

04/29/2008

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

RIGHT NUMBER: 67-7005

NAME AND ADDRESS: TREE TOP RANCHES LP
914 HOUSTON RD
BOISE ID 83706

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.380 CFS
161.000 AFY

PRIORITY DATE: 11/17/1967

POINT OF DIVERSION:

T14N R03W S29 SWSW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.380 CFS
161.00 AFY

~~The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.~~

PLACE OF USE:

IRRIGATION in WASHINGTON County

T14N R03W S29	SENE	40.00	T14N R03W S29	NESW	40.00
T14N R03W S29	SWSW	40.00	T14N R03W S29	SESW	40.00
T14N R03W S29	NESE	40.00	T14N R03W S29	NWSE	40.00
T14N R03W S29	SWSE	40.00	T14N R03W S29	SESE	40.00

320 ACRES TOTAL

This right is limited to the irrigation of 45 acres within the place of use described above in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

11/27/2007

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

RIGHT NUMBER: 67-7005

NAME AND ADDRESS: TREE TOP RANCHES LP
914 HOUSTON RD
BOISE ID 83706

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.380 CFS
161.000 AFY

PRIORITY DATE: 11/17/1967

POINT OF DIVERSION:

T14N R03W S29 SWSW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.380 CFS
161.00 AFY

The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in WASHINGTON County

T14N R03W S29	SENE	40.00	T14N R03W S29	NESW	40.00
T14N R03W S29	SWSW	40.00	T14N R03W S29	SESW	40.00
T14N R03W S29	NESE	40.00	T14N R03W S29	NWSE	40.00
T14N R03W S29	SWSE	40.00	T14N R03W S29	SESE	40.00

320 ACRES TOTAL

This right is limited to the irrigation of 45 acres within the place of use described above in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7005 V1

WATER RIGHT NUMBER: 67-7005 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TREE TOP RANCHES LP 914 HOUSTON RD BOISE, ID 83706 (208)377-0998
Original Owner	BERYL ADAMSON 8444 W HWY 52 EMMETT, ID 83617 (208)365-2194
Directors Report Owner	ARTHUR A FAIRCHILD 914 HOUSTON RD BOISE, ID 83706 (208)383-0000
Original Owner	JANETTE K HOPPER RT 1 MIDVALE, ID 83645
Original Owner	DAVID L HOPPER RT 1 MIDVALE, ID 83645

Priority Date: 11/17/1967

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.380 CFS	161.00 AF
	<u>Total Diversion:</u>	0.380 CFS	161.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4	Sec. 29, Twp 14N, Rge 03W, 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		
14N 03W 29				40.0					40.0			40.0	40.0	40.0	40.0	40.0	40.0	320.0

Total Acres: 320

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7005 V1

1. K06 This right is limited to the irrigation of 45 acres within the place of use described above in a single irrigation season.
2. S39 The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
3. 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. awarntje 3/31/2004 Period of Use
Comment: Peiroad of Use shortened from standards
2. awarntje 4/1/2004 Transferred 4031
Comment: See conditions of transfer. Transfer assigned 180 af. However diversion rate limits it to 161 af.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	3/31/2004 8:20:49 AM	awarntje			Active
POD	3/31/2004 8:52:24 AM	awarntje			Active
Source	3/31/2004 9:00:35 AM	awarntje			Active
POU	3/31/2004 9:02:46 AM	awarntje			Active
Season	3/31/2004 9:12:24 AM	awarntje			Active
Season	3/31/2004 9:18:29 AM	awarntje			Active
Quantity	3/31/2004 9:19:25 AM	awarntje			Active
Contacts	5/3/2006 11:04:53 AM	mmount			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7005 V1

Priority Date	5/3/2006 11:05:32 AM	mmount	Active
POD	5/3/2006 11:05:51 AM	mmount	Active
Source	5/3/2006 11:06:41 AM	mmount	Active
POU	5/3/2006 11:07:00 AM	mmount	Active
Use	5/3/2006 11:07:22 AM	mmount	Active
Season	5/3/2006 11:08:50 AM	mmount	Active
Quantity	5/3/2006 11:13:04 AM	mmount	Active
Summary	05/03/2006	mmount	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Season	3/31/2004 9:18:30 AM	awarntje	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use?
Priority Date	3/31/2004 8:20:49 AM	awarntje	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly?
Source	3/31/2004 9:00:34 AM	awarntje	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
POD	3/31/2004 8:50:33 AM	awarntje	Edited point location
Season	3/31/2004 9:12:25 AM	awarntje	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7005 V1

Quantity	3/31/2004 9:19:25 AM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? Description for Question 10 - 4.0 af per acre
POU	5/3/2006 11:03:03 AM	mmount	Updated shape for Active POU
POD	5/3/2006 11:05:51 AM	mmount	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
POU	5/3/2006 11:07:01 AM	mmount	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (Yes) 14. Is a POU remark and/or condition required?
General	5/3/2006 11:05:33 AM	mmount	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
Season	5/3/2006 11:08:50 AM	mmount	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (Yes) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7005 V1

Quantity	5/3/2006 11:13:05 AM	mmount	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required?
Summary	5/3/2006 11:14:37 AM	mmount	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (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?
POD	3/31/2004 8:52:24 AM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?
POU	3/31/2004 9:02:45 AM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file?
POD	5/3/2006 11:04:28 AM	mmount	Updated shape
Contacts	5/3/2006 11:04:54 AM	mmount	(No) 1. Do you want to schedule an appointment?
Source	5/3/2006 11:06:42 AM	mmount	Comment for 1: desk review (Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7005 V1

Use	5/3/2006 11:07:22 AM	mmount	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
POU	2/9/2004 11:11:27 AM	awarntje	Edited shape boundary
POU	2/9/2004 11:13:15 AM	awarntje	Edited shape boundary

SubCase:

SubCase Number: 67-7005

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date:

Attorney Assigned:

Adjudication Agent: mmount

Basis of Claim: License

Date Filed: 8/21/2007 Objection Status: Active

Water Supply Bank:

05/03/2006

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

RIGHT NUMBER: 67-7005

NAME AND ADDRESS: ARTHUR A FAIRCHILD
914 HOUSTON RD
BOISE ID 83706

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.380 CFS
161.000 AFY

PRIORITY DATE: 11/17/1967

POINT OF DIVERSION:

T14N R03W S29 SWSW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.380 CFS 161.00 AFY

The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within WASHINGTON County

T14N R03W S29	SENE	40.00	T14N R03W S29	NESW	40.00
T14N R03W S29	SWSW	40.00	T14N R03W S29	SESW	40.00
T14N R03W S29	NESE	40.00	T14N R03W S29	NWSE	40.00
T14N R03W S29	SWSE	40.00	T14N R03W S29	SESE	40.00

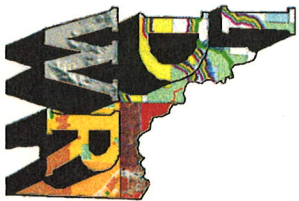
320 ACRES TOTAL

This right is limited to the irrigation of 45 acres within the place of use described above in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License



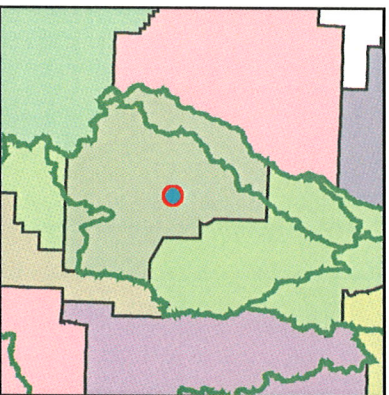
Idaho Department of Water Resources

SRBA Recommendation:

67-7005

Legend

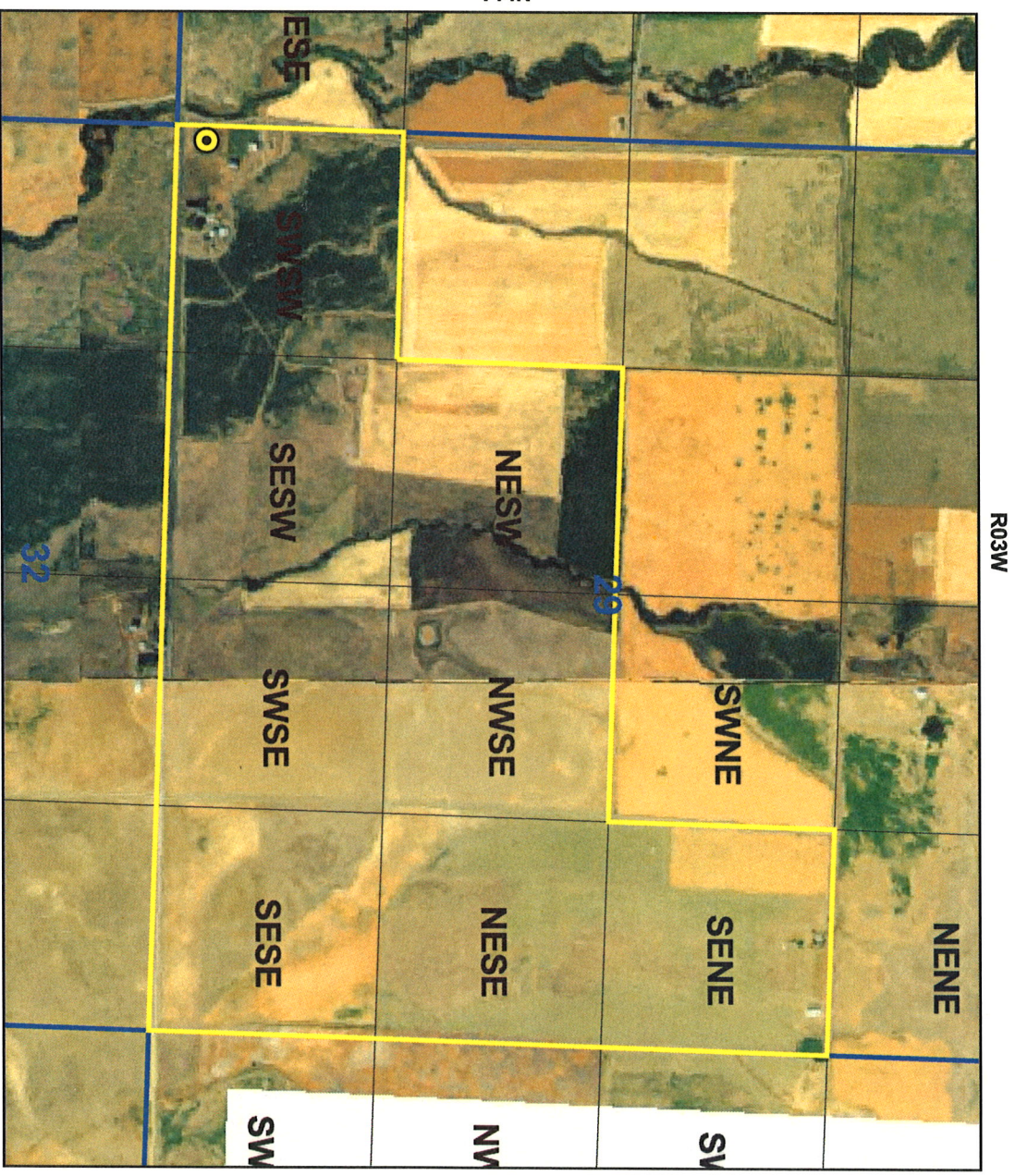
- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Washington County
IDWR Basin 67



T14N



Prepared by M. Mount
On Wednesday, May 3, 2006
1987/88 Aerial Photography

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: A67-07005

Date Received: 9/17/1992

Receipt No: C025507

Received By: CA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ARTHUR A FAIRCHILD 208-355-2248
Address: PO BOX 158
MIDVALE ID 83645
2. Date of Priority: NOV 17, 1967
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|------------|
| 14N | 03W | 29 | NW | SE | SW | | WASHINGTON |
5. Description of diverting works:
WELL DISCHARGES INTO POND, RELIFT PUMP
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 10/31 | 0.380 | | 161.00 |
7. Total Quantity Appropriated is:
0.380 C.F.S. (and/or) 161.00 A.F.A.
8. Total consumptive use is 135.0 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
14N	03W	29	NE	SW		IRR	5.0
			SW	SW		IRR	18.0
			SE	SW		IRR	22.0

A67-07005

Page 1

Date: 09/17/92

SCANNED

AUG 15 2007

MICROFILMED

OCT 23 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	45.0
					Total Acres	45.0

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:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

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): Arthur A. Fairchild Date: Sept 17, 1992

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 19th day
of September 19 92

Carter Fritschle
Notary Public

Seal

Residing at Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My Commission Expires March 21, 1994

POOR ORIGINAL

B181

2.1 B-19

B1

B-2

B224

B224

20
29

B234

B38

13.2

17.8

B224

B224

20.9

11.6

21.5

83.6

B224

B-39

B67

B-64

B15

37.6

7.9

25.4

NE SW

10.1

10A

SW SW

PD

17.2

10.5

SCANNED

AUG 15 2007

MICROFILMED

OCT 23 1996

11.8

2.5A

SE SW

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: A67-07005
Date Received: 9/17/1992
Receipt No: C025507
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: ARTHUR A FAIRCHILD
Address: 914 HOUSTON RD
BOISE ID

208-383-0000

83706

2. Date of Priority: NOV 17, 1967

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	03W	29		SW	SW		WASHINGTON

5. Description of diverting works:
WELL DISCHARGES INTO POND, RELIFT PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.380		161.00

7. Total Quantity Appropriated is:
0.380 C.F.S. (and/or) 161.00 A.F.A.

8. Total consumptive use is 135.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	03W	29	SE	NE		IRR	40.0
			NE	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
14N	03W	29	NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
Section Acres								320.0
Total Acres								320.0

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:
NONE

14. Remarks:

CLAIM AMENDED PER TRANSFER NO. 4031 APPROVED 12/09/1992.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 45 ACRES IN THE PLACE
OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY
OF APPROVED TRANSFER NO. 4031 IN FILE.
ADDRESS CHANGED PER CLAIMANT REQUEST. DB 4/26/99.

15. Basis of Claim: LICENSE

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 26 1999

WATER RESOURCES
WESTERN REGION

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number(s): AL7-02302, -02390
-07005, -14107,
-00639

[] Claimant Name(s): ARTHUR A. FAIRCHILD
FAIRCHILD TREE TOP RANCH LTD

[] Old Mailing Address: RT1 BOX 87
MIDVALE ID 83645

[] New Mailing Address: 914 HOUSTON RD
BOISE ID 83706

Telephone Number: (208) 383 - 0000

[] Signature of Claimant(s): Arthur A. Fairchild by Thomas Williams
Date: 4/23/99 (POA)

RECEIVED

APR 26 1999

WATER RESOURCES
WESTERN REGION

GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That I, ARTHUR A. FAIRCHILD, of Middleton, State of Idaho, have made, constituted and appointed, and by these presents do make, constitute, and appoint MARIANNE WILLIAMS, of 914 Houston, Boise, County of Ada, State of Idaho, my true and lawful attorney for and my name, place and stead, and for my use and benefit, to ask, demand, sue for, recover, collect, and receive all such sums of money, debts, dues, accounts, legacies, bequests, interest, dividends, annuities, and demands whatsoever, as are now or shall hereafter become due, owing, payable, or belonging to me and have, use and take all lawful ways and means in my name, to make, seal, and deliver; to bargain, contract, agree for, purchase, receive, and take lands, tenements, hereditaments, and accept the seisin and possession of all lands, and all deeds and other assurances in the law therefor, and to lease, let, demise, bargain, sell, remise, release, convey, mortgage, and hypothecate lands, tenements, and hereditaments upon such terms and conditions, and under such covenants as she shall think fit. Also, to bargain and agree for, buy, sell, mortgage, hypothecate, and in any and every way and manner deal in and with goods, wares, and merchandise, choses in action, and other property in possession or in action, and to make, do, and transact all and every kind of business of what nature or kind soever, and also for me and in my name and as my act and deed to sign, seal, execute, deliver, and acknowledge such deeds, leases, and assignments of leases, covenants, indentures, agreements, mortgages, hypothecations, bills of lading, bills bonds, notes, receipts, evidences of debt, releases, and satisfaction of mortgages, judgments and other debts, and such other instruments in writing of whatever kind and nature as may be necessary or proper in the premises.

Giving and granting unto my said attorney full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises, as fully to all intents and purposes as I might or could do if personally present (with full power of substitution or revocation), hereby ratifying and confirming all that my said attorney (or her substitute or substitutes) shall lawfully do or cause to be done by virtue of these presents.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the
11 day of July, 1996.

Arthur A. Fairchild
Arthur A. Fairchild

Signed, sealed and delivered in the presence of:

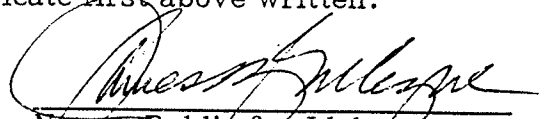
Kenneth W. Dooley (Seal)

(Seal)

STATE OF IDAHO)
County of Ada) ss.

On this 11 day of July, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared ARTHUR A. FAIRCHILD, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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


Notary Public for Idaho
Residing at: Boise, Id
My commission expires: 4-1-2000

Date Received 9-17-92

State of Idaho
Department of Water Resources
**REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)**

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Arthur A. Fairchild () 355-2248
Name of Claimant Phone Number

PO Box 158 Midvale ID 83645
Mailing Address City State Zip

Washington 10-19-89
County(s) where place of use is located Date claim originally due

67-07005 C025507 95.00 No late fee
Identify water right(s) for which extension is requested pd. None Required

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

Property purchased approximately 3 1/2 years ago
from Farm Credit Services.

Claimant requests an extension to 9-17, 19 92

Arthur A. Fairchild 9-17, 19 92
Signature Date of request

Owner
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [X granted] [_____ denied] for the following reasons:

Notice was not mailed to this address.

and if granted the filing deadline is extended to Sept 17, 19 92

Signed this 21 day of Sept, 19 92

[Signature]
Director or his designated agent

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

DAVID B. SHAW

MICROFILMED
OCT 23 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

April 26, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Re: Notice of Claim to a Water Right No. A67-02302, A67-02390,
A67-07005, A67-14107 and A67-00639

Arthur A Fairchild
Fairchild Tree Top Ranch LTD
914 Houston Rd
Boise ID 83706

Dear Mr. Fairchild:

Enclosed is a copy of the above referenced claim which reflects your change in address.

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

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

Sincerely,

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

Denise Buffington
Records Clerk
Adjudication Section
Western Region Office

DB:db

Enclosure

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: **A67-07005**
Date Received: 9/17/1992
Receipt No: C025507
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: ARTHUR A FAIRCHILD 208-355-2248
Address: PO BOX 158
MIDVALE ID 83645

2. Date of Priority: NOV 17, 1967

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	03W	29		SW	SW		WASHINGTON

5. Description of diverting works:
WELL DISCHARGES INTO POND, RELIFT PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.380		161.00

7. Total Quantity Appropriated is:
0.380 C.F.S. (and/or) 161.00 A.F.A.

8. Total consumptive use is 135.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	03W	29	SE	NE		IRR	40.0
			NE	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	03W	29	NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	320.0
						Total Acres	320.0

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:
NONE

14. Remarks:

CLAIM AMENDED PER TRANSFER NO. 4031 APPROVED 12/09/1992.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 45 ACRES IN THE PLACE
OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY
OF APPROVED TRANSFER NO. 4031 IN FILE.

15. Basis of Claim: LICENSE

STATE OF IDAHO

RECEIVED

OCT 20 1992

Page 1 of 6Transfer No. 4031

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

APPROVED

Name of applicant Arthur A. FairchildPhone 355-2248Post Office address P.O. Box 158, Midvale Idaho 83645

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes DRILL A NEW, MORE RELIABLE WELL.
ALSO TO SEEK A PERMISSIBLE PLACE OF USE SO WATER CAN BE USED WHERE
NEEDED MOST (SEE PG 2, item 6C).

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 67-07005 Priority 11/17/67 Amount (cfs/ac-ft) 0.38 Nature of Use Irrigation Period of Use 4/1 to 10/31
2. Total amount of water being transferred 0.38 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	29	14N	03W	Washington	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
14N	03W	29				40					40		40	40	40	40	40	40	320

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OCT 23 1996Total acres 320

POOR ORIGINAL

Transfer No. _____

PART 1

6. General Information:

a. Description of diversion system Sprinkler

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes No No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

THIS TRANSFER WILL RESULT IN A PERMISSIBLE PLACE OF USE.

NO MORE THAN 45 ACRES WILL BE IRRIGATED ~~IN~~ DURING
AN IRRIGATION SEASON.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 67-07005

And said application is hereby APPROVED, subject to the following limitations and conditions:

SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this

9th day of

December

19 92

A. Glen Saxton
CHIEF, WATER ALLOC. BUREAU

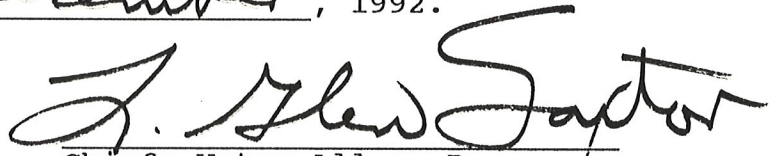
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CONDITIONS OF APPROVAL
Transfer of Water Rights
No. 67-07005

- 107 1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- 108 2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- 109 3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- R31 4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre for the lands above.
- 016 * 5. This right is limited to the irrigation of 45 acres in the place of use described above in a single irrigation season.

Dated this 9th day of December, 1992.


Chief, Water Alloc. Bureau

POOR ORIGINAL

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____

b. License No. 67-07005 issued by the Idaho Department of Water Resources.

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

d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☒ Other I reviewed sales contract & title insurance. Gary S.

3. Source of water Groundwater tributary to _____

4. Date or priority 11/17/67

5. Water is used for the following purpose:

amount 0.38 for Irrigation purposes from 4/1 to 10/31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.38 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SW	29	14N	03W	Washington	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
14N	03W	29									5		18	22					45

Total acres 45

9. Describe any other water rights used for the same purpose as described above _____

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POOR ORIGINAL

Page 6 of 6

Transfer No. _____

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				_____ to _____
				_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

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

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 20th day of October, 1992

Arthur A. Fairchild
(Signature of Applicant)

Lyle Glen Taylor
(Notary Public)

My commission expires 11-25-92

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by [Signature] Date 10-20-92 Protest filed by _____

Prelim. check by [Signature] Fee \$50.00

Received by [Signature] Date 10-20-92 0025787

Published in Weiser Signal Copies of protest forwarded by _____

Pub. dates 11/5 & 11/12/1992 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by DET

Copy of transfer sent to lien holder _____

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