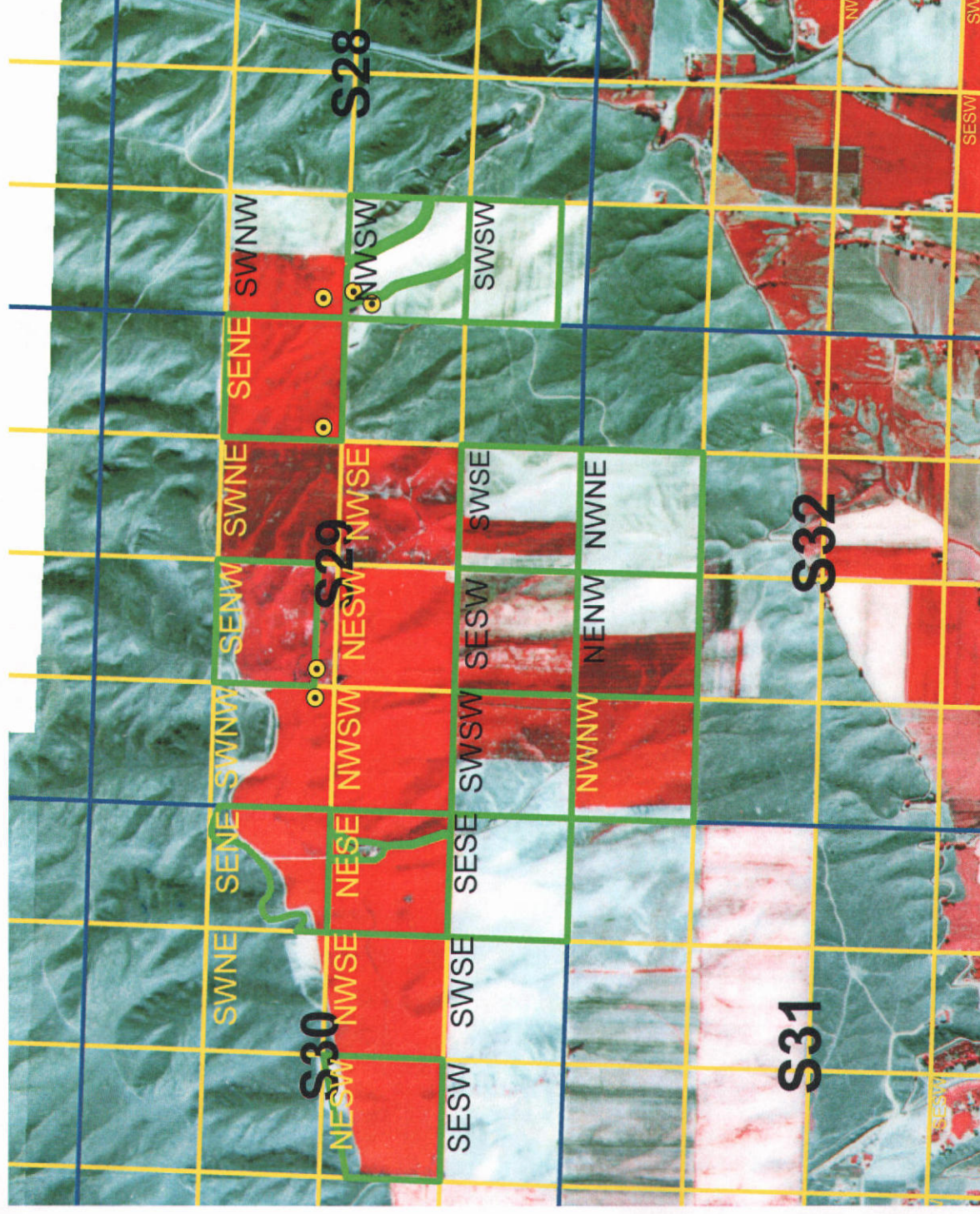


Idaho Department of Water Resources

Claim No: 63-8376E

Prepared By: Kimberly Brown

Date: October 23, 2005



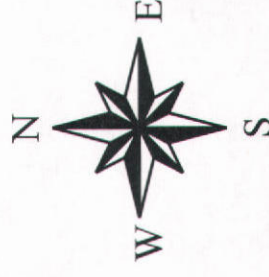
Place of Use

Section Lines

1/4 1/4

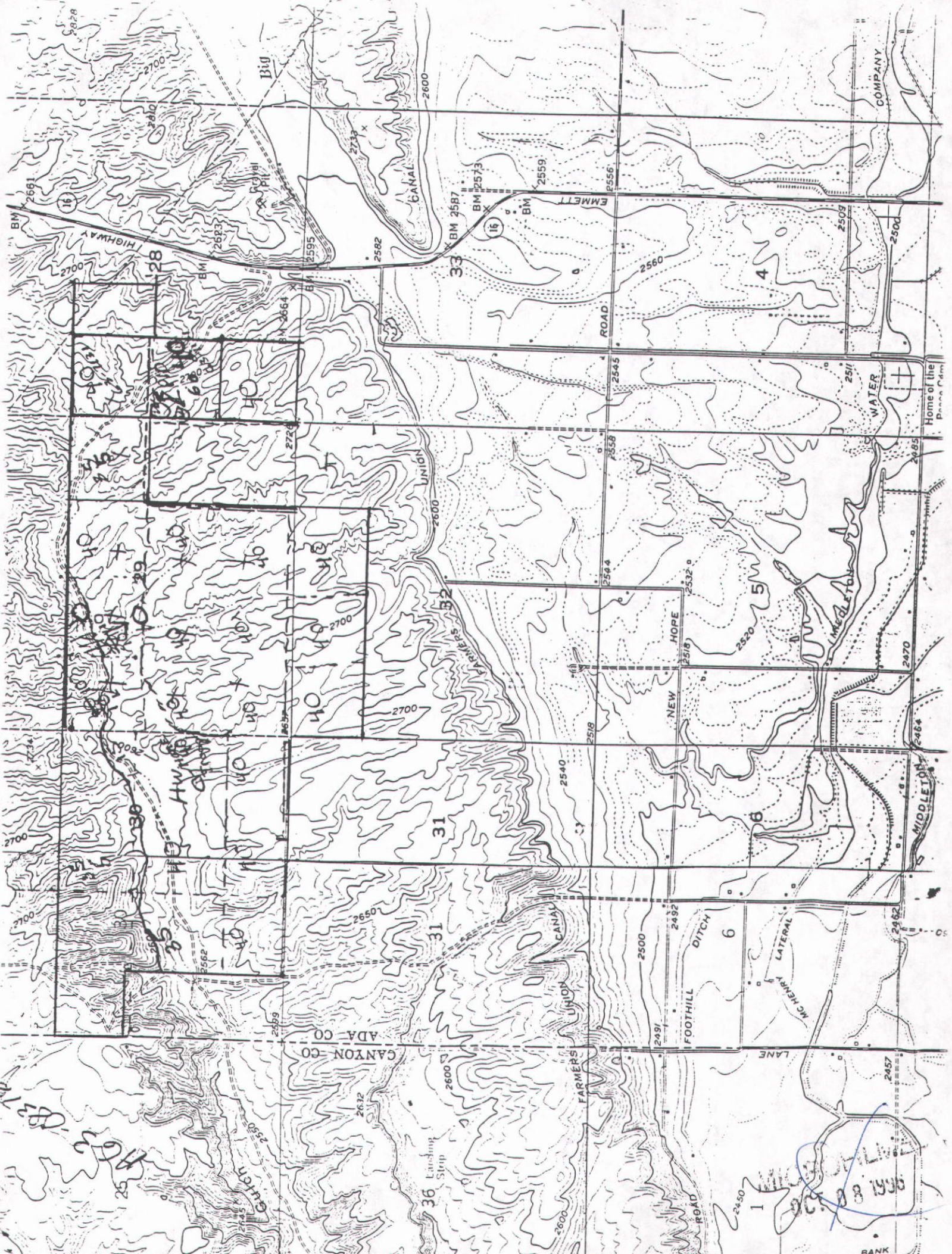
Point of Diversion

Acres Irrigated = 514.0



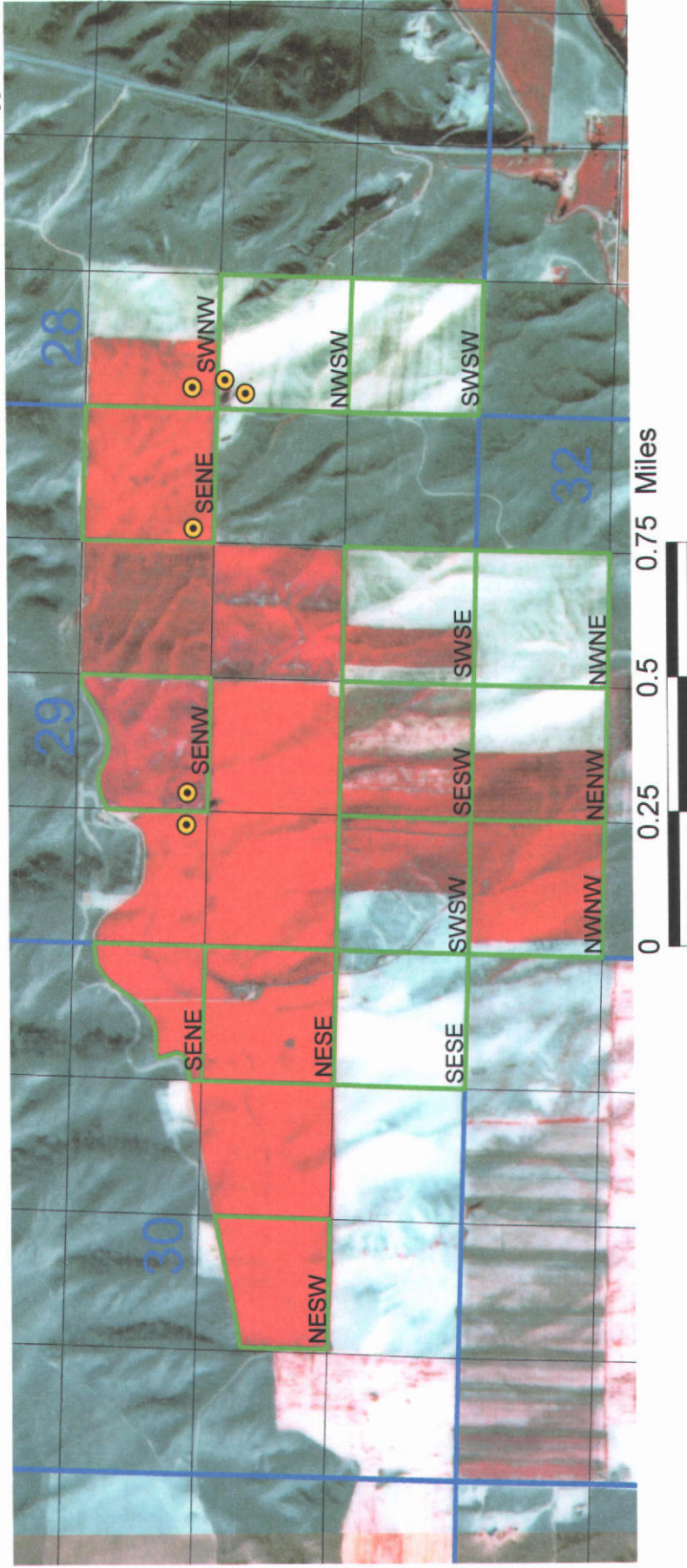
30003000 Feet

1987 NAPP



Idaho Department of Water Resources

1987 Napp Photo



● Point of Diversion

Claim Number: 63-08376E

Legal: T05N, R01W, S28, 29, 30, 32

Reviewed By:



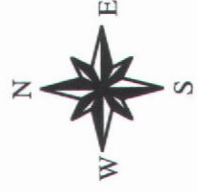
Place of Use



Section Lines

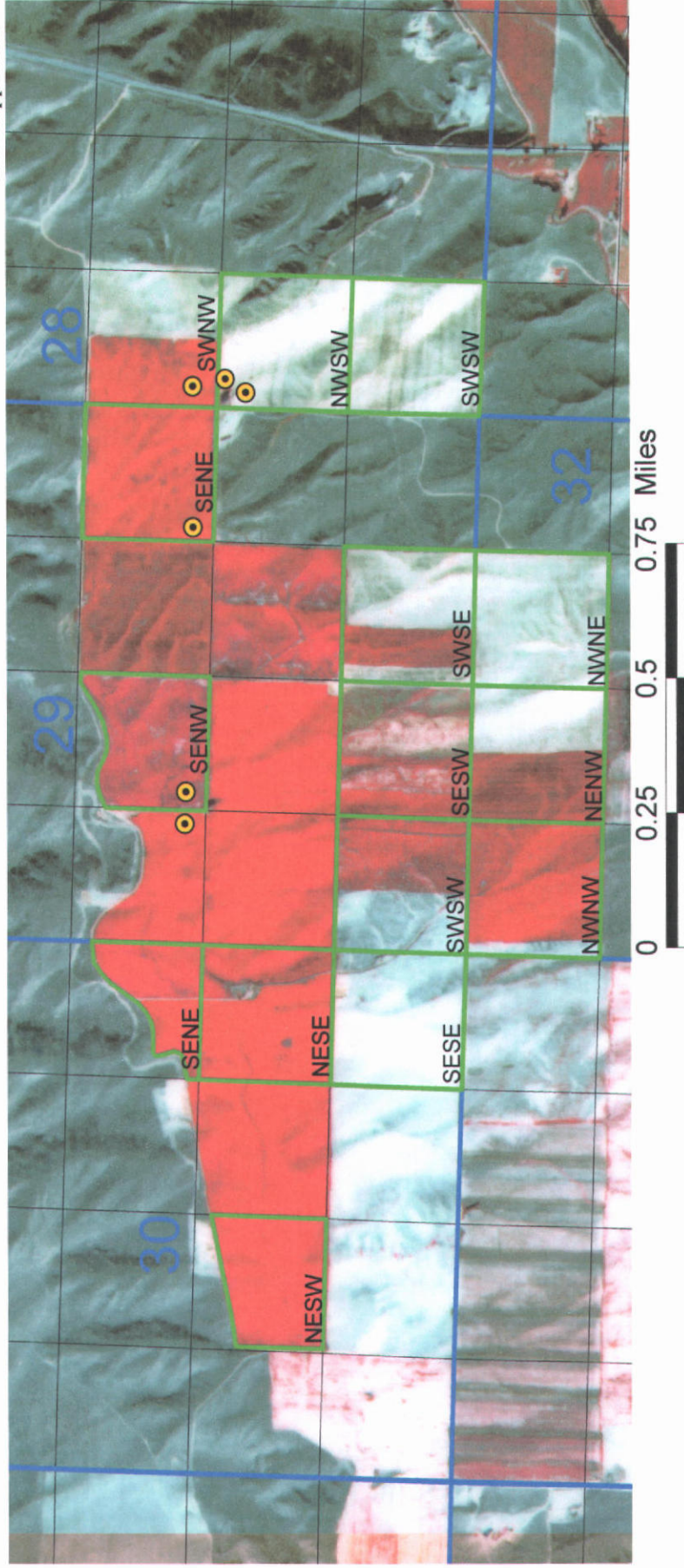


Quarter Quarter Lines



Idaho Department of Water Resources

1987 Napp Photo



● Point of Diversion

Place of Use

Section Lines

Quarter Quarter Lines

Claim Number: 63-08376E
 Legal: T05N, R01W, S28, 29, 30, 32
 Reviewed By:



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: A63-08376E
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: WILLOWBROOK DEVELOPMENT INC 208-323-7563
Address: 210 MURRAY ST
GARDEN CITY ID 83714

2. Date of Priority: OCT 12, 1976

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		SW	NW		ADA
				NW	SW		ADA
		29		SE	NE		ADA
				SW	NW		ADA
				SE	NW		ADA

5. Description of diverting works:
WELLS & SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	6.860		2313.00

7. Total Quantity Appropriated is:
6.860 C.F.S. (and/or) 2313.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	01W	28	NW	SW		IRR	34.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	01W	28	SW	SW		IRR	30.0
						Section Acres	64.0
		29	SE	NE		IRR	39.0
			SE	NW		IRR	33.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			SW	SE		IRR	40.0
						Section Acres	192.0
		30	SE	NE		IRR	25.0
			NE	SW		IRR	35.0
			NE	SE		IRR	38.0
			SE	SE		IRR	40.0
						Section Acres	138.0
		32	NW	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
						Section Acres	120.0
						Total Acres	514.0

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:
63-7131A

14. Remarks:

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

CLAIM AMENDED TO REFLECT LICENSE ISSUED AFTER SUBMITTAL OF CLAIM.

THIS CLAIM IS A RESULT OF TRANSFER NO. 4718 FOR A PORTION OF CLAIM NO. A63-08376, FEE PAID UNDER RECEIPT W002553. KW 12/22/95

CLAIM AMENDED PER TRANSFER NO. 4385 APPROVED 10/02/1995. KW AFTER SPECIFIC NOTIFICATION BY THE DEPT., THE RT. HOLDER SHALL ANNUALLY REPORT THE AMOUNT OF WATER DIVERTED TO THE DEPARTMENT.

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

14. Remarks: Continued

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 12.15 CFS, NOR TOTAL COMBINED ANNUAL VOLUME OF 3892.6 AF. (THIS RT. UPDATED AFTER APPROVAL OF TRANSFER NO. 4718 - RTS. 63-03079 & 63-07131 DO NOT SHOW THESE AMOUNTS IN THEIR CONDITIONS. KW 1/2/1998)

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

RT. NOS. 63-03079, 63-07131 AND 63-08376A WHEN COMBINED SHALL NOT EXCEED A TOTAL ANNUAL DIVERSION VOLUME OF 3888.0 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.

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

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: A63-08376A
Date Received: 4/11/1989
Receipt No: X777777
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: WILLOWBROOK DEVELOPMENT INC 208-323-7563
Address: 210 MURRAY ST
GARDEN CITY ID 83714

2. Date of Priority: OCT 12, 1976

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:
WELLS & SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	6.870		2317.50

7. Total Quantity Appropriated is:
6.870 C.F.S. (and/or) 2317.50 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05N	01W	28	NW	SW		IRR	35.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	01W	28	SW	SW		IRR	30.0
						Section Acres	65.0
		29	SE	NE		IRR	39.0
			SE	NW		IRR	33.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			SW	SE		IRR	40.0
						Section Acres	192.0
		30	SE	NE		IRR	25.0
			NE	SW		IRR	35.0
			NE	SE		IRR	38.0
			SE	SE		IRR	40.0
						Section Acres	138.0
		32	NW	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
						Section Acres	120.0
						Total Acres	515.0

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:
63-7131.

14. Remarks:

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

CLAIM AMENDED TO REFLECT LICENSE ISSUED AFTER SUBMITTAL OF CLAIM.

THIS CLAIM IS A RESULT OF TRANSFER NO. 4718 FOR A PORTION OF CLAIM NO. A63-08376, FEE PAID UNDER RECEIPT W002553. KW 12/22/95

CLAIM AMENDED PER TRANSFER NO. 4385 APPROVED 10/02/1995. KW AFTER SPECIFIC NOTIFICATION BY THE DEPT., THE RT. HOLDER SHALL ANNUALLY REPORT THE AMOUNT OF WATER DIVERTED TO THE DEPARTMENT.

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.

14. Remarks: Continued

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 12.15 CFS, NOR TOTAL COMBINED ANNUAL VOLUME OF 3892.6 AF. (THIS RT. UPDATED AFTER APPROVAL OF TRANSFER NO. 4718 - RTS. 63-03079 & 63-07131 DO NOT SHOW THESE AMOUNTS IN THEIR CONDITIONS. KW 1/2/1998)

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

RT. NOS. 63-03079, 63-07131 AND 63-08376A WHEN COMBINED SHALL NOT EXCEED A TOTAL ANNUAL DIVERSION VOLUME OF 3888.0 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.

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 _____

DATE: 01/02/98
PAGE: 1

2317-50 AFA

Stage: LICENSE

✓ **ANRS**
✓ **ANSM**

35

TOTAL ACRES

Conditions of Approval:

- After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
- 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.
- 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.
- The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- 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.
- 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.

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.

Remarks:

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			

W-ADJ

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

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

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

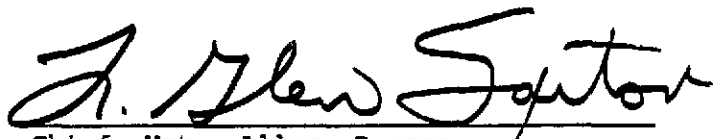
1. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
3. Approval of this 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.
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

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

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: A63-08376A
Date Received: 4/11/1989
Receipt No: X777777
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: WILLOWBROOK DEVELOPMENT INC 208-323-7563
Address: 210 MURRAY ST
GARDEN CITY ID 83714

2. Date of Priority: OCT 12, 1976

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		SW	NW		ADA
				SE	NW		ADA

5. Description of diverting works:
WELLS & SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	6.870		2317.50

7. Total Quantity Appropriated is:
6.870 C.F.S. (and/or) 2317.50 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	01W	28	NW	SW		IRR	35.0
			SW	SW		IRR	30.0

MICROFILMED
OCT 28 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	65.0
		29	SE	NE	IRR	39.0
			SE	NW	IRR	33.0
			SW	SW	IRR	40.0
			SE	SW	IRR	40.0
			SW	SE	IRR	40.0
					Section Acres	192.0
		30	SE	NE	IRR	25.0
			NE	SW	IRR	35.0
			NE	SE	IRR	38.0
			SE	SE	IRR	40.0
					Section Acres	138.0
		32	NW	NE	IRR	40.0
			NE	NW	IRR	40.0
			NW	NW	IRR	40.0
					Section Acres	120.0
					Total Acres	515.0

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:
63-7131.

14. Remarks:

2 P/D IN NSW, S28, T5N, RIW.

CLAIM AMENDED TO REFLECT LICENSE ISSUED AFTER SUBMITTAL OF CLAIM.

THIS CLAIM IS A RESULT OF TRANSFER NO. 4718 FOR A PORTION OF CLAIM NO. A63-08376, FEE PAID UNDER RECEIPT W002553. KW 12/22/95

15. Basis of Claim: LICENSE

~~NO. 22/95~~
OCT 08 1996

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
_____, Title
_____, 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 _____

10-205

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4718
WATER RIGHT NO. 63-08376B

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>
IRRIGATION	03/15 to 11/15	0.13 CFS	45.0 AF

SOURCE

GROUNDWATER

Priority: 10/12/1976

LOCATION OF POINT(S) OF DIVERSION: NESE , Sec. 7, Township 02N, Range 02E
ADA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N	02E	7	NESE	10		10

Total number of acres irrigated: 10

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
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.

MICROFILMED
OCT 03 1998

TRANSFER NO. 4718
WATER RIGHT NO. 63-08376B

CONDITIONS OF APPROVAL AND REMARKS

- TO 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. 4718 shall not exceed 0.13 cfs, nor total combined annual volume of 45.0 af.
9. Two points of diversion are located within NESE, S07, T02N, R02E.
10. Place of use is located within Lots 7, 8, 9 and 10, Block 1, Calderon Estates Subdivision.

Dated this 15th day of

December

, 19

95

A. Glen Saylor
Chief, Water Alloc. Bureau

~~NOTED~~
OCT 28 1995

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: A63-08376
Date Received: 4/11/1989
Receipt No: W002553
Received By: KW

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: OCT 12, 1976

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	SW	NW			ADA
			SE	NW			ADA

5. Description of diverting works:
WELL & PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/30	7.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	01W	28	NW	SW		IRR	35.0
			SW	SW		IRR	40.0

~~NOT RECORDED~~
OCT 18 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	75.0
		29	SE	NE	IRR	39.0
			SE	NW	IRR	33.0
			SW	SW	IRR	40.0
			SE	SW	IRR	40.0
			SW	SE	IRR	40.0
					Section Acres	192.0
		30	SE	NE	IRR	25.0
			NE	SW	IRR	35.0
			NE	SE	IRR	38.0
			SE	SE	IRR	40.0
					Section Acres	138.0
		32	NW	NE	IRR	40.0
			NE	NW	IRR	40.0
			NW	NW	IRR	40.0
					Section Acres	120.0
					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:
63-7131.

14. Remarks:

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

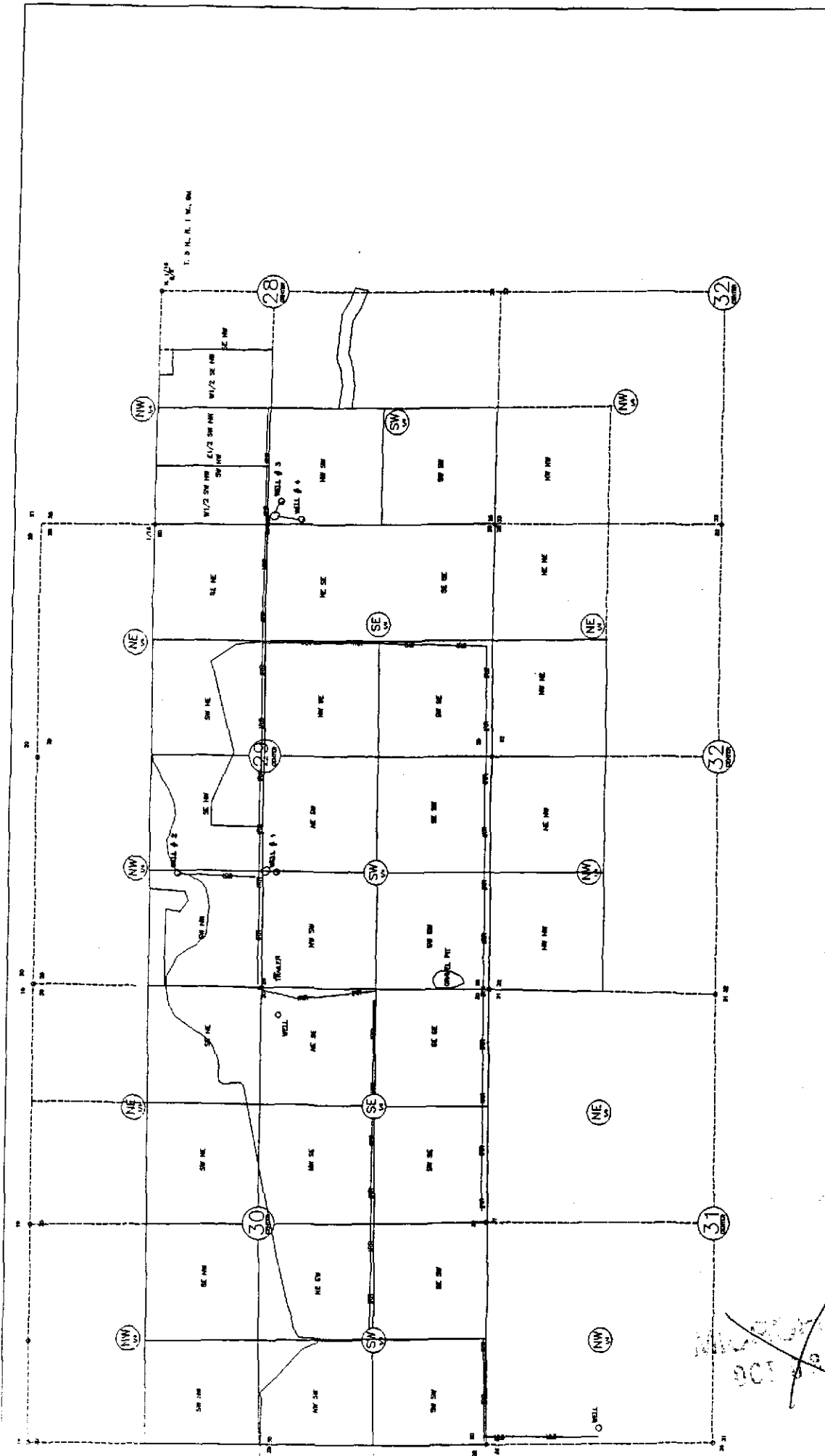
CLAIM AMENDED TO REFLECT LICENSE ISSUED AFTER SUBMITTAL OF CLAIM.

15. Basis of Claim: LICENSE

~~RECEIVED
OCT 11 1995~~

(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.

Date: 09/22/95



HILLSDALE	
1/4 SECTION MAP	
SCALE	1" = 500'
DATE	8/26/24
DESIGNED BY	RBA
DRAWN BY	J
CHECKED BY	J
DATE	8/26/24
BY	J

360 AC. TRACT
 OCT 19 1930



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 1/4 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
Eagle, ID 83616
- ☐ New Owner/Claimant (Purchaser): 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
[Signature]

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

REGISTERED
SEP 28 1995

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 8338170

9338170

ADA CO. FIRST AMERICAN TITLE CO.

J. DAVID NABARD

RECORDER

BY K. Layman
02700 1993

WARRANTY DEED, p. 1

'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

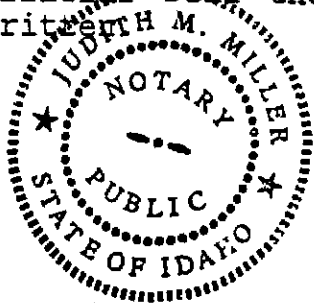
Hazel N. Dixon
HAZEL N. DIXON, Individually, and
as Personal Representative of the
Estate of Henry R. Dixon

~~RECORDED~~
OCT 24 1956

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.

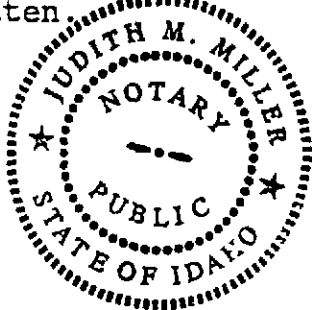


Judith M. Miller
NOTARY PUBLIC, State of Idaho
Residing at Boise
My Commission Expires: 9-24-96

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

~~NOTARY PUBLIC~~
OCT 10 1996

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 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

~~NOT RECORDED~~
OCT 08 1996

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.

~~RECORDED~~
OCT 18 1936

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: A63-08376

Date Received: 4-11-89

Receipt No: 62553

Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HILLSDALE FARMS

Address: RT. 1

EAGLE, ID

83616

Name: THE TRAVELERS INSURANCE CO.

Address:

2. Date of Priority: OCT 12, 1976

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	NW	SW			ADA
		29	SE	NW			ADA

5. Description of diverting works:

WELL & PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/30	7.000		

7. Total Quantity Appropriated is:

7.000 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

A63-08376

Page

1

Date: 03/07/89

~~MICROFILMED~~
OCT 8 1986

~~MICROFILMED~~
AUG 2 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	01W	28	SW	SW		IRR	40.0
			Section Acres				40.0
		29	SW	NW		IRR	10.0
			SE	NW		IRR	10.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			SW	SE		IRR	40.0
			Section Acres				140.0
		30	SE	NE		IRR	15.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SE		IRR	10.0
			Section Acres				105.0
		32	NW	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			Section Acres				120.0
			Total Acres				405.0

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:
63-7131.

14. Remarks:

2 P/D IN NWSW, S28, T5N, RIW.
THERE IS A CHANGE MADE IN THE LOCATION OF THE WELL IN SECTION 29.
THERE IS NO WELL IN THE SW4,NW4 OF THIS SECTION. IT IS ACTUALLY
IN THE SE4,NW4 OF SECTION 29. THE CLAIMANT STATES THE WELL HAS
ALWAYS BEEN IN THIS LOCATION AND A MISTAKE MUST HAVE BEEN MADE
WHEN THE TRANSFER WAS MADE IN FEBRUARY, 1980. (#2415).
THERE IS ALSO A CHANGE IN THE LOCATION AND ACRES IRRIGATED. SOME
ACREAGES NOT IN USE HAVE BEEN DELETED. NO CHANGE TO THE AMOUNT
OF WATER.

15. Basis of Claim: PERMIT

(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.

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

Managing Partner Henry Dixon
Signature of Authorized Agent

Managing Partner Hillsdale Farms
Title and Organization

4-11-1989
Date

State of Idaho)
County of ADA) SS.

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

Seal

Linda A. Werner
Notary Public

Linda A. Werner

Residing at Residing at Boise, Idaho

My Commission Expires December 8, 1994
My Commission Expires

Brown, Kimberly

From: Brown, Kimberly
Sent: Friday, January 12, 2007 12:28 PM
To: 'Ted Booth'
Cc: Brown, Kimberly
Subject: RE: 63-8376E

Ted,
We should go with adding the three individual water right numbers, **63-3079, 63-7131, and 63-8376** in place of the sole transfer number and not add the split suffixes.

ex.) The total instantaneous diversion of water from water right nos. 63-3079, 63-7131, and 63-8376 shall not exceed . . . "

Kimberly Brown
Senior Water Resource Agent
Western Region

-----Original Message-----

From: Ted Booth [mailto:tbooth@srba.state.id.us]
Sent: Thursday, January 11, 2007 10:52 AM
To: Brown, Kimberly
Subject: RE: 63-8376E

Kimberly,

I view this sort of change as form rather than substance. Because the court is responsible for determining the form of the decree, we don't need any formal procedure to make the change. Should the remark be as follows?:

The total instantaneous diversion of water from water right nos. 63-08376E, 63-03079, 63-07131A, and 63-08376E shall not exceed 12.13 cfs, nor a total combined annual volume of 3888.1 af.

P.S. I don't have a problem with referring to a transfer, the only reason that I thought it might be preferable to list the rights is so that the essential information is contained on the face of the partial decree, rather than having to look at other documents to determine the meaning of the remark. If the Department is OK with leaving it as written, then so am I.

Ted Booth

Eliminate annoying spam!

My mailbox is protected by iHateSpam, the #1-rated spam buster.
<http://www.ihatespam.net>

From: Brown, Kimberly [mailto:Kimberly.Brown@idwr.idaho.gov]
Sent: Thursday, January 11, 2007 10:40 AM
To: Ted Booth
Subject: 63-8376E

1/12/2007

Ted,

We agree that since there is more than one water right associated with Transfer No. 4385 (**63-3079, 63-7131, and 63-8376**), that we should list those three water right numbers individually in place of "Transfer No. 4385." Can we make this a clerical change or does the change require a different procedure?

Kimberly Brown
Senior Water Resource Agent
Western Region

-----Original Message-----

From: Ted Booth [mailto:tbooth@srba.state.id.us]
Sent: Friday, January 05, 2007 2:55 PM
To: Shurte, Jan
Subject: 63-8376E

Jan,

Please look at the "transfer" comment - would it be better to list out the combined use water rights rather than say "points of diversion under Transfer No. 4385."

Ted

Eliminate annoying spam!

My mailbox is protected by iHateSpam, the #1-rated spam buster.
<http://www.ihatespam.net>

11/02/2005
RECEIVED

NOTICE OF ERROR
REPLY

NOV 18 2005

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

WATER RESOURCES
WESTERN REGION

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: November 18, 2005

Water right number: 63-8376E

WILLOWBROOK DEVELOPMENT INC

210 MURRAY ST

BOISE ID 83714

Telephone Number: (208)376-4665

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:

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

DATE: 11-15-05 SIGNATURE: [Signature]
Please print your name: Rick M Phillips

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

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

RIGHT NUMBER: 63-8376E

NAME AND ADDRESS: WILLOWBROOK DEVELOPMENT INC
210 MURRAY ST
BOISE ID 83714

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 6.860 CFS
2,313.000 AFY

The total instantaneous diversion of water from all points of diversion under Transfer No. 4385 shall not exceed 12.13 cfs, nor a total combined annual volume of 3888.1 af.

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.

Right Nos. 63-03079, 63-07131A and 63-08376E when combined shall not exceed a total annual diversion volume of 3883.5 af for irrigation.

PRIORITY DATE: 10/12/1976

POINT OF DIVERSION:

T05N R01W S28 SWNW Within ADA County
T05N R01W S28 NWSW Within ADA County
T05N R01W S28 NWSW Within ADA County
T05N R01W S29 SENE Within ADA County
T05N R01W S29 SWNW Within ADA County
T05N R01W S29 SENW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	6.860 CFS 2,313.00 AFY

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 14 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:

IRRIGATION Within ADA County

T05N R01W S28	NWSW	34.0	T05N R01W S28	SWSW	30.0
T05N R01W S29	SENE	39.0	T05N R01W S29	SENE	33.0
T05N R01W S29	SWSW	40.0	T05N R01W S29	SESW	40.0
T05N R01W S29	SWSE	40.0	T05N R01W S30	SENE	25.0
T05N R01W S30	NESW	35.0	T05N R01W S30	NESE	38.0
T05N R01W S30	SESE	40.0	T05N R01W S32	NWNE	40.0
T05N R01W S32	NENW	40.0	T05N R01W S32	NWNW	40.0

514 ACRES TOTAL

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

The rights listed below are limited to the irrigation of a combined total of 863.0 acres in a single irrigation season. Combined Right Nos.: 63-03079, 63-07131A, & 63-08376E.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

The right holder shall accomplish the change authorized by Transfer No. 4385 within one (1) year of the date of the approval.

Property is also known as Hillsdale Estates.

After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.

Failure of the right holder to comply with the conditions of Transfer No. 4385 is cause for the Director to rescind approval of the transfer.

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.

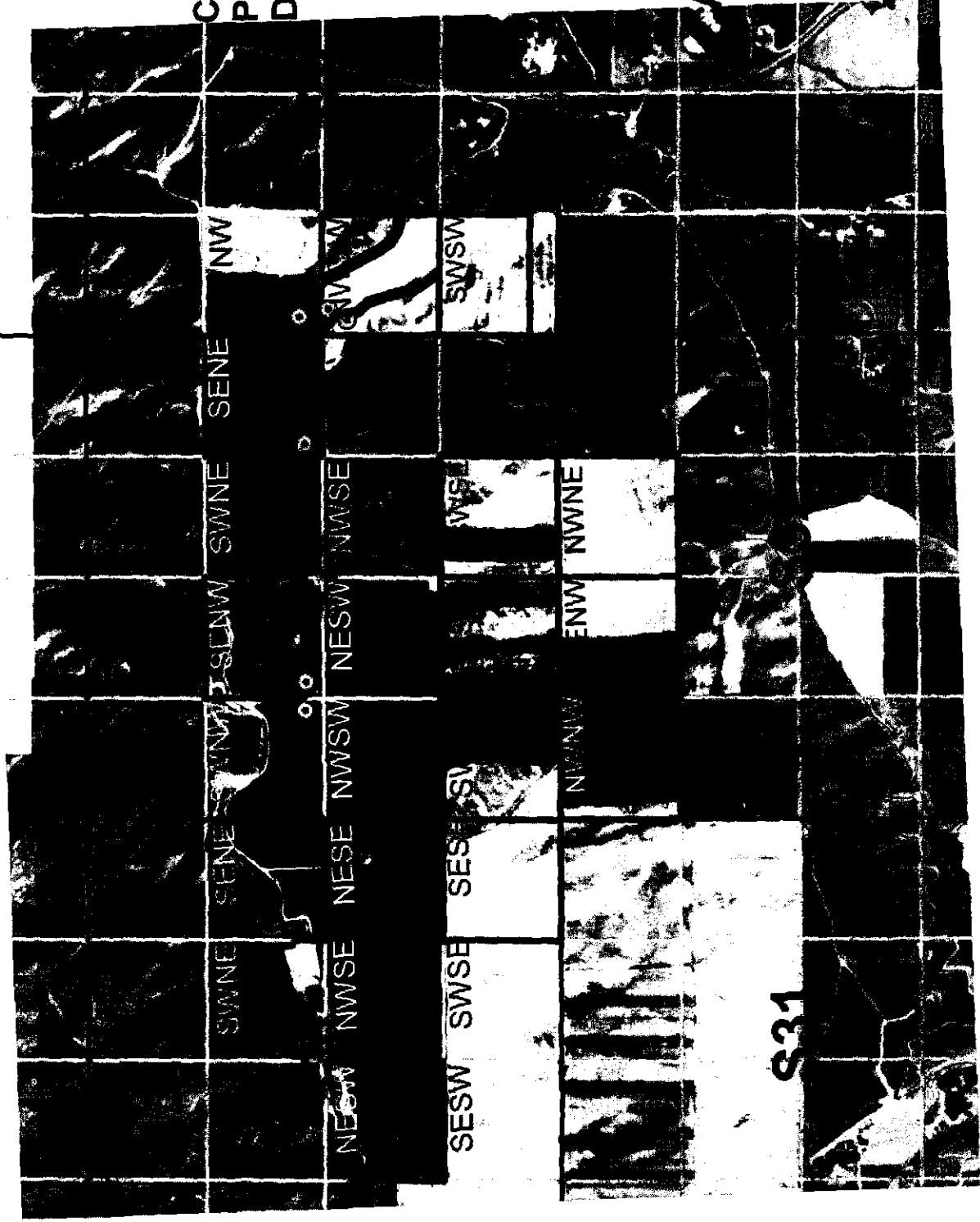
Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

T05N, R01W,

**S28, S29,
S30, S32**

Claim No: 63-8376E

Prepared By: Kimberly Brown
Date: October 23, 2005



Place of Use



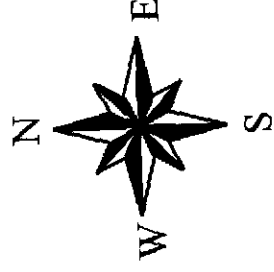
Section Lines

1/4 1/4



Point of Diversion

Acres Irrigated = 514.0



30003000 Feet



1987 NAPP

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8376E

WATER RIGHT NUMBER: 63-8376E ✓

Owner TypeName and Address

Original Owner

THE TRAVELERS INSURANCE CO

, ID

Original Owner

HILLSDALE FARMS

RT 1

EAGLE, ID 83616

Original Owner

VALLEY VIEW FARMS

, ID

Current Owner

WILLOWBROOK DEVELOPMENT INC ✓

210 MURRAY ST

BOISE, ID 83714

(208)376-4665

Priority Date: 10/12/1976 ✓

Basis: License ✓

Status: Active

Source

GROUND WATER

Tributary

7.0

- .14

2362.5

- 49.5

Beneficial Use

IRRIGATION ✓

From To

3/15 to 11/15 ✓

Diversion Rate

6.860 CFS

Annual Volume

2,313.00 AF

Total Diversion:

6.860 CFS

2,313.00 AF

Location of Point(s) of Diversion

GROUND WATER

ADA County ✓

SW1/4NW1/4 ✓

Sec. 28, ✓ Twp 05N, Rge 01W, B.M.

GROUND WATER

ADA County

SE1/4NW1/4 ✓

Sec. 29, ✓ Twp 05N, Rge 01W, B.M.

GROUND WATER

ADA County

NW1/4SW1/4 ✓

Sec. 28, ✓ Twp 05N, Rge 01W, B.M.

GROUND WATER

ADA County

SW1/4NW1/4 ✓

Sec. 29, ✓ Twp 05N, Rge 01W, B.M.

GROUND WATER

ADA County

SE1/4NE1/4 ✓

Sec. 29, ✓ Twp 05N, Rge 01W, B.M.

ADD: NWSW, 828(6 Pods)Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

ADD 839 - Season of use is 3/1 to 11/15.ADD 501 - Place of use is also known as
Hillsdale Estates Subdivision* Use Conditions
on 63-8376E
Water Right Report!

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8376E

difference of 11 AC

8376 Transfer = 525 AC

05N 01W 28				34.0	30.0		64.0	✓ 75.0
05N 01W 29	39.0	✓ 35.0	33.0	35.0	40.0	40.0	40.0	192.0 ✓
05N 01W 30	25.0	✓ 25.0	35.0	38.0	40.0	40.0	138.0	✓
05N 01W 32	40.0	40.0	40.0				120.0	✓
Total Acres	514	✓						525

Conditions of Approval:

1. 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.
2. 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.
3. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. 2 P/D IN NWSW, S28, T5N, R1W.

CLAIM AMENDED TO REFLECT LICENSE ISSUED AFTER SUBMITTAL OF CLAIM.

THIS CLAIM IS A RESULT OF TRANSFER NO. 4718 FOR A PORTION OF CLAIM NO. A63-08376. FEE PAID UNDER RECEIPT W002553. KW 12/22/95 CLAIM AMENDED PER TRANSFER NO. 4385 APPROVED 10/02/1995. KW AFTER SPECIFIC NOTIFICATION BY THE DEPT., THE RT. HOLDER SHALL ANNUALLY REPORT THE AMOUNT OF WATER DIVERTED TO THE DEPARTMENT. APPROVAL OF THIS TRANSFER IN NO WAY GRANTS ANY RIGHT-OW-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 12.15 CFS, NOR TOTAL COMBINED ANNUAL VOLUME OF 3892.6 AF. (THIS RT. UPDATED AFTER APPROVAL OF TRANSFER NO. 4718 - RTS. 63-03079 & 63-07131 DO NOT SHOW THESE AMOUNTS IN THEIR CONDITIONS. KW 1/2/1998) THE PLACE OF USE FOR IRRIGATION UNDER RT. NOS. 63-03079, 63-07131 & 63-08376A IS SUBJECT TO MODIFICATION ACCORDING TO THE FINAL RECOMMENDATION AND DETERMINATION BY THE SRBA.

RT. NOS. 63-03079, 63-07131 AND 63-08376A WHEN COMBINED SHALL NOT EXCEED A TOTAL ANNUAL DIVERSION VOLUME OF 3888.0 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.

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

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:

I Did not use these conditions they are not applicable.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-8376E

Water Supply Bank:

05101107942
R 2626110750

Water Right Report 63-8376E

contains
Applicable
Conditions -

Priority Date: 10/12/1976
Basis: License
Status: Active

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	6.860 CFS	2,313.00 AF
	<u>Total Diversion:</u>	6.860 CFS	2,313.00 AF

GROUND WATER ADA County	SE1/4NE1/4	Sec. 29, Twp 05N, Rge 01W, B.M.
GROUND WATER ADA County	SW1/4NW1/4	Sec. 28, Twp 05N, Rge 01W, B.M.
GROUND WATER ADA County	SW1/4NW1/4	Sec. 29, Twp 05N, Rge 01W, B.M.
GROUND WATER ADA County	SE1/4NW1/4	Sec. 29, Twp 05N, Rge 01W, B.M.
GROUND WATER ADA County	NW1/4SW1/4	Sec. 28, Twp 05N, Rge 01W, B.M.

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	01W	28										34.0	30.0						64.0
05N	01W	29				39.0				33.0			40.0	40.0			40.0		192.0
05N	01W	30				25.0					35.0				38.0		40.0		138.0

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-8376E

05N 01W 32	40.0	40.0	40.0				120.0
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Total Acres: 514

Applicable Conditions -

Conditions of Approval:

1. ~~WPA~~ ~~DELETE~~ ~~E60~~ The total instantaneous diversion of water from all points of diversion under Transfer No. 4385 shall not exceed 12.13 cfs, nor total combined annual volume of 3,886.1 af. ~~The place of use for irrigation under Right Nos. 63-03079, 63-07131A & 63-08376E is subject to modification according to the final recommendation and determination by the Snake River Basin Adjudication.~~ ~~Right Nos. 63-03079, 63-07131A & 63-08376E when combined shall not exceed a total annual diversion volume of 3,883.5 af for irrigation nor exceed combined irrigation of 863.0 total acres per year.~~ ~~Two points of diversion are located within NWSW, S28, T05N, R01W. (Remarks modified to reflect split rights under Transfer 5443.)~~ ~~E 586~~
2. ~~T07~~ 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.
3. ~~DELETE~~ ~~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. ~~#4385~~
4. ~~T07~~ The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. ~~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.
6. ~~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.
7. ~~O28~~ After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
8. ~~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.

Remarks: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. SCURTIS 12/12/1995 TRANSFER NO. 4718

Comment: 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.

3. 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.

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 63-8376E

Dates and Other Information:

Licensed Date: 1/9/1990
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority 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

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>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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Water Supply Bank:

(in office review)

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

Prior to Field Exam

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

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) A63-8376EOwner: Willowbrook Development Phone No. (208) 376-4665Current Address: 210 Murray St. Boise 83714

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

Accompanied by: N/A**PRIORITY DATE**

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

Priority date, per claimant, is: 10/12/1976

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

Source: Ground Water Tributary to _____

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

POINT OF DIVERSION

- ☒ No change 6 PODs
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

ADD: NWSW, SZ8 to eCVR

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 Field Report #63-8376***OVERLAP REVIEW**

Other water rights with the same point of diversion: _____

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

WATER USES☐ No change☐ Different Uses*Season of use is 3/1 to 11/15.*

Use _____ From _____ To _____ Amount _____ CFS _____ 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:*Also known as Hillsdale Estates Subdivision.*

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: _____

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

Delivery System Narrative: See 63-8376 Field Report.

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

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

(OVER)

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

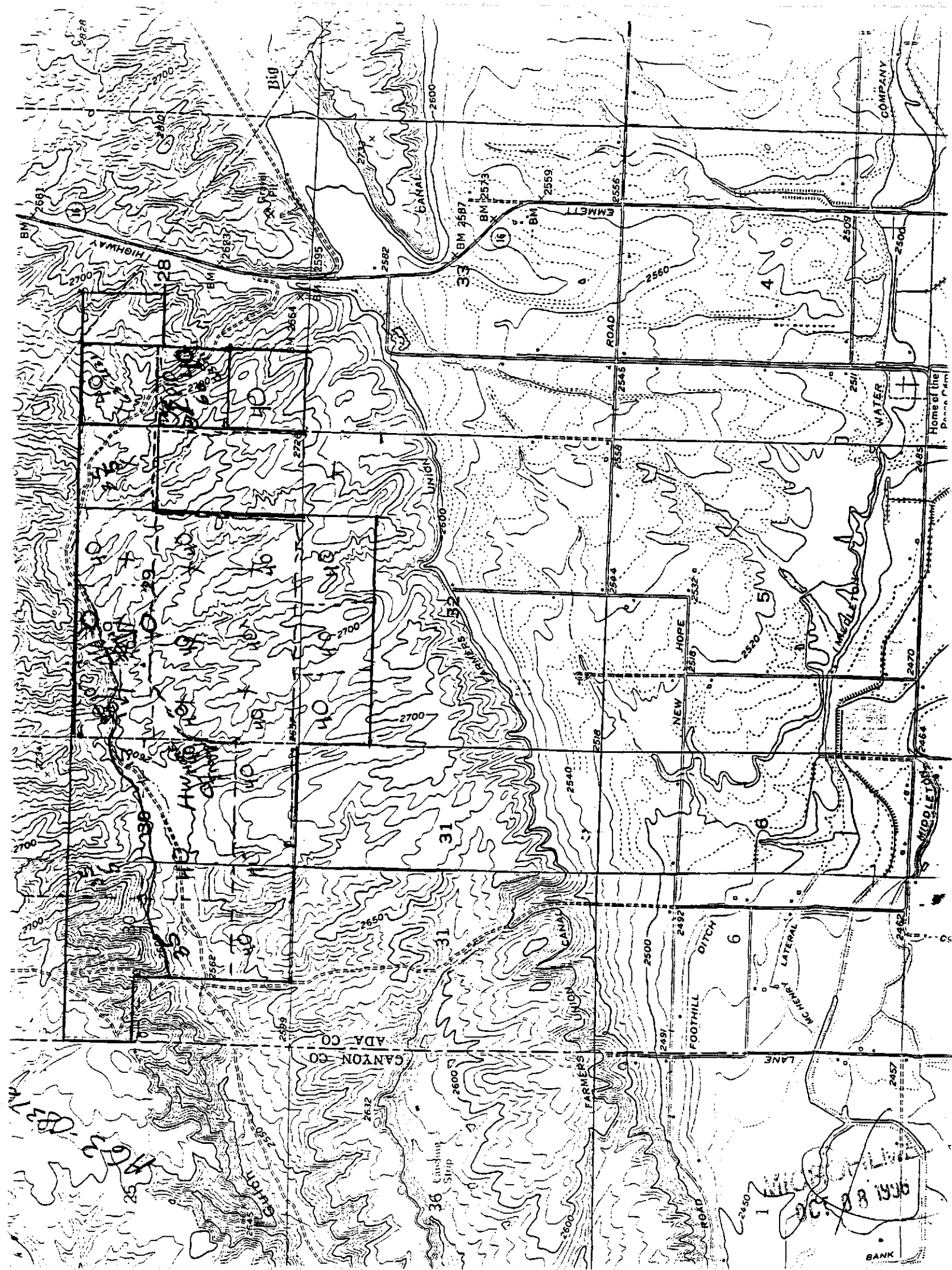
Place of use is also known as Hillside Estates.
(No. 1.)

AFTER EXAM THE FILE SHOULD CONTAIN:

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

DATE EXAM CONDUCTED: 10.23.05

FIELD EXAMINER: Kimberly Brown



IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-08376 E

Date: 9-24-61

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	5N	1W	28										34	30						64
GIS													40	40						80
Claim	5N	1W	29				39				33			40	40			40		192
GIS							40				33			40	40			40		193
Claim	5N	1W	30				25					35				38			40	138
GIS							19					29				40			40	128
Claim	5N	1W	32		40			40	40											120
GIS					40			40	40											120

Number of POD's 6

Total Claimed Acres: 514

Overlapping POV Claim #'s:

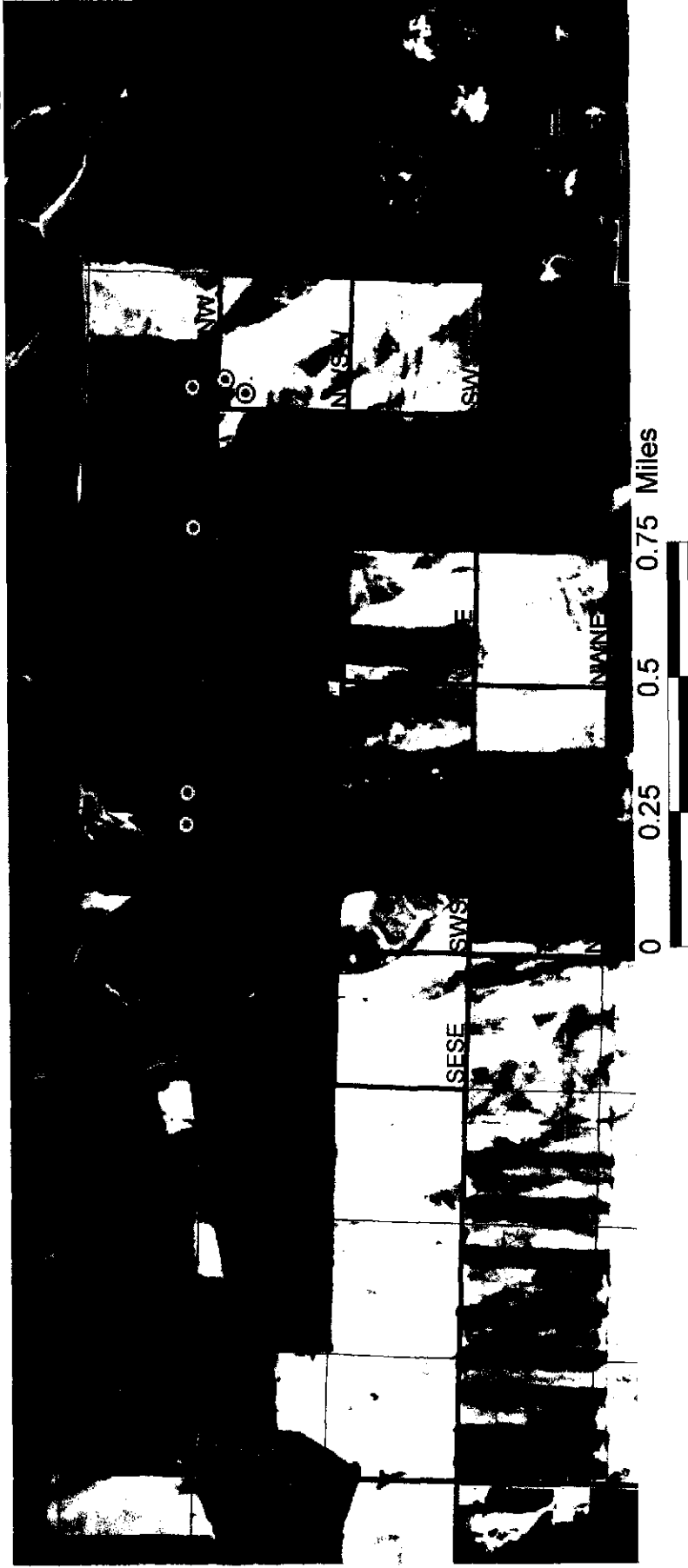
63-07131A

Total GIS Acres: 521

COMMENTS:

Idaho Department of Water Resources

1987 Napp Photo



⊙ Point of Diversion

Claim Number: 63-08376E

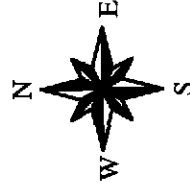
Legal: T05N, R01W, S28, 29, 30, 32

Reviewed By:

Place of Use

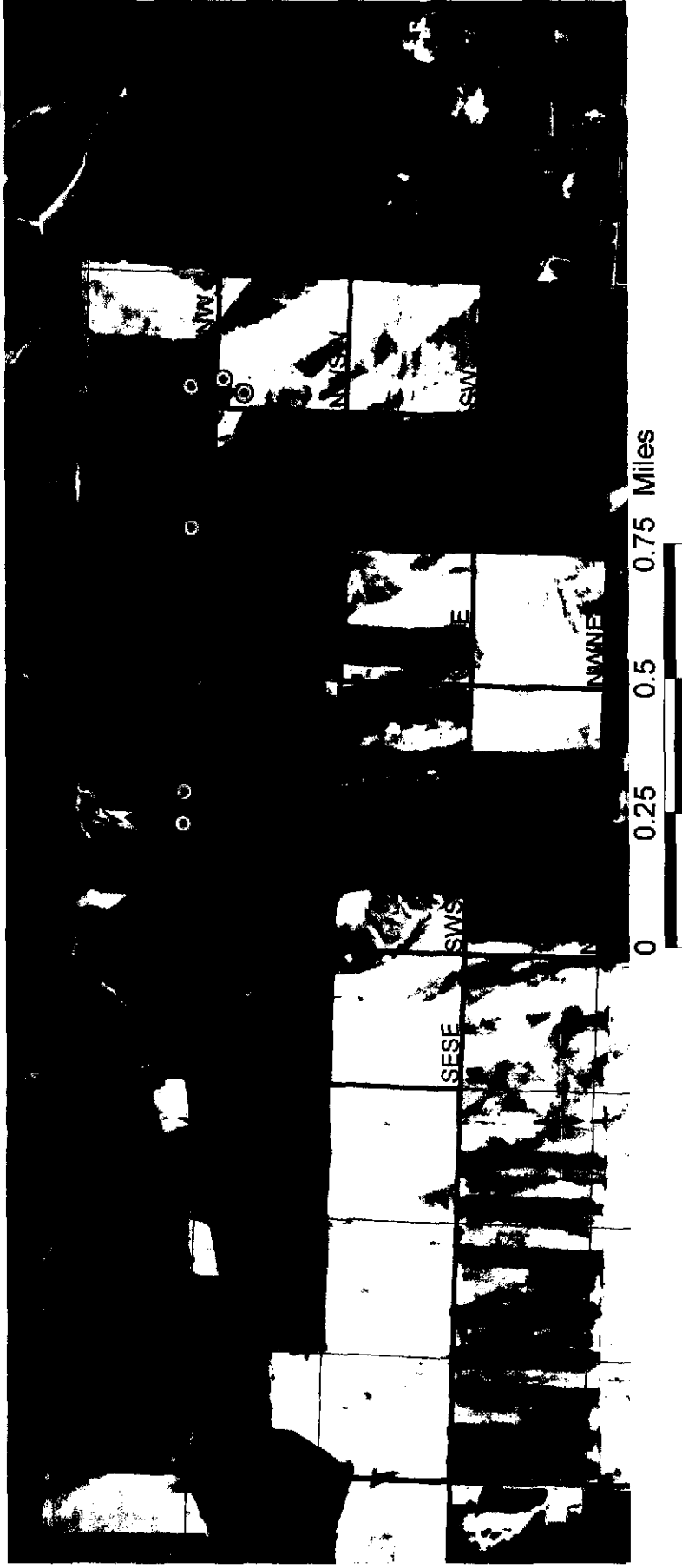
Section Lines

Quarter Quarter Lines



Idaho Department of Water Resources

1987 Napp Photo



● Point of Diversion

Claim Number: 63-08376E

Legal: T05N, R01W, S28, 29, 30, 32

Reviewed By:

☐ Place of Use

☐ Section Lines

☐ Quarter Quarter Lines

