

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 63-32383  
Date Received: 3/22/1990  
Receipt No:  
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

B&F INC, Phone:  
3615 PORTLAND AVE  
NAMPA ID USA 83686

JTAP, INC Phone:  
3615 PORTLAND AVE  
NAMPA ID USA 83686

2. Date of Priority: 10/12/1948

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 02N      | 02W   | 27      | NW NW NE              | CANYON |      |

5. Description of diverting works:

WELL, APP. 750' DEPTH, 12" & 8" CAS. W/ PUMP & PIPE TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 03/15 | 11/15 | 0.06   |            |

7. Total Quantity Appropriated is:  
0.06 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 |
|----------|-------|---------|----------------|-----|-------|
|----------|-------|---------|----------------|-----|-------|

|     |     |    |    |    |               |   |
|-----|-----|----|----|----|---------------|---|
| 02N | 02W | 27 | NW | NE | IRRIGATION    | 5 |
|     |     |    |    |    | Section Acres | 5 |
|     |     |    |    |    | Total Acres   | 5 |

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:

CLAIMANT IS HAVING ASSUMPTION OF CONTRACT PAPERS PREPARED BY HIS ATTORNEY FOR SIGNATURE BY STEVE PAULY, THE PRESENT CONTRACT PURCHASER FOR THE LANDS ETO WHICH THIS RT. IS APPURTENANT.

This right is a split from former right 63-2724A.

15. Basis of Claim: License

RECEIVED

OCT 05 2005

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

WATER RESOURCES  
WESTERN REGION

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

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

| Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split                               | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------------------------------------|-----------------------|------------------------------|-------|
| <u>63-2724</u>        |                              | <input checked="" type="checkbox"/> |                       |                              |       |
|                       |                              |                                     |                       |                              |       |
|                       |                              |                                     |                       |                              |       |
|                       |                              |                                     |                       |                              |       |
|                       |                              |                                     |                       |                              |       |

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) B+F, LLC. and George R. + Margie L. King  
504 Bayhill Dr. Nampa, Id. 83686
4. New Owner/Claimant(s) B+F, LLC. and STAP, LLC  
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 3615 Portland Ave.
- City, State and ZIP Code Nampa, Id. 83686
- New Telephonic Number (208) 466-9315
5. Date you acquired the property 11/7/02

32383

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<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number <u>63-2724</u>                                                             |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              |                                                                            | <u>4.98 acres</u>                                            |
| Stock                                                                                                                   |                                                                            |                                                              |
| Domestic                                                                                                                |                                                                            |                                                              |
| Other                                                                                                                   |                                                                            |                                                              |
| Total                                                                                                                   | <u>4.98 acres</u>                                                          |                                                              |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              |                                                                            |                                                              |
| Stock                                                                                                                   |                                                                            |                                                              |
| Domestic                                                                                                                |                                                                            |                                                              |
| Other                                                                                                                   |                                                                            |                                                              |
| Total                                                                                                                   |                                                                            |                                                              |

7. Signature of New Owner(s) or Claimant(s) B+F, LLC by [Signature]  
(include title if applicable) STAP, LLC by [Signature]

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 lg Date 10/5/06 Fee \_\_\_\_\_  
 Received by lg Date 8/9/06 Receipt No. \_\_\_\_\_  
 Processed by lg AJ Date 8/9/06 WR \_\_\_\_\_ Date \_\_\_\_\_  
reviewed by SE

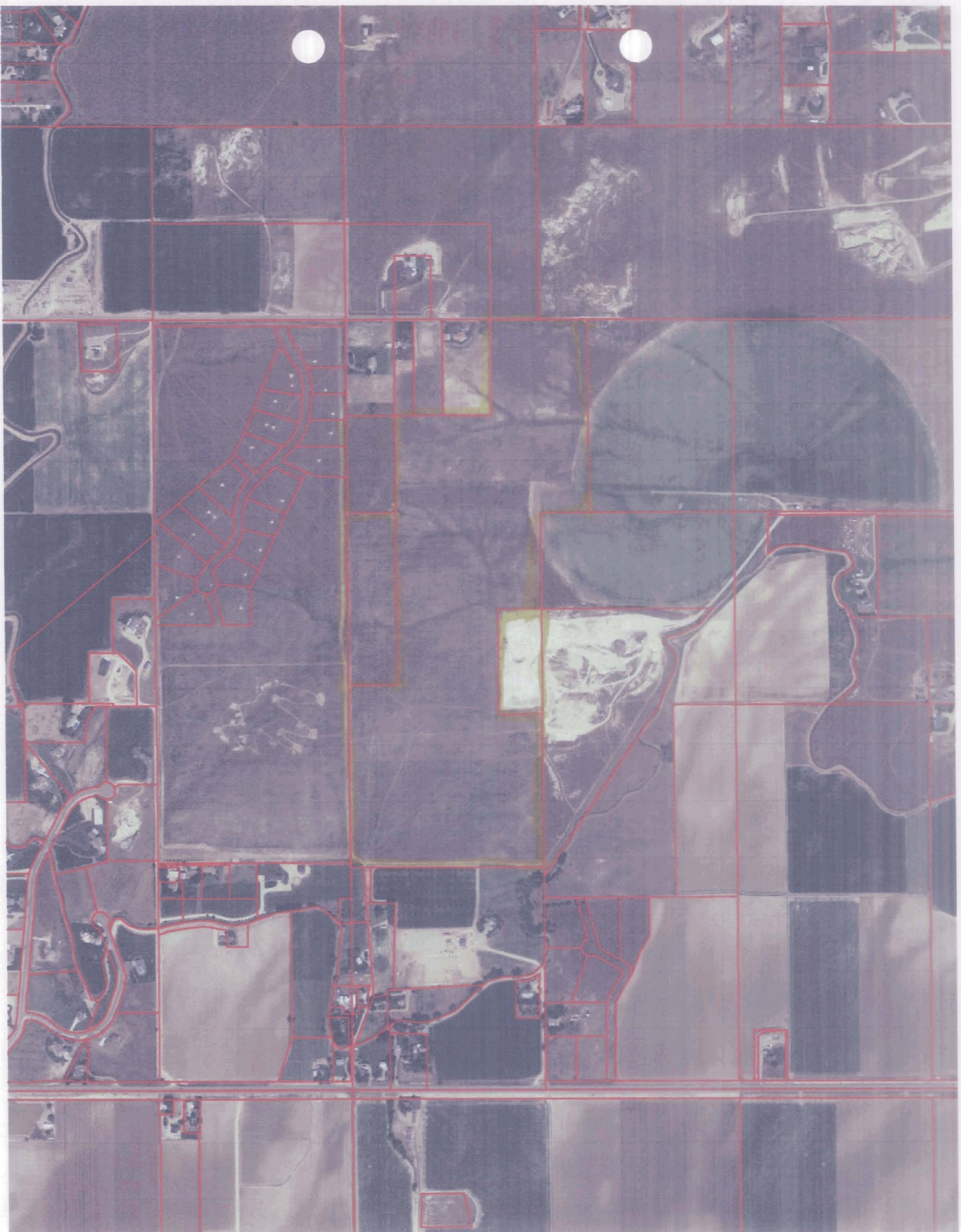
CANYON COUNTY PROPERTY REPORT

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ACCOUNT NUMBER:          R29826011A0
PRIOR ACCOUNT NUMBER:    R29826011A0
PRIMARY CONTACT OWNER:   B & F INC
SECOND OWNER:            & JTAP LLC
SITE ADDRESS:            S POWERLINE RD
MAIL ADDRESS:            3615 PORTLAND AVE
MAIL CITY:               NAMPA
MAIL STATE:              ID
MAIL ZIP:                83686
AREA CODE:              1600
ACRES:                   4.98
T-R-S-Q:                2N-2W-27-NE
SUB NUMBER:
BLOCK:
PARCEL NUMBER:          5R02N02W271049
REPPAR YEAR:            0
DRAIN DIST:
DRAIN VALUE:            0.00
BLDG CLASS:
MANUAL YEAR:
CIRCUIT:                N
HOME OWNER:              N
TACRES:                 4.98
SCH_DIST:               131
INSTRUMENT:             200261586
MOBILE:                  N
CATEG_1:                12
FCV_1:                  23800
CATEG_2:                2A
FCV_2:                  29900
CATEG_3:
FCV_3:
TOTAL_FCV:              53700
LEGAL DES:              TX 00649 N 1/2 NE & NW
SUB NAME:
SURVEY:
LONGITUDE:              2409168.50000
LATITUDE:               663744.90625
Report Created:         August-16-2005
=====

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Disclaimer: Users are to verify all information  
Canyon County and RGS, Inc are not liable for any errors.



22



Map By: Single Point Solution, Inc. (www.spagis.com)



Map Created: September-21-2005

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INSTRUMENT

J. 200261586

WARRANTY DEED

FOR VALUE RECEIVED JEFFREY C. AGENBROAD and PATRICIA AGENBROAD, the Grantors, do hereby grant, bargain, sell and convey unto JTAP, LLC, the Grantee, whose address is 3615 Portland Avenue, Nampa, Idaho 83686, the following described premises, including any homestead claim pursuant to the Idaho Homestead Law, Idaho Code, Section 55-1001, et seq., to-wit:

Exhibit "B" attached hereto and incorporated herein as reference.

SUBJECT TO United States patent restrictions and/or State of Idaho deed restrictions;

SUBJECT TO all taxes and assessments for the year 2002 and all subsequent years;

SUBJECT TO any easements or rights-of-way of record and/or usage.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee, its heirs and assigns, forever. And the Grantors do hereby covenant to and with the said Grantee that they are the owners in fee simple of said premises; that said premises are free from all encumbrances save and except

200261586

RECORDED

2002 DEC 30 PM 1 24

G NOEL HALES

CANYON CNTY RECORDER

BY *Spiller & Spiller*

REQUEST

TYPE

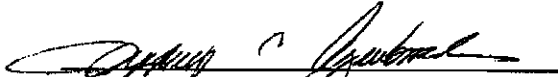
*Spiller & Spiller*

Fee

9.00

as above set forth; and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 26<sup>th</sup> day of December, 2002.

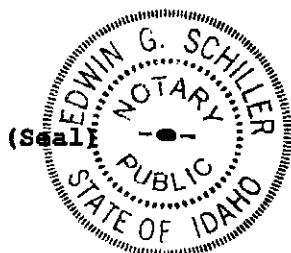
  
JEFFREY C. AGENBROAD

  
PATRICIA AGENBROAD

STATE OF IDAHO            )  
                              : ss  
County of Canyon        )

On this 26 day of December, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared JEFFREY C. AGENBROAD and PATRICIA AGENBROAD, husband and wife, known to me to be the persons whose names are subscribed to the within and foregoing instrument, and acknowledged to me that they executed the same.

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



  
Notary Public for Idaho  
Residing at Nampa, Idaho

A portion of the Northeast Quarter of the Northwest Quarter and a portion of the West Half of the Northwest Quarter of the Northeast Quarter, Section 27, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, described as follows:

COMMENCING at a found 5/8 inch iron pin monumenting the Southeast corner of said Northeast Quarter, Section 27 from which the Northeast corner of said Northeast Quarter bears

North 00° 15'33" East 2,640.68 feet; thence

North 89° 55'31" West 1,984.92 feet along the Southerly boundary of said Northeast Quarter to the Southeast corner of the West Half of the Southwest Quarter of the Northeast Quarter; thence

North 00° 15'46" East 145.27 feet along the Easterly boundary of said West Half of the Southwest Quarter of the Northeast Quarter to a point on the center line of the West Madden Lateral; thence continuing

North 00° 15'46" East along said Easterly boundary 1176.46 feet to the Northeast corner of said West Half of the Southwest Quarter of the Northeast Quarter, said point also being the Southeast corner of said West Half of the Northwest Quarter of the Northeast Quarter, the REAL POINT OF BEGINNING; thence

North along the East line of said West Half of the Northwest Quarter of the Northeast Quarter a distance of 300 feet; thence

West, parallel with the South boundaries of said West Half of the Northwest Quarter of the Northeast Quarter and said Northeast Quarter of the Northwest Quarter, a distance of 725 feet; thence

South, parallel with the East line of said Northeast Quarter of the Northwest Quarter a distance of 300 feet to the South line of said Northeast Quarter of the Northwest Quarter; thence

East along the south lines of said Northeast Quarter of the Northwest Quarter and said West Half of the Northwest Quarter of the Northeast Quarter a distance of 725 feet to the REAL POINT OF BEGINNING.

TOGETHER WITH:

A nonexclusive easement for ingress, egress and utilities over the South 60 feet of the East Half of the Northwest Quarter of the Northeast Quarter, Section 27, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, and over the

South 60 feet of the Northeast Quarter of the Northeast Quarter, Section 27, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, and over the

East 60 feet of the Northeast Quarter of the Northeast Quarter, Section 27, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, EXCEPTING the North 990 feet of said Northeast Quarter of the Northeast Quarter.

INSTRUMENT NO.

200252856

## QUITCLAIM DEED

FOR VALUE RECEIVED GEORGE R. KING AND MARGIE L. KING, Husband and Wife

do hereby convey, release, remise and forever quit claim

unto Jeff Agenbroad and Patricia Agenbroad, Husband and Wife

whose address is 3615 Portland Ave., Nampa, ID 83686

the following described premises, to-wit:

See Exhibit "A" attached hereto and made a part hereof by this reference:

REQUEST  
TYPE *Jeff Bullack* FEE *6.00*G. NOEL HALES  
CANYON COUNTY RECORDER  
BY *Jeff L. Johnson*

NOV 8 AM 11 28

RECORDED

200252856

together with their appurtenances.

Dated: *11-7-02**X George R. King*  
*X Margie L. King*

STATE OF IDAHO, COUNTY OF Canyon

On this *7th* day of NOV., 20 02,  
before me, a notary public in and for said State, personally  
appeared

George R. King and Margi L. King

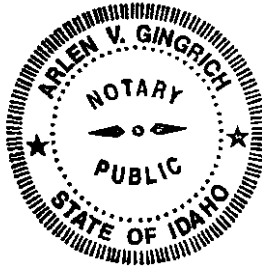
known to me to be the person s whose name s are  
subscribed to the within instrument, and acknowledged to  
me that they executed the same.*Arlen V. Gingrich*  
Notary PublicResiding at *Nampa*, Idaho  
Comm. Expires *12-06*PIONEER TITLE COMPANY  
OF CANYON COUNTY423 So. Kimball  
Caldwell, Idaho 83605100 - 10th Ave. South  
Nampa, Idaho 83651

Exhibit "A"

A portion of the Northeast Quarter of the Northwest Quarter and a portion of the West Half of the Northwest Quarter of the Northeast Quarter, Section 27, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, described as follows:

COMMENCING at a found 5/8 inch iron pin monumenting the Southeast corner of said Northeast Quarter, Section 27 from which the Northeast corner of said Northeast Quarter bears

North 00° 15'33" East 2,640.68 feet; thence

North 89° 55'31" West 1,984.92 feet along the Southerly boundary of said Northeast Quarter to the Southeast corner of the West Half of the Southwest Quarter of the Northeast Quarter; thence

North 00° 15'46" East 145.27 feet along the Easterly boundary of said West Half of the Southwest Quarter of the Northeast Quarter to a point on the center line of the West Madden Lateral; thence continuing

North 00° 15'46" East along said Easterly boundary 1176.46 feet to the Northeast corner of said West Half of the Southwest Quarter of the Northeast Quarter, said point also being the Southeast corner of said West Half of the Northwest Quarter of the Northeast Quarter, the REAL POINT OF BEGINNING; thence

North along the East line of said West Half of the Northwest Quarter of the Northeast Quarter a distance of 300 feet; thence

West, parallel with the South boundaries of said West Half of the Northwest Quarter of the Northeast Quarter and said Northeast Quarter of the Northwest Quarter, a distance of 725 feet; thence

South, parallel with the East line of said Northeast Quarter of the Northwest Quarter a distance of 300 feet to the South line of said Northeast Quarter of the Northwest Quarter; thence

East along the south lines of said Northeast Quarter of the Northwest Quarter and said West Half of the Northwest Quarter of the Northeast Quarter a distance of 725 feet to the REAL POINT OF BEGINNING.

TOGETHER WITH:

A nonexclusive easement for ingress, egress and utilities over the South 60 feet of the East Half of the Northwest Quarter of the Northeast Quarter, Section 27, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, and over the

South 60 feet of the Northeast Quarter of the Northeast Quarter, Section 27, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, and over the

East 60 feet of the Northeast Quarter of the Northeast Quarter, Section 27, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, EXCEPTING the North 990 feet of said Northeast Quarter of the Northeast Quarter.

PN60720

Inst # 200038274

# WARRANTY DEED

J.B.  
LB

FOR VALUE RECEIVED JOHN W. ST. JOHN, a single person

the Grantor, does hereby grant, bargain, sell and convey unto B & F, INC.

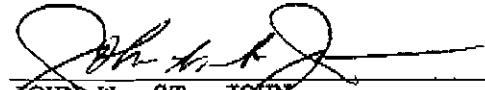
the Grantee, whose address is 504 Bayhill Drive, Nampa, Idaho 83686

the following described premises, to-wit:

**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE:**

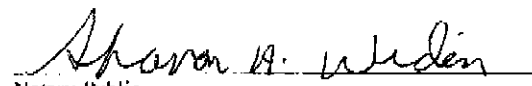
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 2000 and subsequent years, covenants, conditions, restrictions and easements of record; and that he will warrant and defend the same from all lawful claims whatsoever.

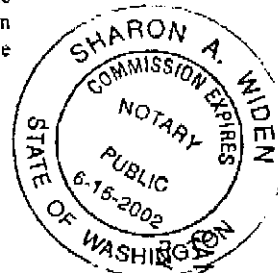
DATED: October 20, 2000

  
JOHN W. ST. JOHN

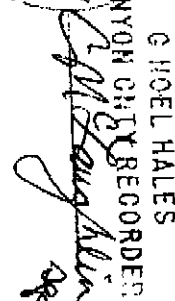
STATE OF Washington  
COUNTY OF Spokane

On this 26 day of OCTOBER, 2000, before me, a notary public, personally appeared JOHN W. ST. JOHN, known or identified to me to be the person(s) who(se) name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

  
Notary Public  
Residing at Everett  
My commission expires: 6-15-2002



REQUEST PIONEER-TITLE  
TYPE Red FEE CO

C HOEL HALES  
CANYON CITY RECORDED  


00 OCT 31 PM 4 31

RECORDED

200038274

**PIONEER TITLE COMPANY  
OF CANYON COUNTY**

100 10TH AVE SOUTH  
NAMPA, IDAHO 83651

423 SOUTH KIMBALL  
CALDWELL, ID 83605

Exhibit "A"

A portion of the Northeast Quarter of the Northwest Quarter and a portion of the West Half of the Northwest Quarter of the Northeast Quarter, Section 27, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, described as follows:

COMMENCING at a found 5/8 inch iron pin monumenting the Southeast corner of said Northeast Quarter, Section 27 from which the Northeast corner of said Northeast Quarter bears

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North 00° 15'46" East 145.27 feet along the Easterly boundary of said West Half of the Southwest Quarter of the Northeast Quarter to a point on the center line of the West Madden Lateral; thence continuing

North 00° 15'46" East along said Easterly boundary 1176.46 feet to the Northeast corner of said West Half of the Southwest Quarter of the Northeast Quarter, said point also being the Southeast corner of said West Half of the Northwest Quarter of the Northeast Quarter, the REAL POINT OF BEGINNING; thence

North along the East line of said West Half of the Northwest Quarter of the Northeast Quarter a distance of 300 feet; thence

West, parallel with the South boundaries of said West Half of the Northwest Quarter of the Northeast Quarter and said Northeast Quarter of the Northwest Quarter, a distance of 725 feet; thence

South, parallel with the East line of said Northeast Quarter of the Northwest Quarter a distance of 300 feet to the South line of said Northeast Quarter of the Northwest Quarter; thence

East along the south lines of said Northeast Quarter of the Northwest Quarter and said West Half of the Northwest Quarter of the Northeast Quarter a distance of 725 feet to the REAL POINT OF BEGINNING.

TOGETHER WITH:

A nonexclusive easement for ingress, egress and utilities over the South 60 feet of the East Half of the Northwest Quarter of the Northeast Quarter, Section 27, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, and over the

South 60 feet of the Northeast Quarter of the Northeast Quarter, Section 27, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, and over the

East 60 feet of the Northeast Quarter of the Northeast Quarter, Section 27, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, EXCEPTING the North 990 feet of said Northeast Quarter of the Northeast Quarter.

W20874

## QUITCLAIM DEED

FOR VALUE RECEIVED

B &amp; F. Inc.

do hereby convey, release, remise and forever quit claim

unto B &amp; F. Inc. and George R. King &amp; Margie L. King, N.W.

whose address is 504 Bayhill Dr.  
Nampa, Idaho 83656

the following described premises, to-wit:

550 W. Deer Run Rd.  
Kuna, Idaho 83634

See Attached Exhibit "A"

together with their appurtenances.

Dated:

10/9/01  
Jeannette Bullock

STATE OF IDAHO, COUNTY OF

On this day of , 20  
before me, a notary public in and for said State, personally  
appeared

See Attached

known to me to be the person who name  
subscribed to the within instrument, and acknowledged to  
me that executed the same.

Notary Public

Residing at , Idaho  
Comm. ExpiresRECORDED  
200141780  
OCT 10 PM 4 05  
CANYON COUNTY BORDER  
REQUEST PIONEER/NAMPA  
TYPE: PIONEERPIONEER TITLE COMPANY  
OF CANYON COUNTY423 So. Kimball  
Caldwell, Idaho 83605100 - 10th Ave. South  
Nampa, Idaho 83651

STATE OF IDAHO  
COUNTY OF CANYON

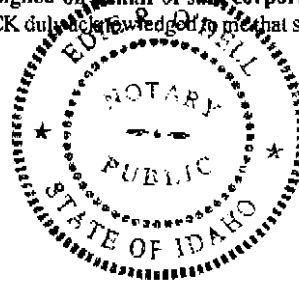
On this 9th day of OCTOBER, 2001, before me, a notary public appeared GREGORY O. BULLOCK who being by me duly sworn did say, each for him/herself, that he/she, the said GREGORY O. BULLOCK is the PRESIDENT of B&F, INC., a corporation, and that the within and foregoing instrument was signed on behalf of said corporation by authority of a resolution of its board of directors and said GREGORY O. BULLOCK duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of said corporation.

*Edie R. O'Dell*

Notary Public

Residing at Nampa, Idaho

My commission expires: 4/17/2003



STATE OF IDAHO  
COUNTY OF CANYON

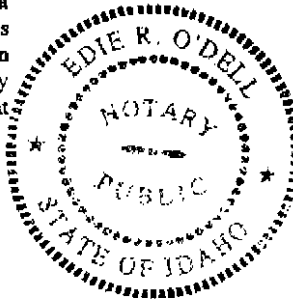
On this 9th day of OCTOBER, 2001, before me, a notary public appeared JEANETTE BULLOCK who being by me duly sworn did say, each for him/herself, that he/she, the said JEANETTE BULLOCK is the Secretary/Treasurer of B&F, INC., a corporation, and that the within and foregoing instrument was signed on behalf of said corporation by authority of a resolution of its board of directors and said JEANETTE BULLOCK duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of said corporation.

*Edie R. O'Dell*

Notary Public

Residing at Nampa, Idaho

My commission expires: 4/17/2003



PN60720

Exhibit "A"

A portion of the Northeast Quarter of the Northwest Quarter and a portion of the West Half of the Northwest Quarter of the Northeast Quarter, Section 27, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, described as follows:

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West, parallel with the South boundaries of said West Half of the Northwest Quarter of the Northeast Quarter and said Northeast Quarter of the Northwest Quarter, a distance of 725 feet; thence

South, parallel with the East line of said Northeast Quarter of the Northwest Quarter a distance of 300 feet to the South line of said Northeast Quarter of the Northwest Quarter; thence

East along the south lines of said Northeast Quarter of the Northwest Quarter and said West Half of the Northwest Quarter of the Northeast Quarter a distance of 725 feet to the REAL POINT OF BEGINNING.

TOGETHER WITH:

A nonexclusive easement for ingress, egress and utilities over the South 60 feet of the East Half of the Northwest Quarter of the Northeast Quarter, Section 27, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, and over the

South 60 feet of the Northeast Quarter of the Northeast Quarter, Section 27, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, and over the

East 60 feet of the Northeast Quarter of the Northeast Quarter, Section 27, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, EXCEPTING the North 990 feet of said Northeast Quarter of the Northeast Quarter.

02/18/2009

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

RIGHT NUMBER: 63-32383

NAME AND ADDRESS: B&F INC,  
3615 PORTLAND AVE  
NAMPA ID 83686

JTAP, LLC  
3615 PORTLAND AVE  
NAMPA ID 83686

*Changed from Inc. to LLC per  
phone call from JM Booth &  
info on ownership change.  
SRBA Court changed also.*

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS  
22.300 AFY

PRIORITY DATE: 10/12/1948

POINT OF DIVERSION:

T02N R02W S27 NWNWNE Within CANYON County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.040 CFS  
22.30 AFY

PLACE OF USE: IRRIGATION in CANYON County

T02N R02W S27 NWNE 5.00

5 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 63-2724A.

All parts of original licensed Rights 63-2724 and 63-7610 when combined shall not exceed a total diversion rate of 3.90 cfs.

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

63-2724A

MYLANDER  
80 ACRES  
.72 CFS

.69

$$\begin{aligned} \cancel{.72} \div 80 &= .009 \times 56 = .50 \\ .009 \times 10 &= .09 \\ .009 \times 9 &= .08 \\ .009 \times 5 &= .05 \end{aligned}$$

, 008 625 (acre

63-32381

MYLANDER  
10 ACRES  
.09 CFS

44.5 AF

63-32382

BULLOCK/JTAP  
9 ACRES  
.08 CFS

40 AF

63-32383

B&F/JTAP  
5 ACRES  
.05 CFS

22.3 AF

63-32384

BULLOCK/JTAP  
56 ACRES  
.50 CFS

249.2 AF

~~1.086~~

~~1.0776~~

1.04

1.48

~~1.09~~

1.08

1.09

63-2724B

120 AF

1.04 CFS.

2 increased

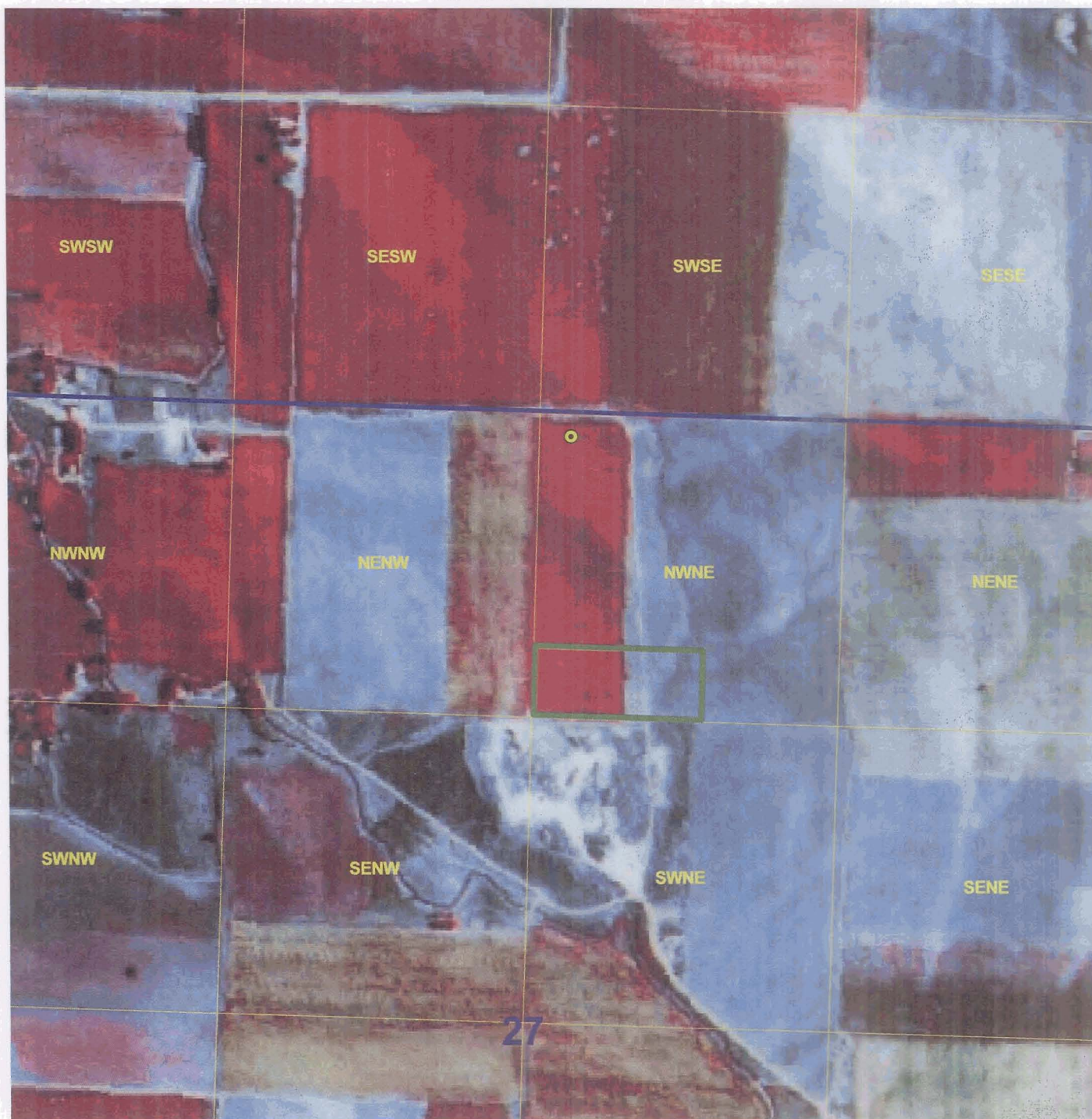
$$\cancel{1.73} \text{ CFS} + \left( \begin{array}{l} 20 \text{ unchained} \\ .17 \text{ CFS} \end{array} \right) = 1.90 \text{ CFS}$$



# Idaho Department of Water Resources

## 63-32383

### T02N R02W S27



- Point of Diversion
- ▭ Place of Use
- ▭ Sections
- ▭ Quarter Quarter

Total irrigated  
acres = 5.0



600 0 600 1200 Feet

IDWR

Prepared by: Sandy Egbert  
Date: August 9, 2006  
1987 NAAP Photography

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-32383 V1

WATER RIGHT NUMBER: 63-32383 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                             |
|-------------------|-------------------------------------------------------------------------------------|
| Original Owner    | JAMES D AGENBROAD<br>RT 3<br>NAMPA, ID 83651                                        |
| Current Owner     | B&F INC,<br>3615 PORTLAND AVE<br>NAMPA, ID 83686                                    |
| Original Owner    | HOWARD W MYLANDER<br>11600 W FLOATING FEATHER RD<br>STAR, ID 83669<br>(208)465-7730 |
| Current Owner     | JTAP, INC<br>3615 PORTLAND AVE<br>NAMPA, ID 83686                                   |

Priority Date: 10/12/1948

Basis: License

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
|---------------|------------------|

GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 03/01 to 11/15          | 0.050 CFS             | 22.50 AF             |
|                       | <u>Total Diversion:</u> | 0.050 CFS             | 22.50 AF             |

Location of Point(s) of Diversion

|               |                 |                                 |
|---------------|-----------------|---------------------------------|
| GROUND WATER  | NW1/4NW1/4NE1/4 | Sec. 27, Twp 02N, Rge 02W, 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 |        |
| 02N | 02W | 27  |    | 5.0 |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 5.0    |

Total Acres: 5

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. This right is a split from former right 63-2724A.

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-32383 V1

3. W51 Use of this right is combined with water from Nampa Meridian Irrigation District.

Remarks:Comments: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:Element Reviewed/Verified Dates:

| <u>Element</u> | <u>Last Reviewed Date</u> | <u>Reviewer</u> | <u>Last Verified Date</u> | <u>Verifier</u> | <u>Status</u> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
| Priority Date  | 8/9/2006 11:50:48 AM      | segbert         |                           |                 | Active        |
| POD            | 8/9/2006 11:53:21 AM      | segbert         |                           |                 | Active        |
| Source         | 8/9/2006 11:54:08 AM      | segbert         |                           |                 | Active        |
| POU            | 8/9/2006 11:54:23 AM      | segbert         |                           |                 | Active        |
| Use            | 8/9/2006 11:55:40 AM      | segbert         |                           |                 | Active        |
| Season         | 8/9/2006 11:56:14 AM      | segbert         |                           |                 | Active        |
| Quantity       | 8/9/2006 11:57:08 AM      | segbert         |                           |                 | Active        |
| Summary        |                           |                 | 08/09/2006                | segbert         | Active        |

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u>                                                                                                                                                                                                                            |
|----------------|------------------------|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POD            | 8/9/2006 11:53:21 AM   | segbert         | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a POD?<br>(Yes) 5. Can the claimed POD be verified using the water right file?<br>(No) 10. Is a POD remark and/or condition required? |
| POU            | 8/9/2006 11:55:03 AM   | segbert         | Updated shape for Active POU                                                                                                                                                                                                               |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-32383 V1

|          |                      |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|----------|----------------------|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Use      | 8/9/2006 11:55:41 AM | segbert | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a Purpose of Use?<br>(Yes) 5. Can the claimed Purpose of Use be verified using the water right file?<br>(No) 13. Is a Purpose of Use remark and/or condition required?                                                                                                                                                                                                                                                                                                 |
| Season   | 8/9/2006 11:56:15 AM | segbert | (Yes) 1. Is the basis of claim Decree or License?<br>(No) 4. Does the Decree or License have a Period of Use?<br>(No) 6. Is there evidence that there has been a change in the Period of Use?<br>(Yes) 12. Does the file contain all the necessary information to verify the Period of Use?<br>(No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined?<br>(Yes) 15. Is irrigation claimed as a Purpose of Use?<br>(No) 18. Is a Period of Use remark and/or condition required? |
| Quantity | 8/9/2006 11:57:09 AM | segbert | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a diversion rate and/or volume?<br>(Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file?<br>(No) 8. Does the parent right have an annual diversion volume limit?<br>(Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit?<br>(Yes) 10. Is a irrigation a purpose of use?<br>(No) 12. Is a Quantity remark or condition required?<br>Description for Question 10 - 4.5 x acres       |
| General  | 8/9/2006 11:50:49 AM | segbert | (No) 1. Should this water use have been included in a later court decree of the water rights from this source?<br>(Yes) 4. Is the basis of claim decree or license?<br>(Yes) 5. Does the decree or license have a Priority Date?<br>(Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ?<br>(Yes) 15. Is the basis of claim coded correctly?<br>(No) 16. Is a Priority Date remark and/or condition required?                                                                                                                                            |
| POD      | 8/9/2006 11:53:36 AM | segbert | Updated shape                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Source   | 8/9/2006 11:54:09 AM | segbert | (Yes) 1. Is the basis of claim Decree or License?<br>(Yes) 4. Does the Decree or License have a source?<br>(Yes) 5. Can the claimed source be verified using the water right file?<br>(No) 11. Is a Source remark and/or condition required?                                                                                                                                                                                                                                                                                                                                |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-32383 V1

|         |                      |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|---------|----------------------|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POU     | 8/9/2006 11:54:24 AM | segbert | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 2a. Is the POU required?<br>(Yes) 5. Does the Decree or License have a POU?<br>(Yes) 6. Can the claimed POU be verified using the water right file?<br>(No) 14. Is a POU remark and/or condition required?                                                                                                                                                                                                                                                                                                                                                                        |
| Summary | 8/9/2006 11:59:50 AM | segbert | (Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?<br>(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?<br>(No) 5. Does this right have any combined use limits with other rights?<br>(Yes) 6. Is an additional remark and/or condition required?<br>(Yes) 7. Would you like to view the recommended right?<br>(Yes) 8. Is this a split or combined right?<br>(No) 9. Do you have documents you would like to attach or link to the file?<br>(Yes) 10. Would you like to set the verification date? |

Water Supply Bank:

63-2724A

MYLANDER  
80 ACRES  
.72 CFS

$$\begin{aligned}.72 \div 80 &= .009 \times 56 = .50 \\ .009 \times 10 &= .09 \\ .009 \times 9 &= .08 \\ .009 \times 5 &= .05\end{aligned}$$

63-32381

MYLANDER  
10 ACRES  
.09 CFS

63-32382

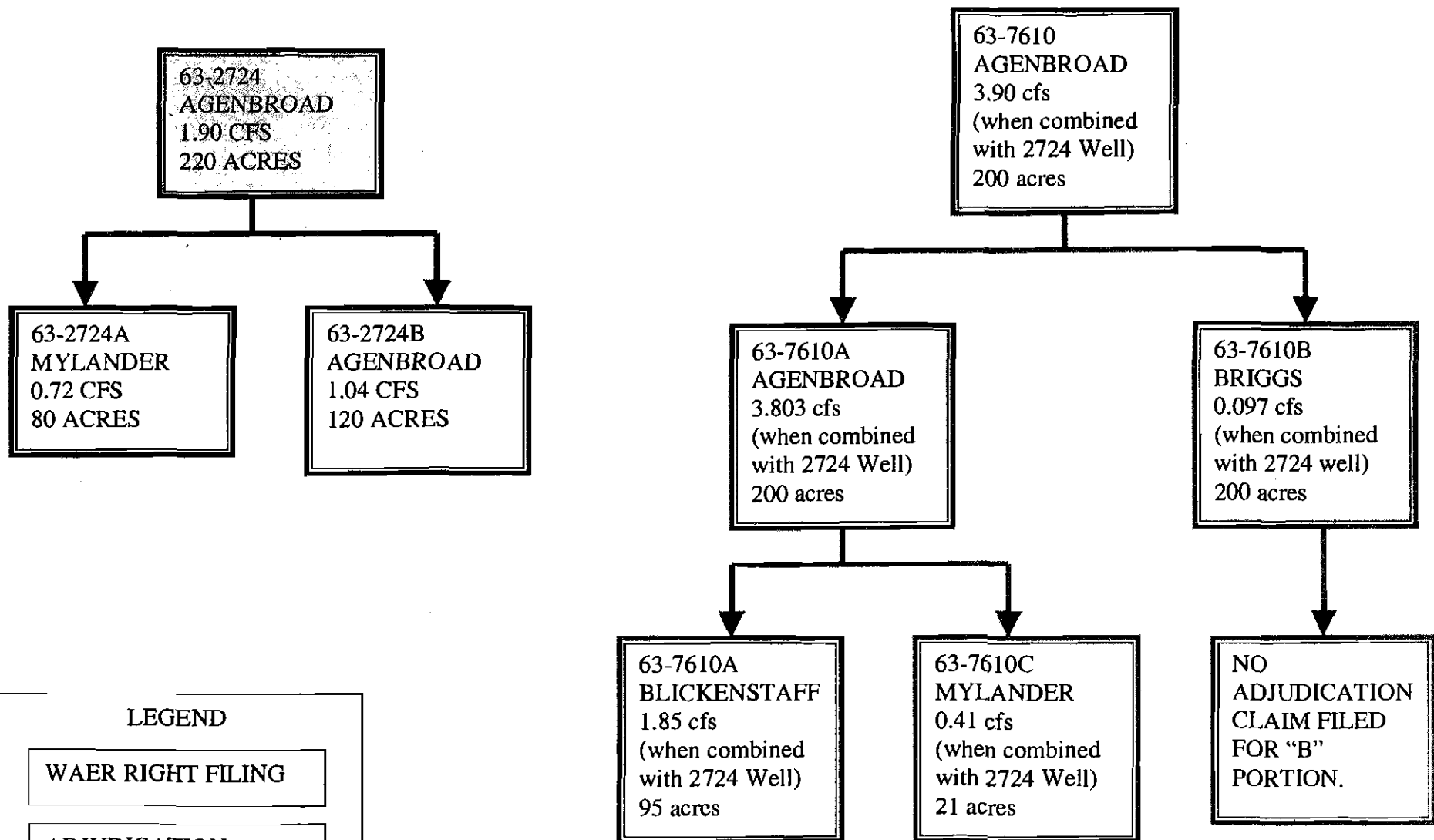
BULLOCK/JTAP  
9 ACRES  
.08 CFS

63-32383

B&F/JTAP  
5 ACRES  
.05 CFS

63-32384

BULLOCK/JTAP  
56 ACRES  
.50 CFS



63-2724 was licensed with a capacity of 1.90 cfs. 63-7610 added a well with the capacity of 2.00 cfs and included the well licensed under 63-2724 for a total diversion rate of 3.90 cfs. The department then conditioned 63-7610 that when combined with 63-2724 it is limited to a combined diversion rate of 3.90 cfs. The properties have been split and the wells are no longer connected to the same system. Therefore, regulating the combined rights would be impossible.

# State of Idaho

## License and Certificate of Water Right

Water License No. 20699

Amount 1.9 second feet

Water District No. ....

Priority October 12, 1948

THIS IS TO CERTIFY that JAMES D. AGNEWROAD

ofampa, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 12, 1948; that Permit No. 20699 was issued under said application; that Certificate of Completion of works, with a carrying capacity of three second feet, was issued thereunder on July 13, 1953, showing that said works were completed on the 8th day of July, 1953; and that on the 20th day of August, 1953,

JAMES D. AGNEWROAD

ofampa, 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 irrigation and domestic use, under Use Permit No. 20699 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 9 of Licenses at page 3238, on the 2nd day of March, 1954;

The right hereby confirmed dates from October 12, 1948;

The Point of Diversion is located

in the NW 1/4 NE 1/4 Sec. 22, T. 2 N., R. 2 E., Blaine Canyon 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 1.9 cubic feet per second.

Description and location of use:

| Twp. | Range | Sec. | Forty-acre Tract                   | No. Acres Described in Permit | No. Acres Actually Irrigated |
|------|-------|------|------------------------------------|-------------------------------|------------------------------|
| 2 N. | 2 N.  | 22   | NE 1/4 SW 1/4                      | 40                            | 40                           |
|      |       |      | SW 1/4 SE 1/4                      | 40                            | 40                           |
|      |       |      | SE 1/4 SE 1/4                      | 40                            | 40                           |
|      |       | 27   | NW 1/4 NE 1/4                      | 40                            | 40                           |
|      |       |      | NE 1/4 NW 1/4                      | 40                            | 40                           |
|      |       |      | NW 1/4 NE 1/4                      | 23                            | 20                           |
|      |       |      | Number of Acres Actually Irrigated | -                             | 220                          |

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 2nd day of March, 1954.

(SEAL)

MARK P. KULP  
State Reclamation Engineer

MICROFILMED

AUG 18 1992