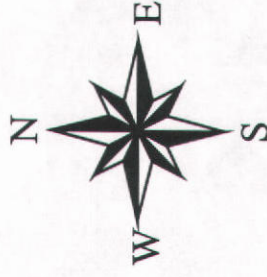
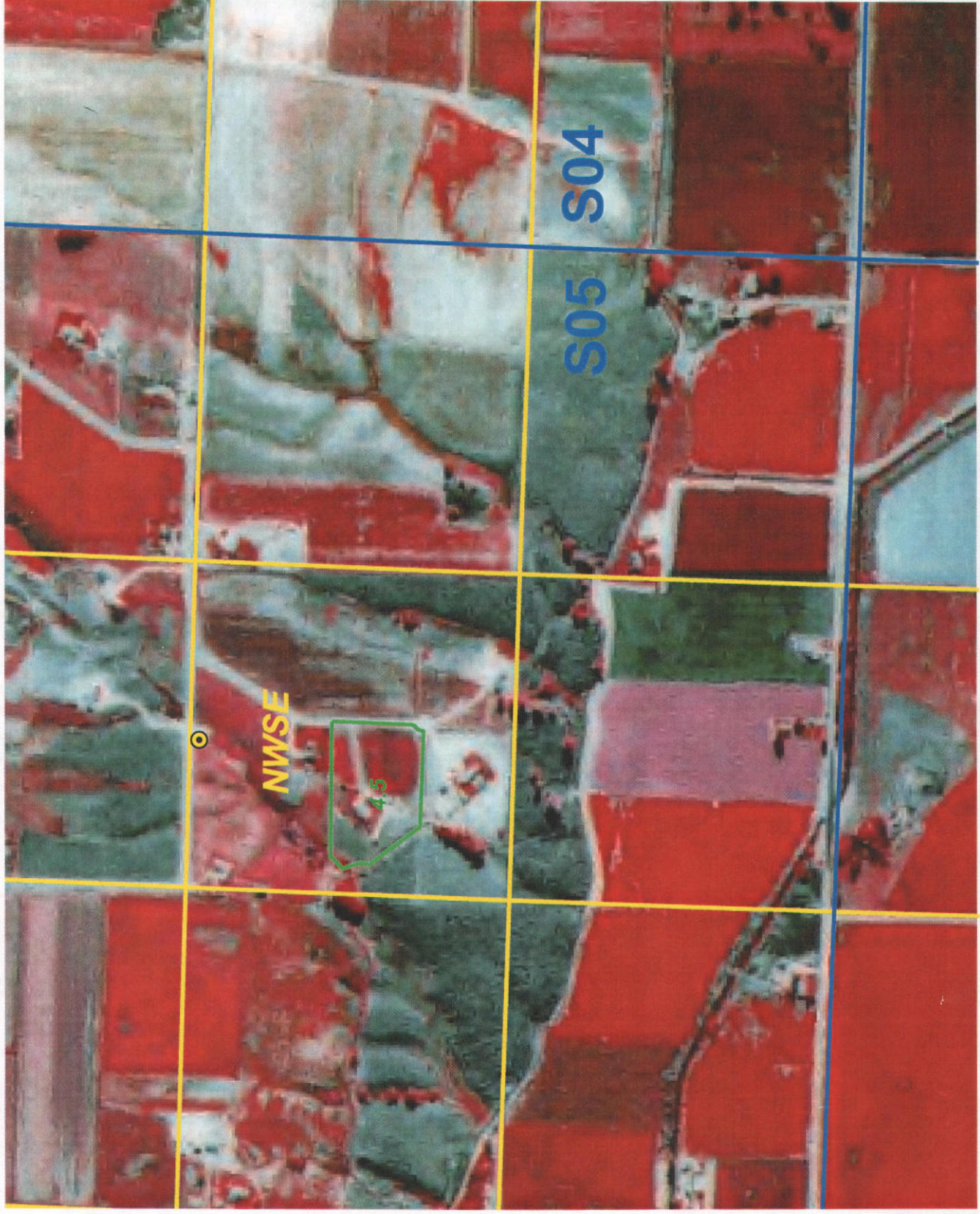


Idaho Department of Water Resources

Claims: 63-31441
Date Prepared: 06-19-03
By: Ron Howerton

T04N, R01W
S05



○ Point of Diversion



Place of use

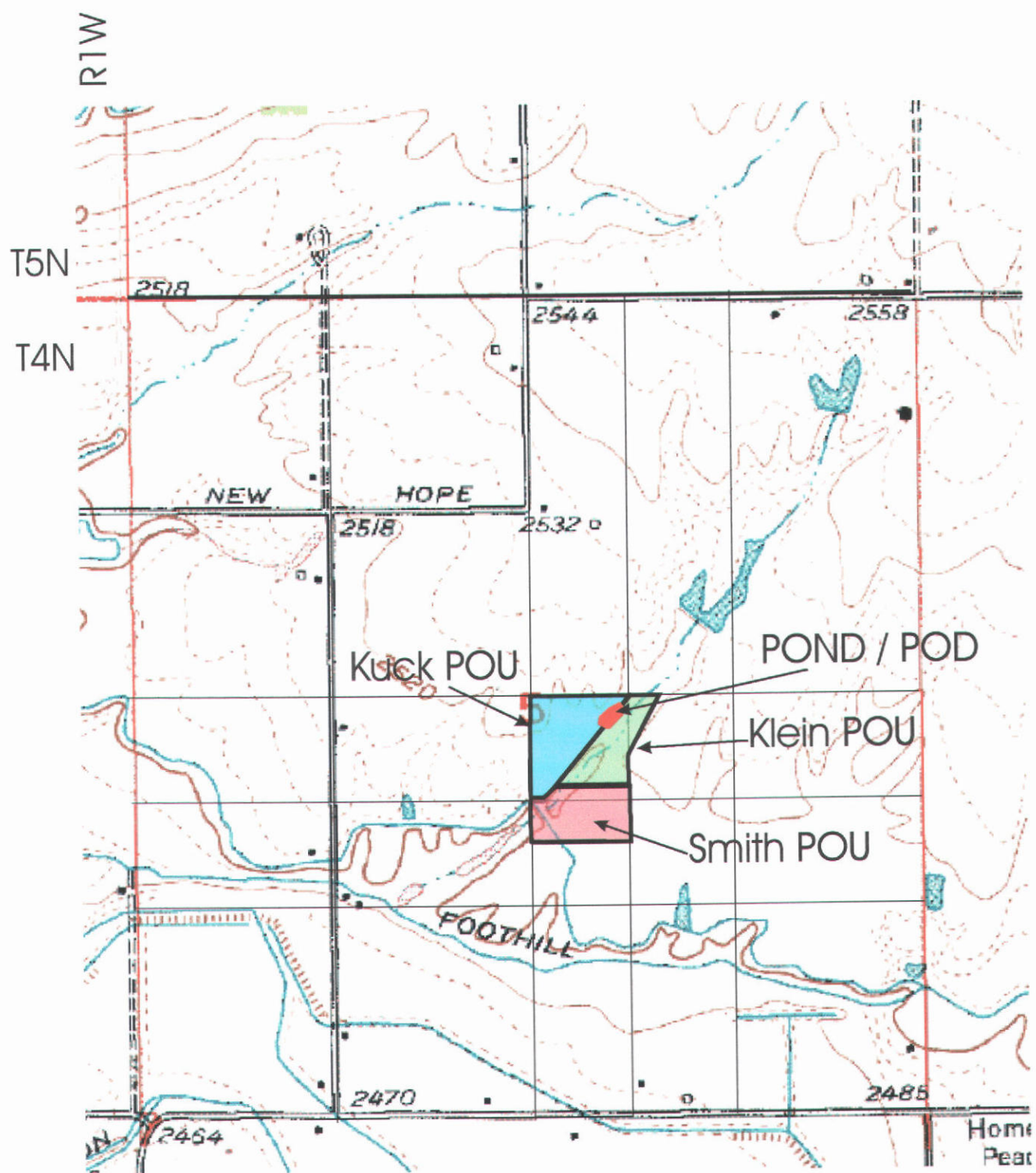
Section

1/4 1/4

4.5 acres

0 0.1 0.2 0.3 0.4 0.5 Miles

1987 NAPP



**POU and POD map for
63-31230, 63-31440, and 63-31441**

STAR ACRES SUBDIVISION
STAN, ADA COUNTY, IDAHO

LEGEND

- 2-7/8" Diameter Brass Monument On 2" Diameter Pipe By 2' Long.
- 1/2" Diameter Rebar By 2' Long
- Exterior Boundary
- Interior Boundary
- Easement Line
- Center Line Street Or Road
- Circular Curve (See Table)
- 10' Drainage, Irrigation And Utilities Easement.
- 5' Power And Telephone Easement
- 20' Drainage, Irrigation And Utilities Easement.

STATE OF IDAHO S.S.
COUNTY OF ADA

I, RONALD M. BLAKLEY, a Registered Professional Engineer in and for said County and State, do hereby certify that the survey of STAR ACRES SUBDIVISION in Ada County, Idaho, as described on the back of this plat was made by me or under my direction and that this plat correctly shows the survey as made.
IN WITNESS WHEREOF, I have hereunto set my hand and seal this 23rd day of January A.D. 1973.



STATE OF IDAHO S.S.
COUNTY OF ADA

On this 23rd day of January A.D. 1973, before me, Leola Hunter, a Notary Public in and for said County and State, personally appeared Ronald M. Blakley, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same.
IN WITNESS WHEREOF, I have hereunto set my hand and seal this 23rd day of January A.D. 1973.



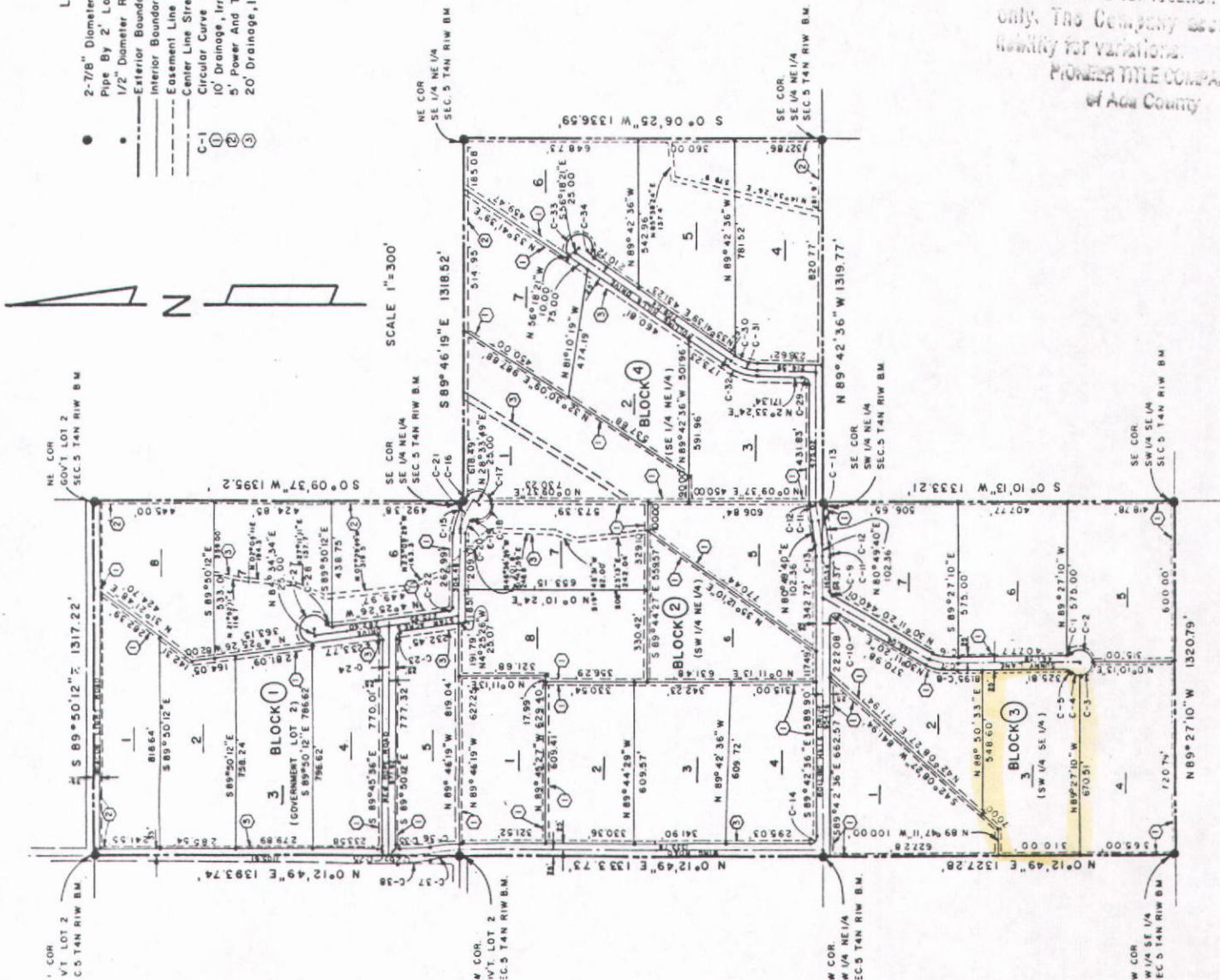
Notary Public Leola Hunter
Residing at Calhoun Idaho
My Commission expires 8-25-75

I hereby certify that this instrument was filed for record at the request of Ronald M. Blakley at 4 o'clock A. M. this 20th day of MARCH A.D. 1973.

Fee 5.00 Instrument No. 139449

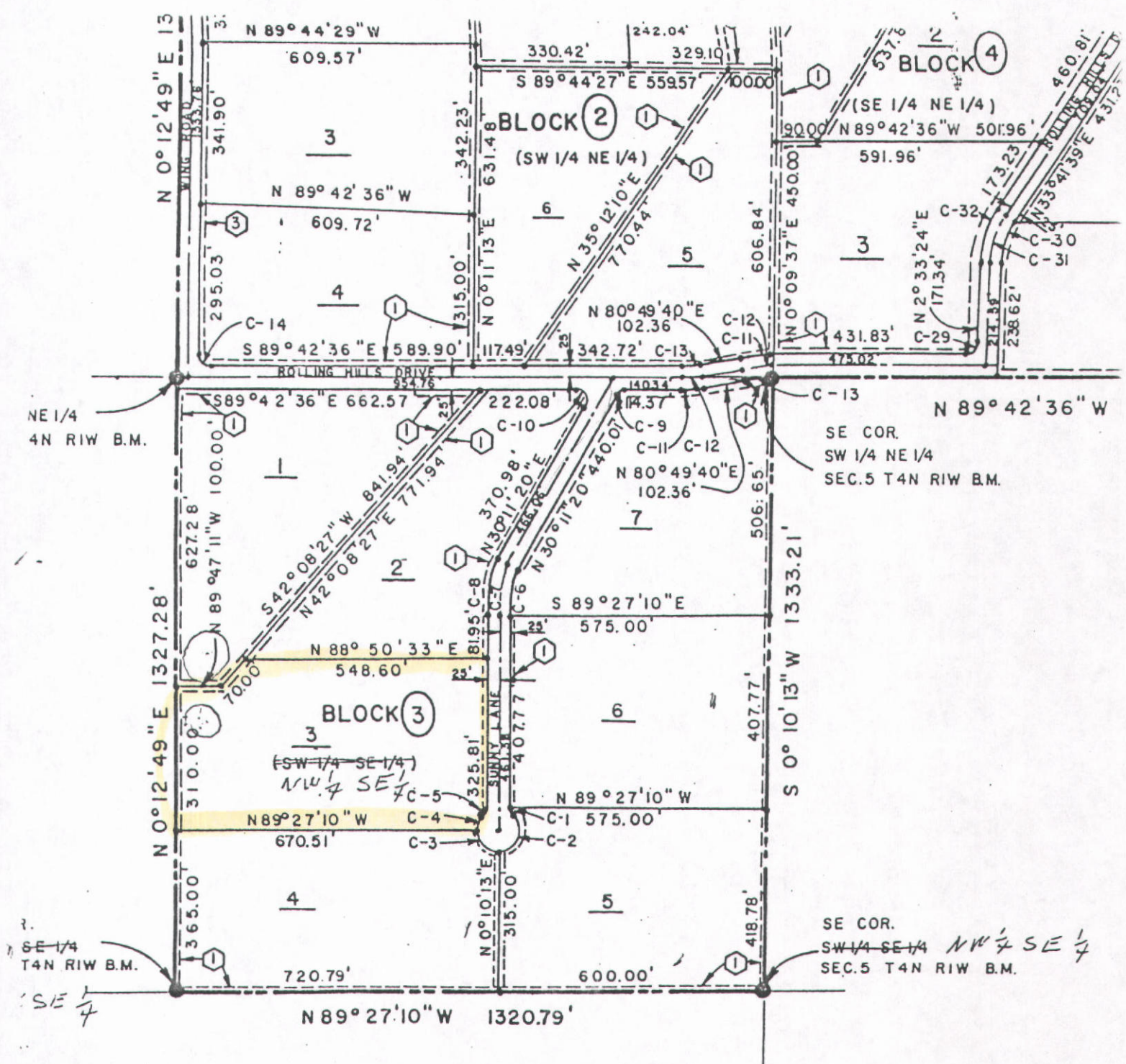
Recorder James C. Hines Deputy Emily L. Hines

CURVE	RADIUS	ANG. E	TANGENT	LENGTH	L CHORD	BEARING	L CHORD	CURVE	RADIUS	ANG. E	TANGENT	LENGTH	L CHORD	BEARING	L CHORD
C-1	20.00	49°55'41"	9.33	17.45	16.90	S 2°04'51"E	16.90	C-20	250.00	2°04'51"E	26.84	53.37	53.37	G-20	BEARING
C-2	50.00	3°09'49"	4.17	12.75	12.75	S 93°07'22"W	12.75	C-21	275.00	28°20'08"	69.42	136.00	134.62	C-21	57°53'36"E
C-3	50.00	9°02'32"	5.03	76.87	70.94	N 44°58'28"W	70.94	C-22	200.00	85°20'53"	18.44	29.79	27.11	C-22	N 47°05'53"
C-4	50.00	48°37'04"	23.11	45.30	41.96	N 25°27'22"E	41.96	C-23	200.00	84°59'50"	18.42	29.79	27.11	C-23	S 47°05'53"
C-5	25.00	30°50'01"	46.82	39.63	30.64	N 15°10'46"E	30.64	C-24	200.00	89°29'23"	19.59	31.41	28.83	C-24	S 47°05'53"
C-6	225.00	30°07'07"	53.62	104.78	103.59	N 15°10'46"E	103.59	C-25	200.00	89°29'23"	19.59	31.41	28.83	C-25	S 47°05'53"
C-7	20.00	40°06'04"	11.57	20.96	20.03	N 60°14'32"E	20.03	C-26	200.00	73°23'55"	22.13	34.23	31.41	C-26	S 47°05'53"
C-8	20.00	11°56'53"	31.86	62.78	61.94	S 2°04'51"E	61.94	C-27	200.00	87°44'00"	19.72	30.62	27.72	C-27	N 47°05'53"
C-9	300.00	9°27'44"	24.85	49.54	53.67	N 89°42'36"W	53.67	C-28	175.00	31°08'15"	48.76	85.10	81.57	C-28	S 47°05'53"
C-10	300.00	9°27'44"	24.85	49.54	53.67	N 89°42'36"W	53.67	C-29	200.00	89°29'23"	19.59	31.41	28.83	C-29	S 47°05'53"
C-11	275.00	9°27'44"	24.85	49.54	53.67	N 89°42'36"W	53.67	C-30	200.00	89°29'23"	19.59	31.41	28.83	C-30	S 47°05'53"
C-12	275.00	9°27'44"	24.85	49.54	53.67	N 89°42'36"W	53.67	C-31	200.00	89°29'23"	19.59	31.41	28.83	C-31	S 47°05'53"
C-13	275.00	9°27'44"	24.85	49.54	53.67	N 89°42'36"W	53.67	C-32	200.00	89°29'23"	19.59	31.41	28.83	C-32	S 47°05'53"
C-14	275.00	9°27'44"	24.85	49.54	53.67	N 89°42'36"W	53.67	C-33	200.00	89°29'23"	19.59	31.41	28.83	C-33	S 47°05'53"
C-15	275.00	9°27'44"	24.85	49.54	53.67	N 89°42'36"W	53.67	C-34	200.00	89°29'23"	19.59	31.41	28.83	C-34	S 47°05'53"
C-16	275.00	9°27'44"	24.85	49.54	53.67	N 89°42'36"W	53.67	C-35	200.00	89°29'23"	19.59	31.41	28.83	C-35	S 47°05'53"
C-17	275.00	9°27'44"	24.85	49.54	53.67	N 89°42'36"W	53.67	C-36	200.00	89°29'23"	19.59	31.41	28.83	C-36	S 47°05'53"
C-18	275.00	9°27'44"	24.85	49.54	53.67	N 89°42'36"W	53.67	C-37	200.00	89°29'23"	19.59	31.41	28.83	C-37	S 47°05'53"
C-19	275.00	9°27'44"	24.85	49.54	53.67	N 89°42'36"W	53.67	C-38	200.00	89°29'23"	19.59	31.41	28.83	C-38	S 47°05'53"



This sketch is for location only. The Company assumes liability for variations.
PIONEER TITLE COMPANY
of Ada County

PLAT NO. 10,000
FILED FOR RECORD
JAN 10 1900
COUNTY OF
TITUS COUNTY
TEXAS



PERMIT 63-10347 INIT MTS
T. R. S. Q/Q
P/D 4W 1W 5 NWSE
SCALE _____
PHOTO ID. _____



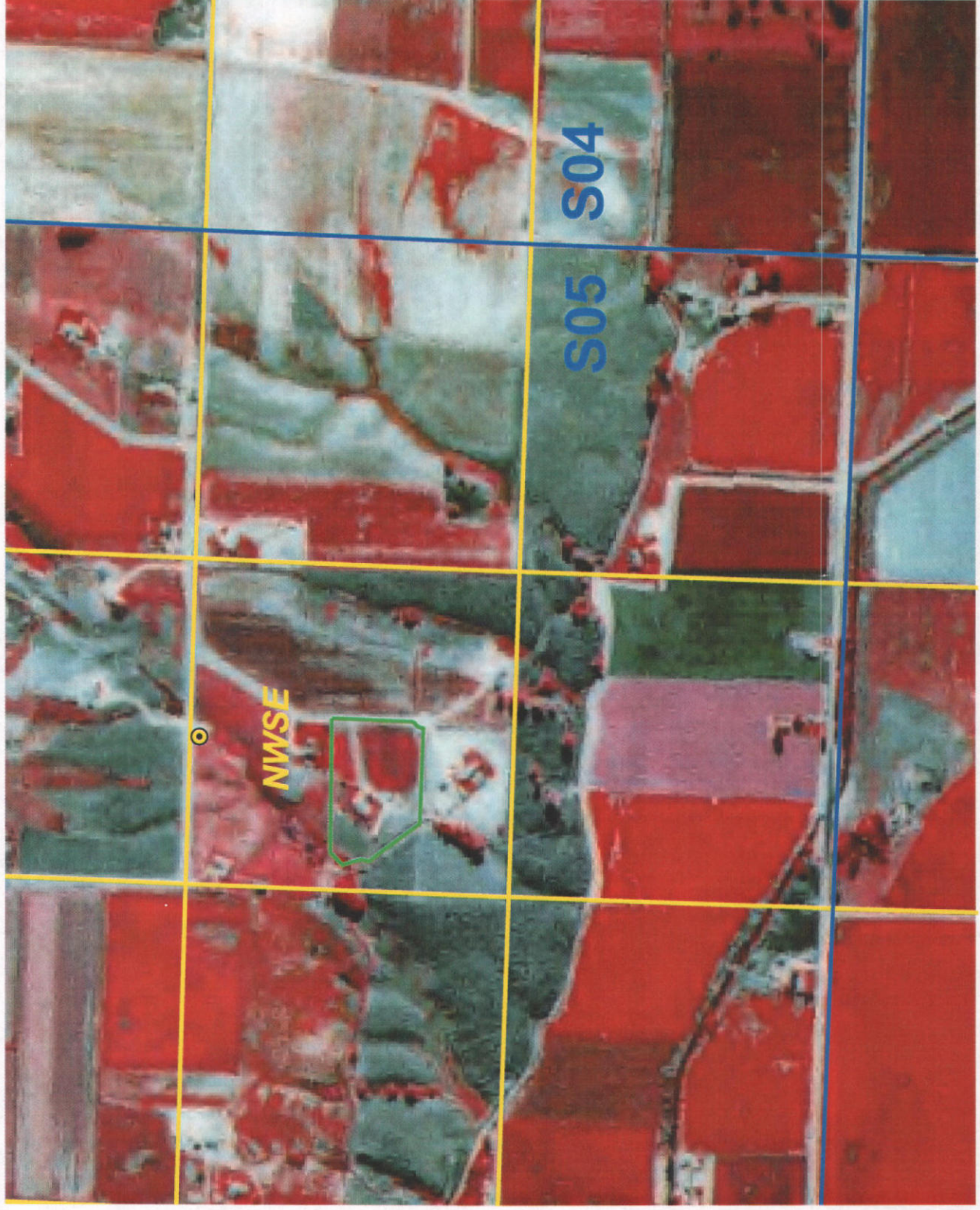
Not To Scale

1A4

Idaho Department of Water Resources

Claims: 63-31441
Date Prepared: 06-19-03
By: Ron Howerton

T04N, R01W
S05



- Point of Diversion
- Place of use
- Section
- 1/4 1/4

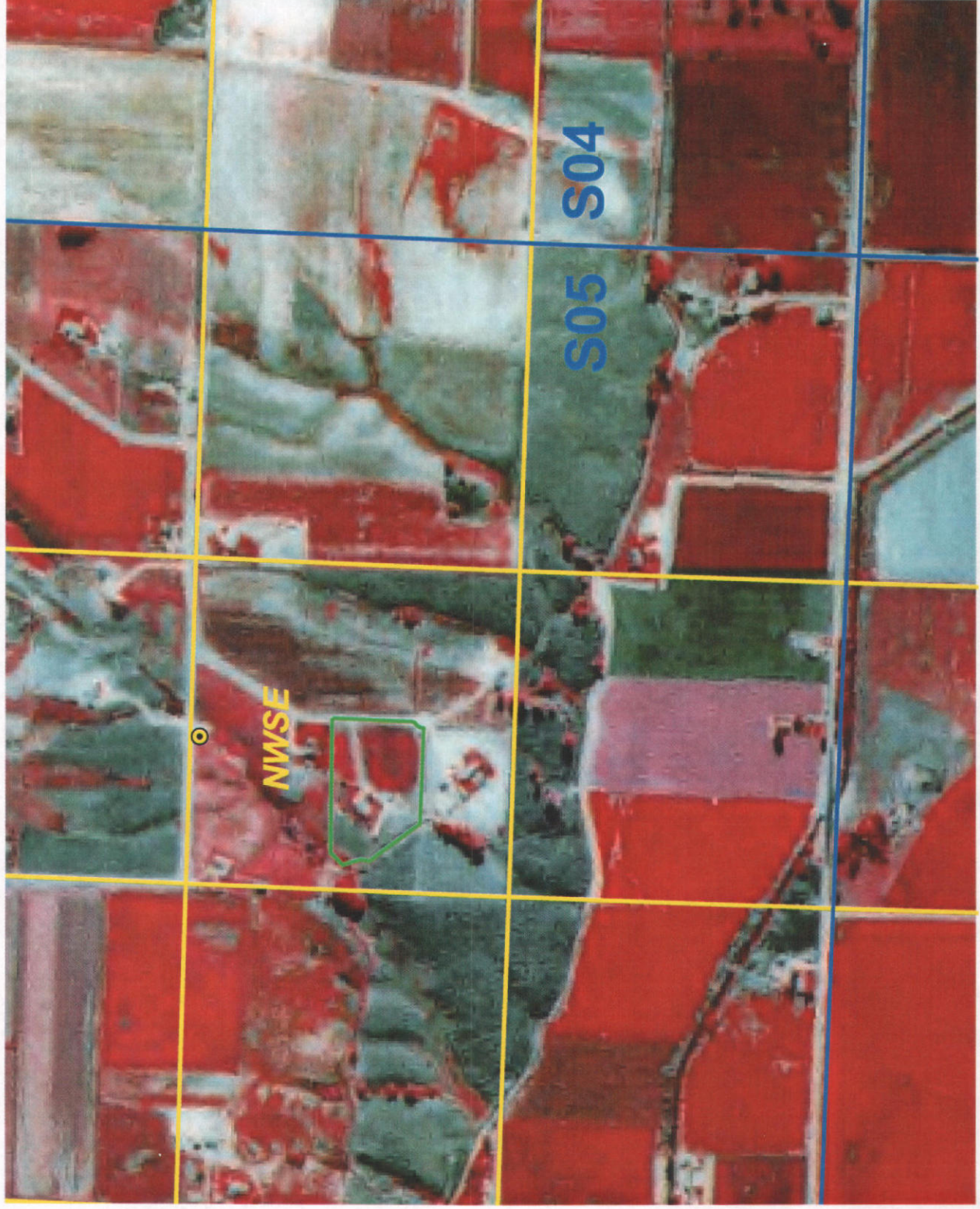
0 0.1 0.2 0.3 0.4 0.5 Miles

1987 NAPP

Idaho Department of Water Resources

Claims: 63-31441
Date Prepared: 06-19-03
By: Ron Howerton

T04N, R01W
S05



○ Point of Diversion



Place of use

Section

1/4 1/4

0 0.1 0.2 0.3 0.4 0.5 Miles

1987 NAPP

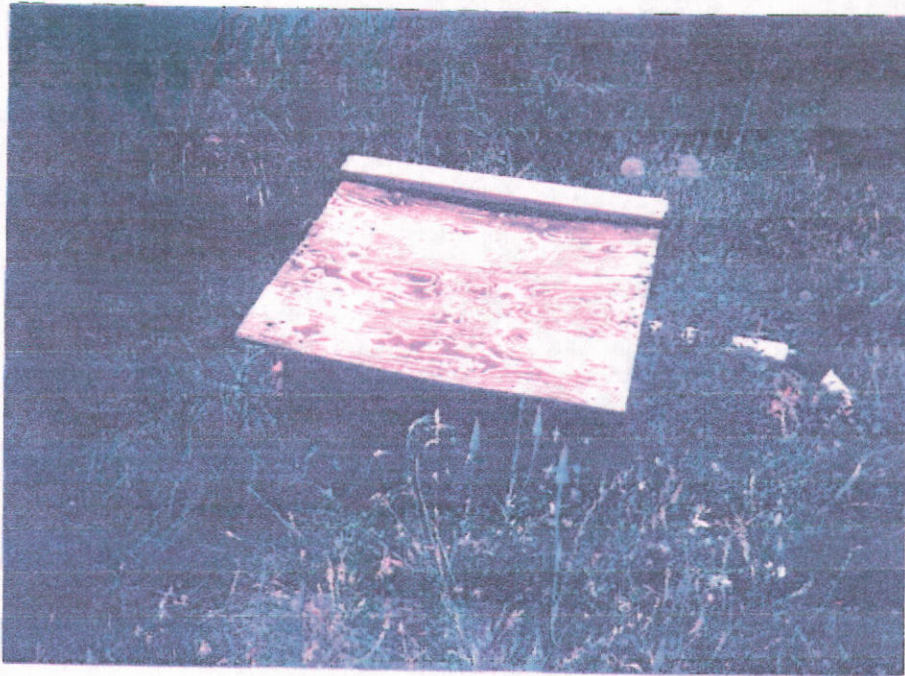


63-31441

NWSE

2000 PHOTO

63-10347



Picture #9

Klein pump site
From pond



Picture #10

Pump discharge line
in foreground.

Places of use
for all three
lots.

FILED
DEC 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 63-31441
Date Received: 9/1/1989
Receipt No:
Received By:

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

1. Name of Claimant(s)

SCOTT J. HARRIS Phone: (208)286-0456
2203 N. SUNNY LANE
STAR ID USA 83669

TAMMY L. HARRIS Phone: (208)286-0456
2203 SUNNY LANE
STAR ID USA 83669

2. Date of Priority: 03/28/1986

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01W	5	NW NW SE	ADA	

5. Description of diverting works:

The system consists of an 8-inch diameter, 200-foot well that provides water to a 1.1-acre pond. Water is then distributed from the pond for irrigation and stock water to three parcels of land by pumping from three different locations at the pond. Each parcel has its own pump and sprinkler system.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.09	20.25
STOCKWATER	01/01	12/31	0.006	0.21

7. Total Quantity Appropriated is:

0.096 C.F.S. and/or 20.46 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01W	5	NW	SE	STOCKWATER	
			NW	SE	IRRIGATION	4.5
					Section Acres	4.5
					Total Acres	4.5

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

CLAIM MODIFIED BY APPROVED LICENSED DATED 11-27-1991. RDH 6-19-2003.

Stockwater use is for 9 range cattle.

Property also known as Lot 3 Block 3 Star Acres Sub

CHANGE OF OWNERSHIP LG 11/2/05

15. Basis of Claim: License

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

RECEIVED
 JUN 24 2005
 WATER RESOURCES
 WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
63-31441					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- ☒ B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- ☒ C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Bruce Smith Family Trust
7227 W. State St, Boise, ID
4. New Owner/Claimant(s) Scott J. Harris Tammy L. Harris
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 2203 N Sunny Lane
- City, State and ZIP Code Star, Idaho 83669
- New Telephone Number 208 286-0456
5. Date you acquired the property 10/20/2004

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

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

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

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

[Handwritten Signature]
[Handwritten Name: James L. Harris]

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

For Office Use Only

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

37

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 10/21/04 04:33 PM
DEPUTY Bonnie Oberbiller
RECORDED - REQUEST OF
Title One

AMOUNT 3.00 1



Order No.: A0432392

WARRANTY DEED

FOR VALUE RECEIVED,

BRUCE SMITH and BRENDA SMITH, HUSBAND AND WIFE

The Grantor(s), do(es) hereby grant, bargain sell and convey unto

SCOTT J. HARRIS and TAMMY L. HARRIS, HUSBAND AND WIFE

whose current address is 2203 N. SUNNY LANE STAR, ID 83669

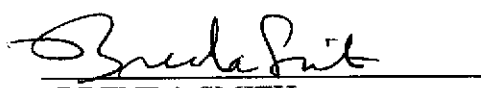
the Grantee(s), the following described premises, in Ada County, Idaho, TO WIT:

Lot 3 in Block 3 of STAR ACRES SUBDIVISION, according to the official plat thereof, filed in Book 29 of Plats at Page(s) 1822 and 1823, and as Amended by an Affidavit recorded May 24, 1973 as Instrument No. 847760, official records of Ada County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility easements (if any) for the current year, which are not due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: 10/20/04


BRUCE SMITH


BRENDA SMITH

STATE OF IDAHO
COUNTY OF ADA

ON THIS 20 OF OCTOBER, 2004, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC PERSONALLY APPEARED, BRUCE SMITH, BRENDA SMITH, KNOWN TO ME OR PROVEN TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE

FOR VALUE RECEIVED,

BRUCE SMITH and BRENDA SMITH , HUSBAND AND WIFE

The Grantor(s), do(es) hereby grant, bargain sell and convey unto

SCOTT J. HARRIS and TAMMY L. HARRIS, HUSBAND AND WIFE

whose current address is 2203 N. SUNNY LANE STAR, ID 83669

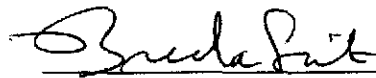
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Lot 3 in Block 3 of STAR ACRES SUBDIVISION, according to the official plat thereof, filed in Book 29 of Plats at Page(s) 1822 and 1823, and as Amended by an Affidavit recorded May 24, 1973 as Instrument No. 847760, official records of Ada County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility easements (if any) for the current year, which are not due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: 10/20/04


BRUCE SMITH

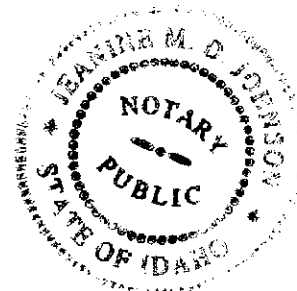

BRENDA SMITH

STATE OF IDAHO
COUNTY OF ADA

ON THIS 20 OF OCTOBER , 2004, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC PERSONALLY APPEARED ,BRUCE SMITH, BRENDA SMITH, KNOWN TO ME OR PROVEN TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.


JEANINE M. D. JOHNSON
NOTARY PUBLIC
RESIDING AT: ~~BOISE~~
MY COMMISSION EXPIRES:
~~08/14/08~~
(SEAL)

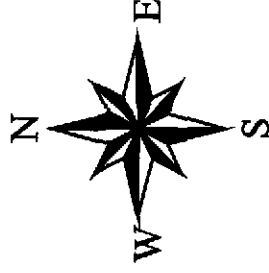
JEANINE M. D. JOHNSON
RESIDING: MERIDIAN, ID
COMMISSION EXPIRES: 11/12/08



Idaho Department of Water Resources

Claims: 63-31441
Date Prepared: 06-19-03
By: Ron Howerton

T04N, R01W
S05



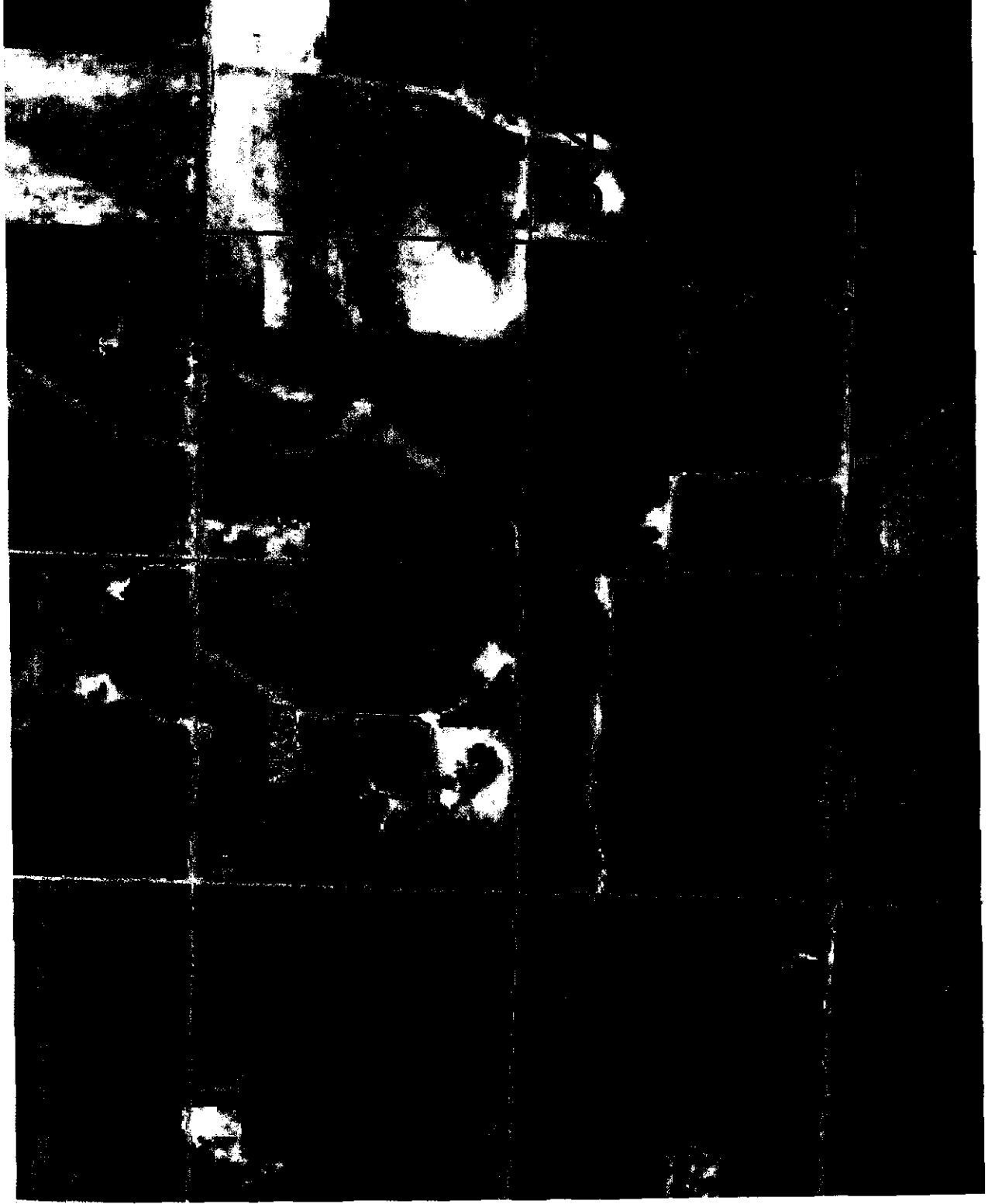
● Point of Diversion

□ Place of use

□ Section

1/4 1/4

4.5 acres



0 0.1 0.2 0.3 0.4 0.5 Miles

1987 NAPP



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

June 27, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Scott J. and Tammy L. Harris
2203 Sunny Lane
Star, ID 83669

RE: Water Right No. 63-31441

Dear Claimant(s):

This office has received your Notice of Change of Water Right Ownership recently submitted. We also received check number 1059 in the amount of \$25; however, we are returning it to you, as the ownership change fee is not required for this particular water right claim. This claim has not yet been decreed by the SRBA Court. The ownership change is being processed and a copy will be mailed to you upon completion.

Thank you for your patience and cooperation. If you have any questions regarding this letter, feel free to contact this office at (208) 334-2190

Sincerely,

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region

LG:lg

Enclosures

	A.A. ABARN CONSTRUCTION 2203 N SUNNY LANE 208-860-2823 STAR, ID 83669	19-7076/3250 4862537938	No. 1059
		DATE 6/21/05	
Pay to the order of	IDWR		
	\$25.00		
Twenty-five and 00/100		DUPLICATE	Security Features Include: Details on Back.
	Washington Mutual Washington Mutual Bank, PA Eagle Financial Center 418 468 Rivershore Lane Eagle, ID 83616	1-800-788-7000 24 hour Customer Service	
Water Right 63-31441			
⑆325070760⑆ 4862537938⑆ 1059			

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 63-31441
Date Received: 9/1/1989
Receipt No: W005374
Received By: RDH

AMENDED

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

1. Name of Claimant(s)

BRUCE SMITH FAMILY TRUST Phone: (208)286-7434
2203 N SUNNY LN
STAR ID USA 83669

2. Date of Priority: 03/28/1986

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01W	5	NW NW SE	ADA	

5. Description of diverting works:

The system consists of an 8-inch diameter, 200-foot well that provides water to a 1.1-acre pond. Water is then distributed from the pond for irrigation and stock water to three parcels of land by pumping from three different locations at the pond. Each parcel has its own pump and sprinkler system.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.09	20.25
STOCKWATER	01/01	12/31	0.006	0.21

7. Total Quantity Appropriated is:
0.096 C.F.S. and/or 20.46 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01W	5	NW NW	SE SE	STOCKWATER IRRIGATION	4.5
Section Acres						4.5
Total Acres						4.5

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

Stockwater use is for 9 range cattle.

Property also known as Lot 3 Block 3 Star Acres Sub

CLAIM MODIFIED BY APPROVED LICENSED DATED 11-27-1991. RDH 6-19-2003.

15. Basis of Claim: License

3-WAY SPLIT TREE

CLAIM: 63-10347 LICENSE SPLIT

AGENT: Ron Howerton

Date: 06-19-03

IRRIGATION CFS FACTOR = $\text{CFS } 0.3 / \text{ACRES } 15 = 0.02 \text{ CFS}$

IRRIGATION AFA FACTOR = $67.5 \text{ AFA} / 15 \text{ ACRES} = (4.5 \text{ factor}) = \text{per acre}$

STOCKWATER CFS FACTOR = $\text{CFS } 0.02 / 30 \text{ RANGE} = (0.000666667 \text{ factor}) \text{ CFS} = 1 \text{ RANGE}$

CATTLE (30 range cattle / 15 acres = 2 range per acre)

STOCKWATER AFA FACTOR = $0.7 \text{ AFA} / 30 \text{ RANGE} = (0.023333333 \text{ factor})$

Kuck = 63-31230 = (FACTOR 0.02) x 5.5 acres =	0.11 CFS & (4.5) (5.5) = 24.76 AFA
(5.5)(2) = 11 range cattle x factor = .0073 =	0.007 CFS & (11) (factor) = 0.007 AFA
Klein = SPLIT B = (FACTOR 0.02) x 5.0 acres =	0.10 CFS & (4.5) (5.0) = 22.5 AFA
(5)(2) = 10 range cattle x factor = .0067 =	0.007 CFS & (10) (factor) = 0.007
Smith = SPLIT C = (FACTOR 0.02) x 4.5 acres =	0.09 CFS & (4.5) (4.5) = 20.25 AFA
(4.5)(2) = 9 range cattle x factor = .006 =	0.006 CFS & (9) (factor) = 0.006 AFA

TOTALS: KUCK = 0.117 CFS + KLEIN = 0.107 CFS + SMITH = 0.096 CFS = **0.32 CFS ****
KUCK = 25.01 AFA + KLEIN = 22.73 AFA + SMITH = 20.46 AFA = **68.2 AFA *****

NAME: **Langdon, Klein & Lagerstrom**
RIGHT: **63-10347**

IRR CFS: **0.3**
IRR AFA: **67.5**
ACRES: **15.0**
STK CFS: **0.02**
STK AFA: **0.7**
30 RANGE (MAX CLAIMED)

TOTALS: **0.32 CFS ****
68.2 AFA ***

NAME: **KUCK**
SPLIT: **63-31230**

IRR CFS: **0.11**
IRR AFA: **24.75**
ACRES: **5.5**
STK CFS: **0.007**
STK AFA: **0.26**
11 RANGE

TOTALS: **0.117 CFS**
25.01 AFA

NAME: **KLEIN**
SPLIT: **63-31440**

IRR CFS: **0.1**
IRR AFA: **22.5**
ACRES: **5.0**
STK CFS: **0.007**
STK AFA: **0.23**
10 RANGE

TOTALS: **0.107 CFS**
22.73 AFA

NAME: **SMITH**
SPLIT: **63-31441**

IRR CFS: **0.09**
IRR AFA: **20.25**
ACRES: **4.5**
STK CFS: **0.006**
STK AFA: **0.21**
9 RANGE

TOTALS: **0.096 CFS**
20.46 AFA

State of Idaho
Department of Water Resources

DEC - 6 1991

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10347

Department of Water Resources
Western Regional Office

Priority: March 28, 1986

Maximum Diversion Rate:

0.32 CFS

Maximum Diversion Volume:

68.2 AF

This is to certify, that DANNY G LANGDON
MILTON G KLEIN
R A LAGERSTROM

10399 ROLLING HILLS DR
STAR ID 836690000

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 28, 1986; and has submitted Proof of Beneficial Use on September 29, 1988. An examination indicates that the works have a diversion capacity of .630 cfs of water from a GROUNDWATER 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	0.30 CFS	67.5 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.7 AF
Totals		0.32 CFS	68.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 5, Township 04N, Range 01W
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	01W	5	NWSE	15		15

Total number of acres irrigated: 15

PLACE OF USE: STOCKWATER, same as IRRIGATION use

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.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

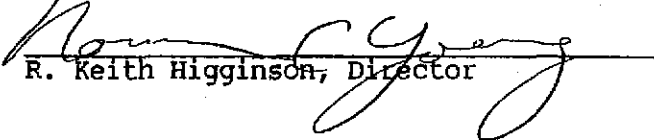
WATER RIGHT NO. 63-10347

CONDITIONS/REMARKS:

5. 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.
6. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
7. Stockwater use is for 50 range cattle.

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 27th day of NOVEMBER, 1991.

Acting for


R. Keith Higginson, Director

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 63-31441

Date Received: 9/1/1989

Receipt No:

Received By:

AMENDED

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

1. Name of Claimant(s)

BRUCE SMITH FAMILY TRUST
2203 N SUNNY LN
STAR ID USA 83669

Phone: (208)286-7434

2. Date of Priority: 03/28/1986

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01W	5	NW NW SE	ADA	

5. Description of diverting works:

The system consists of an 8-inch diameter, 200-foot well that provides water to a 1.1-acre pond. Water is then distributed from the pond for irrigation and stock water to three parcels of land by pumping from three different locations at the pond. Each parcel has its own pump and sprinkler system.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.09	20.25
STOCKWATER	01/01	12/31	0.01	0.25

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01W	5	NW	SE	IRRIGATION	4.5
					Section Acres	4.5
					Total Acres	4.5

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

This claim is the result of a split due to change in ownership for a portion of 63-31229. DB 3/18/2002

Property also known as Lot 3 Block 3 Star Acres Sub

The 0.01 cfs stock water diversion is from a 0.02 cfs diversion (63-10347) that was split into three equal portions (63-31230, 63-31440 and 63-31441). The total 0.32 cfs diversion and 0.02 cfs stockwater diversion of the original license (63-10347) will not be exceeded by the combined diversion of the three equal splits. The 0.01 cfs for stockwater is used for convenience.

Claim amended per request. DH 11/14/2002

15. Basis of Claim: Permit

3-WAY SPLIT TREE

CLAIM: 63-10347 Permit Split

AGENT: Ron Howerton

Date: 06-04-03

IRRIGATION FACTOR = $\frac{\text{CFS } 0.3}{\text{ACRES } 15} = \underline{0.02 \text{ CFS}}$

STOCKWATER FACTOR = $\text{CFS } 0.03 / 30 \text{ RANGE} = 0.01 \text{ CFS} / 10 \text{ RANGE CATTLE}$

Kuck = 63-31230 = (FACTOR 0.02) x 5.5 acres =	0.11 CFS
Klein = SPLIT B = (FACTOR 0.02) x 5.0 acres =	0.10 CFS
Smith = SPLIT C = (FACTOR 0.02) x 4.5 acres =	0.09 CFS
TOTALS	<u>15.0 acres = 0.30 CFS</u>

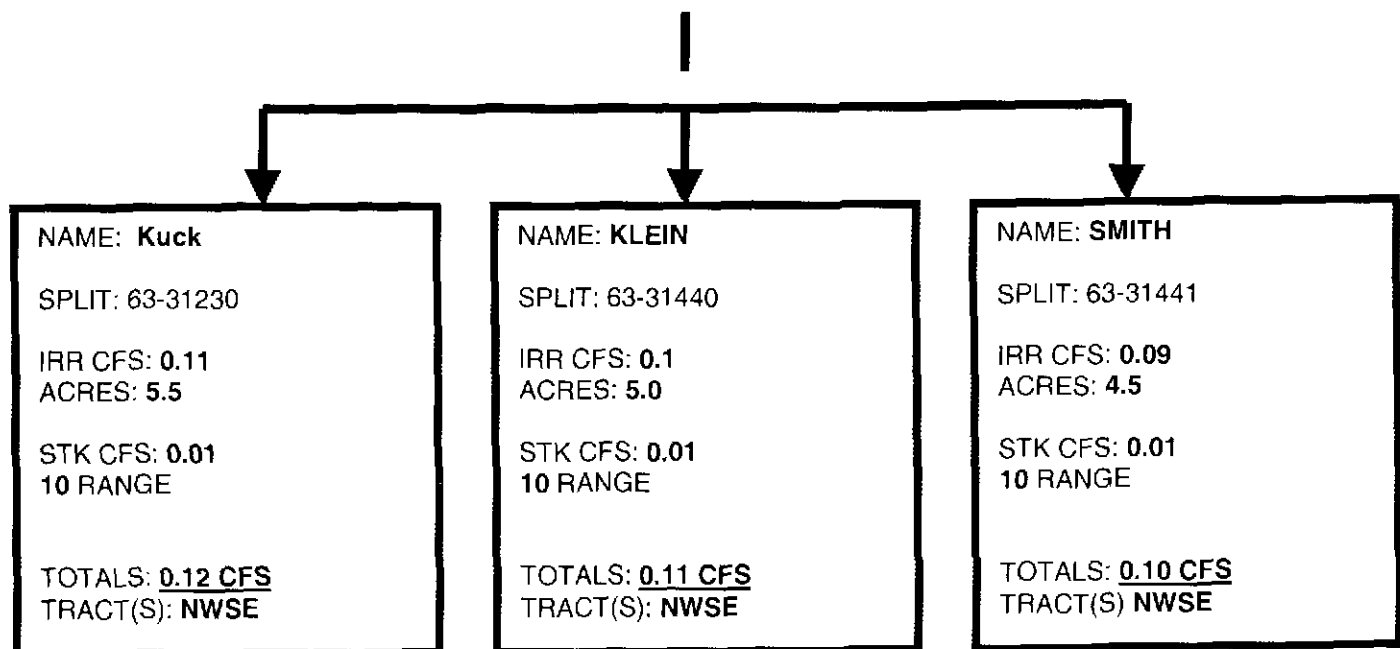
NAME: Langdon, Klein & Lagerstrom

RIGHT: 63-10347

IRR. CFS: 0.3
ACRES: 15.0

STK CFS: 0.03
30 RANGE

TOTALS: 0.33 CFS
TRACT(S): NWSE



Should questions arise during the processing of this application please contact:
Steve Hannula - ERO Resources Corp. (208) 373-7983

RECEIVED

NOV 14 2002

WATER RESOURCES
WESTERN REGION

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 63-31441

Date Received 11-14-02

Receipt Number

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

Please type or print clearly

1. Name of Claimant(s) Bruce Smith Family Trust Phone (208) 286-7434
Mailing Address 2203 N. Sunny Lane, Star, Idaho Zip 83669
2. Date of Priority (Only one (1) per claim) 3-28-1986
3. Source of water supply (a) Ground water
Which is tributary to (b) N/A
4. a. Location of point of diversion is: Township 4N Range 1W Section 5,
NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____, B.M., County of Ada
Additional points of diversion if any: _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of
_____ $\frac{1}{4}$, 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 system consists of an 8-inch diameter, 200-foot well that provides water to a 1.1-acre pond. Water is then distributed from the pond for irrigation and stock water to three parcels of land by pumping from three different locations at the pond. Each parcel has its own pump and sprinkler system.

6. Water is claimed for the following purposes:

For irrigation purposes from 3/15 to 11/15 amount 0.09 (cfs) or 20.25 (acre feet)
For stockwater purposes from 1/01 to 12/31 amount 0.01 or 0.25
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.1 (see remarks) (cfs) and/or (b) _____ (acre feet)

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

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

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 ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	
4N	1W	5														4.5			4.5

Total number of acres irrigated 4.5

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 X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

_____ or None (X)

14. Remarks:

The 0.01 cfs stock water diversion is from a 0.02 cfs diversion (63-10347) that was split into three equal portions (63-31230, 63-31440, and 63-31441). The total 0.32 cfs diversion and 0.02 cfs stockwater diversion of the original license (63-10347) will not be exceeded by the combined diversion of the three equal splits. The 0.01 cfs for stockwater is used for convenience.

Last Name _____ Ident. Number _____

15. Basis of Claim (Check One) Beneficial Use _____ Posted Notice _____ License _____ Permit X

Decree _____

If applicable provide IDWR Water Right Number 63-31441

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 received notice in the Snake River Basin Adjudication." 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 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 Trustee Title _____

of Bruce Smith Family Trust Organization _____, that I have signed the foregoing

document in the space below as trustee Title _____ of Bruce Smith Family Trust Organization _____

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

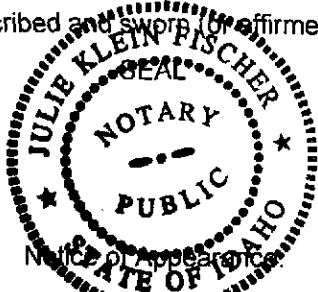
Signature of Authorized Agent _____

Title and Organization trustee Date 10/3/02

State of Idaho/or _____)

County of Ada) SS.

Subscribed and sworn to (or affirmed) before me this 3rd day of October 20 02



Notary Public _____

Residing at New Plymouth, Idaho

My Commission Expires 12/31/05

17. Notice of Appearance

Please Print Name _____

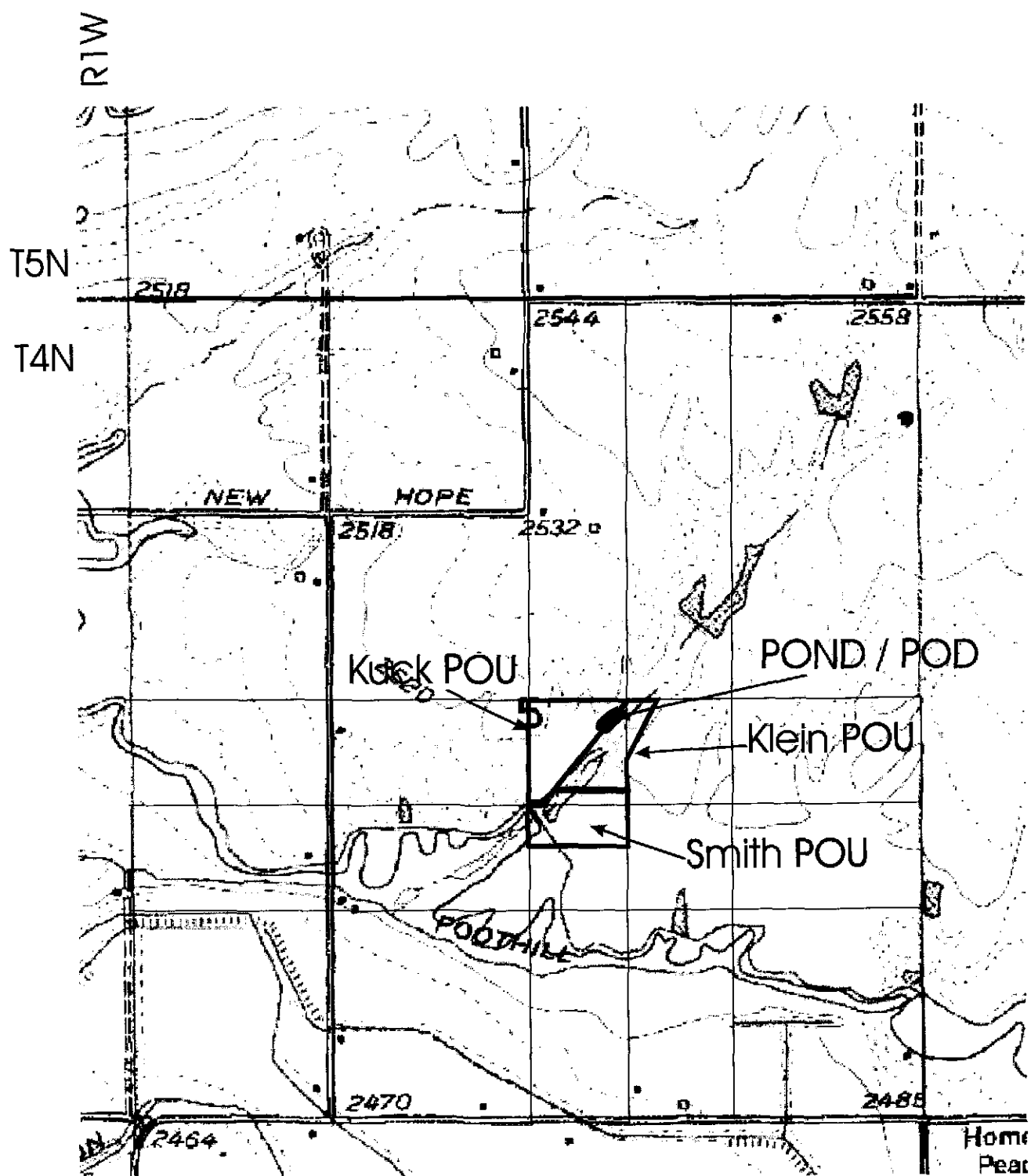
Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____



**POU and POD map for
63-31230, 63-31440, and 63-31441**

Table 1 Water Apportionment

Right #	Owner	Use	Diversion						Volume		
			Pre-Amended Claim		After Amended Claim		After Transfer		Before	Amended Claim	After Transfer
			Acres	Rate	Acres	Rate	Acres	Rate			
63-31440	Klein	Pond					0.4	0.008	AFA	AFA	AFA
		Irrig	5	0.1	5	0.1	4.6	0.092	22.5	22.5	20.70
		Stock		0.01		0.01		0.010	0.25	0.25	0.25
63-31230	Kuck	Pond					0.7	0.014			3.15
		Irrig	5	0.1	5.5	0.11	4.8	0.096	22.5	24.75	21.60
		Stock		0.006		0.01		0.006	0.2	0.2	0.25
63-31441	Smith	Pond					0	0.000		0	0.00
		Irrig	5	0.1	4.5	0.09	4.5	0.090	22.5	20.25	20.25
		Stock		0.01		0.01		0.010	0.25	0.25	0.25

Smith amends claim for only 4.5 irrigated acres

Kuck amends claim for 5.5 irrigated acres and then transfers 0.7 ac to Pond

Klein transfers 0.4 ac to Pond



A Pioneer Company
PIONEER TITLE COMPANY
OF ADA COUNTY

8151 W. Biltmore Ave / Boise, Idaho 83704 / (208) 377-2700

P-169081 SELL PP

WARRANTY DEED
(INDIVIDUAL)

FOR VALUE RECEIVED DAVE HULL AND MARGY HULL, HUSBAND AND WIFE

Grantor s do hereby grant, bargain, sell and convey unto BRUCE SMITH FAMILY TRUST, D/T/D
SEPTEMBER 21, 1990

the Grantee s whose current address is: 2203 N. SENECA LANE, STAR, ID 83669
the following described real property in ADA County, State of Idaho, more particularly described as
follows, to-wit:
LOT 3 IN BLOCK 3 OF STAR ACRES SUBDIVISION, ACCORDING TO THE PLAT THEREOF, FILED
IN BOOK 29 OF PLATS AT PAGES 1822-1823 AND AS AMENDED BY AFFIDAVIT RECORDED MAY
24, 1973 AS INSTRUMENT NO. 847760, RECORDS OF ADA COUNTY, IDAHO.

SUBJECT TO THAT CERTAIN DEED OF TRUST DATED AUGUST 22, 1998 AND RECORDED UNDER
INSTRUMENT NO. 97069128 IN FAVOR OF RICHARD A. LAGERSTROM AND DESSA L. LAGERSTROM
WHICH GRANTEE HEREIN ASSUME AND AGREE TO PAY ACCORDING TO ITS TERMS AND CONDITIONS
THEREOF.

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

RECORDED - REQUEST OF
PIONEER TITLE
FEE *man* DEPUTY *Shaffer*

98062855

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

Date: June 22, 1998

Dave Hull *Margy Hull*
DAVE HULL MARGY HULL
attorney in fact

STATE OF IDAHO, County of ADA, ss.

On this *20th* day of *June*, in the year of *1998*, before me THE UNDERSIGNED
a notary public, per-
sonally appeared MARGY HULL
known or identified to me by her name, whose name
acknowledged to me as being the same.

Residing at Boise, ID
Comm Exp 12/31/99

Notary Public:
Residing at:
My Commission Expires:

Theresa J. Rich

FILE No.863 11/08 '02 10:07 ID:WHITE PETERSON

FAX:2084664405

PAGE 5/ 5

FILE No.318 11/07 '02 14:48 ID:TITLE ONE / TITLE DEPT.

FAX:12082875322

PAGE 7/ 8

ACKNOWLEDGMENT - Attorney in Fact

STATE OF Idaho County of Ada, ss.

On this 26th day of August, in the year of 1998, before me personally appeared Deane Holt, known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of Deane Holt

and acknowledged to me that he subscribed the name of Deane Holt thereto as principal, and

Deane Holt
Notary Public

Reading at:

My Commission Expires:

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

11/13/2002

WATER RIGHT NO. 63-31441

Owner Type	Name and Address
Current Owner	BRUCE SMITH FAMILY TRUST 2203 N SUNNY LN STAR, ID 83669 (208)286-7434
Original Owner	DANNY G LANGDON 10399 E ROLLING HILLS DR STAR, ID 83669 (208)286-7876
Original Owner	R A LAGERSTROM 2203 SUNNY LN STAR, ID 83669 (208)939-0081
Original Owner	MILTON G KLEIN 2275 SUNNY LN STAR, ID 83669 (208)286-7451

Priority Date: 03/28/1986

Basis: Permit

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/15	11/15	0.1 CFS	22.5 AFA
STOCKWATER	01/01	12/31	0.01 CFS	0.25 AFA
Total Diversion			0.1 CFS	22.75 AFA

Location of Point(s) of Diversion:

GROUND WATER	NWNWSE	Sec. 05	Township 04N	Range 01W	ADA County
--------------	--------	---------	--------------	-----------	------------

IRRIGATION Use:
Acre Limit: 5

Place(s) of use:

Place of Use Legal Description: IRRIGATION ADA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04N	01W	5		NWSE	5						

Place of Use Legal Description: STOCKWATER same as IRRIGATION

Total Acres: 5

Remarks:

1.	General	This claim is the result of a split due to change in ownership for a portion of 63-31229. DB 3/18/2002.
2.	General	Property also known as Lot 3 Block 3 Star Acres Sub

Dates:
Licensed Date:
Claim Received Date:
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:

Other Information:
State or Federal: S
Owner Name Connector:
Water District Number:

Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False



.32 68.2

63-10347

63-31229 Klein
Lagerstrom

63-31238
Kuck

NWSE 10

stock .014 cfs 0.5 AFA

IRR 0.2 cfs 4.5 AFA

Total 4.5 AFA
0.214 cfs

NWSE 5

stock .006 cfs
0.2 AFA

IRR 0.1 cfs 2.5 AFA

22.7 AFA
.11 cfs

Split tree A63-31229

A63-31229 N/O Lagerstrom/Klein

DR: IRR = .20 cfs DV: IRR = 45 AF

STK = .014 cfs STK = .5 AF

POD: 4N, 1W, S5, NWNWSE

POU: 4N, 1W, S5, NWSE - 10 ac.

A63-31440 N/O Klein

DR: IRR = .10 cfs DV: In = 22.5 AF

STK = .01 cfs STK = .25 AF

POD: same as above

POU: 4N, 1W, S5, NWSE - 5 ac

A63-31441

N/O Bruce Smith Family Tr

DR: In = .10 cfs

DV: In = 22.5 AF

Stk = .01 cfs

Stk = .25 AF

POD: same as above

*POU: 4N, 1W, S5, NWSE - 5 ac

* also known as Lot 3, Block 3, Star Acres Sub

(9-1-89)

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 63-31441
Date Received: 9/1/1989
Receipt No:
Received By:

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

1. Name of Claimant(s): BRUCE SMITH FAMILY TRUST Phone: (208)286-7434
2203 N SUNNY LN
STAR ID USA 83669

2. Date of Priority: 03/28/1986

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01W	5	NW NW SE	ADA	

5. Description of diverting works:

WELL 200' DEEP, WL AT 80', 8" CASING, 7.5 HP PUMP, TO POND, SPRIN

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.1	22.5
STOCKWATER	01/01	12/31	0.01	0.25

7. Total Quantity Appropriated is:
0.1 C.F.S. and/or 22.75 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01W	5	NW SE		IRRIGATION	5
Section Acres						5
Total Acres						5

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

This claim is the result of a split due to change in ownership for a portion of 63-31229. DB 3/18/2002

Property also known as Lot 3 Block 3 Star Acres Sub

15. Basis of Claim: Permit

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

RECEIVED

SEP 11 2001

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	63-31229	YES			

2. The following **REQUIRED** information must be submitted with this form:

- A. ☒ The appropriate **FILING FEE**. See instructions for fee amounts. *initial*
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
 PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s)

R N Lagerstrom
2203 N Sunny Ln Star ID 83669

4. New Owner/Claimant(s)

Bruce Smith Brenda Smith
 Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

2203 N Sunny Ln

City, State and ZIP Code

Star ID 83669

New Telephone Number

(208) 286 7434

5. Date you acquired the property

6-22-1998

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>63-31229</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>.10 cfs</u>	<u>5</u>
Stock	<u>.007 cfs</u>	
Domestic	<u>—</u>	
Other	<u>—</u>	
Total	<u>.107 cfs</u>	

RECEIVED
SEP 11 2001
WATER RESOURCES
WESTERN REGION

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

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

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

For Office Use Only

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

Split tree A63-31229

A63-31229 N/O Lagerstrom/Klein

DR: IRR. = .20 cfs DV: IRR. = 45 AF
STK = .014 cfs STK = .5 AF

POD: 4N, 1W, S5, NWNWSE

POU: 4N, 1W, S5, NWSE - 10 ac.

A63-31440 N/O Klein

DR: IRR. = .10 cfs DV: In. = 22.5 AF
STK = .01 cfs STK = .25 AF

POD: Same as above

POU: 4N, 1W, S5, NWSE - 5 ac

A63-31441

N/O Bruce Smith Family Trust

DR: In. = .10 cfs
Stk = .01 cfs

DV: In. = 22.5 AF
Stk = .25 AF

POD: same as above

*POU: 4N, 1W, S5, NWSE - 5 ac.

* also known as Lot 3, Block 3, Star Acres Sub

(9-1-89)



A Pioneer Company

PIONEER TITLE COMPANY
OF ADA COUNTY

8151 W. Rifleman Ave / Boise, Idaho 83704 / (208) 377-2700

WARRANTY DEED

(INDIVIDUAL)

FOR VALUE RECEIVED DAVE HULL AND MARCY HULL, HUSBAND AND WIFE

Grantor s , do hereby grant, bargain, sell and convey unto BRUCE SMITH FAMILY TRUST, U/T/D
SEPTEMBER 21, 1990

the Grantee s , whose current address is: 2203 M N. SUNNY LANE, STAR, ID 83669
the following described real property in ADA County, State of Idaho, more particularly described as
follows, to-wit:

LOT 3 IN BLOCK 3 OF STAR ACRES SUBDIVISION, ACCORDING TO THE PLAT THEREOF, F ILED
IN BOOK 29 OF PLATS AT PAGES 1822-1823 AND AS AMENDED BY AFFIDAVIT RECORDED MAY
24, 1973 AS INSTRUMENT NO. 847760, RECORDS OF ADA COUNTY, IDAHO.

SUBJECT TO THAT CERTAIN DEED OF TRUST DATED AUGUST 22, 1998 AND RECORDED UNDER
INSTRUMENT NO. 97069128 IN FAVOR OF RICHARD A. LAGERSTROM AND DESSA L. LAGERSTROM
WHICH GRANTEES HEREIN ASSUME AND AGREE TO PAY ACCORDING TO ITS TERMS AND CONDITIONS
THEREOF.

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

Dated: June 22, 1998

Dave Hull by Marcy Hull
DAVE HULL *attorney in fact* MARCY HULL

STATE OF IDAHO, County of ADA, ss.

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

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

STAR ACRES SUBDIVISION
IDAHO COUNTY, IDAHO

STATE OF IDAHO S.S.
COUNTY OF ADA

I, RONALD M. BLAKLEY, a Registered Professional Engineer in and for
said County and State, do hereby certify that the survey of STAR
ACRES SUBDIVISION in Ada County, Idaho, as described on the back of
this plat was made by me or under my direction and that this plat
correctly shows the survey as made.
IN WITNESS WHEREOF, I have hereunto set my hand and seal this
23rd day of January, A.D. 1973.



STATE OF IDAHO S.S.
COUNTY OF ADA

On this 23rd day of January, A.D. 1973, before me, Leslie
Hueston, a Notary Public in and for said County and State,
personally appeared Ronald M. Blakley, known to me to be the person
whose name is subscribed to the foregoing instrument and acknowledged
to me that he executed the same.
IN WITNESS WHEREOF, I have hereunto set my hand and seal this 23rd
day of January, A.D. 1973.



Notary Public Leslie Hueston
Residing at Chubbuck, Idaho
My Commission expires 8-25-75

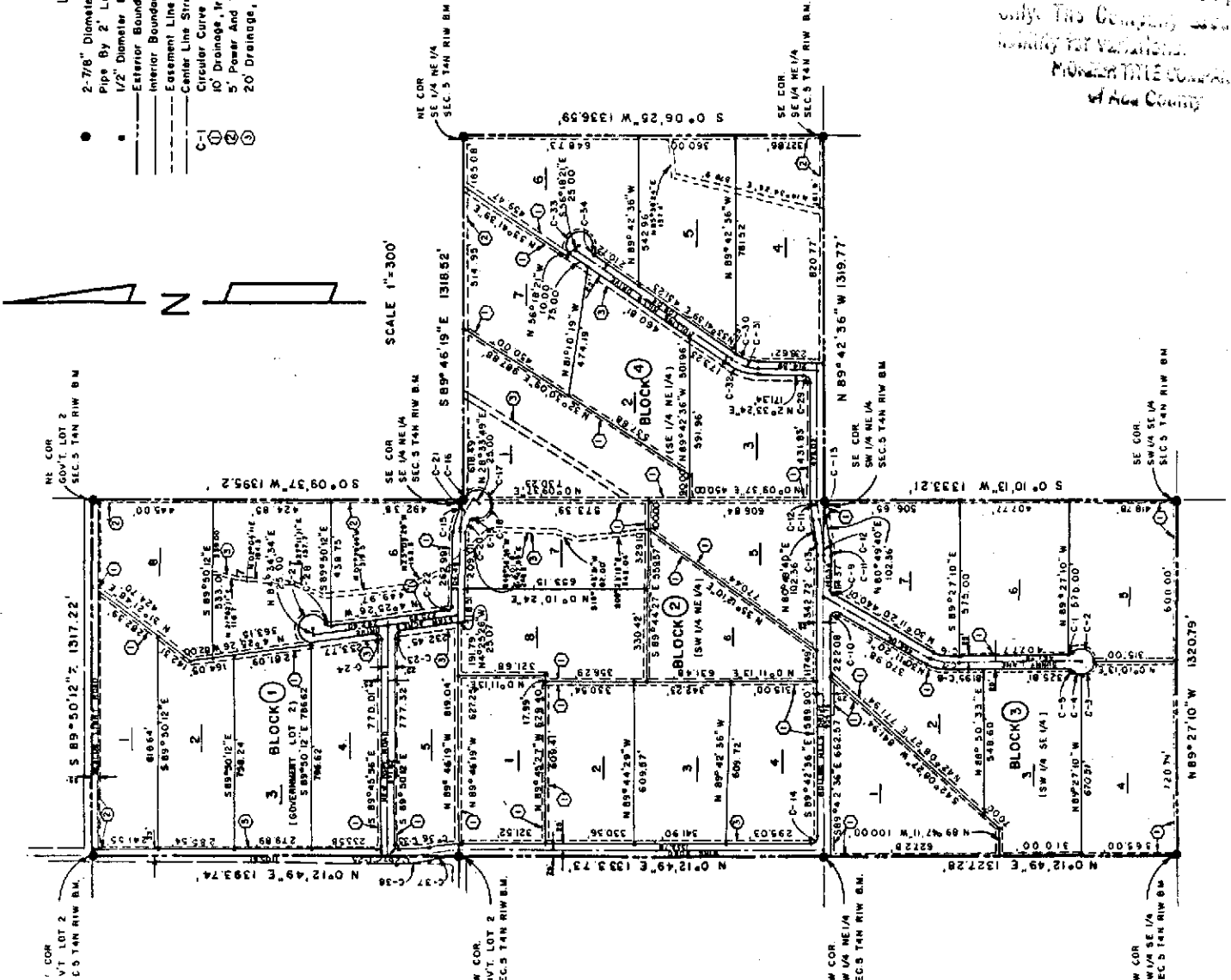
I hereby certify that this instrument was filed for record at the request
Ronald M. Blakley at 4:40 minutes past 11 o'clock A. M. this
20th day of MARCH, A.D. 1973.

Fee 5.00 Instrument No. 139449
Recorder: Spencer C. Hines Deputy Emory L. Latta

LEGEND

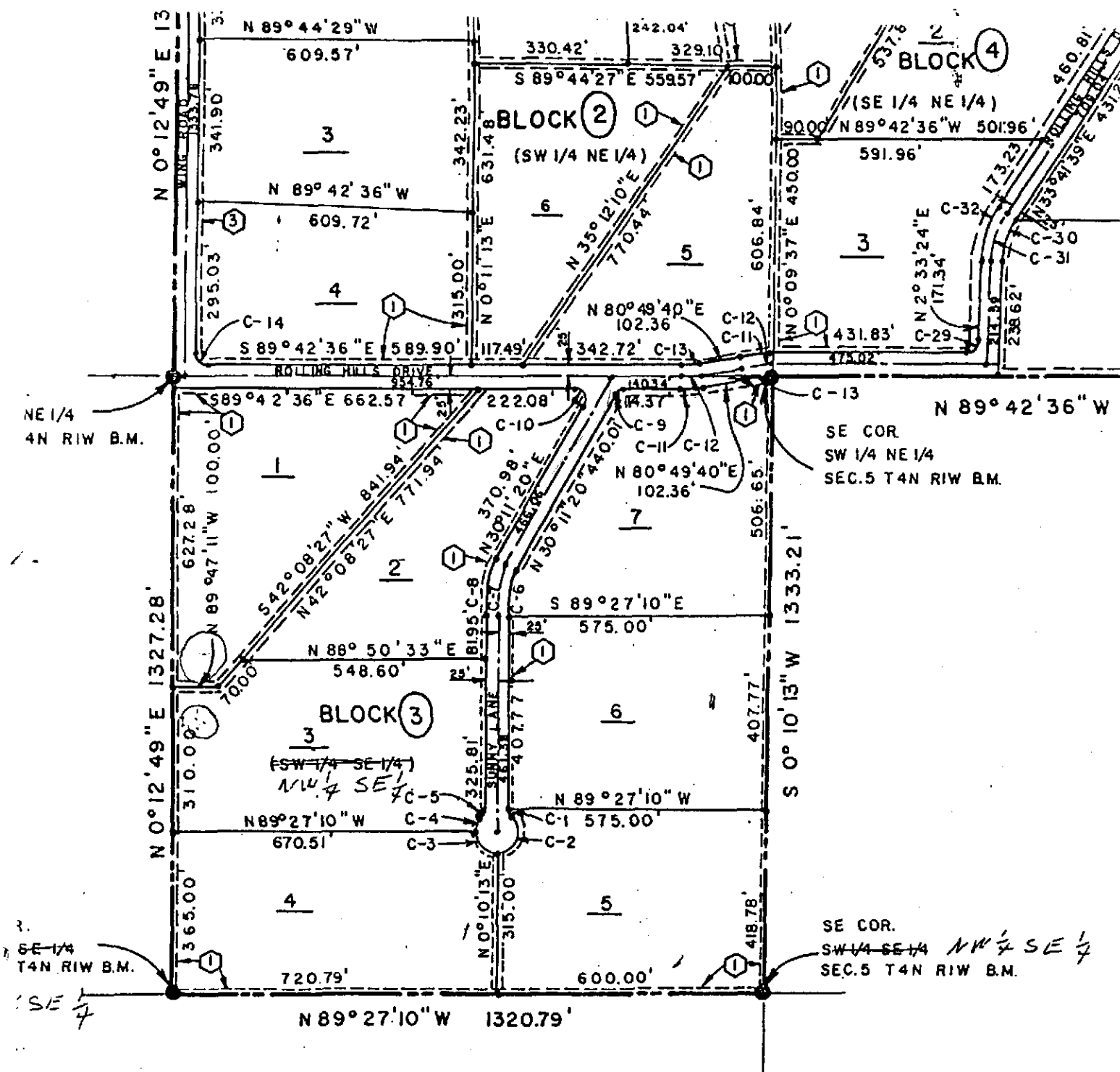
- 2-7/8" Diameter Brass Monument On 2" Diameter
Pipe By 2' Long.
- 1/2" Diameter Rebar By 2' Long.
- Exterior Boundary
- Interior Boundary
- Easement Line
- Center Line Street Or Road.
- Circular Curve (See Table)
- 10' Drainage, Irrigation And Utilities Easement.
- 5' Power And Telephone Easement.
- 20' Drainage, Irrigation And Utilities Easement.

C-1
C-2
C-3
C-4
C-5
C-6
C-7
C-8
C-9
C-10
C-11
C-12
C-13
C-14
C-15
C-16
C-17
C-18
C-19



This Record is for location
only. This Company assumes
no liability for variations.
MOUNTAIN TITLE COMPANY
of Ada County

CURVE	RADIUS	ANGLE	CHORD	BEARING	CHORD	RADIUS	ANGLE	CHORD	BEARING
C-1	20.00	18.90	5.24	18.90	5.24	20.00	18.90	5.24	18.90
C-2	30.00	19.90	7.75	19.90	7.75	30.00	19.90	7.75	19.90
C-3	40.00	20.90	10.26	20.90	10.26	40.00	20.90	10.26	20.90
C-4	50.00	21.90	12.77	21.90	12.77	50.00	21.90	12.77	21.90
C-5	60.00	22.90	15.28	22.90	15.28	60.00	22.90	15.28	22.90
C-6	70.00	23.90	17.79	23.90	17.79	70.00	23.90	17.79	23.90
C-7	80.00	24.90	20.30	24.90	20.30	80.00	24.90	20.30	24.90
C-8	90.00	25.90	22.81	25.90	22.81	90.00	25.90	22.81	25.90
C-9	100.00	26.90	25.32	26.90	25.32	100.00	26.90	25.32	26.90
C-10	110.00	27.90	27.83	27.90	27.83	110.00	27.90	27.83	27.90
C-11	120.00	28.90	30.34	28.90	30.34	120.00	28.90	30.34	28.90
C-12	130.00	29.90	32.85	29.90	32.85	130.00	29.90	32.85	29.90
C-13	140.00	30.90	35.36	30.90	35.36	140.00	30.90	35.36	30.90
C-14	150.00	31.90	37.87	31.90	37.87	150.00	31.90	37.87	31.90
C-15	160.00	32.90	40.38	32.90	40.38	160.00	32.90	40.38	32.90
C-16	170.00	33.90	42.89	33.90	42.89	170.00	33.90	42.89	33.90
C-17	180.00	34.90	45.40	34.90	45.40	180.00	34.90	45.40	34.90
C-18	190.00	35.90	47.91	35.90	47.91	190.00	35.90	47.91	35.90
C-19	200.00	36.90	50.42	36.90	50.42	200.00	36.90	50.42	36.90



ROBERT H McQUADE
ADA COUNTY ASSESSOR
650 MAIN ST
BOISE ID 83702

RETURN SERVICE REQUESTED
CATEGORY DESCRIPTION

RES IMPROVEMENT
RES SUB LOT

TR CAP 272
LOTS/ACRES

RR
MARKET VALUE

108,300
70,000

5,000

2000
Taxes are based on the
valuation listed on this statement

2000
JUNE 26, 2000
364-2411

PARCEL# R8108100450

TOTAL MARKET VALUE
LESS H.O. EXEMPT
TOTAL TAXABLE VALUE

178,300
50,000-
128,300
LOT 3 BLK 3
STAR ACRES SUB

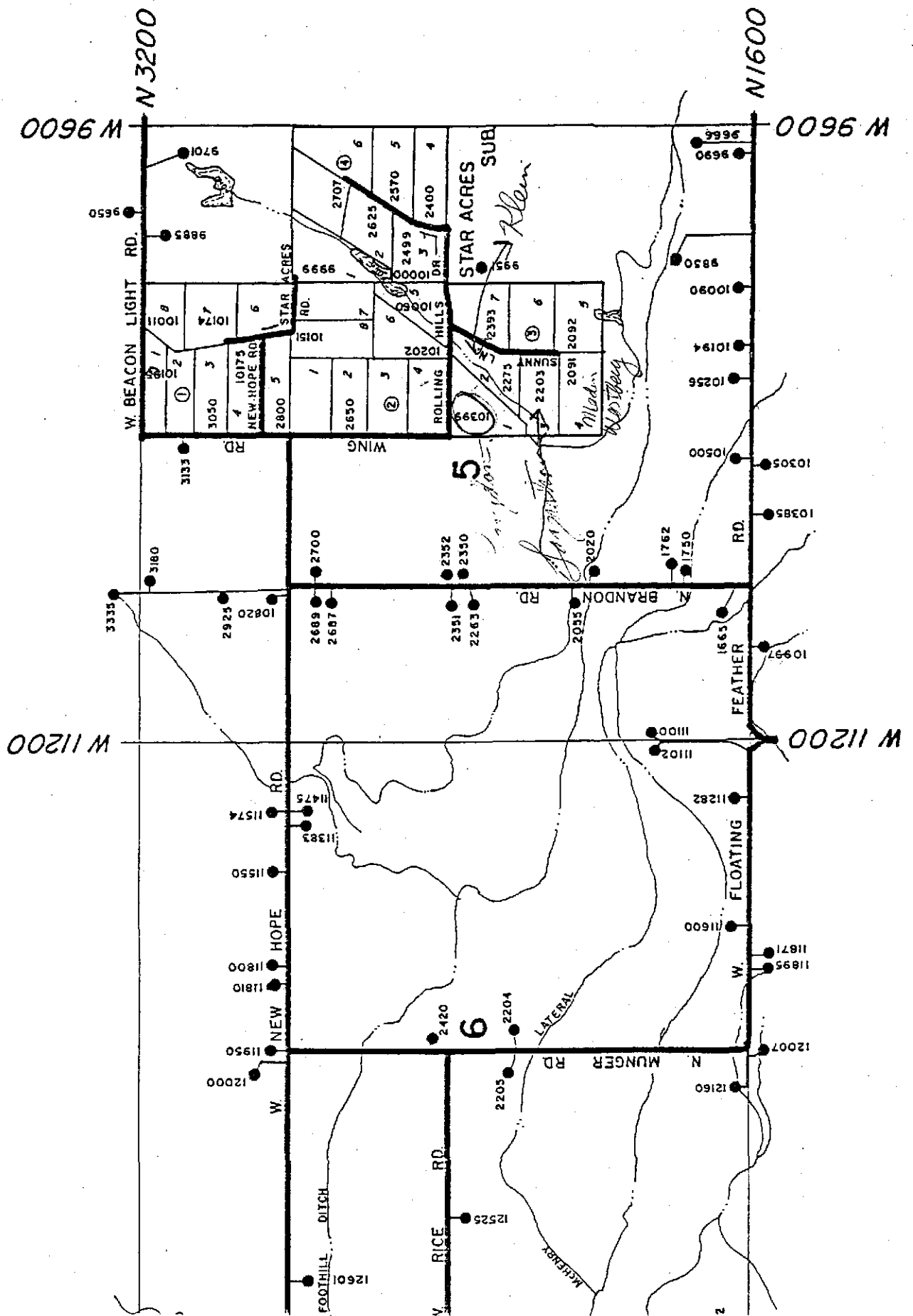
PROPERTY ADDRESS 2203 N SUNNY LN
PRIOR YEAR
CURRENT YEAR
VALUE 128,300 128,300

Mail To:
BRUCE SMITH FAMILY TRUST
2203 SUNNY LN
STAR ID 83669

TAX: PRIOR YEAR 1,729
ESTIMATED 1,729

See back for details.
DO NOT PAY ESTIMATE

TAX ESTIMATES DO NOT CONSTITUTE AN OFFICIAL CERTIFICATION AND ARE NOT TO BE USED FOR ANY OTHER PURPOSE.



PERMIT 63-10347 INIT MTS

T. R. S. Q/Q

P/D 4N 1W 5 NWSE

SCALE

PHOTO ID. _____

P/D

P/U

P/U

P/U

Not To scale

A4

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 63-31229
Date Received: 9/1/89
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s): R A LAGERSTROM
2203 SUNNY LN
STAR ID USA 83669

Phone: (208)939-0081

MILTON G KLEIN
2275 SUNNY LN
STAR ID USA 83669

Phone: (208)286-7451

2. Date of Priority: 03/28/1986

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01W	5	NW NW SE	ADA	

5. Description of diverting works:

WELL 200' DEEP, WL AT 80', 8" CASING, 7.5 HP PUMP, TO POND, SPRIN

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.2	45
STOCKWATER	01/01	12/31	0.014	0.5

7. Total Quantity Appropriated is:
0.214 C.F.S. and/or 45.5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01W	5	NW SE		IRRIGATION	10
Section Acres						10
Total Acres						10

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

This claim is the result of a split due to change in ownership for a portion of 63-10347. DB 5/24/2001

15. Basis of Claim: Permit

11/02/2005

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

RIGHT NUMBER: 63-31441

NAME AND ADDRESS: TAMMY L. HARRIS
2203 SUNNY LANE
STAR ID 83669

SCOTT J. HARRIS
2203 N. SUNNY LANE
STAR ID 83669

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.096 CFS
20.460 AFY

PRIORITY DATE: 03/28/1986

POINT OF DIVERSION:

T04N R01W S5 NWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.006 CFS 0.21 AFY
IRRIGATION	03/15 11/15	0.090 CFS 20.25 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 15 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

T04N R01W S05 NWSE 4.5

STOCKWATER Within ADA County

T04N R01W S05 NWSE

4.5 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

PARCEL NO: R8108100450.

PROPERTY IS ALSO KNOWN AS LOT 3, BLK 3, STAR ACRES SUBD.

Stockwater use is for 9 range cattle.

Water Right 63-31441



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

November 2, 2005

Scott & Tammy Harris
2203 N. Sunny Lane
Star, ID 83669

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Re: Notice of Claim to a Water Right No. 63-31441

Dear Claimant(s):

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

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

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

Sincerely,

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

Enclosure

06/23/2003

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

RIGHT NUMBER: 63-31441

NAME AND ADDRESS: BRUCE SMITH FAMILY TRUST
2203 N SUNNY LN
STAR ID 83669

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.096 CFS
20.460 AFY

PRIORITY DATE: 03/28/1986

POINT OF DIVERSION:

T04N R01W S5 NWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.006 CFS

0.21 AFY

IRRIGATION

03/15 11/15

0.090 CFS

20.25 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 15 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: STOCKWATER Within ADA County

T04N R01W S05 NWSE

IRRIGATION Within ADA County

T04N R01W S05 NWSE 4.5

4.5 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: License

PARCEL NO: R8108100450.

PROPERTY IS ALSO KNOWN AS LOT 3, BLK 3, STAR ACRES SUBD.

Stockwater use is for 9 range cattle.

IN - OFFICE

**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) *NA - NOT 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 *NA*

CLAIMANT INFORMATION - verify contact information is completeClaim No(s) 63-31441

Owner: _____ Phone No. _____

Current Address: _____

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

Accompanied by: _____

PRIORITY DATE

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

Priority date, per claimant, is: _____

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

Source: _____ Tributary to _____

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

POINT OF DIVERSION

- ☒ 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 Rmts on Claim AND Attached Field Report

OVERLAP REVIEW

Other water rights with the same point of diversion: 63-31230 & 63-31441

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

NO

WATER USES

☐ No change

☐ Different Uses

Use IRR From _____ To _____ Amount 0.09 CFS 20.25 AFA
 Use STK From _____ To _____ Amount .006 CFS .21 AFA
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA

ADD Sow Shoulden rmt. to Prigate
 as early as March 1st AC AFA
 (4.5)(4.5)=

TOTAL VOLUME - Groundwater only

☒ Incomplete on claim, the total is, Amount .096 CFS 20.46 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 # 9 RANGE CATTLE - SEE 3-WAY SPLIT TREE
 Types _____ Additional comments: _____

PLACE OF USE:

☒ No Change

☐ Changes shown below:

Vol STK

7/30 = FACTOR = .02333 etc X 9 = .21 AFA

pro-rate stock based
 upon claimed total
 and LICENSED RATS
 & VOLUMES

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: SPLIT with 63-31230 & 63-31440

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

PRO-RATED AMOUNTS

Delivery System Narrative: SEE ATTACHED 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: LICENSED

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

PRO-RATED SEE 3-WAY SPLIT TREE

FOR LICENSE 63-10347

SEE ADDITIONAL COMBINED Rmks on
PRELIM. RECOMMENDATION.

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: 6-19-03 IN-OFFICE

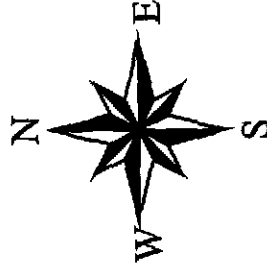
FIELD EXAMINER: Ron Howerton

Sr. Water Agency

Idaho Department of Water Resources

Claims: 63-31441
Date Prepared: 06-19-03
By: Ron Howerton

T04N, R01W
S05

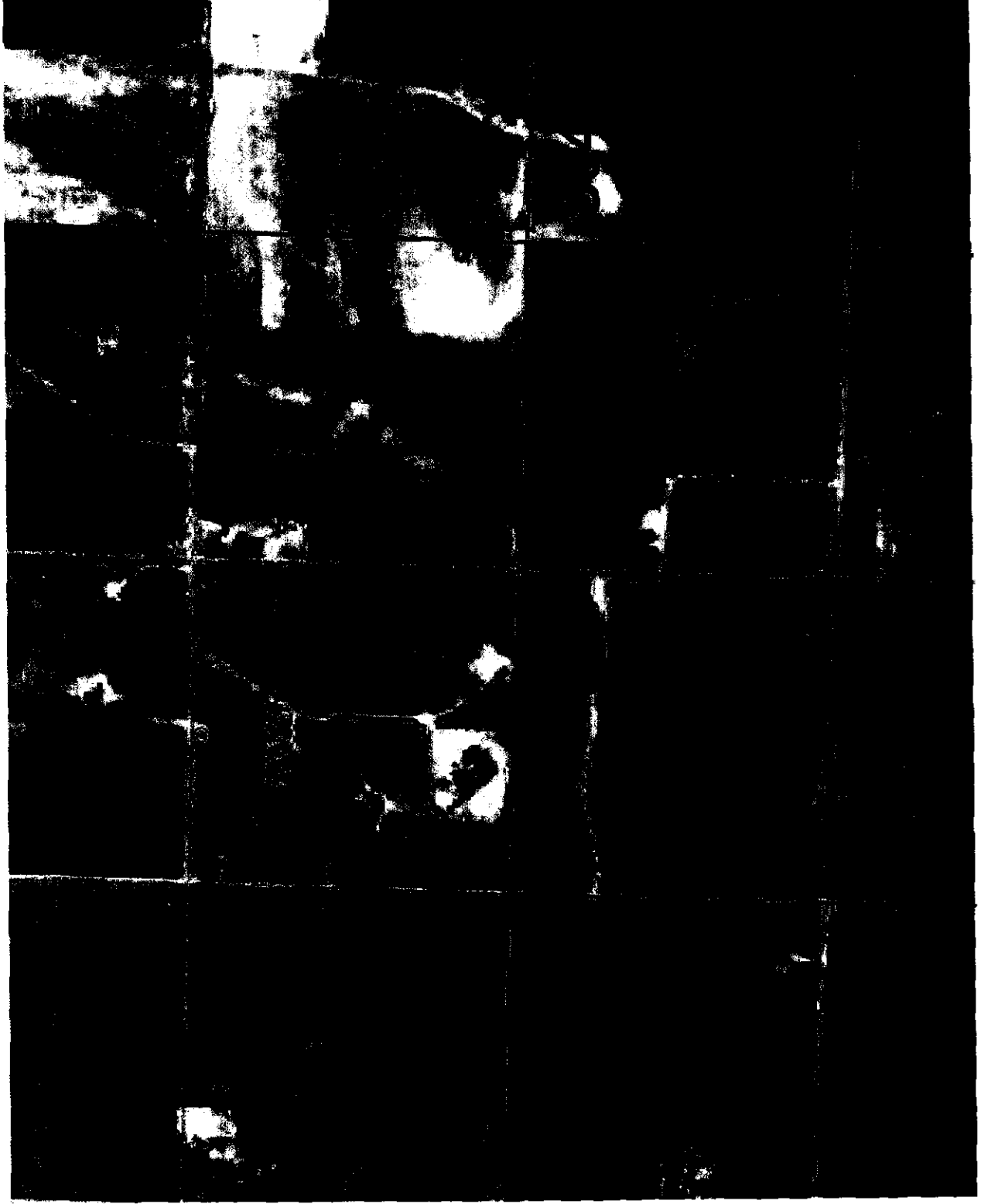


● Point of Diversion

□ Place of use

□ Section

□ 1/4 1/4



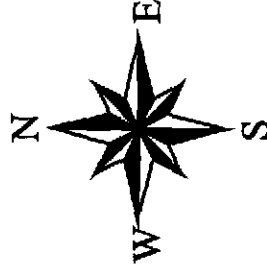
0 0.1 0.2 0.3 0.4 0.5 Miles

1987 NAPP

Idaho Department of Water Resources

Claims: 63-31441
Date Prepared: 06-19-03
By: Ron Howerton

T04N, R01W
S05

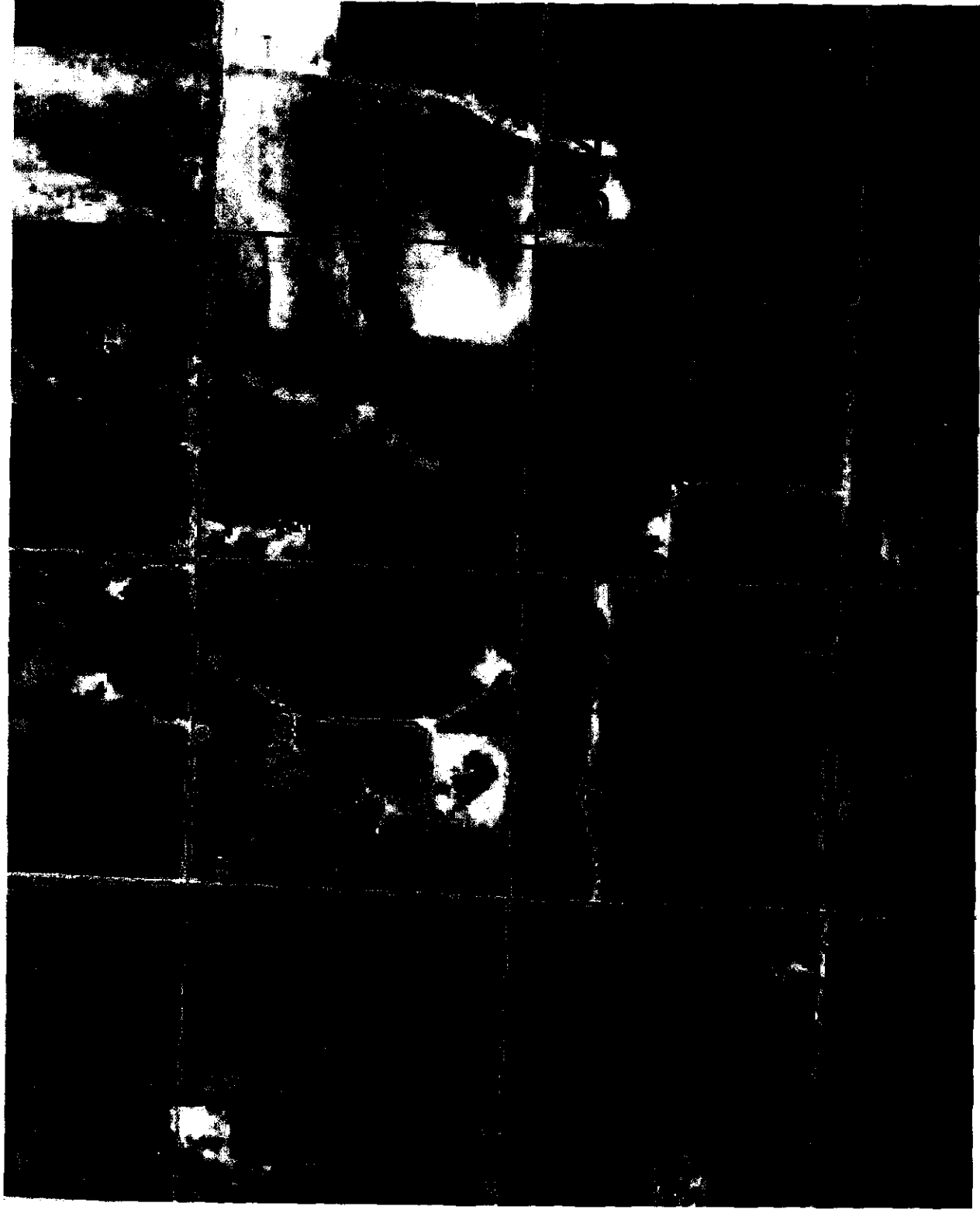


● Point of Diversion

Place of use

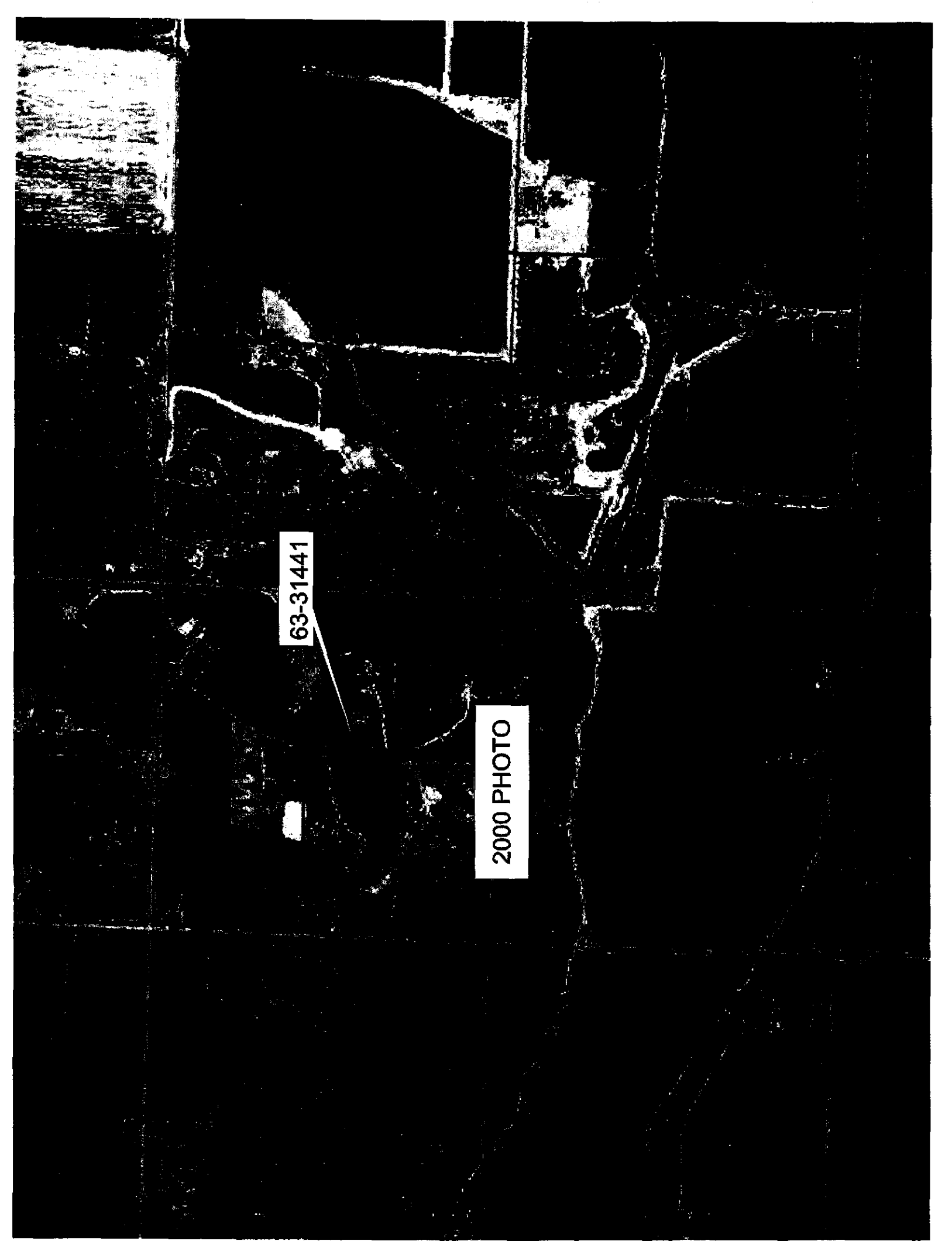
Section

1/4 1/4



0 0.1 0.2 0.3 0.4 0.5 Miles

1987 NAPP



63-31441

2000 PHOTO

ERO Resources Corp.
1106 N. Cole Rd., Suite C
Boise, ID 83704-8661
(208) 373-7983
Fax: 373-7985



Denver • Boise

www.eroresources.com
eroboise@eroresources.com

November 14, 2002

Idaho Department of Water Resources
Western Region Office
2735 Airport Way
Boise, Idaho 83705

RECEIVED

NOV 14 2002

WATER RESOURCES
WESTERN REGION

RE: Water Right Nos. 63-31230, 63-31440, 63-31441

Dear Water Rights Officer

Enclosed please find:

- 1) Amended claim for water right no. 63-31230 under the name of Elizabeth Ann and Lonn Kuck.
- 2) Amended claim for water right no. 63-31441 under the name of Bruce Smith Family Trust.
- 3) Application for transfer of water right no. 63-31230 under the name of Elizabeth Ann and Lonn Kuck.
- 4) Application for transfer of water right no. 63-31440 under the name of Milton G. Klein.

The three families listed here divert ground water from a single well into a 1.1-acre pond. From this pond each owner then pumps their irrigation water and stockwater to their respective parcels via three separate pumps. The pond is located on both the Kuck's and the Klein's property. The purpose of the enclosed amendments and applications for transfer is to preserve the ability to maintain the pond throughout the non-irrigation season.

The amendments are being filed to more accurately reflect the actual irrigated acres on the ground. The original license (63-10347) was for 15 acres of irrigation. Kliens irrigate 5 acres (including the pond area), the Smiths irrigate only 4.5 acres, and the Kucks irrigate 5.5 acres (including the pond area). The enclosed amendments reflect these acres.

The claims on file for the Kucks and Kleins at the Idaho Department of Water Resources consider the acres of the pond to be within the acres of irrigable lands. The applications for transfer change the beneficial use from irrigation to wildlife storage and aesthetics. The conversion considers that the evaporation from the pond is equivalent to the consumptive use of irrigation and therefore no lands need to dry up.

Also, the original license (63-10347) had a stockwater diversion of 0.02 cfs. The subsequent splits equally divided the diversion rate into three equal portions. The 0.01

cfs claimed for stockwater is shown as a convenience. The total 0.32 cfs and the 0.02 cfs stockwater diversion rate will not be exceeded as a result of the splits.

These changes are summarized in Table 1.

When reviewing a transfer application the Idaho Department of Water Resources needs to consider a portion of the components of Idaho Code § 42-222 that refer to:

- 1) injury to other water rights, 2) enlargement of the original water right sought to be transferred, 3) is in the local public interest, 4) is consistent with the conservation of water resources in Idaho, and 5) will significantly affect the agricultural base in the local area.

Injury to Other Water Users

The transfer will not change any diversion rate or change operations in any way. There will be no effect to nearby water users.

Enlargement

The evaporation from the pond is assumed to be equal to the consumptive use of an equal area of irrigable land. Changing the beneficial use from irrigation to wildlife storage/aesthetics will not change the diversion rate or the area where water is applied because the pond is currently included in the irrigable acres.

Local Public Interest

No operational changes will be taking place as a result of this transfer so there should be no public concern issues.

Effect on Local Agricultural Base

No change.

Conclusion

The intended end result of this project is to preserve the water right holders the ability to maintain the pond level during the non-irrigation months. If there are any questions, please call ERO.

Regards,



Steven R. Hannula



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 14, 2002

BRUCE SMITH FAMILY TRUST
2203 N SUNNY LN
STAR ID 83669

Re: Notice of Claim to a Water Right No. 63-31441

Dear Claimant(s):

Enclosed is a copy of the above referenced *amended* claim(s), which reflects the changes made on the Amended Notice of Claim to a Water Right recently received.

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

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

Sincerely,

A handwritten signature in cursive script that reads "Denise Hatfield". The signature is written in dark ink and is positioned above the typed name and title.

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region Office

DH: dh

Enclosure

CC: Steve Hannula @ ERO Resources Corp



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 18, 2002

BRUCE SMITH FAMILY TRUST
2203 N SUNY LN
STAR ID 83669

Re: Original Notice of Claim to a Water Right No. 63-31229

Renumbered Notice of Claim to a Water Right No. 63-31441

Dear Claimants:

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This Change of Ownership required a split of the original claim resulting in renumbering this claim, using a new water right number to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time. You will be notified of any future action taken on this claim. Also enclosed is a copy of the original claim for your reference.

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

Sincerely,

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB: db

Enclosure

SD-1603-3

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 06/03/03
Time: 14:25:01

Rec/No - W005374 AR/No -
From: - KLEIN, MAXINE

Receipt Type - CK Doc/No - 1074
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 09/01/1989

Type Of Payment
ADJUDICATION FEE

Fund	FD	PCA	Obj	Subsid	Fee
9337		410162	6490		145.00

Total Due - 145.00

WR/No	WR Fee
A6310347	65.00

WR/No
A6318375

WR Fee
25.00

WR/No
A6308526

WR Fee
55.00

(Enter=Continue)

(GOLD7=Selection Screen)

(GOLD8=Cancel)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

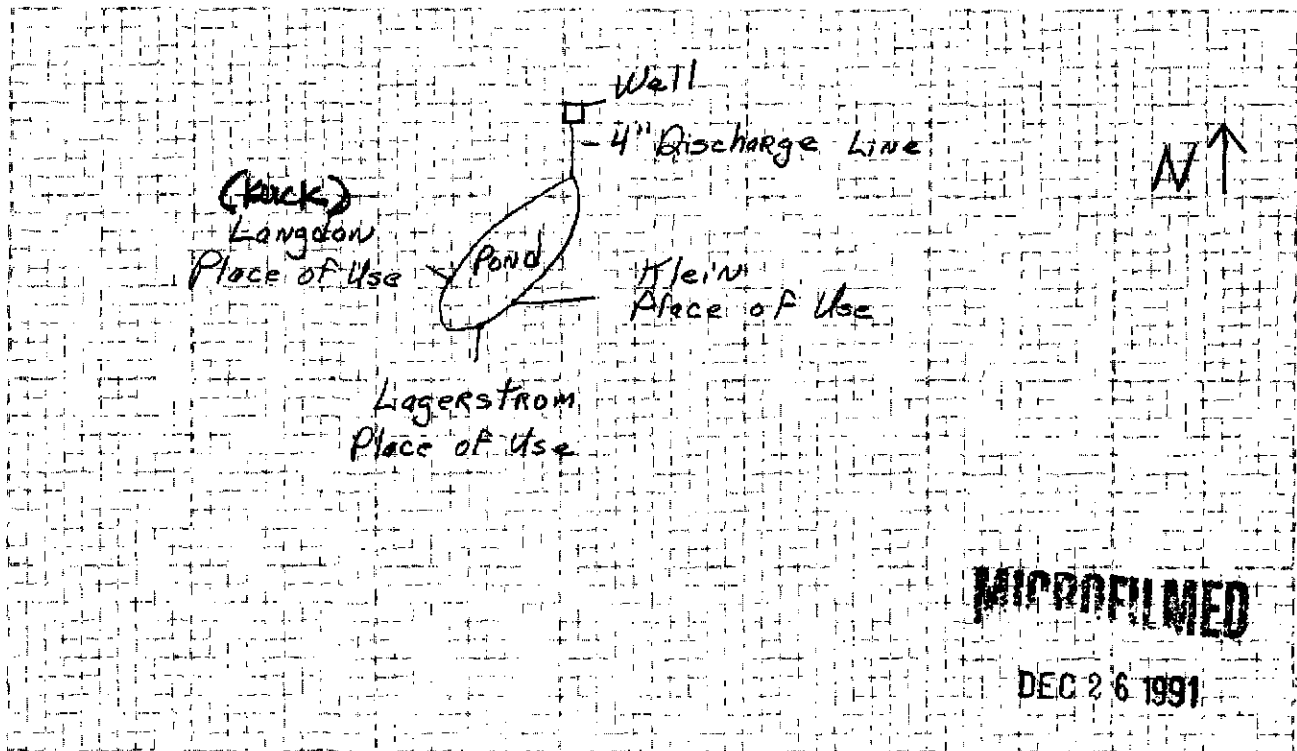
- (new owner)*
Tom Kuck
R.A. Lagerstrom
1. Owner: ~~Denny G. Langdon, Milton G. Klein~~ Permit No. 63-10347
Current Address: 10399 Rolling Hills Drive, Star, Idaho Phone No. 286-7451
2. Accompanied by: Denny Langdon EXAM. DATE: 6-26-90
Address: same as above Phone No. same as above
Relationship to Permit Holder: an owner
3. Source: groundwater tributary to none

B. OVERLAP REVIEW

1. Other water rights with same place of use: 63-08191, 63-09352, 63-08526
63-02406 ☒ Copies Attached
2. Other water rights with same point of diversion: 63-08191, 63-09352, 63-08526
63-02406 ☒ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = Not to scale

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and place(s) of use (required). ☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

The system consists of a 10" diameter well that provides water through a 4" discharge line to a pond. Water is then distributed for irrigation and stockwater to three parcels of land by pumping from three different places at the pond. Each parcel has its own pump and sprinkler irrigation system to deliver water from the pond to its place of use.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	<i>Marblem</i>	<i>7.5</i>	<i>282-2019-33</i>	<i>Bakley</i>	<i>4" 652B42</i>

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		<i>NW</i>	<i>NW</i>	<i>SE</i>	<i>5</i>	<i>4N</i>	<i>1W</i>	<i>Okla</i>	<i>Aerial photo. Quad map at exam and aerial photo at exam</i>

6. Place(s) of Use:

Indicate Method of Determination

Plot map and bearing bearing exam.

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<i>4N</i>	<i>1W</i>	<i>5</i>															<i>15.0</i>		<i>15.0</i>

15 acres = permit unit

RECEIVED

DEC 26 1991

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

Not required - see theoretical attached to field exam check list.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

Pump curve - see attached. Rated at approx .63 cfs.

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3); Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (8)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 15.0 \times 4.5 = 67.5$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 7.32 \times 16 \times 1.9835 = 234.4$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 67.5$

2. Volume Calculations for Other Uses:

Stockwater:

$\frac{50 \text{ hd} \times 12 \times 365 \text{ days}}{325,850} = \frac{219,000}{325,850} = .67 \text{ cfs} = .7 \text{ Afa}$ also = table guidelines

DEC 26 1991

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Other rights in same PP don't affect this permit
 Rights held by permit holder are water use rights.
 Pond area of approximately 1/2 acre is included in the
 15.4 acres of irrigated land.
 11 head of beef cattle and horses were counted at the time
 of exam. (Langdon-5 cattle, Klein-3 horses, Lagerstrom-3 cattle)
 Per owners the maximum livestock they carry on the site is
 50 head of cattle and horses.

I. RECOMMENDATIONS

1. Recommended Amounts

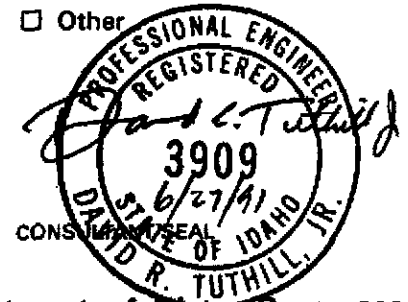
Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
Irrigation	3-15	11-15	.30	69.367.5
Stockwater	1-1	12-31	.01.02	67.7
Totals: .32 cfs				69.4787
				68.2

2. Recommended Amendments ~~* See reviewer's note, attached.~~

- ☐ 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

J. AUTHENTICATION

Field Examiner's Name Melvin T. Schulte
 Signature Melvin T. Schulte
 Certification Date 4-7-91
 Field Report Preparation Date 7-6-90



K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

MICROFILMED

DEC 26 1991

4619 EMERALD
P.O. BOX 9245
PHONE 336-1054
BOISE, IDAHO
ZIP CODE 83704

A PARTNERSHIP

Page 1822

STAR ACRES SUBDIVISION
ACA COUNTY.
STAR.

STATE OF IDAHO
COUNTY OF ADA
S. S.

1. DONALD W. DEANLEY, a Registered Professional Engineer in and for the County and State, on hereby certify that the survey of STATE OF CALIFORNIA, COUNTY OF SAN DIEGO, and the City and County of San Diego, known as DEANLEY and the basis of the same, was made by me or under my direction and that this plat is a true and correct copy of the original.

WITNESSE MY HAND AND SEAL OF THE COUNTY OF SAN DIEGO, CALIFORNIA, THIS 14th DAY OF MARCH, 1945.

STATE OF IDAHO
COUNTY OF ADA
S.S.

On the 2nd day of December, 1973, before me, John J. [illegible], a Notary Public in and for the County of Erie, Pennsylvania, personally appeared William J. [illegible], known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he was executing the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 2nd day of December, 1973.

Notary Public in and for the County of Erie, Pennsylvania.

WITNESS my hand and seal this 2nd day of December, 1973.

John J. [illegible] [illegible]

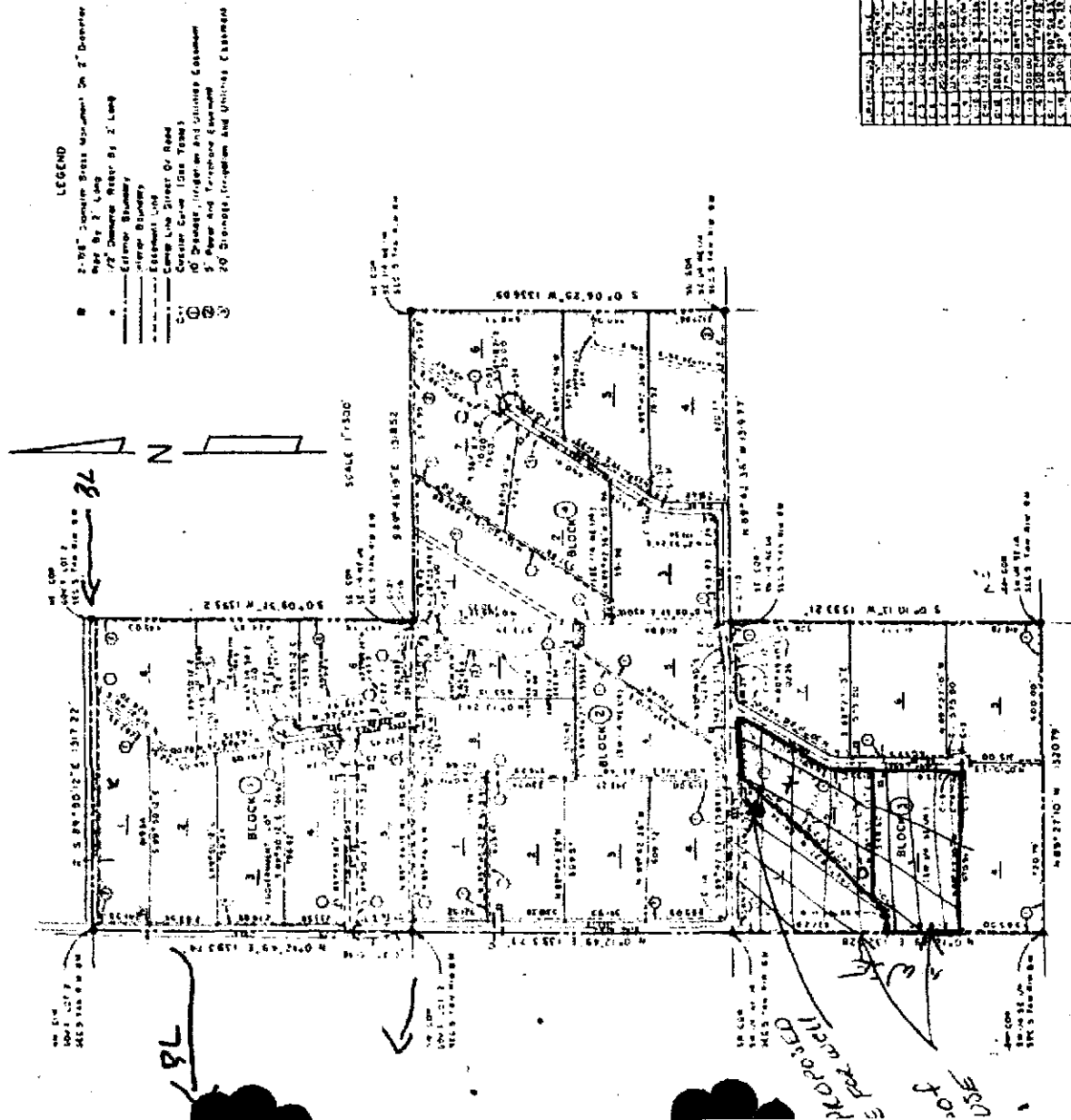
LIBRARY PUBLIC

On 12/1/68, the defendant was arrested by the Los Angeles Police Department and charged with the same offense. The defendant was released on bail of \$10,000.00.

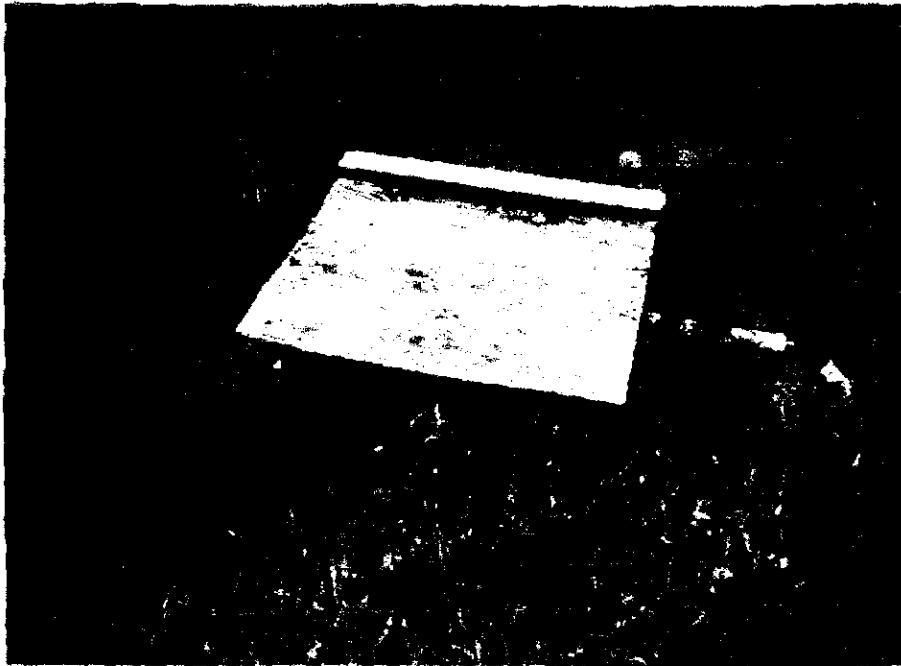
9-30-68

Received of _____ \$200.00 for _____

Year	1900	1901	1902	1903	1904	1905	1906	1907	1908	1909	1910	1911	1912	1913	1914	1915	1916	1917	1918	1919	1920	1921	1922	1923	1924	1925	1926	1927	1928	1929	1930	1931	1932	1933	1934	1935	1936	1937	1938	1939	1940	1941	1942	1943	1944	1945	1946	1947	1948	1949	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100
1900	1901	1902	1903	1904	1905	1906	1907	1908	1909	1910	1911	1912	1913	1914	1915	1916	1917	1918	1919	1920	1921	1922	1923	1924	1925	1926	1927	1928	1929	1930	1931	1932	1933	1934	1935	1936	1937	1938	1939	1940	1941	1942	1943	1944	1945	1946	1947	1948	1949	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	



63-10347



Picture #9

Klein pump site
From pond



Picture #10

Pump discharge line
in foreground.

Places of use
for all three
lots.

First Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

RETURN TO SENDER

U.S.P.S. Form: 3547

fee due 70¢

U.S. POSTAL SERVICE
PS FORM 3547

SMIT203 836692021 1A04 10 06/09/05
FORM 3547

SMITH
758 N ECHOHAWK WAY
EAGLE ID 83616-5496

BRUCE SMITH FAMILY TRUST
2203 N SUNNY LN
STAR ID 83669

RECEIVED

JUN 13 2005

WATER RESOURCES
WESTERN REGION

Jan

63-31441