

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 63-3483A
Date Received: 4/11/1989
Receipt No: C006269
Received By:

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

1. Name of Claimant(s): DAVID HEAD Phone: (208) 938-8508
855 W STILLWELL
EAGLE ID USA 83616
- GINGER HEAD Phone: (208) 938-8508
855 W STILLWELL
EAGLE ID USA 83616

2. Date of Priority: 01/07/1966

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	01E	29	SE SE SW	ADA	

5. Description of diverting works:

WELL - 225' DEEP, 6", 3 HP PUMP, TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.095	
DOMESTIC	1/01	12/31	0.04	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	01E	29	SE SW SE SW		DOMESTIC IRRIGATION	4
Section Acres						4
Total Acres						4

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

AMOUNT OF WATER CLAIMED IS BASED ON LOT SIZE OF 5 ACRES, ORIGINAL RIGHT WAS FOR IRRIGATION, CLAIM IS FOR IRRIGATION OF 4 ACRES AND DOMESTIC FOR ONE HOUSEHOLD STILLWELL ESTATES NO. 4, BLOCK 2, LOT 4 OWNERSHIP CHANGE BY DB 1/6/98
Ownership change by DB 5/15/2001

Ownership changed by DB 9/24/2001

15. Basis of Claim: License

RECEIVED

JUL 11 2001

WATER RESOURCES
WESTERN REGION

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

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-03483A					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. **N/A**
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

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

3. Name and Address of Former Owner/Claimant(s) Melissa Grether / Anne Morgan
855 W. Stillwell, Eagle, IDAHO 83616
4. New Owner/Claimant(s) David and Ginger Head
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 855 W. Stillwell, Eagle, IDAHO 83616
- City, State and ZIP Code _____
- New Telephone Number (208) 938-8508
5. Date you acquired the property 6-13-01

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

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

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

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)


Daniel Head

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

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-03483A
Date Received: 4/11/1989
Receipt No: C006269
Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BRUCE B. PERKINS 208-939-8809
Address: 855 STILLWELL DR.
EAGLE, ID 83616

OR

Name: LINDA S. PERKINS 208-939-8809
Address: 855 STILLWELL DR.
EAGLE, ID 83616

2. Date of Priority: JAN 07, 1966

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	01E	29	SE	SE	SW		ADA

5. Description of diverting works:
WELL - 225' DEEP, 6", 3 HP PUMP, TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.095		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 14.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC FOR ONE HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	01E	29	SE SE	SW SW	IRR DOMEST	4.0
Section Acres						4.0
Total Acres						4.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE

14. Remarks:

AMOUNT OF WATER CLAIMED IS BASED ON LOT SIZE OF 5 ACRES, ORIGINAL
RIGHT WAS FOR IRRIGATION, CLAIM IS FOR IRRIGATION OF 4 ACRES AND
DOMESTIC FOR ONE HOUSEHOLD.

STILLWELL ESTATES NO. 4, BLOCK 2, LOT 4

15. Basis of Claim: LICENSE
Water Right Number: 32674

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not / wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Ben B. Perkins Date: 4/11/89
Kendra S. Perkins Date: 4/11/89

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 11TH day
of APRIL 19 89

Jeff Peppersack
Notary Public

Seal

Residing at _____
My Commission Expires _____

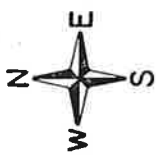
Jeff Peppersack, Notary Public
Residing at Boise, Idaho
My Commission Expires Nov. 8, 1994

MR-3

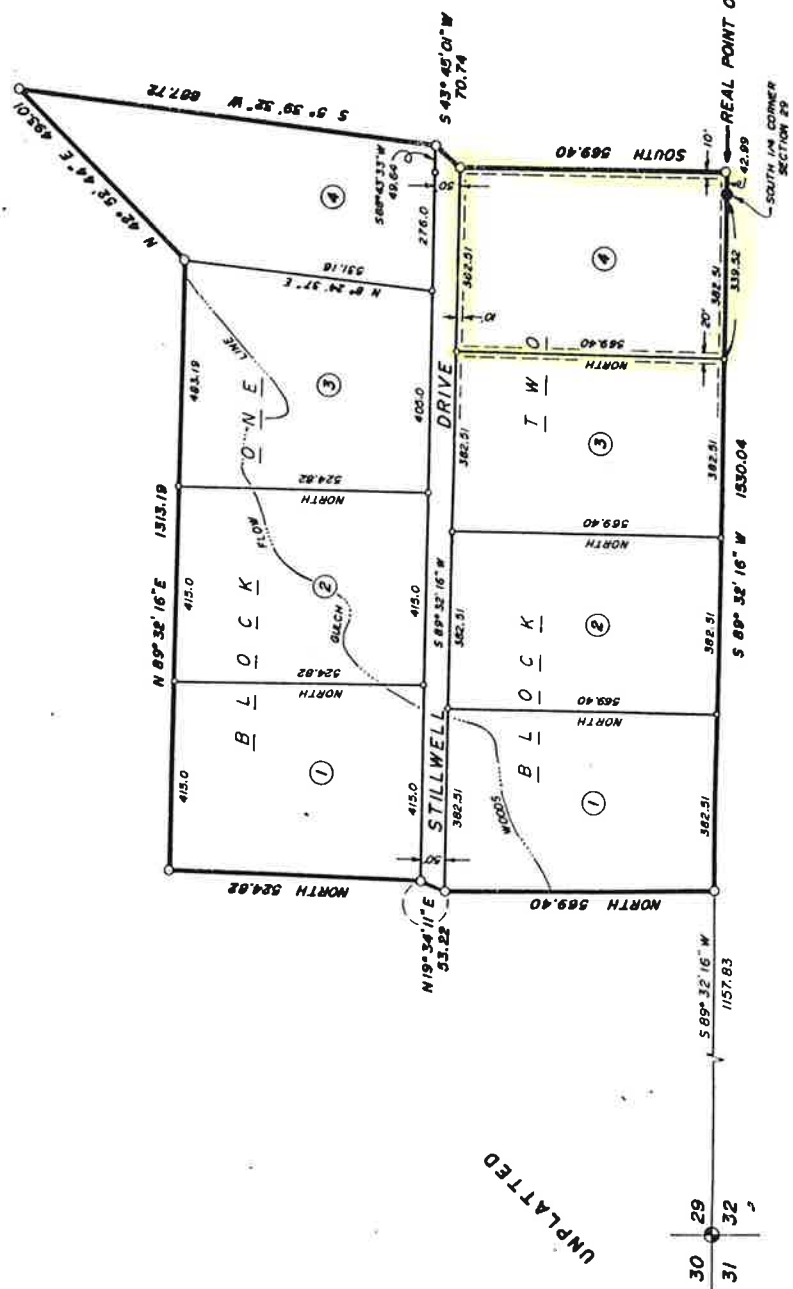
1977

STILLWELL ESTATES no. 4

A PART OF THE SW 1/4, SEC. 29, T5N, R1E, BM,
ADA COUNTY, IDA.



SCALE 1"=200'



ALL STRUCTURES LOCATED WITHIN 200 FEET OF
THE EXISTING WOODS GULCH FLOW LINE SHALL BE
ELEVATED 3 FEET ABOVE THE EXISTING GROUND
LINE.

LEGEND
○ 1/2" REBAR
○ 3/8" REBAR

STILLWELL ESTATES
no. 3

10' UTILITY EASEMENT ON ALL EXTERIOR LOT LINES
20' UTILITY EASEMENT CENTERED ON ALL INTERIOR LOT LINES
BUILDING SETBACKS
FRONT YARD 30'
REAR YARD 20'
SIDE YARD 10'

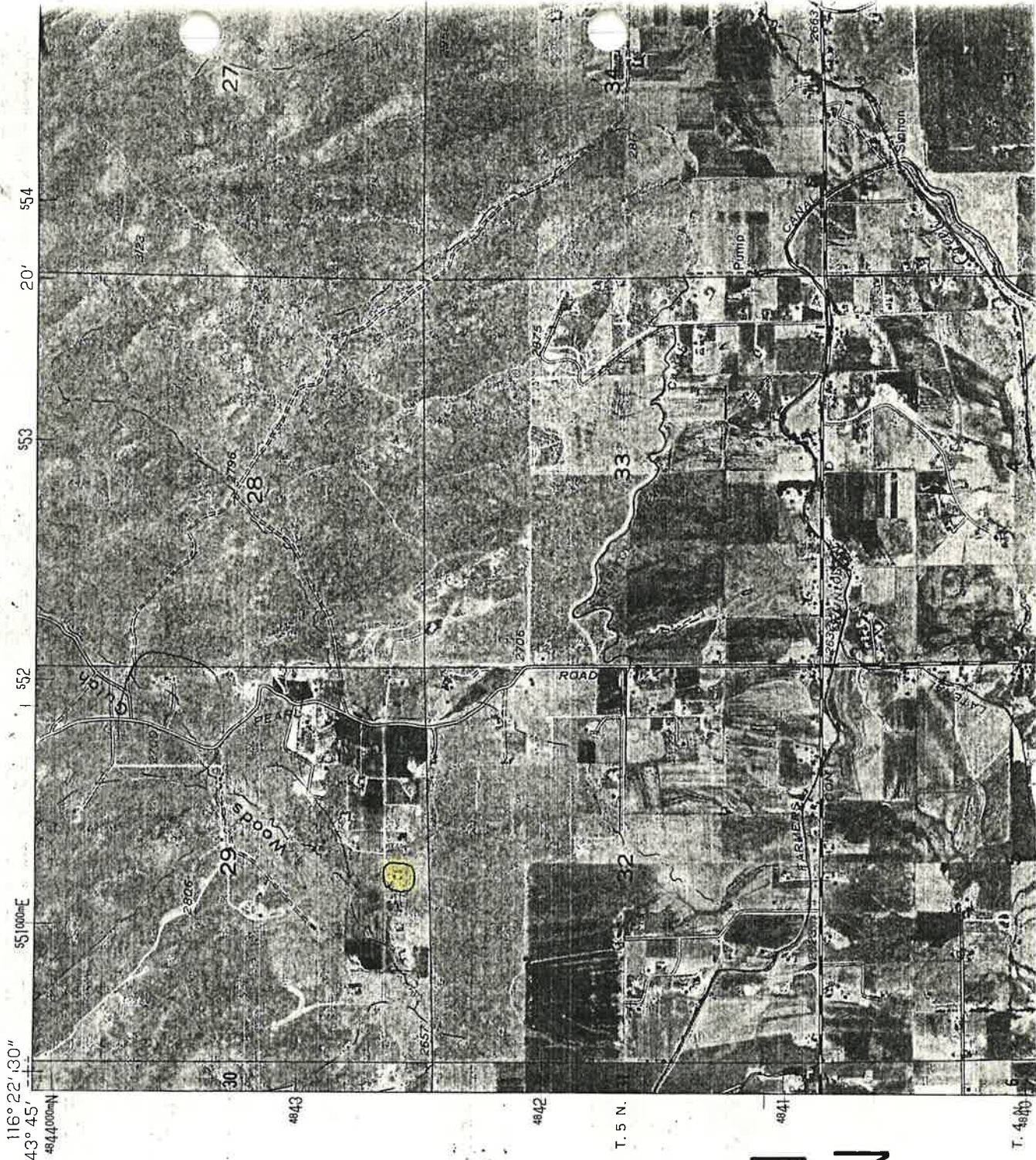
MICROFILMED
AUG 19 1992

78-544
FRIEND & REYNOLDS



State of Idaho
DEPARTMENT OF WATER RESOURCES

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



T 5 N
T 4 N

MICROFILMED
AUG 19 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

May 15, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

MELISSA A GREETHER
ANNE MARIE MORGAN
855 W STILLWELL
EAGLE ID 83616

Re: Notice of Claim to a Water Right No. 63-03483A

Dear Claimants:

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

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

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

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist I
Adjudication Section
Western Region Office

DB:db

Enclosure

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A63-03483A**
Date Received: 4/11/1989
Receipt No: C006269
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: WAYNE PETERSON 208-939-8045
Address: 855 STILLWELL DR
EAGLE ID 83616
OR
Name: ANNA PETERSON 208-939-8045
Address: 855 STILLWELL DR
EAGLE ID 83616

2. Date of Priority: JAN 7, 1966

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	01E	29	SE	SE	SW		ADA

5. Description of diverting works:
WELL - 225' DEEP, 6", 3 HP PUMP, TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.095		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 14.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC FOR ONE HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	01E	29	SE SE	SW SW	IRR DOMEST	4.0
Section Acres						4.0
Total Acres						4.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE

14. Remarks:

AMOUNT OF WATER CLAIMED IS BASED ON LOT SIZE OF 5 ACRES, ORIGINAL RIGHT WAS FOR IRRIGATION, CLAIM IS FOR IRRIGATION OF 4 ACRES AND DOMESTIC FOR ONE HOUSEHOLD.
STILLWELL ESTATES NO. 4, BLOCK 2, LOT 4
OWNERSHIP CHANGE BY DB 1/6/98.

15. Basis of Claim: LICENSE

Water Right Number: 32674

RECEIVED

DEC 31 1997

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

1. Water Right No(s).: A63-03483A
Adjudication Claim No(s).: _____
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Bruce & Linda Perkins
855 Stillwell Dr Eagle, ID 83616
4. New Owner/Claimant(s) Wayne or Anna Peterson
Name Connector (Check one): ☐ and, ☒ or, ☐ and/or
New Mailing Address 855 Stillwell Dr.
City, State and ZIP Code Eagle, ID 83616
New Telephone Number (208) 939-8045
5. Date you acquired the property 11-24-97
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) Wayne Peterson
Anna Peterson
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

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

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1**. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.

2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.

3. Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3**.

4. The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.

5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.

6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6**.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.

8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190
 IDWR Southern Region, 1341 Fillmore St. N., Twin Falls, ID 83301-3380 (208) 736-3033
 IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450
 IDWR Eastern Region, 900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

RECEIVED

DEC 3 1 1997

COMMITMENT FOR TITLE INSURANCE

Commitment Number: T97-41678

File Number: T97-41678

SCHEDULE A

1. Effective Date: September 3, 1997 at 7:30 A.M.

2. Policy or Policies to be issued:

A. ☒ ALTA Owner's Policy, (10-17-92)

☒ Standard Coverage ☐ Extended Coverage

Amount \$

Premium \$

\$

☐ Homeowner's Expanded Coverage Endorsement

Credit \$

()

Proposed Insured: WAYNE D. PETERSON AND ANNA L. PETERSON, husband and wife

B. ☒ ALTA Loan Policy, (10-17-92)

☐ Standard Coverage ☒ Extended Coverage

Amount \$

Premium \$

\$

Endorsements: 100,116,8.1

Simultaneous Issue Fee

\$

Credit \$

()

Proposed Insured: WALLICK AND VOLK

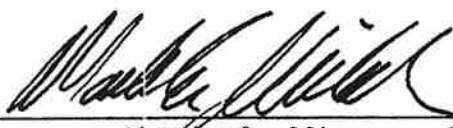
3. The estate or interest in the land described or referred to in this Commitment and covered herein is fee simple and is at the effective date hereof vested in

BRUCE BENSON PERKINS AND LINDA SHARON PERKINS, husband and wife

4. The land referred to in this commitment is situated in the County of Ada, State of Idaho, and described as follows:

Lot 4 in Block 2 of STILLWELL ESTATES NO. 4, according to the official plat thereof, filed in Book 41 of Plats at Pages 3398 and 3399, records of Ada County, Idaho.

COUNTERSIGNED:



Authorized Officer or Agent

Mark E. Wilder

American Land Title Association Commitment
Schedule A

Issued By
TRANSACTION TITLE & ESCROW, INC.,
8665 W. Emerald, Suite 200
Boise, Idaho 83704
(208) 377-3190

MASTER

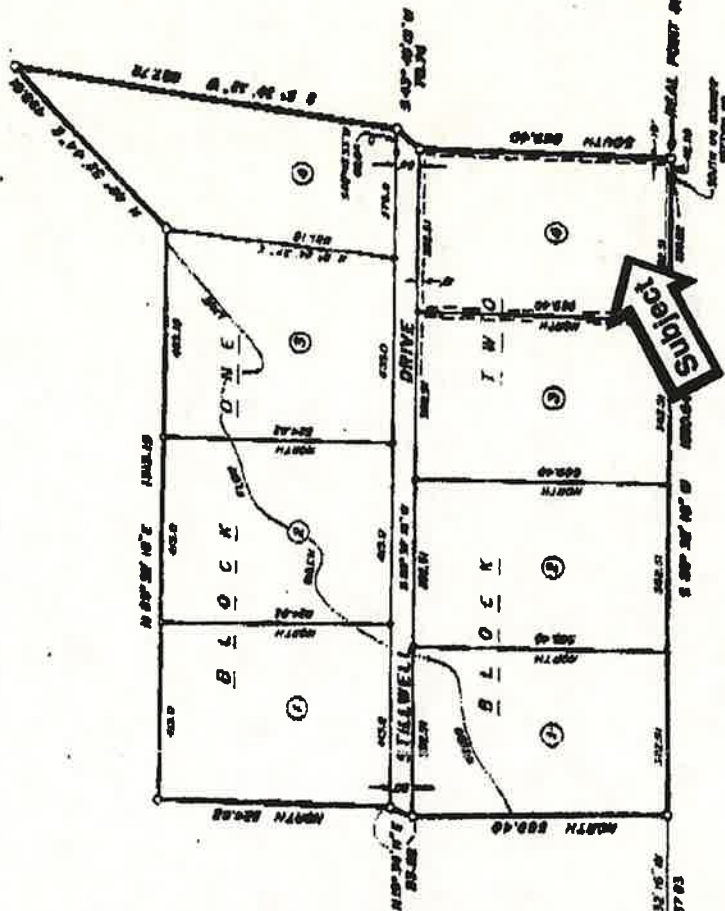
STILLWELL ESTATES no. 4

A PART OF THE SW 1/4, SEC. 28, T5N, R1E, RM. ADAS COUNTY, WA.

SN 1E S-29
SW⁴



SCALE 1"=200'



ALL STRUCTURES LOCATED WITHIN THE
THE EXISTING ROAD'S RIGHT-OF-WAY LINE
ELIMINATED SPLIT ABOVE THE EXISTING
LINE.

LEGEND
0 11' 8\"/>

STILLWELL ESTATES
No. 3

AT POINTS ALIGNED ON ALL EXTENDED LOT LINES
BY MEANS OF THE CENTER OF ALL INTERSECTING
LINES SETBACKS
FRONT 14.00 FT
SIDE 14.00 FT
REAR 14.00 FT

Subject

UNPLATTED

UNPLATTED

[Space Above This Line For Recording Data]

DEED OF TRUST

THIS DEED OF TRUST ("Security Instrument") is made on November 20
1997. The grantor is WAYNE D. PETERSON and ANNA L. PETERSON
 ("Borrower"). The trustee is TRANSMATION TITLE & ESCROW, INC
WALLICK AND VOLK, INC. ("Trustee"). The beneficiary is
under the laws of Wyoming, which is organized and existing
CHEYENNE, WY 82001, and whose address is 222 E. 18TH STREET
 ("Lender").
 Borrower owes Lender the principal sum of One Hundred Ninety Six Thousand Four Hundred
Dollars and no/100 Dollars (U.S. \$ 196,400.00). This debt is evidenced by
 Borrower's note dated the same date as this Security Instrument ("Note"), which provides for monthly payments, with the full
 debt, if not paid earlier, due and payable on December 1, 2026.
 This Security Instrument secures to Lender: (a) the repayment of the debt evidenced by the Note, with interest, and all
 renewals, extensions and modifications of the Note; (b) the payment of all other sums, with interest, advanced under
 paragraph 7 to protect the security of this Security Instrument; and (c) the performance of Borrower's covenants and
 agreements under this Security Instrument and the Note. For this purpose, Borrower irrevocably grants and conveys to
 Trustee, in trust, with power of sale, the following described property located in ADA
County, Idaho:

LOT 4 IN BLOCK 2 OF STILLWELL ESTATES NO. 4, ACCORDING
TO THE OFFICIAL PLAT THEREOF, FILED IN BOOK 41 OF
PLATS AT PAGES 3398 AND 3399, RECORDS OF ADA COUNTY,
IDAHO.

which has the address of 855 W. STILLWELL DRIVE, EAGLE,
 [Street] [City]
 Idaho 83616 ("Property Address");
 [Zip Code]

TOGETHER WITH all the improvements now or hereafter erected on the property, and all easements, appurtenances,
 and fixtures now or hereafter a part of the property. All replacements and additions shall also be covered by this Security
 Instrument. All of the foregoing is referred to in this Security Instrument as the "Property."
 BORROWER COVENANTS that Borrower is lawfully seised of the estate hereby conveyed and has the right to grant and
 convey the Property and that the Property is unencumbered, except for encumbrances of record. Borrower warrants and will
 defend generally the title to the Property against all claims and demands, subject to any encumbrances of record.

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 63-3483A
Date Received: 4/11/89
Receipt No: C006269
Received By:

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

1. Name of Claimant(s): MELISSA A GREThER
855 W STILLWELL
EAGLE ID USA 83616

Phone: (208) 938-4988

ANNE MARIE MORGAN
855 W STILLWELL
EAGLE ID USA 83616

Phone: (208) 938-4988

2. Date of Priority: 01/07/1966

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
05N	01E	29	SE	SE	SW	ADA	

5. Description of diverting works:

WELL - 225' DEEP, 6", 3 HP PUMP, TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.095	
DOMESTIC	1/01	12/31	0.04	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	01E	29	SE SW SE SW		DOMESTIC IRRIGATION	4
					Section Acres	4
					Total Acres	4

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

AMOUNT OF WATER CLAIMED IS BASED ON LOT SIZE OF 5 ACRES, ORIGINAL RIGHT WAS FOR IRRIGATION, CLAIM IS FOR IRRIGATION OF 4 ACRES AND DOMESTIC FOR ONE HOUSEHOLD STILLWELL ESTATES NO. 4, BLOCK 2, LOT 4 OWNERSHIP CHANGE BY DB 1/6/98
Ownership change by DB 5/15/2001

15. Basis of Claim: License

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

RECEIVED

MAR 21 2001

WATER RESOURCES
WESTERN REGION

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
A63-03483A			32674		

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
 PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

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

3. Name and Address of Former Owner/Claimant(s) Wayne Peterson
4. New Owner/Claimant(s) Melissa A. Granger / Anne Marie Morgan
 Name Connector (Check one): [] and, [] or, ☒ and/or
- New Mailing Address 855 W Stillwell
- City, State and ZIP Code Flagg Id 83616
- New Telephone Number (208) 938-4988
5. Date you acquired the property 8/16/00

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

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

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

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

Melissa A. Greather

Anne Marie Morgan

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

For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

Title File No.: T00-70814

WARRANTY DEED

FOR VALUE RECEIVED

WAYNE D. PETERSON AND ANNA L. PETERSON, husband and wife

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto: MELISSA A. GREYHER, an unmarried person AND ANNE MARIE MORGAN, an unmarried person joint tenants with right of survivorship

GRANTEES(s), whose current address is: 855 W. Stillwell Drive, Eagle, ID 83616 the following described real property in Ada County, State of Idaho, more particularly described as follows, to wit:

Lot 4 in Block 2 of STILLWELL ESTATES NO. 4, according to the official plat thereof, filed in Book 41 of Plats at Pages 3398 and 3399, records of Ada County, Idaho.

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

2000 AU 16 PM 4:34

RECORDED - REQUEST OF

FEE 3.00 DEPUTY *Mardon*

100064924

TRANSACTION TITLE & ESCROW

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

Dated: August 15, 2000

Wayne D. Peterson
Wayne D. Peterson

Anna L. Peterson
Anna L. Peterson

STATE OF Idaho, County of Ada, ss.

On this 15th day of August in the year of 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared Wayne D. Peterson and Anna L. Peterson

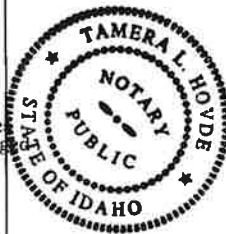
known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same

Signature: *Tamera L. Hovde*

Name: Tamera L. Hovde

Residing at: Eagle, ID

My commission expires: 11/29/03



Transnation Title & Escrow, Inc.

STATE OF IDAHO, COUNTY OF ADA, ss.
I, J. David Navarro, Recorder for Ada County, do hereby certify that the Annexed is a full, true and correct copy of Inst. No. 100064924 of Records of Ada County, State of Idaho.
as it appears on record in Book 41 at Page 3398 and 3399.
IN WITNESS WHEREOF, I have set my hand and affixed my official seal this 12th day of March 2001
J. DAVID NAVARRO, Recorder
By: *M. Olson* Deputy

BUYER(S) FINAL CLOSING STATEMENT

Prepared by
Stewart Title of Boise, Inc.
913 W. River Street, Ste 100
Boise, Idaho 83702
Phone: (208) 387-0355
Fax: (208) 387-0394

Buyer(s): DAVID J. HEAD, GINGER HEAD
Seller(s): MELISSA A. GREETHER, ANNE MARIE MORGAN
Lender:
Property: Lot 4 Block 2 STILLWELL ESTATES #4
855 WEST STILLWELL DRIVE EAGLE ID 83616
Closing Date: 06/13/2001 Proration Date: 06/13/2001
Escrow Officer: Pam Draper
File Number: 01011185

	DEBIT	CREDIT
SALES PRICE	395,000.00	
DEPOSITS:		
Deposit or earnest money		4,000.00
REMITTER: DAVID J. HEAD		
PRORATIONS:		
County Taxes		1,440.21
from 01/01/01 to 06/13/01 @ \$ 8.83562 per day		
ESCROW CHARGES:		
Real Estate Closing Fee	200.00	
PAYEE: STEWART TITLE OF IDAHO		
RECORDING FEES/TRANSFER CHARGES:		
Recording Fees Deed amount \$6.00	6.00	
PAYEE: STEWART TITLE OF IDAHO		
SUBTOTALS:	395,206.00	5,440.21
BALANCE DUE FROM BUYER:		389,765.79
TOTALS:	395,206.00	395,206.00

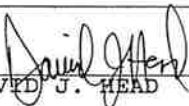
APPROVED AND ACCEPTED

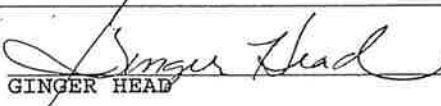
The above statement is approved on the settlement date above shown and Stewart Title is hereby authorized to disburse the funds as indicated above. Personal Property Taxes are not a part of this settlement unless set out herein. Seller acknowledges receipt of the amount set out above.

Stewart Title assumes no responsibility for the adjustment of Special Taxes or Assessments or for the exception of these items in the conveyance unless they are shown on the Treasurer's Certificate of Taxes Due.

Interest on existing liens is figured to the date indicated. If not paid by then, additional interest will have to be collected and your statement will be adjusted to have sufficient funds to secure release from the lienholder.

It is understood by the undersigned that Stewart Title assumes no responsibility as to the condition of title unless Title Insurance being issued by said Title Company simultaneously herewith.


DAVID J. HEAD


GINGER HEAD

STEWART TITLE

BY: 

(Continued on next page)

PRORATION INDEMNITY AGREEMENT

It is hereby understood and agreed between the Buyer(s) and Seller(s) of property known as:

L4/BLK2/STILLWELL ESTATES NO. 4

that the taxes for the current year have been adjusted as of this date on the basis of the following:

ESTIMATED 2001 TAXES OF \$3,225.00

HOMEOWNERS ASSOCIATION DUES

N/A

SPECIAL ASSESSMENTS

N/A

Actual taxes may change by reason of reassessment by the County Assessor.

BY EXECUTION OF THIS AGREEMENT, THE UNDERSIGNED INDEMNIFY AND HOLD HARMLESS STEWART TITLE AND STEWART TITLE GUARANTY COMPANY FROM ANY LIABILITY FOR ANY REPORTING ERRORS BY LOCAL, COUNTY OR STATE AGENCY ABOUT SPECIAL ASSESSMENTS AND FOR PRORATING OR PAYING OFF ALL SPECIAL ASSESSMENTS THAT ARE NOT OF RECORD WITH THE COUNTY TREASURER'S OFFICE. NEITHER STEWART TITLE NOR STEWART TITLE GUARANTY COMPANY SHALL HAVE ANY RESPONSIBILITY FOR FUTURE ADJUSTMENTS OF SPECIAL ASSESSMENTS. RATHER, THE UNDERSIGNED SHALL ASSUME RESPONSIBILITY FOR THE PURSUING AND EFFECTUATING OF THE ADJUSTMENTS.

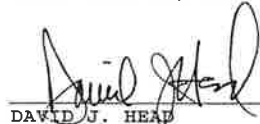
UTILITY AGREEMENT

The water and/or sewer and/or electric for the above address were settled in the following manner:

N/A

PURCHASER AND SELLER AGREE TO CONTACT ALL UTILITY DEPARTMENTS WITHIN 24 BUSINESS HOURS FROM DATE OF CLOSING REGARDLESS OF OPTIONS SELECTED ABOVE.

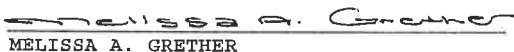
Dated: June 13, 2001



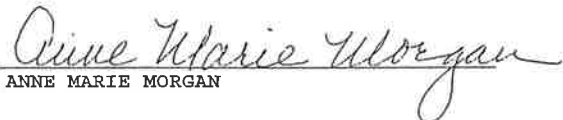
DAVID J. HEAD



GINGER HEAD



MELISSA A. GREETHER



ANNE MARIE MORGAN



STEWART TITLE
500 W. River St., Suite 100
Boise, ID 83702
Phone (208) 387-0355
Fax (208) 387-0394

CLOSING ESCROW INSTRUCTIONS

ESCROW NO: 01011185

Date: June 13, 2001

BUYER: DAVID J. HEAD AND GINGER HEAD, HUSBAND AND WIFE

SELLER: MELISSA A. GREYER, AN UNMARRIED PERSON AND ANNE MARIE MORGAN, AN
UNMARRIED PERSON

TO: STEWART TITLE

I have agreed to purchase the hereinafter described property located at 855 WEST STILLWELL DRIVE
EAGLE, ID 83616

for a total consideration of \$ 395,000.00 . And will on or before June 13, 2001
hand you said consideration, which is payable as follows:

CASH SALE

Balance in cash at closing (closing costs are additional)

I will deliver to you any additional funds and execute any instruments which are necessary to comply with the terms hereof, all of
which you may use when you hold for me:

WARRANTY DEED

and when you can issue your standard coverage form policy of title insurance with liability of \$ 395,000.00
on the property described on attached Order No. 01011185

SHOWING TITLE VESTED IN

DAVID J. HEAD AND GINGER HEAD, HUSBAND AND WIFE

FREE OF ENCUMBRANCES EXCEPT

1. Paragraphs 1-9, 11-22
of Commitment for Title Insurance, Order No. 01011185
A copy of which has been reviewed and approved, including plat maps and covenants, conditions, and restrictions.
2. Deed of Trust to be recorded securing a note with an unpaid balance of \$
in favor of N/A
3. Other:

OTHER INSTRUCTIONS:

PRORATE AND/OR ADJUST THE FOLLOWING AS OF June 13, 2001

1. Taxes based on the amount of the last tax statement of the Tax Collector issued prior to close of escrow. (If the amount of the
new tax bill issued by the Tax Collector after close of escrow is more or less than the amount used for proration purposes, the
difference, if any, will be adjusted by the parties herein outside of escrow). Sellers are to forward to buyers any present or
future tax bills on property herein.
2. Any principal or interest on new and/or existing trust deeds, improvements, assessments and/or bonds taken over by buyers.
3. Rental or Lease, per rent or lease statement handed you.

I hereby agree to pay any charges and any advance and expenses that are properly chargeable to me regardless of the consummation of this escrow. At the close of escrow, you are to deliver all documents etc., to the persons entitled thereof. I also acknowledge that it is my responsibility to file for a homeowner's exemption, to notify utility companies and associations of changed ownership and to contact the assessor's/treasurer's office(s) in the event I do not receive tax notices.

Then you are instructed to disburse deposited funds pursuant to the Escrow Closing Statement examined and approved by the parties hereto and by this reference made a part hereof. Proceeds of this escrow may be disbursed by your check made payable to the respective parties, and your checks and documents may be mailed to the addresses set forth in these instructions.

When all documents have been signed and you have received all necessary funds, you are authorized to record the necessary documents, disburse funds collected in accordance with these instructions and have title insurance policy issued. Adjustments may be made on interest, unusual recording fees, and approved payments of bills and rents received after the signing of these instructions. You are authorized to pay any additional due on loan payoffs to lender after closing.

GENERAL PROVISIONS

All disbursements shall be made by your check. All funds received in this escrow shall be deposited in one or more of your general escrow accounts with any bank doing business in the State of Idaho and may be transferred to any other general escrow account or accounts. Upon specific instructions from all parties to this escrow, you may hold funds as otherwise instructed herein.

The expression "close of escrow" means that date on which instruments referred to herein are signed and notarized unless otherwise indicated herein.

You are to furnish a copy of these instructions, amendments thereto, closing statements and/or any other documents deposited in this escrow, to the lender or lenders, the real estate broker or brokers and/or the attorney or attorneys involved in this transaction upon request of such lenders, brokers or attorneys.

No notice, demand or change of instructions shall be of any effect in this escrow unless given in writing by all parties affected thereby. If conflicting demands are made in connection with this escrow, Escrow Holder shall have the absolute right to either withhold and stop all proceedings, or file suit in the interpleader and obtain an order from the court requiring the parties to interplead their several claims and rights amongst themselves.

The principals hereto expressly agree that Escrow Holder has the absolute right, at its election, to file an action in interpleader requiring the principals to answer and litigate their several claims and rights among themselves and Escrow Holder is authorized to deposit with the clerk of the court, all documents, instruments and funds held in escrow. In the event such action is filed, the principals jointly and severally agree to pay Escrow Holder's cancellation charges and costs, expenses and reasonable attorney's fees it is required to expend or incur in such interpleader action, the amount thereof to be fixed and judgement therefore to be rendered by the court. Upon filing of such action, Escrow Holder is thereupon fully released and discharged from all obligations to further perform any duties or obligations otherwise imposed by the terms of this escrow.

If any party to this escrow elects to cancel these instructions because of the failure of any party to comply with any of the terms hereof within the time limits provided herein, said party so electing to cancel shall deliver to escrow agent a written notice to the other party and escrow agent shall hereupon become cancelled. When the written notice is delivered to escrow agent by the party so electing to cancel, escrow agent shall within five days thereafter send a copy of said notice to the other party by first class mail to the address shown below.

In the event said other party shall fail within said ten day period to comply with all of the terms hereof, these instructions shall become cancelled and escrow agent is thereupon authorized: (a) first, to pay to the party electing to cancel any money deposited hereunder by said other party, after deducting any charges; (b) second, to pay to the party electing to cancel, any money deposited by said party, after deducting any charges remaining unpaid; and (c) third, to return all documents deposited hereunder to the party who delivered the same except documents executed by more than one party, which shall be marked "cancelled" and retained in the files of escrow agent.

Both Seller and Buyer acknowledge by their signatures hereon the following: We/I have been specifically informed that Stewart Title (hereinafter designated as "Stewart Title") is not licensed to practice law and no legal advice has been offered by Stewart Title or any of its employees. We/I have been further informed that Stewart Title is acting only as escrow holder and that it is forbidden by law from offering any advice to any party respecting the merits of this escrow transaction or the nature of the instruments utilized and that it has not done so. We/I have not been referred by Stewart Title to any named attorney or attorneys or discouraged from seeking advice of any attorney, but have been requested to seek legal counsel of our/my own choosing at my own expense, if We/I have doubt concerning any aspect of this transaction.

I further declare all instruments to which I am a part, if prepared by Stewart Title, have been prepared under the direction of my attorney or myself and particularly declare that copying legal description from title reports onto forms of deeds, etc., or reforming of legal descriptions or agreements is, or will be solely at my direction or request.

I have been afforded adequate time and opportunity to read and understand these escrow instructions and all other documents referred to herein.

DISCLOSURE OF TAXPAYER IDENTIFICATION NUMBERS

Internal Revenue Code Section 6109(h) imposes requirements for furnishing, disclosing, and including taxpayer identification numbers in tax returns to a residential real estate transaction involving seller-provided financing. The parties understand that the disclosure reporting requirements are exclusive obligations between the parties to this transaction and the Stewart Title is not obligated to transmit the taxpayer identification numbers to the Internal Revenue Service or to the parties. Stewart Title is not rendering an opinion concerning the effect of this law on this transaction, and the parties are not acting on any statements made or omitted by the escrow or closing officer.

To facilitate compliance with this law, the parties to this escrow hereby authorize Stewart Title, to release any party's taxpayer identification number to any requesting party to this transaction. The requesting party shall deliver a written request to escrow. The parties hereto waive all rights of confidentiality regarding their respective taxpayer identification numbers and agree to hold Stewart Title harmless against any fees, costs, or judgements incurred and/or awarded in connection with the release of tax payer identification numbers.

Penalties for failure to comply will most likely be assessed against the individual taxpayers for failure to provide the information.

Any amendments of and/or supplement to any instructions must be in writing. These instructions are the only instructions to the Escrow Agent and supersede any other instructions however they may be denominated. The seller and the Buyer agrees to buy the property herein described upon the terms hereof.

BUYER:



DAVID J. HEAD



GINGER HEAD

MAILING ADDRESS:

PHONE:

855 WEST STILLWELL DRIVE

EAGLE, ID 83616

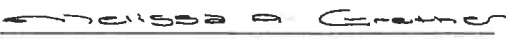
SELLER:

I/We by our signature(s) below, approve of the foregoing instructions, agree to be bound thereof, and have agreed to sell and will deliver to you papers, instructions and/or funds required from me/us within the time limits specified herein, which you are authorized to deliver when you can issue your policy of title insurance as set forth above. You are instructed to use the money and record the instruments to comply with said escrow instructions and to pay all encumbrances of record necessary, without further approval including prepayment penalties to show title as herein provided. I/We agree to pay your usual sellers escrow fees, drawing of documents and such other charges which are advanced for my/our account regardless of the consummation of escrow. I/we also agree to pay the policy of title insurance premium and recording fees which are properly chargeable to me. At the close of this transaction, you are authorized to pay all fees and/or charges per seller(s) closing statement which has been examined and approved by the undersigned seller(s).

At the close of this escrow, seller's proceeds are to be delivered as follows: AS INSTRUCTED BY SELLER AT CLOSE

OF ESCROW

SELLER:



MELISSA A. GREETHER

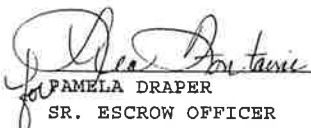


ANNE MARIE MORGAN

MAILING ADDRESS:

PHONE:

The foregoing instructions are hereby acknowledged and received by STEWART TITLE.



for PAMELA DRAPER
SR. ESCROW OFFICER

LOT 4 BLK 2 STILLWELL ESTATES #4

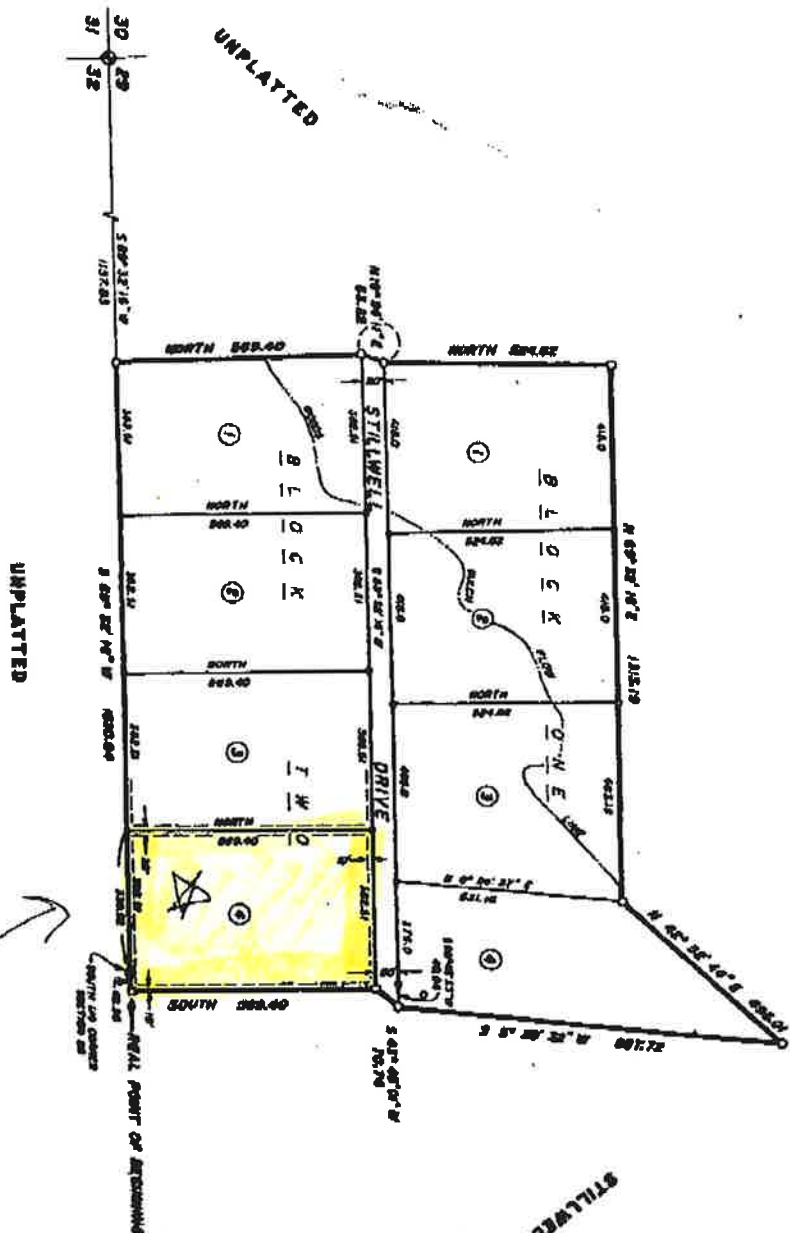
STILLWELL ESTATES no. 4

A PART OF THE SW 1/4, SEC. 28, T2N, R1E, S4E,
ADA COUNTY, IDA.

1877



SCALE 1"=200'



UNPLATTED

UNPLATTED

THIS IS NOT A SURVEY. THIS MAP IS
FOR INFORMATIONAL PURPOSES
ONLY. NO REPRESENTATIONS AS
TO THE ACCURACY OR LIABILITY FOR
AND ASSUMES NO LIABILITY FOR

ALL STRUCTURES LOCATED WITHIN 100 FEET OF
THE EXISTING WOODS SHALL BE
ELEVATED 3 FEET ABOVE THE EXISTING GROUND
LINE.

LEGEND
0 — 1/2\"/>

STILLWELL
no. 4
ESTATES

IF UTILITY EXISTENT ON ALL EXISTING LOT LINES
AND UTILITY EXISTENT ON ALL EXISTING LOT LINES
SHALL BE REMOVED BY THE
OWNER OF THE LOT

7706494**302 1427**

RESTRICTIVE AND PROTECTIVE COVENANTS
STILLWELL ESTATES NO. 4
DATED:
RECORDED:
INSTRUMENT NO.

KNOWN ALL MEN BY THESE PRESENTS : That the undersigned is the owner and holder of the title in fee simple of all that certain real estate situated in Ada County, Idaho, more particularly described as follows: .

Commencing at the South Quarter corner of Section 29, Township 5 North, Range 1 East, Boise Meridian, thence N. $89^{\circ} 32' 16''$ E. for 42.99 feet to the Real Point Of Beginning:

thence S. $89^{\circ} 32' 16''$ W. for 1530.04 feet;
thence North for 569.40 feet;
thence N. $19^{\circ} 34' 11''$ E. for 53.22 feet;
thence North for 524.82 feet;
thence N. $89^{\circ} 32' 16''$ E. for 1313.19 feet;
thence N. $42^{\circ} 52' 44''$ E. for 493.01 feet;
thence S. $5^{\circ} 39' 32''$ W. for 887.72 feet;
thence S. $43^{\circ} 45' 01''$ W. for 70.74 feet;
thence South for 569.40 feet to the Real Point Of Beginning.

1. That all of the real property and all lots, parcels, and tracts of said subdivision, and any conveyance covering or describing all or any part thereof, either by reference to the above described plat or by name, number or designation thereon, or by other description, shall be subject to the following restrictions, protective covenants and conditions, and that by the acceptance of any conveyance of any property in said subdivision the grantee or grantees therein and their heirs, executors, administrators, successors or assigns, covenant with the parties hereto, their heirs and assigns, and with the other grantees or subsequent owners of property in said subdivision as to the property so described and conveyed in or by such conveyances as follows:

Page 2
Instrument No.

302 1428

(A) All lots in said subdivision shall be known and described as residential lots and no other use shall be conducted except those permitted by the Ada County Zoning Ordinance and meeting with the approval of the Ada County Planning and Zoning Commission.

(1) A Board of Control shall be established to approve or disprove formal requests as outlined in the following paragraphs. The Board of Control shall consist of those persons designated as owners and whose signatures appear on the back of this document filed with the Ada County Recorder. Said persons have the authority to confer to other persons a position on the Board of Control by appointment. Those persons considered for appointment must be owners of a lot within said Stillwell Estates No. 4 at the time of appointment. The Board of Control shall not consist of more than two (2) persons at any given time.

(B) No building shall be located on any lot nearer than 30 feet to the front line, or nearer than 15 feet to any side line. No building shall be located nearer than 25 feet to an interior lot line.

(C) No building requiring a footing shall be constructed outside the building site indicated on the official plat of this subdivision, except with the express permission of the Ada County Planning and Zoning Commission.

(D) No building requiring a footing shall be built to obstruct the waterways or drains except with the express permission of the Ada County Planning and Zoning Commission.

(E) All dwelling sites and sewage disposal systems must receive prior approval of the Ada County Health Department before construction begins.

(F) Easements for installation and maintenance of utilities and drainage facilities are reserved for location on the official plat of this subdivision.

(G) No noxious or offensive activity shall be carried on upon any tract, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighbors.

(H) No home constructed on these lots shall contain less than 1200 square feet of living space (excluding basement) at the time of construction. The exterior of the house will be finished with siding, brick, rock or other appropriate material. All houses and outbuildings will be painted or stained.

Page 3
Instrument No.

302 1429

(I) Upon commencement of a dwelling on a lot, said construction will be completed within six (6) months after starting.

(J) No structure of a temporary character, basement, tent, shack, garage, barn or other outbuildings shall be used on any lot at any time as a residence either temporarily or permanently. No mobile home shall be located on these lots either temporarily or permanently.

(K) No lot shall be used or maintained as a dumping ground for rubbish or junk cars. Trash, garbage or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean sanitary condition.

(L) Irrigation water will be by wells, drilled at the expense of the purchaser of any lot.

(M) A limited number of outbuildings may be constructed, using only new materials, and must architecturally be compatible with other buildings in this subdivision. All lots will be fenced with new wire and posts or wooden fences.

(N) Animals may be kept providing existing vegetation or better is preserved and proper grazing controls are initiated by the owner of the lot with the direction of the Ada County Conservation District.

(1) Hogs may not be kept on these lots and not more than twenty (20) penned-up chickens may be kept.

(2) Two (2) dogs may be kept providing they are kept under control and not allowed to run at large.

II. The Ada County Highway District will not be responsible for the sanding of Stillwell Drive to relieve icing conditions.

III. These covenants and restrictions are to run with the land and shall be binding on all the parties and all persons claiming under them for a period of ten (10) years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of ten (10) years unless an instrument signed by a majority of the then owners of the lots has been recorded, agreeing to change said covenants in whole or in part.

IV. If the parties hereto, or any of them or their heirs or assigns, or persons claiming under or through them, or any other person, whether such person be the owner of any property in said subdivision or not, shall violate or attempt to violate any of the covenants within, it shall be lawful for any other person or persons owning any real property situated in said subdivision to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant, and either to prevent him or them from so doing or to recover damages for such violation.

Page 4
Instrument No.

302 1430

V. Invalidation of any one of these covenants by judgement or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

Dated this 8th day of February, 1977

Walter P. Stillwell Lucille Stillwell

State of Idaho)
)ss
County of Ada)

On this 8th day of February, 1977, before me, the undersigned, a Notary Public in and for said State, personally appeared Walter P. Stillwell and Lucille Stillwell, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

Gene Thacker
Notary Public for Idaho
Residing at Boise, Idaho
My commission expires 9-29-79

Ada County, Idaho, ss

Request of clickPelkalaTIME 2:25 P.M.DATE 2-14-77

CLARENCE A. PLANTING

RECORDER

By Thelma E. Nichols

Deputy

7-13404

02/01/2005

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

RIGHT NUMBER: 63-3483A

NAME AND ADDRESS: DAVID J HEAD
855 W STILLWELL
EAGLE ID 83616

GINGER HEAD
855 W STILLWELL
EAGLE ID 83616

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.080 CFS
18.000 AFY

PRIORITY DATE: 01/07/1966

POINT OF DIVERSION:

T05N R01E S29 SESESW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.080 CFS 18.00 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

T05N R01E S29 SESW 3.5 T05N R01E S29 SWSE 0.5

4 ACRES TOTAL

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

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

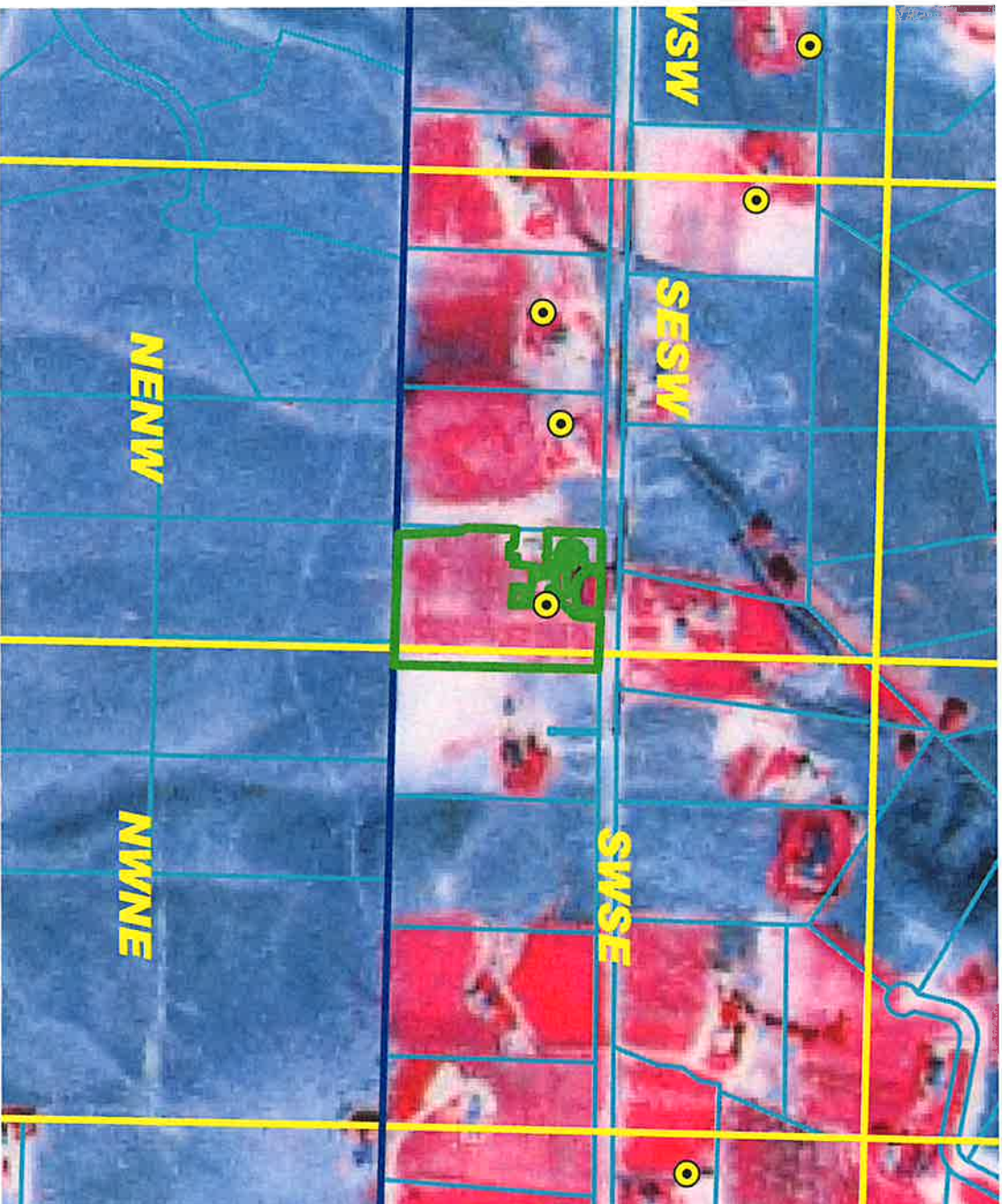
EXPLANATORY MATERIAL: License

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

IDAHO DEPT OF WATER RESOURCES

Claim No. 63-3483A

Twp. 5N, Rge. 1E
Section 29



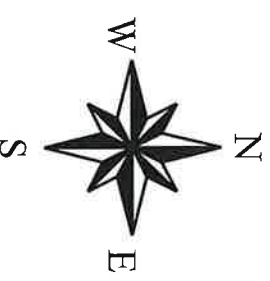
 **Place of Use**

 **1/4 1/4 Lines**

 **Section Lines**

 **Pt. of Diversion**

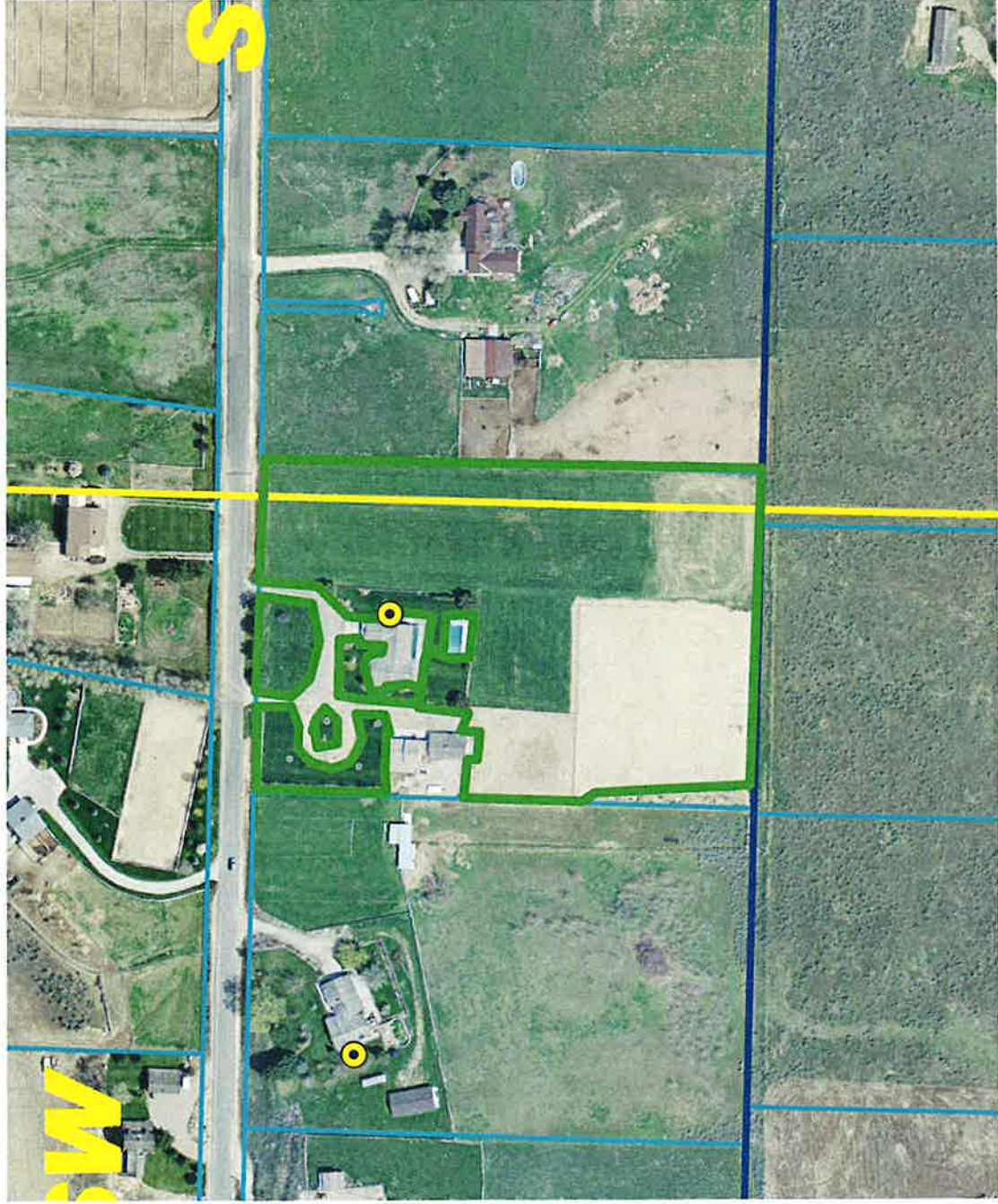
Prepared by:
Jan Shurte
11-27-05



IDAHO DEPT OF WATER RESOURCES

Claim No. 63-3483A

Twp. 5N, Rge. 1E
Section 29



Place of Use



1/4 1/4 Lines

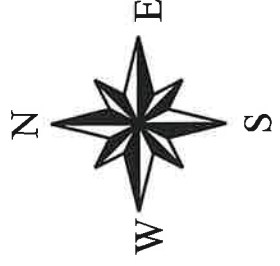


Section Lines



Pt. of Diversion

Prepared by:
Jan Shurte
11-27-05



600 Feet

0

600

05/31/2005

NOTICE OF ERROR

REPLY

RECEIVED

JUN 17 2005

WATER RESOURCES
WESTERN REGION

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: July 15, 2005

Water right number: 63-3483A

DAVID J HEAD
855 W STILLWELL
EAGLE ID 83616
Telephone Number: (208)938-8508

GINGER HEAD
855 W STILLWELL
EAGLE ID 83616
Telephone Number: (208)938-8508

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Point of Diversion is shown
on map in wrong location.

2. Describe the changes you wish to make in the proposed recommendation:

Correctly indicate location
of well (Point of Diversion)

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

6/15/05

SIGNATURE:

David J. Head

Please print your name:

David J. Head

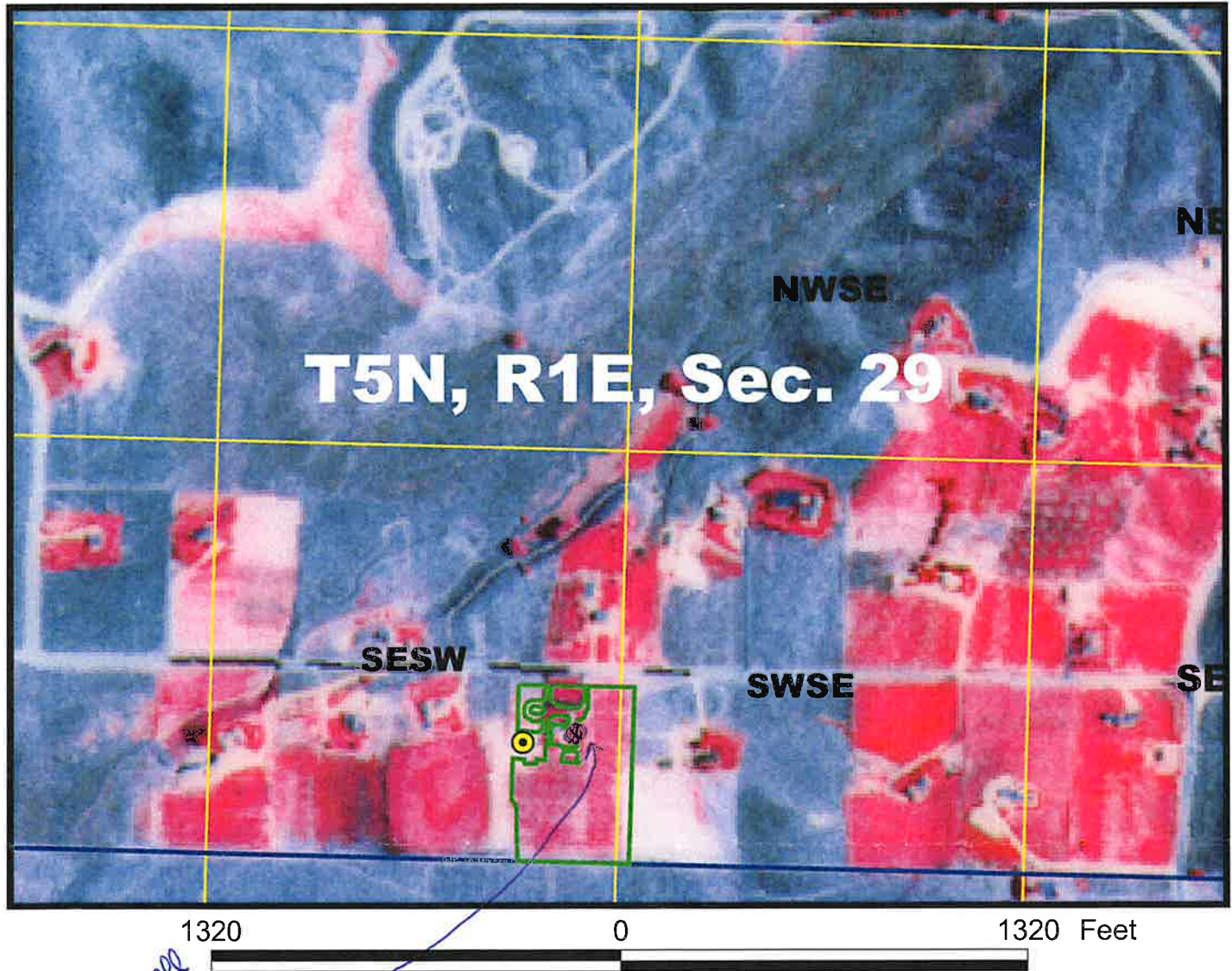
IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190



STATE OF IDAHO

Department of Water Resources
Western Region

Water Right(s): 63-03483A



Actual Location of well

Total Irrigated Acres: 4.0

● Point of Diversion

□ Place of Use

□ Quarter Quarter Lines

□ Section Lines



*1987 Photography
To Be updated by
2003 Photography*

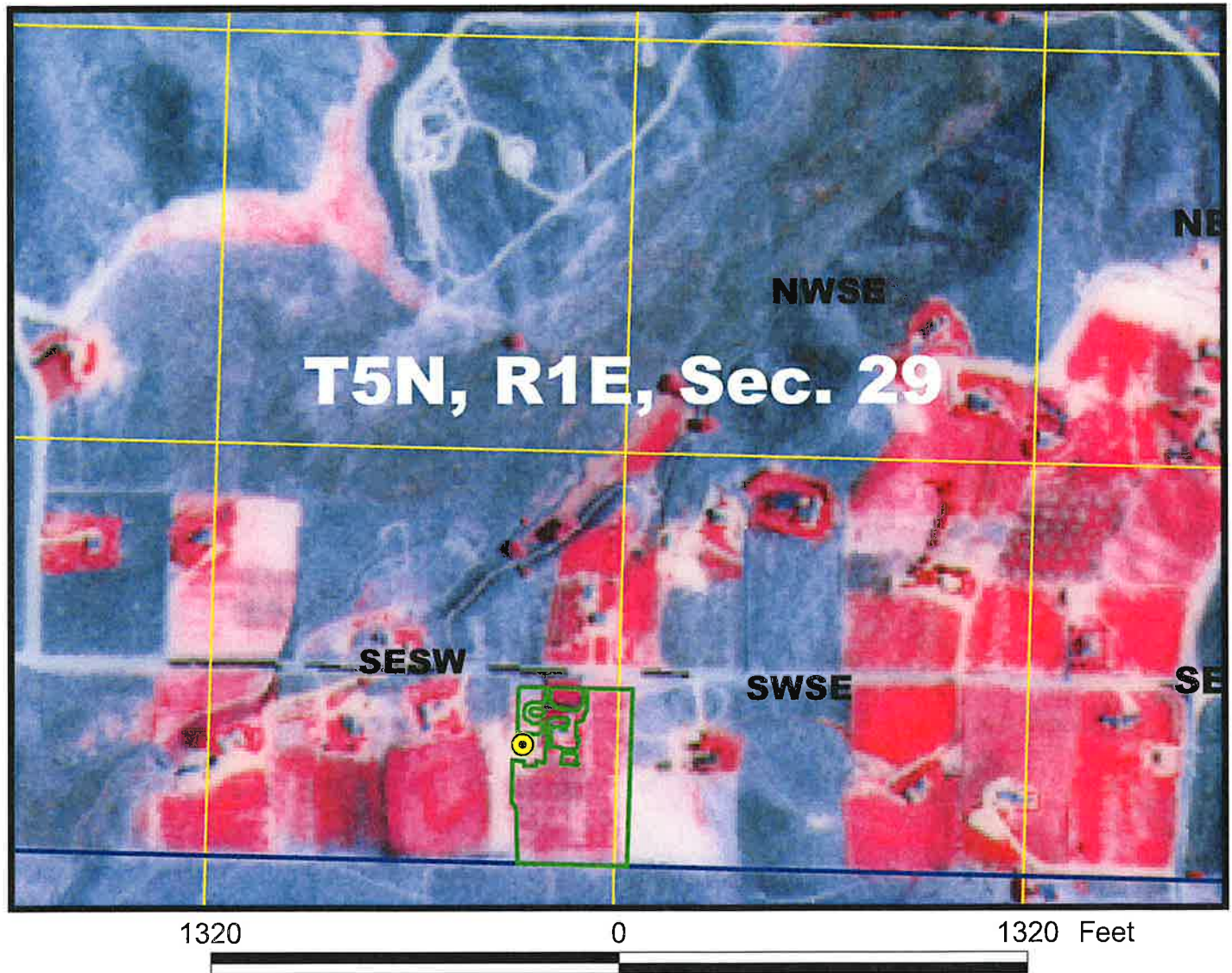
GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: January 2005



STATE OF IDAHO

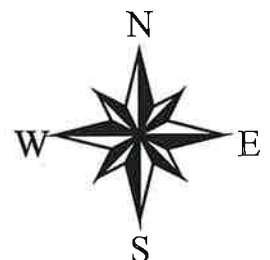
Department of Water Resources
Western Region

Water Right(s): 63-03483A



Total Irrigated Acres: 4.0

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



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: January 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3483A V1

WATER RIGHT NUMBER: 63-3483A V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	BRUCE B PERKINS 855 STILLWELL DR EAGLE, ID 83616 (208)939-8809
Original Owner	LUCILLE STILLWELL 455 N WILLOW CREEK RD EAGLE, ID 83616 (208)939-6561
Original Owner	LINDA S PERKINS 855 STILLWELL DR EAGLE, ID 83616 (208)939-8809
Original Owner	WALTER P STILLWELL JR 455 N WILLOW CREEK RD EAGLE, ID 83616 (208)939-6743
Original Owner	WAYNE PETERSON 855 STILLWELL DR EAGLE, ID 83616 (208)939-8045
Original Owner	ANNA PETERSON 855 STILLWELL DR EAGLE, ID 83616 (208)939-8045
Original Owner	MELISSA A GREETHER 855 W STILLWELL EAGLE, ID 83616 (208)938-4988
Original Owner	ANNE MARIE MORGAN 855 W STILLWELL EAGLE, ID 83616 (208)938-4988
Current Owner	DAVID J HEAD 855 W STILLWELL EAGLE, ID 83616 (208)938-8508
Current Owner	GINGER HEAD 855 W STILLWELL EAGLE, ID 83616 (208)938-8508

Priority Date: 01/07/1966

Basis: License

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.080 CFS	18.00 AF
	<u>Total Diversion:</u>	0.080 CFS	18.00 AF

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-3483A V1

Location of Point(s) of Diversion

GROUND WATER

SE1/4SE1/4SW1/4

Sec. 29, Twp 05N, Rge 01E, 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	
05N	01E	29												3.5			.5		4.0

Total Acres: 4

Conditions of Approval:

1. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
2. 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.

Remarks:

1. Purpose of Use 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.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-3483A V1

Comments:

1. csaxton 2/1/2005 Diversion Rate (1)
Comment: Diversion rate recommended at licensed diversion rate of 0.019 cfs per acre.
2. csaxton 2/1/2005 Resumption
Comment: Use of this portion of 63-03483 has been resumed. 2003 photography shows evidence of irrigation.
3. csaxton 2/1/2005 No Domestic
Comment: Domestic use cannot be recommended under this claim. Domestic use was not licensed as part of original license 63-03483. Addition of domestic purpose of use would be an enlargement of the right due to the extended SOU.
4. csaxton 2/1/2005 POD(1)
Comment: Well drilled in 1980 according to claimant letter on 1/9/03. Ada Co taxlot data confirms this by reporting the house was built in 1981. Recommend accomplished change in POD (C03).
5. csaxton 2/1/2005 POD(2)
Comment: POD digitized based on map provided with claim.
6. csaxton 2/1/2005 POU
Comment: Recommended POU in QQ that was not claimed, but was originally licensed. This was done to more accurately describe POU with the use of more accurate technology.
7. csaxton 2/1/2005 Diversion Rate (2)
Comment: Diversion rate rounded up to hundredths of a CFS.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector: AND
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
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>
Contacts	2/1/2005 12:19:40 PM	csaxton			Active
Priority Date	2/1/2005 12:20:03 PM	csaxton			Active
POD	2/1/2005 12:21:24 PM	csaxton			Active
Source	2/1/2005 12:23:52 PM	csaxton			Active
POU	2/1/2005 12:24:03 PM	csaxton			Active
Use	2/1/2005 12:29:26 PM	csaxton			Active
Season	2/1/2005 12:29:56 PM	csaxton			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3483A V1

Quantity	2/1/2005 12:32:01 PM	csaxton	Active
Summary	02/01/2005	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	2/1/2005 12:22:20 PM	csaxton	Edited point location
Source	2/1/2005 12:23:52 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	2/1/2005 12:24:03 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
POD	2/1/2005 12:21:24 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (No) 5. Can the claimed POD be verified using the water right file? (Yes) 6. Is there evidence that there has been a change in the POD? (Yes) 7. Can the change be verified as an accomplished transfer? (Yes) 9. Does the file contain all the necessary information to verify the POD? (Yes) 10. Is a POD remark and/or condition required? Description for Question 6 - Per claimant letter dated 1/9/03, recommended POD drilled in 1980.
POU	2/1/2005 12:24:52 PM	csaxton	Edited PLS
Season	2/1/2005 12:29:56 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3483A V1

Quantity	2/1/2005 12:32:01 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - As Licensed.
Summary	2/1/2005 12:33:56 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Contacts	2/1/2005 12:19:40 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop Review
Priority Date	2/1/2005 12:20:02 PM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POU	2/1/2005 12:24:31 PM	csaxton	Edited shape boundary
Use	2/1/2005 12:29:26 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3483A

WATER RIGHT NUMBER: 63-3483A

Owner Type Name and Address

Current Owner

DAVID J HEAD ✓
855 W STILLWELL
EAGLE, ID 83616
(208)938-8508

Current Owner

GINGER HEAD ✓
855 W STILLWELL
EAGLE, ID 83616
(208)938-8508

Priority Date: 01/07/1966 ✓

Basis: License ✓

Status: Active ✓

SourceTributary

GROUND WATER ✓

Beneficial UseFrom ToDiversion RateAnnual Volume~~DOMESTIC~~~~1/01 to 12/31~~~~0.040 CFS~~

18

IRRIGATION

3/15 to 11/15 ✓

0.095 CFS

18

504

Total Diversion:

0.095 CFS

0.08

Location of Point(s) of Diversion

GROUND WATER ✓

SE1/4SE1/4SW1/4 ✓

Sec. 29, Twp 05N, Rge 01E, B.M. ✓

ADA County ✓

C43

Place of Use~~DOMESTIC~~

Twp	Rge	Sec	NE				NW				SW				SE				Totals
05N	01E	29	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
														X					

IRRIGATION ✓

Twp	Rge	Sec	NE				NW				SW				SE				Totals
05N	01E	29	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
														4.0					4.0
														3.5				0.5	

Total Acres: 4 ✓

Conditions of Approval:C18
504 - 3-1 to 11-15
C43 - All Δ in POO

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-3483A

Remarks:

1. General AMOUNT OF WATER CLAIMED IS BASED ON LOT SIZE OF 5 ACRES, ORIGINAL RIGHT WAS FOR IRRIGATION, CLAIM IS FOR IRRIGATION OF 4 ACRES AND DOMESTIC FOR ONE HOUSEHOLD.
STILLWELL ESTATES NO. 4, BLOCK 2, LOT 4 OWNERSHIP CHANGE BY DB 1/6/98.
Ownership change by DB 5/15/2001
2. General Ownership changed by DB 9/24/2001

Comments:

Dates and Other Information:

Claim Received Date: 4/11/1989
State or Federal: S
Owner Name Connector: AND
Mitigation Plan: False

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

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

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-03483A

Owner: _____ Phone No. _____

Current Address: _____

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

Accompanied by: _____

PRIORITY DATE

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

Priority date, per claimant, is: _____

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

Source: _____ Tributary to _____

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

POINT OF DIVERSION

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

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
		SE	SE	SW	29	SW	1E	Ada	Digitized

Description of diverting works

5 HP pump to underground Irr system

OVERLAP REVIEWOther water rights with the same point of diversion: None

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

WATER USES☐ No change☒ Different UsesAdd 504Use Irr From 3-15 To 11-15 Amount 0.08 CFS 18 AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only☒ Incomplete on claim, the total is, Amount 0.08 CFS 18 AFA☐ Changes found, the new total is, Amount _____ CFS _____ AFA☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)**NON-IRRIGATION USES:**☒ No change☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☒ No Change☐ Changes shown below:

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	1E	29												3.5			0.5		4

Overlap with other water rights: None

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

Delivery System Narrative:

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

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

- P00 drilled in 1980 according to Claimant affidavit.
- Res Accomplished in P00.
- No Domestic as it wasn't licensed. Adding Domestic would be an enlargement as it would increase SOU.
- Add S04 to extend SOU
- Recommended as Resumption of Right.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☐ Photographs of POD's and POU *u/a*
- ☐ GPS readings *u/a*
- ☐ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 2-1-08

FIELD EXAMINER: James L. Guthrie

Claimed

Recommend

A Head, David		<i>Recommended</i>	
0.095 Irr + Dom	0.08	Built 1981	
4	4	C03	
	18	Irr only	
B Stillwell, Walter		<i>Recommended</i>	
0.14 Irr + Dom	0.080	Built 1980	
5	4.2	C03	
15	18.9	Irr only	
C Tennant, Donley		<i>Recommended</i>	
0.08 Irr	0.08	Built 1981	
4	4	C03	
	18	Irr	
D Russell, Charles		<i>Recommended</i>	
0.14 Irr+Dom+Stock	0.07	Built 1978	
4	3.8	C03	
	17.1	Irr	
E Thompson, Carol		<i>Recommended</i>	
0.16 Irr+Dom+Stock	0.06	Built 1976	
5	3.1	C03	
	14.0	Irr	
F Metzger, Richard		<i>Recommended</i>	
0.11 Irr + Dom	0.09	Built 1979	
4.5	4.5	C03	
	20.3	Irr	
G Dalessio, Gerald		<i>Recommended</i>	
0.16 Irr+Dom+Stock	0.080	Built 1984	
5	4.2	C03	
	18.9	Irr	
H Jones, William		<i>Recommended</i>	
0.16 Irr+Dom+Stock	0.061	Built 1975	
5	3.2	C03	
	14.4	Irr	
J Breshears, Verle		<i>Recommended</i>	
0.19 Irr+Dom+Stock	0.05	Built 1981	
5	2.7	C03	
	12.2	Irr	
K Davey, Richard		<i>Recommended</i>	
0.08 Irr	0.07	Irr	
4	3.5		
	15.8		
L Geary, Timothy		<i>Recommended</i>	
0.13 Irr	0.13	Per TR 5274	
7	7		
31.5	31.5		
M West, Robert		<i>Disallowed</i>	
0.16 Irr+Dom+Stock	0	Built 1984	
5	0		
	0		
N McMurray, Michael		<i>Recommended</i>	
0.04 Irr	0.03	Built 1992	
2	1.8	Irr	
	3.2	Licensed POD	
P Graybadger, Gregory		<i>Recommended</i>	
0.057	0.06	Per Tr 70172	
3	3		
	13.5		
Q Barats, Kurt		<i>Recommended by Ron</i>	
0.076 Irr	0.076		

Had to Recommend 15 afa

Not all claimed POU in Licensed POU
Cannot recommend Entire claimed POUNot all claimed POU in Licensed POU
Cannot recommend Entire claimed POUDidn't claim Licensed priority Date
Not all claimed POU in Licensed POU
Cannot recommend Entire claimed POU

63-03483

1.63 cfs
86 ac
387 afa

4	4
	18
R Peeterson, Jerry	
0.085 Irr	0.082
4.5	4.3
20.25	19.35
S Ellis, Dwayne	
0.078 Irr	0.078
4.1	4.1
18.45	18.45

Recommended by Ron

Recommended by Ron

Sum CFS=	1.941
Sum Acres=	75.1
Sum Div Vol =	85.2

Un-accounted for CFS=	-0.311
Un-accounted for Acres=	10.9
Un-Accounted for Vol =	301.8

Diversion Rate per Acre =	0.019
Diversion Vol per Acre =	4.5

Sum CFS=	1.161
Sum Acres=	61.4
Sum Vol =	271.44

Un-accounted for CFS=	0.469
Un-accounted for Acres=	24.6
Un-accounted for Vol=	113.66

Memorandum

Date: January 26, 2005

To: File

From: Craig L. Saxton

Subject: Recommendation for splits of 63-03483

Domestic and Stock:

Domestic and Stockwater use was claimed in several of the splits for 63-03483. Domestic and Stockwatering uses cannot be recommended under this original license because those uses were not licensed. Adding those uses to the split portions would be an enlargement of the claim as the season of use would be extended to year round use.

Accomplished Change in POD:

Per discussion with Jan Shurte, it was decided that if the tax lot data showed that the property was developed prior to 1987 and the POD was claimed differently than what was licensed (basically they claimed their personal well on their parcel), we could call it an accomplished change in POD and add C03. This was not done for splits where the property was developed after 1987.

Splits 63-03483E, 63-03483H, and 63-03483J:

These claims claimed a portion of the POU in a QQ that was not originally licensed. Cannot recommend that portion of the claimed POU as part of this right. Only the portion of the claimed POU that fell in the original licensed POU was recommended under the above mentioned splits.

10-14-04: No Domestic because not Licensed and well drilled in 1980 so no Accomplished Change in Purpose of use.

: T R infik is not
is not applicable to 2005 claim.

: CP3 - Per claimant statement

: looks irr in 1987

: Parcel #: R8163180400 - Built 1981 - Poss CP3

1-24-05: POO location Digitized. No Good map to locate it better.



Land Records

Characteristics Detail

[Go Back to Property Details](#)

- [Main Page](#)
- [Property Search](#)
- [Online Map](#)
- [Contact Us](#)
- [Disclaimer](#)
- [Help Index](#)
- [FAQ](#)
- [About Us](#)
- [Image Documents](#)
- [Old interactive map](#)

Residential

Land

Residential Characteristics 1 for Parcel "R8163180400"

Occupancy Date:	No Date Available
Year Built:	1981
Year Remodel:	0
Effective Age:	0
Construction Class:	5
Number of Bedrooms:	3
Number Bathrooms:	2.25
Number of Fireplaces:	2
Air Conditioning:	Y
Car Storage Sq Ft #1:	625
Car Storage Sq Ft #2:	1242
General Purpose Building Sq Ft:	960
Porch Sq Ft:	0
Deck Sq Ft:	160
Deck Covered:	N
Patio Sq Ft:	250
Patio Covered:	Y
Pool Sq Ft:	324
Total Sq Ft:	2605
Main Floor Sq Ft:	2605
Upper Floor Sq Ft:	0
Finished Lower Floor Sq Ft:	0
Unfinished Lower Floor Sq Ft:	0
Finished Basement Floor Sq Ft:	0
Unfinished Basement Floor Sq Ft:	0
Finished Attic Sq Ft:	0
Unfinished Attic Sq Ft:	0

Assessor Links

- [Assessor Main Page](#)
- [Administration](#)
- [Information](#)
- [Appraisal](#)
- [Exemptions and Reductions](#)
- [Motor Vehicles](#)
- [Levy Rates](#)

Ada County Links

- [Ada County Home Page](#)
- [Commissioners](#)
- [Treasurer](#)
- [Clerk/Auditor/Recorder](#)
- [Development Services](#)
- [Human Resources](#)

[Contact Us](#) | [Help Index](#) | [Disclaimer](#) | [About Us](#)



Land Records

[\[Previous Search\]](#) [\[New Search\]](#) [\[Print View\]](#)

Property Details for Parcel R8163180400

- [Main Page](#)
- [Property Search](#)
- [Online Map](#)
- [Contact Us](#)
- [Disclaimer](#)
- [Help Index](#)
- [FAQ](#)
- [About Us](#)
- [Image Documents](#)
- [Old interactive map](#)

General Information

Property Acres: 5.000
 Zone Code: RR
 Primary Code Area: 270 [Tax Districts](#)
 Group Type: SUB
 Subdivision: STILLWELL ESTATES NO 04
 Section: 5N1E29

Property Description

LOT 4 BLK 2
 STILLWELL ESTATES #4


[Click to View Interactive Map](#)

Assessor Links

- [Assessor Main Page](#)
- [Administration](#)
- [Information](#)
- [Appraisal](#)
- [Exemptions and Reductions](#)
- [Motor Vehicles](#)
- [Levy Rates](#)

Property Address

855 W STILLWELL DR
 EAGLE, ID 83616

Parcel Valuation Details

Assessment Roll	State Category Code	Acreage	Assessed Value	Valuation Method	Code Area
Primary	150-RES SUB LOT	5.000	\$137,500	MARKET	270
Primary	370-RES IMPROVEMENT	0.000	\$269,400	COST	270

Total Assessed Value: \$406,900

Parcel Valuation History

Assessed value for year 2004 \$406,900
 Assessed value for year 2003 \$394,400
 Assessed value for year 2002 \$367,600
 Assessed value for year 2001 \$300,200
 Assessed value for year 2000 \$248,800

Property Characteristics

Residential
[Land](#)

[\[Previous Search\]](#) [\[New Search\]](#) [\[Print View\]](#)

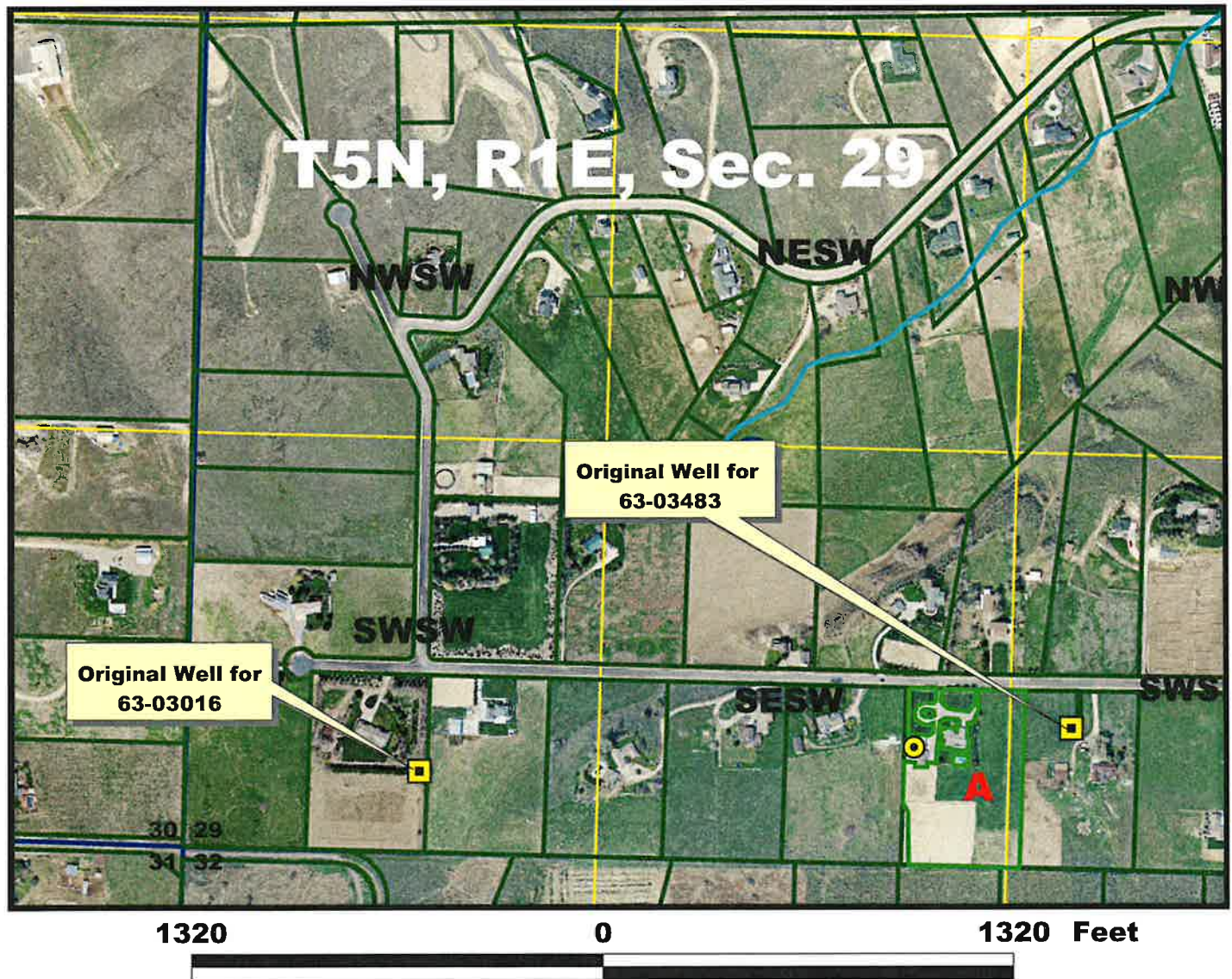
Ada County Links

- [Ada County Home Page](#)
- [Commissioners](#)
- [Treasurer](#)
- [Clerk/Auditor/Recorder](#)
- [Development Services](#)
- [Human Resources](#)

[Contact Us](#) | [Help Index](#) | [Disclaimer](#) | [About Us](#)



63-03483A POU & POD Claim Map 2003 Photography



● Claimed Point of Diversion

□ Claimed Place of Use

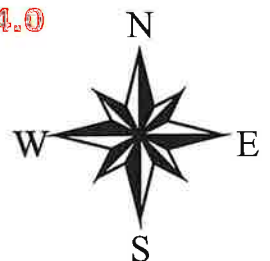
□ Ada County Tax Lot Data

□ Quarter Quarter Lines

□ Section Lines

Total Claimed Acres: 4.0

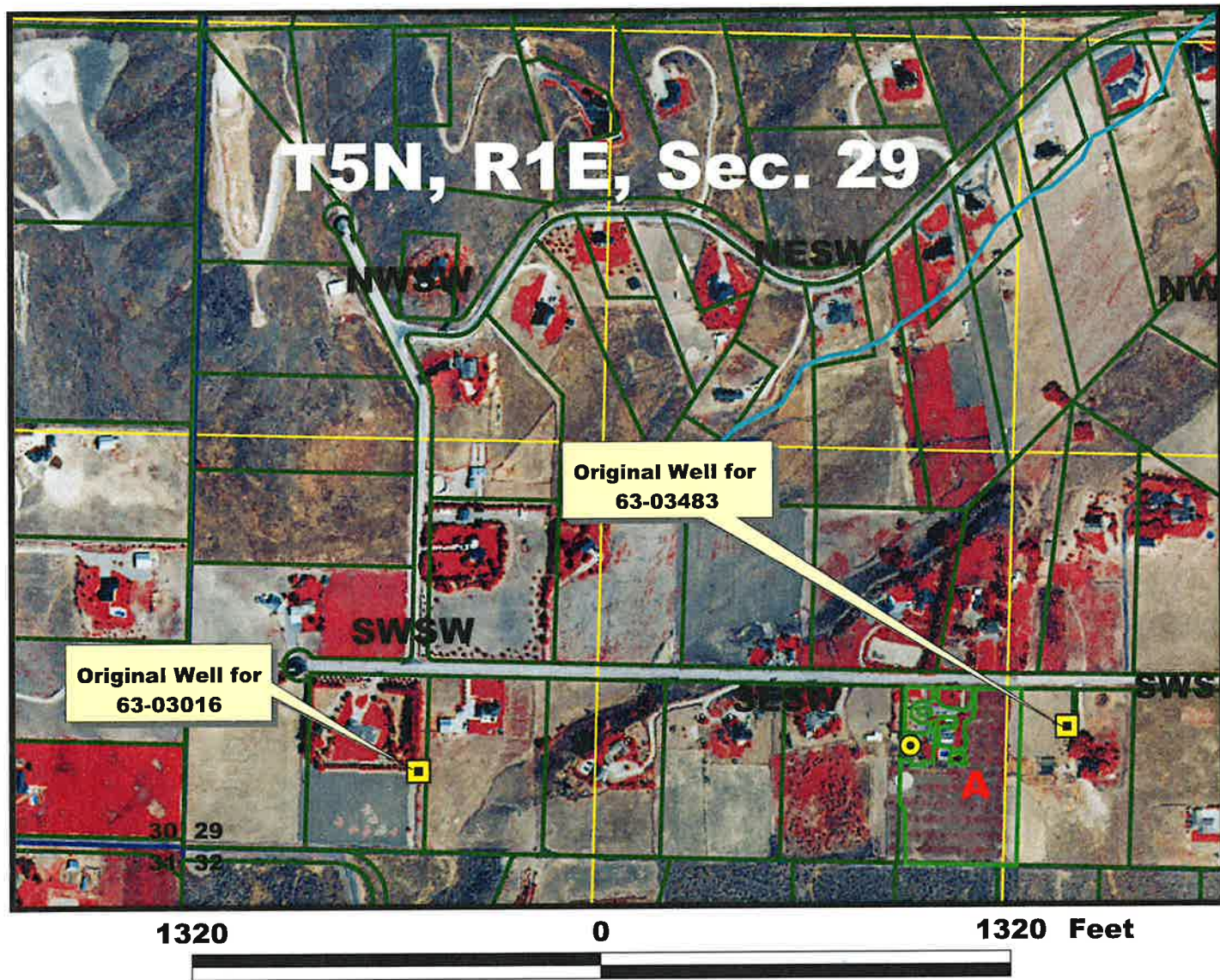
Initial Review found acres: 4.0



Prepared by: C. Saxton
Date: January 2005



63-03483A POU & POD Claim Map 2000 Photography



⊙ Claimed Point of Diversion

▭ Claimed Place of Use

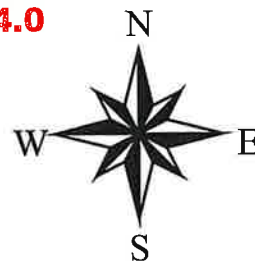
▭ Ada County Tax Lot Data

▭ Quarter Quarter Lines

▭ Section Lines

Total Claimed Acres: 4.0

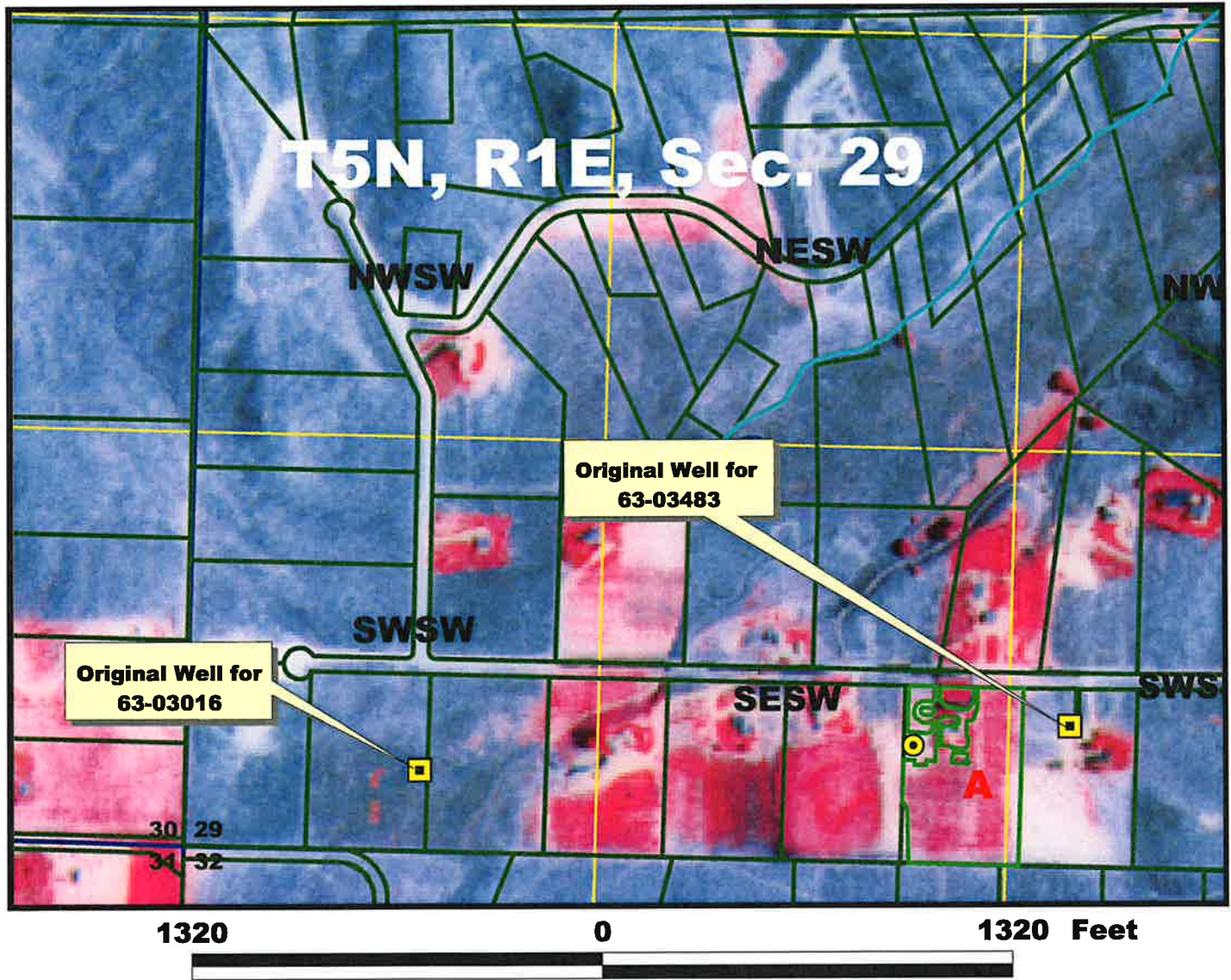
Initial Review found acres: 4.0



Prepared by: C. Saxton
Date: January 2005



63-03483A POU & POD Claim Map 1987 Photography



⊙ Claimed Point of Diversion

▭ Claimed Place of Use

▭ Ada County Tax Lot Data

▭ Quarter Quarter Lines

▭ Section Lines

Total Claimed Acres: 4.0

Initial Review found acres: 4.0



Prepared by: C. Saxton
Date: January 2005

Receipt Details for ID C006269

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
4/11/1989 12:11:21 PM	4/11/1989	State	\$54.00	Check
Payer		PERKINS, BRUCE/LINDA		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
344			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE**Fee Detail:**

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$54.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	3483	A	\$54.00	Claim

[Print Report](#)

ReceiptID	Amount	BasinNumber	SequenceNuml	SplitSuffix	Type
C006269	54.00	63	3483 A		Claim

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32674/63-3483 Priority Jan. 7, 1966 Amount 1.63 cfs

THIS IS TO CERTIFY, that WALTER JR. -or- LUCILLE STILLWELL
of Eagle, Idaho, have ~~xxx~~ complied with the terms and conditions of Permit
No. 32674/63-3483 issued pursuant to Application for Permit dated January 7, 1966,
and has submitted proof to the Department of Water Administration on September 1, 1970,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 1.63 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 1.63 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 1.63 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29, Twp. 5 N, Rge. 1 E, B.M.

in the county of Ada; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 387 acre feet per year or _____
4.5 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5 N	1 E	29				10								23			40	13	86

Total number of acres irrigated 86

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 6th day of
November, 19 73.


Director

63 3483



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 24, 2001

DAVID HEAD
GINGER HEAD
855 W STILLWELL
EAGLE ID 83616

Re: Notice of Claim to a Water Right No. 63-03483A

Dear Claimants:

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

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

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

Sincerely,

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB: db

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 12, 2001

DAVID J HEAD

GINGER HEAD

855 W ~~WHEELWELL~~

EAGLE ID 83616

Stillwell

RE: Water Right No. 63-03483A

Dear Claimants:

This office has received your Notice of Change of Water Right Ownership (copy enclosed), recently submitted. We also received check number 1002 in the amount of \$25, however, we are returning it to you, as the ownership change fee is not required for this particular water right claim. This claim has not yet been decreed by the SRBA Court. The ownership change is being processed and a copy will be mailed to you upon completion.

Thank you for your patience and cooperation. If you have any questions regarding this letter, feel free to contact this office at (208) 334-2190.

Sincerely,

Denise Buffington

Denise Buffington

Office Specialist 1

Adjudication Section

Western Region

DB:db

Enclosures

DAVID J. HEAD
GINGER HEAD
855 W STILLWELL 208-938-8508
EAGLE, IDAHO 83616

92-379
1241 3350
2191030416

1002

Date 7-9-01

Pay to the
Order of IDWR

\$ 25.00

Twenty Five and no/100

Dollars



Security Features
Included
Details on Back



Wells Fargo Bank Northwest, N.A.
108 E. Plaza St.
Eagle, ID 83616
www.wellsfargo.com

Memo

Water Right Transfer fee

David J. Head

+1 24103799 2191030416 1002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 6, 1998

Re: Notice of Claim to a Water Right No. A63-03483A

WAYNE PETERSON
ANNA PETERSON
855 STILLWELL DR
EAGLE ID 83616

Dear Mr. & Mrs. Peterson:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

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

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

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Records Clerk
Adjudication Section
Western Region Office

DB:d

Enclosure

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32674/63-3483 Priority Jan. 7, 1966 Amount 1.63 cfs

THIS IS TO CERTIFY, that WALTER JR. -or- LUCILLE STILLWELL
of Eagle, Idaho, have, ~~has~~ complied with the terms and conditions of Permit
No. 32674/63-3483 issued pursuant to Application for Permit dated January 7, 1966,
and has submitted proof to the Department of Water Administration on September 1, 1970,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 1.63 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 1.63 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 1.63 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29, Twp. 5 N, Rge. 1 E, B.M.

in the county of Ada; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 387 acre feet per year or _____
4.5 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5 N	1 E	29				10								23			40	13	86

Total number of acres irrigated 86

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 6TH day of
November, 19 73.


Director

63 3483

9:30 Fri 6 Aug

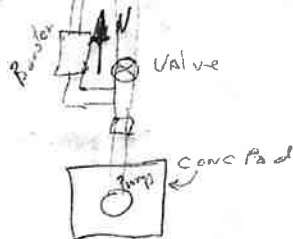
Form 28
2M-4-65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

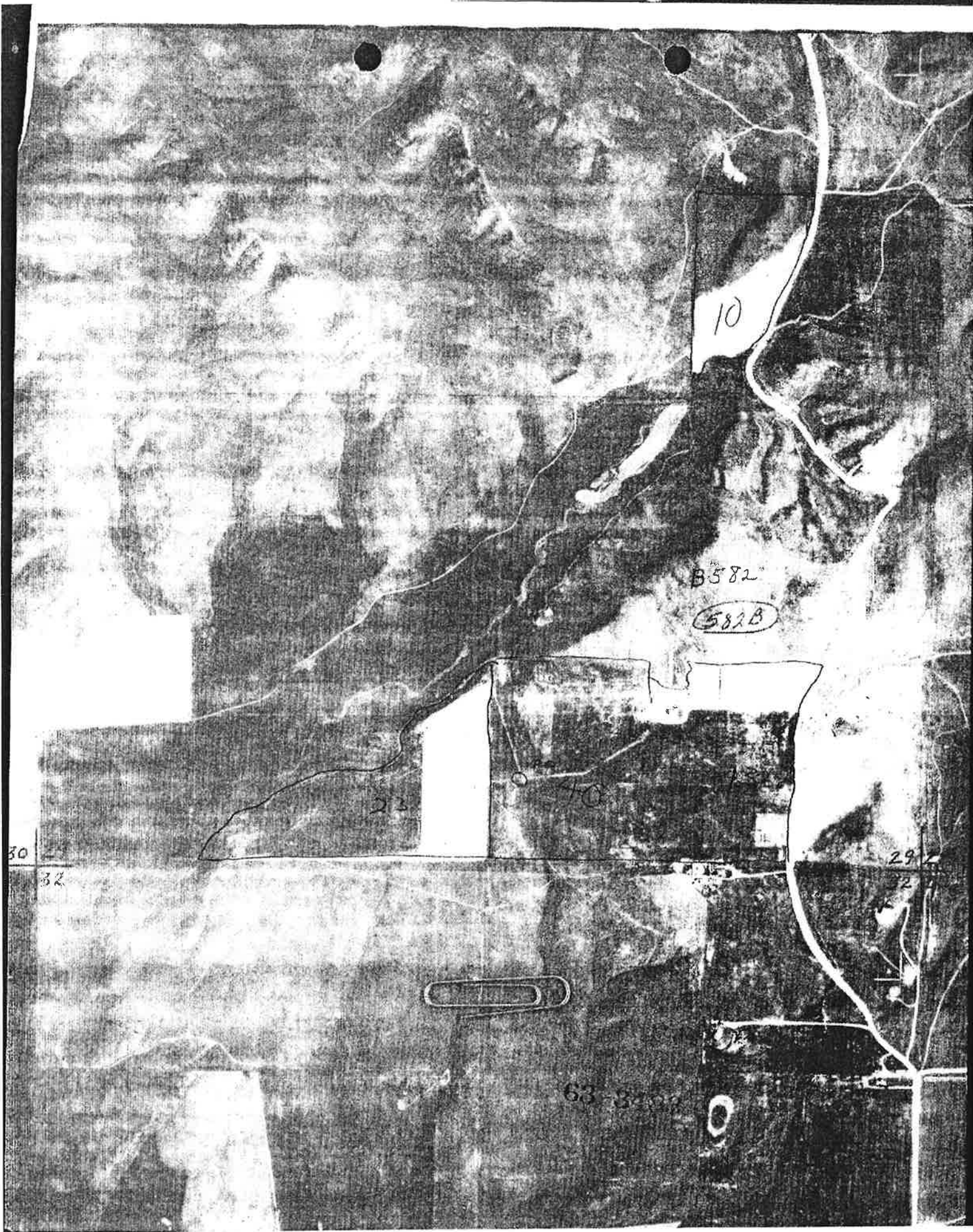
REPORT OF EXAMINER

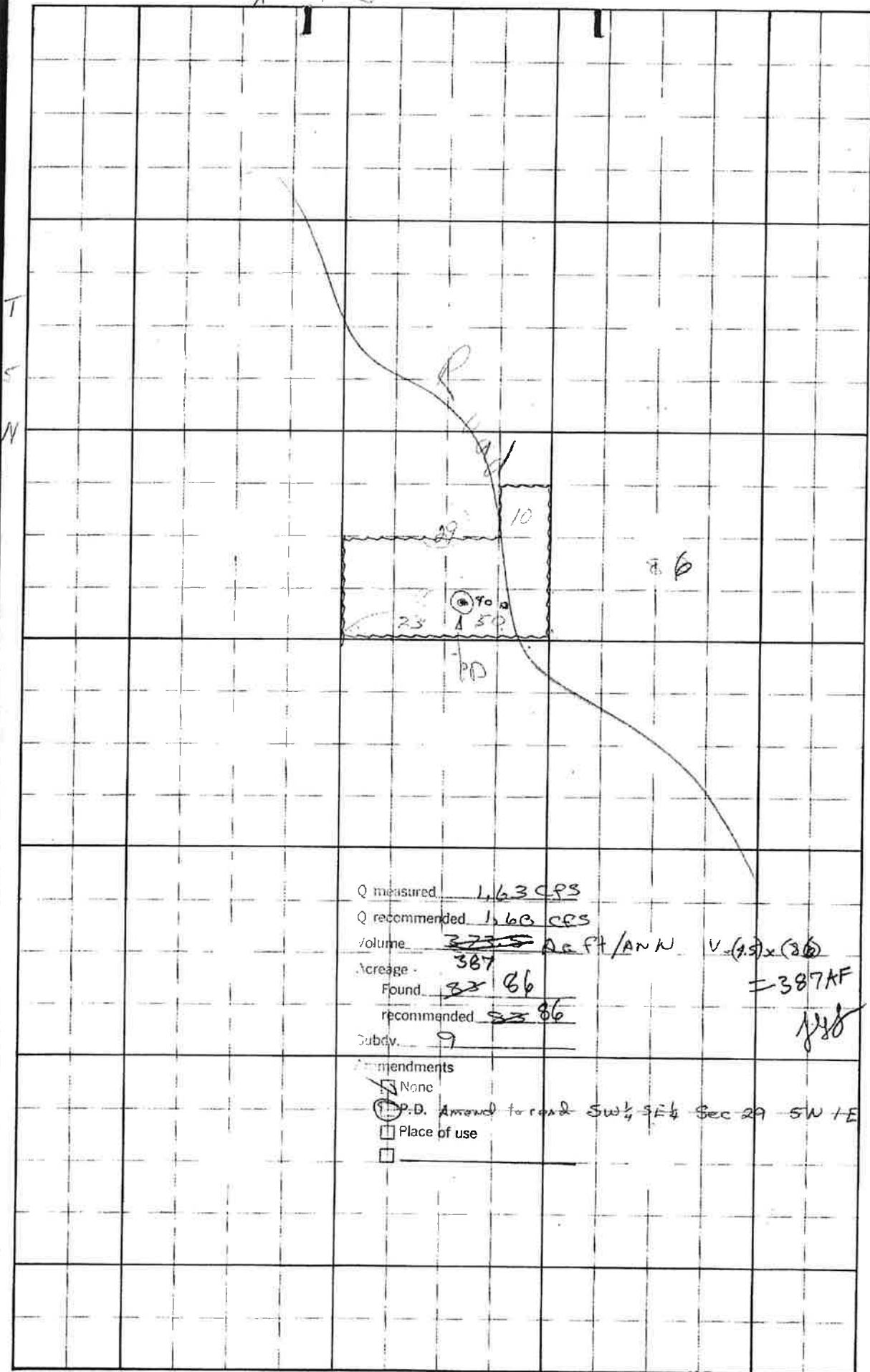
PERMIT NO. G-32674/63-3483

REPORT ON PROOF OF B/U WALTER JR. OR LUCILLE STILLWELL



63 3483





Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

63 3483

WATER RIGHT SPLIT TREE

63-3483 → Walter and Lucille Stillwell → 1.63
cfs irrigation → 86 ac

63-3483A → David J and Ginger Head → 0.095 cfs irrigation → 4 ac	
63-3483B → Walter and Lucile Stillwell → 0.10 cfs irrigation (plus 0.04 cfs for domestic total = 0.14 cfs) → 5 ac	
63-3483C → Linda M. and Michael O. Bowen → 0.04 cfs irrigation → 4 ac	
63-3483D → Barbara and Charles Russell → 0.08 cfs irrigation (plus 0.02 stock + 0.04 domestic = 0.14 cfs) → 4 ac	
63-3483E → Betty L. and James C. Miller → 0.10 cfs irrigation (plus 0.02 stock + 0.04 domestic = 0.16 cfs) → 5 ac	
63-3483F → Donna and Richard Metzger → 0.09 cfs irrigation (plus 0.02 cfs domestic =11 cfs) → 4.5 ac	
63-3483G → Barbara A. and Gerald C. Dalessio → 0.10 cfs irrigation (plus 0.02 stock + 0.04 domestic = 0.16 cfs) → 5 ac	
63-3483H → Flors Marie and William E. Jones → 0.10 cfs irrigation (plus 0.02 stock + 0.04 domestic = 0.16 cfs) → 5 ac	
63-3483J → Rebecca A. and Verle E. Breshears → 0.15 cfs irrigation (plus 0.02 stock + 0.02 domestic = 0.19 cfs) → 5 ac	
63-3483K → Inez h. and Richard B. Davey → 0.08 cfs irrigation → 4 ac	
63-3483L → Timothy M. Geary and Karen S. Niederhut → 0.13 cfs irrigation → 7 ac	
63-3483M → Alaysa and Robert H. West → 0.10 cfs irrigation (plus 0.02 stock + 0.04 domestic = 0.16 cfs) → 5 ac	
63-3483N → Martha E. and Michael K. Mc Murray → 0.04 cfs irrigation → 2 ac	
63-3483P → Gregory L. Graybadger → 0.06 cfs irrigation → 3 ac	
63-3483Q → Edwina and Kurt Barats → 0.08 cfs irrigation → 4 ac	
63-3483R → Carol A. and Jerry A. Peterson → 0.085 cfs irrigation → 4.5 ac	
63-3483S → Dwayne F. and June M. Ellis → 0.078 cfs irrigation → 4.1 ac	
TOTALS	1.508 cfs for irrigation → 75.1 acres

Please Note: Ron Howerton is the agent reviewing these adjudication claims, and Mr. Howerton stated he could not recommend the domestic and stockwater uses since they were not apart of the original license. Therefore, only the irrigation is necessary. There are only 2 splits in the water rights data base, in the name of Timothy and Karen Niederhut and the original owners Walter and Lucille Stillwell.

CONVERSATION MEMORANDUM



SUBJECT

STATUS OF RIGHT

WITH

DAVID HEAD (938-8508)

Claim/WR #

63-3483A

Agent:

RON H

Date:

1-8-03

CALLED ABOUT 9:15 AM

• SAYS SYSTEM IS ALL COMPLETE
IS READY FOR EX.

• HE IS ONLY A SHORT DISTANCE
AT HIS JOB TO MEET ME AT HIS
HOME

• I CAN CONTACT HIM ASAP
TO DO EXAM...

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-3483A

WATER RIGHT NUMBER: 63-3483A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WALTER STILLWELL JR RT 1 EAGLE, ID 83616
Current Owner	LUCILLE STILLWELL , ID

Priority Date: 01/07/1966

Basis: License

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	1.500 CFS	355.50 AF
	<u>Total Diversion:</u>	1.500 CFS	355.50 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4	Sec. 29, Twp 05N, Rge 01E, B.M.
ADA County		

Place of UseIRRIGATION Within ADA County

T05N R01E S29	SENE	3.0	T05N R01E S29	SESW	23.0
T05N R01E S29	SWSE	40.0	T05N R01E S29	SESE	13.0
Total Acres: 79					

Conditions of Approval:Remarks:Comments:

1. PSKAGGS 6/2/1998 TRANSFER 5274

Comment: Transfer 5274 changes the point of diversion under a portion of Right 63-03483, splitting the right into Parts A & B.

Dates and Other Information:

HEAD

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-3483A

Dates and Other Information:

Licensed Date: 9/12/1979
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Formal Action Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

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>
----------------	---------------------------	-----------------	---------------------------	-----------------	---------------

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

January 9, 2003

Mr. Ron Howerton
State of Idaho
Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

RECEIVED

JAN 10 2003

WATER RESOURCES
WESTERN REGION

Dear Mr. Howerton,

Thanks for your time on the phone yesterday. I was just calling to make sure all the details were in place on our water right prior to your final judgements on water rights in our area.

Per our conversation, I will provide here the basic information on our water right, and a brief history of the water use on the property.

Location: 855 Stillwell, Eagle, Idaho 83616
Stillwell Estates No.4 , Block 2 Lot 4
Identification number: 63-3483A
Source: Ground water
Point of diversion: 05N 01E 29 SE SE SW Ada County
Date of Priority: 1/7/1966
Date received: 4/11/89
Receipt no. C006269
Total property size: 5 acres
Domestic irrigation: 4 acres
Well Depth: 225'
Casing size: 6"
Interior casing: 2"
Pump size: 5 HP

This property was developed in 1980, and the house was built in 1981. Approximately 4 acres was put into pasture, and was irrigated by above ground moveable aluminum sprinkler pipe by the owner for most of the 1980's and 1990's. In approximately 1996, the owner (Perkins) changed the pasture irrigation system to an automatic underground sprinkler system. The property changed hands in 1999 (Peterson), again in 2000 (Morgan), and then to our ownership in 2001. In September 2002, I installed a larger pump (5 HP) in the well, and upgraded and replaced a good portion of the underground sprinkler system in the 4 acre pasture area. We plowed the pasture and re-planted it from seed at this same time. Our intention is to utilize the water right, and keep the entire property watered and green for aesthetics, fire protection and for the pasture value for our horses.

Best regards,

David J. Head
938-8508 home
939-9900 work

IMPORTANT MESSAGE

FOR Jan
DATE 6/7 TIME 3:38 A.M. P.M.

WHILE YOU WERE OUT

M David Head,
OF 939-9700 - 938-8808
PHONE NO. 866-2418

TELEPHONED	☐	PLEASE CALL	☒
CALLED TO SEE YOU	☐	WILL CALL AGAIN	☐
WANTS TO SEE YOU	☐	URGENT	☐

RETURNED YOUR CALL ☐

MESSAGE 103-3483A. Question
on location of FOB on map.

2003 PHOTO
SIGINT/INTEL PT. OF
DISSEMINATION
1987 photo file

MADE IN USA

sent your
photo in
11-28-05 +
updated
Answer.

JP