

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. 79023

RECEIVED

DEC 19 2013

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](http://www.idwr.idaho.gov).

Name of Applicant(s) HAYDEN HOMES IDAHO, LLC

**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](http://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: \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) HAYDEN HOMES IDAHO, LLC Phone (208) 995-1031

Mailing address 2464 SW GLACIER PL. REDMOND, OR 97756 Email bduffey@hayden-homes.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.

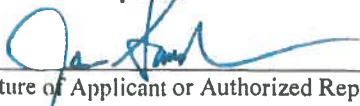
☐ No Representative

Name of Representative Erickson Civil, Inc. c/o Ross Erickson Phone 208-846-8955

Mailing address 6213 N. Cloverdale Rd. Suite 125 Boise, Idaho 83713 Email ross@ericksoncivil.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.

 Signature of Applicant or Authorized Representative

Jim Sansburn - VP of Finance  
Print Name and Title if applicable

12/19/2013  
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 \_\_\_\_\_
- 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**.  
Transfer water rights to a new location so that they can be utilized for irrigation purposes. A new well will be constructed at the new point of diversion during the spring/summer 2014. The water rights are currently in the bank and are protected from forfeiture. The rights will be pulled out of the bank when the well is constructed.

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WATER RESOURCES  
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**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<br>(cfs/ac-ft) | Nature of Use | Period of Use | Source & Tributary |
|-----------------------------------------------------------------------------|--------------|-----------------------|---------------|---------------|--------------------|
| All or Part<br><input checked="" type="checkbox"/> <input type="checkbox"/> | 63-33867     | 0.01 / 4.2            | Irrigation    | 3/1 to 11/15  | Groundwater        |
| <input checked="" type="checkbox"/> <input type="checkbox"/>                | 63-33867     | 0.02 / 0.10           | Stockwater    | 1/1 to 12/31  | Groundwater        |
| <input checked="" type="checkbox"/> <input type="checkbox"/>                | 63-33868     | 0.01 / 8.7            | Irrigation    | 3/1 to 11/15  | Groundwater        |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |

Total authorized under rights 0.04 cfs and/or 13 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.04 cubic feet per second and/or 13 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 # |
|-------|-----|---|----|----|-----|-----|-----|--------|-------------|---------------------|
| 1     |     |   | SE | SW | 35  | 4N  | 1W  | ADA    | GROUNDWATER | NEW WELL            |
|       |     |   |    |    |     |     |     |        |             |                     |
|       |     |   |    |    |     |     |     |        |             |                     |
|       |     |   |    |    |     |     |     |        |             |                     |
|       |     |   |    |    |     |     |     |        |             |                     |

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 |             |
| 4N                               | 1W  | 35  |      |    |    |    |      |    |    |    |      |    |    | 4.38 |      |    |    |    | 4.38        |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |      |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |      |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |      |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |      |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |      |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |      |      |    |    |    |             |
| Total Acres (for irrigation use) |     |     |      |    |    |    |      |    |    |    |      |    |    |      |      |    |    |    | 4.38        |

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:  
The diversion will be from a new well to be constructed in spring/summer of 2014. The well controls will be housed within a lockable pump station cabinet. Pumped flows will be measured as a function of the pump runtime.
- b. Who owns the property at the point(s) of diversion? Applicant - Hayden Homes Idaho, LLC  
 If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:  
n/a
- 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: no.
- 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:  
No effect - the previous place of use has been developed and utilizes an alternative source of irrigation water.
- 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:  
n/a
- 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:**  
Both of the water rights are currently banked - The rights will be pulled out of the bank when the well is drilled in spring/summer 2014.



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 rights(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:

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

**FOR DEPARTMENT USE ONLY**

Transfer contains 6 pages and 5 attachments.

Received by JA Date 12/19/13 Preliminary check by SC Date 3/12/14

Fee paid \$200.00 Date 12/19/13 Received by JA Receipt # W04/721

Add'l fee paid \_\_\_\_\_ Date \_\_\_\_\_ Received by \_\_\_\_\_ Receipt # \_\_\_\_\_

ATTACHMENT #1



# CERTIFICATE OF ORGANIZATION LIMITED LIABILITY COMPANY

(Instructions on back of application)

FILED EFFECTIVE

09 OCT -9 AM 9:45

SECRETARY OF STATE  
STATE OF IDAHO

1. The name of the limited liability company is:

Hayden Homes, LLC

2. The complete street and mailing addresses of the initial designated/principal office:

2464 SW Glacier Place, Suite 110, Redmond, OR 97756

(Street Address)

(Mailing Address, if different than street address)

3. The name and complete street address of the registered agent:

Dennis Murphy

(Name)

2464 SW Glacier Place, Ste. 110, Redmond, OR 97756

(Street Address)

4. The name and address of at least one member or manager of the limited liability company:

**Name****Address**

Brett Wilson

2464 SW Glacier Place, Ste. 110, Redmond, OR 97756

5. Mailing address for future correspondence (annual report notices):

2464 SW Glacier Place, Ste. 110, Redmond, OR 97756

6. Future effective date of filing (optional):

Signature of organizer(s). (An organizer is a member, or is acting in behalf of a member or members).

Signature

*Brett Wilson*

Typed Name:

Brett Wilson

Signature

Typed Name:

Secretary of State use only

g:\corpforms\llc\form\cert\_org\_llc.PMD  
Revised 07/2008

IDAHO SECRETARY OF STATE  
10/09/2009 05:00  
CK: 18285 CT: 241258 BH: 1198526  
1 @ 100.00 = 100.00 ORGAIN LLC # 2

W07541

1/5



## IDAHO SECRETARY OF STATE

### Viewing Business Entity

Ben Yursa, Secretary of State

[ [New Search](#) ] [ [Back to Summary](#) ]

[ [Get a certificate of existence for HAYDEN HOMES IDAHO, LLC](#) ]

### HAYDEN HOMES IDAHO, LLC

2464 SW GLACIER PL STE 110  
REDMOND, OR 97756

**Type of Business:** LIMITED LIABILITY COMPANY

**Status:** EXISTING, 2ND AR NOTICE SENT 05 Nov 2013

**State of Origin:** IDAHO

**Date of** 09 Oct 2009

**Origination/Authorization:**

**Current Registered Agent:** SCOTT TSCHIRGI  
209 W MAIN ST  
BOISE, ID 83702

**File Number:** W87541

**Date of Last Annual Report:** 20 Nov 2013

#### Original Filing:

**Filed 09 Oct 2009** ARTICLES OF  
ORGANIZATION

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#### Amendments:

**Amendment Filed 20 Jan 2010** NAME CHANGED  
TO HAYDEN  
HOMES IDAHO,  
LLC

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#### Annual Reports:

**Report for year 2013** ANNUAL REPORT

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**Report for year 2012** CHNG  
RA/RO

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**Report for year 2012** ANNUAL REPORT

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**Report for year 2011** ANNUAL REPORT

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**Report for year 2010** ANNUAL REPORT

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**Report for year 2010** CHNG  
RA/RO

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**MEMORANDUM OF ACTION**  
**Without a Meeting**

**OF**

**Hayden Homes Idaho , LLC**  
**An Idaho Limited Liability Company**

This Memorandum of Action, executed by the Managing Member, records the following resolution by consent of all members without holding a formal meeting as of the 11<sup>th</sup> day of June, 2013.

The members wish to appoint authorized agents to transact the business affairs of the LLC.

The members adopt the following resolution:

**BE IT RESOLVED** that Hayden Watson, Managing Member, Dennis P. Murphy, President, Shawn O. Holm, Designated Agent, Jim Sansburn, Vice President Finance, Steve Klingman, Vice President Operations, and David Woods, Controller are hereby authorized in the name and on behalf of the LLC including but not limited to the execution of deeds, loan agreements, documents necessary to borrow and lend money, including notes, trust deeds, mortgages, release documents, subordination agreements, purchase and sale agreements, earnest money agreements, closing statements, escrow instructions, and other documents necessary for the purchase, development, sale and encumbrances of property.

**BE IT FURTHER RESOLVED** that Deborah Flagan, Vice president of Sales and Marketing and Charlotte Barlow, Broker are hereby authorized in the name and on behalf of the LLC including but not limited to purchase and sale agreements, earnest money agreements, deeds, affidavits, closing statements, escrow instructions, indemnity agreements and other documents necessary for the sale of property. All such previously signed documents are hereby authorized and ratified.

**IN WITNESS WHEREOF**, the Managing Member of Hayden Homes Idaho, LLC sets his hand to record the consent of all members to approve the actions so taken without a formal meeting.



---

Hayden Watson, Managing Member



ADA COUNTY RECORDER Christopher D. Rich AMOUNT 13.00 2  
BOISE IDAHO 05/15/2013 04:43 PM  
DEPUTY Che Fowler  
Simplifile Electronic Recording  
RECORDED REQUEST OF  
TITLEONE BOISE  
113053520

Order Number: 13223312 to

### Warranty Deed

For value received,

Arete Investments Group, LLC, an Idaho limited liability company

the grantor, does hereby grant, bargain, sell, and convey unto

Hayden Homes Idaho, LLC, an Idaho limited liability company

whose current address is 2464 SW Glacier Pl Redmond, OR 97756

the grantee, the following described premises, in Ada County, Idaho, to wit:

A parcel located in the Northeast quarter of the Southeast quarter of Section 26, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

Commencing at a 5/8 inch diameter iron pin marking the Northeast corner of the Southeast quarter of said Section 26, from which a brass cap monument marking the Southeast corner of said Southeast quarter bears South 0°24'42" West a distance of 2637.57 feet; thence South 0°24'42" West along the Easterly boundary of said Southeast quarter a distance of 250.00 feet to a point; thence leaving said Easterly boundary North 89°35'18" West a distance of 45.00 feet to a 5/8 inch diameter iron pin on the Westerly right-of-way of N. Linder Road and the Point of Beginning; thence South 0°24'42" West along said Westerly right-of-way a distance of 213.48 feet to a 5/8 inch diameter iron pin; thence leaving said Westerly right-of-way North 89°35'18" West a distance of 95.00 feet to a 5/8 inch diameter iron pin; thence South 0°24'42" West a distance of 281.67 feet to a 5/8 inch diameter iron pin; thence South 89°35'18" East a distance of 95.00 feet to a 5/8 inch diameter iron pin on said Westerly right-of-way; thence South 0°24'42" West along said Westerly right-of-way a distance of 205.35 feet to a 5/8 inch diameter iron pin on the Northerly boundary of Lochsa Falls Subdivision No. 3 as shown in Book 86 of Plats on Page 9747, records of Ada County, Idaho; thence North 89°35'18" West along said Northerly boundary a distance of 307.71 feet to a 5/8 inch diameter iron pin; thence leaving said Northerly boundary North 0°24'42" East along the Easterly boundary of said Lochsa Falls Subdivision No. 3 and the Easterly boundary of Lochsa Falls Subdivision No. 1 as shown in Book 86 of Plats on page 9726, records of Ada County, Idaho, a distance of 700.50 feet to a 5/8 inch diameter iron pin; thence leaving said Easterly boundary South 89°35'18" East along the Southerly boundary of said Lochsa Falls Subdivision No. 1 a distance of 307.71 feet to the Point of Beginning.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Arete Investments Group, LLC, an Idaho Limited Liability Company

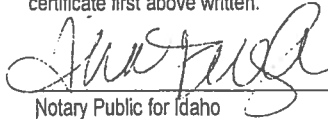
By Jeremy R. Telford  
Jeremy R. Telford, Managing Member

*Robert R. Rouse*

State of Idaho  
County of Ada, ss.

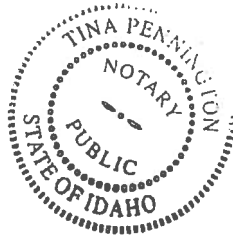
On this 15th day of May 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared Jeremy R. Telford, known or identified to me to be the Managing Member of the limited liability company that executed the within instrument and acknowledged to me that he executed the same for and on behalf of said limited liability company and that such limited liability company executed it.

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 in:  
My Commission Expires:

RESIDING IN BOISE, IDAHO  
MY COMMISSION EXPIRES 3/11/2014





State of Idaho

## DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

GARY SPACKMAN  
Director

C.L. "BUTCH" OTTER  
Governor

November 13, 2013

Attachment 2a

HAYDEN HOME IDAHO LLC  
C/O BILL DUFFEY  
2464 SW GLACIER PL  
REDMOND OR 97756

Re: Change in Water Right Ownership: Water Right No. 63-2656A (split into 63-2656A and 63-33867), 63-2656C (split into 63-2656C and 63-33868)

Dear Water Right Holder(s):

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records based on the information received to reflect the change in ownership and has enclosed a computer-generated report for your records.

Your portion of this water right has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form or you can find the forms at [www.idwr.idaho.gov](http://www.idwr.idaho.gov). If you do not plan on changing any items on your water right, then no further action is required at this time.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Sections 42-222 and 42-223, Idaho Code.

Please feel free to contact me at 208-287-4942 if you have any questions concerning the enclosed information or this letter.

Sincerely,

Jean Hersley  
Technical Records Specialist II

Enclosure

c: Erickson Civil Inc

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right 63-33867

11/13/2013

| <u>Owner Type</u> | <u>Name and Address</u>                                                                                       |
|-------------------|---------------------------------------------------------------------------------------------------------------|
| Attorney          | JOHN M MARSHALL<br>GIVENS PURSLEY LLP<br>601 W BANNOCK<br>PO BOX 2720<br>BOISE, ID 83702<br>(208)388-1200     |
| Current Owner     | HAYDEN HOMES IDAHO LLC<br>C/O BILL DUFFEY<br>2464 SW GLACIER PL<br>REDMOND, OR 97756                          |
| Original Owner    | SUSAN CALDWELL<br>5375 N LINDER RD<br>MERIDIAN, ID 83642<br>(208)888-7997                                     |
| Original Owner    | DOUGLAS CALDWELL<br>5375 N LINDER RD<br>MERIDIAN, ID 83642<br>(208)888-7997                                   |
| Previous Owner    | BEN W LUKEHART<br>2802 PISCES<br>CALDWELL, ID 83605<br>(208)459-0684                                          |
| Previous Owner    | ARETE INVESTMENTS GROUP LLC<br>C/O JEREMY TELFORD<br>2048 W ASTONTE ST<br>MERIDIAN, ID 83646<br>(208)577-0225 |

**Priority Date:** 1/6/1947

**Basis:** Decreed

**Status:** Active

**Source**  
GROUND WATER

**Tributary**

| <u>Beneficial Use</u> | <u>From</u>                   | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------------------------|-----------|-----------------------|---------------|
| IRRIGATION            | 03/01                         | 11/15     | 0.010 CFS             | 4.2 AF        |
| STOCKWATER            | 01/01                         | 12/31     | 0.020 CFS             | 0.1 AF        |
|                       | <b><u>Total Diversion</u></b> |           | 0.030 CFS             | 4.3 AF        |

**Source and Point(s) of Diversion**

|              |      |                                       |
|--------------|------|---------------------------------------|
| GROUND WATER | NESE | Sec. 26, Twp 04N, Rge 01W, ADA County |
| GROUND WATER | NESE | Sec. 26, Twp 04N, Rge 01W, ADA County |

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 63-33867**

11/13/2013

**Place Of Use**

IRRIGATION within ADA County

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE  |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|-----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE  | NW | SW | SE |        |
| 04N | 01W | 26  |    |    |    |    |    |    |    |    |    |    |    |    | 1.7 |    |    |    | 1.7    |

POU Total Acres: 1.7

STOCKWATER within ADA County

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 04N | 01W | 26  |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |        |

**Conditions of Approval:**

1. F02 Two points of diversion located in T4N, R1W, S26, NESE.
2. W54 Use of this right is combined with water from Settlers Irrigation District.
3. 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.
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. 105 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
6. T07 The right holder shall accomplish the change authorized by Transfer 71989 within one year of the date of the approval.
7. R69 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 lands above.
8. 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.
9. X02 Stockwater use is for 5 range cattle, goats, and chickens.

**Comments:**

1. jhersley 11/12/2013 split right  
This water right is the result of split from 63-2656A due to change in ownership.

2. jhersley 11/12/2013 Diversion rate limit  
The irrigation portion of this water right is limited to 0.009 cfs. When doing the data entry, our system rounds the number to 0.01. The small amount is due to splitting the parent right due to an ownership change.

3. jhersley 11/12/2013 POD  
Updated Shape

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right 63-33867

11/13/2013

4. jhersley  
Updated Shape

11/12/2013 POU

**Combined Use Limits**

N/A

**SubCase:**

N/A

**Water Supply Bank:**

N/A

## 11/13/2013

Original Owner      CATHERINE L NELSON  
5555 N LINDER RD  
MERIDIAN, ID 83642  
(208)888-5610

**Status:** Active

### Tributary

Sec. 26, Twp 04N, Rge 01W, ADA County

## IRRIGATION within ADA County

POU Total Acres: 2.3

1. W54 Use of this right is combined with water from Settlers Irrigation District.
2. S39 THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
3. 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.

1. jhersley 11/12/2013 split right  
This water right is the result of split from 63-2686C due to change in ownership.

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right 63-33868

11/13/2013

2. jhersley 11/12/2013 diversion rate  
the diversion rate for this water right is .009. When doing the data entry, the system rounds the  
rate to 0.01. The small amount is due to an ownership change.

3. jhersley 11/12/2013 POD  
Updated Shape

4. jhersley 11/12/2013 POU  
Updated Shape

**Combined Use Limits**

N/A

**SubCase:**

N/A

**Water Supply Bank:**

N/A

ATTACHMENT #2

(B) 2

## WARRANTY DEED

NEW PAGE OF  
USE

Alliance Title & Escrow Corp. Order No.:195397

### FOR VALUE RECEIVED

**Foothill Construction LLC, an Idaho Limited Liability Company**

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

**Hayden Homes Idaho, LLC, an Idaho Limited Liability Company**

whose current address is

**2464 SW Glacier Place, Suite 110, Redmond, OR 97756**

the grantee(s), the following described premises, in Ada County, Idaho, TO WIT:

### Legal Description Exhibit "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated this 13<sup>th</sup> day of June, 2013.

### FOOTHILL CONSTRUCTION LLC

*David T. O'Neal, III, by Zona O'Neal as his Attorney-in-Fact*  
DAVID T. ONEAL, III, By ZONA ONEAL as his Attorney-In-Fact

State of Idaho } ss.  
County of Ada }

On this 13<sup>th</sup> day of June, 2013, before me, the undersigned, a Notary Public in and for said state, personally appeared ZONA ONEAL, known or identified to me to be the person whose name is subscribed to the within instrument as Attorney-in-fact of DAVID T. ONEAL, III, member of Foothill Constructions LLC, and acknowledged to me that she subscribed the name of DAVID T. ONEAL, III, as principal and her own name as Attorney-in-fact.

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

*Dennise Davidson*

DENNISE DAVIDSON  
NOTARY PUBLIC

1/3

## EXHIBIT "A"

195397

A parcel of land being a portion of the Southeast quarter Southwest quarter of Section 35, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, and being more particularly described as follows:

COMMENCING at the South quarter corner common to Section 35, Township 4 North, Range 1 West, and Section 2, Township 3 North, Range 1 West, thence along the South line of Section 35,

North 89°43'15" West 1021.16 feet to a point, said point being the REAL POINT OF BEGINNING; thence leaving said South line of Section 35

North 00°54'00" West 625.77 feet to a point on the Southerly right-of-way of the Five Mile Drain; thence along Southerly right-of-way of the Five Mile Drain

South 62°40'43" East 433.35 feet (formerly South 62°40'48" East 433.29 feet) to a point; thence leaving said Southerly right-of-way of the Five Mile Drain

South 05°36'11" West 430.46 feet (formerly South 05°35'45" West 430.49 feet) to a point on the said South line of Section 35; thence along said South line of Section 35, North 89°43'15" West 333.16 feet to the POINT OF BEGINNING.

Legal Description  
Hayden-Homes Ustick Property

A parcel located in the SW ¼ of Section 35, Township 4 North, Range 1 West, Boise Meridian, City of Meridian, Ada County, Idaho, and more particularly described as follows:

Commencing at a Brass Cap monument marking the southwest corner of said SW ¼, from which a 5/8 inch diameter iron pin marking the southeast corner of said SW ¼ bears S 89°15'57" E a distance of 2643.50 feet;

Thence S 89°15'57" E along the southerly boundary of said SW ¼ a distance of 1622.31 feet to a 5/8 inch diameter iron pin and the **POINT OF BEGINNING**;

Thence leaving said southerly boundary N 0°26'42" W a distance of 625.77 feet to a 5/8 inch diameter iron pin on the southerly right-of-way of Five Mile Creek;

Thence along said southerly right-of-way S 62°13'25" E a distance of 433.35 feet to a 5/8 inch diameter iron pin on the westerly boundary of Primeland Subdivision as shown in Book 83 of Plats on Page 9085, records of Ada County, Idaho;

Thence S 6°03'09" W along said westerly boundary and the prolongation thereof a distance of 430.47 feet to a 5/8 inch diameter iron pin on the southerly boundary of said SW ¼;

Thence N 89°15'57" W along said southerly boundary a distance of 333.20 feet to the **POINT OF BEGINNING**;

This parcel contains 4.38 acres and is subject to any easements existing or in use.

Clinton W. Hansen, PLS  
Land Solutions, PC  
July 12, 2013





Answer 7A

## Project Page of use

PROPOSED

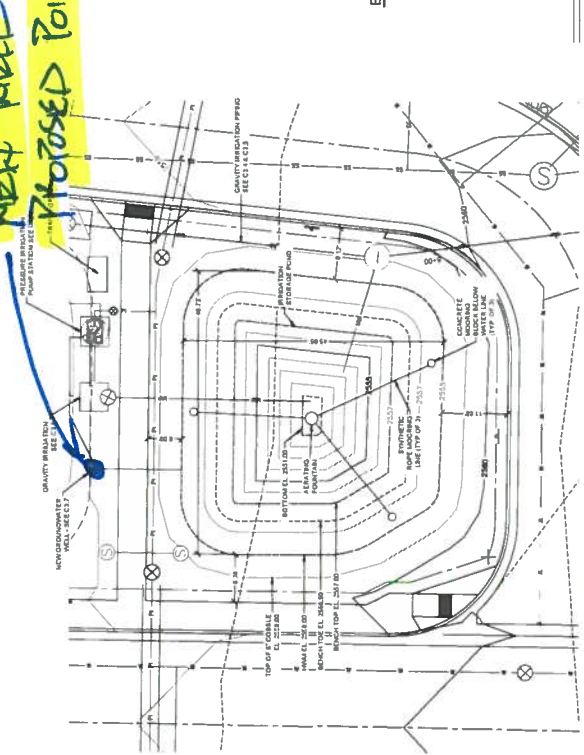
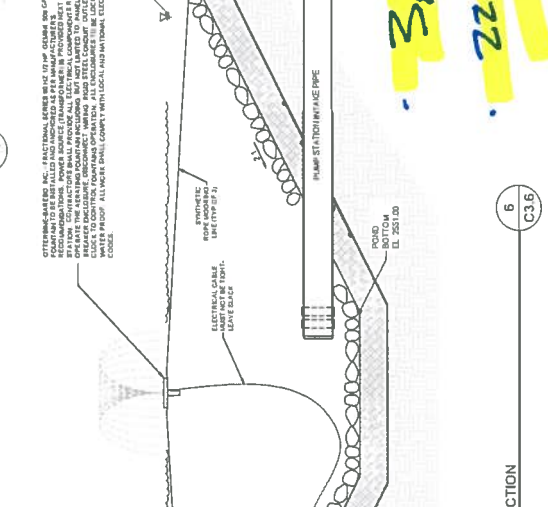
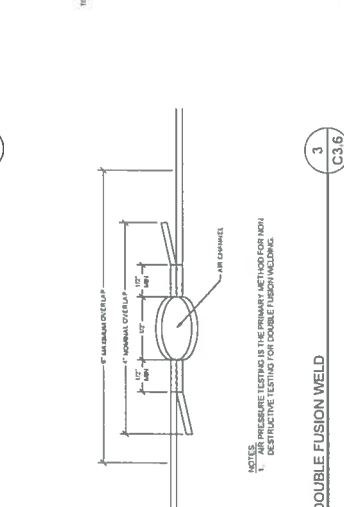
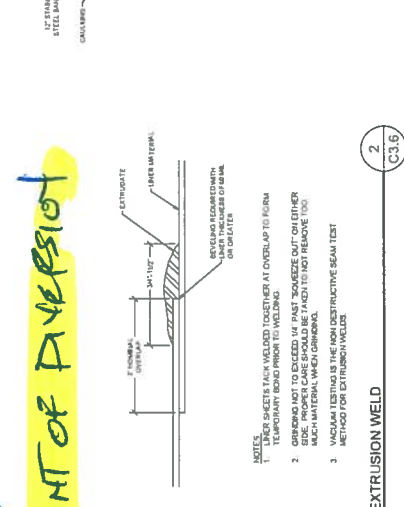
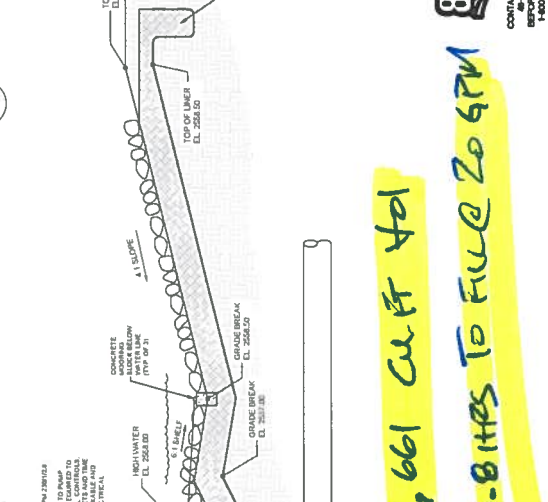
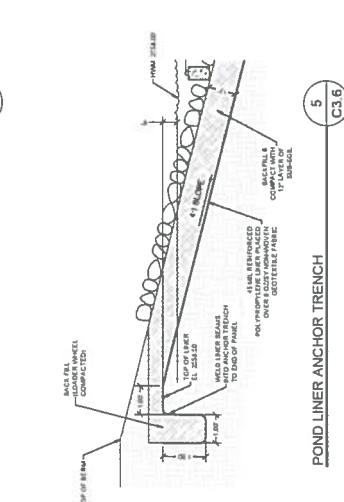
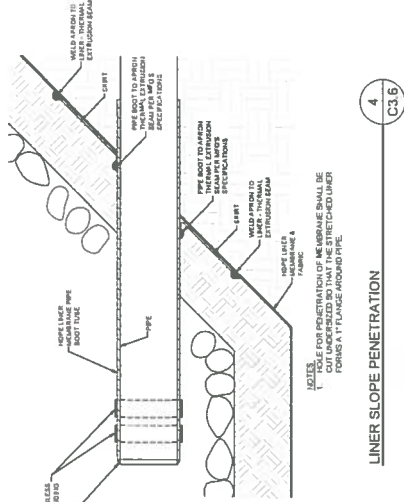
POD (NEW)

DIVERSION

PRIVATE STATION



AGENCY REVIEW (12-15-13)

Keyed Notes 

1. SEE WATER NOTE 2 ON C11  
2. SEE WATER NOTE 3 ON C11

## IRRIGATION POND - PLAN

10

**DOUBLE FUSION WELD**

 $\frac{3}{C3,6}$ 

### POND LINER ANCHOR TRENCH

$$\frac{5}{C3.6}$$

**POND SECTION**



SECTION



**CONTACT DIALING  
48-HOURS  
BEFORE DIDDING  
1-800-342-1233**

22.81 hrs To Fuel 20.6 PM



CONTACT DIALNE  
48-HOURS  
BEFORE DIGGING  
1-800-4-A-DIG

4  
C3.7



2

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[illegible]

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WEL



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FILE

PRO

- NO

## APPENDIX A

IP ST

PUM

**NOTES**

RIGA<sup>®</sup>

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**ASSUR**

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# Distributed System



## KEYNOTES

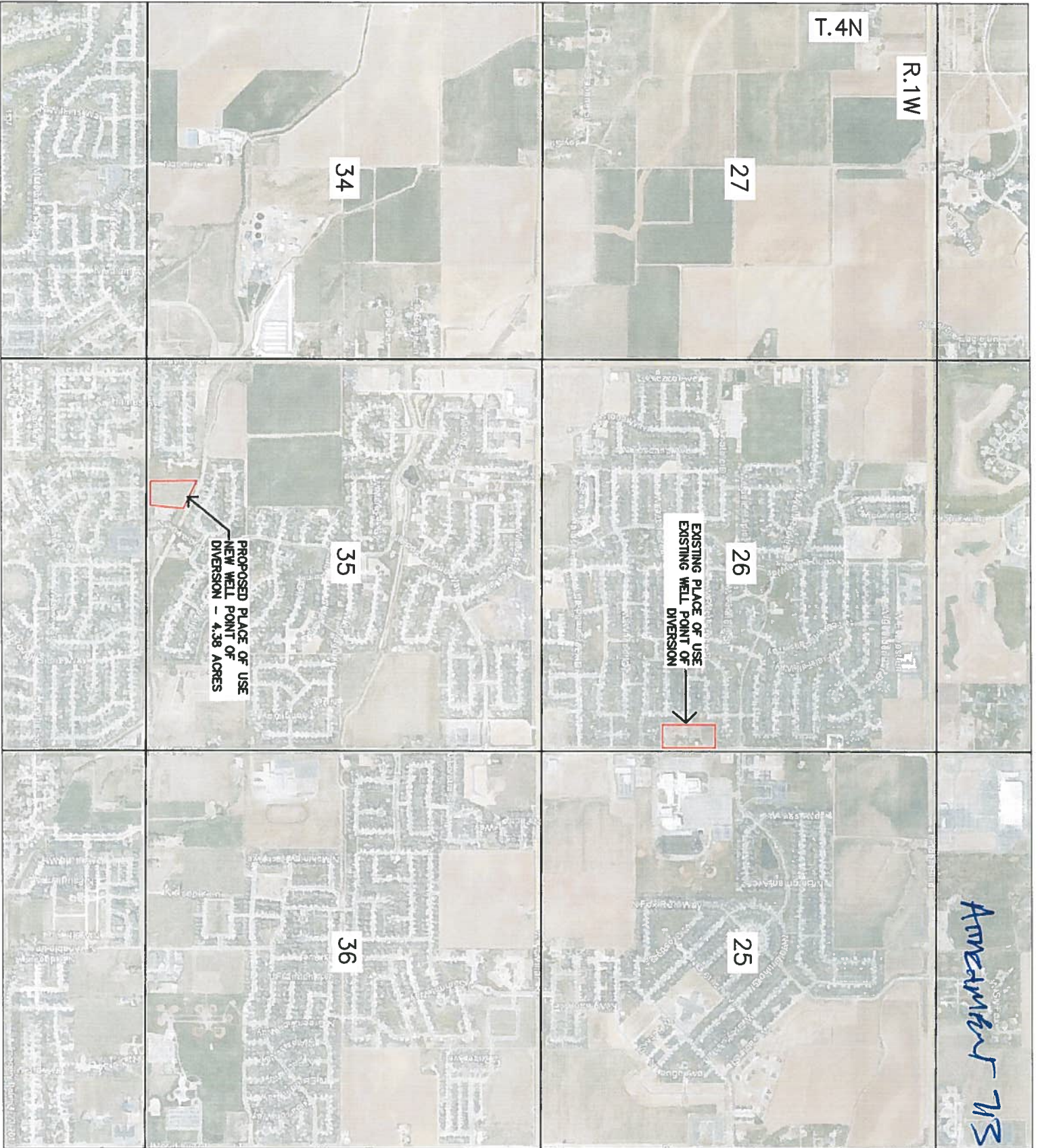
- [illegible]

- [illegible]

SEC 35 T4N R1W  
MERIDIAN, IDAHO

PROPOSED POINT OF  
DIVERSION - NEW WELL TO  
BE CONSTRUCTED IN  
SPRING/SUMMER OF 2014

PROPOSED  
PLACE OF USE  
4.38 ACRES



Amended 7/13

IDAHO DEPARTMENT OF WATER RESOURCES  
WELL DRILLER'S REPORT

RECEIVED  
AUG 23 2013  
WATER RESOURCES  
WESTERN REGION

1. WELL TAG NO. D 0009843  
DRILLING PERMIT NO. 63-99-W-0512-000  
Other IDWR No. \_\_\_\_\_

2. OWNER: Kathryn Nelson  
Name \_\_\_\_\_  
Address 555 Linder Rd  
City Meridian State ID Zip \_\_\_\_\_

3. LOCATION OF WELL by legal description:  
Sketch map location must agree with written location.

N  
W  
E  
S

|  |  |  |  |
|--|--|--|--|
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

Twp. 4 North ☒ or South ☐  
Rge. 1 East ☐ or West ☒  
Sec. 26 1/4 NW 1/4 SE 1/4  
Gov't Lot \_\_\_\_\_ County Ada 160 acres  
Lat: \_\_\_\_\_ Long: \_\_\_\_\_  
Address of Well Site Same as above City Meridian  
(Give at least name of road - Distance to Road or Landmark)

Li. \_\_\_\_\_ Bk. \_\_\_\_\_ 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 | Secs   | or Pounds |                   |
| Bentonite        | 4    | 18 | 10     |           | Top Cased 18' 10" |

Was drive shoe used? ☒ N Shoe Depth(s) 126'  
Was drive shoe seal tested? ☒ N How? \_\_\_\_\_

8. CASING/LINER:

| Diameter | From | To  | Gauge | Material | Casing                              | Liner                    | Welded                              | Threaded                 |
|----------|------|-----|-------|----------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| 4"       | 41   | 126 | 20    | Steel    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Length of Headpipe 5' Length of Tailpipe \_\_\_\_\_

9. PERFORATIONS/SCREENS

Perforations Method Wash  
Screens Screen Type \_\_\_\_\_

| From | To  | Slot Size | Number | Diameter | Material | Casing                   | Liner                               |
|------|-----|-----------|--------|----------|----------|--------------------------|-------------------------------------|
| 127  | 133 | 20x4      |        | 5"       | SS       | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

41 ft. below ground Artesian pressure \_\_\_\_\_ lb.  
Depth flow encountered \_\_\_\_\_ ft. Describe access port or control devices: N/A

053820

11. WELL TESTS:

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

| Yield gal/min. | Drawdown | Pumping Level | Time |
|----------------|----------|---------------|------|
| 60             |          | 100           | 4 hr |

Water Temp. 78.5° Bottom hole temp. \_\_\_\_\_  
Water Quality test or comments: N/A

Depth first Water Encounter 47

12. LITHOLOGIC LOG: (Describe repairs or abandonment) Water

| Bore Dia | From | To  | Remarks: Lithology, Water Quality & Temperature | V | H |
|----------|------|-----|-------------------------------------------------|---|---|
| 10"      | 0    | 5   | Top Soil                                        |   |   |
| 10"      | 5    | 18  | Gravel                                          |   |   |
| 6        | 18   | 40  | Gravel                                          |   |   |
|          | 40   | 47  | Clay                                            |   |   |
|          | 47   | 59  | Sand                                            |   | X |
|          | 59   | 73  | Tan Clay                                        |   |   |
|          | 73   | 97  | Sand & Clay                                     |   | X |
|          | 97   | 103 | Sand                                            |   | X |
|          | 103  | 126 | Clay                                            |   |   |
|          | 126  | 133 | SAND                                            |   | X |

RECEIVED

AUG 09 1999

WATER RESOURCES  
WESTERN REGION

RECEIVED

MICROFILMED

AUG 11 1999

SEP 13 1999

Department of Water Resources

Completed Depth 133 (Measurable)  
Date: Started 6-29-99 Completed 7-1-99

13. DRILLER'S CERTIFICATION

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

Company Name Phipps Drilling Firm No. 311

Firm Official Wendy A. Phipps Date 7-13-99

and  
Driller or Operator Andy Phipps Date 7/13/99  
(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

**Sommer, Rachel**

---

**From:** Sommer, Rachel  
**Sent:** Thursday, March 13, 2014 9:48 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 3/20/2014 & 3/27/2014.

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](mailto:rachel.sommer@idwr.idaho.gov)

March 13, 2014

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

RE: Application for Permit No's: 63-33879, 63-33890, 63-33920 & 63-33887.  
Application for Transfer No. 79023

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 4/7/2014. 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:

**63-33879**

JANIS M WROTEN GRAHAM  
8603 W HIGH RIDGE LN  
EAGLE, ID 83616  
Point of Diversion SWSE SESE S28 T05N R01W ADA County Source GROUND WATER  
Use: DOMESTIC 01/01 to 12/31 0.04 CFS  
Use: IRRIGATION 03/01 to 11/15 0.15 CFS  
Use: STOCKWATER 01/01 to 12/31 0.02 CFS  
Total Diversion: 0.19 CFS  
Date Filed: 11/29/2013  
Place of Use: DOMESTIC  
T05N R01W S28 SWSE  
Place of Use: IRRIGATION, STOCKWATER  
T05N R01W S28 SWSE SESE  
Total Acres: 5  
Water bearing zone to be appropriated is from 150 feet to 415 feet.

**63-33887**

HAYDEN HOMES IDAHO LLC  
C/O BILL DUFFEY  
2464 SW GLACIER PL  
REDMOND, OR 97756  
Point of Diversion SESW S35 T04N R01W ADA County Source GROUND WATER  
Use: IRRIGATION 03/01 to 11/15 0.13 CFS  
Total Diversion: 0.13 CFS  
Date Filed: 12/23/2013  
Place of Use: IRRIGATION  
T04N R01W S35 SESW  
Total Acres: 4.4  
Water bearing zone to be appropriated is from 200 to 300 feet.

**63-33890**

JOHN A KRUEGER  
NANCY J KRUEGER  
2730 E KUNA MORA RD  
KUNA, ID 83634  
Point of Diversion L4(SWSW) S31 T02N R03E ADA County Source GROUND WATER  
Use: IRRIGATION 03/15 to 11/15 0.15 CFS  
Total Diversion: 0.15 CFS  
Date Filed: 12/18/2013  
Place of Use: IRRIGATION  
T02N R03E S31 L4(SWSW)  
Total Acres: 5  
Water bearing zone to be appropriated is from 600 to 700 feet.

**63-33920**

VICTORINA M MURGOITIO  
LOUIS P MURGOITIO  
7373 S MAPLE GROVE RD  
BOISE, ID 83709  
Point of Diversion SWSE NESE S1 T02N R01E ADA County Source GROUND WATER  
Use: IRRIGATION 03/15 to 11/15 2.56 CFS  
Total Diversion: 2.56 CFS  
Date Filed: 2/19/2014  
Place of Use: IRRIGATION  
T02N R01E S1 SENE NESE SESE  
T02N R01E S12 NWNE  
Total Acres: 128

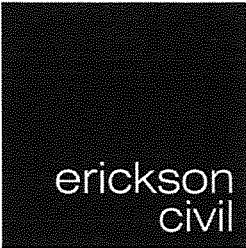
**PROPOSED CHANGE OF WATER RIGHTS**

Hayden Homes Idaho, LLC of 2464 SW Glacier Pl., Redmond, OR 97756 filed Application No. **79023** to transfer two water rights with 1947 priority dates from ground water totaling .04 cfs. The purpose of the transfer is to change the point of diversion and place of use to a new well on property owned by the applicant located on the north side of Ustick Rd. between N. Ten Mile and N. Linder Roads.

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 rights &/or proposed transfer, please see [www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp](http://www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp). Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) 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 4/7/14. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 3/20/2014 and 3/27/2014



erickson  
civil

December 19, 2013

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

RECEIVED

DEC 23 2013

WATER RESOURCES  
WESTERN REGION

**RE: Water Right Transfer (#63-33867 & #63-33868)**

To Whom it May Concern,

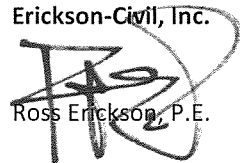
Please accept the enclosed application to transfer the aforementioned water rights to a new "place of use" with a new "point of diversion". The subject water rights are owned by Hayden Homes Idaho, LLC and currently have a place of use in Meridian, ID located off of Linder Road between McMillan Road and Chinden Blvd., with an existing well as the point of diversion. The currently place of use has been developed into a residential subdivision and the water rights are no longer needed because the subdivision has an alternative source of irrigation water.

This application will transfer the subject water rights to a different parcel of land, also owned by Hayden Homes Idaho, LLC, located in Meridian, ID off of Ustick Road between Ten Mile Road and Linder Road. This parcel is defined as the proposed place of use and will utilize the water rights for irrigation purposes via a new well that is planned to be drilled in the spring/summer of 2014.

We've worked with the Idaho Department of Water Resources staff to bank the water rights to protect them from forfeiture. It is our intention to withdraw the water rights from the bank this spring so that a well can be drilled and utilized for irrigation. A separate drilling permit will be obtained in the future for well construction.

Please let me know if you should have any questions or require any additional information to process our application.

Sincerely,  
Erickson-Civil, Inc.



Ross Erickson, P.E.