

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 63-32969
Date Received: 3/19/1990
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MARIANNE WILLIAMS Phone: (208)880-7367
914 HOUSTON RD
BOISE ID USA 83706

LARRY WILLIAMS Phone: (208)880-7367
914 HOUSTON RD
BOISE ID USA 83706

2. Date of Priority: 03/11/1968

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
02N	03W	24	SW	NE	SW	CANYON	
02N	03W	24	SE	NW	NW	CANYON	

5. Description of diverting works:

2 WELLS WITH TURBINE PUMPS, WELL #2 HAS A BOOSTER PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.34	130.58

7. Total Quantity Appropriated is:

0.34 C.F.S. and/or 130.58 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
02N	03W	24	NE	NW	IRRIGATION	38
					Section Acres	38
					Total Acres	38

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:

A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.
Special Warranty Deed and Bill of Sale dated 10/20/1989 and recorded 10/25/1989 conveyed a portion of this right and the place of use to claimant. Special Warranty Deed and Bill of Sale dated 12/26/1990 and recorded 12/31/1990 conveyed another portion of the place of use and remainder of water right to claimant. Claim amended 8/6/01.

This right is a split from former right 63-32301 .

15. Basis of Claim: License

Shurte, Jan

From: Peppersack, Jeff
Sent: Thursday, February 07, 2008 12:46 PM
To: Shurte, Jan
Cc: Homan, John
Subject: RE: Owner Change for 63-7011A, 63-32299 and 63-32301

Hi Jan,

These subdivision conveyances can be confusing. In general, if lots are sold without any reservation of water rights, then water right ownership is conveyed to the lot owner with the land. In that situation, we would need a deed from each lot owner if a HOA or other entity claims ownership. In this case, the deeds conveying land to the lot owners in the subdivision (see sample deed conveying to one lot owner) indicates that the conveyance is subject to the CC&R's. The next question is, do the CC&R's reserve water rights? In this case, the CC&R's are not real clear, but I think there are enough references to the water system and control by the HOA that we can presume the water rights were reserved to the HOA for purposes of serving water for irrigation to the lot owners. IDWR's action to update water right records is not a final determination of ownership; individual lot owners could still go to court to resolve a dispute. In this case, I think we have enough evidence to update the water right records. I recommend documenting the file to indicate that the evidence was accepted as is, but ownership could be changed based on additional evidence or by a court decision.

I discussed this with John Homan. John recommended that the changes should occur in advance of future action in the SRBA so that ownership is part of the record before the SRBA court and potential objectors have opportunity to raise the issue.

Jeff

From: Shurte, Jan
Sent: Wednesday, February 06, 2008 12:57 PM
To: Peppersack, Jeff
Cc: Harris, Lori
Subject: FW: Owner Change for 63-7011A, 63-32299 and 63-32301

Hi Jeff,

This thing surfaced as not getting done a few days ago. It had been on call up for sometime. In looking these rights over we found an error in our quantity on 63-32301, instead of .10 cfs it should be 1.0 cfs. We are submitting an Amended Director's Report due to fat fingers on that one and would like to fix it before we do the ownership change.

The only thing that bothers me about this one is that when we had the "Training Session" for the AJ people last November, I asked the question as to whether or not we could do ownership changes for these homeowners associations without getting a deed from all the lot owners. Shelley was on my panel also and I asked him if Transfer procedures allow this and he said No. So, I do not want to get into trouble as doing some thing out of the ordinary. As it turns out, this change of ownership will result in a split of 63-32299 & 63-32301 for one quarter-quarter.

I just need an ok for sure from you. I personally would love to be able to do these types of ownerships without getting the deed, just do not want to have someone come up later and say the adjudication did one of these and why didn't they get the deeds from each homeowner. Could you give me the ok on this one. Your email points to probably, etc. I would make me feel better if you would just say do it.

Hope this explains it without putting you too much on the spot.

Thanks,
Jan

From: Harris, Lori
Sent: Wednesday, February 06, 2008 11:46 AM
To: Shurte, Jan
Subject: RE: Owner Change for 63-7011A, 63-32299 and 63-32301

From: Shurte, Jan
Sent: Tuesday, November 13, 2007 2:04 PM
To: Harris, Lori
Subject: FW: Owner Change for63-7011A, 63-32299 and 63-32301

From: Peppersack, Jeff
Sent: Tuesday, November 13, 2007 12:34 PM
To: Shurte, Jan
Subject: FW: Owner Change for63-7011A, 63-32299 and 63-32301

Hi Jan,
Can you have someone provide a status update for this owner change please.

Thanks,
Jeff

-----Original Message-----

From: Ball, Diana
Sent: Tuesday, November 13, 2007 12:31 PM
To: Peppersack, Jeff
Cc: Marshall, Aaron
Subject: RE: Owner Change for63-7011A, 63-32299 and 63-32301

Jeff,

Have you been contacted by anyone from Deersky Ranch HOA since our last correspondence with them?
I'll request warrants for 2007 lessor payments this week and will put theirs on hold and track it.

Diana

-----Original Message-----

From: Peppersack, Jeff
Sent: Thursday, October 25, 2007 6:14 PM
To: Shurte, Jan
Cc: Ball, Diana
Subject: Owner Change for63-7011A, 63-32299 and 63-32301

Hi Jan,

An owner change notice was filed last August in the name of Deersky Ranch HOA for the rights referenced above. I've discussed the ownership issue with representatives of the HOA and the prior owner/developer of the property (Williams' son) on several occasions. Apparently Williams owned the property and gifted it to their son, who developed the property under the name of Deer Flat 200, LLC. The owner change notice included a sample Warranty deed to indicate that the individual lots were conveyed with restrictions subject to the CC&R. A copy of the CC&R was also included. The CC&R does not provide a clear reservation of the appurtenant water rights to the HOA; but I agreed that it appears that there is at least some intent to provide for water to the lots by the HOA under the water system described in the CC&R. I agreed that there is probably enough evidence for IDWR to change the ownership record to the HOA, with the understanding that IDWR records are not the final determination of ownership if someone chooses to question it in the future. Since the HOA needs to keep a water right in order to provide water for the benefit of the lot owners, I think there is limited risk if we accept the evidence to change our records in the name of the HOA. I think we have good reason to question the evidence in circumstances where the water rights are proposed to be transferred away by the original owner or developer and it appears that the water rights may have been conveyed to individual lot owners; I don't think that applies in this case.

We are waiting to clear up some water bank issues for these same rights. We need to clarify the owner issue in order to disburse the rental fee that was paid as a result of rental from the bank. I understand that a deficiency letter was sent to the HOA asking for more evidence of ownership. I am certain that I will be contacted by these folks since I met with them prior to their filing the notice. Can you provide some detail regarding the deficiency or status of the processing of the notice?

Thanks,
Jeff

RECEIVED

AUG 06 2007

RECEIVED

AUG 02 2007

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

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

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

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
63-7011A	same				
63-32299	same	X			
63-32301	same	X			

2. The following **REQUIRED** information must be submitted with this form:
- The appropriate **FILING FEE**. See instructions for fee amounts.
 - 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**.
 - 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 on file with the county Planning and Zoning or Recorder's Office).
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 or equivalent **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) Williams
4. New Owner/Claimant(s) Deersky Ranch Homeowner's Assoc
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 8830 Deersky Ranch Trail
- City, State and ZIP Code Nampa Id 83686
- New Telephone Number (208) 461-2062
5. Date you acquired the property July 2001

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s)

Robert Rogers Board Member
Dewey Ranch Homeowner's Assoc.
 (title if applicable)
 (title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by *[Signature]*
 Received by *[Signature]*
 Processed by *[Signature]* AJ

Date 8-6-07
 Date
 Date 2-11-08

Receipt Amt. N/A
 Receipt No.
 WR Date

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 63-32301
Date Received: 3/19/1990
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MARIANNE WILLIAMS Phone: (208)880-7367
914 HOUSTON RD
BOISE ID USA 83706

LARRY WILLIAMS Phone: (208)880-7367
914 HOUSTON RD
BOISE ID USA 83706

2. Date of Priority: 03/11/1968

3. Source: GROUND WATER , GROUND WATER Trib. to: ,

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
02N	03W	24	SW	NE	SW	CANYON	
02N	03W	24	SE	NW	NW	CANYON	

5. Description of diverting works:

2 WELLS WITH TURBINE PUMPS, WELL #2 HAS A BOOSTER PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	1.35	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	03W	24	SW	NE	IRRIGATION	40 → SPLIT TO 7075B
			NE	NW	IRRIGATION	38
			NE	SW	IRRIGATION	40
			SE	NW	IRRIGATION	35
					Section Acres	153
					Total Acres	~~153~~ 113

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:

A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works. Special Warranty Deed and Bill of Sale dated 10/20/1989 and recorded 10/25/1989 conveyed a portion of this right and the place of use to claimant. Special Warranty Deed and Bill of Sale dated 12/26/1990 and recorded 12/31/1990 conveyed another portion of the place of use and remainder of water right to claimant. Claim amended 8/6/01.

This right is a split from former right 63-7075A.

15. Basis of Claim: License

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

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
	63-7011A	10/1A			
63-7075A					
63-5334A					

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)

Larry & Maryann Williams
914 Houston Rd, Boise, ID 83706

4. New Owner/Claimant(s)

Sarah & Dan Bashon
Name Connector (Check one): [] and, [] or, ☒ and/or

New Mailing Address

2415 E. Pennsylvania Ave
Nampa, ID 83686

City, State and ZIP Code

New Telephone Number

208 880-4529

5. Date you acquired the property

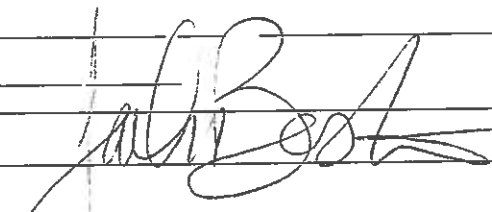
7/29/05

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

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

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

7. Signature of New Owner(s) or Claimant(s)
(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 <u>Per</u>	Date <u>8-5-05</u>	Fee <u>0</u>
Receipted by <u>n/a</u>	Date <u>N/A</u>	Receipt No. <u>N/A</u>
Processed by <u>leg</u> AJ	Date _____	WR _____ Date _____

WARRANTY DEED

FOR VALUE RECEIVED *Deer Flat 200, LLC, an Idaho Limited Liability Company*

the Grantor, does hereby grant, bargain, sell and convey unto SARAH BASTIAN, a married woman, as her sole and separate property

the Grantee, whose address is *2415 E. Pennsylvania Ave Nampa 83605*

the following described premises, to-wit:

Lot 35, Block 1, DEERSKY RANCH, Canyon County, Idaho, according to the Plat filed in Book ___ of Plats at Page ___, records of said county.

Subject to the Restrictive Covenants recorded _____ as Instrument No. _____, records of 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 Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that said premises are free from all encumbrances, except for general taxes and assessments for the year 2001 and subsequent years, covenants, conditions, restrictions and easements of record; and that it will warrant and defend the same from all lawful claims whatsoever.

DATED: July 20, 2001

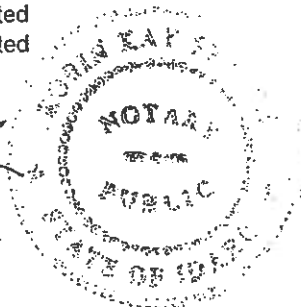
Deer Flat 200, LLC

[Signature]
Cris D. Williams, Member

STATE OF IDAHO
COUNTY OF CANYON

On this 20 day of July, 2001, before me, a notary public, personally appeared Cris D. Williams, known or identified to me to be the Authorized Member of Deer Flat, LLC, the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company and acknowledged to me that such limited liability company executed the same.

[Signature]
Notary Public
Residing at *Boise, Idaho*
My commission expires: *4-15-03*



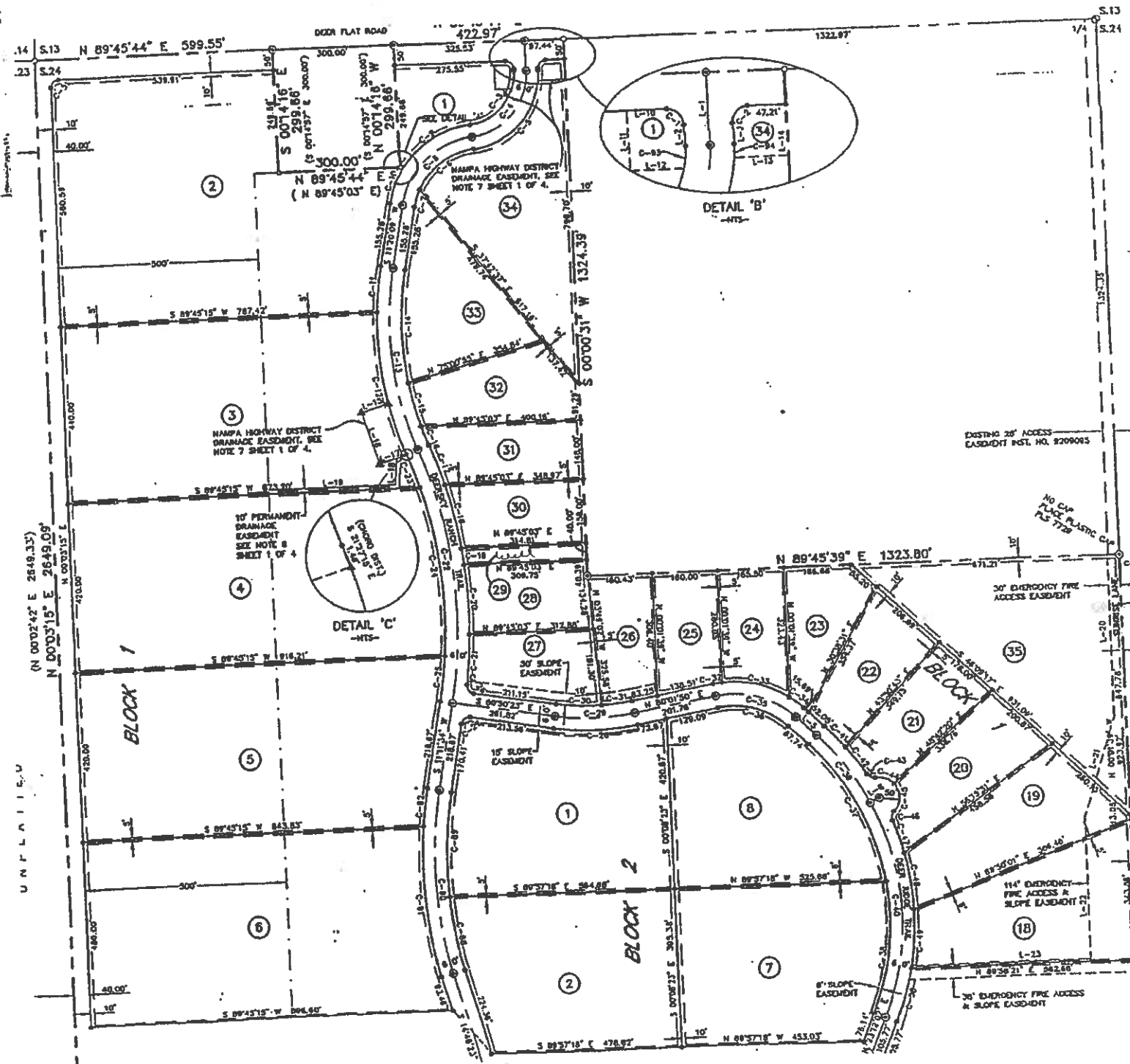
**PIONEER TITLE COMPANY
OF CANYON COUNTY**

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

2001

• HUBBLE ENGINEERING
MERIDIAN, IDA



LINE TABLE:

LINE	BEARING	DISTANCE
L-1	S 00°14'37" E	73.01'
L-2	S 00°14'37" E	3.02'
L-3	S 00°14'37" E	3.00'
L-4	S 27°42'37" E	7.13'
L-5	S 46°09'17" E	67.74'
L-6	N 63°15'21" E	25.00'
L-7	N 72°04'41" E	42.01'
L-8	S 16°43'19" E	132.02'
L-9	S 72°04'41" E	61.73'
L-10	N 87°43'44" E	28.60'
L-11	N 00°00'22" E	66.67'
L-12	S 89°51'27" E	40.94'
L-13	S 89°28'48" E	68.62'
L-14	E 00°00'31" V	49.25'
L-15	N 72°04'41" E	69.75'
L-16	N 16°28'19" E	124.00'
L-17	N 72°04'41" E	70.01'
L-18	N 06°32'04" E	63.94'
L-19	N 89°43'15" E	318.36'
L-20	N 00°01'37" E	404.56'
L-21	N 18°30'48" E	263.21'
L-22	S 00°01'39" E	346.46'
L-23	S 87°36'21" E	447.17'

CURV

CHORD	RADIUS	LENGTH	ARC
C-1	20.00'	31.41'	10'
C-2	20.00'	31.41'	10'
C-3	127.00'	106.77'	30'
C-4	137.00'	223.20'	41'
C-5	187.00'	278.18'	23'
C-6	178.45'	177.40'	16'
C-7	178.45'	44.27'	14'
C-8	202.45'	240.83'	68'
C-9	232.45'	210.34'	24'
C-10	232.45'	88.45'	29'
C-11	230.00'	112.74'	46'
C-12	230.00'	342.82'	31'
C-13	200.00'	458.37'	12'
C-14	770.00'	278.77'	23'
C-15	770.00'	113.39'	15'
C-16	770.00'	45.12'	12'
C-17	1160.00'	107.31'	27'
C-18	1160.00'	161.52'	36'
C-19	1160.00'	40.30'	25'
C-20	1160.00'	174.63'	16'
C-21	1160.00'	126.95'	11'
C-22	1160.00'	644.62'	41'
C-23	1120.00'	89.06'	31'
C-24	1100.00'	424.61'	41'
C-25	1100.00'	113.84'	31'
C-26	20.00'	31.25'	17'
C-27	20.00'	30.71'	17'
C-28	430.00'	510.34'	37'
C-29	600.00'	200.33'	40'
C-30	370.00'	113.22'	02'
C-31	370.00'	77.09'	04'
C-32	650.00'	23.78'	77'
C-33	260.00'	174.18'	94'
C-34	240.00'	46.23'	13'
C-35	230.00'	216.03'	17'
C-36	200.00'	187.89'	02'
C-37	600.00'	294.04'	30'
C-38	600.00'	232.83'	21'
C-39	630.00'	212.46'	21'
C-40	630.00'	249.14'	16'
C-41	660.00'	74.06'	36'
C-42	660.00'	84.87'	32'
C-43	20.00'	23.14'	17'
C-44	50.00'	51.71'	22'
C-45	50.00'	74.20'	22'
C-46	20.00'	22.14'	17'
C-47	660.00'	84.89'	32'
C-48	640.00'	142.72'	31'
C-49	640.00'	142.72'	31'
C-50	640.00'	140.27'	31'
C-51	20.00'	31.21'	17'
C-52	570.00'	181.82'	11'

approx. location of well



ID# 003554
Dated: 6/27/05
Lot 35, Block 1 Deer Sky Ranch
Sarah & William Bastian, Buyer
DeerFlat 200, LLC, Seller

RE-13 COUNTER OFFER #4

RE-13 Counter Offer #3 is hereby rejected in its entirety and Seller does hereby present a new Counter Offer #4 for consideration to Buyer, to-wit:

This is a Seller Counter Offer. Seller reserves the right to withdraw this offer or accept any other offers prior to the receipt of a true copy of signed acceptance of this Counter Offer within the time frame specified herein.

DELIVERY: Delivery shall be to the agent/broker working with the maker of the Counter Offer in person, by mail, facsimile or electronic transmission of any signed original document, and retransmission of any signed original document. Retransmission of any signed facsimile or electronic transmission shall be deemed to be the same as delivery of an original.

1. Seller does, as part of the sale of Lot 35, Block 1 Deer Sky Ranch, transfer, sell, assign and set over to Buyer all of Seller's right, title and interest in that certain well which exists for irrigation purposes on Lot 35, with no warranties expressed or implied as to the ability of Buyer to receive sufficient water for the purposes of irrigation. Buyer shall have the right to do their due diligence, and conduct any and all tests and inspections Buyer deems necessary to determine the capability and licensing of the well at Buyer's sole cost and expense, within 15 days of the date of execution of this Counter Offer #4.
2. The water rights Seller is transferring to Buyer are the water rights that exist pursuant to the license of the well. The CC&Rs for the Deer Sky Ranch Homeowners Association of which Lot 35 is a part does grant permission to Lot 35 to hook into the community water system for the subdivision for irrigation purposes; however, Buyer must satisfy themselves as to their ability to hook up to this system. Seller does not guarantee or warrant that the Association, for whatever reason, would honor those commitments. Buyer must satisfy themselves with the Association as to their rights to gain such water usage in the Association.
3. Seller agrees to remove all materials, including vinyl fencing, from the outbuilding located on Lot 35 prior to closing.

Buyer

Buyer

Seller

Date

Date

Date

7/14/05

7/14/05

7/13/5

[Handwritten signatures and notes]
Deer Flat 200 LLC. by *[Signature]*
number

13

NWNW

NENW

NWNE

SENE

SWNW

SENW

5.0

SWNE

SENE

24

NESE

NWSW

NESW

NWSE

NESE

SESE

SWSW

SESW

SWSE

SESE

25

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 63-7075A
Date Received: 3/19/1990
Receipt No: C015714
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MARIANNE WILLIAMS Phone: (208)331-0120

914 HOUSTON RD
BOISE ID USA 83706

LARRY WILLIAMS Phone: (208)331-0120

914 HOUSTON RD
BOISE ID USA 83706

2. Date of Priority: 03/11/1968

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	03W	24	SW NE SW	CANYON	
02N	03W	24	SE NW NW	CANYON	

5. Description of diverting works:

2 WELLS WITH TURBINE PUMPS, WELL #2 HAS A BOOSTER PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	1.39	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
02N	03W	24	SW	NE		IRRIGATION	40
			NE	NW		IRRIGATION	38
			SE	NW		IRRIGATION	40
			NE	SW		IRRIGATION	40
Section Acres							158
Total Acres							158

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: 63-3330

14. Remarks:

A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.
 Special Warranty Deed and Bill of Sale dated 10/20/1989 and recorded 10/25/1989 conveyed a portion of this right and the place of use to claimant. Special Warranty Deed and Bill of Sale dated 12/26/1990 and recorded 12/31/1990 conveyed another portion of the place of use and remainder of water right to claimant. Claim amended 8/6/01.

15. Basis of Claim: License

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 63-7075A

Date Received 7/27/01

Receipt Number W028089

RECEIVED

JUL 27 2001

WATER RESOURCES
WESTERN REGION

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

Please type or print clearly

1. Name of Claimant(s) Larry and/or Marianne Williams Phone (208) 331-0120
Mailing Address 914 Houston Road, Boise, Idaho Zip 83706
2. Date of Priority (Only one (1) per claim) 3/11/1968
3. Source of water supply (a) Ground water
Which is tributary to (b) _____
4. a. Location of point of diversion is: Township 2N Range 3W Section 24, SE ¼ of NW ¼ of NW ¼, Govt. Lot _____, B.M., County of Canyon
Additional points of diversion if any: SW NE SW, Sec. 24, T2N, R3W
b. If instream flow, beginning point of claimed instream flow is:
township _____ Range _____ Section _____, _____ ¼ of _____ ¼ of _____ ¼, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Wells and pumps

6. Water is claimed for the following purposes:

For Irrigation purposes from 3/15 to 11/15 amount 1.39 cfs or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.39 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is included in 63-03330A acre feet per annum.

9. Non-irrigation uses; describe fully. (Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) None

10. Description of place of use:

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

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

TWP	RNG	SEC	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	
2N	3W	24			40		38			40	40								158

Total number of acres irrigated 158

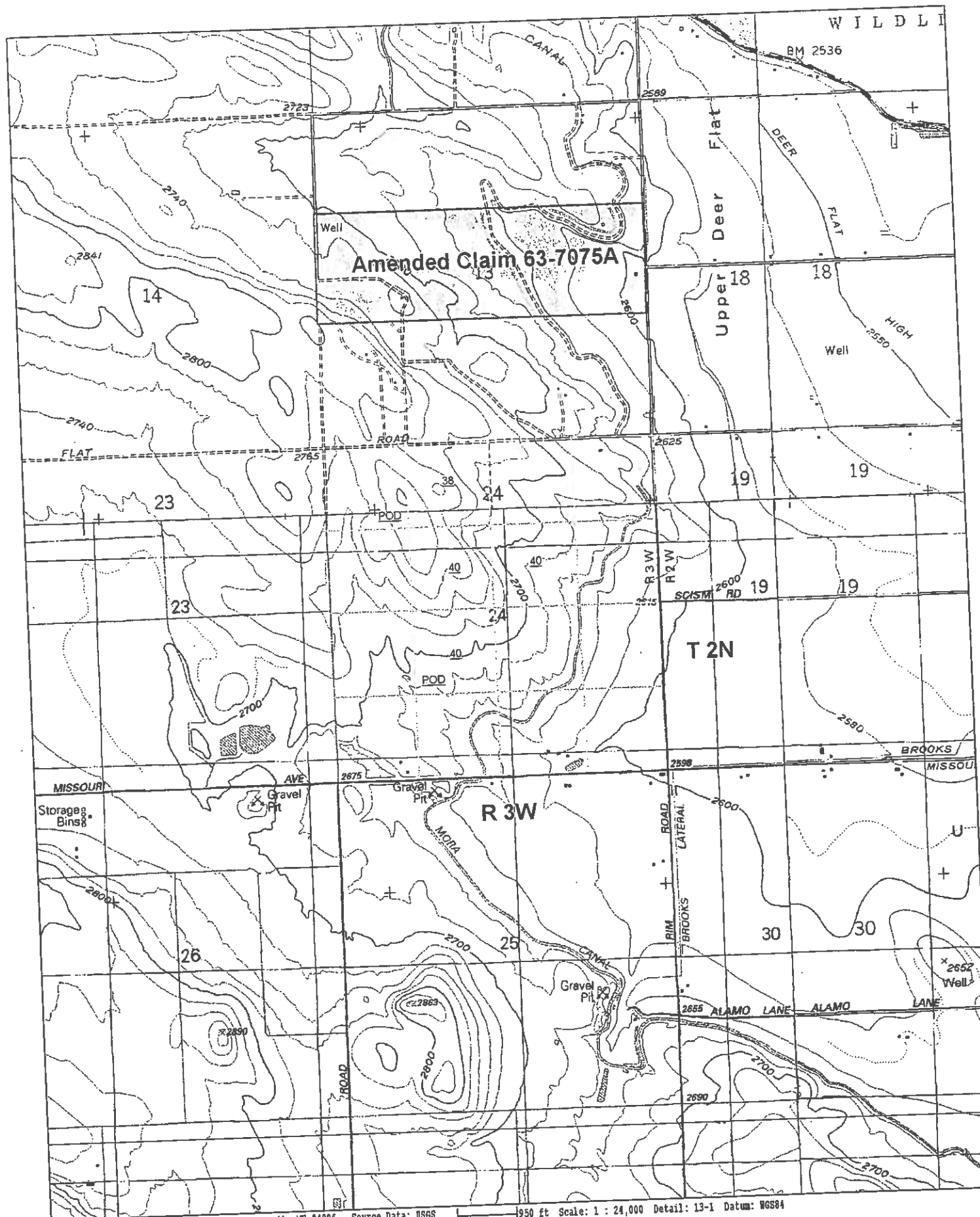
11. In which county (ies) are lands listed above as place of use located? Canyon

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
63-3330 or None ()

14. Remarks:

Special Warranty Deed and Bill of Sale dated 10/20/1989 and recorded 10/25/1989 conveyed a portion of this right and the place of use to claimant. Special Warranty Deed and Bill of Sale dated 12/26/1990 and recorded 12/31/1990 conveyed another portion of the place of use and remainder of water right to claimant.



15. Basis of Claim (Check One) Beneficial Use _____ Posted Notice _____ License XX Permit _____
Decree _____

If applicable provide IDWR Water Right Number 63-7075

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature(s)

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

Number of Attachments 2

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

Signature of Claimant(s) _____ Date 7/24/01

_____ Date _____

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

of _____, that I have signed the foregoing

document in the space below as _____ of _____
Organization Title Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

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

Subscribed and sworn to (or affirmed) before me this 24TH day of JULY 20 01



Notary Public Paul Anderson

Residing at BOISE

My Commission Expires 7/16/05

17. Notice of Appearance.

Please Print Name

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

Signature _____

Address _____

Date _____

DN 16480

INSTRUMENT NO. 8919734

Page 1
MWB

SPECIAL WARRANTY DEED AND BILL OF SALE

THIS INDENTURE, made this 20th day of October, 1989, between THE TRAVELERS INSURANCE COMPANY, a Connecticut corporation, the Grantor, and LARRY WILLIAMS and/or MARIANNE WILLIAMS, the Grantees, whose mailing address is P. O. Box 67, Boise, Idaho 83707,

W I T N E S S E T H:

That the said Grantor, for and in consideration of the payment to it of TEN DOLLARS (\$10.00) AND OTHER VALUABLE CONSIDERATION, by the said Grantees, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said Grantees, and to their successors and assigns forever, the following described real estate and personal property situate in the County of Canyon, State of Idaho:

REAL PROPERTY

Township 2 North, Range 3 West, B.M.

Section 24: SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the north 150 feet of the NE $\frac{1}{4}$ SW $\frac{1}{4}$,
and

All the interest of, in and to the minerals and mineral rights on, in or under said described real property;

SUBJECT TO an easement for the purpose of ingress and egress to and from the real property hereinafter described and identified as the "Dominant Parcel," over and across the existing farm road located on a strip of land 26 feet in width which comprises the easternmost 26 feet of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, Township 2 North, Range 3 West, B.M., Canyon County, Idaho, and extending along the entire easterly side of said SE $\frac{1}{4}$ NW $\frac{1}{4}$, and the holders of said easement, their heirs, personal

representatives and assigns, shall be required to share in the maintenance and repair of the farm road in proportion to their usage thereof. The Dominant Parcel is described as follows:

The S $\frac{1}{2}$ NE $\frac{1}{4}$ and the E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 24, Township 2 North, Range 3 West, B.M., Canyon County, Idaho.

TOGETHER with that portion of the water right evidenced by Water Right License No. 63-7075, which is appurtenant to the real property herein conveyed to the Grantees, consisting of 0.39 c.f.s with a priority of March 11, 1968, and together with an undivided 28% interest in the well located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, Township 2 North, Range 3 West, B.M., in Canyon County, Idaho, through which water is diverted under Water Right License No. 63-7075.

The personal property located on the real property hereinbefore described on the date of delivery of this instrument, which personal property is more particularly described as follows:

An undivided 28% interest in the pump, motor and other equipment installed in the well located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, Township 2 North, Range 3 West, B.M., hereinbefore referred to, and an undivided 28% interest in the mainline through which water from said well is distributed, said mainline being located within the easterly 20 feet of each the W $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 24;

2 Mobile Homes;
Scales;
Water Meter on Pump;
6 Metal Grain Bins;
Feed Mill.

THE WELL PUMP, MOTOR, RELATED EQUIPMENT AND/OR ANY IRRIGATION EQUIPMENT OR APPURTENANCES THERETO TRANSFERRED BY THIS INSTRUMENT FROM THE GRANTOR TO THE GRANTEEES, AND ALL PERSONAL PROPERTY, IS TRANSFERRED IN ITS PRESENT CONDITION, AND THE GRANTOR HAS NO OBLIGATION TO REPAIR, MODIFY OR REPLACE THE WELL PUMP, MOTOR, RELATED EQUIPMENT AND/OR IRRIGATION EQUIPMENT OR APPURTENANCES OR ANY OF THE PERSONAL PROPERTY.

The right of ingress and egress from the nearest public road to the property herein conveyed is provided by a contract

between the United States of America and Harold D. Breach and Jo Ann Breach, Contract No. 14-06-100-2959, dated May 22, 1963, and recorded June 5, 1963 as Instrument No. 534757, records of Canyon County, Idaho, assigned to the Grantees herein and Donald E. Taggart and Sandra Taggart by Assignment of Contract dated the 30th day of June, 1989, and the Grantees acknowledge that said contract provides free and unrestricted adequate access by the Grantees to and from the property herein conveyed to them.

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said Grantor.

Said described property is conveyed subject to (1) all taxes and assessments for the year 1989 and subsequent years, (2) all reservations in patents or deeds in the chain of title, (3) all easements and rights of way visible on the property or appearing of record in the office of the County Recorder of Canyon County, Idaho, (4) all covenants and restrictions appearing of record in the office of said Recorder, (5) all items shown as exceptions in Commitment for Title Insurance No. PN 16470 issued by Ticor Title Insurance Company on May 27, 1989, as shown in the copy of Schedule B thereof which is attached hereto as Exhibit A and made a part hereof, and (6) the Farm Lease made between The Travelers Insurance Company, as Lessor, and Antonio Acevedio, as

Lessee, dated the 1st day of May, 1989, which covers portions of the premises herein conveyed, and the Grantees acknowledge that they have received and have in their possession a copy of said Farm Lease.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises together with the appurtenances unto the Grantees, and to their successors and assigns forever.

Grantor warrants to the Grantees, and their successors in title, that Grantor has not previously conveyed the title herein conveyed and has not created or permitted to be created any lien, charge or encumbrance against said real estate which is not shown or referred to herein, and Grantor covenants that it will defend said premises to the extent of the warranties made herein against the lawful claims of all persons.

IN WITNESS WHEREOF, the said Grantor has hereunto caused its corporate name to be subscribed by its officers first thereunto duly authorized by its Board of Directors, all as of the day and year herein first above written.

THE TRAVELERS INSURANCE COMPANY,
a Connecticut corporation

By Gregory F. Lynch
Gregory F. Lynch
Assistant Director

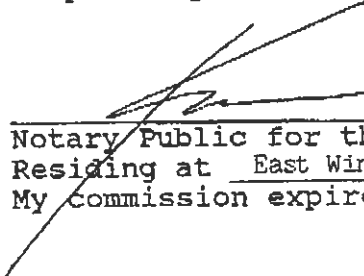
ATTEST:

Nancy F. Onley
~~Henry F. Onley~~ Nancy F. Onley
Assistant Secretary

STATE OF CONNECTICUT)
) ss. Farmington
COUNTY OF HARTFORD)

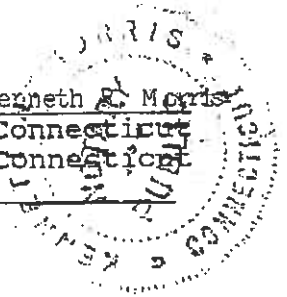
On this 20th day of October, 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared Gregory F. Lynch and ~~Henry F. Lynch~~ ^{Nancy F. Lynch}, known to me to be the Assistant Director and the Assistant Secretary, respectively, of THE TRAVELERS INSURANCE COMPANY, the corporation that executed the within and foregoing instrument, and acknowledged to me that such corporation executed the same.

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



Notary Public for the State of Connecticut
Residing at East Windsor, Connecticut
My commission expires: 3/31/90

Kenneth A. Morris



SCHEDULE B

I. The following are the requirements to be complied with.

1. Instruments necessary to create the estate or interest to be insured must be properly executed, delivered and duly filed for record.

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

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.

2. Standard Exceptions:

- (a) Rights or claims of parties in possession not shown by the public records.
- (b) Easements, or claims or easements, not shown by the public records.
- (c) Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of the premises.
- (d) Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
- (e) Unpatented mining claims; reservations or exceptions in patents or in acts authorizing the issuance thereof; water rights, claims or title to water.
- (f) Taxes or assessments which are not shown as existing liens by the public records.

3. Special Exceptions:

1. General taxes for the year 1988, of which the first half is paid and the second half is due and payable on or before June 20, 1989 and not delinquent until after said date.
2. General taxes for the year 1989, which are a lien, payable on or before December 20 of said year and not delinquent until after said date.
3. Liens and assessments of the Boise-Kuna Irrigation District and the rights and powers of said district as by law provided. No search made.
4. Rights of way for irrigation and drainage ditches and canals and roads.
5. Power Line Easement as granted by HAROLD BREACH and JO ANNE E. BREACH, husband and wife, to IDAHO POWER COMPANY, a corporation, by instrument recorded April 23, 1981 as Instrument No. 919162, records of Canyon County, Idaho...including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system.
6. Lack of a right of access to and from the land. Right of access to and from the land, if any, is not established of record and assurance of such right of access is excluded from coverage.

7. While this Policy (Commitment) does not insure minerals, mining rights or easements incidental thereto, we note for your information only the following expressly granted or reserved easements: "An undivided 1/2 interest of, in and to the minerals and mineral rights on, in or under said described real property."

The following page is a copy of the Canyon County Treasurer's records and is for your information only and not within the insuring provision of the commitment or policy.

Affects: The herein-described land and other land.

NOTE: A certified copy of the resolution of Vestees' Board of Directors should be furnished us, authorizing the Sale and directing the execution of the Deed.

"NOTHING FURTHER"

0919734

RECORDED

09 OCT 25 PM 2 46

PED. J. KERR

CANYON COUNTY RECORDER

C. Kerr

PIONEER — NAMPA

REQUEST

TYPE

Deed *2/2*

FW/9811

INSTRUMENT NO. 7024025

SPECIAL WARRANTY DEED AND BILL OF SALE

THIS INDENTURE, made this 26th day of December, 1990, between THE TRAVELERS INSURANCE COMPANY a Connecticut corporation, the Grantor, and LARRY WILLIAMS and MARIANNE WILLIAMS, husband and wife, whose address is P. O. Box 67, Boise, Idaho 83707, the Grantees,

W I T N E S S E T H:

That the said Grantor, for and in consideration of the payment to it of TEN DOLLARS (\$10.00) AND OTHER VALUABLE CONSIDERATION, by the said Grantees, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said Grantees, and to their heirs, successors and assigns forever, the real estate situate in County of Canyon, State of Idaho, described in Exhibit A attached hereto and made a part hereof:

AND, together with all and singular the rights, interests and privileges in said described real estate, fixtures thereon and appurtenances thereunto belonging or in anywise appertaining, whether now or hereafter acquired, which shall include, without limiting the generality of the foregoing, the following:

All of the rents, issues and profits, including but not limited to all rents, royalties, bonuses and benefits under any existing or future oil, gas or mineral or other leases; all easements and rights of way; all rights of homestead, and all contingent rights in and to said premises;

All water, water rights, whether riparian, appropriative or otherwise and whether or not

appurtenant, all ditch rights, and pipeline easements or irrigation system easements and any permits, licenses, certificates or shares of stock evidencing any such water or ditch rights, including, without limitation, Water Licenses Nos. C3-7011, 63-7075, and 63-3330;

All pumps and panels used in connection with the water licenses referred to immediately above;

Specifically, and without limiting the scope of the preceding descriptions, eight hand lines;

ALL IRRIGATION EQUIPMENT AND APPURTENANCES THERETO TRANSFERRED BY THIS INSTRUMENT ARE SOLD BY THE GRANTOR AND ACCEPTED BY THE GRANTEEES IN THEIR PRESENT CONDITION, AND THE GRANTOR HAS NO OBLIGATION TO REPAIR, MODIFY OR REPLACE ANY OF THE IRRIGATION EQUIPMENT.

Said described property is conveyed subject to (1) all taxes and assessments for the year 1990 and subsequent years, (2) all reservations in patents or deeds in the chain of title, (3) all easements and rights of way visible on the property or appearing of record in the office of the County Recorder of Canyon County, Idaho, (4) all covenants and restrictions appearing of record in the office of said Recorder, and (5) all items listed as exceptions in Commitment for Title Insurance No. PN 19811 issued by Pioneer Title Company of Canyon County on November 6, 1990, as shown in the copy of Schedule E-Section 2 thereof which is attached hereto and made a part hereof.

TOGETHER, with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof and all estate,

right, title and interest in and to the said property, as well in law as in equity, of the said Grantor.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises together with the appurtenances unto the Grantees and to their heirs, successors and assigns forever.

Grantor warrants to the Grantees, and their successors in title, that Grantor has not created or permitted to be created any lien, charge or encumbrance against said real estate which is not shown or referred to herein, and Grantor covenants that it will defend said premises to the extent of the warranties made herein against the lawful claims of all persons; PROVIDED HOWEVER, that such warranty shall not include mineral rights or interests, if any, conveyed by this Deed.

IN WITNESS WHEREOF, the said Grantor has hereunto caused its corporate name to be subscribed by its officers first thereunto duly authorized by its Board of Directors, all as of the day and year herein first above written.

THE TRAVELERS INSURANCE COMPANY
A Connecticut corporation

By Stephen Holliday
STEPHEN HOLLIDAY
ASSISTANT DIRECTOR

ATTEST:

Gregory J. Lynch
Gregory J. Lynch
ASSISTANT SECRETARY

EXHIBIT "A"

The North Half of the Southwest Quarter and the West Half of the Northwest Quarter of Section 24, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho.

EXCEPTION THEREFROM:

A portion of the Northwest Quarter of the Northwest Quarter, Section 24, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho, more particularly described by metes and bounds as follows:

Commencing at the Northwest corner of Section 24, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho and running Easterly 600.0 feet along the Northerly boundary of said Section 24 to the TRUE POINT OF BEGINNING; thence continuing

Easterly 300.0 feet along said Northerly boundary of Section 24 to a point; thence at right angles and running Southerly 300.0 feet to a point; thence at right angles and running Westerly 300.0 feet along a line parallel to and 300.0 feet Southerly from the said Northerly boundary of Section 24 to a point; thence at right angles and running Northerly 300.0 feet to the point of beginning.

AND EXCEPTING THEREFROM:

The North 150.0 feet of Northeast Quarter of the Southwest Quarter Section 24, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho.

SCHEDULE B - SECTION 2

File No.: PN 19811

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

A. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records, or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.

B. GENERAL EXCEPTIONS:

1. Rights or claims of parties in possession not shown by the public records.*
2. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and inspection of the premises including, but not limited to, insufficient or impaired access and matters contradictory to any survey plat shown by the public records.*
3. Easements, or claims of easements, not shown by the public records.*
4. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.*
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.*
6. Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.*

C. SPECIAL EXCEPTIONS:

1. General taxes for the year 1990, which are a lien, payable on or before December 20 of said year and not delinquent until after said date.
2. Liens and assessments of Boise-Kuna Irrigation District, and the rights and powers of said district as by law provided. No search made.
3. Rights of way for irrigation and drainage ditches and canals and roads.
4. Power-line easement as granted by HAROLD BREACH and JO ANNE E. BREACH, his wife to IDAHO POWER COMPANY, a corporation, by instrument recorded April 23, 1981, as Instrument No. 919162, records of Canyon County, Idaho...including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system.

6. Rights and Responsibilities under that certain Well Agreement and Easement recorded on October 25, 1989 as Instrument No. 8919735, records of Canyon County, Idaho.

9024025

RECORDED

'90 DEC 31 PM 3 00

HED J KERR

CANYON COUNTY RECORDER

BY *[Signature]*

REQUEST, PIONEER - NAJDA
TYPE *[Signature]* 31 1/2

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: A63-07075A
Date Received: 3/19/1990
Receipt No: C015714
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: LARRY WILLIAMS
Address: 914 HOUSTON ROAD
BOISE ID 83706 208-383-0000
OR
Name: MARIANNE WILLIAMS
Address: 914 HOUSTON ROAD
BOISE ID 83706 208-383-0000

2. Date of Priority: MAR 11, 1968

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	03W	24	SE	NW	NW		CANYON
			SW	NE	SW		CANYON

5. Description of diverting works:
2 WELLS WITH TURBINE PUMPS, WELL #2 HAS A BOOSTER PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.300		

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

8. Total consumptive use is 122.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	03W	24	NE SW		IRR	35.0
Section Acres						35.0
Total Acres						35.0

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:
63-03330

14. Remarks:
CONFORMED ADDRESS TO D.E. STANDARDS 03/29/95 SS.

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: _____

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): *Marlene Williams* Date: 3/30/95

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 30th day
of March 19 95

L. Shuman
Notary Public

Seal

Residing at Boise ID

My Commission Expires 11-14-1998



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: A63-03330A, A63-07011A, A63-07015A

☐ Name and Address of Former Owner/Claimant(s)(Seller): Travelers Ins. Co. Real Estate Div., ATTN: J. Danie
PO Box 17480
Denver CO 80217

☐ New Owner/Claimant (Purchaser): LARRY OR MARIANNE WILLIAMS

☐ New Mailing Address: 914 HOUSTON ROAD
BOISE, ID 83706

☐ New Telephone Number: (208) 383-0000

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: Tax notices
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New Owner/Claimant(s) Marianne Williams Date 3/30/95

☐ Signature of Former Owner/Claimant(s): _____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date: 3/30/95 By: RLT

Further Action Needed: none

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any: _____

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

CANYON COUNTY ASSESSOR
1115 ALBANY ST., RM 323
CALDWELL, ID 83605

Phone 454-7431

CATEGORY DESCRIPTION
IRRIGATED AGRICULTURAL

THIS IS NOT A BILL

IMPORTANT NOTICE - PLEASE READ

PARCEL NO. 4R30193-010- -0
UNIFORM 02N03W244900
TAX CODE 016-00 05-22-94
LOTS / ACRES 35.46
MARKET VALUE 11,525

PRESORTED
FIRST CLASS MAIL
U.S. POSTAGE PAID
CALDWELL, ID 83605
PERMIT NO. 4

1994

TAXPAYERS
VALUATION

ASSESSMENT NOTICE

THIS IS THE BASIS OF THE VALUATION
OF THE PROPERTY

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE

TOTAL FULL CASH VALUE
NESW LESS N 150'

11,525 JUNE 20, 1994

See the reverse side for further reference
KEEP THIS COPY FOR YOUR RECORD
REGULAR ROLL

SEC 24-2N-3W SW

Mail To:
WILLIAMS, LARRY & MARIANNI

PROPERTY ADDRESS

DEER FLAT RD, NA

P O BOX 67
BOISE

ID 83707

CANYON COUNTY ASSESSOR
1115 ALBANY ST. RM 323
CALDWELL, ID 83605

Phone 454-7431

CATEGORY DESCRIPTION
IRRIGATED AGRICULTURE
HOMESITE RURAL LANDS
RURAL COML TRACT
IMPROVEMENT ON LAND

THIS IS NOT A BILL

IMPORTANT NOTICE - PLEASE READ

PARCEL NO. 4R30193-010-A-0
UNIFORM 02N03W241200

TAX CODE 016-00

05-22-94

LOTS / ACRES

24.54
1.00
19.00

MARKET VALUE

7,300
10,000
15,200
38,275

PRESORTED
FIRST CLASS MAIL
U.S. POSTAGE PAID
CALDWELL, ID 83605
PERMIT NO. 4

1994

TAXPAYERS
VALUATION

ASSESSMENT NOTICE

Taxes are based on the value
listed on this statement

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BY

TOTAL FULL CASH VALUE
SENE & N 150' OF NESW

70,775 JUNE 20, 1994

See the reverse side for further notice
KEEP THIS COPY FOR YOUR RECORD

REGULAR ROLL

SEC 24-2N-3W NW

Mail To:
WILLIAMS, LARRY & MARIANNE

PROPERTY ADDRESS

DEER FLAT RD, NA

P O BOX 67
BOISE

ID 83707

THIS IS NOT A BILL

IMPORTANT NOTICE - PLEASE READ

CANYON COUNTY ASSESSOR
1115 ALBANY ST. RM 323
CALDWELL, ID 83605

Phone 454-7431

CATEGORY DESCRIPTION
IRRIGATED AGRICULTURE
WASTE

PARCEL NO. 4R30194-010-A-0
UNIFORM 02N03W243001

TAX CODE 016-00

05-22-94

LOTS / ACRES

116.60
1.33

MARKET VALUE

35,375

PRESORTED
FIRST CLASS MAIL
U.S. POSTAGE PAID
CALDWELL, ID 83605
PERMIT NO. 4

1994

TAXPAYERS
VALUATION

ASSESSMENT NOTICE

Taxes are based on the value
listed on this statement

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE

TOTAL FULL CASH VALUE
NW SW & W 1/2 NW LS TX 8

35,375 JUNE 20, 1994

See the reverse side for further notice
KEEP THIS COPY FOR YOUR RECORD

REGULAR ROLL

SEC 24-2N-3W NW

Mail To:
WILLIAMS, LARRY & MARIANNE

PROPERTY ADDRESS

DEER FLAT RD, NA

P O BOX 67
BOISE

ID 83707

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: A63-07075A
Date Received: 3/19/1990
Receipt No: C015714
Received By: CA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THE TRAVELERS INSURANCE CO. 303-740-2082
Address: REAL ESTATE INVESTMENT DEPT.
ATTN: JOE DANIELS
P.O. BOX 17480
DENVER, CO 80217

2. Date of Priority: MAR 11, 1968

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	03W	24	SE	NW	NW		CANYON
			SW	NE	SW		CANYON

5. Description of diverting works:
2 WELLS WITH TURBINE PUMPS, WELL #2 HAS A BOOSTER PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.300		

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

8. Total consumptive use is 122.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	03W	24	NE	SW		IRR	35.0

Section Acres 35.0

A63-07075A

Page 1

Date: 03/19/90

MICROFILMED
AUG 21 1992

10. Place of Use: Continued

Total Acres 35.0

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:
63-03330

14. Remarks:

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: -2-

For Organizations:

I do solemnly swear or affirm that I am an Authorized Agent of
Title
The Travelers Insurance Company, that I have signed the foregoing
Organization
document in the space below as an Authorized Agent of
Title
The Travelers Insurance Company and that the statements contained in the
Organization
foregoing document are true and correct.

Thomas E. Reed
Signature of Authorized Agent

The Travelers Insurance Company
Title and Organization

March 19, 1990
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 19th day
of March 19 90

Carter Fritschle
Notary Public

Seal

Residing at _____

My Commission Expires _____

Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My Commission Expires March 21, 1994

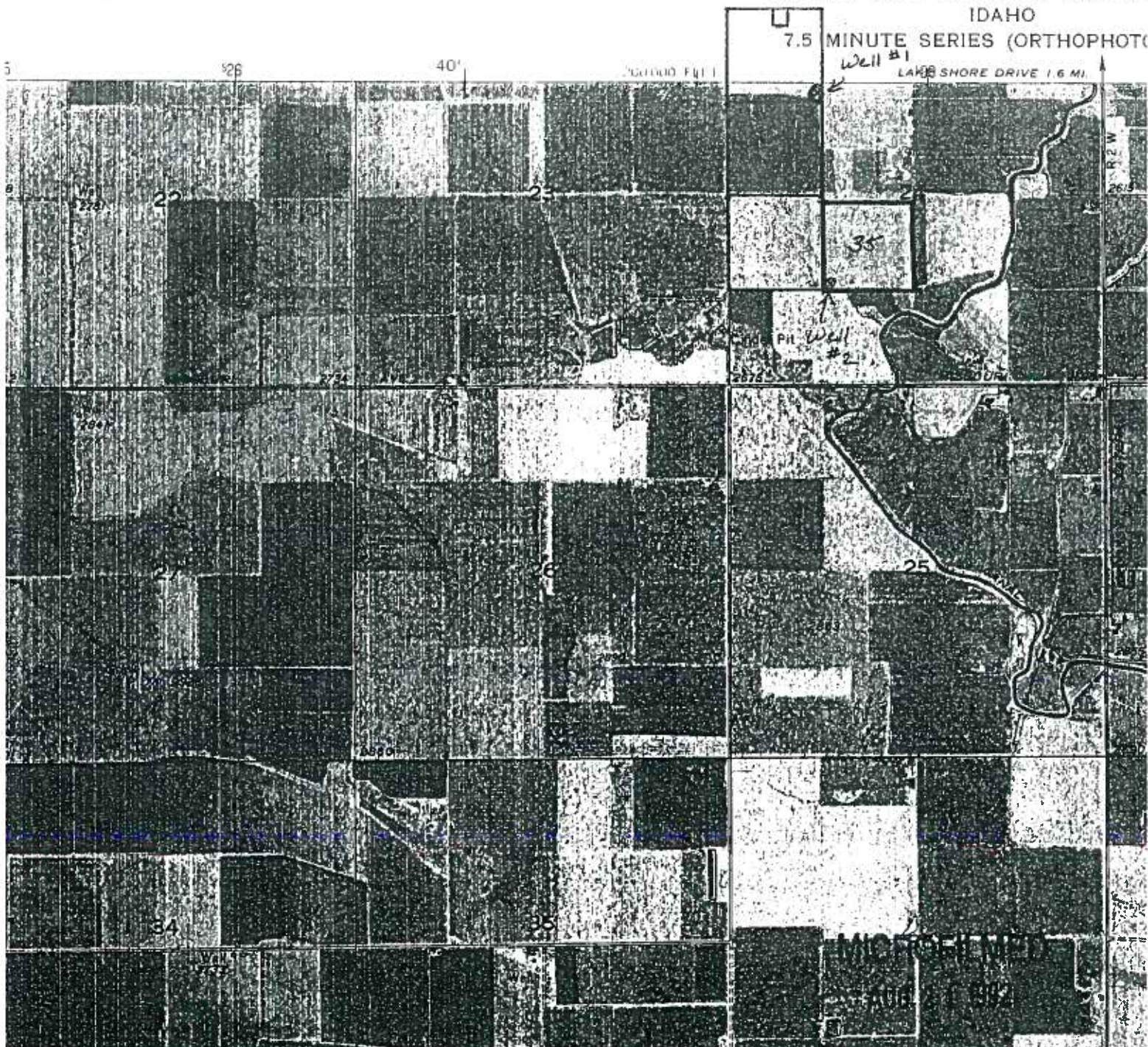
A63-07075A

T2N

R3W

GIVENS HOT SPRINGS QUADR
IDAHO

7.5 MINUTE SERIES (ORTHOPHOTO)



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

RIGHT NUMBER: 63-32969

NAME AND ADDRESS: MARIANNE WILLIAMS
914 HOUSTON RD
BOISE ID 83706

LARRY WILLIAMS
914 HOUSTON RD
BOISE ID 83706

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.340 CFS
130.580 AFY

Right Nos. 63-32967, 63-32968, 63-32969 and 63-32970 are limited to a total combined diversion rate of 1.26 cfs and to a total combined annual diversion volume of 495 AF.

PRIORITY DATE: 03/11/1968

POINT OF DIVERSION:

T02N R03W S24 SENWNW Within CANYON County

T02N R03W S24 SWNESW Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/15

0.340 CFS
130.58 AFY

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

PLACE OF USE: IRRIGATION in CANYON County

T02N R03W S24 NENW 38.00

38 ACRES TOTAL

Right Nos. 63-32967, 63-32968, 63-32969 and 63-32970 are limited to the irrigation of a combined total of 113 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 63-32301 .

**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: 63-32301 (Split)
	)	63-32969, 63-32970
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: February 29, 2008



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on February 29, 2008, 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:

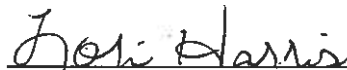
Clive Strong	☐	overnight mail
Off ice of the Attorney General	☒	regular mail
P.O. Box 44449	☐	hand-delivered
Boise, ID 83711-4449	☐	facsimile

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:

Deersky Ranch Homeowners Assoc	☐	overnight mail
8830 Deersky Ranch Trail	☒	regular mail
Nampa ID 83686	☐	hand-delivered
	☐	facsimile

Larry Williams	☐	overnight mail
Marianne Williams	☒	regular mail
914 Houston Rd.	☐	hand-delivered
Boise ID 83706	☐	facsimile



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

February 29, 2008

LARRY WILLIAMS
MARIANNE WILLIAMS
914 HOUSTON RD
BOISE ID 83706

Re: Original Water Right Nos. 63-32299, 63-32301

Renumbered to Water Right Nos. 63-32967, 63-32969

Dear Mr. & Mrs. Williams:

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,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

LH:1
Enclosures



Idaho Department of Water Resources

SRBA Recommendation
63-32969
(IRRIGATION)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Canyon County
IDWR Basin 63

Prepared by Sandy Egbert
On Thursday, March 06, 2008
2004 Aerial Photography

