

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 01146

RECEIVED

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AUG 12 2016

AUG 15 2016

DEPARTMENT OF
WATER RESOURCESWATER RESOURCES
WESTERN REGION

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be available for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) Paramount Owner's Association, Incorporated

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes **N/A** * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).**
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☒ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Paramount Owner's Association, Incorporated Phone (208) 378-4000
Mailing address 12601 W. Explorer Dr., Suite 200, Boise, ID 83713 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Roxanne Brown, SPF Water Engineering Phone (208) 383-4140
Mailing address 300 E. Mallard Dr., Suite 350, Boise, ID 83706 Email rbrown@spfwater.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


Signature of Applicant or Authorized Representative

Blake Alder, Director 8/11/2016
Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion
☐ Change nature of use
 ☒ Add diversion point(s)
☐ Change period of use
 ☒ Change place of use
☐ Other _____
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.

Transfer application is required to describe a new place of use after development of Paramount Subdivision.

Transfer will also describe all points of diversion in a combined distribution system.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	<u>Right Number</u>	<u>Amount</u> (cfs/ac-ft)	<u>Nature of Use</u>	<u>Period of Use</u>	<u>Source & Tributary</u>
All or Part ☒ ☐	63-10541	1.91/429.8	irrigation	3/15 to 11/15	ground water
☒ ☐	63-32097	0.86/193.5	irrigation	3/15 to 11/15	ground water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 2.77 cfs and/or 623.3 acre-feet.

2. Total amount of water proposed to be transferred or changed 2.77 cubic feet per second and/or 623.3 acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Y		SE	SW	NW	25	4N	1W	Ada	ground water	
N			NE	NE	25	4N	1W	Ada	ground water	
N			SW	NE	25	4N	1W	Ada	ground water	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	1W	25	37	40	40	21			32	40	23		39	40	40	40	20	39	451
Total Acres (for irrigation use)																			138.5

138.5 acres within a 451-acre permissible place of use.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. 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:
wells and pumps to mainline distribution; measuring devices and lockable controlling works will be maintained as required by Water District 63.

- b. Who owns the property at the point(s) of diversion? applicant
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? **If yes,** ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: water is distributed by applicant to lots and open areas within Paramount Subdivision

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete Attachment WSB.
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
Current place of use either (1) has been developed, or (2) will be developed as Paramount Subdivision.
Developed areas (roads and rooftops) will no longer be irrigated.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
Settlers Irrigation District water is distributed in the same system.

- g. 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 leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

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

Current Water Right No.: 63-10541

Current Owner: PARAMOUNT LLC
Priority Date: 10/27/1987
Origin: Water Right
Status: Active
Basis: License

Source

Tributary

GROUND WATER

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION

3/15 to 11/15

1.91 CFS

429.8 AF

Total Diversion

1.91 CFS

429.8 AF

Location of Point(s) of Diversion

GROUND WATER

NE1/4NE1/4

Sec. 25, Twp 04N, Rge 01W B.M.

ADA County

Place of Use

IRRIGATION Within ADA County

T04N R01W S25

NENE

36.00

T04N R01W S25

NWNE

39.00

T04N R01W S25

SWNE

13.30

T04N R01W S25

SENE

7.20

Total Acres: 95.5

Conditions of Approval:

1. R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

Licensed Date: 10/19/1992

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

Current Water Right No.: 63-32097

Current Owner: PARAMOUNT LLC

Priority Date: 10/1/1990

Origin: Water Right

Status: Active

Basis: License

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.86 CFS	193.5 AF
	<u>Total Diversion</u>	0.86 CFS	193.5 AF

Location of Point(s) of Diversion

GROUND WATER

NW1/4SW1/4NE1/4 Sec. 25, Twp 04N, Rge 01W B.M.

ADA County

Place of Use

IRRIGATION Within ADA County

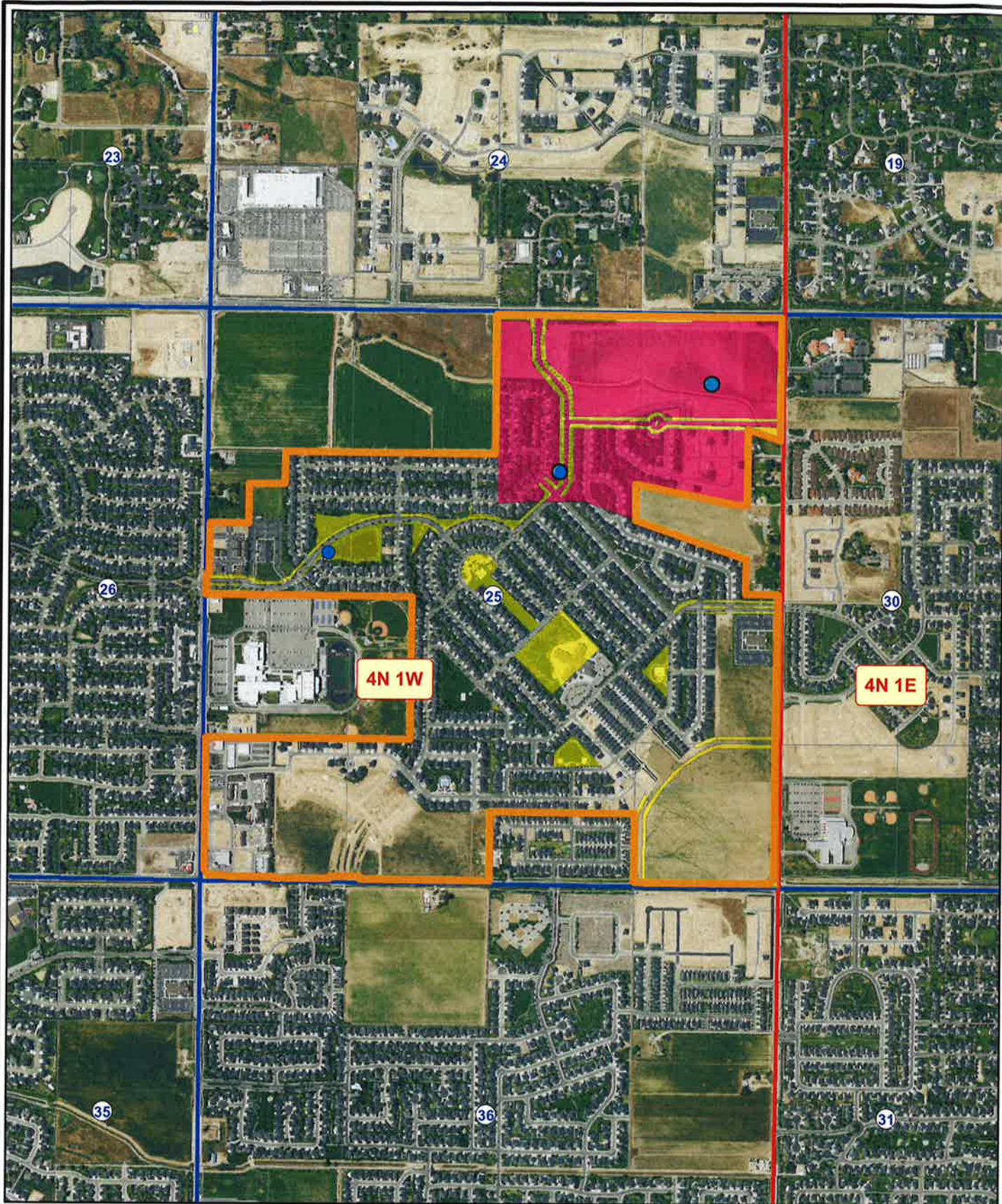
T04N R01W S25	NENE	2.60	T04N R01W S25	NWNE	3.30
T04N R01W S25	SWNE	1.60	T04N R01W S25	SWNW	5.40
T04N R01W S25	SENE	6.20	T04N R01W S25	NESW	3.30
T04N R01W S25	SWSW	2.10	T04N R01W S25	SESW	1.20
T04N R01W S25	NESE	3.90	T04N R01W S25	NWSE	8.10
T04N R01W S25	SWSE	1.60	T04N R01W S25	SESE	3.70

Total Acres: 43

Conditions of Approval:

1. X60 Place of use is located within Paramount Subdivision.
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.
3. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. 104 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
5. X61 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 or late irrigation use and a priority date earlier than the date of this approval.
6. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right 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.
7. 01M 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.
8. T07 The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
9. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Licensed Date: 7/22/1994



Proposed Permissible Place of Use

Proposed Point of Diversion

Original Place of Use

63-10541

63-32097

Paramount Development - Transfer Application



0.25

Miles



SPF WATER
ENGINEERING

81146

FILED EFFECTIVE

04 APR 26 AM 8:59

ARTICLES OF INCORPORATION
OF
PARAMOUNT OWNERS ASSOCIATION, INC.

SECRETARY OF STATE
STATE OF IDAHO

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, being a natural person of full age and a citizen of the United States of America, acting as incorporator of a non-profit corporation (hereafter called "Association") under the Idaho Nonprofit Corporation Act (hereafter called "Act") and, in particular, Title 30, Chapter 3, Idaho Code, have adopted the following Articles of Incorporation for such Association:

ARTICLE I

Name

The name of this Association is:

PARAMOUNT OWNERS ASSOCIATION, INC.

ARTICLE II

Definitions

For the purposes of these Articles, the following words and terms shall be accorded the definitions as follows:

Articles: These Articles of Incorporation, including any amendments thereto duly adopted.

Assessments: Payments required of Members of the Association, including Regular, Special or Limited Assessments as provided in the Master Declaration (hereafter defined).

Association: Paramount Owners Association, Inc., an Idaho non-profit corporation.

Board: The duly elected and qualified Board of Directors of the Association.

Common Area: All real property within the Subdivision in which the Association owns an interest or controls and which is held or controlled for the common use and enjoyment of all of its Members, including any recreational facilities and other improvements thereon. Unless a different meaning is necessarily implicit in the use of the term "Common Area," it shall also include any other area or improvements in or outside of the Subdivision which, pursuant to the provisions of the Master Declaration is either required or permitted to be maintained by the Association.

IDAHO SECRETARY OF STATE
04 APR 26 2004 05:00
CK: 12343 CT: 2625 BH: 741248
1 @ 38.00 = 38.00 INC NONP # 2

C154351

Grantor: Paramount Development Inc., an Idaho Corporation, and its successor(s) in title to a Lot(s), which Lot(s) is held by such successor in an unimproved condition (i.e., without a residential dwelling thereon) for resale to a builder or other person for the purpose of constructing thereon a residential dwelling, and to which successor the Grantor has specifically granted the Class B voting rights in writing; provided, that if such voting rights are not so granted, such successor shall be entitled to the voting rights of a Class A Member with respect to each Lot owned.

Lot: A portion of Paramount Subdivision which is subject to the Master Declaration hereafter defined, which is a legally described tract or parcel of real property within the Subdivision and subject to Assessment by the Association, and the Owner of which is a Member of the Association.

Master Declaration: The Master Declaration of Covenants, Conditions, Restrictions and Easements for Paramount Subdivision, dated April 1, 2004, recorded April 21, 2004, as Instrument 104047957, records of Ada County, Idaho, including any amendments thereto duly adopted and recorded, which Master Declaration is made a part of these Articles of Incorporation as if set out in full herein.

Member: Any person(s) who is an Owner of a Lot within a phase of the Subdivision which is subject to the Master Declaration.

Owner: A person or persons or other legal entity or entities, including the Grantor, holding fee simple title to any real property in a phase of the Subdivision covered by the Master Declaration, and including contract sellers, but excluding those having such interest merely as security for the performance of an obligation, but including any holder of a Mortgage or beneficiary under a Deed of Trust or other security holder in actual possession of any real property as a result of foreclosure or otherwise, and any person taking title through such security holder, by purchase at foreclosure sale or otherwise.

Subdivision: The whole of the real property described in the Master Declaration (described above) which was platted under the name "Paramount Subdivision" together with any additional real property which may be annexed as a part of Paramount Subdivision under the Master Declaration.

ARTICLE III

Purposes and Powers

Section 1. Purposes. This Association does not contemplate pecuniary gain or profit to the Members thereof and the specific purposes for which it is formed are to provide and assure the maintenance, preservation and architectural control of the Lots, including the Common Area, within a phase of the Subdivision which is subject to the Master Declaration.

Section 2. Powers. The Association shall have and exercise the statutory powers provided for non-profit corporations in the State of Idaho, as specified in Title 30, Chapter 3, Idaho Code, as the same now exists or may hereafter be amended and, further, the Association shall have the power to do everything necessary, proper, advisable or convenient for the accomplishment of the purposes hereinabove set forth and to do all other things incident thereto or connected therewith, which are not forbidden by the Act, by other law or by these Articles of Incorporation. Without limitation of the foregoing stated powers, and to provide for the health, safety and welfare of the Owners and residents within a phase of the Subdivision which is subject to the Master Declaration and any additions thereto as may hereafter be brought within the jurisdiction of this Association, the Association shall have the power to:

- (a) Exercise all of the powers and privileges and perform all of the duties and obligations of the Association as set forth in the Master Declaration, as the same may be amended from time to time as therein provided, said Master Declaration being incorporated herein as if set forth at length;
- (b) Fix, levy, collect and enforce payment by any lawful means, all Assessments and other charges pursuant to the terms of the Master Declaration; pay all expenses in connection therewith and all office and other expenses incident to the conduct of the business of the Association including, but not limited to, all insurance premiums, license fees, taxes or governmental charges levied or imposed against any property owned by the Association;
- (c) Acquire (by gift, purchase or otherwise), own, hold, improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate for public use or otherwise dispose of real or personal property in connection with the business affairs of the Association;
- (d) Borrow money, and with the assent of two-thirds (2/3) of each class of Members, mortgage, pledge, deed in trust or hypothecate any or all of the real or personal property owned by the Association as security for money borrowed or debts incurred;
- (e) Dedicate, sell or transfer all or any part of the Common Area and any other real or personal property owned by the Association to any public agency, authority or utility;

ARTICLE IV

Period of Duration

The period of duration of the Association is perpetual.

ARTICLE V

Membership

Every person or entity who is an Owner of a Lot which, by the terms of the Master Declaration is subject to Assessments by the Association, shall be a Member of the Association. The foregoing is not intended to include persons or entities who hold an interest merely as security for the performance of an obligation but shall include any mortgagee, beneficiary under a Deed of Trust or other security holder in actual possession of any Lot as a result of foreclosure or otherwise and any person taking title through such security holder, by purchase at foreclosure sale or otherwise. Membership shall be appurtenant to and may not be separated from the ownership of any Lot which is subject to Assessment by the Association.

ARTICLE VI

Voting Rights

The Association shall have two classes of voting membership:

- (a) **Class A.** Class A Members shall be all Owners of Lots within the Property, with the exception of the Grantor. The Class A Members shall be non-voting Members of the Association until such time as voting rights of the Class B Member(s) expire, as provided in subsection (b), below. Upon the Class A Members becoming entitled to voting rights, each Class A Member shall be entitled to one (1) vote for each Lot owned and when more than one (1) person holds an interest in a Lot, all such persons shall be Class A Members but the vote for such Lot shall be exercised as they determine, but in no event shall more than one (1) vote be cast with respect to any Lot owned by a Class A Member(s).
- (b) **Class B.** Class B Members shall be the Grantor (and its successors in title as specified in the definition of "Grantor," above). The Class B Members shall be entitled to one (1) vote for each Lot owned. The Class B membership and the Class B voting rights shall cease and be converted to Class A membership on the happening of the earlier of the following events: (i) when the Grantor (and its successors in title as specified in the definition of "Grantor," above) no longer owns a Lot within the Subdivision; or (ii) January 1, 2018.

The Association shall not have any voting rights by reason of its ownership of any Common Area or Lot.

ARTICLE VII

Registered Office and Registered Agent

The location of the Association's initial registered office in this State is 12601 W. Explorer Drive, Suite 200, Boise, Idaho 83713. The registered office of the Association may be relocated to such other place as may be determined by the Board of Directors. The name of the initial Registered Agent of the Association at such address is David W. Turnbull.

ARTICLE VIII

Initial Board of Directors

The number of Directors constituting the initial Board of Directors of the Association is four (4), who need not be members of the Association and the name and address of each person who is to serve as a Director until the first annual meeting of Members or until the election and qualification of a successor(s) are as follows:

<u>Name</u>	<u>Address</u>
David W. Turnbull	12601 W. Explorer Drive, Suite 200 Boise, Idaho 83713
Patrick J. Hurley	12601 W. Explorer Drive, Suite 200 Boise, Idaho 83713
Rebecca A. Hanks	12601 W. Explorer Drive, Suite 200 Boise, Idaho 83713
Laura Bathe-Herrick	12601 W. Explorer Drive, Suite 200 Boise, Idaho 83713

ARTICLE IX

Incorporator

The name and address of the incorporator of the Association is as follows:

<u>Name</u>	<u>Address</u>
David W. Turnbull	12601 W. Explorer Drive, Suite 200 Boise, Idaho 83713

ARTICLE X

Liability of Members

Members shall be personally liable for the Assessments levied and assessed by the Association upon a Lot, whether for fines, penalties, recovery of costs or be in the form of Regular, Special or Limited Assessments.

ARTICLE XI

Exemption

This Association is a corporation intended to be classified as a "homeowners association" which, pursuant to §528 of the Internal Revenue Code of 1954, as amended, is considered an organization exempt from income taxes for the purposes of any law which refers to organizations exempt from income taxes. Further, this Association is a residential real estate management association organized and operated to provide for the acquisition, construction, management, maintenance and care of property owned by the Association.

All provisions of these Articles of Incorporation shall be interpreted in accordance with the provisions of §528 of the Internal Revenue Code of 1954, as amended, and in case of a conflict between that or other applicable sections, any provision of these Articles so in conflict with either shall be interpreted to be consistent with that provision of the Internal Revenue Code.

ARTICLE XII

By-Laws

The Board of Directors shall have the right to make and amend By-Laws for the Association, not inconsistent with any existing law and not inconsistent with these Articles of Incorporation or the Master Declaration, for the government of the affairs of the Association and the management of its properties.

ARTICLE XIII

Dissolution

The Association may be dissolved in the manner required by law for the dissolution of non-profit corporations in Idaho. Upon dissolution of the Association, other than incident to a merger or consolidation, no part of the property of the Association or any of the proceeds shall be distributed to or inure to the benefit of any of the Members, directors or officers of the Association, and all such property and proceeds, subject to the discharge of the valid obligations of the Association, and to the applicable provisions of the Idaho Nonprofit Corporation Act (Title 30, Chapter 3, Idaho Code) shall be distributed by the Board of Directors to another organization(s) for identical uses and purposes, provided that such other organization(s) would then qualify as an Idaho non-profit corporation and for status similar to that of the Association under applicable provisions of the Internal Revenue Code or shall be dedicated to an

appropriate public agency to be used for purposes similar to those for which this Association was created.

ARTICLE XIV

FHA/VA Approval

If the Grantor elects to obtain the approval of the Federal Housing Administration ("FHA") and/or the Veterans Administration ("VA") of any phase of the Subdivision which is subject to the Master Declaration, as long as there is a Class B membership, the following actions require the prior approval of FHA and/or VA:

- (a) A merger or consolidation of the Association.
- (b) The granting of a Mortgage or Deed of Trust encumbering all or any portion of the Common Area within any phase of the Subdivision which is subject to the Master Declaration.
- (c) A dedication of all or any portion of the Common Area in any phase of the Subdivision which is subject to the Master Declaration.
- (d) Dissolution of the Association.
- (e) Amendment of these Articles of Incorporation.

ARTICLE XV

Conflict of Provisions

The provisions contained in these Articles of Incorporation, except for the provisions of Article XIV, above, are subject and subservient to the terms and provisions of the Master Declaration and any conflict between the terms and provisions of these Articles with said documents shall be controlled by the terms and provisions of the Master Declaration, unless such are contrary to the Idaho Nonprofit Corporation Act (Title 30, Chapter 3, Idaho Code), in which event, the latter shall prevail.

IN WITNESS WHEREOF the undersigned has executed these Articles of Incorporation as of the 22 day of April, 2004.



DAVID W. TURNBULL

No. C 154351	Due no later than Apr 30, 2016 Annual Report Form		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. PARAMOUNT OWNERS ASSOCIATION, INC. AMANDA MCCURRY 12601 W EXPLORER DR STE 200 BOISE ID 83713		DAVID W TURNBULL 12601 W EXPLORER DR STE 200 BOISE ID 83713			
			3. <u>New</u> Registered Agent Signature:*			
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
DIRECTOR	BLAKE ALDER	12601 W. EXPLORER DRIVE SUITE 200	BOISE	ID	USA	83713
SECRETARY	REBECCA A HANKS	12601 W. EXPLORER DRIVE SUITE 200	BOISE	ID	USA	83713
DIRECTOR	LARS HANSEN	12601 W. EXPLORER DRIVE SUITE 200	BOISE	ID	USA	83713
5. Organized Under the Laws of: ID C 154351		6. Annual Report must be signed.* Signature: Amanda McCurry Name (type or print): Amanda McCurry Date: 04/29/2016 Title: Agent				
Processed 04/29/2016		* Electronically provided signatures are accepted as original signatures.				



ARTICLES OF DISSOLUTION LIMITED LIABILITY COMPANY

(Instructions on back of application)

FILED EFFECTIVE

2009 OCT 28 PM 1:41

SECRETARY OF STATE
STATE OF IDAHO

The below named limited liability company has been dissolved pursuant to section 53-642, Idaho Code.

1. The name of the dissolved limited liability company is:

Paramount LLC

2. Its articles of organization were filed with the Secretary of State on: March 27, 2002

3. The reason for the dissolution is:

The purpose of the Company has been fulfilled and the Company is no longer needed.

4. Other information concerning the dissolution (optional):

5. Signature of at least 1 manager or member

Signature

David W. Turnbull

Typed Name Brighton Investments LLC, Member

By: David W. Turnbull, Managing Member

Signature

Typed Name

Capacity

Secretary of State use only

IDAHO SECRETARY OF STATE
10/28/2009 05:00
CK: 1385 CT: 225977 BH: 1193844
1 @ 38.00 = 38.00 DISS LLC # 2

W18605

No. W 18605	Due no later than Mar 31, 2009 Annual Report Form	2. Registered Agent and Address (NO PO BOX)															
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE		DAVID W TURNBULL 12601 W EXPLORER DR STE 200 BOISE ID 83713															
1. Mailing Address: Correct in this box if needed. PARAMOUNT LLC AMANDA K SCHAUS 12601 W EXPLORER DR STE 200 BOISE ID 83713		3. <u>New</u> Registered Agent Signature:*															
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager. <table border="1"> <thead> <tr> <th>Office Held</th> <th>Name</th> <th>Street or PO Address</th> <th>City</th> <th>State</th> <th>Country</th> <th>Postal Code</th> </tr> </thead> <tbody> <tr> <td>MEMBER</td> <td>BRIGHTON INVESTMENTS LLC</td> <td>12601 W EXPLORER DR STE 200</td> <td>BOISE</td> <td>ID</td> <td>USA</td> <td>83713</td> </tr> </tbody> </table>				Office Held	Name	Street or PO Address	City	State	Country	Postal Code	MEMBER	BRIGHTON INVESTMENTS LLC	12601 W EXPLORER DR STE 200	BOISE	ID	USA	83713
Office Held	Name	Street or PO Address	City	State	Country	Postal Code											
MEMBER	BRIGHTON INVESTMENTS LLC	12601 W EXPLORER DR STE 200	BOISE	ID	USA	83713											
5. Organized Under the Laws of: ID W 18605	6. Annual Report must be signed.* Signature: Amanda McCurry Name (type or print): Amanda McCurry Date: 04/06/2009 Title: Authorized Employee																
Processed 04/06/2009 * Electronically provided signatures are accepted as original signatures.																	

Kaiser, Anna

From: Kaiser, Anna
Sent: Wednesday, March 13, 2019 2:23 PM
To: 'waterdistrict63@qwestoffice.net'
Subject: Application for Transfer No. 81146
Attachments: Watermaster Recommendation Form.docx; 81146.pdf

March 13, 2019

REX BARRIE
WATER DISTRICT #63
PO BOX 767
10769 W STATE ST
STAR ID 83669-0767

RE: Application for Transfer No. 81146

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right applications. Copies of the application are enclosed with this email for your reference. Please review the applications, complete a recommendation form, and submit your reply, if any, to this office by **April 8, 2019**.

IDWR will assume you do not object to these applications if a timely response is not received. Please contact me if you have any questions in this matter. Thank you for your help.

Sincerely,

Anna Kaiser | Administrative Assistant I
IDWR-Western Region
2735 W Airport Way, Boise ID 83705
(208).334.2190 | anna.kaiser@idwr.idaho.gov



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

March 13, 2019

NORTH SLOUGH WATER USERS ASSOCIATION
2685 W CHINDEN BLVD
MERIDIAN ID 83646

Re: Application for Transfer No. 81146

Dear Interested Party:

The above referenced application may be of interest to you. I would like to inform you that the application has been submitted to the *Idaho Statesman* for advertising. I have enclosed a copy of the application for your convenience. This information is also available on our website www.idwr.idaho.gov.

If you desire to file a formal protest against approval of the application, a written protest along with the \$25.00 protest fee must be received in this office by **April 8, 2019**. A copy of the protest must also be sent to the applicant.

If you have any questions regarding the application, please contact this office at 208-334-2190.

Sincerely,

Anna Kaiser
Administrative Assistant
Western Regional Office

Enclosures



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

March 13, 2019

DAVID TURNBULL
12601 W EXPLORER DR STE 200
BOISE ID 83713

Re: Application for Transfer No. 81146

Dear Interested Party:

The above referenced application may be of interest to you. I would like to inform you that the application has been submitted to the *Idaho Statesman* for advertising. I have enclosed a copy of the application for your convenience. This information is also available on our website www.idwr.idaho.gov.

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If you have any questions regarding the application, please contact this office at 208-334-2190.

Sincerely,

Anna Kaiser
Administrative Assistant
Western Regional Office

Enclosures



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

March 13, 2019

DANIEL & CATHY SHERMAN
5995 N MERIDIAN RD
MERIDIAN ID 83646

Re: Application for Transfer No. 81146

Dear Interested Party:

The above referenced application may be of interest to you. I would like to inform you that the application has been submitted to the *Idaho Statesman* for advertising. I have enclosed a copy of the application for your convenience. This information is also available on our website www.idwr.idaho.gov.

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If you have any questions regarding the application, please contact this office at 208-334-2190.

Sincerely,

Anna Kaiser
Administrative Assistant
Western Regional Office

Enclosures



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

March 13, 2019

DOUG STEWART
5960 N LINDER RD
MERIDIAN ID 83646

Re: Application for Transfer No. 81146

Dear Interested Party:

The above referenced application may be of interest to you. I would like to inform you that the application has been submitted to the *Idaho Statesman* for advertising. I have enclosed a copy of the application for your convenience. This information is also available on our website www.idwr.idaho.gov.

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Sincerely,

Anna Kaiser
Administrative Assistant
Western Regional Office

Enclosures



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

March 13, 2019

BRAD MOULTON
5940 N LINDER RD
MERIDIAN ID 83646

Re: Application for Transfer No. 81146

Dear Interested Party:

The above referenced application may be of interest to you. I would like to inform you that the application has been submitted to the *Idaho Statesman* for advertising. I have enclosed a copy of the application for your convenience. This information is also available on our website www.idwr.idaho.gov.

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If you have any questions regarding the application, please contact this office at 208-334-2190.

Sincerely,

Anna Kaiser
Administrative Assistant
Western Regional Office

Enclosures



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

March 13, 2019

E AILEEN SCOTT
5725 N MERIDIAN RD
MERIDIAN ID 83646

Re: Application for Transfer No. 81146

Dear Interested Party:

The above referenced application may be of interest to you. I would like to inform you that the application has been submitted to the *Idaho Statesman* for advertising. I have enclosed a copy of the application for your convenience. This information is also available on our website www.idwr.idaho.gov.

If you desire to file a formal protest against approval of the application, a written protest along with the \$25.00 protest fee must be received in this office by **April 8, 2019**. A copy of the protest must also be sent to the applicant.

If you have any questions regarding the application, please contact this office at 208-334-2190.

Sincerely,

Anna Kaiser
Administrative Assistant
Western Regional Office

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

March 13, 2019

DOUG ROGERS
5665 N MERIDIAN RD
MERIDIAN ID 83646

Re: Application for Transfer No. 81146

Dear Interested Party:

The above referenced application may be of interest to you. I would like to inform you that the application has been submitted to the *Idaho Statesman* for advertising. I have enclosed a copy of the application for your convenience. This information is also available on our website www.idwr.idaho.gov.

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If you have any questions regarding the application, please contact this office at 208-334-2190.

Sincerely,

Anna Kaiser
Administrative Assistant
Western Regional Office

Enclosures



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

March 13, 2019

BUCK & MARTHA HAMILTON
5945 N MERIDIAN RD
MERIDIAN ID 83646

Re: Application for Transfer No. 81146

Dear Interested Party:

The above referenced application may be of interest to you. I would like to inform you that the application has been submitted to the *Idaho Statesman* for advertising. I have enclosed a copy of the application for your convenience. This information is also available on our website www.idwr.idaho.gov.

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If you have any questions regarding the application, please contact this office at 208-334-2190.

Sincerely,

Anna Kaiser
Administrative Assistant
Western Regional Office

Enclosures



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

March 13, 2019

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

RE: Transfer No. 81146
Water Right No(s). 63-10541, 63-32097

Dear Applicant:

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

A legal notice of the application has been prepared and is scheduled for publication in the IDAHO STATESMAN on 3/21/2019 and 3/28/2019. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

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

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

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

Sincerely,

Anna Kaiser
Administrative Assistant

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

Kaiser, Anna

From: Kaiser, Anna
Sent: Wednesday, March 13, 2019 11:03 AM
To: 'BOI Legals'
Subject: Ada Legal Ad
Attachments: Cover Letter.docx; Legal Notice.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Good Morning Legal Clerk,

Please see the attached ad for publication on 3/21/2019 & 3/28/2019.

Please confirm these are okay to publish as shown.

Thank you,

Anna Kaiser | Administrative Assistant I
IDWR-Western Region
2735 W Airport Way, Boise ID 83705
(208).334.2190 | anna.kaiser@idwr.idaho.gov

March 13, 2019

LEGAL NOTICE DEPARTMENT
IDAHO STATESMAN
PO BOX 40
BOISE, ID 83707

RE: Application For Permit Nos: 63-34690 & 63-34674
 Transfer No. 81146
 Water Right Nos: 63-10541, 63-32097

Dear Legal Notice Department:

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

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 4/8/2019. Your cooperation is appreciated.

Sincerely,

Anna Kaiser
Administrative Assistant

Enclosures

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



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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 29, 2017

PARAMOUNT OWNERS ASSOCIATION INC
12601 W EXPLORER DR SUITE 200
BOISE ID 83713

RE: Application for transfer no. 81146

Dear Applicants,

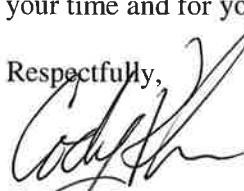
I am writing you today in regard to the application referenced above which seeks to add a point of diversion to, and create a permissible place of use for, two existing water rights. My purpose for writing today is to request information concerning the authority of the Paramount Owners Association Inc. to make changes to the two water rights included in the transfer, which are listed in the name of Paramount LLC. Paramount LLC appears to have been dissolved in 2009 while the Paramount Owners Association Inc was established in 2004. Therefore, these are considered separate business entities. IDWR Record Memo No. 9 states that a change of ownership is required to transfer ownership of a water right from one business entity to another. Ms. Roxanne Brown of SPF has informed me that there was no formal conveyance of assets from Paramount LLC at the time of dissolution, thus there is no documentation showing conveyance of assets or property.

I have discussed this matter with our legal department. They determined that there are two separate issues to consider. The first issue is whether or not the water rights were retained in the sale of the land. To address this issue, our legal department has determined that we need to have documentation that the water rights were retained during the sale of the individual lots. They suggest that approximately 15 or more examples of deeds or other conveyance documents showing the water rights being retained by the developer should be sufficient. If the rights were not reserved in the sale of the land, the lot owners need to quit-claim interest in the water rights back to the Paramount Owners Association Inc.

The second is whether we can show that the water right ownership was conveyed to Paramount Owners Association Inc. upon dissolution of the LLC. It appears that both business entities had the same registered agent. Our legal department has suggested that a letter from the registered agent would be sufficient. The letter should confirm that property interests were conveyed from the LLC to the Owners Association, even if it was understood and not explicitly stated.

Please let me know if you have any questions or concerns regarding this letter. You may reach me at 208-334-2190 or by email at cody.parker@idwr.idaho.gov. **I look forward to your reply within thirty (30) days of the date of this letter.** If I do not hear from you within thirty days I will assume that you have no further interest in pursuing this permit, and I will take action to void your application. You may submit a written request to extend the deadline. You may also submit a written request to hold processing of your application for up to six months. Thank you for your time and for your attention to these matters.

Respectfully,


Cody Parker
Water Resource Agent
IDWR Western Region
208.334.2190
cody.parker@idwr.idaho.gov

CC: SPF Water Engineering



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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 1, 2017

PARAMOUNT OWNERS ASSOCIATION INC
12601 W EXPLORER DR SUITE 200
BOISE ID 83713

RE: Application for transfer no. 81146 and application for permit no. 63-34263

Dear applicant,

I am writing you today concerning the applications listed above. The Idaho Department of Water Resources (IDWR) received these applications on August 12, 2016, and August 15, 2016 respectively. The next step in processing the applications is to advertise them in the local newspaper to allow the opportunity for public protest. I require the following information before I can advance these applications to the advertising stage:

For application for permit no. 63-34263

- I spoke with Ms. Roxanne Brown over the phone about accounting for seepage loss in the total annual volume you applied for. She confirmed that you do not wish to account for seepage at this time, as the pond analysis spreadsheet developed by IDWR lists seepage for lined ponds as zero. However, based on information on file for permit 63-32603, seepage is present despite your efforts to line the pond. While IDWR Application Processing Memo No. 76 policy recommends zero seepage for lined ponds, under these circumstances where seepage is occurring, I must recommend that you include seepage volume in your application to establish a permit which fully authorizes your previously-developed water use. I have enclosed a copy of your application for you to amend and return. If you do not wish to include seepage in your application, please provide a written explanation of your reasoning.

For application for transfer no. 81146

- The Department requires a copy of a conveyance document and the payment of \$50 per right, for each of the two rights, to change the name of the owner. IDWR Record Memo No. 9 states a change of ownership is required to change the ownership of a water right from one business entity to another. Although Paramount LLC is a dissolved company, ID SOS records indicate Paramount LLC was an active company at the time that Paramount Owner's Association was established. Thus, these are considered to be separate business entities.

Thank you for your time and for your attention to these matters. I look forward to your timely written reply. Please contact me with any questions or concerns by phone at 208-334-2190 or email at cody.parker@idwr.idaho.gov.

Sincerely

Cody Parker
Water Resource Agent

Enclosures: Copy of Application, Application Processing Memo 76

CC: Roxanne Brown



RECEIVED
AUG 12 2016
DEPARTMENT OF
WATER RESOURCES

August 12, 2016

Dan Nelson
Idaho Department of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, ID 83720-0098

RECEIVED
AUG 15 2016
WATER RESOURCES
WESTERN REGION

Re: Application for Permit, Application for Transfer – Paramount Subdivision

Dear Dan,

On behalf of Paramount Owner's Association, Inc., we are pleased to submit the enclosed *Application for Permit* and *Application for Transfer*. The application for transfer seeks to amend the place of use to show a permissible place of use, and add a new point of diversion to two water rights (63-10541, and 63-32097). Both rights are currently in the name of Paramount LLC, which was dissolved in 2009. Brighton Investments, LLC was the only member of Paramount, LLC at the time of dissolution. Brighton Investments, LLC and Paramount Owner's Association are related companies and David Turnbull is the registered agent for each. We assume no change in ownership form is required to correct the names on these water rights. Please let us know if any further paperwork is required.

The application for permit seeks authorization to fill two ponds and provide additional supplemental irrigation water to the system. The ponds are currently covered by permit number 63-32603, which will be withdrawn should the new application be approved.

We understand the filing fee for these applications is \$910.00. You will find a check for that amount enclosed. Please contact me with any questions.

Best Regards,

A handwritten signature in black ink that reads "Roxanne".

Roxanne Brown
Sr. Water Rights Specialist

CC: Brighton

Enclosures

SPF Job No. 650.0090