

RECEIVED

JUL 16 2013

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

RECEIVED

78743

JUL 15 2013

DEPARTMENT OF
WATER RESOURCESMINIMUM 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 <http://www.idwr.idaho.gov/>.

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 transfer applicant as the current water right owner. Additional fee(s) required for water right ownership changes; see fee schedule.
- ☒ ☐ #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 <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: _____

SUPPORT DATA

IN FILE #

63-33517

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 78743

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JUL 16 2013

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

WATER RESOURCES
WESTERN REGION

Name of Applicant(s) Chad R. Collins and Jennifer A. Collins Phone (208) 761-6771

Mailing address 17052 N. Midsummers Lane Nampa, ID 83687 Email _____

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

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

☐ No Representative

Name of Representative SPF Water Engineering LLC, c/o Roxanne Brown Phone (208) 383-4140

Mailing address 300 E. Mallard Drive, Suite 350 Boise, ID 83706 Email rbrown@spfwater.com

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

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

Signature of Applicant or Authorized Representative

Chad R. Collins
Print Name and Title if applicable

7/14/13
Date

Signature of Applicant or Authorized Representative

Jennifer A. Collins
Print Name and Title if applicable

7/14/13
Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**. Applicant proposes moving a 4 acre portion of water right no. 63-33517 from Lot 19 to Lot 6 within High Vista Estates, and designating a new point of diversion location on Lot 6.

SUPPORT DATA
IN FILE # 63-33517

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	63-33517	0.06/18.0	irrigation	3/15 to 11/15	ground water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 1.82 cfs and/or 506.7 ac-ft

2. Total amount of water proposed to be transferred or changed 0.06 cubic feet per second and/or 18.0 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 #
Y			SE	SE	36	6N	3W	Gem	ground water	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed-the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	3W	36															1.68	3.37	5.05

Total Acres (for irrigation use) 4.0

4.0 acres within a 5.05-acre permissible place of use

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future: The diversion system will consist of a new well and pump to mainlines and sprinklers. A measuring device and lockable controlling works will be installed if required by the watermaster.

- b. Who owns the property at the point(s) of diversion? applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☒ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: Pacific Intermountain Mortgage Company (mortgage); Carlos and Laura Post (mortgage)

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:
The existing place of use will no longer be irrigated.

- 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:
None.

- 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: A 28-acre portion of water right no. 63-33517 is currently leased to the Idaho Water Supply Bank. The 4 acre portion of water right no. 63-33517 that is the subject of this transfer is within the leased area of the right. The applicant intends to lease the 4 acre portion of the right to the Idaho Water Supply Bank after transfer approval.

Total Acres (for irrigation use)	4.0
----------------------------------	-----

Transfer contains 5 pages and 2 attachments.

Received by CW Date 7/19/13 Prelim. Check by SC Date 1/5/14

Fee Paid 200- Date 7/19/13 Received by CW Receipt # C097494

Add'l Fee Paid _____ Date _____ Received by _____ Receipt # _____

1/7/2014

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CARLOS L POST PO BOX 93 INDIAN VALLEY, ID 83632 (208)355-4800

Water Supply Bank Status: Active

Source
GROUND WATER

Sec. 36, Twp 06N, Rge 03W, GEM County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06N	03W	36	15.0	3.6	26.0	40.0									28.0				112.6

POU Total Acres: 112.6

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06N	03W	36	X	X	X	X									X				

1.	T19	Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
2.	X61	The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 04/29/2009.
3.	X02	Stockwater use is for 500 range cattle.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/7/2014

Comments:

- | | | | |
|--|------------|-----------|------------------------|
| 1. | agrimm | 5/31/2011 | POD |
| Updated Shape | | | |
| 2. | agrimm | 5/31/2011 | POU |
| Updated Shape | | | |
| 3. | scurtis | 9/7/2011 | Water Supply Bank Info |
| 2 acres in NENE and 1 acre in NWNE are in the Water Supply Bank under 63-33518 and 27 acres in the NESE are in the Water Supply Bank under 63-33517. | | | |
| 4. | jhersley | 9/7/2011 | Transferred Right |
| This is now an approved transfer, transfer number = 77020 | | | |
| 5. | mvanbussum | 12/6/2011 | Address |
| Updated address per form. | | | |

Dates and Other Information

Decreed Date: 4/29/2009
Civil Case Number: 39576
Judicial District: FIFTH
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 4.5
Mitigation Plan: False

Water Supply Bank:

Lessor Name: CARLOS L POST
Lease Status: Active
Lease Amount: Part
Rental Availability: All
Date Received: 9/12/2011
Lease Begin Date: 9/12/2011
Expiration Date: INDEFINITE

ATTACHMENT 2a/2b

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WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

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WATER RESOURCES
WESTERN REGION

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
63-33517	Yes ☒		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Carlos L. Post
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Chad R. Collins and Jennifer A. Collins
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 17052 N. Midsummers Lane Nampa ID 83687
Mailing address City State ZIP
(208) 761-6771
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☒ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: June 27, 2013
6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
 - If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
 - New lessor(s) of record will receive payment after the following rental season.
7. This form must be signed and submitted with the following **REQUIRED** items:
- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
 - Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
 - Filing fee (see instructions for further explanation):
 - \$25 per *undivided* water right.
 - \$100 per *split* water right.
 - No fee is required for pending adjudication claims.

8. Signature: [Signature] [Signature]
Signature of new owner/claimant Title, if applicable Date 7/14/13

Signature: [Signature] [Signature]
Signature of new owner/claimant Title, if applicable Date 7/14/13

For IDWR Office Use Only:

Received by CW Date 7/15/13 Receipt No. W 6097494 Receipt Amt. 100
Approved by _____ Processed by _____ Date _____

Instrument # 292906

EMMETT, GEM, IDAHO

2013-07-03 10:24:18 AM No. of Pages: 5
Recorded for: PIONEER TITLE COMPANY OF GEM C

SHELLY TILTON Fee: \$22.00

Ex-Officio Recorder Deputy SStewart

Index To: WARRANTY DEED

Electronically Recorded by Simplifile

After recording, please return to:

Givens Pursley LLP

601 N. Bannock St.

Boise, ID 83701

Attn: Michael C. Creamer

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

WARRANTY DEED

FOR VALUE RECEIVED, High Vista Estates, LLC an Idaho limited liability company, the Grantor, does hereby GRANT, CONVEY AND WARRANT unto Chad R. Collins and Jennifer A. Collins, husband and wife, the Grantees, whose address is 17052 N. Midsummers Lane, Nampa, ID 83687, the following described real property and water right in Gem County, Idaho, described on the attached Exhibit A, which exhibit is made a part hereof, together with all other easements, appurtenances and hereditaments benefiting such real property (the "Property").

TO HAVE AND TO HOLD said Property, unto the said Grantees and to the Grantees' heirs, successors and assigns forever. The said Grantor, for itself, its heirs, successors and assigns, does hereby covenant to and with the said Grantees, that the Grantor is the owner in fee simple of said Property; that the Property is free from all encumbrances, except those numbered exceptions described on Exhibit B, that Grantees, their heirs, successors and assigns shall be entitled to the quiet and peaceable possession of said Property; and that Grantor will warrant and defend, including attorneys' fees, the same forever from all other lawful claims whatsoever.

Dated 27 day of June, 2013.

GRANTOR:

High Vista Estates, LLC
an Idaho limited liability company

By: Craigo Post

Its: member

Laura E Post
member

STATE OF IDAHO)

: ss.

County of Canyon)

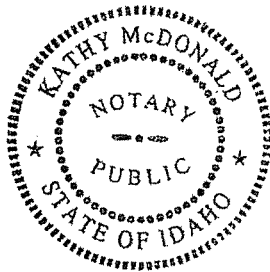
On this 27 day of June, in the year of 2013, before me,
a Notary Public in and for said State, personally appeared
Carlos Post and Laura E Post, known or identified to me to be a
member/manager of High Vista Estates, an Idaho limited liability company, the
member/manager or one of the members/managers who subscribed said limited liability
company name to the foregoing instrument, and acknowledged to me that he executed
the same in said limited liability company name.

Kathy McDonald

Notary Public for Idaho

Residing at: _____

My commission expires: _____



RESIDING IN CALDWELL, IDAHO
MY COMMISSION EXPIRES 05-27-17

EXHIBIT A

Lot 6 of High Vista Estates, according to the Official Plat thereof, filed in Book 4 of Plats at Page 32, Official Records of Gem County, Idaho; and

All of Grantors' right, title and interest in and to, that certain water right heretofore appurtenant to the following described lands:

Four (4) irrigated acres situated in the NE1/4 of the SE1/4 of Section 36, T6N, R3W, Boise Meridian, Gem County, Idaho being in Lot 19, High Vista Estates Subdivision according to the official plat thereof, filed in Book 4 of Plats at Page 32, Official records of Gem County, Idaho (the "Water Right"), said Water Right being a portion of water right no. 63-33517 as described in the records of the Idaho Department of Water Resources. Grantors do hereby covenant to Grantees that Grantor abandons for itself, its successors and assigns any right to diversion or beneficial use of the Water Right on the above-described lands.

EXHIBIT B

1. General taxes for the year 2013, which are liens and are not yet due and payable.
2. Liens and assessments of Drainage District No. 1 and the rights and powers of said District as by law provided; said assessments are collected with the general taxes.
3. Exceptions and reservations contained in the Deed from the State of Idaho, wherein mineral rights are reserved to the State. (47-701, Idaho Code 1947)
Recorded: September 26, 1979
Instrument No.: 130265
4. Oil and Gas Lease No. 063-517 dated June, 2006 from State of Idaho Department of Lands to Energy West Corporation.

Assignment of Oil and Gas Lease recorded September 1, 2010 as Instrument No. 278793.

Assignment of Oil and Gas Lease as set forth in Conveyance, Assignment and Bill of Sale, recorded February 23, 2012 as Instrument No. 285668

Corrected Assignment of Overriding Royalty recorded April 2, 2012 as Instrument No. 286158

5. Rights of way for ditches, tunnels and telephone and transmission lines constructed by Authority of the United States, as granted to the United States under the provisions of Section 58-604 Idaho Code 1947.
6. An easement containing certain terms, conditions and provisions affecting a portion of said premises and for the purposes stated herein
For: Road and Irrigation pipelines
In Favor of: Connecticut General Life Insurance Company
Recorded: August 28, 1979
Instrument No.: 130158
7. Adoption Agreement upon the terms, conditions and provisions contained therein:
Between: Union Pacific Railroad Company and Joseph W. Roberts and Rhodona Roberts, husband and wife
Instrument No.: 163807 and 163808

8. Matters disclosed by
Record of Survey
Recorded: July 25, 1991
Instrument No.: 169763

9. Matters disclosed by
Record of Survey
Recorded: February 9, 2000
Instrument No.: 210145

10. Matters disclosed by

Record of Survey

Recorded: March 25, 2002

Instrument No.: 221508

11. Water Right General Warranty Deed and Assignment and the terms and conditions thereof;

Recorded April 7, 2004

Instrument No. 235749

12. Covenants, conditions, restrictions and easements as set forth on the face of the plat.

Name of Plat: High Vista Estate Subdivision

Book/Page: Book 4 of Plats at Page 32

13. Covenants, Conditions, Restrictions and Easements

Recorded: August 14, 2007

Instrument No.: 261491

Deleting or omitting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).

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

Instrument # 292907

EMMETT, GEM, IDAHO
2013-07-03 10:24:18 AM No. of Pages: 2
Recorded for: PIONEER TITLE COMPANY OF GEM C
SHELLY TILTON Fee: \$13.00
Ex-Officio Recorder Deputy SStewart
Index To: QUIT CLAIM DEED
Electronically Recorded by Simplifile

WATER RIGHT QUITCLAIM DEED

FOR VALUE RECEIVED, Carlos Post and Laura Post, husband and wife, ("Grantors"), do hereby convey, release, remise and forever quitclaim unto Chad R. Collins and Jennifer A. Collins, husband and wife, whose address is 17052 N. Midsummers Lane, Nampa, ID 83687 ("Grantees"), all of Grantors' right, title and interest in and to that certain water right heretofore appurtenant to four (4) irrigated acres situated in the NE 1/4 of the SE 1/4 of Section 36, T6N, R3W, Boise Meridian, Gem County, Idaho being in Lot 19, High Vista Estates Subdivision according to the Official Plat thereof, filed in Book 4 of Plats at Page 32, Official Records of Gem County, Idaho (the "Water Right"), said Water Right being a portion of water right no. 63-33517 as described in the records of the Idaho Department of Water Resources.

This Quitclaim Deed conveys no interest in the underlying land.

IN WITNESS WHEREOF, the undersigned have caused their names to be hereunto subscribed this 27 day of June, 2013.

Carlos Post
Carlos Post

Laura E Post
Laura Post

STATE OF IDAHO)
County of Canyon) ss.

On this 27 day of June, 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared Carlos Post and Laura Post, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

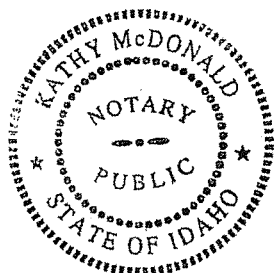
WATER RIGHT QUITCLAIM DEED - 1

Kathy McDonald

Notary Public for _____

Residing at _____

My commission expires: _____



RESIDING IN CALDWELL, IDAHO
MY COMMISSION EXPIRES 05-27-17

ATTACHMENT 6

PARTIAL RELEASE OF LIENS AS TO WATER RIGHT

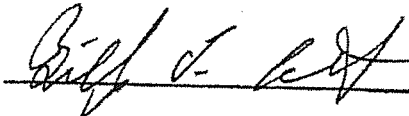
Pacific Intermountain Mortgage Company ("Mortgagee"), holder by assignment of that mortgage recorded April 27, 2004, as Instrument No. 236137, and that mortgage recorded April 27, 2004 as Instrument No. 236138, and that mortgage recorded November 28, 2007 as Instrument 263260, all recorded in the Record of Mortgages in Gem County, Idaho (collectively, "Mortgages"), for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby release and discharge all right, title, interest, lien, claim or demand whatsoever which Mortgagee may have acquired by or through said Mortgages, in and to the following described water right:

That certain water right ("Water Right") heretofore appurtenant to the following described lands: Four (4) irrigated acres situated in the NE1/4 of the SE1/4 of Section 36, T6N, R3W, Boise Meridian, Gem County, Idaho, being in Lot 19, High Vista Estates Subdivision according to the official plat thereof, filed in Book 4 of Plats at Page 32, Official records of Gem County, Idaho said Water Right being a portion of water right no. 63-33517 as described in the records of the Idaho Department of Water Resources.

THIS RELEASE is made by the Mortgagee on the express condition that it shall not in any way affect or impair the liens and security of the Mortgages, or upon other premises and properties now subject thereto and not expressly released hereby.

WITNESS WHEREOF, the undersigned mortgage holder caused its name to be herein described this 2nd day of July, 2013.

PACIFIC INTERMOUNTAIN MORTGAGE
COMPANY

By: 

Its: _____

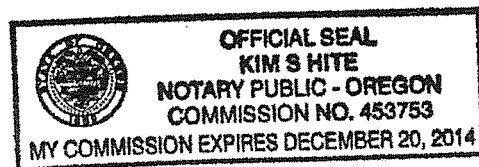
PARTIAL RELEASE OF MORTGAGE AS TO WATER RIGHT

STATE OF Oregon)
: ss.
County of Baker)

On this 2nd day of July, 2013, before me, a Notary Public in and for said State, personally appeared Billy L. Clanta, known or identified to me to be the Vice President of Pacific Intermountain Mortgage Company, the corporation that executed the foregoing instrument, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

Kim S. Hite
Notary Public for State of Oregon
Residing at: Baker City, OR
My commission expires: 12-20-14



PARTIAL RELEASE OF MORTGAGE AS TO WATER RIGHT

Instrument # 292909

EMMETT, GEM, IDAHO
2013-07-03 10:24:18 AM No. of Pages: 2
Recorded for: PIONEER TITLE COMPANY OF GEM C
SHELLY TILTON Fee: \$13.00
Ex-Officio Recorder Deputy SStewart
Index To: RELEASE
Electronically Recorded by Simplifile

PARTIAL RELEASE OF LIENS AS TO WATER RIGHT

Carlos Post and Laura Post (collectively, "Mortgagee"), holder of that mortgage recorded September 11, 2006 as Instrument 254599, all recorded in the Record of Mortgages in Gem County, Idaho ("Mortgage"), for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby release and discharge all right, title, interest, lien, claim or demand whatsoever which Mortgagee may have acquired by or through said Mortgage, in and to the following described water right:

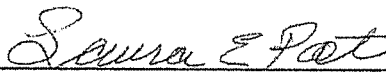
That certain water right ("Water Right") heretofore appurtenant to the following described lands: Four (4) irrigated acres situated in the NE1/4 of the SE1/4 of Section 36, T6N, R3W, Boise Meridian, Gem County, Idaho, being in Lot 19, High Vista Estates Subdivision according to the official plat thereof, filed in Book 4 of Plats at Page 32, Official records of Gem County, Idaho said Water Right being a portion of water right no. 63-33517 as described in the records of the Idaho Department of Water Resources.

THIS RELEASE is made by the Mortgagee on the express condition that it shall not in any way affect or impair the liens and security of the Mortgage, or upon other premises and properties now subject thereto and not expressly released hereby.

WITNESS WHEREOF, the undersigned mortgage holder caused its name to be herein described this 27 day of June, 2013.



Carlos Post



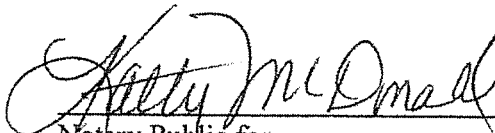
Laura Post

PARTIAL RELEASE OF MORTGAGE AS TO WATER RIGHT

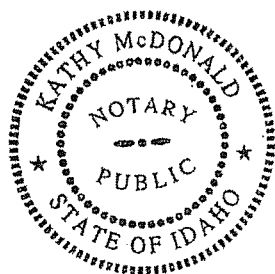
STATE OF Idaho)
County of Canyon) : ss.

On this 27 day of June, 2013, before me, a Notary Public in and for said State, personally appeared Carlos Post and Laura Post, known or identified to me to be the persons who executed the instrument, and acknowledged to me that they executed the same.

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



Notary Public for _____
Residing at: _____
My commission expires: _____

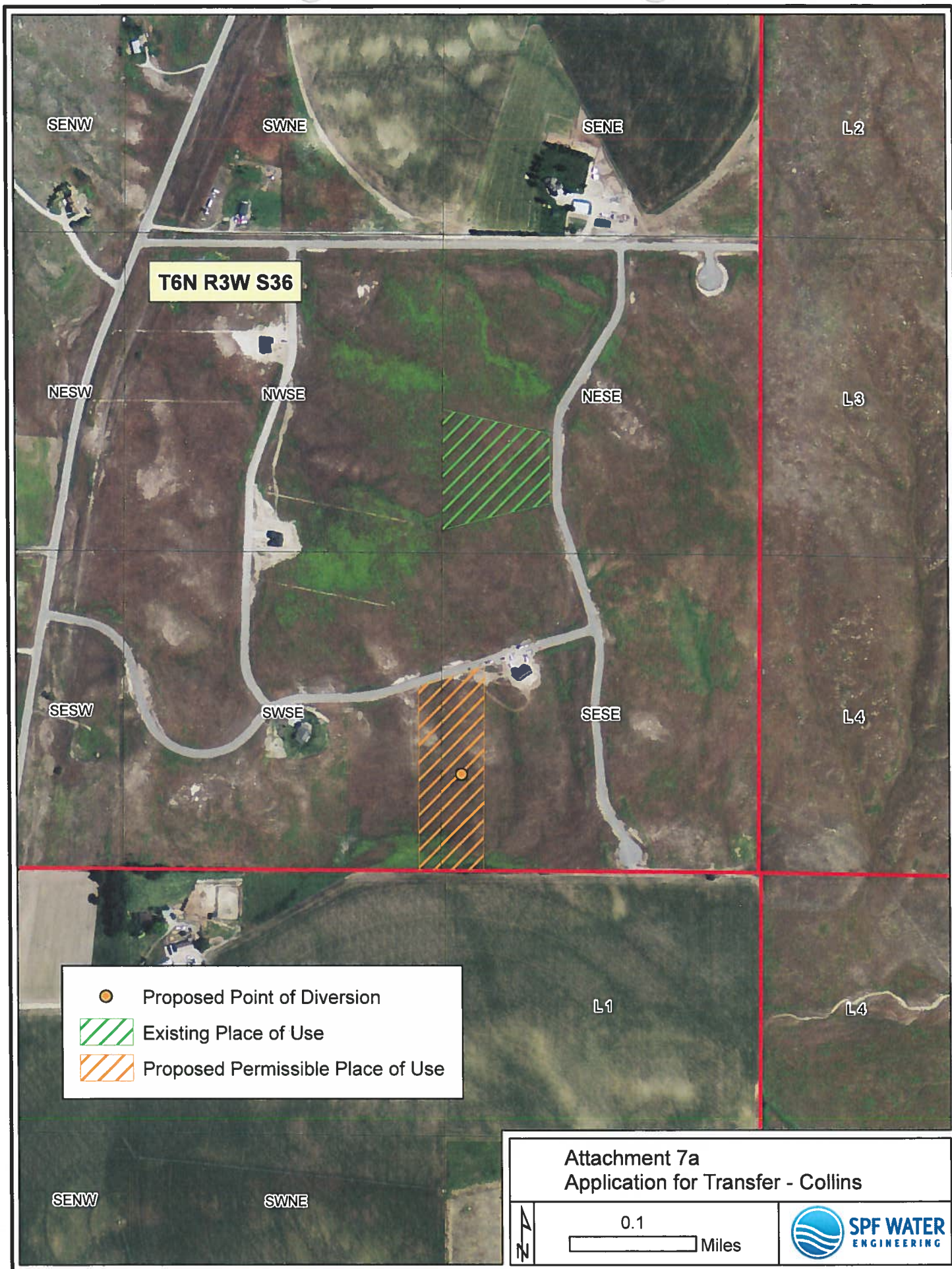


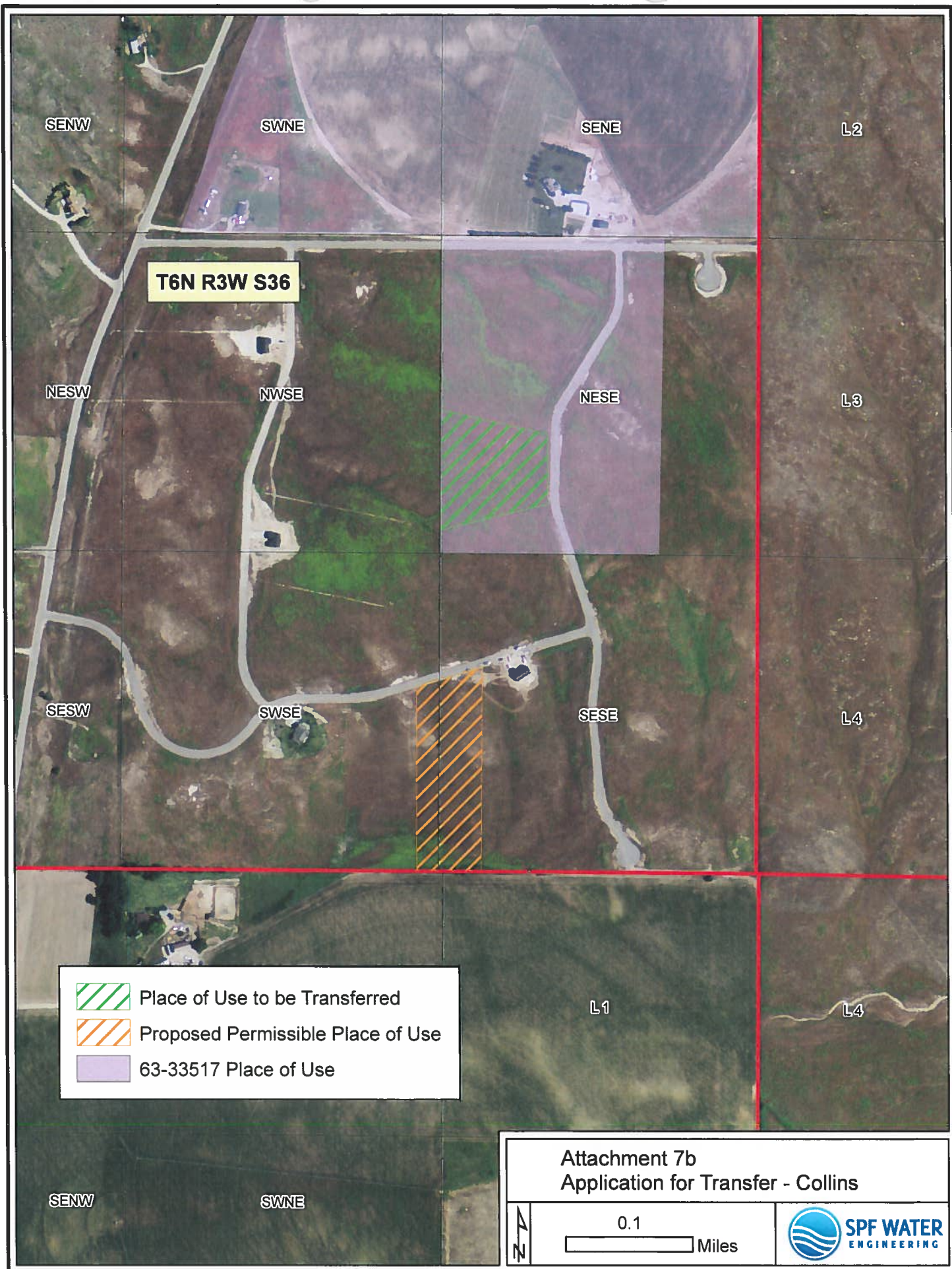
RESIDING IN CALDWELL, IDAHO
MY COMMISSION EXPIRES 05-27-17

PARTIAL RELEASE OF MORTGAGE AS TO WATER RIGHT



ATTACHMENTS 7a/7b





Sommer, Rachel

From: Sommer, Rachel
Sent: Thursday, January 09, 2014 12:27 PM
To: LEGALS@IDAHOPRESS.COM
Subject: Gem Legal Ad
Attachments: Gem Cover Letter.docx; Gem Legal Ad.docx

Good Afternoon,

Please see the attached ad for publication on 1/15/2013 & 1/22/2013.

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

January 9, 2014

LEGAL NOTICE DEPARTMENT
MESSENGER INDEX
PO BOX 577
EMMETT, ID 83617

RE: Transfer No. 78743

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 2/3/2014. Your cooperation is appreciated.

Sincerely,

Rachel Sommer
Administrative Assistant

Enclosures

PROPOSED CHANGE OF WATER RIGHT

Chad R. & Jennifer A. Collins of 17052 N. Midsummers Ln., Nampa, ID 83687 filed Application No. **78743** to transfer a portion of a water right with a 1978 priority date from ground water totaling 0.06 cfs. The purpose of the transfer is to move a 4 acre portion of water right from Lot 19 to Lot 6 within High Vista Estates and designate a new point of diversion on Lot 6. High Vista Estates is located just north of the Canyon County/Gem County line on the east side of Little Freezeout Rd.

For additional information concerning the property location, contact Western Region office at (208) 334-2190; or see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp for a full description of the right(s) and the proposed transfer. Protests may be submitted based on the criteria of Idaho Code § 42-222. Any protest against the proposed change 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 2/3/2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 1/15/2014 and 1/22/2014