

RECEIVED Department of Water Resources

JUN 13 1994 ASSIGNMENT OF PERMIT

WATER RESOURCES
WESTERN REGION

I, Ray W. Wilder & Janet L. Wilder, hereby assign to Michael E. Nourse & Ceara M. Nourse
of 7415 Westwood Drive, Boise, ID 83704 (208) 375-2209
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 67-07835J
to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

2.07 acre feet

.01 cfs

Please see attached

Made this _____ day of _____, 19____.

RECEIVED

JUL 15 1994

Department of Water Resources

Ray W. Wilder
Permit Holder

Janet L. Wilder
Spouse of Permit Holder

State of Idaho

County of Adams ss.

On this 29th day of May, 1994, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

F. Fred Jensen
Notary Public residing at Council

My commission expires:

1998

MICROFILMED

AUG 10 1998

database updated 7/15/94 cz

ASSIGNMENT OF PERMIT

JUN 11 1993

I, James L. Ball, as Personal Representative
of the Estate of Emma Ball, aka, hereby assign to Ray W. Wilder & Janet L. Wilder
Emma M. Ball, deceased
 of 3340 N. Ten mile Rd, Meridian, ID 8364
 Address

RECEIVED

JUN 10 1993

CHECK ONE



All my right, title, and interest in and to Permit No. _____
 to appropriate the public waters of the State of Idaho.

Department of Water Resources



The following described portion of my right, title, and interest in and to Permit
 No. 67-07835 to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
 each 40 acre subdivision, the point of diversion and the amount of water in cubic
 feet per second for direct diversion, or acre feet for storage)

2.07 acre feet.01 cfsPlease see attached

Made this 1st day of June, 19 93.

James L. Ball
 Permit Holder

N/A
 Spouse of Permit Holder

State of Idaho)
 County of Adams) ss.

On this 1st day of June, 19 93, personally
 appeared before me the signer(s) of the above instrument, who duly acknowledged to me
 that he (she) (they) executed the same.

Christy A. Smay
 Notary Public residing at

Fruitvale, Idaho

seal

My commission expires:
8/4/98

RECEIVED

JUL 02 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

Permit 67-07835

Assignments if sales occur

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

- 1) 9 ponds, sizes shown on Attach. B from original permit.
- 2) Rate of flow was based not on pond size but on no. of stock to use ponds. Therefore, split rate of flow equally between ponds.
9 ponds with .09 cfs total, yields .01 cfs for each pond

POND #	Location from Permit	Acres - Feet stored	cfs portion
1	NGNW 5.22	18.4 *	.01
2	SWSE 5.15	0.17	
3	NWSE 5.15	3.44	
4	SESW 5.15	0.34	
5	SWSW 5.15	0.69	
6	NWNW 5.22	3.10	
7	N6SW 5.9	2.07	
8	SESW 5.17	0.34	
9	NWNW 5.21	0.34	
		28.86	.09

each gets .01 cfs

* On original Attach B was shown as 18.37, rounded here to 18.4

RECEIVED
JUL 02 1993

Steve Lester
Water Rights
Supervisor

ATTACHMENT "B"

There may be private inholdings within the boundaries of any Federal and State Reservations shown on this map. Such inholdings are not shown. All marginal data and lettering generated and mentioned by

POND #	TR5 Ky	APPROX SIZE	AF
#1	SEN NW 22 NW 2	$200' \times 800' \times 5' = 800,000 / 43560$	18.37 AF
#2	15 SWSE	$50' \times 50' \times 3' = 750 / 43560$	0.017 AF
#3	15 NWSE	$200' \times 250' \times 3' = 150,000 / 43560$	3.44 AF
#4	15 SESW	$50' \times 100' \times 3' = 15,000 / 43560$	0.34 AF
#5	15 SWSW	$50' \times 200' \times 3' = 30,000 / 43560$	0.69 AF
#6	22 NW NW	$150' \times 300' \times 3' = 135,000 / 43560$	3.10 AF
#7	9 NESW	$100' \times 700' \times 3' = 90,000 / 43560$	2.07 AF
#8	17 SESW	$50' \times 100' \times 3' = 15,000 / 43560$	0.34 AF
#9	* 21 SEN NW	$50' \times 100' \times 3' = 15,000 / 43560$	0.34 AF
* SPRING FED POND			Total AF = 28.86

Stock WATER up to 375 HD = 0.09 cfs

Stock WATER STORAGE = 28.86 AF

Note: Ponds #1 thru 7 were built in 1977.

#8 & 9 in 1989.

Ponds with Source and Trib.

#1, #2, #3, #6, #7, #8 UNNAMED STREAM - BACON CR.

#4 #5 BACON CR - WELSER R.

#9 SPRING - BACON CR

* #7 is trib. to Middle Fork Wagon Run

PROVISIONAL MAP
Produced from original
manuscript drawings. Infor-
mation shown as of date of
mapping.

ATTACHMENT A

T15N R1W
MAP T-7

THIS MAP COMPLETES WITH NATIONAL MAP ACTIVITY STANDARDS

CONTOUR INTERVAL 40 FEET

FEET

METERS

0 1000 2000 3000 4000 5000 6000 7000 8000 9000

SCALE 1:24,000



WRO749NP
No. 67-07835J

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/15/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MICHAEL E NOURSE	01/18/1990	STOCKWATER	01-01 12-31	0.01 CFS	
C	CEARA NOURSE		STOCKWATER STORAGE	01-01 12-31		2.07 AFA
	7415 WESTWOOD DR		STOCKWATER FROM STORAGE	01-01 12-31		2.07 AFA
	BOISE ID 83704					
	(208) 375-2209					
TOTAL DIVERSION:					0.01 CFS	2.07 AFA

Water Source: UNNAMED STREAM

Tributary to: BACON CREEK

Stage: PERMIT

Point(s) of Diversion:

T15N R01W S09

NESW

ADAMS County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
15N	01W	9	:															:

Place of use location for STOCKWATER FROM STORAGE is the same location as described for: STOCKWATER

Pou County: ADAMS

Conditions of Approval:

- 01H - A lockable device, subject to the approval of the Department,
 - shall be installed on the diverting works in a manner that will
 - provide the watermaster suitable control of the diversion prior
 - to diversion of water under this right.
- 005 - Use of water under this right is subject to control by the
 - watermaster of State Water District No. 67.
- 18B - The storage of water under this right is contingent upon the
 - certification of the dam and authorization of storage per the dam
 - safety provisions of the Idaho Code.

Remarks: Stockwater use on this water right when combined with 67-07835B, 67-07835C, 67-07835D, 67-07835E, 67-07835F, 67-07835G, 67-07835H, and 67-07835I may not exceed 375 head of range cattle.

Dates: App. Received: 01/18/1990 Priority Date: 01/18/1990
Proof Due Date: 06/01/1991 Proof Made Date: 01/18/1990
Exam Made Date: 10/21/1993 Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 67 Field Exam Fee: N (Not Required)

Audit: 06/24/93 ZIMMERMA 11/04/93 TAYLOR 07/15/94 CZIMMERM

Mr. Jim Johnson
State of Idaho
Dept of Water Resources
1301 North Orchard Street
Boise, Idaho 83720

Fax 327-7866

Dear Mr. Johnson,

I received a letter from you dated July 25, 1994 regarding the transfer of water rights to us under permit 67-07835J. The initial paperwork we signed from our realtor had two numbers, 67-07835 & A67-07364 (Township 15N, Range 01W, and Section 9).

I am a bit confused and was wondering how I could go about obtaining a copy of the permits to give me a clearer idea of what has taken place. If there is a charge for this service, I will be happy to pay for it. If you can fax it to me, that would be great or I could stop by and pick it up. My fax number is (208) 375-7731 here in Boise.

Thank you in advance for your assistance,

Sincerely,



Michael E. Nourse
7415 Westwood Drive
Boise, Idaho 83704

MICROFILMED

AUG 10 1998

TOTAL P.01



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

July 25, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

MICHAEL E NOURSE
CEARA M NOURSE
7415 WESTWOOD DR
BOISE ID 83704

Re: Permit No. 67-07835J

Dear Mr. and Mrs. Nourse:

We acknowledge receipt of the correspondence assigning the ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', followed by a horizontal line.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

MICROFILMED

AUG 10 1998

COPY

WARRANTY DEED

INSTRUMENT NO. 86020

For Value Received RAY W. WILDER and JANET L. WILDER, husband and wife
the grantors , do hereby grant, bargain, sell and convey unto
MICHAEL E. NOURSE and CEARA M. NOURSE, husband and wife
the grantees, whose current address is, 7415 Westwood Drive, Boise, ID 83704
the following described premises, in Adams County, Idaho, to-wit:
SEE ATTACHED EXHIBIT "A" MADE A PART HEREOF.

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantees
their heirs and assigns forever. And the said Grantors do hereby covenant to and with
the said Grantees , that they are the owners in fee simple of said premises;
that they are free from all incumbrances excepting for all easements of record, rights of
way, matters visible, and all matters of record and title.

and that they will warranty and defend the same from all lawful claims whatsoever.

Date: May 20, 1994

Ray W. Wilder
Ray W. Wilder

Janet L. Wilder
Janet L. Wilder

STATE OF IDAHO)
COUNTY OF Adams) ss

STATE OF IDAHO, COUNTY OF ADAMS
I hereby certify that this instrument was filed for record
at the request of Timberline Title & Escrow

On this 21 day of May, in the year of 1994, before me
a Notary Public, personally appeared
RAY W. WILDER & JANET L. WILDER
known or identified to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to me
that they executed the same

at 53 minutes past 10 o'clock a.M.
this 31st day of May, 19 94, in my
office, and duly recorded in Book index
~~XXXXXX~~ as #86020

Fred Glemser
Notary Public
Residing at Codanail
Commission expires: 1998

MICHAEL FISK

Ex-Officio Recorder

By: Leggy Linkel
Deputy

Fees \$ 12.00

Mail to: Timberline Title & Escrow
In Person

MICROFILMED

AUG 10 1998

#94-238



CO

EXHIBIT "A"

Township 15 North, Range 1 West, Boise Meridian, Adams County, Idaho

Section 9: NE1/4SW1/4, SW1/4SW1/4, N1/2SE1/4SW1/4, NW1/4SE1/4 lying South and East of Goodrich Road; NW1/4SE1/4, N1/2N1/2S1/2SE1/4SW1/4, N1/2SW1/4SE1/4, N1/2N1/2S1/2SW1/4SE1/4, that portion of the SE1/4SE1/4 lying West of U.S. Highway 95.

Section 16: NW1/4NW1/4 EXCEPTING THEREFROM a parcel of land in the NW1/4NW1/4 of said township, range and section, more particularly described as follows:

Beginning at the section corner for Sections 8, 9, 16 and 17;
Thence South 00 degrees 09'50" East 210.00 feet to the REAL POINT OF BEGINNING;
Thence South 00 degrees 09'50" East 1043.60 feet to a point;
Thence North 89 degrees 59'34" East 1252.30 feet to a point;
Thence North 00 degrees 09'50" West 1043.60 feet to a point;
Thence South 89 degrees 59'34" West 1252.30 feet to the REAL POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM a parcel of land in the NW1/4 of said township, range and section, more particularly described as follows:

Beginning at the section corner of Section 8, 9, 16 and 17;
Thence South 00 degrees 09'50" East 1253.60 feet to a point;
Thence North 89 degrees 59'34" East 1043.589 feet to the REAL POINT OF BEGINNING;
Thence South 00 degrees 09'50" East 208.711 feet to a point;
Thence North 89 degrees 59'34" East 417.422 feet to a point;
Thence North 00 degrees 09'50" West 208.711 feet to a point;
Thence North 89 degrees 59'34" East 417.422 feet to a point;
Thence North 00 degrees 09'50" West 625.133 feet to a point;
Thence South 89 degrees 59'34" West 625.133 feet to a point;
Thence South 00 degrees 09'50" East 625.133 feet to a point;
Thence South 89 degrees 59'34" West 208.711 feet to the REAL POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM a parcel of land in the NW1/4NW1/4 of said township, range and section, more particularly described as follows:

Beginning at the Section corner of Sections 8, 9, 16 and 17 of said Township 15 North, Range 1 West;
Thence South 00 degrees 09'50" East 1,253.60 feet to the REAL POINT AND PLACE OF BEGINNING;
Thence North 89 degrees 59'43" East 1,043.589 feet;
Thence South 00 degrees 09'50" East 67.00 feet, more or less, to a point on the South line of said NW1/4NW1/4;
Thence North 89 degrees 59'43" West 1,043.589 feet;
Thence North 00 degrees 09'50" West 67.00 feet, more or less, to the REAL POINT AND PLACE OF BEGINNING.

That portion of the SE1/4NE1/4 of Section 16, the NE1/4NE1/4 of Section 16, and the SW1/4NW1/4 of Section 15, all of Township 15 North, Range 1 West, Boise Meridian, Adams County, Idaho, lying West of the Westerly right-of-way line of U.S. Highway 95 and Northeasterly of the centerline of an existing private roadway known as Hermitage Lane, which centerline of said Hermitage Lane is more particularly described as follows:

RECORDED
AUG 10 1998

Beginning at the Southeast corner of the SE1/4NE1/4 of Section 16, Township 15 North, Range 1 West, Boise Meridian, (1/4 corner common to Sections 15 and 16 of Township 15 North, Range 1 West, Boise Meridian);

Thence North 10 degrees 21'42" East 964.84 feet to the TRUE POINT OF BEGINNING, which point is within the SW1/4NW1/4 of said Section 15, and which point is on the centerline of said Hermitage Lane and on the Westerly right-of-way line of said U.S. Highway 95, and which point bears North 80 degrees 27'59" East 5527.98 feet from the West 1/4 corner of said Section 16;

Thence South 87 degrees 16'16" West 84.98 feet along the centerline of said Hermitage Lane;

Thence North 66 degrees 11'50" West 80.89 feet along the centerline of said Hermitage Lane;

Thence North 56 degrees 41'34" West 427.51 feet along the centerline of said Hermitage Lane;

Thence North 39 degrees 13'29" West 239.72 feet along the centerline of said Hermitage Lane to a point within the NE1/4NE1/4 of said Section 16;

Thence North 83 degrees 41'50" West 130.92 feet along the centerline of said Hermitage Lane;

Thence South 87 degrees 01'09" West 670 feet, more or less, along the centerline of said Hermitage Lane to a point on the West line of said NE1/4NE1/4 which point is the POINT OF ENDING.

SUBJECT TO AND TOGETHER WITH all rights of way or easements of record or in use.

SUBJECT TO THE FOLLOWING:

GENERAL TAXES AND ASSESSMENTS for the year 1994 which are a lien but not yet due or payable.

A RIGHT-OF-WAY for a canal across the SW1/4NW1/4 and the W1/2SW1/4 of Section 14 (particularly described in Book F of Deeds at page 429), and A RIGHT-OF-WAY for flume and pipeline 40 feet wide over and across the SW1/4SW1/4 of Section 14 (particularly described in Book 2 of Deeds at page 44) by instruments dated:

February 11, 1910 from J.J. ALLISON to WEISER VALLEY LAND & WATER COMPANY, recorded February 24, 1910 in Book 8 of Deeds at page 308 as Instr. No. 14572;

June 2, 1910 from A.M. SHAW and CARRIE L. SHAW to WEISER VALLEY LAND & WATER COMPANY, recorded June 8, 1910 in Book 26 of Deeds at page 494 as Instr. No. 15414;

April 25, 1911 from A.M. SHAW and CARRIE L. SHAW, husband and wife, to WEISER VALLEY LAND & WATER COMPANY, recorded June 16, 1911 in Book 2 of Deeds at page 44 as Instr. No. 321;

June 19, 1933 from RAYMOND H. WILTSIE and ENID WILTSIE, husband and wife, to ORCHARDS WATER COMPANY, an Idaho corporation, recorded June 23, 1933 in Book 13 of Deeds at pages 492-493 as Instr. No. 19986;
all records of Adams County, Idaho.

MICROFILMED

AUG 10 1998

EXHIBIT "A" CONTINUED

RIGHT-OF-WAY EASEMENT for ingress and egress as set forth in an Agreement to Sell Real Estate granted to Robert Hooban and Homer Hooban (no representation is made as to present ownership of easement), recorded December 4, 1974 in Book 8 of Misc. at page 162 as Instr. No. 53208, records of Adams County, Idaho.

RIGHT-OF-WAY EASEMENT for ingress and egress and utility easement set forth in an Agreement to Sell Real Estate granted to Robert A. Hooban (no representation is made as to present ownership of easement), recorded December 4, 1974 in Book 8 of Misc. at page 166 as Instr. No. 53209, records of Adams County, Idaho.

RIGHT-OF-WAY EASEMENT for purposes of ingress and egress and a utility easement set forth in an Agreement to Correct Description granted to HOMER L. HOOBAN and ENID I. HOOBAN, husband and wife (no representation is made as to present ownership of easement), recorded January 3, 1975 in Book 8M of Misc. at page 188 as Instr. No. 53305, records of Adams County, Idaho.

AMENDED EASEMENT granted to HOMER L. HOOBAN and ENID I. HOOBAN, husband and wife, (no representation is made as to present ownership of easement), amending easement granted/recorded January 3, 1975 as Instr. No. 53305, said amendment recorded May 11, 1976 in Book 8M of Misc. at page 431 as Instr. No. 54624, records of Adams County, Idaho.

RIGHT-OF-WAY EASEMENT for ingress and egress as set forth in a Correction Deed of Gift granted to MARYMOUNT HERMITAGE (no representation is made as to present ownership of said easement), recorded September 24, 1984 in Book 38 of Deeds at page 47 as Instr. No. 69070, records of Adams County, Idaho.

AN EASEMENT for the purpose of public utilities and rights incidental thereto as set forth in a document granted to IDAHO POWER COMPANY (no representation is made as to present ownership of easement), recorded March 19, 1985 in Book 13M of Misc. at page 156 as Instr. No. 70067, records of Adams County, Idaho.

AN EASEMENT for the purpose of public utilities and rights incidental thereto as set forth in a document granted to IDAHO POWER COMPANY (no representation is made as to present ownership of easement), recorded March 19, 1985 in Book 13M of Misc. at page 156 as Instr. No. 70069, records of Adams County, Idaho.

THE RIGHT-OF-WAY of U.S. Highway 95 as now established.

TERMS AND CONDITIONS contained in a Stipulation for Possession under Case No. 1805 of the Third Judicial District Court of Idaho, County of Adams, together with easements therein, recorded March 6, 1973 in Book 7M of Misc. at page 403 as Instr. No. 51321, and a Second Judgement and Decree of Condemnation filed in Book 5 of Judgments at page 254, records of Adams County, Idaho.

MICROFILMED

AUG 10 1998



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

June 30, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

RAY W WILDER
JANET L WILDER
3340 N TEN MILE RD
MERIDIAN ID 83642

Re: Permit No. 67-07835J

Dear Permit Holder(s):

We acknowledge receipt of the correspondence assigning this portion of the ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over the typed name and title.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

RECEIVED

JUL 02 1993

WR0749NP
No. 67-07835J

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 06/24/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RAY W WILDER 3340 B TEN MILE RD MERIDIAN ID 83642	01/18/1990	STOCKWATER STOCKWATER STORAGE STOCKWATER FROM STORAGE	01-01 12-31 01-01 12-31 01-01 12-31	0.01 CFS	2.0 AFA 2.0 AFA
C	JANET L WILDER 3340 N TEN MILE RD MERIDIAN ID 83642			TOTAL DIVERSION:	0.01 CFS	2.0 AFA

Water Source: UNNAMED STREAM

Tributary to: BACON CREEK

Stage: PERMIT

Point(s) of Diversion: T15N R01W S09 NE SW

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE						
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac
---	---	---	:	---	---	---	:	---	---	---	:	---	---	---	:	---	---	---
15N	01W	9	:				:				:				:			

Place of use location for STOCKWATER FROM STORAGE is the same location as described for: STOCKWATER

Pou County: ADAMS

Other Water Rights Listing Overlapping Place(s) of use:
67-00080A 67-00081H

Conditions of Approval:

- 01H - A lockable device, subject to the approval of the Department,
 - shall be installed on the diverting works in a manner that will
 - provide the watermaster suitable control of the diversion prior
 - to diversion of water under this right.
- 005 - Use of water under this right is subject to control by the
 - watermaster of State Water District No. 67.
- 18B - The storage of water under this right is contingent upon the
 - certification of the dam and authorization of storage per the dam
 - safety provisions of the Idaho Code.

Remarks: Stockwater use on this water right when combined with 67-07835B, 67-07835C, 67-07835D, 67-07835E, 67-07835F, 67-07835G, 67-07835H, and 67-07835I may not exceed 375 head of range cattle.

Dates:	App. Received: 01/18/1990	Priority Date: 01/18/1990
	Proof Due Date: 06/01/1991	Proof Made Date: 01/18/1990
	Exam Made Date:	Exam Sent to S.O.:
	Licensed Date:	

Misc: Water District Number: 67 Field Exam Fee: N (Not Required)

Audit: 06/24/93 ZIMMERMA