

#235603
10-01-98

Exception # 11 and # 15

BOOK 6 PAGE 396
RECORDS OF SURVEY
INST NO 235603
10-1-98
10:01 A.M.

I, Joel W. Drisdorf, a Professional Land Surveyor,
do hereby certify that this plat was prepared from
notes taken during an actual survey made under my
direct supervision in July of 1998, and that it
correctly represents the points, courses, and distances
as recorded in said field notes



scale : 1 in = 400 ft

LEGEND

- 5/8" rebar found
- 1/2" rebar found
- set 5/8" x 30" rebar w/plastic cap
- set 1/2" x 24" rebar w/plastic cap
- ⊕ found 3 1/4" brass cap
- ⊕ set 3 1/4" aluminum cap

LINE TABLE

Sta.	Dist.	Line
11	0+00.00	203.81'
12	0+00.00	213.88'
13	0+00.00	218.03'
14	0+00.00	195.80'
15	0+00.00	147.80'
16	0+00.00	164.82'
17	0+00.00	108.03'
18	0+00.00	167.33'
19	0+00.00	211.45'
20	0+00.00	178.78'
21	0+00.00	148.34'
22	0+00.00	51.10'
23	0+00.00	107.31'
24	0+00.00	182.58'
25	0+00.00	50.94'
26	0+00.00	523.82'
27	0+00.00	73.22'
28	0+00.00	235.89'
29	0+00.00	88.49'
30	0+00.00	163.39'
31	0+00.00	211.40'
32	0+00.00	278.00'
33	0+00.00	45.00'
34	0+00.00	17.03'

CURVE TABLE

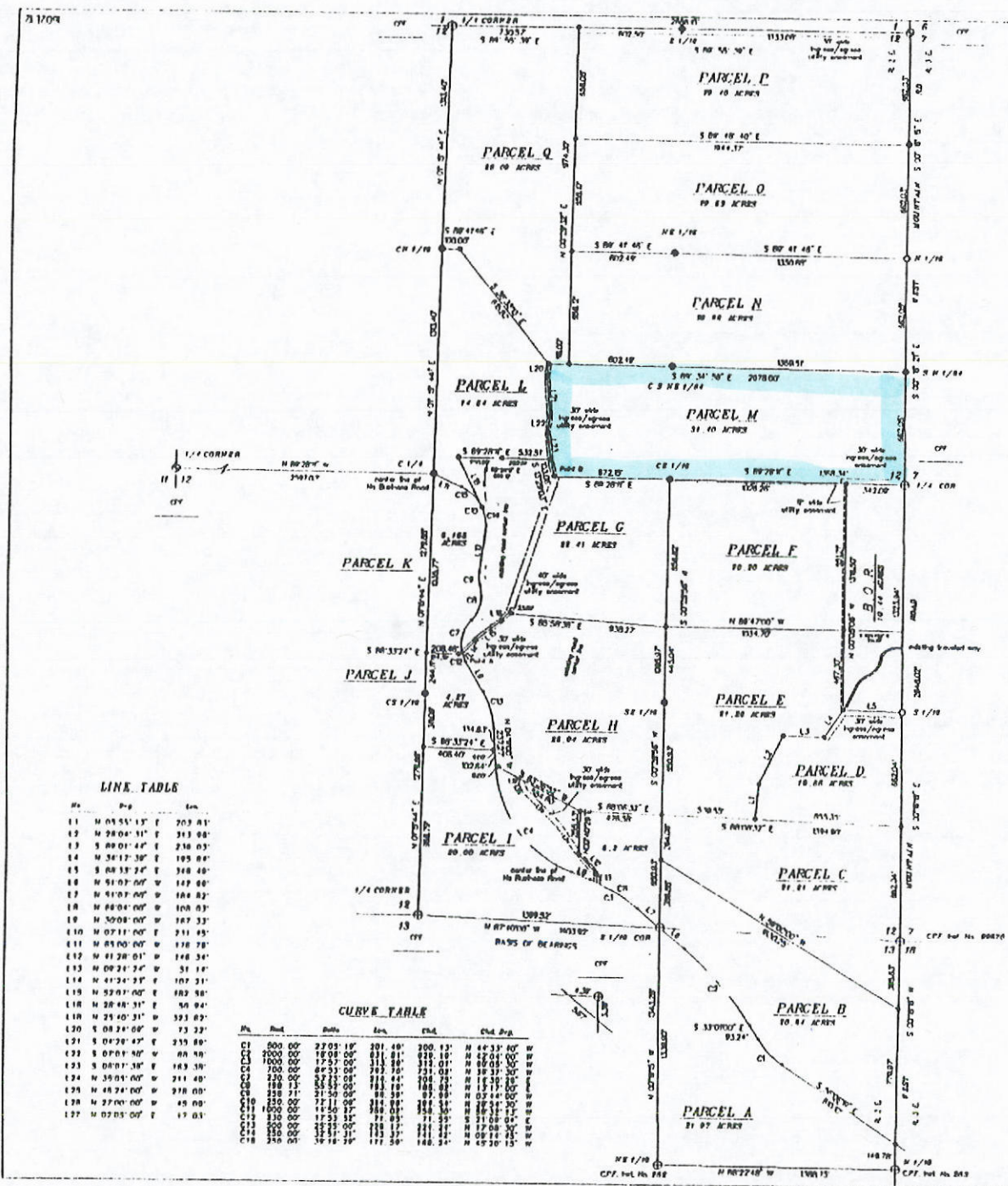
Sta.	Dist.	Curve	Chd. Dist.
C1	0+00.00	270° 15'	200.13'
C2	0+00.00	160° 00'	831.81'
C3	0+00.00	175° 00'	313.88'
C4	0+00.00	80° 53' 04"	782.70'
C5	0+00.00	37° 21' 08"	216.44'
C6	0+00.00	35° 53' 00"	183.18'
C7	0+00.00	31° 50' 00"	88.59'
C8	0+00.00	77° 10' 00"	184.54'
C9	0+00.00	15° 10' 00"	138.17'
C10	0+00.00	175° 31'	71.85'
C11	0+00.00	25° 00'	52.15'
C12	0+00.00	32° 31'	113.37'
C13	0+00.00	34° 16' 39"	177.59'

RECORD OF SURVEY
VALLEY COUNTY, STATE OF IDAHO

DENNETT PROPERTY
situate in the NE 1/4 of Section 13,
and Section 12, T. 16 N., R. 2 E., B.M.
Valley County, Idaho

PLANNED BY: JSD REVIEWED: 9-01-98 DATE: 9-01-98

KERR SURVEYING McCall, IDAHO JULY 1998



02/26/2001

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

RIGHT NUMBER: 65-22344

NAME AND ADDRESS: MICHAEL J CUNCLIFFE
2709 S MERRIMACK PL
BOISE, ID 83709

SOURCE: UNNAMED STREAMS TRIBUTARY: NORTH FORK PAYETTE RIVER

QUANTITY: 0.14 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR
DOMESTIC AND STOCKWATER USES SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 08/25/1930

POINT OF DIVERSION:	T16N R02E S12	NWNE	Within VALLEY County
	T16N R02E S12	SWNE	Within VALLEY County
	T16N R02E S12	NWSE	Within VALLEY County
	T16N R02E S12	SWSE	Within VALLEY County
	T16N R02E S13	NENE	Within VALLEY County

THREE POINTS OF DIVERSION LOCATED IN T16N, R02E, S12,
SWNE AND NWNE

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-15 10-31	0.14 CFS

PLACE OF USE:

<u>IRRIGATION Within VALLEY County</u>		
T16N R02E S12	SWNE	7.5

7.5 ACRES TOTAL

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

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE AND STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY THIS TRANSFER WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is the result of a split due to change in ownership for a portion of 65-02980E. DB 2/26/2001.

Property also known as Dennett Parcel M.

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

RECEIVED**DEC 15 2000**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
	65-02980	E			

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)

Monte Dennett
 10217 N Blacktail Ave.

4. New Owner/Claimant(s)

Boise, ID 83703

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

Michael J. Cuncliffe

City, State and ZIP Code

2709 S Merrimack Place, Boise, ID 83709

New Telephone Number

(208) 562-1652

5. Date you acquired the property

9/15/00

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 <u>65-02980E</u>		
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	<u>0.15 cfs</u>	<u>7.5 acres</u>
Stock		
Domestic		
Other		
Total	<u>0.15 cfs</u>	<u>Per calculations, should be .14 cfs.</u>

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)

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 <u>Gary S</u>	Date <u>12/15/00</u>	Fee <u>N/A</u>	
Received by _____	Date _____	Receipt No. _____	
Processed by _____	AJ Date _____	WR _____	Date _____

65-02980E

Dennett
65-22342

.89 cfs

16N 2E Sec. 12:

NENE	10 acres
NWNE	20 acres
SWNE	9.5 acres
NWSE	0 acres
SWSE	2 acres

41.5 acres total

Irrigation / Domestic / Stockwater
All POD's stay the same

Ball / Golze
65-22343

.04 cfs

16N 2E Sec. 12:

NWSE 2 acres
Irrigation water only
Dennett Parcel G

All POD's stay the same

Cuncliffe
65-22344

.14 cfs

16N 3E Sec. 12

SWNE 7.5 acres
Irrigation water only
Dennett Parcel M

All POD's stay the same

WARRANTY DEED

For Value Received, MONTE DENNETT, AN UNMARRIED MAN
the Grantors, do hereby grant, bargain, sell and convey unto
MICHAEL J. CUNLIFFE
whose address is: 2709 S. MERRIMACK PL, BOISE, ID 83709
the Grantee, the following described premises, to-wit:
SEE EXHIBIT A ATTACHED

The following Deed Restrictions shall apply to all parcels of the above property
and may be removed only with the express written consent of the Seller and/or
assigns.

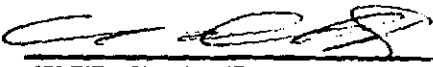
1. All permanent residences shall be constructed on site and place on concrete foundations.
2. All exterior surfaces on any structures shall be of earth-tone colors and all roofs must be of a pitched design.
3. No commercial activity may be conducted on any parcel.
4. Placing of any structure shall be limited to the area outlined for each parcel on Exhibit "B".
5. The above Deed Restrictions shall apply to all parcels shown on Exhibit "B" and "C".

SUBJECT TO A 30.00 FOOT WIDE INGRESS, EGRESS AND UTILITY EASEMENT LYING NORTH OF,
ALONG AND ADJACENT TO THE FOLLOWING DESCRIBED LINE; COMMENCING AT A BRASS CAP
MARKING THE 1/4 CORNER COMMON TO SECTION 12, T.16 N., R.2 E., AND SECTION 7, T.16
N., R.3 E., B.M. VALLEY COUNTY, IDAHO, THE REAL POINT OF BEGINNING; THENCE, N. 89°
28'11" W., 392.09 FEET TO THE POINT OF ENDING.

TOGETHER WITH ANY AND ALL MINERAL RIGHTS, TIMBER RIGHTS AND WATER RIGHTS.

TO HAVE AND TO HOLD the premises with their appurtenances unto the said
Grantees, their heirs and assigns forever. And the said Grantors do
hereby covenant to and with the said Grantees, that they are the owners
in fee simple of said premises that said premises are free from all
encumbrances except the 2000 taxes and assessments and that they will
warrant and defend the same from all lawful claims whatsoever.

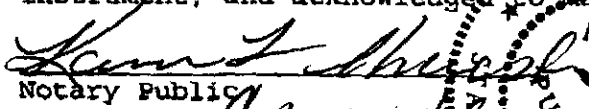
Dated: 9-15-00



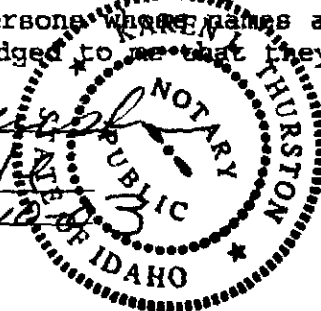
MONTE DENNETT

State of Valley)
County of Idaho) ss

On the 15 day of Sept, 2000 before me, Karen L. Thurston
a notary public in and for said State, personally appeared MONTE DENNETT
known to me to be the person whose name is subscribed to the within
instrument, and acknowledged to me that they executed the same.



Notary Public
Residing at: ASLAD
Commission Expires: 2-10-03



THOMAS W. KERR
PLS 998

KERR SURVEYING
PO BOX 853
MC CALL, IDAHO 83638
208-634-2686
January 13, 1999

JOEL W. DROULARD
PLS 5357

Exhibit "A"

DENNETT PARCEL M

A parcel of land situate in the S½ of the NE¼ of Section 12, T. 16 N., R. 2 E., B.M., Valley County, Idaho, more particularly described as follows:

Commencing at a brass cap marking the 1/4 Corner common to Section 12, T. 16 N., R. 2 E., and Section 7, T. 16 N., R. 3 E., B.M., Valley County, Idaho, the REAL POINT OF BEGINNING:

Thence, N. 89° 28' 11" W., 2,040.49 feet along the south boundary of said S½ NE¼ to a ½" rebar,
thence, N. 13° 29' 03" W., 103.06 feet along the center line of an existing road to a ½" rebar,
thence, N. 06° 07' 36" W., 163.38 feet along said road center line to a ½" rebar,
thence, N. 07° 03' 50" E., 88.58 feet along said road center line to a ½" rebar,
thence, N. 04° 26' 47" W., 235.69 feet along said road center line to a ½" rebar,
thence, N. 06° 24' 09" E., 73.22 feet along said road center line to a ½" rebar,
thence, S. 89° 34' 56" E., 2,078.00 feet to a 5/8" rebar marking the S-N 1/64 corner on the east boundary of said Section 12,
thence, S. 00° 16' 21" E., 662.05 feet to the Point of Beginning, containing 31.40 acres, more or less.

Subject to a 30.00 foot wide ingress, egress and utility easement lying north of, along and adjacent to the following described line:

Commencing at a brass cap marking the 1/4 Corner common to Section 12, T. 16 N., R. 2 E., and Section 7, T. 16 N., R. 3 E., B.M., Valley County, Idaho, the REAL POINT OF BEGINNING:

Thence, N. 89° 28' 11" W., 392.09 feet to the Point of Ending.

Subject to West Mountain Road along the entire east boundary of the above described parcel of land.

Subject to a 15.00 foot wide ingress, egress and utility easement along and adjacent to the entire west boundary of the above described parcel of land.

#235603
10-01-98

Exception # 11 and # 15

RECORD OF SURVEY
VALLEY COUNTY, STATE OF IDAHO
DENNETT PROPERTY
situate in the NE 1/4 of Section 13,
and Section 12, T. 16 N., R. 2 E., B.M.
Volley County, Idaho
KERR SURVEYING
McCALL, IDAHO
JULY 1998

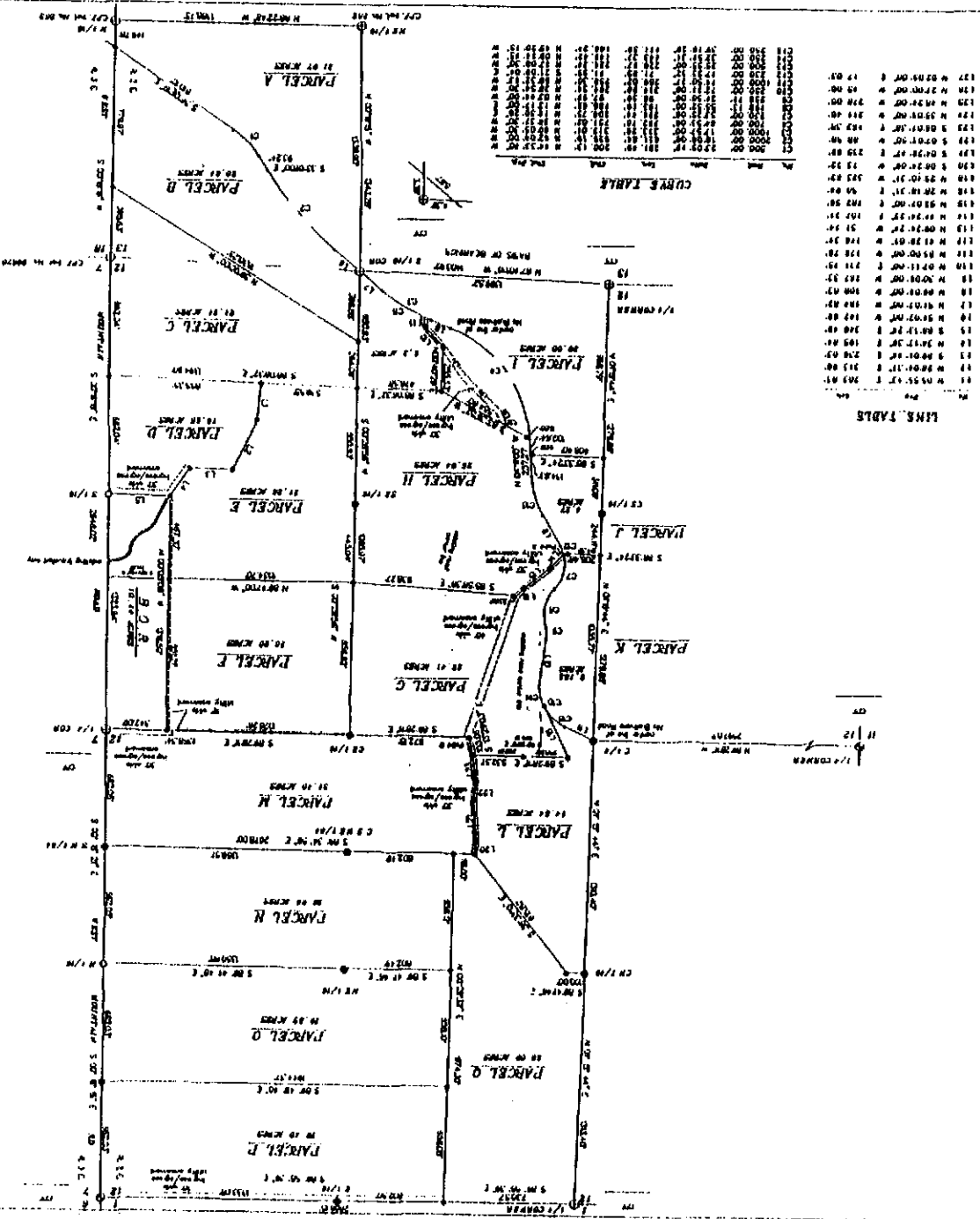
- LEGEND
- 5/8" rebar found
 - 1/2" rebar found
 - set 5/8" x 30" rebar w/ plastic cap
 - set 1/2" x 24" rebar w/ plastic cap
 - found 1/4" brass cap
 - set 1/4" aluminum cap

scale : 1 in = 400 ft



I, [Name], a Professional Land Surveyor,
do hereby certify that this map was prepared from
notes taken during an actual survey made under my
direct supervision in July of 1998, and that it
correctly represents the points, courses, and distances
as recorded in said field notes

BOOK 6, PAGE 596
RECORDS OF SURVEY
INST NO 235603
10-01-98 A.M.



CURVE TABLE

Sta	Chord	Angle	Radius	Chord	Angle	Radius
100+00	100.00	90.00	100.00	100.00	90.00	100.00
100+10	99.50	89.90	100.00	99.50	89.90	100.00
100+20	99.00	89.80	100.00	99.00	89.80	100.00
100+30	98.50	89.70	100.00	98.50	89.70	100.00
100+40	98.00	89.60	100.00	98.00	89.60	100.00
100+50	97.50	89.50	100.00	97.50	89.50	100.00
100+60	97.00	89.40	100.00	97.00	89.40	100.00
100+70	96.50	89.30	100.00	96.50	89.30	100.00
100+80	96.00	89.20	100.00	96.00	89.20	100.00
100+90	95.50	89.10	100.00	95.50	89.10	100.00
100+100	95.00	89.00	100.00	95.00	89.00	100.00

LINES TABLE

Sta	Chord	Angle	Radius	Chord	Angle	Radius
100+00	100.00	90.00	100.00	100.00	90.00	100.00
100+10	99.50	89.90	100.00	99.50	89.90	100.00
100+20	99.00	89.80	100.00	99.00	89.80	100.00
100+30	98.50	89.70	100.00	98.50	89.70	100.00
100+40	98.00	89.60	100.00	98.00	89.60	100.00
100+50	97.50	89.50	100.00	97.50	89.50	100.00
100+60	97.00	89.40	100.00	97.00	89.40	100.00
100+70	96.50	89.30	100.00	96.50	89.30	100.00
100+80	96.00	89.20	100.00	96.00	89.20	100.00
100+90	95.50	89.10	100.00	95.50	89.10	100.00
100+100	95.00	89.00	100.00	95.00	89.00	100.00

RIGHTS FROM: SOURCE: UNNAMED STREAMS TRIBUTARY: PAYETTE RIVER, NORTH FORK

RIGHT NUMBER: 65-02980E

NAME & ADDRESS: MONTE DENNETT
10217 N BLACKTAIL
BOISE ID 83703

SOURCE: UNNAMED STREAMS TRIBUTARY: PAYETTE RIVER, NORTH FORK

QUANTITY: 1.07 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC AND
STOCKWATER USES SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 08/25/1930

POINT OF DIVERSION: T16N R02E S12 NWNE Within VALLEY County
SWNE
NWSE
SWSE
S13 NENE

THREE POINTS OF DIVERSION LOCATED IN T16N, R02E, S12, SWNE AND
NWNE.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-15 10-31	0.98 CFS
	STOCKWATER	01-01 12-31	0.05 CFS
	DOMESTIC	01-01 12-31	2.7 AFY
			0.04 CFS
			1.2 AFY

PLACE OF USE: IRRIGATION Within VALLEY County
T16N R02E S12 NENE 10 NWNE 20 SWNE 17 NWSE 2
SWSE 2
51 ACRES TOTAL

Place of use for STOCKWATER is same as IRRIGATION

Place of use for DOMESTIC is same as IRRIGATION

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
DOMESTIC USE AND STOCKWATER USE IS NOT A DETERMINATION OF
HISTORICAL BENEFICIAL USE.

RIGHTS FROM: SOURCE: UNNAMED STREAMS TRIBUTARY: PAYETTE RIVER, NORTH FORK

RIGHT NUMBER: 65-02980E (CONT)

OTHER PROVISIONS: (CONT)

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

THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY
THIS TRANSFER WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
STOCKWATER, 100 RANGE CATTLE.



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

February 26, 2001

MICHAEL J CUNCLIFFE
2709 S MERRIMACK PL
BOISE ID 83709

Re: Original Notice of Claim to a Water Right No. 65-02980E

Renumbered Notice of Claim to a Water Right No. 65-22344

Dear Claimant:

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This Change of Ownership required a split of the original claim resulting in renumbering this claim by adding alpha suffixes to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time. You will be notified of any future action taken on this claim. Also enclosed is a copy of the original claim for your reference.

Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington". The signature is written in dark ink and is positioned above the typed name and title.

Denise Buffington
Office Specialist I
Adjudication Section
Western Region

DB:db

Enclosure