

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79732

This is to certify that: HAMLING FRANCES REVOCABLE 2001 TRUST
C/O KAY F HOUSE
7869 S POWERLINE RD
NAMPA, ID 83686

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>
63-2724B	WR/DECREED	10/12/1948	0.680 cfs	352.8 af	N/A	79.5	GROUND WATER

Purpose of Transfer (Changes Proposed)

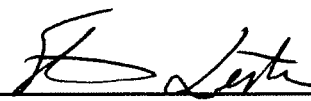
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-2724B	YES	YES	NO	NO	NO	NO

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>
63-2724B	63-34024	0.020 cfs	9.8 af	N/A	2.2	63-2724B	0.660 cfs	336.9 af	N/A	75.7
COMBINED TOTALS		0.020 cfs	9.8 af	0.0	2.2		N/A	N/A	N/A	N/A

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

Dated this 3rd day of FEBRUARY, 2015.


Steve Lester, Interim Western Region Manager

SUPPORT DATA

IN FILE # 63-2724B

SCANNED

FEB 06 2015

Transfer No. 79732

WATER RIGHT NO. 63-2724B

As Modified by Transfer No. 79732

In accordance with the approval of Transfer No. 79732, Water Right No. 63-2724B is now described as follows:

Right Holder: AGENBROAD NAMPA LTD PARTNERSHIP
PO BOX 455
GRAND VIEW, ID 83624

Priority Date: 10/12/1948

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/01	to 11/15	0.660 cfs	336.9 af
			0.660 cfs	336.9 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNE Sec 27 Twp 02N Rge 02W CANYON 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	
02N	02W	22												27.0			17.6	31.1	75.7

POU Total Acres: 75.7

CONDITIONS OF APPROVAL

1. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
2. All parts of original licensed Rights 63-2724 and 63-7610 when combined shall not exceed a total diversion rate of 3.90 cfs.

WATER RIGHT NO. 63-34024
As Modified by Transfer No. 79732

In accordance with the approval of Transfer No. 79732, Water Right No. 63-34024 is now described as follows:

Right Holder: HAMLING FRANCES REVOCABLE 2001 TRUST
C/O KAY F HOUSE
7869 S POWERLINE RD
NAMPA, ID 83686

Priority Date: 10/12/1948

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/01	to 11/15	0.020 cfs	9.8 af
			0.020 cfs	9.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESE Sec 22 Twp 02N Rge 02W CANYON 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	
02N	02W	22																2.2	2.2

POU Total Acres: 2.2

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. 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.
5. All parts of original licensed Rights 63-2724 and 63-7610 when combined shall not exceed a total diversion rate of 3.90 cfs.

Transfer No. 79732

WATER RIGHT NO. 63-34024
As Modified by Transfer No. 79732

CONDITIONS OF APPROVAL

6. Point of diversion and place of use are located within Lot 21, Blk. 1; Star Pass Ridge Subdivision.





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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 5, 2015

HAMLING FRANCES REVOCABLE 2001 TRUST
C/O KAY F HOUSE
7869 S POWERLINE RD
NAMPA ID 83686

Re: Transfer No. 79732
Water Right No. 63-2724B

Transfer Approval Notice

Dear Water Right Holders:

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.

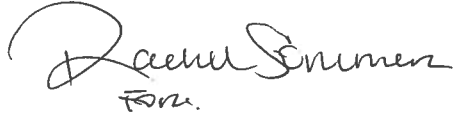
ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and 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,

A handwritten signature in cursive script, appearing to read "Steve Lester". Below the signature, the word "For." is written in a smaller, less legible script.

Steve Lester

Interim Western Region Manager

Enclosures

CERTIFICATE OF SERVICE

I hereby certify that on February 5, 2015 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

**Re: Transfer No. 79732
Water Right No. 63-2724B**

**HAMLING FRANCES REVOCABLE 2001 TRUST
C/O KAY F HOUSE
7869 S POWERLINE RD
NAMPA ID 83686**

**SPF WATER ENGINEERING LLC
C/O LORI GRAVES
300 E MALLARD DR STE 350
BOISE ID 83706**



**Rachel Sommer
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.

RECEIVED

DEC 11 2014

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 79732

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) Hamling Frances Revocable 2001 TrustCheck 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: _____

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DEC 11 2014

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1WATER RESOURCES
WESTERN REGIONName of Applicant(s) Hamling Frances Revocable 2001 Trust Phone 208-463-8755Mailing address c/o Kay F. Housh, 7869 S. Powerlin Rd., Nampa, ID 83686 Email _____

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

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

☐ No RepresentativeName of Representative SPF Water Engineering Phone 208-383-4140Mailing address 300 E. Mallard Dr., Ste. 350, Boise, ID 83706 Email lgraves@spfwater.com

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

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

Kay Frances Housh trustee / POA 12-3-14
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. 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**.
- 1) Split water right to reflect portion appurtenant to applicant's property aka Lot 21, Block 1, Star Pass Ridge
Subdivision; 2) consolidate appurtenant ground water to total landscape area within Lot 21; and 3) change authorized
point of diversion to applicant's private well.

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.

I.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	63-2724b	0.019/9.8	Irrigation	3/1 to 11/15	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.69 cfs and/or 358.1 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.019 cubic feet per second and/or 9.8 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 #
N			SE	SE	22	2N	2W	Canyon	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	
2N	2W	22																2.2	2.2
Total Acres (for irrigation use)																			2.2

1.5 acres irrigation within a 2.2-acre permissible place of use

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Existing well, pump and pressurized irrigation system. Measuring device and lockable controlling works will be accommodated upon Department's 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:

Water appurtenant to the 2.2-acre lot will be consolidated to 1.5 acres of landscape area.

- 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:

Star Pass Ridge HOA has an easement to irrigate the remainder of Lot 21 as proposed on a transfer application the HOA previously filed for their portion of water right 63-2724b.

- 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:

The partial decree for water right 63-2724b was issued 2/6/2009.

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

Basis: Decreed

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.76 CFS	391.6 AF
	Total Diversion	0.76 CFS	391.6 AF

Location of Point(s) of Diversion

GROUND WATER NW1/4NE1/4 Sec. 27, Twp 02N, Rge 02W B.M.
CANYON County

Place of Use

IRRIGATION Within CANYON County

T02N R02W S22	SESW	27.00	T02N R02W S22	SWSE	23.00
T02N R02W S22	SESE	38.00			

Total Acres: 88

Conditions of Approval:

1. X35 All parts of original licensed Rights 63-2724 and 63-7610 when combined shall not exceed a total diversion rate of 3.90 cfs.
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.

Decreed Date: 2/6/2009

200th xfer
100th ownership

2008010280

RECORDED

2008 FEB 26 PM 3 28

WILLIAM L. HART
CANYON COUNTY RECORDER
BY *William L. Hart*
REQUESTED BY *Hamilton Hambling*
TYPE *DM* FEB *6*

WARRANTY DEED

FRANCES HAMLING, a single woman, GRANTOR, of Nampa, Canyon County, Idaho, hereby CONVEYS, GRANTS and WARRANTS to FRANCES HAMLING and KAY FRANCES HOUSH, or their successors, as Trustees of THE FRANCES HAMLING REVOCABLE 2001 TRUST, dated September 7, 2001, as reformed and restated on February 19, 2008, GRANTEE, whose current address is 8059 Star Pass Ridge, Nampa, Canyon County, Idaho 83686, for the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable considerations, the following described tract of land in Canyon County, Idaho:

Lot 21 in Block 1 of STAR PASS RIDGE SUBDIVISION, according to the official plat thereof, filed in Book 35 of Plats at Page 29, official records of Canyon County, Idaho.

Location of above described property: 8059 Star Pass Ridge
Nampa, ID 83686

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. The said Grantor does hereby covenant to and with the said Grantee, that she is the owner in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 2008 and subsequent years, covenants, conditions, restrictions and easements of record; and that she will warrant and defend the same from all lawful claims whatsoever.

WITNESS the hand of said Grantor this 19th day of February, 2008.

2008-010280

Frances Hambling
FRANCES HAMLING
--Grantor--

STATE OF IDAHO)
)ss.
County of Canyon)

On this 19th day of February, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared FRANCES HAMLING, known to me to be the person whose name is subscribed to the within and foregoing 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.

(SEAL)



Teresa W. Stovak
NOTARY PUBLIC FOR IDAHO
Residence: Yamona Idaho
My Commission Expires: 9-25-2013

2008-010280



Canyon County, Assessor
Gene Kuehn, Assessor

Site Provided by...
governmentmax.com 111

Parcel

Parcel Number
1 of 1

Property Info
Parcel
Print View

Parcel Number 29681120 0
Site Address 8059 STAR PASS RIDGE RD NA ID, NA

Current Total Assessed Value
\$578,100

Searches
Address
Parcel Number
Sales Search

Owner Information
Owner Name HAMLING FRANCES REVOCABLE 2001 TRUST
Mailing Address 8059 STAR PASS RDG
Nampa ID 83686
Transfer Date 02/26/2008
Document # 2008010280
Deed Book/Page

Functions
Welcome Page
Login / Logout
Property Search
Mapping →
Help
Contact Us
Subscriptions

Location / Description
Tax District 016-00
Canyon County 001,
Parcel Address 8059 STAR PASS RIDGE RD NA ID, NA
Deeded Acreage 2.2000
Section & Plat
Routing #
Legal Desc. 22-2N-2W SE STAR PASS RIDGE SUB LT 21 BLK 1

Parcel Type		Topography		Services	
Property Class Code	515 Rural resid subdivisions	Level Ground	N	Water	
Neighborhood Code	300000	High	N	Sewer	
Neighborhood Factor	.00	Low	N	Natural Gas	
Street / Road Code	A	Rolling	N	Electricity	N
		Swampy	N	Sidewalk	
				Alley	N

Assessment Information			
Current Land Value	\$70,800	Residential Land	\$0 Adjustment Factor
Current Imp. Value	\$507,300	Residential Imp.	\$0 Average Value / Acre
Current Total Assessed Value	\$578,100	Residential Total	\$0 Appraisal Date 10/23/2013
Commercial Land	\$6,000	Non-Res Land	\$0 Reason For Change 03
Commercial Imp.	\$0	Non-Res Imp.	\$0 Prior Land Value \$102,000
Commercial Total	\$6,000	Non-Res Total	\$0 Prior Imp. Value \$507,300
Dwelling Value	\$500,400	Classified Land Value	\$0
Farmland Value	\$0	Homesite Value	\$0

(THIS INFORMATION IS FOR REFERENCE USE OF CANYON COUNTY ONLY)

DURABLE POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that I, FRANCES HAMLING, of Nampa, Canyon County, Idaho, do hereby make, constitute and appoint my daughter, KAY FRANCES HOUSH of Nampa, Canyon County, Idaho, my true and lawful attorney in fact. If KAY FRANCES HOUSH is unable or unwilling to act, I appoint my daughter, CAROL A. ABY of LaMesa, San Diego County, California to act as my true and lawful attorney in fact. My attorney in fact shall have the following powers, rights and duties:

1. To take possession of, manage, administer, operate, maintain, improve and control all my property, real and personal, to insure and keep the same insured and to pay any and all taxes, charges and assessments that may be levied or imposed upon any thereof;
2. To collect and receive any money, property, debts or claims whatsoever, as are now or shall hereafter become due, owing and payable or belonging to me and to give receipts, acquittances or other sufficient discharge for any of the same;
3. To make expenditures for my care, maintenance, support and general welfare;
4. To make investments and changes of investments in income-bearing securities, including common and preferred stocks of corporations, bonds (including, but not limited to, United States Treasury Bonds redeemable in payment of federal estate tax), or other property, real or personal, as my said attorney may deem prudent;
5. To pay my debts and other obligations, to sue upon, defend, compromise, submit to arbitration or adjust any controversies in which I may be interested, and to act in my name in any complaints, proceedings or suits with all the powers I would possess if personally present and under no legal disability.
6. To bargain for, buy and deal in property and goods of every description;
7. To grant, sell, mortgage, pledge, consign, lease, hypothecate and in any and every manner deal in and with my property, both real and personal;
8. To advance funds on my behalf and to borrow any sums of money on such terms and at such rate of interest as to my said attorney may seem proper and to give security for the repayment of the same;
9. To make and deliver any conveyances, contracts, covenants and other instruments, undertaking or agreements, either orally or in writing, of whatever kind and nature, which my said attorney shall deem to be for my best interests;

10. To sign, endorse, sell, discount, deliver, and/or deposit checks, drafts, notes and negotiable instruments and to accept drafts;

11. To appear and vote for me in person or as my proxy at any corporate or other meeting on my behalf as shareholder, officer or director;

12. To have access to any safety deposit box which has been rented in my name, or in the name of myself and any other person or persons;

13. To withdraw any monies deposited with any bank, money market fund, mutual savings bank or savings and loan association in my name or in the name of myself and any other person or persons and generally to do any business with any such financial institution on my behalf; and;

14. To sell, transfer, convey, pledge, encumber or assign all or any part of my interest in any stock, bond, mutual fund or any other security; and

15. To appoint and substitute for my said attorney any agents or attorneys for any or all of the purposes aforesaid, and their authority at pleasure to revoke.

16. To make gifts of real property and personal property, both tangible and intangible, to any person or persons, and charitable institutions as may have been qualified under the Internal Revenue Service Code as a charitable organization and, in the discretion of my attorney in fact, such gifts may reserve a life estate for and on my behalf.

In accordance with the provisions of Idaho Code § 15-5-503 (2), I hereby nominate my daughter, KAY FRANCES HOUSH, to act as the conservator of my estate and guardian of my person if protective proceedings are hereafter commenced. If KAY FRANCES HOUSH is unable or unwilling to act as the conservator of my estate and guardian of my person, then I hereby nominate my daughter, CAROL A. ABY, to so act.

I authorize said attorney for me and in my name generally to do and perform all and every act and thing whatsoever requisite and necessary to be done in the premises, to conduct, manage and control all my business and my property, wherever situated, as my said attorney may deem for my best interest, and to execute and acknowledge any and all instruments necessary or proper to carry out the foregoing powers.

I revoke any prior power of attorney, durable or otherwise, heretofore made by me.

This Power of Attorney shall not be affected by subsequent disability or incapacity of the principal.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the 25th day of February, 2008.

Frances Hamling
FRANCES HAMLING

STATE OF IDAHO)
) ss.
County of Canyon)

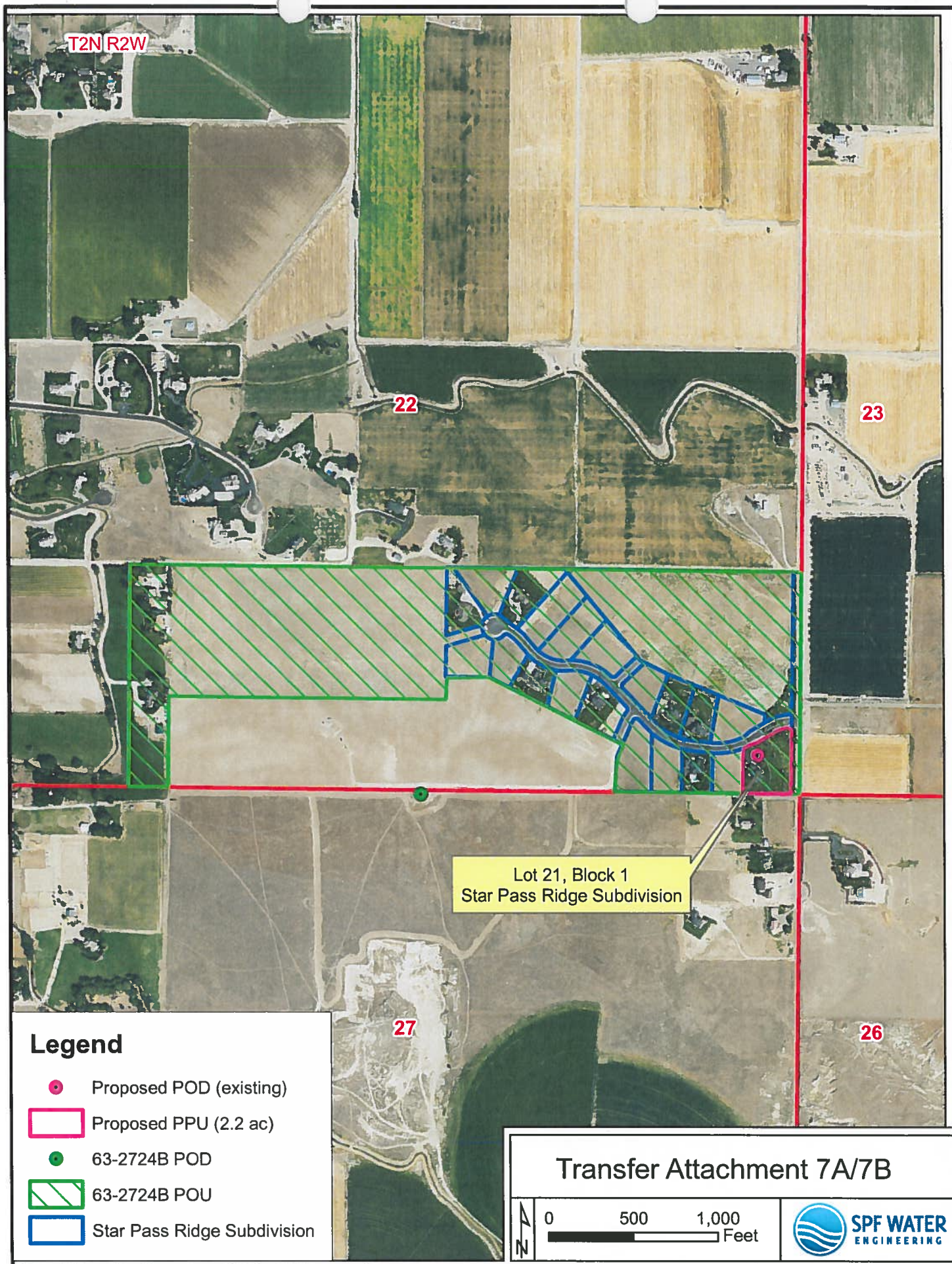
On this 25th day of February, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared FRANCES HAMLING, known to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that she executed the same.

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

Patricia A. Ellis
NOTARY PUBLIC FOR IDAHO
Residence: Caldwell, Id
My Commission Expires: 11/24/2011



*SEAL





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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 21, 2015

MICHAEL R SIEGERSMA
8332 STAR PASS RIDGE RD
NAMPA, ID 83686

Trans. #79414

ROBERT & BONNIE SIMONS
8207 STAR PASS RIDGE RD
NAMPA, ID 83686

Trans. #79730

1992 JOHNSON FAMILY TRUST
8355 STAR PASS RIDGE RD
NAMPA, ID 83686

Trans. #79731

HAMLING FRANCES REVOCABLE 2001 TRUST
C/O KAY F HOUSE
7869 S POWERLINE RD
NAMPA, ID 83686

Trans. #79732

Re: Applications for Transfer of Water Rights & Well Drilling Fee Upgrades

Dear Applicant:

Your recent applications for transfer of a water right propose ground water use from wells. According to the records of Idaho Department of Water Resources (IDWR), your well was drilled under a \$75 domestic well drilling permit. A \$75 drilling permit covers a well that does not require water right approval from IDWR (typically a single-family domestic well).

Proposed irrigation use from your well does require water right approval, and your transfer application seeks that approval. The well drilling fee for a well requiring a water right is \$200 instead of \$75. IDWR must collect the unpaid balance of \$125 for a well drilled under those circumstances.

Please remit \$125 to upgrade your well drilling permit within the next thirty days to facilitate processing of your application for transfer of water right. We will not need to advertise your application, therefore, once we receive the fee we can complete processing of the application.

Please contact me at 208-334-2190 if you have any questions. Thank you for your attention to this matter.

Sincerely,

SHARLA CURTIS

Sr. Water Resource Agent

pd 1/28/15
W042768
SC

SCANNED

FEB 06 2015

MEMORANDUM

To: Transfer Nos. 79413, 79414, 79694, 79730, 79731 & 79732

FROM: Sharla Curtis

DATE: December 26, 2014/January 20, 2015

RE: Evaluation of Applications

The transfers were filed to change the point of diversion from a well in Section 27 to individual wells drilled for the homes developed in Star Pass Ridge Subdivision, with the exception of Transfer 79413 which is to consolidate water on parts of two lots but using the original point of diversion. In some cases, SPF Engineering is shown to be the representative (shown in blue on the table below). Because these are just applications to change the points of diversion to individually owned wells, the transfers will not be advertised.

These 6 transfer applications are for rights that have been split from 63-2724B, either by previous ownership changes or through the transfer process. Right 63-2724B was decreed with a condition that limits all the rights split from 63-2724 when combined with all the rights split from 63-7610 to a total of 3.90 cfs. This condition has been maintained through all of the subsequent splits and will be retained as a condition of the transfer approvals.

Right 63-2724B was decreed for less than an inch to the acre. The total volume was also limited as a result. Therefore, all the splits were calculated using the same equation. In some cases, the result is slightly different than described by the representative on the transfer applications.

$$1.04 \text{ cfs}/120 \text{ ac} = .0087 \text{ cfs/ac}$$

$$534 \text{ AF}/120 \text{ ac} = 4.45 \text{ AF/ac}$$

Right 63-2724B was decreed for a total of 1.04 cfs, 534 af and 120 acres. The following table tracks the subsequent splits.

RIGHT #	CFS	VOL	ACRES	Transfer #
63-2724B	1.04	534.0	120	
63-33833	.28	142.4	32	
63-33998	.01	4.5	1	79731
63-33999	.01	4.5	1	79730
63-34000	.03	4.5 (12.4 af removed)	1 (2.8 ac removed)	79413
63-34001	.01	6.7	1.5	79414
63-34018	.01	7.1	1.6	79694
63-34019	.01	5.3	1.2	
63-34024	.02	9.8	2.2	79732
63-34026	.01	4.8	1.1	
63-2724B	.65	332.0	74.6	
TOTALS	1.04	521.6 + 12.4 removed = 534	117.2 + 2.8 removed = 120	

The wells to be used under these transfer approvals were drilled as domestic wells only. A letter will be sent to each of the applicants requesting the drilling permit upgrade fees and the applications will be held until such fees are paid.

Authority to File: The applicants are either the owners of record or have supplied documentation for change of ownership via the transfer process, therefore, they are authorized to file the transfers.

Water Right Validity: Right 63-2724B (the right from which all these transfer applications were split) was decreed in 2009. Transfer applications were filed just within the 5 year time frame after which the rights could be forfeited. Rights will be assumed valid and transfers can be approved.

Injury to Other Water Rights: None anticipated.

Enlargement of Use: No enlargement should occur; all totals stay the same as shown in the table above.

Local Public Interest: Assumed to be within 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.

Assuming other information does not contradict the above analysis, the applications can be approved as reflected by the draft approvals.

Condition 046 N/A since new wells are not proposed.



SPF WATER
ENGINEERING

December 10, 2014

RECEIVED

DEC 11 2014

WATER RESOURCES
WESTERN REGION

Steve Lester
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Applications for Transfer

Dear Steve,

Enclosed on behalf of Hamling Frances Revocable 2001 Trust is an *Application for Transfer* proposing changes to the applicants' portion of water right 63-2724B.

Check No. 1210 for \$300 is enclosed for the transfer filing fee and change the water right ownership fee. Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

Lori Graves
Water Rights Specialist

Cc: Joe and Kay Housh

Enclosures

SPF file number: 1141.0010