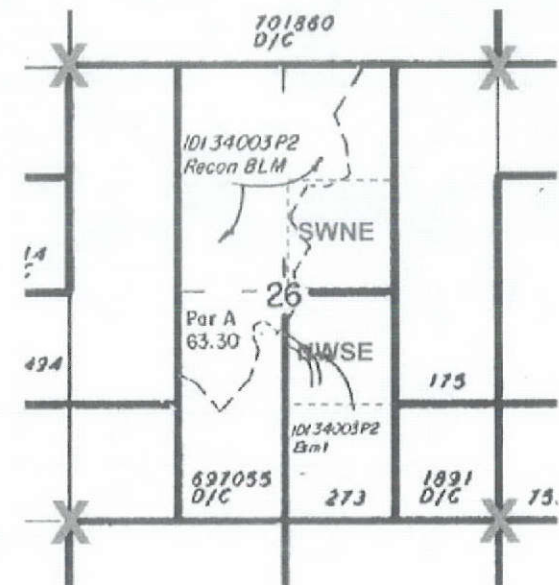
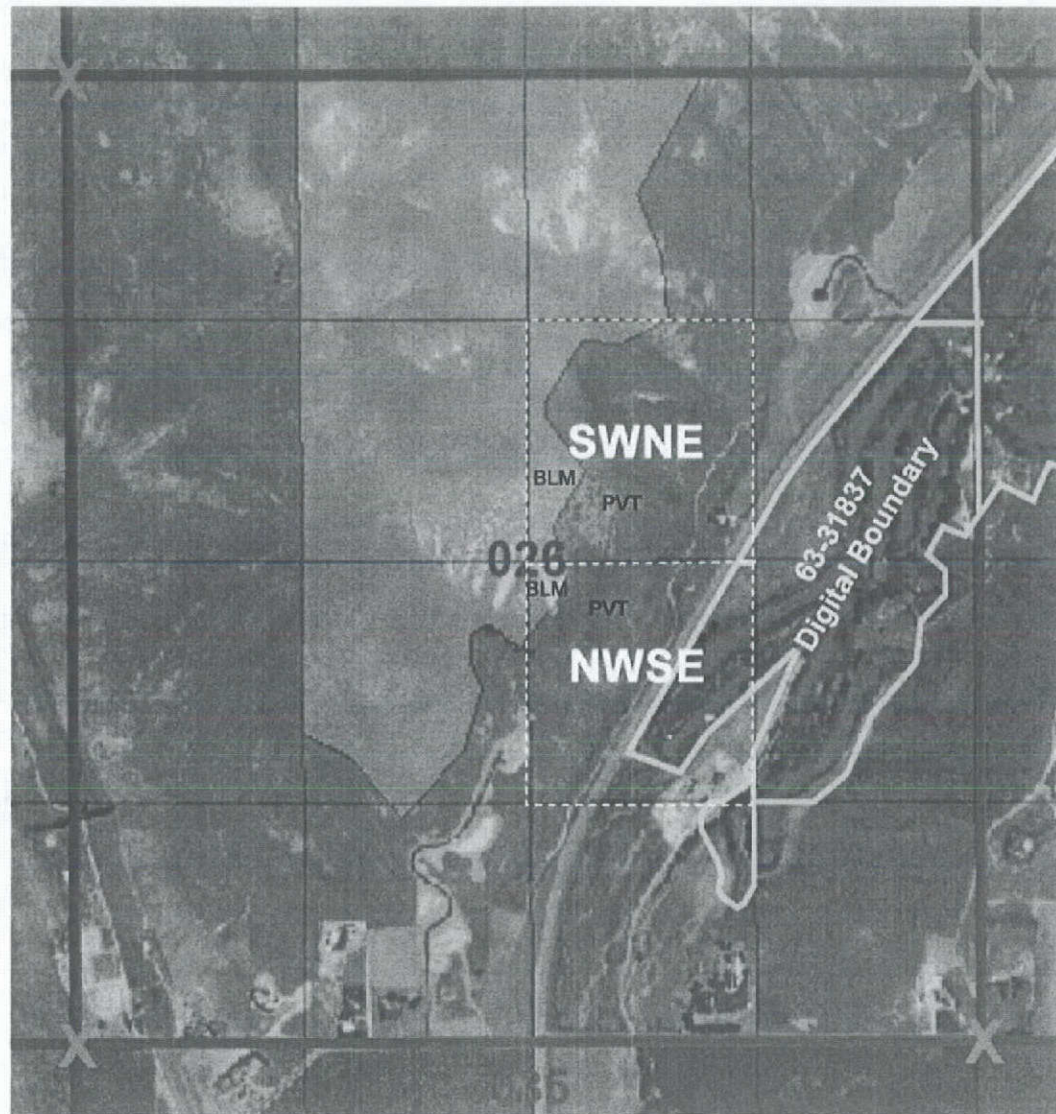


63-31837



63-31837



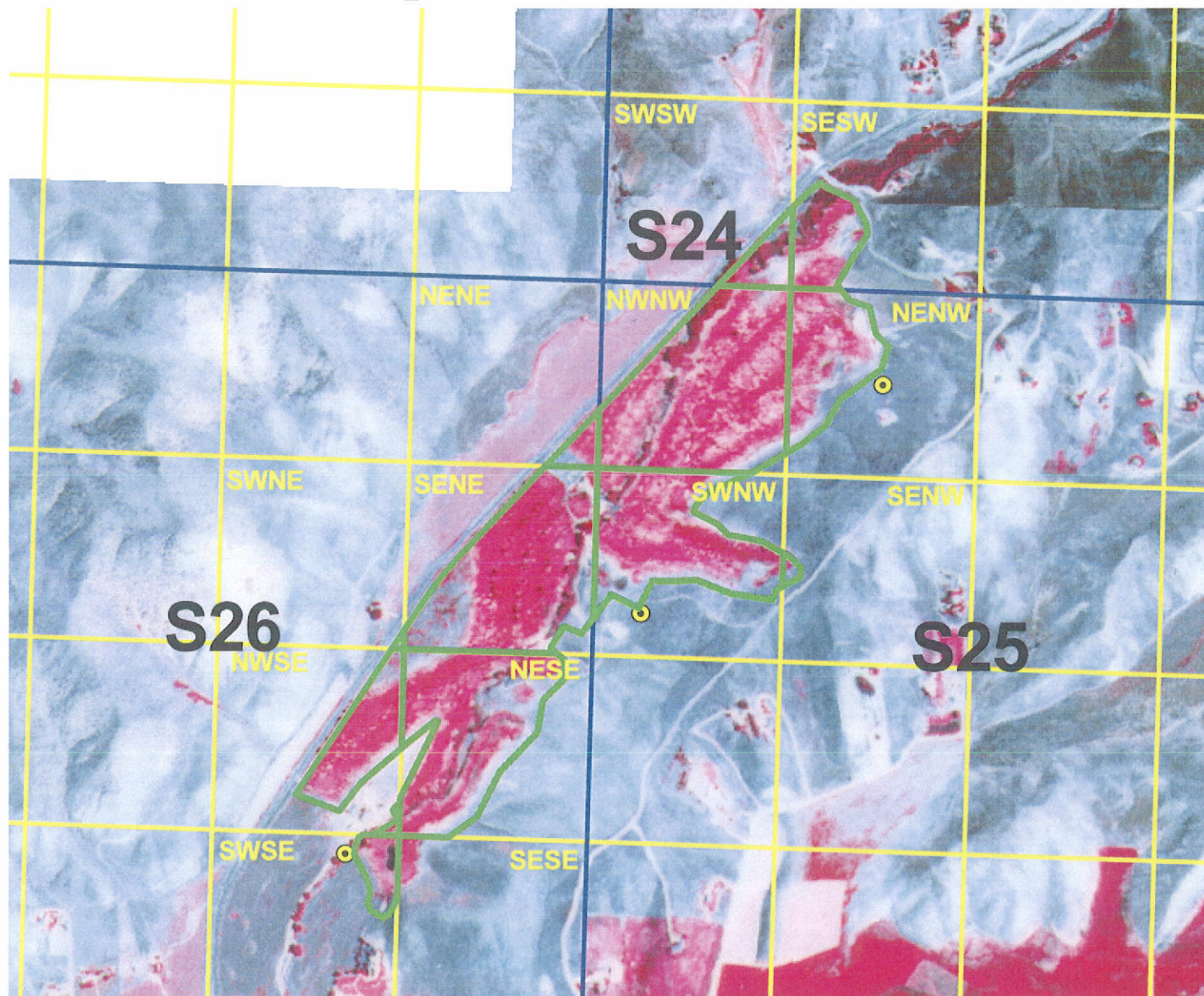
Idaho Department of Water Resources

**T05N, R01E,
S24,S25,S26**

Claim No: 63-31837

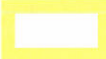
Prepared By: Kimberly Brown

Date: August 17, 2005



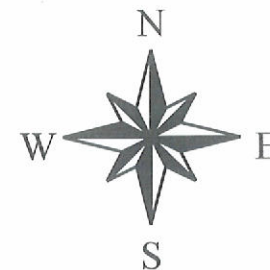
 Place of Use

 Section Lines

 1/4 1/4

 Point of Diversion

Acres Irrigated = 144



300 0 300600 Feet



1987 NAPP

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Property Details for Parcel S0225223018 and Year 2006

2006 ▼

[Change Year](#)

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[Details](#)

[Valuation](#)

[Tax Districts](#)

[Characteristics](#)

Parcel: S0225223018

Year: 2006

Zone Code: RR

Total Acres: 123.894

Tax Code Area: 270

Property Description:

PAR #3018 OF S2SW4 SEC 24

R/S #2395 & SEC 25 & E2

SEC 26 5N 1E IN MOSQ DIST

#223016-B

Ada County Assessor



[View Interactive Map of this Parcel](#)

Address: 15001 N HORSESHOE BEND RD BOISE , ID 83703

Subdivision: 5N 1E 26

Land Group Type: SECT

Township/Range/Section: 5N1E26

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Property Details for Parcel S0226141810 and Year 2006

2006 ▼

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Details

[Valuation](#)

[Tax Districts](#)

[Characteristics](#)

Parcel: S0226141810

Year: 2006

Zone Code: RR

Total Acres: 7.31

Tax Code Area: 270

Property Description:

PAR #1810 OF E2

SEC 26 5N 1E

#2107-S R/S 2395

#9323792

Ada County Assessor



[View Interactive Map of this Parcel](#)

Address: N HORSESHOE BEND RD BOISE , ID 00000

Subdivision: 5N 1E 26

Land Group Type: SECT

Township/Range/Section: 5N1E26

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679

03429

S24

SWSW	SESW
------	------

NENE NWNW NENW

P.D

P. D.

Creek

Valley

Dru

Creek

Landing Strip

Creek

FLOATING FEATHER
AIRPORT

Traller =
Park

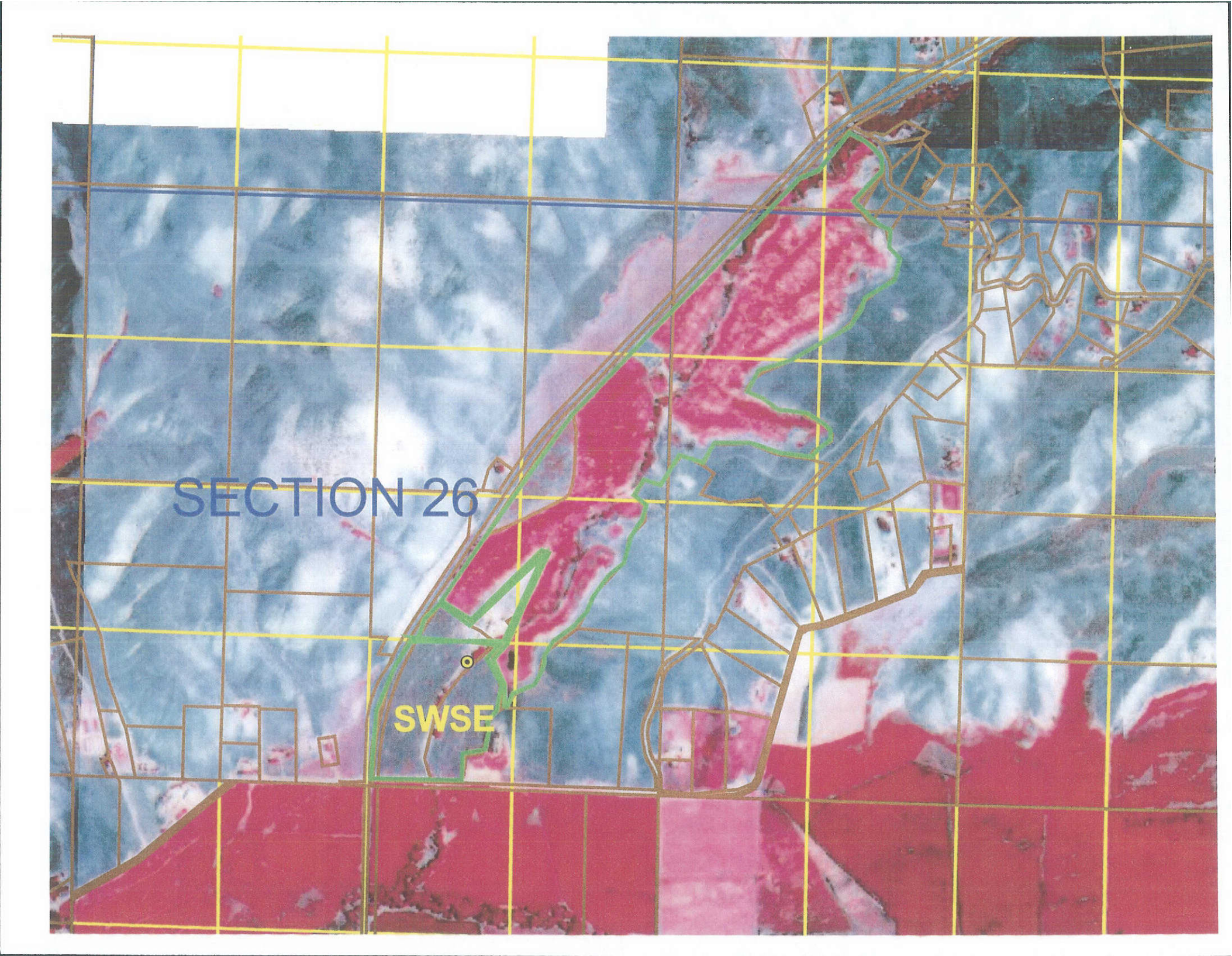
MICROFILMED

AUG 19 1992

520

SECTION 26

SWSE

An aerial photograph of a rural area, likely in the United States, overlaid with a yellow grid. The map shows various land parcels, some of which are shaded in red and blue. A green line outlines a specific area, possibly a water body or a designated zone. A small circle marks a point labeled 'SWSE' in yellow text. The text 'SECTION 26' is also visible in blue.

RECEIVED

APR 17 2006

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 No. 39576

A. Subcase 63-31837
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau
of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax
United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

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

Name: B&B Properties Limited Partnership
Address: 15711 Hwy 55; Boise, Idaho 83714

Name:
Address: ;

Name:
Address: ;

Name:
Address: ;

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:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☐ **Point(s) of Diversion**
Should be:
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**
Should be:
9. ☒ **Place of Use**
Should be: See attached.

11. **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):**

The legal description for element nine (POU) above may include Federal land. The description should be specific enough to exclude Federal land.

F.

VERIFICATION (Must be Completed)

State of Idaho

)

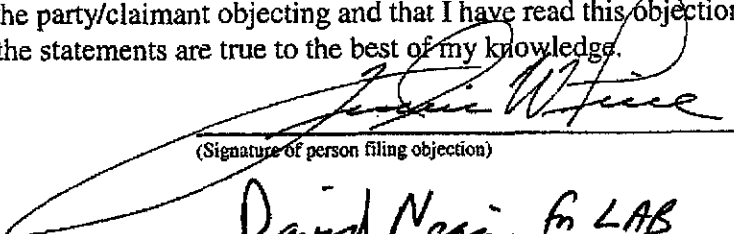
) ss.

County of ADA

)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

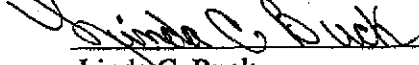
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

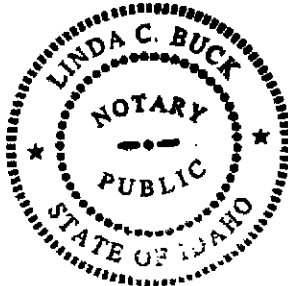
David Negin for LAB
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

April 19, 2006



Linda C. Buck



Notary Public for Idaho

Residing at: Mountain Home,

My Commission Expires: 12-21-2011

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 04-19-, 2006, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

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

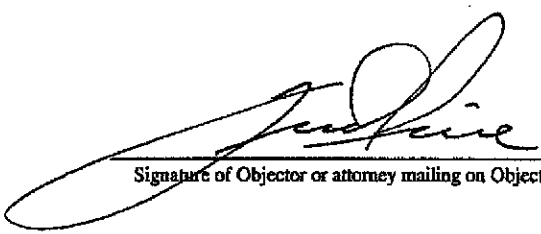
Name: B&B Properties Limited Partnership
Address: 15711 Hwy 55; Boise, Idaho 83714
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

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



Signature of Objector or attorney mailing on Objector's behalf

12/12/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-31837
NAME AND ADDRESS: B & B PROPERTIES LIMITED PARTNERSHIP
15711 HWY 55
BOISE ID 83714
SOURCE: GROUND WATER
QUANTITY: 2.880 CFS
648.00 AFY

TRIBUTARY: Mixed Ownership POUs:
-The POUs identified below contains both Private and Public Lands.
-Clarify POUs such that it is clear that only Private Land is intended.

Right Nos. 63-31837 and 63-31838 are limited to a total combined diversion rate of 3.52 cfs and to a total combined annual diversion volume of 792.0 AF.

PRIORITY DATE: 09/02/1964
POINT OF DIVERSION: T05N R01E S25 NENW Within ADA County
T05N R01E S25 SWSNW Within ADA County
PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	2.880 CFS 648.00 AFY

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within ADA County

T05N R01E S24	SWSW	4.00	T05N R01E S24	SESW	7.00
T05N R01E S25	NENW	12.00	T05N R01E S25	NWNW	31.00
T05N R01E S25	SWNW	21.00	T05N R01E S25	SENNW	0.50
T05N R01E S26	NENE	2.00	T05N R01E S26	SWNE	0.50
T05N R01E S26	SENE	30.00	T05N R01E S26	NESE	24.00
T05N R01E S26	NWSE	9.00	T05N R01E S26	SWSE	3.00

BLM/PVT 144 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

Place of use is also known as Shadow Valley Golf Course.

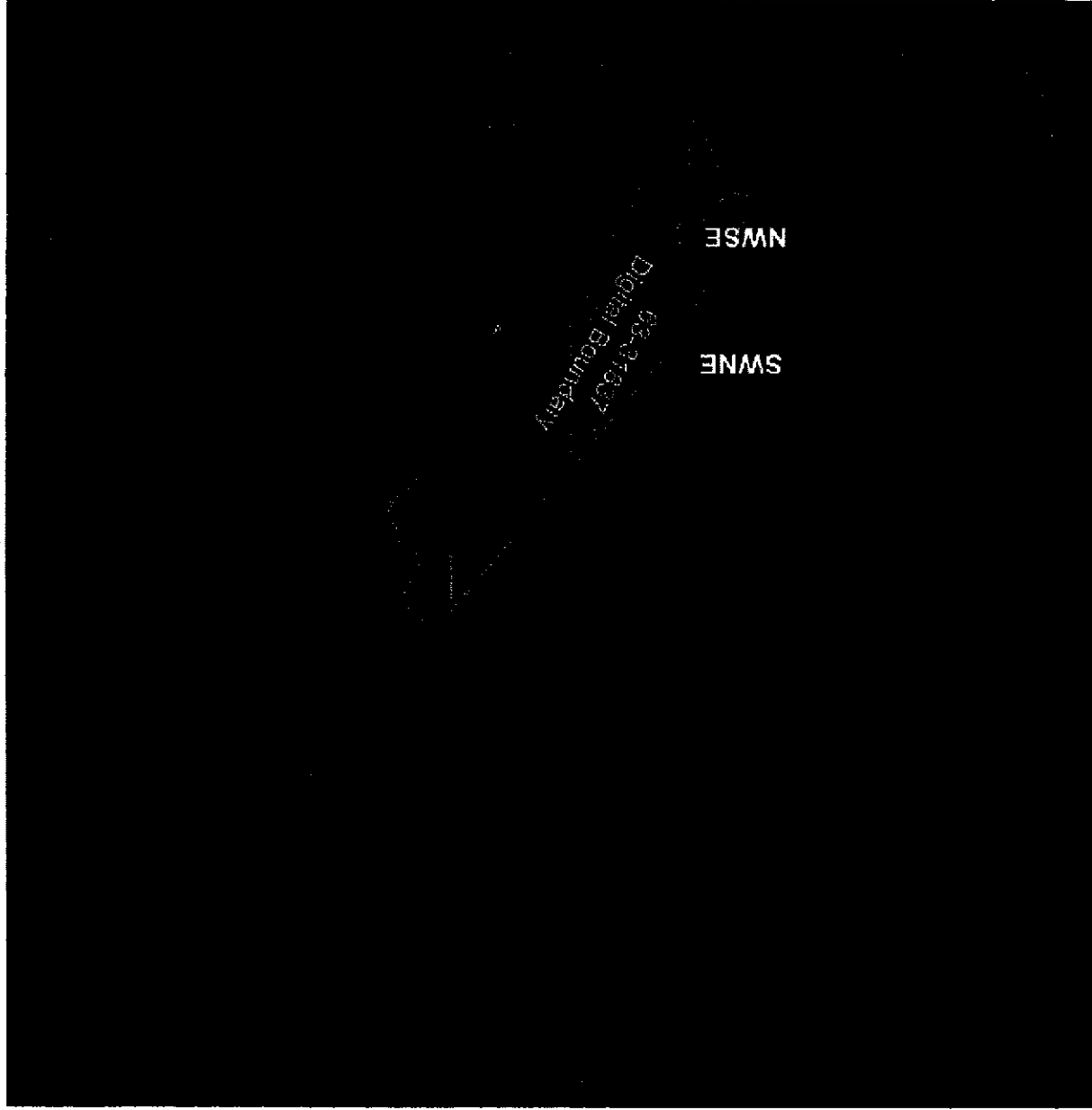
Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

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

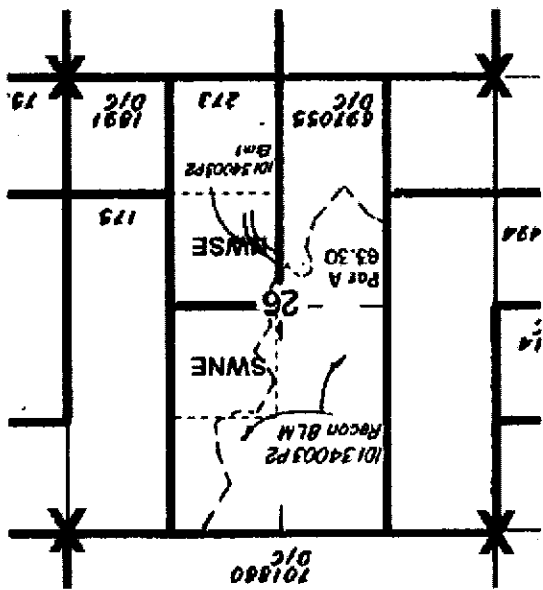
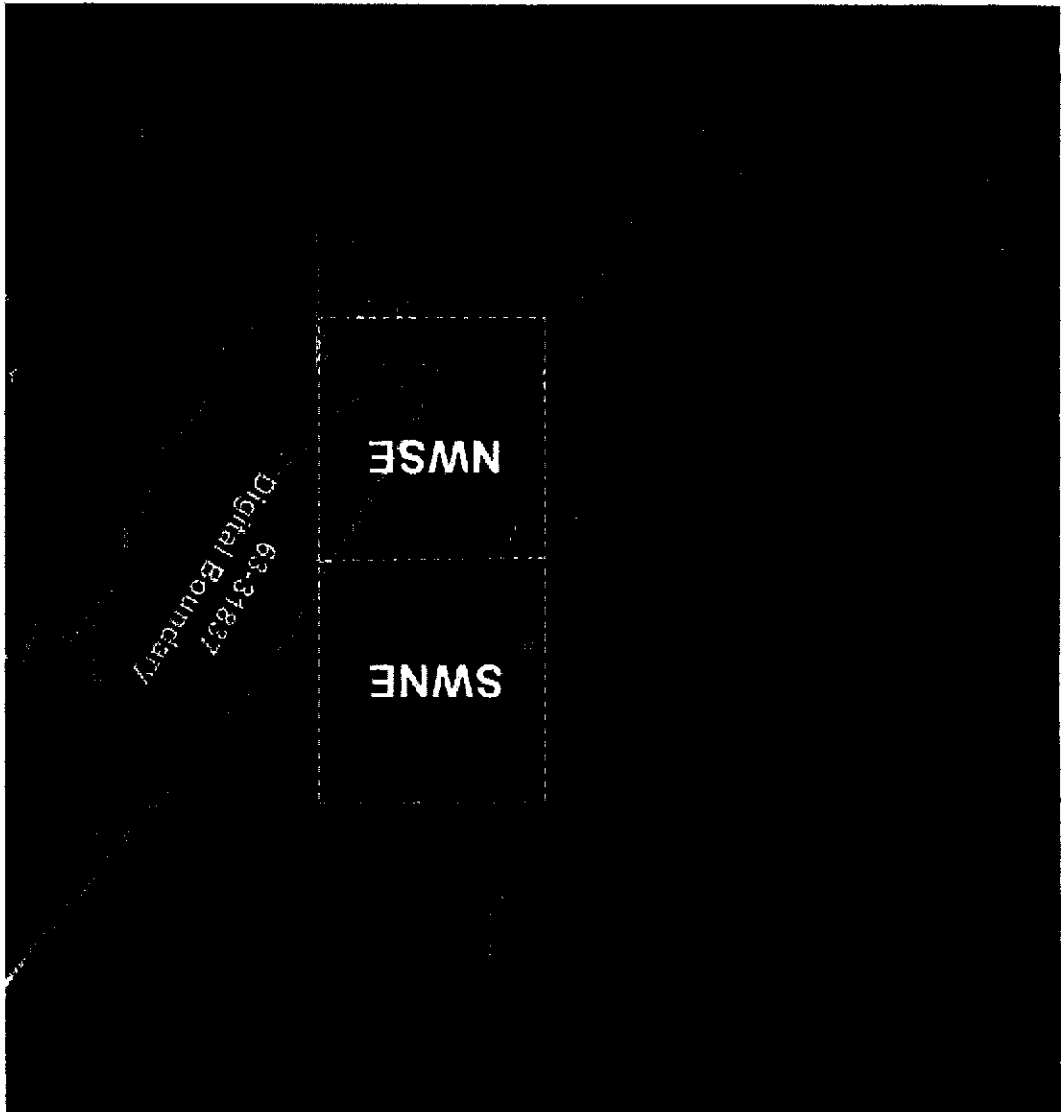
THE POUS REPRESENT MIXED OWNERSHIP. THE FOLLOWING LIMITING LANGUAGE INSERTED UNDER PLACE OF USE WOULD RESOLVE BLM'S OBJECTION TO THE MIXED POUS:

"THE USE OF WATER UNDER THIS RIGHT DOES NOT INCLUDE A USE ON FEDERAL PUBLIC LANDS."

63-31837

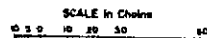


63-31837



BOISE DISTRICT SEC 1

ADA COUNTY BOISE COUNTY



WARNING STATEMENT
This plan is the Bureau's Script of Title, and should be used

INDEX TO SEGREGATED TRACTS

[illegible]

Survey Funding Group No. 1058

Parquet Tpc:

SUSPENDED: February 6, 2001, FR# 9630 (907)

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

CURRENT TO	CURRENT TO
PER 0.00	

USE PLATE:

Boise Mer

T. 34

08/18/2005

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

RIGHT NUMBER: 63-31837

NAME AND ADDRESS: B & B PROPERTIES LIMITED PARTNERSHIP
15711 HWY 55
BOISE ID 83714

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.880 CFS
648.000 AFY

Right Nos. 63-31837 and 63-31838 are limited to a total combined diversion rate of 3.52 cfs and to a total combined annual diversion volume of 792.0 AF.

PRIORITY DATE: 09/02/1964

POINT OF DIVERSION:

T05N R01E S25 NENW Within ADA County

T05N R01E S25 SWSWNW Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

2.880 CFS
648.00 AFY

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:

IRRIGATION Within ADA County

T05N R01E S24	SWSW	4.0	T05N R01E S24	SESW	7.0
T05N R01E S25	NENW	12.0	T05N R01E S25	NWNW	31.0
T05N R01E S25	SWNW	21.0	T05N R01E S25	SENW	0.5
T05N R01E S26	NENE	2.0	T05N R01E S26	SWNE	0.5
T05N R01E S26	SENE	30.0	T05N R01E S26	NESE	24.0
T05N R01E S26	NWSE	9.0	T05N R01E S26	SWSE	3.0

144 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

Place of use is also known as Shadow Valley Golf Course.

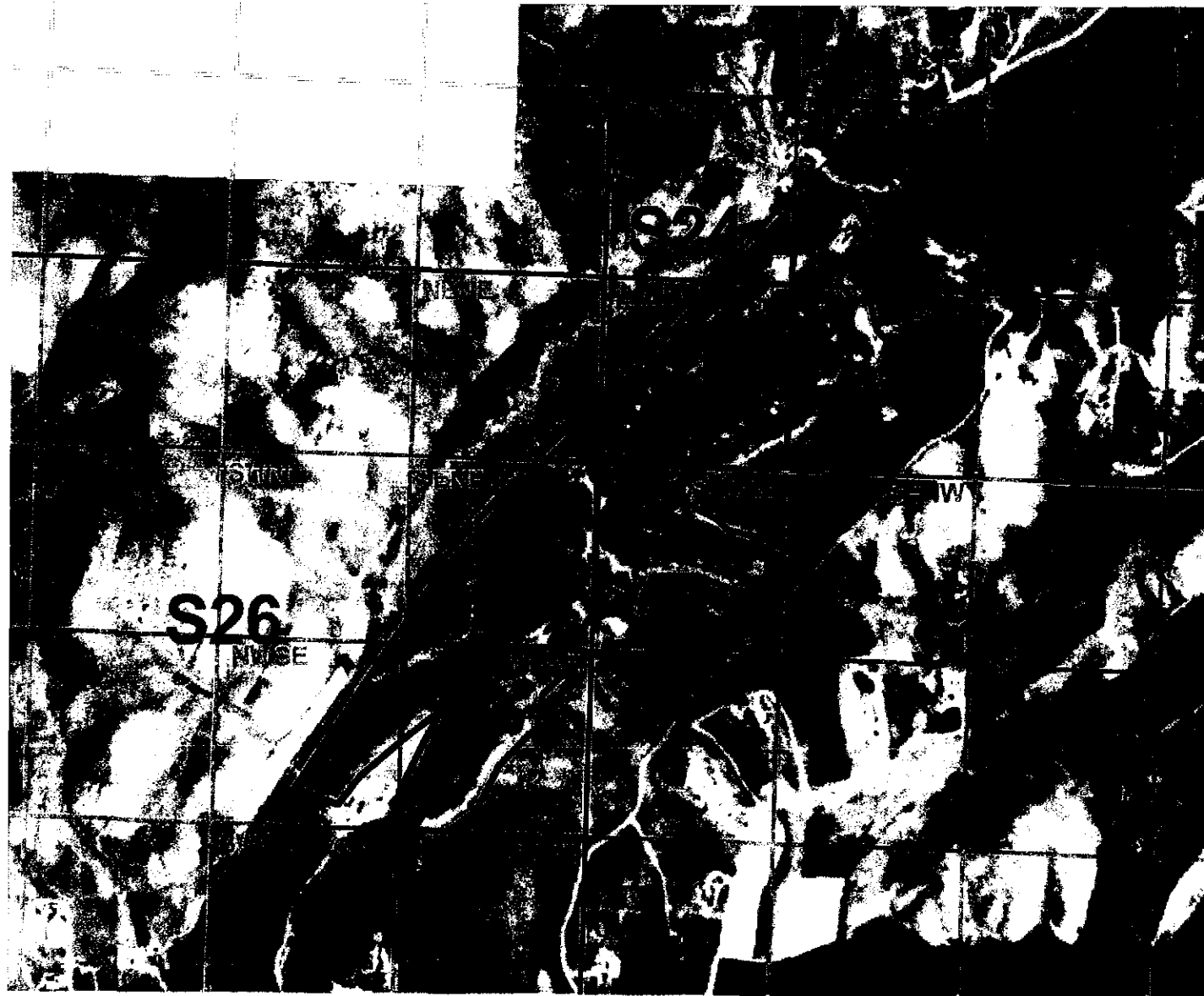
Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

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

Water Right 63-31837

1

Idaho Department of Water Resources



**T05N, R01E,
S24,S25,S26**

Claim No: 63-31837

Prepared By: Kimberly Brown

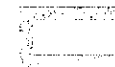
Date: August 17, 2005



Place of Use



Section Lines

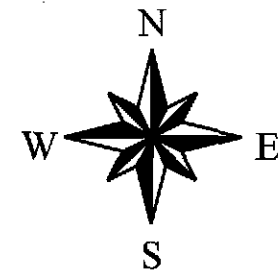


1/4 1/4



Point of Diversion

Acres Irrigated = 144



300 0 300600 Feet



1987 NAPP

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31837

WATER RIGHT NUMBER: 63-31837 ✓

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	LILLIAN E STADLER RT 1 HWY 55 BOISE, ID 83703 (208)939-6689

Original Owner BEN F STADLER
RT 1
BOISE, ID 83703

Current Owner B & B PROPERTIES LIMITED PARTNERSHIP ✓
15711 HWY 55
BOISE, ID 83714
(208) 939-6699

Priority Date: 09/02/1964 ✓

Basis: License ✓

Status: Active

Source

Tributary

GROUND WATER ✓

Beneficial Use

From	To
------	----

Diversion Rate

Annual Volume

IRRIGATION ✓

03/15 to 11/15 ✓

2.880 CFS ✓

648.0 AFA

Total Diversion:

2,880 CFS ✓

648.0 AFA

Location of Point(s) of Diversion

GROUND WATER

NE1/4NW1/4 ✓

Sec. 25, Twp 05N, Rge 01E, B.M. ✓

ADA County

GROUND WATER

SW1/4SW1/4NW1/4 ✓

Sec. 25, Twp 05N, Rge 01E, B.M. (Licensed)

ADA County

Place of Use

IRRIGATION

*POU also known as Shadow Valley Golf Course.

Twp	Rge	Sec	NE				NW				SW ✓✓				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals ✓
✓	05N	01E	24											~~5.0~~ 4				~~6.0~~ 7	11.0
✓	05N	01E	25					~~9.0~~ 12	~~34.0~~ 31	~~17.0~~ 21	~~1.0~~ .5								~~61.0~~ 64.5
✓	05N	01E	26	~~3.0~~ 2	~~1.0~~ .5	~~29.0~~ 30									~~28.0~~ 24	~~8.0~~ 9	~~3.0~~		~~72.0~~ 68.5

Total Acres: 144

ADD 339 - Season of use is 3/1 to 11/15

ADD C03 - POB Accomplished Transfer

App C05 - Pou Accomplished Transfer

ADD EGO - 63-31837 & 63-31838 are limited to OVER

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-31837

Conditions of Approval:

COMMENT

1.

This claim is the result of a split due to change in ownership for a portion of 63-3429. DB 2/17/2004

Remarks:

Comments:

a total combined diversion rate of 3.52 cfs and
to a total combined annual volume of 792.0 af.

Parcel Nos: 80224336400

a portion of 80225223018
80226141810

Water Supply Bank:

63-3429 (Parent)

(split)

- 31837 - 31838

Field Exam Date 8.11.05

(in office review)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$ 226.⁰⁰ pd. for #63-3429
- ☒ 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 N/A

CLAIMANT INFORMATION - verify contact information is complete

Claim No(s) A63-31837

Owner: B & B Properties limited Phone No. (208) 939-6699

Current Address: 15711 Hwy. 55, Boise 83714

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

Accompanied by: N/A

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: 9/2/1964

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

Source: Ground Water 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? licensed POD is in the 8WNW, S25

POD Accomplished Transfer -
2nd POD was added prior to 1987, in NENW, S25

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ADD:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
			NE	NW	25	5N	1E		

Description of diverting works

See #63-3429 Field Report.

OVERLAP REVIEW

Other water rights with the same point of diversion: 63-31838

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

WATER USES

- ☐ No change
☐ Different Uses

Season of use is 3/1 to 11/15.

Use Irrigation From 3/1 To _____ Amount _____ CFS 648.0 AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA

144 acres x 4.5 af/annum = 648.0 af/annum (v) 2.88 cfs x 1.9835 x 246 days = 1405.27 af/ann

TOTAL VOLUME - Groundwater only

- ☒ Incomplete on claim, the total is, Amount _____ CFS 648.0 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 None
☐ Changes Exam found: Domestic # of homes _____ Stock # _____
Types _____ Additional comments: _____

PLACE OF USE:

- ☐ No Change
☒ Changes shown below:

*POU is also known as Shadow Valley Golf Course.

POU Accomplished Transfer -

Place of use was changed prior to 1987, as shown by the 1987 NAPP and also according to Mrs. Stadler and Joe Stadler. Original license was for 176 acres (still same number of acres irrigated).

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	
		24											4	7					11
		25					12	31	21	.5									64.5
		26	2		.5	30									24	9	3		68.5
																			144

Overlap with other water rights: 63-31838

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

63-31837 & 63-31838 are limited to a total combined diversion rate of 3.52 cfs & to a total combined annual diversion volume of 792.0 af.

Delivery System Narrative: See #63-3429 Field Report.

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

(OVER)

Season of use is 3/1 to 11/15.

POB & POU Accomplished Transfers.

Place of use is also known as Shadow Valley Golf Course.

63-31837 & 63-31838 are limited to 3.52 af + 192.0 af.

Parcel Nos: 80224336400,
a portion of 80225223018, &
80226141810.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☐ 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: 8-18-05

(in office review)

FIELD EXAMINER: Kimberly Brown

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-31837

08/18/2005

1

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
~~63-3429~~	~~Claim~~	~~05N~~	~~01E~~	~~25~~	~~NE~~	~~NW~~		~~GROUND WATER~~	~~Parent~~
63-9916	Claim	05N	01E	25	NE	NW		GROUND WATER	
~~63-31837~~	~~Claim~~	~~05N~~	~~01E~~	~~25~~	~~NE~~	~~NW~~		~~GROUND WATER~~	~~B & B PROPERTIES LIMITED PARTNERSHIP~~
63-31838	Claim	05N	01E	25	NE	NW		GROUND WATER	JOSEPH C STADLER
63-25312	Claim	05N	01E	25	NE	NW		GROUND WATER	SALLY S HOPT
~~63-3429~~	~~Claim~~	~~05N~~	~~01E~~	~~25~~	~~SW~~	~~NW~~		~~GROUND WATER~~	~~Parent~~
~~63-31837~~	~~Claim~~	~~05N~~	~~01E~~	~~25~~	~~SW~~	~~NW~~		~~GROUND WATER~~	~~B & B PROPERTIES LIMITED PARTNERSHIP~~
63-31838	Claim	05N	01E	25	SW	NW		GROUND WATER	JOSEPH C STADLER
63-25312	Water Right	05N	01E	25	NE	NW		GROUND WATER	SALLY S HOPT
~~63-3429~~	~~Water Right~~	~~05N~~	~~01E~~	~~25~~	~~SW~~	~~NW~~		~~GROUND WATER~~	~~Parent~~ BEN F STADLER

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-31837

08/18/2005

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Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
15170	Claim	05N	01E	24	SW	SW		IRRIGATION	2/52	PEGGY J BUCHANAN
~~31837~~	~~Claim~~	~~05N~~	~~01E~~	~~24~~	~~SW~~	~~SW~~		~~IRRIGATION~~	~~5/144~~	~~B & B PROPERTIES LIMITED PARTNERSHIP~~
2090	Water Right	05N	01E	24	SW	SW		IRRIGATION	7/17	DAVID R BENSON
~~31837~~	~~Claim~~	~~05N~~	~~01E~~	~~24~~	~~SE~~	~~SW~~		~~IRRIGATION~~	~~6/144~~	~~B & B PROPERTIES LIMITED PARTNERSHIP~~
2090	Water Right	05N	01E	24	SE	SW		IRRIGATION	5/17	DAVID R BENSON
~~31837~~	~~Claim~~	~~05N~~	~~01E~~	~~25~~	~~NE~~	~~NW~~		~~IRRIGATION~~	~~9/144~~	~~B & B PROPERTIES LIMITED PARTNERSHIP~~
2090	Water Right	05N	01E	25	NE	NW		IRRIGATION	5/17	DAVID R BENSON
15170	Claim	05N	01E	25	NW	NW		IRRIGATION	7/52	PEGGY J BUCHANAN
~~31837~~	~~Claim~~	~~05N~~	~~01E~~	~~25~~	~~NW~~	~~NW~~		~~IRRIGATION~~	~~34/144~~	~~B & B PROPERTIES LIMITED PARTNERSHIP~~
~~31837~~	~~Claim~~	~~05N~~	~~01E~~	~~25~~	~~SW~~	~~NW~~		~~IRRIGATION~~	~~17/144~~	~~B & B PROPERTIES LIMITED PARTNERSHIP~~
~~3429~~	~~Water Right~~	~~05N~~	~~01E~~	~~25~~	~~SW~~	~~NW~~		~~IRRIGATION~~	~~28/176~~	~~BEN F STADLER~~
7615	Claim	05N	01E	25	SE	NW		IRRIGATION	3/6	LOREN SHOCKEY
~~31837~~	~~Claim~~	~~05N~~	~~01E~~	~~25~~	~~SE~~	~~NW~~		~~IRRIGATION~~	~~1/144~~	~~B & B PROPERTIES LIMITED PARTNERSHIP~~
10889	Water Right	05N	01E	25	SE	NW		IRRIGATION	1/1	JOHN E BOEHM
15170	Claim	05N	01E	26	NE	NE		IRRIGATION	18/52	PEGGY J BUCHANAN
~~31837~~	~~Claim~~	~~05N~~	~~01E~~	~~26~~	~~NE~~	~~NE~~		~~IRRIGATION~~	~~3/144~~	~~B & B PROPERTIES LIMITED PARTNERSHIP~~
7004	Water Right	05N	01E	26	NE	NE		IRRIGATION		NOT CLAIMED
15170	Claim	05N	01E	26	SW	NE		IRRIGATION	5/52	PEGGY J BUCHANAN
~~31837~~	~~Claim~~	~~05N~~	~~01E~~	~~26~~	~~SW~~	~~NE~~		~~IRRIGATION~~	~~1/144~~	~~B & B PROPERTIES LIMITED PARTNERSHIP~~
15170	Claim	05N	01E	26	SE	NE		IRRIGATION	12/52	PEGGY J BUCHANAN
~~31837~~	~~Claim~~	~~05N~~	~~01E~~	~~26~~	~~SE~~	~~NE~~		~~IRRIGATION~~	~~29/144~~	~~B & B PROPERTIES LIMITED PARTNERSHIP~~
3429	Water Right	05N	01E	26	SE	NE		IRRIGATION	28/176	BEN F STADLER
7004	Water Right	05N	01E	26	SE	NE		IRRIGATION		NOT CLAIMED
~~31837~~	~~Claim~~	~~05N~~	~~01E~~	~~26~~	~~NE~~	~~SE~~		~~IRRIGATION~~	~~28/144~~	~~B & B PROPERTIES LIMITED PARTNERSHIP~~
31838	Claim	05N	01E	26	NE	SE		IRRIGATION	1/32	JOSEPH C STADLER
~~3429~~	~~Water Right~~	~~05N~~	~~01E~~	~~26~~	~~NE~~	~~SE~~		~~IRRIGATION~~	~~27/176~~	~~BEN F STADLER~~
2090	Claim	05N	01E	26	NW	SE		IRRIGATION	2/17	JOSEPH C STADLER
15170	Claim	05N	01E	26	NW	SE		IRRIGATION	6/52	PEGGY J BUCHANAN

IDAHO DEPARTMENT OF WATER RESOURCES
 ADJUDICATION CLAIM POU REVIEW REPORT
 ADJUDICATION CLAIM NUMBER: 63-31837

08/18/2005

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Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
~~31837~~	~~Claim~~	~~05N~~	~~01E~~	~~26~~	~~NW~~	~~SE~~		~~IRRIGATION~~	~~8/144~~	~~B & B PROPERTIES LIMITED PARTNERSHIP~~
31838	Claim	05N	01E	26	NW	SE		IRRIGATION	6/32	JOSEPH C STADLER
~~3429~~	~~Water Right~~	~~05N~~	~~01E~~	~~26~~	~~NW~~	~~SE~~		~~IRRIGATION~~	~~17/176~~	~~BEN F STADLER~~
2090	Claim	05N	01E	26	SW	SE		IRRIGATION	15/17	JOSEPH C STADLER
15170	Claim	05N	01E	26	SW	SE		IRRIGATION	2/52	PEGGY J BUCHANAN
~~31837~~	~~Claim~~	~~05N~~	~~01E~~	~~26~~	~~SW~~	~~SE~~		~~IRRIGATION~~	~~3/144~~	~~B & B PROPERTIES LIMITED PARTNERSHIP~~
31838	Claim	05N	01E	26	SW	SE		IRRIGATION	25/32	JOSEPH C STADLER
~~3428~~	~~Water Right~~	~~05N~~	~~01E~~	~~26~~	~~SW~~	~~SE~~		~~IRRIGATION~~	~~30/35~~	~~BEN F STADLER~~

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2006 ▼

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Parcel: S0225223018

Ada County Assessor

Year: 2006

Zone Code: RR

Total Acres: 123.894

Tax Code Area: 270

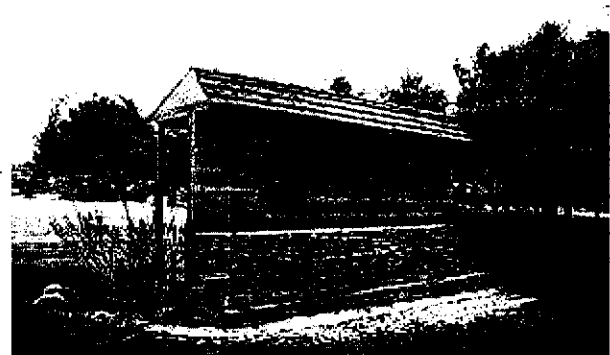
Property Description:

PAR #3018 OF S2SW4 SEC 24

R/S #2395 & SEC 25 & E2

SEC 26 5N 1E IN MOSQ DIST

#223016-B



[View Interactive Map of this Parcel](#)

Address: 15001 N HORSESHOE BEND RD BOISE , ID 83703

Subdivision: 5N 1E 26

Land Group Type: SECT

Township/Range/Section: 5N1E26

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Commercial Characteristics

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Commercial Group Type: GOLF COURSE

Year Built: 1973

Remodel Year: 0

Business Name: SHADOW VALLEY 1hole

Number of Floors: 1

Number of Units: 1

Leasable Sq Ft: 1

Ground Floor Sq Ft: 1

Excess Land Sq Ft: 0

Used Land Acres: 128

Used Land Sq Ft: 128

Excess Land Acres: 0.0

Total Land Acres: 128.32

Method: COST

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Land Characteristics

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Residential Acres: 0.0
Commercial Acres: 9.594
Other Acres Acres: 0.0
Street: Not Available
Utility:
Water Source:
Sewer:
SideWalks: N
Curb-Gutters: N
Topography:
View:
Water Influence:
Water Frontage Feet: 0
Corner: N

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Parcel: S0226141810

Year: 2006

Zone Code: RR

Total Acres: 7.31

Tax Code Area: 270

Property Description:

PAR #1810 OF E2

SEC 26 5N 1E

#2107-S R/S 2395

#9323792



[View Interactive Map of this Parcel](#)

Address: N HORSESHOE BEND RD BOISE , ID 00000

Subdivision: 5N 1E 26

Land Group Type: SECT

Township/Range/Section: 5N1E26

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Land Characteristics

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Residential Acres: 0.0
Commercial Acres: 3.0
Other Acres Acres: 120.894
Street: Not Available
Utility:
Water Source:
Sewer:
SideWalks: N
Curb-Gutters: N
Topography:
View:
Water Influence:
Water Frontage Feet: 0
Corner: N

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Commercial Characteristics

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Commercial Group Type: GOLF COURSE

Year Built: 1973
Remodel Year: 0
Business Name: SHADOW VALLEY 18holes+Drive R.
Number of Floors: 1
Number of Units: 17
Leasable Sq Ft: 17
Ground Floor Sq Ft: 17
Excess Land Sq Ft: 0
Used Land Acres: 128
Used Land Sq Ft: 128
Excess Land Acres: 0.0
Total Land Acres: 128.32
Method: COST

Commercial Group Type: GOLF COURSE

Year Built: 1989
Remodel Year: 0
Business Name: All Buildings are included
Number of Floors: 3
Number of Units: 1
Leasable Sq Ft: 13301
Ground Floor Sq Ft: 5205
Excess Land Sq Ft: 0
Used Land Acres: 3
Used Land Sq Ft: 3
Excess Land Acres: 0.0
Total Land Acres: 3.0
Method: COST

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Parcel # S 0224336400

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Commercial Group Type: GOLF COURSE

Year Built:	1973
Remodel Year:	0
Business Name:	SHADOW VALLEY 1hole
Number of Floors:	1
Number of Units:	1
Leasable Sq Ft:	1
Ground Floor Sq Ft:	1
Excess Land Sq Ft:	0
Used Land Acres:	128
Used Land Sq Ft:	128
Excess Land Acres:	0.0
Total Land Acres:	128.32
Method:	COST

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Land Characteristics

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Residential Acres: 0.0
 Commercial Acres: 9.594
 Other Acres Acres: 0.0
 Street: Not Available
 Utility:
 Water Source:
 Sewer:
 SideWalks: N
 Curb-Gutters: N
 Topography:
 View:
 Water Influence:
 Water Frontage Feet: 0
 Corner: N

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Receipt Details for ID C009477

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
8/11/1989 5:13:50 PM	8/11/1989	State	\$331.00	Check
Payer		STADLER, BETTY (LILLIAN)		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1185			
Card Expiration Date	Credit Card Transaction #		

Comment APPLICATION FOR PERMIT

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$301.00	ADJUDICATION FEE	410162	9337	0	0	6490
\$30.00	APPLICATION FOR PERMIT	610199	1238	0	0	6390

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	3429		\$226.00	Claim
63	2090		\$50.00	Claim
63	17340		\$25.00	Claim

Print Report

State of Idaho License and Certificate of Water Right

Water License No. G-32052 Amount 3.52 c.f.s.
Water District No. _____ Priority Sept. 2, 1964

THIS IS TO CERTIFY that BEN F. STADLER
of Boise, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated September 2, 1964; that Permit No. G-32052
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.52 second feet, was issued thereunder on March 4, 1965, showing that said works
were completed on the 10th day of February, 1965; and that on the 10th
day of February, 1965,

BEN F. STADLER

of Boise, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. G-32052 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
13 of Licenses at page 8097, on the 4 day of March, 1965;

The right hereby confirmed dates from September 2, 1964;

The Point of Diversion is located

in the SW 1/4 NW 1/4, Sec. 25, Tp. 5 N, R. 1 E, B. M. Ada County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 3.52 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 N	1 E	25	NE 1/4 NE 1/4	40	26
			NW 1/4 NE 1/4	40	30
			SW 1/4 NW 1/4	40	28
			NW 1/4 SW 1/4	40	20
		26	SE 1/4 NE 1/4	30	28
			NW 1/4 SE 1/4	20	17
			NE 1/4 SE 1/4	40	27
			Total number of acres to be irrigated:	176	

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

4th day of March, 1965

RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

WELI DRIVERS REPORT

within 30 days after the completion or abandonment of the well.

[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

February 17, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

B & B PROPERTIES LIMITED PARTNERSHIP
15711 HWY 55
BOISE ID 83714

Re: Original Notice of Claim to a Water Right No. 63-3429

Renumbered Notice of Claim to a Water Right No. 63-31837

Dear Claimant(s):

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This Change of Ownership required a split of the original claim resulting in renumbering this claim, using a new water right number to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time.

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your water right. This claim represents a split of the claim filed by a previous owner 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, as we have had several water right changes to process. Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

Adjudication Section
Western Region

DB: db

Enclosure

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 63-31837
Date Received: 8/11/1989
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

B & B PROPERTIES LIMITED PARTNERSHIP
15711 HWY 55
BOISE ID USA 83714

Phone: (208) 939-6699

2. Date of Priority: 09/02/1964

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	01E	25	NE NW	ADA	
05N	01E	25	SW SW NW	ADA	

5. Description of diverting works:

WELL, 16" CASING, 242' DEEP, DIESEL POWERED TURBINE PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	2.88	

7. Total Quantity Appropriated is:
2.88 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
05N	01E	24	SW	SW		IRRIGATION	5
			SE	SW		IRRIGATION	6
						Section Acres	11
05N	01E	25	NE	NW		IRRIGATION	9
			NW	NW		IRRIGATION	34
			SW	NW		IRRIGATION	17
			SE	NW		IRRIGATION	1
						Section Acres	61
05N	01E	26	NE	NE		IRRIGATION	3
			SW	NE		IRRIGATION	1
			SE	NE		IRRIGATION	29
			NE	SE		IRRIGATION	28
			NW	SE		IRRIGATION	8
			SW	SE		IRRIGATION	3
						Section Acres	72
						Total Acres	144

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

This claim is the result of a split due to change in ownership for a portion of 63-3429. DB 2/17/2004

15. Basis of Claim: License

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

RECEIVED**JAN 23 2004****WATER RESOURCES
WESTERN REGION**

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-3429		X			

Per Gene Gibson's visit
 on 2-11-04 with Stadler's,
 the remaining portion of
 63-3429 should be in
 the name of "B+B Properties
 Limited Partnership", instead
 of Shadow Valley Golf Course.

B+B Properties LP is made
 up of all of the Stadler's
 and they own Shadow Valley
 Golf Course. There is no
 documentation putting the property
 into the name of Shadow Valley
 G.C.

ed with this form:

fee amounts.

Y, CONTRACT OF SALE or other legal document indicating your
 (s) in question, **WITH ATTACHED LEGAL DESCRIPTION.**

1 of water rights or other complex property descriptions):
 y showing the location of the point(s) of diversion and place of use of
 : are usually attached to your deed or on file with the county).

OR

s for ten or more acres of irrigation, you must submit a USDA Farm
 ated acres outlined and point(s) of diversion clearly marked. The
 he PLAT OF PROPERTY or SURVEY MAP.

W. E. Stadler

Highway 55 Boise, Id 83703

Shadow Valley Golf Course

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

11 Highway 55

2 Idaho 83714

139-6699

1-1991

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

RECEIVED
JAN 23 2004
WATER RESOURCES
WESTERN REGION

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-3429		X			

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

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

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

Lillian E. Stadler

4. New Owner/Claimant(s)

21 Highway 55 Boise, Id 83703

Shadow Valley Golf Course

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

15711 Highway 55

City, State and ZIP Code

Boise Idaho 83714

New Telephone Number

208 939-6699

5. Date you acquired the property

May 1 - 1991

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>63-3429</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>2.86</u>	<u>143 Acres</u>
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	<u>2.86</u>	_____

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

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

[Signature]
For Shower Valley Golf Course

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

For Office Use Only

Received by DJ Date 1-22-04 Fee 0
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-3429

63-31837

WATER RIGHT NUMBER: 63-3429

Owner Type

Original Owner

Name and Address

BEN F STADLER

RT 1

BOISE, ID 83703

Current Owner

LILLIAN E STADLER

RT 1 HWY 55

BOISE, ID 83703

(208)939-6689

B+B Properties portion
(Shadow Valley Golf Course)

Priority Date: 09/02/1964

Basis: License

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From To

3/15 to 11/15

Diversion Rate~~3.520 CFS~~Annual Volume

2.88 cfs

Total Diversion:~~3.520 CFS~~

2.88 total cfs

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4	Sec. 25,	Twp 05N,	Rge 01E, B.M.	ADA County
GROUND WATER	SW1/4SW1/4NW1/4	Sec. 25,	Twp 05N,	Rge 01E, B.M.	ADA County

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals	
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
05N 01E 24											5.0	6.0					11.0	OK
05N 01E 25					9.0	34.0	17.0	1.0									61.0	OK
05N 01E 26	3.0		1.0	29.0									28.0	14.0	28.0		104.0	72
													28	8	3			

Total Acres: 176

144 total acres

Conditions of Approval:Remarks:

8/11/89

Partner's Share of Income, Credits, Deductions, etc

OMB No. 1545-0099

2002

Department of the Treasury
Internal Revenue Service

beginning

For calendar year 2002 or tax year

2002, and ending

20

Partner's identifying number ▶ 518-64-5416

Partnership's identifying number ▶ 82-0408520

Partner's name, address, and ZIP code

MICHAEL C. STADLER
15711 HIWAY 55
BOISE, ID 83703

Partnership's name, address, and ZIP code

B & B PROPERTIES LIMITED PARTNERSHIP
SHADOW VALLEY GOLF COURSE
15711 HIWAY 55
BOISE, ID 83703Is this partner a ☐ general partner ☒ limited partner
☐ limited liability company member

What type of entity is this partner? ▶ INDIVIDUAL

Is this partner a ☒ domestic or a ☐ foreign partner?

Partner's % of:

(i) Before change or termination (ii) End of year

Profit sharing 8.2757 % 8.5154 %

Loss sharing 8.2757 % 8.5154 %

Ownership of capital 1.5163 % 1.5163 %

Center where partnership filed return: OGDEN, UT

F Partner's share of liabilities (see instructions):

Nonrecourse \$

Qualified nonrecourse financing \$

Other \$

G Tax shelter registration number ▶

H Check here if this partnership is a publicly traded partnership as defined in section 469(k)(2) ☐I Check applicable boxes: (1) ☐ Final K-1 (2) ☐ Amended K-1

Analysis of partner's capital account:

(a) Capital account at beginning of year	(b) Capital contributed during year	(c) Partner's share of lines 3, 4, and 7, Form 1065, Schedule M-2	(d) Withdrawals and distributions	(e) Capital account at end of year (combine columns (a) through (d))
25,154.	4,055.	-1,631.	(14,200.)	13,378.

(a) Distributive share item		(b) Amount	(c) 1040 filers enter the amount in column (b) on:
1 Ordinary income (loss) from trade or business activities	1	5,855.	See Partner's Instructions for Schedule K-1 (Form 1065).
2 Net income (loss) from rental real estate activities	2		
3 Net income (loss) from other rental activities	3		
4 Portfolio income (loss):			
a Interest	4a		Schedule B, Part I, line 1
b Ordinary dividends	4b		Schedule B, Part II, line 5
c Royalties	4c		Schedule E, Part I, line 4
d Net short-term capital gain (loss)	4d		Schedule D, line 5, column (f)
e (1) Net long-term capital gain (loss)	4e(1)		Schedule D, line 12, column (f)
(2) 28% rate gain (loss)	4e(2)		Schedule D, line 12, column (g)
(3) Qualified 5-year gain	4e(3)		Line 5 of worksheet for Sch. D, line 29
f Other portfolio income (loss) (attach schedule)	4f		Enter on applicable line of your return
5 Guaranteed payments to partner	5		
6 Net section 1231 gain (loss) (other than due to casualty or theft)	6		See Partner's Instructions for Schedule K-1 (Form 1065).
7 Other income (loss) (attach schedule) SEE LINE 25	7	-2,550.	Enter on applicable line of your return
8 Charitable contributions (see instructions) (attach schedule) SEE LINE 25	8	447.	Schedule A, line 15 or 16
9 Section 179 expense deduction	9	2,044.	
10 Deductions related to portfolio income (attach schedule)	10		See Partner's Instructions for Schedule K-1 (Form 1065).
11 Other deductions (attach schedule)	11		
12a Low-income housing credit:			
(1) From section 42(j)(5) partnerships	12a(1)		Form 8586, line 5
(2) Other than on line 12a(1)	12a(2)		
b Qualified rehabilitation expenditures related to rental real estate activities	12b		See Partner's Instructions for Schedule K-1 (Form 1065).
c Credits (other than credits shown on lines 12a and 12b) related to rental real estate activities	12c		
d Credits related to other rental activities	12d		
13 Other credits SEE LINE 25	13	61	

BAA For Paperwork Reduction Act Notice, see Instructions for Form 1065.

RECEIVED

Schedule K-1 (Form 1065) 2002

JAN 28 2004

PTPA0312L 12/27/02

PARTNER 7

WATER RESOURCES
WESTERN REGION

RECEIVED

JAN 23² 2004

WATER RESOURCES
WESTERN

B & B PROPERTIES
LIMITED PARTNERSHIP AGREEMENT

THIS AGREEMENT is made and entered
this 1ST day of MAY
between LILLIAN E. STADLER, individually
Representative of the ESTATE OF BEN F. STADLER
hereinafter collectively referred to as
"Partners" and each singly as a "General
Partner". LILLIAN E. STADLER, individually and
Representative of the Estate of Ben F. Stadler, deceased,
MAUVEEN ANNE STADLER, JOSEPH CHARLES STADLER, JUDITH
MARGARET HUTT, THOMAS THEODORE STADLER, TIMOTHY EDWARD
STADLER and SALLY JOAN HOPT, individually and as custodian
for Sarah Elizabeth Price and Laura Marie Price under the
Idaho Uniform Gifts to Minors Act, sometimes hereinafter
collectively referred to as the "Limited Partners" and each
singly as a "Limited Partner".

In consideration of the mutual promises
hereinafter contained, the parties agree as follows:

1. FORMATION OF LIMITED PARTNERSHIP: (a) The
parties hereby form a limited partnership (sometimes
hereinafter referred to as the "Partnership") pursuant to
the Uniform Limited Partnership Act of Idaho, as set forth
in Idaho Code, Section 53-201 et seq.

Documents for
putting this portion
into name of
B & B Properties LP.
See pg. 2

RECEIVED

JAN 23¹² 2004 ^{DB}

WATER RESOURCES
WESTERN REGION

B & B PROPERTIES

LIMITED PARTNERSHIP AGREEMENT

THIS AGREEMENT is made and entered into effective this 1ST day of MAY, 1991, by and between LILLIAN E. STADLER, individually and as Personal Representative of the ESTATE OF BEN F. STADLER, deceased, hereinafter collectively referred to as the "General Partners" and each singly as a "General Partner", and LILLIAN E. STADLER, individually and as Personal Representative of the Estate of Ben F. Stadler, deceased, MAUVEEN ANNE STADLER, JOSEPH CHARLES STADLER, JUDITH MARGARET HUTT, THOMAS THEODORE STADLER, TIMOTHY EDWARD STADLER and SALLY JOAN HOPT, individually and as custodian for Sarah Elizabeth Price and Laura Marie Price under the Idaho Uniform Gifts to Minors Act, sometimes hereinafter collectively referred to as the "Limited Partners" and each singly as a "Limited Partner".

In consideration of the mutual promises hereinafter contained, the parties agree as follows:

1. FORMATION OF LIMITED PARTNERSHIP: (a) The parties hereby form a limited partnership (sometimes hereinafter referred to as the "Partnership") pursuant to the Uniform Limited Partnership Act of Idaho, as set forth in Idaho Code, Section 53-201 et seq.

(b) The parties hereto, acting directly or through an attorney-in-fact, shall execute such further documents and take such further action as shall be appropriate to comply with the requirements of law for the formation and operation of a limited partnership in all other counties, states and foreign countries where the Partnership may wish to do business.

2. PARTNERSHIP NAME: The name of the Partnership shall be: B & B Properties Limited Partnership.

3. PARTNERSHIP PURPOSE: The purposes of the Partnership are as follows:

(a) Real estate business. To acquire (by purchase, exchange, lease, hire or otherwise), hold, own, develop, improve, manage, operate, let as lessor or sublessor, sell, convey, mortgage and encumber, either alone or in conjunction with others, as partners, joint venturers or otherwise, real estate of every kind, character and description whatever, wherever located, and interests of all kinds therein; and to carry on the business of managing agent, broker, finder, consultant and all other functions in connection therewith.

(b) Personal property. (i) To acquire by purchase, subscription, exchange, lease, hire or otherwise, (ii) to hold, own, mortgage, pledge, hypothecate, exchange, vote, use, manage and place in voting trust, (iii) to sell,

assign, and otherwise dispose of, and (iv) in every other manner to obtain, use, dispose of and deal in and with, either alone or in conjunction with others, as partners, joint venturers or otherwise, personal property of every kind, tangible or intangible, wherever situated, and interests of every kind therein.

(c) Own account or for others. To accomplish any of the foregoing purposes for its own account or as nominee, agent or trustee for other individuals, partnerships, corporations or other entities.

4. PLACE OF BUSINESS: The principal place of business of the Partnership shall be 9600 Brookside Lane, Boise, Idaho, or at such other place as may from time to time be designated by the General Partners.

5. NAMES, ADDRESSES, AND DESIGNATIONS OF PARTNERS: The names, addresses and designations of the Partners are:

General Partners:

Lillian E. Stadler

9600 Brookside Lane
Boise, ID 83703

Estate of Ben F. Stadler

"

Limited Partners:

Lillian E. Stadler
Estate of Ben F. Stadler
Mauveen A. Stadler
Sally Joan Hopt
Joseph C. Stadler
Judith M. Hutt
Thomas T. Stadler
Timothy E. Stadler
Sally Joan Hopt as Custodian
for Sara Elizabeth Price
and Laura Marie Price
under the Idaho Uniform
Gifts to Minors Act

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6. POWERS OF GENERAL PARTNERS: (a) The General Partners shall have the power to manage all of the assets of the Partnership, including, but not limited to, power to sell, exchange or otherwise dispose of the assets of the Partnership and power to mortgage, pledge or otherwise encumber any of such assets.

(b) Each General Partner is expressly authorized to execute and deliver (i) all deeds, mortgages, deeds of trust, assignments, leases, subleases and other agreements covering or affecting interests in the property of the Partnership; (ii) all checks, drafts and other orders for the payment of Partnership funds; (iii) all promissory notes or other documents to evidence Partnership obligations; and (iv) all other instruments of any kind or character relating to the affairs of the Partnership, whether like or unlike the foregoing.

7. **MANAGEMENT FEE:** The General Partners may receive reasonable compensation from the Partnership, which shall be based upon the risk assumed by the General Partners and management services to the Partnership.

8. **ACCOUNTS:** (a) Complete and accurate books of account, to be maintained on the cash basis of accounting, shall be kept at the Partnership's principal place of business, and shall be open to inspection by any Partner or by his authorized representative at any time during ordinary business hours. The Partnership's accounting period shall be the calendar year.

(b) Separate capital and undistributed profits accounts shall be maintained for each partner. Partnership profits and losses shall be charged or credited to the undistributed profits accounts and, except as provided in paragraph 12, shall be closed out to the capital account.

(c) The books of account shall be closed promptly after the close of each fiscal year, and a report shall be prepared and sent to each partner showing a balance sheet as of the end of such year, a statement of income and expense of such year, and a statement of each Partner's capital investment and income or loss.

9. **CONTRIBUTIONS TO CAPITAL AND INTEREST IN INCOME:** (a) Upon execution of this agreement the partners

shall have conveyed and assigned to the Partnership by warranty deed the real property described on Exhibit "A" attached hereto and by general assignment the personal property described on Exhibit "B" attached hereto. At the time of this Agreement, the assets of the Partnership shall have a combined net value of \$2,400,000.00.

(b) The partners shall not be required to make additional contributions to Partnership capital. Nothing in this agreement shall prevent any partnership from making unsecured cash loans to the Partnership by agreement with the Partnership.

10. ALLOCATIONS AMONG PARTNERS: (a) The capital of the Partnership shall be divided into equal parts, hereinafter referred to as "Units." Each Unit shall have a value of One Hundred Dollars (\$100.00).

(b) The General Partners shall have the following number of Units, hereinafter referred to as "General Partnerships Units", with the dollar values listed below:

<u>Individual</u>	<u>Number</u>	<u>Value</u>
Lillian Stadler	5,000	\$500,000
Estate of Ben F. Stadler	5,000	\$500,000

(c) The Limited Partners shall have the following number of units, hereinafter referred to as

"Limited Partnership Units", with the dollar values listed below:

<u>Individual</u>	<u>Number</u>	<u>Value</u>
Lillian Stadler	2800	\$280,000
Estate of Ben F. Stadler	4200	\$420,000
Mauveen Anne Stadler	1000	\$100,000
Sally Joan Hopt	1000	\$100,000
Joseph Charles Stadler	1000	\$100,000
Judith Margaret Hutt	1000	\$100,000
Thomas Theodore Stadler	1000	\$100,000
Timothy Edward Stadler	1000	\$100,000
Sally Joan Hopt as custodian for Sarah Elizabeth Price and Laura Marie Price under IUGMA	500 500	\$ 50,000 \$ 50,000

11. PARTNERSHIP COSTS AND EXPENSES: (a) All costs and expenses of the Partnership shall be paid from Partnership funds, including, but not limited to: (i) costs of acquiring real and personal property interests; (ii) the fees and commissions of special consultants; (iii) salaries of employees; (iv) legal and accounting fees and expenses, including those in connection with the formation of the Partnership; (v) taxes (except income taxes payable by the Partners), insurance, interest, travel expenses, long distance telephone and telegraph expenses, repair and maintenance expenses, and (vi) every other cost and expense incurred in the Partnership business whether like or unlike the foregoing.

(b) All payments under this paragraph 11, and all compensation paid to the General Partners under

paragraph 7, shall be treated as Partnership costs and expenses for Partnership accounting purposes and not as a payment or partial payment of profits to the General Partners.

12. ALLOCATION OF PROFITS AND LOSSES FOR INCOME TAX PURPOSES: (a) The net profits and losses of the Partnership shall be allocated proportionately to the Limited Partners and General Partners in proportion to the number of Units held by each such Partners as compared to the total number of Units of the Limited Partners and the General Partners.

(b) When there has been a transfer of a Unit or Units during a particular fiscal year of the Partnership, the net profits or net losses or distributions for such year shall be allocated between the transferor and the transferee as follows: If the interest of a Partner in the Partnership or any part of such interest represented by a capital unit is disposed of pursuant to this section, such Partners shall nevertheless be entitled to a fraction of the profits and be charged with a fraction of the losses in respect to such interests for the fiscal year of the Partnership in which such disposition occurs. The numerator of such fraction shall be the number of days of such year that he was a partner in respect of such interest, and the denominator of such fraction shall be the number of days of each year. Any

predecessor or successor of such partner in respect of such interest shall share in such profits and be charged with such losses on the same basis.

13. DISTRIBUTION OF INCOME: (a) Distributions of the net profits or net losses of the Partnership shall be made at least annually in the proportions specified herein unless the General Partners determine that the reasonable needs of the business require that a given amount of earnings be retained by the Partnership, in which case such amount may be retained and transferred pro rata to the partners' respective capital accounts.

(b) The fiscal year net profits of the Partnership shall be distributed to the Limited Partners and to the General Partners in the ratio that each partner's number of capital Units, whether General or Limited, bears to the aggregate Units of General and Limited. Such payments made pursuant to this paragraph are not intended to be guaranteed payments pursuant to Section 707(c) of the Internal Revenue Code.

14. NOMINEE: The title to all Partnership properties shall be held in the partnership name, or in the name of any nominee (including a General Partner so acting) designated by the General Partners. The General Partners may enter into nominee agreements with any such person, and

such agreements may contain provisions indemnifying the nominee, except for his willful misconduct.

15. DISSOLUTION AND TERMINATION: (a) The Partnership shall terminate: (i) upon the death, resignation, incapacity or bankruptcy of a General Partner, unless the remaining partners agree to continue the Partnership; or (ii) upon the agreement of Partners who hold a majority interest in the partnership income.

(b) For purposes of this paragraph 15, a General Partner shall be deemed incapacitated only upon receipt by the Partnership of a written statement signed by the General Partner's physician stating that he considers the General Partner to be so mentally or physically incapacitated as to be unable to give prompt and intelligent attention to his financial affairs.

(c) If upon the death, resignation, incapacity or bankruptcy of a General Partner the other Partners elect to continue the Partnership under paragraph 15 and select a new General Partner, the interest of the replaced General Partner shall automatically be converted into a Limited Partner interest (as of the date of such election by the remaining partners) and such converted interest shall be entitled to the same interest in capital, profits and losses as the interest of the retired General Partner.

16. DISTRIBUTIONS UPON LIQUIDATION: Upon liquidation, the Partners shall continue to share profits or losses during liquidation in the same proportions as before dissolution. The Partnership assets or proceeds thereof shall be distributed in payment of the liabilities of the Partnership in the following order:

(a) To the payment of debts and liabilities of the Partnership other than to debts of the Partners, and the expenses of liquidation including a sales commission to the selling agent, if any;

(b) To the payment of the debts and liabilities of the Partnership to the Partners;

(c) To the setting up of any reserves which the General Partners deem necessary for any contingent or unforeseen liabilities or obligations of the Partnership or of the General Partners arising out of or in connection with the Partnership. Said reserves shall be paid over by the General Partners to a commercial bank to be designated by the General Partners, as Escrow Agent, to be held for the purpose of disbursing such reserves in payment of any of the aforementioned contingencies, and at the expiration of such period as the General Partners shall deem advisable, to distribute the balance thereof in the manner provided in this paragraph and in the order named;

(d) To the General Partners and Limited Partners to the extent of their net credit balances in their capital and current undistributed profits accounts;

(e) To the General Partners and Limited Partners in the ratio that each Partner's number of capital Units, whether General or Limited, bears to the aggregate Units of General and Limited. If there is not a sufficient amount to return all capital contributions to the Partners, they shall share pro rata in the losses in the same proportion as set forth in Paragraph 12;

(f) In the event of a liquidation distribution of the Partnership's property in kind, the fair market value of such property shall be determined by an independent appraiser actively engaged in appraisal work, selected by a majority of the Partnership interests and such Partners shall receive an undivided interest in such property equal to the portion of the proceeds to which he would be entitled under the immediately preceding subparagraph of this paragraph, if such property were sold;

(g) A reasonable time as determined by the General Partners, not to exceed one year, shall be allowed for the orderly liquidation of the assets of the Partnership and the discharge of liabilities to the creditors so as to enable the General Partners to minimize any losses attendant upon liquidation.

17. LIMITATION ON LOSSES: Notwithstanding any other provision in this Agreement, no Limited Partner shall be liable for losses of the Partnership in excess of such Partner's capital contributions to the Partnership.

18. POWER OF ATTORNEY: (a) Each Limited Partner, by the execution of this agreement, does irrevocably constitute and appoint each General Partner, with full power of substitution, as his true and lawful attorney, in his time, place and stead, to execute, acknowledge, swear to and file (i) the original certificate of formation of limited partnership and all amendments thereto required by law or the provisions of this agreement; (ii) all certificates and other instruments necessary to qualify or continue the Partnership as a limited partnership or partnership wherein the Limited Partners have limited liability in the states or foreign countries where the Partnership may be doing business; (iii) all instruments which effect a change or modification of the Partnership in accordance with this agreement; and (iv) all conveyances and other instruments necessary to effect the dissolution and termination of the Partnership. Each General partner hereby appoints each other General Partner as his true and lawful attorney to execute, acknowledge, swear to and file the original Certificate of Limited Partnership and the

Certificate of Asumed Business Name and all amendments thereof.

(b) The powers of attorney granted herein shall be deemed to be coupled with an interest and shall be irrevocable and survive the death of a Limited Partner. In the event of any conflict between this agreement and any instruments filed by such attorney pursuant to the power of attorney granted in this paragraph, this agreement shall control.

19. NOTICES: All notices, consents and demands contemplated hereunder shall be in writing and shall be deemed given if mailed by first class mail, postage prepaid, and addressed as set forth in this agreement. Any partner may specify a different address by sending a notice thereof to the Partnership. If the address of the Partnership is changed, written notice thereof shall be mailed to each Partner. The General Partners shall mail a copy of the Certificate of Limited Partnership and any amendments thereto to any limited partner upon the written request of any limited partner, but shall not otherwise be required to deliver or mail a copy of the certificate or amendment to limited partners.

20. TERM: The Partnership shall continue until termination as provided herein.

21. GENERAL PROVISIONS: . . (a) This instrument contains the entire agreement between the parties.

(b) It may not be amended nor may any rights hereunder be waived except by an instrument in writing signed by the parties sought to be charged with such amendment waiver.

(c) This agreement shall be construed in accordance with and governed by the laws of Idaho.

(d) This agreement shall be binding upon and shall inure to the benefit of the parties and their respective personal representatives and assigns, except as above set forth.

IN WITNESS WHEREOF the parties have executed this agreement effective the day and year first above written.

THE GENERAL PARTNERS

Lillian E. Stadler
Lillian E. Stadler

Lillian E. Stadler
Lillian E. Stadler, as Personal
Representative of the Estate of
Ben F. Stadler

THE LIMITED PARTNERS

Lillian E. Stadler
Lillian E. Stadler

Lillian E. Stadler
Lillian E. Stadler, as Personal
Representative of the Estate of
Ben F. Stadler

Mauveen A. Stadler
Mauveen Anne Stadler

Joseph Charles Stadler
Joseph Charles Stadler

Judith Margaret Hutt
Judith Margaret Hutt

Thomas Theodore Stadler
Thomas Theodore Stadler

Timothy Edward Stadler
Timothy Edward Stadler

Sally Joan Hopt
Sally Joan Hopt, individually and
as custodian for Sara Elizabeth
Price and Laura Marie Price,
under Idaho Uniform Gifts to
Minors Act

07/wcg

