

4N 2E

63-2103B

21

SWSW

SESW

Lot 6 Blk 1
Parcel #0720

SWSE

Lot 1 Blk 2
Parcel #0820

Lot 2
Blk 1

NWNW

NENW

NWNE

Lot 1 Blk 2
Parcel #0900

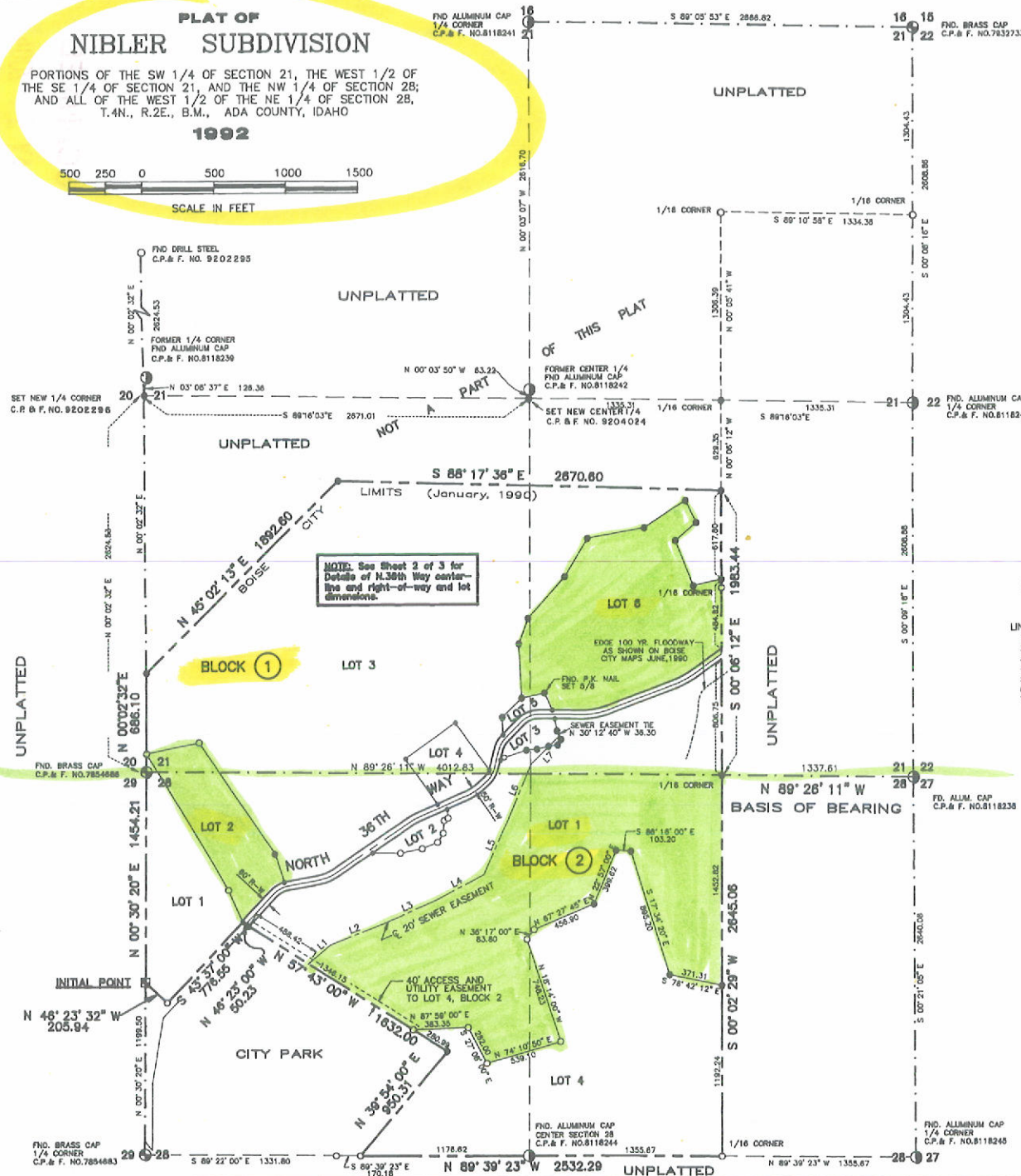
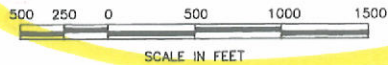
Lot 1 Blk 2
Parcel #1050

28

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



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

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.

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 62° 32' 38" E	378.17
5	N 24° 27' 09" E	408.18
6	N 22° 46' 35" E	418.97
7	N 45° 03' 29" E	285.53



VICTOR L. NIBLER
Owner
Boise, Idaho

BRIGGS ENGINEERING, INC.
Consulting Engineers
Boise, Idaho



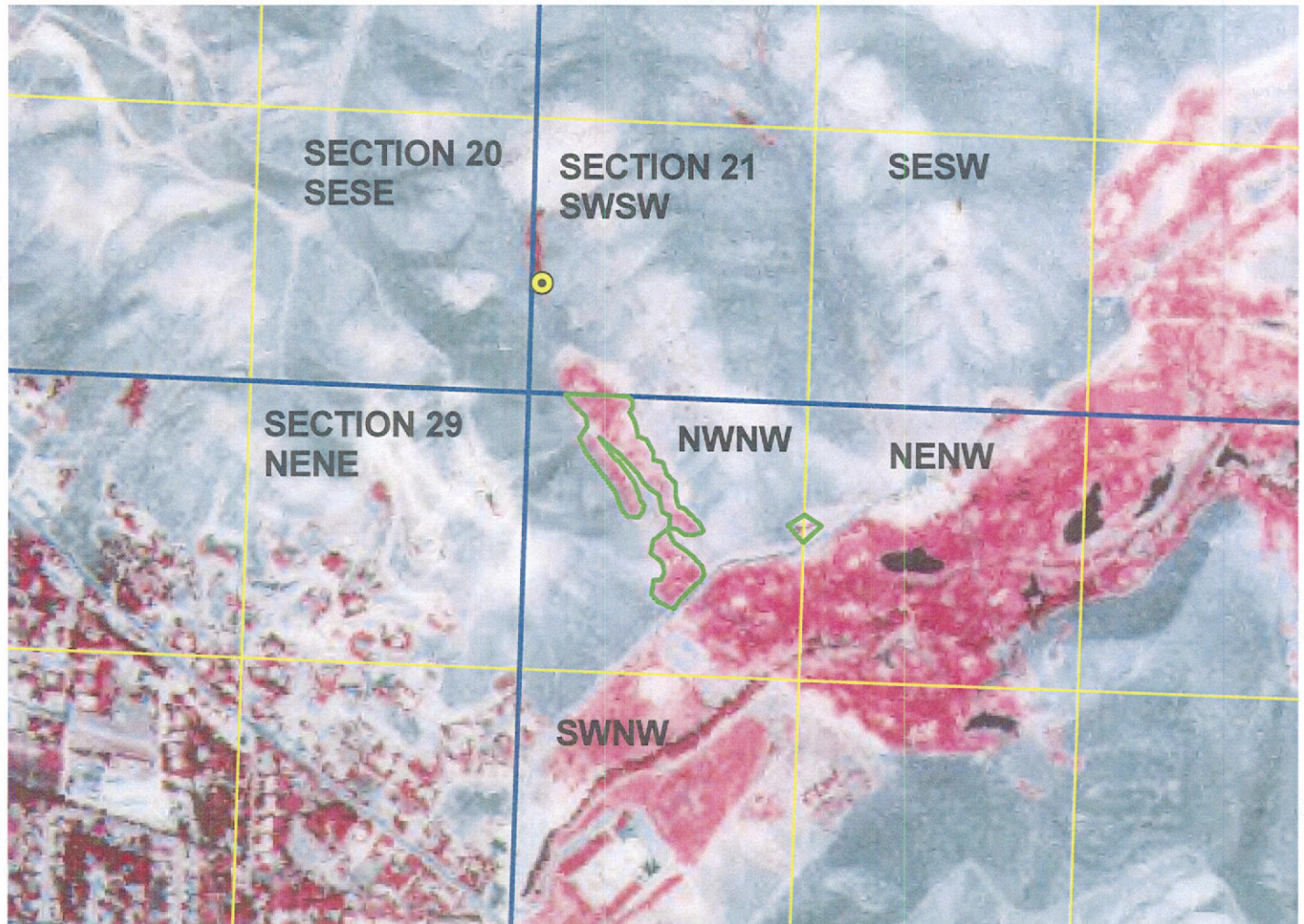
MICROFILMED

AUG 18 1992



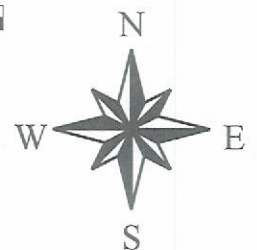
State of Idaho
Idaho Department of Water Resources
Western Region

T4N R2E SECTIONS 21 and 28
Water Right (s): 63-2103B



1320 0 1320 2640 Feet

IRRIGATED ACRES = 4.1



-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: March 2005

Parcel II

S21

NWSWSW

Parcel I

**1987 NAPP PHOTO
T04N, R02E**

NWNW

A63-02103B

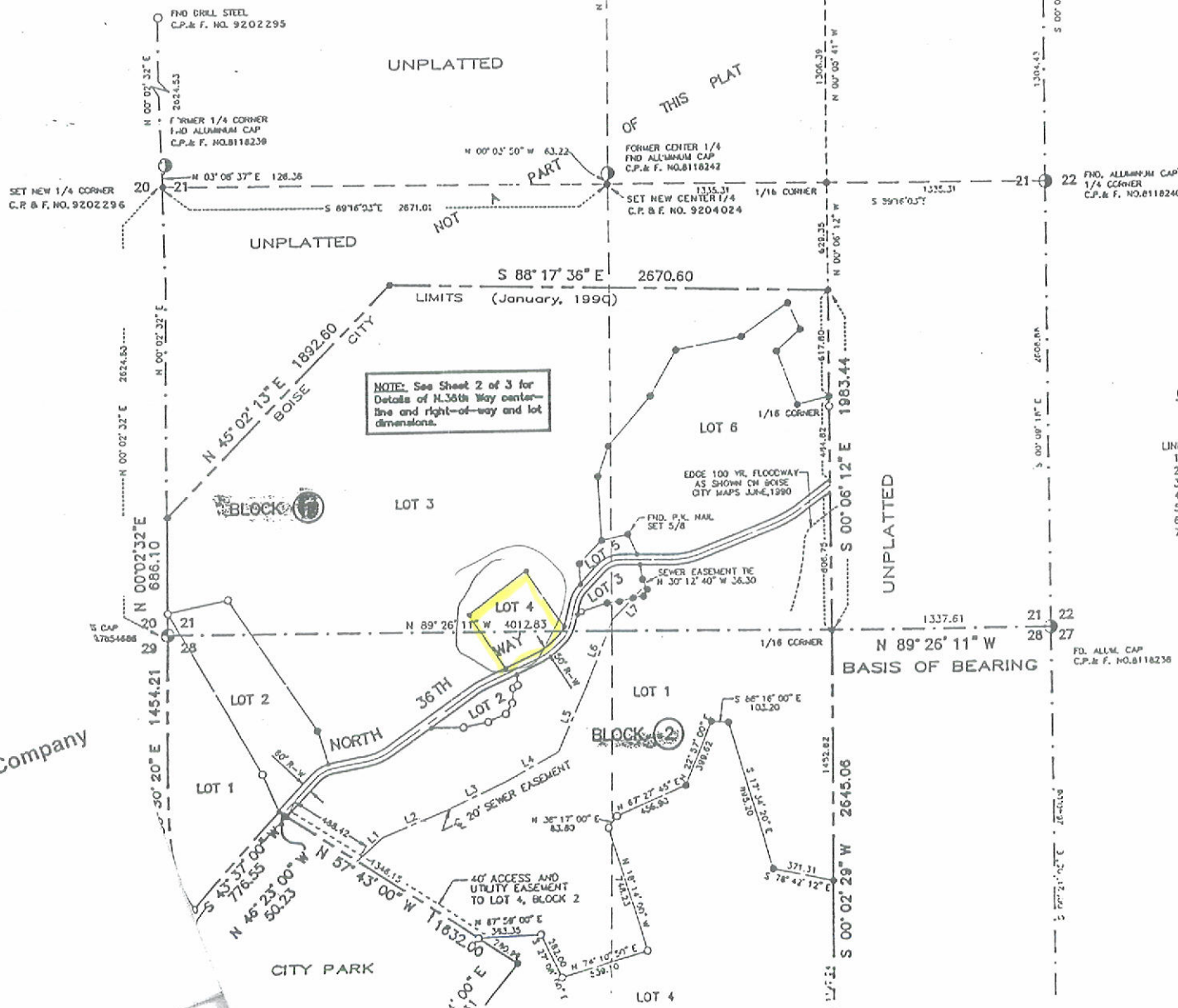
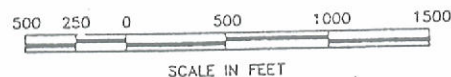
NENW

S28

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



LEG.

- Initial P.C. Galv. Post
- Found Br.
- Found A.
- Set 5/8"
- Set 1/2"
- Found S.
- Found "
- Boundary
- Section L
- 1/4 Sect
- 1/16 Sect
- Easement

NOT

1. All lots are hereby designated for public utilities, drainage rights over the ten (10) feet of this easement shall not preclude surfaced driveways and walkways.
2. Building setback dimensions in the applicable zoning require Ada County, Idaho in effect at building permit.
3. Any subdivision of this plat is subject to Zoning Regulations in effect at the time of subdivision.
4. This subdivision is not in on water will not be provided to the primary access to N. 36th way, specifically approved by the AC restricted access shall not preclude maintenance equipment from the restricted access.
5. No new separate principle structure this subdivision unless specifically approved by the AC. This restriction shall not be a of minor accessory or maintenance dwellings or the golf course, etc are obtained.
6. All new development within the requirements of the Boise City and Chapter 70 of the Ada County Code.
7. Except for accessory structures, any new development, improvements to Ada County 36th way, both adjacent to the southwesterly of the proposed plat.
8. Lots 1 and 3, Block 2 are subject to the Northwest Boise Sewer.
9. All lots fronting N. 36th way temporary construction easement widening and improvement of the easement shall be of varying width of safe roadway slopes to one (1) vertical.

CENTERLINE SEWER EASEMENT DATA

LINE	BEARING	DISTANCE
1	N 49° 30' 28" E	203.23
2	N 68° 41' 44" E	399.58
3	N 66° 13' 01" E	333.63
4	N 62° 32' 36" E	376.17
5	N 24° 27' 09" E	403.16
6	N 22° 46' 35" E	416.97
7	N 45° 02' 23" E	265.53

Insurance Company



http://208.186.142.152 - Ada County Assessor--- Microsoft Internet Explorer

**Ada County
Assessor**

Open Table in Spreadsheet - Excel

Zoom	Parcel	Category	Street Address	Description	Zoning	Tax Code	Acres	Total Value	Year
1	R6060420350	Bare Land	N 36TH ST BOISE, ID 83703-0000	PAR #0350 OF LOT 3 BLK 1 NIBLER SUB	R-1A	02-10	0.23	31500	2005

End of Results

LegendFind ParcelKey MapBookmarksCreate PDFHelpExit

Map Legend

Settings

Major Streets

MINOR ARTERIAL

MAJOR COLLECTOR

SECTION

PRINCIPAL ARTERIAL

INTERSTATE

Other

Minor Streets

LOCAL

PARKS

PRIVATE

RESIDENTIAL

Other

Street Names (minor)

Addresses

Parcels

Ada-OQ2003

Schools

Parks

City Limits

Kuna

Boise

Garden City

Eagle

Star



Map center: 43° 39' 36.17" N, 116° 13' 41.7" W

Scale: 1: 438 go Map Tool: Zoom In Active Layer: Parcels

Cursor Location: 2498645.01251815 , 727341.9719991293

Powered by geocortex

Internet

Done

start

Contacts - Mic...

Microsoft Outlook

Ada County As...

http://208.186...

ArcView GIS 3.2a

Document1 - Mi...

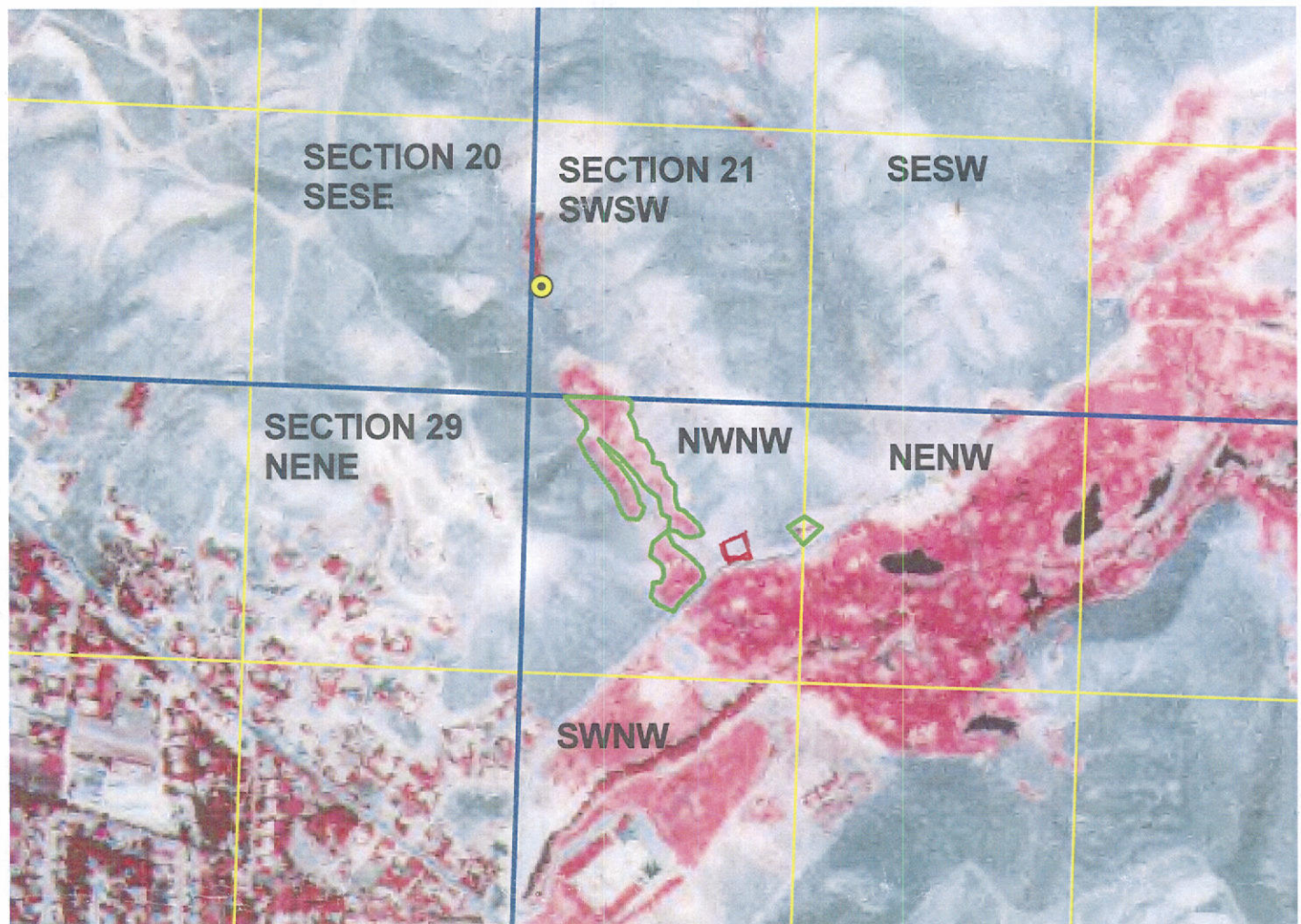
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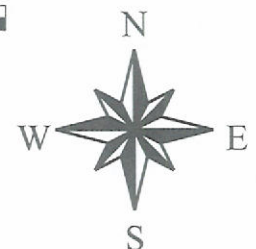
State of Idaho
Idaho Department of Water Resources
Western Region

T4N R2E SECTIONS 21 and 28
Water Right (s): 63-2103B

*very note: this
may returned by
claimant locates
domestic row is
a different from
a claimed.*



1320 0 1320 2640 Feet

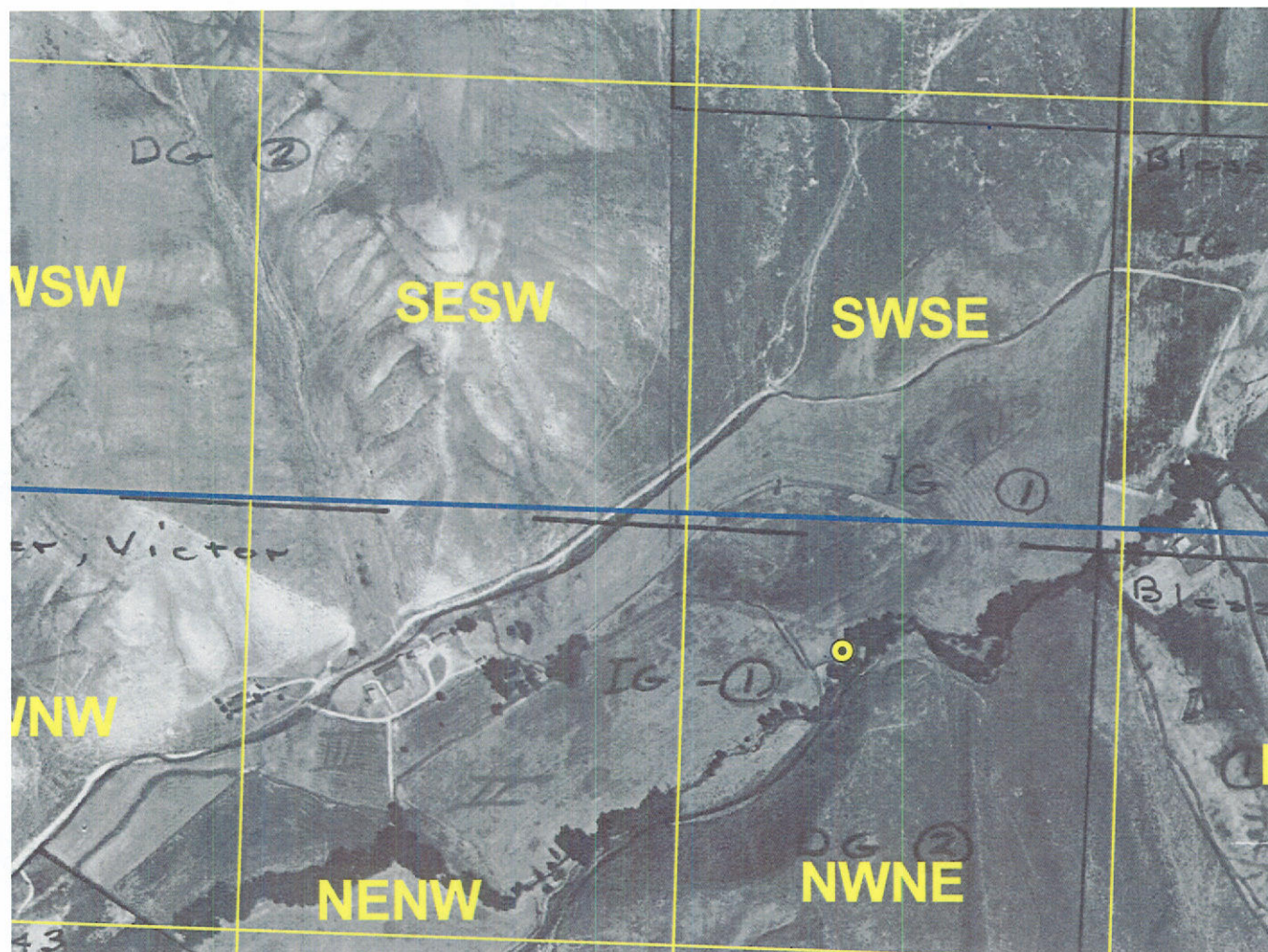


-  *Place of Use*
-  Point of Diversion
-  ~~Place of Use~~
-  Section Lines
-  Quarter Quarter Lines

GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: March 2005

quail hollow view - 63-2103 license review.

Claimed by R Donnelly for 2 homes and
irrigation of golf course. Acc trx of irrigation in 1983.



1000 0 1000 Feet

63-2103 --1939 aerial - no homes in SWSE Sec 21.
Domestic portion of license not developed or
forfeited for non use from 1939 until claim was filed in 1990.

- B63p2pod.shp
- Section.shp
- Townrange.shp
- T04n02e.shp
- Quarter.shp



 Ada County *
 Unnamed springs *
 Irrigation and domestic *
 1/10 of 1 cu. ft. per sec. *
 Priority 6-3-1909 *

S T A T E O F I D A H O

Water License No. 4739

WHEREAS, On the 3rd day of June, A. D. 1909, LEONARD DOBSON, of Boise, R. F. D. #5, County of Ada, State of Idaho, duly made application (No. 6794) to me for a permit to use 8/10 of one cubic foot per second of the waters of an unnamed springs, County of Ada, State of Idaho, for irrigation and domestic purposes, and

WHEREAS, On the 7th day of June, A. D. 1909, Permit No. 4739, was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 7th day of June, A. D. 1910, and for the application to beneficial use of said water on or before the 7th day of June, A. D. 1911, and,

WHEREAS, On the 7th day of June, A. D. 1910, LEONARD DOBSON, the holder of said permit duly made proof of the completion of adequate works for the diversion of 8/10 of one cubic foot per second of said waters, as evidenced by my Certificate No. 4739, dated October 30th, 1911, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 8/10 of one cubic foot per second of water, with date of priority of June 3rd, 1909, and,

WHEREAS, On the 7th day of June, A. D. 1910, LEONARD DOBSON, the holder of said permit duly made proof of the application to beneficial use of 1/10 of one cubic foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to LEONARD DOBSON, of Boise, County of Ada, State of Idaho, the holder and owner of said Permit No. 4739, a perpetual right, dating from June 3rd, 1909, to the use of 1/10 of one cubic foot per second of the waters of unnamed springs, in the County Ada, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the Southwest quarter of the Southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 21, Township 4 North, Range 2, East of the Boise Meridian, and conducted to and upon 5 acres in the Southwest quarter of the Southeast quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$), Section 21, Township 4 North, Range 2, East of the Boise Meridian, for the purpose of irrigation and domestic use, subject, however to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 30th day of October, A. D. Nineteen hundred and eleven.

A. E. Robinson,
 State Engineer

(SEAL)

63 2103

application
 was B.C.R. for
 40 acres.

02
 PR

5ac?

1 cfs 140ac.

no 504

no water in
 GUSE 21
 in 1939
 1964

Printed and for Sale by the Statesman Printing Co., Boise, Idaho.

SEG

Гр 4 и Р 2 Е Вм

556

41

Spring

SEE

4729

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 of 1/4 of 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

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

DATE OF CLOSING: 11/6/98

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
 Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. _____, BM. SEE ATTACHED
 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 Right Number(s) _____
 Assigned by IDWR: A63-02103 63-2103B

WATER RESOURCES
WESTERN REGION

☐ 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 ☐ 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) *Robert M. Donnelly* Date 6/10/99

☐ *Kathleen Donnelly* Date 9/10/99

☐ Signature of Former Owner/Claimant(s): VANCROFT CORPORATION Date 11-5-98

By: Veronica C. Man Young, 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

SCANNED

MAY 17 2004

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form, please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

*Mailed on
6-10-99
also sent copy to
Vancouver
in Anchorage.
AK*

THIS FORM FURNISHED COURTESY OF:

ALLIANCE TITLE & ESCROW CORP.

READ & APPROVED BY GRANTEE(S)

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

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 warrant 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
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

SCANNED

MAY 17 2004

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

SCANNED
MAY 17 2004

4N 2E

63-2103B

21

SWSW

SESW

Lot 6 Blk 1
Parcel #0720

SWSE

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

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

0 250 0 500 1000 1500

SCALE IN FEET

UNPLATTED

LEGEND

- Initial Point, Set 2" x 38" Galv. Pipe With Alum. Cap
- Found Brass Cap
- Found Aluminum Cap
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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 subdivision of this plat shall comply with the applicable Zoning Regulations in effect at the time of the subdivision.
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 lot 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 of 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 Nibler 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 southeasterly 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. 8650182.
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 a roadway slopes but not steeper than two (2) horizontal to one (1) vertical.

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	378.17
5	N 24° 27' 00" E	408.16
6	N 22° 46' 35" E	418.97
7	N 45° 03' 29" E	285.53

NOTE: See Sheet 2 of 3 for Details of N. 36th Way centerline and right-of-way and lot dimensions.

N 89° 28' 11" W
BASIS OF BEARING



VICTOR L. NIBLER
Owner
Boise, Idaho

BRIGGS ENGINEERING, INC.
Consulting Engineers
Boise, Idaho

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 of	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 of	Lot	Use	Acres
04N	02E	28	NE	NW		IRR	1.0
			NE	NW		DOMEST	
			NW	NW		IRR	4.0

A63-02103B

Page 1

Date: 08/21/90

SCANNED
MAY 17 2004

MICROFILMED
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: _____

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 _____

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~~ 777777
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

A63-02103B

Page 1

Date: 08/17/90

SCANNED
MAY 17 2004

MICROFILMED
AUG 18 1992

*Added in Old Water Right No. filed
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)

15. Basis of Claim: LICENSE

Water Right Number: 4739

*#5 under modification
split claims.*

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 _____

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: A63-02103
Date Received: 3/21/1990
Receipt No: W 011756
Received By: TH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VICTOR L. NIBLER 208-342-6333
Address: 4705 N. 36
BOISE, ID 83703
AND/OR
Name: RUTH E. NIBLER
Address: BOISE, ID 83703

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	0.040		

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, 2 HOMES; SEE REMARKS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	02E	21	SE	SW		DOMEST	
		28	NE	NW		IRR	1.0
			NE	NW		DOMEST	
			NW	NW		IRR	4.0
						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 & GRANDFATHER 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.

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: 2

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): Victor L. Hibler Date: 3-28-90

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 28 day

of March 19 90

Leri Harris
Notary Public

Seal

Residing at Boise Idaho

My Commission Expires 12-8-94

RECEIVED
APR 24 2005
DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA

Case 39576

A. Subcase 63-2103B

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Edwards Family LLC

Address: 4106 Sand Creek Street

Boise, Idaho 83703

Daytime Phone: 208-342-7548

Name & Address of Attorney, if any:

Dana Hofstetter

Hofstetter Law Office, LLC

608 West Franklin Street

Boise, Idaho 83702

208-424-7800

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Bluegrass LLC/Kathleen M. Donnelly

Address: 4705 North 36th

Boise, Idaho 83703

D. I object to the following elements as recommended in the Director's Report.
(Please check the appropriate box(es)):

1. ☐ **Name and Address**
Should be: _____
2. ☒ **Source**
Should be: See Section E
3. ☐ **Quantity**
Should be: _____
4. ☒ **Priority Date**
Should be: See Section E
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: See Section E
10. I object because:
☒ This water right should not exist.
☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):** This right together with 63-2103A are in excess of the licensed amount. Also, the place of use differs from the place of use in the License. Further this right may have been subject to the subsequent Booth v. Smith Decree.

F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Dana L. Hofstetter, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

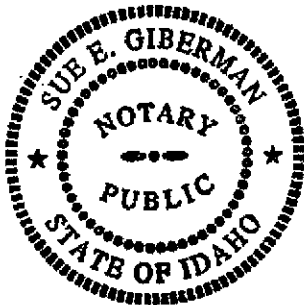
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Signature of person filing objection

Dana Hofstetter

Attorney signing in representative capacity

Subscribed and sworn to before me on: April 20, 2006



Sue E. Giberman

Notary Public for the State of Idaho
Residing at: Boise Idaho
My Commission expires: 2-25-09

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G.

CERTIFICATE OF MAILING

I certify that on April 21, 2006, I filed the original with the SRBA Court and mailed copies of this Objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court (*via Hand Delivery*)
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

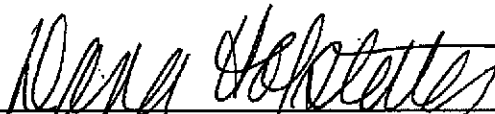
Name: Bluegrass LLC/Kathleen M. Donnelly
Address: 4705 North 36th Street
Boise, Idaho 83703

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MCS 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf

12/07/2005

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

RIGHT NUMBER: 63-2103B

NAME AND ADDRESS: BLUEGRASS LLC
4705 N 36TH
BOISE ID 83703

KATHLEEN M DONNELLY
4705 N 36TH
BOISE ID 83703

SOURCE: SPRINGS

TRIBUTARY: STEWART GULCH CREEK

QUANTITY: 0.100 CFS

PRIORITY DATE: 06/03/1909

POINT OF DIVERSION:

T04N R02E S21 SWSW 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	0.080 CFS
DOMESTIC	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within ADA County

T04N R02E S28 NENW 0.1 T04N R02E S28 NWNW 4.0

DOMESTIC same as IRRIGATION

4.1 ACRES TOTAL

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.

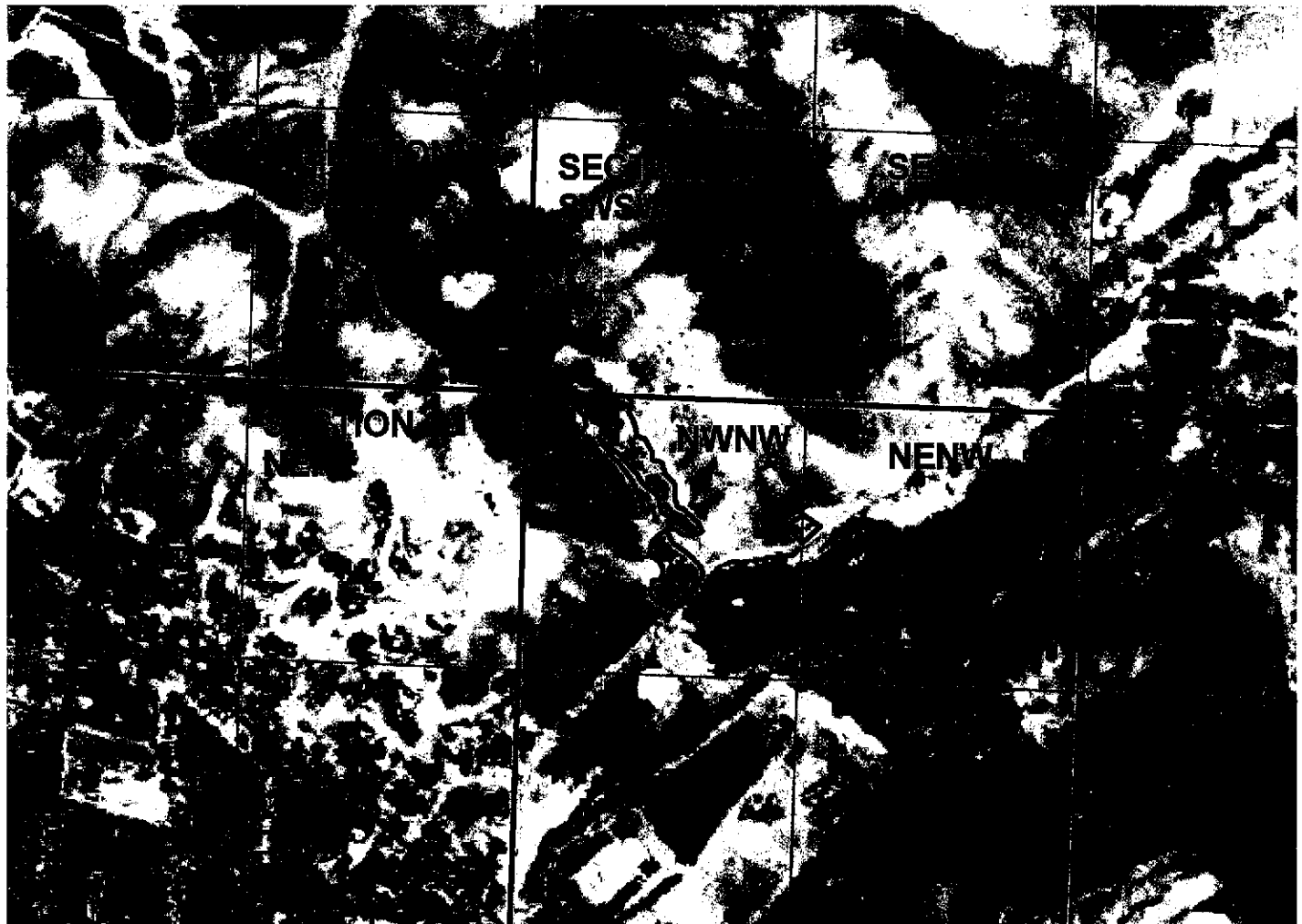
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

PARCEL NO. R6060420350.



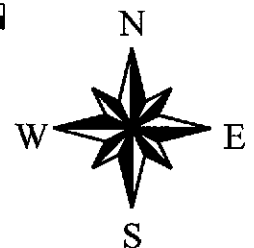
State of Idaho
Idaho Department of Water Resources
Western Region

T4N R2E SECTIONS 21 and 28
Water Right (s): 63-2103B



1320 0 1320 2640 Feet

IRRIGATED ACRES = 4.1



- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines

GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: March 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2103B V1

WATER RIGHT NUMBER: 63-2103B V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROBERT M DONNELLY 4705 N 36TH BOISE, ID 83703 (208)344-6397
Original Owner	LEONARD DOBSON BOISE, ID
Original Owner	RUTH E NIBLER BOISE, ID 83703
Current Owner	KATHLEEN M DONNELLY 4705 N 36TH BOISE, ID 83703 (208)344-6397
Original Owner	VANCROFT CORP 3222 S PASS COURT BOISE, ID 83705 (208)384-0414
Original Owner	VICTOR L NIBLER 4705 N 36 BOISE, ID 83703 (208)342-6333

Priority Date: 06/03/1909

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRINGS	STEWART GULCH CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.080 CFS	
	<u>Total Diversion:</u>	0.080 CFS	

Location of Point(s) of Diversion

SPRINGS	SW1/4SW1/4	Sec. 21, Twp 04N, Rge 02E, B.M.
ADA County		

Place of UseIRRIGATION Within ADA County

T04N R02E S28	NENW	0.1	T04N R02E S28	NWNW	4.0
---------------	------	-----	---------------	------	-----

Total Acres: 4.1

Conditions of Approval:

1. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2103B V1

2. 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.
3. X35 Rights 63-2103B, 63-4307, 63-21875 AND 63-9758 when combined shall not exceed a total diversion rate of 2.20 cfs and the irrigation of 110 acres.

Remarks:

1. Explanatory THE PLACE OF USE IS ALSO KNOWN AS THE QUAIL HOLLOW GOLF COURSE.

Comments:

1. vmusic 3/24/2005 BASIS FOR RECOMMEDATION
Comment: SEE MEMO IN FILE

2. vmusic 3/24/2005 POU
Comment: ACC TRX IN POU IN ABOUT 1983 FOR GOLF COURSE. CURRENTLY THE POU FOR QUAIL HOLLOW GOLF COURSE

3. vmusic 3/24/2005 DOMESTIC USE
Comment: DOMESTIC USE EITHER NOT DEVELOPED UNDER LICENSE OR FORFEITED. NO HOUSE SEEN IN LICENSED POU IN AERIAL REVIEW FOR FOLLOWING YEARS - 1939, 1964, 1987, 1994, 2000. DOMESTIC NOT RECOMMENDED.

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Priority Date	3/24/2005 9:57:51 AM	vmusic	(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	3/24/2005 10:30:17 AM	vmusic	Edited point location
Source	3/24/2005 10:31:04 AM	vmusic	(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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2103B V1

POU	3/24/2005 10:33:25 AM	vmusic	(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? (No) 6. Can the claimed POU be verified using the water right file? (Yes) 7. Is there evidence that there has been a change in the POU? (Yes) 8. Can the claim be verified as an accomplished transfer? (Yes) 13. Does the file contain all the necessary information to verify the POU? (Yes) 14. Is a POU remark and/or condition required? Description for Question 8 - POU TRANSFERRED FROM SESE SEC 21 IN ABOUT 1983 AS PART OF WHAT IS QUAIL HOLLOW GOLF COURSE Description for Question 13 - AERIAL PHOTOS
Contacts	3/24/2005 9:57:33 AM	vmusic	(No) 1. Do you want to schedule an appointment? Comment for 1: DESKTOP REVIEW
POD	3/24/2005 9:58:41 AM	vmusic	(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? (Yes) 10. Is a POD remark and/or condition required?
POU	3/24/2005 11:07:09 AM	vmusic	Edited shape boundary
POD	3/24/2005 10:29:19 AM	vmusic	Edited point location
Use	3/24/2005 11:09:02 AM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (No) 5. Can the claimed Purpose of Use be verified using the water right file? (Yes) 6. Is there evidence that there has been a change in the Purpose of Use? (No) 7. Can the change be verified as an accomplished transfer? (No) 8. Does the change include an enlargement of the Purpose of Use? (No) 12. Did the claimant file a transfer? (Yes) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - NO DOMESTIC USE DEVELOPED UNDER LICENSE IN CLAIMED POU FOR DOEMSTIC. ACC TRX FOR IRRIGATION IN 1983.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2103B V1

Quantity	3/24/2005 11:14:26 AM	vmusic	(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? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (Yes) 12. Is a Quantity remark or condition required?
Season	3/24/2005 11:09:53 AM	vmusic	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
POU	3/24/2005 11:06:19 AM	vmusic	Edited shape boundary
Summary	3/24/2005 11:34:20 AM	vmusic	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 4. Is any portion of the claim be recommended? (Yes) 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?
POU	3/24/2005 11:07:25 AM	vmusic	Edited shape boundary



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

October 5, 2005

Robert and Kathleen Donnelly
4705 N 36th St
Boise, ID 83703

RE: CLAIM NO. 63-2103B and LICENSE NO. 63-9758

Dear Mr. and Mrs. Donnelly,

This correspondence is pursuant to my conversations with Mr. Donnelly in the past several months regarding the Snake River Basin Adjudication (SRBA) water right claim and the license referenced above.

In your correspondence dated July 12, 2005, you indicated that claim no. 63-2103B was in the name of Bluegrass LLC. Because a water right is a type of property right, IDWR requests that the ownership be in the name of the legal owner. Enclosed is a change of ownership form with instructions for 63-2103B. **Please fill it out, enclose the deed and return to IDWR to my attention.** I already have the plat map. The \$25 fee is waived for changes of ownership for claims in the SRBA. This will allow us to recommend the claim referenced above to the SRBA Court in the correct name

An SRBAS claim was not required for licensed right 63-9758 because the proof of beneficial use was submitted after the commencement of the SRBA in November 1987. Hence, the fee to change the ownership for this license is \$25. Enclosed is a change of ownership form with instructions. **Please fill out the form, return it and the \$25 fee to IDWR to my attention.** I have the deed and plat map.

Please call if you have additional questions.

Sincerely,

Vicky L. Music
Sr. Water Resource Agent
Adjudication Bureau

Enclosure: change of ownership form with instructions [2]



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

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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

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MAY 17 2004

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

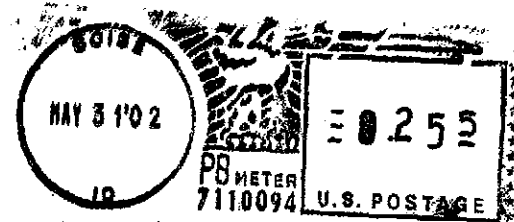
Return Service Requested

63-21036
4037
21875

Found

Not for Pickett?

PRESORTED
FIRST CLASS



RECEIVED

JUN 14 2002

WATER RESOURCES
WESTERN REGION



ADDRESSEE UNKNOWN
VANCROFT CORPORATION
3222 S PASS COURT
BOISE ID 83705

DAAGTMS 33430/6032



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MAY 17 2004



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

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MAY 17 2004



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

1

1

Notice of Claim No.(s) AG3-02103B, AG3-04037, AG3-21875

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)

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CHANGE IN OWNERSHIP

Page 1

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 s/or Ruth E. Nibler

4705 N. 36th

Burke ID. 83703

[✓] New Claimant(s): Vancoroff Corporation

[✓] New Mailing Address: 3222 South Pass Court

Burke 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 (on .02 cfs) for home & yard in S&SW 5.21 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

-8-

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JUN 18 1990

Department of Water Resources
Western Regional Office

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CHANGE IN OWNERSHIP

Page 2

[] 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:

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

"Grantor"

SECURITY TITLE

TIME 10:45 A.M.

DATE 6-11-90

JOHN CASTIDA

RECORDER

By [Signature]
Deputy

[Signature]
Victor L. Nibler

[Signature]
Ruth E. Nibler

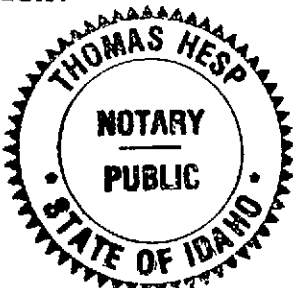
STATE OF IDAHO

County of Ada

ss.

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.



[Signature]
Notary Public for Idaho
Residing at Boise, 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.)

except .52
ac. - starting
@ boundary
between secs.
28 & 29

except 2.4 ac.
starting @
SWNW sec. 28

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 Section 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.)

except 2.4 ac
starting @ SW
1/2 sec. 28

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.

except nibler
4-ac. homesite

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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AUG 19 1992

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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AUG 10 1992

MEMORANDUM TO CLAIM FILES

TO: CLAIM FILE NOS. 63-2103A & B
FROM: VICKY L MUSIC, WATER RESOURCE AGENT, IDWR / WESTERN
REGION
SUBJECT: BASIS FOR RECOMMENDATION
DATE: 3/24/2005
CC:

Water rt. # 63-2103 was a license with a priority date of 1909, irrigation and domestic uses, source was an unnamed spring with the pod in the SWSW sec 21, T4N R2E and the pou in the SWSE sec 21 for use on 5 acres.

When Victor Nibler sold property to Vancroft, he conveyed a portion of this license. The ownership change documents are not clear as to where the places of use are that were conveyed. The claims state that the claims represent an accomplished change in pou in 1983. The claims were later conveyed to Robert Donnelly.

The claims are messed up and do not represent the license at all.

63-2103A

63-2103A is claimed for 0.02 cfs for a home and yard in NWSWSW Sec. 21. I reviewed aerial photos from 1939, 1964, 1987 and 1994 – no home was present in the claimed location. The QQ section is in the foothills and there has been no development. All uses were licensed in the SWSE of Sec. 21 and because domestic uses cannot be transferred, I will recommend the A portion as disallowed.

63-2103B

I reviewed aerial photos from 1939, 1964, 1987 and 1994 – no home was present in the claimed location - SWSW of Sec. 21. Nor was a home evident in the aerial in the licensed QQ, SWSE Sec. 21. I don't think the domestic use was developed under this license. If it was, it was forfeited somewhere prior to 1939.

Re the licensed irrigation use – there is clearly irrigation in the SWSE Sec. 21. The claim states that the irrigation is used on the Quail Hollow Golf Course and the irrigation use in this QQ has been claimed under 63-4037 and 63-21875, both used on the golf course. I will recommend the irrigation portion with combined use limits when used with 63-4037, 63-21875 and 63-9758.

VLM

Ron's map of
Meters + bounds
for deed.

21

SWSW

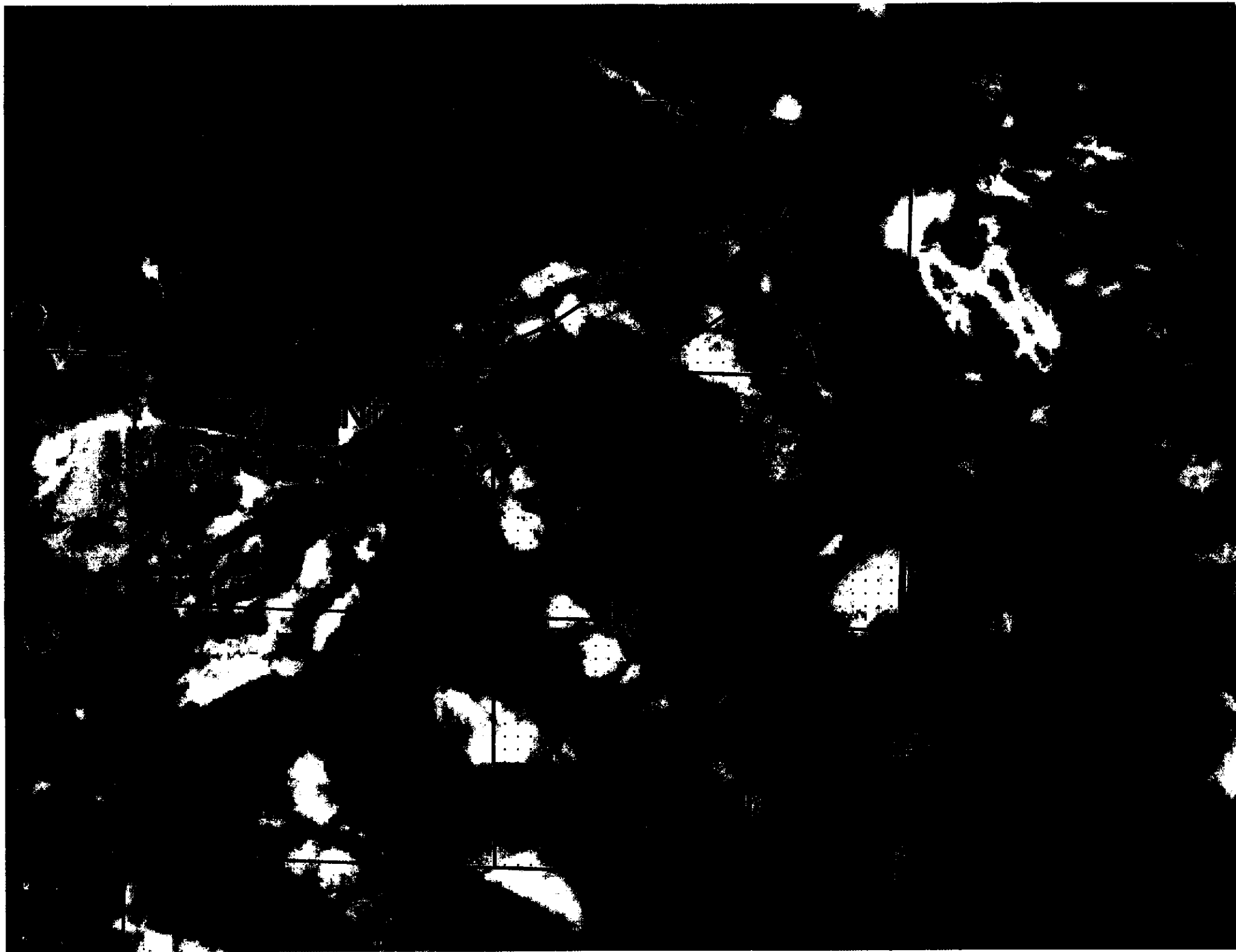
Parcel I

1987 NAAPP PHOTO
04N3R02E

62-0210-54

NENW

SE



03/24/2005

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

RIGHT NUMBER: 63-2103B

NAME AND ADDRESS: ROBERT M DONNELLY
4705 N 36TH
BOISE ID 83703

KATHLEEN M DONNELLY
4705 N 36TH
BOISE ID 83703

SOURCE: SPRINGS

TRIBUTARY: STEWART GULCH CREEK

QUANTITY: 0.080 CFS

1 cfs 63-4037
(Rights 63-2103B, 63-4307, 63-21875 AND 63-9758 when combined shall not exceed a total diversion rate of 2.20 cfs and the irrigation of 110 acres.)

PRIORITY DATE: 06/03/1909

POINT OF DIVERSION:

T04N R02E S21 SWSW 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	0.080 CFS
<i>add</i>	<i>down 47c</i>	<i>02</i>	
PLACE OF USE:	<u>IRRIGATION Within ADA County</u>		
	T04N R02E S28	NENW 0.1	T04N R02E S28 NWNW 4.0

4.1 ACRES TOTAL

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

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

THE PLACE OF USE IS ALSO KNOWN AS THE QUAIL HOLLOW GOLF COURSE.

6/29/05
72F Mr. Donnelly - bought from Vancraft 8-5 yrs.
House was there then. Bulldozed & will be rebuilt.
46 - N 36th
4650 N 36th - barn associated w/ the house
Water Right 63-2103B

R6060420350

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

500 250 0 500 1000 1500

SCALE IN FEET

UNPLATTED

OF THIS PLAT

S 88° 17' 36" E
(January, 1999)

NOTE: See Sheet 2 of 3 for Details of N.38th Way centerline and right-of-way and lot dimensions.

CENTERLINE SEWER
EASEMENT DATA

LINE	BEARING	DISTANCE
1	N 49° 30' 38" E	201.23
2	N 68° 41' 44" E	398.55
3	N 66° 13' 01" E	332.63
4	N 62° 32' 38" E	376.17
5	N 24° 27' 09" E	469.16
6	N 22° 46' 35" E	412.97
7	N 45° 03' 23" E	285.53

BASIS OF BEARING

CITY PARK

Insurance Company

LEG

- | | |
|---|----------------------------|
|  | Initial P.C.
Galv. Pipe |
|  | Found 5' |
|  | Found 4' |
|  | Set 5/8" |
|  | Set 1/2" |
|  | Found 5' |
|  | Found 4' |

_____ Boundary
 _____ Section: L
 _____ 1/4 Sect
 _____ 1/16 Sec
 _____ Easement:

NOT

1. All lots are hereby designated as lot for public utilities, drainage rights over the ten (10) feet of this easement shall not preclude surfaced driveways and walkways.
2. Building setback dimensions in to the applicable zoning require Ada County, Idaho in effect at building permit.
3. Any reversion of this plot to the original owner of the lot.
4. This subdivision is not to be water will not be provided to the lot.
5. Restricted Access: Except for and 3, Block 2, no lots in this primary access to M. 36th St, specifically approved by the Ada restricted access shall not preclude maintenance equipment from.
6. No new separate principle shall this subdivision unless specific. This restriction shall not be a condition of any necessary or additional easements of the golf course, is obtained.
7. All new development within the requirements of the Boise City, and Chapter 70 of the Ada County.
8. Except for necessary, are any new developments, are improvements to Ada County, 36th St, both adjacent to the southwesterly of the proposed the plot.
9. Lots 1 and 3, Block 2 are to the Northwest Boise Sewer.
10. Ada lets fronting M. 36th St, temporary construction easement within and adjacent to the easement to exist upon the completion shall be of varying width of side roadway slopes to one (1) vertical.



Ada County Assessor

Open Table in Spreadsheet: Excel

Zoom	Parcel	Category	Street Address	Description	Zoning	Tax Code	Acres	Total Value	Year
1	R6060420350	Base Land	N 36TH ST BOISE, ID 83703-0000	PAR #0350 OF LOT 3 BLK 1 NIBLER SUB	R-1A	02-10	0.23	31500	2005

End of Results

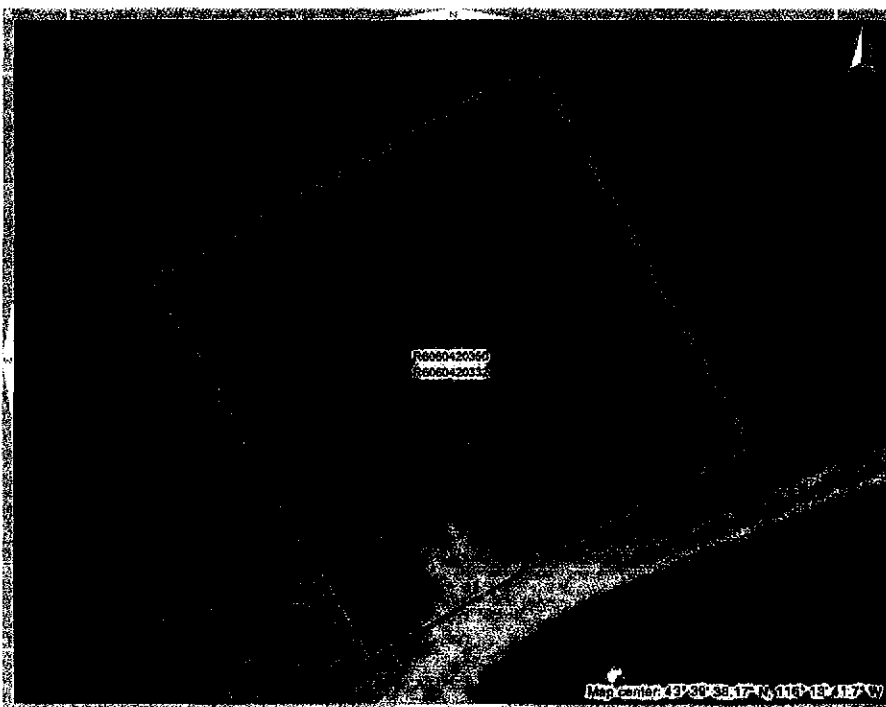
Go Links



Map Legend

Settings

- Major Streets
 - MINOR ARTERIAL
 - MAJOR COLLECTOR
 - SECTION
 - PRINCIPAL ARTERIAL
 - INTERSTATE
 - Other
- Minor Streets
 - LOCAL
 - PARKS
 - PRIVATE
 - RESIDENTIAL
- Other
 - Street Names (minor)
 - Addresses
 - ☐ Parcels
 - Ada-002003
 - ☐ Schools
 - ☐ Parks
 - City Limits
 - ☐ Kuna
 - ☐ Boise
 - ☐ Garden City
 - ☐ Eagle
 - ☐ Star



Scale: 1:438



Map Tool: Zoom In

Active Layer: Parcels

Powered by: Technorix

Cursor Location: 2498645.01251815, 727341.9719991293

Internet

Done

Internet

start



Contacts - Mic...

Microsoft Outlook

Ada County As...

http://208.186...

Archview GIS 3.2a

Document1 - M...

8:57 AM



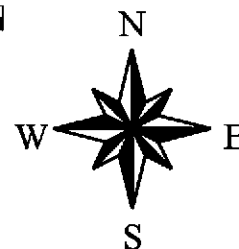
State of Idaho
Idaho Department of Water Resources
Western Region

T4N R2E SECTIONS 21 and 28
Water Right (s): 63-2103B

view note: this
may returned by
claimant 10 cats
domestic row is
a different from
a claimed.



1320 0 1320 2640 Feet



-  Place of Use
-  Point of Diversion
-  ~~Place of Use~~
-  Section Lines
-  Quarter Quarter Lines

GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: March 2005

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-2103B

03/24/2005

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-2103	Claim	04N	02E	21	SW	SW		SPRINGS STEWART GULCH CREEK	RUTH E NIBLER
63-2103A	Claim	04N	02E	21	SW	SW		SPRINGS STEWART GULCH CREEK	ROBERT M DONNELLY
63-2103B	Claim	04N	02E	21	SW	SW		SPRINGS STEWART GULCH CREEK	ROBERT M DONNELLY
63-2103	Water Right	04N	02E	21	SW	SW		SPRINGS	LEONARD DOBSON

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POLY REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-2103B**

03/24/2005

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
63-2103B	Claim	04N	02E	28	NE	NW		IRRIGATION	1/5	ROBERT M DONNELLY
63-4037	Claim	04N	02E	28	NE	NW		IRRIGATION	5/60	VANCROFT CORP
63-21875	Claim	04N	02E	28	NE	NW		IRRIGATION	10/55	VANCROFT CORP
63-4037	Water Right	04N	02E	28	NE	NW		IRRIGATION	5/60	VICTOR L NIBLER
63-9758	Water Right	04N	02E	28	NE	NW		IRRIGATION	31/110	DAVID HENDRICKSON
63-2576	Claim	04N	02E	28	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
63-2605	Claim	04N	02E	28	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
63-2874	Claim	04N	02E	28	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
63-2954	Claim	04N	02E	28	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
63-2956	Claim	04N	02E	28	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
63-2989	Claim	04N	02E	28	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
63-3164	Claim	04N	02E	28	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
63-7067	Claim	04N	02E	28	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
63-7577	Claim	04N	02E	28	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
63-7998	Claim	04N	02E	28	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
63-19456	Claim	04N	02E	28	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
63-2103B	Claim	04N	02E	28	NE	NW		DOMESTIC		ROBERT M DONNELLY
63-2103B	Claim	04N	02E	28	NW	NW		IRRIGATION	4/5	ROBERT M DONNELLY
63-4037	Claim	04N	02E	28	NW	NW		IRRIGATION	20/60	VANCROFT CORP
63-4037	Water Right	04N	02E	28	NW	NW		IRRIGATION	20/60	VICTOR L NIBLER
63-9758	Water Right	04N	02E	28	NW	NW		IRRIGATION	17/110	DAVID HENDRICKSON
63-2576	Claim	04N	02E	28	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
63-2605	Claim	04N	02E	28	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
63-2874	Claim	04N	02E	28	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
63-2954	Claim	04N	02E	28	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
63-2956	Claim	04N	02E	28	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
63-2989	Claim	04N	02E	28	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
63-3164	Claim	04N	02E	28	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-2103B

03/24/2005

2

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
63-7067	Claim	04N	02E	28	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
63-7577	Claim	04N	02E	28	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
63-7998	Claim	04N	02E	28	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
63-19456	Claim	04N	02E	28	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Revised 11/11/11

Prior to Field Exam

11/11/11

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) 63-2103 B

Owner: _____ Phone No. _____

Current Address: _____

- ☒ No change NAME IS THE SAME
- ☒ NEW OWNER _____
- ☐ No change Address
- ☐ NEW ADDRESS _____
- ☐ How long owned property? _____

Accompanied by: _____

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: _____

(If priority date, based on your exam, seems questionable, explain below.)

Source: unnamed spring Tributary to _____

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

location from old license -

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

*see licensed & claim***OVERLAP REVIEW**Other water rights with the same point of diversion: *no*

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

*NA***WATER USES**☒ No change☐ Different Uses

delete
Use *from* From _____ To _____ Amount _____ CFS _____ AFA
Use *11/1* From *3/1* To *11/15* Amount *-1* CFS *22.5* AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only

- ☐ Incomplete on claim, the total is, Amount *NA* CFS _____ AFA
☐ Changes found, the new total is, Amount _____ CFS _____ AFA
☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:☐ No change☒ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☐ No Change☒ Changes shown below:*acc. inf in POU in x 1003*

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: 63-4037, 63-21875, 63-9758

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative: all claims & licenses 63-2103 and 63-9758

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

CO5
acc box in POU 1993
POU Quail Hollow Golf Course
when combined w/ 63-4037, 63-21875 & 63-9758
not > .02 pf & 4.5 ac.
ACRES when combined w/ 4037, 21875, 9758 = 110 acres.

per Andy Co.
Asbestos v
23 ac.
no house

see memo in file

Dom. use probably intended for parcel # R6060420350
or 0060420332?
to 2 ac.

AFTER EXAM THE FILE SHOULD CONTAIN:

- MA C
- ☒ Completed claim checklist
 - ☐ Photographs of POD's and POU
 - ☐ GPS readings
 - ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 3/29/05

FIELD EXAMINER: Wick LMHC

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-2103B

WATER RIGHT NUMBER: 63-2103B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROBERT M DONNELLY 4705 N 36TH BOISE, ID 83703 (208)344-6397
Original Owner	LEONARD DOBSON BOISE, ID
Original Owner	RUTH E NIBLER BOISE, ID 83703
Current Owner	KATHLEEN M DONNELLY 4705 N 36TH BOISE, ID 83703 (208)344-6397
Original Owner	VANCROFT CORP 3222 S PASS COURT BOISE, ID 83705 (208)384-0414
Original Owner	VICTOR L NIBLER 4705 N 36 BOISE, ID 83703 (208)342-6333

Priority Date: 06/03/1909

Basis: License

Status: Active

Source

SPRINGS

Tributary

STEWART GULCH CREEK

Beneficial Use

DOMESTIC

IRRIGATION

<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
1/01	to 12/31	0.020 CFS	10.45
3/15	to 11/15	0.100 CFS	22.5
<u>Total Diversion:</u>		0.100 CFS	22.5

Location of Point(s) of Diversion

SPRINGS

ADA County

NW1/4SW1/4SW1/4

Sec. 21, Twp 04N, Rge 02E, B.M.

Place of Use

DOMESTIC Within ADA County

T04N R02E S28 NENW

IRRIGATION Within ADA County

T04N R02E S28 NENW 1.0

T04N R02E S28 NWNW 4.0

Total Acres: 5

no shoulder remark
3/1 - 11/15

0.092
10.45
22.5
22.5
0.092

4.1

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-2103B

Conditions of Approval:

Remarks:

1. General 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.
2. General Ownership changed by DB 5/17/2004
3. Explanatory Property also known as: Lot 2, Blk 1; Lot 6 Blk 1; Lot 1, Blk 2 of Nibler Subdivision.

Comments:

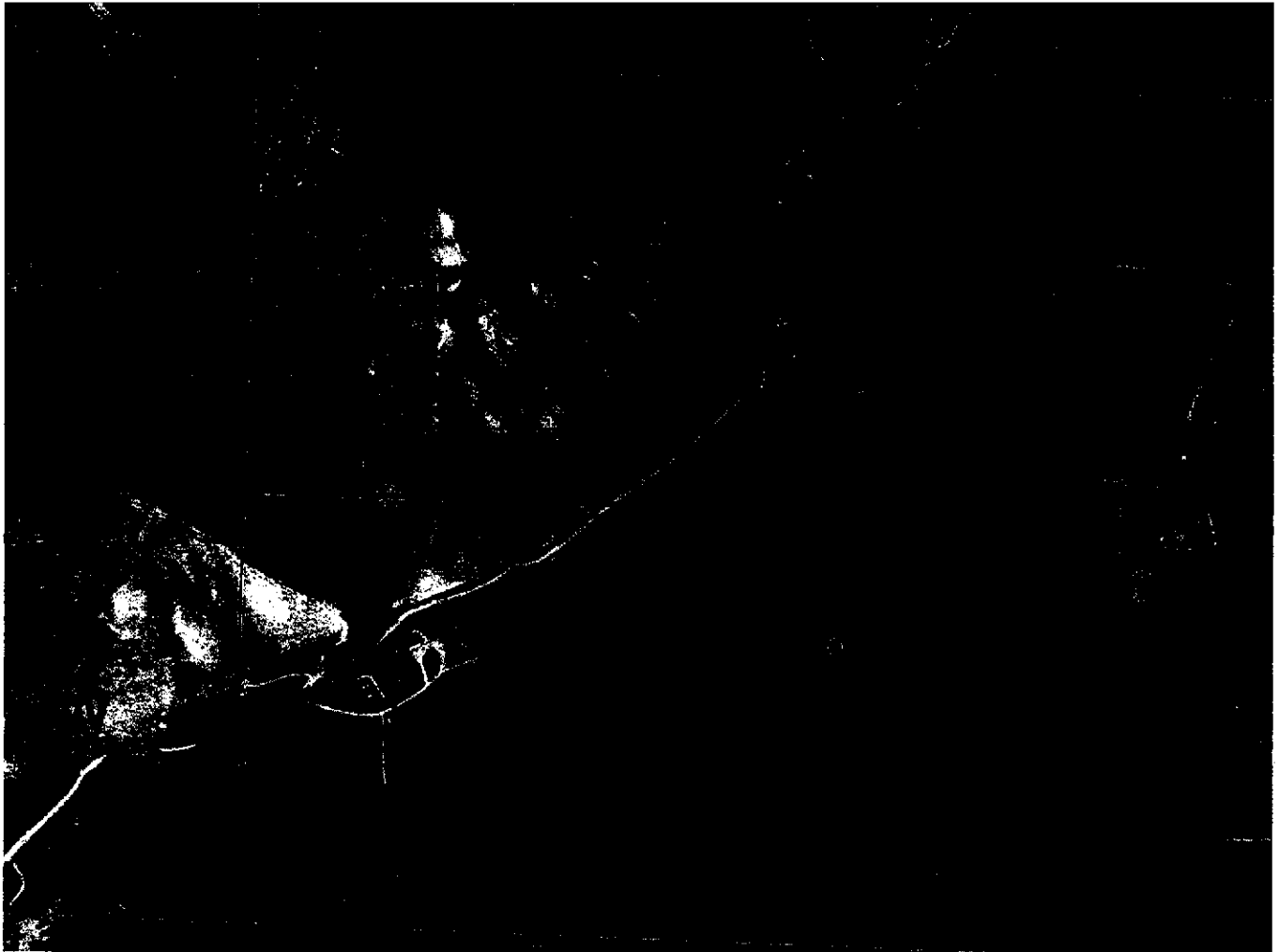
when combined w/ 63-4037, 63-21875 & 63-9758
not to > .02 cfs/ac. \$ 4.5 afa
acc. tax in PM- 1983

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

quail hollow view - 63-2103 license review.

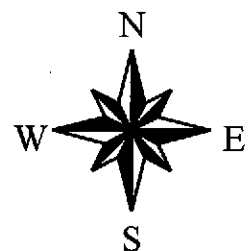
**Claimed by R Donnelly for 2 homes and
irrigation of golf course. Acc trx of irrigation in 1983.**



1000 0 1000 Feet

63-2103 --1939 aerial - no homes in SWSE Sec 21.
Domestic portion of license not developed or
forfeited for non use from 1939 until claim was filed in 1990.

- B63p2pod.shp
- Section.shp
- Townrange.shp
- T04n02e.shp
- Quarter.shp



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2103B

WATER RIGHT NUMBER: 63-2103B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROBERT M DONNELLY 4705 N 36TH BOISE, ID 83703 (208)344-6397
Original Owner	LEONARD DOBSON BOISE, ID
Original Owner	RUTH E NIBLER BOISE, ID 83703
Current Owner	KATHLEEN M DONNELLY 4705 N 36TH BOISE, ID 83703 (208)344-6397
Original Owner	VANCROFT CORPORATION 3222 S PASS COURT BOISE, ID 83705 (208)384-0414
Original Owner	VICTOR L NIBLER 4705 N 36 BOISE, ID 83703 (208)342-6333

Priority Date: 06/03/1909

Basis: License

Status: Active

Source

SPRINGS

Tributary

STEWART GULCH CREEK

Beneficial Use

DOMESTIC

IRRIGATION

From To

1/01 to 12/31

3/15 to 11/15

Diversion Rate

0.020 CFS

0.100 CFS

Annual VolumeTotal Diversion: 0.100 CFSLocation of Point(s) of Diversion

SPRINGS

ADA County

NW1/4SW1/4SW1/4

Sec. 21, Twp 04N, Rge 02E, B.M.

Place of UseDOMESTIC Within ADA County

T04N R02E S28 NENW

IRRIGATION Within ADA County

T04N R02E S28 NENW 1.0

T04N R02E S28 NWNW 4.0

Total Acres: 5

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2103B

Conditions of Approval:

Remarks:

1. General 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.
2. General Ownership changed by DB 5/17/2004
3. Explanatory Property also known as: Lot 2, Blk 1; Lot 6 Blk 1; Lot 1, Blk 2 of Nibler Subdivision.

Comments:

 Ada County *
 Unnamed springs *
 Irrigation and domestic *
 1/10 of 1 cu. ft. per sec. *
 Priority 6-3-1909 *

STATE OF IDAHO

Water License No. 4739

WHEREAS, On the 3rd day of June, A. D. 1909, LEONARD DOBSON, of Boise, R. F. D. #5, County of Ada, State of Idaho, duly made application (No. 6794) to me for a permit to use 8/10 of one cubic foot per second of the waters of an unnamed springs, County of Ada, State of Idaho, for irrigation and domestic purposes, and

WHEREAS, On the 7th day of June, A. D. 1909, Permit No. 4739, was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 7th day of June, A. D. 1910, and for the application to beneficial use of said water on or before the 7th day of June, A. D. 1911, and,

WHEREAS, On the 7th day of June, A. D. 1910, LEONARD DOBSON, the holder of said permit duly made proof of the completion of adequate works for the diversion of 8/10 of one cubic foot per second of said waters, as evidenced by my Certificate No. 4739, dated October 30th, 1911, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 8/10 of one cubic foot per second of water, with date of priority of June 3rd, 1909, and,

WHEREAS, On the 7th day of June, A. D. 1910, LEONARD DOBSON, the holder of said permit duly made proof of the application to beneficial use of 1/10 of one cubic foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to LEONARD DOBSON, of Boise, County of Ada, State of Idaho, the holder and owner of said Permit No. 4739, a perpetual right, dating from June 3rd, 1909, to the use of 1/10 of one cubic foot per second of the waters of unnamed springs, in the County Ada, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the Southwest quarter of the Southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 21, Township 4 North, Range 2, East of the Boise Meridian, and conducted to and upon a ~~series~~ ^{canal} in the Southwest quarter of the Southeast quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$), Section 21, Township 4 North, Range 2, East of the Boise Meridian, for the purpose of irrigation and domestic use, subject, however to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 30th day of October, A. D. Nineteen hundred and eleven.

A. E. Robinson,
 State Engineer

63 2103

(SEAL)

Application
 was BC & Co
 W.D. Adams.

02
 PR

5al?

1 efs 140ac.

NO 504

no water in
 GUSE 21
 in 1929
 1964

No. 6794.

63-2103

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Leonard Bobson.

Postoffice address: Boise, H.F.D. No. 5.

County: Ada

State: Idaho

2. The quantity of water claimed is equivalent to a flow of .8 cubic foot per second.

3. Sources of water supply: Unnamed springs.

County of Ada

4. Location of point of Diversion: $S\frac{1}{2}$ $S\frac{1}{2}$ Sec. 21, T. 4 N.R. 2 E.3.M.

- c. To be used for:

- I. Irrigation and domestic use:

- (a) Amount of land to be irrigated: 40 acres.

- (b) In the following legal subdivisions: SW¹ SE¹ Sec. 21. T. 4 N.R. 2 E.B.M.

6. Estimated cost of works: about \$250.00

7. Description of works for diversion:

- I. Kind of works: Pipe from springs to point of use.

- III. Dimensions of works:

- (d) Conduit pipe. Diameter of pipe: 1 inch. Average grade per mile is 100 feet.

Length of conduit is 1/2 mile, and it crosses the following quarter sections

SW 1/4 Sec. 21, T. 4 N.R. 2 E.B.M., to land described in 5 I (b) above which

is the point of intended use.

8. The time required for the completion of the construction of such work is 1 year.

9. Time required for the complete application of the water to the proposed use is 1 additional year.

BE IT KNOWN, That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

Leonard Dobson.

Applicant.

By E. E. Garrett., Agent.

APPROVAL OF STATE ENGINEER.

The number of this permit is 4739.

Date of first receipt of application: 10.30 a.m. June 3, 1909.

Returned to applicant for correction: June 4, 1909.

Corrected applicant received: June 7, 1909

Recorded in Book 13. Page 4739. Approved June 7, 1909

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho and hereby grant the same, subject, to the following limitations and conditions:

Work to begin on or before August 6, 1909, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before December 7, 1909.

The whole of said work to be completed on or before June 7, 1910.

The time for proof of beneficial use of water appropriated in accordance herewith, extended to June 7, 1911.

Witness my hand this seventh day of June, 1909.

Jas. Stephenson, Jr.

State Engineer.

