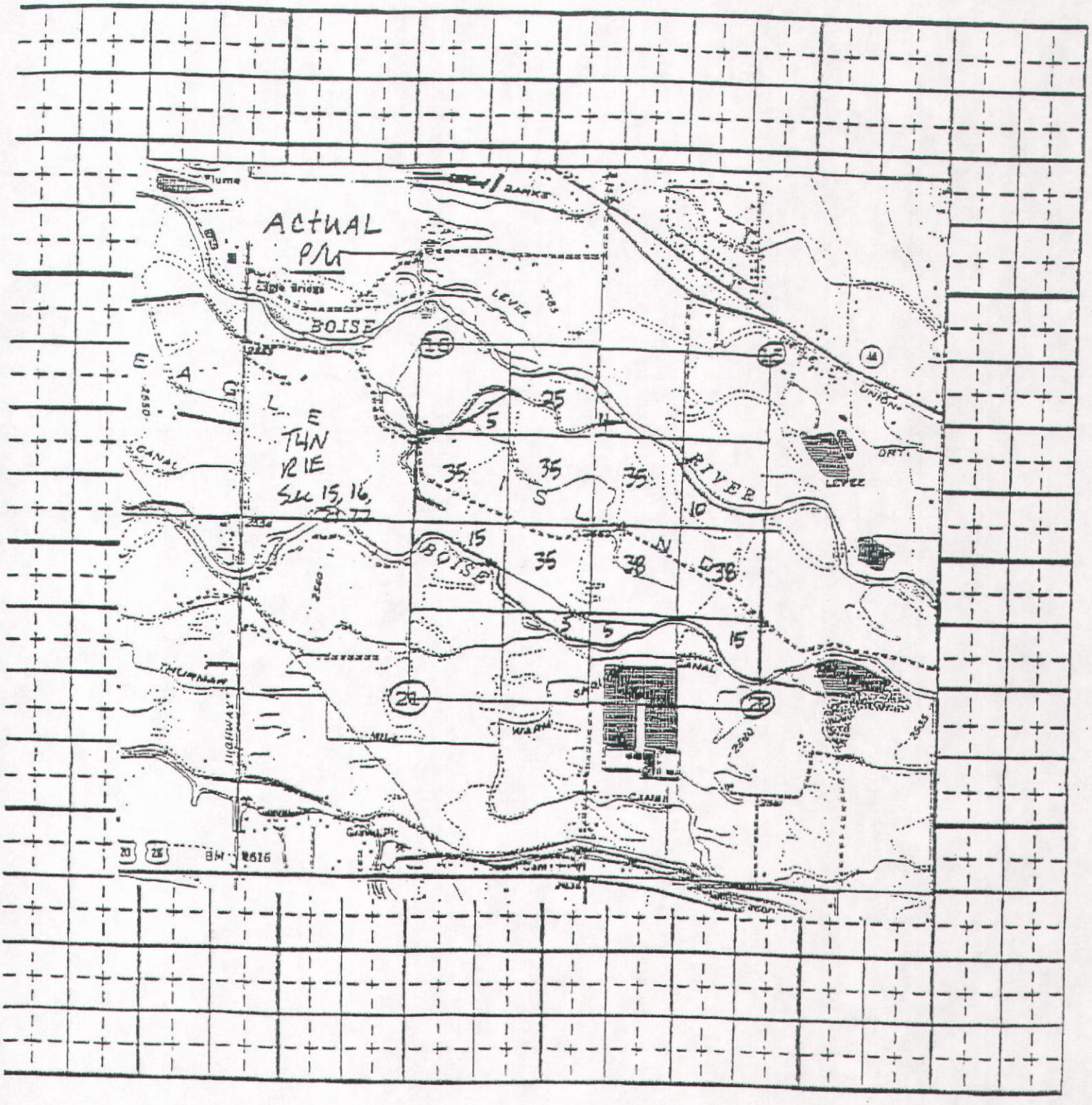
Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

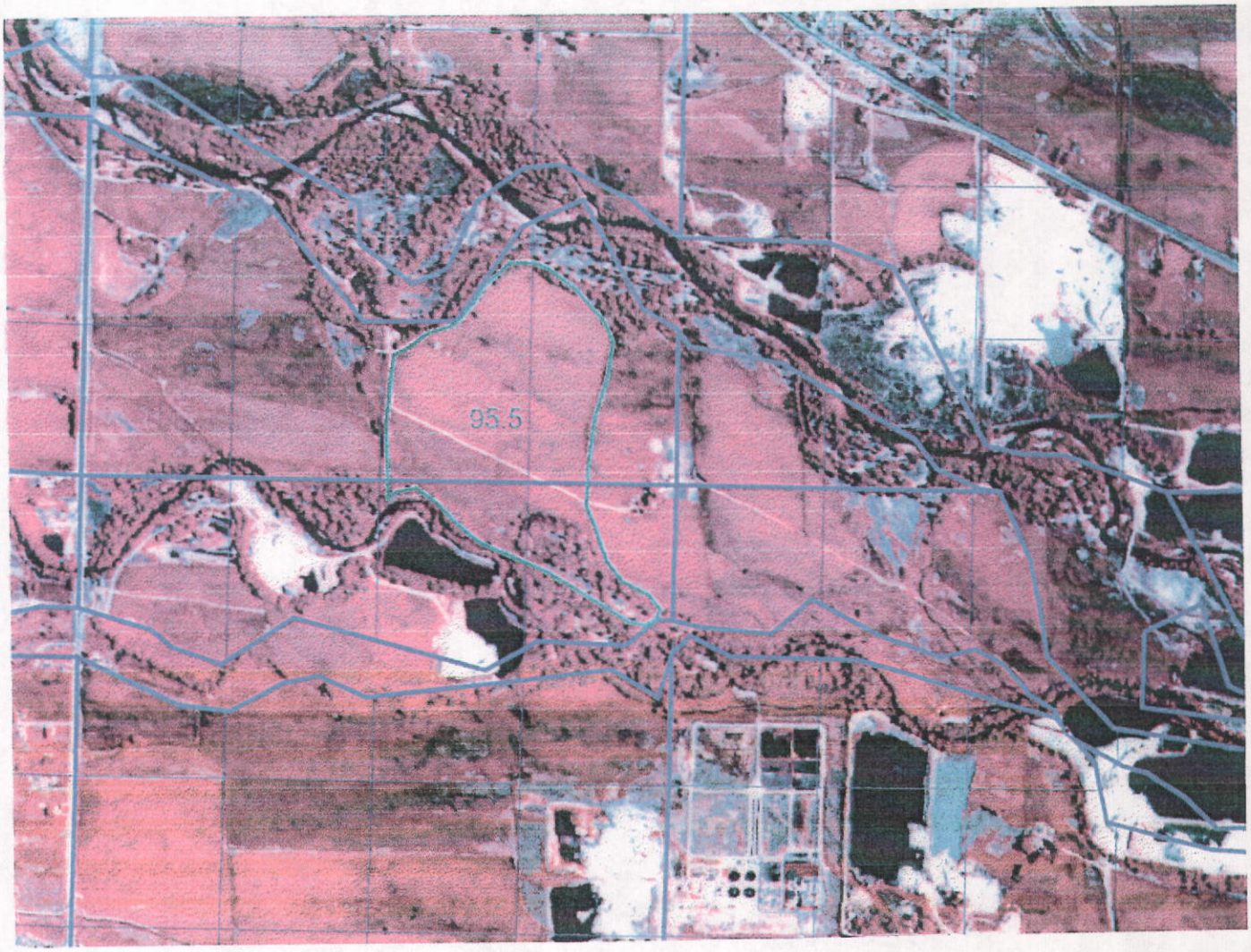


Last Name _____ Ident No. _____

SCANNED

JAN 1 2 2004

T4N, R1E, S16 and S21



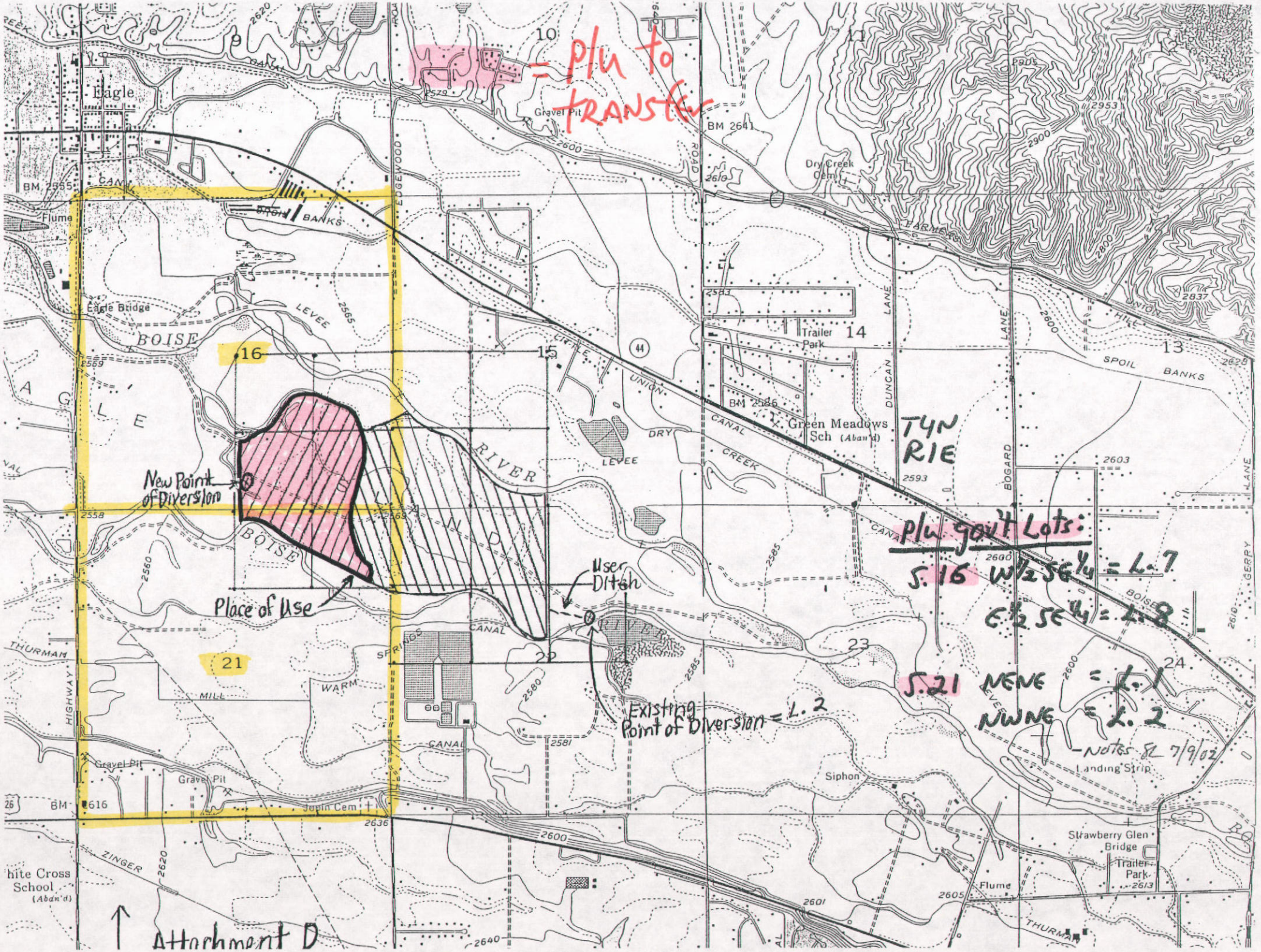
0.3 0 0.3 0.6 Miles

Prepared by: S Curtis
7/19/04
1987 NAPP

found 95.5 ACRES irrigation in subj. boundary

Acres contemplated for transfer
Sections
QQ

N
W E
S


= Plu to transfer
New Point of Diversion
Place of Use
User Ditch
Existing Point of Diversion = L.2
Plu govt Lots:
S. 16 W½SE¼ = L.7
E½SE¼ = L.8
S.21 NENE = L.1
NWNE = L.2
Notes SL 7/9/02
TYN R1E
Attachment D
Eagle
BOISE
DRAIN
CANAL
LEVEE
EDGEWOOD ROAD
Gravel Pit
BM 2641
Dry Creek Cem.
BM 2565
Flume
BANKS
Eagle Bridge
Trailer Park
LANE
UNION
DUNGAN
BOGARD
SPOIL
HILL
Green Meadows Sch (Aban'd)
DRY CREEK
RIVER
BM 2586
THURMAN
HIGHWAY
MILL
WARM SPRINGS
Gravel Pit
BM 2616
Jopin Cem.
ZINGER
White Cross School (Aban'd)
Siphon
Landing Strip
Strawberry Glen Bridge
Trailer Park
GERRY
16
15
14
13
21
22
23
24

Idaho Department of Water Resources

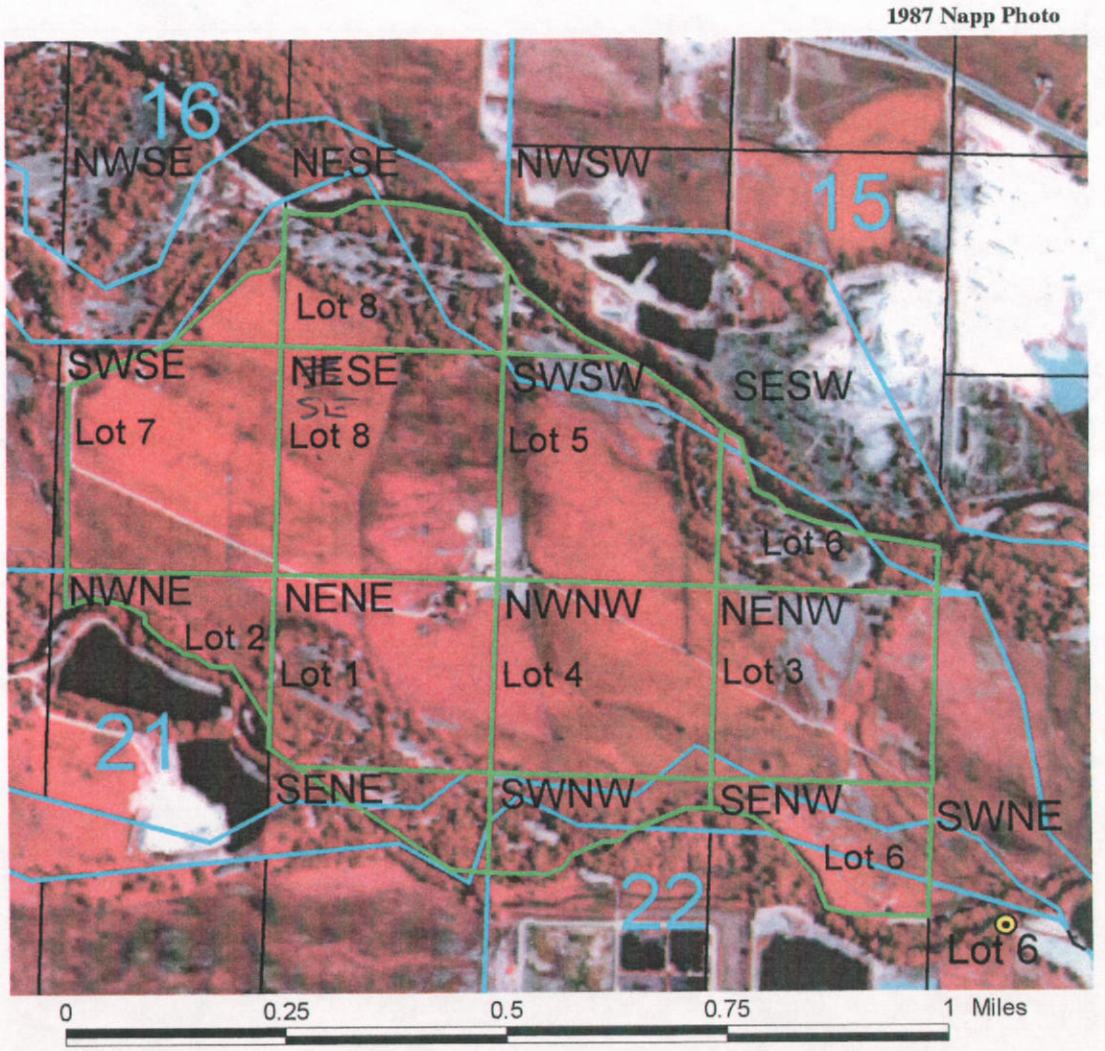
Claim Number: 63-31496
Legal: T04N, R01E, S15, 16, 21, 22
Reviewed By:

Point of Diversion

Place of Use

Section Lines

Quarter Quarter Lines



Idaho Department of Water Resources

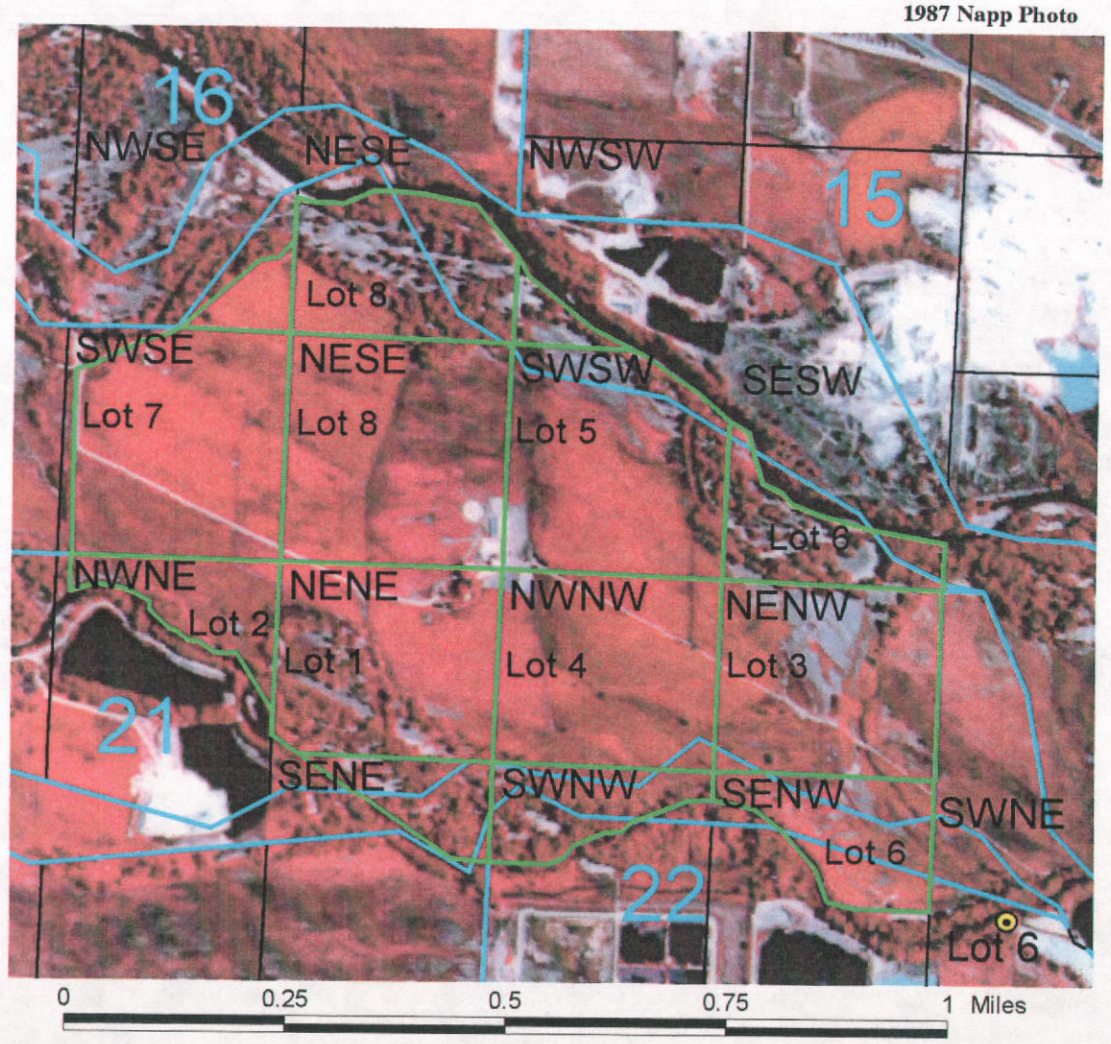
Claim Number: 63-31496
Legal: T04N, R01E, S15, 16, 21, 22
Reviewed By:

Point of Diversion

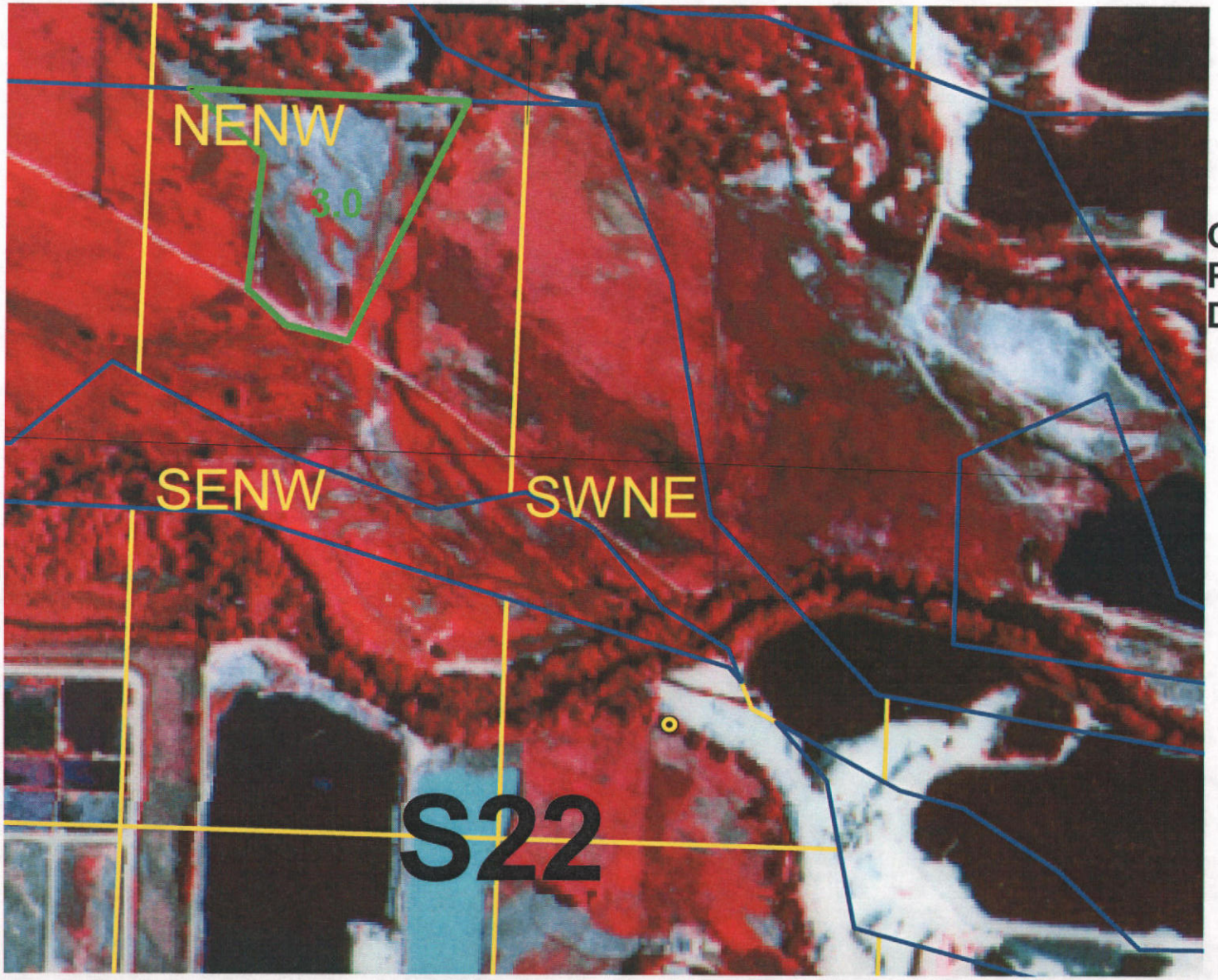
Place of Use

Section Lines

Quarter Quarter Lines



Idaho Department of Water Resources



T04N, R01E, S22

Claim No: 63-31836
Prepared By: Kimberly Brown
Date: October 27, 2005

Place of Use

Section Lines

1/4 1/4

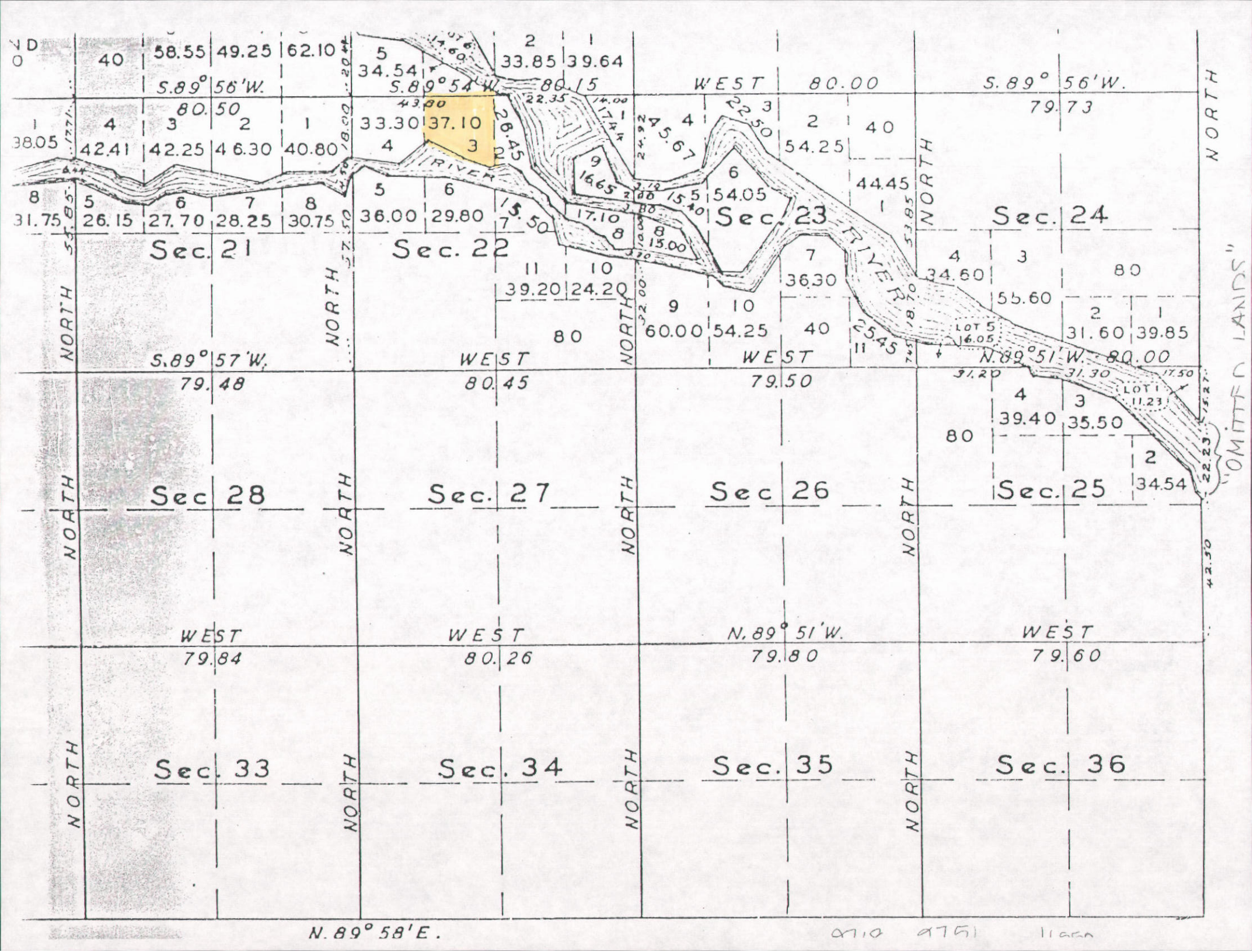
Point of Diversion

Acres Irrigated = 3.0

N
W E
S

300 0 300 600 Feet

1987 NAPP


Sec. 21
Sec. 22
Sec. 23
Sec. 24
Sec 28
Sec. 27
Sec 26
Sec. 25
Sec. 33
Sec. 34
Sec. 35
Sec. 36
RIVER
NORTH
WEST
S.89° 56'W.
S.89° 57'W.
S.89° 54'W.
N.89° 51'W.
N.89° 58'E.
80.00
79.73
79.48
80.45
79.50
79.84
80.26
79.80
79.60
LOT 5 16.05
LOT 1 11.23
"OMITTED LANDS"

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31496

63-31836

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

New Owner: Mahoney

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

Source	Tributary
BOISE RIVER	SNAKE RIVER

Beneficial Use	From	To	Diversion Rate	Annual Volume
IRRIGATION	03/15	11/15	5.840 CFS .01	1,314.00 AF 13.5
		Total Diversion:	5.840 CFS .01 total	1,314.00 AF 13.5 total

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

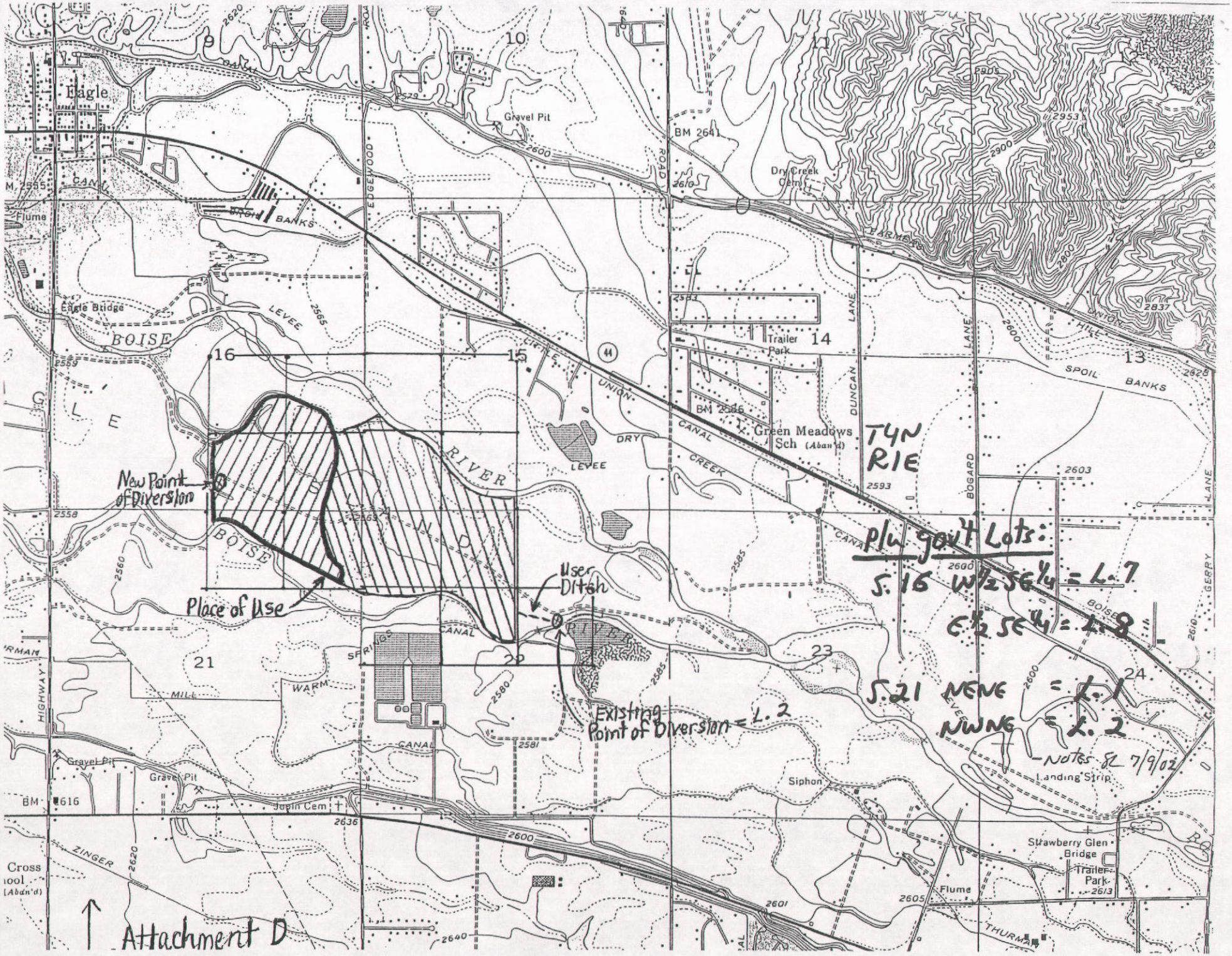
Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 01E 15										4.0	35.0 L5	10.0					49.0
04N 01E 16													25.0 L8	5.0 L7	35.0 L7	35.0 L8	100.0
04N 01E 21	35.0 L1	15.0 L2		5.0 L2													55.0
04N 01E 22					30.0 L3	38.0 L4	5.0 L5	15.0 L6									88.0

3

Total Acres: 292

3 total Acres

Conditions of Approval:


New Point of Diversion
Place of Use
User Ditch
Existing Point of Diversion = L.2
T4N R1E
S. 16 W½SE¼ = L.7
E½SE¼ = L.8
S. 21 NENE = L.1
NWNE = L.2
NOTES SL 7/9/02
Attachment D
Eagle
Gravel Pit
BM 2641
Dry Creek Cem.
Eagle Bridge
Trailer Park
Green Meadows Sch (Aban'd)
BM 2616
Siphon
Landing Strip
Strawberry Glen Bridge
Trailer Park
Flume
Gravel Pit
Gravel Pit
BM 2616
Joslin Cem.
Cross
Pool
(Aban'd)
BOISE RIVER
DRY CREEK
WARM SPRINGS
MILL
ZINGER
EDGEWOOD ROAD
DUNCAN LANE
BOGARD LANE
GERRY LANE
UNION PACIFIC RR
HIGHWAY 44
SPOIL BANKS
FARMS
LEVEE
CANAL
10
13
14
15
16
21
23
24

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 63-31836
Date Received: 2/9/2004
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JAMES E MAHONEY Phone: (208)342-4490
53 SETTLERS RD
BOISE ID USA 83716

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	0.06	13.5

7. Total Quantity Appropriated is:
0.06 C.F.S. and/or 13.5 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	3
						Section Acres	3
						Total Acres	3

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 right is a split from former right 63-31496.

15. Basis of Claim: Decreed

3/2/04

Steve

I received this ownership chg from the S.O. - and it was over there for quite awhile. I was told that you may have the pending transfer on it. Not sure what you'd like to do w/ it - so maybe we can get together (w/ Jan) when you get back from your trip.

HAVE fun!

Denise

8-18-04 Let Assoc. take care of transfer first -

MAHONEY OWN. CHANGE

For portion of

63-31496

(previously 63-270)

2/26/02 Howell-Kiser co-applicants Sylvia & Paul Williamson

wait until T. 70024

Approved, around early

2005. * transfer will take care of everything

-SC 8/17/04

RECEIVED
NOV 25 2002
Department of Water Resources

GIVENS PURSLEY LLP

LAW OFFICES
277 North 6th Street, Suite 200
PO Box 2720, Boise, Idaho 83701
TELEPHONE: 208 388-1200
FACSIMILE: 208 388-1300
WEBSITE: www.givenspursley.com

Direct Dial: (208) 388-1270
E-Mail: jmm@givenspursley.com

Gary G. Allen
Christopher J. Beeson
Jessica M. Borup
William C. Cole
Michael C. Creamer
Jeffrey A. De Voe
Emily MacMaster Durkee
Thomas E. Dvorak
Roy Lewis Eiguren
Timothy P. Feamside
Jeffrey C. Fereday
Steven J. Hippler
Karl T. Klein
Debora K. Kristensen
Anne C. Kunkel
Deborah E. Nelson
Franklin G. Lee
David R. Lombardi
D. David Lorello, Jr.
Kimberly D. Maloney
John M. Marshall
Kenneth R. McClure
Kelly Greene McConnell
Cynthia A. Melillo
Christopher H. Meyer
Kendall L. Miller
L. Edward Miller
Patrick J. Miller
Judson B. Montgomery
Angela K. Nelson
W. Hugh O'Riordan
Michael C. Orr *
Kenneth L. Pursley
Bradley V. Sheed
Conley E. Ward
Robert B. White
Raymond D. Givens
James A. McClure
Stephanie C. Westermeier
OF COUNSEL
John A. Miller, LL.M. **
TAX CONSULTANT
*Licensed in Oregon only
**Licensed in Kentucky only

November 22, 2002

RECEIVED
JAN 14 2004
WATER RESOURCES
WESTERN REGION

VIA US MAIL

Karilynn Townsend
Idaho Department of Water Resources
1301 N. Orchard St.
P.O. Box 83720
Boise, ID 83720-0098

Re: Water Right No. A63-00270
Our File: 5810-2

Dear Karilynn:

I am enclosing for processing a Notice of Change in Water Right Ownership on behalf of James E. Mahoney. As indicated by the supporting documentation, Mr. Mahoney has acquired a three-acre portion of right 63-00270 in the NE ¼ of the NW ¼ of Section 22, Township 4 North, Range 1 East, Boise Meridian. Because the water right is pending in the Snake River Basin Adjudication, a filing fee is not required.

Please call me with any questions.

Sincerely,

John M. Marshall

JMM/tns
Enclosure
S:\CLIENTS\5810\2\JMM to Townsend re change of ownership.DOC

SCANNED
JAN 12 2004

RECEIVED
NOV 2 5 2002
Department of Water Resources

RECEIVED
JAN 1 4 2004
WATER RESOURCES
WESTERN REGION

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

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

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

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

   A. The appropriate **FILING FEE.** See instructions for fee amounts. Ø

   B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question. **WITH ATTACHED LEGAL DESCRIPTION.**

   C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions): **PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

   OR

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

3. Name and Address of former Owner/Claimant(s): Sylvan and/or Barbara Williamson
   850 Williamson Lane, Eagle, ID 83616

4. New Owner/Claimant(s): James E. Mahoney
   Name Connector (Check one): [ ] and, [ ] or, [ ] and/or
   New Mailing Address: 53 Settler's Road
   City, State and ZIP code: Boise, ID 83716
   New Telephone Number: ( )

5. Date you acquired the property: March 15, 2001 *

* Acquired contingent upon successful transfer, which was finalized on May 24, 2002.

SCANNED
JAN 1 7 2004

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number 63-00270

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	0.06 cfs, 13.5 AFA	3 acres
Stock		
Domestic		
Other		
Total		

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number

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

7. *Signature of New Owner(s) or Claimant(s)* (include title if applicable) James E Mahoney

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

For Office Use Only
Received by DO Date 1-14-04 Fee 0
Receipted by Date Receipt No.
Processed by AJ Date WR Date

SCANNED
JAN 12 2004

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

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

2002 JL -3 PM 3:51

RECORDED REQUEST OF
Givens, Pursley
FEE 24.00 DEPUTY

102075568

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 James Ed Mahoney, whose address is 53 Settler's Road, Boise, Idaho 83716, 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 0.06 cubic feet per second during the irrigation season and an annual diversion volume of 13.5 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 15th day of March, 2001.

GRANTOR: SYLVAN WILLIAMSON BARBARA WILLIAMSON

Sylvan Williamson Barbara Williamson

SCANNED

JAN 12 2004

STATE OF IDAHO)
) ss.
County of Ada)

On this 15th day of March, 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.

Nicole Lee Goodwin

Notary Public for Idaho
Residing at: Emmett
My commission expires: 7/24/06

NICHOLE LEE GOODWIN
NOTARY
PUBLIC
STATE OF IDAHO

SCANNED
JAN 12 2004

EXHIBIT A

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

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

SCANNED

JAN 1 2 2004

EXHIBIT B

Water Right Claim
Snake River Basin Adjudication Claim No. A63-00270

SCANNED

JAN 1 2 2004

Form No. 40-1409 (2) a 1/86 (Amended)

RECEIVED
NOV 25 2002
Department of Water Resources

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

CIVIL CASE NUMBER: 39576

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

Ident. Number 63-00270
Date Received
Receipt Number W003463

RECEIVED
JUL 07 2008
WATER RESOURCES
WESTERN REGION

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

AMENDED

Please type or print clearly

1. Name of Claimant (s) SYLVAN +/or BARBARA WILLIAMSON Phone (208) 939-6287
   Mailing Address 860 WILLIAMSON LN EAGLE ID 83616 Zip 83616
2. Date of Priority (Only one (1) per claim) 4/1/1865
3. Source of water supply (a) BOISE RIVER
   which is tributary to (b) SNAKE RIVER
4. a. Location of existing point of diversion is: Township 4N Range 1E Section 22,
   ____ 1/4 of SW 1/4 of NE 1/4, Govt. Lot, 6 B.M., County of ADA
   Additional points of diversion if any: _____
   b. If instream flow, beginning point of claimed instream flow is:
   Township ____ Range ____ Section ____, ____ 1/4 of ____ 1/4 of ____ 1/4,
   Govt. Lot ____ B.M., County of _____
   ending point is: Township ____ Range ____ Section ____, ____ 1/4 of ____ 1/4 of
   ____ 1/4, Govt. Lot ____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. WING DAM, DITCH

SCANNED
JAN 12 2004

6. Water is claimed for the following purposes:

		(both dates are inclusive)		(cfs)		(acre feet)
For IRRIGATION	purposes from 3/1	to 11/15	amount 6	or		
For	purposes from	to	amount	or		
For	purposes from	to	amount	or		
For	purposes from	to	amount	or		

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

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

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

10. Description of place of use:
   a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
   b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4N	1E	15										4	35	10					49
		16													25	5	35	35	100
		21	35	15		5													55
		22					38	38	5	15									96

Total number of acres irrigated 300

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (✓)

14. Remarks:
_____
_____
_____
_____
_____
_____

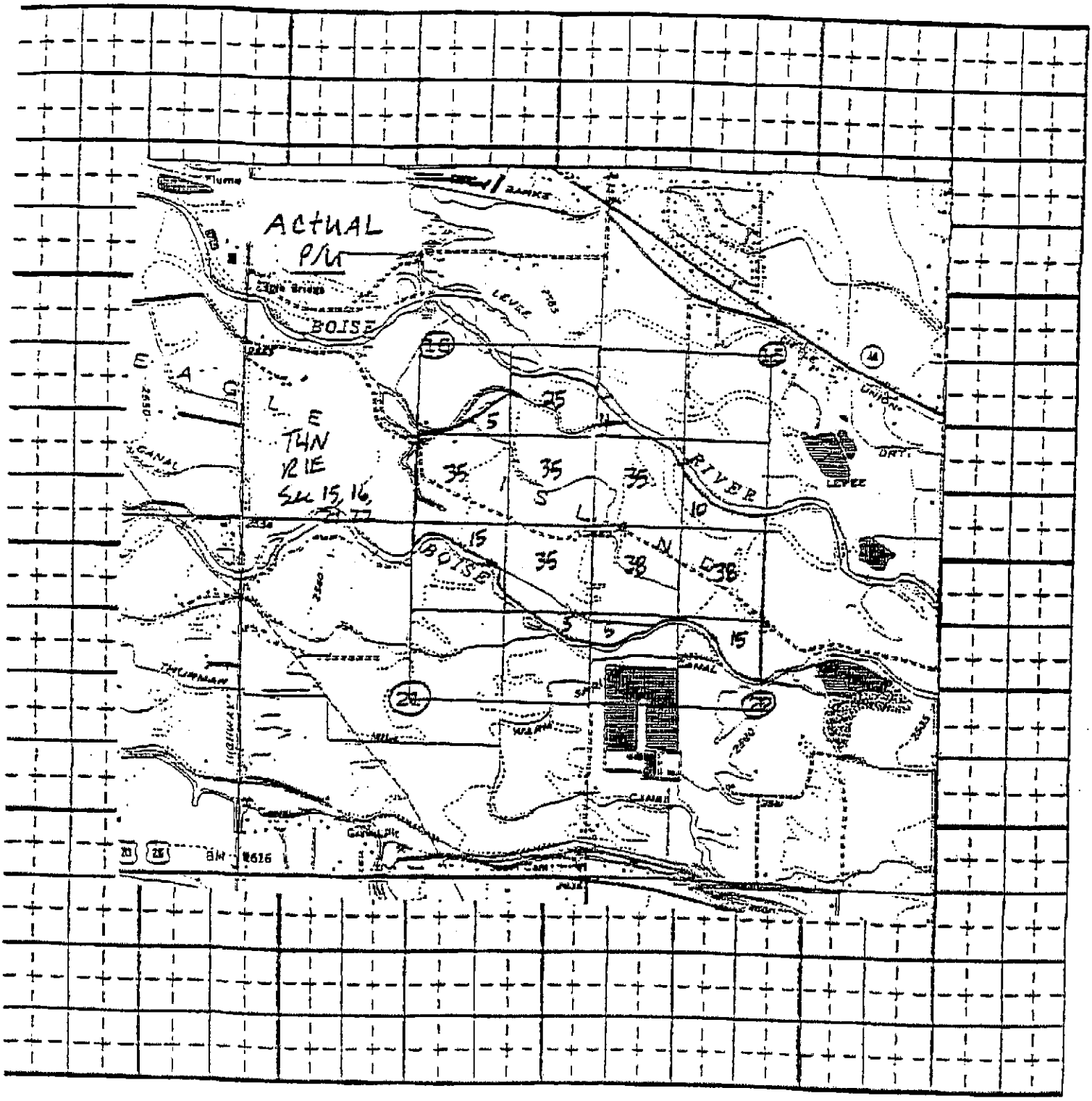
Last Name _____ Ident No. _____

SCANNED

JAN 12 2004

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

Scale: 2 inches equals 1 mile



Last Name _____ Ident No. _____

SCANNED

JAN 1 2 2004

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

If applicable provide IDWR Water Right Number 63-00270

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

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

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

_____ Date _____

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

of _____ , that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
ss.
County of _____)

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

NOTARY SEAL PUBLIC STATE OF IDAHO

Notary Public _____

Residing at Boise

My Commission Expires 6/15/04

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

SCANNED

JAN 12 2004

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31496

WATER RIGHT NUMBER: 63-31496 63-31835

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

Priority Date: 04/01/1865

Basis: Decreed

Status: Active

Source	Tributary
BOISE RIVER	SNAKE RIVER

Beneficial Use	From	To	Diversion Rate	Annual Volume
IRRIGATION	03/15	11/15	~~5.840~~ CFS 5.78 cfs	~~1,314~~.00 AF 1300.5 af
		Total Diversion:	~~5.840~~ CFS 5.78 total	~~1,314~~.00 AF 1300.5 total

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	
OK 04N 01E 15										4.0 L5	35.0 L5	10.0 L5					49.0
OK 04N 01E 16													25.0 L8	5.0 L7	35.0 L7	35.0 L8	100.0
OK 04N 01E 21	35.0 L1	15.0 L2		5.0 L2													55.0
04N 01E 22					~~30.0~~ 27 L3	38.0 L4	5.0 L5	15.0 L6									~~88.0~~ 85 ac

Total Acres: ~~292~~

289 total Acres

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31496

63-31836

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

New Owner: Mahoney

Priority Date: 04/01/1865

Basis: Decreed

Status: Active

Source	Tributary
BOISE RIVER	SNAKE RIVER

Beneficial Use	From	To	Diversion Rate	Annual Volume
IRRIGATION	03/15	11/15	5.840 CFS .06	1,314.00 AF 13.5
		Total Diversion:	5.840 CFS .06 total	1,314.00 AF 13.5 total

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 L5	10.0					49.0
04N 01E 16													25.0 L8	5.0 L7	35.0 L7	35.0 L8	100.0
04N 01E 21	35.0 L1	15.0 L2		5.0 L2													55.0
04N 01E 22					3 30.0 L3	38.0 L4	5.0 L5	15.0 L6									88.0

Total Acres: 292

3 total acres

Conditions of Approval:

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 63-31496
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)

BARBARA A WILLIAMSON
850 WILLIAMSON LN
EAGLE ID USA 83616

Phone: (208)939-6287

SYLVAN D WILLIAMSON
850 WILLIAMSON LN
EAGLE ID USA 83616

Phone: (208)939-6287

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	5.84	1314

7. Total Quantity Appropriated is:
5.84 C.F.S. and/or 1314 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
			SW	SW	5	IRRIGATION	35
			SE	SW		IRRIGATION	10
						Section Acres	49
04N	01E	16	NE	SE	8	IRRIGATION	25
			NW	SE	7	IRRIGATION	5
			SW	SE	7	IRRIGATION	35
			SE	SE	8	IRRIGATION	35
						Section Acres	100
04N	01E	21	NE	NE	1	IRRIGATION	35
			NW	NE	2	IRRIGATION	15
			SE	NE	2	IRRIGATION	5
						Section Acres	55
04N	01E	22	NW	NW	4	IRRIGATION	38
			SW	NW	5	IRRIGATION	5
			SE	NW	6	IRRIGATION	15
			NE	NW	3	IRRIGATION	30
						Section Acres	88
						Total Acres	292

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

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

15. Basis of Claim: Decreed

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

SPLIT ORIGINAL RIGHT — FOR WILLIAMSON (REMAINDER)

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

(BASE RIGHT)
WILLIAMSON
SPLIT

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-270

WATER RIGHT NUMBER: 63-270

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

ok

Priority Date: 04/01/1865

Basis: Decreed

Status: Active

Source	Tributary
BOISE RIVER	SNAKE RIVER

5.84

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	03/15 to 11/15	~~6.000 CFS~~	
	Total Diversion:	~~6.000 CFS~~ 5.84	~~1,350.00 AF~~ 1314

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 L5	10.0					49.0
04N 01E 16													25.0 L8	5.0 L7	35.0 L7	35.0 L8	100.0
04N 01E 21	35.0 L1	15.0 L2		5.0 L2													55.0
04N 01E 22					~~38.0~~ 30 L3	38.0 L4	5.0 L5	15.0 L6									~~96.0~~

Total Acres: ~~300~~ 292

Remarks:

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

ok

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

CLAIM 63-31496

7/20/04

SRBA CHECK FOR BENEFICIAL USE 1987?

PART OF P/U FOR PENDING TRANSFER 70024 FOR RIVERSEND SUBDIVISION.

FOR SUBDIVISION:

- 68 ACRES TO IRRIGATE
- 11 ACRES TO MITIGATE AMENITY PONDS PROPOSED IN APPL 63-31515
- 16.5 ACRES NONUSE [1] FROM PAVEMENT ETC.
- 95.5 ACRES TOTAL.

FOUND 95.5 ACRES IRRIGATION IN SUBD. BOUNDARY.

SEE ATTACHED.

1987 B.U. for
95.5 acres proposed
for change in
T. 70024 —

will split 63-31496 to
63-31524 Williamson
63-31525 developer for
Subd.

[1] NONUSED IRRIGATION WATER WILL BE OWNED BY WILLIAMSON IN FOLLOWUP ACTION AFTER TRANSFER 70024 APPROVED.

63-270 PER ACRE → .02 cfs 4.5 AFA

#	cfs	AFA	ACRES	NOTES
A63-270	6.00	1350	300	Williamson
-31496	5.84	1314	292	split - Williamson
- 31497	.04	9	2	3 new owners to mitigate new permits
- 31498	.04	9	2	
- 31499	.08	18	4	
TOTAL	6.00	1350	300	

T. 70024 proposes split Williamson right:

-31524	3.93	884.3	196.5	Williamson	
-31525	1.36	306	68	irrigate	Developer
	.22 } 1.91	49.5 } 429.7	11 } 95.5	mitigate	
	.33	74.2	16.5	* NONUSE	
TOTAL	5.84	1314	292		

AFTER T. 70024 APPROVED, ownership change to split Developer portion (NONUSE)

- NEW #	.33	74.2	16.5	Williamson - to own NONUSE portion	
- NEW #	1.36 } 1.58	306 } 355.5	68 } 79	irrigate	Developer
	.22	49.5	11	mitigate	
TOTAL	1.91	429.7	95.5		

* NONUSE = ACRES in field that will not be irrigated, Williamson will show ownership of that portion so can market it etc.

7/20/04

T4N, R1E, S16 and S21

0.3 0 0.3 0.6 Miles

Prepared by: S Curtis
7/19/04
1987 NAPP

found 95.5 ACRES IRRIGATION in subd. boundary

Acres contemplated for transfer
Sections
QQ

N
W E
S

INTER-DEPARTMENT MEMO--1

FROM Steve L.

DATE 12/5/03

TO Kimberly

SUBJECT WR - AJ coordination Transfer 70024

Williams claim 63-31496 ("63-270")

B.U. on portion of Plh 1987?

SIGNATURE

63-31496

-SL 12/5/03

AJ VERIFICATION

Sylvan/Barbara Williamson.
Originally A63-270 claimed 1989.
Recent splits to 3 new owners (8 Acres vacant to multiple new permits 63-31497 -31498 -31499).
Leaves Williamson with 292 acres in A63-31496.

T. Tooza proposes change for 95.5 acres / 1.91 cfs

for Plan Sec. 16 SE¼ } See attached map
Sec. 21 N½ NE¼ }

for 95.5 Acres of that Plan to use as:

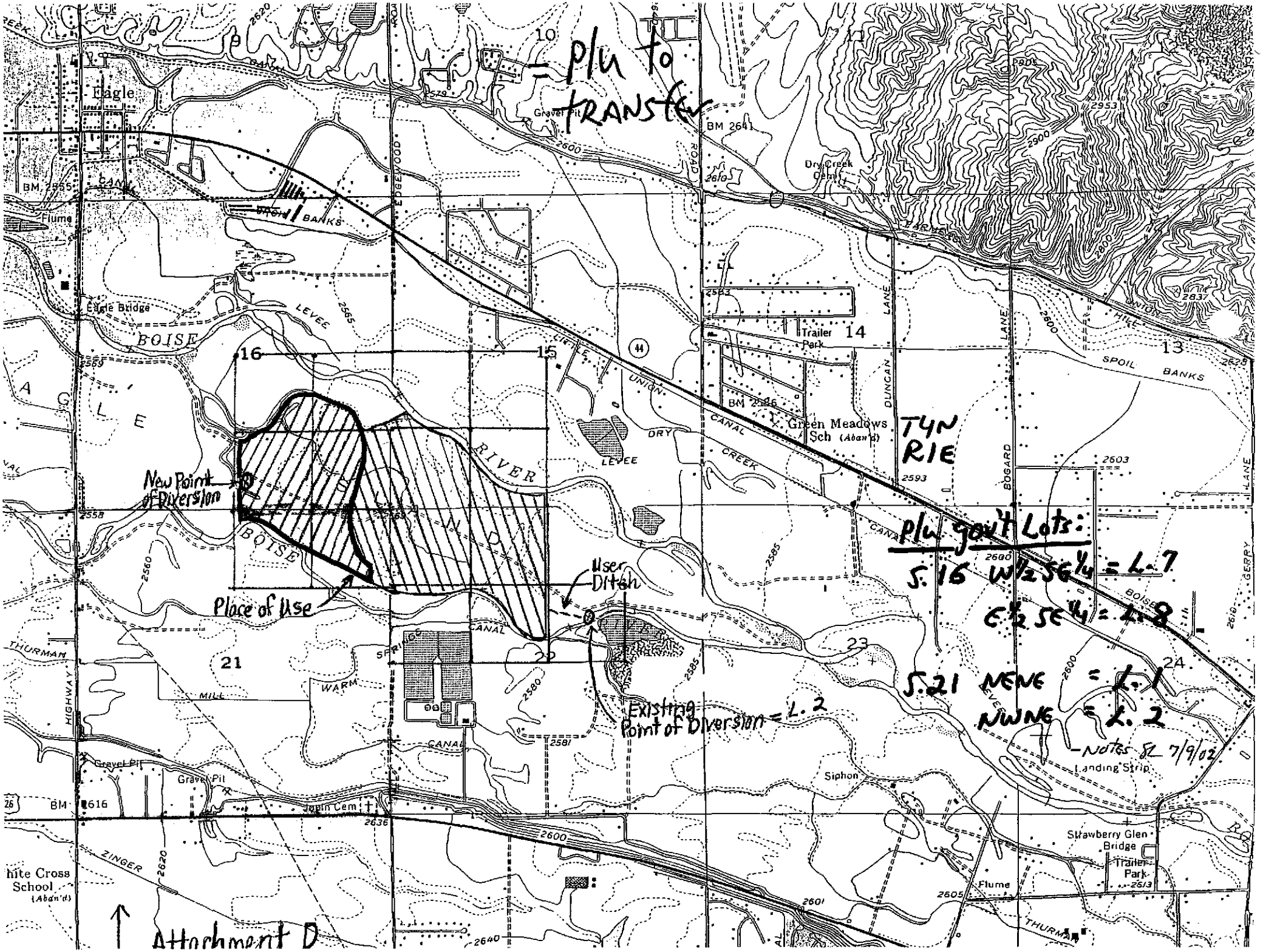
lin 68 acres } subdivision
ponds 11 acres }
non-use 16.5 acres } Retained as in portion for future disposition

7/20/04 update SL discussion w/ JANS.

Questions

for subdivision- found 95.5 acres @ .02 cfs per acre

- ✓ What is SCSA determination for Plan proposed for change? How many acres of lin are found in 1987 plats?
- ✓ Correct & assume .02 cfs/acre for 66 Recommended?


= P/U to TRANSFER
New Point of Diversion
Place of Use
User Ditch
Existing Point of Diversion = L.2
T4N R1E
P/U govt Lots:
5.16 W½SE¼ = L.7
E½SE¼ = L.8
5.21 NENE = L.1
NWNE = L.2
-Notes SL 7/9/02
Attachment D
Eagle
Eagle Bridge
BOISE
RIVER
DRY CREEK
Green Meadows Sch (Aban'd)
Trailer Park
Gravel Pit
Landing Strip
Siphon
Strawberry Glen Bridge
Trailer Park
Flume
Japin Cem
White Cross School (Aban'd)
BM 2641
BM 2565
BM 2586
BM 2616
EDGEWOOD ROAD
DUNCAN LANE
BOGARD LANE
GERRY LANE
SPOIL BANKS
LEVEE
CANAL
HIGHWAY
THURMAN MILL
WARM
ZINGER
UNION PACIFIC
5 PRIVATE
10
13
14
15
16
21
23
24

Page 1 of 6
Form 1-222
12-92

RECEIVED
APR 30 2002
WATER RESOURCES
WESTERN REGION

Steve Transfer No. 70024

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED APPLICATION FOR TRANSFER OF WATER RIGHT

Part 1

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

A. Purpose of Transfer

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
   ☒ Change nature of use ☐ Change period of use ☒ Other Split the right
2. Describe the reason for the proposed changes See Attachment B

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

1.

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

← PROCESS AS change of Adjudication Claim Record 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~~

Now 63-31496

* 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 } Subdivision
2		NW	NE	21	4N	1E	Ada	Aesthetic Ponds
7	SW	SW	SE	16	4N	1E	Ada	RiversEnd Subdivision Pump Station
82		SW	NE	22	4N	1E	Ada	Boise River (Williamson)
8		NE	SE	16	4N	1E	Ada	Aesthetic Ponds } Subdivision
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	NE¼	NW ¼	SW ¼	SE ¼	
4N	1E	16													6.0 J 4.8	7.0 J 4.7	30.8 J 4.7	16.8 J 4.8	60.6
4N	1E	21	13.1 J 4.1	10.8 J 4.2															23.9

Total acres 84.5

* Correction Approved by _____ on _____
initials date

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

SYLVAN D WILLIAMSON
BARBARA A WILLIAMSON
850 WILLIAMSON LN
EAGLE ID 83616

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

Renumbered to Notice of Claim to a Water Right No. 63-31496

Dear Claimant(s):

We have received and processed a Change of Ownership for a portion of your original Claim to a Water Right Number as referenced above. This change of ownership resulted in a split of your original claim.

When a portion of the original water right claim has been conveyed to another and the original right has been split, then the original claim number is renumbered by issuing a new water right number to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new water right number reflects your remaining portion of the original claim after the change of ownership. Enclosed is a copy of this new claim for your records. Please refer to your new claim number when corresponding with our office.

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

Sincerely,

Denise Hatfield

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region Office

DH: dh

Enclosure

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-31496 Date: 10-16-02

	TNS	RNG	SEC	NE NE	NE NW	NE SW	NE SE	NW NE	NW NW	NW SW	NW SE	SW NE	SW NW	SW SW	SW SE	SE NE	SE NW	SE SW	SE SE	Sum
Claim	4N	1E	15										41	-5 35	10					49
GIS													36	39	14					86.6
Claim			16													-8 25	-7 5	-7 35	-8 35	100
GIS																25	46	39	42	110.6
Claim			21	-1 35	-2 15		-2 5													55
GIS				36	12		9.5													57.5
Claim			22					-3 30	-4 38	-5 5	-6 15									88
GIS								35	36	13	17									101

Number of POD's 1

Total Claimed Acres: 292

Total GIS Acres: 325.7

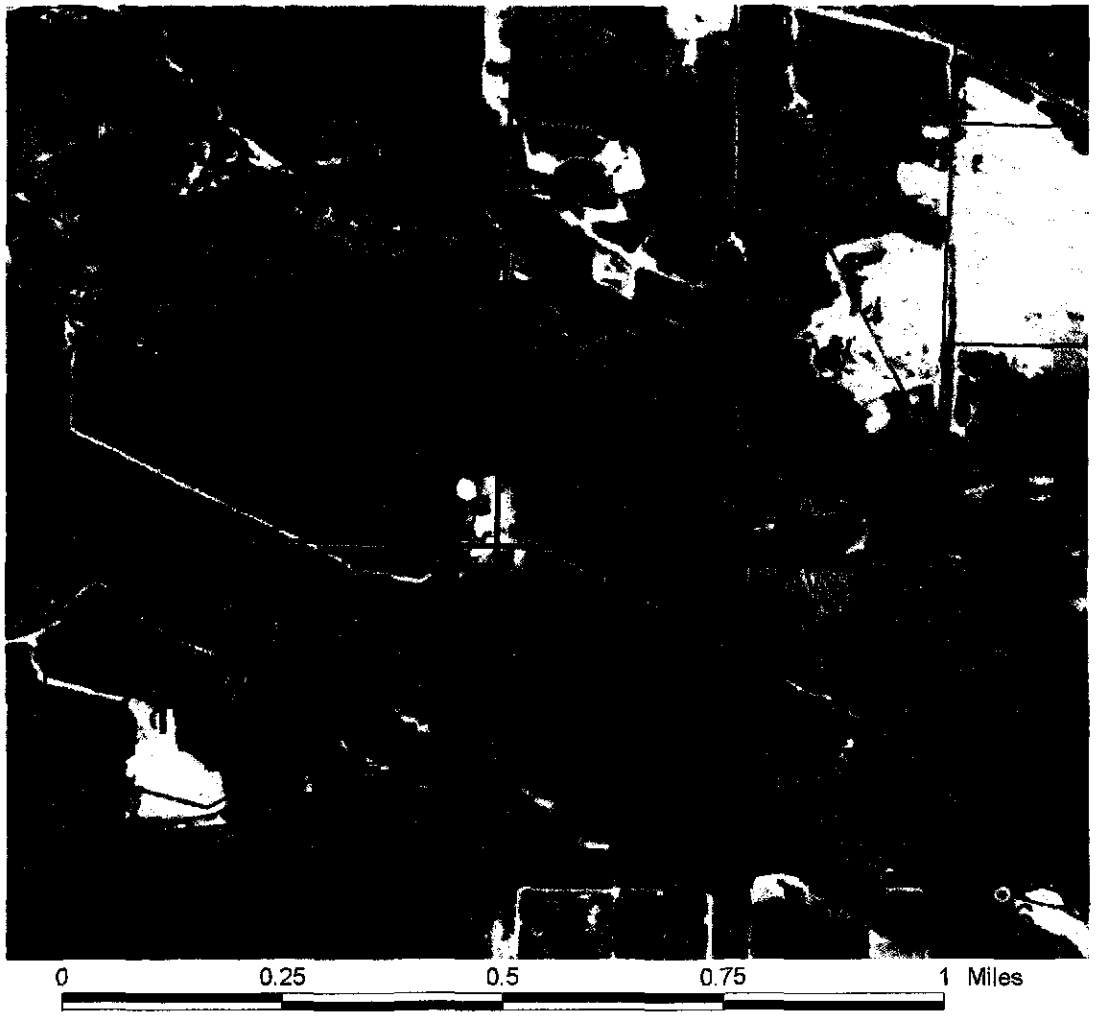
Overlapping POU Claim #'s:
63-31497, 63-31498, 63-31499

COMMENTS:
Per claim map in 63-00270. Claimant doesn't own parcel in the NENW & SENW Sec 22 per county data. Estimated POD per claim legal.

Idaho Department of Water Resources

Claim Number: 63-31496
Legal: T04N, R01E, S15, 16, 21, 22
Reviewed By:

1987 Napp Photo



Point of Diversion

Place of Use

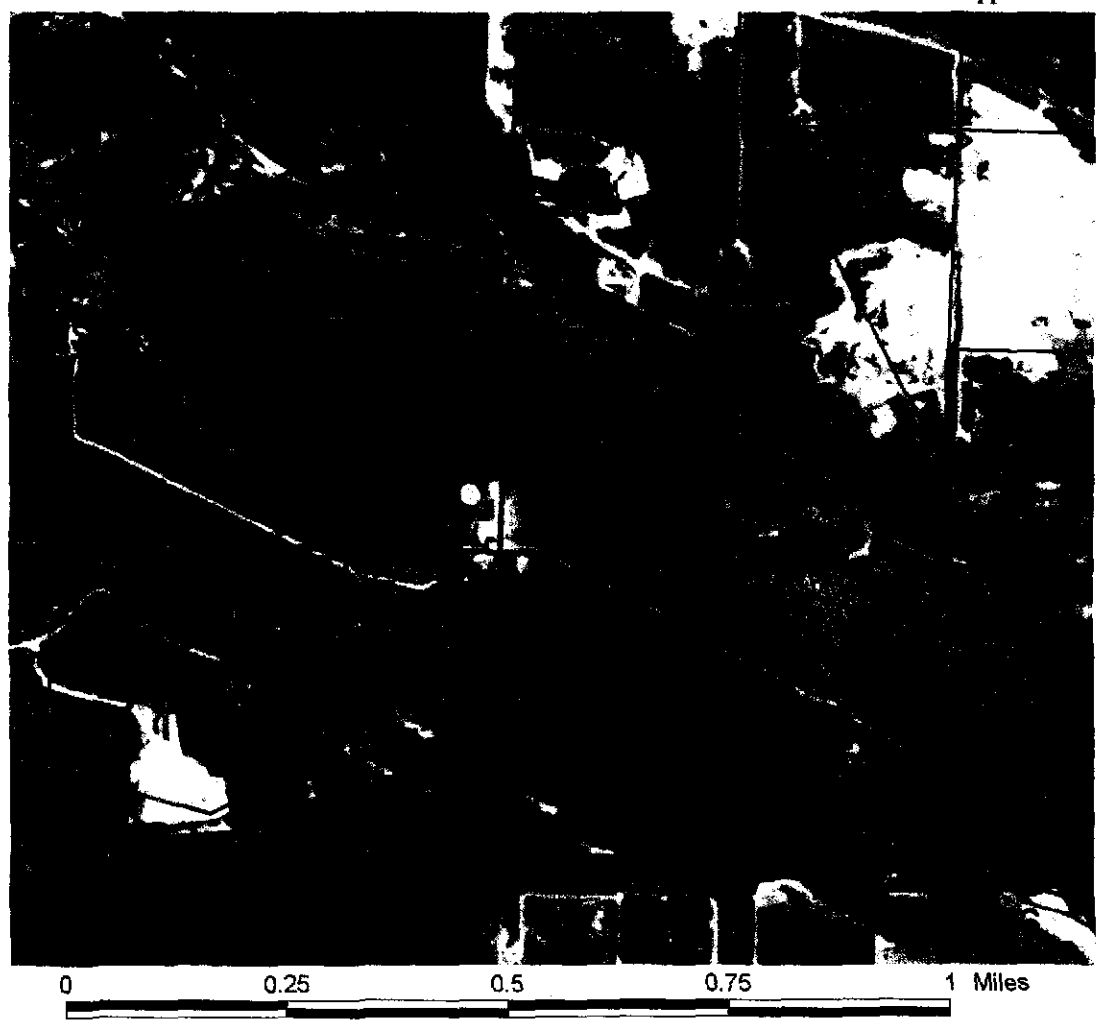
Section Lines

Quarter Quarter Lines

Idaho Department of Water Resources

Claim Number: 63-31496
Legal: T04N, R01E, S15, 16, 21, 22
Reviewed By:

1987 Napp Photo



Point of Diversion

Place of Use

Section Lines

Quarter Quarter Lines

N
W
E
S

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-31836

NAME AND ADDRESS: JAMES E MAHONEY
53 SETTLERS RD
BOISE ID 83716

SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.060 CFS
13.500 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	0.060 CFS 13.50 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 3.0

3 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*.

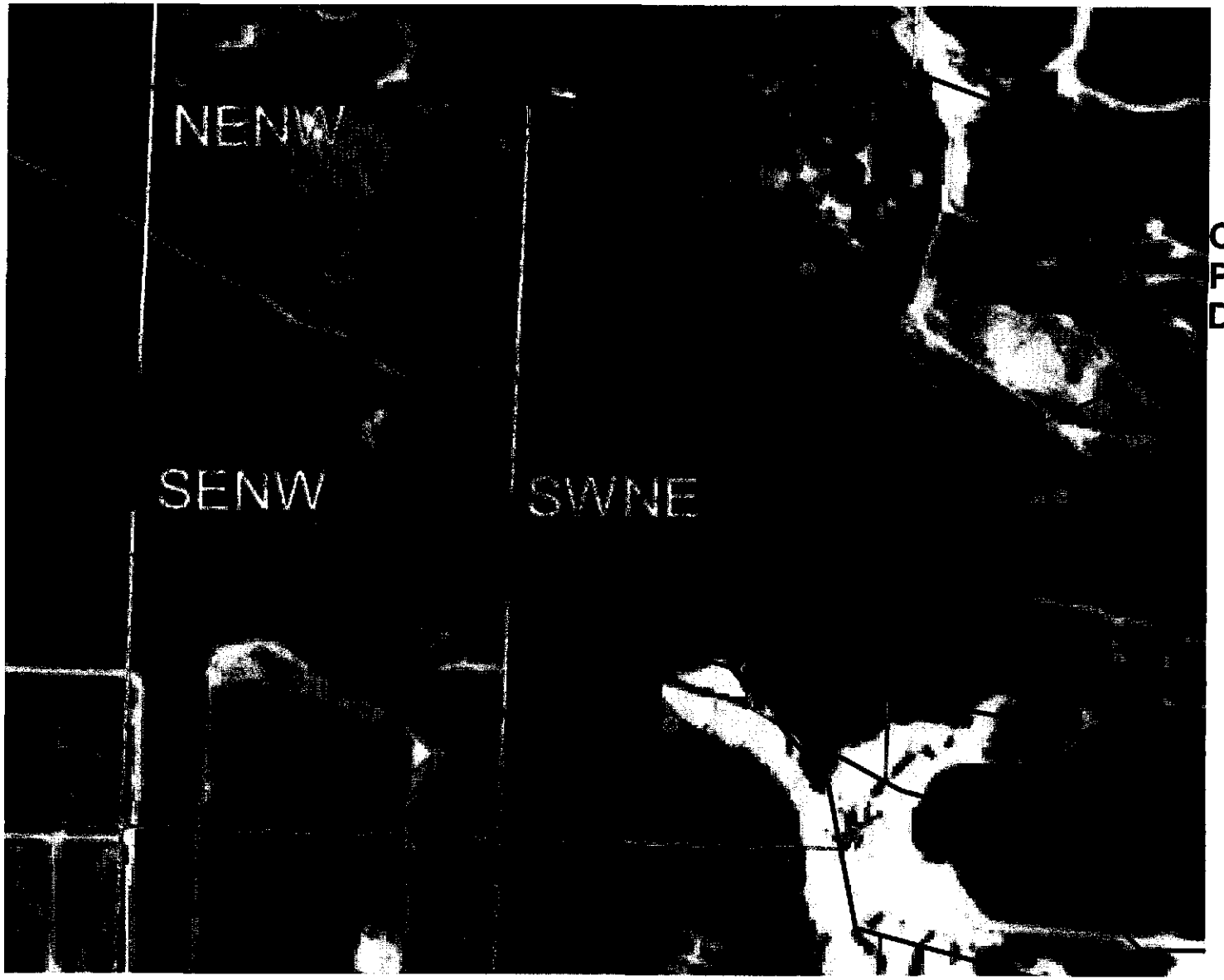
EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 63-31496.

This right is a split from former right 63-270.

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



300 0 300 600 Feet

T04N, R01E, S22

Claim No: 63-31836
Prepared By: Kimberly Brown
Date: October 27, 2005

Place of Use

Section Lines

1/4 1/4

Point of Diversion

Acres Irrigated = 3.0

N
W E
S

1987 NAPP

#8-C Intervenor – Stewart Decree
(Louise Simonson – 6.0 cfs – 300 AC – #63-270 PARENT)

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31836

WATER RIGHT NUMBER: 63-31836 ✓

63-31496

Owner Type	Name and Address
Original Owner	SYLVAN D WILLIAMSON ✓ 850 WILLIAMSON LN EAGLE, ID 83616 (208)939-6287
Current Owner	JAMES E MAHONEY ✓ 53 SETTLERS RD BOISE, ID 83716 (208)342-4490
Original Owner	LOUISE SIMONSON (#63-270 PARENT) , ZZ
Original Owner	BARBARA A WILLIAMSON ✓ 850 WILLIAMSON LN EAGLE, ID 83616 (208)939-6287

Priority Date: 03/01/1865 ✓ (03 ✗)

Basis: Decreed ✓

Status: Active

Source	Tributary
BOISE RIVER ✓	SNAKE RIVER

Beneficial Use	From	To	Diversion Rate	Annual Volume
IRRIGATION ✓	03/15 (change to 3/01)	11/15 ✓	0.060 CFS ✓	13.50 AF ✓
		Total Diversion:	0.060 CFS ✓	13.50 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 22					3.0 L 3												3.0

Total Acres: 3

Conditions of Approval: This claim is ~~the result of~~ a split from former right 63-270.

ADD – 1. P21 This right is a split from former right 63-31496.

Remarks: ADD S45 –

ADD CONDITION 155 – Quantity

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

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-31836

Comments:

This claim is the ~~result of a~~ split of former right 63-31496.

Water Supply Bank:

Field Exam Date 10.26.05
(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 $350.00 jd. 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 complete

Claim No(s) 63-31836

Owner: James E. Mahoney Phone No. (208) 342-4490

Current Address: 53 Settlers Rd., Boise 83716

Property Address: E. State St. Eagle 83616

- ☐ No change NAME IS THE SAME
- ☑ NEW OWNER Old Castle MMG Inc.
- ☐ No change Address
- ☑ NEW ADDRESS P.O. Box 3429, Ogden UT 84409-1429
- ☐ 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 – 03/01/1865.

Source: Boise River **Tributary to**

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

POINT OF DIVERSION

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

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works Wing dam in river to ditch to flood irrigate

OVERLAP REVIEW

Other water rights with the same point of diversion: 63-31497, -31498, -31499, -31835

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

same well

WATER USES Season of use: 3/1 to 11/15.

- ☐ No change
- ☐ Different Uses

Use _____ From 3/1 To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

ADD CONDITION 155

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: None

- ☑ No change
- ☐ Changes Exam found: Domestic # of homes _____ Stock #_____

  Types_____ Additional comments:_____

PLACE OF USE:

- ☑ No Change
- ☐ Changes shown below: The shape file drawn for this claimed POU is actually 11 acres because I do not know which specific acres are also covered by 63-31497, 63-31498, & 63-31499.

(2 AC) (2 AC) (4 AC) (+ 2 63-31836 (3 AC)) = 11

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: 63-31497, -31498, -31499, -31835

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:
no overlap - separate acres

Delivery System Narrative: ditches

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

FLOW MEASUREMENTS: N/A

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

This right is also designated as Right No. 8-C in the Boise River Stewart Decree and Boise River Water Distribution Report.
This right is a split from former right 63-270.
This right is a split from former right 63-31496.
ADD S45
ADD Condition 155

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: 10.26.05 (in office review)

FIELD EXAMINER: Kimberly Brown

IDAHO DEPARTMENT OF WATER RESOURCES 10/27/2005

ADJUDICATION CLAIM POU REVIEW REPORT

ADJUDICATION CLAIM NUMBER: 63-31836 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	27/289	BARBARA A WILLIAMSON
31836	Claim	04N	01E	22	NE	NW	3	IRRIGATION	3/3	JAMES E MAHONEY
-270	Water Right	04N	01E	22	NE	NW	3	IRRIGATION		LOUISE SIMONSON

No overlap - separate acres/POU.

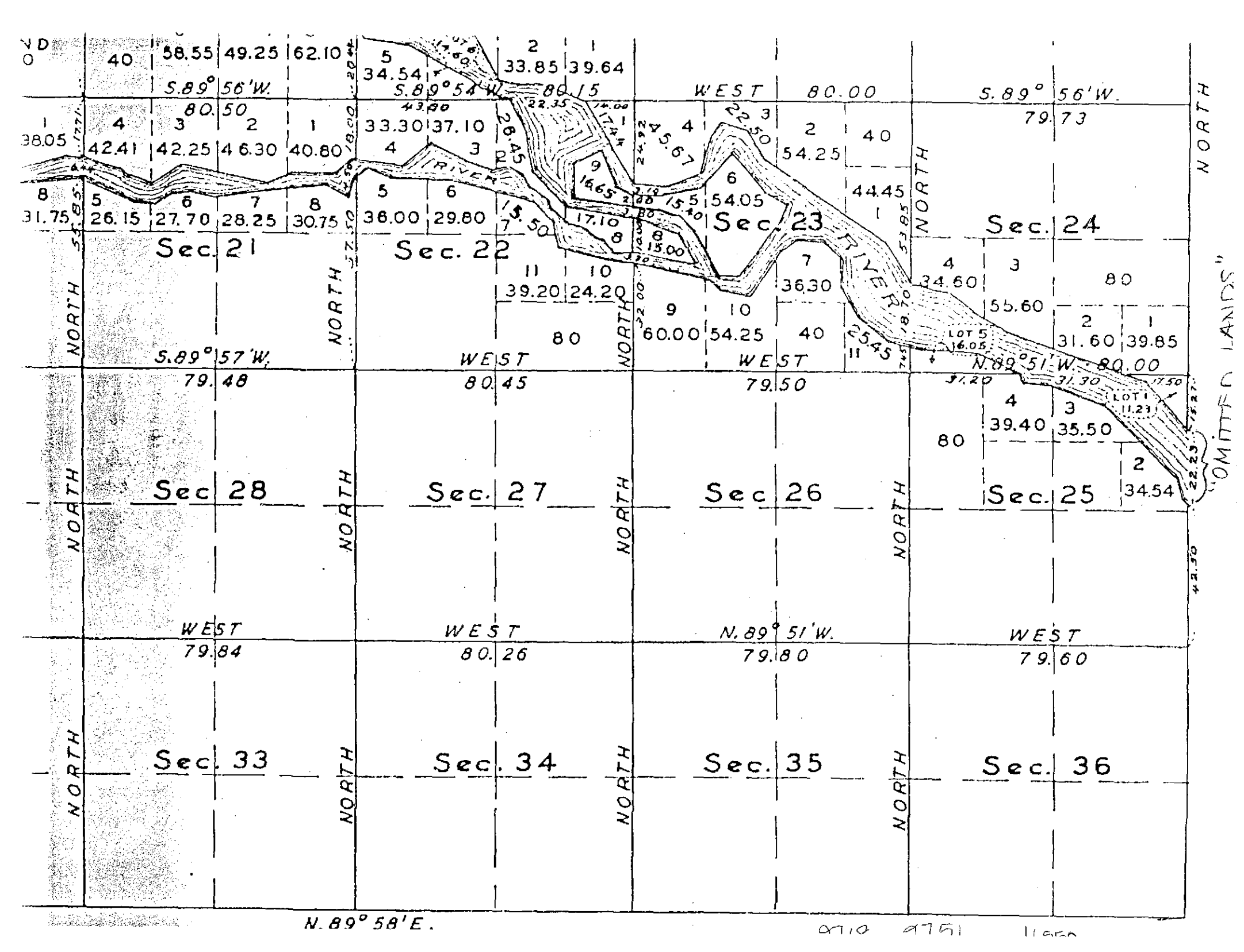
IDAHO DEPARTMENT OF WATER RESOURCES 10/27/2005

ADJUDICATION CLAIM POD REVIEW REPORT

ADJUDICATION CLAIM NUMBER: 63-31836 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	JAMES E MAHONEY

all share same POD


Sec. 21
Sec. 22
Sec. 23
Sec. 24
Sec 28
Sec. 27
Sec 26
Sec. 25
Sec. 33
Sec. 34
Sec. 35
Sec. 36
RIVER
"OMITTED LANDS"
NORTH
WEST
S.89° 56'W.
S.89° 54'W.
S.89° 57'W.
N.89° 51'W.
N.89° 58'E.
LOT 5
16.05
LOT 1
11.23

01/15/2004

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31496

WATER RIGHT NUMBER: 63-31496 63-31836

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

New Owner: Mahoney

Priority Date: 04/01/1865

Basis: Decreed

Status: Active

Source: BOISE RIVER

Tributary: SNAKE RIVER

Beneficial Use	From	To	Diversion Rate	Annual Volume
IRRIGATION	03/15	11/15	5.840 CFS .04	1,314.00 AF 13.5
	Total Diversion:		5.840 CFS .04 total	1,314.00 AF 13.5 total

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 L5	10.0					49.0
~~04N 01E 16~~													25.0 L8	5.0 L7	35.0 L7	35.0 L8	100.0
~~04N 01E 21~~	35.0 L1	15.0 L2		5.0 L2													55.0
04N 01E 22					~~38.0~~ 3 L3	38.0 L4	5.0 L5	15.0 L6									88.0

Total Acres: ~~292~~

3 total lots

Conditions of Approval:

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

Combined Use Limits:

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

October 25, 2005

James E. Mahoney
53 Settlers Road
Boise, ID 83716

Re: Original Notice of Claim to a Water Right No. 63-31496

Renumbered Notice of Claim to a Water Right No. 63-31836

Dear Claimant(s):

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.

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your water right. This claim represents a split of the claim filed by a previous owner during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience, as we have had several water right changes to process. Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

Adjudication Section
Western Region

LG: lg

Enclosure

Brown, Kimberly

From: Lester, Steve
Sent: Monday, May 09, 2005 11:47 AM
To: Brown, Kimberly
Subject: RE: Transfer 70024

Kimberly:

I have been waiting for word from consultant Dave Shaw on this one. This older transfer application was initially reviewed, *advertised & protested prior to advent of parallel processing. Protest was withdrawn. Tried to finish it up in parallel* processing but ran into an ownership problem. Shaw requested we wait until developer (Howell-Kiser) completes its purchase of the land proposed for split in the transfer. It was scheduled for call up this spring. I will check with Shaw soonest to see if we should resume processing of this one. Once we can resume, things should go pretty fast since most of the time-consuming work has been done. Will let you know what I hear from Shaw.
Meanwhile, please let me know if you need more information.

Steve

-----Original Message-----
From: Brown, Kimberly
Sent: Monday, May 09, 2005 10:34 AM
To: Lester, Steve
Subject: Transfer 70024

Steve,
I see that you are handling Transfer 70024 (Howell-Kiser / co-applicants - Sylvan & Barbara Williamson) and was wondering if you could give me an update on its status.

Thanks,
Kimberly

Mitigation - Canyon Co.

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 17, 2004

JOHN MARSHALL
GIVENS PURSLEY LLP
PO BOX 2720
BOISE ID 83701-2720

Re: James Mahoney Ownership Change for Water Right No. "A63-00270"

Dear John:

On November 22, 2002, you sent a letter to the Idaho Department of Water Resources (IDWR) state office regarding an ownership change for a portion of the above referenced "Williamson water right" on behalf of your client, James Mahoney. The ownership change documents migrated among IDWR staff due to water allocation and adjudication factors involved with the situation. This is typical for many ownership changes processed by IDWR and does not indicate any particular problems with documents submitted for ownership changes.

The documents finally landed in my possession due to a pending transfer application on which I am working. **Transfer Application No. 70024** filed in February 2002 seeks to split a portion of the Williamson right for a proposed subdivision within part of the place of use of A63-00270. Processing of your client's ownership change has not been completed yet due to complications regarding the level of detailed work invested in the pending transfer (data entry, digital shapes, draft approvals, analysis etc.) by the time I received your letter and documents.

IDWR could process the Mahoney ownership split at this time, which would involve undoing quite a lot of work invested in the transfer application and redoing the work to recognize new right numbers etc. resulting from the split. Due to some last minute details being worked out by the transfer applicant, it is expected that transfer approval will be delayed for about six months. If it does not present a hardship to your client, I seek your approval to **delay processing his ownership change until the transfer is approved.** At that time, your client's portion of the right can be split from the remaining portion of the right held by Williamson. This method will provide the most efficient way for IDWR to accommodate your client in addition to the transfer applicant. Because of prior splits completed separately from the pending transfer, the Williamson right is now known as **adjudication claim 63-31496 instead of 63-270.** Claim 63-31496 includes 5.84 cfs to

irrigate 292 acres. The prior splits should not complicate your client's ownership change.

I will assume this delay in completing Mahoney's ownership change is acceptable for about another six months unless I hear otherwise from you. I appreciate your cooperation in this matter. Please let me know if you need additional information in this regard.

Sincerely,

Steve Lester
Water Rights Supervisor

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.

Page 1 of 6

Form 1-222
12-92

RECEIVED

APR 30 2002

WATER RESOURCES
WESTERN REGION

Transfer No. 70024

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED APPLICATION FOR TRANSFER OF WATER RIGHT

Part 1

Name of applicant Sylvan Williamson &/or Howell-Kiser Development Corp. Phone (208) 376-3100

Post Office address 850 Williamson Lane, Eagle, Idaho 83616 & 619 Queens Guard Way, Boise, ID 83709

A. Purpose of Transfer

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
   ☒ Change nature of use ☐ Change period of use ☒ Other Split the right

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

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

1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use

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

← PROCESS AS change of Adjudication Claim Record 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 } Subdivision
2		NW	NE	21	4N	1E	Ada	Aesthetic Ponds
7	SW	SW	SE	16	4N	1E	Ada	RiversEnd Subdivision Pump Station
82		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 } Subdivision
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	NE¼	NW ¼	SW ¼	SE ¼	
4N	1E	16													6.0 J 4.8	7.0 J 4.7	30.8 J 4.7	16.8 J 4.8	60.6
4N	1E	21	13.1 J 4.1	10.8 J 4.2															23.9

Total acres 84.5

* Correction approved by _____ on _____
initials date

Transfer No. _____

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 conditions:

_____

_____

_____

_____

_____

_____

_____

_____

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

_____

Transfer No. _____

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 _____
   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.

C1 = claim 63-270
C2 = claim 63-31496 per 6/02 split of 63-270

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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

8. 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	

Total acres _____

9. Describe any other water rights used for the same purpose as described above None known.

Transfer No. _____

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	¼	¼	¼	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 ¼				NW ¼				SW ¼				SE ¼				Tota
			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													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	¼	¼	¼	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 ¼				NW ¼				SW ¼				SE ¼				Tota
			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													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 8 acres out
Reduced slightly to 7 for 63-5149 7
3.93 cfs for 196.5 acres for 98+99
Williamson Parcel
2. Points of Diversion:

Lot	¼	¼	¼	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 ¼				NW ¼				SW ¼				SE ¼				Totals
			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	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

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

Part 3

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

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

See Attachment D

Transfer No. _____

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 without surface connection to any other water source.

3. Describe effects on other water uses resulting from the proposed change: None, source for aesthetics is shallow ground water tributary to the Boise River. Depletion will be limited to pond surface evaporation, rather than evapotranspiration from irrigated crops, thus river diversion will be reduced and shallow ground water contribution will be reduced by depletion effect of prior irrigation. Peak diversion rate has been maintained to account for peak hour diversion but annual diversion will be limited to evaporation amount.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

X Sylvan Williamson
(Signature of Applicant)

Subscribed and sworn before me this 29th day of April, 2002.

JUDY K. JOYCE NOTARY PUBLIC STATE OF IDAHO

Judy K. Joyce
(Notary Public)

My commission expires 12-21-05

By: Howell Ranch Dev. Corp.
(Signature of Applicant)

Subscribed and sworn before me this 29th day of April, 2002.

JUDY K. JOYCE NOTARY PUBLIC STATE OF IDAHO

Judy K. Joyce
(Notary Public)

My commission expires 12-21-05

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 45 attachments

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

Prelim. check by JF Fee $290 _____

Receipted by JF for JF Date 2/26/02 W028795 NOR 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

82-45460

CORPORATION WARRANTY DEED

THIS INDENTURE, Made this 31st day of December, in the year of our Lord one thousand nine hundred and sixty-five between HAMMOND LIVESTOCK, INC., a California corporation authorized to do business in the State of Idaho, and having its principal office in Idaho at Eagle, in the County of Ada, party of the first part, and SYLVAN D. WILLIAMSON and 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 hereunto duly authorized by resoltuion 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 assigns 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 Sections 16, 17, 20 and 21, Township 4 North, Range 1 East of the Boise Meridian, thence on a bearing of North [illegible] East which bears 90° 12' East of the West Quarter corner of Section 21, according to Idaho State Highway Department road survey maps, a distance of [illegible] the real point of beginning; thence [illegible] a distance of 222.90 feet [illegible] the Boise River; thence [illegible]

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

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

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

Commencing at a point on the section line 18.205 chains South of the corner common to Sections 14, 15, 22 and 23, Township 4 North, Range 1 East of the Boise Meridian, and running thence South 1.85 chains; thence West 19.975 chains; thence North 27.50 chains; thence South 58° 39' East 5.40 chains; thence South 30° 45' East 6.0 chains; thence South 12° 30' East 3.80 chains; thence South 31° East 4.50 chains; thence South 30° 45' East 9.60 chains; thence South 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 216.87 feet to a point on the north bank of the Boise River; thence along the bank of the Boise River South 89° 30' West 227.56 feet to a point; thence along the said north bank North 49° 00' West 610.90 feet to a point; thence North 9.29 feet to the REAL POINT OF BEGINNING;

Together with all water, water rights, [illegible] and rights of way for ditches appurtenant thereto or [illegible] appertaining;

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 resoltuion the day and year first above written.

Ada County, Idaho, ss.
Request of
TIME 11:25 A.M.
DATE 12-9-65
JOHN BASTIDA
RECORDER
By
Deputy

HAMMOND LIVESTOCK, INC.

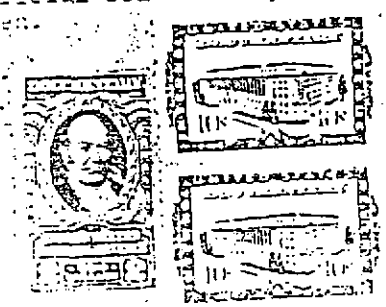
By W.E. Hammond
Its _____ President

ATTEST
John P. Hammond
_____ Secretary

STATE OF IDAHO)
) ss.
County of Canyon)

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.



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

Attachment A

A13467SR

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

2002 MR -6 PM 4:05

RECORDED - REQUEST OF
FEE 21 DEPUTY

102027437

PIONEER TITLE

WARRANTY DEED

GRANTOR: Sylvan D. Williamson and Barbara A. Williamson
GRANTEE: Howell-Kiser Development Corporation
GRANTEE'S ADDRESS: 619 Queens Guard way, Boise, Idaho 83709

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

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

DATED This 5 day of March, 2002.

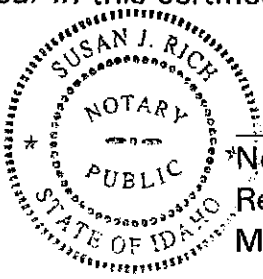
Sylvan D. Williamson

Barbara A. Williamson

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

On this 5 day of March, 2002, before me, the undersigned a Notary Public in and for *said State*, personally appeared Sylvan D. Williamson and Barbara A. Williamson, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



Susan J. Rich

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

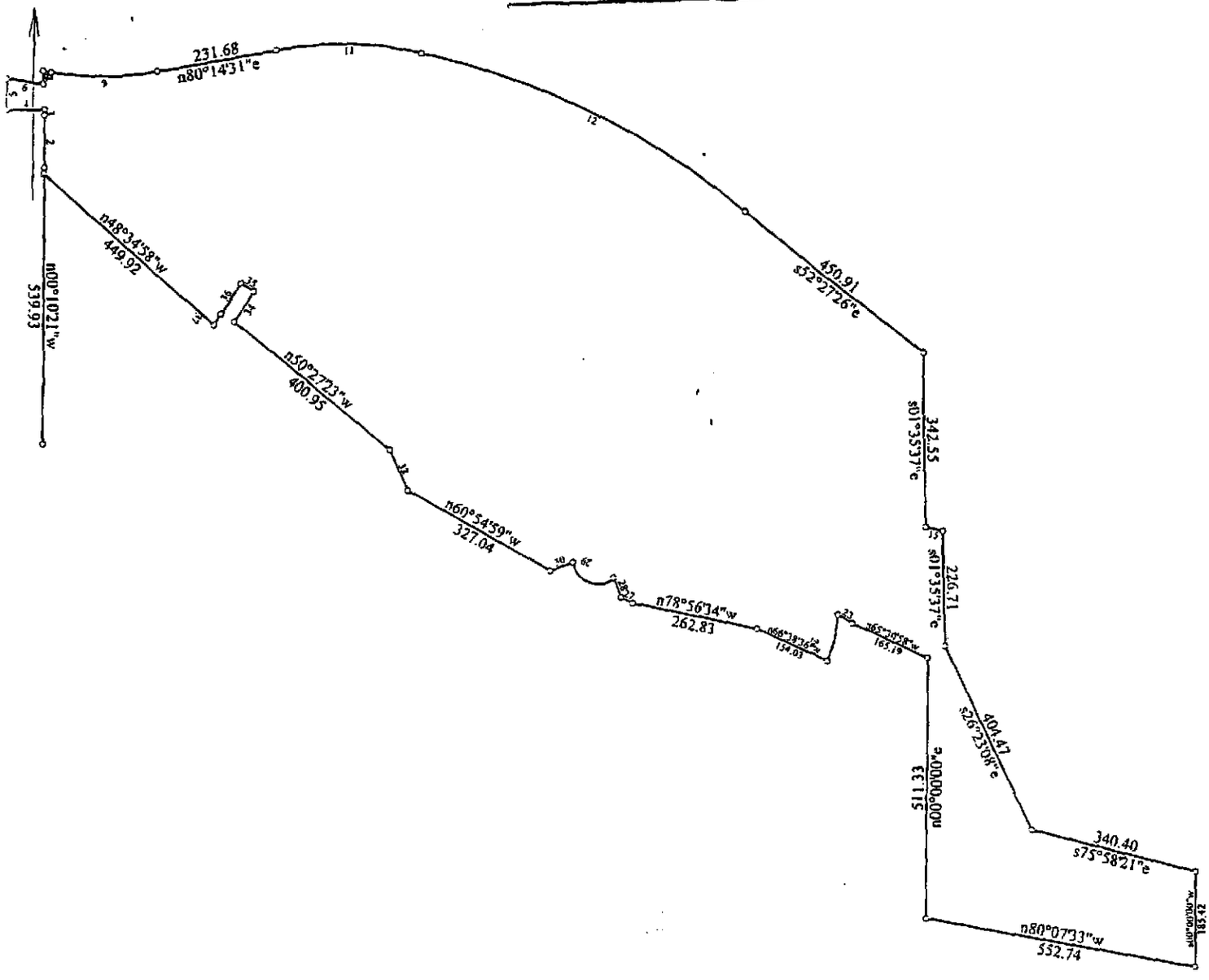
EXHIBIT A

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

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

mk

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
002=n00.1021w 102.81
003=n01.1130w 10.61
004=n89.3048w 73.11
005=n00.4659e 60.70
006=s80.3048e 70.98
007=n01.1130w 25.44
008=s80.3048e 16.03
009: Lt, R=636.43, Arc=210.41, Delta=19.1441
Bng=n89.5152e, Chd=209.42
010=n80.1431e 231.68
011: Rt, R=755.00, Arc=292.72, Delta=22.1251
Bng=s88.3903e, Chd=290.89
012: Rt, R=1675.00, Arc=733.39, Delta=25.0511

014=s01.3537e 342.55
015=s78.4822e 35.89
016=s01.3537e 226.71
017=s26.2308e 404.47
018=s75.5821e 340.40
019=s00.0000w 185.42
020=n80.0733w 552.74
021=n00.0000e 511.33
022=n65.3058w 165.19
023=n57.5205w 33.45
024: Rt, R=345.00, Arc=93.29, Delta=15.2936
Bng=s12.2456w, Chd=93.01

027=n66.0958w 25.84
028=n22.2109w 41.44
029: Rt, R=50.50, Arc=108.08, Delta=122.3719
Bng=n69.5339w, Chd=88.60
030=s69.5910w 48.87
031=n60.5459w 327.04
032=n25.5218w 86.06
033=n50.2723w 400.95
034=n32.2642e 70.23
035=n57.3318w 30.00
036=s32.2642w 71.47
037: Rt, R=509.92, Arc=25.13, Delta=02.4924

Schedule C
COMMITMENT

SPECIAL EXCEPTIONS

Order Number: 213467

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

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

   Said taxes affect said premises and other lands.

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

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

4. Liens and assessments of the following district and the rights and powers thereof as provided by law. No delinquencies appear in the county recorder's office.
   District: Old Thurman Mill Ditch Company; Little Union Ditch Company; Boise Valley Ditch Company; New Union Ditch Company; Pioneer Irrigation Ditch Company; Settlers Irrigation District

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

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

7. Any adverse claim based upon the assertion that:
   A. Said land or any part thereof is now or at any time has been below the ordinary high water mark of the Boise River.
   B. Some portion of said land has been created by artificial means or has accreted to such portion so created
   C. Some portion of said land has been brought within the boundaries thereof by an avulsive movement of the Boise River, or has been formed by accretion to such portion so created.

8. An easement containing certain terms, conditions and provisions affecting a portion of said premises and for the purposes stated herein
   For: Power line easement
   In Favor of: Idaho Power Company, a corporation
   Recorded: September 18, 1931
   Instrument No.: 146174
   Filed in: 13 Misc., Page 24

Schedule C
COMMITMENT

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.

Transfer No. _____

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-irragable 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

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

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

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

Source	Tributary
BOISE RIVER	SNAKE RIVER

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	03/15 to 11/15	6.000 CFS	
	Total 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 L5	10.0					49.0
04N 01E 16													25.0 L8	5.0 L7	35.0 L7	35.0 L8	100.0
04N 01E 21	35.0 L1	15.0 L2		5.0 L2													55.0
04N 01E 22					38.0 L3	38.0 L4	5.0 L5	15.0 L6									96.0

Total Acres: 300

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-270

Remarks:

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

Comments:

Dates and Other Information:

Claim Received Date: 7/5/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: And
Water District Number: 63
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31496

WATER RIGHT NUMBER: 63-31496

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

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

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

Source	Tributary
BOISE RIVER	SNAKE RIVER

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	03/15 to 11/15	5.840 CFS	1,314.00 AF
	Total Diversion:	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 L5	35.0 L5	10.0					49.0
04N 01E 16													25.0 L8	5.0 L7	35.0 L7	35.0 L8	100.0
04N 01E 21	35.0 L1	15.0 L2		5.0 L2													55.0
04N 01E 22					30.0 L3	38.0 L4	5.0 L5	15.0 L6									88.0

Total Acres: 292

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31496

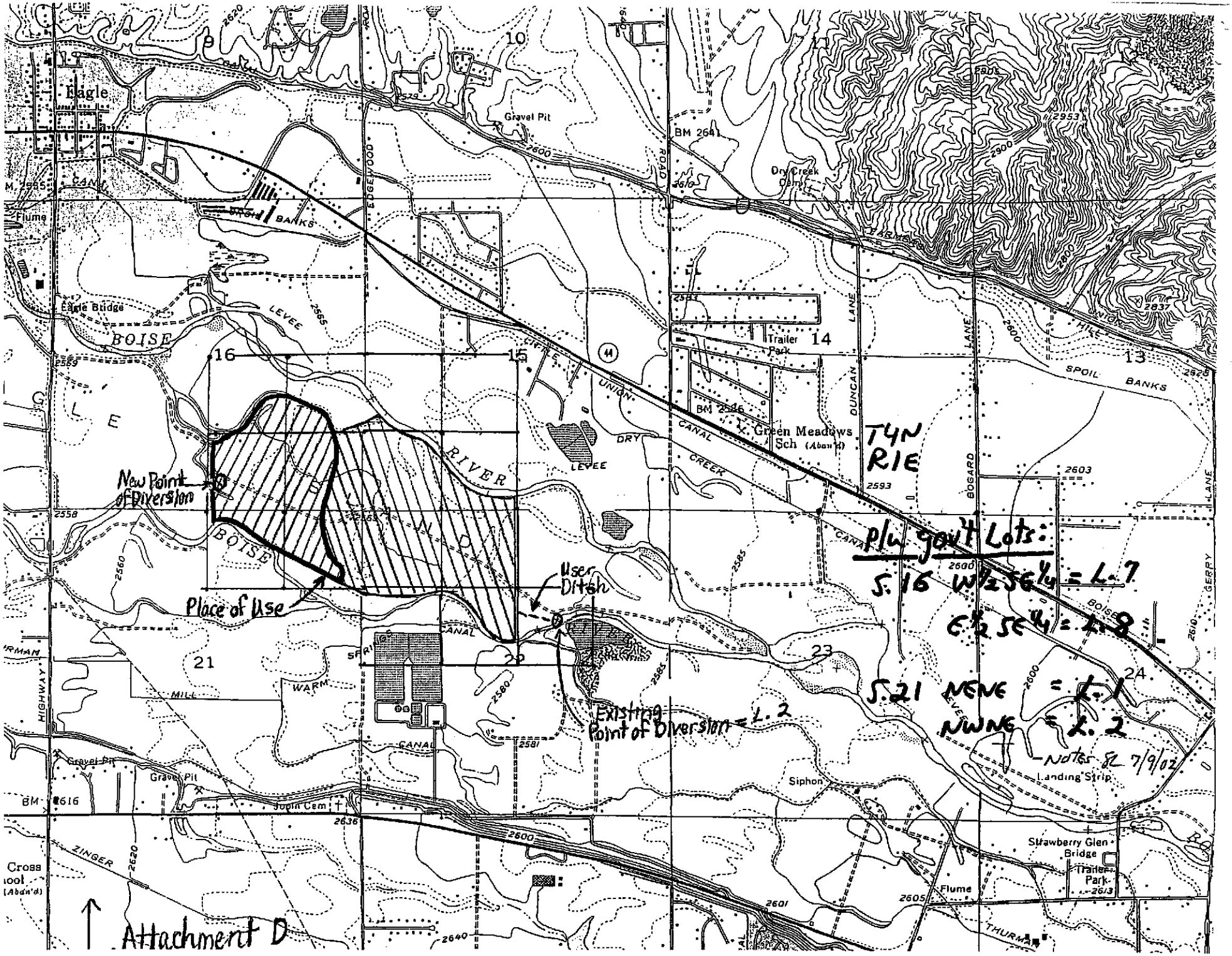
Remarks:

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


New Point of Diversion
Place of Use
User Ditch
Existing Point of Diversion = L.2
T4N R1E
plu govt Lots:
S.16 W½SE¼ = L.7
E½SE¼ = L.8
S.21 NENE = L.1
NWNE = L.2
Notes SL 7/9/02
Attachment D