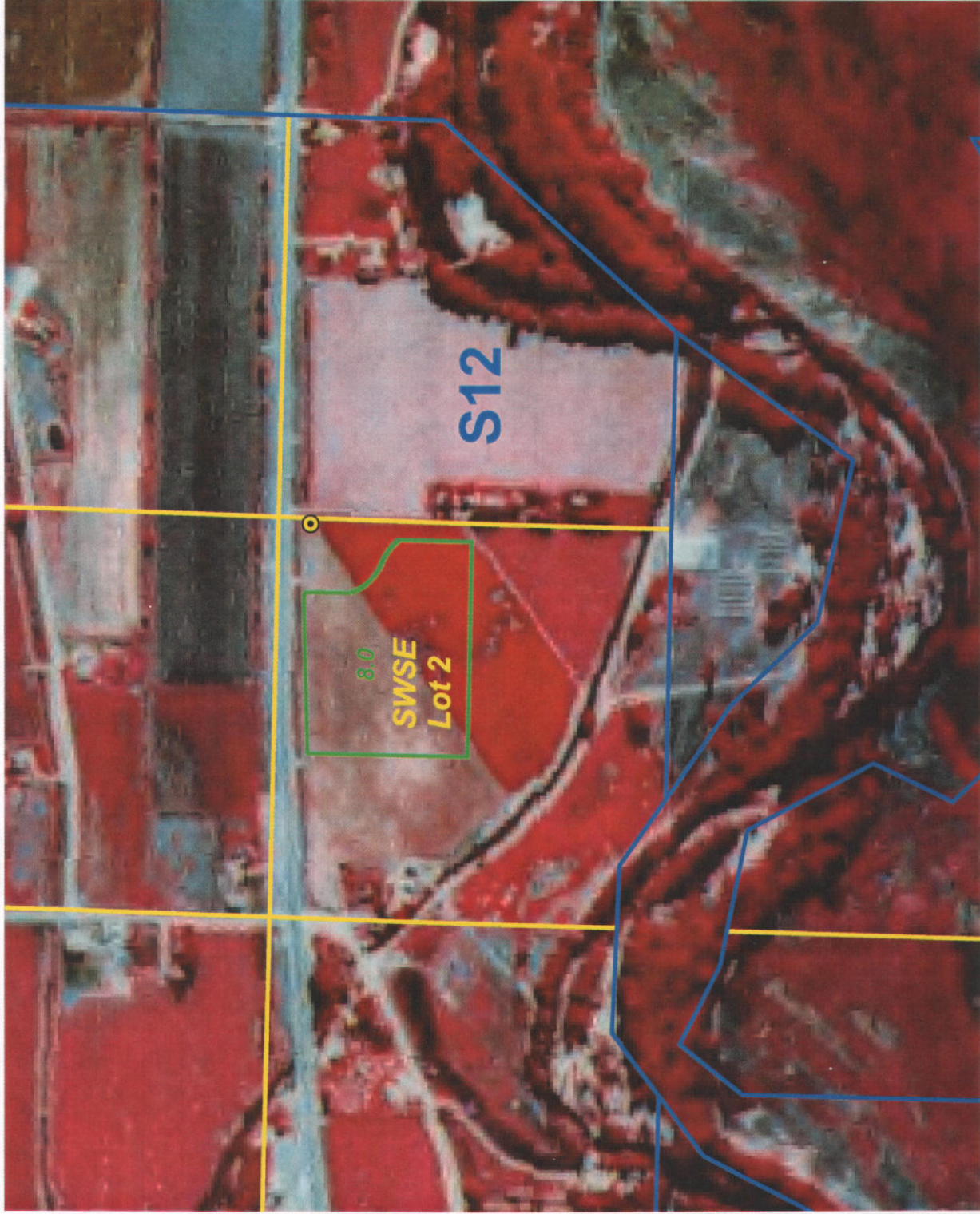


IDAHO DEPARTMENT OF WATER RESOURCES

Claim: 63-31502

Date Prepared: 03-28-03

Prepared By: Ron Howerton



**T04N, R01W
S12**



● Point of Diversion



Place of use

Section

1/4 1/4

8 ACRES

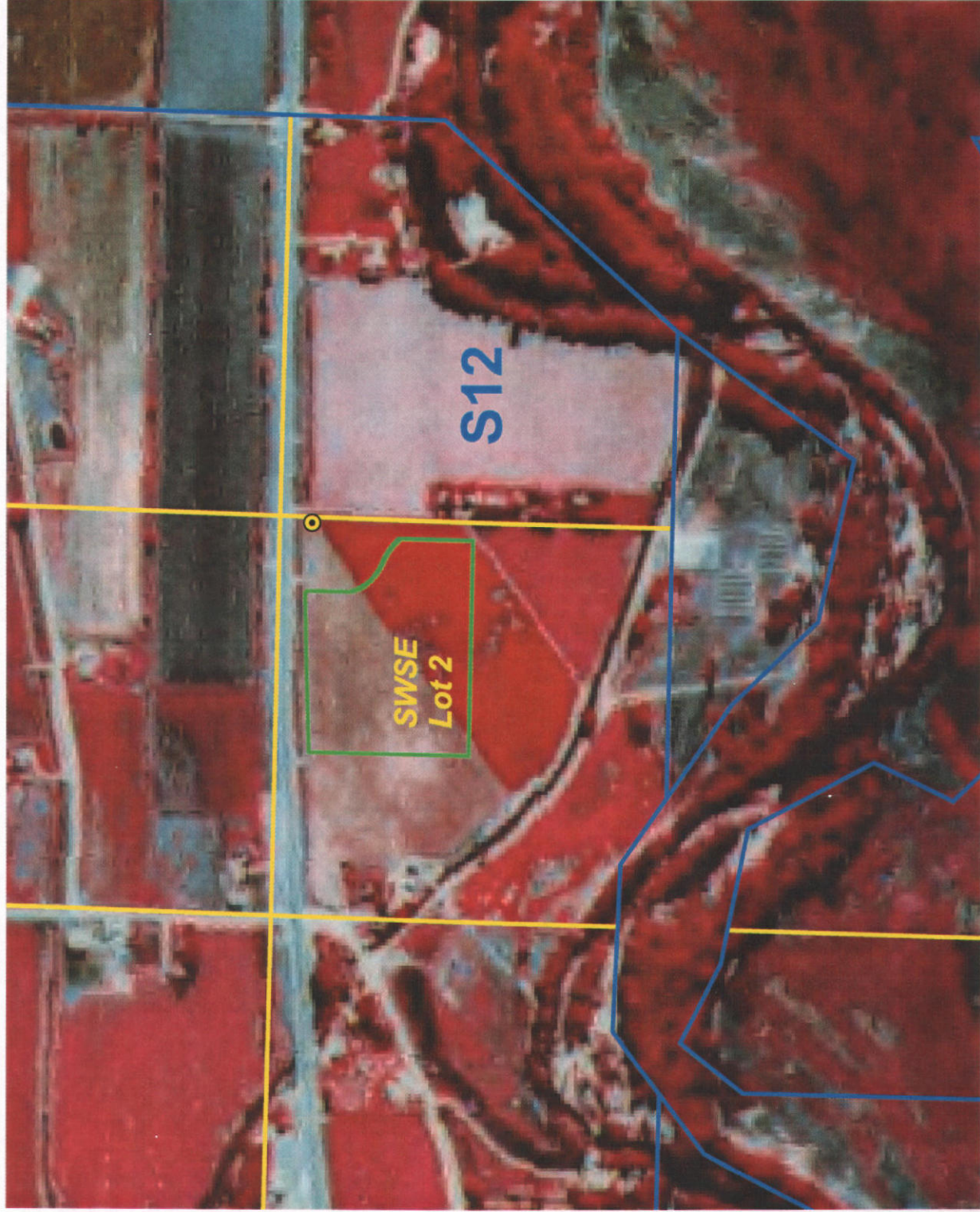
1987 NAPP

IDAHO DEPARTMENT OF WATER RESOURCES

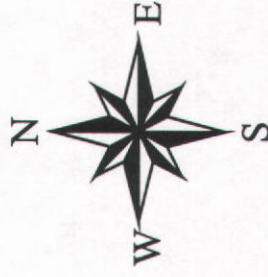
Claim: 63-31502

Date Prepared: 03-28-03

Prepared By: Ron Howerton



**T04N, R01W
S12**



● Point of Diversion



1987 NAPP



Idaho Department of Water Resources

Claim Number: 63-08458

Legal: T4N, R1W, S12

Reviewed By:

● Point of Diversion



Place of Use



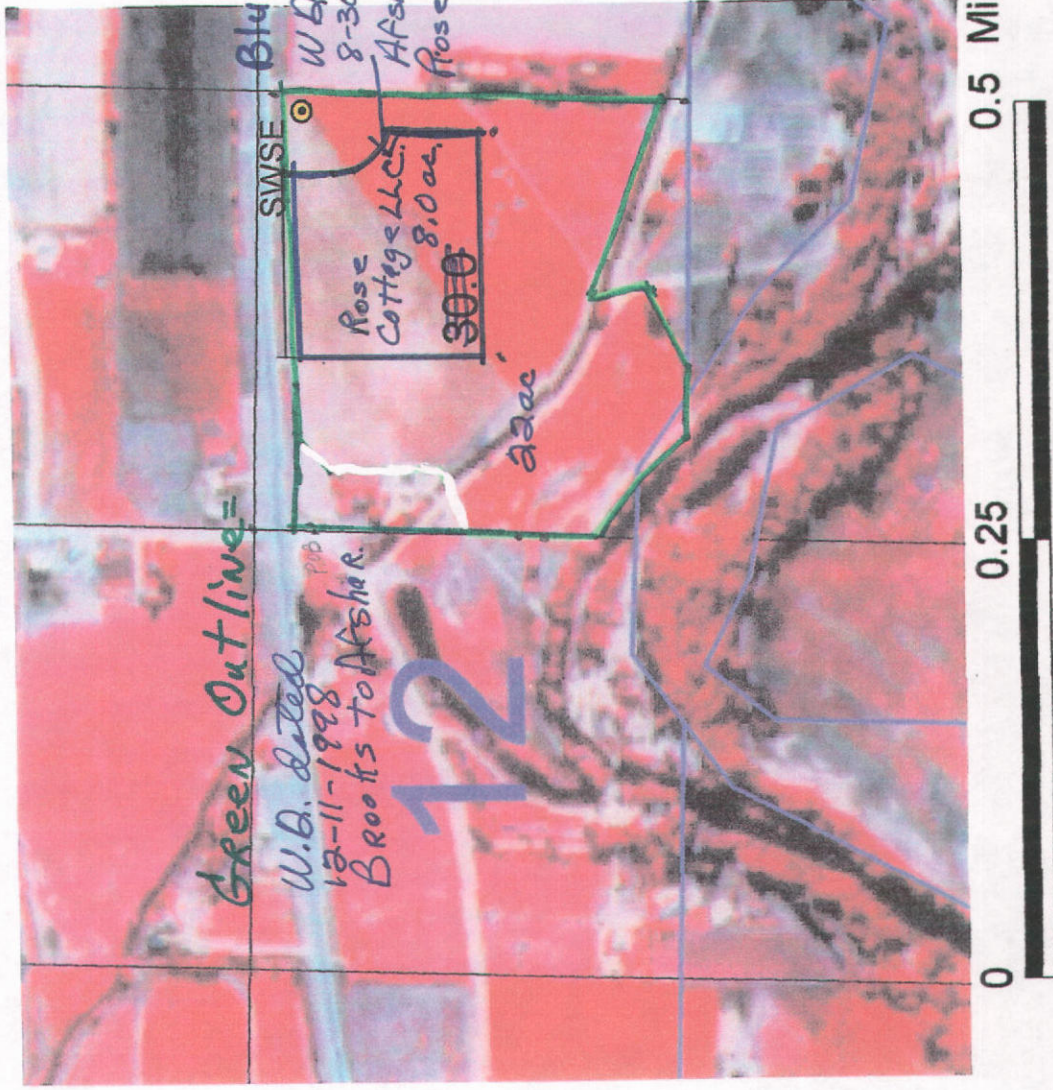
Section Lines



Quarter Quarter Lines



1987 Napp Photo





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 63-31502
Date Received: 8/22/1989
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ROSE COTTAGE LLC
2273 E RIBIER DR
MERIDIAN ID USA 83642

Phone: (208)386-9196

2. Date of Priority: 02/17/1977

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	12	NE	SW	SE	ADA	

5. Description of diverting works:

WELL 12" CASING, 250' DEEP, PUMP AND CEMENT DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.16	36

7. Total Quantity Appropriated is:
0.16 C.F.S. and/or 36 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	12	SW	SE	IRRIGATION	8
					Section Acres	8
					Total Acres	8

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 63-8458. DH 6/6/2002

15. Basis of Claim: License

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

RECEIVED
SEP 18 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, 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
63-8458	63-8458	X			

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:
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) are 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) Shah Afshar
1336 W. Sandy Court, Meridian, ID, 83642
4. New Owner/Claimant(s) Rose Cottage, L.L.C.
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 2273 E. Ribier Drive
- City, State and ZIP Code Meridian, ID 83642
- New Telephone Number (208) 386-9196
5. Date you acquired the property 8/30/01

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

Total	0.16	36
-------	------	----

Total	_____	_____
-------	-------	-------

7.

Received by DAW Date 9-17-01 Fee -0-
 Received by N/A Date N/A Receipt No. _____
 Processed by _____ Date _____

Split Tree AG3-8458

AG3-8458 N/O Brooks.

DR: .60 cfs^{1W} DV: 135 AF

POB: 4N, ~~4E~~^{1W}, S12, NESWSE

POU: 4N, ~~4E~~^{1W}, S12, SWSE - 30 ac

* AG3-31501 N/O Shah Afshar.

DR: .44 cfs^{1W} DV: 99 AF

POB: 4N, ~~4E~~^{1W}, S12, NESWSE.

POU: 4N, ~~4E~~^{1W}, S12, SWSE - 22 ac

* See Warranty Deed dated 12-11-1998 that conveys 30 acres from Brooks to Afshar AND Warranty Deed dated 8-30-2001 that conveys 8 acres from Afshar to Rose Cottage LLC

* AG3-31502 N/O Rose Cottage LLC

DR: .16 cfs DV: 36 AF.

POB: Same

POU: 4N, ~~4E~~^{1W}, S12, SWSE - 8 ac

* POD + POU is 4N 1W not 4N 4E - Typo by agent on this sheet

8/22/89



A Pioneer Company

PIONEER TITLE COMPANY
OF ADA COUNTY8151 W. Rifleman Ave. / Boise, Idaho 83704
(208) 377-2700**WARRANTY DEED**

FR

For Value Received Shah Afshar, a married man as his sole and separate property

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Rose Cottage, L.L.C., an Idaho limited liability Company

hereinafter referred to as Grantee, whose current address is 2273 E. Ribier Drive, Meridian, Idaho 83642
the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: August 30, 2001


Shah Afshar

STATE OF Idaho. County of Ada, ss.

On this 30th day of August, in the year of 2001, before me The undersigned, notary public personally appeared Shah Afshar known or identified to me to be the person/persons whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Susan J. Rich
Notary Public of Idaho
Residing at Boise
Commission expires: May 5, 2005

EXHIBIT A

FR

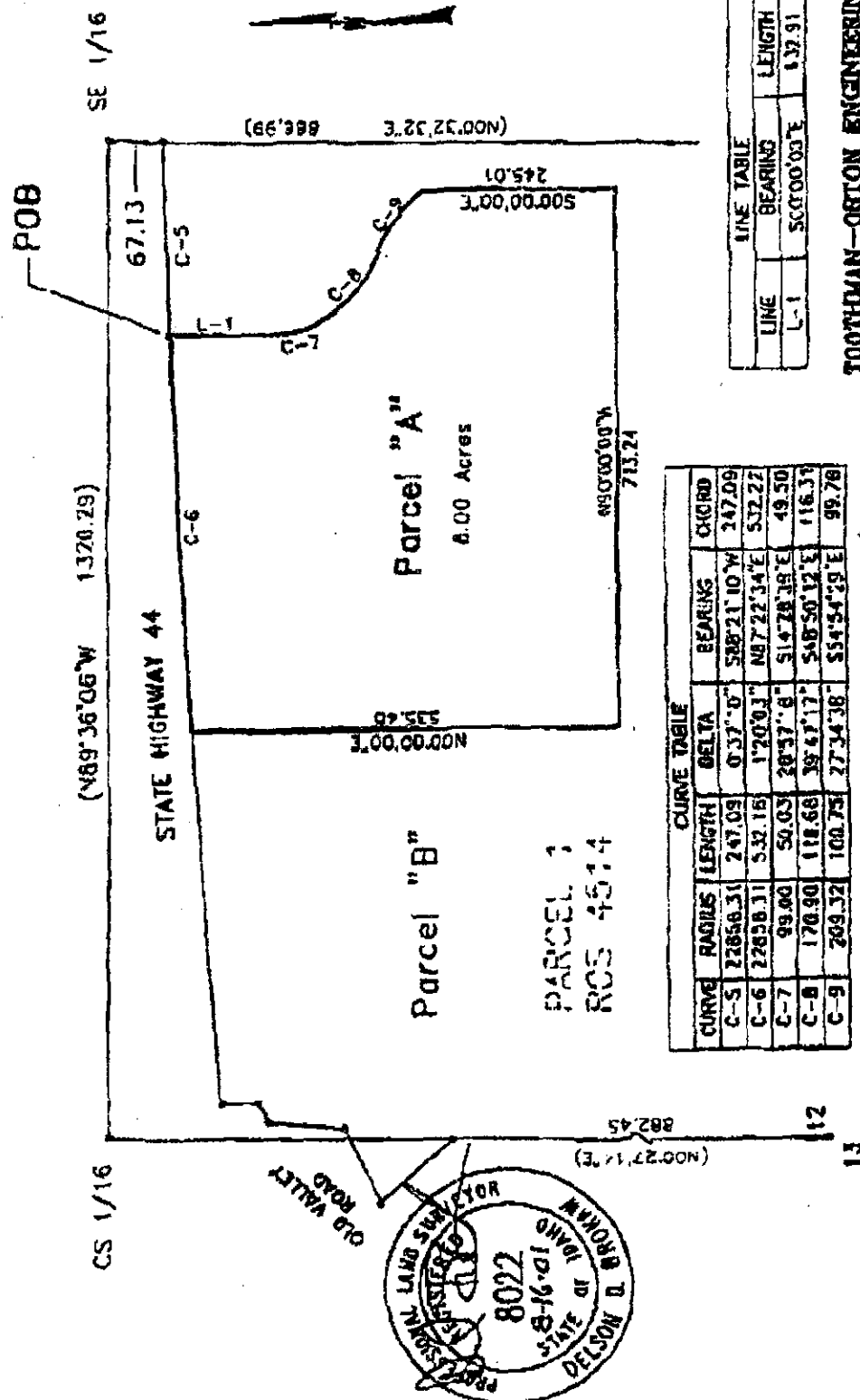
A parcel of land situated in government Lot 2 of Section 12, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho being a portion of Parcel 1 as shown on Record of Survey No. 4514, Ada County Records, more particularly described as follows:

Commencing at the Northeast corner of said Parcel 1, said point being a non-tangent point on a curve on the Southerly right of way line of State Highway 44;
Thence Southwesterly along said curve to the left having a radius of 22,858.31 feet, an arc length of 247.13, through a central angle of 00 degree 37'10", and a chord bearing and distance of South 88 degrees 21'10" West, 247.09 feet to the point of beginning; 2.3
Thence, non-tangent from said curve, South 00 degree 00'00" East, 132.91 feet to the beginning of a tangent curve;
Thence, Southeasterly along a curve to the left having a radius of 99.00 feet, an arc length of 50.03 feet, through a central angle of 28 degrees 57'18", and a chord bearing and distance of South 14 degrees 28'39" East, 49.50 feet to a point of compound curvature;
Thence Southeasterly along said curve to the left having a radius of 170.90 feet, an arc length of 118.68 feet, through a central angle of 39 degrees 47'17", and a chord bearing and distance of South 48 degrees 50'12" East, 116.31 feet to a point of reverse curvature;
Thence Southeasterly along said curve to the right having a radius of 209.32 feet, an arc length of 100.75 feet, through a central angle of 27 degrees 34'37", and a chord bearing and distance of South 54 degrees 54'29" East, 99.78 feet; 4.2
Thence, non-tangent from said curve, South 00 degree 00'00" East, 245.01 feet;
Thence North 90 degrees 00'00" West, 713.24 feet;
Thence North 00 degrees 00'00" West, 535.40 feet to a non-tangent point on the above-described Southerly right of way line of State Highway 44;
Thence Northeasterly along said curve to the right having a radius of 22,858.31 feet, an arc length of 532.16, through a central angle of 01 degree 20'02", and a chord bearing and distance of North 87 degrees 22'34" East, 532.16 feet to the point of beginning.

EXHIBIT "B"

A parcel of land situated in Government Lot 2 of Section 12, T.4N., R.1W., B.M., Ada County, Idaho, being a portion of Parcel 1 as shown on Record of Survey No. 4514.

2001



CURVE TABLE				
CURVE	RADIUS	LENGTH	BELTA	BEARINGS
C-5	22856.31	247.09	0°37'0"	S88°21'10"W
C-6	22856.31	532.15	1°20'03"	N87°22'34"E
C-7	99.00	50.03	28°37'8"	S14°28'18"E
C-8	176.90	118.68	39°47'17"	S48°50'12"E
C-9	269.32	100.75	27°34'38"	S54°54'29"E

LINE TABLE		
LINE	BEARING	LENGTH
L-1	S00°00'03"E	137.91

TOOTHMAN-ORTON ENGINEERING CO.

ENGINEERS - SURVEYORS - PLANNERS

9777 CUMMINS BOULEVARD - BOISE, IDAHO 83714-2008

PHONE: 208-323-2268 - FAX: 208-323-2399

ELECTRONIC SURVEYING - GPS - TOTAL STATION - DISTANCE MEASUREMENT

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8458

WATER RIGHT NUMBER: 63-8458

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	WILMA L BROOKS 4001 W OLD VALLEY RD EAGLE, ID 83616 (208)939-6408
Original Owner	IRVING C BROOKS 4001 W OLD VALLEY RD EAGLE, ID 83616 (208)939-6408
Original Owner	SHAH AFSHAR 1336 W SANDY CT MERIDIAN, ID 83642 (208) 855-0620

Priority Date: 02/17/1977

Basis: License

Status: Parent

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	0.600 CFS	
	<u>Total Diversion:</u>	0.600 CFS	135.00 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SW1/4SE1/4	Sec. 12, Twp 04N, Rge 01W, B.M.
ADA County		

Place of UseIRRIGATION Within ADA County

T04N R01W S12 SWSE 30.0

Total Acres: 30

Conditions of Approval:

1. 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.

Remarks:

1. General This claim has been split. See nos. 63-31501 & 63-31502. DH 6/6/2002

Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8458

Dates and Other Information:

Claim Received Date: 8/22/1989
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Element Reviewed/Verified Dates:

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

Verification Log:

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

Note - This right was changed in full From Brooks to Alfshar, prior to being split in 6/2002.

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: A63-08458
Date Received: 8/22/1989
Receipt No: C010034
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: IRVING C. BROOKS 208-939-6608
Address: 4001 OLD VALLY RD.
EAGLE, ID 83616

AND/OR

Name: WILMA L. BROOKS 208-939-6608
Address: 4001 OLD VALLY RD.
EAGLE, ID 83616

2. Date of Priority: FEB 17, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01W	12	NE	SW	SE		ADA

5. Description of diverting works:
WELL 12" CASING, 250' DEEP, PUMP AND CEMENT DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.600		

7. Total Quantity Appropriated is:
0.600 C.F.S. (and/or) 135.00 A.F.A.

8. Total consumptive use is 105.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01W	12	SW SE		IRR	30.0

Section Acres 30.0

Total Acres 30.0

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:
BALLENTYNE DITCH CO.

14. Remarks:

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For 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: _____

03/31/2003

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

RIGHT NUMBER: 63-31502

NAME AND ADDRESS: ROSE COTTAGE LLC
2273 E RIBIER DR
MERIDIAN ID 83642

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.160 CFS
36.000 AFY

PRIORITY DATE: 02/17/1977

POINT OF DIVERSION:

T04N R01W S12 NESWSE Lot 2 Within ADA County Source: GROUND WATER

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.160 CFS

36.00 AFY

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 APRIL 1 AND AFTER OCTOBER 31 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 R01W S12 Lot 2 SWSE 8.0

8 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

**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 \$80 C010034
- ☐ 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) 63-31502 SPLIT FROM 63-8458

Owner: _____ Phone No. _____

Current Address: _____

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

Accompanied by: NA**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
	2								ADD GOVT LOT 2

Description of diverting works

SEE ATTACHED B/L FIELD REPORT**OVERLAP REVIEW**Other water rights with the same point of diversion: 63-31501

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

NO - SPLIT FROM 63-8458**WATER USES**☒ No change☐ Different Uses

Use 1 hrug From 4-1 To 10-31 Amount .16 CFS AFA

Use From To Amount CFS AFA

Use From To Amount CFS AFA

ADD SHOULDAR Rink to BEGIN
AS EARLY AS 3/1 AND AS LATE AS 11/15

TOTAL VOLUME - Groundwater only

$$(45)(8) = 36$$

☒ Incomplete on claim, the total is, Amount 36 CFS AFA☐ Changes found, the new total is, Amount CFS AFA☐ More than 1" per Acre? Yes (claimant must complete excess flow sheet)**NON-IRRIGATION USES:**☒ No change☐ Changes Exam found: Domestic # of homes Stock # Types Additional comments: **PLACE OF USE:**☒ No Change☐ Changes shown below:

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

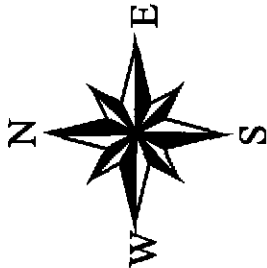
DATE EXAM CONDUCTED: 3-28-03 IN - OFFICE

FIELD EXAMINER Ron Howerton
Sr Water Agent

IDAHO DEPARTMENT OF WATER RESOURCES

Claim: 63-31502
Date Prepared: 03-28-03
Prepared By: Ron Howerton

T04N, R01W
S12



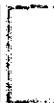
● Point of Diversion



Place of use



Section



1/4 1/4

8 ACRES

1987 NAPP



0 0.1 0.2 0.3 0.4 0.5 Miles



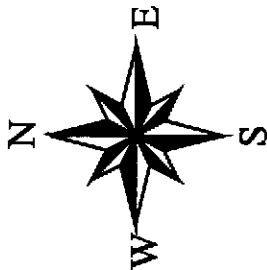
IDAHO DEPARTMENT OF WATER RESOURCES

Claim: 63-31502

Date Prepared: 03-28-03

Prepared By: Ron Howerton

T04N, R01W
S12



● Point of Diversion



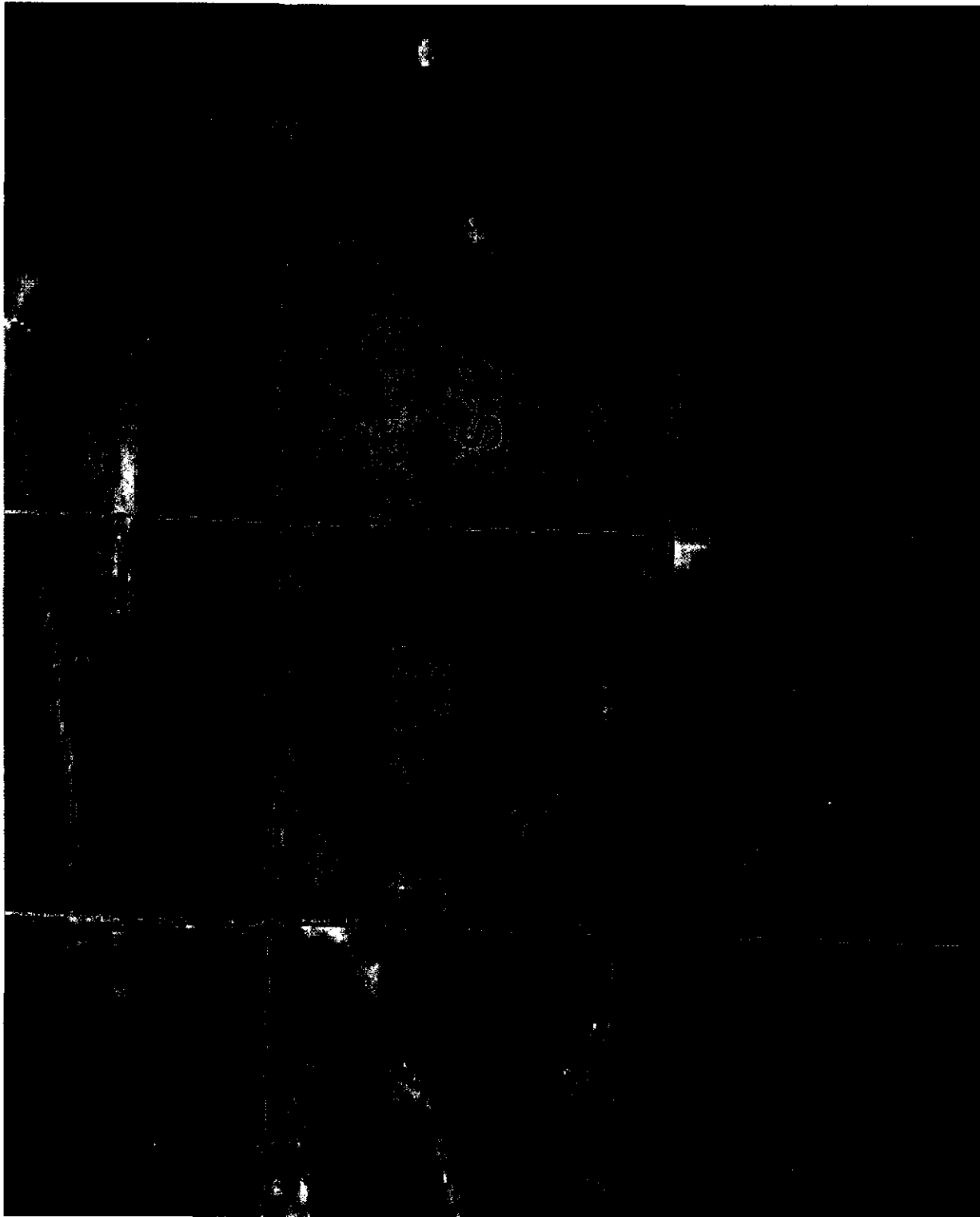
Place of use



Section



1/4 1/4



0 0.1 0.2 0.3 0.4 0.5 Miles



1987 NAPP

Idaho Department of Water Resources

Claim Number: 63-08458

Legal: T4N, R1W, S12

Reviewed By:



Point of Diversion



Place of Use

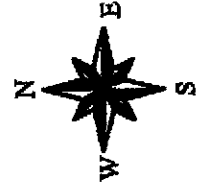
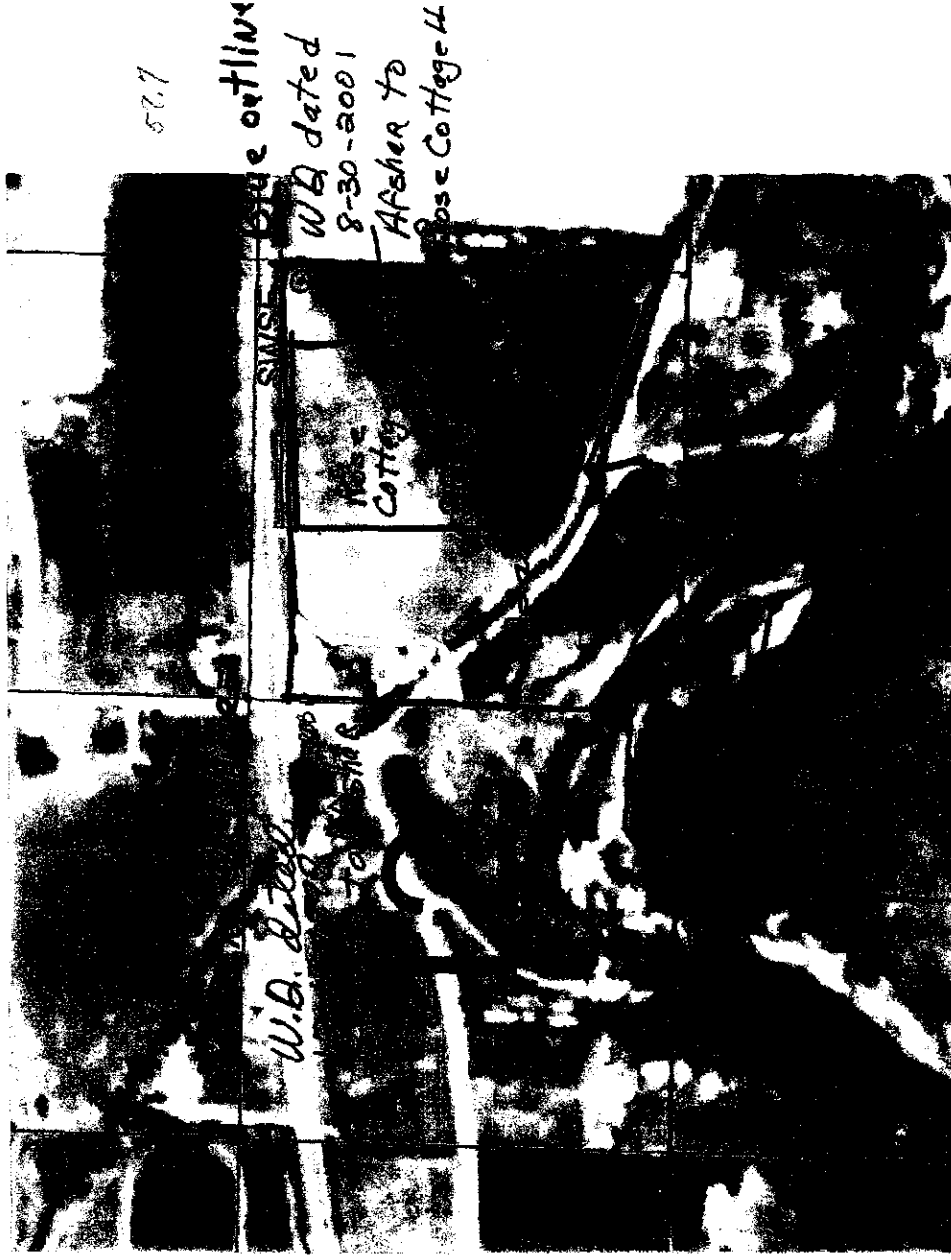


Section Lines



Quarter Quarter Lines

1987 Napp Photo



WATER RIGHT LICENSE

THIS IS TO CERTIFY, that Irving C. &/or Wilma L. Brooks
of Eagle, Idaho, has complied with the terms and conditions of Permit
No. 63-8458 issued pursuant to Application for Permit dated February 17, 1977,
and has submitted proof to the Department of Water Resources on February 27, 1981,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.98 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

[illegible]

Acting for the Director

Norman C Young
Director

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

63-8458

Permit No. _____

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 4/15/82 Accompanied by Mr. Brooks Total Q measured .98 cfs

If source is surface water, estimate total flow of source

Methods of measurement weir Meets Permit requirements? yes

Measurement calculations: 1 ft. Cipolletti weir with .44 inches of head
= .98 cfs capacity

Allow .02 c/s/ac $\overset{30}{28} \times .02 = \overset{.60}{.56}$ c/s $\overset{135}{28} \times 4.5 = 126.0 \checkmark$

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	40	Tractor with PTO	-	Luyke	-	Weir	Operational	

System Description 18 inch well (artesian) with pump and Tractor, with pto into concrete ditch for Flood Irrigation. Well will flow 5 to 10 inches.

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE	Q (cfs)	V (afa)	FROM	TO
Irrigation	556 ✓	176 ✓	4/1	10/31
	.60	135		
	.60	135		
Total	556 ✓	176 ✓	4/1	10/31

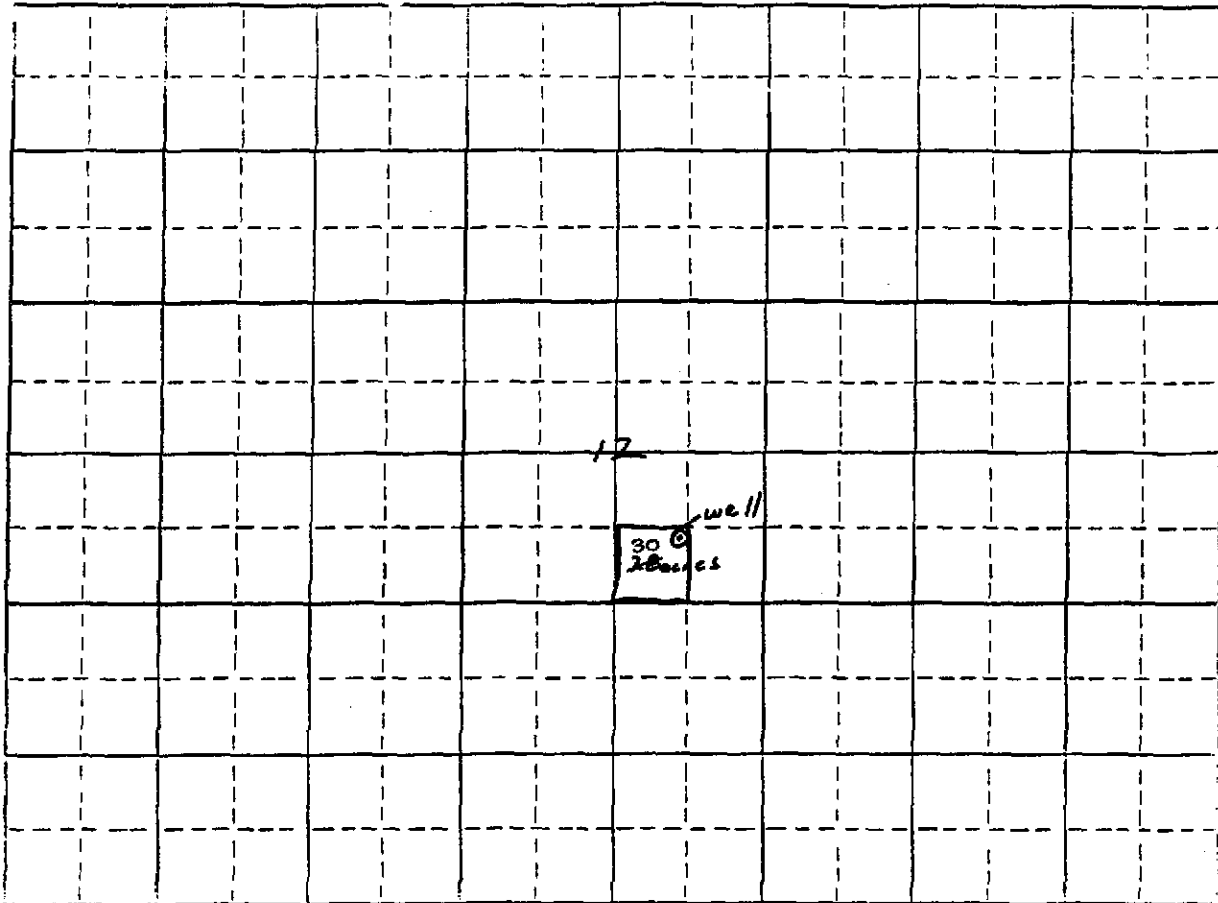
Remarks Overlapping

✓ Decree 63-0234 Boise River - No Overlap - different Source
Recommend R16

Exercise 63-2502 2fw ~~same~~ T/D in same tract
field exams show different
location within tract
1/2 AC only

ok Assume no overlap
Jun 11.5.82

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: SW SE Sec 12 T 4N R 1W

Place(s) of Use

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	1W	12															30	28000	3028

Recommended Amendments:

- ☐ 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

Examiner's Signature

Checked by DBS

Approved by

Date

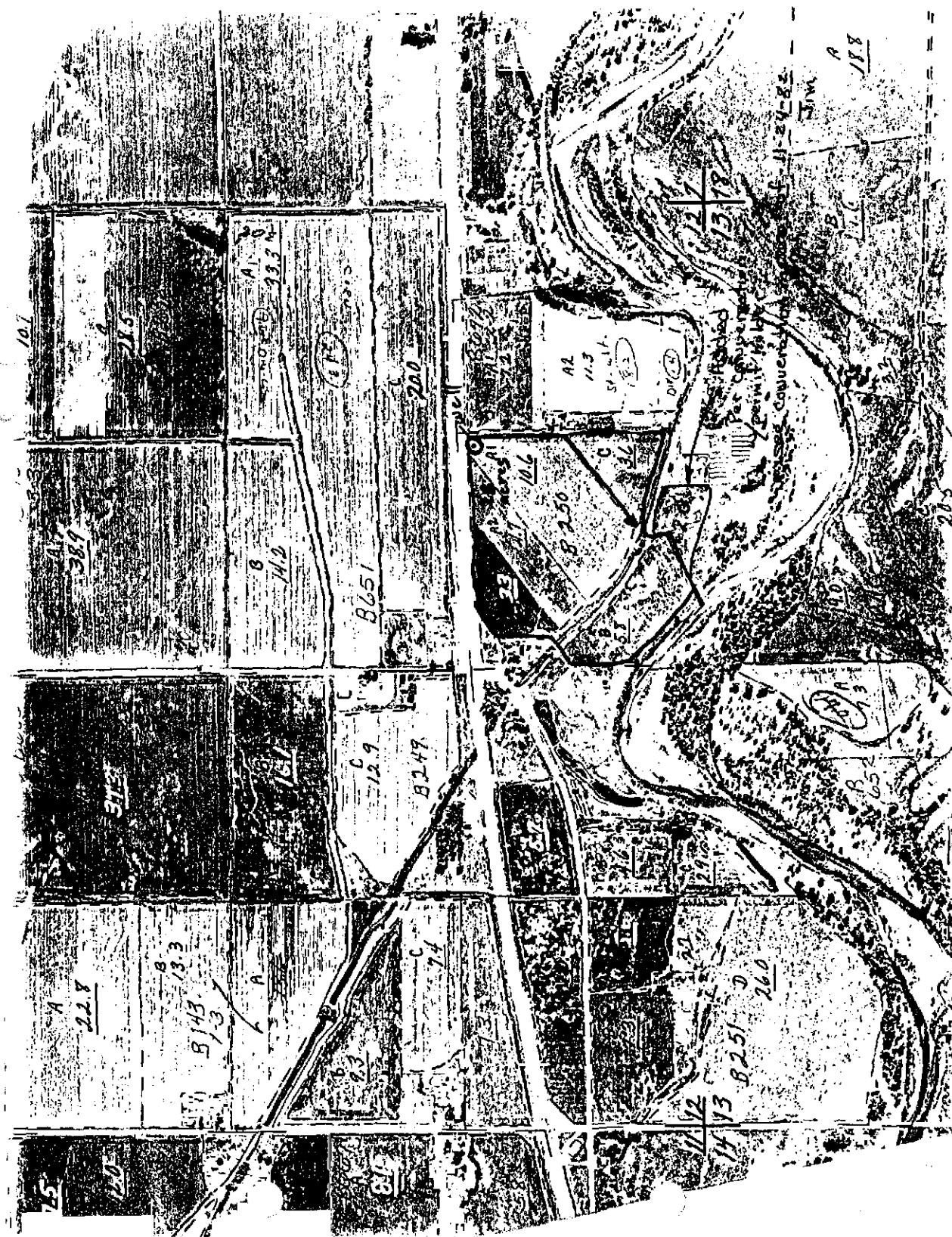
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9/7/82

10/13/82

12/27/82



Identification No. _____

Application No. 63-8458

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

APPROVED

1. Name of applicant IRVING C. &/or WILMA L. BROOKS Phone: 939-6608
post office address Rt. 1, Box 58, Eagle, ID

2. Source of water supply groundwater which is a tributary of _____

3. a. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 12 Township 4N
Range 1W B.M. ADA County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount 0.60 for Irrigation purpose from Apr 1 to Oct 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.60 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 18" well, 200 ft. deep

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____

Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

c. Proposed well diameter is 18 inches; proposed depth of well is 200 feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.

b. Estimated construction cost is \$ 10,000.

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____

(2) Amount of power to be generated: _____ hp under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____

(5) If water is to be used for other purposes describe: _____

RECEIVED

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	1W	12															30		30

Total number of acres to be irrigated 30

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

Ballentyne Ditch Co.

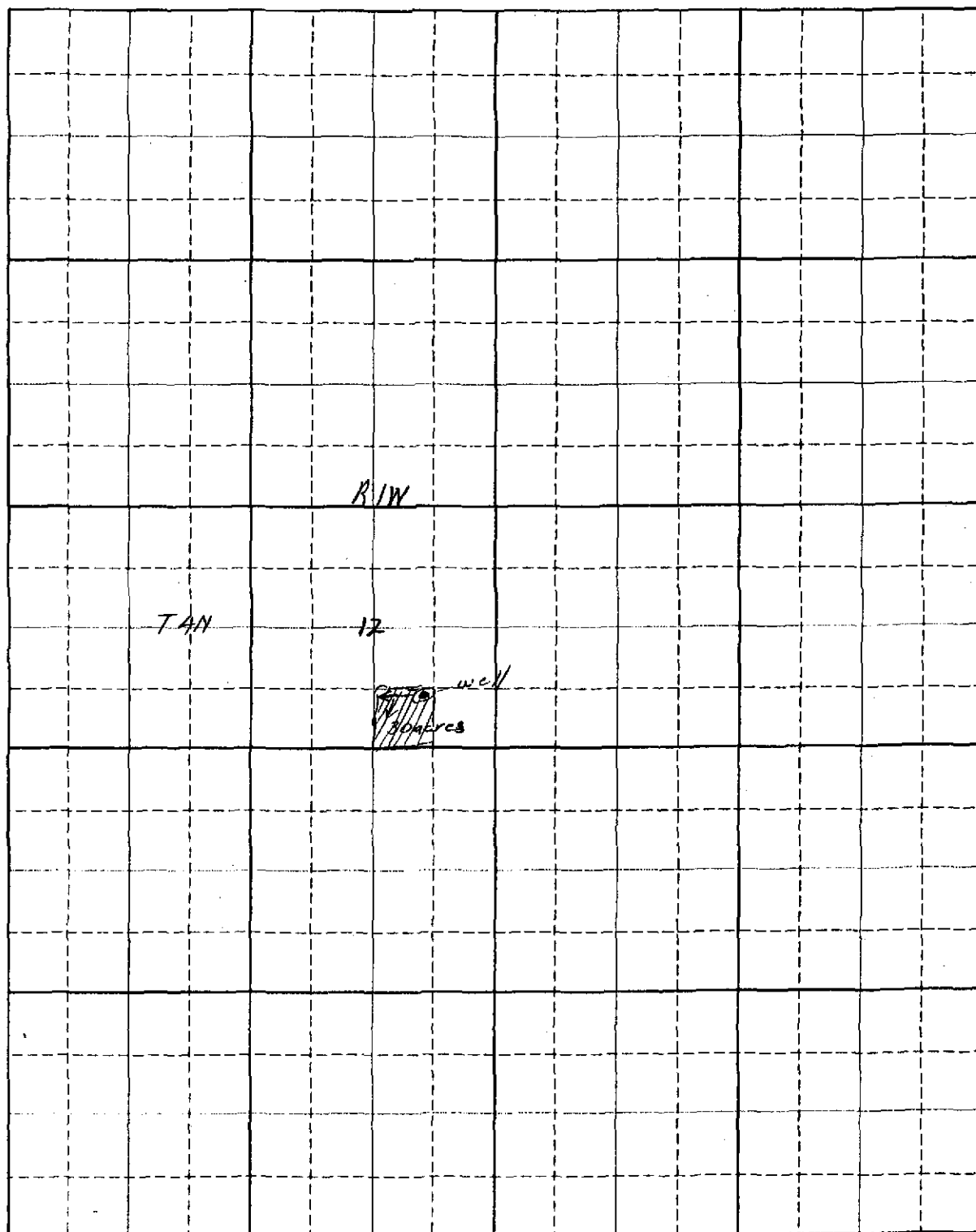
9. a. Who owns the property at the point of diversion Applicant

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 _____

10. Remarks _____

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



Scale: 2 inches equal 1 mile

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

Irving E. Braslow
(Applicant)

Proposed Priority 2/17/77

Received by 6LS Date 2/17/77 Time 10:30

Preliminary check by RW Fee \$ 25.00

Receipted by if Date 2-17-77 # 46679

Publication prepared by CS Date February 17, 1977

Published in The Valley News-Times

Publication dates Feb. 24, 1977 - March 3, 1977

Publication approved for Date 2-17-77 3-7-77

Priority reduced to C Reason _____

Protests filed by: _____

Copies of protests forwarded by: _____

Hearing held by: _____ Date: _____

Recommended for approval denial by 124 jo

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. 63-8458, 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 March 1, 19 82.

c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this 22 day of March, 19 77.


for Director



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

June 6, 2002

ROSE COTTAGE LLC
2273 E RIBIER DR
MERIDIAN ID 83642

Re: Original Notice of Claim to a Water Right No. 63-8458

Renumbered Notice of Claim to a Water Right No. 63-31502

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.

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

Sincerely,

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region

DH: dh

Enclosure



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 19, 1990

Irving C. and Wilma L. Brooks
4001 Old Valley Rd.
Eagle, ID 83616

RE: Snake River Basin Adjudication (SRBA)
Ada County

Dear Mr. and Mrs. Brooks:

We are forwarding to you a computer-generated copy of the Notice of Claim which you filed for your property in Ada County.

We have interpreted some of the data from your claim and have made some minor modifications which we feel more accurately describes your water right. The items that were modified are highlighted. Please review the enclosed form to assure that these modifications are in agreement with your water right. At Item #8, you have failed to indicate the amount of consumptive use for your property. For your legal description the Department suggests 3.5 acre feet per acre per annum. You are claiming 30 acres of irrigated land, therefore your consumptive use would be 105 acre feet per annum. If this does not agree with your actual usage, please explain at Item #14, "Remarks".

If you agree that the modification are correct as indicated, you do not need to do anything further concerning the modifications.

In Item #9 you indicated that you have Stockwater use from this well year round. However you did not list stockwater as a use in Items #6 of #10, or as a use when the Water Right was originally Licensed. If you want to have Stockwater as a use on your claim, please add it to the items listed above. Then follow the procedure below.

On Item #10, Place of Use has been placed within the same $\frac{1}{4}$ $\frac{1}{4}$ as the Point of Diversion (Item #4). If this is not correct, please change to the correct $\frac{1}{4}$ $\frac{1}{4}$.

MICROFILMED
AUG 24 1992

Irving C. or Wilma L. Brooks
Page 2 - Ada County
June 19, 1990

If you feel we have misinterpreted this claim, and you make any changes to the Notice of Claim form enclosed, you must initial the changes you make, sign the form before a notary public and return the claim and a copy of this letter to:

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

Please make these corrections before July 20, 1990. Do not hesitate to contact this office, or our Western Region Office, if you have any questions or concerns.

Yours truly,


John D. Carlson
Adjudication Supervisor

JDC:ALB:dms:west *tf*
Enclosures:
Claim #A63-08458

MICROFILMED

APR 2 1992

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Brooks

CLAIM IDENT. NO.

A63-08458

DATE RECEIVED

8/22/89

CK #

100034

AMOUNT \$

80⁰⁰

YES

NO

Require
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ *
2. Is a priority date entered? ☒ YES ☐ NO ☐ *
Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO ☐ *
3. (a) Is a source entered? ☒ YES ☐ NO ☐ *
(b) Is a tributary to entered? (if required) ☐ YES ☒ NO ☐ N/A ☐ *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO ☐ *
5. Is there a description of the diverting works? ☒ YES ☐ NO ☐ *
well - 12' casing 250'd
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. ☒ YES ☐ NO ☐ *
Is the period of use included? ☒ YES ☐ NO ☐ *
Is a quantity claimed for each use? ☐ YES ☒ NO ☐ *
0.60
7. Is a total quantity claimed entered? ☐ YES ☒ NO ☐ *
0.60
8. If required is a consumptive use entered? ☐ YES ☒ NO ☐ N/A ☐ *
105
Is the consumptive use correct? ☐ YES ☒ NO ☐ N/A ☐ *
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. ☐ YES ☒ NO ☐ N/A ☐ *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO ☐ *
12. SW, SE 80 Acres
11. Is (are) the county(ies) entered? ☒ YES ☐ NO ☐ *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO ☐ *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO ☐ *
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.) ☒ YES ☐ NO ☐ N/A ☐ *
15. Is the basis of the claim indicated? ☒ YES ☐ NO ☐ *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO ☐ N/A ☐ *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ *
20. Is the fee enclosed correct? ☒ YES ☐ NO ☐ Exempt ☐ *
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO ☐ N/A ☐ *
22. Should this claim be data entered? ☒ YES ☐ NO ☐ *

Claim checked by: B

Date:

6/11/96

Claim must be returned to claimant:

☒ (Yes) ☐ (No)

Claimant must be notified of modifications:

☒ (Yes) ☐ (No)

Receipt Prepared by:

Claim data entered by: BSent to claimant by: B

Date:

6/11/90

Date:

Checked by:

Date:

Comments:

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AUG 24 1992