

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR AMENDMENT OF A PERMIT

Fee is \$100 per § 42-221C, Idaho Code

Applicant(s) Wilson Properties LP Phone 208-424-9322
Name connector (check one): ☐ and ☐ or ☐ and/or

Mailing address 1101 W. River St., Ste 150 City Boise

State ID Zip 83702 Email: _____

I am the owner of Water Appropriation Permit No. 63-12097 and request that the permit be amended as follows:

- ☐ Change point of diversion ☒ Add point of diversion ☐ Change period of use
☐ Change nature of use ☐ Change place of use ☐ Other _____

1. Point of diversion: ☐ No changes to point(s) of diversion. Skip item #1) and proceed to #2.
☐ Attach Eastern Snake Plain Aquifer analysis if this proposes to change a point of diversion affecting the ESPA.

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
3N	1E	33			SW	SE	Ada	Ground Water	Additional POD
2N	1E	4	2		NW	NE	Ada	Ground Water	Existing POD Tag 00039124

2. Period and nature of use: ☒ No changes to period and/or nature of use. Skip item #2 and proceed to #3.

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year) (water use) (month/day) (month/day)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year) (water use) (month/day) (month/day)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year) (water use) (month/day) (month/day)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year) (water use) (month/day) (month/day)

3. Place of use or land to be irrigated: ☒ No changes to place of use. Skip item #3 and proceed to #4.

Twp	Rge	Sec	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
																</			

Total number of acres to be irrigated _____

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JAN 27 2014

WATER RESOURCES
WESTERN REGION

Form 211 07/2011 Print Form as a 2 page, single sided document

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

Fee is \$100 per § 42-221C, Idaho Code

Applicant(s) Wilson Properties LP Phone 208-424-9322Name connector (check one): ☐ and ☐ or ☐ and/orMailing address 1101 W. River St., Ste 150 City BoiseState ID Zip 83702 Email: _____I am the owner of Water Appropriation Permit No. 63-12097 and request that the permit be amended as follows:☐ Change point of diversion☒ Add point of diversion☐ Change period of use☐ Change nature of use☐ Change place of use☐ Other _____1. Point of diversion: ☐ No changes to point(s) of diversion. Skip item #1 and proceed to #2.☐ Attach Eastern Snake Plain Aquifer analysis if this proposes to change a point of diversion affecting the ESPA.

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
3N	1E	33			SW	SE	Ada	Ground Water	Additional POD

2. Period and nature of use:

☒ No changes to period and/or nature of use. Skip item #2 and proceed to #3.Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year) (water use) (month/day) (month/day)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year) (water use) (month/day) (month/day)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year) (water use) (month/day) (month/day)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year) (water use) (month/day) (month/day)3. Place of use or land to be irrigated: ☒ No changes to place of use. Skip item #3 and proceed to #4.

Twp	Rge	Sec	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total number of acres to be irrigated _____

Superseded - this pg. only

4. **Property ownership:**

☐ No changes to point of diversion and/or place of use. Skip item #4 and proceed to #5.

- a. Who owns the property at the point of diversion? Permitted POD: Permit holder; Additional POD: FC Nova
- b. Who owns the land to be irrigated or place of use? Permit holder
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:
Easement Agreement, Ada County recorded instrument No. 113129741

5. **Describe the proposed change in narrative form:**

Permit holders recently purchased the additional well and wish to incorporate it into their permitted irrigation system authorized under permit 63-12097.

6. **Map:**

☐ The point(s) of diversion and/or the place of use are not amended, therefore a map is not attached.

Attach a map showing the proposed point(s) of diversion and/or place(s) of use. Clearly label the map with township, range, section, and ¼ ¼ of section information. A photocopy of a USGS 7.5 minute topographic quadrangle is commonly used, or the *Map Tool* available on the Department website provides a satisfactory template for creating the required map (<http://maps.idwr.idaho.gov/TransferApplicationLayouts/Map>).

7. **Signature:**

The information in this application is true to the best of my knowledge. I understand that any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Charles H. Wilson, Pres. Fert Wilson, Inc.
Signature of applicant or authorized agent general partner for Wilson Properties, LP Print name (and title, if applicable)

1-15-14
Date

Signature of applicant or authorized agent

Print name (and title, if applicable)

Date

FOR DEPARTMENT USE ONLY

Received by MB
Received by MB
Reviewed by SC

Date 1/27/14
Date 1/27/14
Date 3/20/14

\$100.00
Receipt No. NO 417991



2011 Photo

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JAN 27 2014

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Permit Report

12/11/2013

WATER RIGHT NO. 63-12097

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WILSON PROPERTIES LP 1101 W RIVER ST STE 150 BOISE, ID 83702 (208)424-9322
Attorney	GIVENS PURSLEY LLP C/O MICHAEL C CREAMER PO BOX 2720 BOISE, ID 83701-2720 (208)388-1200
Original Owner	BOISE RANCH GOLF COURSE INC 6501 S CLOVERDALE RD BOISE, ID 83709 (208)362-6501

Priority Date: 01/26/1994

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	11/15	2.3 CFS	
Total Diversion			2.3 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NWNE L1 2|Sec. 04|Township 02N|Range 01E|ADA County

Place(s) of use:

Place of Use Legal Description: IRRIGATION ADA County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
02N	01E	4	1	NENE	20	2	NWNE	35		SWNE	35		SENE	25

Total Acres: 115

Conditions of Approval:

1. 26A Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
2. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
3. 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 use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
5. 104 If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
6. 004 This right does not grant any right-of-way or easement across the land of another.
7. WB7 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 517.5 af at the field headgate for the lands above.
8. R61 This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
9. 121 The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

Dates:

Proof Due Date: 08/01/2018

Proof Made Date:

Approved Date: 08/12/2008

Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Application Received Date: 01/26/1994

Protest Deadline Date:

Number of Protests: 0

Field Exam Date:

Date Sent to State Off:

Date Received at State Off:

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4.5

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

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JAN 27 2014

ADA COUNTY RECORDER Christopher D. Rich
BOISE IDAHO 12/02/13 04:19 PM
DEPUTY Bonnie Oberbillig
RECORDED - REQUEST OF
Givens Pursley

AMOUNT 16.00

WATER RESOURCES
WESTERN REGION



113129740

Bill of Sale

In consideration of \$27,500.00 cash, in hand paid, The Turf Company, LLC ("Seller"), grants, bargains, sells, conveys and delivers to Wilson Properties, L.P. ("Buyer") and its successors and assigns, forever, all of Seller's right, title and interest in and to the following personal property:

One 10" diameter irrigation well (Driller Tag Number D0039124 and one 30 hp National submersible pump, together with associated casing, screens, electrical panel, controls, valves and meters ("Well"), said Well being located on the real property described in Exhibit A hereto.

TO HAVE AND TO HOLD, the same unto Buyer, its successors and assigns, forever.

Seller relinquishes and abandons for itself and its successors and assigns, the right to divert water from the Well under any water rights owned by Seller, including but not limited to water right 63-32232.

Seller does hereby bind itself and its successors to forever warrant and defend the title to the Well unto Buyer, its successors and assigns, against the lawful claims of all persons claiming by, through or under Seller, but not otherwise.

Seller is transferring the property to Buyer AS IS, including latent defects, without any representations or warranties, express or implied.

DATED this 27 day of November, 2013.

SELLER:

The Turf Company, LLC

By: The Turf Corporation, Managing Member

By:

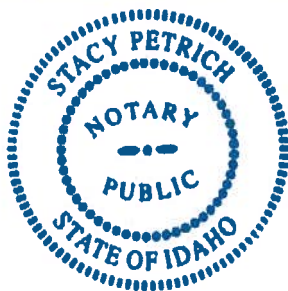
L. Darwin McKay
L. Darwin McKay

Its: President

BILL OF SALE - 1

State of Idaho)
) ss.
County of)

On this 27th day of November, 2013, before me, a Notary Public in and for said State, personally appeared L. Darwin McKay, known or identified to me to be the President of The Turf Corporation, a corporation, a member of The Turf Company LLC, a limited liability company, the member or one of the members who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that such corporation executed the same in said limited liability company name.



[Signature]
Notary Public for Idaho
Residing at Boise ID
My Commission expires March 1, 2016

EXHIBIT A

A parcel being the S $\frac{1}{2}$ of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 33, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

BEGINNING at a brass cap monument marking the southwesterly corner of said S $\frac{1}{2}$ of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ from which a brass cap monument marking the southeasterly corner of the SE $\frac{1}{4}$ of said Section 33 bears N 89°20'44" E a distance of 2651.30 feet;

Thence N 89°20'44" E along the southerly boundary of said S $\frac{1}{2}$ of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ a distance of 662.80 feet to a 5/8 inch diameter iron pin marking the southeasterly corner of said S $\frac{1}{2}$ of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$;

Thence leaving said southerly boundary N 0°12'35" W along the easterly boundary of said S $\frac{1}{2}$ of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ a distance of 1326.56 to the northeasterly corner of said S $\frac{1}{2}$ of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$;

Thence S 89°33'38" W along the northerly boundary of said S $\frac{1}{2}$ of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ a distance of 663.36 feet to the northwesterly corner of said S $\frac{1}{2}$ of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$;

Thence S 0°14'04" E along the westerly boundary of said S $\frac{1}{2}$ of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ a distance of 1329.05 feet to the POINT OF BEGINNING.

**DISCLAIMER OF INTEREST IN IRRIGATION WELL
AND INDEMNIFICATION**

L. Darwin McKay ("McKay"), for the benefit of and reliance by Wilson Properties, LP, an Idaho limited partnership and FC Nova, Inc., an Idaho corporation, hereby disclaims any right title or interest in or to the following-described irrigation well and appurtenant equipment now located on the real property in Ada County, Idaho more particularly described in Exhibit A hereto:

One 10" diameter irrigation well (Driller Tag Number D0039124) and one 30 hp National submersible pump, together with associated casing, screens, electrical panel, controls, valves and meters ("Well").

McKay further agrees to defend, indemnify, and hold harmless Wilson Properties, LP and FC Nova, Inc. from and against the lawful claims of all persons claiming an interest in said Well by, through or under McKay, but not otherwise.

Dated this 27 day of November, 2013.


L. Darwin McKay

EXHIBIT A

A parcel being the S $\frac{1}{2}$ of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 33, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

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Thence N 89°20'44" E along the southerly boundary of said S $\frac{1}{2}$ of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ a distance of 662.80 feet to a 5/8 inch diameter iron pin marking the southeasterly corner of said S $\frac{1}{2}$ of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$;

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Thence S 89°33'38" W along the northerly boundary of said S $\frac{1}{2}$ of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ a distance of 663.36 feet to the northwesterly corner of said S $\frac{1}{2}$ of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$;

Thence S 0°14'04" E along the westerly boundary of said S $\frac{1}{2}$ of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ a distance of 1329.05 feet to the POINT OF BEGINNING.

RECEIVED

JAN 27 2014

WATER RESOURCES
WESTERN REGION

ADA COUNTY RECORDER Christopher D. Rich
BOISE IDAHO 12/02/13 04:19 PM
DEPUTY Bonnie Oberbillig
RECORDED - REQUEST OF
Givens Pursley

AMOUNT 34.00 9

113129741

EASEMENT AGREEMENT AND OPTION TO PURCHASE INTEREST IN WELL

This Easement Agreement and Option to Purchase Interest in Well ("Agreement") is entered into effective this 27 day of November, 2013 by and between Wilson Properties, L.P. an Idaho limited partnership ("Wilson Properties") and FC Nova, Inc., an Idaho corporation dba FC Nova Soccer Club ("FC Nova").

RECITALS

- A. FC Nova is the owner, as successor in interest to Boise Capital Soccer Foundation, Inc., ("BCSF") of certain real property in Ada County, Idaho described in Exhibit A attached hereto (the "FC Nova Property"). The FC Nova Property was conveyed to BCSF in 2003 by Turf Company, LLC, an Idaho limited liability company. The FC Nova Property is operated as a community soccer field.
- B. Wilson Properties is the owner of certain real property in Ada County, Idaho described in Exhibit B hereto, which Wilson Properties currently operates as the Boise Ranch Golf Course ("Boise Ranch Property").
- C. As of the effective date of this Agreement, Wilson Properties also is the owner of a ground water well ("Well") is located on the FC Nova Property. The Well is a source of irrigation water for the FC Nova Property and the Boise Ranch Property.
- D. Since approximately 2008, Wilson Properties and FC Nova have shared the operation and maintenance costs associated with the Well.
- E. Both FC Nova and Wilson Properties desire to continue to use the Well to obtain ground water for irrigation of their respective properties.
- F. Wilson Properties is willing to sell an undivided one-half interest in the Well to FC Nova in consideration of the payment to Wilson Properties of \$13,750.00 by FC Nova, and FC Nova granting Wilson Properties an easement and right-of-way over the FC Nova Property to access, operate and maintain the Well. Wilson Properties and FC Nova intend that they will hold title to the Well as tenants-in-common, and share in the use, operation and maintenance of the Well on terms that are the subject of a separate written Shared Well Agreement between the parties.

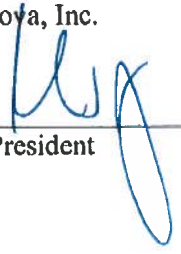
AGREEMENT

NOW THEREFORE, in consideration of the above recitals, which are incorporated herein, and other good and valuable consideration, the receipt and sufficiency of which is acknowledged by the parties, the parties agree as follows:

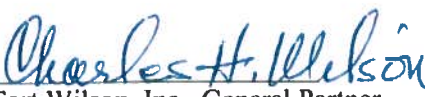
1. Grant of Easement and Right-of-Way. FC Nova hereby grants and conveys to Wilson Properties a non-exclusive easement and right-of-way ("Easement") over and across the FC Nova Property as reasonably necessary using personnel and equipment as is commonly used, or is reasonably adapted to accessing, operating, maintaining, repairing or replacing the Well and an existing pipeline that extends south from the Well to East Lake Hazel Road conveying water from the Well to the Boise Ranch Property. The approximate location of the Well and pipeline are depicted in Exhibit C hereto. The Easement granted hereby shall benefit the Boise Ranch Property and burden the FC Nova Property, shall run with the land, shall be binding on the parties' respective heirs, successor and assigns, and shall exist so long as the Well is used to obtain water for the Boise Ranch Property.
2. Option to Purchase Interest in Well. Wilson Properties grants to FC Nova the option to purchase an undivided one-half interest in the Well for a purchase price of \$13,750.00. The option term shall be for a period of 12 months from the effective date of this Agreement (the "Option Term"). FC Nova may exercise its option to purchase at any time during the Option Term by tendering to Wilson Properties the \$13,750.00 purchase price. Contemporaneous with delivery of the purchase price to Wilson Properties, Wilson Properties will deliver to FC Nova a fully-executed bill of sale, conveying to FC Nova an undivided one-half interest in the Well substantially in the form of Exhibit D attached hereto.

EXECUTED by the parties hereto effective the date first written above.

FC Nova, Inc.

By: 
Its: President

Wilson Properties, L.P.

By: 
Fort Wilson, Inc., General Partner

By: 
Charles H. Wilson, President of Fort Wilson, Inc.

STATE OF IDAHO)
 : ss.
County of Ada)

On this 27th day of November, 2013, before me, a Notary Public in and for said state, personally appeared Paul Augustine, known or identified to me to be the President of FC NOVA, INC., an Idaho corporation, who subscribed said corporation's name to the foregoing instrument, and acknowledged to me that he executed the same in said corporation's name.

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



Stacy Petrich
Notary Public for Idaho
Residing at: Boise, ID
My commission expires: March 1, 2016

STATE OF IDAHO)
 : ss.
County of Ada)

On this 27th day of November, 2013, before me, a notary public in and for said state, personally appeared Charles H. Wilson, known or identified to me to be the President of Fort Wilson, Inc., the general partner of WILSON PROPERTIES, L.P. and the partner who subscribed said limited partnership's name to the foregoing instrument, and acknowledged to me that he executed the same in said limited partnership's name.

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



Stacy Petrich
Notary Public for Idaho
Residing at: Boise, ID
My commission expires: March 1, 2016

EXHIBIT A
(FC Nova Property Description)

A parcel being the S $\frac{1}{2}$ of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 33, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

BEGINNING at a brass cap monument marking the southwesterly corner of said S $\frac{1}{2}$ of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ from which a brass cap monument marking the southeasterly corner of the SE $\frac{1}{4}$ of said Section 33 bears N 89°20'44" E a distance of 2651.30 feet;

Thence N 89°20'44" E along the southerly boundary of said S $\frac{1}{2}$ of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ a distance of 662.80 feet to a 5/8 inch diameter iron pin marking the southeasterly corner of said S $\frac{1}{2}$ of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$;

Thence leaving said southerly boundary N 0°12'35" W along the easterly boundary of said S $\frac{1}{2}$ of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ a distance of 1326.56 to the northeasterly corner of said S $\frac{1}{2}$ of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$;

Thence S 89°33'38" W along the northerly boundary of said S $\frac{1}{2}$ of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ a distance of 663.36 feet to the northwesterly corner of said S $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$;

Thence S 0°14'04" E along the westerly boundary of said S $\frac{1}{2}$ of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ a distance of 1329.05 feet to the **POINT OF BEGINNING**.

EXHIBIT B
(Boise Ranch Property Description)

PARCEL A:

Government Lots 1 and 2, and the South half of the Northeast Quarter of Section 4, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho.

EXCEPT that portion conveyed to County of Ada by Deed recorded October 18, 1971, as Instrument No. 785703.

FURTHER EXCEPTING that portion conveyed to Ada County Highway District by Deed recorded December 26, 1995, as Instrument No. 95094337.

FURTHER EXCEPTING those portions lying within the following 3 plats:

Medallist Subdivision No. 1, according to the plat thereof, filed in Book 78 of Plats at Pages 8326 and 8327, records of Ada County, Idaho.

Amended Plat of Medallist Subdivision No. 2, according to the plat thereof, filed in Book 81 of Plats at Pages 8818 and 8819, Records of Ada County, Idaho.

Medallist Subdivision No. 3, according to the plat thereof, filed in Book 85 of Plats at Pages 9627 and 9628, Records of Ada County, Idaho.

More particularly described as follows:

Commencing at the Northeast corner of Section 4, Township 2 North, Range 1 East, Boise Meridian; thence South 00°06'15" East, 2702.64 feet along the east boundary of said Section 4 to the east quarter-section corner of said Section 4; thence South 89°56'31" West, 45.00 feet along the South boundary of the Northeast Quarter of said Section 4 to the West right of way line of South Cloverdale Road, the POINT OF BEGINNING; thence South 89°56'31" West, 2,629.70 feet continuing along said South boundary of the Northeast Quarter to the center quarter section corner of said Section 4; thence North 00°23'29" East, 2650.16 feet along the West boundary of the Northeast quarter of said Section 4 to the south right of way line of East Lake Hazel Road; thence North 89°40'14" East, 956.01 feet along said South right of way line to the boundary of the aforementioned Medallist Subdivision No. 1; thence along the said boundary of Medallist Subdivision No. 1 the following courses: South 45°05'31" East, 28.31 feet; South 00°21'57" East, 17.99 feet; 183.47 feet along a curve to the left having a radius of 175.00 feet, a central angle of 60°04'12", a chord bearing of South 30°24'03" East, and a chord distance of 175.19 feet; South 60°24'36" East, 51.12 feet; South 15°35'24" West, 179.58 feet; South 77°52'56" East 1,217.83 feet; South 34°12'47" East, 52.83 feet; 220.69 feet along a curve to the left having a radius of 226.02 feet, a central angle of 55°56'34", a chord bearing of South 62°11'05" East, and a chord distance of 212.03 feet; North 89°50'38" East, 119.26 feet to the West right of way line of South Cloverdale Road and the boundary of the aforementioned Amended Medallist Subdivision No. 2; thence along the said boundary of the Amended Medallist Subdivision No. 2 the following courses:

South 00°06'15" East, 517.11 feet; South 89°57'36" West, 49.83 feet; South 67°35'57" West, 101.35 feet; South 10°07'54" East, 69.48 feet; 15.36 feet along a non-tangent curve to the left having a radius of 25.00 feet, a central angle of 35°12'23", a chord bearing of South 78°14'23" West, and a chord distance of 15.12 feet; North 09°59'37" West, 68.45 feet; South 72°37'34" West, 351.67 feet; South 46°59'14" West, 48.98 feet; South 33°35'27" West, 140.08 feet; South 00°21'18" East, 244.84 feet; South 44°35'23" West, 53.16 feet; 64.31 feet along a curve to the left having a radius of 225.00 feet, a central angle of 16°22'34", a chord bearing of South 36°24'06" West, and a chord distance of 64.09 feet; North 80°21'10" West, 161.32 feet; South 06°37'02" West, 210.27 feet; South 09°22'00" East, 163.94 feet; South 70°22'48" East, 179.60 feet; South 74°23'05" East, 674.51 feet; North 02°37'41" East, 150.23 feet; North 89°40'58" East, 13.60 feet; South 45°17'37" East, 28.23 feet to the West right of way line of South Cloverdale Road; thence South 00°06'15" East, 263.30 feet along said right of way line to the POINT OF BEGINNING.

PARCEL B:

Lot 8 in Block 6 AMENDED PLAT OF MEDALIST SUBDIVISION NO. 2, according to the plat thereof, filed in Book 81 of Plats at Pages 8818 and 8819, records of Ada County, Idaho.

PARCEL C:

Lot 2 in Block 2 of MEDALIST SUBDIVISION NO. 3, according to the plat thereof, filed in Book 85 of Plats at Pages 9627 and 9628, records of Ada County, Idaho.

**S1/2W1/2W1/2SE1/4 Section 33, T3N, R1E B.M.
Ada County, Idaho**

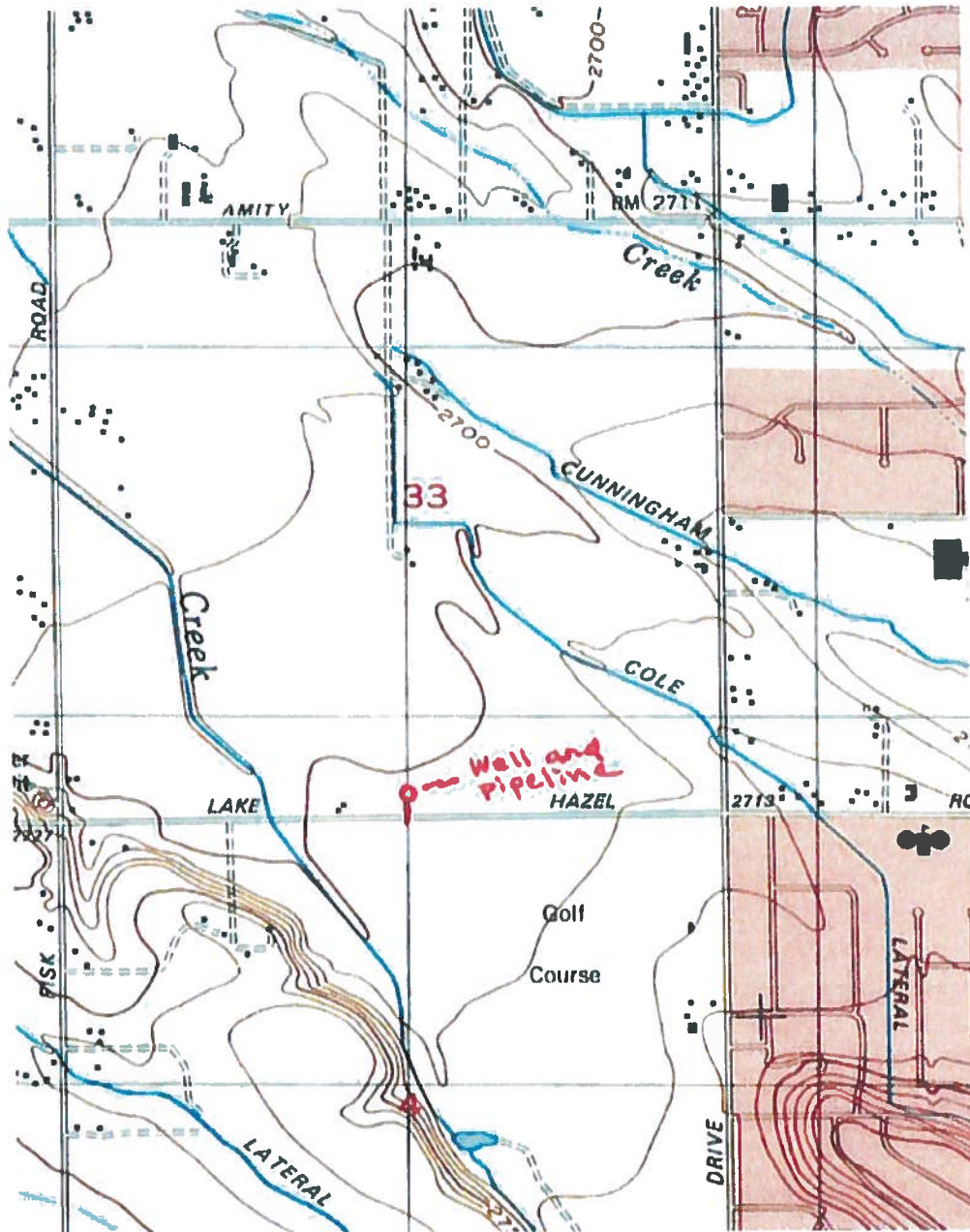


EXHIBIT D
(Form of Bill of Sale)

Bill of Sale

For good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, Wilson Properties, L.P. ("Seller"), grants, bargains, sells, conveys and delivers to FC Nova, Inc. ("Buyer") and its successors and assigns, forever, an undivided one-half interest in and to the following described personal property:

One 10" diameter irrigation well (Driller Tag Number D0039124 and one 30 hp National submersible pump, together with associated casing, screens, electrical panel, controls, valves and meters ("Well"), said Well being located on the real property described in Exhibit A hereto.

The ownership interest in the Well conveyed to Buyer hereby includes a right-of-first refusal and option to purchase Seller's interest in the Well on the same terms contained in any bona fide offer to purchase the Well subsequently received by Seller.

TO HAVE AND TO HOLD, the same unto Buyer, its successors and assigns, forever, subject to a right-of-first refusal and option to purchase Buyer's interest in the Well conveyed hereby on the same terms contained in any bona fide offer to purchase the Well received by Buyer, which right-of-first refusal and option is expressly reserved unto Seller hereby.

Seller does hereby bind itself and its successors to forever warrant and defend the title to the Personal Property unto Buyer, its successors and assigns, against the lawful claims of all persons claiming by, through or under Seller, but not otherwise.

Seller is transferring the property to Buyer AS IS, including latent defects, without any representations or warranties, express or implied.

DATED this ____ day of _____, 2013.

WILSON PROPERTIES, L.P.

By: _____
Fort Wilson, Inc., General Partner

By: _____
Charles H. Wilson, President of Fort Wilson, Inc.

EXHIBIT A

A parcel being the S $\frac{1}{2}$ of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 33, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

BEGINNING at a brass cap monument marking the southwesterly corner of said S $\frac{1}{2}$ of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ from which a brass cap monument marking the southeasterly corner of the SE $\frac{1}{4}$ of said Section 33 bears N 89°20'44" E a distance of 2651.30 feet;

Thence N 89°20'44" E along the southerly boundary of said S $\frac{1}{2}$ of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ a distance of 662.80 feet to a 5/8 inch diameter iron pin marking the southeasterly corner of said S $\frac{1}{2}$ of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$;

Thence leaving said southerly boundary N 0°12'35" W along the easterly boundary of said S $\frac{1}{2}$ of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ a distance of 1326.56 to the northeasterly corner of said S $\frac{1}{2}$ of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$;

Thence S 89°33'38" W along the northerly boundary of said S $\frac{1}{2}$ of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ a distance of 663.36 feet to the northwesterly corner of said S $\frac{1}{2}$ of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$;

Thence S 0°14'04" E along the westerly boundary of said S $\frac{1}{2}$ of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ a distance of 1329.05 feet to the POINT OF BEGINNING.

Sommer, Rachel

From: Sommer, Rachel
Sent: Friday, March 28, 2014 9:59 AM
To: 'LEGALS@IDAHOSTATESMAN.COM'
Subject: Ada Legal Ad
Attachments: Ada Cover Letter.docx; Ada Legal Ad.docx

Good Morning Janice Hildreth,

Please see the attached ad for publication on 4/3/2014 & 4/10/2014.

Please confirm these are okay to publish as shown.

Thank you very much,

Rachel Sommer

Administrative Assistant
IDWR, Western Region
Office: 208-334-2190
Fax: 208-334-2348
rachel.sommer@idwr.idaho.gov

March 28, 2014

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

RE: Application For Permit No's: 63-33877, 63-33885
Application for Amendment of Permit No. 63-12097

Dear Legal Notice Department:

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

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 4/21/2014. Your cooperation is appreciated.

Sincerely,

Rachel Sommer
Administrative Assistant

Enclosures

The following applications have been filed to appropriate the public waters of the State of Idaho:

63-33877

JOHN LAUDE
2358 S TITANIUM PLACE
MERIDIAN, ID 83642
Point of Diversion SWNE S28 T03N R01E ADA County Source GROUND WATER
Use: AESTHETIC STORAGE 01/01 to 12/31 3.7 AF
Use: DIVERSION TO STORAGE 01/01 to 12/31 0.09 CFS
Total Diversion: 0.09 CFS, 3.7 AF
Date Filed: 11/27/2013
Place of Use: AESTHETIC STORAGE
T03N R01E S28 SWNE
Water bearing zone to be appropriated is from 59 to 185 feet.
Use is for an aesthetic pond.

63-33885

LITTLE ENTERPRISES LLLP
PO BOX 488
EMMETT, ID 83617
Point of Diversion NENW S19 T05N R01W ADA County Source GROUND WATER
Use: IRRIGATION 03/15 to 11/15 4.85 CFS
Total Diversion: 4.85 CFS
Date Filed: 12/5/2013
Place of Use: IRRIGATION
T05N R01W S17 SENE SW(ALL) SE(ALL)
T05N R01W S18 NESE SWSE SESE
T05N R01W S19 NENE NWNE NENW
Total Acres: 269
Water bearing zone to be appropriated is from 50 to 600 feet.

PROPOSED AMENDMENT OF WATER PERMIT

Wilson Properties LP of 1101 W. River St., Ste 150, Boise, ID 83702 filed Application No. **79201** to amend a water permit with a 1994 priority from ground water totaling 2.3 cfs. The permit provides irrigation water for property located at the southwest corner of South Cloverdale Dr. and Lake Hazel Rd. The applicant proposes to amend the permit to add a second point of diversion.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at (208) 334-2190; or for a full description of the right(s), please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 4/21/2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 4/3/2014 and 4/10/2014

Curtis, Sharla

From: Michael C Creamer [mcc@givenspursley.com]
Sent: Wednesday, March 19, 2014 3:40 PM
To: Curtis, Sharla
Subject: Wilson Properties Application to Amend Permit 63-12097 [IWOV-GPDMS.FID61931]
Attachments: Corrected Pg 1 Application.PDF

Dear Sharla,

Per our conversation today, I am attaching a corrected page 1 to Wilson Properties' Application for Amendment of Permit 63-12097. This corrected page includes the legal description for the existing permitted point of diversion, and the tag number for the existing well D0039124.

Please substitute this corrected page for the original first page as filed with your office.

Sincerely,

Mike

Michael C. Creamer
Givens Pursley LLP
601 W. Bannock St.
Boise, ID 83702
Direct: 208-388-1247
Main: 208-388-1200
Fax: 208-388-1300
www.givenspursley.com

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GIVENS PURSLEY_{LLP}

LAW OFFICES

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Gary G. Allen
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Clint R. Bolinder
Erik J. Bolinder
Preston N. Carter
Jeremy C. Chou
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Michael C. Creamer
Amber N. Dina
Elizabeth M. Donick
Thomas E. Dvorak
Jeffrey C. Fereday
Martin C. Hendrickson
Steven J. Hippler

Donald E. Knickrehm
Debora K. Kristensen
Anne C. Kunkel
Michael P. Lawrence
Franklin G. Lee
David R. Lombardi
Emily L. McClure
Kenneth R. McClure
Kelly Greene McConnell
Alex P. McLaughlin
Christopher H. Meyer
L. Edward Miller
Patrick J. Miller
Judson B. Montgomery
Deborah E. Nelson

W. Hugh O'Riordan, LL.M.
Angela M. Reed
Mark R. Scoville
Robert B. White

Of Counsel
Kimberly D. Maloney

Retired:
Kenneth L. Pursley
James A. McClure (1924-2011)
Raymond D. Givens (1917-2008)

RECEIVED

JAN 27 2014

WATER RESOURCES
WESTERN REGION

January 27, 2014

Via Hand Delivery

John Westra
Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

Dear John,

Enclosed please find an original and one copy of Wilson Properties, LP's Application for Amendment of a Permit, along with the Bill of Sale, Disclaimer of Interest and Easement Agreement which document Wilson Properties' interest in the well that it wants to add as a point of diversion and its right of access to the well. Their check in the amount of \$100 is also enclosed to cover the filing fee.

If you have any questions concerning the request please contact me at your first convenience.

Sincerely,



Michael C. Creamer

MCC:mb
Enclosures
cc: Charles Wilson
1989688_1 [5142-33]