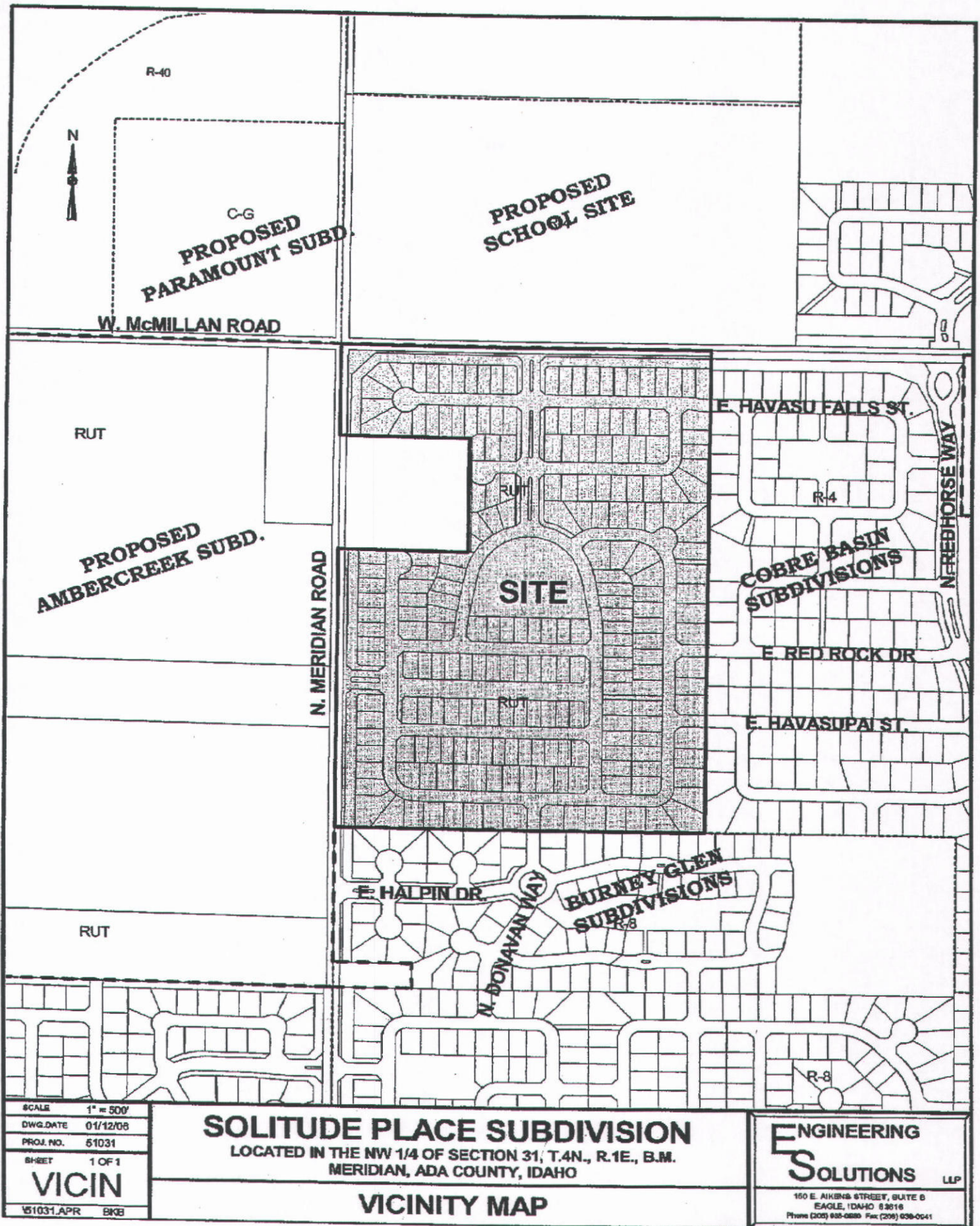




Idaho Department of Water Resources

T04N, R01E,
S31

Claim No: 63-31538
Prepared By: Kimberly Brown
Date: July 17, 2003

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

Acres Irrigated = 55.0



1987 NAPP

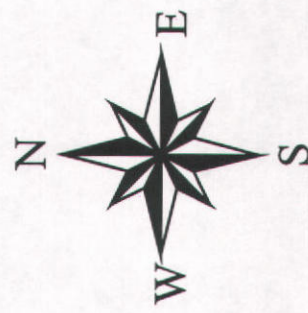


Idaho Department of Water Resources

T04N, R01E,
S31

Claim No: 63-31538
Prepared By: Kimberly Brown
Date: July 17, 2003

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



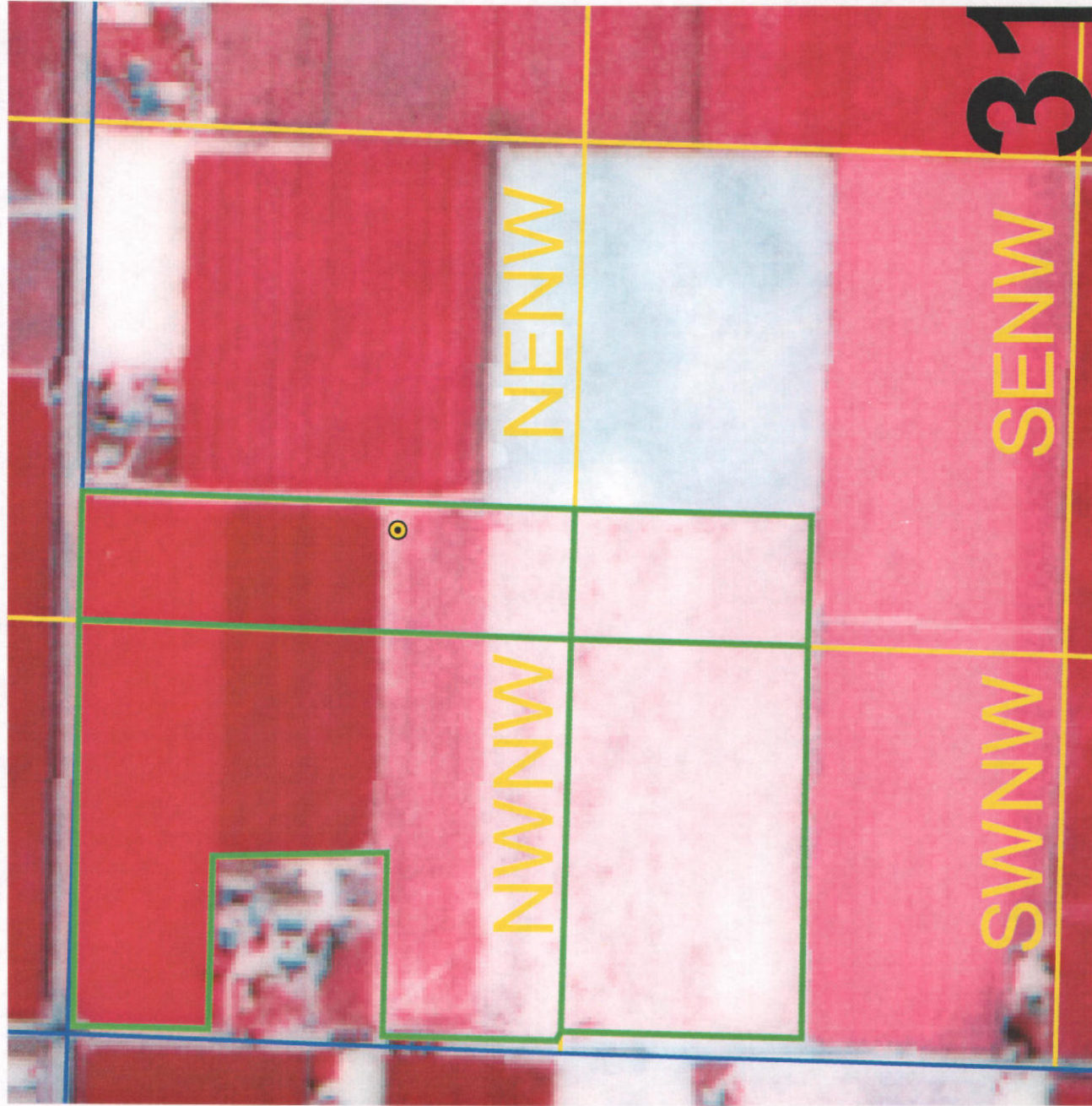
1987 NAPP



Idaho Department of Water Resources

T04N, R01E, S31

Claim No: 63-31538
Prepared By: Kimberly Brown
Date: July 17, 2003

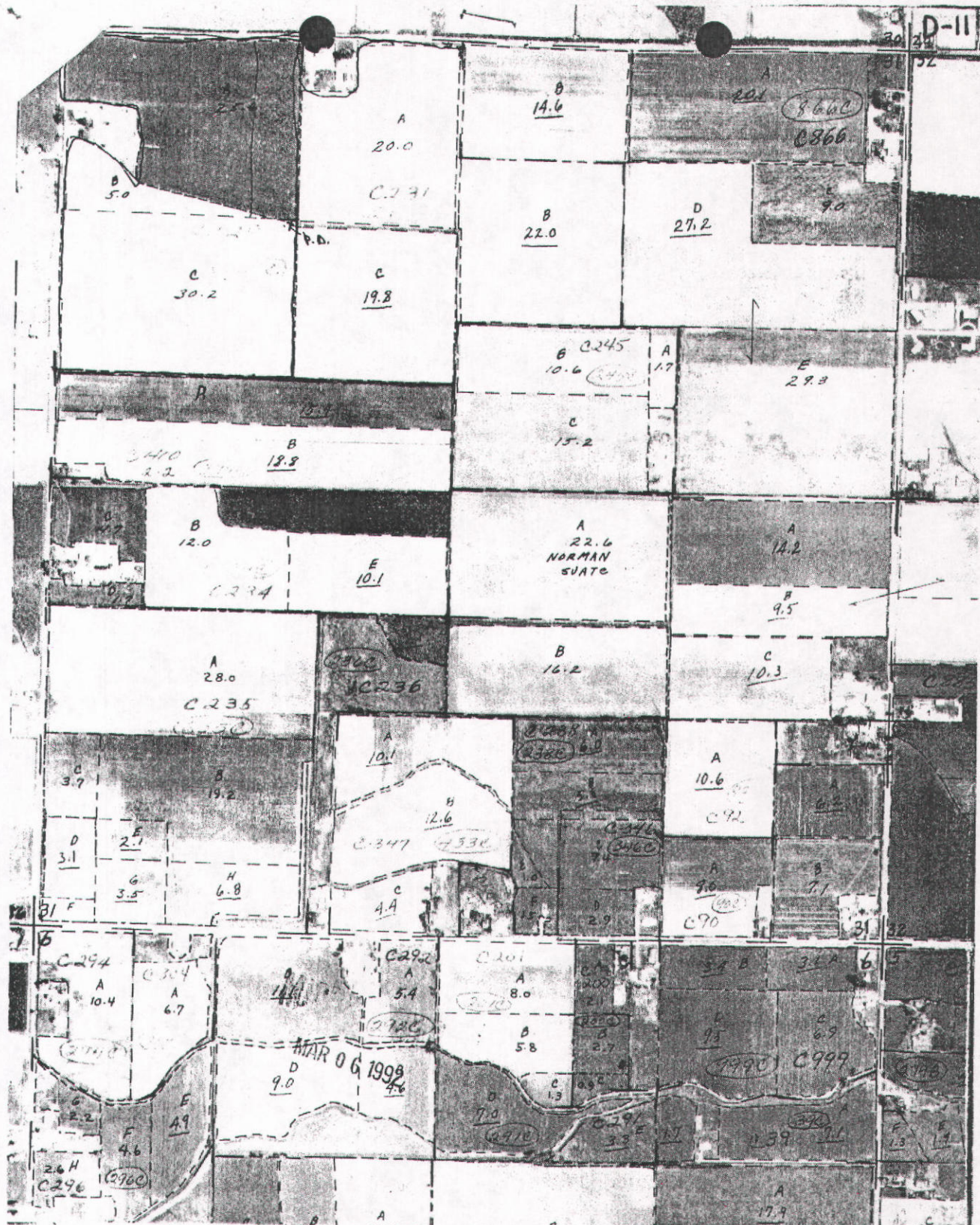


- Point of Diversion
- Place of Use
- Section Lines
- 1/4 1/4



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 63-31538
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)

STEINER DEVELOPMENT LLC
554 E BELLEVUE RD
SUITE B
ATWATER CA USA 95301

Phone: (209) 357-8761

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	1.1	247.5

7. Total Quantity Appropriated is:
1.1 C.F.S. and/or 247.5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01E	31	NE	NW	IRRIGATION	7
			SW	NW	IRRIGATION	17
			SE	NW	IRRIGATION	4
			NW	NW	IRRIGATION	27
					Section Acres	55
					Total Acres	55

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
63-8439A	63-8439 A	X			

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
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.

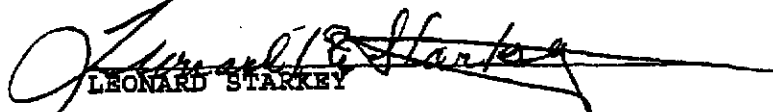
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns, in fee simple, subject to the following: all reservations in patents or state grants or in the laws authorizing the issuance thereof; the bonded debt of all taxing units; all zoning requirements 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: 3-13-2003


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: ____/____/____

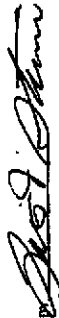
WARRANTY DEED - PAGE 2

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 West half of the Northeast 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, 2 and 3 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




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	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~~

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

RIGHT NUMBER: 63-31538

NAME AND ADDRESS: SOLITUDE DEVELOPMENT LLC
701 S ALLEN ST STE 103
MERIDIAN ID 83642

~~STEINER DEVELOPMENT LLC~~
~~554 E BELLEVUE RD STE B~~
~~ATWATER CA 95301~~

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.130 CFS
249.050 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>
IRRIGATION	03/15 11/15	1.100 CFS 247.50 AFY
STOCKWATER	01/01 12/31	0.030 CFS 1.55 AFY

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

PLACE OF USE: IRRIGATION Within ADA County

T04N R01E S31	NENW	10.00	T04N R01E S31 Lot 1 NWNW	25.00
T04N R01E S31 Lot 2	SWNW	15.00	T04N R01E S31	SENW 5.00

STOCKWATER same as IRRIGATION

55 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

Stockwater use is for 86 range cattle.

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

In Re SRBA

Case No. 39576

Water Rights: 63-31538

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following administrative proceeding:

- ☐ Address change
- XX Substitution of Party
- ☐ IC § 42-222 transfer
- ☐ Point of diversion ☐ Place of use
- ☐ Period of use ☐ Nature of use
- ☐ Split of water right ☐ Change in ownership
- ☐ Other
- ☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: July 14, 2006



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on July 14, 2006, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Solitude Development LLC
701 S Allen St Ste 103
Meridian ID 83642

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Steiner Development LLC
554 E Bellevue Rd Ste B
Atwater CA 95301

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

JAMES E. RISCH
Governor

KARL J. DREHER
Director

July 14, 2006

SOLITUDE DEVELOPMENT LLC
701 S ALLEN ST STE 103
MERIDIAN ID 83642

Re: Water Right No. 63-31538

Dear Sir or Madam:

Enclosed is a copy of the above referenced water right, which reflects the change in ownership of the land and appurtenant water rights, covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the Snake River Basin Court as notification of the change.

If you have any questions concerning the enclosed water right, please feel free to contact this office.

Sincerely,

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region Office

LH:l
Enclosures

cc: Steiner Development, Scott King-SPF Water Engineering

RECEIVED

JUL 06 2006

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

WATER RESOURCES
WESTERN REGION

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-31538	63-31538				

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

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

OR

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

3. Name and Address of Former Owner/Claimant(s) STEINER DEVELOPMENT LLC
554 E BELLEVUE RD STE B ATWATER, CA 95301
4. New Owner/Claimant(s) SOLITUDE DEVELOPMENT LLC
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 701 S ALLEN ST STE 103
- City, State and ZIP Code MERIDIAN ID 83642
- New Telephone Number (208) 433-8800
5. Date you acquired the property FEBRUARY 1, 2006

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

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

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

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

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

For Office Use Only

Received by _____ Date _____ Fee N/A
 Received by _____ Date _____ Receipt No. _____
 Processed by AJ Date 7-11-06 WR _____ Date _____

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

RECEIVED

JUN 23 2006

WATER RESOURCES
WESTERN REGION

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-31538	63-31538				

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

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

OR

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

3. Name and Address of Former Owner/Claimant(s) STEINER DEVELOPMENT LLC
554 E BELLEVUE RD STE B ATWATER, CA 95301
4. New Owner/Claimant(s) SOLITUDE DEVELOPMENT LLC
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 701 S ALLEN ST STE 103
- City, State and ZIP Code MERIDIAN ID 83642
- New Telephone Number (208) 433-8800
5. Date you acquired the property FEBRUARY 1, 2006

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

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

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

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

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

For Office Use Only

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

ADA COUNTY RECORDER J. DAVID HANFORD
BOULEVARD OFFICE 842H PM
DEPUTY COUNTY RECORDER
RECORDED - REQUEST OF
Hoffer

AMOUNT 1.00 3



3

265838 Sam/HH



8151 W. Siberian Ave. / Boise
Idaho 83704 / (208) 377-2780

WARRANTY DEED

For Value Received **Stellar Development, LLC** a Idaho limited liability company

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

Stellar Development, LLC, an Idaho limited liability company

hereinafter referred to as Grantee, whose current address is 784 Allen Street #104, Meridian, ID 83442
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 the whole 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 subject to the exceptions, reservations, restrictions and limitations contained in that certain Warranty Deed recorded March 14, 2002 as Instrument No. 180820673, record of Ada County, Idaho, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: February 1, 2006

Stellar Development, LLC

By: [Signature]
Louis J. Stiller, Manager

STATE OF California, County of _____

On this _____ day of _____, in the year of 2006, before me the undersigned, a notary public, personally appeared Louis J. Stiller, known or identified to be one of the member(s)/manager(s) in a limited liability company of Stellar Development LLC and the member(s)/manager(s) who subscribed said limited liability company name in the foregoing instrument, and acknowledged to me that he/she/they executed the same in said limited liability company name.

See attached

Notary	Public	of
Residing		at
Commission		expires

STATE OF CALIFORNIA }
COUNTY OF MERCED } S.S.

On February 1, 2006, before me, Annette Heikkila, a Notary Public, in and for said County and State, personally appeared Louis J. Steiner personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature

Annette Heikkila



N1385822.49 E2306968.86 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:

N89.5925E
1423.56

S00.2356W
25.00

S00.2356W
1968.73

S89.5750W
1393.57

S89.5750W
25.00

N00.1519E 1350.10

S89.4950E
25.00

S89.4950E
459.45

N00.1022E
467.89

N89.4950W
458.77

N89.4950W
25.00

N00.1520E
377.36

Commencing at the brass cap #3291, 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 59'25" 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 West half of the Northeast 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 1968.73 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 1350.10 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

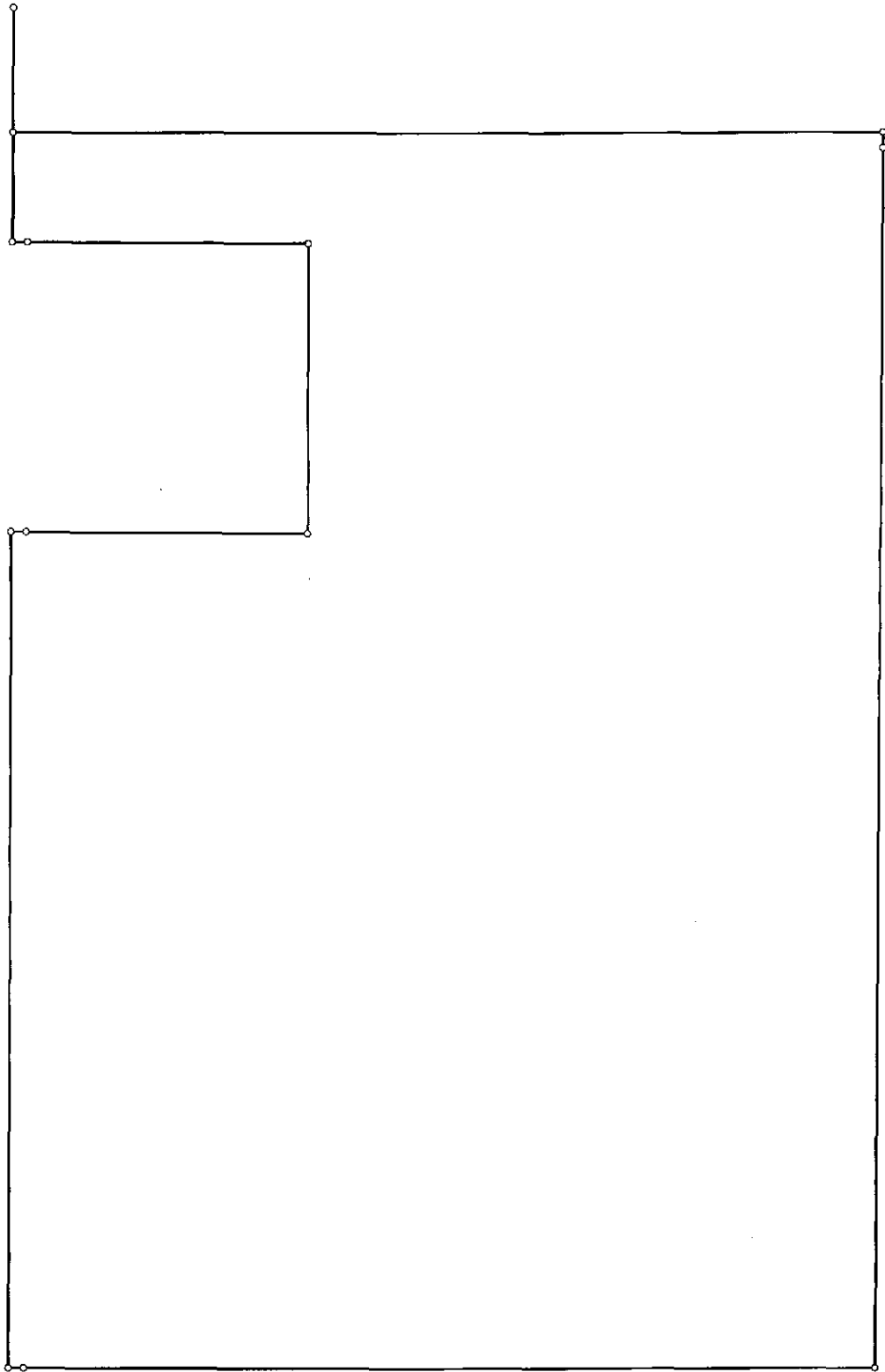
South 89 degrees 49'50" East, a distance of 459.45 feet to a #5 rebar/2" aluminum cap #3461; thence

North 00 degrees 10'22" East, a distance of 467.89 feet to a #5 rebar/2" aluminum cap #3461; thence

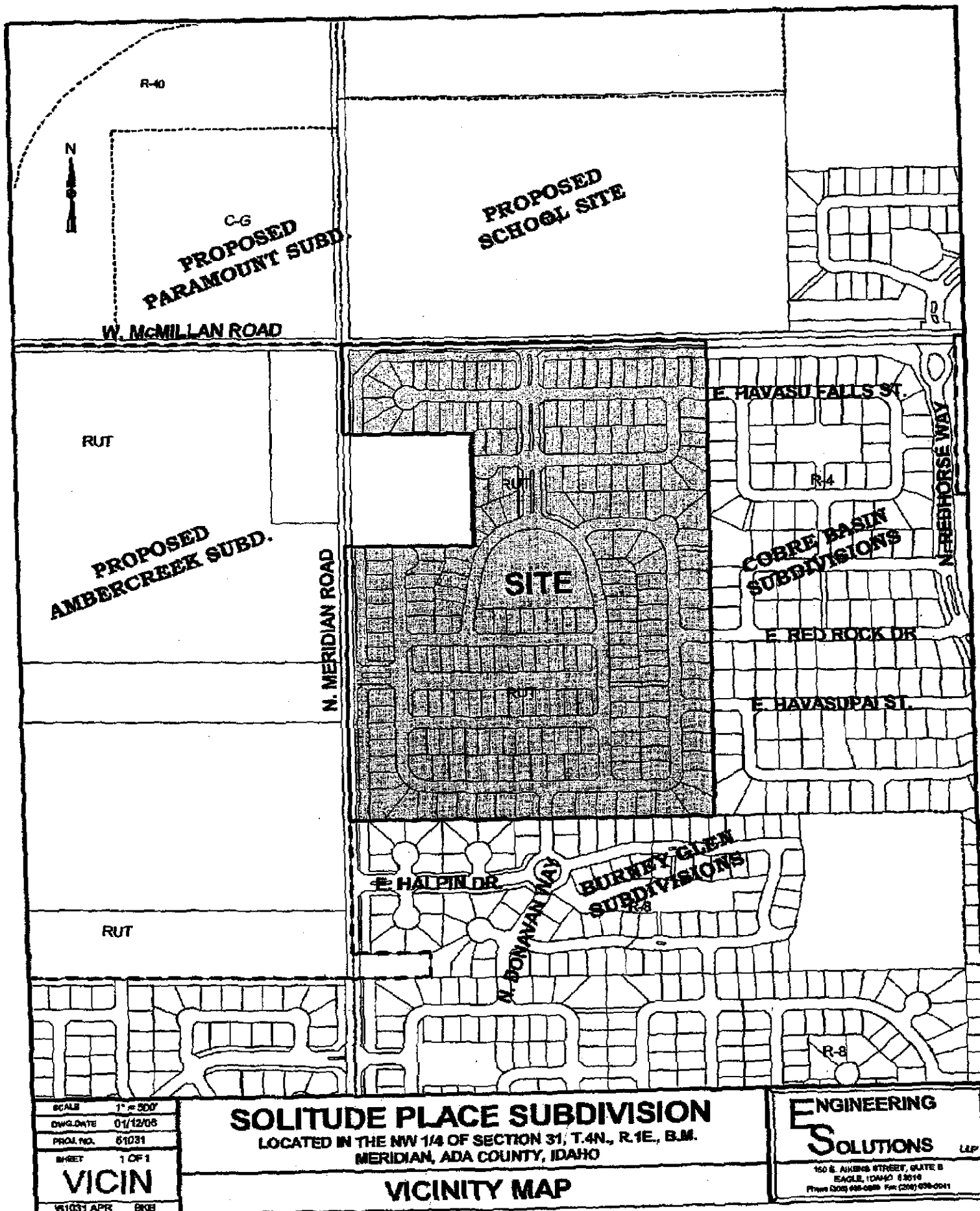
North 89 degrees 49'50" West, a distance of 458.77 feet to a #5 rebar/2" aluminum cap #3461; thence continuing

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.



Title:		Date: 07-10-2006
Scale: 1 inch = 277 feet	File: 63-31538.des	





IDAHO SECRETARY OF STATE

Viewing Business Entity

Ben Ysursa, Secretary of State

[[New Search](#)] [[Back to Summary](#)]
[[Get a certificate of existence for SOLITUDE DEVELOPMENT, LLC](#)]

SOLITUDE DEVELOPMENT, LLC

701 S ALLEN ST STE 103
MERIDIAN, ID 83642

Type of Business: LIMITED LIABILITY COMPANY

Status: EXISTING 11 Jan 2006

State of Origin: IDAHO

Date of 11 Jan 2006

Origination/Authorization:

Current Registered Agent: E DON HUBBLE
701 S ALLEN ST STE 103
MERIDIAN, ID 83642

File Number: W46313

Date of Last Annual Report:

Amendments:

Amendment filed 11 Jan 2006 ARTICLES OF
ORGANIZATION

[View Document](#)
[Online](#)
[Download \(TIFF](#)
[format\)](#)

[Idaho Secretary of State's Main Page](#)

[State of Idaho Home Page](#)

Comments, questions or suggestions can be emailed to: sosinfo@sos.idaho.gov



SPF Water Engineering, LLC
water resource consultants

RECEIVED

JUL 06 2006

WATER RESOURCES
WESTERN REGION

July 5, 2006

Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

Attention: Jan Shurte

Subject: Ownership Change for 63-31538

Dear Jan,

Enclosed on behalf of Solitude Development LLC is an ownership change form with original signature. Please contact me with any questions or requests for additional information.

Sincerely,

Scott N. King, P.E.
Senior Project Engineer

cc: Shari Stiles / Engineering Solutions

File: 451.0060



SPF Water Engineering, LLC
water resource consultants

RECEIVED

JUN 23 2006

WATER RESOURCES
WESTERN REGION

June 23, 2006

Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

Attention: Jan Shurte

Subject: Ownership Change for 63-31538

Dear Jan,

Enclosed on behalf of Solitude Development LLC is an ownership change form and supporting documents for the water right identified above. E. Don Hubble, registered agent for Solitude Development LLC, has signed the form. Please contact me with any questions or requests for additional information.

Sincerely,

Scott N. King, P.E.
Senior Project Engineer

cc: Becky McKay / Engineering Solutions

File: 451.0060

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

RIGHT NUMBER: 63-31538

NAME AND ADDRESS: STEINER DEVELOPMENT LLC
554 E BELLEVUE RD
STE B
ATWATER CA 95301

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.130 CFS
249.050 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>
IRRIGATION	03/15 11/15	1.100 CFS 247.50 AFY
STOCKWATER	01/01 12/31	0.030 CFS 1.55 AFY

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

PLACE OF USE: IRRIGATION Within ADA County

T04N R01E S31 NENW 10.0

T04N R01E S31 Lot 1 NWNW 25.0

T04N R01E S31 Lot 2 SWNW 15.0

T04N R01E S31 SENW 5.0

STOCKWATER same as IRRIGATION

55 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 86 range cattle.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31538 V1

WATER RIGHT NUMBER: 63-31538 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CARLA STARKEY 4660 N MERIDIAN RD MERIDIAN, ID 83642 (208) 888-6873
Original Owner	LEONARD R STARKEY 4660 N MERIDIAN RD MERIDIAN, ID 83642 (208) 888-6873
Current Owner	STEINER DEVELOPMENT LLC 554 E BELLEVUE RD STE B ATWATER, CA 95301 (209)357-8761

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>
IRRIGATION	03/15 to 11/15	1.100 CFS	247.50 AF
STOCKWATER	01/01 to 12/31	0.030 CFS	1.55 AF
	<u>Total Diversion:</u>	1.130 CFS	249.05 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
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	31					10.0	25.0	15.0	5.0									55.0
								L 1	L 2										

Total Acres: 55

STOCKWATER same as IRRIGATIONConditions of Approval:

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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31538 V1

3. X02 Stockwater use is for 86 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 Right

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

2. kbrown 7/17/2003 Stockwater Use

Comment: When 63-08439 was split, stockwater use was not divided into parts A & B, but remained with A only. Therefore, calculations were made splitting this use between 63-8439A & B, and ultimately between 63-31537 & -31538. Refer to my Adjudication Field Report located in the file (dated 7/14/03).

Idaho Department of Water Resources

T04N, R01E,
S31

Claim No: 63-31538
Prepared By: Kimberly Brown
Date: July 17, 2003

● Point of Diversion



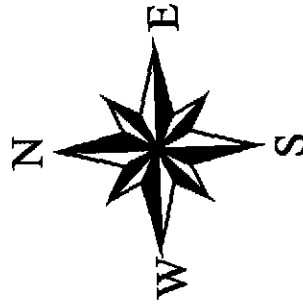
Place of Use



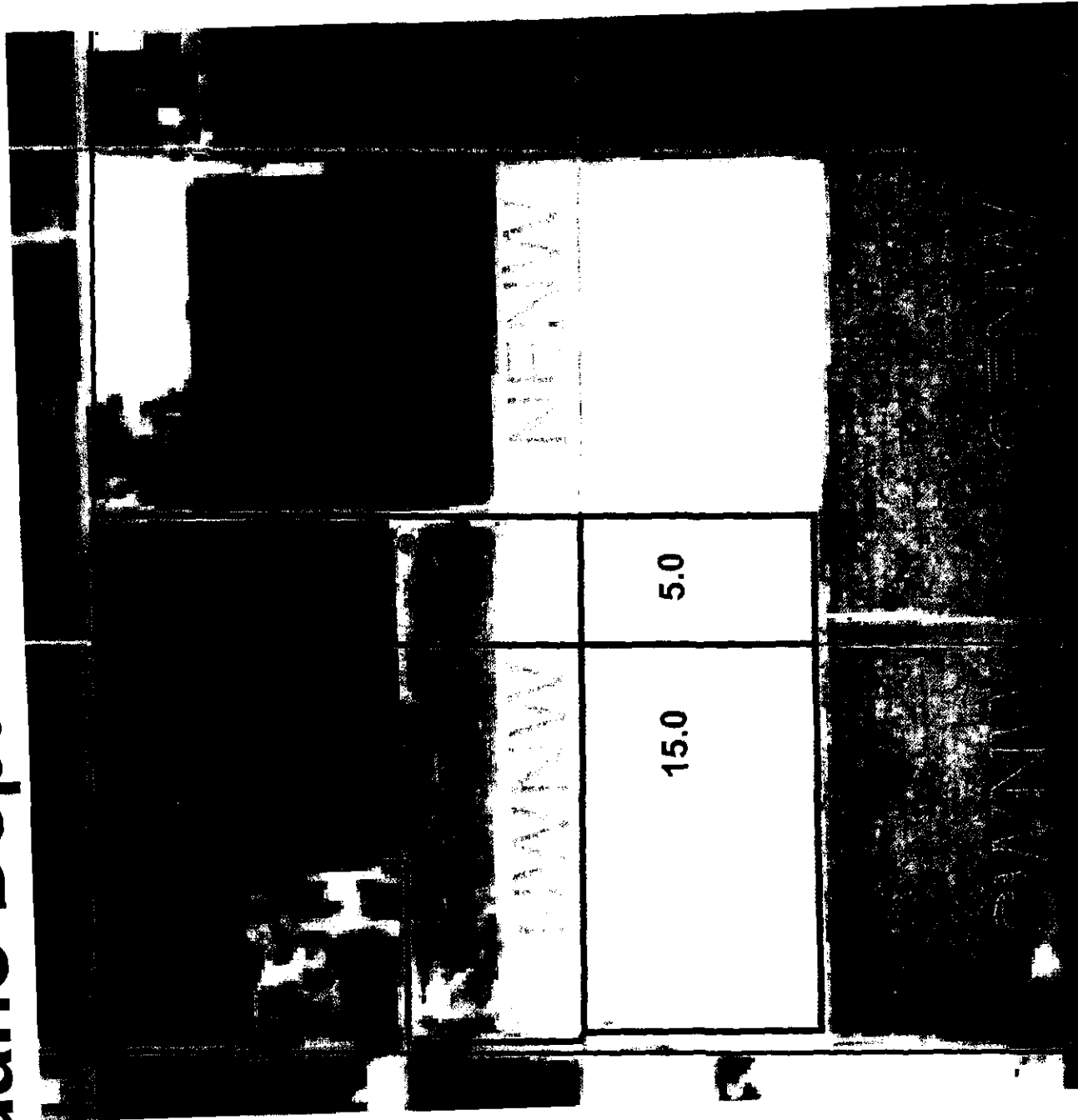
Section Lines

1/4 1/4

Acres Irrigated = 55.0



1987 NAPP



0.4 Miles

0.3

0.2

0.1

0

Idaho Department of Water Resources

T04N, R01E,
S31

Claim No: 63-31538
Prepared By: Kimberly Brown
Date: July 17, 2003

● Point of Diversion



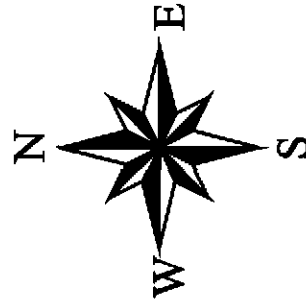
□ Place of Use



□ Section Lines



1/4 1/4



1987 NAPP



0 0.1 0.2 0.3 0.4 Miles



Idaho Department of Water Resources

T04N, R01E,
S31

Claim No: 63-31538
Prepared By: Kimberly Brown
Date: July 17, 2003

● Point of Diversion



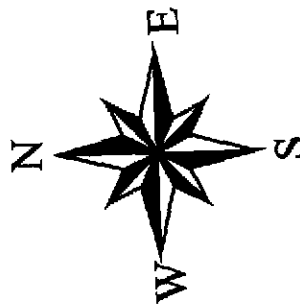
Place of Use



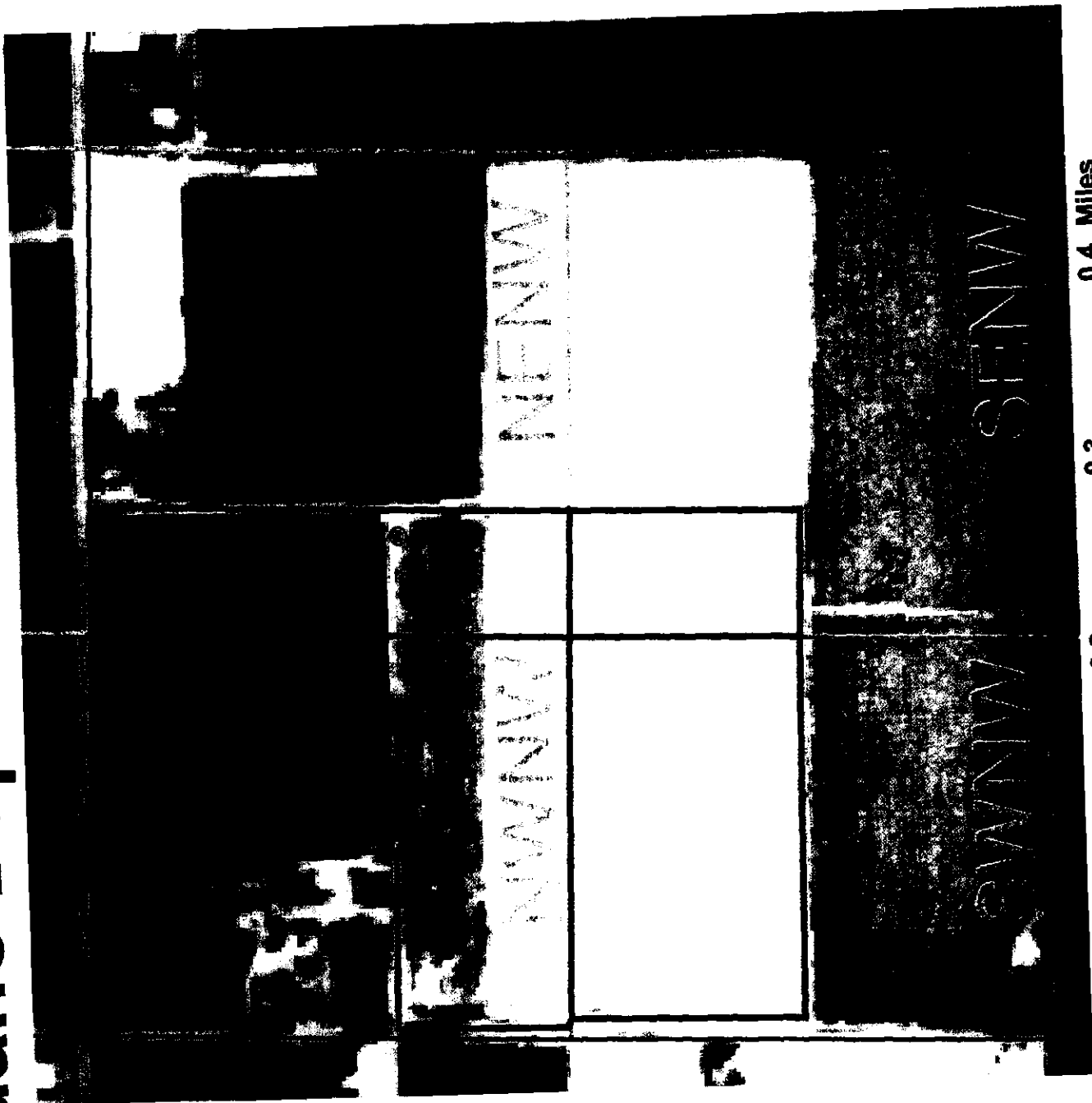
Section Lines



1/4 1/4



1987 NAPP



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31538

WATER RIGHT NUMBER: 63-31538

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CARLA STARKEY ✓ 4660 N MERIDIAN RD MERIDIAN, ID 83642
Original Owner	LEONARD R STARKEY ✓ 4660 N MERIDIAN RD MERIDIAN, ID 83642
Current Owner	STEINER DEVELOPMENT LLC ✓ 554 E BELLEVUE RD SUITE B ATWATER, CA 95301 (209) 357-8761

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>
IRRIGATION	03/15 to 11/15	1.100 CFS ✓	247.50 AF ✓
Stockwater	1/1 to 12/31	0.03 ✓	1.55 ✓
	<u>Total Diversion:</u>	~~1.100 CFS~~ ✓	~~247.50 AF~~ ✓
		1.13	249.05

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

According to 2002 Tax lot information.

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	01E	31	NE	NW	SW	SE	55.0 ✓
			10	25	15	5	
			✓	✓	✓	✓	
			L.1	L.2			

Total Acres: 55 ✓

Conditions of Approval:

Remarks: ADD 304 - 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 86 range cattle.
ADD W54 - Use of right combined with Settlers Irr. Dist.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31538

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

Field Exam Date 7.14.03
(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) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information Govt. Lts 1 & 2
- ☒ 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) 63-31538

Owner: _____ Phone No. _____

Current Address: _____

- ☒ 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 63-8439 IDWR Field Report.**OVERLAP REVIEW**Other water rights with the same point of diversion: 63-31537, 63-18934

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

No**WATER USES**Season of use is 3/1 to 11/15 per new IDWR standard.☐ No change☒ Different Uses

Use Stock water From 1/1 To 12/31 Amount 0.028 ^{round to 0.03} CFS 1.55 AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME - Groundwater only☒ Incomplete on claim, the total is, Amount 1.128 ^{round to 1.13 cfs} CFS 249.05 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 # 86

Types _____ Additional comments: _____

PLACE OF USE:☐ No Change☒ Changes shown below:

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
							10	25	15	5									
								L.1	L.2										

Overlap with other water rights: Settlers Irrigation District

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:
No

Delivery System Narrative: See 63-08439 IDWR Field Report.

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

FLOW MEASUREMENTS: N/A (licensed)

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

CALCULATIONS - Stockwater:

When 63-08439 was split, the stockwater use was not split between Parts A & B, but remained with A only.

63-8439 150 HEAD / 96 ACRES = 1.5625 (CFS FACTOR)

63-8439 2.7 AFA / 96 ACRES = 0.028125 (AFA FACTOR)

63-31538 (55 ACRES) (1.5625) = 86 HEAD

63-31538 (0.028125) (55 ACRES) = 1.55 AFA

" .05 CFS / 150 HEAD = .0003333 CFS FACTOR

" (86 HEAD) (.0003333) = .028 CFS

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

Stockwater use is for 86 range cattle.

Use of this right is combined with water from
Settlers 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: 7.14.03 (in office)

FIELD EXAMINER: Kimberly Brown

63-8439A

↓
Starkley 63-31537

NWNW 5

11

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



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

STEINER DEVELOPMENT LLC
554 E BELLEVUE RD, SUITE B
ATWATER CA 95301

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

Renumbered Notice of Claim to a Water Right No. 63-31538

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,

A handwritten signature in cursive script that reads "Denise Hatfield".

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region

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

ID# 7574 # of pages 2
 From Rita
 Co.
 Phone #
 Fax #

of Idaho
 (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 CAIA &/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 March 15 to November 15	at 1.92 cfs and	432 acre feet
Stockwater	from January 1 to December 31	at .05 cfs and	2.7 acre feet
	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 NELNW, Sec. 31, Twp. 4N,
Rge. 1E, S.M. in the County of Ada

Description and location of place of use:

Twp.	Range	Sec.	Section																Totals
			NEW				NW				SW				SE				
			NEW	NW	SW	SE	NEW	NW	SW	SE	NEW	NW	SW	SE	NEW	NW	SW	SE	
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.


 Director

MICROFILMED
 AUG 24 1992

DEPARTMENT OF WATER RESOURCES
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 $\frac{1}{4}$ NW $\frac{1}{4}$, Ada
County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
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 **H5**

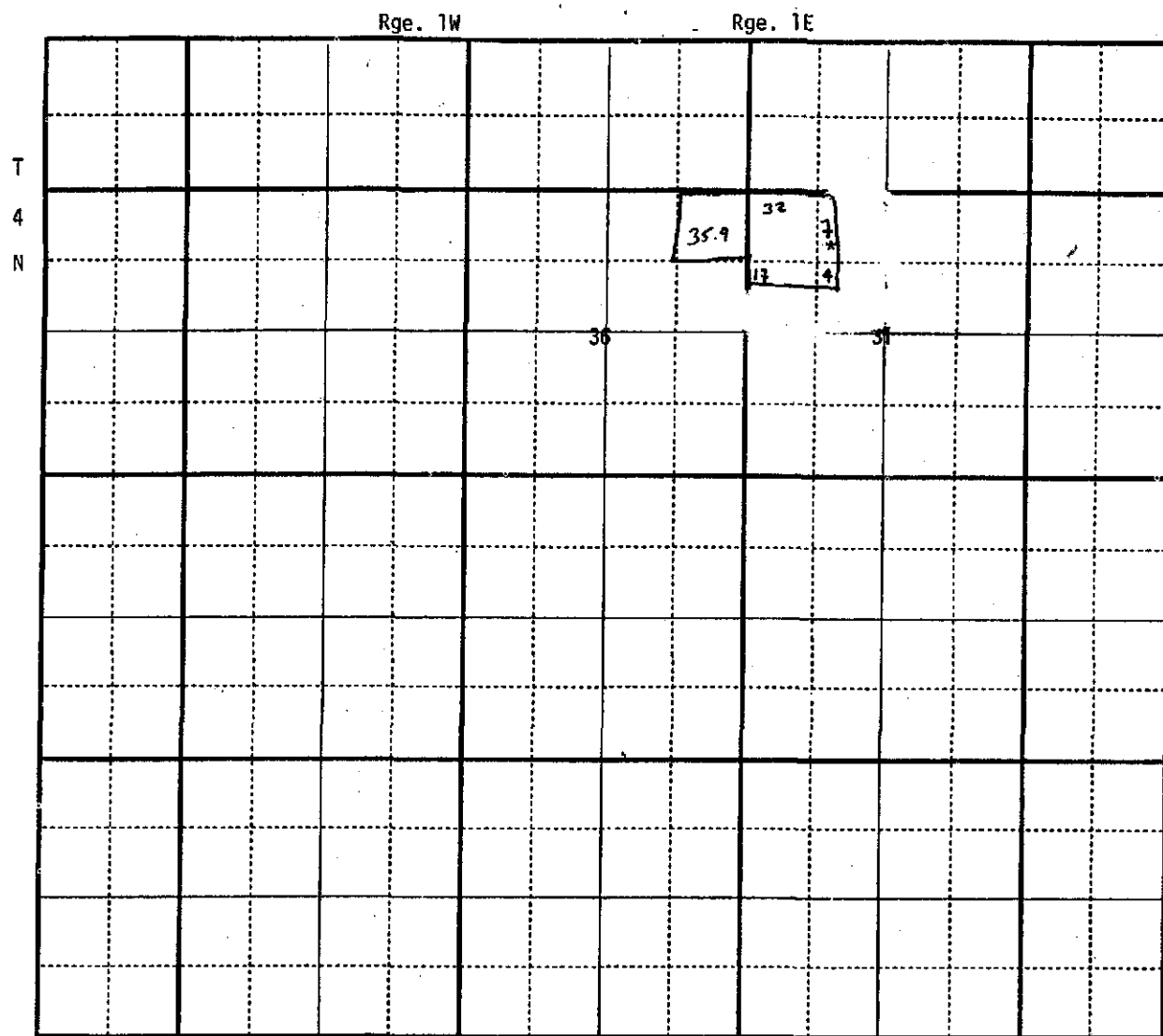
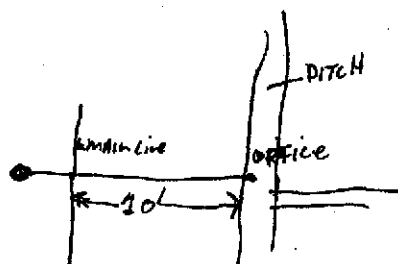


Diagram of System



MARCH 1961

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 12/85
Domestic Q = 0.5 c.f.s. V = 2.7 ✓ AF/Ann. from 2-2 to 12/82
Livestock Q = 0.5 c.f.s. V = 2.7 ✓ AF/Ann. from 2-2 to 12/82

Is water co-mingled? yes ☒ no ☐

Name source: Spring
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 c.f.s. Method of measurement Orifice & Piezometer
1.92

Total Q recommended 2.00 Meter No. 6000 Type Piezometer tube Condition Good

Total V recommended 434.7

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:

53 5X6 ORIFICE = 896 gpm = 2.00 c.f.s. Capacity
1148.8

Allow .02 c.f.s./Ac 96 Ac x .02 = 1.92
V = 96 x 4.5 = 432 1.92 x 19035 x 245 = 933.0

SYSTEM DESCRIPTION:

Pump 1470 gal/hr pipe & DITCH
96 25 hp 11 5/16 718 330 Pump Vert. Line 37770356

REMARKS:

Recommend conventional use for stock and irrigation

Examiner's Signature Carl P. Martin Date 4 Aug 1980

Checked by UBS Date 8/26/80

Approved by [Signature] Date 6/16/81

