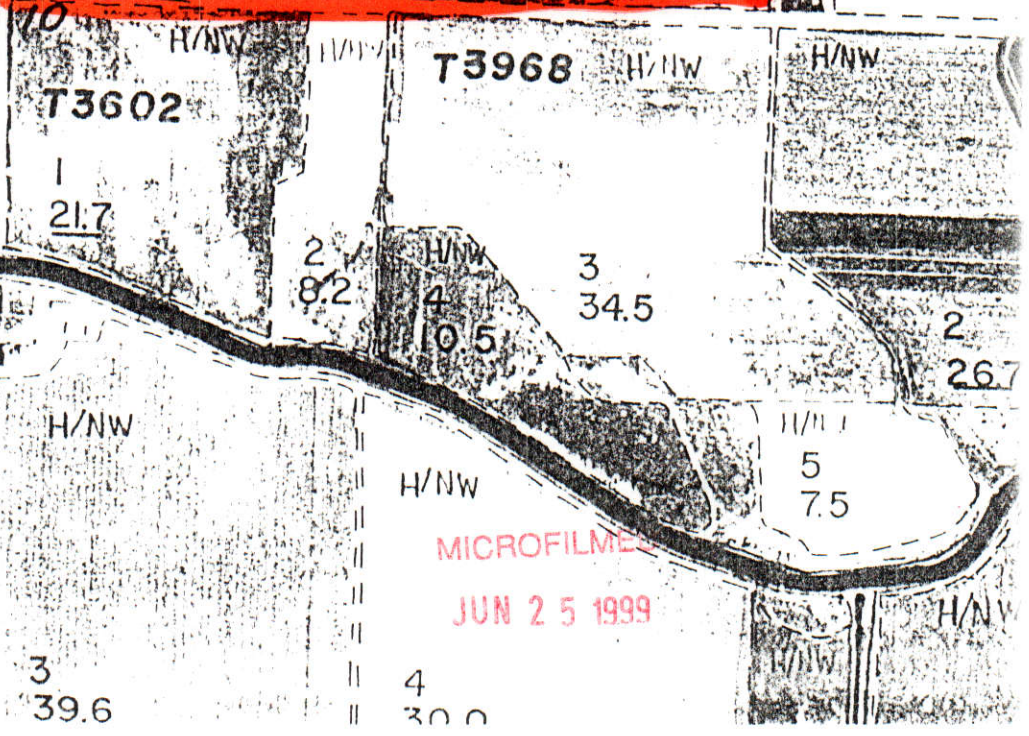
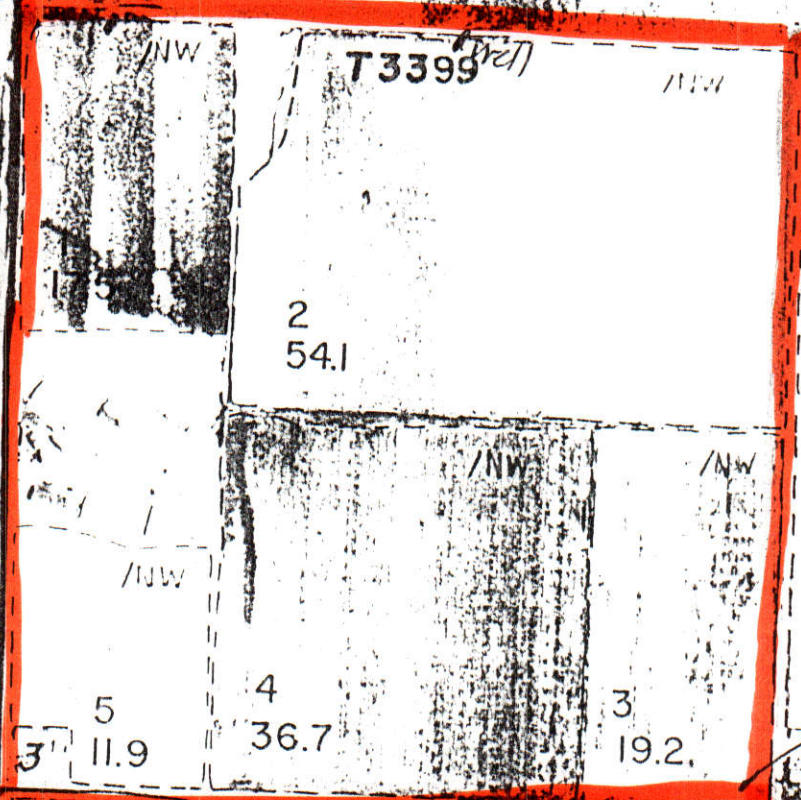


34.1
19.2
36.7
11.9
17.5
139.4



Water Right # C-30910

MICROFILMED

JUN 25 1999

c. Describe the land place of use to which the right will be ferred:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated

4. Describe any other water rights used for the same purpose as described above. None
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)
) ss.
County of Canyon)

Connie Cutberth
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 uninterrupted-
ly 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:

May 27; June 3, 1982

Connie Cutberth
Subscribed and sworn to before me this 3rd
day of June

1982

Janne Lusk
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1985

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
NO. 63-3327 / 48

Notice is hereby given that Naito Farms, Inc. of Rt. 7, Box
7129, Nampa, Idaho has applied to the Department of Water
Resources for a change of the point of diversion of the water of a
groundwater source.

The right sought to be changed is evidenced by License 63-3327
and is recorded as follows:

Amount: 3.0 cfs Priority January 17, 1963

Point(s) of Diversion: NESW, NWSW Sec 3 T1N R2W Canyon
County

The water is used for Irrigation purposes from March 15 to
November 15 upon the lands located in the SW 1/4 Sec 3 T1N R2W.

TO BE CHANGED AS FOLLOWS

Amount: 3.0 cfs

Point(s) of Diversion NESW, SESW Sec 3 T1N R2W

The water will be used for Irrigation purposes from March 15
to November 15 upon lands located in the SW 1/4 Sec 3 T1N R2W.

Any protest against approval of the proposed change of water
right application must be filed with the Department of Water
Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before June
14, 1982.

A. KENNETH DUNN
Director

May 27; June 3, 1982

RECEIVED
JUN 8 1982

Department of Water Resources
Western Regional Office

MICROFILMED

0.95

STATE HWY. NO. 45
TO NAMPA

R-2W

T.
i
N.



75

75

150

c/w

3.2 cfs.

Subdivisions

4

Area

150 acres.

Allow B/U Q =

3.0 cfs or 150 inches

LEGAL NOTICE

NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE.

Notice is hereby given that at 10:00 A. M., on the 28th day of February, 1963, at Caldwell, County of Canyon, State of Idaho, before Wm. J. Brauner, Notary Public, at the Harmon Building, proof will be submitted of the completion of works for the diversion of 3.2 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-30910, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Naito Bros. Rt. No. 1, Box 190, Nampa, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 3.2 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 3.2 cubic feet per second.

4. The points of diversion of said water are NW $\frac{1}{4}$ SW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 3., Twp. 1 N., Rge. 2 W. B. M.

5. The place where said water is used is SW $\frac{1}{4}$ Sec. 3., Twp. 1 N., Rge. 2 W. B. M.

6. The date of priority which said user is prepared to establish is January 17, 1963.

GEORGE N. CARTER
State Reclamation Engineer
Pub. January 31, Feb. 7, 14, & 21.

Affidavit of Publication

STATE OF IDAHO

COUNTY OF CANYON

)
) ss.
)

MAR 13 1963

Department of Reclamation

Theron Gough, being first duly sworn, on his oath deposes and says:

That he is a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years and not a party to the action as per notice attached.

That he is Publisher of

THE PARMA REVIEW

a weekly newspaper published in the City of Parma, County of Canyon, State of Idaho, every Thursday; that the said newspaper is in general circulation in the said County of Canyon, and has been continuously and uninterruptedly printed and published in said county during a period of 78 consecutive weeks prior to the

first publication of the annexed Notice of Proof of
completed works; that said
Proof will be submitted on Feb. 28 being
Notice of proof of completed water works
for beneficial use.

was published in said newspaper in four
consecutive issues in the regular and entire issue of each and
every number of every paper during the period and time of publication, and was printed in the newspaper proper and not in a supplement, said notice having been so published upon the follow-

ing dates: January 31, February 7, 14 & 21.

Theron Gough

Subscribed and sworn to before me, this 28

day of February, 1963.

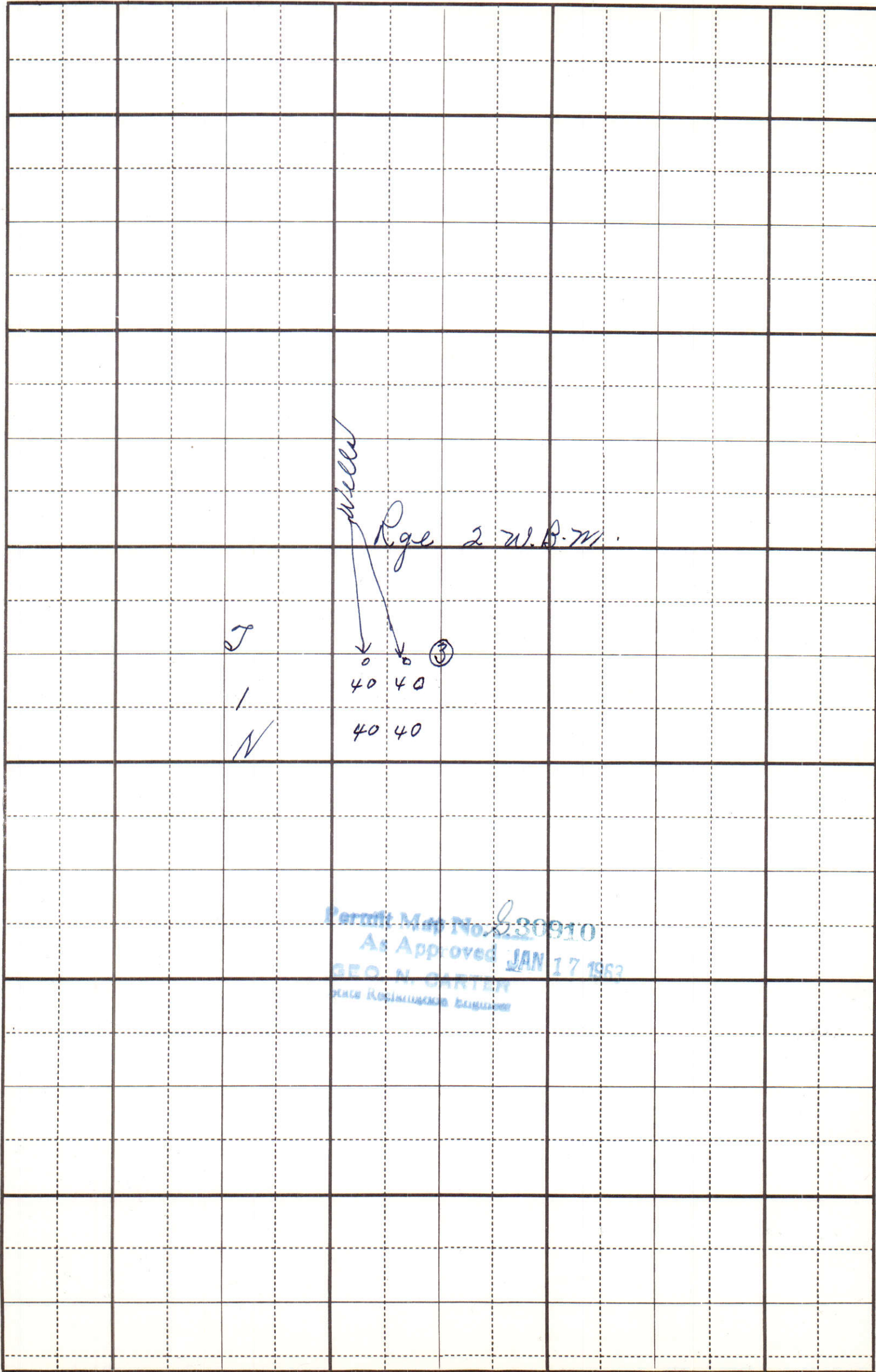
Heidi A. Ladd

Notary Public for Idaho,
Residing at Parma, Idaho

30910

NAME OF APPLICANT Walt Bros.

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

30910

State of Idaho
License and Certificate of Water Right

Water License No. G-30910

Amount 3.0 c.f.s.

Water District No.

Priority January 17, 1963

THIS IS TO CERTIFY that NAITO BROTHERS
of Nampa, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated January 17, 1963; that Permit No. G-30910
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.0 second feet, was issued thereunder on October 8, 1963, showing that said works
were completed on the 28th day of February, 1963; and that on the 28th
day of February, 1963, NAITO BROTHERS

of Nampa, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of 2 wells
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. G-30910 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

12 of Licenses at page 7742, on the 8 day of October, 1963;

The right hereby confirmed dates from January 17, 1963;

The Point of Diversion is located NE $\frac{1}{4}$ SW $\frac{1}{4}$,

in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3, Tp. 1 N., R. 2 W., B. M. Canyon County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 3.0 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 N.	2 W.	3	NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$	40 40 40 40	40 35 35 <u>40</u>
			Total number of acres to be irrigated:		150
			Not over 0.02 cubic feet per second (one miner's inch) shall be diverted from subterranean source for each acre irrigated.		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

8th day of October, 1963.

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

7805

State of Idaho

License and Certificate of Water Right

Water License No. 29643

Amount .36 c.f.s.

Water District No.

Priority April 10, 1961

THIS IS TO CERTIFY that

RAY MASON, Jr.

of Blanchard, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated April 10, 1961; that Permit No. 29643 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.4 second feet, was issued thereunder on February 21, 1962, showing that said works were completed on the 5th day of February, 1962; and that on the 15 day of April, 1963,

RAY MASON, Jr.

of Blanchard, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Unnamed Creek, spring fed, a tributary of sinks, for the purpose of livestock, irrigation & domestic, under Use Permit No. 29643 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 12 of Licenses at page 7741, on the 7 day of October, 1963;

The right hereby confirmed dates from April 10, 1961;

The Point of Diversion is located NE $\frac{1}{4}$ NW $\frac{1}{4}$

in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, Twp. 54 N R. 5 W., B. M. Bonner County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed .36 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
54 N.	5 W.	6	NW $\frac{1}{4}$ NW $\frac{1}{4}$	20	17

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

7th day of October, 1963.

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT 63-3327

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 38990
Permit No. G- 30910
District No.

1. Name of Applicant: **Naito Bros.**
Postoffice address: Rt. 1, Box 190, Nampa County: **Canyon** State: **Idaho**
2. Quantity of water claimed: **3.2 sec. ft.**
 (a) Rate of withdrawal in cubic feet per second or Idaho
 Miners' inches or gallons per minute
 (b) Annual withdrawal in acre feet per annum
3. Source of water supply: **Subterranean**
4. Location of point of diversion or well is in the **NW $\frac{1}{4}$ of the SW $\frac{1}{4}$**
NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section **3**
 Twp. **1 North**, Rge. **2 West**, B.M., County of **Canyon**
5. Water is to be used for: **Irrigation**
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section **3**, Twp. **1 North**, Rge. **2 West**, B.M.
 - (b) Waste water or sewage effluent is to be returned to
 at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section **3**, Twp. **1 North**, Rge. **2 West**, B.M.
7. Kind of works: **2 wells, 2 pumps & motors (elec.), ditches & sprinkler equip. for 20 ac.**
8. Estimated cost of works: **\$ 18,000 for wells; \$10,000 for pumps & motors; \$3000 for sprinkler equip. and \$2,000 for ditching**
9. (a) Is reservoir to be used? **No**
 (b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is **5** years. **NOW COMPLETE**
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
 (b) Amount of capital stock: \$
 (c) Amount paid in: \$
 (d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
 (b) Treasury stock: (c) Bonds to be issued:
 (d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:
Use rights established in 1953
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) **3.2** (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks:

25

Applicant.

Agent.

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 30910

Recorded in Book 108 Page 30910 Approved January 17, 1963

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before

and to continue diligently and uninterruptedly to completion, unless

temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before **July 17, 1965**

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before **January 17, 1968**

Witness my hand this 17th day of January, 1963

s/ CARL E. TAPPAN, Assistant
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. MYLIE, Governor of the State of Idaho,
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 17th
day of January, 1963.

Countersigned:

STATE OF IDAHO

(SEAL)
By s/ ARNOLD WILLIAMS

By s/ ROBERT E. SMYLLIE
Governor

12.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
1 North	2 West	3									40	40	40	40					160
Permit No. G-30910 CERTIFICATE OF COMPLETION OF WORKS																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that NAITO BROTHERS of Rt 1, Box 190, Nampa, County of Canyon, and State of Idaho, the holder of Permit No. G-36910, issued upon Application No. G-38990 bearing date of priority of January 17, 1963, authorizing the diversion of 3.2 second feet of waters of 2 wells County of Canyon, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the work of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 3.0 second feet of the waters of 2 wells from subterranean flow; that the point of diversion said waters NE¹/₄SW¹/₄, NW¹/₄SW¹/₄, Sec. 3, T. 1 N., R. 2 W., B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 150 acres in the SW¹/₄, Sec. 3, T. 1 N., R. 2 W., B.M. Witness my hand this 8th day of October, A. D. 1963. /s/ RALPH W. THOMAS Deputy State Reclamation Engineer Proof of Completion of Works Made: February 28, 1963 LICENSE ISSUED FOR 3.0 SEC. FT. page 7742																			

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

MAY 20 1999

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Department of Water Resources

Incomplete forms will be returned.

1. Water Right Number(s) 63-10624 63-03327
Adjudication Claim Number(s) _____
2. The following **REQUIRED** information must be submitted with this form.
- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
- B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
- C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) BRANDT AGENCY Inc, ~~Don Brandt~~
~~Jean Brandt & Marilyn Brandt~~ + JTB Farms
4. New Owner/Claimant(s) Brandt Agency Inc, Don Brandt, Jean Brandt
New Mailing Address + Marilyn Brandt 203 11th Ave S.
City, State and ZIP Code Nampa, ID 83651
New Telephone Number (208) 466-7821
5. Date you acquired the property as per deeds
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) Don Brandt, Jean Brandt by Date 5-4-99
Don Brandt POA, Marilyn
Brandt by Don Brandt POA Date _____
+ Brandt Agency by Don Brandt

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

JUN 25 1999

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights, and, if a required claim for the water right has not been filed, to file the needed claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believe there are water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector "and", "or" or "and/or". If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign, however only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

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

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

PN 30725

9412491

RECEIVED

MAY 20 1999

4340

0

0.7

WARRANTY DEED Department of Water Resources

W.A.
J.M.
S.M.
FOR VALUE RECEIVED, ~~MITTS NAITO and JOYCE NAITO, husband~~
~~and wife, HIROSHI NAITO and~~ NAITO FARMS, INC., the Grantors, do
hereby grant, bargain, sell and convey unto HARMON JOHNSON and
ELIZABETH JOHNSON, the Grantees, whose address is 5457 Willow Lane,
Nampa, Idaho, the following described premises, including any
homestead claim pursuant to the Idaho Homestead Law, Idaho Code,
Section 55-1001, et seq., to-wit:

See the legal description attached hereto as
Exhibit "A" and made a part hereof together
with a well with 50 H.P. pump and 40 H.P.
booster pump and motor with electric panel and
a well with a 100 H.P. pump with a 25 H.P.
booster and a 15 H.P. booster and motor and
electric panel on the real property. Two (2)
Trimatics, four (4) wheel lines, five (5) hand
lines and all buried and portable main lines
on that real property.

SUBJECT TO terms and conditions of contracts
between United States of America, Nampa-
Meridian Irrigation District and individual
owners pertaining to water rights;

SUBJECT TO United States patent restrictions
and/or State of Idaho deed restrictions;

SUBJECT TO all taxes and assessments for the
year 1994 and all subsequent years;

SUBJECT TO any easements or rights-of-way of
record and/or usage.

TO HAVE AND TO HOLD the said premises, with their
appurtenances, unto the said Grantees, their heirs and assigns,
forever. And the Grantors do hereby covenant to and with the said
Grantees that they are the owners in fee simple of said premises;

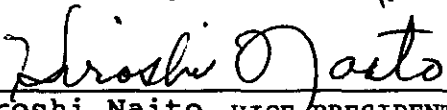
1.0

that said premises are free from all encumbrances save and except as above set forth; and that they will warrant and defend the same from all lawful claims whatsoever.

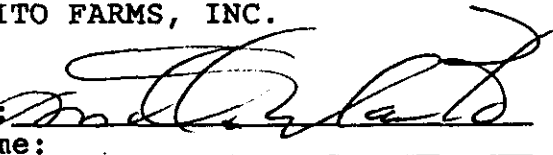
DATED this 27 day of April, 1994.


Mitts Naito, PRESIDENT


Joyce Naito, SECRETARY


Hiroshi Naito, VICE PRESIDENT

NAITO FARMS, INC.

By: 
Name: _____
President

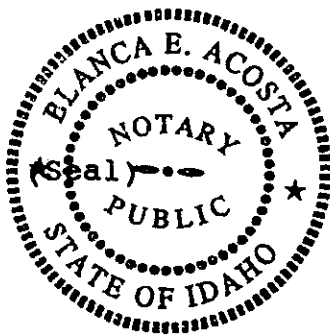

ATTEST:

Name: _____
Secretary 
(Seal)

STATE OF IDAHO)
 : ss
County of Canyon)

On this 27th day of April, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared MITSUO NAITO and JOYCE NAITO AND HIROSHI NAITO, known to me to be the President and Secretary, & VICE PRESIDENT, respectively, of Naito Farms, Inc., an Idaho corporation, the corporation that executed the within and foregoing instrument, and acknowledged to me that said corporation executed the same.

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



Blanca E. Acosta
Notary Public for Idaho
Residing at Nampa, Idaho
GREENLEAF

Exhibit "A"

All of the Southwest Quarter of Section 3,
Township 1 North, Range 2 West of the Boise
Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM:

A parcel of land being a portion of the West-
Half of the Southwest Quarter of Section 3,
Township 1 North, Range 2 West of the Boise
Meridian, Canyon County, Idaho, and more
particularly described as follows:

Beginning at an iron pin marking the Southwest
corner of the Southwest Quarter of Section 3,
Township 1 North, Range 2 West of the Boise
Meridian, Canyon County, Idaho; thence along
the Westerly boundary of the said Southwest
Quarter of Section 3, said Westerly boundary
also being the centerline of State Highway 45,
North 00°00'00" East 967.62 feet to a p.k.
nail; thence leaving said Westerly boundary
and centerline

South 75°54'20" East 34.02 feet to an
iron pin on the Easterly right-of-way of State
Highway 45, said iron pin being the REAL POINT
OF BEGINNING; thence continuing

South 75°54'20" East 461.24 feet to an
iron pin; thence

North 78°45'37" East 87.84 feet to an
iron pin; thence

North 86°45'19" East 139.21 feet to an
iron pin; thence

North 00°44'31" West 214.54 feet to an
iron pin; thence

North 50°32'25" West 867.43 feet to an
iron pin on the Easterly right-of-way of State
Highway 45; thence along said right-of-way

South 00°00'00" East 678.48 feet to the
POINT OF BEGINNING.

SUBJECT TO AN EASEMENT AS FOLLOWS:

A 10.00 foot waterline easement lying 5.00
feet on either side of the following described
centerline;

Beginning at an iron pin marking the Southwest
corner of the Southwest Quarter of Section 3,
Township 1 North, Range 2 West, Boise
Meridian.

MICROFILMED

JUN 25 1999

thence along the Westerly boundary of said Southwest Quarter of Section 3, said Westerly boundary also being the centerline of State Highway 45, North 00°00'00" East 1664.98 feet to a p.k.nail;

thence leaving said Westerly boundary and centerline South 50°32'25" West 49.22 feet to a point, said point being the REAL POINT OF BEGINNING;

thence North 00°00'00" East 977.26 feet to a point,

thence North 90°00'00" East 1612.78 feet to a point, said point being on the point of ending.

9412491

RECORDED

'94 APR 27 PM 4 32

NED J. KERR

CANYON CNTY RECORDER

BY *John D. [unclear]*

PIONEER — NAMP

REQUEST
TYPE *Deed* FEE *15.00*

MICROFILMED

JUN 25 1999

State of Idaho
License and Certificate of Water Right

Water License No. G-30910

Amount 3.0 c.f.s.

Water District No.

Priority January 17, 1963

THIS IS TO CERTIFY that NAITO BROTHERS
of Nampa, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated January 17, 1963; that Permit No. G-30910
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.0 second feet, was issued thereunder on October 8, 1963, showing that said works
were completed on the 28th day of February, 1963; and that on the 28th
day of February, 1963, NAITO BROTHERS

of Nampa, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of 2 wells
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. G-30910 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
12 of Licenses at page 7742, on the 8 day of October, 1963;
The right hereby confirmed dates from January 17, 1963;

The Point of Diversion is located NE $\frac{1}{4}$ SW $\frac{1}{4}$,
in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3, Twp. 1 N., R. 2 W., B. M. Canyon County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 3.0 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 N.	2 W.	3	NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	35
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	35
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
Total number of acres to be irrigated:					150
Not over 0.02 cubic feet per second (one miner's inch) shall be diverted from subterranean source for each acre irrigated.					

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

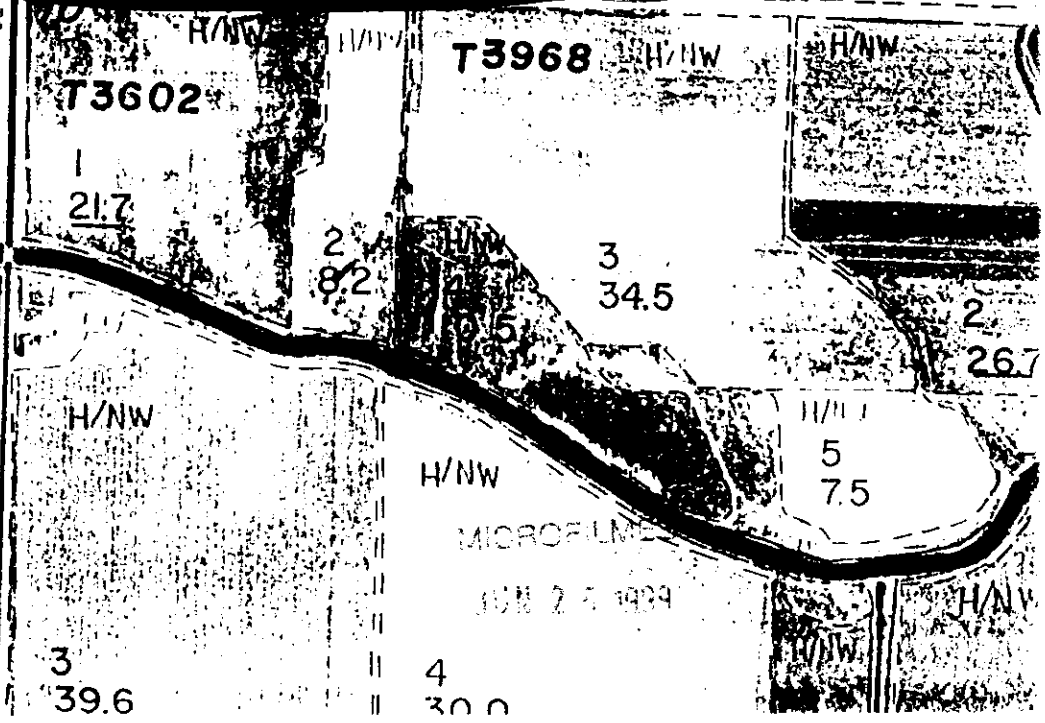
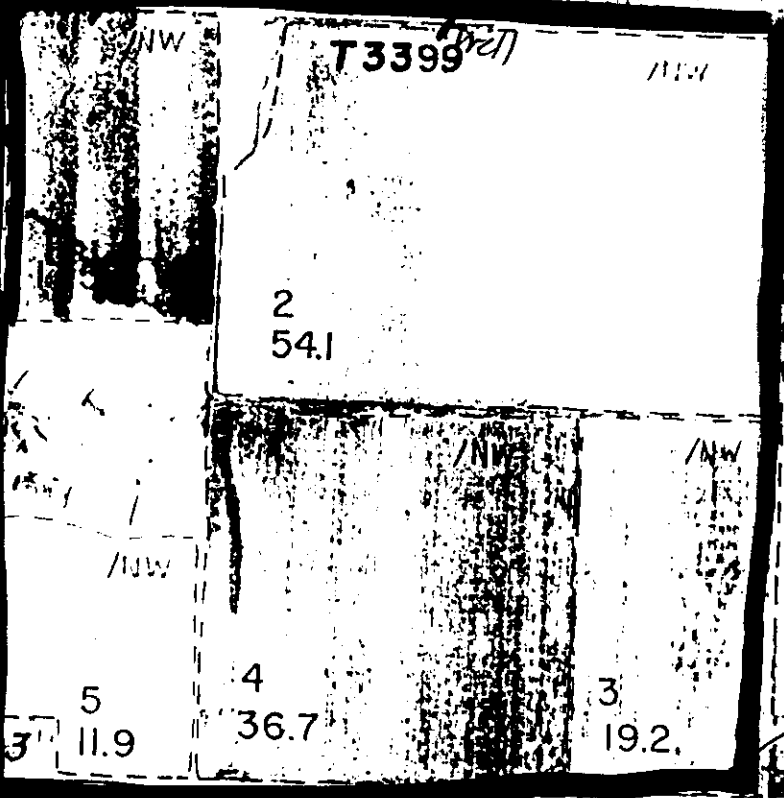
8th day of October, 1963.

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

34.1
19.2
36.7
11.9
17.5

134.4



Water Right # C-5890

MICROFILM

JUN 24 1989

3
39.6

4
30.0

H/NW

Transfer No. 2701
Water Right No. 63-3327

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROVED
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Naito Farms Inc. Phone _____
Post Office address Rt 7, Box 7129, Nampa, Id.

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____ (Name of court)
- b. License No. 63-3327 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
3. Source of water Groundwater tributary to _____
4. Date of priority Jan. 17, 1963
5. Water is used for the following purposes:
amount 3.0 cfs for Irrigation purposes from 3/15^{6LS} to 11/15^{6LS}
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____ (month/day — both dates inclusive)
6. Total amount of water under right: a. 3.0 cubic feet per second &/or
b. _____ acre feet per annum
7. Location of original point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 3
Township 1N Range 2W, B.M., in Canyon County
Additional points of diversion, if any NW SW - sec 3, TIN, R2W.
8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
1N	2W	3									40	35	35	40					150

Total number of acres to be irrigated 150

9. Describe any other water rights used for the same purpose as described above None
10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

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

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

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

1. General Information

- a. Amount of water to be diverted 3.0 c.f.s. &/or _____ acre feet
- b. Description of diverting works Wells & pumps
- c. Describe the reasons for the proposed changes The well in the NWSW has caved in.

2. Change in point of diversion

Point of diversion NE ¼ SW ¼, Section 3 Township 1N
Range 2W, B.M., Canyon County
Additional points SE & SW

3. Change in place of use

No Change

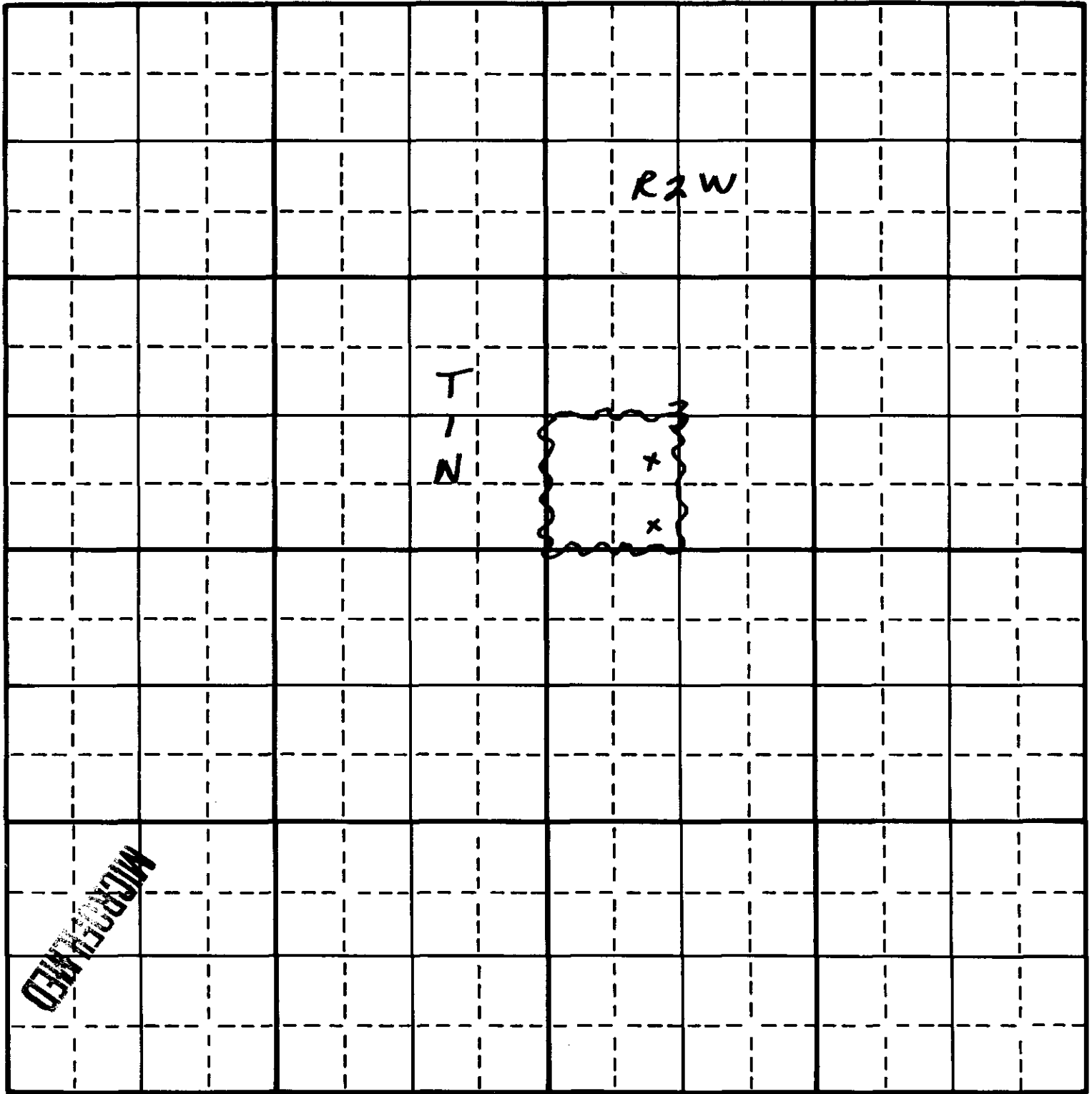
- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No _____. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

c. Describe the largest place of use to which the right will be carried:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

4. Describe any other water rights used for the same purpose as described above. None
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



D. REMARKS

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

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

Subscribed and sworn to before me this 28th day of April, 19 82

[Signature]
(Signature of Applicant)
Lyle Glen Saxton
(Notary Public)

My commission expires 11-25-82

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 63-3327 and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 4th day of August, 19 82

L. Glen Saxton
Chief, Operations Bureau

4-29-82 FOR DEPARTMENT USE ONLY

Received by <u><i>[Signature]</i></u>	Date <u>4-28-82</u>	Protest filed by _____
Prelim. check by _____	Fee <u>50⁰⁰</u>	
Receipted by <u><i>[Signature]</i></u>	Date <u>4-28-82</u>	# <u>22762</u>
Published in <u>Grand trib</u>		Copies of protest forwarded by _____
Pub. dates <u>5/27 & 6/3/82</u>		Hearing held by _____ Date _____
Watermaster recommendation requested on _____		Recommended for <u>approval</u> denial
_____ rec'd. _____		by <u>DBS Jim DKT</u>

MICROFILMED

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)
) ss.
County of Canyon)

Connie Cutberth
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 uninterrupted-
ly 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:

May 27; June 3, 1982

RECEIVED
JUN 8 1982

Department of Water Resources
Western Regional Office

Connie Cutberth

Subscribed and sworn to before me this 3rd
day of June

19 82

Joanne Luck
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1985

MICROFILMED



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

June 21, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BRANDT AGENCY INC
JOAN BRANDT
DON BRANDT
MARILYN BRANDT
203 11TH AVE S
NAMPA ID 83651

RE: Water Right 63-03327

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right 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 as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

LGS L. GLEN SAXTON, Chief
Water Allocations Bureau

LGS:klt

Enclosure

cc: IDWR-Western Region

MICROFILMED

JUN 25 1999

August 12, 1982

RE: Water Right No. 63-3327

Haito Farms Inc.
Route #7, Box 7129
Hampa, ID 83651

Gentlemen:

Enclosed is a copy of your approved application for transfer of the above referenced water right (Transfer No. 2701).

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:kw
Enclosure

RECEIVED
AUG 15 1982
WATER RIGHTS SECTION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: GLS

1. Right number 63-3327 Applicant Na, to Farms, Inc.
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☒ All of right.
 - b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred.
 - h. ☒ Check for expansion in use of right. Comments None
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) _____
 - j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No
If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No 5/27 & 6/3/82 Press. trib
\$0.00 / 22762
3. Protest received? ☐ Yes ☐ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny

Conditions* N/A

RECEIVED
JUN 13 1982

Department of Water Resources

4. By DBS Date 6/14/82

* All uses within Watermaster Districts require special conditions.

MICROFILMED

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 63-3327

Notice is hereby given that Naito Farms, Inc.
of Rt. 7, Box 7129, Nampa, ID. has applied to the Department of Water
Resources for a change of the point of diversion
of the water of a groundwater source

The right sought to be changed is evidenced by License 63-3327

and is recorded as follows:

Amount: 3.0 cfs Priority 1/17/1963

Point(s) of Diversion: NESW, NWSW Sec 3 T1N R2W Canyon Co.

The water is used for Irrigation purposes from 3/15 to
11/15 upon the lands located in the SW $\frac{1}{4}$ Sec 3 T1N R2W

TO BE CHANGED AS FOLLOWS

Amount: 3.0 cfs

Point(s) of Diversion NESW, SESW Sec 3 T1N R2W

The water will be used for Irrigation purposes from
3/15 to 11/15 upon lands located in the SW $\frac{1}{4}$ Sec 3 T1N R2W

Any protest against approval of the proposed change of water right appli-
cation must be filed with the Department of Water Resources, 92 S. Cole Road,
Boise, Idaho 83709 on or before June 14, 1982

A. KENNETH DUNN
Director

Published in the Press-Tribune

on 5/27 and 6/3/82

RECEIVED
MAY 27 1982

500 - June 20-62

State of Idaho
DEPARTMENT OF RECLAMATION

Boise, Idaho
September 30, 1963

Re: Permit No. G-30910
Naito Bros.
Rt 1, Box 190
Nampa, Idaho

Dear Sirs:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-30910 shows the well is (are) capable of conveying 150 miner's inches, or 3.0 c.f.s. of water for the irrigation of 150 acres.

Upon receipt of the statutory fees, totaling \$ 13.00, which consists of a Completion of Works fee of \$ 5.00 and License and Certificate of Water Right fee of \$ 8.00 - based at the rate of \$2.00 for each 40-acre subdivision - we will issue the Certificate of Completion of Works and the License and Certificate of Water Right confirming the right, with priority of January 17, 1963 to the use of 3.0 second feet of subterranean water with the point of diversion in the NW 1/4 SW 1/4, Sec. 3, T. 1 N., R. 2 W., B.M. for irrigation of 150 acres in the SW 1/4, Sec. 3, T. 1 N., R. 2 W., B.M..

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

30910

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-30910

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Naito Bros.
2. Source of water supply: Subterranean
3. Location of point of diversion: Is in the NW 1/4 SW 1/4 & NE 1/4 SW 1/4 of Section 3
T. 1 N R. 2 W.B.M. County of Canyon

A. Describe works as they exist, giving dimensions and capacities of same: _____

- #1- 50 HP G.E. Motor SKJ 406013: Layne Bowler Pump # 19701. 8" X ? column. 8" discharge reduced to 6" orifice welded to end of pipe. 6' dia. X 2.5' deep concrete block spillbox, 10" outlet to open ditch. 8" x 16" spillway top south side of box to a 42" X 26" X 29" metal stock tank with a 6" outlet to a booster pump for a sprinkler system, 15HP G. E. Motor #SSJ508292, 4" X 3" centrifugal pump (motor and pump one unit) 3" discharge to a 5" portable mainline, 45 3/16" nozzles
5. Well- 12" X 385', 12" X ~~4~~ casing H: 155'.
6. #2- 100 HP U.S. Holloshaft Motor #1185555, Johnston Pump #JO 3513 8" X ? column. 8" discharge pipe with a 8" Gate Valve to a 8' X 8' X 3' concrete block spillbox to open ditch.
7. Well- 16" X 500' with 16" casing. H: 168'

See logs in file

30910

mber

other

than irrigation):

SW 1/4 Sec. 3., Twp. 1 N., Rge. 2 W.B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: Mr. Mitts Naito along

Measured by Sparling Meter.

#1- 3 Rev. 3 min. - 19 Sec. = $1.57 \times .97 = 1.54 \text{ cfs}$ 77 in.
#2- 5 Rev. 2 min. - 50 Sec. = $2.94 \times .97 = 2.85 \text{ cfs}$ 142 in.
 4.39 cfs 219 in.

This examination was made on the 26th day of September, 1963

(Signed)

Layne Johnson

Examiner.

30910

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Tl

1.

2.

3.

4.

5. Water is used for: Irrigation6. State whether or not water has been turned into works of diversion: yes.

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SW¹ Sec. 3., Twp. 1 N., Rge. 2 W.B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Remarks: Mr. Mitts Waite along

Measured by Sparling Meter.

#1 - 3 Rcy. 3 min - 19 Sec = 1.57 X 102 = 1.54 cfs 77 inch

#2 - 5 Rcy 2 min - 50 Sec = 2.94 X .97 = 2.85 cfs 142 in
4.39 cfs 219 in

This examination was made on the 26th day of September, 1963

(Signed)

Layne Johnson

Examiner.

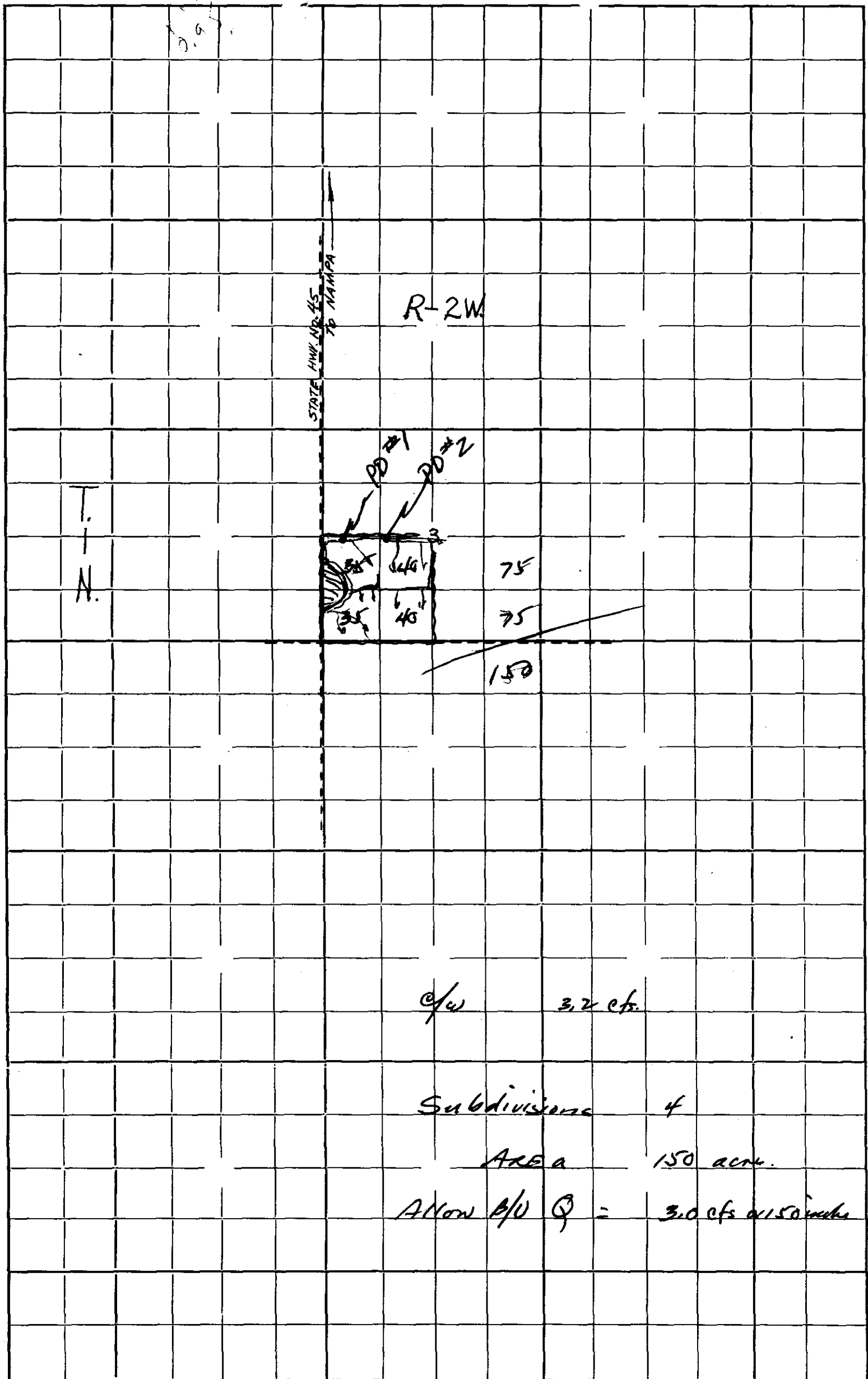
30910

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

Department of Reclamation

Other Rights: the rights established
in 1953(?)

$$\begin{array}{r} 3 \text{ Rev} - 3 \cdot 19 = 151 \times 102 = 15468 \\ \begin{array}{r} 14262 \\ 77 \\ \hline 21912 \\ 150 \\ \hline \end{array} \end{array}$$



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

30910

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-30910

REPORT ON PROOF OF Completion of Works & Beneficial Use

Naito Bros. Rt. #1, Box 190, Nampa, Idaho

30910

October 8, 1963

RE: Permit No. G-30910

Naite Brothers
Rt 1, Box 190
Nampa, Idaho

Gentlemen:

Enclosed are the Certificate of Completion of Works and
17dx 3.00
License and Certificate of Water Right on the above numbered
permit.

Also enclosed is departmental receipt No. G-8290 in the
amount of \$13.00 covering the fees.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. license
certificate
receipt

30910

1M April 1962

March 14, 1963

Re: Permit No.

C-30910

**Naite Brothers
Rt. #1, Box 190
Nampa, Idaho**

Gentlemen:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Parna Review, all submitted in proof of completion of works and beneficial use on Permit No. **C-30910.**

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours ,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

**cc: Wm. J. Brauner
Brauner & Fuller
Attorneys
Western Building
Caldwell, Idaho**

30910

Feb-28-1963

10:00 A.M.

Appointment

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAR 13 1963

Department of Reclamation

Permit No. G-30910

Proof of Application of Water to Beneficial Use
AND COMPLETION OF WORKS

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Naito Bros. - Mitts Naito and Hiroshi Naito
Rte. 1, Box 190, Nampa, Idaho

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. _____

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. G-30910 - January 17, 1963; Same

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. 1 well is in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 3, Twp. 1 North, R2W, B.M. Canyon County, Idaho
1 well is in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 3 Twp. 1 North, R2W, B.M. Canyon County, Idaho
2 wells are source of supply of water.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Well on NW $\frac{1}{4}$ SW $\frac{1}{4}$ is 385 ft deep, 12 inch casing,
155 ft. static level (depth to water 155 ft.); well on NE $\frac{1}{4}$
SW $\frac{1}{4}$ is 500 ft deep, 16 inch casing; depth to water
168 ft. Pumps both have 8 inch discharge

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water is used for irrigation of entire SW $\frac{1}{4}$ Sec. 3
Twp. 1 North, R2W, B.M. in canyon county, Idaho, consist-
ing of 160 acres. This is cultivated row crop land.

Ques. 6-a If this is a ground water permit, give name and address of person that drilled the well.

Ans. 385 ft Well drilled by Leonard Davis 273 Davis Ave. Nampa, Ida
500 ft Well drilled by Russel Cowe 1514 Longmont, Boise, Ida
Dep on

30910

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. NONE

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. NONE

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. Not Applicable

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. All water from both wells has been used since 1959 to irrigate 160 acres in SW 1/4 Sec. 3, Twp 1N, R 2W, BM in Canyon County, Idaho

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. NONE

(Sign) Mattie White

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Caldwell, County of Canyon, State of Idaho, on this 28th day of February, A. D. 1963.

My commission expires

June 12, 1965

Wm J. Brauer

Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Permit No. G30910

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

AND COMPLETION OF WORKS

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case

Ques. 1. State your name, age, residence, occupation and postoffice address:

Russel Cowe 48 yrs, 1514 Longmont Boise, Idaho
Well drilling Contractor

Ques. 2. Are you acquainted with Naito Bros. (Mitts Naito and Hiroshi Naito), the holders of
Permit No. G30910 ? Yes How long have you known them and where does they reside:

7 years Route #1 Nampa, Idaho

Ques. 3. Have you read or heard said Permit No. G30910 read, and are you familiar
with its provisions and conditions: Yes: X No: _____

Ques. 4. State source of water supply: Subterranean

State place of diversion: 1 well is in NW 1/4 SW 1/4 Sec. 3 Twp. 1 North, R2W BM Canyon Co.
1 well is in NE 1/4 SW 1/4 Sec. 3 Twp. 1 North, R2W BM, Canyon Co., Idaho

Describe works for conveying water to place of use: 2 irrigation wells, 2 electric
motors and pumps, ditches to fields and sprinkler equip't for 20 acres.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 3.2 sec. ft How much water have you seen being so

conveyed: 3.2 sec. ft.

Ques. 6. If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

<u>NW 1/4 SW 1/4</u>	<u>40 acres</u>	} <u>All in SW 1/4, Section 3, Twp 1 North,</u> <u>R2W, B.M. in Canyon County,</u> <u>Idaho</u>
<u>NE 1/4 SW 1/4</u>	<u>40 acres</u>	
<u>SW 1/4 SW 1/4</u>	<u>40 acres</u>	
<u>SE 1/4 SW 1/4</u>	<u>40 acres</u>	

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Ques. 7. If for power or other purposes than irrigation, state how water has been used:

All for irrigation

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation:

Soil type - Silt loam - nearly level to undulating
One Mibet's inch to the acre.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent: NO - None

Ques. 10. When did you first see this water used: August 1959

Other times you have seen such use: each year since during irrigation
season

(Signed)

Russel Cove

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Caldwell

 , County of Canyon, State of Idaho, on this 28th day of February,
A. D., 1962.

Wm J. Brauner
Notary Public for State of Idaho

Residing: at Caldwell, Idaho

My commission expires:

June 12, 1965

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO
Permit No. G30910

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
AND COMPLETION OF WORKS

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case

Ques. 1. State your name, age, residence, occupation and postoffice address:

Allen E. Hosack, 68, 707 6th Ave. So. Nampa, Idaho
Occupation - well contracting & drilling

Ques. 2. Are you acquainted with Naito Bros. (Mitts Naito and Hitoshi Naito), the holders of
Permit No. G-30910 ^{Yes}? How long have you known ^{them} and where does ^{he} reside:

10 yrs - Route #1 Nampa, Idaho

Ques. 3. Have you read or heard said Permit No. G-30910 read, and are you familiar
with its provisions and conditions: Yes: X No: _____

Ques. 4. State source of water supply: Subterrahnean
State place of diversion: 1 well is in NW¹/₄ SW¹/₄ Sec. 3 Twp. 1 North, Range 2 W, B.M. Canyon City, Idaho
1 well is in NE¹/₄ SW¹/₄ Sec. 3, Twp. 1 North, Range 2 W, B.M. Canyon County, Idaho

Describe works for conveying water to place of use: 2 irrigation wells, 2 electric motors and pumps, ditches to fields and sprinkler equipt for 20 acres.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 3.2 sec. ft. How much water have you seen being so
conveyed: 3.2 sec. ft.

Ques. 6. If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

NW¹/₄ SW¹/₄ - 40 ac.
NE¹/₄ SW¹/₄ - 40 ac.
SW¹/₄ SW¹/₄ - 40 ac.
SE¹/₄ SW¹/₄ - 40 ac. } ALL in SW¹/₄ Section 3, Township 1 North, R 2 W B.M.

30910

Ques. 7. If for power or other purposes than irrigation, state how water has been used:

All for irrigation.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation:

Soil type - Silt loam - Nearly level to undulating
One MINER'S inch to the acre

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent: NO - None

Ques. 10. When did you first see this water used: July 1960

Other times you have seen such use: Every Summer since

(Signed)

Allen C Hosack

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Caldwell

 , County of Canyon, State of Idaho, on this 28th day of February,
A. D., 1962.

Wm J. Brown

Notary Public for State of Idaho

Residing: at Caldwell, Idaho

My commission expires:

June 12, 1965

LEGAL NOTICE

Notice is hereby given that at 10:00 A. M., on the 22nd day of February, 1933, at Caldwell County, of Canyon, State of Idaho, before Wm. J. Newman, County Clerk, at the Harmon Building, plans will be submitted of the proposed of water for the irrigation of 12,000 acres and section of underground water from the proposed irrigation to the south of the project in the Canyon, State of Idaho, and the same will be held until 10:00 A. M. on the 23rd day of February, 1933, at the Department of Irrigation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Natto Iron Mt. Co. 1, Box 222, Nampa, Idaho.

2. Said work of diversion will be fully completed on the date set for the excavation and the filling of the same. Said work will consist of conveying to the place of use 1.5 cubic feet per second.

3. The sum to which said water has been converted for distribution purposes and the amount applied to benefit said water but not used.

STW
W. B.

RECEIVED

3. The rate of activity which said person is engaged in, which is

State Department Building
Park Building, Room 712, N. Y. C. 101

30910

WM. J. BRAUNER
WAYNE P. FULLER

BRAUNER & FULLER
ATTORNEYS AND COUNSELORS AT LAW
Western
MISSION BUILDING
CALDWELL, IDAHO

TELEPHONE
45 9-8961

March 12, 1963

State of Idaho
Department of Reclamation
State Reclamation Engineer
107 State House
Boise, Idaho

Att'n: Mrs. Edna P. Rule
Chief Clerk

Re: Permit No. G-30910

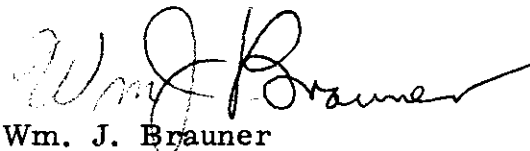
Gentlemen:

We are enclosing herewith the final proof of Permit No. G-30910 for the Naito Brothers (Mitts and Hiroshi) wherein they have claimed water rights to 3.2 second feet of subterranean water. We are, also, enclosing the Affidavit of Publication, the Deposition of the Holder and the two depositions of witnesses, in accord with your letter of January 23, 1963.

The proof was made in my office on February 28, 1963, at 10 A.M., and I hope you will excuse my delay in mailing the papers to your office.

Very truly yours,

BRAUNER & FULLER



By Wm. J. Brauner

WJB/np
Enclosures 4

30910

February 4, 1963

Re: Permit No. G-30910
Naito Brothers

Parma Review
Parma, Idaho

Gentlemen:

On January 23, 1963, we mailed you a Notice of Publication requesting that a copy or tear sheet be mailed of the first publication for checking purposes.

To date we have not received such copy and ask that one be mailed to this office as soon as possible.

Thank you.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

H. PETRI
Water Rights Clerk

HP:cw

30910

January 23, 1963

Re: Permit No. G-30910

Naito Bros.,
Rt. 1, Box 190,
Nampa, Idaho.

Gentlemen:

We enclose Permit No. G-30910 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

~~We also enclose~~ Departmental Receipt No. G-7666 which was issued covering payment in the amount of \$5.75 for the filing fee of the above mentioned permit, ~~was given~~ to you while in our office.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:pmk
Encl.

30910

January 23, 1963

Re: Permit No. G-30910

Naito Bros.,
Rt. #1, Box 190,
Nampa, Idaho.

Gentlemen:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-30910. The proofs are to be made at 10:00 o'clock A.M., on the 28th day of February, 1963, before Wm. J. Brauner, Harmon Building, Caldwell, Idaho, Notary Public.

As of this date we have mailed the Notice to the Parma Review Parma, Idaho, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the affidavit of publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the Affidavit of Publication.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

Enc.
EPR:pmk
cc: Notary

30910

1200
6-28-61 ..

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Re: Permit No. G-30910
Naito Bros.

Date: January 23, 1963

Parma Review,
Parma, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **February 28, 1963** the date set for proof; the expense of the publication is to be paid by the applicant

Naito Bros.

of Rt. #1, Box 190, Nampa, Idaho

to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the first publication.**

Very truly yours,



GEO. N. CARTER
State Reclamation Engineer

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

Encl.

30910

RECEIVED
JAN 22 1963

Department of Reclamation
NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) January 22, 1963
(P. O.) Naito Brothers, Rt. #1, Box 190, Nampa, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
The Parma Review of Parma, Idaho published in
the county in which the works are situated.

Naito Bros.
by Mitto Naito

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.

30910

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
JAN 22 1963
Department of Reclamation

Notice is hereby given that at 10:00 A. M., on the 28 day of February 1963, at Caldwell, County of Canyon, State of Idaho, before Wm. J. Brauner, Notary Public, at (address) Harrison Building, proof will be submitted of the completion of works for the diversion of 3.2 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-30910, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Naito Bros. Rt. #1, Box 190, Nampa, Idaho

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 3.2 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 3.2 cubic feet per second.

4. The points of diversion of said water ~~are~~ are NW¹SW¹ Sec. 3.,
Twp. 1 N., Rge. 2 W.B.M.

5. The place where said water is used is SW¹ Sec. 3., Twp. 1 N., Rge. 2 W.B.M.

6. The date of priority which said user is prepared to establish is January 17, 1963.

GEO. N. CARTER
State Reclamation Engineer

30910

January 18, 1963

RE: Permit No. G-30910

H. Naito
Rt 1
Nampa, Idaho

Dear Mr. Naito:

Enclosed is your copy of the log on the older of your two wells.
The information has been transferred to one of our log forms.

Upon searching our file of incomplete well logs we found the log on
your well that was drilled by Russel Cows. It did not have the location
on it and since there was no permit in your name we could not file it
properly.

Both logs will now be filed in the Canyon County Log Book.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Ralph W. Thomas
Deputy State Reclamation Engineer

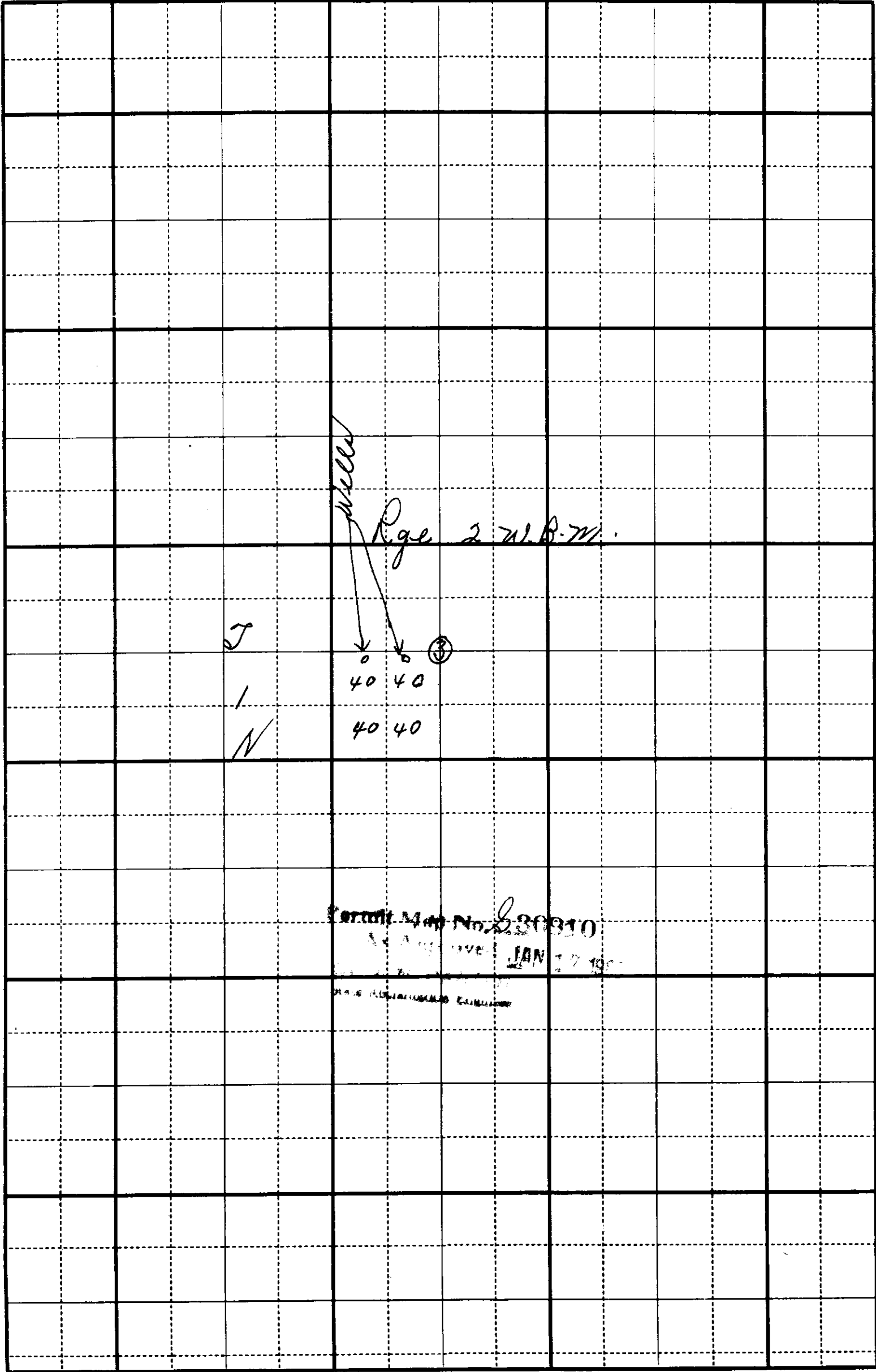
RWT:mr

Enc. well log

30910

NAME OF APPLICANT Nail Bros.

Form No. 0



SCALE: 2 inches Equal 1 Mile. Draw Plan in Ink.

30910

NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE.

Notice is hereby given that at 10:00 A. M., on the 28th day of February, 1963, at Caldwell, County of Canyon, State of Idaho, before Wm. J. Brauner, Notary Public, at the Harmon Building, proof will be submitted of the completion of works for the diversion of 3.2 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-30910, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Naito Bros. Rt. No. 1, Box 190, Nampa, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 3.2 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 3.2 cubic feet per second.

4. The points of diversion of said water are NW $\frac{1}{4}$ SW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 3, Twp. 1 N., Rge. 2 W. B. M.

5. The place where said water is used is SW $\frac{1}{4}$ Sec. 3, Twp. 1 N., Rge. 2 W. B. M.

6. The date of priority which said user is prepared to establish is January 17, 1963.

GEORGE N. CARTER
State Reclamation Engineer
Pub. January 31, Feb. 7, 14, & 21.

Be Sure To Mail
Forms 36+11
with Permit