

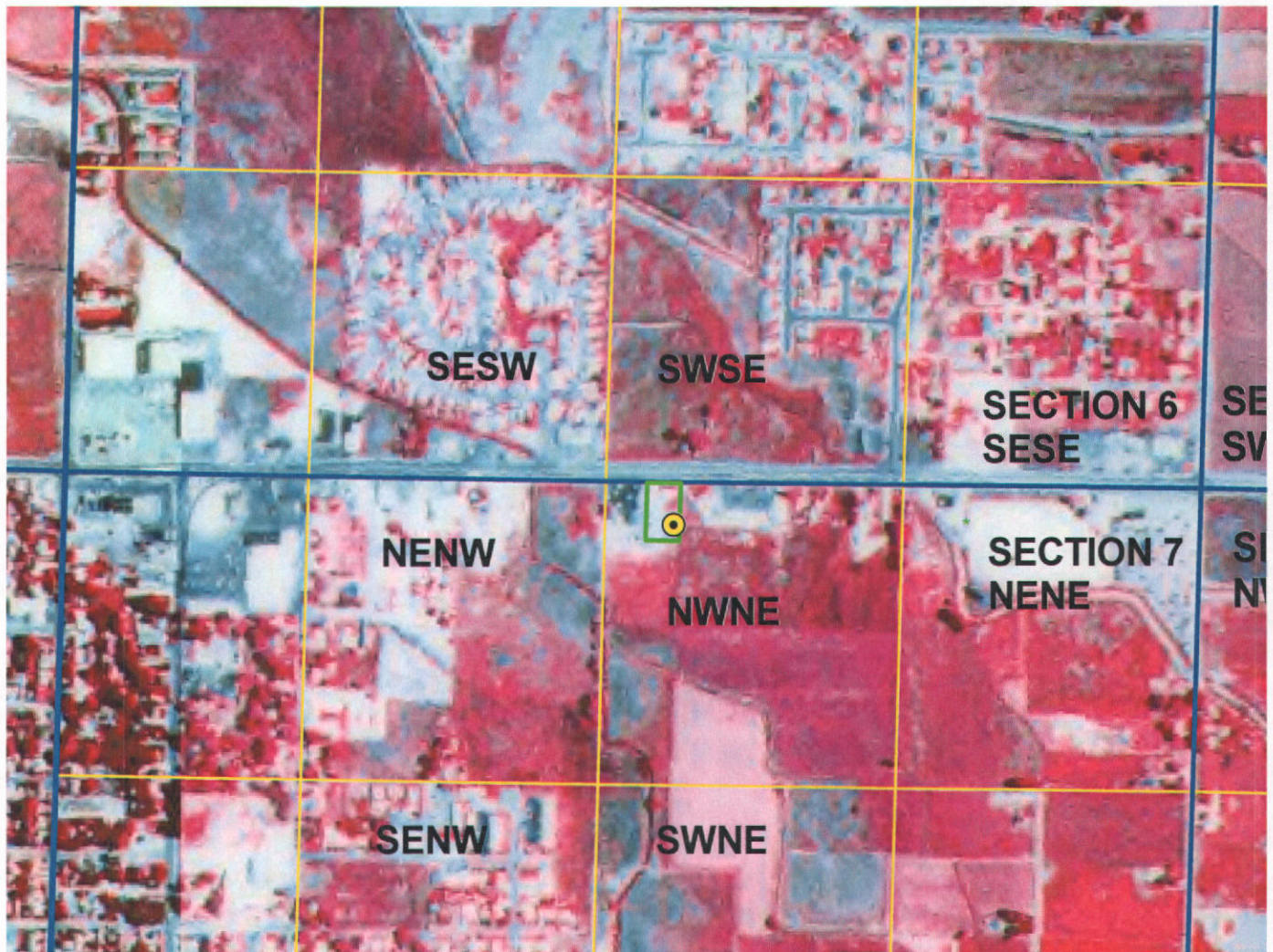




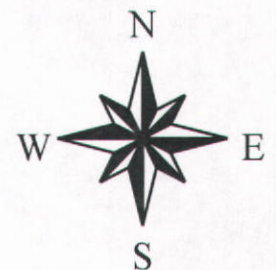
State of Idaho
Idaho Department of Water Resources
Western Region

T3N R1E SECTION 7

Water Right(s) : 63-7131B and 63-8376F



1320 0 1320 Feet

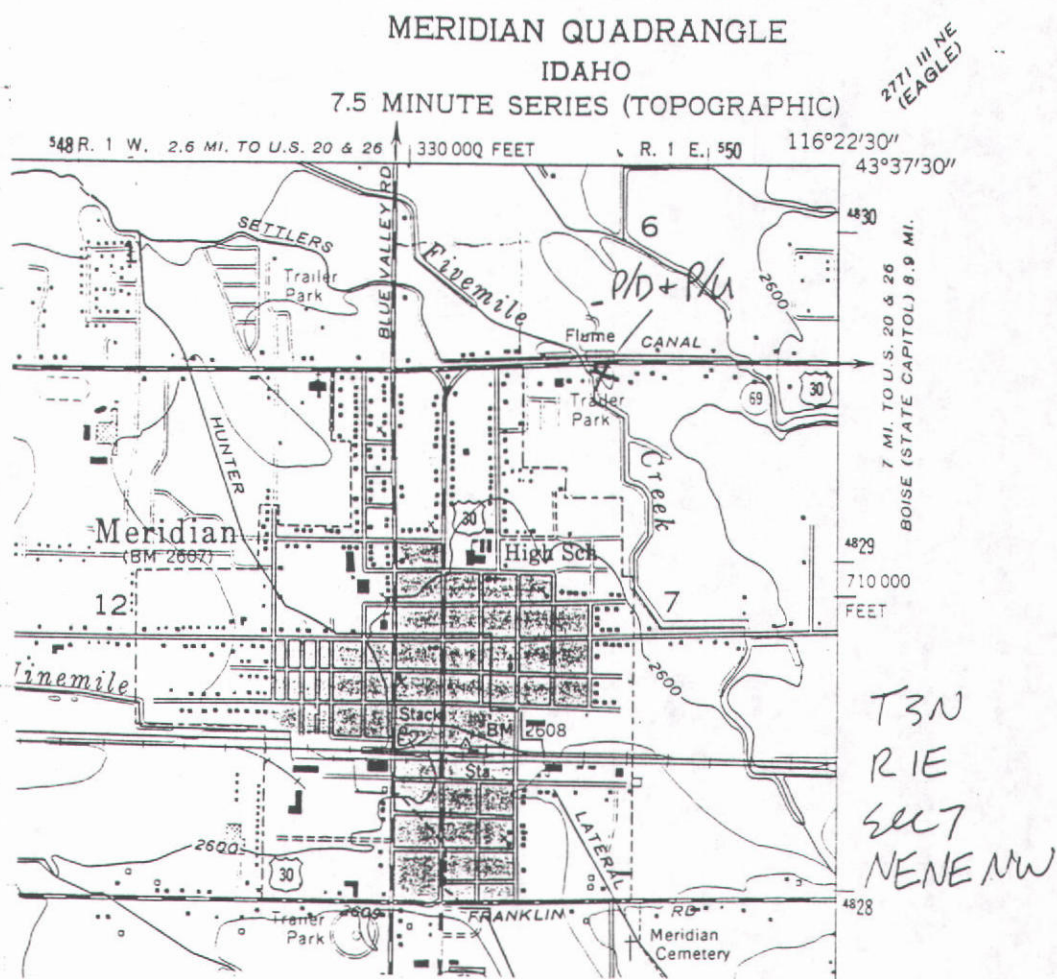


-  Point of Diversion
-  Place Of Use
-  Quarter Quarter Lines
-  Section Lines

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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: A63-07131B
Date Received: 4/11/1989
Receipt No: X777777
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: ULTRA TOUCH CAR WASH KBC LLC 208-884-3971
Address: 3671 W SPRUCE CIRCLE DR
MERIDIAN ID 83642

2. Date of Priority: JAN 13, 1969

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	01E	7	NE	NE	NW		ADA

5. Description of diverting works:
3 AT APPROX. 550' AND 1 AT 600'

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.010		3.30

7. Total Quantity Appropriated is:
0.010 C.F.S. (and/or) 3.30 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
COMMERCIAL, CAR WASH

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	01E	7	NE	NW		COMMER	

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:
A63-08376F

14. Remarks:
THIS CLAIM IS THE RESULT OF TRANSFER 5443 APPROVED 4/13/00.
FOR TRANSFER CONDITIONS OF APPROVAL AND REMARKS SEE COPY OF
TRANSFER IN ADJUDICATION FILE.

15. Basis of Claim: LICENSE

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: A63-07131
Date Received: 4-11-89
Receipt No: W2553
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HILLS-DALE FARMS
Address: C/O HENRY DIXON, SR.
HOOTNANNY FARMS
RT. 1
EAGLE, ID 83616 208-286-7715

2. Date of Priority: JAN 13, 1969

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	01W	28	NW	SW			ADA
		29	SE	NW			ADA

5. Description of diverting works:
3 AT APPROX. 550' AND 1 AT 600'

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/30	4.460		1877.70
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
4.460 C.F.S. (and/or) 1877.70 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/2 TRAILERS; S/APPROX. 3000 SHEEP

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	01W	28	SW	NW		IRR	40.0
			NW	SW		IRR	40.0
						Section Acres	80.0
		29	SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			SW	NW		IRR	10.0
			SE	NW		IRR	10.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			NW	SE		IRR	40.0
						Section Acres	220.0
		30	NE	SW		IRR	35.0
			SE	SW		IRR	40.0
			NE	SE		DOMEST	
			NE	SE		IRR	30.0
			NE	SE		STOCK	
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	225.0
						Total Acres	525.0

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:
A63-08376

14. Remarks:

TRANS. 2415.

2 P/D IN NWSW, S28, T5N, R1W.

THERE IS NO WELL LOCATED IN THE SW4,NW4 OF SECTION 29. THERE ARE 2 WELLS IN THE SE4,NW4 OF SECTION 29. CLAIMANT STATES THIS IS THE ACTUAL LOCATION OF WELLS AND THERE MUST HAVE BEEN A MISTAKE MADE IN LOCATION WHEN THE TRANSFER WAS ENACTED.

THERE EXISTS ON THIS CLAIM CHANGES IN THE PLACES OF USE.

SOME HAVE BEEN DELETED BECAUSE OF NONUSE AND SOME ACREAGES HAVE BEEN ADDED. NO CHANGE IN THE AMOUNT OF WATER. NO INCREASE IN ACREAGES.

14. Remarks: Continued

15. Basis of Claim: LICENSE

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: 5

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: _____

For Organizations:

I do solemnly swear or affirm that I am Manager of
Hillsdale Farms, that I have signed the foregoing
Organization document in the space below as Managing - Partner of
Hillsdale Farms and that the statements contained in the
Organization foregoing document are true and correct.

Henry Dixon A.
Signature of Authorized Agent
Managing Partner of Hillsdale Farms
Title and Organization
4-11-1989
Date

MICROFILMED
AUG 21 1992

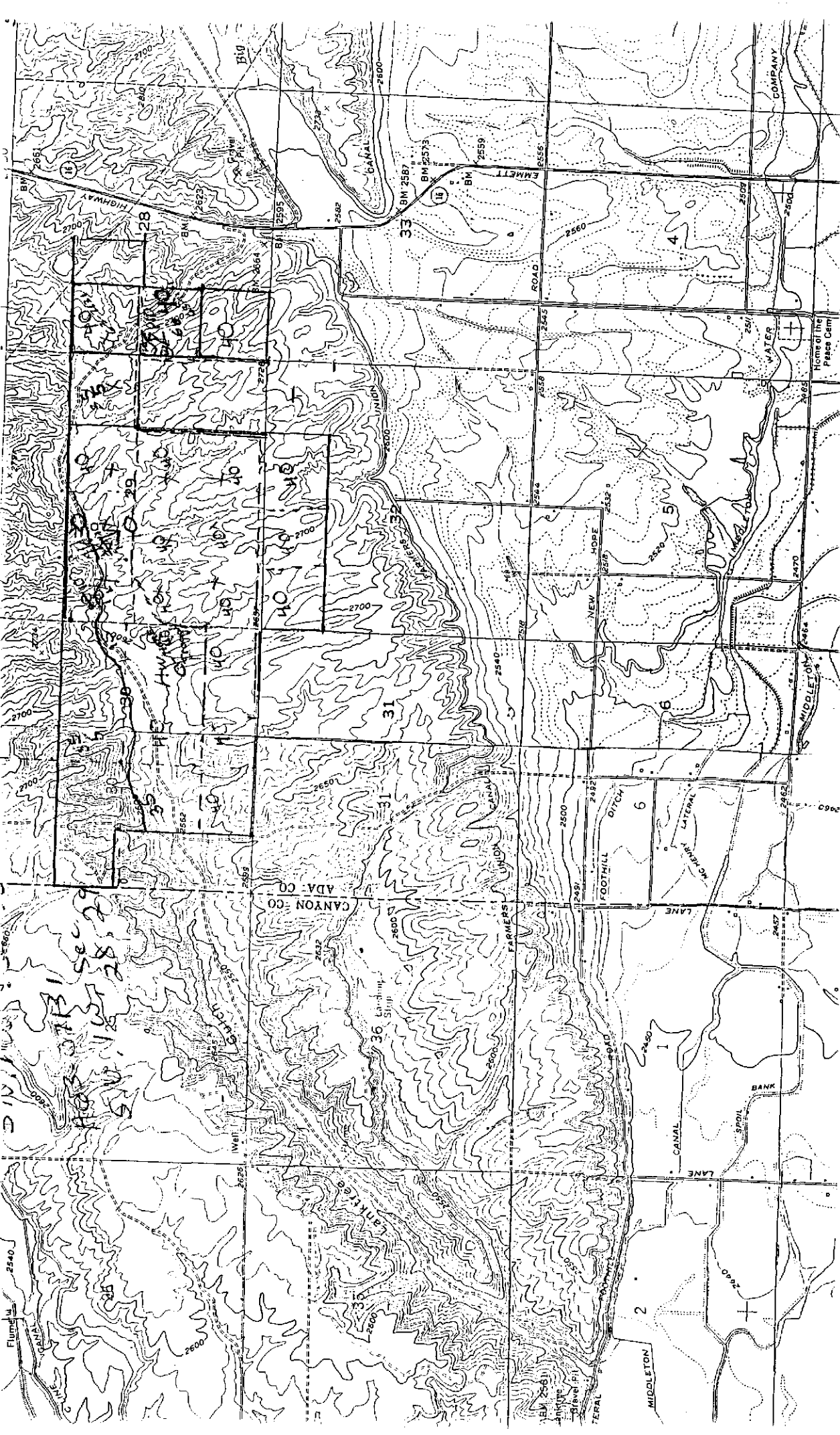
State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 11 day
of April 19 89

Linda A. Werner
Notary Public

Seal

Residing at Linda A. Werner
Residing at Boise, Idaho
My Commission Expires December 8, 1994



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-7131B V1

WATER RIGHT NUMBER: 63-7131B V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CLIFFORD C ADAMSON 13816 W ROOSEVELT AVE NAMPA, ID 83651 (208)467-6106
Original Owner	HILLSDALE FARMS C/O HENRY DIXON SR HOOTNANNY FARMS RT 1 EAGLE, ID 83616 (208)286-7715
Current Owner	ULTRA TOUCH CAR WASH KBC LLC 835 E FAIRVIEW AVE MERIDIAN, ID 83642 (208)884-8100
Original Owner	WILLOWBROOK DEVELOPMENT INC 210 MURRAY ST BOISE, ID 83714 (208)376-4665

Priority Date: 01/13/1969

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
COMMERCIAL	01/01 to 12/31	0.010 CFS	3.30 AF
	<u>Total Diversion:</u>	0.010 CFS	3.30 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4	Sec. 7,	Twp 03N,	Rge 01E, B.M.
ADA County				

Place of Use

COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	01E	7		X															

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-7131B V1

1. Commercial use is for a car wash.
2. PHYSICAL ADDRESS IS 835 E FAIRVIEW AVE, MERIDIAN, ID.
3. X35 Rights 63-6131B and 63-8376F when combined shall not exceed a annual maximum diversion volume of 4.5 af.
4. T07 The right holder shall accomplish the change authorized by transfer no. 5443 within one year of the date of the transfer approval.
5. PARCEL NO. S1107120762.
6. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
7. T08 Failure of the right holder to comply with the conditions of transfer no. 5443 is cause for the Director to rescind approval of the transfer.

Remarks:Comments:

1. vmusic 3/10/2005 TRANSFER

Comment: RECOMMENDED PER TRANSFER 5443.

2. vmusic 3/10/2005 LEGAL DESCRIPTION

Comment: CLAIM AND TRANSFER 5443 STATE POU IS IN NENW SEC 7. ACTUALLY LOCATED IN NWNE .
CORRECTED LEGAL IN RECOMMENDATION.Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	3/10/2005 10:32:02 AM	vmusic			Active
Priority Date	3/10/2005 10:32:27 AM	vmusic			Active
POD	3/10/2005 10:33:11 AM	vmusic			Active
Source	3/10/2005 10:34:14 AM	vmusic			Active
POU	3/10/2005 10:34:58 AM	vmusic			Active

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-7131B V1

Use	3/10/2005 10:37:00 AM	vmusic	Active
Season	3/10/2005 10:37:28 AM	vmusic	Active
Quantity	3/10/2005 10:38:12 AM	vmusic	Active
Summary	03/10/2005	vmusic	Active
Summary	03/10/2005	vmusic	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	3/10/2005 10:33:53 AM	vmusic	Edited point location
Quantity	3/10/2005 10:38:12 AM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (No) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - SEE LICENSE AND TRANSFER
Summary	3/10/2005 10:58:56 AM	vmusic	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required?
POU	3/10/2005 10:35:47 AM	vmusic	Edited shape boundary
Contacts	3/10/2005 10:32:03 AM	vmusic	(No) 1. Do you want to schedule an appointment? Comment for 1: DESKTOP REVIEW
POD	3/10/2005 10:33:11 AM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Source	3/10/2005 10:34:15 AM	vmusic	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-7131B V1

Summary	3/10/2005 10:59:57 AM	vmusic	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Priority Date	3/10/2005 10:32:27 AM	vmusic	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POU	3/10/2005 10:34:59 AM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	3/10/2005 10:37:01 AM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (Yes) 13. Is a Purpose of Use remark and/or condition required?
Season	3/10/2005 10:37:28 AM	vmusic	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (No) 14. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-7131B

WATER RIGHT NUMBER: 63-7131B

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	HILLSDALE FARMS C/O HENRY DIXON SR HOOTNANNY FARMS RT 1 EAGLE, ID 83616 (208)286-7715
Current Owner	ULTRA TOUCH CAR WASH KBC LLC 835 E FAIRVIEW AVE MERIDIAN, ID 83642 (208)884-8100
Original Owner	CLIFFORD C ADAMSON 13816 W ROOSEVELT AVE NAMPA, ID 83651 (208)467-6106
Original Owner	WILLOWBROOK DEVELOPMENT INC 210 MURRAY ST BOISE, ID 83714 (208)376-4665

Priority Date: 01/13/1969

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
COMMERCIAL	1/01 to 12/31	0.010 CFS	3.30 AF
	<u>Total Diversion:</u>	0.010 CFS	3.30 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4NW1/4	Sec. 7,	Twp 03N,	Rge 01E, B.M.
ADA County				

Place of Use

COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	01E	7					X												

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-7131B

1. THIS CLAIM IS THE RESULT OF TRANSFER 5443 APPROVED 4/13/00.
FOR TRANSFER CONDITIONS OF APPROVAL AND REMARKS SEE COPY OF TRANSFER IN
ADJUDICATION FILE.

Remarks:Comments:Dates and Other Information:

Claim Received Date: 4/11/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

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

Verification Log:

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

Water Supply Bank:

05/31/2005

RECEIVED

NOTICE OF ERROR

REPLY

JUL 07 2005

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: July 15, 2005

Water right number: 63-7131B

ULTRA TOUCH CAR WASH KBC LLC
3671 W SPRUCE CIRCLE DR
MERIDIAN ID 83642
Telephone Number: (208)884-3971

Done - 8/8

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:

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

DATE: 6-30-05

SIGNATURE: *Dave J Cooley*

Please print your name: DAVE J COOLEY

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

*change mailing address + phone
ultra touch car wash kbc llc
835 E Fairview ave
meridian ID 83642
208-884-8100*

03/10/2005

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

RIGHT NUMBER: 63-7131B

NAME AND ADDRESS: ULTRA TOUCH CAR WASH KBC LLC
3671 W SPRUCE CIRCLE DR
MERIDIAN ID 83642

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.010 CFS
3.300 AFY

Rights 63-6131B and 63-8376F when combined shall not exceed a annual maximum diversion volume of 4.5 af.

PRIORITY DATE: 01/13/1969

POINT OF DIVERSION:

T03N R01E S7 NWNE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

COMMERCIAL

01/01 12/31

0.010 CFS

3.30 AFY

Commercial use is for a car wash.

PLACE OF USE: COMMERCIAL Within ADA County

T03N R01E S07

NWNE

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

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

EXPLANATORY MATERIAL: License

PARCEL NO. S1107120762.

PHYSICAL ADDRESS IS 835 E FAIRVIEW AVE, MERIDIAN, ID.

The right holder shall accomplish the change authorized by transfer no. 5443 within one year of the date of the transfer approval.

Failure of the right holder to comply with the conditions of transfer no. 5443 is cause for the Director to rescind approval of the transfer.



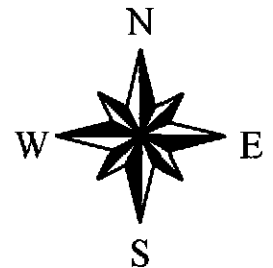
State of Idaho
Idaho Department of Water Resources
Western Region

T3N R1E SECTION 7

Water Right(s) : 63-7131B and 63-8376F



1320 0 1320 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



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 5N Range 1W
Section 28, 29, 30, 32 of 1/4 of 1/4 Govt. Lot _____, BM. see warranty deed
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: A63-08376 & A63-07131

☐ Name and Address of Former Owner/Claimant(s)(Seller): Hillsdale Farms
Rt. 1

☐ New Owner/Claimant (Purchaser): Eagle, ID 83616
Willowbrook Developments Inc

☐ New Mailing Address: 210 Murray St.
Garden City, ID 83714

☐ New Telephone Number: (208) 376-4665

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☒ Attach proof of ownership, describe proof attached: 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 owner/claimant.)

☒ Signature of New Owner/Claimant(s) Willowbrook Developments Inc Date 9-22-95

Date

☐ Signature of Former Owner/Claimant(s): _____ Date _____

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: 9-25-95 By: KW

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

FA-82934

RECEIVED

SEP 25 1995

WATER RESOURCES
WESTERN REGION

WARRANTY DEED

FOR VALUE RECEIVED, HILLSDALE FARMS, an Idaho general partnership, Grantor, does hereby grant, bargain, sell and convey unto WILLOWBROOK DEVELOPMENT, INC., Grantee, whose address is 210 Murray Street, Boise, Idaho 83714, that certain real property situate in Ada County more particularly described in Exhibit "A", attached hereto and made a part hereof, and which conveyance is subject to that certain Mortgage from Grantor to the Travelers Insurance Company, recorded on the 22nd day of August, 1979, as Instrument No. 7946481, and Modification thereof recorded as Instrument No. 8755226, Records of Ada County.

TO HAVE AND TO HOLD the said premises with their appurtenances, unto said Grantee, its successors and assigns.

The said Grantor does hereby covenant to and with the said Grantee that they are owners in fee simple of said premises, and that they are free and clear of all encumbrances except as set forth herein, and that they will warrant and defend the same from all lawful claims whatsoever, subject, however, to easements, reservations, restrictions, assessments and encumbrances of record.

IN WITNESS WHEREOF, Grantor has hereinto executed this Warranty Deed this 14th day of May, 1993.

GRANTOR: HILLSDALE FARMS,
an Idaho general partnership

By: H. Dale Hobson
H. DALE HOBSON
General Partner

9338170
9338170

ADA COUNTY, IDAHO
J. DAVID NALABO
RECORDER BY K. Lavin

'93 MAY 20 PM 3 54

By: Norma Hobson
NORMA HOBSON,
General Partner

By: Russell A. Relyea
RUSSELL A. RELYEA,
General Partner

By: Maureen Relyea
MAUREEN RELYEA,
General Partner

By: Hazel N. Dixon P.R.
HAZEL N. DIXON, in her capacity
as Personal Representative of
the Estate of Henry R. Dixon,
General Partner

H. Dale Hobson
H. DALE HOBSON, Individually

Norma Hobson
NORMA HOBSON, Individually

Russell A. Relyea
RUSSELL A. RELYEA, Individually

Maureen Relyea
MAUREEN RELYEA, Individually

Hazel N. Dixon
HAZEL N. DIXON, Individually, and
as Personal Representative of the
Estate of Henry R. Dixon

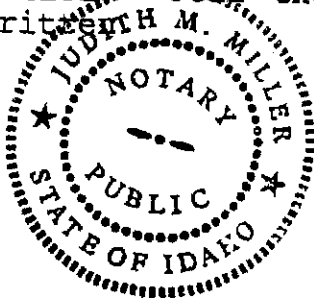
STATE OF IDAHO

)
ss.
)

County of Ada

On this 17th day of May, 1993, before me, the undersigned Notary Public in and for said State, personally appeared H. DALE HOBSON, known or identified to me to be the general partner of HILLSIDE FARMS, an Idaho general partnership, that executed the within instrument, or the person who executed the instrument on behalf of said partnership, and acknowledged to me that such partnership 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.



Judith M. Miller
NOTARY PUBLIC, State of Idaho
Residing at Boise
My Commission Expires: 9-24-96

STATE OF IDAHO

)
ss.
)

County of Ada

On this 17th day of May, 1993, before me, the undersigned Notary Public in and for said State, personally appeared NORMA HOBSON, known or identified to me to be the general partner of HILLSIDE FARMS, an Idaho general partnership, that executed the within instrument, or the person who executed the instrument on behalf of said partnership, and acknowledged to me that such partnership 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.



Judith M. Miller
NOTARY PUBLIC, State of Idaho
Residing at Boise
My Commission Expires: 9-24-96

RECEIVED

SEP 25 1995

WATER RESOURCES
WESTERN REGION

EXHIBIT A

ATTACHED TO WARRANTY DEED

PARCEL I

The Southeast quarter of the Southwest quarter AND the Southwest quarter of the Southeast quarter AND the Southeast quarter of the Southeast quarter all lying in Section 30, Township 5 North, Range 1 West of the Boise Meridian, Ada County, Idaho

The Southwest quarter of the Southeast quarter AND the Northwest quarter of the Southeast quarter AND the Southwest quarter of the Northeast quarter AND the Southeast quarter of the Northeast quarter AND the Southwest quarter of the Southwest quarter all lying in Section 29, Township 5 North, Range 1 West of the Boise Meridian, Ada County, Idaho

The West half of the Southwest quarter of the Northwest quarter AND the Northwest quarter of the Southwest quarter AND the Southwest quarter of the Southwest quarter all lying in Section 28, Township 5 North, Range 1 West of the Boise Meridian, Ada County, Idaho

The Northwest quarter of the Northeast quarter and the North half of the Northwest quarter, all lying in Section 32, Township 5 North, Range 1 West of the Boise Meridian, Ada County, Idaho

EXCEPT ditch and road rights-of-way.

PARCEL II

The Southwest quarter of the Northwest quarter AND the Southwest quarter of the Northeast quarter AND the Southeast quarter of the Northwest quarter AND The Southeast quarter of the Northeast quarter AND the Northeast quarter of the Southwest quarter AND the Northeast quarter of the Southeast quarter AND the Northwest quarter of the Southeast quarter of Section 30, Township 5 North, Range 1 West of the Boise Meridian, Ada County, Idaho

The Southeast quarter of the Southwest quarter AND the Southeast quarter of the Northwest quarter AND the Southwest quarter of the Northwest quarter AND the Northwest quarter of the Southwest quarter AND the Northeast quarter of the Southwest quarter of Section 29, Township 5 North, Range 1 West of the Boise Meridian, Ada County, Idaho

EXCEPT ditch and road rights-of-way.

continued

EXHIBIT A CONTINUED

TOGETHER WITH an easement right of way for road extending West from Highway 16 to property currently owned by HILLSDALE FARMS, more particularly described as follows:

The South 30 feet of the North 35 feet of the Northeast quarter of the Southwest quarter AND the Northwest quarter of the Southeast quarter, lying West of and adjacent to the West line of Highway 16 all in Section 28, Township 5 North, Range 1 West of the Boise Meridian, Ada County, Idaho.

PARCEL III

Government Lot 4 and the Southeast quarter of the Southwest quarter of Section 19, Township 5 North, Range 1 West, of the Boise Meridian, Ada County Idaho.

EXCEPT ditch and road rights of way.

Western

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 14 2000

WATER RESOURCES
WESTERN REGION

TRANSFER OF WATER RIGHT

TRANSFER NO. 5443
WATER RIGHT NO(S). 63-07131B/63-08376F

This is to certify that: ULTRA TOUCH CAR WASH KBC LLC
3671 W SPRUCE CIRCLE DR
MERIDIAN ID 83642

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 63-07131B : COMMERCIAL Priority: 01/13/1969	01/01 to 12/31	0.01 CFS	3.3 AF
Right No. 63-08376F : COMMERCIAL Priority: 10/12/1976	01/01 to 12/31	0.01 CFS	4.5 AF
TOTAL:		0.02 CFS	* 4.5 AF
<u>SOURCE</u> GROUNDWATER			

LOCATION OF POINT(S) OF DIVERSION: NENENW , Sec. 7, Township 03N, Range 01E
ADA County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

03N 01E 7 NENW

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval. *RP*
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer. *RP*
3. ~~Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.~~
- *4. Rights 63-07131B and 63-08376F when combined shall not exceed a total annual maximum diversion volume of 4.5 af. *Q*
5. Commercial use is for a car wash. *Purpose*

Dated this 13 day of April, 2000

J. Blum Saxton
Chief, Water Allocation Bureau

Desktop Review

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

Prior to Field Exam

license / transfer

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

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-1131B

Owner: _____ Phone No. _____

Current Address: _____

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

Accompanied by: _____

PRIORITY DATE

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

Priority date, per claimant, is: _____

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

Source: _____ Tributary to _____

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

POINT OF DIVERSION

head des wrong on claim & transfer. recommended
 correct head in NWNE 7

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

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

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

Description of diverting works

see claim / transfer

OVERLAP REVIEW

Other water rights with the same point of diversion: 63-8376 F

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

yes - combined old water = .02 ~~to volume~~ ~~7~~ Vol limited to 4.5 AF**WATER USES**☒ No change☐ Different Uses

Use COM From 1-1 To 12-31 Amount .01 CFS 3.3 AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME - Groundwater only

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

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

Types _____ Additional comments: _____

PLACE OF USE:☒ No Change☐ Changes shown below:

head where on claim & box - connected to NW NE 7 in REC.

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

Overlap with other water rights: VLS 63-8376 F

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

VLS combined div rate = .02 * 4.5 AF

Delivery System Narrative:

all claim / transfer

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

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

Page 1 # ✓

physical location is 835 E Fairview, Meridian ✓

com use is for car wash ✓

Add transfer conditions ✓

called owner because could not locate POD on
Aerial. talked to Dave Conley on 3-10-05.

Also verified location of well.

Completed report - claim & tax states NEVENW 1 but
it is WENE 1

AFTER EXAM THE FILE SHOULD CONTAIN:

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

DATE EXAM CONDUCTED:

3-10-05

FIELD EXAMINER:

Wally Wally

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-7131B

03/10/2005

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-3300	Claim	03N	01E	7	NE	NW		GROUND WATER	ELM GROVE TRAILER PARK
63-7521	Claim	03N	01E	7	NE	NW		GROUND WATER	ELM GROVE TRAILER PARK
63-2122	Claim	03N	01E	7	NE	NW		UNNAMED STREAM FIVEMILE CREEK	DURBIN L BADLEY
63-7131B	Claim	03N	01E	7	NE	NW		GROUND WATER	ULTRA TOUCH CAR WASH KBC LLC
63-8376F	Claim	03N	01E	7	NE	NW		GROUND WATER	ULTRA TOUCH CAR WASH KBC LLC
63-18061	Claim	03N	01E	7	NE	NW		GROUND WATER	GRANT N LEE
63-3300	Water Right	03N	01E	7	NE	NW		GROUND WATER	HAROLD G ROSS
63-7521	Water Right	03N	01E	7	NE	NW		GROUND WATER	ELM GROVE TRAILER PARK
63-2122	Water Right	03N	01E	7	NE	NW		UNNAMED STREAM FIVEMILE CREEK	DURBIN L BADLEY
63-2133	Water Right	03N	01E	7	NE	NW		UNNAMED STREAM FIVEMILE CREEK	F M GISH
63-7131B	Water Right	03N	01E	7	NE	NW		GROUND WATER	ULTRA TOUCH CAR WASH KBC LLC
63-8376F	Water Right	03N	01E	7	NE	NW		GROUND WATER	ULTRA TOUCH CAR WASH KBC LLC

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-7131B

03/10/2005

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
63-3300	Claim	03N	01E	7	NE	NW		IRRIGATION	3/3	ELM GROVE TRAILER PARK
63-7521	Claim	03N	01E	7	NE	NW		IRRIGATION	3/3	ELM GROVE TRAILER PARK
63-2122	Water Right	03N	01E	7	NE	NW		IRRIGATION	35/35	DURBIN L BADLEY
63-3300	Water Right	03N	01E	7	NE	NW		IRRIGATION	3/3	HAROLD G ROSS
63-7521	Water Right	03N	01E	7	NE	NW		IRRIGATION	3/3	ELM GROVE TRAILER PARK
63-7131B	Claim	03N	01E	7	NE	NW		COMMERCIAL		ULTRA TOUCH CAR WASH KBC LLC
63-7131B	Water Right	03N	01E	7	NE	NW		COMMERCIAL		ULTRA TOUCH CAR WASH KBC LLC
63-8376F	Water Right	03N	01E	7	NE	NW		COMMERCIAL		ULTRA TOUCH CAR WASH KBC LLC
63-7521	Claim	03N	01E	7	NE	NW		DOMESTIC		ELM GROVE TRAILER PARK

phone # on claim transfer is
"Steve & Pat" ✓

Page 55

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 63-7131B

WATER RIGHT NUMBER: 63-7131B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ULTRA TOUCH CAR WASH KBQ LLC 3671 W SPRUCE CIRCLE DR MERIDIAN, ID 83642 (208)884-3971
Original Owner	CLIFFORD C ADAMSON 13816 W ROOSEVELT AVE NAMPA, ID 83651 (208)467-6106

Priority Date: 01/13/1969

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
COMMERCIAL	1/01 to 12/31	0.010 CFS	3.30 AF
	<u>Total Diversion:</u>	0.010 CFS	3.30 AF

Location of Point(s) of Diversion

GROUND WATER
ADA County

NE1/4NE1/4NW1/4

Sec. 7, Twp 03N, Rge 01E, B.M.

Place of Use

COMMERCIAL Within ADA County
T03N R01E S07 NENW

Conditions of Approval:

1. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. 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.
3. T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remarks:

1. General Rights 63-07131B and 63-08376F when combined shall not exceed a total annual maximum diversion volume of 4.5 af.
Commercial use is for a car wash.

KBQ Development LLC
835 E Fairview 884-8100
Dave Comley - 1/2 owner
Steve Bainbridge -

9/10/05 - well located
by detail bay

not the only
only listing:
Ultra Touch Car Wash
8160 Overland
658-8100
3N1E sec 13
SW 1/4

panel # 5110720762

Information Search (WR/AJ)

Basin	Seque...	Suffix	Version	Source Table	Basis	Status	Priority Date	DL	Source List	Water Use List	Owner List
63	3300			wwAdjudication...	License	Active	1962-07-18	0.04	GROUND WA...	DOMESTIC, IR...	ELM GROVE TRAILER PA...
63	3300		1	wwAdjudication...	License	Active	1962-07-18	0.04	GROUND WA...	DOMESTIC, IR...	ELM GROVE TRAILER PA...
63	8376	F	1	wwAdjudication...	License	Active	1976-10-12	0.01	GROUND WA...	COMMERCIAL	ULTRA TOUCH CAR WAS...
63	7627			wwWaterRight	License	Active	1972-07-10	0.03	GROUND WA...	DOMESTIC	CHASTAIN, ALBERT (Curre...
63	16096			wwWaterRight	Decreed	Active	1955-08-31	0.04	GROUND WA...	DOMESTIC, S...	OGDEN, MARSHALL D (Cu...
63	16838			wwWaterRight	Decreed	Active	1938-12-31	0.03	GROUND WA...	DOMESTIC	LEE, JONAS E (Current); LE...
63	16839			wwWaterRight	Decreed	Active	1968-12-31	0.06	GROUND WA...	DOMESTIC, S...	LEE, JONAS E (Current); LE...
63	18749			wwWaterRight	Decreed	Active	1930-12-31	0.06	GROUND WA...	DOMESTIC, S...	HOWELL, MAXINE F (Curre...

The number of records is 8

View Documents Print Proof Report Print Transfer Part 2

Parameters Results

Show References Next Step Return to Home Previous Steps Screen ID 424

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 63-7131B

Comments:

1. CHODGES 7/12/1994 TRANSFER NO. 4385

Comment: Filed 6/24/94 to add 2 wells to an integrated existing system (4 wells) to serve 3 licenses with a total of 6 P/D's. Also codifies change in P/D for 63-3079 which occurred prior to 1987. Filed concurrently with application 63-12125 for internal domestic use for 53 homes plus additional 3 acres irrigation. Domestic use will utilize only the two newest wells. Place of use has not been evaluated or changed & is subject to SRBA.

2. JPEPPERS 3/30/2000 TRANSFER NO. 5443

Comment: This transfer splits right no. 63-07131 into parts A and B and right no. 63-08376A into parts E and F (parts C and D are SRBA claims which were split from part B). The transfer changes the nature of use to commercial, and changes the point of diversion, place of use, and period of use for the transferred portion of the rights.

Dates and Other Information:

Licensed Date: 9/25/1979
 Decreed Date:
 Water Supply Bank Enrollment Accepted:
 Water Supply Bank Enrollment Removed:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Formal Action Date:
 State or Federal:
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Decree Defendant:
 Decree Plaintiff:
 Civil Case Number:
 Judicial District:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

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>
----------------	------------------------	-----------------	-----------------

[illegible]

PART 1

6. General Information:

a. Description of diversion system 6" well, 150' deep

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

land retired due to PD development in 1995/96
per approved transfer # 4385

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____

pg 3 of 10

WR0749NP
No. 63-07131

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/31/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WILLOWBROOK DEVELOPMENT INC 210 MURRAY ST GARDEN CITY ID 83714 (208) 376-4665	01/13/1969	IRRIGATION STOCKWATER DOMESTIC	04/01 10/30 01/01 12/31 01/01 12/31	4.460 CFS 0.020 CFS 0.020 CFS	1875.40 AFA 4.00 AFA 0.60 AFA
TOTAL DIVERSION:					4.460 CFS	1880.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T05N R01W S28 S29 SWNW SENE NWSW SWNW SENW ADA County ADA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				SUM
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	
05N	01W	28				40			20							60.0
05N	01W	29		40	35		30	30	40	40			40			255.0
05N	01W	30		05	25				35		40	30	40	40	30	245.0
TOTAL ACRES																560.0

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use Legal Description for: DOMESTIC

05N 01W 30 :	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:

Pou County: ADA

Conditions of Approval:

- 028 - After specific notification by the department, the right holder
 - shall annually report the amount of water diverted to the department.
- R32 - This right when combined with all other rights shall provide no
 - more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.
- T04 - Approval of this transfer in no way grants any right-of-way or
 - easement for use of a delivery system owned by person(s) other than the right owner.
- T07 - The right holder shall accomplish the change authorized by this
 - transfer within one (1) year of the date of this approval.
- 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.
- T09 - Approval of this transfer does not preclude the opportunity for
 - review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

pg 4 of 10

WR0749NP
No. 63-07131

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/31/98
PAGE: 2

Conditions of Approval:

- T17 - Prior to diversion of water under this approval, the right holder
- shall provide a means of measurement acceptable to the Department
 - from all authorized points of diversion which will allow
 - determination of the total rate of diversion.

Remarks: GEN The total instantaneous diversion of water from all points of diversion under Transfer No. 4385 shall not exceed 12.28 cfs, nor total combined annual volume of 3,937.6 af. The place of use for irrigation under Right Nos. 63-03079, 63-07131 and 63-08376 is subject to modification according to the final recommendation and determination by the Snake River Basin Adjudication. Right Nos. 63-03079, 63-07131 and 63-08376 when combined shall not exceed a total annual diversion volume of 3,933.0 af for irrigation, nor exceed combined irrigation of 874.0 total acres per year. Right No. 63-07131 includes stockwater use for 300 cattle and internal domestic use for 1 home. Two points of diversion are located within NWSW, S28, T05N, R01W.

Dates: App. Received: Priority Date: 01/13/1969
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 09/25/1979

Misc: Water District Number: Field Exam Fee:

Comments: Date: 07/12/1994 User-ID: CHODGES Subject: TRANSFER NO. 4385
Filed 6/24/94 to add 2 wells to an integrated existing system (4 wells) to serve 3 licenses with a total of 6 P/D's. Also codifies change in P/D for 63-3079 which occurred prior to 1987. Filed concurrently with application 63-12125 for internal domestic use for 53 homes plus additional 3 acres irrigation. Domestic use will utilize only the two newest wells. Place of use has not been evaluated or changed & is subject to SRBA.

Audit: 04/23/85 05/01/88 CONVERT 07/11/89 CURTIS 07/12/94 CHODGES
09/26/95 PSKAGGS

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

N If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount .01/3.3 for Irrig purposes from 4/1 to 10/30
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: N/A

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>5N</u>	<u>1W</u>	<u>28</u>										<u>1</u>							<u>1</u>

Total acres 1

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 4.45/1872.1 for Irrig purposes from 4/1 to 10/30
 (cfs/ac-ft)
 amount .02/4 for Stock purposes from 1/1 to 12/31
 (cfs/ac-ft)
 amount .02/6 for Dom purposes from 1/1 to 12/31
 (cfs/ac-ft)

2. Point(s) of Diversion: No Change

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>5N</u>	<u>1W</u>	<u>28</u>							<u>40</u>			<u>19</u>							<u>59</u>
		<u>29</u>			<u>40</u>	<u>35</u>			<u>30</u>	<u>30</u>	<u>40</u>	<u>40</u>				<u>40</u>			<u>255</u>
		<u>30</u>			<u>05</u>	<u>25</u>					<u>35</u>			<u>40</u>	<u>30</u>	<u>40</u>	<u>40</u>	<u>30</u>	<u>245</u>

Total acres 559

pg 6 of 10

WR0749NP
No. 63-08376A

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/09/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WILLOWBROOK DEVELOPMENT INC 210 MURRAY ST GARDEN CITY ID 83714	10/12/1976	IRRIGATION	03/15 11/15	6.870 CFS	2317.50 AFA
					TOTAL DIVERSION:	6.870 CFS 2317.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T05N R01W S28 S29 SWNW SENE NWSW SWNW SENW ADA County ADA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE									
T	R	S		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM	
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
05N	01W	28	:										35	30							65.0
05N	01W	29	:				39				33			40	40			40			192.0
05N	01W	30	:				25					35				38			40		138.0
05N	01W	32	:		40			40	40												120.0
																				TOTAL ACRES	515.0

Pou County: ADA

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
63-03079 63-07131 63-12125

Other Water Rights Listing Overlapping Place(s) of use:
63-03079 63-07131

Conditions of Approval:

- 028 - After specific notification by the department, the right holder
 - shall annually report the amount of water diverted to the
 - department.
- R32 - This right when combined with all other rights shall provide no
 - more than .02 cfs per acre nor more than 4.5 afa per acre for
 - irrigation of the lands above.
- T04 - Approval of this transfer in no way grants any right-of-way or
 - easement for use of a delivery system owned by person(s) other
 - than the right owner.
- T07 - The right holder shall accomplish the change authorized by this
 - transfer within one (1) year of the date of this approval.
- 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.
- T09 - Approval of this transfer does not preclude the opportunity for
 - review of the validity of the water right(s) in the ongoing
 - Snake River Basin Adjudication.
- T17 - Prior to diversion of water under this approval, the right holder
 - shall provide a means of measurement acceptable to the Department

pg 7 of 10

WR0749NP
No. 63-08376A

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/09/98
PAGE: 2

Conditions of Approval:

- from all authorized points of diversion which will allow
- determination of the total rate of diversion.

Remarks: GEN The total instantaneous diversion of water from all points of diversion under Transfer No. 4385 shall not exceed 12.15 cfs, nor total combined annual volume of 3,892.6 af. The place of use for irrigation under Right Nos. 63-03079, 63-07131 and 63-08376A is subject to modification according to the final recommendation and determination by the Snake River Basin Adjudication. Right Nos. 63-03079, 63-07131 and 63-08376A when combined shall not exceed a total annual diversion volume of 3,888.0 af for irrigation, nor exceed combined irrigation of 864.0 total acres per year. Two points of diversion are located within NWSW, S28, T05N, R01W.

Dates: App. Received: 10/12/1976 Priority Date: 10/12/1976
Proof Due Date: 01/01/1980 Proof Made Date: 12/12/1979
Exam Made Date: 07/14/1981 Exam Sent to S.O.:
Licensed Date: 01/09/1990

Misc: Water District Number: Field Exam Fee: R (Received)

Comments: Date: 07/12/1994 User-ID: CHODGES Subject: TRANSFER NO. 4385
Filed 6/24/94 to add 2 wells to an integrated existing system (4 wells) to serve 3 licenses with a total of 6 P/D's. Also codifies change in P/D for 63-3079 which occurred prior to 1987. Filed concurrently with application 63-12125 for internal domestic use for 53 homes plus additional 3 acres irrigation. Domestic use will utilize only the two newest wells. Place of use has not been evaluated or changed & is subject to SRBA.

Date: 12/12/1995 User-ID: SCURTIS Subject: TRANSFER NO. 4718
Transfer No. 4718 changed the point of diversion and place of use under a portion of Right No. 63-08376, splitting the right into parts A and B. The transferred portion under Part B removed 10 acres of irrigation, 0.13 cfs and 45.0 afa from the combined limits under previous Transfer No. 4385.

Audit: 09/22/95 LGRAVES 12/06/95 SCURTIS 12/12/95 SCURTIS 12/14/95 PSKAGGS
12/14/95 PSKAGGS

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

N If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 01/4.5 for Irrig purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: N/A

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>5N</u>	<u>1W</u>	<u>28</u>										<u>1</u>							<u>1</u>

Total acres 1

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 6.86/23.13 for Irrig purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: No Change

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

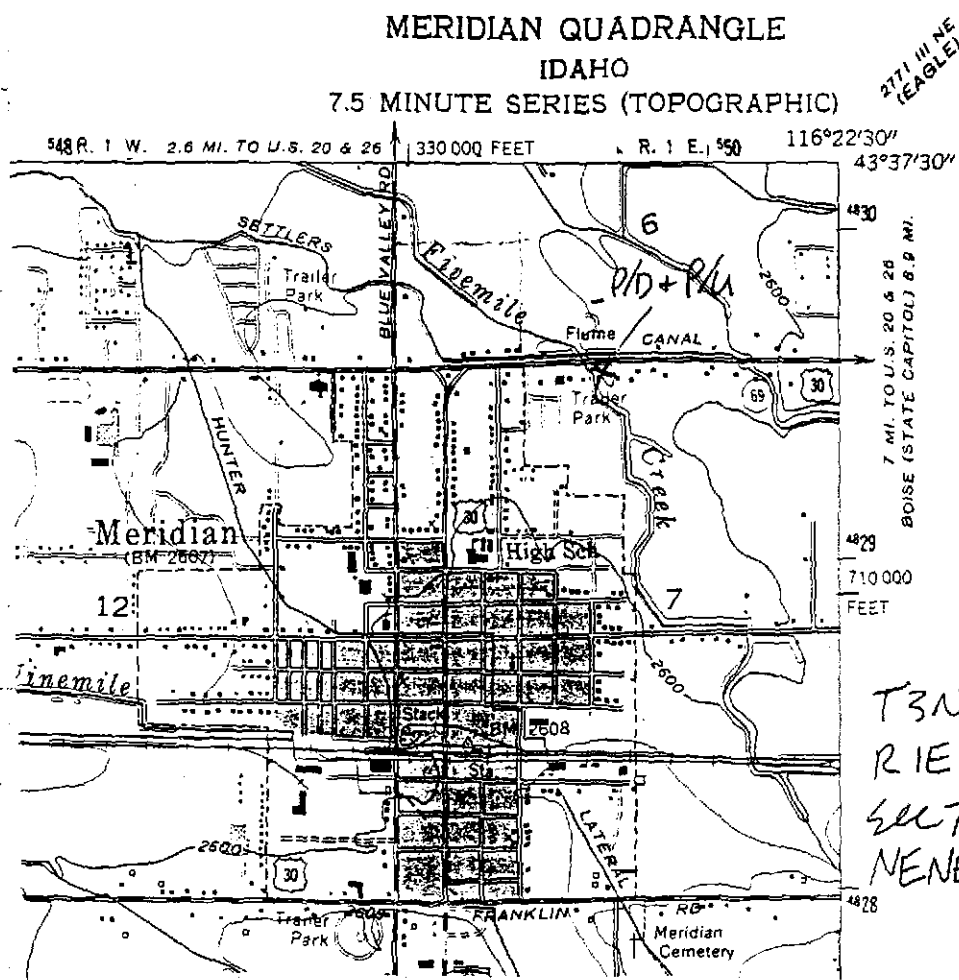
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>5N</u>	<u>1W</u>	<u>28</u>									<u>34</u>	<u>30</u>							<u>64</u>
		<u>29</u>				<u>39</u>				<u>33</u>		<u>40</u>	<u>40</u>			<u>40</u>			<u>192</u>
		<u>30</u>				<u>25</u>				<u>35</u>				<u>38</u>			<u>40</u>		<u>138</u>
		<u>32</u>	<u>40</u>				<u>40</u>	<u>40</u>											<u>120</u>

Total acres 514

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



PART 3**8. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	<u>Commercial</u>	<u>.02/4.5</u>	<u>16 hrs/day</u>	<u>1/1</u> to <u>12/31</u>
				to _____

2. Quantity and quality of return flows and location of discharge:

Pump rate at 50 gpm, not to exceed 4000 gal/day.
Wastewater from car wash tributary to Meridian sewer

3. Describe effects on other water uses resulting from the proposed change:

None

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

DAVE CONLEY - Member

LAMONT KOUBA - Member

STEVE BAINBRIDGE - member

Subscribed and sworn to before me this

23

day of

April

, 19 98

(Signature of Applicant)

Fred Harris

(Notary Public)

My commission expires 12-8-2000

FOR DEPARTMENT USE ONLY

Transfer contains 10 pages and 3/4 attachments A, B1+B2, C, D

Received by lg Date 3/31/98

Protest filed by _____

Prelim. check by _____ Fee 100 W029320

Receipted by KG Date 6/11/99

Published in Idaho Statesman

Copies of protest forwarded by _____

Pub. dates 4-15 & 22 - 99

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

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: A63-07131
Date Received: 4/11/1989
Receipt No: W002553
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: WILLOWBROOK DEVELOPMENT INC 208-376-4665
Address: 210 MURRAY ST
GARDEN CITY ID 83714

2. Date of Priority: JAN 13, 1969

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	01W	28	SW	NW			ADA
			NW	SW			ADA
		29	SE	NE			ADA
			SW	NW			ADA
			SE	NW			ADA

5. Description of diverting works:
3 AT APPROX. 550' AND 1 AT 600'

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/30	4.460		1875.40
STOCKWATER	01/01	12/31	0.020		4.00
DOMESTIC	01/01	12/31	0.020		0.60

7. Total Quantity Appropriated is:
4.500 C.F.S. (and/or) 1880.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME; STOCKWATER, 300 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	01W	28	SW	NW		IRR	40.0
			NW	SW		IRR	20.0
					Section Acres		60.0
		29	SW	NE		IRR	40.0
			SE	NE		IRR	35.0
			SW	NW		IRR	30.0
			SE	NW		IRR	30.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			NW	SE		IRR	40.0
					Section Acres		255.0
		30	SW	NE		IRR	5.0
			SE	NE		IRR	25.0
			NE	SW		IRR	35.0
			SE	SW		IRR	40.0
			NE	SE		DOMEST	
			NE	SE		IRR	30.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	30.0
					Section Acres		245.0
					Total Acres		560.0

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:

A63-08376

14. Remarks:

TRANS. 2415.

2 P/D IN NWSW, S28, T5N, R1W.

THERE IS NO WELL LOCATED IN THE SW4,NW4 OF SECTION 29. THERE ARE 2 WELLS IN THE SE4,NW4 OF SECTION 29. CLAIMANT STATES THIS IS THE ACTUAL LOCATION OF WELLS AND THERE MUST HAVE BEEN A MISTAKE MADE IN LOCATION WHEN THE TRANSFER WAS ENACTED.

THERE EXISTS ON THIS CLAIM CHANGES IN THE PLACES OF USE.

SOME HAVE BEEN DELETED BECAUSE OF NONUSE AND SOME ACREAGES HAVE BEEN ADDED. NO CHANGE IN THE AMOUNT OF WATER. NO INCREASE IN

14. Remarks: Continued
ACREAGES.

CLAIM AMENDED PER TRANSFER NO. 4385 APPROVED 10/2/1995. KW
AFTER SPECIFIC NOTIFICATION BY THE DEPARTMENT, THE RT. HOLDER
SHALL ANNUALLY REPORT THE AMOUNT OF WATER DIVERTED TO THE DEPT.

APPROVAL OF THIS TRANSFER IN NO WAY GRANTS ANY RIGHT-OF-WAY OR
EASEMENT FOR USE OF A DELIVERY SYSTEM OWNED BY PERSONS OTHER THAN
THE RT. OWNER.

FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS
CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE
APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.

PRIOR TO DIVERSION OF WATER UNDER THIS APPROVAL, THE RT.
HOLDER SHALL PROVIDE A MEANS OF MEASUREMENT ACCEPTABLE TO THE
DEPT. FROM ALL AUTHORIZED POINTS OF DIVERSION WHICH WILL ALLOW
DETERMINATION OF THE TOTAL RATE OF DIVERSION.

THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF
DIVERSION UNDER TRANSFER NO. 4385 SHALL NOT EXCEED 12.28 CFS, NOR
TOTAL COMBINED ANNUAL VOLUME OF 3937.6 AF.

THE PLACE OF USE FOR IRRIGATION UNDER RT. NOS. 63-03079,
63-07131 AND 63-08376 IS SUBJECT TO MODIFICATION ACCORDING TO THE
FINAL RECOMMENDATION AND DETERMINATION BY THE SRBA.

RT. NOS. 63-03079, 63-07131 AND 63-08376 WHEN COMBINED SHALL
NOT EXCEED A TOTAL ANNUAL DIVERSION VOLUME OF 3933.0 AF FOR
IRRIGATION, NOR EXCEED COMBINED IRRIGATION OF 874.0 ACRES PER
YEAR.

TWO POINTS OF DIVERSION ARE LOCATED WITHIN NWSW, S28, T05N,
R01W.

SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE
COPY OF APPROVED TRANSFER NO. 4385 IN FILE.

15. Basis of Claim: LICENSE

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 Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____, Title
and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

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 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4385
WATER RIGHT NO(S). 63-03079/63-07131/63-08376

RECEIVED

NOV 09 1995

WATER RESOURCES
WESTERN REGION

This is to certify that: WILLOWBROOK DEVELOPMENT INC
210 MURRAY ST
GARDEN CITY ID 83714

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 63-03079 :			
IRRIGATION	03/15 to 11/15	0.82 CFS	180.0 AF
	SUBTOTAL:	0.82 CFS	180.0 AF
Right No. 63-07131 :			
IRRIGATION	04/01 to 10/30	4.46 CFS	1875.4 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	4.0 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
	SUBTOTAL:	4.50 CFS	1880.0 AF
Right No. 63-08376 :			
IRRIGATION	03/15 to 11/15	7.00 CFS	2362.5 AF
	SUBTOTAL:	7.00 CFS	2362.5 AF
	TOTAL:	* 12.28 CFS	* 3937.6 AF

DATE OF PRIORITY:

Right No. 63-03079 : 05/21/1956

Right No. 63-07131 : 01/13/1969

Right No. 63-08376 : 10/12/1976

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 28, Township 05N, Range 01W
NWSW , Sec. 28, Township 05N, Range 01W
SENE , Sec. 29, Township 05N, Range 01W
SWNW , Sec. 29, Township 05N, Range 01W
SENW , Sec. 29, Township 05N, Range 01W
ADA County

TRANSFER NO. 4385
WATER RIGHT NO(S). 63-03079/63-07131/63-08376

PLACE OF USE: IRRIGATION

Right No. 63-03079 :

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	01W	30	NESW 5	NESE 10	NWSE 25	40
Total number of acres irrigated:						40

Right No. 63-07131 :

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	01W	28	SWNW 40	NWSW 20		60
		29	SWNE 40	SENE 35	SWNW 30	
			SENE 30	NESW 40	NWSW 40	
			NWSE 40			255
		30	SWNE 5	SENE 25	NESW 35	
			SESW 40	NESE 30	NWSE 40	
			SWSE 40	SESE 30		245
Total number of acres irrigated:						560

PLACE OF USE: STOCKWATER, same as IRRIGATION usePLACE OF USE: DOMESTICTWN RGE SEC

05N 01W 30 NESE

Right No. 63-8376 :

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	01W	28	NWSW 35	SWSW 40		75
		29	SENE 39	SENE 33	SWSW 40	
			SESW 40	SWSE 40		192
		30	SENE 25	NESW 35	NESE 38	
			SESE 40			138
		32	NWNE 40	NENW 40	NWNW 40	120
Total number of acres irrigated:						525

CONDITIONS OF APPROVAL AND REMARKS

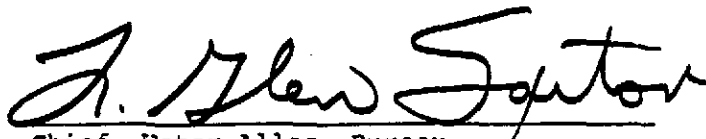
1. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
- R32- 2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
3. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
- 101 4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- 5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

TRANSFER NO. 4385
WATER RIGHT NO(S). 63-03079/63-07131/63-08376

CONDITIONS OF APPROVAL AND REMARKS

- 709
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
 - * 7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
 - * *8. The total instantaneous diversion of water from all points of diversion under Transfer No. 4385 shall not exceed 12.28 cfs, nor total combined annual volume of 3,937.6 af.
 - * 9. The place of use for irrigation under Right Nos. 63-03079, 63-07131 and 63-08376 is subject to modification according to the final recommendation and determination by the Snake River Basin Adjudication.
 - * 10. Right Nos. 63-03079, 63-07131 and 63-08376 when combined shall not exceed a total annual diversion volume of 3,933.0 af for irrigation, nor exceed combined irrigation of 874.0 acres per per year.
 11. Right No. 63-07131 includes stockwater use for 300 cattle and internal domestic use for 1 home.
 - * 12. Two points of diversion are located within NWSW, S28, T05N, R01W.

Dated this 2nd day of October, 1995.


Chief, Water Alloc. Bureau

Form No. 42-222
Feb 28 1990

Department of Water Resources
Western Regional Office

Transfer No. 2415

Water Right No. 63-7131

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant HILLS-DALE FARMS; HENRY DIXON SR.

Post office address HOOTNANNY, IDAHO 83426

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to

in case of

dated

in

(Name of court)

county of

b. License No. 63-7131

issued by the Idaho Department of Water Resources

c. Claim No.

on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant

3. Source of water groundwater tributary to

4. Date of priority 1/13/1969

5. Water is used for the following purposes:

amount 0.02

for domestic

purposes from 1/13/69

to 10/30/71

amount 0.02

for stockwater

purposes from 1/13/69

to 10/30/71

amount 4.46

for irrigation

purposes from 4/1

to 10/30

(month/day - both dates inclusive)

6. Total amount of water under right:

a. 4.46

cubic feet per second

&/or

b. 1,877.7

acre feet per annum

7. Location of original point of diversion is

SW

1/4 of

NW

1/4 of Section

29

Township 5N

Range 1W

B.M. in

Ada

County

Additional points of diversion, if any NW 1/4, Sec. 28, T. 5N, R. 1W;

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5N	1W	28							40			20							60
		29			40	35			30	30	40	40				40			255
		30			5	25					35			40	30	40	40	30	245
DOMESTIC:																			
5N	1W	30													X				

Total number of acres to be irrigated 560

9. Describe any other water rights used for the same purposes as described above

DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion
 - a. Amount of water to be diverted 4.46 c.f.s. &/or 1873 acre feet
 - b. Point(s) of diversion SW 1/4 NW 1/4, Section 29, Township 5N, Range 1W, B.M., Ada County
Additional points NW 1/4 SW 1/4 (two points), Sec. 28, T. 5N, R. 1W; SE 1/4 NW 1/4, Sec. 29, T. 5N, R. 1W.
 - c. Description of diverting works 16" X500' well, 150 hp motor with Layne & Boller pump.
 - d. Describe the reasons for applying for a change in the point(s) of diversion To insure adequate quantities of water.

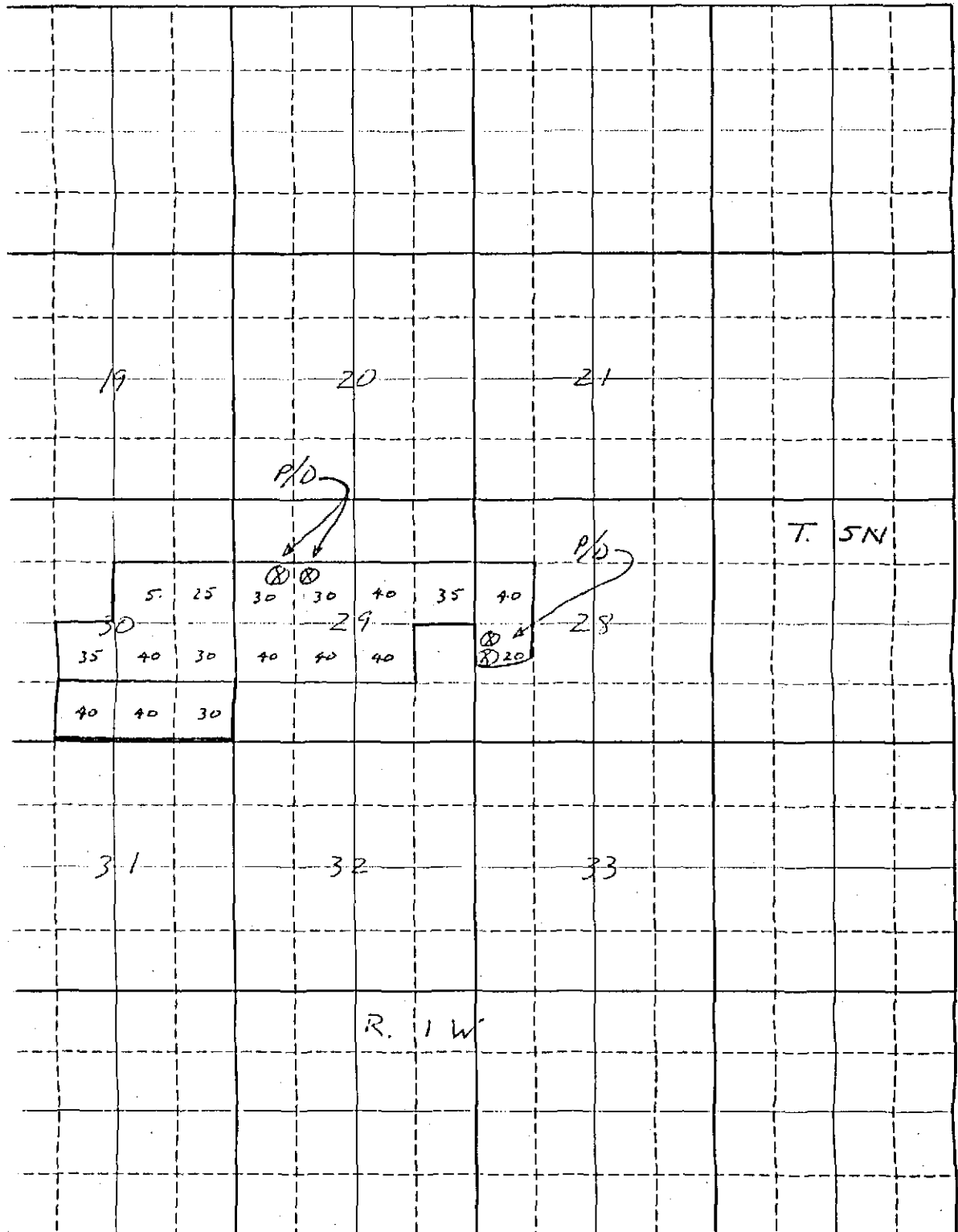
2. Change in place of use NO CHANGE

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated _____

3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



ALE: 2 inches equal 1 mile. Draw plan in ink.

4. Remarks Transfer filed to add points of diversion.

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

Willy-Late Farms
by Henry L. Smith
(Signature of applicant)

Subscribed and sworn to before me this 19th day of FEBRUARY, 19 80.

Elyse H. McSpadden
(Notary public)

My commission expires SEPT. 12th 1981

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 63-7131
and said application is hereby approved, subject to the following limitations and conditions:

Witness my hand this 23rd day of September, 19 80.

Norman C. Young
NORMAN C. YOUNG
Administrator, Resources Admin. Div.

FOR DEPARTMENT USE ONLY

Received by /wB Date

Prelim. check by DBS Fee 35⁰⁰

Receipted by DBS Date 3/21/80 #15356

Published in Statesman

Pub. dates 2/28 & 3/6/80

Watermaster recommendation requested on

rec'd.

Protest filed by

Copies of protest forwarded by

Hearing held by Date

Recommended for approval denial

by DBS Jim DKT