

Ronald & Judy Hutt Trust
SEY4 Section 26
T5N R1E
7 acres

SWSE

POD

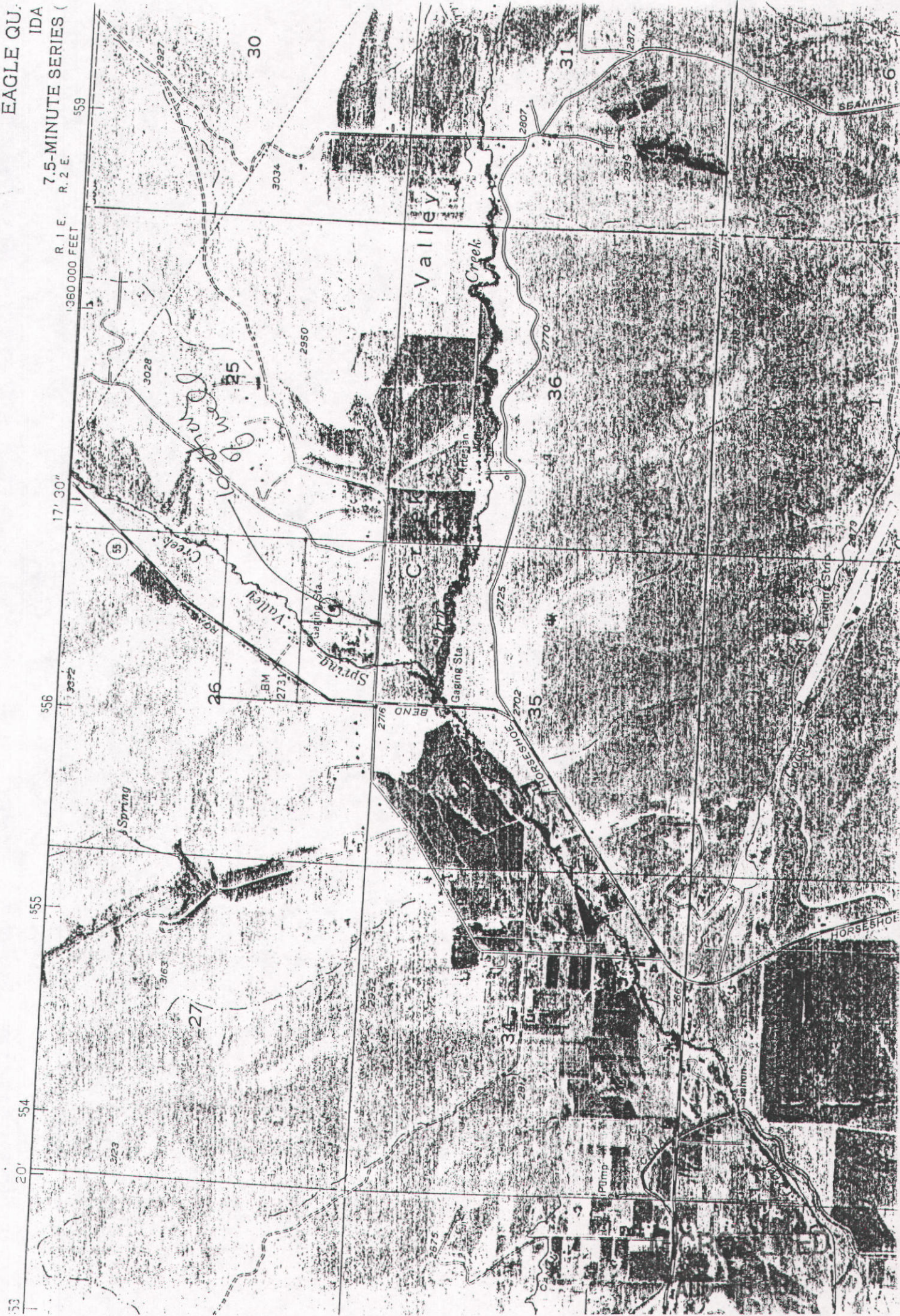
SESE



WACAMEN IN THE US420

R1E R2E

EAGLE QU.
IDA
7.5-MINUTE SERIES (R. 2 E.)



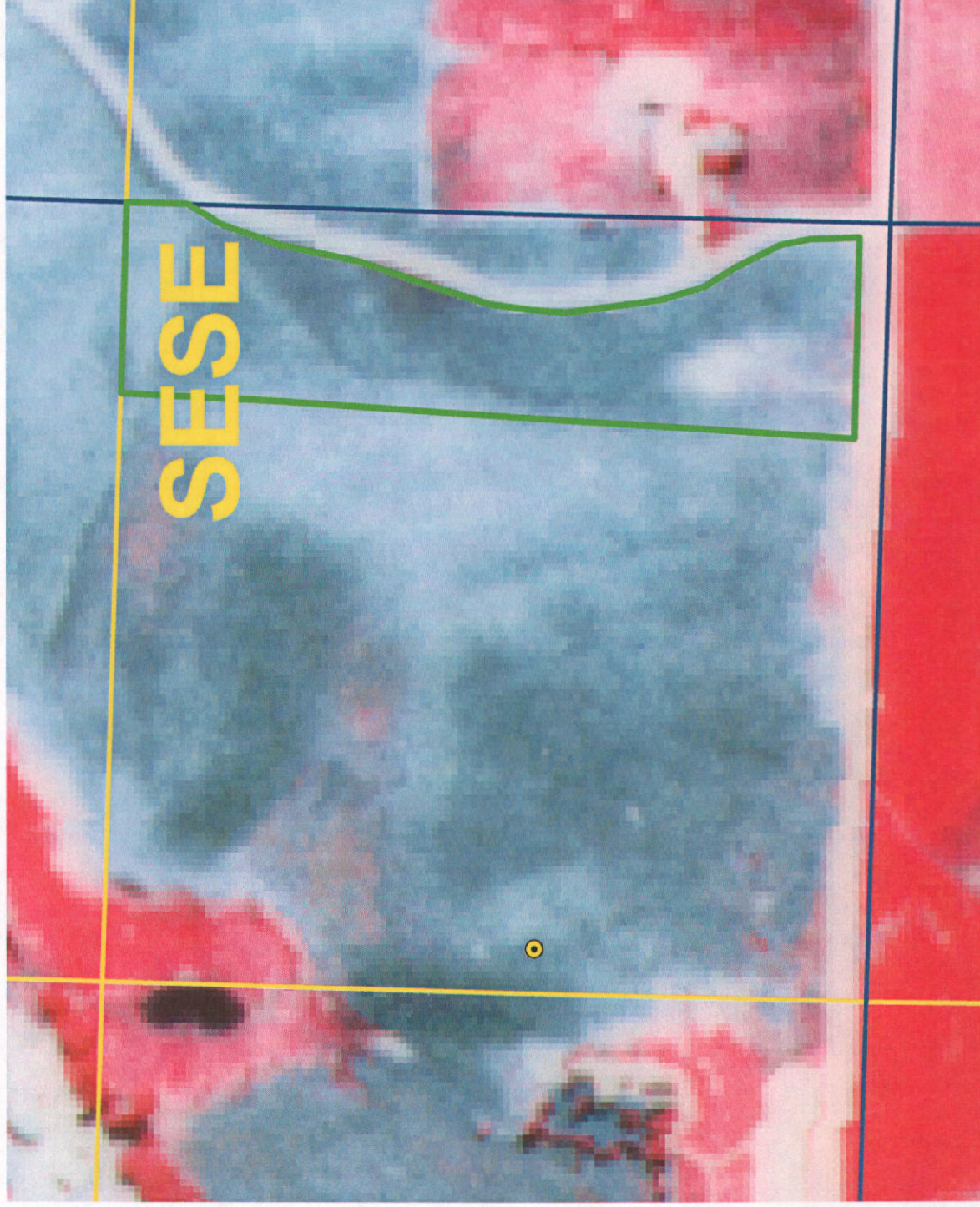
Idaho Department of Water Resources

T05N, R01E,
S26

Claim No: 63-31851

Prepared By: Kimberly Brown

Date: November 16, 2005



Place of Use



Section Lines



1/4 1/4



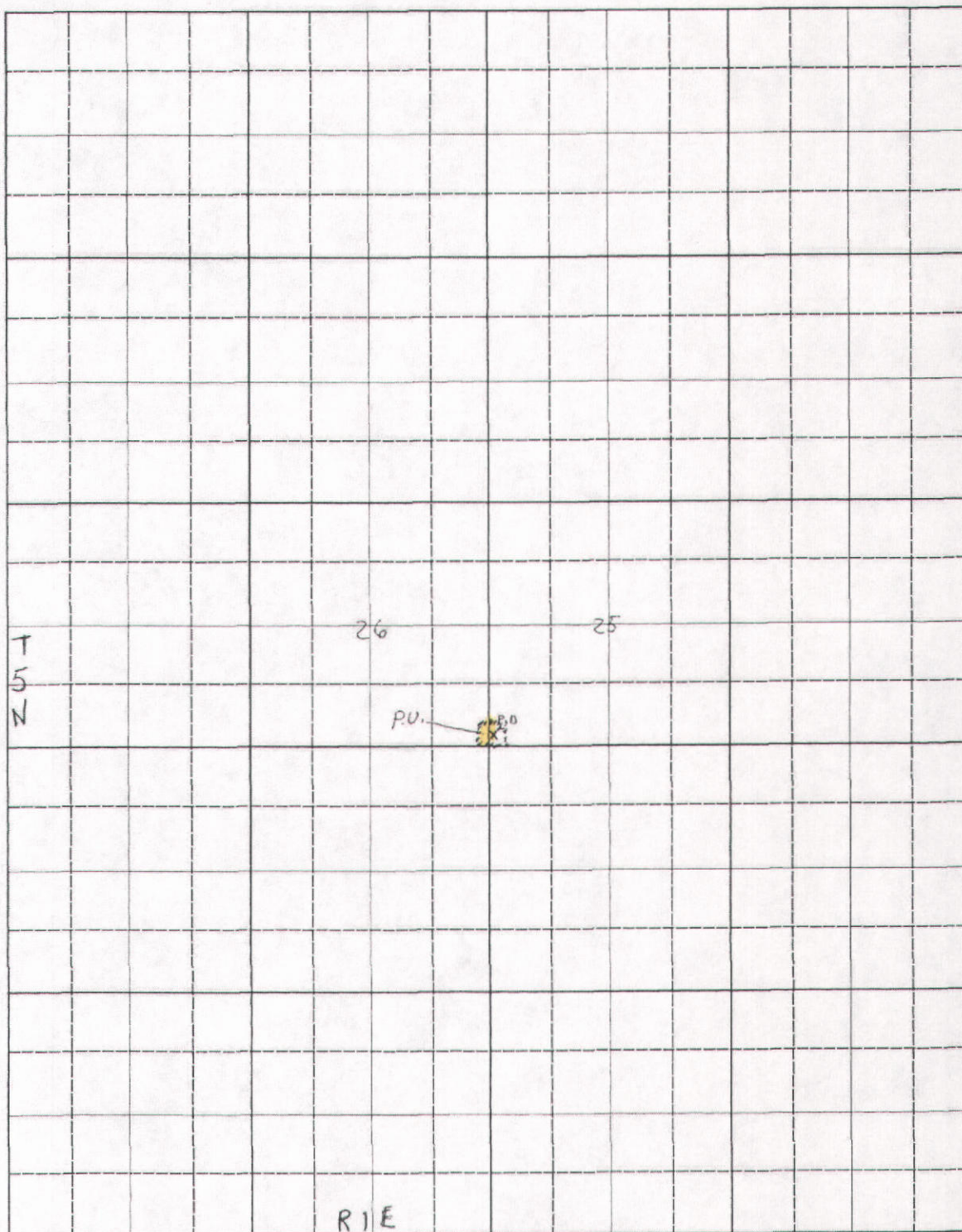
Point of Diversion

Acres Irrigated = 7.0



1987 NAPP

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



Scale: 2 inches equal 1 mile.

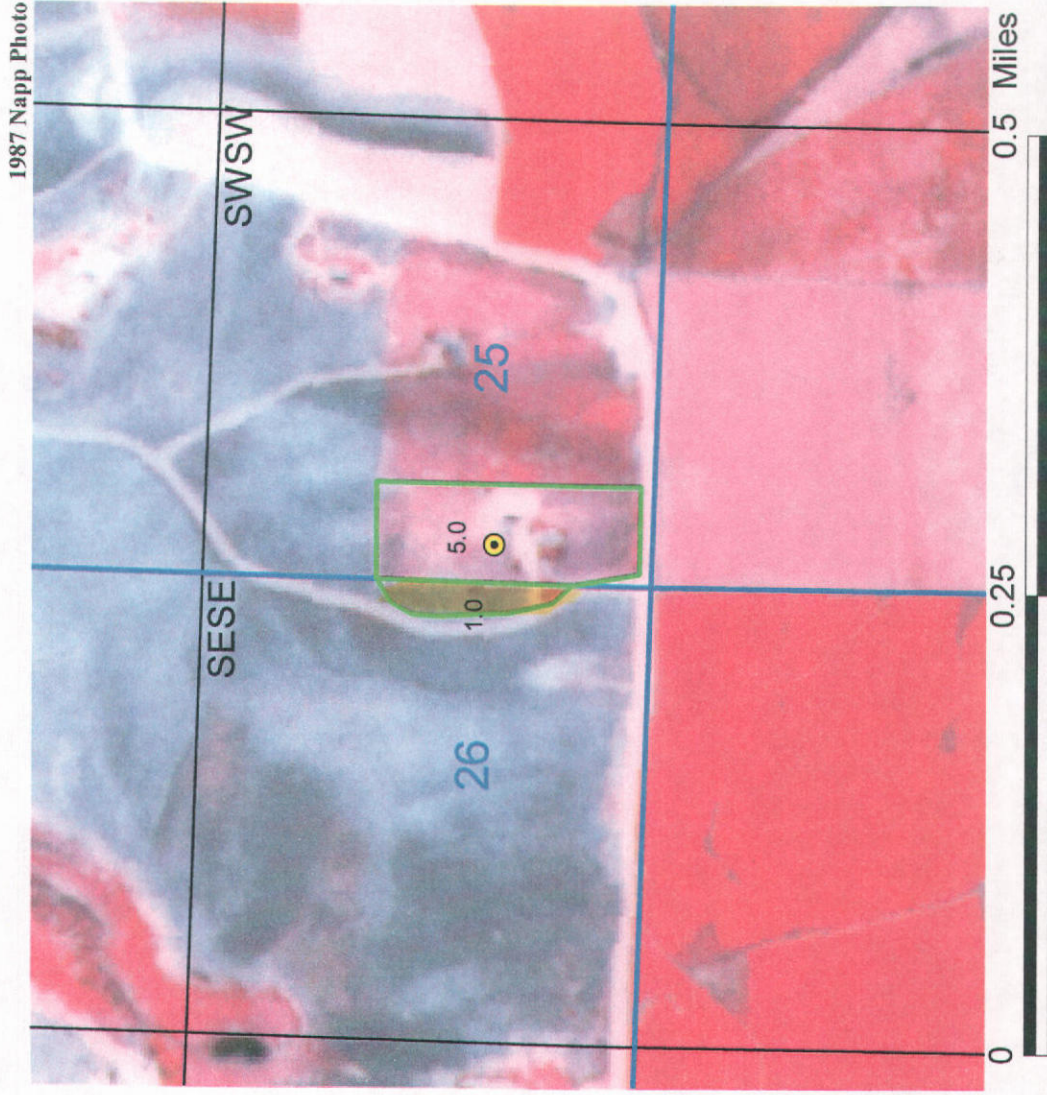
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Shelly M Drake
(Applicant)

Idaho Department of Water Resources

Claim Number: 63-09376
Legal: T05N, R01E, S25, 26
Reviewed By: Ron Howerton
Sr Water Agent

- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines





Ada County Assessor Land Records/GIS

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Property Search

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Property Details for Parcel S0226449825 and Year 2006

2006 ▼

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[Details](#)

[Valuation](#)

[Tax Districts](#)

[Characteristics](#)

Parcel: S0226449825
Year: 2006
Zone Code: RR
Total Acres: 9.49
Tax Code Area: 270
Property Description:
PAR #9825 OF SE4SE4

SEC 26 5N 1E
#9700 9810 9845 C
#9315295 - 96 RS 2395

Ada County Assessor



[View Interactive Map of this Parcel](#)

Address: 9070 W BROOKSIDE LN BOISE , ID 83703
Subdivision: 5N 1E 26
Land Group Type: SECT
Township/Range/Section: 5N1E26

[Contact Us](#) | [Disclaimer](#)



Apparently, this photo was taken by Gene Gibson while "working on Joe Stadler's Shadow Valley Golf Course. (This well is located in the SWSE, 826 - next to Dr. Mack's house / rehab center). - KFB 12/8/05

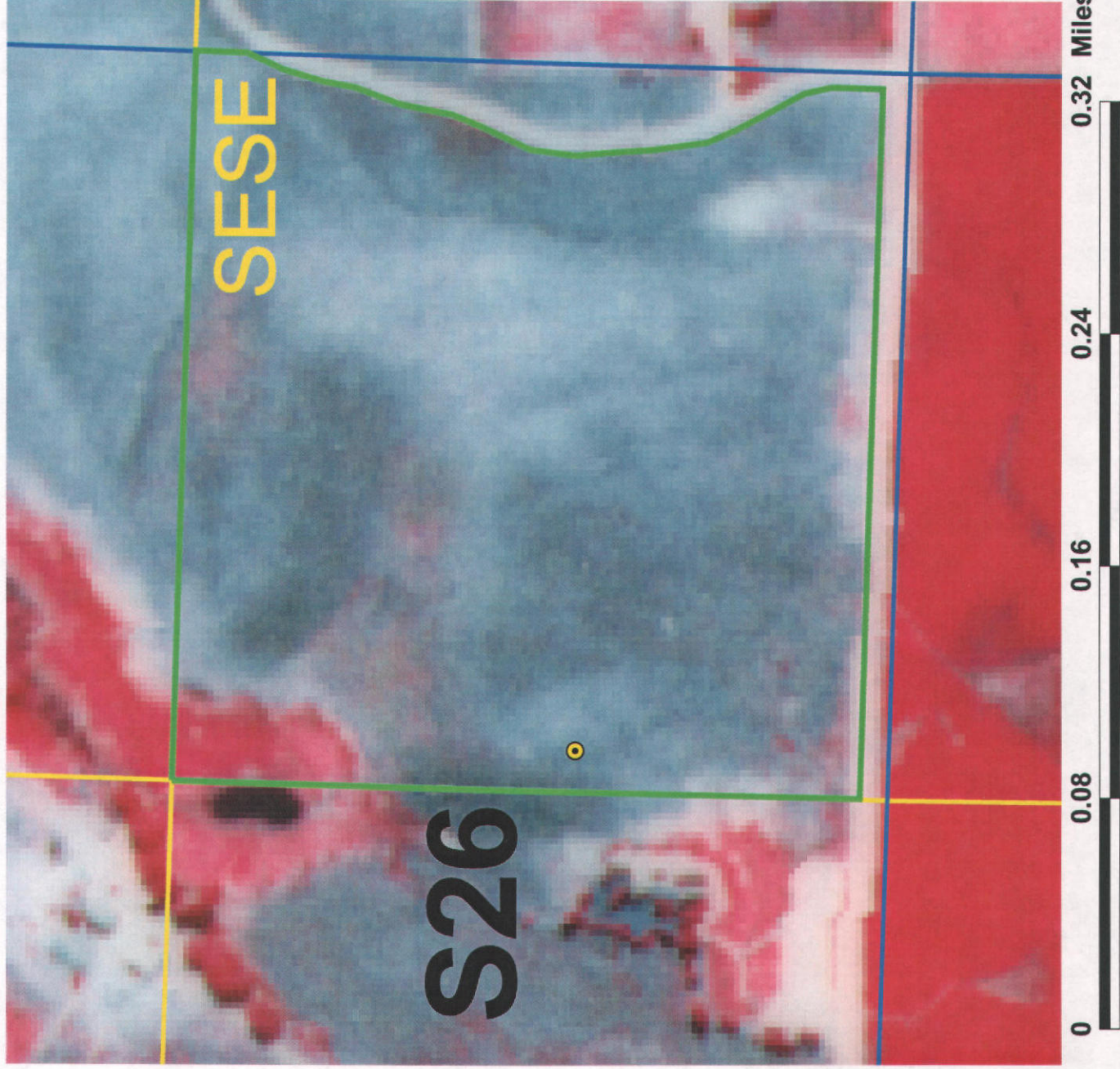


Apparently, this photo was taken by Gene Gibson while "working on" Joe Stader's Shadow Valley Golf Course. The well is located in the SWSE 3 S26 - next to Dr. Mack's house / Rehab center (see #63-31850). - K.B. 12/8/05

Idaho Department of Water Resources

T05N, R01E,
S26

Claim No: 63-03428
Prepared By: Kimberly Brown
Date: January 14, 2003



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



1987 NAPP

SESE

Turn sheet over and refer
- to corresponding number →

1

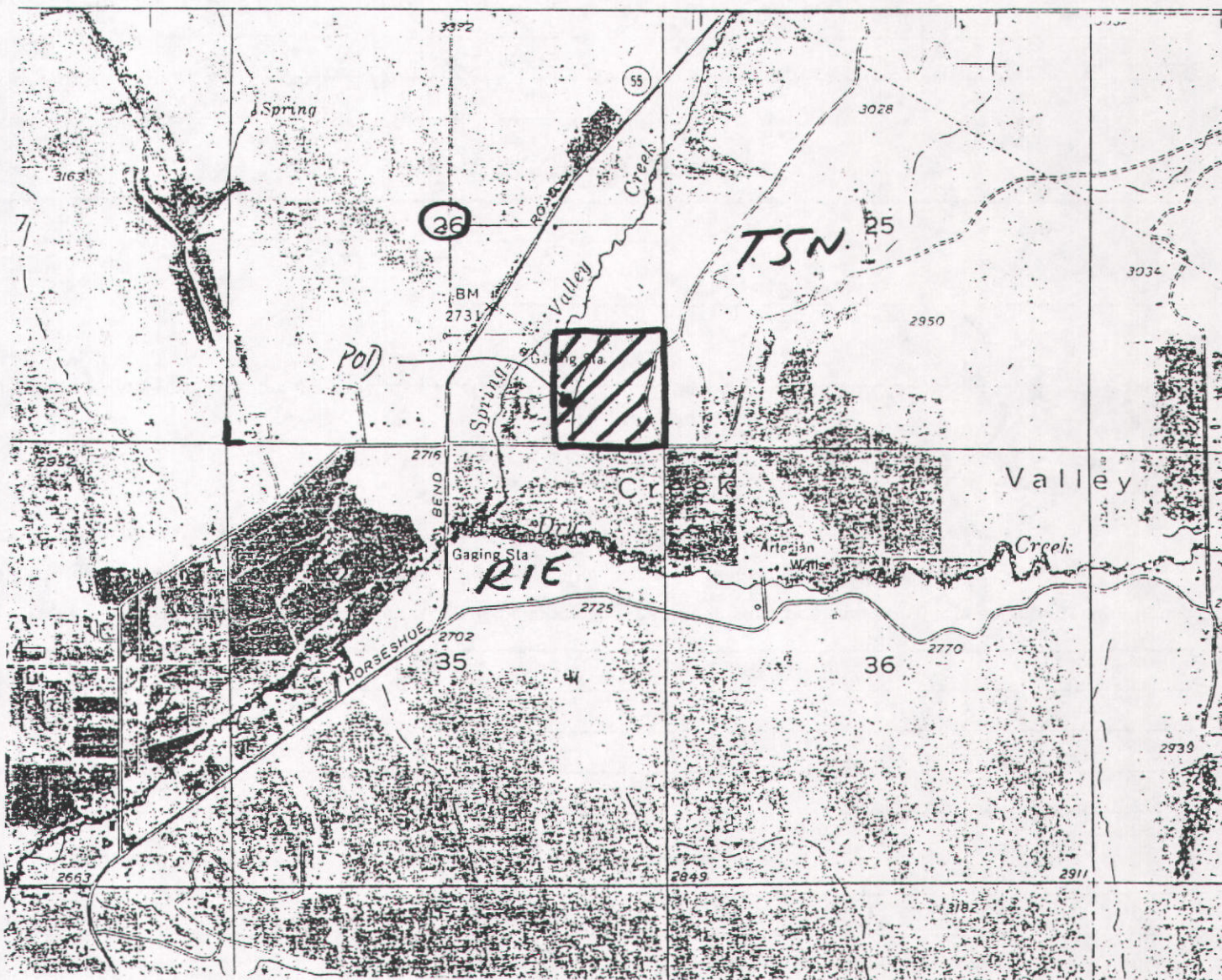
3

2

4

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.



MICROFILMED

JUL 23 1990

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 63-31851
Date Received: 9/21/1989
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RONALD HUTT TRUST
9070 W BROOKSIDE LN
BOISE ID USA 83714

Phone: (208) 939-8506

JUDY HUTT TRUST
9070 W BROOKSIDE LN
BOISE ID USA 83714

Phone: (208) 939-8506

2. Date of Priority: 09/02/1964

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	01E	26	SE SE	ADA	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.14	31.5

7. Total Quantity Appropriated is:
0.14 C.F.S. and/or 31.5 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
05N	01E	26	SE	SE	IRRIGATION	7
Section Acres						7
Total Acres						7

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

Claim amended based on approved transfer 7/12/90. Amended POU acres.

This claim is the result of a split due to change in ownership for a portion of 63-3428. DB 3/4/2004

Representative name removed at time of ownership change. 3/4/2004

15. Basis of Claim: License

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

RECEIVED**FEB 24 2004****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
63-3428		Y			

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) Idaho STATE BANK
4. New Owner/Claimant(s) Ronald & Judy Hutt Trust
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 9070 W. Brookside LN
- City, State and ZIP Code Boise, Id 83703-9642 83714
- New Telephone Number 208) 939-8506
5. Date you acquired the property Feb. 23, 1983

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>63-3428</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>.14</u>	<u>7 Acres</u>
Stock		
Domestic		
Other		
Total	<u>.14</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) Judy Hunt
(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 DB Date 2-24-04 Fee 0
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3428

WATER RIGHT NUMBER: 63-3428

<u>Owner Type</u>	<u>Name and Address</u>
<u>Current Owner</u>	IDAHO STATE BANK PO BOX 909 GLENN'S FERRY, ID 83623 (208)366-7492
Original Owner	BEN F STADLER RT 1 BOISE, ID 83703
Representative	S DONALD ROWE PO BOX 128 KUNA, ID 83634 (208)922-1105

63-31851

Hutt

Priority Date: 09/02/1964

Basis: License

Status: Active

SourceTributary

GROUND WATER

Beneficial Use

From To

Diversion RateAnnual Volume~~DOMESTIC~~

1/01 to 12/31

~~0.040 CFS~~

IRRIGATION ✓

3/15 to 11/15

~~0.700 CFS~~

.14 cfs

Total Diversion:~~0.700 CFS~~

.14 cfs total

Location of Point(s) of Diversion

GROUND WATER NE1/4SE1/4SE1/4 Sec. 26, Twp 05N, Rge 01E, B.M. ADA County

Place of Use~~DOMESTIC~~

Twp	Rge	Sec	NE				NW				SW				SE				Totals
05N	01E	26	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	X

IRRIGATION ✓

Twp	Rge	Sec	NE				NW				SW				SE				Totals
05N	01E	26	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	35.0

Total Acres: 35

7

7 total acres

9/21/89

WARRANTY DEED

RECEIVED

FEB 24 2004

WATER RESOURCES
WESTERN REGION

For Value Received

BEN F. STADLER and LILLIAN E. STADLER, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto
JUDITH M. BROCK to have and to hold, together with the rent,
issues and profits as her sole and separate property,
9600 Brookside, the grantee, the 83703

A parcel of 1
Southeast one
1 East, Boise
described as

Commencing at
said Section
Spring Creek

Thence N 0° 00' 00" E
the North
Thence N 0° 00' 00" E
pin, the
Thence N 0° 00' 00" E
Thence N 0° 00' 00" E
Thence S 88° 20' 25" W
Thence S 3° 03' 49" E a distance
and the Real Point of Beginning.

a quarter of the
p 5 North, Range
More particularly

least corner of
t line of Lot 1,
ing;

et to a point on
Lane;
feet to a 1/2 inch iron

1 feet to a 1/2 inch iron pin;
feet to a 1/2 inch iron pin;
10 feet to a 1/2 inch iron pin;
3 feet to a 1/2 inch iron pin

Subject to any and all easements and or Rights of Way of record
or in use.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,
her heirs and assigns forever. ~~And the said Grantors hereby covenant, warrant and~~
~~with the said Grantee that the said premises are free from all encumbrances~~

~~And that the said Grantors warrant and defend the same from all lawful claims whatsoever.~~
Dated: February 23, 1983

Ben F. Stadler
Ben F. Stadler
Lillian E. Stadler
Lillian E. Stadler

STATE OF IDAHO, COUNTY OF ADA
On this 23 day of February 1983,
before me, a notary public in and for said State, personally
appeared, Ben F. Stadler and Lillian
E. Stadler, husband and wife,
known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.
Geraldine E. Harrow
Notary Public
Residing at Boise, Idaho
Comm. Expires 1994

STATE OF IDAHO, COUNTY OF Ada
I hereby certify that this instrument was filed for record at
the request of Judy Brockway
at 30 minutes past 3 o'clock P.m.,
this 23 day of Feb,
1983, in my office, and duly recorded in Book
of Deeds at page
JOHN BASTIDA
Ex-Officio Recorder
By AB Schroeder Deputy.
Fees \$ 200
Mail to:

INSTRUMENT No.

RECEIVED

FEB 24 2004

WATER RESOURCES
WESTERN REGION

WARRANTY DEED

For Value Received

BEN F. STADLER and LILLIAN E. STADLER, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto

JUDITH M. BROCKWAY, to have and to hold, together with the rent, issues and profits thereof, as her sole and separate property, 9600 Brookside Lane, Boise, Idaho 83703
the grantee, the following described premises, to-wit:

A parcel of land situate in the Southeast one quarter of the Southeast one quarter of Section 26, Township 5 North, Range 1 East, Boise Meridian, Ada County, Idaho. More particularly described as follows:

Commencing at a brass cap marking the Southeast corner of said Section 26, said point set on the West line of Lot 1, Spring Creek Estates and the Basis of Bearing;

Thence N 00°18'31"E a distance of 50.46 feet to a point on the North right of way line of Brookside Lane;

Thence N 89°50'17"W a distance of 131.95 feet to a ½ inch iron pin, the Real Point of Beginning;

Thence N 88°20'29"W a distance of 125.00 feet to a ½ inch iron pin;

Thence N 3°03'49"W a distance of 348.48 feet to a ½ inch iron pin;

Thence S 88°20'29"E a distance of 125.00 feet to a ½ inch iron pin;

Thence S 3°03'49"E a distance of 348.48 feet to a ½ inch iron pin and the Real Point of Beginning.

Subject to any and all easements and or Rights of Way of record or in use.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, her heirs and assigns forever. ~~And the said Grantors do hereby covenant, warrant and defend the said premises to the said Grantee, her heirs and assigns forever, that the said premises are free from all incumbrances~~

~~and that the said Grantors will warrant and defend the same from all lawful claims whatsoever~~
Dated: February , 1983

Ben F. Stadler

Lillian E. Stadler

Lillian E. Stadler

STATE OF IDAHO, COUNTY OF ADA

On this day of February 1983, before me, a notary public in and for said State, personally appeared, Ben F. Stadler and Lillian E. Stadler, husband and wife,

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Geraldine E. Harrow
Notary Public

Residing at Boise, Idaho
Comm. Expires

STATE OF IDAHO, COUNTY OF Ada

I hereby certify that this instrument was filed for record at the request of Judy Brockway

at 30 minutes past 3 o'clock P.m.,
this 23 day of Feb,
1983, in my office, and duly recorded in Book
of Deeds at page

JOHN BASTIDA

Ex-Officio Recorder

By

Fees \$ 2.00

Mail to:

Deputy.

INSTRUMENT No.

WARRANTY DEED

For Value Received Ben F. Stadler and Lillian E. Stadler, Husband and Wife

RECEIVED

FEB 24 2004

WATER RESOURCES
WESTERN REGION

the grantors, do hereby grant, bargain, sell and convey unto

Judith N. Brockway, a single person

whose current address is 9600 Brookside Lane, Boise, Idaho, 83703

the grantee, the following described premises, in Ada County Idaho, to wit:

A parcel of land situate in the Southeast one quarter of Section 26, T.5N., R.1E., B.M. More particularly described as follows:

Commencing at a Brass Cap marking the Southeast corner of said Section 26, thence S89°55'14"W a distance of 366.11 feet to a point; thence N00°19'43"E a distance of 50.00 feet to a 5/8 inch iron pin and the Real Point of Beginning; thence N89°55'14"E a distance of 109.29 feet to a point; thence N03°03'49"W a distance of 348.48 feet to a point; thence S88°20'29"E a distance of 125.00 feet to a point; thence S03°03'49"E a distance of 346.11 feet to a point; thence N89°55'14"E a distance of 102.87 feet to a point; thence N00°10'40"E a distance of 67.32 feet to a point; thence on a curve left having a delta of 29°42'53", radius of 206.32 feet, N14°52'13"W a distance of 105.81 feet to a point; thence N29°55'06"W a distance of 95.11 feet to a point; thence on a curve right having a delta of 19°33'32", radius of 346.13 feet, N20°08'56"W a distance of 117.59 feet to a point; thence N10°21'46"W a distance of 92.60 feet to a point; thence on a curve right having a delta 32°28'14", radius 358.24 feet, N05°52'21"E a distance of 200.32 feet to a point; thence N22°06'29"E a distance of 72.28 feet to a point; thence S90°00'00"W a distance of 229.82 feet to a 1/2 inch iron pin; thence S1°51'35"W a distance of 719.16 feet to the Real Point of Beginning.

Containing 3.00 acres more or less.

TO HAVE AND TO HOLD the said premises, with their appurtenance unto the said Grantee, her heirs and assigns forever. And the said Grantors do hereby covenant to and with the said grantee, that they the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

DATED:

10-6-86

Ben F. Stadler

BEN. F. STADLER

Lillian E. Stadler

LILLIAN E. STADLER

STATE OF IDAHO, COUNTY OF *Ada*
On this *6* day of *Oct.*, 1986
before me, a notary public in and
for said State, personally appeared
Ben F. and Lillian E. Stadler
known to me to be the person whose
name subscribed to the within instrument,
and acknowledged to me that
executed the same.

Annemarie Weller

Notary Public

Residing at *Engle*, Idaho
Comm. Expires *5-25-1992*

Ada County, Idaho %
Request of

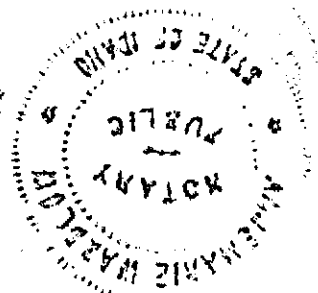
TIME *1:03 P M*
DATE *3-17-87*

JOHN BASTIDA

RECORDER

D. White
Deputy

2,00



8715533

WARRANTY DEED

For Value Received Ben F. Stadler and Lillian E. Stadler, Husband and Wife

RECEIVED

the grantors, do hereby grant, bargain, sell and convey unto

FEB 24 2004

Judith N. Brockway, a single person

WATER RESOURCES
WESTERN REGION

whose current address is 9600 Brookside Lane, Boise, Idaho, 83703

the grantee, the following described premises, in Ada County Idaho, to wit:

A parcel of land situate in the Southeast one quarter of Section 26, T.5N., R.1E., B.M. More particularly described as follows:

Commencing at a Brass Cap marking the Southeast corner of said Section 26,

thence S89°55'14"W a distance of 366.11 feet to a point; thence N00°19'43"E a distance of 50.00 feet to a 5/8 inch iron pin; thence continuing N01°51'35"E a distance of 719.16 feet to a 1/2 inch iron pin and the Real Point of Beginning; Thence N01°51'35"E a distance of 643.47 feet to a point; thence N90°00'00"E a distance of 633.83 feet to a point; thence S51°41'03"W a distance of 218.29 feet to a point; thence S55°03'59"W a distance of 91.44 feet to a point; thence on a curve to the left having a delta angle of 43°16'08", radius of 263.79 feet, chord bearing S33°25'53"W chord distance 194.51 feet to a point; thence S11°47'49"W a distance of 198.32 feet to a point; thence on a curve to the right having a delta of 10°18'40", a radius of 529.17 feet, a chord bearing of S16°57'08"W a chord distance of 95.10 feet to a point; thence S22°06'29"W a distance of 8.53 feet to a point; thence S90°00'00"W a distance of 229.82 feet to a 1/2 inch iron pin and the Real Point of Beginning.

Containing 5.24 acres more or less.

TO HAVE AND TO HOLD the said premises, with their appurtenance unto the said Grantee, her heirs and assigns forever. And the said Grantors do hereby covenant to and with the said grantee, that they the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

DATED:

10-6-1986

Ben F. Stadler
BEN. F. STADLER
Lillian E. Stadler
LILLIAN E. STADLER

STATE OF IDAHO, COUNTY OF *Ada*
On this *6* day of *Oct*, 1986,
before me, a notary public in and
for said State, personally appeared
Ben F. and Lillian E. Stadler
known to me to be the person whose
name subscribed to the within instrument,
and acknowledged to me that
executed the same.

Annemarie Waddell
Notary Public

Residing at *Eagle*, Idaho
Comm. Expires *5-25-1992*

Ada County, Idaho

Request of

Judy Brockway

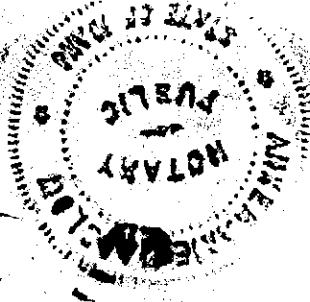
TIME *1:03 PM*

DATE *3-17-87*

JOHN BASTIDA
RECORDER

By *D. D. D.*
Deputy

2.00



RECEIVED
FEB 24 2004
WATER RESOURCES
WESTERN REGION

Department of Health and Welfare
Vital Statistics
Boise, Idaho 83720

STATE OF IDAHO

77825

County File No.

Marriage License

County of ADA

KNOW ALL PERSONS BY THIS CERTIFICATE: That any regularly ordained minister of the Gospel, authorized by the rites and usages of the church or denomination of Christians, Hebrews, or religious body of which said minister is a member, or any judge or magistrate, or competent officer to whom this may come, not knowing of any lawful impediments thereto, is hereby authorized and empowered to solemnize the rites of Matrimony between:

GROOM		AND		BRIDE	
1. Full Name	<u>RONALD DALE HUTT</u>	9. Full Name	<u>JUDITH MARGARET BROCKWAY</u>		
2. Address:	<u>BOISE</u> <u>ADA</u> <u>IDAHO</u>	10. Address:	<u>BOISE</u> <u>ADA</u> <u>IDAHO</u>		
	City State		City State		
3. Age	<u>36</u> <u>CAUC</u> <u>5</u> Single <u>7</u> Divorced <u>X</u>	11. Age	<u>37</u> <u>12</u> <u>CAUC</u> <u>13</u> Single <u>14</u> Widowed <u>15</u> Divorced <u>X</u>		
4. Birthplace:	City <u>Logan</u> State <u>UTAH</u>	16. Maiden Name if previously married	<u>STADLER</u>		
DOB:	<u>11/24/52</u>	17. Birthplace:	City <u>BOISE</u> State <u>IDAHO</u>		

DOB: 2/1/51

And to certify the same to said parties, or either of them under the signature and seal, of said minister or official capacity, and thereupon is required to deliver the original to the parties so married.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at BOISE ADA County, Idaho, this 13TH day of DECEMBER, A.D. 19 88.

JOHN BASTIDA

Recorder

Deputy

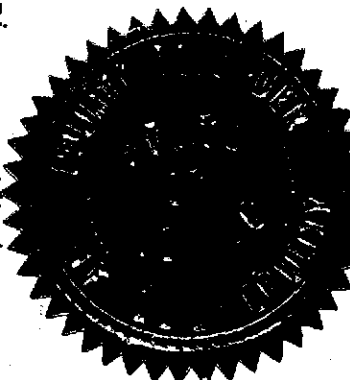
Marriage Certificate

I, Rev. Thomas J. Blackburn, an ordained Baptist Minister residing in the city of Boise in the County of Ada in the State of Idaho do certify that, in accordance with the authority on me conferred by the above license, I did on this 23rd day of December, in the year A.D. 19 88 in the city of Boise in the County of Ada in the State of Idaho, solemnize the rites of matrimony between Ronald Dale Hutt of the State of Idaho and Judith Margaret Brockway of Boise in the County of Ada of the State of Idaho and Dale O. Hutt in the presence of Ben F. Stadler and Dale O. Hutt Twenty-Eighth day of December, A.D. 19 88.

WITNESS My Hand at the County aforesaid, this

In the presence of:
Ronald Dale Hutt
and Judith Margaret Brockway

Rev. Thomas J. Blackburn
Signature of person officiating



RECEIVED

FEB 24 2004

WATER RESOURCES
WESTERN REGION

TRUST AGREEMENT

THIS AGREEMENT AND DECLARATION OF TRUST, Made this 15th day of February, 1989, between RONALD D. HUTT and JUDY HUTT (whose formal name is JUDITH M. HUTT), husband and wife, of Ada County, Idaho, as Grantors (hereinafter sometimes called "Grantor"), and RONALD D. HUTT and JUDY HUTT, as Co-Trustees (hereinafter sometimes called "Trustee");

WITNESSETH;

WHEREAS, in order to provide for the future comfort and security of themselves and the other beneficiaries hereafter mentioned, Grantors desire to create a revocable trust for the purposes hereinafter set forth;

NOW, THEREFORE, in consideration of the premises and of the mutual covenants herein contained, Grantors do hereby convey, assign, transfer and deliver to the Trustee all of the property described upon Schedule "A" attached hereto, which by this reference is made a part hereof;

TO HAVE AND TO HOLD the same and any other property which Trustee may hereafter at any time hold or acquire from Grantors or otherwise, all of which is hereinafter collectively referred to as the "trust estate", IN TRUST, NEVERTHELESS, for the following uses and purposes and subject to the following terms and conditions:

I - NAME OF TRUST

The name of this trust shall be THE RONALD AND JUDY HUTT TRUST.

II - SEPARATE AND COMMUNITY PROPERTY

The property described upon Schedule "A" attached hereto consisted of separate property of Grantor RONALD D. HUTT, together with community property of Grantors, at the date such property was conveyed to this trust, all as more particularly set forth upon said Schedule "A". Any property characterized as community property on Schedule "A" which formerly had the character of separate property of one of the Grantors is hereby transmuted to the character of community property so long as held in trust hereunder. It is the intention of Grantors that all property shown upon Schedule "A" as having the character of community property of Grantors shall retain its character as community property while held in trust during the joint lifetimes of Grantors, subject to all of the provisions of this Agreement. It is the intention of Grantors that all property shown upon Schedule "A" as having the character of separate property of one of the Grantors shall, while held in trust during the joint lifetimes of Grantors, retain its character as separate property of the Grantor so indicated, subject to all of the provisions of this Agreement. Unless otherwise expressly stated upon an amended Schedule "A" attached hereto, or in another writing signed by Grantors, or in the instrument conveying, assigning, or transferring any addition to this Trust contributed by Grantors, or either of them, or by others, during the

XI - ACCEPTANCE OF TRUST

Trustee acknowledges receipt from Grantors of the property listed upon the attached Schedule "A", and accepts the trust created hereby, upon the terms herein set forth. This Trust Agreement shall be effective immediately upon execution of this instrument by Grantors, and execution of this instrument by the Successor Co-Trustees shall not be required. If Successor Co-Trustees execute this Trust Agreement, Successor Co-Trustees thereby agree to serve as Co-Trustees or Trustee hereunder at the times, and in the manner, herein provided.

IN WITNESS WHEREOF, this instrument has been executed by the parties hereto, as of the day and year first above written. All fully executed counterparts hereof shall be deemed an original hereof.

GRANTORS:

Ronald D. Hutt
RONALD D. HUTT

Judy Hutt
JUDY HUTT

CO-TRUSTEES:

Ronald D. Hutt
RONALD D. HUTT

Judy Hutt
JUDY HUTT

SUCCESSOR CO-TRUSTEES:

DALE O. HUTT

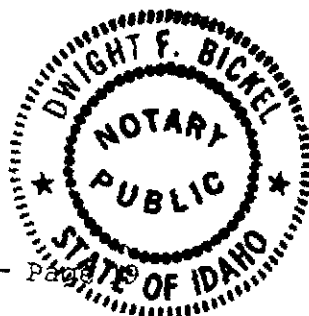
JOSEPH C. STADLER

STATE OF IDAHO

COUNTY OF ADA

) ss.

On this 15 day of February, 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared RONALD D. HUTT and JUDY HUTT, known or identified to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.



Dwight F. Bickel
Notary Public for Idaho
Residing at Boise, Idaho
Comm. Expires: 8/16/93

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

2002

ASSESSMENT NOTICE
& ESTIMATE OF TAX

THIS IS NOT A BILL.
DO NOT PAY.

RECEIVED

PARCEL DESCRIPTION:

PAR #9825 OF SE4SE4
SEC 26 5N 1E
#9700 9810 9845 C
#9315295 - 96 RS 2395

FEB 24 2004

WATER RESOURCES
WESTERN REGION

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

Assessor's Telephone Number: (208) 287-7242

Parcel Address: 9070 W BROOKSIDE LN
BOISE ID 83703

38309*****5-DIGIT 83703



HUTT RONALD D & JUDY TRUST
HUTT RONALD D & JUDY CO-TRUSTE
9070 W BROOKSIDE LN
BOISE ID 83703-9642

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

JUNE 24, 2002

Tax Code Area: 67

Parcel Number: S0226449825

ASSESSED VALUE OF YOUR PROPERTY

CURRENT DESCRIPTION	LOTS/ACRES	LAST YEAR'S VALUE	CURRENT YEAR'S VALUE
RESIDENTIAL TRACT RES IMPROVEMENT	9.490	60,000 165,600	80,000 165,600
SUBTOTAL: LESS HOMEOWNERS EXEMPTION: NET TAXABLE PROPERTY VALUE:	9.490	225,600 -50,000 175,600	245,600 -50,000 195,600

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	486.82	542.27	(208) 364-2333	6-17-2002
PEST EXTERMINATION	18.23	20.30	(208) 888-2316	6-17-2002
EMERGENCY MEDICAL	20.67	23.02	(208) 375-7048	6-17-2002
ADA COUNTY HIGHWAY DIST	178.16	198.45	(208) 387-6120	8-28-2002
SCHOOL DISTRICT NO. 2	1,154.25	1,285.71	(208) 888-6701	6-10-2002
ADA COUNTY FREE LIBRARY	105.85	117.90	(208) 362-0181	8-20-2002
DRY CREEK CEMETERY	1.78	1.98	(208) 853-1940	8-15-2002
EAGLE FIRE	215.77	240.34	(208) 939-6463	9-3-2002
SUBTOTAL:	2,181.53	2,429.97		
FEEES:				
TOTAL PROPERTY TAXES & FEES:	2,181.53	2,429.97		

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

0045102

RONALD & Judy Hutt Trust
SE 1/4 Section 26
T5N R1E
7 acres

SWSE

SEGE

POD

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 63-3428
Date Received: 9/21/1989
Receipt No: C011749
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

IDAHO STATE BANK
PO BOX 909
GLENN'S FERRY ID USA 83623

Phone: (208)366-7492

2. Date of Priority: 09/02/1964

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	01E	26	NE SE SE	ADA	

5. Description of diverting works:

WELL, 688' DEEP, 12" CASING, 5 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.7	
DOMESTIC	1/01	12/31	0.04	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	01E	26	SE	SE		DOMESTIC	
			SE	SE		IRRIGATION	35
						Section Acres	35
						Total Acres	35

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

Claim amended based on approved transfer 7/12/90. Amended POU acres.

15. Basis of Claim: License

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: A63-03428
Date Received: 9/21/1989
Receipt No: Col 1748 & Col 1749
Received By: hlt

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: IDAHO STATE BANK 208-366-7492
Address: P.O. BOX 909
GLENNS FERRY, ID 83623

2. Date of Priority: SEP 02, 1964

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	01E	26	NE	SE	SE		ADA

5. Description of diverting works:
WELL, 688' DEEP, 12" CASING, 5 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.700		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 122.5 Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE (KNOWN AS THE CASTLE)

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05N	01E	26	SW	SE		IRR	30.0
			SE	SE		IRR	5.0

A63-03428

Page 1

Date: 09/21/89

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AUG 19 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	01E	26	SE SE		DOMEST	

Section Acres 35.0

Total Acres 35.0

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:
NONE

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 32051

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: 3 4
1- map
2- Legal Des.
3- Well log
4- Authority to sign

For Organizations:

I do solemnly swear or affirm that I am Property manager of Idaho State Bank, that I have signed the foregoing document in the space below as Property manager of Idaho State Bank and that the statements contained in the foregoing document are true and correct.

Donald Rowe
Signature of Authorized Agent
Property Manager
Title and Organization
Idaho State Bank 9-21-89
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 21st day of September 19 89
Helen Harrington
Notary Public

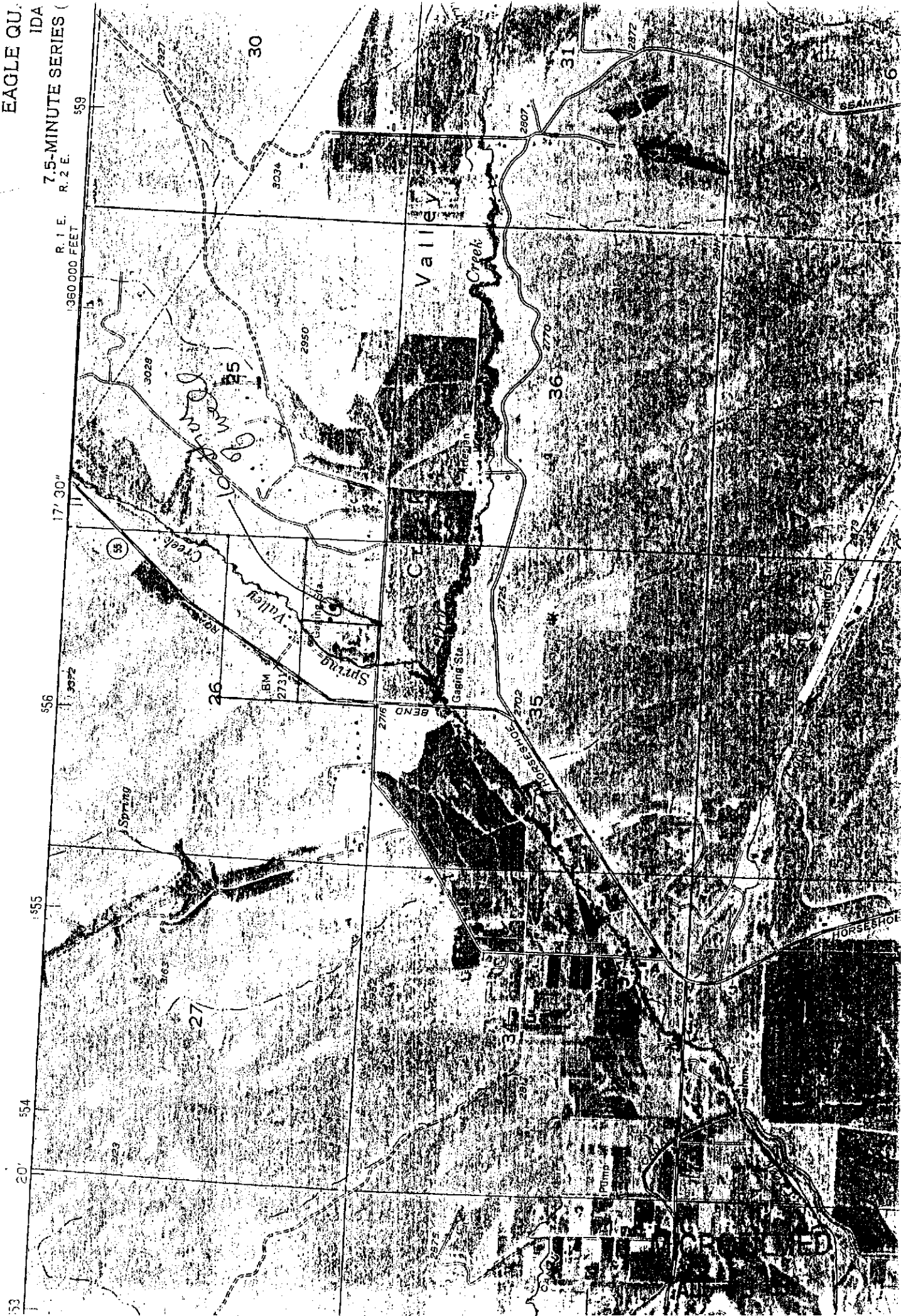
Seal

Residing at Helen Harrington, Notary Public
My Commission Expires Residing at Boise, Idaho
My Commission Expires December 1, 1994

WACAMAY IN NEW 03420

R1E R2E

EAGLE QU.
IDA
7.5-MINUTE SERIES (R. 1 E. R. 2 E.)



LEGAL DESCRIPTION

PARCEL I

A parcel of land situated in the Southeast quarter of Section 26, Township 5 North, Range 1 East, Boise-Meridian, Ada County, Idaho; more particularly described as follows:

Commencing at the Southeast corner of said Section 26, thence
 North 89°50'17" West along the South line of said section a
 distance of 366.11 feet to a point; thence
 North 00°09'43" East a distance of 50.00 feet to a 5/8 inch iron
 pin, the REAL POINT OF BEGINNING; thence
 North 01°51'35" East a distance of 1362.53 feet to a 5/8" steel
 pin; thence
 West a distance of 586.24 feet to a 5/8" steel pin; thence
 South 49°37'16" West a distance of 258.10 feet to a 5/8" steel
 pin; thence
 South 13°21'14" West a distance of 288.48 feet to a 5/8" steel
 pin; thence
 South 57°17'11" West a distance of 185.13 feet to a 5/8" steel
 pin; thence
 South 28°44'24" West a distance of 121.95 feet to a 5/8" steel
 pin; thence
 South 40°45'02" West a distance of 233.82 feet to a 5/8" steel
 pin; thence
 South 14°15'41" West a distance of 263.39 feet to a 5/8" steel
 pin; thence
 South 80°39'37" West a distance of 141.22 feet to a 5/8" steel
 pin; thence
 South 07°42'17" West a distance of 249.90 feet to a 5/8" steel
 pin; thence
 South 89°50'17" East a distance of 1410.04 feet to THE REAL POINT
 OF BEGINNING.

EXCEPT the following described property:

A parcel of land situated in the Southeast quarter of Section 26, Township 5 North, Range 1 East Boise-Meridian, Ada County, Idaho; more particularly described as follows:

Commencing at the Southeast corner of said Section 26; thence
 North 89°50'17" West on the South line of said section a distance
 of 366.11 feet to a point; thence
 North 00°09'43" East a distance of 50.00 feet to a 5/8" iron pin;
 thence
 North 89°50'17" West a distance of 978.56 feet to a 5/8" iron pin
 and THE REAL POINT OF BEGINNING; thence
 North 00°00'00" East a distance of 425.82 feet to a 5/8" iron
 pin; thence

continued

MICROFILMED

AUG 19 1992



LEGAL DESCRIPTION CONTINUED

Parcel 2.

Cattle & Grounds

North 62°24'45" West a distance of 218.60 feet to a 5/8" iron
pin; thence
South 14°15'41" West a distance of 263.39 feet to a 5/8" iron
pin; thence
South 80°39'37" West a distance of 141.22 feet to a 5/8" iron
pin; thence
South 07°42'17" West a distance of 249.90 feet to a 5/8" iron
pin; thence
South 89°50'17" East a distance of 431.48 feet to THE REAL POINT
OF BEGINNING.

ALSO EXCEPT ditch and road rights of way

MICROFILMED

AUG 19 1992

Attachment to A63-03428

Well Log Form 1
3C-3/53

RECEIVED
AUG 25 1964

Department of Reclamation

WELL LOG AND REPORT TO THE
STATE RECLAMATION ENGINEERS OF IDAHO

SUBMIT WITHIN 30 DAYS AFTER COMPLETION OF WELL: SEE IDAHO STATUTES 42-236

Permit No. G. 53451 Well No. _____ County Ada
Owner Ben E. Stadler
Address Route 1 Boise, Idaho
Driller Russell Power
Address Boise, Idaho

Locate well in section

40%	60%
20%	80%

Well location _____ S. _____ E. _____ Sec. 26 T. 5N R. 1E S.W.
Size of drilled hole 12" to 340' 10" 340' to 688'
Total depth of well 688'

Give depth to standing water from the ground Young Water Spring 82.5' high

Test delivery was 900 g.p.m. at _____ c.s. Overhead was _____ feet. Pump? Boiler

Size of pump and motor used to make test None

Length of time of test _____ hours _____ minutes

If flowing well, give flow _____ c.s. or 900 g.p.m. and of shut off pressure 5 lbs

If flowing well, describe control works 6" Gate Valve

(TYPE AND SIZE OF VALVE, ETC.)

Water will be used for Domestic irrigation Weight of casing per linear foot _____

Thickness of casing 14 wall Casing material Steel

(STEEL, CONCRETE, WOOD, ETC.)

Diameter, length and location of casing 12" casing to 340' 8" casing 340' to 688'
(CASING 12" IN DIAMETER OR LESS, GIVE INSIDE DIAMETER; CASING OVER 12" IN DIAMETER, GIVE OUTSIDE DIAMETER)

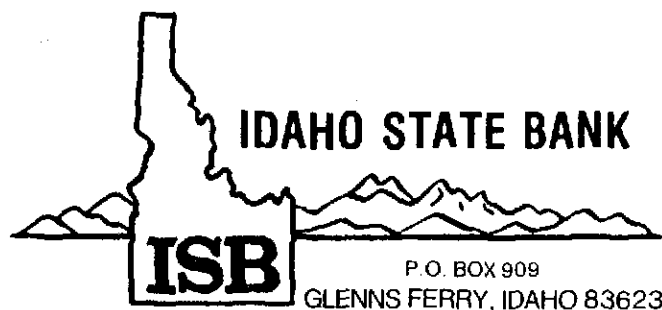
CASING RECORD

Blank Casing	From Foot	To Foot	Length	Remarks—work, grouting, etc.
12"	0'	340'	343'	above ground casing set in hard blue shale
8"	321'	688'	367'	8" set into 12" at 321' from ground level

Number and size of perforations 42" 890 perforations feet to _____ feet from ground
perforations 633' to 688'

Date of commencement of well June 1, 1964 Date of completion of well Aug. 12, 1964

MICROFILM
AUG 19 1992



208/366-7492

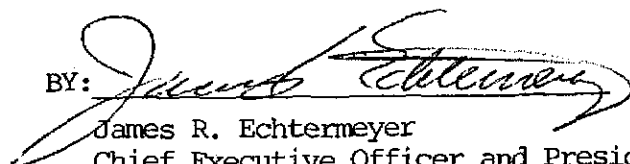
September 19, 1989

To Whom It May Concern:

You are hereby notified that S. Donald Rowe is authorized on behalf of Idaho State Bank to research and investigate the water right situation on property referred to as Spring Creek Winery, 9600 Brookside Lane, Eagle, Idaho, more particularly described on the attached exhibit, in which Idaho State Bank is the contract buyer, and also to sign all the necessary documents to file water permits.

IDAHO STATE BANK

BY:


James R. Echtermeyer
Chief Executive Officer and President

JRE:mm

MICROFILMED

AUG 19 1992

11/17/2005

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

RIGHT NUMBER: 63-31851

NAME AND ADDRESS: JUDY HUTT TRUST
9070 W BROOKSIDE LN
BOISE ID 83714

RONALD HUTT TRUST
9070 W BROOKSIDE LN
BOISE ID 83714

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.140 CFS
31.500 AFY

PRIORITY DATE: 09/02/1964

POINT OF DIVERSION:

T05N R01E S26 SESE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.140 CFS
31.50 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: IRRIGATION Within ADA County

T05N R01E S26 SESE 7.0

7 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

Idaho Department of Water Resources

**T05N, R01E,
S26**

Claim No: 63-31851

Prepared By: Kimberly Brown

Date: November 16, 2005



Place of Use



Section Lines

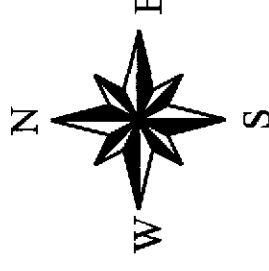


1/4 1/4



Point of Diversion

Acres Irrigated = 7.0



1987 NAPP

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31851 V1

WATER RIGHT NUMBER: 63-31851 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	IDAHO STATE BANK PO BOX 909 GLENN'S FERRY, ID 83623 (208)366-7492
Current Owner	JUDY HUTT TRUST ✓ 9070 W BROOKSIDE LN BOISE, ID 83714 (208) 939-8506
Original Owner	BEN F STADLER RT 1 BOISE, ID 83703
Current Owner	RONALD HUTT TRUST ✓ 9070 W BROOKSIDE LN BOISE, ID 83714 (208) 939-8506

Priority Date: 09/02/1964 ✓
 Basis: License ✓
 Status: Active

Source Tributary
 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 ✓	0.140 CFS ✓	31.50 AF ✓
	<u>Total Diversion:</u>	0.140 CFS ✓	31.50 AF ✓

Location of Point(s) of Diversion

GROUND WATER SE1/4SE1/4 ✓ Sec. 26, Twp 05N, 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	
05N	01E	26																	7.0
																			7.0

Total Acres: 7 ✓

Conditions 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.

Parcel No: 80226449825.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31851 V1

- REMOVE ~~2. N12 The quantity of water under this right for domestic use shall not exceed 12,000 gallons per day.~~
- REMOVE ~~3. N10 The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.~~
- REMOVE ~~4. X01 Domestic use is for 1 home.~~
- ✓ 5. S39 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.

} not
applicable
to
this
portion

Remarks:

Comments:

1. dbuffington 3/4/2004 Ownership change

Comment: This right is the result of a split due to change in ownership for a portion of 63-3428.

2. dbuffington 3/4/2004 Representative name

Comment: Representative name removed at time of ownership change.

Water Supply Bank:

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

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☐ Check fees paid
- ☐ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) A63-31851Owner: Andy & Ronald Hutt Trust Phone No. 939-8506Current Address: 9070 W. Brookside Ln., Boise 83714

- ☒ 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: 9/2/64

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

Source: Ground Water 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 63-3428 Field Report.

OVERLAP REVIEW

Other water rights with the same point of diversion: 63-31849, 63-31850

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

same POB

WATER USES

- ☐ No change
- ☐ Different Uses

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

7 AC
0.02 cfs/AC
0.14 cfs

Use _____ From 3/1 To _____ Amount _____ CFS _____ AFA
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA

7 AC x 4.5 afa = 31.5 afa (v.) 0.14 cfs x 19835 x 246 days = 68.3 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: _____

None - domestic use applicable to -31850.

PLACE OF USE:

- ☒ No Change
- ☐ Changes shown below:

Parcel No: 80226449825.

* Domestic use is covered by # 63-19685 for the
Hutt's home

AFTER EXAM THE FILE SHOULD CONTAIN:

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

DATE EXAM CONDUCTED: 11-17-05 (in office review)

FIELD EXAMINER: Kimberly Brown

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-31851

11/17/2005

1

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-31849	Claim	05N	01E	26	SE	SE		GROUND WATER	B & B PROPERTIES LIMITED PARTNERSHIP
63-31850	Claim	05N	01E	26	SE	SE		GROUND WATER	HELEN J. MACK
~~63-31851~~	~~Claim~~	~~05N~~	~~01E~~	~~26~~	~~SE~~	~~SE~~		~~GROUND WATER~~	~~RONALD HUTT TRUST~~
~~63-3428~~	~~PARENT Claim~~	~~05N~~	~~01E~~	~~26~~	~~SE~~	~~SE~~		~~GROUND WATER~~	
~~63-3428~~	~~Water Right~~	~~05N~~	~~01E~~	~~26~~	~~SE~~	~~SE~~		~~GROUND WATER~~	~~BEN F. STADLER~~
~~63-19085~~	~~Water Right~~	~~05N~~	~~01E~~	~~26~~	~~SE~~	~~SE~~		~~GROUND WATER~~	~~RON HUTT~~

63-31849 & 63-31850 share same well w/
63-31851

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-31851

11/17/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
9376	Claim	05N	01E	26	SE	SE		IRRIGATION <i>separate</i>	1/6 ✓	JACK BYNUM
11849	Claim	05N	01E	26	SE	SE		IRRIGATION <i>separate</i>	23/23 ✓	B & B PROPERTIES LIMITED PARTNERSHIP
11850	Claim	05N	01E	26	SE	SE		IRRIGATION <i>separate</i>	5/5 ✓	HELEN J MACK
~~11851~~	~~Claim~~	~~05N~~	~~01E~~	~~26~~	~~SE~~	~~SE~~		~~IRRIGATION~~	~~7/7~~	~~RONALD HUTT TRUST~~
~~3428~~	~~PARENT Water Right~~	~~05N~~	~~01E~~	~~26~~	~~SE~~	~~SE~~	~~PARENT~~	~~IRRIGATION~~	~~5/35~~	~~BEN F STADLER~~
~~9376~~	~~Water Right~~	~~05N~~	~~01E~~	~~26~~	~~SE~~	~~SE~~		~~IRRIGATION~~	~~1/6~~	~~SHELLEY M DRAKE~~

no overlap - separate acres
for: 63-9376
63-31849 &
63-31850.



#63-19685 is decreed for domestic
& stockwater use for this same
property located at 9070 W.
Brookside Lane.

Overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-19685

WATER RIGHT NUMBER: **63-19685**

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RON HUTT 9070 BROOKSIDE LN BOISE, ID 83703 (208)939-8506
Current Owner	JUDY HUTT 9070 BROOKSIDE LN BOISE, ID 83703 (208)939-8506

> same property as 63-31851

Priority Date: 06/06/1987

Basis: Decreed

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>
DOMESTIC	1/01 to 12/31	0.080 CFS	
STOCKWATER	1/01 to 12/31	0.020 CFS	
<u>Total Diversion:</u>		0.100 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4	Sec. 26, Twp 05N, Rge 01E, B.M.
ADA County		

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	
05N	01E	26																	X

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	
05N	01E	26																	X

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-19685

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. 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.
3. STOCKWATER, 3 HORSES PARCEL NO. S 0226449700
4. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:

Comments:

Water Supply Bank:

overlap review -

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-9376 V1

WATER RIGHT NUMBER: 63-9376 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JACK BYNUM 9150 W BROOKSIDE LN BOISE, ID 83714 (208)939-8494
Original Owner	L RAY DRAKE 9150 BROOKSIDE LN BOISE, ID 83703
Current Owner	BOBBIE BYNUM 9150 W BROOKSIDE LN BOISE, ID 83714 (208)939-8494
Original Owner	SHELLEY M DRAKE 9150 BROOKSIDE LN BOISE, ID 83703

Priority Date: 05/08/1980

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.040 CFS	1.20 AF
IRRIGATION	03/15 to 11/15	0.120 CFS	27.00 AF
STOCKWATER	01/01 to 12/31	0.020 CFS	0.40 AF
<u>Total Diversion:</u>		0.130 CFS	28.60 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4	Sec. 25, Twp 05N, Rge 01E, B.M.
ADA County		

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	
05N 01E 25											X						

IRRIGATION

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-9376 V1

	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05N 01E 25											5.0						5.0
05N 01E 26																1.0	1.0

Total Acres: 6

STOCKWATER

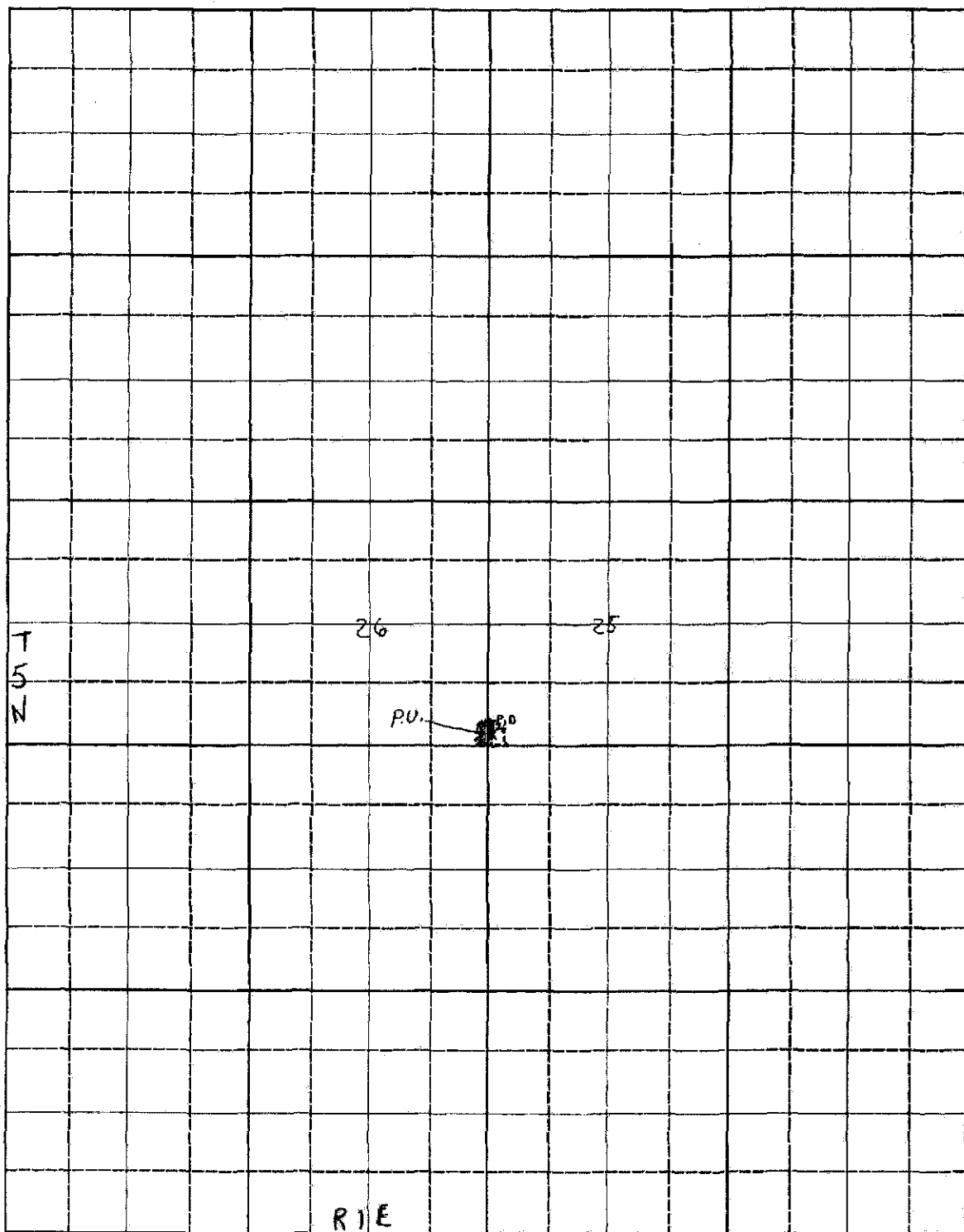
Twp Rge Sec	NE				NW				SW				SE				Totals
05N 01E 25	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
											X						

Conditions 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. S39 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.
3. X01 Domestic use is for 1 home.
4. X02 Stockwater use is for 8 horses.

Remarks:Comments:Water Supply Bank:

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



Scale: 2 inches equal 1 mile.

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

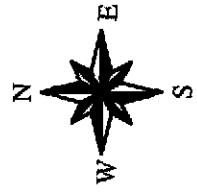
Shelley M. Dwyer
(Applicant)

Idaho Department of Water Resources

Claim Number: 63-09376
Legal: T05N, R01E, S25, 26
Reviewed By:
Ron Howerton
Sr Water Agent

- Point of Diversion
- ☐ Place of Use
- ☐ Section Lines
- ☐ Quarter Quarter Lines

1987 Napp Photo



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-9376

Priority: May 8, 1980

Amount: .13 CFS

28.6 AFA

This is to certify, that L. RAY DRAKE
SHELLEY M. DRAKE

9150 BROOKSIDE LN.
BOISE, ID 83703

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated May 8, 1980, and has submitted proof to the Department of Water Resources on October 31, 1983, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .02 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	VOLUME
Irrigation	03/15 to 11/15	.12 cfs	27.0 afa
Stockwater	01/01 to 12/31	.02 cfs	.4 afa
Domestic	01/01 to 12/31	.04 cfs	1.2 afa
Totals		.13 CFS	28.6 AFA

LOCATION OF POINT OF DIVERSION(S): SWSW, Sec. 25, Township 5N, Range 1E
Ada County

PLACE OF USE: Irrigation

TWN	RGE	SEC	ACRES	ACRES	ACRES	ACRES	TOTAL
5N	1E	25	SWSW 5				5
		26	SESE 1				1

Total number of acres irrigated: 6

PLACE OF USE: Stockwater, same as Irrigation use

PLACE OF USE: Domestic, same as Irrigation use

CONDITIONS/REMARKS:

MICROFILMED

APR 14 1987

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. 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 license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 6th day of APRIL, 1987.

Director

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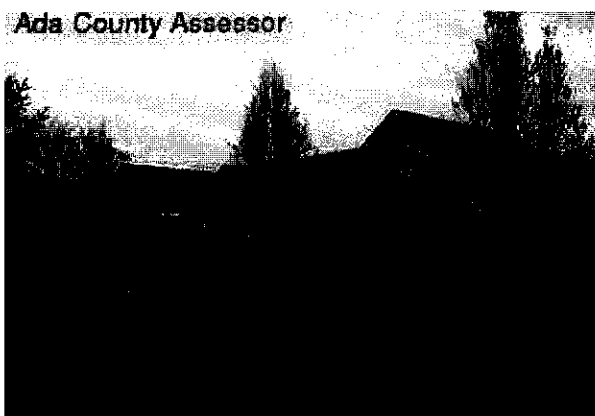
**Property Details for Parcel S0226449825 and Year 2006**

2006

[Change Year](#)[\[Back to Parcel Search\]](#) [\[Print View\]](#)[Details](#)[Valuation](#)[Tax Districts](#)[Characteristics](#)

Parcel: S0226449825
Year: 2006
Zone Code: RR
Total Acres: 9.49
Tax Code Area: 270
Property Description:
PAR #9825 OF SE4SE4

SEC 26 5N 1E
#9700 9810 9845 C
#9315295 - 96 RS 2395

[View Interactive Map of this Parcel](#)

Address: 9070 W BROOKSIDE LN BOISE , ID 83703
Subdivision: 5N 1E 26
Land Group Type: SECT
Township/Range/Section: 5N1E26

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Land Characteristics**[Back to Parcel Search](#)**

Residential Acres: 9.49
Commercial Acres: 0.0
Other Acres Acres: 0.0
Street: None
Utility: None
Water Source:
Sewer: None
SideWalks: N
Curb-Gutters: N
Topography:
View:
Water Influence: 3
Water Frontage Feet: 0
Corner: N

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Residential Characteristics

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Year Built:	1988
Year Remodel:	0
Effective Age:	0
Construction Class:	5
Number of Bedrooms:	3
Number of Bathrooms:	2.0
Number of FirePlaces:	1
Air Conditioning:	Y
Car Storage Sq Ft #1:	648
Car Storage Sq Ft #2:	0
General Purpose Building Sq Ft:	0
Porch Sq Ft:	0
Deck Sq Ft:	0
Deck Covered:	N
Patio Sq Ft:	300
Patio Covered:	Y
Pool Sq Ft:	150
Total Sq Ft:	2216
Main Floor Sq Ft:	2216
Upper Floor Sq Ft:	0
Finished Lower Floor Sq Ft:	0
Unfinished Lower Floor Sq Ft:	0
Finished Basement Floor Sq Ft:	0
Unfinished Basement Floor Sq Ft:	0
Finished Attic Sq Ft:	0
Unfinished Attic Sq Ft:	0

Decreed
 Water Right Ab.
 63-19685 has
 a priority date
 of 1987 for D. S.
 -KB

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03/04/2004

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

RIGHT NUMBER: 63-31851

NAME AND ADDRESS: JUDY HUTT TRUST
9070 W BROOKSIDE LN
BOISE ID 83714

RONALD HUTT TRUST
9070 W BROOKSIDE LN
BOISE ID 83714

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.140 CFS
31.500 AFY

The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 09/02/1964

POINT OF DIVERSION:

T05N R01E S26 SESE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
0.140 CFS
31.50 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.

Domestic use is for 1 home.

PLACE OF USE: IRRIGATION Within ADA County
T05N R01E S26 SESE 7.0

7 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.

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: License



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

March 5, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RONALD HUTT TRUST
JUDY HUTT TRUST
9070 W BROOKSIDE LN
BOISE ID 83714

Re: Original Notice of Claim to a Water Right No. 63-3428

Renumbered Notice of Claim to a Water Right No. 63-31851

Dear Claimant(s):

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.

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

Thank you for your patience, as we have had several water right changes to process. Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

Adjudication Section
Western Region

DB: db

Enclosure

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3428 V1

WATER RIGHT NUMBER: 63-3428 V1

<u>Owner Type</u>	<u>Name and Address</u>
<u>Current Owner</u>	IDAHO STATE BANK PO BOX 909 GLENN'S FERRY, ID 83623 (208)366-7492
Original Owner	BEN F STADLER RT 1 BOISE, ID 83703
Representative	S DONALD ROWE PO BOX 128 KUNA, ID 83634 (208)922-1105

63-31851

Hutt

Priority Date: 09/02/1964

Basis: License

Status: Active

SourceTributary

GROUND WATER

Beneficial Use

From To

Diversion RateAnnual Volume~~DOMESTIC~~

01/01 to 12/31

~~0.040 CFS~~

IRRIGATION ✓

03/15 to 11/15

0.700 CFS

.14 cfs

157.50 AF

Total Diversion:

0.700 CFS

.14 cfs

total

31.5 of total

Location of Point(s) of Diversion

GROUND WATER

SE1/4SE1/4

Sec. 26,

Twp 05N,

Rge 01E, B.M.

ADA County

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	
05N	01E	26																	X

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	
05N	01E	26																	35.0

Total Acres: 35

7

7 total acres

01/14/2004

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

RIGHT NUMBER: 63-3428

NAME AND ADDRESS: IDAHO STATE BANK
PO BOX 909
GLENN'S FERRY ID 83623

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.700 CFS

The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 09/02/1964

POINT OF DIVERSION:

T05N R01E S26 SESE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
IRRIGATION	03/15 11/15	0.700 CFS
		157.50 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.

Domestic use is for 1 home.

PLACE OF USE: DOMESTIC Within ADA County

T05N R01E S26 SESE

IRRIGATION Within ADA County

T05N R01E S26 SESE 35.0

35 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.

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: License

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3428 V1

WATER RIGHT NUMBER: 63-3428 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	IDAHO STATE BANK PO BOX 909 GLENN'S FERRY, ID 83623 (208)366-7492
Original Owner	BEN F STADLER RT 1 BOISE, ID 83703
Representative	S DONALD ROWE PO BOX 128 KUNA, ID 83634 (208)922-1105

Priority Date: 09/02/1964

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>
DOMESTIC	01/01 to 12/31	0.040 CFS	
IRRIGATION	03/15 to 11/15	0.700 CFS	157.50 AF
<u>Total Diversion:</u>		0.700 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4	Sec. 26, Twp 05N, Rge 01E, B.M.
ADA County		

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	
05N 01E 26																X	

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	
05N 01E 26																35.0	35.0

Total Acres: 35

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-3428 V1

Conditions 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. N10 The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.
3. N12 The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.
4. X01 Domestic use is for 1 home.

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 1/14/2004 2002 Tax Lot Information

Comment: According to 2002 Ada County Tax Lot information, the 35 acres associated with this right have been divided into 4 parcels (refer to Adjudication Field Report, p. 4).

2. kbrown 1/14/2004 Irrigation Use

Comment: The 1987 and 2000 NAPP images do not show any evidence of irrigation of the 35 acres in the SESE, Section 26, T5N, R1E.

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:



Apparently, this photo was taken by Gene Gibson while working on Joe Stadler's Shadow Valley Golf Course. (This well is located in the SWSE, 826 - next to Dr. Martin's house / rehab center). -KR 12/9/85



Apparently, this photo was taken by Gene Gibson while working on Joe Stoddard's Shadow Valley Golf Course.
This well is located in the SW¹/₄ SE¹/₄ S26 - next to Dr. Macle's house / Rehab center (see #63-31850). - KB 12/8/05

Idaho Department of Water Resources

**T05N, R01E,
S26**

Claim No: 63-03428

Prepared By: Kimberly Brown

Date: January 14, 2003

● Point of Diversion



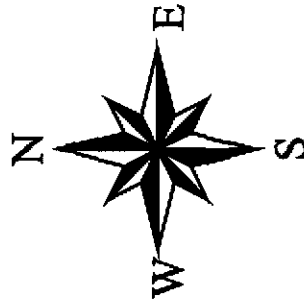
Place of Use



Section Lines



1/4 1/4



1987 NAPP



0 0.08 0.16 0.24 0.32 Miles



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3428

WATER RIGHT NUMBER: 63-3428 ✓

CALCULATE

ANNUAL VOLUME:

Owner Type

Current Owner

Name and Address

IDAHO STATE BANK ✓
PO BOX 909
GLENN'S FERRY, ID 83623
(208)366-7492

Original Owner

BEN F STADLER ✓
RT 1
BOISE, ID 83703

Representative

S DONALD ROWE ✓
PO BOX 128
KUNA, ID 83634
(208)922-1105

Priority Date: 09/02/1964 ✓

Basis: License ✓

Status: Active

Source

GROUND WATER ✓

$$35 \text{ AC} \times 4.5 \text{ AF/AC} = 157.5 \text{ AFA} \quad (\text{V})$$

$$0.7 \text{ cfs} \times 1.9835 \times 246 \text{ days} = 341.6 \text{ AFA}$$

35 acres

.02

0.7 cfs

TributaryBeneficial Use

DOMESTIC ✓

IRRIGATION ✓

From To

1/01 to 12/31 ✓

3/15 to 11/15 ✓

Diversion Rate

0.040 CFS ✓

0.700 CFS ✓

Total Diversion:

0.700 CFS ✓

Annual Volume

157.5 AF

- ADD N10 #

N12

Location of Point(s) of Diversion

GROUND WATER

ADA County ✓

(NE1/4 SE1/4 SE1/4)

Sec. 26, Twp 05N, Rge 01E, B.M. ✓

Remove QQQ portion.

Place of Use

DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
✓ 05N 01E 26	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	X
																	✓

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
✓ 05N 01E 26	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	35.0
																	✓
																	35

Total Acres: 35 ✓

Transfer No. 3732 moved
the 30 acres from SWSE
to SESE.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3428

Conditions of Approval:

ADD X01 - Domestic use is for 1 house.
(AKA The Castle)

Remarks:Comments:

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

Dates and Other Information:

Claim Received Date: 9/21/1989
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

ADD N10 - Quantity decreed for domestic
use is not a determination of historical B.U.

ADD N12 - Quantity of water for domestic
use shall not exceed 13,000 gal/day.

Combined Use Limits:

Water License No. G-32051.

(*) electronic back-file not available

Field Exam Date 1.13.0

(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 unknown - Vax system not operable
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information None
- ☒ 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) 63-03428

Owner: Idaho State Bank Phone No. (208) 366-7492

Current Address: P.O. Box 909 Glenns Ferry 83623

- ☐ No change NAME IS THE SAME
- ☒ NEW OWNER See page 4
- ☐ 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: 9/02/64

(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 attached D.O.R. Report of
Engineer.

OVERLAP REVIEW

Other water rights with the same point of diversion: 63-19685

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

No. - 19685 is a domestic & stockwater claim for
another claimant/different parcel.

WATER USES☐ No change☐ Different Uses

Use Irrigation From _____ To _____ Amount _____ CFS 157.5 AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

35 AC x 4.5 AF/AC = 157.5 AFA / 0.7 cfs x 1.9835 x 246 days = 341.6 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)

ADD N11 & N13

NON-IRRIGATION USES:☒ No change

Domestic use

☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

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

Based on Transfer No. 3732, which
moved the 30 acres from SWSE to SESE,
Sec. 26.

(OVER)

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	
																		35	

Overlap with other water rights: ^{surface water} 63-2090, ^{no SESE} 63-3429, ^{surface water} 63-15170,
~~63-9376~~, ~~63-17340~~, ~~63-19685~~ ^{DOM + STOCK}
Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:
No, these are surface water or Dom/Stock rights.

Delivery System Narrative: Refer to Report of Engineer.

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

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

Domestic use is for 1 home. (AKA the Castle)

Quantity decreed for domestic use is not a determination of historical B.U.

Quantity of water for domestic use shall not exceed 13,000 gallons per day.

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: 1.14.04 (in office)

FIELD EXAMINER: Kimberly Brown

The 35 acres associated with this right have been divided into 4 parcels (refer to 1987 NAPP image showing 2002 Ada County Tax lot information):
[ATTACHED]

21.188 ACRES - B & B Properties Ltd. Partnership (Parcel # 80226449)

7.497 ACRES - Ronald & Judy Hutt Trust (Parcel # 80226449825).

5.201 ACRES - Milton & Helen Mack (Parcel # 80226449067)

2.172 ACRES - Shadow Valley Golf Course (Parcel # 8022522301)
c/o B & B Properties Ltd. Partnership

36 ACRES

January 15, 2004

SHADOW VALLEY GOLF COURSE
15711 HWY. 55
BOISE, ID 83714

RE: Snake River Basin Adjudication Water Right Number A63-03428

Dear Property Owner(s):

We have been advised you may be the new owner of the property with the water right referenced above. Enclosed is a profile report for your review.

Before we can modify our records to reflect your ownership of this water right, we need to have the enclosed Notice of Change of Water Right Ownership form completed. Please follow the instructions attached to the form and return it to this office with all of the required information.

If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

Adjudication Section
Department of Water Resources
Western Region

Enclosures

January 15, 2004

B & B PROPERTIES LTD. PARTNERSHIP
15711 HWY. 55
BOISE, ID 83714

RE: Snake River Basin Adjudication Water Right Number A63-03428

Dear Property Owner(s):

We have been advised you may be the new owner of the property with the water right referenced above. Enclosed is a profile report for your review.

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If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

Adjudication Section
Department of Water Resources
Western Region

Enclosures

January 15, 2004

HELEN MACK OR
MILTON MACK
9600 W. BROOKSIDE LN.
BOISE, ID 83703

RE: Snake River Basin Adjudication Water Right Number A63-03428

Dear Property Owner(s):

We have been advised you may be the new owner of the property with the water right referenced above. Enclosed is a profile report for your review.

Before we can modify our records to reflect your ownership of this water right, we need to have the enclosed Notice of Change of Water Right Ownership form completed. Please follow the instructions attached to the form and return it to this office with all of the required information.

If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

Adjudication Section
Department of Water Resources
Western Region

Enclosures

January 15, 2004

RONALD & JUDY HUTT TRUST
9070 W. BROOKSIDE LN.
BOISE, ID 83703

RE: Snake River Basin Adjudication Water Right Number A63-03428

Dear Property Owner(s):

We have been advised you may be the new owner of the property with the water right referenced above. Enclosed is a profile report for your review.

Before we can modify our records to reflect your ownership of this water right, we need to have the enclosed Notice of Change of Water Right Ownership form completed. Please follow the instructions attached to the form and return it to this office with all of the required information.

If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

Adjudication Section
Department of Water Resources
Western Region

Enclosures

1

Turn sheet over and refer -
- to corresponding number ->

3

2

4

Based on 2002 Ada County Tax lot information, the 35 acres associated with this right have been divided into 4

parcels:

① Parcel # 80225 223016 - 2.172 acres
Shadow Valley Golf Course - c/o B # B Properties Ltd. Partnership
~~15001 W. Horseshoe Bend Rd~~ 15711 Hwy. 55
~~Horseshoe Bend~~ Boise, ID 83703

② Parcel # 80226 449067 - 5.201 acres
Milton & Helen Macle
9600 W. Brookside Ln.
Boise, ID 83703

③ Parcel # 80226 449068 - 21.188 acres
B # B Properties Ltd. Partnership
15711 Hwy. 55
Boise, ID 83703

④ Parcel # 80226 449825 - 7.497 acres
Ronald & Judy Hutt Trust
9070 W. Brookside Lane
Boise, ID 83703

(Don't stock)
different parcel

*635-1009035

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested



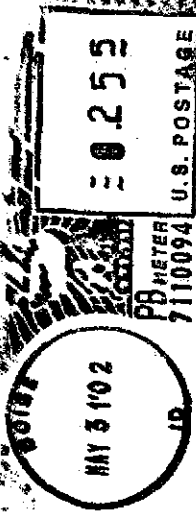
Not Deliverable As Addressed

- ☐ Unable To Forward
☐ Insufficient Address
☐ Moved, Left No Address
☐ Unclaimed ☐ Refused
☐ Attempted - Not Known
☐ No Such Street ☐ Number
☐ Vacant ☐ Illegible
☐ No Mail Receptacle
☐ Box Closed - No Order
☐ Returned For Better Address
☐ Postage Due

PRESORTED
FIRST CLASS

63-3428

found



RECEIVED

JUN 06 2002

WATER RESOURCES
WESTERN REGION

S DONALD ROWE - Rep.
PO BOX 128
KUNA ID 83634

Id. State Bank

Postage paid by addressee

1-14-04 According to 2002 Ada County Tax lot information, the 35 acres associated with this right have been divided into 4 parcels (refer to enclosed 1987 NAPP image showing acres, individual owners, and Parcel numbers).

-KB

-sent Change in Ownership forms 1/15/04



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

December 23, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Amy Woodruff, E.I.T.
J.J. Howard Consulting Engineer
2626 N. 32nd St.
Boise, ID 83703

SENT VIA FACSIMILE AS REQUESTED

RE: AERIES ESTATES SUBDIVISION / CHARLES WARD

Dear Ms. Woodruff:

You requested a letter in response to your letter of December 4, 1996 regarding the above-referenced development. Your letter noted that the existing well will be used within the limits of water right no. 63-03428. That licensed right includes 35 acres of irrigation and one home served by a well.

No additional water right filings are needed if the right will be used within the parameters of the existing right. As you noted, a change in ownership of the water right, or appropriate portion thereof, should be recorded with this agency if the property changes hands.

The issue of forfeiture due to five or more consecutive years of non-use is not being addressed by any action before the Idaho Department of Water Resources at this time. However, that issue could surface in subsequent proceedings such as those anticipated in the Snake River Basin Adjudication (SRBA).

Please contact this office at your convenience if more information is needed.

Sincerely,

Steve Lester
Deputy Regional Manager

C: SRBA file A63-03428



J.J. HOWARD CONSULTING ENGINEER

2626 N. 32nd ST. BOISE IDAHO 83703 (208) 344-0574

December 4, 1996

Mr. Steve Lester 
Department of Water Resources
Western Region
2735 Airport Way
Boise, Id. 83705-5082

RECEIVED

DEC 06 1996

WATER RESOURCES
WESTERN REGION

RE: AERIES ESTATES SUBDIVISION / CHARLES WARD

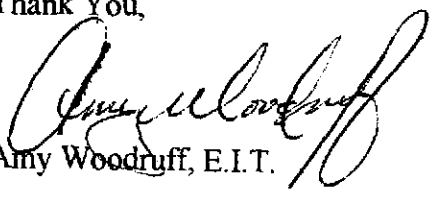
Dear Mr. Lester,

This letter is being sent as an informational update on the "large existing well", water right license number 63-03428, located in Aeries Estates Subdivision, developed by Charles Ward.

The above referenced well will *not* be utilized as a community water system, therefore, it will not be necessary to seek a new water right permit or change the existing water right. The well will be used to provide irrigation water for the development and continue providing domestic water for one home (the existing facility on the property). The planned use for this well is in complete conformance with the existing water right, which authorizes irrigation of up to 35 acres, plus domestic water for one home. The development will be served by individual wells, one per lot, and the applicable permitting for these wells will be completed by the individual property owners.

The ownership of water right number 63-03428, currently owned by Ben E. Stadler, will be transferred with the title to the property, and a change of ownership document will be filed with the Department of Water Resources at the time of closing. If you need additional information or documentation, please call.

Thank You,


Amy Woodruff, E.I.T.

c.c. Charles Ward

Filed → 1996 Comment Letters
cc → 63-03428 S.O. file
A63-03428 Western file

RECEIVED
Page 7 of 10
JAN 12 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JAN 29 1990

Transfer No. 3732

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Department of Water Resources

Name of applicant IDAHO STATE BANK Phone 208-366-7492
Post Office address P.O. Box 909 Glenns Ferry, ID 83623
ATTN: DON ROWE

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 To change place of use from one location to another according to warranty deed.

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 |
|-----------------|-----------------|--------------------|-------------------|---------------------------------|
| <u>63-3428</u> | <u>9/2/1964</u> | <u>0.70 cfs</u> | <u>IRRIGATION</u> | <u>3/15</u> to <u>11/15</u> |
| | | | <u>Domestic</u> | <u>1/1</u> to <u>12/31</u> *Add |
| | | | | to <u>7-27</u> |
| | | | | to _____ |
2. Total amount of water being transferred 0.70 cubic feet per second and/or _____ 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
		SE	SE	26	5N	1E	ADA	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5N	1E	26																35	35

MICROFILMED

JUL 23 1990

Total acres 35

PART 1

6. General Information:

a. Description of diversion system Artesian well, sprinkler systemb. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X 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:

This transfer affects 30 of the 35 ~~the~~ acres in license, moves
30 acres from SWSE to SESE. The 30 acres in SWSE will be
irrigated from different GROUNDWATER source.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 63-3428And said application is hereby APPROVED, subject to the following limitations and conditions:

1. The use of water on the lands to which the above referenced water right was appurtenant is hereby abandoned and failure to put the water to beneficial use within five (5) years of the date of the approval of this transfer on the new land identified under item B.5 shall constitute loss or forfeiture of the water right. 2. The maximum annual volume of water diverted under this right shall not exceed 157.5 afa.

Witness my hand this 12th day of July, 19 90.T. Glen Saylor
Chief, Water Alloc. Bureau

MICROFILMED

JUL 23 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-3428 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water GROUND WATER tributary to _____

4. Date or priority 9/2/1964

5. Water is used for the following purpose:

amount 0.70 for IRRIGATION purposes from 3/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.70 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		<u>SE</u>	<u>SE</u>	<u>26</u>	<u>SN</u>	<u>1E</u>	<u>ADA</u>	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>SN</u>	<u>1E</u>	<u>26</u>															<u>30</u>	<u>5</u>	<u>35</u>

MICROFILMED

JUL 23 1990

Total acres 35

9. Describe any other water rights used for the same purpose as described above NONE

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

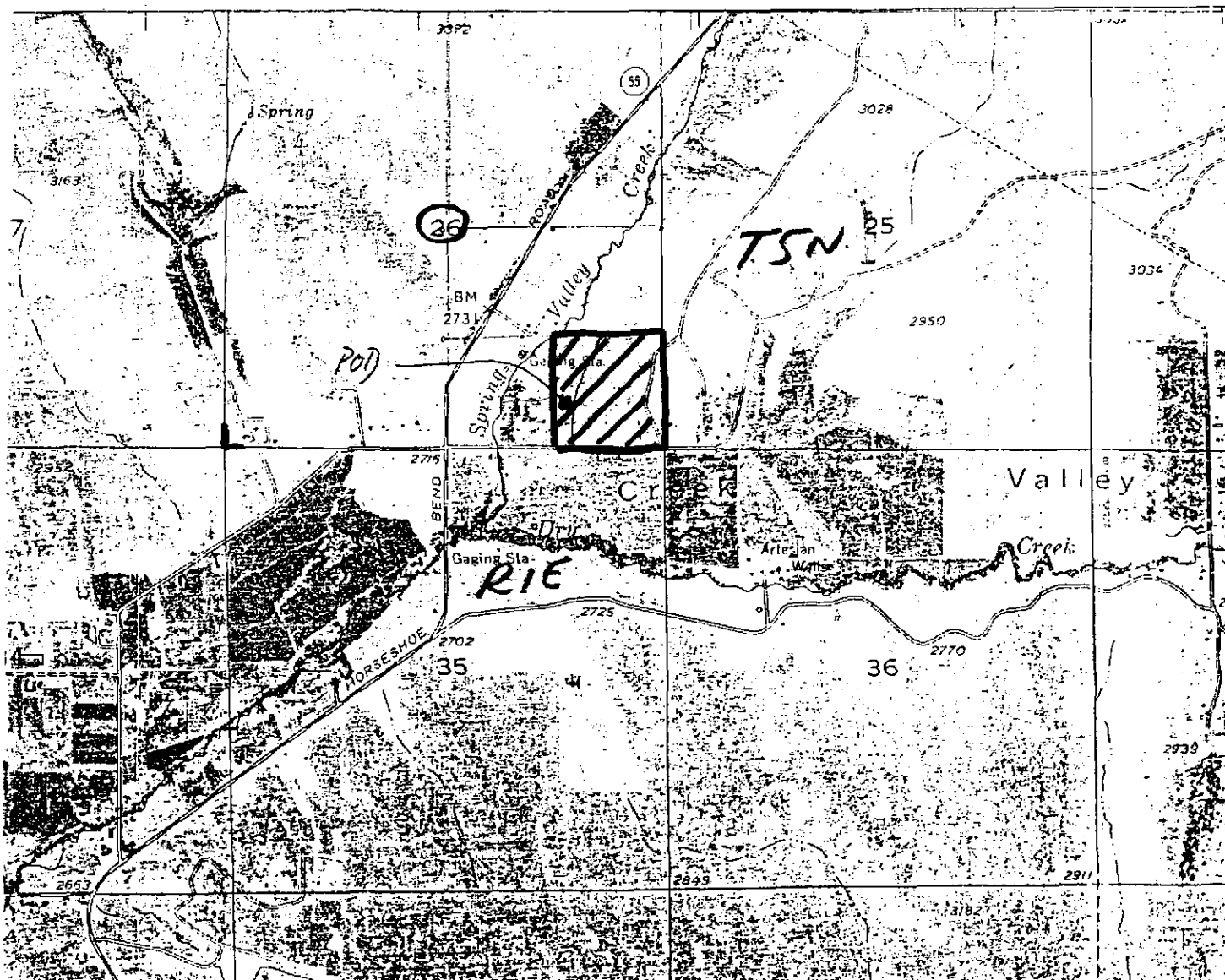
MICROFILMED

JUL 23 1990

Total acres _____

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.



MICROFILMED

JUL 23 1990

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:

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

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.

Idaho State Bank By Ed Donald Rove
(Signature of Applicant)

Subscribed and sworn to before me this 12th day of January, 19 90.

Kathleen A. Walker
(Notary Public)

My commission expires 2-14-1993

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by T. Labe Date 1/12/89 Protest filed by _____

Prelim. check by SL Fee \$50.00

Receipted by CW Date 1/12/1990 #C013955

Published in Id Statesman Copies of protest forwarded by _____

Pub. dates 4/19 & 4/26/90 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by DRS Gary S

Copy of transfer sent to lien holder _____

RECEIVED

JUL 23 1990

State of Idaho

License and Certificate of Water Right

Water License No. G-32051

Amount 0.7 c.f.s.

Water District No. _____

Priority September 2, 1964

THIS IS TO CERTIFY that

BEN F. STADLER

of Boise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated September 2, 19 64; that Permit No. G-32051 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.7 second feet, was issued thereunder on March 4, 19 65, showing that said works were completed on the 10th day of February, 19 65; and that on the 10th day of February, 19 65,

BEN F. STADLER

of Boise, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean flow, for the purpose of domestic & irrigation, under Use Permit No. G-32051 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 13 of Licenses at page 8096, on the 4th day of March, 19 65;
The right hereby confirmed dates from September 2, 19 64;

The Point of Diversion is located

in the SE 1/4 SE 1/4, Sec. 26, Tp. 5N, R. 1E, B. M. Ada -- County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.7 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 N	1 E	26	SE 1/4 SE 1/4	40	5
			SW 1/4 SE 1/4	35	30
			Total number of acres to be irrigated:		35

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

4th day of March, 19 65.

RALPH W. THOMAS

Deputy State Reclamation Engineer.

(SEAL)

63 3428

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. G-32051

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant: Ben F. Stadler
2. Source of water supply: Artesian well
3. Location of point of diversion: Is in the SE 1/4 of Section 26
T. 5 N. R. 1 E. B. M. County of Ada
4. Describe works as they exist, giving dimensions and capacities of same: Flaming Well - 691' deep
340' x 12" casing reduced to 250' x 8" casing. Casing is capped 6" tee with 6" Gate
Valve with coupling to 6" portable main line and sprinkler system 6.0 - 13 nozzle.
Use both sprinkler and flood irrigation.
5. Water is used for: domestic and irrigation
6. State whether or not water has been turned into works of diversion: yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

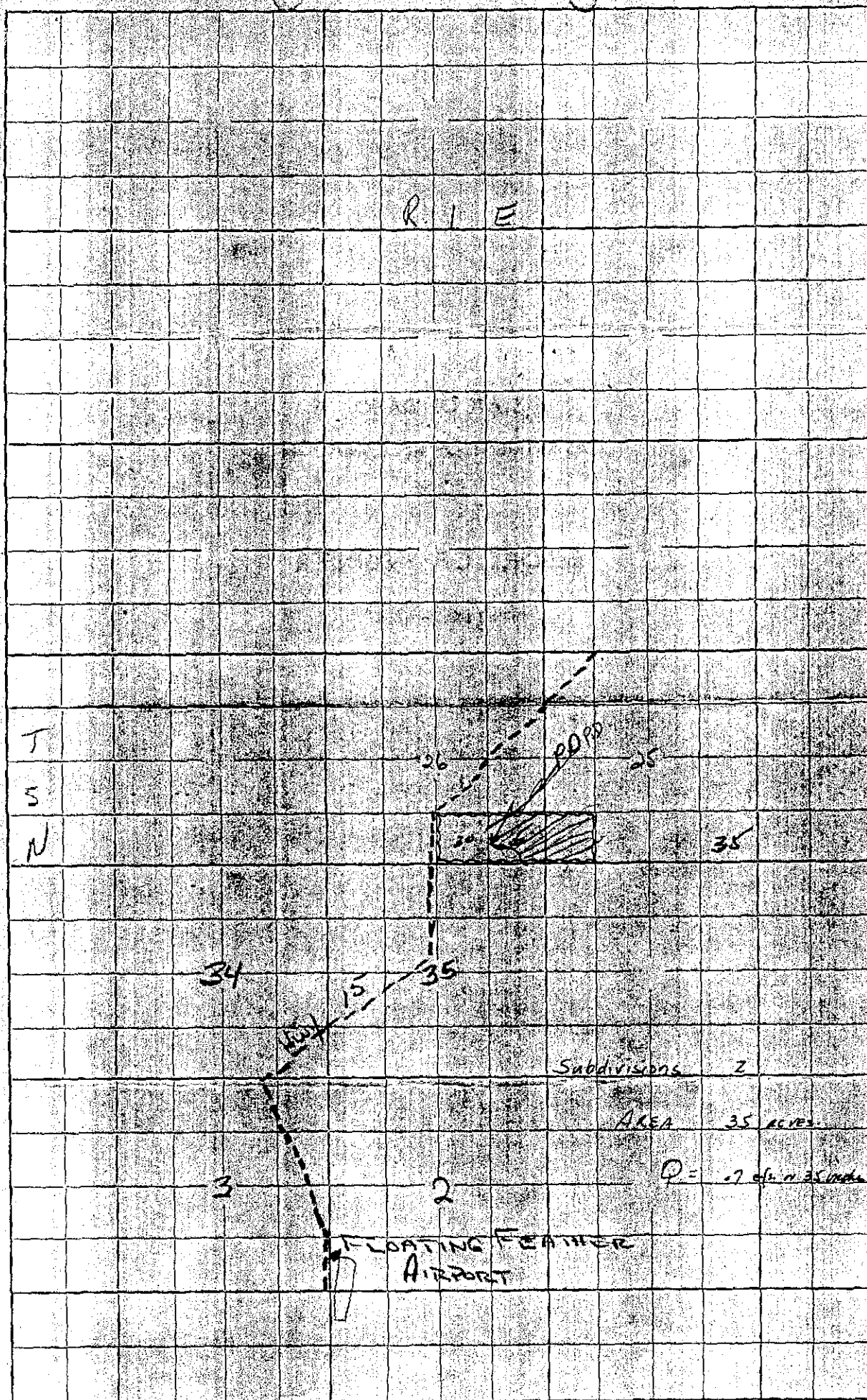
30 acres in SW 1/4 Sec. 25., 75 acres in SE 1/4 Sec. 26., Twp. 5 N., Rge. 1 EBM

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Mr Ben Stadler along.Measured by Sparting Meter. 5 Rev. 5 Min. 19 Sec. = 160 cfsThis examination was made on the 24th day of February, 1945(Signed) Loren Johnson Examiner.

32051



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

32051

63-3428

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 40187
Permit No. G- 32051
District No.

1. Name of Applicant: Ben F. Stadler
Postoffice address: Rt. #1, Boise County: Ada State: Idaho
2. Quantity of water claimed: 2.00 c.f.s.
 - (a) Rate of withdrawal in cubic feet per second Miners' inches or Idaho or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 26
Twp. 5 N , Rge. 1 E. , B.M., County of Ada
5. Water is to be used for: Domestic & Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 26 , Twp. 5 N.
Rge. 1 E. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Artesian
8. Estimated cost of works: \$5,100.00
9. (a) Is reservoir to be used? Yes, with tractor pump
(b) Capacity of reservoir: 6 hrs. to fill
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 2.0 (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks:

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

s/ Ben F. Stadler Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 4:30 P.M. September 2, 1964

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 32051
Recorded in Book 112 Page 32051

Approved September 8, 1964

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before March 8, 1967

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before September 8, 1969

Witness my hand this 8th day of September, 1964 s/ CARL E. TAPPAN
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 8th day of September, 1964.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

Secretary of State.

By s/ ROBERT E. SMYLLIE
Governor

12.

Twp.	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals
			NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	
5 N	1 E	25 26			30	35 40	30 75 105
TO ALL WHOM IT MAY CONCERN:			Permit No. G-32051 CERTIFICATE OF COMPLETION OF WORKS				
			This is to certify that BEN F. STADLER of Boise, County of Ada, and State of Idaho, the holder of Permit No. G-32051, issued upon Application No. G-40187, bearing date of priority of September 2, 1964, authorizing the diversion of 2.00 second feet of waters of a well, County of Ada, State of Idaho, for domestic and irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.7 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters SE $\frac{1}{4}$ Sec. 26, T. 5 N., R. 1 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 26, T. 5 N., R. 1 E., B. M.				
			Witness my hand this 4th day of March, A. D. 1965.				
Proof of Completion of Works Made: February 10, 1965			s/ RALPH W. THOMAS, Deputy State Reclamation Engineer				
			LICENSE ISSUED FOR 0.7 SEC. FT. LICENSE PAGE NO. 8896				