

Smith, Danni

To: ronni@wilsonmccoll.com
Cc: bms@msbtlaw.com
Subject: Change of Ownership request for water rights 63-5092, 63-5094, 63-5098, 63-31970, 63-32958, and 63-32960
Attachments: Lease Extension Request.pdf; Info and Maps.pdf

Per our conversation on ownership of 63-32960 for Lease Term Extension filed by Mr. McColl on 12/20/2012 through Bruce Smith, I have attached a copy of the form, letter and receipt for your convenience. During my research to provide you with information I found the above water rights that appear to also be in Cloud Berry ownership. You may file change of ownership on all of the rights on one IDWR Change of Ownership form. Link to the form is:

http://www.idwr.idaho.gov/RulesStatutesForms/WaterRights/PDFs/NOTICE_OF_CHANGE_OF_WATER_RIGHT_OWNERSHIP.pdf

Per the form instructions there is a \$25 fee per change and \$100 if any right is split. Required attachments are recorded deeds showing legal descriptions of the properties and a map of each right must also be attached. I have printed some maps for you, if they are not correct, please draw the correct boundaries or provide your own maps.

Because the Department cannot process the lease extension until the ownership has been changed, we will hold all action on your lease extension. If we do not receive the necessary fees within 30 days we will return your lease extension and all attachments and refund the fees paid on receipt C096343.

If you have questions please call.

Danni M. Smith
287-4910

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)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-05092

NAME AND ADDRESS: QUARTER CIRCLE DJ RANCH CO
PO BOX 279
EAGLE, ID 83616

SOURCE: GROUND WATER

QUANTITY: 0.06 CFS
103.50 AFY

USE OF THIS RIGHT FOR IRRIGATION PURPOSES WITH RIGHT NO.
63-31970 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.46
CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 103.5 AF.

PRIORITY DATE: 01/01/1962

POINT OF DIVERSION: T04N R01W S11 NENE Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.06 CFS 103.50 AFY

PLACE OF USE: Irrigation Within Ada County
T04N R01W S11 NENE 23.0
23.0 Acres Total

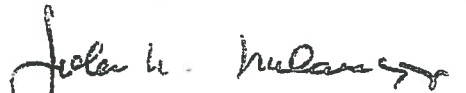
USE OF THIS RIGHT WITH RIGHT NO. 63-31970 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 23.0 ACRES IN A SINGLE
IRRIGATION SEASON.

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).

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

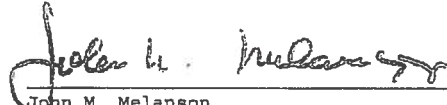
63-5092



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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.



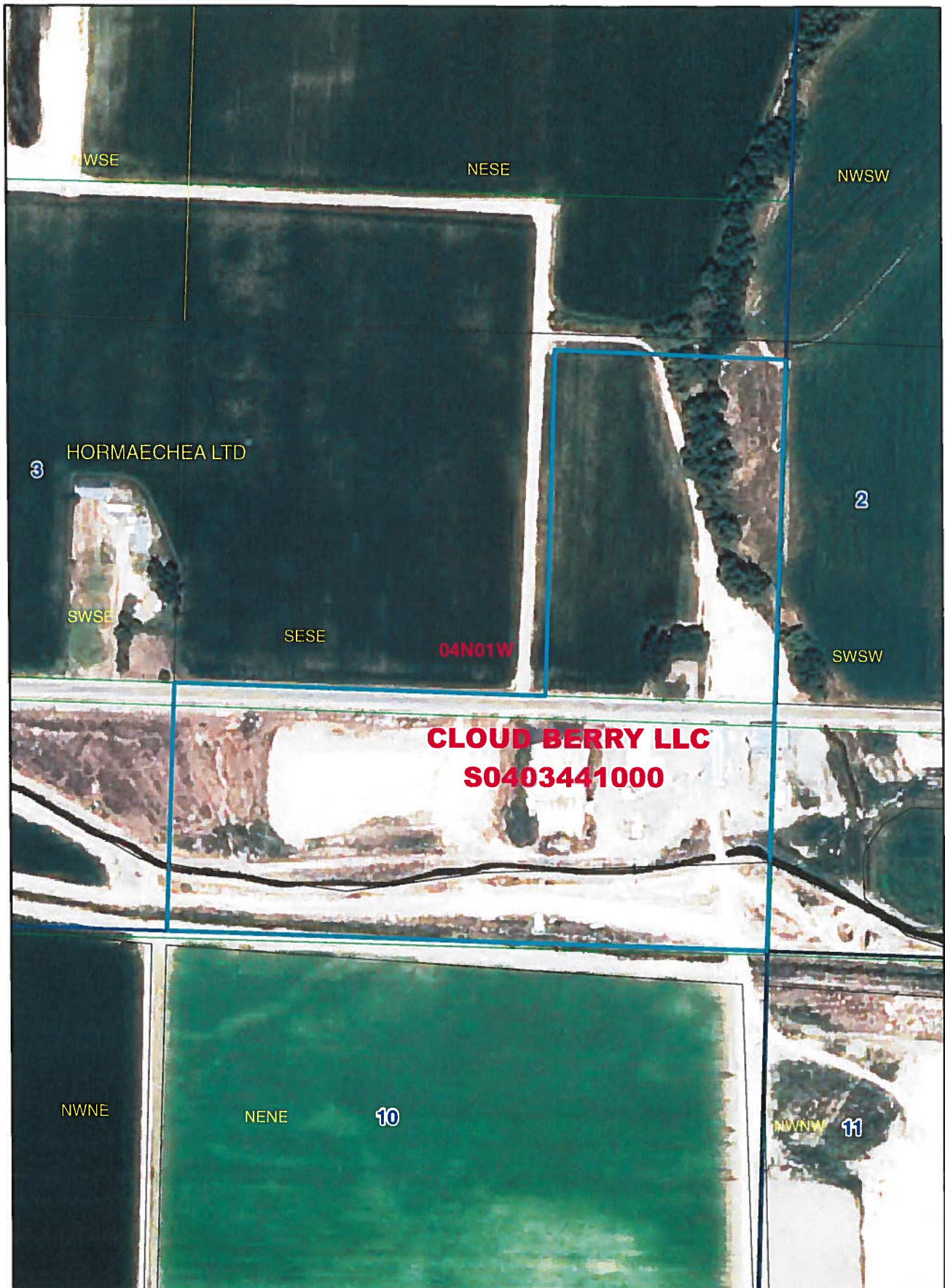
John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

63-5094



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63-5098



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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 63-31970

NAME AND ADDRESS: QUARTER CIRCLE DJ RANCH CO
PO BOX 279
EAGLE, ID 83616

SOURCE: GROUND WATER

QUANTITY: 0.47 CFS
105.50 AFY

USE OF THIS RIGHT FOR IRRIGATION PURPOSES WITH RIGHT NO.
63-05092 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.46
CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 103.5 AF.

PRIORITY DATE: 12/26/1969

POINT OF DIVERSION: T04N R01W S01 SESW Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 12-01	0.46 CFS 103.50 AFY
	Stockwater	01-01 TO 12-31	0.01 CFS 2.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 1 PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT
EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS
SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR
LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A
PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: Irrigation Within Ada County
T04N R01W S11 NENE 23.0
23.0 Acres Total
Stockwater Within Ada County
T04N R01W S11 NENE

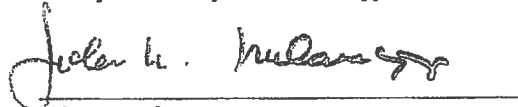
USE OF THIS RIGHT WITH RIGHT NO. 63-05092 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 23.0 ACRES IN A SINGLE
IRRIGATION SEASON.

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).

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



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-32958

WATER RIGHT NUMBER: 63-32958

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EAGLE SPORTS LEGENDS DEVELOPMENT LLC 533 E RIVERSIDE DR EAGLE, ID 83616 (208) 385-0558
Original Owner	CRAWFORD MOORE
Previous Owner	BOISE, ID QUARTER CIRCLE DJ RANCH CO PO BOX 279 EAGLE, ID 83616 (208)286-7131

Priority Date: 01/01/1900

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
WASTE WATER	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	5.830 CFS	
	<u>Total Diversion:</u>	5.830 CFS	

Location of Point(s) of Diversion

WASTE WATER	SW1/4SE1/4	Sec. 2, Twp 04N, Rge 01W, B.M.
ADA County		
WASTE WATER	NW1/4NE1/4	Sec. 11, Twp 04N, Rge 01W, 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	01W	2											9.5	4.0					13.5
04N	01W	3															1.5		1.5
04N	01W	10	36.0	36.0	35.0	39.0													146.0
04N	01W	11		31.0			33.0	35.0	39.0	39.0									177.0

Total Acres: 338

SUPPORT DATA

IN FILE # 63-376

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 63-32958

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. F06 The following rights are diverted through point(s) of diversion described above: 63-32957
3. 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, AND 63-32960.
4. 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, AND 63-32960.

Remarks:Comments:

1. dbuffington 1/29/2008 Split Right

Comment: This right is the result of a split of 63-376 due to change in ownership.

Dates and Other Information:

Licensed Date:
 Decreed Date: 2/16/2007
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector:
 Water District Number: 63
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Decree Defendant:
 Decree Plaintiff:
 Civil Case Number: 39576
 Judicial District: FIFTH
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-32960

WATER RIGHT NUMBER: 63-32960

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EAGLE SPORTS LEGENDS DEVELOPMENT LLC 533 E RIVERSIDE DR EAGLE, ID 83616 (208) 385-0558
Original Owner	QUARTER CIRCLE DJ RANCH CO PO BOX 279 EAGLE, ID 83616 (208)286-7131

Priority Date: 10/06/1973

Basis: Decreed

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	03/15 to 11/15	3.700 CFS	1,796.40 AF
STOCKWATER	01/01 to 12/31	0.430 CFS	26.20 AF
	<u>Total Diversion:</u>	3.700 CFS	1,822.60 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SW1/4	Sec. 3, Twp 04N, Rge 01W, B.M.
ADA County		
GROUND WATER	NW1/4NE1/4	Sec. 10, Twp 04N, Rge 01W, B.M.
ADA County		
GROUND WATER	NW1/4NW1/4	Sec. 11, Twp 04N, Rge 01W, B.M.
ADA County		
GROUND WATER	SE1/4SW1/4	Sec. 2, Twp 04N, Rge 01W, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	01W	2	9.5	4.0			13.5
04N	01W	3			5.5	8.5	15.5
04N	01W	9	18.0				18.0

SUPPORT DATA

IN FILE # 63-376

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-32960

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	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

Total Acres: 444

STOCKWATER same as IRRIGATIONConditions 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, AND 63-32960.
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.
4. F06 The following rights are diverted through point(s) of diversion described above: 63-32959. Right no. 63-5094 is also diverted from P/D 4N 1W S-3 SESW.
5. 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.
6. 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, AND 63-32960.

Remarks:Comments:

1. dbuffington 1/29/2008 Split Right

Comment: This right is the result of a split of 63-7847 due to change in ownership.

Dates and Other Information:

Licensed Date:

Decreed Date: 2/16/2007

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector: Or

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number: 39576

Judicial District: FIFTH

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 63-32960

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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Water Supply Bank:

CLOUD BERRY owns all that is not otherwise labeled

