

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 63-31073
Date Received: 9/29/1999
Receipt No: C046701
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DEER VALLEY ANDALUSIANS Phone: (208)853-2065

9400 N. PIERCE PARK
BOISE ID USA 83714

2. Date of Priority: 05/30/1996

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	02E	8	SW SE	ADA	

5. Description of diverting works:

WELL 1400' DEEP, PUMP & MOTOR AT 525'

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	1/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.04 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	02E	8	SW	SE	DOMESTIC	
04N	02E	17	NE	NW	DOMESTIC	
			NW	NE	DOMESTIC	

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

CHANGE OF OWNERSHIP 12/22/2004 LG

15. Basis of Claim: Beneficial Use

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

RECEIVED

DEC 20 2004

WATER RESOURCES
WESTERN REGION

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	63-31072				
	63-31073				

PROPERTY LOCATED SECTION 17, T, 4N, R, 2E Parcel # 0410

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
 PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) RICK ROE, 209-466 4245
Eagle, ID. 83616
4. New Owner/Claimant(s) TRACY KEHNE, TERRY WALTER, GRETCHEN LPOINTE
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
DEER VALLEY ANDALUSIANS
 New Mailing Address 9400 N PIERCE PARK - Boise, ID
 City, State and ZIP Code Boise, IDAHO 83714
 New Telephone Number (208) 953-2065
5. Date you acquired the property JANUARY 2000

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

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

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

7. Signature of New Owner(s) or Claimant(s) Mikelun Lapointe
(include title if applicable) Clear Valley Andalusians

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

For Office Use Only

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**INSTRUCTIONS FOR FILING
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

Effective July 1, 2000, the Idaho Legislature amended Section 42-248, Idaho Code to include a provision for fees to file a Notice of Change in Water Right Ownership. Please see details at Item 8, below, to determine if fees are required for your filing.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter the number(s) at Item 1. Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner/claimant(s) of the water right(s) at Item 3.
4. The name, mailing address, and telephone numbers of the new owner/claimant(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector "and", "or", or "and/or." If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign; however, only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.

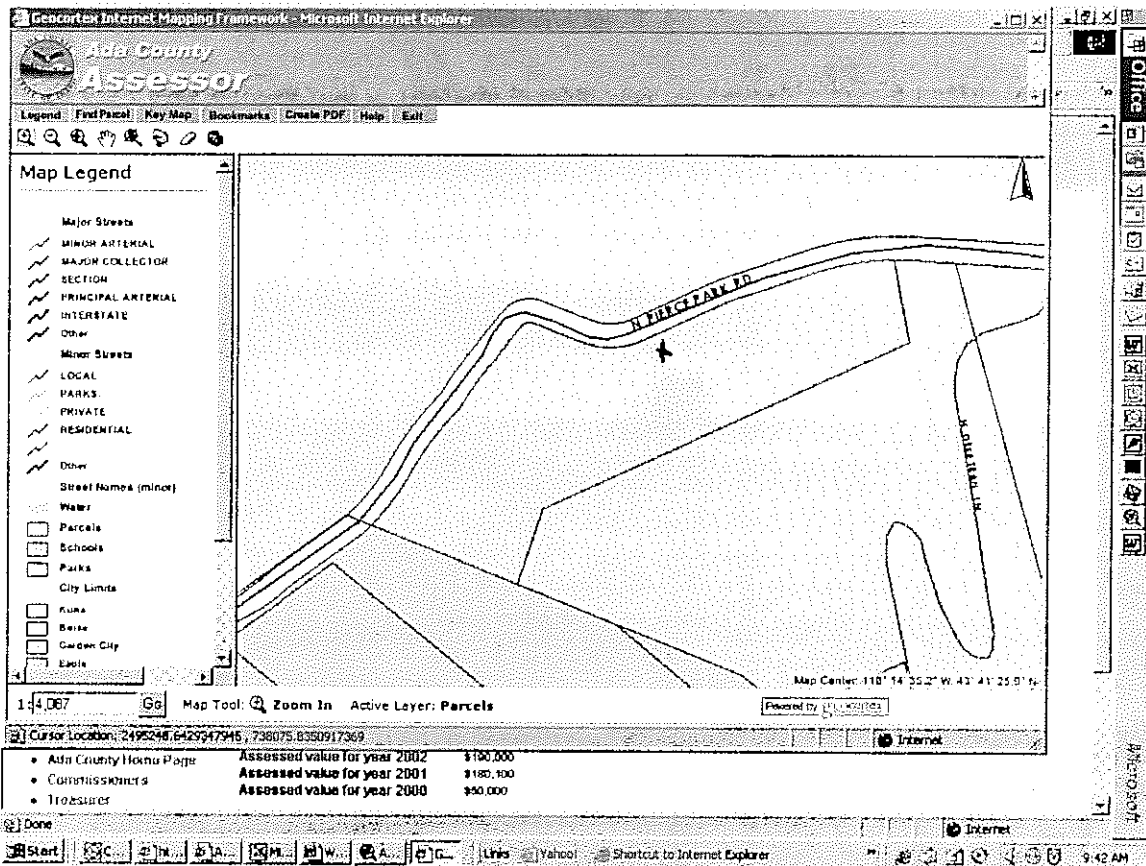
6. You may have purchased only a portion of the water right(s) held by the seller. If this change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. For each water right requiring a split between owners, fill in the appropriate spaces in the box(es) at Item 6. Copy the page as many times as necessary to fully describe each water right after the change. Include documentation as necessary to describe nonstandard agreements or arrangements regarding division of the water right(s). **If the water right(s) will not be split, skip Item 6 and go to Item 7.**
7. The new owner(s) must sign the form in the space(s) provided at Item 7. If an "and" connector is used at Item 4, all parties must sign this form. If an "and/or" or "or" connector is used, all parties may sign; however, only one of the named parties is required to sign. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.
8. The Legislature has waived the fee to file a Notice of Change in Water Right Ownership for any water right pending in a general water right adjudication such as the Snake River Basin Adjudication. This waiver ends when a partial decree is issued for the water right that has been claimed. For water rights not pending in a general adjudication, the filing fee is \$25 per water right, except for those water rights which will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right to be divided. When complete, you should retain a copy and return the original form to the IDWR office nearest you:

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

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

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033





CARON PUMP COMPANY

11026 CULDESAC WAY
BOISE, ID 83703
PH. (208) 939-9198

INVOICE

DATE	INVOICE #
10/23/03	10354

BILL TO:

IDAHO EQUESTRIAN CENTER
9400 N. PIERCE PARK LANE

BOISE, ID ~~83703~~ 83714

P.O. NUMBER

TERMS

PROJECT

QUANTITY

DESCRIPTION

RATE

AMOUNT

PER GRETCHEN LaPOINTE
C/O DOMESTIC WATER PUMP SYSTEM

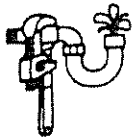
09/30/03

WE CHECKED OUT SYSTEM AND FOUND BOOSTER PUMP HAD TRIPPED THE LOSS OF PRIME SWITCH. WE RESET SWITCH AND FOUND SYSTEM WORKING GOOD.

1 - SERVICE CALL \$ 75.00

Balance Due: 0.00

TOTAL



CARON PUMP COMPANY

11026 CULDESAC WAY
BOISE, ID 83703
PH. (208) 939-9198

INVOICE

DATE	INVOICE #
01/29/04	10503

BILL TO:

IDAHO EQUESTRIAN CENTER
9400 N. PIERCE PARK LANE

BOISE, ID ~~83703~~ 83714

P.O. NUMBER

TERMS

PROJECT

QUANTITY

DESCRIPTION

RATE

AMOUNT

PER GRETCHEN
C/O DOMESTIC WATER PUMP SYSTEM

01/07/04

WE CHECKED OUT SYSTEM DUE TO NO-WATER. WE FOUND CISTERN TANK EMPTY. WE CHECKED WELL PUMP AND FOUND PIPES FROZEN DUE TO A BROKEN LIGHT BULB. WE THAWED PIPES TO GROUND LEVEL. CUSTOMER WILL GET A HEATER TO THAW THE REST OF THE PLUMBING.

01/09/04

WE CAME BACK AND FLOW TESTED WELL PUMP. WE FOUND THE PUMP ONLY PRODUCING 1 GPM. PUMP NEEDS TO BE PULLED.

01/12/04

WE CAME BACK OUT AND PULLED PUMP OUT WITH CRANE. WE FOUND A MELTED PUMP END. WE REPLACED PUMP AND MOTOR THEN RESET IN WELL. WE PUMPED UNIT OVER TOP OF CASING UNTIL WATER WAS FLOWING CLEAN, THEN HOOKED TO SYSTEM. WE TURNED PUMP ON AND STARTED FILLING THE CISTERN TANK. WE THEN STARTED BOOSTER PUMP.

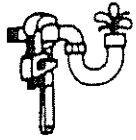
01/13/04

WE CAME BACK OUT DUE TO BOOSTER PUMP NOT WORKING. WE BLEAD ALL THE AIR OUT OF SUCTION AND STARTED. WE THEN FOUND A FAILED PRESSURE TANK.

01/14/04

WE CAME BACK AND PLUMBED IN A NEW PRESSURE TANK. WE PRESSURIZED SYSTEM AND FOUND EQUIPMENT WORKING GOOD.

TOTAL



CARON PUMP COMPANY

11026 CULDESAC WAY
BOISE, ID 83703
PH. (208) 939-9198

INVOICE

DATE	INVOICE #
01/29/04	10503

BILL TO:

IDAHO EQUESTRIAN CENTER
9400 N. PIERCE PARK LANE

BOISE, ID 83703

P.O. NUMBER

TERMS

PROJECT

QUANTITY

DESCRIPTION

RATE

AMOUNT

- 1 - STA-RITE 3 HP., 15 SERIES PUMP END
- 1 - FRANKLIN 5 HP., 230 VOLT MOTOR
- 1 - 2" CHECK VALVE
- 1 - WATER TIGHT WIRE SPLICE KIT
- 1 - WELL MATE #WM-23 PRESSURE TANK W/ FIVE YEAR WARRANTY
- 1 - 1" GATE VALVE
- 1 - MISC. PLUMBING FITTINGS AND PIPE WRAP
- 1 - FIVE YEAR WARRANTY ON PUMP AND MOTOR

TOTAL COST OF EQUIPMENT

\$ 2,680.00

- 1 - LABOR - 01/07/04 - 2.5 HOURS W/ ONE MAN @ \$65.00 PER HR. \$ 162.50
- 1 - LABOR - 01/09/04 - 2.0 HOURS W/ ONE MAN @ \$65.00 PER HR. \$ 130.00
- 1 - LABOR - 01/12/04 - 7.0 HOURS W/ THREE MEN & CRANE @ \$140.00 \$ 980.00
- 1 - LABOR - 01/13/04 - 3.5 HOURS W/ ONE MAN @ \$65.00 PER HR. \$ 227.50
- 1 - LABOR - 01/14/04 - 3.0 HOURS W/ TWO MEN @ \$80.00 PER HR. \$ 240.00

TOTAL COST OF PROJECT

\$ 4,420.00

Balance Due:

0.00

This pump is set 399' in the well
The pump is designed to deliver
22 Gpm from 360' pumping level.

TOTAL

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

2000 FEB 11 PM 4:02

RECORDED - REQUEST OF

SKINNER, FAWCETT
FEE 6.00 DEPUTY J. Navarro

100010689

WARRANTY DEED

FOR VALUE RECEIVED, RICHARD D. ROE, an Unmarried Person, hereinafter referred to as the Grantor, does hereby grant bargain, sell and convey unto DEER VALLEY ANDALUSIANS, INC., an Idaho corporation, whose current address is S. 2209 Crosscreek Ln., Boise, Idaho 83706, hereinafter referred to as the Grantee, the following described premises situated in Ada County, State of Idaho, to-wit:

See Exhibit "A" attached hereto.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the property, as well in law as in equity.

TO HAVE AND TO HOLD all and singular the property, together with the appurtenances, unto the Grantee, Grantee's successors, heirs and assigns forever.

AND Grantor, and Grantor's heirs shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of Grantee, Grantee's successors, heirs and assigns against Grantor and Grantor's successors, heirs and assigns and against all and every person and persons whomsoever lawfully claiming the same.

IN WITNESS WHEREOF, Grantor has hereunto executed this Deed the 11th day of FEBRUARY, 2000.



RICHARD D. ROE

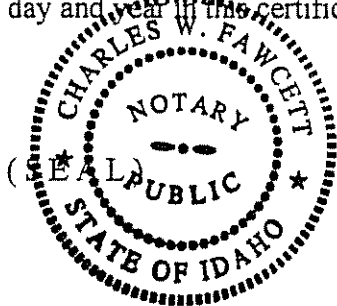
STATE OF IDAHO)

: ss.

County of Ada)

On this 11th day of FEBRUARY, 2000, before me, a notary public in and for said State, personally appeared RICHARD D. ROE, 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.

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





NOTARY PUBLIC For Idaho
Residing at Boise, therein.
My Commission Expires 12/12/03

File No.: T00-68113

SCHEDULE A (continued)

LEGAL DESCRIPTION (continued)

EXHIBIT "A"

A parcel of land lying in portions of Sections 8 and 17, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, said parcel being more particularly described as follows:

Commencing at the brass cap marking the corner common to Sections 7, 8, 17 and 18, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho; thence South 88°39'42" East, 2364.44 feet along the line common to said Sections 8 and 17 to the centerline of Pierce Park Lane, said point being the REAL POINT OF BEGINNING; thence along said centerline the following courses and distances:

North 38°38'08" East 74.90 feet; thence
North 59°44'10" East 78.99 feet; thence
South 77°12'30" East 67.43 feet; thence
South 67°39'26" East 88.27 feet; thence
South 82°21'02" East 74.04 feet; thence
North 72°02'24" East 71.24 feet; thence
North 64°39'02" East 239.65 feet; thence
North 70°57'41" East 239.94 feet; thence
North 80°38'03" East 152.98 feet; thence
leaving said centerline,

South 11°05'56" East 222.91 feet to an iron pin; thence
South 65°22'31" West 1016.59 feet to an iron pin; thence
South 18°17'55" West 200.00 feet to an iron pin; thence
North 68°12'05" West 400.00 feet to said centerline of Pierce Park Lane; thence
along said centerline the following courses and distances:

North 45°44'24" East 71.57 feet; thence
North 33°41'36" East 97.01 feet; thence
North 35°12'25" East 204.51 feet; thence
North 38°38'08" East 151.61 feet to the REAL POINT OF BEGINNING.

Escrow No. T97-42802 -DT

DEED OF TRUST

566

THIS DEED OF TRUST, Made this 30th day of May in the year of 1997
BETWEEN Richard D. Roe, an unmarried person

, herein called GRANTOR,

whose address is: 774 W. Alkens Eagle, Idaho 83616
BOISE TITLE & ESCROW, Inc., an Idaho corporation, herein called TRUSTEE, and
unmarried person

Scott G. Kimball, an
herein called BENEFICIARY,

WITNESSETH: That Grantor does hereby irrevocably GRANT, BARGAIN, SELL AND CONVEY TO TRUSTEE IN TRUST, WITH POWER OF SALE, that property in the County of Ada State of Idaho, described as follows, either located within an incorporated city or village at the date hereof, or containing not more than twenty acres:

See Attached Exhibit "A"

IF THE GRANTOR HEREOF SELLS, CONVEYS, OR ALIENATES THE PROPERTY DESCRIBED
HEREIN OR ANY PART THEREOF OR ANY INTEREST THEREIN, ANY INDEBTEDNESS OR
OBLIGATION SECURED HEREBY (IRRESPECTIVE OF THE MATURITY DATE EXPRESSED
HEREIN) AT THE OPTION OF THE BENEFICIARY AND WITHOUT DEMAND OR NOTICE
SHALL IMMEDIATELY BECOME DUE AND PAYABLE.

TOGETHER WITH the rents, issues and profits thereof, SUBJECT, HOWEVER, to the right, power and authority hereinafter given to and conferred upon Beneficiary to collect and apply such rents, issues and profits, for the purpose of securing payment of the indebtedness evidenced by a promissory note, of even date herewith, executed by Grantor in the sum of Seventy seven thousand three hundred dollars and no cents Dollars (\$ 77,300.00)

final payment due June 1, 2002 and to secure payment of all such further sums as may hereafter be loaned or advanced by the Beneficiary herein to the Grantor herein, or any or either of them, while record owner of present interest, for any purpose, and of any notes, drafts or other instruments representing such further loans, advances or expenditures together with interest on all such sums at the rate therein provided. Provided, however, that the making of such further loans, advances or expenditures shall be optional with the Beneficiary, and provided, further that it is the express intention of the parties to this Deed of Trust that it shall stand as continuing security until paid for all such advances together with interest thereon

To protect the security of this Deed of Trust, Grantor agrees:

By the execution of this Deed of Trust and the Note hereby secured that provisions 1 to 6 inclusive of Part A and provisions 1 to 9 inclusive of Part B of the Master Form Deed of Trust which was recorded December 8, 1972, as Instrument No. 829115, Ada County; June 25, 1979, as Instrument No. 627244, Bannock County; June 22, 1979 as Instrument No. 567295, Bonneville County, May 9, 1979, as Instrument No. 861513, Canyon County; June 7, 1979, as Instrument No. 129201, Gem County; June 25, 1979, as Instrument No. 810084, Kootenai County; June 22, 1979, as Instrument No. 101053, Valley County, Idaho Mortgage Records shall be and they are hereby incorporated and made an integral part hereof for all purposes as though set forth herein at length a copy of which provisions has been furnished to Grantor and Beneficiary

Request is hereby made that a copy of any Notice of Default and a copy of any Notice of Sale hereunder be mailed to the Grantor at his address hereinbefore set forth

Richard D. Roe

97043486

ADA CO. RECORDER
J. DAVID HAYABRO
BOISE ID

STATE OF Idaho County of Ada ss

On this 30th day of May
in the year of 1996, before me, the undersigned, a Notary
Public in and for said State, personally appeared Richard D. Roe

known or identified to me to be the person whose name
subscribed to the within instrument and acknowledged to me that he
executed the same

Signature of Notary
Name: B. Thornton

Residing at: Boise, Idaho

My commission expires: July 22, 1998

TRANSACTION TITLE & ESCROW
'97 JUN 3 PM 4 18

REC'D JUN 3 1997
RECORDED AT THE REQUEST OF

RECEIVED

DEC 09 1997



Boise Title & Escrow, Inc.

ADA COUNTY
DEVELOPMENT SERVICES

RECEIVED

SEP 30 1999

WATER RESOURCES
WESTERN REGION

RECEIVED

SEP 29 1999

Department of Water Resources

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: A63-31073

Date Received: 9/29/1999

Receipt No:

Received By: C046701

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD ROE 208-866-4245
Address: 9400 N PIERCE PARK
BOISE ID 83703

2. Date of Priority: MAY 30, 1996

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	02E	8	SW	SE			ADA

5. Description of diverting works:
WELL 1400' DEEP, PUMP & MOTOR AT 525'

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	02E	8	SW	SE		DOMEST	
		17	NW	NE		DOMEST	
			NE	NW		DOMEST	

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:
63-31072

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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: 1

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): [Signature] Date: 9-29-99
_____ Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 29th day

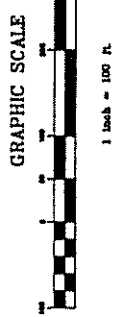
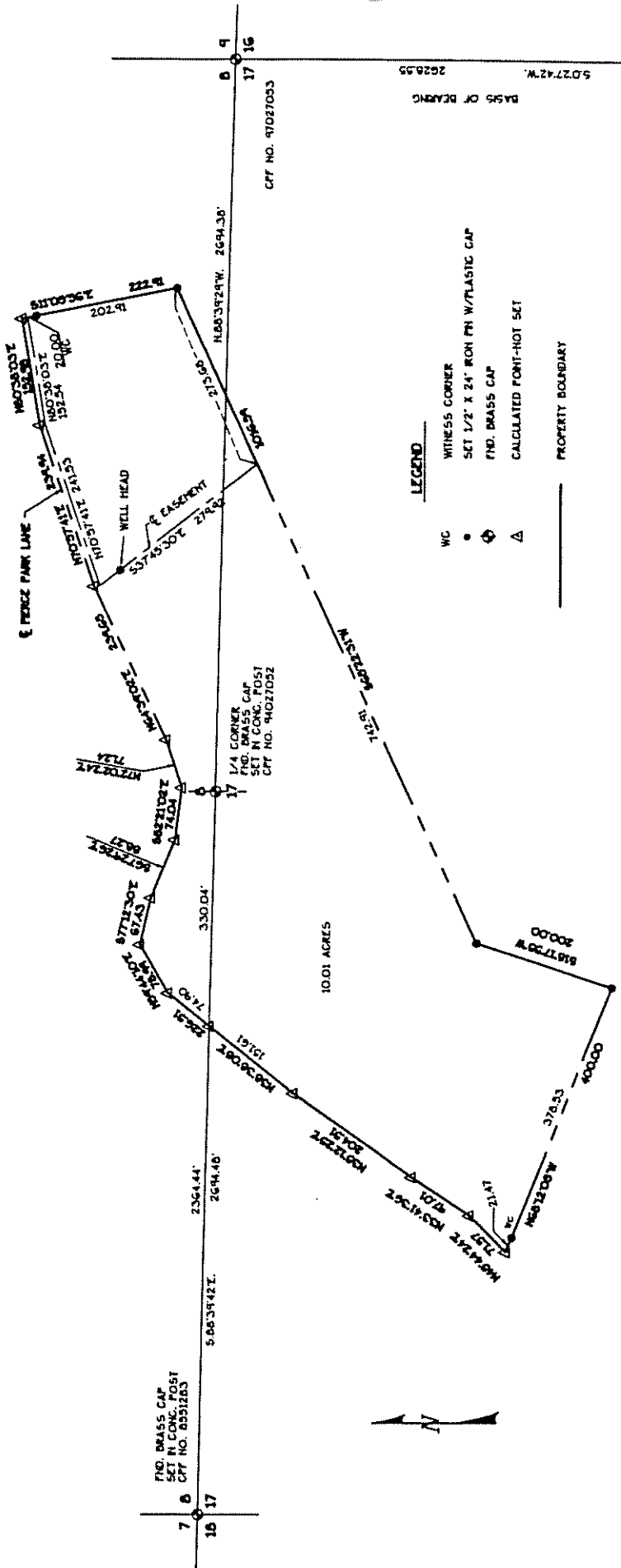
of September 19 99

Danni M Smith
Notary Public

Seal

Residing at Boise ID

My Commission Expires 12/5/2000



CERTIFICATE OF COUNTY RECORDER
INSTRUMENT NO. 9239731
STATE OF IDAHO
COUNTY OF ADAMS

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED
FOR RECORD AT THE REQUEST OF J.J. HOWARD AT 10:06 AM DAY OF
MAY 20 1997.
J. David Lawrence
County Recorder
D. Williams

CERTIFICATE OF SURVEYOR

THIS IS TO CERTIFY THAT J. JAMES J. HOWARD, BEING A REGISTERED LAND
SURVEYOR IN THE STATE OF IDAHO, HEREBY ATTEST THAT THIS IS A REASONABLY
ACCURATE REPRESENTATION OF SURVEY AS MADE BY ME AND IS IN CONFORMITY
WITH THE CORNER PERTINENTATION AND FILING ACT - IDAHO CODE 55-1601
THROUGH 55 - 1612.



INDEX NO. 421-08-000-000
INDEX NO. 421-17-000-000

RECORD OF SURVEY FOR SCOTT KIMBALL	
LYING IN THE S 1/2 SEC. 6. AND A PORTION OF SEC. 17 T.4N. R.2E. D.J. ADA COUNTY, IDAHO	
J.J. HOWARD ENGINEERING / SURVEYING 1875 N.E. 100 SUITE 4 / BOISE, IDAHO 83702 1-208-344-0574	
DATE 5/12/97	DRAWN BY RWS
SHEET 1	DRAWING NO. 421-08-000-000
CDD DWG. REBALL 2 DWG	

CFF NO. 9402703

CFF NO. 91027033

CFF NO. 94027052

ReceiptID	Amount	BasinNumber	SequenceNum	SplitSuffix	Type
C046701	0.25	63	31072		Claim
C046701	0.25	63	31073		Claim

01/20/2005

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

RIGHT NUMBER: 63-31073
NAME AND ADDRESS: DEER VALLEY ANDALUSIANS
9400 N. PIERCE PARK
BOISE ID 83714
SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.020 CFS
The quantity of water under this right shall not exceed 2,500 gallons per day.
PRIORITY DATE: 05/30/1996
POINT OF DIVERSION:
T04N R02E S8 SWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.020 CFS
Domestic use is for a barn and office associated with a horse-training/boarding business and does not include lawn, garden, landscape, or other types of irrigation.		

PLACE OF USE: DOMESTIC Within ADA County

T04N R02E S08	SWSE	T04N R02E S17	NWNE
T04N R02E S17	NENW		

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

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

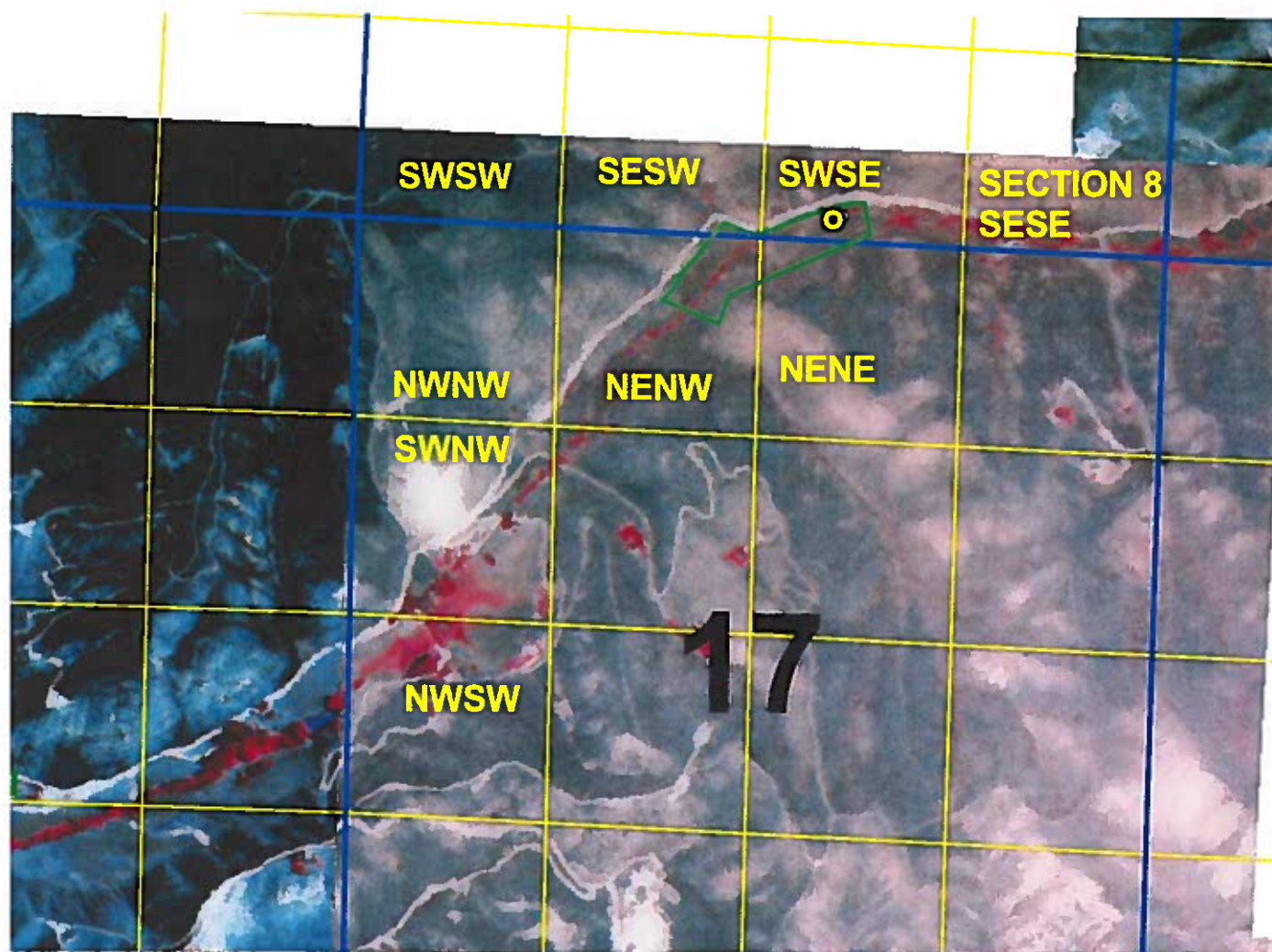
The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use
PARCEL NO. RS0617212500.

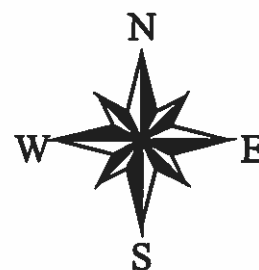


State of Idaho
Idaho Department of Water Resources
Western Region

T4N R2E SECTIONS 8 and 17
Water Right(s) : 63-31072 and 63-31073



1320 0 1320 2640 3960 Feet



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

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared By: Vicky Music
Date: January 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31073 V1

WATER RIGHT NUMBER: 63-31073 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	RICHARD ROE 9400 N PIERCE PARK BOISE, ID 83703 (208)866-4245
Current Owner	DEER VALLEY ANDALUSIANS 9400 N. PIERCE PARK BOISE, ID 83714 (208)853-2065

Priority Date: 05/30/1996

Basis: Beneficial Use

Status: Active

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

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.020 CFS	
	<u>Total Diversion:</u>	0.020 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4	Sec. 8, Twp 04N, Rge 02E, B.M.
ADA County		

Place of UseDOMESTIC Within ADA County

T04N R02E S08 SWSE	T04N R02E S17 NWNE
T04N R02E S17 NENW	

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. N06 The quantity of water under this right shall not exceed 2,500 gallons per day.
3. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
4. WB5 Domestic use is for a barn and office associated with a horse-training/boarding business and does not include lawn, garden, landscape, or other types of irrigation.

Remarks:

1. Explanatory PARCEL NO. RS0617212500.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-31073 V1

Comments:

1. vmusic 1/20/2005 QUANTITY

Comment: LIMITED TO 2500 GAL/DAY DUE TO DEVELOPMENT OF DOMESTIC/COMMERICAL RIGHT IN 1996.

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	1/20/2005 11:38:07 AM	vmusic			Active
Priority Date	1/20/2005 11:40:37 AM	vmusic			Active
POD	1/20/2005 11:42:04 AM	vmusic			Active
Source	1/20/2005 12:07:23 PM	vmusic			Active
POU	1/20/2005 12:08:10 PM	vmusic			Active
Use	1/20/2005 12:10:01 PM	vmusic			Active
Season	1/20/2005 12:10:45 PM	vmusic			Active
Quantity	1/20/2005 12:12:11 PM	vmusic			Active
Summary			01/20/2005	vmusic	Active



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 22, 2004

Deer Valley Andalusians
9400 N. Pierce Park
Boise ID 83714

Re: Notice of Claim to a Water Right No. 63-31072, 63-31073
Dear Claimant(s):

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

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

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

Sincerely,

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 16, 2004

Gretchen LaPointe
Deer Valley & Alusians, Inc.
9400 N. Pierce Park
Boise, ID 83703

RE: SRBA Claims 63-31072 and 63-31073

Dear Gretchen,

Per our conversations this week, IDWR does not have the well log for 63-31072. Therefore, I will need a written statement from someone with knowledge of the history of the well and the use of the property in order to recommend the claimed priority date.

Enclosed is a change of ownership form and instruction sheet. Please fill it out and return it to IDWR. Additionally, I enclosed a parcel map. Please mark the location of the well and return the map to me as well.

Thank you for your attention to this matter. Please call me if you have questions regarding this correspondence.

Sincerely,

Vicky L. Music
Water Resource Agent
Adjudication Bureau

Enclosure: change of ownership form, parcel map

TELEPHONE MEMO AND MEMO TO CLAIM FILE

TO: CLAIM FILE NOS. 63-31072 AND 63-31073
FROM: VICKY L MUSIC, WATER RESOURCE AGENT, IDWR / WESTERN
REGION
SUBJECT: SRBA CLAIM ANALYSIS/ DESKTOP REVIEW
DATE: 9/15/2004
CC:

I received a phone call yesterday from Gretchen LaPointe in response to an evidence of priority letter I sent for the 7/1/1965 priority date of 63-31072. The owner of the water right and property is Deer Valley & Alusians, Inc., and Richard Roe [claimant] is no longer involved in the business. This is a small business – she boards horses and teaches riding. There is a fairly new barn/office and an outhouse. She will do a change of ownership.

Gretchen said that she has spoken to people familiar with the site. She said that Lillian and Marvin Barnes owned the property and drilled the well. The property has in the past been leased by Blessing for stockwater use. Scott Kimball is familiar with the property indicated that he thought the well went in about 1968. Someone told her that they went to the IDWR archives and found the well log. I told her I would look again.

I looked in the well logs file and microfiche again. There is no information for this well. Another "Barnes" had drilled a well in an adjacent QQ in the 1960s. I left a phone message for Gretchen yesterday afternoon and today relaying this information and requesting a statement from someone with knowledge of the site, and telling her that I was mailing her a change of ownership form and parcel map. I asked that she return all to me, and mark on the map the location of the well.

VLM



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

September 2, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RESIDENT
9400 N PIERCE PARK
BOISE, ID 83703

RE: EVIDENCE OF PRIORITY

Snake River Basin Claim No(s): A63-31072 AND A63-31073

Dear Claimant(s),

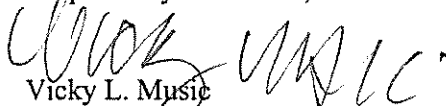
YOU MAY BE THE OWNER OF THE WATER RIGHT CLAIMS REFERENCED ABOVE. In the past, RICHARD ROE submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out or re-file it. RICHARD ROE indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. This claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date.**"

If no evidence of your priority date is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future.

The required evidence supporting the priority date(s) requested needs to be submitted by September 24, 2004. Additionally, if you are the owner of these water rights, Idaho Statute requires that a change of ownership be filed with IDWR within 120 days of the property transfer. Please call IDWR for the appropriate forms. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

Respectfully Submitted,


Vicky L. Music
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim Reports A63-31072 AND A63-31073

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.

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

Return Service Requested

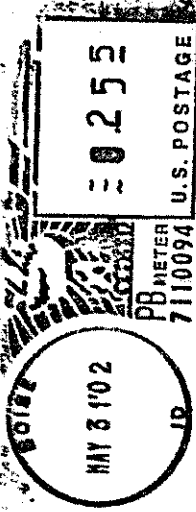
RECEIVED

JUN - 4 2002

Department of Water Resources

RETURNED
TO
SENDER
UNDELIVERABLE AS ADDRESSED
NO FORWARDING ORDER ON FILE

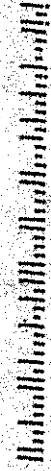
PRESORTED
FIRST CLASS



63-31072
31073

RICHARD ROE
9400 PIERCE PARK
BOISE ID 83703

found



IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-31073

01/20/2005

1

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-31073	Claim	04N	02E	8	SW	SE		GROUND WATER	DEER VALLEY ANDALUSIANS
63-30154	Claim	04N	02E	8	SW	SE		GROUND WATER	SCOTT G KIMBALL
63-30154	Water Right	04N	02E	8	SW	SE		GROUND WATER	SCOTT G KIMBALL

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-31073

01/20/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
31072	Claim	04N	02E	8	SW	SE		STOCKWATER		DEER VALLEY ANDALUSIANS
31073	Claim	04N	02E	8	SW	SE		DOMESTIC		DEER VALLEY ANDALUSIANS
30154	Water Right	04N	02E	8	SW	SE		DOMESTIC		SCOTT G KIMBALL
31072	Claim	04N	02E	17	NW	NE		STOCKWATER		DEER VALLEY ANDALUSIANS
31073	Claim	04N	02E	17	NW	NE		DOMESTIC		DEER VALLEY ANDALUSIANS
31072	Claim	04N	02E	17	NE	NW		STOCKWATER		DEER VALLEY ANDALUSIANS
31073	Claim	04N	02E	17	NE	NW		DOMESTIC		DEER VALLEY ANDALUSIANS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31073

WATER RIGHT NUMBER: 63-31073

Owner Type Name and Address
 Current Owner RICHARD ROE

Priority Date: 05/30/1996 ✓
 Basis: Beneficial Use ✓
 Status: Active

Source Tributary
 GROUND WATER ✓

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC ✓	1/01 to 12/31 ✓	0.040 CFS ✓	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion
 GROUND WATER ✓
 ADA County

SW1/4SE1/4

Sec. 8, Twp 04N, Rge 02E, B.M. ✓

Place of UseDOMESTIC Within ADA County

T04N R02E S08 SWSE
 T04N R02E S17 NENW

T04N R02E S17 NWNE

) (check head of barn

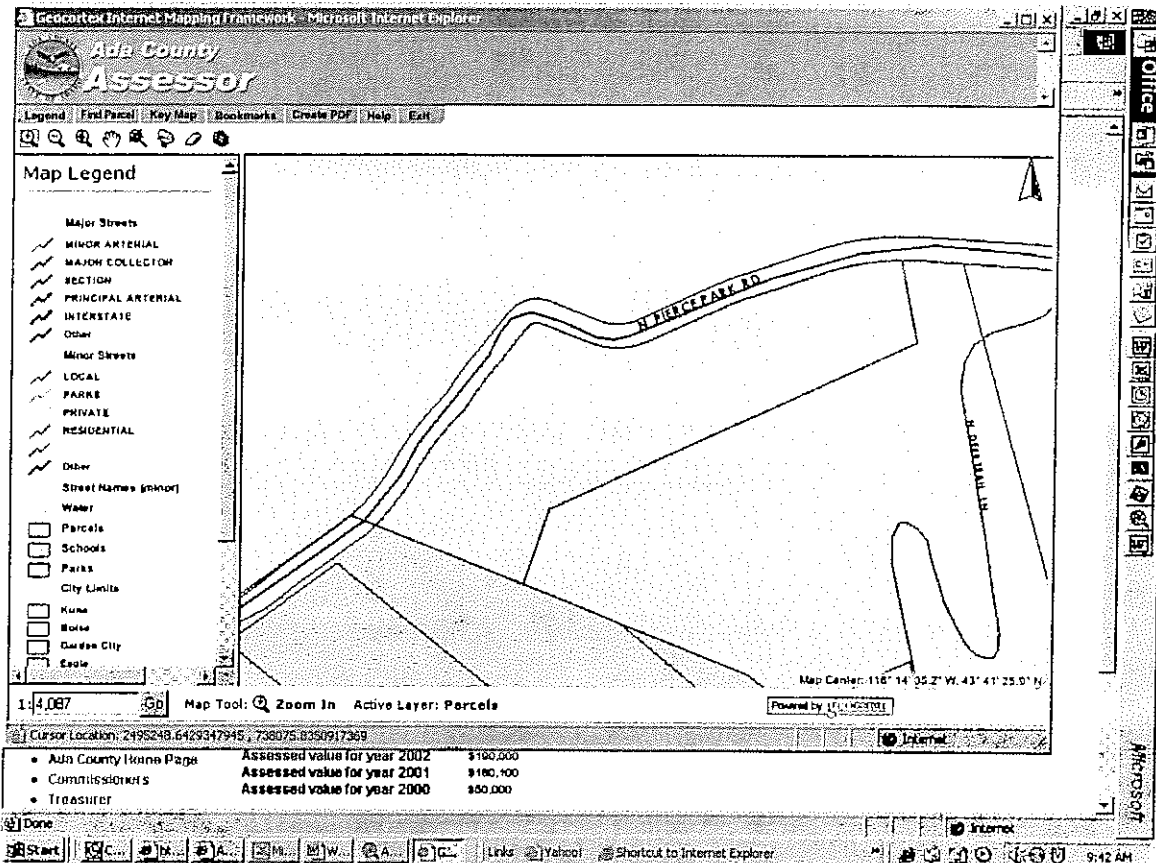
Conditions of Approval:Remarks:Comments:

Parcel

room use : barn & office not to ex

associated w/ horse-training & boarding business

Q limited to 2500 gpd



Desktop Review/VLM

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

Prior to Field Exam

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

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-3073

Owner: _____ Phone No. _____

Current Address: _____

- ☐ No change NAME IS THE SAME
- ☒ NEW OWNER _____
- ☐ No change Address
- ☐ NEW ADDRESS _____
- ☐ How long owned property? _____

C/O filed

Accompanied by: _____

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

de minimis D/S use

Priority date, per claimant, is: _____

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

Source: _____ Tributary to _____

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

see claim

OVERLAP REVIEW

Other water rights with the same point of diversion:

63-31072

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

stock water

WATER USES

☒ No change

☐ Different Uses

Use *DOM* From *1-1* To *12-31* Amount *.02* CFS *2500 b/d* AFA *42-111(b)*

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

☒ No change

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

Types _____ Additional comments: _____

PLACE OF USE:

☒ No Change

☐ Changes shown below:

barn & other located in

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: 03-31072

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Stock water

Delivery System Narrative:

all claims

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

Parcel # 50617212500

DOM use is for + home barn & office & does not include

assoc. w/ horse boarding & training business, & irrigation

DOM use not for 13k g/d. 2000 g/d

not a det of inst b/u.

for down/cont 42-11(5)
Right developed in 1996, after mandatory
dw permitting statute so limited to 250/6/d.

AFTER EXAM THE FILE SHOULD CONTAIN:

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

DATE EXAM CONDUCTED: _____

1-20-05

FIELD EXAMINER: _____

Wick WMLC