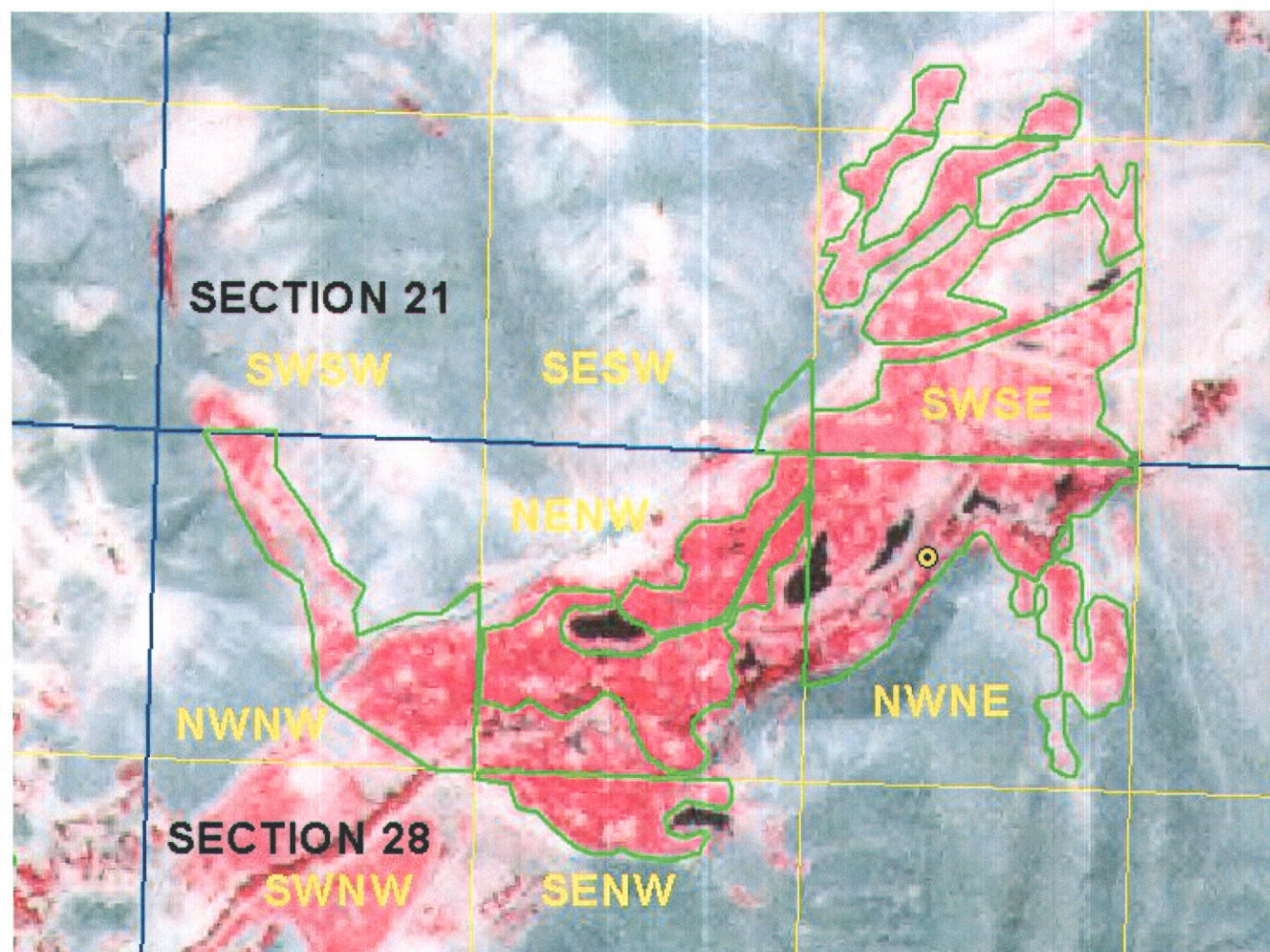






State of Idaho
Idaho Department of Water Resources
Western Region

T4N R2E SECTIONS 21 and 28
Water Right(s) : 63-4037 and 63-21875



1320 0 1320 2640 Feet



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

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



DIVERSION
STRUCTURE

POD
FROM STEWART GULCH

~~CONTROL~~
HEADGATE @
POD

LOOKING WEST

63-21875

LABELS



08 27 2004

LABELS?



LOOKING SOUTH NEAR P.O.D



LOOKING NORTH NEAR P.O.D

63-21875



LOOKIN SOUTH EAST ABOVE PDD



Looking South near P.O.D.



Looking North near P.O.D.

63-21875



P.O.D.

Looking South East above P.O.D.



Diversion Structure

POD
From Stewart Gulch

Headgate at POD

Looking West

63-21875

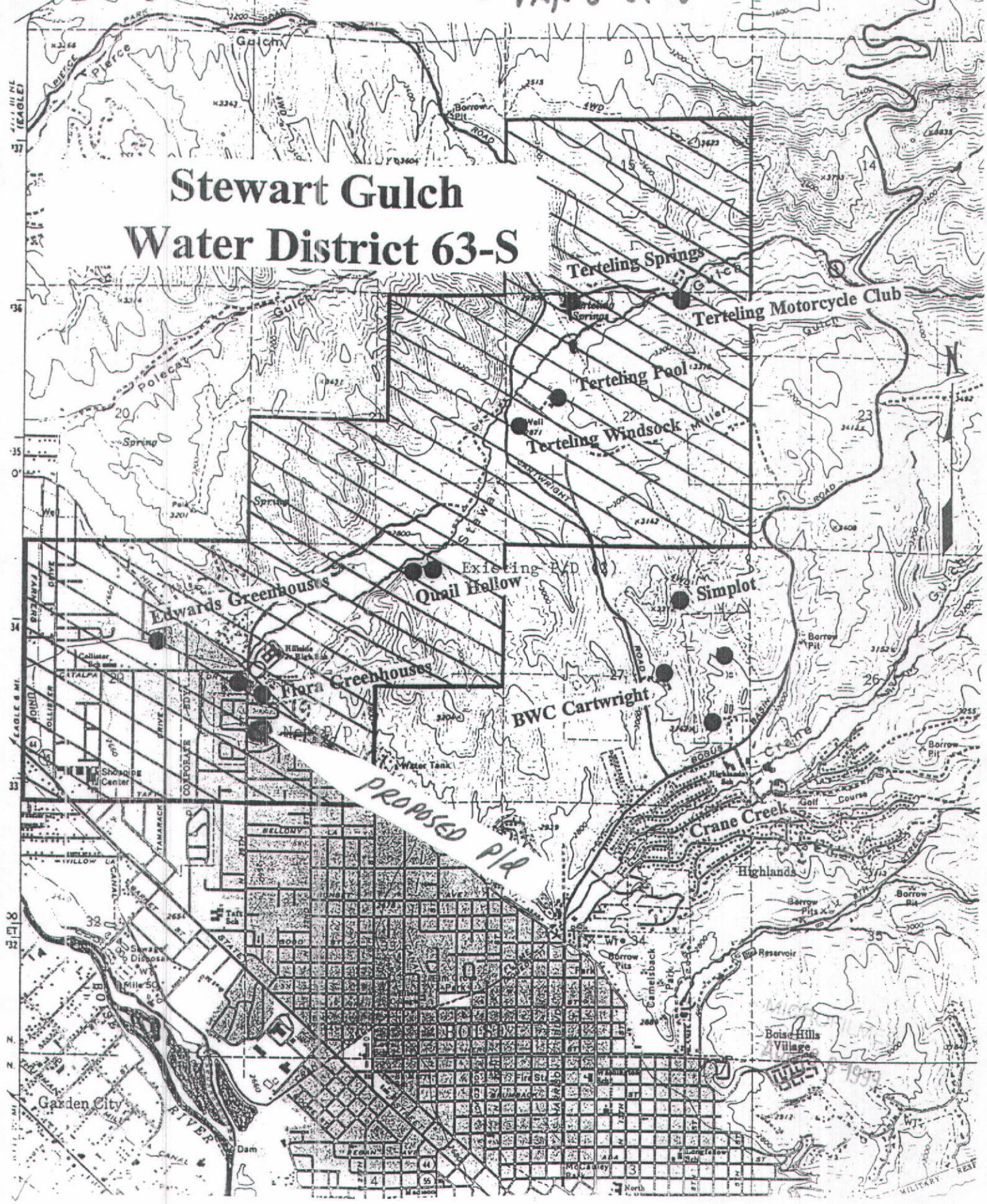


63-9158

ATTACHMENT A

= PAGE 8 of 8

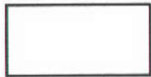
Stewart Gulch Water District 63-S

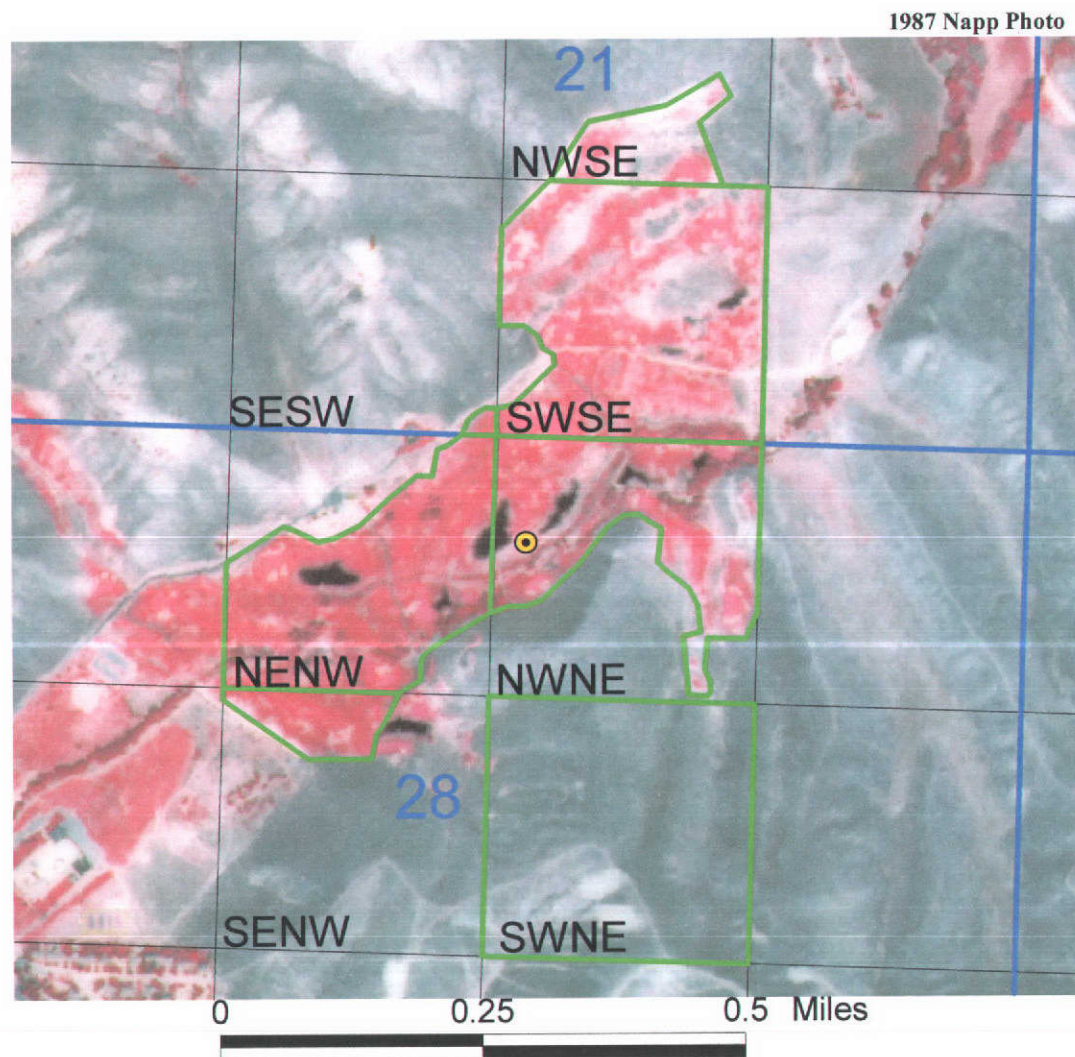




Idaho Department of Water Resources

Claim Number: 63-21875
Legal: T04N, R02E, S21, 28
Reviewed By:

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



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 63-21875
Date Received: 3/28/1990
Receipt No: W011756
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BLUEGRASS LLC Phone: (208)344-6397
4705 N 36TH
BOISE ID USA 83703

2. Date of Priority: 03/15/1943

3. Source: STEWART GULCH CREEK Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	02E	28	NW NW NE	ADA	

5. Description of diverting works:

SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.67	

7. Total Quantity Appropriated is:
0.67 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	02E	21	SE	SW	IRRIGATION	5
			NW	SE	IRRIGATION	10
			SW	SE	IRRIGATION	10
			Section Acres			
04N	02E	28	NW	NE	IRRIGATION	10
			SW	NE	IRRIGATION	5
			NE	NW	IRRIGATION	10
			SE	NW	IRRIGATION	5
Section Acres				30		
Total Acres				55		

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:

DESCRIP. OF DIVERT. WORKS: PUMP W/3" INTAKE & 3" OUTFLOW TO POND THEN PUMPED THOROUGH SPRINKLER SYSTEM TO IRRIGATE (NOW QUAIL HOLLOW GOLF COURSE). AESTHETIC USE OF PONDS IS PART OF SYSTEM. NON IRRIG. USES: WATER DIVERTED FROM SOURCE & STORED WATER USED FOR IRRIGATION & AESTHETICS. PONDS ARE PRESENT ALL YEAR. THUS, USES INCLUDE DIVERSION TO STORAGE (.67 CFS), IRRIGATION STORAGE, IRRIGATION FROM STORAGE, IRRIGATION, AND AESTHETICS STORAGE.

PONDS APPROX. 2 A.F. BUT THIS MAY BE REVISED IF ADDITIONAL INFORMATION IS SUPPLIED.

CHANGE IN OWNERSHIP LG 10/14/05

15. Basis of Claim: Beneficial Use

OF-11111

RECEIVED
JUL 14 2005
WATER RESOURCES
WESTERN REGION

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

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
63-21875	63-21875	N			
63-4307	63-4307	N			
63-9758					

not claimed-
in GRBA

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)

VAN CROFT CORPORATION

4. New Owner/Claimant(s)

Bluegrass LLC/Robert M. Donnelly

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

New Mailing Address

4705 N 36th WAY

City, State and ZIP Code

BOISE ID 83703

New Telephone Number

() 208 344 6397

5. Date you acquired the property

MARCH 29 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 _____		
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	_____	_____

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)

R. Daniels

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

WISHED COURTESY OF:

ALLIANCE TITLE & ESCROW CORP.

READ & APPROVED BY GRANTEE(S): Lud

SPACE ABOVE THIS LINE FOR RECORDING DATA

Order No.: 99081089 EBN

CORPORATE WARRANTY DEED

FOR VALUE RECEIVED, VANCROFT CORPORATION, AN IDAHO CORPORATION

organized and existing under the laws of the State of Idaho, with its principal office at P.O. BOX 510563, a corporation
SALT LAKE CITY, UT 84151 of County of ADA, State of Idaho,
GRANTOR, hereby GRANT, BARGAIN, SELL AND CONVEY unto BLUEGRASS, LLC.

GRANTEE(S), whose current address is: 2748 WAGONWHEEL COURT, CARROLLTON, TX 75006
the following described real property located in ADA County, State of Idaho, more particularly
described as follows, to wit:

Lot 2 and 6 in Block 1 and Lot 1 in Block 2 of NIBLER
SUBDIVISION, according to the Official Plat thereof, filed
in Book 59 of Plats at Page(s) 5789-91, records of Ada
County, Idaho.

Together with any and all water rights appurtenant thereto, if any.

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

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

In witness whereof, the Grantor has caused its corporate name to be hereunto affixed by its duly authorized
officers this 29th day of March, in the year of 1999.

VANCROFT CORPORATION

(Corporate Seal)

(Corporate Name)

By: Veronica C. Montgomery
VERONICA C. MONTGOMERY, Vice President

Attest: _____
Secretary

STATE OF IDAHO)
COUNTY OF ADA)

On this 29th day of March, in the year of 1999, before me, the undersigned, a Notary
Public in and for said State, personally appeared VERONICA C. MONTGOMERY

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

KERENSA MAJERUS
NOTARY PUBLIC
STATE OF IDAHO

Signature: Kerensa Majerus

Name: KERENSA MAJERUS

(type or print)

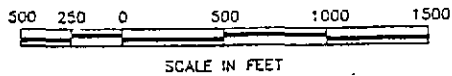
Residing at: BOISE, ID

My Commission Expires: 01/09/03

PLAT OF NIBLER SUBDIVISION

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

1992



UNPLATTED

UNPLATTED

OF THIS PLAT

FORMER CENTER 1/4
FIND ALLUMINUM CAP
C.P. & F. NO. 8118242

SET NEW 1/4 CORNER
C.P. & F. NO. 9202298

UNPLATTED

NOT

LIMITS
(January, 1990)

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

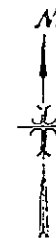
CENTERLINE SEWER EASEMENT DATA

LINE	BEARING	DISTANCE
1	N 49° 30' 38" E	201.22
2	N 68° 41' 44" E	399.22
3	N 66° 13' 01" E	352.63
4	N 62° 32' 38" E	376.17
5	N 24° 27' 09" E	403.16
6	N 22° 46' 35" E	418.97
7	N 45° 03' 23" E	285.53

- NOTE:**
- All lots are hereby designated to
ment for public utilities, drainage
rights over the ten (10) feet of
This easement shall not produce
surfaced driveway and roadway.
Building setback dimensions in
to the applicable zoning require
Ada County, Idaho in effect at
building permit.
 - Any redivision of this plat
Zoning regulations in effect at
This subdivision is not in an
water will not be provided to
5. Restricted Access: Except for
and 3, Block 2, no lots in the
primary access to N. 36th Way,
specifically approved by the AOC
restricted access shall not prevent
maintenance equipment from
6. No new separate principle stru
this subdivision unless specific
This restriction shall not be o
of minor accessory or mainten
dwellings or the golf course, or
are obtained.
 - All new development with
requirements of the Boise
and Chapter 70 of the
8. Except for accessory
any new development, all
improvements to Ada County
36th Way, both adjacent to the
southwestern of the proposed
the plat.
 - Lots 1 and 3, Block 2 are
to the Northwest Boise Sewer
10. All lots fronting N. 36th Way
temporary construction easeme
widening and improvement of
cease to exist upon the compl
easement shall be of varying
action of safe roadway slopes
to one (1) vertical.

LEGEND

- Initial Plat
- Found Br
- Found
- Set 5/8"
- Set 1/2"
- Found S
- Found
- Boundary
- Section
- 1/4 Sect
- 1/16 Sect
- Easement



BASIS OF BEARING

CITY PARK



Insurance Company

Date: July 12 2005

To: Vicky Music
Idaho Dept of Water Resources

From: Bob Donnelly
Phone: 368 3134
Email: bdonnelly@micron.com

Subject: Water Rights in Stewart Gulch/Quail Hollow

Vicky, I've enclosed the following

1. 63 - 2103B. I deleted the original green Place of Use on your map and added a red place of use for the homestead in the 4600 block of N 36th St that was torn down and will be rebuilt. The use was for domestic use and irrigating a small yard.
2. 63 - 2103A. I completed the Notice of Error Reply to state this right, which is from the same spring as 2103B has been in continuous use for domestic use at my home at 4705 N 36th St.
3. 63 - 21875, 4037, 9758. I completed a change of ownership form and attached the warrantee deed and map of showing Quail Hollow Golf Course. Please let me know if there is any problem with these rights numbers correlating with those you show for Quail Hollow/Van Croft.
4. The rights are shown in my name but as you can see, the Golf Course and the property with the 2103B rights are owned by Bluegrass LLC, of which I am the sole owner. If I need to re-file these in the name of Bluegrass, please let me know.

Thanks,

Bob Donnelly

OK Am - not
clerk
63-9758
63-4037
63-21875

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-21875
Date Received: 3/28/1990
Receipt No: W011756
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: MAR 15, 1943

3. Source: STEWART GULCH Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	02E	28	NW	NW	NE		ADA

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.670		

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

8. Total consumptive use is 192.5 Acre Feet Per Annum.

9. Non-irrigation uses:
SEE REMARKS

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	02E	21	SE	SW		IRR	5.0
			NW	SE		IRR	10.0
			SW	SE		IRR	10.0

A63-21875

Page 1

Date: 08/17/90

MICROFILMED

SEP 08 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	25.0
		28	NW	NE	IRR	10.0
			SW	NE	IRR	5.0
			NE	NW	IRR	10.0
			SE	NW	IRR	5.0
					Section Acres	30.0
					Total Acres	55.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
63-04037 & 63-09758

14. Remarks:

DESCRIP. OF DIVERT. WORKS: PUMP W/3" INTAKE & 3" OUTFLOW TO POND THEN PUMPED THOROUGH SPRINKLER SYSTEM TO IRRIGATE (NOW QUAIL HOLLOW GOLF COURSE). AESTHETIC USE OF PONDS IS PART OF SYSTEM. NON IRRIG. USES: WATER DIVERTED FROM SOURCE & STORED WATER USED FOR IRRIGATION & AESTHETICS. PONDS ARE PRESENT ALL YEAR. THUS, USES INCLUDE DIVERSION TO STORAGE (.67 CFS), IRRIGATION STORAGE, IRRIGATION FROM STORAGE, IRRIGATION, AND AESTHETICS STORAGE. PONDS APPROX. 2 A.F. BUT THIS MAY BE REVISED IF ADDITIONAL INFORMATION IS SUPPLIED.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

CHANGE IN OWNERSHIP

Page 1

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

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

[] Name and Address of Former Claimant(s): Victor L. s/o Ruth E. Niblen

4705 N. 36th

Burke ID. 83703

[✓] New Claimant(s): Vanerott Corporation

[✓] New Mailing Address: 3222 South Pass Court

Burke ID. 83705

New Telephone Number: (208) 384-0414

[✓] Does the change in ownership result in a splitting of the water right claimed? yes no

If yes, then describe the portion of the water right that is now claimed by the new owner:

For A63-02103 - all except 50% of domestic (or .02 cfs) for home & yard in SEW 5.21 goes to new owner

Other claims: A63-04037 & A63-21875 are conveyed in entirety.

[✓] Attach proof of ownership

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

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

President

Date: 6/18/90

CHANGE OF
OWNERSHIP
DOCS

RECEIVED

JUN 18 1990

Department of Water Resources
Western Regional Office

CHANGE IN OWNERSHIP

Page 2

[] Signature of Former Claimant(s): _____

Date: _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

MICROFILMED

SEP 08 1992

WARRANTY DEED

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

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

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

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

Ada County, Idaho ss

Request of

SECURITY TITLE
TIME 10:45 A.M.

DATE 6-11-90

JOHN BASTIDA
RECORDER

By

Deputy

"Grantor"

Victor L. Nibler
Victor L. Nibler

Ruth E. Nibler
Ruth E. Nibler

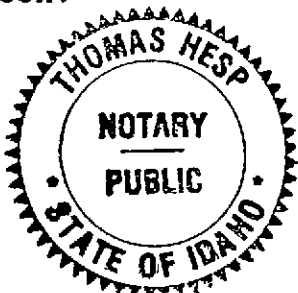
STATE OF IDAHO

County of Ada

ss.

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

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



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

MICROFILMED

SEP 08 1992

EXHIBIT A

DESCRIPTION OF PROPERTY

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

Commencing at the Quarter corner common to Section 28 and 29, T. 4N, R. 2E, B.M.; thence

South 89°53' East 50 feet to the REAL PLACE OF BEGINNING; Thence

North 497.3 feet; thence

North 8°58'40" East 464.16 feet; thence

North 43°06' East 870.8 feet; thence

South 58°14' East 1632.0 feet; thence

South 39°23' West 951.72 feet; thence

North 89°53' West 1451.2 feet to the REAL PLACE OF BEGINNING. A parcel of land containing 50.58 acres, more or less. (SEE WARRANTY DEED, Instrument No. 404319, December 6, 1956.)

And further excepting therefrom the following:

Commencing at the Quarter corner common to Section 28 and 29, T. 4N, R. 2E, B.M.; thence

North along the Section line 898.2 feet to an iron pin, the REAL PLACE OF BEGINNING; thence

North 301.3 feet to an iron pin; thence

South 46°54' East 205.9 feet to an iron pin; thence

South 43°06' West 220.0 feet to the PLACE OF BEGINNING. A parcel of land containing 0.52 acres, more or less. (SEE WARRANTY DEED, Instrument No. 506934, July 10, 1961.)

And further excepting therefrom the following:

Commencing at the Southwest corner of the Northwest 1/4 of Section 28, T. 4N, R. 2E, B.M.; thence

North 00°30'30" East along the West Section Line of said Section 28, a distance of 87.38 feet to a point, also said point being the REAL POINT OF BEGINNING; thence

South 53°30'30" East, a distance of 9.28 feet to a point; thence

South 40°45'40" East, a distance of 64.43 feet to a point; thence

North 0°30'30" East, a distance of 463.69 feet to a point; thence

North 09°30'12" East, a distance of 464.17 feet to a point; thence

North 43°37'00" East, a distance of 870.80 feet to a point; thence

North 46°23'00" West, a distance of 50.23 feet to a point; thence

South 43°37'00" West, a distance of 996.51 feet to a point; thence

South 00°30'30" West, a distance of 810.82 feet to the REAL POINT OF BEGINNING.

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

And further excepting therefrom the following:

Commencing at the Brass Cap marking the Southwest corner of the North 1/2 of Section 28, T. 4N, R. 2E, B.M.; thence South 89°39'23" East 4034.27 feet along the Southerly boundary of the said North 1/2 of Section 28 to an iron pin marking the Southeast corner of the West 1/2 of the Northeast 1/4 of the said Section 28; thence North 00°01'58" East 2644.81 feet along the Easterly boundary of the said West 1/2 of the Northeast 1/4 of Section 28 to an iron pin, marking the Southeast corner of the West 1/2 of the Southeast 1/4 of the said Section 21; thence North 68°49'12" West 1498.94 feet to a point, also said point being the REAL POINT OF BEGINNING; thence North 77°41' East 162.90 feet to a point; thence South 24°14' East 163.90 feet to a point; thence South 09°44' East 116.70 feet to a point; thence South 25°51' East 66.40 feet to a point; thence South 32°30' West 45.10 feet to a point; thence South 82°13' West 64.70 feet to a point; thence South 76°23' West 83.60 feet to a point; thence South 84°38' West 74.61 feet to a point; thence South 72°11' West 161.01 feet to a point; thence North 02°37'32" West 280.03 feet to a point; thence North 45°31' East 189.06 feet to the POINT OF BEGINNING. A parcel of land containing 2.4039 acres, more or less. (SEE WARRANTY DEED, Instrument No. 8742940.)

And further excepting therefrom the following:

NIBLER'S 4 ACRE HOMESITE

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

EXHIBIT B

PERMITTED EXCEPTIONS

1. Taxes and assessments for the year 1990 and subsequent years.
2. Reservations in U.S. Patent recorded in Book 1 of Patents at Page 60, Book 4 of Patents at Page 5, Book 6 of Patents at Page 78, Book 6 of Patents at Page 104, Book 6 of Patents at Page 112, as follows: "Subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with local customs, laws and decisions of Courts, and also subject to the rights of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law ... and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States."
3. Power line easement as granted by Frank Dobson and Lulu B. Dobson, his wife to Idaho Power Company, a corporation, by instrument recorded September 19, 1930, in Book 12 of Miscellaneous at Page 437, as Instrument No. 141535, of Official Records; including the right from time to time to cut, trim, and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation, or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system. The exact location and extent of said easement is not disclosed of record.
4. Power line easement as granted by Frank Dobson and Lulu B. Dobson, his wife to Idaho Power Company, a corporation, by instrument recorded February 27, 1931, in Book 12 of Miscellaneous at Page 547 as Instrument No. 143612, of Official Records; including the right from time to time to cut, trim, and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation, or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system. The exact location and extent of said easement is not disclosed of record.
5. Power line easement as granted by Western Loan & Investment Co. to Idaho Power Company, a corporation, by instrument recorded March 18, 1939, in Book 16 of Miscellaneous at Page 223, as Instrument No. 188931, of Official Records; including the right from time to time to cut, trim, and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation, or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system. The exact location and extent of said easement is not disclosed of record.

MICROFILMED

SEP 08 1992

6. Easement as granted by Victor L. Nibler and Ruth E. Nibler to The Mountain States Telephone and Telegraph Company by instrument recorded March 2, 1967, as Instrument No. 659097, of Official Records; for operation, maintenance and repair of its lines. The exact location and extent of said easement is not disclosed of record.
7. An easement for the purpose shown below and rights incidental thereto as contained in a document.
Purpose: sewer and water lines and other utility facilities, whether above ground or underground and a road and related improvements providing public ingress to and egress from

Recorded: August 23, 1978

Instrument No.: 7845243 of Official Records
The exact location and extent of said easement is not disclosed of record.
8. An easement for the purpose shown below and rights incidental thereto as contained in a document.
Purpose: access and utilities

Recorded: July 24, 1987

Instrument No.: 8742940 of Official Records
The exact location and extent of said easement is not disclosed of record.
9. Power line easement as granted by Victor L. Nibler and Ruth E. Nibler, his wife to Idaho Power Company, a corporation, by instrument recorded October 1, 1987, as Instrument No. 8755532, of Official Records ... including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system.
10. Power line easement as granted by Victor L. Nibler and Ruth E. Nibler, his wife to Idaho Power Company, a corporation, by instrument recorded November 18, 1983, as Instrument No. 8362310, of Official Records ... including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system.
11. An easement for the purpose shown below and rights incidental thereto as contained in a document.
Purpose: locating, establishing, constructing,

MICROFILMED

SEP 08 1992

maintaining, repairing, and operating
underground sanitary sewer lines

Recorded: January 14, 1988

Instrument No.: 8802157 of Official Records

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

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

MICROFILMED

SEP 08 1992

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-21875
Date Received: 3/28/1990
Receipt No: W011756
Received By: DE AL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VICTOR L. NIBLER 208-342-6333
Address: 4705 N. 36TH
BOISE, ID 83703

AND/OR

Name: RUTH E. NIBLER 208-342-6333
Address: 4705 N. 36TH
BOISE, ID 83703

2. Date of Priority: MAR 15, 1943

3. Source: STEWART GULCH Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	02E	28	NW	NW	NE		ADA

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.670		

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

8. Total consumptive use is 192.5 Acre Feet Per Annum.

9. Non-irrigation uses:
SEE REMARKS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	02E	21	SE	SW		IRR	5.0
			NW	SE		IRR	10.0
			SW	SE		IRR	10.0
			Section Acres				25.0
		28	NW	NE		IRR	10.0
			SW	NE		IRR	5.0
			NE	NW		IRR	10.0
			SE	NW		IRR	5.0
			Section Acres				30.0
			Total Acres				55.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
63-04037 & 63-09758

14. Remarks:

DESCRIP. OF DIVERT. WORKS: PUMP W/3" INTAKE & 3" OUTFLOW TO POND THEN PUMPED THOROUGH SPRINKLER SYSTEM TO IRRIGATE (NOW QUAIL HOLLOW GOLF COURSE). AESTHETIC USE OF PONDS IS PART OF SYSTEM. NON IRRIG. USES: WATER DIVERTED FROM SOURCE & STORED WATER USED FOR IRRIGATION & AESTHETICS. PONDS ARE PRESENT ALL YEAR. THUS, USES INCLUDE DIVERSION TO STORAGE (.67 CFS), IRRIGATION STORAGE, IRRIGATION FROM STORAGE, IRRIGATION, AND AESTHETICS STORAGE. PONDS APPROX. 2 A.F. BUT THIS MAY BE REVISED IF ADDITIONAL INFORMATION IS SUPPLIED.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

Fees

Steve Loster
IDWR
3/21/90

334-2190

① A63-02103 CLAIM

IRRIG 5 ac. - 4 acres paid*, owe \$1
Domestic 2 homes - no fee

For claim = \$50
Late fee = \$50
acre fee = \$1
TOTAL \$101

② Stewart gulch grandfather irrig claim

irrig 55 ac. - 30 acres paid*, owe \$25

For claim = \$50
Late fee = \$50
acre fee = \$25
TOTAL \$125

A63-21875

③ GOW well irrig claim

irrig. 5 acres - owe \$5 for acres

For claim = \$50
Late fee = \$50
acre fee = \$5
TOTAL 105

MICROFILMED

SEP 08 1992

* in old golf course (N. 31st) well A63-04037

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: A63-39576-21875
Ident. Number
Date Received 3/28/90
Receipt Number W011756

Fee
see attached
note
pl

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

Please type or print clearly

1. Name of Claimant (s) Victor L. &/or Ruth E. Nibler Phone () 342-6333
Mailing Address 4705 N. 36th Boise ID Zip 83703

2. Date of Priority (Only one (1) per claim) 3/15/1943

3. Source of water supply (a) Stewart gulch
which is tributary to (b) Boise River

4. a. Location of existing point of diversion is: Township 4N Range 2E Section 28,
NW 1/4 of NW 1/4 of NE 1/4, Govt. Lot, — B.M., County of ADA

Additional points of diversion if any: —

b. If instream flow, beginning point of claimed instream flow is:

Township — Range — Section —, — 1/4 of — 1/4 of — 1/4,

Govt. Lot — B.M., County of —

ending point is: Township — Range — Section —, — 1/4 of — 1/4 of

— 1/4, Govt. Lot — B.M., County of —

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.

Pump with 3" intake & 3" outflow to ponds, then
pumped through sprinkler system to irrigate (now Quail
Hollow Golf Course). Aesthetic use of ponds is part
of system.

MICROFILMED

SEP 08 1992

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 3/15 to 11/15 amount .67 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .67 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 192.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) See Remarks

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4N	2E	21												5		10	10		25
		28		10	5		10			5									30

Total number of acres irrigated 55

11. In which county (ies) are lands listed above as place of use located? Ads

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
63-04037 & 63-09758 or None ()

14. Remarks: Water diverted from source & stored. Stored water used for irrigation & aesthetics. Ponds are present all years. Thus, we include diversion to storage (≤ .67 cfs), irrigation storage, irrigation farm storage, irrigation, and aesthetics storage. Ponds approx. 2 A.F. but this may be revised if additional information is supplied.

MICROFILMED

SEP 08 1992

Last Name Niblen Ident No. A63-21875

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice ☐ License ☐ Permit ☐
Decree ☐
If applicable provide IDWR Water Right Number N/A
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ☐ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

* Signature of Claimant (s) Victor L. Hibler X Date 3/28/90
Date _____

For Organizations: I do solemnly swear or affirm that I am _____

_____ Title
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 28 day of March 19 90

SEAL

Notary Public Keri Harris

Residing at Boise, Idaho

My Commission Expires 12-8-94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED

SEP 08 1992

Last Name Nister Ident. Number A63-21875

Copies White-State, Yellow-Claimant



In Re SRBA
Case No. 39576

(Insert water right number
From the Objection Form)

Please print or type the following information:

Name: Edwards Family LLC
Address: 4106 Sand Creek Street
Boise, Idaho 83703
Daytime Phone: (208) 342-7548

Name: The Terteling Co. Inc.
Address: 3823 North 36th Street
Boise, Idaho 83703

D. I am responding to the objections to the following elements. (Please check the appropriate box(es))

1. ☐ Name and Address
2. ☐ Source
3. ☐ Quantity
4. ☒ Priority Date
5. ☐ Point(s) of Diversion
6. ☐ Instream Flow Description
7. ☐ Purpose(s) of Use
8. ☐ Period of Year
9. ☒ Place of Use
11. Recommendation
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. VERIFICATION (Must be Completed)

State of Idaho)
County of Ada) ss:

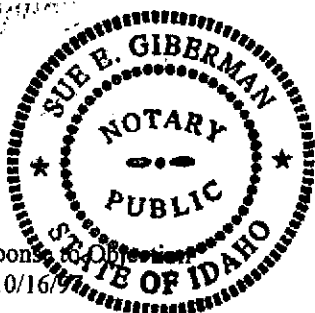
Dana L. Hofstetter duly sworn, upon oath, deposes and says:
(Name of person filing response)

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

(Signature of person filing response)

Dana L. Hofstetter
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: June 23, 2006



Sue E. Giberman
Notary Public for the State of Idaho
Residing at: Boise Idaho
My Commission Expires: 2-25-09

INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, 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.

F. CERTIFICATE OF MAILING

I certify that on June 23, 2006, I caused to be hand delivered the original and caused to be mailed copies of this response, 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: Bluegrass LLC
Address: 4705 North 36th Street
Boise, Idaho 83703

Scott L. Campbell & Andrew J. Waldera
Moffatt Thomas
P.O. Box 829
Boise, Idaho 83701-0829

3. One copy to the party who filed the objection. at the following address:

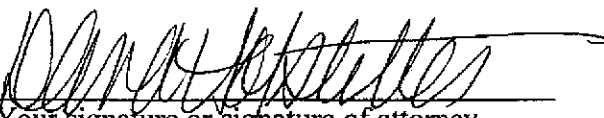
Name: Charles L. Honsinger
Address: Ringert Clark Chartered
P.O. Box 2773
Boise, Idaho 83701

4. Copies to:

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

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

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


Your signature or signature of attorney
mailing on your 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 63-21875

(Insert water right no.)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: THE TERTELING CO INC.

Address: 3823 North 36th Street
Boise, Idaho 83703

Daytime Phone: 208 338-5200

Name & Address of Attorney, if any:

Charles L. Honsinger
Ringert Clark Chartered
P.O. Box 2773
Boise, ID 83701

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

Name: ROBERT M. BLUEGRASS, LLC

Address: 4705 N. 36TH
Boise, Idaho 83703

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

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☒ **Priority Date**
Should be: As can be established through competent evidence
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: Combined use remarks must be consistent between this right and right no. 63-04037.
10. ☐ **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION (S):** There is insufficient evidence to establish the priority date recommended.

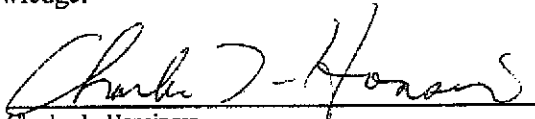
F.

VERIFICATION (must be completed)

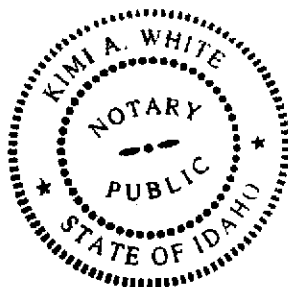
State of Idaho)
) ss.
County of Ada)

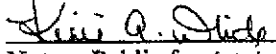
Charles L. Honsinger, duly sworn, upon oath, deposes and says:

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.


Charles L. Honsinger

Subscribed and sworn to before me on: April 19, 2006




Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: October 10

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will no be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on April 20, 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
PO Box 2707
Twin Falls, ID 83303-2707

2.

One copy to the Claimant of the water right at the following address:

Name: ROBERT M. BLUEGRASS, LLC

Address: 4705 N. 36TH
Boise, Idaho 83703

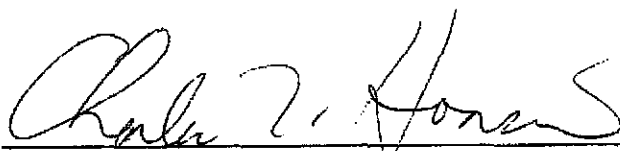
3.

Copies to:

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

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

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



Signature of Objector or attorney
mailing on Objector's behalf

10/14/2005

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

RIGHT NUMBER: 63-21875

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

SOURCE: STEWART GULCH CREEK

TRIBUTARY: BOISE RIVER

QUANTITY: 0.380 CFS

This right when combined with Right Nos. 63-4037 and 63-9758 shall provide no more than .02 cfs per acre.

PRIORITY DATE: 03/15/1943

POINT OF DIVERSION:

T04N R02E S28 NWNE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.380 CFS

PLACE OF USE: IRRIGATION Within ADA County

T04N R02E S21	NWSE	1.7	T04N R02E S21	SWSE	10.0
T04N R02E S28	NWNE	4.5	T04N R02E S28	NENW	10.0
T04N R02E S28	SENE	5.0			

31.2 ACRES TOTAL

Right Nos. 63-4037, 63- 9758 and 63-21875 are limited to the irrigation of a combined total of 110 acres in a single irrigation season.

Right Nos.63-4037 and 63-21875 are limited to the irrigation of a combined total of 82.7 acres in a single irrigation season.

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

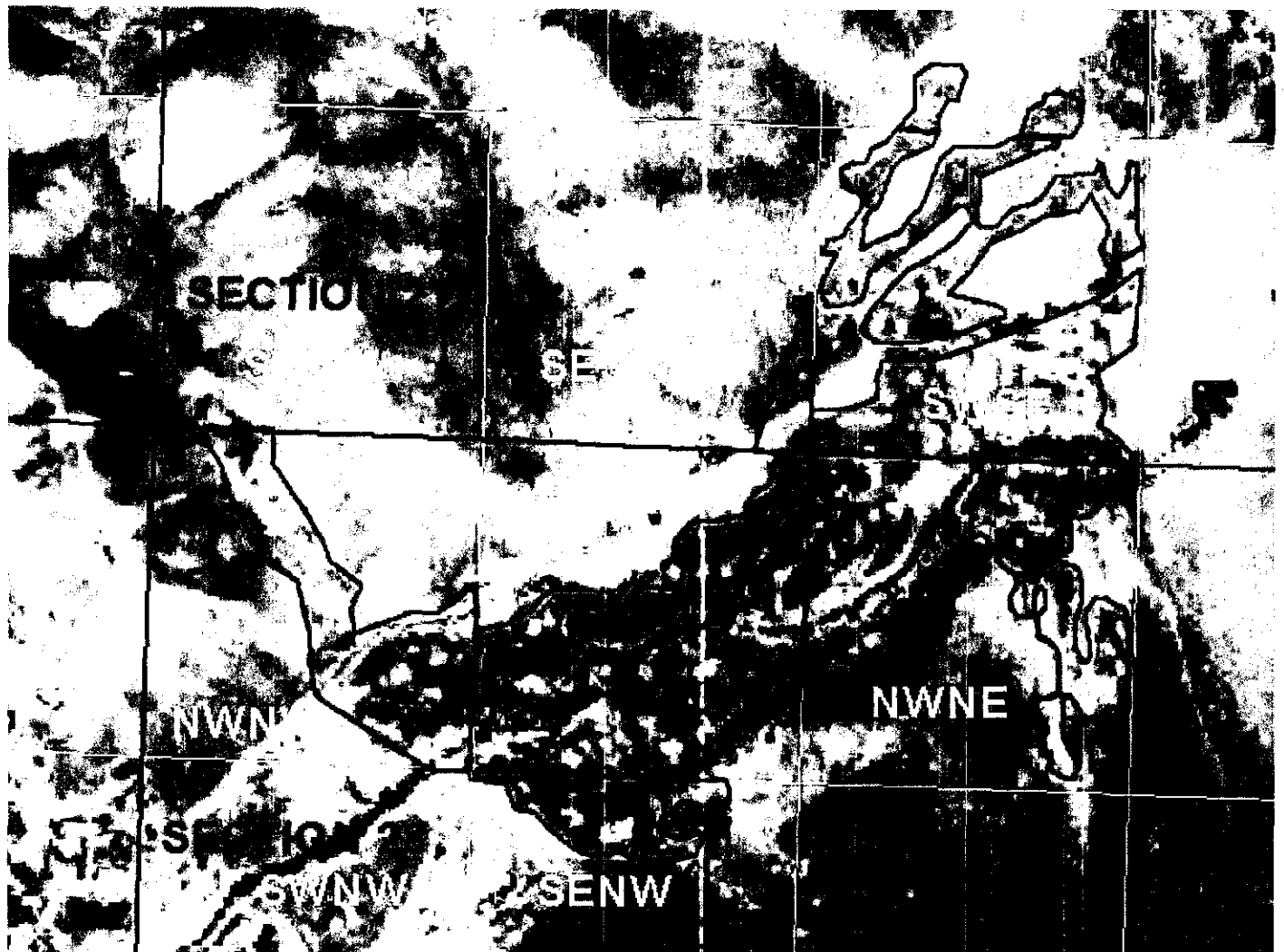
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

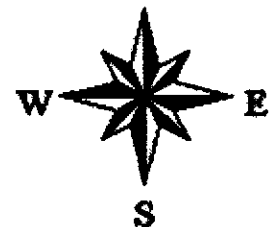


State of Idaho
Idaho Department of Water Resources
Western Region

T4N R2E SECTIONS 21 and 28
Water Right(s) : 63-4037 and 63-21875



1320 0 1320 2640 Feet



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

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

October 14, 2005

Bluegrass LLC
Robert M. Donnelly
4705 N. 36th
Boise, ID 83703

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Re: Notice of Claim to a Water Right No. 63-21875, 63-2103A

Dear Claimant(s):

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

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

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

Sincerely,

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 26, 2005

BLUE GRASS LLC
2748 WAGONWHEEL CT
CARROLLTON TX 75006

RE: NOTICE OF CLAIM NO(S): A63-4037, 63-21875

Dear Claimant(s):

We are currently preparing the Notice(s) of Claim referenced above for the Director's Report in the Snake River Basin Adjudication. Our research indicates there may have been a change in the ownership for the above claim(s). IDWR records currently show the following name and address as the owner of the claim(s) listed above:

**VANCROFT CORP
3222 S PASS CT
BOISE ID 83705**

If our current records, as listed above, are not correct please complete the enclosed Change in Ownership form, as appropriate, to correct our records.

If no response is received from you, all further legal notices concerning the claim(s) will be sent to the name and address shown above. If you have claims other than those referenced here, please contact the Department so we may assist you in updating the information for all your claims. Should you have any questions, or feel that you need assistance, please contact IDWR at (208) 334-2190.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region

LH:1
Enclosures

STATE OF ID
DEPARTMENT OF
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESSEE
UNKNOWN

AK

Not AT
3222 E. South Pass

2
~~VANCROFT CORP
3222 S PAIS COURT
BOISE ID 83705~~

63-4037

63-21875

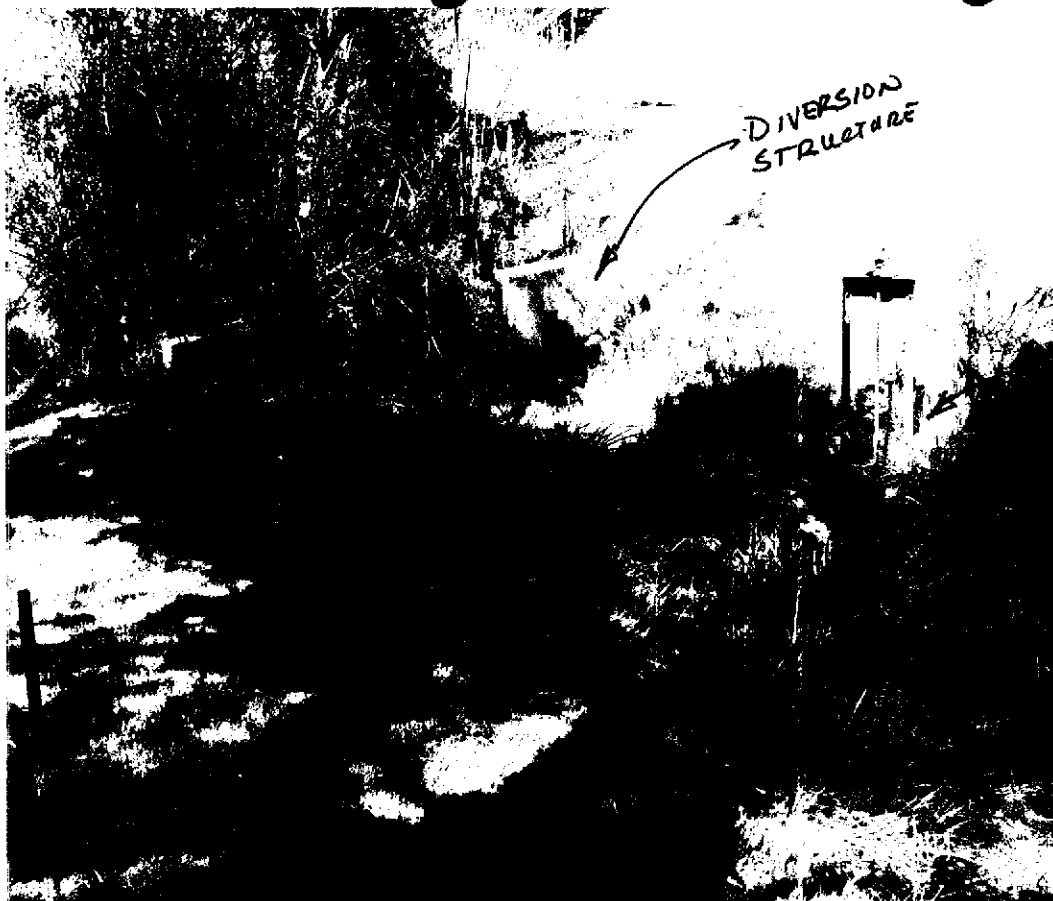
Blue Grass LLC
2748 Wagonwheel Ct
Carrollton TX 75006

RECEIVED

JUN 13 2005

WATER RESOURCES
WESTERN REGION

ADDRESS SERVICE
REQUESTED



DIVERSION
STRUCTURE

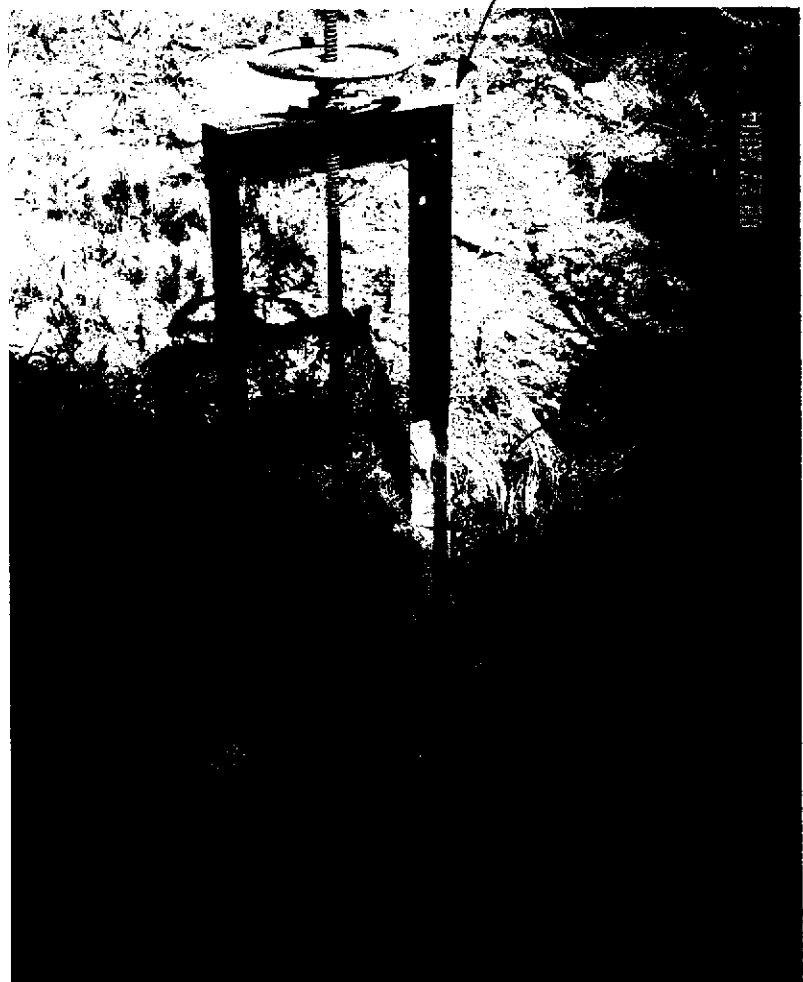
POD
FROM STEWART GULCH

LOOKING WEST

63-21875

Labels

~~CONTROL~~
HEADGATE @
POD



153065?



LOOKING SOUTH NEAR P.O.D



LOOKING NORTH NEAR P.O.D

63-21815



LOOKIN SOUTH EAST ABOVE P.O.D

05/28/2005

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

RIGHT NUMBER: 63-21875

NAME AND ADDRESS: VANCROFT CORP
3222 S PASS COURT
BOISE ID 83705

SOURCE: STEWART GULCH CREEK

TRIBUTARY: BOISE RIVER

QUANTITY: 0.380 CFS

This right when combined with Right Nos. 63-4037 and 63-9758 shall provide no more than .02 cfs per acre.

PRIORITY DATE: 03/15/1943

POINT OF DIVERSION:

T04N R02E S28 NWNE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.380 CFS

PLACE OF USE: IRRIGATION Within ADA County

T04N R02E S21	NWSE	1.7	T04N R02E S21	SWSE	10.0
T04N R02E S28	NWNE	4.5	T04N R02E S28	NENW	10.0
T04N R02E S28	SENE	5.0			

31.2 ACRES TOTAL

Right Nos. 63-4037, 63- 9758 and 63-21875 are limited to the irrigation of a combined total of 110 acres in a single irrigation season.

Right Nos.63-4037 and 63-21875 are limited to the irrigation of a combined total of 82.7 acres in a single irrigation season.

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: Beneficial Use

MEMORANDUM TO CLAIM FILE

TO: CLAIM FILE NO. 63-21875

FROM: VICKY L MUSIC, WATER RESOURCE AGENT, IDWR / WESTERN
REGION

SUBJECT: BASIS FOR RECOMMENDATION

DATE: 3/22/2005

CC:

This is a beneficial use claim was filed in 1990 by Victor Nibler. It is for the same pou as 63-4037 and 63-9758, located on the Quail Hollow Golf Course. Victor Nibler filed the claim for 55 acres irrigation at 0.01 cfs per acre, total Q of .67 cfs, with a priority date of 1943. The right was subsequently conveyed to Vancroft. The pou was developed as a golf course by Tee Ltd – not sure when. The golf course appears to be owned by Bluegrass LLC but no change of ownership has been filed with IDWR.

The claimed use is irrigation but the claimant added in comments that aesthetics, aesthetic storage, irrigation storage and irrigation from storage are also uses.

Issues – there are several discrepancies between 63-4037, a statutory claim filed in 1969 for irrigation for 60 acres, and this claim, filed in 1990, for 55 acres of essentially the same pou. This claim was filed in the SRBA in 1989. Its overlap 63-4037 was first filed as a statutory claim in 1969 and overlap 63-9758 was licensed in 1993 with a 6/30/1981 priority date.

1 – Priority Date

A request was made in writing and verbally for evidence of priority for the 1943 date. None was provided. However, I can see from the 1939 aerial that the pou was irrigated. I will recommend the 1943 priority date.

2 – Place of use

Nibler claimed 55 of nearly the same acres as the 60 acres claimed in 63-4037. I reviewed aerial photos from 1939, 1964 and 1987 to try to determine the original place of use. Here is a comparison of acres claimed per claim and acres found in 1987 aerial.

Claim no 63-4037
Acres claimed/
Recommended

Claim no. 63-21875
acres claimed / rec

1987 aerial
acres irrigated

Section 21

SESW	10/1.3	5/0	none
NWSE	none/none	10/1.7	<2
SWSE	10/10 (4)	10/10	most of QQ

Section 28

NWNE	15/15	10/4.5	>20 - estimated
SWNE	none/none	5/0	none
NENW	5/5	10/10	20 - estimated
NWNW	20/12.1 16-2	none/none	16
SENE	none/none	5/5	5

Total 43.4 51.5 31.5 = 74.9 ACRES

Quantity

63-7456 = combined acres

Claims 0.67 cfs for the 55 acres, or 0.01 cfs per acre. Between the 2 claims, 63-4037, 80 acres are claimed. Because 63-4067 was filed as a statutory claim in 1969 and then an SRBA claim in 1989, I give it more credence as to stating the location of the acres irrigated.

I may recommend an additional 10 - 15 acres but will limit the total combined acres of the 2 beneficial use claims to 0.02 cfs per acres.

Uses

Only irrigation claimed, though, based on the comments in the original claim, I think the claimant intended to claim the ponds and storage uses. I see no evidence in the aerials that the ponds were used for aesthetics in 1943. Will only recommend additional acres for irrigation. The ponds are licensed under 63-9758.

VLM

MEMORANDUM TO BURKE SCHOLER

TO: IDWR CONTRACTOR, BURKE SCHOLER
FROM: VICKY L MUSIC, WATER RESOURCE AGENT, IDWR / WESTERN REGION
SUBJECT: FIELD EXAM FOR BENEFICIAL USE CLAIM NO. 63-21875
DATE: 8/19/2004
CC: CLAIM FILE

Burke, this claim is an overlap of 63-4037 [statutory claim – file also included for you to conduct field exam] and licensed rights 63-9758 and 63-2103. Place of use is the Quail Hollow Golf Course, 4520 N. 36th Street, Boise, ID.

Will you please conduct a beneficial use field exam for this claim? Information I need:

- 1 - Please verify each element of this beneficial use claim, and locate the point of diversion and the place of use on the enclosed map.
- 2 - Get evidence of the 1943 priority date.
- 3 - It appears from the Idaho Secretary of State that the Vancroft Corp. [owner of record for this right] has dissolved. I am not sure if this is the new owner but he purchased adjacent property from Vancroft Corp. Please verify address/ phone # of owner and give new owner the enclosed change of ownership form.

Robert Donnelly
4705 N 36th
Boise, ID 83703
344-6397

Another contact, for access to the Golf Course, is :
David Hendrickson. dba Quail Hollow Golf Course, 4520 N. 36th Street , Boise, ID 83703, 344-7807

Please have the owner forward evidence of the priority date and the change of ownership form directly to me as soon as is reasonably possible.

Thanks !

Per Burke - Mr. Donnelly became irritated when asked about this claim and stated he had done all the changes of ownership for property/claims he bought from miners / Vancroft. *cc*



Looking South near P.O.D.



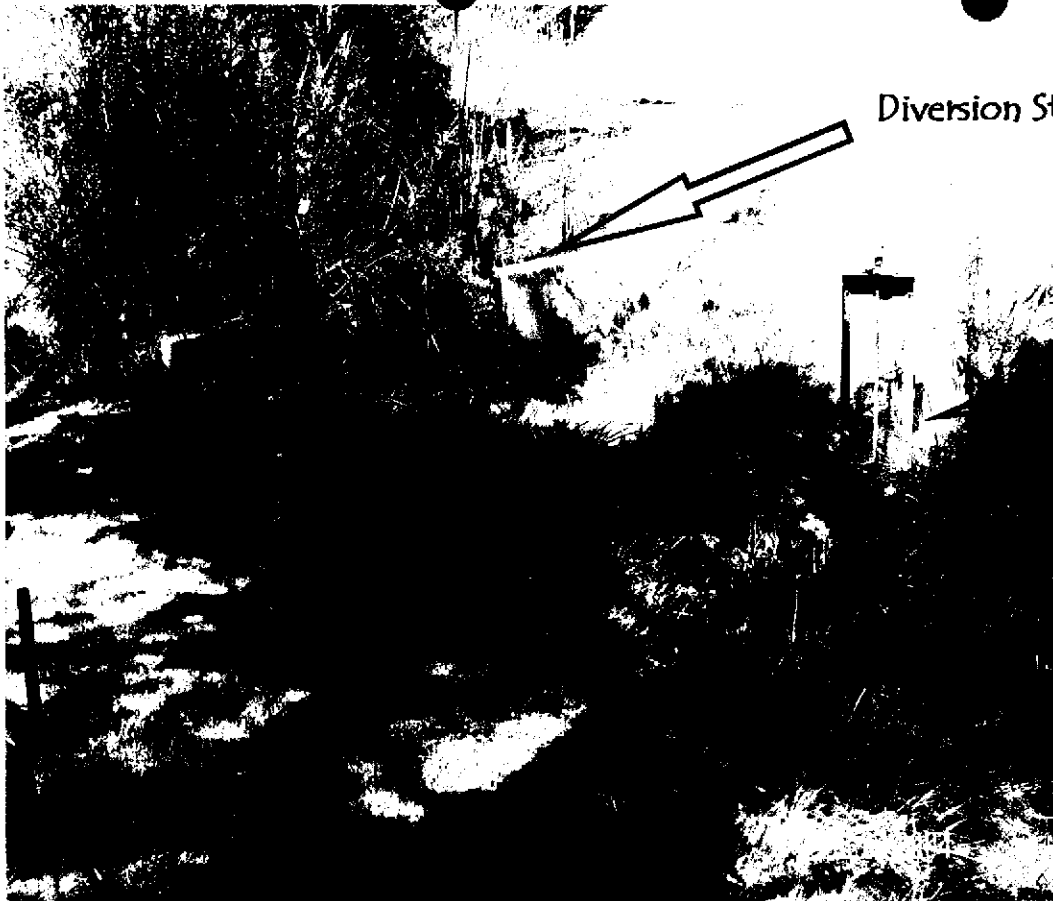
Looking North near P.O.D.

63-21875



P.O.D.

Looking South East above P.O.D.



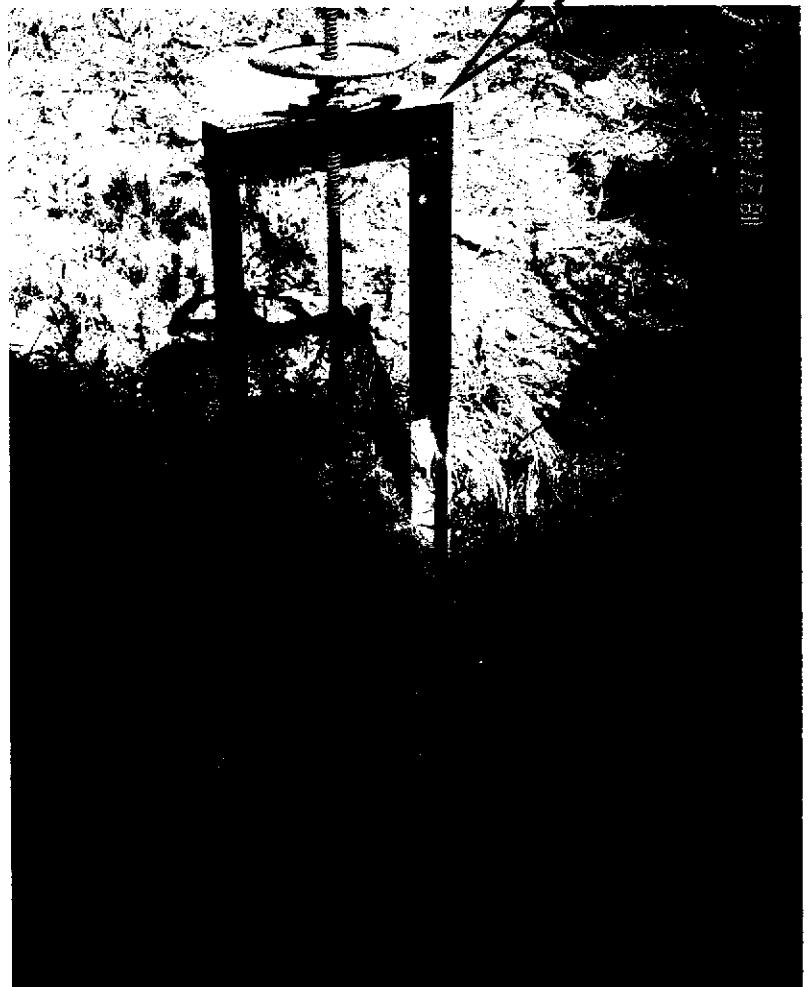
Diversion Structure

POD
From Stewart Gulch

Headgate at POD

Looking West

63-21875



212



ARTICLES OF DISSOLUTION

(General Business and Professional Corporations)

To the Secretary of State of Idaho
Pursuant to Title 30, Chapter 1 and 13, Idaho Code, the
undersigned corporation has elected to dissolve.

FILED/EFFECTIVE
01 SEP 17 AM 9:33
SECRETARY OF STATE
STATE OF IDAHO

- 1 The name of the corporation is: VANCROFT CORPORATION
- 2 The date the dissolution was authorized is: 08/26/01
- 3 The dissolution was approved by the shareholders as follows.
 - a) The number of shares entitled to vote: 6,667
 - b) The number voting for dissolution: 6,667
 - c) The number voting against dissolution: -0-
4. (optional) The dissolution shall be effective on _____
(The articles will be effective on the date filed with the Secretary of State, unless a future date is specified.)

Dated: 08/26/01
Signature: Veronica C. Montgomery
Typed Name: Veronica C. Montgomery
Capacity: President/ Sole Shareholder
Telephone: (435) 884-1398

Customer Acct # _____
(if using pre-paid account)
Secretary of State use only

509-600-1234, ext. 365
Revised 1/2007

IDAHO SECRETARY OF STATE
09/17/2001 05:00
OK: 1285 CT: 151348 SH: 419452
1 @ 30.00 = 30.00 PROF 01550 0 2

c90610

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-21875

WATER RIGHT NUMBER: 63-21875

Owner Type Name and Address
Current Owner VANCROFT CORP
3222 S PASS COURT
BOISE, ID 83705
(208)384-0414
Original Owner RUTH E NIBLER
4705 N 36TH
BOISE, ID 83703
(208)342-6333
Original Owner VICTOR L NIBLER
4705 N 36TH
BOISE, ID 83703
(208)342-6333

Priority Date: 03/15/1943
Basis: Beneficial Use
Status: Active

Source Tributary
STEWART GULCH CREEK BOISE RIVER

Beneficial Use From To Diversion Rate Annual Volume
IRRIGATION 3/15 to 11/15 0.670 CFS
Total Diversion: 0.670 CFS

Location of Point(s) of Diversion

STEWART GULCH CREEK NW1/4NW1/4NE1/4 Sec. 28, Twp 04N, Rge 02E, B.M.
ADA County

Place of UseIRRIGATION Within ADA County

T04N R02E S21	SESW	5.0	T04N R02E S21	NWSE	10.0
T04N R02E S21	SWSE	10.0	T04N R02E S28	NWNE	10.0
T04N R02E S28	SWNE	5.0	T04N R02E S28	NENW	10.0
T04N R02E S28	SENE	5.0			

Total Acres: 55
Conditions of Approval:
Remarks:

1. General

DESCRIP. OF DIVERT. WORKS: PUMP W/3" INTAKE & 3" OUTFLOW TO POND THEN PUMPED THOROUGH SPRINKLER SYSTEM TO IRRIGATE (NOW QUAIL HOLLOW GOLF COURSE). AESTHETIC USE OF PONDS IS PART OF SYSTEM. NON IRRIG. USES: WATER DIVERTED FROM SOURCE & STORED WATER USED FOR IRRIGATION & AESTHETICS. PONDS ARE PRESENT ALL YEAR. THUS, USES INCLUDE DIVERSION TO STORAGE (.67 CFS), IRRIGATION STORAGE, IRRIGATION FROM STORAGE, IRRIGATION, AND AESTHETICS STORAGE.
PONDS APPROX. 2 A.F. BUT THIS MAY BE REVISED IF ADDITIONAL INFORMATION IS SUPPLIED.

duety of water based on
the claim = .012 cfs/ac
(.012)(31.2 ac) =
.38 cfs

60 acres of ir. claimed
for 63-4037 --
some difference in
acres.

no
nibler
?

combined w/ 4037
74.6 ac.

combined w/ 4037, 975B, limited to 110 ac.
combined w/ 4037, 975B, not do > .02 cfs (acres) 4.5

MEMORANDUM TO BURKE SCHOLER

TO: IDWR CONTRACTOR, BURKE SCHOLER
FROM: VICKY L MUSIC, WATER RESOURCE AGENT, IDWR / WESTERN REGION
SUBJECT: FIELD EXAM FOR BENEFICIAL USE CLAIM NO. 63-21875
DATE: 8/19/2004
CC: CLAIM FILE

Burke, this claim is an overlap of 63-4037 [statutory claim - file also included for you to conduct field exam] and licensed rights 63-9758 and 63-2103. Place of use is the Quail Hollow Golf Course, 4520 N. 36th Street, Boise, ID.

Will you please conduct a beneficial use field exam for this claim? Information I need:

- 1 - Please verify each element of this beneficial use claim, and locate the point of diversion and the place of use on the enclosed map.
- 2 - Get evidence of the 1943 priority date.
- 3 - It appears from the Idaho Secretary of State that the Vancroft Corp. [owner of record for this right] has dissolved. I am not sure if this is the new owner but he purchased adjacent property from Vancroft Corp. Please verify address/ phone # of owner and give new owner the enclosed change of ownership form.

Robert Donnelly
4705 N 36th
Boise, ID 83703
344-6397

Another contact, for access to the Golf Course, is :
David Hendrickson. dba Quail Hollow Golf Course, 4520 N. 36th Street , Boise, ID 83703, 344-7807

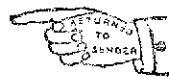
Please have the owner forward evidence of the priority date and the change of ownership form directly to me as soon as is reasonably possible.

Thanks !

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

Return Service Requested

63-2103B
4037
21875

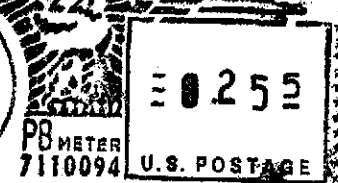


ADDRESSEE UNKNOWN
VANCROFT CORPORATION
3222 S PASS COURT
BOISE ID 83705

Found

Not for Pickett

PRESORTED
FIRST CLASS



RECEIVED

JUN 14 2002

WATER RESOURCES
WESTERN REGION

DAAGTME 53720 0098



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Date Aug. 20, 1990

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

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

Dear Claimant:

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

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

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

Sincerely,

Linda A. Werner

Linda A. Werner
Sr. Water Resource Agent

Enclosure(s)

MICROFILMED

SEP 08 1992

no claim filed or required. Proof of
b/c made in 1989.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 63-9758

WATER RIGHT NUMBER: 63-9758

Owner Type Name and Address
Current Owner DAVID HENDRICKSON
DBA QUAIL HOLLOW GOLF COURSE
4520 N 36TH ST
BOISE, ID 83703
(208)344-7807
Original Owner L T & L INC
PO BOX 108
WHITE BIRD, ID 83554
(208)839-2356

info re
outcrop
03-9758
license

Priority Date: 06/30/1981

Basis:

Status: Closed

Source Tributary
GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	1.310 CFS	495.00 AF
AESTHETIC	1/01 to 12/31		2.00 AF
	<u>Total Diversion:</u>	1.310 CFS	497.00 AF

Location of Point(s) of Diversion

GROUND WATER NW1/4NE1/4 Sec. 28, Twp 04N, Rge 02E, B.M.
ADA County
GROUND WATER NW1/4SW1/4 Sec. 28, Twp 04N, Rge 02E, B.M.
ADA County

'cold' 60 well
drilled 1986

pump
into pond &
repumping into
buried sprinkler
system. well
drilled ~ 1981

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	
04N	02E	21															4.0	31.0	35.0
04N	02E	28			16.0			31.0	17.0	11.0									75.0

Total Acres: 110

AESTHETIC same as IRRIGATION

Conditions of Approval:

1. 020 Use of water under this right may be affected by an agreement between the protestant and the right holder.

one - POD on
0106-1 permit was for 2103 well in GWSG all 21

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 63-9758

2. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
3. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Remarks:

1. General

If water levels were not monitored during 1997, the water right holder shall monitor water levels in a domestic well owned by Glen Wersch and Ellen Jones during 1998 to determine the impact of pumping from the water right holder's cold water well located in the NWSW, S28, T04N, R02E, B.M. A report of either the 1997 or 1998 monitoring results and conclusions shall be submitted to IDWR and Wersch & Jones.

IDWR may require monitoring of ground water levels Groundwater during future years if IDWR determines that monitoring is necessary to protect water rights.

The water right holder shall construct a water supply line from the cold water well to the Wersch & Jones property to supply irrigation water if the water right holder's well causes groundwater level declines that prevent Wersch & Jones from irrigating their property.

This approval does not confirm Adjudication Claim No. A63-17621, nor does it grant to Wersch & Jones the right to divert and beneficially use water from the Quail Hollow cold water well.

For purposes of administration of water rights within the cold water aquifer, Water Right No. 63-09758 will assume a priority date of March 19, 1996.

Diversion of water from the two low temperature geothermal wells located in the NWNE of S28, T04N, R02E, B.M., shall be regulated by the watermaster of State Water District No. 63S.

Approval of this application for transfer does not waive the right of the protestants to object to claims of water rights filed in the Snake River Basin Adjudication describing points of diversion also described by Water Right No. 63-09758. Approval does not foreclose IDWR's opportunity to review Water Right No. 63-09758 in the Snake River Basin Adjudication.

Diversion from the approved points of diversion shall not exceed 1.31 cfs under Water Right 63-09758. Approval of this transfer does not affect any other water rights diverted from the points of diversion.

Without any waiver or forfeiture of existing rights, the water right holder shall utilize the new cold water source as its first source of irrigation water so long as it is reasonably available. Water is not reasonably available to the water right holder if the use of the cold water source is interrupted, restricted, prohibited or limited by any actions or events beyond the control of the applicant. Water diverted under Water Right No. 63-09758 from the low-temperature geothermal source may also be used provided the use is in conformance with Water Right No. 63-09758 and pumping of the water is not prohibited by the watermaster for Water District No. 63-S.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.

It is further ordered that this order will become a final order without further action unless the Director decides to review it pursuant to Idaho Code 67-05245, or the parties petition for reconsideration or appeal pursuant to Rule 730 of IDWR's Rules of Procedure.

It is further ordered that the water user may immediately begin diverting water from the cold water well located in the NWSW, S28, T04N, R02E, B.M., and may continue to divert water pursuant to this approval unless directed otherwise by IDWR.

Comments:

1. PSKAGGS 6/23/1997 TRANSFER NO. 4804

Comment: Transfer No. 4804 adds & changes the points of diversion under Right No. 63-09758. Approved by Preliminary Order dated 06-26-1997. Order Granting Petition for Reconsideration dated 07-30-1997. Amended Preliminary Order approving transfer dated 05-14-1998.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 63-9758

Dates and Other Information:

Permit Proof Due Date: 6/1/1989
Permit Proof Made Date: 5/31/1989
Permit Approved Date: 5/23/1984
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Field Exam Date: 5/30/1989
Date Sent to State Office: 5/30/1989
Date Received at State Office:
State or Federal:
Owner Name Connector:
Water District Number: 63S
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

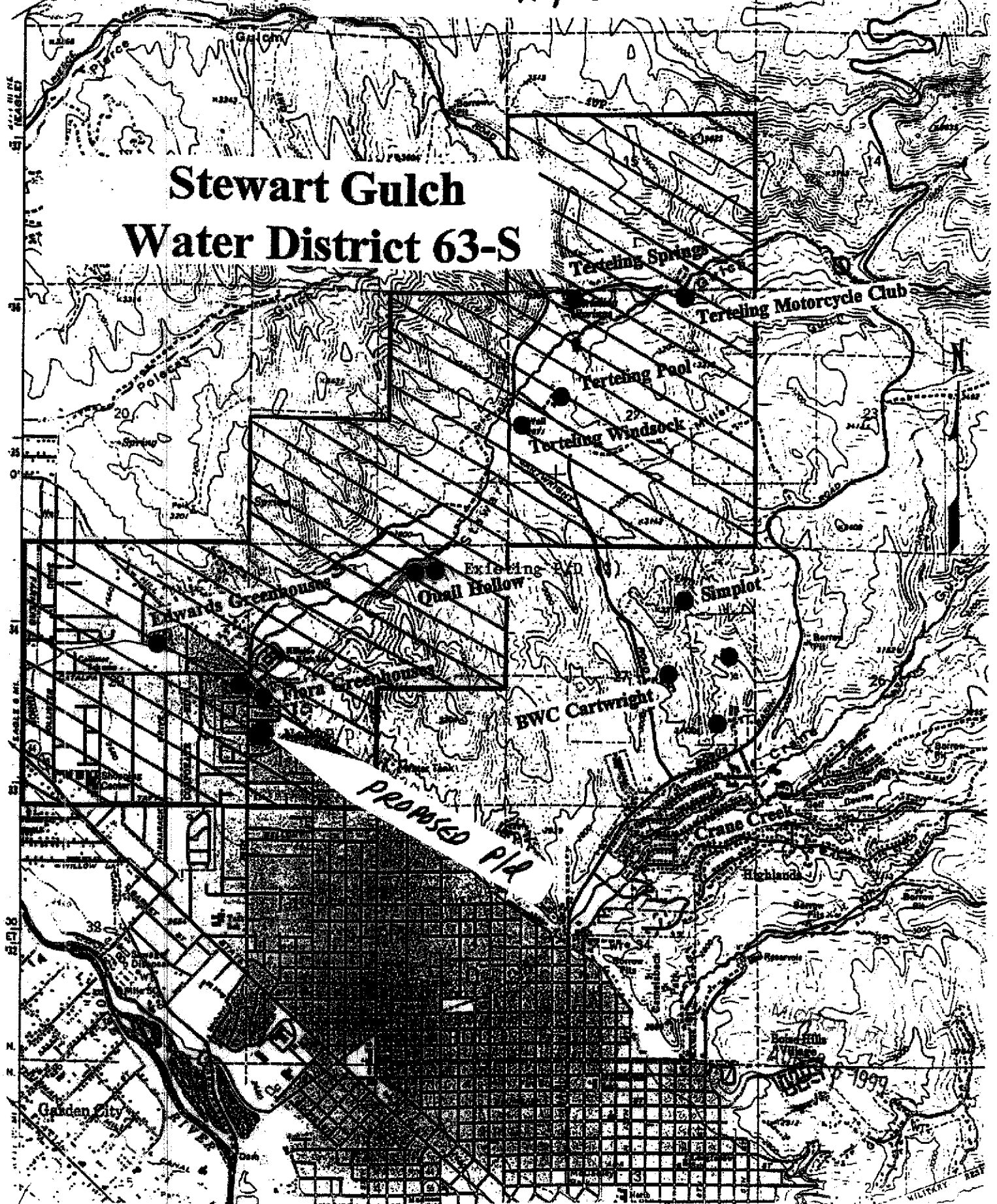
<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
----------------	---------------------------	-----------------	---------------------------	-----------------	---------------

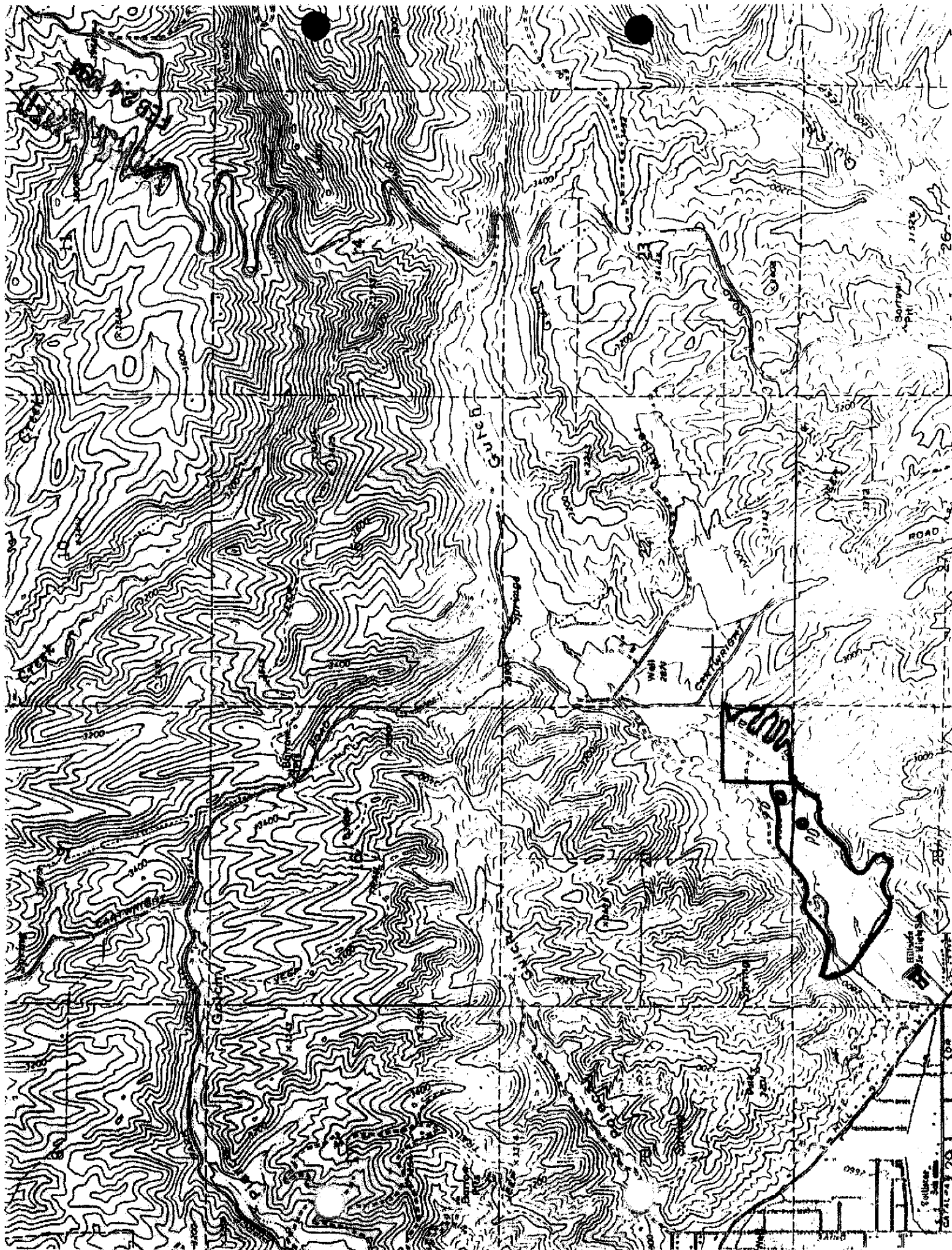
Verification Log:

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

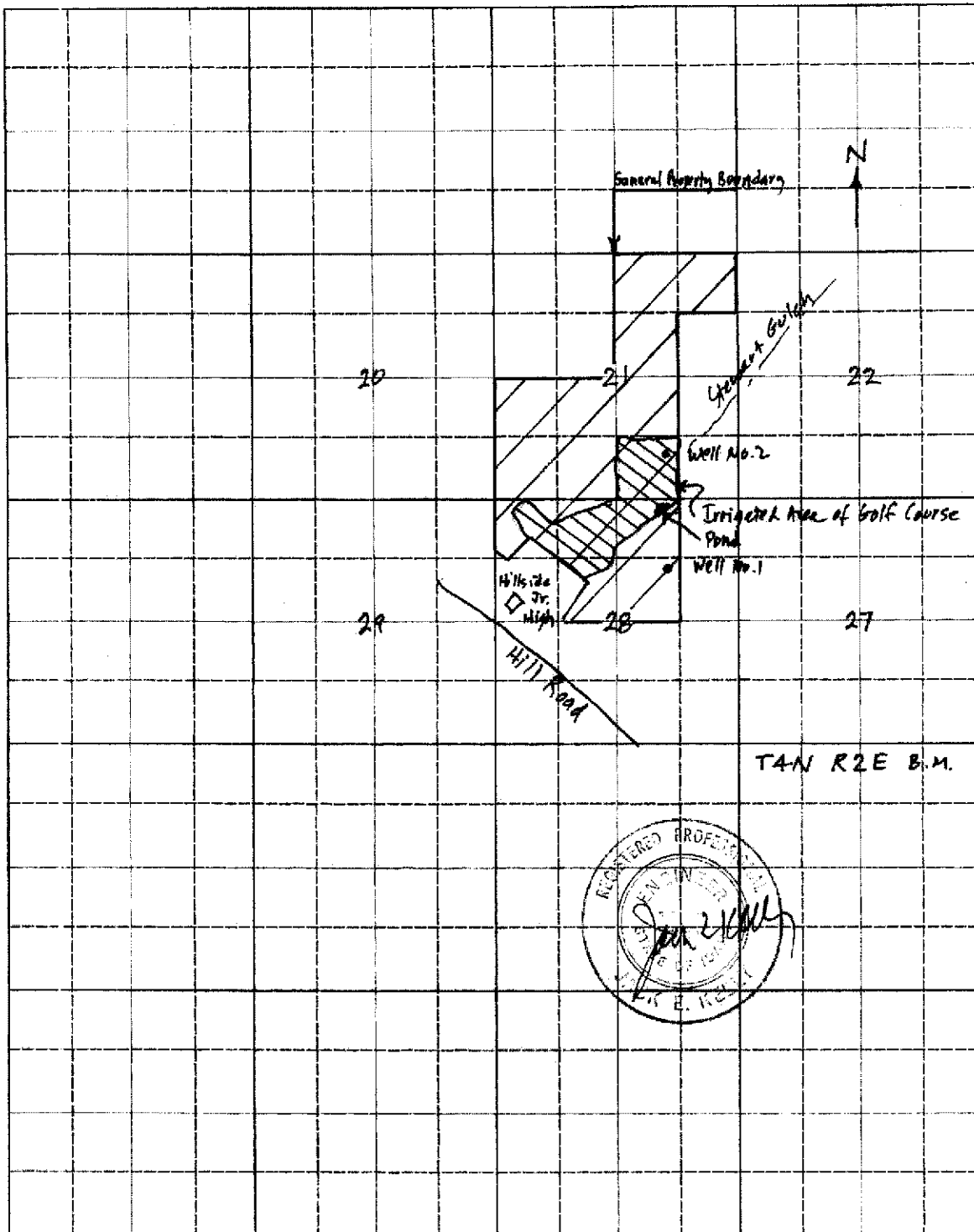
2 wells in NW 1/4 S28 are low to bottomset.

Stewart Gulch Water District 63-S





11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

Dennis E. Labrum
 (Applicant) Dennis E. Labrum
 L.T.S., Inc.
 President

WIDESPREAD

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-21875 Date: 9-14-01

				NE				NW				SW				SE				Sum
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	4N	2E	21											5		10	10			25
GIS														.4		6.5	38			44.9
Claim	4N	2E	28		10	5		10			5									30
GIS					23	44		27			5									96
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 55

Overlapping POU Claim #'s:

63-04037

Total GIS Acres: 140.9

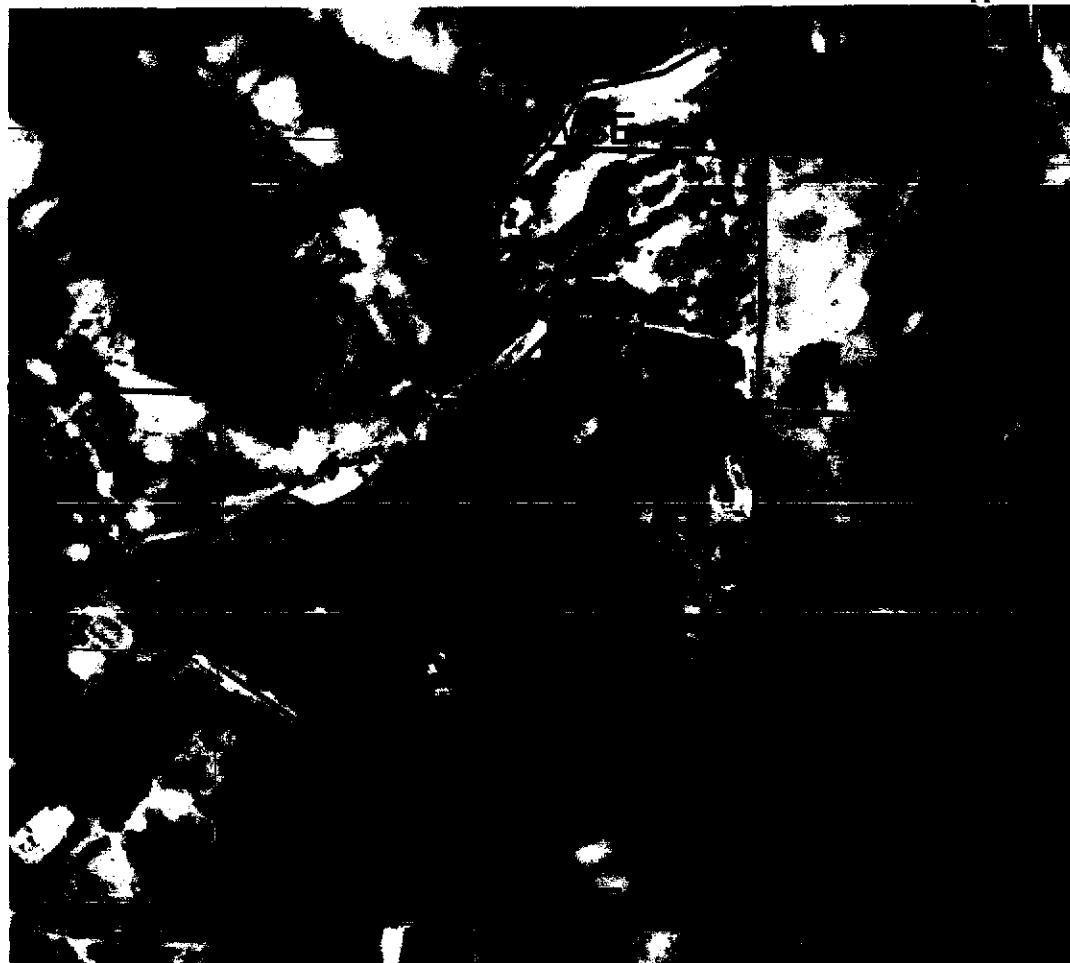
COMMENTS:

Idaho Department of Water Resources

Claim Number: 63-21875
Legal: T04N, R02E, S21, 28
Reviewed By:

1987 Napp Photo

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



0 0.25 0.5 Miles

A horizontal scale bar with three segments, corresponding to the 0, 0.25, and 0.5 mile markings.