

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-270

WATER RIGHT NUMBER: 63-270

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BARBARA A WILLIAMSON 850 WILLIAMSON LN EAGLE, ID 83616 (208)939-6287
Original Owner	LOUISE SIMONSON ZZ
Current Owner	SYLVAN D WILLIAMSON 850 WILLIAMSON LN EAGLE, ID 83616 (208)939-6287

Priority Date: 04/01/1865
Basis: Decreed
Status: Active

Source
BOISE RIVER

Beneficial Use
IRRIGATION

Location of Point(s) of Diversion
BOISE RIVER
ADA County

From To
03/15 to 11/15

Total Diversion:

Tributary
SNAKE RIVER

Diversion Rate

6.000 CFS

6.000 CFS

Annual Volume

1,350.00 AF

L6 SW1/4NE1/4

Sec. 22, Twp 04N, Rge 01E, B.M.

Place of Use
IRRIGATION

Twp Rge Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N 01E 15									4.0	35.0	10.0						49.0
04N 01E 16													25.0	5.0	35.0	35.0	100.0
04N 01E 21	35.0	15.0	5.0														55.0
04N 01E 22					38.0	38.0	5.0	15.0									96.0

Total Acres: 300

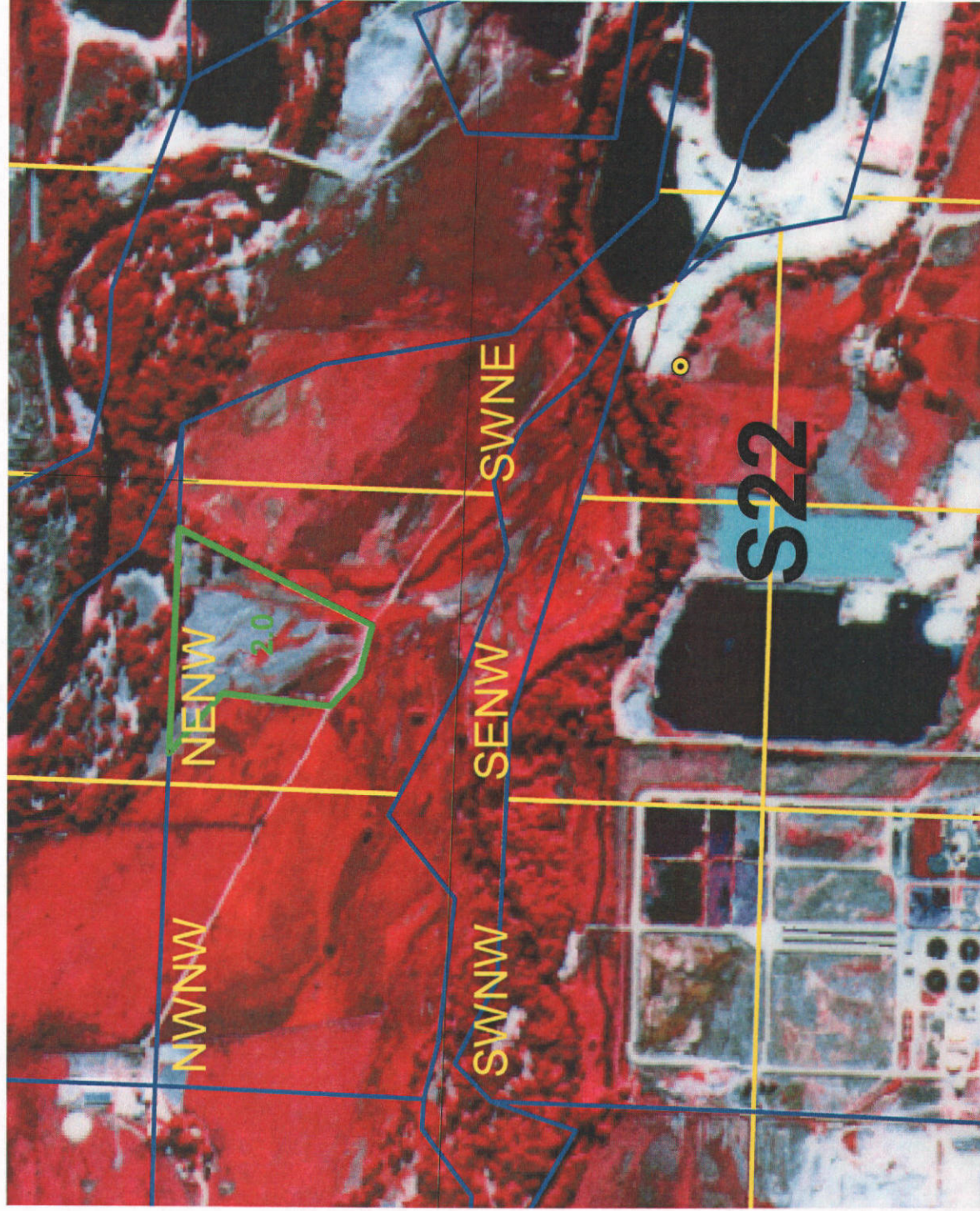
Remarks:

- General THIS CLAIM REPRESENTS A TRANSFER OF THE PLACE OF USE TO THE ACRES LISTED IN THIS SRBA CLAIM.

This claim represents a mitigation of permit 63-12323.

* Put (NO) IN OWNERSHIP FIELD!

Idaho Department of Water Resources



**T04N, R01E,
S22**

Claim No: 63-31497

Prepared By: Kimberly Brown

Date: October 24, 2005



Place of Use



Section Lines



1/4 1/4



Point of Diversion

Acres Irrigated = 2.0



300 0 300 600 Feet

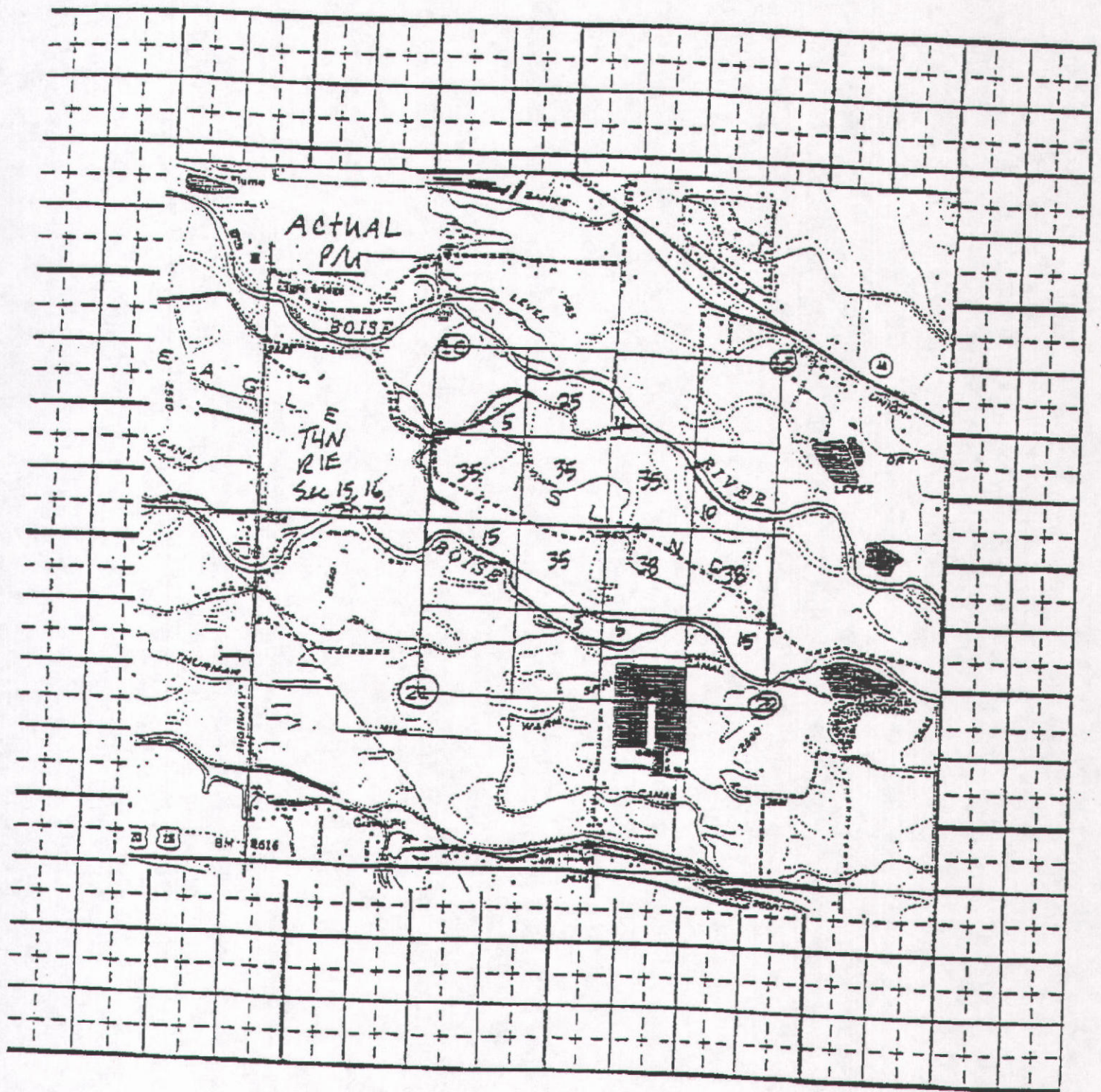


1987 NAPP

**KIFF
2 ACRES**

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name _____ Ident No. _____

MICROFILMED

NOV 26 2001

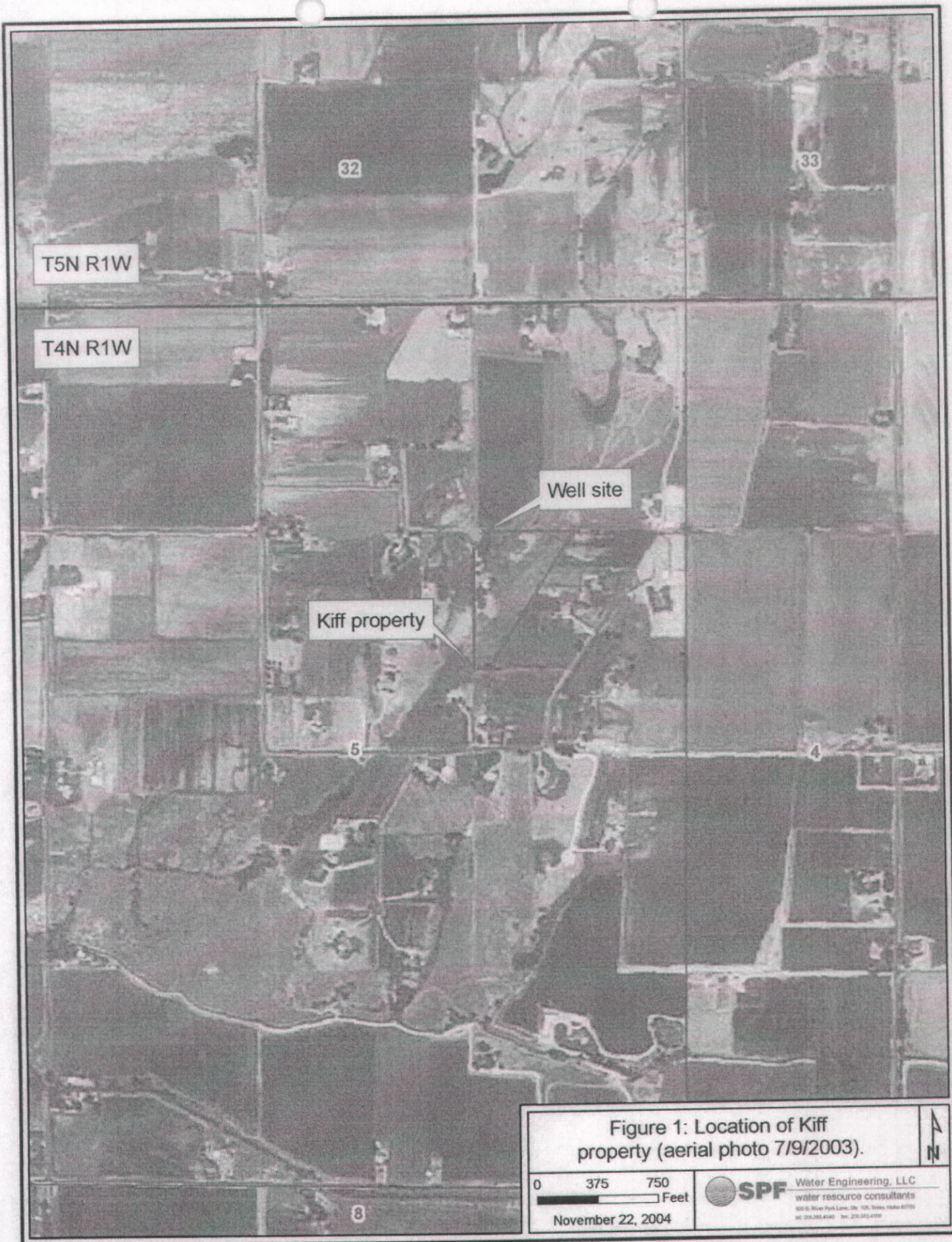




Figure 5. View of irrigated area (in background), looking north. Non-irrigated area is in the foreground. Home is out of the picture to the left.



Figure 6. View of northwest corner of property looking east.



Figure 3. View of eastern edge of irrigated area, looking southeast. Hand line is operating. Non-irrigated area is visible in the background.



Figure 4. View of home from center of the irrigated area, looking southwest. Irrigated area is in the foreground.

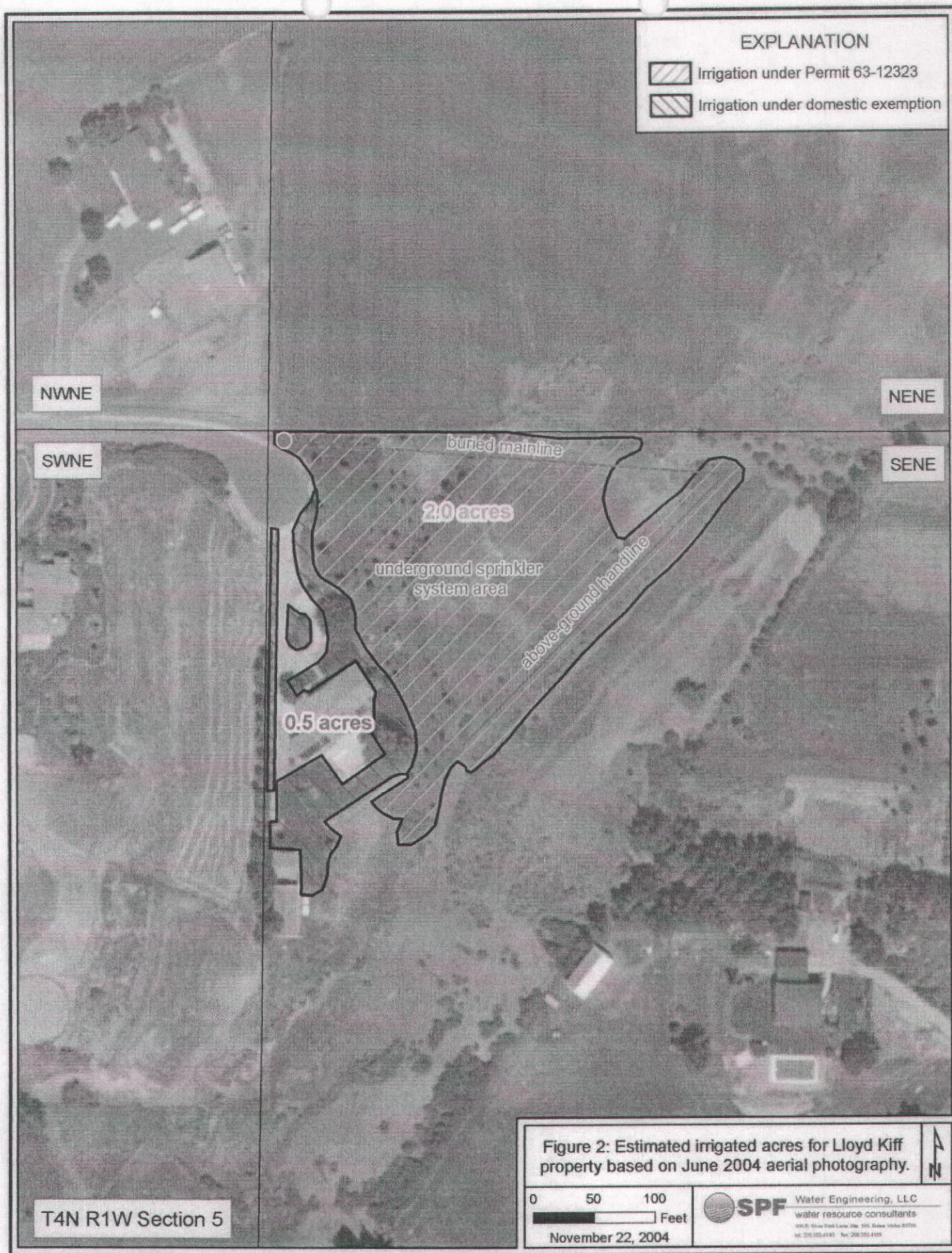




Figure 7. View of orchard and turf looking south. This area is irrigated with an underground sprinkler system. Home is obscured by trees in the background.

8245460

CORPORATION WARRANTY DEED

THIS INDENTURE, Made this 31st day of December,
in the year of our Lord one thousand nine hundred and sixty-five
between HAMMOND LIVESTOCK, INC., a California corporation authorized
to do business in the State of Idaho, and having its principal
office in Idaho at Eagle, in the County of Ada, party of the first
part, and SYLVAN D. WILLIAMSON and BARRARA A. WILLIAMSON, husband
and wife, of Vale, County of Malheur, State of Oregon, parties of
the second part,

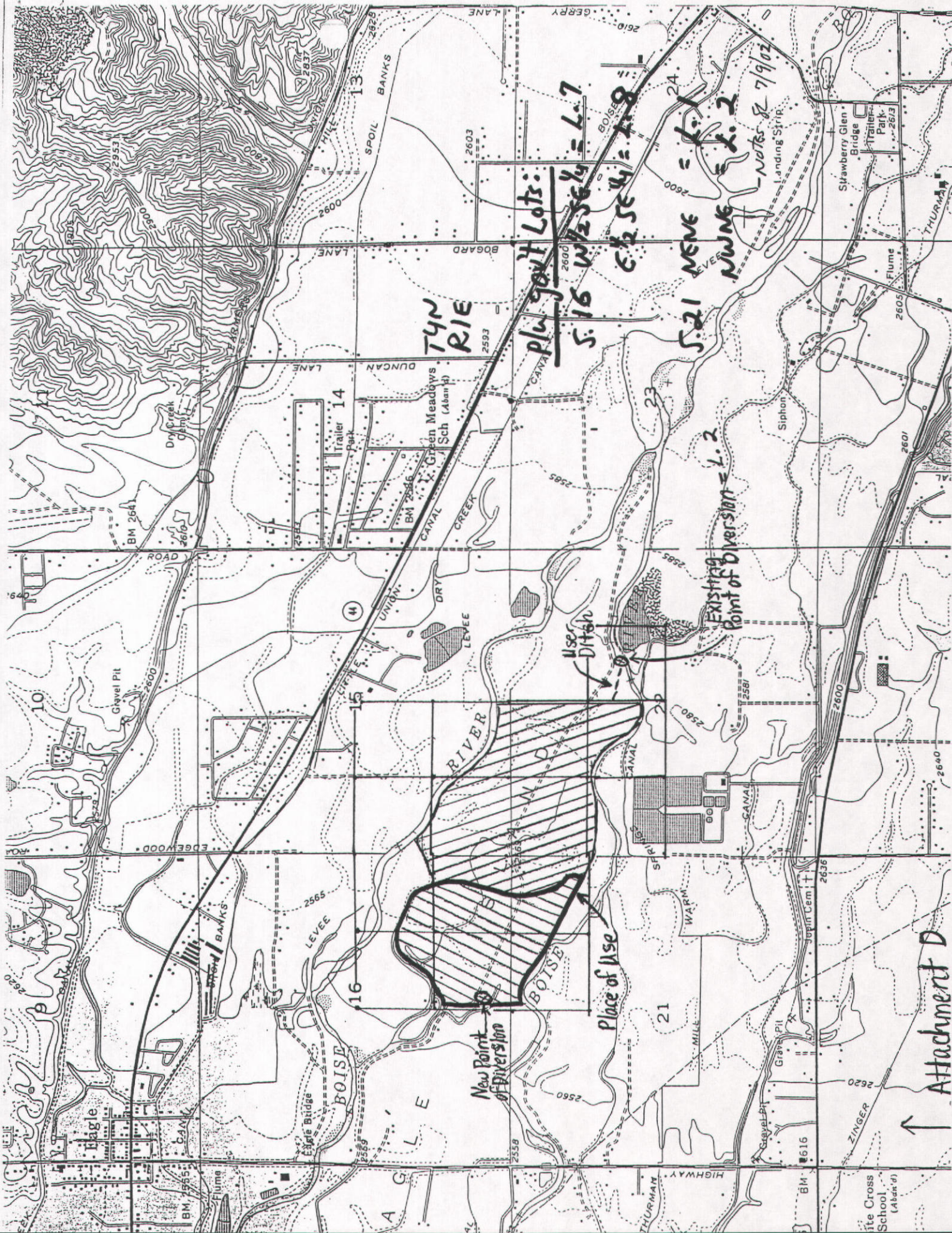
WITNESSETH That the said party of the first part, having
been hereunto duly authorized by resolution of its Board of
Directors, for and in consideration of the sum of TEN AND NO/100
DOLLARS (\$10.00), lawful money of the United States of America,
and other good and valuable considerations, to it in hand paid
by the said parties of the second part, the receipt whereof is
hereby acknowledged, has granted, bargained and sold, and by
these presents does grant, bargain, sell, convey and confirm unto
the said parties of the second part, and to their heirs and as-
signs forever, all the following described real estate situated
in the County of Ada, State of Idaho, to wit:

Lots 5 and 6 in Section 15;

Lots 7 and 8 in Section 16;

Lot 1 and an irregular tract contained in Lot 2 in Section
21, described as follows:

Beginning at the section corner common to Secs. 17, 18,
17, 20 and 21, Township 4 North, Range 1 East, Boise
Meridian, thence on a bearing of North 89° 18' East
East which bears 90° 18' East of the East Quarter corner
of Section 21, according to Idaho State Highway Depart-
ment road survey maps, a distance of 222.90 feet to
the real int of beginning; thence on a bearing of North
distance of 222.90 feet to the Boise river; thence

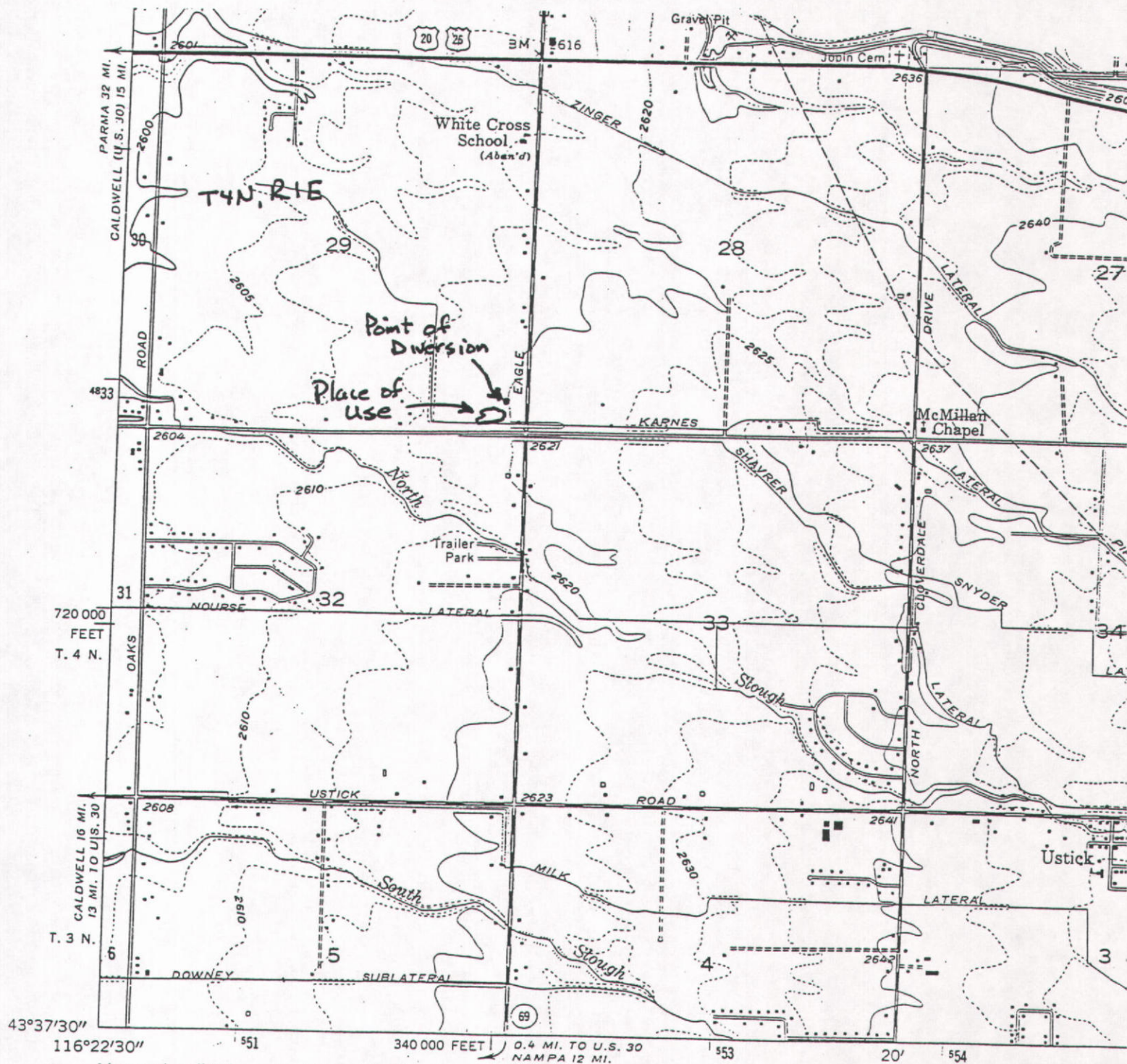


↑ ATTACHMENT D

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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

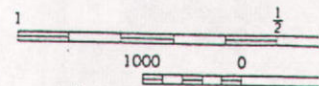


Mapped, edited, and published by the Geological Survey

Control by USGS and USC&GS

Topography from aerial photographs by multiplex methods

Table number 1052 Aerial photographs taken 1951



ERIDIAN)
2771 III SW

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 63-31497
Date Received: 7/5/1989
Receipt No:
Received By:

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

1. Name of Claimant(s)

LLOYD F KIFF
9999 W STAR ACRES DR
STAR ID USA 83669

Phone: (208)286-9116

JULIA KIFF
9999 W STAR ACRES DR
STAR ID USA 83669

Phone: (208)286-9116

2. Date of Priority: 04/01/1865

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01E	22	SW NE 6	ADA	

5. Description of diverting works:

WING DAM IN RIVER TO DITCH TO FLOOD IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.04	9

7. Total Quantity Appropriated is:
0.04 C.F.S. and/or 9 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01E	22	NE	NW	3	IRRIGATION
						2
						Section Acres
						2
						Total Acres
						2

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:

This claim represents a mitigation of permit 63-12323.

This claim is the result of a split due to change in ownership for a portion of 63-270. DH 6/3/2002

15. Basis of Claim: Decreed

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.

RECEIVED

JUN 27 2001

WATER RESOURCES
WESTERN REGION

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
63-00270	A63-00270	X			

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:
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) Sylvan &/or Barbara Williamson
850 Williamson Lane, Eagle, ID 83616

4. New Owner/Claimant(s) Lloyd F. Kiff and Julia L. Kiff
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address 9999 Star Acres Drive

City, State and ZIP Code Star, ID 83669

New Telephone Number (208) 286-9116

5. Date you acquired the ~~property~~ water right May 3, 2001 (see contract)

RECEIVED

SEP 28 2001

WATER RESOUR
WESTERN REGION

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

Water Use	Rate of Diversion (CFS)	Annual Volume (acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	0.04	9.0	2 acres
Stock			
Domestic			
Other			
Total	0.04	9.0	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

Water Use	Rate of Diversion (CFS)	Annual Volume (acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation			
Stock			
Domestic			
Other			
Total			

Gloyd F. Kiff
Julia L. Kiff

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.

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

4-WAY SPLIT TREE

RIGHT: 63-270

AGENT: Ron Howerton

Date: 4/1/02

FACTORS

CFS 6.0 /acres 300 = 0.02 CFS/acre &

AFA = 1350/acres 300 = 4.5 AFA/acre

SPLIT 1 = CFS 0.02 x 292 acres = 5.84 CFS & AFA 4.5 x 292 acres = 1314 AFA

SPLIT 2 = CFS 0.02 x 2 acres = 0.04 CFS & AFA 4.5 x 2 acres = 9 AFA

SPLIT 3 = CFS 0.02 x 2 acres = 0.04 CFS & AFA 4.5 x 2 acres = 9 AFA

SPLIT 4 = CFS 0.02 x 4 acres = 0.08 CFS & AFA 4.5 x 4 acres = 18 AFA

TOTALS:

6.0 CFS

300 acres

1350 AFA

RIGHTS: 63-270

WILLIAMSON

CFS: 6.0

ACRES: 300

TRACTS(S)

SEE CLAIM

NAME: Williamson
SPLIT: 63-31496

CFS: 5.84
ACRES: 292
AFA: 1314

TRACT(S):
SEE CLAIM

NAME: Kiff
SPLIT: 63-31497

CFS: 0.04
ACRES: 2.0
AFA: 9
TRACT(S)
SECTION: 22
NENW Lt 3 (2)

NAME: Woodhead
SPLIT: 63-31498

CFS: 0.04
ACRES: 2.0
AFA: 9
TRACT(S):
SECTION: 22
NENW Lt 3 (2)

NAME: Sundance
SPLIT: 63-31499

CFS: 0.08
ACRES: 4.0
AFA: 18
TRACT(S):
SECTION: 22
NENW Lt 3 (4)

7/5/89

SPLIT
KIFF

Page 1

04/01/2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-270

WATER RIGHT NUMBER: 63-270

Owner Type Name and Address
Current Owner BARBARA A WILLIAMSON
 850 WILLIAMSON LN
 EAGLE, ID 83616
 (208)939-6287
Original Owner LOUISE SIMONSON
 ZZ
Current Owner SYLVAN D WILLIAMSON
 850 WILLIAMSON LN
 EAGLE, ID 83616
 (208)939-6287

Priority Date: 04/01/1865

Basis: Decreed

Status: Active

Source
BOISE RIVER

Tributary
SNAKE RIVER

Beneficial Use
IRRIGATION

From To
03/15 to 11/15

Total Diversion:

Diversion Rate

6.000 CFS

6.000 CFS

Annual Volume

1,350.00 AF

Location of Point(s) of Diversion

BOISE RIVER
ADA County

L6 SW1/4NE1/4

Sec. 22, Twp 04N, Rge 01E, B.M.

Place of Use
IRRIGATION

Twp Rge Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N 01E 15									4.0	35.0	10.0		49.0
											1.5		
04N 01E 16									25.0	5.0	35.0	35.0	100.0
									1.8	1.7	1.7	1.8	
04N 01E 21	35.0	15.0	5.0										55.0
	1.1	1.2	1.2										
04N 01E 22					38.0	28.0	5.0	15.0					86.0
					1.8	1.4	1.6	1.6					

Total Acres: 300

Remarks:

1. General THIS CLAIM REPRESENTS A TRANSFER OF THE PLACE OF USE TO THE ACRES LISTED IN THIS SRBA CLAIM.

This claim represents a mitigation of Permit 63-12323.

* Put (NO) IN OWNERSHIP FIELD!

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 63-12323

WATER RIGHT NUMBER: 63-12323

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	DAVID H ROYLANCE 9999 W STAR ACRES DR STAR, ID 83669 (208)286-9600
Current Owner	LLOYD F KIFF 9999 W STAR ACRES DR STAR, ID 83669 (208)286-9116
Current Owner	JULIA KIFF 9999 W STAR ACRES DR STAR, ID 83669 (208)286-9116

Priority Date: 02/06/1996

Basis:

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4	Sec. 5,	Twp 04N,	Rge 01W, B.M.
ADA County				

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	5				2.0													2.0

Total Acres: 2

Conditions of Approval:

1. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. 26A Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
3. R69 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 63-12323

Remarks:

1. Water bearing zone to be appropriated is 50 to 150 feet.
2. Water shall not be diverted and beneficially used under this right unless water is available for mitigation purposes under the portion of Right 63-270 (currently in the name of Sylvan &/or Barbara Williamson) purchased by the right holder as evidenced by the water right purchase and sales agreement dated 5/3/2001. Such water right used for mitigation purposes shall be left wholly undiverted in the Boise River to offset depletions caused by use under this permit. Failure to comply with these provisions is cause for immediate cancellation of this permit.
3. The permit holder is not authorized to assign ownership of this permit or the part of the Williamson water right used for mitigation without prior written approval of the department. In its consideration of a request for assignment, the department will review the permit holders diligence in the development of a water right and the extent of development performed under terms of the permit.

Comments:Dates and Other Information:

Permit Proof Due Date: 9/1/2006
Permit Proof Made Date:
Permit Approved Date: 9/14/2001
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Field Exam Date:
Date Sent to State Office:
Date Received at State Office:
Formal Action Date:
State or Federal:
Owner Name Connector: And
Water District Number:
Generic Max Rate Per Acre: 0.03
Generic Max Volume Per Acre: 4.5
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: True

Givens Pursley
ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

RECORDED - REQUEST OF
24 - *Barbiling*
FEE DEPUTY

When recorded return to:

GIVENS PURSLEY LLP
277 North Sixth Street, Suite 200
P.O. Box 2720
Boise, Idaho 83701-2720
Attn: Jeffrey C. Fereday

2001 SP 18 PM 3: 58

101095883

WATER RIGHT GRANT DEED

FOR VALUE RECEIVED, Sylvan and Barbara Williamson, husband and wife, (collectively, "Grantor") of Eagle, Idaho, hereby grant, bargain, sell and convey unto Grantee Lloyd F. And Julia L. Kiff whose address is 9999 Star Acres Drive, Star, ID 83669, all of Grantor's right, title and interest in and to that portion of decreed water right 63-00270 necessary to deliver a water flow rate of 0.04 cubic feet per second during the irrigation season and an annual diversion volume of 9 acre-feet (such portion hereinafter referred to as the "Water Right"). The Water Right heretofore has been diverted and beneficially used by Grantor, and is appurtenant to the real property located in Ada County, Idaho, more particularly described on Exhibit A attached hereto. A copy of the amended SRBA claim evidencing the Water Right is attached hereto as Exhibit B.

TO HAVE AND TO HOLD the Water Right and all of its appurtenances unto the Grantee, its successors and assigns, forever.

The Idaho Department of Water Resources shall be entitled to enter the change in ownership of the Water Right effected hereby upon its records and those of the Snake River Basin Adjudication Court, Fifth Judicial District, in the State of Idaho, in and for the County of Twin Falls, Case No. 39576.

IN WITNESS WHEREOF, the Grantor has caused the Grantor's name to be subscribed to this Grant Deed effective the *18th* day of September, 2001.

GRANTOR: SYLVAN WILLIAMSON BARBARA WILLIAMSON

Sylvan Williamson *Barbara Williamson*

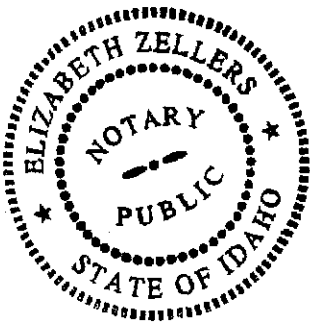
STATE OF IDAHO)

) ss.

County of Ada)

On this 18th day of September, in the year 2001, before me, a Notary Public in and for the State of Idaho, personally appeared Sylvan and Barbara Williamson, known or identified to me to be the husband and wife who executed the above instrument, and acknowledged to me that they executed the same.

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



Elizabeth Zellers

Notary Public for Idaho

Residing at:

My commission expires:

EXHIBIT A

Legal Description of Real Property to Which the Water Right Is Appurtenant

Two acres within the NE1/4 of the NW 1/4 of Section 22, Township 4 North,
Range 1 East B.M.

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 63-270
Date Received: 7/5/89
Receipt No: W003463
Received By:

AMENDED

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

1. Name of Claimant(s)

Name: BARBARA A WILLIAMSON Phone: (208)939-6287

Address: 850 WILLIAMSON LN
EAGLE ID USA 83616

Name: SYLVAN D WILLIAMSON Phone: (208)939-6287

Address: 850 WILLIAMSON LN
EAGLE ID USA 83616

2. Date of Priority: 04/01/1865

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
04N	01E	22	SW NE	6	ADA

5. Description of diverting works:

WING DAM IN RIVER TO DITCH TO FLOOD IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S. (or)	A.F.A
IRRIGATION	3/15	11/15	6	0

7. Total Quantity Appropriated is:
6 C.F.S. and/or 1350 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township Acres	Range	Section	1/4 of 1/4			Lot	Use	
04N	01E	15	NW	SW			IRRIGATION	4
			SE	SW			IRRIGATION	10
			SW	SW	5		IRRIGATION	35
Section Acres								49
04N	01E	16	NE	SE	8		IRRIGATION	25
			SW	SE	7		IRRIGATION	35
			SE	SE	8		IRRIGATION	35
			NW	SE	7		IRRIGATION	5
Section Acres								100
04N	01E	21	SE	NE	2		IRRIGATION	5
			NE	NE	1		IRRIGATION	35
			NW	NE	2		IRRIGATION	15
Section Acres								55
04N	01E	22	NE	NW	3		IRRIGATION	38
			NW	NW	4		IRRIGATION	38
			SW	NW	5		IRRIGATION	5
			SE	NW	6		IRRIGATION	15
Section Acres								96

Total Acres 300

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:

THIS CLAIM REPRESENTS A TRANSFER OF THE PLACE OF USE TO THE
ACRES LISTED IN THIS SRBA CLAIM

15. Basis of Claim: Decreed



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

June 4, 2002

LLOYD F KIFF
JULIA KIFF
9999 W STAR ACRES DR
STAR ID 83669

Re: Original Notice of Claim to a Water Right No. 63-270

Renumbered Notice of Claim to a Water Right No. 63-31497

Dear Claimants:

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, using a new water right number 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.

It is our understanding that this water right is used as mitigation for permit number 63-12323. To protect your water right from a future finding of forfeiture due to non-use, this water right can be leased to the Water Supply Bank. Please contact the Department for additional information regarding the Water Supply Bank or other options to avoid forfeiture.

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

Sincerely,

Adjudication Section
Western Region

DH: dh

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

March 28, 2002

LLOYD F KIFF
JULIE L KIFF
9999 STAR ACRES DR
STAR ID 83669

RE: Notice of Change of Water Right Ownership No. 63-270

Dear Mr. & Mrs. Kiff:

This office has reviewed your Notice of Change of Water Right Ownership for the property with the above reference water right number. However, we are returning this to you at this time.

Due to the fact this is a split of the original claim, we need you to submit a plat map of the property in which you purchased.

Please submit your plat map and we will be able to complete this ownership change. If you have any questions concerning this letter, please contact this office at 334-2190. Thank you for your patience and cooperation, as we have had several water right changes to process.

Sincerely,

Adjudication Section
Western Region

RH: db

Enclosures

10/24/2005

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

RIGHT NUMBER: 63-31497

NAME AND ADDRESS: LLOYD F KIFF
9999 W STAR ACRES DR
STAR ID 83669

JULIA KIFF
9999 W STAR ACRES DR
STAR ID 83669

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.040 CFS
9.000 AFY

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 03/01/1865

POINT OF DIVERSION:

T04N R01E S22 SWNE Lot 6 Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.040 CFS
9.00 AFY

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE: IRRIGATION Within ADA County

T04N R01E S22 Lot 3 NENW 2.0

2 ACRES TOTAL

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

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: BASIS OF CLAIM - Decreed

This claim is the result of a split of 63-270.

This right is also designated as Right No. 8-C in the Boise River Stewart Decree and Boise River Water Distribution Report.

Mitigation use is for the consumptive use of water under Right No. 63-12323.

Idaho Department of Water Resources



**T04N, R01E,
S22**

Claim No: 63-31497

Prepared By: Kimberly Brown

Date: October 24, 2005



Place of Use

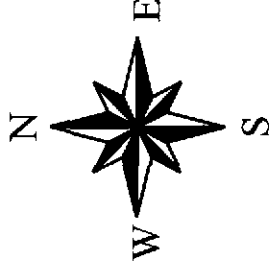


Section Lines

1/4 1/4

⊙ Point of Diversion

Acres Irrigated = 2.0



300 0 300 600 Feet

1987 NAPP

#8-C of Intervenor - Stewart Decree

(Louise Simonson - 6cfs - 300 AC - #63-270)

PARENT

02/14/2005

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31497

WATER RIGHT NUMBER: 63-31497

Owner Type
Original Owner

Name and Address
LOUISE SIMONSON

Original Owner

, ZZ
BARBARA A WILLIAMSON
850 WILLIAMSON LN
EAGLE, ID 83616
(208)939-6287

Original Owner

SYLVAN D WILLIAMSON
850 WILLIAMSON LN
EAGLE, ID 83616
(208)939-6287

Current Owner

LLOYD F KIFF
9999 W STAR ACRES DR
STAR, ID 83669
(208)286-9116

Current Owner

JULIA KIFF
9999 W STAR ACRES DR
STAR, ID 83669
(208)286-9116

Priority Date: 04/01/1865

Basis: Decreed

Status: Active

Source

BOISE RIVER

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Diversion Rate

0.040 CFS

Annual Volume

9.00 AF

Total Diversion:

0.040 CFS

9.00 AF

Location of Point(s) of Diversion

BOISE RIVER

L6 (SW1/4NE1/4)

Sec. 22, Twp 04N, Rge 01E, B.M.

ADA County

Place of Use

IRRIGATION

Twp Rge Sec

04N 01E 22

NE

NW

SW

SE

NW

SW

SE

SW

NW

SW

SE

SE

NW

SW

SE

Totals

2.0

Total Acres: 200

2.0

ADD 845-

ADD CONDITION 155 -

Conditions of Approval:

ADD - This right is also designated as Right No. 8-C in the Boise River Stewart Decree & B.R. Water Distribution Report.

ADD - Mitigation use is for the consumptive use of water under Right No. 63-12323.

* This right, used for mitigation purposes, shall be left wholly undiverted in the Boise River to offset depletions caused by use of permit 63-12323.

63-270

Mitigation

change to 3/11

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-31497

Remarks:

1. General This claim represents a mitigation of permit 63-12323. ✓
2. General This claim is the result of a split due to change in ownership for a portion of 63-270. DH ✓
6/3/2002

split: - 31496
- 31497
- 31498
- 31499

Comments:Dates and Other Information:

Claim Received Date: 7/5/1989
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 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>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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(in office review)

**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 \$350⁰⁰ pd. for #63-270
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information lots 3 & 6
- ☒ 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) A63-31497Owner: Julia & Lloyd Kiff Phone No. _____Current Address: 9999 W. Star Acres Dr., Star 83669

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

Accompanied by: N/A**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: 4/1/1865

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

The season of use is (3/1) to 11/15, therefore, the priority date will reflect the beginning of the irrigation season - 3/1/1865.

Source: Boise River 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

Description of diverting works

Wing dam in river to ditch
to flood irrigate.

OVERLAP REVIEWOther water rights with the same point of diversion: 63-31496, 63-31498, 63-31499

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

all share same POB.

WATER USES

- ☐ No change
☐ Different Uses

Season of use is 3/1 to 11/15.

Use _____ From _____ To _____ Amount _____ CFS _____ AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only

- ☐ Incomplete on claim, the total is, Amount _____ CFS _____ 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 None
☐ Changes Exam found: Domestic # of homes _____ Stock # _____
Types _____ Additional comments: _____

PLACE OF USE:

- ☐ No Change
☐ Changes shown below:

Parcel No: a portion of S0522212450.

This right is also designated as Right No. 8-C in the Boise River Stewart Decree & B.R. Water Distribution Report.

Mitigation use is for the consumptive use of water under Right No. 63-12323.

This claim is the result of a split of 63-270.

ADD S45

ADD CONDITION 155

Parcel No: a portion of S0522212450.

AFTER EXAM THE FILE SHOULD CONTAIN:

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

DATE EXAM CONDUCTED: 10.24.05 (in office review)

FIELD EXAMINER: Kimberly Brown

KIFF
2 ACRES

1000 0000
324 0000
1000

overlap review

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-31497

10/24/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
~~31497~~	~~Claim~~	~~04N~~	~~01E~~	~~22~~	~~NE~~	~~NW~~	~~3~~	~~IRRIGATION~~	~~2/300~~	~~LLOYD E KIFF~~
31498	Claim	04N	01E	22	NE	NW	3	IRRIGATION	2/300	GARY ENZMINGER
31499	Claim	04N	01E	22	NE	NW	3	IRRIGATION	4/300	SUNDANCE INVESTMENT LTD PARTNERSHIP
31835	Claim	04N	01E	22	NE	NW	3	IRRIGATION	30/292	BARBARA A WILLIAMSON
31836	Claim	04N	01E	22	NE	NW	3	IRRIGATION	30/292	BARBARA A WILLIAMSON
-270	Water Right	04N	01E	22	NE	NW	3	IRRIGATION		LOUISE SIMONSON

63-31496

- 31497

- 31498

- 31499 all share same POU.

overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-31497

10/24/2005

1

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-270	Claim	04N	01E	22	SW	NE	6	BOISE RIVER SNAKE RIVER	
63-31496	Claim	04N	01E	22	SW	NE	6	BOISE RIVER SNAKE RIVER	BARBARA A WILLIAMSON
63-31497	Claim	04N	01E	22	SW	NE	6	BOISE RIVER SNAKE RIVER	LLOYD F KIFF
63-31498	Claim	04N	01E	22	SW	NE	6	BOISE RIVER SNAKE RIVER	GARY ENZMINGER
63-31499	Claim	04N	01E	22	SW	NE	6	BOISE RIVER SNAKE RIVER	SUNDANCE INVESTMENT LTD PARTNERSHIP
63-31516	Claim	04N	01E	22	SW	NE	6	BOISE RIVER SNAKE RIVER	BARBARA A WILLIAMSON
63-31517	Claim	04N	01E	22	SW	NE	6	BOISE RIVER SNAKE RIVER	BARBARA A WILLIAMSON
63-31518	Claim	04N	01E	22	SW	NE	6	BOISE RIVER SNAKE RIVER	BARBARA A WILLIAMSON
63-31519	Claim	04N	01E	22	SW	NE	6	BOISE RIVER SNAKE RIVER	BARBARA A WILLIAMSON
63-31520	Claim	04N	01E	22	SW	NE	6	BOISE RIVER SNAKE RIVER	BARBARA A WILLIAMSON
63-31521	Claim	04N	01E	22	SW	NE	6	BOISE RIVER SNAKE RIVER	BARBARA A WILLIAMSON
63-31522	Claim	04N	01E	22	SW	NE	6	BOISE RIVER SNAKE RIVER	BARBARA A WILLIAMSON
63-31523	Claim	04N	01E	22	SW	NE	6	BOISE RIVER SNAKE RIVER	BARBARA A WILLIAMSON
63-31524	Claim	04N	01E	22	SW	NE	6	BOISE RIVER SNAKE RIVER	BARBARA A WILLIAMSON
63-31835	Claim	04N	01E	22	SW	NE	6	BOISE RIVER SNAKE RIVER	BARBARA A WILLIAMSON
63-31836	Claim	04N	01E	22	SW	NE	6	BOISE RIVER SNAKE RIVER	BARBARA A WILLIAMSON

~~63-270~~, split into:

63-31496

- 31497

- 31498

- 31499

all in same QQ, but cover separate
acres.

- no overlap.

Receipt Details for ID W003463

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
7/5/1989 1:37:12 PM	7/5/1989	Western	\$400.00	Check
Payer		WILLIAMSON, SYLVAN D.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
340			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$400.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	16115		\$25.00	Claim
63	16113		\$25.00	Claim
63	270		\$350.00	Claim

Print Report

Keen, Shelley

To File 63-12323

To: info@spfwater.com
Cc: Lester, Steve; Shurte, Jan
Subject: For Terry Scanlan - Use of 63-31497 as mitigation for 63-12323 (Kiff)

Terry,

I am responding to the question you sent Steve Lester about changing the place of use of the Kiff mitigation right to the Kiff property.

As you know, IDWR's ideas about recording mitigation have been evolving for several years. When the Kiff permit was processed in 2001, IDWR was not requiring changes to the mitigation rights other than the ownership change. Then, for a brief time IDWR was requiring transfers to change the nature of use of all mitigation rights. Today, if the mitigation will occur through non-use of the mitigation right, IDWR will issue the permit with a condition that the nature of use of the mitigation right will be changed in the water rights database. IDWR believes it can do this without a transfer application because non-use of the right for mitigation purposes is not really a change in use. If the right holder disagrees with the change in nature of use on the mitigation right, he or she can petition for reconsideration of the permit approval.

IDWR is not requiring that the right holder change the place of use for the mitigation right. However, if the right holder wants to change the place of use on the mitigation right, he or she can file an application for transfer. The advantages of the change would be a clearer indication of the ownership of the right and an obvious link to the permit which it mitigates.

In the Kiffs' situation, IDWR will probably change the nature of use of the mitigation right (SRBA claim) when it issues a water right license for the permit. If the Kiffs want to change the place of use for the mitigation right to their property, they should file an application for transfer.

Please call if you want to talk it over some more.

Shelley Keen
Water Right Permits Section
Idaho Dept. of Water Resources
208-287-4947
shelley.keen@idwr.idaho.gov

SCANLAN ENGINEERING

Groundwater and Environmental Engineering

May 22, 2001

Gary Spackman
Western Region Manager
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

RECEIVED

MAY 23 2001

WATER RESOURCES
WESTERN REGION

Subject: Amended Application for Permit 63-12323 – Lloyd and Julia Kiff

Dear Gary:

Enclosed please find an amended application for permit proposing irrigation of 2 acres located northeast of Star from a groundwater source. The amendments included reducing diversion rate and area irrigated from 0.16 cfs to 0.04 cfs and 8 acres to 2 acres, respectively. The place of use and point of diversion have been corrected (they were previous listed in the adjacent quarter-quarter), and the applicant's name has been clarified (Julia Kiff was added).

The proposed point of diversion is located within Basin 63. Groundwater at this location is tributary to the Boise River.

The applicants, Lloyd and Julia Kiff, propose mitigating this water right permit by retirement of 2 acres of irrigation water right 63-00270. Water right 63-00270 is an 1865-priority Boise River water right for irrigation of lands on Eagle Island. The applicants have purchased the 2 acres of water right from Sylvan and Barbara Williamson. A copy of the purchase agreement is enclosed.

Retirement of 2 acres of water right 63-00270 will fully mitigate any depletion to the Boise River resulting from the development of the proposed permit. Therefore, we request that this application for permit be exempted from the administrative hold on processing of applications for permit in Basin 63.

Please contact me with any questions or comments.

Sincerely,



Terry M. Scanlan, P.E., P.G.

Enclosures

Cc: Lloyd Kiff
Jeff Fereday

mitigation
plan

MICROFILMED

MAY 26 2001

600 East River Park Lane, Suite 105
Boise, Idaho 83706

Telephone (208) 383-4140
Facsimile (208) 383-4156

PROPOSED CHANGE OF WATER RIGHT

C. Lloyd Mahaffey of 567 W Two Rivers Dr, Eagle ID 83616 filed application no. 71774 with IDWR to transfer one water right with a 1977 priority date from ground water totaling .84 cfs. The transfer proposes to split the right, retire 10 acres from supplemental ground water irrigation and provide a similar amount of supplemental ground water irrigation to 10 acres using an existing well located about 2 miles northwest of Eagle. The unchanged portion of the right will remain on land located about 2 miles southwest of Eagle.

For specific details regarding the application, please contact IDWR Western Region at 208-334-2190 or visit www.idwr.state.id.us with detail provided under "new water right applications". Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Any protest against the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Wy, Boise ID 83705-5082 together with a protest fee of \$25.00 for each application on or before May 23, 2005. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Idaho Statesman on May 5 and 12, 2005.

WATER RIGHT PURCHASE AND SALE AGREEMENT

This Water Right Purchase and Sale Agreement ("Agreement") is made and entered into this 3rd day of May, 2001, in Ada County, State of Idaho, by and between Sylvan and Barbara Williamson, husband and wife, whose address is 850 Williamson Lane, Eagle, Idaho 83616 ("Seller") and Lloyd F. and Julia L. Kiff of 9999 Star Acres Drive, Star, ID 83669 ("Buyer").

Recitals

1. Seller owns water right number 63-00270, a decreed Boise River natural flow irrigation water right serving approximately 300 acres with a priority date of April 1, 1865, which is evidenced by, among other things, Snake River Basin Adjudication claim number A63-00270, a copy of which is attached as Exhibit A.
2. Buyer wishes to purchase from Seller, and Seller wishes to sell to Buyer, that portion of water right 63-00270 necessary to deliver a water flow rate of 0.04 cubic feet per second during the irrigation season and an annual diversion volume of 9 acre-feet for irrigation of 2 acres (such portion hereinafter referred to as the "Water Right").

Agreement Terms

NOW THEREFORE, in consideration of the mutual covenants and conditions set forth herein, Seller and Buyer agree as follows:

3. **Sale of the Water Right.** Seller agrees to sell the Water Right described in paragraph 2, above, to Buyer, and Buyer agrees to purchase it, pursuant to the terms of this Agreement.
4. **Transfer of Water Right in connection with Buyer's permit application.** Buyer is acquiring the Water Right to transfer or otherwise use it as mitigation in connection with a ground water permit and license sought by the Buyer for lands located in Ada County, Idaho, and more particularly described as: the SE 1/4 of the NE 1/4 of Section 5, T4N, R1W, B.M. Accordingly:
 - a. Within 30 days after the date of this Agreement, Buyer at his own expense shall apply for and diligently pursue authorization from the Idaho Department of Water Resources ("Department") to retire the Water Right, or to change and/or transfer the place of use, nature of use, and/or point of diversion under the Water Right, as part of Buyer's application for a permit to use ground water (the "permit application").

MICROFILMED

b. At Buyer's request, Seller shall execute any documents pertaining to Seller's diversion, use, and/or ownership of the Water Right which Buyer deems necessary to support the permit application.

5. **Seller's obligation to cease using Water Right.** After the Department approves the permit application involving Buyer's use of the Water Right, the Water Right shall be used solely for Buyer's purposes as specified in the approved permit, transfer or other Department documentation, and Seller shall:

a. cease all diversions and uses under the Water Right; and

b. dry up and not irrigate the following parcel of irrigated land to which the Water Right was appurtenant, containing two acres, more or less, and more fully described on Exhibit B, provided, that nothing in this paragraph 5 shall prohibit Seller from transferring another valid water right for use on such parcel pursuant to law.

6. **Purchase price.** The purchase price for the Water Right is \$6000.00, to be paid in two installments as follows:

a. An initial payment of \$500.00, the receipt of which Buyer hereby acknowledges, as a non-refundable down payment.

b. At closing, a final payment of \$5500.00 upon the Department's final approval of the permit application by recognizing Buyer as entitled to receive credit for or transfer to Buyer's use (as the case may be) a water diversion rate and an annual volume of diversions under the Water Right of not less than 0.04 cfs and 9 acre-feet, respectively. Buyer's obligation to make the final payment is conditioned on the provisions of paragraph 7, below.

7. **Conditions entitling Buyer to cancel contract.** If the Department denies Buyer's permit application, or if it is finally denied after appeal, Buyer may, at Buyer's sole option and discretion, either: a) cancel this Agreement or b) continue with the purchase of the water right at the full purchase price. If Buyer elects to cancel this Agreement, Buyer shall, within 30 days after such denial or unsuccessful appeal, notify Seller in writing of this election, withdraw those portions of the permit application pertaining to or relying upon the Water Right, and execute any documents necessary to confirm Seller's continued full ownership of the Water Right. Upon taking these steps, this Agreement shall be null and void, and Seller shall retain the \$500 down payment.

8. **Closing.** Closing shall occur at the law offices of Givens Pursley LLP, 277 N. 6th Street, Boise, Idaho within 10 business days after the Department approves the permit application, or at such other time as the parties might mutually establish. At closing, Buyer shall pay Seller the final payment specified above in paragraph 6.b, and Seller shall deliver to Buyer a Grant Deed in the form specified on Exhibit C. Seller has executed a copy of the Grant Deed simultaneously with the execution of this Agreement, and hereby authorizes Buyer's counsel to hold such deed and deliver it to Buyer at closing. If this Agreement is voided pursuant to paragraph 7, above, or if closing otherwise cannot occur, Seller's signature on the Grant Deed shall be of no effect and Buyer's counsel shall promptly return the Grant Deed to Seller.

9. **Warranty.** Seller hereby warrants that the Water Right is valid and not forfeited in whole or in part; that Seller has a good and marketable title to the Water Right and the authority to sell it; that upon delivery of the deed in the form described above, Buyer will acquire a good and marketable title to the water right free and clear of liens and encumbrances, options, proxies, charges and any other adverse interests of any kind and nature; and that Seller will abide by all provisions of this Agreement after the closing and conveyance of title, including the dry-up requirement specified in paragraph 5, above. Seller further warrants that all current and past water district or other assessments on the Water Right have been paid in full by Seller and that no further assessments are due and owing as of the date of this Agreement.

10. **Reservation of actions.** Seller shall take no actions which would adversely affect the permit application or Buyer's attempts to gain approval of it or to change the point of diversion, nature, time or place of use of the Water Right in connection with the permit application. Nothing in this Agreement shall be construed so as to prohibit Seller from using, developing, selling, or filing change, transfer or other applications of his own, either individually or in concert with others, with respect to the portion of water right 63-00270 which Seller is retaining.

11. **Binding effect.** This Agreement shall be binding upon the parties hereto and their heirs, successors, administrators and assigns.

12. **Entire agreement.** The foregoing constitutes the full and complete agreement by and between these parties, and shall supersede all prior oral or written discussions or representations between them.

13. **Survival of closing.** The dry-up obligations of this Agreement shall survive the closing and the delivery of a deed of water right to Buyer.

14. **Recitals incorporated.** The above recitals are hereby incorporated as material terms of this Agreement.

15. **Attorney fees.** If either party shall fail to comply with the terms of the Agreement, the non-breaching party shall send written notice and provide a reasonable opportunity to cure, but not less than ten days. If the breach is not cured within the time allowed, the breaching party agrees to pay all attorney's fees and costs incurred by the non-breaching party. If suit is filed to interpret or enforce this Agreement, the unsuccessful party to such litigation agrees to pay the prevailing party all costs and expenses, including attorney's fees, incurred by the prevailing party whether incurred in district court, on appeal, or in bankruptcy court.

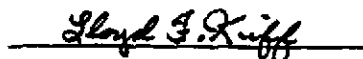
IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first set forth above.

SELLER:


Sylvan Williamson


Barbara Williamson

BUYER:


Lloyd F. Kiff

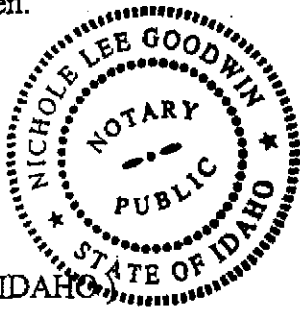

Julia L. Kiff

Acknowledgments

STATE OF IDAHO)) ss.
County of Ada)

On this 3 day of May, 2001, before me, a notary public for said state, personally appeared Sylvan Williamson, known or identified to me as the person who executed the within instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

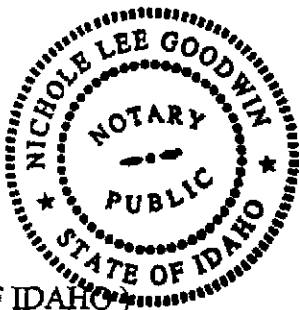


Michelle Lee Ford
Notary Public for Idaho
Residing at: Emmett
My commission expires: 7/24/16

STATE OF IDAHO)
) ss.
County of Ada)

On this 3 day of May, 2001, before me, a notary public for said state,
personally appeared Barbara Williamson, known or identified to me as the person who
executed the within instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.



Ernest J. Emmett
Notary Public for Idaho
Residing at: Emmett
My commission expires: 2/24/66

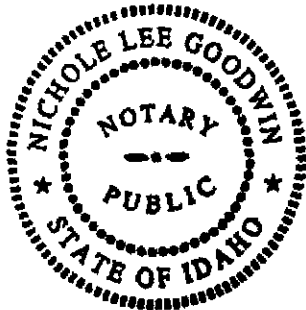
STATE OF IDAHO)
) ss.
County of Ada)

WATER RIGHT PURCHASE AND SALE AGREEMENT (WILLIAMSON-KIFF)

MICROFILMED
MAY 26 2001

On this 3rd day of May 2001, before me, a notary public for said state,
personally appeared LLOYD F. KIFF, known or identified to me as the person who
executed the within instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first
above written.



Nichole Lee Goodwin
Notary Public for Idaho
Residing at: Emmett
My commission expires: 7/24/02

MICROFILMED
NOV 26 2001

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 463-00270

Date Received

Receipt Number W003463

RECEIVED

JUL 8 7 2001

WATER RESOURCES
WESTERN REGION

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

Please type or print clearly

1. Name of Claimant (s) SYLVAN +/R BARRARA WILLIAMSON Phone (208) 939-6287

Mailing Address 850 WILLIAMSON LN EAGLE ID 83616 Zip 83616

2. Date of Priority (Only one (1) per claim) 4/1/1965

3. Source of water supply (a) BOISE RIVER

which is tributary to (b) SNAKE RIVER

4. a. Location of existing point of diversion is: Township 4N Range 1E Section 22

1/4 of SW 1/4 of NE 1/4, Gov. Lot 6 B.M. County of ADA

Additional points of diversion if any:

b. If instream flow, beginning point of claimed instream flow is:

Township Range Section 1/4 of 1/4 of 1/4

Gov. Lot B.M. County of

ending point is: Township Range Section 1/4 of 1/4 of

1/4, Gov. Lot B.M. County of

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. WING DAM, DITCH

MICROFILMED

NOV 25 2001

Exhibit A

5. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 2/1 to 11/15 amount 6 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 6 (cfs) and/or (b) 1350 (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	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	
4N	1E	15									4	35	10						49
		16													25	5	35	35	100
		21	35	15	5														55
		22					38	38	5	15									96

Total number of acres irrigated 300

11. In which county (ies) are lands listed above as place of use located? ADA

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None ☒

14. Remarks:

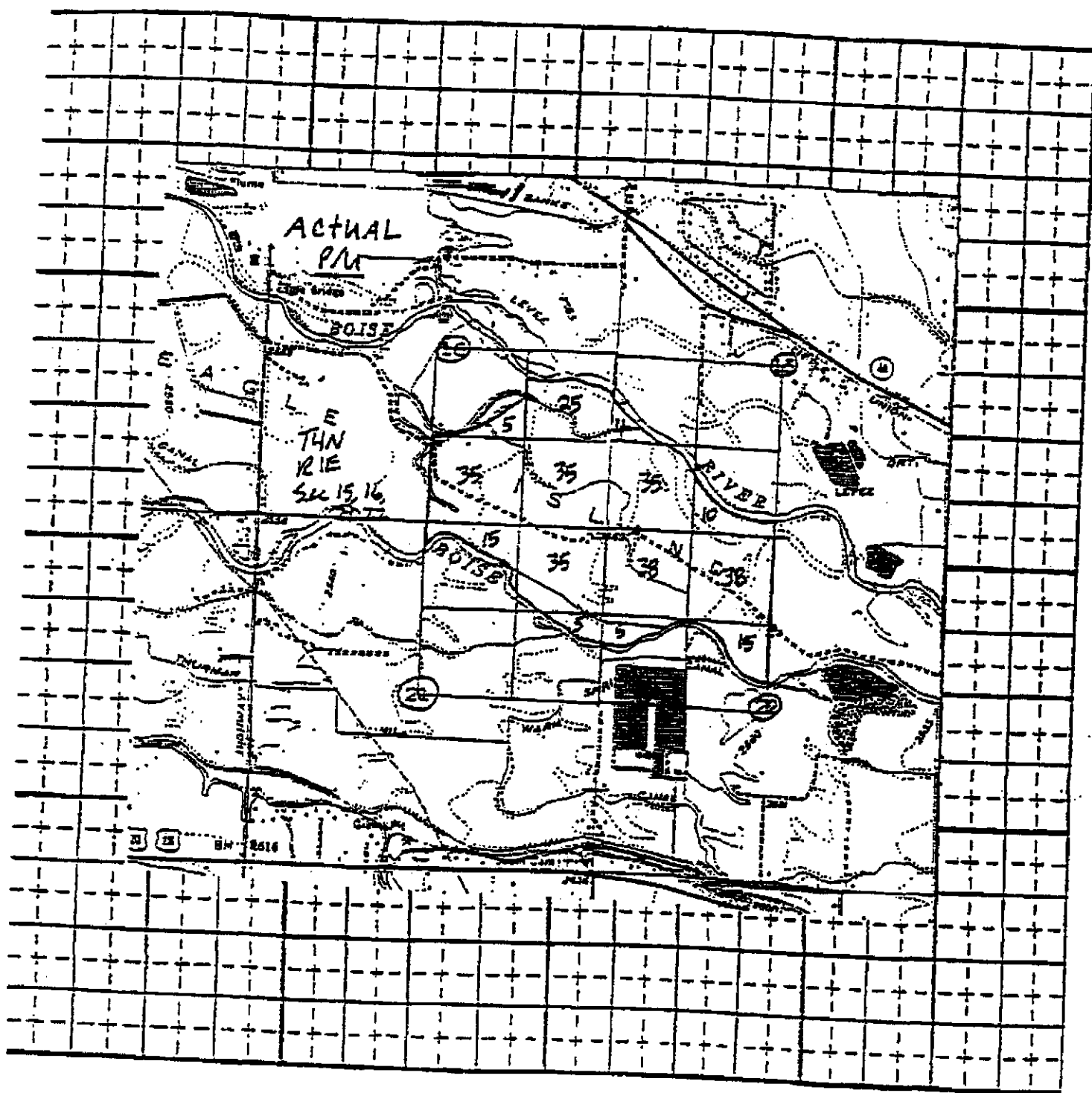
List Name _____ Ident No. _____

MICROFILMED

MAY 26 2001

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name _____ Idant No. _____

MICROFILMED
NOV 25 2001

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

If applicable provide IDWR Water Right Number 63-00270
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Barbara Williamson Date 7-5-2000

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____

_____ Title _____ that I have signed the foregoing

of _____ Organization _____

document in the space below as _____ of _____

_____ Title _____ Organization _____

and that the statements contained in the foregoing document are true and correct.

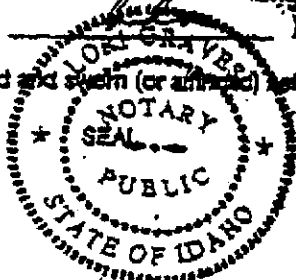
Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____

County of _____

Subscribed and sworn (or affirmed) before me this 5th day of July, 2000



Notary Public Lori Gravers

Residing at Bain

My Commission Expires 6/18/04

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

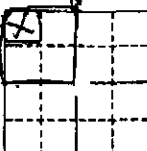
MICROFILMED
NOV 26 2001

EXHIBIT B

The two acres to be removed from irrigation as part of this water right purchase and sale shall be removed from the NE 1/4 of Section 22, T4N, R1E. The sale of two acres of irrigation water right will reduce the irrigated area claimed under water right A63-00270 by 2 acres. The irrigated acres within the NE 1/4 of the NW 1/4 of section 22 claimed by A63-00270 will be reduced by 2.

MICROFILMED
NOV 26 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORTUSE TYPEWRITER OR
BALLPOINT PENState law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

1. WELL OWNER 362-6209 Name <u>Ralph McKnight</u> Address <u>7255 Mossy Cup Bxse 83709</u> Owner's Permit No. <u>63-90-W-161-000</u>	7. WATER LEVEL Static water level <u>30'</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature <u>55</u> °F. Quality <u>14 grains</u> Describe artesian or temperature zones below.																																																																								
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Well diameter increase ☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)	8. WELL TEST DATA ☐ Pump ☐ Bailer ☐ Air ☐ Other _____ <table border="1" style="width: 100%; border-collapse: collapse;"><tr><th>Discharge G.P.M.</th><th>Pumping Level</th><th>Hours Pumped</th></tr><tr><td><u>100</u></td><td><u>75'</u></td><td><u>3</u></td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></table>	Discharge G.P.M.	Pumping Level	Hours Pumped	<u>100</u>	<u>75'</u>	<u>3</u>																																																																		
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3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)	9. LITHOLOGIC LOG <table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th rowspan="2">Bore Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th rowspan="2">Water Yes No</th></tr><tr><th>From</th><th>To</th></tr></thead><tbody><tr><td>9"</td><td>0</td><td>2</td><td>top soil</td><td></td></tr><tr><td>9"</td><td>2</td><td>5</td><td>hard pan</td><td></td></tr><tr><td>9"</td><td>5</td><td>15</td><td>sandy clay</td><td></td></tr><tr><td>9"</td><td>15</td><td>18</td><td>cemented gravel</td><td></td></tr><tr><td>9"</td><td>18</td><td>20</td><td>lava rock shell</td><td></td></tr><tr><td>9"</td><td>20</td><td>30</td><td>cemented gravel</td><td></td></tr><tr><td>9"</td><td>30</td><td>35</td><td>lava rock shell</td><td></td></tr><tr><td>9"</td><td>35</td><td>40</td><td>cemented gravel</td><td></td></tr><tr><td>6"</td><td>40</td><td>52</td><td>cemented gravel</td><td>✓</td></tr><tr><td>6"</td><td>52</td><td>58</td><td>brown sand stone</td><td>✓</td></tr><tr><td>6"</td><td>58</td><td>60</td><td>gravel</td><td>✓</td></tr><tr><td>6"</td><td>60</td><td>70</td><td>brown heavy sand</td><td>✓</td></tr><tr><td>6"</td><td>70</td><td>80</td><td>gravel sand boulders</td><td>✓</td></tr></tbody></table>	Bore Diam.	Depth		Material	Water Yes No	From	To	9"	0	2	top soil		9"	2	5	hard pan		9"	5	15	sandy clay		9"	15	18	cemented gravel		9"	18	20	lava rock shell		9"	20	30	cemented gravel		9"	30	35	lava rock shell		9"	35	40	cemented gravel		6"	40	52	cemented gravel	✓	6"	52	58	brown sand stone	✓	6"	58	60	gravel	✓	6"	60	70	brown heavy sand	✓	6"	70	80	gravel sand boulders	✓
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4. METHOD DRILLED ☒ Rotary ☒ Air ☐ Hydraulic ☐ Reverse rotary ☐ Cable ☐ Dug ☐ Other _____	RECEIVED JUN 10 1991 Department of Water Resources RECEIVED JUN 11 1991 Department of Water Resources																																																																								
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th>Thickness</th><th>Diameter</th><th>From</th><th>To</th></tr></thead><tbody><tr><td><u>250</u> inches</td><td><u>6"</u> inches</td><td><u>1</u> feet</td><td><u>80</u> feet</td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr></tbody></table> Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun Size of perforation _____ inches by _____ inches <table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th>Number</th><th>From</th><th>To</th></tr></thead><tbody><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></tbody></table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>18'</u> Material used in seal: ☐ Cement grout ☐ Bentonite ☒ Puddling clay ☐ _____ Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overbore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld _____ ☐ Cemented between strata Describe access port <u>Sanitary Well Cap</u>	Thickness	Diameter	From	To	<u>250</u> inches	<u>6"</u> inches	<u>1</u> feet	<u>80</u> feet													Number	From	To																																																		
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Number	From	To																																																																							
6. LOCATION OF WELL Sketch map location <u>must</u> agree with written location.  Subdivision Name _____ Lot No. _____ Block No. _____ County <u>Ada</u> <u>NW 1/4 NW 1/4 Sec. 27, T. 3 N 28 S R. 1 W</u>	10. Work started <u>6-28-90</u> finished <u>6-28-90</u> 11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>Cap-Ola Well</u> Firm No. <u>304</u> <u>4250 Murphy Rd.</u> Address <u>Luna, N.M. 83634</u> Date <u>5/10/91</u> Signed by (Firm Official) <u>Earl Skinner</u> and _____ (Operator) <u>Baugh</u>																																																																								

Nelson, Dan

From: TMSANLAN@aol.com
Sent: Tuesday, June 19, 2001 12:04 PM
To: dnelson@idwr.state.id.us
Subject: Kiff Amendment

Dan -

Per our discussion today, my understanding is that the Kiffs do not have any canal company shares. I haven't visited the property but according to Mr. Kiff most of the property is located on a dry noll within the Farmers Union service area. I suspect that there was no way to gravity irrigate the land. Therefore, the Kiffs did not receive any canal shares with their purchase of the property.

Terry

MICROFILMED
NOV 26 2001

SRBA needs
license ASAP

Copy to

Priori

It is he

Kimberly @
Western

of Idaho
Water Resources
ht License

NO. 63-12323

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 9.0 AF

FF

RECEIVED
OCT 03 2005
WATER RESOURCES
WESTERN REGION

issued pursuant to Application for Permit dated February 26, 1996; and have submitted Proof of Beneficial Use on November 26, 2004. An examination indicates that the works have a diversion capacity of 0.1 cfs of water from:

SOURCE: GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE
IRRIGATION

PERIOD OF USE
03/01 to 11/15

DIVERSION RATE
0.04 CFS

**ANNUAL
DIVERSION VOLUME**
9.0 AF

LOCATION OF POINT OF DIVERSION:

GROUND WATER SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 5, Twp 04N, Rge 01W, B.M., ADA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	5				2.0													2.0
Total Acres: 2																			

CONDITIONS OF APPROVAL

1. To mitigate for the depletion of water resulting from the use of water under this right and to prevent injury to senior water right holders, the right holder shall cease diverting and using water as authorized by a portion of Right 63-00270 (claimed in the Snake River Basin Adjudication (SRBA) as 63-31497) for the purpose and amount specified below. Moreover, the official record for Claim 63-31497 will be changed to show that diversion and use of water is not authorized because the right is being dedicated to mitigation purposes.

Claim No.	Use Changed to Mitigation	Mitigation Rate	Mitigation Volume	Mitigation Acres
63-31497	Irrigation	0.04	9.0	2

The land that will no longer be irrigated under this right is located within Gov. Lot 3 (NENW), Section 22, Township 4N, Range 1E, B.M.

If the specified mitigation right is sold, transferred, leased, used on any place of use, or is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under this right shall be reduced by the same proportion as the reduction to the mitigation right.

If SRBA claim 63-31497 is not confirmed by the SRBA court, then the right holder shall implement an alternative mitigation plan approved by the Department or shall cease diverting water under this right.

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-12323

RECEIVED
OCT 03 2005
WATER RESOURCES
WESTERN REGION

Priority: February 26, 1996

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 9.0 AF

It is hereby certified that LLOYD F KIFF And JULIA KIFF
9999 W STAR ACRES DR
STAR ID 83669 have complied with the terms and conditions of the permit,
issued pursuant to Application for Permit dated February 26, 1996; and have submitted Proof of
Beneficial Use on November 26, 2004. An examination indicates that the works have a diversion
capacity of 0.1 cfs of water from:

SOURCE: GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	03/01 to 11/15	0.04 CFS	9.0 AF

LOCATION OF POINT OF DIVERSION:

GROUND WATER SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 5, Twp 04N, Rge 01W, B.M., ADA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	5				2.0													2.0
Total Acres:			2																

CONDITIONS OF APPROVAL

1. To mitigate for the depletion of water resulting from the use of water under this right and to prevent injury to senior water right holders, the right holder shall cease diverting and using water as authorized by a portion of Right 63-00270 (claimed in the Snake River Basin Adjudication (SRBA) as 63-31497) for the purpose and amount specified below. Moreover, the official record for Claim 63-31497 will be changed to show that diversion and use of water is not authorized because the right is being dedicated to mitigation purposes.

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63-31497	Irrigation	0.04	9.0	2

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If the specified mitigation right is sold, transferred, leased, used on any place of use, or is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under this right shall be reduced by the same proportion as the reduction to the mitigation right.

If SRBA claim 63-31497 is not confirmed by the SRBA court, then the right holder shall implement an alternative mitigation plan approved by the Department or shall cease diverting water under this right.

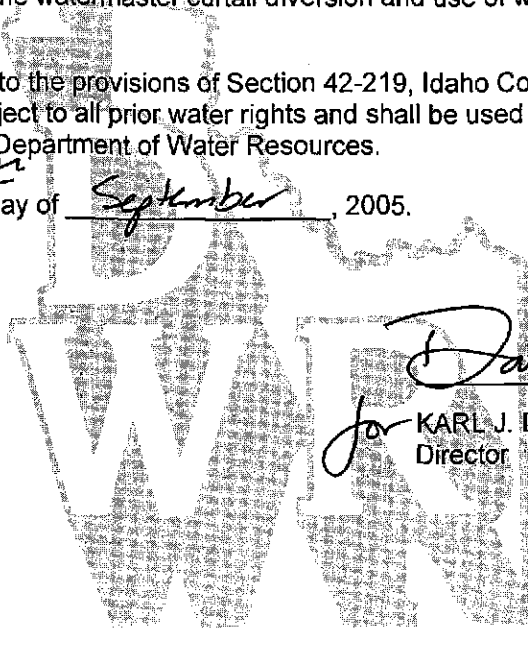
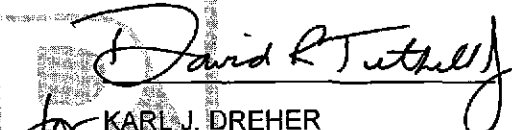
State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-12323

2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
3. Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.
4. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
5. Noncompliance with any condition of this right, including the requirement for mitigation, is cause for the director to issue a notice of violation, cancel or revoke the right, or, if the right is included in a water district, request that the watermaster curtail diversion and use of water.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 29th day of September, 2005.



for KARL J. DREHER
Director

Brown, Kimberly

From: Walker, Kay
Sent: Monday, October 03, 2005 9:12 AM
To: Brown, Kimberly
Cc: Walker, Kay
Subject: License 63-12323

Hey Kimberly! We issued the above license, per your request (and Lori Harris bugging me) and it should be on its way to you. When you get that license be sure to update the SRBA recommendation for the mitigation right. You will also need to make a shape file for the 2 acres that are being dried up and attach the mitigation shape to that. Let me know if you have questions and I can try to help you out. Kay

SW Kiff

Beneficial Use Field Report
By Terry M. Scanlan, P.E., P.G.
Certified Water Rights Examiner No. 00-129

A. GENERAL INFORMATION**RECEIVED****NOV 26 2004**WATER RESOURCES
WESTERN REGION

1. Current Owner: Lloyd F. Kiff
 9999 West Star Acres Drive
 Star, ID 83669
 (208)286-9116

And

Julia Kiff
 9999 West Star Acres Drive
 Star, Idaho 83669
 (208)286-9116

2. Accompanied by: Lloyd Kiff
 Phone No:
 Address:
 Relationship to Permit Holder

3. Source Tributary
 Ground Water

B. OVERLAP REVIEW

1. Other water rights with the same place of use: none
 2. Other water rights with same point of diversion: none

C. DIVERSION AND DELIVERY SYSTEM

1. Location of Points of Diversion
 Ground Water SENE Section 5, T4N, R1W, B.M. Ada County

Method of Determination: Field Exam, Arc View Map

2. Place of Use: Irrigation

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	1W	5				2.0													2.0

Total Acres: 2.0 Ada County

Method of Determination: Field Exam, Arc View Map

3.

- Y Delivery system diagram attached (required). Indicate all major components and distances between components. Indicate weir size/pipe as applicable. (Figure 2)
- Y Map attached showing location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater. (Figure 2)
- Y Aerial photo attached (required for irrigation of 10+ acres). (Figure 2)
- Y Photo of diversion and system attached. (Figure 2)

4.

Well or Diversion I.D. No.	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No.
	Franklin	3		Jacuzzi 3S445-11 submersible	

D. FLOW MEASUREMENTS**1. Measurement Equipment**

Type	Make	Model No.	Serial No.	Size	Calib. Date
Sprinkler gage					

- 2. Measurements:** sprinkler pressure 10 psi at upper end of handline

E. FLOW CALCULATIONS

11 dual-nozzle impact-style sprinkler heads with 3/16 and 5/32 nozzles — 5 gpm per head at 10 psi nozzle pressure = 55 gpm (0.12 cfs)

Pump Curve: Rated at 44 gpm (0.10 cfs) at 60 psi (normal sprinkler pressure) from a pumping water level of 60 feet

Limited to 0.04 cfs by permit

F. VOLUME CALCULATIONS**1. Volume Calculation for Irrigation**

$$V_{I.R.} = (\text{acres irrigated}) \times (\text{irrigation requirement}) = 2.0 \times 4.5 = 9.0 \text{ afa}$$

$$V_{D.R.} = (\text{diversion rate}) \times (\text{day in irrigation season}) \times 1.9835 \\ = 0.04 \times 260 \times 1.9835 = 20.6 \text{ afa}$$

$$V = \text{smaller of } V_{I.R.} \text{ and } V_{D.R.} = 9.0 \text{ afa}$$

2. Volume Calculations for Other Uses:

none

G. NARRATIVE/REMARKS/COMMENTS

Permit 63-12323 is authorized for irrigation of 2 acres from a groundwater source at a diversion rate of 0.04 cfs. Point of diversion and place of use are located in the SENE of Section 5, T4N, R1W. Season of use is March 1 to November 15.

Permit holders are Lloyd F. Kiff and Julia Kiff, who reside at 9999 West Star Acres Drive, Star, Idaho 83669 (i.e., the location of the place of use and point of diversion). The permit was approved on September 14, 2001 and Proof of Beneficial Use is due on September 1, 2006.

Permit 63-12323 is mitigated by a 2-acre portion of water right 63-270. The Kiffs have retained ownership of the water right for that purpose.

The entire property comprises approximately 5 acres and is located within the SENE of Section 5, T4N, R1W (Figure 1). The parcel is Lot 1 of Block 4 of Star Acres Subdivision.

A beneficial use field examination was conducted on September 30, 2004 by Terry M. Scanlan, P.E., P.G. The examination found 2.0 acres irrigated under water right permit 63-12323 from a well source with a water-bearing zone of 50 feet to 100 feet. A separate well on the property is used for domestic purposes, including irrigation of 0.5 acres of landscape. Total irrigated area on the property is 2.5 acres. Descriptions of the irrigation well, irrigation pump, irrigation system, and irrigated area follow. Supporting documents are attached.

Well. The well is located in the northwest corner of the property, and was drilled by Sylvan Adamson for irrigation use in November 2001. The well is 108 feet deep, with 10 feet of well screen from 98 to 108 feet. The drillers report lists a static water level of 46 feet and a production rate of 50+ gpm by air lift pumping from 80 feet.

Well Pump. The well is equipped with a 3-hp submersible pump (Jacuzzi 3S445-11) set at 84 feet on 2-inch galvanized pipe. The pump is rated to produce 44 gpm (0.10 cfs) at 60 psi from a pumping water level of 60 feet. The well location is shown on Figures 1 and 2.

Irrigation System. Irrigation is by buried sprinklers and by hand line. A sprinkler time clock is used to start the pump and switch sprinkler stations. The hand line is 400 feet long and equipped with 11 Lawnrite dual-nozzle impact-style sprinkler heads. The handline was operated during the field examination. Nozzle pressure at the upper end (highest elevation) of the handline was approximately 10 psi. Nozzles are 3/16 and 5/32, with an estimated flow rate of 5 gpm per head, or a total of 55 gpm (0.12 cfs). This corresponds to a discharge pressure at the well of approximately 29 psi. The buried sprinklers use less water at higher pressure than the handline.

Irrigated Area. The irrigated area consists of grass, orchard, shrubs, and trees. Total irrigated area on the property is 2.5 acres, including 2.0 acres under permit 63-12323 and 0.5 acres under the domestic well exemption. The two systems are not interconnected. The domestic well supplies a sprinkler system for the landscape around the house. Figure 2 shows the irrigated areas under permit 63-12323 and under the domestic exemption. Figures 3 through 7 are photographs of the irrigated area.

Summary

The field examination found a maximum diversion capacity of 0.12 cfs and an irrigated area of 2.0 acres. The permit holder has complied with all conditions of the permit.

H. RECOMMENDATIONS**1. Recommended Amounts**

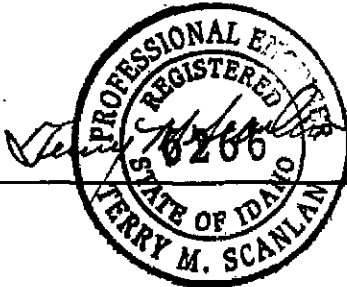
<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Irrigation	03/01 to 11/15	0.04 cfs	9.0 acre feet
TOTALS:		0.04 cfs	9.0 acre feet

2. Recommended Amendments

☐ Change P.D. as reflected above	☐ Add P.D. as reflected above
☐ Change P.U. as reflected above	☐ Add P.U. as reflected above
☒ None	☐ Other

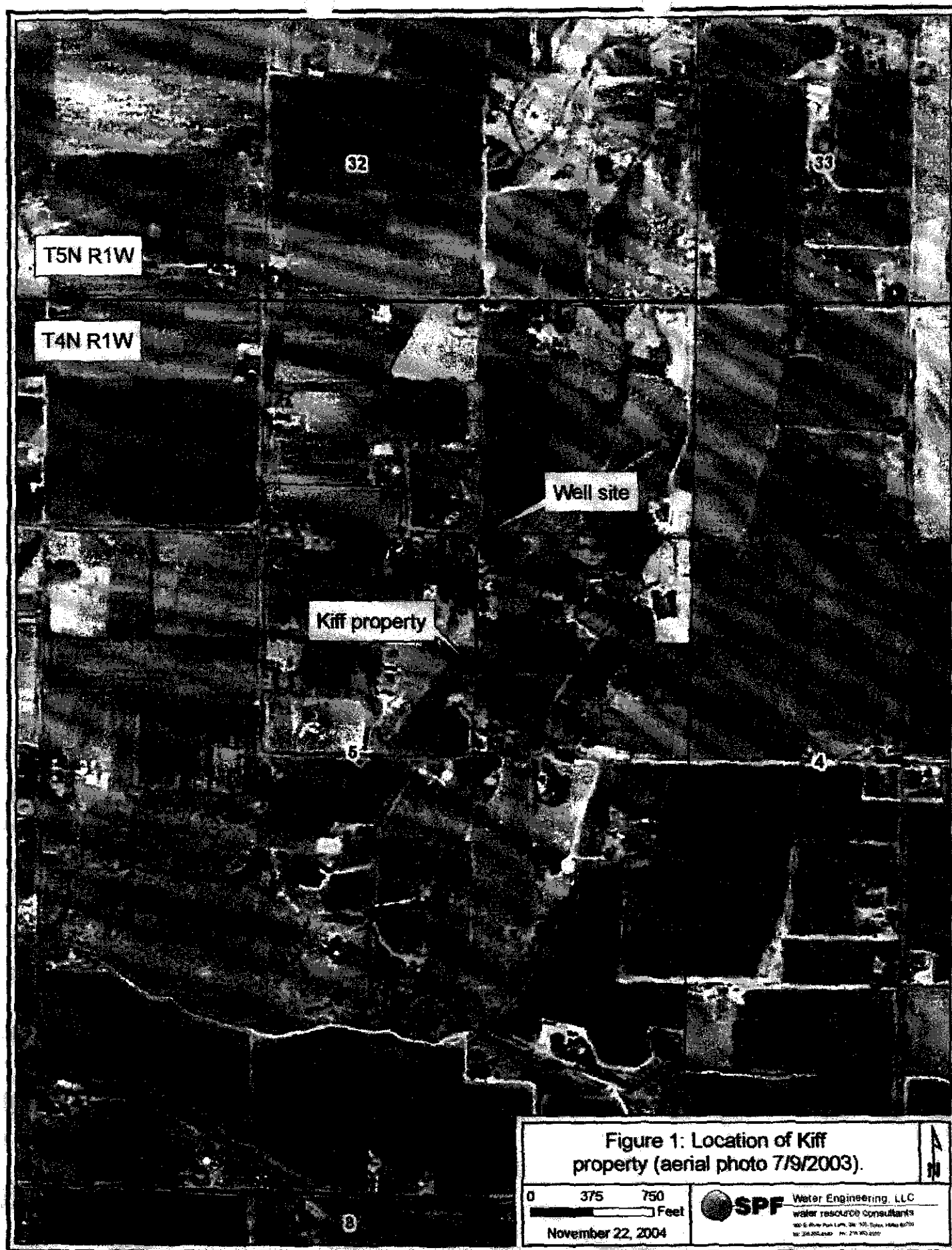
I. AUTHENTICATION

Field Examiner's Signature

Date 11/24/04

Reviewer's Signature

Date



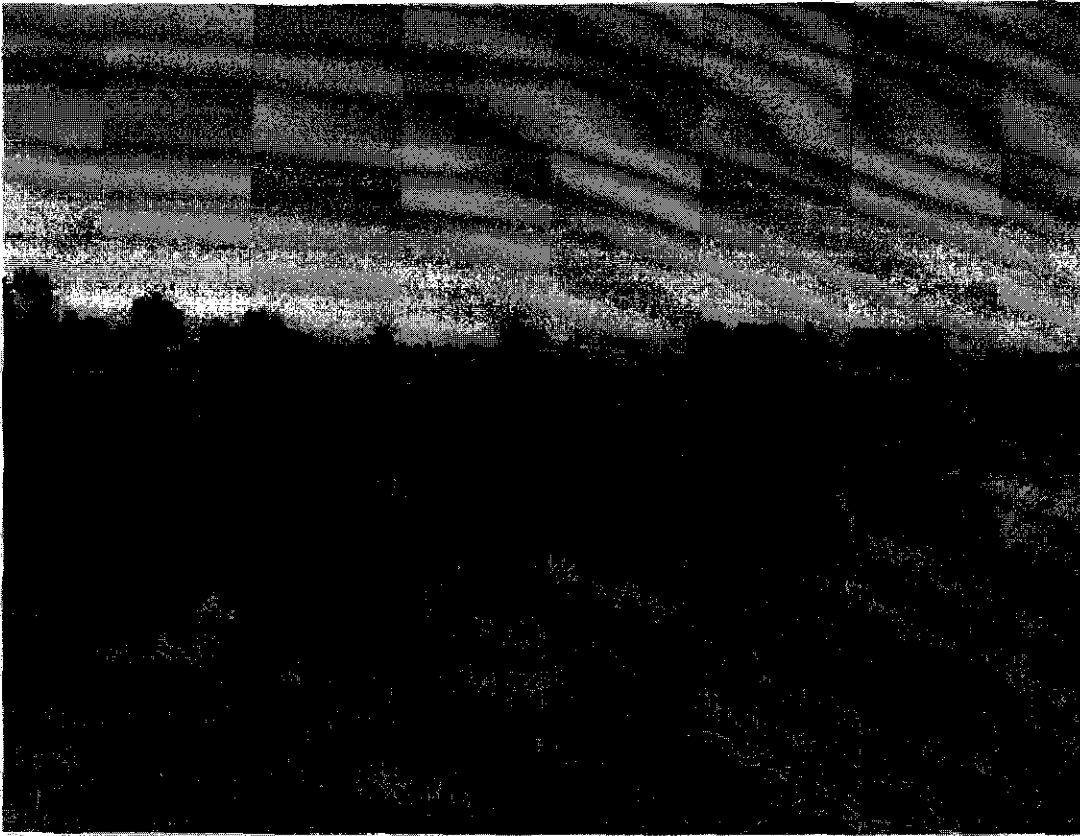


Figure 5. View of irrigated area (in background), looking north. Non-irrigated area is in the foreground. Home is out of the picture to the left.



Figure 6. View of northwest corner of property looking east.



Figure 3. View of eastern edge of irrigated area, looking southeast. Hand line is operating. Non-irrigated area is visible in the background.



Figure 4. View of home from center of the irrigated area, looking southwest. Irrigated area is in the foreground.

EXPLANATION

-  Irrigation under Permit 63-12323
-  Irrigation under domestic exemption

NWNE

NENE

SWNE

SENE

buried mainline

2.0 acres

underground sprinkler
system area

above-ground handline

0.5 acres

T4N R1W Section 5

Figure 2: Estimated irrigated acres for Lloyd Kiff property based on June 2004 aerial photography.

0 50 100
Feet

November 22, 2004



Water Engineering, LLC
water resource consultants

300 E. Main Street, Suite 100, Boise, Idaho 83721
tel: 208.333.4133 fax: 208.333.4135



Figure 7. View of orchard and turf looking south. This area is irrigated with an underground sprinkler system. Home is obscured by trees in the background.

INVOICE

Printed 10/17/2001
Ident No. 771624
Well Tag No. D0020196
Well ID # 343546
Receipt # C056925
Approved Date

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
DRILLING PERMIT**

Relationship: Owner/Operator
Name: JULIA KIFF
Address: 9999 W STAR ACRES DR
STAR ID 83669

Phone: (208)286-9116

Relationship: Owner/Operator
Name: LLOYD F KIFF
Address: 9999 W STAR ACRES DR

Phone: (208)286-9116

STAR ID 83669

Proposed Well Location: Township 04N, Range 01W, Section 5, SE, NE
COUNTY ADA

Street Address of Well Site: 9999 W STAR ACRES DR
STAR ID

Proposed Use of Well: Irrigation

Well Construction Information:

- A. New Well
- B. Proposed Surface Diameter: 6 Inches. Proposed Depth 150 Feet.
- C. Anticipated Bottom Hole Temperature: 85F and less

Construction Start Date: Oct 15 2001

Anticipated Well Drilling Company: DOMESTIC PUMP & DRILLING (No. 483)

Applicant's Signature: _____ Date _____

Title: _____

Well ID # 343546

Well Tag No. D0020196

ACTION OF THE DEPARTMENT OF WATER RESOURCES

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. **READ CAREFULLY!**

1. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required prior to construction of this well. The local Health Department should be contacted for septic tank/drainfield locations. Domestic wells must not be drilled closer than 100 ft. from any drainfield and 50 ft. from any septic tank. Public Water Supply wells must not be drilled closer than 100 ft. from any drainfield or septic tank.
2. The well shall be constructed by a driller currently licensed in the state of Idaho who must maintain a copy of the drilling permit at the drilling site.
3. Approval of this drilling permit does not authorize trespass on the land of another party.
4. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
5. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
6. If a bottom hole temperature of 85 Degrees F (29.44 oC) or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
7. Idaho Code, S 55-2201 - 55-2210 requires the applicant and/or his contractors to contact "Digline" (DigLine is a one-call center for utility notification) not less than 2 working days prior to the start of any excavation for this project. The "Dig Line" Number for your area is &DIG-LINE-NUMBER
8. Please be advised that this drilling permit should be considered and treated as a preliminary permit. If you are in disagreement with this preliminary permit you have fourteen (14) days of the service date of this permit to petition the Department for reconsideration pursuant to Section 67-5243, Idaho Code.
9. This drilling permit is valid for two (2) months from the approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
10. Idaho Code, S 55-2201 - 55-2210 requires the applicant and/or his contractors to contact "Digline" (DigLine is a one-call center for utility notification) not less than 2 working days prior to the start of any excavation for this project. The "Dig Line" Number for your area is &DIG-LINE-NUMBER


Signature of Authorized Dept. Representative

10-17-01
Title

IDAHO DEPARTMENT OF WATER RESOURCES
Well Driller's Report

Office Use Only
Inspected by _____
Twp _____ Rge _____ Sec _____
_____ 1/4 _____ 1/4 _____ 1/4
Lat _____ Long _____

1. WELL TAG NO. D 0020196
 DRILLING PERMIT NO. _____
 Other IDWR No. _____

2. OWNER: Lloyd K. H.
Name
Address 9999 Star Acres Dr.
City Star State 20 Zip 82469

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N
 W E
 S
 Twp. 4 North ☒ or South ☐
 Rge. 1 East ☐ or West ☒
 Sec. 5 1/4 SE 1/4 NE 1/4
 Gov't Lot _____ County Ada 10 acres 160 acres
 Lat. : : Long. :
 Address of Well Site 9999 Star Acres
 City Star
 (Give at least corner of road + Distance to Road or Location)

Li. _____ Blk. _____ Sub. Name _____

4. USE:

☐ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other

7. SEALING PROCEDURES

SEAL/FILTER PACK		AMOUNT		METHOD
Material	From	To	Sacks or Pounds	
Dry 3/8 Sand + Well Cutting	0	18	450 lb	Overbore

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 97
Was drive shoe seal tested? ☐ Y ☐ N How?

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Coating	Liner	Welded	Threaded
6	+2	97	1/4	Steel	☒	☐	☒	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe 2' Length of Tailpipe 0

9. PERFORATIONS/SCREENS

Reforations Method *Full Back*

Screens Screen Type SS Wire

From	To	Slot Size	Number	Diameter	Material	Casing	liner
98	108	16		5	SS	☐	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

46 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or
control devices: Sanitary Well Cap

11. WELL TESTS:

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
50+	NA	80	1/2 H.

Water Temp. 59° Bottom hole temp. NH

Water Quality test or comments: Clear

Depth first Water Encounter

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

[illegible]

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Domestic Pump & Well Firm No. 425

Firm Official [Signature] Date 11/14/01
and
Driller or Operator Donon Date 11/14/01
(Sign once if Firm Official & Operator)

Performance Charts © SandHandler™ High Capacity 45 GPM

PUMP MODEL	HP	PSI	CAPACITIES IN U.S. GALLONS PER MINUTE																			
			DEPTH TO PUMPING WATER LEVEL, OR LIFT, IN FEET SHADED AREAS INDICATE MOST EFFICIENT PERFORMANCE																			
			20	40	60	80	100	120	140	160	180	200	240	260	280	300	320	340	360	380	400	
15S445-6	1-1/2	0	68	62	57	52	46	39	31													
		10	62	56	51	45	38	29	19													
		20	55	50	44	36	28	17	5													
		30	49	42	35	26	16	3														
		40	41	34	25	14	30															
		50	33	23	12																	
60	22	10																				
Shut-off (ft.)	190	PSI	74	65	56	48	39	30	22	13	4											
2S445-8	2	0	71	65	60	56	52	48	44	40	35	29										
		10	64	59	55	51	48	44	40	34	28	20										
		20	58	54	51	47	43	39	33	27	19	9										
		30	54	50	47	43	38	32	26	17	7											
		40	50	46	42	37	32	24	16	5												
		50	45	41	36	31	23	14	3													
60	41	36	29	22	13	1.5																
Shut-off (ft.)	250	PSI	104	95	87	78	69	61	52	43	35	26	9									
3S445-11	3	0	72	68	65	62	59	56	53	50	47	43	36	31	26	20						
		10	68	64	61	58	55	52	49	46	43	39	30	25	19	12						
		20	64	61	58	55	52	49	46	42	38	34	24									
		30	60	57	54	52	48	45	42	38	34	29	17									
		40	57	54	51	49	45	41	37	33	28	22	16									
		50	54	51	47	44	41	37	32	27	21	15										
		60	50	47	44	40	36	31	26	20	14											
		70	46	43	39	35	31	25	19	13												
		80	43	39	35	30	24	18	12													
		90	38	34	29	24	18	11														
		100	33	28	23	16	9															
Shut-off (ft.)	350	PSI	143	134	126	117	108	100	91	82	74	65	48	39	30	22	13	4				
5S445-18	5	0			69	66	63	61	59	57	55	53	50	48	46	44	42	40	38	36	33	
		20	68	65	63	60	57	56	54	52	51	49	46	44	42	40	38	35	32	28	26	
		40	62	60	57	56	54	52	50	48	46	45	43	41	39	37	34	32	28	25	21	
		60	57	55	51	51	50	48	46	44	43	41	36	33	31	27	24	20	16			
		80	53	51	49	47	46	44	42	40	38	35	30	26	23	19						
		100	49	47	45	43	41	39	37	34	32	29	25	18								
		120	45	43	41	39	36	34	31	28	24	20	16									
		140	40	38	35	33	30	27	23	19												
		160	35	32	29	26	22	18														
		170	31	28	25	21	17															
Shut-off (ft.)	575	PSI	236	227	219	210	201	193	184	175	167	158	141	132	123	115	106	97	89	80	71	
PUMP MODEL	HP	PSI	DEPTH TO PUMPING WATER LEVEL, OR LIFT, IN FEET SHADED AREAS INDICATE MOST EFFICIENT PERFORMANCE																			
			50	100	150	200	250	300	350	400	450	500	550	600	650	700	750	800	850	900		
75S445-26	7-1/2	0	-	-	-	-	57	54	50	47	44	40	36	32	28	24	18	11	3			
		20	-	-	-	57	54	50	47	44	40	36	32	28	24	18	11	3				
		40	-	-	58	54	51	48	45	41	37	33	29	24	18	12	5					
		60	-	58	55	52	48	45	41	37	33	29	25	19	12	5						
		80	-	55	52	48	45	41	37	33	29	25	19	12	5							
		100	-	52	48	45	42	38	34	30	25	20	14	8								
		120	-	49	45	42	38	34	30	25	21	14	7									
		140	-	45	42	38	35	30	26	21	15	7										
		160	-	42	39	35	31	26	21	15	8											
		180	-	39	35	31	27	22	16	8												
		200	-	35	31	27	22	16	9													
		220	-	32	27	22	17	10														
Shut-off (ft.)	815	PSI		331	310	288	266	245	223	201	180	158	136	115	93	71	50	28	6			

Notes: 1) Pump discharge tapping and minimum riser pipe size 2". 2) Performance shown does not include friction loss in the drop pipe.
3) All performance data is based on rated motor name plate voltage.

Bock, Susan

From: Shurte, Jan
Sent: Tuesday, August 13, 2002 8:33 AM
To: Bock, Susan
Subject: FW: Pending Transfer 70024

Sue - This one you have for Part II. Could you put a copy of this in the file. May help the person who will be doing the final review to follow what happened and be aware of this transfer and mitigation. Thanks, Jan

-----Original Message-----

From: Lester, Steve
Sent: Wednesday, July 10, 2002 12:41 PM
To: Shaff, Don
Cc: Shurte, Jan
Subject: Pending Transfer 70024

Transfer 70024 proposes changes to the following rights.

AJC 63-31496 will be split 3 ways. The main split is for RiversEnd Subdivision on Eagle Island to add P/Ds and change nature of use. The nature of use change is to mitigate application for permit 63-31515 for 15 aesthetic ponds in subdivision. A minor split will allow original owner Williamson to keep some water that subdivision cannot use. Williamson will protect or use this minor portion in some other wr filing to follow later on. The bulk of the right will remain on the land not affected by the transfer.

RECEIVED

APR 30 2002

Transfer No. 70024

STATE OF IDAHO
WATER RESOURCES
WESTERN REGION DEPARTMENT OF WATER RESOURCES

AMENDED APPLICATION FOR TRANSFER OF WATER RIGHT

Part 1

Name of applicant Sylvan Williamson &/or Howell-Kiser Development Corp. Phone (208) 376-3100
Post Office address 850 Williamson Lane, Eagle, Idaho 83616 & 619 Queens Guard Way, Boise, ID 83709

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 Split the right

2. Describe the reason for the proposed changes See Attachment B

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
* <u>63-270</u>	<u>4-1-1865</u>	<u>1.36 cfs</u>	<u>Irrigation</u>	<u>3/15 to 11/15</u>
<u>63-270</u>	<u>4-1-1865</u>	<u>0.33 cfs</u>	<u>Irrigation</u>	<u>3/15 to 11/15</u>
<u>63-270</u>	<u>4-1-1865</u>	<u>0.22 cfs</u>	<u>Aesthetics</u>	<u>3/15 to 11/15</u>

← Process as change of
Adjudication claim Round
63-31496 per June, 2002,
notices of ownership change.

2. Total amount of water being transferred 1.91 cubic feet per second and/or 429.8 acre-feet per annum.

3. Source of water Boise River tributary to Snake River

* ~~Source of water Groundwater tributary to Boise River~~

* 4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
1		NE	NE	21	4N	1E	Ada	Aesthetic Ponds
2		NW	NE	21	4N	1E	Ada	Aesthetic Ponds
7	SW	SW	SE	16	4N	1E	Ada	RiversEnd Subdivision Pump Station
8		SW	NE	22	4N	1E	Ada	Boise River (Williamson)
8		NE	SE	16	4N	1E	Ada	Aesthetic Ponds
7		NW	SE	16	4N	1E	Ada	Aesthetic Ponds
7		SW	SE	16	4N	1E	Ada	Aesthetic Ponds
8		SE	SE	16	4N	1E	Ada	Aesthetic Ponds

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Total
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
4N	1E	16													6.0	7.0	30.8	16.8	60.6
															J 4.8	J 4.7	J 4.7	J 4.8	
4N	1E	21	13.1	10.8															23.9
			J 6.1	J 6.2															

Total acres 84.5

* Correction approved by initialed on date

PART 1

Transfer No. _____

6. General Information:

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

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

1. Right evidenced by: See Attachment C.

a. Decree No. _____ Decreed to C1 = claim 63-270
C2 = claim 63-31496 per 6/02 split
 in case of _____ vs. of 63-270
 dated _____ in _____ county of _____

b. License No. _____ issued by the Idaho Department of Water Resources.

c. Claim No. _____ on file with the Idaho Department of Water Resources.

d. Transfer No. _____ which produced this right.

2. Attach 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 of 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				Total
			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
- None known.

PART 2

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

No If yes, describe _____**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**1. Amount 1.58 cfs for Irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)*← to use within subdivision*

2. Points of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
6		SW	NE	22	4N	1E	Ada	Boise River

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			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	
4N	1E	16													11	3.6	27.7	14.9	57.2
4N	1E	21	8.4	13.4															21.8

Total acres 79.0**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**1. Amount 0.33 cfs for Irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)*← for Williamson to retain as separate piece to decide later how to use*

2. Points of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
6		SW	NE	22	4N	1E	Ada	Boise River

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			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	
4N	1E	16													1.1	1.4	7.3	3.1	12.9
4N	1E	21	2.0	1.6															3.6

Total acres 16.5**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**1. Amount 4.09 cfs for Irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)*← this portion will be reduced slightly to 3.93 cfs for 196.5 acres for Williamson land*

2. Points of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
6		SW	NE	22	4N	1E	Ada	Boise River

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	
4N	1E	15										4	35	10					49.0
4N	1E	16													12.9			17	29.9
4N	1E	21	24.6			5													29.6
4N	1E	22					38	38	5	15									96.0

Total acres 204.5

Page 5 of 6

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
Part 3

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

SCALE: 2 inches equals 1 mile. Draw plan in ink.

See Attachment D

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

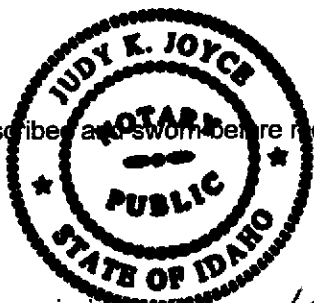
1. New Nature of Use Amount Hours/days/year Period of Use

Aesthetics 0.22 cfs 24 hr/da, 215 da/yr 3/15 to 11/15

_____ to _____
2. Quantity and quality of return flows and location of discharge: Use is makeup for evaporation from ponds without surface connection to any other water source.
3. Describe effects on other water uses resulting from the proposed change: None, source for aesthetics is shallow ground water tributary to the Boise River. Depletion will be limited to pond surface evaporation, rather than evapotranspiration from irrigated crops, thus river diversion will be reduced and shallow ground water contribution will be reduced by depletion effect of prior irrigation. Peak diversion rate has been maintained to account for peak hour diversion but annual diversion will be limited to evaporation amount.

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 before me this _____ day of _____, 20 02.

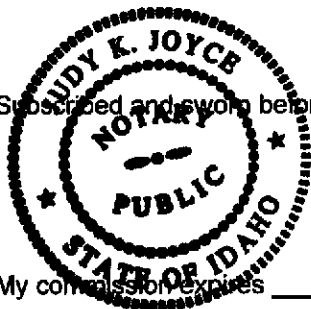


[Signature]
(Signature of Applicant)

[Signature]
(Notary Public)

My commission expires 12-21-05

Subscribed and sworn before me this _____ day of _____, 20 02.



[Signature]
(Signature of Applicant)

[Signature]
(Notary Public)

My commission expires 12-21-05

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 45 attachments

Received by [Signature] Date 4/30/02 Protest filed by _____

Prelim. check by [Signature] Fee \$290

Receipted by [Signature] Date 2/26/02 W028795 per original application

Published in THE IDAHO STATESMAN Copies of protest forwarded by _____

Pub. Dates 7-19+25-02 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

8245460

CORPORATION WARRANTY DEED

THIS INDENTURE, Made this 31st day of December,
in the year of our Lord one thousand nine hundred and sixty-five,
between HAMMOND LIVESTOCK, INC., a California corporation authorized
to do business in the State of Idaho, and having its principal
office in Idaho at Eagle, in the County of Ada, party of the first
part, and SYLVAN D. WILLIAMSON and BARRARA A. WILLIAMSON, husband
and wife, of Vale, County of Malheur, State of Oregon, parties of
the second part,

WITNESSETH That the said party of the first part, having
been hereunto duly authorized by resolution of its Board of
Directors, for and in consideration of the sum of TEN AND NO/100
DOLLARS (\$10.00), lawful money of the United States of America,
and other good and valuable considerations, to it in hand paid
by the said parties of the second part, the receipt whereof is
hereby acknowledged, has granted, bargained and sold, and by
these presents does grant, bargain, sell, convey and confirm unto
the said parties of the second part, and to their heirs and as-
signs forever, all the following described real estate situated
in the County of Ada, State of Idaho, to wit:

Lots 5 and 6 in Section 15;

Lots 7 and 8 in Section 16;

Lot 1 and an irregular tract contained in Lot 2 in Section
21, described as follows:

Beginning at the section corner common to Sects. 17, 18,
17, 20 and 21, Township 4 North, Range 1 East, Boise
Meridian, thence on a bearing of North 89° 18' East
East which bears 90° 18' East of the East Quarter corner
of Section 21, according to Idaho State Highway Depart-
ment coal survey maps, a distance of 222.90 feet to
the real point of beginning; thence on a bearing of
distance of 222.90 feet to the Boise River; thence

163.56 feet along the bank of the Boise River to a point; thence South 88° 41' East a distance of 237.60 feet along the bank of the Boise River to a point; thence South 46° 29' East a distance of 331.53 feet along the bank of the Boise River to a point; thence South 61° 16' East a distance of 352.80 feet along the bank of the Boise River to a point; thence North 81° 31' East a distance of 279.22 feet along the bank of an old channel of the Boise River to a point; thence North 25° 38' West a distance of 204.90 feet along the bank of an old channel of the Boise River to a point; thence North 56° 32' East a distance of 165.38 feet along the bank of an old channel of the Boise River to a point; thence North 0° 27' West a distance of 258.00 feet to a point; thence South 89° 46' West a distance of 1268.95 feet to the real point of beginning;

Lots 2, 3, 4 and 9 in Section 22;

ALSO, a tract of land lying in Sections 15 and 22, described as follows:

Commencing at a point on the section line 18.205 chains South of the corner common to Sections 14, 15, 22 and 23, Township 4 North, Range 1 East of the Boise Meridian, and running thence South 1.85 chains; thence West 19.975 chains; thence North 27.50 chains; thence South 58° 39' East 5.40 chains; thence South 30° 45' East 6.0 chains; thence South 12° 30' East 3.80 chains; thence South 31° East 4.50 chains; thence South 30° 45' East 9.60 chains; thence South 65° 15' East 4.63 chains to the place of beginning;

all being in Township 4 North, Range 1 East of the Boise Meridian, in Ada County, Idaho;

EXCEPT that portion lying within Lot 9, Section 22, Township 4 North, Range 1 East of the Boise Meridian;

ALSO EXCEPTING THEREFROM portions of Lot 1, Section 15; Lot 1, Section 22; and adjacent accretion land; all in Township 4 North, Range 1 East of the Boise Meridian in Ada County, Idaho, more particularly described as follows:

Commencing at the corner common to Sections 14, 15, 22, 23, Township 4 North, Range 1 East of the Boise Meridian; thence North along the Easterly line of said Section 15, 620.40 feet to a point; thence West 1,318.01 feet to a point; thence South 0° 07' East 127.71 feet to the REAL POINT OF BEGINNING; thence South 58° 39' East 356.4 feet to a point; thence South 30° 45' East 396.0 feet to a point; thence South 12° 30' East 250.8 feet to a point; thence South 31° 00' East 246.87 feet to a point on the north bank of the Boise River; thence along the bank of the Boise River South 85° 35' West 221.54 feet to a point; thence along the said north bank North 49° 03' West 613.90 feet to a point; thence North 9.29 feet to the REAL POINT OF BEGINNING;

Together with all water, water rights, ditches and rights of way for ditches appurtenant thereto or in anywise appurtenant;

Attachment A.

SUBJECT TO easement to provide a means of ingress and egress to and from the County Road running North and South between the Village of Eagle, Ada County, Idaho and United States Highway No. 20, by instrument recorded November 23, 1965, recorder's instrument No. 403207, records of Ada County, Idaho;

SUBJECT TO right of way granted by Karl Fischer and Bernice Fischer to The Mountain States Telephone and Telegraph Co., by instrument recorded July 1, 1936 in Book 14 of Miscellaneous at page 621, records of Ada County, Idaho, and specifically covers the overhang of 2 cross-arms, a distance of 4 feet from the above property;

SUBJECT TO power line easement as granted by Karl Fischer and Bernice Fischer, his wife, to IDAHO POWER COMPANY, a corporation, by instrument recorded September 18, 1931, recorder's instrument No. *, records of Ada County, Idaho, including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system. *Book 13 of Miscellaneous at page 24;

SUBJECT TO power line easement as granted by Dwight Pline and Ardye Pline, to IDAHO POWER COMPANY, a corporation, by instrument recorded April 4, 1961, recorder's instrument No. 499980, records of Ada County, Idaho, including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system;

SUBJECT TO any claim arising from the difference in the mean high water line of the Boise River and the meander line as shown by the Government Survey;

SUBJECT TO easement as granted by George E. Fletcher to Salt Lake Pipe Line Company, by instrument recorded March 1, 1950, recorder's instrument No. 298075, records of Ada County, Idaho;

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said party of the first part.

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances, unto the

Attachment A

parties of the second part, and to their heirs and assigns forever. And the said party of the first part, and its successors, the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against the said party of the first part, and its successors, and against all and every person whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The party of the first part has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secretary in pursuance to said resolution the day and year first above written.

Ads. County, Idaho, ss.
Request of

HAMMOND LIVESTOCK, INC.

TIME 11:25 A.M.
DATE 12-1-65

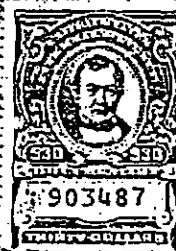
JOHN BASTIDA
RECORDER

By Robert L. Alexander
Deputy

By W.E. Hammond
Its

President

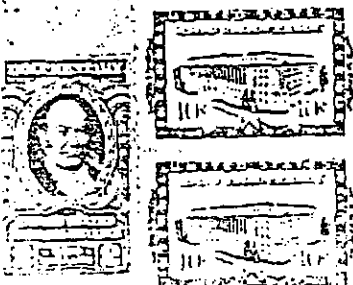
Secretary



STATE OF IDAHO)
County of Canyon) ss.

On this 1st day of December, in the year 1965, before me, the undersigned, a notary public in and for said state, personally appeared W.E. Hammond, known to me to be the President of the corporation that executed this instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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



Robert L. Alexander
Notary Public for Idaho
Residing at Caldwell, Idaho

Attachment A

213467SR

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

2002 MR -6 PM 4:05

RECORDED - REQUEST OF

FEE 21- DEPUTY

102027437

PIONEER TITLE

WARRANTY DEED

GRANTOR: Sylvan D. Williamson and Barbara A. Williamson

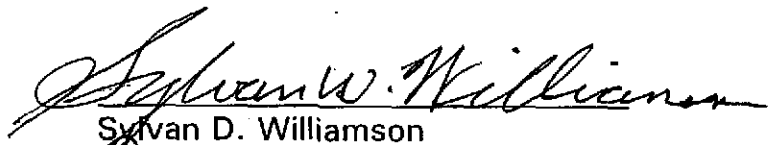
GRANTEE: Howell-Kiser Development Corporation

GRANTEE'S ADDRESS: 619 Queens Guard way, Boise, Idaho 83709

For good and valuable consideration the receipt of which is hereby acknowledged Grantor hereby CONVEYS, GRANTS and WARRANTS unto the Grantee that real property located in Ada County, State of Idaho, legally described on Exhibit A attached hereto, and depicted on Exhibit B attached hereto.

To have and to hold the said premises, together with all appurtenances thereto, unto the Grantee, and Grantees heirs and assigns forever. Grantor does hereby warrant to and with said Grantee that Grantor is the owner in fee simple of said premises and that said premises are free from all encumbrances except 2002 real property taxes, and those encumbrances set out in that Pioneer Title Commitment Schedule C attached hereto.

DATED This 5 day of March, 2002.

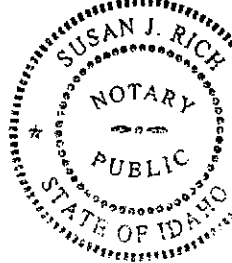

Sylvan D. Williamson


Barbara A. Williamson

STATE OF IDAHO,)
 (ss.
COUNTY OF ADA,)

On this 5 day of March, 2002, before me, the undersigned a Notary Public in and for said State, personally appeared Sylvan D. Williamson and Barbara A. Williamson, husband and wife, 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.

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



Susan J. Rich

*Notary Public for Idaho
Residing in Boise, Idaho
My Commission Expires: 5-5-2005

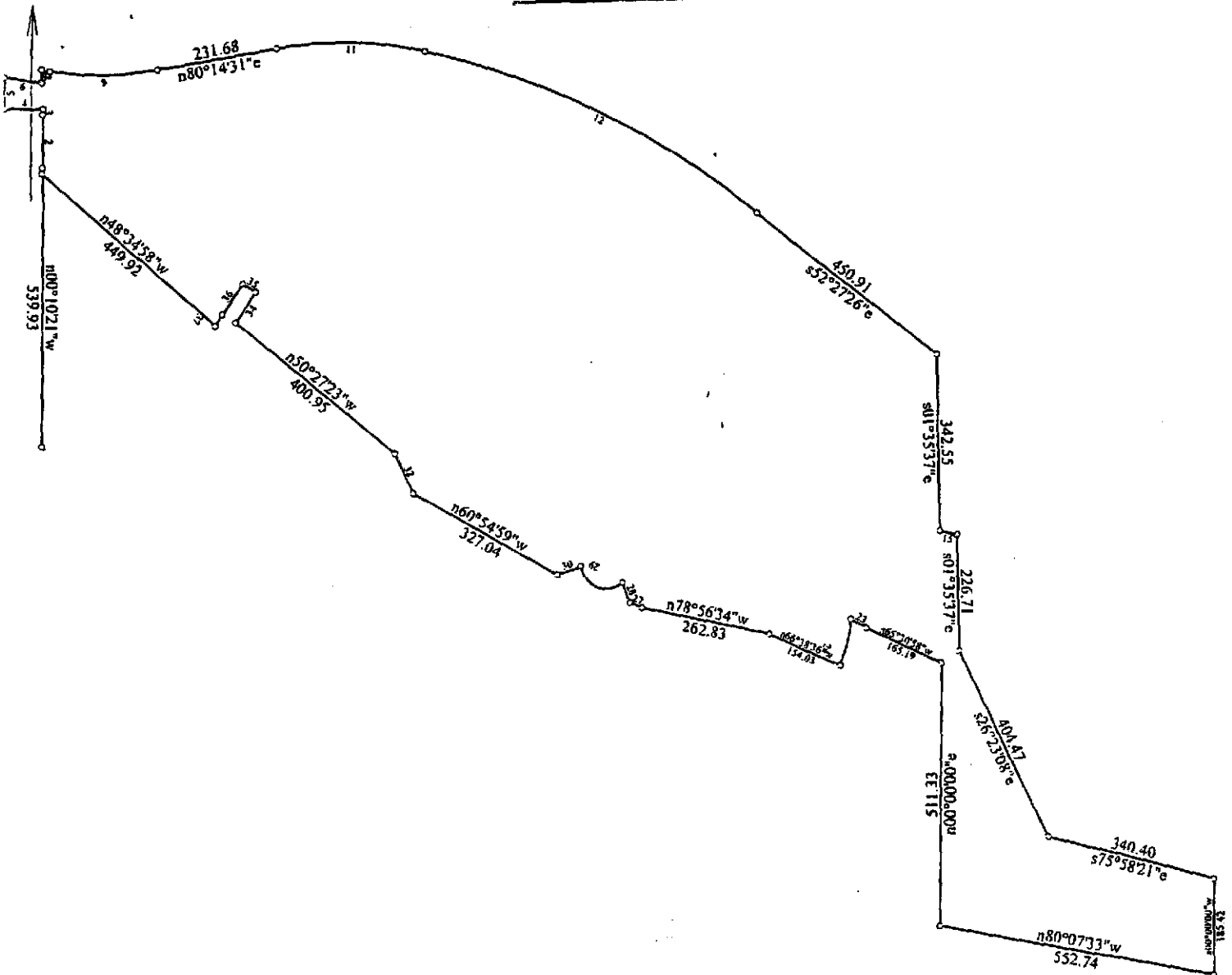
EXHIBIT A

A parcel of land being portions of Government Lots 7 and 8 of Section 16, Township 4 North, Range 1 East, Boise Meridian, and portions of Government Lots 1 and 2 of Section 21, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at a 5/8 inch iron pin monument from which an aluminum cap monument marking the South quarter corner of said Section 16 bears South 88 degrees 44'02" West, 83.41 feet and from said South quarter corner a brass cap monument marking the Southeast corner of said Section 16 bears South 89 degrees 43'52" East, 2665.11 feet;
Thence North 00 degrees 10'21" West, 539.93 feet, said point being the real point of beginning;
Thence continuing North 00 degrees 10'21" West, 102.81 feet;
Thence North 01 degree 11'30" West, 10.61 feet;
Thence North 80 degrees 30'48" West, 73.11 feet to a point on the Westerly boundary line of the Southeast quarter of said Section 16, also being the Easterly boundary line of Island Woods Subdivision No. 4, as recorded in Book 76 of Plats at Page 8000, records of Ada County, Idaho;
Thence along said boundary lines also being the Eastern terminus of Island Woods Drive right-of-way North 00 degrees 46'59" East, 60.70 feet;
Thence leaving said boundary lines South 80 degrees 30'48" East, 70.98 feet;
Thence North 01 degree 11'30" West, 25.44 feet;
Thence South 80 degrees 30'48" East, 16.03 feet to the beginning of a tangent curve to the left;
Thence along said curve 210.41 feet, said curve having a radius of 626.43 feet, a central angle of 19 degrees 14'41" and a long chord of 209.42 feet which bears North 89 degrees 51'52" East;
Thence North 80 degrees 14'31" East, 231.68 feet to the beginning of a tangent curve to the right;
Thence along said curve 292.72 feet, said curve having a radius of 755.00 feet, a central angle of 22 degrees 12'51" and a long chord of 290.89 feet which bears South 88 degrees 39'03" East to the beginning of a compound curve to the right;
Thence along said curve 733.39 feet, said curve having a radius of 1675.00 feet, a central angle of 25 degrees 05'11" and a long chord of 727.54 feet which bears South 65 degrees 00'02" East;
Thence South 52 degrees 27'26" East, 450.91 feet;
Thence South 01 degree 35'37" East, 342.55 feet;
Thence South 78 degrees 48'22" East, 35.89 feet;
Thence South 01 degree 35'37" East, 226.71 feet;
Thence South 26 degrees 23'08" East, 404.47 feet;
Thence South 75 degrees 58'21" East, 340.40 feet;
Thence South 00 degrees 00'00" West, 185.42 feet;
Thence North 80 degrees 07'33" West, 552.74 feet;
Thence North 00 degrees 00'00" East, 511.33 feet;
Thence North 65 degrees 30'58" West 165.19 feet;
Thence North 57 degrees 52'05" West, 33.45 feet to the beginning of a non-tangent curve to the right;
Thence along said curve 93.29 feet, said curve having a radius of 345.00 feet, a central angle of 15 degrees 29'36" and a long chord of 93.01 feet which bears South 12 degrees 24'56" West;
Thence North 66 degrees 38'36" West, 154.03 feet;
Thence North 78 degrees 56'34" West 262.83 feet;
Thence North 66 degrees 09'58" West, 25.84 feet;
Thence North 22 degrees 21'09" West, 41.44 feet to the beginning of a non-tangent curve to the right;
Thence along said curve 108.08 feet, said curve having a radius of 50.50 feet, a central angle of 122 degrees 37'19" and a long chord of 88.60 feet which bears North 69 degrees 53'39" West;
Thence South 69 degrees 59'10" West, 48.87 feet;
Thence North 60 degrees 54'59" West, 327.04 feet;
Thence North 25 degrees 52'18" West, 86.06 feet;
Thence North 50 degrees 27'23" West, 400.95 feet;
Thence North 32 degrees 26'42" East, 70.23 feet;
Thence North 57 degrees 33'18" West, 30.00 feet;
Thence South 32 degrees 26'42" West, 71.47 feet to the beginning of a tangent curve to the right;
Thence along said curve 25.13 feet, said curve having a radius of 509.92 feet, a central angle of 2 degrees 49'24" and a long chord of 25.13 feet which bears South 31 degrees 02'00" West;
Thence North 48 degrees 34'58" West, 449.92 feet to the real point of beginning.



Exhibit B



Title:		Date: 02-06-2002
Scale: 1 inch = 300 feet	File:	
Tract 1: 45.643 Acres: 184710.7 Sq Meters: Closure = s00.1646e 528.52 feet: Precision = 1/15: Perimeter = 7812 feet		
001=n00.1021w 539.93	014=s01.3537e 342.55	027=n66.0958w 25.84
002=n00.1021w 102.81	015=s78.4822e 35.89	028=n22.2109w 41.44
003=n01.1130w 10.61	016=s01.3537e 226.71	029: Rt, R=50.50, Arc=108.08, Delta=122.3719 Bng=n69.5339w, Chd=88.60
004=n89.3048w 73.11	017=s26.2308e 404.47	030=s69.5910w 48.87
005=n00.4659e 60.70	018=s75.5821e 340.40	031=n60.5459w 327.04
006=s80.3048e 70.98	019=s00.0000w 185.42	032=n25.5218w 86.06
007=n01.1130w 25.44	020=n80.0733w 552.74	033=n50.2723w 400.95
008=s80.3048e 16.03	021=n00.0000e 511.33	034=n32.2642e 70.23
009: Lt, R=636.43, Arc=210.41, Delta=19.1441 Bng=n89.5152e, Chd=209.42	022=n65.3058w 165.19	035=n57.3318w 30.00
010=n80.1431e 231.68	023=n57.5205w 33.45	036=s32.2642w 71.47
011: Rt, R=755.00, Arc=292.72, Delta=22.1251 Bng=s88.3903e, Chd=290.89	024: Rt, R=345.00, Arc=93.29, Delta=15.2936 Bng=s12.2456w, Chd=93.01	037: Rt, R=509.92, Arc=25.13, Delta=02.4924 Bng=s31.0200w, Chd=25.13
012: Rt, R=1675.00, Arc=733.39, Delta=25.0511 Bng=s65.0002e, Chd=727.54	025=n66.3836w 154.03	038=n48.3458w 7
013=n22.2727w 41.44		

COMMITMENT

[illegible]

SPECIAL EXCEPTIONS

Order Number: 213467

1. General taxes for the year, 2001, which are liens, of which first half is due December 20th and second half is due June 20th, shown without penalty and interest. Parcel No. 243-S0516449000

Tax Charge	Total Payments	Amount Due 1st Half	Amount Due 2nd Half	Total Due
\$1,686.00	\$865.32	\$0	\$820.68	\$820.68

Said taxes affect said premises and other lands.

2. General taxes for the year 2002, which are liens, are not yet due and payable.

3. Sewerage charges and special assessment powers of the City of Eagle. No special assessments now show of record.

4. Liens and assessments of the following district and the rights and powers thereof as provided by law. No delinquencies appear in the county recorder's office.

District: Old Thurman Mill Ditch Company; Little Union Ditch Company; Boise Valley Ditch Company; New Union Ditch Company; Pioneer Irrigation Ditch Company; Settlers Irrigation District

5. Any question that may arise due to shifting or change in the course of the river or creek herein named, or due to said river or creek having changed its course.

Name of River/Creek: Boise River

6. Right of the State of Idaho in and to the portion of said premises, if any, lying in the bed or the former bed of the Boise River.

7. Any adverse claim based upon the assertion that:

A. Said land or any part thereof is now or at any time has been below the ordinary high water mark of the Boise River.

B. Some portion of said land has been created by artificial means or has accreted to such portion so created

C. Some portion of said land has been brought within the boundaries thereof by an avulsive movement of the Boise River, or has been formed by accretion to such portion so created.

8. An easement containing certain terms, conditions and provisions affecting a portion of said premises and for the purposes stated herein

For: Power line easement

In Favor of: Idaho Power Company, a corporation

Recorded: September 18, 1931

Instrument No.: 146174

Filed in: 13 Misc., Page 24

Schedule C

COMMITMENT

[illegible]

SPECIAL EXCEPTIONS

Order Number: 213467

14. An easement containing certain terms, conditions and provisions affecting a portion of said premises and for the purposes stated herein
For: Roadway easement
In Favor of: Idaho Power Company, a corporation
Recorded: December 29, 1995
Instrument No.: 95095607
15. Matters disclosed by Record of Survey
Recorded: March 22, 2000
Instrument No.: 100021435
Survey No.: 4923
16. Matters disclosed by Record of Survey
Recorded: March 22, 2000
Instrument No.: 100021436
Survey No.: 4924

End Of Exceptions

NOTE: Matters dependent upon inspection of the premises have been cleared for Extended Mortgage's Policy as of date set forth herein. Paragraphs 1 thru 6 of the General Exceptions Schedule B will be eliminated on said policy. ALTA Mortgagee's Policy when issued will contain the ALTA 100 Endorsement.
Dated: February 11, 2002

NOTE: There is no notice of record and therefore no search has been made for any unpaid assessments, charges or fees for sewer, water, garbage, irrigation or other possible utility services.

NOTE: If the proposed insured under the Policy to issue has any questions concerning the coverage or exclusions from coverage, the Company will be pleased to provide an explanation.

NOTE: Pursuant to the State of Idaho Insurance Regulations, a cancellation fee is to be charged on all canceled orders. Unless otherwise advised, orders will be considered canceled six months after the effective date on the Commitment. The amount of the fee assessed shall be in accordance with our rate filing with the Idaho Department of Insurance.

ATTACHMENT B

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

Summary

The purpose of this application for transfer of water right is to add diversion points for water right #63-270, to split the water right into three parts, and to change the nature of use from irrigation of 11 acres to make up the evaporation from 11 acres of aesthetic ponds. A new subdivision called RiversEnd Subdivision will be developed on 106.8-acres of existing farmland currently owned by the applicant, Sylvan Williamson. An additional diversion point is needed to supply irrigation water directly to the pressurized irrigation system for RiversEnd Subdivision rather than piping the irrigation water from the existing diversion point. Splitting the water right is needed to specify the amount of irrigation water diverted to each diversion point and to quantify the 0.33 cfs of irrigation water for 16.5 acres that will no longer be needed due to the development of impervious areas. Sylvan Williamson has not yet decided whether to sell, lease, or transfer the non-use portion of the water right, but understands that after 5 consecutive years of non-use, that portion of the water right may be lost.

The subdivision land is under contract with co-applicant Howell-Kiser Development Corporation to be purchased and developed in four phases over a period of a few years. Therefore, after approval of this application, the transfer of water rights to the new diversion points will occur each time a phase of RiversEnd Subdivision is developed and a transfer of ownership is filed. A summary of the phase transfers is shown in Table-1. Howell-Kiser Development Corporation understands and agrees to the proposed changes.

Table-1 Phase Transfer

Phase	Amount for New Diversion Point per Phase	Total Amount for New Diversion Point	Leftover Non-use Portion of Water Right per Phase	Total Leftover Non-use Portion of Water Right	Remaining Amount for Existing Diversion Point
1	0.51-cfs (25.5")	0.51-cfs (25.5")	0.13-cfs (6.5")	0.13-cfs (6.5")	5.36-cfs (268.0")
2	0.42-cfs (20.8")	0.93-cfs (46.3")	0.11-cfs (5.5")	0.24-cfs (12.0")	4.83-cfs (241.7")
3	0.36-cfs (18.2")	1.29-cfs (64.5")	0.02-cfs (1.0")	0.26-cfs (13.0")	4.45-cfs (222.5")
4	0.29-cfs (14.5")	1.58-cfs (79.0")	0.07-cfs (3.5")	0.33-cfs (16.5")	4.09-cfs (204.5")

The quantity of water right for the land is calculated as 1" or 0.02-cfs per irrigated acre. The amount of historically irrigated acres in RiversEnd Subdivision is 95.5-acres. This equates to 1.91-cfs (95.5"). However, since the land is being developed for a 141-lot single-family residential subdivision, there will be 16.5-acres of impervious areas including paved streets and houses that will no longer be irrigated, hence the 0.33-cfs (16.5") of non-use water right. There will also be 15 amenity ponds with a surface area of 11.0-acres that will be constructed in RiversEnd Subdivision. This leaves 68.0-acres that are actually irrigated by the pressurized irrigation system. This equates to 1.36-cfs (68.0") that will supply the pump-station to irrigate all of the lots in the subdivision. Each lot will be provided a service line with an average rate of 4-gpm. The pressurized irrigation system will be supplied by irrigation water rather than the potable water provided by United Water Idaho. This is required by Eagle City when water rights for the property are available.

The 11 acres of ponds will be supplied by water under a combination of water rights. A companion application for permit is intended to provide the storage water in the ponds. The ponds are located on land previously irrigated under this water right and this transfer proposes to change 11 acres of irrigation and 0.22 cfs of diversion rate to aesthetic use for the evaporation that will occur from the ponds. There will not,

however, be a separate diversion for any of the ponds as they will be filled for both storage and evaporation by the shallow groundwater that infiltrates into the pond and is otherwise tributary to the Boise River. The evapotranspiration from the previously irrigated land should closely match the evaporation from the free water surface of the ponds justifying an acre for acre conversion from irrigation to ponds.

Water right #63-270 has a diversion rate of 6.0-cfs (300.0") for 300-irrigable acres. The place of use for the water right will not change; however, the number of irrigable acres will be reduced due to the development of RiversEnd Subdivision. The existing farmland outside of RiversEnd Subdivision will continue to be farmed by Sylvan Williamson by receiving irrigation water from the existing diversion point. When each phase of RiversEnd Subdivision is completed, the land will be irrigated from the new point of diversion. The applicant Williamson is the only water user from the existing diversion point, so no other water users will be affected by changes to the water right.

The new irrigation diversion point will consist of a pump-station located near the west entrance of RiversEnd Subdivision. The pump-station will draw irrigation water from a pond that is filled with shallow groundwater linked to the Boise River. The pump will be sized to only allow a maximum flow rate of 1.36-cfs (68.0"). The Boise River Water Master will be given a key for access to the pump-station to control operation, and a flow meter will be installed outside of the pump-station so the Water Master can verify use with a glance. The Water Master will be able to start or stop the pump-station to ensure that the pump-station operates only during the irrigation season. They can also vary the flows below the 1.36-cfs (68.0") maximum, in the case of a drought water year when water rights need to be reduced.

RiversEnd Subdivision will be designed so that all excess water that is not absorbed into the ground will flow back to the ponds, but before discharging into the ponds, the water will be cleaned and filtered by standards accepted by the Department of Environmental Quality. Irrigation water from the existing point of diversion will continue to flow through open ditches and used for irrigation. Any leftover irrigation water from the existing diversion point will continue to flow to an existing drain ditch that leads back to the north channel of the Boise River.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-270

WATER RIGHT NUMBER: 63-270

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BARBARA A WILLIAMSON 850 WILLIAMSON LN EAGLE, ID 83616 (208)939-6287
Original Owner	LOUISE SIMONSON
	, ZZ
Current Owner	SYLVAN D WILLIAMSON 850 WILLIAMSON LN EAGLE, ID 83616 (208)939-6287

*Prior to 6/02, transfer
would have acted on
this Big Record.*

Priority Date: 04/01/1865

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	6.000 CFS	
	<u>Total Diversion:</u>	6.000 CFS	1,350.00 AF

Location of Point(s) of Diversion

BOISE RIVER L6 SW1/4NE1/4 Sec. 22, Twp 04N, 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		
04N	01E	15									4.0	35.0	10.0							49.0
04N	01E	16													25.0	5.0	35.0	35.0	100.0	
04N	01E	21	35.0	15.0		5.0													55.0	
04N	01E	22					38.0	38.0	5.0	15.0									96.0	

Total Acres: 300

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-270

Remarks:

1. General THIS CLAIM REPRESENTS A TRANSFER OF THE PLACE OF USE TO THE ACRES LISTED IN THIS SRBA CLAIM.

Comments:

Dates and Other Information:

Claim Received Date: 7/5/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: And
Water District Number: 63
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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31496

WATER RIGHT NUMBER: 63-31496

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BARBARA A WILLIAMSON 850 WILLIAMSON LN EAGLE, ID 83616 (208)939-6287
Original Owner	LOUISE SIMONSON
	, ZZ
Current Owner	SYLVAN D WILLIAMSON 850 WILLIAMSON LN EAGLE, ID 83616 (208)939-6287

*After 8/02, transfer
will act on this
Record, which shows
right held by Williamson.*

Priority Date: 04/01/1865

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	5.840 CFS	1,314.00 AF
	<u>Total Diversion:</u>	5.840 CFS	1,314.00 AF

Location of Point(s) of Diversion

BOISE RIVER	L6 SW1/4NE1/4	Sec. 22, Twp 04N, 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	
04N	01E	15									4.0	35.0	10.0						49.0
04N	01E	16													25.0	5.0	35.0	35.0	100.0
															L 8	L 7	L 7	L 8	
04N	01E	21	35.0	15.0		5.0													55.0
			L 1	L 2		L 2													
04N	01E	22					30.0	38.0	5.0	15.0									88.0
							L 3	L 4	L 5	L 6									

Total Acres: 292

Conditions of Approval:

ATTACHED C. 2.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31496

Remarks:

1. General THIS CLAIM REPRESENTS A TRANSFER OF THE PLACE OF USE TO THE ACRES LISTED IN THIS SRBA CLAIM.
2. General This claim is the result of a split due to change in ownership for a portion of 63-270. DH 6/3/2002

Comments:

Dates and Other Information:

Claim Received Date: 7/5/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
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

ATTACHMENT C2

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

OCT 19 2001

Name of Applicant Victory 41, LLS Phone 761-0120 Department of Water Resources

Post Office address 6874 FAIRVIEW AVE BOISE ID 83704

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

SW agree to the following application changes.

12/12/01 Date

2. Describe the reason for the proposed changes Existing well site is being developed into a lot.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
63-2902	9/23/1954	0.80 cfs/180.0 AFA	Irrigation	3/15 to 11/15
				to
				to
				to

2. Total amount of water being transferred 0.80 cubic feet per second and/or 180 acre-feet per annum.

3. Source of water Groundwater tributary to N/A

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	SW	SE	SW	19	3N	1E	Ada	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	1E	19												40					

Total Acres 40

PART 1

6. General Information:

a. Description of diversion system 8' Well

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
Yes ☒ 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:
The irrigation of the land wll serve residential lots instead of farm land.

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

Witness my hand this _____ day of _____, 20 _____

For the Director

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2902

WATER RIGHT NUMBER: 63-2902

Owner Type Name and Address
Current Owner R L JOHNSTON
MERIDIAN, ID 83642

Priority Date: 09/23/1954

Basis: License

Status: Active

Source Tributary

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	0.800 CFS	180.00 AF
DOMESTIC	1/01 to 12/31	0.020 CFS	0.60 AF
	<u>Total Diversion:</u>	0.800 CFS	180.60 AF

Location of Point(s) of Diversion

GROUND WATER

SE1/4SW1/4

Sec. 19, Twp 03N, Rge 01E, B.M.

ADA County

Place of UseIRRIGATION Within ADA County

T03N R01E S19 SESW 40.0

Total Acres: 40

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2902

Dates and Other Information:

Licensed Date: 8/28/1979
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority 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>
----------------	------------------------	-----------------	-----------------

PART 2

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

No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED N/A

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

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 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	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

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

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:

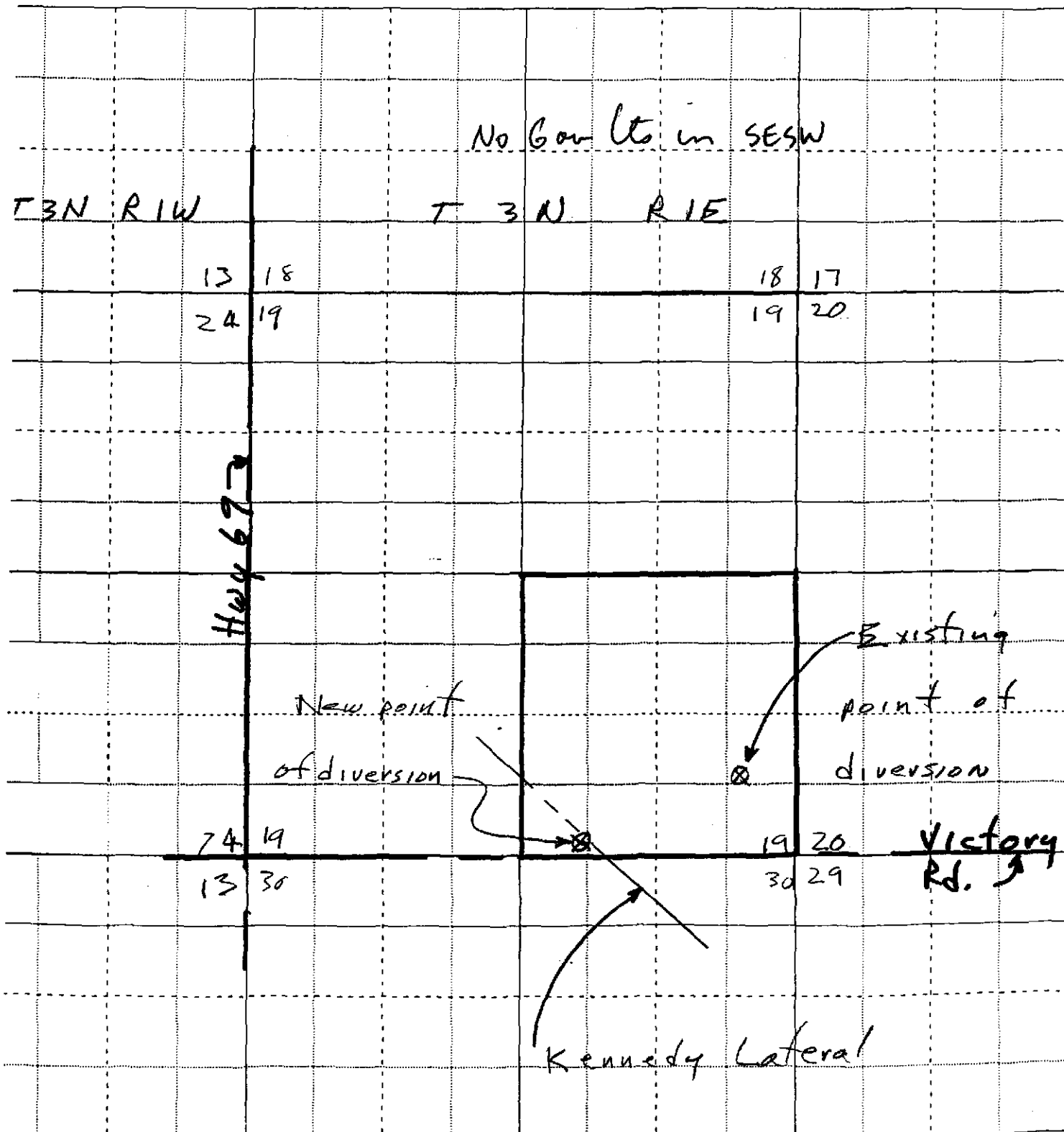
Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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



PART 3

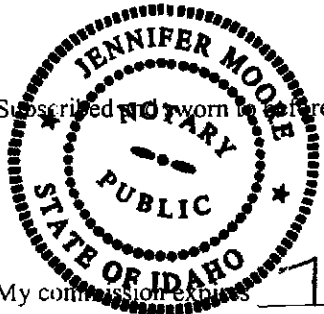
B. CHANGES IN NATURE OF USE N/A

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

2. Quantity and quality of return flows and location 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.

 _____
(Signature of Applicant)
Subscribed and sworn to before me this 12TH day of OCTOBER, 20 01.

Jennifer Moore
(Notary Public)
OFFICERS: Mike Caven
Jerry Caven

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments
Received by J. Massey Date 10-19-01 Protest filed by _____
Prelim. Check by ly Fee \$250.00 C057203
Receipted by J. Massey Date 10-19-01
Published in Id Stateman Copies of protest forwarded by _____
Pub. Dates 1-17+24-02 Hearing held by _____ Date _____
Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial
_____ received _____ by _____

Copy of transfer sent to lien holder _____

RECEIVED

JAN 07 2002

Page 1 of 10STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER RESOURCES
WESTERN REGION

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant City of Boise, Parks & Recreation Dept. Phone 208-384-4240Post Office address 1104 Royal Boulevard, Boise, ID 83706

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes City has purchased place of use and converted it into a park. City proposes to move the groundwater rights from original place of use to a recreation pond at McDevitt Sports Park. Water will be used for pond refill to replace water lost to seepage and evaporation.

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

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
63-31040	7/01/1947	0.04 cfs	recreation	1/1 to 12/31
63-17483 PV	5/20/1940	0.04 cfs	recreation	1/1 to 12/31
63-24149 PV	6/30/1930	0.06 cfs	recreation	1/1 to 12/31

2. Total amount of water being transferred 0.14 cubic feet per second and/or _____ acre-feet per annum.3. Source of water groundwater tributary to NA

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	SESE	SE		29	4N	1E	Ada	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	1E	29																R	

Total Acres _____

PART 1

6. General Information:

a. Description of diversion system 8-inch well with electric submersible pump

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
 _____ Yes x 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:
Site has been converted into a park. Irrigation source is Boise City Cana
Domestic use (drinking fountains, toilets) provided by municipal water
system (United Water Idaho)

d. Remarks:
Water rights were formerly used for inhome domestic, landscape irrigation,
and stockwater at a 7-acre site. Water will now be used in recreation pon
to maintain level for fishing and other recreational purposes. Pond is
is filled by 63-230M (Settlers Irrigation Dist.) and 63-12595

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

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

 For the Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 63-31040 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice ☐ Warranty Deed ☐ Other _____
3. Source of water ground water tributary to NA4. Date or priority 7/01/1947

5. Water is used for the following purposes:

amount 0.04 cfs for domestic purposes from 1/1 to 12/31
(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 0.04 cubic feet per second and/or _____ acre-feet per annu

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	SE	SE	NW	29	4N	2E	Ada	

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	2E	29								D									

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 non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 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				Tot
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

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

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

2. Point(s) of Diversion:

Lot	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				Tot
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 63-17483 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water ground water tributary to NA

4. Date or priority 5/20/1940

5. Water is used for the following purposes:

amount 0.04 cfs for domestic purposes from 1/1 to 12/31
(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 0.04 cubic feet per second and/or _____ acre-feet per ann

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		SE	NW	29	4N	2E	Ada	

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	2E	29								D									

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 non-use?

No _____

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 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				Tot
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

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

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

2. Point(s) of Diversion:

Lot	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				Tot
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 63-24149 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice ☐ Warranty Deed ☐ Other _____
3. Source of water ground water tributary to NA4. Date or priority 6/30/1930

5. Water is used for the following purposes:

amount 0.04 cfs for domestic purposes from 1/1 to 12/31
(cfs/ac-ft)

amount 0.02 cfs for stockwater purposes from 1/1 to 12/31
(cfs/ac-ft)

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

6. Total amount of water under right 0.06 cubic feet per second and/or _____ acre-feet per ann

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		SE	NW	29	4N	2E	Ada	

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	2E	29								D									
		29								S									

Total Acres _____

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 non-use?

No

If yes, describe _____

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

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 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				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

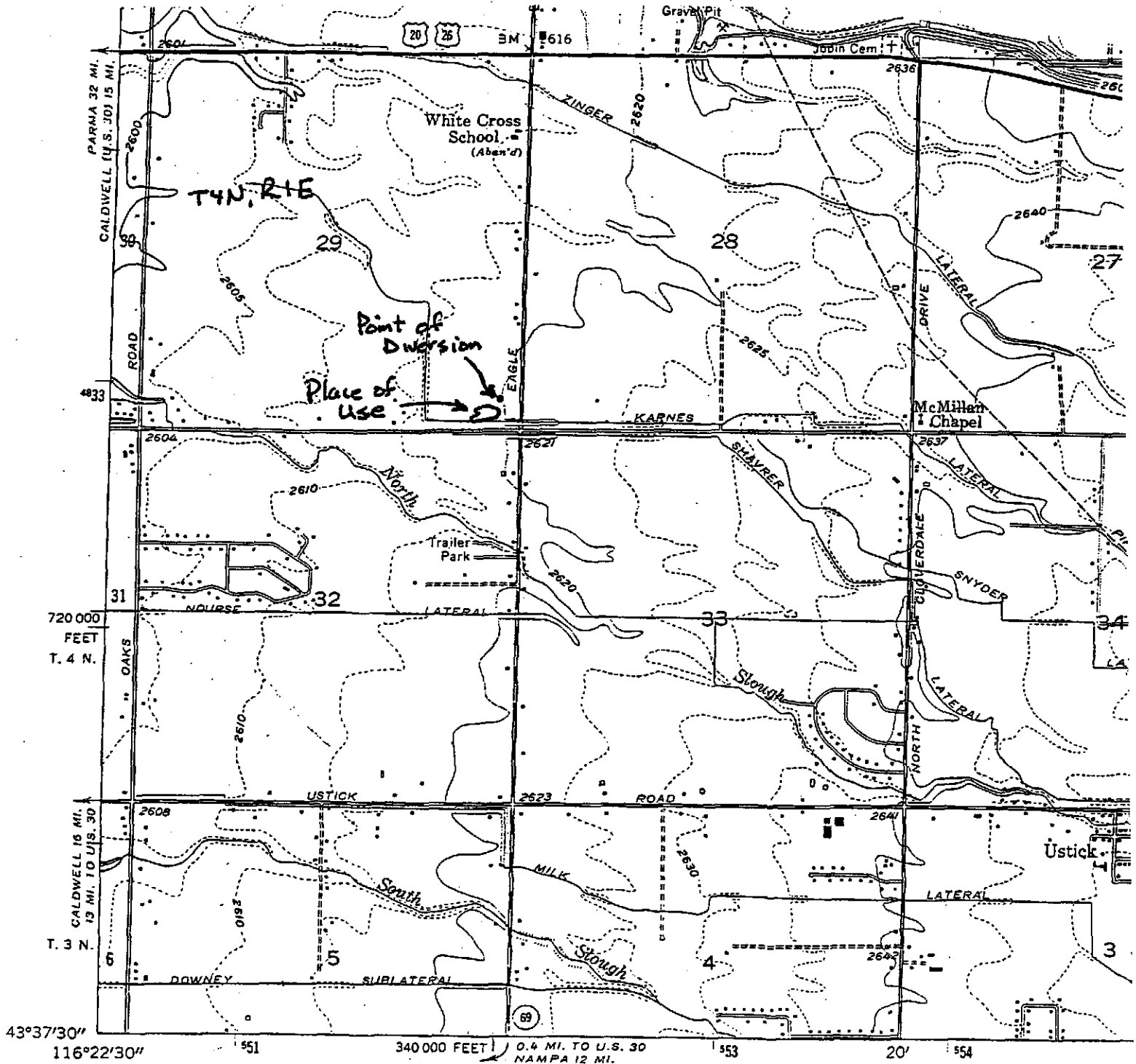
Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

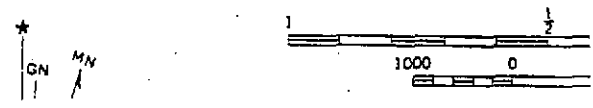
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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



Maped, edited, and published by the Geological Survey
Control by USGS and USC&GS
Topography from aerial photographs by multiplex methods



PART 3

B. CHANGES IN NATURE OF USE

1.

<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
recreation	0.14 cfs		1/1 to 12/3
			to
2. Quantity and quality of return flows and location of discharge:
no return flow
3. Describe effects on other water uses resulting from the proposed change:
no effect

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.

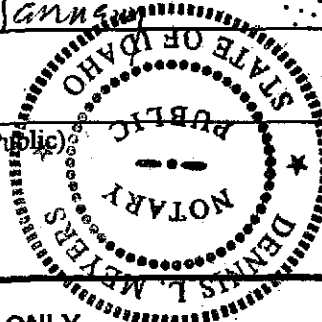
I understand that any willful misrepresentations made in this application may result in voiding its approval.

Paul Phillips
(Signature of Applicant)

Subscribed and sworn to before me this 7th day of January, 20 02

Dennis L. Meyers
(Notary Public)

My commission expires 2/1/02



FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by _____ Fee \$100 - W028607

Received by DD Date 1-7-2002

Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____



A Pioneer Company

PIONEER TITLE COMPANY
OF ADA COUNTY

821 West State Street / Boise, Idaho 83702-5836 / Telephone (208) 936-6700

96070457
ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

PIONEER TITLE CO.

06 AUG 22 PM 2 26

FEE 6- 00 00
RECORDED AT THE REQUEST OF D. Hall

P-149329-JB/HEH

WARRANTY DEED

(INDIVIDUAL)

FOR VALUE RECEIVED GOLDIE BATLINER, an unmarried person,

Grantor , does hereby grant, bargain, sell and convey unto BOISE CITY, A MUNICIPAL CORPORATION,

the Grantee , whose current address is: P. O. BOX 500, BOISE, IDAHO 83701
the following described real property in ADA County, State of Idaho, more particularly described as follows, to-wit:

SEE LEGAL DESCRIPTION, EXHIBIT "A", ATTACHED HERETO AND MADE A PART HEREOF.

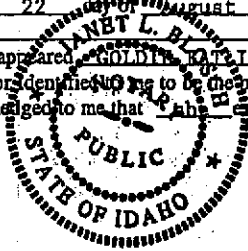
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee , and Grantee heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee , the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances,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

Dated: AUGUST 22, 1996

Goldie Batliner
GOLDIE BATLINER

STATE OF IDAHO , County of ADA , ss.

On this 22 day of August, in the year of 1996, before me JANET L. BLOSCHE, a notary public, personally appeared GOLDIE BATLINER known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



Notary Public: Janet L. Bloesche
Residing at: BOISE, ID
My Commission Expires: MARCH 17, 1999

Det. 4504 Catalpa

EXHIBIT "A"

A PORTION OF LAND WITHIN THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, SECTION 29, TOWNSHIP 4 NORTH, RANGE 2 EAST, BOISE MERIDIAN, CITY OF BOISE, ADA COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE FOUND BRASS CAP MONUMENT MARKING THE CENTER 1/4 CORNER OF SAID SECTION 29; THENCE
NORTH 88 DEGREES 58'33" WEST 354.00 FEET ALONG THE EAST-WEST CENTER LINE OF SAID SECTION 29 AND THE CENTER LINE OF CATALPA DRIVE TO THE REAL POINT OF BEGINNING; THENCE
NORTH 00 DEGREE 19'27" EAST 10.00 FEET TO A SET 5/8" REBAR WITH PLASTIC CAP P.L.S. 7612, SAID POINT COINCIDENT WITH THE NORTHERLY RIGHT-OF-WAY LINE OF CATALPA DRIVE; THENCE CONTINUING
NORTH 00 DEGREE 19'27" EAST 540.80 FEET TO A SET 5/8" REBAR WITH PLASTIC CAP P.L.S. 7612, SAID POINT MARKING A WITNESS CORNER TO THE NORTHEAST PARCEL CORNER; THENCE CONTINUING
NORTH 00 DEGREE 19'27" EAST 21.16 FEET TO A POINT AT THE CENTER LINE OF SAND CREEK AS IT NOW EXISTS; THENCE ALONG SAID CENTER LINE OF SAID SAND CREEK THE FOLLOWING COURSES AND DISTANCES:
SOUTH 81 DEGREES 59'37" WEST 61.79 FEET TO A POINT;
SOUTH 79 DEGREE 45'04" WEST 17.40 FEET TO A POINT;
SOUTH 71 DEGREES 13'57" WEST 22.88 FEET TO A POINT;
SOUTH 85 DEGREES 10'04" WEST 72.72 FEET TO A POINT; THENCE
LEAVING SAID CENTER LINE OF SAID SAND CREEK
SOUTH 00 DEGREE 19'27" WEST 18.47 FEET TO A FOUND 5/8" REBAR WITH PLASTIC CAP P.L.S. 7612, SAID POINT MARKING A WITNESS CORNER TO THE NORTHWEST PARCEL CORNER; THENCE CONTINUING
SOUTH 00 DEGREE 19'27" WEST 515.21 FEET TO A FOUND 5/8" REBAR WITH PLASTIC CAP P.L.S. 7612 ON SAID NORTHERLY RIGHT-OF-WAY LINE OF SAID CATALPA DRIVE; THENCE CONTINUING
SOUTH 00 DEGREE 19'27" WEST 10.00 FEET TO A POINT ON SAID CENTER LINE OF SAID CATALPA DRIVE AND SAID EAST-WEST CENTER LINE OF SAID SECTION 29; THENCE ALONG SAID CENTER LINE OF SAID CATALPA DRIVE AND SAID EAST-WEST CENTER LINE OF SAID SECTION 29
SOUTH 88 DEGREES 58'33" EAST 172.30 FEET TO THE REAL POINT OF BEGINNING.



PIONEER TITLE COMPANY
OF ADA COUNTY

821 West State Street / Boise, Idaho 83702
(208) 336-6700

8151 W. Rifleman Street / Boise, Idaho 83704
(208) 377-2700

96070000
PIONEER TITLE
ADA CO. RECORDER
J. DAVID OLIVARRO
BOISE ID

'96 SEP 19 PM 2 36

FEE 6.00 DLP J. Keeper
RECORDED AT THE REQUEST OF

P-150219 JB/HEH

SPACE ABOVE FOR RECORDING DATA

QUITCLAIM DEED

FOR VALUE RECEIVED IDAHO FOUNDATION FOR PARKS AND LANDS, an Idaho non-profit corporation

do hereby convey, release, remise and forever quitclaim

unto BOISE CITY, a minicipal corporation

whose address is: P.O. Box 500, Boise, Idaho 83701

the following described premises, to wit:

See the Attached Exhibit "A" for legal description, which by this reference is incorporated herein.

together with their appurtenances.

Dated: August 24th, 1996

IDAHO FOUNDATION FOR PARKS AND LANDS, an
Idaho non-profit corporation

BY: [Signature]

STATE OF IDAHO, County of Ada, ss.

On this 24th day of August, in the year of 1996, before me
ROGER L. FREUDENBERG, a notary public,
personally appeared DAVID E. WEILMUNSTER
known or identified to me to be the PRESIDENT
of the Corporation that executed the instrument or the person who executed the instrument on behalf of
said corporation, and acknowledged to me that such corporation executed the same.

Notary Public: [Signature]

Residing at: BOISE, IDAHO

My Commission Expires: 12/16/00

Forhman
4606 Catalpa

EXHIBIT A

A PORTION OF LAND WITHIN THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 SECTION 29, TOWNSHIP 4 NORTH, RANGE 2 EAST, BOISE MERIDIAN, CITY OF BOISE, ADA COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND BRASS CAP MONUMENT MARKING THE CENTER 1/4 CORNER OF SAID SECTION 29;

THENCE WESTERLY ALONG THE CENTERLINE OF CATALPA DRIVE AND THE EAST WEST CENTER LINE OF SAID SECTION 29, NORTH 88 DEGREES 58'33" WEST 826.30 FEET TO A SET 5/8" REBAR AND PLASTIC CAP P.L.S. 7612 AND THE REAL POINT BEGINNING;

THENCE LEAVING SAID CENTER LINE NORTH 00 DEGREE 21'27" EAST 496.99 FEET TO A POINT ON THE CENTER LINE OF SAND CREEK AS THE SAME NOW EXISTS;

THENCE ALONG SAID CENTER LINE OF SAND CREEK THE FOLLOWING COURSES AND DISTANCES:

SOUTH 81 DEGREES 28'14" EAST 45.12 FEET TO A POINT;

NORTH 80 DEGREES 22'49" EAST 67.82 FEET TO A POINT;

NORTH 78 DEGREES 45'46" EAST 44.73 FEET TO A POINT;

NORTH 77 DEGREES 11'09" EAST 45.92 FEET TO A POINT;

THENCE LEAVING SAID CENTER LINE OF SAND CREEK SOUTH 00 DEGREE 21'27" WEST 524.11 FEET TO A SET 5/8" REBAR PLASTIC CAP P.L.S. 7612 ON THE CENTER LINE OF SAID CATALPA DRIVE;

THENCE ALONG SAID CENTER LINE OF CATALPA DRIVE NORTH 88 DEGREES 58'33" WEST 200.00 FEET TO THE REAL POINT OF BEGINNING.

EXCEPT THAT PORTION THEREOF LYING WITHIN THE RIGHT OF WAY FOR CATALPA DRIVE.

END OF LEGAL DESCRIPTION



PIONEER TITLE COMPANY
OF ADA COUNTY

821 West State Street / Boise, Idaho 83702
(208) 336-6700

8151 W. Rifleman Street / Boise, Idaho 83704
(208) 377-2700

90010000
PIONEER TITLE
ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

'96 SEP 19 PM 2 36

FEE 6.00 DEED
RECORDED AT THE REQUEST OF

P-150219 JB/HEH

SPACE ABOVE FOR RECORDING DATA

QUITCLAIM DEED

FOR VALUE RECEIVED IDAHO FOUNDATION FOR PARKS AND LANDS, an Idaho non-profit corporation

do hereby convey, release, remise and forever quitclaim

unto BOISE CITY, a municipal corporation

whose address is: P.O. Box 500, Boise, Idaho 83701

the following described premises, to wit:

See the Attached Exhibit "A" for legal description, which by this reference is incorporated herein.

together with their appurtenances.

Dated: August 24th, 1996

IDAHO FOUNDATION FOR PARKS AND LANDS, an
Idaho non-profit corporation

BY: Don E. Weilmunsted

STATE OF IDAHO, County of Ada, ss.

On this 24th day of August, in the year of 1996, before me

ROGER L. FREDENBERG, a notary public,

personally appeared DON E. WEILMUNSTED,

known or identified to me to be the PRESIDENT

of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Notary Public: [Signature]

Residing at: BOISE IDAHO

My Commission Expires: 12/16/00

Hathaway
4516 Catalpa

EXHIBIT A

File Number: P144128

A PORTION OF LAND WITHIN THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 SECTION 29, TOWNSHIP 4 NORTH, RANGE 2 EAST, BOISE MERIDIAN, CITY OF BOISE, ADA COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE FOUND BRASS CAP MONUMENT MARKING THE CENTER 1/4 CORNER OF SAID SECTION 29;

THENCE WESTERLY ALONG THE CENTER LINE OF CATALPA DRIVE ALSO THE EAST WEST CENTER LINE OF SAID SECTION 29 NORTH 88 DEGREES 58'33" WEST 526.30 FEET TO A POINT;

THENCE NORTH 00 DEGREE 19'27" EAST 10.00 FEET TO A SET 5/8" REBAR AND PLASTIC CAP P.L.S. 7612 AND THE REAL POINT OF BEGINNING;

THENCE CONTINUING NORTH 00 DEGREE 19'27" EAST 533.69 FEET TO THE CENTER LINE OF SAND CREEK AS THE SAME NOW EXISTS;

THENCE ALONG THE CENTER LINE OF SAND CREEK THE FOLLOWING COURSES AND DISTANCES;

SOUTH 85 DEGREES 56'39" WEST 9.13 FEET TO A POINT;

SOUTH 74 DEGREES 40'23" WEST 50.72 FEET TO A POINT;

SOUTH 86 DEGREES 24'38" WEST 35.04 FEET TO A POINT;

SOUTH 77 DEGREES 11'09" WEST 6.97 FEET TO A POINT;

THENCE LEAVING SAID CENTER LINE OF SAND CREEK SOUTH 00 DEGREE 21'27" WEST 514.11 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAID CATALPA DRIVE;

THENCE ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID CATALPA DRIVE, SOUTH 88 DEGREE 58'33" EAST 99.99 FEET TO THE REAL POINT OF BEGINNING.

END OF LEGAL DESCRIPTION