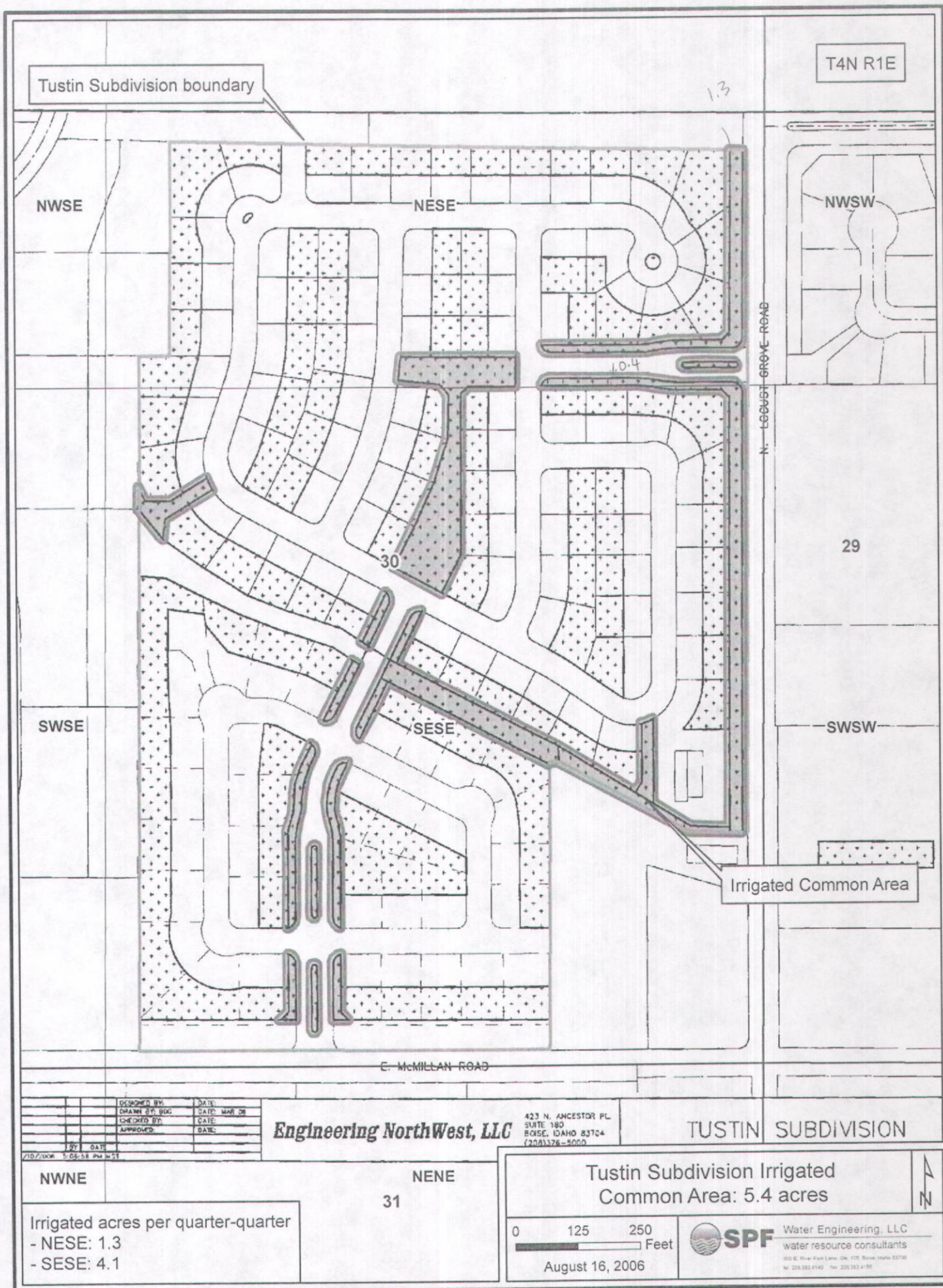
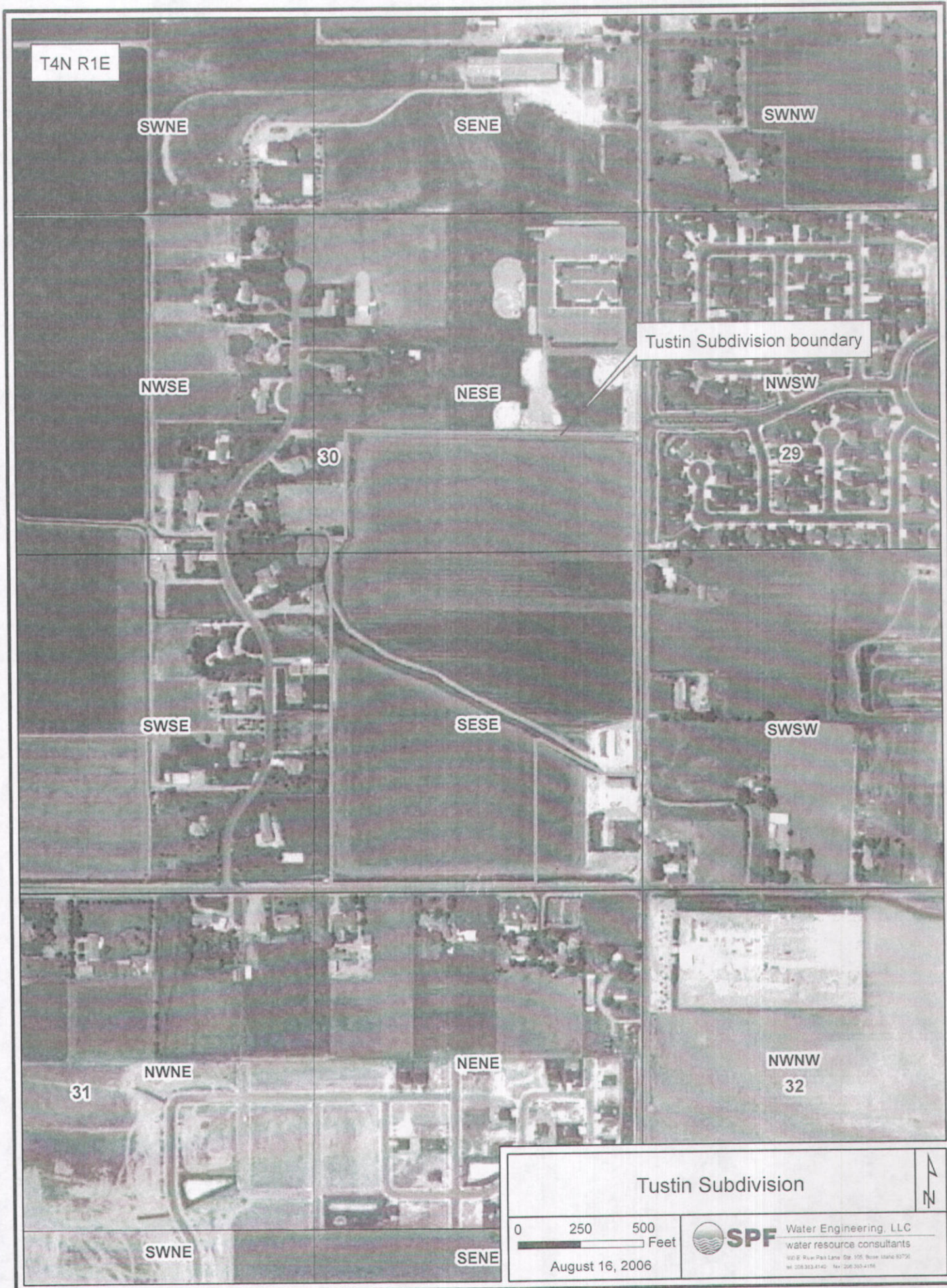


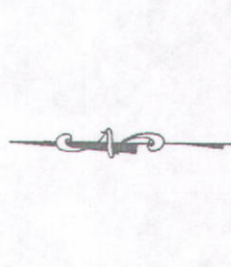




RECORD OF SURVEY NO. 541D

LOTS 13 AND 14, BLOCK 2 OF LARKWOOD SUBDIVISION,
IN THE SE1/4 OF SECTION 30, T.4N., R.1E., B.M.,
ADA COUNTY, IDAHO

Engineering NorthWest, LLC
BOISE, IDAHO



SCALE: 1" = 100'

LEGEND

- FOUND BRASS OR ALUMINUM CAP
FOUND 1/2" IRON PIN
SET 1/2" x 24" IRON PIN
W/ PLASTIC CAP PLS-7800
BOUNDARY LINE
CENTER LINE
OLD LOT LINE
NEW LOT LINE
EASEMENT LINE
EXIST. LOT NUMBER

NOTE: FOR FURTHER BOUNDARY AND EASEMENT INFORMATION REFER TO LOT LINE ADJUSTMENT RECORD--OF--SURVEY NO. 2709, INSTRUMENT #8221044 AND LARKWOOD SUBDIVISION, BOOK 58 OF PLATS AT PAGE 184, OF ADA COUNTY RECORDS.

CERTIFICATE OF SUPERVISION

I, JAMES R. WASHBURN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF IDAHO, AND THAT THIS MAP WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION, AND ACCURATELY REPRESENTS THE PARCEL OF LAND MAPPED HEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.



JAMES R. WASHBURN	6	IN	NO	7880	5
-------------------	---	----	----	------	---

COUNTY RECORDER'S CERTIFICATE

STATE OF IDAHO } S.S.
COUNTY OF ADA }

HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF Steve Smith
 AT 11 MINUTES PAST 0 O'CLOCK P M. ON THIS 30th DAY OF JUNE. 2001 AS
 RECORD OF SURVEY NUMBER 5410 INSTRUMENT NO. 10105599

M. Olson Fac:ds.-

J. David Navarro
X-OFFICE RECORDER

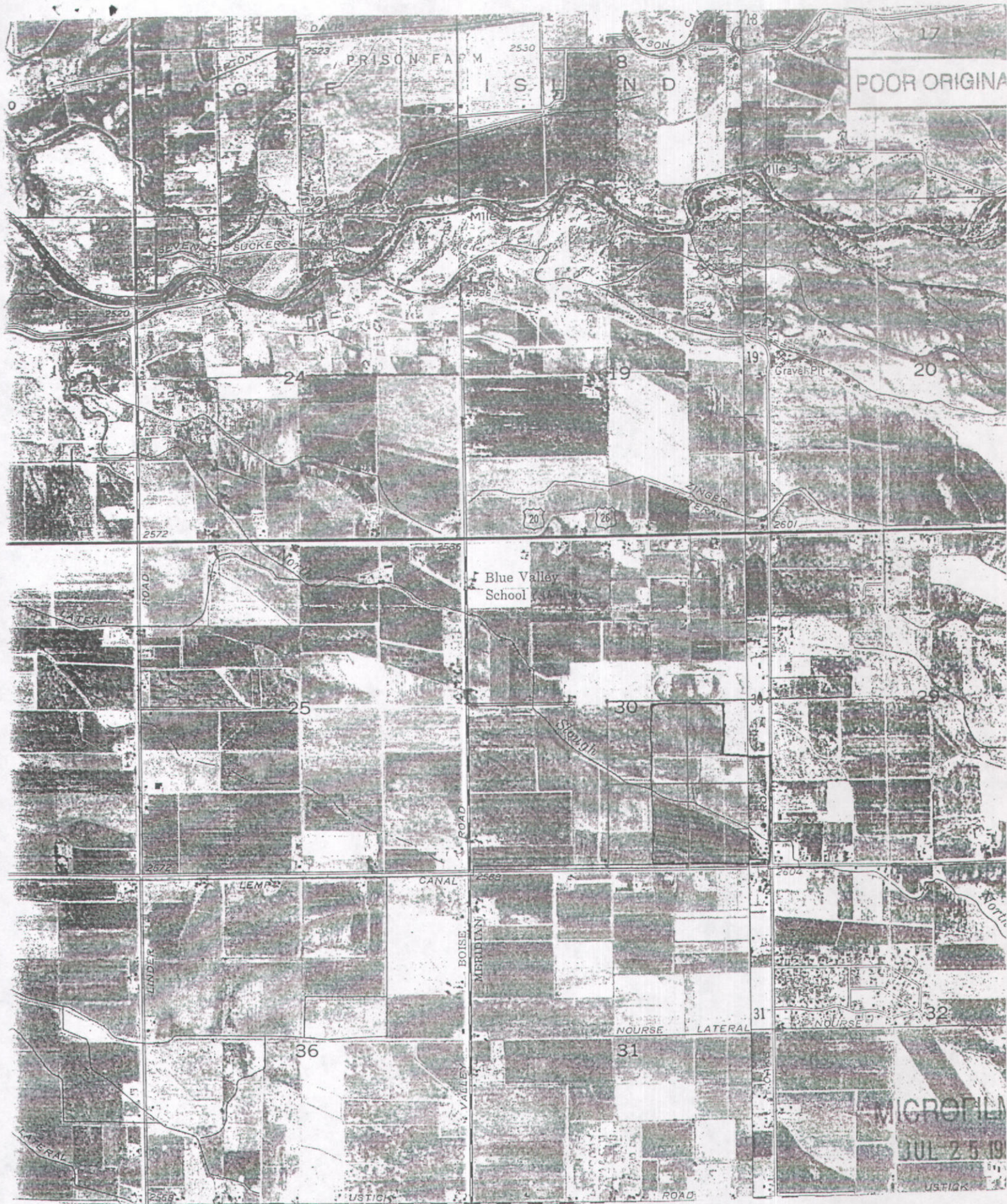
Manuscript received 10/1/95; revised manuscript received 1/10/96; accepted manuscript received 1/10/96.

19

T4N R1E SEC 30

30

31



Idaho Department of Water Resources



T04N, R01E,
S30

Claim No: 63-32485

Prepared By: Kimberly Brown

Date: September 26, 2006



Place of Use



Section Lines

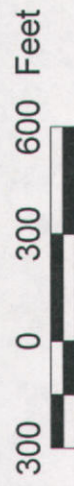


1/4 1/4



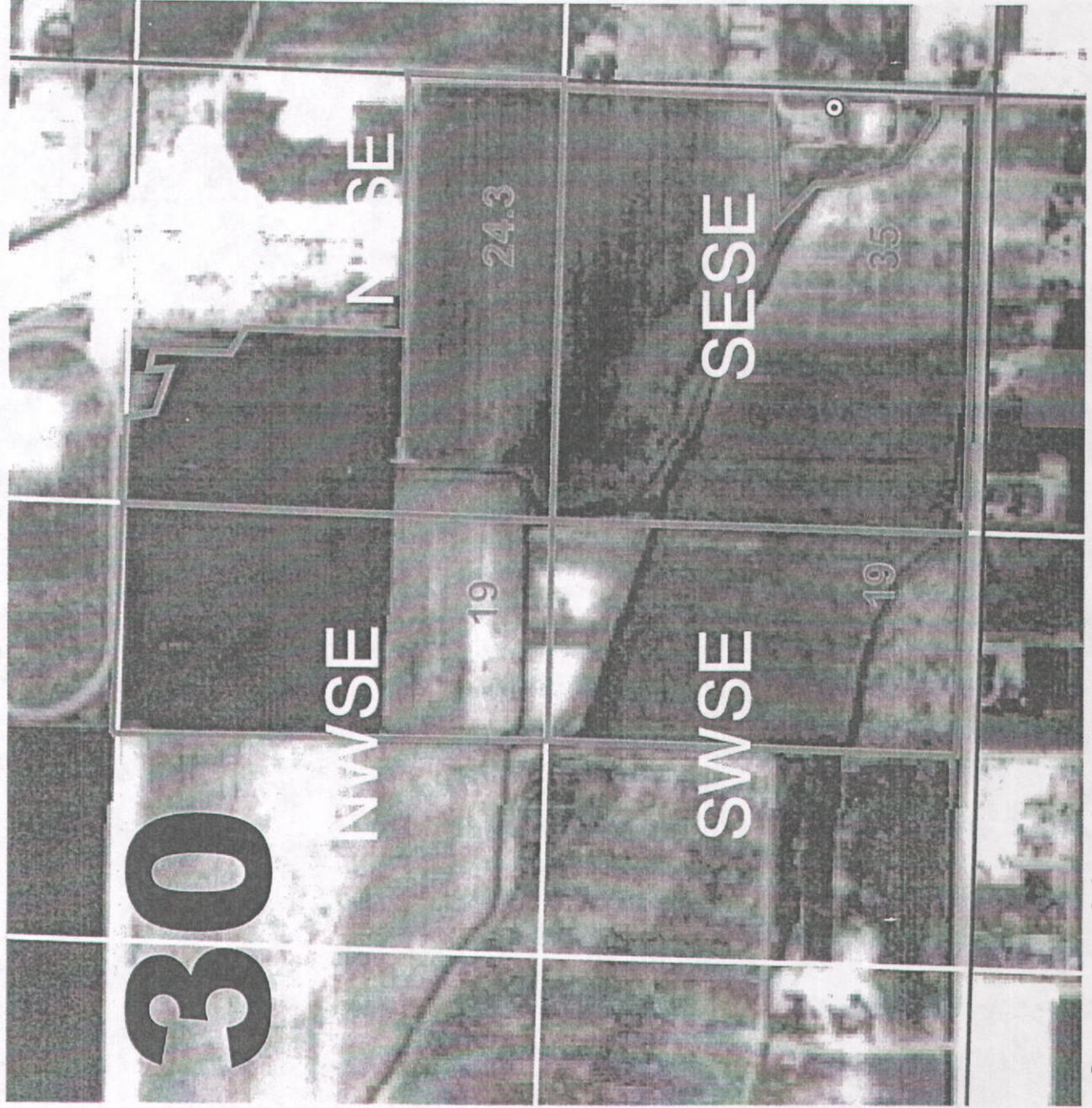
Point of Diversion

Acres Irrigated = 5.4



2003 NAPP

Idaho Department of Water Resources



**T04N, R01E,
S30**

Claim No: 63-03294B

Prepared By: Kimberly Brown

Date: July 2, 2003

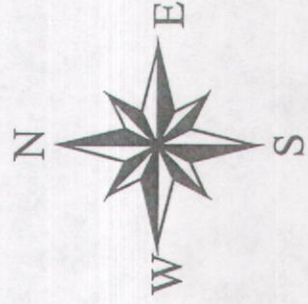
⊙ Point of Diversion

□ Place of Use

□ Section Lines

1/4 1/4

Acres Irrigated = 97.3



1987 NAPP

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 63-32485
Date Received: 9/21/2005
Receipt No:
Received By:

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

1. Name of Claimant(s)

SETTLERS IRRIGATION DISTRICT Phone: (208)344-2471
PO BOX 7571
BOISE ID USA 83707

2. Date of Priority: 05/23/1962

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	30	SE	SE	ADA	

5. Description of diverting works:

WELL, 14" CASING, 80' DEEP, 20 HP PUMP AND MOTOR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.11	

7. Total Quantity Appropriated is:
0.11 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	30	NE	SE	IRRIGATION	1.3
			SE	SE	IRRIGATION	4.1
					Section Acres	5.4
					Total Acres	5.4

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

CHANGE IN OWNERSHIP LG- 9-25-2006 REVIEWED BY K. BROWN

This right is a split from former right 63-3294B.

This right is a split from former right 63-32174.

CHANGE OF OWNERSHIP LG 11-22-2006

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

Ident. Number 63-32485
Date Received: 9/21/2005
Receipt No: X7777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DYVER DEVELOPMENT Phone: (208) 288-5560
1977 E OVERLAND RD
MERIDIAN ID USA 83642

2. Date of Priority: 05/23/1962

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	30	SE SE	ADA	

5. Description of diverting works:

WELL, 14" CASING, 80' DEEP, 20 HP PUMP AND MOTOR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.11	

7. Total Quantity Appropriated is:
0.11 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	30	NE	SE	IRRIGATION	1.3
			SE	SE	IRRIGATION	4.1
Section Acres						5.4
Total Acres						5.4

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

CHANGE IN OWNERSHIP LG- 9-25-2006 REVIEWED BY K. BROWN

This right is a split from former right 63-3294B.

This right is a split from former right 63-32174.

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

Ident. Number 63-32174
Date Received: 9/21/2005
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LARKWOOD DEVELOPMENT CORP Phone: (208)376-8521
1951 S SATURN WAY SUITE 100
BOISE ID USA 83709

2. Date of Priority: 05/23/1962

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	30	SE SE	ADA	

5. Description of diverting works:

WELL, 14" CASING, 80' DEEP, 20 HP PUMP AND MOTOR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.89	

7. Total Quantity Appropriated is:
0.89 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	30	SE	SE	IRRIGATION	35
			NE	SE	IRRIGATION	9.4
					Section Acres	44.4
					Total Acres	44.4

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

This right is a split from former right 63-3294B.

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

Ident. Number: A63-03294B

Date Received: 7/27/1993

Receipt No: W012567

Received By: 4068237

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TERRY PORTER 208-888-6363
Address: 7352 WINWARD DR
MERIDIAN ID 83642
AND/OR
Name: STEVEN SMITH 208-939-2343
Address: 5780 N LOCUST GROVE RD
MERIDIAN ID 83642

2. Date of Priority: MAY 23, 1962

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01E	30	SE	SE			ADA

5. Description of diverting works:

WELL, 14" CASING, 80' DEEP, 20 HP PUMP AND MOTOR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.950		

7. Total Quantity Appropriated is:

1.950 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01E	30	NE	SE		IRR	24.3

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01E	30	NW	SE		IRR	19.0
			SW	SE		IRR	19.0
			SE	SE		IRR	35.0

Section Acres 97.3

Total Acres 97.3

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:

15. Basis of Claim: LICENSE

Water Right Number: 30505

16. Signature(s)

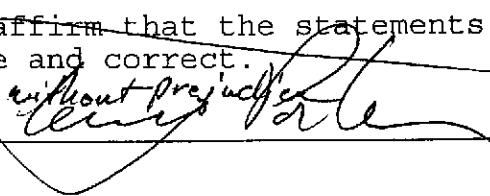
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s):

without prejudice


Date: 7-27-93

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 27TH day

of July 19 93

Seal

Roxanne McCarthy
Notary Public

Residing at Roxanne McCarthy, Notary Public
Residing at Boise, Idaho
My Commission Expires May 18, 1996.
My Commission Expires

Moffatt Thomas

MOFFATT THOMAS BARRETT ROCK & FIELDS, CHTD.

Boise
Idaho Falls
Pocatello
Twin Falls

Eugene C. Thomas
John W. Barrett
R. B. Rock
Richard C. Fields
John S. Simko
John C. Ward
D. James Manning
Gary T. Dance
Larry C. Hunter
Randall A. Peterman
Mark S. Prusynski
Stephen R. Thomas
Glenna M. Christensen
Gerald T. Husch
Scott L. Campbell
Robert B. Burns

Michael E. Thomas
Patricia M. Olsson
Bradley J. Williams
Lee Radford
Michael O. Roe
David S. Jensen
James L. Martin
C. Clayton Gill
Michael W. McGreaham
David P. Gardner
Julian E. Gabiola
Angela Schaefer Kaufmann
Kimberly D. Evans Ross
Paul D. McFarlane
Jon A. Stenquist
Tyler J. Henderson

Jason G. Murray
Mark C. Peterson
Andrew J. Waldera
Tyler J. Anderson
Dylan B. Lawrence
Russell G. Metcalf
Benjamin C. Ritchie
Rebecca A. Rainey
Robert E. Bakes, *of counsel*
Morgan W. Richards, *of counsel*
Willis C. Moffatt, 1907-1980
Kirk R. Helvie, 1956-2003

November 8, 2006

US Bank Plaza Building
101 S Capitol Blvd 10th Fl
PO Box 829
Boise Idaho 83701 0829

208 345 2000
800 422 2889
208 385 5384 Fax
www.moffatt.com

RECEIVED

NOV 09 2006

WATER RESOURCES
WESTERN REGION

Western Region Office
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

**Re: Settlers Irrigation District/Change in Water Right Ownership for
Water Right No. 63-32485**
MTBR&F File No. 18955.27

Dear Sir or Madam:

Enclosed please find an original change of water right ownership form for the above-referenced water right, along with the requisite documents establishing ownership of the water right. Please file the original and return the receive-stamped copy in the enclosed, self addressed stamped envelope. 

Please note that we are not tendering a filing fee because this water right is pending in the Snake River Basin Adjudication. Thank you for your assistance in this matter. If you have any questions, please do not hesitate to contact me.

Sincerely,


Tiffany M. Hudak
Paralegal

/tmh

Enclosure

cc: Board of Directors (w/encl.)

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

RECEIVED
NOV 09 2006
WATER RESOURCES
WESTERN REGION

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-32485*	63-32485				

*please see attached for additional explanation concerning this water right

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

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

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

**please see attached documents

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)

Dyver Development, LLC

PO Box 369, Meridian, Idaho 83680

4. New Owner/Claimant(s)

Settlers Irrigation District

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

PO Box 7571

City, State and ZIP Code

Boise, Idaho 83707

New Telephone Number

(208) 344-2471

5. Date you acquired the property

September 25, 2006

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 larger 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 _____		
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	_____	_____

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) X Tom Davis
(include title if applicable) Tom Davis, President, Settlers Irrigation District

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 C. J. J. J. Date 11-9-06 Fee 0
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

**ATTACHMENT TO NOTICE OF CHANGE OF WATER RIGHT
OWNERSHIP OF WATER RIGHT 63-32484**

Since preparation of the Deed to Water Right 63-32174 and Deed to Interest in Irrigation Well, it appears that 63-32174 has been split further into 63-32484 and 63-32485. Via a deed, ownership interest in Dyver Development, LLC's portion of 63-32174 (now 63-32485) was conveyed to Settlers Irrigation District.

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 10/23/06 11:14 AM
DEPUTY Bonnie Oberbillig
RECORDED - REQUEST OF
Moffatt Thomas

AMOUNT 6.00 2



RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Moffatt, Thomas, Barrett, Rock &
Fields, Chartered
101 S. Capitol Boulevard, 10th Floor
Post Office Box 829
Boise, Idaho 83701-0829

(Space Above For Recorder's Use)

DEED FOR WATER RIGHT NUMBER 63-32174

FOR VALUE RECEIVED, DYVER DEVELOPMENT, LLC, an Idaho limited liability company, whose address is P.O. Box 369, Meridian, Idaho 83680 (hereinafter "Grantor"), does hereby grant, bargain, sell, and convey to SETTLERS IRRIGATION DISTRICT, an irrigation district organized under the laws of the State of Idaho, whose address is P.O. Box 7571, Boise, Idaho 83707 (hereinafter "Grantee"), all of Grantor's right, title, and interest in and to that certain water right identified as 63-32174, as more particularly described herein and as represented in the Construction, Operation, and Maintenance Agreement for Tustin Subdivision, executed contemporaneously herewith.

Grantor hereby grants, bargains, sells, and conveys to Grantee all of Grantor's right, title, and interest in water right number 63-32174. Water right number 63-32174 is appurtenant to that certain real property situated in the Southeast Quarter of Section 30, Township 4 North, Range 1 East, Boise Meridian, City of Meridian, Ada County, Idaho, and the diversion point of which is a well situated on said real property.

TO HAVE AND TO HOLD said water right number 63-32174 to Grantee and Grantee's successors and assigns forever. Grantor does hereby represent and warrant to and with

Grantee that Grantor is the lawful owners of water right number 63-32174 and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED this 25th day of Sept., 2006.

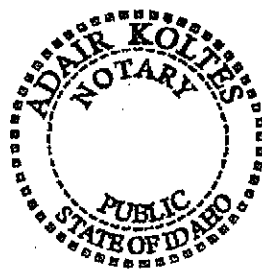
DYVER DEVELOPMENT, LLC

By [Signature]
Corey Barton (written name)
Its Managing Member

STATE OF IDAHO)
) ss.
County of Ada)

On this 25th day of September, 2006, before me, a Notary Public in and for said state, personally appeared Corey Barton known or identified to me to be the Managing Member of DYVER DEVELOPMENT, LLC, the person who executed the instrument on behalf of DYVER DEVELOPMENT, LLC, and acknowledged to me that DYVER DEVELOPMENT, LLC, 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.



Adair Koltes
NOTARY PUBLIC FOR IDAHO
Residing at Nampa, ID
My Commission Expires 6-05-2010

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Moffatt, Thomas, Barrett, Rock &
Fields, Chartered
101 S. Capitol Boulevard, 10th Floor
Post Office Box 829
Boise, Idaho 83701-0829

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 10/23/06 11:14 AM
DEPUTY Bonnie Oberbillig
RECORDED - REQUEST OF
Moffatt Thomas

AMOUNT 6.00 2



(Space Above For Recorder's Use)

DEED FOR INTEREST IN IRRIGATION WELL

FOR VALUE RECEIVED, DYVER DEVELOPMENT, LLC, an Idaho limited liability company, whose address is P.O. Box 369, Meridian, Idaho 83680 (hereinafter "Grantor"), does hereby grant, bargain, sell, and convey to SETTLERS IRRIGATION DISTRICT, an irrigation district organized under the laws of the State of Idaho, whose address is P.O. Box 7571, Boise, Idaho 83707 ("Grantee"), all of Grantor's right, title, and interest in and to the irrigation well which serves as the diversion point for water right number 63-32174, together with the well casings, pumps, motors, electrical connections, and all other appurtenances used in connection therewith, situated in the Southeast Quarter of the Southeast Quarter of Section 30, Township 4 North, Range 1 East, Boise Meridian, City of Meridian, Ada County, Idaho.

TO HAVE AND TO HOLD said real property and irrigation well, together with its appurtenances, to Grantee and Grantee's successors and assigns forever. Grantor does hereby warrant and represent to and with Grantee that (a) Grantor is the lawful owner of fee simple in the real property and owns One Hundred Percent (100%) interest in said irrigation well; (b) that said premises are free from all encumbrances and liens and subject to reservations, restrictions, dedications, easements, rights-of-way and agreements (if any) of record, and general taxes and

DEED FOR INTEREST IN IRRIGATION WELL - 1

BOI_MT2:627060.1

assessments for the current year are not yet due and payable; and (c) that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED this 25th day of September, 2006.

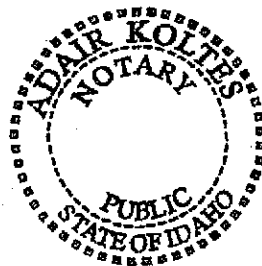
DYVER DEVELOPMENT, LLC

By [Signature]
Corey Barton (written name)
Its Managing Member

STATE OF IDAHO)
) ss.
County of Ada)

On this 25th day of September, 2006, before me, a Notary Public in and for said state, personally appeared Corey Barton known or identified to me to be the Managing Member of DYVER DEVELOPMENT, LLC, the person who executed the instrument on behalf of DYVER DEVELOPMENT, LLC, and acknowledged to me that DYVER DEVELOPMENT, LLC, 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.



Adair Koltus
NOTARY PUBLIC FOR IDAHO
Residing at Nampa, ID
My Commission Expires 6-05-2010

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

RECEIVED

AUG 24 2006

WATER RESOURCES
WESTERN REGION

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-32174	63-32174	X			

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (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**.

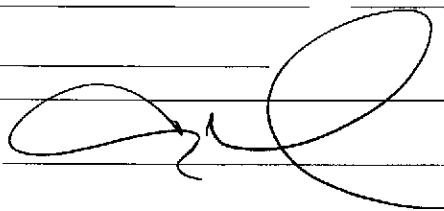
3. Name and Address of Former Owner/Claimant(s) Larkwood Development Corp
1951 S. Saturn Way, Suite 100, Boise, ID 83709
4. New Owner/Claimant(s) Dyver Development Corp.
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 1977 E. Overland Road
- City, State and ZIP Code Meridian, ID 83642
- New Telephone Number (208) 288-5560
5. Date you acquired the property November 28, 2005

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 larger 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 <u>63-32174</u>		
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	<u>0.11 cfs</u>	<u>5.4 acres</u>
Stock		
Domestic		
Other		
Total	<u>0.11 cfs</u>	

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)



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 lg Date 8-24-06 Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by lg AJ Date 9-7-06 WR _____ Date _____
 reviewed by K. Brown

NCS-186449

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 11/29/05 11:50 AM
DEPUTY Gail Garrett
RECORDED - REQUEST OF
First American

AMOUNT 21.00

7



SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, Larkwood Development Corp., an Idaho corporation, whose address is 1951 S. Saturn Way, Suite 100, Boise, Idaho 83709, ("Grantor"), does hereby GRANT AND CONVEY unto Dyver Development LLC, an Idaho limited liability company ("Grantee"), whose address is 1977 E. Overland, Meridian, Idaho 83642, the real property located in Ada County, Idaho which is more particularly described in the attached Exhibit A, which exhibit is attached hereto and made a part hereof by this reference ("Premises").

TO HAVE AND TO HOLD said Premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. The Grantor does hereby warrant to said Grantee, that the Grantor has not created or permitted to be created any lien, charge, or encumbrance against the Premises except current year's taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, easements visible upon the Premises, and the exceptions described in Exhibit B attached hereto and made a part hereof by this reference; and that Grantor will warrant and defend the same forever from all lawful claims whatsoever.

Seller reserves to itself and does not grant or convey with this special warranty deed the water rights to thirty-nine (39) acres of ground water or well water rights referred to on Claim Identification Number 63-32174 filed with the Idaho Department of Water Resources.

DATED: November 28, 2005

GRANTOR:

Larkwood Development Corp.,
an Idaho corporation

By: Kenneth B. Christensen
Kenneth B. Christensen, President

SPECIAL WARRANTY DEED

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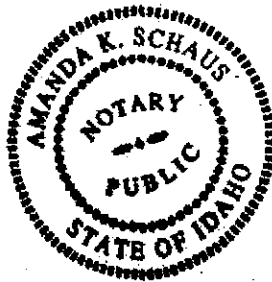
STATE OF IDAHO)

County of Ada)

ss.

On this 14th day of November, 2005, before me, a Notary Public in and for the State of Idaho, personally appeared **Kenneth B. Christensen**, known or identified to me to be the President of Larkwood Development Corp., an Idaho corporation, who subscribed said name to the foregoing instrument, and acknowledged to me that he executed the same in said company name.

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



A. Schaus
Notary Public for Idaho
Residing at: Bosc, ID
My commission expires: 1.24.11

SPECIAL WARRANTY DEED

U:\tmccurdy\Trish\RLP\Tustin\Special Warranty Deed (11-8-05).doc

EXHIBIT A

Legal description

A parcel of land being a portion of Lot 13 and Lot 14 in Block 2 of LARKWOOD SUBDIVISION, according to the plat thereof, filed in Book 58 of Plats at Page(s) 5494 and 5495; AND AMENDED by an Affidavit recorded January 15, 1991, as Instrument No. 9102501, Records of Ada County, Idaho, as adjusted by Lot Line Adjustment Survey No. 2109, recorded April 9, 1992, as Instrument No. 9221864, and Property Line Adjustment Survey No. 5410, recorded June 8, 2001, as Instrument No. 101055990, and being more particularly described as follows:

Commencing at the section corner common to Sections 29, 30, 31 and 32 of Township 4 North, Range 1 East, Boise Meridian, Ada County,

Idaho; thence
North 00°00'00" East, 1784.77 feet on the section line common to
said Sections 29 and 30; thence
North 89°13'04" West, 30.00 feet to the Northeast corner of said
adjusted Lot 13, Block 2 of LARKWOOD SUBDIVISION, said point being the REAL POINT OF
BEGINNING; thence on the exterior boundary line of said adjusted Lot 13, Block 2 for the following
courses and
distances;
South 00°00'00" West, 1334.25 feet; thence
North 88°26'38" West, 115.94 feet; thence
North 62°18'07" West, 292.55 feet; thence
North 90°00'00" West, 20.36 feet; thence
South 00°00'00" West, 561.53 feet (formerly shown as 561.54 feet);
thence
South 89°48'09" West 820.72 feet; thence
North 00°00'00" East, 1356.55 feet; thence
South 90°00'00" East, 60.00 feet; thence
North 00°00'00" East, 418.71 feet; thence
South 89°13'04" East, 1156.11 feet to the REAL POINT OF BEGINNING.

APN: R-5147-49-0513

SPECIAL WARRANTY DEED

U:\tmccurdy\Trish\RLP\Tustin\Special Warranty Deed (11-8-05).doc

EXHIBIT B

PERMITTED EXCEPTIONS

1. Taxes or 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.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are 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 or title to water; whether or not the matters excepted under (A), (B) or (C) are shown by the public records.
6. INTENTIONALLY DELETED.
7. General and Special Taxes for the year 2005, in the original amount of \$1,512.24, Code Area 242, A.P. No. R-5147-49-0513, first half now due and payable, but not delinquent until after December 20, 2005.
8. General taxes which may be assessed and extended on any "subsequent" or "occupancy" tax roll, which may escape assessment of the regular tax roll; which are a lien not yet due or payable.
9. Liens, levies and assessments by City of Meridian.
10. Liens, levies and assessments by Settlers Irrigation District.
11. Liens, levies and assessments by Larkwood Homeowners Association.
12. Right of way for North Slough & Lemp Canal.

1 of 4

13. Easements, reservations, restrictions and dedications as shown on the plat of said Subdivision.

Resolution and Vacation, recorded May 10, 2005, as Instrument No. 105058637, Records of Ada County, Idaho

14. Covenants, Conditions, Restrictions and Easements recorded November 28, 1990 and re-recorded July 5, 1991, as Instrument No. 9064519 and re-recorded as 9136789, Ada County Records, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).

Notice of Exclusion and Agreement, recorded June 3, 1992, as Instrument No. 9235985 and recorded June 3, 1992, as Instrument No. 9235986, Records of Ada County, Idaho

(AS TO LOTS 14 & 15 ONLY)

15. Restrictions contained in Warranty Deed, recorded April 3, 1992, as Instrument No. 9220575, Records of Ada County, Idaho.
16. Easement contained in Warranty Deed, recorded April 3, 1992, as Instrument No. 9220575, Records of Ada County, Idaho.
17. The effect of a map purporting to show the land and other property, filed Survey No. 2109, Instrument No. 9221864 of Record of Surveys.
18. Easement, including terms and provisions contained therein:
Recording Information: 98105430
In Favor of: IDAHO POWER COMPANY
For: power lines
19. Easement, including terms and provisions contained therein:
Recording Information: 98105431
In Favor of: IDAHO POWER COMPANY
For: power lines
20. Crossing Agreement upon the terms, conditions and provisions contained therein:

Dated: April 26, 1999
Parties: SETTLERS IRRIGATION DISTRICT & IDAHO POWER
COMPANY
Recorded: April 27, 1999
Instrument No.: 99041675

21. The effect of a map purporting to show the land and other property, filed Survey No. 5410, Instrument No. 101055990 of Record of Surveys.

22. INTENTIONALLY DELETED

23. Crossing Agreement upon the terms, conditions and provisions contained therein:

Dated: December 14, 2004
Parties: Settlers Irrigation District and City of Meridian
Recorded: January 6, 2005
Instrument No.: 105002046

24. License Agreement upon the terms, conditions and provisions contained therein:

Dated: April 12, 2005
Parties: North Slough Lateral Users Association and City of Meridian
Recorded: April 12, 2005
Instrument No.: 105044010

Addendum to License Agreement, recorded October 7, 2005, as Instrument No. 105150249, Records of Ada County, Idaho

25. INTENTIONALLY DELETED.

26. Easement, including terms and provisions contained therein:

Recording Information: 105079783
In Favor of: CITY OF MERIDIAN
For: sanitary sewer lines

27. Any facts, rights, interests or claims which would be disclosed by a correct ALTA/ACSM survey.

28. Crossing Agreement upon the terms, conditions and provisions contained therein:

Dated: October 4, 2005
Parties: Settlers Irrigation District & City of Meridian
Recorded: October 13, 2005

3 of 4

29. Memorandum of Lease conveyed the same date as this Special Warranty
Deed, by and between Dyver Development, LLC and Stephen C. Smith
Steven 

Page
4 of 4

T4N R1E

Tustin Subdivision boundary

NWSE

NESE

NWSW

29

SWSE

SESE

SWSW

Irrigated Common Area

E. McMILLAN ROAD

DESIGNED BY	DATE
DRAWN BY, BDC	DATE: MAR 08
CHECKED BY	DATE
APPROVED	DATE

Engineering NorthWest, LLC

423 N. ANCESTOR PL.
SUITE 180
BOISE, IDAHO 83704
(208) 378-5000

TUSTIN SUBDIVISION

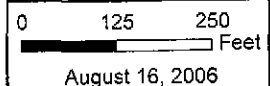
NWNE

NENE

31

Irrigated acres per quarter-quarter
- NESE: 1.3
- SESE: 4.1

Tustin Subdivision Irrigated
Common Area: 5.4 acres



Water Engineering, LLC
water resource consultants
800 F. River Park Lane, Ste. 100, Boise, Idaho 83750
P: 208.343.4740 F: 208.343.4750



T4N R1E

SWNE

SENE

SWNW

NWSE

NESE

Tustin Subdivision boundary

NWSW

30

29

SWSE

SESE

SWSW

31

NWNE

NENE

NWNW

32

SWNE

SENE

Tustin Subdivision

0 250 500
Feet

August 16, 2006



SPF Water Engineering, LLC
water resource consultants

500 W. River Road Lane Ste 100 Boise Idaho 83706
tel 208 393 4145 fax 208 393 4159



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**INSTRUCTIONS FOR FILING
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

Effective July 1, 2000, the Idaho Legislature amended Section 42-248, Idaho Code to include a provision for fees to file a Notice of Change in Water Right Ownership. Please see details at Item 8, below, to determine if fees are required for your filing.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, **the seller should be able to provide you with the water right or adjudication claim number(s).** Please enter the number(s) at **Item 1**. Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. **Do not** obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner/claimant(s) of the water right(s) at **Item 3**.
4. The name, mailing address, and telephone numbers of the new owner/claimant(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector "and", "or", or "and/or." If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign; however, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.

6. You may have purchased only a portion of the water right(s) held by the seller. If this 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. For each water right requiring a split between owners, fill in the appropriate spaces in the box(es) at **Item 6**. Copy the page as many times as necessary to fully describe each water right after the change. Include documentation as necessary to describe nonstandard agreements or arrangements regarding division of the water right(s). **If the water right(s) will not be split, skip Item 6 and go to Item 7.**
7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. If an "and" connector is used at Item 4, all parties must sign this form. If an "and/or" or "or" connector is used, all parties may sign; however, only one of the named parties is required to sign. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.
8. The Legislature has waived the fee to file a Notice of Change in Water Right Ownership for any water right pending in a general water right adjudication such as the Snake River Basin Adjudication. This waiver ends when a partial decree is issued for the water right that has been claimed. For water rights not pending in a general adjudication, the filing fee is \$25 per water right, except for those water rights which will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right to be divided. When complete, you should retain a copy and return the original form to the IDWR office nearest you:

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUL 15 2005
WATER RESOURCES
WESTERN REGION

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 in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-3294B		✓			

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

- ✓ A. The appropriate **FILING FEE**. See instructions for fee amounts. *N/A*
- ✓ 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) *Terry Porter* *Steven Smith* *Rebecca Smith*
7352 Winward Dr. *5780 N. Locust Grove* *1951 S. Saturn Way, Ste 100*
Meridian ID 83642 *Meridian ID 83642* *Boise, ID 83709*
4. New Owner/Claimant(s) *Larkwood Development Corp*
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address *1951 S. Saturn Way Suite 100*
City, State and ZIP Code *Boise, ID 83709*
New Telephone Number *(208) 376-8521*
5. Date you acquired the property *6/2/2005*

AFTER RECORDING MAIL TO:

LARKWOOD DEVELOPMENT CORP.
1951 West Saturn
Boise, ID 83709

WARRANTY DEED

File No.: NCS-168584-BOI (eg)

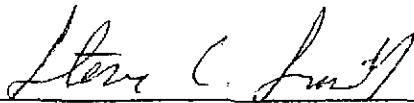
Date: June 02, 2005

For Value Received, **Steven C. Smith and Rebecca B. Smith, husband and wife**, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey unto **LARKWOOD DEVELOPMENT CORP., an Idaho corporation**, hereinafter referred to as Grantee, whose current address is **1951 West Saturn, Boise, ID 83709**, the following described premises, situated in **Ada County, Idaho**, to wit:

As set forth on the attached Exhibit "A", which by this reference becomes a part hereof, and which is comprised of one (1) page

APN:

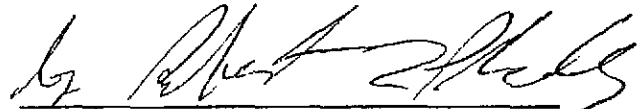
TO HAVE AND TO HOLD the said premises, with their appurtenances, unto said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.



Steven C. Smith, by his attorney-in-fact



Rebecca B. Smith, by her attorney-in-fact



Robert L. Phillips

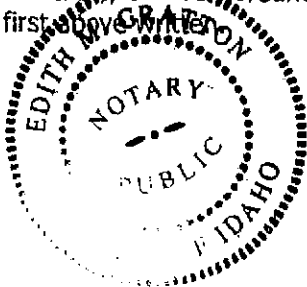


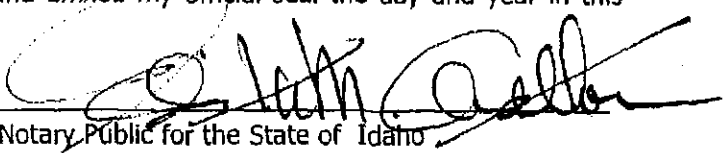
Kenneth B. Christensen

STATE OF Idaho)
SS.
COUNTY OF Ada)

On this Second day of June, 2005, before me, a Notary Public in and for said State, personally appeared **Robert L. Phillips**, known or identified to me to be the individual who executed the foregoing Instrument as Attorney in Fact for **Steven C. Smith**, and acknowledged that he/she signed the same as Attorney in Fact for said principal for the uses and purposes therein mentioned, and on oath stated that the Power of Attorney authorizing the execution of this instrument has not been revoked and that the said principal is now living, and is not incompetent.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

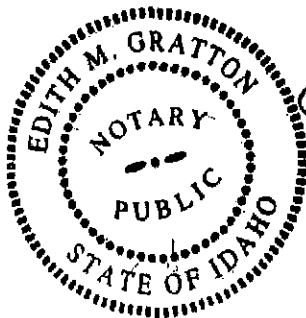



Notary Public for the State of Idaho
Residing at: Boise, ID
My Commission Expires: 10-14-10

STATE OF Idaho)
SS.
COUNTY OF Ada)

On this Second day of June, 2005, before me, a Notary Public in and for said State, personally appeared **Kenneth B. Christensen**, known or identified to me to be the individual who executed the foregoing instrument as Attorney in Fact for **Rebecca B. Smith**, and acknowledged that he/she signed the same as Attorney in Fact for said principal for the uses and purposes therein mentioned, and on oath stated that the Power of Attorney authorizing the execution of this instrument has not been revoked and that the said principal is now living, and is not incompetent.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



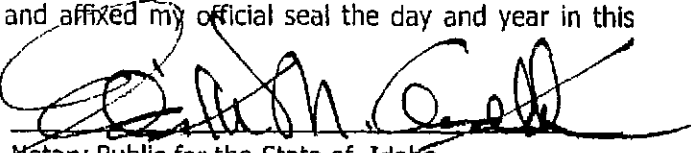

Notary Public for the State of Idaho
Residing at: Ada, ID
My Commission Expires: 10-14-10

EXHIBIT "A"

A parcel of land being a portion of Lot 13 and Lot 14 in Block 2 of LARKWOOD SUBDIVISION, according to the plat thereof, filed in Book 58 of Plats at Page(s) 5494 and 5495; AND AMENDED by an Affidavit recorded January 15, 1991, as Instrument No. 9102501, Records of Ada County, Idaho, as adjusted by Lot Line Adjustment Survey No. 2109, recorded April 9, 1992, as Instrument No. 9221864, and Property Line Adjustment Survey No. 5410, recorded June 8, 2001, as Instrument No. 101055990, and being more particularly described as follows:

Commencing at the section corner common to Sections 29, 30, 31 and 32 of Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho; thence

North 00°00'00" East, 1784.77 feet on the section line common to said Sections 29 and 30; thence

North 89°13'04" West, 30.00 feet to the Northeast corner of said adjusted Lot 13, Block 2 of LARKWOOD SUBDIVISION, said point being the REAL POINT OF BEGINNING; thence on the exterior boundary line of said adjusted Lot 13, Block 2 for the following courses and distances;

South 00°00'00" West, 1334.25 feet; thence

North 88°26'38" West, 115.94 feet; thence

North 62°18'07" West, 292.55 feet; thence

North 90°00'00" West, 20.36 feet; thence

South 00°00'00" West, 561.53 feet (formerly shown as 561.54 feet); thence

South 89°48'09" West 820.72 feet; thence

North 00°00'00" East, 1356.55 feet; thence

South 90°00'00" East, 60.00 feet; thence

North 00°00'00" East, 418.71 feet; thence

South 89°13'04" East, 1156.11 feet to the REAL POINT OF BEGINNING.

N 1385783.94

E 2308505.54

0.363186

3

AFTER RECORDING MAIL TO:

Steven C. Smith and Rebecca B. Smith
c/o Hawkins-Smith, 1951 South Saturn, Suite .
Boise, ID 83709

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 02/12/04 04:21 PM
DEPUTY Kathy Ingraham
RECORDED - REQUEST OF
First American
AMOUNT 9.00



3

WARRANTY DEED

File No.: 303186DOC (emg)

Date: February 06, 2004

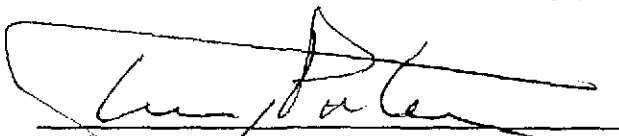
For Value Received, **M. Terry Porter**, an unmarried man and **Verdon D. Smith**, who acquired title as **Verdon D. Porter**, a married woman, as to their entire interest in the premises, which consists of an undivided one-half interest, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey unto **Steven C. Smith** [REDACTED], hereinafter referred to as Grantee, whose current address is **c/o Hawkins-Smith, 1951 South Saturn, Suite 100, Boise, ID 83709**, the following described premises, situated in **Ada County, Idaho**, to wit:

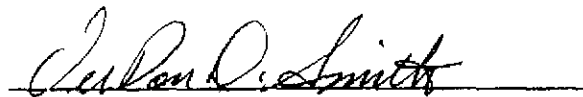
*a married man

As set forth in the attached Exhibit "A", which by this reference becomes a part hereof, and which is comprised of three (3) pages.

APN: R5147490513

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.


M. Terry Porter

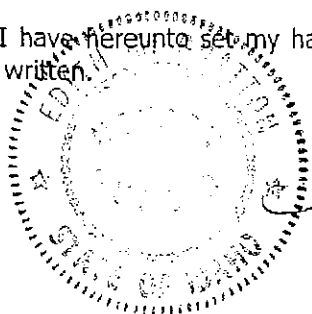

Verdon D. Smith

PROJECT: LAKKWOOD
NAME: DEED
FEES: \$-3600 PG: -
003 LOC: 193 PROJ: 19301
DESC: WARRANTY DEED -
LAKKWOOD

STATE OF Idaho)
SS.
COUNTY OF Ada)

On this Sixth day of February, 2004, before me, a Notary Public in and for said State, personally appeared **Verdon D. Smith**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/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.



Edith M. Galt
Notary Public for the State of Idaho

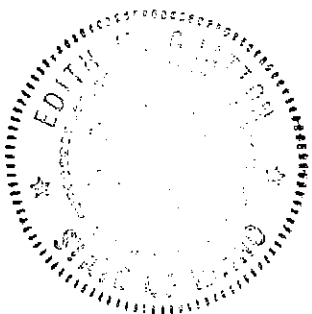
Residing at: Boise, ID

My Commission Expires: 10-1-04

STATE OF Idaho)
SS.
COUNTY OF Ada)

On this ~~10th~~ day of February, 2004, before me, a Notary Public in and for said State, personally appeared **M. Terry Porter**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/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.



Edith M. Galt
Notary Public for the State of Idaho

Residing at: Boise, ID

My Commission Expires: 10/1/04

EXHIBIT "A"

A parcel of land being a portion of Lot 13 and Lot 14 in Block 2 of LARKWOOD SUBDIVISION, according to the plat thereof, filed in Book 58 of Plats at Page(s) 5494 and 5495; AND AMENDED by an Affidavit recorded January 15, 1991, as Instrument No. 9102501, Records of Ada County, Idaho, as adjusted by Lot Line Adjustment Survey No. 2109, recorded April 9, 1992, as Instrument No. 9221864, and Property Line Adjustment Survey No. 5410, recorded June 8, 2001, as Instrument No. 101055990, and being more particularly described as follows:

Commencing at the section corner common to Sections 29, 30, 31 and 32 of Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho; thence
North 00°00'00" East, 1784.77 feet on the section line common to said Sections 29 and 30; thence
North 89°13'04" West, 30.00 feet to the Northeast corner of said adjusted Lot 13, Block 2 of LARKWOOD SUBDIVISION, said point being the REAL POINT OF BEGINNING; thence on the exterior boundary line of said adjusted Lot 13, Block 2 for the following courses and distances;
South 00°00'00" West, 1334.25 feet; thence
North 88°26'38" West, 115.94 feet; thence
North 62°18'07" West, 292.55 feet; thence
North 90°00'00" West, 20.36 feet; thence
South 00°00'00" West, 561.53 feet (formerly shown as 561.54 feet); thence
South 89°48'09" West 820.72 feet; thence
North 00°00'00" East, 1356.55 feet; thence
South 90°00'00" East, 60.00 feet; thence
North 00°00'00" East, 418.71 feet; thence
South 89°13'04" East, 1156.11 feet to the REAL POINT OF BEGINNING.

9

T4N R1E SEC 30

30

31

Data and Deed Call Listing of File: LARKWOOD.des

Tract 1: 0.0000 Hectares: 0.0 Sq M.: Closure = n00.0000e 0.00 M.: Precision >1/999999: Perimeter = 0 M.

001=N+1385783.94M E+2308505.54M
002=ROTATE +0.0000E+2308505.54M
003=N0.0000E 1784.772308505.54M
004=N89.1304W 30.0072308505.54M
005=S00.0000W 1334.25308505.54M
006=N88.2638W 115.945308505.54M
007=N62.1807W 292.555308505.54M
008=N90.0000W 20.3655308505.54M
009=S0.0000W 561.5355308505.54M
010=S89.4809W 820.725308505.54M
011=N00.0000E 1356.55308505.54M
012=S90.0000E 60.0055308505.54M
013=N00.0000E 418.715308505.54M
014=S89.1304E 1156.11308505.54M

63-3294B

PORTER/SMITH

97.3 ACRES

1.95 CFS

$$1.95 \div 97.3 = .02 \times 52.9 = 1.06 \text{ CFS}$$

$$.02 \times 44.4 = .89 \text{ CFS}$$

63-32173

PORTER/SMITH

52.9 ACRES

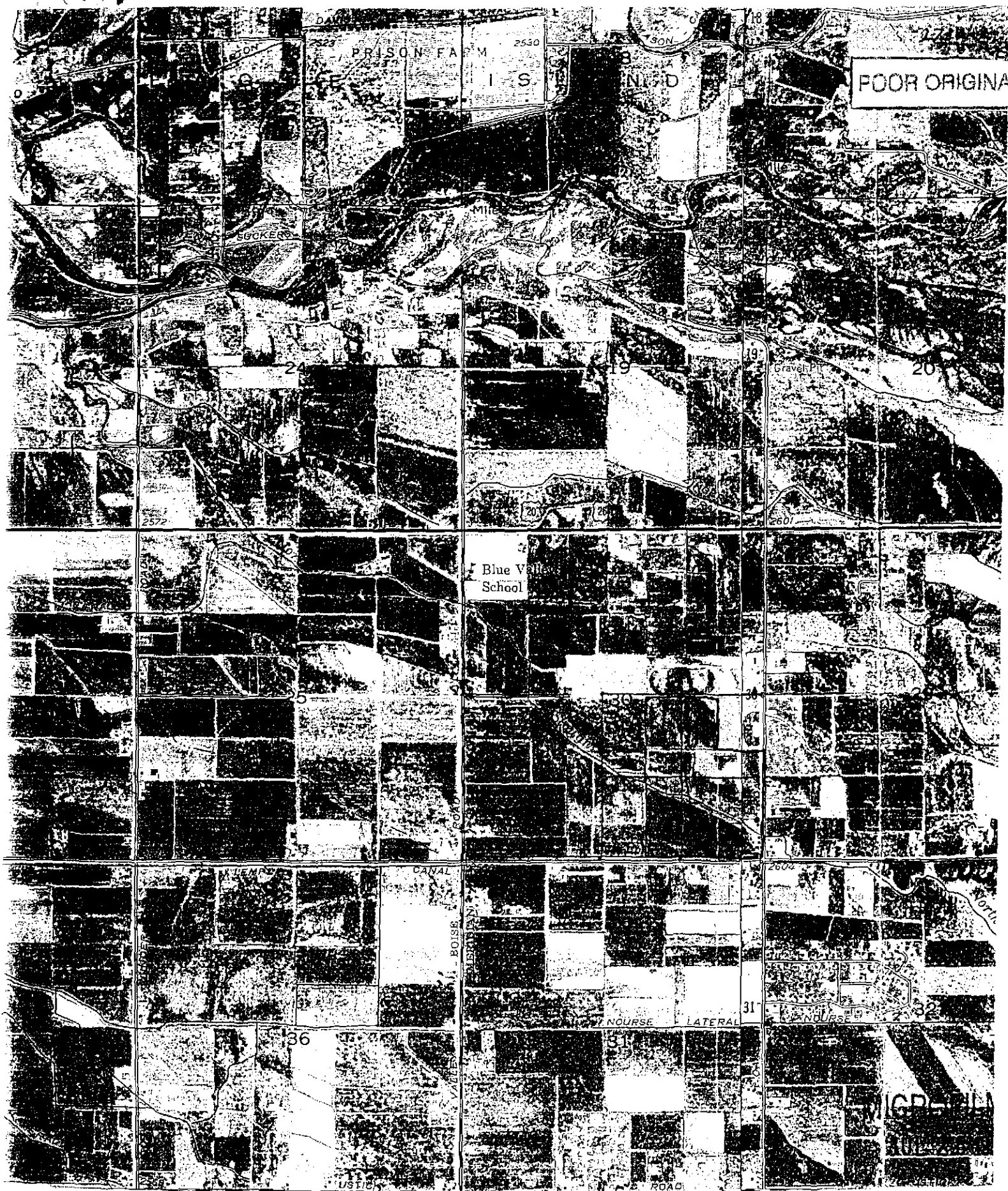
1.06 CFS

63-32174

LARKWOOD

44.4 ACRES

.89 CFS



COPY

RECEIVED

AUG 21 2007

Department of Water Resources
Adjudication Bureau

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

In Re SRBA) A. Subcase No.: 63-32485

Case No. 39576)

**STANDARD FORM 2
RESPONSE TO OBJECTION**

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: STATE OF IDAHO
Address: Office of the Attorney General
JRW Building, Second Floor
700 West State Street
P.O. Box 44449
Boise, Idaho 83711-4449
Phone: (208) 334-2400

Name and Address of Attorney, if any:

Attorney Name: LAWRENCE G. WASDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
DAVID J. BARBER (ISB # 2597)
Deputy Attorney General
Attorney Address: Office of the Attorney General
Natural Resources Division
JRW Building, Second Floor
700 West State Street
P.O. Box 44449
Boise, Idaho 83711-4449
Attorney Phone No. (208) 334-2400

C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO WHICH YOU ARE RESPONDING

Name: Settlers Irrigation District
PO Box 7571
Boise, ID 83707

Name & Address of Attorney, if any:

Scott L. Campbell
Moffatt Thomas Barrett Rock & Fields
PO Box 829
Boise, ID 83701

D. I am responding to the objections to the following elements. (Please check the appropriate box(es)).

1. ☐ Name and Address
2. ☐ Source
3. ☒ Quantity
4. ☐ Priority Date
5. ☐ Point(s) of Diversion
6. ☐ Instream Flow Description
7. ☒ Purpose(s) of Use
8. ☒ Period of Year
9. ☐ Place of Use
11. Recommendation
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

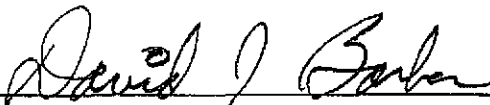
DAVID J. BARBER, Deputy Attorney General, being first duly sworn, upon oath, deposes and says:

That the State of Idaho is the party/claimant filing this response as defined by I.C. §§ 42-1401A(1) and (6), that I am a Deputy Attorney General authorized to represent the State of Idaho and that I have read this response, know its contents and that the statements are true to the best of my knowledge and belief.

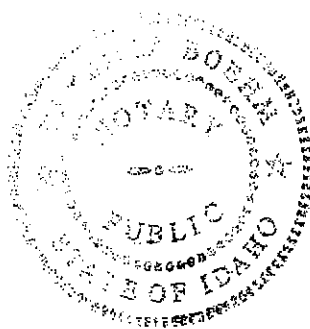
LAWRENCE G. WASDEN
Attorney General

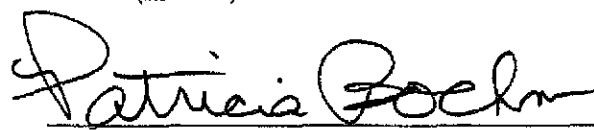
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division

DAVID J. BARBER
Deputy Attorney General


By Attorney signing in representative capacity

Subscribed and sworn to before me on this 17th day of August 2007
(Insert Date)




Notary Public for IDAHO
Residing at: BOISE, ID
My commission expires: 11/16/09

INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on this 17th day of August 2007, I caused to be served the original and copies of this response to the following persons by the indicated methods:

1. Original to: Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
253 Third Avenue North
Twin Falls, Idaho 83303-2707

2. One copy to the claimant of the water right at the following addresses:

Name: Settlers Irrigation District U. S. MAIL
Address: c/o Scott L. Campbell
Moffatt Thomas Barrett Rock & Fields
PO Box 829
Boise, ID 83701

3. One copy to the party who filed the objection at the following address:

Name: Settlers Irrigation District (not applicable)
Address: c/o Scott L. Campbell
Moffatt Thomas Barrett Rock & Fields
PO Box 829
Boise, ID 83701

4. Copies to: IDWR Document Depository STATEHOUSE
PO Box 83720 MAIL
Boise, ID 83720-0098

United States Department of Justice U. S. MAIL
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, Idaho 83724

Chief of Natural Resource Division (not applicable)
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449


Deputy Attorney General

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

In Re SRBA

Case No. 39576

A. Subcase 63-32485
(insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Settlers Irrigation District

Address: P.O. Box 7571

Boise, Idaho 83707

Daytime Phone: (208) 344-2471

Name & Address of Attorney, if any:

Scott L. Campbell

Moffatt Thomas

PO Box 829, Boise, Idaho 83701

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Settlers Irrigation District

Address: P.O. Box 7571

Boise, Idaho 83707

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: Please see Attachment 1 hereto
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☒ **Purpose(s) of Use**
Should be: Please see Attachment 2 hereto
8. ☒ **Period of Year**
Should be: Please see Attachment 2 hereto
9. ☐ **Place of Use**
Should be: _____
10. ☐ **I object because:**
 - ☐ This water right Should not exist.
 - ☐ This water right was not recommended, but Should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTIONS(S):

Please see Attachment 3 hereto.

F.

VERIFICATION (must be completed)

State of Idaho)
)ss.
County of Ada)

Scott L. Campbell, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

Scott L. Campbell
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

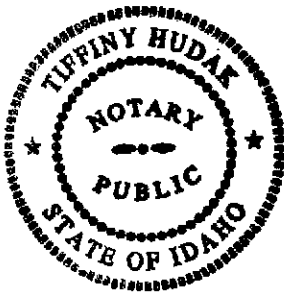
June 19, 2007

Tiffany Hudak

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 9/16/09



INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on June 19, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Settlers Irrigation District

Address: P.O. Box 7571

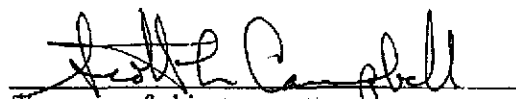
Boise, Idaho 83707

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449


Signature of objector or attorney
mailing on Objector's behalf

**ATTACHMENT 1 TO
STANDARD FORM 1 – OBJECTION
SUBCASE 63-32485**

Settlers Irrigation District objects to inclusion of the annual volumetric limitation in the amount of 24.30 afy, as such appears under the Quantity and Purpose and Period of Use elements of the Director's Report.

**ATTACHMENT 2 TO
STANDARD FORM 1 – OBJECTION
SUBCASE 63-32485**

Settlers Irrigation District objects to inclusion of the following remark, as such appears under the Purpose and Period of Use element of the Director's Report.

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

**ATTACHMENT 3 TO
STANDARD FORM 1 – OBJECTION
SUBCASE 63-32485**

Reasons Supporting Objection(s)

Quantity:

There is no legal basis for the inclusion of the volumetric limitation, as it was not contained as a restriction in the license.

Purpose and Period of Use:

There is no legal basis for the inclusion of the volumetric limitation or the remark, as neither were contained as restrictions in the license.

11/22/2006

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

RIGHT NUMBER: 63-32485

NAME AND ADDRESS: SETTLERS IRRIGATION DISTRICT
PO BOX 7571
BOISE ID 83707

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.110 CFS
24.300 AFY

PRIORITY DATE: 05/23/1962

POINT OF DIVERSION:

T04N R01E S30 SESE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
0.110 CFS
24.30 AFY

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date

a

partial decree is entered for this right.

PLACE OF USE: IRRIGATION in ADA County

T04N R01E S30 NESE 1.30 T04N R01E S30 SESE 4.10

5.4 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 63-32174.

Property is also known as the Tustin Subdivision.

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

November 22, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

Settlers Irrigation District
PO Box 7571
Boise, ID 83707

Notice of Claim to a Water Right No. 63-32485

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflect the change in ownership of the land and appurtenant water rights, covered under the original filing.

Please note that the enclosed Notice of Claim to a Water Right is not a final determination of your water right. This claim was filed 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 and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed information, please feel free to contact this office.

Sincerely,

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

Enclosure

Moffatt Thomas

MOFFATT THOMAS BARRETT ROCK & FIELDS, CHTD.

Boise
Idaho Falls
Pocatello
Twin Falls

Eugene C. Thomas
John W. Barrett
R. B. Rock
Richard C. Fields
John S. Simko
John C. Ward
D. James Manning
Gary T. Dance
Larry C. Hunter
Randall A. Peterman
Mark S. Prusynski
Stephen R. Thomas
Glenna M. Christensen
Gerald T. Husch
Scott L. Campbell
Robert B. Burns

Michael E. Thomas
Patricia M. Olsson
Bradley J. Williams
Lee Radford
Michael O. Roe
David S. Jensen
James L. Martin
C. Clayton Gill
Michael W. McGreaham
David P. Gardner
Julian E. Gabiola
Angela Schaefer Kaufmann
Kimberly D. Evans Ross
Paul D. McFarlane
Jon A. Stenquist
Tyler J. Henderson

Jason G. Murray
Mark C. Peterson
Andrew J. Waldera
Tyler J. Anderson
Dylan B. Lawrence
Russell G. Metcalf
Benjamin C. Ritchie
Rebecca A. Rainey
Robert E. Bakes, *of counsel*
Morgan W. Richards, *of counsel*
Willis C. Moffatt, 1907-1980
Kirk R. Helvie, 1956-2003

November 3, 2006

US Bank Plaza Building
101 S Capitol Blvd 10th Fl
PO Box 829
Boise Idaho 83701 0829

208 345 2000
800 422 2889
208 385 5384 Fax
www.moffatt.com

Idaho Department of Water Resources
Western Region Office, Adjudication Bureau
2735 Airport Way
Boise, Idaho 83705

Re: Water Right No. 63-32174
MTBR&F File No. 18955.27

RECEIVED

NOV 06 2006

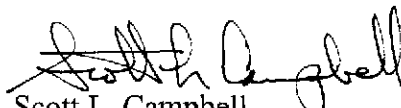
WATER RESOURCES
WESTERN REGION

Dear Sir or Madam:

Enclosed please find the original Notice of Error Reply form for water right 63-32174. We are submitting the enclosed Notice on behalf of our client, the Settlers Irrigation District. A copy of the Notice of Error Reply is also enclosed. Please receive, stamp the copy and return it in the enclosed self-addressed, stamped envelope. ✓ *lg 11/6/06*

Thank you for your assistance to this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,


Scott L. Campbell

SLC/tmh

Enclosures

cc: Settlers Irrigation District Board of Directors

9/29/2006

NOTICE OF ERROR

REPLY

RECEIVED

NOV 06 2006

WATER RESOURCES
WESTERN REGION

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006.

Water right number: 63-32485 (split from 63-32174)

SETTLERS IRRIGATION DISTRICT
PO BOX 7571
BOISE ID 83707
Telephone Number: (208) 344-2471

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

Name and Address

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

Settlers Irrigation District should be listed as the owner of this water right.

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

Settlers obtained ownership of this water right on or about September 25, 2006. A Notice of Change of Water Right Ownership was submitted to the Department thereafter.

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

DATE: 11/03/06

SIGNATURE: _____

Please print your name:

Scott L. Campbell
Moffatt, Thomas, Barrett, Rock & Fields, Chartered
PO Box 8729
Boise, Idaho 83701

Counsel of record for Settlers Irrigation District

IDWR Regional Office, 2735 Airport Way, Boise, ID 83705, 208-334-2190

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Dyver Der.

lib.

09/27/2006

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

RIGHT NUMBER: 63-32485

NAME AND ADDRESS: DYVER DEVELOPMENT
1977 E OVERLAND RD
MERIDIAN ID 83642

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.110 CFS
24.300 AFY

PRIORITY DATE: 05/23/1962

POINT OF DIVERSION:

T04N R01E S30 SESE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.110 CFS
24.30 AFY

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within ADA County

T04N R01E S30 NESE 1.30

T04N R01E S30 SESE 4.10

5.4 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 63-32174.

Property is also known as the Tustin Subdivision.

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

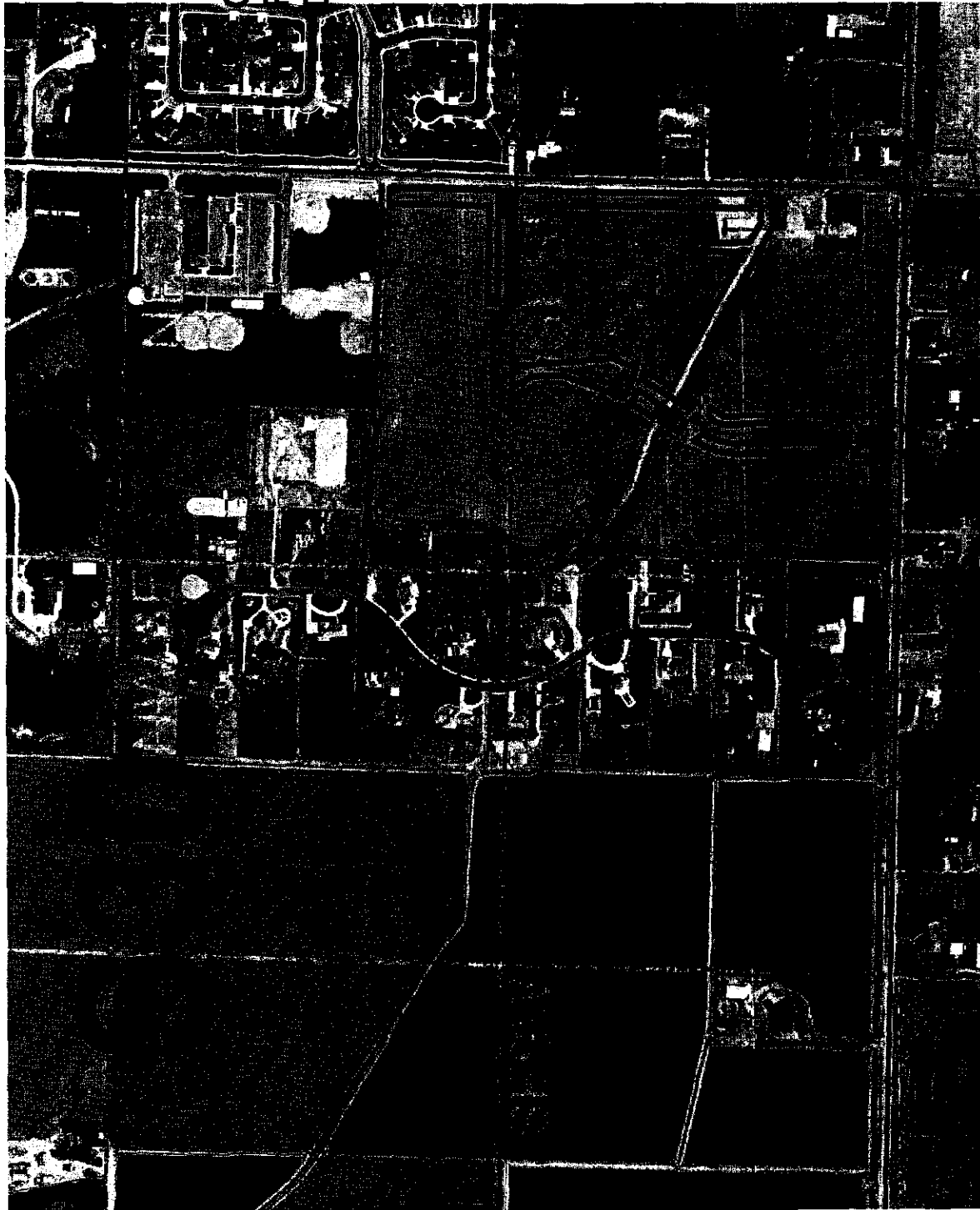
Idaho Department of Water Resources

**T04N, R01E,
S30**

Claim No: 63-32485

Prepared By: Kimberly Brown

Date: September 26, 2006



Place of Use



Section Lines

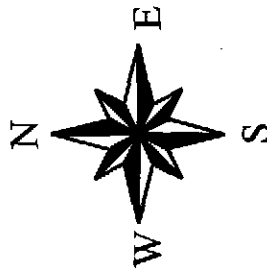


1/4 1/4



Point of Diversion

Acres Irrigated = 5.4



2003 NAPP

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-32485

WATER RIGHT NUMBER: 63-32485

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	STEVEN SMITH 5780 N LOCUST GROVE RD MERIDIAN, ID 83642 (208)939-2343
Original Owner	TERRY PORTER 7352 WINWARD DR MERIDIAN, ID 83642 (208)888-6363
Original Owner	LARKWOOD DEVELOPMENT CORP 1951 S SATURN WAY SUITE 100 BOISE, ID 83709
Original Owner	CHURCH OF JESUS CHRIST OF THE LATTER DAY SAINTS BOISE STAKE PO BOX 2156 BOISE, ID 83701
Current Owner	DYVER DEVELOPMENT 1977 E OVERLAND RD MERIDIAN, ID 83642 (208) 288-5560

Priority Date: 05/23/1962 ✓

Basis: License ✓

Status: Active

Source

GROUND WATER ✓

TributaryBeneficial Use

IRRIGATION ✓

From To

03/15 to 11/15 ✓

Diversion Rate

0.110 CFS ✓

Annual Volume

24.3 AFA

Total Diversion:

0.110 CFS ✓

24.3 AFA

Location of Point(s) of Diversion

GROUND WATER

ADA County ✓

SE1/4SE1/4 ✓

Sec. 30, Twp 04N, Rge 01E, B.M. ✓

Place of Use

IRRIGATION ✓

ADD J01 - Place of use also known as the Tustin Sub.

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01E	30									1.3			4.1	5.4

Total Acres: 5.4 ✓

ADD 839 - Season of use is 3/01 - 11/15.

ADD W54 - Use is combined with Settlers Irr. District water.

ADD - This right is a split from former right 63-32174.



Regarding the POI shape in ArcView, contractor Terry Scanlon, of SPF Water Engineering, did not send an electronic image and the Ada County tax lot shape of the Lakewood Subdivision is currently only the 44.4 acre, semi-rectangular shape in ArcView (nothing shows the subdivision's interior roads, houses, etc. on my screen).

CFS FACTOR = 0.02 cfs/acre

AF FACTOR = 4.5 af/acre

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-32485

Conditions of Approval:

1. This right is a split from former right 63-32174 ~~7~~
2. CHANGE IN OWNERSHIP LG- 9-25-2006 REVIEWED BY K. BROWN
3. ~~This right is a split from former right 63-3204B~~

Remarks:

Comments:

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-32485

09/26/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
1294A	Claim	04N	01E	30	NE	SE		IRRIGATION	14.7/14.7	CORP OF THE PRESIDING BISHOP
12173	Claim	04N	01E	30	NE	SE		IRRIGATION	14.9/52.9	TERRY PORTER
12484	Claim	04N	01E	30	NE	SE		IRRIGATION	8.1/39	LARKWOOD DEVELOPMENT CORP
12485	Claim	04N	01E	30	NE	SE		IRRIGATION	1.3/5.4	DYVER DEVELOPMENT
3294	Water Right	04N	01E	30	NE	SE		IRRIGATION	39/112	CHURCH OF JESUS CHRIST OF THE LATTER DAY SAINTS
5320	Water Right	04N	01E	30	NE	SE		IRRIGATION	40/112	MARTIN ZACHRESON
1614B	Claim	04N	01E	30	NE	SE		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT
1618B	Claim	04N	01E	30	NE	SE		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT
1262B	Claim	04N	01E	30	NE	SE		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT
12484	Claim	04N	01E	30	SE	SE		IRRIGATION	30.9/39	LARKWOOD DEVELOPMENT CORP
12485	Claim	04N	01E	30	SE	SE		IRRIGATION	4.1/5.4	DYVER DEVELOPMENT
3294	Water Right	04N	01E	30	SE	SE		IRRIGATION	35/112	CHURCH OF JESUS CHRIST OF THE LATTER DAY SAINTS
5320	Water Right	04N	01E	30	SE	SE		IRRIGATION	32/112	MARTIN ZACHRESON
1614B	Claim	04N	01E	30	SE	SE		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT
1618B	Claim	04N	01E	30	SE	SE		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT
1262B	Claim	04N	01E	30	SE	SE		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

September 26, 2006

Dwyer Development
1977 E. Overland Road
Meridian, ID 83642

JAMES E. RISCH
Governor

KARL J. DREHER
Director

Re: Original Notice of Claim to a Water Right No. 63-32174
Renumbered Notice of Claim to a Water Right No. 63-32484

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

09/26/2006

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

RIGHT NUMBER: 63-32485

NAME AND ADDRESS: DYVER DEVELOPMENT
1977 E OVERLAND RD
MERIDIAN ID 83642

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.110 CFS

PRIORITY DATE: 05/23/1962

POINT OF DIVERSION:

T04N R01E S30 SESE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.110 CFS

PLACE OF USE: IRRIGATION Within ADA County

T04N R01E S30

NESE 1.30

T04N R01E S30

SESE 4.10

5.4 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 63-32174.

This right is a split from former right 63-3294B.

09/07/2006

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

RIGHT NUMBER: 63-32174

NAME AND ADDRESS: DYVER DEVELOPMENT
1977 E OVERLAND RD
MERIDIAN ID 83642

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.890 CFS

PRIORITY DATE: 05/23/1962

POINT OF DIVERSION:

T04N R01E S30 SESE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.890 CFS

PLACE OF USE: IRRIGATION Within ADA County

T04N R01E S30

NESE

9.40

T04N R01E S30

SESE

35.00

44.4 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 63-3294B.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

September 7, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

Dyver Development Corporation
1977 E Overland Road
Meridian, ID 83642

Notice of Claim to a Water Right No. 63-32174

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflect the change in ownership of the land and appurtenant water rights, covered under the original filing.

Please note that the enclosed Notice of Claim to a Water Right is not a final determination of your water right. This claim was filed 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 and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed information, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Liberty Gagnon".

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

Enclosure

09/21/2005

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

RIGHT NUMBER: 63-32174

NAME AND ADDRESS: LARKWOOD DEVELOPMENT CORP
1951 S SATURN WAY SUITE 100
BOISE ID 83709

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.890 CFS

PRIORITY DATE: 05/23/1962

POINT OF DIVERSION:

T04N R01E S30 SESE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.890 CFS

PLACE OF USE: IRRIGATION Within ADA County

T04N R01E S30	NESE	9.4	T04N R01E S30	SESE	35.0
---------------	------	-----	---------------	------	------

44.4 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 63-3294B.

Water Right 63-32174

1



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

September 21, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Larkwood Development Corp
1951 S. Saturn Way Suite 100
Boise, ID 83709

Re: Original Notice of Claim to a Water Right No. 63-3294B

Renumbered Notice of Claim to a Water Right No. 63-32174

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

07/15/2003

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

RIGHT NUMBER: 63-3294B

NAME AND ADDRESS: TERRY PORTER
7352 WINWARD DR
MERIDIAN ID 83642

STEVEN SMITH
5780 N LOCUST GROVE RD
MERIDIAN ID 83642

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.946 CFS
437.850 AFY

PRIORITY DATE: 05/23/1962

POINT OF DIVERSION:

T04N R01E S30 SESE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.946 CFS 437.85 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within ADA County

T04N R01E S30	NESE	24.3	T04N R01E S30	NWSE	19.0
T04N R01E S30	SWSE	19.0	T04N R01E S30	SESE	35.0

97.3 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: License

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3294B V1

WATER RIGHT NUMBER: 63-3294B V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CHURCH OF JESUS CHRIST OF THE LATTER DAY SAINTS BOISE STAKE PO BOX 2156 BOISE, ID 83701
Current Owner	TERRY PORTER 7352 WINWARD DR MERIDIAN, ID 83642 (208)888-6363
Current Owner	STEVEN SMITH 5780 N LOCUST GROVE RD MERIDIAN, ID 83642 (208)939-2343

Priority Date: 05/23/1962

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	1.946 CFS	437.85 AF
	<u>Total Diversion:</u>	1.946 CFS	437.85 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4	Sec. 30, 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	30													24.3	19.0	19.0	35.0	97.3

Total Acres: 97.3

Conditions of Approval:

1. C18 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.
2. W54 Use of this right is combined with water from Settlers Irrigation District.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3294B V1

1. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:

1. kbrown 7/15/2003 2002 Tax Lot Info.

Comment: According to 2002 Tax Lot information, approximately half of this property has been subdivided, with multiple owners - specifically, 19 acres in the SWSE, 19 acres in the NWSE, and the northern half of the NESE.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
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

Idaho Department of Water Resources

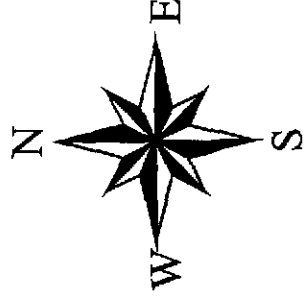


T04N, R01E,
S30

Claim No: 63-03294B
Prepared By: Kimberly Brown
Date: July 2, 2003

⊙ Point of Diversion
□ Place of Use
□ Section Lines
1/4 1/4

Acres Irrigated = 97.3



1987 NAPP

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3294B

WATER RIGHT NUMBER: 63-3294B

Owner Type Name and Address
 Original Owner CHURCH OF JESUS CHRIST OF THE LATTER DAY SAINTS ✓
 BOISE STAKE
 PO BOX 2156
 BOISE, ID 83701
 Current Owner TERRY PORTER ✓
 7352 WINWARD DR
 MERIDIAN, ID 83642
 (208)888-6363
 Current Owner STEVEN SMITH ✓
 5780 N LOCUST GROVE RD ✓
 MERIDIAN, ID 83642
 (208)939-2343
 Priority Date: 05/23/1962 ✓
 Basis: License ✓
 Status: Active

Source Tributary
 GROUND WATER ✓

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>	
IRRIGATION ✓	3/15 to 11/15 ✓	~~1.000~~ CFS 1.946	437.85	97.3
				4.5
	<u>Total Diversion:</u>	~~1.000~~ CFS 1.946	437.85	<u>437.85</u>

Location of Point(s) of Diversion

GROUND WATER SE1/4SE1/4 ✓ Sec. 30, 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	30													24.3	19.0	19.0	35.0	97.3 ✓

Total Acres: 97.3 ✓

Conditions of Approval: ADD W54 - Use of right combined with Settlers Irr. Dis.

Remarks: Season of use is 3/1 to 11/15 - ADD S04.

Comments: - According to 2002 Tax lot information, approximately half of this property has been subdivided, with multiple owners - specifically 19 acres in the SWSE, 19 acres in the NWSE, and the northern half of the NESE.
 Water License Number: R20505

SD-1603-3

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 07/02/03
Time: 11:37:33

Rec/No - W012567 AR/No -
From: - PORTER, TERRY

Receipt Type - CK Doc/No - 8546
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 07/23/1990

Type Of Payment	Fund	FD	PCA	Obj	Subsid	Fee
ADJUDICATION FEE (PORTER & ASSOC.)	9337		410162	6490		175.00

Total Due - 175.00

WR/No
A6303294B

WR Fee
25.00

WR/No

WR Fee
150.00

WR/No

WR Fee

Domestic

Irrigation

(Enter=Continue)

(GOLD7=Selection Screen)

(GOLD8=Cancel)

63

RECEIVED

REFUND REQUEST

MAY 0 5 1993

Department of Water Resources

TO: S. Frazee to Log In
FOR: D. Shaff/D. Allen
FROM: Western Region
SUBJ: Receipt No. W012567 (Please attach ARQ2 Receipt copy)

Date: 5-4-93

RE: PayOR Porter, Terry
Address 7352 Winward Dr
Meridian ID 83642

Claimant if NOT Payor Terry Porter / Steve Smith
Refund Amount \$175 Claim Location (Region/Claimant) ()
Extension Filed? (Y) N Denied Copy Attached? (Y) N NA
Late Fees Paid? (Y) N NA Late Fee Receipt #
S.O. Verified Ext. by on D.B. Query by
Refund Generated By (X) Agent () Claimant
Refund Category Rejected claim incomplete
Date of Last Correspondence (copy attached) 12-30-92

Claim No.	Use	Fees Paid	Correct Fee	Rec't #
<u>N/A</u>	<u>Irrig.</u>	<u>\$150</u>	<u>\$203</u>	<u>W012567</u>
<u>N/A</u>	<u>Domestic</u>	<u>\$25</u>	<u>\$75</u>	<u>W012567</u>
		\$		
		\$		
		\$		
Total		<u>\$175</u>	<u>\$278</u>	

Detailed Reason(s) for Refund Attached Y/N
Rejected, insufficient fees, incomplete POD & POW, Basis
of claim not indicated.

Region AJ Spvsr. Approval S.O. AJ Spvsr. Approval
Don Shaff Approval 7-07-93 Hold 2wks To Fiscal
Logged 05-07-93

Data Base Modified? Y/N (N) A &/or R Records By on

> 2nd Rndt Yes

> Terry Porter called 945 a 7-15 (Wed.). He'll be in in next 10
days to take care of Irr well - said not worried 'bout
claim.

CLAIM FILED 7-27-93
A63-03294B

MICROFILMED

10/29/92

JUL 25 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 14, 1993

Terry Porter and Steve Smith
7352 Winward Dr.
Meridian, ID 83642

RE: Snake River Basin Adjudication (SRBA)
Ada County - Receipt #W012567

Dear Gentlemen:

In our letter to you of December 30, 1992, you were offered some options to record your water right. Since we have not received anything further from you, the refund process has been initiated with the State Auditor's Office for the fees you paid. You should receive your check in the near future.

If you later decide to refile, a new claim must be completed within one year with filing fees and appropriate late fees included at the time of submittal.

Sincerely,

A handwritten signature in black ink, appearing to read 'Donald V. Shaff', written over a horizontal line.

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:ref

MICROFILMED

JUL 25 1994

RECEIVED

JUL 24 1990

denied

Date Received

RECEIVED

JUL 23 1990

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

Department of Water Resources
Western Regional Office

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Terry Porter 888 7600
Name of Claimant Phone Number
7352 Winwood Dr Meridian Id 83642
Mailing Address City State Zip
Ada
County(s) where place of use is located Date claim originally due

Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

We never received notice of claim to water right

RECEIVED

JUL 30 1990

Claimant requests an extension to Department of Water Resources, 19__
Terry Porter
Signature Date of request, 19__
Owner
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☐ granted] [☒ denied] for the following reasons:

A commencement notice, including the filing deadline, was mailed to this address 5/11/89.

and if granted the filing deadline is extended to 19__

Signed this 26 day of July, 19__ 90

David B. Shaw
Director or his designated agent

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

DAVID B. SHAW

MICROFILMED

JUL 25 1994

State of Idaho

License and Certificate of Water Right

Water License No. G-30505 Priority May 23, 1962 Amount 2.24 c.f.s.

THIS IS TO CERTIFY that Boise Stake of the Church of Jesus Christ of Latter-Day Saints, a Corporation Sole of Boise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated May 23, 1962; that Permit No. G-30505 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 2.24 second feet, was issued thereunder on March 18, 1968, showing that said works were completed on the 18 day of May, 1967; and that on the 18 day of May, 1967 Boise Stake of the Church of Jesus Christ of Latter-Day Saints, a Corporation Sole, by Charles O. Dunn, agent of Boise, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well

a tributary of subterranean flow for the purpose of Irrigation under Use Permit No. G-30505 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 by ~~XXXXXX~~ on the 18 day of March, 1968.

The right hereby confirmed dates from May 23, 1962.

The Point of Diversion is located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 30, 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 2.24 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Four-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N	1 E	30	NE SE	10	39
			NW SE	20	19
			SW SE	20	19
			SE SE	40	35

Total number of acres irrigated: 112

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 18 day of March, 1968.

R. Keith Higgins
State Reclamation Engineer.

[illegible]

FEB 14 1964

IDAHO
Locate well 1

NW¼	NE¼
SW¼	SE¼

Size of pump and motor used to make test

If flowing well, give flow, _____ c.f.s. or _____ g.p.m. and of shut off pressure _____

If flowing well, described control works

Water will be used for Irrigation _____ Weight of casing per lineal foot. _____

Thickness of casing 10 G. Casing material. Steel

Diameter, length and location of casing 14" . 116' . 31' above ground to 112' below
(CASING 12" IN DIAMETER OR LESS, GIVE INSIDE DIAMETER;
CASING OVER 12" IN DIAMETER, GIVE OUTSIDE DIAMETER.)

CASING RECORD

[illegible]

Number and size of perforations 20 rows around 7 slots in each row at each 4" interval from ground
The casing is all perforated except the top 8'
The slots are 1/4" x 1 7/8"

4-17-62 Date of completion of well 5-7-62

SESE 7 30 92 1E

WELL LOG

[illegible]

WELL ORILLER'S STATEMENT

This well was drilled under my supervision and the above information is true and correct to the best of my knowledge and belief.

Signed Charles D. Kinsley

By

Dated May 22 _____, 1962

License No. **33**

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

Permit No. 2-10503

Is proof for Comp. of Works & Beneficial Use In Water District No.

1. Name of applicant Boise Stake of the Church of Jesus Christ of Latter-Day Saints,
a Corporation sole

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the SE 38 1/4 of Section 30

T. 4 N. R. 1 E. County of Ada

4. Describe works as they exist, giving dimensions and capacities of same:

20' H.P. C.C. C.C. WATER # 50150.9

22' VERT. PUMP # WNG 17.71

3" DIAPHRAGM THROUGH 4" BLACK LUMBER CLEAR RUN

VALVE - 45' IN 1/4 CONCRETE BUTTER DIRECTION

1/4" DIAPHRAGM - 8' THROUGH EAST WALL IN 1/4" THROUGH 1/4" DIAPHRAGM

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):

SE 38 1/4, Sec. 30, T. 4 N., R. 1 E., S. 4.

(120 acres)

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks:

20' H.P. C.C. C.C. WATER # 50150.9
22' VERT. PUMP # WNG 17.71
3" DIAPHRAGM THROUGH 4" BLACK LUMBER CLEAR RUN
VALVE - 45' IN 1/4 CONCRETE BUTTER DIRECTION
1/4" DIAPHRAGM - 8' THROUGH EAST WALL IN 1/4" THROUGH 1/4" DIAPHRAGM

SPARKING METER USED: 104 - 3.22 C.F.S.

This examination was made on the 27 day of Nov 1927

(Signed) J. R. ...