

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 63-32666
Date Received: 2/13/1990
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CIRRUS POINTE LLC Phone:
4406 N TIVERTON
BOISE ID USA 83702

2. Date of Priority: 09/13/1948

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	03W	15	NW SE	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	03/01	11/15	0.03	

7. Total Quantity Appropriated is:
0.03 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
03N	03W	15	NW	SE	IRRIGATION	1.7
Section Acres						1.7
Total Acres						1.7

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:

This right is a split from former right 63-2718 .

15. Basis of Claim: License

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

RECEIVED
 APR 17 2007
 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
<u>63-7185</u>	<u> </u>	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
<u>63-2741</u>	<u> </u>	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
<u>63-2718</u>	<u> </u>	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

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

3. Name and Address of Former Owner/Claimant(s) Lavonne Paine and Raymond Marlin Paine
15498 Montana Ave, Caldwell, ID 83605
4. New Owner/Claimant(s) Cirrus Pointe LLC
 Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address 4406 North Tiverton
- City, State and ZIP Code Boise, ID 83702
- New Telephone Number (208) 342-8453
5. Date you acquired the property March 30, 2006

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number 63-7185

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>0.9 cfs</u>	<u>62.9 acres</u>
Stock	<u> </u>	<u> </u>
Domestic	<u> </u>	<u> </u>
Other <u> </u>	<u> </u>	<u> </u>
Total	<u>0.9 cfs</u>	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number 63-2718

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>0.03 cfs / 7.65 afa</u>	<u>1.7 acres</u>
Stock	<u> </u>	<u> </u>
Domestic	<u> </u>	<u> </u>
Other <u> </u>	<u> </u>	<u> </u>
Total	<u>0.03 cfs / 7.65 afa</u>	

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>63-2741</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>1.20 cfs</u>	<u>62.9 acres</u>
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	<u>1.20 cfs</u>	

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

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

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

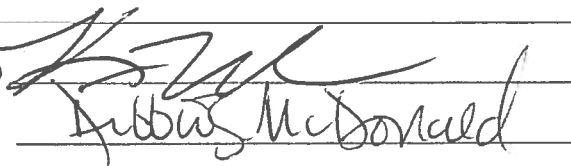
For Office Use Only			
Received by <u>[Signature]</u>	Date <u>4-17-07</u>	Fee <u>N/A</u>	
Receipted by _____	Date _____	Receipt No. _____	
Processed by <u>[Signature]</u> AJ	Date <u>5-16-07</u>	WR _____	Date _____

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)


Angus McDonald

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 SAJ

Received by _____

Processed by _____ AJ

Date 4-17-07

Date _____

Date _____

Fee _____

Receipt No. _____

WR _____

Date _____



ARTICLES OF ORGANIZATION LIMITED LIABILITY COMPANY

(Instructions on back of application)

06 MAR 10 PM 3:06

1. The name of the limited liability company is:

Cirrus Pointe, LLC

SECRETARY OF STATE
STATE OF IDAHO

2. The street address of the initial registered office is:

199 N. Capitol Blvd., Suite 600, Boise, Idaho 83702

and the name of the initial registered agent at the above address is:

Jon R. Cox

3. The mailing address for future correspondence is:

4406 North Tiverton, Boise, Idaho 83702

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) of 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>Kevin McDonald</u>	<u>4406 North Tiverton, Boise, Idaho 83702</u>
<u>Debbie S. McDonald</u>	<u>4406 North Tiverton, Boise, Idaho 83702</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

6. Signature of at least one person responsible for forming the limited liability company:

Signature: *Kevin McDonald*

Typed Name: Kevin McDonald

Capacity: Managing Member

Signature:

Typed Name:

Capacity:

Secretary of State use only

g:\compforms\LLC forms\articles of organization p65
Revised 07/2002

IDAHO SECRETARY OF STATE
03/10/2006 05:00
CK: 9770 CT: 2582 BH: 942598
1 @ 100.00 = 100.00 ORGAN LLC # 2

Web Form

W48424

A. PC 601831 #200623283

45



Pioneer Title Co.

GOING BEYOND

610 South Kimball Avenue / Caldwell, Idaho 83605 / (208) 459-1651

CORPORATE WARRANTY DEED

FOR VALUE RECEIVED,

Combs Land Development, Inc., an Idaho Corporation

a corporation duly organized and existing under the laws of the State of, grantor, does hereby Grant, Bargain, Sell and Convey unto

Cirrus Pointe, LLC, an Idaho limited liability company

whose address is: 910 MAIN ST SUITE 220 BOISE, ID 83702, grantee, the following described real estate, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

SUBJECT TO current years taxes, irrigation district assessment, public utility easements, subdivision, restrictions, U.S. patent reservations, easements of record and easements visible upon the said premises.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in a fee simple of said premises; that they are free from all encumbrances and that it will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its officers on March 28, 2006.

Combs Land Development, Inc.

By: [Signature]
Dennis Combs, President

RECORDED
MAR 30 PM 4 19
CANNON COUNTY RECORDER
BY [Signature]
PIONEER-CALDWELL
REQUEST
FEE 6"

200623283

State of Idaho

ss.

County of Canyon

On this 30 day of March, 2006, before me, the undersigned, a Notary Public, in and for said State, personally appeared Dennis Combs known and/or identified to me on the basis of satisfactory evidence, to be the President of the Corporation that executed the within instrument or the person who executed the instrument on behalf of said Corporation and acknowledged to me that such Corporation executed the same.

WITNESS MY HAND AND OFFICIAL SEAL

(SEAL)

[Signature]
Notary Public
Residing at: Caldwell
Commission Expires: 5/27/11

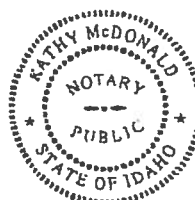


EXHIBIT A

A parcel of land located in the Northeast Quarter and the Southeast Quarter of Section 15, Township 3 north, Range 3 West, Boise Meridian, Canyon County, Idaho, being further described as follows:

BASIS OF BEARING:

The East line of the Southeast Quarter of the Northeast Quarter of Section 15, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho derived from found monuments and taken as South 00° 03' 06" West.

BEGINNING at the East Quarter corner of said Section 15; thence along the East line of the Northeast Quarter of the Southeast Quarter of said Section 15

South 00° 02' 08" West a distance of 76.49 feet; thence leaving said East line

North 90° 00' 00" West a distance of 181.95 feet; thence

North 00° 00' 00" West a distance of 15.00 feet; thence

North 90° 00' 00" West a distance of 56.00 feet; thence

North 00° 00' 00" West a distance of 11.00 feet; thence along a curve to the left with a radius of 20.00 feet and a central angle of 14° 28' 39" and arc length of 5.05 feet (with a chord bearing of North 07° 14' 20" West, and a chord distance of 5.04 feet); thence

South 90° 00' 00" West a distance of 132.42 feet; thence along a curve to the left with a radius of 455.00 feet and a central angle of 36° 09' 54" and arc length of 287.20 feet (with a chord bearing of South 71° 55' 03" West, and a chord distance of 282.45 feet); thence

South 53° 50' 06" West a distance of 118.78 feet; thence

North 36° 09' 54" West a distance of 75.00 feet; thence

South 53° 50' 06" West a distance of 152.57 feet; thence along said curve to the right with a radius of 570.00 feet and a central angle of 36° 09' 54" an arc length of 359.78 feet (with a chord bearing of South 71° 55' 03" West, and a chord distance of 353.84 feet);

thence

North 90° 00' 00" West a distance of 157.88 feet; thence

North 00° 40' 07" West a distance of 206.24 feet; thence

North 89° 19' 53" East a distance of 23.33 feet; thence

North 00° 19' 28" East a distance of 120.02 feet; thence

North 89° 19' 53" East to a point being the Center East 1/16 corner of said Section 15 a distance of 55.01 feet; thence along the West line of the Southeast Quarter of the Northeast Quarter

North 00° 19' 28" East to a point on the North line of said Southeast Quarter of the Northeast Quarter being the Northeast 1/16 corner of said Section 15 a distance of 1,328.75 feet; thence along said North line

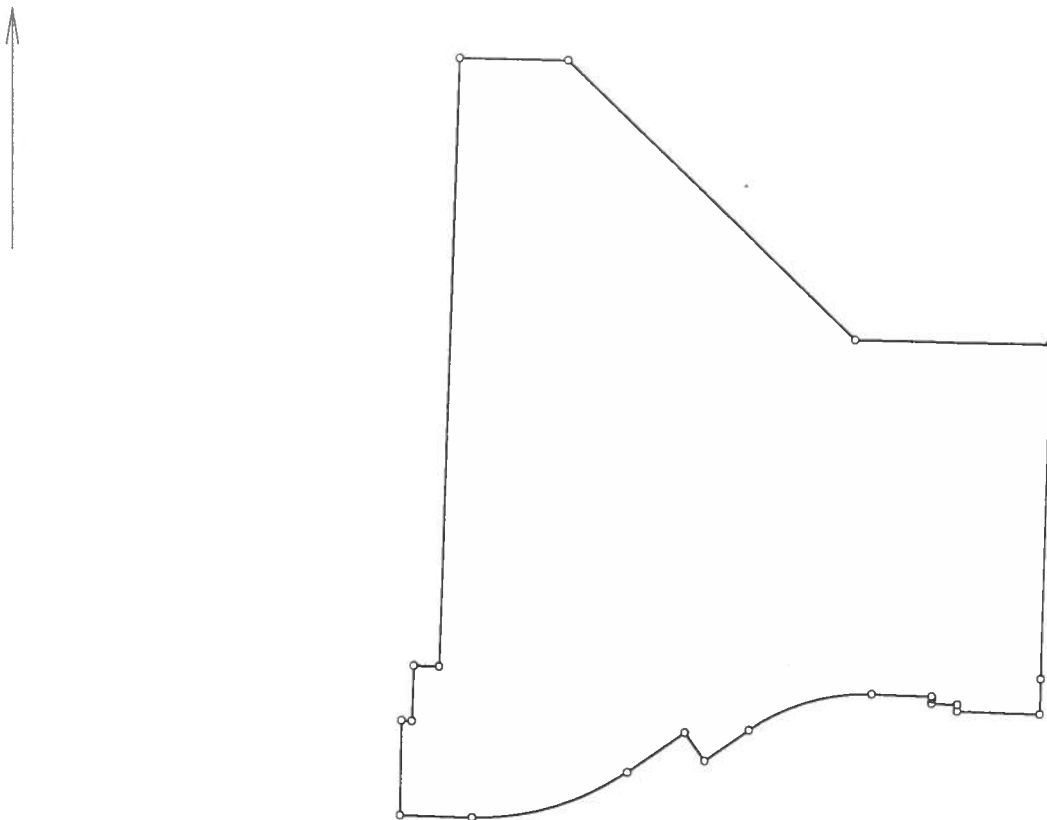
North 89° 26' 35" East to a point being common with the Northwesternly boundary corner of TOWERS ACRES SUBDIVISION found in Book 12, Page 34 of Canyon County Plats a distance of 237.57 feet; thence leaving said North line and along the Westerly boundary line of said Subdivision

South 47° 39' 58" East a distance of 874.74 feet; thence leaving said Westerly boundary line and along the Southerly boundary line of said Subdivision

North 89° 25' 17" East to a point on the East line of said Southeast Quarter of the Northeast Quarter a distance of 429.48 feet; thence along said East line

South 00° 03' 06" West a distance of 730.88 feet to the POINT OF BEGINNING.

AS



Title:		Date: 04-24-2007
Scale: 1 inch = 420 feet	File: PAINE.des	
Tract 1: 14.2530 Hectares: 142530.3 Sq M.: Closure = n72.1140e 0.06 M.: Precision =1/28530: Perimeter = 1718 M.		
001=N+1380822.87m E+2284248.89m	010: Lt, R=455.00, Arc=287.20, Delta=36.0954 Bng=S71.5503W, Chd=282.45	019=N89.1953E 55.01
002=Rotate +1.40	011=S53.5006W 118.78	020=N00.1928E 1328.75
003=s00.0208w 76.49	012=N36.0954W 75.00	021=N89.2635E 237.57
004=n90.0000w 181.95	013=S53.5006W 152.57	022=S47.3958E 874.74
005=n00.0000w 15.0	014: Rt, R=580.00, Arc=359.78, Delta=36.0954 Bng=S71.5503W, Chd=282.45	023=N89.2517E 429.48
006=n90.0000w 56.0		
007=n00.0000w 11.0		
008: Lt, R=20.0, Arc=5.05, Delta=14.2839 Bng=N07.1420W, Chd=5.04		
009=S90.0000W 132.42		

E 1/4 corner, S15 3N 3W

E 1/4 corner, S15 3N 3W

↔ 2284248.89
 ↑↓ 1380822.87

X55

116° 31' 30" (+1.40)



610 South Kimball Avenue / Caldwell, Idaho
83605 / (208) 459-1651

REQUEST
TYPE W REC 9
PIONEER-CALDWELL

2006 SEP 29 PM 4 05
CANYON
BY [Signature]
NOTARY RECORDER

RECORDED

200679149

200610759

WARRANTY DEED

For Value Received **Paine Farms General Partnership**

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

Cirrus Pointe, LLC, an Idaho limited liability company

hereinafter referred to as Grantee, whose current address is 910 Main St #220, Boise, ID 83702
the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF

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

Dated: August 28, 2006

Paine Farms General Partnership

By: John Everett Paine
John Everett Paine, General Partner

Raymond Marlin Paine
Raymond Marlin Paine, General Partner

State of Idaho

ss.

County of Canyon

On this 28 day of Sept, 2006, before me, the undersigned, a Notary Public, in and for said State, personally appeared John Everett Paine and Raymond Marlin Paine, known and/or identified to me on the basis of satisfactory evidence, to be the partner in the partnership of Paine Farms General Partnership, and the partner who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he/she/they executed the same in said partnership name.

WITNESS MY HAND AND OFFICIAL SEAL

(SEAL)

Kathy McDonald
Notary Public Kathy McDonald
Residing at: Caldwell
Commission Expires: 5/27/11



EXHIBIT A

A parcel of land located in the Southeast Quarter of Section 15, Township 3 North, Range 3 West, Boise Meridian, City of Caldwell, Canyon County, Idaho and described as follows:

Basis of Bearing being the East line of said Southeast Quarter derived from found monuments and taken as South 00° 02' 08" West.

BEGINNING at a point from which the Northeast corner of said Southeast Quarter bears

North 00° 02' 08" East a distance of 76.49 feet; thence along said East line

South 00° 02' 08" West a distance of 941.04 feet and from which the Southeast corner of said Southeast Quarter bears

South 00° 02' 08" West a distance of 1,627.52 feet; thence leaving said East line

South 89° 16' 49" West a distance of 158.00 feet; thence parallel with said East line

South 00° 02' 08" West a distance of 109.00 feet; thence

South 89° 16' 49" West a distance of 108.00 feet; thence parallel with said East line

South 00° 02' 08" West a distance of 195.94 feet; thence

North 89° 58' 57" West a distance of 176.00 feet; thence parallel with said East line

North 00° 02' 08" East a distance of 34.27 feet; thence

North 89° 57' 52" West a distance of 110.00 feet; thence parallel with said East line

North 00° 02' 08" East a distance of 70.32 feet; thence

South 89° 36' 59" West a distance of 227.14 feet; thence

South 00° 23' 01" East a distance of 16.36 feet; thence

South 89° 36' 59" West a distance of 155.00 feet; thence

North 00° 23' 01" West a distance of 6.27 feet; thence

South 89° 36' 59" West a distance of 161.00 feet; thence

North 00° 23' 01" West a distance of 35.13 feet; thence

South 89° 38' 59" West a distance of 105.22 feet; thence

North 00° 00' 00" East a distance of 502.54 feet; thence along the arc of a non tangent curve to the right, of which the radius point lies

North 02° 21' 07" West, a radial distance of 926.00 feet and having a chord bearing of

South 88° 28' 37" West, 26.79 feet; thence Westerly along the arc, through a central angle of 01° 39' 28", a distance of 26.79 feet; thence

North 44° 28' 20" West a distance of 6.91 feet; thence

South 90° 00' 00" West a distance of 294.38 feet; thence

North 00° 00' 00" East a distance of 110.00 feet; thence

North 90° 00' 00" East a distance of 13.31 feet; thence

North 00° 00' 00" East a distance of 181.00 feet; thence

North 90° 00' 00" East a distance of 76.69 feet; thence

North 00° 00' 00" East a distance of 60.00 feet; thence

North 90° 00' 00" East a distance of 40.12 feet to the Southwest corner of Cirrus Point Subdivision Number 1; thence along the South boundary of said Subdivision the following courses:

File No.: 200610759

North $90^{\circ} 00' 00''$ East a distance of 157.88 feet; along the arc of a curve to the left having a radius of 570.00 feet, an arc length of 359.78 feet, a central angle of $36^{\circ} 09' 54''$, and a chord bearing North $71^{\circ} 55' 03''$ East a distance of 353.84 feet;

North $53^{\circ} 50' 06''$ East a distance of 152.57 feet;

South $36^{\circ} 09' 54''$ East a distance of 75.00 feet;

North $53^{\circ} 50' 06''$ East a distance of 118.78 feet; along the arc of a curve to the right having a radius of 455.00 feet, an arc length of 287.20 feet, a central angle of $36^{\circ} 09' 54''$, and a chord bearing North $71^{\circ} 55' 03''$ East a distance of 282.45 feet;

North $90^{\circ} 00' 00''$ East a distance of 132.42 feet; along a non tangent curve to the right, of which the radius point lies

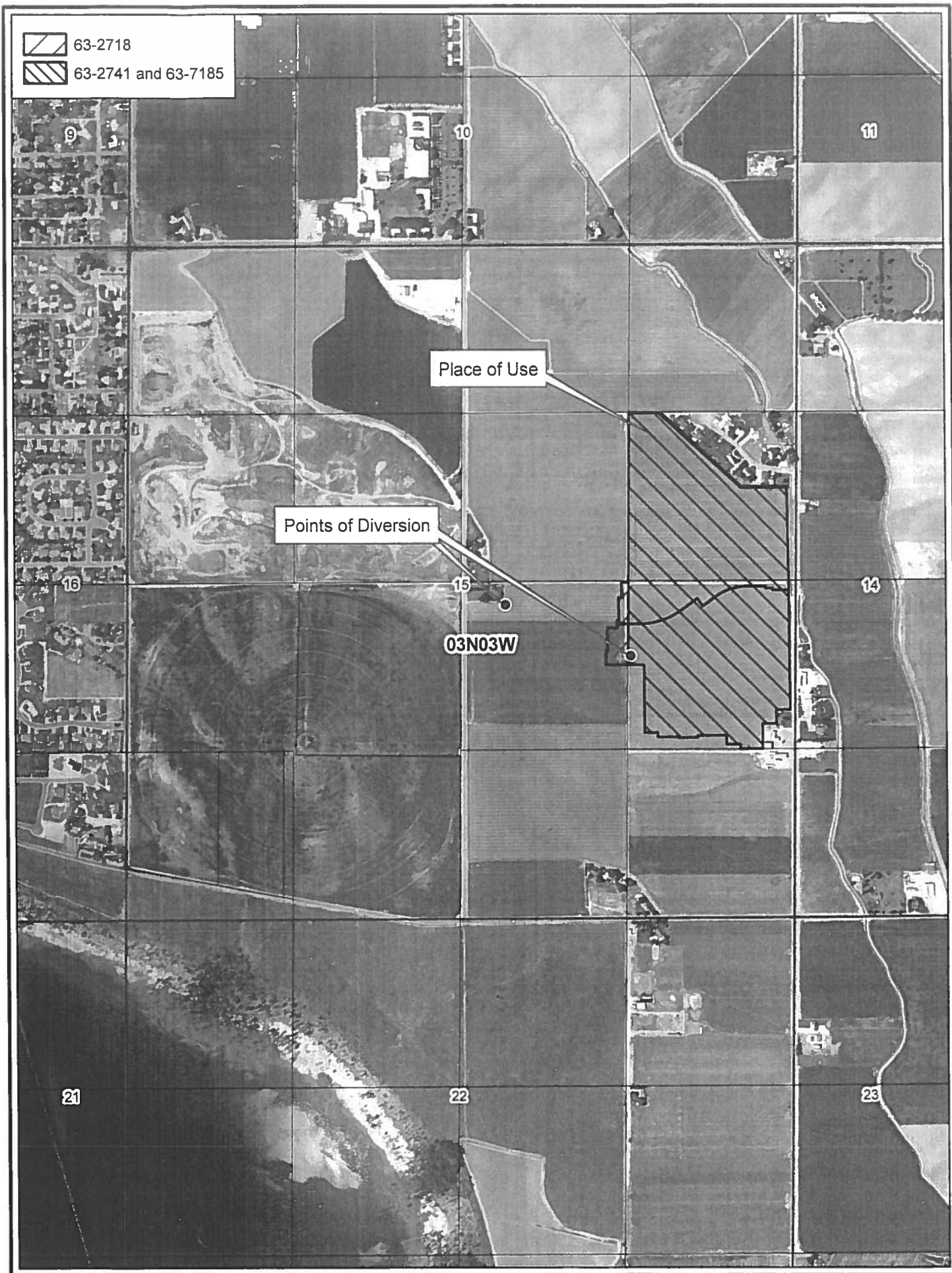
South $75^{\circ} 31' 21''$ West, a radial distance of 20.00 feet a chord bearing of South $07^{\circ} 14' 20''$ East, and a chord distance of 5.04 feet; Southerly along the arc, through a central angle of $14^{\circ} 28' 39''$, a distance of 5.05 feet; thence

South $00^{\circ} 00' 00''$ East a distance of 11.00 feet;

North $90^{\circ} 00' 00''$ East a distance of 56.00 feet;

South $00^{\circ} 00' 00''$ East a distance of 15.00 feet;

North $90^{\circ} 00' 00''$ East a distance of 181.95 feet to the POINT OF BEGINNING.



1 inch = 1,000 feet

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: A63-02718
Date Received: 2-13-90
Receipt No: MOD 5849
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PAINE FARMS 208-459-9187
Address: 15498 MONTANA AVE.
CALDWELL, ID 83605

2. Date of Priority: SEP 13, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	03W	15	NW	SE			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			1.760		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	03W	15	NW	SE		IRR	40.0
			SW	SE		IRR	28.0
			SE	SE		IRR	39.0

Section Acres 107.0

A63-02718

Page 1

Date: 12/09/88

MICROFILMED

JUL 25 1994

10. Place of Use: Continued

Total Acres 107.0

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:

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 20651

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 Organizations:

I do solemnly swear or affirm that I am Melvin Paine Pt. of
Paine Sons Title
Organization, that I have signed the foregoing
document in the space below as Melvin Paine Pt. of
Paine Sons Title
Organization and that the statements contained in the
foregoing document are true and correct.

Melvin Paine
Signature of Authorized Agent

Paine Sons
Title and Organization

2/13/90
Date

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 13 day
of Feb 19 90

John Dale Corbin
Notary Public

Seal

Residing at Boise Id.
My Commission Expires 6/2/94

JUL 25 1994

POOR ORIGINAL

107Ac

8166718

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

RIGHT NUMBER: 63-32666

NAME AND ADDRESS: CIRRUS POINTE LLC
4406 N TIVERTON
BOISE ID 83702

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.030 CFS
7.600 AFY

PRIORITY DATE: 09/13/1948

POINT OF DIVERSION:

T03N R03W S15 NWSE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.030 CFS 7.60 AFY

PLACE OF USE: IRRIGATION in CANYON County

T03N R03W S15 NWSE 1.70

1.7 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 63-2718 .

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

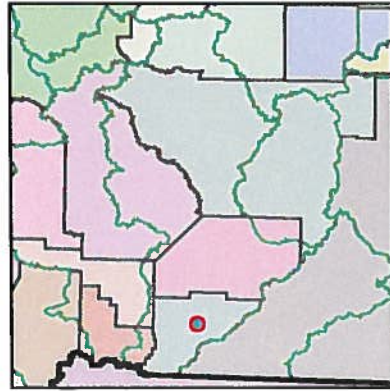
SRBA Recommendation:

63-32666

(Irrigation)

Legend

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



Canyon County
IDWR Basin 63

Prepared by K. Walker
On Friday, May 18, 2007
1987/88 Aerial Photography

R03W



T03N

NWSE

0 0.1 0.2 Miles

**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: 63-2718 (Split)
	)	63-32665, 63-32666
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: May 18, 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on May 18, 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
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Paine Farms
15498 Montana Ave
Caldwell ID 83607

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Cirrus Pointe LLC
4406 N Tiverton
Boise ID 83702

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

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

WESTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

May 18, 2007

CIRRUS POINTE LLC
4406 N TIVERTON
BOISE ID 83702

Re: Original Water Right Nos. 63-2718, 63-2741, 63-7185

Renumbered to Water Right Nos. 63-32666, 63-32668, 63-32670

Dear Sir or Madam:

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

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 numbers reflect your remaining portion of the original rights after the change of ownership. Enclosed is a copy of these new water rights for your records. Please refer to your new numbers 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 copies, please feel free to contact this office.

Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

LH:1
Enclosures

cc: Michael Martin-SPF Water Engineering



SPF

Water Engineering, LLC
water resource consultants

April 17, 2007

IDWR Western Region
2735 Airport Way
Boise, ID 83705

Subject: Notice of Change in Water Right Ownership
Water Right/Subcase No(s) 63-7185, 63-2741, 63-2718

Dear Western,

Enclosed on behalf of Cirrus Pointe LLC, is a *Notice of Change in Water Right Ownership* document. There is no fee for these changes.

Please let me know if there are any questions concerning this change.

Sincerely,

Michael Martin, P.E.
Associate Engineer

Cc: Reese Leavitt, Leavitt & Associates Engineers, Inc.

Gene Harding, S&H Homes

Enclosures

Change in Ownership Application

SPF file number: 576.0020