

Idaho Department of Water Resources



T04N, R01E,
S22

Claim No: 63-31499
Prepared By: Kimberly Brown
Date: October 24, 2005



Place of Use



Section Lines

1/4 1/4

⊙ Point of Diversion

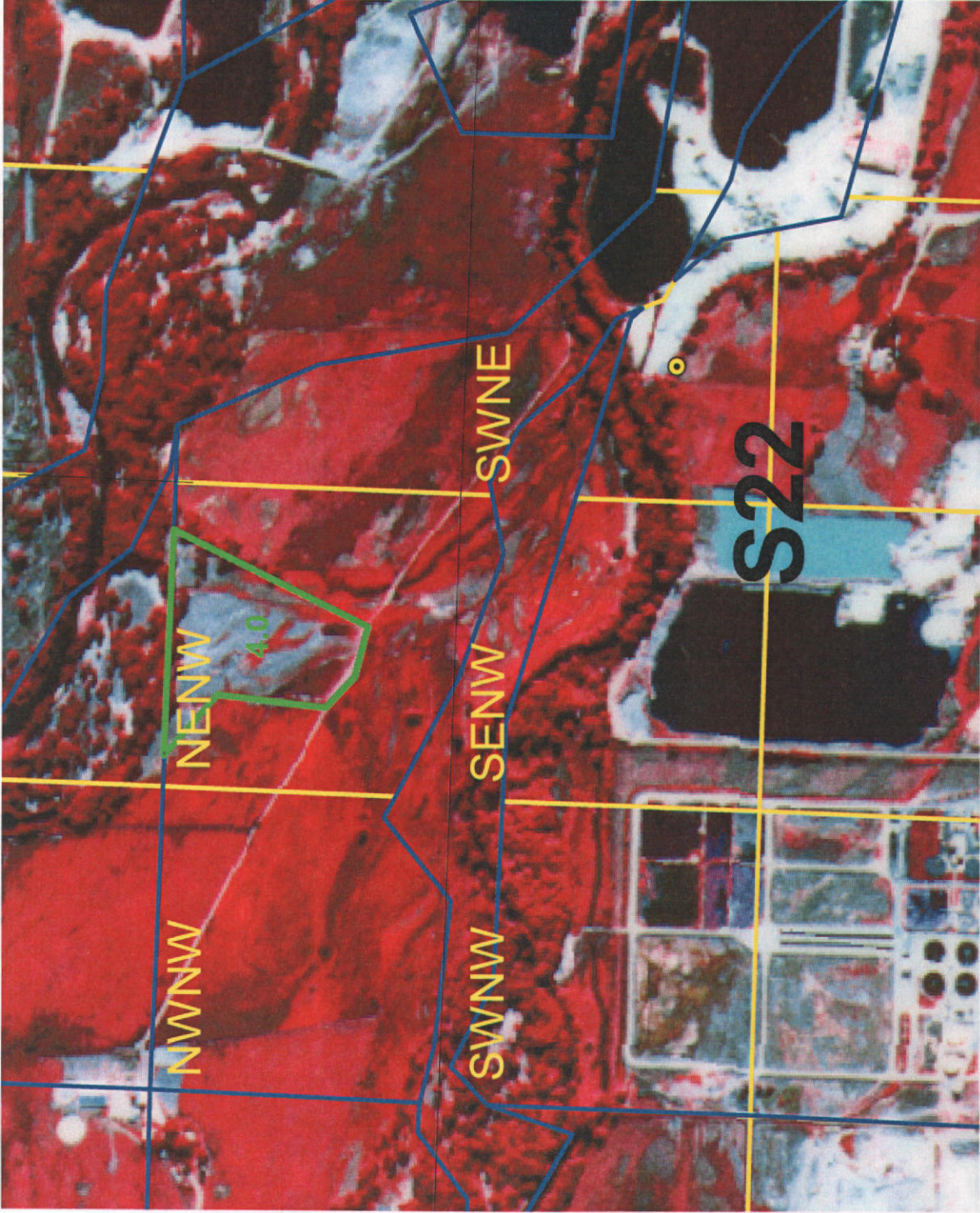


300 0 300 600 Feet



1987 NAPP

Idaho Department of Water Resources



T04N, R01E,
S22

Claim No: 63-31499

Prepared By: Kimberly Brown

Date: October 24, 2005



Place of Use



Section Lines



1/4 1/4



Point of Diversion

Acres Irrigated = 4.0



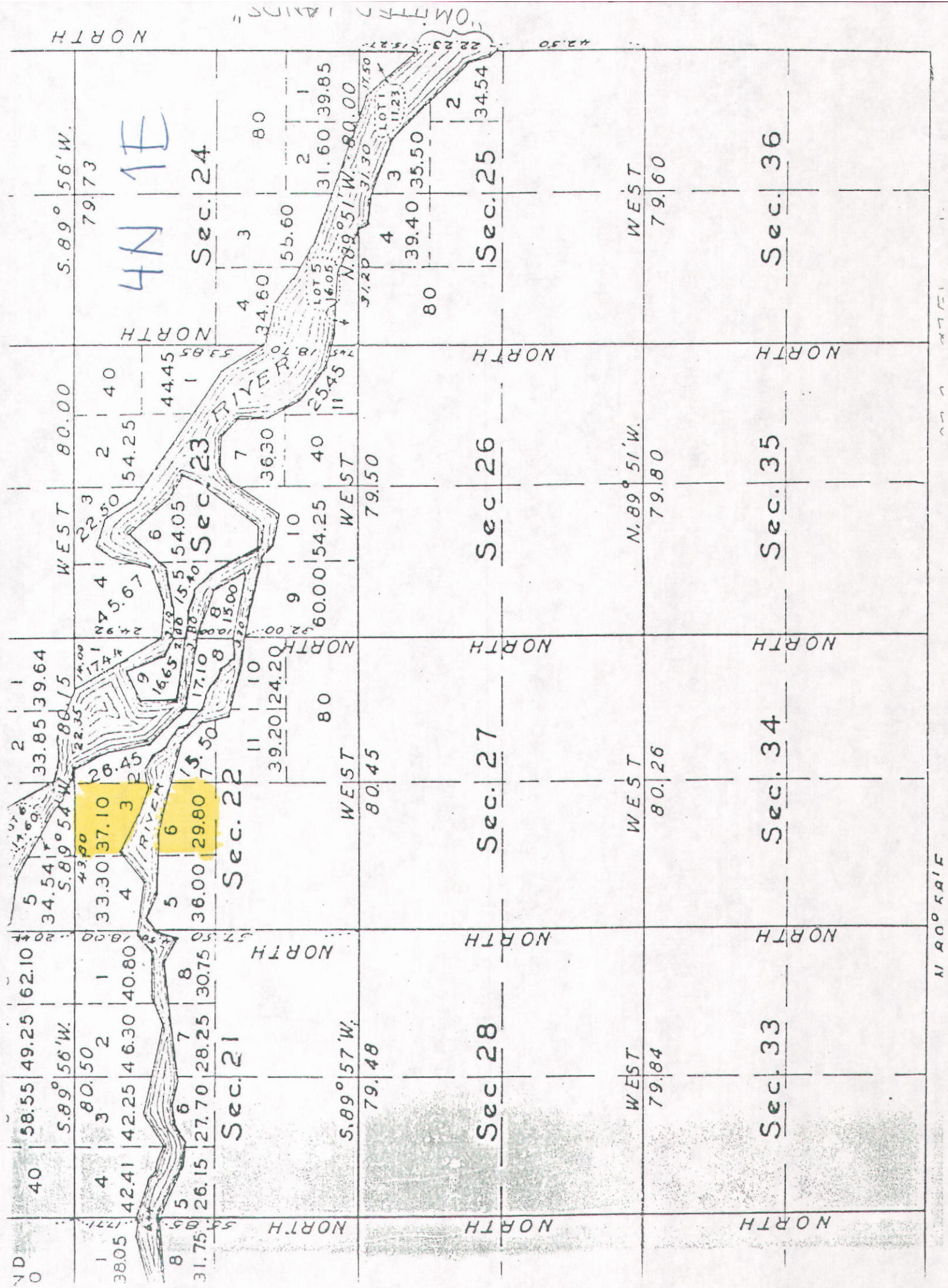
300 0 300 600 Feet

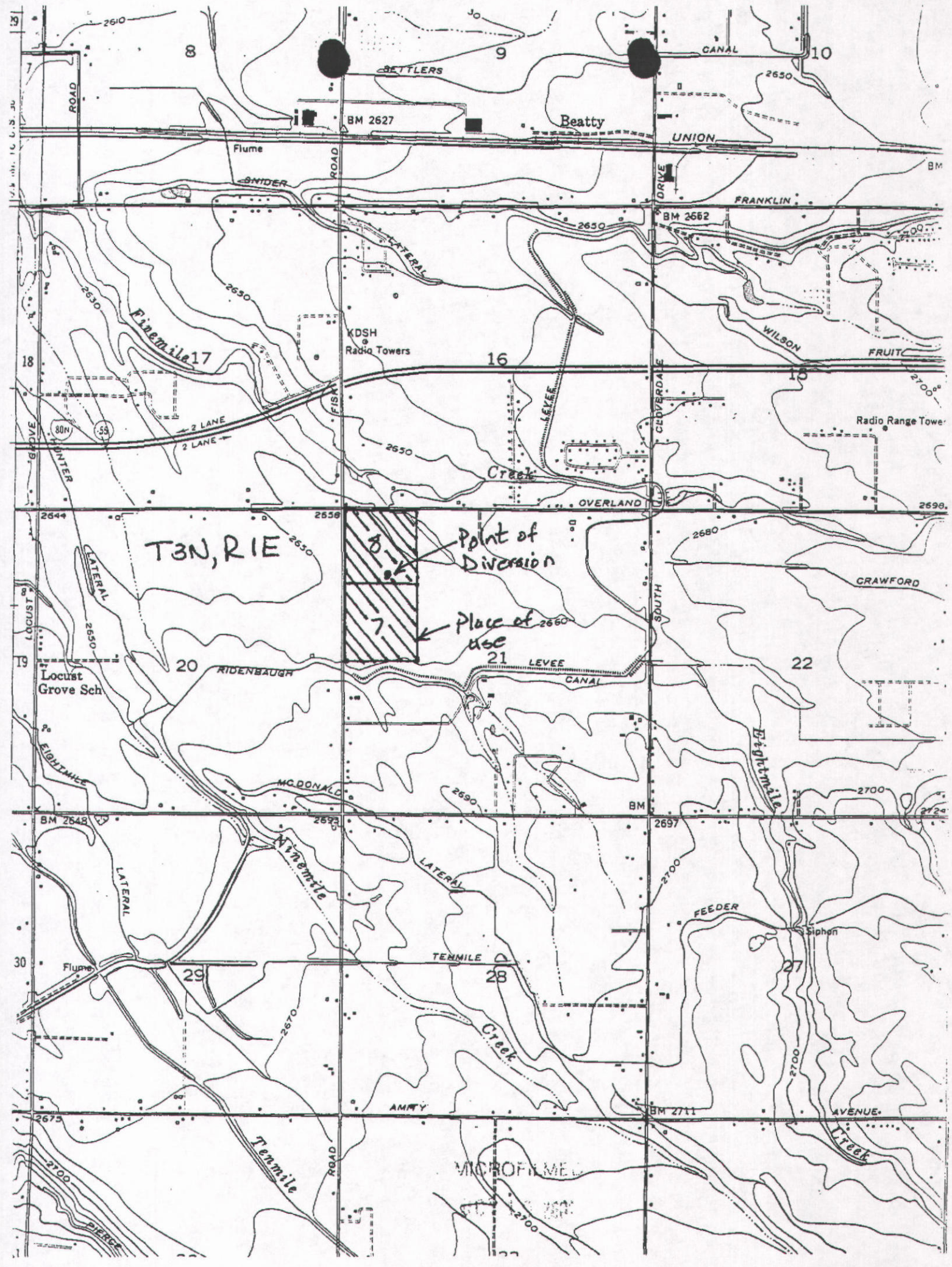
1987 NAPP

**SUNDANCE
4 ACRES**

**T04N, R02E,
S22, NENW
LOT 3**





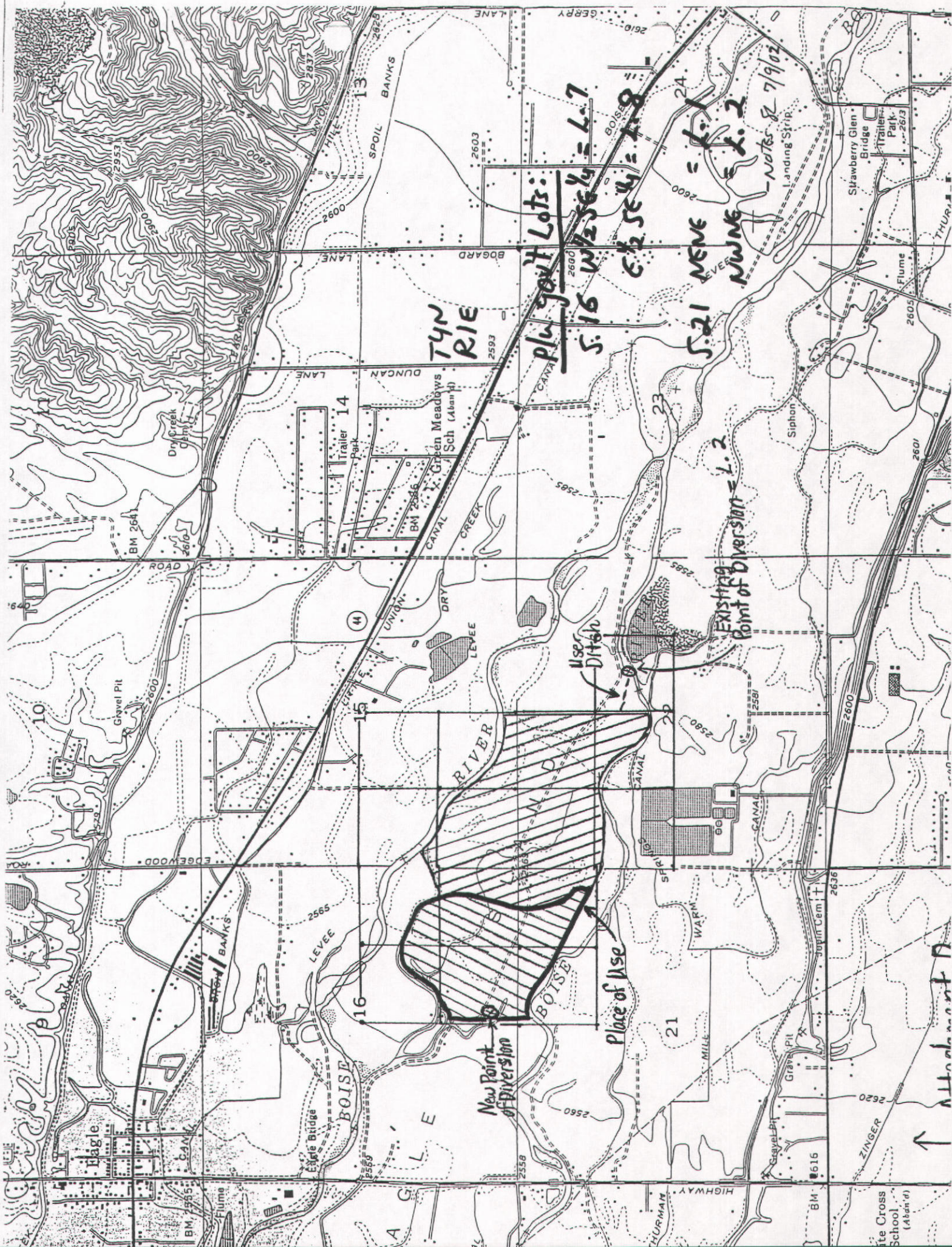


T3N, R1E

Point of Diversion

Place of use

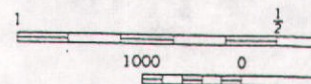
MICROFILMED



APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

-
- Topographic map of the Ustick area, showing a proposed diversion of the Milk Slough. The map includes features like White Cross School, McMillan Chapel, and various roads and trails. Handwritten annotations indicate the 'Point of Diversion' and 'Place of Use' for the diversion project. The map is overlaid with a grid showing Township and Range coordinates (T. 4 N., T. 3 N., R. 15 E., R. 16 E.).

★
GN
MA



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 63-31499
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)

SUNDANCE INVESTMENT LTD PARTNERSHIP
C/O RYAN ANDERSON
9100 W BLACKEAGLE DR
BOISE ID USA 83709

Phone: (208)322-7300

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	0.08	18

7. Total Quantity Appropriated is:
0.08 C.F.S. and/or 18 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	4
Section Acres					4

Total Acres 4

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

This claim represents a mitigation of permit 63-31258.

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

RECEIVED

JUN 27 2001

WATER RESOURCES
WESTERN REGION

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
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) Sundance Investments Limited Partnership
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 9100 West Blackeagle Drive
- City, State and ZIP Code Boise, ID 83709
- New Telephone Number (208) 322-7300
5. Date you acquired the ~~property~~ water right May 3, 2001 (see contract)

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, then you may skip this item and go to item 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

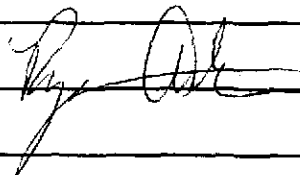
Water Use	Rate of Diversion (CFS)	Annual Volume (acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	0.08	18	4 acres
Stock			
Domestic			
Other			
Total	0.08	18	

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			

7.

Signature of New Owner(s)
or Claimant(s)



Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

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.

For Office Use Only

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
SUNDANCE INVESTMENTS
LIMITED PARTNERSHIP

Page 1

04/01/2002

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

SUNDANCE

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
Total Diversion:
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				Totals
04N 01E 15	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	49.0
									4.0	35.0	10.0						
									L5								
04N 01E 16													25.0	5.0	35.0	35.0	100.0
													L6 L7 L7 L8				
04N 01E 21	35.0	15.0	5.0														55.0
	L1 L2 L2																
04N 01E 22					100.0	30.0	5.0	15.0									150.0
					L3 L4 L5 L6												

Total Acres: 600

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 63-31258.

* Put (no) in ownership field!

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 63-31258

WATER RIGHT NUMBER: 63-31258

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SUNDANCE INVESTMENT LTD PARTNERSHIP C/O RYAN ANDERSON 9100 WEST BLACKEAGLE DR BOISE, ID 83709 (208)322-7300

Priority Date: 05/23/2001

Basis:

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.300 CFS	18.00 AF
	<u>Total Diversion:</u>	0.300 CFS	18.00 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NW1/4NW1/4	Sec. 21, Twp 03N, 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	
03N	01E	21						8.0	7.0										15.0

Total Acres: 15

Conditions of Approval:

- 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
- 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- 065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
- 104 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
- 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.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 63-31258

6. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Remarks:

1. Water bearing zone to be appropriated is 75 to 200 feet.
2. 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.
3. 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.

Comments:Dates and Other Information:

Permit Proof Due Date: 9/1/2006
Permit Proof Made Date:
Permit Approved Date: 9/6/2001
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:
Water District Number:
Generic Max Rate Per Acre: 0.02
Generic Max Volume Per Acre: 4.5
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: True

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

RECORDED - REQUEST OF

DEPUTY

2001 SP 13 PM 12: 01

101094581

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

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 Sundance Investment Limited Partnership, (Ryan Anderson, Partner) 9100 West Blackeagle Drive, Boise, ID 83709, 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 0.08 cubic feet per second during the irrigation season and an annual diversion volume of 18 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 30 day of May, 2001.

GRANTOR: SYLVAN WILLIAMSON BARBARA WILLIAMSON

Sylvan Williamson Barbara Williamson

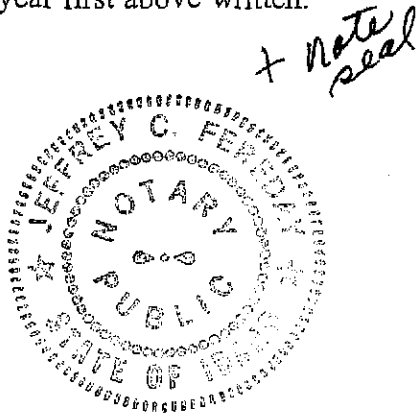
STATE OF IDAHO)

) ss.

County of Ada)

On this 3rd day of May, 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.



Jeffrey C. Fereday

Notary Public for Idaho

Residing at: Moise, Idaho

My commission expires: 2006

EXHIBIT A

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

Four acres within the NE 1/4 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	Range	Section	1/4 of 1/4	Lot	Use	
Acres						
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

11/02/2005 RECEIVED

NOV 16 2005

WATER RESOURCES
WESTERN REGION

NOTICE OF ERROR
REPLY

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: November 18, 2005

Water right number: 63-31499

SUNDANCE INVESTMENT LTD PARTNERSHIP
C/O RYAN ANDERSON
9100 W BLACKEAGLE DR
BOISE ID 83709
Telephone Number: (208)322-7300

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

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

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

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

DATE:

11/14/05

SIGNATURE:



Please print your name:

Roger Anderson G.P.

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

COPY

11/02/2005

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

RIGHT NUMBER: 63-31499
NAME AND ADDRESS: SUNDANCE INVESTMENT LTD PARTNERSHIP
C/O RYAN ANDERSON
9100 W BLACKEAGLE DR
BOISE ID 83709

SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.080 CFS
18.00 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: 03/01/1965

POINT OF DIVERSION:
T04N R01E S22 SWNE Lot 6 Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.080 CFS 18.00 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 4.0

4 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

Mitigation use is for the consumptive use of water under Right No. 63-31258.

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

Idaho Department of Water Resources



T04N, R01E,
S22

Claim No: 63-31499
Prepared By: Kimberly Brown
Date: October 24, 2005



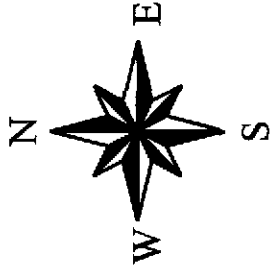
Place of Use



Section Lines

1/4 1/4

⊙ Point of Diversion



300 0 300 600 Feet



1987 NAPP

4N1E

1.1.1

10/24/2005

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

RIGHT NUMBER: 63-31499

NAME AND ADDRESS: SUNDANCE INVESTMENT LTD PARTNERSHIP
C/O RYAN ANDERSON
9100 W BLACKEAGLE DR
BOISE ID 83709

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.080 CFS
18.000 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

0.080 CFS
18.00 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 4.0

4 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.

Mitigation use is for the consumptive use of water under Right No. 63-31258.

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

Idaho Department of Water Resources



**T04N, R01E,
S22**

Claim No: 63-31499

Prepared By: Kimberly Brown

Date: October 24, 2005



Place of Use



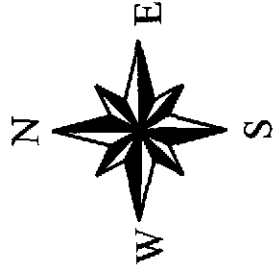
Section Lines



1/4 1/4

☉ Point of Diversion

Acres Irrigated = 4.0



300 0 300 600 Feet



1987 NAPP

8-C of Intervenor - Stewart Decree

(Louise Simonson - 6.0 cfs - 300 AC - *63-270)

PARENT
*63-270
04/27/2005

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31499

WATER RIGHT NUMBER: 63-31499

Owner Type
Original Owner

Name and Address
LOUISE SIMONSON

Original Owner

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

SUNDANCE INVESTMENT LTD PARTNERSHIP
C/O RYAN ANDERSON
9100 W BLACK EAGLE DR
BOISE, ID 83709
(208)322-7300

* This right, used for mitigation purposes, shall be left wholly undiverted in the Boise River to offset depletions caused by use of permit 63-31258. (still a permit, not licensed)

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

0.080 CFS

Annual Volume

18.00 AF

Total Diversion:

0.080 CFS

18.00 AF

Location of Point(s) of Diversion

BOISE RIVER

ADA County

L6 (SW1/4NE1/4)

NW NW

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

S21, 03N, 01E

Place of Use

IRRIGATION

(Mitigation) still a permit, not licensed yet

Twp Rge Sec

04N 01E 22

NE

NW SW SE

NW

NE NW SW SE

SW

NE NW SW SE

SE

NE NW SW SE

Totals

4.0

Total Acres: 300

4.0

Conditions of Approval:

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

ADD - Mitigation use is for the consumptive use of water under Right No. 63-31258.

ADD - S45

ADD CONDITION 155 - QUANTITY

04/27/2005

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-31499

ADD Remarks:

Remarks

1. ~~Expl.~~
Expl.

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

2. General

This claim represents a mitigation of permit 63-31258. ✓

Water Right permit 63-31258 will be mitigated by retiring 4 acres of Boise River water right 63-00270
split: -31496
-31497
-31498
-31499

Comments:

Mitigation accomplished by retiring 4 acres of Boise River water right 63-270.

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:

Claim 63-270 split as follows:

63-31496
63-31497
63-31498
63-31499

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
---------	--------------------	----------	--------------------	----------	--------

Verification Log:

Element	Date Time Stamp	Reviewer	Log text
---------	-----------------	----------	----------

Water Supply Bank:

(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
- ☒ 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 - 31499Owner: Sundance Investments Phone No. (208) 322-7300Current Address: 9100 W. Blackeagle Dr., Boise 83709

- ☒ 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: 04/01/1865

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

The season of use begins on 3/1, 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? _____

(Mitigation –
new POD – SE NW NW, S21, 03N, 01E¹

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 & ditches to flood irrigate

OVERLAP REVIEWOther water rights with the same point of diversion: ^{split into:} 63-270, 63-31496, -31497, -31498,

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain: -31499

same POD

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
☐ Changes Exam found: Domestic # of homes _____ Stock # _____
Types _____ Additional comments: _____

PLACE OF USE:

- ☒ No Change
☐ Changes shown below:

Parcel No: a portion of S0522212450,

(Mitigation -
new POD - 03N, 01E, S21, NWNW - 8 AC
8WNW - 7.0 AC
= 15 AC)

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

Mitigation use is for consumptive use of water under
Right No. 63-31258.

ADD S45

ADD CONDITION 155 (Quantity)

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

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

**Ada County Assessor
Land Records/GIS****Main Menu**

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Property Details for Parcel S0522212450 and Year 2005

2006

[Change Year](#)

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Details

Valuation

Tax Districts

Characteristics

Parcel: S0522212450

Year: 2005

Zone Code: RP

Total Acres: 65.519

Tax Code Area: 243

Property Description:

PAR #2450 OF E2NW4 SEC 22 &

SE4NW4 SEC 15 4N 1E

R/S 3432

#210610-S

**No Image
Available**

[View Interactive Map of this Parcel](#)

Address: E STATE ST EAGLE , ID 83616

Subdivision: 4N 1E 22

Land Group Type: SECT

Township/Range/Section: 4N1E22

[Contact Us](#) | [Disclaimer](#)

inch pressure of the waters of said Boise river, beginning with the irrigation season of 1880, to be carried through that certain ditch with its point of diversion commencing at a point on the North side of Boise river in Canyon County, Idaho, and extending over and across Sections 30, 31, and 32 in Township 5 North of Range 4 West, Boise Meridian, in a northwesterly direction to and upon the lands of said defendants and cross-complainants Albert Lemp, Herbert F. Lemp and John F. Lemp, and to be used upon the following described said lands of said defendants, situated in Canyon County, Idaho, to-wit:

Lot 10 in Section 25, Township 5 North Range 5 West, also Lots 8 and 9 in Section 30, and Lots 8, 9, and 10 in Section 31, Township 5 North Range 4 West and Lot 4 in Section 36, Township 5 North Range 5 West, Boise Meridian, all in Canyon County, Idaho.

63 0270

11.

And it is further ordered, adjudged and decreed that the said defendant Louise Simonson, be, and she is hereby, awarded the use of the waters of Boise river and the tributaries thereof, subject to the above modifications of 300 inches of water measured under a four inch pressure, of said river, beginning with the irrigation season of 1865, to be carried through that certain ditch with its point of diversion commencing at a point on the East side of Eagle Island and extending over and across Sections 15, 16, 21 and 22, Township ⁴14, North of Range 1 East of Boise Meridian, in Ada County, Idaho, in a northerly direction to and upon the said lands of the said defendant Louis Simonson, and to be used upon said lands situated in Ada County, Idaho, and described as follows, to wit:

Lots 5 and 6 in Section 15; Lots 7 and 8 in Section 16; Lot 1 in Section 21, and Lots 2, 3, and 4, in Section 22, all in Township ~~X~~4 North of Range 1 East, Boise Meridian, Ada County, Idaho, containing approximately 299.14 acres.

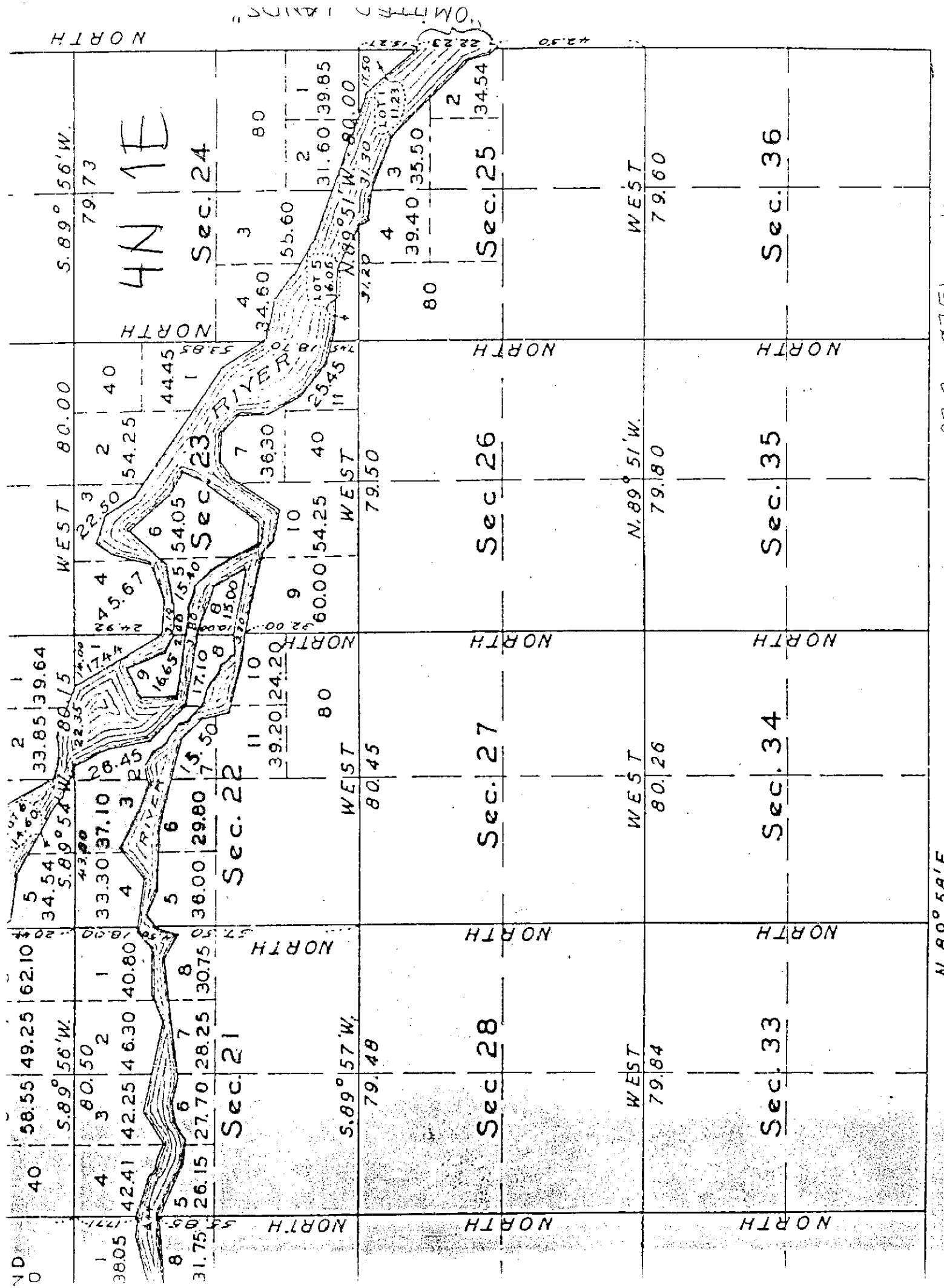
111.

It is further ordered, adjudged and decreed that the said answers and cross-complaints of the said defendants, and all pleadings filed in this case, be, and the same are hereby, amended to conform to the facts as found by the Court herein.

Done in open Court this 11 day of May, A.D. 1925.

**SUNDANCE
4 ACRES**

104M RIDGE
S22 32W4
LOT 3



overlay review-

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-31499

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

63-31496, 63-31497, 63-31498,
& 63-31499 all in SWNE;
but have separate POUs.

overlap review

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-31499

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 F 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~~

#63-270, which was split into:

63-31496

63-31497

63-31498

63-31499

all share same P.O.B.

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-31258

Priority: 05/23/2001

Maximum Diversion Rate: 0.30 CFS
Maximum Diversion Volume: 18.0 AF

This is to certify, that SUNDANCE INVESTMENT LTD PARTNERSHIP
C/O RYAN ANDERSON
9100 WEST BLACKEAGLE DR
BOISE ID 83709

has applied for a permit to appropriate water from:

Source: GROUND WATER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/01 to 11/15	0.30 CFS	18.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 21, Twp. 03N, Rge 01E, B.M. ADA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE	NW	SW	SE	Totals
03N 01E 21					15.0

Total Acres: 15

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before September 1, 2006.
2. Subject to all prior water rights.
3. 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.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

MICROFILMED

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-31258

7. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
8. 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.
9. 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.
10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
11. Water bearing zone to be appropriated is 75 to 200 feet.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 6th day of September, 2001.

[Signature]
for **KARL J. DREHER, Director**

MICROFILMED

SEP 11 2001

AUG 21 2001

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 103-31258

RECEIVED

MAY 23 2001

WATER RESOURCES
WESTERN REGION

Sundance Investment Limited Partnership

1. Name of Applicant c/o Ryan Anderson, Partner Phone 208-322-7300
Mailing address 9100 West Blackeagle Drive, Boise, ID 83709

2. Source of water supply groundwater which is a tributary of NA

3. Location of point of diversion is Township 3N Range 1E Sec. 21 in the SE 1/4,
NW 1/4, NW 1/4, Govt. Lot , B.M., Ada County;

additional points of diversion if any:

4. Water will be used for the following purposes:

Amount 0.30 for irrigation purposes from 3/1 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.30 and/or (b)
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source well with electric
submersible pump

b. Height of storage dam feet; active reservoir capacity acre-feet; total
reservoir capacity acre-feet

c. Proposed well diameter is 8 inches; proposed depth of well is 200 feet

d. Is ground water with a temperature of greater than 85°F being sought? no

e. If well is already drilled, when? ; Drilling firm
Well was drilled for (well owner) ; Drilling Permit No.

7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)

8. Description of proposed uses (if irrigation only, go to item 9):

a. Hydropower; show total feet of head and proposed capacity in KW.

b. Stockwatering; list number and kind of livestock.

c. Municipal; show name of municipality.

d. Domestic; show number of households.

e. Other; describe fully.

MICROFILMED

AUG 1 9 2001

9. 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 the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	1E	21					8	7											15

Total number of acres to be irrigated 15

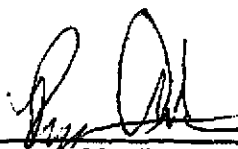
10. Describe any other water rights used for the same purposes as described above. Nampa & Meridian Irrigation District

11. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: This application proposes supplemental irrigation of 15 acres of landscape at the Silverstone Corporate Center Subdivision. Annual diversion volume under this water right permit shall be limited to 18 acre feet. Mitigation will be accomplished by retiring 4 acres of Boise River water right 63-00270. Water-bearing zone to be appropriated is 75 to 200 feet.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

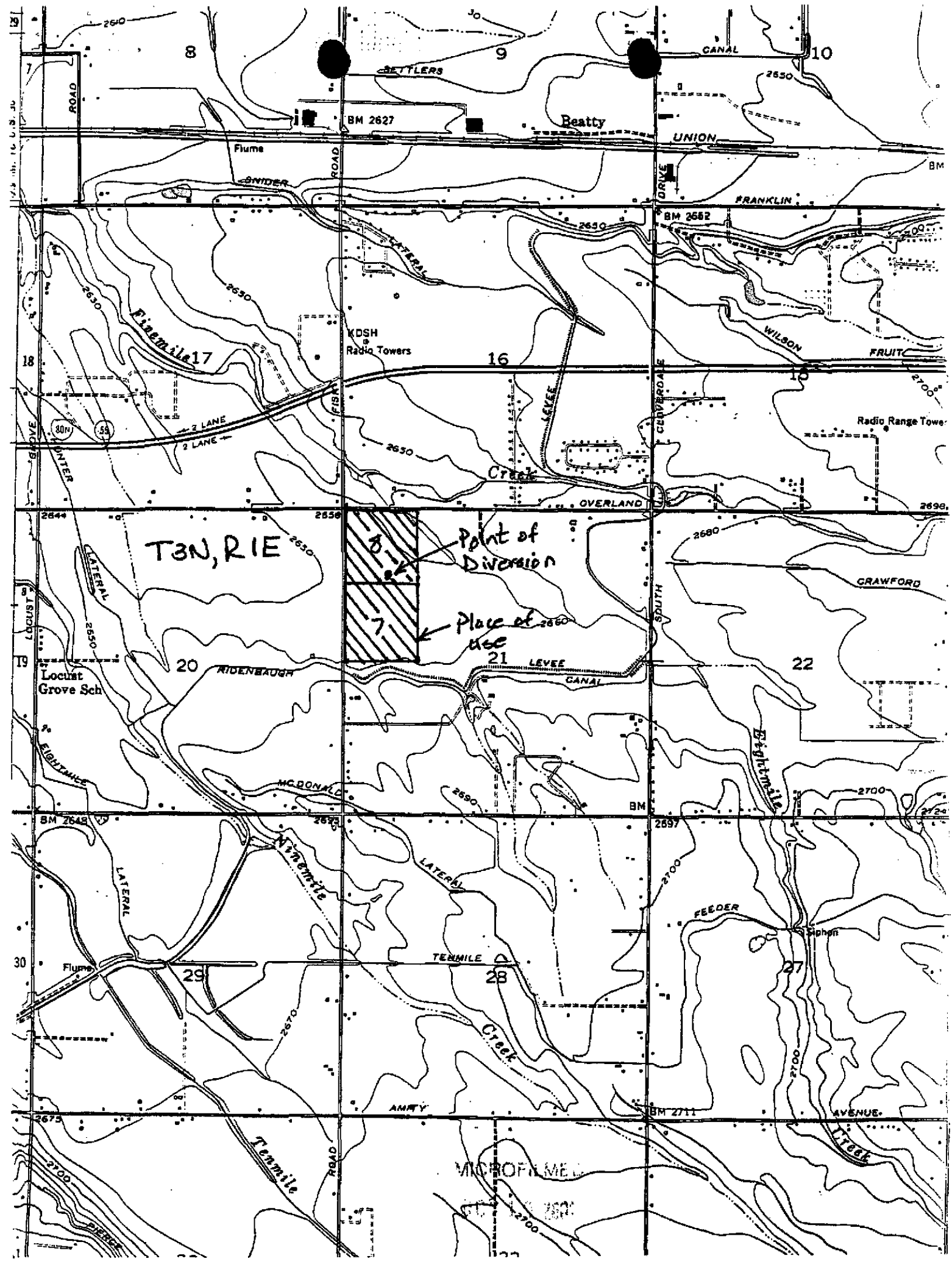
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.


 Signature of Applicant (and title, if applicable)
 Ryan Anderson, Partner

Received by LM Date 5-23-01 Time 12:13 Preliminary check by DAN
 Fee \$ 230.00 Receipted by LM # 4027797 Date 5-23-01
 Publication prepared by AK Date 7-5-01 Published in THE IDAHO STATESMAN
 Publication approved AK Date 7-24-01

MICROFILMED

507 13 2001



SCANLAN ENGINEERING

Groundwater and Environmental Engineering

RECEIVED

JUN 27 2001

WATER RESOURCES
WESTERN REGION

June 26, 2001

Lori Graves
Western Region
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Subject: Change of Water Right Ownership – Sundance Investments Limited Partnership

Dear Lori:

Enclosed at your request, please find a Notice of Change in Water Right Ownership for 4-acres of water right 63-00270. Sundance Investments Limited Partnership has purchased the 4 acres of water right from Sylvan and Barbara Williamson as mitigation for its pending application for permit. The sale of the water right will be finalized upon approval of the application for permit. Therefore, we request that you wait until the permit is approved before processing the Notice of Change in Water Right Ownership.

Please contact me with any questions or comments.

Sincerely,



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

Enclosures

Cc: Ryan Anderson
Jeff Fereday

MICROFILMED

JUN 27 2001

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

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

SCANLAN ENGINEERING

Groundwater and Environmental Engineering

RECEIVED

MAY 23 2001

WATER RESOURCES
WESTERN REGION

May 22, 2001

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

Subject: Application for Permit – Sundance Investment Limited Partnership

Dear Gary:

Enclosed please find an application for permit proposing supplemental irrigation from a groundwater source of 15 acres of landscape at the Silverstone Corporate Center. A check for the \$250 permit filing fee is included.

The point of diversion and place of use are located southeast of Meridian, within Basin 63. Groundwater at this location is tributary to the Boise River. Primary irrigation water source will be surface water supplied by Nampa and Meridian Irrigation District. Groundwater under the proposed permit will be used for supplemental purposes only. An annual diversion volume limit of 18 acre feet is proposed.

The applicant, Sundance Investment Limited Partnership, proposes mitigating this water right permit by retirement of 4 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 4 acres of water right from Sylvan and Barbara Williamson. A copy of the purchase agreement is enclosed.

Retirement of 4 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.

mitigation

Enclosures

Cc: Ryan Anderson
Jeff Fereday

MICROFILMED

2001 11 29

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

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



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

SUNDANCE INVESTMENT LTD PARTNERSHIP
% RYAN ANDERSON
9100 W BLACKEAGLE DR
BOISE ID 83709

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

Renumbered Notice of Claim to a Water Right No. 63-31499

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 63-31258. 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

SUNDANCE INVESTMENTS LIMITED PARTNERSHIP
9100 W BLACKEAGLE DR
BOISE ID 83709

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

Dear Property Owners:

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

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

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Transfer No. 70024

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 result
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	J															

6.1 6.2

Total acres 84.5

* CORRECTION approved by initials on date

PART 1

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 condition

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
of 63-270
in case of _____ vs. _____
dated _____ in _____ county of _____

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

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

d. Transfer No. _____ which produced this right.

2. Attach 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				Tot
			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				Tot
			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				Tot
			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

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 right 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

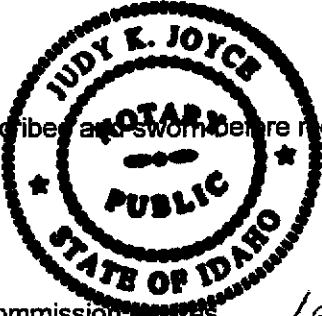
PART 3**B. CHANGES IN NATURE OF USE**

1. New Nature of Use Amount (cfs/ac-ft) Hours/days/year Period of Use

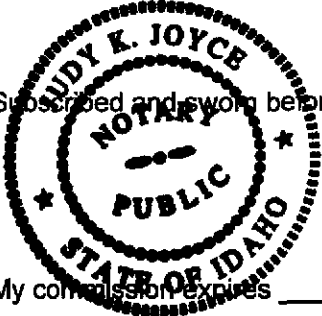
Aesthetics 0.22 cfs 24 hr/da, 215 da/yr 3/15 to 11/15

_____ to _____
2. Quantity and quality of return flows and location of discharge: Use is makeup for evaporation from ponds with surface connection to any other water source.
3. Describe effects on other water uses resulting from the proposed change: None, source for aesthetics is shall 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 flow 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.

 _____
 (Signature of Applicant)
 Subscribed and sworn before me this 29th day of April, 2002

 (Notary Public)
 My commission expires 12-21-05

 _____
 (Signature of Applicant)
 Subscribed and sworn before me this 29th day of April, 2002

 (Notary Public)
 My commission expires 12-21-05

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 45 attachments

Received by JL Date 4/30/02 Protest filed by _____

Prelim. check by JL Fee \$290

Received by JL for JF Date 2/28/02 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 SILVANO WILLIAMSON and BARBARA 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 heretofore 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. 15, 16,
17, 20 and 21, Township 4 North, Range 1 East of the
Boise Meridian, thence on a bearing of North 89° 18' 00"
East which bears 90° 18' East of the West Quarter corner
of Section 21, according to Idaho State Highway Depart-
ment road survey maps, a distance of 222.90 feet to
the real point of beginning; thence South 89° 18' 00"
West a 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 86° 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 165.18 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 66° 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 245.67 feet to a point on the north bank of the Boise River; thence along the bank of the Boise River South 39° 10' West 221.58 feet to a point; thence along the said north bank North 49° 03' West 613.90 feet to a point; thence North 59.29 feet to the REAL POINT OF BEGINNING;

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

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 Ardyce 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.

Ada County, Idaho, ss.

Request of

HAMMOND LIVESTOCK, INC.

TIME 11:25 A.M.

DATE 12-9-65

JOHN BASTIDA

RECORDER

By *[Signature]*

Deputy

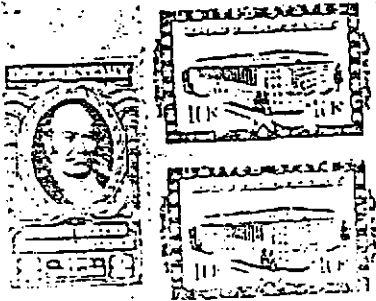
By *[Signature]* Its President



STATE OF IDAHO)
County of Canyon) ss.

On this 31st 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.



[Signature]
Notary Public for Idaho
Residing at Caldwell, Idaho

Attachment A

21346758

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

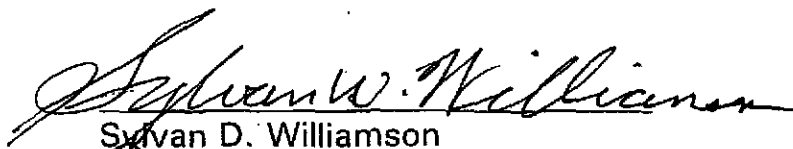
GRANTEE: Howell-Kiser Development Corporation

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.

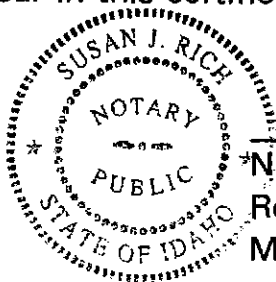

Sylvan D. Williamson

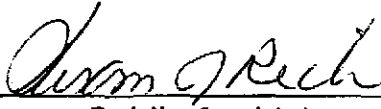

Barbara A. Williamson

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.





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

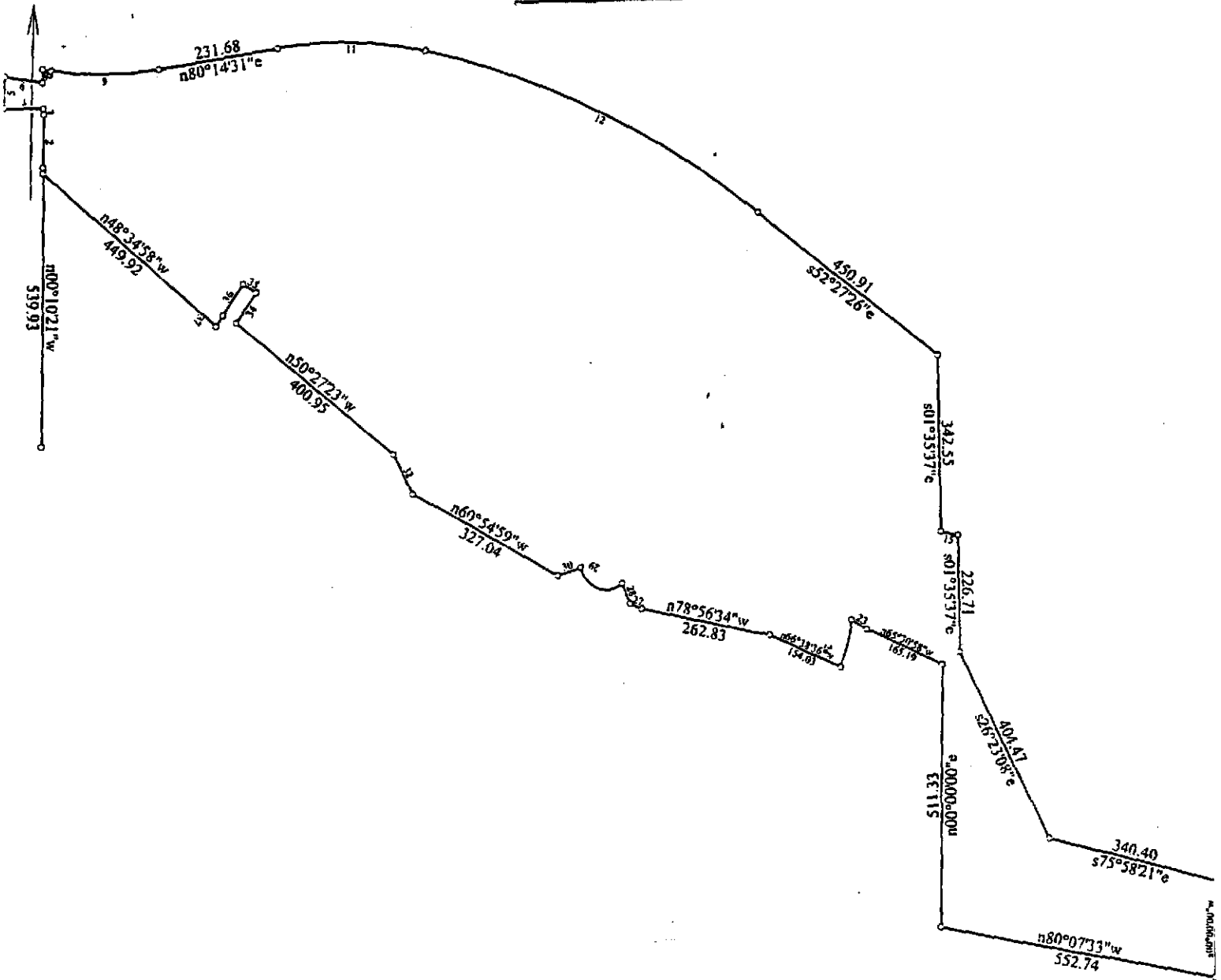
EXHIBIT A

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

004=N89.3048w 73.11

017=S26.2308e 404.47

Bng=N69.5339w, Chd=88.60

005=N00.4659e 60.70

018=S75.5821e 340.40

030=S69.5910w 48.87

006=S80.3048e 70.98

019=S00.0000w 185.42

031=N60.5459w 327.04

007=N01.1130w 25.44

020=N80.0733w 552.74

032=N25.5218w 86.06

008=S80.3048e 16.03

021=N00.0000e 511.33

033=N50.2723w 400.95

009: Lt. R=636.43, Arc=210.41, Delta=19.1441

022=N65.3058w 165.19

034=N32.2642e 70.23

Bng=N89.5152e, Chd=209.42

010=N80.1431e 231.68

023=N57.5205w 33.45

035=N57.3318w 30.00

011: Rt. R=755.00, Arc=292.72, Delta=22.1251

024: Rt. R=345.00, Arc=93.29, Delta=15.2936

036=S32.2642w 71.47

Bng=N88.3903e, Chd=290.89

Bng=N12.2456w, Chd=93.01

037: Rt. R=509.92, Arc=25.13, Delta=02.4924

012: Rt. R=1675.00, Arc=733.39, Delta=25.0511

025=N66.3836w 154.03

Bng=N31.0200w, Chd=25.13

Bng=N65.0002e, Chd=727.54

013: Rt. R=777.00, Arc=17.91, Delta=01.0000

Schedule C

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 1 st Half	Amount Due 2 nd 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

Source

BOISE RIVER

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Diversion Rate

6.000 CFS

Annual VolumeTotal Diversion:

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
										L 5							
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					38.0	38.0	5.0	15.0									96.0
					L 3	L 4	L 5	L 6									

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

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

After 6/02, transfer
 will act on this
 Record, which shows
 right held by Williamsons.

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

Source Tributary
 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	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
													L 5						
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:

ATTACHMENT C.2.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31496

Remarks:

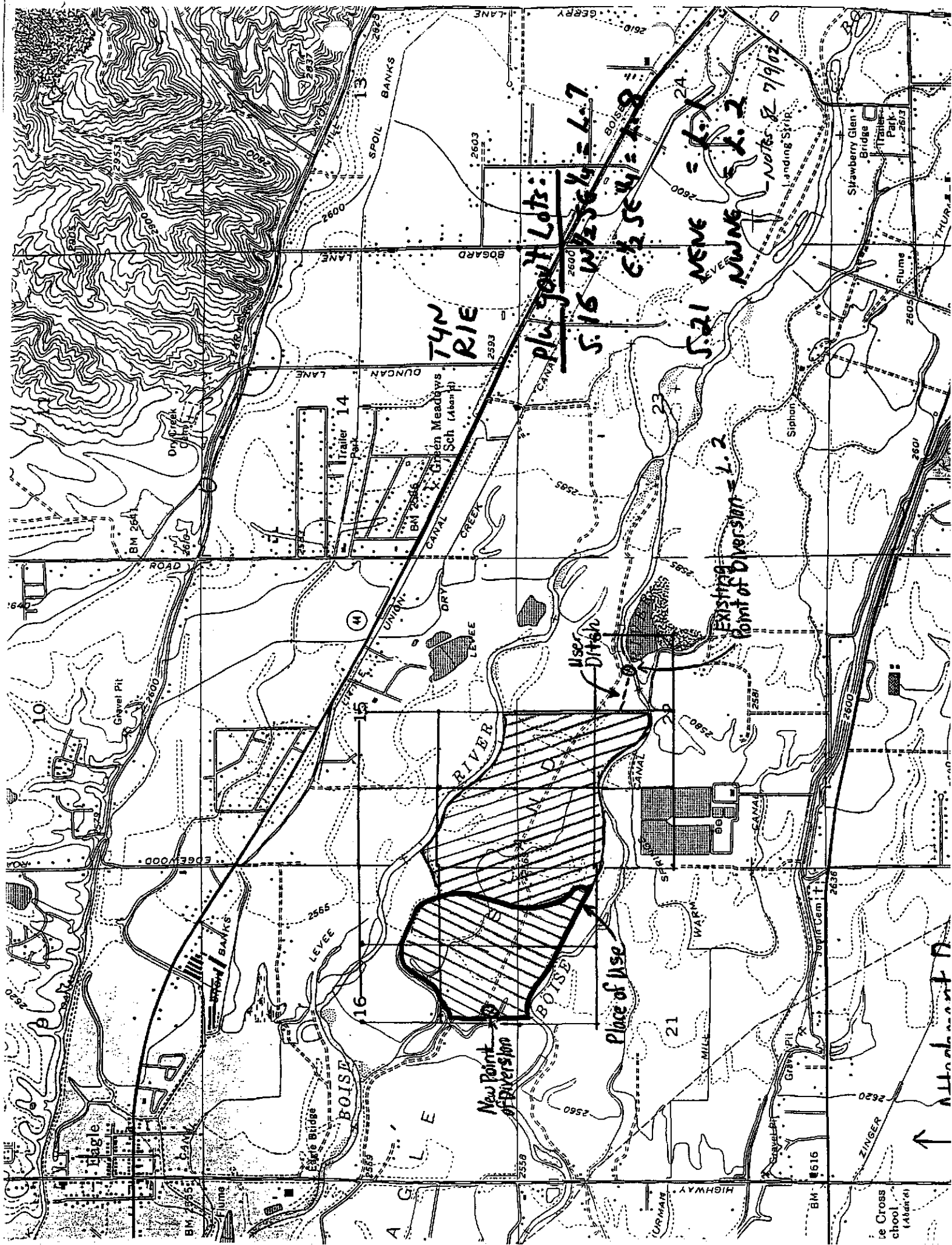
1. General THIS CLAIM REPRESENTS A TRANSFER OF THE PLACE OF USE TO THE ACRES LISTED IN THIS SRBA CLAIM.
2. General This claim is the result of a split due to change in ownership for a portion of 63-270. DH 6/3/2002

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

OCT 19 2001

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant Victory 41, LLS

Phone 761-0120

Department of Water Resources

Post Office address 6874 FAIRVIEW AVE BOISE ID 83704

SM agree to the following
application changes.
12/12/01 Date

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 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	¼	¼	¼	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 ¼				NW ¼				SW ¼				SE ¼				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 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:
The irrigation of the land will 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

Water Right Report 63-2902

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:

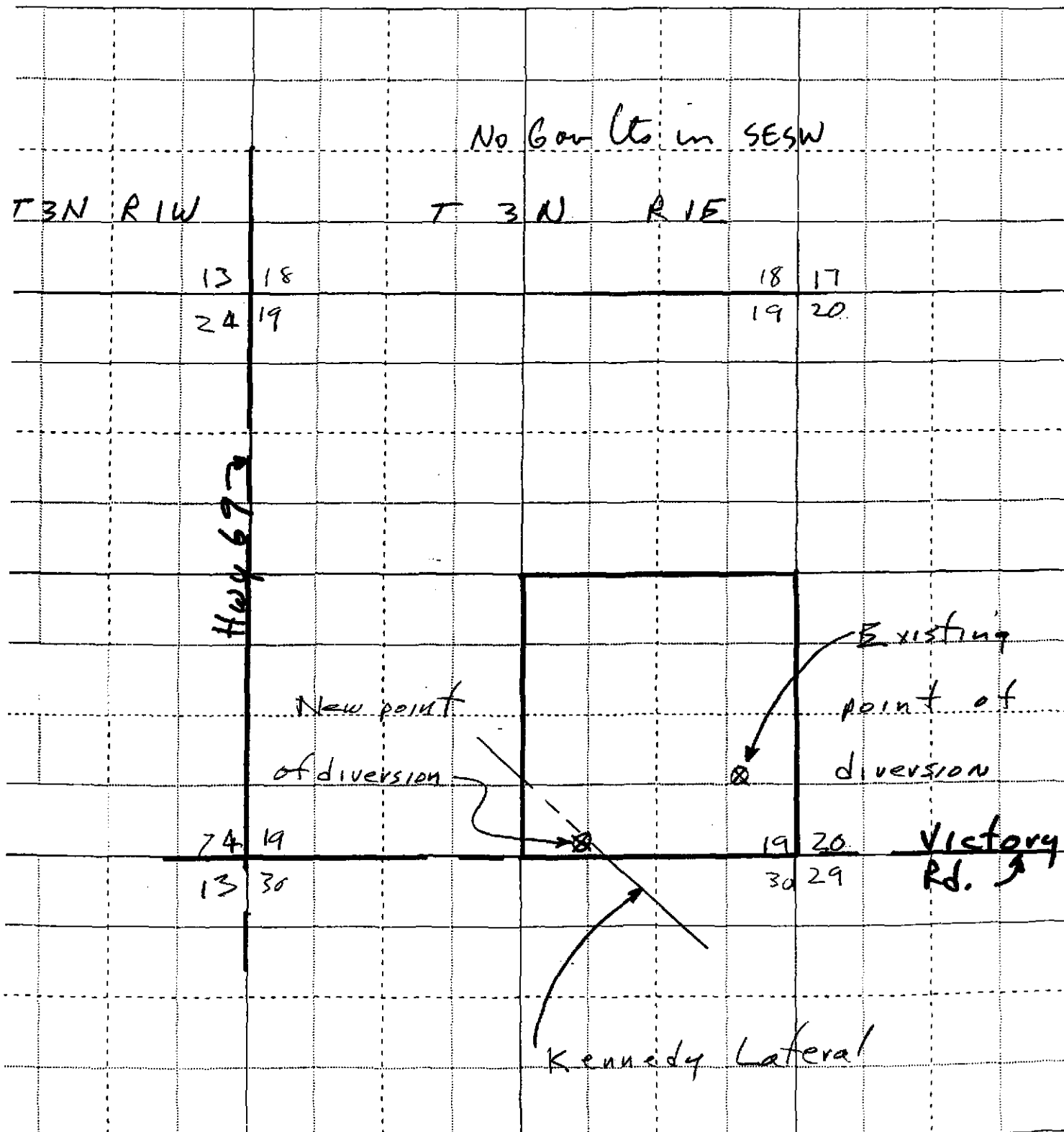
Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

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.

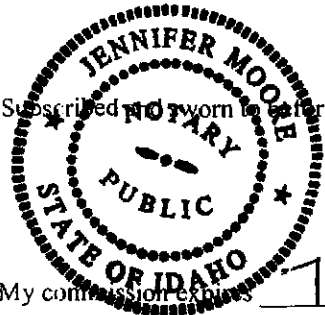
New Nature of Use	Amount(cfs/af-ft)	Hours/days/year	Period of Use
_____	_____	_____	to _____
_____	_____	_____	to _____

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.



My commission expires 7.23.05

[Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 12TH day of OCTOBER, 2001

Jennifer Moore
(Notary Public)

OFFICERS: Mike Caven
Jerry Caven

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by J. Mear Date 10-19-01 Protest filed by _____

Prelim. Check by Ly Fee \$250.00 6057203

Received by J. Mear Date 10-19-01

Published in Idaho Statesman 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

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

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	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
	SE	SE	SE	29	4N	1E	Ada	

5. 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	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 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. 63-31040 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 NA

4. 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	¼	¼	¼	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 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. 63-17483 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	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									

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	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				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	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				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 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. 63-24149 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	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				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	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

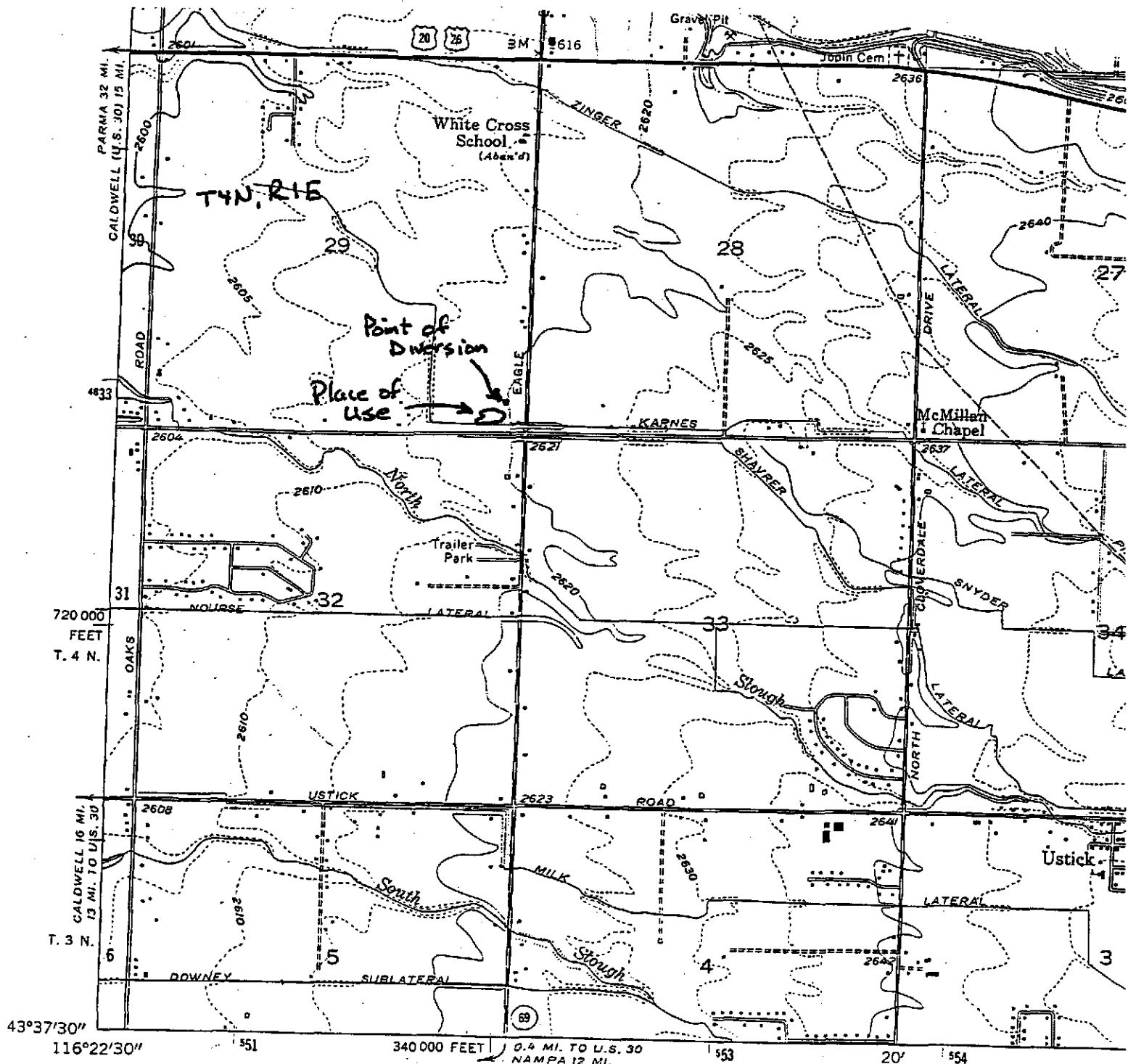
Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Tot
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 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.

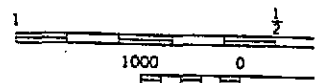


Mapped, edited, and published by the Geological Survey

Control by USGS and USC&GS

Topography from aerial photographs by multiplex methods

ERIDIAN)
2771 III SW



PART 3

B. CHANGES IN NATURE OF USE

1.

<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
<u>recreation</u>	<u>0.14 cfs</u>		<u>1/1</u> to <u>12/3</u>
			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 origin 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 Philbeck
(Signature of Applicant)

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

Deo Mayo
(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 - W0281007

Received by DS 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) 935-8700

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.

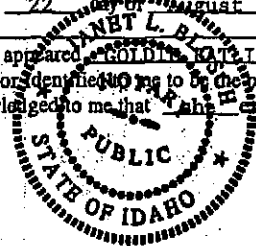
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, and Grantee heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances, 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. BLOCH, 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. Bloch
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 BLAVARRO
BOISE ID

'96 SEP 19 PM 2 36
FEE 6.00 CLP J. Keeper
RECORDED AT THE REQUEST OF

P-150219 JB/REH

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, 1996, in the year of 1996, before me
Rosalie L. FREUDENBERG, a notary public,
personally appeared Paul 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 DEPT. Register
RECORDED AT THE REQUEST OF

SPACE ABOVE FOR RECORDING DATA

P-150219 JB/HEH

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. Weilmunster

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 DON 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

Hotterway
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