

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: **A63-09262**
Date Received: 4/16/1990
Receipt No: C016287
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: KATHERINE L HYATT
Address: 3400 2ND LANE E
PARMA ID

83660

AND/OR

Name: JEFFERY A HYATT
Address: 3400 2ND LANE E
PARMA ID

83660

2. Date of Priority: JUL 11, 1979

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	05W	34		SW	SW		PAYETTE

5. Description of diverting works:
WELL, PUMP & SPRINKLER PIPE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/15	11/15	1.880		

7. Total Quantity Appropriated is:
1.880 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
06N	05W	3	NE	NW	3	IRR	45.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	05W	3	NW	NW	4	IRR	25.0
						Section Acres	70.0
07N	05W	34	SW	SW		IRR	40.0
			SE	SW		IRR	40.0
						Section Acres	80.0
						Total Acres	150.0

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:
63-3606

14. Remarks:
OWNERSHIP CHANGED BY KW 6/6/1994.
OWNERSHIP CHANGED BY LH 7/21/97.

15. Basis of Claim: LICENSE



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

March 20, 1998

KATHERINE & JEFFERY HYATT
3400 2ND LANE E
PARMA ID 83660

Correct

RECEIVED
MAR 30 1998
Department of Water Resources

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Re: Snake River Basin Adjudication (SRBA)
Water Right No. A63-29980, A63-03606, A63-08081A, A63-08081B,
A63-08117, A63-09262
Change of Address

Dear Water Right Holder:

IDWR has been notified the address presently on our records is incorrect. Although we have reached you at the address above we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your claim or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office postmarked by April 10, 1998. Make corrections to your name and address if necessary before returning this letter. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change of ownership of any of the properties connected with the water right referenced above, please call this office toll-free at 1-800-451-4129 to obtain a form to make this required change to the water right records.

Yours truly,

Sandy Egbert

Sandy Egbert
Clerical Specialist

The address is correct as shown above or as otherwise changed.

Katherine Hyatt

Signature of water right claimant

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

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

**COPY FOR
YOUR FILES**

1. Name: KATHERINE L HYATT 412-458-4711
Address: 425 GROVE CITY RD
SLIPPERY ROCK PA 16057

AND/OR

Name: JEFFERY A HYATT 412-458-4711
Address: 425 GROVE CITY RD
SLIPPERY ROCK PA 16057

2. Date of Priority: JUL 11, 1979

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07N	05W	34	SW	SW			PAYETTE

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7. Total Quantity Appropriated is:
1.880 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 of	Lot	Use	Acres
06N	05W	3	NE	NW	3	IRR	45.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	05W	3	NW	NW	4	IRR	25.0
						Section Acres	70.0
07N	05W	34	SW	SW		IRR	40.0
			SE	SW		IRR	40.0
						Section Acres	80.0
						Total Acres	150.0

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13. Other Water Rights Used:
63-3606

14. Remarks:
OWNERSHIP CHANGED BY KW 6/6/1994.
OWNERSHIP CHANGED BY LH 7/21/97.

15. Basis of Claim: LICENSE

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED**JUN 11 1997****NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP****WATER RESOURCES
WESTERN REGION**

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

1. Water Right No(s): See attached
 Adjudication Claim No(s): _____
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 attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Paradise Ridge Orchard Co
5875 Fir Mountain Road, Hood River, OR 97031
4. New Owner/Claimant(s) Katherine L. Hyatt & Jeffrey A. Hyatt
 Name Connector (Check one): ☐ and, ☐ or ☒ and/or
 New Mailing Address 425 Grove City Road
 City, State and ZIP Code Slippery Rock, PA 16057
 New Telephone Number (412) 458-4711
5. Date you acquired the property 6/6/97
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 you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ 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 or Claimant(s) Katherine L. Hyatt
Jeffrey A. Hyatt
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

FA8682 155,156,156-1,157,
157-2,159,1136-1,1141,
1141-1 & 1142-1

DEED

RECEIVED

JUL 16 1997

WATER RESOURCES
WESTERN REGION

For Value Received

PARADISE RIDGE ORCHARD CO.,
a corporation duly organized and existing under the laws of the State
of Idaho, grantor,
does hereby GRANT, BARGAIN, SELL AND CONVEY unto

KATHERINE L. HYATT AND JEFFERY A. HYATT, MOTHER AND SON,
UNMARRIED PERSONS

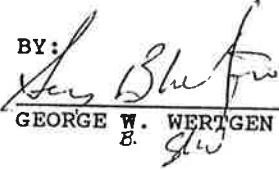
whose current address is

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TO HAVE AND TO HOLD the said premises, with their appurtenances unto
the said grantees, heirs and assigns forever. And the said grantor
does hereby covenant to and with the said grantees that they are the
owner in fee simple of said premises; that they are free from all
encumbrances,
excepting reservations, easements, encumbrances, restrictions and
rights of way appearing of record and/or existing and that they will
warrant and defend the same from all lawful claims whatsoever.
IN WITNESS WHEREOF The Grantor, pursuant to a resolution of its Board
of Directors has caused its corporate name to be hereunto subscribed
by its President and its corporate seal to be affixed by its Secretary
this 9TH DAY OF JUNE

BY:


GEORGE W. WERTGEN

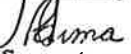
PRESIDENT

STATE OF IDAHO, COUNTY OF PAYETTE

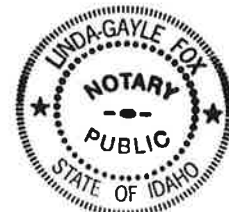
On this 9TH day of JUNE, 1997, before me, a
notary public in and for the said State, personally appeared
GEORGE W. WERTGEN

known to me to be the PRESIDENT of the corporation that executed this
instrument or the persons who executed the instrument of behalf of
said corporation, and acknowledged to me that such corporation
executed the same.

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


Residing at , Idaho
Comm. Expires 2/15/2002

Notary Public



RECEIVED

JUL 16 1997

WATER RESOURCES
WESTERN REGION

EXHIBIT "A"

Land in the County of Payette, Idaho, as follows:

PARCEL I:

In Township 6 North, Range 5 West of the Boise Meridian, Payette County, Idaho in Section 3:

The East half of Government Lot 1 and the Southeast Quarter of the Northeast Quarter.

PARCEL II:

In Township 7 North, Range 5 West of the Boise Meridian, Payette County, Idaho in Section 34:

The Southeast Quarter of the Southeast Quarter; and that portion of the Northeast Quarter of the Southeast Quarter and The Northwest Quarter of the Southeast Quarter lying South of Black Canyon Irrigation District "A" Line Canal right of way.

PARCEL III:

In Township 6 North, Range 5 West of the Boise Meridian, Payette County, Idaho in Section 3:

The West half of Government Lot 1.

PARCEL IV:

In Township 6 North, Range 5 West of the Boise Meridian, Payette County, Idaho in Section 3:

Government Lot 2.

EXCEPTING that portion lying West of Black Canyon Irrigation District "A" Line Canal right of way;

and the Southwest Quarter of the Northeast Quarter;

EXCEPTING that portion lying West of Black Canyon Irrigation District "A" Line Canal right of way.

CONTINUED

RECEIVED

JUL 16 1997

WATER RESOURCES
WESTERN REGION

FA-8682

EXHIBIT "A" CONTINUED

PARCEL V:

In Township 7 North, Range 5 West of the Boise Meridian, Payette County, Idaho in Section 34:

The Southwest Quarter of the Southeast Quarter;

EXCEPTING that portion lying West of Black Canyon Irrigation District "A" Line Canal right of way.

PARCEL VI:

In Township 6 North, Range 5 West of the Boise Meridian, Payette County, Idaho in Section 34:

That Portion of Government Lot 3; and
The Southwest Quarter of the Northeast Quarter lying West of the Black Canyon Irrigation District "A" Line Canal right of way;

Government Lot 3 and the East 43.53 rods of Government Lot 4.

PARCEL VII:

In Township 7 North, Range 5 West of the Boise Meridian, Payette County, Idaho in Section 34:

The South Half of the Southwest Quarter; and

That Portion of the Southwest Quarter of the Southeast Quarter lying West of the Black Canyon Irrigation District "A" Line Canal right of way;

EXCEPTING from the Southwest Quarter of the Southwest Quarter the West 660 feet of the North 1280 feet thereof.

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: **A63-09262**
Date Received: 4/16/1990
Receipt No: C016287
Received By: _____

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

1. Name: PARADISE RIDGE ORCHARD CO 503-386-3841
Address: 2875 FIR MTN RD
HOOD RIVER OR 97031

2. Date of Priority: JUL 11, 1979

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07N	05W	34		SW	SW		PAYETTE

5. Description of diverting works:
WELL, PUMP & SPRINKLER PIPE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/15	11/15	1.880		

7. Total Quantity Appropriated is:
1.880 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 of	Lot	Use	Acres
06N	05W	3	NE	NW	3	IRR	45.0
			NW	NW	4	IRR	25.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	70.0
07N	05W	34	SW	SW	IRR	40.0
			SE	SW	IRR	40.0
					Section Acres	80.0
					Total Acres	150.0

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

63-3606

14. Remarks:

OWNERSHIP CHANGED BY KW 6/6/1994.

15. Basis of Claim: PERMIT

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 Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
_____, that I have signed the foregoing
document in the space below as _____ of
_____ and that the statements contained in the
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

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 _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

JUN 03 1994

WATER RESOURCES
WESTERN REGION

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 06N Range 05W
Section _____, 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____, BM.

Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet.

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[] Water Right Number(s)
Assigned by IDWR:

A-63-08117, A63-08081B, A63-09262
A63-08081A, A63-29980

[] Name and Address of Former
Owner/Claimant(s)(Seller):

[] New Owner/Claimant
(Purchaser):

Paradise Ridge Owners Co

[] New Mailing Address:

2875 Fir Mt Rd.
Asus River, Oregon 97031

[] New Telephone Number:

(503) 386-3841

[] Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

[] Attach proof of
ownership, describe
proof attached:

Tax Notices (x10)

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[] Signature of New
Owner/Claimant(s)

Paradise Ridge Owners Co
by [Signature]

Date

Date 6/1/94

[] Signature of Former
Owner/Claimant(s):

Date

Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 6-6-94 By: kw

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date:

By:

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

JUL 25 1994

See copies
of tax notices
in file
A63-08081A
kw

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: **A63-09262**
Date Received: 4/13/1990
Receipt No: C016287
Received By: _____

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

1. Name: FARM CREDIT SERVICES
Address: W. 601 1ST AVE.
P.O. BOX TAF-C5
SPOKANE WA

99220-4005

2. Date of Priority: JUL 11, 1979

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07N	05W	34	SW	SW	SW		PAYETTE

5. Description of diverting works:
WELL, PUMP & SPRINKLER PIPE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/15	11/15	1.880		

7. Total Quantity Appropriated is:
1.880 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 of	Lot	Use	Acres
06N	05W	3	NE	NW	3	IRR	45.0
			NW	NW	4	IRR	25.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	70.0
07N	05W	34	SW	SW	IRR	40.0
			SE	SW	IRR	40.0
					Section Acres	80.0
					Total Acres	150.0

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:
63-3606

14. Remarks:

15. Basis of Claim: PERMIT

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 Organizations:

I do solemnly swear or affirm that I am _____ of
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____, Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-09262

Date Received: 4/11/1990

Receipt No: 0016287

Received By: updated 5/23/94
kw

APR 02 1991
Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
APR 17 1990

99220-4005 Department of Water Resources

1. Name: FARM CREDIT SERVICES
Address: W. 601 1ST AVE.
P.O. BOX TAF-C5
SPOKANE, WA

2. Date of Priority: JUL 11, 1979

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
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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 of	Lot	Use	Acres
06N	05W	3	NE	NW	3	IRR	45.0
			NW	NW	4	IRR	25.0

Section Acres 70.0

A63-09262

Page 1

Date: 04/11/90

MICROFILMED

JUL 25 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	05W	34	SW	SW		IRR	40.0
			SE	SW		IRR	40.0
						Section Acres	80.0
						Total Acres	150.0

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

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63-3606

14. Remarks:

15. Basis of Claim: PERMIT

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): CASCADE ORCHARDS INC
by Bill Leese Date: 4-11-90
Date: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____, Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of Payette) SS.

Subscribed and sworn (or affirmed) before me this 11 day
of April 19 90

Joe Paul Carter
Notary Public

Seal

Residing at Poiss. Bl

A63-09262

Page

My Commission Expires 6/30/91
3 Date: 04/11/90

MICROFILMED
JUL 25 1994

Receipt Details for ID C016287

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
4/16/1990 9:22:24 AM	4/16/1990	State	\$662.00	Check
Payer		CASCADE ORCHARDS INC.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
389			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE - BILL REECE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$662.00	ADJUDICATION FEE - BILL REECE	410162	9337	0 0		6490

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	29980		\$25.00	Claim
63	9262		\$200.00	Claim
63	8117		\$217.00	Claim
63	8081	A	\$158.00	Claim
63	8081	B	\$62.00	Claim

Print Report



State of Idaho
Idaho Department of Water Resources
Western Region

T6N R5W SECTION 3
T7N R5W SECTION 34

Water Right (s): 63-9262



1320 0 1320 2640 3960 Feet

TOTAL IRRIGATED ACRES = 119



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

GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: June 2006

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-9262**

06/15/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
9262	Claim	06N	05W	3	NE	NW	3	IRRIGATION	45/150	KATHERINE L HYATT
9262	Water Right	06N	05W	3	NE	NW	3	IRRIGATION	46/119	FARM CREDIT SERVICES
9262	Water Right	06N	05W	3	NW	NW	4	IRRIGATION	18/119	FARM CREDIT SERVICES
9262	Water Right	06N	05W	3	NW	NW	4	DOMESTIC		BRENDA L NELSON
9262	Claim	06N	05W	3	NW	NW	4	IRRIGATION	25/150	KATHERINE L HYATT
3606	Water Right	07N	05W	34	SW	SW		IRRIGATION	40/80	PERAL DODSON
9262	Water Right	07N	05W	34	SW	SW		IRRIGATION	18/119	FARM CREDIT SERVICES
3606	Claim	07N	05W	34	SW	SW		IRRIGATION	40/80	KATHERINE L HYATT
9262	Claim	07N	05W	34	SW	SW		IRRIGATION	40/150	KATHERINE L HYATT
3606	Claim	07N	05W	34	SE	SW		IRRIGATION	40/80	KATHERINE L HYATT
3606	Water Right	07N	05W	34	SE	SW		IRRIGATION	40/80	PERAL DODSON
9262	Claim	07N	05W	34	SE	SW		IRRIGATION	40/150	KATHERINE L HYATT
2900	Claim	07N	05W	34	SE	SW		IRRIGATION		BLACK CANYON IRRIGATION DIST
9262	Water Right	07N	05W	34	SE	SW		IRRIGATION	37/119	FARM CREDIT SERVICES

06/20/2006

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

RIGHT NUMBER: 63-9262

NAME AND ADDRESS: KATHERINE L HYATT
3400 2ND LN E
PARMA ID 83660

JEFFERY A HYATT
3400 2ND LN E
PARMA ID 83660

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.610 CFS
535.500 AFY

The rights listed below are limited to a total combined diversion rate of 2.06 cfs and to a total combined annual diversion volume of 702 AF. Combined Right Nos.: 63-3606, 63-8081B and 63-9262.

PRIORITY DATE: 10/21/1980

POINT OF DIVERSION:

T07N R05W S34 SWSW Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.610 CFS 535.50 AFY

The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within PAYETTE County

T06N R05W S03 Lot 3 NENW	46.00	T06N R05W S03 Lot 4 NWNW	18.00
T07N R05W S34	SWSW 18.00	T07N R05W S34	SESW 37.00

119 ACRES TOTAL

Right Nos. 63-3606 and 63-9262 are limited to the irrigation of a combined total of 144 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

A flow measurement port or other device as specified by the Department shall be installed by the right holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Right Nos. 63-3606 and 63-8081B are also diverted through point of diversion described above.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-9262 V1

WATER RIGHT NUMBER: 63-9262 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KATHERINE L HYATT 3400 2ND LN E PARMA, ID 83660
Original Owner	PHILLIPS ENTERPRISES INC 4774 CHINDEN BLVD BOISE, ID 83714
Current Owner	JEFFERY A HYATT 3400 2ND LN E PARMA, ID 83660
Original Owner	FARM CREDIT SERVICES W 601 1ST AVE PO BOX TAF-C5 SPOKANE, WA 99220-4005 (509)838-9300
Original Owner	PARADISE RIDGE ORCHARD CO 2875 FIR MTN RD HOOD RIVER, OR 97031 (503)386-3841

Priority Date: 10/21/1980

Basis: License

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	1.610 CFS	535.50 AF
	<u>Total Diversion:</u>	1.610 CFS	535.50 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4	Sec. 34, Twp 07N, Rge 05W, B.M.
PAYETTE County		

Place of UseIRRIGATION Within PAYETTE County

T06N R05W S03 Lot 3 NENW	46.0	T06N R05W S03 Lot 4 NWNW	18.0
T07N R05W S34 SWSW	18.0	T07N R05W S34 SESW	37.0
Total Acres: 119			

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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-9262 V1

2. E55 Right Nos. 63-3606 and 63-9262 are limited to the irrigation of a combined total of 144 acres in a single irrigation season.
3. S39 The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
4. 01C A flow measurement port or other device as specified by the Department shall be installed by the right holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. F05 Right Nos. 63-3606 and 63-8081B are also diverted through point of diversion described above.
6. E61 The rights listed below are limited to a total combined diversion rate of 2.06 cfs and to a total combined annual diversion volume of 702 AF. Combined Right Nos.: 63-3606, 63-8081B and 63-9262.

Remarks:

Comments:

1. vmusic 6/15/2006 CLAIM

Comment: CLAIMED AS PERMITTED

2. vmusic 6/15/2006 RECOMMENDATION

Comment: RECOMMENDED AS LICENSED PLUS COMBINED USE, OTHER, CONDITIONS

3. vmusic 6/15/2006 SURFACE RTS

Comment: NO MENTION OF SURFACE WATER RIGHTS IN ANY OF THE SEVERAL LICENSE FILES OR CLAIMS

4. vmusic 6/15/2006 POD OVERLAPS

Comment: 63-3606, 63-8081B

5. vmusic 6/15/2006 POU OVERLAPS

Comment: 63-3606

6. vmusic 6/15/2006 PRIORITY DATE

Comment: CLAIMED ORIGINAL APPLICATION DATE BUT PERMIT LAPSED AND PRIORITY DATE WAS ADVANCED.

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	6/20/2006 9:27:44 AM	vmusic	Updated shape
POU	6/15/2006 4:26:33 PM	vmusic	Updated shape for Active POU
Contacts	6/15/2006 4:06:26 PM	vmusic	(No) 1. Do you want to schedule an appointment?
Comment for 1: LICENSE			

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-9262 V1

POD	6/15/2006 4:07:50 PM	vmusic	(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? (Yes) 10. Is a POD remark and/or condition required?
Source	6/15/2006 4:23:49 PM	vmusic	(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	6/15/2006 4:25:01 PM	vmusic	(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? (No) 6. Can the claimed POU be verified using the water right file? (Yes) 7. Is there evidence that there has been a change in the POU? (No) 8. Can the claim be verified as an accomplished transfer? (No) 9. Does the claim include an enlargement in the POU? (No) 12. Was a transfer filed? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - True
Use	6/15/2006 4:27:06 PM	vmusic	(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	6/15/2006 4:27:27 PM	vmusic	(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 63-9262 V1

Quantity	6/15/2006 4:28:56 PM	vmusic	(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? (No) 8. Does the parent right have an annual diversion volume limit? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 10 - 119 AC X 4.5 = 535.5 AFA
General	6/15/2006 4:06:46 PM	vmusic	(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? (No) 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?
Summary	6/15/2006 4:47:39 PM	vmusic	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right?
Summary	5/16/2006 2:11:58 PM	scurtis	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?

Water Supply Bank:



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 21, 1997

Re: Notices of Claim to a Water Right Nos. A63-03606, A63-08081A, A63-08081B, A63-08117, A63-09262, A63-29980

KATHERINE L HYATT
JEFFERY A HYATT
425 GROVE CITY RD
SLIPPERY ROCK PA 16057

Dear Ms. Hyatt. & Mr. Hyatt:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water rights covered under the original filings.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

If you have any questions concerning the enclosed claims, please feel free to contact this office.

Sincerely,

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region Office

LH:1

Enclosures



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

September 8, 1995

PHILIP E. BATT
GOVERNOR

Paradise Ridge Orchard Co
2875 Fir Mtn Road
Hood River OR 97031

KARL J. DREHER
DIRECTOR

Gentlemen:

A recent research of the water rights appurtenant to land you own in Payette County, Idaho revealed that a claim filing in the Snake River Basin Adjudication (SRBA) for a licensed water right may have been missed. This license (63-03606) overlaps part of the land recently licensed under 63-09262. An SRBA claim was filed for right 63-09262 but we find no claim for 63-03606. Enclosed for your review are "Proof Reports" for adjudication claim A63-09262 and water right 63-03606. You will note that both rights are appurtenant to the S1/2 SW1/4, S34, T07N, 05W.

You still have the option of filing a claim for 63-03606. Enclosed is a claim form and instructions to use if you choose to file. The statutory fee required to file the claim would be \$50. If you file make your check payable to Idaho Dept. of Water Resources.

If you have questions concerning this matter call me at the number below.

Sincerely,

Mel Schulte
ADJUDICATION BUREAU
Department of Water Resources
Western Region Office
(208) 334-2190

Enc
CONTACTPARADISE6303606

MICROFILMED
001 08 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 6, 1994

RE: Notice of Claims to Water Right Nos. A63-08081A, A63-08081B,
A63-08117, A63-09262, and A63-29980

Paradise Ridge Orchard Co.
2875 Fir Mtn. Rd.
Hood River, OR 97031

Gentlemen:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the lands and appurtenant water rights covered under the original filings.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

If you have any questions concerning the enclosed claims, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Kay Walker".

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures

MICROFILMED

JUL 1



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 24, 1994

RE: Notice of Claims to Water Rights filed in the Snake River Basin
Adjudication

Paradise Ridge
2875 Fir Mountain Rd.
Hood River, OR 97931

Gentlemen:

We are reviewing some claims submitted in the Snake River Basin Adjudication by Cascade Orchards Inc. and found that you may be the current owner of the lands that these water rights are located on. Enclosed are copies of the claims as submitted for your information.

Each of the claims were submitted with different names (i.e Richard M. Phillips, Phillips Enterprises Inc., Farm Credit Services, Embassy Inc. and Cascade Orchards Inc.). We could not determine who to send our correspondence regarding the claims to so we then contacted the Payette County Assessor's Office and were told you are the owner of most of the lands under the claims. There was a small portion the assessor's office said you were selling to Francisco & Carmen Lastris but I did not notate which lands they were.

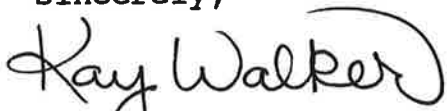
Since you now own most of the lands under these claims we need to request that you submit the enclosed "Notice of Change of Water Right Ownership" form to bring our records up to date. I have enclosed this form for your convenience. Please complete this form, sign where indicated, attach a copy of your warranty deed or tax notices showing the legal descriptions of the property, and return to this office.

You will also need to complete one of these forms to transfer water rights to the Lastris's if they have purchased some of the property. Enclosed is a brochure entitled "Property Owners - The Snake River Basin Adjudication of Water Rights may Affect the Buying and Selling of Real Estate in Idaho", which may help explain why it is important to notify our Department of water right ownership changes. I am also including a pamphlet entitled "Idaho Water Rights - A Primer" which explains how Idaho water rights work.

MICROFILMED
JUL 25 1994

If you have any questions in regard to this letter, please do not hesitate to contact our office.

Sincerely,

A handwritten signature in cursive script that reads "Kay Walker". The signature is written in dark ink and is positioned above the typed name.

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures

MICROFILMED
JUL 25 1994

ADJUDICATION MEMORANDUM

CLAIM NO.: A63-03606, -08081A, -08081B
-09262, -08117

SUBJECT: _____

EMPLOYEE: _____

DATE: _____

T. Minicucci

10/24/1995

Two gentlemen (I did not record their names) came into the office to inquire about these claims as they are potential buyers of the property. After researching the water right files and reviewing the microfiche, it appears that the original well licensed under 63-03606 is no longer used at all, with a replacement well drilled in 1979. This well also serves water rights nos. 63-09262, 63-08081B. The B/u exam for 63-09262 found the well connected to another well on the same property. This second well serves water rights nos. 63-08081A & 63-08117. No transfers have been filed to tie the wells &/or acres together.

We discussed at length the system limitations on 63-08117 & 63-09262. I believe they clearly understood that the water rights were not the total CFS of all licenses, but are limited by the system capacity at the time of licensing. As a footnote, they may not purchase all of the SWSW of S. 34 - A63-03606 may be split in the future and the system limitation will be a factor in that split. When we discussed transfers, I don't know if it was clear that they did not have to include all of the acres on each water right (ppu) but could simply put both wells on all water rights.

MICROFILMED

OCT 08 1996

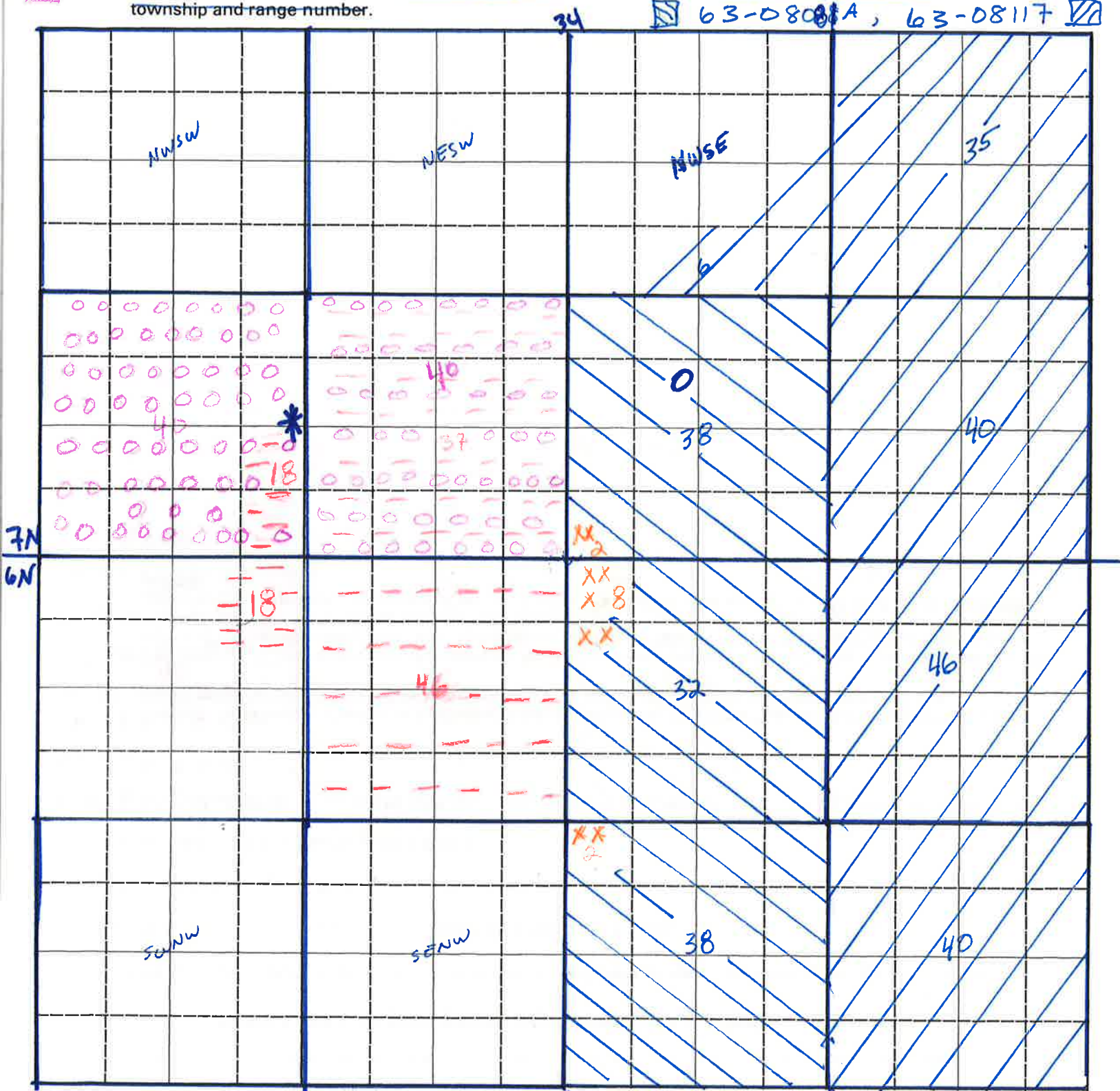
* = WELL IN TOWN ROSWS.34
SWSW

O = WELL IN TOWN ROSW S. 34
SWSE.

2.06 CFS LIMITATION
63-03606, -08081B, -09262

4.09 CFS LIMITATION

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



Scale: 2 inches equal 1 mile.

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

MICROFILMED
OCT 08 1990

A63-09262 claimed as permitted

(Applicant)

177 10/25/1995

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ _____ Received by _____ # _____ Date _____

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

ADJUDICATION MEMORANDUM

CLAIM NO.:

EMPLOYEE:

→ 1 dom - Cascade Orchards Inc.
A63-08081B - Phillips Enterprises Inc.
A63-09262 - Farm Credit Services
A63-08081A - Embassy Inc.
A63-08117 - Richard Phillips
SUBJECT: Ownership

DATE:

Ray Walker

5-23-1994

5 claims - 5 different names /
receipt - all signed by Bill
Beene for Cascade Orchards Inc.

6N 5W Sec. 3 NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$

7N 5W Sec. 34 S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ (except
NWSE - only 6 ac.)

Per Payette Co. Assessor's 642-6012

Lands in Sec. 3 - NE $\frac{1}{4}$ - Paradise Ridge
NENW - 2875 Fir
MTN Rd.

Hood River
OR → 97931

Sec. 34 - Paradise Ridge
portion → % Francisco Lasri

& Carmen

3620 1st Ln East
Parma 83660

MICROFILMED

JUL 25 1994

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 05/23/94
Time: 12:01:51

Rec/No - C016287 AR/No -
From: - CASCADE ORCHARDS INC.

Receipt Type - CK Doc/No - 389
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 04/16/1990

Type Of Payment
ADJUDICATION FEE - BILL REECE

Fund	FD	PCA	Obj	Subsid	Fee
9337		410162	6490		662.00

Total Due - 662.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
	662.00				

(ENTER=CONTINUE)

(GOLD7=SELECTION SCREEN)

(GOLD8=CANCEL)

MICROFILMED
JUL 25 1994

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-9262 V1

WATER RIGHT NUMBER: 63-9262 V1

Owner Type Name and Address

Current Owner KATHERINE L HYATT
3400 2ND LN E
PARMA, ID 83660

Original Owner PHILLIPS ENTERPRISES INC
4774 CHINDEN BLVD
BOISE, ID 83714

Current Owner JEFFERY A HYATT
3400 2ND LN E
PARMA, ID 83660

Original Owner FARM CREDIT SERVICES
W 601 1ST AVE
PO BOX TAF-C5
SPOKANE, WA 99220-4005
(509)838-9300

Original Owner PARADISE RIDGE ORCHARD CO
2875 FIR MTN RD
HOOD RIVER, OR 97031
(503)386-3841

Priority Date: 07/11/1979

Basis:

Status: Active

Source

GROUND WATER

Beneficial Use

IRRIGATION

From To

5/15 to 11/15

Diversion Rate

1.880 CFS

1.880 CFS

Annual Volume

535.5

Total Diversion:

Location of Point(s) of Diversion

GROUND WATER

SW1/4SW1/4

Sec. 34, Twp 07N, Rge 05W, B.M. PAYETTE County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
06N	05W	3	45.0	25.0	40.0	40.0	70.0
07N	05W	34	L 3	L 4			80.0

Total Acres: 150

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.
2. 01C A flow measurement port or other device as specified by the Department shall be installed by the right holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
3. OWNERSHIP CHANGED BY KW 6/6/1994. OWNERSHIP CHANGED BY LH 7/21/97.

Dates and Other Information:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector: AND

Combined Use Limits:

total acres irrigated w/ this well under 3606, 9262, 8081B = 150 acres

claimed as permitted
recommended as licensed
w/combined w/ other
conditions.

3/15 licensed - should have remark
for 3/1

1.61/119 0.135 cfs/ac
1.61 535.5

43A son shoulder remark

E61 limited to 2.00 cfs \$ 144 ac w/ 63-3606
\$ 63-8081B
E05 same POD as 63-3606, 8081B

\$ 702 ac

E55

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-9262

06/15/2006

1

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-3606	Claim	07N	05W	34	SW	SW		GROUND WATER	KATHERINE L HYATT
63-8081B	Claim	07N	05W	34	SW	SW		GROUND WATER	KATHERINE L HYATT
63-9262	Claim	07N	05W	34	SW	SW		GROUND WATER	KATHERINE L HYATT
63-3606	Water Right	07N	05W	34	SW	SW		GROUND WATER	PERAL DODSON
63-8081B	Water Right	07N	05W	34	SW	SW		GROUND WATER	PHILLIPS ENTERPRISES INC
63-9262	Water Right	07N	05W	34	SW	SW		GROUND WATER	FARM CREDIT SERVICES

Transfer No. 2348Water Right No. 63-8081

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant PHILLIPS ENTERPRISES INC Phone 376-4661
Post office address 4774 Chinden Boise, Id 83704

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)

b. License No. 63-8081 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

3. Source of water Groundwater tributary to _____

4. Date of priority 2/4/75

5. Water is used for the following purposes:

amount 2.40 for Irrigation purposes from 3/15 to 10/31
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)

6. Total amount of water under right: a. 2.40 cubic feet per second
b. _____ &/or
acre feet per annum

7. Location of original point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 34
Township 7N Range 5W, B.M., in Payette County
Additional points of diversion, if any _____

8. Lands irrigated or 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>6N</u>	<u>SW</u>	<u>3</u>		<u>L+2</u>	<u>40</u>	<u>40</u>													<u>80</u>
<u>7N</u>	<u>SW</u>	<u>34</u>																	<u>40</u>

Total number of acres to be irrigated 120

9. Describe any other water rights used for the same purposes as described above None

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B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. 0.24 cubic feet per second &/or
b. _____ acre feet per annum
2. Point of diversion SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 34 Township 7N
Range SW, B.M., Payette County
Additional points _____

3. 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>7N</u>	<u>SW</u>	<u>34</u>															<u>2</u>		<u>2</u>
<u>6N</u>	<u>SW</u>	<u>3</u>		<u>4²</u>	<u>2</u>														<u>10</u>

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

12

1. Change in point of diversion

- a. Amount of water to be diverted 0.24 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 34 Township 7N
Range SW, B.M., _____ County
Additional points _____

- c. Description of diverting works 16" well, 150 HP MOTOR -

- d. Describe the reasons for applying for a change in the point(s) of diversion most of land was sold except for land identified herein under item B.3.

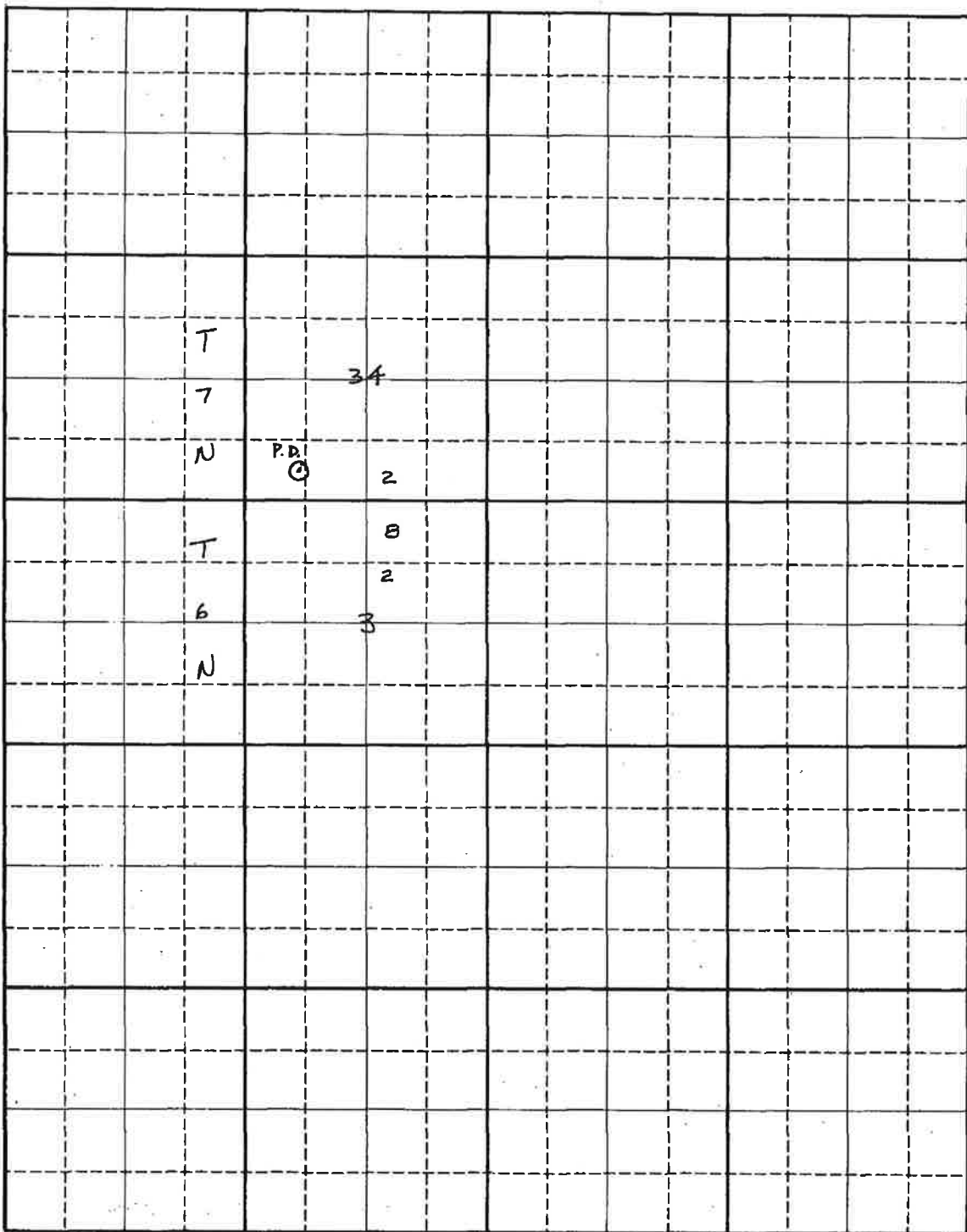
2. Change in place of use No change

- a. Describe the lands or place of use to which the right will be transferred:

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 $\frac{1}{4}$	

Total number of acres to be irrigated _____

3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

4. Remarks _____

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

Ind. Enterprise, Inc.
(Signature of applicant) (PRESIDENT)

Subscribed and sworn to before me this 20 day of JULY, 19 79.

David R. Tuttle
(Notary public)

My commission expires Sept 10, 1980

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 63-8081 and said application is hereby approved, subject to the following limitations and conditions:

Witness my hand this 15 day of September, 19 79.

Norman C. Young
NORMAN C. YOUNG
Administrator, Resources Admin. Div.

FOR DEPARTMENT USE ONLY

Received by <u>J.S.</u>	Date <u>7/23/79</u>	Protest filed by _____
Prelim. check by <u>J.S.</u>	Fee <u>35.00</u>	_____
Received by <u>CWB</u>	Date <u>7/27/79</u>	# <u>14475</u>
Published in <u>Ind. Enterprise</u>	Copies of protest forwarded by _____	
Pub. dates <u>8/6 + 8/23/79</u>	Hearing held by _____	Date _____
Watermaster recommendation requested on _____	Recommended for <u>approval</u>	denial
_____ rec'd.	by <u>DAS</u>	<u>Jim</u>

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 63-09262

Priority: October 21, 1980 Maximum Diversion Rate: 1.61 CFS

This is to certify, that FARM CREDIT SERVICES
PO BOX TAF-C5
W 601 FIRST AVE
SPOKANE WA 99220-4005

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated July 11, 1979; and
has submitted Proof of Beneficial Use on August 24, 1979. An examination indicates
that the works have a diversion capacity of 2.060 cfs of water from a GROUNDWATER
source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	1.61 CFS	

LOCATION OF POINT(S) OF DIVERSION: SWSW , Sec. 34, Township 07N, Range 05W
PAYETTE County

<u>PLACE OF USE:</u> IRRIGATION		<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>			
06N	05W	3	Lot 3 (NENW) 46	Lot 4 (NWNW) 18	64
07N	05W	34	SWSW 18	SESW 37	55
Total number of acres irrigated:					119

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right uses the same well as Rights 63-03606 and 63-08081B and when combined with those rights shall not exceed a combined diversion rate of 2.06 cfs nor more than 4.5 afa per acre for the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 30th
day of MAY, 1994.

Acting for  R. Keith Higginson, Director

MICROFILMED
OCT 08 1990

PERMIT 63-9262 INIT KKC
T. R. S. Q/Q
P/D 7N SW 34 SW/SW
SCALE
PHOTO ID. 4)-3 Nipon

P/D

P/U

RECEIVED
JUN 13 1994

LICENSE REVIEW CHECKLIST

PERMIT NO. 63-9262 DATE 5-17-94



NAME	☒ Yes	☐ No	Or Address Change? <u>NO ASSIGNMENT</u>
PRIORITY DATE	☒	☐	Advance? <u>YES</u> Advanced to: <u>Oct 21 - 1980</u> Order to reinstate needed? <u>DO</u> Incorrect fee for rate recommended? <u>NO</u>
SOURCE	☐	☒	Changes or just clarification of originally intended source? _____ Notice of Intent to Void necessary? _____
POINT OF DIV	☐	☒	Amendment needed? _____ Overlaps? <u>63-3606 + 63-8081B</u> <u>63-8081A is</u> <u>@ 1.12 CFS</u> <u>@ .24 CFS</u> <u>different well</u>
PLACE OF USE	☒	☒	Amendment needed? _____ Overlaps? <u>63-3606</u>
DIV RATE	☒	☐	Measurement done? <u>NO</u> Theoretical only? _____ <u>Pump test @ 2.06</u> <u>119 x .02 = 2.38</u> <u>55 acres covered at .014 per acre = .77</u> <u>BAL REQ = 1.61 CFS</u> Capacity: <u>2.06</u> Combined rates exceed capacity <u>YES</u> Allowable amount: <u>1.61 CFS</u> <u>CONDITION</u>
ANNUAL VOLUME	☒	☐	Season of use: <u>0/4.5</u> <u>(3-15 to 11-15)</u> Calculations: <u>TOTAL</u> <u>119 x 4.5 = 535.5</u> Flow limit: <u>1.61 cfs x 244 x 1.9835 = 785</u> Combined volumes exceed capacity/allowable <u>YES</u> <u>CONDITION</u>
USES	☐	☒	Change(s) in Nature of Use? _____ Amendment necessary? _____
REMARKS	<u>W29 Edit</u> Multiple p/d(s) in 1/4 1/4? _____ Other _____		
CONDITIONS	☐	☒	Measuring/Locking Devices _____ Watermaster control - District _____ Irrigation Overlap _____ Water Quality _____ Other _____
COMMENTS:	<u>Reduce acres & rate</u>		



535.5

FINAL AMENDMENT LETTER

ADJUSTMENTS TO FIELD EXAM MEMORANDUM

TO: File 63-09262
FROM: Brenda Chapman
DATE: May 18, 1994
RE: Adjustments Made

=====

* An adjustment or notes were made on the field exam in the following portion(s) based on the information below.

C. DIVERSION AND DELIVERY SYSTEM

1. Diversion System Diagram and Narrative:

MY NOTES:

The exam indicates there is a second, supplemental well that is interconnected to this permit's well, but did not address it as an overlap issue. This would result in the 3 overlapping licenses having to file transfers to reflect the scope of the entire system.

6. Place(s) of Use:

Deleted the 8 acres in the NWNE Section 3. They are fully covered under 63-08081B.

F. FLOW CALCULATIONS

Flow rate was reduced because not only are the 8 acres in the NWNE fully covered @ .02 cfs per acre under 63-08081B, but also the 55 acres in Section 34 are covered under 63-03606 @ .014 cfs.

Adjusted total acres (119) @ .02 cfs p/acre	= 2.38
Minus rate (55 @ .014) from 63-03606	= .77
Total rate of flow for this permit	= 1.61

G. VOLUME CALCULATIONS

I did not list the diversion volume as the examiner recommended. When overlapping conditions occur, it is more clear to use conditions to indicate the maximums allowable.

H. RECOMMENDATIONS

1. Recommended Amounts according to above information.

JUN 13 1994

NW
2-20.5

NW
5-6.8

PERMIT 03-9262 INIT
T. R. S. Q/Q
P/D
SCALE
PHOTO ID.

T237
NHEL

NW
1-14.7

NW
5-8.7

NW
2-18.2

NW
6-4.8

T8670

T8671
NHEL

PI #2

NHEL
2-7.5

NW
1-40.4 NHEL

NW
2-18.3

33 34 35

5-25.2 NW
NHEL

NW
3-17.5

8

JUN 13 1994

8-13.2 NHEL

1-7.9 NW

4-5.4