STARTING LEFT SIDE OF FILE

SCANNED
MAR 0 5 2008

11/99

For Office Use Only DB
$25 filing fee ✓
Receipt # W036926
Date 9-18-08

RECEIVED
SEP 18 2008
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT

To change the ownership of a permit

I, Craig A. Pawlson, hereby assign to Diller Miller Land Co., LLC

of, 451 E. Glendale Ave, Phoenix, AZ 85020 602-230-7518
(Full Address) (Phone)

All my right, title, and interest in and to Permit No. 63-11698 to appropriate the public waters of the State of Idaho.

RECEIVED
SEP 22 2008
DEPARTMENT OF WATER RESOURCES

OR (for partial assignments)

The following described portion of my right, title, and interest in and to for Permit No. _____ to appropriate the public waters of the State of Idaho.
(Describe portion of the application for permit assigned, listing the number of acres in each 40 acre subdivision, point of diversion location, and amount of the water in cubic feet per second.)

Made this 10 day of Sept, 20 08

Craig A Pawlson
Permit Holder(s)

State of Idaho)
)ss
County of Canyon)

On this 10th day of Sept, 2008, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

LINDA ISOM NOTARY PUBLIC STATE OF IDAHO

Linda Isom
Notary Public residing at
Wilder, Id

SEAL

My commission expires: 9-23-09

Form No. 217
7/94

FOR OFFICE USE ONLY
Amt. of Fee $: 150.00
Receipt No. W020600
Receipt By: RW
Date Receipted: 3-25-96

RECEIVED
MAR 25 1996
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAR 26 1996
Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 63-11698 Telephone No. 208-482-7588

2. Name(s) of Permit Holder(s): PAULSEN FARMS

3. Mailing Address: 22009 TRAVIS RD., WILDER ID 83676

4. Source of Water: Groundwater If **GROUNDWATER** (well), Date Drilled: mo. 5 / yr. 92

a. Well Driller: Riverside # 333 Drilling Permit Number: 63 - 92 - W - 0287

b. *OPTIONAL:*
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): _____ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): 135 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 2.70 cfs **OR** _____ acre feet

7. Measuring Device Requirement: **(refer to the approval conditions on your permit and respond accordingly)**
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes X	**or**	No ____
	Has the measuring device been installed?	Yes X	**or**	No ____
Flow Measurement Port:	Is a flow measurement port required?	Yes ____	**or**	No X
	Has the measurement port been installed?	Yes ____	**or**	No X

8. Fee Enclosed: $ 150.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Dave Paulsen Telephone Number: Home 208-482-7588

Address: 22009 Travis Rd Wilder, Id. 83676 Mobile 208-899-0178

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

APR 30 1996

Signature of permit holder: [signature] OWNER Date: 3/25/96
(include your title, if on behalf of company of organization)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-11698

Proposed Priority: March 6, 1992 Maximum Diversion Rate: 2.70 CFS

This is to certify, that **PAULSEN FARMS**
22009 TRAVIS RD
WILDER ID 83676
has applied for a permit to appropriate water from: **GROUNDWATER**

and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION
IRRIGATION	03/15 to 11/15	2.70 CFS

LOCATION OF POINT(S) OF DIVERSION: SESW , Sec. 10, Township 04N, Range 05W
CANYON County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
04N	05W	10	NESW	40.0	SESW	40.0			80.0
		11	NWSE	15.0	SWSE	38.0	SESE	2.0	55.0

Total number of acres irrigated: 135.0

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **May 1, 1996.**
2. Subject to all prior water rights.
3. Prior to diversion of water under this right, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to use power records to determine the amount of water diverted from each point of diversion listed under this right.
4. The right holder shall measure and annually report diversions of water and other pertinent hydrologic and system information as required by Section 42-701(5), Idaho Code.
5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right.
6. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
7. This approval does not authorize the construction of any new well or the deepening or enlargement of any existing well.
8. Failure to comply with any condition of approval is cause for the Director to cancel this right.

RECORDED

JAN 24 1996

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-11698

CONDITIONS OF APPROVAL AND REMARKS

9. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased, or used on any other place of use.
10. This permit does not authorize the development and irrigation of land not previously irrigated under prior temporary approval of this application.
11. Water bearing zone to be appropriated is 100 to 600 feet.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this

18th day of January, 1996.

for Karl J. Dreher, Director

RECEIVED
JAN 24 1996

Ident. No. **63-11698**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: PAULSEN FARMS 208-482-7588
   Address: 22009 TRAVIS RD
   WILDER ID 83676

2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: SWSESW Sec. 10, Township 04N, Range 05W
   CANYON County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	2.700		

5. Total quantity to be appropriated is:
   2.700 CFS (and/or) AF

6. Proposed diverting works:
   a. Description of ditches, flumes, pumps, headgates, etc.
   WELL, PUMP, GRAVITY
   b. Height of storage dam feet; active reservoir capacity
   acre-feet; total reservoir capacity acre-feet; period of
   year when water will be diverted to storage: 3/15 to 11/15 inclusive.
   c. Proposed well diameter is 18 inches; proposed depth of well is 600
   feet.
   d. Is groundwater with a temperature greater than 90F being sought? NO

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.

8. Description of proposed uses:
   WELL, PUMP, GRAVITY

9. Place of Use: IRRIGATION

Database correction 3/20/94

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
04N	05W	10	NESW	40	NWSW	40			80
		11	NWSE	15	SWSE	38	SESE	2	55

Total number of acres irrigated: 135

10. Describe any other water rights used for the same purposes
    Wilder Irrig. Water

RECEIVED
AUG 08 1994
DEPARTMENT OF WATER

AUG 08 1994

11. a. Who owns the property at the point of diversion?
APPLICANT
b. Who owns the land to be irrigated or place of use?
APPLICANT
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing.

12. Remarks:
Supplemental use.

13. Map of proposed point of diversion and place of use attached? [X]

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

David A. Hawker Lee Paulsen Farms
Applicant

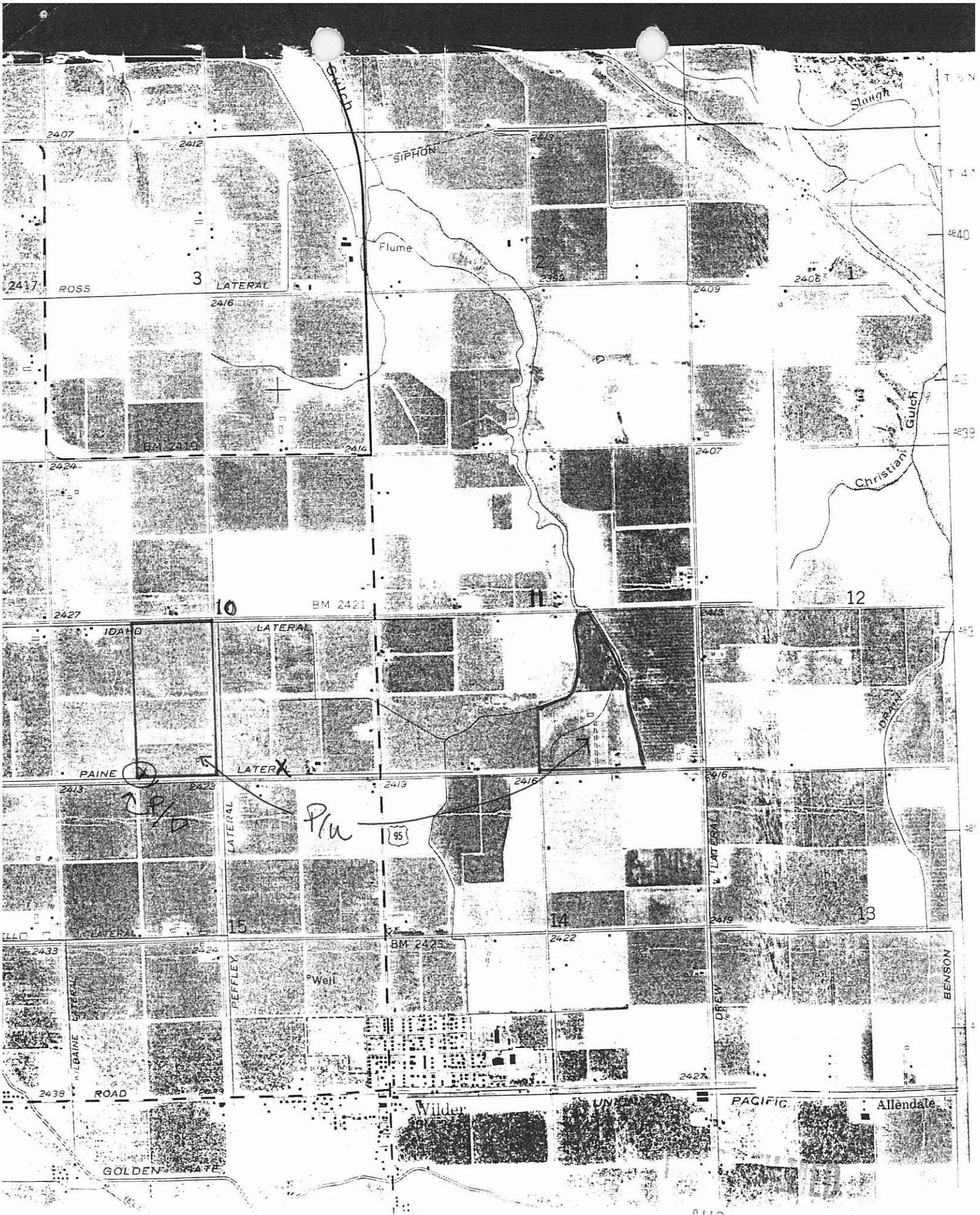
Received by LG Date 3/6/92 Time 3P Preliminary check by CJH

Fee $ 85 Receipted by LG ST 6-28-95 # W014268 Date 3/6/92 P-T

Publication prepared by GG Date 3-25-92 Published in Press-Tribune 4/1 & 4/8/92 8-4-95

Publication approved ST 6-28-95 Date 4-20-92

RECEIVED
AUG 08 1994



4N 5W Sec 10
11

AUG 08 1994

SD-0410-1 Idaho Department of Water Resources Date: 06/26/95
MODIFY RIGHT Water Rights Remarks Screen Time: 13:48:31

Water Right Number: 63-11698 FIRST PAGE

13. Remarks: Water bearing zone to be appropriated is 100 to 600 feet.

(GOLD4=Prev Screen)

(GOLD2=Update) (GOLD5=Next Screen) (GOLD1=Export Remarks) (Enter=Exit)

(GOLD3=Add Std Rmk) (GOLD6=End of Data) (GOLD7=Import Remarks) (GOLD8=Cancel)

STARTING RIGHT SIDE OF FILE

State of Idaho
DEPARTMENT OF WATER RESOURCES
322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor
DAVID R. TUTHILL, JR.
Director

September 29, 2008

DILLER MILLER LAND COMPANY LLC
451 E GLENDALE AVE
PHOENIX AZ 85020

RE: Assignment of Permit No. 63-11698

Dear Permit Holder:

The Department of Water Resources acknowledges receipt of the assignment of permit for the above referenced water right permit to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Emalee Rushing

Emalee Rushing
Office Services Supervisor

Enclosure

Diller Miller Land Company LLC
451 E. Glendale Avenue
Phoenix, AZ 85020

RECEIVED
SEP 18 2008
WATER RESOURCES
WESTERN REGION

14 September 2008

Idaho Department of Water Resources
Western Region
Att"n: John Westra
2735 Airport Way
Boise, ID 83705-5082

RECEIVED
SEP 22 2008
DEPARTMENT OF
WATER RESOURCES

Ref: Water Rights Permit: 63-11698 & Application 63-12329

Dear John;

This is a follow-up to our phone conversation on 8 Sep 2008 regarding the referenced water right matters. I have enclosed the signed and notarized application and permit transfer forms. I have also included a check for filing fee for 63-11698 as indicated on this form. Both of these involve the same irrigation well located on Red Top Road west of Batt Corner Road in Wilder, ID that provides irrigation water to farm land that the Diller Miller Land Company, LLC purchased in 2001 from Paulsen Farms.

I filed at your office for a transfer of ownership of these rights on 15 Apr 2002. There was some apparent mis-communication in 2002 between myself and Ms. Kay Walker of your department in 2002. She had sent a letter on 5 Oct 2002 requesting additional information that included the enclosed forms. During a phone conversation with Ms. Walker on 9 Oct 2002 concerning her request, she told me that all she required was a letter from Mr. Paulsen outlining the land sale and copies of the deeds of transfer. I submitted what she asked for in a letter dated 22 Oct 2002. I did not send the forms as I believed she did not require them. I heard nothing else about the transfer and assumed it had been accomplished in 2002.

It was not until a phone call from Mr. Paulsen on 8 Sep 2008 regarding a letter he received that was sent to an old unused address for Paulsen Farms that indicated these water rights were cancelled that I knew they were not transferred to Diller Miller Land Company LLC. Apparently other correspondence had been sent to the improper address which was not received by myself or Mr. Paulsen.

I am therefore requesting that the water permit and application be reinstated immediately with the ownership as the Diller Miller Land Company LLC.

Sincerely.

Stephen J. Miller
Managing Representative

Encl: Assignment off Permit Form – 63-11698
Assignment of Application – 63-12329

DILLER MILLER LAND Co., LLC
451 E. Glendale Avenue, Phoenix, AZ 85020

RECEIVED
OCT 2 5 2002
Department of Water Resources

22 October 2002

State of Idaho
Department of Water Resources
Att'n: Kay Walker, Sr. Water Resource Agent
1301 North Orchard Street
Boise, ID 83706

Ref: 1. DWR ltr 3 October 2002 Re: Permit 63-11698 and 63-12329
2. Telecon K. Walker & Stephen Miller, 9 Oct 2002

Dear Ms. Walker;

I am attaching a packet of information relative to the purchase of farm land from the Paulsen family and estates which transferred the referenced water permits to the Diller Miller Land Co., LLC. As we discussed in our phone conservation I am including a letter from Mr. Craig Paulsen certifying that land sold to other parties, including Mr. Craig Paulsen, did not convey and was exclusive any of the groundwater rights for irrigation even though it was included in these permits.

We also discussed the history of the land transactions relative to the permits. The purchase was made by the Diller and Miller families in two separate contracts primarily because an IRS 1031 exchange was involved. Mr. James Diller and his wife Helen purchased the land in Section 10 which included the irrigation well (point of discharge) and permits. The Miller family, Stephen and Jacqueline Miller (daughter of James Diller) and children, Stephanie Kahne and Richard Miller purchased property in Section 11 and 12. The land purchased was farmable acreage and excluded any farmyards and houses or buildings or shop areas. The Warranty Deeds for these transactions and maps of the property are included.

The Diller Miller Land Co., LLC was formed in Arizona on 5 October 2001 for the purpose of holding and operating the lands purchased in a single entity. A copy of the Certificate of Good Standing and evidence that it was filed with the Idaho Secretary of State is attached.

The Miller family contracted to sell to Mr. Craig Paulsen 6.83 acres south of his existing farmstead and house. This sale did not include the groundwater rights in the permits. With this purchase Mr. Paulsen holds 11 acres more or less on the east side of the northeast quarter of the southwest quarter of Section 12. The Warranty Deed for this transfer is included.

Following the sale to Mr. Paulsen, the Diller and Miller families then transferred in Dec 2001 by Warranty Deed the property and the permits into the Diller Miller Land Co., LLC. A copy of the deeds are attached. Based on this transaction the application was made to transfer ownership of the water permits to the LLC.

The Paulsen family sold to another party the 40 acres in the southwest quarter of the southwest quarter of section 12 included in the permits. Mr. Craig Paulsen's letter certifies the sale was exclusive of groundwater rights in the permits.

I have also included a copy of the permits with suggested corrections to be made as the result of the sales.

Please contact me if you have any questions at 602-230-7518.

Sincerely

Stephen J. Miller
Managing Representative

Atchs; 1. Ltr, 15 Oct 2002 – Mr. Craig Paulsen (original)
2. Maps of parcels
3. Acreages in transactions to Diller and Miller families.
4. Warranty Deed - Paulsen family to Miller family.
5. Warranty Deed - Paulsen family to Diller family.
6. Warranty Deed - Miller family to Craig Paulsen (6.83 acres)
7. Warranty Deed – Miller family to Diller Miller Land Co. LLC
8. Warranty Deed – Diller family to Diller Miller Land Co. LLC
9. Certificate of Good Standing, Diller Miller Land Co. LLC
10. Idaho Sec. of State ltr. Undated.
11. DWR water application reports, w/suggested corrections

24549 Fern Road
Wilder, ID 83676

15 October 2002

Idaho Department of Water Resources
Att'n: Ms. Kay Walker, Sr. Water Resource Agent
1301 North Orchard Street
Boise, ID 83706

Dear Ms. Walker;

As the Authorized Agent of Paulsen Farms I am providing information concerning water rights, No. 63-11698 and 63-12329, for ground water used for irrigation. These rights were transferred by the owners and agents of Paulsen Farms in November 2001 by warranty deed to new owners in a sale of agricultural land. The majority of land identified in the water rights was sold to James L. Diller and wife and to his daughter, Jacqueline L. Miller, her husband, Stephen J. Miller and their two children.

The real estate property transferred in this sale included only farmable lands. No home sites, buildings, or other structures were included. Therefore, acreage figures in the deeds may differ from those shown in the original water rights. The sale included the existing well, and pump at the point of diversion in Section 10, T4N, R5W, and associated ditches and piping used for conveying the irrigation water to all land identified in the water rights that the Diller's and Miller's purchased.

In December 2001, after the sale was completed I personally bought back 6.83 acres in Section 12, T4N, R5W, from the Millers that adjoined the south side of my home site property on Fern Road. I did not purchase any portion of the subject water right in this sale. My property now consists of 10 acres more or less in Section 12 T4N, R5W, described as the E1/4 NE ¼ SW1/4.

In addition, Paulsen Farms sold to a separate buyer the 40 acres identified in the water right 63-12329 as Section 12, T4N, R5W, SW ¼ SW1/4. No portion of this water right was conveyed or transferred to this buyer as the result of this sale.

An additional water right (which has not yet been decreed) was transferred to the Miller's by warranty deed. This is No. 63-2397 (formerly water license 16489).

Questions may be directed to me at 208-573-2470.

Sincerely,

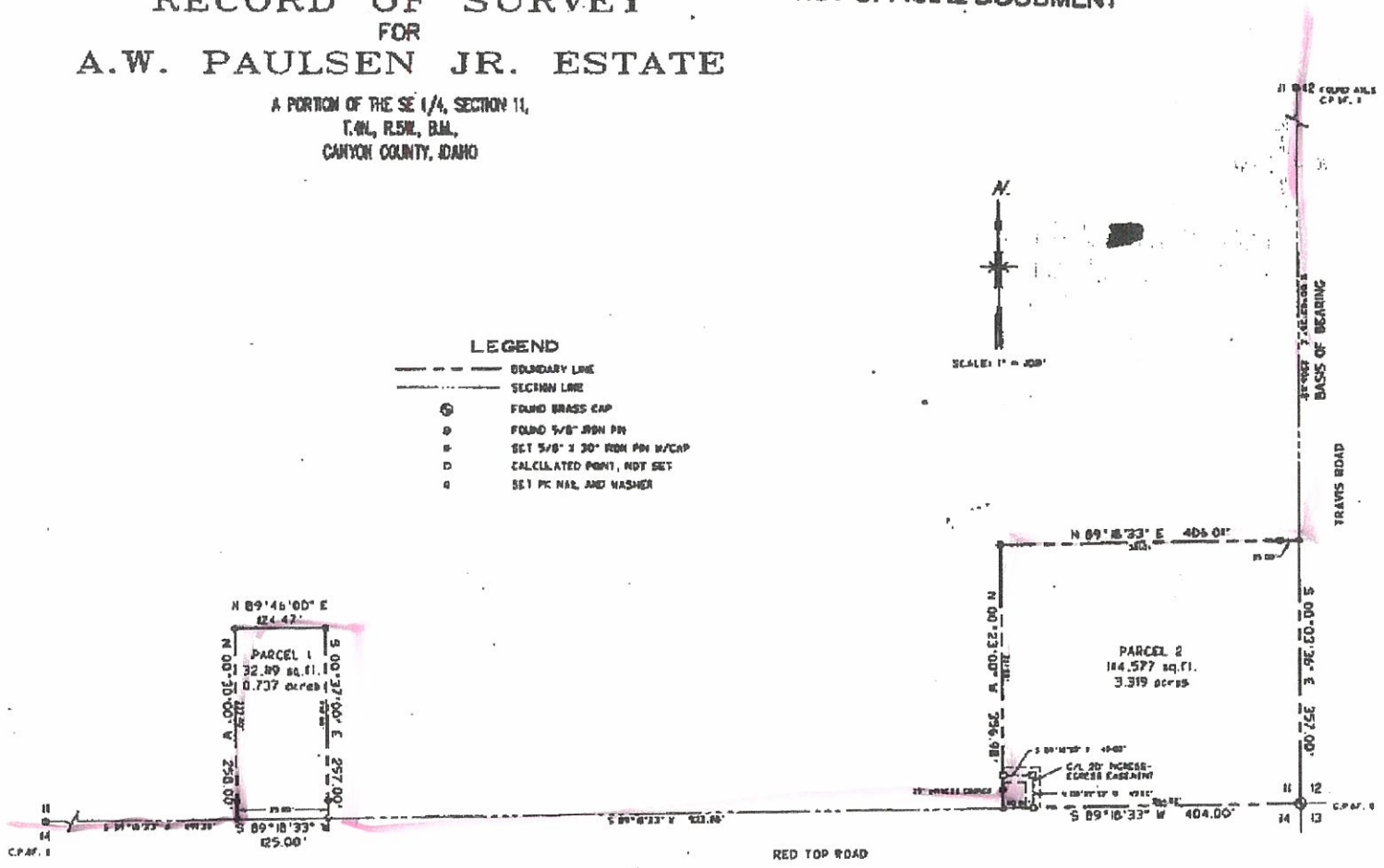
Craig A. Paulsen

INSTRUMENT NO. _____

NOT OFFICIAL DOCUMENT

RECORD OF SURVEY
FOR
A.W. PAULSEN JR. ESTATE

A PORTION OF THE SE 1/4, SECTION 11,
T.4N., R.5W., B.M.,
CANYON COUNTY, IDAHO



CERTIFICATE OF SURVEYOR

I, PATRICK A. TEALEY, PLS NO. 4347, STATE OF IDAHO, DO HEREBY CERTIFY THAT THE SURVEY REPRESENTED ON THIS PLAT WAS PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODES RELATING TO PLATS AND SURVEYS AND THE CORNER PERPETUATION AND FILING ACT.

PROFESSIONAL LAND SURVEYOR
PATRICK A. TEALEY
4347
STATE OF IDAHO

9/6/17

STATE OF IDAHO)
COUNTY OF CANYON) ss

Filed for Record at the Request of _____

_____ min past ___ o'clock ___ M this ___ day of _____, 20___

_____, Recorder

_____, Deputy

RECORDING INDEX NO. 454-11-2-0-0-00-0000

SHEET 1 OF 2

TEALEY'S LAND SURVEYING
2561 BOOIS BASIN RD. • BOISE, IDAHO 83707
208-345-0836

DATE: AUGUST, 2001

DRAWING NO.: 2354

2001360298

SW 1/4 Sec 12 Parcel III

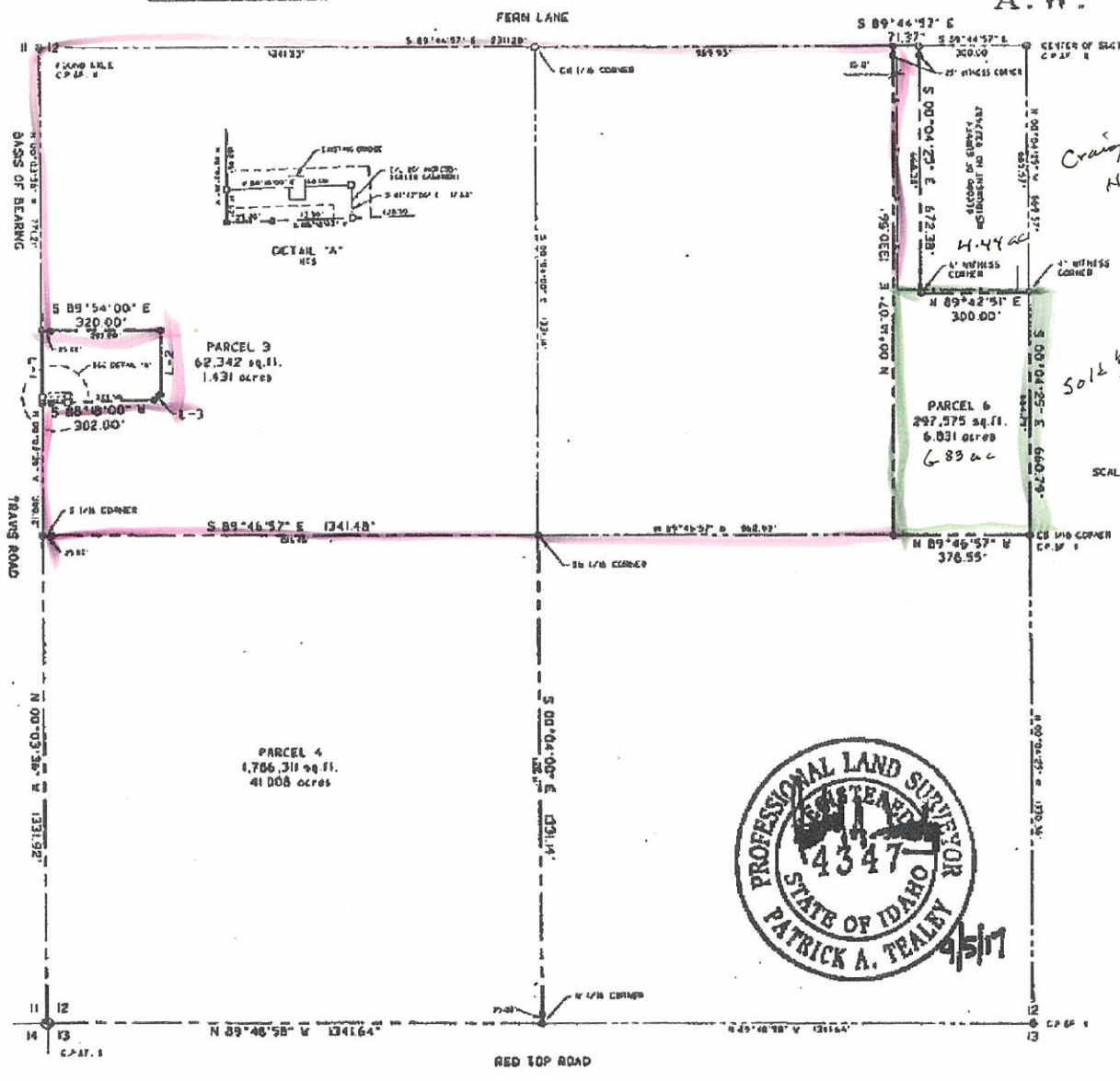
INSTRUMENT NO. _____

NOT OFFICIAL DOCUMENT

RECORD OF SURVEY
FOR
A.W. PAULSEN JR. ESTATE

A PORTION OF THE SW 1/4, SECTION 12,
T.4N., R.5W., B.M.,
CANYON COUNTY, IDAHO

LINE TABLE		
LINE	BEARING	LENGTH
L-1	N 00°09'34" W	280.19'
L-2	S 00°10'00" E	174.00'
L-3	S 89°58'26" W	22.22'



LEGEND

- BOUNDARY LINE
- SECTION LINE
- EXISTING FENCE LINE
- FOUND BRASS CAP
- FOUND 5/8" IRON PIN
- SET 5/8" X 30" IRON PIN W/CAP
- FOUND 1/2" IRON PIN
- CALCULATED POINT
- SET PK NAIL AND WASHER

CERTIFICATE OF SURVEYOR

I, PATRICK A. TEALEY, PLS NO. 4347, STATE OF IDAHO, DO HEREBY CERTIFY THAT THE SURVEY REPRESENTED ON THIS PLAT WAS PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODES RELATING TO PLATS AND SURVEYS AND THE CORNER PERPETUATION AND FILING ACT.

PROFESSIONAL LAND SURVEYOR
PATRICK A. TEALEY
4347
STATE OF IDAHO
4/5/01

RECORDER'S CERTIFICATE

STATE OF IDAHO }
COUNTY OF CANYON } SS

Fees for Record in the Register of _____

___ Min past ___ o'clock ___ M this ___ day of _____ 20___

_____ Recorder

By _____ Deputy

Fee _____

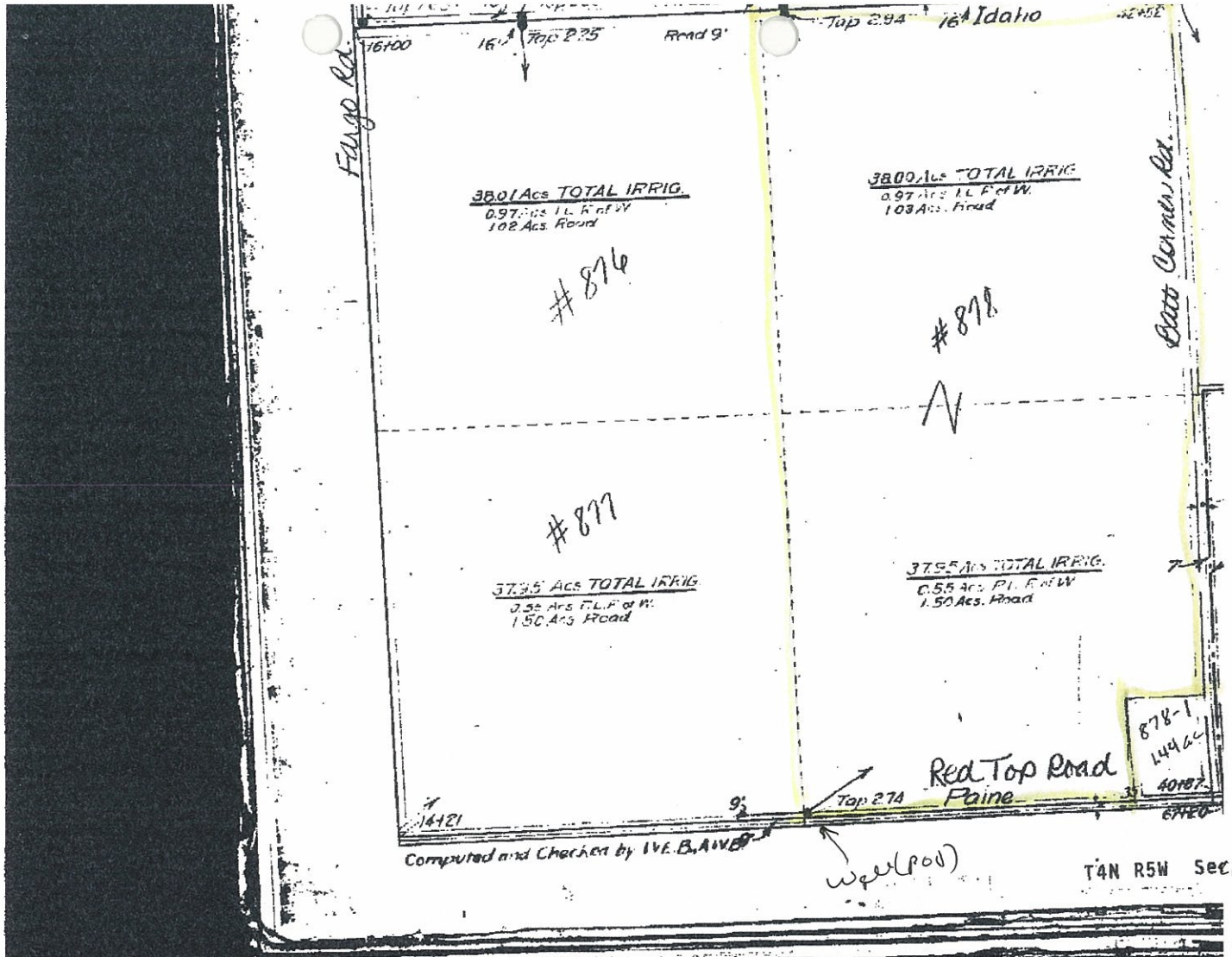
SHEET 2 OF 2

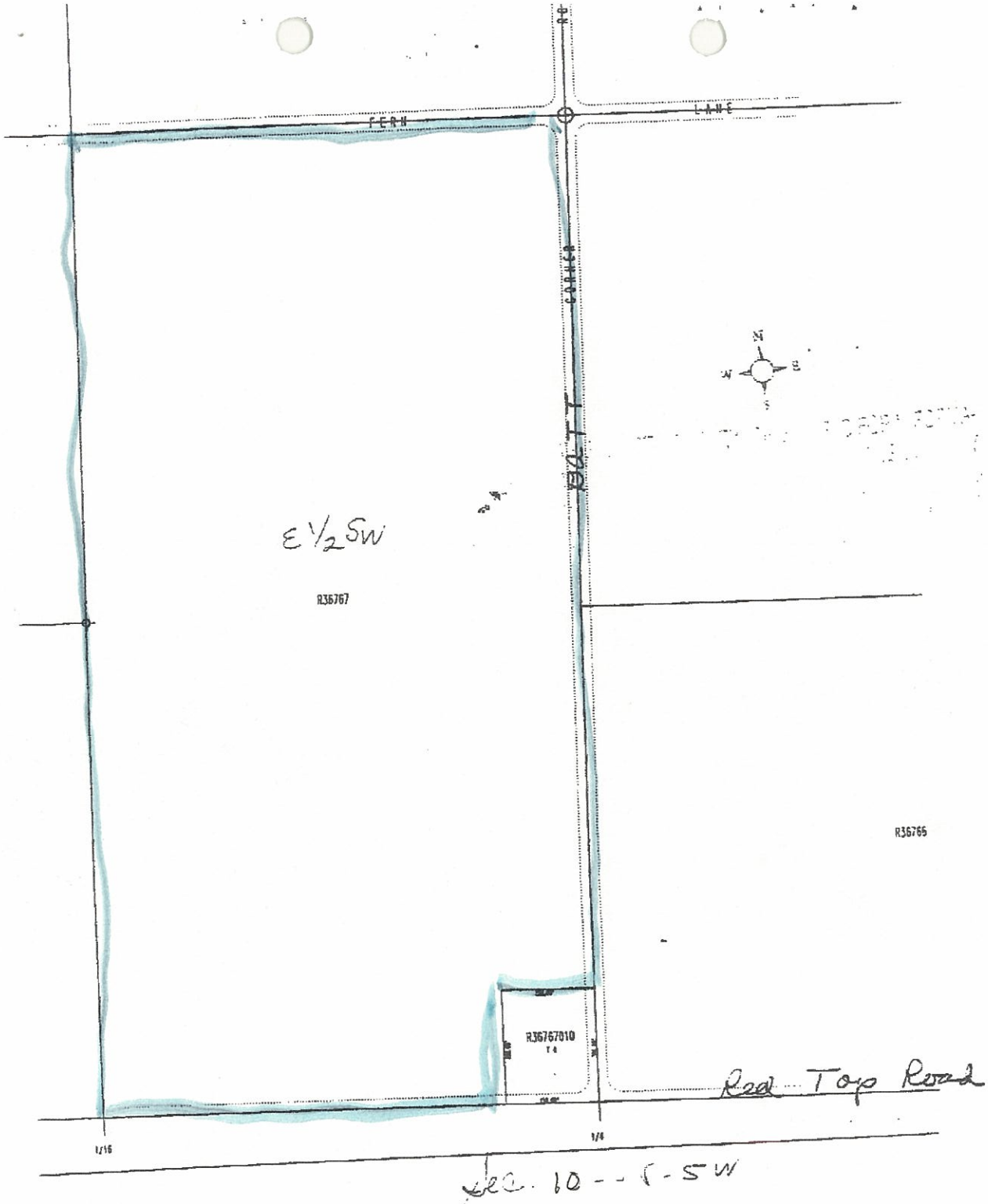
RECORDING INDEX NO. 454-12-3-0-0-00-0000

TEALEY'S LAND SURVEYING
2201 BOISE BASIN RD. BOISE, IDAHO 83702
208-385-0636

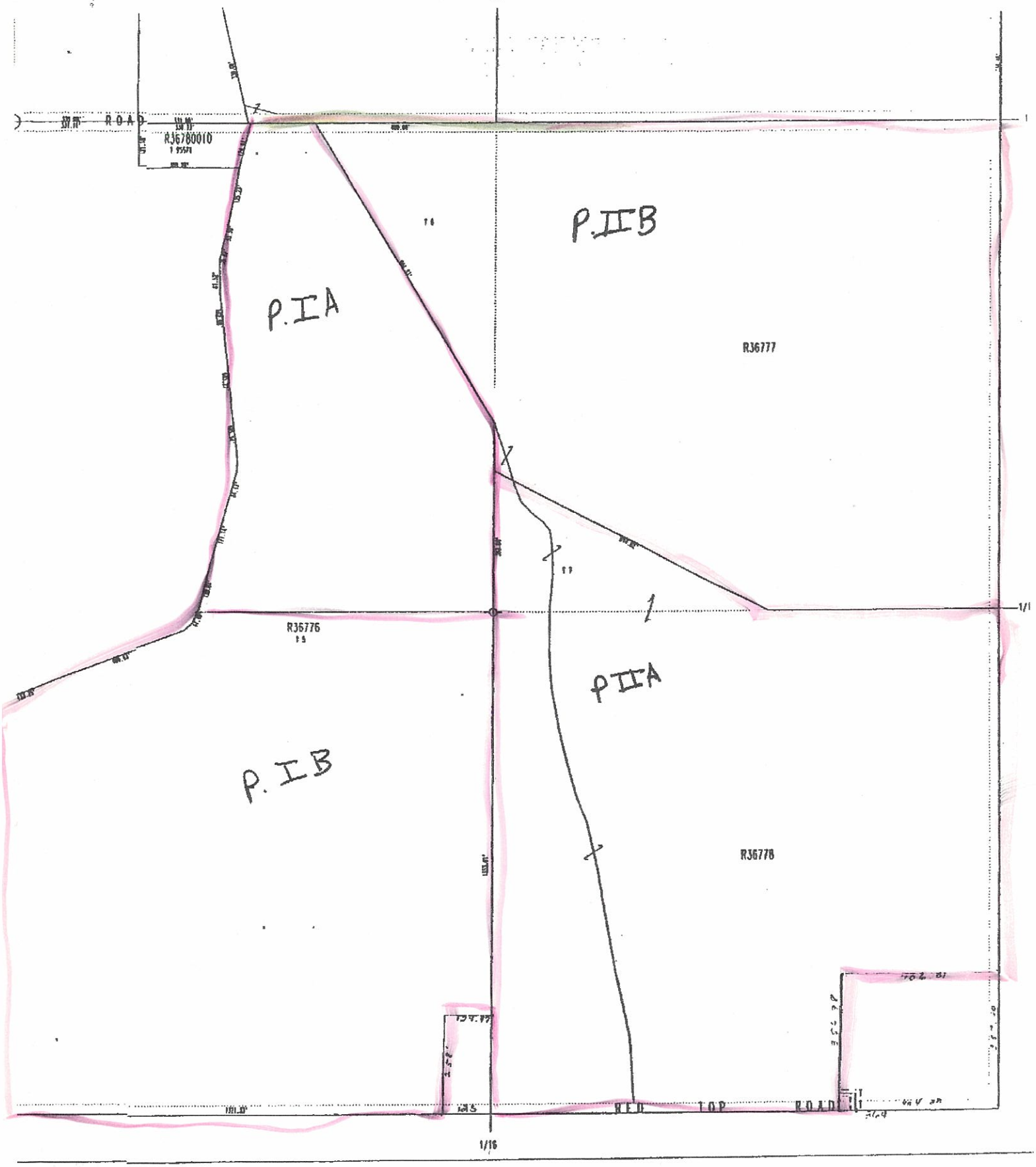
DATE: AUGUST, 2001
DRAWING NO: 2354

200136299


Fargo Rd.
16100
16'
Top 2.35
Road 9'
Top 2.94
16' Idaho
East Cemetery Rd.
38.01 Acs TOTAL IRRIG.
0.97 Acs I.L.F. of W.
1.02 Acs. Road
#876
38.00 Acs TOTAL IRRIG.
0.97 Acs I.L.F. of W.
1.03 Acs. Road
#878
#877
37.35 Acs TOTAL IRRIG.
0.35 Acs F.L.F. of W.
1.50 Acs Road
37.55 Acs TOTAL IRRIG.
0.55 Acs P.I. F. of W.
1.50 Acs. Road
878-1
4.49 Ac
40.87
14121
9'
Top 2.74
Red Top Road
Paine
Computed and Checked by IVE. B. AIVE
well (POD)
T4N R5W Sec 10


FERN
LANE
COTTAGE
E 1/2 SW
R36767
R36765
R36767010
T4
Red Top Road
1/16
1/4
Sec. 10 - T-5W

Sec 11


R O A D
R36780010
P.IIB
P.IA
R36777
R36776
P.IIA
P.IB
R36778
R E D T O P R O A D
1/16

PAULSEN FARM LAND

MILLER/DILLER TRANSACTION

Common Name	ASC Acres	Wilder Irrig. Irrigable Acres	Can. Co. Farm Land Acres	Average
Dad's	58.20	58.39	51.00	55.86
Grandma's	66.00	75.96	77.50	73.15
Perrot	68.66	71.90	72.00	70.85
Scott	71.86	74.51	74.24	73.54
Totals	264.72	280.76	274.74	273.41

STATE OF ARIZONA

Office of the
CORPORATION COMMISSION

CERTIFICATE OF GOOD STANDING

To all to whom these presents shall come, greetings:

I, Brian C. McNeil, Executive Secretary of the Arizona Corporation Commission, do hereby certify that

DILLER MILLER LAND COMPANY, LLC

a domestic limited liability company organized under the laws state of Arizona, did organize on the 5th day of October 2001.

I further certify that according to the records of the Arizona Corporation Commission, as of the date set forth hereunder, the said limited liability company is not administratively dissolved for failure to comply with the provisions of A.R.S. 29-681 Et. Seq, the Arizona Limited Liability Company Act; and that the said limited liability company has not filed Articles of Termination as of the date of this certificate.

This certificate relates only to the legal existence of the above named entity as of the date issued. This certificate is not to be construed as an endorsement, recommendation, or notice of approval of the entity's condition or business activities and practices.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Arizona Corporation Commission. Done at Phoenix, the Capitol, this 21st Day of May, 2002, A. D.

SEAL OF THE ARIZONA CORPORATION COMMISSION 1912 DITAT DEUS

EXECUTIVE SECRETARY

BY:

PETE T. CENARRUSA
SECRETARY OF STATE

BEN YSURSA
CHIEF DEPUTY
SECRETARY OF STATE

700 West Jefferson
PO Box 83720
Boise, Idaho 83720-0080
Telephone 208 334-2300
Facsimile 208 334-2282
e-mail: sosinfo@idsos.state.id.us
http://www.idsos.state.id.us

STATE OF IDAHO
SECRETARY OF STATE

Corporations Division
208 334-2301
Uniform Commercial Code Division
208 334-3191
Facsimile 334-2847
Trademarks/Notaries Division
208 334-2300
Elections Division
208 334-2852
Legislative and Executive Affairs
208 334-2300
Fiscal Division
208 334-5355
Computer Services
208 334-5354

Dear Customer:

The enclosed document has been filed. The purpose of this letter is to inform you of the following annual report requirements:

Each corporation and each limited liability company authorized to transact business in this State must deliver to the Secretary of State for filing an annual report on a form provided by this Office.

If an annual report is not received on or before the due date, the following will occur:

1) All domestic corporations and limited liability companies will be subject to administrative dissolution;
2) All foreign corporations will be subject to revocation of its authority to do business in Idaho;
3) All foreign limited liability companies will be subject to administrative cancellation;

The form must be executed by a person authorized by the company, indicating such capacity, setting forth the name of the company, the state or country under whose law it is incorporated/organized, along with the names and addresses of its current registered agent and officers.

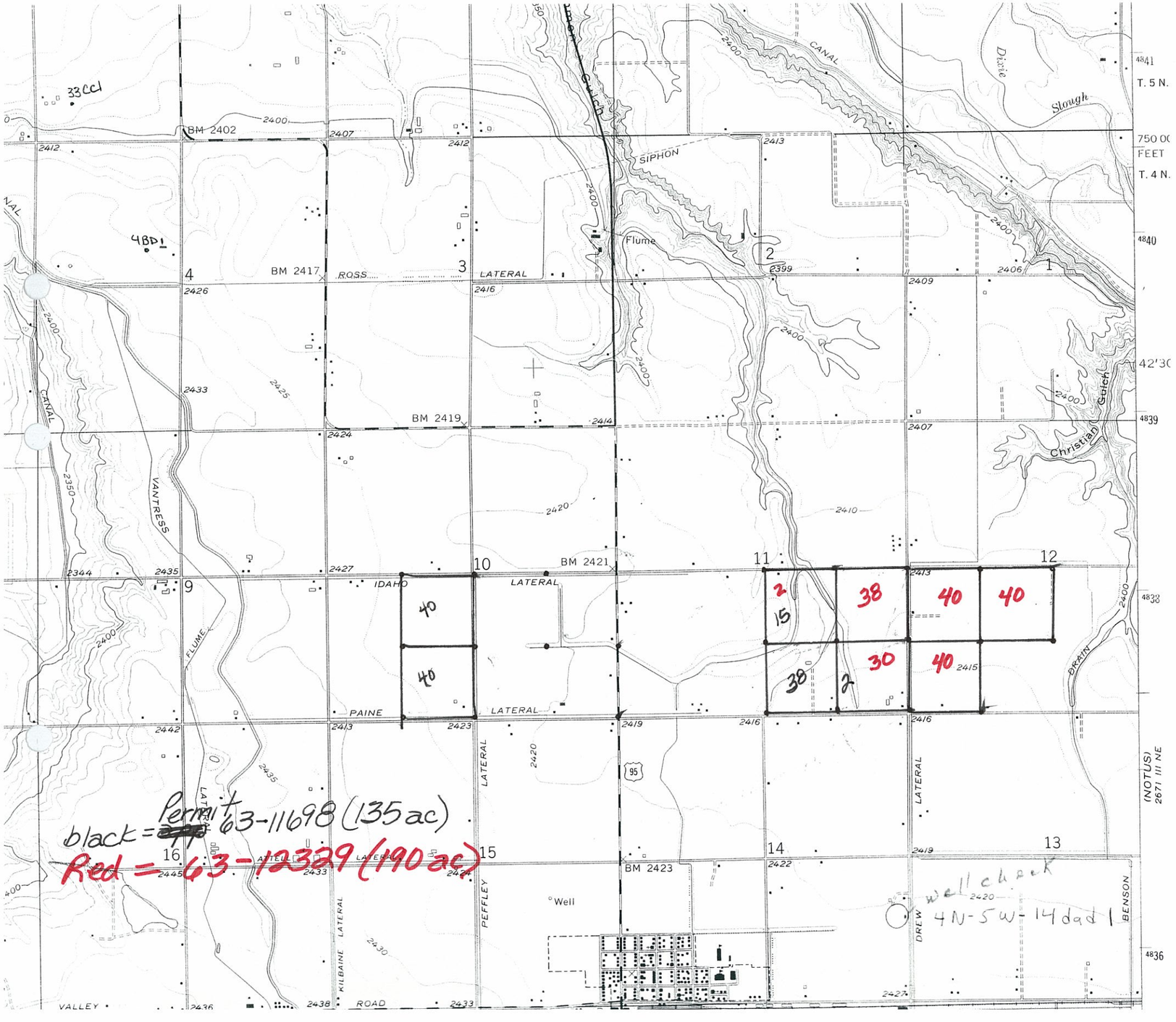
The first, and all subsequent annual reports shall be delivered to the Secretary of State each year before the end of the month during which a corporation or limited liability company was initially authorized to transact business. (Please note: the first annual report is not due until 1 year after the initial filing date.)

A pre-printed report form will be mailed to the corporation prior to its due date. There is no fling fee if the corporation's annual report is received in this Office by the date is due. (A post mark date will not be accepted)

Sincerely,

Sheryl DeVries

Sheryl DeVries
Corporate Division


33CCI
4BD1
BM 2402
BM 2417
BM 2419
BM 2421
BM 2423
ROSS
LATERAL
SIPHON
Flume
Dixie Slough
CANAL
Christian Gulch
VANTRESS
IDAHO
PAINE
FLUME
PEFFLEY
KILBAINE
BENSON
DREW
DRAIN
ROAD
VALLEY
Well
95
T. 5 N.
T. 4 N.
750 00
FEET
42'30
(NOTUS)
2671 III NE
40
40
40
2
15
38
40
40
38
2
30
40
Permit 63-11698 (135 ac)
black = ~~47~~
Red = 63-12329 (190 ac)
well check
4N-5W-14dad1

IDAHO DEPARTMENT OF WATER RESOURCES

Water Application Report 63-12329

WATER RIGHT NUMBER: 63-12329

Owner Type	Name and Address
Current Owner	PAULSEN FARMS 22009 TRAVIS RD WILDER, ID 83676 (208)482-7588

Priority Date: 03/25/1996

Basis:

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Annual Volume
IRRIGATION	3/15	11/15	3.800 CFS	
		Total Diversion:	3.800 CFS	

Location of Point(s) of Diversion

GROUND WATER SW1/4SE1/4SW1/4 Sec. 10, Twp 04N, Rge 05W, B.M.

CANYON 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	
04N 05W 11													38.0	2.0		30.0	70.0
04N 05W 12									40.0	40.0	40.0						120.0 63.0

Total Acres: 190 133.0

28 35 Delete

Conditions of Approval:

Remarks:

1. General Water bearing zone to be appropriated is 140 to 160 feet, 331 to 351 feet, 365 to 385 feet, and 545 to 565 feet.

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Application Report 63-12329

Dates and Other Information:

Application Received Date: 3/25/1996
Application Denied Date:
Last Date of Beneficial Use:
Extension End Date:
Protest Deadline Date:
Number of Protests: 0
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Application Type: New Appropriation
Applicant Remarks:
Other Water Rights:
Time to Complete Works:
Transfer Affected Description:
Transfer Affected Contracts:
Old Transfer Number:
Transfer Reason:
Transfer Return Flows:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 63-11698

WATER RIGHT NUMBER: 63-11698

Owner Type	Name and Address
Current Owner	PAULSEN FARMS 22009 TRAVIS RD WILDER, ID 83676 (208)482-7588

Priority Date: 03/06/1992

Basis:

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	3/15 to 11/15	2.700 CFS	
	Total Diversion:	2.700 CFS	

Location of Point(s) of Diversion

GROUND WATER SE1/4SW1/4 Sec. 10, Twp 04N, Rge 05W, B.M.

CANYON 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	
04N 05W 10									40.0			40.0					~~80.0~~ 78.0
04N 05W 11												38.0	15.0	38.0	2.0		55.0

Total Acres: ~~135~~ 133.0

Conditions of Approval:

1. 03A The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
2. 065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
3. 066 Prior to diversion of water under this right, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to use power records to determine the amount of water diverted from each point of diversion listed under this right.
4. 067 The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
5. 068 This permit does not authorize the construction of any new well or the deepening or enlargement of any existing well.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 63-11698

6. 069 Failure of the right holder to comply with any condition of approval is cause for the Director to void this permit.

Remarks:

1. General This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased, or used on any other place of use.
This permit does not authorize the development and irrigation of land not previously irrigated under prior temporary approval of this application.
Water bearing zone to be appropriated is 100 to 600 feet.

Dates and Other Information:

Permit Proof Due Date: 5/1/1996
Permit Proof Made Date: 3/25/1996
Permit Approved Date: 1/18/1996
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Field Exam Date: 11/3/1999
Date Sent to State Office: 8/2/2000
Date Received at State Office: 8/3/2000
State or Federal:
Owner Name Connector:
Water District Number: 63
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

PC 4030

C

INSTRUMENT NO. 200147046

WARRANTY DEED

10

THE GRANTOR is **Carl Amos Paulsen, David Albert Paulsen and Mark Clark,** as successor Trustees of the **Berneta J. Paulsen Testamentary Trust** created by the provisions of the Last Will dated December 28, 1979, and admitted to probate on the date of March 5, 1980, by order of the Magistrate's Division of the District Court of the Third Judicial District of the State of Idaho, in and for the County of Canyon; and

Patricia Skelly, Carl Paulsen and Craig Paulsen, as successor Trustees of the Albert W. Paulsen, Jr. Family Trust created by that trust agreement in writing dated February 16, 1998, wherein Albert W. Paulsen, Jr. appears as "settlor" and Albert W. Paulsen, Jr. appears as "trustee"; and

Patricia A. Skelly, Carl Paulsen and Craig Paulsen, as personal representatives of the Estate of Albert W. Paulsen, Jr., deceased.

THE GRANTEE is **Stephen John Miller and Jacqueline Louise Miller,** husband and wife; and

Stephanie Louise Kahne, a married person; and

Richard Dee Miller, a married person,, (herein called grantee) whose current address is c/o Stephen John Miller, 451 E. Glendale Avenue, Phoenix, AZ 85020.

FOR VALUE RECEIVED, the grantor hereby grants, bargains, sells and conveys unto the grantee those premises situated in Canyon County, Idaho, and described as follows:

Dad's Farm

Parcel IA

BEGINNING at the Northwest corner of the Southeast Quarter of Section 11, Township 4 North, Range 5 West of the Boise Meridian; thence East along the North boundary line of said Southeast Quarter a distance of 848.92 feet; thence South 30°3' East 932.7 feet to a point in the East boundary line of the Northwest Quarter of the Southeast Quarter of said Section 11;

thence South on said East boundary line a distance of 510 feet;

thence West 795.32 feet;

thence South 67° 50' West 566.7 feet to a point in the West boundary line of said Southeast Quarter;

thence North on said West boundary line 1532 feet to the point of beginning.

EXCEPTING FROM THE FOREGOING, all that part thereof which lies North and West of the Government Drain Ditch (more commonly called the Mammon Gulch Wasteway Drain Ditch) as now located on said land.

Parcel IB

A parcel of land being a portion of the SW ¼ of the SE ¼ of Section 11, Township 4 North, Range 5 West, Boise Meridian, Canyon County, Idaho, as shown on Record of Survey, filed for record in the office of the Canyon County Recorder, Caldwell, Idaho, under Instrument No. 200143939 and more particularly described as follows:

Commencing at a brass cap marking the Southeast corner of said Section 11; thence along the South boundary of said Section 11

South 89°18'33" West 1321.82 feet to the Southeast corner of said SW ¼ of the SE ¼ of Section 11 marking the **POINT OF BEGINNING**; thence continuing

South 89°18'33" West 5.46 feet to a PK nail and washer; thence leaving said South boundary

North 00°37'00" West 257.00 feet to an iron pin; thence

South 89°46'00" West 170.48 feet to an iron pin; thence

South 00°30'00" East 258.36 feet to a PK nail and washer on said South boundary of Section 11; thence along said South boundary

South 89°18'33" West 1145.36 feet to an iron pin marking the South ¼ of said Section 11; thence along the North-South centerline of said Section 11

North 00°06'53" West 1136.71 feet to a point, said point bears South 00°06'53" West 1532.00 feet from the center of said Section 11; thence leaving said West boundary

North 68°52'26" East 564.65 feet to a point on the North boundary of said SW ¼ of the SE ¼ of Section 11; thence along said North boundary

North 89°21'44" East 795.32 feet to the Northeast corner of said SW ¼ of the SE ¼ of Section 11; thence along the East boundary of said SW ¼ of the SE ¼ of Section 11

South 00°05'14" East 1333.14 feet to the **POINT OF BEGINNING.**

Together with a shared water right for irrigation and domestic use under Water License and Certificate of Water Right No. 63-2397 (formerly Water License No. 16489).

Grandma Paulsen's Farm

Parcel IIA

That part of the Southeast Quarter in Section 11, Township 4 North, Range 5 West, Boise Meridian, described as follows:

A parcel of land being a portion of the SE ¼ of the SE ¼ of Section 11, Township 4 North, Range 5 West, Boise Meridian, Canyon County, Idaho, as shown on Record of Survey, filed for record in the office of the Canyon County Recorder, Caldwell, Idaho under Instrument No. 200143939 and more particularly described as follows:

Commencing at a brass cap marking the Southeast corner of said Section 11; thence along the South boundary of said Section 11

South 89°18'33" West 404.00 feet to a PK nail and washer marking the **POINT OF BEGINNING**; thence continuing

South 89°18'33" West 917.82 feet to the Southeast corner of said SE ¼ of the SE ¼ of Section 11; thence along the West boundary of said SE ¼ of the SE ¼ of Section 11

North 00°05'14" West 1333.14 feet to the Northwest corner of said SE ¼ of the SE ¼ of Section 11; thence along the North boundary of said SE ¼ of the SE ¼ of Section 11

North 89°21'44" East 1322.44 feet to an iron pin marking the Northeast corner of said SE ¼ of the SE ¼ of Section 11; thence along the East boundary of said SE ¼ of the SE ¼ of Section 11

South 00°03'36" East 974.92 feet to a PK nail and washer, thence leaving said East boundary

South 89°18'33" West 406.01 feet to an iron pin; thence

South 00°23'00" East 356.98 feet to the **POINT OF BEGINNING.**

AND

That part of the Northeast Quarter of the Southeast Quarter bounded as follows:

Beginning at the Southwest corner of the Northeast Quarter of the Southeast Quarter;

thence North 385 feet;

thence Southeasterly to a point on the Southerly line of said quarter quarter 723 feet East of the point of beginning;

thence West to the point of beginning.

TOGETHER WITH a 20-foot non-exclusive ingress-egress easement lying 10.00 feet left of and 10.00 feet right of the following described centerline lying in the SE ¼ of the SE ¼ of Section 11, T. 4 N., R. 5 W., B.M., Canyon County, Idaho, as shown on Record of Survey, filed for record in the office of the Canyon County Recorder, Caldwell, Idaho, under Instrument No. 200143939 and more particularly described as follows:

Commencing at a brass cap marking the Southeast corner of said Section 11; thence along the South boundary of said Section 11

South 89°18'33" West 364.00 feet to the **POINT OF BEGINNING** of said centerline; thence leaving said South boundary

North 00°23'00" West 45.00 feet to a point; thence

South 89°18'33" West 40.00 feet to the **POINT OF ENDING** of the above described centerline.

Parcel IIB

That part of the North Half of the Southeast Quarter bounded as follows:

Beginning at a point on the North line of the Southeast Quarter 848.92 feet East of the Northwest corner thereof;

thence East to the Northeast corner of the Southeast Quarter;

thence South to the Southeast corner of the Northeast Quarter of the Southeast Quarter;

thence West on the South quarter quarter line 597 feet;

thence Northwesterly to a point on the West quarter quarter line 383 feet North of

the Southwest corner of the Northeast Quarter of the Southeast Quarter;
thence North on the West quarter quarter corner line 127 feet;
thence Northwesterly to the place of beginning.

Together with a shared water right for irrigation and domestic use under Water License and Certificate of Water Right No. 63-2397 (formerly Water License No. 16489).

Parcel III - Perrot Farm

A parcel of land being a portion of the North ½ of the SW ¼ of Section 12, Township 4 North, Range 5 West, Boise Meridian, Canyon County, Idaho, as shown on Record of Survey, filed for record in the office of the Canyon County Recorder, Caldwell, Idaho under Instrument No. 200143940 and more particularly described as follows:

BEGINNING at an iron pin marking the West ¼ corner of said Section 12; thence along the East-West centerline of said Section 12

South 89°44'57" East 2382.65 feet to an iron pin; thence along a line West of and parallel to the North-South centerline of said Section 12

South 00°04'25" East 672.38 feet to a point; thence

North 89°42'51" East 300.00 feet to a point on said North-South centerline of Section 12; thence along said North-South centerline

South 00°04'25" East 660.79 feet to an iron pin marking the Southeast corner of said North ½ of the SW ¼ of Section 12; thence along the South boundary of said North ½ of the SW ¼ of Section 12

North 89°46'57" West 2682.96 feet to an iron pin marking the Southwest corner of said North ½ of the SW ¼ of Section 12; thence along the West boundary of said North ½ of the SW ¼ of Section 12

North 00°03'36" West 360.12 feet to a PK nail and washer; thence leaving said West boundary

North 88°18'00" East 302.00 feet to an iron pin; thence

North 48°26'27" East 22.72 feet to an iron pin; thence

North 00°18'00" East 176.00 feet to an iron pin; thence

North 89°54'00" West 320.00 feet to a PK nail and washer on said West boundary of the North ½ of the SW ¼ of Section 12; thence along said West boundary

North 00°03'36" West 771.21 feet to the **POINT OF BEGINNING.**

TOGETHER WITH a 20-foot non-exclusive ingress-egress easement lying 10.00 feet left of and 10.00 feet right of the following described centerline lying in the NW ¼ of the SW ¼ of Section 12, T.4N., R.5W., B.M., Canyon County, Idaho, as shown on Record of Survey, filed for record in the office of the Canyon County Recorder, Caldwell, Idaho, under Instrument No. 200143940 and more particularly described as follows:

Commencing at a brass cap marking the Southwest corner of said Section 12; thence along the West boundary of said Section 12

North 00°03'36" West 1709.67 feet to the **POINT OF BEGINNING;** thence leaving said West boundary

North 88°18'00" East 68.00 feet to a point; thence at right angles
South 01°42'00" West 17.62 feet to the **POINT OF ENDING** of the above described centerline.

TOGETHER with all water rights, ditch rights, rights of way, improvements, fixtures, tenements, hereditaments and appurtenances thereto belonging or used in connection therewith.

TAXES PRORATED BY DATE: The term "taxes" when used in this deed means all general and special taxes levied against the premises and the improvements and fixtures thereon by any taxing unit for any purpose and includes, but is not limited to, those for bonds and special improvements, but excludes those for which other provisions are herein expressly made. All taxes, whether paid or unpaid, shall be prorated between the grantor and the grantee on a time basis as of the date of this deed. The grantor shall pay before delinquency all taxes prorated for the period of time before such date and the grantee shall pay all taxes prorated for the period of time of and after such date.

IRRIGATION CHARGES PRORATED BY IRRIGATION SEASON: The term "irrigation charges" when used in this deed means all general and special taxes and assessments levied against the premises by any irrigation or drainage unit for any purpose and includes but is not limited to bonds, construction charges, special improvements, irrigation, and drainage. For the purposes of prorating irrigation charges, the irrigation season shall be deemed to be the calendar year. The grantor shall pay before delinquency all irrigation charges levied for the irrigation season of 2001 and all irrigation seasons prior thereto. The grantee shall pay before delinquency all irrigation charges levied for the irrigation season of 2002 and all irrigation seasons subsequent thereto. The irrigation district assessment billed in December, 2001, will contain the Fall assessment for 2001 which shall be paid by the grantor and the Spring assessment for 2002 which shall be paid by the grantee.

SUBJECT TO each of the following:

(Taxes to be paid by grantee) All taxes herein expressly agreed to be paid by the grantee.

(Irrigation charges herein agreed to be paid by grantee) All irrigation charges herein expressly agreed to be paid by the grantee.

(Patents or state grants) All reservations in patents or state grants or in the laws authorizing the issuance thereof.

(Bonded debt of taxing units) The bonded debt of all taxing units.

(Local improvements) Any taxes for local improvements not now completed.

(Zoning requirements, etc.) All zoning requirements and restrictions imposed by any governmental unit.

(Building codes, etc.) All requirements and restrictions provided by any fire, building, plumbing, electrical, and other similar codes imposed by any governmental unit.

(Irrigation district contracts) All repayment contracts between the Wilder Irrigation District and the United States.

(Restrictions, etc. of record) All restrictions, covenants, servitudes, limitations, conditions, and prohibitions of record or provided by law.

(All rights of way) All rights of way under, over, and across the ***premises*** regardless of how evidenced or acquired and whether the same are or are not recorded in the recorder's office of the county in which the ***premises*** are situated including but not limited to the right of way under, over and/or across a portion of the ***premises*** designated as Parcels IIA and IIB which right of way is described as follows:

Highway Right of Way Deed to the State of Idaho recorded January 17, 1950 as Instrument No. 358106, records of Canyon County, Idaho, for a right of way 25 feet wide lying across the herein described property for a right of way for a public highway.

There is also granted hereby an easement adjacent to the above described highway right of way for public highway for relocation of all irrigation and drainage ditches and structures and such surface drain ditches as may be necessary to the proper construction of the highway.

Construction or relocation of right of way fencing shall be and at the sole expense of the Golden Gate Highway District and no advertising or other signs will be erected on said fence without the written consent of the Commission of Public Works.

(Title Commitment exceptions) Those exceptions designated as Exceptions No.s 4 and 5 set forth in Schedule B of the second commitment for title insurance issued by First American Title Insurance Company through Pioneer Title Company of Canyon County under Commitment No. PC 40203 and dated September 28, 2001, which commitment is by this reference incorporated herein for the purpose of setting forth such exceptions.

TO HAVE AND TO HOLD the premises and its appurtenances unto the grantee and the grantee's successors and assigns forever and the grantor hereby covenants to and with the grantee as follows: that the grantor is the owner in fee simple of the premises; that the premises are free and clear of all liens and encumbrances except those described above to which this deed is expressly made subject; and that the grantor will warrant and defend the premises from all lawful claims whatsoever.

POSSESSION: The grantor shall retain possession of the premises until the effective date of this deed on which date the grantor shall deliver and the grantee shall accept possession of the premises in as good condition as they now exist, ordinary wear and tear excepted.

INTERPRETATION: Singular terms used herein shall be read as if written in the plural when the context so requires or permits. The date this deed is dated immediately below is the date on which it will take effect.

DATED: 11-2-01

SIGNED BY THE GRANTOR:

BERNETA J. PAULSEN TESTAMENTARY TRUST

By _____
Name: **Carl Amos Paulsen**
Title: Co-Trustee

By _____
Name: **David Albert Paulsen**
Title: Co-Trustee

By _____
Name: **Mark Clark**
Title: Co-Trustee

ALBERT W. PAULSEN, JR. FAMILY TRUST

By _____
Name: **Patricia Skelly**
Title: Co-Trustee

By _____
Name: **Carl Paulsen**
Title: Co-Trustee

By _____
Name: **Craig Paulsen**
Title: Co-Trustee

ESTATE OF ALBERT W. PAULSEN, JR., deceased

By _____
Name: **Patricia A. Skelly**
Title: Personal Representative

By _____
Name: Carl Paulsen
Title: Personal Representative

By _____
Name: Craig Paulsen
Title: Personal Representative

STATE OF IDAHO, County of Canyon) ss

On this date, before me, the undersigned notary public for such state, personally appeared **Carl Amos Paulsen**, known to me to be the person whose name is subscribed to the within instrument as trustee of the **Berneta J. Paulsen Testamentary Trust**, and acknowledged to me that he executed the same as such trustee.

WITNESS my hand and seal on OCT 30 2001.

_____ Notary Public.

My Commission Expires: 9-25-03

JANICE L. SARGENT
Notary Public - State of Idaho

STATE OF IDAHO, County of Canyon) ss

On this date, before me, the undersigned notary public for such state, personally appeared **David Albert Paulsen**, known to me to be the person whose name is subscribed to the within instrument as trustee of the **Berneta J. Paulsen Testamentary Trust**, and acknowledged to me that he executed the same as such trustee.

WITNESS my hand and seal on October 30, 2001.

_____ Notary Public.

My Commission Expires: 5/23/07

JANET E. HILL
NOTARY PUBLIC
STATE OF IDAHO

STATE OF IDAHO, County of Canyon) ss

On this date, before me, the undersigned notary public for such state, personally appeared **Mark Clark**, known to me to be the person whose name is subscribed to the within instrument as trustee of the **Bernetta J. Paulsen Testamentary Trust**, and acknowledged to me that he executed the same as such trustee.

WITNESS my hand and seal on 10-31-01.

Janice L. Sargent Notary Public.

My Commission Expires: 9-25-03

JANICE L. SARGENT
Notary Public - State of Idaho

STATE OF IDAHO, County of Canyon) ss

On this date, before me, the undersigned notary public for such state, personally appeared **Patricia Skelly, Carl Paulsen** and **Craig Paulsen** known to me to be the persons whose names are subscribed to the within instrument as trustees of the **Albert W. Paulsen, Jr. Family Trust**, and acknowledged to me that they executed the same as such trustees.

WITNESS my hand and seal on OCT 30 2001.

Janice L. Sargent Notary Public.

My Commission Expires: 9-25-03

JANICE L. SARGENT
Notary Public - State of Idaho

STATE OF IDAHO, County of Canyon) ss

On this date, before me, the undersigned notary public for such state, personally appeared **Patricia A. Skelly, Carl Paulsen** and **Craig Paulsen** known to me to be the persons whose names are subscribed to the within instrument as the personal representatives of the **Estate of Albert W. Paulsen, Jr., deceased**, and acknowledged to me that they executed the same as such personal representatives.

WITNESS my hand and seal on OCT 30 2001.

Janice L. Sargent Notary Public.

My Commission Expires: 9-25-03

JANICE L. SARGENT
Notary Public - State of Idaho

200147046

RECORDED

2001 NOV 13 AM 11 32

G NOEL HALES
CANYON CNTY RECORDER
BY C.M. Laughlin
REQUEST PIONEER - CALDWELL
TYPE Dee L FEE 30.00

PC40888 Inst. 1461869

WARRANTY DEED

THE GRANTOR is **Carl Amos Paulsen, David Albert Paulsen** and **Mark Clark**, as successor Trustees of the **Berneta J. Paulsen Testamentary Trust** created by the provisions of the Last Will dated December 28, 1979, and admitted to probate on the date of March 5, 1980, by order of the Magistrate's Division of the District Court of the Third Judicial District of the State of Idaho, in and for the County of Canyon; and

Patricia Skelly, Carl Paulsen and **Craig Paulsen**, as successor Trustees of the **Albert W. Paulsen, Jr. Family Trust** created by that trust agreement in writing dated February 16, 1998, wherein Albert W. Paulsen, Jr. appears as "settlor" and Albert W. Paulsen, Jr. appears as "trustee"; and

Patricia A. Skelly, Carl Paulsen and **Craig Paulsen**, as personal representatives of the **Estate of Albert W. Paulsen, Jr., deceased.**

THE GRANTEE is **James Lewis Diller** and **Helen Elizabeth Diller**, husband and wife, (herein called grantee) whose current address is 6837 North 4th Place, Phoenix, AZ 85012.

FOR VALUE RECEIVED, the grantor hereby grants, bargains, sells and conveys unto the grantee those premises situated in Canyon County, Idaho, and described as follows:

Scott Farm

The East Half of the Southwest Quarter of Section 10, Township 4 North, Range 5 West of the Boise Meridian, in Canyon County, Idaho;

EXCEPTING THEREFROM a portion of the Southeast Quarter of the Southwest Quarter of Section 10, Township 4 North, Range 5 West, Boise Meridian, Canyon County, Idaho, shown on the Record of Survey as Instrument No. 9331999, records of Canyon County, Idaho, and more particularly described as follows:

BEGINNING at an iron pin marking the South Quarter corner of the said Section 10; thence along the Southerly boundary of the said Southeast Quarter of the Southwest Quarter of Section 10, which is also the centerline of West Red Top Road;

South 90° 00' 00" West 250 feet to a P.K. nail and washer; thence along a line Westerly and parallel with the Easterly boundary of the said Southeast Quarter of the Southwest Quarter of Section 10;

North 00° 11' 45" West 306 feet to an iron pin; thence along a line Northerly of and parallel with the said Southerly boundary of the Southeast Quarter of the Southwest Quarter of Section 10;

South 90° 00' 00" East 250 feet to an iron pin on the said Easterly boundary of the Southeast Quarter of the Southwest Quarter of Section 10; thence along the said Easterly boundary of the Southeast Quarter of the Southwest Quarter of Section 10, which is also the centerline of North Butt Corner Road;

South 00° 11' 45" East 306 feet to the POINT OF BEGINNING.

Together with all water rights for irrigation use under Permit to Appropriate Water No. 63-11698 and all water rights for irrigation use under Application for Permit No. 63-12329.

TOGETHER with all water rights, ditch rights, rights of way, improvements, fixtures, tenements, hereditaments and appurtenances thereto belonging or used in connection therewith.

TAXES PRORATED BY DATE: The term "taxes" when used in this deed means all general and special taxes levied against the premises and the improvements and fixtures thereon by any taxing unit for any purpose and includes, but is not limited to, those for bonds and special improvements, but excludes those for which other provisions are herein expressly made. All taxes, whether paid or unpaid, shall be prorated between the grantor and the grantee on a time basis as of the date of this deed. The grantor shall pay before delinquency all taxes prorated for the period of time before such date and the grantee shall pay all taxes prorated for the period of time of and after such date.

IRRIGATION CHARGES PRORATED BY IRRIGATION SEASON: The term "irrigation charges" when used in this deed means all general and special taxes and assessments levied against the premises by any irrigation or drainage unit for any purpose and includes but is not limited to bonds, construction charges, special improvements, irrigation, and drainage. For the purposes of prorating irrigation charges, the irrigation season shall be deemed to be the calendar year. The grantor shall pay before delinquency all irrigation charges levied for the irrigation season of 2001 and all irrigation seasons prior thereto. The grantee shall pay before delinquency all irrigation charges levied for the irrigation season of 2002 and all irrigation seasons subsequent thereto. The irrigation district assessment billed in December, 2001, will contain the Fall assessment for 2001 which shall be paid by the grantor and the Spring assessment for 2002 which shall be paid by the grantee.

SUBJECT TO each of the following:

(Taxes to be paid by grantee) All taxes herein expressly agreed to be paid by the grantee.

(Irrigation charges herein agreed to be paid by grantee) All irrigation charges herein expressly agreed to be paid by the grantee.

(Patents or state grants) All reservations in patents or state grants or in the laws authorizing the issuance thereof.

(Bonded debt of taxing units) The bonded debt of all taxing units.

(Local improvements) Any taxes for local improvements not now completed.

(Zoning requirements, etc.) All zoning requirements and restrictions imposed by any governmental unit.

(Building codes, etc.) All requirements and restrictions provided by any fire, building, plumbing, electrical, and other similar codes imposed by any governmental unit.

(Irrigation district contracts) All repayment contracts between the Wilder Irrigation District and the United States.

(Restrictions, etc. of record) All restrictions, covenants, servitudes, limitations, conditions, and prohibitions of record or provided by law.

(All rights of way) All rights of way under, over, and across the ***premises*** regardless of how evidenced or acquired and whether the same are or are not recorded in the recorder's office of the county in which the ***premises*** are situated.

(Title Commitment exceptions) Those exceptions designated as Exceptions No.s 4 and 5 set forth in Schedule B of the commitment for title insurance issued by First American Title Insurance Company through Pioneer Title Company of Canyon County under Commitment No. PC 40888 and dated September 28, 2001, which commitment is by this reference incorporated herein for the purpose of setting forth such exceptions.

TO HAVE AND TO HOLD the premises and its appurtenances unto the grantee and the grantee's successors and assigns forever and the grantor hereby covenants to and with the grantee as follows: that the grantor is the owner in fee simple of the premises; that the premises are free and clear of all liens and encumbrances except those described above to which this deed is expressly made subject; and that the grantor will warrant and defend the premises from all lawful claims whatsoever.

POSSESSION: The grantor shall retain possession of the premises until the effective date of this deed on which date the grantor shall deliver and the grantee shall accept possession of the premises in as good condition as they now exist, ordinary wear and tear excepted.

INTERPRETATION: Singular terms used herein shall be read as if written in the plural when the context so requires or permits. The date this deed is dated immediately below is the date on which it will take effect.

DATED: 11-2-01

SIGNED BY THE GRANTOR:

BERNETA J. PAULSEN TESTAMENTARY TRUST

By _____
Name: **Carl Amos Paulsen**
Title: Co-Trustee

By _____
Name: **David Albert Paulsen**
Title: Co-Trustee

By _____
Name: Mark Clark
Title: Co-Trustee

ALBERT W. PAULSEN, JR. FAMILY TRUST

By _____
Name: Patricia Skelly
Title: Co-Trustee

By _____
Name: Carl Paulsen
Title: Co-Trustee

By _____
Name: Craig Paulsen
Title: Co-Trustee

ESTATE OF ALBERT W. PAULSEN, JR., deceased

By _____
Name: Patricia A. Skelly
Title: Personal Representative

By _____
Name: Carl Paulsen
Title: Personal Representative

By _____
Name: Craig Paulsen
Title: Personal Representative

STATE OF IDAHO, County of Canyon) ss

On this date, before me, the undersigned notary public for such state, personally appeared **Carl Amos Paulsen**, known to me to be the person whose name is subscribed to the within instrument as trustee of the **Berneta J. Paulsen Testamentary Trust**, and acknowledged to me that he executed the same as such trustee.

WITNESS my hand and seal on OCT 30 2001.

Janice L. Sargent Notary Public.

My Commission Expires: 9-25-03

JANICE L. SARGENT
Notary Public - State of Idaho

STATE OF IDAHO, County of Canyon) ss

On this date, before me, the undersigned notary public for such state, personally appeared **David Albert Paulsen**, known to me to be the person whose name is subscribed to the within instrument as trustee of the **Berneta J. Paulsen Testamentary Trust**, and acknowledged to me that he executed the same as such trustee.

WITNESS my hand and seal on October 30, 2001.

Janet E. Hill Notary Public.

My Commission Expires: 5/23/07

JANET E. HILL
NOTARY PUBLIC
STATE OF IDAHO

STATE OF IDAHO, County of Canyon) ss

On this date, before me, the undersigned notary public for such state, personally appeared **Mark Clark**, known to me to be the person whose name is subscribed to the within instrument as trustee of the **Berneta J. Paulsen Testamentary Trust**, and acknowledged to me that he executed the same as such trustee.

WITNESS my hand and seal on 10-31-01.

Janice L. Sargent Notary Public.

My Commission Expires: 9-25-03

JANICE L. SARGENT
Notary Public - State of Idaho

STATE OF IDAHO, County of Canyon) ss

On this date, before me, the undersigned notary public for such state, personally appeared **Patricia Skelly, Carl Paulsen** and **Craig Paulsen** known to me to be the persons whose names are subscribed to the within instrument as trustees of the **Albert W. Paulsen, Jr. Family Trust**, and acknowledged to me that they executed the same as such trustees.

WITNESS my hand and seal on 10-30-01.

Janice L. Sargent Notary Public.

My Commission Expires: 4-25-03

JANICE L. SARGENT
Notary Public - State of Idaho

STATE OF IDAHO, County of Canyon) ss

On this date, before me, the undersigned notary public for such state, personally appeared **Patricia A. Skelly, Carl Paulsen** and **Craig Paulsen** known to me to be the persons whose names are subscribed to the within instrument as the personal representatives of the **Estate of Albert W. Paulsen, Jr., deceased**, and acknowledged to me that they executed the same as such personal representatives.

WITNESS my hand and seal on 10-30-01.

Janice L. Sargent Notary Public.

My Commission Expires: 4-25-03

JANICE L. SARGENT
Notary Public - State of Idaho

200146869

RECORDED
2001 NOV 9 PM 12 02
GARY L. HALES
CANYON CNTY RECORDER
BY Jackie L. Shaw
REQUEST PIONEER - CALDWELL
TYPE Deed FEE 11.00

WARRANTY DEED

THE GRANTOR is **Stephen John Miller** and **Jacqueline Louise Miller**, husband and wife; and

Stephanie Louise Kahne, a married person; and

Richard Dee Miller, a married person, (herein called **grantee**).

THE GRANTEE is **Craig A. Paulsen** and **Jamie Paulsen**, husband and wife, whose current address is 24549 Fern Lane, Wilder, ID 83676.

FOR VALUE RECEIVED, the grantor hereby grants, bargains, sells and conveys unto the grantee those premises situated in Canyon County, Idaho, and described as follows:

A parcel of land being a portion of the NE ¼ of the SW ¼ of Section 12, Township 4 North, Range 5 West, Boise Meridian, Canyon County, Idaho, as shown on Record of Survey, filed for record in the office of the Canyon County Recorder, Caldwell, Idaho, under Instrument No. 200136299 and more particularly described as follows:

Commencing at an axle marking the West ¼ corner of said Section 12; thence along the East-West centerline of said Section 12

South 89°44'57" East 2311.28 feet to a PK nail and washer marking the **POINT OF BEGINNING**; thence continuing

South 89°44'57" East 71.37 feet to an iron pin marking the Northwest corner of a Record of Survey filed for record in the office of the Canyon County Recorder, Caldwell, Idaho, under Instrument No. 9322487; thence along the West boundary of said Record of Survey

South 00°04'25" East 672.38 feet to a point marking the Southwest corner of said Record of Survey; thence along the South boundary of said Record of Survey

North 89°42'51" East 300.00 feet to a point marking the Southeast corner of said Record of Survey on the North-South centerline of said Section 12; thence along said North-South centerline

South 00°04'25" East 660.79 feet to an iron pin marking the Southeast corner of the NE ¼ of the SW ¼ of said Section 12; thence along the South boundary of said NE ¼ of the SW ¼ of Section 12

North 89°46'57" West 378.55 feet to an iron pin; thence leaving said South boundary

North 00°14'07" East 1330.56 feet to the **POINT OF BEGINNING.**

TOGETHER with all water rights, ditch rights, rights of way, improvements, fixtures, tenements hereditaments and appurtenances thereto belonging or used in connection therewith.

TAXES PRORATED BY DATE: The term "taxes" when used in this deed means all general and special taxes levied against the premises and the improvements and fixtures thereon by any taxing unit for any purpose and includes, but is not limited to, those for bonds and special improvements, but excludes those for which other provisions are herein expressly made. All taxes, whether paid or unpaid, shall be prorated

between the grantor and the grantee on a time basis as of the date of October 29, 2001. The grantee shall pay before delinquency taxes prorated for the period of time before such date and the grantee shall pay all taxes prorated for the period of time of and after such date.

IRRIGATION CHARGES PRORATED BY IRRIGATION SEASON: The term "irrigation charges" when used in this deed means all general and special taxes and assessments levied against the premises by any irrigation or drainage unit for any purpose and includes but is not limited to bonds, construction charges, special improvements, irrigation, and drainage. For the purposes of prorating irrigation charges the irrigation season shall be deemed to be the calendar year. The grantor shall pay before delinquency all irrigation charges levied for the irrigation season of 2001 and all irrigation seasons prior thereto. The grantee shall pay before delinquency all irrigation charges levied for the irrigation season of 2002 and all irrigation seasons subsequent thereto. The irrigation district assessment billed in December, 2001, will contain the Fall assessment for 2001 which shall be paid by the grantor and the Spring assessment for 2002 which shall be paid by the grantee.

SUBJECT TO each of the following:

(Taxes to be paid by grantee) All taxes herein expressly agreed to be paid by the grantee.

(Irrigation charges herein agreed to be paid by grantee) All irrigation charges herein expressly agreed to be paid by the grantee.

(Patents or state grants) All reservations in patents or state grants or in the laws authorizing the issuance thereof.

(Bonded debt of taxing units) The bonded debt of all taxing units.

(Local improvements) Any taxes for local improvements not now completed.

(Zoning requirements, etc.) All zoning requirements and restrictions imposed by any governmental unit.

(Building codes, etc.) All requirements and restrictions provided by any fire, building, plumbing, electrical, and other similar codes imposed by any governmental unit.

(Irrigation district contracts) All repayment contracts between the Wilder Irrigation District and the United States.

(Restrictions, etc. of record) All restrictions, covenants, servitudes, limitations, conditions, and prohibitions of record or provided by law.

(All rights of way) All rights of way under, over, and across the ***premises*** regardless of how evidenced or acquired and whether the same are or are not recorded in the recorder's office of the county in which the ***premises*** are situated.

(Discrepancies, etc.) Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.

(Unpatented mining claims, etc.) (1) Unpatented mining claims; (2) reservations or exceptions in patents or in acts authorizing the issuance thereof; (3) water rights, claims or title to water, whether or not the matters excepted under (1), (2) or (3) are shown by the public records.

TO HAVE AND TO HOLD the premises and its appurtenances unto the grantee and the grantee's successors and assigns forever and the grantor hereby covenants to and with the grantee as follows: that the grantor is the owner in fee simple of the premises; that the premises are free and clear of all liens and encumbrances except those described above to which this deed is expressly made subject; and that the grantor will warrant and defend the premises from all lawful claims whatsoever.

POSSESSION: The grantor shall retain possession of the premises until the effective date of this deed on which date the grantor shall deliver and the grantee shall accept possession of the premises in as good condition as they now exist, ordinary wear and tear excepted.

INTERPRETATION: Singular terms used herein shall be read as if written in the plural when the context so requires or permits. The date this deed is dated immediately below is the date on which it will take effect.

DATED: 17 Dec 01

SIGNED BY THE GRANTOR:

Name: **Stephen John Miller** — 17 Dec 01 — **Date Signed**

Name: **Jacqueline Louise Miller** — 17 Dec 01 — **Date Signed**

STATE OF ARIZONA, County of Maricopa) ss

On this date, before me, the undersigned notary public for such state, personally appeared **Stephen John Miller and Jacqueline Louise Miller,** husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

WITNESS my hand and seal on 12/17/01.

Notary Public.

My Commission Expires:

OFFICIAL SEAL
SANDRA D. HONAHNI
NOTARY PUBLIC – ARIZONA
MARICOPA COUNTY
My Comm. Expires July 16, 2004

SIGNED BY THE GRANTOR:

Name: **Richard Dee Miller** — **Date Signed** 12-15-01

STATE OF ARIZONA, County of Maricopa) ss

On this date, before me, the undersigned notary public for such state, personally appeared **Richard De Miller,** known to me to be the person whose name is subscribed to the within instrument, an acknowledged to me that he executed the same.

WITNESS my hand and seal on Dec 15, 2001.

Notary Public.

My Commission Expires: Dec. 21 2002

OFFICIAL SEAL
LOUISE GRIGG
Notary Public - State of Arizona
MARICOPA COUNTY
My Comm. Expires Dec. 21, 2002

SIGNED BY THE GRANTOR:

Name: **Stephanie Louise Kahne** — Date Signed: 17 Dec 01

STATE OF ~~CALIFORNIA~~ Arizona, County of ~~San Bernardino~~ Maricopa) ss

On this date, before me, the undersigned notary public for such state, personally appeared **Stephanie Louise Kahne**, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

WITNESS my hand and seal on December 17, 2001.

Sandra D. Honahni **Notary Public.**

My Commission Expires:

OFFICIAL SEAL
SANDRA D. HONAHNI
NOTARY PUBLIC – ARIZONA
MARICOPA COUNTY
My Comm. Expires July 15, 2004

INSTRUMENT NO. 200154790
200218308

WARRANTY DEED

THE GRANTOR is Richard Dee Miller, a married man dealing with his sole and separate property, Stephanie Kahne, a married woman dealing with her sole and separate property, and Stephen Miller and Jacqueline Louise Miller, husband and wife.

THE GRANTEE is DILLER MILLER LAND COMPANY, LLC, an Arizona limited liability company, whose current address is 451 East Glendale Avenue, Phoenix, Arizona 85020.

FOR VALUE RECEIVED, the grantor hereby grants, bargains, sells and conveys unto the grantee those premises situated in Canyon County, Idaho, and described as follows:

A. Property commonly known as "Dad's Farm" (Parcel IA and IB) containing 55.86 acres, more or less.

Parcel IA

BEGINNING at the Northwest corner of the Southeast Quarter of Section 11, Township 4 North,
Range 5 West of the Boise Meridian, Canyon County, Idaho; thence East along the North boundary
line of said Southeast Quarter a distance of 848.92 feet; thence South 30 3' East 932.7 feet to a
point in the East boundary line of the Northwest Quarter of the Southeast Quarter of said Section
11;

Thence South on said East boundary line a distance of 510 feet;
Thence West 795.32 feet;
Thence South 67 50' West 566.7 feet to a point in the West boundary line of said Southeast
Quarter;
Thence North on said West boundary line 1532 feet to the point of beginning.

EXCEPTING from the foregoing, all or part thereof which lies North and West of the Government
Drain Ditch (more commonly called the Mammon Gulch Wasteway Drain Ditch) as now located on
said land.

Parcel IB

A parcel of land being a portion of the Southwest Quarter of the Southeast Quarter of Section 11,
Township 4 North, Range 5 West, Boise Meridian, Canyon County, Idaho, as shown on record of
Survey, filed for record in the office of the Canyon County recorder, caldwell, Idaho, under
Instrument No. 200143939 and more particularly described as follows:

Commencing at a brass cap marking the
Southeast corner of said Section 11; Thence along the South boundary of said Section 11 South 89
18' 33" West 1321.82 feet to the Southeast corner of the Southwest Quarter of the Southeast Quarter
of Section 11 marking the Point of BEGINNING: .

Thence continuing South 89 18' 33" West 5.46 feet to a PK nail and washer;
Thence leaving said South boundary North 00 37' 00" West 257.00 feet to an iron pin;
Thence South 89 46' 00" West 170.48 feet to an iron pin:
Thence South 00 30' 00" East 258.36 feet to a PK nail and washer on said South boundary of
Section 11;
Thence along said South boundary South 89 18' 33" West 1145.36 feet to an iron pin marking the
South Quarter of said Section 11;
Thence along the North-South centerline of said Section 11 North 00 06' 53" West 1136.71 feet to a
point, said point bears South 00 06' 53" West 1532.00 feet from the center of said Section 11;
Thence leaving said West boundary North 68 52'26" East 564.65 feet to a point on the North
boundary of said Southwest Quarter of the Southeast Quarter of Section 11;
Thence along said North boundary North 89 21' 44" East 795.32 feet to the Northeast corner of said
Southwest Quarter of the Southeast Quarter of Section 11;
Thence along the East boundary of said Southwest Quarter of the Southeast Quarter of Section 11
South 00 05' 14" East 1333.14 to the Point of Beginning.

Together with a shared water right for irrigation and domestic water use under Water License and
Certificate of Water Right No. 63-2397 (formerly Water License No. 16489).

B. Property commonly called "Grandma Paulsen's Farm" (Parcel IIA and IIB) containing 73.15 acres more or less.

Parcel IIA

That part of the Southeast Quarter in Section 11, Township 4 North, Range 5 West, Boise Meridian, Canyon County, Idaho, described as follows:

A parcel of land being a portion of the Southeast Quarter of Southeast Quarter of Section 11, Township 4 North, Range 5 West, Boise Meridian, Canyon county, Idaho, as shown on Record of Survey, filed for record in the office of the Canyon County Recorder, Caldwell, Idaho under Instrument No. 200143939 and more particularly described as:

Commencing at a brass cap marking the Southeast corner of said Section 11; Thence along the South boundary of said Section 11 South 89 18' 33" West 404.00 feet to a PK nail and washer marking the Point of BEGINNING:

Thence continuing South 89 18' 33" West 917.82 feet to the Southeast corner of said Southeast Quarter of the Southeast Quarter of Section 11;
Thence along the West boundary of said Southeast Quarter of the Southeast Quarter of Section 11 North 00 05' 14" West 1333.14 feet to the Northwest corner of said Southeast Quarter of the Southeast Quarter of Section 11;
Thence along the North boundary of said Southeast Quarter of the Southeast Quarter of Section 11 North 89 21' 44" East 1322.44 feet to an iron pin marking the Northeast corner of said Southeast Quarter of the Southeast Quarter of Section 11;
Thence along the East boundary of the Southeast Quarter of the Southeast Quarter of Section 11 South 00 03' 36" East 974.92 feet to a PK nail and washer;
Thence leaving said East boundary South 89 18' 33" west 406.01 feet to an iron pin;
Thence South 00 23' 00" East 356.98 feet to the Point of Beginning.

AND

That part of the Northeast Quarter of the Southeast Quarter of Section 11, Township 4 North, Range 5 West, Boise Meridian, Canyon County, Idaho,

~~That part of the Northeast Quarter of the Southeast Quarter~~ bounded as follows:

BEGINNING at the Southwest corner of the Northeast Quarter of the Southeast Quarter;

Thence North 385 feet;

Thence Southeasterly to a point on the Southerly line of said Quarter Quarter 723 feet East of the

Point of beginning;

Thence West to the point of Beginning.

Together with a 20-foot non-exclusive ingress-egress easement lying 10.00 feet left of and 10.00 right

of the following described centerline lying in the Southeast Quarter of the Southeast Quarter of Section

11, Township 4 North, Range 5 West, Boise Meridian, Canyon County, Idaho, as shown on Record of

Survey, filed for record in the office of the Canyon County Recorder, Caldwell, Idaho, under

Instrument No. 200143939 and more particularly described as follows:

Commencing at a brass cap marking the Southeast corner of said Section 11;

Thence along the South boundary of said Section 11 South 89 18' 33" West 364.00 feet to the Point of

Beginning of said centerline;

Thence leaving said South boundary North 00 23' 00" West 45.00 feet to a point;

Thence South 89 18' 33" West 40 feet to the Point of Ending of the above described centerline.

Parcel IIB That part of the North Half of the Southeast Quarter of Section 11, Township 4 North, Range 5 West, Boise Meridian, Canyon County, Idaho

~~That part of the North Half of the Southeast Quarter~~ bounded as follows:

BEGINNING at a point on the North line of the Southeast Quarter 848.92 feet East of the Northwest

corner thereof;

Thence East to the Northeast corner of the Southeast Quarter;

Thence South to the Southeast corner of the Northeast Quarter of the Southeast Quarter:

Thence West on the South Quarter Quarter line 597 feet;

Thence Northwesterly to a point on the West Quarter Quarter line 383 feet North of the Southwest

corner of the Northeast Quarter of the Southeast Quarter;

Thence North on the West Quarter Quarter corner line 127 feet;

Thence Northwesterly to the point of Beginning.

Together with a shared water right for irrigation and domestic use under Water License and Certificate of Water Right No. 63-2397 (formerly water License No. 16489).

C. Property commonly known as the "Perrot Farm" (Parcel III) containing 61.67 acres more or less.

Parcel III

A parcel of land being a portion of the North Half of the Southwest Quarter of Section 12, Township
4 North, Range 5 West, Boise Meridian, Canyon County, Idaho, as shown on record of Survey, filed
for record in the office of the Canyon County recorder, Caldwell, Idaho, under Instrument No.
200143939 and more particularly described as follows:

BEGINNING at an iron pin marking the West Quarter corner of said Section 12;
Thence along the East-West centerline of said Section 12 South 89 44' 57" East 2382.65 feet to an
iron pin;
Thence along a line West of and parallel to the North-South centerline of said Section 12 South
00 04' 25" East 672.38 feet to a point;
Thence North 89 42' 51" East 300.00 feet to a point on said North-South centerline of Section 12;
Thence along the North-South centerline South 00 04' 25" East 660.79 feet to an iron pin marking
the Southeast corner of said North Half of the Southwest Quarter of Section 12;
Thence along the South boundary of the said North Half of the Southwest Quarter of Section 12
North 89 46' 57" West 2682.96 feet to an iron pin marking the Southwest corner of said North Half
of the Southwest Quarter of section 12;
Thence along the West boundary of said North Half of the Southwest Quarter of Section 12 North
00 03' 36" West 360.12 feet to a PK nail and washer;
Thence leaving said West boundary North 88 18' 00" East 302.00 feet to an iron pin;
Thence North 48 26' 27" East 22.72 feet to an iron pin;
Thence North 00 18' 00" East 176.00 feet to an iron pin;
Thence North 89 54' 00" West 320.00 feet to a PK nail and washer on said West boundary of the
North Half of the Southwest Quarter of Section 12;
Thence along said West boundary North 00 03'36" West 771.21 feet to the Point of Beginning.

EXCEPT that portion commencing at an axle marking the West Quarter corner of said Section 12;

Thence along the East-West centerline of said Section 12 South 89 44' 57" East 2311.28 feet to a
PK nail and washer marking the point of BEGINNING;
Thence continuing South 89 44' 57" East 71.37 feet to an iron pin marking the Northwest corner of
a record of Survey filed under Instrument No. 9322487 (commonly known as Craig Paulsen place);
Thence along the West boundary of said Record of Survey South 00 04' 25" East 672.38 feet to a
point marking the Southwest corner of said Record of Survey;
Thence along the South boundary of said Record of Survey North 89 42' 51" East 300.00 feet to a
point marking the Southeast corner of the said Record of Survey on the North-South centerline of
said Section 12;
Thence along said North-South centerline South 00 04' 25" east 660.79 feet to an iron pin marking
the Southeast corner of the Northeast Quarter of the Southwest Quarter of said Section 12;
Thence along the South boundary of said Northeast Quarter of the Southwest Quarter of Section 12
North 89 46' 57" West 378.55 feet to an iron pin:
Thence leaving said South boundary North 00 14' 07" East 1330.56 feet to the point of Beginning.

Together with a 20-foot non-exclusive ingress-egress easement lying 10.00 feet left of and 10.00
right of the following described centerline lying in the Northwest Quarter of the Southwest Quarter
of Section 12, Township 4 North, Range 5 West, Boise Meridian, Canyon County, Idaho, as shown
on Record of Survey, filed for record in the office of the Canyon County Recorder, Caldwell, Idaho,
under Instrument No. 200143939 and more particularly described as follows:

Commencing at a brass cap marking the Southwest corner of said Section 12;
Thence along the West boundary of said Section 12 North 00 03' 36" West 1709.67 feet to the
Point of BEGINNING;
Thence leaving said West boundary North 88 18' 00" East 68.00 feet to a point;
Thence at right angles South 01 42' 00" West 17.62 feet to the point of ENDING of the above
described centerline.

TOGETHER with all water rights, ditch rights, rights of way, improvements, fixtures, tenements, hereditaments and appurtenances thereto belonging or used in connection therewith.

TAXES PRORATED BY DATE: The term "taxes" when used in this deed means all general and special taxes levied against the premises and the improvements and fixtures thereon by any taxing unit for arty purpose and includes, but is not limited to, those for bonds and special improvements, but excludes those for which other provisions are herein expressly made. All taxes, whether paid or unpaid, shall be, prorated between the grantor and the grantee on a time basis as of he date of October 29, 2001, The grantor shall pay before delinquency all taxes prorated for the period of time before such date and the grantee shall pay all taxes prorated for the period of time of and after such date.

IRRIGATION CHARGES PRORATED BY IRRIGATION SEASON: The term "irrigation charges" when used in this deed means all general and special taxes and assessments levied against the premises by any irrigation or drainage unit for any purpose and includes but is not limited to bonds, construction charges, special improvements, irrigation, and drainage. For the purposes of prorating irrigation charges, the irrigation season shall be deemed to be the calendar year. The grantor shall pay before delinquency all irrigation charges levied for the irrigation season of 2001 and all irrigation seasons prior thereto. The grantee shall pay before delinquency all irrigation charges levied for the irrigation season of 2002 and all irrigation seasons subsequent thereto. The irrigation district assessment billed in December, 2001, will contain the Fall assessment for 2001 which shall be paid by the grantor and the Spring assessment for 2002 which shall be paid by the grantee.

SUBJECT TO each of the following:

(Taxes to be paid by grantee) All taxes herein expressly agreed to be paid by the grantee.

(Irrigation charges herein agreed to be paid by grantee) All irrigation charges herein expressly agreed to be paid by the grantee.

(Patents or state grants) All reservations in patents or state grants or in the laws authorizing the issuance thereof,

(Bonded debt of taxing units) The bonded debt of all taxing units.

(Local improvements) Any taxes for local improvements not now completed,

(Zoning requirements, etc.) All zoning requirements and restrictions imposed by any governmental unit.

(Building codes, etc.) All requirements and restrictions provided by any fire, building, plumbing, electrical, and other similar codes imposed by any governmental unit.

(Irrigation district contracts) All repayment contracts between the Wilder Irrigation District and the United States.

(Restrictions, etc. of record) All restrictions, covenants, servitudes, limitations, conditions, and prohibitions of record or provided by law.

(All rights of way) All rights of way under, over, and across the premises regardless of how evidenced or acquired and whether the same are or are not recorded in the recorder's office of the county in which the premises are situated.

(Discrepancies, etc.) Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which at correct survey would disclose, and which are not shown by public records.

(Unpatented mining claims, etc.) (1) Unpatented mining claims; (2) reservations or exceptions in patents or in acts authorizing the issuance thereof: (3) water rights, claims or title to water, whether or not the matters excepted under (1), (2) or (3) are shown by the public records.

TO HAVE AND TO HOLD the premises and its appurtenances unto the grantee and the grantee's successors and assigns forever and the grantor hereby covenants to and with the grantee as follows. that the grantor is the owner in fee simple of the premises; that the premises are free and clear of all liens and encumbrances except those described above to which this deed is expressly made subject; and that the grantor will warrant and defend the premises from all lawful claims whatsoever.

POSSESSION: The grantor shall retain possession of the premises until the effective date of this deed on which date the grantor shall deliver and the grantee shall accept possession of the premises in as good condition as they now exist, ordinary wear and tear excepted.

INTERPRETATION: Singular terms used herein shall be read as if written in the plural when the context so requires or permits. The date this deed is dated immediately below is the date on which it will take effect.

DATED: Dec 22, 2001

SIGNED BY THE GRANTOR:

Richard Dee Miller

Stephanie Kahne

Stephen John Miller

Jacqueline Louise Miller

STATE OF ARIZONA, County of Maricopa) ss

On this date, before me, the undersigned notary public for such state, personally appeared Richard D. Miller, Stephanie Kahne, Stephen John Miller and Jacqueline Louise Miller, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

WITNESS my hand and seal on Dec 21, 2001

Notary Public

My Commission Expires:

PHILIP G. TOWER
Notary Public - Arizona
MARICOPA COUNTY
My Commission Expires
DECEMBER 18, 2002

20021830 8

RECORDED

2002 APR 22 AM 10 15

G NOEL HALES
CANYON CNTY RECORDER
BY

REQUEST
TYPE FEE 27.00

The Title Group

20014700

RECORDED

2001 DEC 28 PM 1 26

O NOEL HALES
CANYON CNTY RECORDER
BY

INSTRUMENT NO. 200154791

WARRANTY DEED

THE GRANTOR is James L. Diller and Helen Diller, husband and wife.

THE GRANTEE is DILLER MILLER LAND COMPANY, LLC, an Arizona limited liability company, whose current address is 451 East Glendale Avenue, Phoenix, Arizona 85020.

FOR VALUE RECEIVED, the grantor hereby grants, bargains, sells and conveys unto the grantee those premises situated in Canyon County, Idaho, and described as follows:

Property commonly known as the "Scott Farm" containing 73.54 acres, more or less.

The East Half of the Southwest Quarter of Section 10, Township 4 North, Range 5 West of the Boise Meridian, in Canyon County, Idaho;

EXCEPTING THEREFROM: (Popular name – Carl's residence)
A portion of the Southeast Quarter of the Southwest Quarter of Section 10, Township 4 North,
Range 5 West, Boise Meridian, shown on the Record of Survey as Instrument No. 9331999, records of Canyon County, Idaho, and more particularly described as follows:

BEGINNING at an iron pin marking the South Quarter corner of the said Section 10;
Thence along the Southerly boundary of the said Southeast Quarter of the Southwest Quarter of Section 10, which is also the centerline of West Rod Top Road;
South 90 00' 00" West 250 feet to a PK nail and washer;
Thence along a line Westerly and parallel with the Easterly boundary of the said Southeast Quarter of the Southwest Quarter of Section 10;
North 00 11' 45" West 306 feet to an iron pin;
Thence along a line Northerly of and parallel with the said Southerly boundary of the Southeast
Quarter of the Southwest Quarter of Section 10;
South 90 00' 00" East 250 feet to an iron pin on the said Easterly boundary of the Southeast Quarter of the Southwest Quarter of Section 10;
Thence along the said Easterly boundary of the Southeast Quarter of the Southwest Quarter of
Section 10, which is the centerline of North Batt Corner Road;
South 00 11' 45" East 306 feet to the Point of Beginning.

Together with all water rights for irrigation use under permit to appropriate water No. 63-11698 and all water rights for irrigation use under Application for permit No. 63-12329.

TOGETHER with all water rights, ditch rights, rights of way, improvements, fixtures, tenements, hereditaments and appurtenances thereto belonging or used in connection therewith.

TAXES PRORATED BY DATE: The term "taxes" when used in this deed means all general and special taxes levied against the premises and the improvements and fixtures thereon by any taxing unit for arty purpose and includes, but is not limited to, those for bonds and special improvements, but excludes those for which other provisions are herein expressly made. All taxes, whether paid or unpaid, shall be, prorated between the grantor and the grantee on a time basis as of he date of October 29, 2001, The grantor shall pay before delinquency all taxes prorated for the period of time before such date and the grantee shall pay all taxes prorated for the period of time of and after such date.

IRRIGATION CHARGES PRORATED BY IRRIGATION SEASON: The term "irrigation charges" when used in this deed means all general and special taxes and assessments levied against the premises by any irrigation or drainage unit for any purpose and includes but is not limited to bonds, construction charges, special improvements, irrigation, and drainage. For the purposes of prorating irrigation charges, the irrigation season shall be deemed to be the calendar year. The grantor shall pay before delinquency all irrigation charges levied for the irrigation season of 2001 and all irrigation seasons prior thereto. The grantee shall pay before delinquency all irrigation charges levied for the irrigation season of 2002 and all irrigation seasons subsequent thereto. The irrigation district assessment billed in December, 2001, will contain the Fall assessment for 2001 which shall be paid by the grantor and the Spring assessment for 2002 which shall be paid by the grantee.

SUBJECT TO each of the following:

(Taxes to be paid by grantee) All taxes herein expressly agreed to be paid by the grantee.

(Irrigation charges herein agreed to be paid by grantee) All irrigation charges herein expressly agreed to be paid by the grantee.

(Patents or state grants) All reservations in patents or state grants or in the laws authorizing the issuance thereof,

(Bonded debt of taxing units) The bonded debt of all taxing units.

(Local improvements) Any taxes for local improvements not now completed,

(Zoning requirements, etc.) All zoning requirements and restrictions imposed by any governmental unit.

(Building codes, etc.) All requirements and restrictions provided by any fire, building, plumbing, electrical, and other similar codes imposed by any governmental unit.

(Irrigation district contracts) All repayment contracts between the Wilder Irrigation District and the United States.

(Restrictions, etc. of record) All restrictions, covenants, servitudes, limitations, conditions, and prohibitions of record or provided by law.

(All rights of way) All rights of way under, over, and across the premises regardless of how evidenced or acquired and whether the same are or are not recorded in the recorder's office of the county in which the premises are situated.

(Discrepancies, etc.) Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which at correct survey would disclose, and which are not shown by public records.

(Unpatented mining claims, etc.) (1) Unpatented mining claims; (2) reservations or exceptions in patents or in acts authorizing the issuance thereof: (3) water rights, claims or title to water, whether or not the matters excepted under (1), (2) or (3) are shown by the public records.

TO HAVE AND TO HOLD the premises and its appurtenances unto the grantee and the grantee's successors and assigns forever and the grantor hereby covenants to and with the grantee as follows. that the grantor is the owner in fee simple of the premises; that the premises are free and clear of all liens and encumbrances except those described above to which this deed is expressly made subject; and that the grantor will warrant and defend the premises from all lawful claims whatsoever.

POSSESSION: The grantor shall retain possession of the premises until the effective date of this deed on which date the grantor shall deliver and the grantee shall accept possession of the premises in as good condition as they now exist, ordinary wear and tear excepted.

INTERPRETATION: Singular terms used herein shall be read as if written in the plural when the context so requires or permits. The date this deed is dated immediately below is the date on which it will take effect.

DATED: 21 Nov 01

SIGNED BY THE GRANTOR:

James L. Diller
James L. Diller

Helen Diller
Helen Diller

STATE OF ARIZONA, County of Maricopa) ss

On this date, before me, the undersigned notary public for such state, personally appeared Richard D. Miller, Stephanie Kahne, Stephen John Miller and Jacqueline Louise Miller, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

WITNESS my hand and seal on Dec 21, 2001

Notary Public

My Commission Expires:

PHILIP O. TOWER
Notary Public - Arizona
MARICOPA COUNTY
My Commission Expires
DECEMBER 18, 2002

20015470 1

RECORDED

2001 DEC 28 PM 1 26

O NOEL HALES
CANYON COUNTY RECORDER
BY

Stephen Miller
Deputy
12.00

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 3, 2002

DILLER MILLER LAND COMPANY LLC
451 E GLENDALE AVE
PHOENIX AZ 85020

RE: Permit No. 63-11698

Gentlemen:

We are in receipt of the "Notice of Change in Water Right Ownership" form that was submitted in regard to the above referenced permit. In a review of the ownership change form, the permit and the warranty deed you submitted, we find that we need more information before we can take any action towards this change.

The warranty deed submitted shows Diller Miller Land Company purchased 73.54 acres, more or less. The warranty deed also states "Together with all water rights for irrigation use under Permit to appropriate water No. 63-11698 and all water rights for irrigation use under Application for permit No. 63-12329." Permit No. 63-11698 was issued for the irrigation of 135 acres of land and Application for Permit No. 63-12329 includes irrigation of 190 acres.

In order to resolve this matter, we request that you submit either 1.) a chain of title which describes the transfer of property from Paulsen Farms, any intermediate owners, to James and Helen Diller or 2.) An "Assignment of Permit" form and an "Assignment of Application for Permit" form that must be signed by an authorized agent of Paulsen Farms. I have included both of these forms for your convenience. I am also enclosing computer-generated reports of the permit and application as they are recorded for your information.

We cannot process the ownership change form as it was submitted. Please submit the additional information requested above so we can proceed with this change. If you have any questions in this matter, please do not hesitate to contact me at (208)327-7944.

Sincerely,

Kay Walker

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosures

10-9-02
Steve Miller called from AZ- will send in additional deeds & letter from Paulsen re: lands not sold to Miller but sold without water — KW

Form 42-248/42-1409(6) July, 2000

RECEIVED
APR 29 2002
Department of Water Resources

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

RECEIVED
APR 15 2002
WATER RESOURCES
WESTERN REGION

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

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
63-11698					

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): PAULSEN FARMS
   22009 TRAVIS RD, WILDER, ID 83678

4. New Owner/Claimant(s): DILLER MILLER LAND COMPANY, LLC.
   Name Connector (Check one): [ ] and, [ ] or, [ ] and/or

   New Mailing Address: 451 E. GLENDALE AVE., PHOENIX, AZ 85020

   City, State and ZIP Code: " " "

   New Telephone Number: (602) 230-7518

5. Date you acquired the property: 21 Dec 01

INSTRUMENT NO. 200154791

WARRANTY DEED

THE GRANTOR is James L. Diller and Helen Diller, husband and wife.

THE GRANTEE is DILLER MILLER LAND COMPANY, LLC, an Arizona limited liability company, whose current address is 451 East Glendale Avenue, Phoenix, Arizona 85020.

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Range 5 West, Boise Meridian, shown on the Record of Survey as Instrument No. 9331999, records of Canyon County, Idaho, and more particularly described as follows:

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Quarter of the Southwest Quarter of Section 10;
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DATED: 21 Nov 01

SIGNED BY THE GRANTOR:

James L. Diller
James L. Diller

Helen Diller
Helen Diller

STATE OF ARIZONA, County of Maricopa) ss

On this date, before me, the undersigned notary public for such state, personally appeared Richard D. Miller, Stephanie Kahne, Stephen John Miller and Jacqueline Louise Miller, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

WITNESS my hand and seal on Dec 21, 2001

Notary Public

My Commission Expires:

PHILIP C. TOWER
Notary Public - Arizona
MARICOPA COUNTY
My Commission Expires
DECEMBER 15, 2002

20015791

RECORDED

2001 DEC 28 PM 1 26

G NOEL HALES
CANYON COUNTY RECORDER
BY

REQUEST Stephen Miller
TYPE Deed FEE 13.00

Form 219
6/92

RECEIVED
AUG -3 2000
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 63-11698

1. Owner: PAULSEN FARMS Phone No. 482-7716

Current Address: 24549 FERN LANE, WILDER, ID 83676

2. Accompanied by: CRAIG PAULSEN EXAM DATE : 11/3/1999

Address: SAME AS ABOVE Phone No. SAME AS ABOVE

Relationship to Permit Holder: CO-OWNER

3. Source: GROUNDWATER tributary to N/A

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 63-02397, 63-12329 (Application for permit), & Wilder Irrigation District

2. Other water rights with the same point of diversion: Application for Permit 63-12329

C. DIVERSION AND DELIVERY SYSTEM

1. **Point(s) of Diversion:**

Ident No.	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
P/D			SE	SW	10	4N	5W	CANYON	VISUAL INSPECTION, CSFA AERIAL PHOTO AND USGS QUADRANGLE MAP

2. Place(s) of Use: Indicate Method of Determination SAME AS POINT OF DIVERSION

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	05W	10									37			37					74
		11													2	15	32	10	59
																			TOTAL ACRES
																			133 ACRES

63-11698

3. **Delivery System Diagram**: Indicate all major components and distances between components. Indicate weir size/c size/pipe i.d. as applicable.

SEE ATTACHED SHEET.

YES Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

YES Aerial Photo Attached (required for irrigation of 10+ acres).

YES Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
P/D	GENERAL ELECTRIC	150 Hp	DJJ418106	AURORA VERTILINE	16" MAINLINE
RELIFT PUMP	PARMA WATER LIFTER 60	20 Hp	U17056	PARMA WATER LIFTER 60	U17056

**Code to correspond with No. on map and aerial photo*

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
N/A						

2. Measurements: The pump was not operating at the time of the exam. This is a supplemental well, so it was not reasonable to force the applicant to turn on the well and pay high demand charges. Therefore, a theoretical calculation was done on the well.

E. NARRATIVE/REMARKS/COMMENTS

The water for this permit is pumped from a well located in the Southwest corner of the SESW Section 10. From the well the water can be sent 3 directions. The first direction is due west to a cement ditch that irrigates the 37 acre field in the SESW S10. The second direction is due north through a mainline to the northwest corner of the NESW S10. The mainline then open discharges into a ditch that irrigates the 37 acre field in the NESW S10. The third direction the water can travel is due south to the Wilder Irrigation District lateral that runs parallel to Red Top Road.

Le 3-10698

The water flows east in the lateral for 1¼ miles to a distribution box located in the southwest corner of the SWSE S11. At this distribution box the water can be sent in two directions. A re-lift pump has been installed at the distribution box to pump water through a buried mainline that travels north to a lateral then northeast to a ditch that runs along the northern border of the SWSE S11. This ditch irrigates the land in thee N ½ of the SE S11. The water at the junction box can also be turned into a ditch that travels east parallel along Red Top Road to irrigate the lands in the S ½ SE S11.

OVERLAPPING RIGHTS:

Water right 63-02397 overlaps this place of use. This right is a surface water right that is owned by the applicant. Wilder Irrigation District water is also used on this ground. These rights are for same ground, but from a different source. This permit was filed for supplemental water to these irrigation rights, so they should not be a problem. Application for permit 63-12329 has been filed from the same point of diversion and same place of use. This permit is currently on holding pending backlog reduction. If this permit is allowed to be processed then our department will need to ensure that these lands are not allowed more than .02 cfs per acre.

RECOMMENDATION:

I recommend that this permit be licensed for a diversion rate of 2.66 cfs and annual volume of 598.5 afa to irrigate 133 acres of ground. When combined with all other rights this permit should be limited to .02 cfs per acre and 4.5 per acre annual volume. Both surface water rights should be used to their full extent prior to diverting water from the well. I also recommend that the new season of use standards be applied to this permit of 3/1 to 11/15.

Have conditions of permit approval been met? X yes* ___ no

* This well can easily be measured and recorded using power records and a PCC.

63-11698

F. FLOW CALCULATIONS Yes Additional Computation Sheets Attached

Measured Method:

2.93 cfs capacity per theoretical calculation (see attached worksheet).

The diversion rate can be limited by the permit that allows 2.70 cfs or the number of acres multiplied by the maximum rate per acre of .02 cfs or 2.66 cfs (133 acres X .02 = 2.66 cfs). The maximum allowable diversion rate is 2.66 cfs and that is what will be recommended for this permit.

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R}$ = (Acres Irrigated) x (Irrigation Requirement) = (133) X (4.5) = 598.5 afa

$V_{D.R.}$= [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = (2.66) X (260) X (1.9835) = 1371.79

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$= 598.5 afa

B

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
IRRIGATION	03/01	11/15	2.66 cfs	598.5 afa
Totals:			2.66 cfs	598.5 afa

2. Recommended Amendments

_ Change P.D. as reflected above _ Add P.D. as reflected above _ None

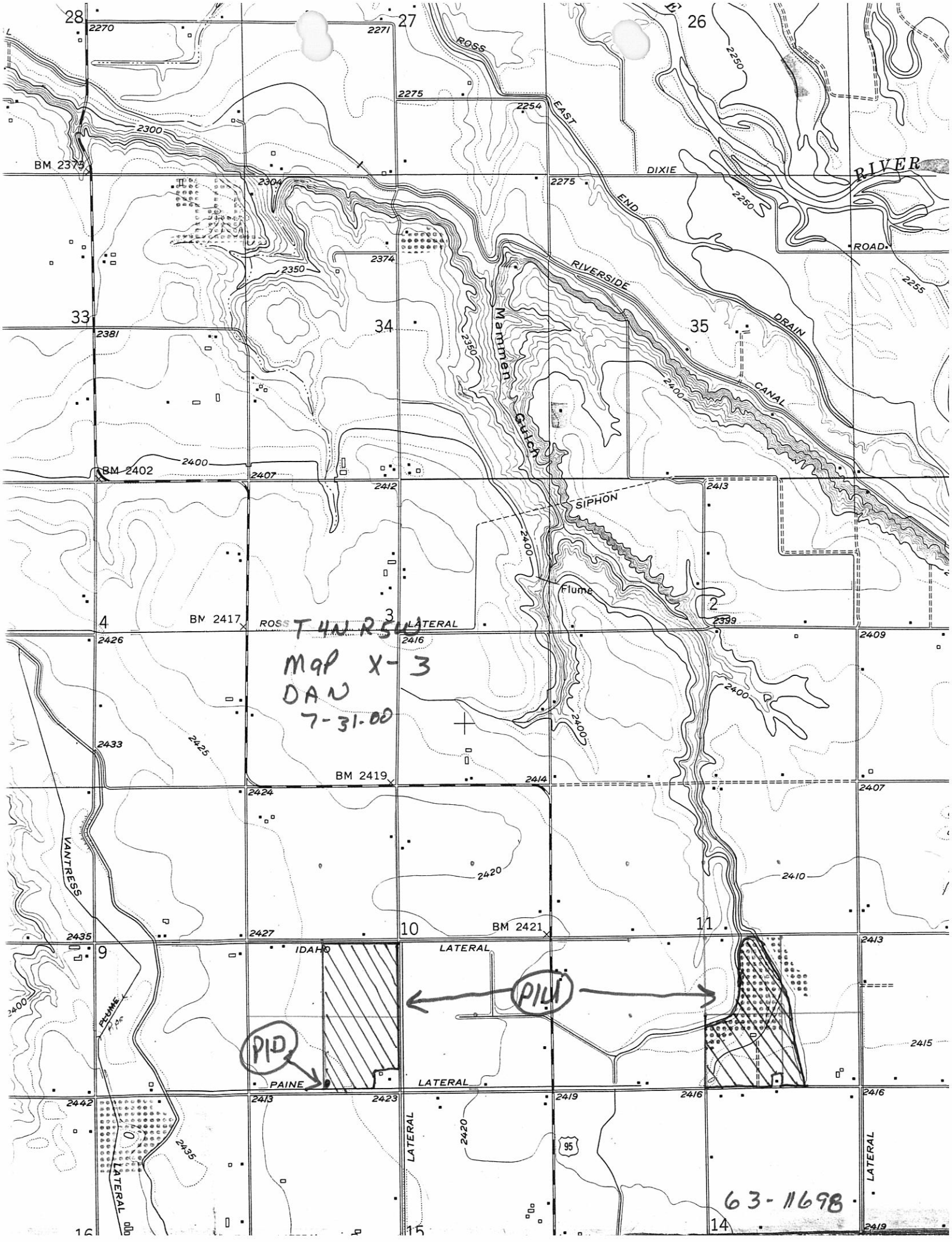
_ Change P.U. as reflected above _ Add P.U. as reflected above _ Other

I. AUTHENTICATION DANIEL A. NELSON – SENIOR AGENT

Field Examiner's Name Daniel A. Nelson Date 8-1-00

Reviewer _____ Date _____ SEAL

63-11688


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EAST END
DIXIE
RIVER
ROAD
RIVERSIDE DRAIN
CANAL
Mammen Gulch
SIPHON
Flume
LATERAL
IDAHO
PAINE
VANTRESS
BM 2379
BM 2402
BM 2417
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63-11698

PLACE OF USE MAP FOR 63-11698

TOTAL ACRES IRRIGATED IS 133 ACRES
LANDS ALL LOCATED IN T4N R5W SECTIONS 10 AND 11.

COPY OF CSFA 660 AERIAL PHOTO
CANYON COUNTY OFFICE MAP E7

DAN NELSON 7/31/2000

IRRIGATION SYSTEM MAP FOR 63-11698

The well is located in the SESW of S10. The well pumps water into a ditch that travels North to irrigate the field in the SESW S10. The well also feeds a pipe that runs North parallel to the ditch and puts water in a ditch that flows South to irrigate the field in the NESW S10. The water can also be diverted into the Wilder Irrigation District Lateral that runs East and West Parallel to Red Top Road. This lateral is used to deliver water to the lands in S11. A re-lift pump diverts the water from the lateral in the SWSE S11 and diverts the water North to a lateral and then turns Northeast to a ditch that irrigates a field in the NWSE S11. At the re-lift pump the water can also be put in a ditch to irrigate the lands in the S ½ SE S11.

DAN Nelson 7-13-2000

IRRIGATION SYSTEM Diagram.

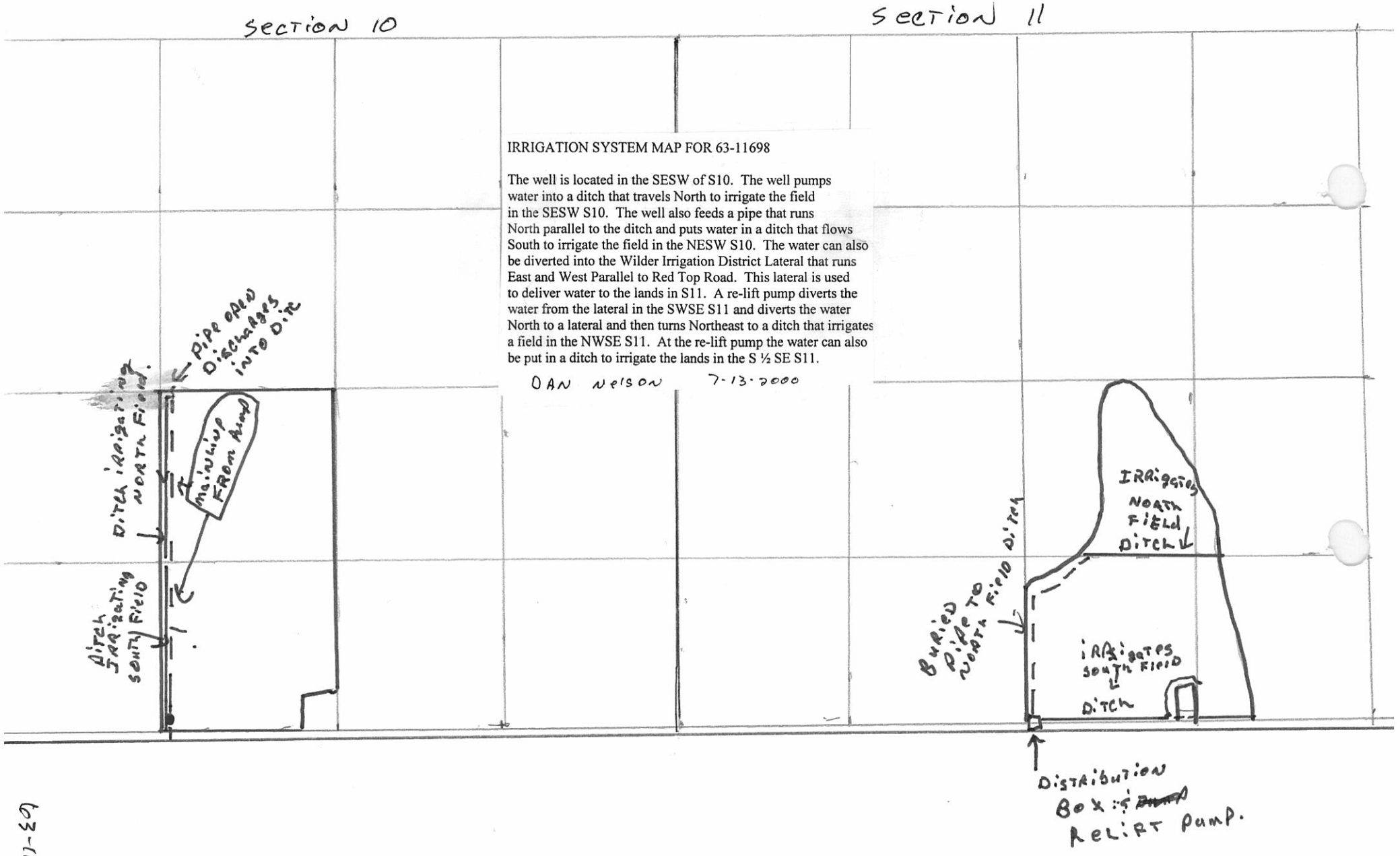
SECTION 10

SECTION 11

IRRIGATION SYSTEM MAP FOR 63-11698

The well is located in the SESW of S10. The well pumps water into a ditch that travels North to irrigate the field in the SESW S10. The well also feeds a pipe that runs North parallel to the ditch and puts water in a ditch that flows South to irrigate the field in the NESW S10. The water can also be diverted into the Wilder Irrigation District Lateral that runs East and West Parallel to Red Top Road. This lateral is used to deliver water to the lands in S11. A re-lift pump diverts the water from the lateral in the SWSE S11 and diverts the water North to a lateral and then turns Northeast to a ditch that irrigates a field in the NWSE S11. At the re-lift pump the water can also be put in a ditch to irrigate the lands in the S ½ SE S11.

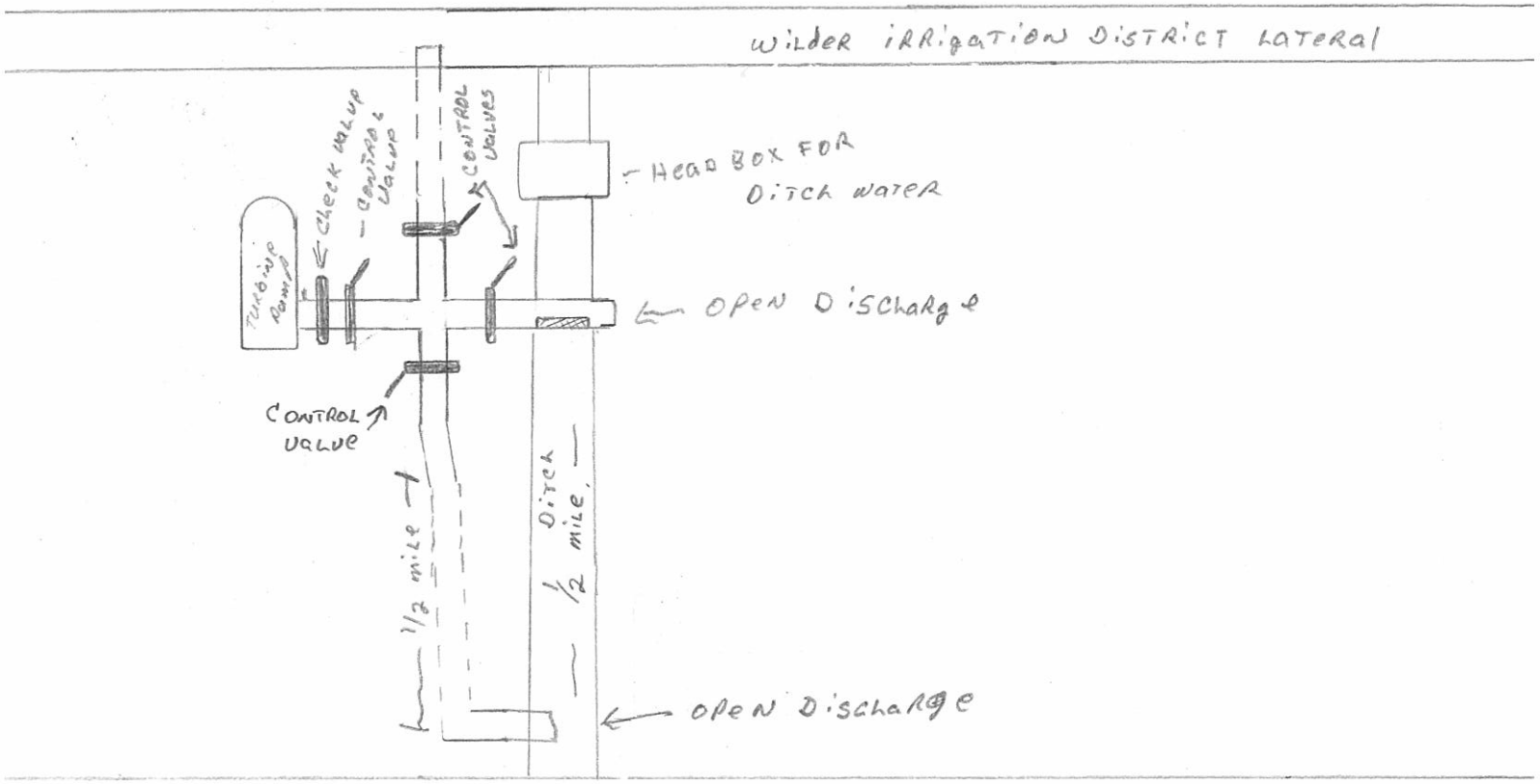
DAN Nelson 7-13-2000

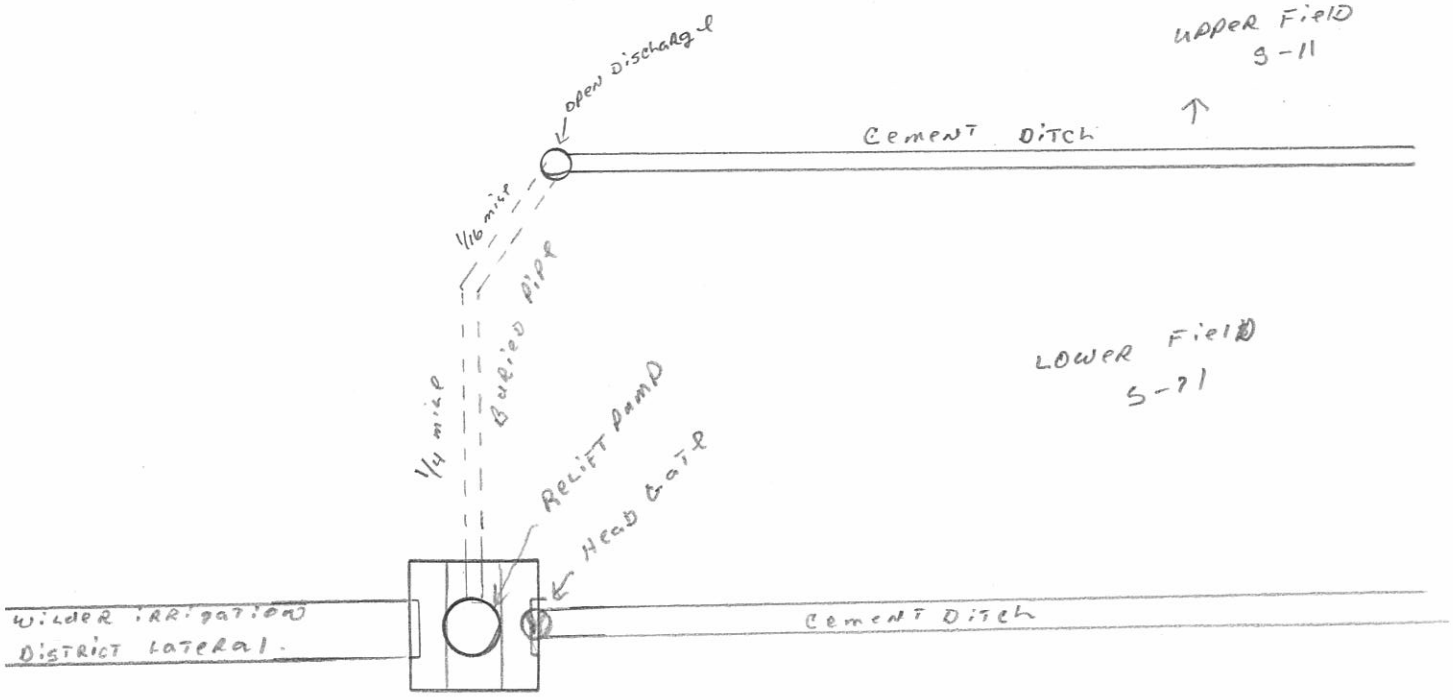


63-11698

Well Diagram

Red Top Road





63-11698

GROUNDWATER THEORETICAL ANNALYSIS

FILE: 63-11698

DATE: 11-3-1999

BY: Daniel A. Nelson

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8 \text{ X } (HP) \text{ X } (EFF.)}{TDH}$

Q = CFS
HP = Total Brake Horsepower of pumping plant (including booster)
Eff. = Pumping plant efficiency (assume 70% or 0.70)
TDH = Total dynamic head = [(LIFT) + (PSI X 2.31)]
LIFT = Depth to water in FEET from land surface to pumping water level
PSI = Pumping pressure measured in PSI near pump (if open discharge assume [0])

$$Q = \frac{(8.8) \text{ X } (150) \text{ X } (0.70)}{[(263) + (30 \text{ psi X } 2.31)]} = \frac{924}{315.8} = 2.93 \text{ CFS}$$

LIFT FROM:	PSI FROM:	NOTES ON PUMP:
Measurement ( )	Measurement ( )	Motor Make, Serial or ID
Owner ( )	Owner ( )	
Area estimate ( )	Estimate (X)	Pump Make, Serial or ID, rating
Well Logs (X)	Owner Gage ( )	
	Booster (Y) (N)	

REMARKS: The LIFT was Estimated By Taking The average OF The 2-deepest Pumping Levels FROM The well Log. (275 + 252) / 2 = 263 ave. Pumping Level. I double checked This using The Theoretical Dynamic Pumping Level Diagram FOR Wells Section D (supplied By IDWR 8/95). IN This Calculation I subtracted The Static water level (75') FROM The TOTAL Depth OF The well (568') and Devided By 2. (568 - 75) / 2 = 246.5. Since These Numbers were CLOSE I used The well LOG average.

I Estimated The psi at 30 psi, Because OF The valving Back and pumping up hill. I Felt The pump psi would Be higher Than The OPEN discharge psi.

63-11698

Form 238-7
11/91

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

USE TYPEWRITER OR BALLPOINT PEN

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

fg-1

1. WELL OWNER

Name Paulson Farms

Address 22009 Travis Rd,Wilder, ID 83676

Drilling Permit No. 63-92-W-287

Water Right Permit No. 63-11698

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Well diameter increase ☐ Modification
☐ Abandoned (describe abandonment or modification procedures such as liners, screen, materials, plug depths, etc. in lithologic log, section 9.)

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Monitor
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

☐ Rotary ☐ Air ☐ Auger ☒ Reverse rotary
☐ Cable ☐ Mud ☐ Other _____ (backhoe, hydraulic, etc.)

5. WELL CONSTRUCTION *See Sectional Attached

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
.250 inches	16" inches +	____ feet	____ feet
____ inches	____ inches	____ feet	____ feet
____ inches	____ inches	____ feet	____ feet

Was casing drive shoe used? ☐ Yes ☒ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☐ Yes ☒ No
How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun
Size of perforation? ____ inches by ____ inches

Number	From	To
____ perforations	____ feet	____ feet
____ perforations	____ feet	____ feet
____ perforations	____ feet	____ feet

Well screen installed? ☒ Yes ☐ No
Manufacturer Roscoe Moss Type Louvered,Wire Wrap
Top Packer or Headpipe _____
Bottom of Tailpipe _____

Diameter 16" Slot size .090 Set from ____ feet to ____ feet
Diameter 16" Slot size .040 Set from ____ feet to ____ feet
Gravel packed? ☒ Yes ☐ No ☐ Size of gravel 3/8 minus
Placed from 100' feet to 603' feet

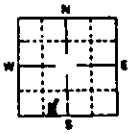
Surface seal depth 100 Material used in seal: ☐ Cement grout
☒ Bentonite ☒ Puddling clay ☐ _____
Sealing procedure used: ☐ Slurry pit
☐ Temp. surface casing ☐ Overbore to seal depth
Method of joining casing: ☐ Threaded ☒ Welded
☐ Solvent Weld ☐ Cemented between strata

Describe access port 1½" Pipe w/ plug

RECEIVED
JUN 17 1992
Department of Water Resources
Western Regional Office

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County Canyon

SE ¼ SW ¼ Sec. 10, T. 4N ☐ N ☐ S R. 5W ☐ E ☐ W

7. WATER LEVEL

Static water level 75' feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ °F. Quality _____
Describe artesian or temperature zones below.

8. WELL TEST DATA

☒ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
950	135'	3.75 hrs
1450	172'	Total
2450	275'	
2000	252'	

9. LITHOLOGIC LOG

Bore Diam.	Depth From	Depth To	Material	Water Yes	Water No
28"	0	10	Top soil		X
28"	10	16	Cleche w/rock		X
"	16	35	River rock		
"	35	50	Clay w/sand		X
"	50	64	Fine brown sand	X	
"	64	138	Clay,sm layers fine-coarse sand		
"	138	143	Coarse sand,pea gravel	X	
"	143	147	Clay		X
"	147	156	Coarse-fine sand	X	
"	156	186	Clay,layers sand		X
"	186	188	Blue clay		X
"	188	198	Blue sandstone		X
"	198	203	Pea gravel,coarse sand	X	
"	203	213	Blue clay		X
"	213	214	Coarse sand	X	
"	214	235	Clay,layers of sand		X
"	235	239	Coarse sand	X	
"	239	243	Clay		X
"	243	251	Fine-coarse sand	X	
"	251	256	Clay		X
"	256	263	Fine-coarse sand	X	
"	263	281	Clay		X
"	281	291	Pea gravel,fine black sand	X	
"	291	293	Clay		X
"	293	320	Fine-coarse sand	X	
"	320	329	Clay		X
"	329	351	Coarse sand,pea gravel	X	
"	351	361	Clay		X
"	361	393	Fine-coarse sand,pea gravel	X	
"	393	451	Clay		X
"	451	457	Coarse sand	X	
"	457	471	Clay,sm layers of sand		X
"	471	479	Fine-coarse sand,pea gravel	X	
"	479	534	Clay,sandstone		X
"	534	568	Fine-coarse sand	X	
"	568	603	Clay		X

Work started 5-27-92 finished 6-1-92

11. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Riverside Drilling Firm No. 333
Address PO Box 720 Parma,ID 83660 Date 6-10-92
Signed by Drilling Supervisor Terry Daughtry
and
(Operator) Terry Daughtry
(If different than the Drilling Supervisor)

RECEIVED
JUN 18 1992
Department of Water Resources
Western Regional Office

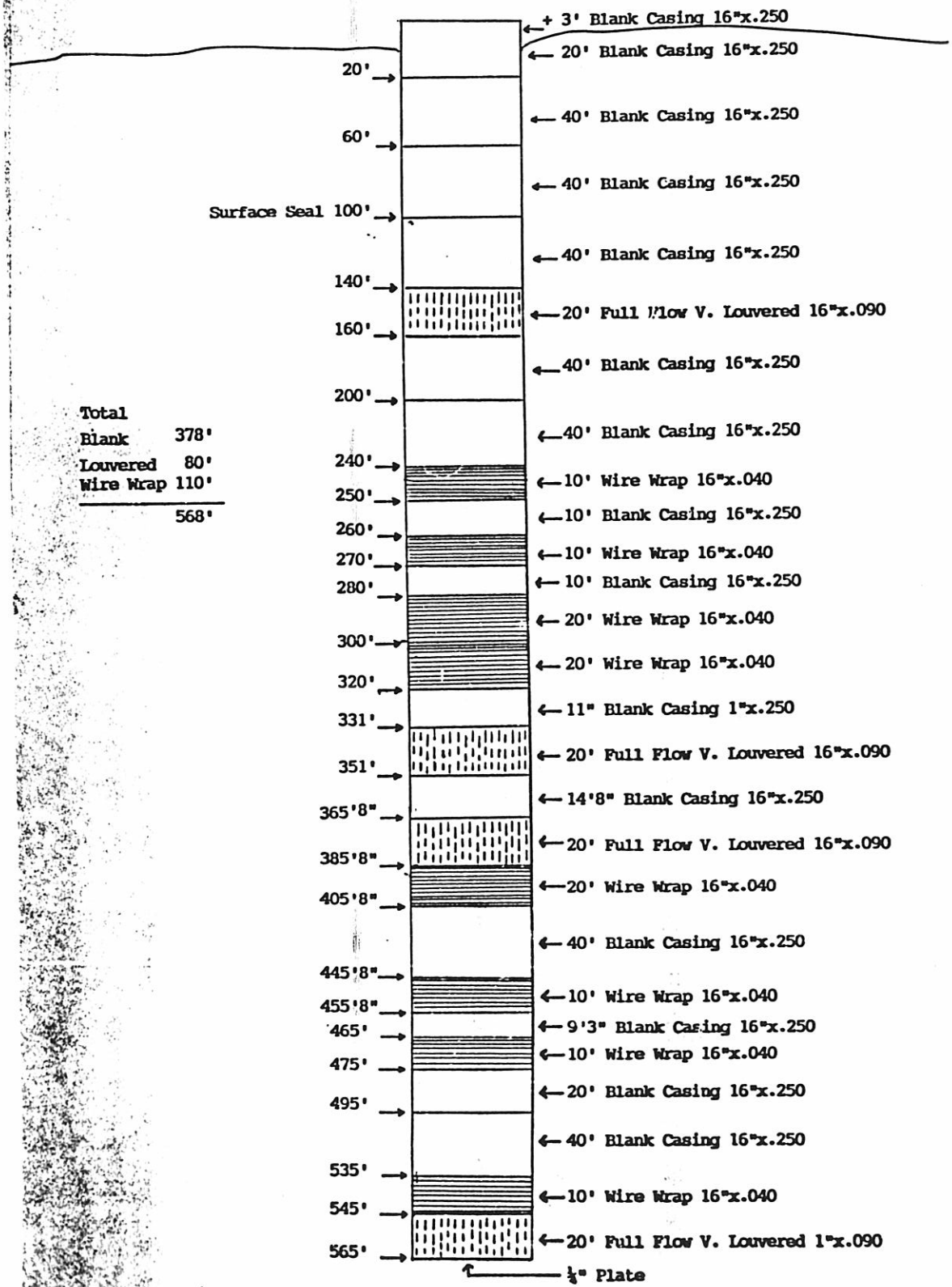
USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

63-11698

pg 2

Paulson Farms
Dave Paulson
22009 Travis Rd
Wilder, ID 83676

Drilling Permit: # 63-92-W-287
Water Permit: # 63-11698



Total	
Blank	378'
Louvered	80'
Wire Wrap	110'
	568'

4N 5W Sec 10

63-11698

238(4)-1
5/93

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. **DRILLING PERMIT NO:** 63-92-W-287 **OTHER APPLICABLE NO:** 63-11698

2. **OWNER:** Paulsen Farms Phone: (208) 482-7716
Address: 22009 Travis Rd, Wilder, ID 83676

3. **WELL LOCATION:** Twp 4N, Rge. 5W, Sec. 10, SE 1/4 SW 1/4
County Canyon (Provide sketch map and photo on reverse.)

4. **DRILLER:** Riverside Drilling Lic. No. 33
When Drilled? ~~5-10-92~~ 5-27-92 TO 6-1-92
Per well log

5. **WELL CONSTRUCTION:** TURBINE
Casing Diameter UNKNOWN inches Water tight cap? [ ] Yes [X] No Access Port: [X] Yes [ ] No
Casing ≥ 12 inches above ground? [ ] Yes [X] No - Describe TURBINE PUMP.
Depth of Casing UNKNOWN ft. Method Drilled UNKNOWN.
Condition of Well Casing: [ ] Good [X] Fair [ ] Poor Describe
Control Valve? [X] Yes [ ] No Pressure Gauge: [ ] Yes [X] No
Condition of Piping and Valving GOOD
Auger to a depth of ~~0~~ cement ft. Evidence of Annular Seal [ ] Yes [X] No
Are there obvious constuction problems that may be a source for contamination or waste of water?
[ ] Yes [X] No (Describe in Remarks and Attach Photo - On Reverse)

6. **HYDROLOGIC INFORMATION:**
Depth to Static Water NOT KNOWN ft. Water Temperature NOT KNOWN °F
Flowing Artesian [ ] Yes [X] No Pressure: NOT KNOWN (psi)
Water Sample Taken? [ ] Yes [X] No If yes, describe purpose
Water Quality Measurements/Observations (Describe)

7. **WELL USE:**

[ ] Domestic	[X] Irrigation	[ ] Stock
[ ] Test	[ ] Municipal	[ ] Industrial
[ ] Abandoned	[ ] Waste Disposal/Injection	[ ] Not Used

[ ] Other:

63-11698

8. **POSSIBLE CONTAMINATION SOURCES:**

Is there evidence of Chemigation? [ ] Yes [X] No

If yes, is there a check-valve present? [X] Yes [ ] No

Is there a possible source of contamination nearby? [ ] Yes [X] No

If yes, what Type? _____

How far away from the well is this source? _____

9. **REMARKS:** This is a covered well and looks to be in excellent condition.

Signature of Dept. Representative & Title: Donald A. Nelson Senior Agent.

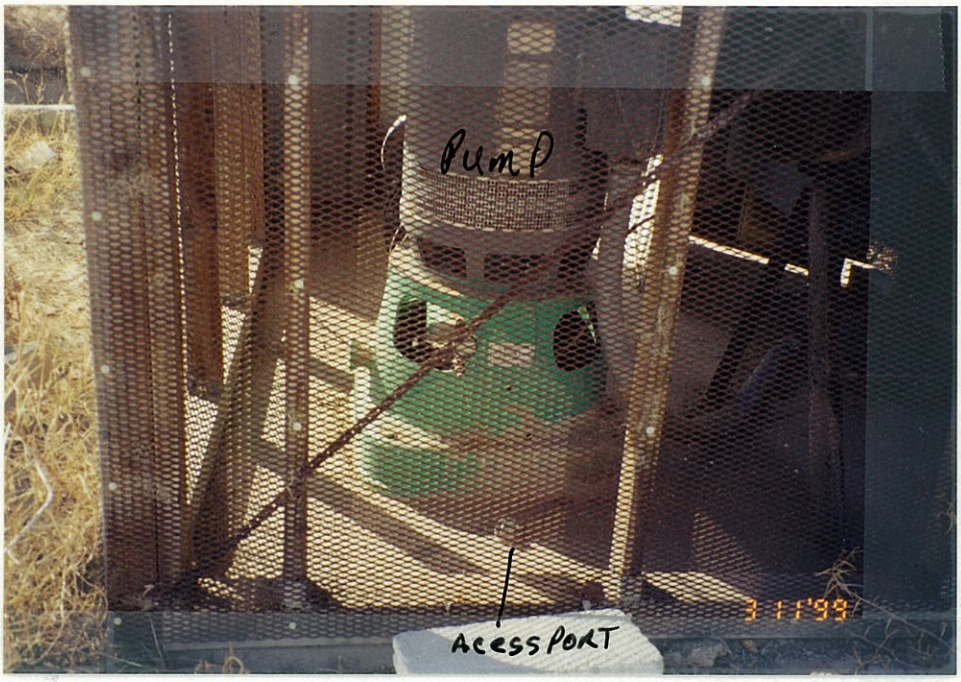
Inspection Date: 11-3-1999

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

See Field Exam -

PHOTOGRAPHER AND DATE OF PHOTOS DAN NELSON 11-3-99

FILE NO. 63-11698





These are PHOTOS OF The well and PUMP.

63-1169R

PHOTOGRAPHER AND DATE OF PHOTOS DAN Nelson 11-3-99

FILE NO. AND LEGAL DESCR. 63- 11698







These are Photo's of the distribution pipes after the water leaves the well

63-11698

63-11698

PHOTOGRAPHER AND DATE OF PHOTOS DAN Nelson 11-3-99

FILE NO. AND LEGAL DESCR. 63- 11698





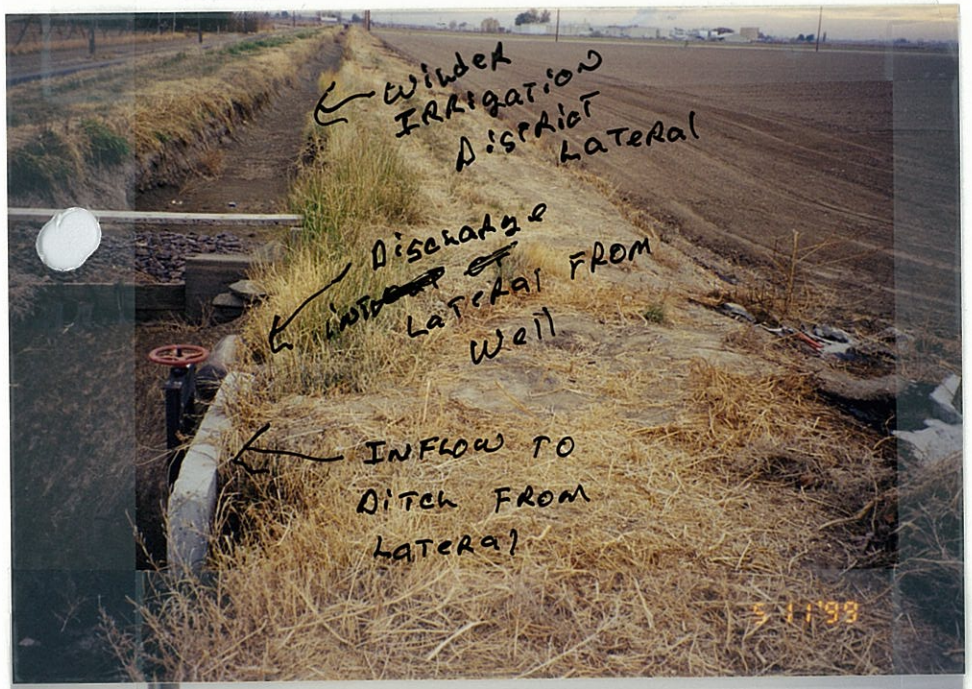
The well water can be diverted into a buried mainline that runs parallel to the ditch for ⅛ mile. The main then open discharges into the ditch that flows south to irrigate the north field of section 10.



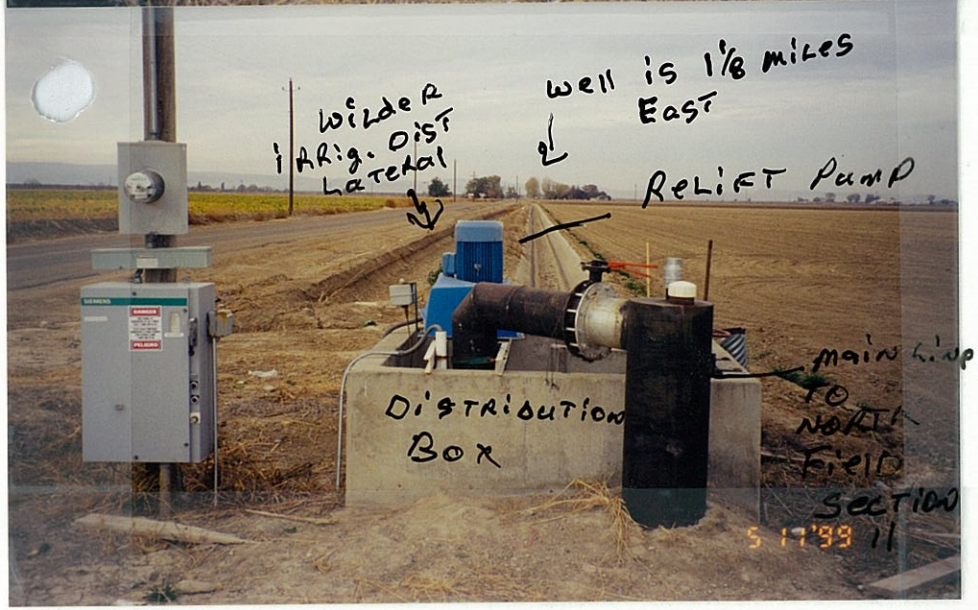
63-11698

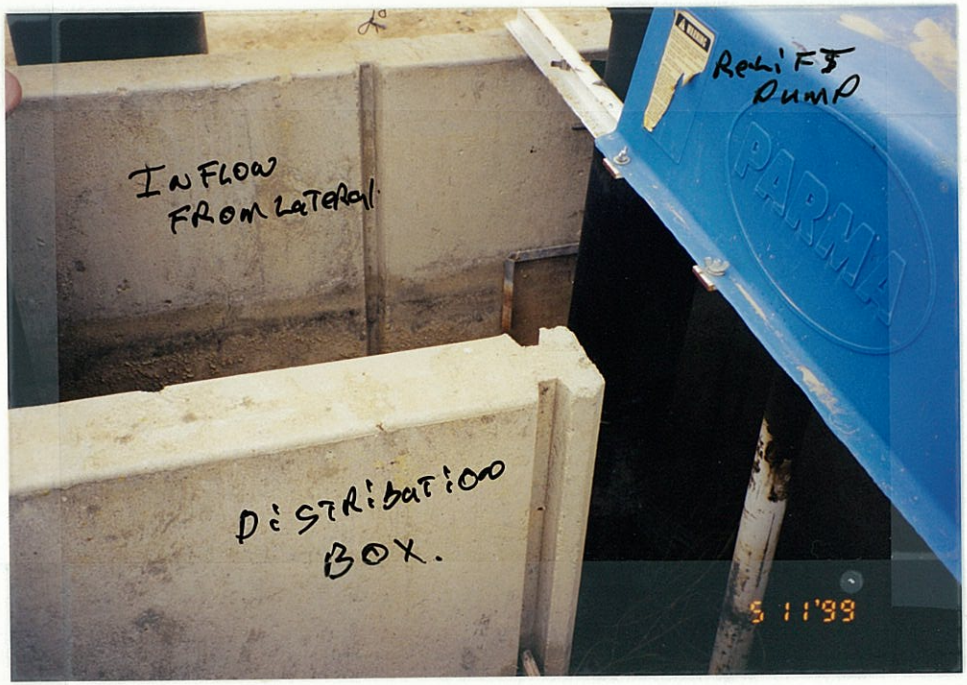
PHOTOGRAPHER AND DATE OF PHOTOS DAN Nelson ~~63-11698~~ 11-3-99

FILE NO. AND LEGAL DESCR. ~~63~~ 63-11698



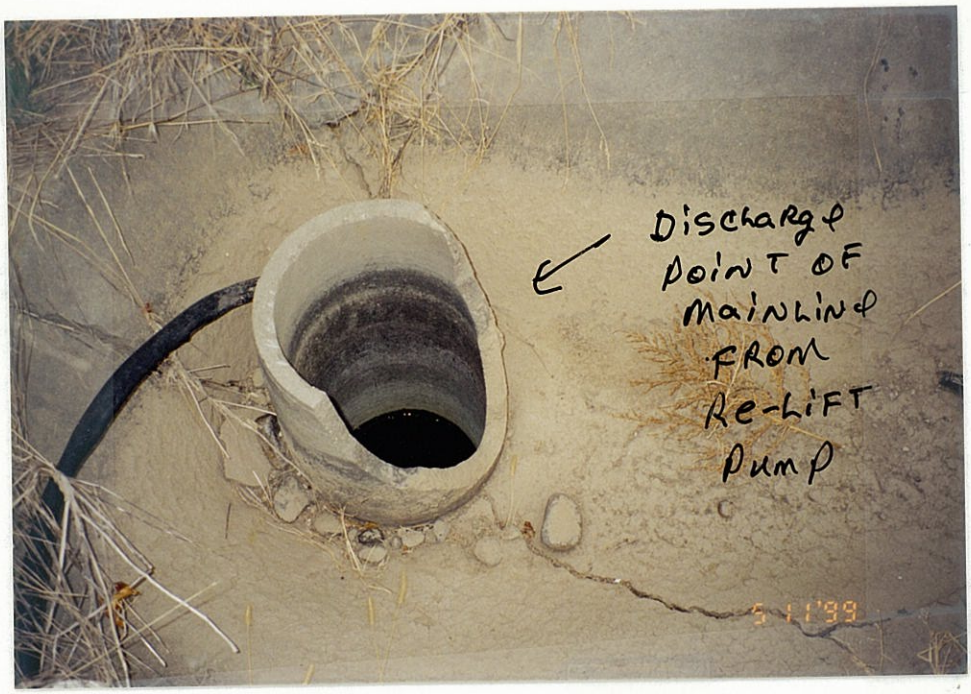
The WATER FROM The well is Discharged INTO The WILDER IRRIGATION DISTRICT LATERAL and RUNS WEST 1 1/8 miles TO a DISTRIBUTION BOX. AT The DISTRIBUTION BOX. The WATER is Pumped By a RE-LIFT PUMP TO The NORTH FIELD SECTION 11 or SENT BY GRAVITY FLOW TO a DITCH That IRRIGATES The SOUTH FIELD SECTION 11





PHOTOGRAPHER AND DATE OF PHOTOS DAN NELSON 11-3-99

FILE NO. 63-11698.





These Photos show the Discharge Point from the mainline that comes from the Re-Lift Pump and the irrigation ditch for the ~~South~~ North Field in Section 11.

63-11698

PHOTOGRAPHER AND DATE OF PHOTOS Dan Nelson 11-3-99

FILE NO. AND LEGAL DESCR. 63-11698.



63-11698

FIELD NOTES

PERMIT NUMBER 63-11698

PLEASE NOTE: These documents are for backup purposes only and are not apart of actual Beneficial Use Field Report.

WR5810NP
(OD-12)

IDAHO DEPARTMENT OF WATER RESOURCES
PLACE OF USE 1/4 1/4 COMPARISON REPORT

DATE: 07/31/00
PAGE: 1

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

		NE				NW				SW				SE				
		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
WR-NUMBER	SOURCE	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
6311698	T04N R05W S10	GROUNDWATER																
										40			40					80
6302388	BOISE RIVE																	
A6302388	BOISE RIVE																	
6310579	GROUNDWATE	39	39															78
6311254	GROUNDWATE													23				23
A6311254	GROUNDWATE													27				27
6311474	GROUNDWATE													08	37		24	69
M6311698	GROUNDWATE									40			40					80
6311700	GROUNDWATE								39									39
M6311700	GROUNDWATE								39									39
													actual	2	15	32	10	
6311698	T04N R05W S11	GROUNDWATER																
															15	38	02	55
6302388	BOISE RIVE																	
A6302388	BOISE RIVE																	
6302397	MAMMON GUL													40	20	40	40	140
A6302397	MAMMON GUL													40	20	40	40	140
6311474	GROUNDWATE											37	39					76
M6311698	GROUNDWATE														15	38	02	55
6311836	GROUNDWATE							40			40							80
M6311836	GROUNDWATE							40			40							80
6312329	GROUNDWATE													38	02		30	70

63-02397 - Same acres different source. Over lap OK. (same owner)

63-12329 - Application is Being Held Pending B-63 Backlog Reduction (same owner) D.A.N. 7-31-00.

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	G. M. PAULSEN	05/29/1926	IRRIGATION	00/00	00/00	2.000 CFS	
	WILDER ID 83676		DOMESTIC	00/00	00/00		
					TOTAL DIVERSION:	2.000 CFS	

Water Source: MAMMON GULCH Tributary to: BOISE RIVER Stage: LICENSE

Point(s) of Diversion: T04N R05W S11 SWSW CANYON County

Place of use Legal Description for: IRRIGATION

	NE								NW								SW								SE								
	NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
04N 05W 11																										40		20		40		40	140.0
																											TOTAL ACRES						140.0

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: CANYON

Dates: App. Received: Priority Date: 05/29/1926
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 08/28/1979

Misc: Water District Number: Field Exam Fee:

Audit: 04/23/85 05/01/88 CONVERT

R 5 W

3 2 10 11 12

T453 N/NW
2 37.5
1 37.

T543 N/NW
1 19
2 36.5
3 16
FERN LA

T756 N/NW
3 36.2

T873 N/NW
1 14.4
N/NW
2 15.0

T493 N/NW
3 14.0
1 36.7
N/NW
4 12.0

N/NW
5 20.0
3 3.3
2 24.0

T803 /NW
1 19.8
/NW

T451 N/NW
1 38.3
N/NW
2 35.5

T123 N/NW
1 26.6
N/NW
2 47.3

T495 N/NW
2 12.0
3 42.2
4 55.2

T4763 N/NW
N/NW
2 26.0
1 19.1
BATT SCHOOL ROAD

T494 N/NW
1 36.4

T499 N/NW
N/NW
1 18.6
2 22.3
N/NW
3 11.4
4 1.5

T692 N/NW
N/NW
1 16.7
OPEN DISCHARGE TO DITCH
DITCH
2 47.8
N/NW
OPEN DISCHARGE TO LATERAL
6 18.2

T684 N/NW
1 38.4
N/NW
2 34.7

T746 N/NW
N/NW
3 12.7
N/NW
5 7.0
4 14.8
1 37.3

T490 N/NW
N/NW
2 24.8
1 21.0
LATERAL

T4546 N/NW
HIGHWAY 95
2 37.0
1 38.5
DITCH

HEAD BOX
41.5
DITCH

10 11 12

T703 N/NW
OLD TOLL RD.
15 14

T4565 N/NW

T4566 N/NW
N/NW
1 6.5

T561 N/NW

T325 N/NW

13 T685 N/NW

R 5 W

4 3
9 10 T891 N/NW

T774 NW

T453 N/NW

T543 N/NW

3 2
10 11 T756 N/NW

T873 N/NW

T493 N/NW

T926 N/NW

T693 N/NW

T4763 N/NW

T490 N/NW

T494 N/NW

T499 N/NW

T4546 N/NW

6 10

16 15 T838 N/NW

T703 N/NW

15 14 T4565 N/NW

T4566 N/NW

Red Fox Rd

Fern La

Batt & Putnam Roads

Lateral

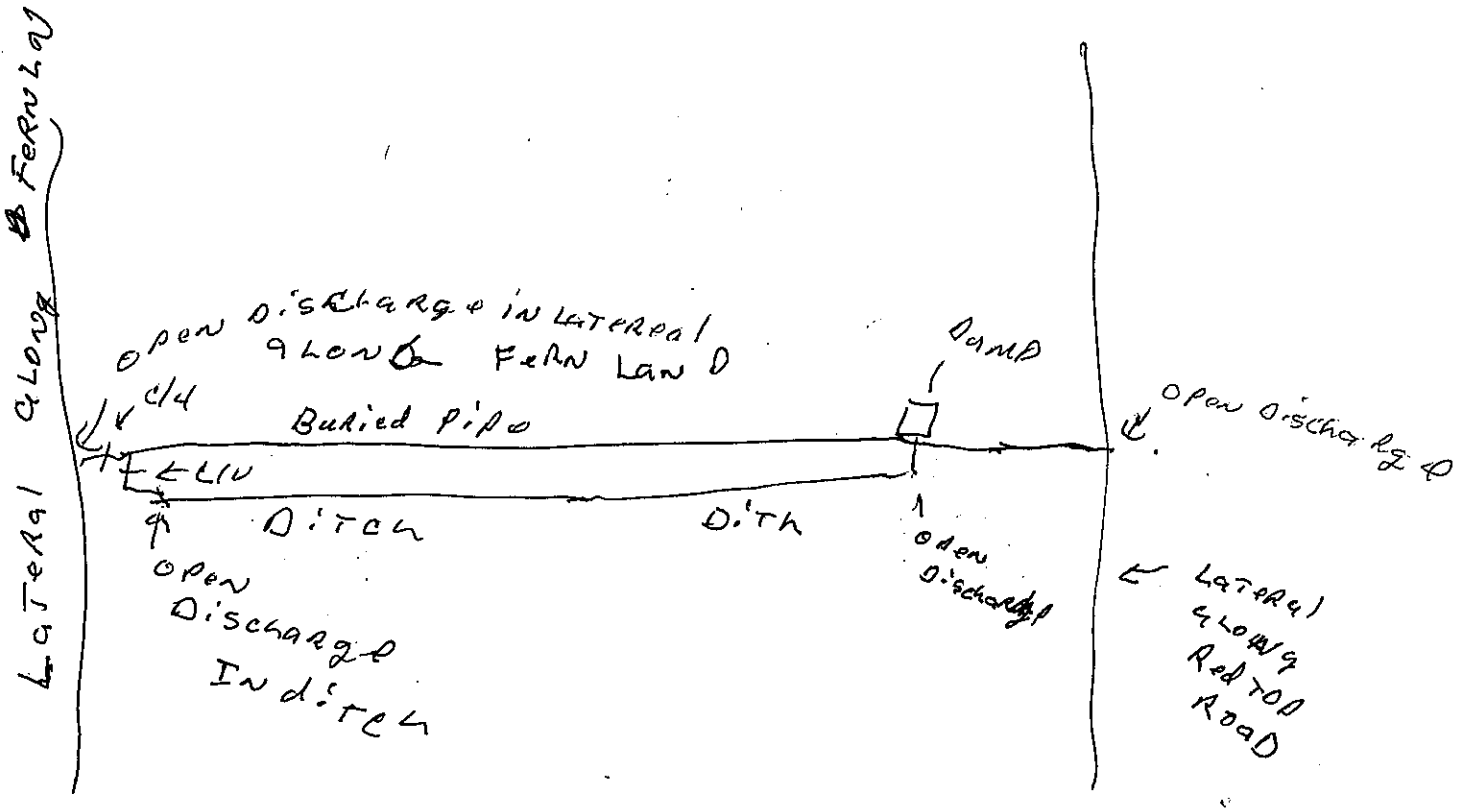
Ditch

Well

Pipe

Pits

Ditch

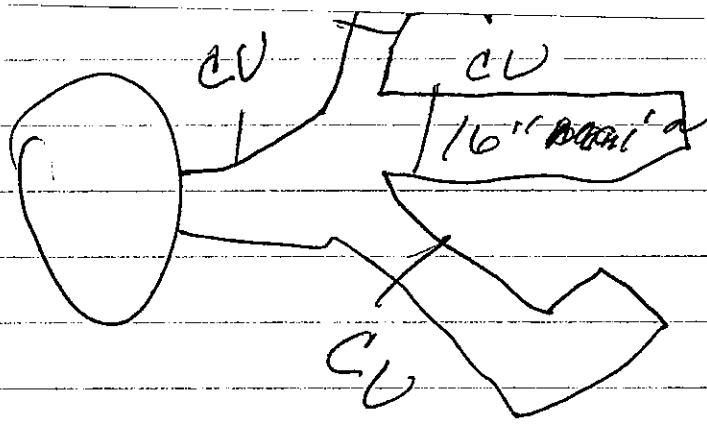

LATERAL ALONG FERN LAND
OPEN DISCHARGE IN LATERAL ALONG FERN LAND
C/U
BURIED PIPE
DAMD
OPEN DISCHARGE
LIN
DITCH
DITCH
OPEN DISCHARGE IN DITCH
OPEN DISCHARGE
LATERAL ALONG ROAD ROAD

P

Pum, 24549 FERN LN. e (NO NUMBERS)

lo Craig Paulsen
CONTACT

H 483-7716 18 106



Job #1900 Pr 3/4" 90 11 44 3/4" water line 0 0844 4422 Mountain View

CRAIG - 482-7544

CRAIG - 482-7716

PUMP CRAIG NOW RUNS THE FARM.

(NO NUMBERS)

Called 10:27

LEFT message.

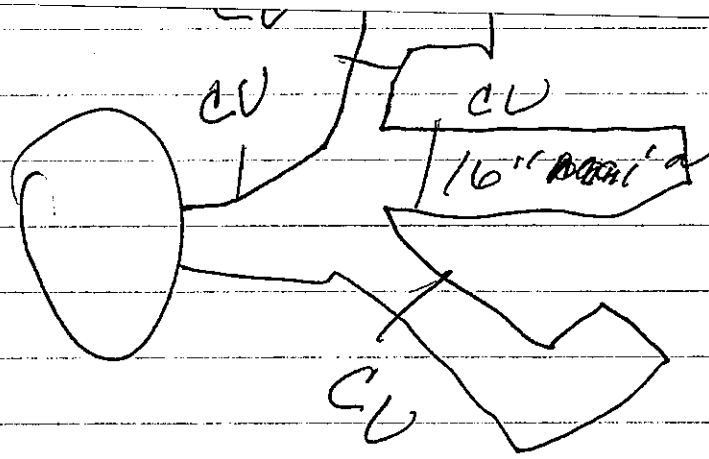
NEED TO

Call Back

use

Cell # or

Tablet Paper



18 106

Mtn. Dew 44 oz. 3/$4 Hot 11 oz. 3/$4 Coffee 2/$1 Soft Pretzel $1.00

Paulsen Pump

Pump Aurora Vertiline (No Numbers)

MOTOR

GE 150 HP

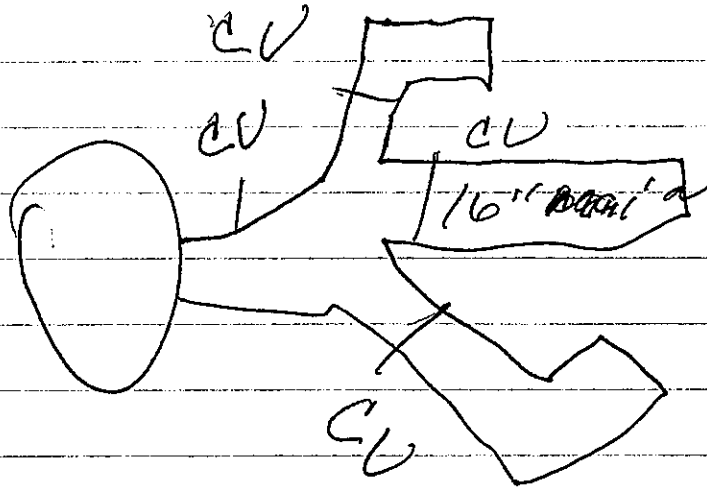
1.15 SF

Serial # DJV 418 106

460 Volts

173.5 Amps

1770 RPM



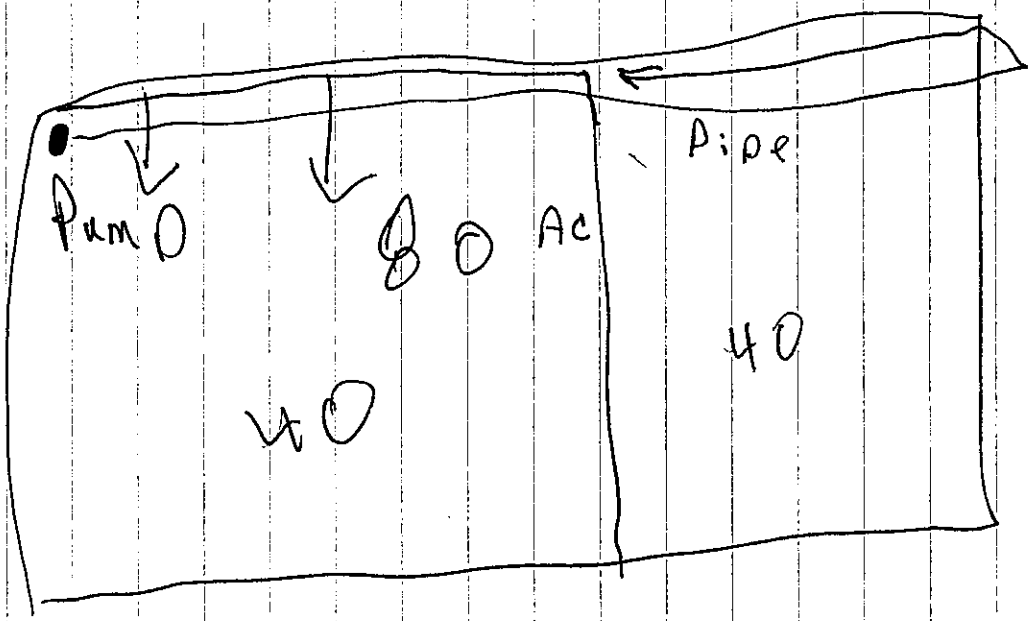
Multi-Pulse 4 Pump Unit 2442

3.6 KV 60 Hz 1174 HP

Pump #1 2000 GPM

Paul Sq Crail 880-0686 Cell Plan P.

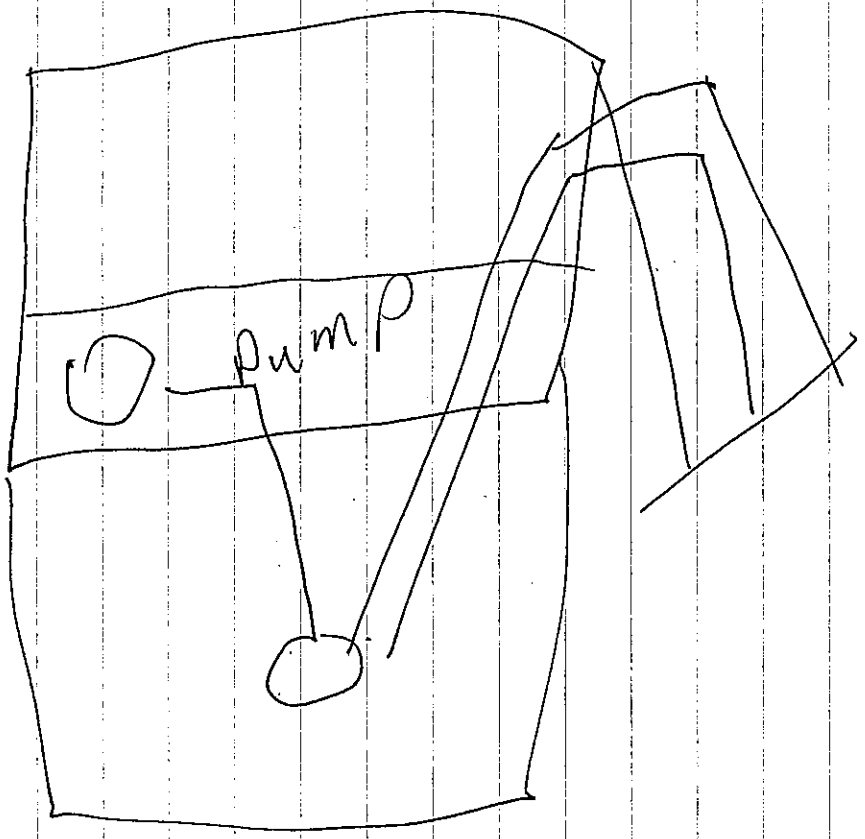
Pipe TO NORTH end OF 80
WATER FLOWS Back South TO irrigate
NORTH 80.



~~Pipe~~

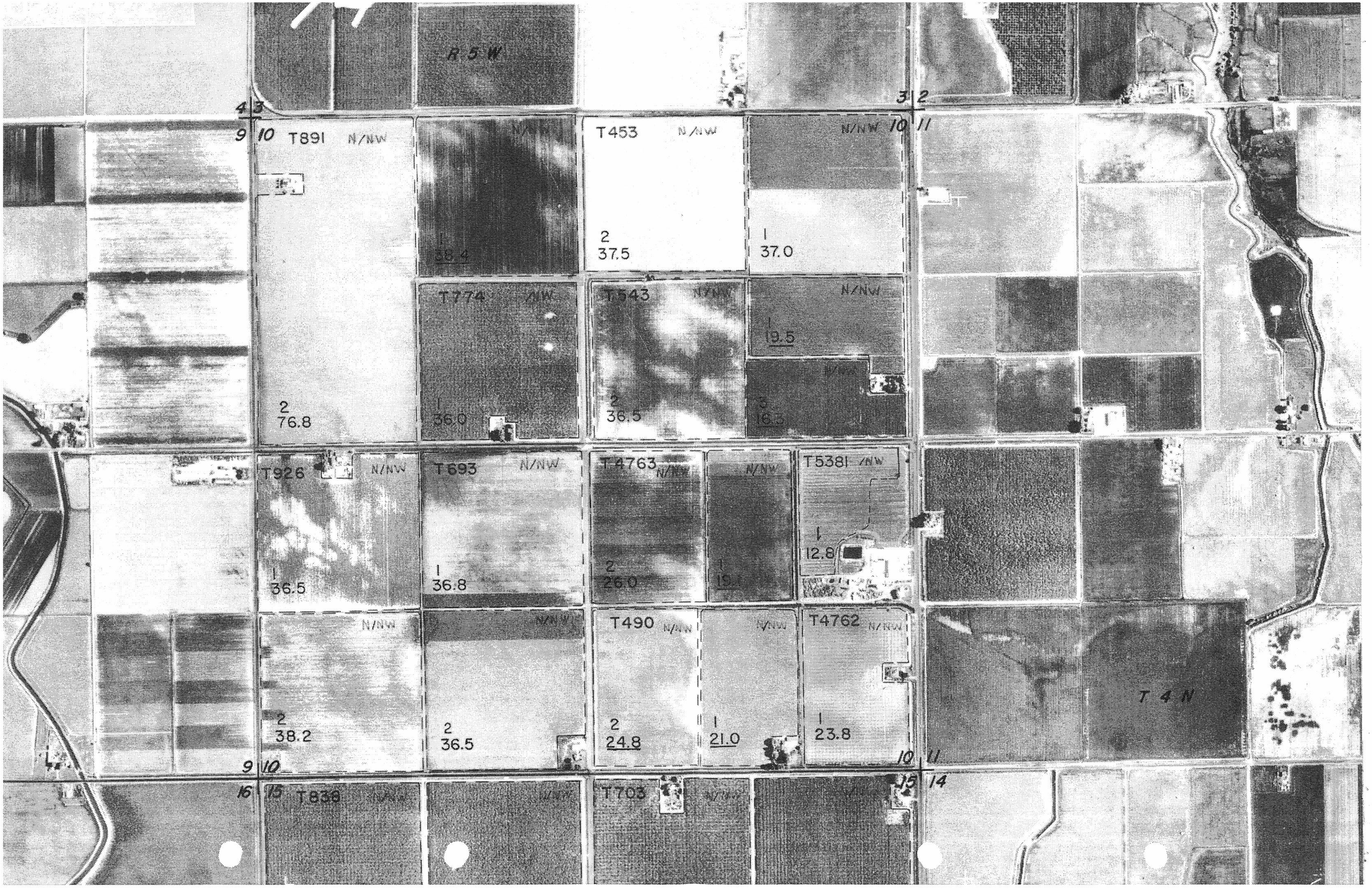
South 40 irrigated
By pump Dumping
Back into Ditch
Travels North.
To Mid Field
~~Both~~ Both 40's
irrigated To
East

10-4-11



DOL-# 226
Power Meter #
.66 488 118
240 VOLTS
28.8 KA

Pump
Parma Water Lifter 60
20 HP
410 AMP
Serial # 17056
1745 RPM
1.15 SF


R 5 W
T 4 N
T891 N/NW
1 38.4
2 76.8
T453 N/NW
2 37.5
1 37.0
T774 N/NW
1 36.0
T543 N/NW
1 19.5
2 36.5
3 16.3
T926 N/NW
1 36.5
T693 N/NW
1 36.8
T4763 N/NW
2 26.0
T5381 N/NW
1 12.8
T490 N/NW
2 24.8
1 21.0
T4762 N/NW
1 23.8
2 38.2
2 36.5
T838 N/NW
T703 N/NW
4 3
9 10
3 2
10 11
9 10
10 11
16 15
15 14

R 5 W

3 2 | 10 11

2 | 11 12

T756 N/NW
3
36.2

T873 N/NW
1
14.4

2
15.0

T803 /NW
1
19.8

T451 N/NW
1
38.3

T123 N/NW
1
26.6

T495 N/NW
2
12.0

3
42.2

T493 N/NW
1
36.7

3
14.0

4 N/NW
12.0

5
20.0

3
3.3

2
24.0

2
35.5

2
47.3

4
55.2

T494 N/NW
1
36.4

T499 N/NW
2
22.3

1
18.6

3
11.4

4
1.5

T692 N/NW
1
16.7

2
47.8

6
18.2

T684 N/NW
1
38.4

2
34.7

T746 N/NW
3
12.7

5
7.0

4
14.8

1
37.3

T4546 N/NW
2
37.0

1
38.5

41.5

10 11 | 15 14

T4565 N/NW

T4566 N/NW
1
6.5

T561 N/NW

T325 N/NW

13 T685 N/NW

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 18, 1998

Paulsen Farms
22009 Travis Rd
Wilder ID 83676

Re: **1997 Water Measurement Report and Fee for the following diversion: 63-11698**

Dear Wateruser:

NOTICE OF PENDING ORDER VOIDING PERMIT

The records of the Department of Water Resources (Department) show that you have failed to complete and submit the 1997 water measurement report form and reporting fee for your diversion 63-11698. You are reminded that there are **conditions** listed on your permit to measure and report. See our correspondence to you in relation to this issue dated April 27, 1998. Also enclosed in that correspondence was a report form.

If you fail to submit your report and the $25.00 per diversion (if water was diverted) reporting fee **by June 2, 1998,** a PRELIMINARY ORDER VOIDING PERMIT WILL BE ISSUED.

If you have any questions or feel that our records are incorrect, you may contact Water Distribution Section at (208) 327-7907.

Sincerely,

Tim Luke

cc: Western Region

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 23, 1996

PAULSEN FARMS
22009 TRAVIS RD
WILDER ID 83676

RE: Water Right No. 63-11698

Dear Water Right Holder(s):

Early in 1996, the department issued the above referenced permit to you authorizing the diversion of water from a well(s) to be used to supplement the irrigation of land which is primarily irrigated with surface water shares. Most of these permit applications were originally filed in 1992 and are sometimes referred to as "1992 drought permits".

The purpose of this letter is to specifically call to your attention some of the conditions of approval dealing with use of water under your permit(s). Please note the following:

- You are required to measure and annually report to the department the amount of water you have diverted from your well. This includes the amount of water diverted during the 1996 irrigation season.

- You are required to use all of the surface water to which you are entitled each season in connection with use of water under your permit.

- If you sell, transfer, lease or use your surface water rights on any other place of use, the permit issued to you to divert supplemental groundwater is not valid.

The department plans to field inspect use of water under the drought permits to determine compliance with the conditions listed on the permits.

If you have questions, please feel free to contact the department.

Sincerely,

L. Glen Saxton

L. GLEN SAXTON
Chief, Water Allocation Bureau

cc: IDWR - W. Region

RECEIVED
AUG 21 1996

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 63-11698 Reviewed by [illegible] Date 3-28-96

GENERAL CONSIDERATIONS

Yes Name same as permit?
Yes Address same as permit?
Yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

Irr.

Correct Uses? Yes

SOURCE OF WATER

____ Surface water source

✓ Ground water source
Yes Drilling permit required?
Yes Copy in the file? Drilling Permit No. 63-92-W-0287-000
200- Amount paid for permit Yes Correct?
Yes Well log in the file?

LICENSE EXAMINATION FEE

Yes Required?
150- Amount Submitted
Yes Correct?

MEASURING DEVICE

Yes Required?
Yes Installed?
____ Waiver requested?

PRIORITY CALCULATION

Date proof received	____	____
Date proof due	____	- ____
No. of days late	____	= ____
Priority Date	____	+ ____
New Priority Date	____	____

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address ____ Proof Made 3-25-96

March 28, 1996

PAULSEN FARMS
22009 TRAVIS RD
WILDER ID 83676

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-11698

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED

APR 30 1996

February 28, 1996

PAULSEN FARMS
22009 TRAVIS RD
WILDER ID 83676

PROOF DUE NOTICE

RE: PERMIT NO. 63-11698

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before May 1, 1996. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

APR 30 1996

CERTIFIED MAIL
NO. 142589

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 18, 1996

PAULSEN FARMS
22009 TRAVIS RD
WILDER ID 83676

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-11698

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

Please note that one of the conditions of approval on your permit requires that you install a measuring device or sign an agreement with the department to determine your diversion using power records prior to diverting water. You may choose to install a measuring device, or you may ask the department to review your system to determine whether your diversion can be estimated with power records. Another condition of approval requires that you measure your diversion and record other important hydrologic and physical features and report them annually to the department. The department will shortly send you futher information about measuring devices, flow estimation using power records, and annual reporting forms. If you have questions about these requirements, please call the department at (208) 327-7900 and ask for someone in the Water Distribution Section.

RECEIVED
JAN 24 1996

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

JAN 24 1996

BASIN 63 MORATORIUM APPLICATION
STATE OFFICE REVIEW

by Cindy Zimmerman
Date: 1/17/96

No.: 63-11698

Name: Paulsen Farms.

Ad OK? ✓ **✓Gvmt Lts:** ✓

Correct Fee? ✓ **Receipt #:** W014268 **Priority:** 3/6/92

PROTESTED: unconditionally withdrawn - 020(Protest Agr) or W19(See Final/Prelim Order)

SYSTEM COMPLETED: - Yes-**P16**/No (if no put in order on hold)

GROUNDWATER SOURCE:
+ 5 acres <*POU*> - 066-**P55**, 067, 065, 03A
=/- 5 acres <*POU*> - 066-**P55**, 067, 065, 057

DRILLING PERMIT - P/D same Yes/No (if no show Shelley)
Number - 63-92-W-0287-000, drilled 6/92
Existing well - 068

LOCATION:
Boise Front LoGeo - 058 (-85° GW temp only)
Swan Falls Flag - B <SEE CODE CHART>
Trust - 051-052-053-**P74** (Consumptive Uses), NA

OWNERSHIP: Non-land owner - 004 (PD/PU) _____

CONDITION CODES: - 069, _____ _____

PARAGRAPH CODES: - _____ _____ _____

STANDARD REMARKS: - 1) WB8, 2) W06, 3) Water Zone 100'-600',
_____

BENEFICIAL USE DUE: - 5-1-1996

COMMENTS: - Corp off.

Form 202a
Supplement
6/95

RE-ADVERTISING FOR SUPPLEMENTAL IRRIGATION RIGHT (MORATORIUM BACKLOG)

APPLICATION NO. 63-11698

FINAL REGIONAL PROCESSING REVIEW

YES NO

✓ ___ Affidavit of publication received:
✓ ___ Application published correctly: If not, record action taken.

___ ___ Publication dates and paper recorded on application:
___ ___ Protests received. Final date for protest ~~7-24-95~~ 8-7-95
___ ___ Protest dates, resolution of protest recorded on application:
___ ___ Recommendations attached:
___ ___ Measuring device required:
___ ___ Measuring port required:
___ ___ Water delivered by water master? District #_____
___ ___ Special conditions of approval or cover letter: _____

___ ___ See below for additional information.

Recommended Date or Priority _____

Recommended by: _____ Date _____

STATE OFFICE REVIEW _____

___ See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION

Source; GROUNDWATER
Diversion Pt: SENE Sec 34 T 04N R 05W in CANYON County.
Use: IRRIGATION (1.600 CFS)
Total Diversion: (1.600 CFS)
Date Filed: 3/4/1992
In: CANYON County
T04N R05W S34 SWNE SENE
80.0 ACRES TOTAL
Water bearing zone to be appropriated is 100 to 400 feet.

63-11690

COLE TRUST, NORMAN R
210 FAY LN
NAMPA, ID 83686
Source: GROUNDWATER
Diversion Pt: NWNE Sec 21 T 02N R 02W in CANYON County.
Use: IRRIGATION (0.800 CFS)
DOMESTIC (0.020 CFS)
Total Diversion: (0.820 CFS)
Date Filed: 3/5/1992
In: CANYON County
T02N R02W S21 NWNE
40.0 ACRES TOTAL
Water bearing zone to be appropriated is 40 to 60 feet.

63-11698

PAULSEN FARMS
22009 TRAVIS RD
WILDER, ID 83676
Source: GROUNDWATER
Diversion Pt: SWSESW Sec 10 T 04N R 05W in CANYON County.
Use: IRRIGATION (2.700 CFS)
Total Diversion: (2.700 CFS)
Date Filed: 3/6/1992
In: CANYON County
T04N R05W S10 NESW SESW
S11 NWSE SWSE SESE
135.0 ACRES TOTAL
Water bearing zone to be appropriated is 100 to 600 feet.

63-11702

JOHNSON, GREGORY B
JOHNSON, HEIDI M
PO BOX 344
MERIDIAN, ID 83642
Source: GROUNDWATER
Diversion Pt: NESE Sec 24 T 01N R 02W in CANYON County.
Use: IRRIGATION (2.400 CFS)
Total Diversion: (2.400 CFS)
Date Filed: 3/3/1992
In: CANYON County
T01N R02W S24 SENE NESE SWSE
120.0 ACRES TOTAL
Water bearing zone to be appropriated is 200 to 350 feet.

63-11740

KYZER, FRANK H
3720 SHIPMAN CIR
NAMPA, ID 83686
Source: GROUNDWATER
Diversion Pt: SESW Sec 26 T 03N R 02W in CANYON County.
Use: IRRIGAITION (0.400 CFS)
Total Diversion: (0.400 CFS)
Date Filed: 3/25/1992
In: CANYON County
T03N R02W S26 SESW
20.0 ACRES TOTAL
Water bearing zone to be appropriated is 150 to 160 feet.

63-11741

PORTER, PAUL
PORTER, FRANCES
4475 C S POWERLINE RD
MELBA, ID 83641
Source: GROUNDWATER
Diversion Pt: NENW Sec 10 T o1N R 02W in CANYON County.
Use: IRRIGATION (2.300 CFS)
Total Diversion: (2.300 CFS)
Date Filed: 5/22/1992
In: CANYON County
T01N R02W S10 SENE NESE NWSE
115.0 ACRES TOTAL
Water bearing zone to be apropriated is 156 to 240 feet.

63-11744

E & B FARM INC
24630 PECKHAM RD
WILDER, ID 83676
Source: GROUNDWATER
Diversion Pt: SWSESW Sec 13 T 04N R 05W in CANYON County.
Use: IRRIGATION (4.940 CFS)
Total Diversion (4.940 CFS)
Date Filed: 3/31/1992
In: CANYON County
T04N R05W S13 NESW NWSW SWSW SESW
NWSE SWSE
S14 SENE
247.0 ACRES TOTAL
Water bearing zone to be appropriate is 120 to 505 feet.

63-11747

O BAR L INC
RT 2
54.00 ACRES TOTAL
Water bearing zone to be appropriated is 105 to 145 feet.

63-11789

MC NEIL, FLOREN
2375 CENTER AVE
PAYETTE, IDA 83661
Source: GROUNDWATER
Diversion Pt: NWNE Sec 27 T 05N R 04W in CANYON County.
Use: IRRIGATION (1.200 CFS)
Total Diversion: (1.200 CFS)
Date Filed: 4/20/1992
In: CANYON County
T05N R04W S27 NWNE SWNE NWSE
80.0 ACRES TOTAL
Water bearing zone to be appropriated is 25 to 75 feet.

63-11794

SWENSON, LEON
18822 DEAN LN
NAMPA, ID 83687
Source: GROUNDWATER
Diversion Pt: SWNE Sec 36 T 04N R 02W in CANYON County.
Use: IRRIGATION (1.460 CFS)
Total Diversion: (1.460 CFS)
Date Filed: 4/27/1992
In: CANYON County
T04N R02W S36 NWNE SWNE
73.00 ACRES TOTAL
Water bearing zone to be appropriated is 208 to 240 feet.

63-11797

PROESCH, ROBERT M
2283 CANYON RD
MELBA, ID 82641
Source: GROUNDWATER
Diversion Pt: NESWNE Sec 14 T 01S R 02W in CANYON County.
Use: IRRIGATION (1.800 CFS)
Total Diversion: (1.800 CFS)
Date Filed: 4/16/1992
In: CANYON County
T01S R02W S11 SWSE
S14 SWNE SENE
90.0 ACRES TOTAL
Water bearing zone to be appropriated is land surface to 25 feet.

63-11800

TOP FARMS INC
PO BOX 428
WILDER, ID 83676
Source: GROUNDWATER
Diversion Pt: LOT 4 (SWSW) Sec 18 T 04N R 04W in CANYON County.
SWSE Sec 18 T 04N R 04W in CANYON County.
Use: IRRIGATION (1.880 CFS)
Total Diversion: (1.880 CFS)
Date Filed: 4/29/1992
In: CANYON County
T04N R04W S18 NENE NWNE SWNE SENE
NESE NWSE SWSE SESE
294.0 ACRES TOTAL
Water bearing zone to be appropriated is 180 to 630 feet.

63-11801

ALLENDALE FARMS INC
PO BOX 428
WILDER, ID 83676
Source: GROUNDWATER
Diversion Pt: LOT 4 (SWSW) Sec 18 T 04N R 04W in CANYON County
Use: IRRIGATION (4.800 CFS)
Total Diversion: (4.800 CFS)
Date Filed: 4/29/1992
In: CANYON County
T04N R04W S 18 NENW Lot 1(NWNW) Lot 2(SWNW) SENW
NESW Lot 3(NWSW)
240.0 ACRES TOTAL
Water bearing zone to be appropriated is 94- 563 feet.

63-11807

CALDWELL RIVERVIEW ORCHARD
19491 APRICOT LN
CALDWELL, ID 83605
Source: GROUNDWATER
Diversion Pt: SWNE Sec 23 T 03N R 04W in CANYON County.
Use: IRRIGATION (0.600 CFS)
Total Diversion: (0.600 CFS)
Date Filed: 5/4/1992
In: CANYON County
T03N R04W S23 SENW
30.0 ACRES TOTAL
Water bearing zone to be appropriated is 145 to 155, 200 to 235, 288 to 298, 418 to 438 feet.

63-11835

HUTER BROS INC
9040 LINDEN
NAMPA, ID 83687
Source: GROUNDWATER
Diversion Pt: SWNW Sec 34 T 04N R 02W in CANYON County.
Use: IRRIGATION (0.700 CFS)
Total Diversion: (0.700 CFS)
Date Filed: 5/20/1992
In: CANYON County
T04N R02W S28 NESE

RECEIVED
JAN 2 4 1996

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) SS.
County of Canyon)

Carolyn Spath

of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

TWice

— in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

July 19, 26, 1995

Carolyn Spath

STATE OF IDAHO)
)
COUNTY OF CANYON)

On this 26th day of July in the year of 1995, before me, a Notary Public, personally appeared Carolyn Spath, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.

Notary Public for Idaho
Residing at Nampa
MY COMMISSION EXPIRES
JUNE 21st, 1997

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

Original affidavit filed with water right #63-11630.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of $25.00 on or before JULY 24, 1995. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

July

RECEIVED
JUL 28 1995
WATER RESOURCES
WESTERN REGION

JAN 24 1996

63-11698

PAULSEN FARMS
22009 TRAVIS RD
WILDER, ID 83676

Source: GROUNDWATER

Diversion Pt: SWSESW Sec 10 T 04N R 05W in CANYON County.

Use: IRRIGATION (2.700 CFS)
Total Diversion: (2.700 CFS)

Date Filed: 3/ 6/1992

In: CANYON County

T04N R05W S10		NESW	SESW	
	S11	NWSE	SWSE	SESE

135.0 ACRES TOTAL

Water bearing zone to be appropriated is 100 to 600 feet.

MICROFILMED
JAN 24 1996

Form No. 202a.
10/90

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: cjl DATE: 3/20/92 APPLICATION: 63-11698

REQUIRED INFORMATION

Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
Address:
Source: (See USGS Quad for names of water sources)
Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
County:
Quantity: (flow and/or volume)
Period of use:
Nature of proposed use: (Include description of use)
Description of diverting works:
Time required for beneficial use of water:
Place of use or acres irrigated:
Map:
Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
Fee:
Yes ____ No* In form to receipt:

Gov't. Lots:
3 P/D
3 P/U

ADDITIONAL INFORMATION

YES	NO	
		Overlapping place of use: (Describe source & relationship to present application on the back.)
	✓	Overlapping point of diversion:
		Field check required: Field check by: _____
		Field report attached:
		Critical groundwater area:
		Groundwater management area:
		Diversion within interim protected river area
		Send dam safety information:
		Send power requirement letter:
		Send fish farm requirement letter:
		Power residency affidavit:
		Power efficiency form:
		Within trust water boundary: (If yes, attach Trust Water Supplementary Analysis Sheet.)
		Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
		*REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT
		DATE REQUESTED: _____
		Additional information on reverse side:

PROCESSING

APPLICATION NO. 63-11698

YES NO

\
___ ___ In form for advertising:
___ \ Statewide advertising:
\ ___ Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

___ | I.D. Health and Welfare
___ | I.D. Fish and Game
___ | I.D. Lands
___ | Adjudication Bureau

YES NO

___ | U.S. BLM
___ | U.S. Forest Svc.
___ | Water Dist. # ___
___ | Other ___

FINAL REGIONAL PROCESSING REVIEW

YES NO

✓ ___ Affidavit of publication received:
✓ ___ Application published correctly: If not, record action taken.

___

___

Withdrawn ✓ ___ Publication dates and paper recorded on application:
___ ___ Protests received. Final date for protest April 20, 1992
___ / Protest dates, resolution of protest recorded on application:
___ / Recommendations attached: Approve, DNR
___ / Measuring device required:
___ / Measuring port required:
___ / Water delivered by water master? District # ___
✓ ✓ Special conditions of approval or cover letter: ___
26A (Allow 2 yrs), Well drilling permit issued
Moratorium Coverletter & Conditions
___ ✓ See below for additional information
Recommended Date or Priority 3/6/1992
Recommended by: DNR Date 5/26/1992

STATE OFFICE REVIEW

___

___

___ See below for additional information. By ___ Date ___

ADDITIONAL INFORMATION

P/u overlap on SW W/ 63-2397 from Mammon Gulch

RESPONSE FORM

Boise River Basin Moratorium Application

RECEIVED
JUN 2 2 1995
WATER RESOURCES
WESTERN REGION

Name of Applicant: Paulsen Farms

Address: 22009 Travis Rd
Wilder, Idaho 83676

Water Right No.: 63-11698

Do you wish to proceed with development of the water right as proposed in the application? X Yes ___ No
(If the response is no, please complete and return the enclosed withdrawal form.)

If the source of water that you propose to appropriate is ground water, what aquifer level do you propose to develop to obtain water? 100 ft to 600 ft

Signature: David H. Paulsen

Printed Name: David H. Paulsen

Please return this form to:

Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705

MICROFILMED
JAN 2 4 1996

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

May 19, 1995

Distribution: Applicants Whose Water Right Applications Were Held Without Action Under the Boise River Basin Moratorium

Dear Applicant:

As you might be aware, on May 3, 1995 the Director of the Department of Water Resources, Mr. R. Keith Higginson, signed an Amended Moratorium Order which provides for the processing of previously held applications within the Boise River Basin, with certain restrictions. Enclosed for your information is a copy of the Order.

As provided in the Order, this office will resume the processing of these applications in order of priority at a rate of 30 applications per month. Depending on how many applicants wish to proceed with development of their projects, the processing of the 338 presently-held applications could require as much as a year. To enable you to make an estimate as to when your application(s) will be processed, please be advised that 244 of the applications have priority (receipt) dates of 1992; 32 are dated 1993; 37 are dated 1994; and 25 are dated 1995.

As new applications are received, they are sorted into two groups. Those that would not have been held back under the moratorium are processed immediately. To assure fairness in processing, those that would have been held back under the moratorium, such as irrigation applications, are placed at the end of the moratorium processing line.

Note that the Order requires that **all** applications held under the moratorium will be advertised (or re-advertised if previously advertised), in order to enable neighboring water users to examine the proposed uses in view of water availability information gained during recent drought years. There will be no additional charge to the applicants for this process. For applications that propose use of ground water, the advertisement must include an indication of the depth interval from which the applicant proposes to withdraw water.

Please find enclosed a Profile Report which provides information from our water rights data base describing each of your moratorium-held applications. In addition we have included one response form for each application, which enables you to indicate whether you wish to proceed with processing of your water right application(s).

JAN 24 1996

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 2, 1994

PAULSEN FARMS
22009 TRAVIS RD
WILDER ID 83676

RE: PERMIT NO. M63-11698

REINSTATEMENT OF PERMIT APPROVAL

Dear Reinstated Permit Holder(s):

Enclosed is an reinstatement order **authorizing diversion of water** under the above referenced permit.

The Department has reinstated your permit for the remainder of the 1994 irrigation season and the reinstatement will expire on November 15, 1994. When your permit expires, you must make the pump and motor inoperable, and you cannot operate the pump without approval from the Department of Water Resources. The Director may reinstate the permit again next year if drought conditions persist.

Please remember water diverted under your reinstated permit is only to be used on the lands identified on your permit. You must obtain the approval of the Department before using your water anywhere else.

If diversion from your well causes interference with other wells with an earlier priority, you may be required to cease pumping or compensate the affected party. Idaho law specifically protects groundwater levels for domestic wells which were in use prior to 1978.

If you have any questions please let me know.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosure

MICROFILMED
AUG 08 1994

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION) FOR PERMIT NO. 63-11698 IN) THE NAME OF PAULSEN FARMS)

REINSTATEMENT ORDER

This matter having come before the Idaho Department of Water Resources (department), as a result of drought conditions being experienced during the 1994 irrigation season, the department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. In May 1992, the department issued the above captioned temporary permit (permit) to use ground water during the 1992 irrigation season to offset the effects of the drought and the associated reduced surface water supply. The permit expired on November 15, 1992.

2. The permit was conditioned that the Director of the department retained jurisdiction to reinstate the permit if drought conditions justify resumption of ground water use.

3. Water supply conditions during 1994 justify reinstatement of the permit by the Director.

CONCLUSIONS OF LAW

1. The Director is authorized under Chapter 2, Title 42, Idaho Code, to issue water right permits authorizing the diversion and use of the state's water resources.

2. The Director should reinstate the above captioned permit with certain conditions and limitations.

ORDER

IT IS THEREFORE, HEREBY ORDERED that the above captioned permit is **REINSTATED** with the following conditions and limitations:

1. The permit expires on November 15, 1994.

2. The right to divert water under the above captioned permit is void if the surface water appurtenant to the place of use has been sold, transferred, leased or used on any other place of use without the approval of the department.

RECEIVED
AUG 08 1994

3. The permit holder shall use the full allotment of surface water to the extent it is available before diversion is authorized under this reinstated permit.

4. The permit holder shall employ reasonably efficient methods of water application to conserve the water of the state of Idaho.

5. The rate of diversion of water for irrigation under this right and all other rights shall not exceed 0.02 cfs for each acre of land.

6. This use is subject to all prior water rights.

7. The place of use authorized is only that shown on the permit. Permit holder shall prevent use of this water on land for which it is not authorized.

8. This reinstatement does not authorize the construction of new wells or the deepening of existing wells.

9. Failure to comply with the above conditions and limitations of permit use voids this reinstatement.

Dated this 2nd day of August, 1994.

L. GLEN SAXTON
Chief, Water Allocation Bureau

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AUG 08 1994

This questionnaire needs to be completed and returned to the department by August 1, 1994 in order to be considered as a request to reinstate a temporary permit.

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AUG 0 1 1994
Department of Water Resources

1994 irrigation season and the extent of water use that will occur if the department again authorizes use of the wells.

1. Temporary permit identification number. M63-11698 (See cover letter)

2. a) Person responding to this questionnaire
David Paulsen

b) Relationship to applicant? Renter

3. Do you expect to use all of your surface water supplies for the land identified on the attached application prior to the end of the 1994 irrigation season? Yes X No ____

4. What is the source of supply? (Name of Canal)
Payne & Idaho

5. What date do you expect this to occur? 8/15/94 approx

6. List the type of crop, acreage and volume of water in acre feet (AF) needed under the temporary permit to complete the 1994 irrigation season. List only for the lands included in the land list of the attached application for permit.

CROP	ACRES ✓	ACRE FEET ✓
Sugar Beets	36	30

This questionnaire needs to be completed and returned to the department by August 1, 1994 in order to be considered as a request to reinstate a temporary permit.

AUG 08 1994

WLC 28

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 20, 1994

PAULSEN FARMS
22009 TRAVIS RD
WILDER ID 83676

RE: Water Right No. M63-11698

Dear Water Right Holder(s):

In 1992, the Department issued you a temporary permit to use groundwater from your well, if you drilled one, to replace depleted storage water supplies. This temporary permit expired on November 15, 1992.

During 1994, since available surface water supplies are again substantially below normal, the department has received a number of requests to re-authorize use of the "1992 drought relief" wells..

The department is willing to consider reinstating the temporary permits for the remainder of 1994 provided you can show that you used water under the 1992 temporary approval and that water will be used only on the lands identified on the temporary permit. Enclosed is a questionnaire which you must complete and return to the department if you want to be considered for reinstatement in 1994.

Also enclosed, for your reference, is a record of your application for permit.

Please be advised that unless the department specifically reinstates the expired permit, you are not authorized to divert and use the water from the well identified on the temporary permit.

If you have any questions, please feel free to contact me at Ph. 327-7947.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

RECEIVED
AUG 08 1994

March 31, 1994

PAULSEN FARMS
22009 TRAVIS RD
WILDER ID 83676

RE: Water Right No. M63-11698

Dear Water Right Holder(s):

In 1992, the Department of Water Resources issued the above referenced permit allowing the diversion of water for the 1992 irrigation season only. The permit included a condition:

> This permit to appropriate water expires at the end of the 1992 irrigation season. The Director retains jurisdiction to reinstate the permit if drought conditions justify resumption of groundwater use.

It now appears that 1994 early season water supply and precipitation conditions are such that short-term use of the wells that were drilled under this authority could be beneficial prior to the start of water delivery through the canal systems in the Boise Valley. We have been advised that most of the canals will not be able to deliver water for another 10 to 14 days.

Therefore, you are hereby notified that the permit is reinstated for temporary use during the period April 1 through April 15, 1994 only. All other conditions of the permit continue to apply. One requirement was that the well be disconnected from the power system at the end of the approved period of use, which under this reinstatement is April 15, 1994.

The existing moratorium in the Boise Valley area is not changed by this temporary reinstatement of the 1992 drought well permit. This temporary reinstatement does not authorize the construction of a new well or alteration of an existing well.

If you have any questions, please contact this office.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

AUG 08 1994

Form 238-7
1/91

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

USE TYPEWRITER OR BALLPOINT PEN

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name Paulson Farms

Address 22009 Travis Rd,Wilder, ID 83676

Drilling Permit No. 63-92-W-287

Water Right Permit No. 63-11698

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Well diameter increase ☐ Modification
☐ Abandoned (describe abandonment or modification procedures such as liners, screen, materials, plug depths, etc. in lithologic log, section 9.)

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Monitor
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

☐ Rotary ☐ Air ☐ Auger ☒ Reverse rotary
☐ Cable ☐ Mud ☐ Other _____ (backhoe, hydraulic, etc.)

5. WELL CONSTRUCTION *See Sectional Attached

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
.250 inches	16" inches	+ _____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☐ Yes ☒ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☐ Yes ☒ No
How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun
Size of perforation? _____ inches by _____ inches

Number	From	To
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☒ Yes ☐ No
Manufacturer Roscoe Moss Type Louvered,Wire Wrap
Top Packer or Headpipe _____
Bottom of Tailpipe _____

Diameter 16" Slot size .090 Set from _____ feet to _____ feet
Diameter 16" Slot size .040 Set from _____ feet to _____ feet
Gravel packed? ☒ Yes ☐ No ☐ Size of gravel 3/8 minus
Placed from 100' feet to 603' feet

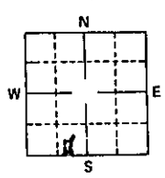
Surface seal depth 100' Material used in seal: ☐ Cement grout
☒ Bentonite ☒ Puddling clay ☐ _____
Sealing procedure used: ☐ Slurry pit
☐ Temp. surface casing ☐ Overbore to seal depth
Method of joining casing: ☐ Threaded ☒ Welded
☐ Solvent Weld ☐ Cemented between strata

Describe access port 1¼" Pipe w/ plug

RECEIVED JUNE 7 1992

6. LOCATION OF WELL

Sketch map location **must** agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County Canyon

SE ¼ SW ¼ Sec. 10, T. 4N N ☐ S ☐ R. 5W E ☐ W ☐

RECEIVED JUN 12 1992 Department of Water Resources Western Regional Office

7. WATER LEVEL

Static water level 75' feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ °F. Quality _____
Describe artesian or temperature zones below.

8. WELL TEST DATA

☒ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
950	135'	3.75 hrs
1450	172'	Total
2450	275'	
2000	252'	

9. LITHOLOGIC LOG

Bore Diam.	Depth From	Depth To	Material	Water Yes	Water No
28"	0	10	Top soil		x
28"	10	16	Cleche w/rock		x
"	16	35	River rock		
"	35	50	Clay w/sand		x
"	50	64	Fine brown sand	x	
"	64	138	Clay,sm layers fine-coarse sand		
"	138	143	Coarse sand,pea gravel	x	
"	143	147	Clay		x
"	147	156	Coarse-fine sand	x	
"	156	186	Clay,layers sand		x
"	186	188	Blue clay		x
"	188	198	Blue sandstone		x
"	198	203	Pea gravel,coarse sand	x	
"	203	213	Blue clay		x
"	213	214	Coarse sand	x	
"	214	235	Clay,layers of sand		x
"	235	239	Coarse sand	x	
"	239	243	Clay		x
"	243	251	Fine-coarse sand	x	
"	251	256	Clay		x
"	256	263	Fine-coarse sand	x	
"	263	281	Clay		x
"	281	291	Pea gravel,fine black sand	x	
"	291	293	Clay		x
"	293	320	Fine-coarse sand	x	
"	320	329	Clay		x
"	329	351	Coarse sand,pea gravel	x	
"	351	361	Clay		x
"	361	393	Fine-coarse sand,pea gravel	x	
"	393	451	Clay		x
"	451	457	Coarse sand	x	
"	457	471	Clay,sm layers of sand		x
"	471	479	Fine-coarse sand,pea gravel	x	
"	479	534	Clay,sandstone		x
"	534	568	Fine-coarse sand	x	
"	568	603	Clay		x

RECEIVED AUG 08 1994 DEPARTMENT OF WATER RESOURCES

Work started 5-27-92 finished 6-1-92

11. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Riverside Drilling Firm No. 333

Address PO Box 720 Parma, ID 83660 Date 6-10-92

Signed by Drilling Supervisor Terry Daughtry

and

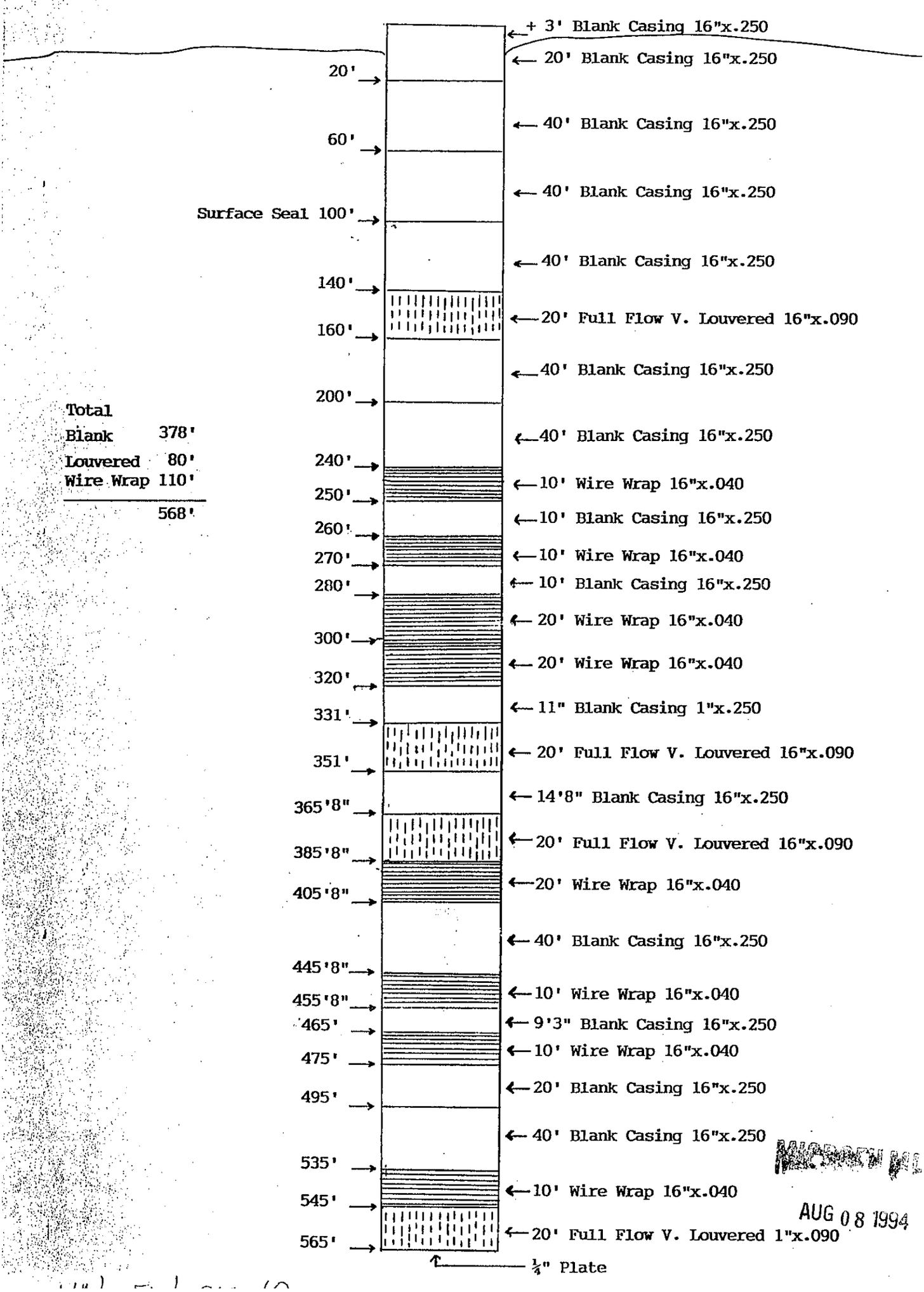
(Operator) Terry Daughtry
(If different than the Drilling Supervisor)

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

pg. 2

Paulson Farms
Dave Paulson
22009 Travis Rd
Wilder, ID 83676

Drilling Permit: # 63-92-W-287
Water Permit: # 63-11698



Total	
Blank	378'
Louvered	80'
Wire Wrap	110'
	568'

RECEIVED
AUG 08 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 2, 1992

PAULSEN FARMS
22009 TRAVIS RD
WILDER ID 83676

COPY

RE: PERMIT NO. 63-11698

LETTER OF TEMPORARY PERMIT APPROVAL

Dear Permit Holder(s):

Enclosed is a copy of your approved permit. Your proposed use of water qualifies for a narrow exception to the Snake River Basin Moratorium established by the Director on May 15, 1992. The exception allows the use of groundwater during the drought to protect agricultural uses which normally have an adequate supply of water. Please carefully review the conditions of approval.

The Department has approved your permit for the 1992 irrigation season. Diversion of groundwater is not authorized after the 1992 season, and the permit expires. The Director may reinstate the permit in a subsequent year if drought conditions persist. You will be responsible for requesting reinstatement during future irrigation seasons.

When your permit expires, you must make the pump and motor inoperable, and cannot operate the pump without approval from the Department of Water Resources.

Your permit is for supplemental use only to augment your surface water supply. If the surface water you own is sold, transferred, leased or used on any other land without the approval of the Department of Water Resources, you automatically lose your right to divert groundwater. You must obtain the approval of the Department before using your water anywhere other than where it has traditionally been used.

In addition, you must fully utilize your available surface water to the extent possible. The surface water need not be fully consumed or diverted prior to use of groundwater. You cannot, however, simply divert token quantities of surface water and rely primarily on your groundwater diversion. Surface water must be your primary source of water.

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AUG 08 1994

If you want to locate your well closer than 500 feet from an existing well, you must obtain the approval of the Department of Water Resources. We realize that under certain circumstances, it may be impossible to locate the well 500 feet away from another well. You must, however, be cognizant of possible interference resulting from pumping of your well.

If diversion from your well causes interference with other wells with an earlier priority, you may be required to cease pumping or compensate the affected party. Idaho law specifically protects groundwater levels for domestic wells which were in use prior to 1978.

If general water levels in the geographical area of your well decline below reasonable levels, the Department may require you to cease diverting from your well.

You must efficiently apply the water to the land and conserve water to the extent possible. Excessive irrigation, delivery systems with substantial losses, and application methods which cause substantial percolation or evaporation are not acceptable.

Sincerely,

JIM JOHNSON
Water Right Supervisor

JJ:cz

Enclosure

RECEIVED
AUG 08 1994

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-11698

Proposed Priority: March 6, 1992 Maximum Diversion Rate: 2.70 CFS
This is to certify, that **PAULSEN FARMS**
22009 TRAVIS RD
WILDER ID 83676
has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION
IRRIGATION	03/15 to 11/15	2.70 CFS

LOCATION OF POINT(S) OF DIVERSION: SWSESW , Sec. 10, Township 04N, Range 05W
CANYON County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
04N	05W	10	NESW	40	SESW	40			80
		11	NWSE	15	SWSE	38	SESE	2	55

Total number of acres irrigated: 135

CONDITIONS/REMARKS:

1. This permit to appropriate water expires at the end of the 1992 irrigation season. The Director retains jurisdiction to reinstate the permit if drought conditions justify resumption of groundwater use.
2. A well drilled pursuant to this permit must be located at least 500 feet from any existing well. Well spacing closer than 500 feet must be approved by the Department of Water Resources.
3. This right to divert groundwater is void if the surface water right appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
4. The permit holder shall use the full allotment of his surface water right, to the extent it is available, in conjunction with groundwater diverted pursuant to this permit.
5. The permit holder must employ reasonably efficient methods of water application to conserve the water of the State of Idaho.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
7. Construction of the well must comply with Idaho well construction standards.
8. This right is subject to all prior rights.

RECORDED

AUG 08 1994

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-11698

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this

1st day of June, 1992.

for R. Keith Higginson, Director

RECEIVED
AUG 08 1994

MORATORIUM EXEMPTION QUESTIONNAIRE

IF YOUR APPLICATION PROPOSES AN IRRIGATION USE, PLEASE COMPLETE AND RETURN THE FOLLOWING:

- Has ALL the land you propose to irrigate been irrigated with surface water in the past? yes

- Do you summer fallow any of your irrigated land? If so, how many acres? No, Have

- List the water right(s) you have used to irrigate the land listed on the application. If you have received water from a canal company or water district, please identify the name of canal or water district.
  Wilder Irrigation

- During the last ten years, how many years has your surface irrigation water been available for the entire irrigation season?
  We use our surface water when it has been available. When we have normal water it has been sufficient. This will be used To get through the droughts and for Early and Late water
- What crops have you grown in the past ten years?
  Beets, Onions, Seed Corn, Wheat, Alfalfa Seed,

I understand if my proposed diversion of groundwater is approved as a supplemental use, that I can only use my well during periods of drought, when a full supply of water is not available. I also agree that my surface water will be fully used to the extent available, will not be sold or used on other lands, and that a change in use of my surface water may result in revocation of any groundwater right granted pursuant to my application for supplemental water.

Dated this 26 day of May, 1992.

(Please sign) David Hawkins For Pawkins Farms

63-11698

AUG 08 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 21, 1992

John T. Schroeder, Esq.
Schroeder & Lezamiz Law Offices
447 West Myrtle
PO Box 267
Boise ID 83701

Re: Applications for Permit No.:

63-11685, 63-11686 in the name of Fargo Farms Inc.
63-11689, in the name of H. J. Batt, Wilder Land Co. Ltd.
63-11691, in the name of Stephen Kent Garman
63-11698, in the name of Paulsen Farms
63-11699, 63-11700 in the name of Fred &/or Norm Batt

Dear Protestant:

This office acknowledges receipt of the withdrawal of protest against the above-referenced application, dated May 21, 1992.

The Department now will continue to process the application.

Sincerely,

David R. Tuthill Jr.

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:gg

CC: Applicants

Fargo Farms Inc., 63-11685, 63-11686
H. J. Batt, Wilder Land Co. Ltd., 63-11689
Stephen Kent Garman, 63-11691
Paulsen Farms, 63-11698 ✓
Fred &/or Norm Batt, 63-11699, 63-11700

RECEIVED
AUG 08 1994

Schroeder & Lezamiz
Law Offices
447 West Myrtle
Post Office Box 267
Boise, Idaho 83701

JOHN T. SCHROEDER
MARGARET M. LEZAMIZ
W. ALAN SCHROEDER*

*Admitted in Idaho & Washington

TELEPHONE (208) 384-1627
FAX (208) 384-1833

RECEIVED
MAY 21 1992
Department of Water Resources
Western Regional Office

May 21, 1992

RECEIVED
APR 20 1993
Department of Water Resources

HAND DELIVERED

Mr. David R. Tuthill, Jr. P.E.
Manager, Western Regional Office
State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

Re: Garman, Stephen Ken App.No. 63-11691
Batt, H.J. App. No. 63-11689
Fargo Farms Apps. No. 63-11685 and 63-11686
Batt, Fred & Norma Apps No. 63-11699 and 63-11700
Paulsen Farms Apps. No. 63-11698

Dear Department:

Our office represents Mr. Ray Obendorf and Rim Ranches, Inc.

Mr. Obendorf and Rim Ranches, Inc., has requested that the Protests to the above applications be withdrawn. As a result, the protests are withdrawn, but this withdrawal of protest is without prejudice as to any right Obendorf or Rim Ranches, Inc., may have pursuant to statute or other authority.

Thank you for your time and consideration.

Sincerely yours,

John T. Schroeder

JTS/j
cc Mr. Ray Obendorf
Rim Ranches, Inc.

MICROFILMED
AUG 08 1994

Form 235-1
7/90

Drilling Permit No. 63-92-W-287
Water Right Permit 63-11698
Injection Permit No. _____

State of Idaho
Department of Water Resources

APPLICATION FOR DRILLING PERMIT

1. **Applicant (please print)** Paulsen Farms

2. **Mailing Address** 22009 Travis Rd

City & State Wilder Id Zip Code 83676 Telephone 482-7588

(X) Well Owner ( ) Well Operator ( ) Other, specify _____

3. **Proposed well location** SE 1/4 SW 1/4, or Gov't Lot No. _____

Sec. 10, Twp. 4N, Rge. 5W, County Canyon

Street Address of Well Site _____

Lot, block and subdivision _____

4. **Proposed use of well:**

( ) Domestic: The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diverstion rate of 0.04 cfs and a diversion volume of 2500 gpd.

(X) Non-Domestic: Any beneficial use not included within the definition of domestic.

( ) Injection

( ) Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____

( ) Other _____
(Describe)

5. **Well construction information:**

A. (X) New well ( ) Deepen ( ) Enlarge ( ) Replace - See Condition 9

B. Proposed Surface Diameter 18" Proposed Maximum Depth 600'

C. Anticipated bottom hole temperature:

(X) 85°F or less (Cold water well)
( ) 85°F to 212°F (Low temp. geothermal well)
( ) 212° or more (Geothermal well)

6. **Construction Start Date** ≈ 1 June 92

7. **Anticipated Well Driller** Riverside Pump Co.
NOTE: The actual well driller must be identified prior to drilling.

8. **Applicant's signature** /s/ Dan A. Paulsen for Paulsen Farms Date 5-4-92

Title _____
(Owner, Firm Representative, Other)

RECEIVED
AUG 08 1994

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is Approved. Date 5/4/1992.

If approved, this permit authorizes the constuction or modification of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well. All wells must be drilled a minimum distance of 100 feet from a drain field. Domestic and Public Water Supply wells must be drilled a minimum distance of 50 feet and 100 feet respectively from a septic tank.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

10. Diversion from this well may not occur until Water rt no. 63-11698 is approved.
11. The surface seal shall extend from land surface to a depth not less than 100 feet below land surface.

David R. Tuthill Jr. — Signature of Authorized Department Representative

Mgr, Western Reg Off — Title

Receipt No. W-014628 Receipted by Zoo Fee DRR Date 5/4/92

EXTENSION OF DRILLING PERMIT

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Extension approved by _____ Approval Date _____

This extension is good for 60 days beyond the above extension approval date.

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 21, 1992

Rim Ranches, Inc.
c/o John T. Schroeder
Schroeder & Lezamiz Law Offices
PO Box 267
Boise, Idaho 83701

Re: Application for Permit No. 63-11691 in the Name of Stephen Kent Garman; No. 63-11689 in the Name of H.J. Batt; Nos. 63-11685 and 63-11686 in the Name of Fargo Farms, Inc.; Nos. 63-11699 and 63-11700 in the Name of Fred &/or Norma Batt; No. 63-11698 in the Name of Paulsen Farms

Dear Protestant:

This office acknowledges receipt of your protests to the issuance of permits pursuant to the above referenced applications. The Department suggests you contact the applicants directly in an effort to determine what is proposed by the applications and to attempt to resolve the protests.

As you are aware, the Department has just issued a Proposed Memorandum Decision and Order for protested application for permit no. 63-11551 and application for amendment of permit no. 63-11474. This decision provides information on the availability of water for appropriation in the Wilder area. The proposed decision has been released to you and the protestants of the aforementioned application.

If this office has not been advised within twenty (20) days that the protests have been resolved, each matter will be scheduled for a conference. At such a conference, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

MICROFILMED
AUG 08 1994

6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

If this office can be of further assistance, please contact us.

Sincerely,

David R. Tuthill Jr.

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT/st

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AUG 08 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 21, 1992

PAULSEN FARMS
22009 TRAVIS RD
WILDER ID 83676

Re: Application for Permit No. 63-11698

Dear Applicant:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to the above-referenced application. The Department suggests that you contact the protestant and attempt to resolve the protest.

The Department has just issued a Proposed Memorandum Decision and Order for protested application for permit no. 63-11551 and application for amendment of permit no. 63-11474 in the name of Rim Ranches, Inc. A copy of the Proposed Memorandum Decision which contains information regarding water availability the the Wilder area is enclosed for your information.

The protestant has agreed to not object to the issuance of well drilling permits in this area. Thus, you are eligible to receive a well drilling permit subject to the condition that no water shall be removed from the well until this water right is approved.

If this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for a conference. At such a conference, the following are the principle items the Department will review (per Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

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6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

Please contact this office if you have questions regarding this procedure.

Sincerely,

David R. Tuthill

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

Enclosure: Copy of protest(s)

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AUG 08 1994

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APR 17 1992
Department of Water Resources
Western Regional Office

Schroeder & Lezamiz
Law Offices
447 West Myrtle
Post Office Box 267
Boise, Idaho 83701

JOHN T. SCHROEDER
MARGARET M. LEZAMIZ
W. ALAN SCHROEDER*

*Admitted in Idaho & Washington

TELEPHONE (208) 384 -1627
FAX (208) 384-1833

April 17, 1992

State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

Re: Protest Relating to the following Applications:
Paulsen Farms Application No. 63-11698

Gentlemen:

This office represents Rim Ranches, Inc. Our Client owns and possesses certain real property situate in Canyon County, Idaho, and holds, or has applied for the following Permits or Amendment to Permits: Permit No. 63-11474; Application for Permit No. 63-11551 and Application for Amendment of Permit No. 63-11474, both in the name of Rim Ranches, Inc.

This letter is to Protest the issuance of the following Permits: Application 63-11698. This Protest is made on each and all the grounds as follows:

1. Rim Ranches, Inc., has had applied for a Permit, and an Amendment to Permit, to pump approximately 3.9 c.f.s. from its Well in Canyon County, Idaho. The Applications were Protested by several individuals and entities. A hearing was held on the Applications of Rim Ranches, Inc., on March 05, 1992. A decision has not been made on the Applications of Rim Ranches, Inc., and further it is uncertain whether or not any of the Protestants will file any appeal. If any appeal is filed, it is also uncertain as to whether or not the Department would or would not stay the Permit of Rim Ranches, Inc., if the Permit is granted.

2. If the Rim Ranches, Inc., Permit is granted, but the Department stays the Permit pending any appeal, then it is possible that Rim Ranches, Inc., would not be able to pump water from its well pursuant to the Permit, but yet the Paulsen Farm Applicants would be able to pump water if their Permit is immediately granted. This would be so despite the fact that Rim Ranches, Inc. would have

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a priority date of February, 1991, some 1 and 1/2 years prior to that of the Paulsen Farm wells under Application.

3. If the Paulsen Farm Applications are granted, but yet the Rim Ranches, Inc., well Applications are not granted or are stayed pending any appeal, Rim Ranches, Inc., **Protests** on the basis that it is not in the local public interest that the Paulsen Farm Applicants are able to pump water when Rim Ranches, Inc., is **not** able to pump water. In other words, Rim Ranches, Inc., has a prior appropriation date to that of the Paulsen Farm Applicants. Rim Ranches, Inc., believes that it is not fair that other alleged junior rights are able to pump water if Rim Ranches, Inc., is not able to pump water from its senior right.

4. Rim Ranches, Inc., protests on the basis that the junior application of Paulsen Farms may conflict or interfere with the well of Rim Ranches, Inc.

5. Rim Ranches, Inc., reserves the right to withdraw this Protest at the time that Rim Ranches, Inc., is able to pump water from its well currently under application at the level applied for.

Sincerely yours,

John T. Schroeder

JTS/j

AUG 08 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region
2735 AIRPORT WAY

Boise, Idaho 83705
(208) 334-2190

MARCH 25, 1992

Press-Tribune
P.O. Box 9399
Nampa, ID 83652

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before APRIL 20, 1992.

Yours truly,

GAIL GARRETT
Secretary

Encl.

AUG 08 1994

NOTICE OF APPLICATION FOR W[illegible] RIGHT

The Following application(s) have been filed to app[illegible]iated the public waters of the State of Idaho:

63-11698

PAULSEN FARMS
22009 TRAVIS RD
WILDER, ID 83676
Source: GROUNDWATER
Diversion Pt: SWSESW Sec 10 T 04N R 05W in CANYON County. (2.700 CFS)
Use: IRRIGATION Total Diversion: (2.700 CFS)

Date Filed: 3/ 6/1992
In: CANYON County
T04N R05W S10 NESW SESW
S11 NWSE SWSE SESE
135.0 ACRES TOTAL

63-11710

MATSUMOTO BROS INC
PO BOX 112
MIDDLETON, ID 83644
Source: GROUNDWATER
Diversion Pt: LOT 3 (NWSW) Sec 19 T 04N R 02W in CANYON County. (2.000 CFS)
Use: IRRIGATION Total Diversion: (2.000 CFS)

Date Filed: 3/12/1992
In: CANYON County
T04N R02W S19 NESW Lot 3 (NWSW)
R03W S24 NENE SWNE SENE NENW
170.0 ACRES TOTAL

63-11711

HILLWATER RANCH
28569 DIXIE RD
PARMA, ID 83660
Source: GROUNDWATER
Diversion Pt: LOT 3 (NENW) Sec 5 T 04N R 05W in CANYON County. (3.180 CFS)
Use: IRRIGATION Total Diversion: (3.180 CFS)

Date Filed: 3/12/1992
In: CANYON County
T04N R05W S05 Lot 3(NENW) Lot 4(NWNW) SWNW SENW
T05N R05W S32 SESW
159.0 ACRES TOTAL

63-11714

ERDLEY, FLORENCE
15317 FLORIDA AVE
CALDWELL, ID 83605
Source: GROUNDWATER
Diversion Pt: NESW Sec 14 T 03N R 03W in CANYON County. (.800 CFS)
Use: IRRIGATION Total Diversion: (.800 CFS)

Date Filed: 3/13/1992
In: CANYON County
T03N R03W S14 NESW
40.0 ACRES TOTAL

63-11717

MIYASAKO FARMS
PO BOX 1060
HOMEDALE, ID 83628
Source: GROUNDWATER
Diversion Pt: NENW Sec 36 T 04N R 05W in CANYON County. (2.220 CFS)
Use: IRRIGATION Total Diversion: (2.220 CFS)

Date Filed: 3/16/1992
In: CANYON County
T04N R05W S25 SWSE SESE
S36 NENW
111.0 ACRES TOTAL

63-11718

NAITO FARMS INC
9998 HWY 45
NAMPA, ID 83686
Source: GROUNDWATER
Diversion Pt: NENE Sec 13 T 03N R 03W in CANYON County. (.720 CFS)
Use: IRRIGATION Total Diversion: (.720 CFS)

Date Filed: 3/17/1992
In: CANYON County
T03N R03W S13 NENE
36.0 ACRES TOTAL

63-11719

NAITO FARMS INC
9998 HWY 45
NAMPA, ID 83686

AFFIDAVIT OF PUBLICATION

RECEIVED
APR 13 1992
Department of Water Resources
Western Regional Office

STATE OF IDAHO)
) ss.
County of Canyon)

Sharla O'Krakel

of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily, (except Saturday) newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times

—in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

April 1, 8, 1992

Sharla Okrakel

STATE OF IDAHO)
)
COUNTY OF CANYON)

On this 8th day of April in the year of 1992, before me, a Notary Public, personally appeared Sharla O'Krakel, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.

Janice Lusk
Notary Public for Idaho
Residing at Nampa
MY COMMISSION EXPIRES
JUNE 21st, 1997

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AUG 08 1994

Source: GROUNDWATER
Diversion Pt: SWNE Sec 7 T [illegible] R 04W in CANYON County.
Use: IRRIGATION (4.540 CFS)
Total Diversion: (4.540 CFS)

Date Filed: 3/17/1992
In: CANYON County
T03N R04W S07 SWNE NWSE SWSE SESE
S08 NWSW SWSW
227.0 ACRES TOTAL

63-11720

KOCH, JAIME B
KOCH, GENEVIEVE
4702 LINCOLN RD
CALDWELL, ID 83605
Source: MASON CREEK Tributary: BOISE RIVER
Diversion Pt: NWNE Sec 24 T 04N R 03W in CANYON County.
Use: IRRIGATION (.110 CFS)
Total Diversion: (.110 CFS)

Date Filed: 3/18/1992
In: CANYON County NWNE
T04N R03W S24
3.5 ACRES TOTAL

63-11721

GREEN ACRES FARMS
14501 LOCUST LN
NAMPA, ID 83686
Source: GROUNDWATER
Diversion Pt: NENW Sec 36 T 03N R 04W in CANYON County.
Use: IRRIGATION (2.400 CFS)
Total Diversion: (2.400 CFS)

Date Filed: 3/19/1992
In: CANYON County
T03N R04W S36 SWNE NENW SENW
120.0 ACRES TOTAL

63-11722

PERKINS, FRANCES
PERKINS, GALEN E.
14501 LOCUST LN
NAMPA, ID 83686
Source: GROUNDWATER
Diversion Pt: NWNE Sec 10 T 02N R 03W in CANYON County.
NENW Sec 10 T 02N R 03W in CANYON County.
Use: IRRIGATION (1.340 CFS)
Total Diversion: (1.340 CFS)

Date Filed: 3/19/1992
In: CANYON County
T02N R03W S10 NWNE NENW
67.0 ACRES TOTAL

63-11723

KRAMER, KELLY
KRAMER, VICKY
1288C SOUTH SIDE BLVD
MELBA, ID 83641
Source: GROUDWATER
Diversion Pt: NESW Sec 25 T 01N R 02W in CANYON County.
NWSW Sec 25 T 01N R 02W in CANYON County.
Use: IRRIGATION (1.600 CFS)
Total Diversion: (1.600 CFS)

Date Filed: 3/19/1992
In: CANYON County
T01N R02W S25 NESW NWSW
80.0 ACRES TOTAL

63-11724

KRAMER, VERNON
KRAMER, KELLY
7663 BASE LINE RD
MELBA, ID 83641
Source: GROUNDWATER
Diversion Pt: LOT 3 (NENW) Sec 2 T 01S R 02W in CANYON County.
Use: IRRIGATION (1.600 CFS)
Total Diversion: (1.600 CFS)

Date Filed: 3/19/1992
In: CANYON County
T01S R02W S02 Lot 3 (NENW) SENW
80.0 ACRES TOTAL

63-11726

STANLEY, WELTON
17447 CAN-ADA RD
NAMPA, ID 83687
Source: GROUNDWATER
Diversion Pt: SESENE Sec 1 T 03N R 02W in CANYON County.
Use: IRRIGATION (1.920 CFS)
Total Diversion: (1.920 CFS)

Date Filed: 3/20/1992
In: CANYON County
T03N R02W S01 SWNE SENE SENW NESE
NWSE
96.0 ACRES TOTAL

63-11729

CITY OF NAMPA
411 THIRD ST S
NAMPA, ID 83651
Source: GROUNDWATER
Diversion Pt: NENWSE Sec 13 T 03N R 02W in CANYON County.
Use: MUNICIPAL (2.680 CFS)
Total Diversion: (2.680 CFS)

Date Filed: 3/ 6/1992
Place of use within city limits of Nampa.

63-11730

LAWRENCE, PAUL E
3845 S POWERLINE RD
MELBA, ID 83641
Source: GROUNDWATER
Diversion Pt: NWNE Sec 15 T 01N R 02W in CANYON County.
Use: IRRIGATION (1.600 CFS)
Total Diversion: (1.600 CFS)

Date Filed: 3/17/1992
In: CANYON County NENE NWNE
T01N R02W S15
80.0 ACRES TOTAL

63-11734

CHRISTENSEN, MICHAEL
8725 BIGFOOT
MELBA, ID 83641
Source: GOUNDWATER
Diversion Pt: NENE Sec 16 T 01N R 02W in CANYON County.
Use: IRRIGATION (1.600 CFS)
Total Diversion: (1.600 CFS)

Date Filed: 3/11/1992
In: CANYON County NENW NWNW
T01N R02W S15
80.0 ACRES TOTAL

63-11735

WESTCOTT, EDWARD
202 W ELM
CALDWELL, ID 83605
Source: GROUNDWATER
Diversion Pt: NENE Sec 27 T04N R 04W in CANYON County.
Use: IRRIGATION (.600 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.640 CFS)

Date Filed: 3/19/1992
In: CANYON County NENE
T04N R04W S27
30.0 ACRES TOTAL

63-11736

TERADA, NOBU
111753 LONE STAR RD
NAMPA, ID 83651
Source: GROUNDWATER
Diverison Pt: SWNE Sec 30 T 03N R 02W in CANYON County.
Use: IRRIGATION (.800 CFS)
Total Diversion: (.800 CFS)

Date Filed: 3/ 4/1992
In: CANYON County NWNE SWNE
T03N R02W S30
40.0 ACRES TOTAL

63-11739

BLATTNER, W R
2730 S LINDER
MERIDIAN, ID 83642
Sourve: GROUNDWATER
Diversion Pt: SENE Sec 31 T 02N R 01W in CANYON County.
Use: IRRIGATION (3.200 CFS)
Total Diversion: (3.200 CFS)

Date Filed: 3/17/1992
In: CANYON County
T02N R01W S31 NENE NWNE SWNE SENE
160.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protest must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before APRIL 20, 1992.
R. KEITH HIGGINSON, Director
April 1, 8, 1992

AUG 0 8 1994

63-11698

PAULSEN FARMS
22009 TRAVIS RD
WILDER, ID 83676

Source: GROUNDWATER

Diversion Pt: SWSESW Sec 10 T 04N R 05W in CANYON County.

Use: IRRIGATION (2.700 CFS)
Total Diversion: (2.700 CFS)

Date Filed: 3/ 6/1992

In: CANYON County

T04N R05W	S10	NESW	SESW	
	S11	NWSE	SWSE	SESE

135.0 ACRES TOTAL

AUG 08 1994