

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: A63-03255
Date Received: 2/14/1990
Receipt No: MOO 5826
Received By: g PC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LEONARD A. TIEGS 208-466-7053
Address: 15951 GARRITY BLVD.
NAMPA, ID 83651

2. Date of Priority: AUG 17, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
750' DEEP 12" CASING WITH 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	1.900		

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

8. Total consumptive use is 378.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	02W	5	SW	NE		IRR	18.0
			SE	NE		IRR	10.0
			NW	SE		IRR	40.0

A63-03255

Page 1

Date: 02/14/90

MICROFILMED
AUG 19 1992

10. Place of Use: Continued

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

Section Acres 108.0

Total Acres 108.0

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:
63-07876.

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 30099

16. Signature(s)

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

Number of attachments:

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Leonard A. Tieg 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 Dal Carson
Notary Public

Seal

Residing at Boise Id
My Commission Expires 4/7/94

DATE: 05/09/00
PAGE: 66

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 00:05:36
Page 1

Water Right Number - 63-03255

Prefix Translation: WATER RIGHT

Old (D) Number - 30099

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

*** C - CURRENT OWNER ***
TIEGS

LEONARD

1 - RT. 2
2 -
3 -
City- NAMPA
Phone -

State- ID Zip- 83651

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
08/17/1961 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 SE NE (27) CANYON

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 1.900

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
1.900

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
01N 02W 5 SW NE 18.0 01 IRRIGATION (27) CANYON
01N 02W 5 SE NE 10.0 01 IRRIGATION (27) CANYON
01N 02W 5 NW SE 40.0 01 IRRIGATION (27) CANYON
01N 02W 5 SW SE 40.0 01 IRRIGATION (27) CANYON

Total Acres: 108.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

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

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

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

07/13/95 00:05:36
Page 2

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	-							

License and Certificate of Water Right

Water License No. G-30099

Amount 1.90 c.f.s.

Water District No. _____

Priority August 17, 1961

THIS IS TO CERTIFY that LEONARD TIEGS
of Nampa, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated August 17, 19 61; that Permit No. G-30099
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.90 second feet, was issued thereunder on April 9, 19 63, showing that said works
were completed on the 28th day of September, 19 62; and that on the 28th
day of September, 19 62,

LEONARD TIEGS

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 flow, for the purpose of irrigation
, under Use Permit No. G-30099 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

12 of Licenses at page 7573, on the 9th day of April, 19 63;

The right hereby confirmed dates from August 17, 19 61;

The Point of Diversion is located

in the SE 1/4 NE 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 1.90 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	SE 1/4 NE 1/4	5	10
			SW 1/4 NE 1/4	13	18
			NW 1/4 SE 1/4	40	40
			SW 1/4 SE 1/4	40	40
			Total number of acres to be irrigated:		108

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

9th day of April, 19 63.

RALPH W. THOMAS

Deputy State Reclamation Engineer.

(SEAL)

63 3255

To Approve the Subterranean Waters of The State of Idaho

Application No. G- 38128
Permit No. G- 30099
District No.

1. Name of Applicant: **Leonard Tiegs**
Postoffice address: **R. R. #2, Nampa** County: **Canyon** State: **Idaho**
2. Quantity of water claimed: **98 inches**
 - (a) Rate of withdrawal in cubic feet per second _____ or Idaho
Miners' inches _____ or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: **subterranean well**
4. Location of point of diversion or well is in the **SE** $\frac{1}{4}$ of the **NE** $\frac{1}{4}$ of Section **5**
Twp. 1 N , Rge. 2 W , B.M., County of Canyon
5. Water is to be used for: **Irrigation**
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: **Deep well 720 ft. 75 horse power motor turbine pump**
8. Estimated cost of works: **\$19,500**
9. (a) Is reservoir to be used? **yes**
(b) Capacity of reservoir: **7 acre feet**
10. The time required for the completion of such work and complete application of the water to the proposed use is **5**
years. (**completed**)
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 on hand: \$ _____
(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 supplied to the existing water rights.
 - (b) **1.96** (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks:

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.

s/ Leonard Tiegs Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 3:30 P.M. August 17, 1961

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 30099

Recorded in Book 105 Page 30099 Approved August 24, 1961

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

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 February 24, 1964

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

August 24, 1966

Witness my hand this

24th

day of

August, 1961

s/ RALPH W. THOMAS

Deputy STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho,

and ARNOLD WILLIAMS, 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 24th

day of August, 1961.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

By s/ ROBERT E. SMYLIE

Governor

Secretary of State.

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	13	5		40 40	98

Permit No. G-30099
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that LEONARD TIEGS of Nampa, County of Canyon, and State of Idaho, the holder of Permit No. G-30099 issued upon Application No. G-38128, bearing date of priority of August 17, 1961, authorizing the diversion of 1.96 second feet of waters of a well, County of Canyon, State of Idaho, for irrigation 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 1.90 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, T. 1 N., R. 2 W., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

108 acres in S $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5, T. 1 N., R. 2 W., B. M.

Witness my hand this 9th day of April, A. D. 1963.

s/ RALPH W. THOMAS

Deputy State Reclamation Engineer

Proof of Completion of Works Made: September 28, 1962

LICENSE ISSUED FOR 1.9 SEC. FT.

Page 7573

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

Permit No. G-30099This proof is for Completion of Works & Beneficial Use In Water District No. 51. Name of applicant Leonard Tiegs, Route #2, Nampa, Idaho2. Source of water supply: a well3. Location of point of diversion: Is in the SE 1/4 NE 1/4 of Section 5
T. 1 N. R. 2 W. County of Canyon4. Describe works as they exist, giving dimensions and capacities of same: 25 HP 10 SmithMotor 74772, Layne-Bellier Pump #28813 8" discharge to open ditchand Sump - Well - 735' x 12" - castall thence. 6:178', dd 92'Temp. 73°F. #1 Booster Pump from Pond - 10 HP US Unclashed Motor#3133907 to Berkeley Centrifugal pump 8" x 6" #6108261 - 8" x 15' steeldischarge pipe to 30" x 8' concrete tower to 1900' x 12" buried concrete pipeto 13' x 6' concrete sump.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):

SE 1/4 NE 1/4, W 1/4 SE 1/4, Sec. 5, T. 1 N., R. 2 W., B. M.

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

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

Remarks: Mn Harold Tiegs along

#2 Booster Pump. Jacuzzi Centrifugal pump #75FH4 A WID 30.5" x 6" to 4" Gate Valve to 200' x 6" buried steel pipe. Nestinghouse Motor 7.5 HP #3EHH69805

Measured by Spinning Meter - (3 Rev 2 min 38 sec.)This examination was made on the 29 day of March, 1963(Signed) Lloyd Johnson Examiner.

30099

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
APR 1 1963

Department of Reclamation

Leonard Tiegs
Route #2
Mampa, Idaho

Permit No. G-30099

Completion of Works
Examination for and Beneficial Use

County Canyon

Sec. 5 T. 1N R. 2W
Quantity: 1.96 c.f.s.

Source: Well

P. D.: SE, NE, Sec. 5, T. 1N, -R. 2W

Use: Irrigation

Filed: Aug. 17, 1961

Due: Aug. 24, 1961

Extension: —

Protest: —

Completion of Works: —

Other Rights: none

$31\frac{1}{2} \times 21\frac{1}{2} = 38\frac{1}{2}$
 $\frac{120}{38} = 1.90 \times 100 = 190 \text{ lbs } 9.5 \text{ inches}$
 $\frac{158}{1300}$

R-2W.

N.



STATE HWY. No. 45
TO NAMPA

Subdivisions

4

Area

108 acres

Q

1.90 cfs @ 9.5 inches

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-30099

REPORT ON PROOF OF Completion of Works and Beneficial Use

Leonard Tiegs, Rt. #2, Nampa, Idaho

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 NWNE 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 SWNNW 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:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

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 [Signature] Date Aug 19, 08
 Received by [Signature] Date
 Processed by AJ 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: 63-3255

KAISTERA 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:

☒ 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: 63-3255

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

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:	<u>IRRIGATION Within CANYON County</u>		
	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



Idaho Department of Water Resources

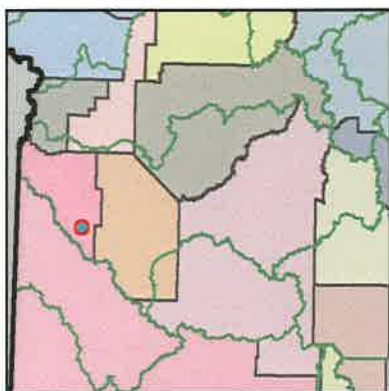
SRBA Recommendation:

63-3255

(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