

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 63-32852
Date Received: 9/14/1989
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LARRY FLYNN Phone: (208) 365-3737
PO BOX 21
LETHA ID USA 83636

2. Date of Priority: 04/26/1971

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	02W	5	SW SW	CANYON	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From To	C.F.S.	(or) A.F.A
IRRIGATION	04/15 10/15	0.06	12.3

7. Total Quantity Appropriated is:
0.06 C.F.S. and/or 12.3 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
05N	02W	6	SE	SE	IRRIGATION	3
					Section Acres	3
					Total Acres	3

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

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

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

Property also known as Lot 14, Blk. 1, High Plains Estates Subdivision.

This right is a split from former right 63-32131 .

15. Basis of Claim: License

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

RECEIVED

OCT 20 2006

WATER RESOURCES
WESTERN REGION

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-32131	63-32131	X			

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

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

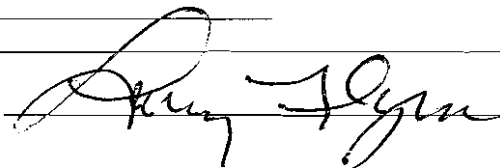
3. Name and Address of Former Owner/Claimant(s) RTX, LLC
10421 WEST ROCKWOOD BOISE, ID 83704
4. New Owner/Claimant(s) LARRY FLYNN
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address PO BOX 21
- City, State and ZIP Code LETHA, ID 83636
- New Telephone Number (208) 365-3737
5. Date you acquired the property JULY 24, 2004

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>63-32131</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>0.06 cfs / 13.5 acre feet</u>	<u>3 acres</u>
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

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



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 _____	Date _____	Fee <u>N/A</u>
Received by _____	Date _____	Receipt No. _____
Processed by <u>AJ</u>	Date <u>9-21-07</u>	WR _____ Date _____

GRANT DEED

THIS INDENTURE is made this 21 day of December, 2005, between RTX, LLC of 10421 West Rockwood, Idaho 83704 ("Grantor") and Larry Flynn of P.O. Box 21, Letha, Idaho 83636 ("Grantee").

WITNESSETH

The Grantor for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain and sell, convey and confirm unto the Grantee, and to the successors and assigns of Grantee forever, the right, title and interest in and to the following portion of water right No. 63-31909:

Quantity: 0.20 cubic feet per second / 45 acre feet per year

Acres: 10 acres (SESE Section 6, T5N, R2W, Canyon County, Idaho)

TO HAVE AND TO HOLD, all and singular the above-mentioned and described portion of water right 63-31909, unto the Grantee and to the successors and assigns of Grantee forever.

IN WITNESS WHEREOF, the Grantor has executed this Deed by the day and year first above written.

RTX, LLC

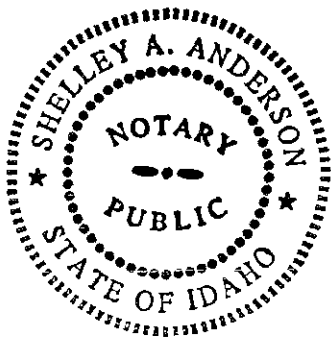
By: _____

Its: _____

STATE OF IDAHO)
) ss.
County of Ada)

On this 21 day of December 2005, before me, a notary public for said state,
personally appeared Richard O. Thurber, known or identified to me as the
person whose name is subscribed to the within instrument and acknowledged to me that
he 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.



Shelley A. Anderson
Notary Public for Idaho
Residing at: Meridian, Idaho
My commission expires: 3/27/08

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 63-32131
Date Received: 9/14/1989
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

HIGH PLAINS LLC Phone: (925) 963-0895
C/O FRANK FICKEN
2724 LAVENDER DR
WALNUT CREEK CA USA 94596

2. Date of Priority: 04/26/1971

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	02W	5	SW SW	CANYON	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	0.99	222.7

7. Total Quantity Appropriated is:
0.99 C.F.S. and/or 222.7 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
05N	02W	6	SW	SE	IRRIGATION	28.2
			SE	SE	IRRIGATION	21.3
					Section Acres	49.5
					Total Acres	49.5

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

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

Property also known as Lot 14, Blk. 1, High Plains Estates Subdivision.

15. Basis of Claim: License

WATER RIGHT NO. 63-32131
As Modified by Transfer No. 72087

In accordance with the approval of Transfer No. 72087, Water Right No. 63-32131 is now described as follows.

Right Holder: HIGH PLAINS LLC
 C/O FRANK FICKEN
 2724 LAVENDER DR
 WALNUT CREEK CA 94596

Priority Date: April 26, 1971

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/15	0.99 CFS	222.7 AF
			0.99 CFS	222.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSW Sec. 5 Twp 05N Rge 02W CANYON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
05N 02W 6	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	49.5
																	28.2 21.3

Total Acres: 49.5

CONDITIONS OF APPROVAL

1. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
2. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
5. Property also known as Lot 14, Blk. 1, High Plains Estates Subdivision.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of February, 2006


 Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72087

This is to certify that: HIDDEN ISLAND HOMEOWNERS ASSN INC
C/O LARRY FLYNN
PO BOX 564
EAGLE ID 83616
(208)939-9179

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-31909	AJC/License	04/26/1971	1.13 cfs	254.2 af	N/A	58.5	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-31909	NO	YES	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-31909	63-32132	0.14 cfs	31.5 af	N/A	7.0	63-32131	0.99 cfs	222.7 af	N/A	49.5
COMBINED TOTALS		0.14 cfs	31.5 af	N/A	7.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 11th day of February, 2006



Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 63-31909

RECEIVED

DEC 28 2005

WATER RESOURCES
WESTERN REGION

GRANT DEED

THIS INDENTURE is made this 21 day of December, 2005, between RTX, LLC of 10421 West Rockwood, Idaho 83704 ("Grantor") and Larry Flynn of P.O. Box 21, Letha, Idaho 83636 ("Grantee").

WITNESSETH

The Grantor for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain and sell, convey and confirm unto the Grantee, and to the successors and assigns of Grantee forever, the right, title and interest in and to the following portion of water right No. 63-31909:

Quantity: 0.20 cubic feet per second / 45 acre feet per year

Acres: 10 acres (SESE Section 6, T5N, R2W, Canyon County, Idaho)

TO HAVE AND TO HOLD, all and singular the above-mentioned and described portion of water right 63-31909, unto the Grantee and to the successors and assigns of Grantee forever.

IN WITNESS WHEREOF, the Grantor has executed this Deed by the day and year first above written.

RTX, LLC

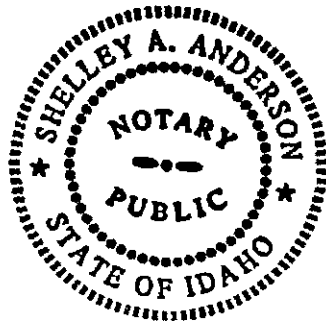
By: 

Its: _____

STATE OF IDAHO)
) ss.
County of Ada)

On this 21 day of December 2005, before me, a notary public for said state,
personally appeared Richard O. Thurber, known or identified to me as the
person whose name is subscribed to the within instrument and acknowledged to me that
he 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.



Shelley A. Anderson
Notary Public for Idaho
Residing at: Meridian, Idaho
My commission expires: 3/27/09



Order No.: C046251

WARRANTY DEED

FOR VALUE RECEIVED,

DAVID A. BUICH AND KAREN BUICH, HUSBAND & WIFE, AND FRANK FICKEN, A MARRIED MAN, AS HIS SOLE & SEPARATE PROPERTY, AND CHRIS E. DOYLE AND TRACY A. DOYLE, HUSBAND AND WIFE

The Grantor(s), do(es) hereby grant, bargain sell and convey unto
RTX, LLC

whose current address is: 10421 W. ROCKWOOD, BOISE, ID 83704
the Grantee(s), the following described premises, in Canyon 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 public reservations, easements, rights 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: 07/20/04

DAVID A. BUICH

FRANK FICKEN

CHRIS E. DOYLE

KAREN BUICH

TRACY A. DOYLE

State of IDAHO
County of ADA

On this 21ST day of July, 2004, before me, the undersigned, a notary public in and for said state, personally appeared DAVID A. BUICH, known or proven to me on the basis of satisfactory evidence to be the person whose name is subscribed the name of to the within instrument as the attorney in fact of FRANK FICKEN, and acknowledged to me that he subscribed the name of FRANK FICKEN therein and his own name as attorney in fact.

Notary Public
Residing at: EAGLE, ID
Comm. Exp: 6/19/06

AMY GUNNING
NOTARY PUBLIC
STATE OF IDAHO

State of IDAHO
County of ADA

On this 21ST day of JULY, 2004, before me, the undersigned, a notary public in and for said state, personally appeared KAREN BUICH, CHRIS E. DOYLE, DAVID A. BUICH, AND TRACY A. DOYLE, known or proven to me on the basis of satisfactory evidence to be the person whose name is subscribed herein, and acknowledged to me that they executed the same.

Notary Public
Residing at: EAGLE, ID
Comm. Exp: 6/19/06

AMY GUNNING
NOTARY PUBLIC
STATE OF IDAHO

TO: Rick Shurber *
3 pages

EXHIBIT "A"

Parcel I:

Part of the Southeast Quarter of the Section 6 and the Southwest Quarter of Section 5 and the Southwest Quarter of the Southeast Quarter of Section 5, Township 5 North, Range 2 West, of the Boise Meridian, Canyon County, Idaho, described as follows:

COMMENCING at a brass cap monument marking the Southwest corner of Section 6, Township 5 North, Range 2 West, of the Boise Meridian, Canyon County, Idaho, and running thence North 89°32'55" East 2806.07 feet, said point being the South Quarter corner of said Section 6; thence North 0°02'05" West 660.18 feet to the POINT OF BEGINNING; thence North 0°02'05" West 538.38 feet to a point of curve with a radius of 80.00 feet, a central angle of 180°00'00" and a chord that bears North 00°02'05" West 120.00 feet; thence to the left along said curve 186.49 feet; thence North 89°38'18" East 1320.00 feet to a brass cap marking the Southeast One-Sixteenth (1/16) corner of said section; thence North 89°35'50" East 1323.33 feet to a brass cap marking the South One-Sixteenth (1/16) corner of said section; thence North 89°58'32" East 2844.82 feet; thence North 89°58'52" East 1323.59 feet thence South 0°08'58" East 1318.92 feet; thence South 89°57'54" West 1324.20 feet to the South Quarter corner of said Section 5; thence South 89°45'55" West 2648.40 feet to the Southwest corner of said Section 5; thence South 89°51'00" West 1861.32 feet; thence North 0°03'14" West 660.58 feet; thence South 89°48'58" West 660.21 feet to the POINT OF BEGINNING.

Being Lot 14, High Plains Estates, of Record of Survey, recorded April 21, 2004, as Instrument No. 200421334, records of Canyon County, Idaho.

PARCEL II:

A 60-foot wide right-of-way to be used for ingress-egress and utilities lying in the Southeast Quarter of Section 1, Township 5 North, Range 3 West of the Boise Meridian, the South half of Section 6, Township 5 North, Range 2 West of the Boise Meridian and the North half of Section 7, Township 5 North, Range 2 West of the Boise Meridian described as follows:

Beginning at a brass cap monument marking the Southeast 1/16 corner of Section 1 Township 5 North, Range 3 West of the Boise Meridian and running thence North 89°53'08" East 1316.24 feet to a brass cap monument marking the South 1/16 corner of said Section 1; thence North 89°51'15" East 1286.78 feet to a brass cap monument marking the Southwest 1/16 corner of Section 6, Township 5 North, Range 2 West of the Boise Meridian; thence North 89°41'07" East 1318.08 feet to a brass cap monument marking the center South 1/16 corner of said Section 6; said point being a point of curve with a radius of 80.00 feet, a central angle of 255°44'17" and a chord that bears South 37°35'11" West 95.05 feet; thence to the right along said curve 267.81 feet to a point of reverse curve with a radius of 20.00 feet, a central angle of 75°31'21" and a chord that bears North 52°33'13" West 24.49 feet; thence to the left along said curve 26.36 feet; thence South 89°41'07" West 1160.53 feet to a point of curve with a radius of 50.00 feet, a central angle of 90°24'59" and a chord that bears North 44°28'37" West 70.97 feet; thence to the left along said curve 76.80 feet; thence South 0°43'52" East 1101.47 feet to a point of curve with a radius of 50.00 feet, a central angle of 69°43'13" and a chord that bears South 45°35'28" East 70.54 feet; thence to the left along said curve 78.30 feet; thence North 89°32'55" East 1224.01 feet; thence North 89°51'00" East 2641.63 feet; thence South 0°09'00" East 60.00 feet to a 5/8" iron rod with yellow plastic cap marked P.L.S. 7323 marking the Southeast corner of said Section 6; thence South 89°51'00" West 2641.75 feet to a 5/8" Iron rod with yellow plastic cap marked P.L.S. 7323 marking the South

Exhibit "A"

Legal Description

Quarter corner of said Section 6; thence South $89^{\circ}32'55''$ West 587.02 feet to a point of curve with a radius of 50.00 feet, a central angle of $101^{\circ}35'06''$ and a chord that bears South $38^{\circ}45'22''$ West 77.49 feet; thence to the left along said curve 88.65 feet; thence South $12^{\circ}02'11''$ East 184.45 feet; thence South $2^{\circ}50'01''$ East 185.61 feet; thence South $10^{\circ}07'32''$ East 211.80 feet to a point of curve with a radius of 60.00 feet, a central angle of $255^{\circ}31'21''$ and a chord that bears North $62^{\circ}21'52''$ West 94.87 feet; thence to the right along said curve 267.58 feet to a point of reverse curve with a radius of 20.00 feet, a central angle of $75^{\circ}31'21''$ and a chord that bears North $27^{\circ}38'08''$ East 24.49 feet; thence to the left along said curve 26.38 feet; thence North $1^{\circ}07'32''$ West 138.27 feet; thence North $2^{\circ}50'01''$ West 184.60 feet; thence North $12^{\circ}02'11''$ West 222.42 feet to a point of curve with a radius of 50.00 feet, a central angle of $78^{\circ}24'54''$ and a chord that bears North $51^{\circ}14'36''$ West 63.21 feet; thence to the left along said curve 68.43 feet; thence South $89^{\circ}32'55''$ West 1745.08 feet to a point of curve with a radius of 60.00 feet, a central angle of $89^{\circ}35'08''$ and a chord that bears South $44^{\circ}45'21''$ West 70.45 feet; thence to the left along said curve 78.18 feet; thence South $0^{\circ}02'13''$ East 485.13 feet to a point of curve with a radius of 20.00 feet, a central angle of $75^{\circ}31'21''$ and a chord that bears South $37^{\circ}47'54''$ East 24.49 feet; thence to the left along said curve 26.38 feet to a point of reverse curve with a radius of 60.00 feet, a central angle of $255^{\circ}31'21''$ and a chord that bears South $52^{\circ}12'06''$ West 94.87 feet; thence to the right along said curve 267.58 feet; thence North $0^{\circ}02'13''$ West 611.80 feet to a brass cap monument marking the Southwest corner of said Section 6; thence North $89^{\circ}55'43''$ West 658.83 feet to a point of curve with a radius of 60.00 feet, a central angle of $243^{\circ}01'43''$ and a chord that bears North $31^{\circ}31'17''$ East 102.30 feet; thence to the right along said curve 254.50 feet to a point of reverse curve with a radius of 50.00 feet, a central angle of $62^{\circ}57'52''$ and a chord that bears South $58^{\circ}26'48''$ East 52.22 feet; thence to the left along said curve 54.85 feet; thence North $89^{\circ}42'46''$ East 1782.95 feet to a point of curve with a radius of 50.00 feet, a central angle of $90^{\circ}16'46''$ and a chord that bears North $44^{\circ}24'31''$ East 70.88 feet; thence to the left along said curve 78.78 feet; thence North $0^{\circ}43'52''$ West 1102.09 feet to a point of curve with a radius of 50.00 feet, a central angle of $89^{\circ}24'52''$ and a chord that bears North $45^{\circ}26'18''$ West 70.25 feet; thence to the left along said curve 78.03 feet; thence South $89^{\circ}51'15''$ West 1208.02 feet; thence South $89^{\circ}53'06''$ West 1316.31 feet; thence North $0^{\circ}02'31''$ East 60.00 feet to the point of beginning.

Exhibit "A"

Legal Description

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 63-31909
Date Received: 9/14/1989
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

HIGH PLAINS LLC Phone: (925) 963-0895
C/O FRANK FICKEN
2724 LAVENDER DR
WALNUT CREEK CA USA 94596

2. Date of Priority: 04/26/1971

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	02W	5	SW SW	CANYON	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	1.13	254.2

7. Total Quantity Appropriated is:
1.13 C.F.S. and/or 254.2 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
05N	02W	6	SW	SE	IRRIGATION	28.2
			SE	SE	IRRIGATION	28.3
					Section Acres	56.5
					Total Acres	56.5

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

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

Point of diversion and place of use are located within Lot 14, Blk. 1, High Plains Estates Subdivision.

15. Basis of Claim: License

WATER RIGHT NO. 63-31909
As Modified by Transfer No. 71338

In accordance with the approval of Transfer No. 71338, Water Right No. 63-31909 is now described as follows.

Right Holder: HIGH PLAINS LLC
 C/O FRANK FICKEN
 2724 LAVENDER DR
 WALNUT CREEK CA 94596

Priority Date: April 26, 1971

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/15	1.13 CFS	254.2 AF
			1.13 CFS	254.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSW Sec. 5 Twp 05N Rge 02W CANYON 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	
05N 02W 6															28.2	28.3	56.5

Total Acres: 56.5

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

WATER RIGHT NO. 63-31909
As Modified by Transfer No. 71338

CONDITIONS OF APPROVAL

6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
8. Point of diversion and place of use are located within Lot 14, Blk. 1, High Plains Estates Subdivision.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 15th day of December, 20 04



Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71338

This is to certify that: HIGH PLAINS LLC
C/O FRANK FICKEN
2724 LAVENDER DR
WALNUT CREEK CA 94596
(925)963-0895

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-31909	AJC/License	04/26/1971	1.13 cfs	254.2 af	N/A	56.5	GROUND WATER

Purpose of Transfer (Changes Proposed)

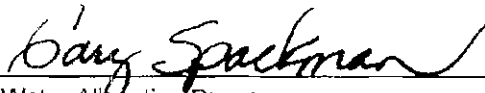
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-31909	NO	YES	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-31909	63-31909	1.13 cfs	254.2 af	N/A	56.5		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		1.13 cfs	254.2 af	N/A	56.5		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 15th day of December, 20 04



Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 71325

RECEIVED

APR 27 2004

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1WATER RESOURCES
Name WESTERN REGIONHigh Plains LLC, c/o Frank FickenPhone (925) 963-0895Post Office address 2724 Lavender Dr., Walnut Creek, CA 94596

A. PURPOSE OF TRANSFER

- 1.
- ☐
- Change point of diversion
- ☒
- Add diversion point(s)
- ☒
- Change place of use

☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes
- Applicant proposes to split water right 63-31213 into twenty-two pieces for irrigation of residential lots at High Plains Estates subdivision. This transfer is for lot 1 of block 1.

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

1. Right Number
- TBD
- Priority
- 4/26/1971
- Amount (cfs/ac-ft)
- 0.11 / 24.8
- Nature of Use
- irrigation
- Period of Use
- 4/15
- to
- 10/15
-
- (portion of 63-31213)

2. Total amount of water being transferred
- 0.11
- cubic feet per second and/or
- 24.8
- acre-feet per annum.

3. Source of water
- ground water
- tributary to
- NA

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		SE	SE	1	5N	3W	Canyon	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	3W	1																5.5	5.5

SCANNED
JUN 29 2004Total Acres 5.5

PART 1

6. General Information:

- a. Description of diversion system Well with electric pump.

- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

- d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

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

For the Director

SCANNED

JUN 29 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-31213 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water ground water tributary to NA4. Date or priority 4/26/1971

5. Water is used for the following purposes:

amount 3.68 / 828 for irrigation purposes from 4/15 to 10/15
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 3.68 cubic feet per second and/or 828 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	SW	SW	SW	5	5N	2W	Canyon	

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	2W	6											35	35			38	35	146
5N	3W	1																38	38

Total Acres 1849. Describe any other water rights used for the same purpose as described above None

SCANNED

JUN 29 2004

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED***(If the entire right is to be changed by the applicant, omit part B and C.)*

1. amount 0.11 / 24.8 for irrigation purposes from 4/15 to 10/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	SW	SW	SW	5	5N	2W	Canyon	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	3W	1																5.5	5.5

Total Acres 5.5**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 3.57 / 803.2 for irrigation purposes from 4/15 to 10/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	SW	SW	SW	5	5N	2W	Canyon	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	2W	6											35	38			38	35	146
5N	3W	1																32.5	32.5

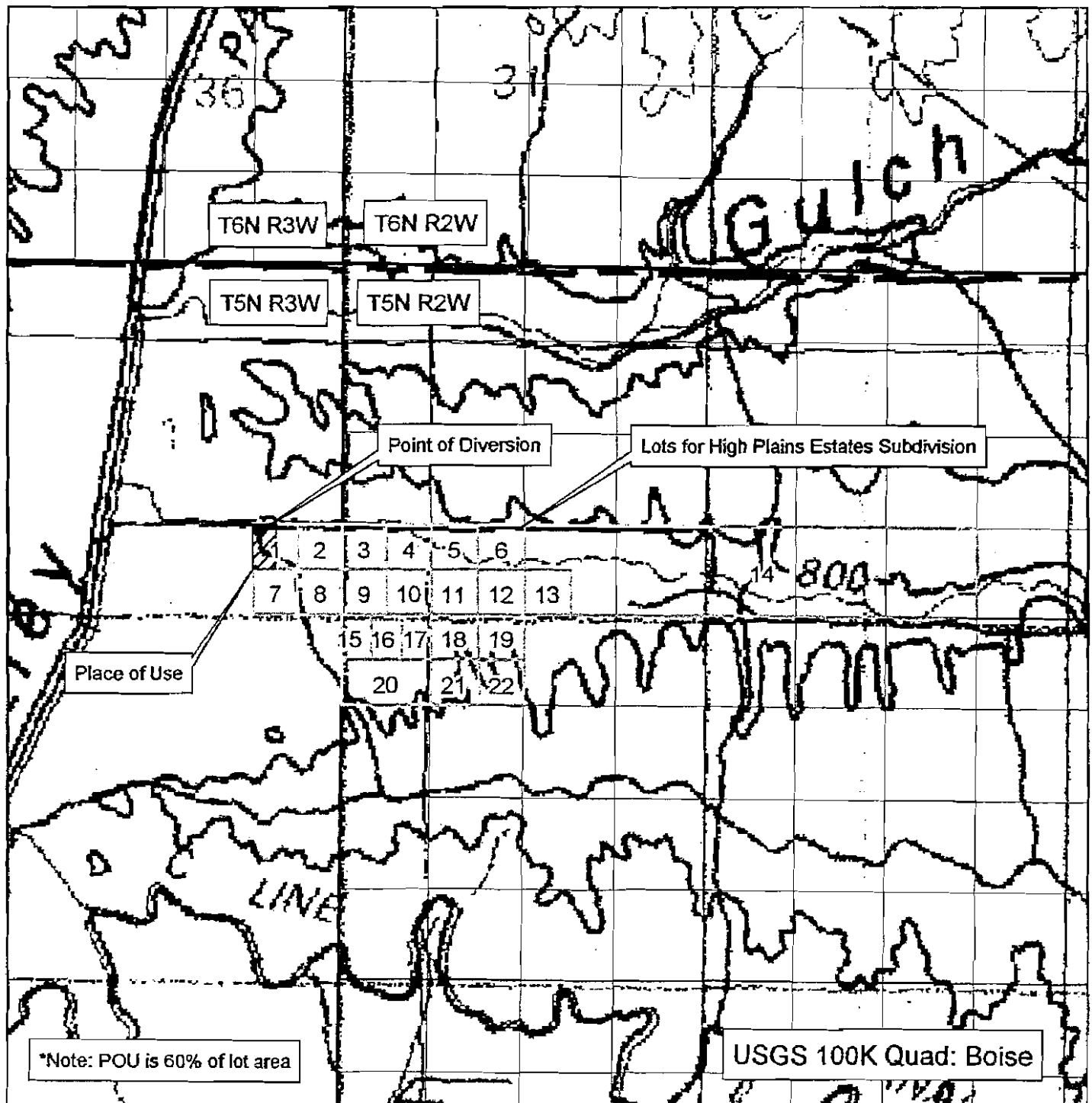
Total Acres 178.5

SCANNED

JUN 29 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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



Scale: 1 inch equals 2000 feet.

SCANNED

JUN 29 2004

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

1.

<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____
2. Quantity and quality of return flows and location of discharge: NA
3. Describe effects on other water uses resulting from the proposed change:

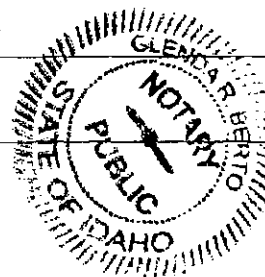
I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

[Signature]
 (Signature of Applicant)

Subscribed and sworn to before me this 14th day of April, 20 04

[Signature]
 (Notary Public)



My commission expires 5-15-08

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 5 attachments

Received by KG Date 4/27/04 Protest filed by _____

Prelim. Check by KG Fee 100.00

Received by KG Date 4/27/04 W031609

Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

SCANNED

JUN 29 2004



SPF Water Engineering, LLC
water resource consultants

April 26, 2004

Dan Nelson
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

RECEIVED

APR 27 2004

WATER RESOURCES
WESTERN REGION

Subject: Water Right Transfer Applications – High Plains LLC

Dear Dan:

On behalf of High Plains LLC, I am please to enclose 22 applications for transfer of water right 63-31213 associated with High Plains Estates subdivision.

The transfers propose to divide water right 63-31213 into 22 pieces for irrigation of 22 residential lots. A plat of the subdivision is attached. Each lot will have a separate point of diversion. Lots 1 through 14 are within the existing place of use of the water right, and Lots 15 through 22 are located on lands south of the existing place of use. Lot 14 will retain the original point of diversion of the water right.

Water right 63-31213 is also the subject of two pending applications submitted by Chris Doyle for transfer of 4 and 8 acres to Gary Weber and Larren Weber, respectively. Mr. Doyle is a member of High Plains LLC. Other members of High Plains LLC are Tracy Doyle, David Buich, and Frank Ficken. Documentation for High Plains LLC is attached.

The land that the water right is currently appurtenant to, and the land to which the water right will be transferred, is owned by High Plains LLC. Copies of the deeds for these lands are attached.

The 22 transfers, plus the pending 4 and 8 acre transfers to Gary Weber and Larren Weber, are summarized on the attached figure and table. Note that the transfer for Lot 14 moves water rights onto lands in the SESE of Section 6 from which water is being transferred to Gary Weber and Larren Weber.

The applicant anticipates that all of the lots will be sold, and all of the wells will be drilled within one year of transfer approval. A cashier's check for \$2,390 is enclosed for the transfer filing fee. The filing fee is based on 21 transfers of 0.20 cfs or less at \$100 each, and one transfer of 1.14 cfs at \$290. Please contact me with any questions.

Sincerely,

Terry M. Scanlan, P.E.

T. 71325 through T. 71346

Attachment A

251

	ARTICLES OF ORGANIZATION LIMITED LIABILITY COMPANY (Instructions on back of application)	FILED EFFECTIVE 03/19/2003 STATE OF IDAHO
1. The name of the limited liability company is: <u>High Plains LLC</u>		
2. The street address of the initial registered office is: <u>417 Lark Spur Dr Caldwell ID 83605</u> and the name of the initial registered agent at the above address is: <u>Chris E Doyle</u>		
3. The mailing address for future correspondence is: <u>Po Box 1480 Caldwell ID 83605</u>		
4. Management of the limited liability company will be vested in: Manager(s) ☐ or Member(s) ☒ (please check the appropriate box)		
5. If management is to be vested in one or more manager(s), list the name(s) and address(es) or at least one initial manager. If management is to be vested in the member(s), list the name(s) and address(es) of at least one initial member.		
Name	Address	
<u>Chris Doyle</u>	<u>Po Box 1480 Caldwell ID 83605</u>	
<u>Frank Ficken</u>	<u>2724 Lavender Dr Walnut Creek CAL 94596</u>	
_____	_____	
_____	_____	
_____	_____	
6. Signature of at least one person responsible for forming the limited liability company: Signature: <u><i>Chris Doyle</i></u> Typed Name: <u>Chris Doyle</u> Capacity: <u>Member/President</u>		
Signature: _____ Typed Name: _____ Capacity: _____		Secretary of State use only IDAHO SECRETARY OF STATE 03/19/2003 05:00 CK: 6228 CT: 168394 BR: 669521 I P 100.00 = 100.00 DREGAN LLC # 2

W 23277



Idaho Secretary of State Viewing Business Entity

[[New Search](#)] [[Back to Summary](#)]
[[Get a certificate of existence for HIGH PLAINS LLC](#)]

HIGH PLAINS LLC

PO BOX 1480
CALDWELL, ID 83605

Type of Business: LIMITED LIABILITY COMPANY

Status: EXISTING, ANREPT SENT 05 Jan 2004

State of Origin: IDAHO

Date of 19 Mar 2003

Origination/Authorization:

Current Registered Agent: CHRIS E DOYLE
417 LARK SPUR DR
CALDWELL, ID 83605

File Number: W23277

Date of Last Annual Report: 26 Jan 2004

Amendments:

Amendment filed 19 Mar 2003 ARTICLES OF
ORGANIZATION

[View Document](#)
[Online](#)
[Download \(TIFF](#)
[format\)](#)

Annual Reports:

Report for year 2004 ANNUAL REPORT

[View Document Online](#)
[Download \(TIFF format\)](#)

[Idaho Secretary of State's Main Page](#)

[State of Idaho Home Page](#)

Comments, questions or suggestions can be emailed to: sosinfo@idsos.state.id.us

B2

No. W 23277		Due no later than March 31, 2004 Annual Report Form		2. Registered Agent and Office NO PO BOX	
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080		HIGH PLAINS LLC PO BOX 1480 CALDWELL, ID 83605		CHRIS E DOYLE 417 LARK SPUR DR CALDWELL, ID 83605	
NO FILING FEE IF RECEIVED BY DUE DATE				3. New Registered Agent Signature	
4. Limited Liability Companies: Enter Names and Addresses of Members.					
Office held	Name	Street or P.O. Address	City	State	Zip
	Chris + Tracy Doyle	P.O. Box 1480	Caldwell	IDAHO	83606
	DAVID Buich	3497 Holl Dr.	GALE	ID	83616
	Frank Ficken	2724 LAVERNE DR	Walnut Creek	CA	94596
5. Organized Under the Laws of:			6.		
IDAHO W 23277			Signature  Date 1-22-04		
			Name TRACY DOYLE Title MEMBER		
Do Not Tape or Staple					

B3



Order No.: C033967

REQUEST
TYPE *W/* FEE *30*
TIMEONE

6 NOEL HALES
CANYON COUNTY RECORDER
BY *pm*

2003 SEP 2 PM 4 35

RECORDED

200354512

355.0010

QUITCLAIM DEED

FOR VALUE RECEIVED, CHRISTOPHER E. DOYLE AND TRACY DOYLE, do hereby convey, release, remise and forever quit claim unto HIGH PLAINS LLC whose current address is P.O. Box 1480, Caldwell, Idaho 83606, the following described premises, in Canyon County, Idaho, TO WIT:

PARCEL I:

The South half of the Southwest quarter and the Southwest quarter of the Southeast quarter of Section 5, Township 5 North, Range 2 West, of the Boise Meridian, Canyon County, Idaho; and the Southeast quarter of the Southeast quarter and the Southwest quarter of the Southeast quarter of Section 6, Township 5 North, Range 2 West, of the Boise Meridian, Canyon County, Idaho, excepting one-half of the gas and oil rights.

AND

Lot 7 and the Southeast quarter of the Southwest quarter of Section 6, Township 5 North, Range 2 West, Boise Meridian, Canyon County, Idaho; and the Southeast quarter of the Southeast quarter of Section 1, Township 5 North, Range 3 West, Boise Meridian, Canyon County, Idaho, excepting one-half of the gas and oil rights.

p/m. 63-31213

PARCEL II:

Easements for ingress and egress as conveyed by instruments recorded May 26, 1970, as Instrument No. 641312 and October 17, 1978, as Instrument No. 844258 and also May 30, 2003, as Instrument No. 200332335.

TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs and assigns forever.

Dated: 08/29/03

CH
CHRISTOPHER E. DOYLE

TD
TRACY DOYLE

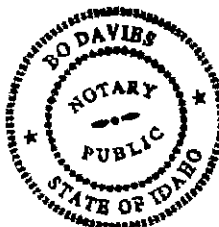
State of Idaho)

)ss.

County of Ada)

On this 2nd day of September, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared CHRISTOPHER E. DOYLE and TRACY DOYLE, known or proven to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

BM
Notary Public
Residing at: *Boise, Idaho*
Comm. Exp: *5-7-07*



T. 71325 - T. 71346.

Attachment C (2 pgs.)



Order No.: C033967

REQUEST
TYPE: Quit FEE: 3.00

TITLEONE

G NOEL HALE
CANYON CNTY RECORDER
07/ *pm*

2003 SEP 2 PM 4 55

RECORDED

200354511

WARRANTY DEED

FOR VALUE RECEIVED, Floyd R. Wilmarth and Virginia C. Wilmarth, husband and wife, the Grantors, do hereby grant, bargain sell and convey unto HIGH PLAINS LLC whose current address is P.O. Box 1480, Caldwell, Idaho 83606, the Grantee, the following described premises, in Canyon County, Idaho, TO WIT:

Lot 1 and the Northeast quarter of the Northwest quarter all in Section 7,
Township 5 North, Range 2 West of the Boise Meridian, Canyon County,
Idaho. }

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners 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 Grantors will warrant and defend the same from all lawful claims whatsoever.

Dated: 08/29/03

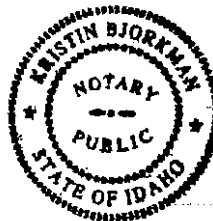
Floyd R. Wilmarth
Floyd R. Wilmarth

Virginia C. Wilmarth
Virginia C. Wilmarth

State of Idaho)
)ss.
County of Ada)

On this 29 day of August, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared Floyd R. Wilmarth and Virginia C. Wilmarth, known or proven to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Kristin Bjorkman
Notary Public
Residing at: BOISE, ID
Comm. Exp: 8/10/2008



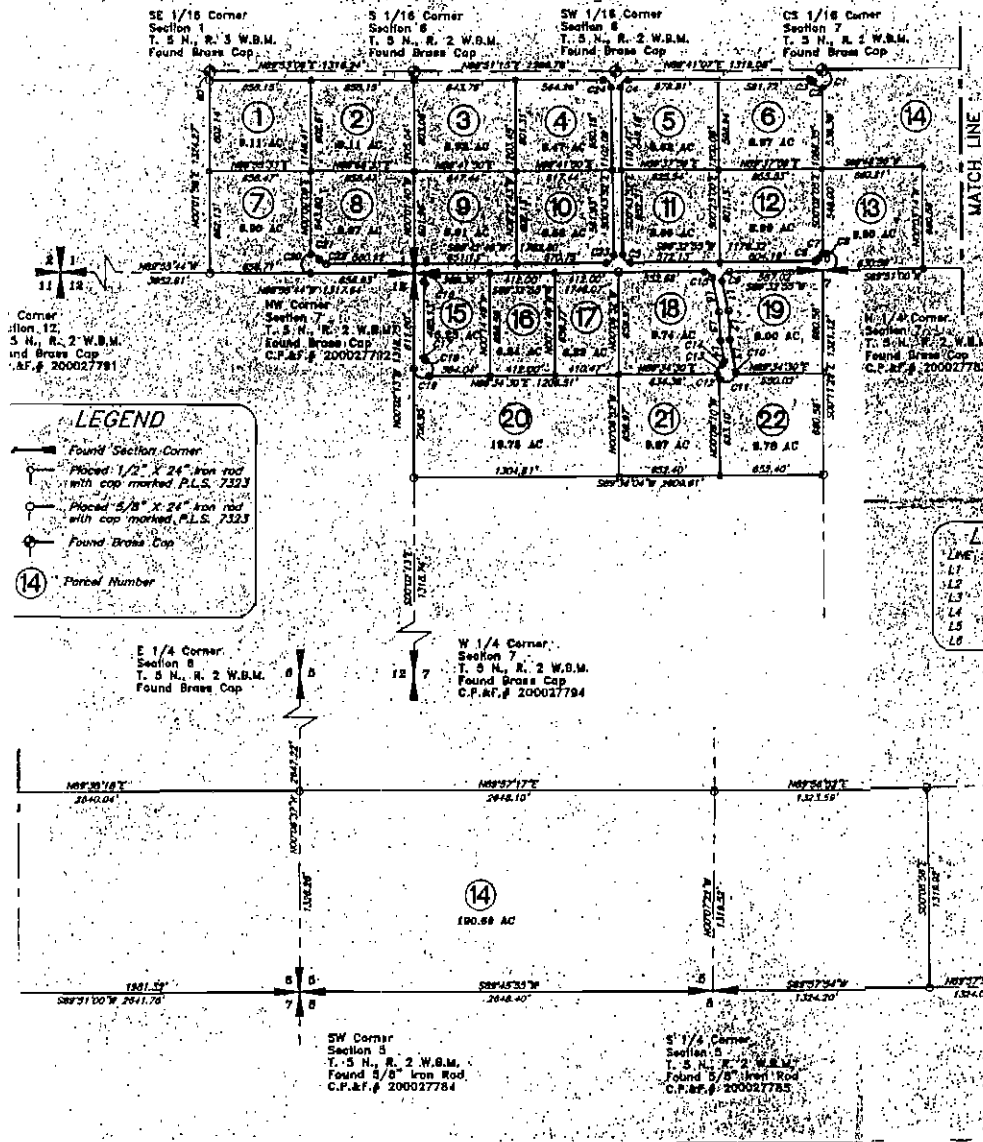
← part of
proposed plan
in both of
transfer

RECORDER'S CERTIFICATE

STATE OF IDAHO _____
COUNTY OF CANYON _____

I, THE UNDERSIGNED, HEREBY CERTIFY THAT THIS INSTRUMENT WAS
FILED FOR RECORD AT THE REQUEST OF ARROW LAND SURVEYING, INC.;
AT _____ MINUTES PAST _____ O'CLOCK _____ M. ON THE _____ DAY OF _____
2004.

RECORDED DEPUTY



CURVE TABLE			
DEGREE	CHORD	LENGTH	BEARING
1	1.00000	1.57080	S 89.9218° E
2	0.99939	3.14159	S 89.8437° E
3	0.99878	4.71239	S 89.7656° E
4	0.99817	6.28319	S 89.6875° E
5	0.99756	7.85398	S 89.6094° E
6	0.99695	9.42478	S 89.5313° E
7	0.99634	10.99558	S 89.4532° E
8	0.99573	12.56638	S 89.3751° E
9	0.99512	14.13718	S 89.2970° E
10	0.99451	15.70798	S 89.2189° E
11	0.99390	17.27878	S 89.1408° E
12	0.99329	18.84958	S 89.0627° E
13	0.99268	20.42038	S 88.9846° E
14	0.99207	21.99118	S 88.9065° E
15	0.99146	23.56198	S 88.8284° E
16	0.99085	25.13278	S 88.7503° E
17	0.99024	26.70358	S 88.6722° E
18	0.98963	28.27438	S 88.5941° E
19	0.98902	29.84518	S 88.5160° E
20	0.98841	31.41598	S 88.4379° E
21	0.98780	32.98678	S 88.3598° E
22	0.98719	34.55758	S 88.2817° E
23	0.98658	36.12838	S 88.2036° E
24	0.98597	37.69918	S 88.1255° E
25	0.98536	39.26998	S 88.0474° E
26	0.98475	40.84078	S 87.9693° E
27	0.98414	42.41158	S 87.8912° E
28	0.98353	43.98238	S 87.8131° E
29	0.98292	45.55318	S 87.7350° E
30	0.98231	47.12398	S 87.6569° E
31	0.98170	48.69478	S 87.5788° E
32	0.98109	50.26558	S 87.5007° E
33	0.98048	51.83638	S 87.4226° E
34	0.97987	53.40718	S 87.3445° E
35	0.97926	54.97798	S 87.2664° E
36	0.97865	56.54878	S 87.1883° E
37	0.97804	58.11958	S 87.1102° E
38	0.97743	59.69038	S 87.0321° E
39	0.97682	61.26118	S 86.9540° E
40	0.97621	62.83198	S 86.8759° E
41	0.97560	64.40278	S 86.7978° E
42	0.97499	65.97358	S 86.7197° E
43	0.97438	67.54438	S 86.6416° E
44	0.97377	69.11518	S 86.5635° E
45	0.97316	70.68598	S 86.4854° E
46	0.97255	72.25678	S 86.4073° E
47	0.97194	73.82758	S 86.3292° E
48	0.97133	75.39838	S 86.2511° E
49	0.97072	76.96918	S 86.1730° E
50	0.97011	78.53998	S 86.0949° E
51	0.96950	80.11078	S 86.0168° E
52	0.96889	81.68158	S 85.9387° E
53	0.96828	83.25238	S 85.8606° E
54	0.96767	84.82318	S 85.7825° E
55	0.96706	86.39398	S 85.7044° E
56	0.96645	87.96478	S 85.6263° E
57	0.96584	89.53558	S 85.5482° E
58	0.96523	91.10638	S 85.4701° E
59	0.96462	92.67718	S 85.3920° E
60	0.96401	94.24798	S 85.3139° E
61	0.96340	95.81878	S 85.2358° E
62	0.96279	97.38958	S 85.1577° E
63	0.96218	98.96038	S 85.0796° E
64	0.96157	100.53118	S 85.0015° E
65	0.96096	102.10198	S 84.9234° E
66	0.96035	103.67278	S 84.8453° E
67	0.95974	105.24358	S 84.7672° E
68	0.95913	106.81438	S 84.6891° E
69	0.95852	108.38518	S 84.6110° E
70	0.95791	109.95598	S 84.5329° E
71	0.95730	111.52678	S 84.4548° E
72	0.95669	113.09758	S 84.3767° E
73	0.95608	114.66838	S 84.2986° E
74	0.95547	116.23918	S 84.2205° E
75	0.95486	117.80998	S 84.1424° E
76	0.95425	119.38078	S 84.0643° E
77	0.95364	120.95158	S 83.9862° E
78	0.95303	122.52238	S 83.9081° E
79	0.95242	124.09318	S 83.8300° E
80	0.95181	125.66398	S 83.7519° E
81	0.95120	127.23478	S 83.6738° E
82	0.95059	128.80558	S 83.5957° E
83	0.94998	130.37638	S 83.5176° E
84	0.94937	131.94718	S 83.4395° E
85	0.94876	133.51798	S 83.3614° E
86	0.94815	135.08878	S 83.2833° E
87	0.94754	136.65958	S 83.2052° E
88	0.94693	138.23038	S 83.1271° E
89	0.94632	139.80118	S 83.0490° E
90	0.94571	141.37198	S 82.9709° E

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S12°02'11"E	194.45'
L2	S02°50'01"E	185.61'
L3	S10°07'32"E	211.90'
L4	N10°50'32"W	138.27'
L5	N02°50'01"W	184.60'
L6	N12°02'11"W	222.42'

SURVEYOR'S CERTIFICATE

I, DARRIN R. LEAVITT, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF IDAHO, AND THAT THIS MAP HAS BEEN PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, AND THAT THIS MAP IS AN ACCURATE REPRESENTATION OF SAID SURVEY.



DARREN R. LEAHY, P.L.S.

ICMAHO LICENSE NO. 7323

D_2

ARR • W
Large Guying, Inc.
LARRY SCHWARTZ, INC. • 10000 BROADWAY
11231 51 STABLE STREET • RAND • NEW YORK
(908) 430-7772 • FAX (908) 721-5533

INDEX # 634-012-2-20-0000
PARENT # 634-012-20-0000

RECORD OF SURVEY NO.					
DAVE BUICH/CHRIS DOYLE					
SEC. 1, T. 5 N., R. 3 E.B.M.					
SEC. 5, 6, 7, T. 5 N., R. 3 E.B.M.					
DATE	1-11-84	PARCEL	02-371	SHEET	01
PREPARED BY	JLB	APPROVED BY		1	1
DATE	1-11-84				

T. 71325-T. 71346

Attached 6 (2 pp)

Water Right 63-31213	acres	cfs	afa
	184	3.68	828

Lot Number	Lot acres	Lot irrigated acres	cfs	afa	township	range	section	qq
1	9.11	5.5	0.11	24.8	T5N	R3W	1	SESE
2	9.11	5.5	0.11	24.8	T5N	R3W	1	SESE
3	8.93	5.4	0.11	24.3	T5N	R2W	6	SWSW
4	8.47	5.1	0.10	23.0	T5N	R2W	6	SWSW
5	8.62	5.2	0.10	23.4	T5N	R2W	6	SESW
6	8.97	5.4	0.11	24.3	T5N	R2W	6	SESW
7	9.90	6.0	0.12	27.0	T5N	R3W	1	SESE
8	9.07	5.5	0.11	24.8	T5N	R3W	1	SESE
9	9.01	5.5	0.11	24.8	T5N	R2W	6	SWSW
10	8.56	5.2	0.10	23.4	T5N	R2W	6	SWSW
11	8.60	5.2	0.10	23.4	T5N	R2W	6	SESW
12	8.99	5.4	0.11	24.3	T5N	R2W	6	SESW
13	9.80	5.9	0.12	26.6	T5N	R2W	6	SWSE
14	190.73	56.5	1.13	254.3	T5N	R2W	5,6	-
15	6.23	3.7	0.07	16.7	T5N	R2W	7	NWNW
16	6.24	3.7	0.07	16.7	T5N	R2W	7	NWNW
17	6.23	3.7	0.07	16.7	T5N	R2W	7	NWNW
18	9.74	5.8	0.12	26.1	T5N	R2W	7	NENW
19	9.00	6.0	0.12	27.0	T5N	R2W	7	NENW
20	19.75	10.0	0.20	45.0	T5N	R2W	7	NWNW
21	9.87	5.9	0.12	26.6	T5N	R2W	7	NENW
22	9.78	5.9	0.12	26.6	T5N	R2W	7	NENW
Gary Weber	-	4.0	0.08	18.0	T5N	R3W	12	SWNW
Larren Weber	-	8.0	0.16	36.0	T5N	R3W	12	NENW
Totals	-	184.0	3.67	828.6	-	-	-	-

AVAILABLE ACRES FOR TRANSFER FROM LOTS 1 - 14 TO LOTS 15-22, G. WEBER, AND L. WEBER		
T5N R3W section 1 SESE: 38 acres - lots irrigated (1,2,7,8)		
available acres to be transferred	15.5 acres	*acres transferred to lots: 19, 15, 16, and partial 17
T5N R2W section 6 SWSW: 35 acres - lots irrigated (3,4,9,10)		
available acres to be transferred	13.8 acres	*acres transferred to lots: partial 17, 18, and partial 20
T5N R2W section 6 SESW: 38 acres - lots irrigated (5,6,11,12)		
available acres to be transferred	16.8 acres	*acres transferred to lots: partial 20, 21, and 22
T5N R2W section 6 SWSE: lot 13 - irrigated acres		
available acres to be transferred	3.9 acres	
T5N R2W section 6 SWSE: lot 14		
available acres to be transferred	28.2 acres	
T5N R2W section 6 SESE: lot 14		
available acres to be transferred	35.0 acres	
total available acres to be transferred to lots	113.2 acres	

TRANSFERRED ACRES	
acres transferred to lots 15-22 from lots 1-13	44.7 acres
Gary Weber transfer from lot 14	
T5N R2W section 6 SESE	4.0 acres
Larren Weber transfer from lot 14	
T5N R2W section 6 SESE	8.0 acres

REMAINING ACRES AVAILABLE FOR TRANSFER	
T5N R2W section 6 SESW	1.4 acres
T5N R2W section 6 SWSE	3.9 acres
T5N R2W section 6 SWSE lot 14	28.2 acres
T5N R2W section 6 SESE lot 14	23.0 acres

TRANSFER ACRES FROM LOTS 1-13 TO LOT 14	
total acres to be transferred to lot 14 (left from transferred acres)	5.3 acres 0.11 cfs 23.9 afa
WR acres already in Lot 14 in SWSE and SESE of section 6	51.2 acres 1.02 cfs 230.4 afa

CHECK			
	acres	cfs	afa
Lots 1-13, 15-22	115.5	2.30	520.3
Lot 14 (section 6)	51.2	1.02	230.4
transfer to Lot 14 (section 6 SESE)	5.3	0.11	23.9
Gary Weber	4.0	0.08	18.0
Larren Weber	8.0	0.16	36.0
Total**	184.0	3.67	828.6

Note: ** diversion rate is 0.01 cfs less than license and diversion volume is 0.6 afa more than license due to rounding error

62

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31213

WATER RIGHT NUMBER: 63-31213

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	D J SHAWVER 2710 ESQUIRE DR BOISE, ID 83704 (208)375-2477
Original Owner	C L SHAWVER 2710 ESQUIRE DR BOISE, ID 83704 (208)375-2477
Current Owner	CHRISTOPHER E DOYLE PO BOX 1480 CALDWELL, ID 83606 (208)941-6777
Current Owner	TRACY DOYLE PO BOX 1480 CALDWELL, ID 83606 (208)941-6777

Priority Date: 04/26/1971

Basis: License

Status: PARENT

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/15	3.680 CFS	828.00 AF
	<u>Total Diversion:</u>	3.680 CFS	828.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4SW1/4	Sec. 5, Twp 05N, Rge 02W, B.M.
CANYON County		

Place of Use

IRRIGATION Within CANYON County

T05N R02W S06	SWSW 35.0	T05N R02W S06	SESW 38.0
T05N R02W S06	SWSE 38.0	T05N R02W S06	SESE 35.0
T05N R03W S01	SESE 38.0		

Total Acres: 184

Conditions of Approval:

1. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
2. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31213

3. WD9 Approval of Transfer 69050 is not a confirmation of the validity of this water right and does not preclude the opportunity for review in the ongoing Snake River Basin Adjudication.
4. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

Remarks:

1. General SPLIT RIGHT: SEE RIGHT NOS. 63-31894 THRU 63-31917.

Comments:

1. pskaggs 6/25/2001 1:30:00 PM Transferred Right
Comment: This is now an approved transfer, transfer number = 69050

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 69050

RECEIVED

JUN 27 2001

WATER RESOURCES
WESTERN REGION

This is to certify that: CHRIS DOYLE
PO BOX 1480
CALDWELL ID 83606
(208)941-6777

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
63-11027	WR/License	09/14/1989	0.32 cfs	72.0 af	16.0	16.0	GROUND WATER
63-7421	AJC/License	04/26/1971	4.98 cfs	1022.0 af	249.0	249.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

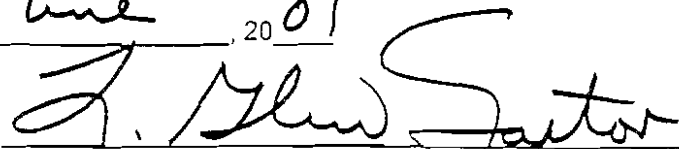
Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
63-11027	YES	YES	YES	YES	NO	NO
63-7421	YES	YES	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
63-11027	63-31216	0.20 cfs	45.0 af	10.0	75.0	63-31215	0.12 cfs	27.0 af	6.0	6.0
63-7421	63-31214	1.30 cfs	292.5 af	65.0	75.0	63-31213	3.68 cfs	828.0 af	184.0	184.0
TOTALS		1.50 cfs	337.5 af	75.0	75.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 25th day of June, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 63-31213
As Modified by Transfer No. 69050

In accordance with the approval of Transfer No. 69050, Water Right No. 63-31213 is now described as follows.

Right Holder: CHRISTOPHER E DOYLE And
 TRACY DOYLE
 PO BOX 1480
 CALDWELL ID 83606

Priority Date: 04/26/1971

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to 10/15	3.68 CFS	828.0 AF
		3.68 CFS	828.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSWSW Sec. 5 Twp 05N Rge 02W CANYON 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	
05N 02W 6											35.0	38.0			38.0	35.0	146.0
05N 03W 1																38.0	38.0

Total Acres: 184

CONDITIONS OF APPROVAL

1. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

WATER RIGHT NO. 63-31213
As Modified by Transfer No. 69050

CONDITIONS OF APPROVAL

3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
4. Approval of Transfer 69050 is not a confirmation of the validity of this water right and does not preclude the opportunity for review in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 25th day of June, 2001


Chief, Water Allocation Bureau

(Internet)

Page _____ of 50

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 6905C

APPLICATION FOR TRANSFER OF WATER RIGHT

JUN 13 2001

PART 1

Name of applicant CHRIS DOYLE Phone 208-941-6777

Post Office address PO BOX 1480, CALDWELL ID 83606

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes TEMPORARILY TRANSFER GROUND WATER APPURTENANT TO APPLICANT'S PROPERTY TO LEASED ACRES, WHICH USE A DIFFERENT IRRIGATION SYSTEM, BUT SAME SOURCE. LEASED ACRES ARE APPROXIMATELY 4 MILES SOUTH OF APPLICANT'S LICENSED ACRES.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>63-7421</u>	<u>4/26/1971</u>	<u>1.3/266.8</u>	<u>IRRIGATION</u>	<u>4/15</u> to <u>10/15</u>
<u>63-11027</u>	<u>9/14/1989</u>	<u>.20/45</u>	<u>IRRIGATION</u>	<u>3/15</u> to <u>11/15</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u> to <u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u> to <u> </u>

2. Total amount of water being transferred 1.5 cubic feet per second and/or 311.8 acre-feet per annum.

3. Source of water GROUND WATER tributary to _____

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

[illegible]

PART 1

6. General Information:

a. Description of diversion system 2 WELLS, PUMPS, SPRINKLERS

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes XXX No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
ACRES WILL BE TEMPORARILY RETIRED FROM IRRIGATION. NO EXPANSION IS PROPOSED.

d. Remarks:

MIKE WAGNER IS LEASING THE PROPOSED P/U FROM BRAD LITTLE AND THE WATER FROM

CHRIS DOYLE. THIS TRANSFER REPLACES TRANSFER NO. 5690, WHICH

HAS BEEN WITHDRAWN.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

04/19/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. 63-7421

Owner Type Name and Address
Current Owner C L SHAWVER
Current Owner DJ SHAWVER
 2710 ESQUIRE DR
 BOISE, ID 83704
 (208)375-2477

Priority Date: 04/26/1971
Basis: License
Status: Active

Source Tributary to
GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	5/15	11/15	4.98 CFS	1022 AFA	
Total Diversion			4.98 CFS	1022 AFA	

Location of Point(s) of Diversion:

GROUND WATER SWSWSW Sec. 05 Township 05N Range 02W CANYON County

IRRIGATION Use:
Acre Limit: 249

Place(s) of use:

Place of Use Legal Description: IRRIGATION CANYON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
05N	02W	5		SWSW	25		SESW	25						
				SWSE	15									
		6		SWSW	35		SESW	38						
				SWSE	38		SESE	35						
	03W	1		SESE	38									

Total Acres: 249

Remarks:

1. General THE RANCH WHERE THIS RIGHT IS USED IS KNOWN AS C & D FARMS.
 POSTAL ADDRESS FOR THE FARM IS BOX 39260, RT. #7, EMMETT ROAD, CALDWELL IDAHO 83605.
 THE PRESENT WELL IS A REPLACEMENT WELL FOR THE INITIAL WELL. THE INITIAL WELL IS NOW
 USED FOR DOMESTIC AND STOCKWATER PURPOSES

Dates:
Licensed Date: 04/12/1982
Claim Received Date:
Decreed Date:

Water Right 63-7421

4. If yes, describe

(If the entire right is to be changed by the applicant, omit part B and C.)

Total acres 65

- | Twp. | Rge. | Sec. | NE ¼ | | | | NW ¼ | | | | SW ¼ | | | | SE ¼ | | | | Totals |
|--------|
| | | | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | |
| 5N | 2W | 6 | | | | | | | | | | | 35 | 38 | | | 38 | 35 | 146 |
| | 3W | 1 | | | | | | | | | | | | | | | | 38 | 38 |
| |
| |

04/20/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

WATER RIGHT NO. 63-11027

Owner Type Name and Address
Current Owner C L SHAWVER
Current Owner D J SHAWVER
 2710 ESQUIRE DR
 BOISE, ID 83704
 (208)375-2477

Priority Date: 09/14/1989
Basis: License
Status: Active

Source Tributary to
GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15	11/15	0.32 CFS	72 AFA	
Total Diversion			0.32 CFS	72 AFA	

Location of Point(s) of Diversion:

GROUND WATER SWSWSW Sec. 05 Township 05N Range 02W CANYON County

Licensed Diversion Capacity: 4.03

IRRIGATION Use:
Acre Limit: 16

Place(s) of use:

Place of Use Legal Description: IRRIGATION CANYON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
05N	02W	5		SWSW	1		SESW	7						
				SWSE	2									
		6		SWSW	3									
				SESE	3									

Total Acres: 16

Conditions of Approval:

1. R52 This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

Dates:

Licensed Date: 06/09/1994
Decreed Date:
Permit Proof Due Date: 2/1/92
Permit Proof Made Date: 5/24/90
Permit Approved Date: 1/17/90
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:

From →

T5N R2W

Proposed Transfer:
75 acres from S5 to S26

Page 5 of 6



↑

PART 3

B. CHANGES IN NATURE OF USE

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

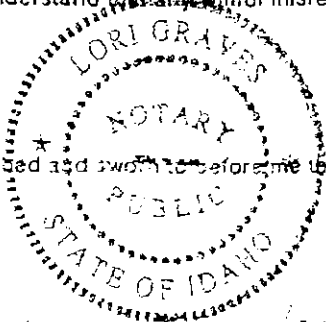
2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this



11th day of April, 2001

(Signature of Applicant)

Lori Graves
(Notary Public)

My commission expires

6/18/04

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 6 attachmentsReceived by g Date 4/11/01 Protest filed by _____Prelim. check by DAW Fee 250 #W027545Received by g Date 4/11/01Published in Press Tribune Copies of protest forwarded by _____Pub. dates 5-3 + 10-01 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

MODE:F ACTION:

PRESS (01 RETURN) TO VIEW ANOTHER ACCOUNT

TRQK101

REAL PROPERTY INQUIRY

```

*****
01 0R37371-000- -0 031-00 SCH134+ 01 37,200 74.00
*****
05 200 5.09
*****
+
DOYLE, CHRISTOPHER E &
DOYLE, TRACY-H/W
+
+
+
P O BOX 1480
CALDWELL ID 83606
*****
06-5N-2W SW + TOTAL 37,400 79.09
LOT 7 SESW *****
+ SURVEY INST 9633071
+ DRAIN DR VALUE APPR GTK
+ CLASS REAP 97 MAN UNIT 0
+ PARCEL 0R05N02W066000 E/O N C/B N
+ PRIOR ACCOUNT 9R37371-000- -0
+ 02 MH on Property NO

```

MODE:F ACTION:

TRAITS INQUIRY

TRQK313

ACCOUNT NUMBER R37371000 0 UNIT 001 TOTAL UNITS

```

ITE EMMETT RD CA SEC/TWN/RNG 06-5N-2W
ASSESSED VALUE 37,400 ACREAGE 79.09
UB/PARK NAME YEAR/MAKE
CLASS NO BUILDING CLASS SPACE LOT BLOCK
*****
R BUILT 0 AIR COND AIR - NONE CARPORT N
TORY NO BLDG HEATING CARPORT SQ FT
IRST SQ FT 0 EXTERIOR UNKNOWN DECK/PATIO? N
ECOND SQ FT ROOF UNKNOWN POOL? N
EDS 0 BSMT SQ FT SPA? N
ATHS .00 % BSMT FIN LOT SIZE
RPLC 0 GARAGE N NEIGHBORHOOD 0
GARAGE SQ FT

```

COMMENTS

MOBILE HOME ONLY

WIDTH/LENGTH

EXPANDO

REAL ACCOUNT

63-07421 63-11027

MODE:F ACTION:

PRESS [01 RETURN] TO VIEW ANOTHER ACCOUNT

TRQK101

REAL PROPERTY INQUIRY

```

*****
01 0R37369-000- -0 031-00 SCH134+ 01 37,700 69.00
*****
05 125 11.00
*****
+
DOYLE, CHRISTOPHER E &
DOYLE, TRACY-H/W
+
+
+
P O BOX 1480
CALDWELL ID 83606
*****
06-5N-2W SE + TOTAL 37,825 80.00
SESE, SWSE
*****
+ SURVEY INST 9633071
+ DRAIN DR VALUE APPR KGE
+ CLASS REAP 97 MAN UNIT 0
+ PARCEL 0R05N02W068400 H/O N C/B N
+ PRIOR ACCOUNT 9R37369-000- -0
+ 02 MH on Property NO

```

MODE:F ACTION:

TRAITS INQUIRY

TRQK318

ACCOUNT NUMBER 837369000 0 UNIT 001 TOTAL UNITS

```

SITE EMMETT RD CA SEC/TWN/RNG 06-5N-2W
ASSESSED VALUE 37,825 ACREAGE 80.00
SUB/PARK NAME YEAR/MAKE
CLASS NO BUILDING CLASS SPACE LOT BLOCK
*****
R BUILT 0 AIR COND AIR - NONE CARPORT N
TORY NO BLDG HEATING CARPORT SQ FT
IRST SQ FT 0 EXTERIOR UNKNOWN DECK/PATIO? N
ECOND SQ FT ROOF UNKNOWN POOL? N
EDS 0 BSMT SQ FT SPA? N
ATHS .00 % BSMT FIN LOT SIZE
RPLC 0 GARAGE N NEIGHBORHOOD 0
GARAGE SQ FT

```

COMMENTS

```

MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO
REAL ACCOUNT

```

102-074018-1 110077

MODE:F ACTION:

***** (01 RETURN) TO VIEW ANOTHER UNIT

NO.282 P.2/5

TRQK101

REAL PROPERTY INQUIRY

01 0R37368-000- -0 031-00 SCH134+ 01 32,400 60.00

***** 05 1,325 59.00

+ 10 16,000 1.00

DOYLE, CHRISTOPHER E &

DOYLE, TRACY-H/W

P O BOX 1480

CALDWELL ID 83606

05-5N-2W SW + TOTAL 50,325 120.00

3 1/2 SW, SWSE

+ SURVEY INST 9633071

+ DRAIN DR VALUE APPR KEE

+ CLASS REAP 97 MAN UNIT 0

+ PARCEL 0R05N02W056000 E/O N C/B N

+ PRIOR ACCOUNT 9R37368-000- -0

+ 02 MH on Property NO

EMMETT RD, CA

MODE:F ACTION:

TRAITS INQUIRY

TRQK319

ACCOUNT NUMBER R37368000 0

UNIT 001

TOTAL UNITS

SITE EMMETT RD

CA

SEC/TWN/RNG 05-5N-2W

ASSESSED VALUE 50,325

ACREAGE 120.00

SUB/PARK NAME

YEAR/MAKE

CLASS NO BUILDING CLASS

SPACE

LOT

BLOCK

YR BUILT 0 AIR COND AIR - NONE CARPORT N

STORY NO BLDG HEATING CARPORT SQ FT

FIRST SQ FT 0 EXTERIOR UNKNOWN DECK/PATIO? N

SECOND SQ FT ROOF UNKNOWN POOL? N

BEDS 0 BSMT SQ FT SPA? N

BATHS .00 + BSMT FIN LOT SIZE

FRPLC 0 GARAGE N NEIGHBORHOOD 0

GARAGE SQ FT

COMMENTS

MOBILE HOME ONLY

WIDTH/LENGTH

EXPANDO

REAL ACCOUNT

63-07421 63-11027

AB

MODE:F ACTION:

PRESS (01 RETURN) TO VIEW ANOTHER ACCOUNT

TRQK101

REAL PROPERTY INQUIRY

```

*****
01 0R37634-000- -0 031-00 SCH134+ 01 20,100 40.00
*****
DOYLE, CHRISTOPHER E &
DOYLE, TRACY-H/W
P O BOX 1480
CALDWELL ID 83606
*****
01-5N-3W SE + TOTAL 20,100 40.00
SESE
+ SURVEY INST 9633071
+ DRAIN DR VALUE APPR GTK
+ CLASS REAP 98 MAN UNIT 0
HOLLOW RD, MI + PARCEL 0R05N03W019000 H/O N C/B N
+ PRIOR ACCOUNT 9R37634-000- -0
+ 02 MH on Property NO
MODE:F ACTION: TRAITS INQUIRY TRQK318

```

ACCOUNT NUMBER R37634000 0 UNIT 001 TOTAL UNITS

```

SITE HOLLOW RD MI SEC/TWN/RNG 01-5N-3W
ASSESSED VALUE 20,100 ACREAGE 40.00
SUB/PARK NAME YEAR/MAKE
CLASS NO BUILDING CLASS SPACE LOT BLOCK
*****
YR BUILT 0 AIR COND AIR - NONE CARPORT N
STORY NO BLDG HEATING CARPORT SQ FT
FIRST SQ FT 0 EXTERIOR UNKNOWN DECK/PATIO? N
SECOND SQ FT ROOF UNKNOWN POOL? N
BEDS 0 BSMT SQ FT SPA? N
BATHS .00 % BSMT FIN LOT SIZE
FRPLC 0 GARAGE N NEIGHBORHOOD 0
GARAGE SQ FT
*****
COMMENTS MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO
REAL ACCOUNT

```

63-07421 S 63-11027

365-4615

RentAgre.101
Rental Agreement
12/13/91

THIS AGREEMENT was made this 1st day of April, 2001, between Chris Doyle, hereinafter referred to as the "Owner" and MIKE WAGNER, hereinafter referred to as the "Renter".

WITNESSETH, that the Owner, for and in consideration of the covenants and agreements hereinafter mentioned to be kept and performed by the Renter has demised and leased to the Renter the farm land and buildings described:

Farm Land consisting of SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 1
TSN R 3W S $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec 6, S $\frac{1}{2}$ SW $\frac{1}{4}$
SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 5 TSN R 2W a total of 320 AC.

LENGTH OF TENURE: The term of this lease shall be from this day to the 31st day of December, 2001

RENT AND TIME OF PAYMENT: The Renter agrees to pay the Owner share of the income from the crop(s) raised on the rented acreage during the 2001 crop season.

OWNER'S OBLIGATIONS: Owner agrees to furnish the described property and to pay the items of expense listed below:

1. Taxes on the land and improvements leased hereunder for the term of the lease.
2. Owner agrees that the Renter shall have the right of ingress and egress to said land at all times over any existing entrances and structures, for all of the purposes related to the farming of the crops for the term of this lease.
- 3.

RENTER'S OBLIGATIONS: The Renter covenants and agrees as follows:

1. To farm the said premises and whole thereof throughout the said term in keeping with the best practice of husbandry and not allow or suffer any damage or waste thereto.
2. Not to remove or change existing fences, buildings, roadways, and irrigation system, without prior consent of the Owner. A conscious attempt will be made to minimize soil erosion.
3. To keep ditch banks, fence rows and roadsides reasonably free of weeds; also, to eradicate gophers and weeds and comply with the statutes of the State of Idaho to that end.
4. To permit the Owner and her Farm Manager, her agent or agents, to enter into and upon the said premises and each and every portion thereof, at any reasonable time or times, for the inspection thereof and any necessary repairs and/or improvements.
5. To keep and save harmless the said premises and the crops grown thereon, and the Owner herein, from any liens against the same on account of bills, debts for labor or materials incurred by the Renter.
6. To carry adequate public liability and property damage insurance on the premises, and will hold the Owner harmless for any suit or action arising out of the duties or activities of the Renter under this lease or his agents or servants.
- 7.
8. If the Renter fails to cultivate said premises as herein agreed, or shall fail to keep any of the covenants contained in this lease, or shall assign the lease or underlet said premises, or any part thereof, then this lease shall, at the election of the Owner, be null and void and the Owner's legal representative shall have the right to take possession of said premises, using such force as may be necessary with or without process of law, and all damage growing out of the failure to perform any of the covenants in this lease, shall be added to and become a part of the rent recoverable as rent. The covenants and agreement herein contained shall extend to, and be binding upon, the heirs, executors, administrators, and successors of the parties to this lease.

Chris Doyle Big Valley Ranch
Owner

Mike Wagner
Mike Wagner, Renter

ATTACHMENT B

2. 22

2.1

6.

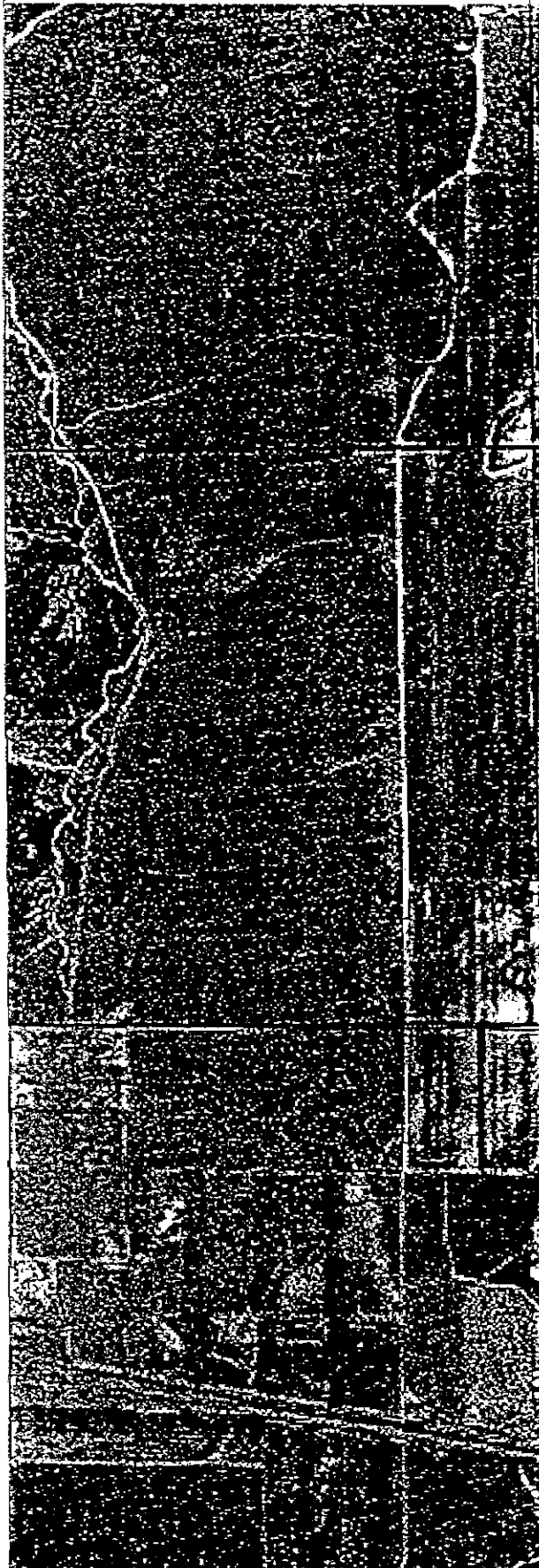
ATTACHMENT

P/W

~~SECRET~~
1998 SATellite

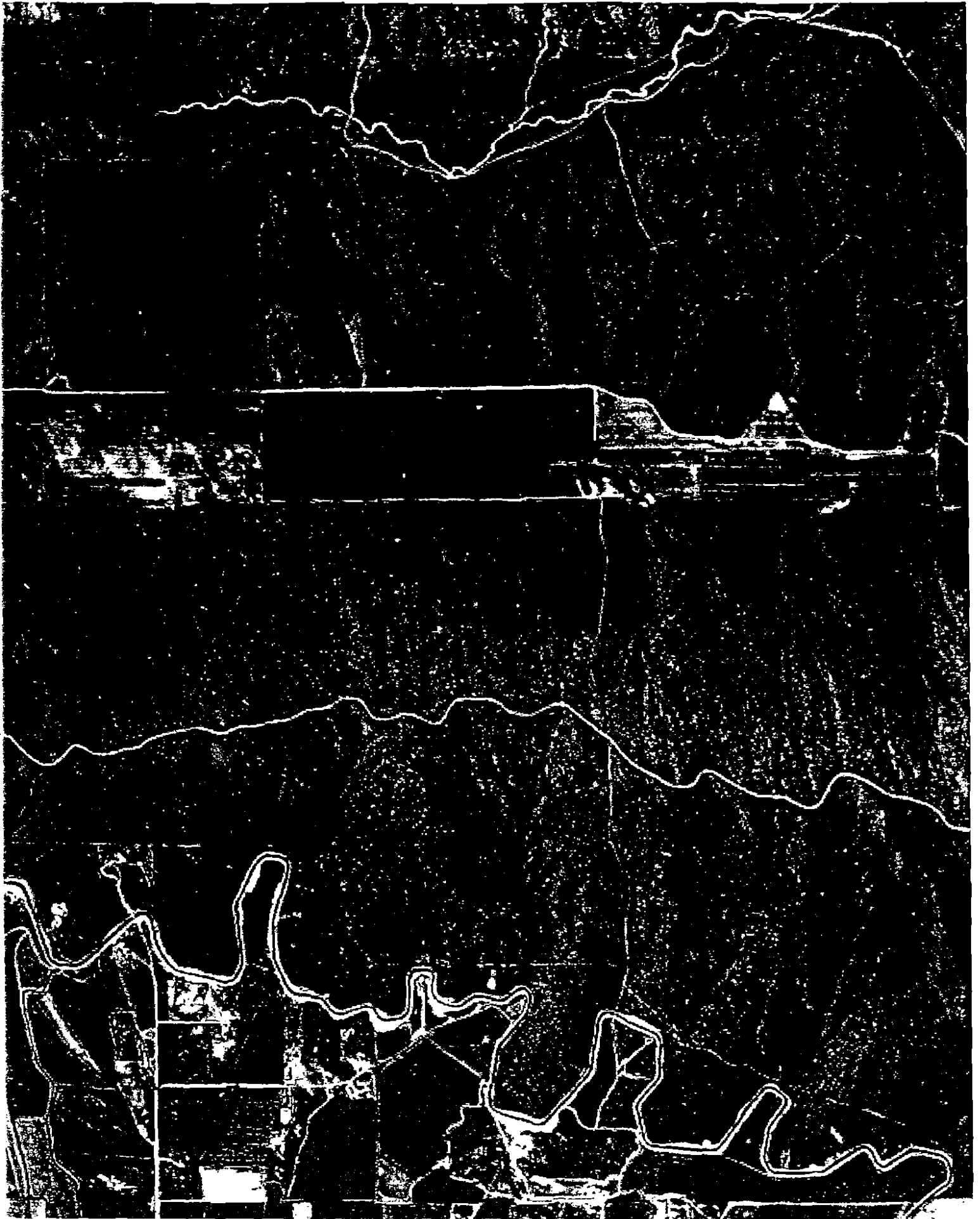


P/M 1994



N Tack mont i

8/11 1987



Page 5 of 6

04/19/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

WATER RIGHT NO. 63-7421

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	C L SHAWVER 2710 ESQUIRE DR BOISE, ID 83701

Priority Date: 04/26/1971
Basis: License
Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/15	10/15	4.98 CFS	1022 AFA	
Total Diversion			4.98 CFS	1022 AFA	

Location of Point(s) of Diversion:

GROUND WATER SWSW Sec. 05 Township 05N Range 02W CANYON County

IRRIGATION Use:
Acre Limit: 249

Place(s) of use:

Place of Use Legal Description: IRRIGATION CANYON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
05N	02W	5		SWSW	25		SESW	25						
				SWSE	15									
		6		SWSW	35		SESW	38						
				SWSE	38		SESE	35						
	03W	1		SESE	38									

Total Acres: 249

Dates:

Licensed Date: 04/12/1982
Decreed Date:
Permit Proof Due Date: 7/1/81
Permit Proof Made Date: 1/1/1900
Permit Approved Date: 7/6/71
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

APPLICANT Chris Doyle TRANSFER NO. 5690

INITIAL ALLOCATION REVIEW BY DAN DATE 3-14-200

1. Right number(s) 63-07421 & 63-11027

2. Type of right ☐ Decree ☒ License ☐ Statutory Claim
☐ SRBA Beneficial Use Claim

3. Purpose of transfer ☐ Change P/D ☐ Add P/D ☒ Change P/U
☐ Change N/U ☒ Change Period ☐ Split Right
☐ Other: _____

4. Check Existing Right: ☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period ☒ SRBA Claim ONLY ON 63-07421
☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights on original place of use

5. Check Proposed Right for amount of land &/or water transferred:

- a. ☒ Analysis memo (always - unless justify why not needed)
- b. ☒ All of right
- c. ☐ Part of right (**NOTE!** Part B should be filled in only if part of right is owned by the applicant)
- d. ☒ Description of point(s) of diversion
- e. ☒ Description of place of use
- f. ☒ Map showing P/D & P/U after transfer
- g. ☒ Correct notarized signature and \$100 fee
- h. ☒ Proof of ownership of right &/or land from which water is transferred
- i. ☒ Expansion in use of right: check rate of flow, diversion volume and consumptive use volume. Discuss in memo.
- j. ☒ Surface water source: IDFG letter; notify Water Planning Bureau if protected river or minimum flow reach.

- k. X Overlapping rights: check current & proposed scenarios:
 Current NONP
 Proposed NONP
- l. X SRBA claim(s) SRBA claim on 63-0742/
63-11027 Filed AFTER commencement
OF SRBA
- m. X Comment letters Yes X No
 If yes Water District #
 Other, see #2 below for name
 and address

PUBLICATION REVIEW

1. Legal Notice electronically sent to DWR03::VAULT? ✓ Yes
2. COMMENT LETTERS
- Watermaster recommendation requested on , Received on
- Other comments letters: See attached information
3. Transfer published correctly? ✓ Yes No
4. Affidavit of publication received? ✓ Yes No
5. Protests received? Yes ✓ No; Acknowledgement sent? Yes
6. Data entry of application completed? ✓ Yes

RECOMMENDED ACTION

1. ✓ Approve See attached memo
2. Deny due to
3. Conditions (special conditions in Water Districts) See Dan Nelson's memo dated 3/15/2000. I prefer to recognize current season of use, but recommend
4. By Ben S Date 5/9/00

FILE FORWARDING

1. Copies made for Region file (see attached supplemental page)? Yes
2. File forwarded to S.O.: by date

adjudication "shoulder" term

RECEIVED

APR 14 2000

WATER RESOURCES
WESTERN REGION

vet

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS, TRANSFER NO. 5690

Notice is given that **CHRIS DOYLE** of PO Box 1480 Caldwell, ID 83606 has applied to the Department of Water Resources to change the place of use and season of use pursuant to I.C. § 42-222 for 2 rights recorded as follows in Canyon County.

LICENSE 63-07421, priority 4/26/1971, 4.98 cfs, between 4/15 to 10/15, Ground-water diverted in SWSW S5 T5N R2W and used in S 1/2 SW S5 and S 1/2 of the S 1/2 S6 in T5N R2W and SESE S1 T5N R3W, 249 acres.

LICENSE 63-11027, priority 9/14/1989, .32 cfs, between 3/15 to 11/15, Ground-water diverted in SWSW S5 T5N R2W and used in S 1/2 SW S5 and S 1/2 of the S 1/2 S6 in T5N R2W, 16 acres.

Snake River Basin Adjudication (SRBA) claim filed on 63-07421 as licensed except with an irrigation season of 3/15 to 11/15.

PROPOSED CHANGE FOR ALL RIGHTS

Combine rights into a common place of use of 246 acres on the lands described above and move the 75 acres in S5 to the N 1/2 of NW S7 in T5N R2W. Applicant also asked to have a common season of use for both rights of 3/15 to 11/15.

Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 for each application on or before April 24, 2000. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director
822

April 6, 13, 2000

MEMORANDUM

TO: FILE

FROM: DANIEL A. NELSON *DAN*

DATE: 3/15/2000

RE: CHRIS DOYLE TRANSFER, RIGHT 63-07421 AND 6311027

The transfer proposes dry up 75 acres in SESE and S1/2 SW S5 and move those acres to N 1/2 NW S7 in T5N R2W. The applicant has also requested the same season of use of 3/15 to 11/15 be given to both rights.

DOCUMENTS AND APPLICATION PREPARATION

The application consists of 8 pages and 4 attachments. Note the location of the following application items:

Attach. A – Adjudication claim for 63-07421

Attach. B – Ownership documentation of applicant's property (B1 – B4)

Attach. C – Ownership documentation of leased property

Attach. D – Lease agreement between property owner and applicant

Attach. E – Government Plat map showing Government Lots

The applicant prepared the application with assistance from Lori Graves, IDWR.

Other information used in this review includes diagram showing ownership, place of use comparison report, 1987 aerial photo, 1994 aerial photo, 1998 satellite photo, and a memo from Lori Graves. All of these items are attached to this memo.

CURRENT RECORDS & PROPOSED CHANGE

This application is based on 2 licenses (63-07421 and 63-11027). The transfer will move water from the lands described in Section 5 and move it to Section 7 in T5N R2W from both rights. An adjudication claim was filed on 63-07421 as licensed, except for the season of use was changed to 3/15 to 11/15. Water right 63-11027 was received after the adjudication process started and does not require an adjudication claim.

VERIFICATION & OTHER ANALYSIS

All of this information that shows use of these rights in 1987 and in the last 5 years is attached to this memo. The applicant has supplied ownership information that shows he owns the land that the water is being taken from. He has also supplied the lease agreement of the property where the water is being moved. He also supplied information showing the lessors ownership of the property.

The question on this application is the changed season of use for water right 63-07421. Ron Howerton stated that the adjudication would not recommend this right with a new season of use. However, they create a shoulder remark on the decree allowing the beginning of the season as soon as 3/1 and as late as 11/15. This remark would infer that he could use this earlier right as soon as 3/1. Having separate season of uses out of the same well would be a regulation nightmare on these wells. I believe it would be prudent to allow the change of season of use, but to limit the applicant the annual volume originally licensed.

RECOMENDATIONS

I recommend that this transfer be approved as shown on the transfer application and the season of use for both rights should be 3/15 to 11/15 and the annual volume for both rights should remain the same as licensed.

AJ0749NP
No. A63-07421

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: D2/01/00
PAGE: 1

```
=====
OWNER          PRIORITY    USE PERIOD    DIVERSION    DIVERSION
CODE          NAME & ADDRESS    DATE          WATER USE    FROM TO      RATE        VOLUME
-----
C C L SHAWVER    04/26/1971  IRRIGATION    03-15 11-15    4.980 CFS    1022.00 AFA
C DJ SHAWVER
  2710 ESQUIRE DR
  BOISE ID 83704
  (208) 375-2477
                                TOTAL DIVERSION:    4.980 CFS    1022.00 AFA
=====
```

Water Source: GROUNDWATER Tributary to: Stage: LICENSE
Point(s) of Diversion: T05N R02W S05 SWSWSW CANYON County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE					
T	R S	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	: Lt	Ac	: SUM	
05N	02W 5	:		:		:		:		:	25	25	:			:	15	:	65.0
05N	02W 6	:		:		:		:		:	35	38	:			:	38	35	146.0
05N	03W 1	:		:		:		:		:			:			:	38	:	38.0
																	TOTAL ACRES	:	249.0

POU County: CANYON

Non-Irrigation Uses: N/A

Other Rights: N/A

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
63-18929 A63-18929

Remarks: GEN THE RANCH WHERE THIS RIGHT IS USED IS KNOWN AS C & D FARMS.
 POSTAL ADDRESS FOR THE FARM IS BOX 29260, RT. # 7, EMMETT ROAD,
 CALDWELL IDAHO 83605.
 THE PRESENT WELL IS A REPLACEMENT WELL FOR THE INITIAL WELL. THE
 INITIAL WELL IS NOW USED FOR DOMESTIC AND STOCKWATER PURPOSES

Dates: Exam Made Date: 09/05/1991 Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
 Presumption Flag:

REAL PROPERTY INQUIRY

 01 0R37371-000- -0 031-00 SCH134+ 01 37,200 74.00

 05 200 5.09
 +

DOYLE, CHRISTOPHER E &
 DOYLE, TRACY-H/W

Applicant's
here

P O BOX 1480
 CALDWELL ID 83606

06-5N-2W SW 37,400 79.09

LOT 7 SESW

+ SURVEY INST 9633071

+ DRAIN DR VALUE APPR GTK

+ CLASS REAP 97 MAN UNIT 0

+ PARCEL 0R05N02W066000 H/O N C/B N

+ PRIOR ACCOUNT 9R37371-000- -0

+ 02 MH on Property NO

EMMETT RD, CA

MODE:F ACTION:

TRAITS INQUIRY

TRQK318

ACCOUNT NUMBER R37371000 0 UNIT 001 TOTAL UNITS

SITE EMMETT RD CA SEC/TWN/RNG 06-5N-2W

ASSESSED VALUE 37,400 ACREAGE 79.09

SUB/PARK NAME YEAR/MAKE

CLASS NO BUILDING CLASS SPACE LOT BLOCK

YR BUILT 0 AIR COND AIR - NONE CARPORT N

STORY NO BLDG HEATING CARPORT SQ FT

FIRST SQ FT 0 EXTERIOR UNKNOWN DECK/PATIO? N

SECOND SQ FT ROOF UNKNOWN POOL? N

BEDS 0 BSMT SQ FT SPA? N

BATHS .00 % BSMT FIN LOT SIZE

FRPLC 0 GARAGE N NEIGHBORHOOD 0

GARAGE SQ FT

COMMENTS

MOBILE HOME ONLY

WIDTH/LENGTH

EXPANDO

REAL ACCOUNT

63-07421 : 63-11027

more real R.

REAL PROPERTY INQUIRY

+++++
 01 0R37369-000- -0 031-00 SCH134+ 01 37,700 69.00
 +++++
 05 125 11.00

+
 DOYLE, CHRISTOPHER E & +
 DOYLE, TRACY-H/W +
 +
 +
 P O BOX 1480 +
 CALDWELL ID 83606 +
 +++++

06-5N-2W SE + TOTAL 37,825 80.00
 SESE, SWSE +++++
 + SURVEY INST 9633071
 + DRAIN DR VALUE APPR KGE
 + CLASS REAP 97 MAN UNIT 0
 EMMETT RD, CA + PARCEL 0R05N02W068400 H/O N C/B N
 + PRIOR ACCOUNT 9R37369-000- -0
 + 02 MH on Property NO

MODE:F ACTION: TRAITS INQUIRY TRQK318

ACCOUNT NUMBER R37369000 0 UNIT 001 TOTAL UNITS

SITE EMMETT RD CA SEC/TWN/RNG 06-5N-2W
 ASSESSED VALUE 37,825 ACREAGE 80.00
 SUB/PARK NAME YEAR/MAKE
 CLASS NO BUILDING CLASS SPACE LOT BLOCK
 +++++
 YR BUILT 0 AIR COND AIR - NONE CARPORT N
 STORY NO BLDG HEATING CARPORT SQ FT
 FIRST SQ FT 0 EXTERIOR UNKNOWN DECK/PATIO? N
 SECOND SQ FT ROOF UNKNOWN POOL? N
 BEDS 0 BSMT SQ FT SPA? N
 BATHS .00 % BSMT FIN LOT SIZE
 FRPLC 0 GARAGE N NEIGHBORHOOD 0
 GARAGE SQ FT

+++++
 COMMENTS MOBILE HOME ONLY
 WIDTH/LENGTH
 EXPANDO
 REAL ACCOUNT

MODE:F ACTION:

PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT

NO.202 P.2/5
TRQK101

REAL PROPERTY INQUIRY

```
*****
01 0R37368-000- -0 031-00 SCH134+ 01 32,400 60.00
*****
05 1,925 59.00
+ 10 16,000 1.00
+
DOYLE, CHRISTOPHER E & +
DOYLE, TRACY-H/W +
+
+
P O BOX 1480 +
CALDWELL ID 83506 +
*****
05-5N-2W SW + TOTAL 50,325 120.00
S 1/2 SW, SWSE +*****
+ SURVEY INST 9633071
+ DRAIN DR VALUE APPR KGE
+ CLASS REAP 97 MAN UNIT 0
+ PARCEL 0R05N02W056000 H/O N C/B N
+ PRIOR ACCOUNT 9R37368-000- -0
+ 02 MH on Property NO
```

MODE:F ACTION:

TRAITS INQUIRY

TRQK318

ACCOUNT NUMBER R37368000 0 UNIT 001 TOTAL UNITS

```
SITE EMMETT RD CA SEC/TWN/RNG 05-5N-2W
ASSESSED VALUE 50,325 ACREAGE 120.00
SUB/PARK NAME YEAR/MAKE
CLASS NO BUILDING CLASS SPACE LOT BLOCK
*****
YR BUILT 0 AIR COND AIR - NONE CARPORT N
STORY NO BLDG HEATING CARPORT SQ FT
FIRST SQ FT 0 EXTERIOR UNKNOWN DECK/PATIO? N
SECOND SQ FT ROOF UNKNOWN POOL? N
BEDS 0 BSMT SQ FT SPA? N
BATHS .00 + BSMT FIN LOT SIZE
FRPLC 0 GARAGE N NEIGHBORHOOD 0
GARAGE SQ FT
```

COMMENTS

```
*****
MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO
REAL ACCOUNT
```

63-07421 63-11027

MODE:F ACTION:

PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT

TRQK101

REAL PROPERTY INQUIRY

```

*****
01 0R37634-000- -0 031-00 SCH134+ 01 20,100 40.00
*****
+
DOYLE, CHRISTOPHER E & +
DOYLE, TRACY-H/W +
+
+
P O BOX 1480 +
CALDWELL ID 83606 +
*****
01-5N-3W SE + TOTAL 20,100 40.00
SESE +*****
+ SURVEY INST 9633071
+ DRAIN DR VALUE APPR GTK
+ CLASS REAP 98 MAN UNIT 0
HOLLOW RD, MI + PARCEL 0R05N03W019000 H/O N C/B N
+ PRIOR ACCOUNT 9R37634-000- -0
+ 02 MH on Property NO

```

MODE:F ACTION:

TRAITS INQUIRY

TRQK318

ACCOUNT NUMBER R37634000 0 UNIT 001 TOTAL UNITS

```

SITE HOLLOW RD MI SEC/TWN/RNG 01-5N-3W
ASSESSED VALUE 20,100 ACREAGE 40.00
SUB/PARK NAME YEAR/MAKE
CLASS NO BUILDING CLASS SPACE LOT BLOCK
*****
YR BUILT 0 AIR COND AIR - NONE CARPORT N
STORY NO BLDG HEATING CARPORT SQ FT
FIRST SQ FT 0 EXTERIOR UNKNOWN DECK/PATIO? N
SECOND SQ FT ROOF UNKNOWN POOL? N
BEDS 0 BSMT SQ FT SPA? N
BATHS .00 % BSMT FIN LOT SIZE
FRPLC 0 GARAGE N NEIGHBORHOOD 0
GARAGE SQ FT

```

```

*****
COMMENTS MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO
REAL ACCOUNT

```

63-07421 & 63-11027

MODE:F ACTION:

PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT

TRQK101

334

REAL PROPERTY INQUIRY

2348

+++++

01 0R37372-000- -0 031-00 SCH134+ 05 2,575 79.23

Sec 5 south

+++++

WILMARTH, FLOYD R

+
+

Leased
Area

P O BOX 35

PECK

ID 83545

+++++

07-5N-2W NW

2,575 79.23

LOT 1 NENW

+++++

+ SURVEY INST
+ DRAIN DR VALUE APPR KGE
+ CLASS REAP 97 MAN UNIT 0
+ PARCEL 0R05N02W072400 H/O N C/B N
+ PRIOR ACCOUNT 9R37372-000- -0
+ 02 MH on Property NO

EMMETT RD, CA

MODE:F ACTION:

TRAITS INQUIRY

TRQK318

ACCOUNT NUMBER R37372000 0

UNIT 001

TOTAL UNITS

SITE EMMETT RD

CA

SEC/TWN/RNG 07-5N-2W

ASSESSED VALUE 2,575

ACREAGE 79.23

SUB/PARK NAME

YEAR/MAKE

CLASS NO BUILDING CLASS

SPACE LOT BLOCK

+++++

YR BUILT	0	AIR COND	AIR - NONE	CARPORT	N
STORY	NO BLDG	HEATING		CARPORT SQ FT	
FIRST SQ FT	0	EXTERIOR	UNKNOWN	DECK/PATIO?	N
SECOND SQ FT		ROOF	UNKNOWN	POOL?	N
BEDS	0	BSMT SQ FT		SPA?	N
BATHS	.00	% BSMT FIN		LOT SIZE	
FRPLC	0	GARAGE	N	NEIGHBORHOOD	0
		GARAGE SQ FT			

+++++

COMMENTS

MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO
REAL ACCOUNT

63-07421 63-11027

Effective
upon approval
of the x-fer

LEASE AGREEMENT

This lease agreement entered into on February 2000, 2000 between Mr. Floyd Wilmarth (landowner) and Mr. Christopher Doyle (lessor).

Whereas the landowner, Mr. Wilmarth agrees to lease 80 acres of land he owns between Middleton and Emmett Idaho to the lessor, Mr. Doyle.

This lease shall run on a year to year basis for 3 years beginning in the year 2000 and running through the year 2002. The lease amount shall be \$30 per acre. Total yearly lease payment to be \$2,400.00/yr. Lease payments shall be due no later than April 1st of each year this lease agreement is in affect.

Either the lessor or the landowner may cancel this agreement by giving written notice 30 days prior to the due date of the lease or no later than March 1st of each year.

Lessor will pay all costs associated with planting, growing and harvesting of the crops. All water costs will be the responsibility of the lessor. After the term of this lease has expired, all water shares that have been transferred to the landowner's property from the adjacent lessor's property will be reconveyed to the lessor's property where those water shares originated.

All taxes due on the landowner's property will remain the responsibility of the landowner.

Signed and agreed to by;

Landowner:

Lessor:

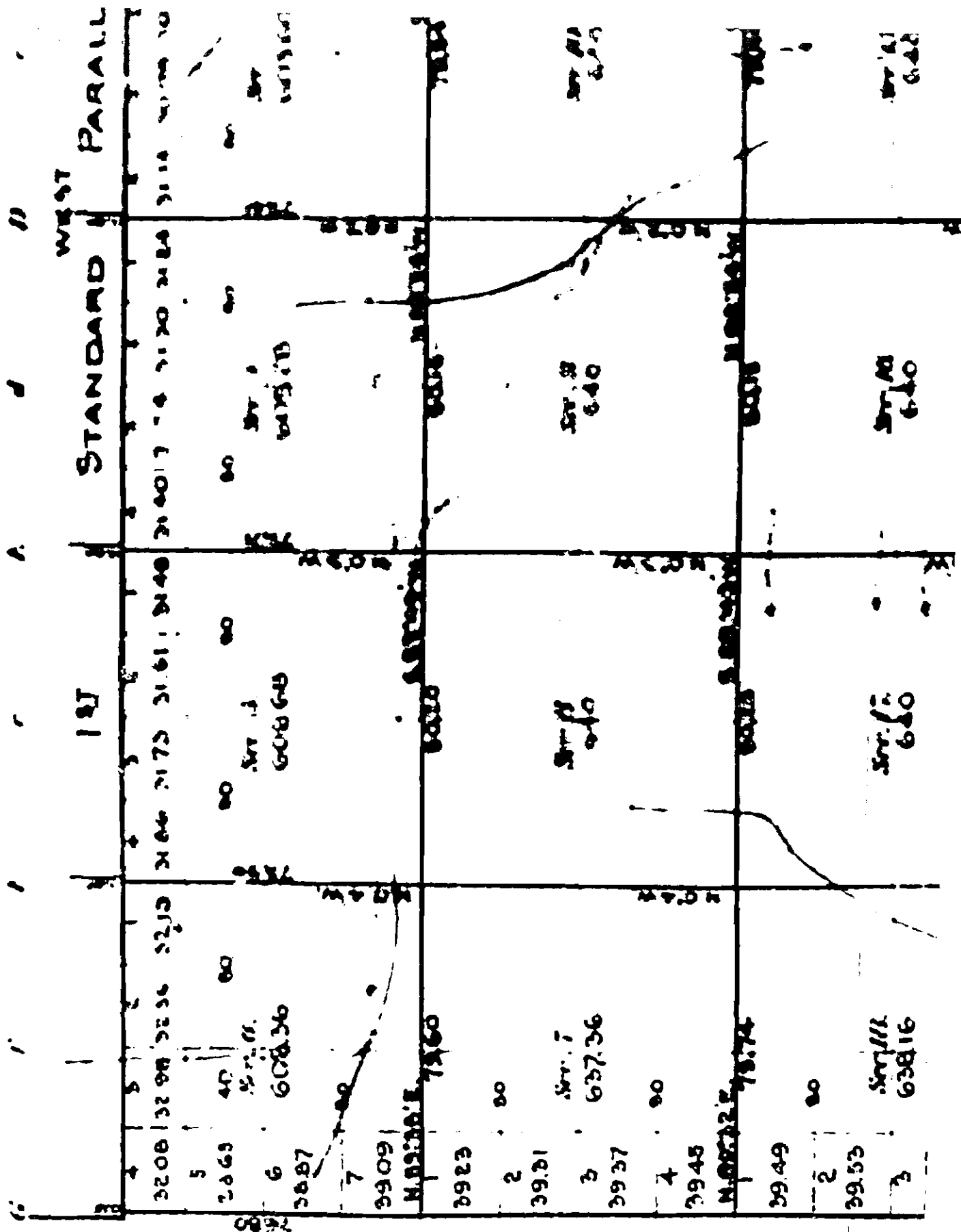
Floyd Wilmarth
440 Pine St.
PO Box 35
Peck, Idaho 83545

Christopher Doyle
PO Box 1480
Caldwell, Idaho 83605

63-07421963-11027

ATTACHMENT D

Township No 5 North. Range No 2 West (R)



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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A63-07421
Date Received: 9/14/1989
Receipt No: 604606
Received By: SA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: C. L. SHAWVER 208-375-2477
Address: 2710 ESQUIRE DR.
BOISE, ID 83704

OR
Name: D.J. SHAWVER 208-375-2477
Address: 2710 ESQUIRE DR.
BOISE, ID 83704

2. Date of Priority: APR 26, 1971

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	02W	5	SW	SW	SW		CANYON

5. Description of diverting works:
WELL & PUMP, 490', 16" CASING, W/300HP PUMP, PIPELINE, & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	4.980		1022.00

7. Total Quantity Appropriated is:
4.980 C.F.S. (and/or) 1022.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres		
05N	02W	5	SW	SW		IRR	25.0		
			SE	SW		IRR	25.0		
			SW	SE		IRR	15.0		
					Section Acres			65.0	
		6	SW	SW		IRR	35.0		
			SE	SW		IRR	38.0		
			SW	SE		IRR	38.0		
			SE	SE		IRR	35.0		
					Section Acres			146.0	
			03W	1	SE	SE		IRR	38.0
					Section Acres			38.0	
					Total Acres			249.0	

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
N/A

14. Remarks:

THE RANCH WHERE THIS RIGHT IS USED IS KNOWN AS C & D FARMS.
POSTAL ADDRESS FOR THE FARM IS BOX 29260, RT. # 7, EMMETT ROAD,
CALDWELL IDAHO 83605.
THE PRESENT WELL IS A REPLACEMENT WELL FOR THE INITIAL WELL. THE
INITIAL WELL IS NOW USED FOR DOMESTIC AND STOCKWATER PURPOSES

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: 1 (ONE)

For Individuals:

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

Signature of Claimant(s): *Chris Howard* Date: 9-14-89

Date: _____

State of Idaho _____)
County of ADA) SS. _____

Subscribed and sworn (or affirmed) before me this 14th day
of SEPTEMBER 19 89
Glenn E. Smith
Notary Public

Seal

Residing at Boise, ID
My Commission Expires 11/08/1994

T6N
T5N

SECS 5 & 6

P.O.
SE 3/4
Sec 1
38.0 AC

P.O. SW 3/4
38.0 AC

47' 30"

4847
770 000
FEET

MICROFILMED
AUG 21 1992



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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A63-07421
Date Received: 9/14/1989
Receipt No: CO 11606
Received By: SA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: C. L. SHAWVER 208-375-2477
Address: 2710 ESQUIRE DR.
BOISE, ID 83704

OR

Name: D.J. SHAWVER 208-375-2477
Address: 2710 ESQUIRE DR.
BOISE, ID 83704

2. Date of Priority: APR 26, 1971

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	02W	5	SW	SW	SW		CANYON

5. Description of diverting works:
WELL & PUMP, 490', 16" CASING, W/300HP PUMP, PIPELINE, & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	4.980		1022.00

7. Total Quantity Appropriated is:
4.980 C.F.S. (and/or) 1022.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres		
05N	02W	5	SW		SW		IRR	25.0		
			SE		SW		IRR	25.0		
			SW		SE		IRR	15.0 ✓		
					Section Acres			65.0		
		6	SW		SW		IRR	35.0 ✓		
			SE		SW		IRR	38.0 ✓		
			SW		SE		IRR	38.0 ✓		
			SE		SE		IRR	35.0 ✓		
					Section Acres			146.0		
			03W	1	SE		SE		IRR	38.0 ✓
		Section Acres				38.0				
				Total Acres			249.0			

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
N/A

14. Remarks:

THE RANCH WHERE THIS RIGHT IS USED IS KNOWN AS C & D FARMS.
POSTAL ADDRESS FOR THE FARM IS BOX 29260, RT. # 7, EMMETT ROAD,
CALDWELL IDAHO 83605.
THE PRESENT WELL IS A REPLACEMENT WELL FOR THE INITIAL WELL. THE
INITIAL WELL IS NOW USED FOR DOMESTIC AND STOCKWATER PURPOSES

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: 1 (ONE)

For Individuals:

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

Signature of Claimant(s): *Chit Howard* Date: 9-14-89

Date: _____

State of Idaho)
County of BOA) SS.

Subscribed and sworn (or affirmed) before me this 14th day
of SEPTEMBER 19 89
James E. Butler
Notary Public

Seal

Residing at Boise, ID
My Commission Expires 11/08/1994

T6N
T5N

SECS 346

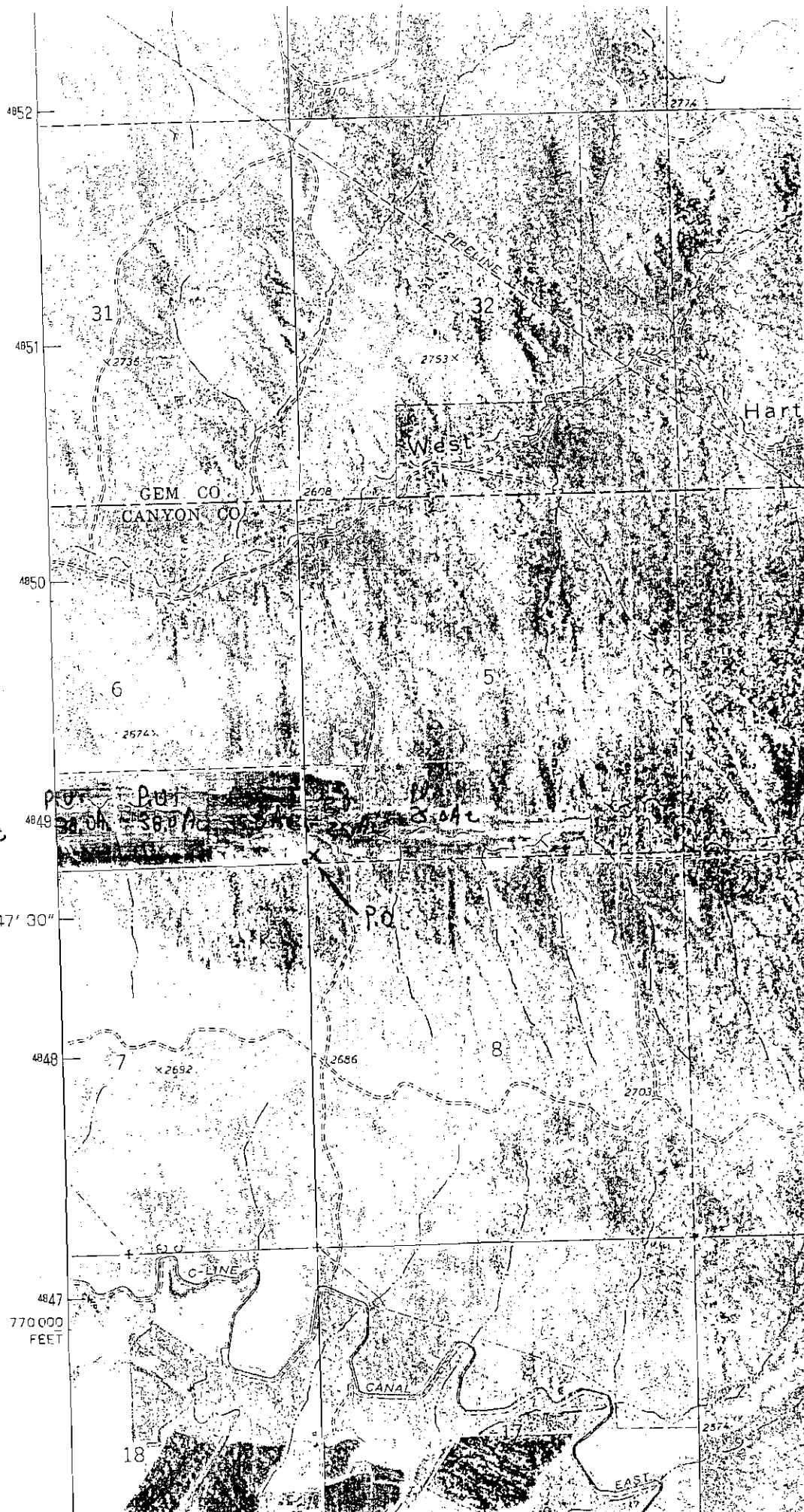
P.O.
SE 32
SEC 1
38.0 AC

P.O. SWSW
38.0 AC

47' 30"

4847
770,000
FEET

MICROFILMED
AUG 21 1992



**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	)	Water Rights: 63-32131(Split)
	)	63-32851, 63-32852, 63-32853
Case No. 39576	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE
_____	)	PROCEEDING

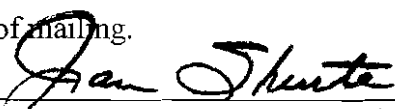
IDWR has completed the following administrative proceeding:

- ☐ Address change
- XX Substitution of Party
- ☐ IC § 42-222 transfer
 - ☐ Point of diversion ☐ Place of use
 - ☐ Period of use ☐ Nature of use
 - ☐ Split of water right ☐ Change in ownership
 - ☐ Other
- ☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: September 28, 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on September 28, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court	☐ overnight mail
Snake River Basin Adjudication	☒ regular mail
P.O. Box 2707	☐ hand-delivered
Twin Falls, ID 83303-2707	☐ facsimile

2. Copies to:

Clive Strong	☐ overnight mail
Off ice of the Attorney General	☒ regular mail
P.O. Box 44449	☐ hand-delivered
Boise, ID 83711-4449	☐ facsimile

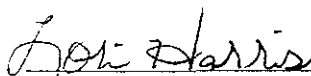
United States Dept of Justice	☐ overnight mail
Environment & Natural Resource Div	☒ regular mail
550 West Fort Street MSC 033	☐ hand-delivered
Boise ID 83724	☐ facsimile

3. Copies to all parties to the subcase:

Ridgeline Vistas LLC	☐ overnight mail
533 E Riverside Dr Ste 110	☒ regular mail
Eagle ID 83616	☐ hand-delivered
	☐ facsimile

Larry Flynn	☐ overnight mail
PO Box 21	☒ regular mail
Letha ID 83636	☐ hand-delivered
	☐ facsimile

Jade Eagle Inc	
660 E Franklin Rd #140	☒ regular mail
Meridian ID 83642	



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

September 28, 2007

LARRY FLYNN
PO BOX 21
LETHA ID 83636

Re: Original Water Right No. 63-32131

Renumbered to Water Right Nos. 63-32852

Dear Mr. Flynn:

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

When a portion of the original water right has been conveyed to another and the original right has been split, then the original right number is renumbered 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 right after the change of ownership. Enclosed is a copy of this new water right for your records. Please refer to your new number when corresponding with our office. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the SRBA Court as notification of this change.

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

Sincerely,

A handwritten signature in cursive script that reads "Lori Harris". The signature is written in dark ink and is positioned above the typed name and title.

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

LH:1
Enclosures

cc: Roxanne Brown-SPF Water Engineering

63-32131 SPLIT

SPLIT INTO 3 PARTS:

- 1- Jade Eagle, Inc. - 4.5 acres in the SESE, S. 6, T5N, R. 2W
63-32853 .09 cfs and 18.5 afa
POD – SWSW, S.5, T5N, R2W (same POD)
- 2- Larry Flynn – 3 acres in the SESE, S.6, T. 5N, R. 2W
63-32852 .06 cfs and 12.3 afa
POD – (same as original 32131)
- 3- Ridgeline Vistas LLC – 42 acres in the:
63-32851 SWSE – 28.2 acres
SESE – 13.8 acres of S. 6, T5N, R2W
.84 cfs and 172.4 afa

These splits are the result of 3 changes of ownership submitted for 63-32131. The location of the place of use for Jade Eagle, Inc. and Larry Flynn came from information submitted with the change of ownership taking 63-32131 from High Plains LLC to Ridgeline Vistas LLC. The Change of ownership for Larry Flynn was submitted with a Grant Deed which specifically stated a total of 10 acres purchased from RTX, LLC (previous owners of this property) were in the SESE, S.6. The other 7 acres not involved in this change of ownership can be seen under Right No. 63-32132 per a transfer of 63-31909.

Rocky Ridge Construction (aka Ridgeline Vistas LLC) has submitted 29 transfers to divide the 107 acres they purchased, which includes the place of use under 63-32131 (the 42 acres to Ridgeline Vistas LLC) and 63-31214 (65 acres) minus 7.5 acres (equals 107 acres). Right No. 63-31214 is the other right involved in the transfers but not involved in these changes of ownership. A contract was submitted with the change of ownership for Jade Eagle, Inc. stating that 107 acres were being sold with the land indicating that 7.5 acres were remaining. A letter from the engineer for Ridgeline's change of ownership states that only 107 acres belonged to Ridgeline with 7.5 acres of irrigation conveyed to others. The map submitted with that change of ownership and the transfer filed by Rocky Ridge Construction (aka Ridgeline Vistas LLC) indicates that the 4.5 acres for Jade Eagle, Inc. and the 3 acres for Larry Flynn are the 7.5 acres conveyed to others as mentioned in the engineer's letter. These items also indicate that along with the 3 acres to Larry Flynn, the 4.5 acres for Jade Eagle, Inc. are from the SESE, S.6.

These acres are being purchased to be used elsewhere by Larry Flynn and Jade Eagle, LLC, therefore, separate transfers will be needed by the new owners. The location of these 7.5 acres will be shown as the SESE, S. 6 without specific designation as to which 7.5 acres they are within that 1/414 as they will be transferred later. I have spoken with the transfer reviewer and we are in agreement as to this method.

Note: The 3 acres for Larry Flynn are also proposed to be used as mitigation for Application for Permit No. 63-331972 for aesthetic storage for a pond. This app has not been approved due to complications. I will document this situation on both Flynn's 3 acre split and on 63-31972 pointing to this new number.



SPF Water Engineering, LLC
water resource consultants

#3
12-21-2005
GRANT DEED
? ON TIMING

RECEIVED

OCT 20 2006

WATER RESOURCES
WESTERN REGION

October 19, 2006

Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082

*Subject: Change of Ownership - RTX LLC to Flynn
Water Right No. 63-32131*

Dear Western,

We are enclosing a change of ownership form and deed for our client, Larry Flynn. Mr. Flynn purchased a 10-acre portion of water right 63-31909. Water right 63-31909 was split by transfer # 72087 into 63-32131 (High Plains LLC) and 63-32132 (Flynn) when Mr. Flynn moved 7.0 acres of his water right to Hidden Island subdivision.

Mr. Flynn wishes to change ownership on the three (3) remaining acres purchased from RTX, LLC. He will then place the water in the Water Supply Bank.

Please let me know if I can answer any questions concerning this transaction.

Sincerely,

Roxanne Brown
Water Rights Specialist

Cc: Larry Flynn

Document Info:
SPF file number: 342.0010