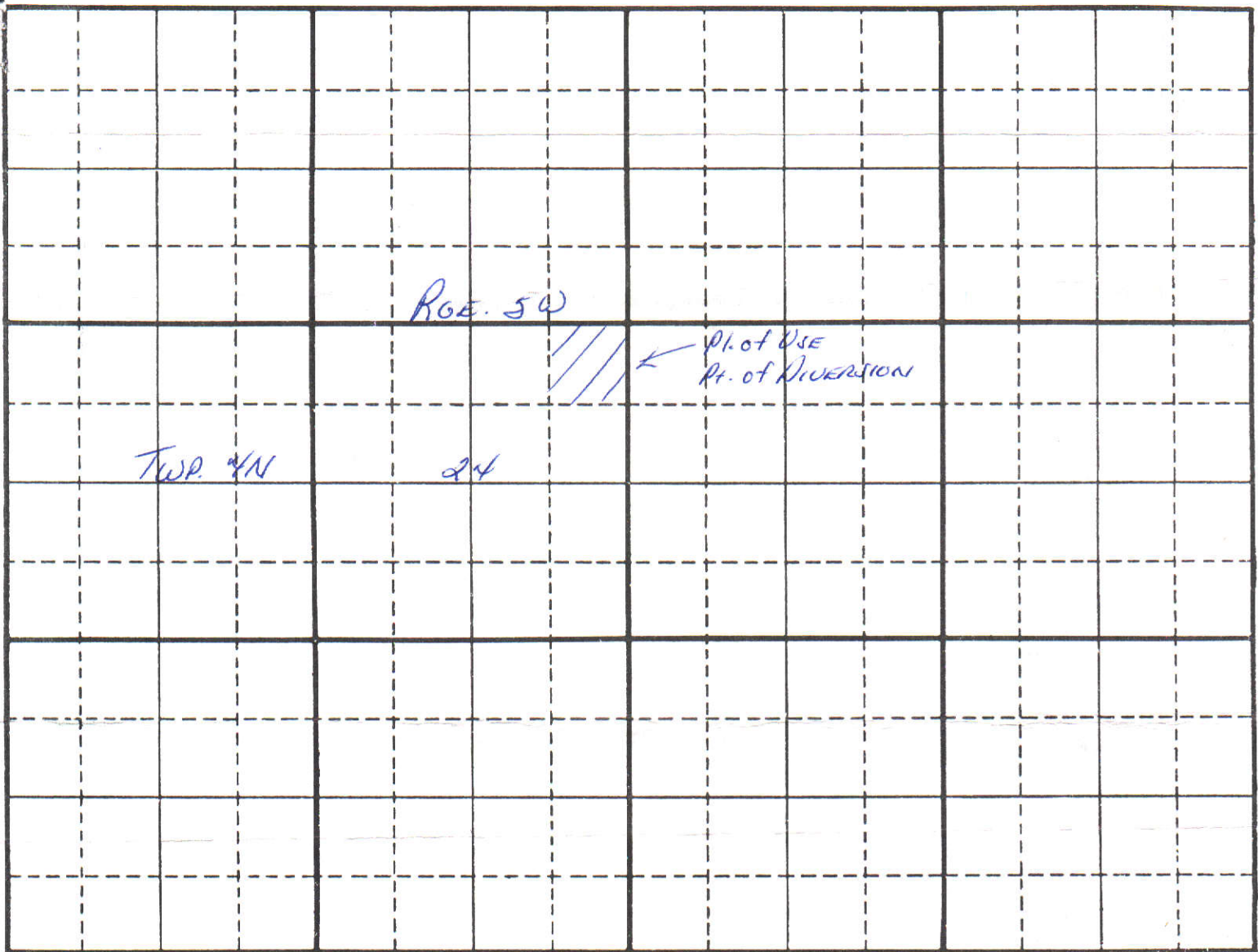


(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Owyhee) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 10th day of September, 1985.
Tom M. Mearns (Claimant) BOOKKEEPER
ALLEDALE PRODUCE CO.

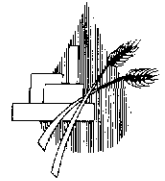
Leta M. Chaffey
Notary Public
Residing at Emmetdale

My commission expires 3/1/88

FOR DEPARTMENT USE ONLY
Received by mm Date 9-11-85 Exception filed by: _____ Date _____
Prelim. check by mm Date 5-29-86
200.00 Fee received by mm Date 5/20/86
Published in Press-Tribune
Dates 6/19 & 6/26/86

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that ALLENDALE PRODUCE COMPANY & OREGON SHORT LINE RAILROAD & UNION
(Name of Claimant) PACIFIC RAILROAD CO
PO BOX 1060 HOMEDALE, IDAHO 83628 Telephone No. (208) 337-3003
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) XXXXXX 1941

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

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
GROUND WATER tributary to _____

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

	(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>.04</u>	Use <u>DOMESTIC</u>	Period of Use From <u>JAN. 1</u>	To <u>DEC. 31</u>
Quantity	<u>.04</u>	Use <u>FIRE PROTECTION</u>	Period of Use From <u>JAN. 1</u>	To <u>DEC. 31</u>
Quantity	_____	Use _____	Period of Use From _____	To _____
Quantity	_____	Use _____	Period of Use From _____	To _____
Quantity	_____	Use _____	Period of Use From _____	To _____

(4) .08 TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
N 1/4 NE 1/4 Sec. 24 Twp. 4N Rge. 5W B.M., County of CANYON
Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. WELL WATER FOR DOMESTIC USE.

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

T	R	SEC.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
<u>4N</u>	<u>5W</u>	<u>24</u>	<u>X</u>																

No. of acres _____

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

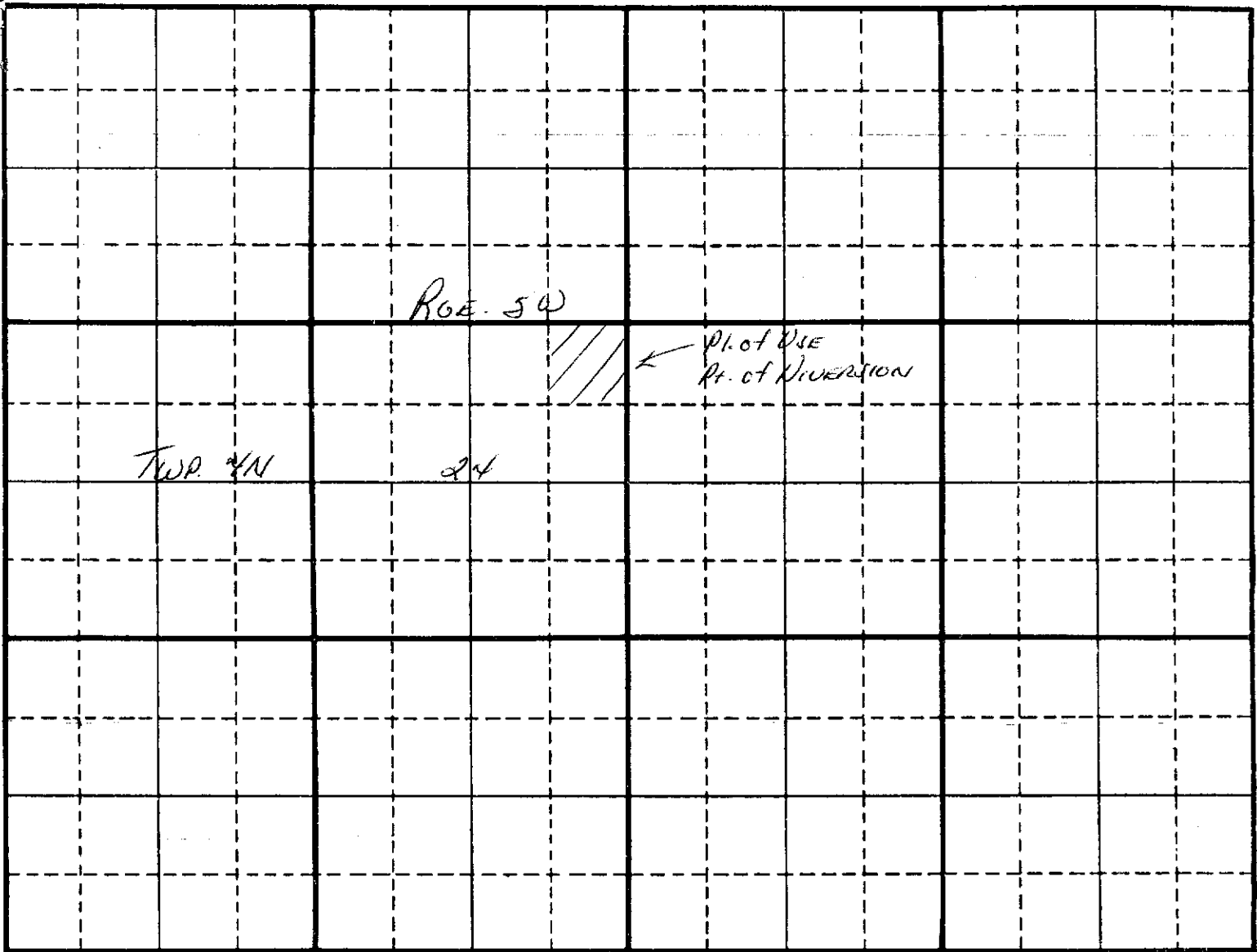
THIS IS A DRY ONION PACKING SHED AND THE WATER IS FOR DRINKING AND
RESTROOM FACILITIES AS WELL AS FOR FIRE PROTECTION.

NOTE: Include here the type and number of stock watered: _____

(7) If you are claiming water as a member of an organization, list name of organization: _____

WATER

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Camille) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 10th day of September, 1985.

Tony Myranda
(Claimant) BOOKKEEPER
ALLENDALE PRODUCE CO.

Leslie M. Chaffey
Notary Public
Residing at Hemellock

My commission expires 3/1/88

5-19-86 FOR DEPARTMENT USE ONLY

Received by mm Date 9-11-85 Exception filed by: _____ Date _____
Prelim. check by mm Date 5-29-86 Forwarded to claimant by: _____
\$30.00 fee received by SP Date 5/20/86
Published in Press-Tribune
Dates 6/19 & 6/26/86

**NOTICE OF CLAIMS
TO WATER RIGHTS**

The following claims have been
filed on water rights created by
diversion and beneficial use:

63-5381

SMEED, RALPH
1617 IDAHO AVE., CALDWELL
ID 83605

Source: GROUNDWATER
Diversion Pt: NENW Sec 25 T 04N
R 03W

Use: DOMESTIC (0.020 CFS)

Date Filed: January 1, 1930

In: NENW Sec 25 T 04N R 03W

63-5382

SMEED, RALPH
1201 S. KIMBALL, CALDWELL
ID 83605

Source: GROUNDWATER
Diversion Pt: NENW Sec 25 T 04N
R 03W

Use: DOMESTIC (0.040 CFS)

Priority Date: January 1, 1930

In: NENW Sec 25 T 04N R 03W

63-5383 1/2

OREGON SHORT LINE
RAILROAD
UNION PACIFIC RAILROAD CO.
ALLENDALE PRODUCE CO.
P.O. BOX 1060, HOMEDALE,

83628

Source: GROUNDWATER
Diversion Pt: NENE Sec 24 T 04N
R 05W

Use: DOMESTIC (0.040 CFS)
FIRE PROTECTION (0.040
CFS)

Priority Date: January 1, 1941

In: NENE Sec 24 T 04N R 05W

Exceptions to a claim may
filed with the Director, Dept. of
Water Resources, Western Region
Statehouse, Boise, Idaho 83720.

KEN DUNN

Director

July 19, 26, 1986

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)

) ss.

County of Canyon)

Karin Kimura

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 uninter-
ruptedly 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:

June 19, 26, 1986

Karin Kimura
Subscribed and sworn to before me this

26th

day of June

19 86

Janne Gersh
Notary Public, Residing at Nampa, Idaho

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Jan Shute

Right Number 63-5383

Applicant Allendale Produce
Co.

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. 7/3/86
- ☒ Claim published correctly. Press. trib 200/40299 4/12/86 6/26/86
- ☒ Exceptions processed.

By DRT

Date 7/16/86

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC

Date 8/26/86

RECEIVED

RECEIVED



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

July 17, 1986

Oregon Short Line Railroad
Union Pacific Railroad Co.
Allendale Produce Co.
P. O. Box 1060
Homedale, ID 83628

Re: Claim No. 63-5383

Dear Claimants:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Sections 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

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

DRT:jp

Enclosure

RECEIVED
JUL 22 1986
WATER RESOURCES



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

September 16, 1985

Kathy Miyasako
Allendale Produce Co.
P.O. Box 1060
Homedale, ID 83628

Dear Ms. Miyasako:

We have received the Claim to a Water Right submitted on the well located on Union Pacific System land. However, we cannot process this claim until more information is completed.

On Item No. 1 the priority date needs to be more specific. A specific year needs to be shown. Item No. 3, 4, 5, 6 and the map on the back also must be completed before we can accept this claim. There is a \$200 filing fee for this claim which must be submitted along with the claim before it is accepted.

If you have any questions concerning the completion of this form, please do not hesitate to contact us.

Sincerely,

JAN SHURTE
Senior Water Resource Agent

1s

RECEIVED

SEPTEMBER 3, 1985

STATE OF IDAHO
DEPT. OF WATER RESOURCES
450 W. STATE STREET
BOISE, ID 83720

ATTN: ELVIN BALLOU

GENTLEMEN:

At the request of the Union Pacific System, we are submitting the enclosed Claim To A Water Right to obtain a permit in the joint name of Allendale Produce Company and Oregon Short Line Railroad and Union Pacific Railroad Company.

Please advise us if there is any additional paperwork necessary.

Sincerely,



Kathy Miyasako
Bookkeeper
Allendale Produce Co.

RECEIVED
SEP 11 1985

RECEIVED

Department of Water Resources
Western Regional Office



UNION PACIFIC SYSTEM

Union Pacific Railroad
Missouri Pacific Railroad

1416 DODGE STREET
OMAHA, NEBRASKA 68179

D. D. BROWN
DIRECTOR-SYSTEM PROJECTS
AND PROPERTY MANAGEMENT
R. D. RICE
MANAGER-SYSTEM PROJECTS
L. L. DOLL
MANAGER-REAL ESTATE ENGINEERING
R. W. CHRISTENSEN
REAL ESTATE AGENT
G. B. COLLINS
MANAGER-TITLES & CONVEYANCES

EASTERN DISTRICT
DISTRICT REAL ESTATE DIRECTOR
D. H. LIGHTWINE
REAL ESTATE AGENTS
R. J. ZADINA
T. J. STENSTROM
M. S. SCHULTE
P. L. WHITE

C. O. DURHAM
DIRECTOR-REAL ESTATE
R. F. NIEHAUS
ASST. DIRECTOR-REAL ESTATE

WESTERN DISTRICT
DISTRICT REAL ESTATE DIRECTOR
M. A. PASSO
REAL ESTATE AGENTS
D. R. RECHTENBACH
W. T. GALLO
D. R. LEWIS

NORTHWESTERN DISTRICT
DISTRICT REAL ESTATE DIRECTOR
A. O. MEYER
REAL ESTATE AGENTS
F. B. SHARAR
P. G. FARRELL
W. L. LOFFER
J. E. MATZA

July 3, 1985

884-049

Mr. K. Inouye, President
Allendale Produce Company
Box 1060
Homedale, Idaho 83628

Dear Mr. Inouye:

Sometime ago, a form letter was directed to Allendale Produce Company which contained a questionnaire pertaining to water being utilized on the site being leased from the Railroad Company.

I received a completed questionnaire which indicated that in fact a well was located upon Railroad Company property and the water was being used to serve your lease site. Subsequent to that, I wrote indicating that the Railroad Company was endeavoring to comply with Idaho Statutes regarding the water and therefore, requested that you file for a Permit in the joint name of Allendale Produce Company and Oregon Short Line Railroad and Union Pacific Railroad Company. As of this date, I have not received your reply to the aforementioned request, and would greatly appreciate your insuring that a Permit has been applied for. If Allendale Produce Company already holds a Permit covering the well and water therefrom, an Assignment of Permit is necessary in order that the Railroad Company may be made a part of the Permit.

I would greatly appreciate your prompt attention to this request, and further ask that you keep me advised of your handling with the State Department of Water Resources. If there are any questions, please feel free to contact me at (402) 271-3939.

Very truly yours,

R. D. Rice

RECEIVED
SEP 12 1985

RECORDED

Department of Water Resources
Western Regional Office

63-5383

OREGON SHORT LINE RAILROAD
UNION PACIFIC RAILROAD CO.
ALLENDALE PRODUCE CO.

P.O. BOX 1060, HOMEDALE, ID 83628

Source: GROUNDWATER

Diversion Pt: NENE Sec 24 T 04N R 05W

Use: DOMESTIC	(0.040 CFS)
FIRE PROTECTION	(0.040 CFS)

Priority Date: 01/01/1941

In: NENE Sec 24 T 04N R 05W

APPROVED

