

P04160

RECEIVED OF Pioneer
300

ED - RECORDED

236945

01 AUG 31 PM 4:49

PC40245

WARRANTY DEED BY C. C. C. C.
DEPUTY

FOR VALUE RECEIVED Edward D. Frisbie and Barbara J. Frisbie,
husband and wife

the Grantors, do hereby grant, bargain, sell and convey unto Thomas J. Doherty and Mary J.
Doherty, husband and wife

the Grantees, whose address is 166517 Madison Rd., Nampa, ID, 83687

the following described premises, to-wit:

Lot 4 as shown on the plat of FERRY HEIGHTS SUBDIVISION, Owyhee
County, Idaho, recorded March 26, 2001 as Instrument No. 235410,
Owyhee County records.

TOGETHER with a 14.29% interest in Good Day Road as shown on the
plat of Ferry Heights Subdivision, Owyhee County, Idaho, recorded
March 26, 2001 as Instrument No. 235410, Owyhee County records.

TO HAVE AND TO HOLD the said 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 for general taxes and assessments for the year 2001 and
subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same
from all lawful claims whatsoever.

DATED: August 31, 2001

Edward D. Frisbie
Edward D. Frisbie

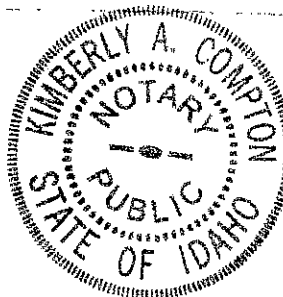
Barbara J. Frisbie
Barbara J. Frisbie

STATE OF IDAHO

COUNTY OF CANYON

On this 31st day of August in the year 2001, before me, a Notary Public,
personally appeared Edward D. Frisbie and Barbara J. Frisbie 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.

Kimberly A. Compton
Notary Public
Residing at Wilder
My commission expires 1-27-05



PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

610 SOUTH KIMBALL
CALDWELL, ID 83605

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that KENNETH L. &/or PATRICIA A. TRIPLETT

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from March 15 to November 15 at	2.0 cfs and	505 acre feet
	from _____ to _____	cfs and	
	from _____ to _____	cfs and	
	(both dates inclusive)		

Subject, however, to the condition that no more than 2.0 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 505 acre feet per year, said waters to be diverted within the Lot 1 (SENEA), Sec. 20,
Twp. 1S, Rge. 2W, B.M. in the County of Dwyhee

[illegible]

Use of water under this license is subject to control by the watermaster of State Water District No. 02, Snake River.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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 15th day of June, 19 87.

Director

Hydro Logic, Inc.

1002 W. Franklin Street, Boise, ID 83702 (208) 342-8369, (Fax) 342-3100, hydrologic@qwest.net

July 1, 2005

Mr. Steve Lester
Water Rights Supervisor
State of Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, Idaho 83705-5082

RECEIVED

JUL 05 2005

WATER RESOURCES
WESTERN REGION

Subject: Change of Ownership and Point of Diversion Transfer of Water Right No. 02-7189.

Dear Steve:

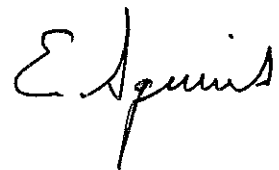
Transmitted under cover of this letter, please find the attached Application for Transfer of Water Right No. 02-7189 on behalf of my clients Thomas J. and Mary J. Doherty of Melba, Idaho. The application needs little explanation because it is a simple change of ownership split which requests a new point of diversion on the Snake River. The new proposed point of diversion would be located on the Applicant's property. The Application consists of the following parts:

1. A completed and signed (by the Applicant) IDWR Application for Transfer form.
2. An aerial photograph showing the Place of Use and surrounding area.
3. A portion of a U.S.G.S Topographic Series map showing the proposed new Point of Diversion on the Snake River.
4. The warranty deed for the appurtenant property.
5. A plat map showing the 3.442-acre Lot 4 of the Ferry Heights Subdivision.
6. A copy of water right License No. 02-7189.
7. A check for \$100 to cover the IDWR transfer processing fee.
8. This cover letter.

It is my intention that you find this application complete and thorough so that processing is straightforward and expeditious. Please call me directly at 342-8369 with any questions or if additional information is needed. We will make every effort to respond right away to any such requests.

Respectfully,

Ed Squires



c: Thomas J. and Mary J. Doherty



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

August 2, 2005

Consultant
↓
THOMAS J. & MARY J. DOHERTY
C/O ED SQUIRES
HYDRO LOGIC, INC.
1002 W FRANKLIN
BOISE ID 83702

Re: Application for Transfer of Water Right(s)

Dear Applicant:

Your application for transfer to change a water right(s) was recently received. Processing of the application must be delayed as explained below

Your application describes a water right for which a Snake River Basin Adjudication (SRBA) Claim has been filed. SRBA Claims in the area affected by the transfer application are currently being reviewed. The role of the Idaho Department of Water Resources (IDWR) in the SRBA is to review claims and make recommendations regarding those claims to the SRBA Court. Recommendations are presented to the court in a Director's Report. Potentially affected parties may object to recommendations in a Director's Report. This process introduces uncertainty regarding water rights until the objection period is over.

IDWR's limited staff resources must be used to complete the remaining Director's Reports during the next year. Additionally, experience indicates that processing an application for transfer in an area where a Director's Report is being prepared can result in confusion and complications by mixing judicial (SRBA) and administrative (transfer) actions.

The SRBA objection period for your area is expected to conclude sometime during the latter half of next year. Based on that schedule and the above reasoning, your application for transfer cannot be processed at this time. IDWR will hold your transfer application until that time and will notify you at the appropriate time to allow your application to be processed.

IDWR regrets the inconvenience undoubtedly caused by this necessary delay. Please contact me at 208-334-2190 if you have any questions in this regard.

Sincerely,

Steve Lester
Water Rights Supervisor

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUL 05 2005

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1WATER RESOURCES
WESTERN REGIONName of applicant Thomas J. and Mary J. Doherty Phone (208)495-0967Post Office address 11801 Good Day Road, Melba, ID 83641

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Change Ownership
2. Describe reason for the proposed changes: To change point of diversion to new pump from which new owner of property can divert water for irrigation purposes; To change ownership into name of new owner.

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

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use	
02-7189	03/11/1975	068 cfs	Irrigation	03/15	to 11/15
					to
					to
					to

2. Total amount of water being transferred .068 cubic feet per second and /or 17.2 acre-feet per annum.
3. Source of water Snake River tributary to Columbia River
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp.	Rge.	County	Local name for diversion
2	NW	NE		20	1S	2W	Owyhee	Private Diversion

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1S	2W	20		3.4															3.4

cc of Appl. for ownership change purposes
-SL 6/13/06

Total Acres 3.4

Part 1**6. General information:**

- a. Description of diversion system Lift pump into pressurized irrigation system.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust mortgages or contracts? Yes NA No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
NA
- d. Remarks

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED Please See Attached Copy of License

1. Right evidenced by:

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

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

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purpose:

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

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

7. Point(s) of diversion:

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

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

PART 2

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

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount 0.68 cfs/17.2 AFA for Irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
1	SE	NE		20	1S	2W	Owyhee	Frisbie Diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1S	2W	20		3.4															3.4

Total acres 3.4**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change) Balance of Right**

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

2. Point(s) of diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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

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

B. CHANGES IN NATURE OF USE

1.	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
	_____	_____	_____	_____ to _____
	_____	_____	_____	_____ to _____

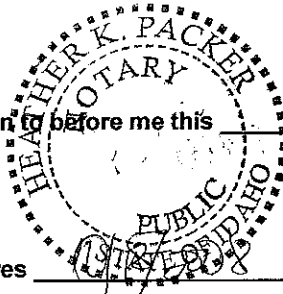
2. Quantity and quality of return flows of discharge:

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

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

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

Subscribed and sworn to before me this



16th day of June, 2005

(Signature of Applicant)

(Notary Public)

My commission expires

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by DB Date 7-5-05 Protest filed by _____

Prelim. Check by _____ Fee \$100- _____

Receipted by DB W033140 Date 7-5-05 _____

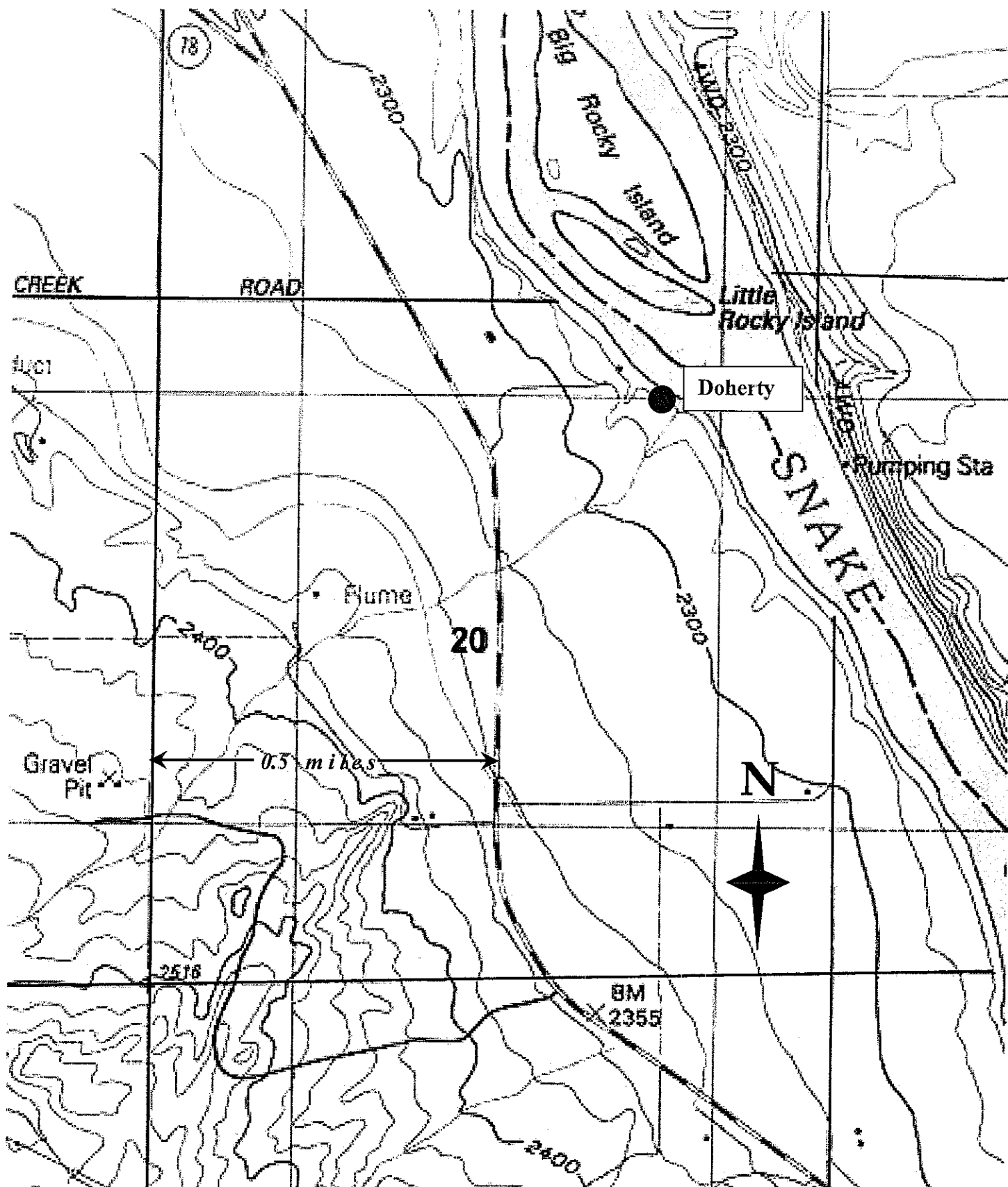
Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____



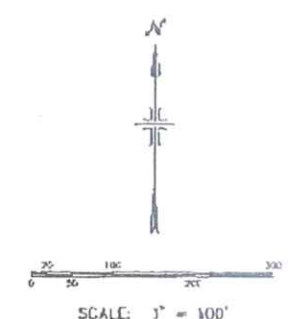
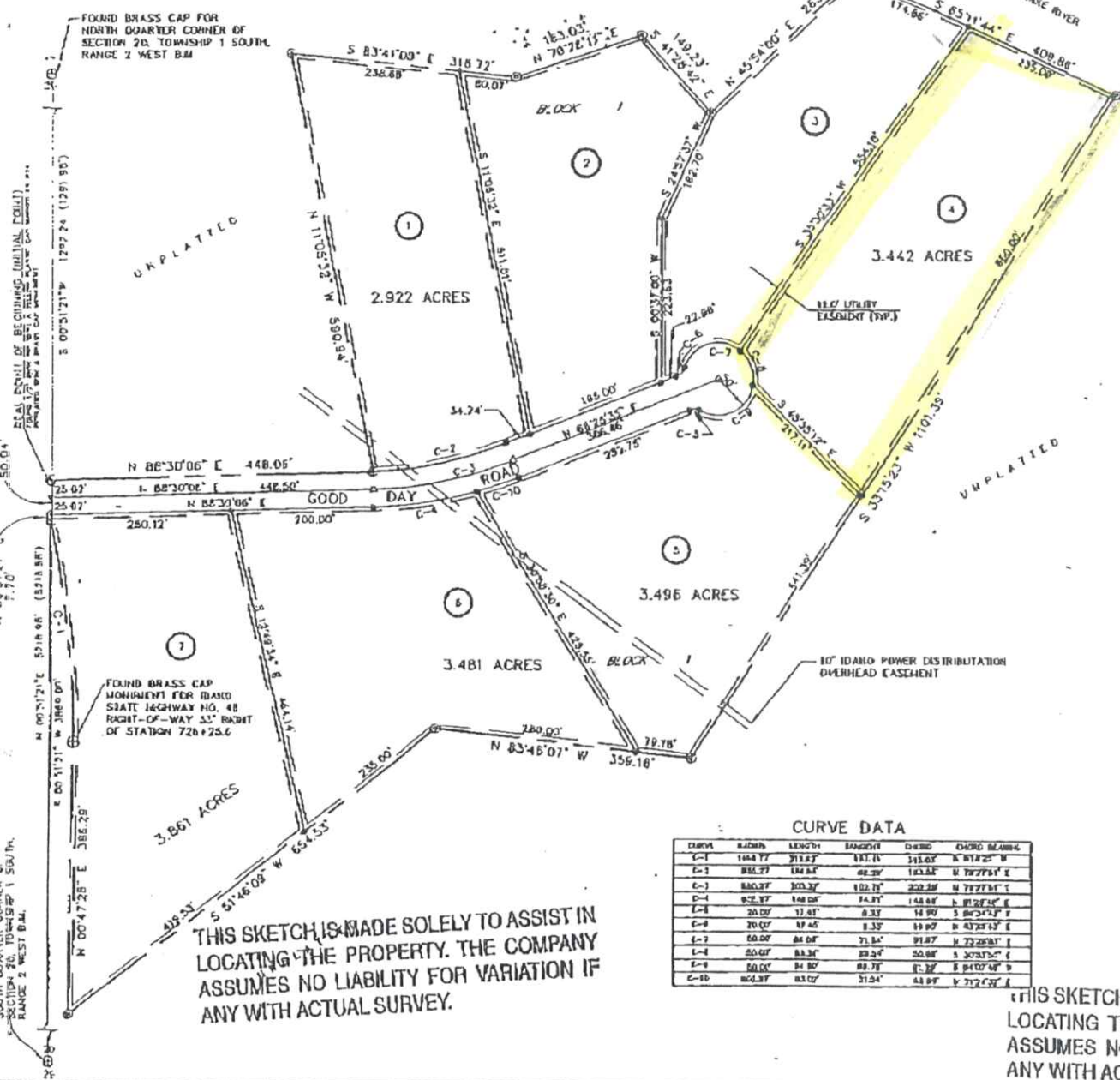
Doherty
Location Map
T1S, R2W, Section 20

PLAT OF FERRY HEIGHTS SUBDIVISION

A TRACT OF LAND LOCATED IN THE EAST 1/2 of SECTION 20, TOWNSHIP 1 SOUTH, RANGE 2 WEST of THE BOISE MERIDIAN Owyhee County, IDAHO 2000

NO. 536 P. 18

JAN. 30. 2003 10:59AM



- LEGEND**
- ⊕ FOUND BRASS CAP
 - ⊙ SET BRASS CAP (A.P.D.B.)
 - ⊙ SET 5/8" x 30" IRON PIN WITH PLASTIC CAP
 - ⊙ SET 1/2" x 24" IRON PIN WITH PLASTIC CAP
 - ⊙ FOUND 5/8" IRON PIN
 - △ CALCULATED POINT
 - PROPERTY BOUNDARY
 - RIGHT-OF-WAY LINE
 - CENTERLINE
 - LOT LINE WITH EASEMENT AS NOTED
 - ⑥ LOT NUMBER

- NOTES.**
- 1) ANY REVISIONS OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE RECORDING REGULATIONS IN EFFECT AT THE TIME OF REVISION.
 - 2) A 6-FOOT PERMANENT PUBLIC UTILITIES, IRRIGATION AND CHANNEL EASEMENT EXIST INSIDE ALL LOT LINES ALONG ROAD 1 AND ALONG 54' SUBDIVISION BOUNDARY, AND A 12-FOOT EASEMENT WILL BE CENTERED ON ALL INTERIOR LOT LINES IF A LOT LINE IS MOVED THE EASEMENT(S) SHALL MOVE WITH THE LOT LINE, PROVIDED THAT UTILITIES HAVE NOT BEEN INSTALLED WITHIN THE EASEMENTS.
 - 3) ALL INTERIOR ROADS ARE SIXTY (60) FEET WIDE, TWENTY-FIVE (25) FEET OTHER SIDE OF CENTERLINE. Owyhee County ASSUMES NO RESPONSIBILITY FOR EASEMENTS FOR THE PRIVATE ROADS PLATTED HEREIN, SUBJECT TO Owyhee County SUBDIVISION ORDINANCE. NO COUNTY SERVICES WILL BE PROVIDED FOR THE PRIVATE ROADS PLATTED HEREIN.
 - 4) THIS SUBDIVISION IS SUBJECT TO Owyhee County HEALTH DEPARTMENT RESTRICTIONS ON SALE WITH THE Owyhee County RECORDS LOT COMPLETION SHALL NOT BE INCREASED BY 1/2" DAVEN, OR OTHERWISE CHANGED WITHOUT PRIOR APPROVAL FROM Owyhee County HEALTH DEPARTMENT.
 - 5) ALL AREAS SHOWN HEREIN ARE FOR TAX PURPOSES ONLY.

CURVE DATA

CURVE	STATION	LENGTH	BEARING	CHORD	CHORD BEARING
C-1	144.77	312.27	181.14	315.02	N 81°25' W
C-2	834.77	124.84	62.39	123.54	N 72°25' E
C-3	840.37	370.37	102.78	202.88	N 72°25' E
C-4	97.87	148.08	14.81	148.88	N 81°25' E
C-5	20.00	17.45	8.33	14.90	S 84°25' E
C-6	20.00	17.45	8.33	14.90	N 43°25' E
C-7	60.00	84.08	71.84	91.87	N 72°25' E
C-8	50.00	84.34	39.24	50.88	S 30°25' E
C-9	60.00	84.34	89.78	81.32	S 30°25' E
C-10	804.37	83.07	51.04	43.89	N 72°25' E

THIS SKETCH IS MADE SOLELY TO ASSIST IN LOCATING THE PROPERTY. THE COMPANY ASSUMES NO LIABILITY FOR VARIATION IF ANY WITH ACTUAL SURVEY.

ROBERT A. NELSON P.L.S.
MERIDIAN, IDAHO

Doherty
Aerial Photo
T1S, R2W, Section 20

Doherty

N $\frac{1}{4}$ corner of Section 20

Scale:
0.5 miles

