

10/31/2006

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

RIGHT NUMBER: 63-18683

NAME AND ADDRESS: CITY OF BOISE
PUBLIC WORKS DEPT
ATTN ENV PROGRAM MANAGER
PO BOX 500

BOISE ID 83701-0500

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.160 CFS

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

PRIORITY DATE: 11/09/1972

POINT OF DIVERSION:

T01N R01E S25 NENESW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.120 CFS
DOMESTIC	1/01 12/31	0.040 CFS

PLACE OF USE: STOCKWATER Within ADA County
T01N R01E S25 NESW
DOMESTIC Within ADA County
T01N R01E S25 NESW

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

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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 - Beneficial Use
PARCEL NO. S2125314800

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 63-18683
Date Received: 9/7/1989
Receipt No: W005661
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CITY OF BOISE Phone: (208)384-3901
PUBLIC WORKS DEPT
ATTN ENV PROGRAM MANAGER
PO BOX 500
BOISE ID USA 83701-0500

2. Date of Priority: 11/09/1972

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
01N	01E	25	NE	NE	SW	ADA	

5. Description of diverting works:

550' WELL, 12" CASING, 30 HP SUBMERSIBLE PUMP, PIPE TO POU

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
MUNICIPAL	01/01	12/31	0.16	

7. Total Quantity Appropriated is:
0.16 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
----------	-------	---------	------------	-----	-----	-------

11. Place of use in counties:

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

13. Other Water Rights Used:

14. Remarks:

Amended to Municipal use per amended claim submitted by City of Boise.

SEE "EXCHANGE AGREEMENT" AND "WARRANTY DEED" FOR CHANGE OF OWNERSHIP ADDRESS
CHANGED BY LH 3/18/94.

OWNERSHIP CHANGED BY LH 11/1/94.

NAME CHANGE PER CLAIMANT LETTER 3/26/99. DB

15. Basis of Claim: Beneficial Use

AMENDED CLAIM

Form No. 42-1409 (2) a 1/88 (Internet)

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

63-18683

Date Received

10-22-04

Receipt Number

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) City of Boise Public Works ^{DEPARTMENT} Phone (208) 384-3901

Mailing Address P.O. Box 500 Boise, ID Zip 83701

2. Date of Priority (Only one (1) per claim) 11/9/1972

3. Source of water supply (a) Groundwater
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 1N Range 1E Section 25,
NE 1/4 of NE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of ADA

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. _____

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Municipal purposes from 1/1 to 12/31 amount .16 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .16 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use: Within City of Boise Municipal Service Area as
a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below. defined by City of
b. If water is used for other purposes, place a symbol of use (example: D for Domestic) Boise Service Area
in the corresponding place of use below. See instructions for standard symbols. MAP, SEPTEMBER 2004

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres irrigated _____

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
All City of Boise Municipal water rights or None ()

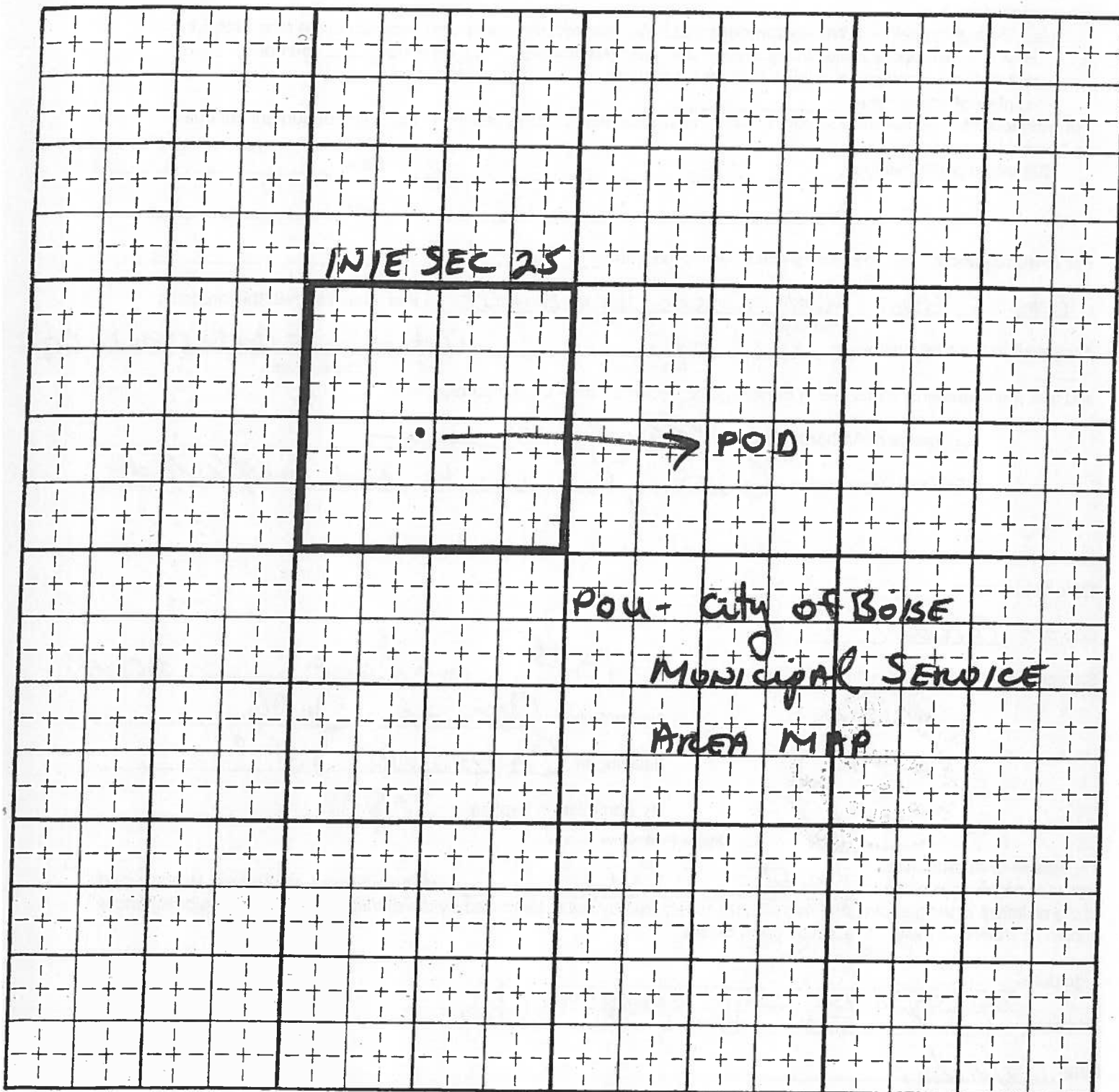
14. Remarks:

Historic domestic and stockwater uses.

Last Name _____ Ident No. _____

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

Scale: 2 inches equals 1 mile



15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____

If applicable provide IDWR Water Right Number 63-18683
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

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

of CITY OF BOISE, Public Works Department _____, that I have signed the foregoing
Organization

document in the space below as DIRECTOR _____ of CITY OF BOISE Public Works Dept. _____
Title Organization

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

Signature of Authorized Agent Charles M _____

Title and Organization DIRECTOR, Public Works Dept. _____ Date 9/15/04

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

Subscribed and sworn (or affirmed) before me this 15th day of Sept 2004



Notary Public Donna Talley _____

Residing at Caldwell, Id _____

My Commission Expires 08/09 _____

Please Print Name

17. Notice of Appearance:

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

Signature [Signature] _____
Address CITY OF BOISE LEGAL DEPARTMENT
P.O. Box 500 BOISE, ID 83701

Date 9/23/04 _____

Last Name _____ Ident. Number _____

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: A63-18683
Date Received: 9/ 7/1989
Receipt No: W005661
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: CITY OF BOISE
Address: PUBLIC WORKS DEPARTMENT
PO BOX 500
BOISE ID 83701-0500
208-384-3901

2. Date of Priority: NOV 9, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	01E	25	NE	NE	SW		ADA

5. Description of diverting works:
550' WELL, 12" CASING, 30 HP SUBMERSIBLE PUMP, PIPE TO POU

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.120		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME; STOCKWATER, 500 HEAD CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	01E	25	NE	SW		DOMEST	
			NE	SW		STOCK	

11. Place of use in counties: ADA
12. Do you own the property listed above as place of use? YES
13. Other Water Rights Used:
NONE
14. Remarks:
SEE "EXCHANGE AGREEMENT" AND "WARRANTY DEED" FOR CHANGE OF
OWNERSHIP
ADDRESS CHANGED BY LH 3/18/94.
OWNERSHIP CHANGED BY LH 11/1/94.
NAME CHANGE PER CLAIMANT LETTER 3/26/99. DB
15. Basis of Claim: BENEFICIAL USE

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

RECEIVED

Please print or type. Attach pages with additional information. Instructions are on the back of this page. **MAR 25 1999**
 Incomplete forms will be returned.

WATER RESOURCES
WESTERN REGION

Water Right or Adjudication Claim No(s): See Attached Sheet

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

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant See Attached Sheet

4. New Owner/Claimant(s) City of Boise
 Name Connector (Check one): [] and, [] or, [] and/or
 New Mailing Address Public Works Dept.
P.O. Box 500
 City, State and ZIP Code Boise, ID 83701-0500
 New Telephone Number (208) 384-3901

*Name
change
only*

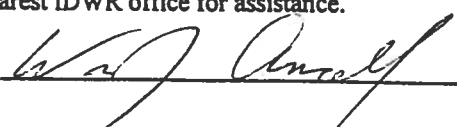
5. Date you acquired the property ---

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) 

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this form.

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

City of Boise
Public Works Department
Water Rights/Adjudication Claims

Sent to S.O. to do

63-09139 City of Boise
P.O. Box 500
Boise, ID 83701

63-12351 City of Boise

63-12312 City of Boise
Public Works Dept
PO Box 500
Boise, ID 83701-0550

A63-08125 City of Boise
Wastewater Treatment Plant
11818 Joplin Rd.
Boise, ID 83704

A63-07005B City of Boise
Attn: D. Strickling/B. Ancell
PO Box 500
Boise, ID 837010550

A63-07042B City of Boise
Attn: D. Strickling/B. Ancell
PO Box 500
Boise, ID 837-10500

A63-07053 City of Boise
Attn: D. Strickling/B. Ancell
PO Box 500
Boise, ID 837010550

A63-07055C City of Boise
PO Box 500
Boise, ID 837010500

A63-07055D City of Boise
Attn: D. Strickling/B. Ancell
PO Box 500
Boise, ID 837010550

A63-07064A City of Boise
PO Box 500
Boise, ID 837010500

A63-07064B City of Boise
Attn: D. Strickling/B. Ancell
PO Box 500
Boise, ID 837010550

A63-07078B City of Boise
Attn: D. Strickling/B. Ancell
PO Box 500
Boise, ID 837010550

A63-07755 City of Boise
PO Box 500
Boise, ID 837010500

A63-08130B City of Boise
Attn: D. Strickling/B. Ancell
PO Box 500
Boise, ID 837010550

A63-09243 City of Boise
PO Box 500
Boise, ID 837010500

A63-09359 City of Boise
PO Box 500
Boise, ID 837010500

A63-15489 City of Boise
PO Box 500
Boise, ID 837010500

A63-15491 City of Boise
PO Box 500
Boise, ID 837010500

A63-15492 City of Boise
PO Box 500
Boise, ID 837010500

A63-18683 City of Boise
PO Box 500
Boise, ID 837010500

A63-30137B City of Boise
Attn: D. Strickling/B. Ancell
PO Box 500
Boise, ID 837010550

A63-30138 City of Boise
Attn: D. Strickling/B. Ancell
PO Box 500
Boise, ID 837010550

RECEIVED

DEPARTMENT HEAD LIST

MAR 25 1999

WATER RESOURCES
WESTERN REGION

MAYOR

H. Brent Coles 384-4422

CITY COUNCIL

Carolyn Terteling, Council President 384-4422
Mike Wetherell, President Pro-Tem 384-4422
Sara Baker 384-4422
Paula Forney 384-4422
Anne Hausrath 384-4422
Jerome Mapp 384-4422

AVIATION & PUBLIC TRANSPORTATION

John Anderson 383-3110

FIRE

Renn Ross 384-3960

JUDICIAL

John Traylor 364-2100

LEGAL

Susie Mimura 384-3870

LIBRARY

Marilyn Poertner Acting Director 384-4237

PARKS AND RECREATION

Jim Hall 384-4240

PLANNING & DEVELOPMENT SERVICES

Tim Hogland 384-3800

POLICE

Larry Paulson 377-6670

PUBLIC WORKS

William Ancell 384-3903

CUSTOMER & SUPPORT SERVICES

CENTRAL SERVICES

John Eichmann 384-3747

CITY CLERK

Annette Mooney 384-3707

GOVERNMENT BUILDINGS

Sam Rapp 384-3828

HUMAN RESOURCES

Tammy Rice 384-3869

MUNICIPAL INFORMATION SYSTEMS/COMMUNICATIONS

Rod Greene 384-3769

PARKING CONTROL

Tana Wardle 384-3773

PURCHASING

Chris Hunt 384-3778

UTILITY BILLING

Pam Helm 384-3737

DIVISION OF FINANCIAL MANAGEMENT

Steve Purvis 384-3733

PLANNING & ZONING

Wayne Gibbs 384-3830

reorganization put Planning & Zoning under Planning & Development Services
Wayne Gibbs is Deputy Director / Planning Director of PDS. Dept.

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: **A63-18683**
Date Received: 9/ 7/1989
Receipt No: W005661
Received By: _____

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

1. Name: CITY OF BOISE 208-384-3700
Address: PO BOX 500
BOISE ID 83701-0500

2. Date of Priority: NOV 9, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	01E	25	NE	NE	SW		ADA

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550' WELL, 12" CASING, 30 HP SUBMERSIBLE PUMP, PIPE TO POU

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DOMESTIC	01/01	12/31	0.040		
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0.160 C.F.S. (and/or) A.F.A.

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9. Non-irrigation uses:
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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	01E	25	NE	SW		DOMEST	
			NE	SW		STOCK	

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE

14. Remarks:

SEE "EXCHANGE AGREEMENT" AND "WARRANTY DEED" FOR CHANGE OF
OWNERSHIP
ADDRESS CHANGED BY LH 3/18/94.
OWNERSHIP CHANGED BY LH 11/1/94.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

DATE OF CLOSING: September 29, 1994

RECEIVED

OCT 31 1994

WATER RESOURCES
WESTERN REGION

LEGAL DESCRIPTION OF PROPERTY: Township 1 North Range 1 East
 Section 25, 1/4 of 1/4 of 1/4 Govt. Lot, B.M.
 Lot _____ Block _____ Subdivision/Townsite _____
 If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☒ Water Right Number(s) Assigned by IDWR: The "beneficial use" water right claimed in the Snake River Basin Adjudication under Identification No. A63-18683
- ☒ Name and Address of Former Owner/Claimant(s)(Seller): Carl V. Nicholson and Patricia Nicholson
P O Box 690
Meridian, ID 83680-0690
- ☒ New Owner/Claimant (Purchaser): City of Boise
- ☒ New Mailing Address: P O Box 500
Boise, ID 83701-0500
- ☒ New Telephone Number: (208) 384 - 3700
- ☒ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☒ Attach proof of ownership, describe deed attached
 proof attached: _____

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

- ☐ Signature of New Owner/Claimant(s): [Signature] Date 9-29-94
Mayer, City of Boise Date _____
- ☐ Signature of Former Owner/Claimant(s): [Signature] Date _____
Carl V. Nicholson Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date 11-1-94 By JH

Further Action Needed

Further Action Taken

Date _____ By _____

Final Review and Data-Entry

Date 11-1-94 By JH

Claim Numbers of Split, if any

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

MICROFILMED

OCT 09 1996

K'133083 JB/ AH

WARRANTY DEED

RECEIVED

OCT 31 1994

WATER RESOURCES
WESTERN REGION

FOR VALUE RECEIVED

Carl V. Nicholson and Patricia Nicholson, husband and wife, whose address is P.O. Box 690, Meridian, Idaho 83680-0690, the GRANTORS, do hereby GRANT, CONVEY AND WARRANT unto

The City of Boise, an Idaho municipal corporation,

GRANTEE, who address is: P.O. Box 500, Boise, Idaho 83701-0500.

the following described real property in Ada County, Idaho, described on Exhibit A which is attached hereto and made a part hereof, together with: 1) all water rights and all entitlements to receive water that have been placed to beneficial use upon this parcel or are appurtenant to or associated with it, including, without limitation, all licenses, permits, claims, permit applications, and storage entitlements; 2) all ditch or canal company shares and/or entitlements to receive water from any such company or from any irrigation district or other water delivery entity; 3) all ditch rights, easements or rights-of-way associated with any irrigation or other water delivery ditch, canal, lateral or pipeline, including, but not limited to, those described on Exhibit B which exhibit is attached hereto and made a part hereof; and 4) all other easements, appurtenances and hereditaments (the "Property").

This conveyance hereby made is subject to the lien for real property taxes for the year 1994 and each year thereafter and also the following:

1. Reservations contained in Patent for School Land Clean List, recorded September 8, 1966, as Instrument No. 648004;
2. An easement in favor of Idaho Power Company, recorded August 23, 1968, as Instrument No. 698192;
3. An easement in favor of the Idaho Power Company, recorded February 19, 1970, as Instrument No. 735507;
4. An easement in favor of the Idaho Power Company, recorded February 19, 1970, as Instrument No. 735508;
5. An easement in favor of Idaho Power Company, recorded September 22, 1970, as Instrument No. 752101;
6. An easement in favor of Idaho Power Company, recorded May 2, 1974, as Instrument No. 884580;
7. Exceptions and reservations contained in Deed from the State of Idaho, recorded as Instrument No. 884580;

MICROFILMED

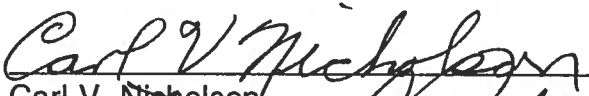
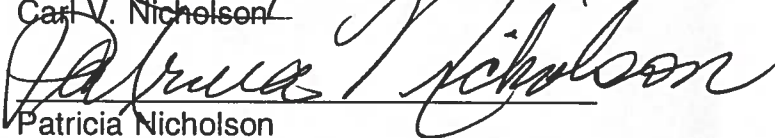
OCT 09 1996

8. Rights of way for ditches, tunnels and telephone and transmission lines constructed by authority of the United States, as granted to the United States under the provisions of Section 58-604 Idaho Code 1947; and
9. An easement in favor of Idaho Power Company, recorded January 20, 1984, as Instrument No. 8404537.

TO HAVE AND TO HOLD said Property unto the said Grantee and to the Grantee's successors and assigns forever. And the said Grantor, for itself, its heirs and assigns, does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said Property; that the Property are free from all encumbrances, except as described above; that Grantee, its heirs and assigns shall be entitled to the quiet and peaceable possession of said Property; and that Grantor will warrant and defend the same forever from all lawful claims whatsoever.

DATED: September 30, 1994

GRANTOR:


Carl V. Nicholson

Patricia Nicholson

STATE OF IDAHO)
) ss.
County of Ada)

On this 30th day of September, 1994, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Carl V. Nicholson, identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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


Notary Public for Idaho
Residing at Boise, Idaho
My commission expires: 3-17-99

STATE OF IDAHO)
) ss.
County of Ada)

On this 30th day of September, 1994, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Patricia Nicholson, identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she 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.



Jane L Bloch
Notary Public for Idaho
Residing at Boise, Idaho
My commission expires: 3-17-99

EXHIBIT A

PARCEL NO. 1

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER AND NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 1 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND BRASS CAP MONUMENT MONUMENTING THE SOUTH QUARTER CORNER OF SAID SECTION 25, SAID POINT BEING THE REAL POINT OF BEGINNING;

THENCE ALONG THE NORTH/SOUTH CENTER SECTION LINE OF SAID SECTION 25 NORTH 00 DEGREE 07'02" WEST 2,659.08 FEET TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 25,

THENCE ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 25 NORTH 00 DEGREE 07'02" WEST 18.28 FEET;

THENCE NORTH 08 DEGREES 37'10" EAST 1,747.55 FEET;

THENCE NORTH 02 DEGREES 49'10" EAST 901.00 FEET, MORE OR LESS, TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 25 FROM WHICH THE NORTH QUARTER CORNER OF SAID SECTION 25, WHICH IS A FOUND BRASS CAP MONUMENT, BEARS SOUTH 89 DEGREES 57'10" WEST 311.60 FEET;

THENCE ALONG SAID NORTH LINE NORTH 89 DEGREES 57'10" EAST 2,372.35 FEET TO A FOUND BRASS CAP MONUMENT AT THE NORTHEAST CORNER OF SAID SECTION 25;

THENCE ALONG THE EAST LINE OF SAID NORTHEAST QUARTER OF SAID SECTION 25 SOUTH 00 DEGREE 19'18" WEST 2,660.37 FEET TO A FOUND BRASS CAP MONUMENT AT THE EAST QUARTER CORNER OF SAID SECTION 25;

THENCE ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 25 SOUTH 00 DEGREE 24'55" WEST 1,776.73 FEET;

THENCE NORTH 89 DEGREES 04'02" WEST 1,330.48 FEET;

THENCE SOUTH 15 DEGREES 05'17" WEST 148.16 FEET;

THENCE SOUTH 05 DEGREES 38'26" EAST 179.71 FEET;

THENCE SOUTH 28 DEGREES 40'21" EAST 334.80 FEET;

THENCE SOUTH 24 DEGREES 44'30" EAST 233.31 FEET;

THENCE SOUTH 23 DEGREES 51'39" WEST 78.00 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 25;

THENCE ALONG THE SAID SOUTH LINE NORTH 89 DEGREES 43'46" WEST 1,520.84 FEET TO THE REAL POINT OF BEGINNING.

AND

PARCEL NO. 2

A PARCEL OF LAND SITUATED IN THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 1 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND BRASS CAP MONUMENT MONUMENTING THE SOUTH QUARTER CORNER OF SAID SECTION 25;

THENCE NORTH 00 DEGREE 07'02" WEST 1,422.80 FEET ALONG THE NORTH/SOUTH CENTER SECTION LINE OF SAID SECTION 25 TO THE REAL POINT OF BEGINNING;

THENCE NORTH 41 DEGREES 14'18" WEST 1,628.48 FEET;

THENCE SOUTH 89 DEGREES 44'02" EAST 1071.00 FEET TO A POINT ON THE NORTH/SOUTH CENTER SECTION LINE OF SAID SECTION 25;

THENCE SOUTH 00 DEGREE 07'02" EAST 1,219.60 FEET ALONG SAID CENTER SECTION LINE TO THE REAL POINT OF BEGINNING.

END OF LEGAL DESCRIPTION

MICROFILMED

OCT 09 1996

EXHIBIT B

- 1) The water right represented by Water Right License No. 63-07755
- 2) The "beneficial use" water right claimed in the Snake River Basin Adjudication under Identification No. A63-18683.

94088081
PIONEER TITLE CO.

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

'94 SEP 30 PM 2 01
FEE 15.00 *Wheeler*
RECORDED AT THE REQUEST OF

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: **A63-18683**
Date Received: 9/ 7/1989
Receipt No: W005661
Received By: _____

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

1. Name: CARL V NICHOLSON 208-888-1593
Address: PO BOX 690
MERIDIAN ID 83680

2. Date of Priority: NOV 9, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	01E	25	NE	NE	SW		ADA

5. Description of diverting works:
550' WELL, 12" CASING, 30 HP SUBMERSIBLE PUMP, PIPE TO POU

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.120		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC 1 HOME, STOCKWATER 500 HEAD CATTLE

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JUL 27 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	01E	25	NE	SW		DOMEST	
			NE	SW		STOCK	

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE

14. Remarks:

SEE "EXCHANGE AGREEMENT" AND "WARRANTY DEED" FOR CHANGE OF
OWNERSHIP
ADDRESS CHANGED BY LH 3/18/94.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
JUL 27 1994



GEHL
VERSATILE

Mountain
View
Equipment Company



WHITE



P.O. BOX 690 • MERIDIAN, IDAHO 83680 • TELEPHONE (208) 888-1593
TOLL FREE 1-800-769-1025 • FAX (208) 888-1624

F A X T R A N S M I T T A L

TO: _____ DATE: 3/17/94
FROM: Tom Nicholson PAGES FOLLOWING: 2
FAX NUMBER SENT TO: 334-2348

MESSAGE: Just wanted to inform you that
the address you have for:
Thomas T. & Diana R. Nicholson
Carl V. & Patricia Nicholson
Carl E. & Blanche Nicholson
or the combination of the above
should be changed to:

P.O. Box 690
Meridian ID 83680 MICROFILMED
JUL 27 1994

If you have any questions, please call me
at 888-1593.

Kinda Brooks

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: A63-18683

Date Received: 9/ 7/1989

Receipt No: W005661

Received By: DE JDL

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

1. Name: CARL V. NICHOLSON 208-888-1593
Address: P.O. BOX 703
MERIDIAN, ID 83642

2. Date of Priority: NOV 9, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	01E	25	NE	NE	SW		ADA

5. Description of diverting works:
550' WELL, 12" CASING, 30 HP SUBMERSIBLE PUMP, PIPE TO POU

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.120		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC 1 HOME, STOCKWATER 500 HEAD CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	01E	25	NE	SW		DOMEST	
			NE	SW		STOCK	

MICROFILMED

SEP 01 1992

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE

14. Remarks:
SEE "EXCHANGE AGREEMENT" AND "WARRANTY DEED" FOR CHANGE OF
OWNERSHIP

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
SEP 01 1992

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

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

CIVIL CASE NUMBER: 39576

Identification No. ALB-3-18683
Date Received 9-7-89
Receipt Number W005661

RECEIVED
SEP 07 1989

NOTICE OF CLAIM
TO A
WATER RIGHT

Department of Water Resources
Western Regional Office

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Carl V. Nicholson Phone (208) 888-1593

Mailing Address P.O. Box 703, Meridian, ID Zip 83642

2. Date of Priority (Only one per claim) 11/9/72 Month/Day/Year

3. Source of water supply (Check one) (x) Groundwater or Other () (a) _____
which is tributary to (b) na Name or kind of source

4. Location of point of diversion is: Township 1N Range 1E
Section 25 , NE 1/4 of NE 1/4 of SW 1/4, Govt. Lot _____, BM.,
County of Ada

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Well, 12" casing, 550' deep
30 hp submersible pump
pipe to house, shop, cattle corrals, sprinkler system

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For <u>domestic</u> purposes from	<u>1/1</u> to <u>12/31</u>	amount <u>.04</u>
(Both dates are inclusive)		
For <u>stockwater</u> purposes from	<u>1/1</u> to <u>12/31</u>	amount <u>.12</u>

7. Total quantity claimed .16 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership, stockwater type and Number of livestock) domestic-one, stockwater-500 head cattle

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SEP 21 1992

10. Place of use is: Township: 1N Range 1E

Section 25, NE 1/4 of SW 1/4, Govt. Lot _____, B.M.,

County of Ada for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

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

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

If your answer is No, describe in Remarks below the authority you have to claim this water right.

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

14. Remarks: See "exchange Agreement" and "Warranty Deed" for change of ownership.

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

Number of Attachments 16

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

Signature of Claimant (s) Carl V. Nicholson Date 8/30/89

Date _____

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

of _____, that I have signed the foregoing

document in the space below as _____ of _____

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

Signature of Authorized Agent _____ Date _____

Title and Organization _____

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

Subscribed and sworn (or affirmed) before me this 30 day of August 19 89

SEAL

Notary Public Scinda Butts

Residing at Boise, Idaho

My Commission Expires 5/31/95

Last Name Nicholson Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED
SEP 01 1992

EXCHANGE AGREEMENT

Between: CARL E. NICHOLSON and BLANCHE
NICHOLSON, husband and wife,

First Parties,

and

C & T RANCHES, INC., an Idaho
corporation,

Second Party.

THIS EXCHANGE AGREEMENT, Made and entered into this 30th
day of June, 1982, by and between CARL E. NICHOLSON and BLANCHE
NICHOLSON, husband and wife, of 101 Warm Springs Avenue, Boise, Idaho,
First Parties, hereinafter referred to as "First Parties", and C & T
RANCHES, INC., a corporation organized and existing under the laws of
the State of Idaho, Second Party, hereinafter referred to as "Second
Party";

W I T N E S S E T H:

WHEREAS, First Parties own certain real estate in Ada and
Canyon County, Idaho, more particularly described on Exhibits A1, A2,
A3, A4, A5 and A6, and further own wells, irrigation equipment, fences,
and other irrigation equipment, fixtures and appurtenances, water rights,
water licenses, and the like, and including all easements and rights-
of-way appurtenant to such lands, which property is subject to a
mortgage in favor of Kansas City Life Insurance Company in the amount
of \$162,638.00; and,

WHEREAS, Second Party is the owner of certain real property
situate in the County of Elmore, State of Idaho, described in Exhibits
B1 and B2, attached hereto and made a part hereof, and further own
wells, irrigation equipment, fences, and other irrigation equipment,
fixtures and appurtenances, water rights, water licenses, and the like,
and including all easements and rights-of-way appurtenant to such lands,

SEP 01 1982
MICHOITM

which property is subject to a contract being held in escrow with the Idaho First National Bank in favor of Yale Holland and Ruth Holland, husband and wife, in the sum of \$49,827.00; a mortgage in favor of the Federal Land Bank Association in the amount of \$207,849.00; and a mortgage in favor of Commodity Credit Corporation in the sum of \$9,227.00; and,

WHEREAS, The parties hereto desire to exchange the properties heretofore described as being owned by such parties, both real and personal.

NOW, THEREFORE, For and in consideration of the covenants and agreements herein contained to be kept and performed, IT IS HEREBY AGREED by and between the parties as follows, to-wit:

I.

First Parties shall, coincident with the execution hereof, make, execute and deliver to Second Party warranty deeds covering all real property heretofore described as being owned by First Parties, together with a good and sufficient Bill of Sale for all personal property herein described as being owned by First Parties and covered by the terms of this agreement.

II.

Second Party shall, coincident with the execution hereof, make, execute and deliver to First Parties warranty deeds covering all real property heretofore described as being owned by Second Party, together with a good and sufficient Bill of Sale for all personal property herein described as being owned by Second Party and covered by the terms of this agreement.

III.

First Parties shall assume and hold harmless Second Party from all terms and conditions of the indebtedness owing on the property to

256 0 1 1035
MICROFILMED

be transferred to First Parties by Second Party, and shall make all payments required to be made under the terms of all such encumbrances.

IV.

Second Party shall assume and hold harmless First Parties from all terms and conditions of the indebtedness owing on the property to be transferred to Second Party by First Parties, and shall make all payments required to be made under the terms of all such encumbrances.

V.

The parties understand that the equity of First Parties in the property to be exchanged to Second Party is greater than the equity of Second Party in the property to be exchanged to First Parties, and that the difference in such equity is the sum of \$229,818.00. Second Party hereby agrees to make, execute and deliver to First Parties a promissory note made payable to First Parties in the sum of \$229,818.00, which said note shall bear interest at the rate of ~~10%~~ ^{8 1/2%} per annum and shall be payable in equal annual installments of principal for a period of ~~fifteen~~ ^{TWELVE} (12) years, plus interest accrued to the date of payment. Such note shall be secured by Second Party executing and delivering to First Parties a real estate mortgage in standard form covering the property herein acquired by Second Party in Ada County, Idaho.

VI.

It is agreed that this agreement shall not be recorded, but a copy thereof, together with an original warranty deed covering the property encumbered by the Holland contract, shall be deposited with the escrow holder in the escrow of the Holland contract, and the escrow holder is hereby instructed, at such time as such contract is fully paid, to deliver all documents to which Second Party would otherwise be entitled to First Party. By these presents, Second Party

does hereby assign all right, title and interest of Second Party in and to such property to First Parties, their heirs, successors and assigns.

VII.

It is understood that a portion of the property in Canyon County, Idaho is covered by the terms of a certain lease between Carl E. Nicholson and Blanche Nicholson, husband and wife, as lessors, to C.E. Nicholson and Sons, Inc., a corporation, as lessee, the lessee's interest in which was assigned to Thomas T. Nicholson and Carl V. Nicholson, as assignees, by assignment of lease bearing date March 2, 1981. First Parties do hereby transfer the lessors' interest in such lease to Second Party herein.

IN WITNESS WHEREOF, the parties hereto have hereunto subscribed their names as of the day and year in this agreement first above written.

Carl E. Nicholson
Carl E. Nicholson

Blanche Nicholson
Blanche Nicholson

First Parties.

C & T RANCHES, INC.

by Thomas T. Nicholson
Thomas T. Nicholson, President

ATTEST:

Diana R. Nicholson
Diana R. Nicholson, Secretary

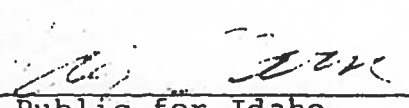
Carl V. Nicholson
Carl V. Nicholson, Vice President

RECORDED
FEB 11 1985
MICROFILMED

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this 2d day of June, 1982, before me, the undersigned, a Notary Public in and for said State, personally appeared CARL E. NICHOLSON and BLANCHE NICHOLSON, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

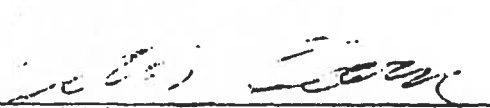


Notary Public for Idaho
Residing at Boise, Idaho

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this 2d day of June, 1982, before me, the undersigned, a Notary Public in and for said State, personally appeared THOMAS T. NICHOLSON, CARL V. NICHOLSON and DIANA R. NICHOLSON, the President, Vice President and Secretary, respectively, of C & T RANCHES, INC., Known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same in the name of said corporation.

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



Notary Public for Idaho
Residing at Boise, Idaho

256 0 1 1985

MICROFILMED

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS, That on this _____ day of June 19 82 ,

CARL E. NICHOLSON and BLANCHE NICHOLSON, husband and wife,

of Boise , County of Ada
State of Idaho , the parties of the first part, for and in consideration of the
sum of -----TEN (\$10.00) and other valuable consideration-----DOLLARS,
lawful money of the United States of America, to them in hand paid by

C & T RANCHES, INC., an Idaho corporation,

of Boise , County of Ada
State of Idaho , the party of the second part, the receipt whereof
is hereby acknowledged, do by these presents Grant, Bargain, Sell and Convey unto the said party
of the second part, its executors, administrators and assigns

all wells, irrigation equipment, fences, fixtures,
and other personal property used in the irrigation
of the real property described in Exhibits A, B & C

TO HAVE AND TO HOLD The same to the said party of the second part, its executors,
administrators and assigns, forever; and the said parties of the first part do for their heirs,
executors and administrators, covenant and agree to and with the said party of the second part, its
executors, administrators or assigns to WARRANT and DEFEND the sale of said property, goods and
chattels hereby made, unto the said party of the second part, its executors,
administrators and assigns, against all and every person and persons whomsoever, lawfully claiming or
to claim the same.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their
hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Carl E. Nicholson (SEAL)
Carl E. Nicholson
Blanche Nicholson (SEAL)
Blanche Nicholson (SEAL)

255 0 1 1985
NICHOLSON

255 0 1 1895
MICROFILMED

EXHIBIT "A"

Township 2 North - Range 1 West, B.M.

Section 24, Lots 1, 3, 5, 7, Block 15, SE $\frac{1}{4}$ SE $\frac{1}{4}$
25, SW 1.40 ac. in Lot 5 in NW $\frac{1}{4}$ NE $\frac{1}{4}$,
Lot 6 in NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$,
NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ (all in Avalon Orchard
Tracts), SW $\frac{1}{4}$ NE $\frac{1}{4}$ North of railroad
and South of Indian Creek,
SW $\frac{1}{4}$ NE $\frac{1}{4}$ North of Indian Creek
25, 4.66 acres Northeast of railroad
right-of-way in SE $\frac{1}{4}$ NW $\frac{1}{4}$

Avalon Orchard Tract - Block 6 North and West of Teed
Lateral excepting therefrom the
following described parcel of land:
The northeastern portion of Lot 1,
Block 6, Avalon Orchard Tracts,
lying in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30,
T. 2N., R. 1E., B.M., Ada County,
Idaho, between the North boundary
of Lot 1 and the Teed Sub-lateral,
more particularly described as
follows:

Beginning at a point 25 feet South
of the NW corner of Section 30,
T. 2N., R. 1E., B.M.; thence East
parallel to the Northern boundary
of Section 30 coincident with the
Northern boundary of Lot 1, Block
6, 1037.6 feet to the real point
of beginning; thence continuing
East 151.6 feet to the Eastern
boundary of Lot 1, Block 6; thence
South 201.5 feet along the Eastern
boundary of Lot 1, Block 6, to the
Teed Sub-lateral; thence Westerly
South 58°20' West 185 feet following
the Teed Sub-lateral; thence
North 297.5 feet to the real point
of beginning.

Avalon Orchard Tract - The Southwest portion of Lot 5, Block 6,
Avalon Orchard Tracts, lying in the
NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30, T. 2N., R. 1E., B.M.,
Ada County, Idaho, the northern boundary
being the Teed Sub-lateral and the southern
boundary being Indian Creek (New York Canal),
more particularly described as follows:

Beginning at the point where the
Western boundary of Lot 5, Block
6, crosses the Teed Sub-lateral;
thence Easterly 217 feet following
the sub-lateral; thence Southerly
278 feet along the established fence
line to a rock monument on the North
bank of Indian Creek; thence West-
erly following the North meander

line of Indian Creek to its intersection with the Western boundary of Lot 5, Block 6; thence North along the Western boundary of Lot 5, Block 6, 177 feet to the real point of beginning.

Avalon Orchard Tract - Block 9 North and East of Teed Lateral.

Avalon Orchard Tract - Block 12 - Lots 2 through 5 inclusive.

Kuna Orchard Tracts - Lot 22 excepting therefrom the East 212 feet of the North 263 feet of Lot 22 of the Kuna Orchard Tracts, according to the official plat thereof filed in Book 6 of Plats at Page 291, records of Ada County, Idaho and also excepting therefrom a tract of land beginning at the Southeast corner of the NE $\frac{1}{4}$ of Lot 22 of the Kuna Orchard Tracts, as shown and designated on the official plat on file and of record in Book 6 of Plats at page 291 in the records of Ada County, Idaho and bearing North 67.8 feet, along the East boundary of the aforesaid Lot 22; thence West 104.8 feet; thence South 67.75 feet to the South boundary of the NE $\frac{1}{4}$ of the aforesaid Lot 22; thence East 104.8 feet along the South boundary of the NE $\frac{1}{4}$ of the aforesaid Lot 22 to the point of beginning.

Lot 21.

Township 2 North - Range 1 East, B.M.

Section 19, Lot 4 South of Teed Lateral
29, SW $\frac{1}{4}$ NE $\frac{1}{4}$, West 50 ft. of NW $\frac{1}{4}$ NE $\frac{1}{4}$,
W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$.

Township 1 North - Range 1 East, B.M.

Section 15, E $\frac{1}{2}$ E $\frac{1}{2}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$

Section 25, NE $\frac{1}{4}$ excepting therefrom a fraction of the NE $\frac{1}{4}$, Sec. 25, Twp. 1 North, Range 1 East, B.M., Ada County, Idaho, described as follows: "

Beginning at the North quarter corner of Section 25, a brass cap; thence North 89°38' East along the north boundary line of the NE $\frac{1}{4}$ a distance of 311.6 feet to a corner post; thence South 2°30' West along an existing fence a distance of 901.0 feet to a brace post; thence South 8°18' West along an existing fence, a distance of 1735.6 feet to a gate post; thence North 0°28' West along the center section line, also the west boundary line of the NE $\frac{1}{4}$ a distance of 2615.7 feet to the point of beginning.

\$6,433.18 @ 31/32
due to State of
Idaho

147 Acres

Also a fraction of the SW $\frac{1}{4}$ described
as follows:

Beginning at the South quarter corner
of Section 25, Township 1 North,
Range 1 East, B.M.; thence North
0°3' West along an existing fence a
distance of 1422.8 feet to the true
point of beginning; thence North
0°3' West along the said existing
fence a distance of 1219.6 feet;
thence South 89°54' West a distance
of 1071.0 feet to an iron pin in
the center line of Nicholson Road;
thence South 41°23' East along the
center line of the existing private
road, a distance of 1622 feet to the
point of beginning.

SE $\frac{1}{4}$

Township 1 North - Range 1 East, B.M.
Section 10, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$
11, SW $\frac{1}{4}$

The foregoing is together with all after-acquired title from
the State of Idaho arising by Warranty Deed recorded as
instrument No. 931448, records of Ada County, Idaho.

Township 1 South - Range 2 West, B.M.

Section 4, E $\frac{1}{2}$ SE $\frac{1}{4}$,
9, N $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$,
10, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ less Southwest
2.96 acres

Township 1 North - Range 3 West, B.M.

Section 22, Lots 8, 9, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$
25, SW $\frac{1}{4}$
26, Lots 2, 3, 4, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$
27, Lot 4
35, Lots 5 and 6
36, Lots 5, 6, 7, NE $\frac{1}{4}$ NW $\frac{1}{4}$

SEP 01 1985

MICROFILMED

Township 3 North - Range 4 East, B.M.
Section 12, NW $\frac{1}{4}$ NW $\frac{1}{4}$

SEP 01 1985
MICROFILMED

75-257-100

CORRECTED WARRANTY DEED

THIS DEED IS GIVEN TO CORRECT THE LEGAL DESCRIPTION IN DEED RECORDED DECEMBER 23, 1988 AS INSTRUMENT NUMBER 8863024.

GRANTORS, Thomas T. Nicholson and Diana R. Nicholson, husband and wife, whose current address is 10322 Estate Drive, Boise, Ada County, Idaho, for a good and valuable consideration, receipt of which is hereby acknowledged, do hereby GRANT, BARGAIN, SELL AND CONVEY unto Carl V. Nicholson, whose current address is Box 73, Kuna, Ada County, Idaho, as to that property designated to him, as GRANTEE, and to the successors and assigns of Grantee forever, all of the real property described in Exhibit A attached hereto, and by reference made a part hereof, situate in Ada County, Idaho, together with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments, appurtenances, reversions, and remainders appurtenant thereto.

SUBJECT, HOWEVER, to the following:

1. All easements and rights-of-way appearing on record or on the premises.
2. Mineral reservations appearing of record.
3. Covenants, restrictions and zoning regulations as appear of record or by use upon the premises.
4. Current real property taxes, irrigation assessments or other governmental assessments or charges.
5. The terms and conditions of that certain mortgage bearing date September 9, 1969 between C. E. Nicholson and Sons, Inc., an Idaho corporation; Carl E. Nicholson, aka C. E. Nicholson, Jr., and Blanche Nicholson, his wife; Thomas T. Nicholson, aka Tom Nicholson, and Diana Rae Nicholson; and Carl V. Nicholson, a single man, as Mortgagors, and Kansas City Life Insurance Company of Kansas City, Jackson County, Missouri, as Mortgagee.

GRANTORS, on behalf of themselves and their heirs and personal representatives, successors and assigns, do hereby COVENANT, WARRANTY and shall DEFEND the quiet and peaceable possession of said premises by the Grantee and the successors and assigns of Grantee forever against the lawful claims of all persons excepting as heretofore mentioned.

MICROFILMED
SEP 01 1992

IN WITNESS WHEREOF, Grantors have caused their names to be subscribed all as of this 6TH day of December, 1988.

Thomas T. Nicholson

Thomas T. Nicholson

Diane R. Nicholson

Diane R. Nicholson

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this 6TH day of December, 1988, before me, the undersigned, a Notary Public in and for said State, personally appeared THOMAS T. NICHOLSON and DIANE R. NICHOLSON, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

Ruby Stunt
Notary Public for Idaho
Residing at Boise, Idaho
My Commission Expires: Non-Exp.

MICROFILMED

SEP 01 1992

ADA COUNTY REAL ESTATE TO CARL

Township 1 North - Range 1 East, B.M.

Section 15, E $\frac{1}{2}$ E $\frac{1}{2}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$

Section 25, NE $\frac{1}{4}$ excepting therefrom a fraction of the NE $\frac{1}{4}$,
Sec. 25, Twp. 1 North, Range 1 East, B.M., Ada
County, Idaho, described as follows:

Beginning at the North quarter corner of Section 25, a
brass cap; thence North 89°38' East along the north
boundary line of the NE $\frac{1}{4}$ a distance of 311.6 feet to a
corner post; thence South 2°30' West along an existing
fence a distance of 901.0 feet to a brace post; thence
South 8°18' West along an existing fence, a distance of
1735.6 feet to a gate post; thence North 0°28' West
along the center section line, also the west boundary
line of the NE $\frac{1}{4}$ a distance of 2615.7 feet to the point
of beginning.

Also a fraction of the SW $\frac{1}{4}$ described as follows:

Beginning at the South quarter corner of Section
25, Township 1 North, Range 1 East, B.M.; thence North
0°3' West along an existing fence a distance of 1422.8
feet to the true point of beginning; thence North 0°3'
West along the said existing fence a distance of 1219.6
feet; thence South 89°54' West a distance of 1071.0
feet to an iron pin in the center line of Nicholson
Road; thence South 41°23' East along the center line of
the existing private road, a distance of 1622 feet to
the point of beginning.

SE $\frac{1}{4}$

Township 1 North - Range 1 East, B.M.

Section 10, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$
11, SW $\frac{1}{4}$

Township 1 North, Range 1 East, B.M.

Section 12, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$

Section 13, NW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 36, All of the N $\frac{1}{2}$ lying South of the following
described line:

Beginning at the west quarter corner of Section 36, T. 1 N., R. 1 E., B.M., a brass cap; thence South 89°56' East a distance of 96 feet to a point on the fence; thence North 13°46' East along said fence a distance of 878 feet; thence North 85°31' East along said fence a distance of 2744.0 feet to a corner post; thence North 22°36' East along said fence a distance of 756 feet to a corner post; thence South 42°53' East along said fence, a distance of 2320 feet to a corner post; thence South 80°12' East along said fence a distance of 383 feet to the east quarter corner of Section 35, T. 1 N., R. 1 E., B.M.

Township 1 North, Range 2 East, B.M.

Section 20, SW $\frac{1}{4}$
Section 21, SE $\frac{1}{4}$
Section 22, S $\frac{1}{2}$ NE $\frac{1}{4}$
Section 33, SW $\frac{1}{4}$

Township 1 North, Range 3 East, B.M.

Section 3, S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 4, SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 10, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 28, SW $\frac{1}{4}$
Section 29, NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$
Section 33, NW $\frac{1}{4}$
Section 35, N $\frac{1}{2}$

Township 1 North, Range 4 East, B.M.

Section 31, Lots 3 and 4, E $\frac{1}{2}$ SW $\frac{1}{4}$
Section 32, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 33, SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 34, SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$

Township 1 South, Range 3 East, B.M.

Section 10, NW $\frac{1}{4}$
Section 11, E $\frac{1}{2}$ SE $\frac{1}{4}$
Section 12, W $\frac{1}{2}$ SW $\frac{1}{4}$
Section 13, NW $\frac{1}{4}$ NW $\frac{1}{4}$

Township 1 South, Range 4 East, B.M.

Section 4, SW $\frac{1}{4}$
Section 5, Lots 3 and 4, E $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ excepting 50 ft.
right-of-way to State on East side of Lot 3
Section 6, Lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$

Township 1 North, Range 2 East, B.M.

Section 30, Lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$

MICROFILMED

SEP 01 1992

3/26/1990

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

Nicholson

CLAIM IDENT. NO.

A63-18683

DATE RECEIVED

9-07-89

CK #

10798

AMOUNT \$

25.00

Required

- | | YES | NO | Info? |
|--|-------------------------------------|--------------------------|-------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates? | ☒ | ☐ | * |
| See Adjudication Memos #1 and #4 to determine if a Permit is required. | ☒ | ☐ | * |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) N/A | ☒ | ☐ | |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? N/A | ☒ | ☐ | |
| Is the consumptive use correct? N/A | ☒ | ☐ | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A | ☒ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? (see Item No. 17 for checking other water rights) | ☒ | ☐ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A | ☒ | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the basis of claim is shown as license, permit or decree is the existing water right number listed? (If yes, compare claim with the existing water right and either attach a proof report or state in comments that existing right was compared to claim) N/A | ☒ | ☐ | |
| 17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal desc. on the claim? (If yes, describe these rights in "Comments") NOTE: If the claim is for domestic/stockwater this check is not as necessary unless it is indicated there is an existing right N/A | ☒ | ☐ | |
| 18. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A | ☒ | ☐ | |
| 19. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 20. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 21. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 22. Is the fee enclosed correct? Exempt | ☒ | ☐ | * |

MICROFILMED
SEP 01 1992

NO

Claim checked by:

Date:

10-18-91

Claim must be returned to claimant:

(Yes)

(No)

Claimant must be notified of modifications:

(Yes)

(No)

Receipt Prepared by:

Date:

Claim data entered by:

Date:

Checked by:

Date: _____

Sent to claimant by:

Date:

Comments:

AMENDED CLAIM

Form No. 42-1409 (2) a 1/88 (Internet)

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

63-18683

Date Received

10/22/2004

Receipt Number

C075588

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) City of Boise Public Works Department Phone (208) 384-3901

Mailing Address P.O. Box 500 Boise, ID Zip 83701

2. Date of Priority (Only one (1) per claim) 11/9/1972

3. Source of water supply (a) Groundwater
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 1N Range 1E Section 25,
NE 1/4 of NE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of ADA

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Municipal purposes from 1/1 to 12/31 amount .16 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .16 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use: Within City of Boise Municipal Service Area as defined by City of Boise Service Area Map, September 2004
a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres irrigated _____

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
All City of Boise Municipal water rights or None ()

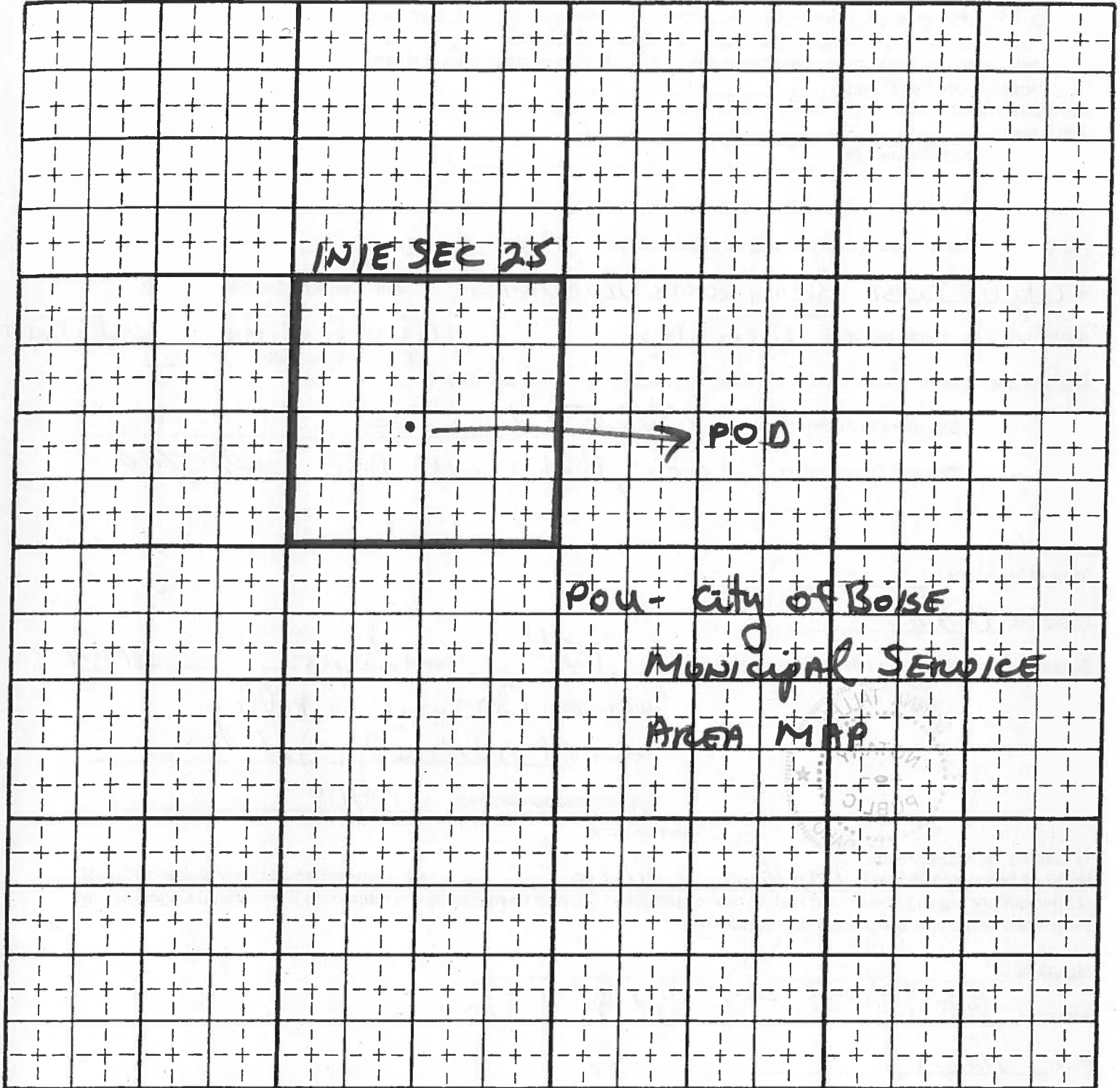
14. Remarks:

Historic domestic and stockwater uses.

Last Name _____ Ident No. _____

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

Scale: 2 inches equals 1 mile



15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 63-18683
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

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

of City of Boise, Public Works Department _____, that I have signed the foregoing
Organization

document in the space below as Director _____ of City of Boise Public Works Dept. _____
Title Organization

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

Signature of Authorized Agent Charles M. _____

Title and Organization Director, Public Works Dept. _____ Date 9/15/04 _____

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

Subscribed and sworn (or affirmed) before me this 15th day of Sept 2004



Notary Public Donna Talley _____

Residing at Caldwell, Id _____

My Commission Expires 08/09 _____

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address City of Boise Legal Department +
P.O. Box 500 Boise, ID 83701

Date 9/23/04 _____

Last Name _____ Ident. Number _____

AJ0749NP
No. R63-18683

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

DATE: 03/26/99
PAGE: 1

```
=====
OWNER          PRIORITY    USE PERIOD    DIVERSION    DIVERSION
CODE          DATE          FROM TO      RATE        VOLUME
-----
C CITY OF BOISE    11/09/1972  01-01 12-31    0.12 CFS
  PUBLIC WORKS DEPARTMENT    01-01 12-31    0.04 CFS
  PO BOX 500
  BOISE ID 837010500
  (208) 384-3901
                                TOTAL DIVERSION:    0.16 CFS
=====
```

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T01N R01E S25

NENESW

ADA County

Place of use Legal Description for: STOCKWATER

```

      NE                      NW                      SW                      SE
      NENE  NWNE  SWNE  SENE  :  NENW  NWNW  SWNW  SENW  :  NESW  NWSW  SWSW  SESW  :  NESE  NWSE  SWSE  SESE  :
T   R   S   : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac :
-----
01N 01E 25 : : : : : : : : : : : : : : : : : : : : : : : :

```

Place of use Legal Description for: DOMESTIC

```

      NE                      NW                      SW                      SE
      NENE  NWNE  SWNE  SENE  :  NENW  NWNW  SWNW  SENW  :  NESW  NWSW  SWSW  SESW  :  NESE  NWSE  SWSE  SESE  :
T   R   S   : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac :
-----
01N 01E 25 : : : : : : : : : : : : : : : : : : : : : : : :

```

POU County: ADA

Non-Irrigation Uses: DOMESTIC, 1 HOME; STOCKWATER, 500 CATTLE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A63-18683

Other Water Rights Listing Overlapping Place(s) of Use:
A63-07053

Remarks: GEN PARCEL NO. S2125314800

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

AJ0749NP
No. R63-18683

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

DATE: 03/26/99
PAGE: 2

=====

Comments: Date: 08/29/1993 User-ID: DUNN1 Subject: COPIED FROM REMARKS
SEE "EXCHANGE AGREEMENT" AND "WARRANTY DEED" FOR CHANGE OF
OWNERSHIP

Date: 03/18/1994 User-ID: HARRIS Subject: ADDRESS CHANGE
ADDRESS CHANGED BY LH 3/18/94.

Date: 11/01/1994 User-ID: LHARRIS Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGED BY LH 11/1/94.

Date: 03/26/1999 User-ID: DBUFFING Subject: NAME CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS A
NAME CHANGE PER CLAIMANT LETTER. (NO CHANGE IN OWNERSHIP).

Audit: 03/26/99 DBUFFING



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

April 5, 1999

DIRK KEMPTHORNE
GOVERNOR

Re: Notices of Claim to a Water Right

KARL J. DREHER
DIRECTOR

Beth K Baird
City of Boise
PO Box 500
Boise ID 83701-0500

Dear Claimant:

Enclosed are copies of the claims for the City of Boise which reflect the change in name for the land and appurtenant water right(s) covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

In addition, 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 the enclosed claim, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Records Clerk
Adjudication Section
Western Region Office

DB:db

Enclosure



PUBLIC WORKS DEPARTMENT
CITY HALL
4TH FLOOR

H. BRENT COLES
MAYOR

COUNCIL MEMBERS

CAROLYN TERTELING
COUNCIL PRESIDENT
MIKE WETHERELL
COUNCIL PRO TEM

SARA BAKER
PAULA FORNEY
ANNE STITES HAUSRATH
M. JEROME MAPP

March 23, 1999

Ms. Denise Buffington
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

RECEIVED

MAR 25 1999

WATER RESOURCES
WESTERN REGION

Dear Ms. Buffington:

Please find the attached Notices of Change of Water Right Ownership. These forms do not indicate any changes in the City of Boise's ownership, but request changes to how the City of Boise is listed as owner on its claims. Our intent is to have all the City's claims listed under the same format: City of Boise, followed by the managing Department and address.

Hopefully the forms are completed to your satisfaction. There are three forms and accompanying lists of water rights; one each managing department within the City of Boise. Also included is a list of Department heads as requested in item 7 on the Notice. If you have any questions please give me a call at 384-3984.

Sincerely,

Beth K. Baird
Environmental Program Coordinator

Water Right Number - R63-18683

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
NICHOLSON

CARL V

1 - PO BOX 690

2 -

3 -

City- MERIDIAN

State- ID Zip- 83680

Phone - 208-888-1593

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
11/09/1972 14 WESTERN J - BENEFICIAL USE+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County

01N 01E 25 NE NE SW (1) ADA

+ - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume43 - DOMESTIC 01/01 12/31 0.040
04 - STOCKWATER 01/01 12/31 0.120+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.160 0.0+ - - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County01N 01E 25 NE SW 04 STOCKWATER (1) ADA
01N 01E 25 NE SW 43 DOMESTIC (1) ADA

Total Acres:

+ - - Diversion Means - 550' WELL, 12" CASING, 30 HP SUBMERSIBLE PUMP, PIPE TO POU

+ - - Non-Irrigation Use - DOMESTIC, 1 HOME; STOCKWATER, 500 CATTLE

+ - - Other Rights for Same Use - NONE

+ - - - - - Remarks - - - - - +
PARCEL NO. S2125314800+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers FoundJUL 27 1994
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Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 09/07/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- W005661	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
JUL 27 1994

CCT LAND & CATTLE
P.O. BOX 690
MERIDIAN, ID 83680
208-888-1593
FAX 208-888-1624

RECEIVED
AUG 19 1994
WATER RESOURCES
WESTERN REGION

August 18, 1994

Mr. Steve Lester 
State of Idaho
Department of Water Resources
2375 Airport Way
Boise, ID 83705-5082

A63-18683

Dear Mr. Lester:

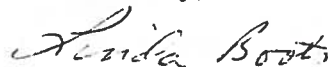
In response to our telephone conversation today, I am sending you copies of filings on the water right claims in question. The agent's name that I worked with was Linda Werner. She may be able to help reconstruct why we filed as we did.

Claim No. 63-07690 was withdrawn and we filed Claim No. 63-18683. I can't remember why we were advised to file both the withdrawal and the new water right other than that the CFS is greater on claim no. 63-18683. I'm sending copies of everything I have on these claims, maybe you can see why we were advised to file in this manner.

Claim No. 63-07042 was split and we refiled as 63-07042A. This claim was originally owned 60% by Pioneer Hibred and 40% by Carl V. Nicholson. It was decided that each claimant should file on their own behalf. Copies of these claims are also attached.

If I can be of further assistance in clearing up these problems, please call me.

Sincerely,



Linda Boots

cc: Blair Clark

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OCT 09 1996

Water Right Number - R63-18683

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
CITY OF BOISE1 - PO BOX 500
2 -
3 -
City- BOISE State- ID Zip- 837010500
Phone - 208-384-3700*** O - ORIGINAL OWNER ***
NICHOLSON

CARL V

1 - PO BOX 690
2 -
3 -
City- MERIDIAN State- ID Zip- 83680
Phone - 208-888-1593+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
11/09/1972 14 WESTERN J - BENEFICIAL USE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
01N 01E 25 NE NE SW (1) ADA+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
43 - DOMESTIC 01/01 12/31 0.040
04 - STOCKWATER 01/01 12/31 0.120+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.160 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
01N 01E 25 NE SW 04 STOCKWATER (1) ADA
01N 01E 25 NE SW 43 DOMESTIC (1) ADA

Total Acres:

+ - - Diversion Means - 550' WELL, 12" CASING, 30 HP SUBMERSIBLE PUMP, PIPE TO POU

+ - - Non-Irrigation Use - DOMESTIC, 1 HOME; STOCKWATER, 500 CATTLE

+ - - Other Rights for Same Use - NONE

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OCT 09 1996

Water right number - R63-18683

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - -
PARCEL NO. S2125314800

+ - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - -
Date: 08/29/1993 User Id: DUNN1 Subject: COPIED FROM REMARKS
SEE "EXCHANGE AGREEMENT" AND "WARRANTY DEED" FOR CHANGE OF OWNERSHIP
Date: 03/18/1994 User Id: HARRIS Subject: ADDRESS CHANGE
ADDRESS CHANGED BY LH 3/18/94.
Date: 11/01/1994 User Id: LHARRIS Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGED BY LH 11/1/94.

+ - - Audit Fields - - +
11/01/94 LHARRIS

+ - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 09/07/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- W005661	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

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OCT 09 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 1, 1994

Re: Notices of Claim to a Water Right Nos. A63-07755, A63-18683

City of Boise
P.O. Box 500
Boise, ID 83701-0500

Claimant(s):

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water rights covered under the original filings.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

If you have any questions concerning the enclosed claims please feel free to contact this office.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

LH:1

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OCT 09 1996

GARY G. ALLEN
JOSEPH H. BAIRD
CHRISTOPHER J. BEESON
MICHAEL C. CREAMER
ROY L. EIGUREN
JEFFREY C. FEREDAY
JULIE KLEIN FISCHER
RAYMOND D. GIVENS
L. W. GRANT, III
JUDITH K. HOLCOMBE
ROBERT C. HUNTLEY, JR.
DAVID R. LOMBARDI
KENNETH R. MCCLURE
CHRISTOPHER H. MEYER
L. EDWARD MILLER
PATRICK J. MILLER
JUDSON B. MONTGOMERY
TERRY L. MYERS
RAMONA S. NEAL
STEVEN L. OLSEN
W. HUGH O'RIORDAN
KENNETH L. PURSLEY
GREGORY J. VIETZ
CONLEY WARD
STEVEN R. WEEKS
STEPHANIE C. WESTERMEIER

LAW OFFICES
GIVENS PURSLEY & HUNTLEY

SUITE 200, PARK PLACE
277 NO. 6TH STREET
POST OFFICE BOX 2720
BOISE, IDAHO 83701

JAMES A. MCCLURE
OF COUNSEL

DAVID E. MABE
LEGISLATIVE SPECIALIST

RECEIVED

OCT 28 1994

Department of Water Resources

TELEPHONE
(208) 342-6571

FACSIMILE
(208) 343-9492

October 27, 1994

RECEIVED

OCT 31 1994

WATER RESOURCES
WESTERN REGION

Department of Water Resources
1301 North Orchard
Boise, Idaho 83706

Re: Notice of Change of Water Right Ownership
Our File: 3460\5

Dear Ladies and Gentlemen:

Enclosed is the New Property Owner Notice of Change Water Right Ownership, Idaho Department of Water Resources form 42-1409(7) for the transfer of two water rights which have been acquired by the City of Boise. Please change your records accordingly. If you have any questions, please do not hesitate to contact us.

Sincerely,



L. W. Grant, III

LWG:lah:mac
Enclosures

cc: Doug Strickling (w encl.)

3460\5\DWRLTR

MICROFILMED

OCT 09 1996

OLD (D) NUMBER -

2 -
3 -

STATE- ID ZIP- 83642

JUL 27 1994

PREFIX TRANSLATION: ADJUDICATION CLAIM

NO COMMENTS FOUND

+ - - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

S 2125314800
~~01NOV 254800~~

DATA ENTRY
ENTERED 87993
CHECKED 10/28/93

Verified By
 Topo Map/Ortho-PQ
 ASCS Map
 Watermaster Records
 NAPP Photos
 Field Exam
 Other (See Remarks)
 County Records
 Witness Statement
 Project Records
 DWR Records

VERIFIED
NOV 24 1992

PROOF
SEP 08 1992

CERTIFIED
JUL 28 1993
WATER EXAMINER

MICROFILMED
JUL 27 1994