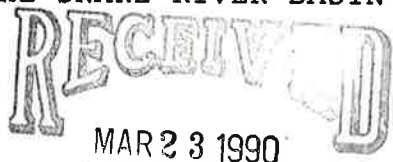


IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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: A63-04678
Date Received: 1/30/1990
Receipt No: M005615
Received By: _____



Department of Water Resources NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RALPH L. & M. LUCILE LITTLE TRUST 208-466-2857
Address: RT. 1, BOX 1393
NAMPA, ID 83651
2. Date of Priority: JUL 01, 1924
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	02W	7	SE	SE	NE		CANYON
5. Description of diverting works:
WELL & MOTOR
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.780		
7. Total Quantity Appropriated is:
0.780 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 136.5 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	02W	7	NE	NE		IRR	19.0
			NW	NE		IRR	3.0
			SE	NE		IRR	17.0
Section Acres							39.0

A63-04678

Page 1

Date: 03/21/90

MICROFILMED
AUG 20 1992

10. Place of Use: Continued

Total Acres 39.0

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:
NONE

14. Remarks:

THE EXISTING WELL IN USE IS A REPLACEMENT FROM THE 1924 WELL.
THE HIGHWAY DISTRICT PURCHASED AND FILLED IN THE OLD WELL;
THE WELL CURRENTLY IN USE WAS DRILLED IN 1988.

15. Basis of Claim: STATUTORY CLAIM

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

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: A63-04678
Date Received: 1/30/1990
Receipt No: M005615
Received By: Lat

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RALPH L. & M. LUCILE LITTLE TRUST 208-466-2857
Address: RT. 1, BOX 1393
NAMPA, ID 83651

2. Date of Priority: JUL 01, 1924

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02W	7	SE	SE	NE		CANYON

5. Description of diverting works:
WELL & MOTOR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.780		

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

8. Total consumptive use is 136.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02W	7	NE	NE		IRR	19.0
			NW	NE		IRR	3.0
			SE	NE		IRR	17.0
Section Acres							39.0

10. Place of Use: Continued

Total Acres 39.0

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:
NONE

14. Remarks:

THE EXISTING WELL IN USE IS A REPLACEMENT FROM THE 1924 WELL.
THE HIGHWAY DISTRICT PURCHASED AND FILLED IN THE OLD WELL;
THE WELL CURRENTLY IN USE WAS DRILLED IN 1988.

15. Basis of Claim: STATUTORY CLAIM

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.

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am Trustee of
Title
Ralph L. & M. Lucile Little Trust that I have signed the foregoing
Organization
document in the space below as Trustee of
Title
Ralph L. & M. Lucile Little Trust and that the statements contained in the
Organization
foregoing document are true and correct.

Ralph Little
Signature of Authorized Agent

Trustee Ralph L. & M. Lucile Trust
Title and Organization

Date

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 30th day
of January 19 90

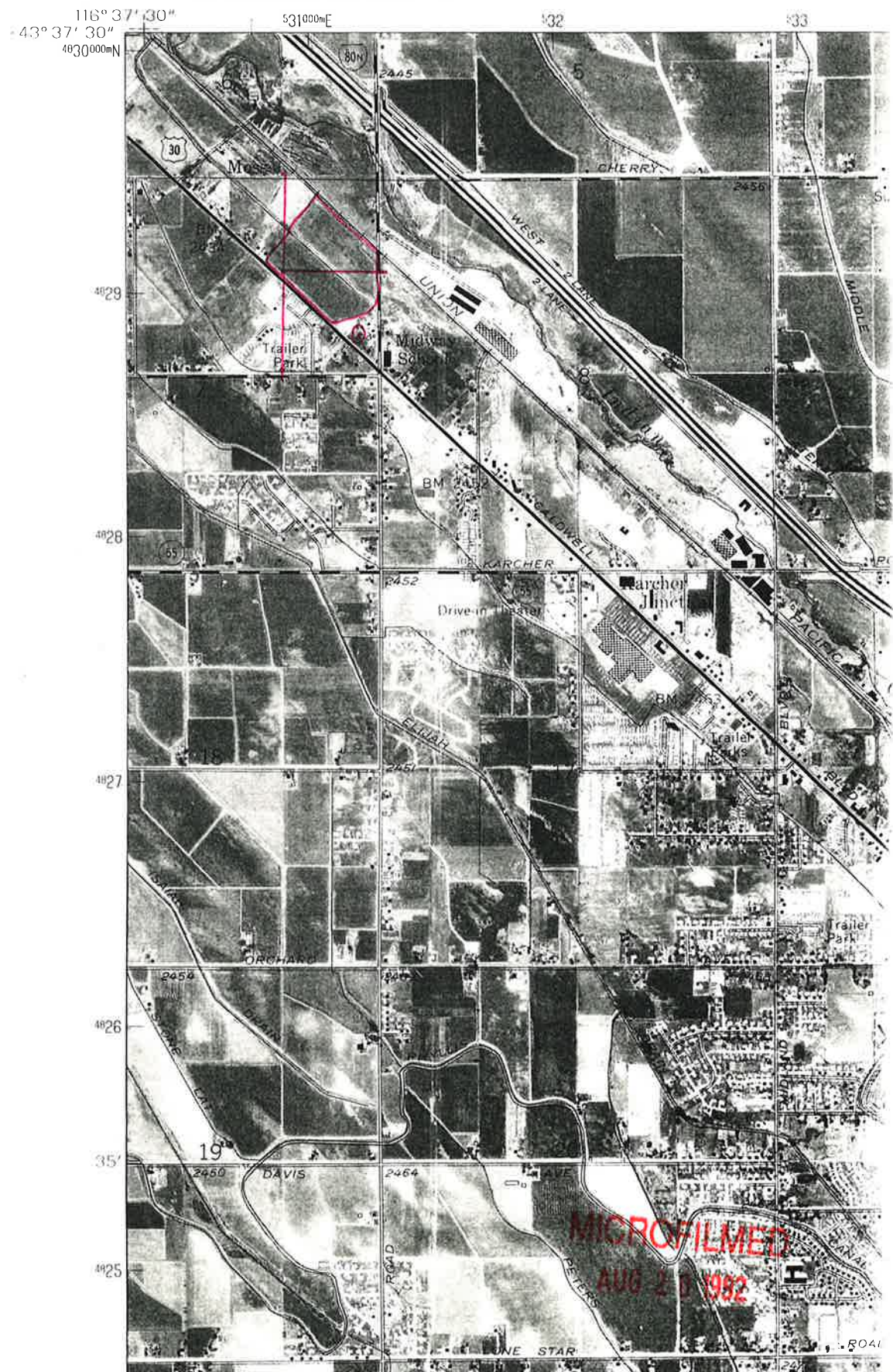
Helen Harrington
Notary Public

Seal

Residing at Helen Harrington, Notary Public
Residing at Boise, Idaho
My Commission Expires December 1, 1994



GEOLOGICAL SURVEY



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 63-4678
Date Received: 1/30/1990
Receipt No: M005615
Received By:

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

1. Name of Claimant(s)

PLEASANT VALLEY LIMITED PARTNERSHIP Phone:
4414 S. GEKLER LANE
BOISE ID USA 83716

BLACK CREEK LIMITED PARTNERSHIP Phone:
P.O. BOX 690
700 W OVERLAND ROAD
MERIDIAN ID USA 83680

2. Date of Priority: 07/01/1924

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	02W	7	SE SE NE	CANYON	

5. Description of diverting works:

WELL & MOTOR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.78	

7. Total Quantity Appropriated is:
0.78 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
03N	02W	7	NE	NE		IRRIGATION	19
			SE	NE		IRRIGATION	17
			NW	NE		IRRIGATION	3
						Section Acres	39
						Total Acres	39

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:

THE EXISTING WELL IN USE IS A REPLACEMENT FROM THE 1924 WELL.
THE HIGHWAY DISTRICT PURCHASED AND FILLED IN THE OLD WELL; THE WELL CURRENTLY IN USE
WAS DRILLED IN 1988.

CHANGE IN OWNERSHIP LG 6-27-2006

15. Basis of Claim: Statutory Claim

RECEIVED

MAY 30 2006

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

WATER RESOURCES
WESTERN REGION

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>63-4678</u>	<u>A 63-4678</u>	<u>—</u>	<u> </u>	<u> </u>	<u>—</u>
<u> </u>	<u> </u>	<u>—</u>	<u> </u>	<u> </u>	<u>—</u>
<u> </u>	<u> </u>	<u>—</u>	<u> </u>	<u> </u>	<u>—</u>
<u> </u>	<u> </u>	<u>—</u>	<u> </u>	<u> </u>	<u>—</u>
<u> </u>	<u> </u>	<u>—</u>	<u> </u>	<u> </u>	<u>—</u>

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. See attached Deed.**
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR

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

3. Name and Address of Former
Owner/Claimant(s)

RALPH L & M LUCILE LITTLE TRUST

Rt. 1 Box 1393, Nampa, ID 83651

4. New Owner/Claimant(s)

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

See attached sheet labeled Owner Identifications
And Signatures

City, State and ZIP Code

New Telephone Number

()

5. Date you acquired the property

May 22, 2006

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

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

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

7. Signature of New Owner(s) or Claimant(s) See attached sheet labeled Owner Identification And Signatures
(include title if applicable)

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

For Office Use Only

Received by lg Date 5-30-06 Fee 8
 Received by lg Date _____ Receipt No. _____
 Processed by lg AJ Date 6-27-06 WR _____ Date _____

OWNER IDENTIFICATIONS AND SIGNATURES

4. New Owners/Claimants

Each of the following Owners own an undivided 50% interest as Tenants In Common in the real property on which the places of diversion and use are located and in the water right transferred.

Name: BLACK CREEK LIMITED PARTNERSHIP
Address: P.O. Box 690
700 West Overland Road
Meridian, ID 83680

Telephone No.: 208/888-1624

AND

Name: PLEASANT VALLEY LIMITED PARTNERSHIP
Address: 4414 S. Gekeler Lane
Boise, ID 83716

Telephone No.: 208/342-8901

7. Signatures of New Owners

BLACK CREEK LIMITED PARTNERSHIP

By: Thomas T. Nicholson
Thomas T. Nicholson
General Partner

PLEASANT VALLEY LIMITED PARTNERSHIP

By: Linda L. Yanke
Linda L. Yanke
General Partner

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

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

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

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

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

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

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

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

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

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

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

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

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

200639083

RECORDED

2006 MAY 22 PM 4 13

BY Shel
CANYON COUNTY RECORDER
G. NOEL HALE

PIONEER - NAMPFA

REQUEST
TYPE 100d FEE 15-

4030



Pioneer Title Co.
GOING BEYOND

703 S. Americana, Suite 120 / Boise
Idaho 83702 / (208) 373-3744

PN 200655075

WARRANTY DEED

For Value Received **Erik R. Little as Trustee of the Family Trust under the intervivos trust established by Ralph L. Little and M. Lucile Little under trust agreement dated June 19, 1984, d.b.a. the M. Lucille Little Trust**

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Black Creek Limited Partnership, an Idaho limited partnership and Pleasant Valley Limited Partnership, an Idaho limited partnership, each as to an undivided fifty percent (50%) interest, as tenants in common

hereinafter referred to as Grantee, whose current address is P. O. Box 5405, Boise, ID 83705 the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

Tax Parcel No.s R20468-000-0 and R20469-000-0

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their successors and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: May 18, 2006

Erik R. Little as Trustee of the Family Trust under the intervivos trust established by Ralph L. Little and M. Lucile Little under trust agreement dated June 19, 1984, d.b.a. the M. Lucille Little Trust

By Erik R. Little
Erik R. Little, Sole Successor Trustee

STATE OF WASHINGTON, County of King, ss.

On this 19th day of May, in the year of 2006, before me, James E. Curran, a notary public personally appeared Erik R. Little, known or identified to me to be the person whose name is subscribed to the within instrument as Sole Successor Trustee and acknowledged to me that he/she/they executed the same as such Sole Successor Trustee.



James E. Curran
Notary Public of Washington
Residing at
Bellevue, WA 98004
Commission expires:
4-01-07

Exhibit "A"

A part of Lots 1 and 2 of BUMGARNER'S RE-SUBDIVISION. A part of the Northeast Quarter of Section 7, Township 3 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described to-wit:

N1382347.24 E2289126.18

COMMENCING at the Southeast corner of the Northeast Quarter of Section 7, Township 3 North, Range 2 West, Boise Meridian, Canyon County, Idaho; thence

North 0° 23' East 110.62 feet to the INITIAL POINT of this description, on the

Northeasterly right-of-way line of Nampa-Caldwell Boulevard; thence

North 46° 49' West 2,049.90 feet along the said right-of-way line; thence

North 35° 24' East 1,089.72 feet to a point in the Southwest right-of-way line of the Oregon Short Line Railroad; thence

South 46° 49' East 1,197.72 feet along the said Railroad right-of-way line to a point in the East line of said Section 7; thence

South 0° 23' West 1,471.47 feet along the said East line to the INITIAL POINT of this description, and being further described as being all of Lot 2 and 10 acres in the Southeasterly part of Lot 1 of BUMGARNER'S RE-SUBDIVISION of part of the Northeast Quarter of Section 7, Township 3 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM

A parcel of land being on the Northeasterly side of the centerline of U.S. Highway No. 30, Project No. M-7963(004) Highway Survey as shown on the plans thereof now on file in the office of the Idaho Transportation Department, Division of Highways, and being a portion of Lot 2 of BUMGARNER'S RE-SUBDIVISION of part of the Northeast Quarter of Section 7, Township 3 North, Range 2 West, Boise Meridian, Canyon County, Idaho, described as follows, to-wit:

BEGINNING at the intersection of the Northeasterly right-of-way line of existing U.S. Highway No. 30 and the Westerly right-of-way line of existing Middleton Road which is approximately 147.0 feet North and approximately 40.0 feet West of the East Quarter corner of Section 7, Township 3 North, Range 2 West, Boise Meridian; thence

North 0° 56' 52" East along said existing Westerly right-of-way line 57.0 feet, more or less, to a point that bears North 89° 03' 08" West 40.0 feet from Station 1+45.0 of the Middleton Road Survey as shown on the plans of said U.S. Highway No. 30, Project No. M-7963(004) Highway Survey; thence

Southwesterly along a 14.0-foot radius curve right 21.12 feet to a point that bears North 43° 44' 51" East 62.95 feet from Station 277+29.78 of said U.S. Highway No. 30 Highway Survey; thence

Westerly along a 171.0-foot radius curve right 14.47 feet to a point that bears North 43° 44' 51" East 57.0 feet from Station 277+15.33 of said U.S. Highway No. 30 Highway Survey; thence

Northwesterly along a 171.0-foot radius curve right 58.76 feet to a point in a line parallel with and 47.0 feet Northeasterly from the centerline and opposite Station 276+58.21 of said U.S. Highway No. 30, Highway Survey; thence

North 46° 15' 09" West along said parallel line 138.21 feet, to a point opposite Station 275+20 of said Highway Survey; thence

South 43° 44' 51" West 10.0 feet, more or less, to a point in the Northeasterly right-of-way line of said existing U.S. Highway No. 30; thence

South 46° 15' 09" East along said existing Northeasterly right-of-way line 252.0 feet, more or less, to the PLACE OF BEGINNING.

Highway Station Reference 275+20 to 277+76.77

The bearings as shown in the above land description, unless otherwise noted are from the Idaho Plane Coordinate System, based on the transverse mercator projection for the West Zone of Idaho.

AND EXCEPTING THEREFROM

A parcel of land being on the Northeasterly (Left), side of the centerline of Interstate 84, Business Loop, (Nampa Caldwell Boulevard), Project NH-F-M-7963(021), Highway Survey, as shown on the plans thereof now on file in the office of the Idaho Transportation Department, said parcel being a portion of Lots 1 and 2 of BUMGARNER'S RE-SUBDIVISION, Book 3 of Plats at Page 17, records of Canyon County, Idaho, said parcel being a portion of that certain tract described in Instrument No. 8415248 dated June 19, 1984, lying and being situated in the East Half of Section 7, Township 3 North, Range 2 West, Boise Meridian, Canyon County, Idaho, described as follows, to-wit:

N1382347.24 E2289126.18
COMMENCING at the East Quarter corner of said Section 7; thence
North 0° 56' 51" East a distance of 65.87 feet on the East line of said Section 7 to a point on the centerline of said Project F-M-7963(021) at Station 278+61.98; thence
North 46° 15' 35" West a distance of 342.02 feet on said centerline to Station 275+19.96 of said Highway Survey; thence
North 43° 44' 25" East a distance of 32.77 feet to a point on the Southwest line of Lot 2 of said BUMGARNER'S RE-SUBDIVISION and the REAL POINT OF BEGINNING; thence

North 46° 14' 48" West a distance of 1,738.28 feet on the Southwesterly line of said Subdivision to a point on a line 33.17 feet Northeasterly from and perpendicular to said centerline at Station 257+81.67 of said Highway Survey; thence

North 35° 55' 47" East a distance of 11.95 feet to a point on a line 45.00 feet Northeasterly from and perpendicular to said centerline at Station 257+80.05 of said Highway Survey; thence on a line 45 feet Northeasterly from and parallel with said centerline South 46° 15' 35" East a distance of 1,740.06 feet to a point opposite Station 275+20.11 of said Highway Survey; thence

South 44° 29' 02" West a distance of 12.23 feet to the POINT OF BEGINNING.

Highway Station Reference: 257+81.67 to 275+19.96

The bearings as shown in the above land description, unless otherwise noted are from the Idaho Plane Coordinate System, based on the transverse mercator projection for the West Zone of Idaho.

AND ALSO EXCEPTING THEREFROM

A parcel of land on the Northeasterly (Left) side of the centerline of Interstate 84, Business Loop, (Nampa-Caldwell Boulevard), Project No. NH-F-M-7963(021), Highway Survey, as shown on the plans thereof now on file in the office of the Idaho Transportation

Department, and being a portion of Lot 2 of BUMGARNER'S RE-SUBDIVISION, Book 3 of Plats at Page 17, records of Canyon County, Idaho, lying and being situated in the Southeast Quarter of the Southwest Quarter of Section 7, Township 3 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows, to-wit:

COMMENCING at the East Quarter corner of said Section 7; thence

North 0° 56' 51" East a distance of 110.62 feet on the East line of said Section 7 to the Southeast corner of Lot 2 of BUMGARNER'S RE-SUBDIVISION, a point on a line 32.84 feet Northeasterly from and perpendicular to the centerline of said Project NH-F-M-7963(021) at Station 278+31.57, and the REAL POINT OF BEGINNING; thence

North 46° 15' 02" West a distance of 54.52 feet on the Southeast line of said Lot 2 to the Southeast corner of that tract described in Instrument No. 852865 recorded January 30, 1979 and a point on a line 32.85 feet Northeasterly from and perpendicular to said centerline at Station 277+77.06 of said Highway Survey; thence on the East and Northeasterly lines of said tract

North 0° 56' 50" East a distance of 56.98 feet to a point of curvature on a line 74.66 feet Northeasterly from and perpendicular to said centerline at Station 277+38.34 of said Highway Survey; thence

Westerly on a 14.00-foot radius curve right a distance of 19.99 feet to a point of compound curvature on a line 58.40 feet Northeasterly from and perpendicular to said centerline at Station 277+29.87 of said Highway Survey; thence

Westerly on a 171.00-foot radius curve right a distance of 15.63 feet to a point of compound curvature on a line 52.45 feet Northeasterly from and perpendicular to said centerline at Station 277+15.42 of said Highway Survey; thence

Northwesterly on a 185.00-foot radius curve right a distance of 58.16 feet to a point of tangency on a line 42.87 feet Northeasterly from and perpendicular to said centerline at Station 276+58.30 of said Highway Survey; thence

North 46° 15' 03" West a distance of 138.21 feet to the Northwest corner of said tract and a point on a line 42.89 feet Northeasterly from and perpendicular to said centerline at Station 275+20.09 of said Highway Survey; thence leaving said tract

North 44° 29' 02" East a distance of 2.11 feet to a point on a line 45.00 feet Northeasterly from and perpendicular to said centerline at Station 275+20.12 of said Highway Survey; thence

North 43° 44' 25" East a distance of 5.00 feet to a point on a line 50.00 feet Northeasterly from and perpendicular to said centerline at Station 275+20.12 of said Highway Survey; thence

South 46° 15' 35" East a distance of 180.44 feet to a point of curvature on a line 50.00 feet Northeasterly from and perpendicular to said centerline at Station 277+00.56 of said Highway Survey; thence

Easterly on a 25.00-foot radius curve left a distance of 38.35 feet to a point of compound curvature on a line 74.08 feet

Northeasterly from and perpendicular to said centerline at Station 277+25.54 of said Highway Survey; thence

Northeasterly on an 85.00-foot radius curve left a distance of 66.61 feet to a point on a line 134.95 feet Northeasterly from and perpendicular to said centerline at Station 277+02.97 of said Highway Survey; thence

South 89° 43' 49" East a distance of 25.00 feet to the East line of said Section 7 and a point on a line 152.15 feet Northeasterly from and perpendicular to said centerline at Station 277+21.12 of said Highway Survey; thence

South 0° 56' 51" West a distance of 162.59 feet to the POINT OF BEGINNING.

Highway Station Reference: 275+19.96 to Middleton Road Station 17+07.04

The bearings as shown in the above land description, unless otherwise noted, are from the Idaho Plane Coordinate System, based on the transverse mercator projection for the West Zone of Idaho.

**First American Title
Schedule A**

6

5

03N02W

BLACK CREEK LIMITED PARTNERSHIP
PLEASANT VALLEY LIMITED PARTNERSHIP

7

8

Receipt Details for ID M005615

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
1/30/1990 11:28:28 AM	1/30/1990	Mobile	\$214.00	Check
Payer		LITTLE, RALPH		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
4484			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$214.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
\$39.00	RALPH LITTLE	4/2/1990	

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	20425		\$25.00	Claim
63	20423		\$25.00	Claim
63	5248		\$25.00	Claim
63	20420		\$25.00	Claim
63	20419		\$25.00	Claim
63	4678		\$89.00	Claim

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: 63-4678

BLACK CREEK LIMITED PARTNERSHIP
P.O. BOX 690
700 W OVERLAND ROAD
MERIDIAN ID 83680

PLEASANT VALLEY LIMITED PARTNERSHIP
4414 S. GEKLER LANE
BOISE ID 83716

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: 10/23/06

SIGNATURE:

Tom Nicholson, General Partner

Please print your name: Tom Nicholson

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

09/29/2006

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

RIGHT NUMBER: 63-4678
NAME AND ADDRESS: BLACK CREEK LIMITED PARTNERSHIP
P.O. BOX 690
700 W OVERLAND ROAD
MERIDIAN ID 83680

PLEASANT VALLEY LIMITED PARTNERSHIP
4414 S. GEKLER LANE
BOISE ID 83716

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.780 CFS
175.50 AFY

PRIORITY DATE: 07/01/1924

POINT OF DIVERSION:
T03N 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	03/01 11/15	0.780 CFS 175.50 AFY
PLACE OF USE:	<u>IRRIGATION Within CANYON County</u>		
	T03N R02W S07 NENE 19.00	T03N R02W S07 NWNE	3.00
	T03N R02W S07 SENE 17.00		
	39 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 - Beneficial Use

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

Idaho Department of Water Resources

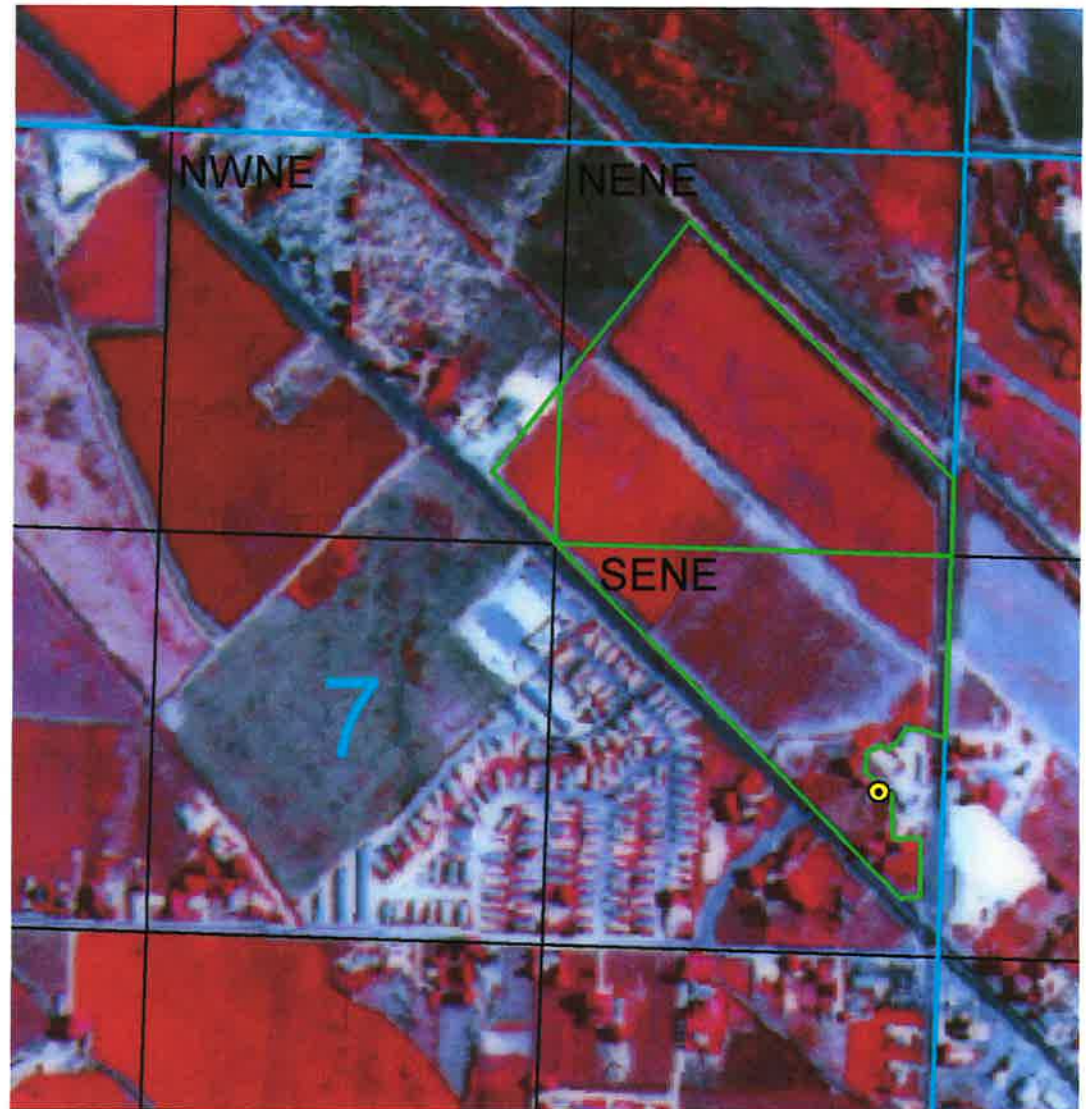
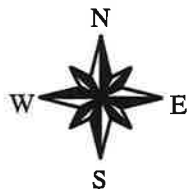
Claim Number: 63-04678

Legal: T03N, R02W, S07

Reviewed By: *Vicky Music*

1987 Napp Photo

-  Point of Diversion(GPS)
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines
-  Township/Range Lines



0 0.25 0.5 Miles



Idaho Department of Water Resources

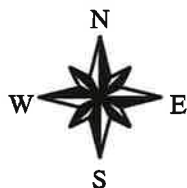
Claim Number: 63-04678

Legal: T03N, R02W, S07

Reviewed By: *Vicky Music*

1987 Napp Photo

-  Point of Diversion(GPS)
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines
-  Township/Range Lines



0 0.25 0.5 Miles



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

June 27, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

Pleasant Valley Limited Partnership
4414 S. Gekler Lane
Boise, ID 83716

Notice of Claim to a Water Right No. 63-4678

Dear Claimant(s):

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

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

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

Sincerely,

A handwritten signature in cursive script that reads "Liberty Gagnon". The signature is written in dark ink and is positioned above the typed name and title.

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

June 27, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

Black Creek Limited Partnership
PO Box 690
Meridian, ID 83680

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

Sincerely,

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

Enclosure

CONVERSATION MEMORANDUM

TO: CLAIM FILE NO. 63-4678

FROM: VICKY L MUSIC, SR WATER RESOURCE AGENT, IDWR /
WESTERN REGION

SUBJECT: PHONE CALL FROM MYRNA LITTLE

DATE: 5/8/2006

CC:

She called in response to an evidence of priority letter I sent to the Ralph L and M Lucille Little Trust.

I explained priority. She said that she does not know anything about the property. It is being sold. I asked her if she would please think specifically about what she heard in the past about the use of this property, irrigation from the well, and justification for the 1924 priority date.

She said her father-in-law, Ralph bought the property and he and her husband farmed it but none of the family ever lived there. She does not think her father in law bought it as early as 1924 but is not sure. It was her husband's "toy" and she did not pay any attention to it. Both her father in law and her husband are deceased.

She said she was not even sure if there was a well on the site now. She did not know if there were surface water shares used on the property.

I explained that this is important because if the new owners were buying the property with the understanding that they had a right to irrigate from the well, that we would need this information to recommend it to the court as a valid water right.

Myrna said she would do some research and thinking about it and write a statement, even if the well was not longer there.

VLM

Ralph L & M. Lucile Little Trust
2990 Leisure Dr.
Boise, ID 83704

May 16, 2006

Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Dear Ms. Music,

I am writing in regard to your request for evidence of priority for Snake River Basin Claim No: A63-4678. Ralph Little purchased this property and the water right in question from Lloyd Murphy in 1972. He maintained the property as farm land using the well for irrigation purposes from the date of purchase to present. Ralph passed away in January of 2006. Ralph expressed to the family that the house on the property was built in the early 1920s and the property was served from this time by two wells, one for the house and another for irrigation purposes. The irrigation well was replaced in 1988.

I am enclosing an environmental report from Landau Assoc. on the property dated January 14, 2000. This report shows that the house on the property was built in 1920 which demonstrates that someone was living at the site at this time. The report says that the earliest aerial photos in the 1930s show farming on the property which would lead to the need for irrigation water. The report also contains an interview with Ralph where he says that the land has been continuously used for farming or as a working dairy.

Please contact me at (425)442-9922 if I can be of further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Erik R. Little", followed by a horizontal line.

Erik R. Little
Trustee

Draft Environmental Site Assessment (ESA)

**Proposed Home Depot Property
Nampa, Idaho**

January 14, 2000

Prepared for

**The Home Depot U.S.A., Inc.
c/o Frank Parisi, Esq.
Parisi & Parisi
1630 Morrison, Suite 100
Portland, OR 97205**

Prepared by



LANDAU ASSOCIATES, INC.

130 2nd Avenue S. • Edmonds, WA 98020 • (425) 778-0907

1.0 INTRODUCTION

At the request of Home Depot U.S.A., Inc. (Home Depot), Landau Associates conducted a Phase I environmental site assessment (ESA) of a proposed Home Depot property located at the intersection of N. Middleton Rd. and Caldwell Blvd. in unincorporated Canyon County, Idaho. The site is located approximately ¼ mile northeast of the city of Nampa in Township 3 N, Range 2 W, Section 7 (Figure 1).

The purpose of the ESA was to assess the potential for hazardous substances or wastes to exist at the subject property to the extent that it represents a significant liability to a prospective purchaser. The scope of services performed, as established in our proposal submitted September 15, 1999, consisted of a review of site history and agency information, an interview with the current owner, and observations of current land use activities and environmental conditions.

This Phase I ESA was conducted in general accordance with the guidelines of the American Society for Testing & Materials (ASTM) as identified in their *Standard Practice for Environmental Site Assessment Process*, E 1527, as annotated to meet Home Depot's specific objectives. Compliance with this standard is recognized as generally meeting the due diligence requirements of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). As requested by Home Depot, a completed Environmental Compliance Certificate is provided as Appendix A.

As described in Section 6.0, the records review conducted as part of the Phase I ESA indicated the potential for impact to groundwater at the subject property from a former nearby underground tank farm. Therefore, at Home Depot's request, a supplemental investigation, consisting of collection and analysis of groundwater samples, was also performed. The results of this limited supplemental investigation are described in Section 8.0.

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2.0 SITE DESCRIPTION AND SETTING

The approximately 37.7-acre property consists of two parcels. One parcel is occupied by agricultural land and the other parcel contains agricultural land with a rural residential site at the southeast corner of the property. The surrounding area consists of a mix of commercial retail and rural residential land uses. The subject property is bordered on the north by a railroad; on the east by N. Middleton Rd., beyond which is a substation, a residence, and a variety of commercial developments; on the south by Nampa-Caldwell Blvd., beyond which is a service station, a residential development, a used car sales lot, a mobile home park, and commercial businesses; and on the west by law offices and a salvage yard (Figure 2).

The subject property area is located in an area known as Treasure Valley in the western portion of the Snake River Plain. The subject property is relatively flat with a gentle slope toward the northwest. According to a United States Geological Survey map, the subject property is at an approximate elevation 2,450 ft above mean sea level (USGS 1958).

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3.0 SITE GEOLOGY/HYDROGEOLOGY

The subject property is underlain by Quaternary stream alluvium and Caldwell-Nampa sediments consisting of clay, silt, sand, and gravel (Mitchell and Bennett 1979).

Landau Associates reviewed the water well records maintained by the Idaho Department of Water Resources for wells within an approximate 1/2-mile radius of the subject property. The following wells are recorded with the Division of Water Resources: 50 domestic use wells, 2 test wells, 2 irrigation wells, and 4 industrial use wells. The current owner of the subject property, Mr. Ralph Little, reported that there are two wells on the subject property. Only one well is recorded for the subject property. The well driller's report for the subject property indicates that the 180 ft deep well was installed in 1988 and is used for irrigation. The recorded water level at the subject property is 15 ft below ground surface. Recorded water levels in wells near the subject property were typically less than 20 ft below ground surface.

Landau Associates reviewed an Idaho Department of Water Resources, Water Information Bulletin report regarding groundwater flow directions in the subject area (Neely and Crockett 1998). The report illustrates that groundwater flow direction in the subject area is generally toward the west or northwest.

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4.0 HISTORICAL INFORMATION

A variety of resources were utilized to develop the history of the subject property and adjacent properties in order to assess the potential for environmental impact to the subject property. These resources included the following:

- Aerial photographs (Canyon County Assessor's Office 1938, 1940s, 1950s; 1964, 1974, 1984 and 1998; Nampa Planning Department 1992)
- Topographic maps (USGS, 1958, photo revised 1971)
- City directories (Nampa Public Library, R.L. Polk Directories, 1945, 1955, 1965, 1975, 1985, and 1995)
- Fire insurance maps (Nampa Public Library, Sanborn Map Company, 1892, 1900, 1905, 1907, 1911, and 1963)
- Canyon County Assessor's Office records
- Interviews (historical information).

4.1 SUBJECT PROPERTY AND ADJACENT PROPERTIES

4.1.1 AERIAL PHOTOGRAPHS

Historical aerial photographs were reviewed to help identify prior use of the subject and adjacent properties with the purpose of identifying prior uses that would be expected to potentially result in an environmental impact to the subject property. Aerial photographs for the years listed above were reviewed at the Canyon County Assessor's Office and the Nampa Planning Department. The photographs showed that the subject property has been occupied by agricultural land and the present-day rural residential site at the southeast corner of the property since the 1930s. The building configurations on the southeast corner of the subject property changed over the years. The early photographs up through 1984 showed that the surrounding areas were mainly rural residential and agricultural. Commercial development along Nampa-Caldwell Blvd. was first seen in the 1992 photograph. The Nestle facility located to the east of the subject property was first visible in the 1974 photograph. The substation located adjacent to the east of the subject property and south of the Nestle facility was first seen in the 1998 photograph. The present-day Texaco station located to the southeast of the subject property was first seen in the 1984 photograph.

The Nestle facility and the Texaco station are discussed further in Section 5.0 of this report. The photographs did not provide any obvious indication of environmental impacts to the subject property or

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adjacent properties or of uses that would be expected to result in an environmental impact. Given that no obvious indications of environmental impacts were provided in the photographs, there are no specific recommendations for additional work based solely on the aerial photograph review.

4.1.2 USGS TOPOGRAPHIC MAPS

Landau Associates reviewed the USGS 7.5-minute Nampa Quadrangle, Idaho-Canyon Co. topographic map for the year 1958 (photo revised 1971). There are two structures shown on the subject property prior to the 1971 revision. Three more structures were added to the subject property in the 1971 revision of the map. A canal-like feature is shown bisecting the property in a northeast/southwest trend.

The following features of the surrounding area are shown prior to the 1971 revision: the railroad is shown along the northeastern property boundary, the former Midway School is shown to the east of the subject property, and several structures are shown along Caldwell Blvd. The 1971 revision shows the Nestle facility to the east and the mobile home park to the south.

4.1.3 CITY DIRECTORIES

Landau Associates reviewed R.L. Polk city directories for the city of Nampa. The subject property address (2616 Caldwell Blvd.) was listed under the name of Sandra Lee in the 1995 directory. The Circle K (present-day Texaco station) and the Intermountain Gas Co. were listed at 2513 and 2921 Caldwell Blvd., respectively, in both the 1995 and 1985 directories. The 1975 through 1945 directories did not list addresses near the subject property along Caldwell Blvd. Middleton Rd., which runs north/south along the eastern property boundary, was not listed in the directories reviewed.

4.1.4 CANYON COUNTY TAX ASSESSOR

Landau Associates contacted the Canyon County Assessor's office on October 19, 1999. According to tax records, the subject property consists of two parcels #R20468 and #R20469 containing approximately 26.8 and 13.7 acres, respectively. A portion of the property, 2.7 acres, is regarded as waste land or land of no value. The house on the property was constructed in 1920 and contains 1,172 ft² on the main floor. The basement of the house contains 1,092 ft² and is recorded as 50 percent finished. The assessor's records further indicated that the house historically used a coal-fired furnace for heat. The hay cover structure contains 1,500 ft², the long rectangular shed contains 2,400 ft², and the shed near the house contains 560 ft², according to assessor's records. The assessor's field book also showed that a few

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other outbuildings previously occupied that area of the subject property. The current property owner is recorded as Ralph Little.

4.1.5 SANBORN'S FIRE INSURANCE MAPS

Landau Associates reviewed the Sanborn fire insurance maps for the city at the Nampa Public Library. The subject property was not indexed or depicted on the maps reviewed for the years listed in Section 4.0.

4.1.6 INTERVIEWS (HISTORICAL INFORMATION)

Landau Associates interviewed Mr. Ralph Little (5 October 1999, personal communication), current owner of the subject property. Mr. Little provided the following information. He purchased the subject property from Mr. Lloyd Murphy in 1972. The property and the surrounding area have historically been used as farm land; crops included beans, corn, and beets. The property was once occupied by a Grade A dairy.

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5.0 AGENCY RECORDS REVIEW

5.1 VISTA INFORMATION SOLUTIONS

VISTA Information Solutions, Inc. (VISTA) was subcontracted to conduct a search (as prescribed by ASTM) of U.S. Environmental Protection Agency (EPA) and Idaho Division of Environmental Quality (DEQ) environmental databases that contain information regarding environmental conditions at and near the subject property. The search focused on information in the various lists maintained by the agencies of sites with known and potential environmental conditions that may represent a threat to human health and the environment. VISTA conducted its search of listed information (which is keyed to a geographic mapping system), using the address of the subject property, and identified sites listed in the databases that are located within a 1-mile radius of the subject property boundaries. VISTA then compiled the information into a computerized report that identifies sites of potential environmental concern within the prescribed radius.

As is common to database searches keyed into a geographic mapping system, VISTA reported that a number of sites were not mappable due to incomplete address or other identifying information. Based upon Landau Associates' review of the VISTA report, the 13 unmapped sites are located outside their respective search radii from the subject property. Therefore, these 13 unmapped sites are not expected to represent a significant environmental concern for the subject property. The VISTA report is included as Appendix B.

Table 1 provides a summary of the regulatory database search results. Five regulated sites of potential interest were identified in the VISTA report. Information regarding these sites is summarized in Table 2. Based on the information presented, four of the five sites were considered to represent a very low potential of environmental concern for the subject property. The remaining site, the Nestle Brands Foodservice Co. underground storage tank (UST) site, was considered to have a moderate to high potential for impact to the subject property.

Landau Associates contacted Mr. Kevin van Kleek of Idaho DEQ for additional information regarding the Nestle Brands Foodservice Co. UST site. According to Mr. van Kleek, 16 USTs were closed at the site in 1988. The tanks were approximately 14 years old when they were closed. The closure occurred before DEQ developed their UST program. DEQ had no records to indicate that an environmental assessment was conducted at the time of the UST closures. Mr. Van Kleek reported that groundwater in the vicinity is encountered at approximately 8 to 9 ft below ground surface. The groundwater flow direction in the vicinity of the subject property is generally toward the west or northwest. Given the proximity of the Nestle site to the subject property and the uncertainty with respect

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to localized variability in groundwater flow directions, there is potential for any leakage associated with the former tank farm to impact groundwater at the subject property.

5.2 NAMPA FIRE DEPARTMENT

Landau Associates contacted Mr. Ron Anderson (9 November 1999, personal communication) of the Nampa Fire Department for information regarding USTs and hazardous material incidents at the subject property and in the vicinity. Mr. Anderson, who has been with the fire department for 19 years, stated that he was not personally aware of any environmental concerns at the property. Mr. Anderson recalled that a few drums of flammable liquid had been left along Caldwell Blvd. and rolled onto the edge of the subject property spilling over into the soil about 10 years ago. Mr. Anderson stated that the spill had been cleaned up at the time of occurrence. The fire department also responded to a structural fire at the property due to a yard waste fire that got out of control. Mr. Anderson stated that the subject property has historically been used for agriculture.

6.0 PROPERTY RECONNAISSANCE

On October 19, 1999, Ms. Kim Saganski of Landau Associates conducted a reconnaissance of the subject property and adjacent properties to visually assess current land use activities and environmental conditions. The reconnaissance was documented with notes and photographs.

Agricultural fields occupied the majority of the subject property. A single-family residence and three storage structures occupied the southeastern corner of the property. The area around the hay storage shed was paved with concrete. A combine was parked inside the hay storage shed. The house and a small storage shed are located at a slightly higher elevation than the rest of the property. A manhole cover was observed off the southeast corner of the house. This manhole cover is assumed to be associated with the onsite septic system. A white PVC pipe was observed protruding from the ground on the west side of the house. The purpose of the pipe was not readily discernable. A large debris pile consisting of household waste and a soil stockpile were observed between the house and the hay storage shed at the time of the site visit. Mr. Little, owner of the subject property, stated that he intends to burn the debris pile as soon as the weather conditions are favorable. The soil stockpile appeared to be associated with construction work along Middleton Rd. Landau Associates did not view the interior of the storage sheds and the house at the time of the site visit.

There were no visible indications of historical development such as building foundations in other areas of the property. Features of the subject property and adjacent properties, as observed during the reconnaissance, are illustrated on Figure 2.

6.1 THE PROPOSED HOME DEPOT PROPERTY

This section presents information on environmental conditions observed at the subject property during the site reconnaissance. The focus of the reconnaissance was to identify conditions that have the potential to cause adverse environmental conditions at the property that could pose a risk of environmental liability to a potential purchaser or current owner of the property. Table 3 presents the results of the site reconnaissance checklist.

As summarized in Table 3, there were no visible indications of environmental concerns noted with respect to the subject property at the time of the site visit.

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6.2 ADJACENT PROPERTIES

As part of the site reconnaissance, Landau Associates also examined the following adjacent properties from public rights-of-way or the subject property to assess current land use activities and environmental conditions:

- North adjacent properties: drainage ditch and railroad, beyond which is an automobile salvage yard.
- East adjacent property: N. Middleton Rd., beyond which is undeveloped land, a substation, a landscaping business, a residence, and a commercial retail strip mall.
- South adjacent properties: Nampa-Caldwell Blvd., beyond which is a Texaco gasoline station, residential property, Ted's Diesel Sales, Hennesy's Auto Sales, Evergreen Mobile Home Park, Intermountain Gas Co., and Golden West Mobile Home Sales.
- West adjacent properties: Automobile salvage yard, law offices, and a beauty salon.

Table 4 presents the results of the checklist for the adjacent properties. The checklist represents observations made at the time of the site visit. Indications of potential environmental concerns were noted on the properties adjacent to the south (Texaco gasoline station and Ted's Diesel). However, based upon information presented in Section 5.0 of this report, these two sites are not expected to impact the subject property.

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7.0 INTERVIEWS

Landau Associates interviewed Mr. Ralph Little, current owner of the subject property. The following information was obtained from this interview:

- The owner was not aware of any environmental violations or liens associated with the subject property.
- The owner was not aware of any environmental regulation violations, chemical releases, or underground storage tanks on the subject property.
- Mr. Little did not know the purpose of the PVC pipe protruding from the ground on the west side of the house.
- Soil stockpiles, observed on the property at the time of the site visit, were produced during regrading of the subject property.
- The current utilities at the subject property are natural gas, private groundwater supply, septic system, and electricity. A sewer system is currently under construction along the northern property boundary.
- There are two groundwater supply wells on the property. One is located on the east side of the house and the other is located north of the house.
- No fuels or chemicals are stored or mixed on the property. Pesticides are most likely used on the fields.

DRAFT

8.0 SUPPLEMENTAL INVESTIGATION

Landau Associates contracted with Transglobal Environmental Geosciences Northwest, Inc. of Lacey, Washington for collection of shallow groundwater samples using a direct push drilling rig. Groundwater samples were collected at five locations along the east and northeast property lines, which are the closest portions of the subject property to the Nestle site. A field sketch showing the sampling locations is included in Appendix C.

The groundwater samples were submitted to Analytical Resources, Inc. of Seattle, Washington for analysis of gasoline- and diesel-range petroleum hydrocarbons by methods NWTPH-G and NWTPH-D, respectively. The laboratory results indicated that these compounds were not present in the groundwater samples above the detection limit of 0.25 milligrams per liter. Copies of the laboratory data reports are provided in Appendix D.

Based on the results of this sampling effort, the groundwater at the subject property does not appear to be significantly impacted by releases of petroleum hydrocarbons (if any) from the Nestle site.

9.0 SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS

The subject property consists of two parcels of land that have been owned by Mr. Ralph Little since 1972. The subject property is currently occupied by farmland and a rural residence.

Based upon the information gathered from the historical research, the subject property has historically been used for agricultural purposes. No environmental concerns were observed on the subject property at the time of the site visit.

The regulatory database and file research indicated that there are five sites of potential environmental interest located within ½ mile of the subject property. Based on the information reviewed, four of the five sites were expected to have a very low potential to impact the subject property. The fifth site, identified as the Nestle Brands Foodservice Co. UST site, was identified as having the potential for impact to the groundwater beneath the subject property. This deduction was based on the large number of tanks in the former tank field, the lack of information regarding the history of operation, the proximity of the Nestle site to the subject property, and the uncertainty with respect to localized variability in groundwater flow directions. However, the results of the supplemental investigation described in Section 8.0 indicated that the groundwater at the subject property does not appear to have been significantly impacted by releases of petroleum hydrocarbons (if any) from the Nestle site.

Landau Associates has performed a Phase I ESA of the proposed Home Depot property located 2616 Caldwell Blvd. in unincorporated Canyon County, Idaho (the property), in conformance with the scope and limitations of the ASTM Phase I practice, as annotated and supplemented by the annotation of it, attached as Appendix E. This assessment has no revealed evidence of environmental conditions in connection with the property. Landau Associates recommends that the water supply wells and septic system located on the subject property be abandoned in conformance with city, county, state, and local government regulations prior to redevelopment.

DRAFT

10.0 USE OF THIS REPORT

This Phase I ESA was undertaken and this report prepared for the exclusive use Home Depot, their legal representatives, and their lenders (authorized users) for specific application to the subject property. It is intended to provide the authorized users with an understanding of the potential environmental liabilities associated with the property evaluated in this report. Reliance on this report by third parties or others who do not have a contractual relationship with Landau Associates on this project is at their sole risk.

This report is based on observations and information obtained during one visit to the subject property and is based solely on the condition of the property on that day, supplemented with information obtained by Landau Associates and described herein. In evaluating the site, Landau Associates has relied, in good faith, on representations and information abstracted from sources noted in this report to the extent they have not been contradicted by observations during the property reconnaissance or data obtained from other sources. Accordingly, Landau Associates accepts no responsibility for any deficiency, misstatements, omissions, or misrepresentations in the information provided to us.

Determining whether environmental conditions defined in this report indicate the presence of contamination at levels of concern is a matter of judgment. Liabilities associated with contaminated sites are defined in part by CERCLA. The findings and conclusions of this report are based on our evaluation of information obtained and reviewed for this project and reflect our professional judgment with respect to that information.

Landau Associates has performed the services and made the findings in accordance with generally accepted practices for Phase I ESAs in effect at the time the services were performed. This warranty stands in lieu of all other warranties, express or implied. While this report can be used as a guide, it is neither a rejection nor an endorsement of the property. It must also be understood that changing circumstances in the environment and use of the property can alter the conclusions and findings contained in this report.

LANDAU ASSOCIATES, INC.

By:

Jay P. Bower, P.E.
Associate
and

Kim A. Saganski
Senior Staff Geologist

JPB/KAS
No. 469005.10

DRAFT

11.0 REFERENCES

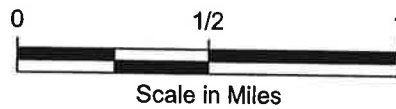
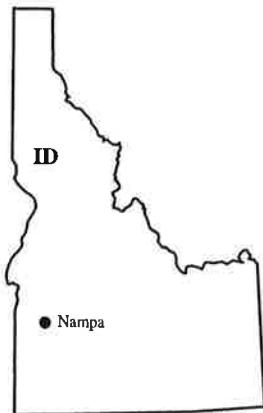
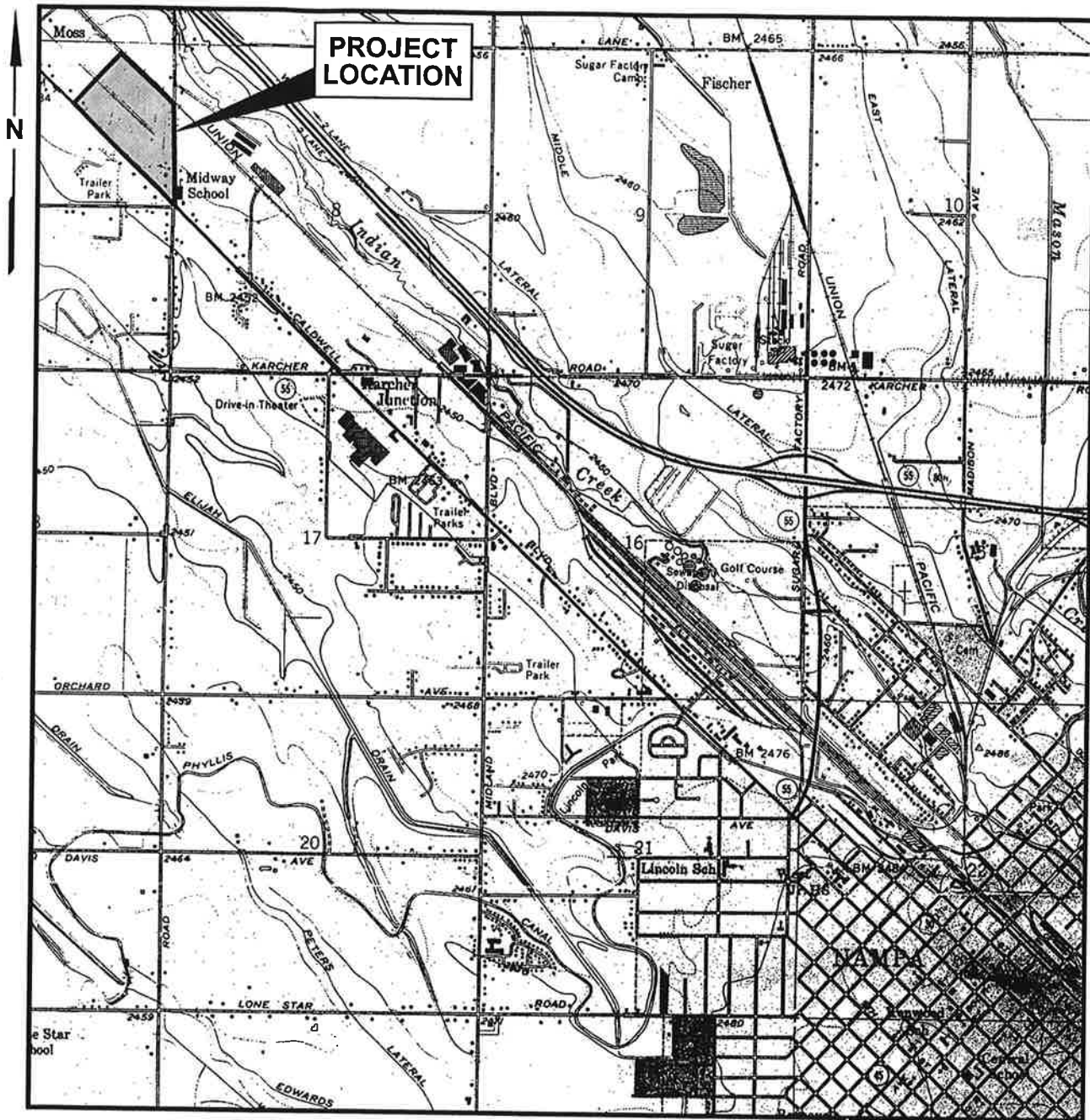
Anderson, R. 9 November 1999. Personal communication (telephone interview with Kim Saganski, Landau Associates, regarding the subject property and surrounding area history and environmental activities). Nampa Fire Department.

Little, R. 5 October, 1999. Personal communication (interview with Kim Saganski, Landau Associates, regarding the subject property). Current property owner.

Mitchell V. and E. Bennett . 1979. *Geologic Map of the Boise Quadrangle, Idaho*.

Neely K. and J. Crockett . 1998. *Ground Water Quality Characterization and Initial Trend analysis for the Treasure Valley Shallow and Deep Hydrogeologic Subareas*. Idaho Department of Water Resources Water Information Bulletin No. 50 Part 3.

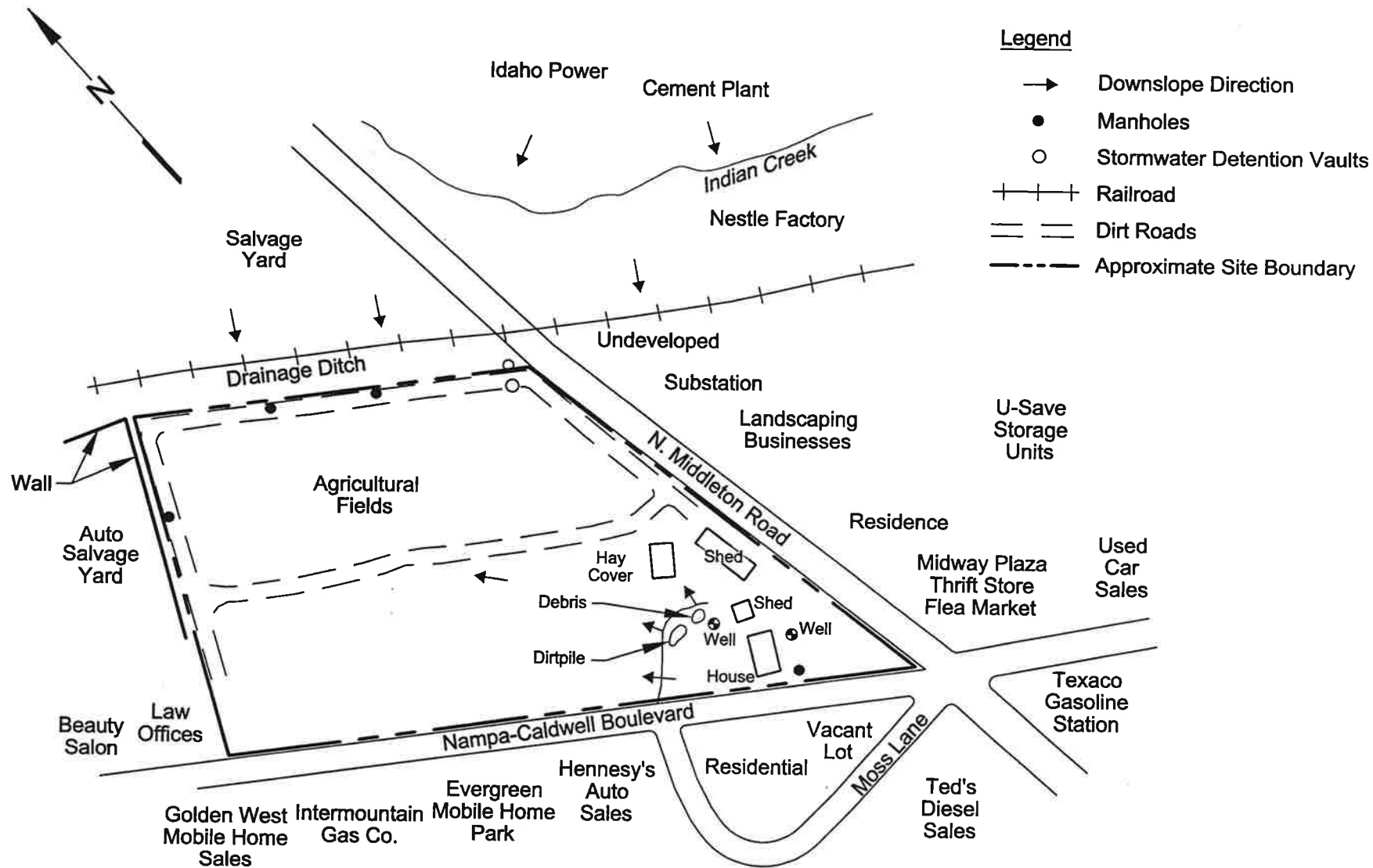
USGS. 1958 (photo revised 1971). *Nampa Quadrangle, Idaho, 7.5 Minute Series (Topographic)*.



DRAFT

Vicinity Map

Figure 1



DRAFT



Site Plan

Figure 2

TABLE 1
SUMMARY OF REGULATORY DATABASE SEARCH RESULTS

Database	Search Radius (miles)	Sites Identified
NPL	1	None
CORRACTS (TSD)	1	None
SPL	1	None
SCL	1	None
CERCLIS/NFRAP	½	None
TSD	½	None
LUST	½	Boise State University – 2407 Caldwell Blvd
SWLF	½	None
UST	¼	Intermountain Gas Co – 2921 Caldwell Blvd Ted's Diesel – 2613 Moss Ln Circle K #835 (Texaco) – 2513 Caldwell Blvd Nestle Brands Foodservice – 3704 N Middleton Rd Boise State University – 2407 Caldwell Blvd
ERNS	1/8	None
LG GEN	1/8	None
SM GEN	1/8	None

NPL	EPA - National Priorities List
CORRACTS TSD	EPA - Resource Conservation and Recovery Act Corrective Actions and associated treatment, storage, disposal facilities
SPL	State equivalent priority list
SCL	State equivalent CERCLIS list
CERCLIS/NFRAP	Comprehensive Environmental Response, Compensation, and Liability Information System/No Further Remedial Action Planned sites – site currently or formerly under review by EPA
TSD	RCRA permitted treatment, storage, disposal facilities
LUST	Leaking Underground Storage Tank database
SWLF	Solid Waste Landfill Facilities List – permitted as solid waste landfills, incinerators, or transfer stations
UST	Underground Storage Tank database
ERNS	EPA - Emergency Response Notification System of spills or releases
LG GEN	RCRA registered large generators of hazardous waste
SM GEN	RCRA registered small generators of hazardous waste

TABLE 2
SUMMARY OF REGULATED SITES

Site Name	Approximate Distance/Direction from Subject Property (miles)	Summary	Potential for Impact to Subject Property
Intermountain Gas Co	0.12/south	UST removed in 1992. No leakage reported.	Very low
Ted's Diesel.	0.13/south	UST removed, no leakage reported.	Very low
Circle K #835 (Texaco)	0.20/southeast	Two USTs currently in operation. No leakage reported.	Very low
Nestle Brands Foodservice Co. (AKA) Carnation Potatoes	0.13/east	Sixteen gasoline and diesel containing USTs ranging from 10,000-gallon to 30,000-gallon were closed in 1988. DEQ stated that no environmental assessment was conducted. The closure occurred prior to development of DEQ's UST program.	Moderate to High
Boise State University	0.34/southeast	Three USTs removed in 1993. DEQ stated that minor soil contamination was cleaned up during the tank removal. DEQ was on site. DEQ stated that groundwater was not impacted.	Very low

TABLE 3
SITE RECONNAISSANCE CHECKLIST

Checklist Items	Not		Remarks
	Present	Observed	
Chemical Storage		√	
Hazardous Waste			
Solid Waste	√		A large household debris pile was observed between the house and the hay storage shed. The property owner plans to burn this debris pile.
Evidence of Dumping		√	An approximately 70-gallon poly tank was observed at the northwest corner of the property. The tank was empty and appeared to have been used for water storage. There was no staining or stressed vegetation around the tank to indicate an environmental concern.
Use of Fill Material		√	
Soil or Groundwater Contamination		√	
Underground Storage Tanks		√	
Aboveground Storage Tanks		√	
Electrical Transformers/PCBs		√	
Stormdrains, Catch Basins	√		The property is entirely unpaved and therefore stormwater is accommodated by percolation into the ground. Manholes were observed along the northern and western property boundaries. The current owner stated that the city is installing a sewer system along this portion of the property.
Pits, Ponds, and Lagoons		√	
Groundwater Supply or Monitoring Wells	√		One groundwater supply well was observed on the subject property near the east side of the house. Another groundwater supply well is reportedly located near the debris pile on the property.

TABLE 4
ADJACENT PROPERTIES CHECKLIST

Checklist Item	Present	Not Observed	Remarks
Chemical Storage Areas Solid Waste	√	√	Automobile salvage yards are located to the north and west of the subject property. The cars appear to be stored on unpaved ground. Both yards are located in downgradient locations with respect to reported groundwater flow direction in the subject area.
Hazardous Waste		√	
Evidence of Dumping		√	
Use of Fill Material		√	
Soil or Groundwater Contamination		√	
Underground Storage Tanks	√		Underground storage tanks for gasoline and diesel are located adjacent to the south of the subject property at the Texaco station.
Aboveground Storage Tanks Pits, Ponds, and Lagoons		√ √	

05/18/2006

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

RIGHT NUMBER: 63-4678

NAME AND ADDRESS: RALPH L & M LUCILE LITTLE TRUST
RT 1 BOX 1393
NAMPA ID 83651

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.780 CFS
175.500 AFY

PRIORITY DATE: 07/01/1924

POINT OF DIVERSION:

T03N R02W S7 SENE Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.780 CFS
175.50 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T03N R02W S07

NENE

19.00

T03N R02W S07

NWNE

3.00

T03N R02W S07

SENE

17.00

39 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 - Beneficial Use

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

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-4678

WATER RIGHT NUMBER: 63-4678

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	M LUCILE LITTLE RT #1 NAMPA, ID 83651
Current Owner	RALPH L & M LUCILE LITTLE TRUST RT 1 BOX 1393 NAMPA, ID 83651 (208)466-2857
Original Owner	RALPH L LITTLE RT 1 BOX 1393 NAMPA, ID 83651 (208)466-2857

Priority Date: 07/01/1924

Basis: Statutory Claim

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From To

3/15 to 11/15

Diversion Rate

0.780 CFS

Annual Volume

175.5

Total Diversion: 0.780 CFSLocation of Point(s) of Diversion

GROUND WATER

CANYON County

SE 1/4 SE 1/4 NE 1/4

Sec. 7, Twp 03N, Rge 02W, B.M.

Place of Use

IRRIGATION

$$(39)(4.5) = 175.5 \text{ afa or } (-78)(1.9835)(260) = 402.25$$

Twp	Rge	Sec	NE	NW	SW	SE	Totals
03N	02W	7	19.0	3.0	17.0		39.0

Total Acres: 39

Conditions of Approval:

- THE EXISTING WELL IN USE IS A REPLACEMENT FROM THE 1924 WELL. THE HIGHWAY DISTRICT PURCHASED AND FILLED IN THE OLD WELL; THE WELL CURRENTLY IN USE WAS DRILLED IN 1988.

Remarks:

WMO Pioneer for Dis water also used.

$$\frac{(8.8)(.1)(5)}{(15) + (2.31)(30)} = \frac{30.8}{74.3} = .41 \text{ cfs if kept 5 hp pump - unknown.}$$

will recommend .78 as claimed.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

March 2, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RALPH L AND M LUCILE LITTLE TRUST
1209 SUNNYBROOK DR
NAMPA, ID 83686

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-4678

Dear Claimant(s),

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a printout of the claim(s) for your reference. You indicated, when these claims were filed, that the water right(s) was based on a "Statutory Claim" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. This claim(s) has not been confirmed by a previous filing with the Idaho Department of Water Resources (IDWR) since there is no decree, license, or permit on file to verify the use of this water. For this reason, IDWR is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

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

If no evidence of this priority date is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, will not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future. Please submit the required evidence supporting the priority date(s) by March 27, 2006.

Additionally, I see that your address have changed from the address claimed, Route 1, Box 1393, Nampa. Please submit the enclosed address change so that we can officially change your address in our records. Failure to do so may prevent you from receiving further correspondence regarding your water right claim. Call me at (208) 334-2190 by the date indicated above if you have questions not covered by this letter and the enclosed pamphlet.

Sincerely,


Vicky L. Music
Senior Water Resource Agent

Enclosures: Notice of claim report for A63-4678, change of address form and "Evidence of Priority" brochure

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

March 2, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RALPH L AND M LUCILE LITTLE TRUST
1209 SUNNYBROOK DR
NAMP, ID 83686

RE: EVIDENCE OF PRIORITY

SNAKE RIVER BASIN CLAIM NO(S): A63-4678

Dear Claimant(s),

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a printout of the claim(s) for your reference. You indicated, when these claims were filed, that the water right(s) was based on a "Statutory Claim" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. This claim(s) has not been confirmed by a previous filing with the Idaho Department of Water Resources (IDWR) since there is no decree, license, or permit on file to verify the use of this water. For this reason, IDWR is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

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

Substantive
report was this
address.
Canyon Co.
Says
2609
Letter sent
claim
May 2



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 3, 2002

RE: Investigation of Water Right Claims in the Snake River Basin Adjudication, Basin 63

Dear Claimant:

As you may be aware, the Idaho Department of Water Resources (IDWR) is commencing its Snake River Basin Adjudication (SRBA) investigation of water rights in the Boise River Basin (Basin 63). This investigation is a major effort, and IDWR has hired a contractor, Water Works, Inc., to assist us with this task.

The purpose of this letter is to advise you that Water Works, Inc. might be contacting you to conduct a field investigation of your water use. This investigation is meant to provide important information to the IDWR Senior Water Resource Agent who will be making a recommendation for your water rights. Accordingly, we request that you provide Water Works, Inc. with access to your water diversion system so that their personnel can conduct this field examination. Water Works, Inc. will be gathering information on the rate of flow, diversion location and place of use of your water rights, and will be reporting this information to IDWR.

If you have sold your property in the Boise River Basin, we request that you forward this letter to the purchaser, so that the purchaser can report the new name and address to our office. If you are unable to forward this letter, please send any information regarding a new owner to our Western Regional Office located at 2735 Airport Way, Boise, 83705, (208) 334-2190.

The process of adjudicating your water rights is straightforward for most people, resulting in the issuance of decreed water rights on your property. ~~Experience has shown that water users who~~ work with our agency early in the process to ensure that their recordings are correct have a better experience than those who wait until IDWR has filed its findings with the SRBA Court. Thus, we encourage you to work with our staff and with Water Works, Inc. to ensure that the results accurately reflect your water uses.

Sincerely,

Jan Shurte
Adjudication Section Supervisor
Western Regional Office

EXPENDITURE VOUCHER

AUDITOR USE

STATE OF IDAHO
Office of State Auditor

AGENCY USE

8598
Date 04/02/90
Code 193002

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME: DEPT. OF WATER RESOURCES

Document No.	
Pre-Audit	Date
Warrant No.	

PAY
TO

RALPH LITTLE
RT. 1, BOX 1393
NAMPA, ID 83651

CHECK ONE:

(1) MISCELLANEOUS EXPENDITURE
() STATE CONTRACT

() PURCHASE ORDER

() MISCELLANEOUS
ENCUMBRANCE REQUISITION

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	04 10 162	9337	8831		REFUNDS PER D. SHAFF WR #A63-04678 3/26/90 39.00	39.00	
TOTAL						39.00	

MICROFILMED
AUG 26 1992

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

TO: Debbie Allen

FROM: D. Shaff *DS*

DATE: 3-26-90

RE: Receipt *M005615* Refund

Please process a refund of \$ *39.⁰⁰* to:

*Ralph Little
Rt. 1, Box 1393
Nampa, ID 83651*

*A63-04678
(fees also pd by Pioneer Irr.)*

MICROFILMED

AUG 20 1992

Copy to Receipt File

INTER-DEPARTMENT MEMO — 1

FROM

Bruce A. Schuel

DATE

3/22/90

TO

Don Shaff & Debbie Allen

SUBJECT

Refund

Please instigate a refund to:

Ralph L. & M. Lucile Little Trust

Rt 1 Box 1393

Nampa, Idaho 83651 for: \$39 in acreage

fees paid by claimant to A63-4678 under rept M005615

as fees were paid by Pioneer Irr.

District

Bruce A. Schuel

SIGNATURE

Attached: Claim A63-4678 Rept M005615

5. Description of
WELL & MOTOR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.780		

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

A.F.A.

8. Total consumptive use is 136.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	02W	7	NE	NE	IRR	19.0
			NW	NE	IRR	3.0
			SE	NE	IRR	17.0

Section Acres 39.0

A63-04678

Page

1

Date: 03/21/90

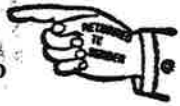
MICROFILMED

AUG 20 1992

Copy to Claim file

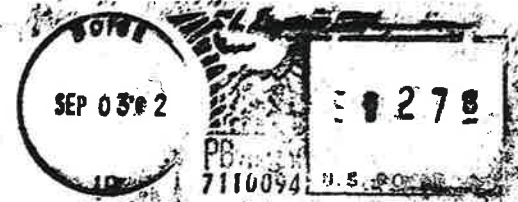
IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

RETURN SERVICE REQUESTED



RETURN SERVICE
REQUESTED
**NO SUCH
ADDRESS**

PRESORTED
FIRST CLASS



63-4678

No address
found

1050
2-1-82

RALPH L & M LUCILE LITTLE TRUST
RT 1 BOX 1393
NAMPA ID 83651





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 3, 2002

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Sincerely,

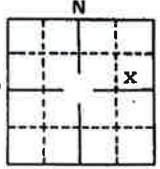
Jan Shurte
Adjudication Section Supervisor
Western Regional Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESUSE TYPEWRITER OR
BALLPOINT PEN

SEP 20 1988

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

1. WELL OWNER Name <u>Ralph Little</u> Address <u>Rt. #1 - Box 1393</u> <u>Nampa, ID 83651</u> Owner's Permit No. <u>63-10415</u>		7. WATER LEVEL Static water level <u>15'</u> feet below land surface. Flowing? ☐ Yes ☐ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ °F. Quality _____ Describe artesian or temperature zones below.																																																																																																																																																																																																																																			
2. NATURE OF WORK <u>63-88-W-113</u> ☒ New well ☐ Deepened ☒ Replacement ☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)		8. WELL TEST DATA ☐ Pump ☐ Bailor ☐ Air ☐ Other _____ <table border="1"><thead><tr><th>Discharge G.P.M.</th><th>Pumping Level</th><th>Hours Pumped</th></tr></thead><tbody><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></tbody></table>		Discharge G.P.M.	Pumping Level	Hours Pumped																																																																																																																																																																																																																															
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3. PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)		9. LITHOLOGIC LOG <table border="1"><thead><tr><th rowspan="2">Bore Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th colspan="2">Water</th></tr><tr><th>From</th><th>To</th><th>Yes</th><th>No</th></tr></thead><tbody><tr><td>28"</td><td>0</td><td>8</td><td>Topsoil</td><td></td><td></td></tr><tr><td></td><td>8</td><td>10</td><td>Hardpan</td><td></td><td></td></tr><tr><td></td><td>10</td><td>14</td><td>Sand</td><td></td><td></td></tr><tr><td></td><td>14</td><td>20</td><td>Coarse Brown Sand</td><td></td><td></td></tr><tr><td></td><td>20</td><td>29</td><td>Brown Clay</td><td></td><td></td></tr><tr><td></td><td>29</td><td>34</td><td>Coarse Brown Sand</td><td></td><td></td></tr><tr><td></td><td>34</td><td>37</td><td>Fine Sand and Clay</td><td></td><td></td></tr><tr><td></td><td>37</td><td>43</td><td>Hard Dark Brown Clay</td><td></td><td></td></tr><tr><td></td><td>43</td><td>49</td><td>Coarse Sand</td><td></td><td></td></tr><tr><td></td><td>49</td><td>50</td><td>Brown Clay</td><td></td><td></td></tr><tr><td></td><td>50</td><td>64</td><td>Coarse Brown Sand</td><td></td><td></td></tr><tr><td></td><td>64</td><td>68</td><td>Sand & Gravel</td><td></td><td></td></tr><tr><td></td><td>68</td><td>70</td><td>Hard Dark Brown Clay</td><td></td><td></td></tr><tr><td></td><td>70</td><td>71</td><td>Lava Rock w/drkbrown clay</td><td></td><td></td></tr><tr><td></td><td>71</td><td>72</td><td>Lava Rock w/ Sand</td><td></td><td></td></tr><tr><td></td><td>72</td><td>76</td><td>Lava Rock w/Drk. Brn. Clay</td><td></td><td></td></tr><tr><td></td><td>76</td><td>78</td><td>Dark Brown Clay</td><td></td><td></td></tr><tr><td></td><td>78</td><td>79</td><td>Sand & Clay</td><td></td><td></td></tr><tr><td></td><td>79</td><td>81</td><td>Clay</td><td></td><td></td></tr><tr><td></td><td>81</td><td>82</td><td>Sand</td><td></td><td>X</td></tr><tr><td></td><td>82</td><td>84</td><td>Sand w/Lava</td><td></td><td>X</td></tr><tr><td></td><td>84</td><td>98</td><td>River Gravel & Sand</td><td></td><td>X</td></tr><tr><td></td><td>98</td><td>104</td><td>Brown Clay</td><td></td><td></td></tr><tr><td></td><td>104</td><td>114</td><td>Fine Sand & Clay</td><td></td><td></td></tr><tr><td></td><td>114</td><td>132</td><td>Fine Sand</td><td></td><td>X</td></tr><tr><td></td><td>132</td><td>136</td><td>Brown Clay</td><td></td><td></td></tr><tr><td></td><td>136</td><td>138</td><td>Fine Sand</td><td></td><td></td></tr><tr><td></td><td>138</td><td>145</td><td>Brown Clay</td><td></td><td></td></tr><tr><td></td><td>145</td><td>153</td><td>Brown Clay w/stks. fine sand</td><td></td><td></td></tr><tr><td></td><td>153</td><td>155</td><td>Fine to medium brn. sand</td><td></td><td></td></tr><tr><td></td><td>155</td><td>156</td><td>Brown Clay</td><td></td><td></td></tr><tr><td></td><td>156</td><td>157</td><td>Fine to Med. brn. sand</td><td></td><td></td></tr><tr><td></td><td>157</td><td>165</td><td>Brn. Clay w/stks. fine sand</td><td></td><td></td></tr><tr><td></td><td>165</td><td>166</td><td>Brown Clay</td><td></td><td></td></tr><tr><td></td><td>166</td><td>175</td><td>Fine to med. brn. sand</td><td></td><td>X</td></tr><tr><td></td><td>175</td><td>180</td><td>Brown Clay</td><td></td><td></td></tr></tbody></table>		Bore Diam.	Depth		Material	Water		From	To	Yes	No	28"	0	8	Topsoil				8	10	Hardpan				10	14	Sand				14	20	Coarse Brown Sand				20	29	Brown Clay				29	34	Coarse Brown Sand				34	37	Fine Sand and Clay				37	43	Hard Dark Brown Clay				43	49	Coarse Sand				49	50	Brown Clay				50	64	Coarse Brown Sand				64	68	Sand & Gravel				68	70	Hard Dark Brown Clay				70	71	Lava Rock w/drkbrown clay				71	72	Lava Rock w/ Sand				72	76	Lava Rock w/Drk. Brn. Clay				76	78	Dark Brown Clay				78	79	Sand & Clay				79	81	Clay				81	82	Sand		X		82	84	Sand w/Lava		X		84	98	River Gravel & Sand		X		98	104	Brown Clay				104	114	Fine Sand & Clay				114	132	Fine Sand		X		132	136	Brown Clay				136	138	Fine Sand				138	145	Brown Clay				145	153	Brown Clay w/stks. fine sand				153	155	Fine to medium brn. sand				155	156	Brown Clay				156	157	Fine to Med. brn. sand				157	165	Brn. Clay w/stks. fine sand				165	166	Brown Clay				166	175	Fine to med. brn. sand		X		175	180	Brown Clay		
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4. METHOD DRILLED ☐ Rotary ☐ Air ☐ Hydraulic ☒ Reverse rotary ☐ Cable ☐ Dug ☐ Other _____		10. Work started <u>6/28/88</u> finished <u>6/30/88</u>																																																																																																																																																																																																																																			
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table border="1"><thead><tr><th>Thickness</th><th>Diameter</th><th>From</th><th>To</th></tr></thead><tbody><tr><td>.250 inches</td><td>16 inches</td><td>18 feet</td><td>80 feet</td></tr><tr><td>.250 inches</td><td>16 inches</td><td>90 feet</td><td>120 feet</td></tr><tr><td>.250 inches</td><td>16 inches</td><td>130 feet</td><td>165 feet</td></tr><tr><td>.250 inches</td><td>16 inches</td><td>175 feet</td><td>180 feet</td></tr></tbody></table> Was casing drive shoe used? ☐ Yes ☒ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches <table border="1"><thead><tr><th>Number</th><th>From</th><th>To</th></tr></thead><tbody><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr></tbody></table> Well screen installed? ☒ Yes ☐ No Manufacturer's name <u>Roscoe Moss - Heavy</u> Type <u>Wirewrap</u> Model No. _____ Diameter <u>16"</u> Slot size <u>040</u> Set from <u>80</u> feet to <u>90</u> feet Diameter <u>16"</u> Slot size <u>"</u> Set from <u>165</u> feet to <u>175</u> feet Gravel packed? ☒ Yes ☐ No ☐ Size of gravel <u>8 Minus</u> Placed from <u>70</u> feet to <u>180</u> feet Surface seal depth <u>70</u> Material used in seal: ☒ Cement grout ☐ Bentonite ☐ Pudding clay ☐ _____ Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overbore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld ☐ Cemented between strata Describe access port <u>2"</u>		Thickness	Diameter	From	To	.250 inches	16 inches	18 feet	80 feet	.250 inches	16 inches	90 feet	120 feet	.250 inches	16 inches	130 feet	165 feet	.250 inches	16 inches	175 feet	180 feet	Number	From	To	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. <u>Pete Cope Drilling Co., Inc.</u> Firm Name _____ Firm No <u>2113</u> <u>6505 West Chinden Blvd.</u> Address <u>Meridian, ID</u> Date <u>7/1/88</u> Signed by (Firm Official) <u>Pete Cope</u> and (Operator) <u>Joseph Jones</u>																																																																																																																																																																																																			
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6. LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name _____ Lot No. _____ Block No. _____ County <u>Canyon</u> SE ¼ NE ¼ Sec. <u>7</u> , T. <u>3N</u> N/S, R. <u>2W</u> E/W.																																																																																																																																																																																																																																					

USE ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT

REAL PROPERTY INQUIRY

+++++

01 6R20469-000- -0 002-01 SCH139+ 01 11,200 13.55

+++++ 21 1,000 1.00

LITTLE, RALPH L +

& LITTLE, LUCILE-TRUST +

+

+

+

2609 SUNNYBROOK DR +

NAMPA ID 83686-6332 +

+++++

07-3N-2W NE BUMGARNER'S RESUB 1155 + TOTAL 12,200 14.55

TX 2 LS RD IN LTS 1 & 2

+++++

+ SURVEY INST 8415248

+ DRAIN DR VALUE APPR JFR

+ CLASS REAP 04 MAN UNIT 0

2912 CALDWELL BLVD, NA

Pg 104

+ PARCEL 6RN1155000001B H/O N C/B N

+ PRIOR ACCOUNT 5R20469-000- -0

+ 02 MH on Property NO

MODE:F ACTION:

TRAITS INQUIRY

TRQK318

ACCOUNT NUMBER R20469000 0 UNIT 001 TOTAL UNITS

SITE CALDWELL BLVD NA SEC/TWN/RNG 07-3N-2W

ASSESSED VALUE 12,200 ACREAGE 14.55

SUB/PARK NAME BUMGARNER'S RESUB YEAR/MAKE

CLASS NO BUILDING CLASS SPACE LOT BLOCK

+++++

YR BUILT 0 AIR COND AIR - NONE CARPORT N

STORY NO BLDG HEATING CARPORT SQ FT

FIRST SQ FT 0 EXTERIOR UNKNOWN DECK/PATIO? N

SECOND SQ FT ROOF UNKNOWN POOL? N

BEDS 0 BSMT SQ FT SPA? N

BATHS .00 % BSMT FIN LOT SIZE

FRPLC 0 GARAGE N NEIGHBORHOOD 0

GARAGE SQ FT

+++++

COMMENTS

MOBILE HOME ONLY

WIDTH/LENGTH

EXPANDO

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-4678**

02/07/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
4678	Claim	03N	02W	7	NE	NE		IRRIGATION	19/39	RALPH L & M LUCILE LITTLE TRUST
4678	Water Right	03N	02W	7	NE	NE		IRRIGATION	19/39	RALPH L LITTLE
4678	Claim	03N	02W	7	NW	NE		IRRIGATION	3/39	RALPH L & M LUCILE LITTLE TRUST
21204	Water Right	03N	02W	7	NW	NE		DOMESTIC		LEO TAYLOR
21205	Water Right	03N	02W	7	NW	NE		DOMESTIC		LEO TAYLOR
21206	Water Right	03N	02W	7	NW	NE		DOMESTIC		LEO TAYLOR
21207	Water Right	03N	02W	7	NW	NE		DOMESTIC		LEO TAYLOR
28101	Water Right	03N	02W	7	NW	NE		DOMESTIC		RICHARD B EISMANN
4678	Claim	03N	02W	7	SE	NE		IRRIGATION	17/39	RALPH L & M LUCILE LITTLE TRUST
4678	Water Right	03N	02W	7	SE	NE		IRRIGATION	20/39	RALPH L LITTLE
4990	Water Right	03N	02W	7	SE	NE		IRRIGATION	15/15	RANDALL E DECKER JR
20419	Water Right	03N	02W	7	SE	NE		DOMESTIC		RALPH L & M LUCILE LITTLE TRUST
21179	Water Right	03N	02W	7	SE	NE		DOMESTIC		CAROLYN A MAI

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-4678

WATER RIGHT NUMBER: 63-4678

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RALPH L LITTLE RT 1 BOX 1393 NAMPA, ID 83651 (208)466-2857
Current Owner	M LUCILE LITTLE RT #1 NAMPA, ID 83651

Priority Date: 07/01/1924

Basis: Statutory Claim

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.780 CFS	
	<u>Total Diversion:</u>	0.780 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4	Sec. 7, Twp 03N, Rge 02W, 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	02W	7	19.0			20.0													39.0

Total Acres: 39

Conditions of Approval:Remarks:Comments:

CLAIM TO A WATER RIGHT

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Route #1, Nampa, ID 83651
(Mailing Address)

Telephone No. 466-2857

(1) Date of priority: (When was the water first applied to a beneficial use) 7/1/1924

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive) (Mo., Day)	
Quantity	<u>.78 cfs</u>	Use	<u>irrigation</u>	Period of Use From <u>3/15</u>	To <u>11/15</u>
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____

(4) .78 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

SE ¼ NE ¼, Sec. 7 Twp. 3N Rge. 2W B.M., County of Canyon

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 180' deep 12" casing 5 HP motor

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres 39

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

MICROFILMED

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

County of

Sworn to before me this

9 day of August

(Claimant)

19 17

Kathryn A. Walker

Notary Public

Residing at

Boose

Received by JKH

Date 8/9/74

Exception filed by:

Forwarded to

Date _____

Prelim. check by

Date 8/14/79

claimant by:

\$20.00 fee received by J. KN D
Published in Idaho Free Press

Dates 8/23 & 8/30/79

KK 9/11/79

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-04678

Date: 2-6-02

	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	3N	2W	67	19	3		17													39
GIS				21	13		17													39.3
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 39

Overlapping FOU Claim #'s:

Total GIS Acres: 39.3

COMMENTS:

pod per claim map. and image interpretation.

Field Investigation Report

Completed by **Karan Waters**

Claim Number 63-4678

Contact:

Contact Date: 5/14/03

Ralph L. & Little -Trust

1209 Sunny Brook

NAMPA **ID** 83686

208 466-1700

☒ **Verified**

☐ **New owner**

Source of Information

Ralph

Contact Comments

Got number from phone book

Appointment Date: 6/2/03

Appointment Time: 9:00 AM

POD id 195479

Legal Description 03N 02W 7 SE SE NE

Desc of Diversion W 240'well with 16" casing, submersible pump, 6" pipeline

Site Tag # A0002018

GPS File Name 240

Motor Make submersible

Pump Make submersible

Horsepower 0

Pressure gage 0 psi

pump bowl or static static

Depth level 12 Ft.

dyn. pump level 0 Ft.

POD Remarks:

claimant said his static water level was 12, he did not know the HP

Pressure gage at sprinkler 0 psi

Bucket Measurment (gps) 0

Calc Method: Theoretical

Flow (cfs) 0.00

Photos

dsc00401 well
dsc00402 irrigation pipe and pou facing NW from pod
dsc00405 pou from Caldwell Blvd. facing N

TOP: DSC00401, MIDDLE DSC 00402, BOTTOM DSC 00405



IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

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