

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 19 2013

DEV

WATER RESOURCES
WESTERN REGION

Notice of Change in Water Right Ownership

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?
63-33658	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: JULIUS M KLEINER MEMORIAL PARK TRUST
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): CITY OF MERIDIAN
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or

33 E BROADWAY SUITE 206 MERIDIAN ID 83642
Mailing address City State ZIP

208 888-3579 SSIDDOWAY@MERIDIANCITY.ORG
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: 5-11-2012

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: Stephen E. Fithian Director, Meridian Parks & Rec. 7/17/13
Signature of new owner/claimant Title, if applicable Date

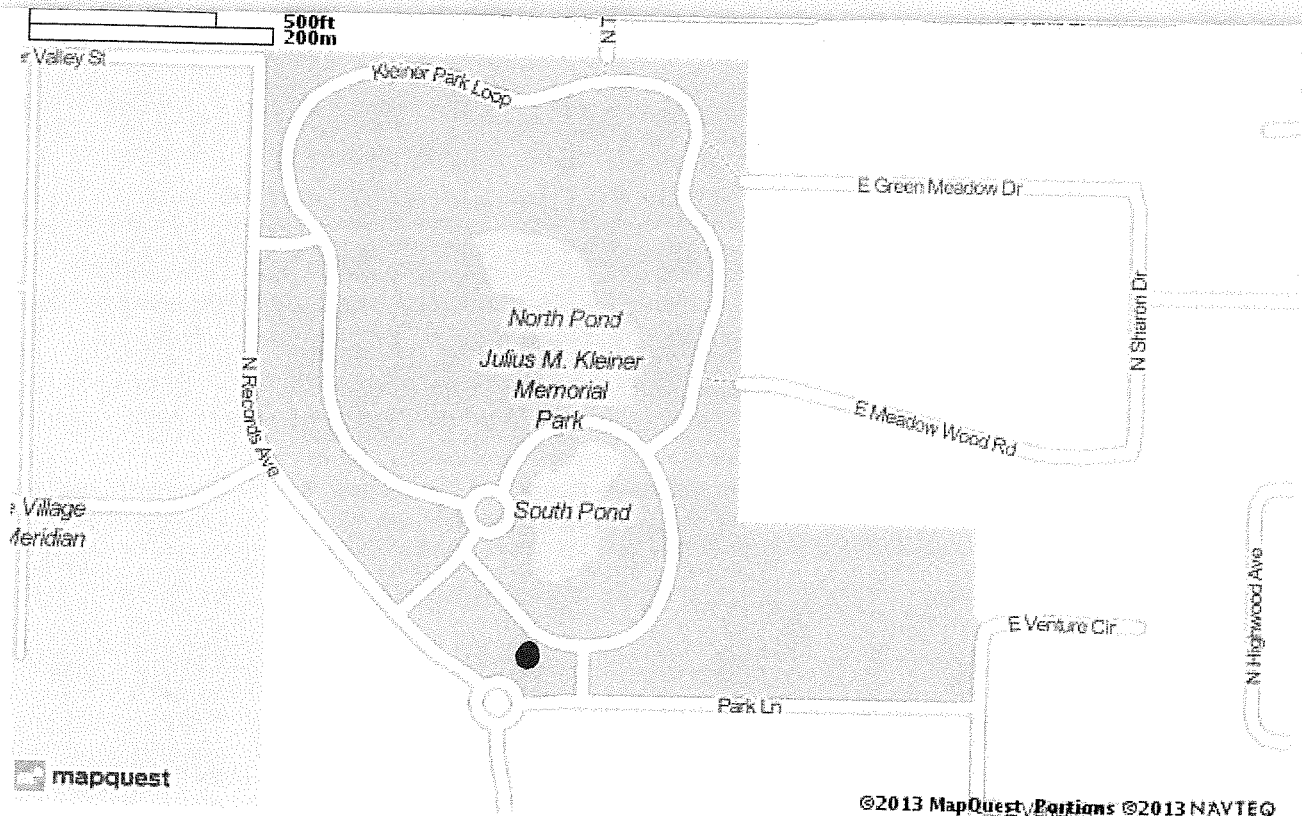
Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by JA Date 7/19/2013 Receipt No. W041359 Receipt Amt. \$25.00
Approved by PS Processed by JA Date 7-23-13

● = Well location

1900 RECORDS AVE, MERIDIAN



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<http://www.mapquest.com/print?a=app.core.cc5b1d60416b5aab864d2dff>

7/18/2013

Recording Requested By and
When Recorded Return to:
City of Meridian, Idaho
City Attorney
33 East Broadway Avenue
Meridian, Idaho 83642

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

GIFT DEED

THIS GIFT DEED is made this 11 day of May, 2012, between Eugene M. Kleiner, Michael E. Huter, Elden E. Gray and Michael B. Kleiner, as Co-Trustees of The Julius M. Kleiner Memorial Park Trust, UTA Dated April 5, 2007, as amended, ("Grantor") and the City of Meridian, a municipal corporation of the State of Idaho, whose pertinent mailing address is 33 East Broadway Avenue, Meridian, Idaho 83642 ("Grantee").

Section 1. AS A GIFT TO GRANTEE, Grantor does hereby grant and convey to Grantee, all of the real property situated in the County of Ada, State of Idaho, described on Exhibit "A" attached hereto and by this reference made a part hereof ("Subject Property").

Together with all easements, water and water rights, and all other rights and appurtenances thereto and all improvements located thereon, except for the building owned or to be owned by the Meridian Area Senior Citizens Association, Inc., an Idaho non-profit corporation, d/b/a Meridian Senior Center ("Senior Center").

SUBJECT TO all liens, easements, rights-of-way, restrictions, reservations, covenants and all other items or matters of record or appearing on the Subject Property, including but not limited to:

A. All taxes and assessments levied and assessed upon the Subject Property for the year 2012 and each year thereafter; and

B. The terms, provisions and use restrictions set forth in that certain Declaration of Restrictions which was dated July 31, 2008 and recorded on July 31, 2008 as Instrument No. 108087271, records of Ada County, Idaho ("Declaration"); and

C. The use restrictions set forth in that certain Special Warranty Deed dated July 29, 2008 executed by David E. Kleiner, as Trustee of The 2008 Kleiner Family Trust U/T/D March 4, 2008 and recorded on July 31, 2008 as Instrument No. 108087270, records of Ada County, Idaho ("Kleiner Trust Deed").

Recording Requested By and
When Recorded Return to:
City of Meridian, Idaho
City Attorney
33 East Broadway Avenue
Meridian, Idaho 83642

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TO HAVE AND TO HOLD the Subject Property unto Grantee so long as Grantee shall comply with the following conditions:

(i) The Subject Property is to be set apart, dedicated, treated and maintained by Grantee exclusively as a public park for the benefit of the general public.

(ii) The public park located, maintained and operated upon the Subject Property shall at all times be identified, known and referred to by the Grantee as the "Julius M. Kleiner Memorial Park" ("Park").

(iii) The Subject Property, or any part of the Subject Property, shall never be transferred, sold, or conveyed by the Grantee nor shall Grantee create or permit any lien or encumbrance to attach to the Subject Property, except for easements for utilities serving the Subject Property and ad valorem taxes levied and assessed upon the Subject Property, if any.

(iv) Grantee shall provide sufficient funds for the proper maintenance and operation of the Park.

(v) Grantee shall provide for the maintenance of the Park grounds and facilities at an appropriate level to maintain the aesthetic condition of the grounds, ponds, landscaping and facilities in a "like new" condition similar to their condition as of the date of this Gift Deed, reasonable wear and tear excepted.

(vi) Grantee shall provide for the maintenance of all mature and maturing trees, shrubs and plants placed in the Park in an appropriate manner to preserve the health, appearance and beauty of such trees, shrubs and plants. Grantee shall promptly remove and replace any of such trees, shrubs and plants, as necessary.

(vii) Grantee shall provide for the maintenance of the statue of Julius M. Kleiner placed in the Park at an appropriate level to maintain a "like new" condition similar to their condition as of the date of this Gift Deed with the exception of any naturally occurring patina and shall follow the maintenance guidelines as provided and/or recommended by the sculptor of the statue.

(viii) Grantee shall provide for the maintenance of all artwork of the Park, including historical displays and the obelisks, at a appropriate level to maintain a "like new" condition similar to their condition as of the date of this Gift Deed with the exception of any naturally occurring patina on the obelisks and shall follow the maintenance guidelines as provided or recommended by the artist(s) of the obelisks.

Section 2. To ensure that the Subject Property will be used and operated in full compliance with this Gift Deed, the Declaration, and the Kleiner Trust Deed, it shall be a condition of this conveyance that at any time in the future should the Subject Property or any part thereof not be used in full compliance with this Gift Deed, the Declaration, or the Kleiner Trust Deed or Grantee shall fail, refuse or neglect in any respect to comply with its duties and obligations set forth herein or therein, Grantee shall be divested of the title to the Subject Property and in such event the title thereto shall automatically, and without the necessity of any

conveyance, pass to and become vested in Grantor or another exempt organization qualified as a 501(c)(3) non-profit organization under the Internal Revenue Code of the United States or another organization or entity designated by the then incumbent Governor of the State of Idaho, which will operate and maintain the Park in compliance with the terms and provisions of this Gift Deed.

In the event Grantee is in default of this Gift Deed and fails to cure the default within thirty (30) days from its receipt of written notice from either Grantor, if it is then in existence, or the then incumbent Governor of the State of Idaho, specifying the particulars of Grantee's default, either Grantor, if it is then in existence, or the then incumbent Governor of the State of Idaho, shall have the right to pursue all remedies provided to it by law, statute or in equity, including but not limited to divestiture of title as provided above. Notwithstanding anything to the contrary stated above, if the nature of the default is such that it cannot be cured within said thirty (30) day period, Grantee shall not be deemed to be in default if it commences to cure the default within such thirty (30) day period and thereafter diligently pursues the cure to completion. The provisions of this Section 2 may be enforced by Grantor, if it is then in existence, or the then incumbent Governor of the State of Idaho.

The fact that Grantee has ceased to use and operate the Subject Property in accordance with the terms and provisions of this Gift Deed may be established of record by either a certified copy of a resolution by Grantor of that fact or a determination thereof by a court of competent jurisdiction of the State of Idaho.

Section 3. By the recordation of this Gift Deed, Grantee shall be deemed to have accepted and agreed to comply with the terms and provisions of this Gift Deed and to hold the Subject Property subject to full performance by it of the terms and provisions of this Gift Deed.

IN WITNESS WHEREOF, this Gift Deed has been duly executed by Grantor the day and year herein first above written.

[Signatures on Following Pages]

IN WITNESS WHEREOF, this Gift Deed has been duly executed by Grantor the day and year herein first above written.

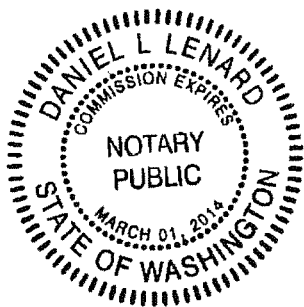
THE JULIUS M. KLEINER MEMORIAL PARK
TRUST, UTD DATED APRIL 5, 2007

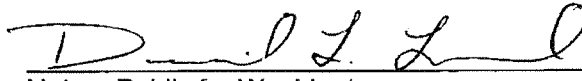
By: 
Eugene M. Kleiner, Co-Trustee

STATE OF WASHINGTON)
) ss.
County of King)

On this 8th day of May, 2012, before me,
Daniel L Lenard, a Notary Public in and for said State, personally appeared
Eugene M. Kleiner, known or identified to me to be the person whose name is subscribed to the
within instrument as Co-Trustee of The Julius M. Kleiner Memorial Park Trust, UTA Dated
April 5, 2007, and acknowledged to me that he executed the same as such Co-Trustee.

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 Washington,
Residing at King County / Washington
My commission expires 03/01/2014

IN WITNESS WHEREOF, this Gift Deed has been duly executed by Grantor the day and year herein first above written.

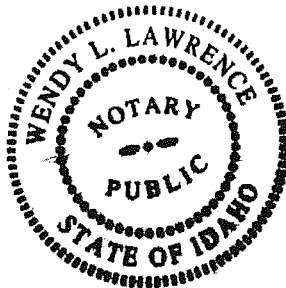
THE JULIUS M. KLEINER MEMORIAL PARK
TRUST, UTD DATED APRIL 5, 2007

By: Michael E. Huter
Michael E. Huter, Co-Trustee

STATE OF IDAHO)
) ss.
County of Canyon)

On this 7th day of May, 2012, before me,
Wendy L. Lawrence, a Notary Public in and for said State, personally appeared
Michael E. Huter, known or identified to me to be the person whose name is subscribed to the
within instrument as Co-Trustee of The Julius M. Kleiner Memorial Park Trust, UTA Dated
April 5, 2007, and acknowledged to me that he executed the same as such Co-Trustee.

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



Wendy L. Lawrence
Notary Public for Idaho
Residing at Canyon City
My commission expires 10/29/2013

IN WITNESS WHEREOF, this Gift Deed has been duly executed by Grantor the day and year herein first above written.

THE JULIUS M. KLEINER MEMORIAL PARK
TRUST, UTD DATED APRIL 5, 2007

By: Elden E. Gray
Elden E. Gray, Co-Trustee

STATE OF IDAHO)
) ss.
County of Ada)

On this 9th day of May, 2012, before me,
MARCELLE L. Moxley, a Notary Public in and for said State, personally appeared
Elden E. Gray, known or identified to me to be the person whose name is subscribed to the
within instrument as Co-Trustee of The Julius M. Kleiner Memorial Park Trust, UTA Dated
April 5, 2007, and acknowledged to me that he executed the same as such Co-Trustee.

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



[Signature]
Notary Public for Idaho
Residing at BOISE, ID
My commission expires 3/4/2015

IN WITNESS WHEREOF, this Gift Deed has been duly executed by Grantor the day and year herein first above written.

THE JULIUS M. KLEINER MEMORIAL PARK
TRUST, UTD DATED APRIL 5, 2007

By: Michael B. Kleiner
Michael B. Kleiner, Co-Trustee

STATE OF WASHINGTON)
) ss.
County of King)

On this 8th day of May, 2012, before me,
Daniel L. Lenard, a Notary Public in and for said State, personally appeared
Michael B. Kleiner, known or identified to me to be the person whose name is subscribed to the
within instrument as Co-Trustee of The Julius M. Kleiner Memorial Park Trust, UTA Dated
April 5, 2007, and acknowledged to me that he executed the same as such Co-Trustee.

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



Daniel L. Lenard
Notary Public for Washington
Residing at King County / Washington
My commission expires 03/01/2014

CONSENT

The undersigned Grantee hereby agrees to the terms and provisions of this Gift Deed.

Dated this 9th day of May, 2012.

City of Meridian, a municipal corporation of the
State of Idaho

By: Tammy de Weerd
Tammy de Weerd, Mayor

ATTEST:

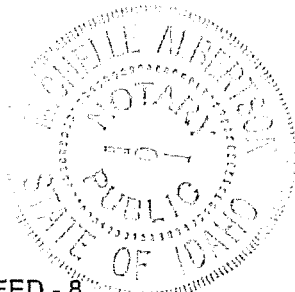
Jaycee L. Holman
Jaycee L. Holman, City Clerk



STATE OF IDAHO)
) ss.
County of Ada)

On this 9th day of May, 2012, before me,
Michelle Albertson, a Notary Public in and for said State, personally
appeared Tammy de Weerd and Jaycee L. Holman, known or identified to me to be the Mayor
and the City Clerk, respectively, of the City of Meridian, and the persons who executed the
instrument on behalf of said City, and acknowledged to me that such City 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.



Michelle Albertson
Notary Public for Idaho
Residing at 3050 E. 11th
My commission expires 3-23-14

EXHIBIT "A"

PARCEL 1:

LOT 12 IN BLOCK 25 OF REDFEATHER ESTATES SUBDIVISION NO. 7, ACCORDING TO THE PLAT THEREOF, FILED IN BOOK 96 OF PLATS AT PAGES 11865 THROUGH 11866, RECORDS OF ADA COUNTY, IDAHO.

EXCEPT:

A PARCEL OF LAND BEING A PORTION OF LOT 12 IN BLOCK 25 OF REDFEATHER ESTATES SUBDIVISION NO. 7, BOOK 96 OF PLATS AT PAGES 11865 AND 11866, RECORDS OF ADA COUNTY, SITUATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT THE CENTER QUARTER-SECTION CORNER OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 1 EAST, BOISE MERIDIAN, WITNESSED BY A 5/8 INCH REBAR WHICH BEARS N 00° 12' 43" E, 2.00 FEET THENCE S 89° 50' 47" W, 510.26 FEET ALONG THE SOUTH LINE OF REDFEATHER ESTATES SUBDIVISION NO. 6, BOOK 96 OF PLATS AT PAGES 11818 AND 11819, RECORDS OF ADA COUNTY, AND THE NORTH LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER TO A 5/8 INCH REBAR MARKING THE SOUTHEAST CORNER OF REDFEATHER ESTATES SUBDIVISION NO. 7; THENCE CONTINUING S 89° 50' 47" W, 820.42 FEET ALONG THE SOUTH LINE OF REDFEATHER ESTATES SUBDIVISION NO. 7 TO A 5/8 INCH REBAR MARKING THE SOUTHWEST CORNER OF REDFEATHER ESTATES SUBDIVISION NO. 7 AND THE NORTHWEST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER; THENCE N 00° 16' 56" E, 157.17 FEET ALONG THE WEST LINE OF REDFEATHER ESTATES NO. 7 TO THE POINT OF BEGINNING; THENCE

CONTINUING N 00° 16' 56" E, 81.00 FEET ALONG THE WEST LINE OF REDFEATHER ESTATES SUBDIVISION NO. 7 TO 1/2 INCH REBAR MARKING THE NORTH LINE OF LOT 12 IN BLOCK 25 OF REDFEATHER ESTATES SUBDIVISION NO. 7 AND THE SOUTH RIGHT-OF-WAY LINE OF EAST TAHITI DRIVE; THENCE S 89° 45' 18" E, 56.77 FEET ALONG THE NORTH LINE OF LOT 12 IN BLOCK 25 OF REDFEATHER ESTATES SUBDIVISION NO. 7 AND THE SOUTH RIGHT-OF-WAY LINE OF EAST TAHITI DRIVE TO A 1/2 INCH REBAR; THENCE 83.15 FEET ON A CURVE TO THE RIGHT HAVING A RADIUS OF 575.00 FEET, A CENTRAL ANGLE OF 8° 17' 09", A CHORD BEARING OF S 85° 36' 44" E, AND A CHORD LENGTH OF 83.08 FEET, ALONG THE NORTH LINE OF LOT 12 IN BLOCK 25 OF REDFEATHER ESTATES NO. 7 AND THE SOUTH RIGHT-OF-WAY LINE OF EAST TAHITI DRIVE TO A 1/2 INCH REBAR; THENCE S 81° 28' 09" E, 74.33 FEET ALONG THE NORTH LINE OF LOT 12 IN BLOCK 25 OF REDFEATHER ESTATES SUBDIVISION NO. 7 AND THE SOUTH RIGHT-OF-WAY LINE OF EAST TAHITI DRIVE TO A 5/8 INCH REBAR; THENCE S 14° 11' 41" W, 107.99 FEET ALONG THE EAST LINE OF LOT 12 IN BLOCK 25 OF REDFEATHER ESTATES SUBDIVISION NO. 7 TO A 5/8 INCH REBAR AT THE SOUTHWEST CORNER OF LOT 11 IN BLOCK 25 OF REDFEATHER ESTATES NO. 7; THENCE N 77° 32' 27" W, 191.54 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

A parcel of land situated in the Southwest Quarter and the West half of the Southwest Quarter of the Southeast Quarter of Section 4, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at a brass cap marking the southwest corner of Section 4, Township 3 North, Range 1 East, Boise Meridian;
Thence S89°46'17"E, 2659.51 feet along the south line of the southwest quarter to a 5/8 inch rebar marking the south quarter-section corner of Section 4;
Thence S89°46'39"E, 664.61 feet along the south line of the southeast quarter;
Thence N00°13'21"E, 57.74 feet to a 5/8 inch rebar marking the southwest corner of Venture Subdivision, Book 27 of Plats at Page 1704 and 1705, records of Ada County, on the north right-of-way line of East Fairview Avenue;
Thence N00°04'25"E, 741.97 feet along the west line of Venture Subdivision to the POINT OF BEGINNING:

Thence N89°59'29"W, 1365.18 feet;

Thence 118.21 feet on a non-tangent curve to the left, concave westerly, having a radius of 511.67 feet, a central angle of 13°14'13", a chord bearing of N38°03'12"W, and a chord length of 117.95 feet;

Thence N44°40'18"W, 649.89 feet;

Thence 398.07 feet on a curve to the right having a radius of 488.33 feet, a central angle of 46°42'20", a chord bearing of N21°19'08"W, and a chord length of 387.14 feet;

Thence N02°02'02"E, 720.47 feet;

thence 16.85 feet on a curve to the left having a radius of 511.67 feet, a central angle of 1°53'12", a chord bearing of N01°05'26"E, and a chord length of 16.85 feet;

Thence N00°08'50"E, 182.63 feet to the north line of the west half of the southwest quarter;

Thence N89°51'01"E, 20.33 feet along the North line of the West half of the Southwest Quarter to a 5/8 inch rebar marking the Southwest corner of Redfeather Estates Subdivision No. 7, Book 96 of Plats at Pages 11865 and 11866, records of Ada Count, and the Northwest corner of the East half of the Southwest Quarter;

Thence N89°50'47"E, 1330.68 feet along the south line of Redfeather Estates Subdivision No. 7, the South line of Redfeather Estates Subdivision No. 6, Book 96 of Plats at Pages 11818 and 11819, records of Ada County, and the North line of the East half of the Southwest Quarter to a 5/8 inch rebar marking the center quarter-section corner;

Thence S00°10'49"W, 1314.73 feet along the east line of the southwest quarter to a 1/2 inch rebar marking the southwest corner of Clover Meadows Subdivision No. 3, Book 24 of Plats at Page 1524 and 1525, records of Ada County;

Thence N89°58'34"E, 662.97 feet along the south line of Clover Meadows Subdivision No. 3 to a 1/2 inch rebar marking the northwest corner of Venture Subdivision, Book 27 of Plats at Page 1704 and 1705;

Thence S00°04'25"W, 524.56 feet along the west line of Venture Subdivision to the POINT OF BEGINNING.

LESS AND EXCEPTING THEREFROM that portion of said property deeded to Ada County Highway District by Warranty Deed recorded June 29, 2011, as Instrument No. 111052322 and re-recorded July 28, 2011, as Instrument No. 111060552, re-re-recorded August 11, 2011, as Instrument No. 111064846, Records of Ada County, Idaho.

FURTHER LESS AND EXCEPTING THEREFROM that portion of said property deed to Ada County Highway District by Warranty Deed recorded July 14, 2011, as Instrument No. 111056353, Records of Ada County, Idaho.

FURTHER LESS AND EXCEPTING THEREFROM that portion of said property deed to Ada County Highway District by Warranty Deed recorded January 25, 2012, as Instrument No. 112007196, Records of Ada County, Idaho.

APN: R7366290332 (AFFECTS PARCEL 1); S1104314807 (WESTERLY PORTION OF PARCEL 2); S1104438625 (EASTERLY PORTION OF PARCEL 2)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

June 13, 2012

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

THE JULIUS M KLEINER MEMORIAL PARK TRUST
ATTN: MICHAEL E HUTER
217 W GEORGIA AVE STE 100
NAMPA ID 83686

Re: Notice of Change in Water Right Ownership No's: 63-33613

Original: Water Right No. 63-33613

Split into: Water Right No. 63-33657, ~~63-33658~~

Dear Water Right Holders:

We have received and processed a Change of Ownership for a portion of the original Water Right as referenced above. This Change of Ownership required a split of two of the original water rights resulting in renumbering this water right, using a new water right number to represent each split. The new water right number for your portion is referenced above and a copy is enclosed.

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.

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. If you do not plan on changing any items on your water right, then no further action is required at this time.

Thank you for your patience, as we have had several water right changes to process. Please feel free to contact this office at 334-2190 if you have any questions concerning the enclosed information or this letter.

Sincerely,

Rachel Sommer
Office Specialist II
Western Region

Enclosures

Cc: Rick Goodson, Hawley Troxell Ennis & Hawley LLP; Michael Lawrence, Givens Pursley LLP.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-33658

WATER RIGHT NUMBER: 63-33658

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	KLEINER BROTHERS 326 N ORCHARD BOISE, ID 83706
Current Owner	THE JULIUS M KLEINER MEMORIAL PARK TRUST UTA CO/ MICHAEL E HUTER, CO-TRUSTEE 217 W GEORGIA AVE STE 100 NAMPA, ID 83686 208-466-9264

Priority Date: 05/11/1987

Basis: License

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.700 CFS	202.40 AF
	<u>Total Diversion:</u>	0.700 CFS	202.40 AF

Location of Point(s) of Diversion

GROUND WATER

ADA County

SE1/4SW1/4

Sec. 4, Twp 03N, Rge 01E, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
03N	01E	4	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
											39.0			6.0					45.0

Total Acres: 45

Conditions of Approval:

1. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
2. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 63-33658

Dates and Other Information:

Licensed Date: 3/24/1990
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre: 0.02
Generic Max Volume Per Acre: 4.5
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

Ted Baird

From: Rick Goodson <rgoodson@hawleytroxell.com>
Sent: Friday, July 06, 2012 3:31 PM
To: Ted Baird
Cc: Mike Huter; egray8962@msn.com
Subject: RE: Kleiner Water Rights [IWOV-DMSMSG1.FID397002]
Attachments: Letter from Department of Water Resources RE Water Rights 63336658.pdf.html

Follow Up Flag: Follow up
Flag Status: Flagged

Ted:

For your information and file I am forwarding a copy of the letter dated June 13, 2012 addressed to the Park Trust from the Department of Water Resources advising the Park Trust that the Department had processed the Change of Ownership for the water license. I am sorry that the City of Meridian had not received this letter. I had communicated with Mike Huter and Elden Gray about this letter and the additional steps that need to be taken to now that the Park Trust had conveyed the land to the City. It was my understanding that one of these Co-Trustees was going to get in touch with you about what is now needed.

I have been advised by Rachel Sommer at IDWR that since the City now owns this new water right (63-33658) the City needs to file a "Notice of Change of Water Right Ownership with IDWR. IDWR will require that these documents be provided to it:

1. A completed Notice of Change of Ownership Form.
2. A copy of the recorded Deed which conveyed the Park to the City.
3. If available a plat or map of the Park which shows the place of use and point of diversion of the water.
4. The \$25.00 fee.

Let me know if you have any questions.

Rick Goodson
Hawley Troxell Ennis & Hawley LLP
P.O. Box 1617
877 Main St., Suite 1000
Boise, ID 83701
Direct Dial: (208) 388-4812

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From: Ted Baird [<mailto:tbaird@meridiancity.org>]
Sent: Thursday, July 05, 2012 5:00 PM
To: Rick Goodson
Subject: RE: Kleiner Water Rights [IWOV-DMSMSG1.FID397002]

Rick: Can you advise me of the status of the IDWR change in ownership request?

Ted Baird