

[illegible]

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19

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AUG 09 1994

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78°E

20

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
~~Original Application~~	~~63-11801~~	~~Allendale Farms, Inc~~	~~4.80~~
Full Assignment	63-11801	L A Adams 1990 Trust Mae B Adams 1990 Trust	4.80

RECEIVED

APR 30 1996

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FEB 13 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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. 63-11801 Telephone No. 466-7821
2. Name(s) of Permit Holder(s): L. A. Adams 1990 Trust Max B. Adams 1990 Trust
3. Mailing Address: P.O. Box 7634 Boise, ID, 83707
4. Source of Water: well If GROUNDWATER (well), Date Drilled: mo. / yr.
a. Well Driller: Don't have - well drilled before Drilling Permit Number: same
b. **OPTIONAL:**
Pump Horsepower: Pressure (psi): Dynamic pumping level (ft):
5. Use(s) (as authorized by the water right permit): This perm. + was for additional use from well drilled under license # 63-10662 which has been measured.
Domestic (No. of households): Stockwater (No. and type of stock):
Irrigation (No. of acres): 240 Other:
6. Total rate of diversion and/or volume for which proof is submitted: 4.0 cfs OR acre feet
Total of license # 63-10662
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 <u> </u>	or	No <u> </u>
	Has the measuring device been installed?	Yes <u> </u>	or	No <u> </u>
Flow Measurement Port:	Is a flow measurement port required?	Yes <u> </u>	or	No <u> </u>
	Has the measurement port been installed?	Yes <u> </u>	or	No <u> </u>
8. Fee Enclosed: \$ 175⁰⁰ (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: Don Brandt Telephone Number: (208) 466-7821
Address: 203 11th Ave S Nampa, ID 83651
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.

Signature of permit holder: L. A. Adams Trust
Don Brandt, agent Date: 2-10-96
(include your title, if on behalf of company or organization)

APR 30 1996

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 63-11801

Proposed Priority: April 29, 1992 Maximum Diversion Rate: 4.80 CFS

This is to certify, that **L A ADAMS 1990 TRUST**
MAE B ADAMS 1990 TRUST
PO BOX 7634
BOISE ID 83707-7634

has applied for a permit to appropriate water from: **GROUNDWATER**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

IRRIGATION	03/15 to 11/15	4.80 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: Lot 4(SWSW), Sec. 18, Township 04N, Range 04W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
04N	04W	18	NENW 40.0	Lot 1(NWNW)	40.0	Lot 2(SWNW)	40.0	
			SEnw 40.0	NESW 40.0		Lot 3(NWSW)	40.0	240.0

Total number of acres irrigated: 240.0

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 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.

APR 30 1996

State of Idaho
Department of Water Resources

Permit To Appropriate Water

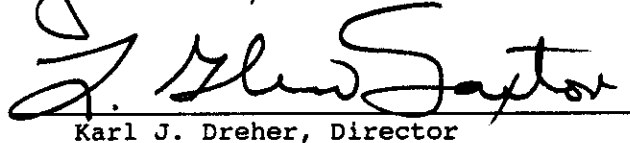
NO. 63-11801

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 94 to 563 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

5th day of February, 1996


Karl J. Dreher, Director

for

APR 30 1996

06/93

PR 25.00 7-11-95
CC 3-61 ju

\$25 fee

State of Idaho

RECEIVED DEPARTMENT OF WATER RESOURCES

JUL 11 1995

WATER RESOURCES
WESTERN REGION

ASSIGNMENT OF APPLICATION FOR PERMIT

To change the ownership of an application for permit

RECEIVED

JUL 10 1995

Department of Water Resources

I, A Hendale Farms, Inc hereby assign to L.A. & Mae B. Adams
of *PO Box 7634, Boise ID 83707-7634 1990
(Applicant) (Full Address) Trust

All my right, title, and interest in and to Application for Permit
No. 63-11801 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Application for Permit No. _____ to appropriate the public waters of the
State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
point of diversion location, and the amount of water in cubic feet per second.

Made this 5 day of July, 1995.

Tom Palet Pres.
Applicant(s)

State of Idaho)
County of 5th ss

On this 5th day of July, 1995, personally appeared before me the
signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

Leslie Corbett
Notary Public

SEAL

Leslie Corbett
Signature

My commission expires: 5/20/97

APR 30 1996

* per 10/15/93 Agreement - pg 4. 2/2/96 cz.

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 63-11801 IN)
THE NAME OF ALLENDALE FARMS)
INC)
_____)

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.

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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.

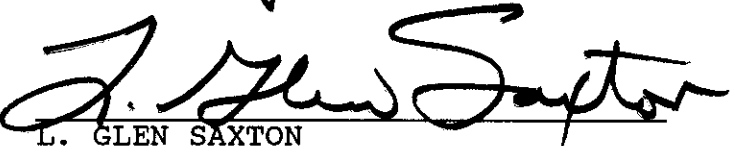
6. This use is subject to all prior water rights.

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

State of Idaho
Department of Water Resources

Permit To Appropriate Water EXPIRED

NO. 63-11801

Proposed Priority: April 29, 1992 Maximum Diversion Rate: 4.80 CFS

This is to certify, that **ALLENDALE FARMS INC**
PO BOX 428
WILDER ID 83676

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	4.80 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 4(SWSW), Sec. 18, Township 04N, Range 04W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N 04W 18	NENW 40	Lot 1(NWNW) 40	Lot 2(SWNW) 40	
	SENEW 40	NESW 40	Lot 3(NWSW) 40	240
		Total number of acres irrigated:		240

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.

APPROVED

AUG 09 1994

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-11801

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

18 th day of June, 1992

R. Keith Higginson
for R. Keith Higginson, Director

RECORDED

AUG 09 1994

Ident. No. 63-11801

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: ALLENDALE FARMS, INC. 208-482-7380
Address: PO BOX 428
WILDER ID 83676

2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: Lot 4 (SWSW), Sec. 18, Township 04N, Range 04W
CANYON County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	4.800		

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

6. Proposed diverting works:

- Description of ditches, flumes, pumps, headgates, etc.
16" 450' DEEP WELL W/100 HP PUMP FOR GRAVITY IRRIGATION.
- 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: to inclusive.
- Proposed well diameter is 16 inches; proposed depth of well is 450
feet.
- 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 1 years.

8. Description of proposed uses:
16" 450' DEEP WELL W/100 HP PUMP FOR GRAVITY IRRIGATION.

9. Place of Use: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
04N	04W	18	NENW 40	Lot 1 (NWNW) 40	Lot 2 (SWNW) 40	
			SESW 40	NESW 40	Lot 3 (NWSW) 40	240

Total number of acres irrigated: 240

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

~~PERMIT NO. 63-10662, APP. FOR PERMIT NO. 63-11800.~~

* Deleted for purification & use in H10 per IDWR standards

Database updated 5/7/92, SL

AUG 09 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:

13. Map of proposed point of diversion and place of use attached? ☒

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.

Tom Pelt Pres.
Applicant

Received by JP Date 4/29/92 Time 1:00 Preliminary check by SL

Fee \$ 125 Received by JP # WD14593 Date 4-29-92

Publication prepared by GG Date 5-13-92 Published in Press-Tribune

Publication approved SL Date 5/20 & 5/27/92

SL

8-9-95

7/19, 7/26/95

* Receipt # data entered 5/7/92, SL

AUG 09 1994



4833
4833

2671 III, 31W
(VILDER)

4836
4836

4835
4835

40'

4834
4834

12

2413

LATERAL

18

65

LATERAL

2401

416

Deny

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CANAL

AUG 09 1994

8000

7962

188921

188921

SD-0420-2
ADD COMMENT

Idaho Department of Water Resources
Modify Comment

Date: 04/29/92
Time: 12:36:55

Water Right Number: 63-11801

Comment Date: 4/29/1992 User ID: SHURTE

Subject: OFFICERS: TOM CORBET, PRESIDENT AND LESLIE BATT CORBET, VICE

PRESIDENT, SAME ADDRESS AS ON APPLICATION. NOTE: ~~THIS~~ IS AN
~~EXISTING WELL ALSO COVERED UNDER PERMIT NO. 63-10662.~~

(ENTER=Add)

(Gold4=Prev) (Gold5=Next)

AUG 09 1994

SD-0410-1
MODIFY RIGHT

Ida Department of Water Resources
Water Rights Remarks Screen

Date: 06/26/95
Time: 15:14:48

Water Right Number: 63-11801

FIRST PAGE

13. Remarks: Water bearing zone to be appropriated is 94 to 563 feet.

(GOLD2=Update) (GOLD4=Prev Screen) (GOLD1=Export Remarks) (Enter=Exit)
(GOLD3=Add Std Rmk) (GOLD5=Next Screen) (GOLD6=End of Data) (GOLD7=Import Remarks) (GOLD8=Cancel)

D'BASE (NAMES PER ASSIGNMENT) updated 7/5/95
-SL

This was after re-adv. sent to paper
to original name showed in 1995 Ad.;
OK since ~~name~~ Don Brumelt (agent) can
route any mail from orig. to revised
address. Should not impede protect
process.

-SL 8/9/95

SL



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

December 22, 1997

PHILIP E. BATT
GOVERNOR

LA ADAMS TRUST
PO BOX 7634
BOISE ID 83707

KARL J. DREHER
DIRECTOR

Re: Assignment of Permit No. 63-11833; 1996 Water Measurement Report for Right 63-11801
1997 Reports for 63-11833 and 63-11801

Dear Gentlemen:

The correspondence sent to you by the Department dated December 8, 1997 contains some oversights and needs further clarification. This clarification has been brought to my attention by Mr. Fred Gooding, who visited our office on December 17.

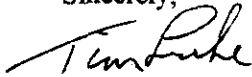
Mr. Gooding reminded me that he had payed a \$25.00 report fee for permit 63-11833. This report fee was not required since there had been no use under the right during 1996. Therefore, we agreed to use the reporting fee to substitute for the assignment of permit fee, which is also \$25.00. I had forgotten that I consented to this fee exchange. As a result, the portion of my December 8 letter requesting a \$25.00 assignment fee should be disregarded. Also, Mr. Gooding did submit a 1996 measurement report for 63-11833. Our December 8 request for a 1996 measurement report for this permit should also be disregarded.

While reviewing the above matter, I have noted that you also hold permit no. 63-11801, which is for diversion of ground water from a well located in T4N R4W sec. 18, SWSW. The Department did receive a 1996 water measurement report fee for this right and diversion. We also received an executed agreement from you to estimate diversion of water based upon power consumption. This means that you have agreed to annually submit certain information to the department which will assist in estimating annual withdrawals from your diversion. However, the actual report and information sought for 1996 was never submitted for this diversion.

Enclosed with this letter are reporting forms for both 1996 and 1997 for permit 63-11801. Also enclosed is a 1997 report form for permit 63-11833. I wish to ask that you complete and return these forms by January 15, 1998. If the wells described under the two permits were used in 1997, then a \$25 report fee must accompany each report. If the wells were not used, then reporting fees are not required.

Please contact me directly at 327-7864 if you have questions concerning this matter. I apologize for some of the confusion and inconvenience that may have resulted from my last correspondence.

Sincerely,


Tim Luke

cc: Fred Gooding



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

L A ADAMS 1990 TRUST
MAE B ADAMS 1990 TRUST
PO BOX 7634
BOISE ID 83707-7634

RE: Water Right No. 63-11801

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
Chief, Water Allocation Bureau

cc: IDWR - W. Region

AUG 21 1996

April 17, 1996

L A ADAMS 1990 TRUST
MAE B ADAMS 1990 TRUST
PO BOX 7634
BOISE ID 837077634

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-11801

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

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APR 30 1996

March 31, 1996

L A ADAMS 1990 TRUST
MAE B ADAMS 1990 TRUST
PO BOX 7634
BOISE ID 837077634

PROOF DUE NOTICE

RE: PERMIT NO. 63-11801

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 June 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.

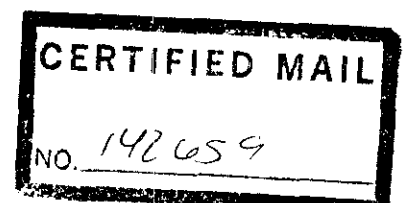
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

APR 30 1996





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

February 2, 1996

L.A. Adams 1990 Trust
P.O. Box 7634
Boise, ID 83707

RE: Permit No. 63-11801

Dear Permit Holder:

I have returned a copy of the Proof of Beneficial Use form submitted in connection with the above referenced water right. You state on the proof form that you are diverting 4.0 cfs for irrigation purposes. Before the department can process the proof, it must be accompanied by the appropriate license examination fee. The license examination fee for a rate of 4.0 cfs is \$175.00. You state on the proof that a fee of \$175.00 was enclosed, however, the department did not receive a fee with the proof form.

Please return the copy of the proof along with the \$175.00 license examination fee within thirty (30) days of receipt of this letter. Please address your correspondence to my attention.

If you have any questions or if I can be of any assistance, please feel free to contact me at (208)327-7900.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

RECORDED

APR 30 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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 5, 1996

P63-11B01

L A ADAMS 1990 TRUST

PO BOX 7634

BOISE

ID 83707-7634

PERMIT APPROVAL NOTICE

RE: Basin 63 Approved Permit

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 further information about measuring devices, flow estimation using power records, and annual reporting forms.

RECEIVED

APR 30 1996

Page 2

If you have questions about the measuring and reporting requirements, please call the department at (208)327-7900 and ask for someone in the Water Distribution Section. If you have questions about other elements of your permit, call me at (208)327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the printed name.

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

RECEIVED
JAN 30 1988

BASIN 63 MORATORIUM APPLICATION

STATE OFFICE REVIEW

by Cindy Zimmerman

Date: 2/2/92

No.: 63-11801

Name: Adams Trust.

Ad OK? ☒ /Gvmt Lts: ☒

Correct Fee? ☒ Receipt #: W014593 Priority: 4/29/92

PROTESTED: - 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>

=/- 5 acres <POU>

- ~~066-P55~~ ~~067~~, ~~065~~, ~~031~~
- ~~066-P55~~, ~~067~~, ~~065~~, ~~057~~

DRILLING PERMIT

Number

Existing well

- P/D same Yes/No (if no show Shelley)

- ~~63-92-N-0132-000~~, drilled 7/88
- ~~05888~~

LOCATION:

Boise Front LoGeo

Swan Falls Flag

Trust

- 058 (-85° GW temp only)

- <SEE CODE CHART>

- 051-052-053-P74 (Consumptive Uses), NA

CONDITION CODES:

- ~~169~~, _____

OWNERSHIP: Non-land owner

- 004 (PD/PU) _____

PARAGRAPH CODES:

- _____

STANDARD REMARKS:

- ~~1~~ WB8, ~~2~~ W06, ~~3~~ Water Zone 94 '-963',

BENEFICIAL USE DUE:

- 6-1-1996

COMMENTS:

- ① Trustees: L. A. & Mae B. Adams.

② Agent: Don Brandt
203 11th Ave S
Nampa 83654

MEMORANDUM

TO: Application for Permit No. 63-11801
FROM: Dave Tuthill *DT*
DATE: January 29, 1996
RE: Review of Application

In accordance with Order Condition No. 3 of the Boise River Basin Amended Moratorium Order dated May 3, 1995, this application has been reviewed and screened by the Department. The review committee consisted of the following personnel:

Mark Slifka, representing well construction concerns.
Janet Crockett, representing water quality concerns.
Shane Bendixsen, representing hydrologic concerns.
Jim Johnson, representing water allocation concerns.
Dave Tuthill, representing reg. office regulatory concerns.

Any additional conditions of approval found to be needed have been added to the supplemental staff analysis sheet which has been prepared and is included in this file.

[Handwritten signature]

APR 30 1996

RE-ADVERTISING FOR SUPPLEMENTAL
IRRIGATION RIGHT (MORATORIUM BACKLOG)

APPLICATION NO. 63-11801

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 2-29-95
☐ ☐ Protest dates, resolution of protest recorded on application:
☐ ☐ Recommendations attached: Approve, DRR 8-7
☐ ☐ Measuring device required:
☐ ☐ Measuring port required:
☐ ☐ Water delivered by water master? District # _____
☒ ☐ Special conditions of approval or cover letter: _____
Special post-moratorium conditions.

☐ ☒ See below for additional information.

Recommended Date or Priority 4/29/92

Recommended by: DRR Date 1/29/96

STATE OFFICE REVIEW _____

☐ See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION

Same well as 63-10662 (previously, transfer).
Assignment NEEDED per Response form Rec'd. Letter sent 8/26/95 re this.
"Response Rec'd. 7/3/95 - non standard form ("Agreement") conveying app.
to LA/MAB Adams 1990 Trust. No assignment fees rec'd.
However: Even though advertised ~~initially~~ & then re-advertised prior to receiving
assignment, fee took effect 7/94. Note Agreement executed 10/93. Recommend
accept Agreement as legitimate assignment & WAIVE fee - no payment needed
just because didn't notify IDWR & state prior to assignment fee implementation.
Seems reasonable to this reviewer. -SL 7/7/95

Source: GROUNDWATER
Diversion Pt: SENE Sec 34 T 04N R 05W 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: SWSE 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 SESE
S11 NWSE SWSE
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: IRRIGATION (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: NENE Sec 10 T 01N 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 appropriated is 156 to 240 feet.
63-11744

E & B FARM INC
24630 PECKHAM RD
WILDER, ID 83676
Source: GROUNDWATER
Diversion Pt: SWSE 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
S14 NWSE SWSE 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, FLORENCE
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 SENE
S14 SWNE
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

ALLENDAL FARM 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 S18 NENE Lot 1(NWNW) Lot 2(SWNW) SENW
NESE 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, an
418 to 438 feet.
APR 30 1993
63-11808

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
35.0 ACRES TOTAL

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.

RECEIVED

JUL 28 1995

WATER RESOURCES
WESTERN REGION

James Lusk
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

63-11801

ALLENDAL FARM INC
PO BOX 428
WILDER, ID 83676

Source: GROUNDWATER

Diversión Pt: LOT 4 (SWSW) Sec 18 T 04N R 04W in CANYON County.

Use: IRRIGATION (4.800 CFS)
Total Diversión: (4.800 CFS)

Date Filed: 4/29/1992

In: CANYON County
T04N R04W S18 NENW Lot 1(NWNW) Lot 2(SWNW) SENW
 NESW Lot 3(NWSW)

240.0 ACRES TOTAL

Water bearing zone to be appropriated is 94 to 563 feet.

RECORDED
APR 30 1996

Form No. 202a.
10/90

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: RL DATE: 5/7/92 APPLICATION: 63-11801

REQUIRED INFORMATION

ID comments attached to appl.

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: Gov't. Lots: 7 P/D
Nature of proposed use: (Include description of use) 3 P/U
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:

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

Large Div. info letter sent
DATE REQUESTED: 5/7/92
☒ ☐ Additional information on reverse side:

RECEIVED
JUN 15 1992

Department of Water Resources

*reply sent 6/10/92,
see file 63-11801*

PROCESSING

APPLICATION NO. 63-11801

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.

☒ ☐ Publication dates and paper recorded on application:
☐ ☒ Protests received. Final date for protest June 8, 1992
☐ ☒ 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:

Moratorium Conditions

See below for additional information

Recommended Date or Priority 4/29/1992Recommended by: DW Date 6/11/92

STATE OFFICE REVIEW

See below for additional information. By Date

ADDITIONAL INFORMATION

NOTE: PER GOVT LOTS: L.1 NWNW = 34.2 L.2 SWNW = 34.2 L.3 PNWSW = 34.3
 REDUCE PAGES BY: $(40 - 34.2) + (40 - 34.2) + (40 - 34.3) = 17.3$
 TOTAL APPROVABLE: $240 - 17.3 = 222.7 \approx 223$
 TOTAL FLOW: $(223)(6.42) = 4.46$ cfs CAN be approved.

Opening
 P/D 63-10682 Same well for other areas.
 A/w Irrig. dist. (Buise R.) for same areas?
 INFO ID appl. does not indicate it well is supplemented
 or note response to large div. query should answer this.



RECEIVED

JUL 11 1995

WATER RESOURCES
WESTERN REGION

BRANDT AGENCY

REAL ESTATE - FARM MANAGEMENT

PHONE (208) 466-7821

FAX (208) 467-5565

203 - 11TH AVENUE SOUTH

NAMPA, IDAHO 83651

RECEIVED

JUL 10 1995

Department of Water Resources

July 7, 1995

Idaho Dept. of Water Resources

1301 N. Orchard

Boise, ID 83720

Enclosed is our check for the application fee on Permit No. 63-11801,
along with the Assignment of Application form. I hope this takes care of it.
Please let us know when this water right will be acted upon.

Sincerely,

Don Brandt
by KJ

Don Brandt

RECEIVED

APR 30 1996

BRANDT FARM MANAGEMENT SERVICE

EXPERIENCED :: SUCCESSFUL :: COMPLETE

203 ELEVENTH AVENUE SOUTH
NAMPA, IDAHO 83651

RECEIVED

JUL 03 1995

WATER RESOURCES
WESTERN REGION

6/29/95

SL
Steve Lester
State of Idaho
Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

Steve,

* We are enclosing a copy of the purchase agreement
whereby Allendale Farms transferred water rights, under
Water Rights #63-11801 to L. A. Adams.

I hope that this information gives you everything that
is needed to process the application.

Sincerely,

Don Brandt

Don Brandt
encl

* also - 63-10662 See pg 2
(SRBA claim N/A)

SL

MICROFILMED

APR 30 1996

All Details Cared For . . . We Build Up The Soil

Orig - 63-11801
copy - 63-10662
(V.A.H.)

Final copy

RECEIVED

JUL 03 1995

WATER RESOURCES
WESTERN REGION

AGREEMENT *

THE PARTIES: The parties are: ALLENDALE FARMS, INC., an Idaho corporation, (seller herein); and L. A. ADAMS and MAE B. ADAMS, as Trustees of the L. A. ADAMS and MAE B. ADAMS 1990 TRUST, (buyer herein).

THE AGREEMENT: The parties hereby enter into "this agreement" and mutually agree as follows:

EFFECTIVE DATE: October 8, 1993: The foregoing date is the "effective date" of this agreement even though one or both parties signed this agreement before or after such date.

SALE OF PREMISES. This agreement documents certain agreements wherein the seller has sold to the buyer and the buyer has purchased from the seller that real property (herein called premises) situated in Canyon County, Idaho, and described as follows:

Government Lots 1 and 2 and the East half of the Northwest Quarter, Section 18, Township 4 North, Range 4 West, Boise Meridian, Canyon County, Idaho.

AND

Government Lot 3 and the Northeast Quarter of the Southwest Quarter, Section 18, Township 4 North, Range 4 West, Boise Meridian, Canyon County, Idaho.

AND ALSO

Government Lot 4 and the Southeast Quarter of the Southwest Quarter, Section 18, Township 4 North, Range 4 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM:

A portion of the Government Lot 4, Section 18, Township 4 North, Range 4 West, Boise Meridian, more particularly described as follows:

BEGINNING at the Southwest corner of said Southwest Quarter of the Southwest Quarter; thence North 00°07'28" East along the West boundary of said Southwest Quarter of the Southwest Quarter a

APR 30 1996

** Issues as Assignment of
Appl. 63-11801*

-JL 7/3/95

*Plm
63-11801*

distance of 933.67 feet; thence leaving said West boundary,

North 89°24'34" East, a distance of 651.42 feet; thence

South 00°07'28" West parallel with said West boundary, a distance of 928.73 feet to a point on the South boundary of said Southwest Quarter of the Southwest Quarter; thence

South 88°58'31" West along said South boundary, a distance of 651.50 feet to the POINT OF BEGINNING.

WATER RIGHT NO. 63-10662. A true copy of Water Right

No. 63-10662 is attached hereto as Exhibit A. The seller shall transfer to the buyer that portion of Water Right No. 63-10662 appurtenant to the premises which is for irrigation of ~~64~~ ^{303/357} acres of such water right and which is ~~303~~ ^{303/357} th's of such water right. The seller reserves ~~303~~ ^{303/357} acres of such water right which is ~~303~~ ^{303/357} th's of such water right.

WATER RIGHT NO. 63-11801.

A true copy of Water Right No. 63-11801 is attached hereto as Exhibit B. The seller shall transfer to the buyer all of Water Right No. 63-11801. Such water right is a supplemental water right and is subject to all of the terms and conditions pertaining to such water right.

WARRANTY DEED. The warranty deed from the seller to the buyer is attached hereto as Exhibit C. The buyer accepts such warranty deed and the terms and provisions therein provided.

LEASE TO GARMAN. The seller has entered into an oral lease with Steve Garman for approximately 45 acres of the premises for a cash rental of \$200.00 per acre for the calendar year 1994. The seller hereby assigns and transfers such lease to the buyer who shall be entitled to all rent due under such oral lease and shall perform all of the provisions of such oral lease to be performed by the seller.

SERVICE OF NOTICES, ETC.: Each "notice" (meaning each notice, communication and document) served by one party on the other party relating to this agreement shall only be served: (a) by personal delivery which service shall be complete upon delivery; or (b) by United States certified mail, return receipt requested which service shall be complete two days after mailing. The mailing address of each party shall be the address set forth under the signature of such party to this agreement until changed by such party by a notice changing such address served on the other party as provided in this provision.

SIGNING OF OTHER NECESSARY INSTRUMENTS. Each party (herein called "signing party") shall upon the request of the other party (herein called "requesting party") promptly sign, have notarized, and deliver to the requesting party upon the request of the requesting party any and all other instruments (none of which shall contain covenants or warranties of any kind) which are necessary to carry out the provisions of this agreement or to enable the requesting party to obtain all of the rights and benefits to which the requesting party is entitled under the provisions of this agreement.

TIME OF ESSENCE: Time and prompt performance of each provision of this agreement is of the essence.

WAIVER: A waiver by one party of one or several defaults in performance of any provision of this agreement shall not waive such provision or any subsequent default in performance thereof on this provision.

ENFORCEMENT EXPENSE OF THE PARTIES: The party who is a losing party in any court action brought to enforce any of the provisions of this agreement shall pay to the party who is a prevailing party in such court action all reasonable attorney's fees incurred in all trial and appellate courts by such prevailing party in addition to all costs allowed by law.

ALL MODIFICATION TO BE WRITTEN: No modification of this agreement nor any waiver of a provision of this agreement shall be effective unless it is in writing and signed by the parties.

FINAL AGREEMENT: All oral and written representations and agreements discussed or entered into by the parties before the effective date of this agreement are merged into and superseded by this agreement and this agreement constitutes the sole and entire agreement of the parties on all of the subjects set forth in this agreement.

CONTRACT SIGNED IN COUNTERPARTS. This contract may be entered into in any number of counterparts all of which taken together shall constitute one contract and each party may enter into this contract by signing any such counterpart.

DEFINITIONS: When used in this agreement:

--- "party" and "parties" refer to one or to both, as the case may be, of the parties to this agreement.

EISMANN LAW OFFICES
3016 CALDWELL BLVD.
NAMPA, IDAHO 83651-6416
(208) 467-3100

--- "successors" mean each personal representative, executor, administrator, heir, devisee, legatee, assignee, transferee, and other successor of a party or the parties designated.

BINDING ON SUCCESSORS: The provisions of this agreement are binding on the parties and their successors.

SIGNED BY SELLER:

ALLENDALE FARMS, INC.

By Tom Corbet 10-8-93
Name: Tom Corbet Date Signed
Office: President

By Jacque E. Batt 10-8-93
Name: Jacque E. Batt Date Signed
Office: Secretary

Address: P. O. Box 428
Wilder, ID 83676

SIGNED BY BUYER:

L. A. ADAMS AND MAE B. ADAMS 1990 TRUST

By L. A. Adams 10-15-93
Name: L. A. Adams Date Signed
Office: Trustee

By Mae B. Adams 10-15-93
Name: Mae B. Adams Date Signed
Office: Trustee

Address: P. O. Box 7634
Boise, ID 83707

APR 30 1996

EISMANN LAW OFFICES
3016 CALDWELL BLVD.
Nampa, IDAHO 83651-6416
(208) 467-3100

STATE OF IDAHO, County of Canyon) ss

On this date, before me, the undersigned notary public for such state, personally appeared TOM CORBET, known to me to be the president of the corporation that executed the within instrument, and acknowledged to me that such corporation executed the same.

WITNESS my hand and seal on OCT 8 1993

Janice L. Sargent Notary Public.
 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 JACQUE E. BATT, known to me to be the secretary of the corporation that executed the within instrument, and acknowledged to me that such corporation executed the same.

WITNESS my hand and seal on OCT 8 1993

Janice L. Sargent Notary Public.
 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 L. A. ADAMS and MAE B. ADAMS, known to me to be the persons whose names are subscribed to the within instrument as trustees of the L. A. ADAMS and MAE B. ADAMS 1990 TRUST, and acknowledged to me that they executed the same as such trustees.

WITNESS my hand and seal on October 15, 1993

Arnetta Anderson Notary Public.

APR 30 1996

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10662

Priority: July 14, 1988

Maximum Diversion Rate: 4.00 CFS

Maximum Diversion Volume: 1606.5 AF

This is to certify, that ALLENDALE FARMS INC

PO BOX 428

WILDER ID 83676

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 14, 1988; and has submitted Proof of Beneficial Use on March 13, 1990. An examination indicates that the works have a diversion capacity of 4.700 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	4.00 CFS	1606.5 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 4(SWSW), Sec. 18, Township 04N, Range 04W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
04N	04W	18	NENE 38		NWNE 37		SWNE 37	
			SENE 38	Lot 4(SWSW)	27		SESW 37	
			NESE 36		NWSE 35		SWSE 36	
			SESE 36					357

Total number of acres irrigated: 357

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right limited to the amount that can actually be beneficially use used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

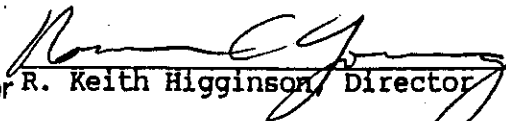
APR 30 1996

EXHIBIT A

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 63-10662

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 14th
day of AUGUST, 1972.


Acting for R. Keith Higginson, Director

458 30 1976

EXHIBIT A

Application
for

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-11801

Proposed Priority: April 29, 1992 Maximum Diversion Rate: 4.80 CFS
This is to certify, that ALLENDALE FARMS INC
PO BOX 428
WILDER ID 83676

has applied for a permit to appropriate water from: GROUNDWATER
and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	4.80 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 4(SWSW), Sec. 18, Township 04N, Range 04W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
04N	04W	18	NENW 40	Lot 1(NWNW)	40	Lot 2(SWNW)	40	
			SENEW 40	NESW 40		Lot 3(NWSW)	40	240
Total number of acres irrigated:								240

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.

APR 30 1996

EXHIBIT B

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-11801

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

18 day of June, 1992

R. Keith Higginson
for R. Keith Higginson, Director

RECORDED

APR 30 1996

EXHIBIT B

WARRANTY DEED

THE GRANTOR is ALLENDALE FARMS, INC., an Idaho corporation, (herein called grantor).

THE GRANTEE is L. A. ADAMS and MAE B. ADAMS, as Trustees of the L. A. ADAMS and MAE B. ADAMS 1990 TRUST, (herein called grantee) whose current address is P. O. Box 7634, Boise, ID 83707.

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:

Government Lots 1 and 2 and the East half of the Northwest Quarter, Section 18, Township 4 North, Range 4 West, Boise Meridian, Canyon County, Idaho.

AND

Government Lot 3 and the Northeast Quarter of the Southwest Quarter, Section 18, Township 4 North, Range 4 West, Boise Meridian, Canyon County, Idaho.

AND ALSO

Government Lot 4 and the Southeast Quarter of the Southwest Quarter, Section 18, Township 4 North, Range 4 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM:

A portion of the Government Lot 4, Section 18, Township 4 North, Range 4 West, Boise Meridian, more particularly described as follows:

BEGINNING at the Southwest corner of said Southwest Quarter of the Southwest Quarter; thence

North 00°07'28" East along the West boundary of said Southwest Quarter of the Southwest Quarter a distance of 933.67 feet; thence leaving said West boundary,

North 89°24'34" East, a distance of 651.42 feet; thence South 00°07'28" West parallel with said West boundary, a distance of 928.73 feet to a point on the South boundary of said Southwest Quarter of the Southwest Quarter; thence

South 88°58'31" West along said South boundary, a distance of 651.50 feet to the POINT OF BEGINNING.

TOGETHER with the water rights hereinafter described, ditch rights, rights of way, improvements, fixtures, tenements, hereditaments and appurtenances thereto belonging or used in connection therewith. Such water rights referred to above consist of

EXHIBIT C

the following: all water rights appurtenant to the premises through the Wilder Irrigation District; all water rights existing under State of Idaho Permit to Appropriate Water No. 63-11801; and 54/357th's interest in State of Idaho Water Right License No. 63-10662.

SUBJECT TO each of the following:

(All current taxes) All current taxes, both general and special, levied against the premises by any taxing unit for any purpose including but not limited to bonds and special improvements which taxes shall be prorated by the agreement of the parties at the closing of this sale.

(Irrigation charges prorated by irrigation season) All current irrigation charges, both general and special, levied against the premises by any irrigation or drainage unit for any purpose (including but not limited to bonds, construction charges, special improvements, irrigation and drainage) which irrigation charges shall be prorated by the agreement of the parties at the closing of this sale.

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

(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.

(All rights of way) All rights of way under, over and across the premises regardless of how evidenced or acquired and whether the same appear of record or not.

(Commitment for title insurance exceptions) Exceptions No.s 4, 5, 9, 10 and 12, set forth in Schedule B of the commitment for title insurance issued by First American Title Insurance Company by Pioneer Title Company of Canyon County under Order No. PC08457 and dated September 28, 1993, 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.

INTERPRETATION: Singular terms used herein shall be read as if written in the plural when the context so requires or permits. The

RECORDED

APR 30 1996

date this deed is dated immediately below is the date on which it will take effect.

DATED: October 7, 1993

SIGNED BY GRANTOR:

ALLENDALE FARMS, INC.

By _____
Name: Tom Corbet
Office: President

By _____
Name: Jacque E. Batt
Office: Secretary

STATE OF IDAHO, County of Canyon) ss

On this date, before me, the undersigned notary public for such state, personally appeared TOM CORBET, known to me to be the president of the corporation that executed the within instrument, and acknowledged to me that such corporation executed the same.

WITNESS my hand and seal on _____.

Notary Public.

STATE OF IDAHO, County of Canyon) ss

On this date, before me, the undersigned notary public for such state, personally appeared JACQUE E. BATT, known to me to be the secretary of the corporation that executed the within instrument, and acknowledged to me that such corporation executed the same.

WITNESS my hand and seal on _____.

Notary Public.

MAILED

APR 30 1995

EXHIBIT C



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

June 26, 1995

L. A. Adams
C/O Don Brandt
203 11th Ave. South
Nampa, ID 83654

RE: APPLICATION FOR PERMIT NO. 63-11801

Dear Mr. Brandt:

The above-referenced application for permit for a supplemental irrigation well is shown in the name of Allendale Farms, Inc. and refers to the existing well in the attached water right profile report.

The recent response form regarding processing of this application was returned to this office on the name of L. A. Adams, care of you. The form noted that processing for a permanent water right should proceed.

~~This office will advertise the application but will not forward it to the department's central office for final action until the filing is assigned to the current owner.~~ Applications and Permits are personal property requiring assignments to reflect changes in ownership.

The enclosed form can be used to do this. The assignment fee is \$25. Please contact me at your convenience if you have any questions. Thank you for your help in this matter.

Sincerely,

Steve Lester
Water Rights Supervisor

Enclosure

RECORDED
APR 30 1996

4-29-92

RECEIVED

JUN 05 1995

WATER RESOURCES
WESTERN REGION

RESPONSE FORM

Boise River Basin Moratorium Application

Name of Applicant:

L.A. Adams (Allendale Farms, Inc) ^{originally} ^{O'Base}

Address:

*C/O Don Brandt P.O. Box 428
203 11th Ave S. Wilder, ID. 83676
Nampa, ID. 83654*

Water Right No.:

63-11801

Do you wish to proceed with development of the water right as proposed in the application?

☒ 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?

94 ft to *563* ft

This License is to use water from existing well on additional land of the farm. Well is also on water right # 63-10662

L.A. Adams

Signature:

by Don Brandt, agent

Printed Name: _____

Please return this form to:

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

* - H2O zone - per well log is 63-10662, screen set - assigned

RECEIVED

APR 30 1996

*NEED Assignment, ok to submit but
" before forward to S.O.*

- R O'Base 6/11/95

SD-4103
INQUIRY

Idaho Department of Water Resources
Water Rights Names Screen

Date: 06/11/95
Time: 11:01:57

Water Right Number: 63-11801

FIRST PAGE

Owner Codes: O Original Owner P Present Owner L Lien Holder T Trustee
C Current Owner R Representative S Lessee
K Also Known As A Attorney of Record D Dir Rpt Owner

Last: ALLENDALE FARMS INC
Address: PO BOX 428

First:

State: ID ZIP: 83676-
Owner Code: C

City: WILDER
Phone: (208) 482-7380

Name Connector:

Last:
Address:

First:

State: ID ZIP: -
Owner Code: C

City:
Phone: (208) -

(Enter=Exit) (GOLD4=Prev Screen) (GOLD6=End of Data) (GOLD8=Cancel)
(GOLD5=Next Screen)

MICROFILMED

APR 30 1996

WELL DRILLER'S REPORT

OCT 07 1988

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.

90

1. WELL IDENTIFICATION

Name Phil Batt
Address Box 428 - Wilder, ID 83676
Owner's Permit No. 63-10662

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

3. PROPOSED USE

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

4. METHOD DRILLED

☐ Rotary ☐ Air ☐ Hydraulic ☒ Reverse rotary
☐ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____
Thickness Diameter From To
.250 inches 16 inches + 18" feet 94 feet
.250 inches 16 inches 114 feet 304 feet
.250 inches 16 inches 324 feet 463 feet
.250 inches 16 inches 483 feet 503 feet

Was casing drive shoe used? ☐ Yes ☒ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☐ Yes ☒ No

How perforated? ☐ Factory ☐ Knife ☐ Torch
Size of perforation _____ inches by _____ inches

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

Well screen installed? ☒ Yes ☐ No
Manufacturer's name Roscoe Moss

Type Wirewrap Model No. _____
Diameter 16 Slot size 040 Set from 94 feet to 114 feet
Diameter 16 Slot size 040 Set from 304 feet to 324 feet

Gravel packed? ☒ Yes ☐ No ☐ Size of gravel 3/8-
Placed from 18 feet to 573 feet

Surface seal depth 18' 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 2"

7. WATER LEVEL

Static water level 14 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
1100	102'	
1400	119'	
1600	125'	
1809	131'	10 hrs.

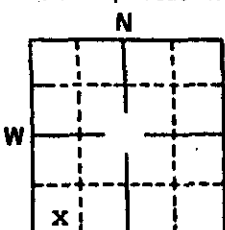
9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
28	0	10	Top Soil		
	10	15	Caleche		
	15	19	Caleche		
	19	23	Gravel		
	23	30	Cemented Gravel		
	30	45	Brn. Clay		
	45	66	Blue Clay		
	66	69	Fine Gray Sand		
	69	79	Sandstone - Very hard		
	79	119	Fine Black Sand		
	119	178	Blue Clay		
	178	180	Black Clay		
	180	202	Blue Clay		
	202	204	Black Clay		
	204	214	Blue Clay		
	214	221	Black Clay		
	221	244	Blue Clay		
	244	264	Blue Clay w/sm.amt.sand		
	264	276	Blue Clay w/Sand		
	276	294	Blue Clay		
	294	304	Blue Clay w/sm.amt. sand		
	304	314	Blue Clay w/strks. vry. fine sand.		
	314	324	Fine Blue Sand w/ Sand-clay.		
	324	334	Blue Clay w/ Sand Stks.		
	334	429	Blue Clay		
	429	432	Coarse blue sand & pea gravel.		
	432	466	Blue Clay		
	466	473	Fine blue sand-w/strks. pea gravel.		
	473	483	Fine blue sand.		
	483	493	Blue Clay		
	493	503	Blue clay/some fine sand		
	503	513	Blue Sand w/strks. of clay		

10. Work started 7/27/88 finished 7/31/88

6. LOCATION OF WELL

Sketch map location must agree with written description



Subdivision Name _____

Lot No. 4 Block No. _____

County Canyon

SW 1/4 SW 1/4 Sec. 18, T. 4N N/S, R. 4W E/W.

11. DRILLERS CERTIFICATION

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

Pete Cope Drilling Co., Inc.

Firm Name _____ Firm No. 213

6505 West Chinden Blvd.

Address Meridian, ID 83642 Date 8/1/88

Signed by (Firm Official) Pete Cope

and

(Operator) George S. Sauer

**USE TYPEWRITER OR
BALLPOINT PEN**

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.

JB

RECEIVED
OCT 07 1988
Department of Water Resources



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).

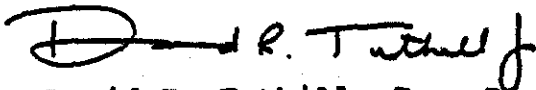
APR 30 1996
- Celebrating Our Centennial Year of Service to Idaho 1895-1995

May 19, 1995

In case you no longer intend to develop a water use as described on an application, please complete and return the enclosed Withdrawal Form. Because of the time and effort already devoted to researching water availability in the Boise River basin, the Department will not be able to provide refunds of fees for applications that are withdrawn.

If you have questions about this process, or if you need assistance in completing the response form, please feel free to contact this office at (208) 334-2190. Response forms received no later than May 31, 1995, will be used in compiling the applications that will be advertised during June.

Sincerely,



David R. Tuthill, Jr., P. E.
Manager, Western Region Office

Enclosures

Amended Moratorium Order
Profile Report(s)
Response Form(s)
Application Withdrawal Form(s)

RECEIVED

APR 30 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

ALLENDALE FARMS INC
PO BOX 428
WILDER ID 83676-0428

RE: PERMIT NO. M63-11801

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

RECEIVED
AUG 09 1994

RECEIVED

AUG 8 1 1994

Department of Water Resources

DROUGHT RELIEF QUESTIONNAIRE

If you are not interested in having a 1994 temporary permit reinstatement, or if you did not drill a well in 1992, disregard this questionnaire. No response is necessary.

Please answer the questions below. Your answers will help the department assess the need for use of the wells to complete the 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. 1163-11801
(See cover letter)

2. a) Person responding to this questionnaire

David Paulsen

b) Relationship to applicant? Rentier

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)

Super

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

90

36

RECEIVED

AUG 9 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

July 20, 1994

ALLENDAL FARM INC
PO BOX 428
WILDER ID 83676

RE: Water Right No. M63-11801

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

AUG 09 1994

March 31, 1994

ALLENDAL FARM INC
PO BOX 428
WILDER ID 83676

RE: Water Right No. M63-11801

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 09 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 19, 1992

ALLENDAL FARM INC
PO BOX 428
WILDER ID 83676-0428

RE: PERMIT NO. 63-11801

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.

RECEIVED

AUG 09 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 09 1994

RECEIVED
MAY 22 1992

Water right #
63-11801

Department of Water Resources 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

RECEIVED
MAY 27 1992

Department of Water Resources Do you summer fallow any of your irrigated land? If
Western Regional Office so, how many acres? NO

- 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 District

- During the last ten years, how many years has your
surface irrigation water been available for the entire
irrigation season? 10

- What crops have you grown in the past ten years?

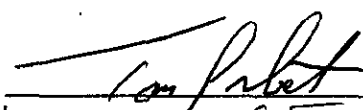
Onions Wheat Alfalfa seed Corn seed Beets

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 22 day of May, 1992.

AUG 09 1994

(Please sign)


Well in the name of ~~Top Farm~~ Attendale Inc.

MEMORANDUM

DATE: February 29, 1996

TO: File 63-11801

FROM: Shelley W. Keen (SWK)

RE: Disposition of Response to Rule 4,5,3.

=====

This application is a companion of application 63-11800. The response to the Department's request for information to satisfy Water Appropriation Rule 4,5,3 (now Rule 040.05) is contained in the file created for 63-11800.



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 7, 1992

Allendale Farms, Inc. and Top Farms, Inc.
PO Box 428
Wilder, ID. 83676

RE: Applications for Permit Nos. 63-11800 and 63-11801
Application for Amendment of Permit No. 63-10662

Dear Applicants:

The above applications for permit nos. 63-11800 and 63-11801 each propose to irrigate more than 200 acres in T4N, R4W, Section 18. The applications will be advertised but cannot be approved until additional information is submitted.

Based on Idaho Code 42-203A(5)(a-e), additional information is needed for applications for permit involving irrigation of more than 200 acres and/or diversions exceeding 5.00 cfs or 500 acre-feet of storage. In this case, the number of acres in each application triggers the request for information. Please provide information relating to the proposed water right as outlined in the attached copy of Water Appropriation Rules 4,5,3,1 through 4,5,3,5,1. This covers the following items:

- a) effect on existing water rights,
- b) sufficiency of water supply,
- c) good faith, delay, or speculative purposes,
- d) financial resources,
- e) local public interest.

Most of the answers may be summarized or abbreviated in situations where supplemental irrigation is proposed. If supplemental irrigation is not involved, complete answers are needed. An application can be reduced to 200 or less acres to avoid the need for this supplemental information.

Application no. 63-11801 was filed for 240 acres and 4.80 cfs but cannot be approved for more than 223 acres and 4.46 cfs (or 223 miner's inches) in the proposed place of use. The reduction is due to government lots along the west side of Section 18 where less than 40 acres per tract are found.

To add a well to permit no. 63-10662, an application for amendment was filed with a \$20 fee. Because the permit was examined for licensing purposes on 5/10/91, the permit cannot be amended. However, once the license is issued for this right, the license can be changed ("transfer") to include another well. The proposed well is also covered by application no. 63-11800, and the well can be drilled once 63-11800 is approved.

Microfilm

AUG 09 1994

Allendale and Top Farms
May 7, 1992
Page 2

Meanwhile, I will ask our State Office to expedite licensing of the permit. After the license is issued, the transfer application will be prepared for your signature. The \$20 paid for the amendment will be applied to the \$50 transfer fee; an additional \$30 is due (can pay now or later).

In summary, additional information is necessary for the two applications for new rights, 63-11800 and 63-11801. No action on your part is needed concerning permit 63-10662. Please call me at 334-2190 if you have any questions. A response within 30 days would be appreciated.

Sincerely,



Steve Lester
Sr. Water Resource Agent

Enclosure: Large Diversion Information Requirement

MAILED
AUG 09 1994

NOTICE OF APPLICATION FOR WATER RIGHT

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

63-11784
MONTGOMERY, RAYMOND C
MONTGOMERY, SHILAH A
7775 BUTTE RD
MELBA, ID 83641
Source: GROUNDWATER
Diverson Pt: SWSW Sec 2 T 018 R 02W in CANYON County
Use: IRRIGATION
Total Diverson: (.680 CFS)
Date Filed: 4/23/1992
In: CANYON County
T018 R02W S02
34.0 ACRES TOTAL
NWSW SWSW

63-11785
HOSKINS, HAROLD C
22063 HOSKINS RD
CALDWELL, ID 83605
Source: GROUNDWATER
Diverson Pt: NESE Sec 8 T 03N R 04W in CANYON County.
NWSW Sec 9 T 03N R 04W in CANYON County.
Use: IRRIGATION
Total Diverson: (3.000 CFS)
Date Filed 4/27/1992
In: CANYON County
T03N R04W S06
S09
S17
162.0 ACRES TOTAL
NESE SWSE SESE
NWSW NESW NENE

63-11800
TOP FARMS INC
PO BOX 428
WILDER, ID 83676
Source: GROUNDWATER
Diverson 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
Total Diverson: (1.880 CFS)
Date Filed: 4/29/1992
In: CANYON COUNTY
T04N R04W S18
294.0 ACRES TOTAL
NENE NWNE SWNE SENE
NESE NWSE SWSE SESE

63-11801
ALLENDALE FARMS INC
PO BOX 428
WILDER, ID 83676
Source: GROUNDWATER
Diverson Pt: LOT 4 (SWSW) Sec 18 T 04N R 04W in CANYON County.
Use: IRRIGATION
Total Diverson: (4.800 CFS)
Date Filed: 4/29/1992
In: CANYON County
T04N R04W S18
240.0 ACRES TOTAL
NENW Lot 1 (NWNW) Lot 2 (SWNW) SENW
NESW Lot 3 (NWSW)

63-11820
WILLIAMSON, ROGER L
WILLIAMSON, JOHN C
DBA J & R FARMS
14252 SUNNYSLOPE RD
CALDWELL, ID 83605
Source: GROUNDWATER
Diverson Pt: NWSE Sec 10 T 03N R 04W in CANYON County.
Use: IRRIGATION
Total Diverson: (.520 CFS)
Date Filed: 4/29/1992
In: CANYON County
T03N R04W S10
26.0 ACRES TOTAL
NWSW

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Canyon)

Department of Water Resources
Water Rights Office
Boise, Idaho

Mary B. Scott

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:

May 20, 27, 1992

Mary B. Scott

STATE OF IDAHO)
)
COUNTY OF CANYON)

On this 27th day of May in the year of 1992, before me, a Notary Public, personally appeared Mary B. Scott, 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.

Janet Lusk
Notary Public for Idaho
Residing at Nampa

AUG 09 1994

MY COMMISSION EXPIRES
JUNE 21st, 1997

63-11803

WILLIAMSON ORCHARDS
14252 SUNNYSLOPE RD
CALDWELL, ID 83605
Source: GROUNDWATER
Diversión Pt:

SWSW Sec 13 T 03N R 04W in CANYON County.
SESE Sec 14 T 03N R 04W in CANYON County.
SENE Sec 23 T 03N R 04W in CANYON County.
NWNW Sec 24 T 03N R 04W in CANYON County.

Total Diversión: (1.500 CFS)
Total Diversión: (1.500 CFS)

Use: IRRIGATION

Date Filed: 4/29/1992

In: CANYON County
T03N R04W S14

S23

NENE

SENE

NESW

SESE

NWSE

NWNW

108.0 ACRES TOTAL

63-11805

WISSEL, RALPH
WISSEL BROS
224 S CANYON
NAMPA, ID 83686
Source: GROUNDWATER
Diversión Pt:

NENE Sec 31 T 03N R 02W in CANYON County.

Total Diversión: (1.020 CFS)
Total Diversión: (1.020 CFS)

Date Filed: 4/29/1992

In: CANYON County
T03N R02W S30

S31

SWSE

SESE

NENE

51.0 ACRES TOTAL

63-11806

VERMEER, NORMAN
18883 FRIENDS RD
CALDWELL, ID 83605
Source: GROUNDWATER
Diversión Pt:

NENW
SWNW

Sec 33 T 04N R 04W in CANYON County.

Sec 33 T 04N R 04W in CANYON County.

Total Diversión: (3.000 CFS)
Total Diversión: (3.000 CFS)

Use: IRRIGATION

Date Filed: 5/1/1992

In: CANYON County
T04N R04W S32

S33

NENW

NENE
SWNWSENE
SENW

150.0 ACRES TOTAL

63-11807

CALDWELL RIVERVIEW ORCHARD
19491 APRICOT LN
CALDWELL, ID 83605
Source: GROUNDWATER
Diversión Pt:

SWNE

Sec 23 T 03N R 04W in CANYON County.

Total Diversión: (.600 CFS)
Total Diversión: (.600 CFS)

Use: IRRIGATION

Date Filed: 5/4/1992

In: CANYON County
T03N R04W S23

SENE

30.0 ACRES TOTAL

63-11809

MARTELL, ROBERT L
MARTELL, SUSAN C
17845 BOEHNER RD
CALDWELL, ID 83605
Source: GROUNDWATER
Diversión Pt:

NWNWSE

Sec 26 T 04N R 04W in CANYON County.

Total Diversión: (1.200 CFS)
Total Diversión: (1.200 CFS)

Use: IRRIGATION

Date Filed: 5/7/1992

In: CANYON County
T04N R04W S26

SWNE

NWSE

60.0 ACRES TOTAL

63-11812

STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE, ID 83720

Source: UNNAMED DRAIN
Diversión Pt: LOT 4 (NESWSW)
NENENW

Use: WILDLIFE STORAGE
DIVERSION TO STORAGE.

Tributary: SNAKE RIVER

Sec 31 T 06N R 05W in CANYON County.

Sec 36 T 06N R 05W in CANYON County.

(35.00 AF)

(2.000 CFS)

Total Diversión: (2.000 CFS)

Date Filed: 5/4/1992

In: CANYON County
T06N R06W S25

NWSW

SWSW

SESW

63-11813

STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE, ID 83720

Source: UNNAMED DRAIN

Diversión Pt: SENWSW

Use: WILDLIFE STORAGE
DIVERSION TO STORAGE

Tributary: SNAKE RIVER

Sec 25 T 06N R 06W in CANYON County.

(25.00 AF)

(2.000 CFS)

Total Diversión: (2.000 CFS)

Date Filed: 5/4/1992

In: CANYON County
T06N R06W S25

NWSW

SWSW

63-11814

YAMAMOTO, PAUL A
YAMAMOTO, MIYAKO M
17268 HOMEDALE RD
CALDWELL, ID 83605

Source: GROUNDWATER

Diversión Pt:

Use: IRRIGATION

SENESE

Sec 7 T 03N R 03W in CANYON County.

(.700 CFS)

Total Diversión: (.700 CFS)

Date Filed: 5/1/1992

In: CANYON County
T03N R03W S07

35.0 ACRES TOTAL

NWSW

63-11815

SOUTHGATE WATER USERS ASSOCIATION

C/O DONALD MURPHY

503 W ROSS

CALDWELL, ID 83605

Source: GROUNDWATER

Diversión Pt:

Use: IRRIGATION

DOMESTIC

SESW

Sec 33 T 04N R 03W in CANYON County

(.400 CFS)

Total Diversión: (.320 CFS)

Date Filed: 4/28/1992

In: CANYON County
T04N R03W S33

20.0 ACRES TOTAL

SESW

64-11818

JF WATSON FARMS CO

PO BOX 300

PARMA, ID 83660

Source: GROUNDWATER

Diversión Pt:

Use: IRRIGATION

NWNE

Sec 7 T 03N R 04W in CANYON Count

(.800 CF)

Total Diversión: (.800 CFS)

Date Filed: 5/7/1992

In: CANYON County
T03N R04W S07

40.0 ACRES TOTAL

NWN

63-11819

JC WATSON CO INC

PO BOX 300

PARMA, ID 83660

Source: GROUNDWATER

Diversión Pt:

Use: IRRIGATION

NESW

Sec 7 T 03N R 03W in CANYON County

(1.900 CFS)

Total Diversión: (1.900 CFS)

Date Filed: 5/7/1992

In: CANYON County
T03N R03W S07

95.0 ACRES TOTAL

NESW

Lot 3 (NWSW)

Lot 4 (SWSW)

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise Idaho 83705 on or before JUNE 8, 1992.

R. KEITH HIGGINSON

Director

DEPARTMENT OF WATER

RESOURCES

May 20, 27, 1992

MAILED
JUN 10 1992

AUG 09 1994

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 S18	NENW	Lot 1(NWNW)	Lot 2(SWNW)		SENW
	NESW	Lot 3(NWSW)			

240.0 ACRES TOTAL

MIDCOT MEN

AUG 09 1994