

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: **A63-03311**
Date Received: 1/14/1992
Receipt No: W014008
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

208-922-9808

1. Name: JOHN OORD
Address: DBA DOUBLE O DAIRY
2101 W KUNA CAVE RD
KUNA ID

83634

2. Date of Priority: SEP 10, 1962

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	01W	15	SW		NW		ADA

5. Description of diverting works:
WELL, PUMP, & PIPELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.800		1260.00

7. Total Quantity Appropriated is:
4.800 C.F.S. (and/or) 1260.00 A.F.A.

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

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	01W	15	NE	NW		IRR	40.0
			NW	NW		IRR	35.0
			SW	NW		IRR	35.0
			SE	NW		IRR	35.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	01W	15	NE	SW		IRR	35.0
			NW	SW		IRR	35.0
			SW	SW		IRR	30.0
			SE	SW		IRR	35.0
Section Acres							280.0
Total Acres							280.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

OWNERSHIP CHANGED BY DB 10/21/99.

15. Basis of Claim: LICENSE

Water Right Number: 30703

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

NOV 25 1998
WATER RESOURCES
WESTERN REGION

1. Water Right Number(s) 63-03311 + Al03-03196B
Adjudication Claim Number(s) _____
2. The following **REQUIRED** information must be submitted:
- A. A copy of the most recent DEED, TITLE POLICY, CO _____ 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) S. Carl F. Eschelman

4. New Owner/Claimant(s) John Card / aka Double O Dairy
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 2101 W. Kuna Cave Rd
City, State and ZIP Code Kuna, ID 83634
New Telephone Number (208) 922-9808
5. Date you acquired the property 11/6/96
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 _____ Number and type of stock _____
- Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
- 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) John Card Date 11/19/98

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

96092238

THIS FORM FURNISHED COURTESY OF:

ALLIANCE TITLE & ESCROW CORP.

READ & APPROVED BY GRANTEE(S):

{0000}

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

ALLIANCE TITLE

'96 NOV 6 PM 2:25

FEE 6.00 DER B. B. L. L. L.
RECORDED AT THE REQUEST OF

SPACE ABOVE THIS LINE FOR RECORDING DATA

Order No.: 96063100X (0000-1000)

WARRANTY DEED

FOR VALUE RECEIVED H.R. MONTIERTH, also known as HERBERT R. MONTIERTH and CAROLYN MONTIERTH, husband and wife and HERBERT R. MONTIERTH as the Personal Representative of the Estate of Golda Darlene Montierth, Deceased

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto DOUBLE O DAIRY, a Washington general partnership

GRANTEE(S), whose current address is: 2371 STOVER ROAD, GRANDVIEW, WA 98930

the following described real property in ADA County, State of Idaho, more particularly described as follows, to wit:

The Northwest Quarter and the South Half of Section 15, Township 1 North, Range 1 West, Boise Meridian, Ada County, Idaho

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: October 30, 1996

The Estate of Golda Darlene Montierth, Deceased

By: Herbert R. Montierth
Herbert R. Montierth, Personal Representative

Herbert R. Montierth
Herbert R. Montierth

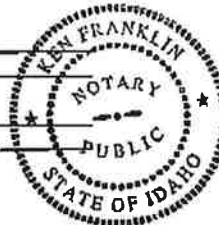
Carolyn Montierth
Carolyn Montierth

STATE OF IDAHO, County of Ada, ss.

On this 6th day of November in the year of 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared Herbert R. Montierth known or identified to me to be the person whose name is subscribed to the within instrument, as the Personal Representative of the Estate of Golda Darlene Montierth and acknowledged to me that he executed the same as such Personal Representative of the Estate of Golda Darlene Montierth.

Signature: [Signature]
Name: _____
(Type or Print)

Residing At: Boise
My Commission expires: 10-5-98



STATE OF IDAHO, County of Ada, ss.

On this 6th day of November in the year of 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared Herbert R. Montierth and Carolyn Monthierth known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Signature: [Signature]
Name: _____
(Type or Print)

Residing At: Boise
My Commission expires: 10-5-98



ALLIANCE TITLE & ESCROW CORP.250 SO. 5TH STREET SUITE 100

BOISE, ID 83702

FACSIMILE TRANSMITTAL SHEET

TO:

DENISE BUFFINGTON

FROM:

Ken Franklin, Sr. Commercial Escrow Officer
Direct line 208.947.9113 Fax - 208.947.9199
Toll Free - 1.888.311.2194
E-MAIL: kenf@mail.alliancetitle.com

COMPANY:

DEPARTMENT OF WATER
RESOURCES

DATE:

10/19/99

FAX NUMBER:

334.2348

TOTAL NO. OF PAGES INCLUDING COVER:

3

PHONE NUMBER:

SENDER'S REFERENCE NUMBER:

RE:

DOUBLE O DAIRY
JOHN OORD

YOUR REFERENCE NUMBER:

☐ URGENT ☒ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

PER OUR CONVERSATION I AM ENCLOSING A COPY OF THE RECORDED WARRANTY DEED FROM MONTIERTH TO DOUBLE O DAIRY. PLEASE ASSIST MR. OORD IN TRANSFERRING WATER RIGHTS.

CC: JOHN OORD
922.9809

11/11/98

to whom it may concern:

RECEIVED

NOV 20 1998

Environmental Water Resources

I filled out the form you requested. I thought this was all taken care of when I received water right # 63-03196.

I am confused on this water right 63-03196 B + 63-03196 A

I will send copies of some paper-work I have. Please call me or write to me so that I know that everything is ok + is the dairies name.

Thank-you

John Oard / Double O Dairy

RECEIVED

NOV 25 1998

WATER RESOURCES
WESTERN REGION

NOV-06-96 11:16 AM DOUBLE O DAIRY

509 837 2006

P.01

NOV-06-1996 11:50 FROM STEWART TITLE-WIN ST.OFF TO

915058372006140

P.02

BUYER(S) FINAL CLOSING STATEMENT

Prepared by
Alliance Title & Escrow Corp.
1412 West Idaho Street
Boise, Idaho 83702-5245
(208) 336-6816

Buyer(s)..... DOUBLE O DAIRY
Seller(s)..... PIONEER 1031 COMPANY
Lender.....
Property..... NW4 & S2 SEC 15 T1N, R1W R2N, ID
Closing date... 11/06/1996 Proration date: 11/06/1996
File Number... 96063100

	DEBIT	CREDIT
SALES PRICE.....	850,000.00	
DEPOSITS:		
Earnest Money/Deposit from Buyer.....		15,000.00
REMITTER: DOUBLE O DAIRY		
ESCROW CHARGES:		
Escrow Fee - 1/2.....	375.00	
PAYEE...: ALLIANCE TITLE & ESCROW CORP.		
TITLE CHARGES:		
Lender's Title Policy.....	3,666.50	
Liability amount (MTP) \$1,950,000.00		
PAYEE...: ALLIANCE TITLE & ESCROW CORP.		
Endorsement to Mortgage Policy -	135.00	
100, 116 & 100 MOD		
PAYEE...: ALLIANCE TITLE & ESCROW CORP.		
RECORDING FEES/TRANSFER CHARGES:		
Recording Fee Deed amount \$6.00 D/T amount \$66.00	72.00	
PAYEE...: ALLIANCE TITLE & ESCROW CORP.		
.....SUBTOTALS:	854,238.50	15,000.00
.....BALANCE DUE FROM BUYER:		839,238.50
.....TOTALS:	854,238.50	854,238.50

WE APPROVE THE FOREGOING SETTLEMENT STATEMENT, IN ITS ENTIRETY, AUTHORIZE
PAYMENTS IN ACCORDANCE THEREWITH AND ACKNOWLEDGE RECEIPT OF A COPY THEREOF.

DATED THIS 6th DAY OF November IN THE YEAR 1996

DOUBLE O DAIRY

By: [Signature] By: _____

ALLIANCE TITLE & ESCROW CORP.

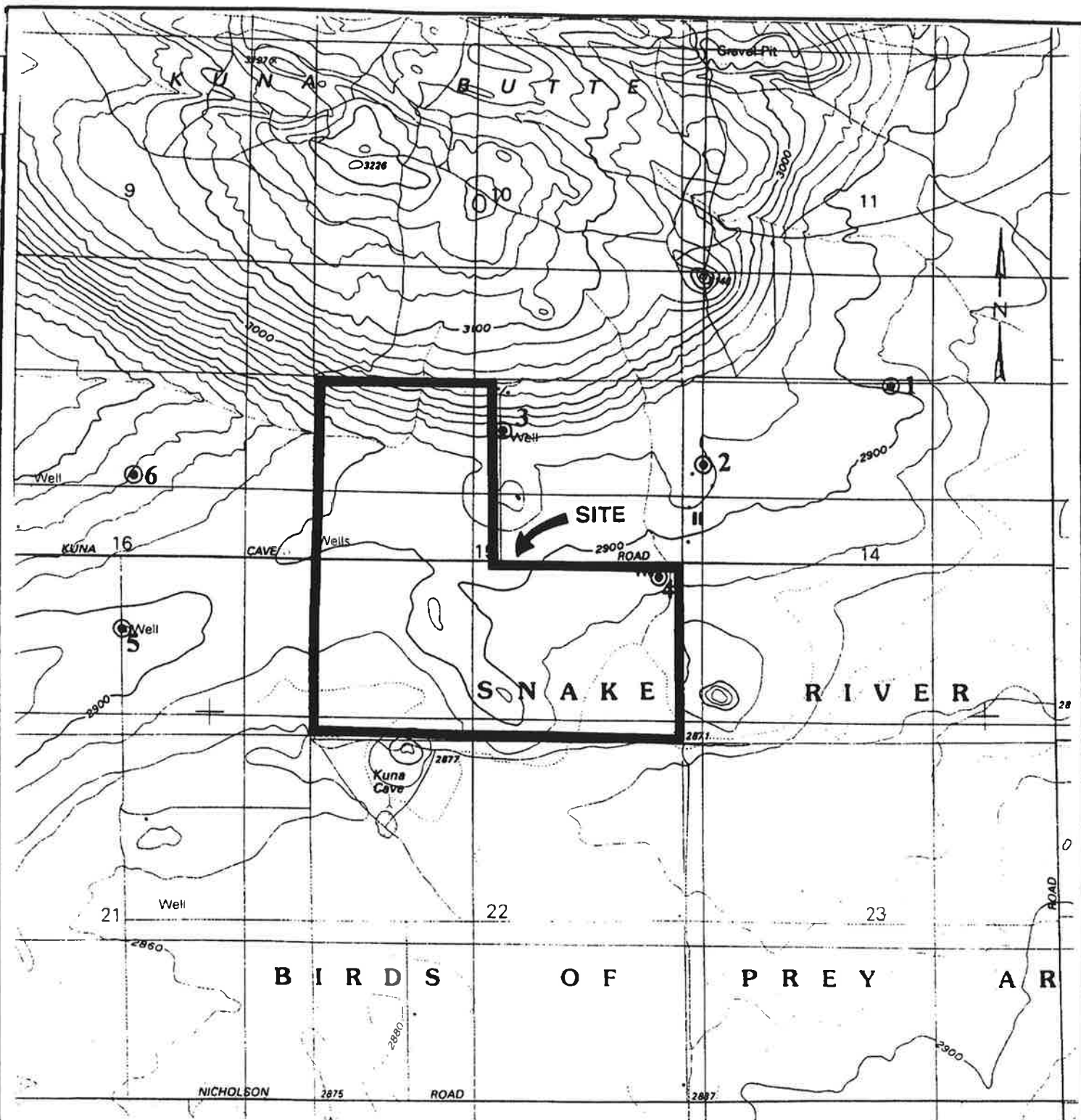
By: [Signature] DATE: 11/6/96

**EXHIBIT A
TO
MORTGAGE**

Legal Description

The Land is located in Ada County, Idaho, and is legally described as follows:

The Northwest quarter and the South half of Section 15, Township 1 North, Range 1 West, Boise Meridian, Ada County, Idaho



EXPLANATION

- Site Boundary
- 5 Water Supply Wells

Scale: 1 inch = 2,000 feet

QUADRANGLE LOCATION



Map adapted from USGS 7.5 Minute Topographic Map, Kuna, Idaho, 1992.

FIGURE 1 - Site Location Map

PROJECT NUMBER: 6580006.204	
DATE: 10/96	
DWG. CG	DWG NO:
PROJECT MANAGER: TPR	
REVISED	

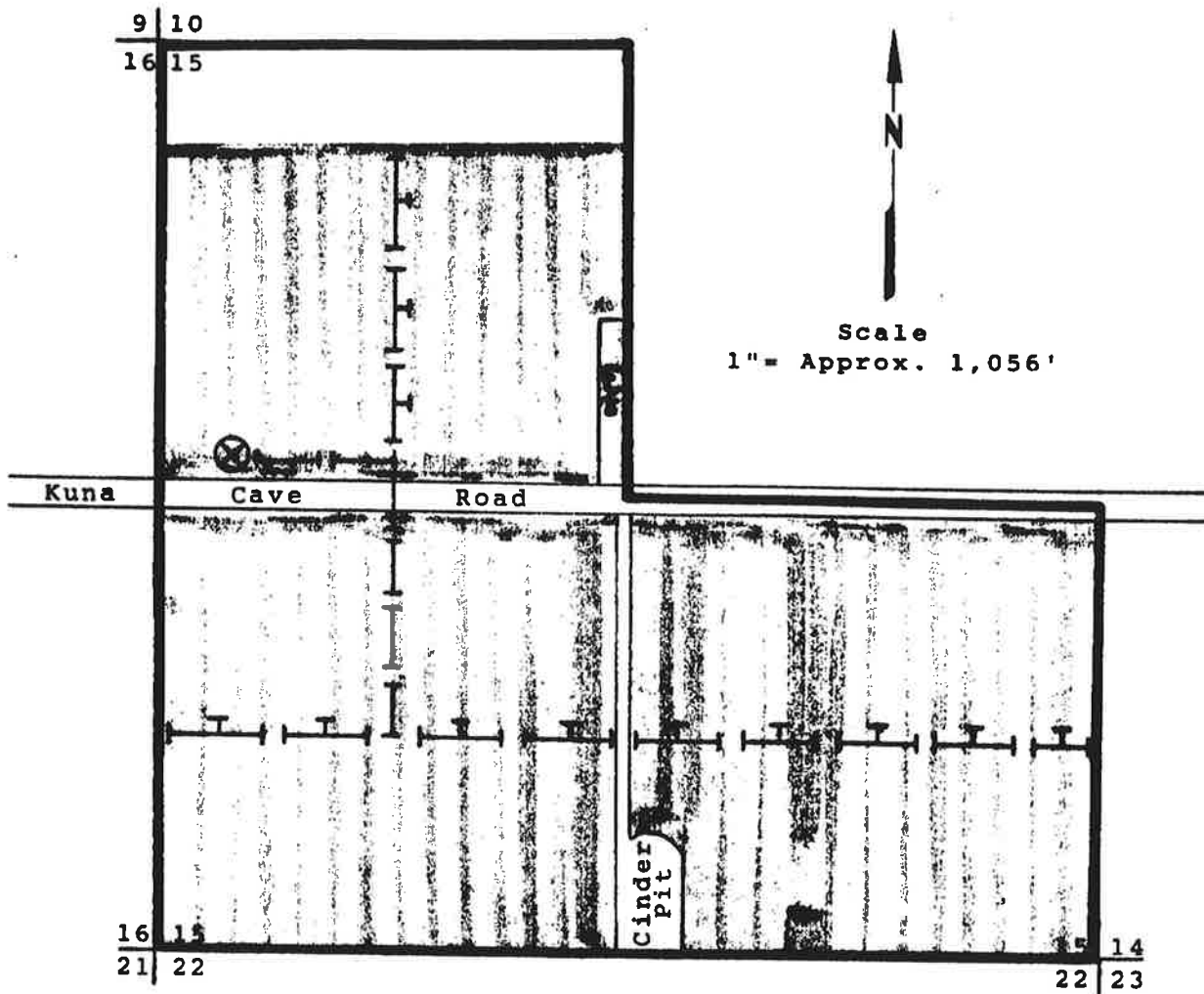
PHASE I ESA HERB MONTIERTH PROPERTY

T1N, R1W, S ½ Sec. 15, NW 1/4 Sec. 15



CASCADE EARTH SCIENCES, LTD
Oregon - Washington - Idaho

SUBJECT PROPERTY PLAT



Legend

-  Irrigation Well
-  Buried Mainline
-  Buried Mainline w/risers
-  Wheel Line Irrigated Land
-  Dry Land

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: **A63-03311** *SL*

Date Received: ~~8/17/1989~~ *1/13/1992*

Receipt No: *W014008*

Received By: *SL*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: H.R. MONTIERTH 208-922-4237
Address: 2409 W KUNA CAVE ROAD
KUNA ID 83634

2. Date of Priority: SEP 10, 1962

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	01W	15		SW	NW		ADA

5. Description of diverting works:
WELL, PUMP, & PIPELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.800		1260.00

7. Total Quantity Appropriated is:
4.800 C.F.S. (and/or) 1260.00 A.F.A.

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

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	01W	15	NE	NW		IRR	40.0
			NW	NW		IRR	35.0
			SW	NW		IRR	35.0
			SE	NW		IRR	35.0
			NE	SW		IRR	35.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	01W	15	NW	SW		IRR	35.0
			SW	SW		IRR	30.0
			SE	SW		IRR	35.0
Section Acres							280.0
Total Acres							280.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 30703

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 X 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): FR Monticith Date: 1-13-92

Date: _____

State of Idaho)
County of Ada) SS.

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

of January 19 92

Lori Harris
Notary Public

Seal

Residing at LORI HARRIS
RESIDING AT POISE, IDAHO
My Commission Expires MY COMMISSION EXPIRES DEC. 8, 1994

State of Idaho

WATER LICENSE

Water license No. 11-30703/63-3311 Priority September 10, 1962 Amount 4.8 c.f.s.

THIS IS TO CERTIFY, that Carl P. Buelma
 of Idaho, made application for a permit to appropriate the public waters of
 the State of Idaho, dated September 10, 1962, that Permit 11-30703/63-3311 was issued pursuant
 to said application; that the proposed works were completed on or about October 21, 1968
 with a storage or carrying capacity of 6.5 c.f.s., and works consisting of well, pump,
500 hp motor, vertical turbine sprinkler system and that on October 21, 1968
 proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 1.260
 acre feet per season, with a maximum rate of diversion of 4.8 cubic feet per second of the waters
 of ground water, tributary of _____
 for the purpose of irrigation from Section 1 to Section 1
 and for _____ from _____ to _____ and for
 _____ from _____ to _____ and for the use
 of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
 mation Engineer and entered in the records of the Idaho Department of Reclamation the point of diversion is
 located in _____ T. _____ S. _____ E. _____ Sec. _____, T. _____ S. _____ E. _____, R. _____, S. _____, B.M., and
 other additional points _____ in the County of _____
Ada, and that the amount of water to which such right is
 entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
 used for said purposes and shall not exceed 1.260 acre feet per year.

Description and location of place of use

Twp	Range	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2 N	2 E	25					40	35	35	35	35	35	30	35					250

Total number of acres irrigated 250

The right to the use of the water 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

10 day of November, 1969

State Reclamation Engineer

MICROFILMED

AUG 19 1992

30703

63-3311

63-3311

A63-03311

SRBA FEES FOR CLAIMS FILED 1/13/92 pg 1 of 2

ML3 shows notification for Montierth, Conn. Gen., & Many Pension
Late fees required.

* Claims for H.R. (HERB) Montierth should include RAY i/or Rod Montierth

NAME	CLAIM	ACRES	FEE	LATE FEE ^{1/}		TOTAL DUE - DOLLARS
				15%	v. 50	
CONN. GEN.	A61-07195	840	50+840	133.50	v. 50	50+840+133.50 = 1023.50
MONTIERTH *	A61-07207A	160	50+160	31.50	v. 50	50+160+50 = 260.00
CONN. GEN.	A61-07207B	320	50+320	55.50	v. 50	50+320+55.50 = 425.50
CONN. GEN.	A61-07210	480	50+480	79.50	v. 50	50+480+79.50 = 609.50
CONN. GEN.	A61-07265	157	50+157	31.05	v. 50	50+157+50 = 257.00
CONN. GEN.	A61-07274	200	50+200	37.50	v. 50	50+200+50 = 300.00
CONN. GEN.	A61-07298	160	50+160	31.50	v. 50	50+160+50 = 260.00
MONTIERTH *	A61-07306A	160	50+160	31.50	v. 50	50+160+50 = 260.00
CONN. GEN.	A61-07306B	80	50+80	19.50	v. 50	50+80+50 = 180.00
MONTIERTH *	A61-07390	640	50+640	103.50	v. 50	50+640+103.50 = 793.50
MONTIERTH *	A63-03150	140	50+97 ^{3/}	22.05	v. 50	50+97+50 = 197.00
MONTIERTH *	A63-03151B	43	50+0 ^{3/}	7.50	v. 50	50+50 = 100.00
MONTIERTH *	A63-03196B	149	50+149	29.85	v. 50	50+149+50 = 249.00
MONTIERTH *	A63-03198	150	50+146 ^{4/}	29.40	v. 50	50+146+50 = 246.00
MONTIERTH *	A63-03311	280	50+280	49.50	v. 50	50+280+50 = 380.00
MONTIERTH ^{HERB}	A63-07425	240	50+240	47.50	v. 50	50+240+50 = 340.00
MONTIERTH ^{DARLENE HERB}	A63-07429A	80	50+80	19.50	v. 50	50+80+50 = 180.00
MANY PENSION	A63-07427B	160	50+160	31.50	v. 50	50+160+50 = 260.00
MANY PENSION	A63-07753	320	50+320	55.50	v. 50	50+320+55.50 = 425.50
MONTIERTH *	A63-07982	109	50+0 ^{5/}	7.50	v. 50	50+50 = 100.00

MICROFILMED

AUG 19 1992

6,846.50

1/ Whichever is greater

2/ 43 acres paid for in claim A63-03151 by Wolske

3/ same as footnote #2

4/ 4 acres in SENG paid in claim ~~A63-03196~~ A63-03196B

5/ acres paid for in claims A63-03150 and A63-03151

↑
TOTAL
DUE

SL

SILBA FEES FOR CLAIMS FILED 1/13/92

<u>CLAIM</u>	<u>FEE</u>	<u>LATE FEE</u>	<u>TOTAL</u>
A61-07195	890	133.50	1023.50
A61-07207A	210	50.00	260.00
A61-07207B	370	55.50	425.50
A61-07210	530	79.50	609.50
A61-07265	207	50.00	257.00
A61-07274	250	50.00	300.00
A61-07298	210	50.00	260.00
A61-07306A	210	50.00	260.00
A61-07306B	130	50.00	180.00
A61-07390	690	103.50	793.50
A63-03150	147	50.00	197.00
A63-03151B	50	50.00	100.00
A63-03196B	199	50.00	249.00
A63-03198	196	50.00	246.00
A63-03311	330	50.00	380.00
A63-07425	290	50.00	340.00
A63-07427A	130	50.00	180.00
A63-07427B	210	50.00	260.00
A63-07753	370	55.50	425.50
A63-07982	50	50.00	100.00

TOTAL \$ 5669 + \$ 1177.50 = \$ 6846.50

MICROFILMED

AUG 19 1992

Draft

✓ Dpr
10/31/05
10/26/2005

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

RIGHT NUMBER: 63-3311

NAME AND ADDRESS: JOHN OORD
DBA DOUBLE O DAIRY
2101 W KUNA CAVE RD
KUNA ID 83634

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 4.800 CFS
1,260.000 AFY

PRIORITY DATE: 09/10/1962

POINT OF DIVERSION:

T01N R01W S15 SWNW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	4.800 CFS 1,260.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 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 ADA County

T01N R01W S15	NENW	40.0	T01N R01W S15	NWNW	35.0
T01N R01W S15	SWNW	35.0	T01N R01W S15	SENW	35.0
T01N R01W S15	NESW	35.0	T01N R01W S15	NWSW	35.0
T01N R01W S15	SWSW	30.0	T01N R01W S15	SESW	35.0

280 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.

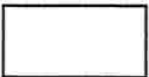
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

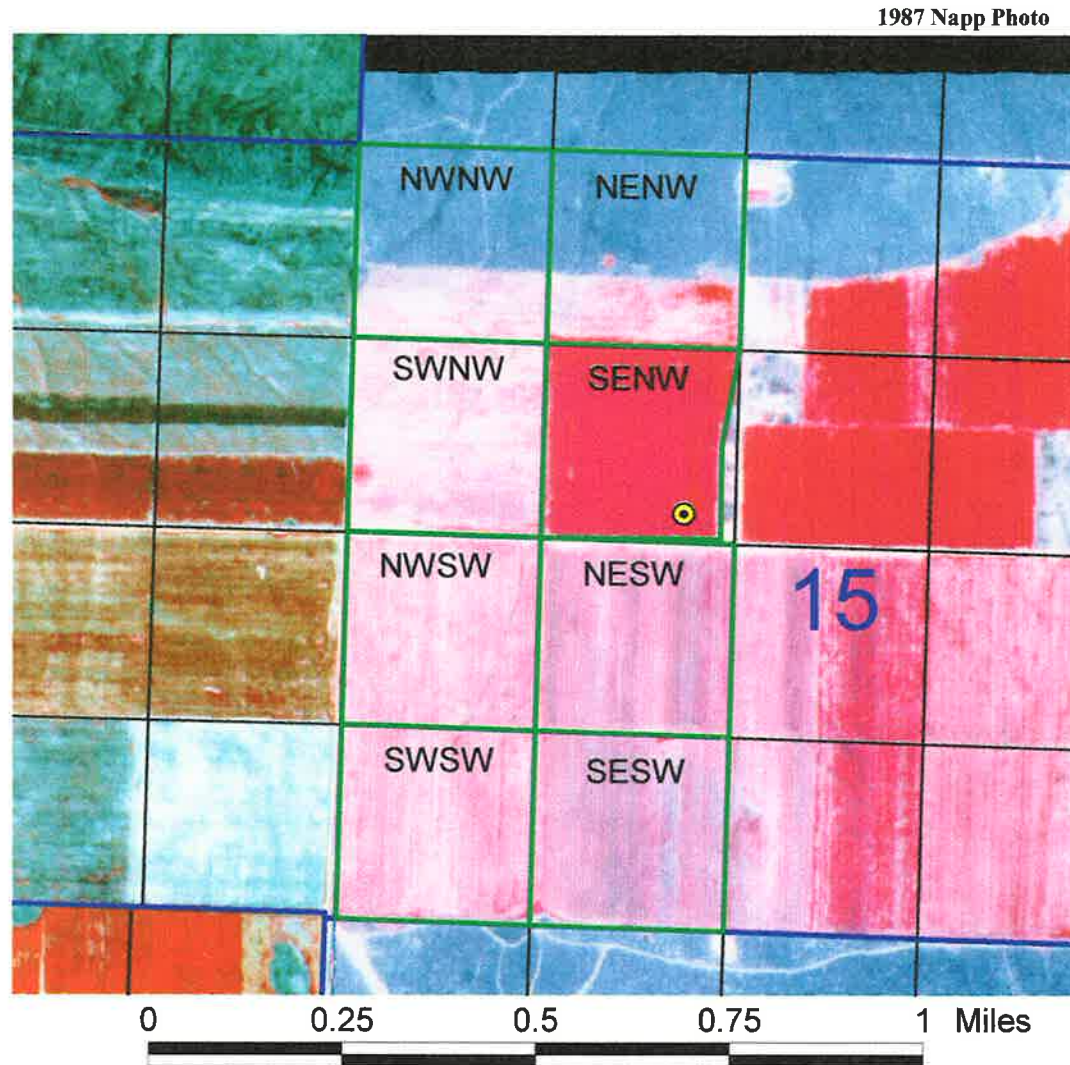
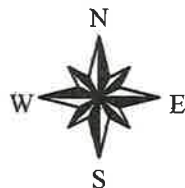
Idaho Department of Water Resources

Claim Number: 63-03311

Legal: T01N, R01W, S15

Reviewed By: *DAVE TUTHILL*

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



Draft

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-3311 V1

WATER RIGHT NUMBER: 63-3311 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	HERBERT R MONTIERTH JR 825 HEARTLAND DR NAMPA, ID 83686 (208)463-8163
Current Owner	JOHN OORD DBA DOUBLE O DAIRY 2101 W KUNA CAVE RD KUNA, ID 83634 (208)922-9808
Original Owner	CARL F ESHELMAN RT 1 KUNA, ID 83634

Priority Date: 09/10/1962

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	4/01 to 11/01	4.800 CFS	1,260.00 AF
	<u>Total Diversion:</u>	4.800 CFS	1,260.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NW1/4	Sec. 15, Twp 01N, Rge 01W, B.M.
ADA 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	
01N	01W	15					40.0	35.0	35.0	35.0	35.0	35.0	30.0	35.0					280.0

Total Acres: 280

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 63-3311 V1

1. Purpose of Use 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 1 AND AFTER NOVEMBER 1 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.

Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 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	11/30/2004 2:46:33 PM	awarntje			Active
Priority Date	11/30/2004 2:47:36 PM	awarntje			Active
Source	11/30/2004 2:47:58 PM	awarntje			Active
POU	11/30/2004 2:55:48 PM	awarntje			Active
POD	11/30/2004 2:57:36 PM	awarntje			Active
Use	11/30/2004 2:58:04 PM	awarntje			Active
Season	11/30/2004 3:01:07 PM	awarntje			Active
Quantity	11/30/2004 3:02:38 PM	awarntje			Active
Summary			11/30/2004	awarntje	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 63-3311 V1

Source	11/30/2004 2:47:58 PM	awarntje	(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	11/30/2004 2:49:45 PM	awarntje	Edited shape boundary
POU	11/30/2004 2:50:40 PM	awarntje	Edited shape boundary
POU	11/30/2004 2:55:48 PM	awarntje	(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?
POD	11/30/2004 2:57:36 PM	awarntje	(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	11/30/2004 2:58:04 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	11/30/2004 3:01:07 PM	awarntje	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3311 V1

Quantity	11/30/2004 3:02:38 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required?
Summary	11/30/2004 3:03:30 PM	awarntje	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Contacts	11/30/2004 2:46:34 PM	awarntje	(No) 1. Do you want to schedule an appointment?
Priority Date	11/30/2004 2:47:36 PM	awarntje	Comment for 1: Sufficient info in file (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?
POU	11/30/2004 2:53:46 PM	awarntje	Edited shape boundary
POD	11/30/2004 2:57:16 PM	awarntje	Edited point location

AJ5809NP
No. A63-03311

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/13/00
PAGE: 68

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN OORD DBA DOUBLE O DAIRY 2101 W KUNA CAVE RD KUNA ID 83634 (208) 922-9808	09/10/1962	IRRIGATION	04-01 11-01	4.800 CFS	1260.00 AFA
					TOTAL DIVERSION:	4.800 CFS
					CONSUMPTIVE USE:	1260.00 AFA 980.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T01N R01W S15 SWNW

ADA County

Place of use Legal Description for: IRRIGATION

		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		
01N	01W 15					40	35	35	35	35	35	30	35					280.0	
																		TOTAL ACRES	280.0

POU County: ADA

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A63-07427E A63-07753A

Remarks: GEN OWNERSHIP CHANGED BY DB 10/21/99.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 01/14/92 LESTER 03/02/93 FRAZEE 03/17/93 FRAZEE 03/30/95 POST-STD
07/03/96 SSHERMAN 09/12/96 SSHERMAN 10/21/99 DBUFFING

WATER LICENSE

Water License No. G-30703/63-3311 Priority September 10, 1962 Amount 4.8 c.f.s.

THIS IS TO CERTIFY, that Carl F. Eshelman
of Kuna, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated September 10, 1962; that Permit G-30703/63-3311 was issued pursuant
to said application; that the proposed works were completed on or about October 21, 1968,
with a storage/or carrying capacity of 6.5 c.f.s., said works consisting of well, pump,
500 hp motor, vertical turbine sprinkler system; and that on October 21, 1968,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 1,260
acre feet per season, with a maximum rate of diversion of 4.8 cubic feet per second of the waters
of ground water, tributary of _____,
for the purpose of irrigation from April 1 to November 1;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, T. 1 N, R. 1 W, B.M., and
other additional points _____, in the County of
Ada; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 1,260 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>1 N</u>	<u>1 W</u>	<u>15</u>					<u>40</u>	<u>35</u>	<u>35</u>	<u>35</u>	<u>35</u>	<u>35</u>	<u>30</u>	<u>35</u>					<u>280</u>

Total number of acres irrigated 280

The right to the use of the water 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

10 day of November, 1969.

R. Keith Hight
State Reclamation Engineer

63 3311

30703

63-3311

63-3311

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 38785
Permit No. G- 30703
District No.

1. Name of Applicant: Carl F. Eshelman
Postoffice address: Route #1, Kuna County: Ada State: Idaho
2. Quantity of water claimed: 4.8 cubic ft. per sec.
 - (a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches 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 SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 15
Twp. 1 No. , Rge. 1 W. , B.M., County of Ada
5. Water is to be used for: Irrigation
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
8. Estimated cost of works: \$ 20,000
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 onhand: \$
(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: None
 - (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) 4.8 (cubic feet per second, inches or gallons per minute) is for new lands.

Twp.	Range	Sec.	NE¼	NW¼	SW¼	SE¼	Totals
			NE¼ NW¼ SW¼ SE¼	NE¼ NW¼ SW¼ SE¼	NE¼ NW¼ SW¼ SE¼	NE¼ NW¼ SW¼ SE¼	
1 No.	1 W.	15		h0 h0 h0 h0	h0	h0	2h0
Application for Amendment LAND LIST Permit No. G-30703 Comes now CARL F. ESHELMAN, and represents to the State Reclamation Engineer of the State of Idaho: That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-30703, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: W½, Sec. 15, Twp. 1 N., Rge. 1 W., B. M., making a total Of 320 acres. That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change. Signed at Kuna, Idaho, this 3 day of April, 1963. s/ CARL F. ESHELMAN Date of receipt at office of Department of Reclamation: April 5, 1963 APPROVAL OF STATE RECLAMATION ENGINEER I, RALPH W. THOMAS, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. G-30703. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby. s / RALPH W. THOMAS Deputy State Reclamation Engineer Recorded April 5, 1963							

CARL F. ESHELMAN EXTENSION OF TIME

I, Jack A. Barnett, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above application for extension of time for Permit G-30703, extending the time to December 30, 1968.

Witness my hand this 10th day of October, 1967.

/s/ JACK A. BARNETT,
Deputy State Reclamation Engineer

Recorded: 10-10-67

APPLICATION FOR AMENDMENT ✓

Comes now Carl E. Eshelman and represents to the State Reclamation Engineer of the State of Idaho, That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-30703, and requests that the permit be changed as follows:

2. Point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 15, T 1 N., R 1 W., B.M.

3. Period and nature of use:

For irrigation purposes from April 1 to November 15, (both dates incl.)

That no one will be injured by such change and that such change will be made at Permit Holder's own risk.

Signed at Boise, Idaho this 20th day of November, 1967.

/s/ CARL F. ESHELMAN

Date of receipt at office of Department of Reclamation: November 20, 1967.

ACTION OF STATE RECLAMATION ENGINEER

I, R. Keith Higginson, State Reclamation Engineer of the State of Idaho, hereby approve the above application for amendment for Permit G-30703.

Witness my hand this 21st day of November, 1967.

/s/ R. KEITH HIGGINSON
State Reclamation Engineer

LICENSE ISSUED FOR 4.8 SEC. FT.
LICENSE PAGE NO. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR AMENDMENT

Department of Reclamation

Permit No. G-30703

Comes now CARL F. ESHELMAN
and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G30703, and requests that the permit be changed as follows:

1. Place of use or land to be irrigated: _____

2. Point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, T. 1N, R. 1W, B.M.
Other points of diversion _____

3. Period and nature of use:
For IRRIGATION purposes from Apr. 1 to Nov. 15 (both dates incl.)
For _____ purposes from _____ to _____ (both dates incl.)
For _____ purposes from _____ to _____ (both dates incl.)

4. Other: _____

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at BOISE, IDAHO this 20th day of NOVEMBER, 19 67

x Carl F. Eselman
(signature)

Date of receipt at office of Department of Reclamation November 20, 19 67

ACTION OF STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, State Reclamation Engineer of the State of Idaho, hereby approve the above application for amendment for Permit G-30703.

Witness my hand this 21st day of November, 19 67.

R. Keith Higgins
State Reclamation Engineer

30703

Rec fee \$1.00
plus to Ref M 1.50
75% per copy 2.50

Application for Amendment

LAND LIST

Permit No. G-30703

RECEIVED

APR 5 1963

Department of Reclamation

Comes now Carl F. Eshelman

, and represents

to the STATE RECLAMATION ENGINEER of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-30703, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

W $\frac{1}{2}$ Sec. 15., Twp. 1 N., Rre. 1 W.F.M.

making a total of 320 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Kona, Idaho this 3 day of April, 1963

Date of receipt at office of Department of Reclamation April 5, 1963

APPROVAL OF STATE RECLAMATION ENGINEER

Ralph W. Thomas, Deputy

I, ~~OFFICE OF STATE RECLAMATION ENGINEER~~, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-30703. His approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Recorded in Book 108
of Permits, Page 30703
April 5, 1963

Ralph W. Thomas
Deputy
State Reclamation Engineer

30703

Source of supply Sub.
a tributary of ~~SW 1/4 NW 1/4 Sec 15~~ NW 1/4
Location of P.D.(s) SW 1/4 NW 1/4 Sec 15 NW 1/4

Water is used for IRRIGATION
Quantity of water found 6.5 CFS 325"
How was the measurement made? Pressure gage
Measurement calculations

Line 1 - 42.5	Line 11 - 36	Average Pressure
" 2 - 49.5	" 12 - 36	40.12 5/32 Noz.
" 3 - 46.5	" 13 - 40	660 Noz.
" 4 - 48.5	" 14 - 42	4.45 g.p.m.
" 5 - 42.5	" 15 - 37.5	
" 6 - 33.4	" 16 - 36.7	$Q = \frac{(660 \text{ Noz} \times 4.45 \text{ gpm})}{14.88 \text{ gpm}} = 6.55 \text{ cfs}$
" 7 - 45.7	" 17 - 38	
" 8 - 34	" 18 - 35.7	
" 9 - 44.5	" 19 - 42	
" 10 - 36.5	" 20 - 35	
423.6	378.9	

Diversion works description and diagram

500 h.p. General Electric Ser. ACJ 118004 with Layne & Bowler Pump Ser. 44548 16" Discharge with gate VALVE INTO SPRINKLER SYSTEM.

Indicate area irrigated in each subdivision on the map. 8
Total acreage irrigated 280 Acres

If water is used for purposes other than irrigation, fully describe how the water is used and what is done with it after the use.

Who represented the permit holder at the examination?

MR. ESTELMAN

Recommended allowance for licensing 5.6 6.5 cfs 325"

Description of required amendments. Comments.

IRRIGATION RECOMM. ALLOWANCE = 4.5 AC-FT/ACRE/SEASON

Report checked? ~~ESTELMAN~~

Examination date 16 MAY 69 P.m.

Signature

30703
63-3311

	35	40	75
	35	35 R.O.	70
	35	35	70
	30	35	$\frac{65}{280}$
2260 - 280 acres			
SUBD - 8			
Q - Allow. 4.8 c.f.s.			
VOL - 1260 ACFT / SEASON max			
PRIORITY -			

Permit No. 63 63-39703

Name of Applicant Carl F. Esheleman, Route 1, Kuna, Idaho 83634

Source of Water Sub.

a tributary of _____

Location of P.D. SW 1/4, Sec. 15, T. 1 N, R. 1 W, P.M., Ada County.

Water is used for Irrigation

Quantity of water claimed: Permit 4.8 c.f.s. Depositions 4.8 c.f.s.

Type of measuring device installed or method of measurement and general description of diversion works 500'x20", 500 hp. electric motor, vertical turbine sprinkler system, 13 quarter mile laterals, 5/32" buckner at approx. 55 lbs. at nozzle and 75-80 lbs. at the pump
Q checked with orifice by Layne Pump Co.

Land to be irrigated or place of use:

TWP.	RGE.	SEC.	Description
1 N	1 W	15	W _{1/2}

Filed - September 10, 1962

Due - December 30, 1968

Made - October 21, 1968

Priority - September 10, 1962

Total acreage 320 permit 220 deposition

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and acreage covered by subdivision; also show land covered on the map.)

None



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 13, 2002

JOHN OORD
2101 W KUNA CAVE RD
KUNA ID 83634

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 63-3311 & 63-3196D

Dear Property Owner(s):

Thank you for advising the Department of the upcoming changes regarding the above referenced water right claims. Enclosed are copies of the claims for your review.

As we discussed over the phone, before we can modify our records to reflect correct ownership of these water right, we need to have the enclosed Notice of Change of Water Right Ownership form completed. Please relay this information to the new owner(s) and have them review the instructions, complete the form and return to this office with all of the required information.

If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB: db

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

August 18, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DOUBLE O DAIRY
2101 W KUNA CAVE RD
KUNA ID 83634

RE: Notice of Change of Water Right Ownership No. A63-03311, A63-03196B

Dear Property Owners:

Enclosed is a copy of your Notice of Change of Water Right Ownership form that you recently submitted to our office. However, we cannot continue to process the ownership change without additional proof of ownership. This proof can be a copy of a Warranty Deed(s), sales contract or tax assessment in your name(s) which includes the legal description of the property by ¼ ¼, Section, Township and Range. Our records show H R Montierth as the current owner. The Closing Statement submitted indicates the seller as Pioneer 1031 Company.

Please submit this information, and we will be able to complete the ownership change.

Thank you for your patience and cooperation, as we have had several ownership changes to process. Feel free to contact our office if you have any questions concerning this letter.

Sincerely,

Adjudication Section
Western Region
(208) 334-2190

DB:d

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

January 17, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RE: Verification of Water Rights

Dear Interested Party:

Enclosed are report copies of Water Right License Nos. 63-03196 and 63-03311, which are appurtenant to lands in Section 15, T01N R01W, Ada County, Idaho.

Also on file at this Department is an Application for Transfer of Water Right, in the name of John Oord, which proposes to change a portion of right no. 63-03196 within SE $\frac{1}{4}$ Section 15 to commercial use for a dairy. This application is presently being processed.

If you have questions about these records, please feel free to contact me at 208-334-2190.

Sincerely,

Cindy Hodges
Sr. Water Resource Agent

Enclosures

drilling permit

Revolving

Pam Skaggs

208-327-7943

Nox bux

End work

2 weeks -

March 17

Jim Johnson

327-7947

FAX 327-7866

Water Right Number - A63-03311

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number - 30703

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

*** C - CURRENT OWNER ***
MONTIERTH

H R

1 - 2409 W KUNA CAVE ROAD
2 -
3 -
City- KUNA
Phone - 208-922-4237

State- ID Zip- 83634

*** O - ORIGINAL OWNER ***
ESHELMAN

CARL F

1 - RT 1
2 -
3 -
City- KUNA
Phone - 208-000-0000

State- ID Zip- 83634

+ - - Priority Date - - +
09/10/1962+ - - Region - - - +
14 WESTERN+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

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

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

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name

01N 01W 15 SW NW (1) ADA

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 4.800 1260.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
4.800 1260.00 980.0+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
01N 01W 15 NE NW 40.0 01 IRRIGATION (1) ADA
01N 01W 15 NW NW 35.0 01 IRRIGATION (1) ADA
01N 01W 15 SW NW 35.0 01 IRRIGATION (1) ADA
01N 01W 15 SE NW 35.0 01 IRRIGATION (1) ADA
01N 01W 15 NE SW 35.0 01 IRRIGATION (1) ADA
01N 01W 15 NW SW 35.0 01 IRRIGATION (1) ADA
01N 01W 15 SW SW 30.0 01 IRRIGATION (1) ADA
01N 01W 15 SE SW 35.0 01 IRRIGATION (1) ADA

Total Acres: 280.0

+ - - Diversion Means - WELL, PUMP, & PIPELINES

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

Water right number - A63-03311

Prefix Translation: ADJUDICATION CLAIM

+ - - - - - 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

+ - - Audit Fields - 01/14/92 LESTER 03/02/93 FRAZEE 03/17/93 FRAZEE 03/30/95 POST-STD 07/03/96 SSHERMAN
09/12/96 SSHERMAN

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

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 01/14/1992	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- W014008	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	-	Notice of Error Flag	-

From: DWR03::SSHERMAN 12-SEP-1996 10:18:57.04
To: DWR80::JSHURTE
CC: SSHERMAN
Subj: MONTIERTH PAYMENT

HI JAN! HERB MONTIERTH CAME IN LAST NIGHT AND PAID HIS CLAIMS
OFF. REC'T C036534.

THIS MORNING I UN-REJECTED THE FOLLOWING CLAIMS:

A63-07982, A63-07425, A63-03311, A63-03198, A63-03196B,
A63-03151B, A63-03150, A63-07427A, A61-07390, A61-07360A
AND A61-07207A.

HAVE A GOOD W/E! ...SAL

Water Right Number - A63-03311

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number - 30703

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

*** C - CURRENT OWNER ***
MONTIERTH

H R

1 - 2409 W KUNA CAVE ROAD
2 -
3 -
City- KUNA
Phone - 208-922-4237

State- ID Zip- 83634

*** O - ORIGINAL OWNER ***
ESHELMAN

CARL F

1 - RT 1
2 -
3 -
City- KUNA
Phone - 208-000-0000

State- ID Zip- 83634

+ - - Priority Date - - +
09/10/1962

+ - - Region - - - +
14 WESTERN

+ - - Stage - - - +

+ - - Status - - - +
X - REJECTED

+ - - - - Source - - - - - +
GROUNDWATER
REJECTED

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

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name

01N 01W 15 SW NW (1) ADA

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

01 - IRRIGATION 04/01 11/01 4.800 1260.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
4.800 1260.00 980.0

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

01N	01W	15	NE NW		40.0	01	IRRIGATION	(1) ADA
01N	01W	15	NW NW		35.0	01	IRRIGATION	(1) ADA
01N	01W	15	SW NW		35.0	01	IRRIGATION	(1) ADA
01N	01W	15	SE NW		35.0	01	IRRIGATION	(1) ADA
01N	01W	15	NE SW		35.0	01	IRRIGATION	(1) ADA
01N	01W	15	NW SW		35.0	01	IRRIGATION	(1) ADA
01N	01W	15	SW SW		30.0	01	IRRIGATION	(1) ADA
01N	01W	15	SE SW		35.0	01	IRRIGATION	(1) ADA

Total Acres: 280.0

+ - - Diversion Means - WELL, PUMP, & PIPELINES

+ - - Non-Irrigation Use -

Prefix Translation: ADJUDICATION CLAIM

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 01/14/1992	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- W014008	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	-	Notice of Error Flag	-

From: DWR03::SSHerman 3-JUL-1996 13:55:19.65
To: DWR80::JSHURTE
CC: SSHerman
Subj: MONTIERTH UPDATE

HI JAN. TODAY I COMPLETED REJECTING ALL OF H.R. MONTIERTH'S CLAIMS, AT DON'S REQUEST. THESE INCLUDE THE NOTICES OF CLAIM SHOWING TIPPETT LAND & MORTGAGE AS "L" OWNER AND CONNECTICUT GENERAL AS "C" OWNER IN BASIN 61. RATHER THAN TYPE EACH W/R NUMBER HERE, I FAXED YOU THE CALC OF INTEREST AND PRINCIPAL DON DID 4/2/1996, WITH MY NOTES ON IT SHOWING HIM (AND YOU) WHAT CLAIMS HAVE BEEN REJECTED.

...SAL

From: DWR03::SSHerman 3-JUL-1996 08:13:08.74
To: DWR80::JSHURTE
CC: SSHerman
Subj: MONTIERTH

HI JAN. JUST WANTED TO LET YOU KNOW I REJECTED ("X" STATUS")
NOTICES OF CLAIM A63-07427A AND -07753 YESTERDAY. LETTER COPY IS
IN MAIL TO YOU.

TODAY I WILL REJECT ALL CLAIMS OF H.R. MONTIERTH. THIS IS, OF
COURSE, FOR INSUFFICIENT FEES.

HOPE U HAVE A GREAT HOLIDAY W/E-- STAY KOOL!

CALCULATION OF INTEREST AND PRINCIPAL

02-Apr-96

NAME: H. R. (HERB) MONTIERTH (MONTIERTH FARMS)

AR Acct. No. C000037 ORIG. FEE 5669.00 LATE FEES 1177.50

LAST DUE	01-Jan-95				
REC'T NO.	DATE REC'D	AMT. REC'D	PRIN REC	INT. REC	LATE INT
W014000	14-Jan-92	1369.30	1132.80		
W014159	19-Feb-92	942.00			
W016011	10-Mar-93	1571.17	1104.53	437.37	29.27
C029648	18-Feb-94	1500.74	1133.80	343.07	23.87
C031969	12-Jan-95	1363.49	1133.80	229.69	
C035211	02-Apr-96	11.58	10.50	1.08	

TOTALS 6758.28 4516.43 1011.21 53.14

TOTAL INT = 1064.35

REMAIN PRIN 1152.57
 PRIN DUE 1152.57
 BEG INT DATE 01-Jan-95
 END INT DATE 01-Jan-96
 DAYS IN PERIOD 365
 7190 PRIN 1152.57
 6890 INT 115.26
 SUB TOTAL 1267.83
 6890 LATE 32.30
 BAL DUE 1300.13

	MONTIERTH	MONY	CONN GEN	TOTALS
CLAIM FEES	2502.00	580.00	2587.00	5669.00
01/01/95	1972.33	464.00	2069.60	4505.93
BALANCE	529.67	116.00	517.40	1163.07
DUE 1/01/95				
PRIN	529.67	116.00	517.40	1163.07
INT.	52.97	11.60	51.74	116.31
TOTAL	582.64	127.60	569.14	1279.38
LATE INT.	28.39			
PAY FULL	611.03	127.60	569.14	1307.77

R A61-07207A P KAY 210.00 A63-07753R-MEL 370.00 A61-07195 PR 830.00
 R A61-07306A P " 210.00 A63-07427B SPLIT(MEL) A61-07207B P KAY 370.00
 R A61-07390 P " 690.00 R A63-07427C (MEL) " 145.00 A61-07210 R - " 530.00
 R A63-03150 RAY 147.00 A63-07427D - " 65.00 A61-07265R P KAY 207.00
 R A63-03151B " 50.00 A61-07274R E-KAY 250.00
 R A63-03196B-MEL-199.00 A61-07298R P-KAY 210.00
 R A63-03198 - " - 196.00 A61-07306B P KAY 130.00
 R A63-03311 - " - 330.00
 R A63-07425 - " - 230.00
 A63-07427AR - " - 130.00
 R A63-07982 - RAY 50.00

TOTALS 2502.00 580.00 2587.00

Conn Gen. (Tippet (4M))

FAX'd to Jan - Sen + her E-mail
 abv.
 all X status
 except Slegers' 63-07427D
 which they pd.
 & Records

Date 7-3	Post-it Fax Note 7671
# of pages 1	To Jan
From	Co
Phone #	Phone #
Fax #	Fax #



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 6, 1992

H.R. (Herb) Montierth
2409 West Kuna Cave Road
Kuna, ID 83634

Re: Snake River Basin Adjudication (SRBA)
AR #C000037

Dear Mr. Montierth:

By your failure to pay the late fees as requested in my January 17, 1992, letter to you, the adjudication staff will continue processing only four of the claims (A63-07427A, A63-07427B, A63-07753, A63-07982). All the others listed below will go in a rejected status until such time as the late fees are paid.

A61-07195	A61-07207A	A61-07207B
A61-07210	A61-07265	A61-07274
A61-07298	A61-07306A	A61-07306B
A61-07390	A63-03150	A63-03151B
A63-03196B	A63-03198	A63-03311
A63-07425		

The staff is beginning the early phases of investigating claims in Basin 61 where a bulk of your claims subject to the late fees are located. Of course, no recommendation of the rejected claims can be made in the reports for Basin 61 that are scheduled for release later this year and early next year. Such timing requires investigating claims for irrigation use in Basin 61 during the coming growing season.

I believe you can appreciate the urgency to complete the filing process. Upon receipt of your payment of \$942.00, the subject claims can be investigated. Thank you for attending to this matter as quickly as possible.

If your payment is in the mail, we apologize for this letter.

Regards,

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:state:western
cc: S. Lester

MICROFILMED

AUG 19 1992

Receipt

W 014159

82 ✓ Paid 2/14/92 \$942