

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 63-32960**

9/13/2019

|                          |                                                                                                        |
|--------------------------|--------------------------------------------------------------------------------------------------------|
| <b><u>Owner Type</u></b> | <b><u>Name and Address</u></b>                                                                         |
| Current Owner            | CLOUD BERRY LLC<br>6401 W FLOATING FEATHER RD<br>EAGLE, ID 83616<br>(208) 286-9344                     |
| Original Owner           | QUARTER CIRCLE DJ RANCH CO<br>PO BOX 279<br>EAGLE, ID 83616<br>(208) 286-7131                          |
| Previous Owner           | EAGLE SPORTS LEGENDS DEVELOPMENT LLC<br>228 E PLAZA ST STE B<br>EAGLE, ID 83616-5982<br>(208) 385-0558 |
| Security Interest        | BANK OF THE CASCADES<br>PLAZA 121 BRANCH<br>121 N 9TH ST STE 100<br>BOISE, ID 83702                    |

**AMENDED**

**Priority Date:** 10/6/1973

**Basis:** Decreed

**Status:** Active

**Water Supply Bank Status:** Active

**Source**

GROUND WATER

**Tributary**

**Beneficial Use**

IRRIGATION

STOCKWATER

**From**

03/15

**To**

11/15

**Diversion Rate**

2.830 CFS

**Volume**

1,374.4 AF

01/01 12/31

0.330 CFS

20.0 AF

**Total Diversion**

2.830 CFS

1,394.4 AF

**Source and Point(s) of Diversion**

GROUND WATER

SESW

Sec. 3, Twp 04N, Rge 01W, ADA County

GROUND WATER

NWNE

Sec. 10, Twp 04N, Rge 01W, ADA County

GROUND WATER

NWNW

Sec. 11, Twp 04N, Rge 01W, ADA County

GROUND WATER

SESW

Sec. 2, Twp 04N, Rge 01W, ADA County

**Place Of Use**

STOCKWATER within ADA County

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 04N | 01W | 2   |    |    |    |    |    |    |    |    |    |    | X  | X  |    |    |    |    |        |
| 04N | 01W | 3   |    |    |    |    |    |    |    |    |    |    | X  | X  |    |    | X  |    |        |
| 04N | 01W | 9   | X  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
| 04N | 01W | 10  | X  | X  | X  | X  | X  | X  |    |    |    |    |    |    |    |    |    |    |        |

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9/13/2019

|     |     |    |  |   |  |  |   |   |   |   |  |  |  |  |  |  |  |  |
|-----|-----|----|--|---|--|--|---|---|---|---|--|--|--|--|--|--|--|--|
| 04N | 01W | 11 |  | X |  |  | X | X | X | X |  |  |  |  |  |  |  |  |
|-----|-----|----|--|---|--|--|---|---|---|---|--|--|--|--|--|--|--|--|

**IRRIGATION within ADA County**

| Twp | Rng | Sec | NE   |      |      |      | NW   |      |      |      | SW |    |     |     | SE |    |     |    | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|----|----|-----|-----|----|----|-----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE | NW | SW  | SE  | NE | NW | SW  | SE |        |
| 04N | 01W | 2   |      |      |      |      |      |      |      |      |    |    | 5.4 | 2.1 |    |    |     |    | 7.5    |
| 04N | 01W | 3   |      |      |      |      |      |      |      |      |    |    | 5.5 | 8.5 |    |    | 1.5 |    | 15.5   |
| 04N | 01W | 9   | 18.0 |      |      |      |      |      |      |      |    |    |     |     |    |    |     |    | 18.0   |
| 04N | 01W | 10  | 28.3 | 23.5 | 35.0 | 36.9 | 37.0 | 37.0 |      |      |    |    |     |     |    |    |     |    | 197.7  |
| 04N | 01W | 11  |      | 12.9 |      |      | 10.2 | 24.2 | 27.5 | 26.2 |    |    |     |     |    |    |     |    | 101.0  |

POU Total Acres: 339.7

**Conditions of Approval:**

1. S39 THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
2. E52 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.63 CFS. COMBINED RIGHT NOS.: 63-32958, 63-05094, 63-32960.
3. E53 USE OF THIS RIGHT FOR IRRIGATION PURPOSES WITH RIGHT NO. 63-05094 & 63-34788 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1606 AF.
4. 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.
5. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 339.7 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 63-32958, 63-05094, 63-32960.
6. F06 The following rights are diverted through point(s) of diversion described above: 63-32959, 63-34785 & 63-34788. Right no. 63-5094 is also diverted from P/D 4N 1W S-3 SESW.

**Comments:**

1. dbuffington 1/29/2008 Split Right  
This right is the result of a split of 63-7847 due to change in ownership.
2. jhersley 5/8/2013 POU  
Updated Shape
3. cpalmer 7/30/2015 Update Shape  
The previous shape included acres that were not part of the authorized POU. I modified the shape to reflect the POU.
4. cpalmer 7/30/2015 POU

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right 63-32960

9/13/2019

Updated Shape

5. jhersley 9/4/2019 Split Right  
Split into 63-32960 & 63-34788 due to change in ownership.

6. jhersley 9/4/2019 POU  
Updated Shape

**Dates and Other Information**

Decreed Date: 2/16/2007  
Civil Case Number: 39576  
Judicial District: FIFTH  
State or Federal: S  
Water District Number: EXC  
Mitigation Plan: False

**Combined Use Limits**

| <b><u>Rate</u></b>          | <b><u>Volume</u></b> | <b><u>Acres</u></b> |
|-----------------------------|----------------------|---------------------|
| 6.630                       |                      | 339.7               |
| 63-5094 ,63-32958 ,63-32960 |                      |                     |

**SubCase:**

N/A

**Water Supply Bank:**

Lessor Name: CLOUD BERRY LLC  
Lease Status: Active  
Lease Amount: 3.7  
Rental Availability: 1.7  
Date Received: 12/7/2015  
Lease Begin Date: 12/7/2015  
Expiration Date: 12/31/2017

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 63-32960**

9/4/2019

*After Split*

|                          |                                                                                                        |
|--------------------------|--------------------------------------------------------------------------------------------------------|
| <b><u>Owner Type</u></b> | <b><u>Name and Address</u></b>                                                                         |
| Current Owner            | CLOUD BERRY LLC<br>6401 W FLOATING FEATHER RD<br>EAGLE, ID 83616<br>(208) 286-9344                     |
| Original Owner           | QUARTER CIRCLE DJ RANCH CO<br>PO BOX 279<br>EAGLE, ID 83616<br>(208) 286-7131                          |
| Previous Owner           | EAGLE SPORTS LEGENDS DEVELOPMENT LLC<br>228 E PLAZA ST STE B<br>EAGLE, ID 83616-5982<br>(208) 385-0558 |
| Security Interest        | BANK OF THE CASCADES<br>PLAZA 121 BRANCH<br>121 N 9TH ST STE 100<br>BOISE, ID 83702                    |

**Priority Date:** 10/6/1973

**Basis:** Decreed

**Status:** Active

**Water Supply Bank Status:** Active

|                      |                         |
|----------------------|-------------------------|
| <b><u>Source</u></b> | <b><u>Tributary</u></b> |
| GROUND WATER         |                         |

|                              |                               |                  |                              |                      |
|------------------------------|-------------------------------|------------------|------------------------------|----------------------|
| <b><u>Beneficial Use</u></b> | <b><u>From</u></b>            | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
| IRRIGATION                   | 03/15                         | 11/15            | 2.830 CFS                    | 1,374.4 AF           |
| STOCKWATER                   | 01/01                         | 12/31            | 0.330 CFS                    | 20.0 AF              |
|                              | <b><u>Total Diversion</u></b> |                  | 2.830 CFS                    | 1,394.4 AF           |

**Source and Point(s) of Diversion**

|              |      |                                       |
|--------------|------|---------------------------------------|
| GROUND WATER | SESW | Sec. 3, Twp 04N, Rge 01W, ADA County  |
| GROUND WATER | NWNE | Sec. 10, Twp 04N, Rge 01W, ADA County |
| GROUND WATER | NWNW | Sec. 11, Twp 04N, Rge 01W, ADA County |
| GROUND WATER | SESW | Sec. 2, Twp 04N, Rge 01W, ADA County  |

**Place Of Use**

STOCKWATER within ADA County

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 04N | 01W | 2   |    |    |    |    |    |    |    |    |    |    | X  | X  |    |    |    |    |        |
| 04N | 01W | 3   |    |    |    |    |    |    |    |    |    |    | X  | X  |    |    | X  |    |        |
| 04N | 01W | 9   | X  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
| 04N | 01W | 10  | X  | X  | X  | X  | X  | X  |    |    |    |    |    |    |    |    |    |    |        |

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 63-32960**

9/4/2019

|     |     |    |  |   |  |  |   |   |   |   |  |  |  |  |  |  |  |  |  |
|-----|-----|----|--|---|--|--|---|---|---|---|--|--|--|--|--|--|--|--|--|
| 04N | 01W | 11 |  | X |  |  | X | X | X | X |  |  |  |  |  |  |  |  |  |
|-----|-----|----|--|---|--|--|---|---|---|---|--|--|--|--|--|--|--|--|--|

**IRRIGATION within ADA County**

| Twp | Rng | Sec | NE   |      |      |      | NW   |      |      |      | SW |    |     |     | SE |    |     |    | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|----|----|-----|-----|----|----|-----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE | NW | SW  | SE  | NE | NW | SW  | SE |        |
| 04N | 01W | 2   |      |      |      |      |      |      |      |      |    |    | 5.4 | 2.1 |    |    |     |    | 7.5    |
| 04N | 01W | 3   |      |      |      |      |      |      |      |      |    |    | 5.5 | 8.5 |    |    | 1.5 |    | 15.5   |
| 04N | 01W | 9   | 18.0 |      |      |      |      |      |      |      |    |    |     |     |    |    |     |    | 18.0   |
| 04N | 01W | 10  | 28.3 | 23.5 | 35.0 | 36.9 | 37.0 | 37.0 |      |      |    |    |     |     |    |    |     |    | 197.7  |
| 04N | 01W | 11  |      | 12.9 |      |      | 10.2 | 24.2 | 27.5 | 26.2 |    |    |     |     |    |    |     |    | 101.0  |

POU Total Acres: 339.7

**Conditions of Approval:**

1. S39 THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
2. E52 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.88 CFS. COMBINED RIGHT NOS.: 63-32958, 63-05094, 63-32960, 63-34785 & 63-34788.
3. E53 USE OF THIS RIGHT FOR IRRIGATION PURPOSES WITH RIGHT NO. 63-05094 & 63-34788 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1998 AF.
4. 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.
5. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 444 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 63-32958, 63-05094, 63-32960, 63-34785 & 63-34788.
6. F06 The following rights are diverted through point(s) of diversion described above: 63-32959, 63-34785 & 63-34788. Right no. 63-5094 is also diverted from P/D 4N 1W S-3 SESW.

**Comments:**

1. dbuffington 1/29/2008 Split Right  
This right is the result of a split of 63-7847 due to change in ownership.
2. jhersley 5/8/2013 POU  
Updated Shape
3. cpalmer 7/30/2015 Update Shape  
The previous shape included acres that were not part of the authorized POU. I modified the shape to reflect the POU.

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 63-32960**

9/4/2019

- |                                                            |          |           |             |
|------------------------------------------------------------|----------|-----------|-------------|
| 4.                                                         | cpalmer  | 7/30/2015 | POU         |
| Updated Shape                                              |          |           |             |
| 5.                                                         | jhersley | 9/4/2019  | Split Right |
| Split into 63-32960 & 63-34788 due to change in ownership. |          |           |             |
| 6.                                                         | jhersley | 9/4/2019  | POU         |
| Updated Shape                                              |          |           |             |

**Dates and Other Information**

Decreed Date: 2/16/2007  
Civil Case Number: 39576  
Judicial District: FIFTH  
State or Federal: S  
Water District Number: EXC  
Mitigation Plan: False

**Combined Use Limits**

| <u>Rate</u>                                     | <u>Volume</u> | <u>Acres</u> |
|-------------------------------------------------|---------------|--------------|
| 8.880                                           |               | 444.0        |
| 63-5094 ,63-32958 ,63-32960 ,63-34785 ,63-34788 |               |              |

**SubCase:**

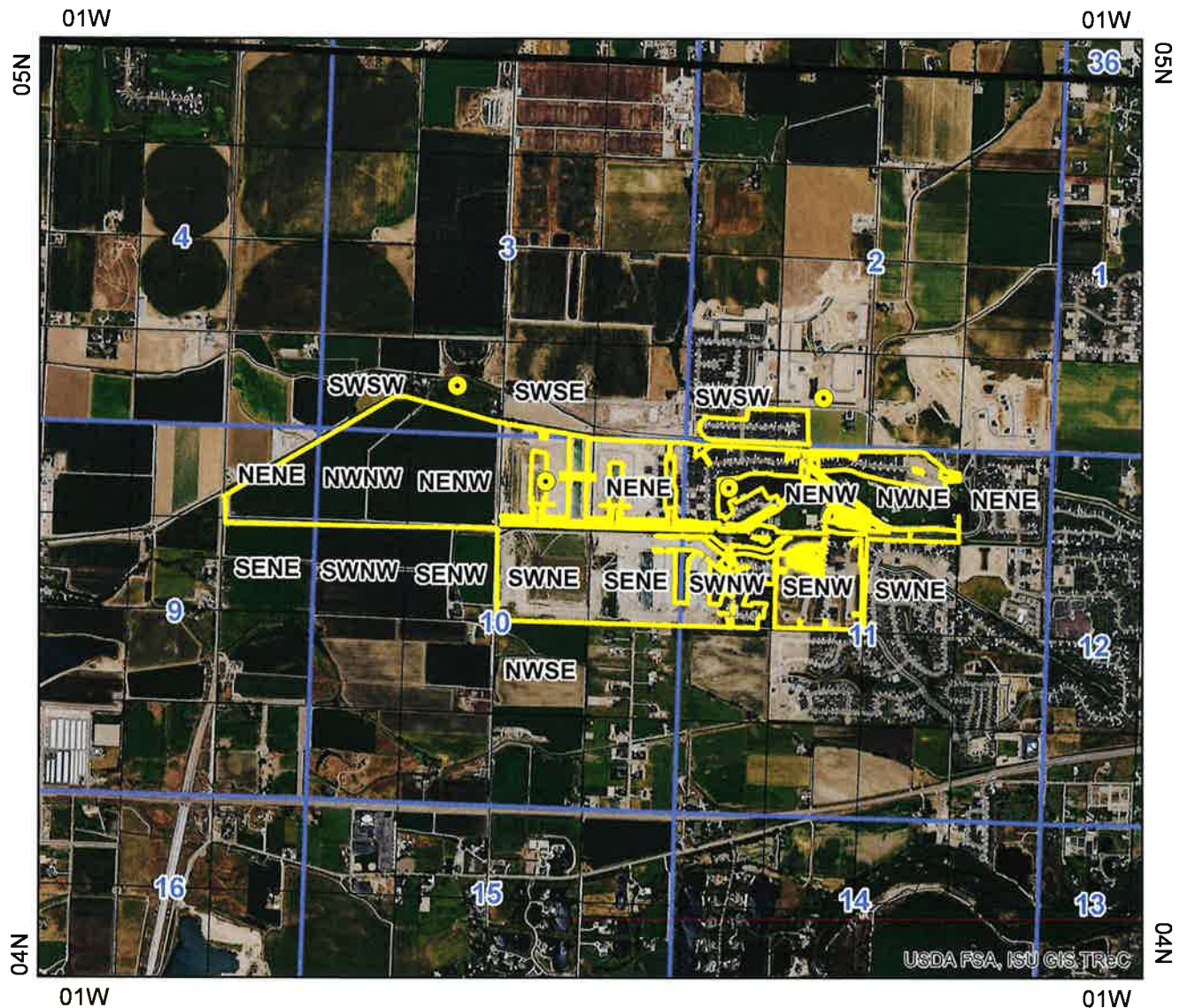
N/A

**Water Supply Bank:**

Lessor Name: CLOUD BERRY LLC  
Lease Status: Active  
Lease Amount: 3.7  
Rental Availability: 1.7  
Date Received: 12/7/2015  
Lease Begin Date: 12/7/2015  
Expiration Date: 12/31/2017

State of Idaho  
Department of Water Resources  
**Attachment to Water Right License**  
63-32960

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



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

0 0.3 0.6 1.2 Miles



**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 63-32960**

7/17/2019

*Before Split*

|                          |                                                                                                        |
|--------------------------|--------------------------------------------------------------------------------------------------------|
| <b><u>Owner Type</u></b> | <b><u>Name and Address</u></b>                                                                         |
| Current Owner            | CLOUD BERRY LLC<br>6401 W FLOATING FEATHER RD<br>EAGLE, ID 83616<br>(208) 286-9344                     |
| Original Owner           | QUARTER CIRCLE DJ RANCH CO<br>PO BOX 279<br>EAGLE, ID 83616<br>(208) 286-7131                          |
| Previous Owner           | EAGLE SPORTS LEGENDS DEVELOPMENT LLC<br>228 E PLAZA ST STE B<br>EAGLE, ID 83616-5982<br>(208) 385-0558 |
| Security Interest        | BANK OF THE CASCADES<br>PLAZA 121 BRANCH<br>121 N 9TH ST STE 100<br>BOISE, ID 83702                    |

**Priority Date:** 10/6/1973

**Basis:** Decreed

**Status:** Active

**Water Supply Bank Status:** Active

|                      |                         |
|----------------------|-------------------------|
| <b><u>Source</u></b> | <b><u>Tributary</u></b> |
| GROUND WATER         |                         |

|                              |                               |                  |                              |                      |
|------------------------------|-------------------------------|------------------|------------------------------|----------------------|
| <b><u>Beneficial Use</u></b> | <b><u>From</u></b>            | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
| IRRIGATION                   | 03/15                         | 11/15            | 3.700 CFS                    | 1,796.4 AF           |
| STOCKWATER                   | 01/01                         | 12/31            | 0.430 CFS                    | 26.2 AF              |
|                              | <b><u>Total Diversion</u></b> |                  | 3.700 CFS                    | 1,822.6 AF           |

**Source and Point(s) of Diversion**

|              |      |                                       |
|--------------|------|---------------------------------------|
| GROUND WATER | SESW | Sec. 3, Twp 04N, Rge 01W, ADA County  |
| GROUND WATER | NWNE | Sec. 10, Twp 04N, Rge 01W, ADA County |
| GROUND WATER | NWNW | Sec. 11, Twp 04N, Rge 01W, ADA County |
| GROUND WATER | SESW | Sec. 2, Twp 04N, Rge 01W, ADA County  |

**Place Of Use**

STOCKWATER within ADA County

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 04N | 01W | 2   |    |    |    |    |    |    |    |    |    |    | X  | X  |    |    |    |    |        |
| 04N | 01W | 3   |    |    |    |    |    |    |    |    |    |    | X  | X  |    |    | X  |    |        |
| 04N | 01W | 9   | X  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
| 04N | 01W | 10  | X  | X  | X  | X  | X  | X  |    |    |    |    |    |    |    |    |    |    |        |

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 63-32960**

7/17/2019

|     |     |    |  |   |  |  |   |   |   |   |  |  |  |  |  |  |  |  |  |
|-----|-----|----|--|---|--|--|---|---|---|---|--|--|--|--|--|--|--|--|--|
| 04N | 01W | 11 |  | X |  |  | X | X | X | X |  |  |  |  |  |  |  |  |  |
|-----|-----|----|--|---|--|--|---|---|---|---|--|--|--|--|--|--|--|--|--|

**IRRIGATION within ADA County**

| Twp | Rng | Sec | NE   |      |      |      | NW   |      |      |      | SW |    |     |     | SE |    |     |    | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|----|----|-----|-----|----|----|-----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE | NW | SW  | SE  | NE | NW | SW  | SE |        |
| 04N | 01W | 2   |      |      |      |      |      |      |      |      |    |    | 9.5 | 4.0 |    |    |     |    | 13.5   |
| 04N | 01W | 3   |      |      |      |      |      |      |      |      |    |    | 5.5 | 8.5 |    |    | 1.5 |    | 15.5   |
| 04N | 01W | 9   | 18.0 |      |      |      |      |      |      |      |    |    |     |     |    |    |     |    | 18.0   |
| 04N | 01W | 10  | 36.0 | 36.0 | 35.0 | 39.0 | 37.0 | 37.0 |      |      |    |    |     |     |    |    |     |    | 220.0  |
| 04N | 01W | 11  |      | 31.0 |      |      | 33.0 | 35.0 | 39.0 | 39.0 |    |    |     |     |    |    |     |    | 177.0  |

POU Total Acres: 444.0

**Conditions of Approval:**

1. S39 THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
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3. E53 USE OF THIS RIGHT FOR IRRIGATION PURPOSES WITH RIGHT NO. 63-05094 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1998 AF.
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IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right 63-32960

7/17/2019

**Dates and Other Information**

Decreed Date: 2/16/2007  
Civil Case Number: 39576  
Judicial District: FIFTH  
State or Federal: S  
Water District Number: EXC  
Mitigation Plan: False

**Combined Use Limits**

| <u>Rate</u>                 | <u>Volume</u> | <u>Acres</u> |
|-----------------------------|---------------|--------------|
| 8.880                       |               | 444.0        |
| 63-5094 ,63-32958 ,63-32960 |               |              |

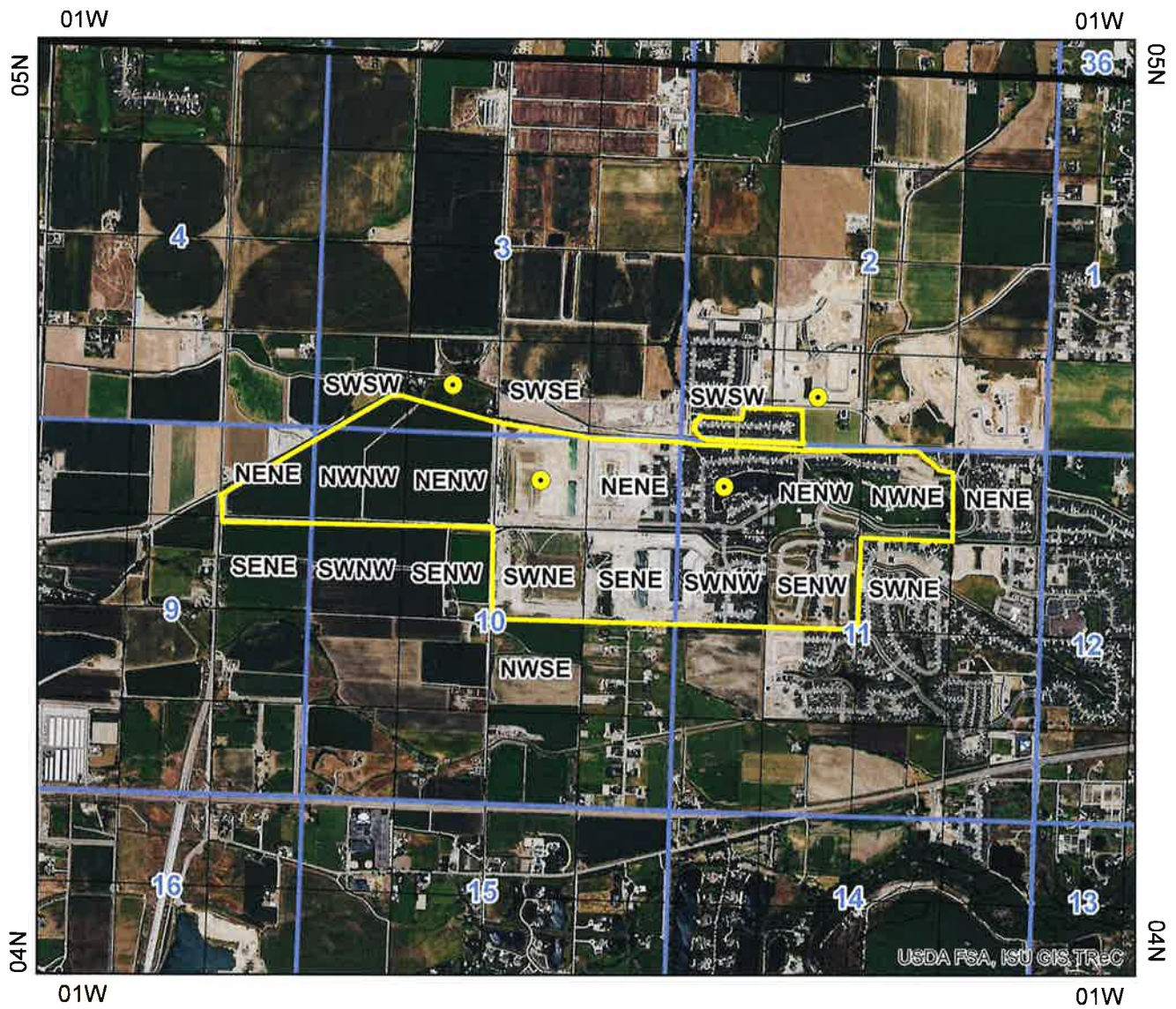
**SubCase:**

N/A

**Water Supply Bank:**

Lessor Name: CLOUD BERRY LLC  
Lease Status: Active  
Lease Amount: 3.7  
Rental Availability: 1.7  
Date Received: 12/7/2015  
Lease Begin Date: 12/7/2015  
Expiration Date: 12/31/2017

State of Idaho  
Department of Water Resources  
**Water Right License**  
63-32960



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

0 0.3 0.6 1.2 Miles

