

TIMBER MOUNTAIN RANCH

SITUATED IN SECTIONS 29, 31, 32, & 33, T5N R4E, B.M., BOISE COUNTY.

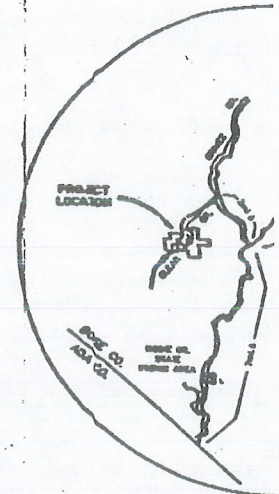
Clear Creek Lodge



Clear Creek
County Road

Lots 22 & 23 Border
Forest Service Land

FOREST
SERVICE



FOREST
SERVICE

VICINITY

734.3± TOTAL
24 LOTS
DENSITY 30.6

PHASE #	LOT #	ACREAGE	P
I	1	11.27	\$
I	2	18.36	\$
I	3	29.21	\$
I	4	36.46	\$
I	5	27.68	\$
II	1	43.26	\$
III	1	34.29	\$
III	2	19.98	\$
III	3	29.29	\$
III	4	1.39	CI

Clear Creek
County Road

For Sale Sign

NEW ROAD with
LOCKED GATE

FOREST
SERVICE

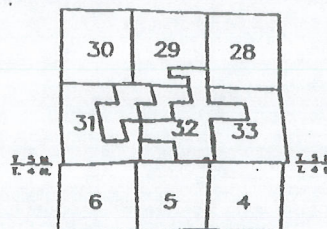
A63-5044
split between
Lots 4 & 1 - about 50/50

OWNERS

Donna Donaldson
Neal Donaldson
Michael Wagner
Darlene Wagner
Donald Greenlee
Dolores Greenlee

Contact:
Donna Donaldson
P.O. Box 4461
Boise Idaho 83711
(208)

322-2700



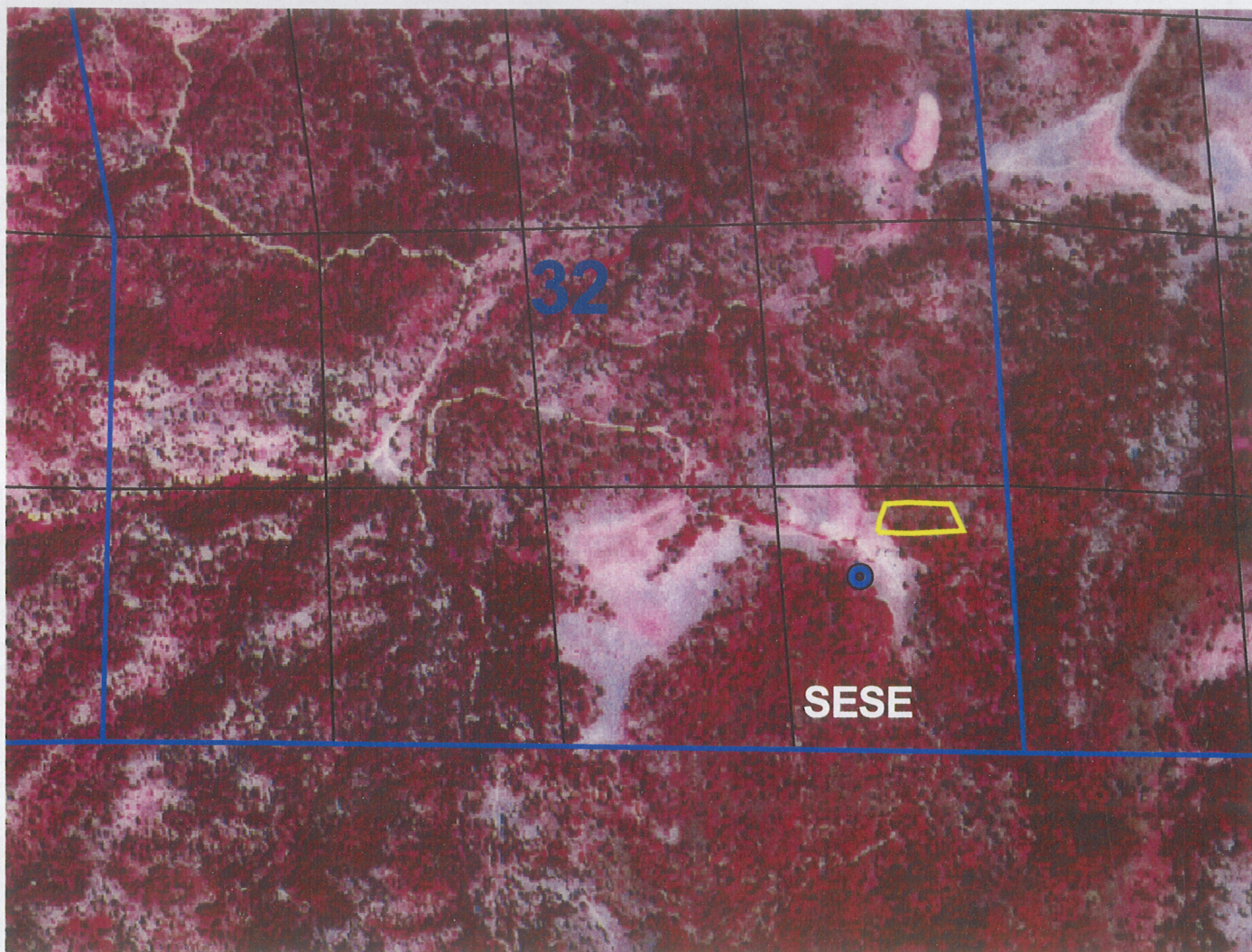
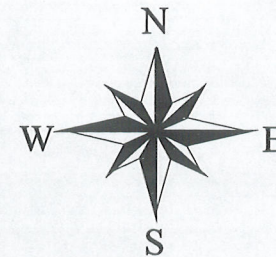
LEGAL DESCRIPTION

T. 5 N. R. 4 E. B.M. Boise County, Idaho.
Section 29: N 1/2 of SW 1/4 of SE 1/4; SE 1/4 of SE 1/4.
Section 31: E 1/2 of NE 1/4; SW 1/4 of NE 1/4; SW 1/4 of SE 1/4.
Section 32: SE 1/4; E 1/2 of NE 1/4; SE 1/4 of NE 1/4; SW 1/4 of SE 1/4.
Section 33: S 1/2 of SW 1/4.

POWER LINE RUNS THRU LOTS # 1, 2, 3, 4, & 5-PHASE I
" " " " " # 3 -PHASE III

IDAHO DEPARTMENT OF WATER RESOURCES

T05N, R04E, S32



1987 NAPP PHOTO

- POINT OF DIVERSION
- PLACE OF USE
- 1/4 1/4 LINES
- SECTION LINES

6 ACRES

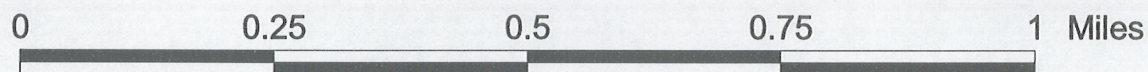
6 SECTION NUMBERS

CLAIM(S): 63-31320

OWNER(S) :PETERSON, DAVID & TONI

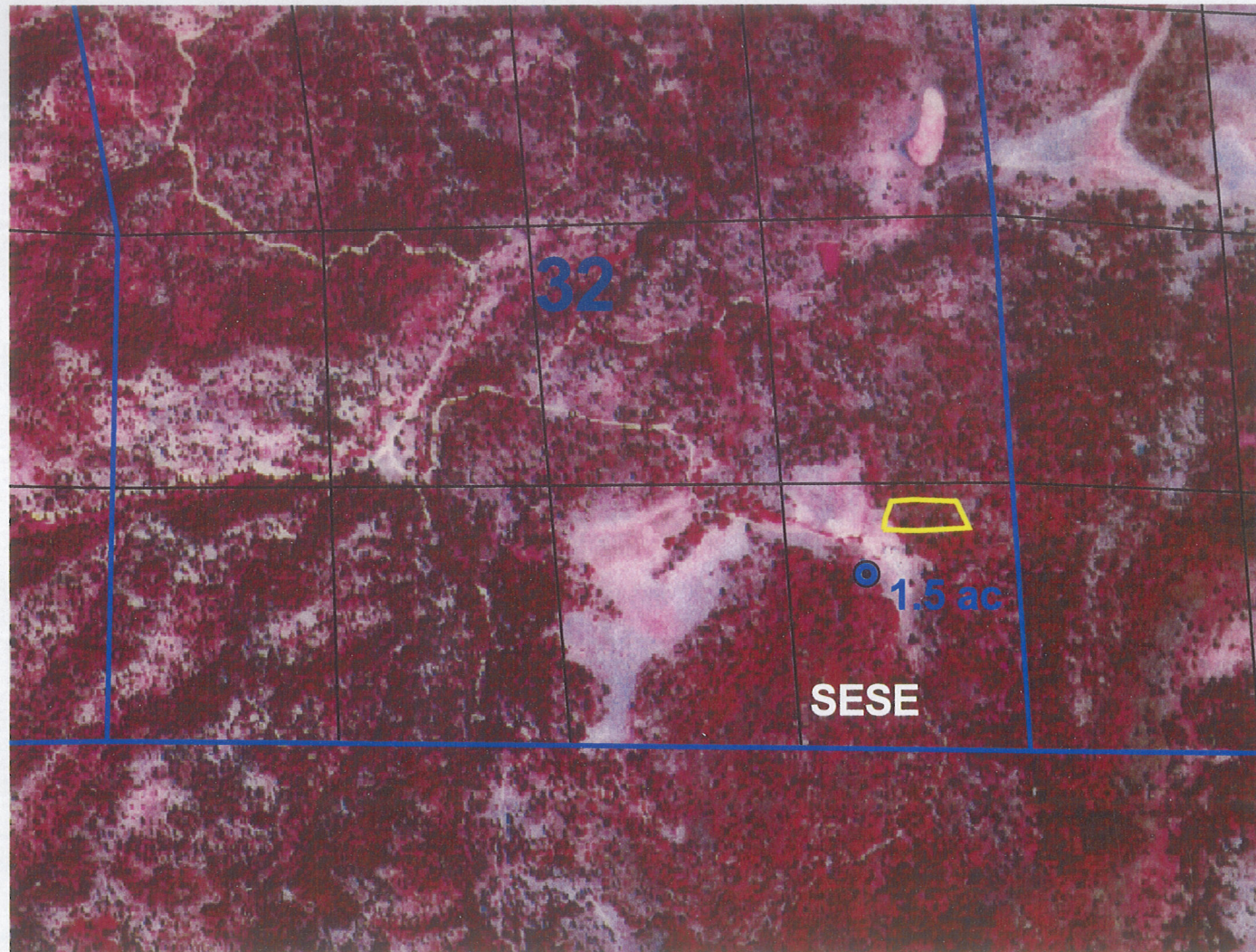
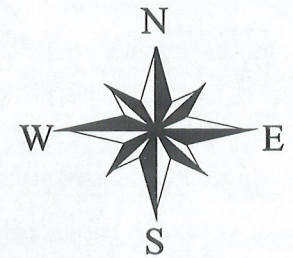
DATE: MARCH 14, 2002

by: Mel Schulte



IDAHO DEPARTMENT OF WATER RESOURCES

T05N, R04E, S32



1987 NAPP PHOTO

- POINT OF DIVERSION
- PLACE OF USE
- 1/4 1/4 LINES
- SECTION LINES

6 ACRES

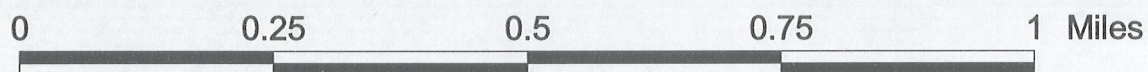
6 SECTION NUMBERS

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OWNER(S) :PETERSON, DAVID & TONI

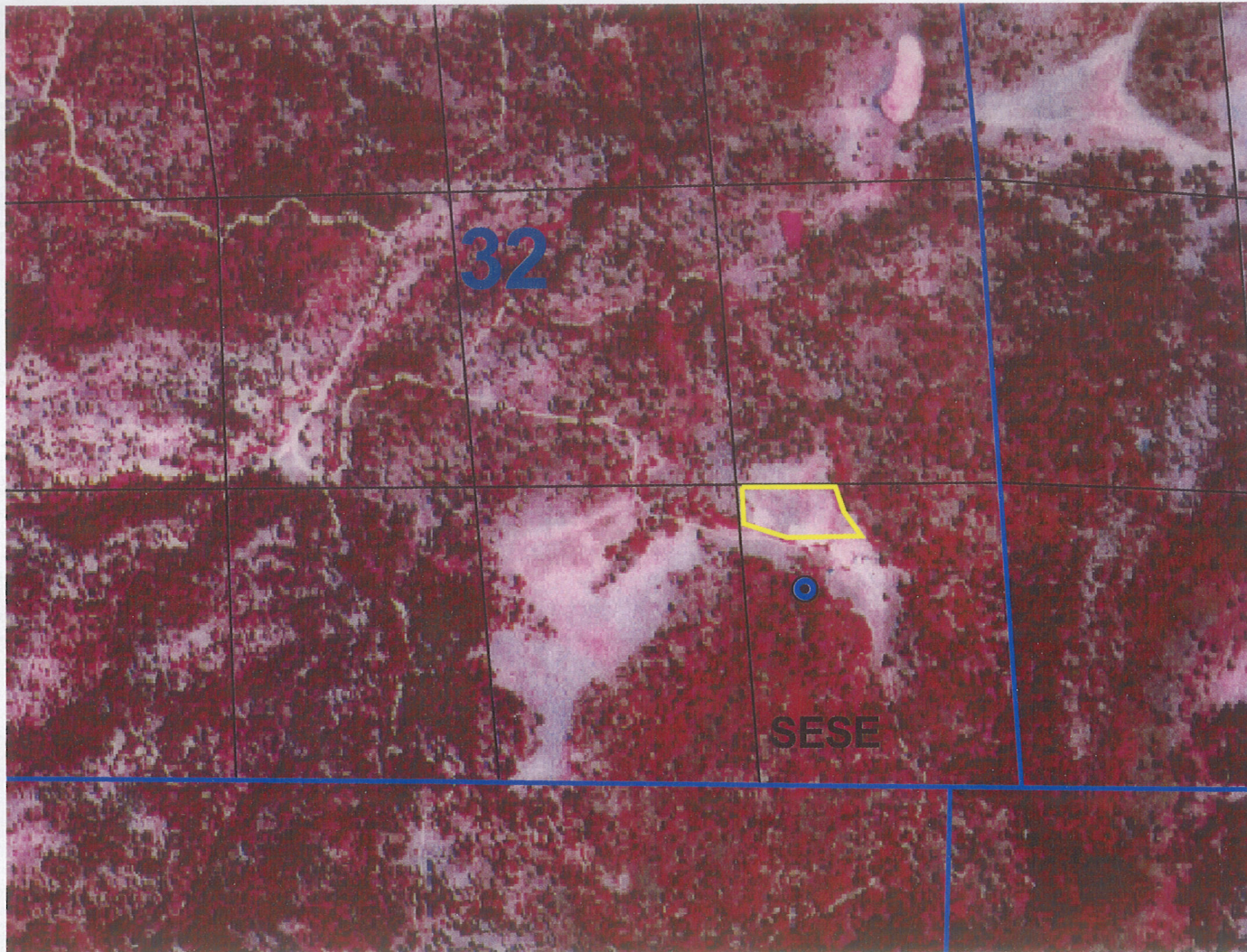
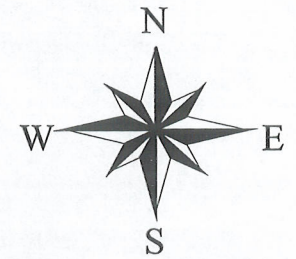
DATE: MARCH 14, 2002

by: Mel Schulte

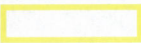
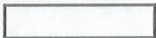
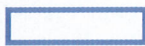


IDAHO DEPARTMENT OF WATER RESOURCES

T05N, R04E, S32



1987 NAPP PHOTO

-  POINT OF DIVERSION
-  PLACE OF USE
-  1/4 1/4 LINES
-  SECTION LINES

6 ACRES

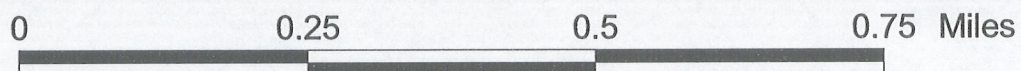
6 SECTION NUMBERS

CLAIM(S): 63-31320

OWNER(S): PETERSON, DAVID & TONI

DATE: DECEMBER 3, 2001

by: Mel Schulte



A63-31320

PHOTOS TAKEN 08/29/2001



PHOTO #1
POD--SPRING



PHOTO #2
COLLECTION AND
DIVERSION BOX
BELOW THE SPRING

A63-31320

PHOTOS TAKEN 08/29/2001



PHOTO #3
PART OF IRRIGATION
USE LOOKING NORTH
FROM THE SPRING

T05N, R04E

A63-5044
8-29-2001
Deversen system

32

Ditch
Spring
Ditch

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 63-31320
Date Received: 5/17/1989
Receipt No:
Received By:

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

1. Name of Claimant(s): DAVID PETERSON
14 HOMESTEAD CT
BOISE ID USA 83716

Phone:

TONI PETERSON
14 HOMESTEAD CT
BOISE ID USA 83716

Phone:

2. Date of Priority: 03/14/1912

3. Source: SPRING Trib. to: CLEAR CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	04E	32	SE SE	BOISE	

5. Description of diverting works:

DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	05/01	10/31	0.02	

7. Total Quantity Appropriated is:
0.02 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	04E	32	SE SE		IRRIGATION	1.5
					Section Acres	1.5
					Total Acres	1.5

11. Place of use in counties: BOISE

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 63-5044. DB 10/12/2001

Property also known as Lot 1, Timber Mountain Ranch.

15. Basis of Claim: Statutory Claim

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 63-5044
Date Received: 5/17/89
Receipt No: W002830
Received By:

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

1. Name of Claimant(s): NEAL DONALDSON Phone: (208) 323-2002
PO BOX 190415
BOISE ID USA 83719

DONNA L DONALDSON Phone: (208) 323-2002
PO BOX 190415
BOISE ID USA 83719

2. Date of Priority: 03/14/1912

3. Source: SPRING Trib. to: CLEAR CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	04E	32	SE SE	BOISE	

5. Description of diverting works:

DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	5/01	10/31	0.04	
DOMESTIC	1/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.06 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	04E	32	SE	SE		IRRIGATION	3
			SE	SE		DOMESTIC	
Section Acres							3
Total Acres							3

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

14. Remarks:

Address change by DB 7/30/2001

15. Basis of Claim: Statutory Claim

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

RECEIVED

NOV 05 2001

**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, 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
	A 63-5044				

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) are 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)

NEAL + DONNA DONALDSON

4. New Owner/Claimant(s)

DAVID & TONI PETERSON

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

New Mailing Address

14 HOME STEAD CT.

City, State and ZIP Code

BOISE ID 83716

New Telephone Number

(208) 392-4901

5. Date you acquired the property

MAY 1999

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>A 63-5044</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>1.5 Acres</u>
Stock	_____	_____
Domestic	_____	<u>Domestic</u>
Other	_____	_____
Total	_____	_____

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

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

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

For Office Use Only

Received by _____	Date _____	Fee _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____



REAL ESTATE PURCHASE AND SALE AGREEMENT AND RECEIPT FOR EARNST MONEY



THIS IS A LEGALLY BINDING CONTRACT. READ THE ENTIRE DOCUMENT, INCLUDING THE GENERAL PRINTED PROVISIONS ON THE REVERSE SIDE AND ANY ATTACHMENTS. CAREFULLY, BEFORE SIGNING. IF YOU HAVE ANY QUESTIONS, CONSULT YOUR ATTORNEY BEFORE SIGNING.

Buyer: David Paul Peterson Boise Co, Idaho 8-21 1999

Seller: Toni Marie Peterson
hereinafter called "Buyer") agrees to purchase, and the undersigned Seller agrees to sell the following described real estate, hereinafter referred to as "premises"
commonly known as Lot 1 Phase 6
of Boise Co. County of Boise, Idaho legally described as: Lot 1 Phase 6
Timber Mountain Ranch

A FULL AND COMPLETE LEGAL DESCRIPTION MUST BE INSERTED OR ATTACHED PRIOR TO EXECUTION BY SELLER. Buyer hereby authorizes broker to insert over his signature the correct legal description of the premises if unavailable at the time of signing, or to correct the legal description previously entered if erroneous or incomplete.)

EARNST MONEY.

- (a) Buyer hereby deposits as earnest money and a receipt is hereby acknowledged of Two Hundred dollars (\$ 200.00) evidenced by: ☐ Cash ☒ Personal Check ☐ Cashiers Check ☐ Note Due ☐ or _____
- (b) Earnest Money to be deposited in trust account upon acceptance by all parties and shall be held by ☐ Listing Broker, ☐ Selling Broker ☒ Other Pioneer Title (Broker) shall hold the completely executed broker's copy of this agreement and is responsible for the closing.
- (c) If all conditions have been met by Buyer, Buyer and Seller agree that the earnest money (less credit report fees, and any other Buyer's costs) shall be refunded to Buyer in the event Buyer or Seller cannot consummate the sale due to circumstances beyond their control.
- (d) The parties agree that Pioneer Title Title Company shall provide title policy and preliminary report of commitment and the "closing agency" for this transaction shall be Pioneer Title. If a long-term escrow / collection is involved, then the escrow holder shall be Pioneer Title.

1. TOTAL PURCHASE PRICE IS Two Hundred Eighty Five Thousand Dollars (\$ 285,000.00)

Payable as follows:

- a. \$ 100,000.00 Cash down, including above Earnest Money (Closing costs are additional).
- b. \$ 185,000.00 Balance of the purchase price (M.I.P. not included).

2. FINANCING. Buyer to secure the following financing: ☐ FHA, ☐ VA, ☒ Conv, ☐ IHA, ☐ FmHA, ☐ Assumption of existing loan(s).

(a) ☒ NEW FINANCING. Purchase loan balance as noted above for a period of 30 years at Market Rate % per annum. (If FHA or VA loan is sought, read the applicable provisions on the reverse side hereof.) Buyer shall pay no more than 3 points plus origination fee if any. Seller to pay only the discount points necessary in order to obtain above described financing but not to exceed 3 points. Any reduction in points shall first accrue to the benefit of the ☒ Buyer ☐ Seller.

(b) ☐ ASSUMPTION. Buyer to ASSUME and ☐ will or ☐ will not be required to qualify for an EXISTING LOAN(S) of approximately \$ N/A but no more than N/A % with monthly payments of approximately \$ N/A. ☐ P ☐ I ☐ T ☐ I.

This agreement ☐ does ☐ does not require Lender to release Seller's liability. Type of loan N/A. Buyer shall apply for such loan or assumption within three (3) banking days after Seller's acceptance of this agreement.

3. OTHER FINANCING, TERMS AND/OR CONDITIONS: Seller will carry 185,000 for 30 years at 8 1/2% if Buyer choose not to get a new loan. If Buyer pays 15,000 or more on principal Seller agrees to adjust monthly payment accordingly. Buyer agrees to a Timber Close. No pre-payment clause. There will be a due

4. CONTINGENCIES. IF SELLER'S 3 DAY CONTINGENCY WAIVER IS CHECKED BELOW, SEE ITEM #16 ON REVERSE SIDE HEREOF. ON SALE
Any waiver by the Buyer will be a waiver of all contingencies.

- (a) ☐ None (No contingencies apply)
- (b) ☐ New Financing/Assumption — This agreement is contingent upon Buyer(s)/property qualifying for the above described financing.
☐ Subject to ☐ NOT Subject to Seller's contingency waiver clause.
- (c) ☐ Closing of N/A on or before _____ listed with _____
☐ Subject to ☐ NOT Subject to Seller's contingency waiver clause.
- (d) ☐ Other (specify) N/A
☐ Subject to ☐ NOT Subject to Seller's contingency waiver clause.

5. ITEMS SPECIFICALLY INCLUDED IN THIS SALE (If FHA / VA financing is sought see Item # 15 on reverse side): 2 Wood Stoves
gas Range - Garage Door Openers

6. ITEMS SPECIFICALLY EXCLUDED IN THIS SALE:

7. COSTS PAID BY: Costs in addition to those listed below may be incurred by Buyer and Seller. Unless otherwise agreed herein, or provided by law or required by lender, Buyer shall purchase Seller's reserve account if loan assumption. APPRAISAL — If appraisal is required below, property must appraise at no less than contract price.
☐ Yes ☐ No. Purchaser's Extended Coverage Title Policy requested. Additional premium paid by N/A. See item # 18 on reverse side.

If requested by lender or otherwise stated herein, the below costs will be paid as indicated.

Costs Paid By	Appraisal	Loan Assumpt.	Well Inspect.	Pump/Inspect. Septic	City/County Code Inspect. If Required	Contract and/or Document Prep.	Closing Agent's Fee	Long Term Escrow Fees	Lender or Code Repairs
BUYER									
N/A	☒	☒	☒	☒	☒				☒
SELLER									
SHARE EQUALLY						☒	☒	☒	

Cost of lender or code repairs not to exceed \$ N/A. Discount points to be paid as agreed on line 28 and 29. SELLER UNDERSTANDS that as a result of any city or county inspections HE MAY BE REQUIRED TO MAKE REPAIRS to the property in order to comply with the housing code WHETHER OR NOT A SALE IS COMPLETED UNDER THIS AGREEMENT.

8. POSSESSION. Buyer shall be entitled to possession on ☒ Closing ☐ other _____. "Closing" means the date on which all documents are either recorded or accepted by an escrow agent and the sale proceeds are available to Seller. Taxes and water assessments (using the last available assessment as a basis), rents, interest and reserves, liens, encumbrances or obligations assumed and utilities shall be pro-rated as of Closing. Buyer shall pay for fuel in tank, amount to be determined by the supplier at Seller's expense.

9. CLOSING. On or before the closing date, Buyer and Seller shall deposit with the closing agency all funds and instruments necessary to complete the sale. The closing date shall be no later than 5-1-99.

10. ACCEPTANCE. Buyer's offer is made subject to the acceptance of Seller on or before 12:00 o'clock midnight of 2-21-99. If Seller does not accept this agreement within the time specified, the entire Earnest Money shall be refunded to Buyer on demand. TIME IS OF THE ESSENCE OF THIS AGREEMENT.
☐ See attached Addendum(s). ☐ See attached Counter Offer(s).

11. IMPORTANT — AGENCY DISCLOSURE. At the time of signing this agreement the agent working with the buyer represented N/A Self and the agent working with the seller represented N/A Self. Each party signing this document confirms that prior written disclosure of agency was provided to him/her in this transaction. Each party to this transaction has read and understands the contents of the agency disclosure brochure previously received.
Listing Agency: N/A Selling Agency: N/A

By: David Paul Peterson Phone: _____ By: _____ Phone: _____
Buyer: Toni Marie Peterson Buyer's Address: 440 Jenniegarh Ln San Marcos, CA
Buyer's Phone: Residence (760) 76-0790 Business _____

On this date, I/We hereby approve and accept the sale set forth in the above agreement and agree to carry out all the terms thereof on the part of the Seller.

I/We further acknowledge receipt of a true copy of this agreement signed by both parties.

Seller: David Paul Peterson Date: 2-21-99 Seller's Address: P.O. Box 190415
Seller: Toni Marie Peterson Date: 2-21-99 Seller's Phone: Residence 392-2267 Business _____

A true copy of the foregoing agreement, signed by the Seller and containing the full and complete legal description of the premises, is hereby received on this

21st day of February, 1999
Buyer: David Paul Peterson Buyer: Toni Marie Peterson

THE PROVISIONS CONTAINED ON THE REVERSE SIDE OF THIS PAGE SHALL ALSO CONSTITUTE PART OF THE AGREEMENT OF THE PARTIES. EACH OF THE PARTIES ACKNOWLEDGES READING THIS AGREEMENT IN FULL.

Buyer's Initial DP Seller's Initial _____ BUYER'S RECEIPT RE21 REV. 8/91

Rec'd at S.O. 11-14-01

RECEIVED

NOV 15 2001

WATER RESOURCES
WESTERN REGION



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 12, 2001

DAVID PETERSON
TONI PETERSON
14 HOMESTEAD CT
BOISE ID 83716

Re: Original Notice of Claim to a Water Right No. 63-5044

Renumbered Notice of Claim to a Water Right No. 63-31320

Dear Claimants:

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. You will be notified of any future action taken on this claim. Also enclosed is a copy of the original claim for your reference.

Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB: db

Enclosure

RECEIVED

JUN 14 1999

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

1. Water Right No(s): A 63 - 05044
Adjudication Claim No(s): _____
 2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
 3. Name and Address of Former Owner/Claimant DONNA DONALDSON
P.O. Box 190415
 4. New Owner/Claimant(s) BOISE ID. 83719
New Mailing Address TONI & David Peterson
City, State and ZIP Code 14 Homestead Ct. BOISE ID, 83716
New Telephone Number () _____
 5. Date you acquired the property 4-27-99
 6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages. 1/2 of Original water rights
Number of acres you irrigate 3 Number and type of stock _____
Diversion rate in CFS _____ Number of homes 1 Other uses _____
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. ~~NAME~~ Signature of New Owner or Claimant(s) Toni Peterson (TONI Peterson)
David Peterson (DAVID Peterson)
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
 8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

Split Tree A63-5044

A63-5044 N/O Donaldson

QR: In - .04 cfs

Dom - .02 cfs

POD: 5N, 4E, S32, SESE

POU: 5N, 4E, S32, SESE Irr - 3 ac
, SESE Dom -

A63-31319

N/O Donaldson

QR: In - .02

Dom - .02 cfs

POD: Same

POU: 5N, 4E, S32, SESE - 1.5 ac
, SESE Dom

(aka Lt 4, Timber Mountain Ranch)

A63-31320

N/O Peterson

QR: In - .02 cfs

POD: Same

POU: 5N, 4E, S32, SESE - 1.5 ac

(aka - Lt 1, Timber Mountain Ranch)

5-17-89

WARRANTY DEED

(INDIVIDUAL)

FOR VALUE RECEIVED NEAL W. DONALDSON AND DONNA DONALDSON, CO-TRUSTEE, OR
THEIR SUCCESSORS IN TRUST, OF THE NEAL W. AND DONNA DONALDSON TRUST, U/T/A
DATED THE 15TH DAY OF JULY, 1993, AND ANY AMENDMENTS THERETO.

Grantor s , do hereby grant, bargain, sell and convey unto DAVID PAUL PETERSON and TONI MARIE
PETERSON, husband and wife

the Grantee s , whose current address is:
the following described real property in BOISE
follows, to-wit:

County, State of Idaho, more particularly described as

LOT 1 IN TIMBER MOUNTAIN RANCH SUBDIVISION (PHASE 6), ACCORDING TO THE OFFICAL
PLAT THEREOF, FILED IN JANUARY 24, 1996 AS INSTRUMENT NO. 159089, RECORDS OF
BOISE COUNTY, IDAHO.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee sand Grantee hairs
and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantee s, the Grantor s are the
owner s 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,
(includes irrigation and utility assessments, (if any) for the current year, which are not yet due and payable, and that Grantor s
will warrant and defend the same from all lawful claims whatsoever.

Dated: April 27, 1999

Neal W. Donaldson, Trustee
NEAL W. DONALDSON, TRUSTEE

Donna Donaldson Trustee
DONNA DONALDSON, TRUSTEE

STATE OF _____, County of _____, ss.

On this _____ day of _____, in the year of _____, before me _____, a notary public, per-
sonally appeared _____,
known or identified to me to be the person whose name _____ subscribed to the within instrument, and
acknowledged to me that _____ executed the same.

Notary Public: _____
Residing at: _____
My Commission Expires: _____

TIMBER MOUNTAIN RANCH

SITUATED IN SECTIONS 29, 31, 32, & 33, T5N R4E, B.M., BOISE COUNTY.

Clear Creek Lodge →

Clear Creek
County Road

Lots 22 & 23 Border
Forest Service Land

FOREST
SERVICE

FOREST
SERVICE

VICINITY

734.3± TOTAL
24 LOTS
DENSITY 30.6

PHASE #	LOT #	ACREAGE	P
I	1	11.27	\$
I	2	18.36	\$
I	3	29.21	\$
I	4	36.46	\$
I	5	27.68	\$
II	1	43.26	\$
III	1	34.29	\$
III	2	19.98	\$
III	3	29.29	\$
III	4	1.39	C

Clear Creek
County Road

NEW ROAD with
LOCKED GATE

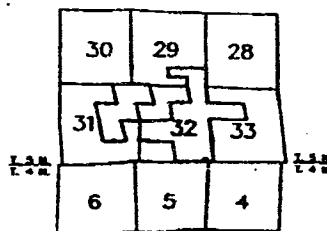
FOREST
SERVICE

A63-5044
split between
lots 4 & 1 - about 50/50

OWNERS
Donna Donaldson
Neal Donaldson
Michael Wagner
Darlene Wagner
Donald Greenlee
Dolores Greenlee

Contact:
Donna Donaldson
P.O. Box 4461
Boise Idaho 83711
(208)

322-2700



LEGAL DESCRIPTION

T.5 N. R. 4 E. B.M. Boise County Idaho
 Section 29: N 1/2 of SW 1/4 of SE 1/4, SE 1/4 of SE 1/4
 Section 31: E 1/2 of NE 1/4, SW 1/4 of NE 1/4, NW 1/4 of NE 1/4
 Section 32: SE 1/4 of NE 1/4, SE 1/4 of NE 1/4, NW 1/4 of NE 1/4
 Section 33: N 1/2 of SW 1/4

POWER LINE RUNS THRU LOTS # 1, 2, 3, 4, & 5—PHASE I
 " " " " " # 3 —PHASE III

08/12/2003

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

RIGHT NUMBER: 63-31320

NAME AND ADDRESS: DAVID PETERSON
14 HOMESTEAD CT
BOISE ID 83716

TONI PETERSON
14 HOMESTEAD CT
BOISE ID 83716

SOURCE: SPRING

TRIBUTARY: CLEAR CREEK

QUANTITY: 0.040 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 03/15/1912

POINT OF
DIVERSION: T05N R04E S32 NWSESE Within BOISE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC	01/01 12/31	0.020 CFS
IRRIGATION	03/15 11/15	0.020 CFS

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

PLACE OF USE: IRRIGATION Within BOISE County
T05N R04E S32 SESE 1.5
DOMESTIC Within BOISE County
T05N R04E S32 SESE

1.5 ACRES TOTAL

Dr
Dr
Dr
Dr

RECEIVED

FEB 4 - 2003

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)

A. Subcase 63-31320

(Insert water right number)

Case No. 39576)

**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 Reclamation, Regional Director PN Code-3100

Address: 1150 N. Curtis Rd. Suite 100
Boise, Idaho 83706-1234

Daytime Phone: (208) 378-5306 E.Gail McGarry

Name & Address of Attorney, if any:

David W. Gehlert (303 312-7352)

Trial Attorney, General Litigation Section

Environment and Natural Resource Division

U.S. Department of Justice

999 18th Street, Suite N 945

Denver, CO 80202

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

Name: David Peterson Toni Peterson

Address: 14 Homestead Ct
Boise, ID 83716

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: April 1 to November 1
9. ☐ **Place of Use**
Should be:
11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described.

E. REASONS SUPPORTING EACH OBJECTION(S):

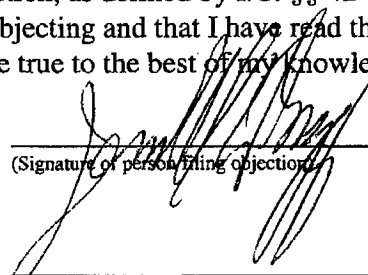
The Director's Report recommendation appears to expand the Season of Use beyond a customary maximum of April 1 to November 1, which would allow (a) injury to the United States' water rights, (b) impairment of historic river conditions conducive to regular United States Bureau of Reclamation diversions to storage reservoirs and the New York Canal, and (c) diminution of contract water reliability.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Jerrold D. Gregg, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

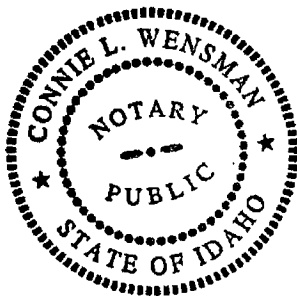
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

January 29, 2003





Connie L. Wensman

Notary Public for: Idaho

Residing at: Meridian

My Commission Expires: 10-06-2004

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 January 31, 2003, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

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: David Peterson Toni Peterson

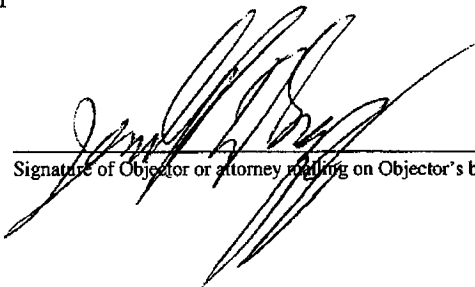
Address: 14 Homestead Ct
Boise, ID 83716

3. Copies to:

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

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

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of Objector or attorney acting on Objector's behalf

**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 Number: See Attachment A
(Insert water right number)

**STANDARD FORM 1
OBJECTION RECEIVED**

JAN 31 2003

Department of Water Resources

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Boise Project Board of Control acting on its own behalf and on behalf of
and for the following individual entities:
New York Irrigation District, Nampa & Meridian Irrigation District, Wilder
Irrigation District, Boise-Kuna Irrigation District, Big Bend Irrigation
District
Address: 2465 Overland Road
Boise, Idaho 83705
Phone: (208) 344-1141

Name & Address of Attorney, if any:
Albert P. Barker, ISB # 2867
Amy D. Chestnut, ISB # 5904
Barker Rosholt & Simpson, LLP
205 North 10th Street, Suite 520
P.O. Box 2139
Boise, Idaho 83701-2139
Telephone: 208-336-0700
Facsimile: 208-344-6034

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

Name: See Attachment B
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: April 1 to November 1
9. ☐ **Place of Use**
Should be:
11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described.

E. REASONS SUPPORTING EACH OBJECTION(S): The Director's Report recommendation appears to expand the Season of Use beyond a customary maximum of April 1 to November 1, which would allow injury to the objector's water rights and diminution of contract water reliability.

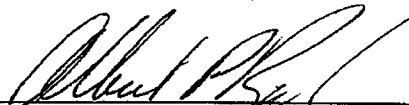
F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

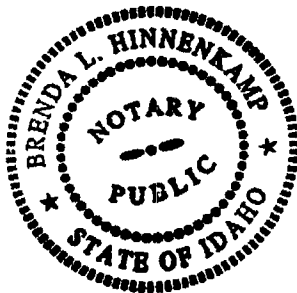
Albert P. Barker, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on: January 30, 2003



Brenda L. Hinnenkamp
Brenda L. Hinnenkamp
Notary Public for: Idaho
Residing at: Boise
My Commission Expires: 9/11/2004

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 January 30, 2003, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

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:

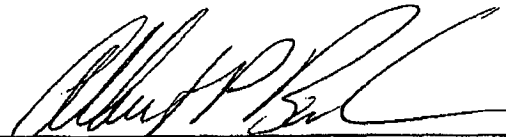
Name: See Attachment B
Address:

3. Copies to:

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

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

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of Objector or attorney mailing on Objector's behalf

Attachment A

63-3540	63-7984A	63-7984B
63-8624	63-10279	63-31335
63-31336	63-7119	63-7115
63-148B	63-15395	63-2472
63-7529	63-7037	63-2026
63-7207	63-31077	63-5102
63-5192	63-318A	63-318C
63-4629A	63-4797	63-4810
63-5101	63-31074	63-31289
63-31328	63-19A	63-19B
63-378	63-4636	63-5057
63-31124	63-31173	63-31174
63-31319	63-31320	63-31397
63-4548	63-3125	63-15093
63-15677	63-31317	63-5332
63-5334	63-4071	63-31380
63-5235	63-4629C	63-31454
63-5408	63-2171	63-5167
63-317B	63-320A	63-7613D
63-30310	63-97	63-15409
63-3447D	63-3447B	63-3447C
63-5161B	63-15101	63-4731
63-3422B	63-5161C	63-3422A
63-5251	63-5250	63-15684
63-5108	63-15427	63-15094
63-15206	63-15373	63-2252

ATTACHMENT D

63-3540

Rex E Lanham
2630 Highway 21
Boise ID 83716

63-8624

Randall A Ambuehl
HC 33 Box 1610
Boise ID 83706

63-31336

Wilderness Ranch Owners Assn Inc
46 Wilderness Ranch Rd
Boise ID 83716

63-148B

South Boise Water Co
PO Box 6005
Boise ID 83707

63-7529

Walter M Nichols
Thelma E Nichols
14 Cougar Lane
Boise ID 83716

63-2026

James E Bryant
1915 N 11th
Boise ID 83712

63-5102

Laura LA May Holmes
2391 Sheri Dr
Emmett ID 83617

63-318C

Paula E Lewis
Stephen E Lewis
PO Box 4002
Boise ID 83711-4002

63-4810

Walter S Nichols
Sara A Nichols
12 Cougar Ln
Boise ID 83716

63-31289

Walter M Nichols
Thelma E Nichols
14 Cougar Lane
Boise ID 83716

63-7984A

Teresa L Raschke
Steven L Raschke
2095 Panama St
Boise ID 83705

63-10279

Cumer L Green
PO Box 2597
Boise ID 83701

63-7119

Michael Robich
Lynette Robich
87 Beaver Creek Rd
Boise ID 83716

63-15395

Marilyn Priest
Jay R Priest
PO Box 122
Idaho City ID 83631

63-7037

Blue Jay Creek Water & Road Users Inc
C/O Robert O Walker
129 Blue Jay Creek Rd
Boise ID 83706

63-7207

Barbara W Little
1980 Myers Rd
Boise ID 83706

63-5192

David Steadman
Lynae Steadman
8873 Ottawa Ct
Boise ID 83709

63-4629A

Wilderness Ranch Owners Assn Inc
46 Wilderness Ranch Rd
Boise ID 83716

63-5101

Marilyn Priest
Jay R Priest
PO Box 122
Idaho City ID 83631

63-31328

Michael C Perry
Tami J Perry
10 Cougar Ln
Boise ID 83716

63-7984B

Lawrence Poisson
Sheila Poisson
3193 Highway 21
Idaho City ID 83716

63-31335

Val Dean Schroeder
13 Blacksmith Road
Boise ID 83716

63-7115

Michael Robich
Lynette Robich
87 Beaver Creek Rd
Boise ID 83716

63-2472

Chapman Ranch LLC
737 N 7th St
Boise ID 83702

63-2026

Hilda Larson
3015 Silver St
Boise ID 83703

63-31077

State of Idaho
Dept of Parks & Recreation
PO Box 83720
Boise ID 83720-0065

63-318A

Ranch Subdivision Property Owners
Assn
26 Burnett Dr
Boise ID 83716

63-4797

Connie Jo Cooper
Douglas S Cooper
2268 Highway 21
Boise ID 83716

63-31074

Barry Marcus
737 N 7th St
Boise ID 83702

63-19A

Larry R Smith
Alda L Smith
8442 W Beachside Ct
Boise ID 83703

63-19B
Rosemary Swanstrum
Philip Swanstrum
2708 Columbus
Boise ID 83705

63-5057
Francis Mangum
Shirley Mangum
17 Old Mill Rd
Boise ID 83716

63-31174
Michal Sweeney
28 N Fork Clear Creek Rd
Boise ID 83716

63-31397
Michael E Claus
Connie M Claus
105 Johnson Creek Rd
Boise ID 83716

63-15093
Gail G Allen
Robert P Allen
14 Allen Ln
Boise ID 83716

63-5332
Osprey Land Co
737 N 7th St
Boise ID 83702

63-5235
Rex E Lanham
2630 Highway 21
Boise ID 83716

63-5408
Scott R Nicholson, Thomas Emil Nicholson,
Christine Nicholson et al
C & T Ranches Inc
PO Box 690
Meridian ID 83680-0690

63-317B
Richard A Stull
K Gail Richardson
13 Robie Creek Ln
Boise ID 83716

63-97
L G Davison & Sons Inc
1969 Prairie Rd
Prairie ID 83647-9803

63-378
Dirk L Marcum
14364 E Highway 21
Boise ID 83716

63-31124
Allen Cupit
Diana Cupit
25 Old Mill Rd
Boise ID 83716

63-31319
Sandra Miner
1512 Apache Dr Unit D
Chula Vista CA 91910-8160

63-4548
James R Stringfellow
787 David Way
North Salt Lake UT 84054

63-15677
Barry Marcus
737 N 7th St
Boise ID 83702

63-4071
Robert P. Perez
Laurie A. Perez
20 Colleen Lane
Boise, ID 83716

63-4629C
Sherry Smith
James C Smith
7 Mores Creek Cir
Boise ID 83716

63-2171
Rex B Lanham
2630 Highway 21
Boise ID 83716

63-320A
Wade C Woolery
1902 Thompson Street
Richland WA 99352

63-15409
Wilda Bradley
33 Wild Rose Ln
Boise ID 83716

63-4636
Connie M Claus
105 Johnson Creek Rd
Boise ID 83716

63-31173
Hide Associates Partnership
Boise Holcomb Inc
737 N 7th St
Boise ID 83702

63-31320
David Peterson
Toni Peterson
14 Homestead Ct
Boise ID 83716

63-3125
State of Idaho
Dept of Fish & Game
PO Box 25
Boise ID 83707

63-31317
Rex E Lanham
2630 Highway 21
Boise ID 83716

63-31380
Rex E Lanham
2630 Highway 21
Boise ID 83716

63-31454
Jay D Hollinger
Carol L Hollinger
51 Daggett Creek Rd
Boise ID 83716

63-5167
Rex B Lanham
2630 Highway 21
Boise ID 83716

63-7613D
Marvenna S Hodgins
Marilyn E Dawson
PO Box 6466
Boise ID 83707

63-30310
Steven D Cummings
545 Robie Creek
Boise ID 83716

63-3447B
Biff Eshelman
31 Sonshine Lane
Boise ID 83716

63-15101
Steven D Cummings
545 Robie Creek
Boise ID 83716

63-5161C
Sterling Turner
Debbie Turner
328 Robie Creek Rd.
Boise ID 83716

63-5250
Jan Blum
27 Idaho City Stage Rd
Boise ID 83716

63-15684
Chapman Ranch LLC
737 N 7th St
Boise ID 83702

63-15094
Gail G Allen
Robert P Allen
14 Allen Ln
Boise ID 83716

63-2252
Twin Springs Resort LLC
PO Box 3994
Ketchum ID 83340

63-3447C
Alan K Johnson
3929 Overland Rd #840
Boise ID 83715

63-4731
Wilda Bradley
33 Wild Rose Ln
Boise ID 83716

63-3422A
Mary Lou Pote
William W H Pote
27 Idaho City Stage Rd
Boise ID 83716

63-5251
Mary Lou Pote
William W H Pote Jr
27 Idaho City Stage Rd
Boise ID 83716

63-5108
Chapman Ranch LLC
737 N 7th St
Boise ID 83702

63-15206
Val Dean Schroeder
13 Blacksmith Rd
Boise ID 83716

63-3447D
Joan Stephens
James R Stephens
3939 S Transport
Boise ID 83705

63-5161B
Dwaine Wright
Elizabeth Wright
4 Larkspur Lane
Boise, ID 83716

63-3422B
Virginia M Cafferty
Allan E Cafferty
2121 S Eagleson
Boise ID 83705

63-15427
Maurice Brown
11 Hoover Dr
Boise ID 83716

63-5334
Osprey Land Co
737 N 7th Street
Boise, ID 83702

63-15373
Rex E. Lanham
2630 Highway 21
Boise ID 83716

03/15/2002

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

RIGHT NUMBER: 63-31320

NAME AND ADDRESS: DAVID PETERSON
14 HOMESTEAD CT
BOISE ID 83716

TONI PETERSON
14 HOMESTEAD CT
BOISE ID 83716

SOURCE: SPRING

TRIBUTARY: CLEAR CREEK

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL NOT
EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 03/15/1912

POINT OF DIVERSION:

T05N R04E S32 NWSESE Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.020 CFS
IRRIGATION	03/15 11/15	0.020 CFS

PLACE OF USE: DOMESTIC Within BOISE County

T05N R04E S32 SESE

IRRIGATION Within BOISE County

T05N R04E S32 SESE 1.5

1.5 ACRES TOTAL

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

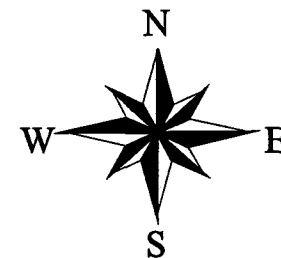
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

EXPLANATORY MATERIAL: Beneficial Use

DOMESTIC USE IS I HOME

IDAHO DEPARTMENT OF WATER RESOURCES

T05N, R04E, S32



1987 NAPP PHOTO

- POINT OF DIVERSION
-  PLACE OF USE
-  1/4 1/4 LINES
-  SECTION LINES

6 ACRES

6 SECTION NUMBERS

SESE

CLAIM(S): 63-31320

OWNER(S) :PETERSON, DAVID & TONI

DATE: MARCH 14, 2002

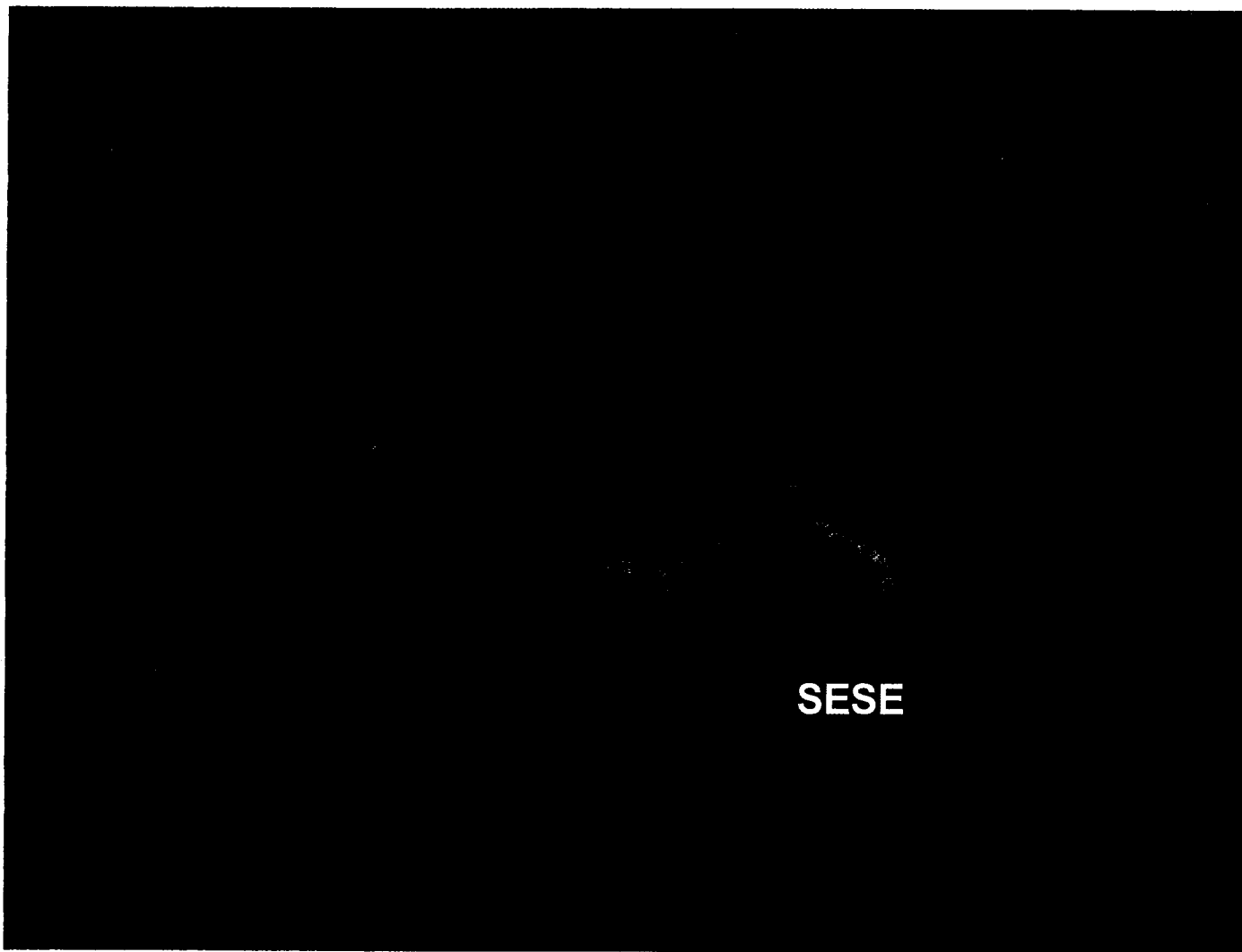
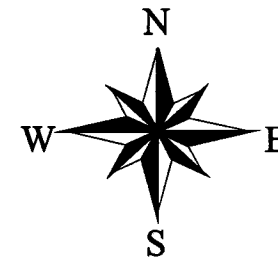
by: Mel Schulte

0 0.25 0.5 0.75 1 Miles



IDAHO DEPARTMENT OF WATER RESOURCES

T05N, R04E, S32



1987 NAPP PHOTO

- POINT OF DIVERSION
- ▭ PLACE OF USE
- ▭ 1/4 1/4 LINES
- ▭ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 63-31320

OWNER(S) :PETERSON, DAVID & TONI

DATE: MARCH 14, 2002

by: Mel Schulte

SESE



NOTICE OF ERROR
REPLY

RECEIVED

MAR 14 2002

WATER RESOURCES
WESTERN REGION

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

**YOUR DEADLINE FOR RETURNING A
NOTICE OF ERROR REPLY IS:**

Water right number:

63- 31319

63- 31320

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

*The domestic use recommended under 31319 should
be recommended under 31320*

 I AGREE with this proposed recommendation; no changes need to be made.

DATE: 3-14-02

SIGNATURE: Donna Donaldson

Please print your name: DONNA DONALDSON



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 15, 2002

DAVID & TONI PETERSON
14 HOMESTEAD CT
BOISE, ID 83716

Re: 63-31320

Dear Mr. & Mrs Peterson:

We recently mailed you our preliminary recommendation with a layout map for the above referenced Snake River Basin Adjudication (SRBA) water right claim. Enclosed is a revised recommendation and layout map.

I met with Donna & Neal Donaldson, the previous owners of your property, on March 14th at which time they pointed out several errors in my initial recommendation. The major difference being their contention that the historical domestic use from the spring is on your lot rather than the adjacent lot owned by Sandra Miner.

Call me at the number below if you have any questions.

Cordially,

A handwritten signature in cursive script that reads 'Mel Schulte'.

Mel Schulte
Sr. Water Rights Agent
208-334-2190

Encl.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). A63-31320

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☒ No Change ADDRESS
☐ NEW ADDRESS: _____
2. ☒ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: 3-14-1912
(If the priority date, based on your exam, seems questionable, explain below.)

Affidavit by prior owner and claimant whose family homesteaded the property.

3. ☒ No Change — SAME SOURCE
☐ Source is different than that claimed:
Source found: _____

4. ☒ No Change — POINT OF DIVERSION
☐ Point of diversion is different than the claim and/or new P/D's:

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

Spring water collects into a large concrete box which distributes water to the old house and ditches used for irrigation

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☒ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☐ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☐ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) See additional attachment

This right is a split from 63-5044.-
Field exam assisted by Neal Donaldson

C18

☒ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 8-29-01

FIELD EXAMINER: _____

Print Name

Mel Schulte

Signature

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))

63-5044)
)
)
)

State of Idaho)
County of BOISE)

AFFIDAVIT

Donna Daroldson being first duly sworn,

deposes and says:

To the best of my knowledge the
water used appertent to # 63-5044
has been developed and used
since 1912

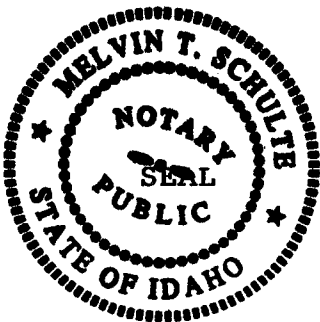
Donna Daroldson
(Signature)

Subscribed and sworn to before me this
day 24th of August, 2001.

Melvin T. Schulte
(Notary Public)

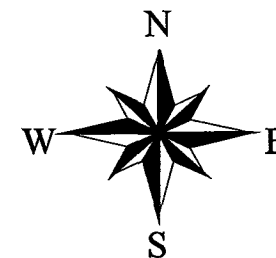
Residing at Boise, Idaho.

My Commission Expires 7-24-07.

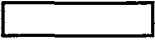


IDAHO DEPARTMENT OF WATER RESOURCES

T05N, R04E, S32



1987 NAPP PHOTO

- POINT OF DIVERSION
-  PLACE OF USE
-  1/4 1/4 LINES
-  SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 63-31320

OWNER(S): PETERSON, DAVID & TONI

DATE: DECEMBER 3, 2001

by: Mel Schulte

0 0.25 0.5 0.75 Miles



A63-31320

PHOTOS TAKEN 08/29/2001



PHOTO #1
POD--SPRING

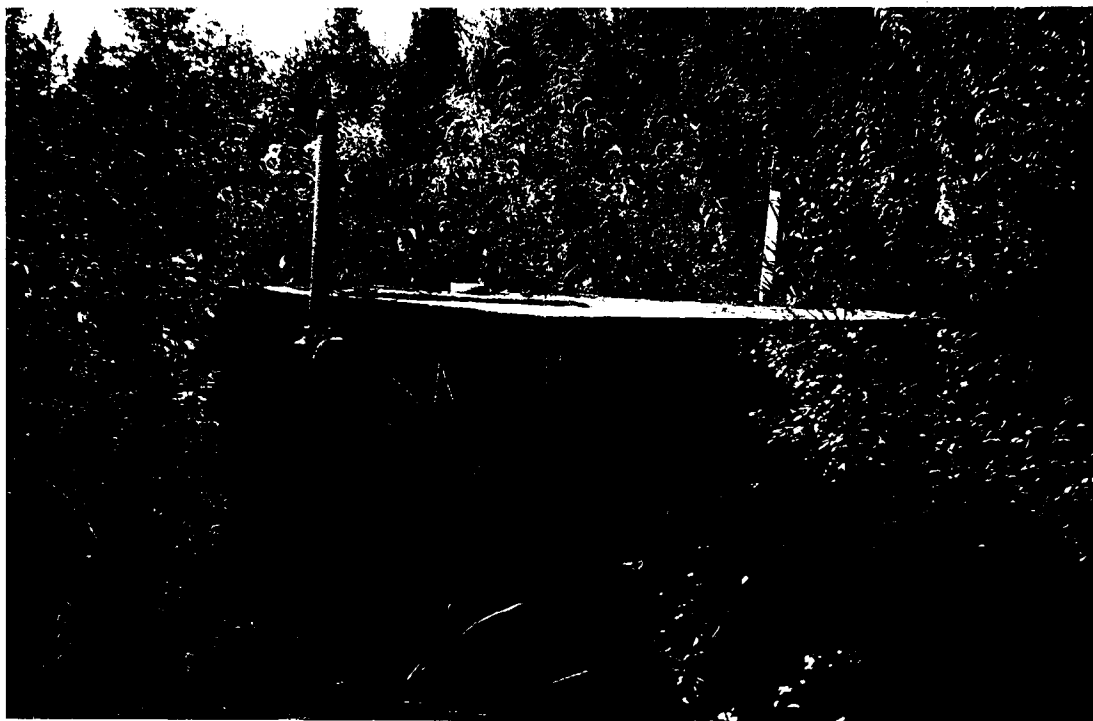


PHOTO #2
COLLECTION AND
DIVERSION BOX
BELOW THE SPRING

A63-31320

PHOTOS TAKEN 08/29/2001



PHOTO #3
PART OF IRRIGATION
USE LOOKING NORTH
FROM THE SPRING

1463-5044
8-29-2001
Deveraux Ayden



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 12, 2001

RECEIVED

NOV 05 2001

WATER RESOURCES
WESTERN REGION

NEAL DONALDSON
DONNA L DONALDSON
PO BOX 190415
BOISE ID 83719

Re: Original Notice of Claim to a Water Right No. 63-5044

Renumbered to Notice of Claim to a Water Right No. 63-31319

Dear Claimants:

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

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

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

Sincerely,

Denise Buffington

Denise Buffington
Office Specialist I
Adjudication Section
Western Region Office

DB: db

Enclosure

*Enclosed are Copies of
Notice of change for the
two present owners!*

*Thanks
Donna Donaldson
288-2669*

(Name of Claimant)

(Mailing Address)

82631

Telephone No. 392-6607

(Zin Coou)

(cfs. qorl. AFA)

(Domestic, Irrigation, Stock, Etc.)

(Both dates inclusive)

(Mo., Day)

(Mo., Day)

Quantity 0.02

Use *domestic*

Period of Use From JAN. 1 To Dec. 31Quantity 102

Use IRIGATION

Period of Use From May 1 To Oct. 31

Quantity

Use

Period of Use From _____ To _____

Quantity

Use

Period of Use From _____ To _____

Quantity _____

Use

Period of Use From _____ To _____

- (4) 06 TOTAL QUANTITY USED.
(cfs, gpd, AFA)
- (5) A) Point of diversion: (Location of point where water is diverted from its source)

SE ¼ SE ¼, Sec. 32, Twp. 5N Rge. 4E B.M., County of Boise

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.

600 FT. DITCH - 12 IN. WIDE X 8" DEEP

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, its name of organization:

SE 1/4 SE 1/4
SEC. 32 T-5N-4E

Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Bonneville) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Clinton M. Gardner
(Claimant)

Sworn to before me this 23rd day of May, 1993. (Claim

Notary Public
Residing at Albino City, Idaho

My commission expires April 88

FOR DEPARTMENT USE ONLY

Received by xx Date 5-24-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by 165 Date 5/25/83 claimant by: _____
\$0.00 fee received by 51 Date 5/24/83 CS8881
Published in the Idaho World _____
Dates 6/30 & 7/1/83 _____

Publication approved by: W 7/4/83