

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 63-21
Date Received: 2/14/1990
Receipt No: C014690
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DBSI LAKE LOWELL 160 LLC Phone: (208)472-0300
1550 J TECH LANE
MERIDIAN ID USA 83642

2. Date of Priority: 05/23/1961

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
03N	03W	31	SW	SW	SE	CANYON	

5. Description of diverting works:

WELL, 320' DEEP, 12" CASING, 30 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	2	

7. Total Quantity Appropriated is:
2 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
03N	03W	31	SE	SE	IRRIGATION	24
			NW	SE	IRRIGATION	38
			SW	SE	IRRIGATION	38
					Section Acres	100
					Total Acres	100

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

CHANGE IN OWNERSHIP LG 12/13/05

15. Basis of Claim: Decreed

Form 42-248/42-1489(6) July, 2000

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

RECEIVED
DEC 09 2005
WATER RESOURCES
WESTERN REGION

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

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

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
→ 6321					

- 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 **WARRANTY DEED**, ~~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)

Boyd & Idella Petersen
17472 Marsing Rd, Caldwell, ID 83407

- ④ New Owner/Claimant(s)

DBSI Lake Lowell 160, LLC

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

1550 S Tech Lane

City, State and ZIP Code

Meridian, Idaho 83642

New Telephone Number

(208) 472-0300

- ⑤ Date you acquired the property

October 28, 2005

Questions call Thomas @ kastera
 427-0317 Homer

Form 42-248/42-1409(4) July, 2000

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

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

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

7.

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

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

For Office Use Only

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

B
INSTRUMENT NO. 200571901

PC68632

CC7380

WARRANTY DEED

FOR VALUE RECEIVED Boyd L. Petersen and Idella P. Petersen,
Trustees of The Petersen Family Trust

the Grantors, do hereby grant, bargain, sell and convey unto DBSI Lake Lowell 160, LLC, an
Idaho Limited Liability Company

the Grantees, whose address is 1550 S. Tech Lane, Meridian, ID 83642,

the following described premises, to-wit:

See attached Exhibit "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, heirs and assigns
forever. And the said Grantor do hereby covenant to and with the said Grantees, that they the owners in fee simple of said
premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 2005 and
subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same
from all lawful claims whatsoever.

DATED: October ²⁹~~27~~, 2005

Boyd L. Petersen TFE
Boyd L. Petersen, Trustee

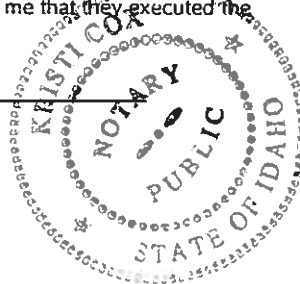
Idella P. Petersen TFE
Idella P. Petersen, Trustee

STATE OF Idaho

COUNTY OF Canyon

On this 28 day of October in the year 2005, before me, a
Notary Public, in and for the said State, personally appeared Boyd L.
Petersen and Idella P. Petersen known to me to be the person whose
name is subscribed to the within instrument as Co-Trustees of The
Petersen Family Trust and acknowledged to me that they executed the
same as such Co-Trustees.

Kristi Cox
Notary Public
Residing at
My commission expires



CANYON COUNTY RECORDER
Idella P. Petersen

OCT 28 PM 4 28

RECORDED

200571901

Residing in Meridian, Idaho
Commission Expires 08-14-07

PIONEER TITLE COMPANY
OF CANYON COUNTY
"CANYON OFFICE"

PIONEER-CALDWELL

REQUEST
Deed FEE 68

5680 E. FRANKLIN, STE. 150
NAMPA, IDAHO 83686

TEL. (208) 465-6655
FAX. (208) 465-6556

PC 68632

Exhibit "A"

Parcel I

The Southeast Quarter of Section 31, Township 3 North, Range 3 West of the Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM

That portion of the Southwest Quarter of the Southeast Quarter of Section 31, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

Beginning at the Southwest corner of said Southwest Quarter of the Southeast Quarter; Thence North along the West line of said Southwest Quarter of the Southeast Quarter, a distance of 217.8 feet; thence East parallel to the South line of said Southwest Quarter of the Southeast Quarter, a distance of 800 feet; thence South parallel with the said West line of the Southwest Quarter of the Southeast Quarter, a distance of 217.8 feet to a point on the South line of said Southwest Quarter of the Southeast Quarter; thence East along the said South line a distance of 800 feet to the Point of Beginning.

N1375245.05 E2278824.33
ROTATE +0.0000
N00.0000 W 217.80
N90.0000 E 800.00
S00.0000 W 217.80
S90.0000 E 800.00

INSTRUMENT NO.

200571902

PC08632

CC7380

WARRANTY DEED

FOR VALUE RECEIVED Boyd L. Petersen and Idella P. Petersen,
Trustees of The Petersen Family Trust

the Grantors, do hereby grant, bargain, sell and convey unto DBSI Lake Lowell 160, LLC, an
Idaho Limited Liability Company

the Grantees, whose address is 1550 S. Tech Lane Meridian, Id 83642

the following described premises, to-wit:

See attached Exhibit "A"

Subject to the life estate as reserved in Quit Claim Deed recorded
10-28-05 as Instrument No. 200571899.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, heirs and assigns
forever. And the said Grantor do hereby covenant to and with the said Grantees, that they the owners in fee simple of said
premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 2005 and
subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same
from all lawful claims whatsoever.

DATED: October ²⁸~~27~~, 2005

Boyd L. Petersen TTE
Boyd L. Petersen, Trustee

Idella P. Petersen TTE
Idella P. Petersen, Trustee

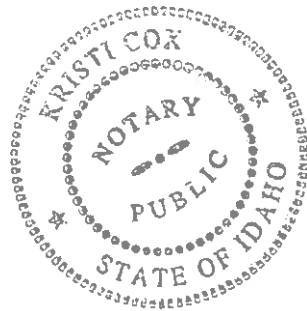
STATE OF Idaho

COUNTY OF Canyon

On this 28 day of October in the year 2005, before me, a
Notary Public, in and for the said State, personally appeared Boyd L.
Petersen and Idella P. Petersen known to me to be the person whose
name is subscribed to the within instrument as Co-Trustees of The
Petersen Family Trust and acknowledged to me that they executed the
same as such Co-Trustees.

Kristi Cox
Notary Public
Residing at
My commission expires

Notary Public, Idaho
Commission Expires 03-11-08



PIONEER TITLE COMPANY

EXHIBIT "A"

That portion of the Southwest Quarter of the Southeast Quarter of Section 31, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

Beginning at the Southwest corner of said Southwest Quarter of the Southeast Quarter; Thence North along the West line of said Southwest Quarter of the Southeast Quarter, a distance of 217.8 feet; thence East parallel to the South line of said Southwest Quarter of the Southeast Quarter, a distance of 800 feet; thence South parallel with the said West line of the Southwest Quarter of the Southeast Quarter, a distance of 217.8 feet to a point on the South line of said Southwest Quarter of the Southeast Quarter; thence East along the said South line a distance of 800 feet to the Point of Beginning.

200571902

RECORDED

OCT 28 PM 4 28

G NOEL HALE
CANYON CNTY RECORDER

phone

RECEIVED

REQUEST

TYPED AND FILED

Rick D. Bailey, ISB #5220
BAILEY LAW GROUP, P.C.
504 11th Avenue South
Nampa, ID 83651
Telephone: 208-466-5250
Facsimile: 208-466-1337
Attorney for the Applicant

F I L E D
A.M. 11:53 P.M.

JAN 26 2004

CANYON COUNTY CLERK
T. CRAWFORD, DEPUTY

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF CANYON

IN THE MATTER OF THE ESTATE OF)

PAUL B. PETERSEN,)

Deceased.)

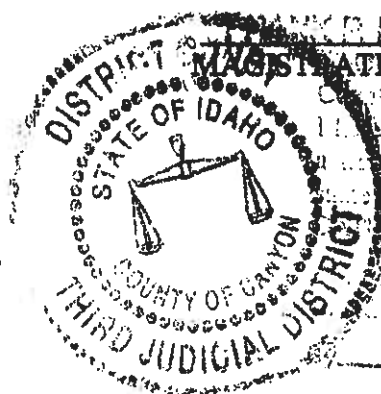
CASE NO. CV04817C

**LETTERS OF
ADMINISTRATION AND
OATH OF ACCEPTANCE**

1. BOYD L. PETERSEN was duly appointed and qualified as general Personal Representative of the Estate of the above-named decedent by the Court with all authority pertaining thereto.
2. Administration of the Estate is unsupervised.
3. These letters are issued to evidence the appointment, qualification, and authority of the said Personal Representative.

WITNESS, my signature and the Seal of this Court, this 26 day of Jan, 2004.

LETTERS OF ADMINISTRATION AND
OATH OF ACCEPTANCE - PAGE 1



T. CRAWFORD, Deputy Clerk of the District Court
1-26-04

OATH OF ACCEPTANCE

STATE OF IDAHO)

COUNTY OF CANYON)

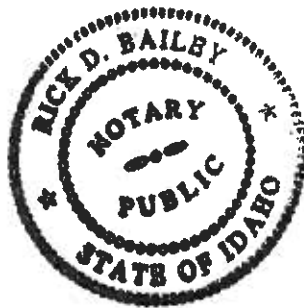
The undersigned hereby accepts appointment to the office of Personal Representative of the Estate of the above-named decedent and agrees to perform and discharge the trust of said office. The undersigned hereby submits personally to the jurisdiction of this Court in any proceeding relating to the estate that may be instituted by an interested person as defined by the Idaho Uniform Probate Code.

DATED: 1-12-04

Boyd L. Petersen
BOYD L. PETERSEN
17472 Marsing Road
Caldwell, ID 83605
(208) 459-4842

2004.

SUBSCRIBED AND SWORN to before me this 12th day of JANUARY.



[Signature]
NOTARY PUBLIC
Commission Expires: 8/31/04

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: A63-00021
Date Received: 2/09/1990
Receipt No: C014690
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PAUL B. PETERSEN 208-459-4842
Address: 17472 MARSING RD.
CALDWELL, ID 83605

2. Date of Priority: MAY 23, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	03W	31	SW	SW	SE		CANYON

5. Description of diverting works:
WELL, 320' DEEP, 12" CASING, 30 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	2.000		

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

8. Total consumptive use is 350.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	03W	31	NW	SE		IRR	38.0
			SW	SE		IRR	38.0
			SE	SE		IRR	24.0

A63-00021

Page 1

Date: 10/18/90

MICROFILMED

OCT 01 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	100.0
					Total Acres	100.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
WILDER IRRIG.

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

ANDERS

Decree Plaintiff

vs

PETERSON

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: A63-00021
Date Received: 2/09/1990
Receipt No: 0014690
Received By: C. Wong

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PAUL B. PETERSEN
Address: 17472 MARSING RD.
CALDWELL, ID

83605

208-459-4842

RECEIVED
FEB 14 1990

2. Date of Priority: MAY 23, 1961

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot
03N	03W	31	SW	SW	SE	

Department of Water Resources
County
CANYON

5. Description of diverting works:
WELL, 320' DEEP, 12" CASING, 30 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	2.000		

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

8. Total consumptive use is 350.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	03W	31	NW	SE		IRR	38.0
			SW	SE		IRR	38.0
			SE	SE		IRR	24.0

Section Acres 100.0

A63-00021

Page 1

Date: 02/09/90

MICROFILMED

OCT 01 1992

10. Place of Use: Continued

Total Acres 100.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
WILDER IRRIG.

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

ANDERS

Decree Plaintiff

vs

PETERSON

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Paul Peter Date: 2/12/90

Date: _____

State of Idaho)
County of Owyhee) SS.

Subscribed and sworn (or affirmed) before me this 12 day

of February 19 90

Tom Sykes
Notary Public

Seal

Residing at Manzing

My Commission Expires 1-25-94

LINE

CANAL

LATERAL

Gravel Pit

Lakeland School

DEMKE

WATER

PROLINE

LATERAL

422

421

420

419

FEET

OCT 01 1992

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Pitman

CLAIM IDENT. NO.

A63-00021

DATE RECEIVED

CK # C014690

AMOUNT \$

YES

NO

Require
Info?

1. Is the name and address complete with zip code? ☐ YES ☐ NO ☐ *
2. Is a priority date entered? ☐ YES ☐ NO ☐ *
- Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☐ YES ☐ NO ☐ *
3. (a) Is a source entered? ☐ YES ☐ NO ☐ *
- (b) Is a tributary to entered? (if required) ☐ YES ☐ NO ☐ *
4. Is the legal description of the p.d. sufficient? ☐ YES ☐ NO ☐ *
5. Is there a description of the diverting works? ☐ YES ☐ NO ☐ *
6. Are the water uses appropriate for the form? The short form is limited
to domestic and stockwater uses with direct diversion. All claims that
include storage or instream stockwater must use long form. ☐ YES ☐ NO ☐ *
- Is the period of use included? ☐ YES ☐ NO ☐ *
- Is a quantity claimed for each use? ☐ YES ☐ NO ☐ *
7. Is a total quantity claimed entered? ☐ YES ☐ NO ☐ *
8. If required is a consumptive use entered? ☐ YES ☐ NO ☐ *
- Is the consumptive use correct? ☐ YES ☐ NO ☐ *
9. Are the non-irrigation uses listed properly? If this claim is on the
short form, and more than one domestic use is listed, single owner-
ship must be stated. If not under single ownership, see
Adjudication Memo # 4. ☐ YES ☐ NO ☐ *
10. Is (are) the place(s) of use and purpose(s) indicated? ☐ YES ☐ NO ☐ *
11. Is (are) the county(ies) entered? ☐ YES ☐ NO ☐ *
12. Is the ownership of p.u. checked? ☐ YES ☐ NO ☐ *
13. Are other water rights listed or "none" indicated? ☐ YES ☐ NO ☐ *
14. If required, are remarks correct? (If the claimant does not own
the place of use, authority for filing the claim must be
explained in the remarks.) ☐ YES ☐ NO ☐ *
15. Is the basis of the claim indicated? ☐ YES ☐ NO ☐ *
16. If the claimant requested a monthly docket sheet, is payment enclosed?
(If yes, describe payment status in "Comments" below.) ☐ YES ☐ NO ☐ *
17. Is the claim signed by the claimant, and is the signature appropriate?
Organizations must complete the organization block. ☒ YES ☐ NO ☐ *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ *
20. Is the fee enclosed correct? ☐ YES ☐ NO ☐ *
21. If this claim is based on an existing water right, has the
identification number been entered? ☐ YES ☐ NO ☐ *
22. Should this claim be data entered? ☐ YES ☐ NO ☐ *

Claim checked by: RMEDate: 5/25/90

Claim must be returned to claimant:

(Yes) ☐ (No) ☒

Claimant must be notified of modifications:

(Yes) ☐ (No) ☒

Receipt Prepared by: _____
Claim data entered by: _____
Sent to claimant by: _____

Date: _____
Date: _____
Date: _____

Checked by: _____ Date: _____

Comments: _____

MICROFILMED

OCT 01 1992

NOTICE OF ERROR
REPLY

09/29/2006
RECEIVED
OCT 24 2006
DEPARTMENT OF
WATER RESOURCES

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-21

DBSI LAKE LOWELL 160 LLC
1550 S TECH LANE
MERIDIAN ID 83642

RECEIVED
OCT 20 2006
WATER RESOURCES
WESTERN REGION

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

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

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

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

DATE: 18 Oct. 2006 SIGNATURE: Wayne S. Forrey
Please print your name: Wayne S. Forrey

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

Vkw

08/14/2006

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

RIGHT NUMBER: 63-21

NAME AND ADDRESS: DBSI LAKE LOWELL 160 LLC
1550 S TECH LANE
MERIDIAN ID 83642

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.000 CFS
450.000 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 05/23/1961

POINT OF DIVERSION:

T03N R03W S31 SWSWSE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	2.000 CFS 450.00 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T03N R03W S31	NWSE	38.00	T03N R03W S31	SWSE	38.00
T03N R03W S31	SESE	24.00			

100 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 - Decreed

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



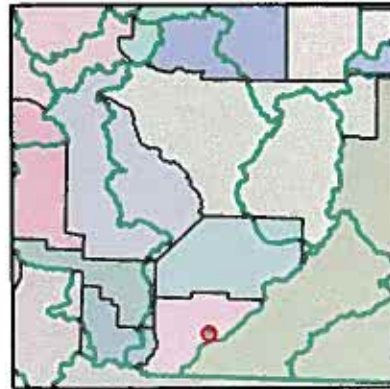
SRBA Recommendation:

63-21

$\text{accs} = 100$

Legend

- Point of Diversion
 - Place of Use
 - Townships
 - PLS Sections
 - Quarter Quarters



**Canyon County
IDWR Basin 63**

**Prepared by K. Walker
On Monday, August 14, 2006
1987/88 Aerial Photography**



W59-Wieder
(per orig. claim)

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-21

WATER RIGHT NUMBER: 63-21

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	IDELLA PETERSON
	, ID
Current Owner	BOYD L PETERSON
	, ID

Priority Date: 05/23/1961

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>
IRRIGATION	/ to /	2.000 CFS	
	<u>Total Diversion:</u>	2.000 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4	Sec. 31, Twp 03N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NE1/4SE1/4	Sec. 31, Twp 03N, Rge 03W, B.M.
CANYON County		
GROUND WATER	SW1/4SE1/4	Sec. 31, Twp 03N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NW1/4SE1/4	Sec. 31, Twp 03N, Rge 03W, B.M.
CANYON 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	
03N	03W	31													X	X	X	X	

Conditions of Approval:Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-21

03/03/2006

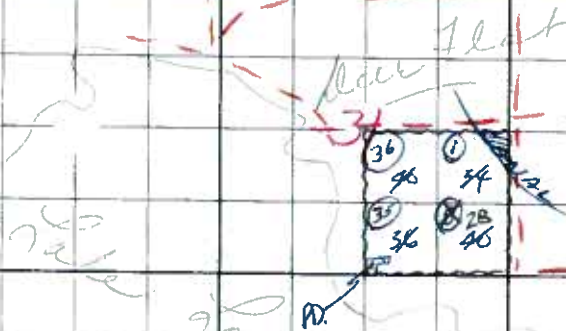
1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
1-21	Claim	03N	03W	31	NW	SE		IRRIGATION	38/100	DBSI LAKE LOWELL 160 LLC
1-21	Water Right	03N	03W	31	NW	SE		IRRIGATION		IDELLA PETERSON
3237	Water Right	03N	03W	31	NW	SE		IRRIGATION	36/100	LORENZO C PETERSEN
1-21	Claim	03N	03W	31	SW	SE		IRRIGATION	38/100	DBSI LAKE LOWELL 160 LLC
1-21	Water Right	03N	03W	31	SW	SE		IRRIGATION		IDELLA PETERSON
3237	Water Right	03N	03W	31	SW	SE		IRRIGATION	35/100	LORENZO C PETERSEN
20833	Water Right	03N	03W	31	SW	SE		STOCKWATER		BOYD PETERSEN
20834	Water Right	03N	03W	31	SW	SE		STOCKWATER		PAUL B PETERSEN
20833	Water Right	03N	03W	31	SW	SE		DOMESTIC		BOYD PETERSEN
20834	Water Right	03N	03W	31	SW	SE		DOMESTIC		PAUL B PETERSEN
1-21	Claim	03N	03W	31	SE	SE		IRRIGATION	24/100	DBSI LAKE LOWELL 160 LLC
1-21	Water Right	03N	03W	31	SE	SE		IRRIGATION		IDELLA PETERSON
3237	Water Right	03N	03W	31	SE	SE		IRRIGATION	28/100	LORENZO C PETERSEN

Page 3 W. B. H.

Name

Top 3 W.



37	37
42	63
79	100

74
76
150

See PHOTO COPY

AREA - 79 ACRES

SUBA - 4

allow G - 1.58 cfs

AND PERSON PROTESTED THE Q & THE BEVERAGE - RIGHTFULLY
SO I MADE AN ERROR - SESE SEC 31 - 21 ADDITIONAL ACRES ARE
INDICATED.

ALLOW - 2.00 cfs.

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

AREA - 100 ACRES DR.

NOTE: COURT DECREED 2.00 cfs / 100 ACRES. 29741

63-3237

Pge 3W.BM

Name

Top. 3W.

Take

Small

Flat

36 34 32 30 28 26 24 22 20 18 16 14 12 10 8 6 4 2

37	37
42	62
79	100

74
71
130

See PHOTO COPY

63-3237

#3

63-A-3W

537

INSTRUMENT NO. 590845

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF CANYON

Wells constitutes one interest in said land and considered source of
WILLIAM C. ANDERS and EDITH G. ANDERS, husband and wife,) Civil No. 16502
Plaintiffs,)
-vs-)
BOYD L. PETERSEN and IDELLA PETERSEN, husband and wife;
BLAINE PETERSEN and VEDA G. PETERSEN, husband and wife;
LORENZO C. PETERSEN,)
Defendants.)

D E C R E E

FILED	
9:30 A.M.	P.M.
JAN 27 1967	
WALTER FRY, CLERK	
G. J. Powell, DEPUTY	

This cause was submitted to the Court for decision upon

Stipulation of the Parties and upon the reports of the examinations
by the State Reclamation Engineer and was by the Court taken
under advisement and duly considered, and the Court having made
and filed herein its Findings of Fact and Conclusions of Law,

NOW, THEREFORE, on motion of the plaintiffs, IT IS ORDERED,

ADJUDGED and DECREED, as follows:

I

That the waters herein decreed and allotted are subterranean
waters subject to appropriation by the parties hereto under the

JUN 21 1996

553

laws of the State of Idaho; that the waters pumped from the plaintiffs' well and the waters pumped from the defendants' well are derived from the same source, and the water supply of said wells constitutes one interdependent and connected source of supply, and such waters in said wells are hereby drawn within the jurisdiction of this Court for distribution for beneficial uses under and pursuant to the terms of this Decree.

II

63-0020

That the plaintiffs, William C. Anders and Edith G. Anders, husband and wife, are hereby decreed the right to the use of one miners inch (.02 cubic feet per second) of the waters flowing in or percolating through the said interdependent and connected source of supply and pumped therefrom through the plaintiffs' well located on the land hereinafter described, said quantity of water to be measured at said well, with priority dating from February 1, 1947, said water being decreed for livestock and domestic use upon the following described land:

of That part of Lots 2 and 3 and of the Southwest quarter of the Northeast quarter, lying East of the Mora Canal, in Section 6, Township 2 North, Range 3 West, Boise Meridian, in Canyon County, Idaho.

III



That the defendants, Boyd L. Petersen and Idella Petersen, husband and wife, Blaine Petersen and Veda G. Petersen, husband and wife, and Lorenzo C. Petersen, are hereby decreed the right

JUN 21 1996

Wells constitute one
are derived from the same source, and the
plaintiffs, well and the waters pumped from is defendants, well
laws of the State of Idaho: that the waters pumped from the
223

63-0021

559

to the use of one hundred miners inches (2.0 cubic feet per
second) of the waters flowing in or percolating through the
said interdependent and connected source of supply and pumped
therefrom through the defendants' well located on the land
hereinafter described, said quantity of water to be measured
at said well, with priority dating from May 23, 1961, said
water being decreed for irrigation use upon the following
described land:

The Southeast quarter of Section 31, Township 3
North, Range 3 West, Boise Meridian, in Canyon
County, Idaho.

Section IV

The water rights hereinbefore specified and decreed are
derived from the same source of supply, that is to say, the
water pumped from the well of the plaintiffs and the water pumped
from the well of the defendants is derived from the various
subterranean water-bearing strata which constitute the inter-
dependent and connected source of supply identified in Paragraph
I of this Decree. The intent of this Decree is to settle in the first
instance, pending the creation of a water right by law, of a water
right. That the defendants, and each of them, and their agents and
employees, be, and they are hereby, perpetually enjoined and
restrained from diverting the waters of said interdependent and
connected source of supply so as in any way to lessen the quantity

RECEIVED

JUN 21 1966

580

of waters to which the plaintiffs are by this Decree entitled, is hereby ~~to regulate the pumping of water~~ and more particularly, the defendants are perpetually enjoined ~~wells of the parties hereto, in accordance with the~~ and restrained from diverting the waters of said interdependent and connected source of supply so as to lower the level of the ~~The plaintiffs are hereby directed to pump the water~~ subterranean waters in plaintiffs' well below that level from which ~~the plaintiffs' pump~~ the plaintiffs' pump, while the same is installed in its present depth and is operating with reasonable efficiency, is capable of pumping the water herein decreed to the plaintiffs.

What depth?

VI

Each and every of the parties hereto, and their servants, attorneys, employees, agents and successors in interest are hereby enjoined and restrained from any and all use of the water of said interdependent and connected source of supply except in the manner and to the extent and for the purposes herein provided, and except upon subsequent appropriations made under the laws of the State of Idaho.

VII

Further orders as may be necessary to give effect to this Decree

The enforcement of this Decree is committed in the first instance, pending the creation, as provided by law, of a water district comprising the source of supply of the water rights herein decreed, to the State Reclamation Engineer of the State of Idaho, who is hereby appointed a Commissioner of this Court for that purpose, to serve without compensation, he having consented so to do. Said State Reclamation Engineer

JUN 21 1996

561

is hereby directed to regulate the pumping of water from the wells of the parties hereto, in accordance with the terms hereof. Reclamation Engineer, which VIII shall pay the

The plaintiffs are hereby directed to pay the costs of purchasing and installing the new pump in their said well, which costs amount to the sum of \$428.25, such payment to be made to Cliff Adamson Company, or such other person as may be entitled thereto.

IX

The defendants are directed to pay the costs of the examination made by the State Reclamation Engineer, which costs aggregate the sum of \$1,284.45. Payment thereof shall be made to Carlyle W. Briggs, Consulting Engineer, the engineer who made the examination for the State Reclamation Engineer.

X

The Court retains jurisdiction of this cause to make such further orders as may be necessary to give effect to this Decree and to punish the parties hereto, their agents, employees, grantees and successors in interest, for any violation of the provisions hereof. In all other respects this Decree shall be final.

562

XI

Except for the costs of the examination by the State Reclamation Engineer, each party shall pay their own costs herein.

DATED this 27th day of January, 1967.

Robert B. Hawley
District Judge

RECORDED

Sub. 3 available

at 1

no

copy of District

Book

JUN 21 1966

FILED	JUN 21 1966	CLERK
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IN SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF ARIZONA, IN AND FOR THE COUNTY OF GAVAR

WILLIAM C. ANDERS and wife,
G. ANDERS, husband and wife,

CIVIL No. 16502

vs.

BOND L. PETERSEN and LOELLA
PETERSEN, husband and wife,
DIANE PETERSEN and GUYA G.
PETERSEN, husband and wife,
LORENZO C. PETERSEN,

Defendants.

DECREE

9:20
[Signature]

This cause was submitted to the Court for decision upon
submission of the parties and upon the reports of the examinations
by the State Reclamation Engineer and was by the Court taken
under advisement and duly considered, and the Court having made
and filed herein its Findings of Fact and Conclusions of Law,

NOW, THEREFORE, on motion of the plaintiffs, It is ORDERED,
ADJUDGED and DECREED, as follows:

I

That the waters herein decreed and allotted are subterranean
waters subject to appropriation by the parties herein under the

laws of the State of Idaho; that the waters pumped from the plaintiffs' well and the waters pumped from the defendants' well are derived from the same source, and the water supply of said wells constitutes one interdependent and connected source of supply, and such waters in said wells are hereby drawn within the jurisdiction of this Court for distribution for beneficial uses under and pursuant to the terms of this Decree.

63 0020

II

That the plaintiffs, William C. Anders and Edith C. Anders, husband and wife, are hereby decreed the right to the use of one miners inch (.02 cubic feet per second) of the waters flowing in or percolating through the said interdependent and connected source of supply and pumped therefrom through the plaintiffs' well located on the land hereinafter described, said quantity of water to be measured at said well, with priority dating from February 1, 1947, said water being decreed for livestock and domestic use upon the following described land:

That part of Lots 2 and 3 and of the Southwest quarter of the Northeast quarter, lying East of the Mora Canal, in Section 6, Township 2 North, Range 3 West, Boise Meridian, in Canyon County, Idaho.

III

 That the defendants, Boyd L. Petersen and Idella Petersen, husband and wife, Blaine Petersen and Veda G. Petersen, husband and wife, and Lorenzo C. Petersen, are hereby decreed the right

to the use of one hundred miners inches (2.0 cubic feet per second) of the waters flowing in or percolating through the said interdependent and connected source of supply and pumped therefrom through the defendants' well located on the land hereinafter described, said quantity of water to be measured at said well, with priority dating from May 23, 1961, said water being decreed for irrigation use upon the following described land:

The Southeast quarter of Section 31, Township 3 North, Range 3 West, Boise Meridian, in Canyon County, Idaho.

IV

The water rights hereinbefore specified and decreed are derived from the same source of supply, that is to say, the water pumped from the well of the plaintiffs and the water pumped from the well of the defendants is derived from the various subterranean water-bearing strata which constitute the interdependent and connected source of supply identified in Paragraph I of this Decree.

V

That the defendants, and each of them, and their agents and employees, be, and they are hereby, perpetually enjoined and restrained from diverting the waters of said interdependent and connected source of supply so as in any way to lessen the quantity

of waters to which the plaintiffs are by this Decree entitled, and more particularly, the defendants are perpetually enjoined and restrained from diverting the waters of said interdependent and connected source of supply so as to lower the level of the subterranean waters in plaintiffs' well below that level from which the plaintiffs' pump, while the same is installed in its present depth and is operating with reasonable efficiency, is capable of pumping the water herein decreed to the plaintiffs.

VI

Each and every of the parties hereto, and their servants, attorneys, employees, agents and successors in interest are hereby enjoined and restrained from any and all use of the water of said interdependent and connected source of supply except in the manner and to the extent and for the purposes herein provided, and except upon subsequent appropriations made under the laws of the State of Idaho.

VII

The enforcement of this Decree is committed in the first instance, pending the creation, as provided by law, of a water district comprising the source of supply of the water rights herein decreed, to the State Reclamation Engineer of the State of Idaho, who is hereby appointed a Commissioner of this Court for that purpose, to serve without compensation, he having consented so to do. Said State Reclamation Engineer

is hereby directed to regulate the pumping of water from the wells of the parties hereto, in accordance with the terms hereof.

VIII

The plaintiffs are hereby directed to pay the costs of purchasing and installing the new pump in their said well, which costs amount to the sum of \$428.25, such payment to be made to Cliff Adamson Company, or such other person as may be entitled thereto.

IX

The defendants are directed to pay the costs of the examination made by the State Reclamation Engineer, which costs aggregate the sum of \$1,284.45. Payment thereof shall be made to Carlyle W. Briggs, Consulting Engineer, the engineer who made the examination for the State Reclamation Engineer.

X

The Court retains jurisdiction of this cause to make such further orders as may be necessary to give effect to this Decree and to punish the parties hereto, their agents, employees, grantees and successors in interest, for any violation of the provisions hereof. In all other respects this Decree shall be final.

Except for the costs of the examination by the State Reclamation Engineer, each party shall pay their own costs herein.

DATED this 27th day of January, 1967.

W. B. H. H. H.
District Judge

William C. Anders
et ux

vs.

Boyd L. Peterson
et ux et heirs

Decease

FILED	JAN 27 1967	W. B. H. H. H.
9:30 AM		

13/62

39-557

State of Idaho }
County of Canyon } ss.

I hereby certify that the foregoing instrument is a true and correct copy of the original as the same appears in this office.

Ms. 201967

Witness my hand and the seal of the Court and the State Recorder.

Lawrence J. ...
(Signature)



WA
RECEIVED

AUG 28 2006

DEPARTMENT OF
WATER RESOURCES

August 25, 2006

State of Idaho Department of Water Resources
Kay Walker
322 East Front Street, P.O. Box 83720
Boise, ID 83720-0098

RE: Notice of Change in Water Right Ownership Submitted February 16, 2006 and
SRBA Claim No. 63-00021

Dear Ms. Walker:

According to a letter (copy enclosed) dated August 15, 2006, which you sent to DBSI Lake Lowell 160 LLC a.k.a Kastera Homes, you stated that water rights 63-20833 and 63-20834 could not be processed until a \$50.00 filing fee was paid. You also referenced a letter dated March 27, 2006. Kastera Homes did receive that letter (copy enclosed) in which the initial request for payment was received.

A copy of the check Kastera Homes cut for the original request is enclosed along with all related paperwork for your review. I have also confirmed with Kastera's accounting department that the check has cleared.

On the other item of your August 15, 2006, letter, SRBA Claim No. 63-00021, Kastera Homes will file the needed paperwork at a later date.

If you have any questions for me please feel free to call me at 472.0300.

Respectfully,

Thomas Fassino
Project Manager

8/29/06
called Mr. Fassino
& let him know
we found filing
fee for owner
change & had
rec'd this letter.
KW



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

COPY

JAMES E. RISCH
Governor

KARL J. DREHER
Director

August 15, 2006

DBSI LAKE LOWELL 160 LLC
1550 S TECH LN
MERIDIAN ID 83642

RE: Notice of Change in Water Right Ownership Submitted February 16, 2006
and SRBA Claim No. 63-00021

Gentlemen:

We are in the process of reviewing Notice of Claim to a Water Right No. 63-00021, originally claimed by Paul B. Petersen, and find we need more information.

In February of this year, we received a Notice of Change in Water Right Ownership for Rts. 63-20833, 63-20834 and 63-3237 (copy enclosed for your convenience). On March 27, 2006, our department sent you a letter advising you that you needed to submit a \$50.00 change in ownership fee for Rts. 63-20833 and 63-20834. These are two decreed rights that are for domestic and stockwater purposes located in the SW1/4SE1/4, Section 31, Twp. 3N, Rge. 3W. We have no record of the fee being submitted so these rights are still in the names of Boyd Petersen (63-20833) and Paul B. Petersen (63-20834). We will not be able to change the ownership of these rights until we receive the \$50.00 filing fee. Please submit the fee on or before October 1, 2006 or we will return the ownership change form to you without any action being taken on it.

Right 63-3237 was also shown on the notice of change in water right ownership form. However, in review of Claim 63-00021 we find that it duplicates right 63-3237. Right 63-3237 has not been claimed in the Snake River Basin Adjudication (SRBA). If it is a duplicate record of Rt. 63-00021 then a claim on Rt. 63-3237 would be of no value. We have enclosed, for your convenience, a copy of Claim 63-00021 and a copy of License 63-3237. Please review these records and determine if you want to continue to show Rt. 63-3237 on the ownership change form.

If you wish to pursue the change in ownership of 63-3237 then you should file a claim in the SRBA to comply with the mandatory filing requirement. A claim must be submitted on any rights where proof of beneficial use was submitted prior to November 19, 1987. The proof of completion of works was submitted on Rt. 63-3237 in March of 1968. However, since the irrigation is covered under Claim 63-00021 then a claim on Rt. 63-3237 would be duplicative and we would only recognize one of the claims when our recommendations are submitted to the SRBA Court.

We will withhold any action on the Notice of Change in Ownership form until we receive the \$50.00 filing fee or until October 1, 2006, whichever comes first. Please respond before October 1, 2006, if you wish to pursue the ownership change. Also, we are currently preparing all SRBA claims for Canyon County for submittal to the court later this year. I have been assigned as the agent preparing recommendations of your claim for the court. If you have any questions regarding this letter, or your claim, please do not hesitate to contact me at (208)287-4953.

Sincerely,

A handwritten signature in black ink that reads "Kay Walker". The signature is fluid and cursive, with the first name "Kay" and last name "Walker" clearly distinguishable.

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

JAMES E. RISCH
Governor

KARL J. DREHER
Director

August 15, 2006

DBSI LAKE LOWELL 160 LLC
1550 S TECH LN
MERIDIAN ID 83642

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and SRBA Claim No. 63-00021

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Right 63-3237 was also shown on the notice of change in water right ownership form. However, in review of Claim 63-00021 we find that it duplicates right 63-3237. Right 63-3237 has not been claimed in the Snake River Basin Adjudication (SRBA). If it is a duplicate record of Rt. 63-00021 then a claim on Rt. 63-3237 would be of no value. We have enclosed, for your convenience, a copy of Claim 63-00021 and a copy of License 63-3237. Please review these records and determine if you want to continue to show Rt. 63-3237 on the ownership change form.

If you wish to pursue the change in ownership of 63-3237 then you should file a claim in the SRBA to comply with the mandatory filing requirement. A claim must be submitted on any rights where proof of beneficial use was submitted prior to November 19, 1987. The proof of completion of works was submitted on Rt. 63-3237 in March of 1968. However, since the irrigation is covered under Claim 63-00021 then a claim on Rt. 63-3237 would be duplicative and we would only recognize one of the claims when our recommendations are submitted to the SRBA Court.

We will withhold any action on the Notice of Change in Ownership form until we receive the \$50.00 filing fee or until October 1, 2006, whichever comes first. Please respond before October 1, 2006, if you wish to pursue the ownership change. Also, we are currently preparing all SRBA claims for Canyon County for submittal to the court later this year. I have been assigned as the agent preparing recommendations of your claim for the court. If you have any questions regarding this letter, or your claim, please do not hesitate to contact me at (208)287-4953.

Sincerely,

A handwritten signature in black ink that reads "Kay Walker". The signature is fluid and cursive, with a large loop at the end of the last name.

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-3237

WATER RIGHT NUMBER: 63-3237

Owner TypeName and Address

Current Owner

LORENZO C PETERSEN
RT 4
CALDWELL, ID 83605

Priority Date: 05/23/1961

Basis: License

Status: Active

SourceTributary

GROUND WATER

Beneficial UseFrom ToDiversion RateAnnual Volume

IRRIGATION

/ to /

2.000 CFS

Total Diversion:

2.000 CFS

Location of Point(s) of Diversion

GROUND WATER

SW1/4SE1/4

Sec. 31, Twp 03N, Rge 03W, B.M.

CANYON 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	
03N	03W	31													1.0	36.0	35.0	28.0	100.0

Total Acres: 100

Conditions of Approval:Remarks:Comments:Dates and Other Information:

not claimed
in SRBA -
appears to be
superseded by
63-21

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-3237

Licensed Date: 8/28/1979
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

IDADE Project ID	Idaho Dept. of Water Resources Invoice Nbr	Idaho Dept. of Water Resources Date	Kastera, LLC Invoice Amount	Kastera, LLC Amount Paid	Disc Taken	Net Check Amt
DV-00-15-00	D040506	04/05/06	50.00	50.00	0.00	50.00

012433

ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER

Kastera, LLC
372 South Eagle Road
Suite 375
Eagle, ID 83616

Washington Trust Bank

28-8/1251

Check # 012433

Check Date

4/5/06

Check Amount

*****\$50.00

Fifty and 00/100----- US Dollars

PAY TO THE ORDER OF Idaho Dept. of Water Resources
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

Shirley K. Kott
Authorized Signature

THIS DOCUMENT CONTAINS HEAT SENSITIVE INK. TOUCH OR PRESS HERE - RED IMAGE DISAPPEARS WITH HEAT.

⑈012433⑈ ⑆125100089⑆ ⑈1008551277⑈

IDADE Project ID	Idaho Dept. of Water Resources Invoice Nbr	Idaho Dept. of Water Resources Inv Date	Kastera, LLC Invoice Amount	Kastera, LLC Amount Paid	Disc Taken	Net Check Amt
DV-00-15-0	D040506	04/05/06	50.00	50.00		50.00

012433



POSTED

CHECK REQUEST FORM

REQUESTOR:

PAUL HILBIG

AMOUNT:

\$ 50.00

DATE NEEDED:

APRIL 6, 2006

Return check to requestor ☒
Mail check ☒

PAYEE:

IDWR
322 East Front Street P.O. Box 83720
BOISE, ID 83720-0098

ADDRESS:

G/L ACCT &
DEPT:

1410-DN001500 - 10335

DESCRIPTION:

TRANSFER WATER RIGHTS ON PETERSON PROPERTY
(Salmon 160)



REQUESTOR'S SIGNATURE

4-4-06
DATE



DEPARTMENT APPROVAL

DATE

ACCOUNTING USE ONLY

APPROVED BY:

DATE PAID: _____

BACKUP ATTACHED?

YES ☒ NO ☐



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

APR 04 REC'D

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 27, 2006

DBSI LAKE LOWELL 160, LLC
1550 S TECH LN
MERIDIAN ID 83642

RE: Change in Ownership for Water Right No. 63-20833 & 63-20834

Dear Water Right Holder(s):

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

 X **Filing Fee** of \$25 per water right

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. We have determined that the filing fee for your notice will be **\$50**.

Because the Department cannot process the ownership change without proper fees, we will hold any action on your notice pending receipt of the necessary fees. If we do not receive the necessary fees **within 30 days**, we will return your notice and all attachments and your notice will not be processed.

Please note that water right owners are required to report any change in water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage (<http://www.idwr.state.id.us>) on the Internet to obtain the proper forms and instructions.

If you have questions, please contact Kari Lynn Townsend at 208-287-4952.

Sincerely,

Kandice L. McDermott
Records Analyst

/klm

Receipt Details for ID C014690

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
2/14/1990 1:01:23 PM	2/14/1990	State	\$150.00	Check
Payer		PETERSEN, PAUL		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
2526			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$150.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	21		\$150.00	Claim

OK

Print Report



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

December 13, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DBSI Lake Lowell 160, LLC
1550 J. Tech Lane
Meridian, ID 83642

Notice of Claim to a Water Right No. 63-21

Dear Claimant(s):

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

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

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

Sincerely,

A handwritten signature in cursive script that reads "Liberty Gagnon".

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

December 6, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Boyd Petersen
Petersen Family Trust
17472 Marsing Road
Caldwell, ID 83607

RE: Notice of Change of Water Right Ownership 63-21

Dear Claimants:

Enclosed is a copy of a Notice of Change of Water Right Ownership form that was submitted to our office. However, we cannot continue to process the ownership change without sufficient **proof of ownership**. This proof needs to be a copy of a **Deed, Title Policy, Contract of Sale** or other legal document indicating Petersen Family Trust as the current owner of the property with an attached legal description.

Please submit a copy of the warranty deed, and we will be able to complete the ownership change.

Thank you for your patience and cooperation, as we have had several ownership changes to process. Feel free to contact our office if you have any questions concerning this letter.

Sincerely,

A handwritten signature in cursive script that reads "Liberty Gagnon".

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region
(208) 334-2190

LG: lg

Enclosures

Water right no-6321

RECEIVED adjudication claim Report
no-6321
APR 13 2005

Department of Water Resources

Dear Jeff,

after my visit with you April-8-2005
you said you may be able to answer some of
my questions.

Can I drill a new well to recover
the water I have lost over the last few years?
My- Oregon 2000 CFS has dropped down
to between 30 to 50 inches -

I have had two different people try to-
clean it out - but they - gave up -

Can I drill a new well? I may could
drill a 10" or a 8 inch hole + get enough water
by running both wells to bring it back
to - my original 2000 CFS -?

Can you tell me what our water
level has been doing since we got our
water law? Back in 1903? -

What should I do to stay league?
When - could I start? -

Thanks - For your Time

Boyd Petersen
17412 Marsing Rd
Caldwell Idaho
83607

July, 2000

Canyon

RECEIVED
APR 13 2005

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

Department of Water Resources

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) 63-21 Adjudication Claim No(s) 63-21 Split —
63-21 AJ

Water Right No(s) Adjudication Claim No(s) Split

RECEIVED
JRM W.A.
SEP 6 2005

RECEIVED
SEP 9 2005

Department of Water Resources

Department of Water Resources

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) Paul B. Petersen
17472 Marsing Rd - Caldwell Idaho 83607

4. New Owner/Claimant(s) Petersen Family Trust
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address 17472 Marsing Rd

City, State and ZIP Code Caldwell Idaho - 83607

New Telephone Number () 208-459-4842

5. Date you acquired the property 1/12/04

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

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

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

7. Signature of New Owner(s) or Claimant(s) Boyd L Peterson (Father)
(include title if applicable) (Owner)

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

For Office Use Only

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