

APR 19 2021

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☐ Change diversion point(s) ☒ Add diversion point(s) ☒ Ownership change ☐ Ownership split
☐ Transfer is for changes pursuant to [Idaho Code § 42-221.O.8](#). Attach an explanation and any supporting documentation.

1. APPLICANT(S) Green Head Ranch LLC Phone (510) 965-61202. MAILING ADDRESS 2415 San Ramon Valley Blvd. City San RamonState CA Zip 94583 Email Tj@bayareabev.com

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
☒ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. LIST WATER RIGHT NUMBER(S) 63-34334

- ☒ Attach a copy of the water right(s) as recorded, available at [idwr.idaho.gov](#), *Water Right Transfers, Step 1*, or by contacting any Department office.

4. TOTAL AMOUNT OF WATER transferred is 13.10 cubic feet per second and/or 3,196 acre-feet per annum.
(diversion rate) (storage volume)5. POINT OF DIVERSION – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at [idwr.idaho.gov](#), *Water Rights, Water Right Transfers, Modeling Resources*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
N			SW	SE	16	05N	05W	CANYON	BOISE RIVER	
Y	03		SE	NW	17	05	05W	CANYON	BOISE RIVER	

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

A measuring device and lockable control at the headgate will be installed at the new point of diversion required by conditions of approval.

- b. Who owns the property at the point(s) of diversion? Applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and $\frac{1}{4}$ $\frac{1}{4}$ of section information. You may create a map at idwr.idaho.gov, *Water Rights*, *Water Right Transfers*, *File a Transfer Application*, *Step 2C*.

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Tom J. Louderback
Signature of applicant or authorized agent

Tom J LOUDERBACK - MANAGER
Print name and title if applicable

4/12/21
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. **FEE** – ☒ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov, *Water Right Transfers*, *Step 4* and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments.

Received by LE

Date 04/19/2021

Fee paid \$1590 Date 04/19/2021

Receipted by LE

Receipt # W049315

Preliminary review by _____

Date _____

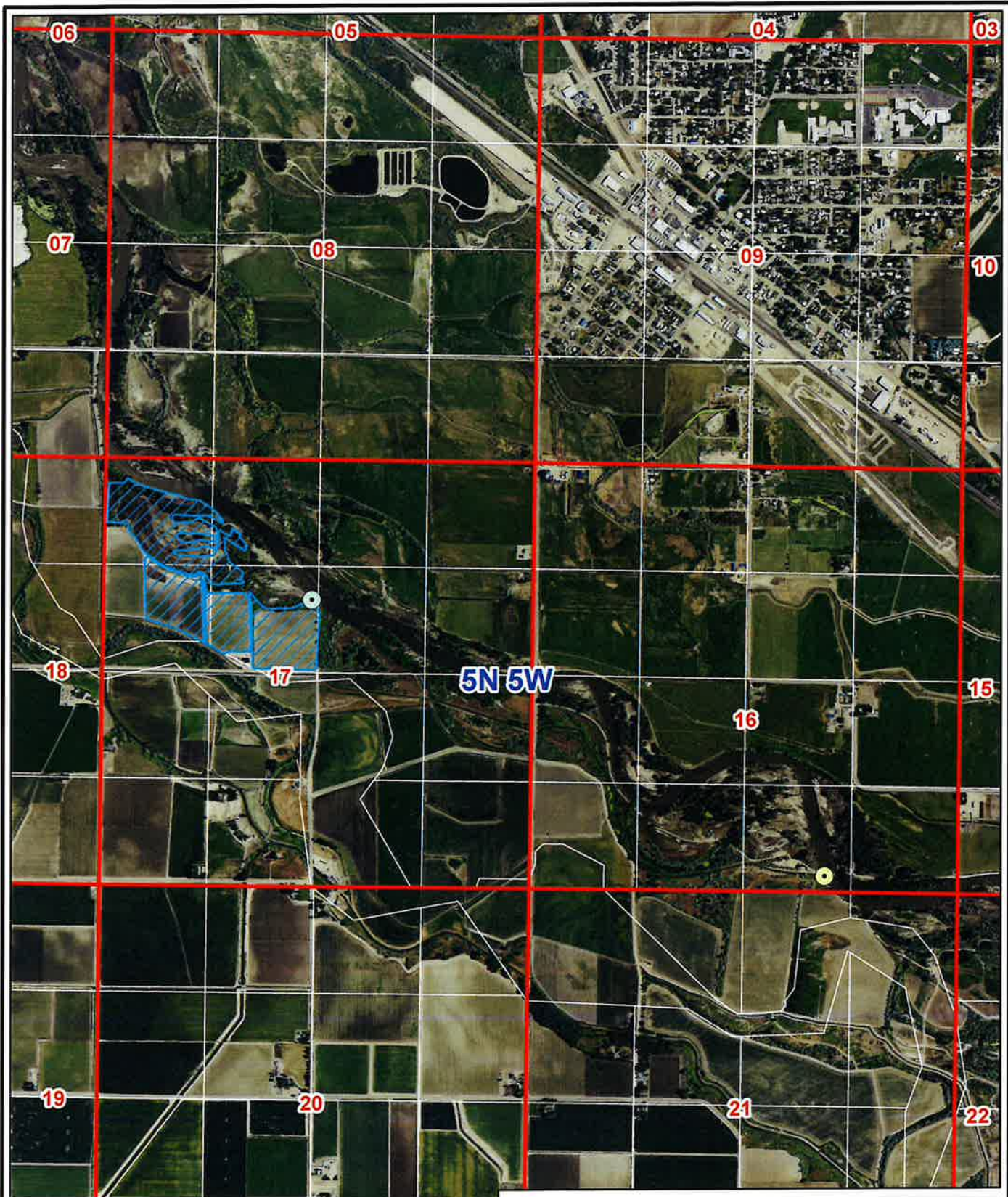
Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐

Name on W-9 _____

W-9 forwarded to fiscal? Yes ☐ No ☐

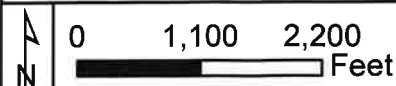
(Do NOT scan the W-9 – confidential information is held by fiscal only)



Legend

- ⊙ Proposed Point of Diversion
- ⊙ Existing Point of Diversion
- ▨ 63-34334 Place of Use

Green Head LLC
Application for Transfer - POD



**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 63-34334

Current Owner: THORPE FAMILY TRUST
Priority Date: 1/26/2017
Origin: Water Right
Status: Active
Basis: License

Source

BOISE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>
RECREATION	09/30	02/28
RECREATION STORAGE	09/30	02/28
WILDLIFE STORAGE	09/30	02/28
WILDLIFE	09/30	02/28
DIVERSION TO STORAGE	09/30	02/28
	<u>Total Diversion</u>	

Location of Point(s) of Diversion

BOISE RIVER
CANYON County

Place of Use

Tributary

SNAKE RIVER

<u>Diversion Rate</u>	<u>Annual Volume</u>
13.1 CFS	2528 AF
	668 AF
	668 AF
13.1 CFS	2528 AF
13.1 CFS	
13.1 CFS	3196 AF

SW1/4SE1/4 Sec. 16, Twp 05N, Rge 05W B.M.

Page _____ of _____

WILDLIFE Within CANYON County

T05N R05W S17		NENW	T05N R05W S17		NWNW
T05N R05W S17	Lot 4	SWNW	T05N R05W S17	Lot 3	SEnw

WILDLIFE STORAGE Within CANYON County

T05N R05W S17		NENW	T05N R05W S17		NWNW
T05N R05W S17	Lot 4	SWNW	T05N R05W S17	Lot 3	SEnw

RECREATION Within CANYON County

T05N R05W S17		NENW	T05N R05W S17		NWNW
T05N R05W S17	Lot 4	SWNW	T05N R05W S17	Lot 3	SEnw

RECREATION STORAGE Within CANYON County

T05N R05W S17		NENW	T05N R05W S17		NWNW
T05N R05W S17	Lot 4	SWNW	T05N R05W S17	Lot 3	SEnw

DIVERSION TO STORAGE Within County

Conditions of Approval:

1. 020 The diversion and use of water described in this right may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
2. 220 The field flooding established by the storage of water under this right shall not exceed a total capacity of 29 acre-feet or a total surface area of 58 acre (s).
3. 219 Right 63-34334 authorizes total annual storage volume of 668 acre-feet, 29 acre-feet to be used for the initial filling or carryover storage of the field flooding and 639 acre-feet for the replacement of losses caused by seepage and evaporation.
4. Diversions under water right 63-34334 shall not exceed 13.1 cfs in combination with diversions of irrigation, wildlife, recreation, and diversion to storage water rights appurtenant to the place of use of 63-34334.
5. Wildlife and wildlife storage use is to create shallow water and moist soil wildlife habitats. These habitats are intended to provide resting, roosting, and refuge areas for waterfowl.
6. 103 When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

Page _____ of _____

7. 204 This right shall be junior and subordinate to future water rights authorizing the diversion and use of water from the Boise River and its tributaries, including ground water, for consumptive uses, except that this right shall not be subordinate to future water rights for similar wildlife, recreation and/or aesthetic uses.
8. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
9. This right shall be junior and subordinate to future minimum in-stream flow water rights that may be established for the Boise River and its tributaries.
10. Water diverted under the wildlife and recreation flow components of this water right, minus evaporation and seepage losses, shall be returned to the Boise River.
11. R05 Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
12. Recreation and recreation storage use is for waterfowl hunting and wildlife viewing. Recreation use under this right is for flow-through water and return-flow water associated with recreation storage.
13. 945 Any obstruction in the Boise River channel for diversion of water under this right must provide for watercraft and fish passage. The right holder must bypass sufficient flows in the Boise River at the point of diversion to accommodate watercraft navigation and fisheries values in the Boise River downstream of the diversion. The quantity of the bypass flow may be established in the future by the filing of a petition with the Department to establish the bypass flows and subsequent proceedings as described in the Department's Rules of Procedure.
14. This right does not authorize the diversion and use of water released from Lucky Peak Reservoir for stream flow maintenance purposes in connection with Water Right 63-3618.

Licensed Date: 10/28/2019



Escrow No.: 34602023227-KY

2021-006910
RECORDED
01/28/2021 03:48 PM
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=6 PBRIDGES \$15.00
TYPE: DEED
FIDELITY NATIONAL TITLE - BOISE
ELECTRONICALLY RECORDED

WARRANTY DEED

FOR VALUE RECEIVED

James G. Thorpe and Renee D. Thorpe, Trustees of The Thorpe Family Trust

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL AND CONVEY unto:

Green Head Ranch, LLC, an Idaho limited liability company

GRANTEE(S), whose current address is: 2415 San Ramon Valley Blvd, Suite 4380, San Ramon, CA 94583

the following described real property in Canyon County, Idaho, more particularly described as follows, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

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



Escrow No.: 34602023227-KY

Electronically Recorded
Stamped First Page Now
Incorporated As Part of
The Original Document

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FOR VALUE RECEIVED

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WARRANTY DEED

(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Effective this ^{28th} day of January, 2021.

The Thorpe Family Trust

BY:

James G. Thorpe
Trustee

BY:

Renee D. Thorpe
Trustee

STATE OF Idaho, COUNTY OF Ada, -ss.

On this ^{27th} day of January, 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared James G. Thorpe and Renee D. Thorpe, known or identified to me to be the person whose name is subscribed to the within instrument, as the Trustees of the The Thorpe Family Trust and acknowledged to me that he/she executed the same as such Trustees.

Signature:

Name:

Residing at:

My Commission Expires:

(SEAL)

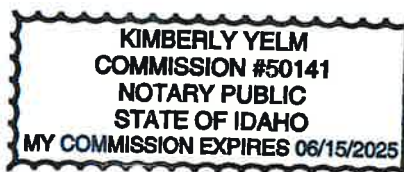


EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): 38951000 0

Parcel A:

Real property in the County of Canyon, State of Idaho, described as follows:

In Township 5 North, Range 5 West of the Boise Meridian:
Section 17: Lot 4

AND

That part of the Northwest Quarter (NW1/4) of the Northwest (NW1/4) of Section 17, Township 5 North, Range 5 West of the Boise River, lying South of the Boise River.

For APN/Parcel ID(s): 38942010 0 and

Parcel B:

A portion of the Northeast Quarter of the Northwest Quarter of Section 17, Township 5 North, Range 5 West, Boise Meridian, Canyon County, more particularly described as follows:

BEGINNING at the Southwest corner of said Northeast Quarter of the Northwest Quarter; thence North 0° 59' 19" East along the West boundary of said Northeast Quarter of the Northwest Quarter a distance of 613.19 feet to a point on the mean high water line of the South bank of the Boise River; thence South 54° 14' 52" East along said mean high water line a distance of 960.28 feet; thence South 29° 14' 06" East continuing along said mean high water line a distance of 90.21 feet to a point on the South boundary of said Northeast Quarter of the Northwest Quarter; thence North 88° 09' 59" West along said South boundary a distance of 834.38 feet to the POINT OF BEGINNING.

For APN/Parcel ID(s): 38947013 0

Parcel C:

A portion of Government Lot 3 and of the Boise River Channel as shown on the 1868 G.L.O. Survey Plat for Section 17, Township 5 North, Range 5 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

BEGINNING at the center Quarter corner for said Section 17; thence North 88° 23' 50" West along the East-West midsection line of said Section 17 a distance of 812.39 feet; thence North 1° 12' 39" East a distance of 1,030.85 feet; thence South 88° 09' 59" East a distance of 584.90 feet to a point on the Westerly meander line for the mean highwater of the Boise River Channel as it now exists; thence South 42° 49' 39" East along said meander line a distance of 178.90 feet; thence South 48° 42' 24" East continuing along said meander line a distance of 135.81 feet to a point on the North-South midsection line of said Section 17; thence South 1° 15' 53" West along said North-South midsection line a distance of 814 feet to the POINT OF BEGINNING.

For APN/Parcel ID(s): 38947010 0

Parcel D:

EXHIBIT "A"
Legal Description

A portion of the Southwest Quarter of the Northeast Quarter and of the Boise River Channel as shown on the 1868 G.L.O. Survey Plat for Section 17, Township 5 North, Range 5 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

BEGINNING at the Center Quarter for said Section 17; thence
North 1° 15' 53" East along the North-South midsection line of said Section 17 a distance of 814 feet to a point on the Westerly meander line for the mean highwater of the Boise River Channel as it now exists; thence
South 48° 42' 24" East along said meander line a distance of 211 feet; thence
South 59° 17' 28" East continuing along said meander line a distance of 203.99 feet; thence leaving said meander line and bearing
South 1° 15' 53" West a distance of 579.97 feet to a point on the East-West midsection line for said Section 17; thence
North 88° 24' 18" West along said East-West midsection line a distance of 339.21 feet to the POINT OF BEGINNING.

SUBJECT TO a 40-foot ingress-egress and utility easement along the South boundary.

For APN/Parcel ID(s): 38947011 0

Parcel E:

A portion of the Southwest Quarter of the Northeast Quarter and of the Boise River Channel as shown on the 1868 G.L.O. Survey Plat for Section 17, Township 5 North, Range 5 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

COMMENCING at the Center Quarter corner for said Section 17; thence
South 88° 24' 18" East along the East-West midsection line for said Section 17 a distance of 339.21 feet to the TRUE POINT OF BEGINNING; thence
North 1° 15' 53" East a distance of 579.97 feet to a point on the Westerly meander line for the mean highwater of the Boise River Channel as it now exists; thence traversing said meander line as follows:
South 59° 17' 28" East a distance of 355.56 feet; thence
South 34° 01' 05" East a distance of 145.80 feet; thence
South 51° 14' 45" East a distance of 477.52 feet to a point on said East-West midsection line; thence
North 88° 24' 18" West along said midsection line a distance of 772.75 feet to the TRUE POINT OF BEGINNING.

This parcel includes use of an ingress-egress and utility easement described as follows:

BEGINNING at the Center Quarter corner of Section 17, Township 5 North, Range 5 West, Boise Meridian, Canyon County, Idaho; thence
North 1° 15' 53" East a distance of 40 feet; thence
South 88° 24' 18" East parallel with the East-West midsection line of said Section 17 a distance of 339.21 feet; thence
South 1° 15' 53" West a distance of 40 feet to said East-West midsection line; thence
North 88° 24' 18" West along said East-West midsection line a distance of 339.21 feet to the POINT OF BEGINNING

For APN/Parcel ID(s): 38947000 0

Parcel F:

A portion of Government Lots 5, 6 and 7 of the Southwest Quarter of the Southwest Quarter and of the Boise River Channel as shown on the 1868 G.L.O. Survey Plat for Section 17, Township 5 North, Range 5 West of the Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

EXHIBIT "A"
Legal Description

COMMENCING at the West Quarter corner of said Section 17, as monumented by a brass cap monument; thence South 0° 43' 01" West along the West boundary of said Section 17 a distance of 8.09 feet to a point in the centerline of Boulder Road, said point being the TRUE POINT OF BEGINNING; thence South 88° 03' 58" East along said centerline a distance of 1,186.70 feet; thence South 50° 55' 56" East a distance of 791.25 feet; thence South 32° 56' 45" East a distance of 18.51 feet; thence North 88° 57' 28" West a distance of 388.10 feet; thence South 4° 59' 23" West a distance of 846.76 feet to a point in the centerline of the Ross East End Drain; thence traversing said centerline as follows:
North 77° 44' 19" West a distance of 35.70 feet;
North 74° 52' 58" West a distance of 367.83 feet;
North 56° 53' 02" West a distance of 323.56 feet;
North 54° 19' 35" West a distance of 389.54 feet;
North 44° 32' 12" West a distance of 284.11 feet;
North 29° 41' 45" West a distance of 123.38 feet;
North 24° 24' 13" West a distance of 188.45 feet;
North 0° 24' 55" West a distance of 206.63 feet;
North 1° 44' 29" East a distance of 120.27 feet;
North 45° 57' 48" West a distance of 49.67 feet to a point on the West boundary of said Section 17; thence North 0° 43' 01" East along said West boundary a distance of 40.62 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM

Any portion situated in the Southwest Quarter of the Southwest Quarter, Section 17, Township 5 North, Range 5 West, Boise Meridian in Canyon County, Idaho.

For APN/Parcel ID(s): 38947015 0 and 38947015A0

Parcel G and H:

A portion of Government Lots 6 and 7 and of the old original Boise River Channel as shown on the 1868 G.L.O. Survey of Section 17, Township 5 North, Range 5 West of the Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

BEGINNING at the Center Quarter corner for said Section 17; thence South 1° 13' 26" West along the North-South midsection line for said Section 17 a distance of 829.55 feet to a point in the centerline of Stephen Lane; thence traversing said centerline as follows:
South 8° 36' 21" West a distance of 52.23 feet;
South 12° 31' 59" West a distance of 336.85 feet;
South 1° 50' 35" West a distance of 153.05 feet; thence leaving said centerline and bearing North 88° 37' 42" West a distance of 544.04 feet to the centerline of an existing ditch; thence traversing said centerline as follows:
North 24° 56' 01" East a distance of 172.78 feet;
North 5° 16' 08" West a distance of 249.04 feet;
North 22° 27' 09" West a distance of 142.90 feet;
North 32° 56' 45" West a distance of 406.37 feet;
North 50° 55' 56" West a distance of 791.25 feet to a point in the centerline of Boulder Road; thence South 88° 03' 58" East along said centerline a distance of 150.55 feet to a point on the Northerly extension of the West boundary of said Government Lot 6; thence North 0° 58' 10" East along said extension a distance of 15.81 feet to the West One Sixteenth corner of said Section 17; thence

EXHIBIT "A"
Legal Description

South 88° 23' 50" East along the East-West midsection line of said Section 17 a distance of 1,337.17 feet to the POINT OF BEGINNING.

For APN/Parcel ID(s): 38948010 0

PARCEL I:

A portion of Government Lot 7 and of the old original Boise River Channel as shown on the 1868 G.L.O. Survey for Section 17, Township 5 North, Range 5 West of the Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

COMMENCING at the South One Sixteenth corner for said Section 17; thence
South 1° 13' 26" West along the North-South midsection line of said Section 17 a distance of 56.49 feet; thence
North 88° 37' 42" West a distance of 74.43 feet to a point in the centerline of Stephen Lane, which point is the
TRUE POINT OF BEGINNING; thence
South 1° 23' 36" East along said centerline a distance of 734.38 feet to a point on the Northerly boundary of the
parcel described as the exception in the Warranty Deed filed as Instrument No. 9016492, records of Canyon
County, Idaho; thence
North 72° 10' 51" West along said North boundary a distance of 490.41 feet; thence
South 59° 37' 01" West continuing along said boundary a distance of 50.93 feet to a point in the centerline of an
existing ditch; thence traversing said centerline as follows:
North 2° 00' 54" East a distance of 93.55 feet;
North 29° 57' 11" West a distance of 175.54 feet;
North 10° 56' 14" West a distance of 142.23 feet;
North 4° 59' 49" East a distance of 133.13 feet;
North 24° 56' 01" East a distance of 115.82 feet; thence leaving said ditch centerline and bearing
South 88° 37' 42" East a distance of 544.04 feet to the TRUE POINT OF BEGINNING.



Escrow No.: 34602023229-KY

2021-006912	
RECORDED	
01/28/2021 03:50 PM	
CHRIS YAMAMOTO	
CANYON COUNTY RECORDER	
Pgs=3 DLSTEPHENS	\$15.00
TYPE: SAT MTG	
FIDELITY NATIONAL TITLE - BOISE	
ELECTRONICALLY RECORDED	

WARRANTY DEED

FOR VALUE RECEIVED

Ryan J. Thorpe and Nicole E. Thorpe, husband and wife

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL AND CONVEY unto:

Green Head Ranch, LLC, an Idaho limited liability company

GRANTEE(S), whose current address is: 2415 San Ramon Valley Blvd, Suite 4380, San Ramon, CA 94583

the following described real property in Canyon County, Idaho, more particularly described as follows, to wit:

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Escrow No.: 34602023229-KY

Electronically Recorded
Stamped First Page Now
Incorporated As Part of
The Original Document

WARRANTY DEED

FOR VALUE RECEIVED

Ryan J. Thorpe and Nicole E. Thorpe, husband and wife

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the following described real property in Canyon County, Idaho, more particularly described as follows, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

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

WARRANTY DEED
(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

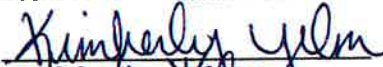
Effective this ^{28th} day of January, 2021.


Ryan J. Thorpe


Nicole E. Thorpe

STATE OF Idaho, COUNTY OF Ada, -ss.

On this ^{27th} day of January, 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared Ryan J. Thorpe and Nicole E. Thorpe known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she/thet executed the same.

Signature: 
Name: Kimberly Yelm
Residing at: _____
My Commission Expires: _____

(SEAL)



EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): 38947012 0

Parcel II:

A portion of Government Lot 3 and of the Boise River Channel as shown on the 1868 G.L.O. Survey Plat for Section 17, Township 5 North, Range 5 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

COMMENCING at the center Quarter corner of said Section 17; thence
North 88° 23' 50" West along the East-West midsection line for said Section 17 a distance of 812.39 feet to the
TRUE POINT OF BEGINNING; thence continuing
North 88° 23' 50" West along said midsection line a distance of 524.78 feet to a point on the Southerly extension
of the West boundary of said Government Lot 3; thence
North 0° 59' 07" East along said extension and said West boundary a distance of 1,304.61 feet to the Northwest
corner of said Government Lot 3; thence
South 88° 09' 59" East along the North boundary of said Government Lot 3 a distance of 834.38 feet to a point on
the Westerly meander line for the mean highwater of the Boise River Channel as it now exists; thence traversing
said meander line as follows:
South 29° 14' 03" East a distance of 145.19 feet; thence
South 67° 49' 07" East a distance of 106.09 feet; thence
South 42° 49' 39" East a distance of 155.08 feet; thence leaving said meander line and bearing
North 88° 09' 59" West a distance of 584.90 feet; thence
South 1° 12' 39" West a distance of 1,030.85 feet to the TRUE POINT OF BEGINNING.



RECEIVED

APR 19 2021

WATER RESOURCES
WESTERN REGION

April 15, 2021

Nick Miller
Western Region Manager
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Subject: Application for Transfer – 63-34334 Green Head Ranch LLC

Dear Nick,

On behalf of Green Head Ranch LLC, enclosed please find an application for transfer proposing adding a diversion point for water right 63-34334. The additional diversion point will allow water to be pumped from the river at times when the gravity delivery ditch is not operating.

The enclosed \$1590 check for the filing fee includes \$1540 based on the 13.1 cfs diversion rate plus an additional \$50 for the change of ownership. The property changed ownership on January 28, 2021. We assume that a change of ownership form was not submitted at that time.

Please contact me with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Terry M. Scanlan".

Terry M. Scanlan, P.E., P.G.

Enclosures: Application, \$1590 Transfer Filing Fee

Cc: TJ Louderback

SPF file number: 1652.0010



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

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

Brad Little
Governor

Gary Spackman
Director

July 7, 2021

GREEN HEAD RANCH LLC
C/O TJ LOUDERBACK
2415 SAN RAMON VALLEY BLVD STE 4380
SAN RAMON, CA 94583-5381

RE: Transfer No. 84986
Water Right No. 63-34334

Dear Applicant:

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the PRESS TRIBUNE on 7/15/2021 and 7/22/2021. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,


Denise Lauerma
Administrative Assistant

From: Lauerman, Denise
Sent: Friday, July 09, 2021 8:58 AM
To: Casey Pozzanghera; Tom Bassista
Cc: Zachary Swearingen
Subject: Application for Transfer No. 84986; Water Right No. 63-34334

IDFG:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the applications at: <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the applications, then complete the enclosed recommendation form and return it to this office by **08/02/2021**.

If the applications are approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation by **08/02/2021**, IDWR will presume that you do not oppose approval of the applications and that you have no comments for IDWR to consider.

Please contact this office if you have any questions regarding the application.

Thanks!
Denise

Denise Lauerman | *Administrative Assistant*
Idaho Dept. of Water Resources - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334.2190 | denise.lauerman@idwr.idaho.gov

Lauerman, Denise

From: Lauerman, Denise
Sent: Friday, July 09, 2021 8:57 AM
To: 'Rex Barrie'
Subject: Application for Transfer No. 84986; Water Right No. 63-34334

Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right applications. You can find a copy of the applications at: <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the applications, then complete the enclosed recommendation form and return it to this office by **08/02/2021**.

If the applications are approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation by **08/02/2021**, IDWR will presume that you do not oppose approval of the applications and that you have no comments for IDWR to consider.

Please contact this office if you have any questions regarding the application.

Thanks!
Denise

Denise Lauerman | *Administrative Assistant*
IDWR-Western Region
2735 W Airport Way, Boise ID 83705
(208).334.2190 | denise.lauerman@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

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Brad Little
Governor

Gary Spackman
Director

July 7, 2021

GREG OBENDORF
C/O HONSINGER LAW PLLC
ATTN CHARLES L HONSINGER
PO BOX 517
BOISE, ID 83701

RE: Transfer No. 84986
Water Right No. 63-34334

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right applications. You can find a copy of the applications at:

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of these applications, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days of the final publication.

Please contact this office if you have any questions regarding the applications.

Sincerely,



Denise Lauerman
Administrative Assistant



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

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Brad Little
Governor

Gary Spackman
Director

July 7, 2021

HAAS DITCH CO
1854 SYRINGA RD
ADRIAN, OR 97901-5116

RE: Transfer No. 84986
Water Right No. 63-34334

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right applications. You can find a copy of the applications at:
<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of these applications, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days of the final publication.

Please contact this office if you have any questions regarding the applications.

Sincerely,

A handwritten signature in blue ink that reads "Denise Lauerman". The signature is fluid and cursive, with the first name "Denise" being more prominent.

Denise Lauerman
Administrative Assistant



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

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

Brad Little
Governor

Gary Spackman
Director

July 7, 2021

HAAS DITCH CO
28854 BOULDER RD
PARMA, ID 83660

RE: Transfer No. 84986
Water Right No. 63-34334

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right applications. You can find a copy of the applications at:
<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of these applications, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days of the final publication.

Please contact this office if you have any questions regarding the applications.

Sincerely,

A handwritten signature in blue ink that reads "Denise Lauerman". The signature is fluid and cursive, with the first name "Denise" being more prominent than the last name "Lauerman".

Denise Lauerman
Administrative Assistant



Brad Little
Governor

State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

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

Gary Spackman
Director

July 7, 2021

ISLAND DITCH CO
29450 LANCE LN
PARMA, ID 83660

RE: Transfer No. 84986
Water Right No. 63-34334

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right applications. You can find a copy of the applications at:

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of these applications, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days of the final publication.

Please contact this office if you have any questions regarding the applications.

Sincerely,

A handwritten signature in blue ink that reads "Denise Lauerman". The signature is fluid and cursive, with the first name "Denise" and last name "Lauerman" clearly distinguishable.

Denise Lauerman
Administrative Assistant



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

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

Brad Little
Governor

Gary Spackman
Director

July 7, 2021

MCCONNEL ISLAND DITCH CO
PO BOX 729
PARMA, ID 83660

RE: Transfer No. 84986
Water Right No. 63-34334

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right applications. You can find a copy of the applications at:
<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of these applications, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days of the final publication.

Please contact this office if you have any questions regarding the applications.

Sincerely,

Denise Lauerman
Administrative Assistant

Lauerman, Denise

From: Lauerman, Denise
Sent: Wednesday, July 07, 2021 3:37 PM
To: Legal Clerk
Subject: CANYON COUNTY Legal Notice - Application for Transfer No. 84986; Water Right No. 63-34334
Attachments: Cover Letter Canyon County TR84986.docx; Legal NoticeTR84986.docx

Good afternoon,

Please see the attached ad for publication on 07/15/2021 and 07/22/2021.

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 08/02/2021. Your cooperation is appreciated

Please *confirm this is okay to publish as shown and send confirmation and all other correspondence to this email.*

Thanks much!
Denise

Denise Lauerman | *Administrative Assistant*
Idaho Dept. of Water Resources - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334.2190 | denise.lauerman@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Brad Little
Governor

Gary Spackman
Director

July 7, 2021

LEGAL NOTICE DEPARTMENT
PRESS TRIBUNE
PO BOX 9399
NAMPAL, ID 83652

RE: Transfer No. 84986
Water Right No. 63-34334

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 8/2/2021. Your cooperation is appreciated.

Sincerely,

Denise Lauerman
Administrative Assistant

Enclosure

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 84986**

GREEN HEAD RANCH LLC, C/O T J LOUDERBACK

2415 SAN RAMON VALLEY BLVD STE 4380, SAN RAMON, CA 94583-5381 has filed **Application No. 84986** for changes to the following water rights within **CANYON County(s): Right No(s). 63-34334**; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows:

The applicant proposes to add a point of diversion for water right number 63-34334. The additional diversion point is to allow water to be pumped from the river at times when the gravity delivery ditch is not operating.

The proposed points of diversion are in **SENW Sec 17 T05N R05W (new)** and **SWSE Sec 16 T05N R05W (existing)** for 13.10 cfs from the Boise River.

For additional information concerning the property location, contact Western Region office at (208)334-2190. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 8/2/2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 7/15/2021 and 7/22/2021