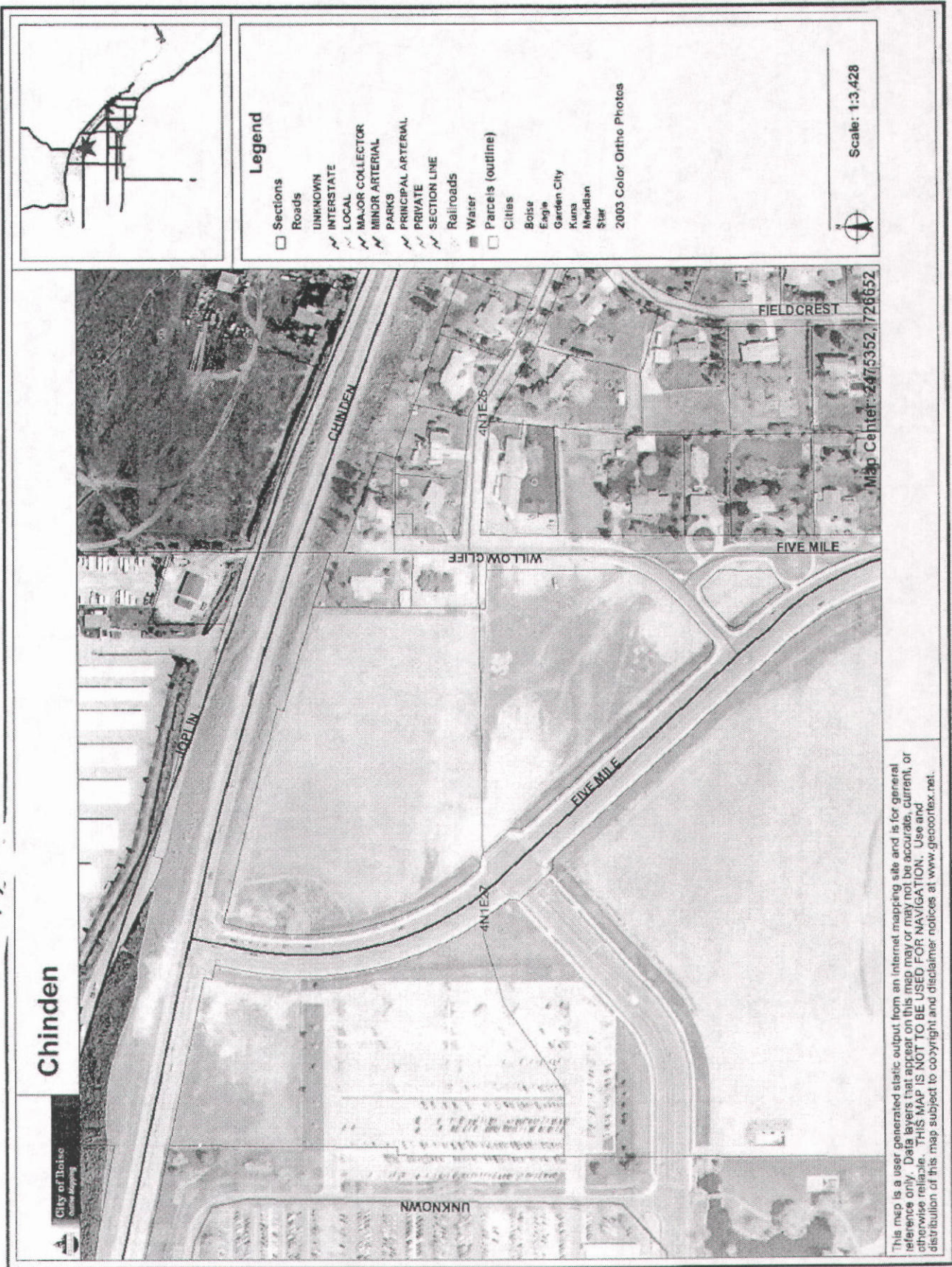
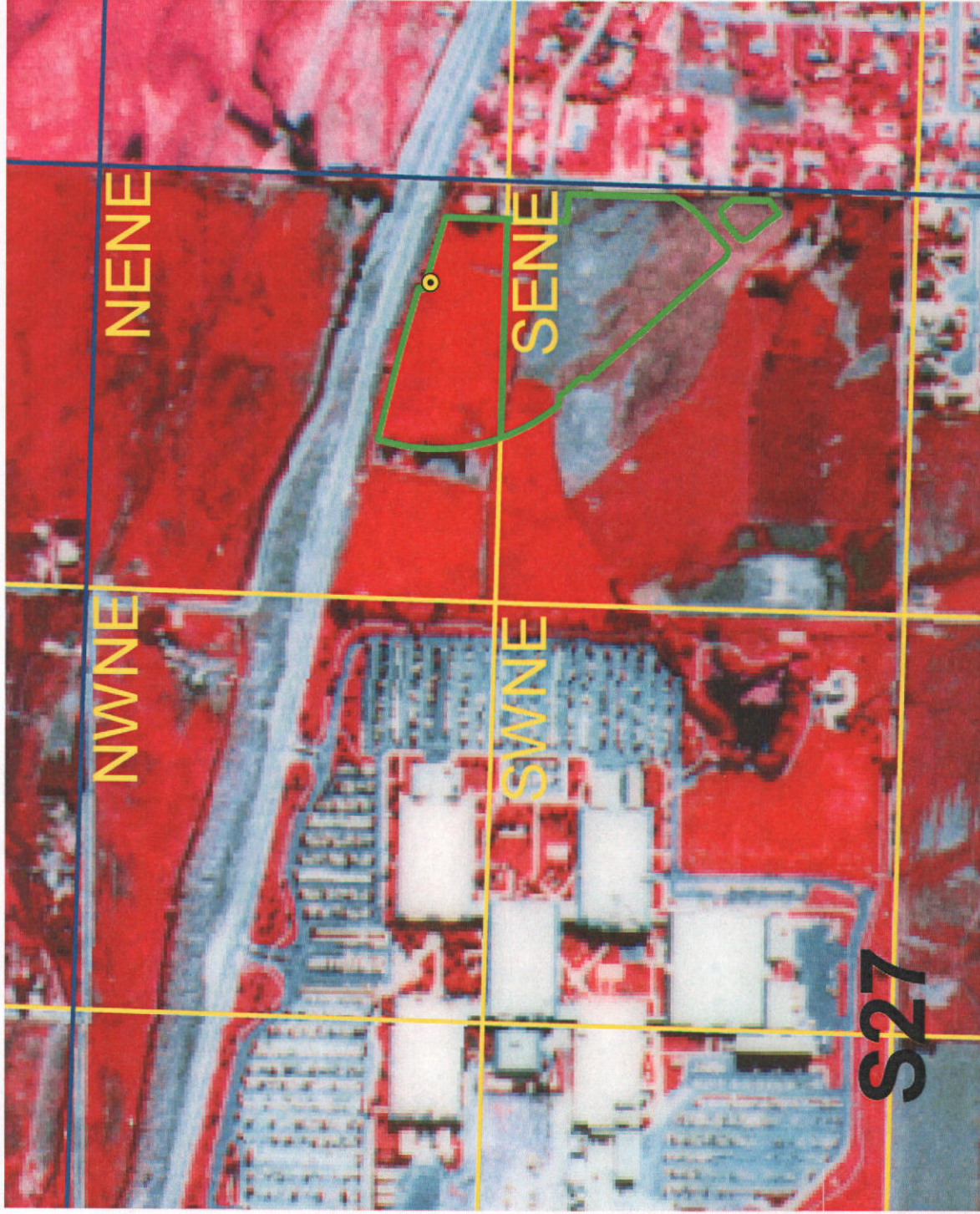


Supplement to Exhibit B



Idaho Department of Water Resources



**T04N, R01E,
S27**

Claim No: 63-32140

Prepared By: Kimberly Brown

Date: October 27, 2005



Place of Use



Section Lines



1/4 1/4



Point of Diversion

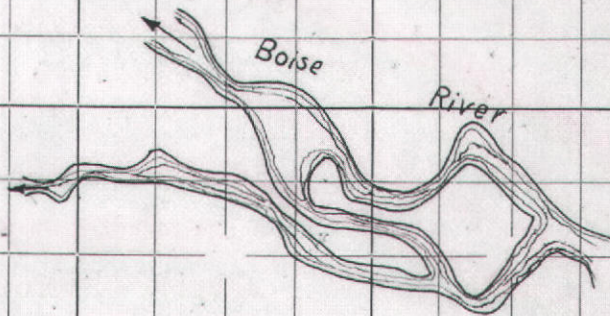
Acres Irrigated = 13.0



300 0 300 600 Feet

1987 NAPP

T.4N., R.1E.



27



Point of Diversion

NAME OF APPLICANT Chas. F. Stillman

FORM No. O

T. 4N. ¹²R. 1E.

28

27

26

Point of Diversion - Well

Permit Map No. 2041

Approved
FEB 13 1919

MARK R. KULP
State Reclamation Engineer

SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK.

20941

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 63-32140
Date Received: 5/5/2005
Receipt No: C077782
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

TRIMONT INVESTMENTS LLC Phone: (208)860-2338
1771 N WILDWOOD SUITE 200
BOISE ID USA 83713

2. Date of Priority: 02/05/1949

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01E	27	SE NE	ADA	

5. Description of diverting works:

Well

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	11/15	0.26	

7. Total Quantity Appropriated is:
0.26 C.F.S.

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	27	SE	NE	IRRIGATION	8
			NE	NE	IRRIGATION	5
					Section Acres	13
					Total Acres	13

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

This right is a split from former right 63-2760 .

15. Basis of Claim: License

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

RECEIVED
JUL 01 2005
WATER RESOURCES
WESTERN REGION

Ident. Number 63-2760
Date Received: 5/5/2005
Receipt No: C077782
Received By:

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

1. Name of Claimant(s)

Trimont Investments, LLC

Phone: (208) 860-2338
(208) 371-6110

1771 N. Wildwood, Suite 200
Boise, ID 83713

Attn: Rob Perez or Ron Sargent

2. Date of Priority: February 5, 1949

3. Source: ground water

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
4N	1E	27	SE NE	ADA	

5. Description of diverting works:

Well supplies irrigation water. Well location is identified on Exhibit B, attached.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
Irrigation	3/1	11/15	0.6	

7. Total Quantity Appropriated is:

0.6 cfs

8. Total consumptive use:

9. Non-irrigation uses:

none

10. Place of use:

TWP	RNG	SEC	NE ¼				NW ¼				SW ¼				SE ¼				totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	1E	27	5			8													13

Total number of acres irrigated 13

11. Place of use in counties: Ada

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

Shares in Settlers Irrigation District

14. Remarks: Trimont Investments, LLC is purchasing the subject property from Hewlett Packard Corporation. Trimont has a contract to purchase and is currently in due diligence phase. We expect to execute purchase prior to August, 2005. A Commonwealth Title Report describing the property legal description is included as Exhibit A.

15. Basis of Claim: License

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 11+6

For Organizations:

I do solemnly swear or affirm that I am Rob R. Perez of
Title
Trimount Investments, LLC, that I have signed the foregoing
Organization
document in the space below as a Manager of
Title
Trimount Investments, LLC and that the statements contained in the
Organization
foregoing document are true and correct. Rob R. Perez
Signature of Authorized Agent

Trimount Investments, LLC.
Title and Organization

6/30/05

Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this

of June 30 2005

Amber Cushing
Notary Public

Residing at Boise, ID

My commission Expires 5/27/2011



RECEIVED
MAY 24 2005

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**

WATER RESOURCES
WESTERN REGION 99576

CIVIL CASE NUMBER _____

Ident. Number _____

Date Received _____

Receipt Number _____

5-5-05

C077782

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

RECEIVED

MAY 05 2005

DEPARTMENT OF
WATER RESOURCES

Please type or print clearly

1. Name of Claimant (s) Trimont Investments, LLC Phone (208) 860-2338 ^(Rob Perez)
Mailing Address 1771 N. Wildwood, Suite 200 ^{or} 371-6110 ^(Ron Sargent)
Zip 83713

2. Date of Priority (Only one (1) per claim) 02/05/1949

3. Source of water supply (a) Ground (Well)
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 4N Range 1E Section 27,

_____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: See Commonwealth Title Report which contains
Property Legal Description and which is attached as
b. If instream flow, beginning point of claimed instream flow is: Exhibit A.

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. 1 Well as identified on
Exhibit B attached hereto.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 1949 to Present amount .600 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .600 (cfs) and/or (b) _____ (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	
<u>4N</u>	<u>1E</u>	<u>27</u>			<u>X</u>														<u>13.00</u>
																			<u>13.00</u>

Total number of acres irrigated 13.00

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 X
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: We are purchasing the Subject property from Heubett Packard Corporation. We have a contract to purchase and are currently in our due diligence phase. It is our intent to execute our purchase in the next 60-90 days.

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 63-2760
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 (2) (Two)

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

Signature of Claimant (s) Trimont Investments, LLC Date 5/5/05

By: ThurPier (managing member) Date _____

For Organizations: I do solemnly swear or affirm that I am Managing Member

of Trimont Investments, LLC that I have signed the foregoing
Organization

document in the space below as Managing Member of Trimont Investments
Title Organization

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

Signature of Authorized Agent ThurPier

Title and Organization Managing Member Date 5/5/05
Trimont Investments, LLC

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 5th day of May 2005

SEAL

Notary Public Patsy A. McQuarty

Residing at Boise Id

My Commission Expires 8-19-10

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 _____

Copies White-State, Yellow-Claimant

ISSUED BY
COMMONWEALTH LAND TITLE INSURANCE COMPANY

COMMITMENT FOR TITLE INSURANCE

Exhibit A

Commonwealth Land Title Insurance Company, a Pennsylvania corporation, herein called the Company, for a valuable consideration, hereby commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest covered hereby in the land described or referred to in Schedule A, upon payment of the premiums and charges therefor; all subject to the provisions of Schedules A and B and to the Conditions and Stipulations hereof.

This Commitment shall be effective only when the identity of the proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A hereof by the Company, either at the time of the issuance of this Commitment or by subsequent endorsement.

This Commitment is preliminary to the issuance of such policy or policies of title insurance and all liability and obligations hereunder shall cease and terminate 120 days after the effective date hereof or when the policy or policies committed for shall be issued, whichever first occurs, provided that the failure to issue such policy or policies is not the fault of the company.

IN WITNESS WHEREOF, COMMONWEALTH LAND TITLE INSURANCE COMPANY has caused its corporate name and seal to be hereunto affixed by its duly authorized officers, the Commitment to become valid when countersigned by an authorized officer or agent of the Company.

COMMONWEALTH LAND TITLE INSURANCE COMPANY

Attest:

Wm. Chadwick Perrine

Secretary



By:

Janet A. Albert

President

Conditions and Stipulations

1. The term mortgage, when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquires actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions and Stipulations.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions, the Conditions and Stipulations, and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.

ITLEONE CORPORATION

Authorized agent for:

COMMONWEALTH LAND TITLE INSURANCE COMPANY

Commitment Number: A0432816 ST/KF

REVISED: MARCH 28, 2005

SCHEDULE A

1. Effective Date: April 6, 2005 at 07:30 AM

2. Policy (or Policies) to be issued:

(a) ALTA Own. Policy (10/17/92)

STANDARD COVERAGE Amount of Insurance:

Proposed Insured:

Premium:

Trimont Investments, LLC

(b) ALTA Loan Policy (10/17/92)

Amount of Insurance:

Proposed Insured:

Premium:

Endorsements:

Charges:

3. The estate or interest in the land described or referred to in this Commitment and covered herein is:

Fee Simple

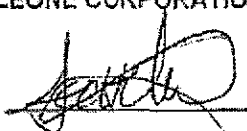
4. Title to the estate or interest in said land at the effective date is vested in:

Hewlett-Packard Company, a Delaware Corporation

5. The land referred to in this Commitment is described as follows:

SEE SCHEDULE C ATTACHED HERETO

TITLEONE CORPORATION

By: 

SCOTT THIEL, Authorized Officer

ALTA Commitment
Schedule A (10/6/82)

Valid Only if Schedule B and
Cover are Attached
(A0432816.PFD/A0432816/57)

TITLEONE CORPORATION
Authorized agent for:
COMMONWEALTH LAND TITLE INSURANCE COMPANY

Commitment Number: A0432816 ST/KF

REVISED: MARCH 28, 2005

SCHEDULE B - SECTION I
REQUIREMENTS AND NOTES

The following are the requirements to be complied with:

- a. A Warranty Deed from Hewlett-Packard Company, a Delaware Corporation to Trimont Investments, LLC, an Idaho limited liability company.
- b. The Company will require a copy of the Articles of Organization, Operating Agreement, and other related documents for Trimont Investments, LLC, an Idaho limited liability company showing the power and authority of the party or parties who plan to execute the forthcoming conveyance or mortgage on behalf of said limited liability company.
- c. Delivery to and approval by the Company of documentation authorizing the transaction and setting forth the parties authorized to execute documents on behalf of Hewlett-Packard Company, a Delaware Corporation.
- d. INTENTIONALLY DELETED.

TITLEONE CORPORATION

Authorized agent for:

COMMONWEALTH LAND TITLE INSURANCE COMPANY

Commitment Number: A0432816 ST/KF

REVISED: MARCH 28, 2005

SCHEDULE B - SECTION II EXCEPTIONS

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the company:

1. Rights or claims of parties in possession not shown by the public records.
2. Encroachments, overlaps, boundary disputes, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.
3. Easements, or claims of easements, not shown by the public records.
4. Any lien, or right to a lien, for services, labor, or materials heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims to title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
6. Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices to such proceedings whether or not shown by the records of such agency, or by the public records.
7. Taxes, including any assessments collected therewith, for the year 2004 for which the first installment is paid and the second installment is due and payable on or before June 20, 2005.
Parcel Number: S0527110516
Code Area: 01-12
Original Amount: \$ 12,420.28
(Affects Parcel 1)
8. Taxes, including any assessments collected therewith, for the year 2005 which are a lien not yet due and payable.

NOTE: Taxes for the year 2004 are paid in full.

Parcel Number: S0527142308 Code Area: 01-16

Original Amount: \$7,699.96

(Affects a portion of Parcel 1)

NOTE: Taxes for the year 2004 are paid in full.

Parcel Number: S0527142309 Code Area: 01-12

Original Amount: \$90.92

(Affects Parcel 2)

9. The land described herein is located within the boundaries of Boise City (208-384-3735) and is subject to any assessments levied thereby.

TITLEONE CORPORATION

Authorized agent for:

COMMONWEALTH LAND TITLE INSURANCE COMPANY

Commitment Number: A0432816 ST/KF

REVISED: MARCH 28, 2005

SCHEDULE B - SECTION II

EXCEPTIONS

(Continued)

10. The land described herein is located within the boundaries of Settlers Irrigation District (208-344-2471) and is subject to any assessments levied thereby.
11. Negative easements, conditions, restrictions, and access rights contained in the Right of Way Deed to the State of Idaho.
Recorded: October 8, 1938
Book 231 of Deeds at Page 471
Instrument No.: 188268
12. An easement for the purpose shown below and rights incidental thereto as set forth in a Ditch Easement.
Granted to: State of Idaho
Purpose: Easement or right of way for construction of small irrigation drain ditch
Recorded: November 26, 1941
Book 17 of Miscellaneous Records at Page 576
Instrument No.: 208925
13. Negative easements, conditions, restrictions, and access rights contained in the Right of Way Deed to the State of Idaho.
Recorded: November 26, 1941
Book 252 of Deeds at Page 403
Instrument No.: 208926
14. An easement for the purpose shown below and rights incidental thereto as set forth in a Drainage Easement.
Granted to: the Public
Purpose: Drainage
Recorded: November 3, 1975
Instrument No.: 7533953
15. INTENTIONALLY DELETED.
16. INTENTIONALLY DELETED.
17. INTENTIONALLY DELETED.
18. INTENTIONALLY DELETED.
19. INTENTIONALLY DELETED.

TITLEONE CORPORATION

Authorized agent for:

COMMONWEALTH LAND TITLE INSURANCE COMPANY

Commitment Number: A0432816 ST/KF

REVISED: MARCH 28, 2005

SCHEDULE B - SECTION II

EXCEPTIONS

(Continued)

20. An easement for the purpose shown below and rights incidental thereto as set forth in a Reservation of Underground Communications Facilities Easement.
Granted to: Hewlett-Packard Company, a Delaware corporation
Purpose: Construction and installation of underground ducts for communication lines under property
Recorded: February 28, 2002
Instrument No.: 102024863
21. Notice of Ownership of Equipment to be Located on Real Property.
By and Between: Air Liquide America Corporation and Hewlett-Packard Company
Dated: May 22, 1998
Recorded: August 25, 1998
Instrument No.: 98081112
- now deleted*

TITLEONE CORPORATION

Authorized agent for:

COMMONWEALTH LAND TITLE INSURANCE COMPANY

Commitment Number: A0432816 ST/KF

REVISED: MARCH 28, 2006

SCHEDULE C PROPERTY DESCRIPTION

The land referred to in this Commitment is described as follows:

PARCEL 1

Land in the Northeast Quarter of Section 27, Township 4 North, Range 1 East, Boise Meridian, City of Boise, Ada County, Idaho, described as follows:

COMMENCING at the Southwest corner of said Northeast Quarter (East Quarter corner of Section 27), marked by a brass cap monument as shown on corner perpetuation form, Instrument No. 103026722, Ada County records; thence along the East line of said Section 27, North 00°31'55" East, 18.25 feet, to a found 5/8 inch rebar with a plastic cap marked "ACHD PLS 5291", hereafter noted simply as a "found 5/8 inch rebar"; thence North 89°28'05" West, 40.00 feet, to a found 5/8 inch rebar; thence parallel with the East line of said Northeast Quarter, North 00°31'55" East, 765.97 feet, to a point on the Northerly right-of-way of 5 Mile Dr., a found 5/8 inch rebar, and the POINT OF BEGINNING; thence along said right-of-way, and a non-tangent curve to the right, the radius point of which bears North 66°51'41" West, 275.00 feet, an arc distance of 114.61 feet, through a central angle of 23°52'44", and having a chord which bears South 36°04'41" West, 113.78 feet, to a found 5/8 inch rebar; thence South 40°01'03" West, 123.60 feet, to a found 1/2 inch rebar with a plastic cap marked "ACHD PLS 5291"; thence South 80°35'27" West, 15.43 feet, to a found 5/8 inch rebar; thence North 61°16'21" West, 21.19 feet, to a found 1/2 inch rebar with a plastic cap marked "ACHD PLS 5291", on the Easterly right-of-way of 5 Mile Parkway; thence along said right-of-way, North 41°58'57" West, 582.42 feet, to a found 5/8 inch rebar; thence North 04°08'13" East, 26.36 feet, to a found 5/8 inch rebar; thence North 41°58'57" West, 90.00 feet, to a found 5/8 inch rebar; thence North 86°48'27" West, 26.68 feet, to a found 5/8 inch rebar, and a non-tangent curve to the right, the radius point of which bears North 49°26'08" East, 627.00 feet; thence along the arc of said curve, 579.40 feet, through a central angle of 52°56'46", and having a chord which bears North 14°05'29" West, 559.00 feet, to a found 5/8 inch rebar; thence North 12°23'03" East, 38.88 feet, to a found 5/8 inch rebar on the Southerly right-of-way of Chinden Blvd. (U.S. Highway 20-26), and a non-tangent curve to the right, the radius point of which bears South 12°39'31" West, 8525.00 feet; thence along the arc of said curve, 514.63 feet, through a central angle of 3°27'32", and having a chord which bears South 75°36'44" East, 514.55 feet, to a concrete right-of-way monument; thence South 17°16'46" West, 14.80 feet, to a concrete right-of-way monument, and a non-tangent curve to the right, the radius point of which bears South 16°09'55" West, 8510.00 feet; thence along the arc of said curve, 232.90 feet, through a central angle of 1°34'05", and having a chord which bears South 73°03'03" East, 232.89 feet, to a found 5/8 inch rebar with a plastic cap marked "PLS 3622"; thence, leaving said right-of-way, and along the Westerly line of that parcel described in Quitclaim Deed, Instrument No. 9207715, South 02°16'23" West, 394.44 feet, to a found 5/8 inch rebar with a plastic cap marked "PLS 5625"; thence South 86°28'27" East, 12.00 feet, to a found 5/8 inch rebar with a plastic cap marked "PLS 5625"; thence

TITLEONE CORPORATION

Authorized agent for:

COMMONWEALTH LAND TITLE INSURANCE COMPANY

Commitment Number: A0432816 ST/KF

REVISED: MARCH 28, 2005

SCHEDULE C

(Continued)

South 07°04'52" East, 84.96 feet, to a point on the Westerly line of N. 5 Mile Rd.; thence along said right-of-way, 40.00 feet Westerly of, and parallel with the East Line of said Northeast Quarter, South 00°31'55" West, 331.81 feet, to the POINT OF BEGINNING.

PARCEL 2

Land in the Northeast Quarter of Section 27, Township 4 North, Range 1 East, Boise Meridian, City of Boise, Ada County, Idaho, described as follows:

COMMENCING at the Southwest corner of said Northeast Quarter (East Quarter corner of Section 27), marked by a brass cap monument as shown on corner perpetuation form, Instrument No. 103026722, Ada County records; thence along the East line of said Section 27, North 00°31'55" East, 18.25 feet, to a found 5/8 inch rebar with a plastic cap marked "ACHD PLS 5291", hereafter noted simply as a "found 5/8 inch rebar"; thence North 89°28'05" West, 40.00 feet, to a found 5/8 inch rebar; thence parallel with the East Line of said Northeast Quarter,

North 00°31'55" East, 457.86 feet, to a point on the Easterly right-of-way of 5 Mile Court, a found 5/8 inch rebar, and the POINT OF BEGINNING; thence along said right-of-way, and the rights-of-way of N. 5 Mile Parkway and 5 Mile Dr., the following courses:

South 54°22'35" West, 53.60 feet, to a found 5/8 inch rebar and a 717.00 foot radius curve to the left; along the arc of said curve, 97.90 feet, through a central angle of 7°49'22", and having a chord which bears North 38°04'16" West, 97.82 feet, to a found 5/8 inch rebar;
North 41°58'57" West, 21.33 feet, to a found 5/8 inch rebar;
North 24°19'57" West, 23.09 feet, to a found 5/8 inch rebar;
North 20°46'13" East, 14.62 feet, to a found 5/8 inch rebar;
North 48°01'03" East, 77.47 feet, to a found 5/8 inch rebar;
North 69°41'07" East, 31.24 feet, to a found 5/8 inch rebar;
South 41°58'57" East, 54.86 feet, to a found 5/8 inch rebar;
South 00°31'55" West, 118.25 feet, to a found 5/8 inch rebar, and the POINT OF BEGINNING.

TITLEONE CORPORATION
Authorized agent for:
COMMONWEALTH LAND TITLE INSURANCE COMPANY

Commitment Number: A0432816 ST/KF

CONTACT INFORMATION

We would like to Thank You for your business. We appreciate the opportunity to serve you and the following contact information has been provided for your convenience during this transaction.

If you have any closing questions please contact your Escrow team:

KEN FRANKLIN
COMMERCIAL ESCROW OFFICER:
kfranklin@titleonecorp.com
1101 W. RIVER ST., SUITE 201
BOISE, IDAHO 83702
(208) 424-8511 PH
(208) 424-0049 FX

MARK SUDERMAN
COMMERCIAL ESCROW ASSISTANT:
msuderman@titleonecorp.com
1101 W. RIVER ST., SUITE 201
BOISE, IDAHO 83702
(208) 424-8511 PH
(208) 424-0049 FX

If you have any title questions please contact your Title Officer:

SCOTT THIEL
TITLE OFFICER:
sthiel@titleonecorp.com
1101 W. RIVER ST., STE 201
BOISE, IDAHO 83702
(208) 424-8511 PH
(208) 424-0049 FX

A copy of this commitment has been provided to:

MIKE BALLANTYNE
MJB@TOKRE.COM

MARK PERRY
MARK.PERRY@HP.COM

GARY ROSENBERG
GER@MSANDR.COM

ROB PEREZ
ROB.PEREZ@USBANK.COM

LANCE ANDERSON
MILLER STARR & REGALIA
300 HAMILTON AVENUE, 3RD FLOOR
PALO ALTO, CA 94301
(650)463-7803

RUTH NYQVIST
GIVENS PURSLEY LLP
601 W. BANNOCK STREET
BOISE, ID 83702
(208)388-1200

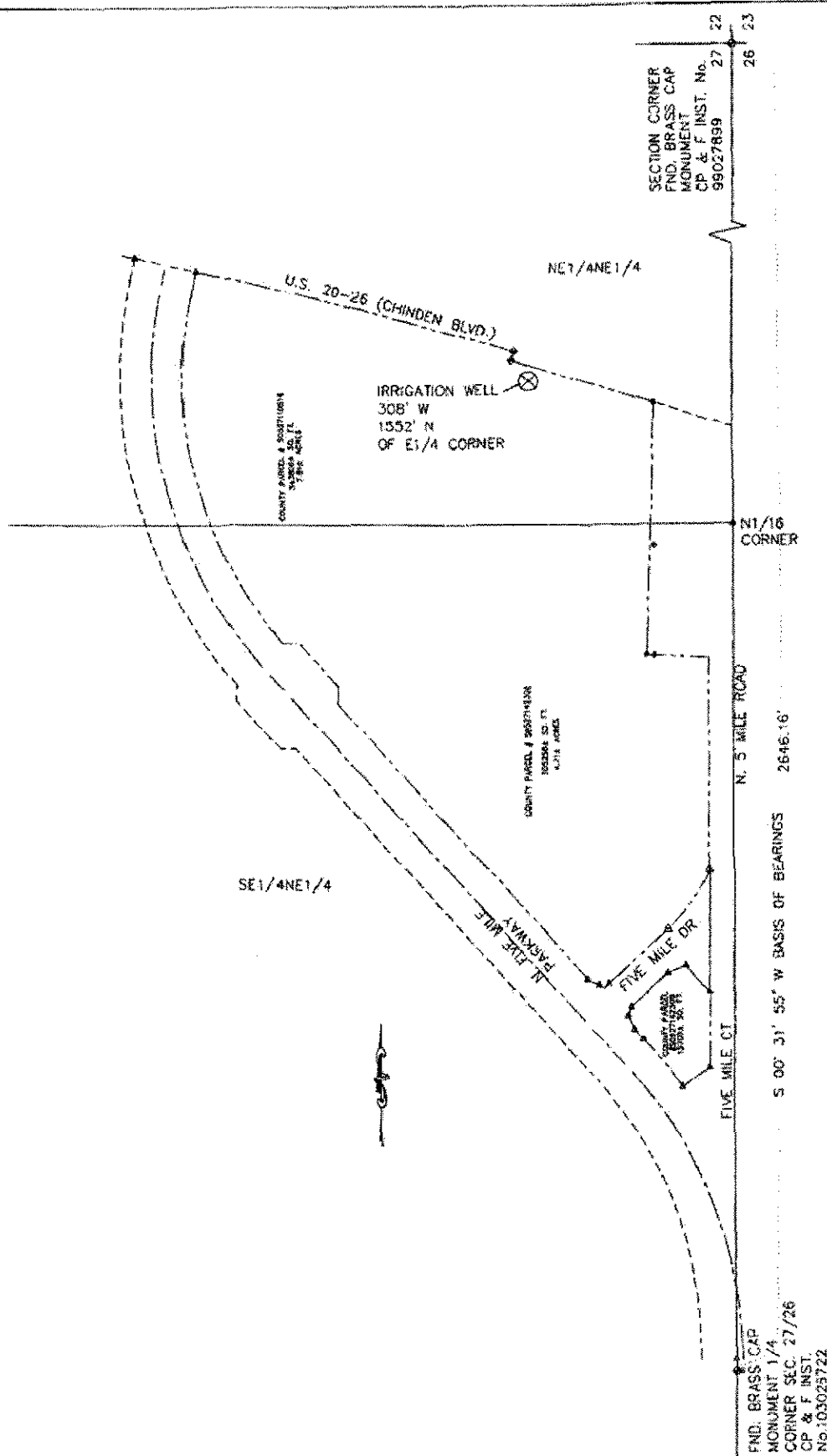
RON SARGENT
ABSARG@MINDSPRING.COM

Visit us at our website: www.titleonecorp.com

1101 West River St, Ste 201 Boise, Idaho 83702 208.424.8511 fax 208.424.0049
12592 W. Explorer Dr., Ste 150 Boise, Idaho 83713 208.323.4888 fax 208.323.4999
1940 S. Bonito Way, #190 Meridian, Idaho 83642 208.493-8356 fax 208.493.6360
5700 E. Franklin Rd., Ste 170 Nampa, Idaho 83687 208.475.1155 fax 208.475.1156
316 12th Ave. Rd Nampa, Idaho 83686 208.249.3999 fax 208.249.3998

Exhibit B

WELL LOCATION EXHIBIT
 WITHIN THE NE1/4NE1/4 SECTION 27
 T4N, R1E, B.M., CITY OF BOISE, ADA COUNTY, IDAHO



10-8287

EXHIBIT FOR
 WATER RIGHT

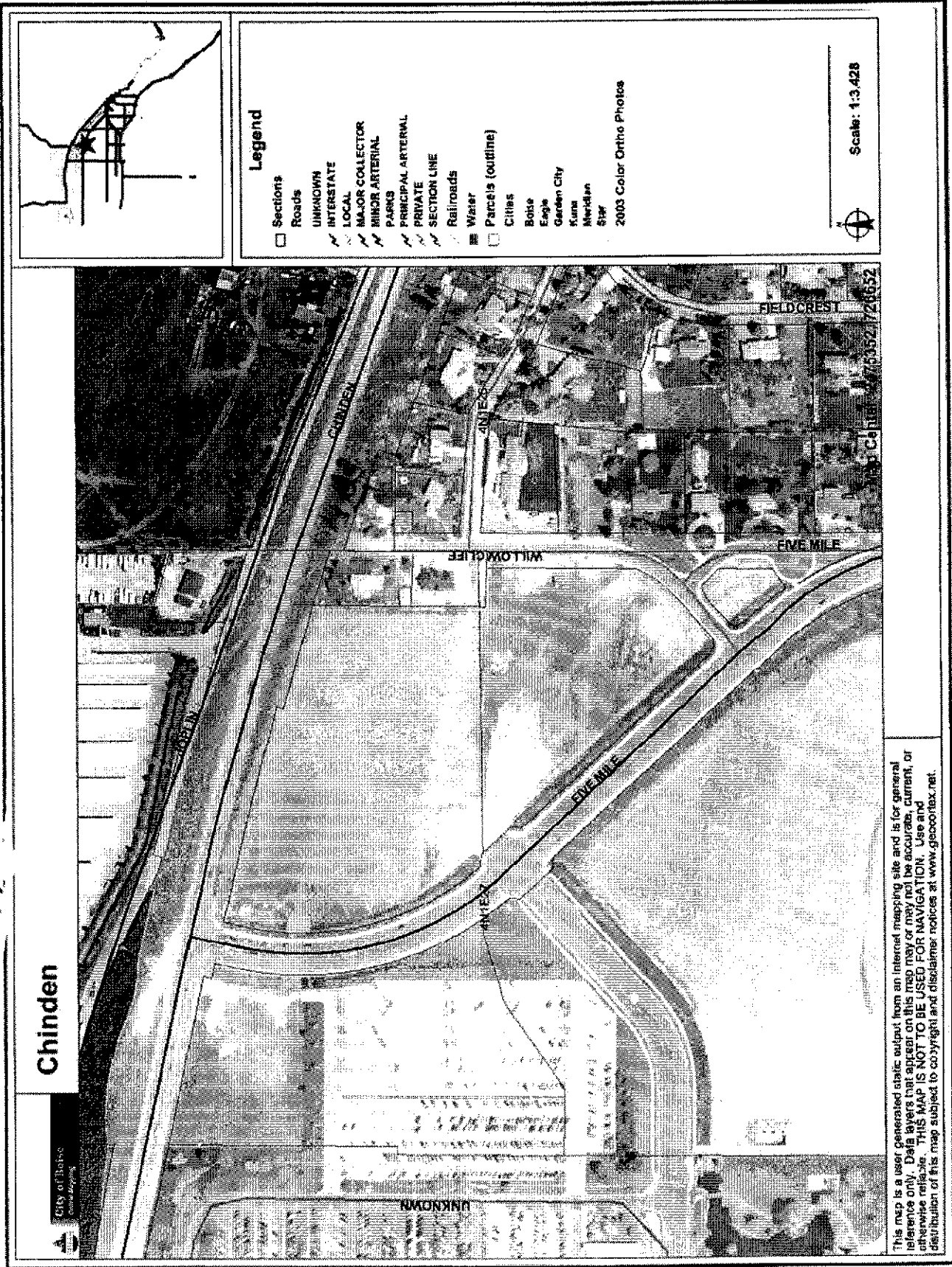
1 OF 1

3-2-05

54160

10-8287

Supplement to Exhibit B





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

July 12, 2005

TRIMONT INVESTMENTS LLC
1771 N WILDWOOD SUITE 200
BOISE ID 83713

Re: Original Notice of Claim to a Water Right No. A63-2760

Renumbered Notice of Claim to Water Right No. A63-32140

Dear Sirs:

We have received and processed the Notice of Claim to a Water Right that you submitted for a portion of water right 63-2760. Since you are claiming a portion of the original water right, it is necessary that we split the right, resulting in renumbering this claim by assigning new numbers to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

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

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

Sincerely,

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region

LH:l
Enclosure

10/27/2005

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

RIGHT NUMBER: 63-32140

NAME AND ADDRESS: TRIMONT INVESTMENTS LLC
1771 N WILDWOOD SUITE 200
BOISE ID 83713

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.260 CFS
58.500 AFY

PRIORITY DATE: 02/05/1949

POINT OF DIVERSION:

T04N R01E S27 NENE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.260 CFS
58.50 AFY

PLACE OF USE: IRRIGATION Within ADA County

T04N R01E S27 NENE 5.0

T04N R01E S27 SENE 8.0

13 ACRES TOTAL

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

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

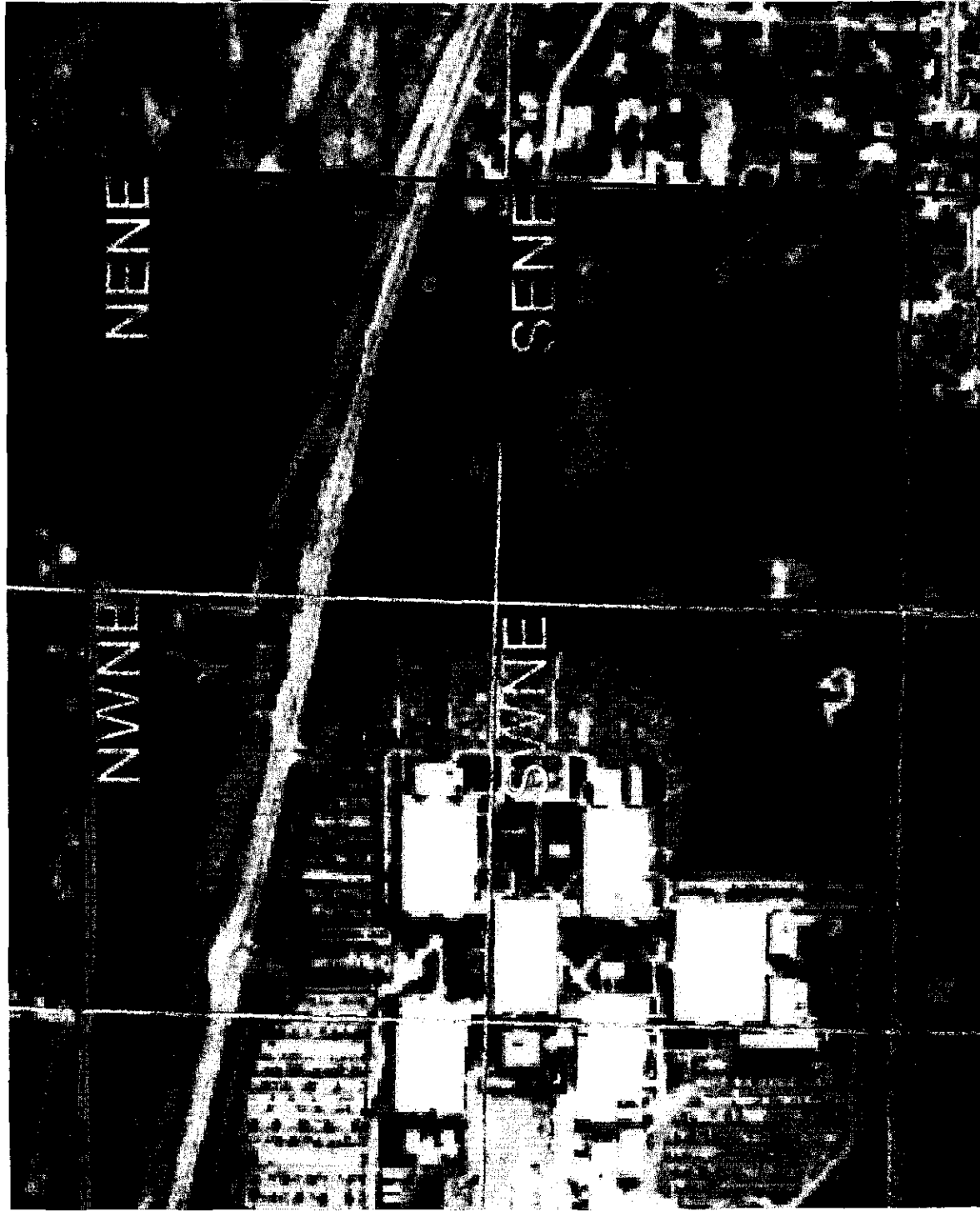
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 63-2760 .

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Use of this right is combined with water from Settlers Irrigation District.

Idaho Department of Water Resources



**T04N, R01E,
S27**

Claim No: 63-32140
Prepared By: Kimberly Brown
Date: October 27, 2005



Place of Use



Section Lines

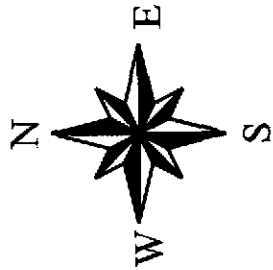


1/4 1/4



Point of Diversion

Acres Irrigated = 13.0



1987 NAPP

424-8511 Scott Thiel - Title Officer,
Title One
Corporate / Warranty Deed?

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-32140 ✓

WATER RIGHT NUMBER: 63-32140 ✓

Owner Type

Original Owner

Name and Address

CHARLES S SILLIMAN ✓
RT 1
BOISE, ID

Current Owner

TRIMONT INVESTMENTS LLC
1771 N WILDWOOD SUITE 200
BOISE, ID 83713
(208)860-2338

Property Address:

W. Chinden Blvd.
Boise

Priority Date: 02/05/1949 ✓

Basis: License ✓

Status: Active

Current Owner:

Henlett - Packard
P.O. Box 105005
Atlanta, GA
30348-5005

Source

GROUND WATER ✓

Tributary

Beneficial Use

IRRIGATION ✓

From To
03/01 to 11/15 ✓

Diversion Rate
0.260 CFS ✓

Annual Volume
58.5

Total Diversion: 0.260 CFS ✓

58.5

Location of Point(s) of Diversion

GROUND WATER

ADA County ✓

~~SE 1/4 NE 1/4~~ ✓
NE 1/4 NE 1/4

Sec. 27, Twp 04N, Rge 01E, B.M. ✓

Place of Use

IRRIGATION ✓

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01E	27	5.0			8.0													13.0

Total Acres: 13 ✓

Conditions of Approval:

1. This right is a split from former right 63-2760 ✓

Remarks:

Season of use is 3/1 to 11/15. ✓

Comments:

ADD W54 - Use is combined with Settler's Irr. Dist.

ADD C03 - ROD Accomplished Transfer

Parcel Nos: S05 27142308, S05 27142309, S05 27110516

<u>MEENE -</u>	63-16245	GW	~~D~~ S	Donaho
	63-20772	GW	D	Brown

(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 \$63.00
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information None
- ☒ Check POD & POU overlap, see below - include overlapping right for exam
- ☐ Evidence of Priority - if none, talk with claimant N/A

CLAIMANT INFORMATION - verify contact information is completeClaim No(s) A63-32140Owner: Trimont Investments LLC Phone No. (208) 860-2338Current Address: 1771 W. Wildwood, Suite 200 Boise 83713Property Address:

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

Current Owner:Hewlett-PackardP.O. Box 105005Atlanta, GA 30348-5005Accompanied 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:

2/5/49

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

Source:

Ground Water

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?

POD located in NE 1/4 NE 1/4, S27

POD Accomplished Transfer - the licensed POD
is located in the SE corner of SE NE (see Report of
Engineer & map)

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
	—		NE	NE	27	4N	1E		

Description of diverting works

See Report of Engineer.

OVERLAP REVIEW

Other water rights with the same point of diversion: 63-16245, 63-20772

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

No overlap, separate wells used for domestic & stockwater purposes only.

WATER USES

- ☐ No change
☐ Different Uses

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

13.0 AC
0.02 cfs
0.26 cfs

Use _____ From _____ To _____ Amount _____ CFS 58.5 AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

13.0 AC x 4.5 af/acre = 58.5 af/annum (v) 0.26 cfs x 1.9835 x 260 days =

TOTAL VOLUME - Groundwater only

134.08 af/annum

- ☒ Incomplete on claim, the total is, Amount _____ CFS 58.5 AFA
☐ Changes found, the new total is, Amount _____ CFS _____ AFA
☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

- ☒ No change None
☐ Changes Exam found: Domestic # of homes _____ Stock # _____
Types _____ Additional comments: _____

PLACE OF USE:

- ☒ No Change
☐ Changes shown below:

Parcel Nos: 80527110516
80527142308
80527142309

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: see POB overlap review sheet / (+) Settler's Inv. D

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative: pump & 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

(OVER)

Use of this right is combined with Settler's Err. Dist.
POD Accomplished Transfer

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: 10.27.05 (in office review)

FIELD EXAMINER: Kimberly Brown

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Property Details for Parcel S0527142308 and Year 2006

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[Details](#) [Valuation](#) [Tax Districts](#) [Characteristics](#)

Parcel: S0527142308
Year: 2006
Zone Code: T-1D
Total Acres: 4.862
Tax Code Area: 01-16
Property Description:
PAR #2308 @ E SIDE SE4NE4

SEC 27 4N 1E
#142306-B

No Image
Available

[View Interactive Map of this Parcel](#)

Address: W CHINDEN BLVD BOISE , ID 83704
Subdivision: 4N 1E 27
Land Group Type: SECT
Township/Range/Section: 4N1E27

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Parcel: S0527110516
Year: 2006
Zone Code: T-1D
Total Acres: 7.855
Tax Code Area: 01-12
Property Description:
PAR #0516 @ CTR E2NE4

SEC 27 4N 1E
#110514-B

No Image
Available

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Address: W CHINDEN BLVD BOISE , ID 83704
Subdivision: 4N 1E 27
Land Group Type: SECT
Township/Range/Section: 4N1E27

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Property Details for Parcel S0527142309 and Year 2006

2006

[Change Year](#)

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[Details](#)

[Valuation](#)

[Tax Districts](#)

[Characteristics](#)

Parcel: S0527142309

Year: 2006

Zone Code: T-1D

Total Acres: 0.361

Tax Code Area: 01-16

Property Description:

PAR #2309 @ CTR E'LY POR

OF SE4NE4

SEC 27 4N 1E

#142306-B

No Image
Available

[View Interactive Map of this Parcel](#)

Address: W CHINDEN BLVD BOISE , ID 83704

Subdivision: 4N 1E 27

Land Group Type: SECT

Township/Range/Section: 4N1E27

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IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-32140

10/27/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
-250	Claim	04N	01E	27	NE	NE		IRRIGATION	22.9/38.1	THURMAN MILL DITCH CO LTD
2387	Claim	04N	01E	27	NE	NE		IRRIGATION	23/1229	DRAINAGE DISTRICT NUMBER FOUR (
19084	Claim	04N	01E	27	NE	NE		IRRIGATION	23/938	ADA COUNTY THURMAN MILL DITCH CO LTD
~~32140~~	~~Claim~~	~~04N~~	~~01E~~	~~27~~	~~NE~~	~~NE~~		~~IRRIGATION~~	~~5/13~~	~~TRIMONT INVESTMENTS LLC~~
2387	Water Right	04N	01E	27	NE	NE		IRRIGATION	23/1229	DRAINAGE DIST NO 4
~~2760~~	~~Water Right~~	~~04N~~	~~01E~~	~~27~~	~~NE~~	~~NE~~		~~IRRIGATION~~		~~CHARLES S SILLIMAN~~
32140	Claim	04N	01E	27	SE	NE		IRRIGATION	8/13	TRIMONT INVESTMENTS LLC
~~2760~~	~~Water Right~~	~~04N~~	~~01E~~	~~27~~	~~SE~~	~~NE~~		~~IRRIGATION~~		~~CHARLES S SILLIMAN~~
1614B	Claim	04N	01E	27	SE	NE		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT
1618B	Claim	04N	01E	27	SE	NE		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT
1262B	Claim	04N	01E	27	SE	NE		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT

no overlap

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-32140

10/27/2005

1

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
~~63-2760~~	Claim	04N	01E	27	SE	NE		GROUND WATER	~~CHARLES S SILLIMAN~~
~~63-32140~~	Claim	04N	01E	27	SE	NE		GROUND WATER	~~TRIMONT INVESTMENTS LLC~~
63-32141	Claim	04N	01E	27	SE	NE	~~SE NE~~	GROUND WATER	CHARLES S SILLIMAN
~~63-2760~~	Water Right	04N	01E	27	SE	NE		GROUND WATER	~~CHARLES S SILLIMAN~~
63-11384	Water Right	04N	01E	27	SE	NE		GROUND WATER	UNITED WATER IDAHO INC

CONVERSATION MEMORANDUM

RE: Snake River Basin Adjudication Water Right Nos. A63-32140

August 3, 2005

I called Scott Thiel (#424-8511), Title Officer for Title One, in regards to obtaining the Corporate Deed for Trimont's purchase from Hewlett-Packard. Mr. Thiel checked his file and found that nothing is settled yet. He suggested that I call back in a week or two to check again.

August 22, 2005

I called Scott Thiel again. He said that the Corporate Deed has not been recorded yet and that he would email me a copy of it when it is recorded. Mr. Thiel put a note in the file to do so and I gave him my email address.

Kimberly Brown
Senior Water Resource Agent
Western Region

State of Idaho License and Certificate of Water Right

Water License No. 20941Amount 0.6 second feet

Water District No. _____

Priority February 5, 1949THIS IS TO CERTIFY that CHARLES S. SILLIMAN

of Route 1, Boise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated February 5, 1949; that Permit No. 20941 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.92 second feet, was issued thereunder on February 23, 1949, showing that said works were completed on the 19th day of February, 1949; and that on the 19th day of March, 1949,

CHARLES S. SILLIMAN

of Boise, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of subterranean flow from a drilled well, for the purpose of irrigation, under Use Permit No. 20941 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 8 of Licenses at page 4583, on the 28th day of April, 1950;

The right hereby confirmed dates from February 9, 1949;

The Point of Diversion is located

in the SE 1/4 NE 1/4 Sec. 27, Twp. 4 N., R. 1 E., B. M. Ada County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.6 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
<u>4 N.</u>	<u>1 E.</u>	<u>27</u>	<u>E 1/2 NE 1/4 less strip 18'6" wide along South side SE 1/4 NE 1/4 Also A strip 18'6" wide along East side SW 1/4 NE 1/4</u>	<u>46.6</u>	<u>30</u>

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 28th day of April, 1950.

MARK R. KULP

State Reclamation Engineer

(SEAL)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 20941

REPORT ON PROOF OF Beneficial use

16 cfs
max Supplemental

off 0.92 c/s,

30 lines
2-46's

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 20941This proof is for Beneficial use

In Water District No. _____

1. Name of applicant Charles S. Silliman, Route 1, Boise, Idaho
 2. Source of water supply: A drilled well
 3. Location of point of diversion: Is in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27
T. 4 N. R. 1 E. County of Ada
 4. Describe works as they exist, giving dimensions and capacities of same: _____
Berkley Turbine Pump with a 5 H.P. motor(not accessible).
Well 70 feet deep (42 to 60 feet depth in sand)."
65 feet of 10 incg casing.
 5. Water is used for: Irrigation
 6. State whether or not water has been turned into works of diversion: Yes
 7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
E $\frac{1}{2}$ NE $\frac{1}{4}$ less strip 18' 6" wide along south side SE $\frac{1}{4}$ NE $\frac{1}{4}$; and also
a strip 18' 6" wide along East side SW $\frac{1}{4}$ NE $\frac{1}{4}$; All in Section 27,
Township 4 North, Range 1 East, B. M.
- (Submit map on attached plat, showing location and details of above description.)
8. What large stream would the water here appropriated finally reach? None

Remarks: _____

This examination was made on the 10 day of June, 1949

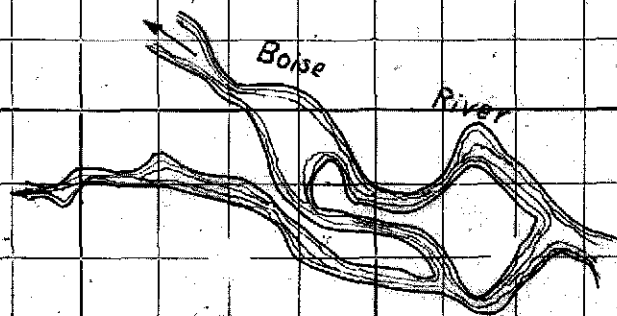
(Signed) _____

F. A. Dorman

Examiner.

20941

T.4N., R.1E.



27



Point of Diversion

N^o 20941
63-2760

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 28596
PERMIT No. 20941
DISTRICT No.

1. Name of Applicant: CHAS. S. SILLIMAN

Postoffice address: Route 1, Boise

County: Ada

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: 46 inches or 0.92 cubic feet per second.

3. Source of water supply: A well which is a tributary of

4. Location of point of diversion: feet distant from the

corner of Section , T. , R. , B.M., and is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$
of Section 27 , T. 4 N. , R. 1 E. , B.M., County of Ada

5. Water is to be used for Irrigation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section
T. , R. , B.M., in the of Section , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet
distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$1,832.00 (Well and pump)

8. Kind of works: One 60' well with pump and ditches

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;
dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is Completed years.

13. The time required for the complete application of the water to the proposed use is None additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 46 inches in the Settlers Irrigation Canal

16. (a) Is reservoir to be used? **No** If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as herein set forth.

CHAS. S. SULLIMAN Applicant.

By _____ Agent.

Date of first receipt at Department of Reclamation: 3:00 P. M. February 5, 1949

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 20941
Recorded in Book 75 Page 20941 Approved February 12, 1949
This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:
Bond in the sum of \$ to be filed on or before
Work to begin on or before Completed and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.
One-fifth of the work above specified to be completed on or before - -
The whole of said work to be completed on or before May 12, 1949
Beneficial use of water appropriated in accordance herewith, to be made on or before May 12, 1949

WITNESS My hand this 12th day of February, 1949

MARK R. KULP
State Reclamation Engineer

IN TESTIMONY WHEREOF, We, C. A. ROBINS, Governor of the State of Idaho,
and J. D. "CY" PRICE, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 12th day of February 1949

STATE OF IDAHO

Countersigned: _____
(SEAL) By J. D. "CY" PRICE
Secretary of State.

By C. A. ROEDERS
Governor.

REMARKS. Supplemental water when water rights are cut.

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4 N.	1 E.	27	Strip 18 feet 6 in. wide along East side SW¼ NE¼ E½ NE¼ except strip 18 ft. 6 in. wide along S side. SE¼ NE¼																46.6
Permit No. 20941																			
CERTIFICATE OF COMPLETION OF WORKS																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that CHARLES S. SILLDMAN of Route 1, Boise, County of Ada, and State of Idaho, holder of Permit No. 20941, issued upon Application No. 28596 bearing date of priority of February 5, 1949, as the diversion of 0.92 second foot of the waters of a well, County of Ada, State of Idaho, for irrigation purposes has fully complied with the provisions of the laws of the State of Idaho relating to the Proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.92 second foot of the waters of said well; that the point of diversion said waters is in the SE¼ NE¼ Section 27, Township 4 North, Range 1 West, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: E½ NE¼ Section 27, except strip 18 ft. inches wide along South side SE¼ NE¼; Strip 18 ft. 6 inches wide along East side SW¼ NE¼ Section 27; Township 4 North, Range 1 East, B.M.																			
Witness my hand this 23rd day of February, A. D. 1949.																			
MARK R. KULP State Reclamation Engineer																			
Proof of Completion of Works (made) February 19, 1949 Certificate of Completion of Works issued February 23, 1949																			
LICENSE ISSUED FOR 0.92 SEC. FT. 6 4543																			

FORM No. 0

Point of Diversion-Well

Report Map No. 31011
 10/10/19
 MARIETTA, GA
 Tele. Administration Bureau

20941

Parent —

Page 1

07/12/2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2760

WATER RIGHT NUMBER: 63-2760

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHARLES S SILLIMAN RT 1 BOISE, ID

Priority Date: 02/05/1949

Basis: License

Status: Parent

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	0.600 CFS	
	<u>Total Diversion:</u>	0.600 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4	Sec. 27, Twp 04N, Rge 01E, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01E	27	X		X	X													

Conditions of Approval:

1. AC. IRR.=30.

Remarks:

Comments:

Dates and Other Information:

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER



STATE OF IDAHO

County of Ada

SS.

Charles S. Silliman

, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 20941, and that his postoffice address is Rt. 1, Boise

State of Idaho

Second: That the name of the stream ^{FROM} which said water is to be ^{DIVERTED} ~~directed~~ is Subterranean flow from well

Third: That the point of diversion of said water is in the SE 1/4 NE 1/4 Section 27, Twp. 4 N., Range 1 E., B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by May 12, 1949

Fifth: That the use for which said water is intended is irrigation

Sixth: That on the date above mentioned, the works constructed under said permit were (~~constructed~~) fully completed and consisted of the following:

I. Kind of works: One 60 ft. well, with pump and ditches

(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width feet, height feet.

(d) Conduit width at bottom feet, width at water line

(State whether ditch, flume or pipe)

feet, depth of water feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is miles.

Seventh: That said works are capable of conducting to the place of intended use

0.22 second feet of water.

Eighth: That water appropriated under said permit is available for 46.6 acres of land described as follows: 46.6 acres in the E 1/4 NE 1/4 Section 27, Twp. 4 N., Range 1 E., B.M. and strip 18 ft. 6 in. wide along East side SW 1/4 NE 1/4

Ninth: Remarks: That Well is cased 60 ft. Berkeley pump electric driven

Charles S. Silliman
(Sign Here)

Subscribed and sworn to before me this 19th day of February, 1949

My commission expires 7-18-1951

L. J. Moore
Notary Public.

20941

**NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that at 10:00 A. M. on the 19th day of March, 1949,
at Boise, County of Ada, State of Idaho, before
Z. Peter Seherer, Notary Public, proof will be submitted of the
application to beneficial use of 0.92 cubic feet per second of the waters of a drilled well
in accordance with the terms and conditions of Permit No. 20941
heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are
Charles S. Silliman, Route 1, Boise, Idaho

The use to which said water has been applied is irrigation

The amount applied to beneficial use is 46 inches or 0.92 cubic foot per second

The place where said water is used (~~if for irrigation, give full and accurate description of the~~
~~lands irrigated~~) 46.6 acres in the E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 27, Twp. 4 N., Range 1 E., B.M.
and strip 18 ft. 6 inches wide on East side SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27, Twp. 4 North,
Range 1 East, B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of
use is none

The right to take water from such works is based upon Permit No. 20941

The source of supply from which such water is diverted is a drilled well in the SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 27, Twp. 4 N., Range 1 E., B.M.

The date of priority which said user is prepared to establish is February 5, 1949

MARK R. KUTP
State Reclamation Engineer.

20941

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. 20941

Proof of Application of Water to Beneficial Use

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Chas. S. Silliman

Rt. 1, Boise, Idaho

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. Not applicable.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. Permit No. 20941, approved February 12, 1949; date of priority February 5, 1949

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Source - drilled well; point of diversion is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27,
Township 4 North, Range 1 East, B. M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Drilled well; 9.92 second foot; no canal or ditch used to conduct water.

S. H. P. Berksley electric pump.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation; E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 27, except strip 18 ft. 6 inches wide along South side SE $\frac{1}{4}$ NE $\frac{1}{4}$ Strip 18 ft. 6 inches wide along East side SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27;
Township 4 North, Range 1 East, B. M.

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. Not applicable

20941

Ques. 8. What is the minimum amount of water required for the purpose specified above?
Ans. Well is to furnish supplemental water when necessary.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.
Ans. Not applicable.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.
Ans. August 1, 1948 thru September 3, 1948; as supplemental water to existing water right; 46 in. from well; used for two months as supplemental water.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. Used continuously from spring to fall the existing 46 in. in the Settler Irrigation canal.

(Sign) Charles S. Silliman

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Boise, County of Ada, State of Idaho, on this 19th day of March, A. D. 1949.

Peter Scherer
Notary Public for Idaho

My commission expires January 13, 1953

20941

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 20941

Proof of Application of Water to Beneficial Use
Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Leonard Kyle; 45; Rt. 1, Boise, Idaho; Farmer; Rt 1, Boise, Idaho.

Ques. 2. Are you acquainted with Charles S. Silliman, the holder of Permit No. 20941? How long have you known him and where does he reside?

Ans. Yes; 15 years; Rt. 1, Boise, Idaho

Ques. 3. Have you read or heard read said Permit No. 20941, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Drilled well; in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27, Township 4 North, Range 1 East, B.M.;
No works necessary - drilled well, utilize existing ditches. Also an electric
pump, 5 H. P.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 0.92 second foot; approximately this amount of water.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation; E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 27, except strip 18 ft. 6 inches wide along
South side SE $\frac{1}{4}$ NE $\frac{1}{4}$ Strip 18 ft. 6 inches wide along East side SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27;
Township 4 North, Range 1 East, B. M.

20941

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Not applicable

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Boise Valley irrigated land; one inch to the acre.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. August and September, 1948; was on ~~ssese~~; observed pump operating at full capacity and thereafter at various times.

(Signed) Leonard Tyle

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise,
County of Ada, State of Idaho, on this 19th day of March,
A. D. 19 49.

Peter Scherer

Notary Public.

My commission expires January 13, 1953.

20941

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 20941

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Grant Kyle; 52; Rt. 1, Boise, Idaho; Farmer; Rt. 1, Boise, Idaho

Ques. 2. Are you acquainted with Charles S. Silliman, the holder of Permit No. 20941? How long have you known him and where does he reside?

Ans. Yes; 15 years; Rt. 1, Boise, Idaho

Ques. 3. Have you read or heard read said Permit No. 20941, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Drilled well; in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27, Township 4 North, Range 1 East, B.M.;
No works necessary - drilled well, utilize existing ditches. Also 5 H.P.
electric pump

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 0.92 second foot; approximately this amount of water.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation; E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 27, except strip 18 ft. 6 inches wide along
South side SE $\frac{1}{4}$ NE $\frac{1}{4}$ Strip 18 ft. 6 inches wide along East side SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27;
Township 4 North, Range 1 East, B. M.

20941

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Not applicable.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Boise Valley irrigated land; one inch to the acre.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. August and September, 1948; was on scene; observed pump operating at full capacity and thereafter at various times.

(Signed) Grant Doyle

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise

County of Ada, State of Idaho, on this 19th day of March

A. D. 1949.

Peter Schere

Notary Public.

My commission expires January 13, 1953.

20941

Receipt Details for ID C077782

Status	Adjustment Type	Version
		1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
5/5/2005 5:07:07 PM	5/6/2005 6:22:58 PM	STATE	\$63.00	Check
Payer		CRE INVESTMENTS LLC		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
2080			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION NOTICE OF CLAIM TO A WATER RIGHT

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$63.00	ADJUDICATION FILING FEE	41503	0337			1155

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
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[Print Report](#)