

05/09/2006

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

RIGHT NUMBER: 67-4150

NAME AND ADDRESS: DAVID CEREGHINO
PO BOX 387
LUCILE ID 83542-0387

JACK HORTON
HC 01 BOX 11
LUCILE ID 83542

SOURCE: WEISER RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 3.430 CFS

PRIORITY DATE: 04/12/1957

POINT OF DIVERSION:

T10N R05W S2 NWSENW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	3.430 CFS

PLACE OF USE: IRRIGATION Within WASHINGTON County

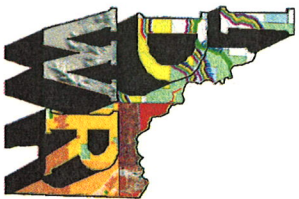
T10N R05W S02 Lot 3 NENW	35.00	T10N R05W S02 Lot 4 NWNW	39.00
T10N R05W S02	SWNW 30.00	T10N R05W S02	SENW 14.00
T10N R05W S02	NWSW 11.00	T10N R05W S02	NESE 6.60
T10N R05W S02	NWSE 22.00	T10N R05W S03	NESE 8.50
T11N R05W S35	SWSW 5.20		

171.3 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 - Beneficial Use



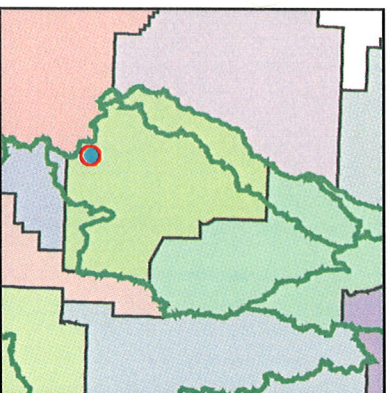
Idaho Department of Water Resources

SRBA Recommendation:

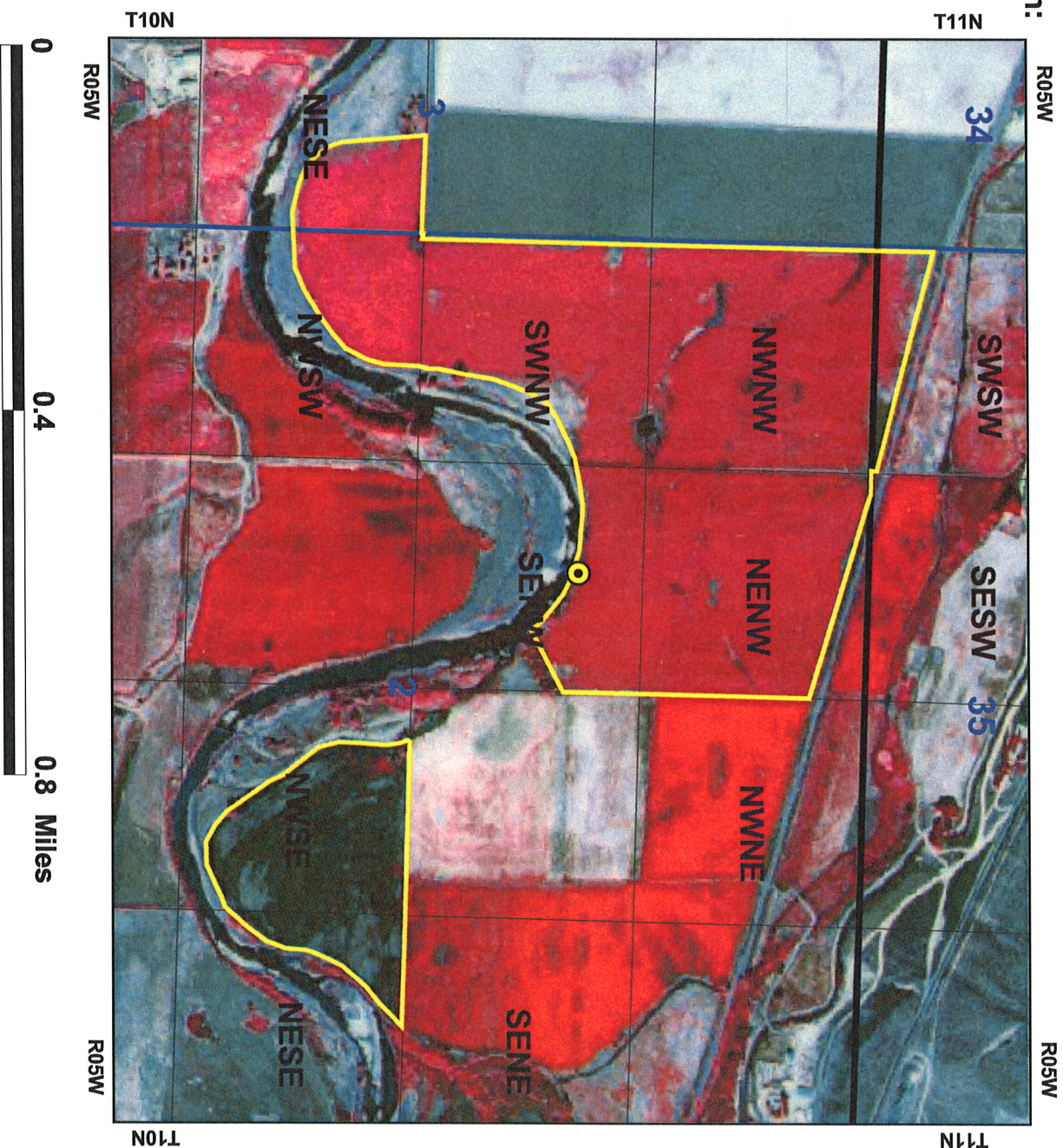
67-4150

Legend

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



Washington County
IDWR Basin 67



Prepared by C. Saxton
On Tuesday, May 9, 2006
1987/88 Aerial Photography

Adjudication Recommendation Report 67-4150 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	WINDING BROOK CORP A MASSACHUSETTS CORP C/O BATTERYMARCH AGRIVEST 500 WINDING BROOK DR GLASTONBURY, CT 06033 (203)659-3711
Current Owner	DAVID CEREGHINO PO BOX 387 LUCILE, ID 83542-0387 (208)628-3986
Current Owner	JACK HORTON HC 01 BOX 11 LUCILE, ID 83542 (208)628-3986
Original Owner	WINDING BROOK CORP C/O RODNEY H MOORE PO BOX 53 NAMPA, ID 83653-0053 (208)466-0419
Original Owner	S & S LAND & CATTLE CO 1765 FAIRVIEW DR WEISER, ID 83672 (208)549-0975

Status: Active

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	3.430 CFS	
	Total Diversion:	3.430 CFS	

WEISER RIVER NW1/4SE1/4NW1/4 Sec. 2, Twp 10N, Rge 05W, B.M.
WASHINGTON County

Twp	Rge	Sec	NE				NW				SW				SE				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
10N	05W	2					35.0 L 3	39.0 L 4	30.0	14.0		11.0			6.6	22.0			157.6

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4150 V1

10N 05W 3					8.5		8.5
11N 05W 35				5.2			5.2

Total Acres: 171.3

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:Comments:

1. csaxton 5/9/2006 Priority Date
Comment: Priority evidence is documents in original stat claim that lists what year certain lands were irrigated.
2. csaxton 5/9/2006 POD
Comment: Only one POD found during FE.

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: AND/OR
 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	5/9/2006 11:34:24 AM	csaxton			Active
Priority Date	5/9/2006 11:48:53 AM	csaxton			Active
POD	5/9/2006 11:49:06 AM	csaxton			Active
Source	5/9/2006 11:53:19 AM	csaxton			Active
POU	5/9/2006 11:53:49 AM	csaxton			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4150 V1

Use	5/9/2006 12:38:49 PM	csaxton	Active
Season	5/9/2006 12:39:45 PM	csaxton	Active
Quantity	5/9/2006 1:32:54 PM	csaxton	Active
Summary	05/09/2006	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	5/9/2006 11:34:37 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: FE by Monica Van Bussum on 4-20-06.
POD	5/9/2006 11:49:21 AM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	5/9/2006 11:51:13 AM	csaxton	Updated shape
POD	5/9/2006 11:52:56 AM	csaxton	Updated PLS
General	5/9/2006 11:49:08 AM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (No) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Documentation in original statutory claim file.
POU	5/9/2006 12:38:22 PM	csaxton	Updated PLS for Active POU
POU	5/9/2006 12:38:05 PM	csaxton	Updated shape for Active POU
POU	5/9/2006 1:26:18 PM	csaxton	Updated shape for Active POU
POU	5/9/2006 1:26:41 PM	csaxton	Updated PLS for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4150 V1

Quantity	5/9/2006 1:32:52 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Theoretical calculation based on field exam notes.
Source	5/9/2006 11:53:35 AM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - FE by Monica Van Bussum on 4-20-06.
POU	5/9/2006 11:54:05 AM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (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 - FE by Monica Van Bussum on 4-20-06.
Use	5/9/2006 12:38:46 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - FE by Monica Van Bussum on 4-20-06.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4150 V1

Season	5/9/2006 12:39:42 PM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Summary	5/9/2006 1:36:48 PM	csaxton	(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?

Water Supply Bank:

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
Original Owner	WINDING BROOK CORP	A MASSACHUSETTS GLASTONBURY CORP C/O BATTERYMARCH AGRIVEST 500 WINDING BROOK DR	CT		06033	(203)659-3711
Current Owner	DAVID CEREGHINO	HC 01 BOX 11	LUCILE	ID	83542	(208)628-3986
Current Owner	JACK HORTON	HC 01 BOX 11	LUCILE	ID	83542	
Original Owner	WINDING BROOK CORP	C/O RODNEY H MOORE PO BOX 53	NAMPA	ID	83653-005 3	(208)466-0419
Original Owner	S & S LAND & CATTLE CO	1765 FAIRVIEW DR	WEISER	ID	83672	(208)549-0975

Date of Field Exam: _____ Time: _____

Accompanied By: Jim Scarron Phone Number: office 536-5739
cell 316-1100

Relationship to Claimant: _____

Directions to Property (if different from above) and/or update owner information:

3184 S 1900 E Wendell, ID 83355
gave c/o to JimReviewer: MUBDate: 4-20-06

Priority Date Data Entry Form

Claim Number 67-4150

Claimed Priority Date: 5/14/1950

Claimed Basis: Statutory Claim



Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date: 6/1/1920

Water Right Basis: Statutory Claim

Recommended Priority Date ____

Recommended Basis _____

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

gave EOP brochure & explained
what we need - he ~~was~~ is going
to talk to some neighbors

Reviewer: MVBDate: 4-20-06

PR 1 1976

4-12-1957
180.0
4.89665
A Diversion where Weiser River water enters Mill Ditch: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, T.10N, R.5W
Aldrich Place:

Sec. 2, NENW - 40, NWNW - 40, SWNW - 35, SENW - 30, NWSW - 20

Sec. 3, NESE - 15

Diversion by pumps

Diverted Pump #1: SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 40, 40 horse power

Pump #2: SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 40, 20 horse power

Irrigated by sprinkler system, main lines are 4, 5, & 6" with 3" laterals

Carpenter Place: Permit # 61-2223 G23256 #7

There has been filing on 35 acres Pump 10 horse power

Diversion by a well in NWNE 34, T.11N, R.5W, Sec. 34

Harris Place:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec 3, T.10N, R.5W

SE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec.34, T.11N, R.5W

Diversion is by headgates in mill ditch

Headgate #1: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T.11N, R.5W

#2: SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 34, T.11N, R.5W

Size of headgate: #1: 15", #2: 15"

100 Acre field:

NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec 3, T.10N, R.5W

SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec.34, T.11N, R.5W

Diversion: Gravity flow by headgate

SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T.11N, R.5W

Size of Headgate: #3: 15"

E. Hay field above Galloway

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 15, NE $\frac{1}{4}$ NW $\frac{1}{4}$ 25 Sec. 34, T.11N, R.5W

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 35, SE $\frac{1}{4}$ SW $\frac{1}{4}$ 20 Sec. 27, T.11N, R.5W

Diversion by pump in Mill Ditch, the pump is 150 horse power. The land is irrigated by a sprinkler system. A pipeline runs under from Mill Ditch to sprinkler system. The size of that pipe is 8".

Diversion point: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T.11W, R.5W

The main line for the sprinkler is 8" with 3" Laterals

F. Releveled ground:

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 15, Sec. 34, T.11N, R.5W

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 20, Sec. 3, T.10N, R.5W

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 4, Sec. 3, T.10N, R.5W

Diversion point is by a pump #5, 7 $\frac{1}{2}$ horse power

SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T.11N, R.5W

G. Ground between Toms and Home Place

SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34, T.11N, R.5W

SE $\frac{1}{4}$ NW $\frac{1}{4}$, 37 Sec. 34, T.11N, R. 5W

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 17 Sec. 34, T.11N, R.5W

Diversion is by Headgates 10" in size

Headgates # 5, 6, & 7: SE $\frac{1}{4}$ NW $\frac{1}{4}$. Sec. 34, T.11N, R.5W

Headgates # 8, 9, 10, & 11: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34, T.11N, R. 5W

Headgate # 4 14"

H. Hay Field in bottom

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 16 Sec. 34, T.11N, R.5W

NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3, T.10N, R.5W

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 13 Sec. 3, T.10N, R.5W

Diversion point is by pump #4 which is 10 horsepower

SE $\frac{1}{4}$ SW $\frac{1}{4}$. Sec. 34, T.11W, R.5W

Point of Diversion and Source Data Entry Form

Claim Number 67-4150

Claimed Point of Diversion and Source

T10N R05W S2 NWSE Within WASHINGTON County Source: WEISER RIVER SNAKE RIVER

T10N R05W S2 NENSW Within WASHINGTON County Source: WEISER RIVER SNAKE RIVER

Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

T10N R05W S1 NWSW Within WASHINGTON County

T10N R05W S2 SWNW Within WASHINGTON County

T10N R05W S2 SENW Within WASHINGTON County

T11N R04W S35 NENE Within WASHINGTON County

T11N R05W S34 NWNE Within WASHINGTON County

T11N R05W S34 NENW Within WASHINGTON County

T11N R05W S34 NWNW Within WASHINGTON County

T11N R05W S34 SWNW Within WASHINGTON County

T11N R05W S34 SENW Within WASHINGTON County

T11N R05W S34 SWSW Within WASHINGTON County

T11N R05W S34 SESW Within WASHINGTON County

T11N R05W S34 NWSE Within WASHINGTON County

T11N R05W S34 SWSE Within WASHINGTON County

T11N R05W S34 SESE Within WASHINGTON County

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

Weiser R.Snake*picture on
Erin's camera*

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source

Other rights from this POD? _____

A0017628*picture attached*MVB4-20-06



A0017628. 67-4150. Scarrow pump off the Weiser. First picture is taken looking upstream. Second picture is looking downstream.

Place Of Use Data Entry Form

Claim Number 67-4150

Claimed Place Of Use

T10N R05W S02	NENW	32.0	T10N R05W S02	NWNW	40.0
T10N R05W S02	SWNW	35.0	T10N R05W S02	SENW	18.0
T10N R05W S02	NWSW	10.0	T10N R05W S02	NESE	6.0
T10N R05W S02	NWSE	23.0	T10N R05W S03	NESE	17.0
T11N R05W S35	SWSW	8.0			

Total Acres 189

Use Claimed POU as Recommended POU

Water Right Place Of Use

T10N R05W S02	NENW	40.0	T10N R05W S02	NWNW	40.0
T10N R05W S02	SWNW	35.0	T10N R05W S02	SENW	30.0
T10N R05W S02	NWSW	20.0	T10N R05W S03	NENE	40.0
T10N R05W S03	NWNE	40.0	T10N R05W S03	SWNE	30.0
T10N R05W S03	NENW	40.0	T10N R05W S03	NWNW	20.0
T10N R05W S03	SWNW	4.0	T10N R05W S03	SENW	13.0
T10N R05W S03	NESE	15.0	T10N R05W S03	SESE	40.0
T11N R05W S27	SWSW	35.0	T11N R05W S27	SESW	20.0
T11N R05W S34	NENW	40.0	T11N R05W S34	NWNW	35.0
T11N R05W S34	SWNW	40.0	T11N R05W S34	SENW	40.0
T11N R05W S34	NESW	24.0	T11N R05W S34	NWSW	24.0
T11N R05W S34	SWSW	35.0	T11N R05W S34	SESW	27.0
T11N R05W S34	NWSE	18.0	T11N R05W S34	SWSE	36.0
T11N R05W S34	SESE	25.0			

Total Acres 806

Recommended Place of Use

See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

acreage on layout is correct

Total Acres

Reviewer: MUBDate: 4-20-06

Document how the POU was verified:

Purpose of Use Data Entry Form

Claim Number 67-4150

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION			

☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION			

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Irrigation				

Document how the Purpose of Use was verified:

Imagery & FE confirm purpose

Reviewer:

4-20 MVB

Date:

4-20-06

Period of Use and Quantity Data Entry Form

Claim Number 67-4150

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	3/20	7/20	3.78	

Overall Diversion Rate 3.78

Overall Diversion Volume

Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/01	10/31	24.17	

Overall Diversion Rate 24.17

Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

lift 35ft.

Reliance pump.

ID: p28g4902 1/2 25hp

Recommend IDWR Standard Season.

Reviewer: MLBDate: 4-20-02

Memorandum

Date: May 9, 2006

To: 67-4150

From: Craig L. Saxton

RE: Diversion rate.

I asked field examiner Monica Van Bussum to conduct a FE for 67-4150. One of my main issues was that the notes say there was historically two points of diversion, but due to the floods of 1997, the system changed from having two PODs to only one. And it is noted that the one had a greater capacity than the original two pumps. I needed to know the capacity of the new pump.

Field examiner's notes found the current POD to be a 25HP reliance pump. This is not bigger than the original pump hp listed on the claim. But the field examiner noted the lift was 35 feet.

My guidance is to recommend this right as it existed in 1987. A theoretical calculation using the historical pump hp and the lift measured by the field examiner found that the system had the capacity to divert the 3.43 cfs that is being recommended under this right.

Despite my guidance to recommend the right as it existed in 1987, I will only recommend on POD as it is clear that the other one does not exist. But we can still recommend the diversion rate that could be diverted from the two POD's.

THEORETICAL HORSEPOWER EQUATION WORKSHEET (cjh 1/92)

Water Right No.: 67-4150

Examiner: Craig L. Saxton

Date of Field Exam: 5/9/2006

P/D No.:	Pump 1	Option 2	Option 3
PUMP HORSEPOWER	25	40	0
BOOSTER HORSEPOWER	0	0	0
PUMPING LEVEL	35	35	0
DISCHARGE PRESSURE	35	35	0
RATE OF FLOW (cfs)	1.33	2.13	3.46
			0.00

The above calculates the formula =
$$Q = \frac{8.8 * (\text{Efficiency}) * \text{hp}}{\text{depth to water} + 2.31 * (\text{psi}) + \text{friction}}$$

Assumptions: %70 efficiency.

No Friction

Examiners Notes:

Two pumps in operation in 1987

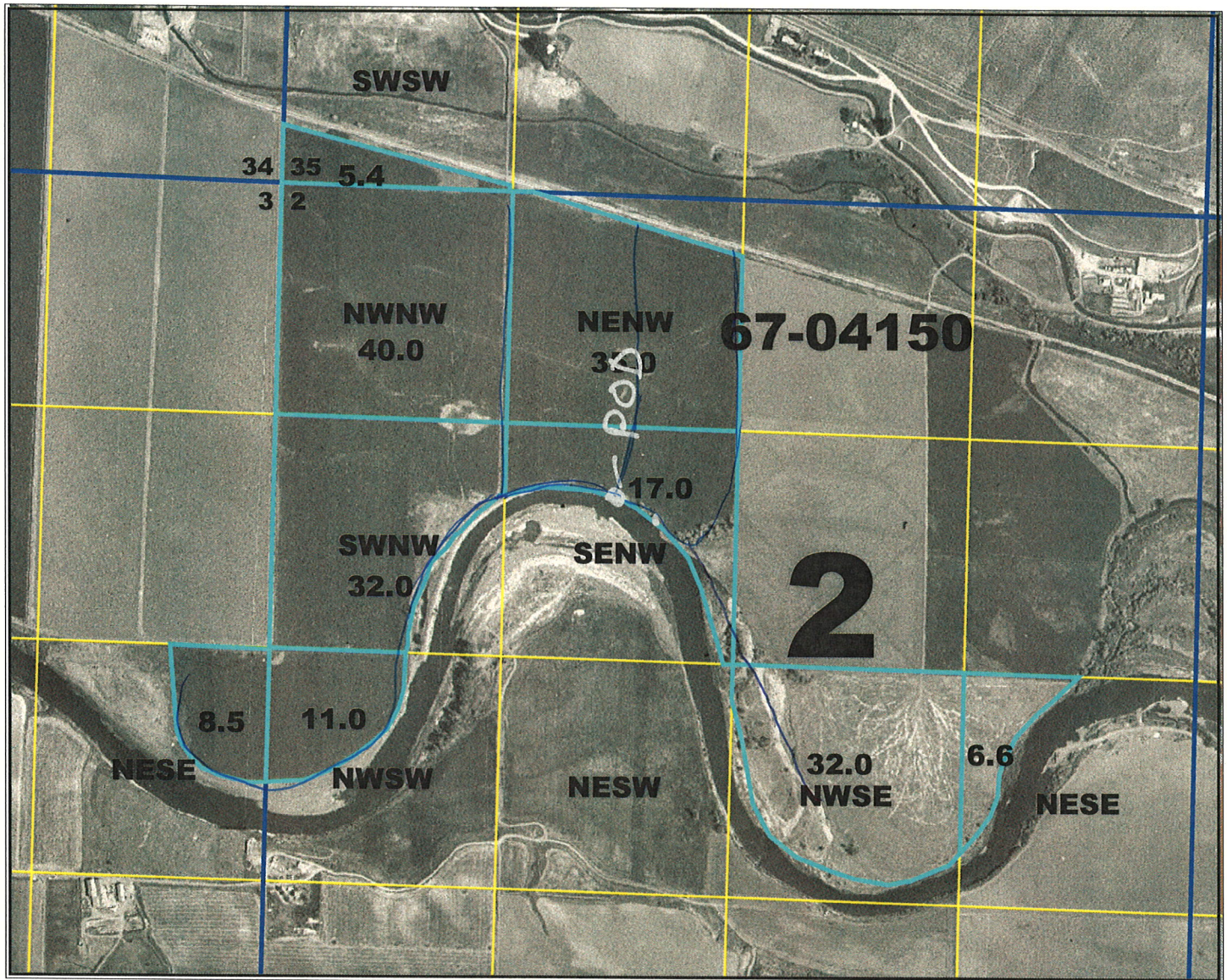
Pressure not measured, but "rule of thumb" is 45 psi. At 35 psi, pumps can divert recommended diversion rate.



State of Idaho

POU Claim Map 67-04150

Map Source: USGS DOQQ



1320 0 1320 2640 Feet

● Claimed Point of Diversion

— = pipeline

□ Claimed Place of Use

▤ N/A

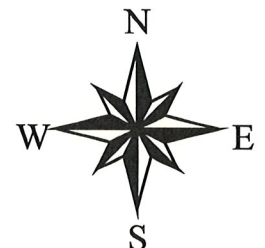
□ Tax Lot Data

□ Quarter Quarter Lines

□ Section Lines

Claimed Irrigated Acres: 189.0

Initial Acres Found: 187.5



Prepared By: Craig L. Saxton

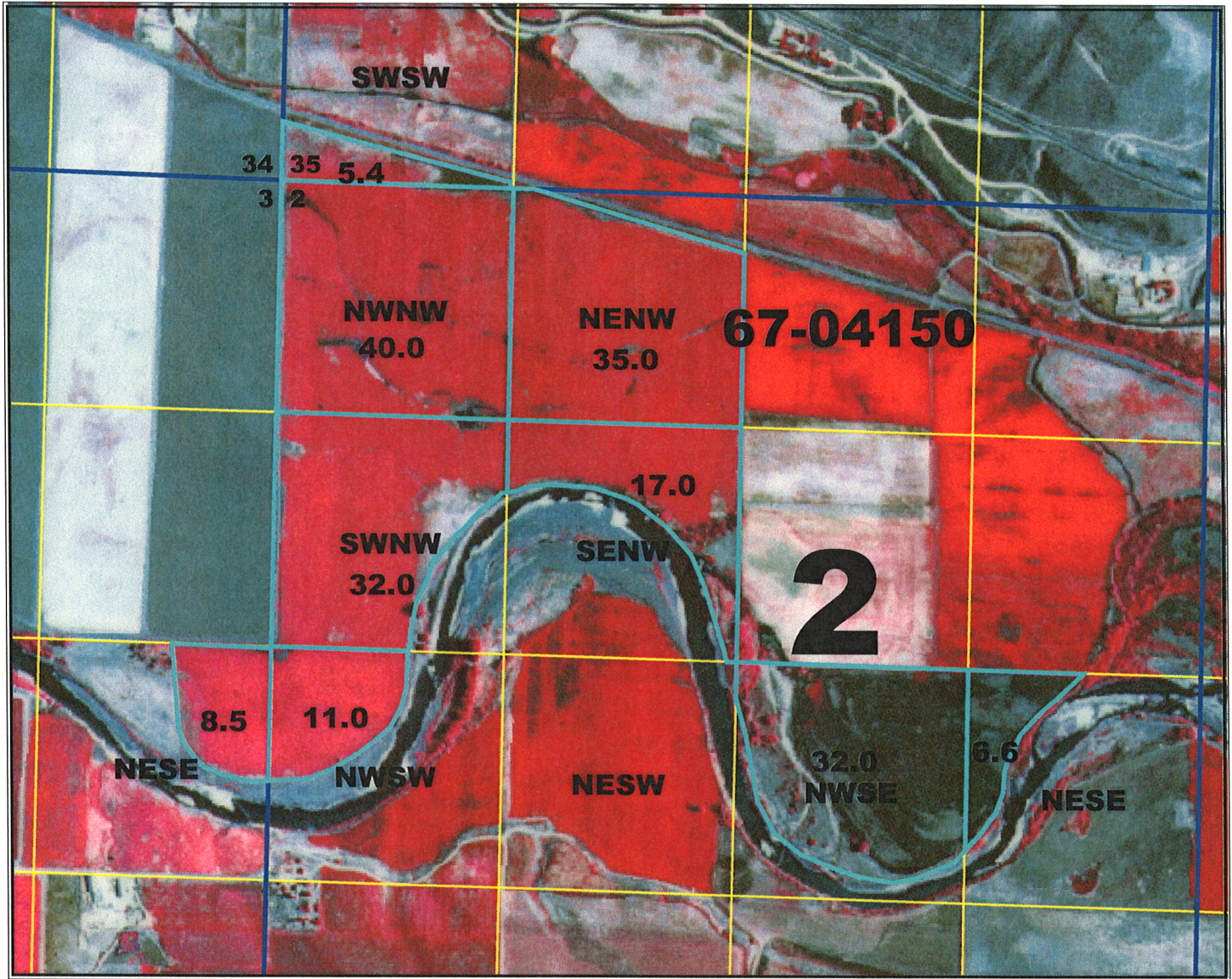
Date: April 2005



State of Idaho

POU Claim Map 67-04150

Map Source: 1987 NAPP



1320 0 1320 2640 Feet

○ Claimed Point of Diversion

□ Claimed Place of Use

▤ N/A

□ Tax Lot Data

□ Quarter Quarter Lines

□ Section Lines

Claimed Irrigated Acres: 189.0

Initial Acres Found: 187.5



Prepared By: Craig L. Saxton

Date: April 2005

MEMORANDUM

Date: April 15, 2005

To: Roger Meyer
Bosco Bosler

From: Craig L. Saxton

Subject: 67-2200, 67-2204, 67-02223, 67-4504, 67-4150, 67-10899, 67-11178, 67-14018, and 67-14020.

Claims: 67-2200, 67-2204, 67-4504, 67-14018, and 67-14020:

All of the above claim the same point of diversion. We need to know the capacity of that point of diversion. How much it will pump.

The story with this is that in 1950 during the licensing Field exam for license 67-2200, it was determined that the pump could divert 5.15 cfs. However, the sum of these 5 claims from that point of diversion is 8.36 cfs. We need to know if the pump can produce that much water. The place of use and priority date can all be verified using the information in the files.

All I need is the capacity of that point of diversion, GPS point and picture of the pump, and when (after 1950) that system was changed so they could pump 8.36 cfs. I am giving you the files anyway in case other questions come up.

Claim 67-04150:

This claim was brought to attention because it used to be owned by Winding Brook Corp and I thought if you were meeting with them anyway, they might be able to provide you with some information. Needs full field exam.

Claim 67-11178:

This claim was brought to this group because part of the claimed POU is the same as the licensed POU for 67-02200 and 67-02204. But ignore that for now and treat as separate right. This needs a full field exam.

Claim 67-10899:

This claim was brought to this group because part of the claimed POU is the same as the licensed POU for 67-02200 and 67-02204. But ignore that for now and treat as separate right. This needs a full field exam.

Claim 67-02223:

This claim is under Winding Brooks name, but it doesn't look like they own it anymore. I thought since you were meeting with Winding Brook, you could ask them about it. See notes in file.

4-13-05 : Need Evidence of Priority:

: Need to locate POO's

: Need to Verify POU.

4-15-05 Diversion Rate:

: letter in file says that as of 1997, there is only 1 poe with new pump. Need Diversion Capacity of new pump!

Note: this was owned by Winding Brook Corp.
may be able to get the info from them.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-4150

WATER RIGHT NUMBER: 67-4150

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	S & S LAND & CATTLE CO 1765 FAIRVIEW ST WEISER, ID 83672

Priority Date: 06/01/1920
 Basis: Statutory Claim
 Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER WEISER RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	24.170 CFS	
	<u>Total Diversion:</u>	24.170 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4NW1/4	Sec. 34, Twp 11N, Rge 05W, B.M.
WASHINGTON County		
WEISER RIVER	NE1/4NE1/4	Sec. 35, Twp 11N, Rge 04W, B.M.
WASHINGTON County		
GROUND WATER	SE1/4NW1/4	Sec. 34, Twp 11N, Rge 05W, B.M.
WASHINGTON County		
WEISER RIVER	NW1/4SE1/4	Sec. 34, Twp 11N, Rge 05W, B.M.
WASHINGTON County		
GROUND WATER	SE1/4NW1/4	Sec. 2, Twp 10N, Rge 05W, B.M.
WASHINGTON County		
WEISER RIVER	NW1/4SW1/4	Sec. 1, Twp 10N, Rge 05W, B.M.
WASHINGTON County		
GROUND WATER	NW1/4NW1/4	Sec. 34, Twp 11N, Rge 05W, B.M.
WASHINGTON County		
WEISER RIVER	SW1/4SE1/4	Sec. 34, Twp 11N, Rge 05W, B.M.
WASHINGTON County		
GROUND WATER	NW1/4NE1/4	Sec. 34, Twp 11N, Rge 05W, B.M.
WASHINGTON County		
WEISER RIVER	SE1/4SW1/4	Sec. 34, Twp 11N, Rge 05W, B.M.
WASHINGTON County		
WEISER RIVER	SE1/4SE1/4	Sec. 34, Twp 11N, Rge 05W, B.M.
WASHINGTON County		
GROUND WATER	NE1/4NW1/4	Sec. 34, Twp 11N, Rge 05W, B.M.
WASHINGTON County		

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-4150

WEISER RIVER

SW1/4SW1/4

Sec. 34, Twp 11N, Rge 05W, B.M.

WASHINGTON County

GROUND WATER

SW1/4NW1/4

Sec. 2, Twp 10N, Rge 05W, B.M.

WASHINGTON 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	
10N	05W	2					40.0	40.0	35.0	30.0		20.0							165.0
10N	05W	3	40.0	40.0	30.0		40.0	20.0	4.0	13.0					15.0			40.0	242.0
11N	05W	27										35.0	20.0						55.0
11N	05W	34					40.0	35.0	40.0	40.0	24.0	24.0	35.0	27.0		18.0	36.0	25.0	344.0

Total Acres: 806

Conditions of Approval:Remarks:

- General AC. IRR.=805.6 PRIORITIES ARE 1920, 4-12-1957 OF 4.89 CFS, 1961, 1963 & 1971.
WELL IN NWNE, S34, T11N, R5W.
2 P/D IN NENW, NWNW, SWSW & SESE, 5 P/D IN SWNW, 4 P/D IN SENW, 3 P/D IN SESW
ALL S34, T11N, R5W.
SOURCES ARE GROUNDWATER & WEISER R. TRIB. SNAKE R.

Comments:

Section 42-225a, Idaho Code

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that S & S Land & Cattle Co.
(name of claimant)

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Weiser River
Snake River, tributary to,
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: F.S.

Amount	<u>24.17</u>	Use	<u>Irrigation</u>	Period of Use:	From	<u>April 1</u>	To	<u>Oct. 31</u>
Amount		Use		Period of Use:	From		To	
Amount		Use		Period of Use:	From		To	
	(cfs, gpm or a/f)		(dom., irri, stock, etc.)					(both dates inclusive)

- (3) Total quantity of water claimed: 24.17 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) See Attachment

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)

Mill Ditch
NW ¼ SW ¼, Sec. 1 Twp. 10N Rge. 5W B.M. County of Washington

Additional points of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, T. 10 N, R. 5 W; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 35, T. 11 N, R. 4 W Galloway Ditch (See Attachment)

- B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. See Attachment

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

Total No. of acres 805.6

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:

- (7) If you are claiming water as a member of an organization, list name of organization: No

A full page of blank graph paper. The grid consists of solid horizontal and vertical lines forming large squares, with dashed horizontal and vertical lines bisecting each large square into four smaller quadrants. This creates a total of 8 columns and 8 rows of small squares across the page.

Received by C/S Date 2-6-76 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by R.W.H. Date 2-6-76 _____ claimant by: _____
\$10.00 fee received by C/S Date 2-6-76 # 3643 _____
Approved for publication by RB 5-3-76 _____
Published in Whisper Signal _____
Dates April 8-15 _____

PR 1 1976

4-12-1957
180.0
A. 896.5
Diversion where Weiser River water enters Mill Ditch: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, T.10N, R.5W
Aldrich Place:

Sec. 2, NENW - 40, NWNW - 40, SWNW - 35, SENW - 30, NWSW - 20

Sec. 3, NESE - 15

Diversion by pumps

Diverted Pump #1: SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 40, 40 horse power

Pump #2: SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 40, 20 horse power

Irrigated by sprinkler system, main lines are 4, 5, & 6" with 3" laterals

Carpenter Place: Permit # 61-2223 G23256 #7

There has been filing on 35 acres Pump 10 horse power

Diversion by a well in NWNE 34, T.11N, R.5W, Sec. 34

Harris Place:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec 3, T.10N, R.5W

SE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec.34, T.11N, R.5W

Diversion is by headgates in mill ditch

Headgate #1: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T.11N, R.5W

#2: SE $\frac{1}{4}$ SE $\frac{1}{4}$ 35 Sec. 34, T.11N, R.5W

Size of headgate: #1: 15", #2: 15"

100 Acre field:

NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec 3, T.10N, R.5W

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 40 Sec.34, T.11N, R.5W

Diversion: Gravity flow by headgate

SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T.11N, R.5W

Size of Headgate: #3: 15"

E. Hay field above Galloway

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 15, NE $\frac{1}{4}$ NW $\frac{1}{4}$ 25 Sec. 34, T.11N, R.5W

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 35, SE $\frac{1}{4}$ SW $\frac{1}{4}$ 20 Sec. 27, T.11N, R.5W

Diversion by pump in Mill Ditch, the pump is 150 horse power. The land is irrigated by a sprinkler system. A pipeline runs under from Mill Ditch to sprinkler system. The size of that pipe is 8".

Diversion point: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T.11W, R.5W

The main line for the sprinkler is 8" with 3" Laterals

F. Releveled ground:

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 15, Sec. 34, T.11N, R.5W

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 20, Sec. 3, T.10N, R.5W

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 4, Sec. 3, T.10N, R.5W

Diversion point is by a pump #5, 7 $\frac{1}{2}$ horse power

SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T.11N, R.5W

G. Ground between Toms and Home Place

SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34, T.11N, R.5W

SE $\frac{1}{4}$ NW $\frac{1}{4}$, 37 Sec. 34, T.11N, R. 5W

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 17 Sec. 34, T.11N, R.5W

Diversion is by headgates 10" in size

Headgates # 5, 6, & 7: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34, T.11N, R.5W

Headgates # 8, 9, 10, & 11: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34, T.11N, R. 5W

Headgate # 4 14"

H. Hay Field in bottom

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 16 Sec. 34, T.11N, R.5W

NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3, T.10N, R.5W

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 13 Sec. 3, T.10N, R.5W

Diversion point is by pump #4 which is 10 horsepower

SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T.11W, R.5W

43.5 1961

- I. 43.5 Acre Field
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 20 Sec. 34, T.11N, R.5W
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 23.5 Sec. 34, T.11N, R.5W
Diversion is by Pump #6 which is 17 $\frac{1}{2}$ horse power
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T.11N, R.5W

27.3 1961

- J. 27.3 Acre Field
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 20.3 Sec. 34, T.11N, R.5W
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 7 Sec. 34, T.11N, R.5W
diversion is by a pump #3 7 $\frac{1}{2}$ horse power
SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T.11N, R.5W

37.8 1920

- K. Porter Place:
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 19.8 Sec. 34, T.11N, R.5W
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 15 Sec. 34, T.11N, R.5W
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 3 Sec. 34, T.11N, R.5W
Diversion is by headgates from Galloway Ditch. The headgates sizes are in the field from East to West 12", 10", 8" and 8". They flow in gated pipe which is used for the irrigation. Its size is 12".
Diversion 12, 13 N $\frac{1}{2}$ NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 34, T.11N, R.5W
14, 15 NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34, T.11N, R.5W

22. 1920

- L. Mathis Place:
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 18 Sec. 34, T.11N, R.5W
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 4 Sec. 34, T.11N, R.5W
Diversion is by 3 headgates all in 8" in size
NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T.11N, R.5W
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T.11N, R.5W

4-12-57

- A. Pumps #1 & #2 were filed on 5121157, but filing wasn't kept up.
C. (Harris) Water has been used on it since April, 1971
D. (100Acre) Water has been used on it since 1961
E. (Above Galloway) Water has been used on it since 1920.
F. (Reveled Land) Water used since 1961
G. (Tom's) Water used since 1920
H. (Hay field in bottom) Filings on .76 cfs for 38" 7118150 have been using water on other 42 acres since 1963
I. (45 Acres) Have been using water on it since 1961
J. (27 Acres) Have been using water on it since 1961
k. (Potter Place) Have been using water on it since 1920
L. (Mathis) Water used since 1920

RECEIVED
FEB 1961



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

WESTERN DISTRICT -- ANNEX 3

Carl D. Andrus
Governor

R. Keith Haggins
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

February 13, 1976

Tom Sweet
S & S Land & Cattle Co.
Box 671
Weiser, ID 83672

RE: Claim to a Water Right No. 57-4150

Dear Mr. Sweet:

I am enclosing a copy of the attachment you submitted when you filed your Claim to a Water Right. We need additional information before we can advertise your claim.

In adding the acreages in Section 3, I came up with a total of 212 when actually it should have been 252. The total shown on your claim now reads 834.6 acres.

The water right used through the Mill Ditch (Aldrich Place) has no priority date given for the first use of the water. I have been unable to locate any cancelled permit for this right.

When all these acreages are added up they exceed the total of 834.6 by 1.1 acres. The SW 1/4, Sec. 34, T. 11 N., R. 5 W., B.M. is shown on two places with a total of 44 acres. That leaves an acreage of 13 acres which I can't seem to locate. Will you please review the attachment acreages to see that they are correct?

Sincerely,

Robert W. Hamilton
ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:cls

Enclosure

ADDRESS SERVICE
REQUESTED

REASON CHECKED
Unclaimed ☒
Unlisted ☐
Unrecorded Not Known
Unrecorded Address
Unrecorded Street
Unrecorded In State
Unrecorded In this envelope

MAILED FROM ZIP CODE 83702

NOE
WR# 67-4150

new in name of Caregiver
mbv 6/11/2007

RECEIVED
NOV 29 2006
DEPARTMENT OF
WATER RESOURCES

JACK HORTON
HC 01 BOX 11
LUCILE ID 83542

SCANNED
FEB 27 2007

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 67-4150
Date Received: 10/18/1989
Receipt No: W006381
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DAVID CEREGHINO Phone: (208) 628-3986

HC 01 BOX 11
LUCILE ID USA 83542

JACK HORTON Phone: (208) 628-3986

HC 01 BOX 11
LUCILE ID USA 83542

2. Date of Priority: 05/14/1950

3. Source: WEISER RIVER , WEISER RIVER Trib. to: SNAKE RIVER , SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
10N	05W	2	NW SE NW	WASHINGTON	
10N	05W	2	NE NW SW	WASHINGTON	

5. Description of diverting works:

2 PUMPS IN WEISER RIVER, 1 W/40 HP PUMP, 1 W/25 HP PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/20	7/20	3.78	

7. Total Quantity Appropriated is:
3.78 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
10N	05W	2	NE	SE		IRRIGATION	6
			NE	NW		IRRIGATION	32
			NW	SW		IRRIGATION	10
			NW	NW		IRRIGATION	40
			SW	NW		IRRIGATION	35
			SE	NW		IRRIGATION	18
			NW	SE		IRRIGATION	23
						Section Acres	164
10N	05W	3	NE	SE		IRRIGATION	17
						Section Acres	17
11N	05W	35	SW	SW		IRRIGATION	8
						Section Acres	8
						Total Acres	189

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Statutory Claim



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 11, 2005

DAVID CEREGHINO
JACK HORTON
HC 01 BOX 11
LUCILE ID 83542

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #67-4150

Dear Claimants:

We have processed the change in ownership of the Notice of Claim to a Water Right referenced above for your property in Washington County. Thank you for your patience.

Enclosed is a copy of this water right claim. Please retain this copy for your file, and refer to this record number in any future inquiries or correspondence.

If your mail delivery address changes in any form, please contact us in writing so we can update our records to assure you receive important notices concerning your claim.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Sally', is written over a horizontal line.

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:

Copy of Notice of Claim Referenced Above

RECEIVED

FEB 09 2004

WATER RESOURCES
WESTERN REGION

RECEIVED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

MAR 01 2004

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

WATER RESOURCES
WESTERN REGION

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
A67-04150	<i>ok to change CG. 4-11-05</i>				
<i>P.D. → 67-10248</i>	<i>cc: W.A. 311-05</i>				

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s) WINDING BROOK CORP C/O AGRIVEST R H MOORE
P.O. BOX 53, NAMPA, ID 83653
4. New Owner/Claimant(s) DAVE CEREGHINO JACK HORTON
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address HC 01, Box 11
- City, State and ZIP Code Lucille, ID 83542
- New Telephone Number (208) 628-3986
5. Date you acquired the property 2/3/04

SCANNED

APR 11 2005

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

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

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

7. Signature of New Owner(s) or Claimant(s) David Peregine
(include title if applicable) _____

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

For Office Use Only

Received by DS Date 2-9-04 Fee \$25-
 Receipted by DS Date 2-9-04 Receipt No. W031289
 Processed by D. J. M. A. Date 4-11-05 WR _____ Date _____

OK to Change 67-04180
 4-11-05

SCANNED
 APR 11 2005

DEED

FOR VALUE RECEIVED, WINDING BROOK CORPORATION
a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant,
Bargain, Sell and Convey unto

DOUBLE J. FARMS, LLC

C/O DAVE CEREGHINO

grantee whose current address is

HC 01, BOX 11
LUCILLE, ID 83542

the following described premises, to-wit:

IN WASHINGTON COUNTY, IDAHO:

SEE ATTACHED EXHIBIT "A"

Grantor covenants that it is seized and possessed of the said land and has a right to convey it, and warrants the
title against the lawful claims of all persons claiming by, through, and under it, but not further otherwise.

The following reservations from and exceptions to this conveyance and the warranty of
title made herein shall apply.

- (1) All easements, rights-of-way and prescriptive rights whether of record or not,
pertaining to any portion(s) of the herein described property (hereinafter, the
"Property");
- (2) All valid oil, gas and mineral rights, interests or leases, royalty reservations,
mineral interest and transfers of interest of any character, in the oil, gas or
minerals of record in any county in which any portion of the Property is
located;
- (3) All restrictive covenants, terms, conditions, contracts, provisions, zoning
ordinances and other items of record in any county in which any portion of
the Property is located, pertaining to any portion(s) of the Property, but only
to the extent that same are still in effect;
- (4) Any conditions that would be revealed by a physical inspection and survey
of the Property.

Dated: FEBRUARY 2, 2004

WINDING BROOK CORPORATION

Rodney H. Moore
BY: RODNEY H. MOORE

Instrument # 192649

WEISER, WASHINGTON, IDAHO

2004-02-03 03:15:00 No. of Pages: 3

Recorded for: AMERITITLE

SHARON WIDNER

Ex-Officio Recorder Deputy

Index to: DEED

Fee: 9.00

STATE OF IDAHO, COUNTY OF WASHINGTON

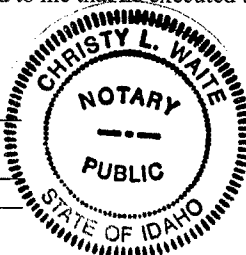
On this 2nd day of FEBRUARY, 2004, before me, a notary public in and
for the said State, Personally appeared RODNEY H. MOORE known or
identified to me to be the person whose name is subscribed to the within instrument
as Vice-President, and acknowledged to me that he executed the same as such
Vice-President

Notary Public

Residing at

Comm. Expires

Weiser, ID
11/4/09



SCANNED
APR 11 2005

File Number: W10315

EXHIBIT "A"

IN WASHINGTON COUNTY, IDAHO:

TOWNSHIP 10 NORTH, RANGE 5 WEST OF THE BOISE MERIDIAN:

- Section 2: Lot 4, all that part of Lot 3 lying southerly of the Idaho Northern Pacific Railroad Company's right of way, and all that part of the S $\frac{1}{2}$ NW $\frac{1}{4}$ and the N $\frac{1}{2}$ S $\frac{1}{2}$ lying northerly of the main channel of the Weiser River;
- Section 3: Lots 1, 2, and 3, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and all that part of Lot 4, the S $\frac{1}{2}$ NW $\frac{1}{4}$, the SW $\frac{1}{4}$ NE $\frac{1}{4}$, and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ lying northerly and/or easterly of the Weiser River;

TOWNSHIP 11 NORTH, RANGE 5 WEST OF THE BOISE MERIDIAN:

- Section 35: That part of the SW $\frac{1}{4}$ lying southerly of the right of way of the Idaho Northern and Pacific Railroad; AND ALSO

All that part of Section 34 said Township and Range lying Southerly of the Weiser River Road EXCEPT THE FOLLOWING DESCRIBED PARCELS:

A parcel of land situated within the W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 34, and the E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 33, said Township and Range, more particularly described as follows:

Beginning at the southwest corner of the W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 34, T.11N., R.5W., B.M.;
thence N 0°00'00" E, a distance of 1027.51 feet along the west line of said W $\frac{1}{2}$ NW $\frac{1}{4}$ to the TRUE POINT OF BEGINNING;
thence S 57°17'20" W, a distance of 32.96 feet to a point within the E $\frac{1}{2}$ NE $\frac{1}{4}$ of said Section 33;
thence N 0°04'39" W, a distance of 449.93 feet to a point on the southerly right-of-way of an existing County Road know as Weiser River Road;
thence N 87°55'02" E, a distance of 272.58 feet along the southerly right-of-way of said Weiser River Road;
thence S 88°23'58" E, a distance of 99.00 feet along said southerly right-of-way;
thence S 2°04'56" W, a distance of 348.51 feet;
thence N 88°47'04" W, a distance of 141.97 feet;
thence S 74°24'12" W, a distance of 48.15 feet;
thence S 66°42'26" W, a distance of 52.40 feet;
thence S 57°17'20" W, a distance of 111.62 feet to the TRUE POINT OF BEGINNING; ALSO EXCEPTING

continued

SCANNED

APR 11 2005

File Number: W10315

EXHIBIT "A" CONTINUED

A parcel of land situated within the SE $\frac{1}{4}$ of Section 34, said Township and Range, more particularly described as follows:

Beginning at the Southeast corner of Section 34, T.11N., R.5W., B.M.;

thence N 0°06'20" W, a distance of 460.72 feet along the east line of the SE $\frac{1}{4}$ of said Section 34 to the TRUE POINT OF BEGINNING which point is on the northeasterly right-of-way of the Idaho Northern and Pacific Railroad; thence northwesterly along the northeasterly right-of-way of said Railroad, along the arc of a curve right with a long chord bearing N 71°09'41" W - 450.95 feet;

thence N 67°29'34" W, a distance of 948.94 feet along the northeasterly right-of-way of said Railroad;

thence N 4°04'18" E, a distance of 367.26 feet;

thence N 24°20'50" E, a distance of 39.01 feet;

thence N 88°15'17" E, a distance of 30.64 feet;

thence N 1°04'19" E, a distance of 78.46 feet to a point on the southerly right-of-way of existing County Road known as Sand Road;

thence southeasterly along the southwesterly right-of-way of said Sand Road to a point on the east line of said SE $\frac{1}{4}$;

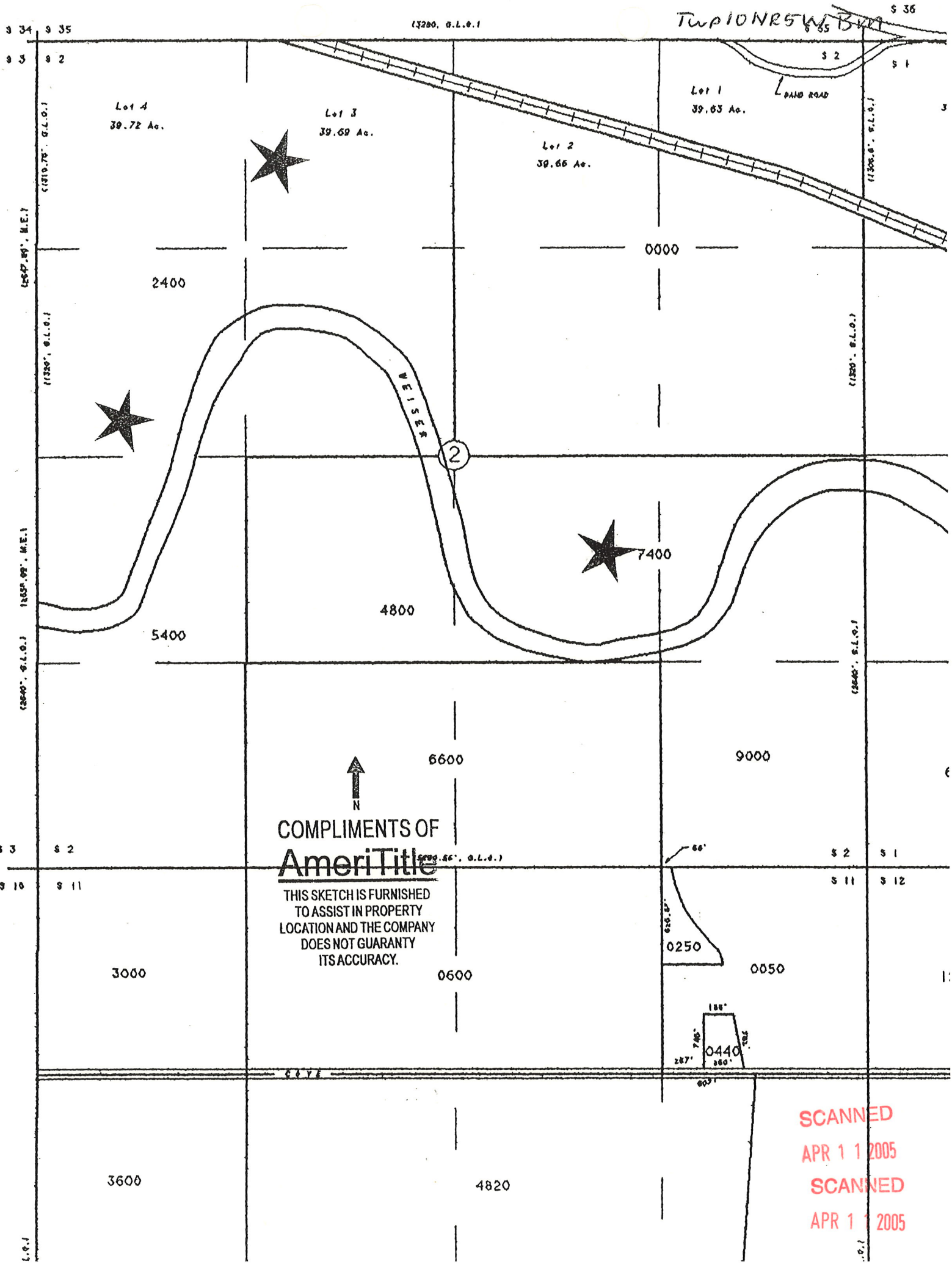
thence S 0°06'20" E, a distance of 604.60 feet along the east line of said SE $\frac{1}{4}$ to the TRUE POINT OF BEGINNING; ALSO EXCEPTING

That portion of the E $\frac{1}{2}$ of Section 34, said Township and Range, lying northerly and easterly of Sand Road and Southerly of the Weiser River Road;

Except rights of way for County Roads, Idaho Northern and Pacific Railroad, Weiser Irrigation District Canal and Mill Ditch Canal as now established.

SCANNED

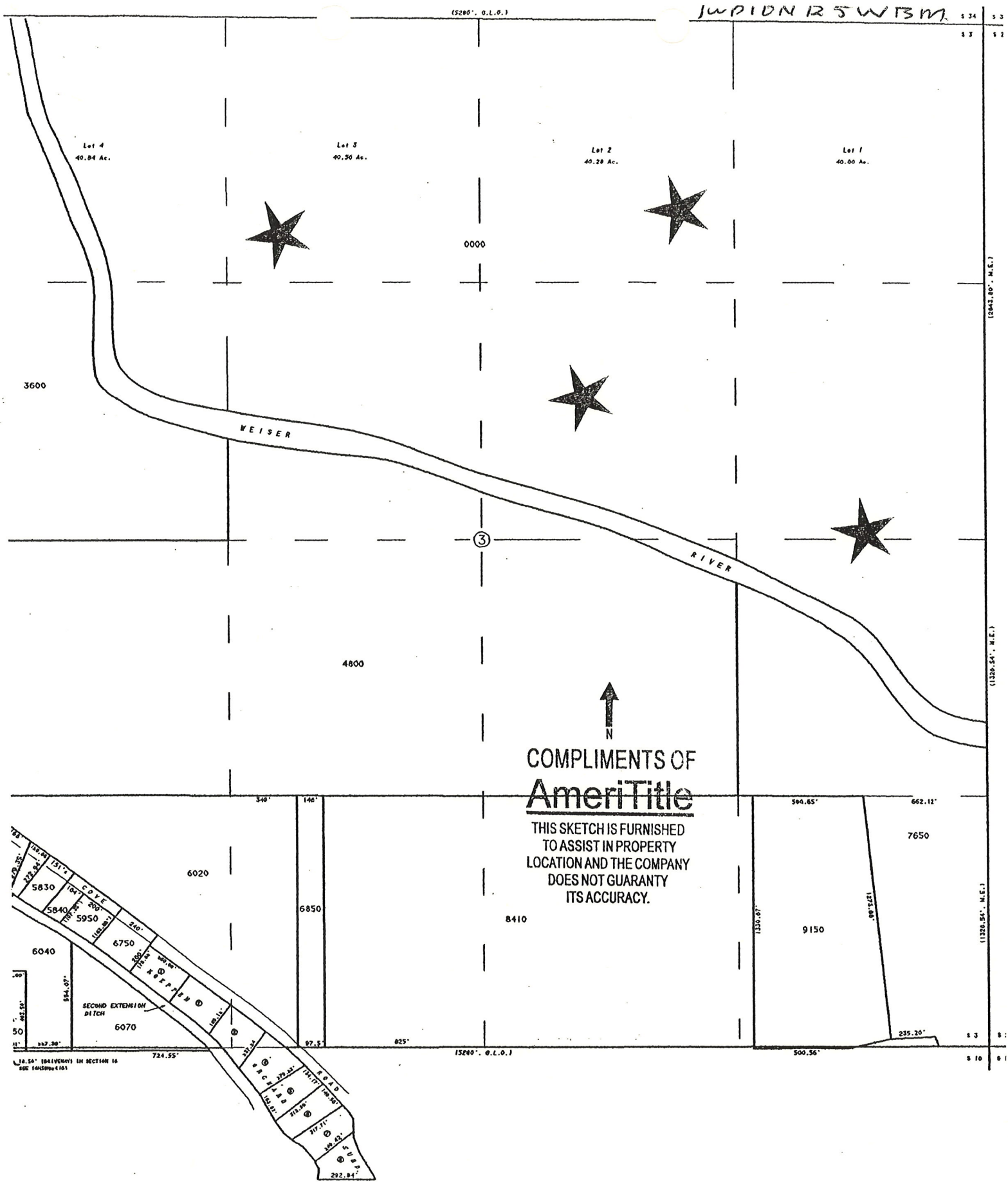
APR 11 2005



COMPLIMENTS OF
AmeriTitle

THIS SKETCH IS FURNISHED
TO ASSIST IN PROPERTY
LOCATION AND THE COMPANY
DOES NOT GUARANTY
ITS ACCURACY.

SCANNED
APR 11 2005
SCANNED
APR 11 2005



COMPLIMENTS OF
AmeriTitle

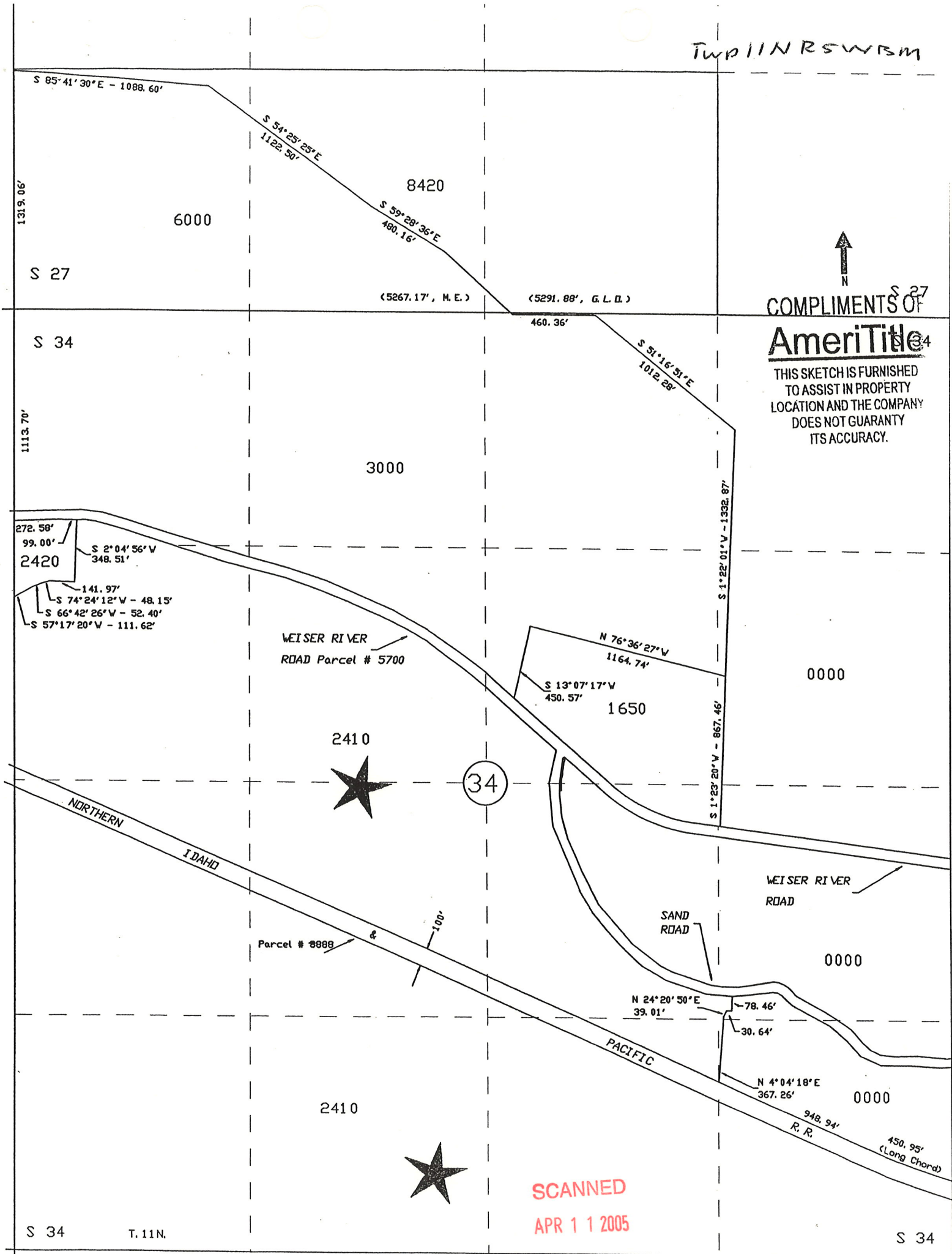
THIS SKETCH IS FURNISHED
TO ASSIST IN PROPERTY
LOCATION AND THE COMPANY
DOES NOT GUARANTY
ITS ACCURACY.

SCANNED
APR 11 2005

↑
N

COMPLIMENTS OF § 27
AmeriTitle § 34

THIS SKETCH IS FURNISHED
TO ASSIST IN PROPERTY
LOCATION AND THE COMPANY
DOES NOT GUARANTY
ITS ACCURACY.



TW 11 NR 5W 13R

U. S. B. L. M.

3600

S 26

(5274.72' - G. L. D.)

S 26

S 35

S 35



COMPLIMENTS OF
AmeriTitle

0000

THIS SKETCH IS FURNISHED
TO ASSIST IN PROPERTY
LOCATION AND THE COMPANY
DOES NOT GUARANTY
ITS ACCURACY.

2400

35

5410

U. S. B. L. M.

WEISER RIVER
ROAD

GALLOWAY
CANAL

175'

180'

260'
6820

6780

6730

6740

6670

335'
6620

250'
8550

275'
8620

SAND ROAD

6020

84.19'

134.10'
6850

290.23'

95.72'

147.37'

198.93'

16'

7000

5410

SCANNED
APR 11 2005

NORTHERN IDAHO &
PACIFIC RAILROAD

GALLOWAY
CANAL

SAND ROAD

7000

7000

S 35

S 35



S 2

(5280' - G. L. D.)

S 2



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

February 9, 2004

DAVE CEREGHINO
JACK HORTON
HC 01 BOX 11
LUCILLE ID 83542

RE: Notice of Change of Water Right Ownership No. 67-4150 & 67-10248

Dear Claimants:

Enclosed is the Notice of Change of Water Right Ownership form that was recently submitted to our office. However, we cannot continue to process the ownership change without your signature. Please sign the back of this form and return to our office in the enclosed envelope.

Feel free to contact our office if you have any questions concerning this letter.

Sincerely,

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region
(208) 334-2190

DB: db

Enclosures

Rec'd w/ signature 3-1-04

AgriVest LLC
1314 12th Avenue South, Suite 5
Nampa, ID 83651
P.O. Box 53
Nampa, ID 83653

Rodney H. Moore
Vice-President
Tel: (208) 466-0419
Fax: (208) 463-7675
E-mail: agrivest@micron.net

AgriVestSM

April 15, 1999

RECEIVED

APR 16 1999

WATER RESOURCES
WESTERN REGION

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

Attention: Adjudication Staff

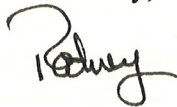
Re: WBC #68, Weiser Farm – Sweet Unit
IDWR #A67-04150

In December of 1995, you completed a Notice of Claim to a Water Right and a Change of Ownership on the above captioned water right from S&S Land & Cattle Company to Winding Brook Corp. (WBC). Since that time, there has been a change in the point of diversion for this water right situated in S2, T10N, R05W.

During the flood of the Weiser River in January 1997, both of the points of diversion were washed out, including the power lines and pump station. During the summer of 1997, we rebuilt the pump station in the NW 1/4 SE 1/4 NW 1/4 and increased the size and horsepower at that point of diversion to accommodate all the land covered by this water right situated in said Section 2. We abandoned the second point of diversion, NE 1/4 NW 1/4 SW 1/4.

Please forward the proper forms for this minor alteration in the point of diversion, which simply abandons one previous point of diversion situated in the NE 1/4 NW 1/4 SW 1/4 of said Section 2, be completed, signed and returned to your office. If you have any suggestions or need additional information, please advise.

Sincerely,



Rodney H. Moore
Vice President

*NOTE: Claim already shows NWSE NW
& the NE NW SW as filed in 1989. No
further action needed.*

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: **A67-04150**
Date Received: 10/18/1989
Receipt No: W006381
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: WINDING BROOK CORP
Address: C/O AGRIVEST
R H MOORE
PO BOX 53
NAMPA ID

208-466-0419

83653

2. Date of Priority: MAY 14, 1950

3. Source: WEISER RIVER

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	05W	2	NW	SE	NW		WASHINGTON
			NE	NW	SW		WASHINGTON

5. Description of diverting works:

2 PUMPS IN WEISER RIVER, 1 W/40 HP PUMP, 1 W/25 HP PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/20	07/20	3.780		

7. Total Quantity Appropriated is:

3.780 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
10N	05W	2	NE	NW		IRR	32.0
			NW	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	05W	2	SW	NW		IRR	35.0
			SE	NW		IRR	18.0
			NW	SW		IRR	10.0
			NE	SE		IRR	6.0
			NW	SE		IRR	23.0
						Section Acres	164.0
		3	NE	SE		IRR	17.0
						Section Acres	17.0
11N	05W	35	SW	SW		IRR	8.0
						Section Acres	8.0
						Total Acres	189.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
CRANE CREEK RESERVOIR WATER RIGHTS.

14. Remarks:
OWNERSHIP CHANGED 10/13/1994 BY MM.
ADDRESS CHANGED 11/01/1994 BY MM.
ADDRESSES 3/29/95 DMS
ADDRESS CHANGED AS PER CHANGE OF OWNERSHIP FORM SUBMITTED ON
OTHER CLAIMS NOW OWNED BY WINDING BROOK CORP. MM 12/27/1995.

15. Basis of Claim: STATUTORY CLAIM



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

December 27, 1995

R H MOORE
WINDING BROOK CORP
C/O AGRIVEST
PO BOX 53
NAMPA ID 83653

RE: Notices of Claim to a Water Right Nos. A67-04150, A67-02223, A67-10241
A67-10244, A67-10248

Dear Mr. Moore:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the lands and appurtenant water rights to your company. The address on claim no. A67-04150 has been updated to the Nampa address.

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

If you have any questions in regard to your water rights, please do not hesitate to contact this office.

Sincerely,

ADJUDICATION STAFF
WESTERN REGION OFFICE

MM:m

Enc.

MICROFILMED
OCT 23 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

DEC 26 1995

WATER RESOURCES
WESTERN REGIONDATE OF CLOSING: 4-13-94

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
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. SEE WARRANTY DEED, ATTACHED.

☐ 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) A-67-04150, A-67-10248
Assigned by IDWR: A-67-02223, A-67-10241 A-67-10244

☐ Name and Address of Former Owner/Claimant(s)(Seller): S & S LAND & CATTLE CO.
P.O. Box 671

☐ New Owner/Claimant (Purchaser): WEISER, ID. 83672
WINDING BROOK CORP

☐ New Mailing Address: c/o AGRI VEST - R.H. MOORE
P.O. Box 53
NAMPA, ID. 83653

☐ New Telephone Number: (208) 466 - 0419

☐ 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: RECORDED WARRANTY DEED

(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) WINDING BROOK CORP. Date _____
by Rodney H. Moore V-PRES Date 12/15/95

☐ 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: 12/27/1995 By: TTT

Further Action Needed:

Notes & Bounds plat

Further Action Taken

Date: 12/27/1995 By: TTT

Final Review and Data-Entry

Date: 12/27/1995 By: TTT

Claim Numbers of Split, if any:

MICROFILMED

OCT 23 1996

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

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: **A67-04150**
Date Received: 10/18/1989
Receipt No: W006381
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: WINDING BROOK CORPORATION
Address: ATTN: JAMES MCCANDLESS
C/O BATTERYMARCH:AGRIVEST
500 WINDING BROOK DRIVE
GLASTONBURY CT 06033
203-659-3711

2. Date of Priority: MAY 14, 1950

3. Source: WEISER RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	05W	2	NW	SE	NW		WASHINGTON
			NE	NW	SW		WASHINGTON

5. Description of diverting works:
2 PUMPS IN WEISER RIVER, 1 W/40 HP PUMP, 1 W/25 HP PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/20	07/20	3.780		

7. Total Quantity Appropriated is:
3.780 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
10N	05W	2	NE	NW		IRR	32.0
			NW	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
10N	05W	2	SW		NW		IRR	35.0
			SE		NW		IRR	18.0
			NW		SW		IRR	10.0
			NE		SE		IRR	6.0
			NW		SE		IRR	23.0
							Section Acres	164.0
		3	NE		SE		IRR	17.0
							Section Acres	17.0
11N	05W	35	SW		SW		IRR	8.0
							Section Acres	8.0
							Total Acres	189.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
CRANE CREEK RESERVOIR WATER RIGHTS.

14. Remarks:
OWNERSHIP CHANGED 10/13/1994 BY MM.
ADDRESS CHANGED 11/01/1994 BY MM.

15. Basis of Claim: STATUTORY CLAIM

Batterymarch: AgriVest

RECEIVED
OCT 31 1994
WATER RESOURCES
WESTERN REGION

JAMES B. McCANDLESS
PRESIDENT

RECEIVED
OCT 31 1994
Department of Water Resources

October 28, 1994

Idaho Department of Water Resources
Statehouse Mail
Boise, ID 83720-9000
Attn: Adjudication Bureau

Re: Water Right Numbers: 67-04150, 67-3090, 67-2280

Gentlemen:

Enclosed is a copy of the Notice of Change of Water Right Ownership that was filed at the time of WBC's purchase of this property. Unfortunately, the new owner's address listed by the escrow company was that of one of WBC's field offices rather than the home office. Please change the new mailing address to be:

Winding Brook Corporation
c/o Batterymarch:AgriVest-Attn: James McCandless
500 Winding Brook Drive
Glastonbury, CT 06033
203-659-3711

Sincerely,



James B. McCandless
President

JBM:rmb
cc - Rodney Moore

MICROFILMED

OCT 23 1996

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: **A67-04150**
Date Received: 10/18/1989
Receipt No: W006381
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: WINDING BROOK CORPORATION
Address: ATTN: GEORGE SCHWAB
C/O BATTERYMARCH:AGRIVEST
11330 IH 10 WEST SUITE 3001
SAN ANTONIO TX 78249

2. Date of Priority: MAY 14, 1950

3. Source: WEISER RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	05W	2	NW	SE	NW		WASHINGTON
			NE	NW	SW		WASHINGTON

5. Description of diverting works:
2 PUMPS IN WEISER RIVER, 1 W/40 HP PUMP, 1 W/25 HP PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/20	07/20	3.780		

7. Total Quantity Appropriated is:
3.780 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
10N	05W	2	NE	NW		IRR	32.0
			NW	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
10N	05W	2	SW		NW		IRR	35.0
			SE		NW		IRR	18.0
			NW		SW		IRR	10.0
			NE		SE		IRR	6.0
			NW		SE		IRR	23.0
							Section Acres	164.0
		3	NE		SE		IRR	17.0
							Section Acres	17.0
11N	05W	35	SW		SW		IRR	8.0
							Section Acres	8.0
							Total Acres	189.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
CRANE CREEK RESERVOIR WATER RIGHTS.

14. Remarks:
OWNERSHIP CHANGED 10/13/1994 BY MM.

15. Basis of Claim: STATUTORY CLAIM



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

October 14, 1994

R. KEITH HIGGINSON
DIRECTOR

WINDING BROOK CORPORATION
ATTN: GEORGE SCHWAB
C/O BATTERMARCH: AGRIVEST
SUITE 3001
11330 IH 10 WEST
SAN ANTONIO TX 78249

RE: Notice of Change of Water Right Ownership

Dear Mr. Schwab:

Winding Brook Corp. submitted a change of ownership form for three claims, numbers A67-04150, A67-03090, and A67-02280. Of these claims, only A67-04150 is appurtenant to the property description in the warranty deed submitted to this office. Claim number A67-02280 is not appurtenant to the property, and IDWR has no claim or existing water right on file with the number (A)67-03090. A copy of claim number A67-04150, which has been changed to reflect the change in ownership, is enclosed.

Also enclosed are reports of other claims which appear to be appurtenant to the property. The first group of claims, listed below, appear to require a change of ownership. Please review these reports carefully and complete the change of ownership form for the claims which should be in your name.

A67-02223 A67-10241 A67-10242 A67-10244

The second group of claims, listed below, may or may not be appurtenant to the property depending on exactly where in the 1/4 1/4 the place of use is located. You may want to consult with the former owner to determine if any of these claims require a change of ownership.

A67-10235 A67-10236 A67-10240
A67-10243 A67-10246 A67-10248

If you have any questions or need additional information, please do not hesitate to contact this office.

Sincerely,

Maria Minicucci
Water Agent, Adjudication Bureau

MM:m

Enc: Claim No. A67-04150, Referenced profile reports, Change of
Ownership forms (2)

MICROFILMED
OCT 23 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

MAY 05 1994

Department of Water Resources

DATE OF CLOSING: 4/14/94

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
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.

RECEIVED

MAY 06 1994

WATER RESOURCES
WESTERN REGION

- ☐ 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: 67-04150, 67-3090, 67-2280
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): S & S LAND AND CATTLE CO., an Idaho corporation
P. O. Box 671
Weiser, ID 83672
- ☐ New Owner/Claimant (Purchaser): WINDING BROOK CORPORATION
- ☐ New Mailing Address: c/o Batterymarch: AgriVest - ATTN: George Schwab
11330 IH 10 West, Ste. 3001
San Antonio, TX 78249
- ☐ New Telephone Number: () -

- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes x 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:

(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) WINDING BROOK CORPORATION Date
By: Jim McCandless Date 4-11-94
Jim McCandless, President
- ☐ Signature of Former Owner/Claimant(s): S & S LAND AND CATTLE CO. Date
By: Thomas H. Sweet Date 4-13-94
Thomas H. Sweet, President
(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 05/06/1994 By: L.H.

Further Action Needed:

Agent Review/Claimant contact

Further Action Taken

Date: 10/13/1994 By: YTT

Final Review and Data-Entry

Date: 10/13/1994 By: YTT

Claim Numbers of Split, if any:

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

MICROFILMED

OCT 23 1996

POOR ORIGINAL

RECEIVED
MAY 10 1994

WATER RESOURCES
WESTERN REGION

(optional)							
Recorded	☐	Platted	☐	Key Punched	☐	To Treasurer	☐
Microfilmed	☐	Deed Card	☐	Master File	☐		
Indexed	☐	Compared	☐	Abstracted	☐		

INSTRUMENT NO. 15988
PAGE 1 OF 3

(DO NOT WRITE ABOVE THIS LINE)

WARRANTY DEED
(CORPORATE FORM)

S & S LAND & CATTLE CO., an Idaho corporation
organized and existing under the laws of the State of Idaho, with its principal office at
Weiser of County of Washington, State of Idaho,
grantor, hereby CONVEYS or GRANTS and WARRANTS TO
WINDING BROOK CORPORATION

of _____ grantee
for the sum of _____
TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION----- DOLLARS,
the following described tract(s) of land in Washington
State of Idaho: _____ County,

More particularly described on attached Exhibit "A",

TOGETHER with all minerals, oil and gas, geothermal rights and water rights,
licenses and permits held in conjunction with the land which Seller directly
owns or controls.
AND TOGETHER with all water rights associated with the property and
appurtenant thereto.

Location of above described property _____
House No. _____ Street _____

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was
duly authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meet-
ing duly held and attended by a quorum.

In witness whereof, the grantor has caused its corporate name and seal to be hereunto affixed by its
duly authorized officers this 13th day of April, A. D. 1994

(CORPORATE SEAL)

S & S LAND & CATTLE CO.

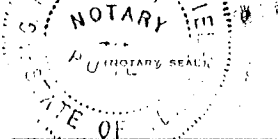
(CORPORATE NAME)

By Thomas H. Sweet
Thomas H. Sweet PRESIDENT

Attest: Julia M. Sweet
Julia M. Sweet SECRETARY

State of Idaho }
County of Washington } ss.

On the 13th day of April, A. D. 1994
personally appeared before me THOMAS H. SWEET and
who being by me duly sworn did say, each for himself, that he, the said THOMAS H. SWEET
is the president, and she, the said JULIA M. SWEET is the secretary
of S & S LAND & CATTLE CO., a corporation, and that the within and
foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board
of directors and said Thomas H. Sweet and Julia M. Sweet and
each duly acknowledged to me that said corporation executed the same and that the seal affixed is the
seal of said corporation.



Julia M. Sweet
(NOTARY PUBLIC)

My residence is Weiser, Idaho
My commission expires 9/1/98

MAIL DELIVERED TO:

MAIL TAX NOTICE TO:

Name Winding Brook Corporation
Address c/o Rodney H. Moore
Battery Match AgriVest
P. O. Box 53
City & State Nampa, ID Zip 83653

MICROFILMED

OCT 23 1995

MAY 10 1994

WATER RESOURCES
WESTERN REGION

IN WASHINGTON COUNTY, IDAHO:

TOWNSHIP 10 NORTH, RANGE 5 WEST OF THE BOISE MERIDIAN:

Section 2: Lot 4, all that part of Lot 3 lying southerly of Idaho Northern Pacific Railroad Company's right of way, and all that part of the S $\frac{1}{2}$ NW $\frac{1}{4}$ and the N $\frac{1}{2}$ S $\frac{1}{2}$ lying northerly of the main channel of Weiser River;

Section 3: Lots 1, 2, and 3, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and all that part of Lot 4, the S $\frac{1}{2}$ NW $\frac{1}{4}$, the SW $\frac{1}{4}$ NE $\frac{1}{4}$, and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ lying northerly and/or easterly of Weiser River;

TOWNSHIP 11 NORTH, RANGE 5 WEST OF THE BOISE MERIDIAN:

Section 35: That part of the SW $\frac{1}{4}$ lying southerly of the right of way of the Idaho Northern and Pacific Railroad; AND ALSO

A parcel of land situated within the S $\frac{1}{2}$ S $\frac{1}{2}$ of Section 27, and the N $\frac{1}{2}$ of Section 34 said Township and Range, more particularly described as follows:

Beginning at the Section Corner common to Sections 27, 28, 33, and 34 of T.11N., R.5W., B.M.; thence N 0° 30' 54" E, a distance of 1319.06 feet along the west line of the S $\frac{1}{2}$ S $\frac{1}{2}$ of said Section 27; thence S 85° 41' 30" E, a distance of 1088.60 feet; thence S 54° 25' 25" E, a distance of 1122.50 feet; thence S 59° 28' 36" E, a distance of 480.16 feet; thence S 49° 31' 38" E, a distance of 500.49 feet to a point within the N $\frac{1}{2}$ of said Section 34; thence S 89° 48' 00" E, a distance of 460.36 feet; thence S 51° 16' 51" E, a distance of 1012.28 feet; thence S 1° 22' 01" W, a distance of 1332.87 feet; thence N 76° 36' 27" W, a distance of 1164.74 feet; thence S 13° 07' 17" W, a distance of 450.57 feet to a point on the northeasterly right-of-way of an existing County Road known as Weiser River Road; thence northwesterly along the northeasterly right-of-way of said Weiser River Road to a point on the west line of said N $\frac{1}{2}$ of said Section 34; thence N 0° 00' 00" E, a distance of 1113.70 feet along the west line of said N $\frac{1}{2}$ to the point of beginning, AND ALSO

All that part of said Section 34 said Township and Range lying South of Weiser River Road EXCEPT THE FOLLOWING DESCRIBED PARCELS:

A parcel of land situated within the W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 34, and the E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 33, said Township and Range, more particularly described as follows:

Beginning at the southwest corner of the W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 34, T.11N., R.5W., B.M.; thence N 0° 00' 00" E, a distance of 1027.51 feet along the west line of said W $\frac{1}{2}$ NW $\frac{1}{4}$ to the TRUE POINT OF BEGINNING; thence S 57° 17' 20" W, a distance of 32.96 feet to a point within the E $\frac{1}{2}$ NE $\frac{1}{4}$ of said Section 33; thence N 0° 04' 39" W, a distance of 449.93 feet to a point on the southerly right-of-way of an existing County Road known as Weiser River Road; thence N 87° 55' 02" E, a distance of 272.58 feet along the southerly right-of-way of said Weiser River Road; thence S 88° 23' 58" E, a distance of 99.00 feet along said southerly right-of-way; thence S 2° 04' 56" W, a distance of 348.51 feet; thence N 88° 47' 04" W, a distance of 141.97 feet; thence S 74° 24' 12" W, a distance of 48.15 feet; thence S 66° 42' 26" W, a distance of 52.40 feet; thence S 57° 17' 20" W, a distance of 111.62 feet to the TRUE POINT OF BEGINNING; ALSO EXCEPTING

A parcel of land situated within the SE1/4 of Section 34, said Township and Range, more particularly described as follows:

Beginning at the southeast corner of Section 34, T.11N., R.5W., B.M.; thence N 0° 06' 20" W, a distance of 460.72 feet along the east line of the SE1/4 of said Section 34 to the TRUE POINT OF BEGINNING, which point is on the northeasterly right-of-way of the Idaho Northern and Pacific Railroad; thence northwesterly along the northeasterly right-of-way of said Railroad, along the arc of a curve right with a long chord bearing N 71° 09' 41" W - 450.95 feet; thence N 67° 29' 34" W, a distance of 948.94 feet along the northeasterly right-of-way of said Railroad; thence N 4° 04' 18" E, a distance of 367.26 feet; thence N 24° 20' 50" E, a distance of 39.01 feet; thence N 88° 15' 17" E, a distance of 30.64 feet; thence N 1° 04' 19" E, a distance of 78.46 feet to a point on the southerly right-of-way of existing County Road known as Sand Road; thence southeasterly along the southwesterly right-of-way of said Sand Road to a point on the east line of said SE1/4; thence S 0° 06' 20" E, a distance of 604.60 feet along the east line of said SE1/4 to the TRUE POINT OF BEGINNING; ALSO EXCEPTING

That portion of the E½ of Section 34, said Township and Range, lying northerly and easterly of Sand Road and Southerly of Weiser River Road;

Except rights of way for County Roads, Idaho Northern and Pacific Railroad, Weiser Irrigation District Canal and Mill Ditch Canal as now established.

INSTRUMENT NO. 159882
STATE OF IDAHO, COUNTY OF WASHINGTON ss.
Filed for record at the request of

WASHINGTON COUNTY TITLE
15 Min. past FIFTEEN o'clock P. M.
This 14TH day of APRIL 19 94
INDEX TO DEEDS
MARY KAUTZ, Recorder. Fee \$9.00
By *Jessie McKnight* Deputy
WASHINGTON COUNTY TITLE

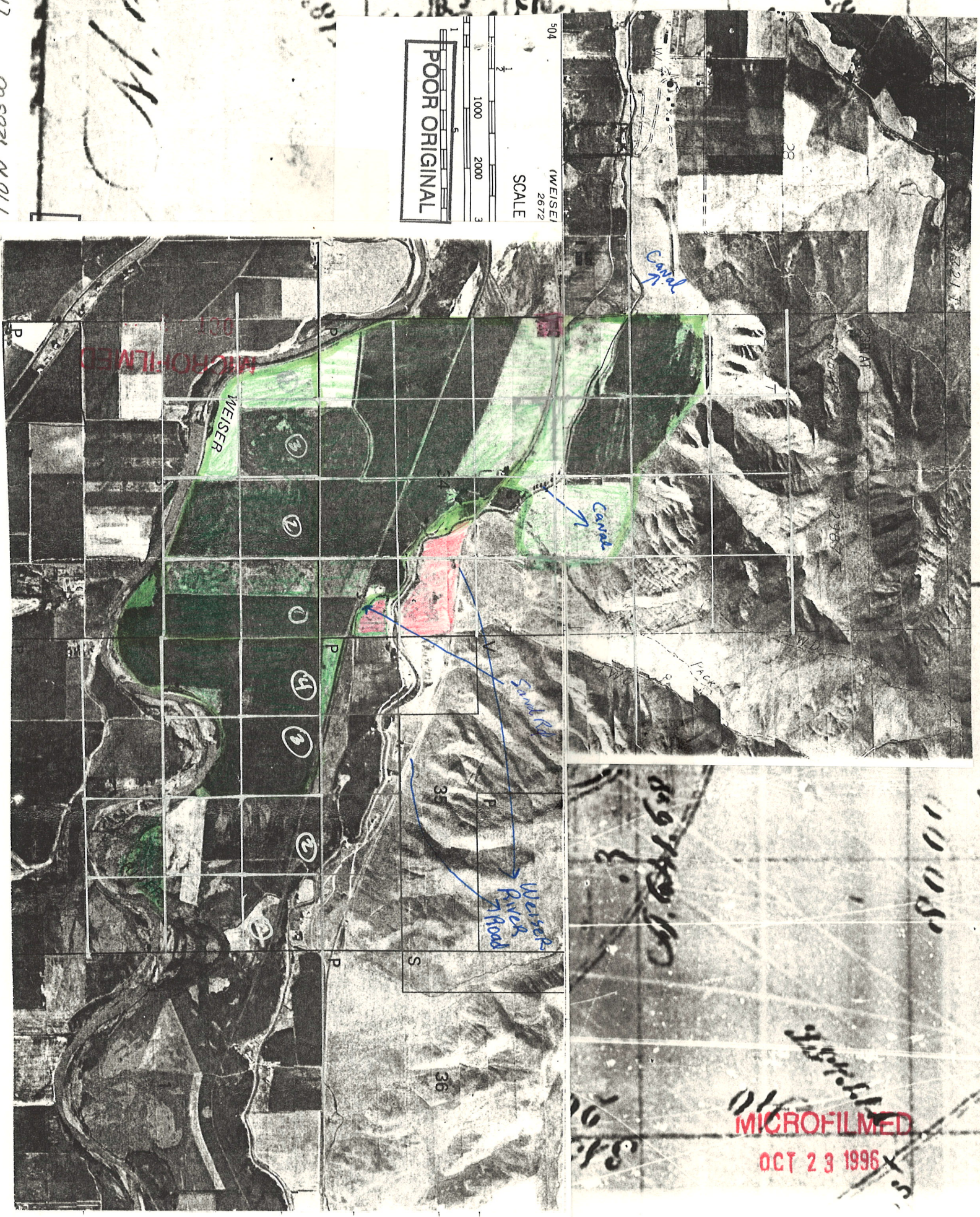
☒ Imp. Index
☐ Cmp. Rel.
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☐ Card Rel.
☐ Bk. Rel.
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M502 N 011

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18-21-57

18-21-57



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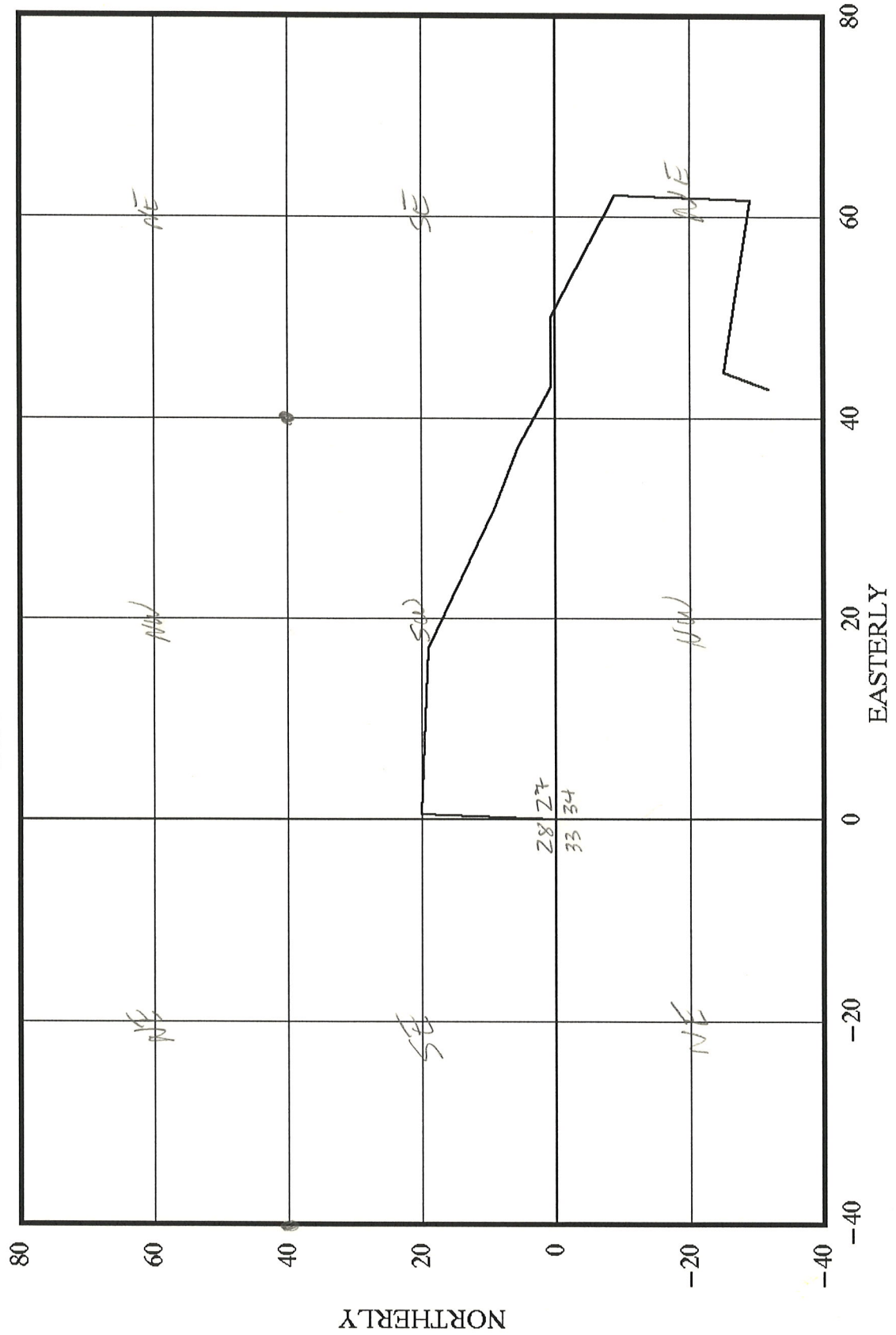
T11N R05W

Parcel 2A

S+S Land + Cattle / Winding Brook

PARCEL PLOT - METES & BOUNDS

DISTANCE IS IN CHAINS

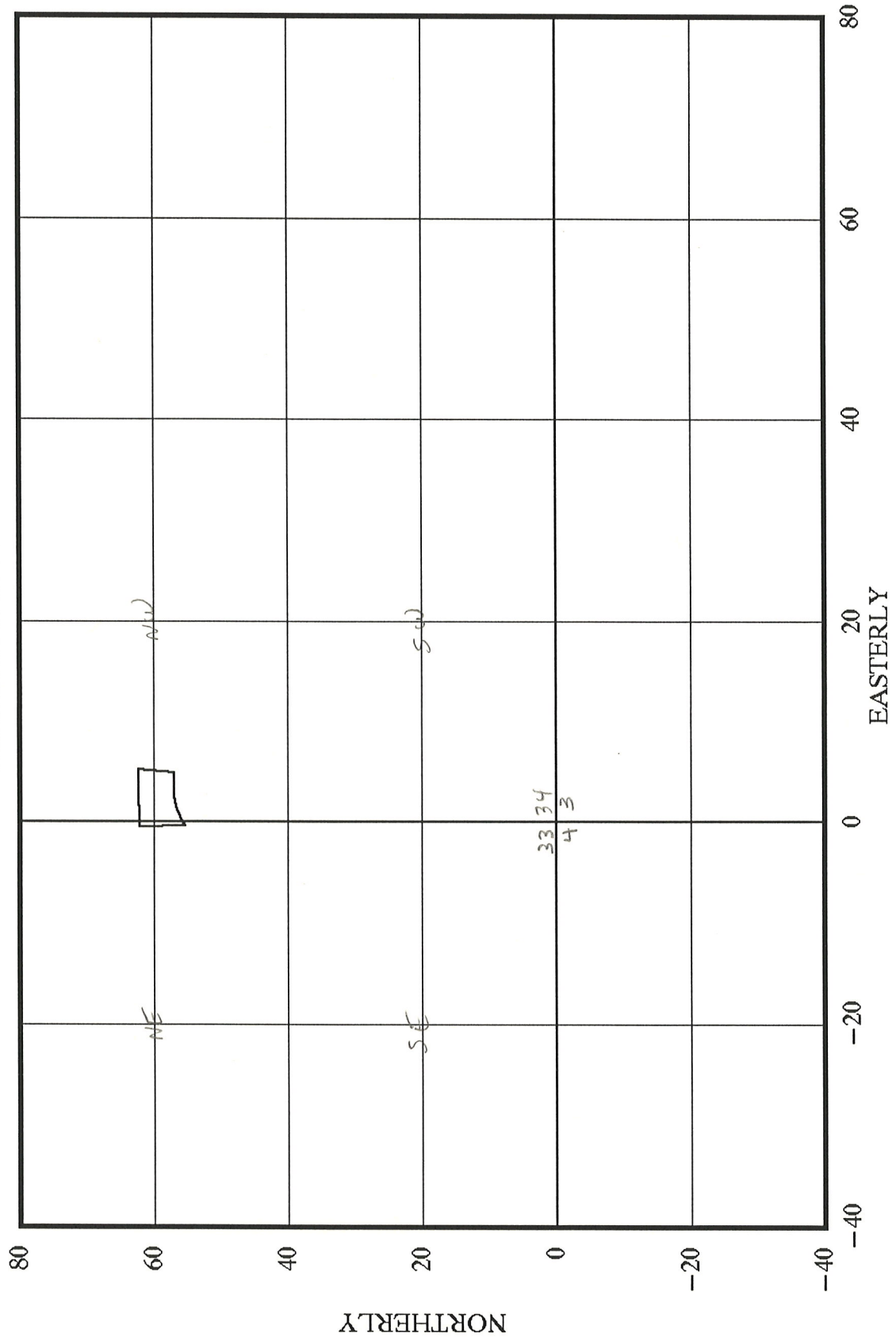


MICROFILMED
OCT 23 1996

T11N R05W Parcel 2B S+S Land + Cattle / Winding Brook

PARCEL PLOT - METES & BOUNDS

DISTANCE IS IN CHAINS



MICROFILMED
OCT 23 1996

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: A67-04150

Date Received: 10/18/1989

Receipt No: W006381

Received By: de Rdt

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: S & S LAND & CATTLE CO.
Address: P.O. BOX 671
WEISER, ID

208-549-0975

83672

2. Date of Priority: MAY 14, 1950

3. Source: WEISER RIVER

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10N	05W	2	NW	SE	NW		WASHINGTON
			NE	NW	SW		WASHINGTON

5. Description of diverting works:
2 PUMPS IN WEISER RIVER, 1 W/40 HP PUMP, 1 W/25 HP PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/20	07/20	3.780		

7. Total Quantity Appropriated is:
3.780 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
10N	05W	2	NE	NW		IRR	32.0
			NW	NW		IRR	40.0
			SW	NW		IRR	35.0

A67-04150

Page 1

Date: 12/28/89

MICROFILMED
OCT 02 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
10N	05W	2	SE		NW		IRR	18.0
			NW		SW		IRR	10.0
			NE		SE		IRR	6.0
			NW		SE		IRR	23.0
			Section Acres					164.0
		3	NE		SE		IRR	17.0
			Section Acres					17.0
11N	05W	35	SW		SW		IRR	8.0
			Section Acres					8.0
			Total Acres					189.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
CRANE CREEK RESERVOIR WATER RIGHTS.

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

DECEMBER 28, 1989

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

S & S LAND & CATTLE CO.
C/O THOMAS H. SWEET
P.O. BOX 671
WEISER, IDAHO 83672

DEAR MR. SWEET,

I FOUND THAT CLAIM A67-04150 HAD A FEW DATA ENTRY ERRORS ON IT. THE ORIGINAL THAT YOU SIGNED WAS OK. SOMEHOW WE LEFT THE OLD REMARKS IN THE CLAIM, AND GROUNDWATER AS A SOURCE. I HAVE CORRECTED THIS. I MADE A CORRECTED COPY FOR YOU TO REPLACE IN YOUR FILES AND MARKED ON A COPY WHERE THE INCORRECT DATA ENTRY WAS MADE.

IF YOU HAVE ANY QUESTIONS REGARDING THIS GIVE ME A CALL.

SINCERELY,

RON HOWERTON
SR. WATER RIGHT AGENT
ADJUDICATION SECTION

MICROFILMED
OCT 02 1992

* INconnect DE

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: A67-04150
Date Received: 10/18/1989
Receipt No: W006381
Received By: DE JH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: S & S LAND & CATTLE CO. 208-549-0975
Address: P.O. BOX 671
WEISER, ID 83672

2. Date of Priority: MAY 14, 1950

3. Source: WEISER RIVER *
~~GROUNDWATER~~ *nch* Trib. to: SNAKE RIVER
no Groundwater

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	05W	2	NW	SE	NW		WASHINGTON
			NE	NW	SW		WASHINGTON

5. Description of diverting works:

2 PUMPS IN WEISER RIVER, 1 W/40 HP PUMP, 1 W/25 HP PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/20	07/20	3.780		

7. Total Quantity Appropriated is:
3.780 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
10N	05W	2	NE	NW		IRR	32.0
			NW	NW		IRR	40.0

A67-04150

Page 1

Date: 10/20/89

MICROFILMED
OCT 02 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres	
10N	05W	2	SW	NW		IRR	35.0	
			SE	NW		IRR	18.0	
			NW	SW		IRR	10.0	
			NE	SE		IRR	6.0	
			NW	SE		IRR	23.0	
						Section Acres	164.0	
		3	NE	SE		IRR	17.0	
						Section Acres	17.0	
11N	05W	35	SW	SW		IRR	8.0	
							Section Acres	8.0
							Total Acres	189.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
CRANE CREEK RESERVOIR WATER RIGHTS.

14. Remarks:

~~AC. IRR.=805.6
PRIORITIES ARE 1920, 4-12-1957 OF 4.89 CFS, 1961, 1963 & 1971.
WELL IN NWN, S34, T11N, R5W.
2 P/D IN NENW, NWNW, SWSW & SESE, 5 P/D IN SWNW, 4 P/D IN SENW,
3 P/D IN SESW ALL S34, T11N, R5W.
SOURCES ARE GROUNDWATER & WEISER R. TRIB. SNAKE R.~~

(no remarks)
Rdn

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576
Ident. Number A 67 - 04150
Date Received 10/18/89
Receipt Number W006381

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

Please type or print clearly

1. Name of Claimant (s) S+S Land and Cattle Co Phone (208) 549-0975

Mailing Address PO Box 671 WEISER IDAHO Zip 83672

2. Date of Priority (Only one (1) per claim) MAY 14, 1950

3. Source of water supply (a) WEISER RIVER
which is tributary to (b) SNAKE RIVER

4. a. Location of existing point of diversion is: Township 10 N Range 5 W Section 2,
NW 1/4 of SE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of WASHINGTON

Additional points of diversion if any: NE 1/4 NW 1/4 SW 1/4 10 N 5 W sec 2

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

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

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

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

_____ 1/4, Govt. Lot _____ B.M., County of _____

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

Water is diverted by two pumps in the
WEISER RIVER no. 1 pump 40 hp.
no. 2 pump 25 hp.

MICROFILMED

OCT 02 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 3-20 to 7-20 amount 3.78 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.78 (cfs) and/or (b) _____ (acre feet)

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

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

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
10N	5W	2					32	40	35	18		10			6	23			164
10N	5W	3													17				17
11N	5W	35											8						8

Total number of acres irrigated 189

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

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
CRANE CREEK RES. WATER RIGHTS ARE USED ON THIS or None ()
PROPERTY.

14. Remarks:

MICROFILMED

OCT 02 1992

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

35

2

3

35

2

34

3

10m 5m 5m 11m

STS

STS

STP

STP

STS

STS

MICROFILMED
OCT 02 1992

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

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

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am VICE President
of S+S Land and Cattle Co , that I have signed the foregoing
document in the space below as VICE - President of S+S Land + Cattle Co.
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]
Title and Organization Vice Pres. S+S Land & Cattle Co. Date 10-18-89

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

Subscribed and sworn (or affirmed) before me this 18th day of OCT 19 89

SEAL

Notary Public Ron Howerton

Residing at Ron Howerton

My Commission Expires Residing at Boise, Idaho
My Commission Expires December 8, 1994

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

MICROFILMED
OCT 02 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that S & S Land & Cattle Co.
(name of claimant)
of Box 671, Weiser, ID
(mailing address), claims a right to the diversion and beneficial use of
the public water of the State of Idaho

The extent and nature of said claim is as follows:

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Weiser River
Snake River, tributary to,

(2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: T.S.

Amount	<u>24.17</u>	Use	<u>Irrigation</u>	Period of Use: From	<u>April 1</u>	To	<u>Oct. 31</u>
Amount		Use		Period of Use: From		To	
Amount		Use		Period of Use: From		To	
	(cfs, gpm or a/f)		(dom., irri., stock, etc.)				(both dates inclusive)

(3) Total quantity of water claimed: 24.17 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

(4) Priority claimed: (the date water was first applied to beneficial use) See Attachment

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

(5) A) Point of diversion: (give location of point where water is diverted from its source)
Mill Ditch NW 1/4 SW 1/4, Sec. 1 Twp. 10N Rge. 5W B.M. County of Washington
Additional points of diversion: SE 1/4 NW 1/4, SW 1/4 NW 1/4, Sec. 2, T. 10 N, R. 5 W; NE 1/4 NE 1/4, Sec. 35, T. 11 N, R. 4 W Galloway Ditch (See Attachment)

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. See Attachment

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
10N	5W	2					40	40	35	30		20							165
		3	40	40	30		40	20	4	13					15			40	242.0
11N	5W	34					40	34.8	40	40	24	23.5	35	27.3	18	36	25		343.6
		27											35	20					55

Total No. of acres 805.6

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:

(7) If you are claiming water as a member of an organization, list name of organization: No

R 11376

4-12-1957
 + 180.0
 4.89 acres
 A Diversion where Weiser River water enters Mill Ditch: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, T.10N, R.5W

Aldrich Place:

Sec. 2, NENW - 40, NWNW - 40, SWNW - 35, SENW - 30, NWSW - 20

Sec. 3, NESE - 15

Diversion by pumps

Diverted Pump #1: SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 40, 40 horse powerPump #2: SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 40, 20 horse power

Irrigated by sprinkler system, main lines are 4, 5, & 6" with 3" laterals

Carpenter Place: Permit # 61-2223 G23256 #7

There has been filing on 35 acres Pump 10 horse power

Diversion by a well in NWNE 34, T.11N, R.5W, Sec. 34

Harris Place:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec 3, T.10N, R.5W,SE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec.34, T.11N, R.5W

Diversion is by headgates in mill ditch

Headgate #1: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T.11N, R.5W#2: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T.11N, R.5W

Size of headgate: #1: 15", #2: 15"

100 Acre field:

NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec 3, T.10N, R.5WSW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec.34, T.11N, R.5W

Diversion: Gravity flow by headgate

SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T.11N, R.5W

Size of Headgate: #3: 15"

E. Hay field above Galloway

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 15, NE $\frac{1}{4}$ NW $\frac{1}{4}$ 25 Sec. 34, T.11N, R.5WSW $\frac{1}{4}$ SW $\frac{1}{4}$ 35, SE $\frac{1}{4}$ SW $\frac{1}{4}$ 20 Sec. 27, T.11N, R.5W

+ 95 1920
 Diversion by pump in Mill Ditch, the pump is 150 horse power. The land is irrigated by a sprinkler system. A pipeline runs under from Mill Ditch to sprinkler system. The size of that pipe is 8".

Diversion point: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T.11W, R.5W

The main line for the sprinkler is 8" with 3" Laterals

F. Relevelled ground:

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 15, Sec. 34, T.11N, R.5WNW $\frac{1}{4}$ NW $\frac{1}{4}$ 20, Sec. 3, T.10N, R.5WSW $\frac{1}{4}$ NW $\frac{1}{4}$ 4, Sec. 3, T.10N, R.5WDiversion point is by a pump #5, 7 $\frac{1}{2}$ horse powerSW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T.11N, R.5W

G. Ground between Toms and Home Place

SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34, T.11N, R.5WSE $\frac{1}{4}$ NW $\frac{1}{4}$, 37 Sec. 34, T.11N, R. 5WNE $\frac{1}{4}$ SW $\frac{1}{4}$ 17 Sec. 34, T.11N, R.5W

Diversion is by headgates 10" in size

Headgates # 5, 6, & 7: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34, T.11N, R.5WHeadgates # 8, 9, 10, & 11: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34, T.11N, R. 5W

Headgate # 4 14"

H. Hay Field in bottom

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 16 Sec. 34, T.11N, R.5WNE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3, T.10N, R.5WSE $\frac{1}{4}$ NW $\frac{1}{4}$ 13 Sec. 3, T.10N, R.5W

Diversion point is by pump #4 which is 10 horsepower

SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T.11W, R.5W

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43.5 1961 I. 43.5 Acre Field
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 20 Sec. 34, T.11N, R.5W
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 23.5 Sec. 34, T.11N, R.5W
Diversiion is by Pump #6 which is 17 $\frac{1}{2}$ horse power
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T.11N, R.5W

27.3 1961 J. 27.3 Acre Field
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 20.3 Sec. 34, T.11N, R.5W
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 7 Sec. 34, T.11N, R.5W
diversion si by a pump #3 7 $\frac{1}{2}$ horse power
SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T.11N, R.5W

* 37.8 1920 K. Porter Place:
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 19.8 Sec. 34, T.11N, R.5W
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 15 Sec. 34, T.11N, R.5W
SE $\frac{1}{4}$ NW $\frac{1}{4}$, 3 Sec. 34, T.11N, R.5W
Diversiion is by headgates from Galloway Ditch. The headgates sizes are in the field from East to West 12", 10", 8" and 8". They flow in gated pipe which is used for the irrigation. Its size is 12".
Diversiion 12, 13 N $\frac{1}{2}$ NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 34, T.11N, R.5W
14, 15 NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34, T.11N, R.5W

22 1920 L. Mathis Place:
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 18 Sec. 34, T.11N, R.5W
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 4 Sec. 34, T.11N, R.5W
Diversiion is by 3 headgates all in 8" in size
NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T.11N, R.5W
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T.11N, R.5W

- 4-12-57
- x A. Pumps #1 & #2 were filed on 5121157, but filing wasn't kept up.
 - x C. (Harris) Water has been used on it since April, 1971
 - x D. (100Acre) Water has been used on it since 1961
 - x E. (Above Galloway) Water has been used on it since 1920.
 - x F. (Releveled Land) Water used since 1961
 - x G. (Tom's) Water used since 1920
 - x H. (Hay field in bottom) Filings on .76 cfs for 38" 7118150 have been using water on other 42 acres since 1963
 - x I. (45 Acres) Have been using water on it since 1961
 - x J. (27 Acres) Have been using water on it since 1961
 - x K. (Potter Place) Have been using water on it since 1920
 - x L. (Mathis) Water used since 1920

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