

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 80648

This is to certify that: **STEPHEN K FORD REVOCABLE TRUST**
3398 W FIENO DR
EAGLE, ID 83616

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-31495	WR/DECREED	9/29/1978	0.650 cfs	180.0 af	40.0	60.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-31495	YES	NO	NO	YES	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-31495	63-34214	0.060 cfs	15.8 af	3.5	5.2	63-31495	0.590 cfs	164.2 af	36.5	54.8
COMBINED TOTALS		0.060 cfs	15.8 af	3.5	5.2		0.59 cfs	164.2 af	36.5	54.8

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 6th day of October, 2016.



Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 63-31495

Transfer No. 80648

WATER RIGHT NO. 63-31495

As Modified by Transfer No. 80648

In accordance with the approval of Transfer No. 80648, Water Right No. 63-31495 is now described as follows:

Right Holder: TUCKER M JOHNSON
372 S EAGLE RD STE 328
EAGLE, ID 83616
AND
DENISE R JOHNSON
12828 W LA SALLE ST #100
BOISE, ID 83713-1564

Priority Date: 9/29/1978

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From
03/15

To
to 11/15

Diversion Rate

0.590 cfs
0.590 cfs

Diversion Volume

164.2 af
164.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENW Sec 32 Twp 05N Rge 01E ADA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	01E	32					14.8	40.0											54.8

Right Acre Limit: 36.5

POU Total Acres: 54.8

CONDITIONS OF APPROVAL

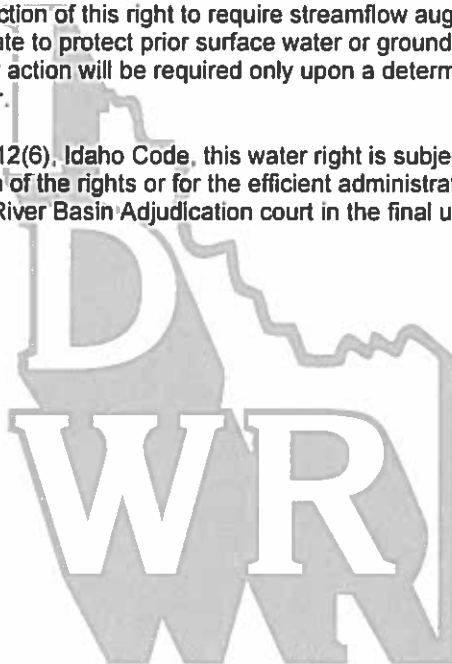
1. This right is limited to the irrigation of 36.5 acres within the place of use described above in a single irrigation season.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
3. 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 11/26/2002.

Transfer No. 80648

WATER RIGHT NO. 63-31495
As Modified by Transfer No. 80648

CONDITIONS OF APPROVAL

4. 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.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The Director retains jurisdiction of this right to require streamflow augmentation or other action determined to be appropriate to protect prior surface water or ground water rights. Such stream flow augmentation or other action will be required only upon a determination of need and applicability by the Director.
7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 63-34214
As Modified by Transfer No. 80648

In accordance with the approval of Transfer No. 80648, Water Right No. 63-34214 is now described as follows:

Right Holder: STEPHEN K FORD REVOCABLE TRUST
 3398 W FIENO DR
 EAGLE, ID 83616

Priority Date: 9/29/1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.060 cfs	15.8 af
			0.060 cfs	15.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENW Sec 32 Twp 05N Rge 01E ADA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	01E	32					5.2												5.2

Right Acre Limit: 3.5

POU Total Acres: 5.2

CONDITIONS OF APPROVAL

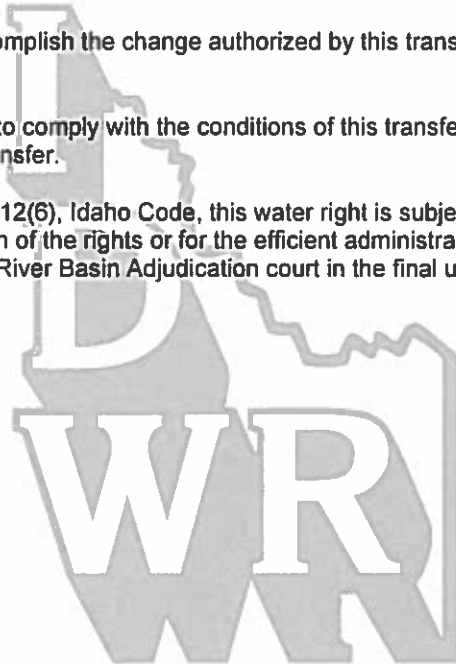
1. This right is limited to the irrigation of 3.5 acres within the place of use described above in a single irrigation season.
2. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
3. 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 11/26/2002.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. This right does not grant any right-of-way or easement across the land of another.

Transfer No. 80648

WATER RIGHT NO. 63-34214
As Modified by Transfer No. 80648

CONDITIONS OF APPROVAL

6. The Director retains jurisdiction of this right to require streamflow augmentation or other action determined to be appropriate to protect prior surface water or ground water rights. Such stream flow augmentation or other action will be required only upon a determination of need and applicability by the Director.
7. Place of use is located within Lot 4, Blk. 1 Applecreek Subdivision.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

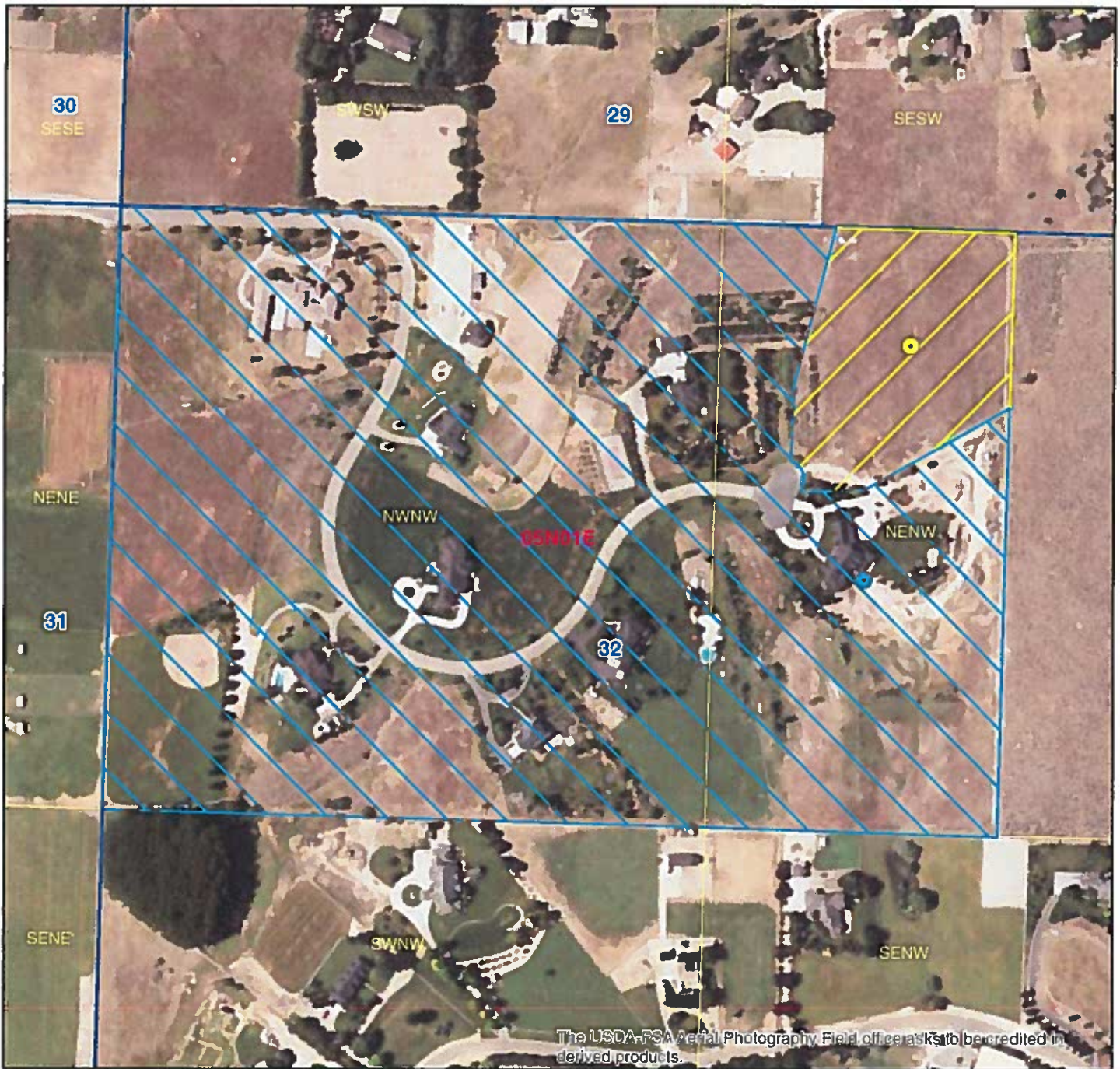


State of Idaho
Department of Water Resources

Attachment to Application for Transfer 80648

63-31495, 63-34214

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



Legend

- 63-31495 POD
- 63-34214 POD
- Township/Range
- 63-31495 POU
- 63-34214 POU
- Sections
- QQ

0 0.0275 0.055 0.11 Miles



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

80648
RECEIVED

JAN 26 2016

**WATER 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 acceptable 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) Stephen K. Ford as Trustee for the Stephen K. Ford Revocable Trust

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 #1-9.

- ☐ ☒ #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.
- ☐ ☒ #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 Other. Please describe: Master right contract and master plan

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Stephen K. Ford as Trustee for the Stephen K. Ford Revocable Trust Phone _____

Mailing address 3398 W. Fieno Dr., Eagle, ID 83616 Email steve@sbfordventures.com

- ☐ 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 TICKER JOHNSON Phone 866-1355

Mailing address 372 S. Eagle Rd Ste 328 Email tj@skylineid.com
Eagle ID 83616

- ☐ 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.

Stephen K. Ford
Signature of Applicant or Authorized Representative

Stephen K. Ford
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 split water right
- 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.
split the water right and add a separate private well to applicant's portion aka Lot 4 Block 1 Applecreek Subdivision

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.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	63-31495	*0.056875 cfs	Irrigation	3/15 to 11/15	Ground water
☐ ☐		*15.75 ac-ft		to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.65 cfs and/or 180.0 acre-feet. *per water right contract (Attachment 9)

2. Total amount of water proposed to be transferred or changed 1.05687 cubic feet per second and/or 15.75 acre-feet per annum.

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 #
yes			NE	NW	32	5N	1E	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	
5N	1E	32					5.24												5.24

*3.5 acres within a 5.24-acre permissible place of use

Total Acres (for irrigation use)

5.24

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:

Well, pump, pressurized irrigation system

Measuring device and controlling works will be accommodated upon Department request

- 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: _____

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. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer: Applicant purchased Lot 4, Block 1 Applecreek Subdivision, which is within the water right's 60-acre PPU. A water right contract and master plan, included as Attachment 9 describes the portion of the 40 authorized acres agreed to be appurtenant to the applicant's property at time of purchase.

- e. 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:

- f. 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:

Page _____ of _____

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

Current Water Right No.: 63-31495

Current Owner: TUCKER M JOHNSON
DENISE R JOHNSON

Priority Date: 9/29/1978

Origin: Water Right

Status: Active

Basis: Decreed

Source

GROUND WATER

Tributary

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Total Diversion

Diversion Rate

0.65 CFS

0.65 CFS

Annual Volume

180 AF

180 AF

Location of Point(s) of Diversion

GROUND WATER

ADA County

NE1/4NW1/4

Sec. 32, Twp 05N, Rge 01E B.M.

Place of Use

IRRIGATION Within ADA County

T05N R01E S32

NENW

20.00

T05N R01E S32

NWNW

40.00

Total Acres: 60

80648

Page _____ of _____

Conditions of Approval:

2A pt. 2

1. 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.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. X27 This right is limited to the irrigation of 40.0 acres within the place of use described above in a single irrigation season.
4. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. 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.
6. 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.
7. 11E The Director retains jurisdiction of this right to require streamflow augmentation or other action determined to be appropriate to protect prior surface water or ground water rights. Such stream flow augmentation or other action will be required only upon a determination of need and applicability by the Director.
8. 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.
9. T07 The right holder shall accomplish the change authorized by Transfer 69920 within one (1) year of the date of the approval.
10. This right is a split from former right 63-9179C.

Decreed Date: 1/14/2009

80648

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ 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. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

[illegible]

FOR DEPARTMENT USE ONLY

Transfer contains 19 pages and 9 attachments.

Received by RN Date 1/26/16 Preliminary check by DM Date 4-8-16
 Fee paid 250.00 Date 1/26/16 Received by RN Receipt # W043835
 Add'l fee paid \$50.00 Date 7/25/16 Received by _____ Receipt # W044449

ATTACHMENT 2A
OWNERSHIP DOCUMENTATION

WARRANTY DEED

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 12/30/04 04:56 PM
DEPUTY Bonnie Oberbillig
RECORDED - REQUEST OF
Tandem Enterprises

AMOUNT 3.00 1

104165701

FOR VALUE RECEIVED

Tandem Enterprises, LLP, the Grantor, does hereby grant, bargain, sell and convey unto Tucker M. Johnson and Denise R. Johnson, husband and wife, the Grantees, whose current address is:

1763 N. Clarendon Wy.
Eagle, Idaho 83616

The following described real property, more particularly described as follows, to wit

Lot 4 of Block 1 of Applecreek Subdivision, According to the official plat filed with the Ada County Recorder's Office, Boise, Idaho, Instrument No. 103145550, Book 86, Pages 9791 through 9792, dated August 27, 2003.

Subject to the following:

The Covenants, Conditions, Restrictions and Easements for Applecreek Subdivision as recorded with the Ada County Recorder's Office, Boise, Idaho, Instrument No. 103163604.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and their heirs and assigns forever. And the said Grantors does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

December 31, 2004
Date


Tandem Enterprises, LLP
Tucker M. Johnson, Managing Partner

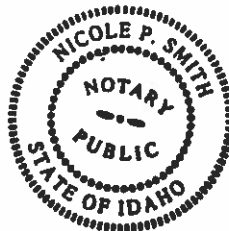
STATE OF IDAHO)
COUNTY OF ADA)

On the 30th day December, 2004 before me, a Notary Public in and for said State, personally appeared Tucker M. Johnson, known to me to be the Managing Partner of the Tandem Enterprises, LLP. Grantor herein and acknowledged before me that he had executed the within instrument in said capacity.



Notary Public for Idaho
Residing at:
Expires: 6-28-2010

Middleton, Idaho



Attachment 2A: ownership Documentation (cont.)

80648

WARRANTY DEED

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 06/23/08 09:27 AM
DEPUTY Donnie Oberblügg
RECORDED - REQUEST OF
Tucker Johnson

AMOUNT 3.00 1

108072672

FOR VALUE RECEIVED

Tucker M. Johnson and Denise R. Johnson, husband & wife, the Grantors, does hereby grant, bargain, sell and convey unto

Von L. Hansen and Julia A. Hansen, husband and wife, the Grantees, whose current address is:

11128 W. Hickory Bark Drive
Boise, Idaho 83713

The following described real property, more particularly described as follows, to wit

Lot 4 of Block 1 of Applecreek Subdivision, According to the official plat filed with the Ada County Recorder's Office, Boise, Idaho, Instrument No. 103145550, Book 86, Pages 9791 through 9792, dated August 27, 2003.

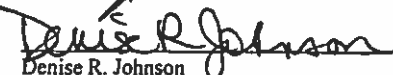
Subject to the following:

The Covenants, Conditions, Restrictions and Easements for Applecreek Subdivision as recorded with the Ada County Recorder's Office, Boise, Idaho, Instrument No. 103163604.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and their heirs and assigns forever. And the said Grantors does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

June 18, 2008
Date


Tucker M. Johnson

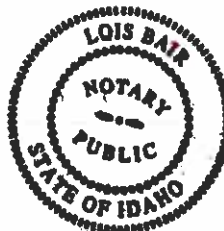

Denise R. Johnson

STATE OF IDAHO)
COUNTY OF ADA)

On the 20th day June, 2008 before me, a Notary Public in and for said State, personally appeared Tucker M. Johnson and Denise R. Johnson, husband and wife, known to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged before me that they executed the same.



Notary Public for Idaho
Residing at: Boise, Idaho
Expires: 3-31-2010



Attachment 2A: ownership Documentation (cont.)

80648



Pioneer Title Co.
GOING BEYOND

775 S. Rivershore Ln., Ste. 120
Eagle, ID 83616

ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT

ADA COUNTY RECORDER Christopher D. Rich AMOUNT 10.00 1
BOISE IDAHO 02/15/2013 02:51 PM
DEPUTY Bonnie Oberbillig
Simplifile Electronic Recording
RECORDED-REQUEST OF
PIONEER TITLE COMPANY OF ADA C 113017474

File No. 520654 CB/sb

WARRANTY DEED

For Value Received

Von L. Hansen and Julia A. Hansen husband and wife

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

[Signature]

The Stephen K. Ford Revocable Family Trust

hereinafter referred to as Grantee, whose current address is 3398 Fieno Eagle, ID 83616

The following described premises, to-wit:

Lot 4, Block 1, Applecreek Subdivision, according to the plat thereof, filed in Book 86 of Plats at page(s) 9791-9792, records of Ada County, Idaho.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: February 8, 2013

[Signature: Von L. Hansen]
Von L. Hansen

[Signature: Julia A. Hansen]
Julia A. Hansen

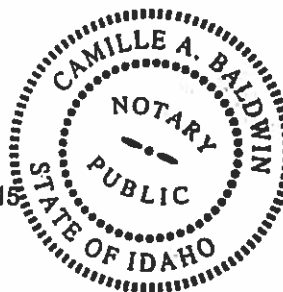
State of Idaho, County of Ada

On this 15th day of February in the year of 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared Von L. Hansen and Julia A. Hansen known or identified to me to be the person/persons whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

[Signature: Camille A. Baldwin]

Residing at: Middleton, ID
Commission Expires: 7-21-2015

Commission Expires: July 21, 2015
Residing in Middleton, ID



Attachment 2A: ownership Documentation (cont.)

80648

ATTACHMENT 9
CONTRACT AND MASTER PLAN

AFFIDAVIT

LOST PURCHASE & SALE AGREEMENT

I, Tucker M. Johnson and Denise R. Johnson, husband and wife currently residing at 1159 W. Applecreek Ct., Eagle, Idaho 83616, and the owners and officers of Tandem Enterprises, LLP do hereby acknowledge and affirm that the attached Exhibit A is a true representative copy of the Reservation/Purchase Agreement we signed in 2008 with VAN AND JULIA HANSEN (original buyer) for Lot 4 Block 1 Applecreek Subdivision in Ada County Idaho, and particularly that the Purchase Contract included 3.50 acres of ground water right 63-31495.


Tucker M. Johnson


Denise R. Johnson

STATE OF IDAHO)
COUNTY OF ADA)

On this the 13th day of March, 2015, before me the undersigned, a notary public in and for said State, personally appeared Tucker M. Johnson and Denise R. Johnson, known to me or proved to me to be the person whose name is subscribed to the within instrument and acknowledge to me that he 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: Ada County
My Commission expires: 11-22-19

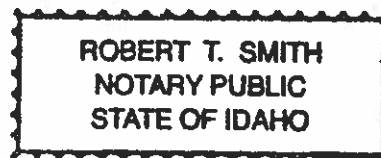


Exhibit A

APPLECREEK SUBDIVISION
RESERVATION/PURCHASE AGREEMENT
(Buyer's Option)

THIS AGREEMENT, made and entered into this 15TH day of MARCH, 2003, by and between TANDEM ENTERPRISES, L.L.P. as Seller and LAVAR W. AND KIMBERLY A. KOFOED as Buyer, wherein Buyer does hereby purchase from Seller the optional right to purchase the following described property located in Ada County, State of Idaho, to LOT 10 BLOCK 1 of APPLECREEK SUBDIVISION as shown on attached preliminary plat (lot numbers subject to change), including 3.5 acres of ground water rights.

TERMS: Seller does hereby agree to sell said property to Buyer for the sum of \$2,000.00 dollars, lawful money of the United States, provided said amount is fully paid to Seller on or before 5 o'clock p.m., November 1, 2003 (Expiration of Buyer's Option). As consideration for this continuing offer to sell said property, Buyer agrees to pay to the Seller the sum of two thousand (\$2,000.00) non-refundable reservation/option money which shall be credited toward Buyer's closing cost. In the event the full purchase price is not fully paid on or before said expiration date, Seller shall retain said option purchase money payments and any interest payments (as outlined hereafter) and may convey said property to others without regard to this agreement or payments made hereunder and Buyer shall have no claim to said property, option purchase money payments, or interest payments. Seller may grant, at Seller's sole discretion, a written extension of this Purchase Agreement to the Buyer providing that Buyer presents evidence satisfactory to the Seller of progress toward closing the purchase. Seller may require Buyer to deposit additional option purchase money as consideration for granting an extension and/or pay interest in advance and/or at closing at the rate of one percent (1%) per month on the unpaid balance for the extension period, which interest shall not apply to the purchase price.

The following additional terms and conditions shall apply:

- 1) Lot to be closed prior to commencing construction thereon. If Buyer commences construction prior to closing, Buyer does hereby indemnify Seller from any and all claims of injury related to Buyer's construction activities.
- 2) Buyer acknowledges receipt of a draft-summary copy of the Covenants, Conditions, and Restrictions (CC&R's) for said subdivision and understands that the official full recorded version of the CC&R's will be binding upon Buyer upon closing. Prior to closing, Seller shall present to Buyer the recorded copy of the CC&R's, which shall closely follow the draft-summary.
- 3) Buyer agrees to submit plans and specifications to the Architectural Control Committee of the subdivision and receive written plan approval prior to start of construction.
- 4) Buyer shall contact Louis Wilson at 377-4104 for closing document.
- 5) Builder shall verify boundary and measurements before starting construction. Seller will not be responsible for damages resulting from Buyer's failure to do so.
- 6) Buyer shall pay all utility hook-up fees.
- 7) Buyer shall be responsible for coordinating the location of his well and septic drain field with the Central District Health Department and Buyer's well driller.
- 8) Damage to streets, curbs, borrow ditches, piping, fences, utility facilities or other improvements shall be the responsibility of the Buyer if occurring after the date of possession or date of conveyance or buyer's start of construction, whichever date shall first occur.
- 9) Buyer to ensure that all construction activity on said lot complies with all EPA standards (e.g., no mud on roadway, dust, etc.) and in addition, Buyer to keep job site in a clean and orderly manner and contain all construction debris on the job site.
- 10) It is understood and agreed that Seller will not be required to furnish Title Insurance to Buyer but Seller warrants merchantable title, subject to easements, restrictions, and covenants of record and as shown on the official plat of the subdivision. Should Buyer desire Title Insurance, Buyer is to obtain such from a local Title Company at Buyer's expense.
- 11) Tax assessments shall be pro-rated as of possession date.
- 12) Any HOA assessment (not to exceed \$100) shall be collected at closing and shall not be prorated.
- 13) If legal action is to be instituted to enforce this agreement, the prevailing party shall be entitled to reasonable attorney fees.
- 14) This agreement shall be binding on the executors, heirs, administrators, personal representatives, successors, and assigns of the respective parties hereto, time being of the essence. There are no verbal agreements modifying this agreement.
- 15) This option is not transferable without the prior written consent of the Seller.
- 16) An additional \$1,500.00 pathway fee will be added to the final closing price if the majority of Buyers desire the Seller to install a pathway system.

Seller: TANDEM ENTERPRISES, L.L.P.

By: [Signature]

Buyer:

By: [Signature]

Attachment 9: contract + master plan

80648

MASTER WATER TRANSFER PLAN 2003

WATER TRANSFERS-2

APPLECREEK SUBDIVISION

W. HOMER RD

3.5 Acres
Irr. Water

3.0 Acres
Irr. Water

3.5 Acres
Irr. Water

3.5 Acres
Irr. Water

3.5 Acres
Irr. Water

3.5 Acres
Irr. Water

3.5 Acres
Irr. Water

9.0 Acres
Irr. Water

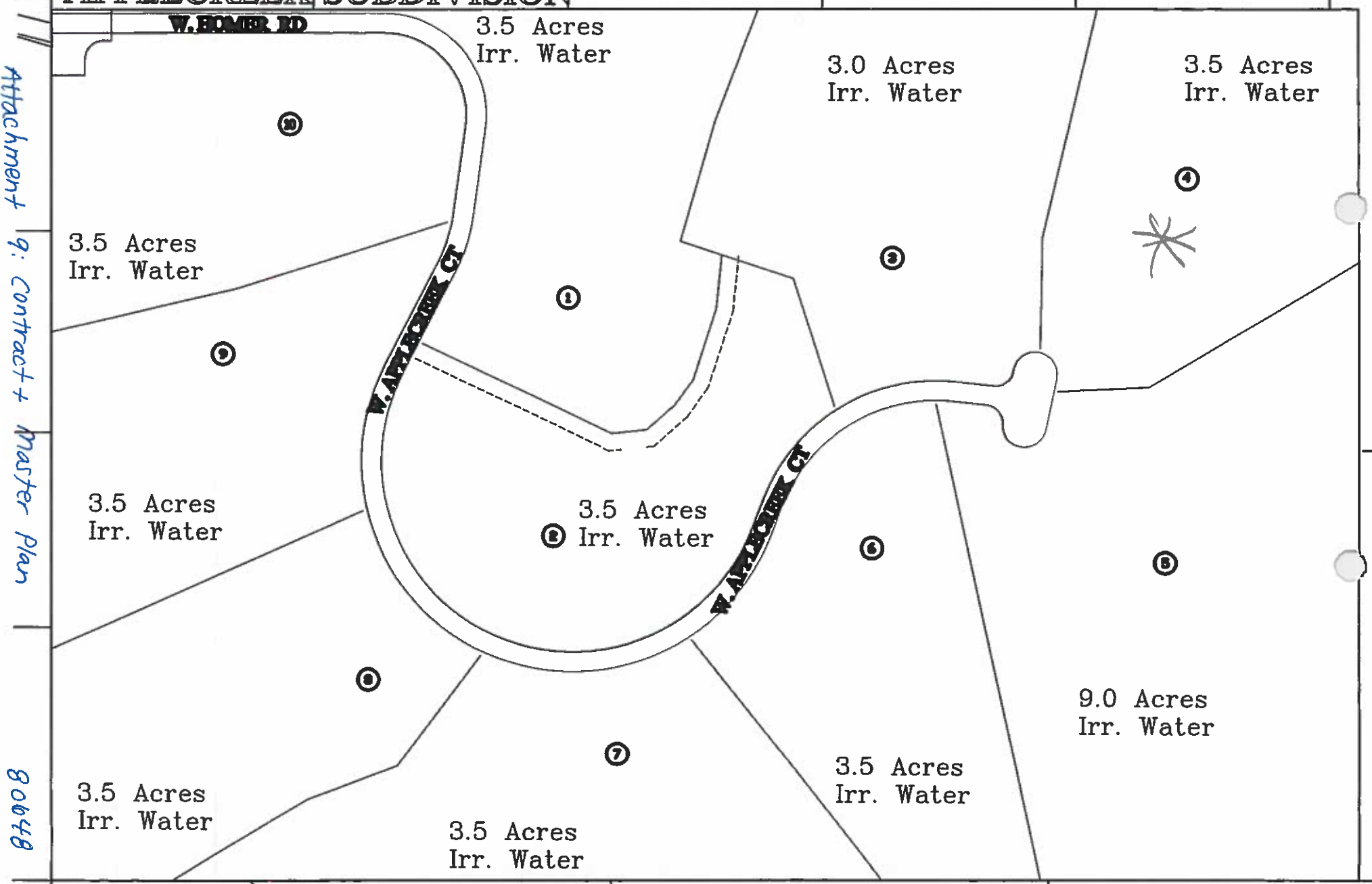
3.5 Acres
Irr. Water

3.5 Acres
Irr. Water

AC_MASTER_d4-17 WOLIN APPROVED

Attachment 9: Contract + Master Plan

80648



520654/CB

(Space Above For Recorder's Use)

WATER RIGHT GENERAL WARRANTY DEED

FOR VALUE RECEIVED, TUCKER M. JOHNSON and DENISE R. JOHNSON, husband and wife ("Grantors"), do hereby grant, bargain, sell, and convey unto STEPHEN K. FORD, AS TRUSTEE FOR THE STEPHEN K. FORD REVOCABLE TRUST U/T/A DECEMBER 17, 2008 ("Grantee"), whose address for the purposes of this instrument is 3398 W. Fieno Dr., Eagle, ID 83616, and to Grantee's heirs, successors and assigns forever, a 3.5/40th (8.75%) share of that certain water right 63-31495 ("Water Right") for use within the following described lands, as more fully described below:

Lot 4, Block 1, Applecreek Subdivision, according to the official plat thereof filed in Book 86 of Plats at Pages 9791 and 9792, records of Ada County, Idaho, consisting of 5.23 acres, more or less.

The 3.5/40th share of the Water Right conveyed by this instrument includes the right to irrigate up to 3.5 acres within a 5.23-acre permissible place of use, diverted at a rate of up to 0.056875 cubic feet per second and 15.75 acre-feet per year.

Grantors do hereby covenant to Grantee that Grantors abandon for themselves, their heirs, successors and assigns any right to diversion or beneficial use of the Water Right on the above-described lands, that Grantors are the owners in fee simple of said Water Right, that said Water Right is appurtenant to the above-described property and is free from all liens, claims or encumbrances, including those of the Grantors and that Grantors will warrant and defend the same from all lawful claims whatsoever.

[Signature Page Follows]

IN WITNESS WHEREOF, the undersigned Grantors have caused their names to be hereunto subscribed this 14th day of February, 2013.

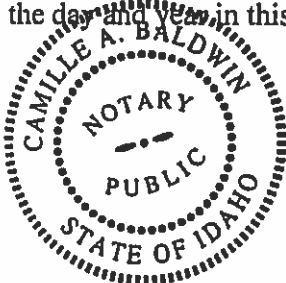
Tucker M. Johnson
Tucker M. Johnson

Denise R. Johnson
Denise R. Johnson

STATE OF IDAHO)
County of Ada) ss.

On this 14th day of February 2013, before me Camille A. Baldwin personally appeared TUCKER M. JOHNSON, known or identified to me (or proved to me on the oath of Denise R. Johnson), to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.



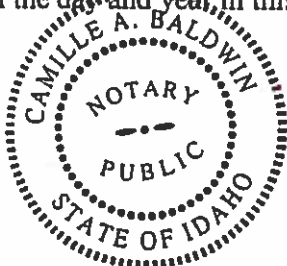
Camille A. Baldwin
NOTARY PUBLIC FOR IDAHO
Residing at Middleton, ID
My Commission Expires 7-21-2015

Commission Expires: July 21, 2015
Residing in Middleton, ID

STATE OF IDAHO)
County of Ada) ss.

On this 14th day of February 2013, before me Camille A. Baldwin personally appeared DENISE R. JOHNSON, known or identified to me (or proved to me on the oath of Denise R. Johnson), to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

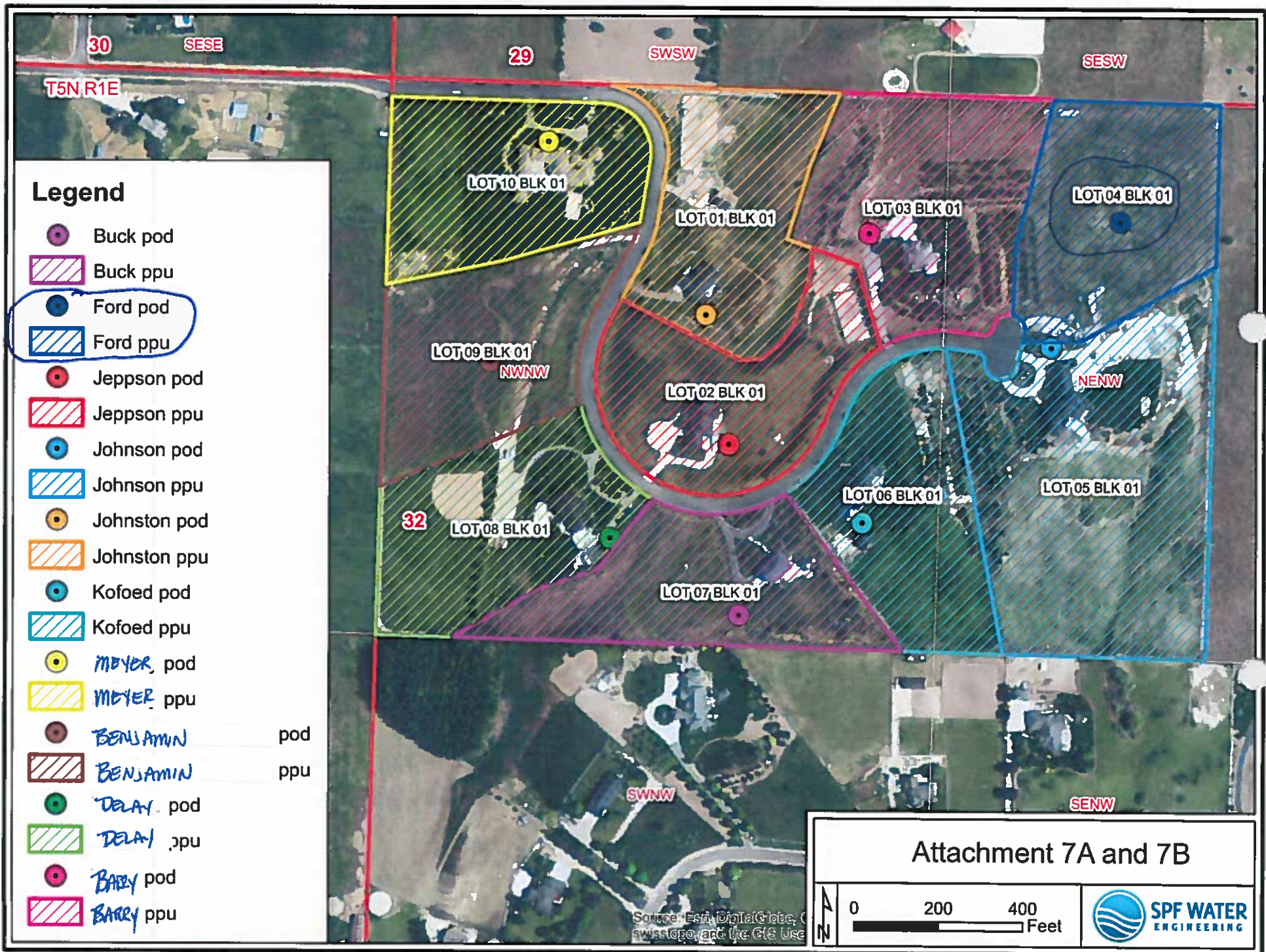
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Camille A. Baldwin
NOTARY PUBLIC FOR IDAHO
Residing at Middleton, ID
My Commission Expires 7-21-2015

Commission Expires: July 21, 2015
Residing in Middleton, ID

80640



2011 Photo

Attachment 7A and 7B

0 200 400 Feet

 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 • Web Site: www.idwr.idaho.gov

October 6, 2016

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

STEPHEN K FORD REVOCABLE TRUST
3398 W FIENO DR
EAGLE ID 83616

Re: Transfer No: 80648
Water Right No(s): 63-31495

Transfer Approval Notice

Dear Water Right Holder <and other Interested Persons>:

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

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208)334-2190.

Sincerely,

 Rachel Neely for:

Nick Miller

Western Regional Manager

Enclosure

CC:

TUCKER M JOHNSON
372 S EAGLE RD STE 328
EAGLE ID 83616

CERTIFICATE OF SERVICE

I hereby certify that on October 6, 2016 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

**Re: Transfer No.: 80648
Water Right No(s): 63-31495**

**STEPHEN K FORD REVOCABLE TRUST
3398 W FIENO DR
EAGLE ID 83616**

**TUCKER M JOHNSON
372 S EAGLE RD STE 328
EAGLE ID 83616**



**Rachel Neely
Administrative Assistant**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

Date: October 6, 2016
To: Transfer 80648
From: Angie Grimm
Re: PODs within Bs 63 GW Restricted Area Injury Analysis

The existing point of diversion for the parent right (63-31495) is well with tag D0029562. The well log indicates the well is constructed to target water in the screened interval from 332 to 342 ft, but is only sealed to 20 ft. Based on the water bearing zones and the annular seal in place, it appears this well is capable of receiving water from water bearing zones between 160 ft to 342 ft. Therefore, the new well proposed for the changed portion of this right via Transfer 80648 maybe constructed with a water bearing zone above 200 ft based on historic use without additional injury to the Boise River. No water bearing zone or related conditions will be included in the draft approval of Transfer 80648, because water may be taken from the shallow or deep zone.

IDAHO DEPARTMENT OF WATER RESOURCES WELL DRILLER'S REPORT

804342

Office Use Only
Inspected by _____
Twp. _____ Rge. _____ Sec. _____
1/4 1/4 1/4
Lat. _____ Long. _____

1. DRILLING PERMIT NO. 0-0-2-9562 - _____

Other IDWR No. _____

2. OWNER:

Name Tucker Johnson(Tandem Enterprises)

Address 10464 W. Garverdale Ct. Ste 210

City Boise State ID Zip 83704

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location

N

W		Twp. <u>5</u> North ☒ or South ☐
		Rge. <u>1</u> East ☒ or West ☐
		Sec. <u>32</u> 1/4 NE 1/4 NW 1/4 10 acres 40 acres 160 acres

Gov't lot _____ County Ada

Lat. _____ Long. _____

Address of Well Site East on Homer approx .5 miles
past Ballantyne City Eagle

(Give at least name of road + Distance to Road or Landmark)

Lt. _____ Blk. _____ Sub. Name _____

4. USE:

- ☐ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK		AMOUNT		METHOD
Material	From	To	Sacks or Pounds	
Bentonite	0	20	850Lbs	Dry Pour

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 332ft

Was drive shoe seal tested? ☐ Y ☒ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
8"	+2	332	.250	Steel	☒	☐	☒	☐
6"	326	327	.250	Steel	☒	☐	☒	☐
5"	327	332	.188	Steel	☒	☐	☒	☐

Length of Headpipe 6ft Length of Tailpipe _____

9. PERFORATIONS/SCREENS

☐ Perforations Method _____
☒ Screens Screen Type johnson

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
332	342	.025	---	5"	SS	☐	☒
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

130ft. below ground Artesian Pressure _____ lb
Depth flow encountered _____ ft. Describe access port or control devices: _____

11. WELL TESTS:

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal/min.	Drawdown	Pumping Level	Time
100+GPM	---	332ft	2hours

Water Temp. 57DegF Bottom hole temp. _____

Water Quality test or comments: _____

Depth first Water Encountered 160ft

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Water				Y	N
Bore Dia	From	To	Remarks: Lithology, Water Quality & Temp.		
12"	0	3	Top Soil	☐	☒
"	3	6	Brown Clay	☐	☒
"	6	20	Coarse Sand	☐	☒
8"	20	32	Coarse Sand	☐	☒
"	32	45	Sandy Clay	☐	☒
"	45	55	Sand	☐	☒
"	55	62	Tan Clay	☐	☒
"	62	89	Sand	☐	☒
"	89	97	Sandy Clay	☐	☒
"	97	114	Sand	☐	☒
"	114	117	Tan Clay	☐	☒
"	117	136	Gravel and Sand	☐	☒
"	136	160	Sandy Clay	☐	☒
"	160	197	Coarse Sand	☒	☐
"	197	216	Sandy Clay	☒	☐
"	216	236	Coarse Sand	☒	☐
"	236	270	Sandy Clay	☐	☒
"	270	283	Sand	☒	☐
"	283	285	Sandy Clay	☐	☒
"	285	292	Sand	☒	☐
"	292	293	Sandy Clay	☐	☒
"	293	326	Coarse Sand	☒	☐
"	326	332	Tan Clay	☐	☒
"	332	342	Sand	☒	☐

RECEIVED

JUN 30 2003

WATER RESOURCES

Completed Depth: 342 (Measurable)

Date: Started 6-23-03 Completed 6-25-03

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name COONSE WELL DRILLING Firm No. 409

Firm Official Ray E. Coonse Date 6-26-03

Supervisor or Operator _____ Date 6-26-03

(Sign once if Firm Official & Operator)

Date: 6/26/03 Time: 11:36 AM

MEMORANDUM

TO: Transfer No. 80648
FROM: D. Merriman
DATE: July 27, 2016
RE: Evaluation of Application

The transfer proposes splitting water right 63-31495 and adding a new point of diversion to the split portion.

The site is at the northern most point of Eagle Road in Eagle Idaho in the Applecreek Subdivision.

Contact person for the applicant is Tucker Johnson at 372 S Eagle Rd Suite 328, Eagle ID 83616.

Summary of Information Submitted

Authority to File: The Application for Transfer of Water Right was submitted and signed by Stephen K. Ford, who is the trustee for the Stephen K. Ford Revocable Trust which owns the land at the POU. Based on warranty deed and sales agreements submitted as attachments to the application, the Trust also owns 3.5 acres of irrigation within water right 63-31495.

Water Right Validity: The water right was decreed on January 14, 2009. Department standards on determining forfeiture state that forfeiture will not be found if use is resumed by the end of the sixth year following the decree. Based on aerial photography and infrared imagery, the use was certainly resumed in 2011, before the deadline.

Injury to Other Water Rights: Transfer proposes to change the point of diversion to a different, private well within the same quarter-quarter of the current well being used. Changes to water supply will not occur and injury to other water rights is not apparent.

Enlargement of Use: Transfer proposes split 3.5 acres within a 5.2 PPU from a right with 40 acres authorized within 60 acres. This would be .06 cfs and 15.8 AF. It also proposes to drill a private well that is separate from the subdivision irrigation system. No enlargement is anticipated as a result of the proposed changes.

Local Public Interest: Review staff has no information to suggest this application is inconsistent with the local public interest.

Beneficial Use/Conservation of Water Resources: The application proposes beneficial use consistent with conservation of water resources in Idaho.

The application is consistent with criteria of I. C. § 42-222 and should be processed.

Discussion

The transfer would result in the split of 63-31495 and the creation of new water right 63-34214.

There are no direct overlapping rights at the POU for 63-34124, but land is within Capitol View Irrigation Inc boundary.

At the end of processing, it was determined that the Stephen K Ford Revocable Trust no longer owns the land at POU proposed to be split in the transfer. A letter was sent to the applicant's address requesting the complete fee for the split, but the letter was returned as undeliverable. On July 12, 2016, a phone conversation was had with Tucker Johnson, the representative for the transfer. He confirmed that the land is now owned by someone new, but did not know who. Mr. Tucker submitted the requested fee to continue processing the application. The transfer would be approved in the name of the Stephen K Ford Revocable Trust because they were confirmed to have the authority to file at the time the transfer was submitted. A copy of the approval document should be sent to Mr. Tucker and the new land owners may file a notice of change in water right ownership to have the split right put into their name.

Summary

Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.

Transfer Application 801,48
Re: Letter mailed on 5-11-16,
needs additional fee

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
2735 Airport Way
Boise, Idaho 83705-5082

Return Service Requested

PRESORTED
FIRST CLASS



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STEPHEN K FORD REVOCABLE TRUST
C/O STEPHEN K FORD
3398 W FIENO DR
BOISE, ID 83616

MAY 23 2016
WATER RESOURCES
WESTERN REGION

841 NFE 130051510005/20/16
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EAGLE ID 83616-2940
RETURN TO SENDER





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

May 17, 2016

COPY

STEPHEN K FORD REVOCABLE TRUST
C/O STEPHEN K FORD
3398 W FIENO DR
BOISE, ID 83616

Re: Water Transfer Application

Dear Mr. Ford,

This office has received your application for transfer and is nearly done with processing. Additional information is needed regarding the submitted fee associated with the water right transfer and change of water right ownership.

\$250 was submitted to the Department on January 26, 2016. Your transfer proposes moving 16 AF of water, which requires a \$200 fee. Your transfer also proposes to split water right 63-31495 and put the split portion in the name of the Stephen K Ford Revocable Trust. This split and ownership change requires a \$100 fee.

Please send the additional \$50 needed to change the ownership on the split part of the water right. I will enclose the permit fee list to show how we determine the required fees. Please consult the IDWR website or contact this office at 208-334-2190 if you have any questions about the fee.

Please submit the requested fee for the application to be processed within the next thirty (30) days. You may seek additional time to provide the fee by making a written request to interrupt processing for up to six months. IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Thank you for your attention to this matter.

Sincerely,

Danie Merriman
Water Resource Agent
IDWR, Western Region

Enclosure: Fee Schedule

CC: Tucker Johnson

Application for Transfer or Exchange Fee Schedule

See § 42-221 O, Idaho Code

The fee for an application for transfer is based on the quantity of water being transferred, not necessarily on the amount of the entire right. See Transfer Processing Memo No. 23.

(CFS = cubic feet per second; AF = Acre-feet per year)

CFS	AF	FEE	CFS	AF	FEE
0.00 - 0.20	0 - 20	\$200.00	11.01 - 12.00	1,101 - 1,200	\$1,380.00
0.21 - 1.00	21 - 100	\$500.00	12.01 - 13.00	1,201 - 1,300	\$1,460.00
1.01 - 2.00	101 - 200	\$580.00	13.01 - 14.00	1,301 - 1,400	\$1,540.00
2.01 - 3.00	201 - 300	\$660.00	14.01 - 15.00	1,401 - 1,500	\$1,620.00
3.01 - 4.00	301 - 400	\$740.00	15.01 - 16.00	1,501 - 1,600	\$1,700.00
4.01 - 5.00	401 - 500	\$820.00	16.01 - 17.00	1,601 - 1,700	\$1,780.00
5.01 - 6.00	501 - 600	\$900.00	17.01 - 18.00	1,701 - 1,800	\$1,860.00
6.01 - 7.00	601 - 700	\$980.00	18.01 - 19.00	1,801 - 1,900	\$1,940.00
7.01 - 8.00	701 - 800	\$1,060.00	19.01 - 20.00	1,901 - 2,000	\$2,020.00
8.01 - 9.00	801 - 900	\$1,140.00	20.01 - 100.00	2,001 - 10,000	*
9.01 - 10.00	901 - 1,000	\$1,220.00	101.01 - 500.00	10,001 - 50,000	**
10.01 - 11.00	1,001 - 1,100	\$1,300.00	500.01 & over	50,001 & over	***

For an application including a change in nature of use of water under one (1) or more right(s):
Additional fee of \$250 per application.

For any application including a change in ownership of water right(s) as required per § 42-248, Idaho Code:

Additional fee of \$25.00 per undivided right requiring an ownership change and/or

Additional fee of \$100.00 per divided right requiring an ownership change.

* \$2,020.00 plus \$40.00 for each additional 1.0 cfs or part thereof or 100 acre-feet or part thereof over the first 20.0 cfs or 2,000 acre-feet.

** \$5,220.00 plus \$20.00 for each additional 1.0 cfs or part thereof or 100 acre-feet or part thereof over the first 100.0 cfs or 10,000 acre-feet.

*** \$13,220.00 plus \$4.00 for each additional 1.0 cfs or part thereof or 100 acre-feet or part thereof over the first 500.0 cfs or 50,000 acre-feet.