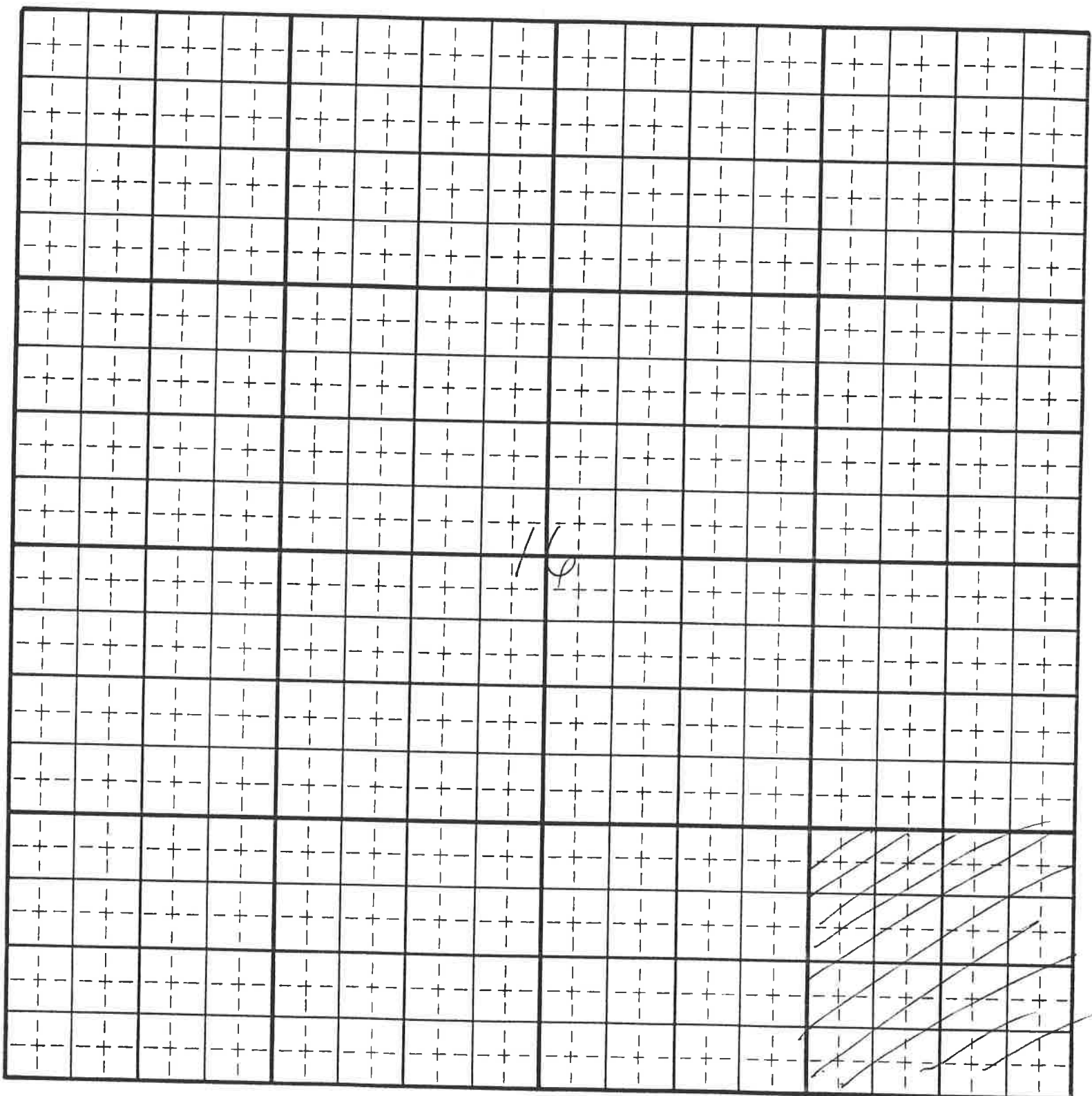
14. Remarks:

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile



WICFCFLMED

1994

Last Name _____ Ident No. _____

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 _____
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 0

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

Signature of Claimant (s) Henry M. Jensen Date 12-27-89

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 27 day of December 19 89

SEAL

Notary Public Don A. [Signature]

Residing at Boise Idaho

My Commission Expires 4/11/95

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 _____

MICROFILMED
JUL 15 1991

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

Water Right Number - 63-03175

Prefix Translation: WATER RIGHT

Old (D) Number - 28317

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

*** C - CURRENT OWNER ***
BARRETT

HAROLD G.

1 - RT. 1

2 -

3 -

City- MELBA

State- ID Zip- 83641

Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
12/09/1959 14 WESTERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

01N 02W 16 SE SE (27) CANYON

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

0.240

43 - DOMESTIC

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.240+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

01N 02W 16 SE SE 35.0 01 IRRIGATION (27) CANYON

Total Acres: 35.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - 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 - +
00/00/0000RECEIVED
NOV 24 1992
IDAHO DEPARTMENT OF WATER RESOURCES

Prefix Translation: WATER RIGHT

+ - - 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	-		

RECEIVED
OCT 11 1967

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO.

A63-03175

WR ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
PRIORITY*	<u>N</u>						
PT. OF DIV.	<u>N</u>						
SOURCE	<u>N</u>						
PL. OF USE	<u>N</u>						
DIV. AMOUNT CFS/AF	<u>N</u>						
CONSUMPTIVE USE	<u>Y</u>						
NATURE OF USE	<u>N</u>						
PERIOD OF USE	<u>Y</u>						
BASIS OF CLAIM	<u>N</u>						
REMARKS	<u>N</u>						

DATA ENTRY COMPLETED
BY _____ DATE _____

FINAL RECOMMENDATION
BY _____ DATE _____

N/A
*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES _____ NO _____.

**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

COMMENTS: _____

VERIFICATION CODES

TOPO MAP/ORTHOPHOTO = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER(SEE COMMENTS) = 6

WR5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

06/23/95 00:04:30
Page 1

Water Right Number - 63-03175 ✓

Prefix Translation: WATER RIGHT

Old (D) Number - 28317 ✓

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

*** C - CURRENT OWNER ***
BARRETT

HAROLD G.

1 - RT. 1

2 -

3 -

City- MELBA

Phone -

State- ID Zip- 83641

+ - - Priority Date - - +
12/09/1959 ✓

+ - - Region - - - +
14 WESTERN

+ - - Stage - - - +
L - LICENSE ✓

+ - - Status - - - - +

+ - - - - Source - - - - +
GROUNDWATER ✓

+ - - - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

01N ✓ 02W ✓ 16 ✓ SE SE ✓ (27) CANYON ✓

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION ✓

~~43 - DOMESTIC~~

4/15 10/15

0.240 ✓

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.240 ✓

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

01N ✓ 02W ✓ 16 ✓ SE SE ✓ 35.0 ✓ 01 IRRIGATION ✓ (27) CANYON ✓

Total Acres: 35.0 ✓

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - 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

WR5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

06/23/95 00:04:30
Page 2

Water right number - 63-03175

Prefix Translation: WATER RIGHT

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

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

+ 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	Name Connector	-		POU Ownership Flag	-	
Presumption Flag	-							