

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 63-2813C
Date Received: 4/25/2006
Receipt No: W034093
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DEAN L QUENZER Phone: (208)888-5990
3680 N BLACK CAT RD
MERIDIAN ID USA 83642-5330

MARVIN E QUENZER Phone: (208)888-5990
3680 N BLACKCAT RD
MERIDIAN ID USA 83642

RON L QUENZER Phone: (208)888-5990
3680 N BLACKCAT
MERIDIAN ID USA 83642

EAGLEFIELD LLC Phone: (208)939-4310
6951 N DUNCAN LN
BOISE ID USA 83714

2. Date of Priority: 05/23/1950

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01W	11	NE SE	ADA	

5. Description of diverting works:

260 ft. deep artesian well flows into a ditch and is then rediverted via a divider box in ditch which divides the water three ways for gravity flow irrigation.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	11/15	0.34	

7. Total Quantity Appropriated is:
0.34 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
04N	01W	11	SW	NE	IRRIGATION	40
			NE	SW	IRRIGATION	40
			NE	SE	IRRIGATION	11.5
			NW	SE	IRRIGATION	38
					Section Acres	129.5
					Total Acres	129.5

11. Place of use in counties: ADA

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

13. Other Water Rights Used: 63-2543 and Middleton Irrigation Association.

14. Remarks:

Quenzers are current owners of 37.5 acre portion of the claimed place of use. Eaglefield, LLC has an agreement with Quenzers to purchase this portion of the property. Eaglefield, LLC owns the remainder of the property. This claim is filed jointly between the parties.

15. Basis of Claim: License

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number: 63-2813C

Date Received:

Receipt No: W034093

Received By: RECEIVED

APR 25 2006

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

WATER RESOURCES
WESTERN REGION

1. Name of Claimant(s)

Dean L Quenzer
3680 N Black Cat Rd
Meridian, ID 83642-5330

Phone: (208) 888-5990

and

Ron L Quenzer
3680 N Black Cat Rd
Meridian, ID 83642-5330

Phone: (208) 888-5990

and

Marvin E Quenzer
3680 N Black Cat Rd
Meridian, ID 83642-5330

Phone: (208) 888-5990

and

Eaglefield, LLC
6951 N Duncan Ln
Boise, ID 83714

Phone: (208) 939-4310

2. Date of Priority: May 23, 1950

3. Source: Ground Water

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
4N	1W	11		NE	SE	Ada	

5. Description of diverting works:

260' deep artesian well flows into a ditch and is then re-diverted via a divider box in ditch which divides the water three ways for gravity flow irrigation.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
Irrigation	3/1	11/15	0.34	

7. Total Quantity Appropriated is:

0.34 cfs

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

TWP	RNG	SEC	NE ¼				NW ¼				SW ¼				SE ¼				totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	1W	11			40						40				11.5	38			129.5

Total number of acres irrigated 129.5

11. Place of use in counties: Ada

12. Do you own the property listed above as place of use? Quenzer's are current owner of a 37.5-acre portion of the claimed place of use. Eaglefield, LLC has an agreement with Quenzer's to purchase this portion of the property. Eaglefield, LLC owns the remainder of the property. This claim is filed jointly between the parties.

13. Other Water Rights Used:

63-2543 and Middleton Irrigation Association

14. Remarks:

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Ronald L. Quenzer, trustee of
Ronald L. Quenzer Trustee ^{Living Trust} Title
Organization, that I have signed the foregoing
document in the space below as Ronald L. Quenzer, Trustee of
Ronald L. Quenzer Living Trust Title
Organization and that the statements contained in the
foregoing document are true and correct. Ronald L. Quenzer Trustee
Signature of Authorized Agent

Trustee
Title and Organization

4-17-06
Date

State of Idaho)
County of Ada) SS.

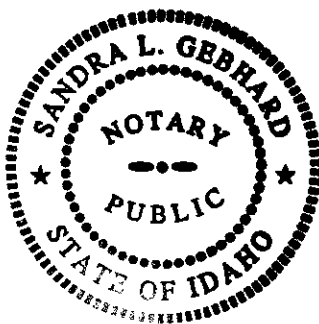
Subscribed and sworn (or affirmed) before me this
of April 17, 2006

Sandra L. Gebhard

Notary Public

Residing at Boise, ID

My commission Expires 7/21/10



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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Manager _____ of _____ Title

Double D Investments LP, that I have signed the foregoing Organization

document in the space below as Manager _____ of _____ Title

Double D Investments LP and that the statements contained in the Organization

foregoing document are true and correct.

Dean Meyer
Signature of Authorized Agent

Manager
Title and Organization

4-17-06
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this

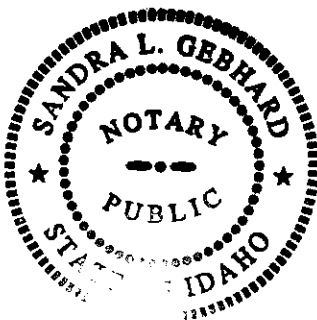
of April 17 2006

Sandra L Gebhard

Notary Public

Residing at Boise, ID

My commission Expires 7/21/10



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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Marv Quenzer (general partner) of
Title
MLCB Investments L.P., that I have signed the foregoing
Organization
document in the space below as Marv Quenzer (general partner) of
Title
MLCB Investments L.P. and that the statements contained in the
Organization
foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

MLCB Investments L.P.
Title and Organization

4-17-06
Date

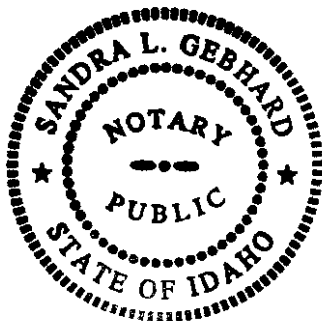
State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this
of Apr. 17 2006

[Signature]
Notary Public

Residing at Boise, ID

My commission Expires 7/21/00



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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Peter Harris Managing Member of Englefield LLC, that I have signed the foregoing document in the space below as Peter Harris Managing Member of Englefield LLC and that the statements contained in the foregoing document are true and correct.

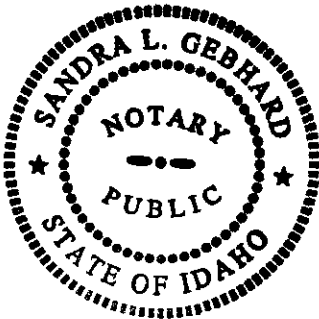
Peter Harris
Signature of Authorized Agent
Managing Member Englefield LLC
Title and Organization
April 21, 2006
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this
of April 21 2006

Sandra L. Gebhard
Notary Public

Residing at Boise, ID
My commission Expires 7/21/10





SPF Water Engineering, LLC
water resource consultants

April 24, 2006

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

RECEIVED
APR 25 2006
WATER RESOURCES
WESTERN REGION

Attention: Jan Shurte

Subject: Claims for 63-2813C and 63-2543

Dear Jan,

Enclosed on behalf of our client, Eaglefield LLC, are claims to water right licenses 63-2543 and 63-2813C. Eaglefield LLC is sole owner of land listed in 63-2543.

Eaglefield LLC, Dean Quenzer, Ron Quenzer, and Marvin Quenzer own the land listed in license 63-2813C, and this claim is filed jointly between these parties.

A preliminary plat for Eaglefield Estates Subdivision is included with these claims. The Quenzer / Eaglefield property boundaries are highlighted. I anticipate that claims to license 63-2813B will be filed by Reeser and Elcox, and these respective properties are identified on the preliminary plat map.

Enclosed is a check for \$269.50. This fee is based on \$179.50 for 63-2813C (\$50 flat fee plus \$129.50 at \$1 per acre) and \$90 for 63-2543 (\$50 flat fee plus \$40 at \$1 per acre).

Please contact me with any questions or requests for additional information.

Sincerely,

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

cc: Peter Harris / Eaglefield LLC

File: 421.0010

Place of Use: Eaglefield Portion
(Irrigation, 92 acres)

Point of Diversion
(Artesian Well)

Place of Use: Quenzer Portion
(Irrigation, 37.5 acres)

63-2813C SRBA Claim Map
129.5 acres in 4N 1W Section 11
1987 Adjudication Imagery

0 300 600
Feet



Water Engineering, LLC
water resource consultants
400 E. River Park Lane, Ste. 105, Boise, Idaho 83706
Tel: 208.383.4140 Fax: 208.383.4196



PRELIMINARY PLAT FOR EAGLEFIELD ESTATES SUBDIVISION

A PORTION OF THE NE 1/4, SE 1/4 AND THE SW 1/4 OF SECTION 11
TOWNSHIP 4 NORTH, RANGE 1 WEST, BOISE MERIDIAN
EAGLE, ADA COUNTY, IDAHO
2006

OWNERS

MLCB INVESTMENTS, L.P.
DOUBLE D INVESTMENTS, L.P.
THE RONALD L. QUENZER AND
DEBBIE A. QUENZER LIVING TRUST
3680 N. BLACK CAT RD.
MERIDIAN, ID 83642

DEVELOPER

EAGLEFIELD, LLC
10632 SAGECREST PL.
BOISE, ID 83714
(208)-939-4310

SURVEYOR

IDAHO SURVEY GROUP
GREG CARTER, PLS
1450 WATERTOWER ST., STE. 150
MERIDIAN, ID 83642
PHONE: (208) 846-8570

ZONING AND SETBACK LINES

PLANNED UNIT DEVELOPMENT (P.U.D.)
OVERLAY

R-2: FRONT 30'
REAR 30'
SIDE 10'
STREET SIDE 20'

R-4: FRONT 20'
REAR 25'
SIDE 7.5'

MU: FRONT 20'
REAR 20'
SIDE 7.5'

NOTE: SEE APPLICATION PACKAGE FOR PROPOSED SETBACKS

ACREAGE SUMMARY
TOTAL - 142.4 ACRES
RESIDENTIAL LOTS - 87.4 ACRES
COMMON LOTS - 27.0 ACRES
STREET RIGHT-OF-WAY - 28.0 ACRES

SUMMARY
TOTAL BUILDABLE LOTS = 328
RESIDENTIAL = 313
FOUR-PLEX LOTS = 15
COMMON = 41
DENSITY = 2.62 DU/ACRE

FIRE DISTRICT
EAGLE FIRE DISTRICT

SEWER AND WATER PROVIDER
EAGLE SEWER
UNITED WATER OR EAGLE CITY WATER

ROADWAY JURISDICTION
ADA COUNTY HIGHWAY DISTRICT

IRRIGATION DISTRICT
MIDDLETON MILL IRRIGATION DISTRICT

160' 80' 0 160' 320'
SCALE: 1" = 160'

MATCH LINE SEE SHEET 4 & 7

SEE SHEET 3 & 6

MATCH LINE SEE SHEET 4 & 7

MATCH LINE SEE SHEET 4 & 7

SEE SHEET 3 & 6

SEE SHEET 3 & 6

SEE SHEET 3 & 6

SEE SHEET 2 & 5

SEE SHEET 2 & 5

Quenzer
Property

Eaglefield Property

REESER

Elcox

NOTES

- COMMON LOTS AS SHOWN ARE TO BE OWNED AND MAINTAINED BY THE EAGLEFIELD ESTATES SUBDIVISION HOMEOWNERS ASSOCIATION. ALL SAID COMMON LOTS HAVE A BLANKET PUBLIC UTILITY, DRAINAGE, AND IRRIGATION EASEMENT, EXCEPT COMMON LOTS 1-C, BLOCK 1; 5-C, BLOCK 5; 27-C, BLOCK 5; 1-C, BLOCK 7; 63-C, BLOCK 8; 1-C, BLOCK 9; 12-C, BLOCK 9; AND 27-C, BLOCK 13.
- PRESSURE IRRIGATION WILL BE SUPPLIED TO EACH LOT, WITH INDIVIDUAL CONNECTIONS TYPICALLY AT THE REAR OF INDIVIDUAL LOTS.
- MOST STREET DRAINAGE WILL SHEET FLOW INTO SWALE AREAS AND INFILTRATE INTO THE SUBSURFACE. SOME STREET DRAINAGE WILL BE ROUTED IN CURBS AND GUTTERS TO DRAINAGE DETENTION SWALES. SEE STREET SECTION DETAILS ON THIS SHEET. STORM DRAINAGE WILL BE DESIGNED IN ACCORDANCE WITH THE CATALOG OF STORM WATER BEST MANAGEMENT PRACTICES FOR IDAHO CITIES AND COUNTIES AND THE ADA COUNTY HIGHWAY DISTRICT.
- PUBLIC UTILITY, DRAINAGE, AND IRRIGATION EASEMENTS WILL BE AS FOLLOWS:
 - 10 FEET WIDE ADJACENT TO THE SUBDIVISION BOUNDARY AND PUBLIC RIGHT-OF-WAY
 - 5 FEET WIDE ON EACH SIDE OF INTERIOR LINES (DRAINAGE ONLY)
 - ALL OTHER EASEMENTS ARE AS SHOWN.
- COMMON LOT 39-C, BLOCK 10 AND COMMON LOT 17-C, BLOCK 12 CONTAIN IRRIGATION EASEMENTS. SAID EASEMENTS ARE GRANTED TO MIDDLETON IRRIGATION DISTRICT FOR THE MAINTENANCE AND OPERATION OF THE MIDDLETON CANAL.
- NO PORTION OF THE SITE IS LOCATED IN A FEMA DESIGNATED FLOODPLAIN OR FLOODWAY ZONE.
- SELECT LOTS CONTAIN A FIFTEEN FOOT (15') WIDE LANDSCAPE EASEMENT, UNLESS OTHERWISE SHOWN. SAID EASEMENT IS GRANTED TO THE EAGLEFIELD HOMEOWNERS ASSOCIATION FOR MAINTENANCE AND INSTALLATION OF LANDSCAPING.
- DIRECT LOT ACCESS TO STATE HIGHWAY 44, N. GOLDEN CROWN WAY AND PELSTON ST. IS PROHIBITED.
- THE SUBDIVISION IS PROPOSED IN FIVE (5) PHASES AS GENERALLY SHOWN.
- EXISTING BUILDINGS AND STRUCTURES ON SITE WILL BE REMOVED UNLESS OTHERWISE SHOWN.
- TYPICAL CUL-DE-SAC RIGHT OF WAY RADIUS IS 50 FT. UNLESS OTHERWISE SHOWN. COMMON AREAS LOCATED WITHIN THE CUL-DE-SAC HAVE A 20 FT. RADIUS, UNLESS OTHERWISE SHOWN. TYPICAL RIGHT OF WAY RADIUS IS 15 FT. AT STREET INTERSECTIONS, UNLESS OTHERWISE SHOWN.
- COMMON LOTS IN THE MIDDLE OF N. GOLDEN CROWN WAY AND W. PELSTON ST. RIGHT-OF-WAY ARE 10 FEET WIDE AND CENTERED WITHIN THE RIGHT-OF-WAY UNLESS OTHERWISE SHOWN.
- LOTS 2 THROUGH 22, BLOCK 4, LOTS 1 THROUGH 5 AND 7 THROUGH 11, BLOCK 6, AND LOTS 2 THROUGH 10, BLOCK 3, CONTAIN A SHARED 20' WIDE CROSS-ACCESS EASEMENT AS SHOWN. THE RESTRICTIVE COVENANT FOR MAINTENANCE OF THE 20' CROSS-ACCESS EASEMENT CANNOT BE MODIFIED AND THE HOMEOWNERS ASSOCIATION CANNOT BE DISSOLVED WITHOUT THE CITY'S CONSENT OF THE CITY OF EAGLE.

- PHASE 1 LOT DIMENSIONS
- PHASE 2&3 LOT DIMENSIONS
- PHASE 4&5 LOT DIMENSIONS
- PHASE 1 SURFACE FEATURES/UTILITIES
- PHASE 2&3 SURFACE FEATURES/UTILITIES
- PHASE 4&5 SURFACE FEATURES/UTILITIES
- PROFILES 1
- PROFILES 2
- PROFILES 3
- PROFILES 4

VICINITY MAP

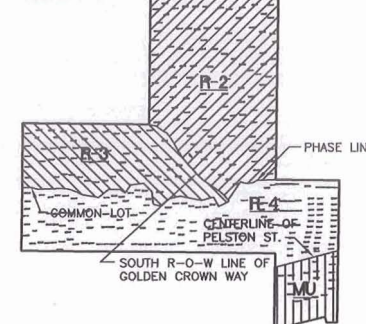


SCALE: NTS

LEGEND

- FOUND BRASS CAP
- FOUND ALUMINUM CAP
- FOUND 5/8" PIN
- CALCULATION POINT
- SUBDIVISION BOUNDARY
- PROPOSED PHASE LINES
- PROPOSED ROAD RIGHT-OF-WAY
- SECTION LINE
- PROPOSED ROAD CENTER LINE
- PUBLIC UTILITY, DRAINAGE, AND IRRIGATION EASEMENT
- PROPOSED LANDSCAPE EASEMENT
- PROPOSED FORCE MAIN
- PROPOSED SEWER MAIN
- EXISTING SEWER MAIN
- PROPOSED WATER MAIN
- EXISTING WATER MAIN
- EXISTING OVERHEAD POWER
- EXISTING EDGE OF PAVEMENT
- EXISTING FENCE
- EXISTING CONTOUR
- PROPOSED BLOCK NUMBER
- PROPOSED BUILDABLE LOT NUMBER
- PROPOSED COMMON LOT NUMBER
- EXISTING POWER POLE
- EXISTING TREE
- PROPOSED SEWER MANHOLE
- EXISTING SEWER MANHOLE
- PROPOSED SEWER CLEANOUT
- PROPOSED FIRE HYDRANT
- EXISTING FIRE HYDRANT
- PROPOSED WELL
- PROPOSED IRRIGATION BOX
- PROPOSED IRRIGATION VALVE
- PROPOSED INTERIM PUMP STATION
- EXISTING STRUCTURE TO BE REMOVED

PROPOSED ZONING EXHIBIT
P.U.D. OVERLAY IS ACROSS THE ENTIRE SITE



PROJECT NO.
C04023

PRELIMINARY PLAT FOR
EAGLEFIELD ESTATES SUBDIVISION
TITLE SHEET

1
OF
10

DATE: 5-11-05

SCALE: 1" = 160'

DRAWN BY: BKR

CHECKED BY: J.C. CARPENTER, P.E.

IDAHO

PLAN REVISION

NO.	DESCRIPTION	DATE
1	DEVELOPER'S REQUEST TO REMOVE 25 LOTS	10-20-06
2	PER CITY COMMENTS	01-06-06

ND MARK
ENGINEERING & PLANNING, INC.
1000 N. 9th Ave., Suite 200, Boise, Idaho 83602
Phone: (208) 944-0000 Fax: (208) 944-0001

PROFESSIONAL ENGINEER
10-0000000
MICHAEL ANDERSON

DESIGNED BY: J.C. CARPENTER, P.E.

RECEIVED

NOV 16 2006

NOTICE OF ERROR
REPLY

WATER RESOURCES
WESTERN REGION

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

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

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

Water right number: 63-2813C

DEAN L QUENZER
MARVIN E QUENZER
RON L QUENZER
3680 N BLACK CAT RD
MERIDIAN ID 83642-5990

Telephone Number (208)888-5990

EAGLEFIELD LLC
6951 N DUNCAN LN
BOISE ID 83714

Telephone Number (208) 939-4310

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

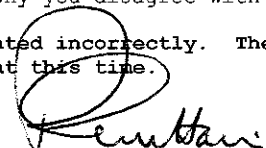
I disagree with the Quantity Condition concerning AFY, and Explanatory Material.

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

Quantity Condition should be changed to represent the amount 0.66 cfs will generate during the period of use (0.34 cfs under 63-2813C + 0.32 cfs under 63-32356 over 259 days). Explanatory Material concerning ownership should be removed.

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

I believe the Quantity Condition was calculated incorrectly. The Explanatory Material was copied from the original claim and does not apply at this time.

DATE: 10-31-05 SIGNATURE: 

Please print your name: Peter Harris



SPF Water Engineering, LLC
water resource consultants

November 14, 2006

IDWR Western Region
2735 Airport Way
Boise, ID 83705

Subject: Notice of Error (Basin 63, Part III)
Subcase Nos. 63-32356, 63-2813C

Dear Western,

Enclosed on behalf of Eaglefield LLC, are two *Notice of Error* documents for the above-captioned subcases.

We realize we have missed the October 31, 2006 deadline, but are hopeful the information contained in the documents will be helpful when preparing the final recommendations. We believe there is a calculation error in the Quantity element of these recommendations.

Please let me know if I can help in any way.

Sincerely,

Roxanne Brown
Water Rights Specialist

Cc: Eaglefield LLC

Enclosures
Notice of Error forms

SPF file number: 421.0010

RECEIVED

NOV 16 2006

WATER RESOURCES
WESTERN REGION

07/26/2006

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

RIGHT NUMBER: 63-2813C

NAME AND ADDRESS: DEAN L QUENZER
3680 N BLACK CAT RD
MERIDIAN ID 83642-5330

EAGLEFIELD LLC
6951 N DUNCAN LN
BOISE ID 83714

MARVIN E QUENZER
3680 N BLACKCAT RD
MERIDIAN ID 83642

RON L QUENZER
3680 N BLACKCAT
MERIDIAN ID 83642

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.340 CFS
175.300 AFY

Right Nos. 63-2813C and 63-32356 are limited to a total combined annual diversion volume of 175.3 AF.

PRIORITY DATE: 05/23/1950

POINT OF DIVERSION:

T04N R01W S11 NESE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.340 CFS 175.30 AFY

PLACE OF USE: IRRIGATION Within ADA County

T04N R01W S11	SWNE	40.00	T04N R01W S11	NESW	40.00
T04N R01W S11	NESE	11.50	T04N R01W S11	NWSE	38.00

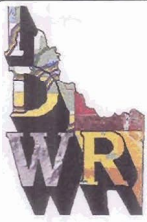
129.5 ACRES TOTAL

Right Nos. 63-2813C and 63-32356 are limited to the irrigation of a combined total of 129.5 acres in a single irrigation season.

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

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

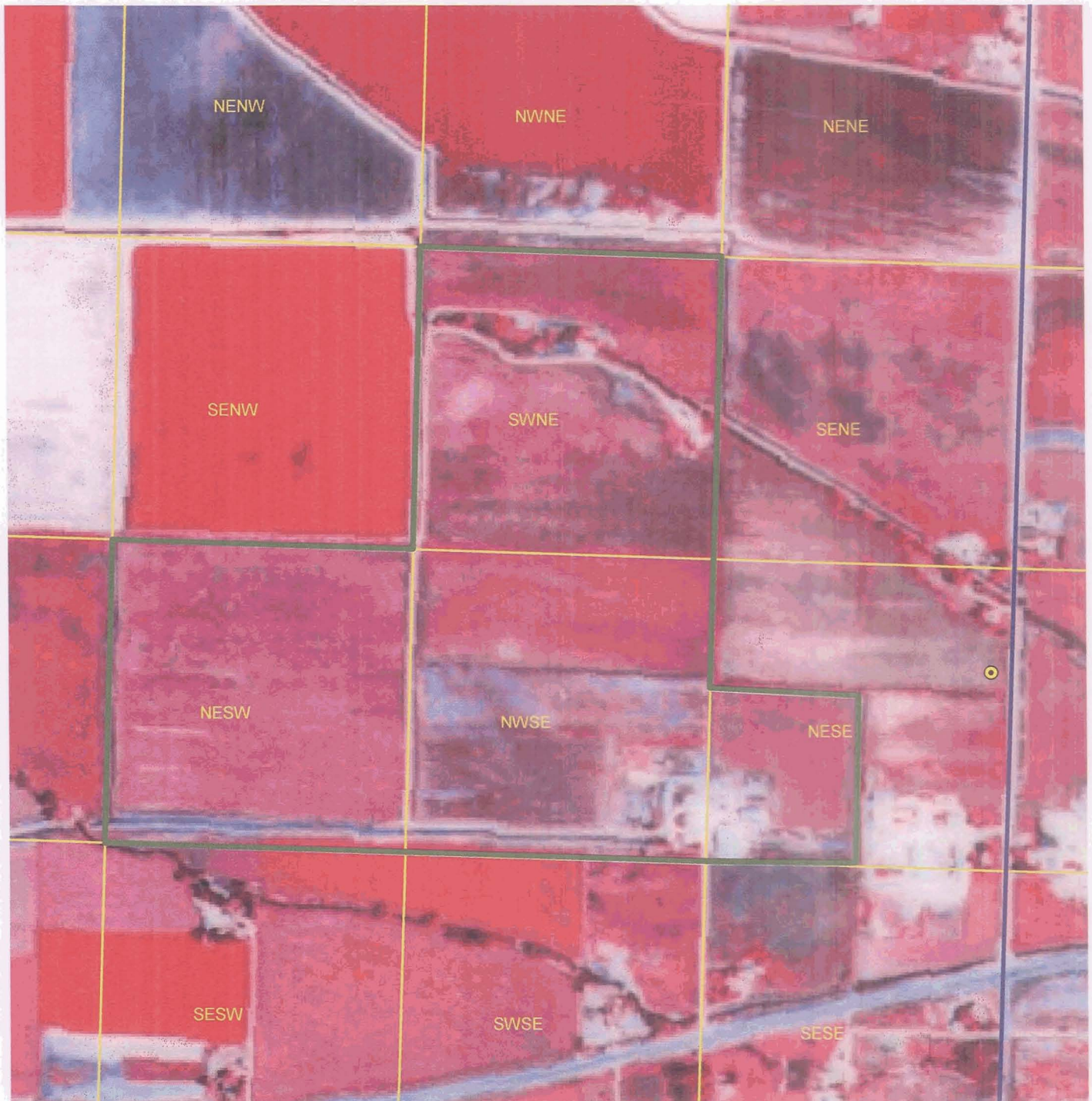
EXPLANATORY MATERIAL: BASIS OF CLAIM - License



Idaho Department of Water Resources

63-2813C

T04N R01W S11



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

Total irrigated
acres = 129.5



600 0 600 1200 Feet

IDWR

Prepared by: Sandy Egbert
Date: July 26, 2006
1987 NAAP Photography

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-2813C

07/26/2006

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
~~63-2406~~	Claim	04N	01W	11	SW	NE		IRRIGATION	40/29248	DRAINAGE DIST NO 2
~~63-2813C~~	Claim	04N	01W	11	SW	NE		IRRIGATION	40/129.5	DEAN L QUENZER
~~63-32356~~	Claim	04N	01W	11	SW	NE		IRRIGATION	8/40	EAGLEFIELD LLC
63-198AA	Water Right	04N	01W	11	SW	NE		IRRIGATION		EDWARD L MC CLINTOCK
~~63-2406~~	Water Right	04N	01W	11	SW	NE		IRRIGATION	40/29248	DRAINAGE DIST NO 2
~~63-2813C~~	Water Right	04N	01W	11	SW	NE		IRRIGATION	40/129.5	E L HARRIS
~~63-2406~~	Claim	04N	01W	11	NE	SW		IRRIGATION	39/29248	DRAINAGE DIST NO 2
~~63-2813C~~	Claim	04N	01W	11	NE	SW		IRRIGATION	40/129.5	DEAN L QUENZER
~~63-2406~~	Water Right	04N	01W	11	NE	SW		IRRIGATION	39/29248	DRAINAGE DIST NO 2
~~63-2813C~~	Water Right	04N	01W	11	NE	SW		IRRIGATION	40/129.5	E L HARRIS
~~63-2406~~	Claim	04N	01W	11	NE	SE		IRRIGATION	39/29248	DRAINAGE DIST NO 2
~~63-2813A~~	Claim	04N	01W	11	NE	SE		IRRIGATION	15/20	ARTHUR SNYDER
~~63-2813C~~	Claim	04N	01W	11	NE	SE		IRRIGATION	11.5/129.5	DEAN L QUENZER
~~63-2406~~	Water Right	04N	01W	11	NE	SE		IRRIGATION	39/29248	DRAINAGE DIST NO 2
~~63-2813A~~	Water Right	04N	01W	11	NE	SE		IRRIGATION	15/20	HERBERT H BAYER
~~63-2813B~~	Water Right	04N	01W	11	NE	SE		IRRIGATION	11/11	LAWRENCE L COPE
~~63-2813C~~	Water Right	04N	01W	11	NE	SE		IRRIGATION	24.7/129.5	E L HARRIS
~~63-2406~~	Claim	04N	01W	11	NW	SE		IRRIGATION	39/29248	DRAINAGE DIST NO 2
~~63-2813C~~	Claim	04N	01W	11	NW	SE		IRRIGATION	38/129.5	DEAN L QUENZER
~~63-32356~~	Claim	04N	01W	11	NW	SE		IRRIGATION	32/40	EAGLEFIELD LLC
~~63-2406~~	Water Right	04N	01W	11	NW	SE		IRRIGATION	39/29248	DRAINAGE DIST NO 2
~~63-2813C~~	Water Right	04N	01W	11	NW	SE		IRRIGATION	24.8/129.5	E L HARRIS

overlaps

63-32356 -

63-32356 - 1008 CFS/A

1008 CFS/A

1008 CFS/A

1008 CFS/A

1008 CFS/A

State of Idaho

License and Certificate of Water Right

Water License No. 21522
 Water District No. _____

Amount 17 inches or
0.34 second foot
 Priority May 23, 1950

THIS IS TO CERTIFY that HERBERT H. BAYER, E. L. HARRIS and LAWRENCE L. COPE
 of Route 1, Eagle, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated May 23, 1950; that Permit No. 21522
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 0.64 second foot, was issued thereunder on June 29, 1950, showing that said works
 were completed on the 21st day of June, 1950; and that on the 25th
 day of July, 1950,

E. L. HARRIS

of Eagle, State of Idaho, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of an artesian
 well, ~~subterranean~~ (subterranean flow), for the purpose of irrigation and stock
 water, under Use Permit No. 21522 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
 8 of Licenses at page 4747, on the 4th day of May, 1951;
 The right hereby confirmed dates from May 23, 1950;

The Point of Diversion is located

in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, Tp. 4 N., R. 1 W., B. M. Ada County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
 aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
 not exceed 0.34 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N.	1 W.	11	SW $\frac{1}{4}$ NE $\frac{1}{4}$) NE $\frac{1}{4}$ SW $\frac{1}{4}$) N $\frac{1}{2}$ SE $\frac{1}{4}$)	40 40 49.5	129.5

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

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

4th day of May, 1951.

(SEAL)

MARK R. KULP
 State Reclamation Engineer

MICROFILMED

JUN 13 1989

63-2813C

State of Idaho

License and Certificate of Water Right

Water License No. 21522

4 inches, or
Amount 0.08 second foot

Water District No.

Priority May 23, 1950

THIS IS TO CERTIFY that HERBERT H. BAYER, E. L. HARRIS and LAWRENCE L. COPE of Route 1, Eagle, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated May 23, 1950; that Permit No. 21522 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.04 second foot, was issued thereunder on June 29, 1950, showing that said works were completed on the 21st day of June, 1950; and that on the 25th day of July, 1950,

LAWRENCE L. COPE

of Eagle, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of an artesian well ~~subterranean~~ (subterranean flow) for the purpose of irrigation and stock water, under Use Permit No. 21522 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 8 of Licenses at page 4749, on the 4th day of May, 1951;

The right hereby confirmed dates from May 23, 1950;

The Point of Diversion is located

in the NE 1/4 NW 1/4 SE 1/4, Sec. 11, Tp. 4 N., R. 1 W., B. M. Ada County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.08 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N.	1 W.	11	NE 1/4 SE 1/4	11	11

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,

4th day of May, 1951.

MARK R. KULP

State Reclamation Engineer

(SEAL)

MICROFILMED

JUN 13 1989

63-2813B

State of Idaho

License and Certificate of Water Right

Water License No. 21522

Amount 11 inches, or 0.22
second foot

Water District No.

Priority May 23, 1950

THIS IS TO CERTIFY that HERBERT H. BAYER, E. L. HARRIS and LAWRENCE L. COPE
of Route 1, Eagle, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated May 23, 1950; that Permit No. 21522
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.64 second foot, was issued thereunder on June 29, 1950, showing that said works
were completed on the 21st day of June, 1950; and that on the 25th
day of July, 1950,

HERBERT H. BAYER

of Eagle, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of an artesian
well, ~~subterranean~~ (subterranean flow), for the purpose of irrigation and stock
water, under Use Permit No. 21522 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
8 of Licenses at page 4748, on the 4th day of May, 1951;

The right hereby confirmed dates from May 23, 1950;

The Point of Diversion is located

in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, Twp. 4 N., R. 1 W., B.M. Ada County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 0.22 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N.	1 W.	11	SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$	5 15	5 15
			Number of Acres Actually Irrigated -	-	- 20

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

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

4th day of May, 1951.

MARK R. KULP

State Reclamation Engineer

(SEAL)

JUN 11 1951

63-2813

63-2813A

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

Permit No. 21522This proof is for Beneficial use

In Water District No. _____

1. Name of applicant Herbert H. Bayer, E. L. Harris, and Lawrence L. Cope, Route 1, Eagle, Idaho2. Source of water supply: Subterranean flow from a well3. Location of point of diversion: Is in the NE¹NE¹SE¹ of Section 11T. 4 N. R. 1 W. County of Ada

4. Describe works as they exist, giving dimensions and capacities of same: Point of diversion is 33' West of the section line and 15' North of Bayer's South property line. The well is an uncapped artesian well, delivering water through a 6" pipe into the bottom of a ditch just inside the fence on the West side of the road. Delivery is to the East. There is no pump house, no curbing or valves. Point of delivery is approximately 50 inches below the level of the field. There is a large concrete divider box just South of the well. The box is 34" deep, side walls 8" thick, is 16' long, 4' wide with one 2' take off to the West and one 3' take off to the South. The well is 260 feet deep by 6" in diameter and cased to the bottom. Temperature is 59° F.

5. Water is used for: Irrigation and stock watering purposes.

6. State whether or not water has been turned into works of diversion: _____

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

S¹ NE¹, NE¹ SE¹ and N¹ SE¹ Section 11, Twp. 4 North, Range 1 West, B. M.

See Map

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

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

Remarks: Mr. Cope is irrigating approximately 21 acres, though 10 of it is not included in this filing. The delivery from this well has been checked by the ditch rider, Mr. Schaffer, at 32 inches. There is undoubtedly that amount or more flowing from this well on date of inspection. Crops are hay, grain and row crop. Ditches are ample capacity.

Ditches are more than ample

This examination was made on the 22nd day of March, 1951

(Signed) G. M. Humphrey Examiner.

21522

APPLICATION FOR PERMIT To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 29226 Herbert H. Bayer
PERMIT No. 21522 Route 1. Eagle.
DISTRICT No.

1. Name of Applicant: G. L. HARRIS, HERBERT H. BAYER, LAWRENCE L. COPE

Postoffice address: Rt. 1, Eagle

County: Ada

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: 0.64

cubic feet per second.

3. Source of water supply: Subterranean flow (artesian well) which is a tributary of

4. Location of point of diversion: feet distant from the Southeast corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ corner of Section 11, T.4 N., R.1 W., B.M., and is in the Southeast corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, T.4 N., R.1 W., B.M., County of Ada

5. Water is to be used for irrigation and stock watering purposes.

6. If for mining, milling, power or manufacturing purposes, give:

- (a) Point of use of water: feet distant from corner of Section T. , R. , B.M., in the of Section , T. , R. , B.M.
- (b) Amount of power generated: H.P., under feet head.
- (c) Water is to be returned to at a point feet distant from the corner of Section , T. , R. , B.M., in the of Section , T. , R. , B.M.

7. Estimated cost of works: \$1,200.00

8. Kind of works: Well and ditches.

9. Height of dam feet; length of dam at top feet; length of dam at bottom feet; material used in dam:

10. Size of headgate: Width feet; height feet

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet; dimensions of flume:

Diameter of pipe inches; length of conduit miles.
Average grade per mile feet.

12. The time required for the completion of such work is Completed years.

13. The time required for the complete application of the water to the proposed use is None additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: One-half inch per acre under the Middleton Water Company ditch from Boise River.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals	
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$		
L N.	1 W.	11			x 40	x 14				x			x 40	x				38	40	172
Permit No. 21522 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that HERBERT H. BAYER, E. L. HARRIS and LAWRENCE L. COPE of Route 1, Eagle, County of Ada, and State of Idaho, the holders of Permit No. 21522, issued upon Application No. 29226 bearing date of priority of May 25, 1950, authorizing the diversion of 0.64 second foot of the waters of an artesian well, County of Ada, State of Idaho, for irrigation and stock watering purposes, have fully complied with the provisions of the State of Idaho relating to the proof of completion of the works of diversion set out and described in Permit; that said works are adequate for diverting and conveying to the place of intended use 0.64 second foot waters of said artesian well; that the point of diversion of said waters is in the Southeast corner of the NE 1/4 Section 11, Township 4 North, Range 1 West, B.M. and that the lands proposed to be irrigated by the use of said waters are described as follows, to-wit: SE 1/4, NE 1/4, SW 1/4, NW 1/4 Section 11, Township 4 North, Range 1 West, B.M. Witness my hand this 29th day of June, A. D. 1950. MARK R. KULP State Reclamation Engineer Proof of Completion of Works made June 27, 1950. Certificate of Completion of Works issued June 29, 1950. LICENSE ISSUED FOR 0.34 SEC. FT. Page 4747 LICENSE ISSUED FOR 0.22 SEC. FT. Page 4748 LICENSE ISSUED FOR 0.03 SEC. FT. Page 4749																				

Center of section 11

Tax lot. 8

Bayer

E.L.
Harris

Cope

Lawrence L.
Cope

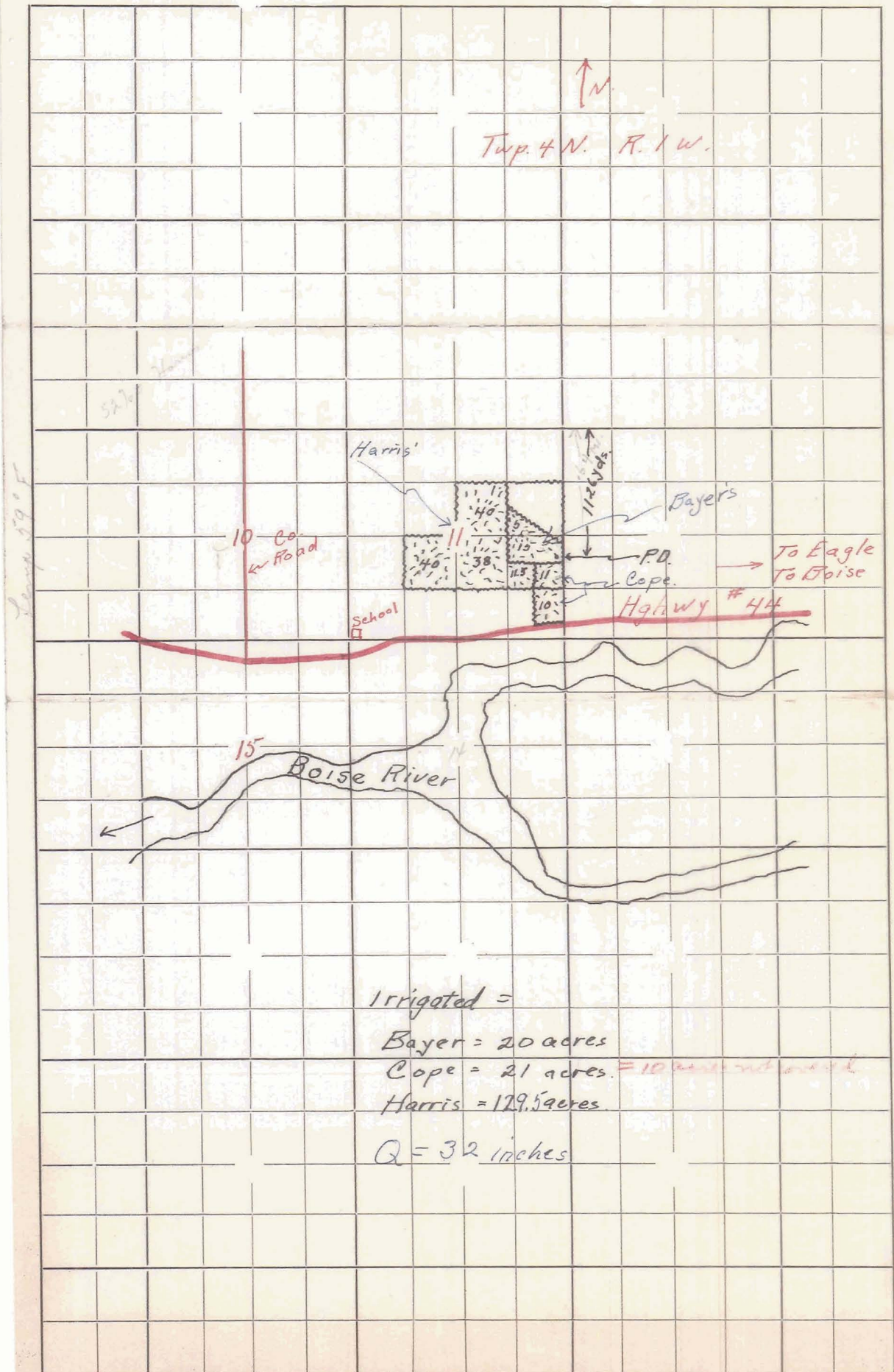
Drain Ditch

Highway

40 scale.

21522

11 12

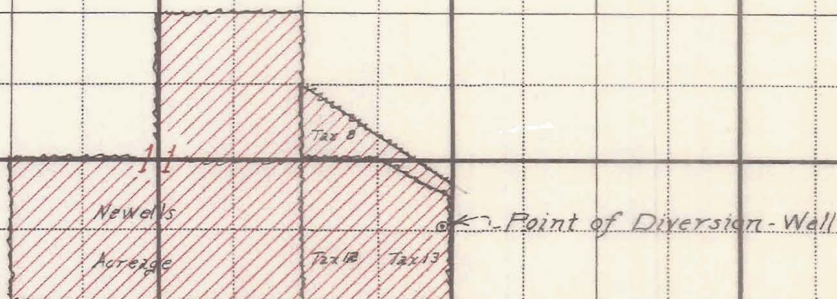


Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

21522

NAME OF APPLICANT L. H. ... is, Herbert M. Bayer and ... L. Cope, FORM No. 0

T. 4 N., R. 1 W.



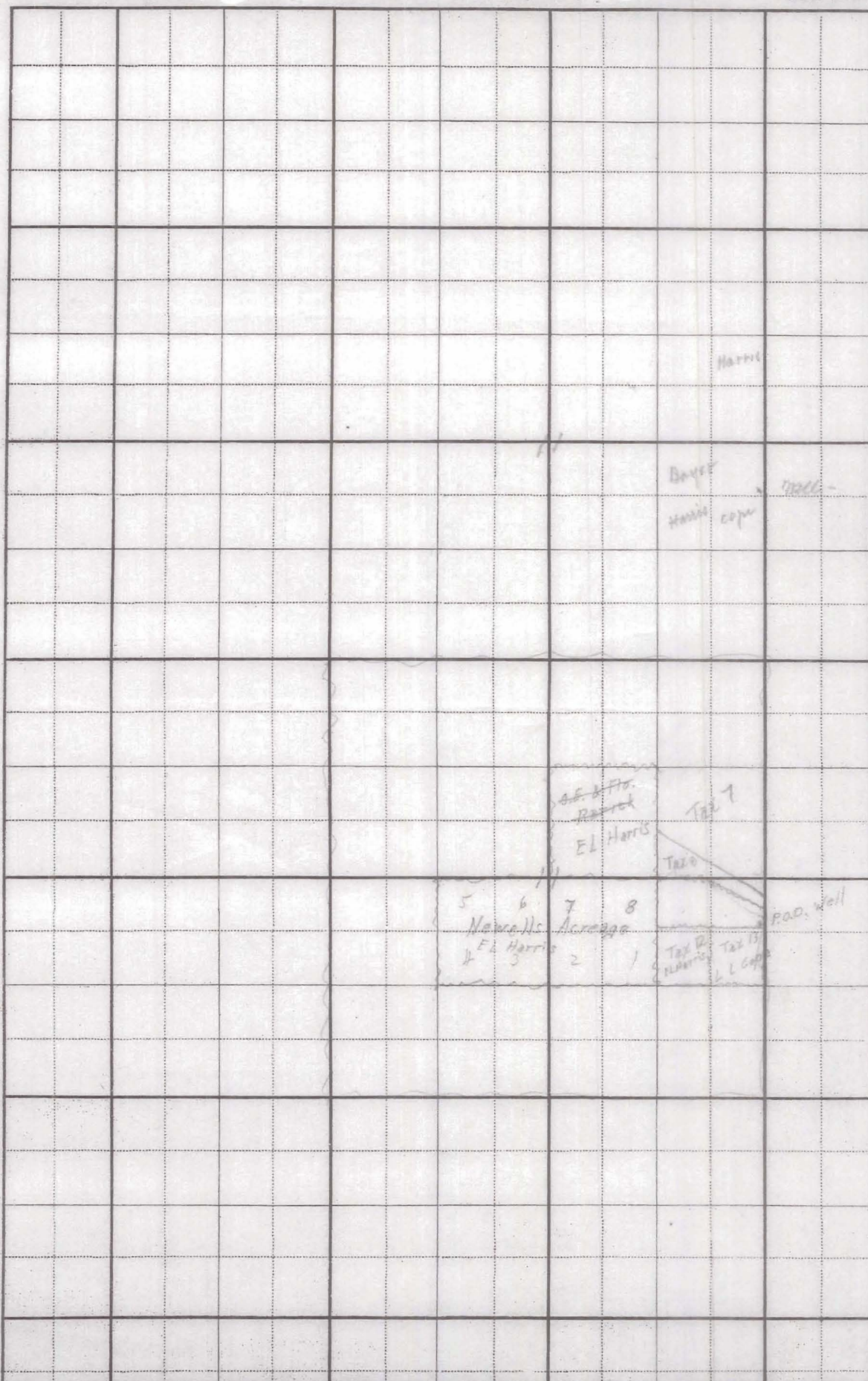
Permit Map No. 21522
As Approved
JUN 6 1950
MARK R. KULP
State Examination Engineer

SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK.

21522

NAME OF APPLICANT _____

FORM No. 0



SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK.

21522