

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 22 2020

DEPARTMENT OF  
WATER RESOURCES

## Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
65-2448	Yes <input checked="" type="checkbox"/>			Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>
65-2604	Yes <input checked="" type="checkbox"/>		65-2448 Split into 65-2448 & 65-23923	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>		65-2604 Split into 65-2604 & 65-23924	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>			Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>

2. Previous Owner's Name: Margaret L. Drake, Robert C. Drake  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Drake's Island Crossing, LLC, an Idaho limited liability company  
New owner(s) as listed on the conveyance document      Name connector ☐ and ☐ or ☐ and/or
- PO Box 22      Horseshoe Bend      ID      83629  
Mailing address      City      State      ZIP
- (208) 781-0396      draker@frontiernet.net  
Telephone      Email
4. If the water rights and/or adjudication claims were split, how did the division occur?  
☐ 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.
5. Date you acquired the water rights and/or claims listed above: 6/4/2007
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. This form must be signed and submitted with the following **REQUIRED** items:  
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.  
☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).  
☒ Filing fee (see instructions for further explanation):  
    ☐ \$25 per *undivided* water right.  
    ☐ \$100 per *split* water right.  
    ☐ No fee is required for pending adjudication claims.  
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.  
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

SUPPORT DATA

IN FILE # 65-2448

8. Signature: [Signature]      Mangy Member      4-13-20  
Signature of new owner/claimant      Title, if applicable      Date

Signature: \_\_\_\_\_      Title, if applicable \_\_\_\_\_      Date \_\_\_\_\_  
Signature of new owner/claimant

For IDWR Office Use Only:

Received by Km      Date 5-4-2020      Receipt No. C108693      Receipt Amt. 150  
4-22-2020      C108647      50

Active in the Water Supply Bank? Yes ☐ No ☐      If yes, forward to the State Office for processing      W-9 received? Yes ☐ No ☐

Name on W-9 \_\_\_\_\_      Approved by \_\_\_\_\_      Processed by [Signature]      Date 5-6-2020

## **Water Right Nos. 65-2448 and 65-2604 Ownership Change Explanation**

Drake's Island Crossing, LLC ("DIC") submits this Notice of Change in Water Right ownership in conjunction with contemporaneously-filed applications to lease stacked water right nos. 65-2448 and 65-2604 to the Water Supply Bank.

Ownership of the irrigation portions of water right nos. 65-2448 and 65-2604 legally transferred to DIC on June 4, 2007 when Margaret Drake and Robert Drake transferred to DIC the land to which the irrigation portions of the water rights are appurtenant (see **Attachment 3**). DIC has sold several lots without reserving the appurtenant portions of the water rights (see **Attachments 5 and 6**), and has sold two lots reserving the appurtenant portions of the water rights (see **Attachment 7**).

The map attached as **Attachment 5** and the calculation of the water right acres DIC retained and sold were prepared using Google Earth, and overlaying the IDWR shape file and the water right map IDWR staff prepared showing the subdivision lots within the water rights place of use. The KMZ file from which this map was prepared has been emailed to Remington Buyer. The place of use for Drake's Island Crossing Subdivision No. 1, Lot 1 in **Attachment 5** is slightly larger than the place of use indicated in IDWR's shape file to encompass the actual irrigated area.

The discrepancy IDWR staff identified between the decreed place of use, IDWR's shape file and the actual place of use for water right nos. 65-2448 and 65-2604 is illustrated by **Attachment 8**. Also included in **Attachment 8** are the decrees, IDWR's SRBA review map, and IDWR's claim review sheets. The decree identifies a total of 25 irrigated acres, as does IDWR's claim review map. However, the decree, IDWR's claim review map, and IDWR's shape file each identify different acres in the SENW and the SWNE section 23. Our analysis shown in **Attachment 8** indicates 8.81 acres in the SENW and 16 acres in the SWNE. IDWR staff recommended that DIC file a water right transfer application to correct this discrepancy. Given the split ownership of the water rights, it is not clear to DIC how this might be readily accomplished.

The following attachments are included with this Notice:

- Attachment 1: Water Right Nos. 65-2448 and 65-2604 Ownership Change Explanation
- Attachment 2: Drake's Island Crossing, LLC Amendment to Certificate of Organization
- Attachment 3: Deeds: Margaret Drake and Robert Drake to Drake's Island Crossing, LLC
- Attachment 4: Drake's Island Crossing Subdivision Surveys
- Attachment 5: Map & List of Water Right Nos. 65-2448 and 65-2604 Acreages Retained & Sold
- Attachment 6: Deeds: Drake's Island Subdivision Lot Sales
- Attachment 7: Deeds: Lot Sales with Water Right Reservations
- Attachment 8: Map Illustrating Water Right Place of Use Discrepancy



# AMENDMENT TO CERTIFICATE OF ORGANIZATION LIMITED LIABILITY COMPANY

Title 30, Chapters 21 and 25, Idaho Code

Base Filing fee: \$30.00.

Complete and submit the application in duplicate.

1. The name of the limited liability company is:  
Drake's Island Crossing, LLC
2. The date the certificate of organization was originally filed : 6-22-2006
3. The name of the limited liability company is amended to:  
\_\_\_\_\_
4. The complete street and mailing addresses of the principal office is amended to:  
109 Depot St. Horseshoe Bend - IDAHO 83629  
(Street Address)  
P.O. Box 22 Horseshoe Bend - IDAHO 83629  
(Mailing Address, if different)
5. The mailing address for future correspondence (annual reports) is amended to:  
P.O. Box 22 Horseshoe Bend - IDAHO 83629  
(Address)
6. The name and address of the managers/members shall be amended as follows:  
Add: ☐ Delete: ☒ Margaret Drake 309 Pioneer Rd. Horseshoe Bend - ID  
(Name) (Address) 83629  
Add: ☒ Delete: ☐ Linda Drake P.O. Box 22 Horseshoe Bend - ID  
(Name) (Address) 83629  
Add: ☐ Delete: ☐ \_\_\_\_\_  
(Name) (Address)
7. Signature of a manager, member, or authorized person.  
Printed Name: Robert C. Drake  
Signature: Robert C. Drake  
Printed Name: \_\_\_\_\_  
Signature: \_\_\_\_\_

Secretary of State use only



**Pioneer Title Co.**

GOING BEYOND

Instrument # 214506

IDAHO CITY, BOISE COUNTY, IDAHO

2007-06-28

03:31:56 No. of Pages: 1

Recorded for : PIONEER TITLE

CONSTANCE SWEARINGEN

Ex-Officio Recorder Deputy

Index to: DEEDS

Fee: 3.00

8151 W. Rifleman Ave. / Boise, Idaho 83704 / (208) 377-2700

281144

## QUITCLAIM DEED

235602

For Value Received

Robert C. Drake, a single man

do hereby convey, release, remise and forever quit claim unto

Drake's Island Crossing, LLC, an Idaho Limited Liability Company

whose address is 308 Pioneer Rd Horse shoe Bend Id  
83629

the following described premises, to-wit:

Lots 1, 2, 3, 4, 5 of Drake's Island Crossing Subdivision No. 1, according to the plat thereof, filed in Instrument No. 210265, Records of Boise County, Idaho.

together with their appurtenances.

Dated: June 4, 2007

Robert C. Drake  
Robert C. Drake

STATE OF Idaho, County of Ada, ss.

On this 26th day of June, in the year of 2007, before me The Undersigned, notary public personally appeared Robert C. Drake known or identified to me to be the person/persons whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Notary Public of  
Residing at  
Commission Expires:

Susan J. Merritt  
RESIDING AT: CALDWELL, ID  
MY COMMISSION EXPIRES 05-05-2011





Instrument # 214608  
IDAHO CITY, BOISE COUNTY, IDAHO  
2007-06-28 03:31:56 No. of Pages: 1  
Recorded for : PIONEER TITLE  
CONSTANCE SWEARINGEN  
Ex-Officio Recorder Deputy *Shirley* Fee: 3.00  
Index to: DEEDS

8151 W. Rifleman Ave. / Boise, Idaho 83704 / (208) 377-2700

281146

### QUITCLAIM DEED

235602

For Value Received

Margaret L. Drake, as her separate estate

do hereby convey, release, remise and forever quit claim unto

Drake's Island Crossing, LLC, an Idaho Limited Liability Company

whose address is 308 Pioneer Rd Horseshoe Bend Id 83629

the following described premises, to-wit:

Lots 1, 2, 3, 4, 5 of Drake's Island Crossing Subdivision No. 2, according to the plat thereof, filed in Instrument No. 210265, Records of Boise County, Idaho.

together with their appurtenances.

Dated: June 4, 2007

Margaret L. Drake  
Margaret L. Drake

STATE OF Idaho, County of Ada, ss.

On this 26th day of June, in the year of 2007, before me The Undersigned, notary public personally appeared Margaret L. Drake known or identified to me to be the person/persons whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Susan J. Merritt  
Notary Public of  
Residing at

Commission expires:  
RESIDING AT: CALDWELL, ID  
MY COMMISSION EXPIRES 05-05-2011



Instrument # 214510  
IDAHO CITY, BOISE COUNTY, IDAHO  
2007-06-28 03:11:56 No. of Pages: 1  
Recorded for: PIONEER TITLE  
CONSTANCE SWEARINGEN  
Ex-Officio Recorder Deputy *[Signature]* Fee: 3.00  
Index to: DEEDS

8151 W. Rifleman Ave. / Boise, Idaho 83704 / (208) 377-2700  
BEING RE-RECORDED TO ADD NOTARY SEAL AND  
NOTARY INFORMATION

Instrument # 214526  
IDAHO CITY, BOISE COUNTY, IDAHO  
2007-06-28 01:14:52 No. of Pages: 1  
Recorded for: PIONEER TITLE  
CONSTANCE SWEARINGEN  
Ex-Officio Recorder Deputy *[Signature]* Fee: 3.00  
Index to: DEEDS

281148

### QUITCLAIM DEED

235602

For Value Received

Margaret L. Drake, as her separate estate, as to an undetermined, undivided interest and Robert C. Drake, a single person as to an undetermined, undivided interest

do hereby convey, release, remise and forever quit claim unto

Drake's Island Crossing, LLC, an Idaho Limited Liability Company

whose address is, 308 Pioneer Rd Horseshoe Bend Id 83629

the following described premises, to-wit:

Lots 1, 2, 3, 4, 5 of Drake's Island Crossing Subdivision No. 3, according to the plat thereof, filed in Instrument No. 210265, Records of Boise County, Idaho.

together with their appurtenances.

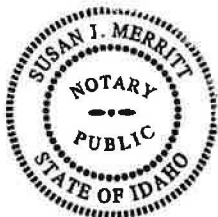
Dated: June 4, 2007

*[Signature: Margaret L. Drake]*  
Margaret L. Drake

*[Signature: Robert C. Drake]*  
Robert C. Drake

STATE OF Idaho, County of Ada, ss.

On this 26 day of June, in the year of 2007, before me The Undersigned, notary public personally appeared Margaret L. Drake and Robert C. Drake known or identified to me to be the person/persons whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



*[Signature: Susan J. Merritt]*

Notary Public of  
Residing at  
Commission expires: **RESIDING AT: CALDWELL, ID**  
**MY COMMISSION EXPIRES 05-05-2011**

Minor Subdivision:  
**DRAKE'S ISLAND CROSSING SUBDIVISION No. 1**  
 BEING SITUATED WITHIN PARCEL B AS SHOWN IN RECORD OF SURVEY No. 204678  
 SITUATED IN THE SE 1/4 of the NW 1/4, & A PORTION OF GOV'T LOT 8, SECTION 23,  
 TOWNSHIP 7 NORTH, RANGE 2 EAST OF THE BOISE MERIDIAN  
 BOISE COUNTY, IDAHO.

Sheet 1 of 2

**MONUMENT LEGEND**

- indicates a found Section Monument
- indicates a set 5/8" x 30" Rebar w/Plastic Cap marked Prop. Corner, L.S. 11712
- indicates a set 1/2" x 24" Rebar w/Plastic Cap marked Prop. Corner, L.S. 11712
- indicates a witness boundary corner set a 5/8" x 30" Rebar w/Plastic Cap marked Witness Cor., L.S. 11712

LINE TABLE		
LINE	BEARING	LENGTH
P1	S44°25'00"E	46.97

LOT AREA SUMMARY	
LOT No.	AREA
LOT 1	2.336 Ac.
LOT 2	2.372 Ac.
LOT 3	2.313 Ac.
LOT 4	2.315 Ac.
LOT 5-ROADS	0.804 Ac.
TOTAL	10.145 Ac.

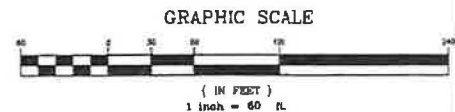
**PLAT NOTES:**

- The developer shall comply with 31-3805, Idaho Code, relating to transfer of water rights.
- Building setback dimensions in this subdivision shall conform with the applicable zoning regulations in effect at the time of issuance of a building permit.
- Boise County assumes no responsibility for Private Common Use Roads as platted herein, per Boise County Subdivision Ordinance.
- A 12 foot utility and drainage easement exists inside all lot lines along roads and along the subdivision boundary, and a 12 foot easement will be centered on all interior lot lines.
- Lots shall not be reduced by size without prior approval of appropriate health authority and the Boise County Commissioners.
- All areas shown herein are for tax purposes only.
- Utility and drainage easements along roads may be used as a road right-of-way easement and for snow storage.
- The roads shown herein noted as Maillard Lane and Drake Lane are designated as Lot 5 are private common use roads and therefore no county services other than emergency in nature will be provided. Subject to the ordinances in effect at the time this subdivision is recorded.
- This plat is subject to the Declaration of Protective Restrictions and Covenants for Drake's Island Crossing Subdivision No. 1, recorded as Instrument No. \_\_\_\_\_ of the Boise County records.
- The individual lots described on this plat will not be served by any water system common to one or more lots, but will be served by individual wells.

**SURVEY NOTES:**

- Date of Survey: July 13-20, August 16 & 26, Sept. 14-17 2005.
- Date of Preparation: September 12-26, 2005, Revised December 14, 2005.
- Source Documents: The plot of Hanson's River View Subdivision, Instrument No. 70247, Record of Survey Instrument No. 112362, 189424, 191801 and 143128, Documents of Record recorded as Instrument No. 52540, 70776, 73481, 78854, 123108, 86668, 51490, 58138, 58428 and 132360, Plans for Proposed Idaho Forest Highway Project F.H. 23-1(1), Dated June 30, 1970 and the found monuments as shown.
- Base of Bearings: A Bearing of N 01°27'00" W between the Center One-Quarter corner of Section 23 being a found 3" Brass Cap (marked M.V. Davenport-1956) and the North One-Quarter Corner of Section 23 being a found 2" Alum. Cap (Marked P.L.S. #4108-1951), as shown.
- This survey does not constitute a title search by Three Rivers Land Surveying, P.C. (T.R.L.S.) to determine ownership or assessments of record. For all information regarding easements, Rights-of-Way and/or title of record T.R.L.S. relied upon the Record of Survey, documents and plots of record referenced by the instrument No. 3 referred to above in Note No. 3 to prepare this survey. A title commitment prepared by Planner Title of Ada County, Order No. 258401 (Effective Date July 1, 2005) was also used in the preparation of this survey.
- The westerly boundary for this plot has been established utilizing the existing highway centerline and the found Idaho State Highway Dept. monuments at Station 625+00, 625+00, 625+00, 625+00 and 625+00 as shown in the Plans for Proposed Idaho Forest Highway Project F.H. 23-1(1), Dated June 30, 1970 and the existing Right-of-Way fence line.
- The overhead utility lines shown are for the purposes as stated in Instrument No. 51490, 58138, 58428, 62540, 70776 and 78854 as listed in Note 3 above.

CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	14°58'53"	2039.85	533.58	N01°27'02"E	537.84
C2	14°05'53"	2039.85	501.92	N00°46'38"E	500.66
C3	0°52'58"	2039.85	31.43	S08°15'04"W	31.43
C4	0°22'36"	2039.85	31.08	N09°08'44"E	31.08
C5	77°24'40"	30.00	40.54	S83°07'50"E	32.53
C6	46°33'58"	30.00	24.58	N14°52'21"E	22.72
C7	13°09'04"	50.00	28.80	S08°05'16"W	28.40
C8	N01°24'02"	50.00	40.38	N83°32'41"W	28.57
C9	86°58'18"	50.00	66.37	N17°18'29"E	76.02
C10	17°15'18"	50.00	32.61	N85°55'32"E	32.22
C11	46°13'58"	30.00	24.58	S81°26'19"W	23.72
C12	102°34'20"	30.00	53.71	S06°52'10"W	46.82



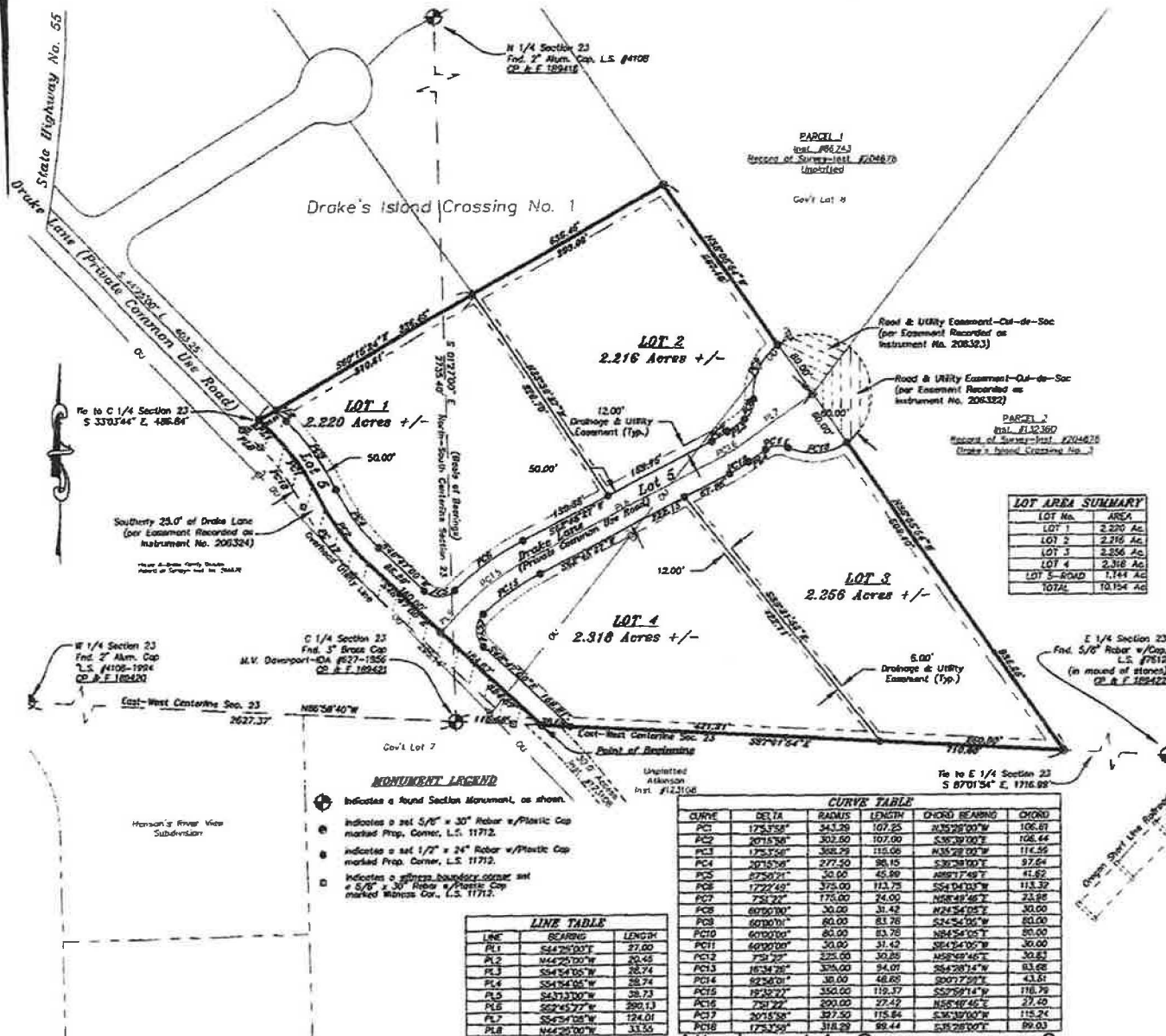
**Three Rivers Land Surveying, P.C.**  
 805 So. Middle Fork Road  
 Garden Valley, Idaho 83622  
 (208) 462-2266

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Drake's Island Crossing No. 1  
 SE 1/4 NW 1/4 & A Portion Gov't Lot 8, Section 23  
 Township 7 North, Range 2 East B.M.  
 SCALE: 1" = 60'      SHEET 1 OF 2  
 DATE: December 14, 2005      JOB No. 2005-020  
 DRAWING: MinorSub-IslandCrossing1.dwg

Minor Subdivision:  
**DRAKE'S ISLAND CROSSING SUBDIVISION No. 2**  
 BEING SITUATED WITHIN PARCEL C AS SHOWN IN RECORD OF SURVEY No. 204678  
 SITUATED IN THE SE 1/4 of the NW 1/4 & A PORTION OF GOV'T LOT 8, SECTION 23,  
 TOWNSHIP 7 NORTH, RANGE 2 EAST OF THE BOISE MERIDIAN  
 BOISE COUNTY, IDAHO.

Sheet 1 of 2



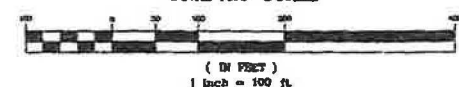
**PLAT NOTES:**

- 1) The developer shall comply with 31-3805, Idaho Code, relating to transfer of water rights.
- 2) Building setback dimensions in this subdivision shall conform with the applicable zoning regulations in effect at the time of issuance of a building permit.
- 3) Boise County assumes no responsibility for Private Common Use Roads as plotted herein, per Boise County Subdivision Ordinance.
- 4) A 12 foot utility and drainage easement exists inside all lot lines along roads and along the subdivision boundary, and a 12 foot easement will be centered on all interior lot lines.
- 5) Lots shall not be reduced by acre without prior approval of appropriate health authority and the Boise County Commissioners.
- 6) All areas shown herein are for tax purposes only.
- 7) Utility and drainage easements along roads may be used as a road right-of-way easement and for snow storage.
- 8) The road shown herein noted as Drake Lane and designated as Lot 5 is a private common use road and therefore no county service other than emergency is to be provided. Subject to the ordinances in effect at the time this subdivision is recorded.
- 9) This plat is subject to the Declaration of Protective Restrictions and Covenants for Drake's Island Crossing Subdivision No. 2, recorded as Instrument No. \_\_\_\_\_ of the Boise County records.
- 10) The individual lots described on this plat will not be served by any water system common to one or more lots, but will be served by individual wells.

**SURVEY NOTES:**

- 1) Date of Survey: July 13-20, August 16 & 26, Sept. 14-17 2005.
- 2) Date of Preparation: September 12-28, 2005, Revised December 14, 2005.
- 3) Source Documents: The plat of Horizon's River View Subdivision, Instrument No. 70247, Record of Survey Instrument No. 204678, 112362, 189424, 191601 and 143528. Documents of Record recorded as Instrument No. 82540, 70776, 73991, 78854, 123108, 80688, 51490, 58136, 58428 and 132300. Plans for Proposed Idaho Forest Highway Project F.H. 23-1(1), Dated June 30, 1970 and the found monuments as shown.
- 4) Bats of Bearings: A Bearing of N 01°27'00" W between the Center One-Quarter corner of Section 23 being a found 5" Brass Cap (marked M.V. Davenport-1856) and the North One-Quarter Corner of Section 23 being a found 2" Allen Cap (marked P.L.S. #4108-1891), as shown.
- 5) This survey does not constitute a title search by Three Rivers Land Surveying, P.C. (T.R.L.S.) to determine ownership or easements of record. For all information regarding easements, Right-of-Ways and/or title of record T.R.L.S. relied upon the Record of Survey's, documents and plots of record referenced by the Instrument No. 3 referred to above in Note No. 3 to prepare this survey. A title commitment prepared by Pioneer Title of Ada County, Order No. 256401 (Effective Date July 1, 2005) was also used in the preparation of this survey.
- 6) The overhead utility lines shown are for the purposes as stated in Instrument No. 61480, 58136, 58428, 62540, 70776 and 78854 as listed in Note 3 above.

**GRAPHIC SCALE**



Three Rivers Land Surveying, P.C.  
 805 So. Middle Fork Road  
 Garden Valley, Idaho 83622  
 (208) 462-2266

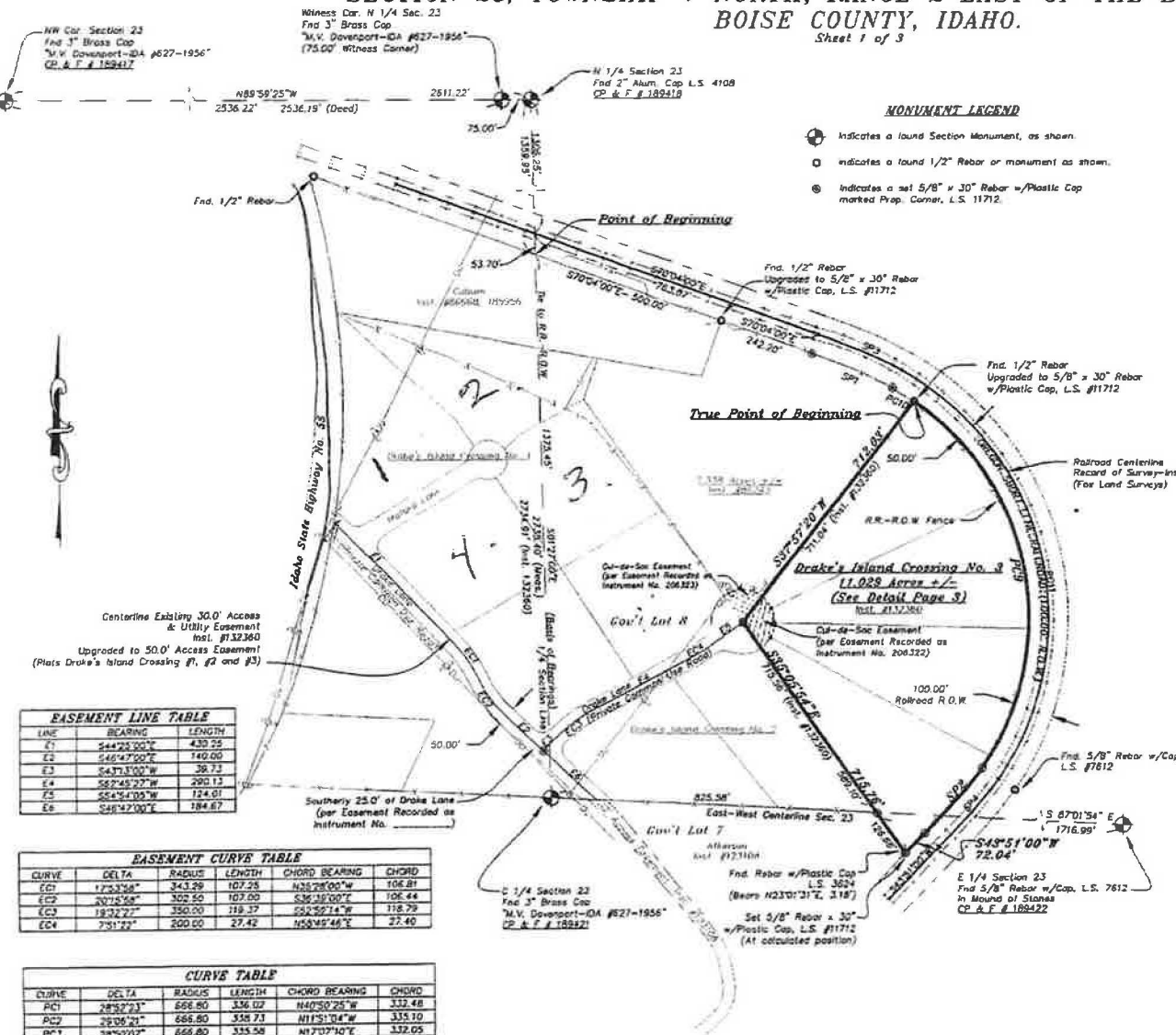
Drake's Island Crossing No. 1  
 SE 1/4 NW 1/4 & A Portion of Gov't Lot 8, Section 23  
 Township 7 North, Range 2 East, B.M.  
 SCALE: 1" = 60'  
 DATE: January 31, 2006  
 DRAWING: MHA/SUB-Island-Crossing2.dwg



# Minor Subdivision: DRAKE'S ISLAND CROSSING SUBDIVISION No. 3

SITUATED IN GOV'T. LOTS 7 & 8 BEING A PORTION OF THE SW 1/4 of the NE 1/4 & NW 1/4 of the SE 1/4,  
SECTION 23, TOWNSHIP 7 NORTH, RANGE 2 EAST OF THE BOISE MERIDIAN  
BOISE COUNTY, IDAHO.

Sheet 1 of 3



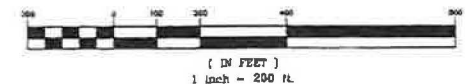
## PLAT NOTES:

- 1) The developer shall comply with 31-3805, Idaho Code, relating to transfer of water rights.
- 2) Building setback dimensions at this subdivision shall conform with the applicable zoning regulations in effect at the time of issuance of a building permit.
- 3) Boise County assumes no responsibility for Private Common Use Roads as plotted hereon, per Boise County Subdivision Ordinance.
- 4) A 12 foot utility and drainage easement exists inside all lot lines along roads and along the subdivision boundary, and a 12 foot easement will be entered on all interior lot lines.
- 5) Lots shall not be reduced by size without prior approval of appropriate health authority and the Boise County Commissioners.
- 6) All areas shown hereon are for tax purposes only.
- 7) Utility and drainage easements along roads may be used as a road right-of-way easement and for snow storage.
- 8) The road shown hereon noted as Drake Lane is a private common use road and therefore no county services other than emergency in nature will not be provided. Subject to the ordinances in effect at the time this subdivision is recorded.
- 9) This plat is subject to the Declaration of Protective Restrictions and Covenants for Drake's Island Crossing Subdivision No. 3, recorded as instrument No. \_\_\_\_\_ of the Boise County records.
- 10) The individual lots described on this plat will not be served by any water system common to one or more lots, but will be served by individual wells.

## SURVEY NOTES:

- 1) Date of Survey: July 13-20, August 16 & 26, Sept. 14-17 2005
- 2) Date of Preparation: September 12-28, 2005.
- 3) Source Documents: The plat of Horan's River View Subdivision, instrument No. 70247, Record of Survey instrument No. 112362, 183424, 191601 and 143128. Documents of Record recorded as instrument No. 62540, 70776, 73891, 78854, 123108, 86668, 51490, 58138, 58428 and 132360. Plans for Proposed Idaho Forest Highway Project F.H. 23-1(1) Dated June 30, 1970 and the found monuments as shown.
- 4) Basis of Bearings: A Bearing of N 01°27'00\"/>

## GRAPHIC SCALE



EASEMENT LINE TABLE		
LINE	BEARING	LENGTH
E1	S44°25'00"E	430.55
E2	S46°47'00"E	140.00
E3	S47°3'00"W	39.73
E4	S67°45'27"W	290.13
E5	S54°54'05"W	124.01
E6	S46°47'00"E	184.67

EASEMENT CURVS TABLE					
CURVE	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
EC1	1°25'34"	343.29	107.25	N26°28'00"W	106.81
EC2	20°15'56"	302.50	107.00	S26°37'00"E	106.44
EC3	18°32'27"	350.00	119.37	S52°52'14"W	118.79
EC4	7°51'23"	200.00	27.42	N58°45'46"E	27.40

CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
PC1	28°52'23"	558.60	133.12	N43°02'23"W	332.48
PC2	28°52'23"	558.60	133.12	N11°54'43"W	332.48
PC3	28°52'23"	558.60	133.12	N17°07'10"W	332.05
PC4	26°54'11"	80.00	37.33	N38°40'34"W	35.99
PC5	26°54'11"	80.00	37.33	N13°56'24"W	35.99
PC6	26°54'11"	80.00	37.33	N14°44'48"W	35.99
PC7	26°54'11"	80.00	37.33	N44°10'34"W	35.99
PC8	30°07'07"	558.60	36.49	N33°16'17"E	36.48
PC9	88°56'57"	558.60	1046.42	N10°07'08"W	842.56
PC10	05°06'08"	686.80	85.20	S50°54'41"E	106.81
PC11	85°32'03"	80.00	1128.40	N1°07'08"E	1068.81
PC12	06°04'45"	80.00	148.32	N01°56'42"E	128.37

SPIRAL TABLE						
SPIRAL	LENGTH	RADIUS	THETA	LONG TANGENT	SHORT TANGENT	LONG CHORD
SP1	230.00	716.80	91°13'2"	153.54	76.85	S40°51'49"E 221.73
SP2	230.00	716.80	91°13'2"	153.54	76.85	S40°51'24"W 221.73
SP3	230.00	716.80	91°13'2"	153.54	76.85	S67°00'21"E 228.74
SP4	230.00	716.80	91°13'2"	153.54	76.85	S40°48'04"W 228.74

Three Rivers Land Surveying, P.C.  
805 So. Middle Fork Road  
Garden Valley, Idaho 83622  
(208) 462-2265

Drake's Island Crossing, Inc.  
A Portion of Gov't Lots 7 & 8 & Section 23  
Township 7 North, Range 2 East, B.M.  
SCALE: 1\"/>

**Map & List of Water Right Nos. 65-2448 and 65-2604 Acreages Retained by Drake's Island Crossing, LLC (Green) and Sold to Third Parties (Red)**



Water right Acres Retained by Drake's Island Crossing, LLC (shown in green)

DIC No. 1, Lot 2:	1.30 ac
DIC No. 1, Lot 5:	0.60 ac
DIC No. 2:	8.18 ac
DIC No. 3, Lot 1:	1.81 ac (lot sold, deed retaining water right included in <b>Attachment 6</b> )
DIC No. 3, Lot 4:	<u>1.48 ac</u> (lot sold, deed retaining water right included in <b>Attachment 6</b> )
<b>Total</b>	<b>13.37 ac</b>

Water Right Acres Transferred to Third Parties

DIC No. 1, Lot 1:	2.20 ac
DIC No. 1, Lot 3:	2.25 ac
DIC No. 1, Lot 4:	2.30 ac
DIC No. 3, Lot 2:	2.50 ac
DIC No. 3, Lot 3:	<u>2.20 ac</u>
	<b>11.45 ac</b>



Order No.: A0764732

## WARRANTY DEED

FOR VALUE RECEIVED,

**Drake's Island Crossing, LLC, An Idaho Limited Liability Company,**

the Grantor, does hereby grant, bargain sell and convey unto

**Julie Astorquia, An Unmarried Person and Margery A. Tilley, An Unmarried Person**

whose current address is 37 Valley View Heights, Garden Valley, ID 83622

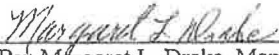
the Grantee, the following described premises, in Boise County, Idaho, TO WIT:

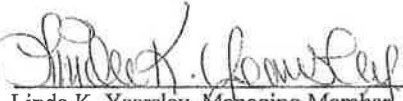
Lot 1 of Drake's Island Crossing Subdivision No. 1, according to the plat thereof, filed in Instrument No. 210265, Records of Boise County, Idaho

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated: March 28, 2007


Drake's Island Crossing, LLC

  
By: Margaret L. Drake, Managing Member

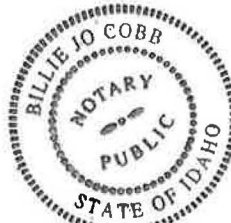
  
Linda K. Yearsley, Managing Member

STATE OF Idaho  
COUNTY OF Ada

ON THIS 28th DAY OF March, IN THE YEAR 2007, BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED Margaret L. Drake and Linda K. Yearsley, KNOWN OR IDENTIFIED TO ME TO BE THE MANAGER OR MEMBER OF THE LIMITED LIABILITY COMPANY THAT EXECUTED THE INSTRUMENT OR THE PERSON(S) WHO EXECUTED THE INSTRUMENT ON BEHALF OF SAID LIMITED LIABILITY COMPANY, AND ACKNOWLEDGED TO ME THAT SUCH LIMITED LIABILITY COMPANY EXECUTED THE SAME.

  
Dianna L. Stork  
COMMISSION EXPIRES: 04/23/08  
RESIDING AT:

Residing at Meridian, Idaho  
Commission Expires: 11/12/2010





**PioneerTitleCo.**

GOING BEYOND

8151 W. Rifleman Ave. / Boise  
Idaho 83704 / (208) 377-2700

Instrument # 214867

IDAHO CITY, BOISE COUNTY, IDAHO  
2007-07-02 04:44:25 No. of Pages: 1

Recorded for : PIONEER TITLE

CONSTANCE SWEARINGEN

Ex-Officio Recorder Deputy

Index to: DEEDS

Fee: 3.00

283859

*Scm/JTB*

## WARRANTY DEED

For Value Received

Drakes' Island Crossing, LLC, an Idaho limited liability company

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

Terry L. Ganier and Sylvia N. Ganier, husband and wife

hereinafter referred to as Grantee, whose current address is 2036 Kenoma St., Glendora St., CA 97140

the following described premises, to-wit:

Lot 3 of Drake's Island Crossing Subdivision No. 1, according to the plat thereof, filed in  
Instrument No. 210265, Records of Boise County, Idaho.

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

Dated: June 20, 2007

Drakes' Island Crossing, LLC

*Margaret L. Drake*  
Margaret L. Drake, Managing Member

STATE OF Idaho, County of Ada, ss

On this 26 day of June, in the year of 2007, before me the undersigned, a notary public, personally appeared Margaret L. Drake, known or identified to be the managing member of the member(s)/manager(s) in a limited liability company, of Drakes' Island Crossing, LLC and the member(s)/manager(s) who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that he/she/they executed the same in said limited liability company name.



*Susan J. Merritt*  
Susan J. Merritt  
Notary Public of Idaho  
Residing at Caldwell, Idaho  
Commission expires: May 5, 2011





Order No.: A0764616

## WARRANTY DEED

FOR VALUE RECEIVED,

**Drake's Island Crossing, LLC**

the Grantor, does hereby grant, bargain sell and convey unto

**James Gunn and Jacqueline Gunn, husband and wife**

whose current address is 120 Highwoods Drive, Goldsboro, NC 27530

the Grantee, the following described premises, in Ada County, Idaho, TO WIT:

Lot 4 Mallard Lane Drakes Island Crossing Sub No. 1

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated: 03/27/2007

Drake's Island Crossing, LLC

By: Margaret L. Drake  
Margaret L. Drake, Managing Member

By: Linda K. Yearsley  
Linda K. Yearsley, Managing Member

STATE OF Idaho  
COUNTY OF Ada

ON THIS \_\_\_ DAY OF March, IN THE YEAR 2007, BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED Margaret L. Drake and Linda K. Yearsley, KNOWN OR IDENTIFIED TO ME TO BE THE MANAGER OR MEMBER OF THE LIMITED LIABILITY COMPANY THAT EXECUTED THE INSTRUMENT OR THE PERSON(S) WHO EXECUTED THE INSTRUMENT ON BEHALF OF SAID LIMITED LIABILITY COMPANY, AND ACKNOWLEDGED TO ME THAT SUCH LIMITED LIABILITY COMPANY EXECUTED THE SAME.

\_\_\_\_\_  
NOTARY PUBLIC  
COMMISSION EXPIRES:  
RESIDING AT:



Order Number: 19351863

### Warranty Deed

For value received,

**Drake's Island Crossing, LLC, an Idaho limited liability company**

the grantor, does hereby grant, bargain, sell, and convey unto

**DJP Properties, LLC, an Idaho limited liability company**

whose current address is P. O. Box 1587, McCall, ID 83638

the grantee, the following described premises, in Boise County, Idaho, to wit:

Lot 2 of Drake's Island Crossing Subdivision No. 3, according to the official plat thereof, filed as Instrument No. 210267, records of Boise County, Idaho.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated: December 20, 2019

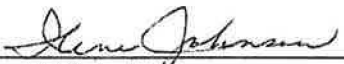
Drake's Island Crossing, LLC

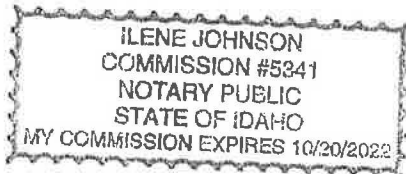
By:   
Robert C. Drake, Member

State of Idaho, County of Boise, ss.

On this 24<sup>TH</sup> day of December 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared Robert C. Drake known or identified to me to be a Member of the limited liability company that executed the within instrument and acknowledged to me that he executed the same for and on behalf of said limited liability company and that such limited liability company executed it.

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 In: Boise  
My Commission Expires: 10-20-22



AFTER RECORDING MAIL TO:

Linda C. Sallee  
7024 Elias Ave  
Bakersfield, CA 93308

---

**WARRANTY DEED**

File No.: 4106-3358123 (SH)

Date: **December 13, 2019**

For Value Received, **Drake's Island Crossing, LLC, an Idaho limited liability company**, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey unto **Linda C. Sallee, an unmarried woman**, hereinafter referred to as Grantee, whose current address is **7024 Elias Ave, Bakersfield, CA 93308**, the following described premises, situated in **Boise County, Idaho**, to wit:

**LEGAL DESCRIPTION:** Real property in the County of Boise, State of Idaho, described as follows:

**Lot 3 of Drakes Island Crossing 3, according to the official plat thereof, recorded as Instrument No. 210267, records of Boise County, Idaho.**

**APN: RP002270000030**

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



APN: RP002270000030

Warranty Deed  
- continued

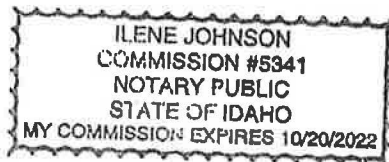
File No.: 4106-3358123 (SH)  
Date: 12/13/2019

Drake's Island Crossing, LLC, an Idaho limited  
liability company

By: *Robert C. Drake* 12-14-2019  
Name: Robert C. Drake  
Title: Member

STATE OF Idaho )  
COUNTY OF Idaho )  
ss.

This record was acknowledged before me on 12-14-2019 by Robert C. Drake as Member of  
Drake's Island Crossing, LLC.



*Ilene Johnson*  
Signature of Notary Public  
My Commission Expires: 10-20-22



**TitleOne**  
a title & escrow co.  
Order Number. 19352436

**Instrument # 266338**  
IDAHO CITY, BOISE COUNTY, IDAHO  
01-14-2020 15:02:50 PM No. of Pages: 1  
Recorded for: TITLEONE BOISE  
MARY T. PRISCO Fee: \$15.00  
Ex-Officio Recorder Deputy shirley george  
Index to: DEEDS  
Electronically Recorded by Simplifile

### Warranty Deed

For value received, **Drake's Island Crossing, LLC**, an Idaho limited liability company, hereinafter "Grantor", does hereby grant, bargain, sell, and convey unto **Todd M. Rotherham and Kim Y. Rotherham**, husband and wife, whose current address is 4764 Sunshine Ave. Santa Rosa, CA 95409, hereinafter "Grantee", the following described premises, in Boise County, Idaho, to wit:

Lot 1 of Drake's Island Crossing Subdivision No. 3, according to the official plat thereof, filed as Instrument No. 210267, records of Boise County, Idaho.

Grantor excepts from this conveyance, and reserves to itself, all permitted, licensed or decreed surface water rights that are appurtenant to said premises, including, but not limited to, water right no. 65-2448 and water right no. 65-2604, for the express purpose of retaining ownership, use and control of all such water rights.

To have and to hold the said premises conveyed hereby, with its appurtenances unto the said Grantee, its heirs and assigns forever. And said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: January 11th, 2020.

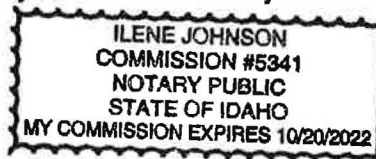
By: Robert C. Drake  
Robert C. Drake, Member

State of Idaho, County of Ada, ss.

On this 11th day of January, 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared Robert C. Drake, known or identified to me to be a Member of the limited liability company that executed the within instrument and acknowledged to me that he executed the same for and on behalf of said limited liability company and that such limited liability company executed it.

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

Ilene Johnson  
Notary Public for Idaho  
Residing in: Boise  
My Commission Expires: 10-20-22



Order Number. 19352436

Warranty Deed - Page 1

Instrument # 266346  
IDAHO CITY, BOISE COUNTY, IDAHO  
01-14-2020 16:36:19 PM No. of Pages: 2  
Recorded for: TITLEONE BOISE  
MARY T. PRISCO Fee: \$15.00  
Ex-Officio Recorder Deputy shirley george  
Index to: DEEDS  
Electronically Recorded by Simplifile



Order Number: 20352953

### **Warranty Deed**

For value received,

**Drake's Island Crossing, LLC, an Idaho limited liability company**

the grantor, does hereby grant, bargain, sell, and convey unto

**Anthony J. Norella and Christine L. Norella, husband and wife**

whose current address is 1269 E. Cerramar Ct, Eagle, ID 83616

the grantee, the following described premises, in Boise County, Idaho, to wit:

Lot 4 of Drake's Island Crossing Subdivision No. 3, according to the official plat thereof, filed as Instrument No. 210267, records of Boise County, Idaho.

Grantor excepts from this conveyance, and reserves to itself, all permitted, licensed or decreed surface water rights that are appurtenant to said premises, including, but not limited to, water right no. 65-2448 and water right no. 65-2604, for the express purpose of retaining ownership, use and control of all such water rights.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not

Order Number: 20352953

Warranty Deed - Page 1 of 2

due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated: January 10, 2020

Drake's Island Crossing, LLC

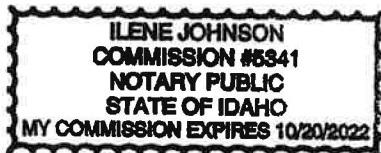
By: [Signature]  
Robert C. Drake, Member

State of Idaho, County of Ada, ss.

On this 10th day of January 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared Robert C. Drake, known or identified to me to be a Member of the limited liability company that executed the within instrument and acknowledged to me that he executed the same for and on behalf of said limited liability company and that such limited liability company executed it.

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

[Signature]  
Notary Public for Idaho  
Residing In: Boise  
My Commission Expires: 10-20-22







2001 SRBA review map (25.0 ac)

Actual SENW (8.81 ac)

2001 SRBA review map SENW (9.43 ac)

SWNE (16.0 ac)

2001 SRBA review map SWNE (15.57 ac)

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

In Re SRBA )  
Case No. 39576 )  
PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 65-02448

NAME AND ADDRESS: MARGARET L DRAKE  
308 PIONEER RD  
HORSESHOE BEND, ID 83629

ROBERT C DRAKE  
PO BOX 12  
HORSESHOE BEND, ID 83629

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.16 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL  
NOT EXCEED 13,000 GALLONS PER DAY.

USE OF THIS RIGHT WITH RIGHT NO. 65-02604 IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 0.02 CFS PER ACRE AT FIELD  
HEADGATE.

PRIORITY DATE: 04/27/1944

POINT OF DIVERSION: T07N R02E S23 LOT 8 (NENWSE) Within Boise County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.16 CFS
	Domestic	01-01 TO 12-31	0.02 CFS
			1.20 AFY

PLACE OF USE: Irrigation Within Boise County  
T07N R02E S23 LOT 8 (SWNE) 14.0  
25.0 Acres Total SENW 11.0

Domestic Within Boise County  
T07N R02E S23 SENW

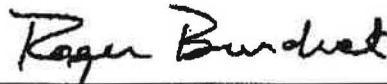
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR  
DOMESTIC USE 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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication

Attachment 8 - page 4

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication

Attachment 8 - page 6



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

In Re SRBA )  
                  ) PARTIAL DECREE PURSUANT TO  
                  ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
                  ) Water Right 65-02604

NAME AND ADDRESS: MARGARET L DRAKE  
308 PIONEER RD  
HORSESHOE BEND, ID 83629

ROBERT C DRAKE  
PO BOX 12  
HORSESHOE BEND, ID 83629

SOURCE: PAYETTE RIVER                      TRIBUTARY: SNAKE RIVER

QUANTITY: 0.46 CFS

USE OF THIS RIGHT WITH RIGHT NO. 65-02448 IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 0.02 CFS PER ACRE AT FIELD  
HEADGATE.

PRIORITY DATE: 05/07/1955

POINT OF DIVERSION: T07N R02E S23 LOT 8 (SWNE )      Within Boise County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.46 CFS


PLACE OF USE:	Irrigation	Within Boise County
	T07N R02E S23 LOT 8 (SWNE)14.0	SENEW 11.0
	25.0 Acres Total	

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS  
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT  
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY  
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE  
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

  
\_\_\_\_\_  
Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication





# IDAHO DEPT OF WATER RESOURCES

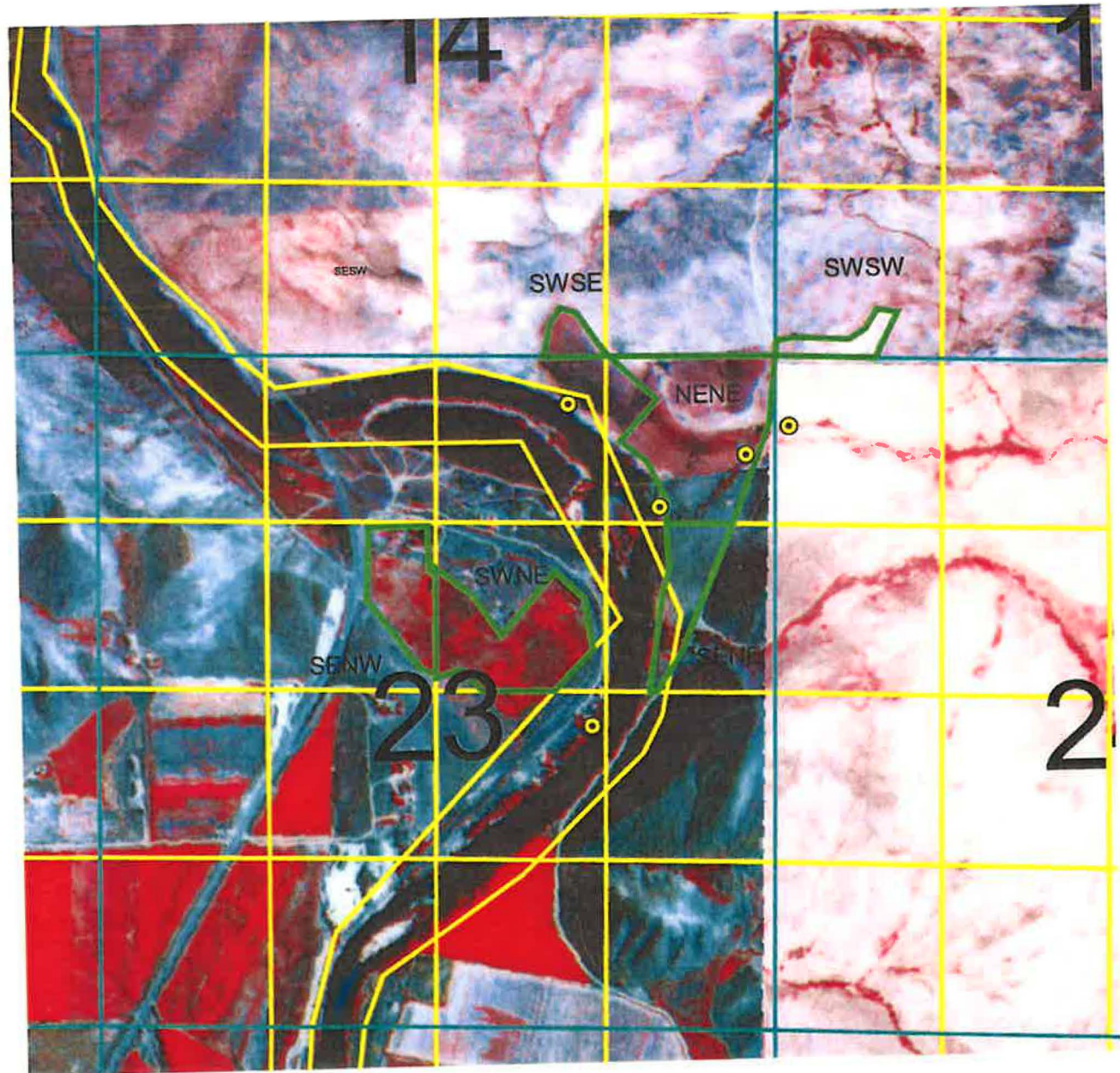
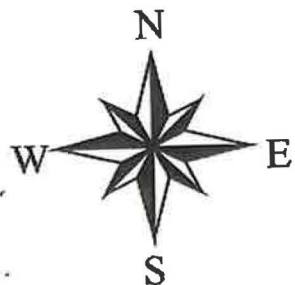
Claim No(s): 65-02448,  
65-02604, 65-02662,  
65-02694, 65-08382,  
65-08934

T07N, R02E, S 13,14,23

Prepared by: Sue Bock

Date: 04/05/2001

-  Place of Use
-  Point of Diversion
-  Section lines
-  1/4 1/4 lines



0 3000 Feet  
Attachment 8 - page 8

1987 NAPP Photo

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

00:07:34  
06/10/00  
183

PAGE: 17  
PROFILE REPORT

CLAIM NUMBER: A65-02448

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CALVIN C DRAKE	04/27/1964	IRRIGATION	04-01 11-01	0.160 CFS	1.2
C	MARGARET L DRAKE					
C	ROBERT C DRAKE					
				TOTAL DIVERSION:	0.160 CFS	
				CONSUMPTIVE USE:		142.50 AFA

Water Source: PAYETTE RIVER ✓ Tributary to: SNAKE RIVER ✓ Stage: DECREED

Point(s) of Diversion: T07N R02E S23 Lot08(NENWSE)? BOISE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				SUM
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
07N	02E	23	:													
				08-84				12				87-82				45.0
				14				11				TOTAL ACRES				45.0
												25				

POU County: BOISE

Other Rights: A65-02604

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag: Presumption Flag: D

QNT 65-02604  
102 2d

C18  
N10  
N12

WR5809NP  
No. 65-02448

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 06/10/00  
PAGE: 11

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
P	CALVIN C. DRAKE RT 1, BOX 58 HORSESHOE BEND ID 83629 (208) 793-2372	04/27/1944	IRRIGATION DOMESTIC	04/01 11/01 01/01 12/31	0.160 CFS 0.020 CFS	1.20 AFA
TOTAL DIVERSION:					0.160 CFS	1.20 AFA
P	GLORIA Y. ROBERTS 1706 NORTH COVE ROAD UNION OR 97883 (503) 562-5532					
P	ROBERT C. DRAKE P.O. BOX 12 HORSESHOE BEND ID 83629					
C	CLAYTON WATSON ROBERTS					
C	KENNETH T. ROBERTS HORSESHOE BEND ID 83629					
C	GLORIA Y. ROBERTS					

Water Source: PAYETTE RIVER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T07N R02E S23 Lot 08( ) Lot 08( NWNE)

BOISE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
07N	02E	23	:			08-14	:					11	:							:	25.0
TOTAL ACRES																				25.0	

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: BOISE

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHT 65-2604 SHALL PROVIDE NO  
MORE THAN .02 CFS/ACRE.

Dates:	App. Received:	Priority Date:	04/27/1944
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:





State of Idaho

## DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

May 08, 2020

DRAKES ISLAND CROSSING, LLC  
PO BOX 22  
HORSESHOE BND ID 83629-0022

Re: Change in Water Right Ownership: 65-2448 (Split into 65-2448 and **65-23923**), 65-2604 (Split into 65-2604 and **65-23924**)

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

**Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right.** If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 287-4942.

Sincerely,

Jean Hersley  
Technical Records Specialist 2

Enclosure(s)

c: Margaret L Drake  
Robert C Drake  
Water District No. 65