



Idaho Department of Water Resources

**T04N, R01E,
S31**

Claim No: 63-31537
Prepared By: Kimberly Brown
Date: July 16, 2003



- Point of Diversion
- Place of Use
- Section Lines
- 1/4 1/4

Acres Irrigated = 5.0



1987 NAPP

Idaho Department of Water Resources

T04N, R01E,
S31

Claim No: 63-31537

Prepared By: Kimberly Brown

Date: July 16, 2003

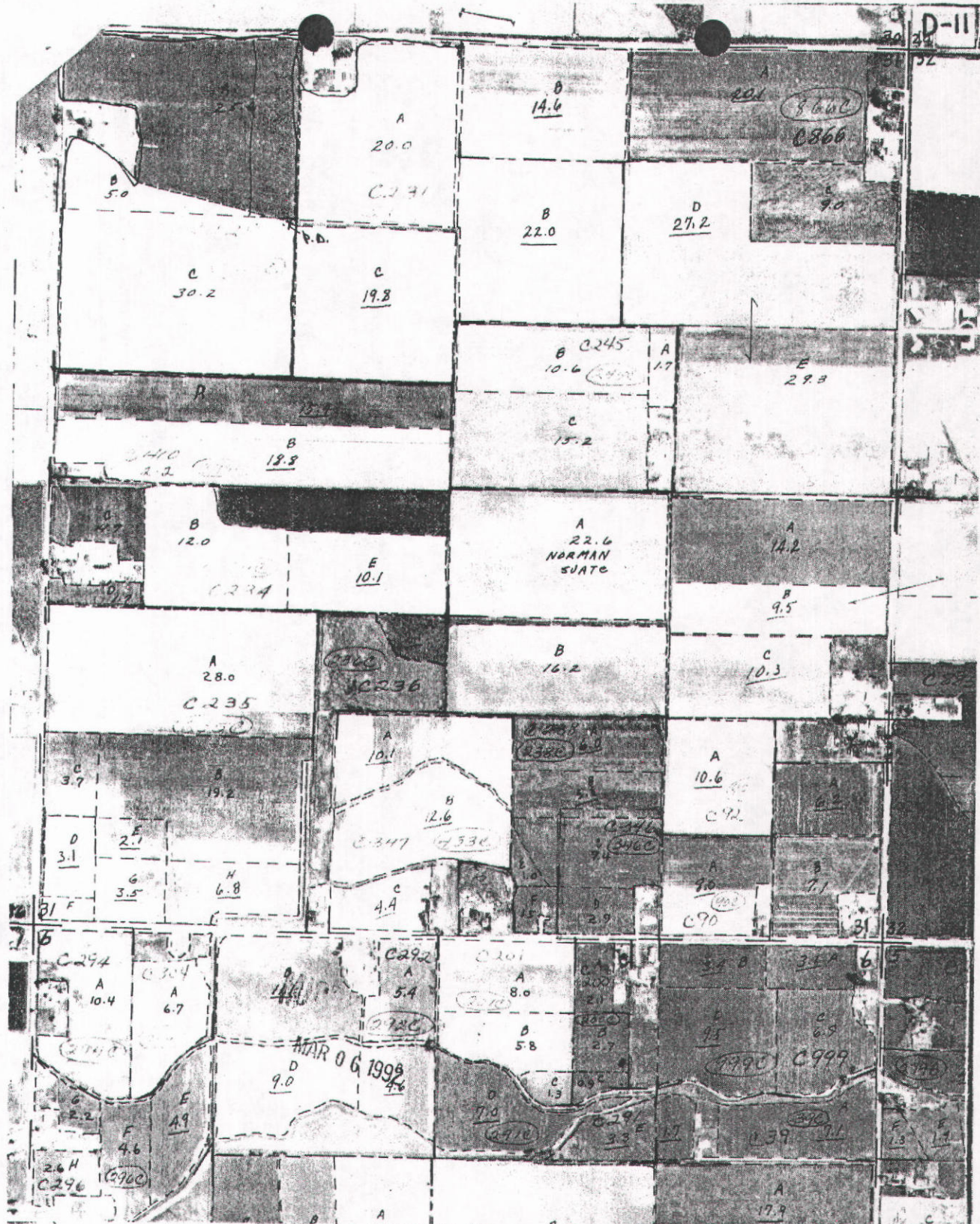


- Point of Diversion
- Place of Use
- Section Lines
- 1/4 1/4



1987 NAPP





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 63-31537
Date Received: 9/7/1989
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CARLA STARKEY Phone: (208) 888-6873
4660 N MERIDIAN RD
MERIDIAN ID USA 83642

LEONARD R STARKEY Phone: (208) 888-6873
4660 N MERIDIAN RD
MERIDIAN ID USA 83642

2. Date of Priority: 02/11/1977

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	01E	31	NW NW	ADA	
04N	01E	31	NW NW	ADA	

5. Description of diverting works:

WELL 240 ft DEEP, 4 in CASING. WELL 98 ft DEEP, 8 in CASING.

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	0.05	2.7

7. Total Quantity Appropriated is:
0.15 C.F.S. and/or 25.2 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	01E	31	NW	NW	1	STOCKWATER
			NW	NW	1	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:

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

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

The total instantaneous diversion of water from all points of diversion under Rights 63-18934 and 63-31537 shall not exceed 0.32 cfs, nor total combined annual volume of 34.2 af.

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right.

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

This right is a split from former right 63-8439A.

15. Basis of Claim: License

Split into
63-8439A

WATER RIGHT NO. 63-31537
As Modified by Transfer No. 70915

In accordance with the approval of Transfer No. 70915, Water Right No. 63-31537 is now described as follows.

Right Holder: LEONARD R STARKEY And/Or
 CARLA STARKEY
 4660 N MERIDIAN RD
 MERIDIAN ID 83642

Priority Date: February 11, 1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01 to	12/31	0.05 CFS	2.7 AF
IRRIGATION	03/15 to	11/15	0.10 CFS	22.5 AF
			0.15 CFS	25.2 AF

LOCATION OF POINT(S) OF DIVERSION:

* GROUND WATER	NWNW	Sec. 31 Twp 04N	Rge 01E	ADA County
GROUND WATER	NWNW	Sec. 31 Twp 04N	Rge 01E	ADA County

PLACE OF USE: STOCKWATER, same as Irrigation

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	31																	
									5.0										5.0
									1.1										

Total Acres: 5

CONDITIONS OF APPROVAL

- Gen 1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- Exp 2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
- Exp 4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
- Exp 5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

WATER RIGHT NO. 63-31537

As Modified by Transfer No. 70915

CONDITIONS OF APPROVAL

- Qnt 6. The total instantaneous diversion of water from all points of diversion under Rights 63-18934 and 63-31537 shall not exceed 0.32 cfs, nor total combined annual volume of 34.2 af.
- ~~7.~~ This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
- EXP 8. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right.
- EXP 9. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
- SOD 10. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
- ~~9.~~ This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19th day of March, 2004



Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70915

This is to certify that: LEONARD R STARKEY And/Or
CARLA STARKEY
4660 N MERIDIAN RD
MERIDIAN ID 83642
(208) 888-6873

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-18934	WR/Decreed	01/01/1917	0.17 cfs	N/A	N/A	N/A	GROUND WATER
63-31537	AJC/License	02/11/1977	0.15 cfs	25.2 af	N/A	5.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-18934	NO	YES	YES	NO	NO	NO
63-31537	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-18934	63-18934	0.17 cfs	9 af	N/A	N/A		N/A	N/A	N/A	N/A
63-31537	63-31537	0.15 cfs	25.2 af	N/A	5.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.32 cfs	34.2 af	N/A	5		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 19th day of March, 2004



Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 70915

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

cpa Name of applicant Carla J. Starkey OR Leonard R. Starkey Phone 208-888-6873
Post Office address 4660 N Meridian Road Meridian Id. 83642

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes

Wish to use own well for water right FOR 63-31537

cpa { WANT TO CORRECT Legal Description FOR
Water Right 63-18934

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
cpa 63-31537	2-11-77	0.05/2.7	Stockwater	1-1 to 12-3-1
		0.10/22.5	Irrigation	3-15 to 11-15
cpa { 63-18934	1-1-1917	0.04 cfs	Domestic	1-1 to 12-31
		0.13 cfs	Stockwater	1-1 to 12-31

2. Total amount of water being transferred 0.15 cubic feet per second and/or 25.2 acre-feet per annum.3. Source of water groundwater tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	31	4N	1E	Ada	Private well (8")
		NW	NN	31	4N	1E	Ada	Private well (4")

5. Lands irrigated or place of use: No Change

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	
cpa { 40	1E	31					5												
							X												
							X												
							X												

SCANNED
NOV 25 2003

Total acres _____

PART 1

6. General Information:

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

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

N/A

d. Remarks:

Hope to use existing well may have to drill new wellExisting well covered by water right 63-18934

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 19 _____

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NOV 25 2003

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Transfer No. _____
Receipt No. _____

Current Water Right No. 63-31537

Priority Date: 02/11/1977

Origin: Adjudication Claim

Basis: License

Status: Active

Source: GROUND WATER

Tributary to:

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	01/01 12/31	0.05 CFS	2.7 AFA	
IRRIGATION	03/15 11/15	0.10 CFS	22.5 AFA	
Total Diversion		0.15 CFS	25.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER NENW 04N 01E 31 ADA

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
04N 01E 31	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
							5.0										5.0

Total Acres: 5

Conditions/Remarks:

1. This claim is the result of a split due to change in ownership for a portion of 63-8439A. DH 8/27/2002

Documentation of Ownership of the Current Place of Use. Yes

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances? No

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer. N/A

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use? No

Any other rights used for the same purposes described above? Settlers Irrigation

63-18934 uses for domestic and stock

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NOV 25 2003

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Transfer No. _____

Receipt No. _____

Current Water Right No. 63-18934

Priority Date: 01/01/1917

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

Tributary to:

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
STOCKWATER	1/01	12/31	0.13 CFS		
DOMESTIC	1/01	12/31	0.04 CFS		
Total Diversion			0.17 CFS		

Source and Point(s) of Diversion:

GROUND WATER NENW 04N 01E 31 ADA

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	31					X												

Conditions/Remarks:

1. STOCKWATER, 150-200 DAIRY CATTLE PARCEL NO. RP S0531223330
2. 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.
3. THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4. THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

SCANNED
NOV 25 2003

Page 2

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Transfer No. _____

Receipt No. _____

Current Water Right No. 63-18934

Documentation of Ownership of the Current Place of Use

TAX NOTICE SUPPLIED

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

NONE (CORRECTION OF LEGAL DESCRIPTION)

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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NOV 25 2003

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

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

See Attach map.

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

SCANNED
NOV 25 2003

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

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to _____
				to _____

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

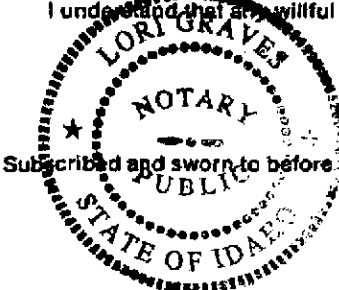
NA

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

NA

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

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



Subscribed and sworn to before me this

1st day of July, 2003

Carla J. Starkey Leonard P. Starkey
(Signature of Applicant)

Lori Graves
(Notary Public)

My commission expires

6/18/04**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by g

Date

7/1/03

Protest filed by _____

Prelim. check by g

Fee

100 #W030664Receipted by g

Date

7/1/03

Published in _____

Copies of protest forwarded by _____

Pub. dates _____

Hearing held by _____

Date _____

Watermaster recommendation requested on _____

Recommended for

☐

approval

☐

denial

_____ rec'd. _____

by _____

Copy of transfer sent to lien holder _____

\$150.00 paid 11-6-03 Receipt # W 031079

Received & Receipted B DAN

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NOV 25 2003

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: A63-08439A
Date Received: 9/ 7/1989
Receipt No: X777777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CARLA STARKEY
Address: 4660 N. MERIDIAN RD.
MERIDIAN ID

83642

Name: LEONARD R. STARKEY
Address: 4660 N. MERIDIAN RD.
MERIDIAN ID

83642

2. Date of Priority: FEB 11, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01E	31	NE	NE	NW		ADA

5. Description of diverting works:
WELL, PUMP & GRAVITY FLOW.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.200		270.00
STOCKWATER	01/01	12/31	0.050		2.70

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
S/150 RANGE.

~~MICROFILMED~~
JUL 25 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01E	31	NE	NW		IRR	7.0
			NW	NW		IRR	32.0
			SW	NW		IRR	17.0
			SE	NW		IRR	4.0

Section Acres 60.0

Total Acres 60.0

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:
SETTLERS IRR. DIST.

14. Remarks:

I ADDED THE RECEIPT NUMBER TO THIS CLAIM TODAY SO THAT IT WOULD UPDATE TO THE HOST MASTER. I ALSO CORRECTED THE SPELLING ON MRS. STARKEY'S NAME SINCE IT WAS CLEARLY IN ERROR WHEN I LOOKED AT THE SIGNATURE PAGE. THE NAME WAS IN ERROR ON THE LICENSE WHEN IT WAS ISSUED AND CARRIED OVER ONTO THE CLAIM. KW 2/27/92
This claim is a result of a change in ownership for a portion of Claim No. A63-08439, fee paid under receipt No. W005628. See also Transfer No. 3940. (CJH 1/14/92)
2/2/94-MODIFIED SEASON OF USE FROM 4/15 TO 10/15 BACK TO 3/15 TO 11/15 AS ORIGINALLY CLAIMED AND CHANGED OWNERSHIP FIELD FROM NO TO YES. L.R.W.

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:

~~MICROFILMED~~
~~JUL 25 1994~~

Robert H. McQuade
Ada County Assessor
200 West Front Street
Boise, ID 83702

20
**ASSESSMENT NOTICE
& ESTIMATE OF TAX**

**THIS IS NOT A BILL.
DO NOT PAY.**

PARCEL DESCRIPTION:

PAR #3390 NEAR NW COR
OF NW4NW4
SEC 31 4N 1E
PARCEL 1 R/S 5635
#223330-S

For any questions, please notify the Assessor's Office immediately

Assessor's Telephone Number: (208) 287-7241

Parcel Address: 4660 N MERIDIAN RD
MERIDIAN ID 83642

11730*****5-DIGIT 83642



STARKEY LEONARD R
4660 N MERIDIAN RD
MERIDIAN ID 83642-5477

Appeals of your property value must be filed in
writing, on a form provided by the County, by:

JUNE 24, 2002

Tax Code Area: 242

Parcel Number: S0531223390

ASSESSED VALUE OF YOUR PROPERTY

CURRENT DESCRIPTION	LOTS/ACRES	LAST YEAR'S VALUE	CURRENT YEAR'S VALUE
HOMESITE ON AG RES IMPROVEMENT IMPROVEMENT	5.200	0 0 0	95,000 78,000 33,400
SUBTOTAL:	5.200	0	206,400
LESS HOMEOWNERS EXEMPTION:		0	-39,000
NET TAXABLE PROPERTY VALUE:		0	167,400

These values may not include personal property values. Taxes are based on the values shown on this Notice and on the Budgets of the taxing districts.

ESTIMATED PROPERTY TAXES

TAXING DISTRICTS	LAST YEAR'S TAXES	CURRENT YEAR'S ESTIMATED TAXES	PHONE NUMBER	DATE OF PUBLIC BUDGET HEARING
ADA COUNTY		464.09	(208) 364-2333	6-17-2002
PEST EXTERMINATION		17.37	(208) 888-2316	6-17-2002
EMERGENCY MEDICAL		19.70	(208) 375-7048	6-17-2002
ADA COUNTY HIGHWAY DIST		169.84	(208) 387-6120	8-28-2002
SCHOOL DISTRICT NO. 2		1,100.35	(208) 888-6701	6-10-2002
MERIDIAN LIBRARY		98.01	(208) 888-4451	8-12-2002
MERIDIAN CEMETERY		9.66	(208) 888-5133	8-7-2002
MERIDIAN FIRE		294.53	(208) 888-1234	8-12-2002
MOSQUITO ABATEMENT		3.88	(208) 362-1440	
WESTERN ADA RECREATION		13.00	(208) 888-4081	8-8-2002
SUBTOTAL:		2,190.43		
FEES:				
TOTAL PROPERTY TAXES & FEES:		2,190.43		

SCANNED
NOV 25 2003

THIS IS NOT A BILL. DO NOT PAY.

See the back of this Notice for details

TAX EST DOES NOT INCLUDE ADDITIONAL CERTIFICATIONS AND FEES.
NEWLY ANNEXED AREAS - SEE 2000 TAX BILL FOR LAST YEARS TAXES

0013635

*Supporting
Documentation*

**ANDERSON, DAVIS, RAINEY & WHITNEY
ATTORNEYS AT LAW**

ion
2-1986)

110 North Ninth Ave.
Post Office Box 26
Caldwell, Idaho 83606-0026

Area Code (208)
Telephone 459-3659
Fax No. 208-459-9067
Fax No. 208-459-6147

June 12, 2003

Leonard Starkey
4660 North Meridian Rd.
Meridian, ID 83642

Dear Leonard:

Enclosed please find copy of letter dated June 11, 2003, received from Steve Bradbury. The letter is self-explanatory. Paragraph 2 refers to ground water. We need to discuss Steiner's position in this regard.

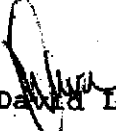
In a nutshell, it is my understanding from Bradbury that Steiner recognizes that they have to provide a means for delivering to you your pro rata share of the surface water from the Settler's Canal. However, at the moment, they do not believe that that obligation would exist with respect to the well water, if Steiner elected to abandon the well. It is my understanding that while the well exists Steiner does not object to your use of the well. Also, it is my understanding that they recognize that your five acres has a pro rata right to the water right serviced by that well. The question would be, if Steiner determined to abandon the well, how would you get your proportionate share of that water.

I have conveyed to Steiner's attorney that you disagree with that position.

Mr. Bradbury advises that Mr. Steiner does not foresee abandoning the well in the near future.

I would like to review the matter with you. A question that I have is whether your proportionate share of the water right in the ground water provided through the well and/or the surface water can be transferred to existing wells on your property and, if so, whether such wells as they exist on your property are sufficient to service your needs. If not, can they be made sufficient to do so? If not, what would need to be done to satisfy your needs?

Yours very truly,


David L. Whitney

DLW/as
Enclosure

SCANNED
NOV 25 2003

Jones • Gledhill • Hess • Fuhrman
Bradbury & Eiden, P.A.
ATTORNEYS AT LAW

Stephen A. Bradbury

June 11, 2003

Via Facsimile

David L. Whitney
ALEXANDERSON, DAVIS, RAINEY & WHITNEY
PO Box 26
Caldwell, ID 83606-0026

RE: *Leonard Starkey / Steiner Development, LLC*

Dear Mr. Whitney:

I have received your letter of June 3, 2003 directed to me and Brian McColl. I assume that you have received your copy of my letter of June 5, 2003 to Mr. McColl wherein I have indicated that Steiner Development prefers to retain the status quo with respect to the various irrigation pipes, ditches and wells located near the common boundary between the Far West, LLC and Steiner Development, LLC properties. Assuming that Far West, LLC honors the rights of Steiner Development, LLC (and Mr. Starkey), I do not believe any modification to the irrigation facilities will likely take place.

In your letter of June 3, 2003, however, you raise an additional point to which Steiner Development has asked me to respond. In your letter you indicate that Mr. Starkey has a right of access to and use of the well located on the east side of the Steiner Development property. While I have not gone back and reviewed all of the documentation regarding the sale of the Starkey property to Steiner Development, I do not recall, either before or after closing, that any agreement had ever been made with respect to Mr. Starkey having any right of access to or use of the subject irrigation well. I do recall that the water rights appurtenant to Mr. Starkey's retained five acres, including a proportionate share of the ground water rights diverted through the subject well, were retained in Mr. Starkey's name and notice thereof was filed at the Idaho Department of Water Resources. Retention of the water rights on the one hand and the right to utilize the well on the other hand, however, are two separate matters. Accordingly, Steiner Development believes it appropriate to place Mr. Starkey on notice that Steiner Development does not recognize any right which Mr. Starkey may claim in the continued use of the subject well.

Please be advised, however, that Steiner Development does not have any objection to Mr. Starkey continuing to use the well, on a temporary basis, to supply irrigation water to his property. Steiner Development's willingness to permit Mr. Starkey to do so is subject to Steiner

The 9th & Idaho Center • 225 North 9th Street, Suite 820
P.O. Box 1097 • Boise, Idaho 83701
Phone (208) 331-1170 • Fax (208) 331-1529
E-Mail Address: jg@ldalaw.com

SCANNED
NOV 25 2003

WED 03:00 PM

FAX NO.

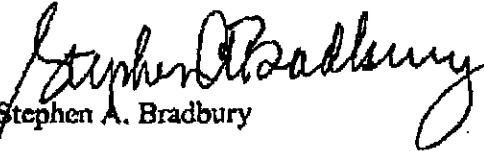
P. 03/03

Mr. David L. Whitney
June 11, 2003
Page 2

Development's right to withdraw its permission at any time and for any reason. In the meantime, I suggest that you have Mr. Starkey consider other alternatives to the use of the well, including, for example, transfer of his water rights to one of the two existing wells on his property.

I would, of course, be pleased to discuss this matter with you further and assist in finding a more permanent solution to this issue.

Very truly yours,


Stephen A. Bradbury

SAB/sh
cc: Steiner Development

SCANNED
NOV 25 2003



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

August 29, 2002

LEONARD R. STARKEY
CARLA STARKEY
4660 N MERIDIAN RD.
MERIDIAN ID 83642

Re: Original Notice of Claim to a Water Right No. 63-8439A

Renumbered to Notice of Claim to a Water Right No. 63-31537

Dear Claimant(s):

We have received and processed a Change of Ownership for a portion of your original Claim to a Water Right Number as referenced above. This change of ownership resulted in a split of your original claim.

When a portion of the original water right claim has been conveyed to another and the original right has been split, then the original claim number is renumbered by issuing a new water right number to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new water right number reflects your remaining portion of the original claim after the change of ownership. Enclosed is a copy of this new claim for your records. Please refer to your new claim number when corresponding with our office.

If you have any questions concerning this ownership change, or the enclosed claim copy, please feel free to contact this office.

Sincerely,

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region Office

DH: dh

Enclosure

Laurie

SCANNED
NOV 25 2003



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 63-31537
Date Received: 9/7/1989
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LEONARD R STARKEY
4660 N MERIDIAN RD
MERIDIAN ID USA 83642

Phone:

CARLA STARKEY
4660 N MERIDIAN RD
MERIDIAN ID USA 83642

Phone:

2. Date of Priority: 02/11/1977

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	01E	31	NE NW	ADA	

5. Description of diverting works:

WELL, PUMP & GRAVITY FLOW.

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	0.05	2.7

7. Total Quantity Appropriated is:
0.15 C.F.S. and/or 25.2 A.F.A.

7.5" for 5 acres = 1.5/acre

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01E	31	NW	NW	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 63-8439A. DH 8/27/2002

15. Basis of Claim: License

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

RECEIVED**AUG 26 2002****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
<u>63-8439A</u>	<u>63-8439 A</u>	<u>X</u>	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. N/A
- 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) Leonard R. Starkey
4660 N. Meridian Rd., Meridian, ID83642
4. New Owner/Claimant(s) Steiner Development, LLC
 Name Connector (Check one): [] and [] or [] and/or
 New Mailing Address 554 E. Bellevue Road, Suite B
 City, State and ZIP Code Atwater, California 95301
 New Telephone Number (209) 357-8761
5. Date you acquired the property March 13, 2002

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>63-8439A</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>1.1 cfs</u>	<u>55 acres</u>
Stock		
Domestic		
Other		
Total	<u>1.1 cfs</u>	

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)

Louis J. Steiner, Manager
Steiner Development, LLC

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 DH Date 8-26-02 Fee \$0
 Receipted by _____ Date _____ Receipt No. _____
 Processed by AJ Date _____ WR _____ Date _____

WARRANTY DEED

FOR VALUE RECEIVED LEONARD STARKEY, dealing with his sole and separate property, the Grantor, does hereby grant, bargain, sell and convey unto STEINER DEVELOPMENT, LLC, Grantee, whose address is 554 East Bellevue Road, Suite B, Atwater, California 95301, the following described premises, situated in Ada County, State of Idaho, to-wit:

See Exhibit "A" attached hereto and incorporated herein by reference.

Together with all and singular the tenements, hereditaments and appurtenances.

Together with all water, water rights, ditches and rights of way for ditches appurtenant thereto or in anywise appertaining.

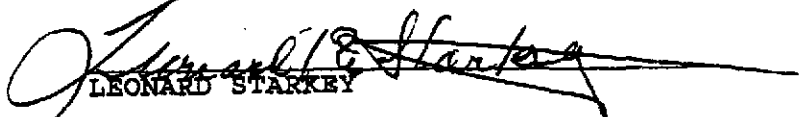
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns, in fee simple, subject to the following: all reservations in patents or state grants or in the laws authorizing the issuance thereof; the bonded debt of all taxing units; all zoning requirements and restrictions provided by any fire, building, plumbing, electrical and other similar codes imposed by any governmental unit; all repayment contracts between any irrigation district and the United States; all easements and rights of way under, over and across the premises regardless of how evidenced or acquired and whether the same appears of record or not; terms of any Agreement pursuant to which this deed was executed; and exceptions appearing in any title insurance policy applying to the real property provided by Grantor to Grantee.

Grantor does hereby covenant to and with the said Grantee that he is the owner in fee simple of said premises.

Apart from the warranty of title expressed herein, the property is sold in its present AS IS condition in all respects, including but not limited to, its title, its boundaries, water rights, environmental condition, appurtenances and improvements located thereon.

This Deed shall be binding upon and inure to the benefit of the parties hereto, and their respective heirs, administrators, personal representatives, successors and permissible assigns.

Date: 3-13-2002


LEONARD STARKEY

GRANTOR

WARRANTY DEED - PAGE 1

By my signature below, I am conveying my homestead rights as set forth in Section 55-1007 of the Idaho Code and for no other purpose as I have no interest in the subject property.

Carla Starkey
CARLA STARKEY

SPOUSE OF GRANTOR

STATE OF IDAHO)
) §:
County of _____)

On this _____ day of _____, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared LEONARD STARKEY, dealing with his sole and separate property, known or identified 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 affixed my official seal the day and year in this certificate first above written.

(seal)

Notary Public for Idaho
Residing at: _____
My commission expires: ____/____/____

STATE OF IDAHO)
) §:
County of _____)

On this _____ day of _____, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared CARLA STARKEY, spouse of Grantor, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(seal)

Notary Public for Idaho
Residing at: _____
My commission expires: ____/____/____

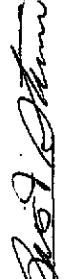
WARRANTY DEED - PAGE 2

EXHIBIT A

A parcel of land located in Government Lot 1, Section 31, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the brass cap, #5291, marking the Northwest corner of said Section 31, Township 4 North, Range 1 East, Boise Meridian, said point being also the point of beginning; thence North 89 degrees 59' 26" East along the North line of Government Lot 1 and the Northeast quarter of the Northwest quarter of said Section 31, a distance of 1423.56 feet to the Northeast corner of the West half of the Northwest quarter of the Northwest quarter of said Section 31; thence South 00 degrees 23' 56" West along the said East line of the West half of the West half of the Northeast quarter of the Northwest quarter of Section 31, a distance of 25.00 feet to a found #5 rebar and cap #4347; thence continuing South 00 degrees 23' 56" West along the said East line of the West half of the West half of the Northeast quarter of the Northwest quarter of Section 31, a distance of 1969.73 feet to a found #5 rebar and cap #4347 marking the Southeast corner of the West half of the Northwest quarter of the Southeast quarter of the Northwest quarter of said Section 31; thence South 89 degrees 57' 50" West along the South line of the said West half of the Northwest quarter of the Southeast quarter of the Northwest quarter and the South line of the North half of Government Lot 2, Section 31, a distance of 1393.57 feet to a found #5 rebar and cap #4347; thence continuing South 89 degrees 57' 50" West along the said South line of the North half of Government Lot 2, a distance of 25.00 feet to the Southwest corner of the said North half of Government Lot 2; thence North 00 degrees 15' 19" East along the West line of Government Lots 1 and 2 of said Section 31, a distance of 1150.10 feet; thence South 89 degrees 49' 50" East, a distance of 25.00 feet to a found #5 rebar/yellow plastic cap #4347; thence continuing South 89 degrees 49' 50" East, a distance of 459.45 feet to a #5 rebar/2" aluminum cap #5461; thence North 00 degrees 10' 22" East, a distance of 467.89 feet to a #5 rebar/2" aluminum cap #5461; thence North 89 degrees 49' 50" West, a distance of 458.77 feet to a #5 rebar/2" aluminum cap #5461; thence continuing North 89 degrees 49' 50" West, a distance of 25.00 feet to West line of Government Lot 1 of said Section 31; thence North 00 degrees 15' 20" East along the West line of Government Lot 1 of said Section 31, a distance of 377.36 feet to the point of beginning.

READ AND APPROVED BY




Brown, Kimberly

From: Shurte, Jan
Sent: Wednesday, January 11, 2006 8:33 AM
To: Brown, Kimberly
Subject: FW: Can't find your list of what agent to send this too....soooooo

Importance: High

Kimberly - these are your claimants - the Claim No. is 63-31537. Could you give them a call. Thanks, Jan

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

From: Smith, Danni
Sent: Tuesday, January 03, 2006 2:30 PM
To: Shurte, Jan; Harris, Lori
Subject: Can't find your list of what agent to send this too....soooooo
Importance: High

Can someone call Carla Starkey at 888-6873. They are an old couple, per the message. Thanks

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

From: Pew, Lori
Sent: Tuesday, January 03, 2006 1:22 PM
To: Smith, Danni
Subject: FW: Message from an unidentified caller
Importance: High

Hi Danni,

Would you please return this call!

Thank you,
Lori

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

From: Unified Messaging System - A003
Sent: Tuesday, January 03, 2006 12:58 PM
To: Pew, Lori
Subject: Message from an unidentified caller



VoiceMessage

January 11, 2006 @ 9:13 a.m.

I called # 888-6873 and spoke with Carla Starkey. She said that someone had already returned her call. I briefly explained why we sent out the Notice of Filing of the Director's Report information, so that Mrs. Starkey understood that this was just the next step in the process of her water right becoming decreed.

- Kimberly Brown
Sr. Water Resource Agent
Western Region

05/31/2005
RECEIVED

NOTICE OF ERROR

REPLY

JUN 21 2005

WATER RESOURCES
WESTERN REGION

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

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: July 15, 2005

Water right number: 63-31537

LEONARD R STARKEY
4660 N MERIDIAN RD
MERIDIAN ID 83642
Telephone Number: (208) 888-6873

CARLA STARKEY
4660 N MERIDIAN RD
MERIDIAN ID 83642
Telephone Number: (208) 888-6873

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 6-14-05 SIGNATURE: Carla J. Starkey

Please print your name: CARLA J. STARKEY

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

05/20/2005

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

RIGHT NUMBER: 63-31537

NAME AND ADDRESS: LEONARD R STARKEY
4660 N MERIDIAN RD
MERIDIAN ID 83642

CARLA STARKEY
4660 N MERIDIAN RD
MERIDIAN ID 83642

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.150 CFS
25.200 AFY

The total instantaneous diversion of water from all points of diversion under Rights 63-18934 and 63-31537 shall not exceed 0.32 cfs, nor total combined annual volume of 34.2 af.

PRIORITY DATE: 02/11/1977

POINT OF DIVERSION:

T04N R01E S31 NWNW Within ADA County

T04N R01E S31 NWNW 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	0.050 CFS 2.70 AFY
IRRIGATION	03/15 11/15	0.100 CFS 22.50 AFY

The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

PLACE OF USE: STOCKWATER Within ADA County

T04N R01E S31 Lot 1 NWNW

IRRIGATION Within ADA County

T04N R01E S31 Lot 1 NWNW 5.0

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

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

The right holder shall accomplish the change authorized by Transfer 70915 within one (1) year of the date of the approval.

This right is a split from former right 63-8439A.

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

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

11/19/2003

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

RIGHT NUMBER: 63-31537
NAME AND ADDRESS: LEONARD R STARKEY
4660 N MERIDIAN RD
MERIDIAN ID 83642

CARLA STARKEY
4660 N MERIDIAN RD
MERIDIAN ID 83642

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.150 CFS
25.200 AFY
PRIORITY DATE: 02/11/1977
POINT OF DIVERSION:

T04N R01E S31 NENW 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	0.050 CFS 2.70 AFY
IRRIGATION	03/15 11/15	0.100 CFS 22.50 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 R01E S31 Lot 1 NWNW 5.0
IRRIGATION Within ADA County
T04N R01E S31 Lot 1 NWNW 5.0

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

Use of this right is combined with water from Settlers Irrigation District.

Stockwater use is for 150 range cattle.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31537 V1

WATER RIGHT NUMBER: 63-31537 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LEONARD R STARKEY 4660 N MERIDIAN RD MERIDIAN, ID 83642
Current Owner	CARLA STARKEY 4660 N MERIDIAN RD MERIDIAN, ID 83642

Priority Date: 02/11/1977

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.050 CFS	2.70 AF
IRRIGATION	03/15 to 11/15	0.100 CFS	22.50 AF
	<u>Total Diversion:</u>	0.150 CFS	25.20 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4	Sec. 31, Twp 04N, Rge 01E, B.M.
ADA County		

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	31						5.0											5.0
								L 1											

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	31						5.0											5.0
								L 1											

Total Acres: 5

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31537 V1

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. W54 Use of this right is combined with water from Settlers Irrigation District.
3. X02 Stockwater use is for 150 range cattle.

Remarks:

1. Purpose of Use 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.

Comments:

1. kbrown 7/17/2003 Split

Comment: This claim is the result of a split due to change in ownership for a portion of 63-8439A.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

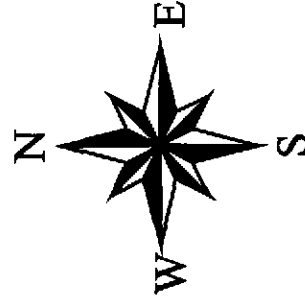
Idaho Department of Water Resources

**T04N, R01E,
S31**

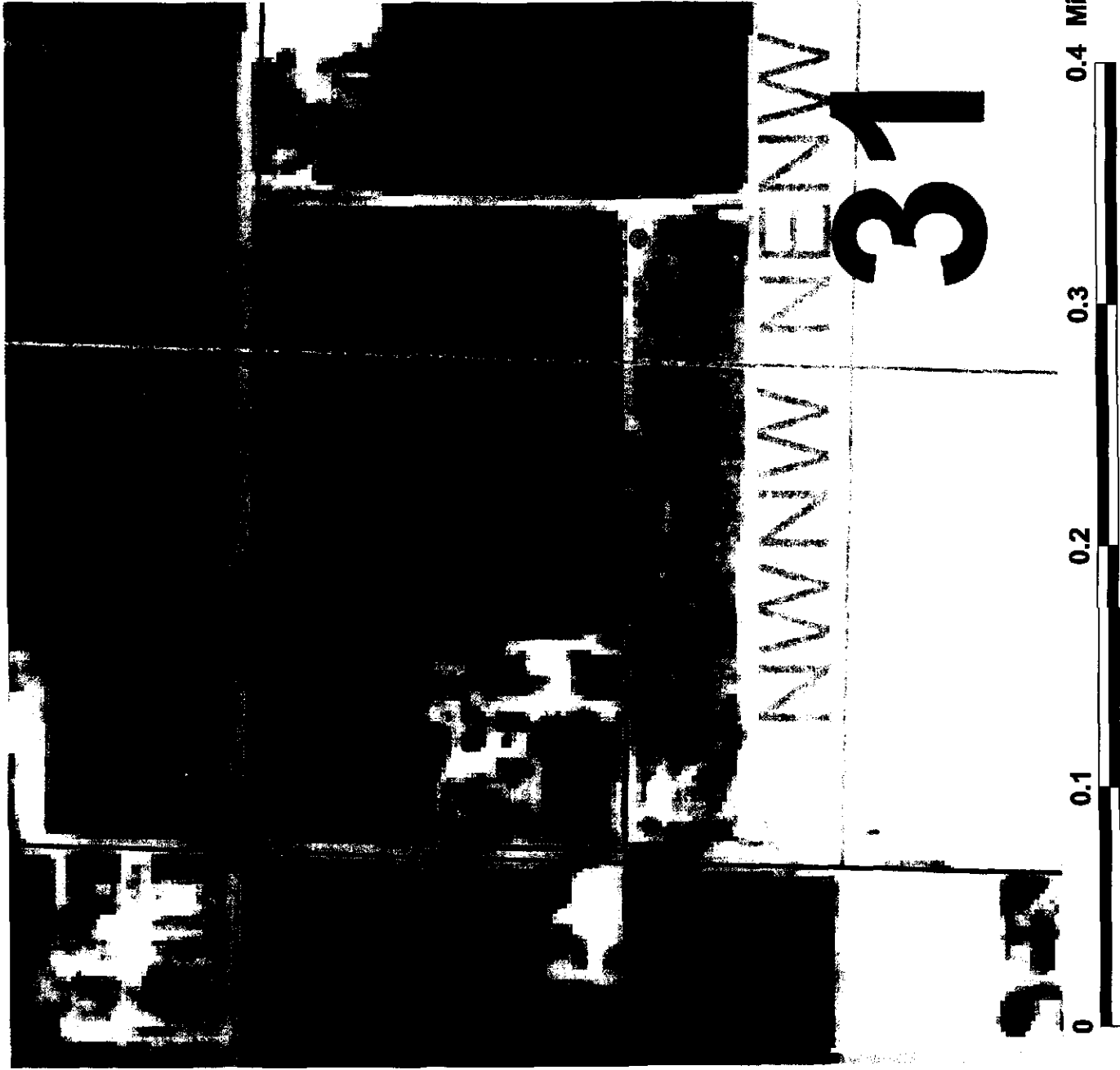
Claim No: 63-31537
Prepared By: Kimberly Brown
Date: July 16, 2003

- Point of Diversion
- Place of Use
- Section Lines
- 1/4 1/4

Acres Irrigated = 5.0



1987 NAPP



Idaho Department of Water Resources

**T04N, R01E,
S31**

Claim No: 63-31537

Prepared By: Kimberly Brown

Date: July 16, 2003

● Point of Diversion

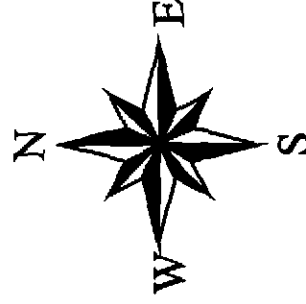


Place of Use

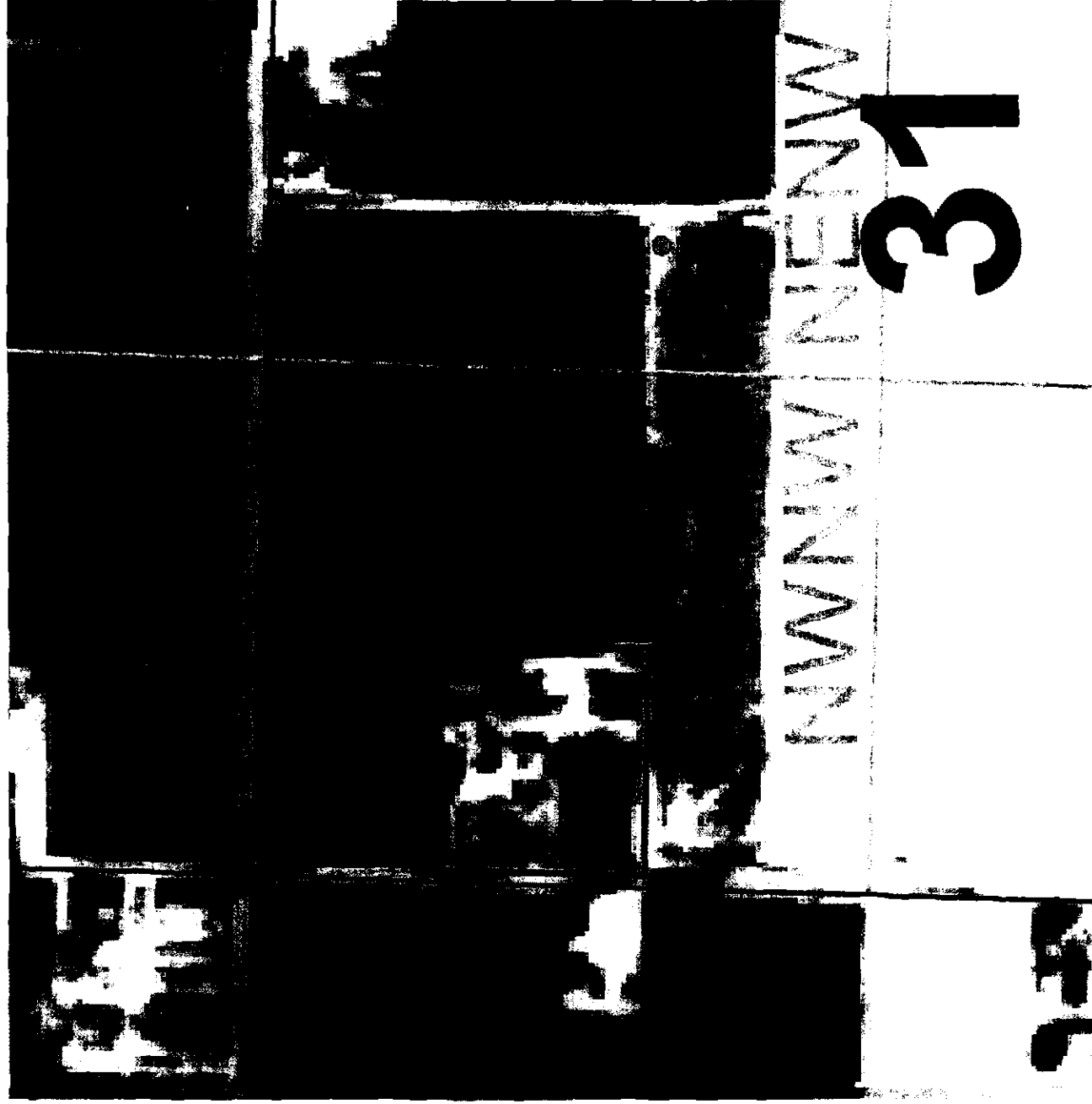


Section Lines

1/4 1/4



1987 NAPP



0.4 Miles

0.3

0.2

0.1

0

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31537

WATER RIGHT NUMBER: 63-31537 ✓

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LEONARD R STARKEY ✓ 4660 N MERIDIAN RD MERIDIAN, ID 83642
Current Owner	CARLA STARKEY ✓ 4660 N MERIDIAN RD MERIDIAN, ID 83642

Priority Date: 02/11/1977 ✓
 Basis: License ✓
 Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER ✓	01/01 to 12/31 ✓		0.050 CFS ✓	2.70 AF ✓
IRRIGATION ✓	03/15 to 11/15 ✓		0.100 CFS ✓	22.50 AF ✓
	<u>Total Diversion:</u>		0.150 CFS ✓	25.20 AF ✓

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4 ✓	Sec. 31, Twp 04N, Rge 01E, B.M. ✓
ADA County ✓		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	01E	31	NE	NW	SW	SE	5.0
				5.0			5.0
				L1			

Total Acres: 5

STOCKWATER same as IRRIGATIONConditions of Approval:

ADD W54 - Use of right combined w/ Settlers Irr.

Remarks:

ADD S04 - Season of use is 3/1 to 11/15.

1. General This claim is the result of a split due to change in ownership for a portion of 63-8439A. DH
8/27/2002

Comments:

ADD X02 - Stockwater use is for 150 range cattle.

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31537

Dates and Other Information:

Claim Received Date: 9/7/1989

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

* electronic back file not available

Field Exam Date 11.17.03

(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 N/A
- ☒ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information Gov't. lot 1
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant N/A

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) 63-31537

Owner: Carla and Leonard Starkey Phone No. _____

Current Address: 4660 N. Meridian Rd., Meridian 83642

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

Accompanied by: N/A

PRIORITY DATE

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

Priority date, per claimant, is: _____

(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 Field Report for 63-08439 (attached)**OVERLAP REVIEW**Other water rights with the same point of diversion: 63-18934, 63-31538

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

WATER USES☒ No change☐ Different Uses

Season of use is 3/1 to 11/15 per new DWR Stand-
ard.
See shoulder remarks.

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

TOTAL VOLUME - Groundwater only

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

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

Types _____ Additional comments: _____

PLACE OF USE:☐ No Change☒ Changes shown below:Government lot 1

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

Use of this right is combined with water from
Setters Irrigation District.

This claim is the result of a split due to change
in ownership for a portion of 63-8439A.

AFTER EXAM THE FILE SHOULD CONTAIN:

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

DATE EXAM CONDUCTED: 11.17.03 (in office)

FIELD EXAMINER: Kimberly Brown



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

August 29, 2002

LEONARD R STARKEY
CARLA STARKEY
4660 N MERIDIAN RD
MERIDIAN ID 83642

Re: Original Notice of Claim to a Water Right No. 63-8439A

Renumbered to Notice of Claim to a Water Right No. 63-31537

Dear Claimant(s):

We have received and processed a Change of Ownership for a portion of your original Claim to a Water Right Number as referenced above. This change of ownership resulted in a split of your original claim.

When a portion of the original water right claim has been conveyed to another and the original right has been split, then the original claim number is renumbered by issuing a new water right number to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new water right number reflects your remaining portion of the original claim after the change of ownership. Enclosed is a copy of this new claim for your records. Please refer to your new claim number when corresponding with our office.

If you have any questions concerning this ownership change, or the enclosed claim copy, please feel free to contact this office.

Sincerely,

Denise Hatfield
Office Specialist I
Adjudication Section
Western Region Office

DH: dh

Enclosure

Jones ♦ Gledhill ♦ Hess ♦ Andrews ♦ Fuhrman
Bradbury & Eiden, P.A.
A T T O R N E Y S A T L A W

Stephen A. Bradbury

August 23, 2002

RECEIVED

AUG 26 2002

WATER RESOURCES
WESTERN REGION

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

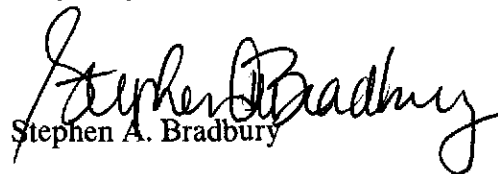
RE: *Notice of Change in Water Right Ownership*

Dear Sirs:

Enclosed please find a Notice of Change in Water Right Ownership pertaining to Water Right No. 63-8439A, together with a copy of the deed by which the new owner, Steiner Development, LLC, took title to the property and also together with a survey map showing the new ownership. Leonard Starkey continues to own Parcel 1 consisting of 5.2 acres and Steiner Development now owns Parcel 2 consisting of approximately 55 acres. The entire 55 acres in Steiner Development's ownership constitute the place of use. The point of diversion is unchanged from that which has previously been reported.

In the event you are in need of additional information, please feel free to contact the undersigned.

Very truly yours,


Stephen A. Bradbury

SAB:am
Enclosures
Cc: Louis Steiner

Form 7874 # of pages 4
 From Rita
 Co.
 Phone #
 Fax #

of Idaho
 f Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-8439 Priority February 11, 1977 Amount 1.97 cfs

THIS IS TO CERTIFY, that CALA &/or LEONARD R. STARKEY
 of Meridian, Idaho, has complied with the terms and conditions of Permit
 No. 63-8439 issued pursuant to Application for Permit dated February 11, 1977,
 and has submitted proof to the Department of Water Resources on April 14, 1977,
 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 2.0 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:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>March 15</u> to <u>November 15</u> at	<u>1.92 cfs</u> and	<u>432 acre feet</u>
Stockwater	from <u>January 1</u> to <u>December 31</u> at	<u>0.5 cfs</u> and	<u>2.7 acre feet</u>
	from _____ to _____ at _____ cfs and		

(both dates inclusive)

Subject, however, to the condition that no more than 1.97 cfs of water be diverted at any one time, and
 that the amount of water so diverted and to which such right is entitled and confirmed for the purpose
 aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
434.7 acre feet per year, said waters to be diverted within the NE&NW, Sec. 31, Twp. 4N,
Rde. 1E, S.M. in the County of Ada

Description and location of place of use:

Twp.	Range	Sec.	NE				NW				SW				Totals
			NE	NW	SE	SW	NE	NW	SE	SW	NE	NW	SE	SW	
4N	1E	31					7	32	17	4					60
4N	1W	36	36												36

Total number of acres irrigated 96

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.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
 Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
 herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 24 day of
July, 19 81.

[Signature]
 Director

MICROFILMED

AUG 24 1992

63-8439A

Starkey 63-31537

NWNW 5

5

63-31538

Steiner Development

NENW 7

NWNW 27

SWNW 17

SENW 4

55

IRR .1 CFS 22.5 AFA

stock .05 2.7

.15

25.2 AFA

1.1 CFS 247.5 AFA

1.1

247.5 AFA

9.7.89

FIELD REPORT

1. Name of permit holder Cala &/or Leonard R. Starkey
Post office address 4660 N. Meridian Rd., Meridian, ID Phone 888-2078
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 2.00 c.f.s. for Irrigation
 AF/Annum (nature of use)

Period of Use: from Apr. 1 to Oct. 31
(mo.-day) inclusive (mo.-day)

Amount 0.05 c.f.s. for Stockwater (150 head stock)
AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses:

4. Total amount to be appropriated:

Max Rate of Diversion 2.00 cubic feet per second and annual volume _____ AF/Annum.

- 5. Location of Point(s) of Diversion:**

Township 4N N/S, Range 1E E/W, B.M., Section 31, Subdivision NE 1/4 NW 1/4, Ada County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____
County _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____
County _____

Other Points of Diversions:

Description of diverting works: 15 hp turbine pump in 12' cased well 103' deep, discharges water into ditches for flood irrigation

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

95.9 115

Rge. 1W

Rge. 1E

T
4
N

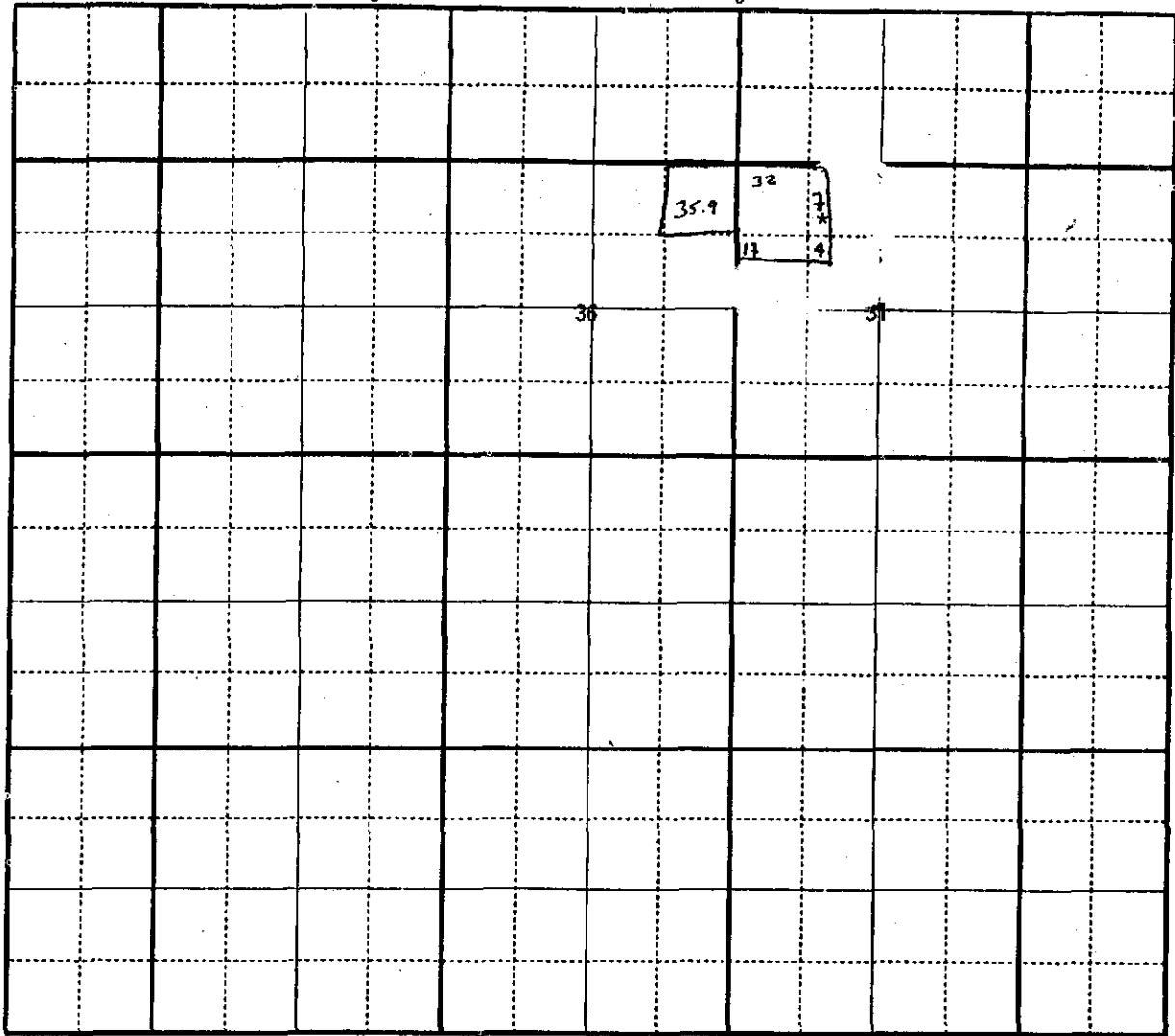
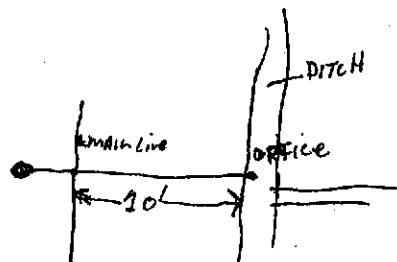


Diagram of System



RECEIVED
MAY 1961

DATE
ACR

DATE OF EXAM 4 Aug 1980

ACREAGE
Found 95.9
Recommended 96 ✓

Irrigation Requirement 4.5 ✓ Ac Ft/Ac

USE
Irrigation Q = 1.92 ✓ c.f.s. V = 432 ✓ AF/Ann. from 3/15 to 22/25
Domestic Q = 0.5 c.f.s. V = 2.7 ✓ AF/Ann. from 1-2 to 12/32
Livestock Q = 0.5 c.f.s. V = 2.7 ✓ AF/Ann. from 1-2 to 12/32
1.97 434.7

Is water co-mingled? yes no
Name source: SF 777000
Twp. N/S, Rge E/W, B.M., Sec. Sub. 1/4 1/4 County

Exchange? yes no
Name source exchanged with:
Twp. N/S, Rge E/W, B.M., Sec. Sub. 1/4 1/4 County

Point of injection:
Twp. N/S, Rge E/W, B.M., Sec. Sub. 1/4 1/4 County

Point of exchange:
Twp. N/S, Rge E/W, B.M., Sec. Sub. 1/4 1/4 County

Total Q measured 2.00 cfs Method of measurement OFFICE P. PIEZOMETER
1.92
Total Q recommended 2.00 Meter No. Type Piezometer tube Condition Good
Total V recommended 434.7

Recommended Amendments:
P.D.
Place of Use
Other
None X

MEASUREMENT CALCULATION:
53 SX6 OFFICE - 896 gpm = (2.00 cfs) Capacity
448.0

Allow .02 cfs/Ac 96 Ac x .02 = 1.92
V = 96 x 4.5 = 432 1.92 x 1.9835 x 245 = 933.0

SYSTEM DESCRIPTION:
Pump 1275 GATED pipe & DITCH
9 E 15 hp # 515 718 330 Pump Vert. Line 37770356

REMARKS:
Recommend beneficial use for stock and irrigation

Examiner's Signature Carl P. Mann Date 4 Aug 1980
Checked by DBS Date 8/26/80
Approved by [Signature] Date 6/16/81
MAILED 6 1982

