

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: A63-03043

Date Received: 2/14/1990

Receipt No: MOO 5886

Received By: gdc

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LEONDARD A. TIEGS
Address: 15951 GARRITY BLVD.
NAMPA, ID 83687
208-466-7053

2. Date of Priority: MAY 02, 1955

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	02W	5	SW	NW	NW		CANYON

5. Description of diverting works:
12" CASING 600' DEEP 75 HP. MOTOR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.920		

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

8. Total consumptive use is 392.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	02W	5	NE	NW		IRR	10.0
			NW	NW		IRR	37.0
			SW	NW		IRR	25.0

A63-03043

Page 1

Date: 02/14/90

MICROFILMED

AUG 18 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	02W	5	SE NW		IRR	40.0

Section Acres 112.0

Total Acres 112.0

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:
6307876.

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 25673

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 X 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): Leonard A. Tiep Date: Feb 14 1990

Date: _____

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 14 day
of Feb 19 90

John Dale Larson
Notary Public

Seal

Residing at Boise Id
My Commission Expires 6/30/94

Y-6

63-3043

T2N
T1N

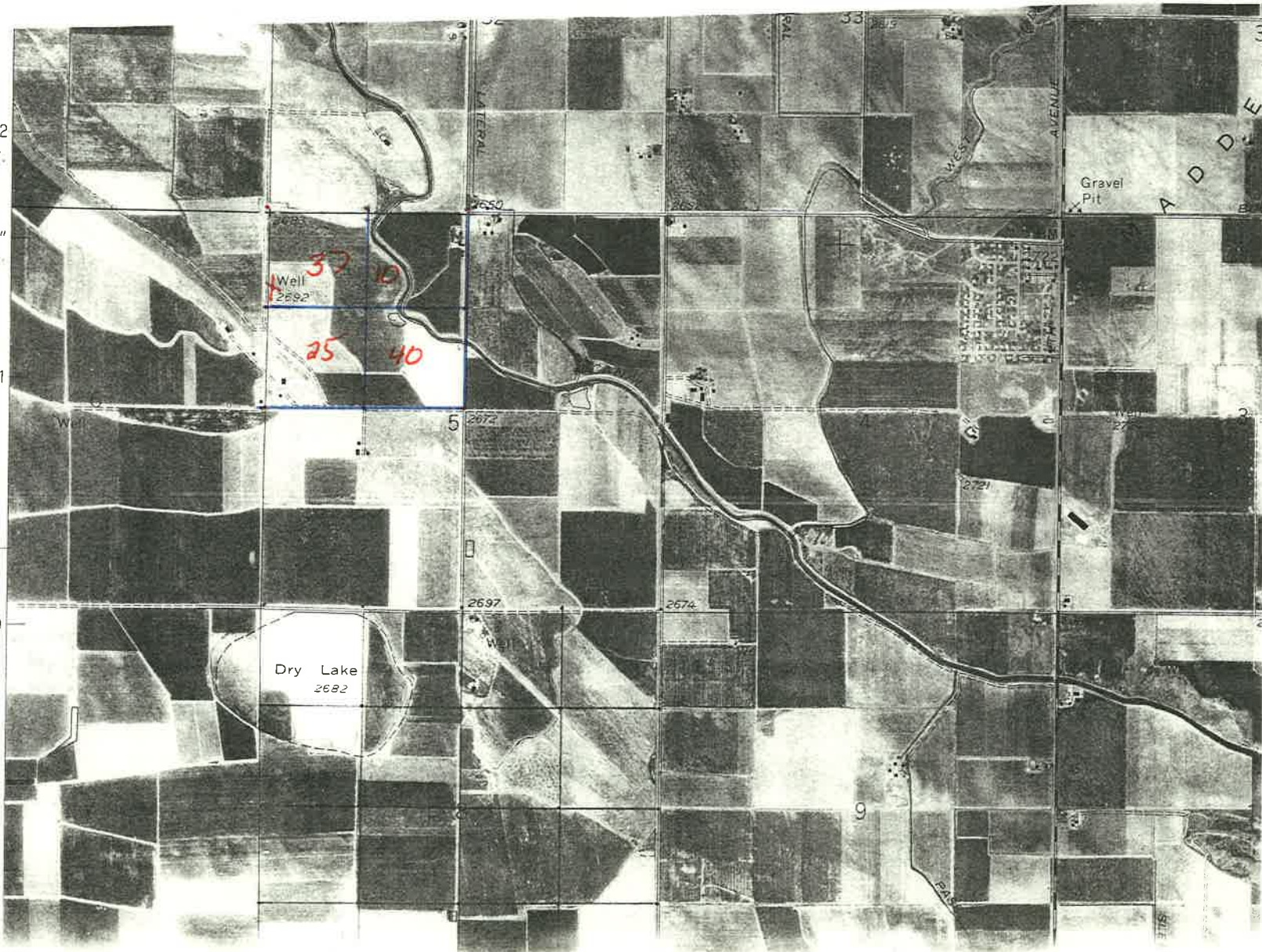
4812
T. 2 N.

27' 30"
T. 1 N.

4811

4810

4809



MICROFILMED

AUG 18 1992

State of Idaho

License and Certificate of Water Right

Water License No. G-25673

Amount 1.92 c.f.s.

Water District No. _____

Priority May 2, 1955

THIS IS TO CERTIFY that **LOUIS MELVIN HOPKINS** of **Nampa, Idaho**, made application for a permit to appropriate the public waters of the State of Idaho, dated **May 2**, 19 **55**; that Permit No. **G-25673** was issued under said application; that Certificate of Completion of works, with a carrying capacity of **1.92** second feet, was issued thereunder on **July 16**, 19 **58**, showing that said works were completed on the **16th** day of **September**, 19 **57**; and that on the **16th** day of **September**, 19 **57**, **LOUIS MELVIN HOPKINS**

of **Nampa**, State of **Idaho**, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of **a well**, a tributary of **subterranean**, for the purpose of **Irrigation and domestic use**, under Use Permit No. **G-25673** of the **Department of Reclamation** and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume **10** of Licenses at page **6375**, on the **16th** day of **July**, 19 **58**;
The right hereby confirmed dates from **May 2**, 19 **55**;
The Point of Diversion is located

in the **NW 1/4 NW 1/4**, Sec. **5**, Tp. **1 N.**, R. **2 W.**, B. M. **Canyon** County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed **1.92** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 N.	2 W.	5	NE $\frac{1}{4}$ NW $\frac{1}{4}$	10	10
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	37
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	25
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	<u>40</u>
			Total number of acres irrigated - -		

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

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

16th day of **July**, 19 **58**.

/s/ Gao. N. Carter
State Reclamation Engineer.

(SEAL)

63 3043

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 33521

Permit No. G- 25673

District No.

1. Name of Applicant: LOUIS NELVIN HOPKINS,
Postoffice address: Rt. 4, Nampa, County: Canyon, State: Idaho.
2. Quantity of water claimed: 2.60 cubic feet per second,
(a) Rate of withdrawal in cubic feet per second. 2.60 or Idaho
Miners' inches 130 or gallons per minute.
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean Flow, (Well)
4. Location of point of diversion or well is in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 5
Twp. 1.N. , Rge. 2.W. , B.M., County of Canyon,
5. Water is to be used for: Irrigation and domestic purposes,
6. If for municipal, industrial or recreational purposes, give:
(a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Well, Pump and ditches,
8. Estimated cost of works: \$ 6,000.00
9. (a) Is reservoir to be used?
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is Five, years.
11. If applicant is a corporation, give:
I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
II. The financial resources of the applicant are (a) Cash onhand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None,
(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
(b) (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks: Leaded land,

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.

LOUIS MELVIN HOPKINS
Applicant.

By _____ Agent.

Date of first receipt at Department of Reclamation: 3-P.M. May 2, 1955

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-25673

Recorded in Book 91 Page 25673 Approved May 11, 1955

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before

Work to begin on or before July 11, 1955

and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before November 11, 1957

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before May 11, 1960

Witness my hand this 11th day of May, 1955

DAVE R. KULL
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, _____ ROBERT E. SMYLLIE _____, Governor of the State of Idaho, and _____ IRA L. MASTERS _____, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 11th day of May, 1955.

Countersigned:

STATE OF IDAHO

(SEAL)

By _____ IRA L. MASTERS _____
By _____ PAULA G. FLEENER _____ Secretary of State.
Acting Secretary of State

By _____ ROBERT E. SMYLLIE _____
Governor

12.

Twp.	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals
			NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	
1.N.	2.W.	5		10 40 40 40			130

APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. G-25673

Comes now LOUIS MELVIN HOPKINS and represents to the State Reclamation Engineer of the State of Idaho: That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-25673. That the point of diversion is described in said permit as being located SW $\frac{1}{4}$ of Section 5, Township 1 North, Range 2 West, B.M. That he now requests that the point of diversion be changed to a point located NW $\frac{1}{4}$ of Section 5, Township 1 North, Range 2 West, B.M. That his reasons for desiring to make such change are as follows: Since land-leveling was completed it is apparent it will be more convenient at that point. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Nampa, this 10th day of July, 1958

/s/ Louis Melvin Hopkins

Date of receipt at Department of Reclamation
July 11, 1958

APPROVAL OF STATE RECLAMATION ENGINEER

I, GEO. N. CARTER State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-25673. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Permit No. G-25673
Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that LOUIS MELVIN HOPKINS of Nampa, County of Canyon, and State of Idaho, the holder of Permit No. G-25673, issued upon Application No. G-33521 bearing date of priority of May 2, 1955, authorizing the diversion of 2.60 second feet of waters of Subterranean Flow (Well) County of Canyon, State of Idaho, for Irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.92 second feet of the waters of subterranean flow from well that the point of diversion of said waters NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5, Township 1 North, Range 2 West, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 112 acres in NW $\frac{1}{4}$ of Section 5, Township 1 North, Range 2 West, B.M. Proof of Completion of Works made: September 16, 1957.

Witness my hand this 16th day of July, A.D. 1958

/s/ Geo. N. Carter
State Reclamation Engineer

Proof of Completion of Works made: September 16, 1957
Certificate of Completion of Works issued: July 16, 1958

—
LICENSE ISSUED FOR 1.92 SEC. FT
Page 6375

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

Permit No. G-25673

This proof is for Completion of Works & Beneficial Use In Water District No.

1. Name of applicant Louis Melvin Hopkins2. Source of water supply: Subterranean flow from a well3. Location of point of diversion: Is in the SW 1/4 NW 1/4 of Section 5T. 1 N. R. 2 W., B.M. County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same:

75 hp. H.S. Motor # 1100725
Payne Bowler Turbine 23857
Pump and motor rest on top of casing
Delivery to west into small holding pond
to fields by gravity

5. Water is used for: Irrigation6. State whether or not water has been turned into works of diversion: yes

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

NW 1/4 of Sec. 5, Twp. 1 N., Rge. 2 W., B.M.
Acres - 2.6 - No Assignment or Amend

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

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

Remarks:

Mr H. along on inspectionHay - grain - row cropsThis examination was made on the 23 day of May, 1958(Signed) E. H. Humphrey Examiner.25673

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
MAY 23 1958
Department of Reclamation

Louis Melvin Hopkins
Rt. #4, Nampa, Idaho

Permit No. G-25673

Examination for Completion of Works & Beneficial Use

County Canyon

5-1N.-2W.

Q2. 2.6 c.f.s.

S2 Well

P.D. = SW. NW. Sec. 5, T. 1N. - R. 2W.

1100 ft. - 1100 ft.

The irrigation is Domestic

300 cf in 3 m. 4 sec. 84"
184 L.

h = 435 96"

Filed = May 2, 1955

Issued = May 11, 1960

7-5 x 110 x 70 x 550
240

24' x 24'

150'

Chain 1186 ft.

Frank L. L.

75 hp U.S. # 1100725

Layne B. Lurb.

23857

Built for 265' h.

no protect Pump
sets on Crg.

6 ft. Controls to 2

12' on board pump.

8' x 12' del to west into

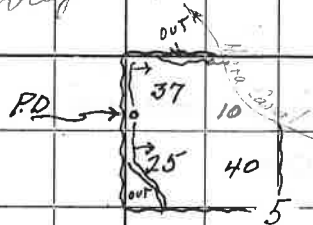
Pond. 15' x 50' x 4' deep.

R-2W.

270' out

12.85 acres

110' irrigation



T.
N.

T = 75°F

Subdivisions = 4

Area = 112 acres

Q = 96 inches.

= 1.92 cfs.

T = 75°F

by 2' Pipe Weir

7/6 ... to ...

RS.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-25673

REPORT ON PROOF OF Completion of Works & Beneficial Use

Louis Melvin Hopkins, Rt. #4, Nampa, Idaho

app. 2.60 cfs
Sust. 4
crest 1/2

Q = 96"
1.92 cfs

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 Right: 63-2896, 63-3043,
63-3255, 63-7876, and 63-31476

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following administrative proceeding:

- ☐ Address change
- ☐ Substitution of Party
- ☐ IC § 42-222
- ☐ Point of diversion ☐ Place of use
- ☐ Period of use ☐ Nature of use
- ☐ Split of water right **XX** **Change in ownership**
- ☐ Other:

IDWR certifies that it has completed its investigation into the changes to the elements of the water right(s) 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 right(s) 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: 10-7-08



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 10/8, 2008 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

2. Copies to:

David J. Barber
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

3. Copies to all parties to the subcases

DBSI Tiegs 979, LLC
1550 South Tech Lane
Meridian ID 83642

Elmer H Tiegs
12035 W Stagecoach Rd
Nampa ID 83686

Kastera Development, LLC
372 S Eagle Rd, Ste 375
Eagle ID 83616

Dylan B Lawrence
Scott L Campbell
Moffatt Thomas
PO Box 829
Boise ID 83701-0829


Signature of person mailing this document

10/07/2008

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

RIGHT NUMBER: 63-2896

NAME AND ADDRESS: DBSI TIEGS 979 LLC
1550 S TECH LN
MERIDIAN ID 83642

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.040 CFS
675.00 AFY

Right Nos. 63-2896, 63-3043, 63-3255 and 63-7876 are limited to a total combined annual diversion volume of 2214 AF.

PRIORITY DATE: 03/24/1952

POINT OF
DIVERSION:

T01N R02W S5 NWNESE Within CANYON County
T01N R02W S6 SESENE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	3.040 CFS 675.00 AFY

PLACE OF USE: IRRIGATION in CANYON County

T01N R02W S05	NESW	40.00	T01N R02W S05	NWSW	40.00
T01N R02W S06	SWNE	32.00	T01N R02W S06	SENE	38.00

150 ACRES TOTAL

Right Nos. 63-2896, 63-3043, 63-3255 and 63-7876 are limited to the irrigation of a combined total of 492 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

10/07/2008

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

RIGHT NUMBER: 63-3043

NAME AND ADDRESS: DBSI TIEGS 979 LLC
1550 S TECH LN
MERIDIAN ID 83642

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.920 CFS
504.00 AFY

Right Nos. 63-2896, 63-3043, 63-3255 and 63-7876 are limited to a total combined annual diversion volume of 2214 AF.

PRIORITY DATE: 05/02/1955

POINT OF
DIVERSION:

T01N R02W S5 SWNWNW Within CANYON County
T01N R02W S5 NESESW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	1.920 CFS 504.00 AFY

PLACE OF USE: IRRIGATION in CANYON County

T01N R02W S05	NENW	10.00	T01N R02W S05	NWNW	37.00
T01N R02W S05	SWNW	25.00	T01N R02W S05	SENW	40.00

112 ACRES TOTAL

Right Nos. 63-2896, 63-3043, 63-3255 and 63-7876 are limited to the irrigation of a combined total of 492 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

10/07/2008

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

RIGHT NUMBER: 63-3255

NAME AND ADDRESS: DBSI TIEGS 979 LLC
1550 S TECH LN
MERIDIAN ID 83642

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.900 CFS
459.00 AFY

Right Nos. 63-2896, 63-3043, 63-3255 and 63-7876 are limited to a total combined annual diversion volume of 2214 AF.

PRIORITY DATE: 08/17/1961

POINT OF
DIVERSION:

T01N R02W S5 SWSENE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	1.900 CFS 459.00 AFY

PLACE OF USE: IRRIGATION in CANYON County

T01N R02W S05	SWNE	14.00	T01N R02W S05	SENE	8.00
T01N R02W S05	NWSE	40.00	T01N R02W S05	SWSE	40.00

102 ACRES TOTAL

Right Nos. 63-2896, 63-3043, 63-3255 and 63-7876 are limited to the irrigation of a combined total of 492 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

10/07/2008

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

RIGHT NUMBER: 63-7876

NAME AND ADDRESS: DBSI TIEGS 979 LLC
1550 S TECH LN
MERIDIAN ID 83642

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.700 CFS
830.00 AFY

Right Nos. 63-2896, 63-3043, 63-3255 and 63-7876 are limited to a total combined annual diversion volume of 2214 AF.

PRIORITY DATE: 10/01/1973

POINT OF
DIVERSION:

T01N R02W S5 NESENW Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

1.700 CFS
830.00 AFY

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 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

T01N R02W S05	SWNE	12.00	T01N R02W S05	NENW	33.00
T01N R02W S05	NWNW	38.00	T01N R02W S05	SWNW	26.00
T01N R02W S05	SENW	33.00	T01N R02W S05	NESW	36.00
T01N R02W S05	NWSW	33.00	T01N R02W S05	NESE	34.00
T01N R02W S05	NWSE	37.00	T01N R02W S05	SWSE	37.00
T01N R02W S05	SESE	37.00	T01N R02W S06	NENE	2.00
T01N R02W S06	NWNE	31.00	T01N R02W S06	SWNE	40.00
T01N R02W S06	SENE	30.00			

459 ACRES TOTAL

Right Nos. 63-2896, 63-3043, 63-3255 and 63-7876 are limited to the irrigation of a combined total of 492 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

10/07/2008

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

RIGHT NUMBER: 63-31476
NAME AND ADDRESS: DBSI TIEGS 979 LLC
1550 S TECH LN
MERIDIAN ID 83642

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.170 CFS
63.00 AFY

PRIORITY DATE: 07/09/1958

POINT OF
DIVERSION:
T01N R02W S6 NWNW Within CANYON County
T01N R02W S6 NESW Within CANYON County
T01N R02W S7 SENE 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	0.170 CFS 63.00 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
T01N R02W S06 NESE 9.00 T01N R02W S06 NWSE 5.00
14 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

RECEIVED

AUG 19 2008

Form 42-248/42-1409(6) 12/2006

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please send all correspondence to:
 Scott L. Campbell
 Moffatt Thomas Barrett Rock & Fields, Chtd.
 P.O. Box 829
 Boise, ID 83701-0829

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

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

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
63-2896					
63-3043					
63-3255					
63-7876					

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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **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)	Kastera Development, LLC 372 S. Eagle Rd., Ste. 375, Eagle, ID 83616
4.	New Owner/Claimant(s)	DBSI Tiegs 979, LLC
		Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
	New Mailing Address	1550 South Tech Lane
	City, State and ZIP Code	Meridian, ID 83642
	New Telephone Number	(208) 955-9800

SCANNED

AUG 25 2008

5. Date you acquired the property

July 7, 2006

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

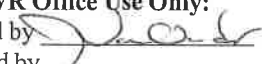
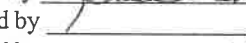
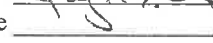
For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)


Douglas L. Swenson, President, DBSI Housing, Inc.,
Member of DBSI Tiegs 979, LLC

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by Received by Processed by  AJDate Date Date 

Receipt Amt. _____

Receipt No. _____

WR _____ Date _____

SCANNED

AUG 25 2008

09/29/2006

**NOTICE OF ERROR
REPLY**

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

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

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

Water right number: 63-3043

KASTERA DEVELOPMENT LLC
372 S EAGLE RD, STE 375
EAGLE ID 83616
Telephone Number: (208) 472-0300

RECEIVED

OCT 19 2006

**WATER RESOURCES
WESTERN REGION**

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

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

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

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 13 Oct. 2006 SIGNATURE: Wayne S. Forrey

Please print your name: Wayne S. Forrey

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

**SCANNED
OCT 23 2006**

10/17/2006

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

RIGHT NUMBER: 63-3043

NAME AND ADDRESS: KASTERA DEVELOPMENT LLC
372 S EAGLE RD, STE 375
EAGLE ID 83616

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.920 CFS
504.00 AFY

Right Nos. 63-2896, 63-3043, 63-3255 and 63-7876 are limited to a total combined annual diversion volume of 2214 AF.

PRIORITY DATE: 05/02/1955

POINT OF DIVERSION:

T01N R02W S5 SWNWNW Within CANYON County

T01N R02W S5 NESESW Within CANYON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	03/01 11/15	1.920 CFS 504.00 AFY
PLACE OF USE:	<u>IRRIGATION Within CANYON County</u>		
	T01N R02W S05	NENW 10.00	T01N R02W S05 NWNW 37.00
	T01N R02W S05	SWNW 25.00	T01N R02W S05 SENW 40.00
	112 ACRES TOTAL		

Right Nos. 63-2896, 63-3043, 63-3255 and 63-7876 are limited to the irrigation of a combined total of 492 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.



Idaho Department of Water Resources

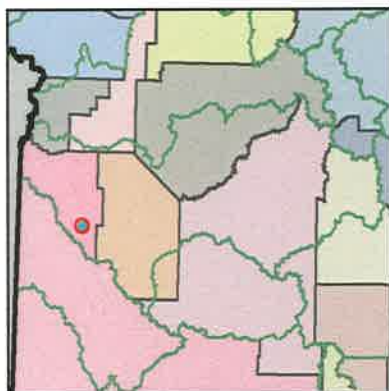
SRBA Recommendation:

63-3043

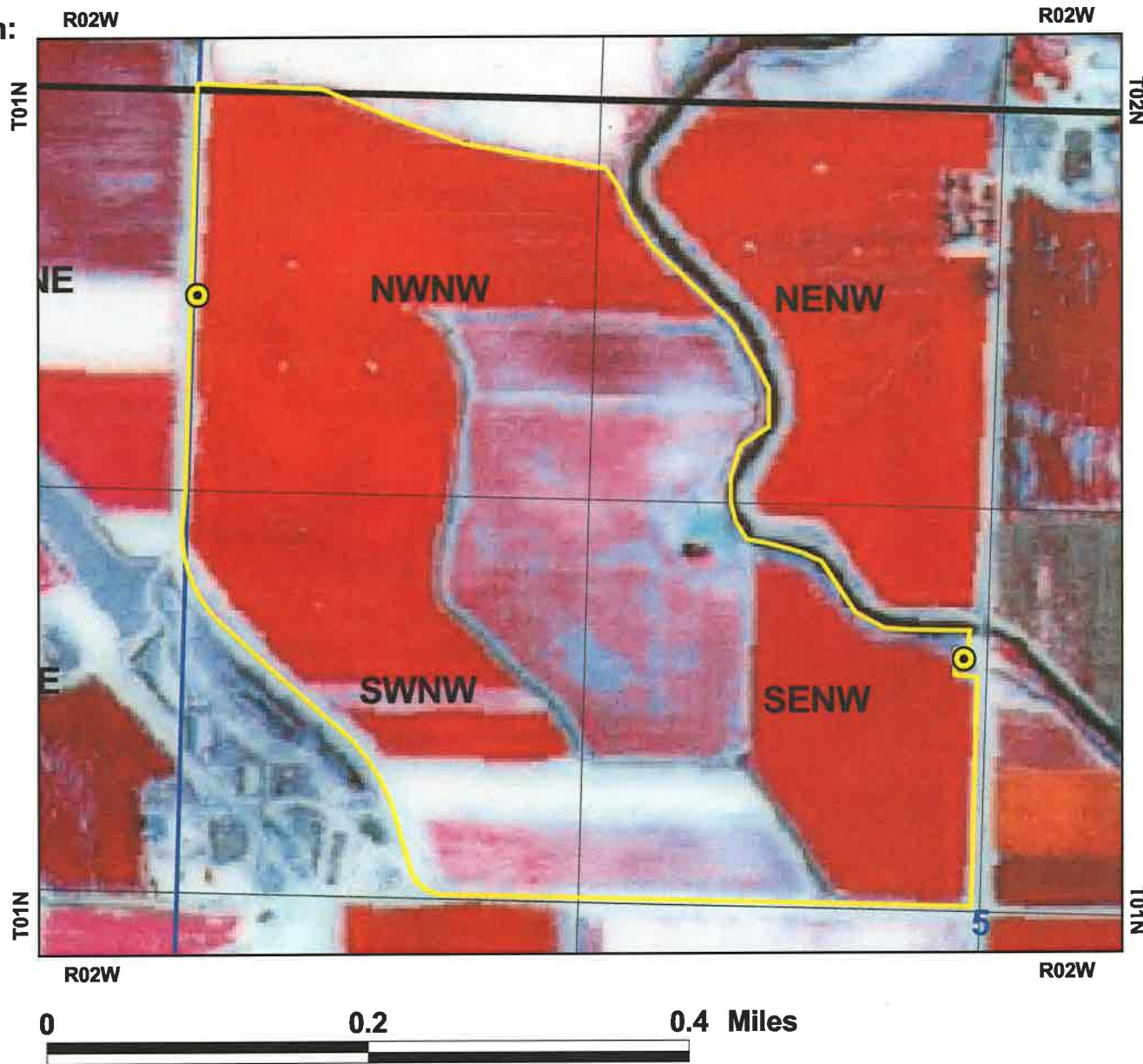
(Irrigation)

Legend

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



Canyon County
IDWR Basin 63



Prepared by M. Ciscell
On Tuesday, October 17, 2006
1987/88 Aerial Photography

AJ5809NP
No. A63-03043

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/09/00
PAGE: 46

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LEONDARD A TIEGS 15951 GARRITY BLVD NAMPA ID 83687 (208) 466-7053	05/02/1955	IRRIGATION	03-15 11-15	1.920 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					1.920 CFS	392.00 AFA

Water Source: GROUNDWATER Tributary to: Stage: LICENSE
Point(s) of Diversion: T01N R02W S05 SWNNW CANYON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
01N	02W	5	:							10	37	25	40							:	112.0
																				TOTAL ACRES	112.0

POU County: CANYON

Non-Irrigation Uses: NONE

Other Rights: 6307876.

Other Water Rights Listing Overlapping Place(s) of Use:
A63-07876

Dates: Exam Made Date: Verified Date: 05/06/1985 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 02/14/90 CARLSON 03/30/95 POST-STD

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

07/13/95 00:03:35

Page 1

Water Right Number - 63-03043

Prefix Translation: WATER RIGHT

Old (D) Number - 25673

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
HOPKINS

LOUIS MELVIN

1 - RT. 4

2 -

3 -

City- NAMPA

State- ID Zip- 83651

Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/02/1955 14 WESTERN L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

01N 02W 5 NW NW (27) CANYON

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

1.920

43 - DOMESTIC

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
1.920

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

01N	02W	5	NE NW	10.0	01	IRRIGATION	(27) CANYON
01N	02W	5	NW NW	37.0	01	IRRIGATION	(27) CANYON
01N	02W	5	SW NW	25.0	01	IRRIGATION	(27) CANYON
01N	02W	5	SE NW	40.0	01	IRRIGATION	(27) CANYON

Total Acres: 112.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

07/13/95 00:03:35
Page 2

Water right number - 63-03043

Prefix Translation: WATER RIGHT

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - -
No Comments Found

+ - - Audit Fields - 05/06/85 05/01/88

+ - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 00/00/0000	Verified Date - 05/06/1985	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 08/28/1979	Appl Received - 00/00/0000	Transfer/Amended -
Decree Date - 00/00/0000	Name Connector -	POU Ownership Flag -
Presumption Flag -		

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM #: 63-03043

Date: 5-23-00

Overlapping POU Claim #'s: all 7874

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	<u>1N</u>	<u>2W</u>	<u>5</u>					<u>10</u>	<u>37</u>	<u>25</u>	<u>40</u>									<u>112</u>
GIS								<u>10</u>	<u>37</u>	<u>26</u>	<u>40</u>									<u>113</u>
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

POU_ID #(s): 37

POD_ID #(s): 29

Total Claimed Acres: 112

Total GIS Acres: 113

COMMENTS:

probably if I took the ditch out of SWNW it would be exactly 25
but I thought it was close enough to what will be recommended.

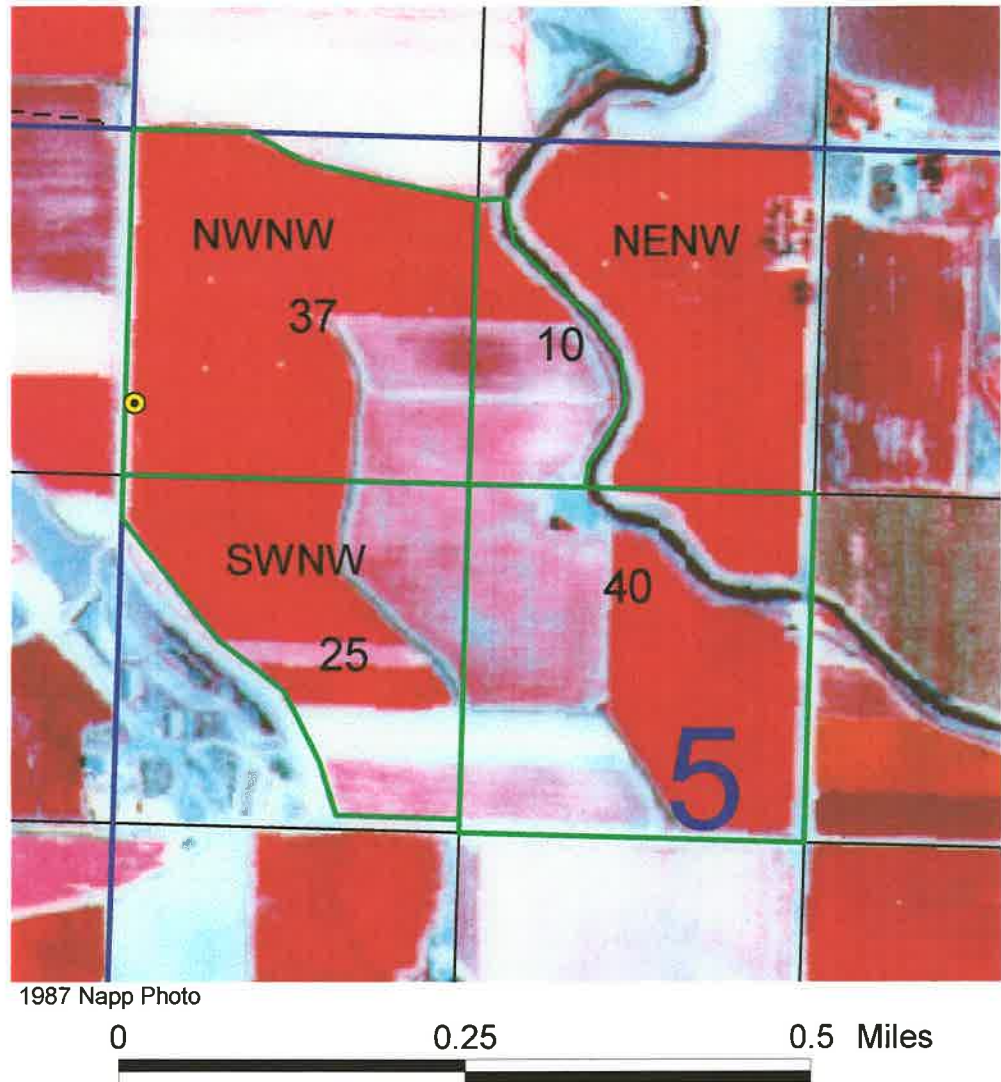
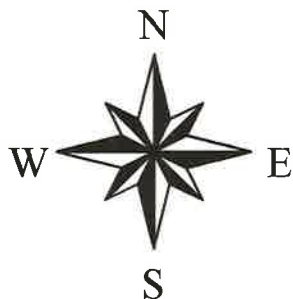
Idaho Department of Water Resources

Claim Number: 63-03043

Legal: T01N, R02W, S5

Reviewed By:

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



Idaho Department of Water Resources

Claim Number: 63-03043

Legal: T01N, R02W, S5

Reviewed By:

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

