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 63-2103B
Date Received: 3/28/1990
Receipt No: X999999
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ROBERT M DONNELLY
4705 N 36TH
BOISE ID USA 83703

Phone: (208)344-6397

KATHLEEN M DONNELLY
4705 N 36TH
BOISE ID USA 83703

Phone: (208)344-6397

2. Date of Priority: 06/03/1909

3. Source: SPRINGS Trib. to: STEWART GULCH CREEK

4. Point of Diversion:

Township	Range	Section	1/4	1/4	1/4	Lot	County	Type
04N	02E	21	NW	SW	SW		ADA	

5. Description of diverting works:

SPRINGBOX AND PIPELINE FOR GRAVITY SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.1	
DOMESTIC	1/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.1 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	02E	28	NE	NW		DOMESTIC	
			NE	NW		IRRIGATION	1
			NW	NW		IRRIGATION	4
						Section Acres	5
						Total Acres	5

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:

Ownership changed by DB 5/17/2004

Property also known as: Lot 2, Blk 1; Lot 6 Blk 1; Lot 1, Blk 2 of Nibler Subdivision.

IRRIGATION PLACE OF USE CHANGE OCCURRED ABOUT 1983 & CLAIM REPRESENTS A TRANSFER. DOMESTIC USE FOR 2 HOMES UNDER ONE OWNER. DOMESTIC USE IN S.21 INCLUDES HOME & YARD. DOMESTIC USE IN S.28 IS INTERNAL & 1 ACRE IRRIGATION COVERS LARGE YARD AREA. FOUR ACRES OF IRRIGATION IN NWNW S.28 ARE PART OF QUAIL HOLLOW GOLF COURSE & ALSO IRRIGATED BY 2 NIBLER WELLS & GGRANDFATHER USE FROM STEWART GULCH (IN PROCESS OF FILING B.U. CLAIM FOR STEWART GULCH) DOMESTIC USE DESCRIBED IN CLAIM IS A CLARIFICATION OF LICENSE & DOES NOT REPRESENT ADDITIONAL WATER OR USES.
THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF CLAIM NO. A63-02103, FEE PAID UNDER RECEIPT NO. W011756. LW 8-17-90.

15. Basis of Claim: License

Form 42-1409(7)

RECEIVED
JUN 15 1999
Department of Water Resources

NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED
OCT 07 2003
WATER RESOURCES
WESTERN REGION

DATE OF CLOSING: 11/6/98

LEGAL DESCRIPTION OF PROPERTY: Township_____ Range_____, BM. SEE ATTACHED
Section_____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot_____
Lot_____, Block_____, Subdivision/Townsite_____.
If you have additional legal descriptions, please attach separate sheet.

[ ] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

RECEIVED
JUN 18 1999
WATER RESOURCES
WESTERN REGION

[ ] Water Right Number(s) Assigned by IDWR: A63-02103 63-2103B

[ ] Name and Address of Former Owner/Claimant(s)(Seller): VANCROFT CORPORATION
600 W. 76TH AVENUE #101
ANCHORAGE, AK 99518

[ ] New Owner/Claimant (Purchaser): ROBERT M. DONNELLY AND KATHLEEN M. DONNELLY

[ ] New Mailing Address: 4705 N. 36TH WAY
BOISE, ID 83703

[ ] New Telephone Number: (208) 344 - 6397

[ ] Does the change in ownership result in a splitting of the water right owned/claimed? __yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

[ ] Attach proof of ownership, describe proof attached:

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[ ] Signature of New Owner/Claimant(s): X Robert M. Donnelly Date 6/10/99
X Kathleen Donnelly Date 6/10/99

[ ] Signature of Former Owner/Claimant(s): VANCROFT CORPORATION Date 11-5-98
By, Veronica C. Montgomery, Vice Pres. Date 11-5-98

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: **By:**
Further Action Needed:

Further Action Taken
Date: **By:**
Final Review and Data-Entry
Date: **By:**
Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

THIS FORM FURNISHED COURTESY OF:

ALLIANCE TITLE & ESCROW CORP.

READ & APPROVED BY GRANTEE(S): X _____ _____

SPACE ABOVE THIS LINE FOR RECORDING DATA

(0200 & 0300) Order No.: 98078096 SL/KM

CORPORATE WARRANTY DEED

FOR VALUE RECEIVED, VANCROFT CORPORATION, AN IDAHO CORPORATION

, a corporation organized and existing under the laws of the State of Idaho, with its principal office at 600 W. 76TH AVE. ANCHORAGE, AK 99518 of County of , State of Idaho, GRANTOR, hereby GRANT, BARGAIN, SELL AND CONVEY unto ROBERT M. DONNELLY AND KATHLEEN M. DONNELLY, HUSBAND AND WIFE

GRANTEE(S), whose current address is: 4705 N. 36TH WAY, BOISE, ID 83703 the following described real property located in ADA County, State of Idaho, more particularly described as follows, to wit:

As set forth on the attached EXHIBIT "A", which by this reference becomes a part hereof.

Together with water right claim #A63-02103 Appurtenant thereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor will warrrant and defend the same from all lawful claims whatsoever and reservations in the US Patent.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the Grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the Grantor has caused its corporate name to be hereunto affixed by its duly authorized officers this 4th day of November , in the year of 1998.

(Corporate Seal)

VANCROFT CORPORATION
(Corporate Name)

By: _____
VERONICA MONTGOMERY Vice President

Attest: _____
Secretary

STATE OF IDAHO)
COUNTY OF ADA)

On this 5th day of November , in the year of 1998 , before me, the undersigned, a Notary Public in and for said State, personally appeared VERONICA MONTGOMERY

known or identified to me to be the Vice President of the corporation that executed the instrument or the person(s) who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

KERENSA MAJERUS
NOTARY PUBLIC
STATE OF IDAHO

Signature: Kerensa Majerus

Name: KERENSA MAJERUS
(type or print)

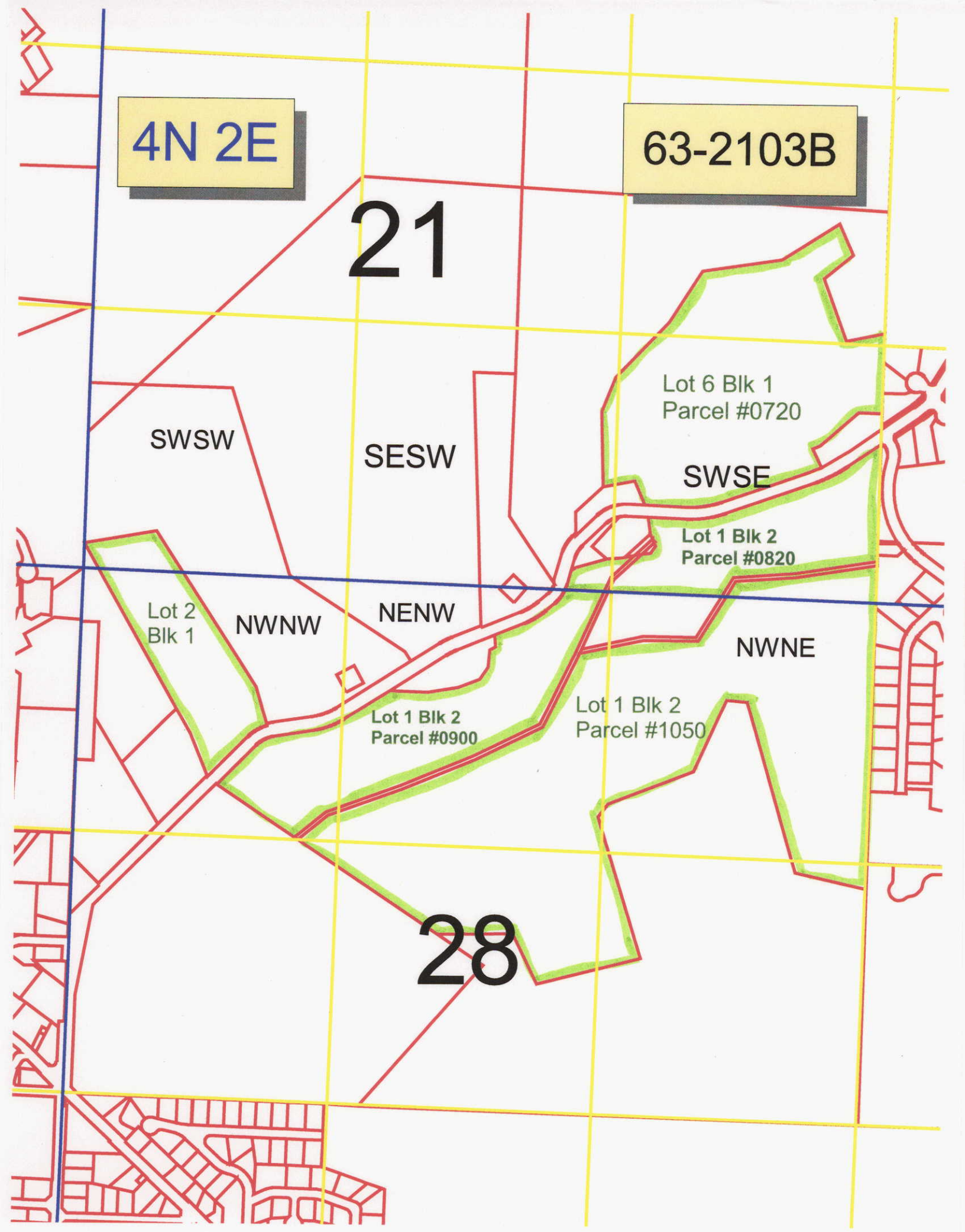
Residing at: BOISE

My Commission Expires: 01/09/03

Exhibit "A"

Lot 2 Block 1, Lot 6 Block 1, Lot 1 Block 2 of Nibler Subdivision, filed in Book 59 of Plats, at Pages 5789-5791, records of the Ada County Recorder's Office, lying in Sections 21 and 28, township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho.

139.12 Acres


4N 2E
63-2103B
21
SWSW
SESW
SWSE
Lot 6 Blk 1
Parcel #0720
Lot 1 Blk 2
Parcel #0820
Lot 2
Blk 1
NWNW
NENW
NWNE
Lot 1 Blk 2
Parcel #0900
Lot 1 Blk 2
Parcel #1050
28

Book 59 Pages 5789

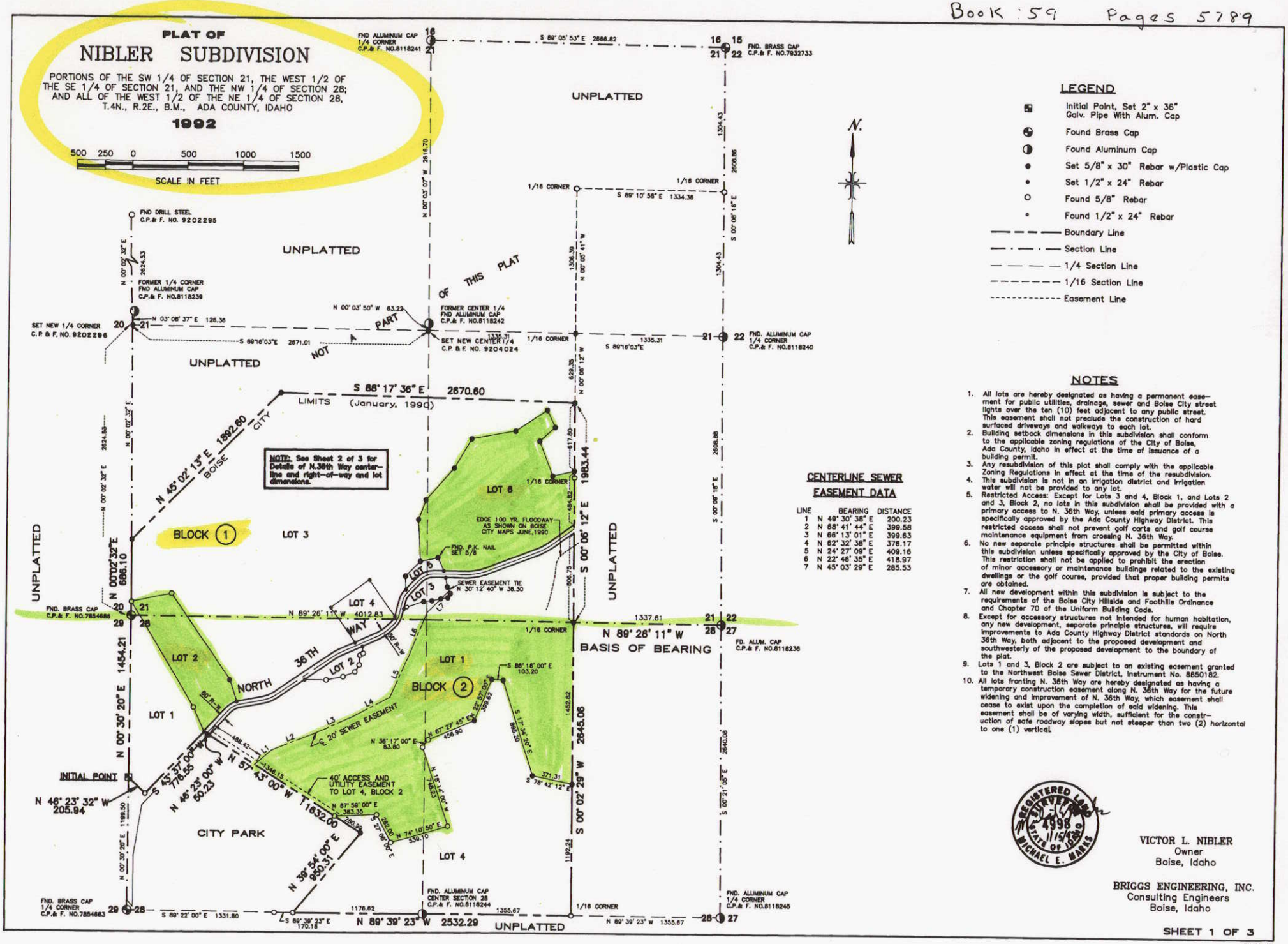
PLAT OF NIBLER SUBDIVISION

PORTIONS OF THE SW 1/4 OF SECTION 21, THE WEST 1/2 OF THE SE 1/4 OF SECTION 21, AND THE NW 1/4 OF SECTION 28; AND ALL OF THE WEST 1/2 OF THE NE 1/4 OF SECTION 28, T.4N., R.2E., B.M., ADA COUNTY, IDAHO

1992

500 250 0 500 1000 1500

SCALE IN FEET



LEGEND

- Initial Point, Set 2" x 36" Galv. Pipe With Alum. Cap
- Found Brass Cap
- Found Aluminum Cap
- Set 5/8" x 30" Rebar w/Plastic Cap
- Set 1/2" x 24" Rebar
- Found 5/8" Rebar
- Found 1/2" x 24" Rebar
- Boundary Line
- Section Line
- 1/4 Section Line
- 1/16 Section Line
- Easement Line

CENTERLINE SEWER EASEMENT DATA

LINE	BEARING	DISTANCE
1	N 49° 30' 38" E	200.23
2	N 88° 41' 44" E	399.58
3	N 66° 13' 01" E	399.63
4	N 82° 32' 38" E	376.17
5	N 24° 27' 09" E	409.16
6	N 22° 46' 35" E	418.97
7	N 45° 03' 29" E	285.53

NOTES

1. All lots are hereby designated as having a permanent easement for public utilities, drainage, sewer and Boise City street lights over the ten (10) feet adjacent to any public street. This easement shall not preclude the construction of hard surfaced driveways and walkways to each lot.
2. Building setback dimensions in this subdivision shall conform to the applicable zoning regulations of the City of Boise, Ada County, Idaho in effect at the time of issuance of a building permit.
3. Any resubdivision of this plat shall comply with the applicable Zoning Regulations in effect at the time of the resubdivision.
4. This subdivision is not in an irrigation district and irrigation water will not be provided to any lot.
5. Restricted Access: Except for Lots 3 and 4, Block 1, and Lots 2 and 3, Block 2, no lots in this subdivision shall be provided with a primary access to N. 36th Way, unless said primary access is specifically approved by the Ada County Highway District. This restricted access shall not prevent golf carts and golf course maintenance equipment from crossing N. 36th Way.
6. No new separate principle structures shall be permitted within this subdivision unless specifically approved by the City of Boise. This restriction shall not be applied to prohibit the erection of minor accessory or maintenance buildings related to the existing dwellings or the golf course, provided that proper building permits are obtained.
7. All new development within this subdivision is subject to the requirements of the Boise City Hillside and Foothills Ordinance and Chapter 70 of the Uniform Building Code.
8. Except for accessory structures not intended for human habitation, any new development, separate principle structures, will require improvements to Ada County Highway District standards on North 36th Way, both adjacent to the proposed development and southwesterly of the proposed development to the boundary of the plat.
9. Lots 1 and 3, Block 2 are subject to an existing easement granted to the Northwest Boise Sewer District, Instrument No. 8850182.
10. All lots fronting N. 36th Way are hereby designated as having a temporary construction easement along N. 36th Way for the future widening and improvement of N. 36th Way, which easement shall cease to exist upon the completion of said widening. This easement shall be of varying width, sufficient for the construction of safe roadway slopes but not steeper than two (2) horizontal to one (1) vertical.

REGISTERED LAND SURVEYOR 4998 11/15/91 STATE OF IDAHO MICHAEL E. HARRIS

VICTOR L. NIBLER
Owner
Boise, Idaho

BRIGGS ENGINEERING, INC.
Consulting Engineers
Boise, Idaho

SHEET 1 OF 3

01-13-92

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: **A63-02103B**
Date Received: 3/28/1990
Receipt No: X777777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VANCROFT CORPORATION 208-384-0414
   Address: 3222 S. PASS COURT
   BOISE, ID 83705

2. Date of Priority: JUN 03, 1909

3. Source: SPRINGS Trib. to: STEWART GULCH

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
04N	02E	21	NW SW SW		ADA

5. Description of diverting works:
   SPRINGBOX AND PIPELINE FOR GRAVITY SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.100		
DOMESTIC	01/01	12/31	0.020		

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

8. Total consumptive use is 17.5 Acre Feet Per Annum.

9. Non-irrigation uses:
   DOMESTIC, 1 HOME; SEE REMARKS

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	02E	28	NE NW		IRR	1.0
			NE NW		DOMEST	
			NW NW		IRR	4.0

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AUG 18 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	5.0
					Total Acres	5.0

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:
4 ACRES IN NWNW S.28 ALSO IRRIGATED BY GOLF COURSE RIGHTS

14. Remarks:
IRRIGATION PLACE OF USE CHANGE OCCURRED ABOUT 1983 & CLAIM REPRESENTS A TRANSFER. DOMESTIC USE FOR 2 HOMES UNDER ONE OWNER. DOMESTIC USE IN S.21 INCLUDES HOME & YARD. DOMESTIC USE IN S.28 IS INTERNAL & 1 ACRE IRRIGATION COVERS LARGE YARD AREA. FOUR ACRES OF IRRIGATION IN NWNW S.28 ARE PART OF QUAIL HOLLOW GOLF COURSE & ALSO IRRIGATED BY 2 NIBLER WELLS & GGRANDFATHER USE FROM STEWART GULCH (IN PROCESS OF FILING B.U. CLAIM FOR STEWART GULCH) DOMESTIC USE DESCRIBED IN CLAIM IS A CLARIFICATION OF LICENSE & DOES NOT REPRESENT ADDITIONAL WATER OR USES.
THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF CLAIM NO. A63-02103, FEE PAID UNDER RECEIPT NO. W011756. LW 8-17-90.

15. Basis of Claim: LICENSE

Water Right Number: 4739

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: _____

MICROFILMED
AUG 18 1992

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)
) SS.
County of _____)

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

of _____ 19 _____ _____
Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
AUG 18 1992

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: **A63-02103B**
Date Received: 3/28/1990
Receipt No: ~~W011756~~ X777727
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VANCROFT CORPORATION 208-384-0414
   Address: 3222 S. PASS COURT
   BOISE, ID 83705

2. Date of Priority: JUN 03, 1909

3. Source: SPRINGS Trib. to: STEWART GULCH

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
04N	02E	21	NW SW SW		ADA

5. Description of diverting works:
   SPRINGBOX AND PIPELINE FOR GRAVITY SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.100		
DOMESTIC	01/01	12/31	0.020		

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

8. Total consumptive use is 17.5 Acre Feet Per Annum.

9. Non-irrigation uses:
   DOMESTIC, 1 HOME; SEE REMARKS

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	02E	28	NE NW		IRR	1.0
			NE NW		DOMEST	
			NW NW		IRR	4.0

MICROFILMED
AUG 18 1992

Added in Old Water Right No. field
63-02103

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	5.0
					Total Acres	5.0

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:
4 ACRES IN NWNW S.28 ALSO IRRIGATED BY GOLF COURSE RIGHTS

14. Remarks:
IRRIGATION PLACE OF USE CHANGE OCCURRED ABOUT 1983 & CLAIM REPRESENTS A TRANSFER. DOMESTIC USE FOR 2 HOMES UNDER ONE OWNER. DOMESTIC USE IN S.21 INCLUDES HOME & YARD. DOMESTIC USE IN S.28 IS INTERNAL & 1 ACRE IRRIGATION COVERS LARGE YARD AREA. FOUR ACRES OF IRRIGATION IN NWNW S.28 ARE PART OF QUAIL HOLLOW GOLF COURSE & ALSO IRRIGATED BY 2 NIBLER WELLS & GGRANDFATHER USE FROM STEWART GULCH (IN PROCESS OF FILING B.U. CLAIM FOR STEWART GULCH) DOMESTIC USE DESCRIBED IN CLAIM IS A CLARIFICATION OF LICENSE & DOES NOT REPRESENT ADDITIONAL WATER OR USES.
(**ON 8/17/90 THIS CLAIM WAS SPLIT IN RESPONSE TO A CHANGE IN OWNERSHIP REQUEST. THIS CLAIM REPRESENTS ALL THE IRRIGATION USE AND THE DOMESTIC USAGE IN SECTION 28 AS PURCHASED BY THE NEW OWNERS, THE VANCROFT CORPORATION.***L.W) #5 under modifying split claims.

15. Basis of Claim: LICENSE

Water Right Number: 4739

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: _____

MICROFILMED
AUG 18 1992

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)
) SS.
County of _____)

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

of _____ 19 _____

_____
Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
AUG 18 1992

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 17, 2004

ROBERT M DONNELLY
KATHLEEN M DONNELLY
4705 N 36TH WAY
BOISE ID 83703

Re: Notice of Claim to a Water Right No. 63-2103B

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflect the change in ownership of the land and appurtenant water rights, covered under the original filing.

Please note that the enclosed Notice of Claim to a Water Right is not a final determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

Adjudication Section
Western Region Office

DB: db

Enclosure

RECEIVED
OCT 07 2003
WATER RESOURCES
WESTERN REGION

Date: 2 Oct 03

From: Bob Donnelly
Member Bluegrass LLC
4705 N 36th Way
Boise, ID 83703
PH: 208 368 3134

To: Idaho Department of Water Resources

Subject: Change in Water Right Ownership

I am resubmitting the request for water rights transfer that was filed for me by the previous owner, but had an incorrect property description attached. The current attachment A is correct.

Thank You

Bob Donnelly

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

Not Ser Pockett!

PRESORTED
FIRST CLASS

BOISE
MAY 31 '02
ID

PB METER
7110094

0.255
U.S. POSTAGE

63-2103B
4037
21875

RETURN TO SENDER
ADDRESSEE UNKNOWN

VANCROFT CORPORATION
3222 S PASS COURT
BOISE ID 83705

RECEIVED
JUN 14 2002
WATER RESOURCES
WESTERN REGION

Ø Found

DAAGTMS

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 7, 2001

ROBERT M DONNELLY
KATHLEEN M DONNELLY
4705 N 36TH WAY
BOISE ID 83703

RE: Notice of Change of Water Right Ownership Claim No. 63-2103B

Dear Property Owners:

This office has reviewed the Notice of Change of Water Right Ownership you have submitted (copy enclosed), however, we are unable to complete this ownership change at this time. The legal description on the information submitted does not match that of the claim. Please check your records for additional information showing the legal description that applies to the green outlined area of the enclosed map. We have plotted the attached Parcel I and II descriptions on the map for your reference. They do not match the claimed lands of the above referenced water right number.

Due to our findings, we cannot change the ownership into you name until further information is submitted. If you have any additional information concerning this water right, then we may be able to complete the ownership change.

Thank you for your patience and cooperation, as we have had several water right changes to process. Please feel free to contact Ron Howerton at this office if you have any questions concerning this letter.

Sincerely,

Adjudication Section
Western Region

DB: db

Enclosures

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

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Date Aug. 20, 1990

[Vancroft Corporation
3222 S. Pass Court
Boise, ID 83705]

Notice of Claim No.(s) A63-02103B, A63-04037, A63-21876

Dear Claimant:

Enclosed is a copy(s) of the above referenced claim(s) which reflect the change in ownership of the land and appurtenant water rights covered by this claim(s).

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim(s) for final court decree.

If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,
Linda A. Werner
Linda A. Werner
Sr. Water Resource Agent

Enclosure(s)

MICROFILMED
AUG 18 1992

CHANGE IN OWNERSHIP

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.

[✓] Water Right Number(s): A63-04037, A63-02103, A63-21875

[ ] Name and Address of Former Claimant(s): Victor L. & Ruth E. Niblen
4705 N. 36th
Boise ID. 83703

[✓] New Claimant(s): Vancroft Corporation

[✓] New Mailing Address: 3222 South Pass Court
Boise Id. 83705

New Telephone Number: (208) 384-0414

[✓] Does the change in ownership result in a splitting of the water right claimed? ✓ yes ____ no
If yes, then describe the portion of the water right that is now claimed by the new owner:
For A63-02103 - all except 50% of domestic (or .02 cfs) for home & yard in SESW S.21 goes to new owner
other claims A63-04037 & A63-21875 are conveyed in entirety.

[✓] Attach proof of ownership
Describe proof attached: copy of Warranty deed
(Proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former claimant.)

[✓] Signature of New Claimant(s): Mari Montgomery Jordan
President

Date: 6/18/90

RECEIVED
JUN 18 1990
Department of Water Resources
Western Regional Office

MICROFILMED
AUG 18 1992

[ ] Signature of Former Claimant(s): _____

_____

Date: _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: By:
Further Action Needed:
Further Action Taken
Date: By:
Final Review and Data-Entry
Date: By:
Claim Numbers of Split, if any:

MICROFILMED
AUG 18 1992

OFFICE COPY

9030574

WARRANTY DEED

FOR VALUE RECEIVED, VICTOR L. NIBLER and RUTH NIBLER, husband and wife (the "Grantor"), does hereby grant, bargain, sell and convey unto VANCROFT CORPORATION, an Idaho corporation whose address is 3222 South Pass Court, Boise, Idaho 83705 (the "Grantee"), the real property located in Ada County, Idaho, and described on Exhibit A hereto and incorporated herein, together with its appurtenances, including any and all water rights, (hereinafter the "Premises").

The Grantor does hereby covenant to and with the Grantee, that Grantor is the owner in fee simple of the Premises; that the Premises are free and clear from all encumbrances except as set forth on Exhibit B attached hereto and incorporated herein (the "Permitted Exceptions") and that Grantor will warrant and defend the same from all other claims whatsoever.

TO HAVE AND TO HOLD the Premises unto the Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the Grantor has executed this Deed effective this 8 day of June, 1990.

Ada County, Idaho ss
Request of
SECURITY TITLE
TIME 10:45 A.M.
DATE 6-11-90
JOHN BASTIDA
RECORDER
By _____ Deputy

"Grantor"

Victor L Nibler
Victor L. Nibler

Ruth E Nibler
Ruth E. Nibler

STATE OF IDAHO)
) ss.
County of Ada)

On this 8 day of June, 1990, before me, the undersigned, a Notary Public in and for said State, personally appeared Victor L. Nibler and Ruth E. Nibler, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

THOMAS HESP NOTARY PUBLIC STATE OF IDAHO

Thomas Hesp
Notary Public for Idaho
Residing at ~~Boise~~ Nampa, Idaho
My commission expires: 11/29/95

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EXHIBIT A

DESCRIPTION OF PROPERTY

The NW 1/4, and the W 1/2 NE 1/4, Section 28, and the SW 1/4 and the W 1/2 SE 1/4, and the W 1/2 NE 1/4, and the NE 1/4 NE 1/4, Section 21, Township 4N, Range 2E, Boise Meridian, Boise, Ada County, Idaho excepting therefrom the following:

Commencing at the Quarter corner common to Section 28 and 29, T. 4N, R. 2E, B.M.; thence
South 89°53' East 50 feet to the REAL PLACE OF BEGINNING; Thence
North 497.3 feet; thence
North 8°58'40" East 464.16 feet; thence
North 43°06' East 870.8 feet; thence
South 58°14; East 1632.0 feet; thence
South 39°23' West 951.72 feet; thence
North 89°53' West 1451.2 feet to the REAL PLACE OF BEGINNING. A parcel of land containing 50.58 acres, more or less. (SEE WARRANTY DEED, Instrument No. 404319, December 6, 1956.)

And further excepting therefrom the following:

Commencing at the Quarter corner common to Section 28 and 29, T. 4N, R. 2E, B.M.; thence
North along the Section line 898.2 feet to an iron pin, the REAL PLACE OF BEGINNING; thence
North 301.3 feet to an iron pin; thence
South 46°54' East 205.9 feet to an iron pin; thence
South 43°06' West 220.0 feet to the PLACE OF BEGINNING. A parcel of land containing 0.52 acres, more or less. (SEE WARRANTY DEED, Instrument No. 506934, July 10, 1961.)

And further excepting therefrom the following:

Commencing at the Southwest corner of the Northwest 1/4 of Section 28, T. 4N, R. 2E, B.M.; thence
North 00°30'30" East along the West Section Line of said Section 28, a distance of 87.38 feet to a point, also said point being the REAL POINT OF BEGINNING; thence
South 53°30'30" East, a distance of 9.28 feet to a point; thence
South 40°45'40 East, a distance of 64.43 feet to a point; thence
North 0°30'30" East, a distance of 463.69 feet to a point; thence
North 09°30'12: East, a distance of 464.17 feet to a point; thence
North 43°37'00" East, a distance of 870.80 feet to a point; thence
North 46°23'00" West, a distance of 50.23 feet to a point; thence
South 43°37'00" West, a distance of 996.51 feet to a point; thence
South 00°30'30" West, a distance of 810.82 feet to the REAL POINT OF BEGINNING.

A parcel of land containing 2.4039 acres, more or less. (SEE QUITCLAIM DEED, Instrument No. 8710730.)

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And further excepting therefrom the following:

Commencing at the Brass Cap marking the Southwest corner of the North 1/2 of Section 28, T. 4N, R. 2E, B.M.; thence
South 89°39'23: East 4034.27 feet along the Southerly boundary of the said North 1/2 of Section 28 to an iron pin marking the Southeast corner of the West 1/2 of the Northeast 1/4 of the said Section 28; thence
North 00°01'58" East 2644.81 feet along the Easterly boundary of the said West 1/2 of the Northeast 1/4 of Section 28 to an iron pin, marking the Southeast corner of the West 1/2 of the Southeast 1/4 of the said Seciton 21; thence
North 68°49'12" West 1498. 94 feet to a point, also said point being the REAL POINT OF BEGINNING; thence
North 77°41' East 162.90 feet to a point; thence
South 24°14; East 163.90 feet to a point; thence
South 09°44' East 116.70 feet to a point; thence
South 25°51' East 66.40 feet to a point; thence
South 32°30' West 45.10 feet to a point; thence
South 82°13' West 64.70 feet to a point; thence
South 76°23' West 83.60 feet to a point; thence
South 84°38' West 74.61 feet to a point; thence
South 72°11' West 161.01 feet to a point; thence
North 02°37'32" West 280.03 feet to a point; thence
North 45°31' east 189.06 feet to the POINT OF BEGINNING. A parcel of land containing 2.4039 acres, more or less. (SEE WARRANTY DEED, Instrument No. 8742940.)

And further excepting therefrom the following:

NIBLER'S 4 ACRE HOMESITE

Commencing at the Section corner common to Sections 20, 21, 28 and 29, T. 4N, R. 2E, B.M.; Thence
S 89°26'15" E. 1875.64 feet along the line common to Sections 21 and 28 to a point on the Southwesterly property line of this parcel, said point being the REAL POINT OF BEGINNING; Thence
N. 35°30'51" W. 116.81 feet to a point; Thence
N. 54°29'09" E. 427.89 feet to a point; Thence
S. 35°30'51" E. 398.67 feet to a point; Thence
along a curve to the right 51.76 feet, having a central angle of 19°07'56", a radius of 155.00 feet, tangents of 26.12 feet, and a chord of 51.52 feet which bears S. 38°26'59" W. to a point; Thence
S. 48°00'57" W. 62.81 feet to a point; Thence
along a curve to the right 111.04 feet, having a central angle of 16°57'56", a radius of 375.00 feet, tangents of 55.93 feet, and a chord of 110.63 feet which bears S. 56°29'55" E. to a point; Thence
S. 64°58'53: W. 208.90 feet to a point; Thence
N. 35°30'51" W. 261.23 feet to the REAL POINT OF BEGINNING.

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EXHIBIT B

PERMITTED EXCEPTIONS

1. Taxes and assessments for the year 1990 and subsequent years.

2. Reservations in U.S. Patent recorded in Book 1 of Patents at Page 60, Book 4 of Patents at Page 5, Book 6 of Patents at Page 78, Book 6 of Patents at Page 104, Book 6 of Patents at Page 112, as follows: "Subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with local customs, laws and decisions of Courts, and also subject to the rights of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law ... and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States."

3. Power line easement as granted by Frank Dobson and Lulu B. Dobson, his wife to Idaho Power Company, a corporation, by instrument recorded September 19, 1930, in Book 12 of Miscellaneous at Page 437, as Instrument No. 141535, of Official Records; including the right from time to time to cut, trim, and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation, or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system. The exact location and extent of said easement is not disclosed of record.

4. Power line easement as granted by Frank Dobson and Lulu B. Dobson, his wife to Idaho Power Company, a corporation, by instrument recorded February 27, 1931, in Book 12 of Miscellaneous at Page 547 as Instrument No. 143612, of Official Records; including the right from time to time to cut, trim, and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation, or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system. The exact location and extent of said easement is not disclosed of record.

5. Power line easement as granted by Western Loan & Investment Co. to Idaho Power Company, a corporation, by instrument recorded March 18, 1939, in Book 16 of Miscellaneous at Page 223, as Instrument No. 188931, of Official Records; including the right from time to time to cut, trim, and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation, or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system. The exact location and extent of said easement is not disclosed of record.

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6. Easement as granted by Victor L. Nibler and Ruth E. Nibler to The Mountain States Telephone and Telegraph Company by instrument recorded March 2, 1967, as Instrument No. 659097, of Official Records; for operation, maintenance and repair of its lines. The exact location and extent of said easement is not disclosed of record.

7. An easement for the purpose shown below and rights incidental thereto as contained in a document.
Purpose: sewer and water lines and other utility facilities, whether above ground or underground and a road and related improvements providing public ingress to and egress from

Recorded: August 23, 1978

Instrument No.: 7845243 of Official Records
The exact location and extent of said easement is not disclosed of record.

8. An easement for the purpose shown below and rights incidental thereto as contained in a document.
Purpose: access and utilities

Recorded: July 24, 1987

Instrument No.: 8742940 of Official Records
The exact location and extent of said easement is not disclosed of record.

9. Power line easement as granted by Victor L. Nibler and Ruth E. Nibler, his wife to Idaho Power Company, a corporation, by instrument recorded October 1, 1987, as Instrument No. 8755532, of Official Records ... including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system.

10. Power line easement as granted by Victor L. Nibler and Ruth E. Nibler, his wife to Idaho Power Company, a corporation, by instrument recorded November 18, 1983, as Instrument No. 8362310, of Official Records ... including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system.

11. An easement for the purpose shown below and rights incidental thereto as contained in a document.
Purpose: locating, establishing, constructing,

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maintaining, repairing, and operating underground sanitary sewer lines

Recorded: January 14, 1988

Instrument No.: 8802157 of Official Records

Said instrument was corrected and recorded October 12, 1988 as Instrument No. 8850182.

12. Underground power line easement as granted by Victor L. Nibler and Ruth E. Nibler, his wife to Idaho Power Company, a corporation by instrument recorded May 2, 1988 as Instrument No. 8820687 of Official Records.

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