

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 84703**

This is to certify that: **WOLF BUILDING COMPANY LLC**
843 W HORIZON WAY
NAMPA, ID 83686

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

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-35026	WR/DECREED	8/2/1951	1.400 cfs	315.0 af	N/A	70.0	GROUND WATER

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-2866A	WR/DECREED	8/2/1951	0.620 cfs	140.0 af		31.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-35026	NO	YES	NO	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-35026	63-35026	0.780 cfs	176.0 af	N/A	39.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.780 cfs	176.0 af	N/A	39.0		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 11th day of March, 2021.

for, Patricia Inley
Chief, Water Allocation Bureau

Transfer No. 84703

SUPPORT DATA

IN FILE # 63-2866A

WATER RIGHT NO. 63-35026

As Modified by Transfer No. 84703

In accordance with the approval of Transfer No. 84703, Water Right No. 63-35026 is now described as follows:

Right Holder: HAROLD F COLES
13680 S INDIANA AVE
CALDWELL, ID 83651

Priority Date: 8/2/1951

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/01	to 11/15	0.780 cfs	176.0 af
			0.780 cfs	176.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNW	Sec 26 Twp 03N Rge 03W CANYON County
GROUND WATER	NWNW	Sec 26 Twp 03N Rge 03W CANYON County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	03W	26						39.0											39.0

POU Total Acres: 39.0

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
2. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
3. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 84703

WATER RIGHT NO. 63-35026
As Modified by Transfer No. 84703

CONDITIONS OF APPROVAL

6. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 63-2866A
As Modified by Transfer No. 84703

In accordance with the approval of Transfer No. 84703, Water Right No. 63-2866A is now described as follows:

Right Holder: HAROLD F COLES
 13680 S INDIANA AVE
 CALDWELL, ID 83651

Priority Date: 8/2/1951

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/01	to 11/15	0.620 cfs	140.0 af
			0.620 cfs	140.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENW Sec 26 Twp 03N Rge 03W CANYON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	03W	26							31.0										31.0

POU Total Acres: 31.0

CONDITIONS OF APPROVAL

1. 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.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Transfer No. 84703

State of Idaho
Department of Water Resources

Attachment to Water Right Transfer 84703

63-2866a

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



- 63-2866A POD
- 63-2866A POU
- 63-35026 POD's
- 63-35026 POU
- Townships
- PLS Sections
- Quarter Quarters

0 0.075 0.15 0.3 Miles





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

March 11, 2021

WOLF BUILDING COMPANY LLC
843 W HORIZON WAY
NAMPA ID 83686

RE: Transfer No: 84703
Water Right No(s): 63-2866A, 63-35026

Transfer Approval Notice

Dear Water Right Holder(s) and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 334-2190.

Sincerely,


DENISE LAUERMAN

 Nick Miller
Western Regional Manager

Enclosure

CC:

SPF WATER ENGINEERING LLC
C/O LORI GRAVES
300 E MALLARD DR STE 350
BOISE ID 83706-6660

HAROLD F COLES
13680 S INDIANA AVE
CALDWELL ID 83651

CERTIFICATE OF SERVICE

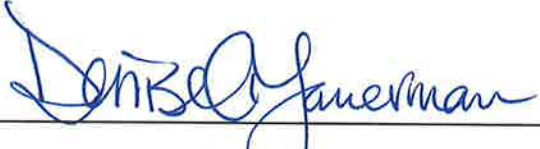
I hereby certify that on March 11, 2021 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 84703
Water Right No(s): 63-2866A , 63-35026

WOLF BUILDING COMPANY LLC
843 W HORIZON WAY
NAMPA ID 83686

SPF WATER ENGINEERING LLC
C/O LORI GRAVES
300 E MALLARD DR STE 350
BOISE ID 83706-6660

HAROLD F COLES
13680 S INDIANA AVE
CALDWELL ID 83651



Denise Lauerman
Administrative Assistant 1

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

RECEIVED
FEB 19 2021
AMENDED
WATER RESOURCES
WESTERN REGION

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)** Wolf Building Company, LLC Phone 208 941 7700
2. **MAILING ADDRESS** 843 W Horizon Way City Nampa
State ID Zip 83686 Email wolfbuildingco@gmail.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)** 63-2866A (applicant is purchasing 39-acre portion of water right)

- ☒ 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 0.78 cubic feet per second and/or _____ 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 #
Y			NW	NW	26	3N	3W	Canyon	Ground Water	
Y			NW	NW	26	3N	3W	Canyon	Ground Water	

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:

Two new wells drilled to PWS standards that will also provide potable domestic water to the development as proposed on accompanying permit application. Measuring device and lockable controlling works will be accommodated upon Department request.

- b. Who owns the property at the point(s) of diversion? H F C LLP

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Attached authorization. Warranty deed will be submitted upon closing prior to transfer approval.

- 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.


Signature of applicant or authorized agent

Blake Wolf owner Wolf Building Co 2/11/21
Print name and title if applicable 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 02/19/2021

Fee paid _____ Date _____ Receipted by _____ Receipt # _____

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)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTHIS TRANSFER IS
SUPERCEDED BY AMENDED
TRANSFER REC. 2-19-21
FEB 04 2021
WATER RESOURCES
WESTERN REGION

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

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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)** Blake Wolf Phone 208 941 77002. **MAILING ADDRESS** 843 W Horizon Way City NampaState ID Zip 83686 Email wolfbuildingco@gmail.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](#).

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(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.

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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:

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If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Attached authorization. Warranty deed will be submitted upon closing prior to transfer approval.

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

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- ☐ ☒ 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)?

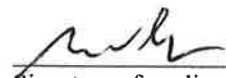
If yes, describe:

- 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.)

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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.


Signature of applicant or authorized agent

Blake Wolf
Print name and title if applicable

1/2/21
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 02/04/2021

Fee paid \$600.00 Date 02/04/2021 Received by LE Receipt # W049068

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

-  63-2866A Place of Use
-  Portion being Purchased
-  63-2866A Point of Diversion
-  Proposed Points of Diversion for NWNW Portion (centroid)

Actual locations for the 2 proposed wells within the NWNW have yet to be determined.



300 East Mallard Drive, Suite 350
Boise, Idaho 83706
Tel (208) 383-4140 Fax (208) 383-4156

Transfer Application 63-2866A (Portion)

Blake Wolf

DATE: 1/27/2021

CREATOR: lgraves

PROJECT: 1625.0010



Absolute Scale: 1:10,000

0 600 1,200
Feet



IDWR offices are open to the public and following the CDC guidelines for wearing masks and observing social distancing. For in-person visits, we encourage you to call ahead for an appointment.

WATER RIGHT REPORT

1/25/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 63-2866A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HAROLD F COLES 13680 S INDIANA AVE CALDWELL, ID 83651 2084664760

Priority Date: 08/02/1951

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	11/15	1.4 CFS	315 AFA
Total Diversion			1.4 CFS	315 AFA

Location of Point(s) of Diversion:

GROUND WATER | NENW | Sec. 26 | Township 03N | Range 03W | CANYON County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CANYON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
03N	03W	26		NWNW	39		SWNW	31						

Total Acres: 70

Conditions of Approval:

1. C18 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.
2. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Dates:

Licensed Date:

Decreed Date: 02/06/2009

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: TBD

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

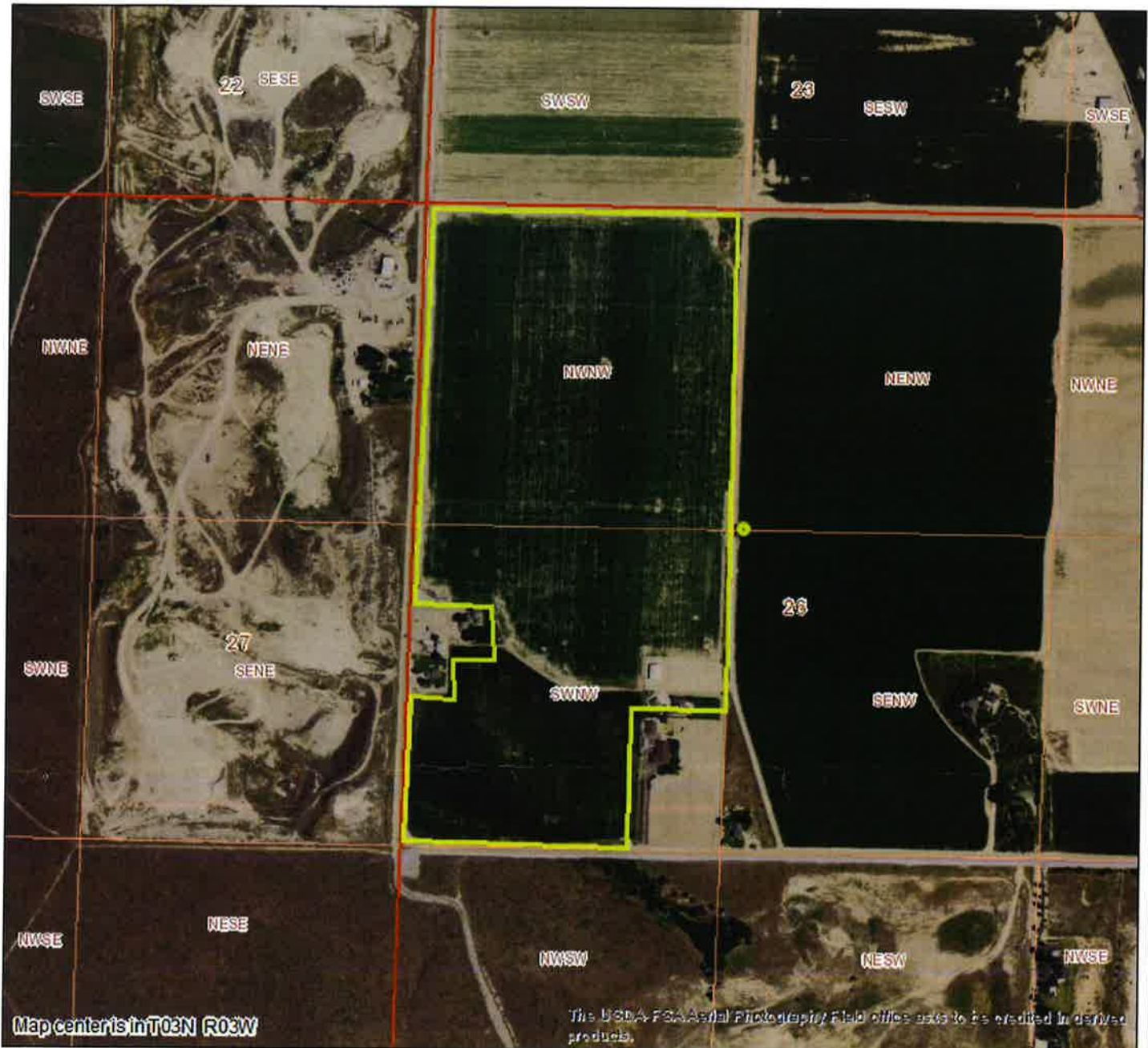
Mitigation Plan: False

State of Idaho
Department of Water Resources
Water Right

63-2866A

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Legend

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



Date created: 1/25/2021

1/27/2021

Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Re: Application for Permit and Transfer of Water Rights for Wolf Building Company, LLC
(c/o Blake Wolf)

To Whom It May Concern:

Wolf Building Company, LLC has a Contract to Purchase Agreement for 40 acres in the NWNW, S26, T3N, R3W that is currently owned by H F C, LLP. This letter serves as H F C's authorization for the permit and transfer applications proposed by Wolf Building Company, LLC on this land.

Included parcels are:

1. R3304400000 26-3N-3W NW TX 98272 IN NWNW
2. R3304401000 26-3N-3W NW TX 98271 IN NWNW
3. R3304500000 26-3N-3W NW TX 98274 IN NWNW
4. R3304501000 26-3N-3W NW TX 98273 IN NWNW
5. R3304600000 26-3N-3W NW TX 98276 IN NWNW
6. R3304601000 26-3N-3W NW TX 98275 IN NWNW
7. R3304700000 26-3N-3W NW TX 98278 IN NWNW
8. R3304701000 26-3N-3W NW TX 98272 IN NWNW
9. R3304300000 26-3N-3W NW N1/2 SWNWNW
10. R3304200000 26-3N-3W NW S1/2 SWNWNW
11. R3303500000 26-3N-3W NESWNW LS TX 06082 SENV

Sincerely,

Harold F. Coles Jr

Harold F. Coles, Managing Partner

1/28/2021

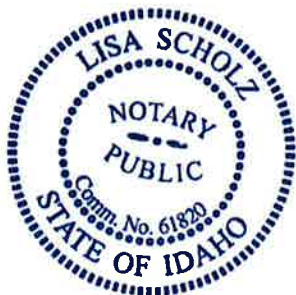
Date

State of Idaho

County of *ADA*

)
) SS.
)
)

Subscribed and sworn (or affirmed) before me this *28th* day of *January*, 2021.



Notary Public

Residing at

My Commission Expires

Residing at: Eagle, ID
Commission Expires 6-26-2025

MEMORANDUM

TO: Transfer No. 84703
FROM: Patrick Kelly
DATE: 3/10/2021
RE: Evaluation of Application

Summary of Information Submitted

Wolf Building Company filed this transfer to split 63-2866A and add two new wells to the split right in the NWNW $\frac{1}{4}$ $\frac{1}{4}$ Sec 26, Twp 3N, Rge 3W of Canyon County, B.M. 63-2866A was split through the transfer creating child right 63-35026.

The new wells will be drilled NW of S Indiana and Roosevelt Ave which is located directly north of Lake Lowell, 5 miles west of Nampa.

Lori Graves is the representative to the applicant. Lori may be reached at 208-383-4140.

Authority to File

The application was filed in the name of Wolf Building Company LLC and signed by Blake Wolf. The water right current owner is Harold F Coles. The transfer application includes a letter signed by Mr. Coles stating that Wolf Building Company is under contract to purchase the 40 acres within the NWNW $\frac{1}{4}$ $\frac{1}{4}$ and granted the company authority to file on behalf of the water right owner.

A fee was included to change the ownership for the split portion of 63-2866A, but since the sale is not scheduled until a later date, a conveyance document cannot be provided. The water right can be split and transferred however, and when the land sale occurs, the company may then file an ownership change for the child right.

Water Right Validity

Concerns over validity are not present. 2017-2019 satellite imagery shows that the land has been irrigated confirming beneficial use has occurred within the forfeiture review period.

Overlap Analysis

Department database records find water right 63-2866 is still active for 150 acres. Pedigree Search shows that the right was split and decreed into 2 rights; 63-2866A and 63-2866B. It seems that 63-2866 is "active" in the database but under error.

The POU is within the boundaries of Wilder Irrigation District but nothing in the file suggests that the groundwater use is supplemental to surface water.

Injury to Other Water Rights

None anticipated. The proposed wells are outside of any B63 Areas of Concern or the B 63 GW Restricted Area.

Enlargement of Use

No enlargement will occur under this transfer. 63-2866A has been split so that the two parts equal the sum. Volumes for both rights were rounded up to the department's 3 significant figure standard, but are still limited by condition to 4.5 af/ac. The new wells to be constructed in the immediate vicinity are not considered to be an improvement to the source.

Local Public Interest

It is within the public interest that municipal water can be adequately provided.

Beneficial Use/Conservation of Water Resources

The application proposes beneficial use consistent with conservation of water resources in Idaho.

The application is consistent with criteria of I. C. § 42-222 and should be processed.

Assuming other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.

MEMORANDUM

TO: IDWR Payable
FROM: Patrick Kelly
DATE: 3/10/2021
RE : Refund Request

Wolf Building Co LLC paid \$600 for an Application for transfer on 2/4/2021. \$100 of this fee was for an ownership change split. The transfer application is being processed but the ownership change will need to be filed at a later date once the conveyance document can be produced. A partial refund should be issued.

Please issue a \$100 refund to the **payer** as follows:

TO

WOLF BUILDING CO LLC
843 W HORIZON WAY
NAMPA, ID 83686

TEL. 208-941-7700

RECEIPT

W049068, copy attached

Copy: Water Right File 63-35026
Lori Graves; Representative via email

FEB 19 2021

WATER RESOURCES
WESTERN REGION**SPF WATER**
ENGINEERING

February 17, 2021

Patrick Kelly, Water Rights Supervisor
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Wolf Application for Transfer

Dear Patrick,

Enclosed per your request is an amended transfer application for Blake Wolf that now lists the applicant as Wolf Building Company, LLC, to coincide with the transfer authorization letter from the current property owner submitted with the original transfer application.

Thank you very much for your consideration and assistance in this matter. Please call me if you have any further questions.

Sincerely,

Lori Graves
Sr. Water Rights Specialist

Cc: Blake Wolf

Enclosures

SPF file number: 1625.0010

FEB 04 2021

**SPF WATER**
ENGINEERINGWATER RESOURCES
WESTERN REGION

February 2, 2021

Patrick Kelly, Water Rights Supervisor
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: *Application for Permit*
Application for Transfer

Dear Patrick,

Enclosed on behalf of Blake Wolf, are an *Application for Permit* proposing domestic and fire protection uses for 30 homes from two new wells and an *Application for Transfer* proposing the same wells for a portion of water right 63-2866A appurtenant to the property Blake is in the process of purchasing. Included with the applications is an authorization statement from the current property owner.

The enclosed check for \$1,010 covers \$410 for the permit application, \$500 for the transfer application and \$100 for split/ownership change of water right 63-2866A as part of the transfer processing.

Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

Lori Graves
Sr. Water Rights Specialist

Cc: Blake Wolf

Enclosures

SPF file number: 1625.0010