

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - ARIZONA
TWIN FALLS CO. ARIZONA
FILED
2003 FEB 5 PM 2 26

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

AMENDED

FILED

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-32613

2008 FEB 5 PM 2 26

NAME AND ADDRESS: BARBARA A WILLIAMSON
SYLVAN D WILLIAMSON
850 WILLIAMSON LN
EAGLE, ID 83616

SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 4.20 CFS
945.00 AFY

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

PRIORITY DATE: 03/01/1865

POINT OF DIVERSION: T04N R01E S22 LOT 6 (SWNE) Within Ada County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	4.20 CFS 945.00 AFY

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

PLACE OF USE:	Irrigation	Within Ada County
	T04N R01E S15	NWSW 4.0 LOT 5 (SWSW)35.0 SESW 10.0
	S16 LOT 8	(NESE)16.0 LOT 7 (NWSE) 1.0
	LOT 7	(SWSE) 6.0 LOT 8 (SESE)22.5

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

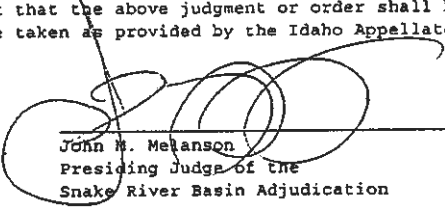
S21 LOT 1	(NENE) 22.5	LOT 2	(NWNE) 3.0
LOT 2	(SENE) 5.0		
S22 LOT 3	(NENW) 27.0	LOT 4	(NWNW) 38.0
LOT 5	(SWNW) 5.0	LOT 6	(SENW) 15.0
210.0 Acres Total			

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF AMENDED PARTIAL DECREE; I.R.C.P. 60(A) CLERICAL ERROR was mailed on February 05, 2008, with sufficient first-class postage to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

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

ORDER

Page 1 2/05/08

FILE COPY FOR 01174

Deputy Clerk

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".

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

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

2007 MAR 28 PM 1 46

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 63-32613

NAME AND ADDRESS: BARBARA A WILLIAMSON
850 WILLIAMSON LN
EAGLE, ID 83616

SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 4.20 CFS
945.00 AFY

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PRIORITY DATE: 03/01/1865

POINT OF DIVERSION: T04N R01E S22 LOT 6 (SWNE) Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	4.20 CFS 945.00 AFY

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

PLACE OF USE:	Irrigation	Within Ada County
	T04N R01E S15	NWSW 4.0 LOT 5 (SWSW) 35.0
		SESW 10.0
	S16 LOT 8	(NESE) 16.0 LOT 7 (NWSE) 1.0
	LOT 7	(SWSE) 6.0 LOT 8 (SESE) 22.5
	S21 LOT 1	(NENE) 22.5 LOT 2 (NWNE) 3.0

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

LOT 2	(SENE)	5.0		
S22 LOT 3	(NENW)	27.0	LOT 4	(NWNW) 38.0
LOT 5	(SWNW)	5.0	LOT 6	(SENW) 15.0
210.0 Acres Total				

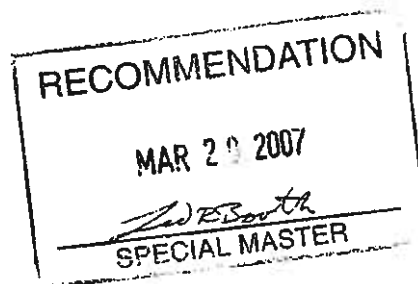
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication



**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

) Subcase No. 63-32613

) split from: 63-31835

) STANDARD FORM 5

) STIPULATED ELEMENTS OF A
) WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

This right, along with right 63-32614, are split from and constitute the whole of right 63-31835. All parties agree that this split right represents the portion of the original right appurtenant to land belonging to the owner named herein. The original right is now superseded by this right and right 63-32614.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT(s):

Barbara and Sylvan Williamson

Barbara Williamson 3-19-07
Barbara Williamson Date
Sylvan Williamson 3-19-07
Sylvan Williamson Date

STANDARD FORM 5 – 63-32613

OBJECTOR(s):

Howell Kiser Development Corp.

[Signature] 3/14/07
authorized representative Date

RECEIVED

MAR 20 2007

WATER RESOURCES
WESTERN REGION

IDWR Concurrence:

Jan Shurte
Adjudication Supervisor

Nicholas B. Spencer
Deputy Attorney General

CERTIFICATE OF MAILING

I certify that on _____, 2007, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

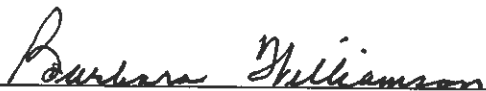
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

Howell-Kiser Development Corp
619 Queens Guard Way
Boise, ID 83709

Barbara & Sylvan Williamson
850 Williamson Ln
Eagle, ID 83616

IDWR Repository
P.O. Box 83720
Boise, ID 83720



Signature of person mailing the form

Amended Director's Report
63-32613

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

RIGHT NUMBER: 63-32613

NAME AND ADDRESS: BARBARA A WILLIAMSON
850 WILLIAMSON LN
EAGLE ID 83616

SYLVAN D WILLIAMSON
850 WILLIAMSON LN
EAGLE ID 83616

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 4.200 CFS
945.000 AFY

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

PRIORITY DATE: 03/01/1865

POINT OF DIVERSION:

T04N R01E S22 SWNE Lot 6 Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	4.200 CFS 945.00 AFY

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

Amended Director's Report
63-32613

IDAHO DEPARTMENT OF WATER RESOURCES
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RIGHT NUMBER: 63-32613

NAME AND ADDRESS: BARBARA A WILLIAMSON
850 WILLIAMSON LN
EAGLE ID 83616

SYLVAN D WILLIAMSON
850 WILLIAMSON LN
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SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

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T04N R01E S22 SWNE Lot 6 Within ADA County

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PERIOD OF USE:

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Amended Director's Report
63-32613

PLACE OF USE:

IRRIGATION in ADA County

T04N R01E S15	NWSW	4.00	T04N R01E S15 Lot 5 SWSW	35.00
T04N R01E S15	SESW	10.00	T04N R01E S16 Lot 8 NESE	16.00
T04N R01E S16 Lot 7 NWSE		1.00	T04N R01E S16 Lot 7 SWSE	6.00
T04N R01E S16 Lot 8 SESE		22.50	T04N R01E S21 Lot 1 NENE	22.50
T04N R01E S21 Lot 2 NWNE		3.00	T04N R01E S21 Lot 2 SENE	5.00
T04N R01E S22 Lot 3 NENW		27.00	T04N R01E S22 Lot 4 NWNW	38.00
T04N R01E S22 Lot 5 SWNW		5.00	T04N R01E S22 Lot 6 SENW	15.00

210 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

This right is a split from former right 63-31835 .

3-12-07

Ownership Split for 63-31835

Howell Kiser Development – Purchased 79 acres of water rights for the Riversend Subd.

Barbara & Sylvan Williamson retained the remainder of this right.

Subdivision covers a total of 96 acres of the original recommended irrigated acres. For calculations of the following acres per quarter-quarter 79 sold were divided by the 96 irrigated and multiplied by the total acres recommended per 1/41/4 within the subdivision boundaries. This was used to calculate the acre amount per 1/41/4 with the remaining acres recommended in each 1/41/4 staying with the Williamson's.

Howell Kiser Development - 63-32614

Sec. 16 – Lot 7 – SWSE – 29 acres of the 35 acre total ($79/96=.8229 \times 35=29$)
 Lot 7 – NWSE - 4 acres of the 5 acre total ($79/96=.8229 \times 5=4$)
 Lot 8 – SESE – 14.5 acres of the 17.7 acre total ($79/96=.8229 \times 17.7=14.5$)
 Lot 8 – NESE – 9 acres of the 11 acre total ($79/96=.8229 \times 11=9$)
 Sec. 21 – Lot 1 – NENE – 12.5 acres of the 15.3 acre total ($79/96=.8229 \times 15.3=12.5$)
 Lot 2 – NWNE – 10 acres of the 12.4 acre total ($79/96=.8229 \times 12.4=10$)

Total Howell-Kiser acres – 79

Williamson Acres Remaining: 63-32613

Sec. 16 – Lot 7 – SWSE – 6 acres (35 total rec. ac – 29 ac Howell-Kiser)
 Lot 7 – NWSE – 1 acre (5 total rec. ac – 4 ac Howell-Kiser)
 Lot 8 – SESE - 22.5 acres (37 total rec. ac – 14.5 ac Howell-Kiser)
 Lot 8 – NESE – 16 acres (25 total rec. ac – 9 ac Howell-Kiser)
 Sec. 21 – Lot 1 – NENE – 22.5 acres (35 total rec. ac – 12.5 ac Howell-Kiser)
 Lot 2 – NWNE – 3 acres (13 total rec. ac – 10 ac Howell-Kiser)

Total acres – 71

Remaining Williamson Total acres – 139

Total Williamson Acres - 210

Howell – Kiser – 79 acres

Williamson - 210 acres

Total - 289 acres = total acres recommended under the original right.

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 63-32613
Date Received: 2/9/2004
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BARBARA A WILLIAMSON Phone: (208) 939-6287
850 WILLIAMSON LN
EAGLE ID USA 83616

SYLVAN D WILLIAMSON Phone: (208) 939-6287
850 WILLIAMSON LN
EAGLE ID USA 83616

2. Date of Priority: 04/01/1865

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

4. Point of Diversion:

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

5. Description of diverting works:

WING DAM IN RIVER TO DITCH TO FLOOD IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	4.2	945

7. Total Quantity Appropriated is:

4.2 C.F.S. and/or 945 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01E	15	NW	SW	IRRIGATION	4
			SW	SW	IRRIGATION	35
			SE	SW	IRRIGATION	10
			Section Acres			49
04N	01E	16	NE	SE	IRRIGATION	16
			NW	SE	IRRIGATION	1
			SW	SE	IRRIGATION	6
			SE	SE	IRRIGATION	22.5
Section Acres			45.5			
04N	01E	21	SE	NE	IRRIGATION	5
			NE	NE	IRRIGATION	22.5
			NW	NE	IRRIGATION	3
Section Acres			30.5			
04N	01E	22	NE	NW	IRRIGATION	27
			NW	NW	IRRIGATION	38
			SW	NW	IRRIGATION	5
			SE	NW	IRRIGATION	15
Section Acres			85			
Total Acres			210			

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 63-31835 .

15. Basis of Claim: Decreed

Should questions arise during the processing of this application please contact:
David Shaw - ERO Resources Corp. (208) 373-7983

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

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change 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
<u>63-31835</u>		<u>Y</u>			

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) Barbara A and Sylvan D Williamson
850 Williamson Ln, Eagle, ID 83616
4. New Owner/Claimant(s) Howell-Kiser Development Corp.
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 619 Queens Guard Way
City, State and ZIP Code Boise, ID 83709
New Telephone Number (208) 376-3100
5. Date you acquired the property Various on 3/6/2002, 3/22/2004 and 3/8/2005
See ownership information in Application for Transfer No. 70024 file.



ERO Resources Corp.
3314 Grace Street
Boise, ID 83703-5836
(208) 373-7983
Fax: 373-7985
Denver • Boise • Durango
www.eroresources.com
eroboise@eroresources.com

RECEIVED

FEB 13 2006

WATER RESOURCES
WESTERN REGION

February 13, 2006

Mr. Steve Lester
Water Rights Supervisor
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

Hand Delivered

Re: Application for Transfer No. 70024 to Split Water Right No. 63-31835

Dear Steve:

Attached is a signed Notice of Change in Water Right Ownership for Recommended Water Right 63-31835. This change of ownership is for 79 acres or irrigation and 1.58 cfs of water. The remainder of right no. 63-31835 (formerly a portion of 63-31496, a portion of 63-270) remains in the ownership of the Williamsons.

Please keep me advised of the progress with the change of ownership of the portion of this water right purchased by Howell-Kiser Development Corp. Let me know if I can provide you with any additional information.

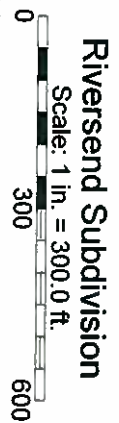
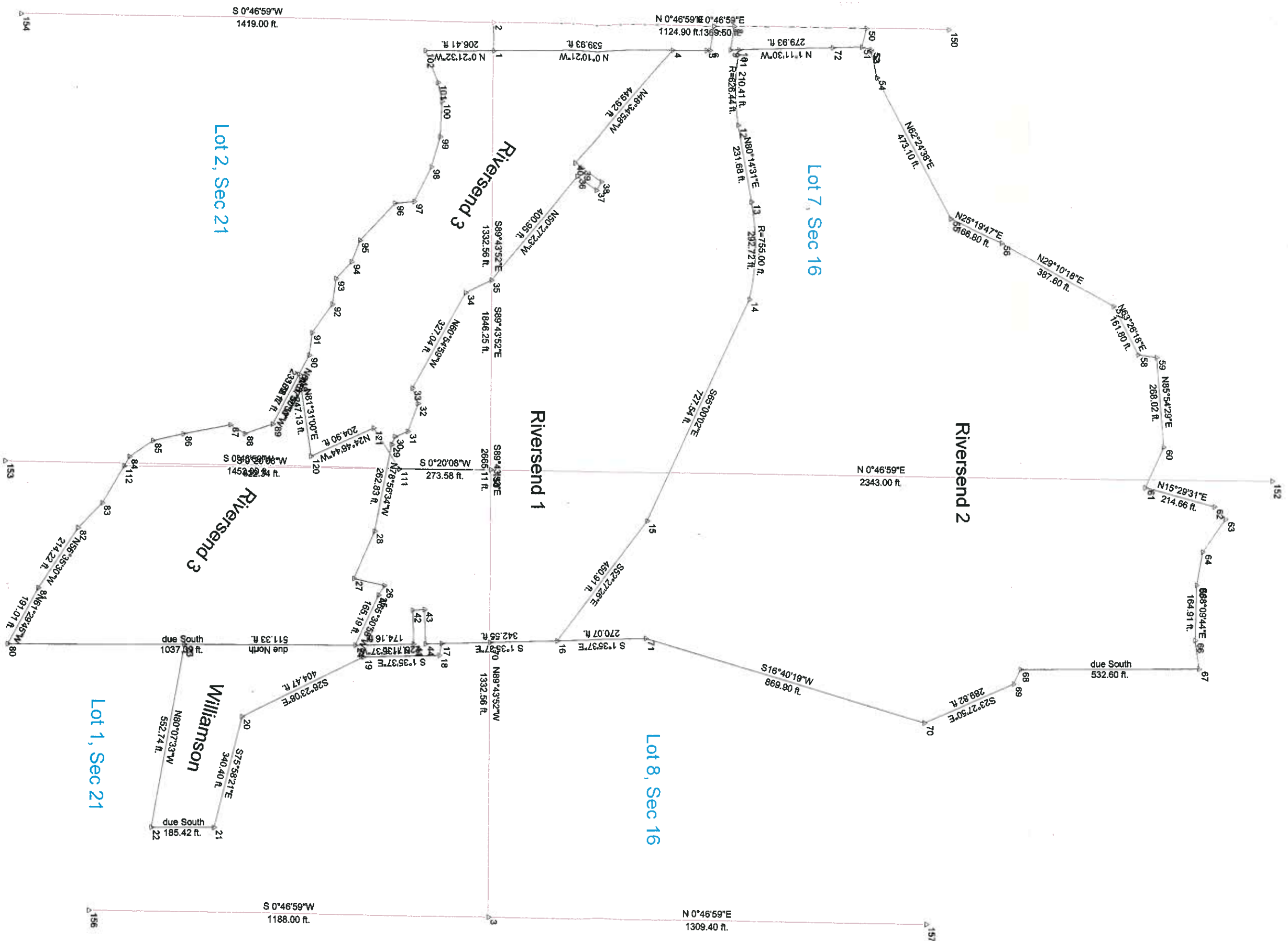
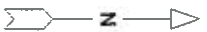
Yours truly,

A handwritten signature in dark ink, appearing to read "Dave", with a long, sweeping horizontal line extending to the right.

David B. Shaw

Enc.

cc: Jim Kiser



ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

2002 MR-6 PH 4:05

RECORDED-REQUEST OF

FEE 21- DEPUTY *cdurbin*

102027437

PIONEER TITLE

WARRANTY DEED

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

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

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

DATED This 5 day of March, 2002.

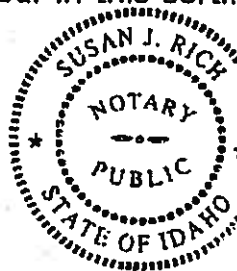
Sylvan W. Williamson
Sylvan D. Williamson

Barbara A. Williamson
Barbara A. Williamson

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

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

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



Susan J. Rich
Notary Public for Idaho
Residing in Boise, Idaho
My Commission Expires: 5-5-2005

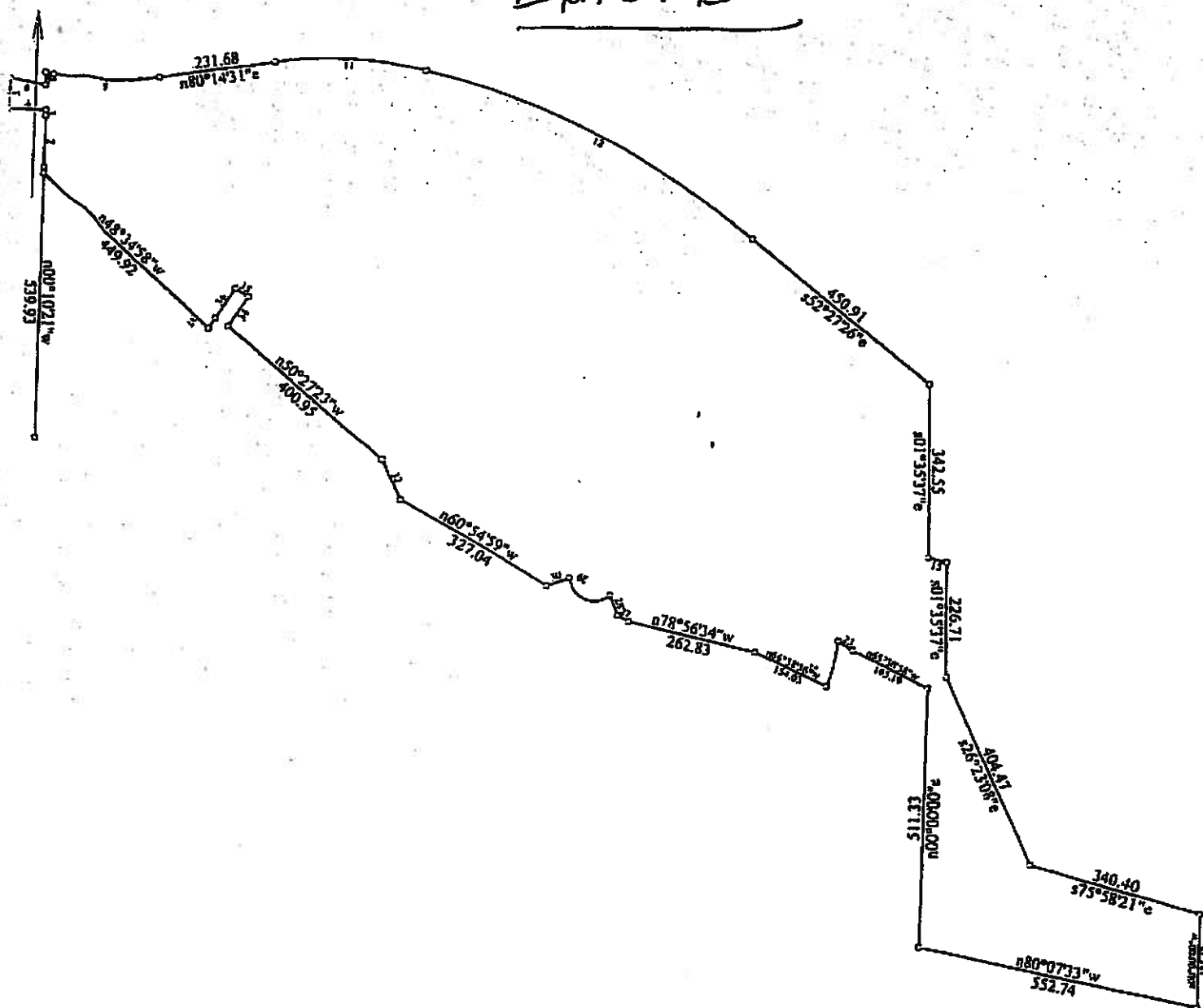
EXHIBIT A

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

Commencing at a 5/8 inch iron pin monument from which an aluminum cap monument marking the South quarter² corner of said Section 16 bears South 88 degrees 44'02" West, 83.41 feet and from said South quarter corner a brass³ cap monument marking the Southeast corner of said Section 16 bears South 89 degrees 43'52" East, 2665.11 feet;
Thence North 00 degrees 10'21" West, 539.93 feet, said point being the real point of beginning;
Thence continuing North 00 degrees 10'21" West, 102.81 feet;
Thence North 01 degree 11'30" West, 10.61 feet;
Thence North 80 degrees 30'48" West, 73.11 feet to a point on the Westerly boundary line of the Southeast quarter of said Section 16, also being the Easterly boundary line of Island Woods Subdivision No. 4, as recorded in Book 76 of Plats at Page 8000, records of Ada County, Idaho;
Thence along said boundary lines also being the Eastern terminus of Island Woods Drive right-of-way North 00 degrees 46'59" East, 60.70 feet;
Thence leaving said boundary lines South 80 degrees 30'48" East, 70.98 feet;
Thence North 01 degree 11'30" West, 25.44 feet;
Thence South 80 degrees 30'48" East, 16.03 feet to the beginning of a tangent curve to the left;
Thence along said curve 210.41 feet, said curve having a radius of 626.43 feet, a central angle of 19 degrees 14'41" and a long chord of 209.42 feet which bears North 89 degrees 51'52" East;
Thence North 80 degrees 14'31" East, 231.68 feet to the beginning of a tangent curve to the right;
Thence along said curve 292.72 feet, said curve having a radius of 755.00 feet, a central angle of 22 degrees 12'51" and a long chord of 290.89 feet which bears South 88 degrees 39'03" East to the beginning of a compound curve to the right;
Thence along said curve 733.39 feet, said curve having a radius of 1675.00 feet, a central angle of 25 degrees 05'11" and a long chord of 727.54 feet which bears South 65 degrees 00'02" East;
Thence South 52 degrees 27'26" East, 450.91 feet;
Thence South 01 degree 35'37" East, 342.55 feet;
Thence South 78 degrees 48'22" East, 35.89 feet;
Thence South 01 degree 35'37" East, 226.71 feet;
Thence South 26 degrees 23'08" East, 404.47 feet;
Thence South 75 degrees 58'21" East, 340.40 feet;
Thence South 00 degrees 00'00" West, 185.42 feet;
Thence North 80 degrees 07'33" West, 552.74 feet;
Thence North 00 degrees 00'00" East, 511.33 feet;
Thence North 65 degrees 30'58" West 165.19 feet;
Thence North 57 degrees 52'05" West, 33.45 feet to the beginning of a non-tangent curve to the right;
Thence along said curve 93.29 feet, said curve having a radius of 345.00 feet, a central angle of 15 degrees 29'36" and a long chord of 93.01 feet which bears South 12 degrees 24'56" West;
Thence North 66 degrees 38'36" West, 154.03 feet;
Thence North 78 degrees 56'34" West 262.83 feet;
Thence North 66 degrees 09'58" West, 25.84 feet;
Thence North 22 degrees 21'09" West, 41.44 feet to the beginning of a non-tangent curve to the right;
Thence along said curve 108.08 feet, said curve having a radius of 50.50 feet, a central angle of 122 degrees 37'19" and a long chord of 88.60 feet which bears North 69 degrees 53'39" West;
Thence South 69 degrees 59'10" West, 48.87 feet;
Thence North 60 degrees 54'59" West, 327.04 feet;
Thence North 25 degrees 52'18" West, 86.06 feet;
Thence North 50 degrees 27'23" West, 400.95 feet;
Thence North 32 degrees 26'42" East, 70.23 feet;
Thence North 57 degrees 33'18" West, 30.00 feet;
Thence South 32 degrees 26'42" West, 71.47 feet to the beginning of a tangent curve to the right;
Thence along said curve 25.13 feet, said curve having a radius of 509.92 feet, a central angle of 2 degrees 49'24" and a long chord of 25.13 feet which bears South 31 degrees 02'00" West;
Thence North 48 degrees 34'58" West, 449.92 feet to the real point of beginning.



Exhibit B



Title:

Scale: 1 inch = 300 feet

File:

Date: 02-06-2002

Tract 1: 45.643 Acres: 184710.7 Sq Meters: Closure = s00.1646e 528.52 feet: Precision = 1/15: Perimeter = 7812 feet

001=n00.1021w 539.93	014=s01.3537e 342.55	027=n66.0958w 25.84
002=n00.1021w 102.81	015=s78.4822e 35.89	028=n22.2109w 41.44
003=n01.1130w 10.61	016=s01.3537e 226.71	029: R: R=50.50, Arc=108.08, Delta=122.3719 Beg=n69.5138w, Chd=88.60
004=n89.3048w 73.11	017=s26.2308e 404.47	030=s69.5910w 48.87
005=n00.4659e 60.70	018=s75.5821e 340.40	031=n60.5459w 327.04
006=s80.3048e 70.98	019=s00.0000w 185.42	032=n25.5218w 86.06
007=n01.1130w 25.44	020=n80.0733w 552.74	033=n50.2723w 400.95
008=s80.3048e 16.03	021=n00.0000e 511.33	034=n32.2642e 70.23
009: L: R=636.43, Arc=210.41, Delta=19.1441 Beg=n89.5132e, Chd=209.42	022=n65.3058w 165.19	035=n57.3318w 30.00
010=n80.1431e 231.68	023=n57.5205w 33.45	036=s32.2642w 71.47
011: R: R=755.00, Arc=292.72, Delta=22.1251 Beg=n88.3902e, Chd=290.89	024: R: R=345.00, Arc=91.29, Delta=11.2526 Beg=n12.2436w, Chd=91.01	037: R: R=509.91, Arc=25.13, Delta=02.4924 Beg=n11.0200w, Chd=25.13
012: R: R=1675.00, Arc=771.39, Delta=25.0511 Beg=n65.0002e, Chd=727.54	025=n66.3836w 154.03	038=n48.3458w 449.92
013=s52.2726e 450.91	026=n78.5634w 262.83	

Schedule C

[illegible]

SPECIAL EXCEPTIONS

Order Number: 213467

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

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

Said taxes affect said premises and other lands.

2. General taxes for the year 2002, which are liens, are not yet due and payable.
3. Sewerage charges and special assessment powers of the City of Eagle. No special assessments now show of record.
4. Liens and assessments of the following district and the rights and powers thereof as provided by law. No delinquencies appear in the county recorder's office.
District: Old Thurman Mill Ditch Company; Little Union Ditch Company; Boise Valley Ditch Company; New Union Ditch Company; Pioneer Irrigation Ditch Company; Settlers Irrigation District
5. Any question that may arise due to shifting or change in the course of the river or creek herein named, or due to said river or creek having changed its course.
Name of River/Creek: Boise River
6. Right of the State of Idaho in and to the portion of said premises, if any, lying in the bed or the former bed of the Boise River.
7. Any adverse claim based upon the assertion that:
 - A. Said land or any part thereof is now or at any time has been below the ordinary high water mark of the Boise River.
 - B. Some portion of said land has been created by artificial means or has accreted to such portion so created
 - C. Some portion of said land has been brought within the boundaries thereof by an avulsive movement of the Boise River, or has been formed by accretion to such portion so created.
8. An easement containing certain terms, conditions and provisions affecting a portion of said premises and for the purposes stated herein
For: Power line easement
In Favor of: Idaho Power Company, a corporation
Recorded: September 18, 1931
Instrument No.: 146174
Filed in: 13 Misc., Page 24

Order Number: 213467

9. An easement containing certain terms, conditions and provisions affecting a portion of said premises and for the purposes stated herein
For: Pipe lines and appurtenances thereof
In Favor of: Salt Lake Pipe Line Company
Recorded: March 1, 1950
Instrument No.: 298075
Filed in: 22 Misc., Page 337
NOTE: Clarification Agreement recorded under Instrument No. 331476
10. An easement containing certain terms, conditions and provisions affecting a portion of said premises and for the purposes stated herein
For: The right to cross the lands of the grantor to reach the diversion works
In Favor of: Pioneer Irrigation District
Recorded: November 23, 1956
Instrument No.: 403207
11. Terms and provisions of agreement for abandonment of easement and/or private roadway
Recorded: December 4, 1992
Instrument No.: 9284462
Supplement to said agreement
Recorded: April 19, 1993
Instrument No.: 9327823
Second supplement to said agreement
Recorded: January 12, 1993
Instrument No.: 9302796
Re-recorded: April 19, 1993
Instrument No.: 9327824
12. Terms and provisions of grant of easement for ingress and egress
Recorded: December 7, 1992
Instrument No.: 9284469
13. Terms and provisions of right-of-way option
To: Idaho Power Company
Recorded: August 8, 1995
Instrument No.: 95055001

Schedule C



SPECIAL EXCEPTIONS

Order Number: 213467

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

End Of Exceptions

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

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

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

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



Order No.: A0325044

WARRANTY DEED

FOR VALUE RECEIVED,

SYLVAN D. WILLIAMSON and BARBARA A. WILLIAMSON, HUSBAND & WIFE
The Grantor(s), do(es) hereby grant, bargain sell and convey unto
HOWELL-KISER DEVELOPMENT CORPORATION, AN IDAHO CORPORATION
whose current address is C/O 619 QUEENS GUARD WAY, BOISE, ID 83709

the Grantee(s), the following described premises, in Ada County, Idaho, TO WIT:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances EXCEPT: Subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility easements (if any) for the current year, which are not due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: 03/18/04

SYLVAN D. WILLIAMSON

BARBARA A. WILLIAMSON

STATE OF IDAHO
COUNTY OF ADA

ON THIS 17 OF MARCH, 2004, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC PERSONALLY APPEARED SYLVAN D. WILLIAMSON, BARBARA A. WILLIAMSON, KNOWN TO ME OR PROVEN TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

Michael Horner

NOTARY PUBLIC

RESIDING AT: Boise

MY COMMISSION EXPIRES: 10/17/09

(SEAL)



EXHIBIT "A"

Parcel I

That portion of Government Lots No. 7 and 8, Section 16, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

Commencing at the South Quarter corner of Section 16, marked by an aluminum cap, from which the Southeast corner of said Section bears South 89°43'52" East, 2,665.11 feet; thence along the Westerly boundary of said Government Lot 7 of Section 16, North 00°46'59" East, 1,124.90 feet; thence South 75°35'18" East, 57.58 feet to the Westerly boundary of Record of Survey No. 5104, said point also being the POINT OF BEGINNING; thence continuing along said boundary, North 16°29'36" East, 29.93 feet; thence along the Northerly boundary of Record of Survey No. 5104, the following courses and distances: South 81°11'37" East, 4.12 feet; North 77°29'18" East, 81.10 feet; North 62°24'38" East, 473.10 feet; North 25°19'47" East, 166.80 feet; North 29°10'18" East, 387.60 feet; North 63°26'18" East, 161.80 feet; North 09°07'18" East, 54.00 feet; North 85°54'29" East, 268.02 feet; South 66°01'32" East, 131.28 feet; North 15°29'31" East, 214.66 feet; North 48°34'10" East, 49.59 feet to a point on the ordinary high water line of the left (south) bank of the North Channel of the Boise River as shown on Record of Survey No. 5104; thence along said high water line the following courses and distances: South 54°25'03" East, 119.88 feet; South 79°21'07" East, 100.21 feet; South 88°09'44" East, 164.91 feet; North 82°29'34" East, 85.62 feet to a point on the Easterly boundary of Record of Survey No. 5104; thence along the Easterly boundary of said Record of Survey, the following courses and distances: South 00°00'00" West, 532.60 feet; South 63°28'11" East, 49.19 feet; South 23°27'50" East, 289.82 feet; South 16°40'19" West, 869.60 feet; South 01°35'37" East, 270.07 feet to a point on the Northerly boundary of Riversend Subdivision, as recorded in Book 84 of Plats at Pages 9355 through 9357, of the official records of Ada County, Idaho; thence along said subdivision boundary the following courses and distances: North 52°27'26" West, 450.91 feet; along a non-tangent curve to the left 733.39 feet, having a radius of 1,675.00 feet, tangents of 372.66 feet, a delta of 25°05'11", and a long chord which bears North 65°00'02" West, 727.54 feet; along a compound curve to the left 292.72 feet, having a radius of 755.00 feet, tangents of 148.22 feet, a delta of 22°12'51", and a long chord which bears North 88°39'03" West, 290.89 feet; South 80°14'31" West, 231.68 feet; along a curve to the right 210.41 feet, having a radius of 626.43 feet, a delta of 19°14'41", and a long chord which bears South 89°51'52" West, 209.42 feet; North 80°30'48" West, 16.03 feet to a point on the Westerly boundary of Record of Survey No. 5104; thence along said boundary North 01°11'30" West, 279.93 feet; thence continuing along said boundary North 01°35'29" West, 88.95 feet to the POINT OF BEGINNING.

253201

80m/HH



A Pioneer Company

PIONEER TITLE COMPANY

OF ADA COUNTY

8151 W. Rifleman Ave. / Boise, Idaho 83704

(208) 377-2700

ADA COUNTY RECORDER J. DAVID NAVARRO
 BOISE IDAHO 03/08/05 02:23 PM
 DEPUTY Neava Haney
 RECORDED - REQUEST OF
 Pioneer

AMOUNT 18.00 6



105027934

WARRANTY DEED

For Value Received

Sylvan D Williamson and Barbara A Williamson, Husband and Wife

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Howell-Kiser Development Corporation

hereinafter referred to as Grantee, whose current address is 619 Queensgard Way, Boise, Idaho 83709
the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that 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 those exceptions set out on Exhibit "B" attached hereto, and subject to any claims of Joplin Trust as to that property deeded by Joplin Trust to the Grantee, and 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.

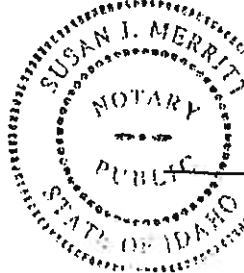
Dated: March 7, 2005

Sylvan D Williamson
 Sylvan D Williamson

Barbara A Williamson
 Barbara A Williamson

STATE OF Idaho. County of Ada, ss.

On this 7th day of March, in the year of 2005, before me the undersigned, notary public personally appeared Sylvan D. Williamson and Barbara A. Williamson known or identified to me to be the person/persons whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Susan J Merritt
 Susan J. Merritt
 Notary Public of Idaho
 Residing at Caldwell

Phase

3

Commission expires: May 5, 2005

253201

EXHIBIT A



RIVERSEND SUBDIVISION NO. 3

That portion of Government Lot 7 of Section 16, and Government Lots 1 and 2 of Section 21, Township 4 North Range 1 East, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

Commencing at the South quarter corner of Section 16;

Thence along the Westerly boundary of the Southeast quarter of Section 16, North $00^{\circ}46'59''$ East, 667.32 feet to the Southerly boundary of Riversend Subdivision;

Thence South $80^{\circ}30'48''$ East, 73.11 feet;

Thence South $01^{\circ}11'30''$ East, 10.61 feet;

Thence South $00^{\circ}10'21''$ East, 102.81 feet to the POINT OF BEGINNING;

Thence along said boundary, the following courses and distances:

South $48^{\circ}34'58''$ East, 449.92 feet;

Along a non-tangent curve to the left 25.13 feet, having a radius of 509.92 feet, tangents of 12.57 feet, a delta of $02^{\circ}49'24''$, and a long chord which bears North $31^{\circ}02'00''$ East, 25.13 feet;

North $32^{\circ}26'42''$ East, 71.47 feet;

South $57^{\circ}33'18''$ East, 30.00 feet;

South $32^{\circ}26'42''$ West, 70.23 feet;

South $50^{\circ}27'23''$ East, 400.95 feet;

South $25^{\circ}52'18''$ East, 86.06 feet;

South $60^{\circ}54'59''$ East, 327.04 feet;

North $69^{\circ}59'10''$ East, 48.87 feet;

Along a non-tangent curve to the left 108.08 feet, having a radius of 50.50 feet, tangents of 92.28 feet, a delta of $122^{\circ}37'19''$, and a long chord which bears South $69^{\circ}53'39''$ East, 88.60 feet;

South $22^{\circ}21'09''$ East, 41.44 feet;

South $66^{\circ}09'58''$ East, 25.84 feet;

South $78^{\circ}56'34''$ East, 262.83 feet;

South $66^{\circ}38'36''$ East, 154.03 feet;

Along a non-tangent curve to the left 93.29 feet, having a radius of 345.00 feet, tangents of 46.93 feet, a delta of $15^{\circ}29'36''$, and a long chord which bears North $12^{\circ}24'56''$ East, 93.01 feet;

South $57^{\circ}52'05''$ East, 33.45 feet;

South $65^{\circ}30'58''$ East, 165.19 feet;

253201

EXHIBIT A

Thence South $00^{\circ}00'00''$ West, 1037.39 feet to the high waterline of the South Channel of the Boise River;

Thence along said high waterline, the following courses and distances:

North $61^{\circ}29'45''$ West, 191.01 feet;

North $56^{\circ}35'30''$ West, 214.22 feet;

North $45^{\circ}48'10''$ West, 103.61 feet;

North $59^{\circ}40'23''$ West, 159.25 feet;

North $34^{\circ}43'59''$ West, 84.98 feet;

North $12^{\circ}55'21''$ West, 91.74 feet;

North $10^{\circ}47'55''$ West, 142.94 feet;

North $30^{\circ}58'37''$ East, 50.86 feet;

North $18^{\circ}52'10''$ West, 88.35 feet;

North $61^{\circ}57'50''$ West, 233.78 feet;

North $82^{\circ}31'15''$ West, 67.13 feet;

North $54^{\circ}44'44''$ West, 104.10 feet;

North $82^{\circ}09'23''$ West, 77.61 feet;

North $47^{\circ}15'21''$ West, 68.06 feet;

North $68^{\circ}42'29''$ West, 68.77 feet;

North $46^{\circ}54'19''$ West, 152.94 feet;

North $05^{\circ}28'29''$ West, 57.57 feet;

North $63^{\circ}33'33''$ West, 115.45 feet;

North $73^{\circ}37'38''$ West, 93.84 feet;

North $87^{\circ}11'40''$ West, 105.56 feet;

South $78^{\circ}23'41''$ West, 57.61 feet;

South $67^{\circ}37'16''$ West, 102.37 feet;

Thence North $00^{\circ}21'32''$ West, 206.41 feet;

Thence North $00^{\circ}10'21''$ West, 539.86 feet to the POINT OF BEGINNING.

James Kiser
ADA COUNTY RECORDER
J. DAVID NAVARRO
DIST. IDAHO

RECORDED - REQUEST OF

FEE 21.00 DEPUTY K. Vaughn

2002 JN -3 PM 1:14

102062783

WARRANTY DEED

GRANTOR: Howell-Kiser Development Corporation

GRANTEE: Toby Williamson and Linda Williamson, husband and wife

GRANTEE'S ADDRESS: POB 274, Eagle, Idaho 83616

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

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

Together with an easement over the adjoining property for ingress and egress and utilities to a dedicated road. Said easement to expire and be of no further force or effect upon the recording of the plat of RiversEnd Subdivision.

DATED This 5 day of March, 2002.

Howell-Kiser Development Corporation.

By

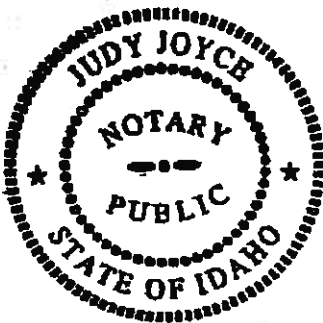
Title:

V-Pres.

STATE OF IDAHO,)
) ss.
COUNTY OF Ada)

On this 2 day of June, 2002, before me, a notary public in and for said State, personally appeared James W. Kiser, known or identified to me (on the basis of satisfactory evidence), to be the Vice-President of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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



Judy K. Joyce
Notary Public for Idaho
Residing in Boise, Idaho
My Commission Expires: 12-21-2005

Exhibit A

LEGAL DESCRIPTION

Toby Williamson and Linda Williamson

Project No. 0023000

February 7, 2002

A parcel of land being portions of Government Lots 7 and 8 of Section 16, T.4N., R.1 E., B.M., and portions of Government Lots 1 and 2 of Section 21, T.4N., R.1 E., B.M., Ada County, Idaho, more particularly described as follows:

Commencing at a 5/8-inch iron pin monument from which an aluminum cap monument marking the South 1/4 corner of said Section 16 bears South 88°44'02" West, 83.41 feet and from said South 1/4 corner a brass cap monument marking the Southeast corner of said Section 16 bears South 89°43'52" East, 2665.11 feet;

thence North 00°10'21" West, 539.93 feet;

thence continuing North 00°10'21" West, 102.81 feet;

thence North 01°11'30" West, 10.61 feet;

thence North 80°30'48" West, 73.11 to a point on the Westerly boundary line of the Southeast 1/4 of said Section 16, also being the Easterly boundary line of Island Woods Subdivision No. 4, as recorded in Book 76 of Plats at Page 8000, Records of Ada County, Idaho;

thence along said boundary lines also being the eastern terminus of Island Woods Drive right-of-way North 00°46'59" East, 60.70 feet;

thence leaving said boundary lines South 80°30'48" East, 70.98 feet;

thence North 01°11'30" West, 25.44 feet;

thence South 80°30'48" East, 16.03 feet to the beginning of a tangent curve to the left;

thence along said curve 210.41 feet, said curve having a radius of 626.43 feet, a central angle of 19°14'41" and a long chord of 209.42 feet which bears North 89°51'52" East;

thence North 80°14'31" East, 231.68 feet to the beginning of a tangent curve to the right;

thence along said curve 292.72 feet, said curve having a radius of 755.00 feet, a central angle of 22°12'51" and a long chord of 290.89 feet which bears South 88°39'03" East to the beginning of a compound curve to the right;

thence along said curve 733.39 feet, said curve having a radius of 1675.00 feet, a central angle of 25°05'11" and a long chord of 727.54 feet which bears South 65°00'02" East;

thence South 52°27'26" East, 450.91 feet;

thence South 01°35'37" East, 342.55 feet to the **REAL POINT OF BEGINNING**;

thence South 78°48'22" East, 35.89 feet;

thence South 01°35'37" East, 226.71 feet;

thence South 26°23'08" East, 404.47 feet;

thence South 75°58'21" East, 340.40 feet;

thence South 00°00'00" West, 185.42 feet;

thence North 80°07'33" West, 552.74 feet;

thence North 00°00'00" East, 511.33 feet;

thence North 01°35'37" West, 174.16 feet;

thence South 88°14'01" West, 100.94 feet to the beginning of a non-tangent curve to the left;

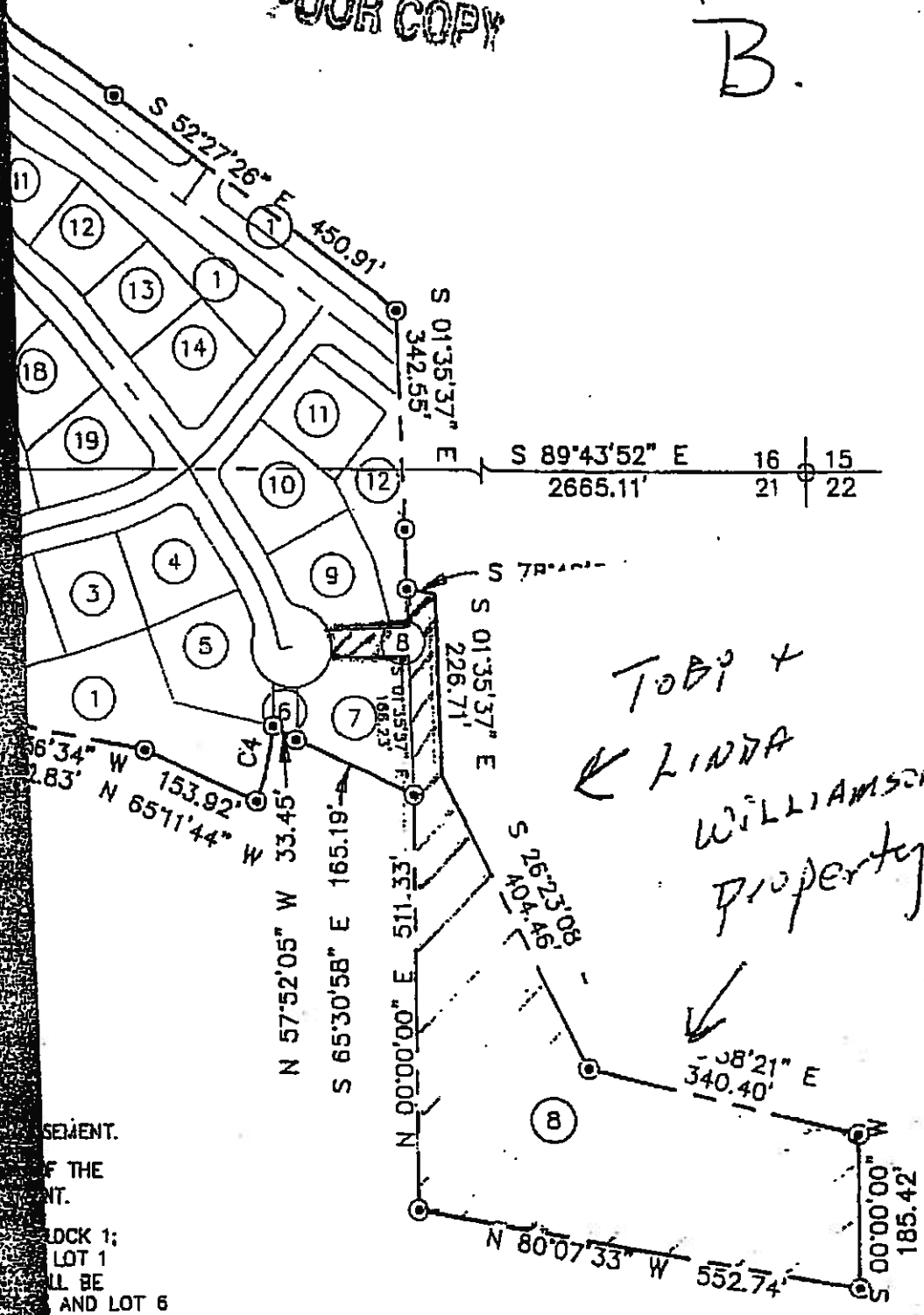
thence along said curve 35.77 feet, said curve having a radius of 50.50 feet, a central angle of 40°35'14" and a long chord of 35.03 feet which bears North 04°08'09" West;

thence North 88°14'01" East, 102.72 feet;

thence North 01°35'37" West, 48.66 feet to the Real Point of Beginning. Contains 3.75 acres, more or less.

POOR COPY

Exhibit
B.



SEMENT.

OF THE
MENT.

LOCK 1;
LOT 1
LL BE
AND LOT 6

31-3805

EFFECT AT

TO FARM

9) DIRECT LOT ACCESS TO ISLAND WOODS DRIVE IS PROHIBITED UNLESS SPECIALLY ALLOWED BY ADA COUNTY HIGHWAY DISTRICT AND EAGLE CITY.

10) A PERPETUAL EASEMENT OVER AND ACROSS LOT 5, BLOCK 1 IS RESERVED FOR THE PURPOSE OF ACCESS TO THAT IRRIGATION HEAD GATE ADJACENT TO THE SOUTHERN CHANNEL OF THE BOISE RIVER. THIS EASEMENT IS FOR THE PARTIES OWNERS MANAGING THAT HEAD GATE.

[illegible]

OrderNumber: 213467

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

Said taxes affect said premises and other lands.

2. General taxes for the year 2002, which are liens, are not yet due and payable.
3. Sewerage charges and special assessment powers of the City of Eagle. No special assessments now show of record.
4. Liens and assessments of the following district and the rights and powers thereof as provided by law. No delinquencies appear in the county recorder's office.
District: Old Thurman Mill Ditch Company; Little Union Ditch Company; Boise Valley Ditch Company; New Union Ditch Company; Pioneer Irrigation Ditch Company; Settlers Irrigation District
5. Any question that may arise due to shifting or change in the course of the river or creek herein named, or due to said river or creek having changed its course.
Name of River/Creek: Boise River
6. Right of the State of Idaho in and to the portion of said premises, if any, lying in the bed or the former bed of the Boise River.
7. Any adverse claim based upon the assertion that:
 - A. Said land or any part thereof is now or at any time has been below the ordinary high water mark of the Boise River.
 - B. Some portion of said land has been created by artificial means or has accreted to such portion so created
 - C. Some portion of said land has been brought within the boundaries thereof by an avulsive movement of the Boise River, or has been formed by accretion to such portion so created.
8. An easement containing certain terms, conditions and provisions affecting a portion of said premises and for the purposes stated herein
For: Power line easement
In Favor of: Idaho Power Company, a corporation
Recorded: September 18, 1931
Instrument No.: 146174
Filed in: 13 Misc., Page 24

Schedule C



SPECIAL EXCEPTIONS

Order Number: 213467

9. An easement containing certain terms, conditions and provisions affecting a portion of said premises and for the purposes stated herein
For: Pipe lines and appurtenances thereof
In Favor of: Salt Lake Pipe Line Company
Recorded: March 1, 1950
Instrument No.: 298075
Filed in: 22 Misc., Page 337
NOTE: Clarification Agreement recorded under Instrument No. 331476
10. An easement containing certain terms, conditions and provisions affecting a portion of said premises and for the purposes stated herein
For: The right to cross the lands of the grantor to reach the diversion works
In Favor of: Pioneer Irrigation District
Recorded: November 23, 1956
Instrument No.: 403207
11. Terms and provisions of agreement for abandonment of easement and/or private roadway
Recorded: December 4, 1992
Instrument No.: 9284462
Supplement to said agreement
Recorded: April 19, 1993
Instrument No.: 9327823
Second supplement to said agreement
Recorded: January 12, 1993
Instrument No.: 9302796
Re-recorded: April 19, 1993
Instrument No.: 9327824
12. Terms and provisions of grant of easement for ingress and egress
Recorded: December 7, 1992
Instrument No.: 9284469
13. Terms and provisions of right-of-way option
To: Idaho Power Company
Recorded: August 8, 1995
Instrument No.: 95055001

𐤀𐤁𐤂𐤃𐤄𐤅𐤆𐤇𐤈𐤉𐤊𐤋𐤌𐤍𐤎𐤏𐤐𐤑𐤒𐤓𐤔𐤕𐤖𐤗𐤘𐤙𐤚𐤛𐤜𐤝𐤞𐤟𐤠𐤡𐤢𐤣𐤤𐤥𐤦𐤧𐤨𐤩𐤪𐤫𐤬𐤭𐤮𐤯𐤰𐤱𐤲𐤳𐤴𐤵𐤶𐤷𐤸𐤹𐤺𐤻𐤼𐤽𐤾𐤿𐥀𐥁𐥂𐥃𐥄𐥅𐥆𐥇𐥈𐥉𐥊𐥋𐥌𐥍𐥎𐥏𐥐𐥑𐥒𐥓𐥔𐥕𐥖𐥗𐥘𐥙𐥚𐥛𐥜𐥝𐥞𐥟𐥠𐥡𐥢𐥣𐥤𐥥𐥦𐥧𐥨𐥩𐥪𐥫𐥬𐥭𐥮𐥯𐥰𐥱𐥲𐥳𐥴𐥵𐥶𐥷𐥸𐥹𐥺𐥻𐥼𐥽𐥾𐥿𐧀𐧁𐧂𐧃𐧄𐧅𐧆𐧇𐧈𐧉𐧊𐧋𐧌𐧍𐧎𐧏𐧐𐧑𐧒𐧓𐧔𐧕𐧖𐧗𐧘𐧙𐧚𐧛𐧜𐧝𐧞𐧟𐧠𐧡𐧢𐧣𐧤𐧥𐧦𐧧𐧨𐧩𐧪𐧫𐧬𐧭𐧮𐧯𐧰𐧱𐧲𐧳𐧴𐧵𐧶𐧷𐧸𐧹𐧺𐧻𐧼𐧽𐧾𐧿𐨀𐨁𐨂𐨃𐨄𐨅𐨆𐨇𐨈𐨉𐨊𐨋𐨌𐨍𐨎𐨏𐨐𐨑𐨒𐨓𐨔𐨕𐨖𐨗𐨘𐨙𐨚𐨛𐨜𐨝𐨞𐨟𐨠𐨡𐨢𐨣𐨤𐨥𐨦𐨧𐨨𐨩𐨪𐨫𐨬𐨭𐨮𐨯𐨰𐨱𐨲𐨳𐨴𐨵𐨶𐨷𐨹𐨺𐨸𐨻𐨼𐨽𐨾𐨿𐩀𐩁𐩂𐩃𐩄𐩅𐩆𐩇𐩈𐩉𐩊𐩋𐩌𐩍𐩎𐩏𐩐𐩑𐩒𐩓𐩔𐩕𐩖𐩗𐩘𐩙𐩚𐩛𐩜𐩝𐩞𐩟𐩠𐩡𐩢𐩣𐩤𐩥𐩦𐩧𐩨𐩩𐩪𐩫𐩬𐩭𐩮𐩯𐩰𐩱𐩲𐩳𐩴𐩵𐩶𐩷𐩸𐩹𐩺𐩻𐩼𐩽𐩾𐩿𐪀𐪁𐪂𐪃𐪄𐪅𐪆𐪇𐪈𐪉𐪊𐪋𐪌𐪍𐪎𐪏𐪐𐪑𐪒𐪓𐪔𐪕𐪖𐪗𐪘𐪙𐪚𐪛𐪜𐪝𐪞𐪟𐪠𐪡𐪢𐪣𐪤𐪥𐪦𐪧𐪨𐪩𐪪𐪫𐪬𐪭𐪮𐪯𐪰𐪱𐪲𐪳𐪴𐪵𐪶𐪷𐪸𐪹𐪺𐪻𐪼𐪽𐪾𐪿𐫀𐫁𐫂𐫃𐫄𐫅𐫆𐫇𐫈𐫉𐫊𐫋𐫌𐫍𐫎𐫏𐫐𐫑𐫒𐫓𐫔𐫕𐫖𐫗𐫘𐫙𐫚𐫛𐫜𐫝𐫞𐫟𐫠𐫡𐫢𐫣𐫤𐫦𐫥𐫧𐫨𐫩𐫪𐫫𐫬𐫭𐫮𐫯𐫰𐫱𐫲𐫳𐫴𐫵𐫶𐫷𐫸𐫹𐫺𐫻𐫼𐫽𐫾𐫿𐬀𐬁𐬂𐬃𐬄𐬅𐬆𐬇𐬈𐬉𐬊𐬋𐬌𐬍𐬎𐬏𐬐𐬑𐬒𐬓𐬔𐬕𐬖𐬗𐬘𐬙𐬚𐬛𐬜𐬝𐬞𐬟𐬠𐬡𐬢𐬣𐬤𐬥𐬦𐬧𐬨𐬩𐬪𐬫𐬬𐬭𐬮𐬯𐬰𐬱𐬲𐬳𐬴𐬵𐬶𐬷𐬸𐬹𐬺𐬻𐬼𐬽𐬾𐬿𐭀𐭁𐭂𐭃𐭄𐭅𐭆𐭇𐭈𐭉𐭊𐭋𐭌𐭍𐭎𐭏𐭐𐭑𐭒𐭓𐭔𐭕𐭖𐭗𐭘𐭙𐭚𐭛𐭜𐭝𐭞𐭟𐭠𐭡𐭢𐭣𐭤𐭥𐭦𐭧𐭨𐭩𐭪𐭫𐭬𐭭𐭮𐭯𐭰𐭱𐭲𐭳𐭴𐭵𐭶𐭷𐭸𐭹𐭺𐭻𐭼𐭽𐭾𐭿𐮀𐮁𐮂𐮃𐮄𐮅𐮆𐮇𐮈𐮉𐮊𐮋𐮌𐮍𐮎𐮏𐮐𐮑𐮒𐮓𐮔𐮕𐮖𐮗𐮘𐮙𐮚𐮛𐮜𐮝𐮞𐮟𐮠𐮡𐮢𐮣𐮤𐮥𐮦𐮧𐮨𐮩𐮪𐮫𐮬𐮭𐮮𐮯𐮰𐮱𐮲𐮳𐮴𐮵𐮶𐮷𐮸𐮹𐮺𐮻𐮼𐮽𐮾𐮿𐯀𐯁𐯂𐯃𐯄𐯅𐯆𐯇𐯈𐯉𐯊𐯋𐯌𐯍𐯎𐯏𐯐𐯑𐯒𐯓𐯔𐯕𐯖𐯗𐯘𐯙𐯚𐯛𐯜𐯝𐯞𐯟𐯠𐯡𐯢𐯣𐯤𐯥𐯦𐯧𐯨𐯩𐯪𐯫𐯬𐯭𐯮𐯯𐯰𐯱𐯲𐯳𐯴𐯵𐯶𐯷𐯸𐯹𐯺𐯻𐯼𐯽𐯾𐯿𐰀𐰁𐰂𐰃𐰄𐰅𐰆𐰇𐰈𐰉𐰊𐰋𐰌𐰍𐰎𐰏𐰐𐰑𐰒𐰓𐰔𐰕𐰖𐰗𐰘𐰙𐰚𐰛𐰜𐰝𐰞𐰟𐰠𐰡𐰢𐰣𐰤𐰥𐰦𐰧𐰨𐰩𐰪𐰫𐰬𐰭𐰮𐰯𐰰𐰱𐰲𐰳𐰴𐰵𐰶𐰷𐰸𐰹𐰺𐰻𐰼𐰽𐰾𐰿𐱀𐱁𐱂𐱃𐱄𐱅𐱆𐱇𐱈𐱉𐱊𐱋𐱌𐱍𐱎𐱏𐱐𐱑𐱒𐱓𐱔𐱕𐱖𐱗𐱘𐱙𐱚𐱛𐱜𐱝𐱞𐱟𐱠𐱡𐱢𐱣𐱤𐱥𐱦𐱧𐱨𐱩𐱪𐱫𐱬𐱭𐱮𐱯𐱰𐱱𐱲𐱳𐱴𐱵𐱶𐱷𐱸𐱹𐱺𐱻𐱼𐱽𐱾𐱿𐲀𐲁𐲂𐲃𐲄𐲅𐲆𐲇𐲈𐲉𐲊𐲋𐲌𐲍𐲎𐲏𐲐𐲑𐲒𐲓𐲔𐲕𐲖𐲗𐲘𐲙𐲚𐲛𐲜𐲝𐲞𐲟𐲠𐲡𐲢𐲣𐲤𐲥𐲦𐲧𐲨𐲩𐲪𐲫𐲬𐲭𐲮𐲯𐲰𐲱𐲲𐲳𐲴𐲵𐲶𐲷𐲸𐲹𐲺𐲻𐲼𐲽𐲾𐲿𐳀𐳁𐳂𐳃𐳄𐳅𐳆𐳇𐳈𐳉𐳊𐳋𐳌𐳍𐳎𐳏𐳐𐳑𐳒𐳓𐳔𐳕𐳖𐳗𐳘𐳙𐳚𐳛𐳜𐳝𐳞𐳟𐳠𐳡𐳢𐳣𐳤𐳥𐳦𐳧𐳨𐳩𐳪𐳫𐳬𐳭𐳮𐳯𐳰𐳱𐳲𐳳𐳴𐳵𐳶𐳷𐳸𐳹𐳺𐳻𐳼𐳽𐳾𐳿𐴀𐴁𐴂𐴃𐴄𐴅𐴆𐴇𐴈𐴉𐴊𐴋𐴌𐴍𐴎𐴏𐴐𐴑𐴒𐴓𐴔𐴕𐴖𐴗𐴘𐴙𐴚𐴛𐴜𐴝𐴞𐴟𐴠𐴡𐴢𐴣𐴤𐴥𐴦𐴧𐴨𐴩𐴪𐴫𐴬𐴭𐴮𐴯𐴰𐴱𐴲𐴳𐴴𐴵𐴶𐴷𐴸𐴹𐴺𐴻𐴼𐴽

Order Number: 213467

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

End Of Exceptions

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

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

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

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

247628

sem/HH



A Pioneer Company

PIONEER TITLE COMPANY

OF ADA COUNTY

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

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 03/07/05 10:49 AM
DEPUTY Vicki Allen
RECORDED - REQUEST OF
Pioneer

AMOUNT 6.00

2



105027255

TRUSTEE'S DEED

For Value Received

Kevin C. Joplin as Trustee of The Joplin Family Trust

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Howell-Kiser Development Corporation, an Idaho Corporation

hereinafter referred to as Grantee, whose current address is 619 Queens Guard Way, Boise, ID 83709
the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that 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 those exceptions set out on the Exhibit "B" attached hereto and 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.

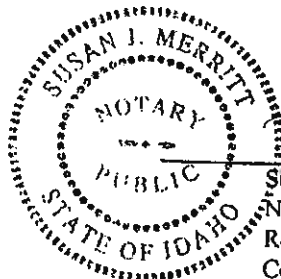
Dated: March 4, 2005

Joplin Family Trust

By: Kevin C. Joplin, Trustee
Kevin C. Joplin, Trustee

STATE OF IDAHO, County of Ada, ss.

On this 4 day of March, in the year of 2005, before me Susan J. Merritt, a notary public personally appeared Kevin C. Joplin, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of The Joplin Family Trust and acknowledged to me that he/she/they executed the same as such Trustee..



Susan J. Merritt
Susan J. Merritt
Notary Public of Idaho
Residing at Caldwell, ID
Commission expires: May 5, 2005

Phase 3

EXHIBIT A1.
1.

That portion of Government Lot No. 2, in Section 21, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

Commencing at the Northeast corner of Section 21; thence along the Northerly boundary of said section

North 89 degrees 43'52" West, 1332.56 feet; thence

South 00 degree 20'08" West, 273.58 feet to the Point of Beginning; thence

South 00 degree 20'08" West, 822.34 feet to the Ordinary High Water Line of the South Channel of the Boise River, as shown on Record of Survey No. 5104, on file with the Ada County Records, Ada County, Idaho; thence along said line the following courses and distances:

North 59 degrees 40'23" West, 31.70 feet;

North 34 degrees 43'59" West, 84.98 feet;

North 12 degrees 55'21" West, 91.74 feet;

North 10 degrees 47'55" West, 142.94 feet;

North 30 degrees 58'37" East, 50.86 feet;

North 18 degrees 52'10" West, 88.35 feet;

North 61 degrees 57'50" West, 169.17 feet; thence

North 81 degrees 31'00" East, 247.13 feet; thence

North 24 degrees 46'44" West, 204.90 feet; thence

North 57 degrees 23'16" East, 143.71 feet to the Point of Beginning.

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 63-31835
Date Received: 2/9/2004
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BARBARA A WILLIAMSON Phone: (208)939-6287
850 WILLIAMSON LN
EAGLE ID USA 83616

SYLVAN D WILLIAMSON Phone: (208)939-6287
850 WILLIAMSON LN
EAGLE ID USA 83616

2. Date of Priority: 04/01/1865

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

4. Point of Diversion:

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

5. Description of diverting works:

WING DAM IN RIVER TO DITCH TO FLOOD IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	5.78	1300.5

7. Total Quantity Appropriated is:

5.78 C.F.S. and/or 1300.5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
04N	01E	15	NW	SW		IRRIGATION	4
			SW	SW	5	IRRIGATION	35
			SE	SW		IRRIGATION	10
						Section Acres	49
04N	01E	16	NE	SE	8	IRRIGATION	25
			NW	SE	7	IRRIGATION	5
			SW	SE	7	IRRIGATION	35
			SE	SE	8	IRRIGATION	35
						Section Acres	100
04N	01E	21	NE	NE	1	IRRIGATION	35
			NW	NE	2	IRRIGATION	15
			SE	NE	2	IRRIGATION	5
						Section Acres	55
04N	01E	22	NW	NW	4	IRRIGATION	38
			SW	NW	5	IRRIGATION	5
			SE	NW	6	IRRIGATION	15
			NE	NW	3	IRRIGATION	27
						Section Acres	85
						Total Acres	289

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

This right is a split from former right 63-31496

15. Basis of Claim: Decreed

3/2/04

Steve -

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

HAVE fun!

Denise

3-18-04
Let Allen do work of transfer
first
MANONEY own. CHANGE

For portion of

63-31496

(previously 63-270)

wait until T. 70024

Approved, around early

2005. * transfer will take
care of everything

-SZ 8/17/04

2/26/02
Howell -
Kicker
so-called
Stephen & Bo
H. Thomas

GIVENS PURSLEY LLP

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PO Box 2720, Boise, Idaho 83701
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David R. Lombardi
D. David Lorello, Jr.
Kimberly D. Maloney
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Kendall L. Miller
L. Edward Miller
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Bradley V. Sneed
Conley E. Ward
Robert B. White

Raymond D. Givens
James A. McClure
Stephanie C. Westermeier
OF COUNSEL
John A. Miller, LL.M. **
TAX CONSULTANT

*Licensed in Oregon only
**Licensed in Kentucky only

November 22, 2002

VIA US MAIL

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

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

Dear Karilynn:

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

Please call me with any questions.

Sincerely,

John M. Marshall

JMM/tns

Enclosure

S:\CLIENTS\5810\JMM to Townsend re change of ownership.DOC

RECEIVED

NOV 25 2002

Department of Water Resources

RECEIVED

JAN 14 2004

WATER RESOURCES
WESTERN REGION

SCANNED

RECEIVED

NOV 25 2002

Department of Water Resources

RECEIVED

JAN 14 2004

WATER RESOURCES
WESTERN REGION

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

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-00270	A63-00270				

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question. **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions): **PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of former Owner/Claimant(s) Sylvan and/or Barbara Williamson
850 Williamson Lane, Eagle, ID 83616
4. New Owner/Claimant(s) James E. Mahoney
Name Connector (Check one): [] and, [] or, [] and/or
New Mailing Address 53 Settler's Road
City, State and ZIP code Boise, ID 83716
New Telephone Number ()
5. Date you acquired the property March 15, 2001 *

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

SCANNED

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number	Diversion Rate or Volume	Description
Water Use	(cubic feet per second or acre-feet per annum)	(acres, number and type of stock, homes, etc.)
Irrigation	0.06 cfs, 13.5 AFA	3 acres
Stock		
Domestic		
Other		
Total		

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number	Diversion Rate or Volume	Description
Water Use	(cubic feet per second or acre-feet per annum)	(acres, number and type of stock, homes, etc.)
Irrigation		
Stock		
Domestic		
Other		
Total		

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

James E. Mahoney

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

For Office Use Only
Received by LB
Receipted by _____
Processed by _____ AJ

Date 1-14-04
Date _____
Date _____

Fee 0
Receipt No. _____
WR _____

Date _____

SCANNED

1111 5 7 0001

When recorded return to:

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

ADA COUNTY RECORDER
J. DAVID MAYARRO
BOISE, IDAHO

2002 JL - 3 PM 3:51

RECORDED - REQUEST OF
Givens, Pursley
FEE *24.00* DEPUTY *[Signature]*
102075668

WATER RIGHT GRANT DEED

FOR VALUE RECEIVED, Sylvan and Barbara Williamson, husband and wife, (collectively, "Grantor") of Eagle, Idaho, hereby grant, bargain, sell and convey unto Grantee James Ed Mahoney, whose address is 53 Settler's Road, Boise, Idaho 83716, all of Grantor's right, title and interest in and to that portion of decreed water right 63-00270 necessary to deliver a water flow rate of 0.06 cubic feet per second during the irrigation season and an annual diversion volume of 13.5 acre-feet (such portion hereinafter referred to as the "Water Right"). The Water Right heretofore has been diverted and beneficially used by Grantor, and is appurtenant to the real property located in Ada County, Idaho, more particularly described on Exhibit A attached hereto. A copy of the amended SRBA claim evidencing the Water Right is attached hereto as Exhibit B.

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

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

IN WITNESS WHEREOF, the Grantor has caused the Grantor's name to be subscribed to this Grant Deed effective the 15th day of March, 2001.

GRANTOR: SYLVAN WILLIAMSON BARBARA WILLIAMSON

[Signature: Sylvan Williamson] *[Signature: Barbara Williamson]*

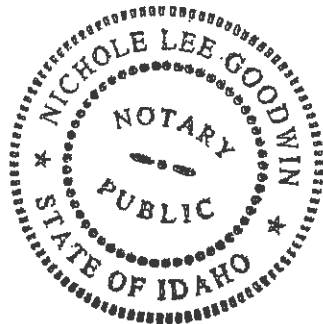
STATE OF IDAHO)

) ss.

County of Ada)

On this 15th day of March, in the year 2001, before me, a Notary Public in and for the State of Idaho, personally appeared Sylvan and Barbara Williamson, known or identified to me to be the husband and wife who executed the above instrument, and acknowledged to me that they executed the same.

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



Nichole Lee Goodwin

Notary Public for Idaho

Residing at: *Emmett*

My commission expires: *7/24/06*

EXHIBIT A

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

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

EXHIBIT B

Water Right Claim

Snake River Basin Adjudication Claim No. A63-00270

WATER RIGHT NUMBER: 63-31496

63-31835

, ZZ

Status: Active

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	~~5.840~~ CFS 5.78 cfs	~~1314.00~~ AF 1300.5 af
	<u>Total Diversion:</u>	~~5.840~~ CFS 5.78 total	~~1314.00~~ AF 1300.5 total

[illegible]

289 total Acres

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31496

WATER RIGHT NUMBER: 63-31496

63-31836

Owner Type Name and Address

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

Original Owner LOUISE SIMONSON

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

New Owner:
Mahoney

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

Source Tributary
BOISE RIVER SNAKE RIVER

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

Location of Point(s) of Diversion

BOISE RIVER L6 (SW1/4NE1/4) Sec. 22, Twp 04N, Rge 01E, B.M. ADA County

Place of Use
IRRIGATION

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

Total Acres: 292

3 total acres

Conditions of Approval:

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 63-31496
Date Received: 7/5/1989
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BARBARA A WILLIAMSON
850 WILLIAMSON LN
EAGLE ID USA 83616

Phone: (208)939-6287

SYLVAN D WILLIAMSON
850 WILLIAMSON LN
EAGLE ID USA 83616

Phone: (208)939-6287

2. Date of Priority: 04/01/1865

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

4. Point of Diversion:

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

5. Description of diverting works:

WING DAM IN RIVER TO DITCH TO FLOOD IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	5.84	1314

7. Total Quantity Appropriated is:
5.84 C.F.S. and/or 1314 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
04N	01E	15	NW	SW		IRRIGATION	4
			SW	SW	5	IRRIGATION	35
			SE	SW		IRRIGATION	10
						Section Acres	49
04N	01E	16	NE	SE	8	IRRIGATION	25
			NW	SE	7	IRRIGATION	5
			SW	SE	7	IRRIGATION	35
			SE	SE	8	IRRIGATION	35
						Section Acres	100
04N	01E	21	NE	NE	1	IRRIGATION	35
			NW	NE	2	IRRIGATION	15
			SE	NE	2	IRRIGATION	5
						Section Acres	55
04N	01E	22	NW	NW	4	IRRIGATION	38
			SW	NW	5	IRRIGATION	5
			SE	NW	6	IRRIGATION	15
			NE	NW	3	IRRIGATION	30
						Section Acres	88
						Total Acres	292

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

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

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

15. Basis of Claim: Decreed

4-WAY SPLIT TREE

RIGHT: 63-270

AGENT: Ron Howerton

Date: 4/1/02

FACTORS

CFS 6.0 /acres 300 = 0.02 CFS/acre &

AFA = 1350/acres 300 = 4.5 AFA/acre

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

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

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

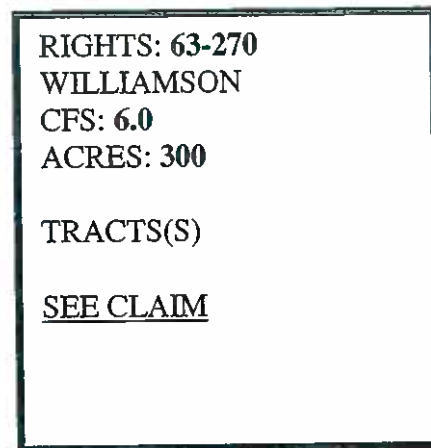
SPLIT 4 = CFS 0.02 x 4 acres = 0.08 CFS & AFA 4.5 x 4 acres = 18 AFA

TOTALS:

6.0 CFS

300 acres

1350 AFA



SPLIT
ORIGINAL
RIGHT -
FOR
WILLIAMSON
(REMAINDER)

NAME: Williamson
SPLIT: 63-31496

CFS: 5.84
ACRES: 292
AFA: 1314

TRACT(S):
SEE CLAIM

NAME: Kiff
SPLIT: 63-31497

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

NAME: Woodhead
SPLIT: 63-31498

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

NAME: Sundance
SPLIT: 63-31499

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

(BASE RIGHT)
WILLIAMSON
SPLIT

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-270

WATER RIGHT NUMBER: 63-270

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

OK

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

Source
BOISE RIVER

Tributary
SNAKE RIVER

Beneficial Use
IRRIGATION

From To
03/15 to 11/15

Diversion Rate
-6.000 CFS

Annual Volume

Total Diversion: -6.000 CFS

-1,350.00 AF

1314

Location of Point(s) of Diversion

BOISE RIVER
ADA County

L6 SW1/4NE1/4

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

Place of Use
IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	15									4.0	35.0	10.0						49.0
												L 5							
04N	01E	16													25.0	5.0	35.0	35.0	100.0
															L 8	L 7	L 7	L 8	
04N	01E	21	35.0	15.0		5.0													55.0
			L 1	L 2		L 2													
04N	01E	22					38.0	38.0	5.0	15.0									96.0
							L 3	L 4	L 5	L 6									

Total Acres: 300- 292

Remarks:

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

OK

CLAIM 63-31496

- 8/7/20/09

SRBA CHECK FOR BENEFICIAL USE 1987?

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

FOR SUBDIVISION:

- 68 ACRES TO IRRIGATE
- 11 ACRES TO MITIGATE AMENITY PONDS PROPOSED IN
APPL 63-31515
- 16.5 ACRES NONUSE¹ FROM PAVEMENT ETC.
- 95.5 ACRES TOTAL.

FOUND 95.5 ACRES IRRIGATION IN SUBD. BOUNDARY.

SEE ATTACHED.

1987 B.U. for
95.5 Acres proposed
for change in
T. 70024 -

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

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

63.270

ACRES → .02 CG 4.5 AFA

#	CGS	AFA	ACRES	Notes
A63-270	6.00	1350	300	Williamson

- 31496	5.84	1314	292	split - Williamson } 3 new owners to mitigate new permits
- 31497	.04	9	2	
- 31498	.04	9	2	
- 31499	.08	18	4	
TOTAL	6.00	1350	300	

T. 70024 proposes split Williamson Right:

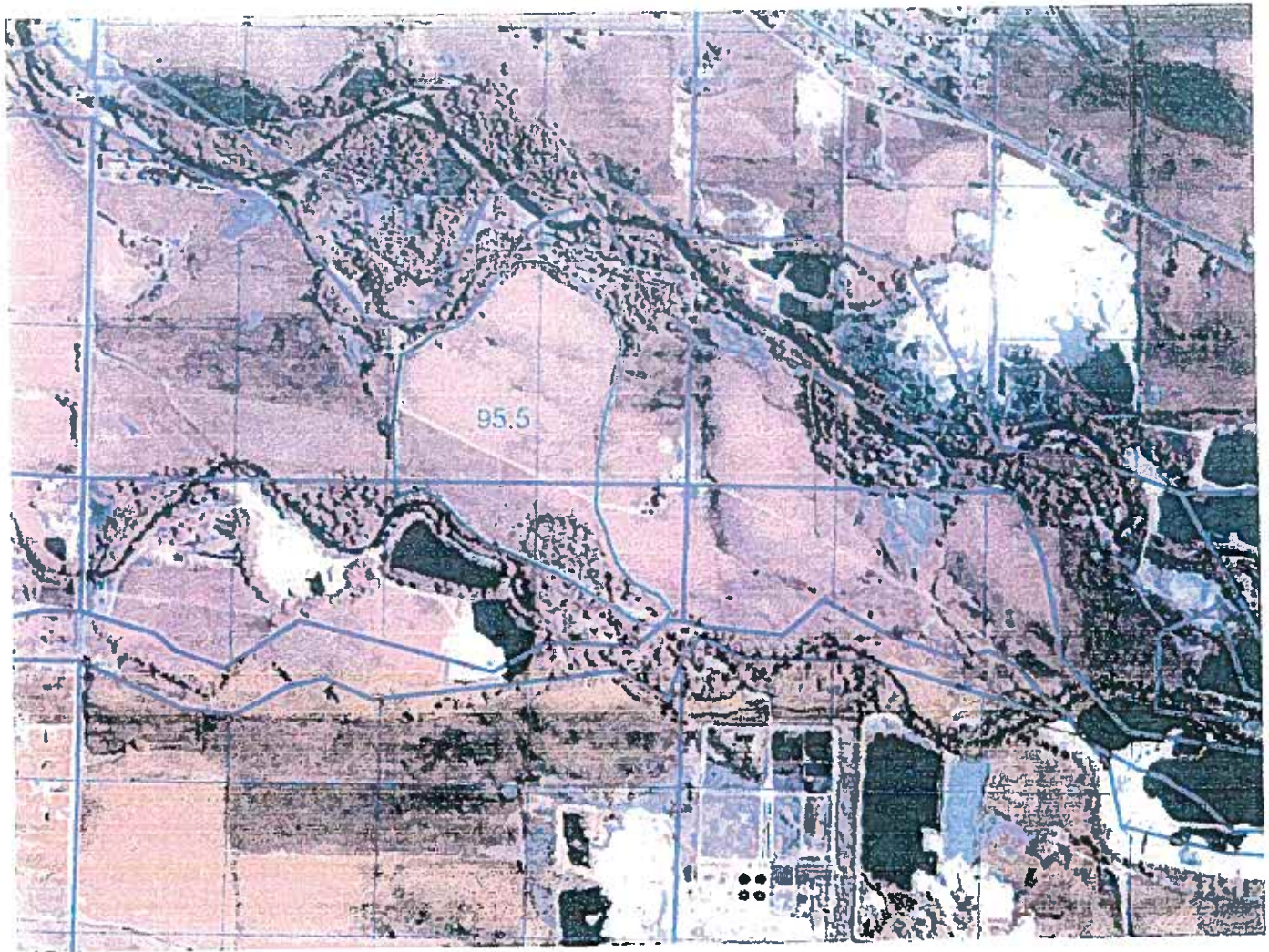
- 31524	3.93	884.3	196.5	Williamson } irrigate mitigation } Developer * NONUSE
- 31525	1.36	306	68	
	.22	49.5	11	
	.33	74.2	16.5	
TOTAL	5.84	1314	292	

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

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

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

T4N, R1E, S16 and S21



0.3 0 0.3 0.6 Miles

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

✓ Found 95.5 acres irrigation
in subel. boundary

-  Acres contemplated for transfer
-  Sections
-  QQ



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

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

CIVIL CASE NUMBER: 39576

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

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

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

Address: 850 WILLIAMSON LN
EAGLE ID USA 83616

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

Address: 850 WILLIAMSON LN
EAGLE ID USA 83616

2. Date of Priority: 04/01/1865

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

4. Point of Diversion:

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

5. Description of diverting works:

WING DAM IN RIVER TO DITCH TO FLOOD IRRIG.

6. Water is used for the following purposes:

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

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

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

Total Acres 300

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

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

15. Basis of Claim: Decreed

NOV 25 2002

Department of Water Resources

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEMCIVIL CASE NUMBER: 39576
Ident. Number 463-00270
Date Received
Receipt Number W003463

RECEIVED

JUL 07 2002

WATER RESOURCES
WESTERN REGIONNOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

Please type or print clearly

1. Name of Claimant (s) SYLVAN +/or BARRARA WILLIAMSON Phone (208) 939-6287Mailing Address 850 WILLIAMSON LN EAGLE ID 83616 Zip 836162. Date of Priority (Only one (1) per claim) 4/1/18653. Source of water supply (a) BOISE RIVER
which is tributary to (b) SNAKE RIVER4. a. Location of existing point of diversion is: Township 4N Range 1E Section 22
1/4 of SW 1/4 of NE 1/4, Govt. Lot, 6 B.M., County of ADA

Additional points of diversion, if any: _____

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

Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

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

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

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

SCANNED

11/15/2007

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

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

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

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

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

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

10. Description of place of use:

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

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

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

Total number of acres irrigated 300

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

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

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

or None ☒

14. Remarks:

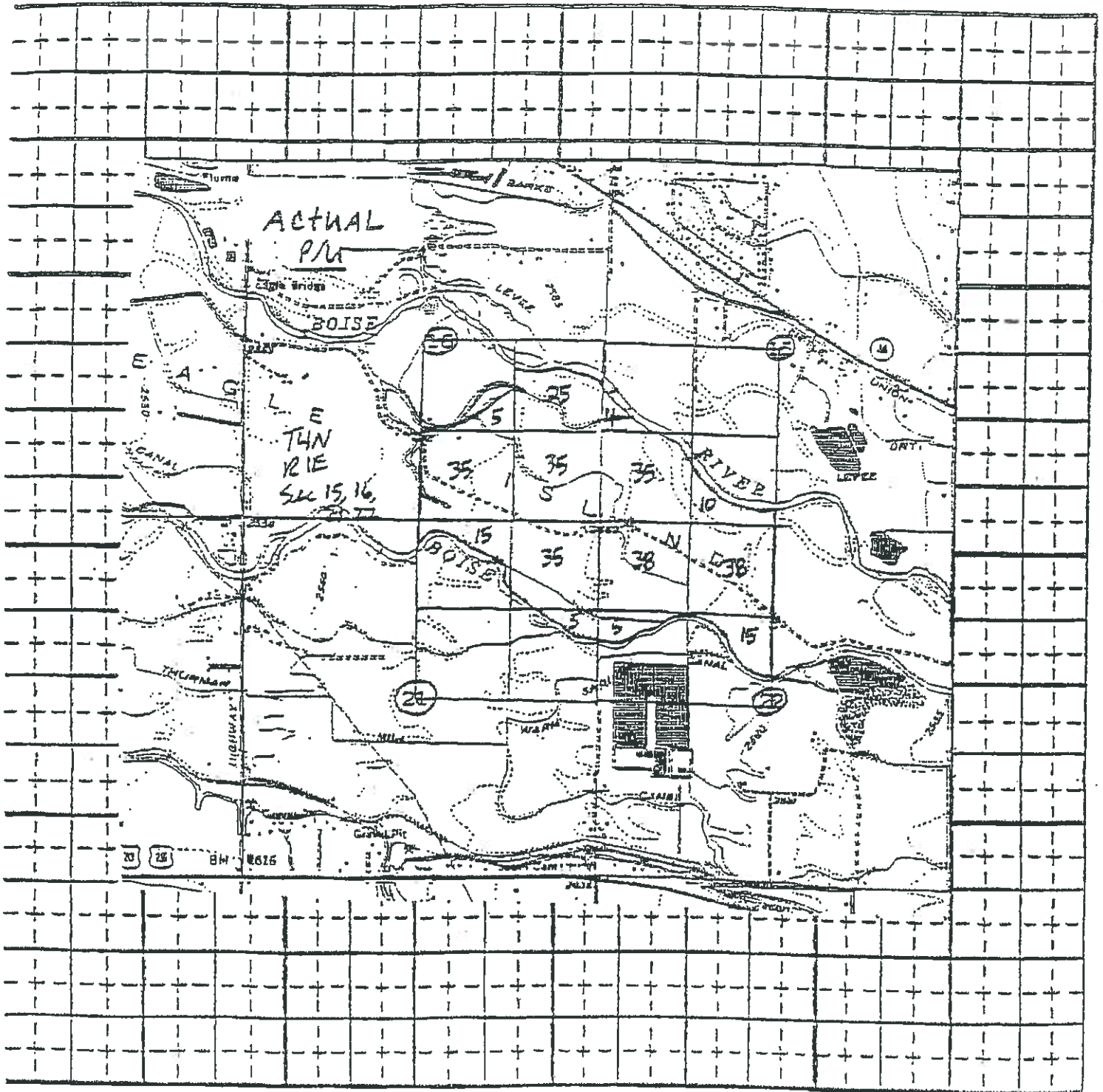
Last Name _____ Ident No. _____

SCANNED

CALL 9 7 5001

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

Scale: 2 inches equals 1 mile



Last Name _____ Ident No. _____

SCANNED

JAN 17 2006

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree ☒ 63-00270
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Number of attachments _____

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

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

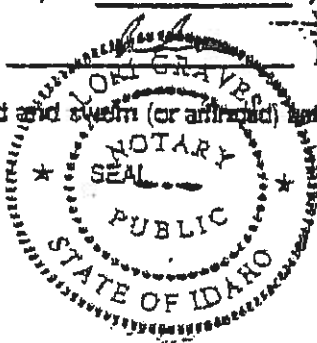
Date _____

For Organizations: I do solemnly swear or affirm that I am _____
of _____, that I have signed the foregoing
document in the space below as _____ of _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 5th day of July 2000
Notary Public Lori Graves
Residing at Bonin
My Commission Expires 6/15/04



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

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

SCANNED

FROM Steve L.

DATE 12/5/03

TO Kimberly

SUBJECT WR - AJ coordination Transfer 70024

William claim 63-31496 ("63-270")
B.U. on portion of PLH 1987?


SIGNATURE

63-31496

-SL
12/5/03

AJ VERIFICATION

Sylvan/Barbara Williamson.

Originally AG3-270 claimed 1989.

Recent splits to 3 new owners (8 Acres used to mitigate
new permits 63-31497 - 31498 - 31499).

Leaves Williamson with 292 acres in AG3-31496.

T. 70024 proposes change for 95.5 acres / 1.91 cfs

for Plu	Sec. 16 SE ¹ / ₄	} See attached map
	Sec. 21 N ¹ / ₂ NE ¹ / ₄	

for 95.5 Acres c that Plu to use AS:

1 st	68 Acres	} Subdivision
ponds	11 Acres	
now use	16.5 Acres	} Retain AS in portion for future disposition

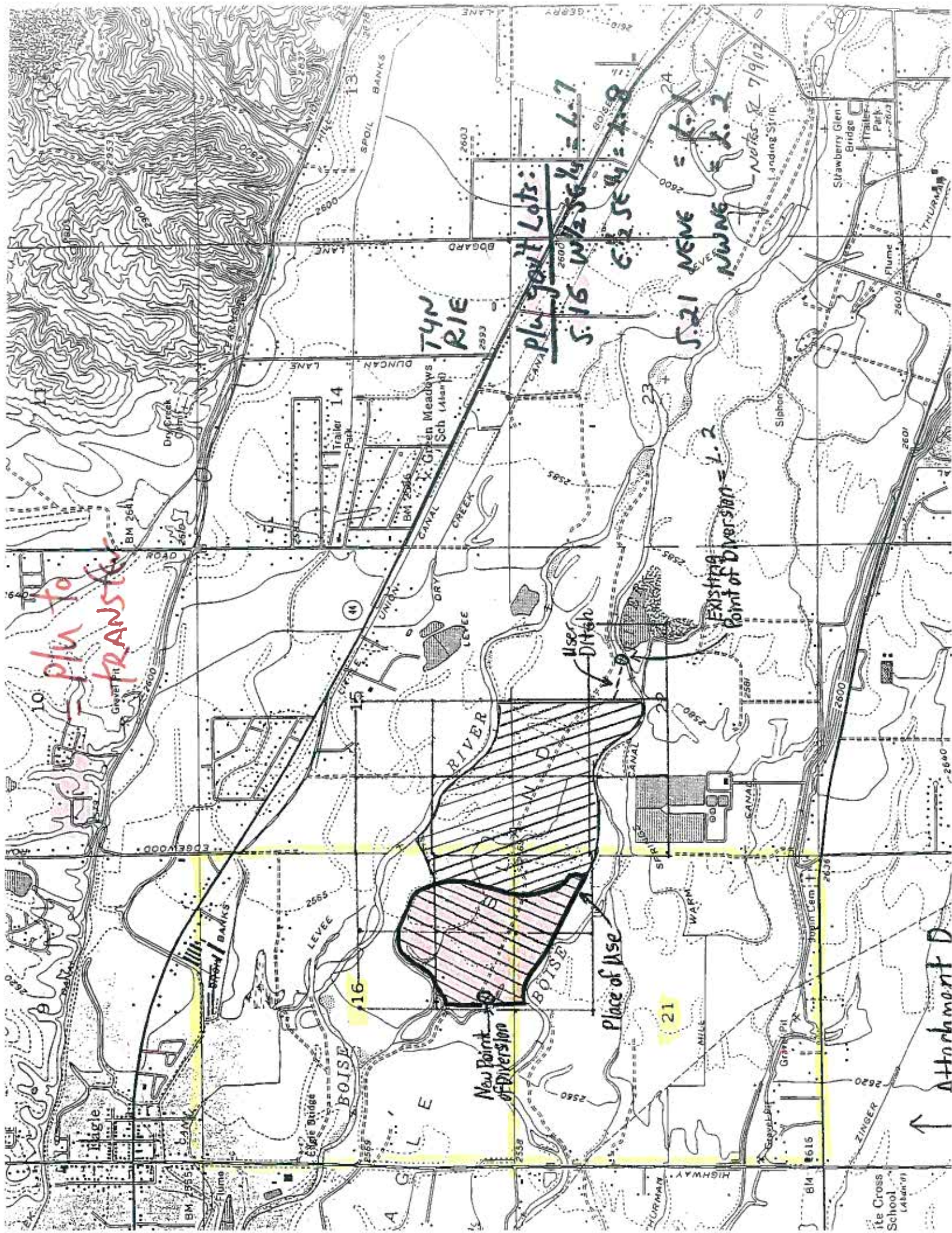
7/20/04
UPDATE
Re discussion w/ JANS.

Questions

for Subdivision -
found 95.5 Acres
e .02 cfs PER Acre

✓ What is USDA determination for Plu proposed
for change? How many acres of 1st are
found in 1987 photo?

✓ Correct to assume .02 cfs/Acre to be Recommended?



Attachment D

RECEIVED

APR 30 2002

WATER RESOURCES
 WESTERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Steve

Transfer No. 70024

AMENDED APPLICATION FOR TRANSFER OF WATER RIGHT

Part 1

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

A. Purpose of Transfer

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

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

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

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

← PROCESS AS change of
 Adjudication claim record
63-31496 per June, 2002
 notices of ownership change

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

3. Source of water Boise River tributary to Snake River

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

Now 63-31496

* 4. Point(s) of Diversion:

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

5. Lands irrigated or place of use:

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

Total acres 84.5

* CORRECTION approved by _____ on _____
 initials date



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 4, 2002

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

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

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

Dear Claimant(s):

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

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

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

Sincerely,

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region Office

DH: dh

Enclosure

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-31496

Date: 11-16-22

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	4N	1E	1E											-5	10					119
GIS														36	39					36.6
Claim			110													-8	-7	-7	-8	100
GIS																25	5	35	35	100
																25	46	39	42	110.6
Claim			21	-1	-2		-2													55
GIS				35	15		5													57.5
				36	12		9.5													
Claim			22					-3	-4	-5	-10									88
GIS								30	38	5	15									101
								35	36	13	17									

Number of POD's 1

Total Claimed Acres: 292

Overlapping POU Claim #'s:

63-31496 63-31496 63-31499

Total GIS Acres: 325.7

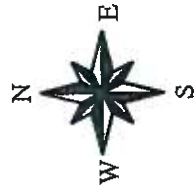
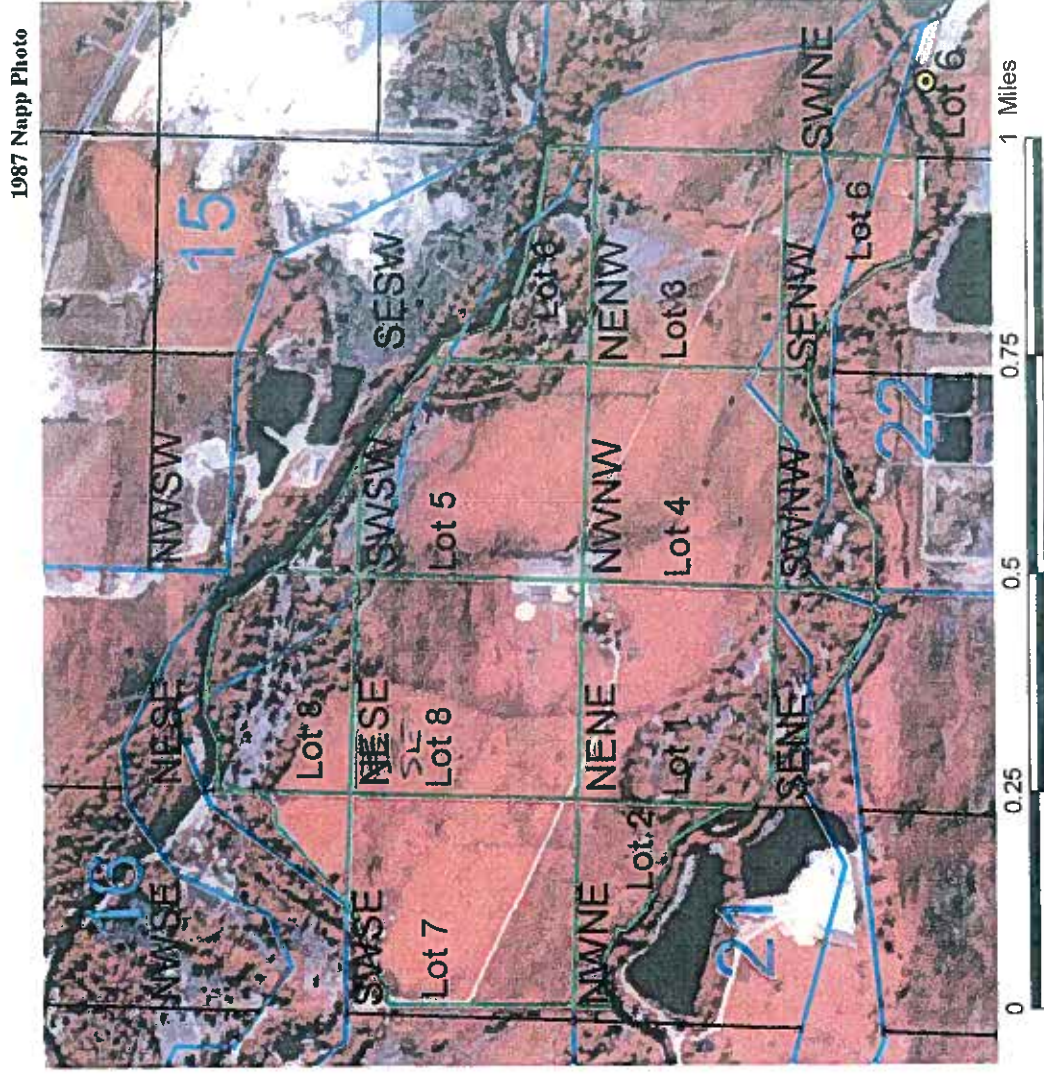
COMMENTS:

Per claim map in 63-00270. Claimant doesn't own parcel in the NE1/4 + SE1/4 Sec. 22 per county data. Estimated POD per claim map.

Idaho Department of Water Resources

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

- ☐ Point of Diversion
- ☐ Place of Use
- ☐ Section Lines
- ☐ Quarter Quarter Lines



Idaho Department of Water Resources

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

- ☒ Point of Diversion
- ☐ Place of Use
- ☐ Section Lines
- ☐ Quarter Quarter Lines

