

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 63-31260
Date Received: 8/29/1989
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

WILD SHAMROCK LLP
RICK THOMAS
PO BOX 8104
BOISE ID USA 83707

Phone: (208)322-7529

2. Date of Priority: 12/07/1964

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
03N	03E	30	SW	SW	SE	ADA	

5. Description of diverting works:

WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	01/01	12/31	0.56	1.2
FIRE PROTECTION		01/01	12/31	0.56

7. Total Quantity Appropriated is:
0.56 C.F.S. and/or 1.2 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	03E	30	SW	SE	FIRE PROTECTION	
			SW	SE	DOMESTIC	

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:

This claim is the result of a split due to change in ownership for a portion of 63-03416. DB 6/29/2001

This right when combined with all other rights shall not exceed .56 cfs.

Address update by DB 7/21/2004

Street address for Rick Thomas / Wild Shamrock LLP is: 627 N Gail Pl, Boise ID 83706. Per letter received 7/21/2004

15. Basis of Claim: License

Rick Thomas

P.O. Box 8104
Boise, ID 83707

Phone 208-322-7529

FAX 208-322-7554

email: rthomas@mxxi.com

July 14, 2004

Craig Saxton
Dept. Water Resources
2735 Airport Way
Boise, ID 83705

claim # 63-31260

Hello,

I have a change of address that I would like to pass on to you. Please change your records to show the following mailing address:

Rick Thomas
Wild Shamrock LLP
P.O. Box 8104
Boise, Idaho 83707

RECEIVED
JUL 21 2004
WATER RESOURCES
WESTERN REGION

Street Address:

Rick Thomas
627 N. Gail Place
Boise, Idaho 83706

Sincerely,

Rick E. Thomas

Rick Thomas

#10620

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 63-31260
Date Received: 8/29/89
Receipt No:
Received By:

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

1. Name of Claimant(s): WILD SHAMROCK LLP
12301 W EXPLORER DR #240
BOISE ID USA 83713

Phone: (208)322-7529

2. Date of Priority: 12/07/1964

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	03E	30	SW SW SE	ADA	

5. Description of diverting works:

WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	01/01	12/31	0.56	1.2
FIRE PROTECTION	01/01	12/31	0.56	

7. Total Quantity Appropriated is:
0.56 C.F.S. and/or 1.2 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	03E	30	SW SE SW SE		FIRE PROTECTION DOMESTIC	

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:

This claim is the result of a split due to change in ownership for a portion of 63-03416. DB 6/29/2001
This right when combined with all other rights shall not exceed .56 cfs.

15. Basis of Claim: License

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

RECEIVED**MAY 16 2000**WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

1. Water Right No(s).: 63-03416
 Adjudication Claim No(s).: A63-03416

 2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - AND**
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)
 - OR**
 - C. If your water right or adjudication claim 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 TRUS LOIST MACMILLAN
P.O. Box 65 BOISE, ID

 4. New Owner/Claimant(s) WILD SHAMROCK LLP
 New Mailing Address #240 12301 W. EXPLORER DR
 City, State and ZIP Code BOISE, ID 83713
 New Telephone Number 208 322-7529

 5. Date you acquired the property APRIL 1, 1999

 6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
- Number of acres you irrigate with this water right NA Number and type of stock - - -

Diversion rate in CFS _____ Number of homes you acquired - - - Other uses _____
7. Signature of New Owner(s) or Claimant(s) Rick E. Thomas

 - Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

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

A63-03416

63-31259

Trus post Corp

.56 cfs total

S-30 SW SW

domestic / fire protection



Remark →

63-31260

Wild Shamrock LLP

.56 cfs total

S-30 SW SE

domestic / fire
protection



This right when combined w/
all other rights shall not
exceed .56 cfs.

WILD SHAMROCK LLP

Suite 240
12301 W. Explorer Dr.
Boise, ID 83713
Phone 208-322-7529
FAX 208-322-7554

May 15, 2000

Steve Lester 
Department Of Water Resources
2735 Airport Way
Boise, Idaho 83705

RECEIVED

MAY 16 2000

**WATER RESOURCES
WESTERN REGION**

Re: change of water right ownership

Hello Steve,

In April of 1999 the Wild Shamrock LLP purchased the property located at 3210 E. Amity from Trus Joist MACMillan. As you may remember Trus Joist Corp. was merged into Trus Joist MACMillan during 1990. The attached paper work is the Notice Of Change Of Ownership of the water rights for this property. Please review these documents and let me know if additional information is needed.

Sincerely,



Rick Thomas
Wild Shamrock LLP
Suite 240
12301 W. Explorer Dr.
Boise, Idaho 83713

WARRANTY DEED

THIS WARRANTY DEED, made this 1st day of April, 1999, between TRUS JOIST MACMILLAN A LIMITED PARTNERSHIP, a Delaware Limited Partnership ("GRANTOR"), and WILD SHAMROCK, LLP, an Idaho Limited Liability Partnership, whose address is 12301 W. Explorer Drive, Suite 240, Boise, Idaho 83713 ("GRANTEE");

W I T N E S S E T H:

The GRANTOR, for and in consideration of the sum of Ten and No/100ths Dollars, lawful money of the United States of America, and other good and valuable consideration, to it in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the GRANTEE, and to its successors and assigns forever, all of the following described real property situate in the County of Ada, State of Idaho, to-wit:

**REAL PROPERTY DESCRIBED ON "EXHIBIT A" ATTACHED HERETO
AND MADE A PART HEREOF**

SUBJECT TO:

**THE EXCEPTIONS SET FORTH ON "EXHIBIT B" ATTACHED HERETO
AND MADE A PART HEREOF**

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, including any and all water rights, mineral rights, easements, rights-of-way, and all improvements located thereon; the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the said real property, as well in law as in equity, of the said GRANTOR.

TO HAVE AND TO HOLD all and singular the above-described real property, together with the appurtenances unto the said GRANTEE, and to its successors and assigns forever, and the GRANTOR, does hereby covenant to and with the said GRANTEE and its successors and assigns, that the GRANTOR is the owner in fee simple of said real property; that said real property is free from all encumbrances except as may be otherwise expressly specified herein; and that the GRANTOR will warrant and defend said real property from all lawful claims whatsoever.

IN WITNESS WHEREOF, the GRANTOR has hereunto executed this instrument the day and year first above written.

TRUS JOIST MACMILLAN A LIMITED PARTNERSHIP

By: TJ INTERNATIONAL, INC., Its
General Partner

By Jody B. Olson
Title: Vice President

STATE OF IDAHO)
County of Ada) ss:

On this 1st day of April, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared JODY B. OLSON, known or identified to me to be the VICE PRESIDENT of TJ INTERNATIONAL, INC., a Delaware Corporation, which Corporation is the General Partner of TRUS JOIST MACMILLAN A LIMITED PARTNERSHIP, a Delaware Limited Partnership, and the person who subscribed said Corporation's name as General Partner to the foregoing instrument and acknowledged to me that he executed the same in said partnership name.

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

Gail C. Daniel
Notary Public for Idaho
Residing at Boise, Idaho
My Commission Expires: 09/12/02

(SEAL)

EXHIBIT A

LEGAL DESCRIPTION OF REAL PROPERTY

X=40 Y=0
S. 1/4 corner

Part of the Southwest Quarter of the Southeast Quarter, Section 30, Township 3 North, Range 3 East of the Boise Meridian, Ada County, Idaho, and more particularly described as follows:

BEGINNING at the Quarter corner common to Section 30 and 31, Township 3 North, Range 3 East, of the Boise Meridian, the REAL POINT OF BEGINNING; thence South 89 degrees 58'14" East (formerly East), 850.0 feet to a steel pin; thence North 00 degrees 05'24" East 419.75 feet to a steel pin; thence along a chain link fence as follows:
North 89 degrees 43'13" West 356.59 feet; thence
South 69 degrees 22'53" West 58.62 feet; thence
North 08 degrees 25'16" West 124.02 feet; thence
North 74 degrees 37'19" West 209.67 feet; thence
North 79 degrees 51'43" West 123.05 feet; thence
North 79 degrees 51'43" West 98.45 feet to an iron pin on the West boundary of said tract; thence South 00 degree 05'26" West (formerly South 00 degrees 10'43" West) 617.92 feet along a chain link fence to the REAL POINT OF BEGINNING.

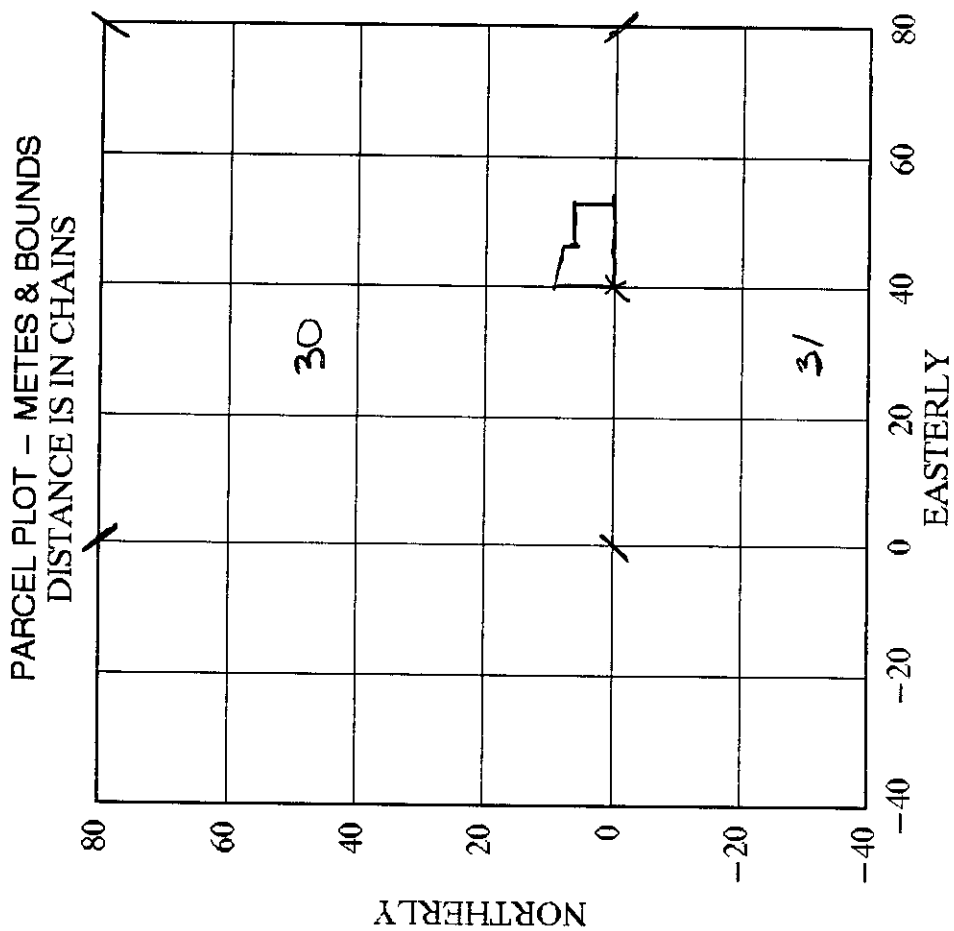
EXCEPT THEREFROM the following:

A parcel of land lying in the Southeast Quarter of Section 30, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

COMMENCING at the Southwest corner of the Southeast Quarter (the South Quarter corner) of Section 30, Township 3 North, Range 3 East, Boise Meridian; thence South 89 degrees 58'45" East 880.00 feet along the South line of the Southeast Quarter to a point; thence North 00 degrees 01'15" East 30.00 feet to a point on the Northerly right of way of E. Amity Road; thence South 89 degrees 41'43" West 30.00 feet along said Northerly right of way to the REAL POINT OF BEGINNING of this description; thence continuing South 89 degrees 41'43" West 120.00 feet along said Northerly right of way to a point; thence North 00 degrees 01'15" East 180.00 feet to a point of curvature; thence along a curve to the left 72.27 feet, said curve having a radius of 100.00 feet, a central angle of 41 degrees 24'35", tangents of 37.80 feet, and a long chord which bears North 20 degrees 41'02" West 70.71 feet to a point of compound curvature; thence along a curve to the right 72.27 feet, said curve having a radius of 100.00 feet, a central angle of 41 degrees 24'35", tangents of 37.80 feet, and a long chord which bears North 20 degrees 41'02" West 70.71 feet to a point of tangency; thence North 00 degrees 01'15" East 79.66 feet to a point; thence South 89 degrees 31'27" East 170.01 feet to a point; thence South 00 degrees 01'15" West 389.92 feet to the REAL POINT OF BEGINNING of this description.

X=40 Y=0
* Exception *
S. 1/4 corner

A63-03414



3N 3E

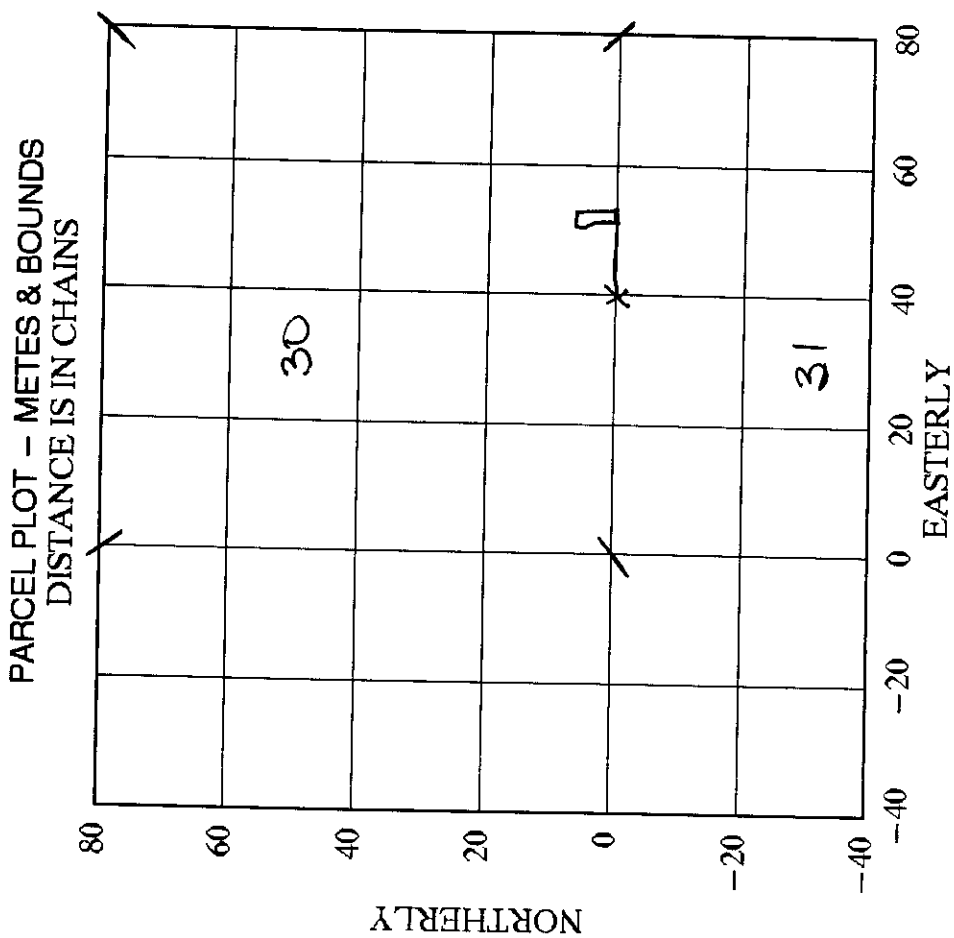
X = point of
beginning

METES AND BOUNDS TABLE

PRESS ALT P TO PRINT GRAPH

	X-COR	Y-COR	ANGLE			BEARING DIST (FT)
			DEGREES	MINUTES	SECONDS	
BEGIN POINT COR. (SEE SHEET)	40.00	0.00				
	52.88	-0.01	89.00	58.00	14.00 SE	850.00
	52.89	6.35	0.00	5.00	24.00 NE	419.75
	47.49	6.38	89.00	43.00	13.00 NW	356.59
	46.65	6.07	69.00	22.00	53.00 SW	58.62
-QUAD COEF-	46.38	7.93	8.00	25.00	16.00 NW	124.02
IF NE, X=1,Y=1	43.32	8.77	74.00	37.00	19.00 NW	209.67
IF SE, X=1,Y=-1	41.48	9.10	79.00	51.00	43.00 NW	123.05
IF SW, X=-1,Y=-1	40.01	9.36	79.00	51.00	43.00 NW	98.45
IF NW, X=-1,Y=1	40.00	-0.00	0.00	5.00	26.00 SW	617.92
	40.00	-0.00				

ALB3-034116
(Exception)



X = beginning point

METES AND BOUNDS TABLE

PRESS ALT P TO PRINT GRAPH

	X-COR	Y-COR	ANGLE			BEARING	DIST (FT)
			DEGREES	MINUTES	SECONDS		
BEGIN POINT COR.	40.00	0.00					
(SEE SHEET)	53.33	-0.01	89.00	58.00	14.00	SE	880.00
	53.33	0.45	0.00	1.00	15.00	NE	30.00
	52.88	0.45	89.00	41.00	43.00	SW	30.00
	51.06	0.44	89.00	41.00	43.00	SW	120.00
-QUAD COEF-	51.06	3.16	0.00	1.00	15.00	NE	180.00
IF NE, X=1,Y=1	50.68	4.17	20.00	41.00	2.00	NW	70.71
IF SE, X=1,Y=-1	50.30	5.17	20.00	41.00	2.00	NW	70.71
IF SW, X=-1,Y=-1	50.31	6.37	0.00	1.00	15.00	NE	79.66
IF NW, X=-1,Y=1	52.88	6.35	89.00	31.00	27.00	SE	170.01
	52.88	0.45	0.00	1.00	15.00	SW	389.92
	52.88	0.45					

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32148/63-3416 Priority Dec. 7, 1964 Amount 0.56 cfs

THIS IS TO CERTIFY, that SECURITY INDUSTRIES
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 32148/63-3416 issued pursuant to Application for Permit dated December 7, 1964
and has submitted proof to the Department of Water Administration on October 8, 1969

that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.56 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source

tributary of _____, is hereby confirmed in the following amounts:

Amount 0.56 cfs for Domestic from Jan. 1 to Dec. 31 (both dates inclusive)

Amount 0.56 cfs for Fire Protection from Jan. 1 to Dec. 31 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 0.56 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SW 1/4 Sec. 30, Twp. 3 N, Rge. 3 E, B.M.

in the county of Ada; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 1.2 acre feet per year ~~xx~~ for
domestic purposes.

Description and location of place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3 N	3 E	30															X		

Total number of acres irrigated _____

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 21ST day of

May, 19 73.


Director

63 3416

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-32148/63-3416

This proof is for .85 cfs PROOF - .85 cfs or 615.894 In Water District No.

1. Name of applicant Security Industries, Box 4334, 2620 East Amity Road, Boise, Idaho

2. Source of water supply: ground-water

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30

T. 3 N. R. 3 E. County of Ada

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

PROOF - 250 gal per min, 8" casing, 351' deep

25 HP Jacuzzi motor & pump system pumps at capacity
10 hrs/day 6 days/week.

5. Water is used for: fire control - domestic

6. State whether or not water has been turned into works of diversion:

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

SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, T. 3 N., R. 3 E.

water is used for domestic purposes and for fire protection. There is also a small reserve that is kept full as a reserve when water is not used elsewhere. There are two factories that this system serves. No. 1 has 4000 sprinkler heads suspended from the ceiling for fire protection, No. 2 has 523 sprinkler heads used for same purpose.

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

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

Remarks: PROOF - Not knowing at what time or what quantity of water may be used, this application was filed for maximum use.

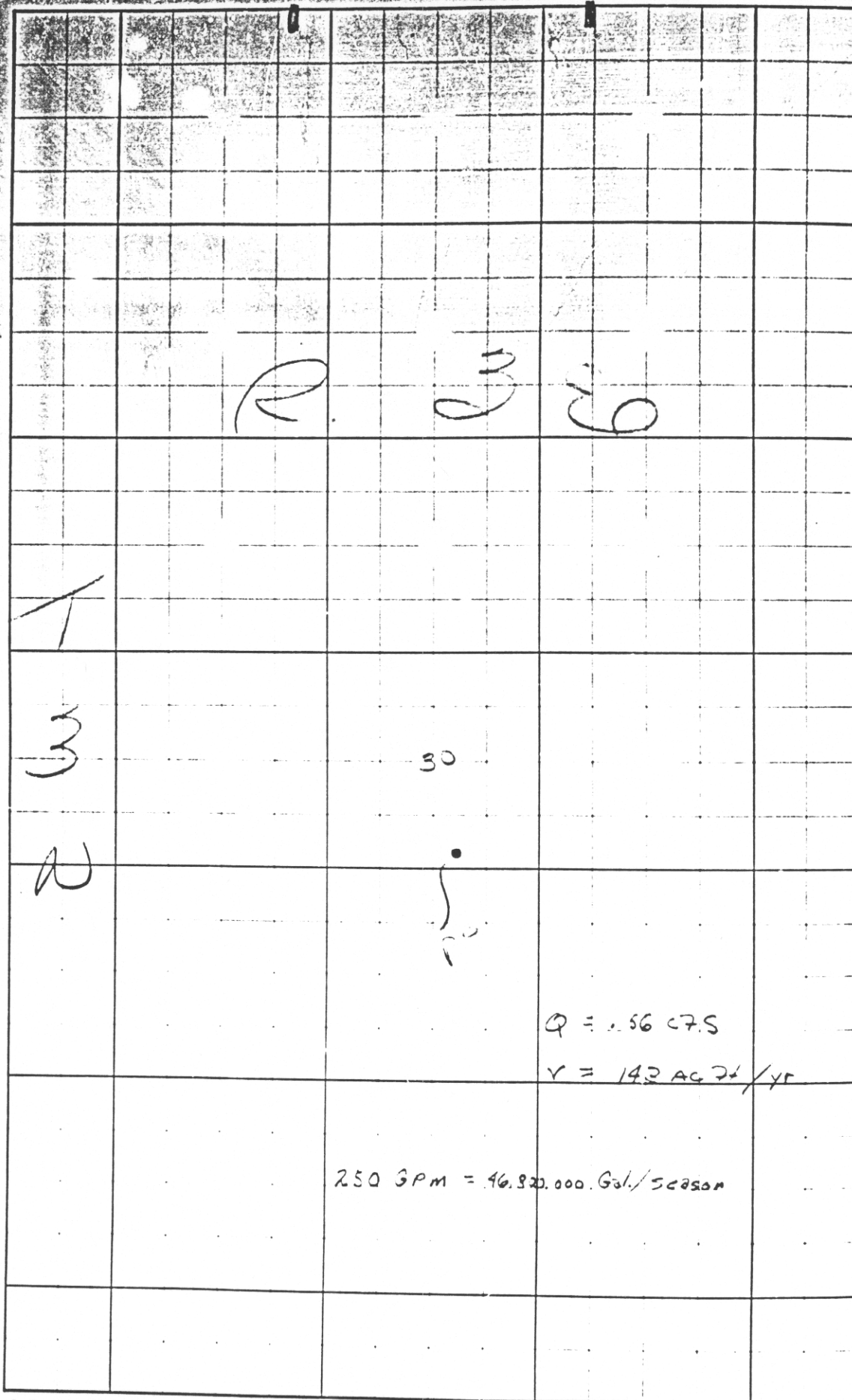
Since this is an enclosed system I contacted Mayhew Pump as they put in this system. They gave me the necessary info as to a system would produce (250 G.P.M.)

This examination was made on the day of 19

(Signed) John Doolin 2-21-71

Examiner.

John Doolin 9-21-71



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

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: A63-03416
Date Received: 8/29/1989
Receipt No: W005163
Received By: DE KAL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TRUS JOIST CORPORATION 208-343-7772
Address: P.O. BOX 7923
BOISE, ID 83707

2. Date of Priority: DEC 07, 1964

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	03E	30	SW	SW	SE		ADA

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.560		1.20
FIRE PROTECTION	01/01	12/31	0.560		

7. Total Quantity Appropriated is:
0.560 C.F.S. (and/or) 1.20 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/RESTROOMS, BREAK ROOMS, ETC AT PLANTS; F/INSIDE + OUT AT PLANTS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	03E	30	SW	SW		DOMEST	
			SW	SW		FIRE	

A63-03416

Page 1

Date: 09/25/89

~~MICROFILMED~~
AUG 19 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	03E	30	SW	SE		DOMEST	
			SW	SE		FIRE	

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:
NONE

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 32148

07/21/2004

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

RIGHT NUMBER: 63-31260

NAME AND ADDRESS: WILD SHAMROCK LLP
RICK THOMAS
PO BOX 8104
BOISE ID 83707

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.560 CFS
1.200 AFY

The quantity of water under this right for domestic use shall not exceed 2,500 gallons per day.

PRIORITY DATE: 12/07/1964

POINT OF DIVERSION:

T03N R03E S30 SWSWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
FIRE PROTECTION	01/01 12/31	0.560 CFS
DOMESTIC	01/01 12/31	0.560 CFS 1.20 AFY

Domestic use is for 2 factories.

PLACE OF USE:

FIRE PROTECTION Within ADA County

T03N R03E S30 SWSE

DOMESTIC Within ADA County

T03N R03E S30 SWSE

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

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: License

Parcel #: S0930438740

Street address for Rick Thomas / Wild Shamrock LLP is: 627 N Gail Pl, Boise ID 83706. Per letter received 7/21/2004

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

1

Adjudication Recommendation Report 63-31260 V1

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-31260 V1

Conditions of Approval:

1. 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.
2. N12 The quantity of water under this right for domestic use shall not exceed 2,500 gallons per day.
3. X01 Domestic use is for 2 factories.

Remarks:

1. Explanatory Parcel #: S0930438740

Comments:

1. csaxton 7/19/2004 Recommendation

Comment: The original license 63-03416 was claimed in two parts. Claim 63-31259 was an enlargement and no beneficial use was found. Recommend this claim as originally licensed.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: AND
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	7/19/2004 2:24:16 PM	csaxton			Active
Priority Date	7/19/2004 2:51:35 PM	csaxton			Active
POD	7/19/2004 3:02:37 PM	csaxton			Active
Source	7/19/2004 3:05:09 PM	csaxton			Active
POU	7/19/2004 3:06:46 PM	csaxton			Active
Use	7/19/2004 3:14:42 PM	csaxton			Active
Season	7/19/2004 3:16:37 PM	csaxton			Active
Quantity	7/19/2004 3:19:14 PM	csaxton			Active
Summary			07/19/2004	csaxton	Active

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-31260 V1

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	7/19/2004 2:24:17 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: In house review.
Priority Date	7/19/2004 2:51:35 PM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	7/19/2004 2:57:30 PM	csaxton	Edited point location
POD	7/19/2004 3:02:37 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
POU	7/19/2004 3:09:26 PM	csaxton	Edited shape boundary
POU	7/19/2004 3:11:49 PM	csaxton	Edited shape boundary
Use	7/19/2004 3:14:43 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (Yes) 13. Is a Purpose of Use remark and/or condition required?
Season	7/19/2004 3:16:38 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (No) 14. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31260 V1

Summary	7/19/2004 3:37:36 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POD	7/19/2004 3:01:45 PM	csaxton	Edited PLS
Source	7/19/2004 3:05:09 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	7/19/2004 3:06:47 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Quantity	7/19/2004 3:19:15 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (No) 10. Is a irrigation a purpose of use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 10 - As Licensed.



POD and POU

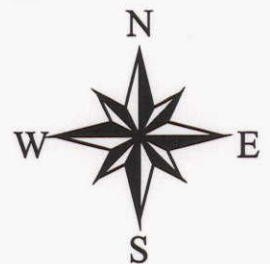
63-31260



1320 0 1320 Feet

-  Claimed Point of Diversion
-  Claimed Place of Use
-  Ada County Tax Lot Data -N/A
-  Quarter Quarter Lines
-  Section Lines

Total Claimed Acres: N/A



Prepared by: C. Saxton
Date: July 2004

INTER-DEPARTMENT MEMO--1

FROM Jan Thurt
TO Ownership Charge for A63-03416

DATE

SUBJECT

We are splitting this claim with .56 of
to Wild Shamrock RHP in the SWSE,
S. 30. Also a split remaining to the
Joint for .56 csw. Orig. map shows
2 factories in the SWSE S. 30. Claim filed for
an expansion of another building in the
SWSE, S. 30 - not sure of amount to split &
during review may need new claim for data factory
in SWSE hooked up to the well. then combined as limit to .56 csw.

SIGNATURE



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

June 29, 2001

TRUS JOIST CORP
PO BOX 7923
BOISE ID 83707

Re: Original Notice of Claim to a Water Right No. 63-03416

Renumbered to Notice of Claim to a Water Right No. 63-31259

Dear Claimants:

We have received and processed a Change of Ownership for a portion of your original Claim to a Water Right Number as referenced above. This change of ownership resulted in a split of your original claim.

When a portion of the original water right claim has been conveyed to another and the original right has been split, then the original claim number is renumbered by issuing a new water right number to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new claim number reflects your remaining portion of the original claim after the change of ownership. Enclosed is a copy of this new claim for your records. Please refer to your new claim number when corresponding with our office. Also enclosed is a copy of the original claim for your reference.

If you have any questions concerning this ownership change, or the enclosed claim copy, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist I
Adjudication Section
Western Region Office

DB:db

Enclosure



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

March 22, 2000

To: *Distribution List*

Re: *1999 Water Measurement Reports and Ownership Changes*

Dear Interested Party:

I am pleased to say that most of the 1999 measurement reports and related details were received for wells in the Southeast Boise Ground Water Management Area (GWMA). Reports for several wells are incomplete at this time. Please review the following information and respond in writing. Note that 1999 measurement reports were due by March 1, 2000. Additionally, ownership changes to water rights and associated records are the responsibility of new owners within 120 days of purchases of property (*I. C. § 42-248*).

Water Right No. 63-03416 and associated Snake River Basin Adjudication (SRBA) Claim No. A63-03416 are recorded in the name of Security Industries (water right) and Trus Joist Corp. (claim). The 1999 measurement report was received on 3-8-2000 without the \$25 filing fee. I recently had a conversation with the new owner about the required fee and ownership change that should be filed. These two items have not been completed yet.

Water Right no. 63-08006 and SRBA Claim No. A63-08006 are recorded in the name of Granger. I understand that the Simplot Company bought the property associated with these records. Recently I had some telephone and email exchanges with a Simplot representative regarding this well. A 1999 measurement report and change in ownership have not been filed to date. A report and \$25 fee should be filed, and the report might include an explanation of why data are not available and what steps the new owner will take to correct that scenario if that is the case. The ownership change should also be documented.

Water Right Nos. 63-08992 and 63-09029 and SRBA Claim Nos. A63-08992 and A63-09029 are recorded in the name of Boise Water Corp./United Water Idaho. These records concern the "Oregon Trail" and "Gowen" wells. Micron Technology Inc. filed the 1999 measurement reports for these wells, and it is my understanding that Micron purchased these rights and claims. The new owner must file a change in ownership for these records.

March 22, 2000

Page 2 of 2

The well owners must file properly completed measurement reports, including fees. New owners must also file documentation of ownership changes for water rights and SRBA claims. Both of these actions are required by Idaho law and associated Orders issued in recent years by the Idaho Department of Water Resources Director. Well owners can provide valuable and greatly appreciated contributions to the management of the GWMA by taking care of these administrative details.

Enclosed are "change in ownership" forms for your use. It is advisable to list the water right *and* SRBA claim numbers on the form instead of just one or the other. No payment is needed to complete the ownership change step. To fully protect the use and status of these water rights and to avoid more cumbersome regulatory actions required of IDWR in such circumstances, please direct your written response to me within fifteen (15) days of the date of this letter. I will be glad to help you in any way that I can in these matters. Thank you for your efforts in these detailed but important items.

Sincerely,



Steve Lester
Water Rights Supervisor

Enclosure

Distribution: Rick Thomas, Wild Shamrock Partnership

Vic Conrad, J. R. Simplot Co.

Mike McIntyre, Micron Technology Inc.