

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant Eagle Springs Ranch, LLC & Barnes Ventures, Inc. (joint applicants)

Post Office address PO Box 2020, Boise, ID 83701 (208) 429-9596 (Eagle Springs Ranch, LLC)
5983 W State St, Suite D, Boise, ID 83703 (208) 424-2022 (Barnes Ventures, Inc)

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Applicants propose diverting rights through a series of ponds, then rediverting from ponds for irrigation within a modified place of use. Portions of irrigation uses are changed to aesthetic use to mitigate an associated permit application. Pond storage is also associated with a permit application for aesthetic and recreation uses.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

<u>1. Right Number</u>	<u>Priority</u>	<u>Amount (cfs/ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>
<u>65-5633</u>	<u>Apr 1, 1900</u>	<u>4.64 cfs</u>	<u>irrigation</u>	<u>4/1</u> to <u>11/1</u>
<u>65-5633</u>	<u>Apr 1, 1900</u>	<u>0.63 cfs</u>	<u>aesthetic</u>	<u>4/1</u> to <u>11/1</u>
<u>65-5696</u>	<u>Apr 1, 1966</u>	<u>0.04 cfs</u>	<u>irrigation</u>	<u>4/1</u> to <u>11/1</u>
<u>65-8850</u>	<u>Apr 1, 1900</u>	<u>2.19 cfs*</u>	<u>irrigation</u>	<u>4/1</u> to <u>11/1</u>
<u>65-8850</u>	<u>Apr 1, 1900</u>	<u>0.32 cfs*</u>	<u>aesthetic</u>	<u>4/1</u> to <u>11/1</u>
<u>65-8850</u>	<u>Apr 1, 1900</u>	<u>0.06 cfs/3.29 af*</u>	<u>stockwater</u>	<u>1/1</u> to <u>12/31</u>
<u>65-11324</u>	<u>Sept 3, 1966</u>	<u>1.94 cfs*</u>	<u>irrigation</u>	<u>4/1</u> to <u>11/1</u>
<u>65-11324</u>	<u>Sept 3, 1966</u>	<u>0.26 cfs*</u>	<u>aesthetic</u>	<u>4/1</u> to <u>11/1</u>
<u>65-11324</u>	<u>Sept 3, 1966</u>	<u>0.05 cfs/2.7 af*</u>	<u>stockwater</u>	<u>1/1</u> to <u>12/1</u>

*Combined use limits apply

2. Total amount of water being transferred 10.08 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Alder Creek (65-5633, 65-5696, 65-8850), Charters Creek (65-5633), Coski Creek (65-5633, 65-5696) tributary to South Fork Payette River; and South Fork Payette River (65-11324) tributary to Payette River.

R E C E I V E D

FEB 27 2008

WATER RESOURCES
WESTERN REGION

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		SW	NE	2	8N	4E	BOISE	ALDER CREEK
		NE	SE	34	9N	4E	BOISE	COSKI CREEK
		SW	NE	34	9N	4E	BOISE	CHARTERS CREEK
		SE	SW	27	9N	4E	BOISE	SOUTH FORK PAYETTE RIVER
		SW	SE	27	9N	4E	BOISE	SOUTH FORK PAYETTE RIVER
		NW	NE	34	9N	4E	BOISE	SOUTH FORK PAYETTE RIVER
		SE	NE	34	9N	4E	BOISE	SOUTH FORK PAYETTE RIVER
		SW	NW	35	9N	4E	BOISE	SOUTH FORK PAYETTE RIVER
		SW	NW	35	9N	4E	BOISE	SOUTH FORK PAYETTE RIVER
		SE	NW	35	9N	4E	BOISE	SOUTH FORK PAYETTE RIVER
		NW	SE	35	9N	4E	BOISE	SOUTH FORK PAYETTE RIVER

5. Lands irrigated or place of use: 65-5633 & 65-5696

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9N	4E	27							24		1	13	30	22			1		91
		27									J		J	J			J		
		28			1	27									10				38
		34	14	29	34	33	35	10		14					20	14			203
		34	J	J	J	J	J			J					J	J			

J = Aesthetic

Total Acres 193 acres within 332-acre PPU

5. Lands irrigated or place of use: transferred portions of 65-8850 & 65-11324

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9N	4E	35							10	6	35	36	11	18		17	3		136
									S, J	S	S, J	J	J	J		S, J	J		

J = Aesthetic, S = Stockwater

Total Acres 97 acres within 136-acre PPU
Stockwater place of use same as irrigation

PART 1

6. General Information:

- a. Description of diversion system Diversions into to a series of ponds, streams and water features for aesthetic uses, and subsequent redirection from ponds into a pressurized irrigation system serving residential lots and open common areas.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
Eagle Springs Ranch = Yes; Barnes Ventures = No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes. (Letter from BAR-K Mortgage Bankers previously provided.)
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Due to residential development, some land will become impervious and no longer irrigable. Ponds will also be constructed on currently irrigated land. Historic farming included highly consumptive crops. This application changes the irrigation place of use to meet residential lot and common area landscaping requirements. The application also changes the nature of use of a portion of the rights from irrigation to aesthetic uses to mitigate for an associated application for permit.
- d. Remarks:
This application proposes to modify the irrigated place of use to accommodate irrigation of residential lots and common areas. Flows will be diverted into ponds, then redirected from ponds into a pressurized irrigation system for irrigation use. Barnes Ventures Inc currently owns, and will continue to own water rights 65-8850 and 65-11324, which are dedicated to uses in Section 35. Likewise, Eagle Springs Ranch LLC owns, and will continue to own water rights 65-5633 and 65-5696, which are dedicated for use in sections 27, 28, and 34. A 26-acre portion of Right 65-5633 is changed to aesthetic (0.63 cfs) to mitigate for 26-acres of ponds in Sections 27 and 34. A 13-acre portion of Rights 65-8850 and 65-11324 is changed to aesthetic (0.32 cfs) to mitigate for 13-acres of ponds in Section 35. Surface water routed to ponds for irrigation will not add incremental storage in excess of the 24-hour fill rule of thumb. Storage is therefore not applicable to this application. Permits 65-13559 and 65-13399 together authorize development of up to 3.2 cfs for irrigation of up to 210 acres describing land that overlaps a portion of the rights identified in this application; future transfer applications modifying these rights following licensing are anticipated. See corresponding permit application seeking aesthetic and recreation use for constructed ponds and water features. Points of diversion are changed and added to match those listed in the associated application for permit.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20_____.

 For the Director

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED SEE ATTACHED PARTIAL DECREE: 65-5633

1. Right as evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purposes:

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

9. Describe any other water rights used for the same purpose as described above Permits 65-13559 and 65-13399 authorized development of irrigation which may partially overlap the place of use identified by this right. Proof of beneficial use has been submitted; licenses are pending.

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

_____ No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED SEE ATTACHED PARTIAL DECREE: 65-5696

1. Right as evidenced by:

- e. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- f. License No. _____ issued by the Idaho Department of Water Resources.
- g. Claim No. _____ on file with the Idaho Department of Water Resources.
- h. Transfer No. _____ which produced this right.

2. Attach copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purposes:

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

9. Describe any other water rights used for the same purpose as described above Permit 65-13399 authorized development of irrigation
which may partially overlap the place of use identified for this right. Proof of beneficial use has been submitted; license is pending.

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

_____ No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED SEE ATTACHED PARTIAL DECREE: 65-8850

1. Right as evidenced by:
- i. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
 - j. License No. _____ issued by the Idaho Department of Water Resources.
 - k. Claim No. _____ on file with the Idaho Department of Water Resources.
 - l. Transfer No. _____ which produced this right.

2. Attach copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership.
Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purposes:
- | | | | |
|-----------------------------|-----------|---------------------|----------|
| amount _____
(cfs/ac-ft) | for _____ | purposes from _____ | to _____ |
| amount _____
(cfs/ac-ft) | for _____ | purposes from _____ | to _____ |
| amount _____
(cfs/ac-ft) | for _____ | purposes from _____ | to _____ |

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

9. Describe any other water rights used for the same purpose as described above 65-11324

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

_____ No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use: *

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED SEE ATTACHED PARTIAL DECREE: 65-11324

1. Right as evidenced by:

- m. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- n. License No. _____ issued by the Idaho Department of Water Resources.
- o. Claim No. _____ on file with the Idaho Department of Water Resources.
- p. Transfer No. _____ which produced this right.

2. Attach copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purposes:

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion

8. Lands irrigated or place of use:

Twp	Rge	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	

Total Acres _____

9. Describe any other water rights used for the same purpose as described above 65-8850

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
_____ No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED
(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use: _____

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for the rights described in part 1. Clearly depict the land by section, township and range number.

SEE ATTACHED

Scale: 2 inches equal 1 mile. Draw plan in ink.

PART 3**B. CHANGES IN NATURE OF USE**

1.	<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	<u>Aesthetic</u>	<u>1.21 cfs</u>	<u>214 days/year</u>	<u>4/1</u> to <u>11/1</u>
				to _____

Quantity and quality of return flows and location of discharge: Aesthetic flows will circulate through a series of ponds and streams. Portions of aesthetic flows unconsumed by evaporation or seepage will discharge to a side-channel of the South Fork Payette River at 9N 4E 27 NESW, then ultimately return to the South Fork Payette River. Water quality is expected to remain relatively unchanged or improved compared to historical agricultural runoff. Seepage is expected to recharge the local aquifer and/or return to the South Fork Payette River.

2. Describe effects on other water uses resulting from the proposed change:

The nature of use changes presented in this application will provide mitigation for the associated permit application. Irrigated acres are reduced at a 1:1 ratio to new pond surface area, thereby balancing or potentially reducing annual evaporation. Therefore, no negative impacts to other water uses are anticipated.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

(Signature of Applicant – Eagle Springs Ranch, LLC)

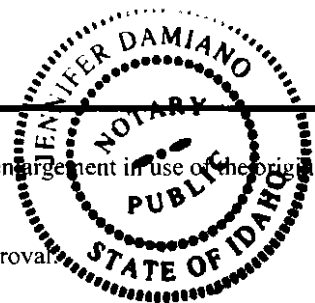
Subscribed and sworn to before me this _____ day of _____, 20____.

(Notary Public)

My commission expires _____

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



[Signature]
(Signature of Applicant – Barnes Ventures, Inc.)

Subscribed and sworn to before me this 22nd day of February, 2008.

[Signature]
(Notary Public)

My commission expires 9/12/2013

PART 3**B. CHANGES IN NATURE OF USE**

1.	<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	<u>Aesthetic</u>	<u>1.21 cfs</u>	<u>214 days/year</u>	<u>4/1</u> to <u>11/1</u>
				to

Quantity and quality of return flows and location of discharge: Aesthetic flows will circulate through a series of ponds and streams. Portions of aesthetic flows unconsumed by evaporation or seepage will discharge to a side-channel of the South Fork Payette River at 9N 4E 27 NESW, then ultimately return to the South Fork Payette River. Water quality is expected to remain relatively unchanged or improved compared to historical agricultural runoff. Seepage is expected to recharge the local aquifer and/or return to the South Fork Payette River.

2. Describe effects on other water uses resulting from the proposed change:

The nature of use changes presented in this application will provide mitigation for the associated permit application. Irrigated acres are reduced at a 1:1 ratio to new pond surface area, thereby balancing or potentially reducing annual evaporation. Therefore, no negative impacts to other water uses are anticipated.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 22nd day of February, 20 08.

(Signature of Applicant – Eagle Springs Ranch, LLC)

(Notary Public)

My commission expires 9/12/2013



I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this _____ day of _____, 20 _____.

(Signature of Applicant – Barnes Ventures, Inc.)

(Notary Public)

My commission expires _____

FOR DEPARTMENT USE ONLY

Transfer contains 15 pages and 6 attachmentsReceived by SB Date 2/27/08 Protest filed by _____Prelim. Check by SL Fee \$80 - additional fee* Received by DB/W036179 Date 2/28/08Published in IDAHO WORLD ** DB Copies of protest forwarded by _____Pub. Dates JUNE 4 & 11, 2008 Hearing held by _____ Date _____Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

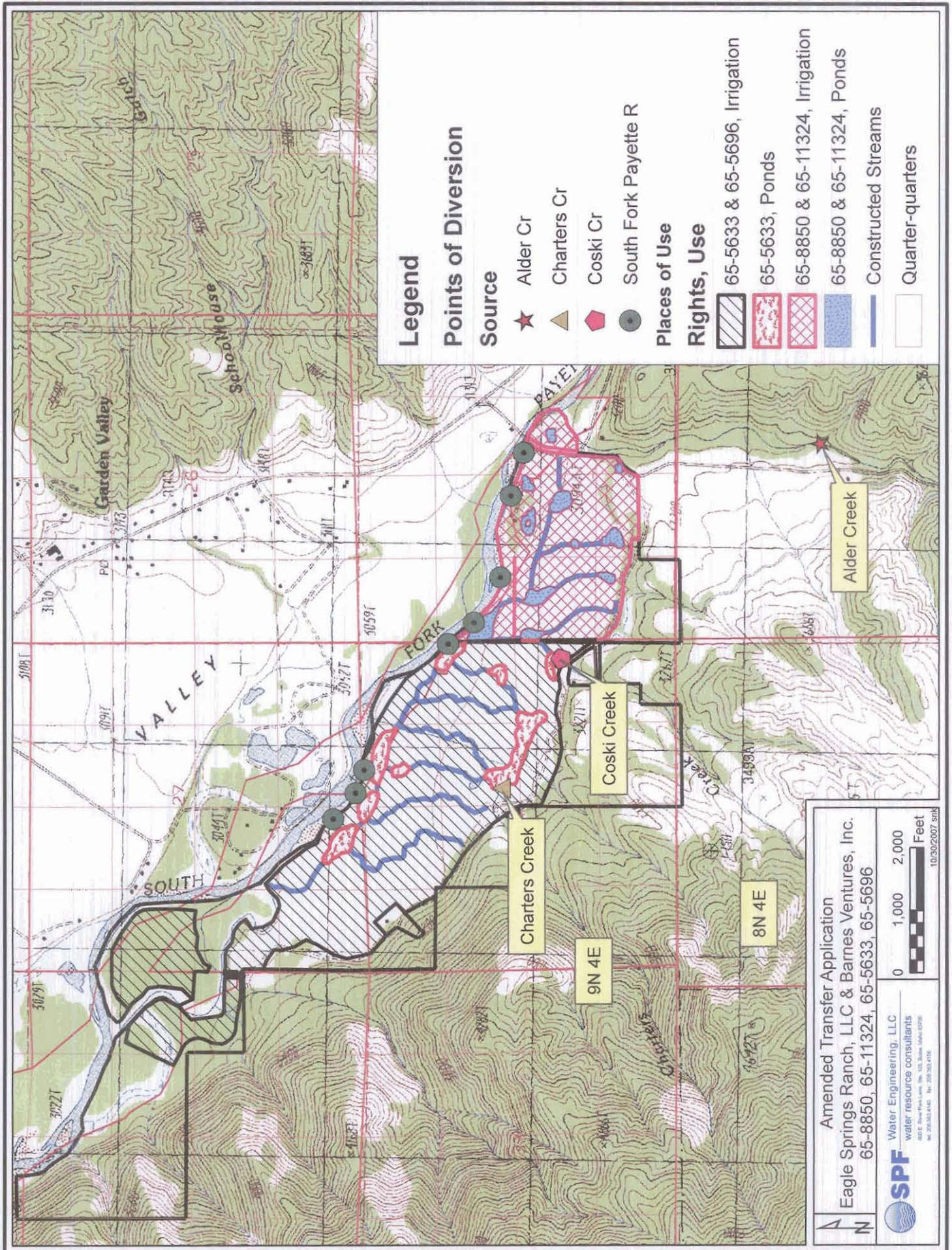
* total fees \$570 c original, W034879 11/15/06
\$80 AS ABOVE
 \$650, correct total payment
 -SL

** ALSO PUBLISHED IN THE IDAHO STATESMAN, POST REGISTER, LEWISTON MORNING TRIBUNE
 AND TIMES NEWS ON JUNE 5 & 12, 2008

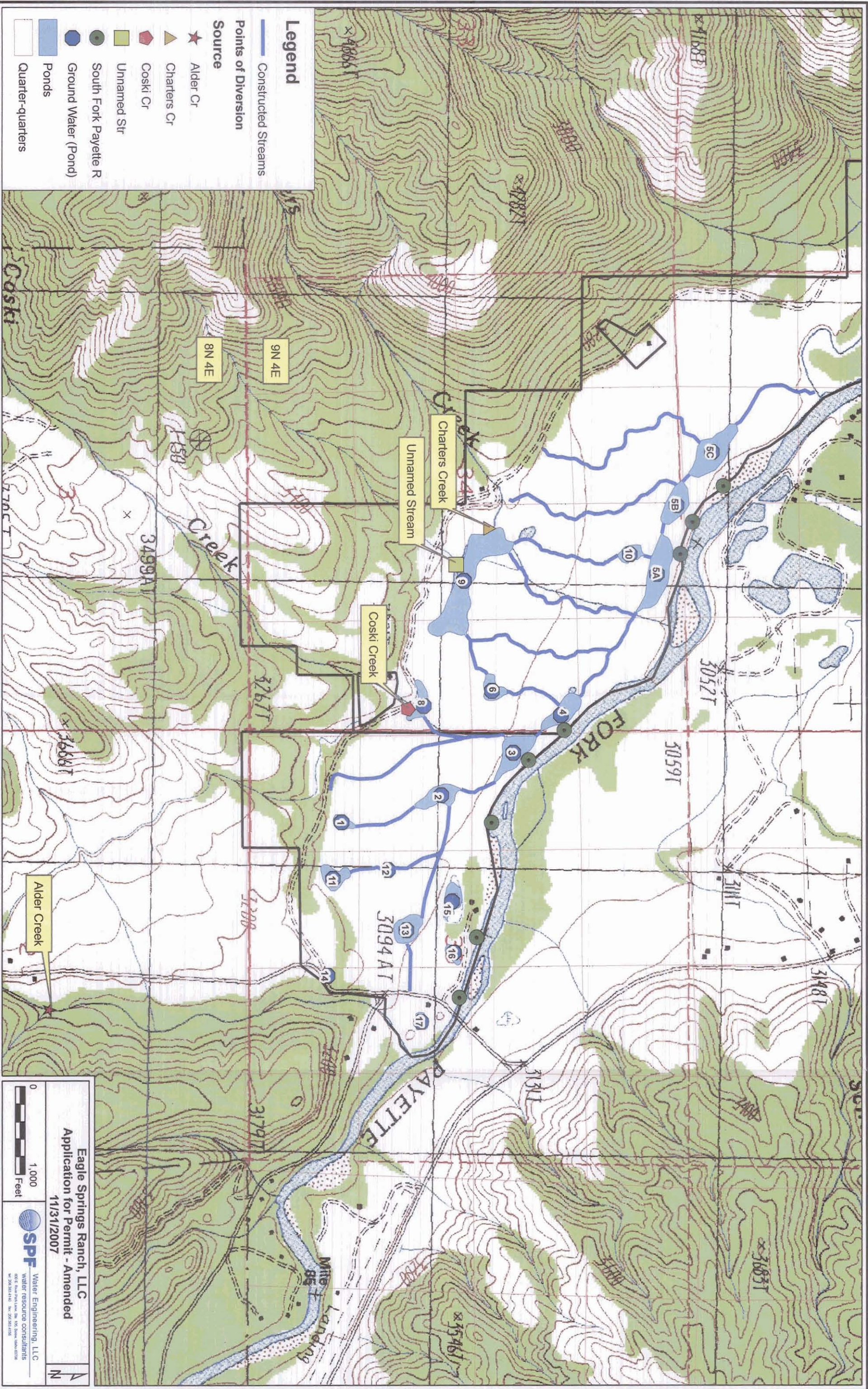
Southfork Landing Ponds
Area, Depth, Volume, Owner
December 13, 2007

Pond Name	Location	Permit Acres	Depth	AF	Owner
1	09N 04E 35 SWSW	0.7	15	7.5	Barnes
2	09N 04E 35 NWSW	2.1	20	31.8	Barnes
3	09N 04E 35 SWNW	3.0	20	45.1	Barnes
11	09N 04E 35 SESW	1.7	20	25.1	Barnes
12	09N 04E 35 NESW	0.3	10	2.5	Barnes
13	09N 04E 35 NESW	2.0	20	30.1	Barnes
14	09N 04E 35 SWSE	0.2	10	1.7	Barnes
15	09N 04E 35 NESW	1.2	15	13.8	Barnes
16	09N 04E 35 NESW	0.7	15	7.5	Barnes
17	09N 04E 35 NWSE	0.6	15	5.6	Barnes
4	09N 04E 34 SENE	2.3	20	35.1	Eagle Springs Ranch
6	09N 04E 34 SENE	1.3	15	15.0	Eagle Springs Ranch
8	09N 04E 34 NESE	1.3	15	15.0	Eagle Springs Ranch
9	09N 04E 34 NWSE	9.5	20	142.1	Eagle Springs Ranch
10	09N 04E 34 NWNE	1.1	20	16.7	Eagle Springs Ranch
5A	09N 04E 34 NWNE	4.5	20	66.9	Eagle Springs Ranch
5B	09N 04E 34 NWNE	2.5	20	36.8	Eagle Springs Ranch
5C	09N 04E 27 SESW	4.2	20	63.5	Eagle Springs Ranch
Total		39		562	

Attachment A



Attachment B



included for clarity per 12/27/07 corr ktr

Attachment C

Eagle Springs Ranch, LLC
Application for Permit - Amended
11/31/2007

SPF Water Engineering, LLC
water resource consultants
10000 10th Ave SE, Suite 100
Burien, WA 98148
206.835.1500





BAR-K INC.
MORTGAGE BANKERS

November 8, 2006

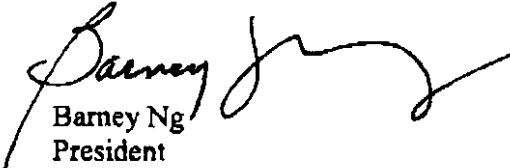
Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082
Attn: Steve Lester, Water Rights Supervisor

Dear Mr. Lester:

Pursuant to the enclosed Water Rights Application for Permit being submitted by Eagle Springs Ranch, LLC and Barnes Ventures, Inc., this letter confirms that Bar-K Mortgage and RE Loans, LLC have no objection to this request and fully support the application.

If there are any questions, I can be reached at (925) 283-1771 x 201.

Sincerely,



Barney Ng
President

Attachment D



RECEIVED

NOV 16 2006

WATER RESOURCES
WESTERN REGION

Order No.: A0434301

WARRANTY DEED

FOR VALUE RECEIVED,

Casa Del Norte L.P., an Idaho limited partnership

The Grantors, do hereby grant, bargain sell and convey unto

Eagle Springs Ranch, LLC, an Idaho limited liability company

whose current address is 519 W. Front St., Boise, ID 83702

the Grantee, the following described premises, in OTHER County, Idaho, TO WIT:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOFF FOR
LEGAL DESCRIPTION

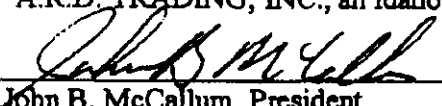
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility easements (if any) for the current year, which are not due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

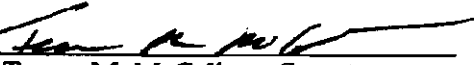
Dated: March 4, 2005

Attachment E
(10 pgs)

CASA DEL NORTE L.P., an Idaho limited partnership

BY: A.R.D. TRADING, INC., an Idaho Corporation, General Partner

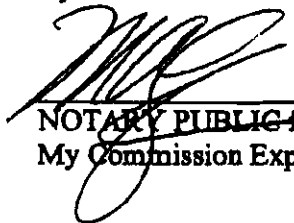
BY: 
John B. McCallum, President

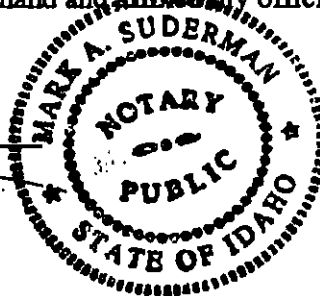
BY: 
Teresa M. McCallum, Secretary

STATE OF IDAHO)
) ss.
County of Ada)

On this 14 day of March 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared John B. McCallum and Teresa M. McCallum known or identified to me to be the President and Secretary, respectively of A.R.D. Trading, Inc., said corporation known to me to be the general partner of Casa Del Norte L.P., the partnership that executed the instrument and acknowledged to me that they executed the same for and on behalf of said corporation and that said corporation executed on behalf of said partnership and that said partnership executed it.

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


NOTARY PUBLIC for Idaho
My Commission Expires: _____



RESIDING IN MERIDIAN, IDAHO
MY COMM EXP. 05/21/09

**LEGAL DESCRIPTION
EXHIBIT 'A'**

Order No.: 5000423537SL

Parcel 1:

Government Lots 6 and 7, Section 27, Township 9 North, Range 4 East, Boise Meridian, Boise County, Idaho.

Parcel 2:

The Southwest Quarter of the Southwest Quarter of Section 27, in Township 9 North, Range 4 East, Boise Meridian, Boise County, Idaho;

Parcel 3:

In Section 28, Township 9 North, Range 4 East, Boise Meridian, Boise County, Idaho;

Tract A:

The Southeast Quarter of the Northwest Quarter;

Tract B:

Lot 2, EXCEPTING THEREFROM that certain land described on the waterside of the South bank of the South fork of the Payette River;

Tract C:

Lot 3;

Tract D:

Lot 4, EXCEPTING THEREFROM the Southerly 400 feet; and excepting from said Lot 4 the following parcel described as;

**COMMENCING at the meander corner common to Sections 28 and 27, thence following along the left bank of the river channel
South 87°46'41" West 242.47 feet; thence
North 89°10'17" West 184.86 feet; thence
North 78°32'39" West 249.44 feet; thence
South parallel to the East section line to a point which is 67 feet North of the North boundary line of the Southerly 400 feet of Lot 4; thence
East parallel to the said South boundary line of the Southerly 400 feet of Lot 4, said line to also be the North boundary line of the access easement hereinafter described, to a point on the East section line; thence
North along the East section approximately 180.68 feet to the POINT OF BEGINNING.**

Tract E:

AND that certain parcel of property commencing at the section corner common to Sections 28, 27, 33 and 34; thence

North 1962.77 feet to the meander corner stone on the section line common to Sections 27 and 28, being the REAL POINT OF BEGINNING; thence

South 87°46'41" West 242.27 feet; thence
North 25°58'19" West 963.75 feet; thence
South 85°04'54" West 397.19 feet; thence
North 84°22'17" West 281.27 feet; thence
North 68°08'27" West 441.60 feet; thence
North 62°28'09" West 267.39 feet; thence
North 32°12'44" West 562.39 feet; thence
North 65°47'57" West 106.74 feet; thence
North 23°28'18" West 98.92 feet; thence
North 25°43'19" West 132.01 feet; thence
North 23°43'18" West 263.82 feet; thence
North 24°58'19" West 190.91 feet; thence
South 61°38'06" East 103.61 feet; thence
North 86°15'51" East 171.50 feet; thence
South 64°39'43" East 99.47 feet; thence
South 61°20'08" East 369.13 feet; thence
South 76°15'13" East 367.84 feet; thence
South 70°18'31" East 246.54 feet; thence
South 59°47'58" East 214.62 feet; thence
South 71°56'05" East 96.73 feet; thence
South 88°13'49" East 183.91 feet; thence
North 69°10'12" East 391.03 feet; thence
North 78°23'23" East 208.63 feet; thence
North 57°35'15" East 101.69 feet; thence
North 78°24'32" East 154.82 feet; thence
North 82°40'43" East 86.78 feet to the section line; thence
South 1°17'39" East 2007.70 feet to the POINT OF BEGINNING.

EXCEPTING the following parcel conveyed to the State of Idaho described as follows:

Beginning at the meander corner common to Section 27 and 28, Township 9 North, Range 4 East, Boise Meridian, on the left bank of the South Fork of the Payette river which is the REAL POINT OF BEGINNING; thence

South 87°46'41" West 242.27 feet to a point on the left bank of a channel of the South Fork of the Payette River; thence along the left bank of said channel a distance of 1205 feet, more or less, to a point which is

South 87°46'41" West 242.27 feet and

North 25°58'19" West 820.19 feet from the point of beginning; thence continuing along the left bank

North 31°48'23" East 250.28 feet; thence

North 6°18'08" West 116.06 feet; thence

North 37°19'50" West 230.97 feet; thence

North 47°31'05" West 500.97 feet; thence

North 39°43'38" West 204.46 feet to a point at the confluence of said channel with the
 main channel of the South Fork of the Payette River; thence
 South 88°13'49" East 183.91 feet to a point on the right bank of said channel, upstream
 along the right bank; thence
 South 43°52'22" East 176.89 feet; thence
 South 57°08'43" East 296.19 feet; thence
 South 39°03'04" East 197.33 feet; thence
 South 52°36'20" East 149.02 feet; thence
 South 8°45'32" East 185.09 feet; thence
 South 6°08'13" West 356.62 feet; thence
 South 46°21'54" West 173.24 feet; thence
 South 34°42'02" West 51.54 feet to a point on the right bank of a channel of the South
 Fork of the Payette River lying
 South 87°46'41" West 242.27 feet and
 North 25°58'19" West 564.52 feet from the POINT OF BEGINNING; thence upstream
 along the right bank of said channel a distance of 585 feet, more or less, to a point
 lying
 South 87°46'41" West 242.27 feet and
 North 25°58'19" West 151.00 feet from the POINT OF BEGINNING; thence along the
 right bank of said channel
 South 85°30'12" East 51.20 feet; thence
 North 86°01'36" East 176.71 feet; thence
 North 47°50'33" East 102.91 feet to a point on the right bank of said channel; thence
 South 1°17'39" East 203.71 feet to the POINT OF BEGINNING.

Parcel 4:

That certain property in Section 28, Township 9 North, Range 4 East, Boise Meridian,
 Boise County, Idaho, as follows:

COMMENCING at the meander corner common to Sections 28 and 27; thence
 following along the left bank of the river channel,
 South 87°46'41" West 242.47 feet; thence
 North 89°10'17" West 184.86 feet; thence
 North 78°32'39" West 249.44 feet; thence
 South parallel to the East section line to a point which is 67 feet North of the North
 boundary line of the Southerly 400 feet of Lot 4; thence
 East parallel to the said South boundary line of the Southerly 400 feet of Lot 4, said line
 to also be the North boundary line of the access easement described in Instrument
 No. 113169 recorded May 18, 1984 of Official Records, to a point on the East section
 line thence
 North along the East section line approximately 180.68 feet to the POINT OF
 BEGINNING.

Parcel 5:

The Northwest Quarter of the Northwest Quarter of Section 34, in Township 9 North,
 Range 4 East, Boise Meridian, Boise County, Idaho;

EXCEPTING THEREFROM the 4.50 acres described as:

BEGINNING at the section corner common to Sections 27, 28, 33 and 34; thence South 64°04'06" East 861.68 feet to an iron pin, being the **REAL POINT OF BEGINNING**; thence South 42°27'46" East 455.00 feet to an iron pin; thence South 47°32'14" West 643.71 feet to an iron pin; thence North 42°27'46" West (formerly shown as South 42°27'46" West) 125.65 feet to an iron pin; thence North 28°25'31" East 384.93 feet to an iron pin; thence North 42°27'46" West 203.32 feet to an iron pin; thence North 47°32'14" East 280.00 feet to the **REAL POINT OF BEGINNING**.

Parcel 6:

Lot 3 of Charter's Mountain Ranch Condominiums and Subdivision No. 1, according to the plat thereof, filed as Instrument No. 112105 records of Boise County, Idaho.

Parcel 7:

Lot 4 of Charter's Mountain Ranch Condominiums and Subdivision No. 1, according to the plat thereof, filed as Instrument No. 112105, records of Boise County, Idaho.

Parcel 8:

Lot 5 of Charter's Mountain Ranch Condominiums and Subdivision No. 1, according to the plat thereof, filed as Instrument No. 112105, records of Boise County, Idaho.

Parcel 9:

A parcel of land situate in the Southeast one-quarter of Section 34, Township 9 North, Range 4 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

COMMENCING at the South One Quarter corner of said Section 34, a brass cap; thence North 89°49'56" East along the South line of said Section 34 a distance of 1026.83 feet to a 5/8 inch iron pin and the **REAL POINT OF BEGINNING**; thence continuing North 89°49'56" East a distance of 601.33 feet to a 5/8 inch iron pin; thence North 00°33'06" West a distance of 630.30 feet to a 5/8 inch iron pin; thence North 89°58'10" East a distance of 325.89 feet to a 5/8 inch iron pin; thence North 00°31'43" West a distance of 629.51 feet to a 5/8 inch iron pin; thence South 89°53'35" East a distance of 652.32 feet to a 5/8 inch iron pin, the 1/16" corner and a 5/8 inch iron pin; thence North 00°28'57" West a distance of 78.61 feet to a 5/8 inch iron pin; thence South 87°50'16" West a distance of 675.28 feet to a 5/8 inch iron pin; thence North 02°03'52" West a distance of 279.00 feet to a 5/8 inch iron pin; thence North 90°00'00" West a distance of 898.97 feet to a 5/8 inch iron pin; thence South 00°36'19" East a distance of 1592.51 feet to a 5/8 inch iron pin and the **REAL POINT OF BEGINNING**.

E6

Parcel 10:

Lot 1 of Charters Mountain Ranch Condominiums and Subdivision No. 1, according to the plat filed as Instrument No. 112105, records of Boise County, Idaho.

Parcel 11:

Lot 2 of Charter's Mountain Ranch Condominiums and Subdivision No. 1, according to the plat thereof recorded under Instrument No. 112105, records of Boise County, Idaho.

Parcel 12:

Government Lots 2 and 3, East Half of the Northwest Quarter, Southwest Quarter of the Northeast Quarter, Northeast Quarter of the Southeast Quarter, Northwest Quarter of the Southeast Quarter, Southwest Quarter of the Southeast Quarter, and the West Half of the Southeast Quarter of the Southeast Quarter, Section 34, Township 9 North, Range 4 East, Boise Meridian, Boise County, Idaho.

EXCEPTING FROM said Parcel 12 any portion thereof lying within the following described parcels A, B, C, D, E, F and G.

Parcel A:

A parcel of land located in the Northeast Quarter of the Southeast Quarter of Section 34, Township 9 North, Range 4 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

BEGINNING at a brass cap marking the section corner common to Sections 2 and 3, Township 8 North, Range 4 East, and Sections 34 and 35, Township 9 North, Range 4 East, Boise Meridian; thence

North 0°28'57" West 1334.51 feet along the section line common to Sections 34 and 35 to a point; thence

South 87°50'16" West 66.80 feet to an iron pin being the REAL POINT OF BEGINNING; thence continuing

South 87°50'16" West 608.48 feet to an iron pin; thence

North 2°03'52" West 429.28 feet to an iron pin; thence

North 81°46'36" East 118.14 feet to an iron pin; thence

South 79°57'59" East 247.30 feet to an iron pin; thence

South 38°16'19" East 338.84 feet to an iron pin; thence

South 25°02'48" East 125.66 feet to the REAL POINT OF BEGINNING.

Parcel B:

A tract of land in the Northeast Quarter of the Southeast Quarter of Section 34, Township 9 North, Range 4 East of the Boise Meridian, Boise County, Idaho, described as follows:

BEGINNING at a point on the East boundary of the Northeast Quarter of Southeast Quarter, Section 34, Township 9 North, Range 4 East, Boise Meridian, said point being North 1737 feet along section line from the Southeast corner of Section 34, the REAL POINT OF BEGINNING; thence

West 217 feet; thence

North 602.20 feet; thence

East 217 feet; thence

South 602.20 feet to the REAL POINT OF BEGINNING.

Parcel C:

A parcel of land in the Southeast Quarter of Section 34, Township 9 North, Range 4 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

Beginning at the section corner common to Sections 34, 35, 2 and 3, Township 9 North, Range 4 East, Boise Meridian, Boise County, Idaho; thence

North 0°06'29" East 1393.12 feet along the section line common to said Section 34 and 35 to an iron pin being the REAL POINT OF BEGINNING; thence continuing

North 0°06'29" East 340.10 feet to an iron pin; thence

North 89°53'31" West 206.62 feet to an iron pin; thence

South 23°36'14" East 154.45 feet to an iron pin; thence

South 35°55'16" East 245.68 feet to the REAL POINT OF BEGINNING.

Parcel D:

A parcel of land lying in a portion of the Northeast Quarter of the Southeast Quarter, Section 34, Township 9 North, Range 4 East, Boise Meridian, Boise County, Idaho and being more particularly described as follows:

Beginning at a point marking the Southeast corner of said section 34; thence

North 0°28'57" West 1334.51 feet along the East line of Section 34 to a point marking the Southeast corner of the said Northeast Quarter of the Southeast Quarter of

Section 34, said point being the REAL POINT OF BEGINNING; thence

South 87°50'16" West 66.80 feet to a point; thence

North 25°02'48" West 125.66 feet to a point; thence

North 38°16'19" West 338.84 feet to a point; thence

North 79°37'59" West 247.30 feet to a point; thence

South 81°46'36" West 118.14 feet to a point; thence

North 42°20'00" West 315.00 feet to a point; thence

North 70°00'00" East 450.00 feet to a point; thence

North 42°09'52" East 284.03 feet to a point; thence

North 89°48'50" East 70.00 feet to a point; thence

South 0°23'15" East 602.97 feet to a point; thence

North 89°43'15" East 211.45 feet to a point on the said East line of Section 34; thence

South 0°28'57" East 399.14 feet along the East line of Section 34 to the REAL POINT OF BEGINNING.

Parcel E:

A parcel of land situated in the Southeast Quarter of Section 34, Township 9 North, Range 4 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

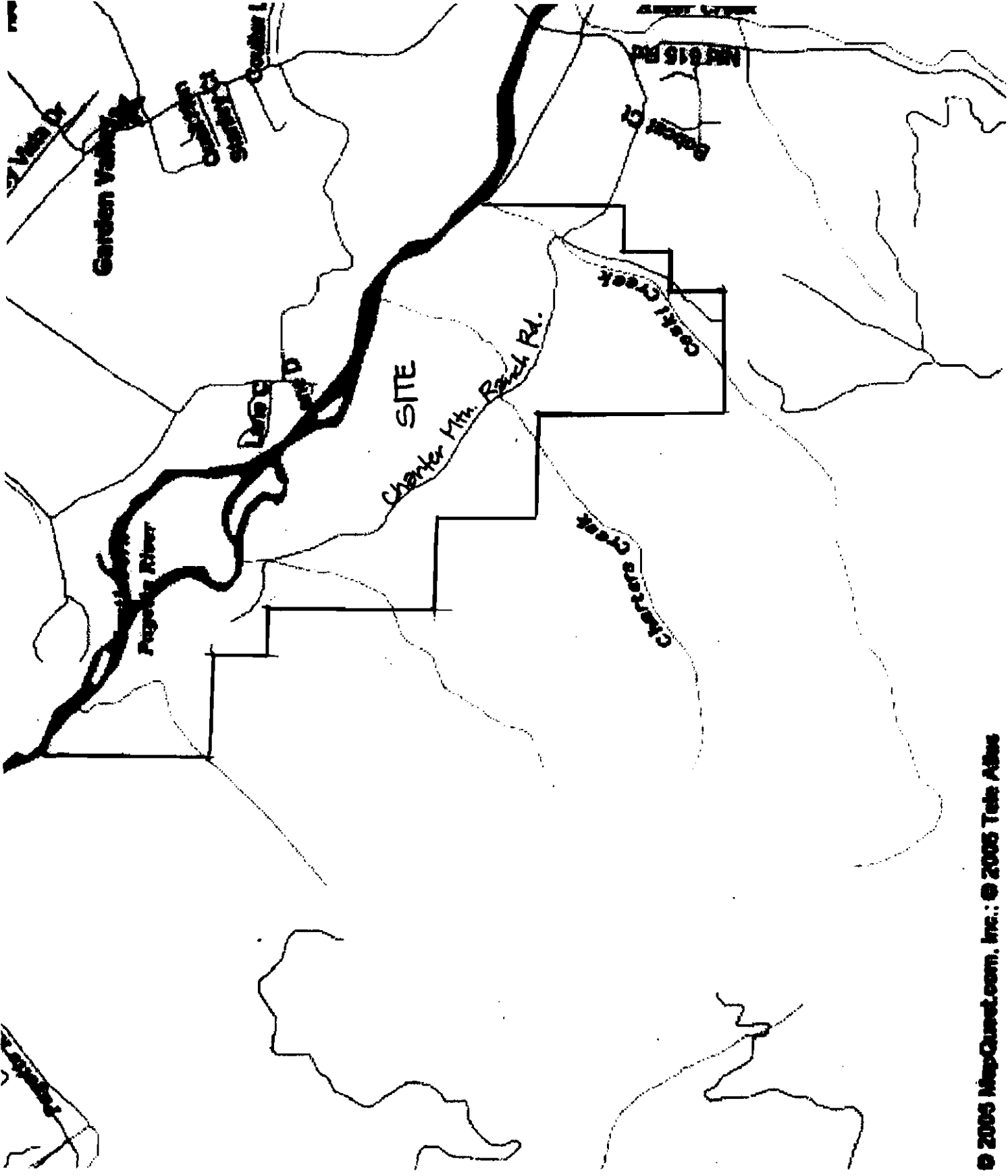
Commencing at the South Quarter corner of said Section 34, a brass cap; thence North 89°49'56" East along the South line of said Section 34 a distance of 1026.83 feet to a 5/8 inch iron pin and the REAL POINT OF BEGINNING; thence continuing North 89°49'56" East distance of 601.33 feet to a 5/8 inch iron pin; thence North 00°33'06" West a distance of 630.30 feet to a 5/8 inch iron pin; thence North 89°58'10" East a distance of 325.89 feet to a 5/8 inch iron pin; thence North 00°31'43" West a distance of 629.51 feet to a 5/8 inch iron pin; thence South 89°53'35" East a distance of 652.32 feet to a 5/8 inch iron pin, the 1/16" corner and a 5/8 inch iron pin; thence North 00°28'57" West a distance of 78.61 feet to a 5/8 inch iron pin; thence South 87°50'16" West a distance of 675.28 feet to a 5/8 inch iron pin; thence North 02°03'52" West a distance of 279.00 feet to a 5/8 inch iron pin; thence 90°00'00" West a distance of 898.97 feet to a 5/8 inch iron pin; thence South 00°36'19" East a distance of 1592.51 feet to a 5/8 inch iron pin and the REAL POINT OF BEGINNING.

Parcel F:

The East Half of the Southwest Quarter of the Southeast Quarter of the Southeast Quarter, Section 34, Township 9 North, Range 4 East, Boise Meridian, Boise County, Idaho.

Parcel G:

The plat of Charter's Mountain Ranch Condominiums and Subdivision No. 1, according to the plat thereof recorded under Instrument No. 112105.



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 65-5633

WATER RIGHT NUMBER: 65-5633

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	GUY CANADAY 1057 LILAC LN EMMETT, ID 83617 (208)365-5160
Original Owner	DORA MURRAY 1053 LILAC LN EMMETT, ID 83617 (208)365-6386
Previous Owner	CHARTER MOUNTAIN RANCH INC C/O JOHN MC CULLOM 18196 SE WILSON RD GLENNS FERRY, ID 83623-5033 (208)366-7931
Current Owner	EAGLE SPRINGS RANCH LLC PO BOX 2020 BOISE, ID 83701 (208) 429-9596

Priority Date: 04/01/1900

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
ALDER CREEK	SOUTH FORK PAYETTE RIVER
CHARTERS CREEK	SOUTH FORK PAYETTE RIVER
COSKI CREEK	SOUTH FORK PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	5.270 CFS	
	<u>Total Diversion:</u>	5.270 CFS	

Location of Point(s) of Diversion

CHARTERS CREEK BOISE County	SE1/4NW1/4	Sec. 34, Twp 09N, Rge 04E, B.M.
COSKI CREEK BOISE County	NE1/4SE1/4	Sec. 34, Twp 09N, Rge 04E, B.M.
ALDER CREEK BOISE County	SW1/4NE1/4	Sec. 2, Twp 08N, Rge 04E, B.M.

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	
09N	04E	27												17.0					17.0
														17.0					

Attachment F
(10 pgs)

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 65-5633

09N 04E 34	36.0	40.0	50.0	40.0	6.0	19.0	8.0	199.0
	L 2		L 3					

Total Acres: 216

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.

Comments:

1. SVANHOFF 1/3/2000 COPIED FROM REMARKS

Comment: THIS RIGHT WHEN COMBINED WITH RIGHT 65-12001 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE. DESCRIPTION OF DIVERTING WORKS: ALDER CREEK- DAM IN CREEK TO DITCH TO FLOOD IRRIG. CHARTERS & COSKI CREEKS- CREEKS FLOW DIRECTLY INTO DITCH DITCH COMMONLY KNOWN AS CHARTERS & WETZEL DITCH. ***** SECTION 34 GOVT. LOT 3 CONSISTS OF 43.2 ACRES. PRBA WAS FOR 50 AC CHANGE OF OWNERSHIP OWNERSHIP CHANGED 01/02/2000 SVH

Dates and Other Information:

Licensed Date:
 Decreed Date: 11/3/2000
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector:
 Water District Number: 65
 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:Water Supply Bank:F₂

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 65-5696

WATER RIGHT NUMBER: 65-5696

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	WILMA M HUTCHISON PO BOX 15 GARDEN VALLEY, ID 83622 (208)462-3853
Original Owner	ORIS J HUTCHISON PO BOX 15 GARDEN VALLEY, ID 83622 (208)462-3853
Previous Owner	CHARTER MOUNTAIN RANCH INC C/O JOHN MC CULLOM 18196 SE WILSON RD GLENNS FERRY, ID 83623-5033 (208)366-7931
Current Owner	EAGLE SPRINGS RANCH LLC PO BOX 2020 BOISE, ID 83701 (208) 429-9596

Priority Date: 04/01/1966

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
ALDER CREEK	SOUTH FORK PAYETTE RIVER
COSKI CREEK	SOUTH FORK PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

ALDER CREEK	SW1/4NE1/4	Sec. 2, Twp 08N, Rge 04E, B.M.
BOISE County		
COSKI CREEK	NE1/4SE1/4	Sec. 34, Twp 09N, Rge 04E, B.M.
BOISE 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	
09N	04E	34																	3.0

Total Acres: 3

F₃

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 65-5696

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.

Comments:

1. SVANHOFF 12/15/1999 COPIED FROM REMARKS

Comment: SOURCES FOR THIS RIGHT ARE ALDER CREEK & COSKI CREEK. OWNERSHIP CHANGED BY DB 11/29/99.

Dates and Other Information:

Licensed Date:

Decreed Date: 11/3/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number: 65

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:

Water Supply Bank:

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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 65-8850

WATER RIGHT NUMBER: 65-8850

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	ANGELA D SCHAER-KAUFMANN MOFFATT THOMAS BARRETT ROCK & FIELDS CHTD PO BOX 829 BOISE, ID 83701-0829 (208) 345-2000
Original Owner	CHARLES CHENEY , ID
Original Owner	LORI LOU BARNES GIRDNER TRUST PO BOX 2797 BOISE, ID 83701 (208)345-7515
Original Owner	CECILY BARNES TRUST PO BOX 2797 BOISE, ID 83701 (208)345-7515
Original Owner	FRANK B BARNES TRUST PO BOX 2797 BOISE, ID 83701 (208)345-7515
Original Owner	JON L BARNES TRUST PO BOX 2797 BOISE, ID 83701 (208)345-7515
Original Owner	JULIE BARNES JOHNSTON TRUST PO BOX 2797 BOISE, ID 83701 (208)345-7515
Original Owner	LARRY B BARNES PO BOX 2797 BOISE, ID 83701
Attorney	SCOTT L CAMPBELL MOFFATT THOMAS BARRETT ROCK & FIELDS CHTD PO BOX 829 BOISE, ID 83701-0829 (208) 345-2000
Previous Owner	LENORA B BARNES 5120 SORRENTO DR BOISE, ID 83704 (208)375-3740
Current Owner	BARNES VENTURES INC 5983 W STATE ST STE D BOISE, ID 83703 208-424-2022
Priority Date:	04/01/1900
Basis:	Decreed
Status:	Active
<u>Source</u>	<u>Tributary</u>
ALDER CREEK	SOUTH FORK PAYETTE RIVER

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<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.060 CFS	3.29 AF
IRRIGATION	4/01 to 11/01	2.510 CFS	
	<u>Total Diversion:</u>	2.570 CFS	3.29 AF

ALDER CREEK SW1/4NE1/4 Sec. 2, Twp 08N, Rge 04E, B.M.
BOISE County

IRRIGATION

Twp	Rge	Sec	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
09N	04E	35									27.0	51.0	10.0	8.0			7.0		103.0
											L6	L5					L7		

STOCKWATER same as IRRIGATION

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. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 65-05696 & 65-05633.
STOCKWATER, 150 RANGE CATTLE.
3. THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-11324 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE AT THE FIELD HEADGATE.
4. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
5. USE OF THIS RIGHT WITH RIGHT NO. 65-11324 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 110 ACRES IN A SINGLE IRRIGATION SEASON.

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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 65-8850

Comments:

1. MSCHULTE 12/8/1999 DELIVERY LOSS

Comment: THE DIVERSION OF WATER IN EXCESS OF 1"/PER ACRE IS FOR DELIVERY LOSS. COPIED FROM REMARKS JON L. BARNES HAS REQUESTED AMENDMENT OF PRIORITY DATE TO APRIL 1, 1900 AND WILL BE SUBMITTING SUPPORTING EVIDENCE.-L.W. 5/2/89 __ADDITIONAL RECEIPT NUMBER W2625. 2/14/90-SEE ATTACHED DOCUMENTS SUPPORTING 4/1/1900 PRIORITY DATE. THIS CLAIM HAS BEEN CHECKED FOR A FIELD EXAM TO ENSURE THAT ALL DOCUMENTS, INCLUDING THOSE SUBMITTED IN THE PAYETTE RIVER ADJUDICATION, BE TAKEN INTO CONSIDERATION. L.R.W.

2. AJU10-JS 1/31/2000 AJU10 CONDITION UPDATE

Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

3. DBUFFING 3/23/2000 NAME CHANGE - OWNERSHIP CHANGE

Comment: THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN OWNERSHIP CHANGE. NOTICE OF APPEARANCE THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THE ATTORNEY NAMES, PER NOTICE OF APPEARANCE.

Dates and Other Information:

Licensed Date:

Decreed Date: 4/11/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number: 65

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:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		110

Combined Water Rights: 65-11324 , 65-8850

SubCase:

SubCase Number: 65-8850

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date: 2/28/2002

Attorney Assigned:

Adjudication Agent:

Basis of Claim: Decreed

Date Filed: 9/8/2000 Objection Status: Withdrawn or Dismissed

Water Supply Bank:

F7

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 65-11324

WATER RIGHT NUMBER: 65-11324

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	FRANK B BARNES TRUST PO BOX 2797 BOISE, ID 83701 (208)345-7515
Original Owner	JULIE BARNES JOHNSTON TRUST PO BOX 2797 BOISE, ID 83701 (208)345-7515
Original Owner	LARRY B BARNES PO BOX 2797 BOISE, ID 83701
Original Owner	JON L BARNES TRUST PO BOX 2797 BOISE, ID 83701 (208)345-7515
Original Owner	LORI LOU BARNES GIRDNER TRUST PO BOX 2797 BOISE, ID 83701 (208)345-7515
Attorney	ANGELA D SCHAEER-KAUFMANN MOFFATT THOMAS BARRETT ROCK & FIELDS CHTD PO BOX 829 BOISE, ID 83701-0829 (208) 345-2000
Attorney	SCOTT L CAMPBELL MOFFATT THOMAS BARRETT ROCK & FIELDS CHTD PO BOX 829 BOISE, ID 83701-0829 (208) 345-2000
Original Owner	CHARLES CHENEY PO BOX 2797 BOISE, ID 83701
Original Owner	CECILY BARNES TRUST PO BOX 2797 BOISE, ID 83701 (208)345-7515
Current Owner	BARNES VENTURES INC 5983 W STATE ST STE D BOISE, ID 83703 208-424-2022
Previous Owner	LENORA B BARNES 5120 SORRENTO DR BOISE, ID 83704 (208)375-3740

Priority Date: 09/03/1966

Basis: Decreed

Status: Active

Source

SOUTH FORK PAYETTE RIVER

Tributary

PAYETTE RIVER

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 65-11324

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.050 CFS	2.70 AF
IRRIGATION	4/01 to 11/01	2.200 CFS	
<u>Total Diversion:</u>		2.200 CFS	2.70 AF

Location of Point(s) of Diversion

SOUTH FORK PAYETTE RIVER BOISE County	L5 (SW1/4NW1/4)	Sec. 35, Twp 09N, Rge 04E, B.M.
SOUTH FORK PAYETTE RIVER BOISE County	L7 (NW1/4SE1/4)	Sec. 35, Twp 09N, Rge 04E, B.M.
SOUTH FORK PAYETTE RIVER BOISE County	L6 (NE1/4SW1/4)	Sec. 35, Twp 09N, Rge 04E, B.M.

Place of Use

STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
09N 04E 35	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
							X		X	X	X	X		X			
							L 5		L 6	L 5				L 7			

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
09N 04E 35	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
							12.0		35.0	36.0	10.0	10.0		7.0			110.0
							L 5		L 6	L 5				L 7			

Total Acres: 110

Conditions of Approval:

1. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. THIS RIGHT WHEN COMBINED WITH RIGHT 65-08850 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE AT THE FIELD HEADGATE.
3. 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.
4. USE OF THIS RIGHT WITH RIGHT NO. 65-08850 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 110 ACRES IN A SINGLE IRRIGATION SEASON.
5. STOCKWATER, 150 RANGE CATTLE.

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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 65-11324

Comments:

1. AJU10-JS 1/31/2000 AJU10 CONDITION UPDATE

Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

2. DBUFFING 3/23/2000 NAME CHANGE - OWNERSHIP CHANGE

Comment: THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN OWNERSHIP CHANGE. NOTICE OF APPEARANCE THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THE ATTORNEY NAMES, PER NOTICE OF APPEARANCE.

Dates and Other Information:

Licensed Date:

Decreed Date: 11/3/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number: 65

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:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
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110

Combined Water Rights: 65-11324 , 65-8850

Water Supply Bank:F₁₀