

11/24/2006

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

RIGHT NUMBER: 63-124K

NAME AND ADDRESS: DONALD AND NELLIE GISH TRUST
4585 N. MERIDIAN RD
MERIDIAN ID 83646

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.140 CFS

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 06/01/1864

POINT OF DIVERSION:

T03N R02E S9 SWNE Lot 7 Within ADA County

PURPOSE AND

PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.140 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights

for

storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE: IRRIGATION in ADA County

T04N R01W S36 NENE 39.00

39 ACRES TOTAL

This right and Right No. 63-8439B are limited to the irrigation of a combined total of 39 acres in a single irrigation season.

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

11/24/2006

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered via the Settlers Irrigation District Canal.

This right is also designated as Right No. 3 in the Boise River Stewart Decree and Boise River Water Distribution Report.

09/04/2006

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

RIGHT NUMBER: 63-124K

NAME AND ADDRESS: ALICE GISH
4585 N MERIDIAN
MERIDIAN ID 83642

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.140 CFS

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 06/01/1864

POINT OF DIVERSION:

T03N R02E S9 SWNE Lot 7 Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.140 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE: IRRIGATION Within ADA County

T04N R01W S36 NENE 39.00

39 ACRES TOTAL

This right and Right No. 63-8439B are limited to the irrigation of a combined total of 39 acres in a single irrigation season.

09/04/2006

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered via the Settlers Irrigation District Canal.

This right is also designated as Right No. 3 in the Boise River Stewart Decree and Boise River Water Distribution Report.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-124K V1

WATER RIGHT NUMBER: 63-124K V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ALICE GISH 4585 N MERIDIAN MERIDIAN, ID 83642 (208)888-6186
Original Owner	MIDDLETON MILL DITCH CO
	, ZZ
Original Owner	CARL A GISH
	, ID

Priority Date: 06/01/1864

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.140 CFS	
	<u>Total Diversion:</u>	0.140 CFS	

Location of Point(s) of Diversion

BOISE RIVER	L7 (SW1/4NE1/4)	Sec. 9,	Twp 03N,	Rge 02E, B.M.
ADA County				

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	01W	36	39.0				39.0

Total Acres: 39

Conditions of Approval:

1. Water is delivered via the Settlers Irrigation District Canal.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-124K V1

2. 155 This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.
3. This right is also designated as Right No. 3 in the Boise River Stewart Decree and Boise River Water Distribution Report.
4. S45 Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.
5. E55 This right and Right No. 63-8439B are limited to the irrigation of a combined total of 39 acres in a single irrigation season.
6. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

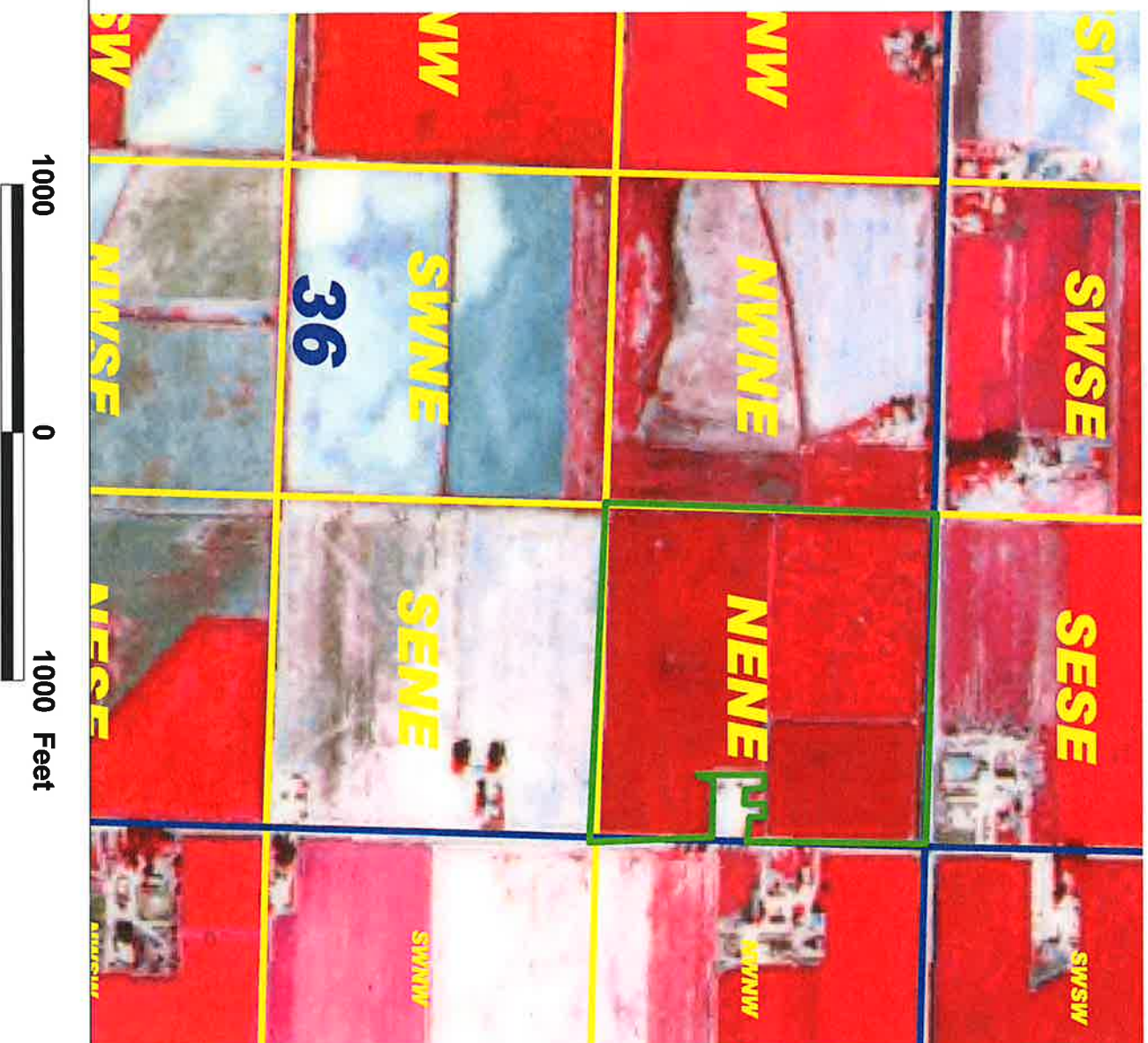
Comments:

Water Supply Bank:

63-124K

1987/1988 NAPP Photo
Prepared by: J. Shurte
Date: September, 2006

-



Delivered via Settlers Canal per Xfer # 350 in file.
05/24/2002

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-124K

WATER RIGHT NUMBER: 63-124K

Owner Type Name and Address
Current Owner ALICE GISH
 4585 NORTH MERIDIAN
 MERIDIAN, ID 83642
 (208)888-6186
Original Owner MIDDLETON MILL DITCH CO
 , ZZ
Original Owner CARL A GISH
 , ID

Priority Date: 06/01/1864

Basis: Decreed

Status: Active

Source Tributary
BOISE RIVER SNAKE RIVER

Beneficial Use From To Diversion Rate
IRRIGATION 3/15 to 11/15 0.140 CFS
3/11 Total Diversion: 0.140 CFS

Add 155 Cond.
Stepdown Remains

Add 504
Remains 545
above Star

Location of Point(s) of Diversion

BOISE RIVER

ADA County

NW1/4NW1/4

Sec. 9, Twp 03N, Rge 02E, B.M.

Correct to
Settlers POB

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	3									22.0	19.0			11.0	5.0			57.0
04N	01W	4									20.0	18.0			23.0	23.0			84.0
04N	01W	5								14.0	25.0	38.0	38.0		3.0	36.0	25.0		179.0
04N	01W	6			38.0	38.0			30.0	26.0	39.0	35.0	34.0	38.0	39.0	38.0	28.0	38.0	421.0
04N	01W	7	38.0	38.0	39.0	39.0	39.0	35.0	38.0	39.0	39.0	36.0	35.0	33.0	35.0	38.0	36.0	17.0	574.0
04N	01W	8	38.0	39.0	39.0	38.0	39.0	34.0	37.0	38.0	13.0	37.0			38.0	39.0	38.0	38.0	505.0

FILED IN DB
ONLY CLAIMED NE NE Q. 36 - 40 AC

MEMORANDUM

June 22, 1995

TO: SRBA Claims Submitted by Settler's Irrigation District

FROM: KAY WALKER *Kay*

RE: Correspondence prior to June 22, 1995

See File A63-00230F for all correspondence concerning
Settler's claims and claims they submitted for private individuals.

MICROFILMED
SEP 27 1996

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8439B V1

WATER RIGHT NUMBER: 63-8439B V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CARLA STARKEY 4660 N MERIDIAN RD MERIDIAN, ID 83642 (208) 888-6873
Original Owner	LEONARD R STARKEY 4660 N MERIDIAN RD MERIDIAN, ID 83642 (208) 888-6873
Current Owner	L J RANCHES C/O LARRY D JAMES 4785 N 10 MILE RD MERIDIAN, ID 83642 (208)888-4230

Priority Date: 02/11/1977

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.720 CFS	162.00 AF
	<u>Total Diversion:</u>	0.720 CFS	162.00 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4	Sec. 36, Twp 04N, Rge 01W, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	01W	36	36.0				36.0
Total Acres: 36							

Conditions of Approval:

1. S39 THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8439B V1

2. W54 Use of this right is combined with water from Settlers Irrigation District.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

Comments:

1. kbrown 7/17/2003 Transfer 3940

Comment: Transfer 3940 was filed to change the point of diversion under this portion of Right 63-08439.

2. kbrown 7/17/2003 Stockwater Use

Comment: When Right 63-08439 was split, the stockwater use was not proportionally divided between Parts A & B, but remained with A only. Therefore, I calculated splitting the stockwater use between 63-08439A & B (and ultimately between 63-31537 & -31538) for future referral. Refer to my Adjudication Field Report located in the file (dated 7/14/03).

Water Supply Bank:

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 63-124K
Date Received: 9/8/1989
Receipt No: C011305
Received By:

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

1. Name of Claimant(s)

DONALD AND NELLIE GISH TRUST Phone: (208)888-6186
4585 N. MERIDIAN RD
MERIDIAN ID USA 83646

2. Date of Priority: 06/01/1864

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	02E	9	NW NW	ADA	

5. Description of diverting works:

CONCRETE DAM AND EARTHEN LATERALS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.14	

7. Total Quantity Appropriated is:
0.14 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01W	36	NE	NE	IRRIGATION	40
					Section Acres	40
					Total Acres	40

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

TRANS. 350.
P/D S9, T3N, R2E.

CHANGE OF OWNERSHIP LG 11-24-2006

15. Basis of Claim: Decreed

If there ARE any more questions regarding this property, please feel free to contact my daughter, Kay Krueger, phone # 509-758-1338, or my son Jack Coish, phone # 208-412-8798.

Thank you once again for your help.

Sincerely,

Nellie Coish

10-30-06

ATTN: Ms. Jan Shurtz

Re: Water Rights # 63-124 K

Dear Ms. Shurtz,

Thank you so much for your help per our telephone conversation.

It is imperative that we retain the water rights for this property considering the fact that our home is situated on the site of the original homestead.

Please find enclosed a copy of the Quitclaim deed and a copy of the plat of the property.

RECEIVED

NOV 09 2006

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

WATER RESOURCES
WESTERN REGION

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-124K					

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Alice Coish
4585 N. Meridian Rd. Meridian, Idaho

4. New Owner/Claimant(s)

DON AND Nellie Coish - Don deceased
Feb-2005

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

4585 N. Meridian Rd.
Meridian, Idaho 83646

City, State and ZIP Code

New Telephone Number

888-6186

5. Date you acquired the property

Dec. 1999

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by lgagman Date 11-09-06 Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by lgagman AJ Date 11-24-06 WR _____ Date _____

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

RECORDED - REQUEST OF

FEE 9.00 DEPUTY Maple

1999 DE 22 AM 9:11

99121185

Donald Gish

AFTER RECORDING RETURN TO:

Don and Nellie Gish
4585 N. Meridian Rd.
Meridian, Id. 83642

QUITCLAIM DEED

GRANTORS:

DONALD L. GISH and NELLIE D. GISH, husband and wife.

GRANTEES:

DONALD L. GISH and NELLIE D. GISH, AS CO-TRUSTEES OF THE
DON and NELLIE GISH TRUST UNDER TRUST AGREEMENT DATED
DECEMBER 21, 1999 AND THEIR SUBSTITUTES AND SUCCESSORS AS
TRUSTEE THEREUNDER.

GRANTEE'S ADDRESS:

4584 N. Meridian Rd., Meridian, Id. 83642

DESCRIPTION OF REAL PROPERTY CONVEYED BY THIS DEED:

Situated in the County of ADA, State of IDAHO:

The real estate more particularly described upon Exhibit "A"
attached hereto and by this reference incorporated herein
and made a part hereof.

Subject to any encumbrances there on.

FOR VALUE RECEIVED, The above-named Grantors do hereby convey, release,
remise, and forever QUITCLAIM unto the above-named Grantees, the real property
above described, together with the appurtenances.

EXHIBIT "A"

North 750 feet of the East 290 feet of the NE1/4 of the NE1/4 of Section 36, Township 4
North, Range 1 West of Boise Meridian, Ada County, Idaho.

4.99

8A 7381



ACCOMMODATION

A Pioneer Company
PIONEER TITLE COMPANY
OF ADA COUNTY
8151 W. Rifleman Ave. / Boise, Idaho 83704
(208) 377-2700

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 10/13/05 10:57 AM
DEPUTY Neava Haney
RECORDED - REQUEST OF
Pioneer

AMOUNT 9.00 3



105152500

QUITCLAIM DEED

For Value Received

Larry D. James

do hereby convey, release, remise and forever quit claim unto

Donald L. Gish and Nellie D. Gish, as Co-Trustees of The Don and Nellie Gish Trust under Trust Agreement dated
December 21, 1999 and Their Substitutes and Successors as Trustee Thereunder

whose address is N. Meridian Rd., Meridian, ID 83642,

the following described premises, to-wit:

See Attached Exhibit "A"

together with their appurtenances.

Dated: October 11, 2005

Larry D. James

STATE OF Idaho. County of Ada, ss.

On this 12 day of October, in the year of 2005, before me The Undersigned, notary public personally
appeared Larry D. James known or identified to me to be the person/persons whose name is/are subscribed to
the within instrument, and acknowledged to me that he/she/they executed the same.



Fred Depold

Notary Public of
Residing at Ada County
Commission expires: 2/8/2011

Legal Description
James to Gish Parcel

A parcel located in the NE ¼ of the NE ¼ of Section 36, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

Commencing at a brass cap monument marking the northeast corner of said Section 36, from which a 5/8 inch diameter iron pin marking the southeast corner of said NE ¼ of the NE ¼ bears S 0°02'52" W a distance of 1330.19 feet;

Thence S 0°02'52" W along the easterly boundary of said NE ¼ of the NE ¼ a distance of 750.00 feet to a 5/8 inch diameter iron pin and the POINT OF BEGINNING;

Thence continuing along said easterly boundary S 0°02'52" W a distance of 84.83 feet to a 5/8 inch diameter iron pin;

Thence leaving said easterly boundary N 89°54'16" W a distance of 290.00 feet to a 5/8 inch diameter iron pin;

Thence N 0°02'52" E a distance of 84.83 feet to a 5/8 inch diameter iron pin;

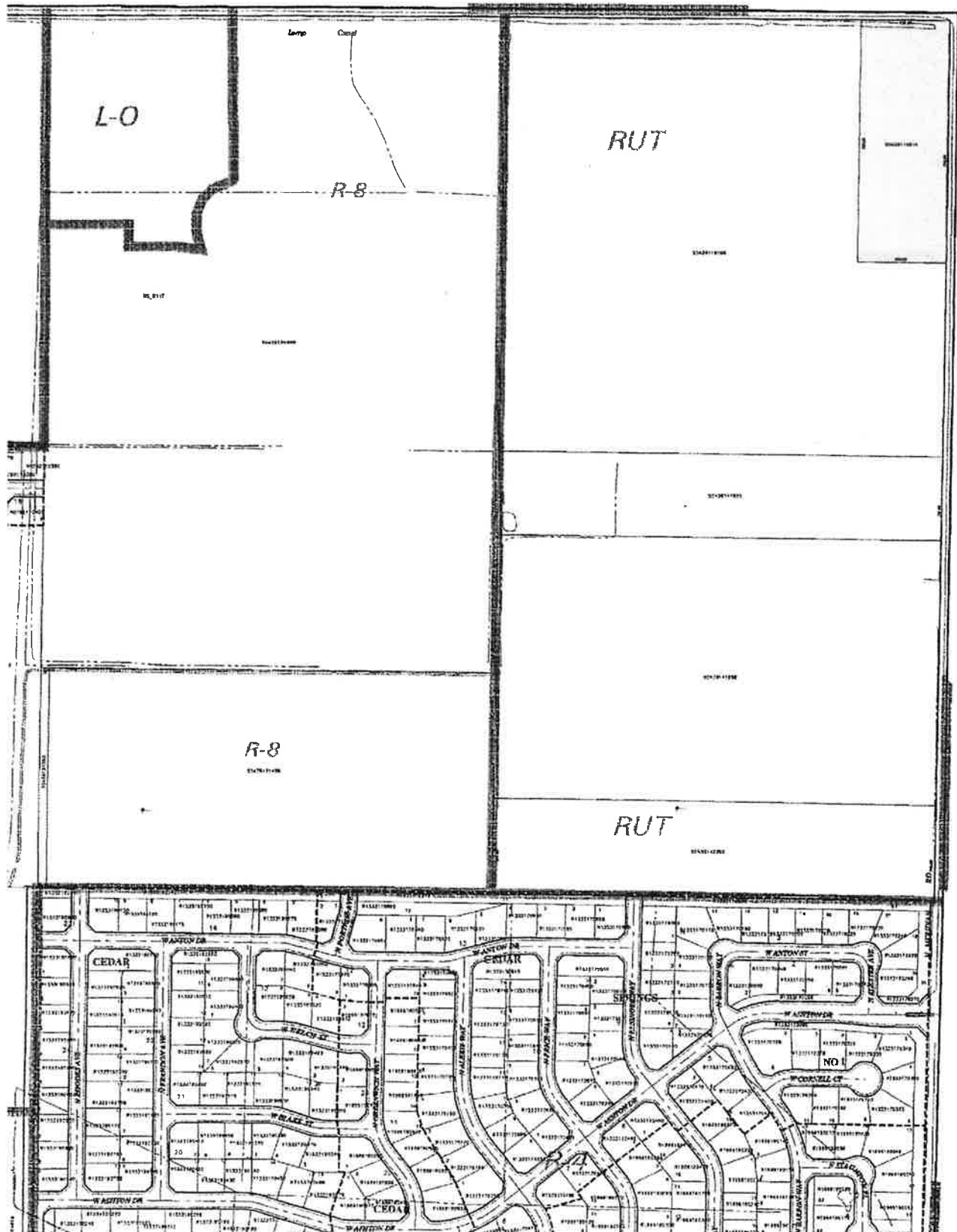
Thence S 89°54'16" E a distance of 290.00 feet to the POINT OF BEGINNING.

This parcel contains 0.56 acres and is subject to any easements existing or in use.

Clinton W. Hansen, PLS
Land Solutions, PC
September 29, 2005



PLAT MAP
Gish Ownership
Southwest Corner of Meridian & McMillan Roads



AERIAL PHOTOGRAPH

Gish Ownership

Southwest Corner of Meridian & McMillan Roads



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-00124K
Date Received: 9/08/1989
Receipt No: C011305
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ALICE GISH 208-888-6186
Address: 4585 NORTH MERIDIAN
MERIDIAN, ID 83642

2. Date of Priority: JUN 01, 1864

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02E	9	NW	NW			ADA

5. Description of diverting works:
CONCRETE DAM AND EARTHEN LATERALS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.140		

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

8. Total consumptive use is 140.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NA

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01W	36	NE	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	40.0
					Total Acres	40.0

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
63-230, 63-231, 63-5262, 63-3618, 63-3614

14. Remarks:
TRANS. 350.
P/D S9, T3N, R2E.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

FARMERS CO-OP DITCH CO.
Decree Plaintiff

vs RIVERSIDE IRR. DIST.
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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AUG 14 1992

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number

Date Received

Receipt Number

9-08-89

CO/1305

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Alice Gish Phone (208) 888-6186
Mailing Address 4585 North Meridian Rd., Meridian, ID Zip 83642

2. Date of Priority (Only one (1) per claim) June 1, 1864

3. Source of water supply (a) Boise River
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 3N Range 2E Section 9,
1/4 of NW 1/4 of NW 1/4, Govt. Lot, B.M., County of Ada

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Reinforced concrete diversion dam
in river to earthen canal, to earthen lateral ditch system.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3/15 to 11/15 amount .14 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .14 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 140 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4N	1W	36	40																40

Total number of acres irrigated 40

11. In which county (ies) are lands listed above as place of use located? Ada

12. Do you own the property listed above as place of use? Yes _____ No x

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

Water Right Nos. 63-0230 and 63-0231, 63-05262, 63-03618, and 63-03614 or None ()

14. Remarks:

A power of attorney (Exhibit A) provides written authorization for the Chairman of Settlers Irrigation District to file this claim.

This water right is evidenced by transfer no. 350 (Exhibit C).

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AUG 14 1992

Last Name Gish Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree x
If applicable provide IDWR Water Right Number 63-0124
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not x
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 3

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Chairman
_____ Title
of Settlers Irrigation District _____, that I have signed the foregoing
_____ Organization
document in the space below as _____ Chairman _____ of Settlers Irrigation District
_____ Title _____ Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Don Smith
Title and Organization Chairman/President Date 9/5/89

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 5th day of Sept 19 89

SEAL

Notary Public Zoe Ann M. Biscardi

Residing at Meredon, Id

My Commission Expires 8-1-93

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

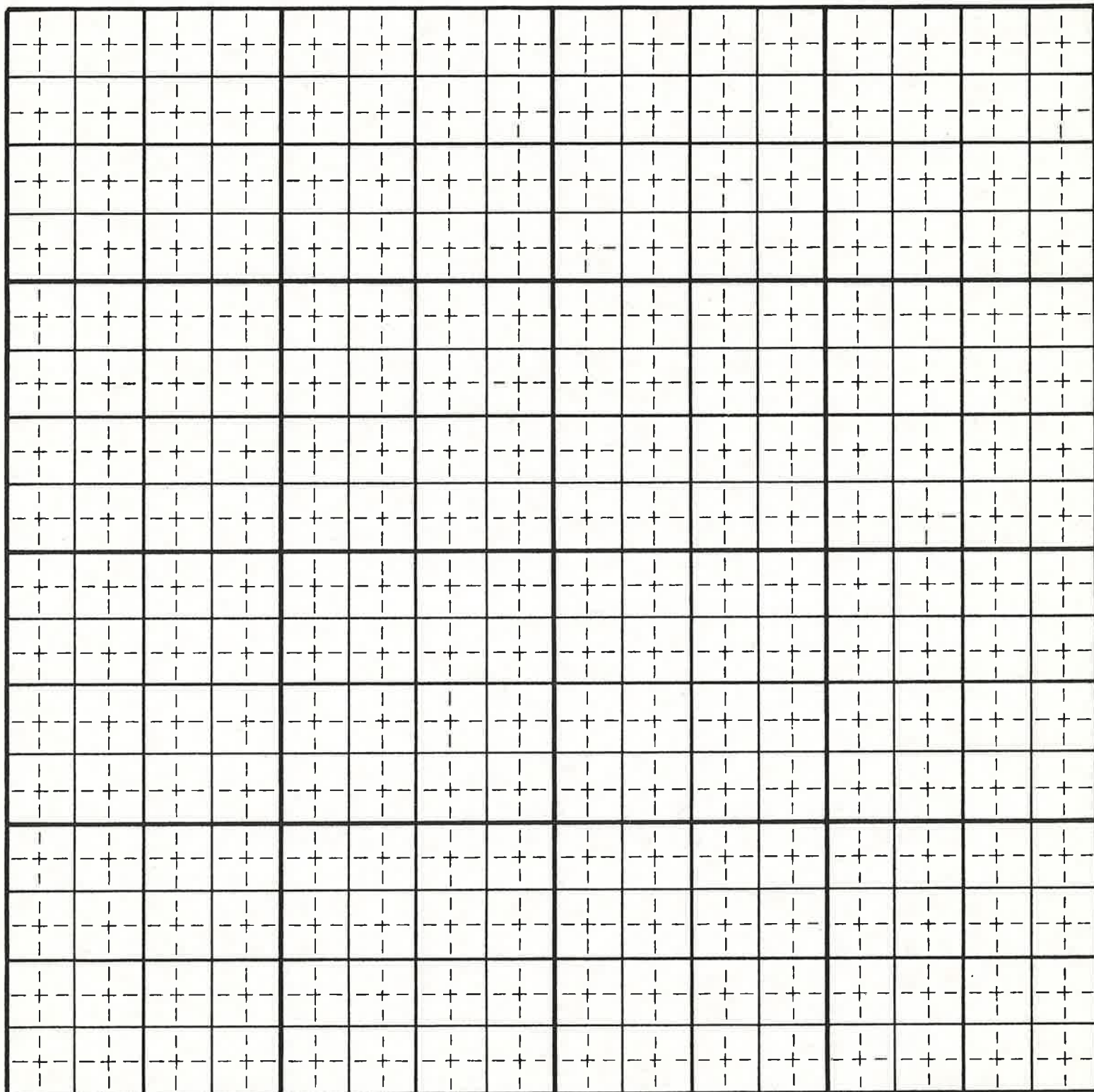
MICROFILMED
AUG 14 1992

Last Name Gish Ident. Number _____

Copies White-State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile See Exhibit B



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AUG 14 1992

Last Name Gish Ident No. _____

Copies: White-State, Yellow-Claimant

#350

LIMITED POWER OF ATTORNEY

I/We do hereby authorize and appoint Settlers Irrigation District and its duly elected and authorized officers and their agents to take all actions necessary or appropriate to prepare or cause to be prepared Notice of Water Right Claims and to execute and file the same on our behalf with the Idaho Department of Water Resources.

This authorization is limited to those Notice of Water Right Claims which describe and refer to water rights which allow the diversion and delivery of surface water from the Boise River through the Settlers Irrigation District water diversion and delivery system.

8-16-89
Date

Alice M. Gish by Donald Gish P.O.A.
Signature

Alice M. Gish by Donald Gish (P.O.A.)
(Please print full name)

Date

Signature

(Please print full name)

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AUG 14 1992

EXHIBIT A

IRRIGATION WATER SOURCES

Data based on 1975 agricultural season



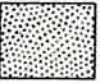
Private groundwater diversions



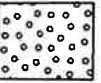
Combined small district and private Boise River diversions



Boise - Kuna Irrigation District (Boise River diversion)



Eagle Island Water Users (Boise River diversion)



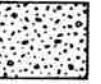
Farmers Union Ditch Co. (Boise River diversion)



Little Pioneer Ditch Co. (Boise River diversion)



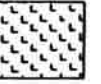
Nampa - Meridian Irrigation District (Boise River diversion)



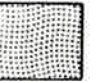
New York Irrigation District (Boise River diversion)



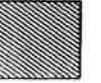
Pioneer Irrigation District (Boise River diversion)



Settlers Irrigation District (Boise River diversion)



Private Boise River tributary diversions



District surface water and supplemental private groundwater diversion

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AUG 14 1992

Blumberg No. 5119

EXHIBIT

B



63-0124

STATE OF IDAHO
Department of Reclamation
Certificate of Water Right
Transferred Right No. 350.

This is to certify that Carl A. Gish, of Meridian, County of Ada, State of Idaho, has a right to the use of the waters of Boise River, for irrigation and domestic purposes, and that said right has been confirmed by decree of the District Court of the Seventh Judicial District of the State of Idaho in and for the County of Canyon, in the case entitled "Farmers' Co-operative Ditch Company, a corporation, Plaintiff, vs. River-side Irrigation District, et al, Defendants", wherein certain water was decreed to the Middleton Mill Ditch Company, for irrigation of the following described lands: Lots 20, 21, 22, 23, 24, 48, 49 and 50 of Fruitdale Farm, in Canyon County, Idaho; that a copy of said decree is on file in the Department of Reclamation of the State of Idaho; that Carl A. Gish is entitled to one (1) share of the Capital Stock of the Middleton Mill Ditch Company, as shown by Stock Certificate No. 1013; that, upon the application of the said Carl A. Gish for a transfer of water right made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the right to the use of 0.14 second feet of the waters of Boise River, upon the lands above described is hereby abandoned and a description of the lands to be irrigated under such right and to which the water right hereby confirmed shall by this certificate become appurtenant, for irrigation and domestic purposes, is shown in the following table, limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

0.14 sec. ft., dated June 1, 1864

	NE ¹ ₄	NW ¹ ₄	SW ¹ ₄	SE ¹ ₄	Totals
Twp. Ree. Sec.	NE ¹ ₄ NW ¹ ₄ SW ¹ ₄ SE ¹ ₄	NE ¹ ₄ NW ¹ ₄ SW ¹ ₄ SE ¹ ₄	NE ¹ ₄ NW ¹ ₄ SW ¹ ₄ SE ¹ ₄	NE ¹ ₄ NW ¹ ₄ SW ¹ ₄ SE ¹ ₄	
4 N. 1 W. 36 40					40

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

That said water will be diverted in Section 9, Township 3 North, Range 2 East of Boise Meridian, and will be conducted to the place of use through the Settlers' Ditch.

WITNESS, The seal and signature of the Commissioner of Reclamation of the State of Idaho, affixed at Boise, this 6th day of February, 1925.

W. G. SWENDSEN
Commissioner of Reclamation

By _____
Assistant

EXHIBIT C

[illegible]

*** C - CURRENT OWNER ***
GISH

CARL A.

1 -
2 -
3 -
Cit.
Pho:

*** O - ORIGINAL OWNER ***
MIDDLETON MILL DITCH CO.

MIDDLETON MILL DITCH CO.

	City- Phone	State-	Zip-
+ - - Priority Date - - +			
06/01/1364			
14			
+ - - - Region - - - +	+ - - - Stage - - +	+ - - - Status - - -	
	D - DECREED		

```

+ - - - - Source - - - - - +
BOISE RIVER
+ - - - - Tributary - - - - -
SNAKE RIVER

```

+	Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Stream Index (Blank if no Index Code)
---	-----	-----	-----	-------	-----	------	--------	--------------------	---------------------------------------

Code	Description	Period From	Water Use	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION				0.140	

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Div. Capacity - +	+ - Total Consumptive Use - +	+ - KW Usage -
0.140				

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
04N	01W	36	NE NE		40.0	01	IRRIGATION	1 ADA

Total Acres: 40.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

	Remarks
	TRANS. 350.
	P/D S9, T3N, R2E.

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Aug 14 1992

3/26/1990

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

Alice Smith

CLAIM IDENT. NO.

63-124K

DATE RECEIVED

9/8/89

CK #

1011305

AMOUNT \$

90.00

Required

- | | YES | NO | Info? |
|--|-------------------------------------|--------------------------|-------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates? | ☒ | ☐ | * |
| See Adjudication Memos #1 and #4 to determine if a Permit is required. | ☒ | ☐ | * |
| 3. (a) Is a source entered? | ☒ | ☐ | |
| (b) Is a tributary to entered? (if required) | ☒ | ☐ | |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? | ☒ | ☐ | |
| Is the consumptive use correct? | ☒ | ☐ | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | ☒ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? (see Item No. 17 for checking other water rights) | ☒ | ☐ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | ☒ | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the basis of claim is shown as license, permit or decree is the existing water right number listed? (If yes, compare claim with the existing water right and either attach a proof report or state in comments that existing right was compared to claim) | ☒ | ☐ | |
| 17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal desc. on the claim? (If yes, describe these rights in "Comments") NOTE: If the claim is for domestic/stockwater this check is not as necessary unless it is indicated there is an existing right | ☒ | ☐ | |
| 18. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | ☒ | ☐ | |
| 19. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 20. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 21. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 22. Is the fee enclosed correct? | ☒ | ☐ | * |

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YES NO

23. Should this claim be receipted and data entered?

Claim checked by:

Date:

Claim must be returned to claimant:

(Yes)

(No)

Claimant must be notified of modifications:

(Yes)

(No)

Receipt Prepared by:

Date:

Claim data entered by:

Date:

Checked by:

Date:

Sent to claimant by:

Date:

Comments:

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AUG 14 1992