

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 63-3285A
Date Received: 8/15/1989
Receipt No: X999999
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

H WILLIAM NEVILLE
3122 EDSON TERRACE
BOISE ID USA 83705

Phone: (208) 344-3188

FORTUNATA P NEVILLE
3122 EDSON TERRACE
BOISE ID USA 83705-2317

Phone: (208) 342-7322

GLORIA D NEVILLE
3122 EDSON TERRACE
BOISE ID USA 83705

Phone: (208) 344-3188

YOSHIE CAMERON NORDLING
3122 EDSON TERRACE
BOISE ID USA 83705

Phone: (208) 342-7322

R DOUGLAS NEVILLE
3122 EDSON TERRACE
BOISE ID USA 83705

Phone: (208) 342-7322

THOMAS F NEVILLE
3122 EDSON TERRACE
BOISE ID USA 83705-2317

Phone: (208) 342-7322

JAMES L NEVILLE
3122 EDSON TERRACE
BOISE ID USA 83705

Phone: (208) 342-7322

MARGUERITE NEVILLE
3122 EDSON TERRACE
BOISE ID USA 83705

Phone: (208) 342-7322

DAVID L NORDLING
3122 EDSON TERRACE
BOISE ID USA 83705

Phone: (208) 342-7322

MARTHLYN B NEVILLE
3122 EDSON TERRACE
BOISE ID USA 83705

Phone: (208) 342-7322

SCANNED
OCT 05 2006

2. Date of Priority: 04/12/1962

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	02E	5	SE NE	ADA	

5. Description of diverting works:

10" @ 204' DEEP DRILLED WELL W/SURFACE PUMP W/PIPELINE TO SPRINKL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.56	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	02E	5	SE	NE	IRRIGATION	21
			NE	SE	IRRIGATION	26
			NW	SE	IRRIGATION	15
			SW	NE	IRRIGATION	31
			SE	NW	IRRIGATION	21
Section Acres						114
Total Acres						114

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

Address changed for all claimants per request. DH 6/20/2002

CHANGED ADDRESSES TO MATCH FOR MAILING PURPOSES ONLY 3/28/95 DMS THIS CLAIM IS
A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF A63-03285.

15. Basis of Claim: License

**SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM**

Claim Number(s):

A63-03285A
A63-03321A
A63-05207
A63-15304

Previous Mailing Address:

820 SO. OWYHEE ST.

BOISE, ID 83705

New Mailing Address:

3122 EDSON TERRACE

BOISE, ID 83705

Telephone Number:

(208) 287-7521 (W)

342-7322 (H)

Signature of Claimant(s):

Thomas F. Wells

Please return this completed form to:

**Adjudication Bureau
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise, ID 83706-2237
Ph. 1/800/451-4129 or
FAX 208/327-5400**

**Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348**

**Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380 or
FAX 208/736-3037**

**Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653 or
FAX 208/525-7177**

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: **A63-03285A**

Date Received: 8/15/1989

Receipt No: X777777

Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name:	H WILLIAM NEVILLE	208-344-3188
Address:	820 S OWYHEE	
	BOISE ID	83705
AND/OR		
Name:	JAMES L NEVILLE	
Address:	820 S OWYHEE	
	BOISE ID	83705
AND/OR		
Name:	GLORIA D NEVILLE	208-344-3188
Address:	820 S OWYHEE	
	BOISE ID	83705
AND/OR		
Name:	MARTHLYN B NEVILLE	
Address:	820 S OWYHEE	
	BOISE ID	83705
AND/OR		
Name:	R DOUGLAS NEVILLE	
Address:	820 S OWYHEE	
	BOISE ID	83705
AND/OR		
Name:	MARGUERITE NEVILLE	
Address:	820 S OWYHEE	
	BOISE ID	83705
AND/OR		
Name:	THOMAS F NEVILLE	
Address:	820 S OWYHEE	
	BOISE ID	83705
AND/OR		
Name:	FORTUNATA NEVILLE	
Address:	820 S OWYHEE	
	BOISE ID	83705
AND/OR		
Name:	DAVID L NORDLING	

Address: 820 S OWYHEE
BOISE ID 83705

AND/OR

Name: YOSHIE CAMERON NORDLING
Address: 820 S OWYHEE
BOISE ID 83705

2. Date of Priority: APR 12, 1962

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
04N	02E	5	SE NE		ADA

5. Description of diverting works:

10" @ 204' DEEP DRILLED WELL W/SURFACE PUMP W/PIPELINE TO SPRINKL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.560		

7. Total Quantity Appropriated is:

0.560 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

STOCKWATER, 150 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	02E	5	SW NE		IRR	31.0
			SE NE		IRR	21.0
			SE NW		IRR	21.0
			NE SE		IRR	26.0
			NW SE		IRR	15.0

Section Acres 114.0

Total Acres 114.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
63-05207, 63-03321

14. Remarks:

CHANGED ADDRESSES TO MATCH FOR MAILING PURPOSES ONLY 3/28/95 DMS
THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF
A63-03285.

15. Basis of Claim: LICENSE

Water Right Number: 30453

Receipt Details for ID W004485

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
8/15/1989 3:52:11 PM	8/15/1989	Western	\$500.00	Check
Payer		NEVILLE, H. WILLIAM		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
341			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$500.00	ADJUDICATION CLAIM FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	15307		\$25.00	Claim
63	15304		\$90.00	Claim
63	5207		\$132.00	Claim
63	3321		\$81.00	Claim
63	3285		\$172.00	Claim

1-147 STOCK - BW
STOCK
irr - stat cl. own work

Print Report

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

RECEIVED

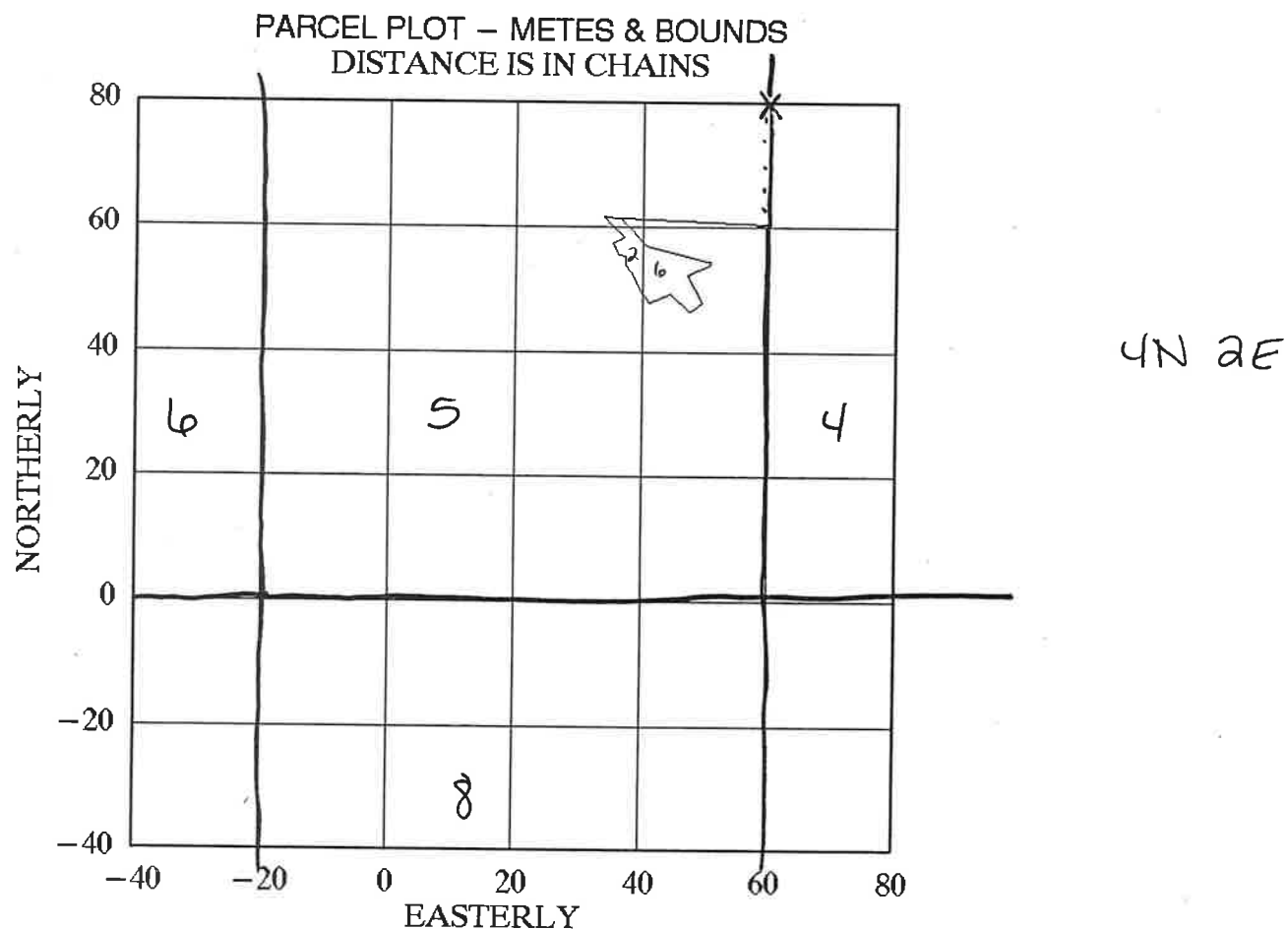
Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

DEC 03 1999
WATER RESOURCES
WESTERN REGION

1. Water Right Number(s) 63-03321 63-03285
Adjudication Claim Number(s) A63-03321 A63-03285
2. The following REQUIRED information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) H. William Neville, et. al.
820 S. Owyhee, Boise, Idaho 83705
4. New Owner/Claimant(s) Pamula L. Hiatt
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address P.O. Box 1653
City, State and ZIP Code Boise, Idaho 83701
New Telephone Number (208) 321-4782
5. Date you acquired the property June 16, 1997
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages. Please calculate the proportionate part of this water right subject to this change.
Number of acres actually irrigated 8- Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Pamula L. Hiatt Date 12-2-99

Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

Exhibit A, part 1



— = section lines

X = point of beginning

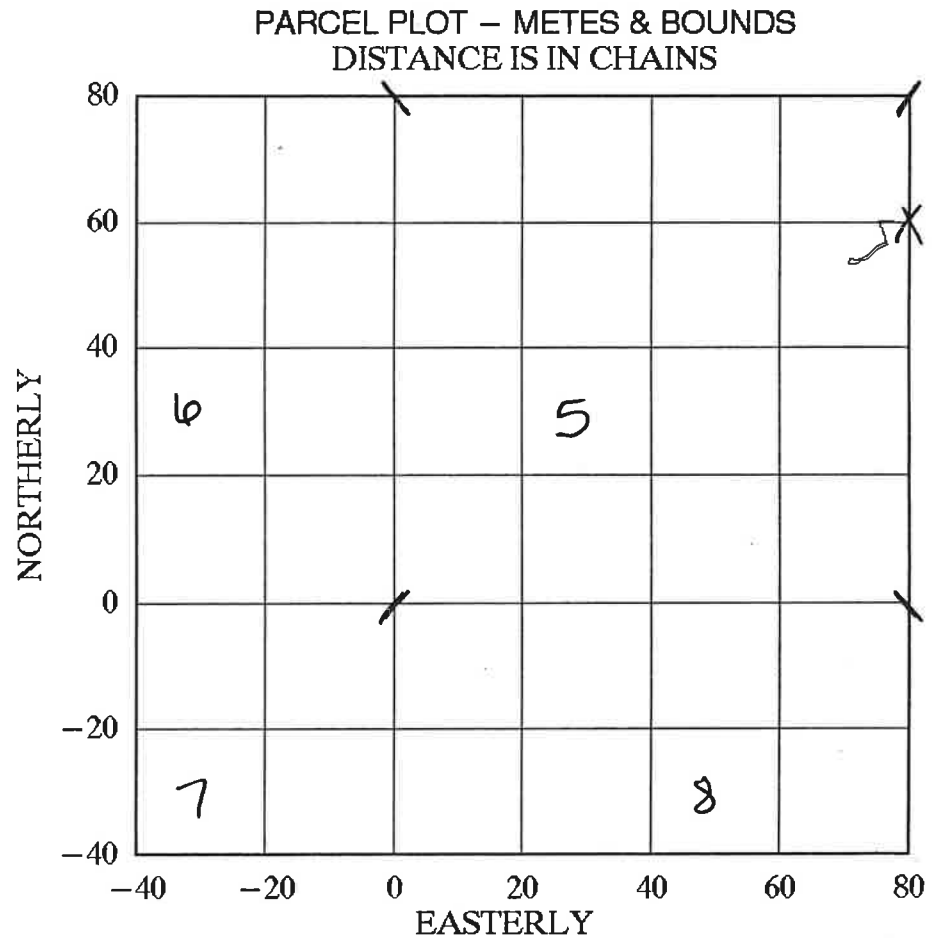
METES AND BOUNDS TABLE

PRESS ALT P TO PRINT GRAPH

	X-COR	Y-COR	ANGLE			BEARING	DIST (FT)
			DEGREES	MINUTES	SECONDS		
BEGIN POINT COR. (SEE SHEET)	60.00	80.00					
	60.09	60.47	0.00	15.00	40.00	SE	1289.12
	36.47	61.48	87.00	33.00	0.00	NW	1560.44
	40.71	57.05	43.00	45.00	0.00	SE	404.94
	50.19	54.65	75.00	50.00	0.00	SE	645.00
-QUAD COEF-	50.79	54.58	83.00	18.00	0.00	SE	40.00
IF NE, X=1,Y=1	50.71	53.91	6.00	42.00	0.00	SW	45.00
IF SE, X=1,Y=-1	47.11	52.31	66.00	7.00	8.00	SW	259.87
IF SW, X=-1,Y=-1	49.44	47.93	28.00	2.00	38.00	SE	327.71
IF NW, X=-1,Y=1	47.56	46.53	53.00	23.00	57.00	SW	155.00
	44.43	49.29	48.00	36.00	0.00	NW	275.00
	41.13	47.95	67.00	58.00	40.00	SW	235.08
	40.31	49.17	34.00	2.00	39.00	NW	96.95
	39.35	50.15	44.00	25.00	16.00	NW	90.45
	38.16	52.81	24.00	6.00	11.00	NW	192.76
	37.33	54.01	34.00	25.00	24.00	NW	96.02
	37.24	55.38	3.00	42.00	32.00	NW	90.34
	36.14	55.55	81.00	3.00	55.00	NW	74.00
	35.17	57.49	26.00	36.00	50.00	NW	142.81
	37.00	58.41	63.00	23.00	10.00	NE	135.48
	33.82	61.59	44.00	59.00	22.00	NW	297.25
	36.47	61.48	87.00	33.00	0.00	SE	175.00
	36.47	61.48					
	36.47	61.48					

Exhibit A, part 2

4N 2E

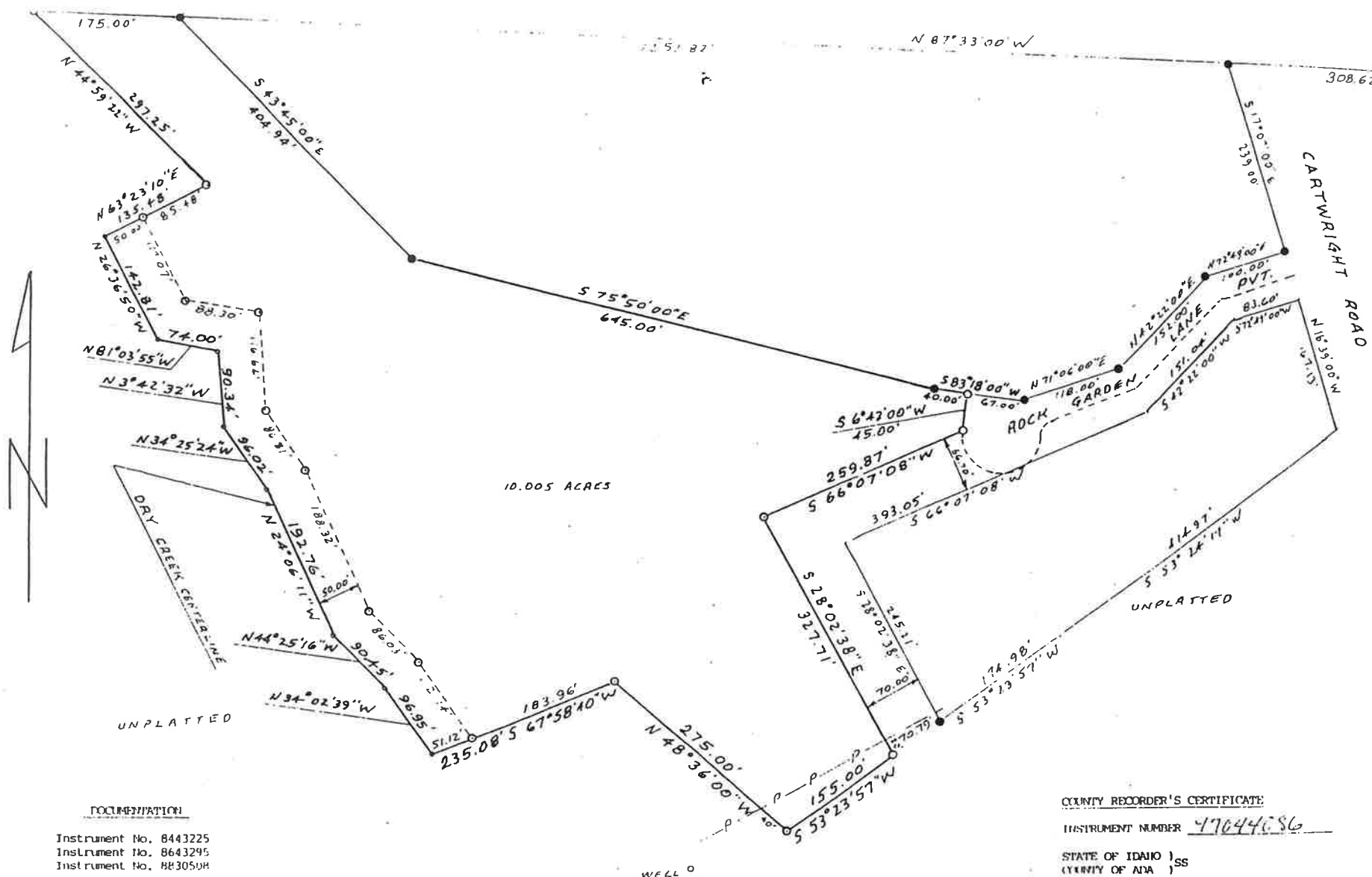


X = beginning point

METES AND BOUNDS TABLE

PRESS ALT P TO PRINT GRAPH

	X-COR	Y-COR	ANGLE			BEARING	DIST (FT)
			DEGREES	MINUTES	SECONDS		
BEGIN POINT COR.	80.00	60.00					
(SEE SHEET)	75.33	60.20	87.00	33.00	0.00	NW	308.62
	76.40	56.73	17.00	7.00	0.00	SE	239.90
	74.95	56.28	72.00	49.00	0.00	SW	100.00
	73.40	54.58	42.00	22.00	0.00	SW	152.00
-QUAD COEF-	71.71	54.00	71.00	6.00	0.00	SW	118.00
IF NE, X=1,Y=1	70.70	54.12	83.00	18.00	0.00	NW	67.00
IF SE, X=1,Y=-1	70.62	53.44	6.00	42.00	0.00	SW	45.00
IF SW, X=-1,Y=-1	71.98	53.42	89.00	23.00	28.00	SE	89.49
IF NW, X=-1,Y=1	72.13	53.66	33.00	1.00	26.00	NE	18.68
	73.66	54.18	71.00	6.00	0.00	NE	106.49
	75.20	55.88	42.00	22.00	0.00	NE	151.52
	76.53	56.29	72.00	49.00	0.00	NE	91.80
	76.40	56.73	17.00	7.00	0.00	NW	30.00
	76.40	56.73					



DOCUMENTATION

Instrument No. 8443225
 Instrument No. 8643295
 Instrument No. 8830508

LEGEND

CERTIFICATE OF SURVEYOR

COUNTY RECORDER'S CERTIFICATE

INSTRUMENT NUMBER 47044686

STATE OF IDAHO) SS
 COUNTY OF ADA)

I hereby certify that this instrument was filed for record at the request of JOHN J. JONES at 10 minutes past

RECORD OF SURVEY NO. 3901

COUNTY RECORDER'S CERTIFICATE

INSTRUMENT NUMBER 77044086

STATE OF IDAHO)
COUNTY OF ADA)SS

I hereby certify that this instrument
was filed for record at the request of
J.R. Weissrock at 16 minutes past
2 o'clock P.M., on this 5 day
of June, 1997, in Book _____
of Plats at Pages _____ and _____.

D. Gilbert
Deputy

J. David Navarro
Ex-officio Recorder

INDEX NO. 421-5-1

SURVEY FOR
H. WILLIAM NEVILLE

A 10.005 ACRE PARCEL LOCATED
IN THE S¹/₂, NE¹/₄ OF SECTION 5,
T. 4 N., R. 2 E., B.M., ADA COUNTY,
IDAHO.

SCALE: 1" = 100'. DATE: MAY 31, 1997

J.R. WEISSROCK CO. - LAND SURVEYING
H. 111 211 2105 IDAHO



PIONEER TITLE COMPANY
OF ADA COUNTY

821 West State Street / Boise, Idaho 83702
(208) 336-6700

888 North Cole Road / Boise, Idaho 83704
(208) 377-2700

RECEIVED

SEP 24 1997

Department of Water Resources

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID
PIONEER TITLE CO

'97 JUN 17 PM 2 36

RECEIVED

SEP 24 1997

Department of Water Resources
Adjudication Bureau

FEE 12.00 DEF *Chapman*
RECORDED AT THE REQUEST OF

P-157223 JB/HEH

SPACE ABOVE FOR RECORDING DATA

WARRANTY DEED

(INDIVIDUAL)

FOR VALUE RECEIVED H. WILLIAM NEVILLE and GLORIA D. NEVILLE, husband and wife; JAMES L. NEVILLE and MARTHLYN B. NEVILLE, husband and wife; R. DOUGLAS NEVILLE and MARGUERITE R. NEVILLE, husband and wife; DAVID C. NORDLING and YOSHIE CAMERON NORDLING (who acquired title as YOSHIE CAMERON), husband and wife; and THOMAS F. NEVILLE and FORTUNATA P. NEVILLE, husband and wife, GRANTOR(s) does (do) hereby GRANT, BARGAIN, SELL, and CONVEY unto

PAMULA L. HIATT, a single person

GRANTEE(S), whose current address is: P. O. Box 1653, Boise, ID 83701
the following described real property in Ada County, State of Idaho,
more particularly described as follows, to wit:

See the attached Exhibit "A", which by this reference is incorporated herein.

GRANTORS RESERVE AND EXCEPT FROM THE FOREGOING DESCRIBED REAL PROPERTY CONVEYED HEREUNDER, ALL OF THE GEOTHERMAL RIGHTS IN SALE REAL PROPERTY FOR GRANTORS, THEIR HEIRS, EXECUTORS, AND ASSIGNS, EXCEPT THAT GRANTEE MAY DEVELOP AND CONSUME FOR DOMESTIC PURPOSES ONLY AND FOR IRRIGATION ON SAID REAL PROPERTY AND NOT FOR ANY COMMERCIAL PURPOSES ANY GEOTHERMAL WATER ON SAID PROPERTY SO LONG AS THE WATER IS USED EXCLUSIVELY ON SAID REAL PROPERTY.

ACKNOWLEDGED BY GRANTEE: *Pamula L. Hiatt*
Pamula L. Hiatt

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, includes irrigation and utility assessments, (if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: June 16, 1997

James L. Neville by *H. William Neville*, his attorney in fact
R. Douglas Neville by *H. William Neville*, his attorney in fact
Thomas F. Neville
Marthlyn B. Neville by *H. William Neville*, her attorney in fact
Marguerite R. Neville by *H. William Neville*, her attorney in fact
Fortunata P. Neville

STATE OF Idaho, County of Ada, ss.

On this 16th day of June, in the year of 1997, before me

Janet L. Blossch a Notary Public, personally appeared *H. William Neville, Gloria D. Neville, Thomas F. Neville and Fortunata P. Neville, David C. Nordling and Yoshie Cameron Nordling* known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.



Notary Public: *Lynne P. Basura*
Residing at: *Boise, Idaho*
My Commission Expires: *March 17, 1999 5-30-2000*

EXHIBIT A

A PARCEL LOCATED IN THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 5, TOWNSHIP 4 NORTH, RANGE 2 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SECTION 5, TOWNSHIP 4 NORTH, RANGE 2 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO; THENCE SOUTH 0 DEGREES 15'40" EAST 1289.12 FEET ALONG THE SECTION LINE TO A POINT, THE ONE-SIXTEENTH CORNER; THENCE NORTH 87 DEGREES 33' WEST 1560.44 FEET ALONG THE SIXTEENTH LINE TO A POINT, THE REAL POINT OF BEGINNING; THENCE SOUTH 43 DEGREES 45' EAST 404.94 FEET TO A POINT; THENCE SOUTH 75 DEGREES 50' EAST 645.00 FEET TO A POINT; THENCE SOUTH 83 DEGREES 18' EAST 40.00 FEET TO A POINT, THE NORTHWEST CORNER OF A CUL-DE-SAC (A PRIVATE ROAD CALLED ROCK GARDEN LANE); THENCE SOUTH 6 DEGREES 42' WEST 45.00 FEET ALONG SAID CUL-DE-SAC TO A POINT; THENCE SOUTH 66 DEGREES 07'08" WEST 259.87 FEET TO A POINT; THENCE SOUTH 28 DEGREES 02'38" EAST 327.71 FEET TO A POINT; THENCE SOUTH 53 DEGREES 23'57" WEST 155.00 FEET TO A POINT; THENCE NORTH 48 DEGREES 36'00" WEST 275.00 FEET TO A POINT; THENCE SOUTH 67 DEGREES 58'40" WEST 235.08 FEET TO A POINT ON THE CENTERLINE OF DRY CREEK; THENCE NORTHWESTERLY ALONG SAID CENTERLINE THE FOLLOWING 7 COURSES
NORTH 34 DEGREES 02'39" WEST 96.95 FEET TO A POINT; THENCE
NORTH 44 DEGREES 25'16" WEST 90.45 FEET TO A POINT; THENCE
NORTH 24 DEGREES 06'11" WEST 192.76 FEET TO A POINT; THENCE
NORTH 34 DEGREES 25'24" WEST 96.02 FEET TO A POINT; THENCE
NORTH 3 DEGREES 42'32" WEST 90.34 FEET TO A POINT; THENCE
NORTH 81 DEGREES 03'55" WEST 74.00 FEET TO A POINT; THENCE
NORTH 26 DEGREES 36'50" WEST 142.81 FEET TO A POINT; THENCE
NORTH 63 DEGREES 23'10" EAST 135.48 FEET TO A POINT; THENCE
NORTH 44 DEGREE 59'22" WEST 297.25 FEET TO A POINT ON THE SIXTEENTH LINE; THENCE
SOUTH 87 DEGREES 33' EAST 175.00 FEET ALONG SAID SIXTEENTH LINE TO A POINT, THE REAL POINT OF BEGINNING.

TOGETHER WITH AND EASEMENT FOR THE ROAD, ACCESS AND UTILITY LINES AND FACILITIES OVER A STRIP OF LAND IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 4 NORTH, RANGE 2 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5; THENCE NORTH 87 DEGREES 33'00" WEST 308.62 FEET ON THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER TO A POINT IN THE WESTERLY FENCE ALONG CARTWRIGHT ROAD; THENCE SOUTH 17 DEGREES 07'00" EAST, 239.90 FEET ALONG SAID WESTERLY FENCE TO THE REAL POINT OF BEGINNING; THENCE SOUTH 72 DEGREES 49'00" WEST, 100.00 FEET; THENCE SOUTH 42 DEGREES 22'00" WEST, 152.00 FEET; THENCE SOUTH 71 DEGREES 06'00" WEST, 118.00 FEET; THENCE NORTH 83 DEGREES 18'00" WEST, 67.00 FEET; THENCE

SOUTH 6 DEGREES 42'00" WEST, 45.00 FEET TO A POINT ON A CUL-DE-SAC; THENCE
EASTERLY ON THE ARC OF A CIRCLE 45.00 FEET IN RADIUS CURVING TO THE LEFT A
DISTANCE OF 150.94 FEET, THE CHORD OF SAID ARC RUNNING
SOUTH 89 DEGREES 23'28" EAST, A DISTANCE OF 89.49 FEET TO A POINT OF
REVERSE CURVATURE; THENCE NORTHEASTERLY ON THE ARC OF A CIRCLE 15.00 FEET
IN RADIUS CURVING TO THE RIGHT A DISTANCE OF 20.16 FEET, THE CHORD OF SAID
ARC RUNNING
NORTH 33 DEGREES 01'26" EAST A DISTANCE OF 18.68 FEET TO A POINT OF
TANGENCY; THENCE
NORTH 71 DEGREES 06'00" EAST, 106.49 FEET; THENCE
NORTH 42 DEGREES 22'00" EAST, 151.52 FEET; THENCE
NORTH 72 DEGREES 49'00" EAST, 91.80 FEET TO A POINT IN THE SAID WESTERLY
FENCE ALONG CARTWRIGHT ROAD; THENCE
NORTH 17 DEGREES 07'00" WEST, 30.00 FEET ALONG SAID WESTERLY FENCE TO THE
REAL POINT OF BEGINNING.

END OF LEGAL DESCRIPTION

Pre 50⁰⁰
001-000 122⁰⁰
173⁰⁰

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: A63-03285
Date Received: 5/10/1989
Receipt No: 10004485
Received By: _____

RECEIVED
AUG 15 1989

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name:	H. WILLIAM NEVILLE	208-344-3188
Address:	820 S. OWYHEE BOISE, ID	83705
AND/OR		
Name:	GLORIA D. NEVILLE	208-344-3188
Address:	820 S. OWYHEE BOISE, ID	83705
AND/OR		
Name:	JAMES L. NEVILLE	
Address:	XXXXXXXX, UT	00000-0
AND/OR		
Name:	MARTHLYNN ^{mon} B. NEVILLE	
Address:	XXXXXXXXXXXX, UT	00000-00
AND/OR		
Name:	R. DOUGLAS NEVILLE	
Address:	XXXXXXXXXXXX, ID	00000-0000
AND/OR		
Name:	MARGUERITE NEVILLE	
Address:	XXXXXXXXXXXX, ID	00000-000
AND/OR		
Name:	THOMAS F. NEVILLE	
Address:	XXXXXXXXXXXX, ID	00000-000
AND/OR		
Name:	FORTUNATA NEVILLE	
Address:	XXXXXXXX, ID	00000-00
AND/OR		
Name:	DAVID L. NORDLING	
Address:	XXXXXXX, ID	00000-000

A63-03285

Page 1

Date: 05/10/89

~~MICROFILMED~~
JUL 25 1989

AND/OR

Name: YOSHIE CAMERON NORDLING

Address: XXXXXXXXXX, ID

00000-0000

2. Date of Priority: APR 12, 1962

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	02E	5	SE	NE			ADA

5. Description of diverting works:

10" @ 204' DEEP DRILLED WELL W/SURFACE PUMP W/PIPELINE TO SPRINKL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.600		

7. Total Quantity Appropriated is:

0.600 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

S/150 HEAD RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	02E	5	SW	NE		IRR	33.0
			SE	NE		IRR	27.0
			SE	NW		IRR	21.0
			NE	SE		IRR	26.0
			NW	SE		IRR	15.0

Section Acres 122.0

Total Acres 122.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

63-05207, 63-03321

~~MICROFILMED~~

~~JUL 25 1994~~

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 30453

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): Goshie K. Nordling Date: July 14, '89
David L. Nordling Date: July 14, 1989

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 14th day
of July 19 89

[Signature]
Notary Public

Seal

Residing at Boise
My Commission Expires 9-4-91

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): R Douglas Neville (Date) 8-8-89
Margaret Neville (Date) 8-8-89

State of Idaho)
County of Latah Falls) :SS.

Subscribed and sworn (or affirmed) before me this 8th day of August, 19 89.

Ed B...
Notary Public for Idaho
Residing at Coeur d'Alene
My Commission Expires: 8/10/94

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): Marilyn B. Nevill (Date) 8-10-89

James P. Nevill (Date) 8-10-89

State of Idaho State SS.

County of Butte

Subscribed and sworn (or affirmed) before me this 10th day of August, 19 89.



Janet E. Siddoway
Notary Public for
Residing at Butte City, UT
My Commission Expires:

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): William Smith (Date) 8-14-89
Gloria D. Revell (Date) 8-14-89

State of Idaho)
County of Ada) :SS.

Subscribed and sworn (or affirmed) before me this 14th day of Aug, 19 89.

Thomas D. Landolf
Notary Public for Idaho
Residing at Mendenhall
My Commission Expires: 8-17-1994

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): Fortunata P. Neville (Date) 8/15/89

Thomas F. Neville (Date) 8-15-89
By Walter R. AOA.

State of Idaho)
County of Ada) :SS.

Subscribed and sworn (or affirmed) before me this 15th day of August, 1989.

Robert Lee Walker
Notary Public for Idaho
Residing at Boise
My Commission Expires: 7-1-1994

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)
 :SS.
County of _____)

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

Notary Public for _____
Residing at _____
My Commission Expires: _____

POOR ORIGINAL

T4N

Sec 4

NW NE
SW NE
NE NW
NW NW
SW NW
SE NW

NE SW
NW SW
SW SW
SE SW

NE SE

Sec 5

SW NE
SE NE

SW NW
SE NW

NE SW
NW SW
SE SW

NE SE
NW SE
SW SE
SE SE

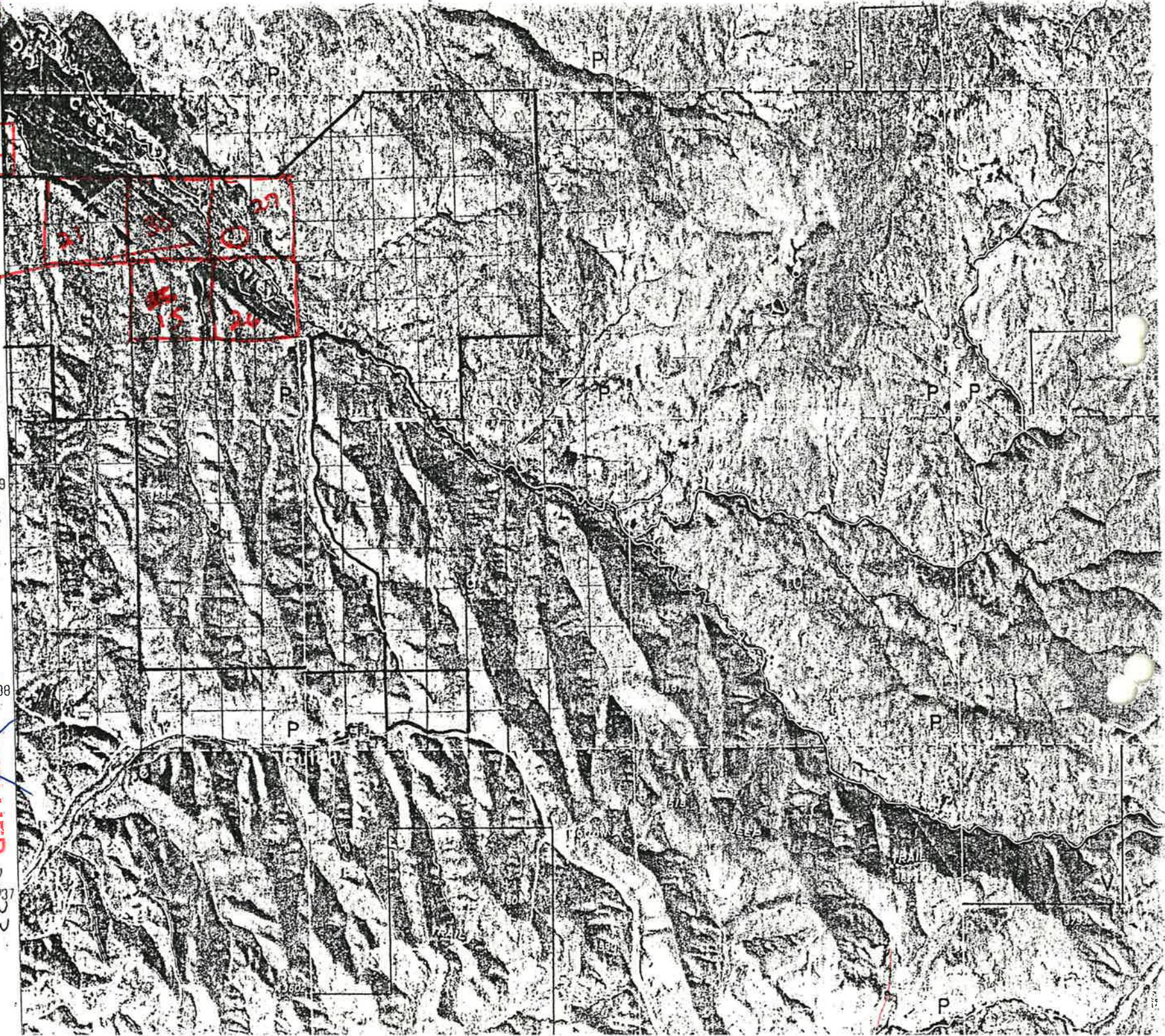
Sec 8

NENE
NW NE
SW NE
SE NE
NE SE
NW SE

Sec 9

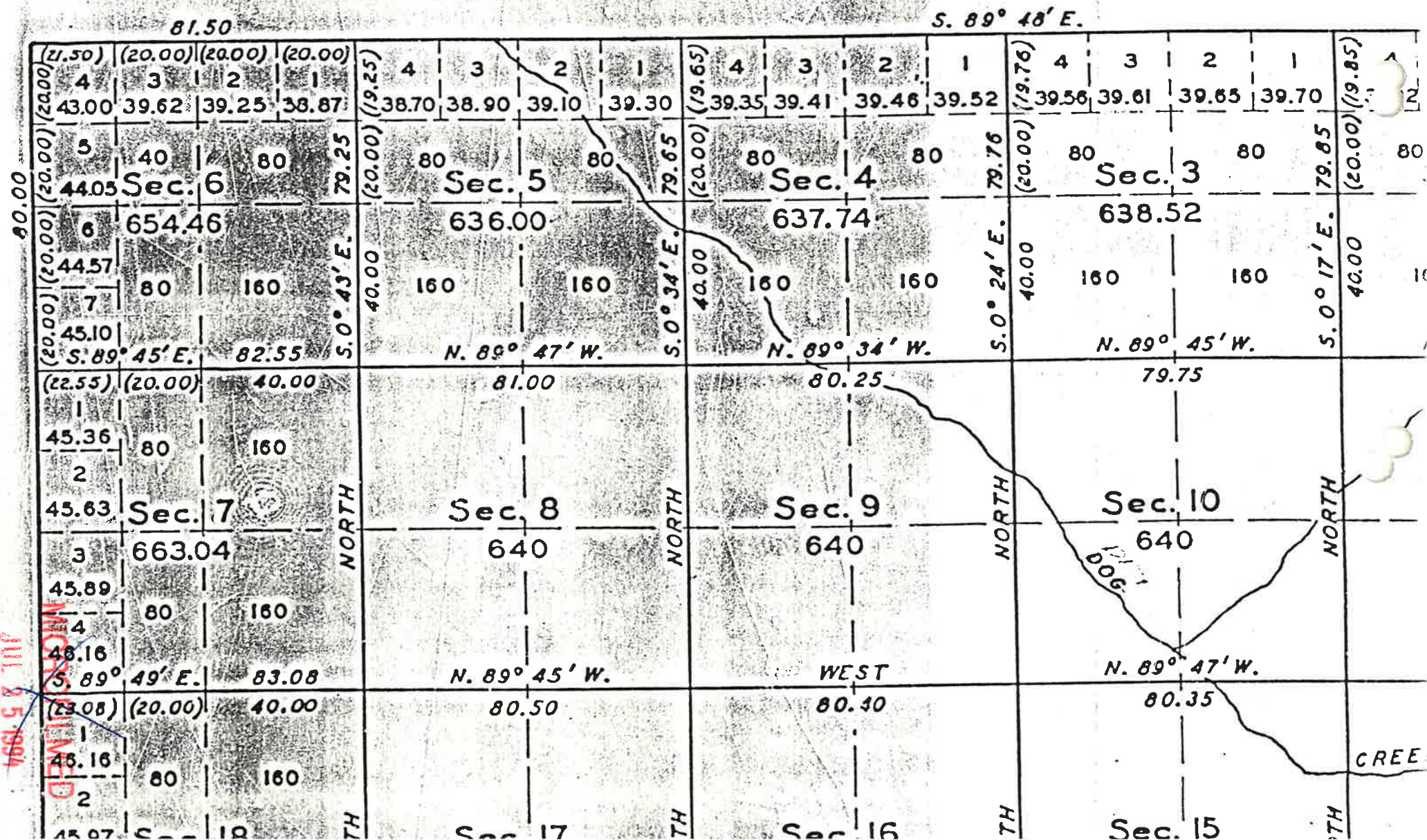
NW NW
SW NW
NW SW
SE SW

MICROFILMED
JUL 25 1984



POOR ORIGINAL

COMPOSITE PLAT OF
Nº 4 NORTH, RANGE Nº 2 EAST, OF T





POOR ORIGINAL

CONFIDENTIAL

IDAHO POWER COMPANY

BOX 70 • BOISE, IDAHO 83707

PUMP EFFICIENCY TEST RESULTS

District Boise Date August 11, 1982 Acct.# 0430-013746-2
 Customer H. William Neville Pump Identification 20 Hp
 Pump Test Team Jack Connell, Steve Pitman & Jim Worstell

Thank you for participating in the pump efficiency test program. Cost effective changes that reduce your costs and require less power from Idaho Power Company at a critical time of the year are expected to result from these measurements.

The results of the efficiency test and your record of the measurements are as follows:

Date of Test July 6, 1982

Pumping Plant Efficiency 60.8 %

Water Level Measurements:

Ground to well water 14 feet with pump off

Ground to well water 37.75 feet with pump on

Pressure Measurements:

72 psi at location of gage on mainline

_____ psi at location of gage _____

_____ psi at location of gage _____

(TDH) Total Dynamic Head - total of ground to well water and pressure
204 feet

Flow & Power Measurements 271 gpm at 204 ft TDH at 20 Hp
 _____ gpm at _____ ft TDH at _____ Hp
 _____ gpm at _____ ft TDH at _____ Hp

Comments and Evaluation of the test result and measurements:

This efficiency is very good for a pumping plant of this size. If you have any questions concerning the operation of your system, please call.

signed Jim Worstell
 Agricultural Engineer

After changes are made to increase the pump efficiency or reduce kilowatt hour usage, one free efficiency test will be conducted to assure the customer that savings are occurring.

JUL 25 1982

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

05/10/89 11:06:35
Page 1

Water Right Number - 63-03285

Adj. Flag Translation: Standard Water Right Number

Old (D) Number - 30453

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
BAUMHOFF

EDWARD OSCAR

1 - 5150 MONTECITO PL.

2 -

3 -

City- BOISE

State- ID Zip- 83704

Phone -

*** O - ORIGINAL OWNER ***
WINN

LEE

1 -

2 -

3 -

City-

State- Zip-

Phone -

+ - - Priority Date - - +
04/12/1962

+ - - Region - - - +
14

+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

+ - - Source - - - - - +
GROUNDWATER

+ - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

04N 02E 5 SE NE (1) ADA

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

01 - IRRIGATION

0.600

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.600

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

04N	02E	5	SW NE	33.0	01	IRRIGATION	(1) ADA
04N	02E	5	SE NE	27.0	01	IRRIGATION	(1) ADA
04N	02E	5	SE NW	21.0	01	IRRIGATION	(1) ADA
04N	02E	5	NE SE	26.0	01	IRRIGATION	(1) ADA
04N	02E	5	NW SE	15.0	01	IRRIGATION	(1) ADA

Total Acres: 122.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

MICROFILMED
JUL 25 1994

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OCT 10 2007

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - GREY
TWIN FALLS CO., IDAHO
FILED

2007 OCT 5 AM 10 35

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

In Re SRBA

Case No. 39576

) SPECIAL MASTER'S REPORT
)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHTS 63-03285A,
) 63-03321A, and 63-05207

I. FINDINGS OF FACT

Notices of claim were filed for the above-captioned water rights pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of these water rights.

On April 21, 2006, the claimant of the water rights, Cartwright Ranch LLC, through its attorney John Marshall, filed objections to the *Director's Report* for each claim. Regarding water right 63-05207, IDWR filed an *Amended Director's Report* on July 16, 2007. No objections were filed thereto, and the time for filing objections has expired. Regarding water rights 63-03285A and 63-03321A, on October 2, 2007, the parties filed a *Standard Form 5 – Stipulated Elements of a Water Right* in each of the subcases, which resolved the objections. The Idaho Department of Water Resources concurred with the stipulations.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the *Standard Forms 5*, IT IS RECOMMENDED that water rights 63-03285A, 63-03321A, and 63-05207 be decreed with

the elements as set forth in the attached *Recommendations for Partial Decrees Pursuant to I.R.C.P. 54(b)*.

Dated Oct. 5, 2007

A handwritten signature in dark ink, appearing to read 'T. R. Booth', written over a horizontal line.

Theodore R. Booth
Special Master
Snake River Basin Adjudication

2007 OCT 5 AM 10 35

In Re SRBA
Case No. 39576

Water Right(s): 63-03285A
63-03321A 63-05207

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DIANA R DELANEY
Deputy Clerk

DISTRICT COURT - JRDA
TWIN FALLS CO., IDAHO
FILED

2007 OCT 5 AM 10 35

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

In Re SRBA

Case No. 39576

CERTIFICATE OF MAILING

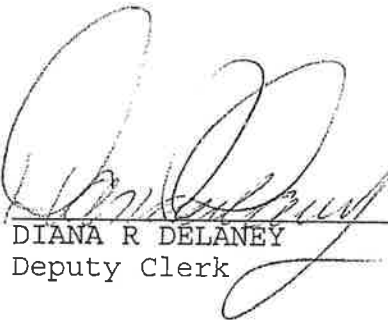
Water Right(s): 63-03285A
63-03321A 63-05207

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on October 05, 2007, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

CARTWRIGHT RANCH LLC
Represented by:
JOHN M MARSHALL
601 W BANNOCK ST
PO BOX 2720
BOISE, ID 83701-2720
Phone: 208-388-1200


DIANA R DELANEY
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
10/05/07

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

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

In Re SRBA
Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-03285A

2007 OCT 5 AM 10 35

NAME AND ADDRESS: CARTWRIGHT RANCH LLC
485 E RIVERSIDE DR STE 100
EAGLE, ID 83616

SOURCE: GROUND WATER

QUANTITY: 0.56 CFS
288.78 AFY

The rights listed below are limited to a total combined
diversion rate of 2.63 cfs. Combined Right Nos.: 63-3285A,
63-3321A, 63-5207.
Rights 63-3321A and 63-3285A, when combined, shall not exceed a
total diversion rate of 1.20 cfs, a total annual maximum
diversion volume of 428.28 af.

PRIORITY DATE: 04/12/1962

POINT OF DIVERSION: T04N R02E S05 SENE Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation		03-01 TO 11-15	0.56 CFS 288.78 AFY

PLACE OF USE:	Irrigation	Within Ada County
T04N R02E S05	SWNE 31.0 SENE 17.6 SENE 21.0 NESE 26.0 NWSE 15.0	
	110.6 Acres Total	

The rights listed below are limited to the irrigation of a
combined total of 131.6 acres in a single irrigation season.
Combined Right Nos.: 63-3285A, 63-3321A, 63-5207.
Right Nos. 63-3285A and 63-3321A are limited to the irrigation of
a combined total of 110.6 acres in a single irrigation season.

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

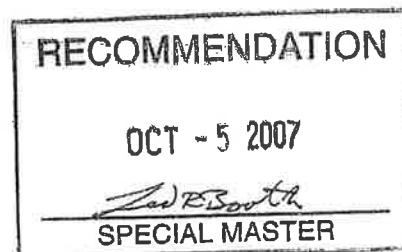
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication



COPY

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OCT 02 2007

DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA

Case No. 39576

Subcase No. 63-3285A

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

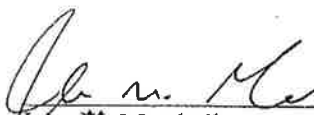
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/OBJECTOR:

Cartwright Ranch, LLC

 9/26/07
John M. Marshall Date
Attorney for Claimant/Objector

STANDARD FORM 5 – Water Right No. 63-3285A

IDWR Concurrence:

<u>Vicky Music</u>	<u>9/25/07</u>	<u>Nicholas B. Spencer</u>	<u>9-25-07</u>
Vicky Music	Date	Nicholas B. Spencer	Date
Senior Water Resource Agent		Deputy Attorney General	
		Attorney for IDWR	

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

RIGHT NUMBER: 63-3285A
NAME AND ADDRESS:

CARTWRIGHT RANCH LLC
485 E RIVERSIDE DR.
STE 100
EAGLE ID 83616

CARTWRIGHT RANCH LLC
3101 N. CENTRAL AVE. STE. 100
PHOENIX AZ 85018

SOURCE: Source: Tributary:
GROUND WATER

QUANTITY: 0.560 CFS 0.210 CFS
288.780 AFY 100.000 AFY

Rights 63-3321A and 63-3285A, when combined, shall not exceed a total diversion rate of 1.20 cfs, a total annual maximum diversion volume of 428.28 af.

The rights listed below are limited to a total combined diversion rate of 2.63 cfs. Combined Right Nos.: 63-3285A, 63-3321A, 63-5207.

The rights listed below are limited to a total combined diversion rate of 1.1 cfs. Combined Right Nos.: 63-3285A, 63-3321A, 63-5207.

Rights 63-3321A and 63-3285A, when combined, shall not exceed a total diversion rate of 0.91 cfs, a total annual maximum diversion volume of 100 af, and the irrigation of 63 acres.

PRIORITY DATE: 04/12/1962

POINT OF DIVERSION:

T04N R02E S5 SEWB
Within ADA County

Right 63-3321A is also diverted through the point of diversion described above.

PURPOSE AND PERIOD OF USE:	Purpose of use	Period of use:	Quantity:
IRRIGATION		03/01 11/15	0.560 CFS ... 288.78 AFY
			0.210 CFS ... 100.00 AFY

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

PLACE OF USE:	IRRIGATION	within ADA County
	<u>T04N R02E S05 SWNE 31.0</u>	<u>T04N R02E S05 SWNE 15.5</u>
	<u>T04N R02E S05 SENE 17.6</u>	<u>T04N R02E S05 SENE 0.6</u>
	<u>T04N R02E S05 SEW 21.0</u>	
	<u>T04N R02E S05 NESE 26.0</u>	<u>T04N R02E S05 NESE 10.0</u>
	<u>T04N R02E S05 NWSE 15.0</u>	<u>T04N R02E S05 NWSE 0.5</u>

110.6 ACRES TOTAL 44 ACRES TOTAL

Right Nos. 63-3285A and 63-3321A are limited to the irrigation of a combined total of 110.6 acres in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 131.6 acres in a single irrigation season. Combined Right Nos.: 63-3285A, 63-3321A, 63-5207.

The rights listed below are limited to the irrigation of a combined total of 55.1 acres in a single irrigation season. Combined Right Nos.: 63-3285A, 63-3321A, 63-5207.

VLM
NBS
Jm

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 42-1413(6), Idaho Code

~~THE REMAINDER OF THIS RIGHT WAS FORFEITED FOR NON-USE FROM 1975 TO 1989.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right 63-3321A is also diverted through the point of diversion described above.

PARCEL NO S0605131215

CERTIFICATE OF MAILING

I certify that on October 1, 2007, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

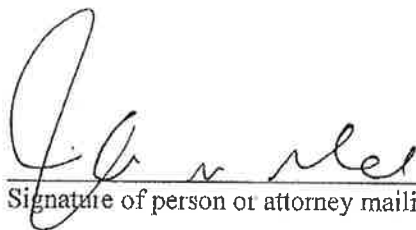
1. Original to:

CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P. O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

2. Copies to:

CARTWRIGHT RANCH LLC
Represented by:
JOHN M MARSHALL
601 W BANNOCK ST
PO BOX 2720
BOISE, ID 83701-2720

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098


Signature of person or attorney mailing the form

John M. Marshall, ISB # 5628
Givens Pursley LLP
601 W. Bannock Street
P.O. Box 2720
Boise, Idaho 83701-2720
Telephone: 208-388-1200
Facsimile: 208-388-1300
jmm@givenspursley.com
S:\CLIENTS\7839\7\Claimant's List of Exhibits and Witnesses.doc

Attorneys for Claimant/Objector

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

In Re SRBA

Case No. 39576

Subcases 63-05207, 63-03285A, and
63-03321A

**CLAIMANT/OBJECTOR'S LIST OF
EXHIBITS AND WITNESSES**

Pursuant to the Court's Pretrial Order filed June 11, 2007, Claimant/Objector submits its list of exhibits to be offered at trial and its list of names and addresses of all witnesses which may be called to testify at trial.

List of Exhibits.

1. Memorandum to Subcontractor from Vicky L. Music, Water Resource Agent, IDWR/Western Region dated July 18, 2005.

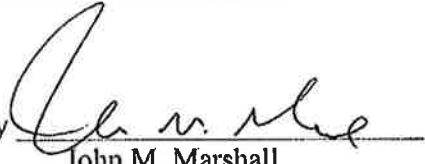
2. State of Idaho Department of Water Resources Adjudication Field Report dated August 25, 2005.
3. State of Idaho Department of Water Resources Adjudication Field Report desktop review.
4. 1981 aerial photograph.
5. 1983 aerial photograph.
6. 1964 aerial photograph.
7. 2004 aerial photograph with ownership overlay.

List of Witnesses.

David B. Shaw
ERO Resources Corp.
3314 Grace Street
Boise, ID 83703-5836

DATED this 19th day of June, 2007.

GIVENS PURSLEY, LLP

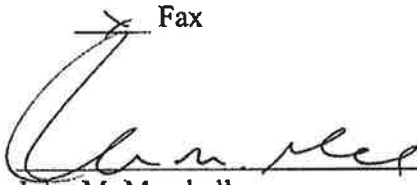
By 
John M. Marshall
Attorneys for Claimant/Objector

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of June, 2007, I caused to be served a true and correct copy of the foregoing document by the method indicated below, and addressed to the following:

Andrea Courtney
Idaho Attorney General's Office
322 E. Front Street
Boise, ID 83701

☐ U.S. Mail
☐ Overnight Mail
☐ Hand Delivery
☒ Fax



John M. Marshall

MEMORANDUM

DATE: 2/29/00

FROM: Lori Graves ☺

TO: Hiatt Transfer File

RE: 63-03285, 63-03321

PROPOSAL

Applicant purchased a 10 acre portion of the above listed licenses and wishes to drill her own well to irrigate 8 of those acres. Both licenses are served by the same well.

FORFEITURE

Applicant's attorney supplied aerial photos dated from 1977 through 1995, which showed definite field definition and evidence of a mainline system originating from the well for irrigation of applicant's property (see attachment B).

OVERLAPS

License 63-03285 was field examined in 1963 and licensed for 122 acres with a system capacity of .6 cfs. License 63-03321 was field examined in 1968 on the same well and P/U without reference to the previous license. 97 of the 122 acres were found irrigated with a system capacity of .846 cfs. Because the permit listed only 40 acres, license 63-03321 was limited to 40 acres and .8 cfs. The 40 acres were proportionately distributed throughout the 97 acres found irrigated. 25 of the 40 acres were listed in the S ½ NE, which is where applicant's property is located.

Applicant's pro-rated share of the 63-03285 is .005 cfs/ac: .6 cfs/122 acres. Her pro-rated share of 63-03321 is .02 cfs/ac: .8 cfs/40 acres. Although 97 acres were found irrigated and the previous license was overlooked, Gary Spackman concluded that the department is bound by its records.

License 63-10871 is for irrigation of 3.4 acres from a separate well. Although the 3.4 acres were part of the original licensed acres described above, the license holders filed for their own water right with a 1989 priority date. Since the field examiner addressed the earlier licenses overlapping the 3.4 acres, I'm assuming that the issue of forfeiture was recognized with regards to historical irrigation of the 3.4 acres from the earlier licenses.

Dry Creek water, 63-05207, is also used on the property.

No other rights are used.

MICROFILMED

OCT 23 2000

SRBA

The SRBA claims were filed as licensed by H. William Neville. A & B splits were then created for each right to account for applicant's 8 acre portion.

Jan Shurte stated that the SRBA team will definitely conduct a field investigation of the 122 acres. Applicant's cfs portion listed on this transfer will be subject to her actual pro-rated share of the original licenses, depending on how many of the 122 licensed acres are recommended in the SRBA. Department records show that the 122 acres found in 1963 have decreased. Only 97 acres were found in 1968. Of that, 3.4 acres are now irrigated by license 63-10971 and another ~2 acres have been retired for applicant's new home development.

RECOMMENDATIONS

Approve the transfer as filed, with applicant's combined portions limited to .16 cfs and 36 afa.

Subject the transfer to SRBA findings.

MICROFILMED
OCT 23 2000

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

In Re SRBA

Case No. 39576

A. Subcase 63-3285A

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Cartwright Ranch LLC

Address: c/o Grossman Company Properties

3101 N. Central Ave, Ste. 1390

Phoenix AZ 85012

Daytime Phone: 208-388-1270

Name & Address of Attorney, if any:

John M. Marshall

Givens Pursley LLP

601 W Bannock Street, Boise 83702

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Cartwright Ranch, LLC

c/o Grossman Company Properties

3101 North Central Avenue, Suite 1390

Phoenix, AZ 85012

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ Name and Address

Should be: _____

SF.1 - Objection

Amended 10/16/97

S:\CLIENTS\7839\1\Objection - WR 63-3285A.doc

SCANNED

OCT 05 2006

Page 1

2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: 0.56 cfs and eliminate combined use limits
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: 114 acres and eliminate combined use limits

11. **I object because:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): _____

Proposed change will make recommendation consistent with license.

F. VERIFICATION (Must be Completed)

State of IDAHO)
) ss.
County of Ada)

John M. Marshall, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

April 20, 2006



Amanda McCurry
Notary Public for Idaho

Residing at: Star, Idaho

My Commission Expires: 4/15/2011

You must mail the objection to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

I certify that on April 20, 2006, I mailed the original and copies of this response, including all attachments, to the following persons:

- Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707**

- N/A

- IDWR Document Depository**
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724


Signature of Objector or attorney
mailing on Objector's behalf



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 19, 2005

RECEIVED

DEC 21 2005

WATER RESOURCES
WESTERN REGION

JOHN M MARSHALL
GIVENS PURSLEY LLP
PO BOX 2720
BOISE ID 83701

RE: Snake River Basin Adjudication (SRBA)
Notice of Change in Water Right Ownership – Notices of Claim #63-3321A,
63-3285A, 63-5207, 63-15304 and Decree #63-15307
Notice of Error – GP File No. 7839-1

Dear John,

The Notice of Error was received as the Director's Report was being assembled for filing on or before December 16, 2005. Your recourse is to file objections if you disagree with the recommendations. Copies of the Director's Reports for the four water rights are enclosed.

A Notice to inform the Court of the change of ownership went on the tail of filing the report. You will receive a copy of the NCAP changing the owner name.

Water right #63-15307 was decreed by the Court on December 30, 1999. Please remit \$25 to have the ownership changed on this right.

Sincerely,

Donald V. Shaff, MPA
Adjudication Bureau Chief

DVS:ss:region

SCANNED

DEC 19 2005

GIVENS PURSLEY LLP

RECEIVED

DEC 12 2005

DEPARTMENT OF
WATER RESOURCES

LAW OFFICES

601 W. Bannock Street
PO Box 2720, Boise, Idaho 83701
TELEPHONE: 208 388-1200
FACSIMILE: 208 388-1300
WEBSITE: www.givenspursley.com

JOHN M. MARSHALL
Direct Dial: 208-388-1270
E-Mail: johnmarshall@givenspursley.com

Gary G. Allen
Kristen A. Atwood
Kelly T. Barbour
Christopher J. Beeson
William C. Cole
Michael C. Creamer
Thomas E. Dvorak
Roy Lewis Eiguren
Timothy P. Feamside
Jeffrey C. Fereday
Melissa A. Finocchio*
Steven J. Hippler
Karl T. Klein
Deborah K. Kristensen
Anne C. Kunkel

Jeremy G. Ladle
Franklin G. Lee
David R. Lombardi
Emily A. MacMaster
John M. Marshall
Kenneth R. McClure
Kelly Greene McConnell
Cynthia A. Melillo
Christopher H. Meyer
L. Edward Miller
Patrick J. Miller
Judson B. Montgomery
Angela K. Nelson
Deborah E. Nelson
W. Hugh O'Riordan, LL.M.

Kenneth L. Pursley
Bradley V. Sneed
H. Barton Thomas, LL.M.
J. Will Varin
Conley E. Ward
Robert B. White

Raymond D. Givens
RETIRED

James A. McClure
RETIRED
*Licensed In California

December 12, 2005

Via Hand Delivery

Mr. Don Shaff
Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

Re: Notice of Error Reply—Cartwright Ranch LLC
GP File No. 7839-1

Dear Don:

Enclosed please find the completed Notice of Error form for water right 63-5207. Our client Cartwright Ranch, LLC recently acquired the property to which this right is appurtenant, along with other appurtenant water rights, from the Neville ownership group. I have included a completed the Notice of Change of Ownership form. We received the Notice of Error package from the Nevilles for water right 63-5207, but have not yet received the package for the other water rights. However, based on our review of the recommendations for water rights 63-3321 and 63-3285 on the Department's website, we believe these recommendations also are in error and should match the licensed elements of the rights.

Sincerely,



John M. Marshall

JMM:amm

Enclosure

cc: Ennis Dale (w/encl.)

S:\CLIENTS\7839\JMM to Shaff w Notice of Error Reply.DOC

SCANNED

DEC 13 2005

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

In Re SRBA

Case No. 39576

)
)
)
)
)
**Water Rights: 63-3285A
63-3321A, 63-5207, 63-15304
NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following administrative proceeding:

- ☐ Address change
- XX Substitution of Party
- ☐ IC § 42-222 transfer
- ☐ Point of diversion ☐ Place of use
- ☐ Period of use ☐ Nature of use
- ☐ Split of water right ☐ Change in ownership
- ☐ Other
- ☐ IC § 42-219 license

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

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

DATED: June 2, 2006



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on June 2, 2006, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

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

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

2. Copies to:

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

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

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

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

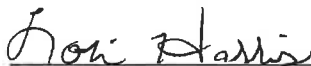
3. Copies to all parties to the subcase:

Cartwright Ranch LLC
485 E Riverside Dr Ste 100
Eagle ID 83616

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

John M Marshall
Givens Pursley LLP
PO Box 2720
Boise ID 83701

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



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

JAMES E. RISCH
Governor

KARL J. DREHER
Director

June 2, 2006

CARTWRIGHT RANCH LLC
485 E RIVERSIDE DR STE 100
EAGLE ID 83616

Re: Water Right Nos. 63-3285A, 63-3321A, 63-5207, 63-15304

Dear Sir or Madam:

Enclosed are copies of the above referenced water rights, which reflect the change in ownership of the land and appurtenant water rights, covered under the original filings. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the Snake River Basin Court as notification of the change.

If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Lori Harris".

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region Office

LH:l
Enclosures

cc: John Marshall-Givens Pursley



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 19, 2005

RECEIVED

DEC 21 2005

WATER RESOURCES
WESTERN REGION

JOHN M MARSHALL
GIVENS PURSLEY LLP
PO BOX 2720
BOISE ID 83701

RE: Snake River Basin Adjudication (SRBA)
Notice of Change in Water Right Ownership – Notices of Claim #63-3321A,
63-3285A, 63-5207, 63-15304 and Decree #63-15307
Notice of Error – GP File No. 7839-1

Dear John,

The Notice of Error was received as the Director's Report was being assembled for filing on or before December 16, 2005. Your recourse is to file objections if you disagree with the recommendations. Copies of the Director's Reports for the four water rights are enclosed.

A Notice to inform the Court of the change of ownership went on the tail of filing the report. You will receive a copy of the NCAP changing the owner name.

Water right #63-15307 was decreed by the Court on December 30, 1999. Please remit \$25 to have the ownership changed on this right.

Sincerely,

Donald V. Shaff, MPA
Adjudication Bureau Chief

DVS:ss:region

SCANNED

DEC 19 2005

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

RECEIVED

DEC 21 2005

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 not 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
✓ 63-5207 ✓					
✓ 63-3321 ✓		✓			
✓ 63-15307					
✓ 63-3285 ✓		✓			
✓ 63-15304 ✓					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify diversion 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 claims(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) Neville Family Cartwright Ranch, LLC, Richard B. Neville and William P. Neville, Successor Co-Trustees of the James L. Neville Living Trust Under Agreement Dated March 4, 1999; Richard B. Neville and William P. Neville, Successor Co-Trustees of the Family Trust Created Under Article 5.3 of the Marthlyn B. Neville Living Trust Dated March 4, 1999; Dan Neville, Eileen Neville, Frank Neville, Maureen Loucks, Mark Neville, David L. Nordling, Yoshie Cameron Nordling and Thomas F. Neville
4. New Owner/Claimant(s) Cartwright Ranch, LLC
 Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address 485 E. Riverside Drive, Suite 100, Eagle, Idaho 83616
- New Telephone Number (208) 342-7339
5. Date you acquired the property September 9, 2005

SCANNED

DEC 13 2005

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) amount 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 the 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) *[Signature]*
(include title if applicable) attorney for Cortez Ranch, LLC

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 *[Signature]* Date 12-12-05 Fee _____
Receipted by _____ Date _____ Receipt No. DEC 19 2005
Processed by *[Signature]* AJ Date 12-20-05 WR _____ Date _____

Atty contact added to Active AJ 12-15-05
65-15907 requires \$25 Fee.
OK to change owner 12-15-05

SCANNED
DEC 13 2005

Recording Requested By and
When Recorded Return to:
Cartwright Ranch, LLC
485 East Riverside Drive, Suite 100
Eagle, ID 83616
ATTN: Charles Carlise

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 09/09/05 03:04 PM
DEPUTY Bonnie Oberbiling
RECORDED-REQUEST OF
Alliance Title

AMOUNT 69.00 23



AT-5000525980

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

**ASSIGNMENT AND QUITCLAIM DEED
(WATER RIGHTS)**

NEVILLE FAMILY CARTWRIGHT RANCH, LLC, an Idaho limited liability company; RICHARD B. NEVILLE and WILLIAM P. NEVILLE, SUCCESSOR CO-TRUSTEES OF THE JAMES L. NEVILLE LIVING TRUST UNDER AGREEMENT DATED MARCH 4, 1999; RICHARD B. NEVILLE and WILLIAM P. NEVILLE, SUCCESSOR CO-TRUSTEES OF THE FAMILY TRUST CREATED UNDER ARTICLE 5.3 OF THE MARTHLYN B. NEVILLE LIVING TRUST DATED MARCH 4, 1999; DAN NEVILLE; EILEEN NEVILLE; FRANK NEVILLE; MAUREEN LOUCKS; MARK NEVILLE; DAVID L. NORDLING who acquired title as DAVID C. NORDLING and YOSHIE CAMERON NORDLING, who acquired title as YOSHIE CAMERON, a widow, and who are now husband and wife; GLORIA DENT NEVILLE (also known as Gloria D. Neville), a single person, and THOMAS F. NEVILLE, a married man dealing with his sole and separate property, hereinafter collectively referred to as "**Grantor**," for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby assign, transfer, release and forever quitclaim unto Cartwright Ranch, LLC, a Delaware limited liability company, hereinafter referred to as "**Grantee**," whose mailing address is: 485 East Riverside Drive, Suite 100, Eagle, Idaho, 83616, and to Grantee's successors and assigns, any and all right, title and interest Grantor may own or may hereafter acquire in and to all water rights appurtenant to the real property described in Exhibit "A" attached hereto and made a part hereof, including, without limitation, the following described State of Idaho water rights:

#63-5207
#63-3321A
#63-15307
#63-3285A
#63-15304

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand effective the 9th day of September, 2005.

[SIGNATURES APPEAR ON FOLLOWING PAGES]

NEVILLE FAMILY CARTWRIGHT RANCH, LLC,
an Idaho limited liability company

By: Thomas F. Neville
Thomas F. Neville, Manager

STATE OF IDAHO)
) ss.
County of Ada)

On this 8th day of September, 2005, before me, Chris Green, a Notary Public in and for said State, personally appeared THOMAS F. NEVILLE, known or identified to me to be Manager of the limited liability company of NEVILLE FAMILY CARTWRIGHT RANCH, LLC, and the Manager who subscribed said company name to the foregoing instrument, and acknowledged to me that he executed the same in said company name.

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



Chris Green
Notary Public for Idaho
Residing at Boise, ID
My commission expires 3/26/06

The James L. Neville Living Trust
under Agreement dated March 4, 1999

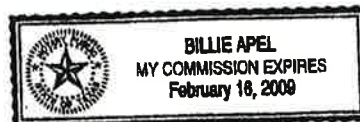
By: Richard B. Neville
Richard B. Neville, Successor Co-Trustee

STATE OF Texas)
County of Tarrant) ss.

On this 6th day of September, 2005, before me, Richard B. Neville, a Notary Public in and for said State, personally appeared RICHARD B. NEVILLE, known or identified to me to be the person whose name is subscribed to the within instrument as Successor Co-Trustee of THE JAMES L. NEVILLE LIVING TRUST under Agreement dated March 4, 1999, and acknowledged to me that he executed the same as such Trustee.

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

Billie Apel
Notary Public for TARRANT
Residing at 2702 W. Berry Ex. Worth
My commission expires 2-16-09



The James L. Neville Living Trust
under Agreement dated March 4, 1999

By: William P. Neville
William P. Neville, Successor Co-Trustee

STATE OF Georgia)
County of Gwinnett) ss.

On this 6th day of September, 2005, before me, Thomas A. Sears a
Notary Public in and for said State, personally appeared WILLIAM P. NEVILLE, known or
identified to me to be the person whose name is subscribed to the within instrument as
Successor Co-Trustee of THE JAMES L. NEVILLE LIVING TRUST under Agreement dated
March 4, 1999, and acknowledged to me that he executed the same as such Trustee.

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



Thomas A. Sears
Notary Public for Gwinnett
Residing at _____
My commission expires 7/1/08

The Family Trust created under Article 5.3
of the Marthlyn B. Neville Living Trust
dated March 4, 1999

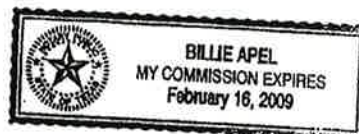
By: *Richard B. Neville*
Richard B. Neville, Successor Co-Trustee

STATE OF Texas)
County of Tarrant) ss.

On this 6th day of September, 2005, before me, RICHARD B NEVILLE, a
Notary Public in and for said State, personally appeared RICHARD B. NEVILLE, known or
identified to me to be the person whose name is subscribed to the within instrument as
Successor Co-Trustee of THE FAMILY TRUST CREATED UNDER ARTICLE 5.3 OF THE
MARTHLYN B. NEVILLE LIVING TRUST DATED MARCH 4, 1999, and acknowledged to me
that he executed the same as such Trustee.

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

Billie Apel
Notary Public for Tarrant Co.
Residing at 2702 W. Berry Ft. Worth
My commission expires 2-16-09



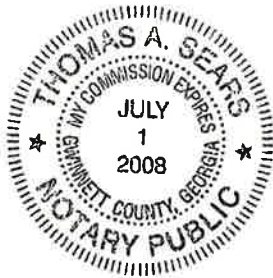
The Family Trust created under Article 5.3
of the Marthlyn B. Neville Living Trust
dated March 4, 1999

By: William P. Neville
William P. Neville, Successor Co-Trustee

STATE OF Georgia)
County of Gwinnett) ss.

On this 2 day of September, 2005, before me, Thomas A. Sears, a
Notary Public in and for said State, personally appeared WILLIAM P. NEVILLE, known or
identified to me to be the person whose name is subscribed to the within instrument as
Successor Co-Trustee of THE FAMILY TRUST CREATED UNDER ARTICLE 5.3 OF THE
MARTHLYN B. NEVILLE LIVING TRUST DATED MARCH 4, 1999, and acknowledged to me
that he executed the same as such Trustee.

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



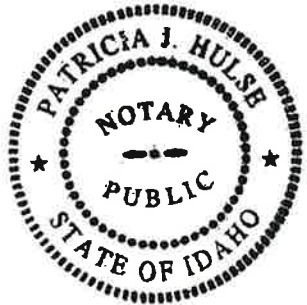
Thomas A. Sears
Notary Public for _____
Residing at _____
My commission expires 7/1/08

Dan Neville
Dan Neville

STATE OF IDAHO)
County of Twin Falls) ss.

On this 6th day of September, 2005, before me, *Patricia Hulse*, a Notary Public in and for said state, personally appeared DAN NEVILLE, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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



Patricia J. Hulse
Notary Public for Idaho
Residing at *Buhl, ID*
My commission expires *6/18/08*

Eileen Neville
Eileen Neville

STATE OF IDAHO)
County of Ada) ss.

On this 8th day of September, 2005, before me, Chris Green, a Notary Public in and for said state, personally appeared EILEEN NEVILLE, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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



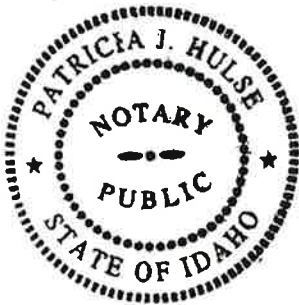
Chris Green
Notary Public for Idaho
Residing at Bain, ID
My commission expires 3/20/06

Frank Neville
Frank Neville

STATE OF IDAHO)
County of Turn Falls) ss.

On this 6th day of September, 2005, before me, Patricia Hulse, a Notary Public in and for said state, personally appeared FRANK NEVILLE, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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



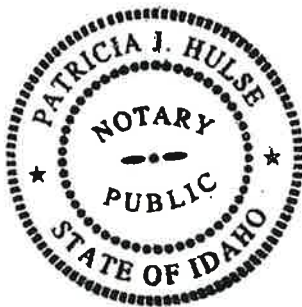
Patricia J. Hulse
Notary Public for Idaho
Residing at Buhl, Id.
My commission expires 6/18/08

Maureen Loucks
Maureen Loucks

STATE OF IDAHO)
County of Twin Falls) ss.

On this 6th day of September, 2005, before me, Patricia Hulse, a Notary Public in and for said state, personally appeared MAUREEN LOUCKS, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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



Patricia J. Hulse
Notary Public for Idaho
Residing at Sun, Id.
My commission expires 6/18/08

Mark Neville
Mark Neville

STATE OF IDAHO)
County of Twin Falls) ss.

On this 6th day of September, 2005, before me, Patricia Hulse, a Notary Public in and for said state, personally appeared MARK NEVILLE, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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



Patricia J. Hulse
Notary Public for Idaho
Residing at Buhl, Id.
My commission expires 6/18/08

David L. Nordling
David L. Nordling

Yoshie Cameron Nordling
Yoshie Cameron Nordling

STATE OF IDAHO)
) ss.
County of Ada)

On this 7th day of September, 2005, before me, Chris Green, a Notary Public in and for said state, personally appeared DAVID L. NORDLING and YOSHIE CAMERON NORDLING, husband and wife, known or identified to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

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



Chris Green
Notary Public for Idaho
Residing at Buried, ID
My commission expires 3/20/06

Thomas F. Neville
Thomas F. Neville

STATE OF IDAHO)
) ss.
County of Ada)

On this 8th day of September, 2005, before me, Chris Green, a Notary Public in and for said state, personally appeared THOMAS F. NEVILLE, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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



Chris Green
Notary Public for Idaho
Residing at Boise, ID
My commission expires 3/20/06

Gloria Dent Neville
Gloria Dent Neville
(also known as Gloria D. Neville)

By: Thomas F. Neville
Thomas F. Neville, her
Attorney-In-Fact

STATE OF IDAHO)
) ss.
County of Ada)

On this 8th day of September, 2005, before me,
Chris Green, a Notary Public in and for said state, personally
appeared Thomas F. Neville, known or identified to me to be the person whose name is
subscribed to the within instrument as the attorney-in-fact of Gloria Dent Neville, and
acknowledged to me that he subscribed the name of Gloria Dent Neville thereto as principal and
his own name as attorney-in-fact.

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



Chris Green
Notary Public for Idaho
Residing at Brine, ID
My commission expires 3/20/06

EXHIBIT A

The Southwest Quarter; the Northwest Quarter of the Southeast Quarter; the West Half of the Northeast Quarter; the Northeast Quarter of the Northwest Quarter; the South Half of the Northwest Quarter; and all of Lot 4, lying Southeasterly of a line running from the Southwest corner to the Northeast corner of said Lot 4, Section 4, Township 4 North, Range 2 East, Boise Meridian.

The East Half of the Southwest Quarter; the South Half of the North Half; the Northwest Quarter of the Southwest Quarter; and the Southeast Quarter, Section 5, Township 4 North, Range 2 East, Boise Meridian.

The Northeast Quarter and the North Half of the Southeast Quarter, Section 8, Township 4 North, Range 2 East, Boise Meridian.

The West Half of the Northwest Quarter; the Northwest Quarter of the Southwest Quarter; and the Southeast Quarter of the Southwest Quarter, Section 9, Township 4 North, Range 2 East, Boise Meridian.

EXCEPT all of the following Parcels, to-wit:

PARCEL A

BEGINNING at the Quarter section corner common to Sections 4 and 5, Township 4 North, Range 2 East, Boise Meridian; thence
South $86^{\circ}42'1/2''$ East, 894.56 feet to a steel pin, the **REAL POINT OF BEGINNING**; thence
North $12^{\circ}01'$ East, 463.67 feet to a steel pin; thence
South $86^{\circ}51'$ East, 484.25 feet to a steel pin; thence
South $14^{\circ}09'$ West, 466.70 feet to a steel pin; thence
North $86^{\circ}51'$ West, 466.70 feet to the **REAL POINT OF BEGINNING**.

PARCEL B

BEGINNING at the Quarter Section corner common to Sections 4 and 5, Township 4 North, Range 2 East, Boise Meridian; thence
North $23^{\circ}18'1/2''$ West, 123.77 feet to a steel pin, the **REAL POINT OF BEGINNING**; thence
North $76^{\circ}44'1/2''$ West, 312.79 feet to a steel pin; thence
North $02^{\circ}34'1/2''$ West, 288.16 feet to a steel pin; thence
North $45^{\circ}04'1/2''$ West, 211.66 feet to a steel pin; thence
North $53^{\circ}08'1/2''$ East, 414.88 feet to a steel pin; thence
South $37^{\circ}50'1/2''$ East, 197.00 feet to a steel pin; thence
South $01^{\circ}20'1/2''$ East, 602.16 feet to the **REAL POINT OF BEGINNING**.

PARCEL C

A tract of land in the Southeast Quarter, Southwest Quarter, of Section 9, Township 4 North, Range 2 East, Boise Meridian, more particularly described as follows:

BEGINNING at the one-quarter corner common to Sections 9 and 16, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho; thence
South $89^{\circ}59'46''$ West along the Section line common to said Sections 9 and 16, 1,333.28 feet to a steel pin; thence

Ticor Title

North 00°16'42" West along the West side of the Southeast Quarter Southwest Quarter of said Section 9, 302.87 feet to a steel pin; thence

North 69°00'48" East, 213.06 feet to a steel pin; thence

South 86°37'06" East, 167.72 feet to a steel pin; thence

South 68°22'18" East, 340.54 feet to a steel pin; thence

South 77°57'12" East, 158.82 feet to a steel pin; thence

South 89°12'22" East, 339.94 feet to a steel pin; thence

South 81°34'40" East, 162.66 feet to a steel pin on the mid-section line of said Section 9; thence

South 00°29'12" East, along said mid-section line 183.25 feet to the PLACE OF BEGINNING.

PARCEL D

A tract of land located in the South Half Southwest Quarter of Section 4 and in the West Half Northwest Quarter of Section 9, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

COMMENCING at the Southwest corner of said Section 4; thence

North 07°18'56" East 1,316.80 feet to the REAL POINT OF BEGINNING; thence

South 89°48'00" East 381.56 feet more or less to a point at the center line of Dry Creek, said point bearing

North 22°49'43" East 1,415.63 feet from the Southwest Section corner of Section 4; thence

Southeasterly along the center line of Dry Creek 1,425 feet more or less to a point bearing

North 70°06'08" East 1,857.14 feet from the Southwest Section corner; said creek center line being further described by four intermediate points with point one bearing

North 37°23'32" East 1,475.78 feet from, point two bearing

North 43°28'21" East 1,393.75 feet from, point three bearing

North 47°28'51" East 1,466.63 feet from, and point four bearing

North 61°25'29" East 1,680.07 feet from the Southwest Section corner of Section 4; thence

South 44°34'55" West 283.73 feet more or less; thence

North 80°29'30" West 298.80 feet; thence

South 00°26'08" West 488.57 feet; thence

South 89°34'00" East 35.90 feet more or less to the 1/16 line; thence

Southerly 2,488.77 feet; more or less along the 1/16 line; thence

South 83°53'32" West 152.63 feet more or less; thence

North 50°40'16" West 248.80 feet; thence

North 52°14'57" West 565.41 feet; thence

North 23°00'23" West 302.65 feet; thence

North 25°19'31" West 285.66 feet; thence

North 15°04'23" West 525.17 feet; thence

North 37°41'49" East 183.52 feet; thence

North 15°05'52" West 390.73 feet; thence

North 05°07'32" East 465.37 feet; thence

North 02°50'17" West 422.36 feet; thence

North 01°08'39" West 864.92 feet to the REAL POINT OF BEGINNING.

PARCEL E

A portion of the South Half Southwest Quarter of Section 4, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

BEGINNING at the Section corner common to Sections 4, 5, 8, and 9, Township 4 North, Range 2 East, Boise Meridian; thence

Ticor Title

South 89°34'00" East, 1,248.76 feet to the REAL POINT OF BEGINNING; thence
North 00°26'00" East, 488.38 feet to a point; thence
South 80°29'50" East, 298.74 feet to a point; thence
South 42°53'30" East, 395.16 feet to a point; thence
South 00°26'00" West, 153.82 feet to a point; thence
North 89°34'00" West, 566.13 feet to the REAL POINT OF BEGINNING.

PARCEL F

Part of the West Half of Section 4, Township 4 North, Range 2 East of the Boise Meridian, Ada County, Idaho, described as follows:

COMMENCING at the Quarter corner common to Sections 4 and 5, Township 4 North, Range 2 East, thence
South 86°42' 1/2" East, 894.56 feet to a steel pin; thence
South 86°51' East, 466.70 feet to a steel pin and the REAL POINT OF BEGINNING; thence
South 86°51' East, 475.42 feet to a steel pin; thence
North 14°09' East, 466.70 feet to a steel pin; thence
North 86°51' West, 475.42 feet to an existing property steel pin; thence
South 14°09' West, 466.70 feet to the REAL POINT OF BEGINNING and existing property steel pin.

PARCEL G

A parcel of land in Section 4, Township 4 North, Range 2 East of Boise-Meridian, in Ada County, Idaho, described as follows:

COMMENCING at the Northwest corner of said Section 4; thence along the West line of said Section 4,
South 00°34'00" East a distance of 2,592.70 feet; thence
South 87°10'02" East, a distance of 1,375.96 feet to a steel pin and the REAL POINT OF BEGINNING; thence
South 13°46'41" West, a distance of 271 feet to a steel pin; thence
South 87°10'02" East, a distance of 475.31 feet to a steel pin; thence
North 13°45'26" East, a distance of 271 feet to a steel pin; thence
North 87°10'02" West, a distance of 475.21 feet to the REAL POINT OF BEGINNING.

PARCEL H

A parcel of land in Section 4, Township 4 North, Range 2 East of the Boise Meridian in Ada County, Idaho, described as follows:

COMMENCING at the Northwest corner of said Section 4, thence along the West line of said Section 4,
South 00°34'00" East, a distance of 2,592.70 feet; thence
South 87°10'02" East, a distance of 1,375.96 feet to a steel pin; thence
North 13°46'41" East, a distance of 465.78 feet to a steel pin and the REAL POINT OF BEGINNING; thence
South 87°12'40" East, a distance of 475.07 feet to a steel pin; thence
South 13°45'26" West, a distance of 322.34 feet to a steel pin; thence
North 41°01'09" East, a distance of 272.80 feet to a steel pin; thence
North 54°34'50" East, a distance of 408.26 feet to a steel pin; thence
North 86°11'36" East, a distance of 83.63 feet to a steel pin; thence

Ticor Title

North 86°56'56" East, a distance of 73.82 feet to a steel pin; thence
North 56°08'17" East, a distance of 131.14 feet to a steel pin; thence
North 38°58'58" West, a distance of 313.34 feet to a steel pin; thence
North 40°56'05" West, a distance of 196.83 feet to a steel pin; thence
South 34°29'42" West, a distance of 335.43 feet to a steel pin; thence
South 78°36'01" West, a distance of 356.42 feet to a steel pin; thence
South 46°23'11" West, a distance of 50 feet to a steel pin; thence
South 85°43'00" West, a distance of 228.58 feet to a steel pin; thence
South 14°10'39" West, a distance of 189.08 feet the REAL POINT OF BEGINNING.

PARCEL I

A parcel of land situated in Sections 4 and 5 of Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

COMMENCING at a brass cap marking the one-quarter corner common to said Sections 4 and 5 (said corner being South 00°15'40" East, a distance of 2,592.78 feet from the Northwest corner of said Section 4); thence
North 03° 03'04" West, a distance of 759.55 feet to a 5/8 inch iron pin on the East right-of-way line of Cartwright Road and the REAL POINT OF BEGINNING; thence
South 84°17'23" East a distance of 37.17 feet to a point; thence
North 63°15'50" East a distance of 242.23 feet to a point; thence
North 15°48'07" East, a distance of 261.62 feet to a point; thence
North 33°58'59" East, a distance of 135.66 feet to a point; thence
South 88°45'58" East, a distance of 263.87 feet to a point; thence
North 22°09'09" East, a distance of 484.43 feet to a point; thence
North 88°51'11" East, a distance of 59.56 feet to a point; thence
South 22°34'34" East, a distance of 154.43 feet to a point; thence
South 49°35'54" East, a distance of 416.26 feet to a point; thence
South 04°08'44" West, a distance of 212.62 feet to a point; thence
South 25°56'52" East, a distance of 210.69 feet to a point; thence
South 08°42'36" East, a distance of 202.12 feet to a point; thence
South 05°49'46" West, a distance of 227.33 feet to a point; thence
North 86°17'35" West, a distance of 771.14 feet to a point; thence
North 66°39'41" West, a distance of 271.48 feet to a point; thence
North 62°54'16" West, a distance of 182.85 feet to a point; thence along a curve to the left having a delta angle of 27°05'54", a radius of 334.12 feet, a long chord bearing
North 76°27'08" West, a chord distance of 156.54 feet, an arc distance of 158.01 feet to a point; thence
North 90°00'00" West, a distance of 17.13 feet to a point; thence along a curve to the left having a delta angle of 08°02'32", a radius of 356.30 feet, a long chord bearing
North 20°00'33" West, a chord distance of 49.97 feet, and an arc distance of 50.01 feet to the REAL POINT OF BEGINNING.

PARCEL J

A parcel of land situated in the Northwest one-quarter of Section 4 and a portion of the Northeast one-quarter of Section 5, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

COMMENCING at a brass cap marking the corner common to Sections 4, 5, 8, and 9, thence

Ticor Title

North 00°29'40" East, a distance of 2,644.89 feet to a brass cap marking the one-quarter corner common to Sections 4 and 5; thence
 North 13°07'34" East, a distance of 30.80 feet to a 5/8 inch iron pin and cap marked PLS 943, the POINT OF BEGINNING; thence
 North 00°45'15" West, a distance of 589.71 feet to a 1/2 inch iron pin with cap; thence
 North 90°00'00" East, a distance of 118.51 feet to a 1/2 inch iron pin with cap; thence
 South 62°56'43" East, a distance of 186.91 feet to a 1/2 inch iron pin with cap; thence
 South 66°39'37" East, a distance of 283.07 feet to a 1/2 inch iron pin with cap; thence
 along a curve to the right having a central angle of 32°17'00", a radius of 213.90 feet, a long chord bearing of
 South 50°31'11" East, a chord distance of 118.93 feet, an arc length of 120.52 feet to a 1/2 inch iron pin with cap; thence
 South 34°22'45" East, a distance of 127.81 feet to a 1/2 inch iron pin with cap; thence along a curve to the left having a central angle of 28°38'35", a radius of 201.31 feet, a long chord bearing
 South 48°41'57" East, a chord distance of 99.59 feet, an arc length of 100.64 feet to a 1/2 inch iron pin with cap; thence
 South 63°01'15" East, a distance of 53.41 feet to a 1/2 inch iron pin with cap; thence along a curve to the right having a central angle of 74°47'28", a radius of 11.87 feet, a long chord bearing
 South 25°38'06" East, a chord distance of 14.41 feet, an arc length of 15.49 feet to a 1/2 inch iron pin; thence
 South 78°13'48" East, a distance of 75.21 feet to a 1/2 inch iron pin; thence
 South 16°18'05" West, a distance of 183.84 feet to a 1/2 inch iron pin; thence
 South 86°28'30" East, a distance of 344.80 feet to a 1/2 inch iron pin with cap; thence
 South 08°39'31" West, a distance of 132.91 feet to a 1/2 inch iron pin with cap; thence
 North 74°43'12" West, a distance of 296.84 feet to a 1/2 inch iron pin with cap; thence
 South 14°18'24" West, a distance of 122.69 feet to a 1/2 inch iron pin with cap; thence
 North 66°45'54" West, a distance of 93.63 feet to a 1/2 inch iron pin with cap; thence
 North 24°36'21" West, a distance of 210.00 feet to a 1/2 inch iron pin with cap; thence
 North 85°58'45" West, a distance of 687.63 feet to the POINT OF BEGINNING.

PARCEL K

A parcel of land situated in the Southwest one-quarter of Section 4, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

COMMENCING at an aluminum cap marking the one-quarter corner common to Sections 4 and 5; thence
 South 00°53'34" East, a distance of 893.90 feet to a 5/8 inch iron pin, the POINT OF BEGINNING; thence
 South 65°30'48" East, a distance of 111.69 feet to a point; thence
 South 68°47'40" East, a distance of 70.51 feet to a point; thence
 South 33°24'34" East, a distance of 167.96 feet to a point; thence
 South 73°55'48" East, a distance of 77.11 feet to a point; thence
 South 41°37'05" East, a distance of 81.02 feet to a point; thence
 South 47°55'48" East, a distance of 130.90 feet to a point; thence
 South 48°49'36" East, a distance of 51.94 feet to a point; thence
 South 26°08'11" East, a distance of 50.60 feet to a point; thence
 North 88°18'14" West, a distance of 416.57 feet to a point; thence
 North 75°05'24" West, a distance of 98.32 feet to a point; thence along a curve to the left having a delta angle of 15°31'04", a radius of 930.80 feet, a long chord bearing
 North 07°53'38" West, and a chord distance of 251.33 feet to a point; thence
 North 00°08'07" West, a distance of 174.68 feet to the POINT OF BEGINNING.

Ticor Tide

PARCEL L

A parcel of land situated in the West Half of Section 4, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

COMMENCING at the Southwest Section corner of Section 4, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho; thence
North 00°29'40" East, 2,644.89 feet to the West Quarter corner of Section 4, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho; thence
North 13°07'34" East, 30.80 feet to the REAL POINT OF BEGINNING; thence the following courses:
South 85°58'45" East, 687.63 feet;
South 24°36'21" East, 210.00 feet;
South 66°45'54" East, 93.53 feet;
North 14°18'24" East, 122.69 feet;
South 74°43'12" East, 296.84 feet;
North 08°39'32" East, 132.33 feet;
South 86°28'30" East, 154.10 feet;
South 14°37'37" West, 271.77 feet;
South 86°25'11" East, 476.28 feet;
South 14°27'15" West, 382.31 feet;
South 84°25'06" West, 915.55 feet;
North 45°04'54" West, 799.85 feet;
North 60°44'49" West, 207.20 feet; thence
North 00°45'15" West, 200.00 feet to the REAL POINT OF BEGINNING.

PARCEL M

A tract of land situated in the Southeast Quarter of the Northeast Quarter of Section 5, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

COMMENCING at the Northeast corner of said Section 5; thence
South 00°15'40" East a distance of 1,287.12 feet to the North 1/16 corner; thence
North 87°33'00" West, a distance of 308.62 feet to a found 5/8 inch iron pin on the Westerly line of Cartwright Road (see Record of Survey No. 638); thence
South 17°07'00" East along said Westerly line a distance of 299.00 feet to a set 5/8 inch iron pin and the PLACE OF BEGINNING; thence
South 72°49'00" West, a distance of 83.60 feet to a 1/2 inch iron pin; thence
South 42°22'00" West, a distance of 151.04 feet to a 1/2 inch iron pin; thence
South 66°07'08" West, a distance of 393.05 feet to a 1/2 inch iron pin; thence
South 28°02'38" East, a distance of 245.21 feet to a 1/2 inch iron pin; thence
North 53°23'57" East, a distance of 174.98 feet to a 1/2 inch found iron pin, being the most Westerly corner of that parcel described in Warranty Deed recorded March 22, 1977, as Instrument No. 7711904; thence along the Northwest boundary of the aforesaid parcel
North 53°24'17" East, a distance of 414.97 feet to a 1/2 inch found iron pin, being the most Northerly corner of the aforesaid parcel; thence
North 16°39'00" West, a distance of 167.13 feet to a 1/2 inch iron pin and the PLACE OF BEGINNING.

PARCEL N

A tract of land in the South one-half of the Northeast Quarter of Section 5, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

**COMMENCING at the Northeast corner of the Southeast Quarter of the Northeast Quarter of said Section 5, said corner being
South 00°15'40" East, 1,287.12 feet of the Northeast corner of said Section 5; thence
North 87°33' West, 308.62 feet on the North line of the South one-half of the Northeast Quarter of said Section 5 to a point on the Westerly right-of-way line fence on the Cartwright Road and the
REAL POINT OF BEGINNING; thence continuing on said North line,
North 87°33' West, 1,251.82 feet to a point; thence
South 43°45' East, 404.94 feet to a point; thence
South 75°50' East, 645.00 feet to a point; thence
South 83°18' East, 107.00 feet to a point; thence
North 71°06' East, 118.00 feet to a point; thence
North 42°22' East, 152.00 feet to a point; thence
North 72°49' East, 100.00 feet to a point in the Westerly right-of-way line fence of said Cartwright Road; thence
North 17°07' West, 239.90 feet along said right-of-way line fence to the REAL POINT OF BEGINNING.**

PARCEL O

A parcel located in the South Half of the Northeast Quarter of Section 5, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

**BEGINNING at the Northeast corner of Section 5, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho; thence
South 00°15'40" East 1,289.12 feet along the Section line to a point, the 1/16 corner; thence
North 87°33' West, 1,560.44 feet along the sixteenth line to a point, the REAL POINT OF BEGINNING; thence
South 43°45' East, 404.94 feet to a point; thence
South 75°50' East, 645.00 feet to a point; thence
South 83°18' East, 40.00 feet to a point, the Northwest corner of a cul-de-sac (a private road called Rock Garden Lane); thence
South 06°42' West, 45.00 feet along said cul-de-sac to a point; thence
South 66°07'08" West, 259.87 feet to a point; thence
South 28°02'38" East, 327.71 feet to a point; thence
South 53°23'57" West, 155.00 feet to a point; thence
North 48°36'00" West, 275.00 feet to a point; thence
South 67°58'40" West, 235.08 feet to a point on the centerline of Dry Creek; thence
Northwesterly along said centerline the following 7 courses:
North 34°02'39" West, 96.95 feet to a point; thence
North 44°25'16" West, 90.45 feet to a point; thence
North 24°06'11" West, 192.76 feet to a point; thence
North 34°25'24" West, 96.02 feet to a point; thence
North 03°42'32" West, 90.34 feet to a point; thence
North 81°03'55" West, 74.00 feet to a point; thence
North 26°36'50" West, 142.81 feet to a point; thence
North 63°23'10" East, 135.48 feet to a point; thence
North 44°59'22" West, 297.25 feet to a point on the sixteenth line; thence**

Ticor Title

South 87°33' East, 175.00 feet along said sixteenth line to a point, the REAL POINT OF BEGINNING.

PARCEL P

A parcel of land being the Southeast Quarter of the Southwest Quarter of Section 9, Township 4 North, Range 2 East of the Boise Meridian, Ada County, Idaho, lying North and East of Cartwright Road, said Parcel also being a part of that land described by Instrument No. 7937219, records of Ada County, being more particularly described as follows:

BEGINNING at the South Quarter corner of said Section 9, marked by a 1" diameter iron pipe, from which the Southwest corner of said Section 9, marked by a brass capped monument, bears North 89°59'46" West, 2,663.60 feet; thence on the East boundary of said Southeast Quarter Southwest Quarter

North 00°28'53" West, 183.23 feet to the Southeast corner of that land described by said Instrument No. 7937219, thence continuing on said East boundary

North 00°28'53" West, 75.92 feet to a point 50.00 feet Northeasterly of the centerline of Cartwright Road as shown on Record of Survey No. 3148, Instrument No. 95019260 records of Ada County, said point being marked by a 5/8 inch iron bar, and is the REAL POINT OF BEGINNING; thence on a line 50.00 feet from and parallel with said centerline of Cartwright Road, the following courses and distances to the North boundary of said Southeast Quarter Southwest Quarter;

North 81°35'33" West, 155.43 feet to a 5/8 inch iron bar; thence

North 89°12'13" West, 161.41 feet to a 5/8 inch iron bar marking the beginning of a curve to the right; thence 176.56 feet on the arc of said curve, having a central angle of 21°31'24" and a radius of 470.00 feet, the chord of which bears

North 78°26'31" West, 175.52 feet to a 5/8 inch iron bar thence

North 67°40'49" West, 112.90 feet to a 5/8 inch iron bar marking the beginning of a curve to the right; thence 224.52 feet on the arc of said curve, having a central angle of 22°10'48" and a radius of 580.00 feet, the chord of which bears

North 56°35'25" West 223.13 feet to a 5/8 inch iron bar; thence

North 45°30'02" West, 32.51 feet to a 5/8 inch iron bar marking the beginning of a curve to the right, thence 85.69 feet on the arc of said curve, having a central angle of 51°40'43" and a radius of 95.00 feet, the chord of which bears

North 19°39'40" West, 82.81 feet to a 5/8 inch iron bar; thence

North 06°10'42" East, 60.72 feet to 5/8 inch iron bar marking the beginning of a curve to the left; thence 198.48 feet on the arc of said curve, having a central angle of 24°43'19" and a radius of 460.00 feet, the chord of which bears

North 06°10'58" West, 196.94 feet to a 5/8 inch iron bar; thence

North 18°32'37" West, 135.71 feet to a 5/8 inch iron bar marking the beginning of a curve to the left; thence 125.83 feet on the arc of said curve, having a central angle of 11°32'06" and a radius of 625.00 feet, the chord of which bears

North 24°18'41" West, 125.62 feet to a 5/8 inch iron bar; thence

North 30°04'44" West, 181.53 feet to a 5/8 inch iron bar marking the beginning of a curve to the right; thence 78.13 feet on the arc of said curve, having a central angle of 18°56'05" and a radius of 236.41 feet, the chord of which bears

North 20°36'38" West, 77.78 feet to a 5/8 inch iron bar on the North boundary of said Southeast Quarter Southwest Quarter; thence on said North boundary

South 89°59'44" East, 1,047.91 feet to a 5/8 inch iron bar marking the Northeast corner of said Southeast Quarter Southwest Quarter; thence on the East boundary of said Southeast Quarter Southwest Quarter

South 00°28'53" East, 1,055.78 feet to the REAL POINT OF BEGINNING.

PARCEL Q

A parcel of land situated in the Southeast Quarter of the Northeast Quarter of Section 5, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at an aluminum cap monument marking the Northeast corner of said Section 5, from which corner the East Quarter corner of said section bears

South 01°07'54" East, 2592.69 feet; thence along the Easterly line of said Northeast Quarter

South 01°07'54" East, 1287.10 feet to the Northeast corner of said Southeast Quarter of the Northeast Quarter; thence, along the North line of said Southeast Quarter

North 88°25'00" West 1735.23 feet to the Northwest corner of Record of Survey No. 3901, Ada County Records, and the point of beginning; thence, along the exterior boundary of said survey through the following courses:

South 45°50'23" East, 297.16 feet; thence

South 62°33'36" West, 135.43 feet to a point on the centerline of Dry Creek; thence, leaving said survey exterior boundary, along the centerline of Dry Creek through the following approximate courses: continuing

South 62°33'36" West, 33.21 feet; thence

North 42°56'46" West, 69.33 feet; thence

North 71°34'38" West, 193.93 feet; thence

North 29°10'19" West, 206.28 feet to a point on the North line of said Southeast Quarter of the Northeast Quarter of Section 5; thence, leaving said Dry Creek centerline, along said North line

South 88°25'00" East, 268.36 feet to the POINT OF BEGINNING.

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

RIGHT NUMBER: 63-3285A

NAME AND ADDRESS:

CARTWRIGHT RANCH LLC
485 E RIVERSIDE DR,
STE 100
EAGLE ID 83616

CARTWRIGHT RANCH LLC
3101 N. CENTRAL AVE STE. 1390
PHOENIX AZ 85012

SOURCE:

Source:

Tributary:

GROUND WATER

QUANTITY:

0.560 CFS

~~0.210 CFS~~

288.780 AFY

~~108.000 AFY~~

Rights 63-3321A and 63-3285A, when combined, shall not exceed a total diversion rate of 1.20 cfs, a total annual maximum diversion volume of 428.28 af.

The rights listed below are limited to a total combined diversion rate of 2.63 cfs. Combined Right Nos.: 63-3285A, 63-3321A, 63-5207.

~~The rights listed below are limited to a total combined diversion rate of 1.1 cfs. Combined Right Nos.: 63-3285A, 63-3321A, 63-5207.~~

~~Rights 63-3321A and 63-3285A, when combined, shall not exceed a total diversion rate of 0.84 cfs, a total annual maximum diversion volume of 108 af, and the irrigation of 42 acres.~~

PRIORITY DATE:

04/12/1962

POINT OF DIVERSION:

T04N R02E S5 SENE
Within ADA County

~~Right 63-3321A is also diverted through the point of diversion described above.~~

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	03/01 11/15	<u>0.560 CFS 288.78 AFY</u>
		0.210 CFS 108.00 AFY

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

PLACE OF USE:

IRRIGATION within ADA County

T04N R02E S05 SWNE 31.0

~~T04N R02E S05 SWNE 15.5~~

T04N R02E S05 SENE 17.6

~~T04N R02E S05 SENE 8.0~~

T04N R02E S05 SENW 21.0

T04N R02E S05 NESE 26.0

~~T04N R02E S05 NESE 18.0~~

T04N R02E S05 NWSE 15.0

~~T04N R02E S05 NWSE 0.5~~

110.6 ACRES TOTAL

~~42 ACRES TOTAL~~

Right Nos. 63-3285A and 63-3321A are limited to the irrigation of a combined total of 110.6 acres in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 131.6 acres in a single irrigation season. Combined Right Nos.: 63-3285A, 63-3321A, 63-5207.

~~The rights listed below are limited to the irrigation of a combined total of 55.1 acres in a single irrigation season. Combined Right Nos.: 63-3285A, 63-3321A, 63-5207.~~

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

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

~~THE REMAINDER OF THIS RIGHT WAS FORFEITED FOR
NON USE FROM 1975 TO 1989.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right 63-3321A is also diverted through the point of diversion described above.

PARCEL NO. S0605131215.

Music, Vicky

From: Music, Vicky
Sent: Wednesday, September 19, 2007 10:33 AM
To: Harvey, Becky
Cc: Courtney, Andrea
Subject: FW: Cartright Ranch 63-5207 etc.

Sorry Becky - these should have gone to you too - Vicky

-----Original Message-----

From: Music, Vicky
Sent: Wednesday, September 19, 2007 10:32 AM
To: Courtney, Andrea
Subject: RE: Cartright Ranch 63-5207 etc.

yes - here are the 2 sf5s.



63-3285A.pdf



63-3321A.pdf

-----Original Message-----

From: Courtney, Andrea
Sent: Tuesday, September 18, 2007 3:18 PM
To: Music, Vicky
Cc: Harvey, Becky
Subject: RE: Cartright Ranch 63-5207 etc.

Vicky~

As we were ending things in June, did you prepare SF5s on the two license claims (3321A and 3285A)? We have old draft SF5s in the legal files but those have the old Arizona address, and I remember we confirmed with John that the Eagle address was correct when we were readying the ADR for 5207. The objection deadline for 63-5207 has passed and no objections were filed. The ADR for 63-5207 will likely proceed to report and recommendation now. My notes indicate that once 5207 is decreed we would circulate the SF5s for the two licensed rights. May as well have them ready to go when 5207 gets decreed. I'll let you know what happens at the status conference.

Thanks.
Andrea

From: Music, Vicky
Sent: Tuesday, September 18, 2007 1:30 PM
To: Courtney, Andrea
Subject: RE: Cartright Ranch 63-5207 etc.

yep - after the status conference which hopefully will confirm there are no more issues with 63-5207 [that might in turn affect these other 2], then we will process the ownership change/splitting out Pam Hiatts right. So, will wait for the go ahead from you after the status conference.

Congratulations on passing the Bar!

-----Original Message-----

From: Courtney, Andrea
Sent: Tuesday, September 18, 2007 11:34 AM
To: Music, Vicky
Subject: Cartright Ranch 63-5207 etc.

Vicky~

I have a status conference scheduled for 9/25 for Cartright Ranch. The amended director's report was filed 7/16 according to the SRBA website. I had a note that after 63-5207 and thus 63-3321A and 63-3285A were fixed, that we should circle back and address the change of ownership for Pam Hiatt.

Would you please give me an update as to where we are re:final resolution of these?

Thanks.

Andrea

P.s. I got word on last Thursday --- I passed the Idaho Bar! Swearing in ceremony is 9/27. I'll be official on that day.

Andrea L. Courtney

Idaho Attorney General's Office

Music, Vicky

From: Music, Vicky
Sent: Wednesday, June 27, 2007 2:57 PM
To: Courtney, Andrea
Subject: RE: 63-5207

It is because the acres in the licenses overlap totally and the 1.6 acres that was conveyed to P Hiatt is the same 1.6 acres, there are not two unique 1.6 ac parcels that add up to 3.2 ac.

I did not notice the Eagle address and frankly, do not know if John intended to change the address from AZ to ID, or if the developer just opened a local office and the main office/ land dept/ legal dept, etc are still located in AZ and is where we need to send documents. Have you talked to him today? That is something we need to clarify.

-----Original Message-----

From: Courtney, Andrea
Sent: Wednesday, June 27, 2007 2:45 PM
To: Music, Vicky; Williams, Ray
Subject: RE: 63-5207

Vicky~

This looks good. I do have a question as to the acres limitation. If there are 1.6 acres on 3321 that will get split off and another 1.6 acres from 3285 that will get split off, why is the combined limit 131.6 and not 133.2? Is it because the 1.6 acres from 3285 don't come with any quantity?

Also, I noticed on the amended claim that Cartwright had a local address in Eagle. Should the amended dir's report have Cartwright's address in Eagle or AZ?

Thanks.

Andrea

-----Original Message-----

From: Music, Vicky
Sent: Wednesday, June 27, 2007 2:02 PM
To: Courtney, Andrea; Williams, Ray
Subject: 63-5207

latest amd dr attached. all references to 3321 back to "A", combined Q includes the .03 cfs for Hiatt for a total Q = 2.63 for irr for the 3 rights, acres combined remark = 131.6

<< File: 20070627135722305.pdf >>

Vicky

Tracking:	Recipient	Delivery	Read
	Courtney, Andrea	Delivered: 6/27/2007 2:57 PM	Read: 6/27/2007 3:08 PM

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

RIGHT NUMBER: 63-3285A

NAME AND ADDRESS:

CARTWRIGHT RANCH LLC
485 E RIVERSIDE DR,
STE 100
EAGLE ID 83616

~~CARTWRIGHT RANCH LLC~~
~~3101 N. CENTRAL AVE STE. 1390~~
~~PHOENIX AZ 85012~~

SOURCE:

Source:

Tributary:

GROUND WATER

QUANTITY:

0.560 CFS

~~0.210 CFS~~

288.780 AFY

~~108.000 AFY~~

1.2
Rights 63-3321A and 63-3285A, when combined, shall not exceed a total diversion rate of 1.17 cfs, a total annual maximum diversion volume of 421.08 af.

428.28
The rights listed below are limited to a total combined diversion rate of 2.6 cfs. Combined Right Nos.: 63-3285A, 63-3321A, 63-5207.

2.63
The rights listed below are limited to a total combined diversion rate of 1.1 cfs. Combined Right Nos.: 63-3285A, 63-3321A, 63-5207.

Rights 63-3321A and 63-3285A, when combined, shall not exceed a total diversion rate of 0.84 cfs, a total annual maximum diversion volume of 108 af, and the irrigation of 42 acres.

PRIORITY DATE:

04/12/1962

POINT OF DIVERSION:

T04N R02E S5 SENE
Within ADA County

more to app
Right 63-3321A is also diverted through the point of diversion described above.

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

03/01 11/15

0.560 CFS 288.78 AFY

~~0.210 CFS 108.00 AFY~~

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

PLACE OF USE: IRRIGATION ³¹ within ADA County

T04N R02E S05 SWNE 29.4

~~T04N R02E S05 SWNE 15.5~~

T04N R02E S05 SENE 17.6

~~T04N R02E S05 SENE 8.0~~

T04N R02E S05 SENW 21.0

T04N R02E S05 NESE 26.0

~~T04N R02E S05 NESE 18.0~~

T04N R02E S05 NWSE 15.0

~~T04N R02E S05 NWSE 0.5~~

^{110.6}
~~109 ACRES TOTAL~~

~~42 ACRES TOTAL~~

^{110.6}

Right Nos. 63-3285A and 63-3321A are limited to the irrigation of a combined total of 109 acres in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 131.6 acres in a single irrigation season. Combined Right Nos.: 63-3285A, 63-3321A, 63-5207.

~~The rights listed below are limited to the irrigation of a combined total of 55.1 acres in a single irrigation season. Combined Right Nos.: 63-3285A, 63-3321A, 63-5207.~~

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

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

~~THE REMAINDER OF THIS RIGHT WAS FORFEITED FOR
NON-USE FROM 1975 TO 1989.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - License
PARCEL NO. S0605131215.

6/21/07 63-3285A 9F5 prep

lic	claimed	correct	rec
122	114	114	Y2
6 cfs - 8 ac # Hatt	.56	.56	

Pam Hatt bought 10 ac & 10 ac irr but quit claimer
2 ac irr back to Nevilles.

Will settle & recommend lic acres - Hatt & -
Rudds. Rudds ~~own~~ got 11 acre on 3.4 ac 63-10082
in 1989. no tx. Nevilles probably kept WR (will
assume so)

114 ac ($\rightarrow$ Pam H. B) ^{SWNE 24.4}
- 116 ac (Pam Hatt (10 2006))
- 3.4 ac (Rudd) ^{SENE 21-3.4}
109 acres - will not reduce Q

Poll changes from claim
SENE 17.6
SWNE 29.4

.6/122 ac = .005 cfs/ac = lic div rate

* SPS : 109 acres, .56 cfs
(109)(4.5) = 490.5 afq or (.56)(1.9835)(260) = 288.18 afq
 $\frac{.61 + .56}{.61 + .56} = 1.17$ cfs

* limited to 109 ac & _____ afq w/ 63-3321

* limited to _____ ac & _____ cfs w/ 63-3321, 63-5207

VLM noted
9/19/07
add the Hatt
1.6 ac back (change
was no ↓ in Q)
= 110.6 ac for
SPS

288.18
132.3
421.08



Idaho Department of Water Resources

SRBA Recommendation:

63-3285A

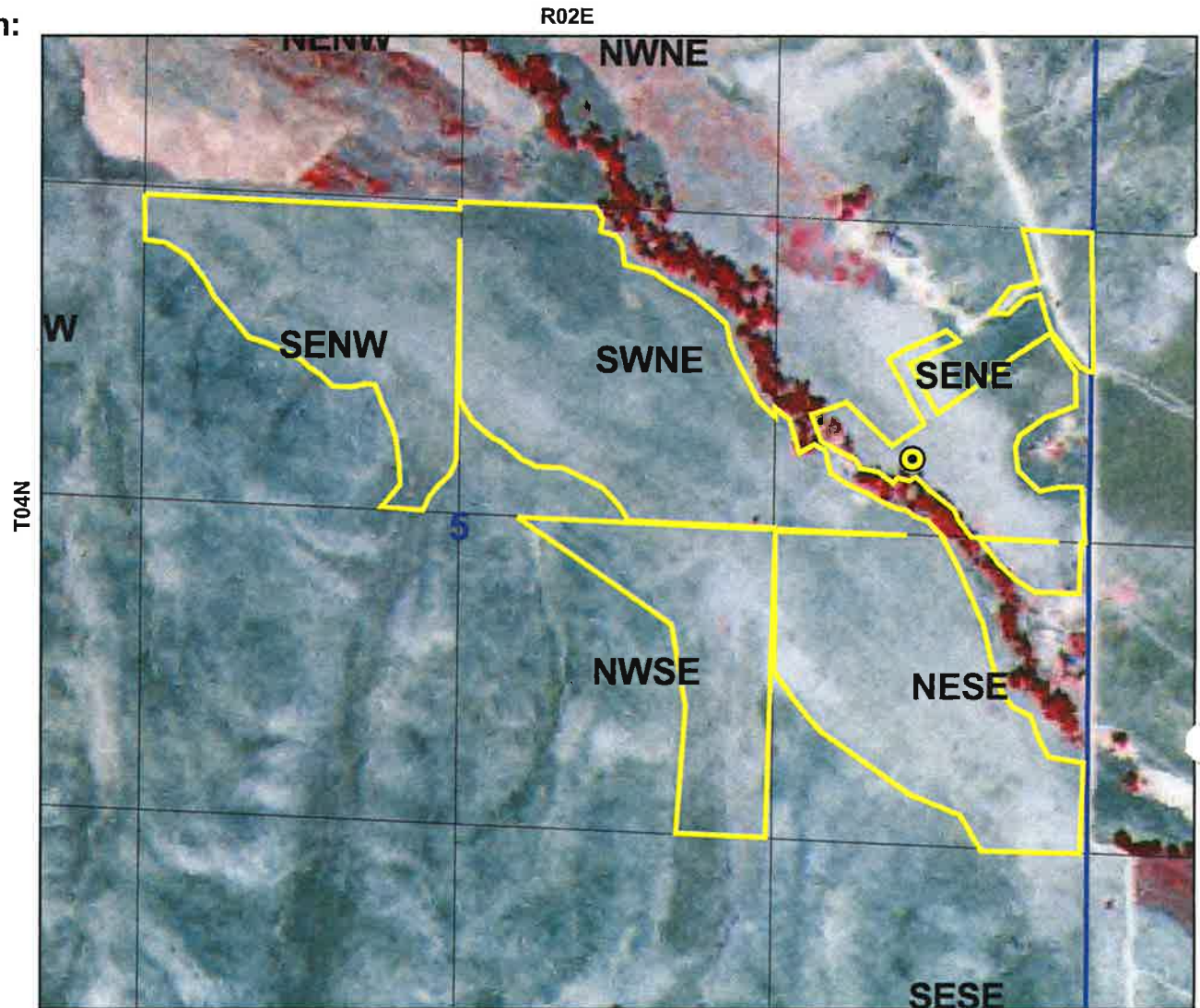
(Irrigation)

Legend

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



Ada County
IDWR Basin 63



0 0.3 0.6 Miles



Prepared by V. Music
On Thursday, June 21, 2007
1987/88 Aerial Photography

FAX COVER SHEET

DATE: Tuesday, June 19, 2007

PAGES (INCLUDING COVER): 4

ORIGINAL TO FOLLOW: No

JOHN M. MARSHALL
GIVENS PURSLEY LLP
601 W. Bannock Street
P.O. Box 2720
Boise, ID 83701-2720
Telephone No. (208) 388-1200
Fax No. (208) 388-1300
Email: johnmarshall@givenspursley.com
Web: www.givenspursley.com

RE: Subcases 63-05207, 63-03285A, and 63-03321A
GP File No. 7839-7

TO: Andrea Courtney

SEND TO FAX PHONE: 287-6700

MESSAGE:

Please see attached.

— John

If this fax does not transmit fully or is difficult to read, please contact Kristen at (208) 388-1229.

CONFIDENTIALITY NOTICE

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03/29/2005

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

RIGHT NUMBER: 63-3285A

NAME AND ADDRESS: GLORIA D NEVILLE
3122 EDSON TERR
BOISE ID 83705

YOSHIE CAMERON NORDLING
3122 EDSON TERRACE
BOISE ID 83705

R DOUGLAS NEVILLE
3122 EDSON TERR
BOISE ID 83705

THOMAS F NEVILLE
3122 EDSON TERR
BOISE ID 83705-2317

JAMES L NEVILLE
3122 EDSON TERR
BOISE ID 83705

MARGUERITE NEVILLE
3122 EDSON TERR
BOISE ID 83705

DAVID L NORDLING
3122 EDSON TERRACE
BOISE ID 83705

MARTHLYN B NEVILLE
3122 EDSON TERR
BOISE ID 83705

H WILLIAM NEVILLE
3122 EDSON TERR
BOISE ID 83705

FORTUNATA P NEVILLE
3122 EDSON TERRACE
BOISE ID 83705-2317

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.210 CFS
108.000 AFY

Rights 63-3321A and 63-3285A, when combined, shall not exceed a total
diversion rate of 0.84 cfs, a total annual maximum diversion volume of 108
af,
and the irrigation of 42 acres.

PRIORITY DATE: 04/12/1962

POINT OF DIVERSION:

T04N R02E S5 SENE Within ADA County
Right 63-3321A is also diverted through the point of diversion described
above.

03/29/2005

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

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.210 CFS 108.00 AFY

PLACE OF USE:

<u>IRRIGATION Within ADA County</u>					
T04N R02E S05	SWNE	15.5	T04N R02E S05	SENE	8.0
T04N R02E S05	NESE	18.0	T04N R02E S05	NWSE	0.5

42 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.

THE REMAINDER OF THIS RIGHT WAS FORFEITED FOR NON-USE FROM 1975 TO 1989.

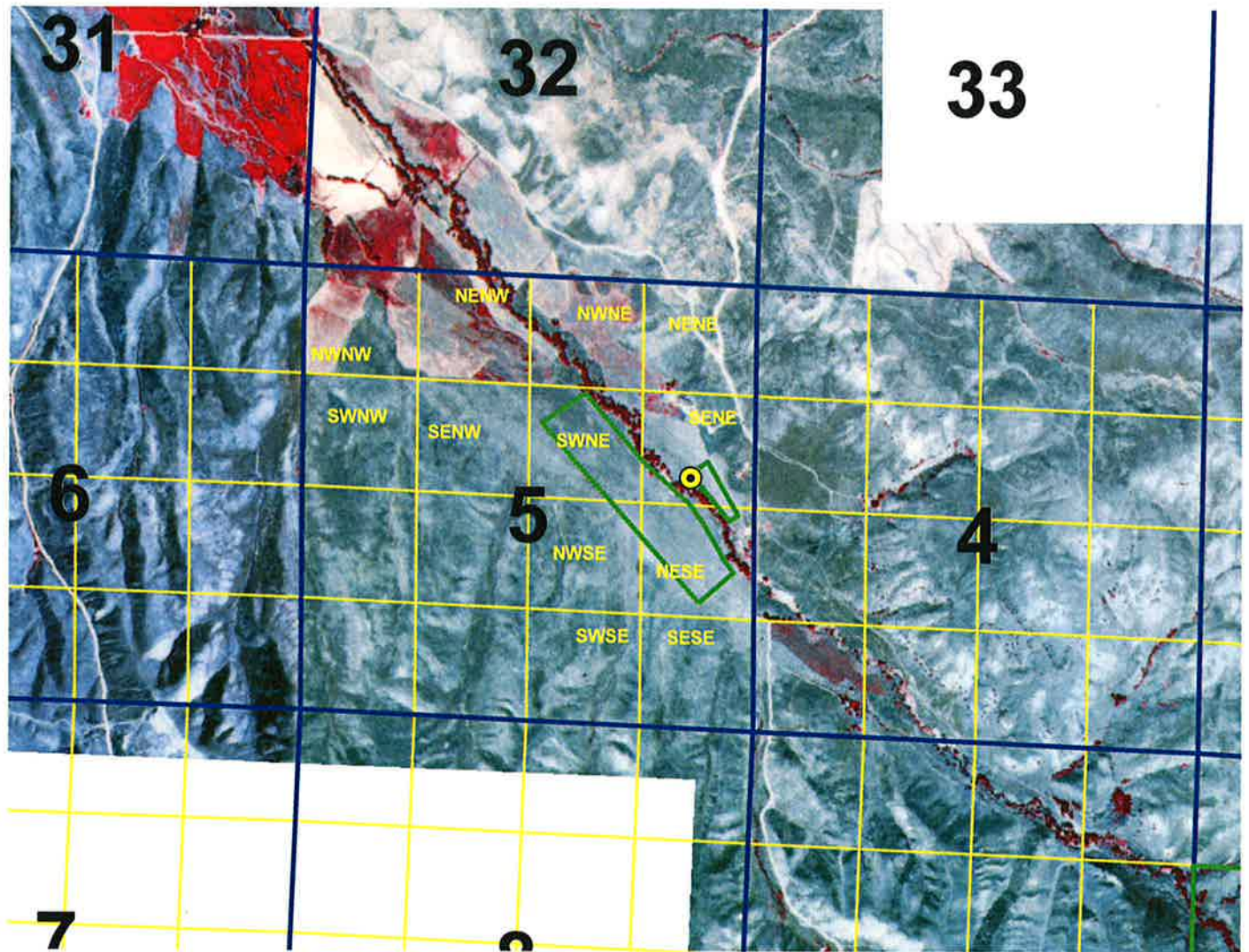
EXPLANATORY MATERIAL: License

PARCEL NO. S0605131215.



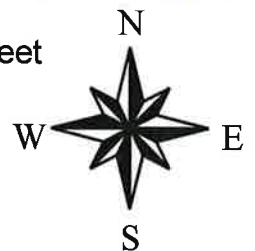
State of Idaho
Idaho Department of Water Resources
Western Region

T4N R2E SECTION 5
Water Right (s): 63-3285A



1320 0 1320 2640 3960 5280 6600 7920 Feet

TOTAL IRRIGATED ACRES = 42



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

GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: March 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3285A V1

WATER RIGHT NUMBER: 63-3285A V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GLORIA D NEVILLE 3122 EDSON TERR BOISE, ID 83705 (208)344-3188
Current Owner	YOSHIE CAMERON NORDLING 3122 EDSON TERRACE BOISE, ID 83705 (208)342-7322
Current Owner	R DOUGLAS NEVILLE 3122 EDSON TERR BOISE, ID 83705 (208)342-7322
Current Owner	THOMAS F NEVILLE 3122 EDSON TERR BOISE, ID 83705-2317 (208)342-7322
Current Owner	JAMES L NEVILLE 3122 EDSON TERR BOISE, ID 83705 (208)342-7322
Current Owner	MARGUERITE NEVILLE 3122 EDSON TERR BOISE, ID 83705 (208)342-7322
Current Owner	DAVID L NORDLING 3122 EDSON TERRACE BOISE, ID 83705 (208)342-7322
Current Owner	MARTHLYN B NEVILLE 3122 EDSON TERR BOISE, ID 83705 (208)342-7322
Original Owner	LEE WINN
Original Owner	, ID EDAWRD OSCAR BAUMHOFF 5150 MONTECITO PL BOISE, ID 83704 (208)375-3720
Current Owner	H WILLIAM NEVILLE 3122 EDSON TERR BOISE, ID 83705 (208)344-3188
Current Owner	FORTUNATA P NEVILLE 3122 EDSON TERRACE BOISE, ID 83705-2317 (208)342-7322

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 63-3285A V1

Priority Date: 04/12/1962

Basis: License

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.210 CFS	108.00 AF
	<u>Total Diversion:</u>	0.210 CFS	108.00 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4	Sec. 5, Twp 04N, Rge 02E, B.M.
ADA County		

Place of UseIRRIGATION Within ADA County

T04N R02E S05	SWNE 15.5	T04N R02E S05	SENE 8.0
T04N R02E S05	NESE 18.0	T04N R02E S05	NWSE 0.5

Total Acres: 42

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. X35 Rights 63-3321A and 63-3285A, when combined, shall not exceed a total diversion rate of 0.84 cfs, a total annual maximum diversion volume of 108 af, and the irrigation of 42 acres.

Remarks:

1. Explanatory PARCEL NO. S0605131215.

Comments:

1. vmusic 3/29/2005 SPLIT

Comment: RIGHT WAS SPLIT WHEN 10 ACRES WERE CONVEYED TO PAMULA HIATT. HOWEVER, SHE QUITCLAIMED THE WATER THAT SHE CLAIMED IN THE B PORTION BACK TO CLAIMANTS. B PORTION DISALLOWED.

2. vmusic 3/29/2005 QUANTITY/ACRES

Comment: SEE MEMO IN CLAIM FILE.

3. vmusic 3/29/2005 PARTIAL FORFEITURE

Comment: PORTION OF LICENSED ACRES FORFEITED FOR NONUSE FROM 1975 UNTIL 1989.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-3285A V1

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	2/15/2005 8:18:54 AM	lharris	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?
Priority Date	3/29/2005 10:05:14 AM	vmusic	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	3/29/2005 10:19:04 AM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
POU	3/29/2005 10:23:50 AM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (Yes) 14. Is a POU remark and/or condition required?
Contacts	3/29/2005 9:42:27 AM	vmusic	(No) 1. Do you want to schedule an appointment? Comment for 1: DESKTOP REVIEW
POU	3/29/2005 10:29:13 AM	vmusic	Edited shape boundary
POU	3/29/2005 10:27:42 AM	vmusic	Edited shape boundary
Use	3/29/2005 10:29:38 AM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3285A V1

Season	3/29/2005 10:30:39 AM	vmusic	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Source	3/29/2005 10:23:08 AM	vmusic	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	3/29/2005 10:28:14 AM	vmusic	Edited shape boundary
POU	3/29/2005 10:28:48 AM	vmusic	Edited shape boundary
POU	3/29/2005 10:29:02 AM	vmusic	Edited shape boundary
Quantity	3/29/2005 10:35:23 AM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 7. Is a flow measurement required? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - .21 X 1.9835 X 260 = 108 AFA
Summary	3/29/2005 10:48:29 AM	vmusic	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 4. Is any portion of the claim be recommended? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POD	3/29/2005 10:22:17 AM	vmusic	Edited point location
POU	3/29/2005 10:28:33 AM	vmusic	Edited shape boundary

MEMORANDUM TO CLAIM FILE

TO: CLAIM FILE NOS. 63-3285A AND 63-3321A
FROM: VICKY L MUSIC, WATER RESOURCE AGENT, IDWR / WESTERN
REGION
SUBJECT: BASIS FOR RECOMMENDATION
DATE: 3/29/2005
CC:

Two licenses, 63-3321 and 63-3285 were claimed by the Neville and Nordling family. Both licenses were split when 10 acres was sold to Pamula Hiatt in 2000. The Nevilles have the A portions.

63-3321A is for 31 acres and .64 cfs. 63-3285A is for 114 acres and .56 cfs [rate of .005 cfs/acre]. The acres overlap. 63-3285A has a priority date of 4/12/1962 and a diversion rate of 0.005 cfs/acres. 63-3321A has a priority date of 12/3/1962 and a diversion rate of 0.02 cfs/acre, and was probably filed because more water was needed.

34 acres
irr.

The 1987 aerial photo shows virtually no irrigation of any of the acres. The only irrigation seen in the aerial review is in the 1964 aerial, the 1975 orthophotquad and the 2000 aerial. 2000 is the year the property was split and Pamula Hiatt filed a transfer for a new pod. The area irrigated in both the 1975 and 2000 aerials is the same field and is about 42 acres. No irrigation is seen in the 1994 or 2003 aerial. Although the aerials after 1989 cannot be used to establish forfeiture, they simply establish a lack of historical irrigation of all of the licensed acres from sometime prior to 1987, and irrigation of no more than 42 acres for at least 25 years.

Based on the 1987 NAPP photography, the licenses appear forfeited. However, I do not have evidence of forfeiture the 5 years prior to the filing of the claims in 1989. Based on the 1975 and 2000 aerials, it appears that all but the 42 acres owned by the Neville family and 8 of the 10 acres owned by Pamula Hiatt were forfeited. I will recommend 31 acres for 63-3321A and 42 acres for 63-3285A with the combined acres to be irrigated not to exceed 42 acres.

VLM



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

June 21, 2002

THOMAS F NEVILLE, ET AL
3122 EDSON TERRACE
BOISE ID 83705

Re: Notice of Claim to a Water Right No. 63-3285A, 63-3321A, 63-5207 & 63-15304

Dear Claimant(s):

Enclosed is a copy of the above referenced claim, which reflects the appropriate change in address.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

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 claim, please feel free to contact this office.

Sincerely,

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region Office

DH: dh

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 1, 2000

H WILLIAM NEVILLE ET AL
820 S OWYHEE
BOISE ID 83705

Re: Original Notice of Claim to a Water Right No. A63-03285

Renumbered to Notice of Claim to a Water Right No. A63-03285A

Dear Claimant(s):

We have received and processed a Change of Ownership for a portion of your original Claim to a Water Right Number as referenced above. This change of ownership resulted in a split of your original claim.

When a portion of the original water right claim has been conveyed to another and the original right has been split, then the original claim number is renumbered by adding alpha suffixes to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new claim number reflects your remaining portion of the original claim after the change of ownership. Enclosed is a copy of this new claim for your records. Please refer to your new claim number when corresponding with our office.

If you have any questions concerning this ownership change, or the enclosed claim copy, please feel free to contact this office.

Sincerely,

Adjudication Section
Western Region Office

LH:l

Enclosure

POOR ORIGINAL

70
70
70
70
70
68

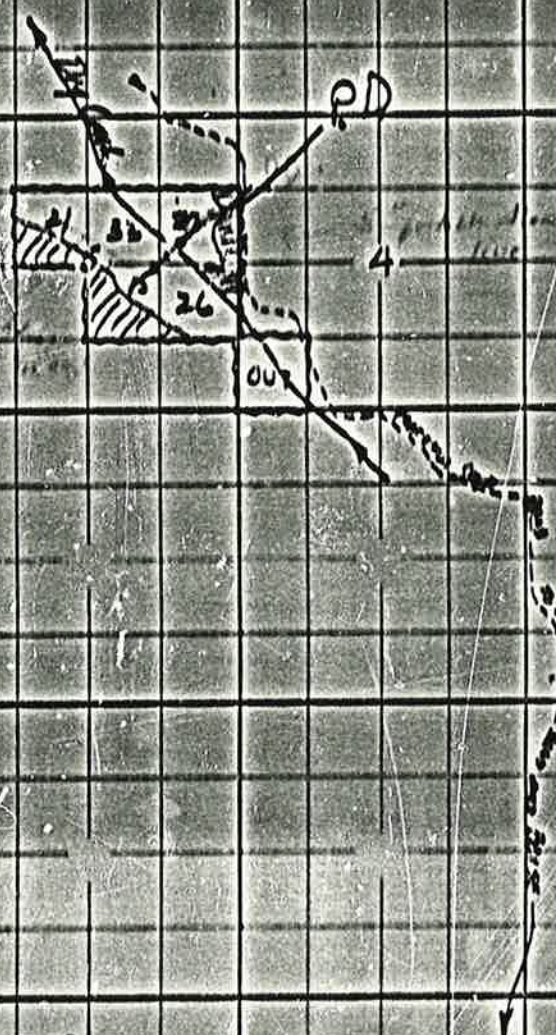
5.96
27.78 in 30 inches

70 Average pressure = 5.66 GPM
for 7 1/2" hose

R-2E.

T
4
N

81
41
172



Subdivision

5

Area

172 acres

Q.

0.60 of 20 inches

MICROFILMED

JUL 27 1984

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 05/06/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 08/28/1979	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				

~~MICROFILMED~~
~~JUL 25 1994~~

APPLICATION FOR PERMIT
To appropriate the Subterranean Waters of The State of Idaho

Application No. G- 3520
Permit No. G- 30153
District No.

POOR ORIGINAL

1. Name of Applicant: Lee, Linn
2. Postoffice address: Rt. 1, 151st County: Ada State: Idaho
3. Quantity of water claimed: 2,000 ft. per annum
(a) Rate of withdrawal in cubic feet per second or gallons per minute
Miners' inches
(b) Annual withdrawal in acre feet per annum
4. Source of water supply: Subterranean
5. Location of point of diversion or well is in the SW 1/4 of the NE 1/4 of Section 5
Twp. 11 N. Rge. 23 E. B. M. County of Ada
6. Water is to be used for: Irrigation
7. If for municipal, industrial or recreational purposes, give:
(a) Point of use of water is in the NW 1/4 of the NE 1/4 of Section 5
Rge. B. M.
(b) Waste water or sewage effluent is to be returned to
at a point in the NW 1/4 of the NE 1/4 of Section 5
Twp. 11 N. Rge. 23 E. B. M.
8. Kind of works: Dam, from surface
9. Estimated cost of works: \$ 7,000.00
10. (a) If reservoir to be used: No
(b) Capacity of reservoir:
11. The time required for the completion of such work and complete application of the water to the proposed use is:
years
12. If applicant is a corporation, give:
(a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
13. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
14. The land to be irrigated is described in the following tabulation:
15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None known
(a) (cubic feet per second, inches or gallons per minute) of the water here applied for is to be supplemental to the existing water rights

MICROFILMED

JUL 21 1954

Date of first receipt at Department of Reclamation: 2400 P.M. April 12, 1962

Returned to applicant for correction:

Corrected application received:

POOR ORIGINAL

Approval of State Reclamation Engineer

The number of this permit is G-30453

Recorded in Book 107

Page 3045

Approved April 12, 1962

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

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

Work to begin on or before

and to continue diligently and uninterruptedly to completion, unless

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

One fifth of the work above specified to be completed on or before October 12, 1964

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before April 12, 1967

Witness my hand this 22th

day of April, 1962

By RALPH W. TIGAS
Deputy STATE RECLAMATION ENGINEER

IN TESTIMONY WHEREOF We,

ARNOLD WILLIAMS

ROBERT L. SMITH

Governor of the State of Idaho

Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 12th

day of April

1962

Countersigned

STATE OF IDAHO

(SEAL)

By ARNOLD WILLIAMS

By ROBERT L. SMITH

Governor

Secretary of State

12

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
		5			35	35			15				5		20	10			115
		4																	5

ASSIGNMENT

For value received, I hereby assign all of my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. G-30453 to Edward Oscar Baumhoff of 5150 Montecito Place, Boise, Idaho.

s/ LEE WINN
Permit Holder

Bessie V. Winn
Wife of Permit Holder

STATE OF IDAHO)

) ss

County of Ada)

On this 13 day of May, 1963, before me, a Notary Public for the State of Idaho, residing at Boise, Idaho, personally appeared Lee Winn and Bessie V. Winn known to me to be the persons whose names are subscribed to the within instrument and duly acknowledged to me that they executed the same.

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

My commission expires 5/18/66

(Seal)

MRED T. KOPKE
Notary Public
Residing at Boise, Idaho

NOT RECORDED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

POOR ORIGINAL

Department of Reclamation

Form No. 11-30453

Proof of Application of Water to Beneficial Use
and Completion of Work

Deposition of Holder

Quoc. 1. State your name, residence, occupation and postoffice address.

Ans. Ray W. Wain, Rt. 1, Boise, Idaho, R.F. 1, Boise

Quoc. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of secretary agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. None

Quoc. 3. State number and date of permit, and date of priority you possess to establish under the permit.

Ans. 30453 Apr 11, 1912

Quoc. 4. State source of water supply and give exact location of point of diversion.

Ans. Underground water from well - SE 1/4 NE 1/4 of Section 3, Twp. 46, R. 2 E, 3 M. of Ada County

Quoc. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth of water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating procedure.

Ans. 155 ft deep 27" casing 2" casing. Water was
pumped 10' from bottom of well 65' pumping against 222
feet head. 275 GPM. Test Pumped 275 GPM. 275 GPM.
6 gal 0.5 M. 35 lbs pressure 45 GPM. 45 GPM.
100 GPM. 100 GPM. 100 GPM.

Quoc. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow, land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation in Sec. 3, R. 2 E, 3 M. of Ada County
36 NE 1/4 35 acres
36 NW 1/4 15 acres
36 SE 1/4 5 acres
36 SW 1/4 5 acres

Quoc. 7. If this is a ground water permit, give name and address of person that drilled the well.

Ans. W. H. Wain, 3213 W. 1st St. Boise

STATE OF ILLINOIS
DEPARTMENT OF REGULATION
ROSEMONT, ILLINOIS

POOR ORIGINAL

PERMIT NO. 4-30453

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF WITNESS and Completion of Work

Deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Norman Treboux, 47, 2014 Sunset - Optician
1100 8th St. Boise, Idaho

Ques. 2. Are you acquainted with Lee Wilson, the holder of Permit No. 4-30453? How long have you known him and where does he live?

Ans. I've known him for forty years
Boise, Idaho

Ques. 3. Have you read or heard said Permit No. 4-30453, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Underground water from a well - SE 1/4 of NE 1/4
Section 5 Twp 4 N. Rge 2 E., B.M. Water and 3 1/2 NE 1/4
E 1/4 NW 1/4, N 1/2 SE 1/4, Sec. 5 SW 1/4 SW 1/4 Sec. 4 Twp 4 N, Rge 2 E

Ques. 5. How many second feet of water do you estimate said works will safely convey to place of use, and how much water have you seen being so conveyed.

Ans. 20 cubic ft. per second

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the same?

Ans. 270 gallons per minute - Test pump

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JUN 15 1964

30453

POOR ORIGINAL

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision) State whether cultivated or natural meadowland and the nature of all improvements which have been made as a direct result of said use.

Ans. Used for irrigation on aforementioned
description in question 4.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Dry farmland - 50" water.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent.

Ans. No

Ques. 11. State when, how, in what amount and to what extent you have witnessed application to beneficial use of water diverted under said permit.

Ans. Irrigating season 1962 - sprinklers -
Daily.

(Signed) Norman Mcibaur

I hereby certify that the foregoing testimony was read to the above subscriber before signing, that I believe him to be the person he represents himself to be, and that the testimony was subscribed and sworn to before me in Boise (Dry Creek)
City of Ada, State of Idaho, on this 19th day of October
1962

Loraine H. Trihaas

My Commission Expires April 1, 1968
Notary Public

MICROFILMED

JUL 25 1994

STATE OF IDAHO
DEPARTMENT OF REGULATION
BOISE, IDAHO

POOR ORIGINAL

PERMIT NO. 80453

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
DEPOSITION OF WITNESS and Completion of W.

deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Frank Bates 50 yrs - Rt #1 Boise, Idaho
State Meek Inspector -

Ques. 2. Are you acquainted with Lee Winn, the
holder of Permit No. 80453? How long have you known him and where does he
live?

Ans. Yes - 15 yrs - Rt #1 Boise, Idaho

Ques. 3. Have you read or heard said Permit No. 80453, and are you
familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for
carrying water from point of diversion to place of use.

Ans. Underground water from well SE 1/4 NE 1/4 S 5 TWP 4N
R 2E, 3M. Water in line 5 1/2 NE 1/4 SE 1/4 NE 1/4 S 5 TWP 4N
R 2E 3M

Ques. 5. How many second feet of water do you estimate said works will safely con-
vey to place of use, and how much water have you seen being so conveyed.

Ans. 2.0 cubic feet per second

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons
per minute have you seen the pump deliver, and how did you measure or estimate the
same?

Ans. 270 gal per minute - Test pump



MICROFILMED
JUL 7 5 1994

80453

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Used for irrigation on 1/2 acre mentioned
and for irrigation of

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Very good land - 32 acres

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent.

Ans. No

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Irrigation since 1962 Sprinkler system

(Signed) Frank Peter

I hereby certify that the foregoing testimony was read to the above subscriber before signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise (Boise) County of Ada, State of Idaho, on this 12 day of October 1962.

Lorraine G. Neibaur
Notary Public

Commission expires My Commission Expires April 3, 1964

MICROFILMED
JUL 25 1994

POOR ORIGINAL

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 0-30,53

REPORT ON PROOF OF Completion of Works & Beneficial Use

Lee Winn, Rt. #1, Boise, Idaho

Edward Oscar Baumbach
5150 Montecito Place
Boise, Id.

MICROFILMED

JUL 25 1964

30453

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

Permit No. 9-30453

POOR ORIGINAL

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

1. Name of applicant... **Lee Winn**
2. Source of water supply: **Subterranean**
3. Location of point of diversion: Is in the **SE 1/4** of Section **5**
T. **4 N.** R. **8 E.** Co. **10 S.** of Ada
4. Describe works as they exist, giving dimensions and capacities of same: **20 HP P.S.**
Hallschaft Motor #262181, Layne Boulder Pump "DCC 296"
(2200 PSI @ 220' @ 1760 RPM). No. 1 1/2" x 12", 11 1/2" x 11 1/2"
5" discharge to 5" T.P. with 2000 valves in each end to 80' x 5"
Portable Aluminum Main Line to 4" lateral with 45 2 1/2" nozzles
at the pressure of pump.
5. Water is used for: **Irrigation**
6. State whether or not water has been turned into works of diversion: **Yes**
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Approx. 180 acres.

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

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

Remarks: *Edward Oscar Bonwidoff, atq. (New Sunat.)*
(see address on front page.)

(Mr. Baumhoff has shell log.)

MICROFILMED

JUL 25 1976

Measurement made by taking pressure readings before and after.

This examination was made on the 6th day of MAY 1963

(11) (12) (13) (14) (15) (16) (17) (18) (19) (20) (21) (22) (23) (24) (25) (26) (27) (28) (29) (30) (31) (32) (33) (34) (35) (36) (37) (38) (39) (40) (41) (42) (43) (44) (45) (46) (47) (48) (49) (50) (51) (52) (53) (54) (55) (56) (57) (58) (59) (60) (61) (62) (63) (64) (65) (66) (67) (68) (69) (70) (71) (72) (73) (74) (75) (76) (77) (78) (79) (80) (81) (82) (83) (84) (85) (86) (87) (88) (89) (90) (91) (92) (93) (94) (95) (96) (97) (98) (99) (100)

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-3285A**

02/15/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
3285	Claim	04N	02E	5	SW	NE		IRRIGATION	33/122	
1285A	Claim	04N	02E	5	SW	NE		IRRIGATION	31/114	H WILLIAM NEVILLE
1285B	Claim	04N	02E	5	SW	NE		IRRIGATION	2/8	PAMULA L HIATT
1321A	Claim	04N	02E	5	SW	NE		IRRIGATION	13/31	H WILLIAM NEVILLE
1321B	Claim	04N	02E	5	SW	NE		IRRIGATION	2/8	PAMULA L HIATT
5207	Claim	04N	02E	5	SW	NE		IRRIGATION	40/254	DAVID L NORDLING
3285	Water Right	04N	02E	5	SW	NE		IRRIGATION	33/122	EDAWRD OSCAR BAUMHOFF
1321A	Water Right	04N	02E	5	SW	NE		IRRIGATION	13/31	EDAWRD OSCAR BAUMHOFF
1321B	Water Right	04N	02E	5	SW	NE		IRRIGATION	2/8	PAMULA L HIATT
5207	Water Right	04N	02E	5	SW	NE		IRRIGATION	40/254	H WILLIAM NEVILLE
15304	Claim	04N	02E	5	SW	NE		STOCKWATER		GLORIA D NEVILLE
2576	Claim	04N	02E	5	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
2605	Claim	04N	02E	5	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
2874	Claim	04N	02E	5	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
2954	Claim	04N	02E	5	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
2956	Claim	04N	02E	5	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
2989	Claim	04N	02E	5	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
3164	Claim	04N	02E	5	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
7067	Claim	04N	02E	5	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
7577	Claim	04N	02E	5	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
7998	Claim	04N	02E	5	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
19456	Claim	04N	02E	5	SW	NE		MUNICIPAL		UNITED WATER IDAHO INC
3285	Claim	04N	02E	5	SE	NE		IRRIGATION	27/122	
1285A	Claim	04N	02E	5	SE	NE		IRRIGATION	21/114	H WILLIAM NEVILLE
1285B	Claim	04N	02E	5	SE	NE		IRRIGATION	6/8	PAMULA L HIATT
1321A	Claim	04N	02E	5	SE	NE		IRRIGATION	4/31	H WILLIAM NEVILLE
1321B	Claim	04N	02E	5	SE	NE		IRRIGATION	6/8	PAMULA L HIATT
5207	Claim	04N	02E	5	SE	NE		IRRIGATION	40/254	DAVID L NORDLING

by 15307?

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-3285A

02/15/2005

2

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
3285	Water Right	04N	02E	5	SE	NE		IRRIGATION	27/122	EDAWRD OSCAR BAUMHOFF
1321A	Water Right	04N	02E	5	SE	NE		IRRIGATION	4/31	EDAWRD OSCAR BAUMHOFF
1321B	Water Right	04N	02E	5	SE	NE		IRRIGATION	6/8	PAMULA L HIATT
5207	Water Right	04N	02E	5	SE	NE		IRRIGATION	40/254	H WILLIAM NEVILLE
10871	Water Right	04N	02E	5	SE	NE		IRRIGATION	3.4/3.4	ELIZABETH A RUDD
2576	Claim	04N	02E	5	SE	NE		MUNICIPAL		UNITED WATER IDAHO INC
2605	Claim	04N	02E	5	SE	NE		MUNICIPAL		UNITED WATER IDAHO INC
2874	Claim	04N	02E	5	SE	NE		MUNICIPAL		UNITED WATER IDAHO INC
2954	Claim	04N	02E	5	SE	NE		MUNICIPAL		UNITED WATER IDAHO INC
2956	Claim	04N	02E	5	SE	NE		MUNICIPAL		UNITED WATER IDAHO INC
2989	Claim	04N	02E	5	SE	NE		MUNICIPAL		UNITED WATER IDAHO INC
3164	Claim	04N	02E	5	SE	NE		MUNICIPAL		UNITED WATER IDAHO INC
7067	Claim	04N	02E	5	SE	NE		MUNICIPAL		UNITED WATER IDAHO INC
7577	Claim	04N	02E	5	SE	NE		MUNICIPAL		UNITED WATER IDAHO INC
7998	Claim	04N	02E	5	SE	NE		MUNICIPAL		UNITED WATER IDAHO INC
19456	Claim	04N	02E	5	SE	NE		MUNICIPAL		UNITED WATER IDAHO INC
30080	Water Right	04N	02E	5	SE	NE		DOMESTIC		MAVIS K ROBERTS
3285	Claim	04N	02E	5	SE	NW		IRRIGATION	21/122	
1285A	Claim	04N	02E	5	SE	NW		IRRIGATION	21/114	H WILLIAM NEVILLE
1321A	Claim	04N	02E	5	SE	NW		IRRIGATION	2/31	H WILLIAM NEVILLE
5207	Claim	04N	02E	5	SE	NW		IRRIGATION	30/254	DAVID L NORDLING
3285	Water Right	04N	02E	5	SE	NW		IRRIGATION	21/122	EDAWRD OSCAR BAUMHOFF
1321A	Water Right	04N	02E	5	SE	NW		IRRIGATION	2/31	EDAWRD OSCAR BAUMHOFF
5207	Water Right	04N	02E	5	SE	NW		IRRIGATION	30/254	H WILLIAM NEVILLE
15304	Claim	04N	02E	5	SE	NW		STOCKWATER		GLORIA D NEVILLE
2576	Claim	04N	02E	5	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
2605	Claim	04N	02E	5	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
2874	Claim	04N	02E	5	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-3285A**

02/15/2005

3

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2954	Claim	04N	02E	5	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
2956	Claim	04N	02E	5	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
2989	Claim	04N	02E	5	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
3164	Claim	04N	02E	5	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
7067	Claim	04N	02E	5	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
7577	Claim	04N	02E	5	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
7998	Claim	04N	02E	5	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
19456	Claim	04N	02E	5	SE	NW		MUNICIPAL		UNITED WATER IDAHO INC
3285	Claim	04N	02E	5	NE	SE		IRRIGATION	26/122	
3285A	Claim	04N	02E	5	NE	SE		IRRIGATION	26/114	H WILLIAM NEVILLE
321A	Claim	04N	02E	5	NE	SE		IRRIGATION	10/31	H WILLIAM NEVILLE
5207	Claim	04N	02E	5	NE	SE		IRRIGATION	35/254	DAVID L NORDLING
3285	Water Right	04N	02E	5	NE	SE		IRRIGATION	26/122	EDAWRD OSCAR BAUMHOFF
321A	Water Right	04N	02E	5	NE	SE		IRRIGATION	10/31	EDAWRD OSCAR BAUMHOFF
5207	Water Right	04N	02E	5	NE	SE		IRRIGATION	35/254	H WILLIAM NEVILLE
15307	Water Right	04N	02E	5	NE	SE		STOCKWATER		GLORIA D NEVILLE
15307	Water Right	04N	02E	5	NE	SE		DOMESTIC		GLORIA D NEVILLE
3285	Claim	04N	02E	5	NW	SE		IRRIGATION	15/122	
3285A	Claim	04N	02E	5	NW	SE		IRRIGATION	15/114	H WILLIAM NEVILLE
321A	Claim	04N	02E	5	NW	SE		IRRIGATION	2/31	H WILLIAM NEVILLE
5207	Claim	04N	02E	5	NW	SE		IRRIGATION	15/254	DAVID L NORDLING
3285	Water Right	04N	02E	5	NW	SE		IRRIGATION	15/122	EDAWRD OSCAR BAUMHOFF
321A	Water Right	04N	02E	5	NW	SE		IRRIGATION	2/31	EDAWRD OSCAR BAUMHOFF
5207	Water Right	04N	02E	5	NW	SE		IRRIGATION	15/254	H WILLIAM NEVILLE
15304	Claim	04N	02E	5	NW	SE		STOCKWATER		GLORIA D NEVILLE

desk-top review / vlm

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

Prior to Field Exam

licence - split

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

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) 63-3285 A

Owner: _____ Phone No. _____

Current Address: _____

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

Accompanied by: _____

PRIORITY DATE

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

Priority date, per claimant, is: _____

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

Source: _____ Tributary to _____

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

POINT OF DIVERSION

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

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

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

Description of diverting works

see license & claim

OVERLAP REVIEW

Other water rights with the same point of diversion:

none b3-3321A

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

yes, add to 12 cfs/acre

WATER USES

☒ No change

☐ Different Uses

no son in license - no shoulder remark
 $.6 \div 122 \text{ ac} = .0049 \text{ cfs/ac} \times 42 = .21$

Use 100' From 3/11 To 11/15 Amount .21 CFS 108 AFA
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME - Groundwater only

- ☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA
- ☐ Changes found, the new total is, Amount _____ CFS _____ AFA
- ☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

~~$(.84)(1.4835)(260) = 433 \text{ afa}$~~ $(.42)(4.5) = 189 \text{ afa}$

NON-IRRIGATION USES:

☒ No change

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

Types _____ Additional comments: _____

PLACE OF USE:

☒ No Change

☐ Changes shown below:

appears to be no irrigation in 1987, none until 2000.
 then only about 42 ac.

10 acres sold to Pamela Hatt.

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

Overlap with other water rights: 63-3321A

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

↑ flow

Delivery System Narrative: see license & claims

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

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

15515 N Cartwright Rd., BOISE

Parcel # 50605131215

When combined with 63-3321A, limited to 42 acres, 84.44 cfs and 109 AFA

836 ✓ # 63-3321A also diverted thru POD.
PIA ✓ Remainder of this rt was forfeited from 1915 to 1999.

get memo in file w basis for nec.

needs field exam.

AFTER EXAM THE FILE SHOULD CONTAIN:

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

DATE EXAM CONDUCTED

3/29/05

FIELD EXAMINER:

Wright

maic

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3285A

WATER RIGHT NUMBER: 63-3285A

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	LEE WINN
	, ID
Original Owner	EDAWRD OSCAR BAUMHOFF 5150 MONTECITO PL BOISE, ID 83704 (208)375-3720
Current Owner	H WILLIAM NEVILLE 3122 EDSON TERR BOISE, ID 83705 (208)344-3188
Current Owner	FORTUNATA P NEVILLE 3122 EDSON TERRACE BOISE, ID 83705-2317 (208)342-7322
Current Owner	GLORIA D NEVILLE 3122 EDSON TERR BOISE, ID 83705 (208)344-3188
Current Owner	YOSHIE CAMERON NORDLING 3122 EDSON TERRACE BOISE, ID 83705 (208)342-7322
Current Owner	R DOUGLAS NEVILLE 3122 EDSON TERR BOISE, ID 83705 (208)342-7322
Current Owner	THOMAS F NEVILLE 3122 EDSON TERR BOISE, ID 83705-2317 (208)342-7322
Current Owner	JAMES L NEVILLE 3122 EDSON TERR BOISE, ID 83705 (208)342-7322
Current Owner	MARGUERITE NEVILLE 3122 EDSON TERR BOISE, ID 83705 (208)342-7322
Current Owner	DAVID L NORDLING 3122 EDSON TERRACE BOISE, ID 83705 (208)342-7322
Current Owner	MARTHLYN B NEVILLE 3122 EDSON TERR BOISE, ID 83705 (208)342-7322

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3285A

Priority Date: 04/12/1962

Basis: License

Status: Active

Source

GROUND WATER

Tributary

Beneficial Use

IRRIGATION

From To
3/15 to 11/15Diversion Rate

0.560 CFS

Annual VolumeTotal Diversion: 0.560 CFSLocation of Point(s) of Diversion

GROUND WATER

ADA County

SE1/4NE1/4

Sec. 5, Twp 04N, Rge 02E, B.M.

Place of Use

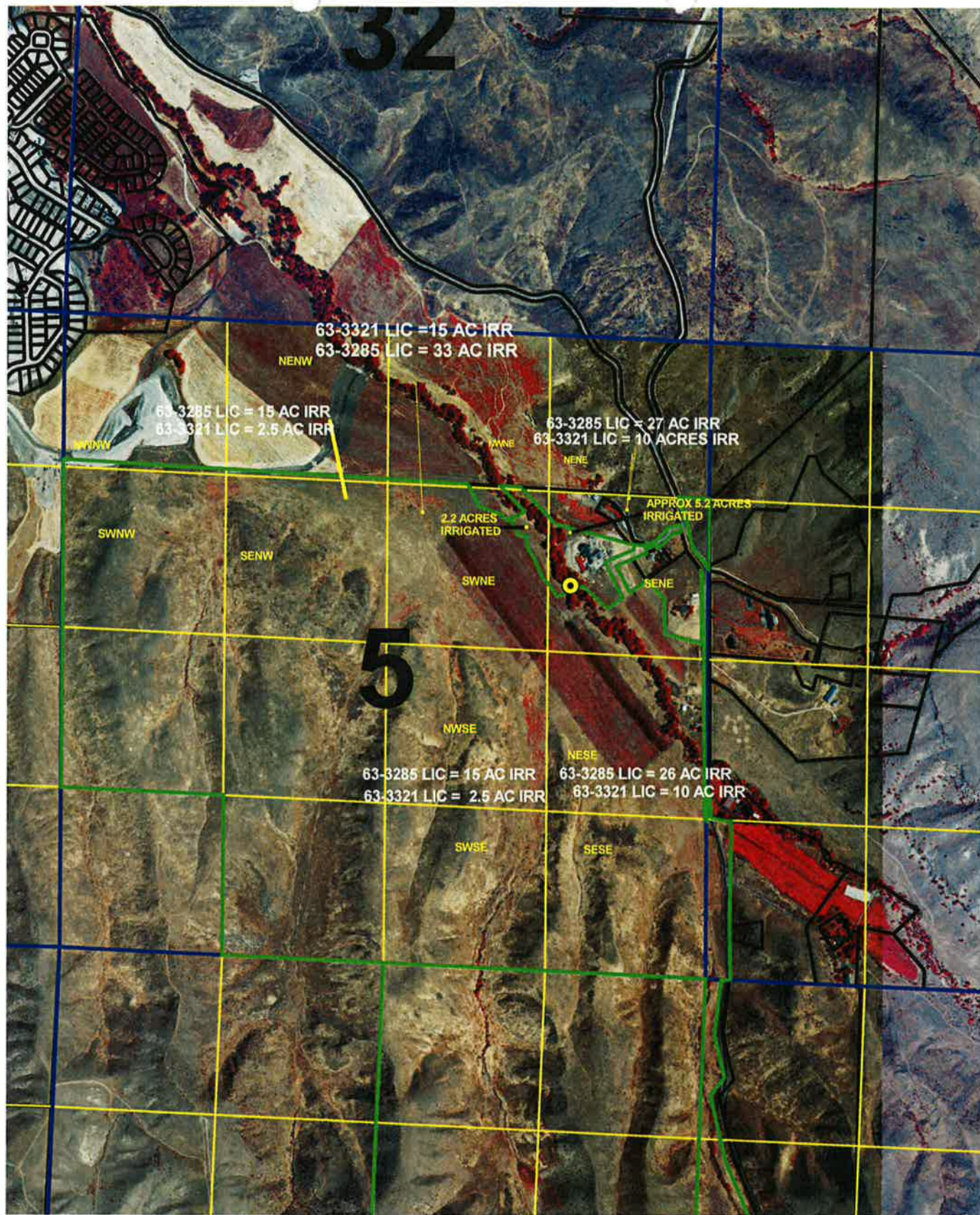
IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	02E	5	31.0	21.0	21.0	21.0	21.0	21.0	21.0	21.0	21.0	21.0	21.0	21.0	21.0	21.0	21.0	21.0	114.0
Total Acres: 114			13.5	13.5	13.5	13.5	13.5	13.5	13.5	13.5	13.5	13.5	13.5	13.5	13.5	13.5	13.5	13.5	42

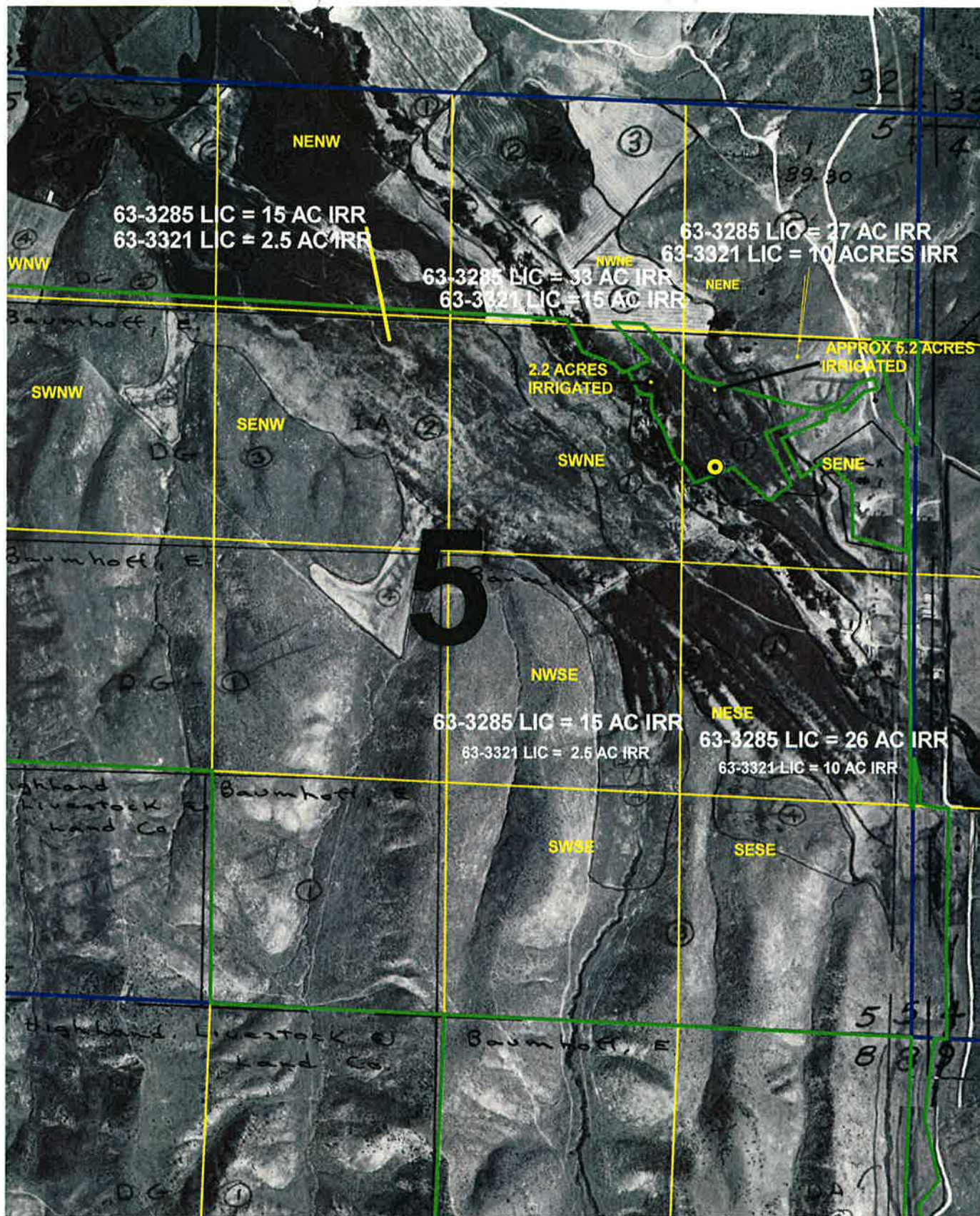
Conditions of Approval:Remarks:

- General CHANGED ADDRESSES TO MATCH FOR MAILING PURPOSES ONLY 3/28/95 DMS THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF A63-03285.
- General Address changed for all claimants per request. DH 6/20/2002

Comments:



63-3321 AND 63-3285 -- 2000 AERIAL OF THE ONLY ABOUT 42 ACRES ARE IRRIGATED



63-3321B -- 1967 AERIAL OF THE # OF ACRES IRRIGATED PER THE ORIGINAL 63-3321 AND 63-3285 LICENSES.

T5N

T4N

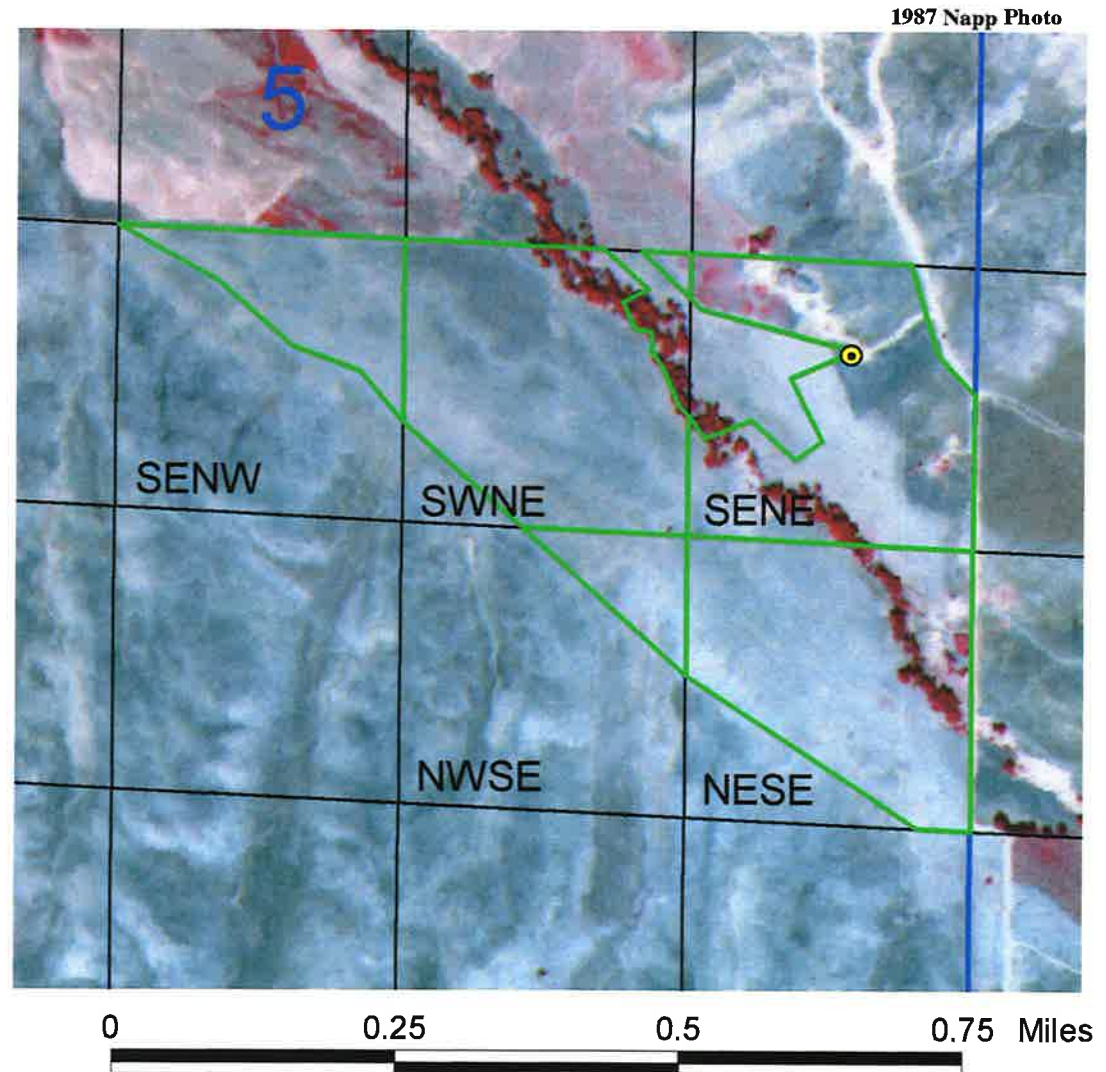
Boise north
Orthophoto Quad
1975 photo



Idaho Department of Water Resources

Claim Number: 63-03285A
Legal: T04N, R02E, S5
Reviewed By:

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



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-3285

WATER RIGHT NUMBER: 63-3285

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EDAWRD OSCAR BAUMHOFF 5150 MONTECITO PL BOISE, ID 83704 (208)375-3720
Original Owner	LEE WINN , ID

Priority Date: 04/12/1962

Basis: License

Status: Active

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

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	0.600 CFS	
	<u>Total Diversion:</u>	0.600 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4	Sec. 5, Twp 04N, Rge 02E, B.M.
ADA 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	
04N	02E	5			33.0	27.0				21.0					26.0	15.0			122.0

Total Acres: 122

Conditions of Approval:Remarks:Comments:Dates and Other Information:

State of Idaho License and Certificate of Water Right

Water License No. G-30453

Amount 0.60 c.f.s.

Water District No.

Priority April 12, 1962

THIS IS TO CERTIFY that LEE WINN
of Boise, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated April 12, 1962; that Permit No. G-30453
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.60 second feet, was issued thereunder on June 4, 1963, showing that said works
were completed on the 13th day of October, 1962; and that on the 13th
day of October, 1962,

LEE WINN - Assignee - EDWARD OSCAR BAUMHOFF

of Boise, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. G-30453 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
12 of Licenses at page 7586, on the 4th day of June, 1963;
The right hereby confirmed dates from April 12, 1962;

The Point of Diversion is located
in the SE 1/4 NE 1/4, Sec. 5, Tp. 4 N, R. 2 E., B. M. Ada County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 0.60 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N.	2 E.	5	SE 1/4 NE 1/4	35	27 ✓
			SW 1/4 NE 1/4	35	33 ✓
			SE 1/4 NW 1/4	15	21 ✓
			NE 1/4 SE 1/4	20	26 ✓
			NW 1/4 SE 1/4	10	15 ✓
Total number of acres to be irrigated:					122

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
4th day of June, 1963.

RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 0-30453

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

1. Name of applicant Lee Wilm

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the SE 1/4 of Section 5

T. 4 N. R. 2 E. B. M. County of Ada

4. Describe works as they exist, giving dimensions and capacities of same: 20 HP US
Hollow shaft Motor 3262181, Layne-Bowley Pump "D00296
(270 GPM @ 22' @ 1760 RPM). Well 155' x 12", dd 55' - h: 10'
5" discharge to 5" Tee with screen valves in each end to 900' x 5"
Portable Aluminum Main Line to 4" lateral with 45 93" nozzles
80% lbs pressure at pump.

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion: yes.

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

SE 1/4, SE 1/4, NE 1/4 Sec. 5., SE 1/4 Sec. 4., all in Twp. 4 N., Rge. 2 E. B. M.

Approx. 120 acres.

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

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

Remarks: Mr. Edward Oscar Baumhoff, owner (NEW OWNER)
(see address on front page.) Trid for assignment

(Mr. Baumhoff has well log.)

Measurement made by taking pressure readings along
each lateral.

This examination was made on the 6th day of MAY, 1963

(Signed)

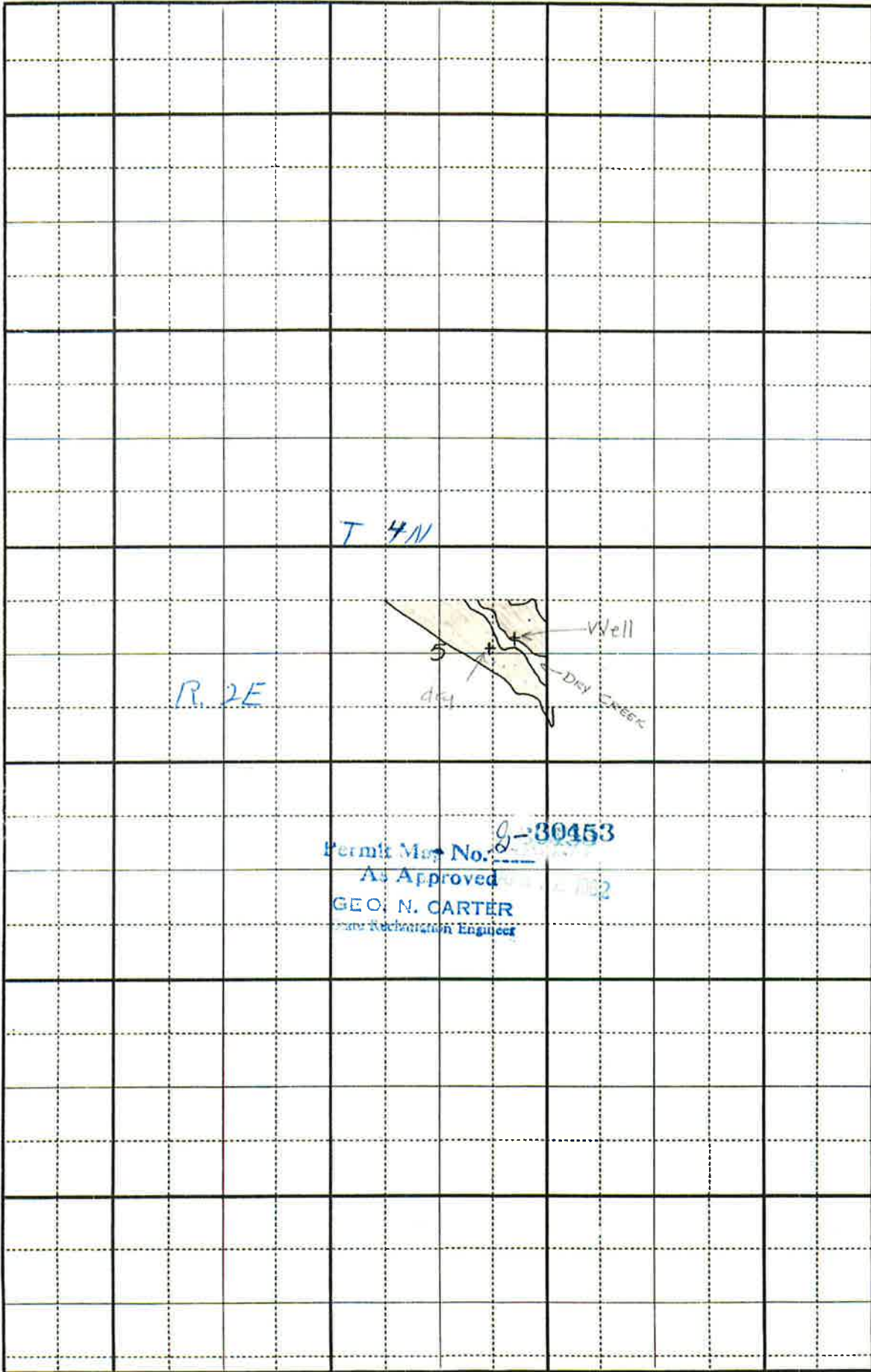
Layne Johnson

Examiner.

30453

NAME OF APPLICANT Levin

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

30453

73
70
70
70
70
68

1271

70.1 Average pressure = 5.96 GPM
for 5/8" pipe

5.96
48
2060
2364
9126.0
29.78" or 30 inches

R-2E

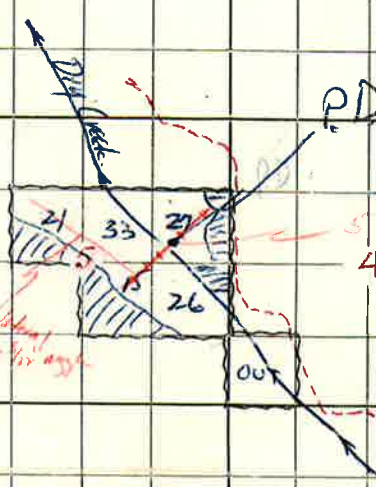
T.
4
N.

81

41

1272

4" pipe
45-46° angle



PD

5" portable Aluminum main line

4

OUT

HEAD

TO

BOYD'S BRICK ROAD AND BRIDGE

Subdivisions 5

AREA 127 acres

Q. 0.60 cfs or 30 inches