

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
DEC 14 2018
Department of Water Resources
Eastern Region

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?
21-7346	Yes ☒	Yes ☐		Yes ☐	Yes ☐
<u>21-7346</u>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
<u>21-7346 21-13263</u>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Villa Management Co Inc / This Island Park Village Association, Inc
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): The Timbers Condominium Homeowners Association, Inc.
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 4153 Big Springs Loop Island Park ID 83429
Mailing address City State ZIP
- 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: May 28, 2015
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):
 o \$25 per *undivided* water right.
 o \$100 per *split* water right.
 o 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.

8. Signature: [Signature] President 11/28/18
Signature of new owner/claimant Title, if applicable Date

Signature: _____ Secretary _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 12/14/2018 Receipt No. E044582 Receipt Amt. \$100.-
 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 [Signature] Processed by [Signature] Date 2/7/2019

SUPPORT DATA

FILE # 21-7346

SPECIAL POWER OF ATTORNEY FOR WATER RIGHTS

The undersigned hereby appoints the law firm of RACINE OLSON, PLLP, 201 E. Center Street, Post Office Box 1391, Pocatello, Idaho 83204 (the "Firm"), its true and lawful attorney for the purpose of dealing with the Idaho Department of Water Resources relative to the management and transaction of water rights, and to allow the Firm to receive all information, opinions, and records regarding water rights, and to sign and submit applications and other filings on its behalf.

DATED this 28th day of November, 2018.

THE TIMBERS CONDOMINIUM HOMEOWNERS
ASSOCIATION, INC.

By: [Signature]

Print Name: Kelly Pearce

Its: President

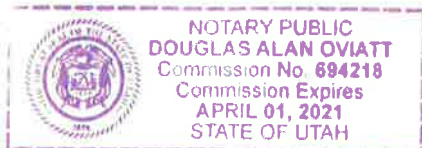
4153 Big Springs Loop
Island Park, Idaho 83429

STATE OF UTAH)
 : ss.
County of SALT LAKE)

This record was acknowledged before me on this 28 day of November, 20 18
by Kelly Pearce as President of The Timbers
Condominium Homeowners Association, Inc.

[Signature]
NOTARY PUBLIC FOR UTAH
My Commission Expires: 2021

(SEAL)



This instrument filed as an accommodation only. It has not been examined as to its execution, insurability or affect on title.

ATTACHMENT 2

Instrument No. 560625
18 Day Oct 2016
At 04 O'Clock 31 M
ABBIE MACE
FREMONT CO RECORDER
Fee \$16.00
JH Deputy
Recorded at Request of
First American Title - Rexburg

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Forsberg Law Offices, Chtd
49 Professional Plaza
Rexburg, Idaho 83440

(Space Above For Recorder's Use)

CORRECTED CORPORATE GRANT DEED

This deed is being recorded to correct the grantor and descriptions in that certain Corporate Grant Deed dated May 28, 2015 and recorded in the property records of Fremont County, Idaho as Instrument No. 553415.

For the consideration of ten dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, ISLAND PARK VILLAGE ASSOCIATION, INC., also known as ISLAND PARK VILLAGE HOMEOWNER'S ASSOCIATION, ("Grantor"), grants, bargains, sells and conveys to TIMBERS CONDOMINIUMS OWNERS' ASSOCIATION, INC. ("Grantee"), whose current address is 4153 Big Springs Loop, Island Park, Idaho 83429, and its successors and assigns forever, the following described real property:

LOT 1A BLOCK 1

SITUATED IN THE STATE OF IDAHO, COUNTY OF FREMONT, BEING PART OF SECTION 24, TOWNSHIP 14 NORTH, RANGE 43 EAST, BOISE MERIDIAN, BEING ALL OF LOT 1A BLOCK 1 OF ISLAND PARK VILLAGE - FOURTH AMENDED PLAT, AS PER THE RECORDED PLAT THEREOF.

BLOCK 2B

SITUATED IN THE STATE OF IDAHO, COUNTY OF FREMONT, BEING PART OF SECTION 24, TOWNSHIP 14 NORTH, RANGE 43 EAST, BOISE MERIDIAN, BEING ALL OF BLOCK 2B OF ISLAND PARK VILLAGE - FOURTH AMENDED PLAT, AS PER THE RECORDED PLAT THEREOF.

BLOCK 13 AND HIGHWAY PROPERTY

A TRACT OF LAND IN PART OF THE NORTHEAST QUARTER SOUTHWEST QUARTER OF SECTION 24, AND PART OF BLOCK 13 OF ISLAND PARK VILLAGE, AMENDED PLAT, IN TOWNSHIP 14 NORTH, RANGE 43 EAST OF THE BOISE MERIDIAN, FREMONT COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER SOUTHWEST QUARTER; THENCE SOUTH 89° 58' 47" West, 275.59 FEET TO THE EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 20 (FORMERLY HIGHWAY 91); THENCE SOUTH 8°41'47" EAST, ALONG SAID RIGHT-OF-WAY, 458.14 FEET; THENCE SOUTH 82°20'40" EAST, 381.71 FEET; THENCE SOUTH 9°51'32" WEST, 124.22 FEET; THENCE SOUTH 66°35'45" EAST, 94.11 FEET; THENCE SOUTH 9°41'55" EAST, 344.12 FEET TO THE SOUTH LINE OF SAID BLOCK 13; THENCE SOUTH 77°26'41" EAST, ALONG SAID SOUTH LINE, 236.61 FEET, TO THE SOUTHEAST CORNER OF SAID BLOCK; THENCE NORTH 6°06'44" EAST, ALONG THE EASTERLY SIDE OF SAID BLOCK, 120.72 FEET; THENCE CONTINUING ALONG SAID EASTERLY SIDE, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 74.04 FEET, THROUGH A CENTRAL ANGLE OF 56°00'00", FOR AN ARC DISTANCE OF 72.37 FEET; THENCE CONTINUING ALONG SAID EASTERLY SIDE, NORTH 49°53'16" WEST 45.00 FEET; THENCE CONTINUING ALONG SAID EASTERLY SIDE, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 373.50 FEET, THROUGH A CENTRAL ANGLE OF 45°53'33", FOR AN ARC LENGTH OF 299.16 FEET, TO THE MOST SOUTHERLY CORNER OF BLOCK 2 OF ISLAND PARK VILLAGE; THENCE NORTH 50° 06'10" WEST, ALONG THE LINE COMMON TO BLOCKS 2 AND 13, A DISTANCE OF 215.37 FEET; THENCE NORTH 72°51'32" WEST, ALONG SAID COMMON LINE, 190.32 FEET TO MOST NORTHERLY CORNER OF SAID BLOCK 13; THENCE NORTH 0°04'31" EAST, ALONG THE WEST LINE OF BLOCK 2, A DISTANCE OF 386.84 FEET TO THE POINT OF BEGINNING.

GRAND VIEW ROAD EAST OF LOTS 1 AND 2

EASEMENT FOR TRAVEL OVER THE FOLLOWING REAL PROPERTY:

THAT PORTION OF GRAND VIEW ROAD RUNNING EASTERLY FROM THE EAST BOUNDARY OF LOTS 1 AND 2 TO WHERE IT INTERSECTS WITH NORTH BIG SPRINGS LOOP ROAD AS SUCH ROAD IS MORE PARTICULARLY DESCRIBED IN THE ORIGINAL PLAT OF ISLAND PARK VILLAGE.

SUBJECT TO taxes and assessments for the year 2014 and all subsequent years, together with any and all existing easements, rights-of-way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

This conveyance shall include any and all estate, right, title, interest, appurtenances, tenements, hereditaments, reversions, remainders, easements, rents, issues, profits, rights-of-way and water rights in anywise appertaining to the property herein described as well in law as in equity.

IN WITNESS WHEREOF, the Grantor has hereunto subscribed his name to this instrument this 17 day of October, 2016.

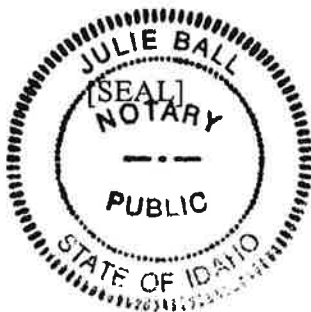
**Island Park Village Association, Inc.,
An Idaho Corporation a/k/a Island Park
Village Homeowner's Association**

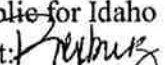
By: 
Darren Funk
Its: President

STATE OF IDAHO)
 : ss.
County of Madison)

On this 17th day of October, 2016, before me, the undersigned, a Notary Public in and for said County and State, personally appeared **Darren Funk**, known or identified to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that he executed the same, as the president of Island Park Village Association, Inc., a/k/a Island Park Village Homeowner's Association, the corporation and homeowner's association that executed the instrument or the person who executed the instrument on behalf of said corporation and homeowner's association, and acknowledged to me that such corporation and homeowner's association executed the same.

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 at: 
My Commission Expires: 9/22/2019

ATTACHMENT 3



FREMONT COUNTY 2017 PROPERTY TAX BILL

Make check payable to:
FREMONT COUNTY, TAX COLLECTOR
151 W 1 N RM 11
ST ANTHONY ID 83445-1409
TELEPHONE: (208) 624-3361

Parcel Number
RP0006801300F1

Tax Roll: Primary
Bill Number: 184572
Tax Code Area: 035-000

Property Address: 4153 N BIG SPRINGS LOOP
ISLAND PARK ID 83429-0000

TIMBERS CONDOMINIUMS OWNERS ASSOC INC
4153 BIG SPRINGS LOOP
ISLAND PARK ID 83429-5052

Legal Description:

ISLAND PARK VILLAGE
TAX 2231 BLK 13 WITHIN SUB
SEC 24 TWP 14 RGE 43

Acreage 2.640

COPY BILL

Taxing District / Certification	Levy Rate	Amount
AMBULANCE	0.000203820	100.18
COUNTY	0.005003085	2,458.99
FREMONT LIBRARY	0.000232707	114.38
I P FIRE	0.000216496	106.41
N F HOSPITAL	0.000266375	130.92
SCHOOL 215 BOND 2004-2021	0.000653985	321.44
SCHOOL 215 BOND 2008-2024	0.000670407	329.51
SCHOOL 215 PLNT FCLT 2001-2021	0.000096049	47.21
SCHOOL 215 SUPP 2017-2019	0.000944706	464.33
SCHOOL 215 TORT	0.000014427	7.09
DELQ LID MACKS	0.000000000	533.10
FOREST ASSESSMENT	0.000000000	43.30
FOREST PRACTICES ACT	0.000000000	0.56
LANDFILL FEE	0.000000000	1,215.23
MACKS SEWER O&M	0.000000000	4,277.32

Total Tax & Certifications	0.008302037	10,149.97
Less Pre-Payments		46.68
Net Tax & Certifications Due		10,103.29
First Half Due		5,028.31
Second Half Due		5,074.98
TOTAL DUE		10,103.29

PROPERTY & TAX SUMMARY		
Taxable Market Value		491,503
	LAST YEAR	CURRENT YEAR
Taxable Market Value	491,503	491,503
Tax Charge	4,004.76	4,080.46

TIMBERS CONDOMINIUMS OWNERS ASSOC INC 2017

2nd Half 0001845722



AMOUNT DUE 5,074.98

FREMONT COUNTY
RP0006801300F1
Code Area: 035-000

June 20, 2018

TIMBERS CONDOMINIUMS OWNERS ASSOC INC 2017

1st Half 0001845721



AMOUNT DUE 5,028.31

FREMONT COUNTY
RP0006801300F1
Code Area: 035-000

Full 0001845720



10,103.29

December 20, 2017



FREMONT COUNTY 2017 PROPERTY TAX BILL

Make check payable to:
FREMONT COUNTY, TAX COLLECTOR
151 W 1 N RM 11
ST ANTHONY ID 83445-1409
TELEPHONE: (208) 624-3361

Parcel Number
RP0037100101A0

Tax Roll: Primary
Bill Number: 189832
Tax Code Area: 035-000

Property Address: 4155 N BIG SPRINGS LOOP
ISLAND PARK ID 83420-0000

TIMBERS CONDOMINIUMS OWNERS ASSOC INC
4153 BIG SPRINGS LOOP
ISLAND PARK ID 83429-5052

Taxing District / Certification	Levy Rate	Amount
AMBULANCE	0.000203820	25.98
COUNTY	0.005003065	637.59
FREMONT LIBRARY	0.000232707	29.66
I P FIRE	0.000216496	27.59
N F HOSPITAL	0.000266375	33.95
SCHOOL 215 BOND 2004-2021	0.000653985	83.35
SCHOOL 215 BOND 2008-2024	0.000670407	85.44
SCHOOL 215 PLNT FCLT 2001-;	0.000096049	12.24
SCHOOL 215 SUPP 2017-2019	0.000944706	120.40
SCHOOL 215 TORT	0.000014427	1.84

Legal Description:
ISLAND PARK VILLAGE
4TH AMENDED PLAT
LOT 1A BLK 1
SEC 24 TWP 14 RGE 43

Acreage 6.030

COPY BILL

Total Tax & Certifications	0.008302037	1,058.04
First Half Due		529.02
Second Half Due		529.02
TOTAL DUE		1,058.04

PROPERTY & TAX SUMMARY		
Taxable Market Value		127,445
	LAST YEAR	CURRENT YEAR
Taxable Market Value	127,445	127,445
Tax Charge	1,038.42	1,058.04

TIMBERS CONDOMINIUMS OWNERS ASSOC INC

2017

2nd Half 0001899322



AMOUNT DUE 529.02

FREMONT COUNTY
RP0037100101A0
Code Area: 035-000

June 20, 2018

TIMBERS CONDOMINIUMS OWNERS ASSOC INC

2017

1st Half 0001899321



AMOUNT DUE 529.02

FREMONT COUNTY
RP0037100101A0
Code Area: 035-000

Full 0001899320



1,058.04

December 20, 2017



FREMONT COUNTY 2017 PROPERTY TAX BILL

Make check payable to:
FREMONT COUNTY, TAX COLLECTOR
151 W 1 N RM 11
ST ANTHONY ID 83445-1409
TELEPHONE: (208) 624-3361

Parcel Number
RP0037102B0000

Tax Roll: Primary
Bill Number: 189934
Tax Code Area: 035-000

Property Address: 4150 GRAND VIEW RD
ISLAND PARK ID 83429-0000

TIMBERS CONDOMINIUMS OWNERS ASSOC INC
4153 BIG SPRINGS LOOP
ISLAND PARK ID 83429-5052

Taxing District / Certification	Levy Rate	Amount
AMBULANCE	0.000203820	41.19
COUNTY	0.005003065	1,011.15
FREMONT LIBRARY	0.000232707	47.03
I P FIRE	0.000216496	43.75
N F HOSPITAL	0.000266375	53.83
SCHOOL 215 BOND 2004-2021	0.000653985	132.17
SCHOOL 215 BOND 2008-2024	0.000670407	135.49
SCHOOL 215 PLNT FCLT 2001-	0.000096049	19.41
SCHOOL 215 SUPP 2017-2019	0.000944706	190.92
SCHOOL 215 TORT	0.000014427	2.92
LANDFILL FEE	0.000000000	537.00
MACKS SEWER O&M	0.000000000	4,121.72

Legal Description: Acreage 5.920

ISLAND PARK VILLAGE
4TH AMENDED PLAT
BLOCK 28 TIMBER CONDOS
SEC 24 TWP 14 RGE 43
ALL UNDEVELOPED INT N BLK 2C

COPY BILL

Total Tax & Certifications	0.008302037	6,336.58
First Half Due		3,168.29
Second Half Due		3,168.29
TOTAL DUE		6,336.58

PROPERTY & TAX SUMMARY		
Taxable Market Value		202,099
	LAST YEAR	CURRENT YEAR
Taxable Market Value	202,099	202,099
Tax Charge	1,646.70	1,677.86

TIMBERS CONDOMINIUMS OWNERS ASSOC INC 2017

2nd Half 0001899342

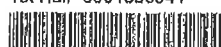


AMOUNT DUE 3,168.29

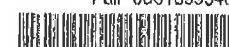
FREMONT COUNTY
RP0037102B0000
Code Area: 035-000

TIMBERS CONDOMINIUMS OWNERS ASSOC INC 2017

1st Half 0001899341



Full 0001899340



AMOUNT DUE 3,168.29 6,336.58

FREMONT COUNTY
RP0037102B0000
Code Area: 035-000

June 20, 2018

December 20, 2017

ATTACHMENT 1

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

8/29/2018

WATER RIGHT NO. 21-7346

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	VILLA MANAGEMENT CO INC C/O ROSS N REESE HC 66 BOX 12 ISLAND PARK, ID 83429
Original Owner	ISLAND PARK VILLAGE MACKS INN, ID 83433

Priority Date: 05/20/1983

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	1/01	12/31	0.76 CFS	315 AFA
FIRE PROTECTION	1/01	12/31	1 CFS	
Total Diversion			1 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NESE	Sec. 24	Township 14N	Range 43E	FREMONT County
GROUND WATER	NWSE	Sec. 24	Township 14N	Range 43E	FREMONT County

Licensed Diversion Capacity: 2.23

Place(s) of use:

Place of Use Legal Description: DOMESTIC FREMONT County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
14N	43E	24		NESE			NWSE			SWSE			SESE	
	44E	19		SWSW										

Place of Use Legal Description: FIRE PROTECTION same as DOMESTIC

Conditions of Approval:

1. Domestic use is for 160 homes, 200 condos, 3 offices, lodge with restaurant and bar, 6-room motel and clubhouse.

Dates:

Licensed Date: 02/01/1991

Decreed Date:

Permit Proof Due Date: 2/1/1990

Permit Proof Made Date: 2/7/1989

Permit Approved Date: 2/11/1985

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 05/20/1983

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

State of Idaho
Department of Water Resources

Water Right

21-7346

DOMESTIC

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



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

0 0.1 0.2 0.4 Miles



ATTACHMENT 4

January 17, 1991

VILLA MANAGEMENT CO. INC.
C/O ROSS N. REESE
HC 66 BOX 12
ISLAND PARK, ID 83429

RE: WATER RIGHT NO. 21-07346

Dear Water Right Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

SHARLA CURTIS
Technical Records Specialist

SC:blm

Enclosure

RECEIVED

FEB 17 1991

LICENSE REVIEW CHECKLIST

Permit No. 21-7346

Name/Address change? ok ✓

Priority date Advance? yes no ✓

Memo to advance N/A

Blue sheet inserted N/A

Order to reinstate needed? yes no ✓

Total cfs Limited by fee ✓ 1.0 cfs

Limited by capacity

Total volume Limited by flow

Chart checked for AF rate/ac

Capacity Actual measurement checked ✓

Theoretical checked

If greater than permit, check for other rts ✓

Source Changed? yes no ✓ 21-7345 - irrigation

If so, is memo needed to clarify? N/A same p/c -

P/D Verify with map ✓ permit source is

More than one per 1/4? Remember remark ponds

Check p/d overlap

Uses Check irrigation period of use w/ chart

P/U Verify with map ✓ permit

> 5 acres irrigated, run overlap

Remarks More than one p/d in 1/4

Description of non-irrig uses ✓

Special overlap condition

Conditions Measuring device

W.Master control

Overlap

Water quality

Other

Dates/Misc Water district

App Rec'd date ✓

Proof Rec'd date ✓

Comments/Changes to Examiner's Recommendations:

Difference between amt. to be licensed & capacity = 1.23 cfs.
No need to send letter requesting add'l fee for more water since 76 cfs
is so close to the rate recommended for domestic use of 300-400 ac-ft
(Admin. Memo Apps #22)

License 10-day ✓ 30-day

Back of field report signed? ✓

Reviewer E. Curtis

Date 10-9-90

Review time 20 minutes

FROM KEITH C. WILSON - EASTERN

TO File 21-7346

INTER-DEPARTMENT MEMO — 1

DATE 11 August 1989

SUBJECT Measuring Device Requirement / Field Exam Completion

I have signed off on this field exam because if the department removes requirement we can license and if not a re-exam will be required. I'm leaving that up to the State office.

ok to
remove - measurement
made

MICROFILMED

FEB 06 1991

Keith C. Wilson
SIGNATURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

21-7346
Permit No.

Staff Analysis Sheet
for
Beneficial Use Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☐ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☐ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat
Check of P/D Index KCW 05 MAY 89 (Initial and date)
Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?
Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☐ Other: _____
- Check of P/U Index KCW 05 MAY 89 (Initial and date)
Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?
Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☐ Other: _____
- Aerial Photo
Required? ☐ yes ☒ no If yes: ☐ copy attached?
- Scheduling Letter sent? _____ (Initial and date)
- ☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☐ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed Larry J. White 8-2-89 (Signature of examiner and date)
Exam Reviewed by Senior Water Resource Agent KCW 8/11/89 (Initial and date)
Exam Reviewed by Manager of Regional Office _____ (Initial and date)
Exam Date Entered in Computer _____ (Initial and date)
Exam sent to State Office _____ (Initial and date)
Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 19 1990

A. GENERAL INFORMATION

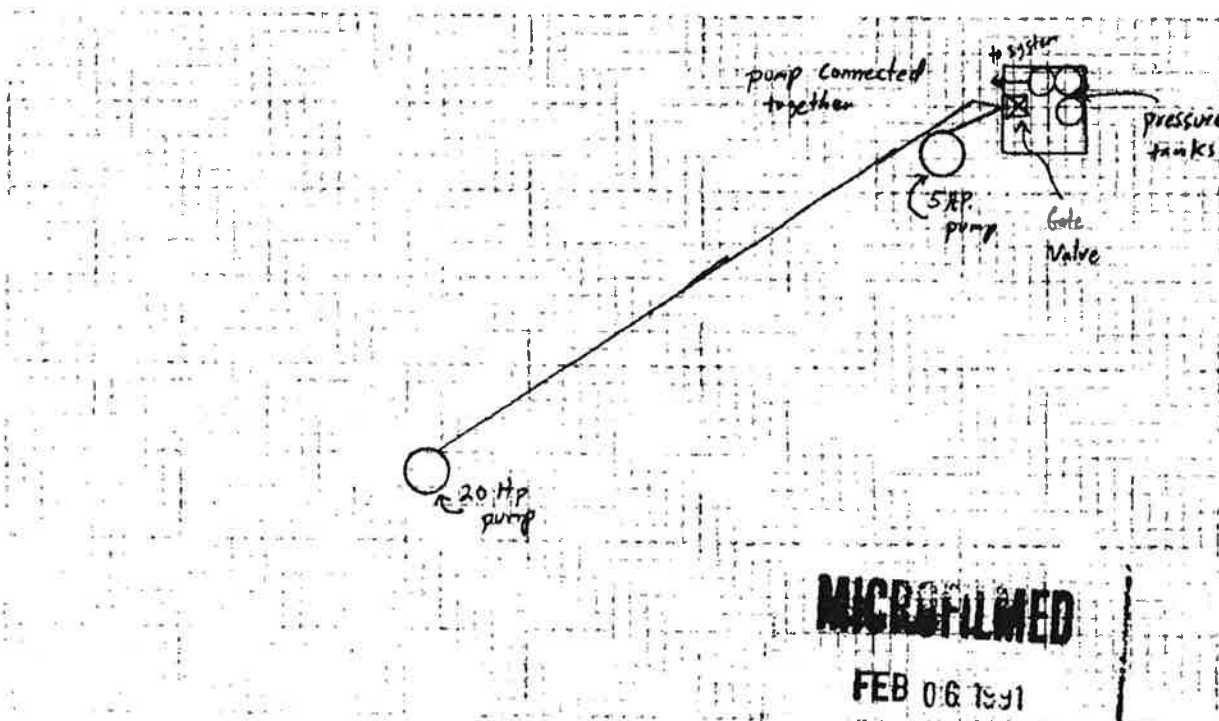
1. Owner: Villa Management Co. Inc. Permit No. 1-7341
Current Address: HC 66 Box 12 Island Park, Id. 83429 Phone No. 208-558-7384
2. Accompanied by: Ross Reese EXAM. DATE: 7-21-89
Address: Same Phone No. Same
Relationship to Permit Holder: part owner
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: None ☐ Copies Attached
2. Other water rights with same point of diversion: None ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



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Scale: 1" =

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☐ Aerial Photo Attached (required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

20 Hp + 5 Hp pumps interconnected to feed pressure system for 200 condo units + 160 homes.
Only 32 homes are now in and 72 condo units, are also in. System is used for domestic use and for fire protection. There are now 4 fire hydrants installed. System also services offices, lodge, gift shop 6 motel units + golf course buildings.
(Note: No place to install a flow measuring device) see photo's

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
#1	N/A	20	N/A	N/A	
#2	N/A	5	N/A	N/A	

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NE	SE	24	14N	43E	Fremont	Maps / on site inspection
			WN	SE	24	14N	43E	Fremont	maps / on site inspection

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
14N	43E	24													D	D	D	D	
	44E	19											D						
													L-12						

Do not use this space

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FEB 06 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

21-7346

PERMIT NO.

Item E₂

$$Q_{\text{Theor.}} = \frac{hp (8.814) (eff)}{11ft + (psi \times 2.308)} = \frac{20 (8.814) (.8)}{10 + 30 \times 2.308} = 1.79 \text{ cfs}$$

$$Q_{\text{Theor.}} = \frac{5 (8.814) (.8)}{10 + (30 \times 2.308)} = 0.45 \text{ cfs}$$

$$Q_{\text{Total}} = Q_{\text{Theor.}} + Q_{\text{Theor.}} = 0.45 + 1.78 \text{ cfs} = \boxed{2.23 \text{ cfs}}$$

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FEB 16 1951

Long & Mather
SIGNATURE

Page 1 of Page 3

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

21-7346

PERMIT NO.

Item 6

3 offices, lodge with restaurant + bar (120 cap), Motel (6 rooms)
clubhouse (43000 people), 160 Homes, 200 condos

160 Homes @ 1.2 afy = 192 afy, 200 condos @ 0.6 afy = 120 afy

Motel

$$(50 \text{ g/d}) \left(\frac{\text{d}}{4 \text{ hr}} \right) \left(\frac{\text{hr.}}{60 \text{ min}} \right) = 0.00046 \text{ cfs}$$

448.8

$$\text{April 1 to Sept. 30} = 182 \text{ days} \Rightarrow 0.0046 \text{ cfs} (182 \text{ d}) (1.4835) = 0.17 \text{ afy}$$

Club house

$$43000 \text{ people} / 365 \text{ d} = 117.8 \text{ people/d} \times \frac{10}{50} \text{ g/d/person} = 1180 \text{ g/d}$$

$$\frac{1180 \text{ g/d} \times 365 \text{ d/yr}}{325850 \text{ g/af}} = 1.321 \approx 1.3 \text{ afy}$$

Lodge (assume 80% occupancy for 365 d/yr)

$$120 \text{ people} (12 \text{ g/d}) 0.8 = 1152 \text{ gpd}$$

$$\frac{1152 \text{ gpd} \times 365 \text{ d/yr}}{325850 \text{ g/af}} = 1.29 \text{ afy} \approx 1.3 \text{ afy}$$

Offices (3) with 12 people for 365 d/yr

$$15 \text{ g/d} (12 \text{ people}) = 180 \text{ g/d} \times 365 \text{ d/yr} = 0.20 \text{ afy}$$

$$V_{\text{Total}} = 192 \text{ afy} + 120 \text{ afy} + 0.17 \text{ afy} + 1.3 \text{ afy} + 1.3 \text{ afy} + 0.20 \text{ afy} = 315.0 \text{ afy}$$

~ Check for pumping volume capacity (assume 5 hr per 24 hr. operating)
 $V = (2.23 \text{ cfs}) (1.4835) (365 \text{ d}) (5 \text{ hr/d}) = 336.3 \text{ afy}$

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FEB 06 1991

Long & Winters

SIGNATURE

Page 2 of Page 3

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

21-7346
PERMIT NO.

Houses in on day of exam

Condos located in Blocks 1+2

Occupied lots at time of exam

Block

7 Lots : 37, 38, 40, 53, 64, 68

8 Lots : 10, 11, 14, 18, 21+22, 23, 24, 26, 27, 28, 29, 30, 31
one house

9 Lots : 149, 151

11 Lots : 85, 87, 113

12 Lots : 119, 128, 129, 134, 135, 136, 137, 139

RECEIVED
FEB 06 1991

Larry L. White
SIGNATURE

Page 3 of Page 3

FO
RI

1. JAMES L. KELLER, OWNER OF
MO. 2294 AS PRESCRIBED UNDER THE
OWNERS I HAVE MADE A SURVEY OF THE
DIVIDED SAID TRACT OF LAND INTO 8

BEGINNING AT A POINT THAT IS NORTH
 FREMONT COUNTY, IDAHO AND GOING
 SOUTH THENCE N 0° 00' 00" E 112.12 FT.
 TO THE S 0° 00' 00" E 98.94 FT. OF SAID SECTION 74, THENCE S 0° 00' 00" E
 161.67 FT. THENCE S 80° 00' 00" E 127.14 FT. TO THE EAST
 INTERSECTION WITH THE WEST LINE OF SECTION 30, IDAHO AND GOING THENCE N 0° 00' 00" E
 121.12 FT. 261.37 FT. TO THE EAST LINE OF SECTION 30, IDAHO AND GOING THENCE N 0° 00' 00" E
 127.14 FT. TO THE SOUTH EAST CORNER
 OF LOT 12 SECTION 10, 14 N. R. 4 S. E. 4 S. THENCE N 0° 00' 00" E 127.14 FT. TO THE SOUTH EAST CORNER
 OF THE N.E. CORNER OF SAID LOT 12 THENCE N 0° 00' 00" E 127.14 FT. THENCE N 15° 00' 00" E 112.12 FT.
 THENCE S 80° 00' 00" E 112.12 FT. THENCE N 0° 00' 00" E 112.12 FT. THENCE N 15° 00' 00" E 112.12 FT.
 EXCEPTING THEREFROM EXISTING ROAD RIGHT-OF-WAY.
 CONTAINS 179.2 ACRES.

DATE 7/23/1974

ENGINEER'S APPROVAL
I CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED
IS CORRECT AND ACCEPTABLE.

IDENTIFY THAT THE
IS CORRECT AND ACCEPTABLE.

DATE _____ CURVE DATA CO. _____

CURVE NO.	Δ	°CURVE	T	L	E _g
1	30°03'30"	100.00	105.0	181.1	181.7
2	30°03'30"	100.00	100.0	181.7	181.7
3	30°04'27"	100.00	35.5	182.2	182.2
4	30°03'30"	100.00	100.0	209.8	211.2
5	30°03'30"	100.00	100.0	183.4	183.4
6	30°03'30"	100.00	100.0	183.4	183.4
7	30°03'30"	100.00	100.0	183.4	183.4
8	30°03'30"	100.00	100.0	183.4	183.4
9	30°03'30"	100.00	100.0	183.4	183.4
10	30°03'30"	100.00	100.0	183.4	183.4
11	30°03'30"	100.00	100.0	183.4	183.4
12	30°03'30"	100.00	100.0	183.4	183.4
13	30°03'30"	100.00	100.0	183.4	183.4
14	30°03'30"	100.00	100.0	183.4	183.4
15	30°03'30"	100.00	100.0	183.4	183.4
16	30°03'30"	100.00	100.0	183.4	183.4
17	30°03'30"	100.00	100.0	183.4	183.4
18	30°03'30"	100.00	100.0	183.4	183.4
19	30°03'30"	100.00	100.0	183.4	183.4
20	30°03'30"	100.00	100.0	183.4	183.4
21	30°03'30"	100.00	100.0	183.4	183.4
22	30°03'30"	100.00	100.0	183.4	183.4
23	30°03'30"	100.00	100.0	183.4	183.4
24	30°03'30"	100.00	100.0	183.4	183.4
25	30°03'30"	100.00	100.0	183.4	183.4
26	30°03'30"	100.00	100.0	183.4	183.4
27	30°03'30"	100.00	100.0	183.4	183.4
28	30°03'30"	100.00	100.0	183.4	183.4
29	30°03'30"	100.00	100.0	183.4	183.4
30	30°03'30"	100.00	100.0	183.4	183.4
31	30°03'30"	100.00	100.0	183.4	183.4
32	30°03'30"	100.00	100.0	183.4	183.4
33	30°03'30"	100.00	100.0	183.4	183.4
34	30°03'30"	100.00	100.0	183.4	183.4
35	30°03'30"	100.00	100.0	183.4	183.4
36	30°03'30"	100.00	100.0	183.4	183.4
37	30°03'30"	100.00	100.0	183.4	183.4
38	30°03'30"	100.00	100.0	183.4	183.4
39	30°03'30"	100.00	100.0	183.4	183.4
40	30°03'30"	100.00	100.0	183.4	183.4
41	30°03'30"	100.00	100.0	183.4	183.4
42	30°03'30"	100.00	100.0	183.4	183.4
43	30°03'30"	100.00	100.0	183.4	183.4
44	30°03'30"	100.00	100.0	183.4	183.4
45	30°03'30"	100.00	100.0	183.4	183.4
46	30°03'30"	100.00	100.0	183.4	183.4
47	30°03'30"	100.00	100.0	183.4	183.4
48	30°03'30"	100.00	100.0	183.4	183.4
49	30°03'30"	100.00	100.0	183.4	183.4
50	30°03'30"	100.00	100.0	183.4	183.4
51	30°03'30"	100.00	100.0	183.4	183.4
52	30°03'30"	100.00	100.0	183.4	183.4
53	30°03'30"	100.00	100.0	183.4	183.4
54	30°03'30"	100.00	100.0	183.4	183.4
55	30°03'30"	100.00	100.0	183.4	183.4
56	30°03'30"	100.00	100.0	183.4	183.4
57	30°03'30"	100.00	100.0	183.4	183.4
58	30°03'30"	100.00	100.0	183.4	183.4
59	30°03'30"	100.00	100.0	183.4	183.4
60	30°03'30"	100.00	100.0	183.4	183.4
61	30°03'30"	100.00	100.0	183.4	183.4
62	30°03'30"	100.00	100.0	183.4	

ENGINEER

44	P	C
209.82	214.41	191.37
204.32	476.32	145.64
89.77	80.72	45.39
203.84	443.87	385.21
202.94	310.28	192.36
204.81	816.54	167.84
203.83	702.14	169.93
212.52	169.46	341.29
198.43	69.87	215.29
203.77	196.12	185.07
	65.25	63.02
202.84	82.25	194.34
1407.81	1345.77	399.68
213.78	236.07	261.92
213.62	261.78	310.85
413.03	1405.84	288.77
228.07	171.56	418.77
384.61	212.37	248.46
11.40	94.04	86.34
	48.27	48.27
	79.82	42.37
	43.87	67.39
	39.87	67.39
	22.19	82.84
	79.21	43.87
	38.31	43.87
	34.61	38.61
	20.61	43.41
	65.25	85.61
125.84	201.67	1102.84
201.67	201.67	201.67

area: where
condos are
built

LEGEND

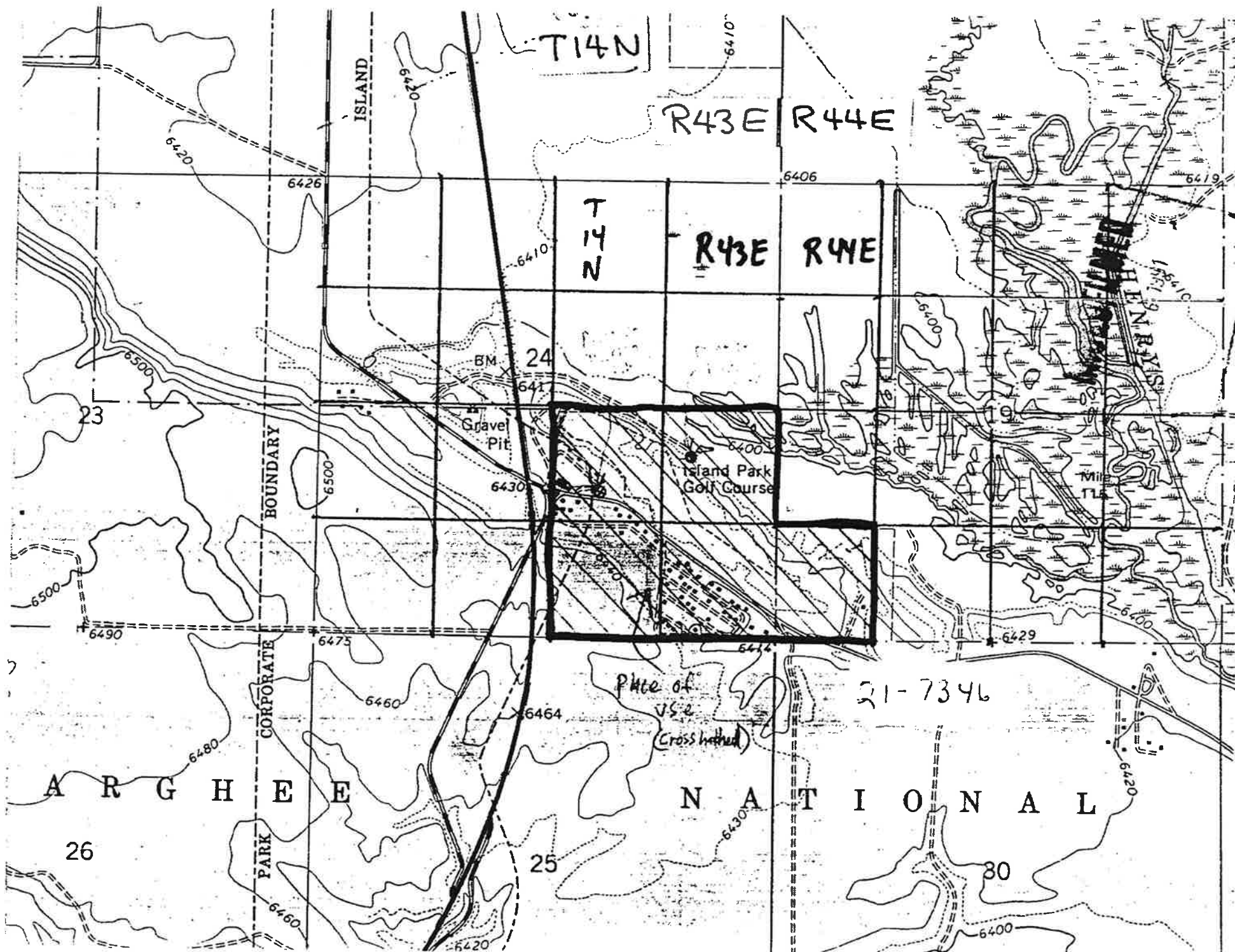
- 102
④
②

ACKNOWLEDGMENT

STATE OF IDAHO
COUNTY OF FREEMONT
NOTARY PUBLIC
I, _____, of the County of _____, State of _____, do hereby certify that _____, of the County of _____, State of _____, appeared before me on the _____ day of _____, 19____, and acknowledged to me that he is the owner of the above described land, and that he executed the foregoing instrument for the purposes and consideration therein mentioned.
MY COMMISSION EXPIRES _____, 19____.

[Signature]
NOTARY PUBLIC

SCALE.
SANITARY RE
SANITARY PR
UNDER TITL
SIDING COR



ATTACHMENT 5

Proposed "SPLIT" of Water Right 21-7346:

(Based upon IDWR Beneficial Use Field Report - Attachment 4)

Beneficial Use	License	Timbers¹	IPVA²
Domestic	0.76 CFS	0.423 CFS	0.337 CFS
Fire Protection	1 CFS	0.557 CFS	0.443 CFS
Volume Limit	315 AFA	175.46 AFA ³	139.54 AFA ³

CFS = Cubic Feet Per Second Flow Rate limitation

AFA= Acre Feet Annually Volume limitation

Footnotes – Based on conditions of License:

¹ 55.7% - 200 condos, 1 office, 1 shop, clubhouse with pool

² 44.3% - 160 homes, old clubhouse, 1 shop

³ Same percentage split of volume limit



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 North Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 7, 2019

Timbers Condominiums Owners' Association, Inc.
4153 Big Springs Loop
Island Park, ID 83429

RE: Split of Water Right 21-7346

Dear Water User:

On December 14, 2018, Randy Budge filed a Notice of Change in Water Right Ownership on behalf of the Timbers Condominiums Owners' Association, Inc. ("TCOA"), proposing to update the ownership records for a split portion of water right 21-7346. This letter is meant to notify you that the water right split and ownership change have been completed. The TCOA portion of water right 21-7346 has been assigned water right number 21-13263. The remaining portion of the water right continues to be in the name of the licensed owner, Villa Management Company. Evidence available to the Department suggests the remaining portion of water right 21-7346 is now owned by Island Park Village Association, Inc. ("IPVA"), in part, and Island Park Lodge ("IPL"), in part.

I feel it might be helpful to explain how water right 21-7346 was split. The Department issued a license for water right 21-7346 on February 1, 1991. The original license authorized a diversion rate of 0.76 cfs and an annual diversion volume of 315 acre-feet for domestic purposes, and a diversion rate of 1.00 cfs for fire protection. The license was based on a field exam conducted by the Department on July 21, 1989. At that time, the field examiner found infrastructure in place to provide domestic water to 160 homes, 200 condos, 3 offices, 1 lodge, 1 clubhouse and a 6-room motel. The examiner estimated the annual volumetric water demand for each of these units as follows:

Unit Type	Annual Demand (acre-feet)
160 homes	192
200 condos	120
3 offices	0.2
Lodge	1.3
Clubhouse	1.3
6-room motel	0.2
Total	315 acre-feet

According to the documents provided with TCOA's ownership change notice, the 200 condos, one office, one golf shop and a new clubhouse are located on the property now owned by TCOA. The lodge and 6-room motel are on the property managed by IPL. The 160 homes, the old clubhouse and a golf shop are part of IPVA.

Aerial photos confirm that the new TCOA clubhouse (described as an owners lounge on the TCOA website) was not in existence in 1989 when the field exam was completed for water right 21-7346. Therefore, the new clubhouse cannot be considered when splitting the water right. Similarly, the golf shops were not mentioned in the 1989 field exam. However, according to online maps for TCOA and IPVA, there only appears to be one office building in existence today. Consequently, the golf shops were treated as offices in the calculations splitting water right 21-7346.

For the volume element of the water right (315 acre-feet), I split the right consistent with the volumes reported in the 1989 field exam. 194.9 acre-feet (associated with the 160 homes, lodge, motel, old clubhouse and one office) were kept with the IPVA portion of the right. 120.1 acre-feet (associated with the 200 condos and two offices) were included with the TCOA portion of the right.

For the rate elements of the water right (0.76 cfs / 1.00 cfs), I split the right according to the number of connections under each company. Overall, there are 371 connections described in the 1989 field exam (160 homes + 200 condos + 3 offices + 1 lodge + 1 clubhouse + 6 motel rooms). Each of these connections could have drawn water from the community system at any given time, and therefore should be considered when divvying up the instantaneous rate. Based on my calculations, 0.35 cfs of the domestic rate should be kept with the IPVA/IPL portion of the right (169 connections / 371 total connections x 0.76 cfs = 0.35 cfs). 0.41 cfs should be included with the TCOA portion of the right (202 connections / 371 total connections x 0.76 cfs = 0.41 cfs). The fire protection flow rate was split in a similar manner, 0.46 cfs for IPVA/IPL, 0.54 cfs for TCOA.

There were two points of diversion (ground water wells) included on the original license for water right 21-7346. Both of the existing points of diversion are located within the IPVA boundary. It is not clear whether TCOA and IPVA intend to split the ownership of the wells or if they continue to share the diversion system. For now, both points of diversion continue to be listed on water rights 21-7346 and 21-13263. Please notify the department, in writing, if either of the points of diversion should be removed from the TCOA water right. Feel free to contact me with any questions.

Sincerely,



James Cefalo

Encl: Updated reports and maps for water rights 21-7346 and 21-13263

Cc: Randy Budge (PO Box 1391, Pocatello, ID 83204)

Island Park Village Assn. Inc. (4170 Grandview Road, Island Park, ID 83429)

Bill Forsberg (Forsberg & Evans, LLC, 49 Professional Plaza, Rexburg, ID 83440)

December 12, 2018

James Cefalo
Idaho Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, Idaho 83402-1718

RECEIVED
DEC 14 2018
Department of Water Resources
Eastern Region

Re: Water Right No. 21-7346

Dear James:

Enclosed please find the original and extra copy of a Notice of Change of Water Right Ownership with Attachments 1-5, together with a check in the amount of \$100 for filing fees and stamped and addressed return envelope. Please file and process the original and conform stamp and return the extra copy for our files.

This water right pertains to a development in Island Park, Idaho known as the Island Park Village Resort ("Resort"). Timbers Condominium Homeowners Association, Inc. ("Timbers") and the Island Park Village Association, Inc. ("IPVA") each own separate parcels of real property that form the Resort. A lawsuit between the parties was resolved following mediation pursuant to a Final Settlement Agreement entered into January 15, 2015 ("Settlement Agreement"). Pursuant to the Settlement Agreement Timbers and IPVA divided the real property along with other assets and liabilities of the Resort.

Domestic and fire protection water is provided to the Resort pursuant to water right no. 21-7346 (the "Water Right"). Based upon the Water Right Report (Attachment 1), the current owner of record of the Water Right is Villa Management Co., Inc. The Water Right has a priority date of 5/20/1983 and is licensed for year-round use for domestic purposes in the amount of 0.76 cfs/315AFA and fire protection of 1 cfs. The Water Right's two points of diversion consist of a primary well located in the NE1/4SE1/4 and a supplemental well in the NW1/4SE1/4 of Section 24, T14N, R43E, B.M. The Water Right reflects an authorized place of use within Sections 24 and 19, which includes all of the Resort property now owned by Timbers and IPVA.

Attached to the Notice of Change is a Corrected Corporate Grant Deed dated May 28, 2015 and recorded October 10, 2016 as Fremont County Recorder's Instrument No. 560625 (Attachment 2). This deed accomplished the transfer of a portion of the Resort property and water rights to Timbers with IPVA

retaining the balance. As reflected in the deed, page 2, last paragraph: "This conveyance shall include any and all estate, right, title, interest, appurtenances, . . . and water rights in any way appertaining to the property herein described as well as in equity."

Water from the well is not metered or otherwise measured. Accordingly, the split proposes a division based upon the Department's Beneficial Use Field Report (Attachment 4). The split calculation is set forth in Attachment 5.

Thank you for your assistance. Please do not hesitate to contact me if you have any questions.

Sincerely,



RANDALL C. BUDGE

RCB:ts

Enclosures

c: Timbers Condominium Homeowners Association, Inc., c/o Douglas Oviatt