

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 81146**

This is to certify that: **PARAMOUNT OWNERS ASSOC INC**
12601 W EXPLORER DR STE 200
BOISE, ID 83713-1880

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>
63-10541	WR/LICENSE	10/27/1987	1.910 cfs	429.8 af	N/A	95.5	GROUND WATER
63-32097	WR/LICENSE	10/1/1990	0.860 cfs	193.5 af	N/A	43.0	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>
63-10541	NO	NO	YES	YES	NO	NO
63-32097	NO	NO	YES	YES	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-10541	63-10541	1.910 cfs	429.8 af	95.5	451.0	N/A	N/A	N/A	N/A	N/A
63-32097	63-32097	0.860 cfs	193.5 af	43.0	451.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		2.770 cfs	623.3 af	138.5	451.0		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 26th day of April, 2019.



for Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 63-10541

Transfer No. 81146

WATER RIGHT NO. 63-10541

As Modified by Transfer No. 81146

In accordance with the approval of Transfer No. 81146, Water Right No. 63-10541 is now described as follows:

Right Holder: PARAMOUNT OWNERS ASSOC INC
12601 W EXPLORER DR STE 200
BOISE, ID 83713-1880

Priority Date: 10/27/1987

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	3/15	to 11/15	1.910 cfs	429.8 af
			1.910 cfs	429.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENE	Sec 25 Twp 04N Rge 01W ADA County
GROUND WATER	SWNE	Sec 25 Twp 04N Rge 01W ADA County
GROUND WATER	SWNW	Sec 25 Twp 04N Rge 01W ADA 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	
04N	01W	25	37.0	40.0	40.0	21.0			32.0	40.0	23.0		39.0	40.0	40.0	40.0	20.0	39.0	451.0

Right Acre Limit: 95.5

POU Total Acres: 451.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 95.5 acres within the authorized place of use in a single irrigation season.
2. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 429.8 af at the field headgate for the place of use.

WATER RIGHT NO. 63-10541
As Modified by Transfer No. 81146

CONDITIONS OF APPROVAL

4. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
5. 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.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date of this approval.
7. Place of use is located within the Paramount Subdivision.
8. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 63-32097
As Modified by Transfer No. 81146

In accordance with the approval of Transfer No. 81146, Water Right No. 63-32097 is now described as follows:

Right Holder: PARAMOUNT OWNERS ASSOC INC
12601 W EXPLORER DR STE 200
BOISE, ID 83713-1880

Priority Date: 10/1/1990

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.860 cfs 0.860 cfs	193.5 af 193.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENE	Sec 25 Twp 04N Rge 01W ADA County
GROUND WATER	SWNE	Sec 25 Twp 04N Rge 01W ADA County
GROUND WATER	SWNW	Sec 25 Twp 04N Rge 01W ADA 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	
04N	01W	25	37.0	40.0	40.0	21.0			32.0	40.0	23.0		39.0	40.0	40.0	40.0	20.0	39.0	451.0

Right Acre Limit: 43.0
POU Total Acres: 451.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 43 acres within the authorized place of use in a single irrigation season.
2. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 193.5 af at the field headgate for the place of use.

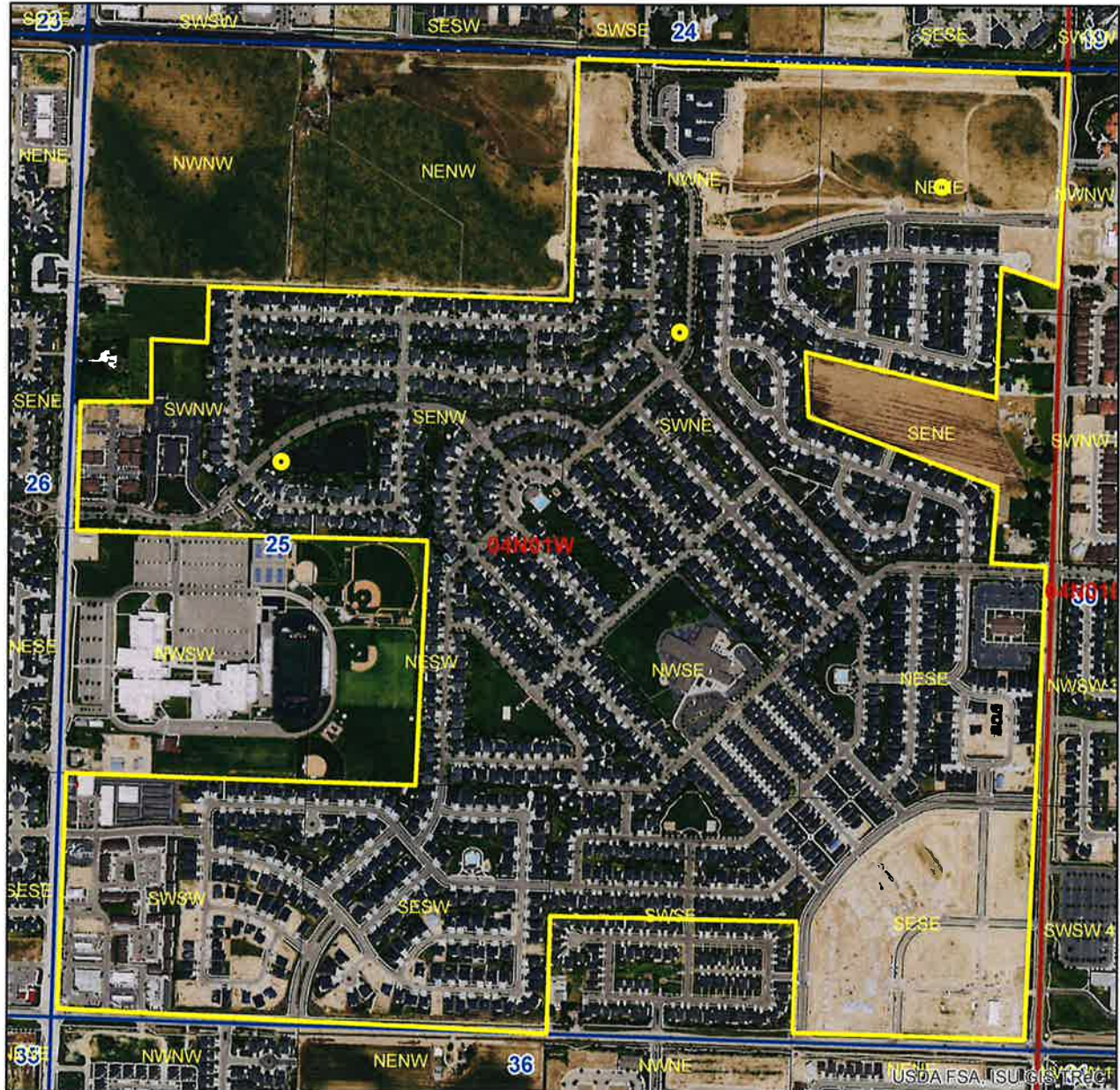
WATER RIGHT NO. 63-32097
As Modified by Transfer No. 81146

CONDITIONS OF APPROVAL

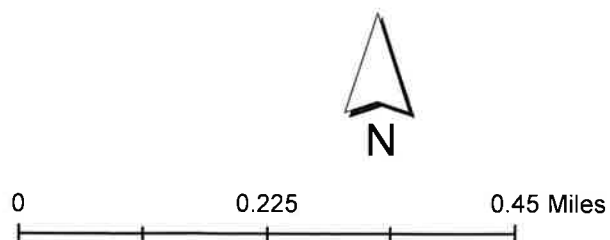
4. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
5. 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 determine the amount of water diverted from power records and shall annually report the information to the Department.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than 10/27/2005.
7. Place of use is located within Paramount Subdivision.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

State of Idaho
Department of Water Resources
Attachment to Transfer No. 81146
Water Rights: 63-10541 and 63-32097

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.



- Point of Diversion
- Place of Use
- Township/Range
- Sections
- QQ





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

April 26, 2019

PARAMOUNT OWNERS ASSOC INC
12601 W EXPLORER DR STE 200
BOISE ID 83713-1880

Re: Transfer No.: 81146
Water Right Nos: 63-10541, 63-32097

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

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

The Transfer of Water Rights 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,


Anna Kaizer

For

Nick Miller
Regional Manager

Enclosure

CC:

SPF WATER ENGINEERING LLC
C/O SCOTT N KING
300 E MALLARD DR STE 350
BOISE ID 83706

CERTIFICATE OF SERVICE

I hereby certify that on April 26, 2019 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.: 81146
Water Right No(s): 63-10541, 63-32097

PARAMOUNT OWNERS ASSOC INC
12601 W EXPLORER DR STE 200
BOISE ID 83713-1880

SPF WATER ENGINEERING LLC
C/O SCOTT N KING
300 E MALLARD DR STE 350
BOISE ID 83706



Anna Kaiser
Administrative Assistant

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.

MEMORANDUM

TO: Transfer No. 81146 File

FROM: Cody Parker

DATE: April 23, 2019

RE: Evaluation of Sufficiency of Information Submitted

The purpose of the transfer is to describe all points of diversion in a combined distribution system and create a permissible place of use for Paramount Subdivision. Water will be used at the current place of use generally located southeast of the intersection between Chinden and Linder roads approximately three miles north of Meridian, Idaho.

On August 29, 2017 I requested information regarding the authority for Paramount Owners' Association Inc. to make the requested changes to the two water rights. The applicant responded with a sample of warranty deeds showing the water rights were retained by the developer company at the time that the land was sold to the individual lot owners. Additional documentation established that the owner of record, Paramount LLC, was part of the parent Brighton Corporation prior to being dissolved. Brighton then quit-claimed their interest in the rights to Paramount Owners' Association Inc. This response was scanned with the ownership changes completed for the two rights.

Summary of Information Submitted

Authority to File: An ownership change was processed prior to transfer processing confirming that the applicant is the current owner of the water rights and has the authority to file the transfer. Blake Alder signed the application and is the Director of Paramount Owner's Association according to IDSOS.

Water Right Validity: Right No.'s 63-10541 and 63-32097 authorize the diversion of groundwater for irrigation use within the Paramount Subdivision. A review of aerial imagery from 2017 shows irrigated land throughout the subdivision. Therefore, no forfeiture risk is found.

Overlap Analysis: The transfer proposes to define the irrigation of 138.5 acres from two separate irrigation rights within a 451 acre permissible place of use. Furthermore, application for permit No. 63-34263 proposes irrigation of an additional 17 acres within this PPU. Water right 63-32097 is defined as a supplemental right by condition 065 which limits the diversion of groundwater for irrigation use to "those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right". Application for permit No. 63-34263 elaborates on this surface water use and indicates that water from the Settler's Irrigation District is used for irrigation within this PPU. Both 63-32097 and 63-10541 carry combined use limits restricting diversion for irrigation from all rights to no more than 0.02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above. There are no other irrigation rights found within the PPU.

There are no other water rights within Section 25 which list a POD within the SWNE $\frac{1}{4}$ - $\frac{1}{4}$. There are three other rights (63-17992, 63-18088, and 63-20067) which have POD's listed in the NENE $\frac{1}{4}$ - $\frac{1}{4}$. All of these rights were decreed in 2000, and have priority dates pre-dating the construction of the well listed for this transfer application, which suggests that there is no POD overlap for this well. The proposed well is also included in application for permit No. 63-34263.

Injury to Other Water Rights: According to this application, groundwater from three wells will be used to irrigate a total of 138.5 acres. Two of the three wells were previously constructed, while the third is a proposed well associated with application for permit No. 63-34263. The existing well located in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 25, draws water from two separate zones (157-167 and 182-212 feet below the ground surface). The two zones are connected by a sand filter pack along the well casing, which may allow water to be transferred between them. The existing well, located in the NENE QQ, draws water from 130-137 and 197 – 207 feet below the ground surface. The third well is proposed for irrigation use within the Basin 63 GW Restricted Area, and will be constructed to draw water from below 200 ft (per application No. 63-34263).

This transfer includes the three wells as POD's on each of the two irrigation rights (63-10541 and 63-32097) for a combined irrigated acreage of 138.5 acres within a 451 permissible place of use. The total diversion rate is 2.77 cfs and the total annual volume is 623.3 af. However, of the 138.5 acres, 43 acres are irrigated from groundwater only when surface water from the local irrigation company is not available (supplemental use according to 63-32097).

A review of the relevant literature (as summarized in a memo from Mike McVay) indicates that the hydrogeology of the area is a complex mix of interbedded layers of sand, gravel and clay (Petrich and Urban, 2004), which results in a loosely connected aquifer system of semi confined and unconfined water bearing zones within an alluvial sand sheet (Squires, Woods and Osiensky, 1992). The memo referenced above suggests that, though the well log for the well in the SWNE QQ "indicates the potential for the water producing zones to be locally confined, the confining layers are not expected to be continuous over a large area." Therefore, pumping at any of the three wells may affect water throughout the profile of the aquifer. Furthermore, the aquifer system is recharged by infiltration from precipitation, irrigation, and canal and stream losses, including from the Boise River (Petrich and Urban, 2004).

The most likely mode of injury in this case would be if the applicants decided to irrigate more acres from a single well which would require a higher diversion rate, expanding the cone of depression affecting neighboring wells through increased drawdown. In the memo referenced above, the Department summarizes the results of a Theis Analysis used to predict drawdown at varying distances from the pumping well. The analysis predicts a drawdown of 0.16 ft at $\frac{1}{4}$ -mile distance from the pumping well resulting from a diversion rate of ~0.02 cfs pumped continuously over the course of entire year. However, this analysis assumes a confined aquifer and ignores the recharge effect from the Boise River and the surrounding streams. Therefore, 0.16 ft of drawdown is an overestimate at $\frac{1}{4}$ - mile for these conditions. Furthermore, the model does not take into account the periodic nature of irrigation, which may vary by season or throughout the course of a single day allowing for recharge between pumping periods. Additionally, the availability of surface water for irrigation puts less demand on groundwater diversions throughout the irrigation season. This information suggests that drawdown at neighboring wells would be minimal, despite any increase in pumping rate at one of the wells.

The PPU and POD's lie within the Basin 63 Groundwater Restricted Area. Both of the existing wells listed in the transfer have historically used water above 200 ft below the surface. Therefore, no additional recharge from (or injury to) the Boise River is expected so long as there is no enlargement in use resulting from the transfer.

From the information summarized above, I expect no injury to other water rights. It is unlikely that the right owner will decide to irrigate the full 138.5 acres from a single well and, if they do, the drawdown effect at neighboring wells will likely be minimal due to the interconnected nature of the aquifer system.

Regardless, comment letters will be sent to the previous protestants for permit No. 63-32603 before advertising.

Enlargement of Use: None anticipated. The proposal does not intend to increase the diversion rate, annual diversion volume, or number of acres irrigated. An approval of this application should continue to limit irrigation use to 0.02 cfs per acre and 4.5 afa per acre. 43 of the 138.5 acres should remain as supplemental rights post-transfer. Condition X35 should be added through the transfer to limit irrigation to no more than 138.5 acres within the Permissible Place of Use (PPU). The PPU has been authorized to allow for ease in describing and irrigating the irrigation use of the rights, rather than to allow flexibility to move acreage around. The land not irrigated within the PPU is primarily asphalt and houses, so no further acres should be able to be irrigated.

Local Public Interest: The transfer application proposes to continue a beneficial use consistent with the local public interest. Should send comment letters to the protestants of permit No. 63-32603 due to existing concerns about groundwater use within the subdivision.

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.

Discussion

Due to the contentious nature of water use within the subdivision, this application will be advertised. Comment letters will be sent to the protestants of Permit No. 63-32603.

References

Petrich, C., and Urban, S., 2004. Characterization of ground water flow in the Lower Boise River Basin. IWR11 2004-1.

Squires, E., Wood, S.H., and Osiensky, J.L., 1992. Hydrogeologic framework of the Boise aquifer system, Ada County, Idaho

McVay, M. 2008. Evaluation of the Paramount Well pumping impacts. MEMO.

MEMORANDUM

Date: March 7, 2019
To: Water Right File 63-10541 & 63-32097
From: Cody Parker
Re: Ownership Change Processed Prior to Transfer No. 81146

Ownership change (including applicable fee) requested with transfer filing. A separate Notice of Ownership Change form was not received nor required. Ownership change processed prior to transfer resulting in the owner of the water rights to be changed as follows:

WR 63-10541 to Paramount Owner's Association Inc.

WR 63-32097 to Paramount Owner's Association Inc.

Transfer no. 81146 will affect WR 63-10541 & 63-32097. The transfer applicant was not required to amend the transfer application form.

Summary of Conveyance Documentation

The owner of record for both of the water rights is Paramount LLC, a company which was dissolved in October of 2009. The managing member of Paramount LLC was Brighton Investments LLC. David Turnbull was last listed as the registered agent.

In turn the registered agent and manager for Brighton Investments LLC is David Turnbull. According to a letter received November 2, 2018, Brighton Investments LLC is a subsidiary of the parent company Brighton Corporation. David Turnbull is also listed as a Director for Brighton Corporation. The mailing addresses for the two Brighton companies listed above are the same. Thus Paramount LLC is the subsidiary of Brighton Investments LLC whose parent is in turn Brighton Corporation. Furthermore, the letter states that, upon dissolution of Paramount LLC "ownership of Paramount LLC assets reverted to Brighton Investments LLC..."

Once the land was developed the individual lots were sold to homeowners. The number of individual lots within the area in question is in excess of 1000. The applicant submitted twenty sample warranty deeds showing conveyance of the lots to individual homeowners. In each case the deed specifically stated that "[a]ny and all water rights appurtenant to the premises are excluded from this conveyance and are retained by the Grantor." The grantor listed on each warranty deed was one of two Brighton Corporation subsidiaries. The sample shows that Brighton Corporation and its subsidiaries have made a practice of withholding the water rights from sales of land. I feel reasonably comfortable assuming that the company is the current owner of the water rights.

Finally Brighton Corporation, as the parent company, has submitted a quit-claim deed showing that they have conveyed their interest in water rights 63-10541 and 63-32097 to Paramount Owners Association Inc. I have updated the ownership record in the database based on all of the information above. The change in ownership also confirms the applicant's (Paramount Owners Association Inc) authority to file transfer 81146.

RECEIVED

APR 01 2019

WATER RESOURCES
WESTERN REGION

AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Depth
263982	0004129227	The following applications have been filed to appropriate the public waters of the State of Idaho:	For Permit Nos: 63-34690 & 63-34674	\$207.20	2	6.22 In

Attention: Anna Kaiser

IDAHO DEPT OF WATER RESOURCES / SOUTH
2735 W AIRPORT WAY
BOISE, ID 83705

The following applications have been filed to appropriate the public waters of the State of Idaho:

63-34690
QUENTIN KNIPE
CATHERINE KNIPE
1174 E LEWIS ST
BOISE, ID 83712-8317
Point of Diversion SWSE S11 T03N R02E ADA County Source
GROUND WATER Tributary BOISE RIVER
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 2/20/2019
Place Of Use: DOMESTIC
T03N R02E S11 SWSE
Water bearing zone to be appropriated is from 0 to 30 feet.

63-34674
CHARLES L HONSINGER
PO BOX 517
BOISE, ID 83701-0517
HILLSDALE CREEK HOMEOWNERS ASSOCIATION, INC.
9601 W STATE ST STE 203
BOISE, ID 83714-4021

Point of Diversion SWNE S33 T03N R01E ADA County Source
GROUND WATER
Use: IRRIGATION 03/15 to 11/15 0.45 CFS
Total Diversion: 0.45 CFS
Date Filed: 2/8/2019
Place Of Use: IRRIGATION
T03N R01E S33 SWNE
Water bearing zone to be appropriated is from 150 to 300 feet.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81146

PARAMOUNT OWNERS ASSOC INC, 12601 W EXPLORER DR STE 200, BOISE, ID 83713-1880; has filed Application No. 81146 for changes to the following water rights within ADA County(s): Right No(s). 63-10541, 63-32097; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: The purpose of the transfer is to describe all points of diversion in a combined distribution system and create a permissible place of use for Paramount Subdivision. Water will be used at the current place of use generally located southeast of the intersection between Chinden and Linder roads approximately three miles north of Meridian, Idaho. Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at 208-334-2190; or for a full description of the right(s) or proposed transfer (s) please see www.idwr.idaho.gov. Protests may be submitted based on the criteria of Idaho Code §§ 42-203A and 42-222. Any protest against the approval of the application(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before 4/8/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on 3/21/2019 and 3/28/2019

0004129227-01

STEFANI BEARD, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The Idaho Statesman, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

Beginning issue of: 03/21/2019

Ending issue of: 03/28/2019

Stefani Beard
(Legals Clerk)

On this 28th day of March in the year of 2019 before me, a Notary Public, personally appeared before me Stefani Beard known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Christine Garcia
Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!