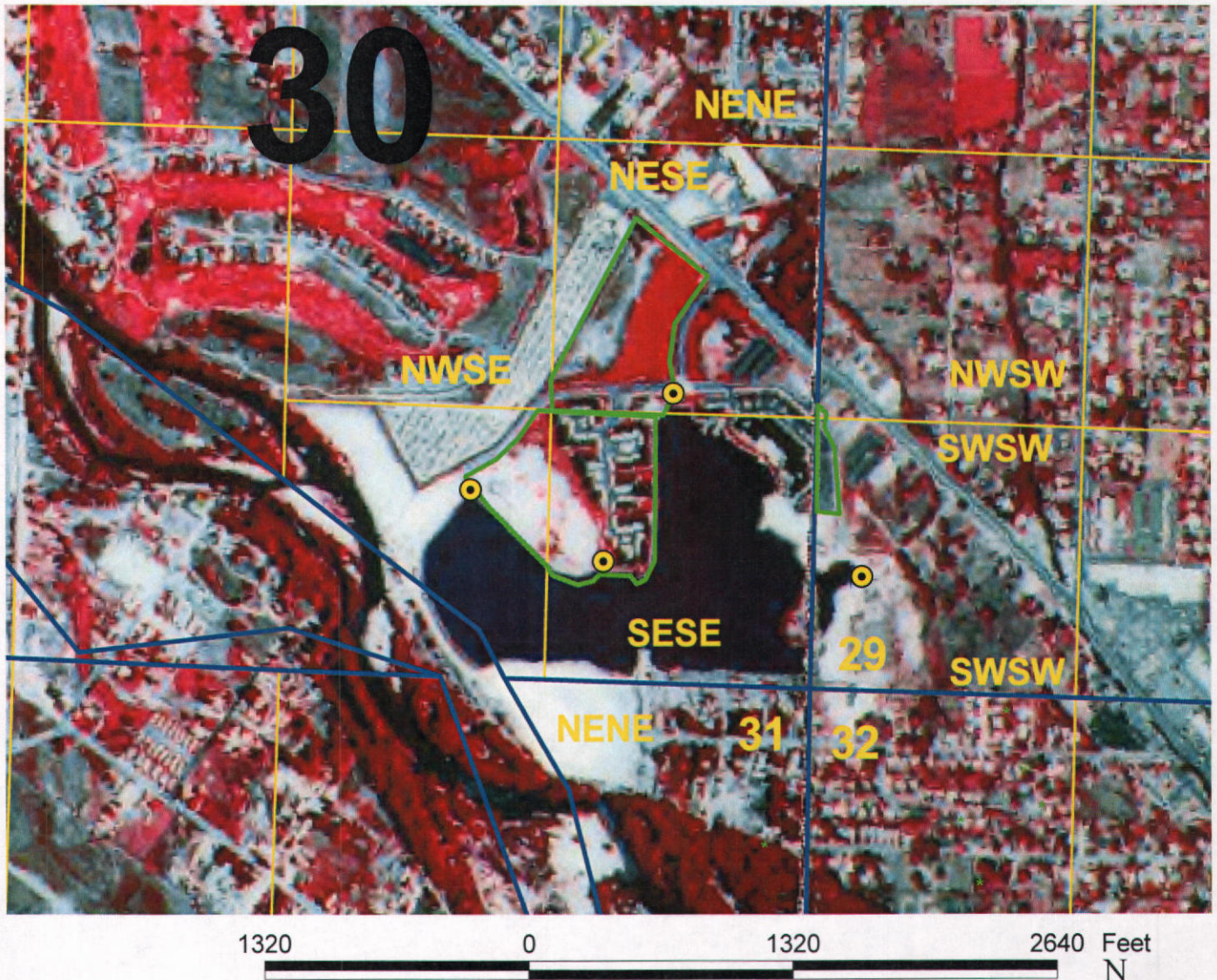




State of Idaho
Idaho Department of Water Resources
Western Region

T4N R2E SECTIONS 29 and 30
Water Right(s) : 63-10326



IRRIGATED ACRES = 22.6



- 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

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: A63-10326
Date Received: 8/14/1989
Receipt No: W004410
Received By: DE JAL

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

1. Name: LAKEHARBOR MASTER ASSOCIATION INC 208-338-7300
Address: C/O WASHINGTON FEDERAL S & L
PO BOX 1460
BOISE ID 83701

2. Date of Priority: OCT 4, 1985

3. Source: UNNAMED LAKE Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	02E	29	SW	SW	✓		ADA
		30	NE	SE			ADA
			NW	SE			ADA
			SW	SE			ADA
			SE	SE			ADA

5. Description of diverting works:
LAKE, PUMP & PIPES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE	01/01	12/31			385.00
RECREATION	01/01	12/31	3.000		
RECREATION STORAGE	01/01	12/31			1030.00
AESTHETIC	01/01	12/31	3.000		
AESTHETIC STORAGE	01/01	12/31			1030.00
IRRIGATION	04/01	11/01	0.600		
IRRIGATION FROM STORAGE	04/01	11/01			385.00

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

1030.00 A.F.A.

MICROFILMED

8. Total consumptive use is

52.5 Acre Feet Per Annum JUL 26 1994

9. Non-irrigation uses:

AESTHETICS, RECREATION, STORAGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	02E	29	SW	SW		IRR	7.0
Section Acres							7.0
		30	SW	NE		IRR	7.0
			SE	NW		IRR	7.0
			NE	SW		IRR	7.0
			SE	SW		IRR	7.0
			NE	SE		IRR	7.0
			NW	SE		IRR	7.0
			SW	SE		IRR	7.0
			SE	SE		IRR	7.0
Section Acres							56.0
		31	NE	NE		IRR	7.0
			NW	NE		IRR	7.0
Section Acres							14.0
Total Acres							77.0

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:

BOISE VALLEY IRR. DITCH CO., 63-10327

14. Remarks:

SOURCES ARE GROUNDWATER & BOISE R., TRIB. SNAKE R.
 USE OF WATER UNDER THIS PERMIT FOR IRRIG. PURPOSES MAY
 REQUIRE THE PURCHASE OF STORED WATER AS DETERMINED BY THE
 WATERMASTER.
 PRIORITY DATE DIFFERENT THAN ORIGINAL PERMIT.

15. Basis of Claim: PERMIT

MICROFILMED

JUL 26 1994

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED

JUL 26 1994

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 103-10326Date Received 8-14-89Receipt Number W004410

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

AUG 14 1989

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Lakeharbor Master Association, Inc. Phone (208) 338-7300

Mailing Address c/o Washington Federal Savings & Loan Association Zip 83701
P. O. Box 1460, Boise, ID

2. Date of Priority (Only one (1) per claim) October 4, 1985

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

4. a. Location of existing point of diversion is: Township 4N Range 2E Section 30,
SESE, SWSE, NWSE, NESE
1/4 of 1/4 of 1/4 of Govt. Lot, B.M., County of Ada

Additional points of diversion if any: SW 1/4 SW 1/4, Section 29, T4N, R2E, B.M., Ada County, Idaho

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

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

Govt. Lot _____ B.M., County of _____

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

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. The diversion from ground water is a lake,
consisting of former gravel pits, that have been excavated into the ground water zone to
a depth of approximately 40 feet. There is no dam. The lake naturally fills with water
by a continuous ground water flow of approximately 3 cfs. Water is released from the
lake through outlet pipes on the western side of the lake, one of which supplies a pump
serving applicant's irrigation system.

MICROFILMED

JUL 26 1994

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Storage for recreation and aesthetics purposes from 1/1 to 12/31 amount x or 1030

For Storage for irrigation purposes from 1/1 to 12/31 amount x or 385

For Recreation/aesthetic purposes from 1/1 to 12/31 amount 3.0 or x

For Irrigation purposes from 4/1 to 11/1 amount 0.6 or x

7. Total quantity claimed (a) 3.0 (cfs) and/or (b) 1030 (acre feet)

8. Total consumptive use claimed is 52.5 acre feet per annum.

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

10. Description of place of use:

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4N	2E	30			JR 7/AC					JR 7/AC	JR 7/AC			JR 7/AC	JR 7/AC	JR 7/AC	JR 7/AC	JR 7/AC	56
		29											JR 7/AC						7
		31	JR 7/AC	JR 7/AC															14

Total number of acres irrigated 77

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
116 shares of stock in Boise Valley Irrigation Ditch Co.; Water Permit # 63-10327. or None ()

14. Remarks:

MICROFILMED

JUL 26 1994

Last Name Lakeharbor Master Association, Inc. Ident No.

Copies: White -State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

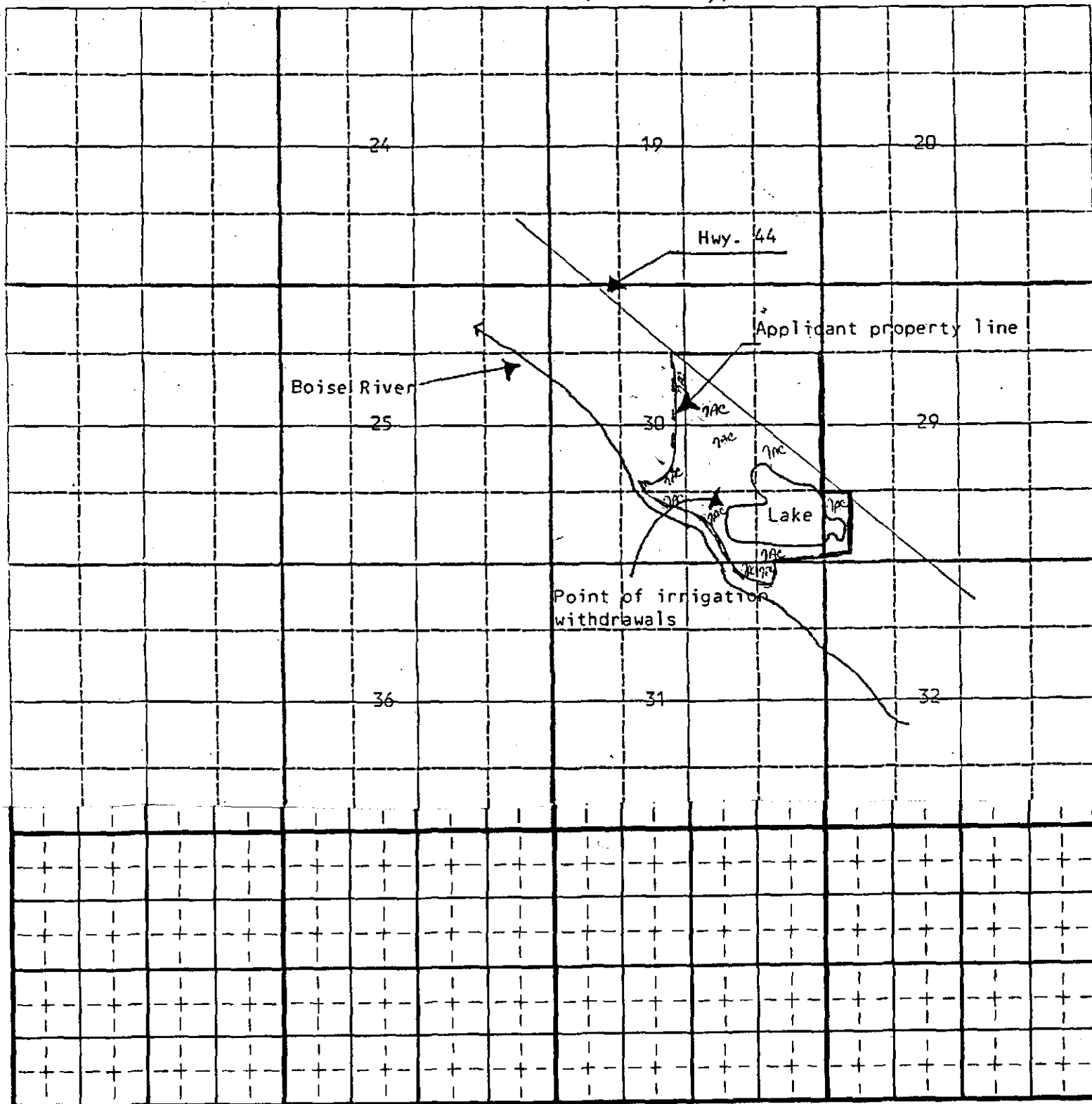
The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

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

Scale: 2 inches equals 1 mile

T4N R2E B.M., Ada County, Idaho



MICROFILMED

JUL 26 1994

Last Name Lakeharbor Master Association, Inc. Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit xx

Decree _____

If applicable provide IDWR Water Right Number 63-10326

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments none

For Individuals: I 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 _____ President

Title

of Lakeharbor Master Association, Inc. _____, that I have signed the foregoing

Organization

document in the space below as _____ President of Lakeharbor Master Association, Inc.

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization President, Lakeharbor Master Association, Inc. Date 08-18-89

State of Idaho for _____)
County of Ada _____) SS.

Subscribed and sworn (or affirmed) before me this 18TH day of August 19 89

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

Please Print Name

17. Notice of Appearance:

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

Signature Rita L. Berry

Rita L. Berry

Address Hawley Troxell Ennis & Hawley

P. O. Box 1617, Boise, ID 83701

Date _____

MICROFILMED

JUL 26 1994

Last Name Lakeharbor Master Association, Inc. Ident. Number _____

Copies White-State, Yellow-Claimant

Old (D) Number -

+ - - - - - Address

1 - 350 N. 9TH ST.
2 - SUITE 303
3 -

State- ID Zip- 837020000

1 -
2 -
3 -
City -
Phone -

State-
Zip-

Stage - - - +
PERMIT

+ - - - - Tributary
BOISE RIVER

Stream Index (Blank if no Index Code)

----- Diversion Rate ----- Diversion Volume -----

385.00	030.00	030.00	385.00
--------	--------	--------	--------

iv. Volume - + - Total Div. Capacity - +
1030.00

[illegible]

MICROFILMED
JUL 26 1994

Water right number - 63-10326

Prefix Translation: WATER RIGHT

Trn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
04N	02E	30	NW SE		7.0	01	IRRIGATION	(1) ADA	
04N	02E	30	SW SE		7.0	01	IRRIGATION	(1) ADA	
04N	02E	30	SE SE		7.0	01	IRRIGATION	(1) ADA	
04N	02E	31	NE NE		7.0	01	IRRIGATION	(1) ADA	
04N	02E	31	NW NE		7.0	01	IRRIGATION	(1) ADA	

Total Acres: 77.0

+ - - - - Diversion Means - LAKE, PUMP & PIPES

+ - - - - Non-Irrigation Use -

+ - - - - Other Rights for Same Use - BOISE VALLEY IRR. DITCH CO.

+ - - - - Remarks -
SOURCES ARE GROUNDWATER & BOISE R., TRIB. SNAKE R.
USE OF WATER UNDER THIS PERMIT FOR IRRIG. PURPOSES MAY
REQUIRE THE PURCHASE OF STORED WATER AS DETERMINED BY THE
WATERMASTER.

+ - - - - Old Water Right Numbers -
No Old Water Right Numbers found.

+ - - - - Conditions of Approval -
01E - A measuring device and lockable controlling works of a type
- acceptable to the Department shall be permanently installed and
- maintained as part of the diverting works.
026 - Permit holder shall commence the excavation or construction of
- diverting works within one year of the date this permit is issued
- and shall proceed diligently until the project is complete.
005 - Use of water under this right is subject to control by the
- watermaster of State Water District No. 8DISTRICT.
016 - See remarks for additional conditions of approval.

+ - - - - Decree Plaintiff - - - + - - - - Decree Defendant - - - +
00/00/0000

+ - - - - Comments -
No Comments Found

+ - - - - Audit Fields - 10/20/87 05/01/88 CONVERT 08/02/89 CURTIS 03/11/91 BILBAO

+ - - - - Water Rights Dates and Flags Area -
Proof Due Date - 01/01/1994 Field Exam Made - 00/00/0000 Field Exam Fee -
Approved/Denied - 01/07/1986 Protested Date - 00/00/0000 Swan Falls -
Proof Made Date - 00/00/0000 Hearing Date - 00/00/0000 Temporary Right - P
Exam to S.O. Date - 00/00/0000 Verified Date - 00/00/0000 BLE/Carey Act -
Order Show Cause - 00/00/0000 Receipt Number - 63
Water District

MICROFILMED
JUL 26 1994

CLAIMANT'S NAME Lakeharbor Master Assoc.CLAIM IDENT. NO. ALB-10326DATE RECEIVED 8-14-89RECEIPT # W0004410AMOUNT \$ 3055⁹⁹

	YES	NO	Require Info
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates?	☒	☐	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.	☒	☐	*
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	☒	☐	*
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	*
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form	☒	☐	*
Is the period of use included?	☒	☐	*
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	*
8. If required is a consumptive use entered?	☒	☐	*
Is the consumptive use correct?	☒	☐	*
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4	☒	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	*
12. Is the ownership of p.u. checked?	☒	☐	*
13. Are other water rights listed or "none" indicated? (See Item No.'s 16 & 17 for checking other water rights)	☒	☐	*
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☒	☐	*
15. Is the basis of the claim indicated?	☒	☐	*
16. If the basis of claim is shown as license, permit, or decree is the existing water rt. no. listed? (Compare claim with the existing water rt. and either attach a proof report or state in comments that the existing right was compared to the claim)	☒	☐	*
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal desc. or name on the claim? (If yes, describe the right in "Comments" and attach a proof report) NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.	☒	☐	*
18. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	☒	☐	*
19. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	☒	☐	*
20. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
21. Was this claim filed on time, or was an extension granted?	☒	☐	*
22. Is the fee enclosed correct?	☒	☐	*

MICROFILMED

JUL 26 1994

23. Should this claim be data entered?

YES NO

Claim reviewed by: RD

Date 12-12-91

Claim data entered by: RD

Date 5-5-93

Claim is being returned to claimant:

 (Yes) X (No)

Claimant is being notified of modifications:

 (Yes) (No)

Comments:

Prog report attached. (Priority dates different
from Permit. Is yes OK. They combined Rec. & Aesthetic

Note this in remarks.

ReceiptID	Amount	BasinNumber	SequenceNum	SplitSuffix	Type
W004410	1082.25	63	10326		Claim
W004410	973.74	63	10327		Claim

Adjudication Recommendation Report 63-10326 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LAKEHARBOR MASTER ASSN INC C/O HAMMACK MANAGEMENT 3775 CASSIA BOISE, ID 83705 (208)342-7368
Original Owner	LAKEHARBOR PARTNERS LTD , ID

Status: Active

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
RECREATION STORAGE	01/01	to 12/31		1,030.00 AF
IRRIGATION	03/15	to 11/15	0.450 CFS	102.00 AF
AESTHETIC STORAGE	01/01	to 12/31		1,030.00 AF
IRRIGATION STORAGE	01/01	to 12/31		113.00 AF
AESTHETIC	01/01	to 12/31	3.000 CFS	
IRRIGATION FROM STORAGE	03/15	to 11/15		113.00 AF
RECREATION	01/01	to 12/31	3.000 CFS	
		Total Diversion:	3.000 CFS	1,030.00 AF

UNNAMED LAKE ADA County	SW1/4SW1/4	Sec. 29, Twp 04N, Rge 02E, B.M.
UNNAMED LAKE ADA County	NE1/4SE1/4	Sec. 30, Twp 04N, Rge 02E, B.M.
UNNAMED LAKE ADA County	SE1/4SE1/4	Sec. 30, Twp 04N, Rge 02E, B.M.
UNNAMED LAKE ADA County	SW1/4SE1/4	Sec. 30, Twp 04N, Rge 02E, 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	

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-10326 V1

04N 02E 29				.2	.9			1.1
04N 02E 30					10.2	3.9	7.4	21.5

Total Acres: 22.6

AESTHETIC same as IRRIGATIONIRRIGATION FROM STORAGE same as IRRIGATIONRECREATION same as IRRIGATIONConditions of Approval:

1. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
2. S39 THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. The right holder shall use the full allotment of his surface water right, to the extent it is available, in conjunction with groundwater diverted pursuant to this right.
5. Use of water under this right for irrigation purposes may require the purchase of stored water as determined by the watermaster.
6. Use of water under this right is subject to the control if the watermaster of Water District 63, Boise River and tributaries.
7. This water right is appurtenant to the described place of use .
8. 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.
9. 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.
10. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
11. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.

Remarks:Comments:

1. vmusic 3/9/2005 PODS

Comment: 5 PODS CLAIMED BUT 4 LICENSED. RECOMMENDED AS LICENSED.

2. vmusic 3/9/2005 OVERLAPS

Comment: CLAIM STATES BOISE VALLEY IRR AND 63-10327 AS OTHER WATER AND OTHER RTS USED. HOWEVER, 63-10327 PERMIT LAPSED AND I HAVE DISALLOWED.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-10326 V1

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: 63
 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	3/7/2005 5:06:07 PM	vmusic			Active
Priority Date	3/7/2005 5:07:10 PM	vmusic			Active
POD	3/7/2005 5:10:19 PM	vmusic			Active
Source	3/7/2005 5:10:41 PM	vmusic			Active
POU	3/7/2005 5:11:16 PM	vmusic			Active
Use	3/7/2005 5:11:42 PM	vmusic			Active
Season	3/7/2005 5:12:35 PM	vmusic			Active
Quantity	3/7/2005 5:14:03 PM	vmusic			Active
Summary			03/07/2005	vmusic	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	3/9/2005 2:20:48 PM	vmusic	Edited point location
POU	3/9/2005 3:13:52 PM	vmusic	Edited shape boundary
POU	3/9/2005 3:14:36 PM	vmusic	Edited shape boundary
POU	3/9/2005 3:13:14 PM	vmusic	Edited shape boundary
POU	3/9/2005 3:13:31 PM	vmusic	Edited shape boundary
POU	3/9/2005 3:14:19 PM	vmusic	Edited shape boundary

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-10326 V1

Summary	3/7/2005 5:29:02 PM	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? (No) 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? (No) 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	3/7/2005 5:07:10 PM	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? (No) 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?
POD	3/7/2005 5:10:19 PM	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	3/7/2005 5:10:40 PM	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?
POU	3/7/2005 5:11:16 PM	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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-10326 V1

Use	3/7/2005 5:11:42 PM	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? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	3/7/2005 5:12:35 PM	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? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
Contacts	3/7/2005 5:06:07 PM	vmusic	(No) 1. Do you want to schedule an appointment? Comment for 1: DESKTOP REVIEW
Quantity	3/7/2005 5:14:03 PM	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? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - SEE LICENSING EXAM
POD	3/9/2005 2:19:21 PM	vmusic	Edited point location
POD	3/9/2005 2:19:42 PM	vmusic	Edited point location
POD	3/9/2005 2:21:07 PM	vmusic	Edited point location

Water Supply Bank:



HAMMACK
MANAGEMENT,
INC.

ACCREDITED
MANAGEMENT
ORGANIZATION®

June 21, 2005

Vicky Music
Department of Water Resources
PO Box 83720
Boise, ID 83707-9815

Re: Water Right Number 63-10326 & 63-10327

Dear Vicky:

I am in receipt of Notices of Error for the above referenced water right numbers dated May 31, 2005.

Please note that ownership of the above referenced water rights remains the same, however, the mailing address and contact phone number need to be updated. Please change your records to reflect the following:

LakeHarbor Master Association, Inc.
c/o Hammack Management, Inc.
3775 Cassia
Boise, ID 83705

Telephone Number: (208) 342-7368

Thank you for your prompt attention to this matter. If you have any questions or concerns, please contact me at (208) 342-7368 extension 102 or via email at dmccclung@hammackmgt.com.

Sincerely,

Davina McClung, CMCA®
Property Manager

Liberty - the change of
ownership was processed.
Plz make change on
recommendation, print, file.
vmp

Full Service
Property Management
Specialists

3775 Cassia
Boise, Idaho 83705
(208) 342-7368
Fax (208) 342-7325
hammack@hammackmgt.com

05/31/2005

NOTICE OF ERROR
REPLY

RECEIVED
JUN 23 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: 63-10326

LAKEHARBOR MASTER ASSN INC
C/O WASHINGTON FEDERAL S & L
PO BOX 1460
BOISE ID 83701
Telephone Number: (208)338-7300

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: 6-21-05

SIGNATURE:

Please print your name:

AM^s Clung, Property Manager
Davina M^s Clung, Property Manager

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

05/31/2005

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

RIGHT NUMBER: 63-10326

NAME AND ADDRESS: LAKEHARBOR MASTER ASSN INC
C/O WASHINGTON FEDERAL S & L
PO BOX 1460
BOISE ID 83701

SOURCE: UNNAMED LAKE

TRIBUTARY: BOISE RIVER

QUANTITY: 3.000 CFS
1,030.00 AFY

PRIORITY DATE: 11/02/1985

POINT OF DIVERSION:

T04N R02E S29 SWSW Within ADA County
T04N R02E S30 NESE Within ADA County
T04N R02E S30 SWSE Within ADA County
T04N R02E S30 SESE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
RECREATION STORAGE	01/01 12/31	1,030.00 AFY
IRRIGATION	03/15 11/15	0.450 CFS 102.00 AFY
AESTHETIC STORAGE	01/01 12/31	1,030.00 AFY
IRRIGATION STORAGE	01/01 12/31	113.00 AFY
AESTHETIC	01/01 12/31	3.000 CFS
IRRIGATION FROM STORAGE	03/15 11/15	113.00 AFY
RECREATION	01/01 12/31	3.000 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE 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

T04N R02E S29	NWSW	0.2	T04N R02E S29	SWSW	0.9
T04N R02E S30	NESE	10.2	T04N R02E S30	SWSE	3.9
T04N R02E S30	SESE	7.4			

AESTHETIC same as IRRIGATION

IRRIGATION FROM STORAGE same as IRRIGATION
RECREATION same as IRRIGATION

22.6 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

This right is subject to all prior water rights and may be forfeited by five years of non-use.

the The right holder shall use the full allotment of his surface water right, to extent it is available, in conjunction with roundwater diverted pursuant to this right.

Use of water under this right for irrigation purposes may require the purchase of stored water as determined by the watermaster.

Use of water under this right is subject to the control of the watermaster of Water District 63, Boise River and tributaries.

This water right is appurtenant to the described place of use .

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.

actually The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can

be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.

A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.

03/09/2005

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

RIGHT NUMBER: 63-10326

NAME AND ADDRESS: LAKEHARBOR MASTER ASSN INC
C/O WASHINGTON FEDERAL S & L
PO BOX 1460
BOISE ID 83701

SOURCE: UNNAMED LAKE

TRIBUTARY: BOISE RIVER

QUANTITY: 3.000 CFS
1,030.000 AFY

PRIORITY DATE: 11/02/1985

POINT OF DIVERSION:

T04N R02E S29 SWSW Within ADA County
T04N R02E S30 NESE Within ADA County
T04N R02E S30 SWSE Within ADA County
T04N R02E S30 SESE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
RECREATION STORAGE	01/01 12/31	1,030.00 AFY
IRRIGATION	03/15 11/15	0.450 CFS 102.00 AFY
AESTHETIC STORAGE	01/01 12/31	1,030.00 AFY
IRRIGATION STORAGE	01/01 12/31	113.00 AFY
AESTHETIC	01/01 12/31	3.000 CFS
IRRIGATION FROM STORAGE	03/15 11/15	113.00 AFY
RECREATION	01/01 12/31	3.000 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 1 PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED.
THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS
SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED
EARLY OR LATE 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

T04N R02E S29	NWSW	0.2	T04N R02E S29	SWSW	0.9
T04N R02E S30	NESE	10.2	T04N R02E S30	SWSE	3.9
T04N R02E S30	SESE	7.4			

AESTHETIC same as IRRIGATION
IRRIGATION FROM STORAGE same as IRRIGATION
RECREATION same as IRRIGATION

22.6 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: License

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

A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.

This water right is appurtenant to the described place of use .

This right is subject to all prior water rights and may be forfeited by five years of non-use.

Use of water under this right is subject to the control of the watermaster of Water District 63, Boise River and tributaries.

The right holder shall use the full allotment of his surface water right, to the extent it is available, in conjunction with groundwater diverted pursuant to this right.

Use of water under this right for irrigation purposes may require the purchase of stored water as determined by the watermaster.

Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

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.

The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.



State of Idaho
Idaho Department of Water Resources
Western Region

T4N R2E SECTIONS 29 and 30
Water Right(s) : 63-10326



1320 0 1320 2640 Feet
N

IRRIGATED ACRES = 22.6



- 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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-10326 V1

WATER RIGHT NUMBER: 63-10326 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LAKEHARBOR MASTER ASSN INC C/O WASHINGTONFEDERAL S & L PO BOX 1460 BOISE, ID 83701 (208)338-7300
Original Owner	LAKEHARBOR PARTNERS LTD , ID

Priority Date: 11/02/1985

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED LAKE	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
RECREATION STORAGE	01/01 to 12/31		1,030.00 AF
IRRIGATION	03/15 to 11/15	0.450 CFS	102.00 AF
AESTHETIC STORAGE	01/01 to 12/31		1,030.00 AF
IRRIGATION STORAGE	01/01 to 12/31		113.00 AF
AESTHETIC	01/01 to 12/31	3.000 CFS	
IRRIGATION FROM STORAGE	03/15 to 11/15		113.00 AF
RECREATION	01/01 to 12/31	3.000 CFS	
	<u>Total Diversion:</u>	3.000 CFS	1,030.00 AF

Location of Point(s) of Diversion

UNNAMED LAKE	SW1/4SW1/4	Sec. 29, Twp 04N, Rge 02E, B.M.
ADA County		
UNNAMED LAKE	NE1/4SE1/4	Sec. 30, Twp 04N, Rge 02E, B.M.
ADA County		
UNNAMED LAKE	SE1/4SE1/4	Sec. 30, Twp 04N, Rge 02E, B.M.
ADA County		
UNNAMED LAKE	SW1/4SE1/4	Sec. 30, Twp 04N, Rge 02E, B.M.
ADA County		

Place of UseIRRIGATION Within ADA County

T04N R02E S29	NWSW	0.2	T04N R02E S29	SWSW	0.9
T04N R02E S30	NESE	10.2	T04N R02E S30	SWSE	3.9
T04N R02E S30	SESE	7.4			

Total Acres: 22.6

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-10326 V1

AESTHETIC same as IRRIGATION

IRRIGATION FROM STORAGE same as IRRIGATION

RECREATION same as IRRIGATION

Conditions of Approval:

1. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
2. This water right is appurtenant to the described place of use .
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Use of water under this right is subject to the control if the watermaster of Water District 63, Boise River and tributaries.
5. The right holder shall use the full allotment of his surface water right, to the extent it is available, in conjunction with groundwater diverted pursuant to this right.
6. Use of water under this right for irrigation purposes may require the purchase of stored water as determined by the watermaster.
7. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
8. 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.
9. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
10. 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.

Remarks:

1. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 ~~AND MAY CONTINUE TO AS LATE AS NOVEMBER 15~~, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:

1. vmusic 3/9/2005 PODS

Comment: 5 PODS CLAIMED BUT 4 LICENSED. RECOMMENDED AS LICENSED.

2. vmusic 3/9/2005 OVERLAPS

Comment: CLAIM STATES BOISE VALLEY IRR AND 63-10327 AS OTHER WATER AND OTHER RTS USED. HOWEVER, 63-10327 PERMIT LAPSED AND I HAVE DISALLOWED.

Verification Log:

Element	Date Time Stamp	Reviewer	Log text
---------	-----------------	----------	----------

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-10326 V1

POD	3/9/2005 2:20:48 PM	vmusic	Edited point location
POU	3/9/2005 3:13:52 PM	vmusic	Edited shape boundary
POU	3/9/2005 3:14:36 PM	vmusic	Edited shape boundary
POU	3/9/2005 3:13:14 PM	vmusic	Edited shape boundary
POU	3/9/2005 3:13:31 PM	vmusic	Edited shape boundary
POU	3/9/2005 3:14:19 PM	vmusic	Edited shape boundary
Summary	3/7/2005 5:29:02 PM	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? (No) 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? (No) 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	3/7/2005 5:07:10 PM	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? (No) 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?
POD	3/7/2005 5:10:19 PM	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	3/7/2005 5:10:40 PM	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 63-10326 V1

POU	3/7/2005 5:11:16 PM	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	3/7/2005 5:11:42 PM	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? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	3/7/2005 5:12:35 PM	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? (Yes) 14. Is Irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
Contacts	3/7/2005 5:06:07 PM	vmusic	(No) 1. Do you want to schedule an appointment?
Quantity	3/7/2005 5:14:03 PM	vmusic	Comment for 1: DESKTOP REVIEW (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? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - SEE LICENSING EXAM
POD	3/9/2005 2:19:21 PM	vmusic	Edited point location
POD	3/9/2005 2:19:42 PM	vmusic	Edited point location
POD	3/9/2005 2:21:07 PM	vmusic	Edited point location

HAWLEY TROXELL ENNIS & HAWLEY

ATTORNEYS AND COUNSELORS

ROBERT I. TROXELL
JESS B. HAWLEY, JR.
JOHN T. HAWLEY, P.A.
THOMAS A. MILLER
M. NEAL NEWHOUSE
CRAIG L. MEADOWS
JOSEPH D. McCOLLUM, JR.
WAYNE B. SLAUGHTER, JR.
GARY D. SABBITT
R. CRAIG STORTI
MERLYN W. CLARK
RICHARD F. GOODSON
CARL W. HARDER
PHILLIP M. BARBER
DONALD E. KNICKREHM
EDWIN V. APEL, JR.
EUGENE A. RITTI
KAREN L. LANSING
RICHARD G. SMITH
JOHN F. KURTZ, JR.
ROBERT S. ERICKSON
NICHOLAS G. MILLER

BRENT F. LLOYD
JOHN McGOWN, JR.
ALBERT P. BARKER
DON A. OLOWINSKI
JOHN T. HAWLEY, JR.
RONALD E. BUSH
CATHY R. SILAK
STEVEN W. BERENTER
KENNETH C. HOWELL
RITA L. BERRY
MICHAEL M. STODDARD
JOSEPH R. LANGFIELD
SUSAN D. MINER
KEVIN J. BEATON
PATRICK V. COLLINS
CHRIS F. ODE
DAVID A. CHANNER
BRAD R. MILLER
STEVEN R. ORMISTON
MICHAEL K. CORAN
BART J. PATTERSON
STEVEN D. ERDAHL

FIRST INTERSTATE CENTER
SUITE 1000
POST OFFICE BOX 1617
BOISE, IDAHO 83701

TELEPHONE
(208) 344-6000

TELECOPIER
(208) 342-3829

PAUL B. ENNIS
(1916-1982)

POCATELLO OFFICE
125 NORTH GARFIELD
POST OFFICE BOX 4167
POCATELLO, IDAHO 83205

TELEPHONE
(208) 233-0845

TELECOPIER
(208) 233-1304

August 11, 1989

RECEIVED
AUG 14 1989

VIA HAND DELIVERY

Department of Water Resources
2735 Airport Way
Boise, ID 83705

Department of Water Resources
Western Regional Office

Re: Notice of Claim of Water Rights
- Water Permit Nos. 63-10326 and 63-10327

Gentlemen:

This office represents the Lakeharbor Master Association Inc. (the "Master Association"). The Master Association is the current holder of water permit #63-10326 and #63-10327.

Enclosed with this letter is a Notice of Claim to a Water Right for each of these permits. Also enclosed is a check in the amount of \$2,055.99, representing the filing fee for both of these claims. The fee has been calculated as follows:

PERMIT NO. 63-10326

<u>Use</u>	<u>CFS/Acre Feet</u>	<u>Fee</u>
Storage	1030AF/5.58CFS	\$ 558.74
Storage	385AF/2.09CFS	208.85
Recreation	3.0CFS	300.00
Irrigation	15 acres	15.00
		<u>\$1,082.25</u>

MICROFILMED

JUL 26 1994

Department of Water Resources
August 11, 1989
Page 2

PERMIT NO. 63-10327

<u>Use</u>	<u>CFS/Acre Feet</u>	<u>Fee</u>
Recreation	2.0CFS	\$ 200.00
Irrigation	15 acres	15.00
Diversion	2.0CFS	200.00
Storage	1030AF/5.58CFS	558.74
		<u>\$ 973.74</u>

Please file these claims and return a conformed copy to us. If you have any questions about the claims or if you disagree on the calculation of the filing fees, please call me.

Sincerely,

HAWLEY TROXELL ENNIS & HAWLEY

Rita L Berry

Rita L. Berry

RLB:djg

MICROFILMED

JUL 26 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10326

Priority: November 2, 1985

Maximum Diversion Rate:

3.00 CFS

Maximum Diversion Volume:

1030.0 AF

This is to certify, that LAKEHARBOR MASTER ASSN INC

C/O SHERL CHAPMAN

410 N ORCHARD SUITE 144

BOISE ID 83706

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 4, 1985; and has submitted Proof of Beneficial Use on December 30, 1993. An examination indicates that the works have a diversion capacity of 3.000 cfs of water from:

UNNAMED LAKE

tributary to BOISE RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.45 CFS	102.0 AF
IRRIGATION STORAGE	01/01 to 12/31		113.0 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		113.0 AF
RECREATION	01/01 to 12/31	3.00 CFS	
RECREATION STORAGE	01/01 to 12/31		1030.0 AF
AESTHETIC	01/01 to 12/31	3.00 CFS	
AESTHETIC STORAGE	01/01 to 12/31		1030.0 AF
	Totals	3.00 CFS	1030.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 29, Township 04N, Range 02E
NESE , Sec. 30, Township 04N, Range 02E
SWSE , Sec. 30, Township 04N, Range 02E
SESE , Sec. 30, Township 04N, 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>
04N	02E	29	NWSW 0.2	SWSW 0.9		1.1
		30	NESE 10.2	SWSE 3.9	SESE 7.4	21.5

Total number of acres irrigated: 22.6

PLACE OF USE:

IRRIGATION FROM STORAGE, same as IRRIGATION use

PLACE OF USE:

RECREATION, same as IRRIGATION use

PLACE OF USE:

AESTHETIC, same as IRRIGATION use

MICROFILMED

JUL 26 1994

State of Idaho
Department of Water Resources

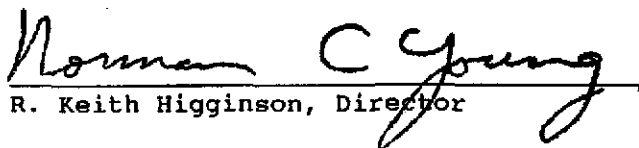
WATER RIGHT LICENSE
WATER RIGHT NO. 63-10326

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
6. Use of water under this right is subject to the control of the watermaster of Water District 63, Boise River and tributaries.
7. 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.
8. The right holder shall use the full allotment of his surface water right, to the extent it is available, in conjunction with groundwater diverted pursuant to this right.
9. Use of water under this right for irrigation purposes may require the purchase of stored water as determined by the watermaster.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 9TH day of APRIL, 1994.

Acting for


R. Keith Higginson, Director

MICROFILMED

JUL 26 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10326

Priority: November 2, 1985

Maximum Diversion Rate: 3.00 CFS

Maximum Diversion Volume: 1030.0 AF

This is to certify, that LAKEHARBOR MASTER ASSN INC

C/O SHERL CHAPMAN

410 N ORCHARD SUITE 144

BOISE ID 83706

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 4, 1985; and has submitted Proof of Beneficial Use on December 30, 1993. An examination indicates that the works have a diversion capacity of 3.000 cfs of water from:

UNNAMED LAKE

tributary to BOISE RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.45 CFS	102.0 AF
IRRIGATION STORAGE	01/01 to 12/31		113.0 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		113.0 AF
RECREATION	01/01 to 12/31	3.00 CFS	
RECREATION STORAGE	01/01 to 12/31		1030.0 AF
AESTHETIC	01/01 to 12/31	3.00 CFS	
AESTHETIC STORAGE	01/01 to 12/31		1030.0 AF
Totals		3.00 CFS	1030.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 29, Township 04N, Range 02E
NESE , Sec. 30, Township 04N, Range 02E
SWSE , Sec. 30, Township 04N, Range 02E
SESE , Sec. 30, Township 04N, 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>
04N	02E	29	NWSW 0.2	SWSW 0.9		1.1
		30	NESE 10.2	SWSE 3.9	SESE 7.4	21.5

Total number of acres irrigated: 22.6

PLACE OF USE:

IRRIGATION FROM STORAGE, same as IRRIGATION use

PLACE OF USE:

RECREATION, same as IRRIGATION use

PLACE OF USE:

AESTHETIC, same as IRRIGATION use

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 63-10326

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency. *exp.*
2. This water right is appurtenant to the described place of use. *exp.*
3. This right is subject to all prior water rights and may be forfeited by five years of non-use. *exp.*
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law. *exp.*
5. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works. *exp.*
6. Use of water under this right is subject to the control of the watermaster of Water District 63, Boise River and tributaries. *exp.*
7. 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. *City control*
8. The right holder shall use the full allotment of his surface water right, to the extent it is available, in conjunction with groundwater diverted pursuant to this right. *exp.*
9. Use of water under this right for irrigation purposes may require the purchase of stored water as determined by the watermaster. *exp.*

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 9TH day of APRIL, 19 94.

Acting for

Norman C Young
R. Keith Higginson, Director

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-10326

WATER RIGHT NUMBER: 63-10326

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LAKEHARBOR MASTER ASSN INC C/O WASHINGTON FEDERAL S & L PO BOX 1460 BOISE, ID 83701 (208)338-7300
Original Owner	LAKEHARBOR PARTNERS LTD

Priority Date: ~~10/04/1985~~Basis: ~~Permit~~ 116

Status: Active

Source

UNNAMED LAKE

Tributary

BOISE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
✓ RECREATION STORAGE	1/01	12/31		1,030.00 AF ✓
✓ IRRIGATION	4/01	11/01	0.800 CFS ✓	102.0 AF ✓
✓ AESTHETIC STORAGE	1/01	12/31		1,030.00 AF ✓
✓ IRRIGATION STORAGE	1/01	12/31		385.00 AF ✓
AESTHETIC	1/01	12/31	3.000 CFS	
✓ IRRIGATION FROM STORAGE	4/01	11/01		385.00 AF ✓
RECREATION	1/01	12/31	3.000 CFS	
<u>Total Diversion:</u>			3.000 CFS	1,030.00 AF

Location of Point(s) of Diversion

UNNAMED LAKE	SW1/4SW1/4 ✓	Sec. 29, Twp 04N, Rge 02E, B.M.
ADA County		
UNNAMED LAKE	NE1/4SE1/4 ✓	Sec. 30, Twp 04N, Rge 02E, B.M.
ADA County		
UNNAMED LAKE	SE1/4SE1/4 ✓	Sec. 30, Twp 04N, Rge 02E, B.M.
ADA County		
UNNAMED LAKE	NW1/4SE1/4	Sec. 30, Twp 04N, Rge 02E, B.M.
ADA County		
UNNAMED LAKE	SW1/4SE1/4 ✓	Sec. 30, Twp 04N, Rge 02E, B.M.
ADA County		

Place of Use

IRRIGATION

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-10326

	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N 02E 29																	7.0 1.1
04N 02E 30			X				X	X					X	X	X	X	36.0 21.5
04N 02E 31																	14.0 22.6

Total Acres 77

AESTHETIC same as IRRIGATION

IRRIGATION FROM STORAGE same as IRRIGATION

RECREATION same as IRRIGATION

Add license conditions ✓

Conditions of Approval:

1. 005 Use of water under this right is subject to control by the watermaster of State Water District No. & DISTRICT.
2. 016 See remarks for additional conditions of approval.
3. 01E A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
4. 026 Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Remarks:

1. General SOURCES ARE GROUNDWATER & BOISE R., TRIB. SNAKE R.
USE OF WATER UNDER THIS PERMIT FOR IRRIG. PURPOSES MAY REQUIRE THE PURCHASE OF STORED WATER AS DETERMINED BY THE WATERMASTER.
PRIORITY DATE DIFFERENT THAN ORIGINAL PERMIT.

Comments:Dates and Other Information:

Claim Received Date: 8/14/1989
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector:
 Water District Number: 63
 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:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
---------	--------------------	----------	--------------------	----------	--------

Verification Log:

Element	Date Time Stamp	Reviewer	Log text
---------	-----------------	----------	----------

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-10326

WATER RIGHT NUMBER: 63-10326

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	LAKEHARBOR PARTNERS LTD
	, ID
Current Owner	LAKEHARBOR MASTER ASSN INC
	C/O SHERL CHAPMAN
	410 N ORCHARD STE 144
	BOISE, ID 83706

Priority Date: 11/02/1985

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED LAKE	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
AESTHETIC STORAGE	1/01 to 12/31		1,030.00 AF
AESTHETIC	1/01 to 12/31	3.000 CFS	
IRRIGATION FROM STORAGE	3/15 to 11/15		113.00 AF
IRRIGATION STORAGE	1/01 to 12/31		113.00 AF
IRRIGATION	3/15 to 11/15	0.450 CFS	102.00 AF
RECREATION STORAGE	1/01 to 12/31		1,030.00 AF
RECREATION	1/01 to 12/31	3.000 CFS	
	<u>Total Diversion:</u>	3.000 CFS	1,030.00 AF

Location of Point(s) of Diversion

UNNAMED LAKE	SW1/4SW1/4	Sec. 29, Twp 04N, Rge 02E, B.M.
ADA County		
UNNAMED LAKE	SW1/4SE1/4	Sec. 30, Twp 04N, Rge 02E, B.M.
ADA County		
UNNAMED LAKE	SE1/4SE1/4	Sec. 30, Twp 04N, Rge 02E, B.M.
ADA County		
UNNAMED LAKE	NE1/4SE1/4	Sec. 30, Twp 04N, Rge 02E, B.M.
ADA County		

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N 02E 29											.2	.9					1.1

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-10326

04N 02E 30				10.2	3.9	7.4	21.5
------------	--	--	--	------	-----	-----	------

Total Acres: 22.6

AESTHETIC same as IRRIGATIONIRRIGATION FROM STORAGE same as IRRIGATIONRECREATION same as IRRIGATIONConditions of Approval:

1. 803 The right holder shall use the full allotment of his surface water right, to the extent it is available, in conjunction with groundwater diverted pursuant to this right.
2. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
3. 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.
4. R39 A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.

Remarks:

1. General Use of water under this right for irrigation purposes may require the purchase of stored water as determined by the watermaster.

Comments:

1. VAULT 1/18/1994 Proof of Beneficial Use Rcvd
- Comment: Proof of Beneficial Use Rcvd

Dates and Other Information:

Licensed Date: 4/9/1994
 Decreed Date:
 Water Supply Bank Enrollment Accepted:
 Water Supply Bank Enrollment Removed:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal:
 Owner Name Connector:
 Water District Number: 63
 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:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
---------	--------------------	----------	--------------------	----------	--------

Verification Log:

DEKTOP WOLAN/VM

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

Prior to Field Exam

11/11/10

- ☒ 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
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-10326

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 - 11/10
- ☐ 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

claimed 5, 4 11/11/10

- ☒ 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 Licensing Exam**OVERLAP REVIEW**Other water rights with the same point of diversion: NO - 63-10327 - lapald permit

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

WATER USES☒ No change☐ Different Uses

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 N/A 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:claimed 77 acres, 22.6 licensed. license NO/
clear as to where the acres are.

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: NO - 63-10327 - lapid permit

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

Delivery System Narrative:

SEE LICENSED EXAM

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

recommended as licensed.

✓ licensed conditions added

SOY ✓ SOY shoulder remark for 3/1

[illegible]

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: N

3/9/05

FIELD EXAMINER:

SUBMITTED: 7/10/05
 BY: [Signature]

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10326

Priority: November 2, 1985

Maximum Diversion Rate: 3.00 CFS
Maximum Diversion Volume: 1030.0 AF

This is to certify, that LAKEHARBOR MASTER ASSN INC
C/O SHERL CHAPMAN
410 N ORCHARD SUITE 144
BOISE ID 83706

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated October 4, 1985; and
has submitted Proof of Beneficial Use on December 30, 1993. An examination indicates
that the works have a diversion capacity of 3.000 cfs of water from:

UNNAMED LAKE tributary to BOISE RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.45 CFS	102.0 AF
IRRIGATION STORAGE	01/01 to 12/31		113.0 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		113.0 AF
RECREATION	01/01 to 12/31	3.00 CFS	
RECREATION STORAGE	01/01 to 12/31		1030.0 AF
AESTHETIC	01/01 to 12/31	3.00 CFS	
AESTHETIC STORAGE	01/01 to 12/31		1030.0 AF
	Totals	3.00 CFS	1030.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 29, Township 04N, Range 02E
NESE , Sec. 30, Township 04N, Range 02E
SWSE , Sec. 30, Township 04N, Range 02E
SESE , Sec. 30, Township 04N, 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>
04N	02E	29	NWSW 0.2	SWSW 0.9		1.1
		30	NESE 10.2	SWSE 3.9	SESE 7.4	21.5

Total number of acres irrigated: 22.6

PLACE OF USE:

IRRIGATION FROM STORAGE, same as IRRIGATION use

PLACE OF USE:

RECREATION, same as IRRIGATION use

PLACE OF USE:

AESTHETIC, same as IRRIGATION use

APR 13 1994

State of Idaho
Department of Water Resources

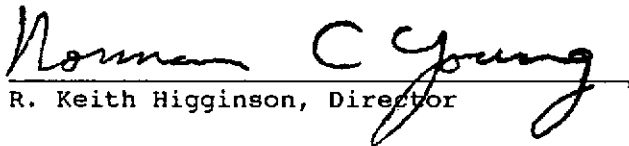
WATER RIGHT LICENSE
WATER RIGHT NO. 63-10326

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
6. Use of water under this right is subject to the control of the watermaster of Water District 63, Boise River and tributaries.
7. 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.
8. The right holder shall use the full allotment of his surface water right, to the extent it is available, in conjunction with groundwater diverted pursuant to this right.
9. Use of water under this right for irrigation purposes may require the purchase of stored water as determined by the watermaster.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 9TH day of APRIL, 19 94.

Acting for


R. Keith Higginson, Director

APR 13 1994

APPROVED

State of Idaho
Department of Water Resources

RECEIVED
MAR 25 1994
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-10326

Date of Priority: November 2, 1985

Maximum Diversion Rate: 3.00 CFS
Maximum Diversion Volume: 1030.0 AF

Comes now LAKEHARBOR MASTER ASSN INC
C/O SHERL CHAPMAN
410 N ORCHARD SUITE 144
BOISE ID 83706

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 63-10326, and requests that the permit be changed as follows:

Source: UNNAMED LAKE tributary to BOISE RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.45 CFS	102.0 AF
IRRIGATION STORAGE	01/01 to 12/31		113.0 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		113.0 AF
RECREATION	01/01 to 12/31	3.00 CFS	
RECREATION STORAGE	01/01 to 12/31		1030.0 AF
AESTHETIC	01/01 to 12/31	3.00 CFS	
AESTHETIC STORAGE	01/01 to 12/31		1030.0 AF
Totals		3.00 CFS	1030.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 29, Township 04N, Range 02E
NESE , Sec. 30, Township 04N, Range 02E
SWSE , Sec. 30, Township 04N, Range 02E
SESE , Sec. 30, Township 04N, 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>
04N	02E	29	NWSW 0.2	SWSW 0.9		1.1
		30	NESE 10.2	SWSE 3.9	SESE 7.4	21.5

Total number of acres irrigated: 22.6

PLACE OF USE:

IRRIGATION FROM STORAGE, same as IRRIGATION use

PLACE OF USE:

RECREATION, same as IRRIGATION use

PLACE OF USE:

AESTHETIC, same as IRRIGATION use

APR 13 1994

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-10326

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Boise, Idaho, this 22 day of March, 1994.

Robert L. Loh

(Signature)

Rev. Lohschmidt Min. Ass.
c/o Washington Federal Savings
P. O. Box 1460
Boise, ID 83701

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-10326

FOR DEPARTMENT USE ONLY

Preliminary check by B Fee = 20⁰⁰ Received by NW # C029890 Date 3/25/94 ✓

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 63-10326 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
6. Use of water under this right is subject to the control of the watermaster of Water District 63, Boise River and tributaries.
7. 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.
8. The right holder shall use the full allotment of his surface water right, to the extent it is available, in conjunction with groundwater diverted pursuant to this right.
9. Use of water under this right for irrigation purposes may require the purchase of stored water as determined by the watermaster.

Witness my hand this 9TH day of April, 1994

Acting for R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 63-10326

RECEIVED
OCT 4 1985

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of applicant Lakeharbor Partners, Ltd. Phone 344-6315

Post office address 405 S. 8th Street, Suite 295, Boise, ID 83702

* See Remarks

2. Source of water supply Boise River Ground water Unnamed Lake DRT 12/11/85 which is a tributary of n/a Boise River Snake River
(SESE, SWSE, NWSE, NESE) 12/11/85 DRT

3. Location of point of diversion is SE $\frac{1}{4}$ of ----- $\frac{1}{4}$ of ----- $\frac{1}{4}$ of ----- Govt. Lot -----

Sec. 30 Township 4N Range 2E B.M. Ada County; additional

points of diversion if any: SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Sec 29, T 4N R 2E, B.M., in Ada County.

4. Water will be used for the following purposes:

Amount 1030AF for storage for aesthetics purposes from 1/1 to 12/31 (both dates inclusive)

conv. 385AF for and recreation purposes from 1/1 to 12/31 (both dates inclusive)

Amount 1030AF for storage for & from (for) 1/1 to 12/31 (both dates inclusive)

Amount 1030AF for irrigation purposes from 4/1 to 11/1 (both dates inclusive)

Amount 3.0 CFS for aesthetics and purposes from 1/1 to 12/31 (both dates inclusive)

Amount 0.6 CFS for recreation purposes from 4/1 to 11/1 (both dates inclusive)

5. Total quantity to be appropriated is (a) 3.0 CFS and 1030 AF
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. The diversion from ground water is a lake, consisting of former gravel pits, that has been excavated into the ground water zone to a depth of approximately 40 feet. There is no dam involved. The lake naturally fills with water by a continuous ground water flow of approximately 3 CFS. Water is released from the lake through outlet pipes on the western side of the lake, one of which supplies a pump serving applicant's irrigation system.

b. Height of storage dam n/a feet; active reservoir capacity 1030 acre-feet; total

reservoir capacity 1030 acre-feet; period of year when water will be diverted to storage:

1/1 to 12/31 inclusive.

c. Proposed well diameter is ----- inches; proposed depth of well is ----- feet.

d. Is ground water with a temperature of greater than 90°F being sought? No.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is

5 years (minimum 1 year).

MICROFILMED

8. Description of proposed uses (if irrigation only, go to item 9):

a. Hydropower; show total feet of head and proposed capacity in KW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. _____

e. Other; describe fully. Direct flows into and through the lake on applicant's property for aesthetic and recreational purposes (windsurfing, canoeing, swimming, fishing, ice skating, etc.) and for irrigation of gardens, lawns, landscaped areas and open space within the development. Storage for these purposes, and to refill the lake. A portion of this water will be used for irrigation by diverting it through a pipe and pump system located as specified on the attached map.

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	2E	30			J, R A-7	XXX				J, R A-7	J, R A-7			J, R A-7	J, R A-7	J, R A-7	J, R A-7	J, R A-7	56
		29											J, R A-7						7
		31	J, R A-7	J, R A-7															14

Total number of acres to be irrigated approx. 70^{77*} ^{Pe}
phone conv. w/Jeff Fereday-10/17/85 J

10. Describe any other water rights used for the same purposes as described above. Applicant presently holds the right to receive approximately 0.5 CFS of irrigation water from the Boise Valley Irrigation Ditch Company.

11. a. Who owns the property at the point of diversion? Applicant.

b. Who owns the land to be irrigated or place of use? Applicant.

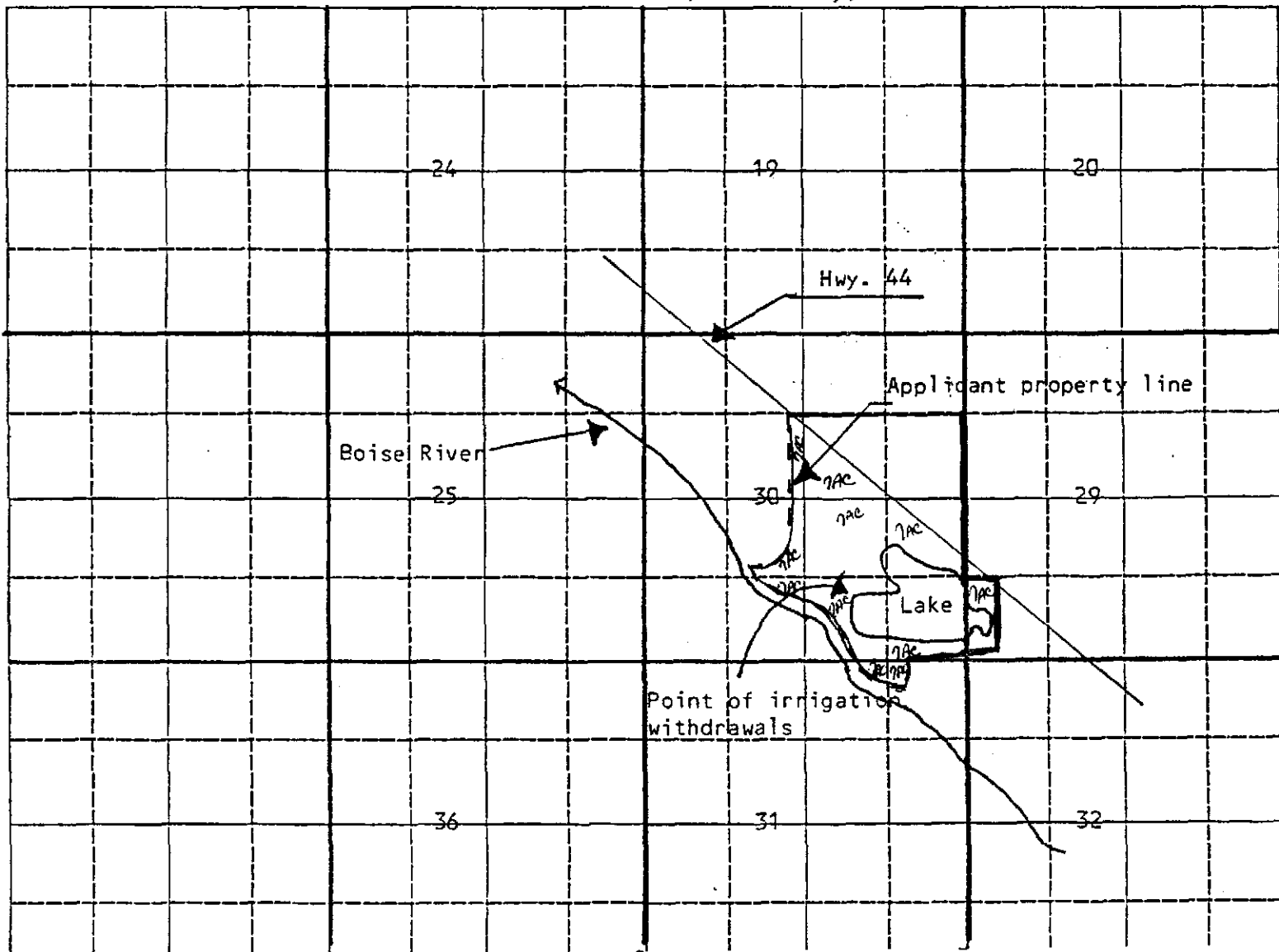
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: On a previous study it was determined that the groundwater flows are upgradient to the lake and flow down from the foothill area. *Per phone conversation with Jeff Fereday. 11/22/85 JS

MICROFILMED

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

T4N R2E B.M., Ada County, Idaho



The lake as a whole constitutes the point of diversion of the ground water involved in the application. In addition, ground waters from the lake for irrigation purposes will be diverted by means of a pipe and pump system at the point designated on the map. The lands to be irrigated are lawns, landscaped areas and open space which will be situated throughout the development. If necessary, this map can be supplemented later to show the exact locations of such irrigated areas as they are developed.

Scale: 2 inches equal 1 mile.

MICROFILMED

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

LAKE HARBOR PARTNERS, LTD

Spencer R. Smith Development Manager
(Applicant)

Received by LL Date 10-7-85 Time 3:30 pm Proposed Priority 10/17/85
Fee \$ 245.00 Receipted by Jr # 36170 Date 10/17/85
Publication prepared by SP Date 10/17/85 Published in IDAHO STATESMAN
Publication approved SP Date 11/5/85

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-10326, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 19 91.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.

Use of water under this permit for irrigation purposes may require the purchase of stored water as determined by the watermaster.

Use of water under this permit is subject to control by the watermaster of State Water District No. 63, Boise River.

Witness my hand this 7th day of January, 1986.

J. Glen Saxton
Chief, Operations Bureau

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORTRECEIVED
JAN 14 1994

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 63-103261. Owner: Lakeharbor Master Assoc. Phone No. 344-6315Current Address: 4105 S Street Suite 295 Boise Id 837022. Accompanied by: N/A EXAM DATE: 12/28/93

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Storage tributary to Boise River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: N/A2. Other water rights with the same point of diversion: None

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	SW	SE	30	4N	2E	Ada	Irrigation pump system Field / map
			NE	SE	30	4N	2E	Ada	Silver Lake surface Field / map
	(B)	SE	S/2	SE	30	4N	2E	Ada	Silver Lake Surface
			SW	SW	29	4N	2E	Ada	Silver Lake Surface

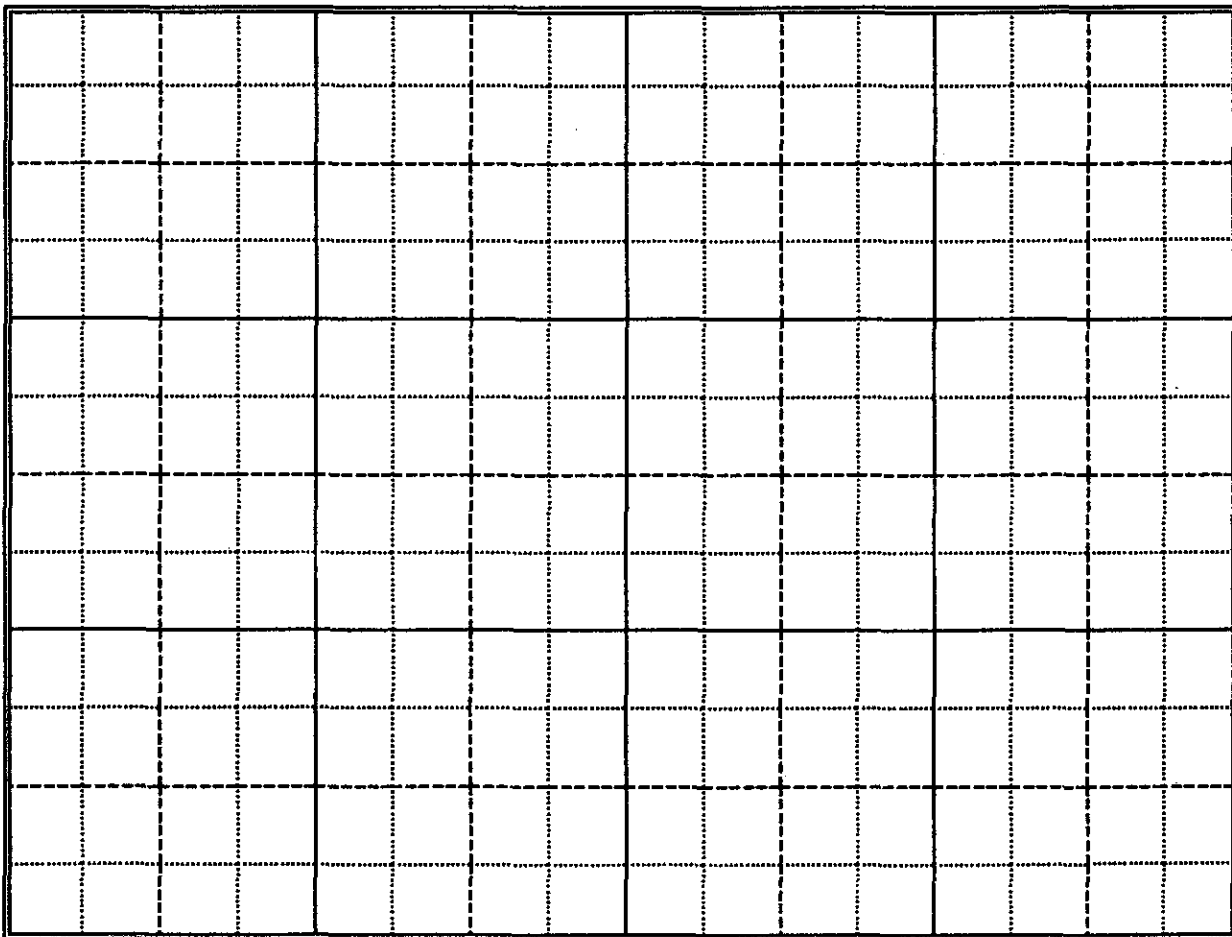
2. Place(s) of Use:

Indicate Method of Determination Plot map / planimeter

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	2E	30													10.18		3.87	7.43	21.48
4N	2E	29									.22	.86							1.08

APR 13 1994

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate well size/ditch size/pipe l.d. as applicable. See attached plot plan



Scale: 1" = _____

4. _____
 Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
 Project map attached

✓ Aerial Photo Attached (required for irrigation of 10+ acres)
 ✓ Photo of Diversion and System Attached

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Irrigation Pump Jaccuzi	10	Not Available	Jaccuzi	10NSG M4 w/d #	
Irrigation Pump Jaccuzi	10	Not Available	Jaccuzi	10NSG M4 w/d #	

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Calculated from pump curve						

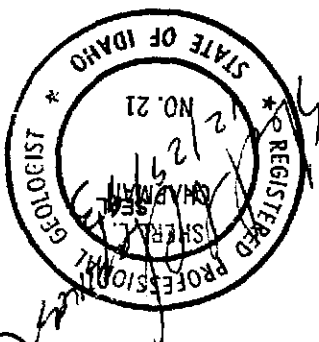
2. Measurements: Flow produced by one pump - 153 gpm or .34 cfs. Two pumps in sump hooked in tandem. Total estimated flow is .68 cfs for the irrigation component.

E. NARRATIVE/REMARKS/COMMENTS

Silver Lake occupies 32.96 acres and is approximately 42 feet deep. Water enters the lake from the subsurface as ground water inflow. The sides of the lake are relatively steep where not flattened for recreation. An inlet to a 60" sump is located in the NE1/4SE1/4 Sec 30 T4N R2E for irrigation of shrubs, lawns and trees around the development. The sump is equipped with two 10 HP submersible jacuzzi pumps capable of producing .68 cfs at 200 feet T.D.H.. Acreage calculations and surface area calculations for Silver Lake were made from an Engineering plot map, scale 1"=100' using a planimeter after field mapping. Volume calculations for aesthetics and recreation were made using a 32 foot average depth (1054 acft)

Have conditions of permit approval been met? ☐ yes ☒ no meter not yet installed but is in process

APR 13 1994



APP 13 2004

UNITED STATES

Reviewer _____ Date _____

Field Examiner's Name Shah Chapman Date 12/29/93

I. AUTHENTICATION

☒ Change P.D. as reflected above
☐ Add P.D. as reflected above
☐ None
☒ Change P.U. as reflected above
☐ Add P.U. as reflected above
☐ Other _____

2. Recommended Amendments

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (ata)
	From	To		
Storage - Rec/loss/other	1/1	12/31	-	1030
Storage - Irrig	1/1	12/31	-	102
Div from storage - Irrig	4/1	11/1	0.46	102
Div. to Storage - Rec/loss/other	1/1	12/1	3.0	1030
Totals:			3.0	1030

1. Recommended Amounts

H. RECOMMENDATIONS

2. Volume Calculations for Other Uses:
Silver Lake = 32.96 acres
Depth (avg) 32'
 $32 \times 32.96 = 1054.72$

$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$
 $V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$
 $V = \text{Smaller of } V_{LR} \text{ and } V_{DR} =$

G. VOLUME CALCULATIONS
1. Volume Calculations for Irrigation:

F. FLOW CALCULATIONS

Measured Method: _____
Additional Computation Sheets Attached _____
calculated from pump curve.