

JUN 20 2005

WATER RESOURCES
WESTERN REGION

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 63-10381

Date Received: 6-20-05

Receipt No: W033076

Received By: DB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

STERLING FAMILY LLC Phone: 208-322-4505
4201 LENORA DR
BOISE ID USA 83704

2. Date of Priority: 09/09/1986

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	01W	5	NE NW 3	CANYON	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.11	53.5
STOCKWATER	1/01	12/31	0.02	0.4
DOMESTIC	1/01	12/31	0.04	1.2

7. Total Quantity Appropriated is:
0.11 C.F.S. and/or 55.1 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	01W	5	NE NW	3	IRRIGATION	15
Section Acres						15
Total Acres						15

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:

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of 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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Receipt Details for ID W033076

Status	Adjustment Type	Version
		9

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
6/20/2005 1:59:26 PM	6/20/2005 3:28:36 PM	WESTERN	\$165.00	Check
Payer		STERLING, JOHN / LYNNE		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1144			
Card Expiration Date	Credit Card Transaction #		

Comment NOTICE OF CLAIM: 63-10381
APPLICATION FOR TRANSFER: STERLING FAMILY LLC

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$100.00	TRANSFERS	62105	0229	21		1155
\$65.00	ADJUDICATION FILING FEE	42503	0337			1155

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
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[Print Report](#)

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

RIGHT NUMBER: 63-10381

NAME AND ADDRESS: STERLING FAMILY LLC
4201 LENORA DR
BOISE ID 83704

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.110 CFS
55.100 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.

The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 09/09/1986

POINT OF DIVERSION:

T03N R01W S5 NENW Lot 3 Within CANYON County

T03N R01W S5 NENW Lot 3 Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS 0.40 AFY
DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY
IRRIGATION	03/01 11/15	0.110 CFS 53.50 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.

Domestic use is for 1 home.

PLACE OF USE: IRRIGATION in CANYON County

T03N R01W S05 Lot 3 NENW 15.00

STOCKWATER same as IRRIGATION
DOMESTIC same as IRRIGATION

15 ACRES TOTAL

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

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

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

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

Stockwater use is for 15 cows and 3 horses.

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

The right holder shall accomplish the change authorized by Transfer 73889 within one year of the date of the approval.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

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.

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

In Re SRBA

Case No. 39576

Water Rights: 63-10381

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following administrative proceeding:

- ☐ Address change
☐ Substitution of Party

XX IC § 42-222 transfer

- XX Point of diversion ☐ Place of use
☐ Period of use ☐ Nature of use
☐ Split of water right ☐ Change in ownership

XX Other – Conditions & Remarks

☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: November 30, 2007


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on November 30, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Sterling Family LLC
4201 Lenora Dr.
Boise ID 83704

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

☐ overnight mail
☐ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

November 30, 2007

STERLING FAMILY LLC
4201 LENORA DR
BOISE ID 83704

Re: Water Right No. 63-10381

Dear Sir or Madam:

Enclosed is a copy of the Notice of Completed Administrative Procedure and pertinent water right(s) recently sent to the Snake River Basin Adjudication Court in Twin Falls. These documents are now required to be filed by the Department in order to notify the Court of any changes to your water right(s).

The change to your water right(s) was a result of an approved transfer. This notification to the Court does not affect the previous approval of this transfer or your water right(s). You will be notified of any future action on your water right(s) by the SRBA Court or Water Resources.

Please contact this office if you have any questions concerning this notification.

Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

JS:lh
Enclosures

WATER RIGHT NO. 63-10381
As Modified by Transfer No. 73889

In accordance with the approval of Transfer No. 73889, Water Right No. 63-10381 is now described as follows.

Right Holder: STERLING FAMILY LLC
 4201 LENORA DR
 BOISE ID 83704

Priority Date: September 09, 1986

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01 to	12/31	0.02 CFS	0.4 AF
DOMESTIC	01/01 to	12/31	0.04 CFS	1.2 AF
IRRIGATION	03/01 to	11/15	0.11 CFS	53.5 AF
			0.11 CFS	55.1 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L3 (NENW)	Sec. 5	Twp 03N	Rge 01W	CANYON County
GROUND WATER	L3 (NENW)	Sec. 5	Twp 03N	Rge 01W	CANYON County

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE	NW	SW	SE	Totals
03N	01W	5	X				
			L3				

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE	NW	SW	SE	Totals
03N	01W	5	X				
			L3				

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
03N	01W	5	15.0				15.0
			L3				

Total Acres: 15

CONDITIONS OF APPROVAL

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

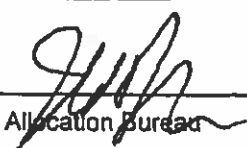
WATER RIGHT NO. 63-10381
As Modified by Transfer No. 73889

CONDITIONS OF APPROVAL

3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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.
6. The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.
7. The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.
8. 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.
9. 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.
10. Use of this right is combined with water from Nampa Meridian Irrigation District.
11. Domestic use is for 1 home.

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 29th day of October, 20 07



Chief, Water Allocation Bureau

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73889**

This is to certify that: **STERLING FAMILY LLC**
4201 LENORA DR
BOISE ID 83704
(208)322-4505

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>
63-10381	AJC/License	09/09/1986	0.11 cfs	55.1 af	N/A	15.0	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>
63-10381	NO	NO	NO	YES	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>
63-10381	63-10381	0.11 cfs	55.1 af	N/A	15.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.11 cfs	55.1 af	N/A	15.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 29th day of October, 2007

Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 73889APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant Sterling Family, L.L.C. Phone 208-322-4505Post Office address 4701 Lenora Dr. Boise, ID 83704

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 A second point of diversion will be added to enhance the efficiency of water used for irrigation purposes authorized under IDWR water right no. 63-10381.

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

There are no proposed changes to the licensed elements of the water right.

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use	
<u>63-10381</u>	<u>Sept. 9, 1986</u>	<u>0.11 cfs</u>	<u>Irrigation</u>	<u>3/15</u>	to <u>11/15</u>
		<u>0.02 cfs</u>	<u>Stockwater</u>	<u>1/1</u>	to <u>12/31</u>
		<u>0.04 cfs</u>	<u>Domestic</u>	<u>1/1</u>	to <u>12/31</u>
					to _____

2. Total amount of water being transferred 0.11 cfs cubic feet per second and/or 53.5 acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
<u>3</u>		<u>NE</u>	<u>NW</u>	<u>5</u>	<u>3N</u>	<u>1W</u>	<u>Canyon</u>	<u>Existing Point of Diversion</u>
<u>3</u>		<u>NE</u>	<u>NW</u>	<u>5</u>	<u>3N</u>	<u>1W</u>	<u>Canyon</u>	<u>New Point of Diversion</u>

5. Lands irrigated or place of use: Irrigation ("Irr"), Stock ("S"), and Domestic ("D") are all in the same 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>1W</u>	<u>5</u>					<u>Irr,</u>												<u>15</u>
							<u>S, D</u>												

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JUN 20 2005

WATER RESOURCES
WESTERN REGIONTotal Acres 15

PART 1

6. General Information:

a. Description of diversion system Two wells, pumps, pipelines, valves

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

Yes No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes. (Water right shall remain appurtenant to the original place of use.)

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

There are no proposed changes to the place of use. The irrigated place of use will continue to be irrigated.

d. Remarks:

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

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 _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-10381 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 groundwater tributary to _____4. Date or priority September 9, 1986

5. Water is used for the following purposes:

Amount 0.11 cfs for irrigation purposes from March 15 to November 15
(cfs/ac-ft)

amount 0.02 cfs for stockwater purposes from January 1 to December 31
(cfs/ac-ft)

amount 0.04 cfs for domestic purposes from January 1 to December 31
(cfs/ac-ft)

6. Total amount of water under right 0.11 cubic feet per second and/or 55.1 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
3		NE	NW	5	3N	1W	Canyon	

8. Lands irrigated or place of use: Irrigation, Stockwater and Domestic all Within the Same Place of Use. # = Acres Irrigated; S=Stockwater, D=Domestic

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	
3N	1W	5					15, S & D												15

Total Acres 159. Describe any other water rights used for the same purpose as described above Nampa & Meridian Irrigation District

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 (The only change proposed by this transfer is to add a point of diversion as shown below. The place of use, nature of use and existing point of diversion will not be changed by this transfer)

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

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

2. Point(s) of Diversion: (Location of New Additional Point of Diversion)

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
3		NE	NW	5	3N	1W	Canyon	New Well

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (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	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10381

Priority: September 9, 1986 Amount: 0.11 CFS 55.1 AFA

This is to certify, that J. GRANT EASTIAN
7493 W. USTICK
MERIDIAN, ID 836420000

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated September 9, 1986, and has submitted proof to the Department of Water Resources on May 13, 1987, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .110 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	03/15 to 11/15	0.11 CFS	53.5 AFA
STOCKWATER	01/01 to 12/31	0.02 CFS	0.4 AFA
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AFA
Totals		0.11 CFS	55.1 AFA

LOCATION OF POINT OF DIVERSION(S): LOT 3(NENW), Sec. 5, Township 03N, Range 01W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	01W	5	LOT 3(NENW)	15		15

Total number of acres irrigated: 15

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
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.

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PAGE 2

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10381

CONDITIONS/REMARKS:

4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

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 17TH day of FEBRUARY, 1989.


Norman C. Young
Director

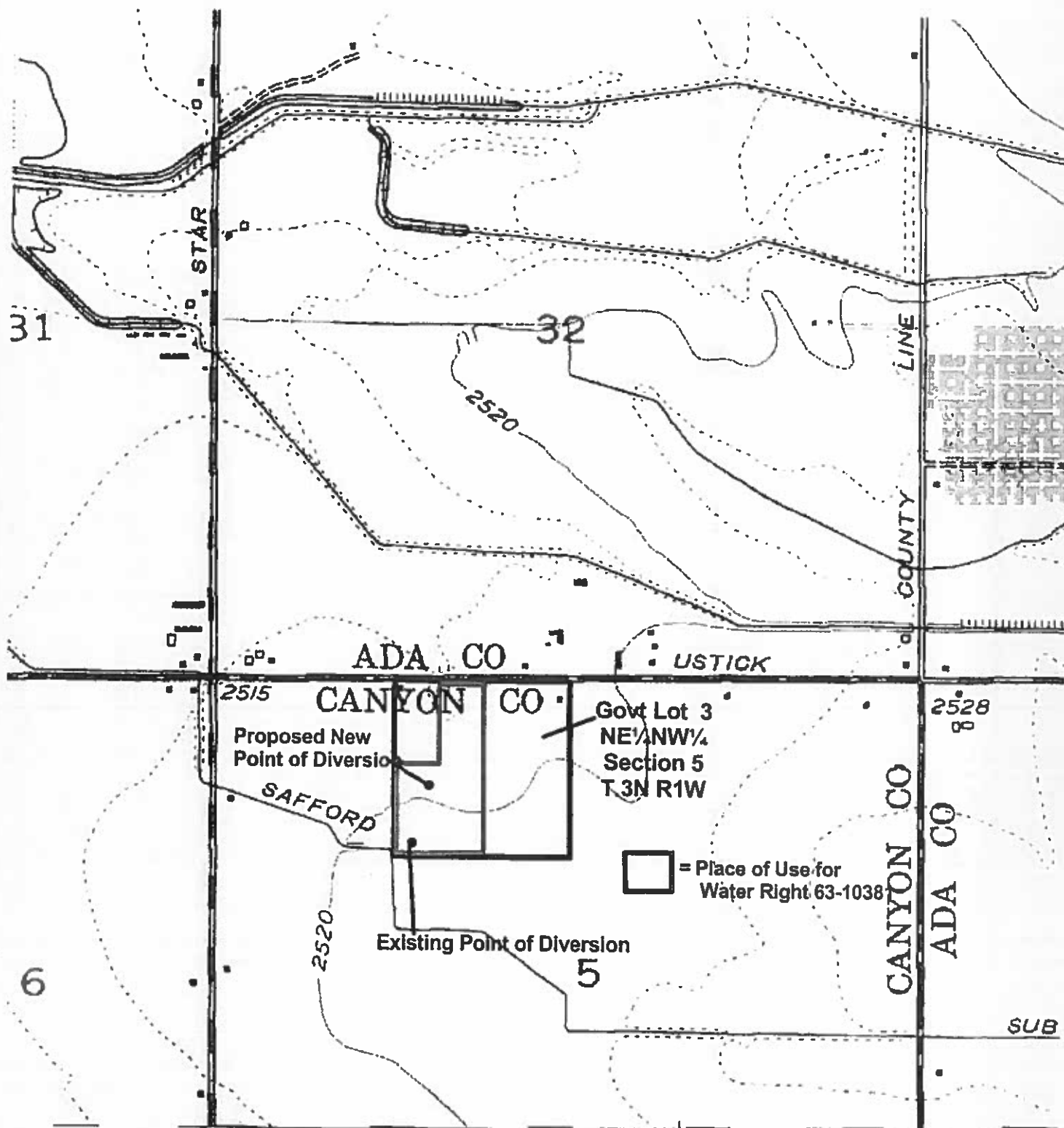
RECEIVED

FEB 17 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for the rights described in part 1. Clearly depict the land by section, township and range number.



PART 3

B. CHANGES IN NATURE OF USE (No proposed changes to the 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: _____

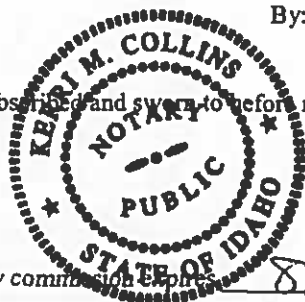
3. Describe effects on other water uses resulting from the proposed change: _____

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.

By: Sterling Family, L.L.C.
John Sterling, Member (Signature of Applicant)

Subscribed and sworn to before me this 20 day of June, 2005



Keri M Collins
 (Notary Public)

My commission expires 8/09

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 0 attachments

Received by DB Date 6-20-05 Protest filed by _____

Prelim. Check by SC Fee \$100-

Received by DB W033076 Date 6-20-05

Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

03/10/2006

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

RIGHT NUMBER: 63-10381

NAME AND ADDRESS: STERLING FAMILY LLC
4201 LENORA DR
BOISE ID 83704

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.110 CFS
55.100 AFY

The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 09/09/1986

POINT OF DIVERSION:

T03N R01W S5 NENW Lot 3 Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS 0.40 AFY
DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY
IRRIGATION	03/01 11/15	0.110 CFS 53.50 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.

Domestic use is for 1 home.

PLACE OF USE: IRRIGATION Within CANYON County

T03N R01W S05 Lot 3 NENW 15.00

STOCKWATER same as IRRIGATION
DOMESTIC same as IRRIGATION

15 ACRES TOTAL

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

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

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

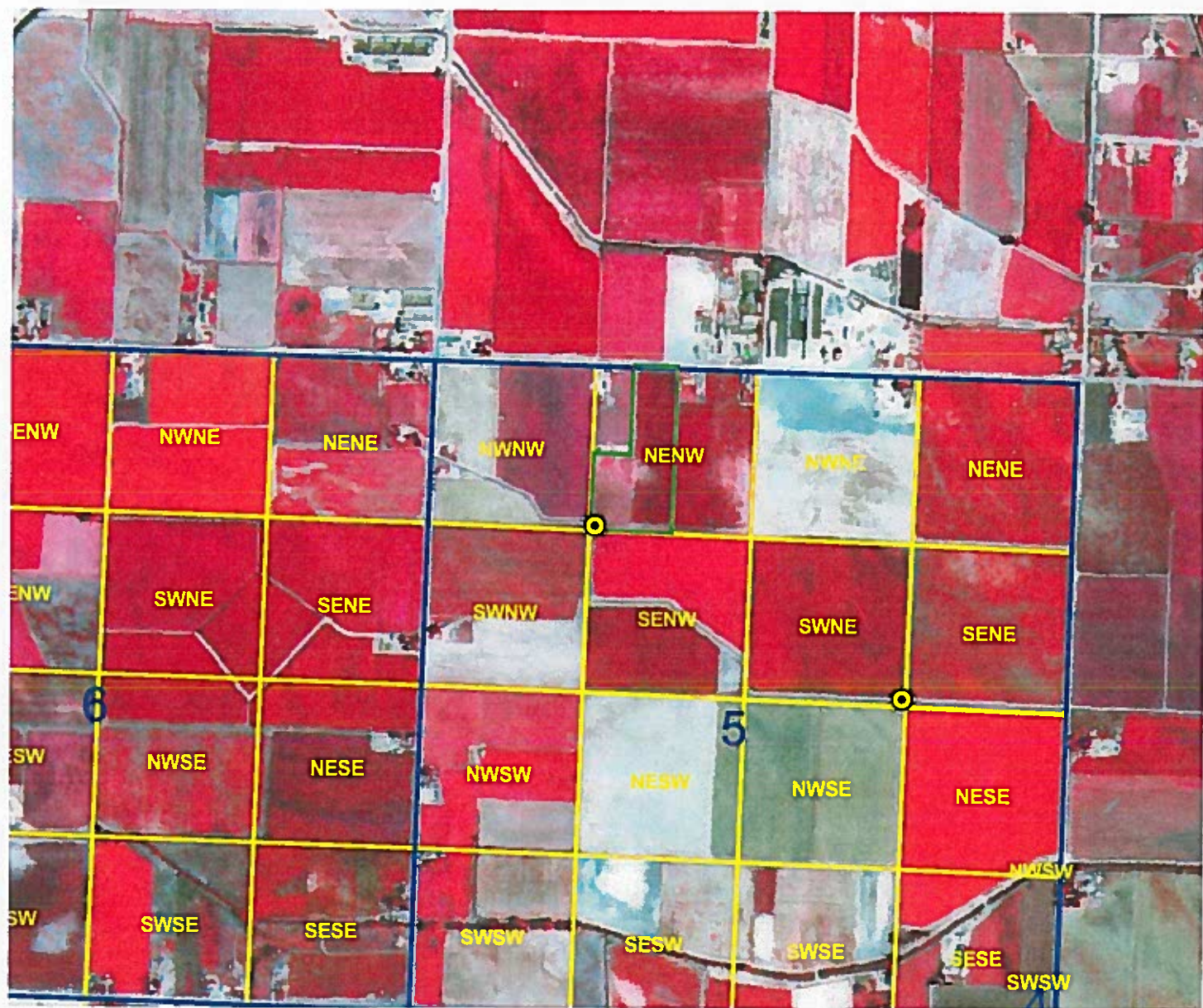
Use of this right is combined with water from Nampa Meridian Irrigation District.

Stockwater use is for 15 cows and 3 horses.



State of Idaho
Idaho Department of Water Resources
Western Region

T3N R1W SECTION 5
Water Right (s): 63-10381



1320 0 1320 2640 3960 5280 6600 Feet

TOTAL IRRIGATED ACRES = 15



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

GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: March 2006

Desktop review/vim

**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) 63-10381

Owner: _____ Phone No. _____

Current Address: _____

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

Accompanied by: _____

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary – 11/6/05
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: _____

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

Source: GW 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? _____

APP for transfer to add POD 6/2005 - bel 17/06 held until
SABA OWL

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 licensing exam**OVERLAP REVIEW**

Other water rights with the same point of diversion: _____

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

WATER USES☐ No change☐ Different Uses

Use	<u>DAM</u>	From	_____	To	_____	Amount	<u>.04</u>	CFS	<u>53.5</u>	AFA
Use	<u>SW</u>	From	_____	To	_____	Amount	<u>.02</u>	CFS	<u>.4</u>	AFA
Use	<u>IRK</u>	From	_____	To	_____	Amount	<u>.14</u>	CFS	<u>1.2</u>	AFA

TOTAL VOLUME – Groundwater onlylicensed☐ 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:parcel is 14.4 ac. will rec. the 15 cc.☒ No Change☐ Changes shown below:

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: NO

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

Delivery System Narrative: Self licensing exam.

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

X01 Dam use is for (house)
X02 SW is for 15 cows, 3 horses
WST nonir water used
N04 for D/S not to 132 aprt
N02 for D/S not a det of has b/h
S39 son shoulder for 311 from 3/15

AFTER EXAM THE FILE SHOULD CONTAIN:

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

DATE EXAM CONDUCTED:

3/10/06 -

FIELD EXAMINER:

Wick Wmali

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-10381

WATER RIGHT NUMBER: 63-10381

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	J GRANT BASTIAN 7493 W USTICK MERIDIAN, ID 83642 (208)466-0599
Current Owner	STERLING FAMILY LLC 4201 LENORA DR BOISE, ID 83704

Priority Date: 09/09/1986

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>
STOCKWATER	1/01 to 12/31	0.020 CFS	0.40 AF
DOMESTIC	1/01 to 12/31	0.040 CFS	1.20 AF
IRRIGATION	3/15 to 11/15	0.110 CFS	53.50 AF
<u>Total Diversion:</u>		0.110 CFS	55.10 AF

Location of Point(s) of Diversion

GROUND WATER	L3 (NE1/4NW1/4)	Sec. 5, Twp 03N, Rge 01W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	01W	5					15.0												15.0
							L 3												

Total Acres: 15

STOCKWATER same as IRRIGATIONDOMESTIC same as IRRIGATIONConditions of Approval:

1. R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

Remarks:

Dom Use - 1 hour
GW -

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-10381

03/10/2006

1

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-10381	Claim	03N	01W	5	NE	NW	3	GROUND WATER	STERLING FAMILY LLC
63-28896	Claim	03N	01W	5	NE	NW	3	GROUND WATER	GLADYS R RIVERS
63-10381	Water Right	03N	01W	5	NE	NW	3	GROUND WATER	J GRANT BASTIAN
63-16384	Water Right	03N	01W	5	NE	NW	3	GROUND WATER	J GRANT BASTIAN
63-28896	Water Right	03N	01W	5	NE	NW	3	GROUND WATER	GLADYS R RIVERS

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-10381

01/27/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
10381	Claim	03N	01W	5	NE	NW	3	IRRIGATION	15/15	STERLING FAMILY LLC
10381	Water Right	03N	01W	5	NE	NW	3	IRRIGATION	15/15	J GRANT BASTIAN
16384	Water Right	03N	01W	5	NE	NW	3	STOCKWATER		J GRANT BASTIAN
28896	Water Right	03N	01W	5	NE	NW	3	STOCKWATER		GLADYS R RIVERS
16384	Water Right	03N	01W	5	NE	NW	3	DOMESTIC		J GRANT BASTIAN
28896	Water Right	03N	01W	5	NE	NW	3	DOMESTIC		GLADYS R RIVERS

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-10381

WATER RIGHT NUMBER: 63-10381

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	J GRANT BASTIAN 7493 W USTICK MERIDIAN, ID 83642 (208)466-0599

Priority Date: 09/09/1986

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>
STOCKWATER	1/01 to 12/31	0.020 CFS	0.40 AF
DOMESTIC	1/01 to 12/31	0.040 CFS	1.20 AF
IRRIGATION	3/15 to 11/15	0.110 CFS	53.50 AF
	<u>Total Diversion:</u>	0.110 CFS	55.10 AF

Location of Point(s) of Diversion

GROUND WATER	L3 (NE1/4NW1/4)	Sec. 5, Twp 03N, Rge 01W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
03N	01W	5					15.0													15.0
							L 3													

Total Acres: 15

STOCKWATER same as IRRIGATIONDOMESTIC same as IRRIGATIONConditions of Approval:

1. R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

Remarks:Comments:

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

AJ - Shuler

un - Shanla

HOLD per SRPA

Name of Applicant Sterling Family, L.L.C. Phone 208-322-4505Post Office address 4201 Lenora Dr. Boise, ID 83704

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 A second point of diversion will be added to enhance the efficiency of water used for irrigation purposes authorized under IDWR water right no. 63-10381.

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

There are no proposed changes to the licensed elements of the water right.

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use	
<u>63-10381</u>	<u>Sept. 9, 1986</u>	<u>0.11 cfs</u>	<u>Irrigation</u>	<u>3/15</u>	to <u>11/15</u>
		<u>0.02 cfs</u>	<u>Stockwater</u>	<u>1/1</u>	to <u>12/31</u>
		<u>0.04 cfs</u>	<u>Domestic</u>	<u>1/1</u>	to <u>12/31</u>
					to _____

2. Total amount of water being transferred 0.11 cfs cubic feet per second and/or 53.5 acre-feet per annum.3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
3		NE	NW	5	3N	1W	<u>Canyon</u>	Existing Point of Diversion
3		NE	NW	5	3N	1W	<u>Canyon</u>	New Point of Diversion

5. Lands irrigated or place of use: Irrigation ("Irr"), Stock ("S"), and Domestic ("D") are all in the same 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	
3N	1W	5					Irr, S, D												15

RECEIVED

JUN 20 2005

Total Acres 15

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10381

Priority: September 9, 1986 Amount: 0.11 CFS 55.1 AFA

This is to certify, that J. GRANT BASTIAN
7493 W. USTICK

MERIDIAN, ID 836420000 has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated September 9, 1986, and has submitted proof to the Department of Water Resources on May 13, 1987, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .110 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	03/15 to 11/15	0.11 CFS	53.5 AFA
STOCKWATER	01/01 to 12/31	0.02 CFS	0.4 AFA
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AFA
	Totals	0.11 CFS	55.1 AFA

LOCATION OF POINT OF DIVERSION(S): LOT 3(NENW), Sec. 5, Township 03N, Range 01W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N 01W 5	LOT 3(NENW) 15			15
	Total number of acres irrigated:			15

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
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.

MICROFILMED

MAR 06 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10381

CONDITIONS/REMARKS:

4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

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 17TH day of FEBRUARY, 1989.

Attorney for the

Director

Norman C. Young



RECORDED

MAR 17 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

KEYPUNCHED

INDEXED

A. GENERAL INFORMATION

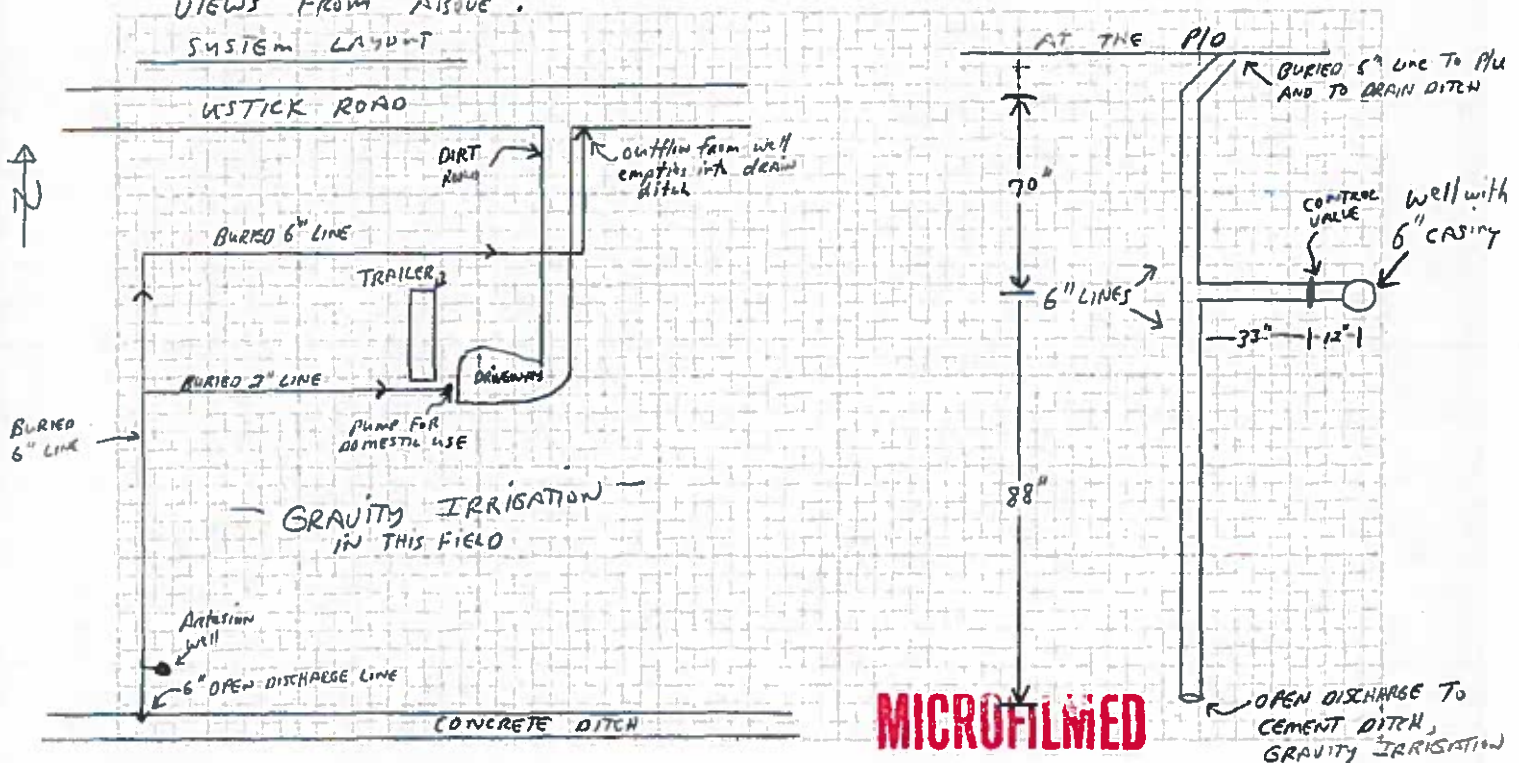
Permit No. 63-10381
Phone No. 466-0599
Current Address: 7493 W. Ustick Meridian Id. 83642
1. Owner: J. Grant Bastian
2. Accompanied by: same EXAM. DATE: 9/8/87
Address: same Phone No. same
Relationship to Permit Holder: same
3. Source: groundwater tributary to —

B. OVERLAP REVIEW

1. Other water rights with same place of use: 63-2388
☒ 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
VIEWS FROM ABOVE:

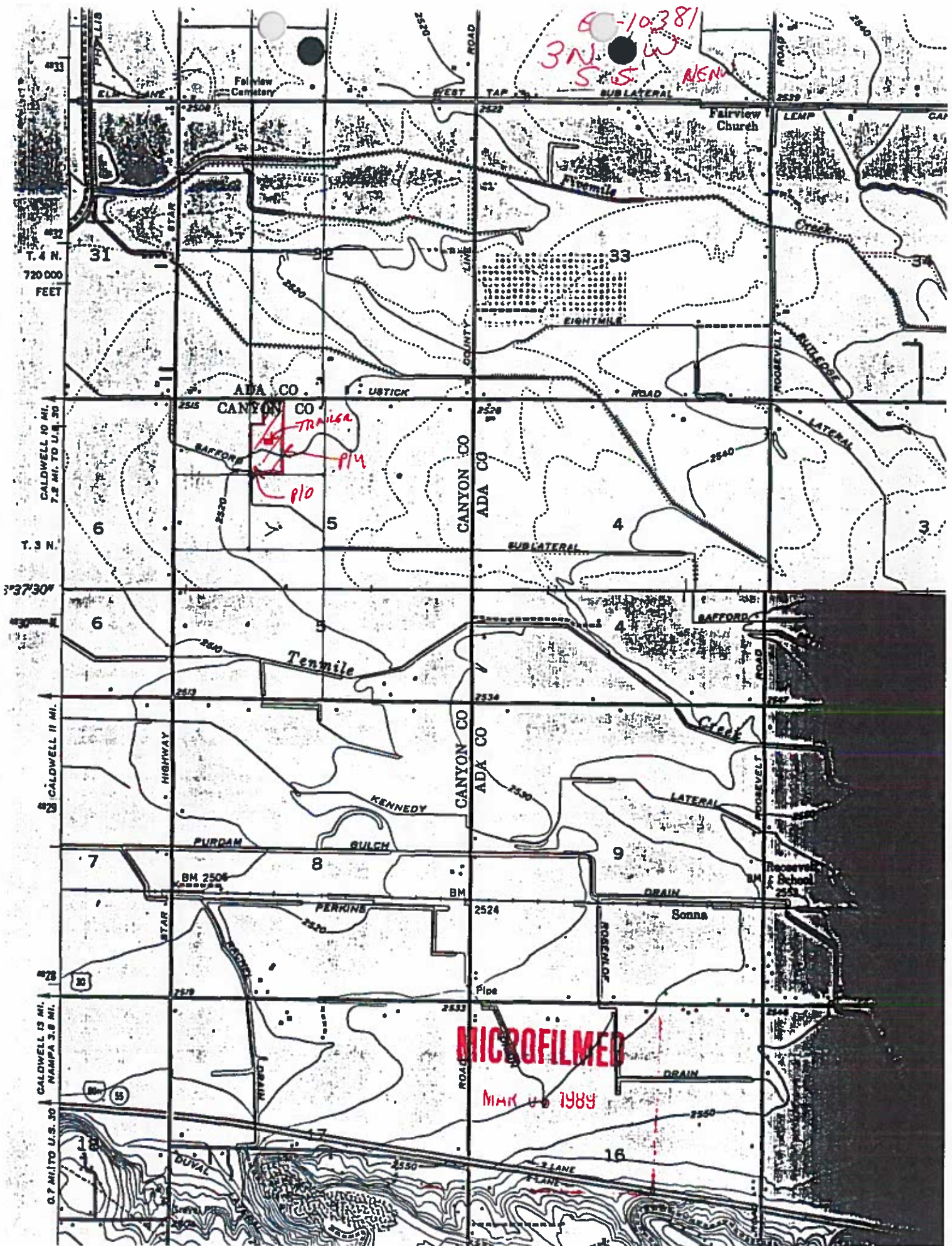


Scale: 1" = NOT TO SCALE

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater.)
☒ Aerial Photo Attached (required for irrigation of 10 acres or more).

MAX 06 1989

MICROFILMED



6-10381
3N 5W
NEN

TRAILER
P14
P10

MICROFILMED

MAY 1989

63-10381



P/D

Artesian well approx.
1/4 mile SE of intersection
of Stark Rd. & Ustick Rd.
Open discharge to left,
line to right becomes
buried.



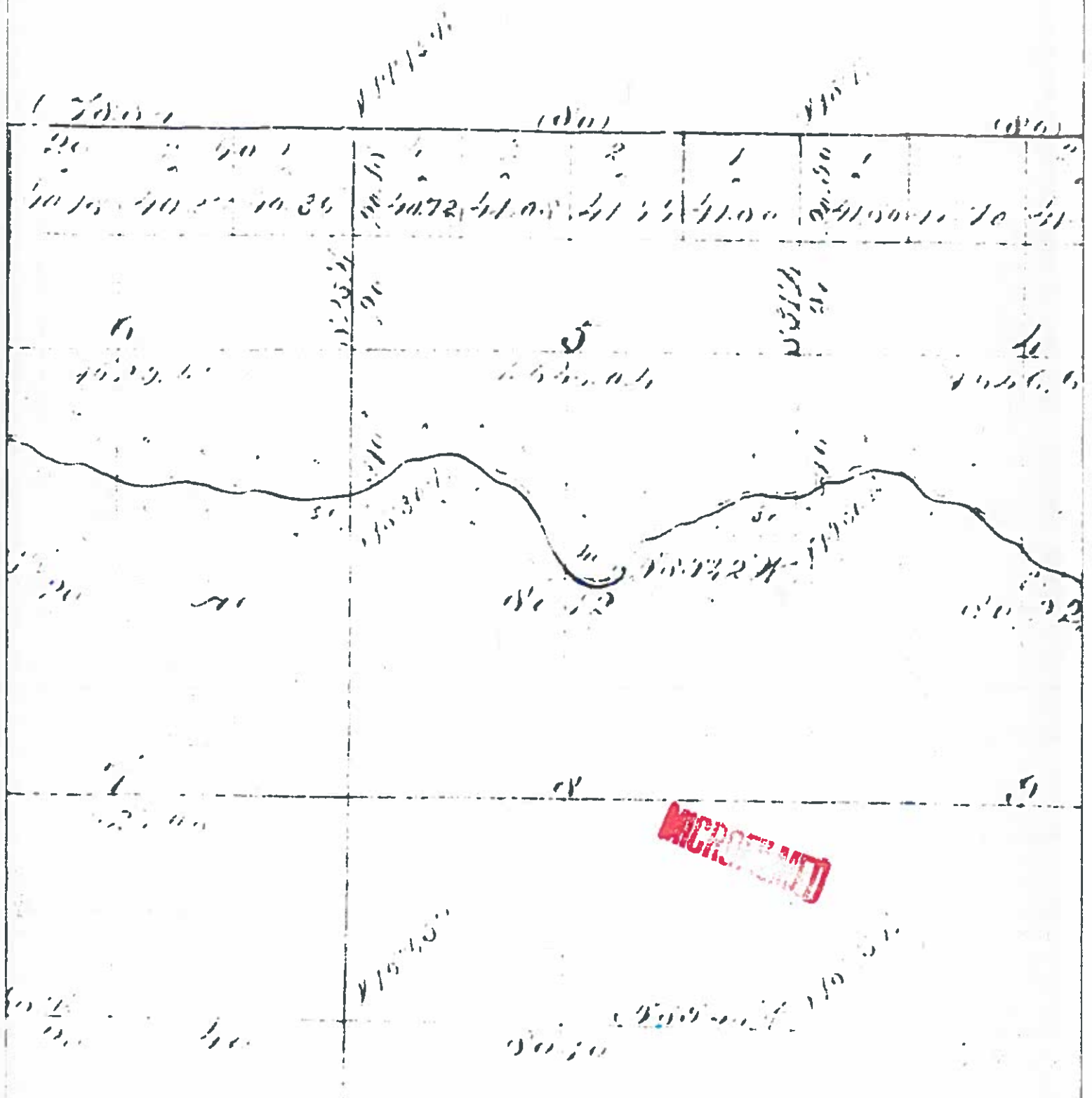
P/U

Looking N. from well.
Domestic use is for
white trailer to right
of red roof.

MICROFILMED

MAR 06 1989

1871 ship 103 1011



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant J. Grant Bastian Phone (702) 849 1134
Post office address 885 Oro Loma Rd. Carson City, Nev. 89701
2. Source of water supply Ground Water which is a tributary of _____
3. Location of point of diversion is NE ^{Lot 3} 1/4 of NW 1/4 of _____ 1/4 Govt. Lot 3
Sec. 5 Township 3 N Range 1 W B.M. Canyon County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.04 for Domestic purposes from 1 Jan to 31 Dec (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.30 for Irrigation purposes from 1 Apr to 15 Oct (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for Stockwater purposes from 1 Jan to 31 Dec (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.36 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Artesian Well
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is 6 inches; proposed depth of well is 400± feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? No
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
one years (minimum 1 year).

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. 15 Cows 3 Horses
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 1 Home
- e. Other; describe fully. _____

9. 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 the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	1W	5					Lot 3 15A												15

Total number of acres to be irrigated 15

10. Describe any other water rights used for the same purposes as described above. _____

Nampa & Meridian Irrigation Dist.

11. a. Who owns the property at the point of diversion? J. Grant Bastian

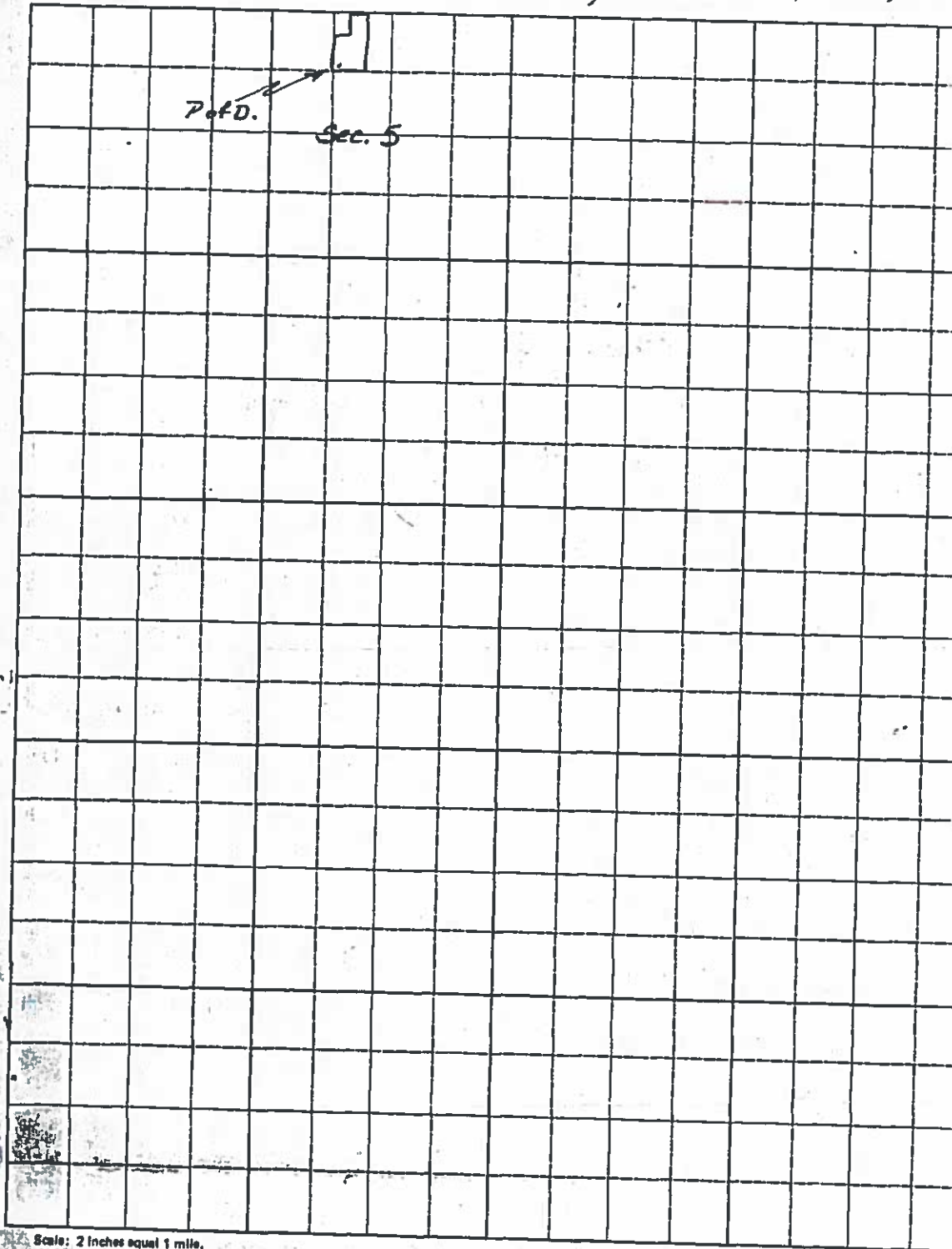
b. Who owns the land to be irrigated or place of use? J. Grant Bastian

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

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

W $\frac{1}{2}$, Lot 3, NW $\frac{1}{4}$ S. 5, T3 N, R11



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.

L. Stuart Bastian
(Applicant)

MICROFILMED **MICROFILMED**