10/17/2006

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-32391

NAME AND ADDRESS: ANDREW DEMORES
5777 DIAMOND RIDGE WY
NAMPA ID 83628

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.026 CFS
11.70 AFY

The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

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.

PRIORITY DATE: 02/27/1962

POINT OF DIVERSION:
T01N R02W S3 NENW Lot 1 Within CANYON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/01 11/15	0.026 CFS 11.70 AFY
DOMESTIC	01/31 12/31	0.040 CFS

PLACE OF USE: IRRIGATION Within CANYON County

T01N R02W S03 Lot 3 NENW 2.60

DOMESTIC Within CANYON County

T01N R02W S03 Lot 3 NENW

2.6 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 63-31925 .

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

Idaho Department of Water Resources

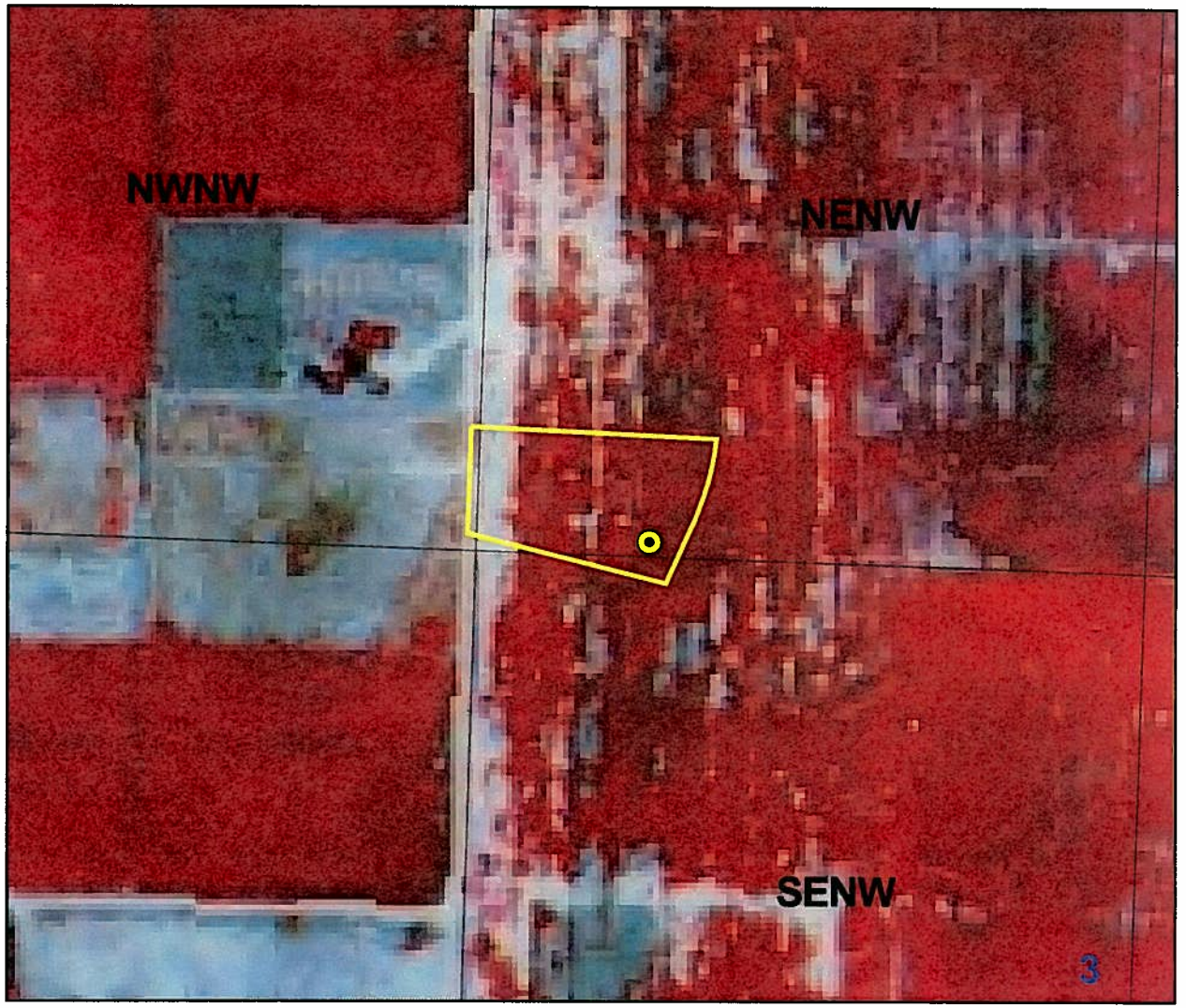
SRBA Recommendation:

63-32391

(Irrigation)

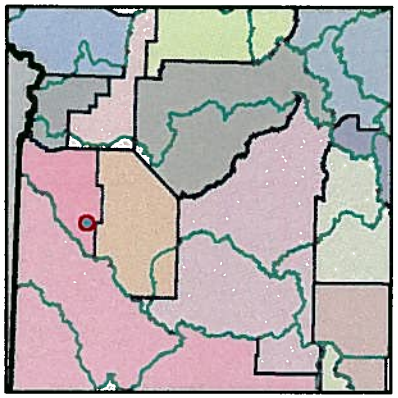
R02W

T01N



Legend

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



Canyon County
IDWR Basin 63

N

0 0.1 0.2 Miles

Prepared by M. Ciscell
On Tuesday, October 17, 2006
1987/88 Aerial Photography

Form 42-248/42-1409(6) July, 2000

Canyon

RECEIVED
JUN 29 2005
WATER RESOURCES
WESTERN REGION

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

RECEIVED
JUL 11 2006
DEPARTMENT OF
WATER RESOURCES

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
63-31925	63-31925 ✓				
63-31927	63-31927 ✓				

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): Joe Stafford LLC

4. New Owner/Claimant(s): Andrew DeMores
   Name Connector (Check one): [ ] and, [ ] or, [ ] and/or
   New Mailing Address: 5777 Diamond Ridge Way
   City, State and ZIP Code: Nampa ID 83686
   New Telephone Number: 208 466-6628

5. Date you acquired the property: _____

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 63-31925

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	.026	2.65 acre, 1 house
Stock		
Domestic		
Other		
Total	0.026 cfs	

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 63-31924

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		2.6 ACRE, 1 HOUSE
Stock		
Domestic		
Other		
Total	0.026 CFS	

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

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 _____
Receipted by _____ Date _____ Receipt No. _____
Processed by _____AJ Date _____ WR _____ Date _____

LandAmerica Transnation

RECORDED
2003 NOV 6 PM 4 39
G NOEL HALES
CANYON CNTY RECORDER
REQUEST TRANSNATION TITLE
TYPE FEE .00

2003693386

Escrow No. 0300014953 -LLK

WARRANTY DEED

FOR VALUE RECEIVED

DARELL G. JOHNSTON AND TAMRA L. JOHNSTON, husband and wife

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL AND CONVEY unto: Andrew J DeMores and Maria T. DeMores , husband and wife

GRANTEES(s), whose current address is: 671 S. Tennyson Way , Boise ID 83709
the following described real property in Canyon County, State of Idaho,
more particularly described as follows, to wit:

Lot 5 in Block 2 of DIAMOND RIDGE SUBDIVISION, Canyon County, Idaho, according to the official plat thereof, filed in Book 22 of Plats at Page 11, records of said County.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Date: October 29, 2003

Darell G. Johnston

Tamra L. Johnston

Notary Acknowledgment – see page 2

WARRANTY DEED - NOTARY ACKNOWLEDGMENT(S):

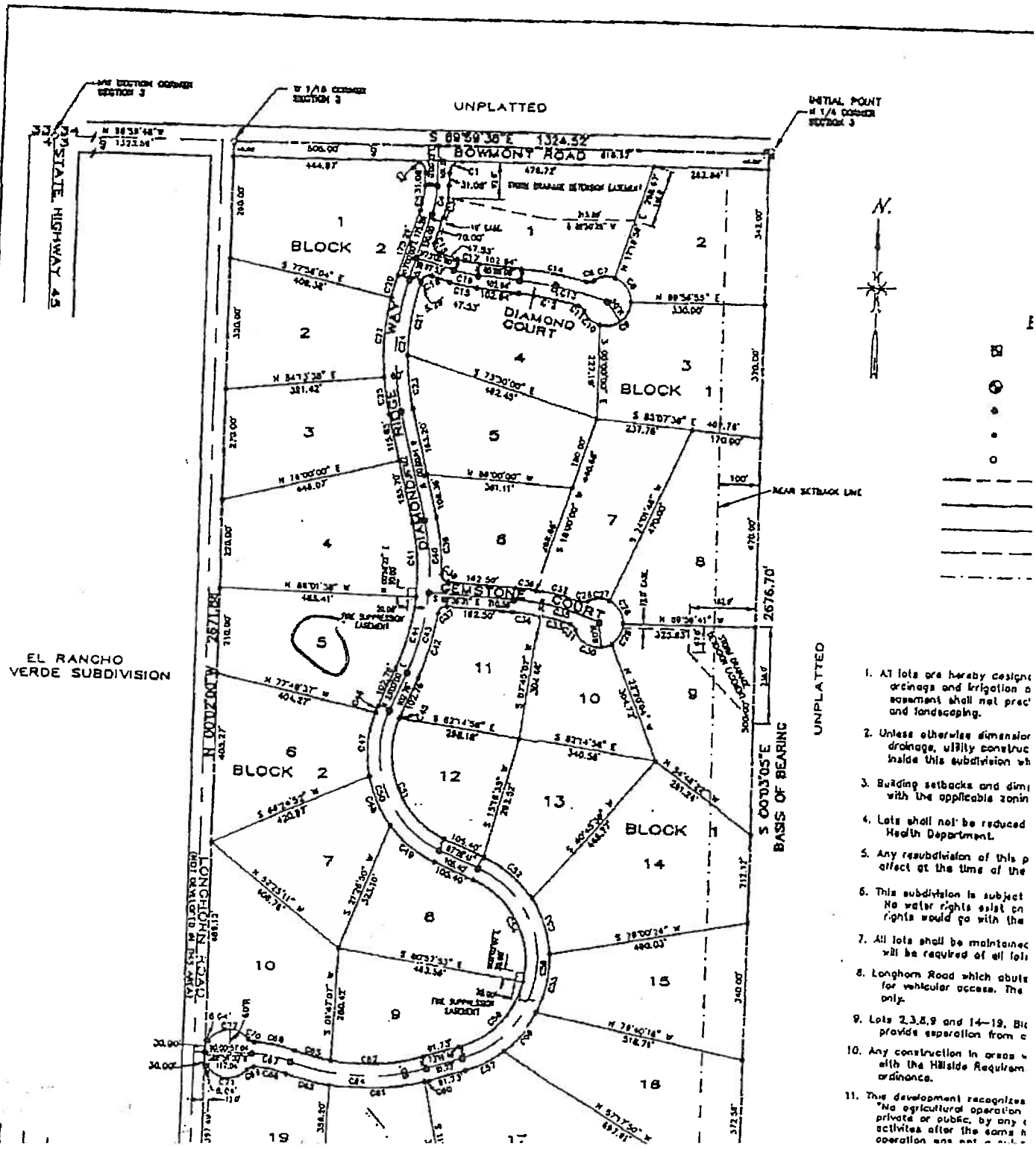
State of ARIZONA, County of MARICOPA, ss.

On this 29TH day of October in the year of 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared DARELL G. JOHNSTON AND TAMRA L. JOHNSTON known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Annette T Burns

Residing at: 2600 N. CENTRAL AVE, #900, PHOENIX, AZ
My commission expires:

OFFICIAL SEAL
ANNETTE T. BURNS
NOTARY PUBLIC-ARIZONA
MARICOPA COUNTY
My Comm. Expires Nov. 18, 2004



1. All lots are hereby designe
drainage and irrigation e
easement shall not prec
and landscaping.

2. Unless otherwise dimensior
drainage, utility construc
inside this subdivision wh

3. Building setbacks and dim
with the applicable zonin

4. Lots shall not be reduced
Health Department.

5. Any resubdivision of this p
effect at the time of the

6. This subdivision is subject
No water rights exist on
rights would go with the

7. All lots shall be maintained
will be required of all lot

8. Longhorn Road which abuts
for vehicular access. The
only.

9. Lots 2,3,8,9 and 14–19, Bl
provide separation from c

10. Any construction in areas
with the Hillside Requirem
ordinance.

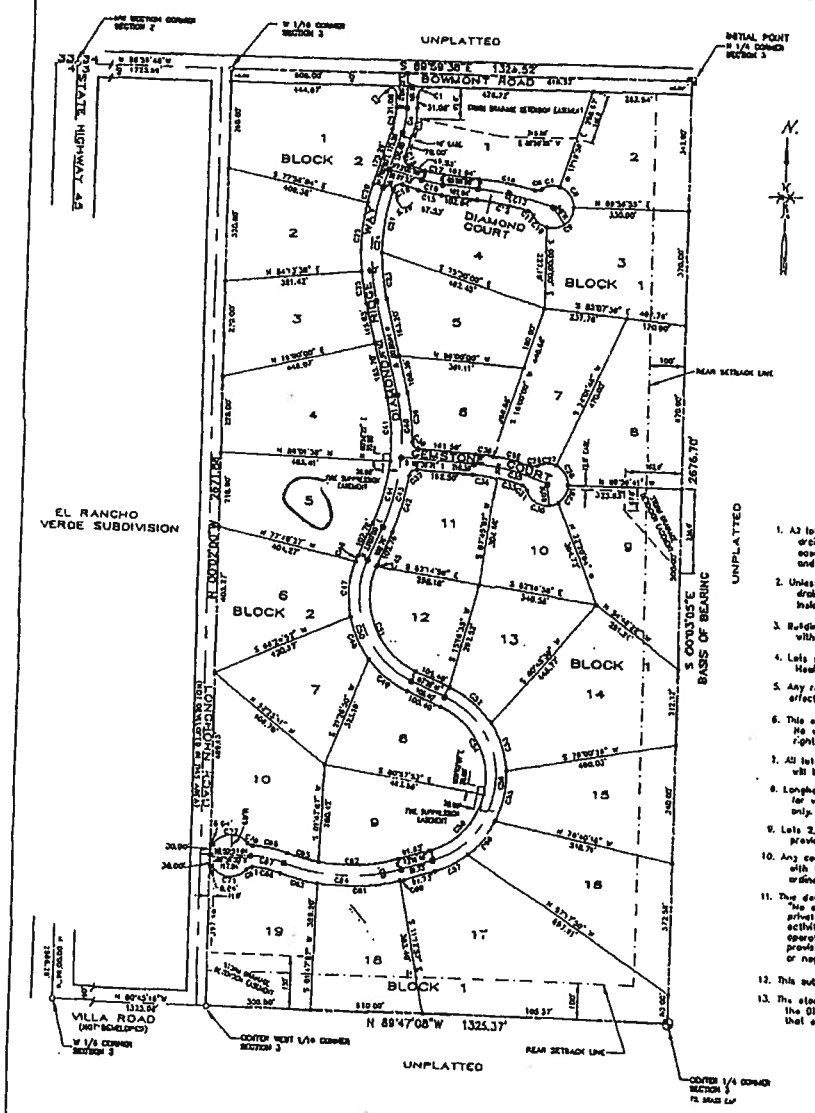
11. This development recognizes
"No agricultural operation
private or public, by any
activities after the same h
operation was not a nuis

PLAT OF
DIAMOND RIDGE SUBDIVISION

THE EAST 1/2 OF THE NW 1/4, SECTION 3, T.1N., R.2W., B.M.,
CANYON COUNTY, IDAHO

1995

SCALE IN FEET



PLAT LEGEND

- Initial Point, Found 5/8" Rebar, Set Brass Cap in Conc.
- Found Brass or Alum. Cap, As Noted
- Set 5/8"x 30" Rebar with Plastic Cap
- Set 1/2"x 24" Rebar with Plastic Cap
- Found 5/8"x 30" Rebar
- Boundary Line
- Right-Of-Way Line
- Lot Line
- Centerline
- 100' Rear Yard Setback

NOTES

1. All lots are hereby designated as having a permanent easement for public utilities, drainage and irrigation over the ten (10) feet adjacent to any public street. This easement shall not preclude the construction of hard surfaced driveways, sidewalks and landscaping.
2. Unless otherwise dimensioned or designated there shall be a five (5) feet property drainage, utility construction and maintenance easement adjacent to all lot lines inside this subdivision which do not front a public street.
3. Building setbacks and dimensional standards in this subdivision shall be in compliance with the applicable zoning regulations of Canyon County.
4. Lots shall not be reduced in size without prior approval from Southwest District Health Department.
5. Any resubdivision of this plat shall comply with the applicable zoning regulations in effect at the time of the resubdivision.
6. This subdivision is subject to compliance with the Idaho Code Section 31-3805. No water rights exist on this property. However, if water rights did exist the rights would go with the land.
7. All lots shall be maintained in a neat and orderly fashion. Continous weed control will be required of all lots.
8. Longhorn Road which abuts this subdivision on the west boundary shall not be used for vehicular access. The use of Longhorn Road is restricted to emergency access only.
9. Lots 2,3,8,9 and 14-19, Block 1 shall maintain a 100 foot rear yard setback to provide separation from adjacent agricultural uses.
10. Any construction in areas which have a 10% or greater slope will require compliance with the Hillside Requirements of Canyon County as delineated in the subdivision ordinance.
11. The development recognizes Section 22-4503, Idaho Code, Right to Farm, which states: "No agricultural operation or an appurtenance to it shall be or become a nuisance, private or public, by any changed conditions in or about the surrounding nonagricultural activities after the same has been in operation for more than one (1) year, when the operation was not a nuisance at the time the operation began; provided that the provisions of this section shall not apply whenever a nuisance results from the improper or negligent operation of any agricultural operation or and appurtenance to it."
12. This subdivision is subject to a conditional use permit.
13. The storm drainage system outside the dedicated right of way is the responsibility of the Diamond Ridge Subdivision Home owners Association and shall be maintained by that entity.

CURVE TABLE

CURVE	DELTA	RADIUS	ARC	CHORD	TANGENT	CHORD BRG
1	90°00'00"	30.00	47.12	42.43	30.00	S 45°00'36" W
2	90°00'00"	30.00	47.12	42.43	30.00	S 44°59'24" E
3	11°16'36"	290.00	57.06	56.97	28.62	S 84°21'42" E
4	11°16'36"	260.00	51.15	51.07	25.66	S 84°21'42" E
5	46°36'36"	220.00	93.13	92.01	49.37	S 66°58'18" E
6	46°36'36"	250.00	105.84	104.53	56.10	S 66°58'18" E
7	23°36'36"	58.00	23.90	23.73	12.13	S 77°40'18" E
8	23°36'36"	58.00	23.90	23.73	12.13	S 54°04'00" W
9	23°36'36"	58.00	23.90	23.73	12.13	S 30°27'42" W
10	100°36'36"	58.00	78.84	69.03	54.08	S 34°41'42" E
11	31°36'36"	58.00	100.50	99.23	78.13	S 34°41'42" E
12	31°36'36"	58.00	31.98	31.58	16.36	S 46°36'42" E
13	36°36'36"	58.00	37.05	36.43	19.19	S 80°36'42" E
14	5°00'00"	370.00	32.30	32.29	16.15	S 87°30'36" E
15	29°00'00"	370.00	134.80	133.40	68.84	S 72°00'36" E
16	13°00'00"	1800.00	203.46	203.00	101.90	S 64°30'36" E
17	21°00'00"	1830.00	669.91	666.26	338.88	S 79°30'36" E
18	13°00'00"	330.00	60.12	60.04	30.14	S 89°30'36" E
19	13°00'00"	308.00	56.11	56.03	28.13	S 89°30'36" E
20	13°00'00"	308.00	56.11	56.03	28.13	S 76°30'36" E
21	13°00'00"	370.00	67.41	67.31	33.79	S 76°30'36" E
22	13°00'00"	370.00	67.41	67.31	33.79	S 89°30'36" E
23	13°00'00"	370.00	67.41	67.31	33.79	S 89°30'36" E
24	34°00'00"	600.00	356.05	350.80	183.36	S 89°30'36" E
25	9°13'36"	370.00	59.58	59.51	29.85	S 87°30'36" E
26	90°00'00"	20.00	31.41	28.28	20.00	S 42°29'24" E
27	90°00'00"	20.00	31.41	28.28	20.00	S 47°30'36" W
28	4°36'24"	530.00	42.62	42.61	21.31	S 87°00'36" E
29	13°00'00"	370.00	168.16	166.70	84.50	S 89°30'36" E
30	13°00'00"	370.00	168.16	166.70	84.50	S 76°30'36" E
31	34°00'00"	600.00	356.05	350.80	183.36	S 89°30'36" E
32	9°13'36"	370.00	59.58	59.51	29.85	S 87°30'36" E
33	90°00'00"	20.00	31.41	28.28	20.00	S 42°29'24" E
34	90°00'00"	20.00	31.41	28.28	20.00	S 47°30'36" W
35	4°36'24"	530.00	42.62	42.61	21.31	S 87°00'36" E
36	13°00'00"	370.00	168.16	166.70	84.50	S 89°30'36" E
37	13°00'00"	370.00	168.16	166.70	84.50	S 76°30'36" E
38	34°00'00"	600.00	356.05	350.80	183.36	S 89°30'36" E
39	9°13'36"	370.00	59.58	59.51	29.85	S 87°30'36" E
40	90°00'00"	20.00	31.41	28.28	20.00	S 42°29'24" E
41	90°00'00"	20.00	31.41	28.28	20.00	S 47°30'36" W
42	4°36'24"	530.00	42.62	42.61	21.31	S 87°00'36" E
43	13°00'00"	370.00	168.16	166.70	84.50	S 89°30'36" E
44	13°00'00"	370.00	168.16	166.70	84.50	S 76°30'36" E
45	34°00'00"	600.00	356.05	350.80	183.36	S 89°30'36" E
46	9°13'36"	370.00	59.58	59.51	29.85	S 87°30'36" E
47	90°00'00"	20.00	31.41	28.28	20.00	S 42°29'24" E
48	90°00'00"	20.00	31.41	28.28	20.00	S 47°30'36" W
49	4°36'24"	530.00	42.62	42.61	21.31	S 87°00'36" E
50	13°00'00"	370.00	168.16	166.70	84.50	S 89°30'36" E
51	13°00'00"	370.00	168.16	166.70	84.50	S 76°30'36" E
52	34°00'00"	600.00	356.05	350.80	183.36	S 89°30'36" E
53	9°13'36"	370.00	59.58	59.51	29.85	S 87°30'36" E
54	90°00'00"	20.00	31.41	28.28	20.00	S 42°29'24" E
55	90°00'00"	20.00	31.41	28.28	20.00	S 47°30'36" W
56	4°36'24"	530.00	42.62	42.61	21.31	S 87°00'36" E
57	13°00'00"	370.00	168.16	166.70	84.50	S 89°30'36" E
58	13°00'00"	370.00	168.16	166.70	84.50	S 76°30'36" E
59	34°00'00"	600.00	356.05	350.80	183.36	S 89°30'36" E
60	9°13'36"	370.00	59.58	59.51	29.85	S 87°30'36" E
61	90°00'00"	20.00	31.41	28.28	20.00	S 42°29'24" E
62	90°00'00"	20.00	31.41	28.28	20.00	S 47°30'36" W
63	4°36'24"	530.00	42.62	42.61	21.31	S 87°00'36" E
64	13°00'00"	370.00	168.16	166.70	84.50	S 89°30'36" E
65	13°00'00"	370.00	168.16	166.70	84.50	S 76°30'36" E
66	34°00'00"	600.00	356.05	350.80	183.36	S 89°30'36" E
67	9°13'36"	370.00	59.58	59.51	29.85	S 87°30'36" E
68	90°00'00"	20.00	31.41	28.28	20.00	S 42°29'24" E
69	90°00'00"	20.00	31.41	28.28	20.00	S 47°30'36" W
70	4°36'24"	530.00	42.62	42.61	21.31	S 87°00'36" E
71	111°31'34"	50.00	97.34	82.68	63.73	S 89°30'36" E
72	111°31'34"	50.00	116.81	98.11	82.88	S 69°36'58" E

SILVER MAPLE DEVELOPMENT CO.
Developer
Meridian, Idaho

BRIGGS ENGINEERING, INC.
Consulting Engineers
Boise, Idaho

BOOK 23 PAGE 11

SHEET 1 OF 2