

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 63-31821
Date Received: 3/15/1990
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

VINE CREST PROPERTY OWNERS ASSN Phone: (208)453-9397
13355 BURGUNDY PL
CALDWELL ID USA 83607

2. Date of Priority: 06/13/1977

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	04W	25	NE SE	CANYON	

5. Description of diverting works:

40 hp submersible pump, 6 inch mainline, existing system; known as Well #1

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.75	180

7. Total Quantity Appropriated is:
0.75 C.F.S. and/or 180 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	04W	25	NW	SE	IRRIGATION	40
					Section Acres	40
					Total Acres	40

11. Place of use in counties: CANYON

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 63-8474.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This right does not grant any right-of-way or easement across the land of another.

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

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.

15. Basis of Claim: License

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70977**

This is to certify that: VINE CREST PROPERTY OWNERS ASSN
13355 BURGUNDY PL
CALDWELL ID 83607
(208)453-9397

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-8474	AJC/License	06/13/1977	1.8 cfs	N/A	N/A	96.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

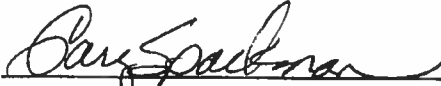
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-8474	YES	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-8474	63-31821	0.75 cfs	180 af	N/A	40.0	63-31820	1.05 cfs	N/A	N/A	56.0
COMBINED										
TOTALS		0.75 cfs	180 af	N/A	40.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 19th day of March, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 63-31821
As Modified by Transfer No. 70977

In accordance with the approval of Transfer No. 70977, Water Right No. 63-31821 is now described as follows.

Right Holder: VINE CREST PROPERTY OWNERS ASSN
 13355 BURGUNDY PL
 CALDWELL ID 83607

Priority Date: June 13, 1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.75 CFS	180.0 AF
			0.75 CFS	180.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESE Sec. 25 Twp 03N Rge 04W CANYON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N 04W 25																	40.0
																	40.0

Total Acres: 40

CONDITIONS OF APPROVAL

- 107 1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- 108 2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- 109 3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
- 004 4. This right does not grant any right-of-way or easement across the land of another.
- 01M 5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

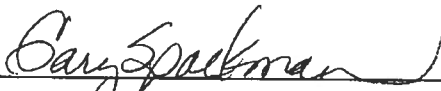
WATER RIGHT NO. 63-31821
As Modified by Transfer No. 70977

CONDITIONS OF APPROVAL

- X61 6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
- R65 7. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19th day of March, 2004



Chief, Water Allocation Bureau

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESRECEIVED
SEP 23 2003Transfer No. 70977APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant Vine Crest Property Owners Assoc. Phone 208-453-9397
Post Office address 13355 Burgundy Place, Caldwell, ID 83607

A. PURPOSE OF TRANSFER

- 1.
- ☒
- Change point of diversion
- ☐
- Add diversion point(s)
- ☐
- Change place of use

☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes
- Change of ownership.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>63-8474</u>	<u>6/13/77</u>	<u>.75 cfs</u>	<u>irrigation</u>	<u>March 15 to Nov. 15</u>
				to _____
				to _____
				to _____

2. Total amount of water being transferred
- .75
- cubic feet per second and/or
- 180
- acre-feet per annum.

3. Source of water
- gw
- tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	NE	SE		<u>25</u>	<u>3N</u>	<u>4W</u>	<u>Canyon</u>	<u>Well #1</u>

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>3N</u>	<u>4W</u>	<u>25</u>														<u>40</u>			<u>40</u>

Total Acres 40

PART 1

6. General Information:

a. Description of diversion system 40 Hp Submersible pump, 6 inch mainline.
Existing System.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
 _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

d. Remarks:

Transferring ownship to new landowner.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____.

 For the Director

10/30/2003

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 63-8474

WATER RIGHT NUMBER: 63-8474

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN J HOCKBERGER 13957 MALT RD CALDWELL, ID 83605 (208)459-9192

Priority Date: 06/13/1977

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	1.800 CFS	
	<u>Total Diversion:</u>	1.800 CFS	

Location of Point(s) of Diversion

GROUND WATER

L1 (NW1/4NW1/4)

Sec. 30, 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					
03N	03W	30					25.0	21.0									46.0		
							L1	L2											
03N	04W	25											10.0	40.0			50.0		

Total Acres: 96

Vine Creek

Conditions of Approval:Remarks:

1. General

The right holder shall use the full allotment of appurtenant surface water rights, to the extent they are available, in conjunction with groundwater diverted pursuant to this right.

This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.

This right when combined with Right 63-02798 and all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 432.0 af for the lands above.

100

079

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by:

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

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

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purposes:

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

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

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

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

7. Point(s) of Diversion:

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

8. Lands irrigated or place of use:

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

Total Acres _____

9. Describe any other water rights used for the same purpose as described above _____

PART 2

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

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount .75 cfs for Irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
<u>1</u>	<u>NW</u>	<u>NW</u>		<u>30</u>	<u>3N</u>	<u>3W</u>	<u>Canyon</u>	<u>Well #3</u>

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>3N</u>	<u>4W</u>	<u>25</u>														<u>40</u>			<u>40</u>

Total Acres 40**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 1.05 for Irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
<u>1</u>	<u>NW</u>	<u>NW</u>		<u>30</u>	<u>3N</u>	<u>3W</u>	<u>Canyon</u>	<u>Well #3</u>

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>3N</u>	<u>3W</u>	<u>30</u>						<u>25</u>	<u>21</u>										<u>46</u>
<u>3N</u>	<u>4W</u>	<u>25</u>													<u>10</u>				<u>10</u>

Total Acres 56

PART 3

B. CHANGES IN NATURE OF USE

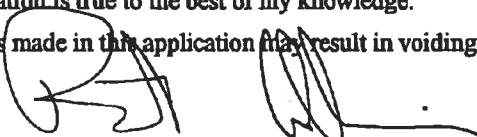
1.

<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____
2. Quantity and quality of return flows and location of discharge: _____

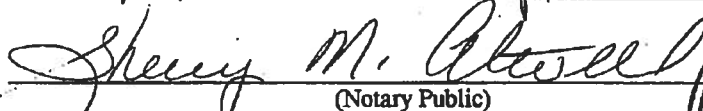
3. Describe effects on other water uses resulting from the proposed change: _____

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.


(Signature of Applicant)

Subscribed and sworn to before me this 19 day of Sept, 2003.


(Notary Public)

My commission expires 1/10/2006



FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 2 attachments
Received by St Date 9-23-03 Protest filed by _____
Prelim. Check by ly Fee \$250
Received by St Date 9-23-03 W030949
Published in _____ Copies of protest forwarded by _____
Pub. Dates _____ Hearing held by _____ Date _____
Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial
_____ received _____ by _____

The Grantees herein have read and approved the following: _____

Title File No.: TN02-14335 *CHR*

WARRANTY DEED

FOR VALUE RECEIVED

INSTRUMENT NO. *200230714*

Jeff Danielson & Karrie Danielson, husband & wife

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto: James A. Griffee & Beverly A. Griffee, husband & wife

GRANTEES(s), whose current address is: % 3920 Airport Ave., Caldwell, ID 83605
the following described real property in Canyon County, State of Idaho,
more particularly described as follows, to wit:

See attached Exhibit "A"

REQUEST
TYPE *1000* FEE *0.00*

TRANSACTION IN AMOUNT

CANYON COUNTY RECORDER
BY *[Signature]*

2002 JUL 8 PM 4 31

RECORDED

200230714

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: July 8, 2002

[Signature]
Jeff Danielson

[Signature]
Karrie L. Danielson

STATE OF ID , County of Canyon , ss.

On this 8th day of July in the year of 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared Jeff Danielson & Karrie Danielson

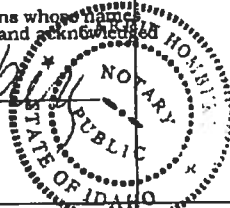
known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Signature: *[Signature]*

Name: Carrie Homburg

Residing at: Melba

My commission expires: 01/28/03



Transnation Title & Escrow, Inc.

ATTACHMENT A1

File No.: TN02-14335

EXHIBIT "A"

PARCEL I

The East half of the Northeast quarter of the Northwest quarter of the Southeast quarter, Section 25, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho.

PARCEL II

An ingress-egress and utility easement as created by Warranty Deed recorded August 28, 1998, as Instrument No. 9832370, of Official Records, 60 feet in width centered upon the following described line:

Commencing at the Southwest corner of the Northeast quarter of the Southeast quarter, Section 25, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho, said point being the TRUE POINT OF BEGINNING of this easement; thence North 0°05'57" West a distance of 990.66 feet along the Westerly boundary of the said Northeast quarter of the Southeast quarter to the Northwest corner of the South half of the Northwest quarter of the Northeast quarter of the Southeast quarter, said Section 25, said point being the POINT OF ENDING of the easement;

AND ALSO a turn-around easement having a radius of 60.00 feet and whose radius point is the Northwest corner of the South half of the Northwest quarter of the Northeast quarter of the Southeast quarter of said Section 25.

INSTRUMENT NO. 200373883

PC55317

WARRANTY DEED

FOR VALUE RECEIVED Michael J. Lemrick and Susan A. Lemrick,
husband and wife

the Grantors, do hereby grant, bargain, sell and convey unto Ideal Custom Homes, Inc.

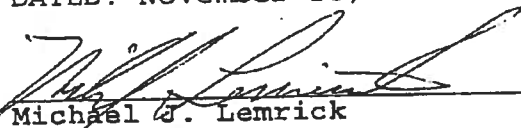
the Grantee, whose address is 15032 King's Row Road, Caldwell, ID, 83607

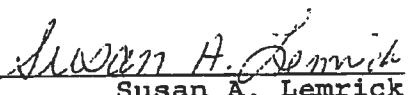
the following described premises, to-wit:

See attached Exhibit "A", which by this reference is made a part
hereof and is comprised of one (1) page.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns
forever. And the said 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; except for general taxes and assessments for the year 2003 and
subsequent years, covenants, conditions, restrictions and easements of record; and that it will warrant and defend the same from
all lawful claims whatsoever.

DATED: November 26, 2003

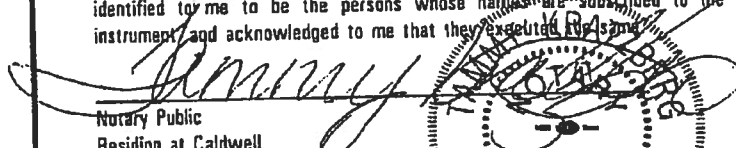

Michael J. Lemrick


Susan A. Lemrick

STATE OF IDAHO

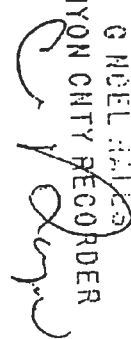
COUNTY OF CANYON

On this 1st day of December in the year 2003, before me, a Notary
Public, personally appeared Michael J. Lemrick and Susan A. Lemrick known or
identified to me to be the persons whose names were subscribed to the within
instrument and acknowledged to me that they executed for same.


Notary Public
Residing at Caldwell
My Commission Expires 2/3/2004



REQUEST
TYPE Deed FEE 6.00
PIONEER-CALDWELL

G NOEL HALL
CANYON CNTY RECORDER


2003 DEC 1 PM 4 32

RECORDED

200373883

PC 55317

Exhibit "A"

PARCEL I

The West Half of the Northeast Quarter of the Northwest Quarter of the Southeast Quarter, Section 25, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM

A parcel 60 feet in width centered upon the following described line:

COMMENCING at the Southwest corner of the West Half of the Southeast Quarter of the Northwest Quarter of the Southeast Quarter, Section 25, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho, said point being the TRUE POINT OF BEGINNING; thence

North 0° 03' 46" West a distance of 660.97 feet along the Westerly boundary of the said West Half of the Southeast Quarter of the Northwest Quarter of the Southeast Quarter to the Northwest corner thereof, said point being the POINT OF ENDING.

AND ALSO EXCEPTING THEREFROM

A radius of 60.00 feet and whose radius point is the Northwest corner of the West Half of the Southeast Quarter of the Northwest Quarter of the Southeast Quarter, Section 25, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho.

PARCEL II

TOGETHER WITH an ingress-egress and utility easement 60.00 feet in width centered upon the following described line:

COMMENCING at the Southwest corner of the West Half of the Southeast Quarter of the Northwest Quarter of the Southeast Quarter, Section 25, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho, said point being the TRUE POINT OF BEGINNING of the easement; thence

North 0° 03' 46" West a distance of 660.97 feet along the Westerly boundary of the said West Half of the Southeast Quarter of the Northwest Quarter of the Southeast Quarter to the Northwest corner thereof, said point being the POINT OF ENDING of the easement.

AND ALSO

A turn-around easement having a radius of 60.00 feet and whose radius point is the Northwest corner of the West Half of the Southeast Quarter of the Northwest Quarter of the Southeast Quarter, Section 25, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho.

9915778

PC29698

WARRANTY DEED

[Handwritten initials]

FOR VALUE RECEIVED John J. Hockberger, Sr., separate property
the Grantor, does hereby grant, bargain, sell and convey unto Brian J. Shields and Deborah
L. Shields, husband and wife

the Grantees, whose address is 15230 Trinity Lane, Caldwell, ID, 83605

the following described premises, to-wit:

See attached Exhibit "A", which by this reference is made a part
hereof and is comprised of one (1) page.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns
forever. And the said Grantor does hereby covenant to and with the said Grantees, 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 1999 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: April 22, 1999

[Signature of John J. Hockberger, Sr.]
John J. Hockberger, Sr.

STATE OF IDAHO

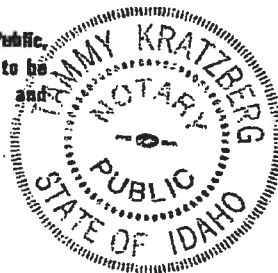
COUNTY OF CANYON

On this 22nd day of April in the year 1999, before me, a Notary Public,
personally appeared John J. Hockberger, Sr. known or identified to me to be
the person whose name is subscribed to the within instrument, and
acknowledged to me that he executed the same.

[Signature of Tammy Kratzberg]
Notary Public

Residing at Caldwell

My commission expires 2/3/04



PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

PC 29698

Exhibit "A"

PARCEL I

The East Half of the Northwest Quarter of the Northwest Quarter of the Southeast Quarter, Section 25, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM

A radius of 60.00 feet and whose radius point is the Northwest corner of the West Half of the Southeast Quarter of the Northwest Quarter of the Southeast Quarter, Section 25, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho.

PARCEL II

TOGETHER WITH an ingress-egress and utility easement 60.00 feet in width centered upon the following described line:

COMMENCING at the Southwest corner of the West Half of the Southeast Quarter of the Northwest Quarter of the Southeast Quarter, Section 25, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho, said point being the TRUE POINT OF BEGINNING of the easement; thence North 0° 03' 46" West a distance of 660.97 feet along the Westerly boundary of the said West Half of the Southeast Quarter of the Northwest Quarter of the Southeast Quarter to the Northwest corner thereof, said point being the POINT OF ENDING of the easement.

AND ALSO

A turn-around easement having a radius of 60.00 feet and whose radius point is the Northwest corner of the West Half of the Southeast Quarter of the Northwest Quarter of the Southeast Quarter, Section 25, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho.

REQUEST
TYPE *Doc* FEE \$. 00
PIONEER — CALDWELL

BY *[Signature]*
CANYON COUNTY RECORDER

19 APR 23 PM 4 15

RECORDED

9915778

9827537

lot 4

PC26255

ST
JT

WARRANTY DEED

FOR VALUE RECEIVED John J. Hockberger, Sr., separate property

the Grantor, does hereby grant, bargain, sell and convey unto Javier C. Torres and Cynthia G. Torres, husband and wife

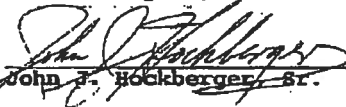
the Grantees, whose address is 15406 Lavin Street, Caldwell, ID, 83605

the following described premises, to-wit:

See attached Exhibit "A", which by this reference is made a part hereof and is comprised of one (1) page.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, 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 1998 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: July 22, 1998

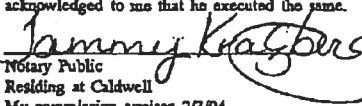


John J. Hockberger, Sr.

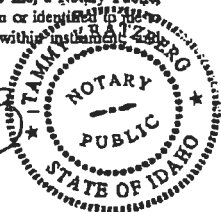
STATE OF IDAHO

COUNTY OF CANYON

On this 23rd day of July in the year 1998, before me, a Notary Public, personally appeared John J. Hockberger, Sr. known or identified to me to be the person whose name is subscribed to the within instrument, and he acknowledged to me that he executed the same.



Tammy Kratzberg
Notary Public
Residing at Caldwell
My commission expires 2/3/04



PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

PC 26255

Exhibit "A"

The West Half of the Southwest Quarter of the Northwest Quarter of the Southeast Quarter, Section 25, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho.

SUBJECT TO a utility easement 10.00 feet in width lying Southerly from and adjacent to the Northerly boundary of the above described parcel.

ALSO SUBJECT TO an ingress-egress and utility easement 30.00 feet in width lying Easterly from and adjacent to the Westerly boundary of the above described parcel

ALSO SUBJECT TO existing right-of-way for Symms Road being the Southerly 25.00 feet of the above described parcel.

RECORDED
BY *[Signature]*
PIONEER - CALDWELL
TYPE *[Signature]* 600

98 JUL 23 PM 4 41
NED J KERR
CANYON CNTY RECORDER
BY *[Signature]*

9827537

TROK101

5.00

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+

+

+

5.00

9828280

APPR BWL

UNIT C

N C/B N

0- -0

9828280

lot 5

PC26358

WARRANTY DEED

JT

FOR VALUE RECEIVED John J. Hockberger, Sr., separate property the Grantor, does hereby grant, bargain, sell and convey unto Javier C. Torres and Cynthia G. Torres, husband and wife

the Grantees, whose address is 15406 Lavin, Caldwell, ID, 83605

the following described premises, to-wit:

See attached Exhibit "A", which by this reference is made a part hereof and is comprised of one (1) page.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, 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 1998 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: July 29, 1998

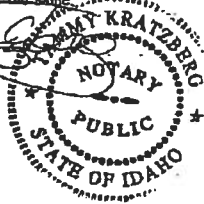
John J. Hockberger, Sr.
John J. Hockberger, Sr.

STATE OF IDAHO

COUNTY OF CANYON

On this 30th day of July in the year 1998, before me, a Notary Public, personally appeared John J. Hockberger, Sr. known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Sammy Kratzberg
Notary Public
Residing at Caldwell
My commission expires 2/3/04



PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
Nampa, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

PC 26358

Exhibit "A"

The West Half of the Northwest Quarter of the Northwest Quarter of the Southeast Quarter, Section 25, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho.

SUBJECT TO a utility easement 10.00 feet in width lying Southerly from and adjacent to the Northerly boundary of the above described parcel.

ALSO SUBJECT TO an ingress-egress and utility easement 30.00 feet in width lying Easterly from and adjacent to the Westerly boundary of the above described parcel.

ALSO SUBJECT TO a utility easement 10.00 feet in width lying Northerly from and adjacent to the Southerly boundary of the above described parcel.

REQUESTED BY PIONEER - CALDWELL
Wife Ned FEB 12 2008

BY NED J KERR
CANYON CNTY RECORDER

'98 JUL 30 PM 4 12

RECORDED

98282810

PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT

System User- PIONEER Date 11/13/2003 Time 9:15

REAL PROPERTY INQUIRY

SEE R33516

```
+      TOTAL              394,000          4.81  
+++++++|++-+++++  
+ SURVEY                  INST 9827537  
+ DRAIN    DR VALUE                      APPR BWL  
+ CLASS +5   REAP 02   MAN C1   UNIT    1  
+ PARCEL 4R03N04W258200 H/O N C/R N  
+ PRIOR ACCOUNT    3R33516-010- -0  
+ 02 MH on Property NO
```

lot 6

INSTRUMENT NO. 9834370.

J. F. H.
J. L. W.

PC26892

WARRANTY DEED

FOR VALUE RECEIVED John J. Hockberger, Sr., a married man, as his sole and separate property

the Grantor, does hereby grant, bargain, sell and convey unto James F. Wilhite and Treva L. Wilhite, husband and wife

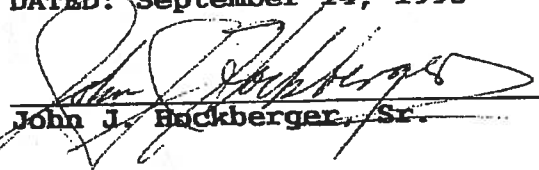
the Grantees, whose address is 16349 Florida Avenue, Caldwell, ID, 83605

the following described premises, to-wit:

See attached Exhibit "A", which by this reference is made a part hereof and is comprised of one (1) page.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, 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 1998 and subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same from all lawful claims whatsoever.

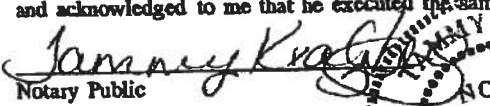
DATED: September 14, 1998


John J. Hockberger, Sr.

STATE OF IDAHO

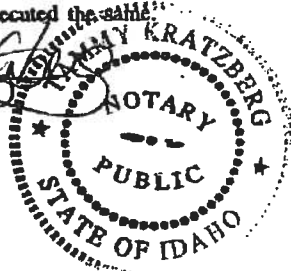
COUNTY OF CANYON

On this 14th day of September in the year 1998, before me, a Notary Public, personally appeared John J. Hockberger, Sr. known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.


Notary Public

Residing at Caldwell

My commission expires 2/3/04



PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

PC 26892

REQUEST PIONEER - CALDWELL
TYPE Deed FILE 6-02

Exhibit "A"

BY McLaughlin
CANYON COUNTY RECORDER
HED J KERR

98 SEP 15 PM 4 34

RECORDED

9834370

PARCEL I

The East Half of the Southwest Quarter of the Northwest Quarter of the Southeast Quarter, Section 25, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM

A parcel 60 feet in width centered upon the following described line:

COMMENCING at the Southwest corner of the West Half of the Southeast Quarter of the Northwest Quarter of the Southeast Quarter, Section 25, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho, said point being the TRUE POINT OF BEGINNING; thence

North 0° 03' 46" West a distance of 660.97 feet along the Westerly boundary of the said West Half of the Southeast Quarter of the Northwest Quarter of the Southeast Quarter to the Northwest corner thereof, said point being the POINT OF ENDING.

AND ALSO EXCEPTING THEREFROM

A radius of 60.00 feet and whose radius point is the Northwest corner of the West Half of the Southeast Quarter of the Northwest Quarter of the Southeast Quarter, Section 25, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho.

PARCEL II

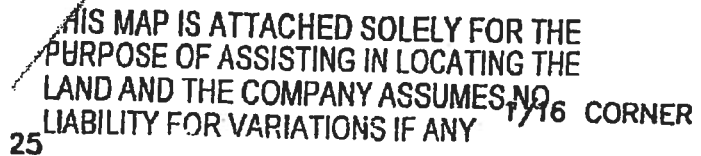
TOGETHER WITH an ingress-egress and utility easement 60.00 feet in width centered upon the following described line:

COMMENCING at the Southwest corner of the West Half of the Southeast Quarter of the Northwest Quarter of the Southeast Quarter, Section 25, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho, said point being the TRUE POINT OF BEGINNING of the easement; thence

North 0° 03' 46" West a distance of 660.97 feet along the Westerly boundary of the said West Half of the Southeast Quarter of the Northwest Quarter of the Southeast Quarter to the Northwest corner thereof, said point being the POINT OF ENDING of the easement.

AND ALSO

A turn-around easement having a radius of 60.00 feet and whose radius point is the Northwest corner of the West Half of the Southeast Quarter of the Northwest Quarter of the Southeast Quarter, Section 25, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho.



INSTRUMENT NO. 9927788

PC30102

WARRANTY DEED
(CORPORATE FORM)

Premier Technology Inc., an Idaho Corporation, a corporation organized and existing under the laws of the State of Idaho, with its principal office at Docatello of County of Bannock, State of Idaho grantor, hereby CONVEYS or GRANTS and WARRANTS TO Fred H. Gilbert and Lynnda R. Gilbert, husband and wife grantees, whose address is 3455 S. Bayport Place, Boise, ID 83706

for the sum of TEN AND NO/100 DOLLARS the following described tract(s) of land in Canyon County, State of Idaho:

See attached Exhibit "A", which by this reference is made a part hereof and is comprised of one (1) page.

Location of above described property is Parcel on Symms Road, Caldwell, ID 83605

The officers who sign this Deed hereby certify that this Deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 13th day of July, A.D. 1999.

Premier Technology Inc.

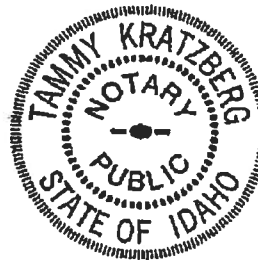
By Michael Marion Ryan Sec/Treasurer
Director JK

STATE OF IDAHO

COUNTY OF Canyon

On this 13th day of July in the year 1999, before me, a Notary Public, personally appeared Michael Marion Ryan known or identified to me to be the Director of the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation and acknowledged to me that such corporation executed the same.

Tammy Kratzberg
Notary Public
Residing at Caldwell
My commission expires 2/3/04



Form No. 1343 (1982)
ALTA Plain Language Commitment

PC 30102

REQUEST PIONEER — CALDWELL
TYPE Deed — Co-oo

Exhibit "A"

BY *[Signature]*
CANYON COUNTY RECORDER
G NOEL HALES

39 JUL 13 PM 4 45

RECORDED

009927788

PARCEL I

The West Half of the Southeast Quarter of the Northwest Quarter of the Southeast Quarter, Section 25, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM

A parcel 60 feet in width centered upon the following described line:

COMMENCING at the Southwest corner of the West Half of the Southeast Quarter of the Northwest Quarter of the Southeast Quarter, Section 25, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho, said point being the TRUE POINT OF BEGINNING; thence

North 0° 03' 46" West a distance of 660.97 feet along the Westerly boundary of the said West Half of the Southeast Quarter of the Northwest Quarter of the Southeast Quarter to the Northwest corner thereof, said point being the POINT OF ENDING.

AND ALSO EXCEPTING THEREFROM

A radius of 60.00 feet and whose radius point is the Northwest corner of the West Half of the Southeast Quarter of the Northwest Quarter of the Southeast Quarter, Section 25, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho.

PARCEL II

TOGETHER WITH an ingress-egress and utility easement 60.00 feet in width centered upon the following described line:

COMMENCING at the Southwest corner of the West Half of the Southeast Quarter of the Northwest Quarter of the Southeast Quarter, Section 25, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho, said point being the TRUE POINT OF BEGINNING of the easement; thence

North 0° 03' 46" West a distance of 660.97 feet along the Westerly boundary of the said West Half of the Southeast Quarter of the Northwest Quarter of the Southeast Quarter to the Northwest corner thereof, said point being the POINT OF ENDING of the easement.

AND ALSO

A turn-around easement having a radius of 60.00 feet and whose radius point is the Northwest corner of the West Half of the Southeast Quarter of the Northwest Quarter of the Southeast Quarter, Section 25, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho.

INSTRUMENT NO. 9935106
PC31539

WARRANTY DEED

FOR VALUE RECEIVED John J. Hockberger, Sr., separate property
the Grantor, does hereby grant, bargain, sell and convey unto Brent Collins and Sabra A.
Collins, husband and wife

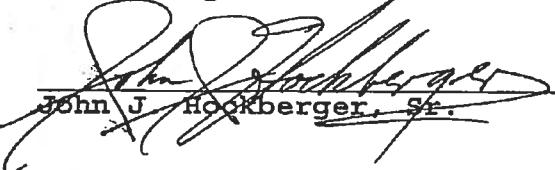
the Grantees, whose address is 15180 Trinity Lane, Caldwell, ID, 83605

the following described premises, to-wit:

See attached Exhibit "A", which by this reference is made a part
hereof and is comprised of one (1) page.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns
forever. And the said Grantor does hereby covenant to and with the said Grantees, 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 1999 and
subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same
from all lawful claims whatsoever.

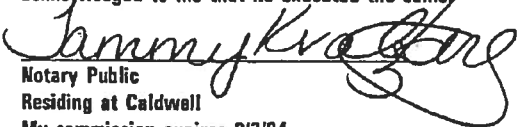
DATED: August 27, 1999

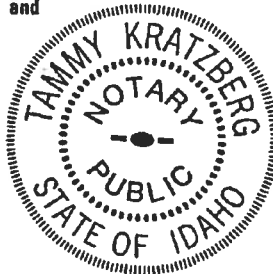

John J. Hockberger, Sr.

STATE OF IDAHO

COUNTY OF CANYON

On this 30th day of August in the year 1999, before me, a Notary Public,
personally appeared John J. Hockberger, Sr. known or identified to me to be
the person whose name is subscribed to the within instrument, and
acknowledged to me that he executed the same.


Notary Public
Residing at Caldwell
My commission expires 2/3/04



PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

3(1982)
in Language Commitment
PC 31539

Exhibit "A"

The East Half of the Southeast Quarter of the Northwest Quarter of the Southeast Quarter, Section 25, Township 3 North, Range 4 West, Boise Meridian, Canyon County, Idaho.

SUBJECT TO an ingress-egress and utility easement 30.00 feet in width lying Westerly from and adjacent to the Easterly boundary of the above described parcel.

ALSO SUBJECT TO existing right-of-way for Symms Road being the Southerly 25.00 feet of the above described parcel.

009935106

RECORDED

39 AUG 31 PM 12 27

G NOEL HALES

CANYON COUNTY RECORDER
BY *[Signature]*

REQUEST PIONEER - CALDWELL
TYPE *[Signature]* 6.00

6/ INSTRUMENT NO. 9934962

lots 1-8

DEED of Rights-of-Way and Easements of Vine Crest Rural Residential Properties No.1 of Canyon County to Vine Crest Rural Residential Properties No. 1 of Canyon County Homeowner's Association, Inc. (Vinecrest #1)

Pursuant to, consistent with, and subject to the July 6, 1998 Declaration of Covenants, Conditions, and Restrictions recorded as document number 9825296 for certain real property in Canyon County, State of Idaho, referred to as Vinecrest (or Vine Crest) Rural Residential Properties No. 1 of Canyon County and relating to the Property particularly described as follows:

NW 1/4 of SE 1/4, Section 25, T.3 N., R. 4 W., B.M.
Canyon County, Idaho, including parcels 1 to 8 as shown on the amended record of survey recorded as instrument number 9713367 in April of 1997, and as further defined by instrument numbers 9711480, 9723844, and 9723849, and 9723850 in April of 1997, in the office of the recorder of Canyon County, State of Idaho

and pursuant to the amended record of survey, instrument # 9713367 dated April 27, 1997 (Survey), John J. Hockberger, Sr. (Grantor) hereby for good and valuable consideration as recited herein quitclaims without warranties express or implied to Vine Crest Rural Residential Properties No. 1 of Canyon County Homeowners' Association (hereinafter referred to as "Vinecrest #1") his right, title, and interest in the following real property associated with the Property, as described above, specifically as follows:

1. Well Easement. An easement on approximately 20 X 50 feet of land located outside of the Property for the operation and maintenance of an irrigation well currently in existence, said easement being more particularly located:

The Southerly 20.00 feet of the Northerly 71 feet of the Westerly 50 feet of parcel 10 in the North 1/4 of the SW 1/4 of the NE 1/4 of the SE 1/4, Section 25, T. 3N., R.4W., B.M.,

the NE 1/4 of the SE 1/4, Section 25, T. 3N., R.4W., B.M.,
Canyon County, Idaho.

Including the pump, casing, and buried mainlines currently in place (running westerly from the easement) constituting fixtures by which the well located within that easement can supply irrigation water to the Property. Such transfer is "as is where is" without any warranties express or implied.

Subject to a right of reverter and reversionary interest should Vinecrest #1 cease use for more than five calendar years of said easement and fixtures for the purposes described therefore in the declaration of covenants, conditions and restrictions.

2. The existing buried irrigation mainline located on and about either side of the center line of the boundary between Parcels 1, 2, 3, and 4, with Parcels 5, 6, 7, and 8. Such transfer is "as is where is" without any warranties express or implied.

3. The westerly most roadway on the Property providing access for and through Parcels 4 and 5 to Symms Road. Such transfer is "as is where is" without any warranties express or implied.

4. The next westerly most or "middle" roadway on the Property described more fully in "Description for John Hockberger Ingress/Egress Easement Parcels 2,3,6,7" by J-U-B Engineers, Inc. August 27, 1998 (copy attached hereto) "as is where is" without any warranties express or implied, subject to the prior rights of Canyon County Highway District #4 to accept a quit claim deed for this roadway for purposes of it becoming a part of the county road system.

5. Grantor's interest as owner of the Property in the easterly most roadway on and adjacent to the Property described more fully in "Description for John Hockberger Ingress/Egress Easement Parcels 1,8,9,10,11, and 12" by J-U-B Engineers, Inc. August 27, 1998 (copy attached hereto) "as is where is" without any warranties express or implied, subject to the prior rights of Canyon County Highway District #4 to accept a quit claim deed for this roadway for purposes of it becoming a part of the county road system and subject to the Grantor's retention pursuant to the Declaration of Covenants, Conditions, and Restrictions of a

controlling interest in said roadway to benefit property owned by Grantor, and **reserving** all rights as owner of property including Parcels 9,10,11, and 12 including but not limited to rights to develop, use, extend, widen and expand the easement on the eastern boundary of the Property immediately north of the circular turnaround culdesac an additional twenty (20) feet west in width beyond what is depicted in the Survey, northward to the northern Property boundary, in order to provide a roadway for ingress and egress to additional lands and developments (said roadway to be potentially improved up to standards allowing dedication to public authorities such as a highway district) and to provide a utility corridor to additional lands and developments.

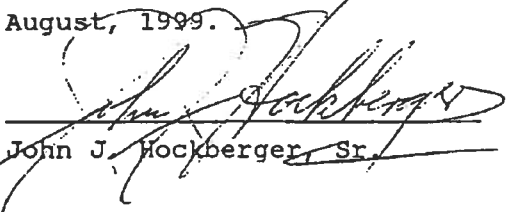
6. Such **other easements** for purposes of ingress, egress, utility development, and other purposes as appear in the Declaration of Covenants, Conditions and Restrictions as amended or augmented by the Survey, attachments and incorporations, or which otherwise exist, **reserving** for the benefit of property owned by Grantor free and unrestricted use of the easements located along the eastern and northern boundaries of the Property for the installation, operation, and maintenance of utilities.

Effect of Acceptance and Acknowledgment. By Vinecrest #1's acceptance of this deed it acknowledges that Grantor has successfully completed the plan of development for Vine Crest Rural Residential Properties No. 1 of Canyon County to the complete satisfaction of Vinecrest #1 and its membership. In consideration Vinecrest #1 and its members release Grantor from any past, current, or future claims based in either law or equity relating in any way to their acquisition or Grantor's development of parcels within the Property and assume full and complete responsibility for the transferred roads and irrigation systems as described herein.

No Effect on Retained Interests. No provision of this deed shall be construed to limit the right of Grantor or his successor(s), devisee(s) or beneficiaries to conduct farming and horticultural operations on any portion of the subject or nearby property which remains or comes into the ownership, possession or control of Grantor or his successor(s), devisee(s) or his beneficiaries. Neither shall this deed be construed in any way to limit or restrict development of nearby property which remains or comes

into the ownership, possession or control of Grantor or his successor(s),
devisee(s) or his beneficiaries.

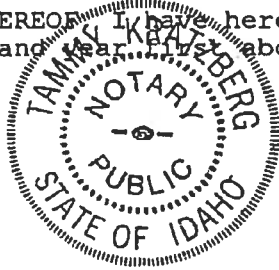
IN WITNESS WHEREOF, the Grantor has set his hand this ____ day of
August, 1999.

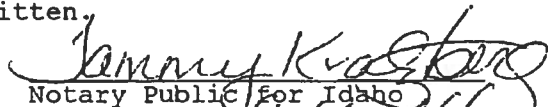

John J. Hockberger, Sr.

STATE of IDAHO)
) ss.
County of Canyon)

On this 20th day of August, 1999, before me, the undersigned notary
public in and for the State of Idaho, personally appeared John J.
Hockberger Sr., known or identified to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me that he had
executed the same.

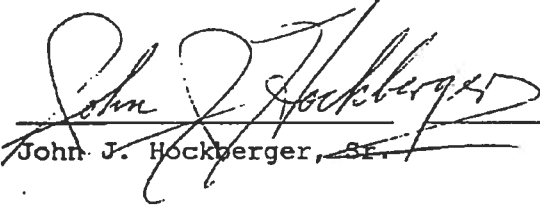
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official
seal the day and year first above written.




Notary Public for Idaho
Residing at Chandler
My Commission Expires: 2/3/01

ACCEPTANCE

The undersigned, representing their personal interests in the Property and
their voting rights in the Vine Crest Rural Residential Properties No. 1 of
Canyon County Homeowners' Association, Inc. signify acknowledgment and
acceptance of the foregoing deed by their signature(s) hereto.


John J. Hockberger, Sr.



VINE CREST

LOWER ROAD

J-U-B ENGINEERS, Inc.
ENGINEERS • SURVEYORS • PLANNERS

212 Tenth Avenue South
Nampa, ID 83651

208/467-5252
FAX: 208/467-6631

Project: 10533-02
Date: August 27, 1998

POOR COPY

DESCRIPTION FOR
JOHN HOCKBERGER
INGRESS/EGRESS EASEMENT
PARCELS 1, 8, 9, 10, 11, AND 12,
IN THE N $\frac{1}{2}$ SE $\frac{1}{4}$, SECTION 25,
T.3N., R.4W., B.M.,
CANYON COUNTY, IDAHO

EXHIBIT "B"

POOR COPY

An Ingress/Egress and Utility Easement 60.00 feet in width centered upon the following described line:

Commencing at the Southwest corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 25, T.3N., R.4W., B.M., Canyon County, Idaho, said point being the TRUE POINT OF BEGINNING of the easement;

thence N. 0°05'57" W. 990.66 feet along the Westerly boundary of the said NE $\frac{1}{4}$ SE $\frac{1}{4}$, to the Northwest corner of the S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, said Section 25, said point being the Point of Ending of the Easement;

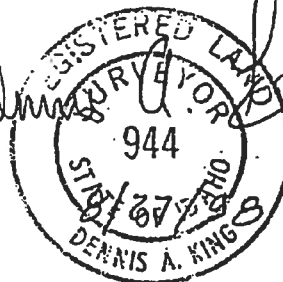
AND ALSO:

A turn-around easement having a radius of 60.00 feet and whose radius point is the Northwest corner of the S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, said Section 25.

Prepared By:

J-U-B ENGINEERS, Inc.

POOR COPY



Dennis A. King, P.L.S.

DAK:de





Project: 10533-02
Date: August 27, 1998

VINE CREST

MIDDLE ROAD

J-U-B ENGINEERS, Inc.
ENGINEERS • SURVEYORS • PLANNERS

212 Tenth Avenue South
Nampa, ID 83651

208/467-5252
FAX: 208/467-6631

DESCRIPTION FOR
JOHN HOCKBERGER
INGRESS/EGRESS EASEMENT
PARCELS 2, 3, 6 AND 7,
IN THE NW¼ SE¼, SECTION 25,
T.3N., R.4W., B.M.,
CANYON COUNTY, IDAHO

EXHIBIT "B"

POOR COPY

POOR COPY

An Ingress/Egress and Utility Easement 60.00 feet in width centered upon the following described line:

Commencing at the Southwest corner of the W½ SE¼ NW¼ SE¼, Section 25, T.3N., R.4W., B.M., Canyon County, Idaho, said point being the TRUE POINT OF BEGINNING of the Easement;

thence N. 0°03'46" W. 660.97 feet along the Westerly boundary of the said W½ SE¼ NW¼ SE¼, to the Northwest corner thereof, said point being the Point of Ending of the Easement.

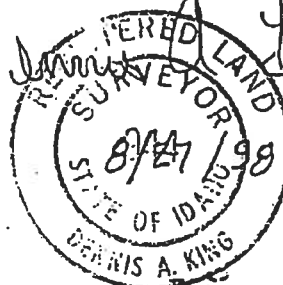
AND ALSO:

A turn-around easement having a radius of 60.00 feet and whose radius point is the Northwest corner of the W½ SE¼ NW¼ SE¼, Section 25, T.3N., R.4W., B.M.

Prepared By:

J-U-B ENGINEERS, Inc.

POOR COPY



Dennis A. King

NOEL HALES

CANYON COUNTY RECORDER

19 AUG 30 PM 4 28

RECORDED

009934962

DAK:de

10533-02\Leg1,8,9,10,11,12.doc

REQUEST
TYPE Easement
PIONEER — CALDWELL
18.00

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 63-8474
Date Received: 3/15/1990
Receipt No: C015648
Received By:

AMENDED

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

1. Name of Claimant(s)

JOHN J HOCKBERGER Phone: (208)459-9192
13957 MALT RD
CALDWELL ID USA 83605

RECEIVED

FEB 13 2004

WATER RESOURCES
WESTERN REGION

2. Date of Priority: 06/13/1977

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	04W	25	NE SE	CANYON	
03N	03W	30	NW NW 1	CANYON	

5. Description of diverting works:

WELL, PUMP, PIPELINE & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	1.8	

7. Total Quantity Appropriated is:
1.8 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	30	NW NW 1	IRRIGATION	25
			SW NW 2	IRRIGATION	21

03N	04W	25	NE	SE	Section Acres	46
			SE	NE	IRRIGATION	40
			NE	NE	IRRIGATION	40
					IRRIGATION	25
					Section Acres	105
					Total Acres	151

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:

Claim amended per approved License issued 4/7/95.

Claim amended per claimant. 12/24/03

The right holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department.

The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

The right holder shall use the full allotment of appurtenant surface water rights, to the extent they are available, in conjunction with groundwater diverted pursuant to this right.

This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.

This right when combined with Right 63-02798 and all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 432.0 af for the lands above.

15. Basis of Claim: License

16. Signature(s)

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

Number of attachments: _____

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): *John Hockberger* Date: 2/12/04

Date: _____

State of Idaho)
County of Ada) SS.

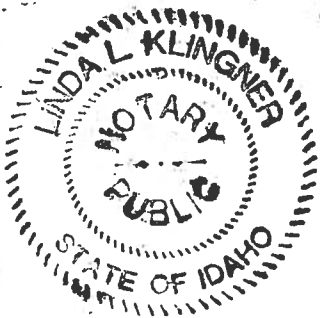
Subscribed and sworn (or affirmed) before me this 12th
of February 2004

Linda L. Klingner

Notary Public

Residing at Boise, Idaho

My commission Expires 7/25/08



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 63-8474
Date Received: 3/15/1990
Receipt No: C015648
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JOHN J HOCKBERGER Phone: (208)459-9192

13957 MALT RD
CALDWELL ID USA 83605

2. Date of Priority: 06/13/1977

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	03W	30	NW NW 1	CANYON	

5. Description of diverting works:

WELL, PUMP, PIPELINE & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	1.8	

7. Total Quantity Appropriated is:

1.8 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	30	NW	NW	1	IRRIGATION	25
			SW	NW	2	IRRIGATION	21
			Section Acres				
03N	04W	25	NE	SE		IRRIGATION	10
			NW	SE		IRRIGATION	40
			Section Acres				
						Total Acres	96

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:

Claim amended per approved License issued 4/7/95.

The right holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department.

The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

The right holder shall use the full allotment of appurtenant surface water rights, to the extent they are available, in conjunction with groundwater diverted pursuant to this right.

This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.

This right when combined with Right 63-02798 and all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 432.0 af for the lands above.

15. Basis of Claim: License

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-08474

Priority: June 13, 1977

Maximum Diversion Rate:

1.80 CFS

This is to certify, that JOHN J HOCKBERGER

13957 MALT RD

CALDWELL ID 83605

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 22, 1977; and has submitted Proof of Beneficial Use on May 17, 1983. An examination indicates that the works have a diversion capacity of 2.820 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	1.80 CFS	
<u>LOCATION OF POINT(S) OF DIVERSION:</u> Lot 1(NWNW), Sec. 30, Township 03N, Range 03W CANYON County			

<u>PLACE OF USE:</u>	<u>IRRIGATION</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
<u>TWN RGE SEC</u>					
03N 03W 30	Lot 1(NWNW)	25	Lot 2(SWNW)	21	46
04W 25	NESE	10	NWSE	40	50

Total number of acres irrigated: 96

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. The right holder shall use the full allotment of appurtenant surface water rights, to the extent they are available, in conjunction with groundwater diverted pursuant to this right.
5. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
6. This right when combined with Right 63-02798 and all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 432.0 af for the lands above.

MICROFILMED
OCT 08 1996

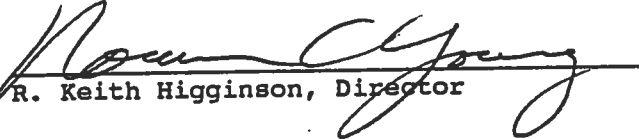
State of Idaho
Department of Water Resources

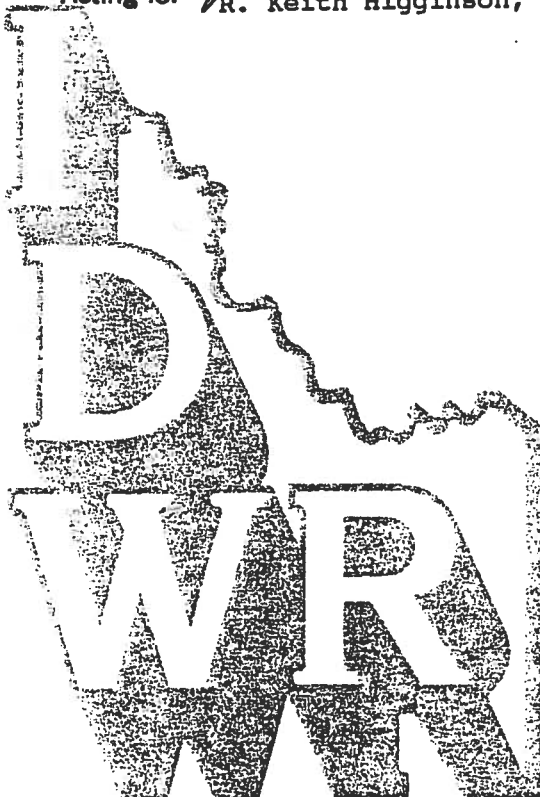
WATER RIGHT LICENSE

WATER RIGHT NO. 63-08474

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 7th
day of April, 1995.

Acting for


R. Keith Higginson, Director



MICROFILMED
OCT 08 1996

Identification No. _____

Application No. 63-8474

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant JOHN J. HOCKBERGER Phone: 459 - 9192
post office address ROUTE #4 BOX 224, CALDWELL, IDAHO 83605
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 30 Township 3N
Range 3W B.M. CANYON County; additional points of diversion if any: _____

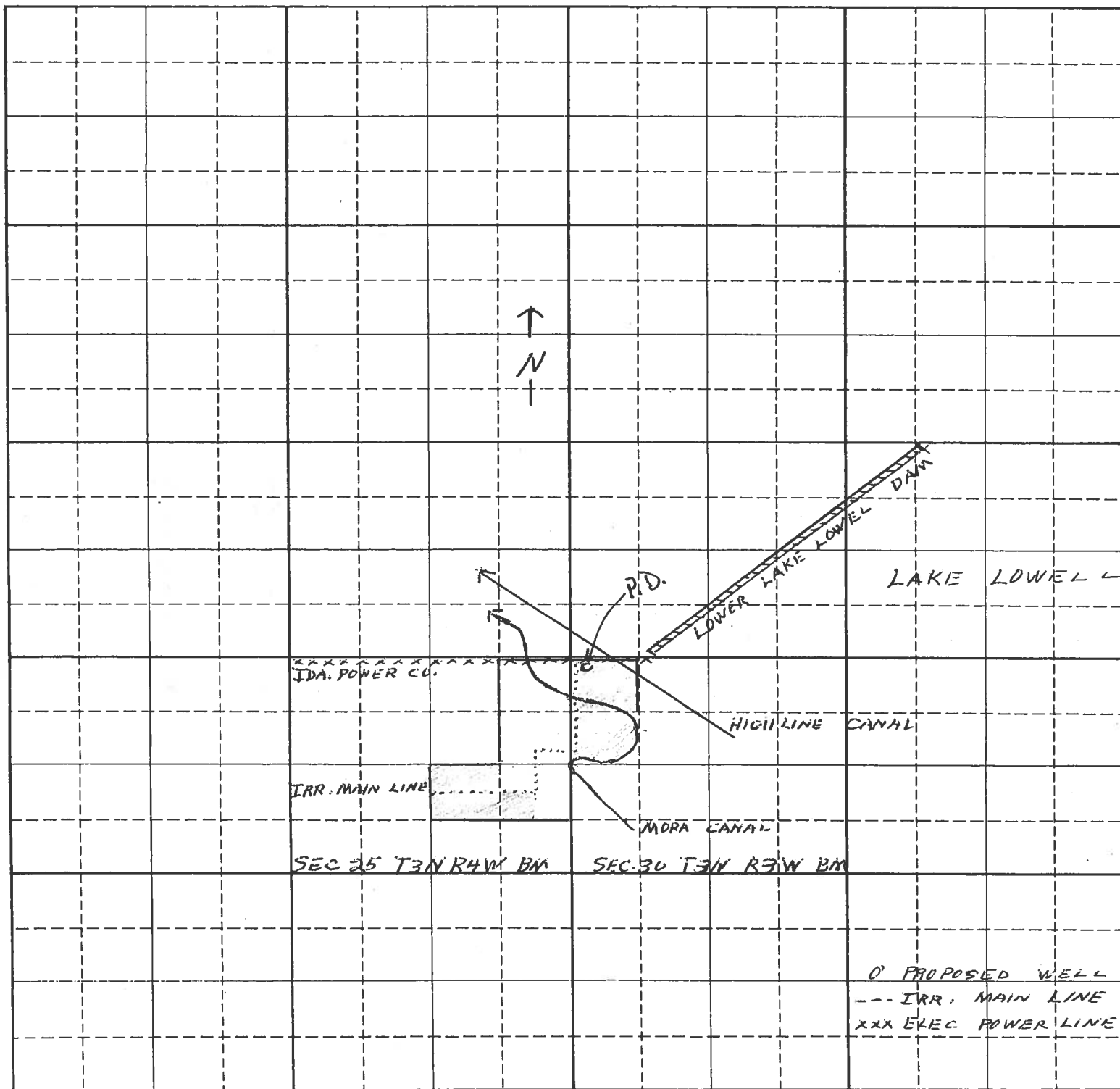
b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of SW $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 2 cfs for IRRIGATION purpose from MARCH 15 to NOVEMBER 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 2 cfs 1.8 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
WELL, PUMP, PIPE, & SPRINKLERS

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 16 inches; proposed depth of well is 200 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is ONE years.
b. Estimated construction cost is \$ 15,000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

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



Scale: 2 inches equal 1 mile

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

John J. Hubberger
(Applicant)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
MAR 21 1995

RECEIVED
MAY 25 1990
Department of Water Resources
Permit No. 63-8474
Phone No. 459-9192

A. GENERAL INFORMATION

1. Owner: John J Hockberger
Current Address: Route 10 Box 279 Caldwell, Idaho 83605
2. Accompanied by: John Hockberger
Address: 912 Harrison Boise Idaho
Relationship to Permit Holder: -
3. Source: GROUND WATER tributary to -

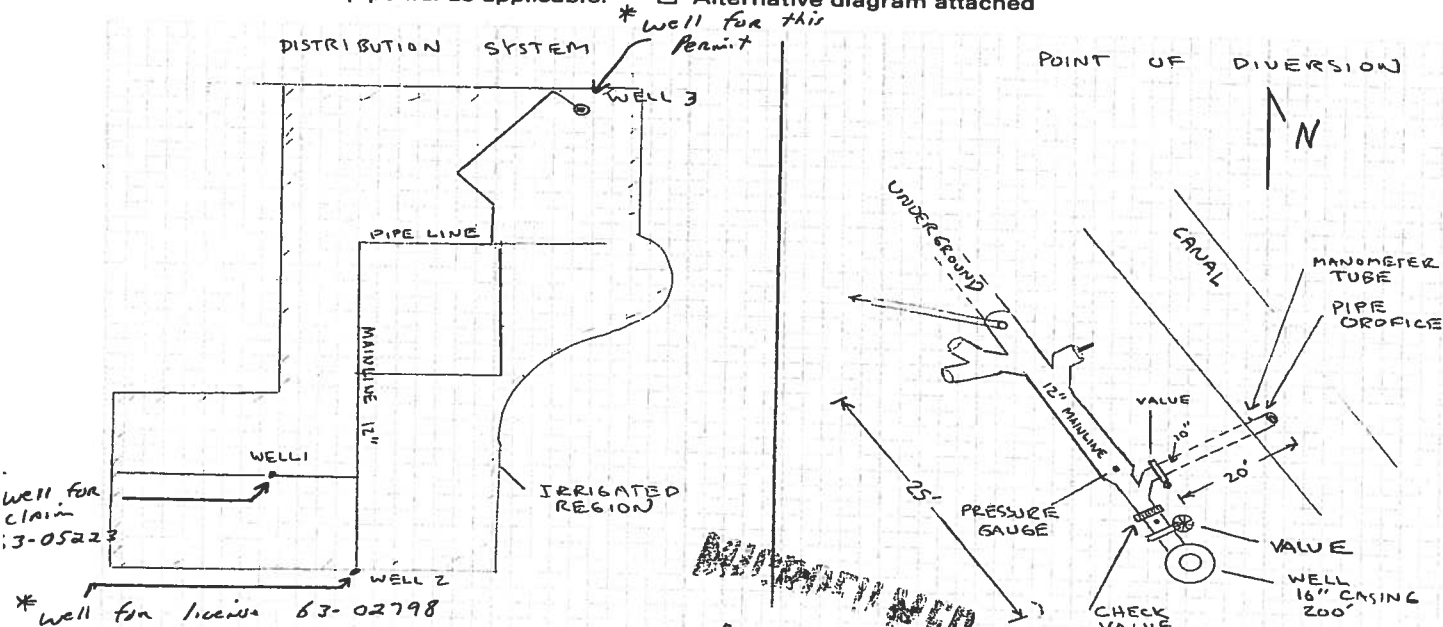
Permit No. 63-8474
Phone No. 459-9192
EXAM. DATE: 8-13-87
Phone No. 459-9192

B. OVERLAP REVIEW

1. Other water rights with same place of use: 63-2798 63-8475 (Lapsed 1988)*
63-05223 * ☒ Copies Attached
2. Other water rights with same point of diversion: NONE
☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = 20'

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).

APR 14 1995

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Pipe Orifice	10" → 8"	-	-	-	-	-

2. Measurements:

Pipe Orifice used which reduces in diameter from 10" to 8".

Measured height of water column in tube is 16 inches

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: From Rating chart 16 inches height = 1266 gpm = 2.82 cfs

* See G2 below

2. Alternate Method for Checking Purposes: Horse Power Eq. $\frac{(150)(8.8)(8)}{85 \text{ ft}} = 12.4 \text{ cfs}$ erroneously high

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: - psi x 2.31 = - ft (1); Dynamic pumping level: - ft (2)

Total Head: (1) + (2) = - (3) : Flow rate: - cfs (4)

Data NOT available

Water HP: (3) x (4) ÷ 8.8 = - (5)

Meter Input KW: 3.6 x - KH x - CTR or - MULT x - PTR x - N/ - T = - (6)

Meter Input HP: (6) x 1.34 = - (7)

Panel Input KW: - Ave PF x - Ave Volts x - Ave Amps x .001732 = - (6)

Panel Input HP: (6) x 1.34 = - (7) Efficiency: (5)/(7) x 100 = - %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{i,r} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 96 \times 4.5 \text{ AFA} = 432 \text{ AFA}$

$V_{d,r} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \frac{1.80}{2.82} \times 295 \times 1.9835 = 1367.9 \text{ } 874.7$

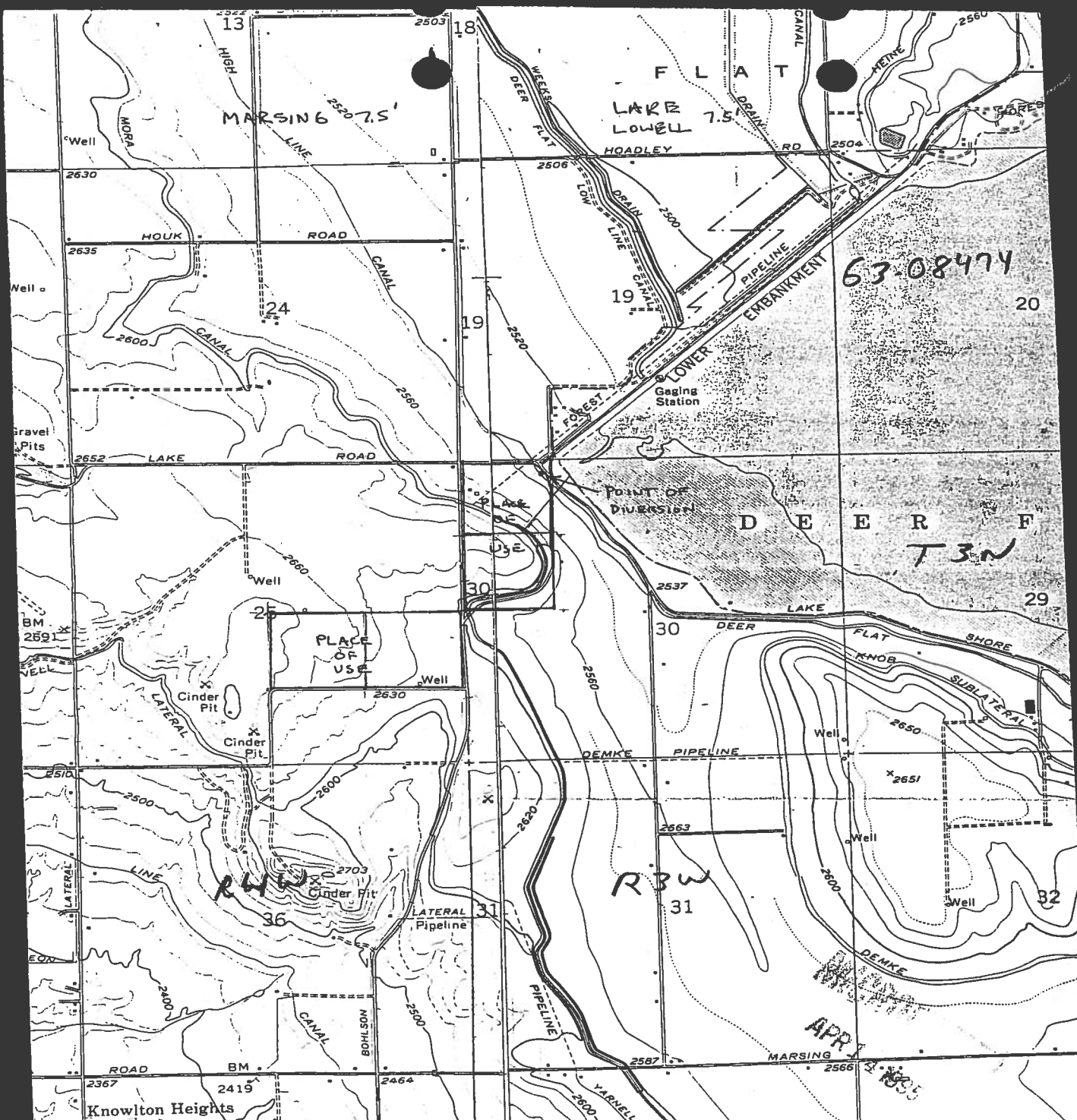
$V = \text{Smaller of } V_{i,r} \text{ and } V_{d,r} = 432 \text{ AFA}$

2. Volume Calculations for Other Uses:

IF Assume psi = 60 & z = 100', $Q = \frac{(8.8)(8)(150)}{(2.71)(60) + 100} = 4.43 \text{ cfs}$

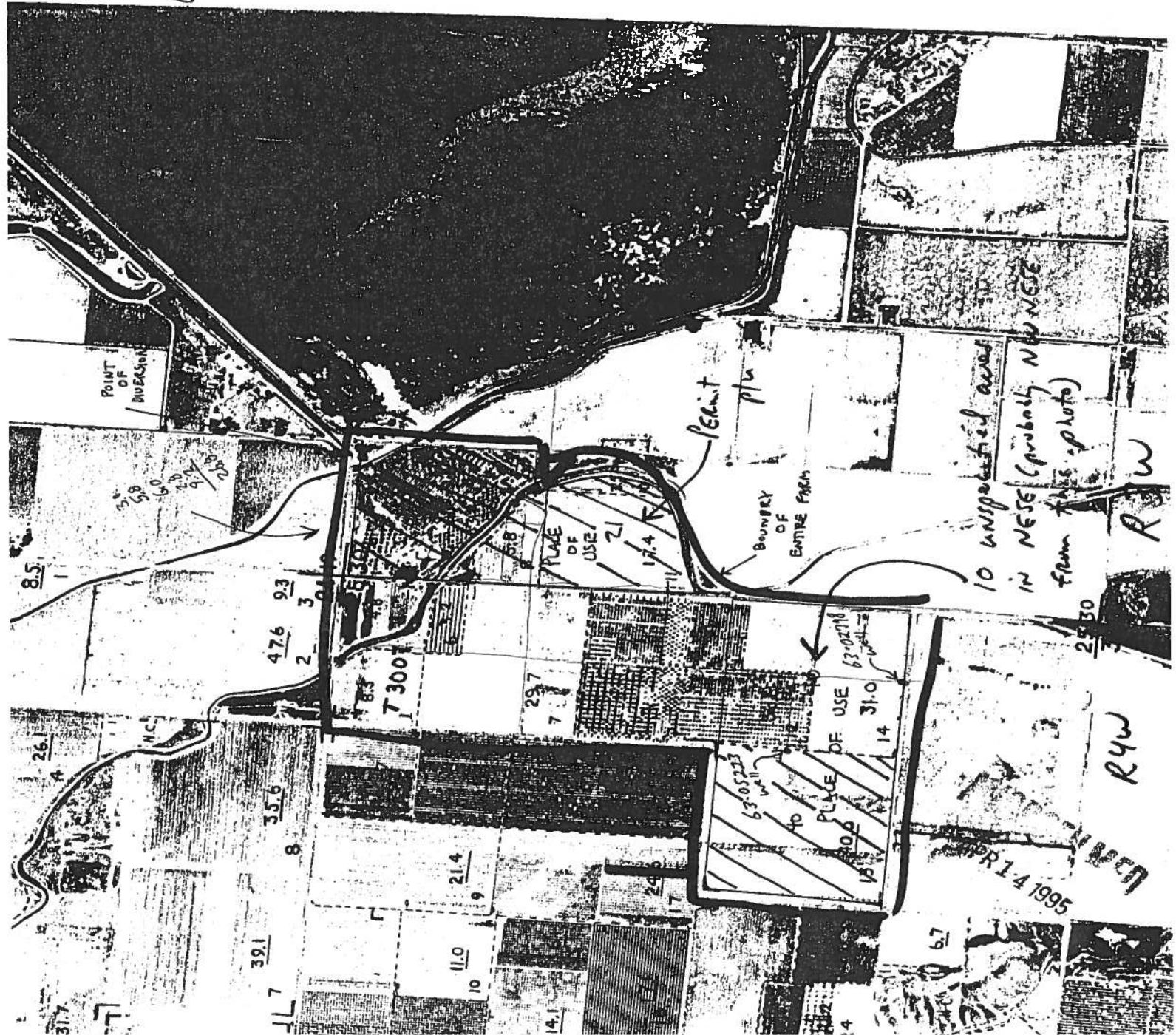
APR 1 1995

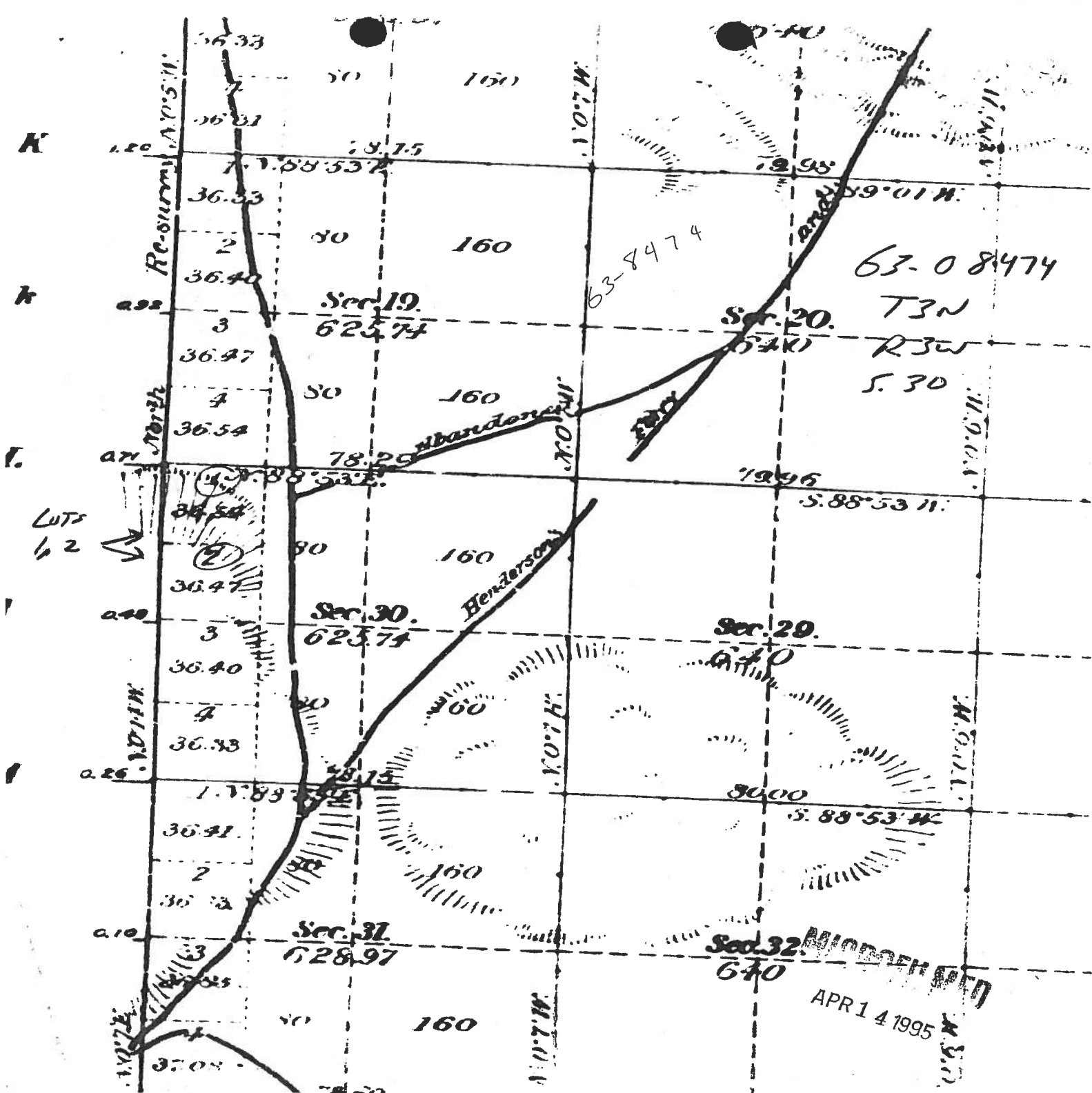
** limit flow to max. allowed per permit (beneficial use - 96 ac and exam



63-08474

73N





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: **A63-08474**
Date Received: 3/15/1990
Receipt No: C015648
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: JOHN J HOCKBERGER 208-459-9192
Address: 13957 MALT RD
CALDWELL ID 83605

2. Date of Priority: APR 26, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	03W	30	NW	NW	NW		CANYON

5. Description of diverting works:
WELL, PUMP, PIPELINE & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.800		

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

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

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	03W	30	NW	NW		IRR	25.0
			SW	NW		IRR	25.0

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JUL 25 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	50.0
	04W	25	NE	SE	IRR	10.0
			NW	SE	IRR	40.0
					Section Acres	50.0
					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 IRRIGATION DISTRICT

14. Remarks:

15. Basis of Claim: PERMIT

MICROFILMED
JUL 25 1994

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:

Ident. Number

Date Received

Receipt Number

39576

A03-08-174

3-15-90 KRT

C015648

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) JOHN J. HOCKBERGER Phone (208) 459-9192Mailing Address 13957 MALT ROAD, CALDWELL, IDA. Zip 836052. Date of Priority (Only one (1) per claim) 26 APRIL 19773. Source of water supply (a) WELL (IRRIGATION) GROUNDWATER
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 3N Range 3W Section 30,NW 1/4 of NW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of CANYON

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.300 FT. WELL, 150 HP. PUMP, BURIED MAIN LINE,
LATERAL SPRINKLER LINES,EXAMINED SEPT. 19, 1986 BY FORREST E. LUTHY FROM
DEPT. OF WATER RESOURCES.
(1300 GAL. PER MINUTE)

MICROFILMED

JUL 25 1994

6. Water is claimed for the following purposes:

For IRRIGATION / FARMING purposes from MAR 15 to NOV 15 amount 1.8 (cfs) or _____ (acre feet)
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.8 CFS (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 350 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3W	3W	30						25	25										50
3N	4W	25													10	40			50

Total number of acres irrigated 100

11. In which county (ies) are lands listed above as place of use located? CANYON

12. Do you own the property listed above as place of use? Yes ✓ No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
WILDER IRRIGATION DISTRICT 25 ACRE LICENSE NO or None ()

14. Remarks:

MICROFILMED

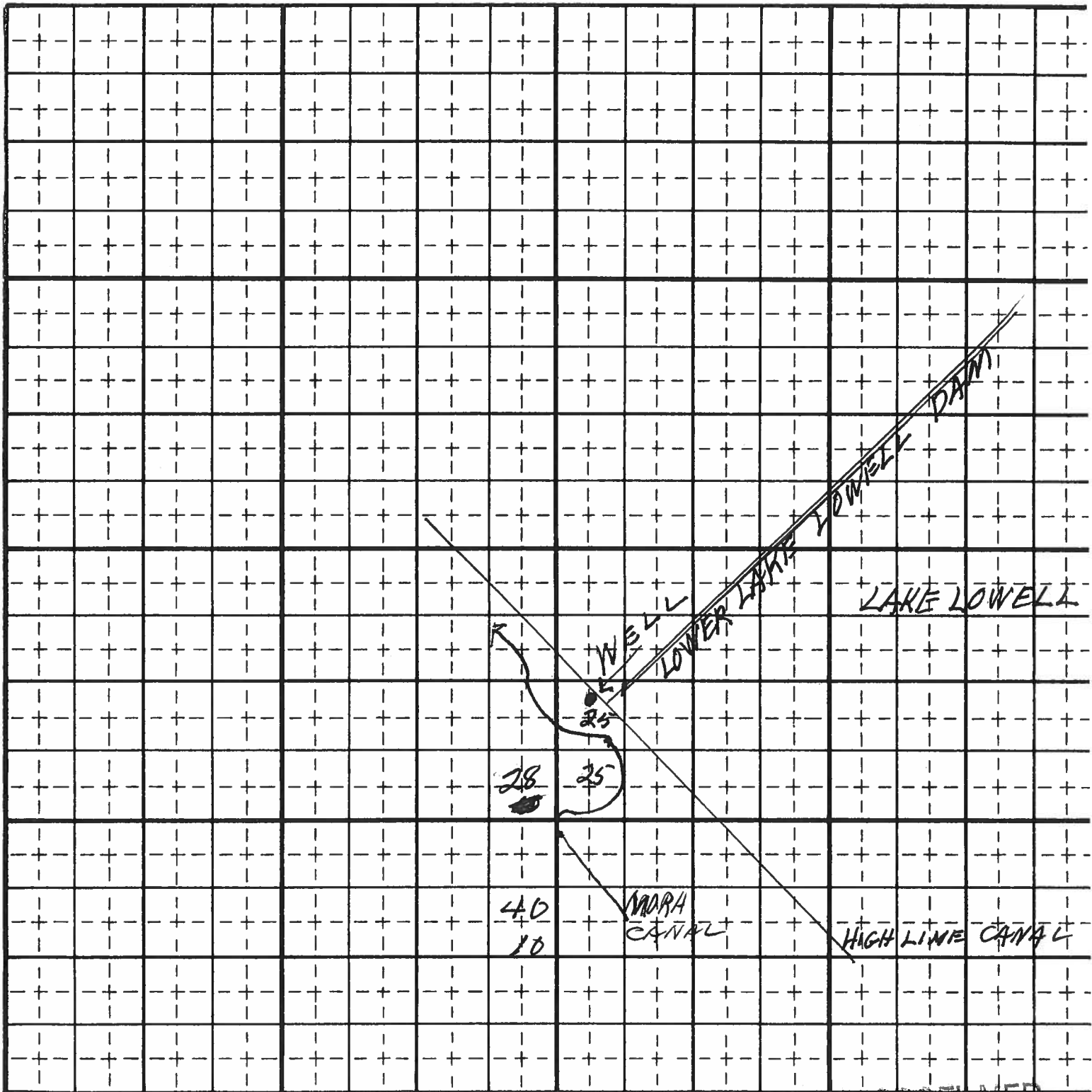
JUL 25 1994

Last Name HOCKBERGER Ident No. 63-8474

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile



MICROFILMED

JUL 25 1994

Last Name HOCKBERGER Ident No. 63-8474

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit 63-8474
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____

Date 3/15/90

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this

15th

day of

March

19 90

SEAL

Notary Public

Helen Harrington

Residing at

Helen Harrington, Notary Public

Residing at Boise, Idaho

My Commission Expires

My Commission Expires December 1, 1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED

JUL 25 1994

Last Name

HOCKBERGER

Ident. Number

63-8474

Copies White-State, Yellow-Claimant

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

RIGHT NUMBER: 63-31821

NAME AND ADDRESS: VINE CREST PROPERTY OWNERS ASSN
13355 BURGUNDY PL
CALDWELL ID 83607

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.750 CFS
180.000 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: 06/13/1977

POINT OF DIVERSION:

T03N R04W S25 NESE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.750 CFS 180.00 AFY
The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.		

PLACE OF USE: IRRIGATION in CANYON County

T03N R04W S25 NWSE 40.00

40 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

The right holder shall accomplish the change authorized by Transfer 70977 within one (1) year of the date of this approval or 3/19/05.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 63-8474.

This right does not grant any right-of-way or easement across the land of another.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Right No. 63-2798 is also diverted through point of diversion described above.

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.



Idaho Department of Water Resources

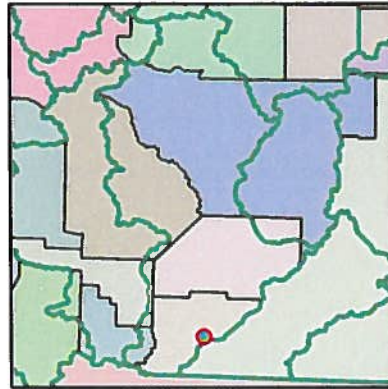
SRBA Recommendation:

63-31821

Acres = 40

Legend

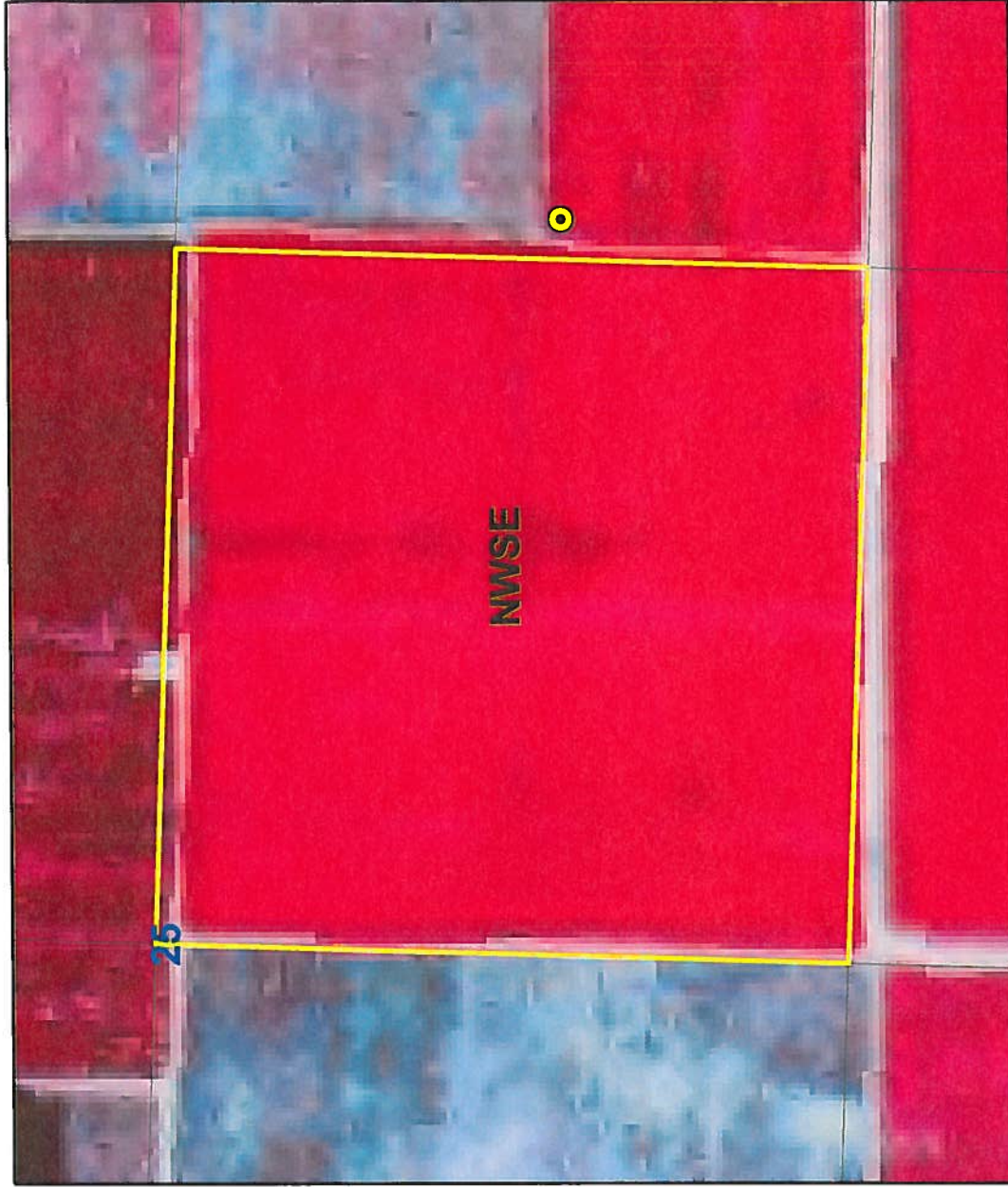
-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Canyon County
IDWR Basin 63

Prepared by K. Walker
On Tuesday, June 27, 2006
1987/88 Aerial Photography

R04W



T03N

0.2 Miles

0.1

0

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31821

WATER RIGHT NUMBER: 63-31821

Owner Type

Name and Address

Current Owner

VINE CREST PROPERTY OWNERS ASSN
13355 BURGUNDY PL
CALDWELL, ID 83607
(208)453-9397

Original Owner

~~JOHN J HOCKBERGER
13957 MALT RD
CALDWELL, ID 83605
(208)459-9192~~

Priority Date: 06/13/1977

Basis: License

Status: Active

Source

GROUND WATER

Tributary

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Diversion Rate

0.750 CFS

Annual Volume

180.00 AF

Total Diversion:

0.750 CFS

180.00 AF

Location of Point(s) of Diversion

GROUND WATER

CANYON County

NE1/4SE1/4

Sec. 25, Twp 03N, Rge 04W, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
03N	04W	25	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	40.0
																			40.0

Total Acres: 40

Conditions of Approval:

- EXP 1. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- EXP 2. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
- EXP 3. 004 This right does not grant any right-of-way or easement across the land of another.
- EXP 4. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- EXP 5. P21 THIS RIGHT IS A SPLIT FROM FORMER RIGHT 63-8474.

no Wilder on this
water on this
40 - see memo
of 10/30/03

Rec. as transferred -
in office review - Kay Walker
7/25/03

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31821

539
6. ~~Y61~~

The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

Quantity R65

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.

Remarks:

Comments:

1. pskaggs 3/22/2004 10:52:06 AM Transferred Right
Comment: This is now an approved transfer, transfer number = 70977

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-8474

WATER RIGHT NUMBER: 63-8474

Owner Type

Current Owner

Name and Address

JOHN J HOCKBERGER
13957 MALT RD
CALDWELL, ID 83605
(208)459-9192

Priority Date: 06/13/1977

Basis: License

Status: Active Transferred

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From To

3/15 to 11/15

Diversion Rate

1.800 CFS

Annual VolumeTotal Diversion:

1.800 CFS

Location of Point(s) of Diversion

GROUND WATER

CANYON County

L1 (NW1/4NW1/4)

Sec. 30, Twp 03N, Rge 03W, B.M.

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	30						25.0	21.0										46.0
								L 1	L 2										
03N	04W	25													10.0	40.0			50.0

Total Acres: 96

Conditions of Approval:

- The right holder shall use the full allotment of appurtenant surface water rights, to the extent they are available, in conjunction with groundwater diverted pursuant to this right.
This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
This right when combined with Right 63-02798 and all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 432.0 af for the lands above.

Remarks:

split into
 $63-31820 = 1.05 \text{ cfs}$
 56 acres
 $63-31821 = 0.75 \text{ cfs}$
 40 ac

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-8474

Comments:

1. CURTIS 3/27/1991 RETURNED FIELD EXAM

Comment: THE DATE OF FILING OF PROOF OF BENEFICIAL USE UNDER THIS RIGHT REQUIRES THE FILING OF A SRBA CLAIM. A CLAIM HAS NOT BEEN FILED AS OF THIS DATE; THEREFORE, THE FIELD EXAM HAS BEEN RETURNED TO THE REGION TO 1) SEEK A CLAIM AND RESOLVE DISCREPANCIES OR 2) DISALLOW THE RIGHT.

2. psdaggs 3/22/2004 10:51:56 AM Approved Transfer 70977

Comment: Approved transfer 70977 is associated with all or part of this Right and the following records.

Claim 63-31820 1.05 cfs afa 56 total acres

Claim 63-31821 0.75 cfs 180 afa 40 total acres

Water Supply Bank:



IDAHO SECRETARY OF STATE Viewing Business Entity

Ben Ysursa, Secretary of State

[[New Search](#)] [[Back to Summary](#)]

VINE CREST RURAL RESIDENTIAL PROPERTIES NO. 1 OF CANYON COUNTY HOMEOWNERS'

13355 BURGUNDY PL
CALDWELL, ID 83607

Type of Business: CORPORATION, HOMEOWNERS ASSOCIATION

Status: ADMIN DISSOLVED, ADMIN DISSLV 06 Jan 2005

State of Origin: IDAHO

Date of 29 Oct 1998

Origination/Authorization:

Initial Registered Agent: JOHN J HOCKBERGER
13957 MALT RD
CALDWELL, ID 83605

Organizational ID / Filing C126173
Number:

Number of Authorized Stock
Shares:

Date of Last Annual Report: 03 Sep 2003

Amendments:

Amendment filed 29 Oct 1998 INCORPORATION

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

Amendment filed 24 Feb 2003 REINSTATEMENT

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Annual Reports:

Report for year 2003 REINSTATEMENT

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Report for year 2003 ANNUAL REPORT

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Report for year 2001 ANNUAL REPORT

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

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-31821

03/29/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
31821	Claim	03N	04W	25	NW	SE		IRRIGATION	40/40	VINE CREST PROPERTY OWNERS ASS
~~5223~~	Water Right	03N	04W	25	NW	SE		IRRIGATION	40/40	JOHN J HOCKBERGER SR

not claimed in SRBA- (claimed
see memo but
of 10/30/03 withdrawn)
attached.

no OL

MEMORANDUM

TO: Transfer File No. 70977

FROM: Lori Graves

DATE: 10/30/03

RE: Evaluation of Sufficiency of Information Submitted

Brief: Applicants propose splitting license 63-8474 and adding a separate, existing well to be used for their irrigation portion of the license.

The site is located approximately two miles north and east of Marsing.

Contact person for the applicant is Brent Collins, one of the eight property owners that will share the proposed well and President of the Association (250-1163).

Authority to File: The eight members of Vine Crest Property Owners Association supplied warranty deeds for each of their 5 acre lots in the NWSE S25, attachment A. Also included as attachment B is the association's deed of rights-of-way and easements, which describes their right to access and use the proposed well, which is not located on their property.

Water Right Validity: Right 63-8474 was claimed in the SRBA in 1990 as a permit and then licensed in 1995 for 96 acres, including the applicant's forty acre portion. 1987 and 1994 arc view photos validate irrigation in the NWSE S25.

Injury to Other Water Rights: None anticipated.

Enlargement of Use: No change in nature of use has been proposed.

Local Public Interest: No negative impacts are anticipated.

Beneficial Use/Conservation of Water Resources: Applicant proposed beneficial use consistent with irrigation standards for the area.

Review of the application finds there is no clear inconsistency with criteria of I.C. § 42-222 preventing processing of this application.

Additional Information: The forty acres in question were originally part of a combined irrigation system consisting of 191 total acres covered by three water rights, 63-5223, 63-8474 and 63-2798, and 4 wells. Applicant's forty acres were covered solely on statutory claim 63-5223 listing the proposed, existing well as the p/d and are also part of the 96 acres licensed on right 63-8474, listing a well in the NWNW S30 as the p/d. License 63-2798 is for different acres and two other wells.

SCANNED
DEC 15 2003

Note

Statutory claim 63-5223 was claimed in 1983 listing a 1961 priority date and .70 cfs for the applicant's forty acres using the existing/proposed well. An SRBA claim was filed on the right in 1990. I called Brent Collins to inform him about the statutory claim overlap and to let him know that proof of priority and beneficial use along with a change in ownership was required before the SRBA staff could recommend the claim for decree. Brent stated that obtaining that information would be difficult and that since their portion of license 63-8474 allows them sufficient water for the forty acres with a 1977 priority date, the association would file a change of ownership on SRBA claim 63-5223, then withdraw it and proceed with the transfer on license 63-8474. The change in ownership and request for withdrawal were received 12/9/03 and are being processed in the SRBA.

License 63-8474 is limited to .02 cfs and 4.5 afa per acre when combined with 63-2798. Applicant's forty acres do not overlap with 63-2798 and are limited to their pro-rated portion of the license as correctly listed on the transfer.

Surface water right 63-2388, delivered by Wilder Irrigation District, also overlaps license 63-8474, which lists surface water conditions, however Brent stated that the forty acres in question cannot and have not received surface water because of elevation and location. I called Lisa with Wilder Irrigation District 10/30/03 and she verified that the applicant's forty acres were within District boundaries but did not receive District water for the reasons Brent listed. The majority of the original owner's other acres, that the applicant's forty acres used to be part of, can receive surface water. As a result, the applicant's split portion does not need surface water conditions, but they should continue to be listed on the remaining right.

I called Brent and asked if the existing, proposed well is located on the association's property in the NWSE or in the NESE as listed on the transfer. Brent stated that the well is located across the road in the NESE on the original owner's property, but that the association had an easement to the well, which is included in attachment B. Because of this, condition 004 should be added to the applicant's right. Owner of the property that the proposed/existing well is located on, who is also the owner of the remaining right, will be sent notice.

Conditions: Assuming protests are not filed and/or other information does not contradict the above analysis, and assuming it is determined the application should be approved, the following conditions of approval should be applied:

SCANNED
DEC 15 2003

Receipt Details for ID C015648

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
3/15/1990 4:52:26 PM	3/15/1990	State	\$355.00	Check
Payer	HOCKBERGER RANCH			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
0327			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$355.00	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	2798		\$115.00	Claim
63	8474		\$150.00	Claim
63	5223		\$90.00	Claim

Print Report