

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 63-32832
Date Received: 3/12/1990
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

PIONEER IRRIGATION DISTRICT Phone: (208)459-3617
PO BOX 426
CALDWELL ID USA 83605

2. Date of Priority: 04/25/1977

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
04N	02W	32	SE	SW		CANYON	
04N	02W	32	SE	SW		CANYON	

5. Description of diverting works:

Well with electric pump, booster pump, buried pipe to sprinklers

Well with electric pump, booster pump, buried pipe to sprinklers

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	1.2	270

7. Total Quantity Appropriated is:
1.2 C.F.S. and/or 270 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
03N	02W	5	NW	NW	IRRIGATION	34
			SW	NW	IRRIGATION	37
			SE	NW	IRRIGATION	6
			Section Acres		77	
04N	02W	32	NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	26
			SW	SW	IRRIGATION	23
			SE	SW	IRRIGATION	40
			Section Acres		129	
Total Acres		206				

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:

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

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

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

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

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

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

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

Place of use includes Blackhawk and Monarch Subdivisions.

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

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

The total instantaneous diversion of water from all points of diversion under Rights 63- 32832 and 63-32834 shall not exceed 1.80 cfs, nor a total combined annual volume of 405 af.

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

This right is a split from former right 63-8737 .

This right is limited to the irrigation of 60 acres within the place of use described above in a single irrigation season.

15. Basis of Claim: License

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

RECEIVED
NOV - 1 2004
 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
63-07837	63-07837	☒			
63-07838	63-07838	☒			

RECEIVED

OCT 20 2006

WATER RESOURCES
 WESTERN REGION

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**.

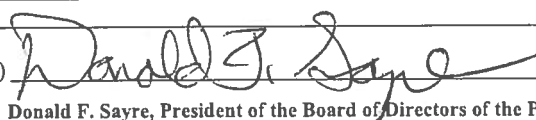
3. Name and Address of Former Owner/Claimant(s) Arbor Ridge, LLC
PO Box 344, Meridian, Idaho 83642
4. New Owner/Claimant(s) Pioneer Irrigation District
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
PO Box 426
 New Mailing Address Caldwell, Idaho 83605
 City, State and ZIP Code
 New Telephone Number (208) 459-3617
5. Date you acquired the property November 10, 2003

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>63-07837</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>60</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 <u>63-07838</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>0.60 cfs</u>	<u>30</u>
Stock		
Domestic		
Other		
Total	<u>0.60 cfs</u>	

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



Donald F. Sayre, President of the Board of Directors of the Pioneer Irrigation District

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>Phuc G.</u>	Date <u>11-1-04</u>	Fee <u>200.00</u>	
Receipted by <u>Phuc G.</u>	Date <u>11-1-04</u>	Receipt No. <u>C075625</u>	
Processed by <u>JDO</u>	AJ Date <u>8-21-07</u>	WR	Date

Attachments for
63-07837

INSTRUMENT NO. 200370100

DEED FOR PORTION OF WATER RIGHT NUMBER 63-07837

FOR VALUE RECEIVED, Arbor Ridge, LLC, and Idaho limited liability company ("Grantor"), whose address is P.O. Box 344, Meridian, Idaho 83680, does hereby grant, bargain, sell, and convey to Pioneer Irrigation District ("Grantee"), an irrigation district organized under the laws of the State of Idaho, whose address is P.O. Box 426, Caldwell, Idaho, 83606, a portion of that certain water right identified as 63-07837, as more particularly described herein and as represented in the Combined License and Construction, Operation, and Maintenance Agreement for Blackhawk and Monarch Subdivisions executed contemporaneously herewith.

Grantor grants, bargains, sells, and conveys to Grantee all of Grantor's right, title, and interest in 1.2 cfs of water right number 63-07837, with remainder of said water right to be retained by Grantor. Such water right is appurtenant to that certain real property situated in Canyon County, Idaho, more particularly described in Exhibit A, attached hereto and made a part hereof by this reference, and the diversion point of which is a well situated on that certain real property located in SE 1/4 SW 1/4 of Section 32, Township 4N, Range 2W, Canyon County, Idaho. Such water right is subject to an Application for Transfer of a Water Right submitted by Grantor to the Idaho Department of Water Resources on or about October 14, 2003. If granted, it is anticipated that the place of use element of water right 63-07837 will be altered to include not only the real property described in Exhibit A but also the real property set forth in Exhibit B, attached hereto and made a part hereof by this reference.

TO HAVE AND TO HOLD said portion of water right number 63-07837 to Grantee and Grantee's successors and assigns forever. Grantor does hereby represent and

DEED FOR PORTION OF WATER RIGHT NO. 63-07837

NOV 12 PM 3 16
CANYON CNTY RECORDER
G NOEL HALES
BY [Signature]

RECORDED
BOL_MT2:527686.1

REQUEST [Signature]
TYPE [Signature] FEE 1.80

200370100

warrant to and with Grantee that Grantor is the lawful owner of water right number 63-08737
and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED this 10th day of November, 2003.

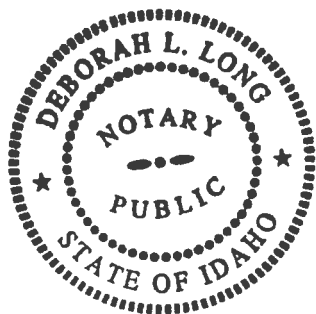
ARBOR RIDGE, LLC

By *Gregory Johnson*
its Manager

STATE OF IDAHO)
County of Ada) ss.

On this 10th day of November, 2003, before me, the undersigned
Notary Public in and for said state, personally appeared Gregory Johnson, known or
identified to me to be the Manager of ARBOR RIDGE, LLC, an Idaho limited
liability company, the person who executed the instrument on behalf of ARBOR RIDGE, LLC, and
acknowledged to me that ARBOR RIDGE, LLC, 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.



Deborah Long
NOTARY PUBLIC FOR IDAHO
Residing at Bow, Idaho
My Commission Expires 10/10/07

EXHIBIT A

All that portion of the North Half of the Southwest Quarter of Section 32, Township 4 North, Range 2 West of the Boise Meridian, Canyon County, lying North and East of the center line of the Pioneer Irrigation Lateral, known as 13.3.

AND

All that part of the South One-Half of the Southwest Quarter lying East of the center line of Solomon Drain Ditch in Section 32, Township 4 N, Range 2 West of the Boise Meridian, Canyon County, Idaho.

EXHIBIT B

PARCEL I:

(Northerly 20A Parcel)

A parcel of land located in the Northwest Quarter of Section 5, Township 3 North, Range 2 West, Boise Meridian, Caldwell, Canyon County, Idaho, being more particularly described as follows:

N 1384768.56 E 2289198.41

Commencing at the Northwest corner of the Northwest Quarter of Section 5, Township 3 North, Range 2 West, Boise Meridian; thence

North 89° 53' 44" East 409.55 feet along the North line of said Northwest Quarter to the REAL POINT OF BEGINNING of this description; thence continuing

North 89° 53' 44" East 600.89 feet along said North line to a point on the centerline of the Solomon Drain;

Along said centerline: thence

South 13° 00' 27" East 1647.58 feet to a point of curvature; thence along a curve to the left 61.80 feet, said curve having a radius of 1200.00 feet, a delta angle of 02° 57' 03", tangents of 30.91 feet, and a long chord bearing

South 14° 28' 58" East 61.79 feet to a point;

Leaving said centerline: thence

South 74° 02' 31" West 50.11 feet to a point; thence

South 14° 59' 15" West 39.10 feet to a point; thence

South 89° 48' 21" West 114.24 feet to a point; thence

South 00° 11' 39" East 255.50 feet to a point; thence

South 89° 48' 21" West 317.00 feet to a point; thence

North 00° 11' 39" West 30.95 feet to a point; thence

North 45° 11' 39" West 28.28 feet to a point; thence

North 00° 11' 39" West 51.00 feet to a point; thence

South 89° 48' 21" West 50.00 feet to a point; thence

North 00° 11' 39" West 107.46 feet to a point; thence

South 89° 48' 21" West 8.93 feet to a point; thence

North 07° 12' 39" West 110.85 feet to a point; thence

South 89° 53' 44" West 25.53 feet to a point; thence

North 00° 11' 39" West 762.94 feet to a point on a curve; thence along a curve to the left 188.24 feet, said curve having a radius of 5280.00 feet, a delta angle of 02° 02' 34", tangents of 94.13 feet, and a long chord bearing

North 19° 15' 20" East 188.23 feet to a point; thence

North 13° 00' 27" West 494.34 feet to a point; thence

North 44° 59' 46" West 56.85 feet to a point; thence

South 89° 53' 44" West 287.25 feet to a point; thence

North 00° 06' 16" West 191.65 feet to the REAL POINT OF BEGINNING of this description.

PARCEL II

A parcel of land located in the Northwest Quarter of Section 5, Township 3 North, Range 2 West, Boise Meridian, Caldwell, Canyon County, Idaho being more particularly described as follows:

COMMENCING at the Northwest corner of Section 5, Township 3 North, Range 2 West, Boise Meridian, Canyon County, thence

South 00° 07' 00" East 1,764.17 feet along the West line of said Section 5 to the REAL POINT OF BEGINNING of this description; thence

North 89° 53' 44" East 824.83 feet to a point on the boundary of Monarch Subdivision No. 1; along the boundary of Monarch Subdivision No. 1 the following: thence

North 89° 48' 21" East 8.93 feet to a point; thence

South 00° 11' 39" East 107.44 feet to a point; thence

North 89° 48' 21" East 50.00 feet to a point; thence

South 00° 11' 39" East 51.00 feet to a point; thence

South 45° 11' 39" East 28.28 feet to a point; thence

South 00° 11' 39" East 30.95 feet to a point; thence

North 89° 48' 21" East 158.50 feet to a point; leaving the boundary of Monarch Subdivision No. 1: thence

South 00° 11' 39" East 181.00 feet to a point; thence

North 89° 48' 21" East 10.00 feet to a point; thence

South 00° 11' 39" East 166.97 feet to a point; thence

South 89° 48' 21" West 730.00 feet to a point; thence

North 00° 11' 39" West 35.00 feet to a point; thence

South 89° 48' 21" West 148.50 feet to a point; thence

North 00° 11' 39" West 4.97 feet to a point; thence

South 89° 53' 00" West 129.47 feet to a point; thence

South 00° 07' 00" East 302.59 feet to a point; thence

South 89° 53' 00" West 65.00 feet to a point on the West line of said Section 5; thence

North 00° 07' 00" West 821.02 feet to the REAL POINT OF BEGINNING of this description, (to be known as Monarch Subdivision No. 2)

PARCEL III

A parcel of land located in the Northwest Quarter of Section 5, Township 3 North; Range 2 West, Boise Meridian, Caldwell, Canyon County, Idaho, being more particularly described as follows:

COMMENCING at the Northwest corner of Section 5, Township 3 North, Range 2 West, Boise Meridian, Canyon County, thence

South 00° 07' 00" East 2,645.27 feet to the Southwest corner of the Northwest Quarter of said Section 5, the REAL POINT OF BEGINNING of this description; thence

North 00° 07' 00" West 60.08 feet to the Southwest corner of Monarch Subdivision No. 2; along the boundary of Monarch Subdivision No. 2 the following: thence
 North 89° 53' 00" East 65.00 feet to a point; thence
 North 00° 07' 00" West 302.59 feet to a point; thence
 North 89° 53' 00" East 129.47 feet to a point; thence
 South 00° 11' 39" East 4.97 feet to a point; thence
 North 89° 48' 21" East 148.50 feet to a point; thence
 South 00° 11' 39" East 35.00 feet to a point; thence
 North 89° 48' 21" East 730.00 feet to a point; thence
 North 00° 11' 39" West 166.97 feet to a point; thence
 South 89° 48' 21" West 10.00 feet to a point; thence
 North 00° 11' 39" West 181.00 feet to a point; leaving the boundary of Monarch Subdivision No. 2 and along the boundary of Monarch Subdivision No. 1 the following: thence
 North 89° 48' 21" East 158.50 feet to a point; thence
 North 00° 11' 39" West 255.50 feet to a point; thence
 North 89° 48' 21" East 114.24 feet to a point; thence
 North 14° 59' 15" East 39.10 feet to a point; thence
 North 74° 02' 31" East 50.11 feet to the Southeast corner of Monarch Subdivision No. 1; thence along a curve to the left 160.10 feet, said curve having a radius of 1,200.00 feet, a central angle of 07° 38' 39", tangent of 80.17 feet and a chord which bears South 19° 46' 49" East 159.98 feet to a point of tangency; thence
 South 23° 36' 09" East 900.65 feet to a point on the South line of the Northwest Quarter; thence
 South 89° 48' 21" West 1,806.11 feet along said South line to the REAL POINT OF BEGINNING, (to be known as Monarch Subdivision No. 3)

PARCEL IV:

A parcel of land being a portion of the Northwest Quarter of Section 5, Township 3 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

COMMENCING at the Northwest corner of Section 5, Township 3 North, Range 2 West, Boise Meridian, Canyon County, the REAL POINT OF BEGINNING of this description; thence

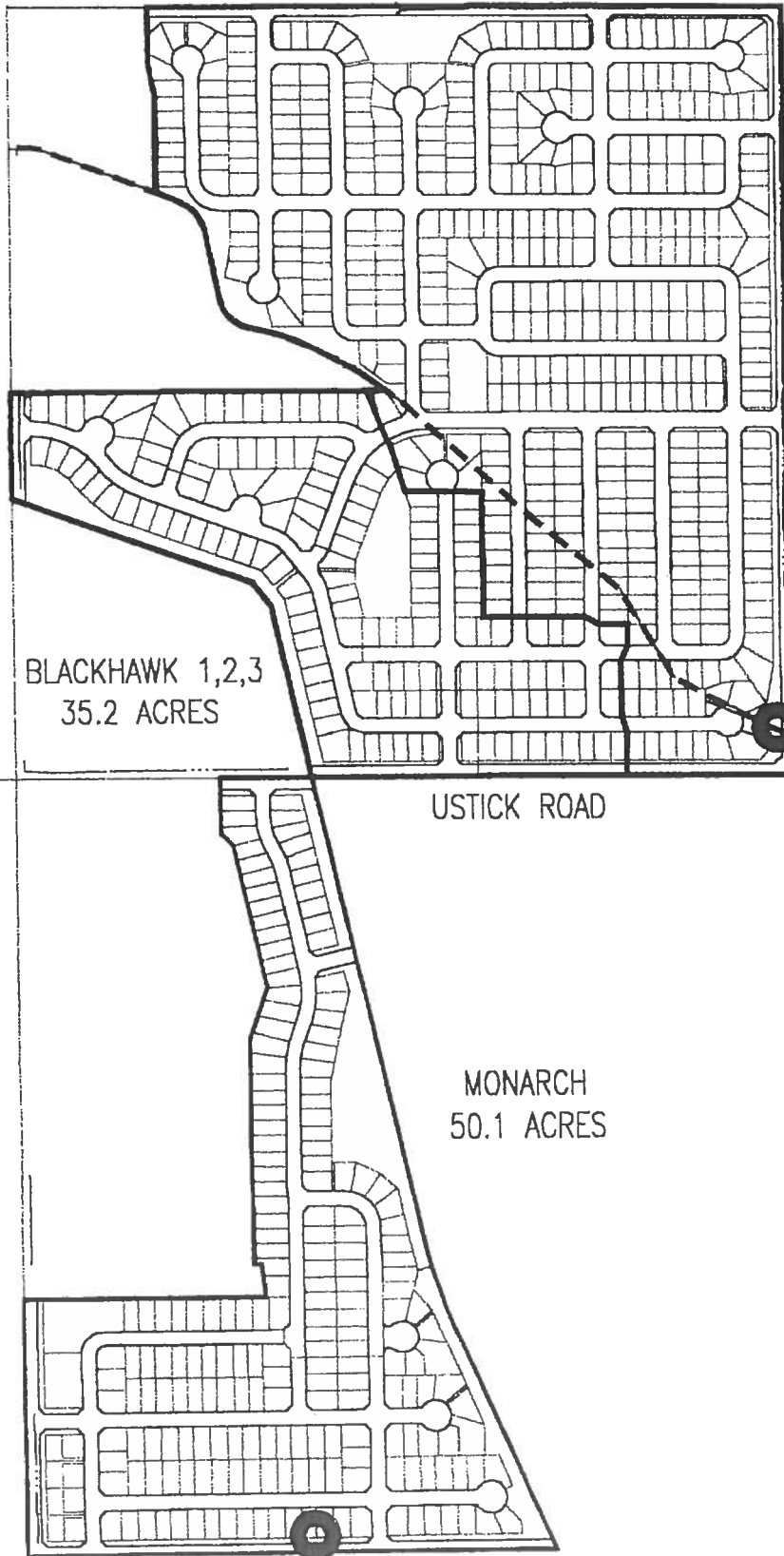
North 89° 53' 44" East 409.56 feet to a point on the North line of said Section 5; thence
 South 00° 06' 16" East 191.65 feet to a point; thence
 North 89° 53' 44" East 287.25 feet to a point on the boundary of Monarch Subdivision No. 1; along said boundary the following: thence
 South 44° 59' 46" East 56.65 feet to a point; thence
 South 13° 00' 27" East 494.34 feet to a point; thence
 South 19° 15' 20" West 188.23 feet to a point; thence
 South 00° 11' 39" East 762.94 feet to a point; leaving said boundary; thence
 South 89° 53' 44" West 785.62 feet to a point on the West line of Section 5; thence
 North 00° 07' 00" West 1,654.17 feet to the REAL POINT OF BEGINNING of this description, (known as Monarch Commercial Parcel)



NOT TO SCALE

1"=600'

MIDDLETON ROAD



BLACKHAWK
124.4 ACRES

BLACKHAWK 1,2,3
35.2 ACRES

IRR. WELL
#63-8737

USTICK ROAD

MONARCH
50.1 ACRES

IRR. WELL
#63-8738

Attachments for
63-07838

INSTRUMENT NO. 200370101

DEED FOR PORTION OF WATER RIGHT NUMBER 63-07838

FOR VALUE RECEIVED, Arbor Ridge, LLC, and Idaho limited liability company ("Grantor"), whose address is P.O. Box 344, Meridian, Idaho 83680, does hereby grant, bargain, sell, and convey to Pioneer Irrigation District ("Grantee"), an irrigation district organized under the laws of the State of Idaho, whose address is P.O. Box 426, Caldwell, Idaho, 83606, a portion of that certain water right identified as 63-08738, as more particularly described herein and as represented in the Combined License and Construction, Operation, and Maintenance Agreement for Blackhawk and Monarch Subdivisions executed contemporaneously herewith.

Grantor grants, bargains, sells, and conveys to Grantee all of Grantor's right, title, and interest in 0.6 cfs of water right number 63-08738, with remainder of said water right to be retained by Grantor. Such water right is appurtenant to that certain real property situated in Canyon County, Idaho, more particularly described in Exhibit A, attached hereto and made a part hereof by this reference, and the current diversion point of which is a well situated on that certain real property located in the SW 1/4 NW 1/4 of Section 5, Township 3N, Range 2W, Canyon County, Idaho ("Well #1"). Such water right is subject to an Application for Transfer of a Water Right submitted by Grantor to the Idaho Department of Water Resources on or about October 14, 2003. If granted, it is anticipated that the place of use element for water right 63-07838 will be altered to include not only the real property described in Exhibit A, but also the real property set forth in Exhibit B, attached hereto and made a part hereof by this reference. It is further anticipated that Well #1 will be abandoned, and the new point of diversion for water right number 63-07838 will be an existing well situated in the SE 1/4 SW 1/4 of Section 32, Township 4N, Range 2W, Boise Meridian, Canyon County, Idaho ("Well #2"), which also serves as the

point of diversion for water right number 63-07837. If Well #2 cannot adequately produce the desired flow rate, Grantor shall construct a second well in the SE 1/4 SW 1/4 of Section 32, Township 4N, Range 2W, Canyon County, Idaho, which will serve as the point of diversion for water right number 63-07838.

TO HAVE AND TO HOLD said portion of water right number 63-08738 to Grantee and Grantee's successors and assigns forever. Grantor does hereby represent and warrant to and with Grantee that Grantor is the lawful owner of water right number 63-08738 and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED this 10th day of November, 2003.

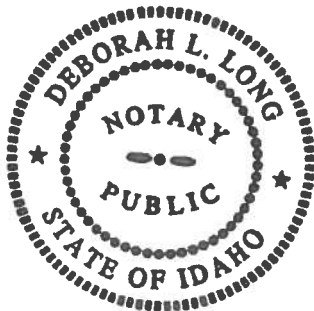
ARBOR RIDGE, LLC

By *Gregory B. Johnson*
Its Manager

STATE OF IDAHO)
County of Ada) ss.

On this 10th day of November, 2003, before me, the undersigned Notary Public in and for said state, personally appeared Gregory Johnson, known or identified to me to be the Manager of ARBOR RIDGE, LLC, an Idaho limited liability company, the person who executed the instrument on behalf of ARBOR RIDGE, LLC, and acknowledged to me that ARBOR RIDGE, LLC, 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.



Deborah Long
NOTARY PUBLIC FOR IDAHO
Residing at Boise, Idaho
My Commission Expires 10/10/07

EXHIBIT A

PARCEL I:

(Northerly 20A Parcel)

A parcel of land located in the Northwest Quarter of Section 5, Township 3 North, Range 2 West, Boise Meridian, Caldwell, Canyon County, Idaho, being more particularly described as follows:

Commencing at the Northwest corner of the Northwest Quarter of Section 5, Township 3 North, Range 2 West, Boise Meridian; thence

North 89° 53' 44" East 409.55 feet along the North line of said Northwest Quarter to the REAL POINT OF BEGINNING of this description; thence continuing

North 89° 53' 44" East 600.89 feet along said North line to a point on the centerline of the Solomon Drain;

Along said centerline: thence

South 13° 00' 27" East 1647.58 feet to a point of curvature; thence along a curve to the left 61.80 feet, said curve having a radius of 1200.00 feet, a delta angle of 02° 57' 03", tangents of 30.91 feet, and a long chord bearing

South 14° 28' 58" East 61.79 feet to a point;

Leaving said centerline: thence

South 74° 02' 31" West 50.11 feet to a point; thence

South 14° 59' 15" West 39.10 feet to a point; thence

South 89° 48' 21" West 114.24 feet to a point; thence

South 00° 11' 39" East 255.50 feet to a point; thence

South 89° 48' 21" West 317.00 feet to a point; thence

North 00° 11' 39" West 30.95 feet to a point; thence

North 45° 11' 39" West 28.28 feet to a point; thence

North 00° 11' 39" West 51.00 feet to a point; thence

South 89° 48' 21" West 50.00 feet to a point; thence

North 00° 11' 39" West 107.46 feet to a point; thence

South 89° 48' 21" West 8.93 feet to a point; thence

North 07° 12' 39" West 110.85 feet to a point; thence

South 89° 53' 44" West 25.53 feet to a point; thence

North 00° 11' 39" West 762.94 feet to a point on a curve; thence along a curve to the left 188.24 feet, said curve having a radius of 5280.00 feet, a delta angle of 02° 02' 34", tangents of 94.13 feet, and a long chord bearing

North 19° 15' 20" East 188.23 feet to a point; thence

North 13° 00' 27" West 494.34 feet to a point; thence

North 44° 59' 46" West 56.85 feet to a point; thence

South 89° 53' 44" West 287.25 feet to a point; thence

North 00° 06' 16" West 191.65 feet to the REAL POINT OF BEGINNING of this description.

PARCEL II

A parcel of land located in the Northwest Quarter of Section 5, Township 3 North, Range 2 West, Boise Meridian, Caldwell, Canyon County, Idaho being more particularly described as follows:

COMMENCING at the Northwest corner of Section 5, Township 3 North, Range 2 West, Boise Meridian, Canyon County, thence

South 00° 07' 00" East 1,764.17 feet along the West line of said Section 5 to the REAL POINT OF BEGINNING of this description; thence

North 89° 53' 44" East 824.83 feet to a point on the boundary of Monarch Subdivision No. 1; along the boundary of Monarch Subdivision No. 1 the following: thence

North 89° 48' 21" East 8.93 feet to a point; thence

South 00° 11' 39" East 107.44 feet to a point; thence

North 89° 48' 21" East 50.00 feet to a point; thence

South 00° 11' 39" East 51.00 feet to a point; thence

South 45° 11' 39" East 28.28 feet to a point; thence

South 00° 11' 39" East 30.95 feet to a point; thence

North 89° 48' 21" East 158.50 feet to a point; leaving the boundary of Monarch

Subdivision No. 1: thence

South 00° 11' 39" East 181.00 feet to a point; thence

North 89° 48' 21" East 10.00 feet to a point; thence

South 00° 11' 39" East 166.97 feet to a point; thence

South 89° 48' 21" West 730.00 feet to a point; thence

North 00° 11' 39" West 35.00 feet to a point; thence

South 89° 48' 21" West 148.50 feet to a point; thence

North 00° 11' 39" West 4.97 feet to a point; thence

South 89° 53' 00" West 129.47 feet to a point; thence

South 00° 07' 00" East 302.59 feet to a point; thence

South 89° 53' 00" West 65.00 feet to a point on the West line of said Section 5; thence

North 00° 07' 00" West 821.02 feet to the REAL POINT OF BEGINNING of this description, (to be known as Monarch Subdivision No. 2)

PARCEL III

A parcel of land located in the Northwest Quarter of Section 5, Township 3 North; Range 2 West, Boise Meridian, Caldwell, Canyon County, Idaho, being more particularly described as follows:

COMMENCING at the Northwest corner of Section 5, Township 3 North, Range 2 West, Boise Meridian, Canyon County, thence

South 00° 07' 00" East 2,645.27 feet to the Southwest corner of the Northwest Quarter of said Section 5, the REAL POINT OF BEGINNING of this description; thence

North 00° 07' 00" West 60.08 feet to the Southwest corner of Monarch Subdivision No. 2; along the boundary of Monarch Subdivision No. 2 the following: thence North 89° 53' 00" East 65.00 feet to a point; thence North 00° 07' 00" West 302.59 feet to a point; thence North 89° 53' 00" East 129.47 feet to a point; thence South 00° 11' 39" East 4.97 feet to a point; thence North 89° 48' 21" East 148.50 feet to a point; thence South 00° 11' 39" East 35.00 feet to a point; thence North 89° 48' 21" East 730.00 feet to a point; thence North 00° 11' 39" West 166.97 feet to a point; thence South 89° 48' 21" West 10.00 feet to a point; thence North 00° 11' 39" West 181.00 feet to a point; leaving the boundary of Monarch Subdivision No. 2 and along the boundary of Monarch Subdivision No. 1 the following; thence North 89° 48' 21" East 158.50 feet to a point; thence North 00° 11' 39" West 255.50 feet to a point; thence North 89° 48' 21" East 114.24 feet to a point; thence North 14° 59' 15" East 39.10 feet to a point; thence North 74° 02' 31" East 50.11 feet to the Southeast corner of Monarch Subdivision No. 1; thence along a curve to the left 160.10 feet, said curve having a radius of 1,200.00 feet, a central angle of 07° 38' 39", tangent of 80.17 feet and a chord which bears South 19° 46' 49" East 159.98 feet to a point of tangency; thence South 23° 36' 09" East 900.65 feet to a point on the South line of the Northwest Quarter; thence South 89° 48' 21" West 1,806.11 feet along said South line to the REAL POINT OF BEGINNING, (to be known as Monarch Subdivision No. 3)

PARCEL IV:

A parcel of land being a portion of the Northwest Quarter of Section 5, Township 3 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

COMMENCING at the Northwest corner of Section 5, Township 3 North, Range 2 West, Boise Meridian, Canyon County, the REAL POINT OF BEGINNING of this description; thence North 89° 53' 44" East 409.56 feet to a point on the North line of said Section 5; thence South 00° 06' 16" East 191.65 feet to a point; thence North 89° 53' 44" East 287.25 feet to a point on the boundary of Monarch Subdivision No. 1; along said boundary the following; thence South 44° 59' 46" East 56.65 feet to a point; thence South 13° 00' 27" East 494.34 feet to a point; thence South 19° 15' 20" West 188.23 feet to a point; thence South 00° 11' 39" East 762.94 feet to a point; leaving said boundary; thence South 89° 53' 44" West 785.62 feet to a point on the West line of Section 5; thence North 00° 07' 00" West 1,654.17 feet to the REAL POINT OF BEGINNING of this description, (known as Monarch Commercial Parcel)

EXHIBIT B

All that portion of the North Half of the Southwest Quarter of Section 32, Township 4 North, Range 2 West of the Boise Meridian, Canyon County, lying North and East of the center line of the Pioneer Irrigation Lateral, known as 13.3.

AND

All that part of the South One-Half of the Southwest Quarter lying East of the center line of Solomon Drain Ditch in Section 32, Township 4 N, Range 2 West of the Boise Meridian, Canyon County, Idaho.

200370101

RECORDED

2003 NOV 12 PM 3 16

G NOEL HALES

CANYON CNTY RECORDER

BY

J. M. Hales

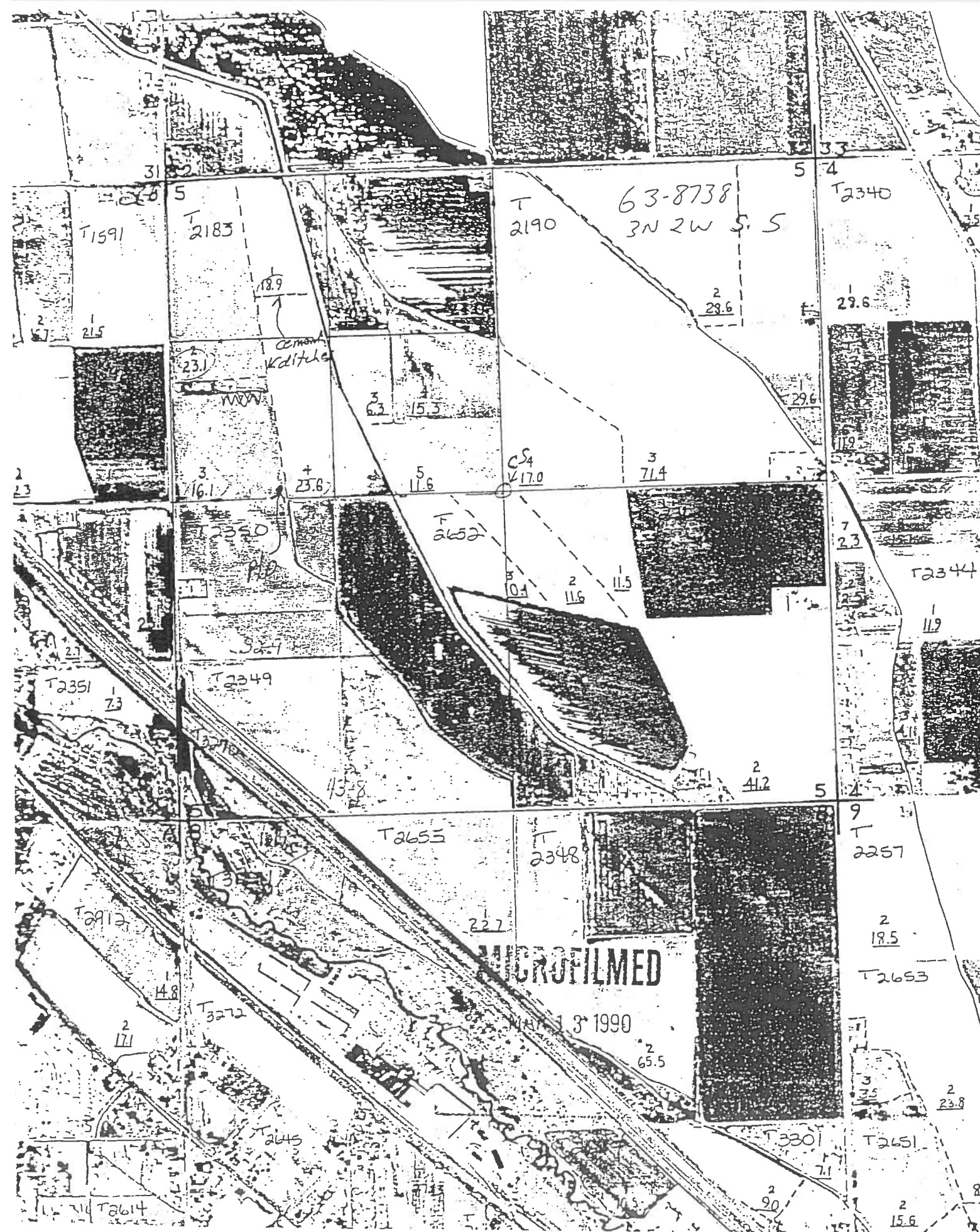
REQUEST

TYPE

FEE

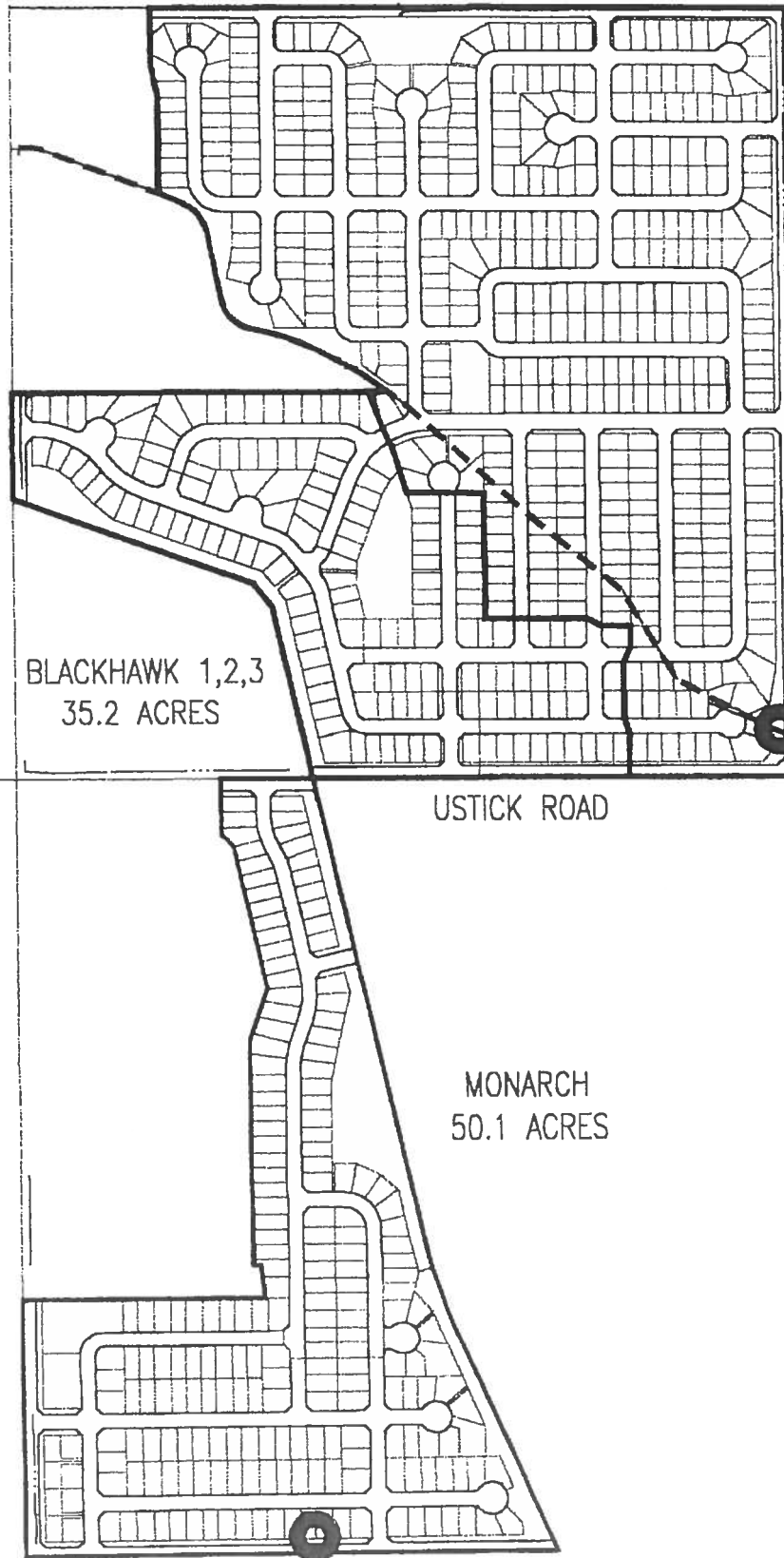
1800

Maureen Thomas



1"=600'

MIDDLETON ROAD



BLACKHAWK
124.4 ACRES

BLACKHAWK 1,2,3
35.2 ACRES

IRR. WELL
#63-8737

USTICK ROAD

MONARCH
50.1 ACRES

IRR. WELL
#63-8738

Idaho Department of Water Resources Receipt

Receipt ID C075635

Payment Amount Date Received Region Status
Payment Type Check Number

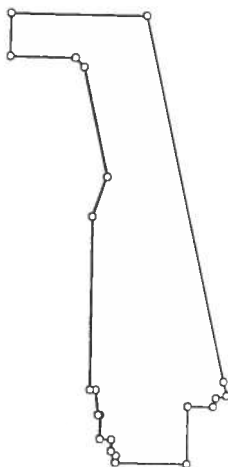
Payer Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$200.00	OWNERSHIP CHANGES/SECURITY INTERESTS	0229	21	56140	1155



Signature Line (Dept. Representative)



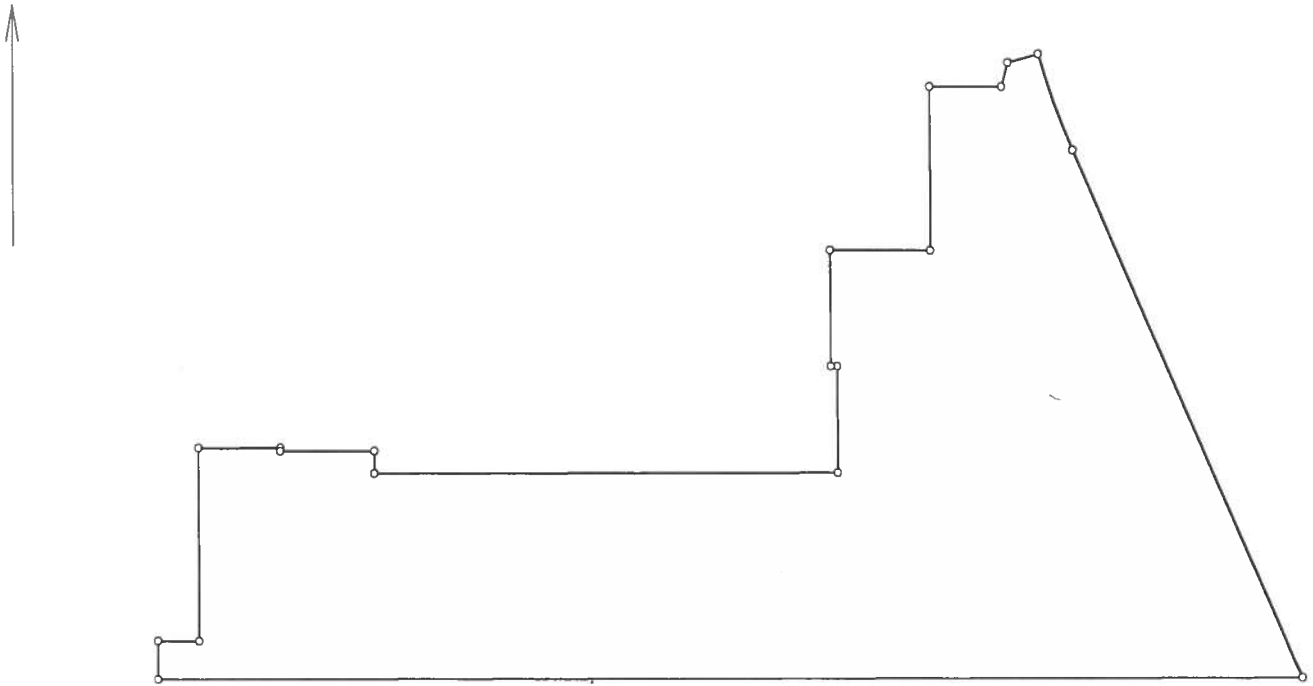
Title:		Date: 07-25-2007
Scale: 1 inch = 852 feet	File: 63-8737 to pioneer.des	
Tract 1: 8.1715 Hectares: 81714.9 Sq M.: Closure = s40.3835e 0.06 M.: Precision =1/27916: Perimeter = 1670 M.		
001=N+1384768.37m E+2289198.08m	010=S00.1139E 255.50	019=S89.5344W 25.53
002=rotate +1.40	011=S89.4821W 317.00	020=N00.1139W 762.94
003=/N89.5344E 409.55	012=N00.1139W 30.95	021: Lt, R=5280.00, Arc=188.24, Delta=02.0234 Bng=n19.1520e, Chd=188.23
004=N89.5344E 600.89	013=N45.1139W 28.28	022=N13.0027W 494.34
005=S13.0027E 1647.58	014=N00.1139W 51.00	023=N44.5946W 56.85
006: Lt, R=1200.00, Arc=61.80, Delta=02.5703 Bng=S14.2858E, Chd=61.79	015=S89.4821W 50.00	024=S89.5344W 287.25
007=S74.0231W 50.11	016=N00.1139W 107.46	025=N00.0616W 191.65
008=S14.5915W 39.10	017=S89.4821W 8.93	
009=S89.4821W 114.24	018=N07.1239W 110.85	

Parcel I



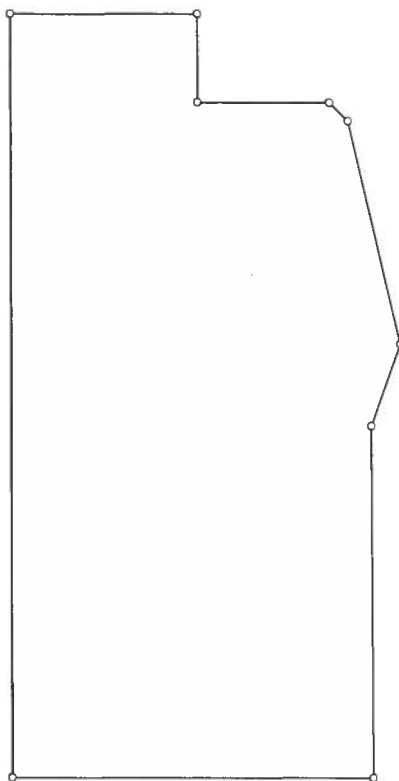
Title:		Date: 07-25-2007
Scale: 1 inch = 208 feet	File: Monarch2.des	
Tract 1: 5.1953 Hectares: 51953.3 Sq M.: Closure = s40.3810e 0.01 M.: Precision =1/204964: Perimeter = 1175 M.		
001=N+1384768.37m E+2289198.08m	009=S45.1139E 28.28	017=S89.4821W 148.50
002=rotate +1.40	010=S00.1139E 30.95	018=N00.1139W 4.97
003=/S00.0700E 1764.17	011=N89.4821E 158.50	019=S89.5300W 129.47
004=N89.5344E 824.83	012=S00.1139E 181.00	020=S00.0700E 302.59
005=N89.4821E 8.93	013=N89.4821E 10.00	021=S89.5300W 65.00
006=S00.1139E 107.44	014=S00.1139E 166.97	022=N00.0700W 821.02
007=N89.4821E 50.00	015=S89.4821W 730.00	
008=S00.1139E 51.00	016=N00.1139W 35.00	

Parcel II



Title:		Date: 07-25-2007
Scale: 1 inch = 302 feet	File: Monarch3.des	
Tract 1: 7.4225 Hectares: 74224.5 Sq M.: Closure = s26.5940e 0.00 M.: Precision =1/573944: Perimeter = 1621 M.		
001=N+1384768.37m E+2289198.08m	009=S00.1139E 35.00	017=N14.5915E 39.10
002=/S00.0700E 2645.27	010=N89.4821E 730.00	018=N74.0231E 50.11
003=N00.0700W 60.08	011=N00.1139W 166.97	019: Lt, R=1200.00, Arc=160.10, Delta=07.3839 Bng=S19.4649E, Chd=159.98
004=N89.5300E 65.00	012=S89.4821W 10.00	020=S23.3609E 900.65
005=N00.0700W 302.59	013=N00.1139W 181.00	021=S89.4821W 1806.11
006=N89.5300E 129.47	014=N89.4821E 158.50	
007=S00.1139E 4.97	015=N00.1139W 255.50	
008=N89.4821E 148.50	016=N89.4821E 114.24	

Parcel III



Title:		Date: 07-25-2007
Scale: 1 inch = 418 feet	File: Monarch Commercial.des	
Tract 1: 11.4521 Hectares: 114520.9 Sq M.: Closure = s29.3026w 0.00 M.: Precision >1/999999: Perimeter = 1472 M.		
001=N+1384768.37m E+2289198.08m	005=S44.5946E 56.65	009=S89.5344W 785.62
002=N89.5344E 409.56	006=S13.0027E 494.34	010=N00.0700W 1654.17
003=S00.0616E 191.65	007=S19.1520W 188.23	
004=N89.5344E 287.25	008=S00.1139E 762.94	

Parcel IV

Moffatt Thomas

MOFFATT THOMAS BARRETT ROCK & FIELDS, CHTD.

Eugene C. Thomas
John W. Barrett
R. B. Rock
Richard C. Fields
Robert E. Bakes
John S. Simko
John C. Ward
D. James Manning
Gary T. Dance
Larry C. Hunter
Randall A. Peterman
Mark S. Prusynski
Stephen R. Thomas
Glenna M. Christensen
Gerald T. Husch
Scott L. Campbell

Robert B. Burns
James C. Dale
Michael E. Thomas
Patricia M. Olsson
James C. deGlee
Bradley J. Williams
Lee Radford
Michael O. Roe
David S. Jensen
James L. Martin
C. Clayton Gill
David P. Gardner
John O. Fitzgerald, II
Julian E. Gabiola
Angela Schaer Kaufmann
Kimberly D. Evans Ross

Benjamin H. Schwartz
Jon A. Stenquist
Eric M. Barzee
Bradley J. Dixon
Jason G. Murray
Mark C. Peterson
Andrew J. Waldera
Shawn C. Nunley
Tyler J. Anderson
Russell G. Metcalf
Morgan W. Richards, *of counsel*
Willis C. Moffatt, 1907-1980
Kirk R. Helvie, 1956-2003

RECEIVED

OCT 20 2006

WATER RESOURCES
WESTERN REGION

October 27, 2004

Boise
Idaho Falls
Pocatello
Twin Falls

US Bank Plaza Building
101 S Capitol Blvd 10th Fl
PO Box 829
Boise, Idaho 83701 0829

208 345 2000
800 422 2889
208 385 5384 Fax
www.moffatt.com

RECEIVED
NOV - 1 2004
DEPARTMENT OF
WATER RESOURCES

Shelley Keen
Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720

Re: Change of Ownership of Water Right Numbers 63-07837 and 63-07838
MTBR&F File No. 18946.31

Dear Shelley:

I am enclosing one original and one copy of the Notice of Change in Water Right Ownership for water right numbers 63-07837 and 63-07838, which I am submitting on behalf of the Pioneer Irrigation District. Please file the original, receive stamp the copy, and return the copy to me in the enclosed self-addressed, stamped envelope. Also enclosed please find the requisite filing fee in the amount of \$200.

Thank you for your assistance in this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,


Scott L. Campbell

SLC/tmh
Enclosure

cc: Pioneer Irrigation District (w/o encl.)

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 63-8737
Date Received: 3/12/1990
Receipt No: W010831
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ARBOR RIDGE LLC Phone: (208)888-9946
PO BOX 344
MERIDIAN ID USA 83680

2. Date of Priority: 04/25/1977

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
04N	02W	32	SE	SW		CANYON	
04N	02W	32	SE	SW		CANYON	

5. Description of diverting works:

Well with electric pump, booster pump, buried pipe to sprinklers

Well with electric pump, booster pump, buried pipe to sprinklers

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	2.36	531

7. Total Quantity Appropriated is:
2.36 C.F.S. and/or 531 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
03N	02W	5	NW	NW	IRRIGATION	34
			SW	NW	IRRIGATION	37
			SE	NW	IRRIGATION	6
			Section Acres			
04N	02W	32	NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	26
			SW	SW	IRRIGATION	23
			SE	SW	IRRIGATION	40
Section Acres				129		
Total Acres				206		

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

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

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

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

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

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

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

The total instantaneous diversion of water from all points of diversion under Rights 63- 8737 and 63-32015 shall not exceed 3.90 cfs, nor a total combined annual volume of 877.5 af.

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

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

This right is limited to the irrigation of 118 acres within the place of use described above in a single irrigation season.

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.

Place of use includes Blackhawk and Monarch Subdivisions.

15. Basis of Claim: License

WATER RIGHT NO. 63-8737
As Modified by Transfer No. 71645

In accordance with the approval of Transfer No. 71645, Water Right No. 63-8737 is now described as follows.

Right Holder: ARBOR RIDGE LLC
 PO BOX 344
 MERIDIAN ID 83680

Priority Date: April 25, 1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	2.36 CFS	531.0 AF
			2.36 CFS	531.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESW	Sec. 32 Twp 04N Rge 02W CANYON County
GROUND WATER	SESW	Sec. 32 Twp 04N Rge 02W CANYON County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	02W	5						34.0	37.0	6.0									77.0
04N	02W	32									40.0	26.0	23.0	40.0					129.0

Total Acres: 206

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

WATER RIGHT NO. 63-8737
As Modified by Transfer No. 71645

CONDITIONS OF APPROVAL

5. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
8. The total instantaneous diversion of water from all points of diversion under Rights 63-8737 and 63-32015 shall not exceed 3.90 cfs, nor a total combined annual volume of 877.5 af.
9. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
10. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
11. This right is limited to the irrigation of 118 acres within the place of use described above in a single irrigation season.
12. 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.
13. Place of use includes Blackhawk and Monarch Subdivisions.

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

Dated this 3rd day of May, 20 05


Chief, Water Allocation Bureau

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 63-8737
Date Received: 3/12/1990
Receipt No: W010831
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ARBOR RIDGE LLC Phone: (208)888-9946
PO BOX 344
MERIDIAN ID USA 83680

2. Date of Priority: 04/25/1977

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
04N	02W	32	SE	SW		CANYON	
04N	02W	32	SE	SW		CANYON	

5. Description of diverting works:

Well with electric pump, booster pump, buried pipe to sprinklers

Well with electric pump, booster pump, buried pipe to sprinklers

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	2.36	531

7. Total Quantity Appropriated is:
2.36 C.F.S. and/or 531 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
03N	02W	5	NW	NW	IRRIGATION	34
			SW	NW	IRRIGATION	37
			SE	NW	IRRIGATION	6
			Section Acres			77
04N	02W	32	NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	26
			SW	SW	IRRIGATION	23
			SE	SW	IRRIGATION	40
			Section Acres			129
Total Acres					206	

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

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

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

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

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

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

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

The total instantaneous diversion of water from all points of diversion under Rights 63- 8737 and 63-32015 shall not exceed 3.90 cfs, nor a total combined annual volume of 877.5 af.

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

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

This right is limited to the irrigation of 118 acres within the place of use described above in a single irrigation season.

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.

Place of use includes Blackhawk and Monarch Subdivisions.

15. Basis of Claim: License

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71645

This is to certify that: ARBOR RIDGE LLC
PO BOX 344
MERIDIAN ID 83680
(208)888-9946

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

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-8737	AJC/License	04/25/1977	2.36 cfs	531 af	N/A	118.0	GROUND WATER
63-8738	AJC/License	04/25/1977	1.60 cfs	360 af	N/A	80.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-8737	NO	NO	YES	YES	NO	NO
63-8738	YES	YES	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-8737	63-8737	2.36 cfs	531 af	118.0	206.0		N/A	N/A	N/A	N/A
63-8738	63-32015	1.54 cfs	346.5 af	77.0	206.0	63-32014	0.06 cfs	13.5 af	3.0	3.0
COMBINED TOTALS		3.90 cfs	877.5 af	195.0	206.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 3rd day of May, 20 05


Chief, Water Allocation Bureau

SUPPORT DATA
IN FILE #63-8737

WATER RIGHT NO. 63-8737
As Modified by Transfer No. 71645

In accordance with the approval of Transfer No. 71645, Water Right No. 63-8737 is now described as follows.

Right Holder: ARBOR RIDGE LLC
 PO BOX 344
 MERIDIAN ID 83680

Priority Date: April 25, 1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to	11/15	2.36 CFS	531.0 AF
			2.36 CFS	531.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESW	Sec. 32 Twp 04N	Rge 02W CANYON County
GROUND WATER	SESW	Sec. 32 Twp 04N	Rge 02W CANYON County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW			SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	02W	5					34.0	37.0	6.0										77.0
04N	02W	32									40.0	26.0	23.0	40.0					129.0

Total Acres: 206

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

WATER RIGHT NO. 63-8737
As Modified by Transfer No. 71645

CONDITIONS OF APPROVAL

5. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
8. The total instantaneous diversion of water from all points of diversion under Rights 63-8737 and 63-32015 shall not exceed 3.90 cfs, nor a total combined annual volume of 877.5 af.
9. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
10. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
11. This right is limited to the irrigation of 118 acres within the place of use described above in a single irrigation season.
12. 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.
13. Place of use includes Blackhawk and Monarch Subdivisions.

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

Dated this 3rd day of May, 20 05


Chief, Water Allocation Bureau

Page 1 of 8STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 71645

RECEIVED

NOV 12 2004

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant Arbor Ridge LLC Phone 208-888-9946Post Office address P.O. Box 344, Meridian, ID 83680

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Applicant will use rights for supplemental irrigation within a 206-acre permissible place of use in the Blackhawk and Monarch Subdivision. Two wells are proposed.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>TBD</u>	<u>4/25/1977</u>	<u>2.36 / 531.0</u>	<u>irrigation</u>	<u>Mar. 15</u> to <u>Nov. 15</u>
<u>TBD</u>	<u>10/25/1977</u>	<u>1.54 / 346.5</u>	<u>irrigation</u>	<u>Mar. 15</u> to <u>Nov. 15</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 3.90 cubic feet per second and/or 877.5 acre-feet per annum.3. Source of water ground water tributary to NA

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		SE	SW	32	4N	2W	Canyon	
		SE	SW	32	4N	2W	Canyon	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	2W	32									40	26	23	40					129
3N	2W	5						34	37	6									77

Total Acres 195 acres within a 206-acre permissible place of use

PART 1

6. General Information:

- a. Description of diversion system Two wells with electric pumps, booster pumps, buried pipe to sprinklers.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
X Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
No change. We are creating a permissible place of use.
- d. Remarks:
Arbor Ridge, LLC is the current owner of water rights 63-8737 amd 63-8738. Arbor Ridge is subdividing the places of use for these water rights (63-8737 – Blackhawk Subdivision and 63-8738 – Monarch Subdivision). Pioneer Irrigation District will provide primary irrigation to these lands, and 63-8737 and 63-8738 will provide supplemental irrigation to these lands. Estimated irrigated area following completion of subdivision development will be less than 90 acres. The remaining portions of 63-8737 and 63-8738 (105 acres) will be placed in the State Water Bank and eventually transferred to other lands.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

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

For the Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-8737 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water ground water tributary to NA4. Date or priority 4/25/1977

5. Water is used for the following purposes:

amount 2.36 / 531.0 for irrigation purposes from Mar. 15 to Nov. 15
(cfs/ac-ft)

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

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

6. Total amount of water under right 2.36 cubic feet per second and/or 531.0 acre-feet per annum

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		SE	SW	32	4N	2W	Canyon	

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	2W	32									39	25	20	34					118

Total Acres 1189. Describe any other water rights used for the same purpose as described above Pioneer Irrigation District

PART 2

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

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED*(If the entire right is to be changed by the applicant, omit part B and C.)*

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

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

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

D. DESCRIPTION OF RIGHT AS RECORDED

4. Right as evidenced by:

- e. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- f. License No. 63-8738 issued by the Idaho Department of Water Resources.
- g. Claim No. _____ on file with the Idaho Department of Water Resources.
- h. Transfer No. _____ which produced this right.

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

☐ Tax Notice☒ Warranty Deed☐ Other _____9. Source of water ground water tributary to NA10. Date or priority 10/25/1977

11. Water is used for the following purposes:

amount 1.60 / 360.0 for irrigation purposes from Mar. 15 to Nov. 15
(cfs/ac-ft)

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

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

12. Total amount of water under right 1.60 cubic feet per second and/or 360.0 acre-feet per annum

13. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		SW	NW	5	3N	2W	Canyon	

14. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	2W	5						35	39	6									80

Total Acres 8011. Describe any other water rights used for the same purpose as described above Pioneer Irrigation District

PART 2

12. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

E. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount 1.54 / 346.5 for irrigation purposes from Mar. 15 to Nov. 15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

3. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		SW	NW	5	3N	2W	Canyon	

6. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	2W	5						34	37	6									77

Total Acres 77**F. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 0.06 / 13.5 for irrigation purposes from Mar. 15 to Nov. 15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		SW	NW	5	3N	2W	Canyon	

5. Lands irrigated or place of use:

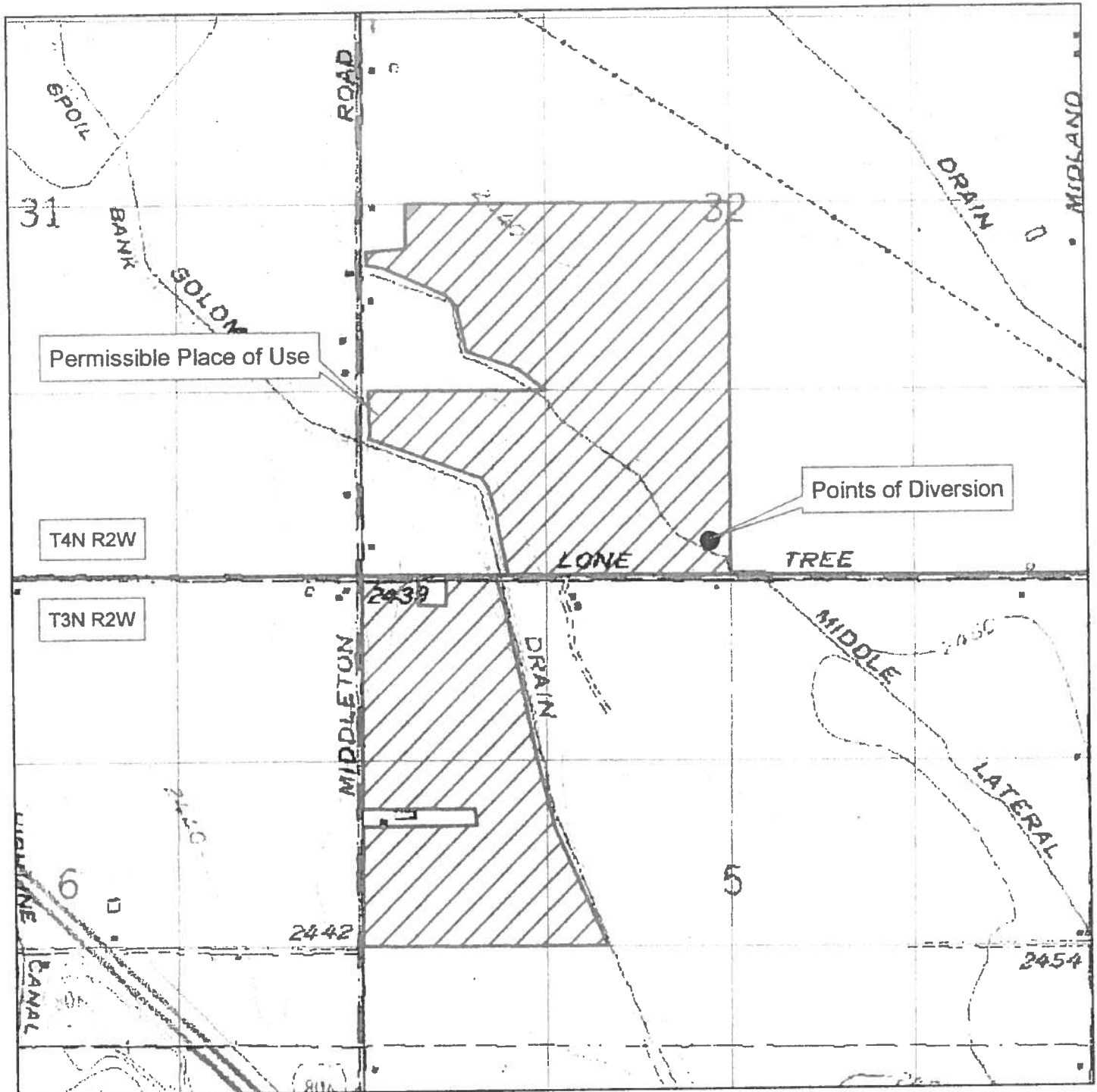
Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	2W	5						1	2										3

Total Acres 3

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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



Scale: 1 inch equals 1000 feet

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

- | 1. | <u>New Nature of Use</u> | <u>Amount(cfs/af-ft)</u> | <u>Hours/days/year</u> | <u>Period of Use</u> |
|----|--------------------------|--------------------------|------------------------|----------------------|
| | _____ | _____ | _____ | _____ to _____ |
| | _____ | _____ | _____ | _____ to _____ |
2. Quantity and quality of return flows and location of discharge: _____

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

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

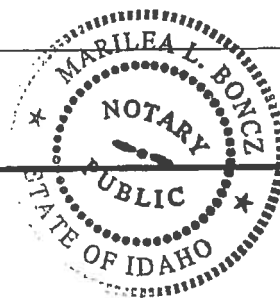
I understand that any willful misrepresentations made in this application may result in voiding its approval.

Greg Johnson
(Signature of Applicant)

Subscribed and sworn to before me this 9th day of Nov., 20 09

Marilea L. Boncz
(Notary Public)

Reside: Meridian, ID
My commission expires 8/30/08

**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by _____ Fee _____

Receipted by _____ Date _____

Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

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: A63-08737
Date Received: 3/12/1990
Receipt No: W010831
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STEVE L. ISAACSON 208-467-3630
Address: 1806 LION CT.
OR NAMPA, ID 83651
Name: SHAUNA R. ISAACSON 208-467-3630
Address: 1806 LION CT.
NAMPA, ID 83651

2. Date of Priority: APR 25, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	02W	32		SE	SW		CANYON

5. Description of diverting works:
WELL, PUMP & GRAVITY FLOW.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.360		531.00

7. Total Quantity Appropriated is:
2.360 C.F.S. (and/or) 531.00 A.F.A.

8. Total consumptive use is 413.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	02W	32	NE		SW		IRR	39.0
			NW		SW		IRR	25.0
			SW		SW		IRR	20.0
			SE		SW		IRR	34.0

Section Acres 118.0

Total Acres 118.0

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:
PIONEER IRR. DIST.

14. Remarks:
VARIABLE FEE PAID BY PIONEER IRR.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: 1

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): Steve L. Isaacson Date: 3/12/90

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 12 day
of March 19 90

Seal

Linda Werner
Notary Public

Residing at LINDA WERNER
RESIDING AT EAGLE, IDAHO
My Commission Expires DEC 8, 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-8737 Priority April 25, 1977 Amount 2.36 cfs

THIS IS TO CERTIFY, that VIRGIL L. ISAACSON
of Caldwell, Idaho, has complied with the terms and conditions of Permit
No. 63-8737 issued pursuant to Application for Permit dated April 25, 1977,
and has submitted proof to the Department of Water Resources on June 29, 1978,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 2.74 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>2.36</u> cfs and	<u>531</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	
(both dates inclusive)			

Subject, however, to the condition that no more than 2.36 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
531 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, Twp. 4N,
Rge. 2W, B.M. in the County of _____ Canyon

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4N	2W	32									39	25	20	34					118

Total number of acres irrigated 118

The rate of diversion of water for irrigation under this license and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 19 day of
January, 19 81.

MICROFILMED

Director

45.00
11/8/77

Identification No. _____
Application No. 63-8737

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant VIRGIL L. ISAACSON Phone: 459-3331
post office address ROUTE # 3 CALDWELL IDAHO 83605
2. Source of water supply GROUND WATER which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 32 Township 4N
Range 2WEST B.M. CANYON County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into A DRAIN DITCH at a point in SW $\frac{1}{4}$
of SW $\frac{1}{4}$ of Section 32 Township 4 Range 2WEST B.M. CANYON
4. Water will be used for the following purposes:
Amount 2.6 for IRRIGATION purpose from MAR 15 to NOV 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 2.6 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. PUMP + MOTOR INTO
CEMENT DITCH FOR GRAVITY IRRIGATION.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ (Mo. Day) (Mo. Day) inclusive.
c. Proposed well diameter is 12 inches; proposed depth of well is 130 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years.
b. Estimated construction cost is \$ 5,000.
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

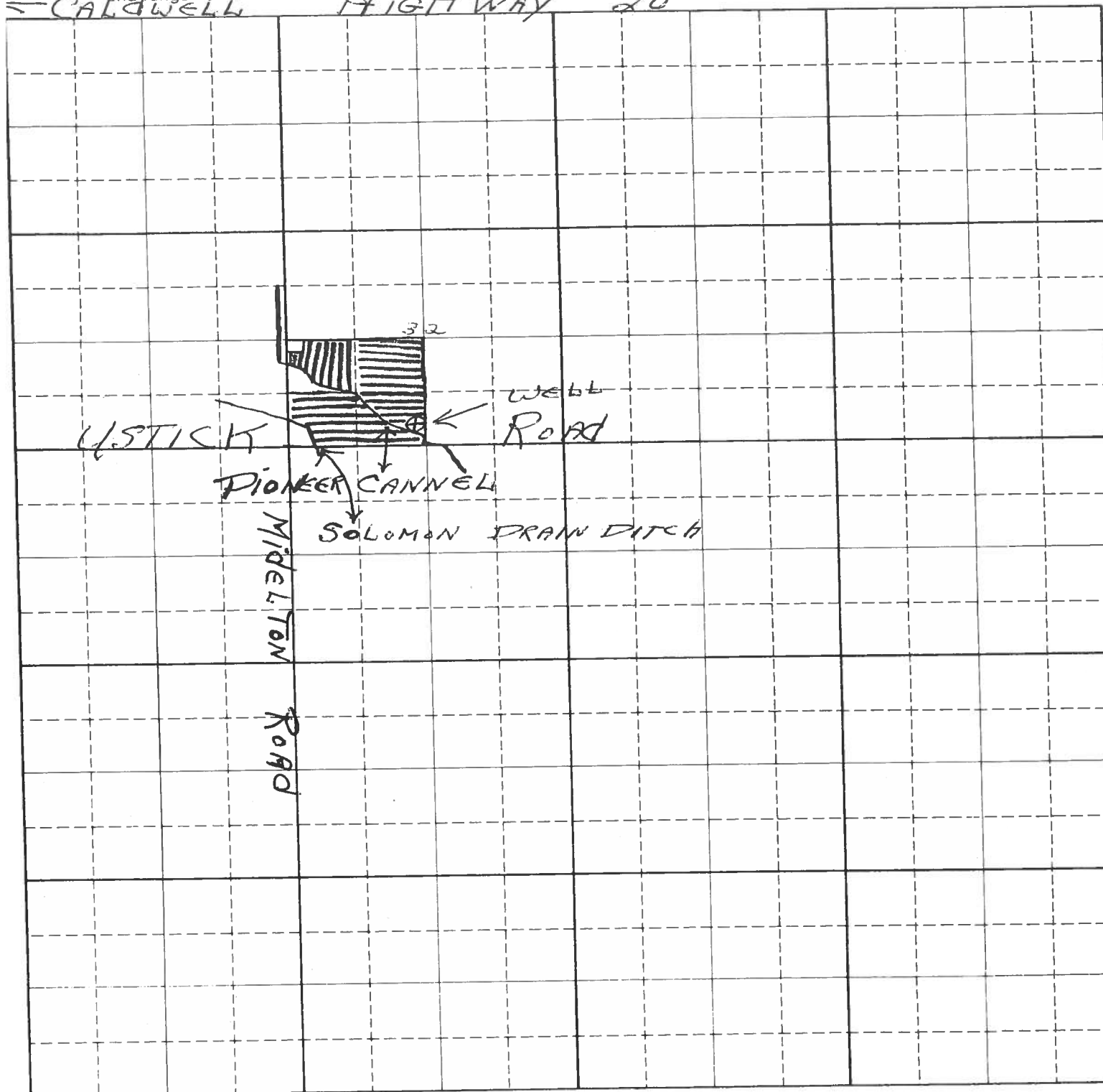
(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____
If water is to be used for other purposes describe: _____

APPROVED

11/11/77

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

← CALDWELL HIGHWAY 20



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Virgil L. Isaacson
(Applicant)

Cal encl OF
Aug 1986

Virgil L. Isaacson

1612: 045

500

☒ Surface water ☐

(name spring, stream, etc.)

Tributary to _____

3. Water will be used for the following purposes:

Amount 26 c.f.s. for irrigation
AF/Annum (nature of use)

Period of Use: from 3-15 to 4-15
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum _____ (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum _____ (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 2.6 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 4N N/S, Range 26E E/W, B.M., Section 32, Subdivision SE $\frac{1}{4}$ SW $\frac{1}{4}$, Canyon County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____ County _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____ County _____

Other Points of Diversions: _____

Description of diverting works: pump size - 1 to 1 gear head & 10" bore
3 cycle diesel engine 12V x 100"

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]

TOTAL ACREAGE 151 p 18

157 178

DATE OF EXAM 27 May 1980

ACREAGE
Found 118
Recommended 118

Irrigation Requirement 4.5 Ac Ft/Ac

USE
Irrigation Q = 2.36 c.f.s. V = 531 AF/Ann. from 3/15 to 11/15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no X

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured 2.74 cfs capacity Method of measurement CIPOLLETTI ✓

Total Q recommended 2.36 Meter No. N.A. Type N.A. Condition good

Total V recommended 531

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None X

MEASUREMENT CALCULATION:

→ 35' 24" Cipolletti weir = 2.74 cfs
Allow .02 cfs/ac = 118 x .02 = 2.36
 $V = 2.36 \text{ cfs} \times 245 \text{ days} \times 1.9835 = 1146.85$ | $118 \text{ ac} \times 4.5 \text{ IRR Req} = 531.0$

SYSTEM DESCRIPTION:

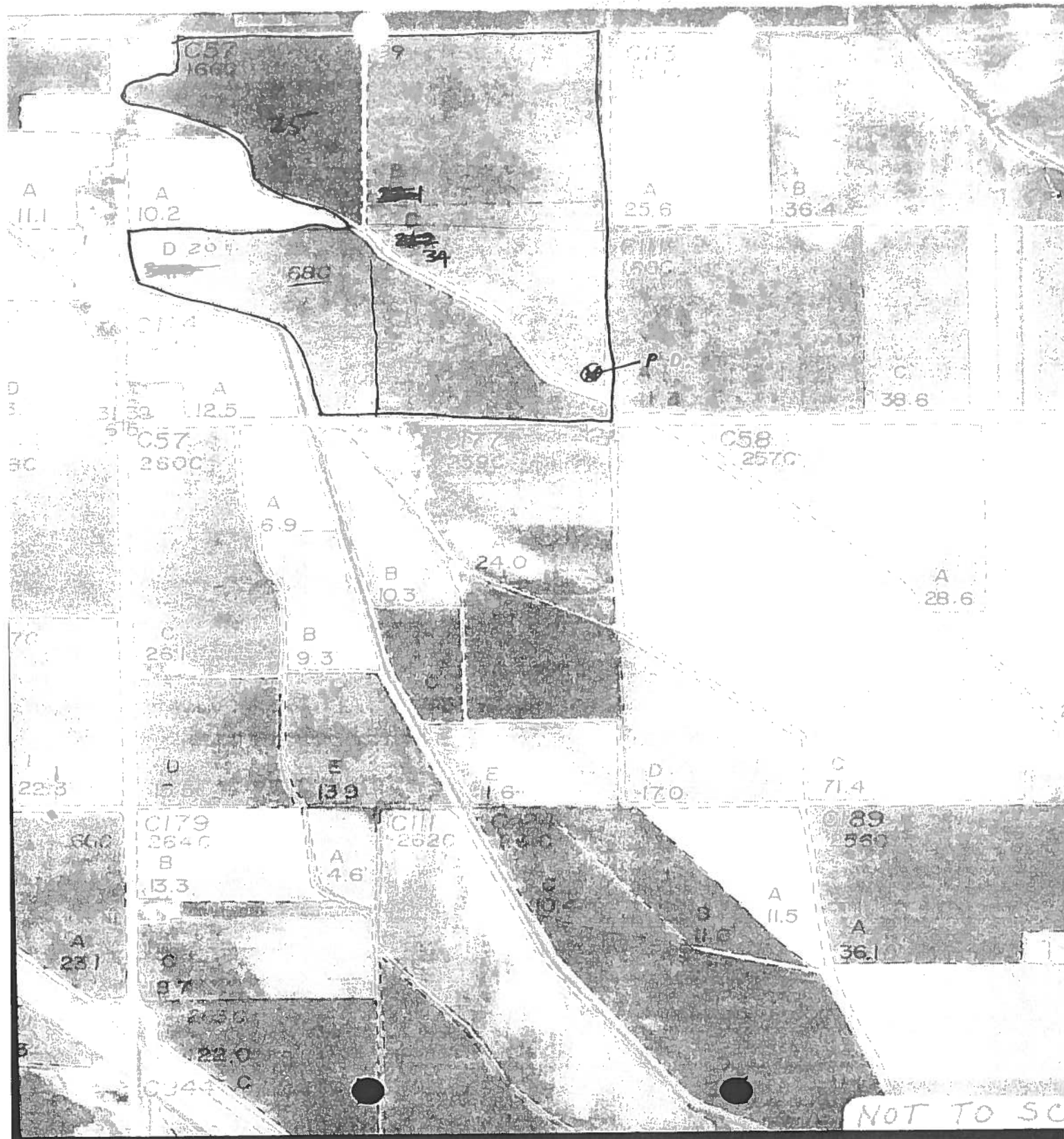
Diesel Engine Deutz 44hp #F32912
Johnston Pump
measured at 1400 rpm

REMARKS:

Supplemental phyllis canal
Recommend beneficial use

Examiner's Signature Carl C. Morris Date 29 May 1980
Checked by DSS Date 10/6/80
Approved by Robyn Date 12/30/80

MICROFILMED



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

RIGHT NUMBER: 63-32832

NAME AND ADDRESS: PIONEER IRRIGATION DISTRICT
PO BOX 426
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.200 CFS
270.000 AFY

The total instantaneous diversion of water from all points of diversion under Rights 63- 32832 and 63-32834 shall not exceed 1.80 cfs, nor a total combined annual volume of 405 af.

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: 04/25/1977

POINT OF DIVERSION:

T04N R02W S32 SESW Within CANYON County

T04N R02W S32 SESW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.200 CFS 270.00 AFY

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early 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

T03N R02W S05	NWNW	34.00	T03N R02W S05	SWNW	37.00
T03N R02W S05	SENW	6.00	T04N R02W S32	NESW	40.00
T04N R02W S32	NWSW	26.00	T04N R02W S32	SWSW	23.00
T04N R02W S32	SESW	40.00			

206 ACRES TOTAL

This right is limited to the irrigation of 60 acres within the place of use described above 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

Place of use includes Blackhawk and Monarch Subdivisions.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

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

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

This right is a split from former right 63-8737 .

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

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: 63-8737 (Split)
	)	63-32831, 63-32832
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: August 24, 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on August 24, 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:

Arbor Ridge LLC
PO Box 344
Meridian ID 83680

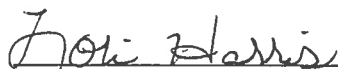
☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Pioneer Irrigation District
PO Box 426
Caldwell ID 83605

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

Scott L. Campbell
Moffatt Thomas Barrett Rock & Fields Chtd.
PO Box 829
Boise ID 83701-0829

☒ regular mail


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

August 24, 2007

PIONEER IRRIGATION DISTRICT
PO BOX 426
CALDWELL ID 83605

Re: Original Water Right Nos. 63-8737, 63-32015

Renumbered to Water Right Nos. 63-32832, 63-32834

Dear Sir or Madam:

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 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 are copies 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 these changes.

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:l
Enclosures

cc: Scott L. Campbell



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

August 16, 2007

MOFFATT THOMAS BARRETT ROCK & FIELDS
PO BOX 829
BOISE ID 83701-0829

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim #63-8737 and 63-32015

Your Client: ~~Arbor Ridge~~ LLC Pioneer Irrig. Dist.

The water right claims referenced above are still pending in the SRBA; therefore, no fees are due to do an ownership change. The refund process has been initiated with the State Auditor's Office for the \$200.00 fee you paid on receipt #C075635. You should receive a check in the near future.

For future reference, you can determine if a water right claim has been decreed by checking the SRBA Court's site at www.srba.state.id.us. Scroll to IWATRS Reports, then scroll down to Display a Subcase Summary Sheet, enter the adjudication claim number (xx-xxxxx). This will tell you if and when a partial decree was issued. If it HAS been decreed, there is a \$25.00 ownership change fee due with each water right. If it has NOT been reported or decreed yet, and is therefore still pending in the SRBA, there is no fee due.

Sincerely,

Donald V. Shaff
Adjudication Bureau Chief

DVS:ss:ref

SCANNED
AUG 17 2007

RECEIVED

AUG 15 2007

DEPARTMENT OF
WATER RESOURCES

Date: 8-13-07

PayOR Moffatt Thomas Barrett Rock & Fields
Address PO Box 829
Boise ID 83701-0829

Claimant(s) if NOT Payor Pioneer Irrigation Dist.

Refund Amount \$200⁰⁰ Claim Location (Region) Claimant)

Extension Filed? Y/N NA Copy Attached? Y/N NA

Late Fees Paid? Y/N NA Late Fee Receipt # _____

S.O. Verified Ext. by _____ on _____ D.B. Query by _____

Refund Generated By ☒ Agent ☐ Claimant

Refund Category:
insufficient fees / claim incomplete / withdrawn / o-pmt

Date of Last Correspondence (copy attached)

<u>Claim No.</u>	<u>Use*</u>	<u>Fees Paid</u>	<u>Correct Fee</u>	<u>Rec't #</u>
63-8737	Irrig.	\$100 ⁰⁰	~~0~~	C075635
63-32015	Irrig.	\$100 ⁰⁰	~~0~~	C075635
		\$		
		\$		
		\$		
		\$		
Total		\$	\$	

*Incomplete claims or insufficient fees for irrigation use will generally NOT be refunded. D.E. claim in AJSP1 at minimum.

Detailed Reason(s) for Refund Attached Y/N

Partial decrees not issued, ownership change fees not required.

Region AJ Spvsr. Approval [Signature] S.O. AJ Spvsr. Approval _____
Don Shaff Approval [Signature] 8-16-07 Hold _____ To Fiscal 8-17-

S.O. AJ Spvsr. Approval _____
Hold _____ To Fiscal 8-17-07 ^{new}
Logged 8-16-07 ^W

Data Base Modified? Y/N NA A &/or R Records By _____ on _____

~~SCANNED~~

AUG 17 2007