

RECEIVED

MAR 25 2011

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

77146

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 <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. Part 2B forms are available on the Department's website at: http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/PDFs_09/WaterRight_TransferApp_Part2B.pdf.
- ☒ * 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.
- ☐ ☒ #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).
- ☐ ☒ #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/wrt_default.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.)
- ☒ ☐ #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: _____

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 77146

MAR 25 2011

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

WATER RESOURCES
WESTERN REGIONName of Applicant(s) Greg Amaral, Trustee of the
Greg Amaral Ltd. Pension Plan and TrustPhone 707-864-1196Mailing address 1606 Amaral Court, Fairfield, CA 94534Email amaralranch@aol.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 RepresentativeName of Representative Lori Graves, SPF Water EngineeringPhone 208-383-4140Mailing address 300 E. Mallard Dr., Ste 350, Boise, ID 83706Email lgraves@spfwater.com☐ Send all correspondence for this application to the representative and not to the applicant.

OR

☒ Send original correspondence to the applicant and copies to the representative.☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

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

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion
☐ Change nature of use
 ☒ Add diversion point(s)
☐ Change period of use
 ☒ Change place of use
☒ Other Update Water Right Ownership
- 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 adding two existing wells as points of diversion and creating an irrigation permissible place of use to allow for irrigation flexibility within Applicant's property boundary provided that the acreage limitation for water right 63-8687 is not exceeded. This application will also serve as a means to change the ownership of the water right record to show Applicant as the current owner.

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 ☒ ☐	63-8687	2.68/603	Irrigation	3/15 to 11/15	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 2.68 cfs and/or 603 ac-ft

2. Total amount of water proposed to be transferred or changed 2.68 cubic feet per second and/or 603 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 #
No		SW	NW	SE	4	2N	3W	Canyon	Ground Water	Permit #777438
Yes			NE	SW	4	2N	3W	Canyon	Ground Water	Tag #D0047843
Yes			NE	SW	4	2N	3W	Canyon	Ground Water	Tag #D0047844

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	
					Lt 5		Lt 3												
2N	3W	4			6		15			35	40			40		39	37		212

Total Acres (for irrigation use) 134 w/ 212 ppu

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: Three existing wells, pumps and pressurized irrigation system.
Flowmeters and/or lockable pump manifolds can be installed if required.

- 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: n/a

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: n/a

- 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: The two proposed points of diversion also serve permit 63-32245 proposed for domestic and fire protection uses within Applicant's property boundary.

- f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe: The water right subject to this application was recently decreed 4/3/2009.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ <http://www.idwr.idaho.gov/> , Water Right Transfers, Step 1.
Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- ☐ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ <http://www.idwr.idaho.gov/>, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: _____

- [illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

[illegible]

Total Acres (for irrigation use) _____

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

Current Water Right No.: 63-8687

Current Owner: PEACHTREE HILL LLC

Priority Date: 4/14/1977

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	2.68 CFS	603 AF
	<u>Total Diversion</u>	2.68 CFS	603 AF

Location of Point(s) of Diversion

GROUND WATER

SW1/4NW1/4SE1/4

Sec. 4, Twp 02N, Rge 03W B.M.

CANYON County

Place of Use

IRRIGATION Within CANYON County

T02N R03W S4	SE1/4	4.00	T02N R03W S4	NESW	39.00
T02N R03W S4	SE1/4	39.00	T02N R03W S4	NWSE	21.00
T02N R03W S4	SW1/4	31.00			

Total Acres: 134

Conditions of Approval:

1. 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.
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 or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Decreed Date: 4/3/2009

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 right(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**.

1. 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.: Water delivered through Nampa and Meridian Irrigation District and Wilder Irrigation District is the primary irrigation source on Applicant's lands located below Aven Lateral. As shown in Attachments 7a and 7b, ground water under water right 63-8687 currently supplements 48 acres below the lateral and provides primary irrigation water to 86 acres above the lateral. Of the 212-acre ppu, GIS analysis indicates there are a total of 120 acres below the lateral and 92 acres above the lateral. The remaining 72 acres below the lateral and 6 acres above the lateral, within the 212-acre ppu, that are not authorized for supplemental and/or primary ground water irrigation under water right 63-8687 are proposed for irrigation on an Application for Permit accompanying this transfer application. Surface water will continue to be delivered and used for irrigation as has historically occurred.

FOR DEPARTMENT USE ONLYTransfer contains 6 pages and 2 attachments.Received by SB Date 3-25-2011 Prelim. Check by kw Date 8/29/2011Fee Paid \$330- Date 3-25-2011 Received by AB Receipt # W039090

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

ATTACHMENT 2a
OWNERSHIP DOCUMENTATION

Transfer 77146
Attachment 1



2011001551
RECORDED
2011 Jan 12 PM 1 21
WILLIAM H. HURST
CANYON CNTY RECORDER
BY D_Lee
Requestor TitleOne Boise
Type DEED
Fee \$19.00
ELECTRONICALLY RECORDED BY SIMPLIFILE

Order Number: C1029734 JG/LSD

Warranty Deed

For value received,

M & H Land Acquisitions, LLC, an Idaho limited liability company, who acquired title as M & H Land Acquisitions, LLC, an Idaho limited liability company

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

Greg Amaral, Trustee of the Greg Amaral Ltd. Pension Plan & Trust

whose current address is 1606 Amaral Court, Fairfield, CA 94534

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

Parcel 1:

The Southwest quarter of the Southeast quarter of Section 4 Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

Excepting Therefrom:

A parcel of land being a portion of the Southwest quarter of the Southeast quarter of Section 4, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho, and being more particularly described as follows:

Commencing at a found 5/8-inch iron pin marking the center quarter corner of said Section 4, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho; thence South 0°46'00" West 2645.77 feet (formerly 2645.66 feet) along the West boundary of the said Southeast quarter of Section 4 to a found brass cap marking the South quarter corner of said Section 4; thence South 89°56'20" East 1249.61 feet along the South boundary of the said Southwest quarter of the Southeast quarter of Section 4 to a set 1/2-inch iron pin, said pin marking the Real Point of Beginning; thence North 45°11'41" West 228.47 feet to a set 1/2-inch iron pin; thence North 31°16'13" West 211.40 feet to a set 1/2-inch iron pin; thence North 40°10'52" West 167.13 feet to set 1/2-inch iron pin; thence North 89°56'20" East 461.71 feet to a set 1/2-inch iron pin lying on the East boundary of the said Southwest quarter of the Southeast quarter of Section 4; thence South 0°41'22" West 469.00 feet to a set 5/8-inch iron pin marking the East 1/16 corner common to said Section 4 and Section 9; thence North 89°56'20" West 76.40 feet along said South boundary of the Southwest quarter of the Southeast quarter of Section 4 to the Point of Beginning.

1a

Parcel 2:

The Northwest quarter of the Southeast quarter of Section 4, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

Excepting Therefrom:

All that portion of the Northwest quarter of the Southeast quarter in Section 4, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho, lying North of the centerline of the Deer Flat High Line Canal.

Parcel 3:

The East half of the Southwest quarter of Section 4, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

Parcel 4:

That portion of Government Lot 3, Section 4, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho, lying Southwest of the Southwesterly boundary of the Deer Flat Highline Canal.

Parcel 5:

The Southeast quarter of the Northwest quarter of Section 4, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

Excepting Therefrom:

A portion of the Southeast quarter of the Northwest quarter of Section 4, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

Beginning at the Northeast corner of said Southeast quarter of the Northwest quarter; thence South $0^{\circ}46'00''$ West along the East boundary of said Southeast quarter of the Northwest quarter a distance of 659.16 feet to a point in the centerline of the Deer Flat High Line Canal; thence traversing said centerline as follows: North $52^{\circ}29'51''$ West a distance of 413.80 feet; North $33^{\circ}12'39''$ West a distance of 112.70 feet; North $16^{\circ}13'49''$ West a distance of 325.81 feet to a point on the North boundary of said Southeast quarter of the Northwest quarter; thence North $89^{\circ}59'30''$ East along said North boundary a distance of 489.89 feet to the Point of Beginning.

Parcel 6:

A parcel of land in Government Lot 5 of Section 4, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho, being described as follows:

Commencing at the North quarter corner of said Section 4, said corner being located North $89^{\circ}35'00''$ East a distance of 2649.41 feet from the Northwest corner of said Section 4; thence

South 00°46'00" West a distance of 1225.20 feet along the West line of Government Lot 2 to a 5/8 inch pin set at the Northwest corner of Government Lot 6 (center North 1/16 corner); thence
South 00°46'00" West a distance of 667.14 feet along the West line of Government Lots 5 and 6 to the point of intersection of same with the centerline of the Deer Flat High Line Canal and the Point of Beginning, said point being monumented by a 5/8-inch witness corner set South 00°46'00" West a distance of 32.15 feet from the True Point; thence
South 52°29'26" East a distance of 302.93 feet along said canal centerline to a point monumented by a 5/8-inch witness corner set South 00°46'00" West a distance of 33.47 feet from the True Point; thence
South 00°46'00" West a distance of 478.89 feet to a set 5/8 inch pin set in the South line of said Government Lot 5; thence
South 89°54'10" West a distance of 242.77 feet along said South line to a 5/8-inch pin at the Southwest corner of Government Lot 5 (center quarter corner); thence
North 00°46'00" East a distance of 663.77 feet along the West line of said Government Lot 5 to the Point of Beginning.

Parcel 7:

A parcel of land in Government Lot 5 of Section 4, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho, being described as follows:

Commencing at the North quarter corner of said Section 4, said corner being located North 89°35'00" East a distance of 2649.41 feet from the Northwest corner of said Section 4; thence
South 00°46'00" West a distance of 1225.20 feet along the West line of Government Lot 2 to a 5/8-inch pin set at the Northwest corner of Government Lot 6 (center North 1/16 corner); thence
South 00°46'00" West a distance of 667.14 feet along the West line of Government Lot 6 to the point of intersection of same with the centerline of the Deer Flat High Line Canal; thence
South 52°29'26" East a distance of 302.93 feet along said canal centerline to the Point of Beginning, said point being monumented by a 5/8-inch witness corner set, South 00°46'00" West a distance of 33.47 feet from the True Point; thence
South 52°29'26" East a distance of 764.26 feet along said canal centerline to a point of curvature; thence
Southeasterly along a curve to the left, having a radius of 287.94 feet, an arc length of 20.71 feet, a central angle of 4°07'13", a chord bearing of South 54°33'02" East and a chord distance of 20.70 feet to the point of intersection of said centerline with the South line of said Government Lot 5, said point monumented by a 5/8-inch witness corner set
South 89°54'10" West a distance of 49.31 feet from the True Point; thence
South 89°54'10" West a distance of 630.08 feet along said South line to a set 5/8-inch pin; thence
North 00°46'00" East a distance of 478.89 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.

1c

Dated: January 11th, 2011

M & H Land Acquisitions, LLC, an Idaho limited liability company

BY: _____
Dave Buich
Member

State of Idaho, County of Canyon, ss.

On this 11th day of January, in the year of 2011, before me, the undersigned, a Notary Public in and for said State, personally appeared Dave Buich known or identified to me to be the manager or member of the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company executed the same.

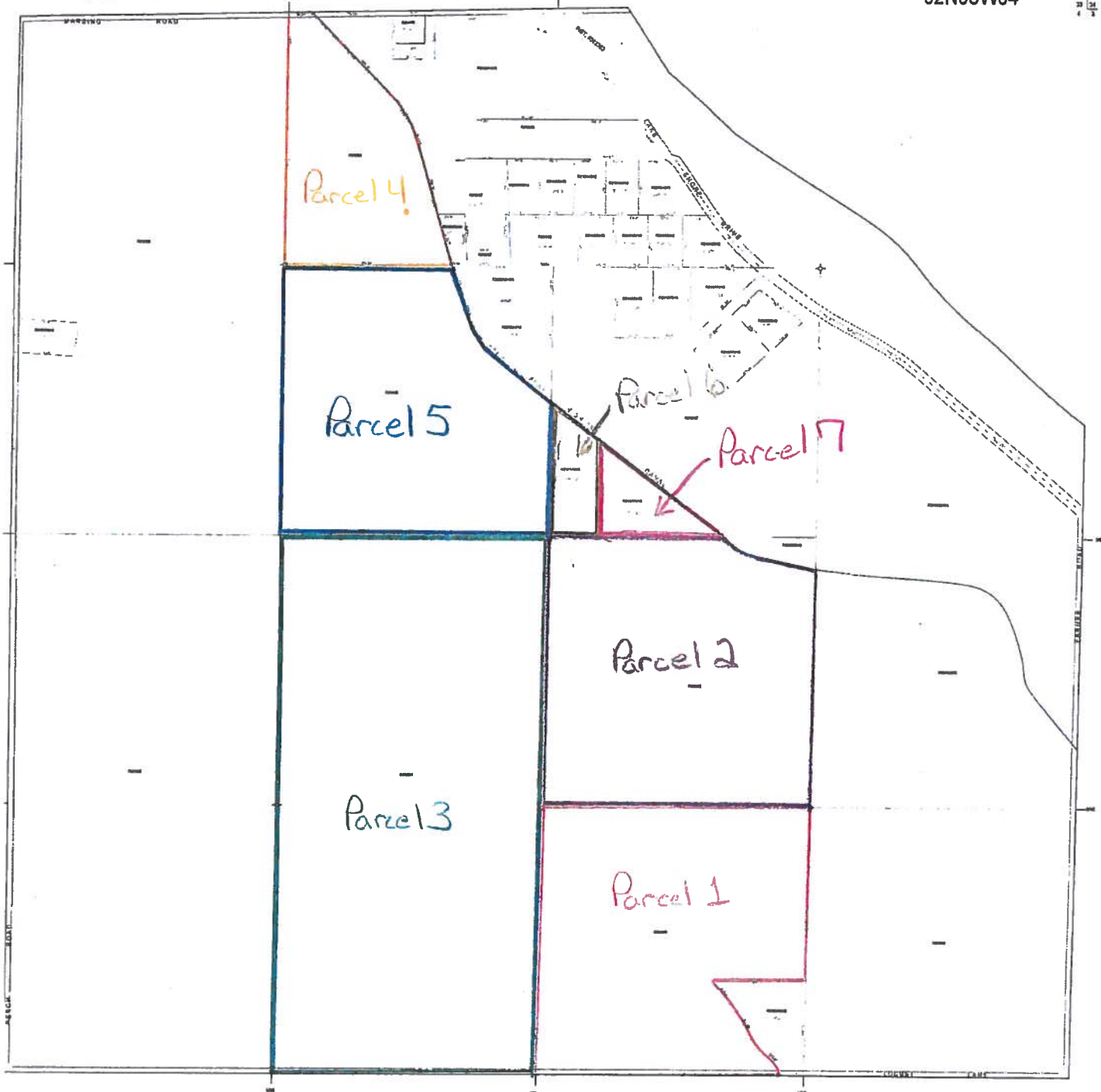
, Notary Public
Residing at: ,
My Commission Expires:
(seal)

SCOTT DARLING
ESCROW OFFICER
RESIDING: EAGLE, ID
COMMISSION EXPIRES: 11-28-13

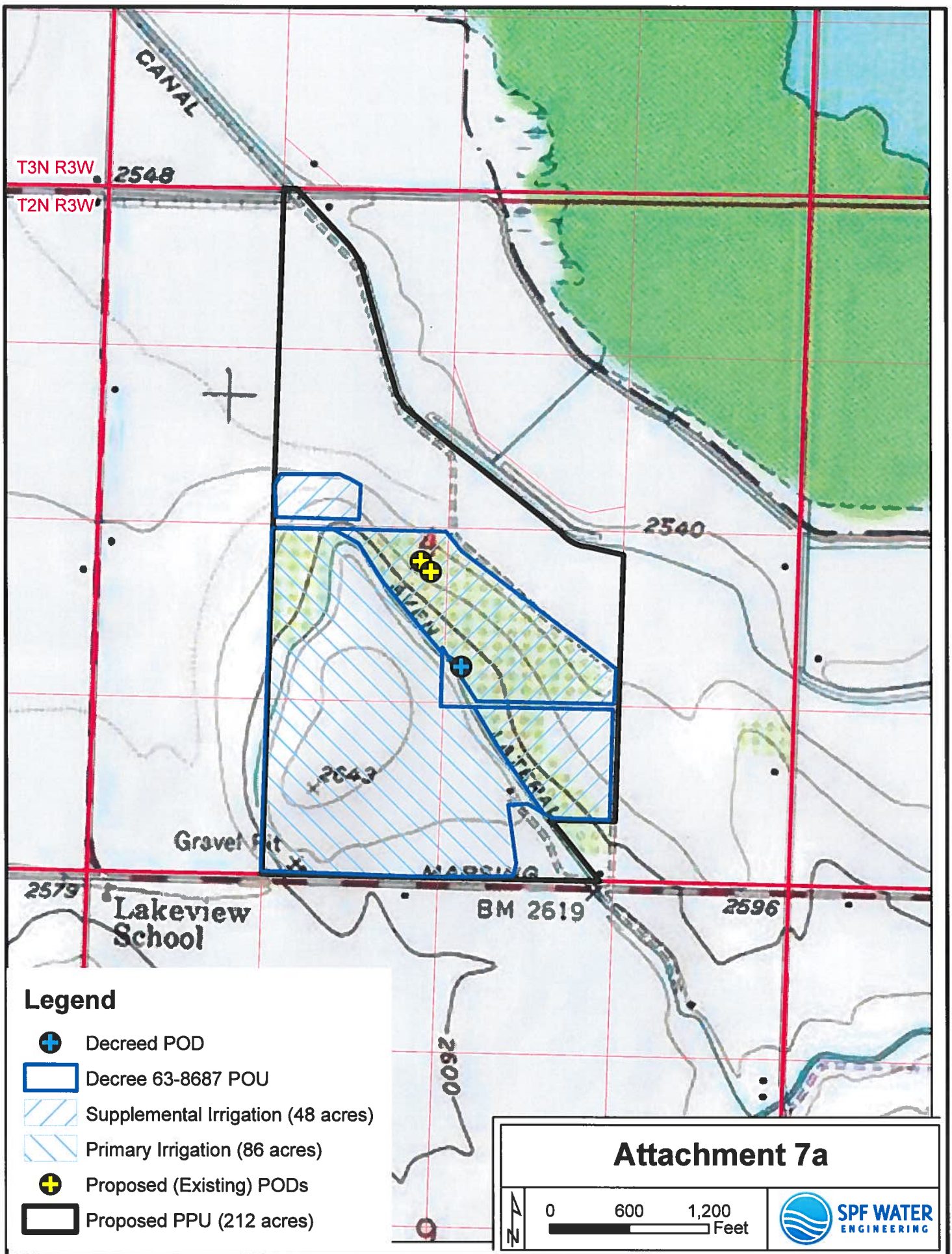


Sec. 04 T2N R3W

02N03W04

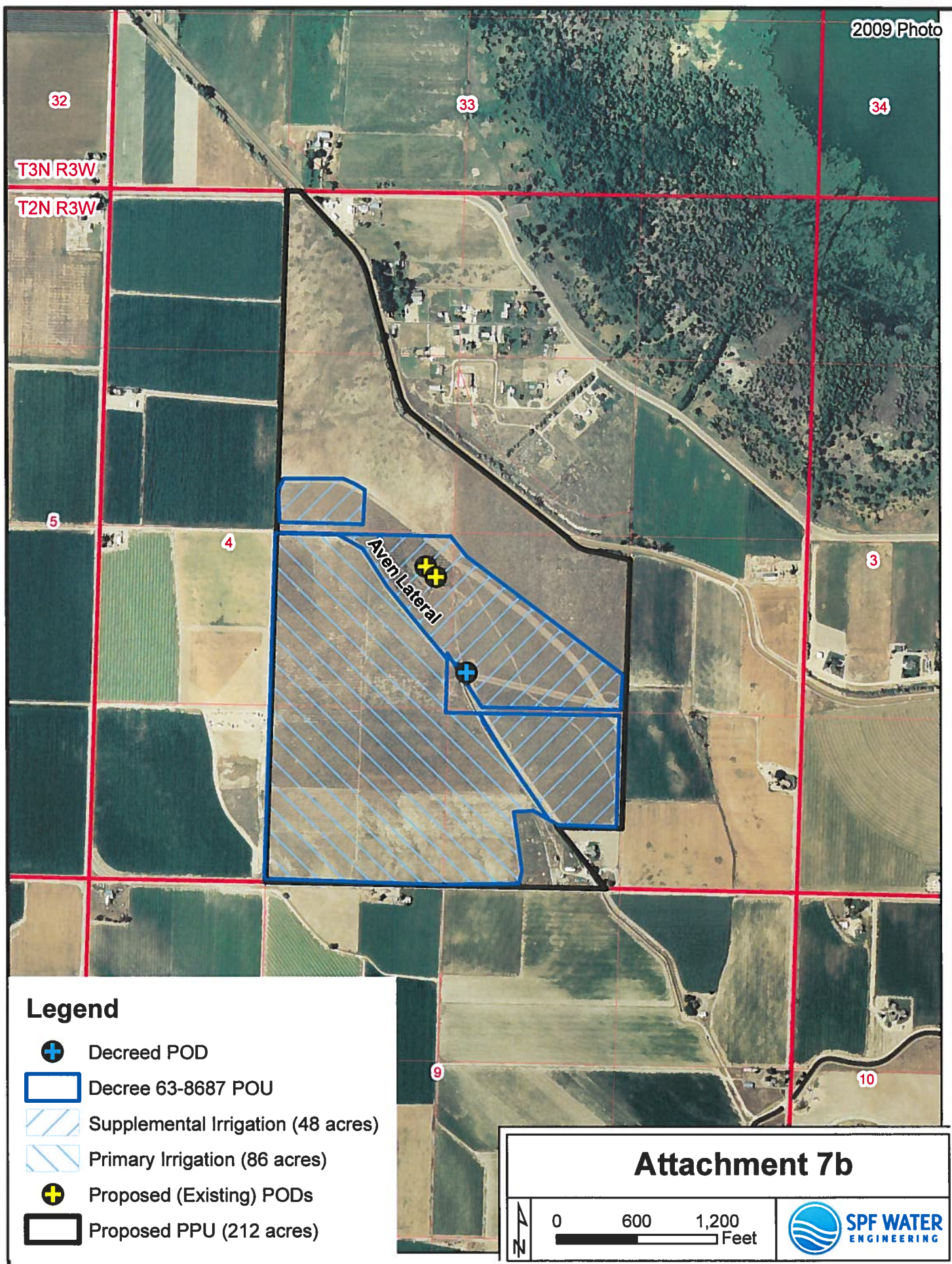


THIS MAP IS FURNISHED AS AN ACCOMMODATION
STRICTLY FOR THE PURPOSES OF GENERALLY
LOCATING THE LAND. IT DOES NOT REPRESENT A
SURVEY OF THE LAND OR IMPLY ANY REPRESENTA-
TIONS AS TO THE SIZE, AREA OR ANY OTHER FACTS
RELATED TO THE LAND SHOWN HEREON.



Transfer 77146

Attachment 2



Legend

-  Decreed POD
-  Decree 63-8687 POU
-  Supplemental Irrigation (48 acres)
-  Primary Irrigation (86 acres)
-  Proposed (Existing) PODs
-  Proposed PPU (212 acres)

Attachment 7b



0 600 1,200 Feet



Transfer 77146

2a

Buffington, Denise

From: Buffington, Denise
Sent: Wednesday, September 07, 2011 3:20 PM
To: Press Tribune
Subject: LEGAL NOTICE
Attachments: Canyon County - Cover Letter.docx; Canyon Counts Ads - COMBINED.docx

Attached please find one (1) legal notice being submitted for publication. Please contact me if you have any questions, or if you are not able to publish the ad on the dates requested.

Thank you in advance,

*Denise Buffington
Administrative Assistant I
Dept of Water Resources
Western Region
(208) 334-2190*

September 7, 2011

LEGAL NOTICE DEPARTMENT

PRESS-TRIBUNE
PO BOX 9399
NAMPA, ID 83652

RE: Application For Permit No.(s): 63-33494

RE: Transfer No. 77146
Water Right No(s): 63-8687

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 October 3, 2011. Your cooperation is appreciated.

Sincerely,

Denise Buffington
Administrative Assistant

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

63-33494

GREG AMARAL LTD PENSION PLAN & TRUST

GREG AMARAL, TRUSTEE

1606 AMARAL CT

FAIRFIELD, CA 94534

Point of Diversion NWSE S4 T02N R03W CANYON County Source GROUND WATER Tributary

Point of Diversion NESW S4 T02N R03W CANYON County Source GROUND WATER Tributary

Point of Diversion NESW S4 T02N R03W CANYON County Source GROUND WATER Tributary

Use: IRRIGATION 03/01 to 11/15 1.56 CFS

Total Diversion: 1.56 CFS

Date Filed: 3/25/2011

Place Of Use: IRRIGATION

T02N R03W S4 L5(SWNE) L3(NENW) SENW NESW SESW NWSE SWSE

Total Acres: 212

Water bearing zone to be appropriated is from 200 to 700 feet.

Irrigation is for 78 acres within a 212 acre PPU.

PROPOSED CHANGE OF WATER RIGHT

Greg Amaral, Trustee of the Greg Amaral Ltd. Pension Plan and Trust of 1606 Amaral Ct., Fairfield, CA, 94534, filed Application No. 77146 to transfer one water right with a 1977 priority date from a ground water source totaling 2.68 cfs. The purpose of the transfer is to add two existing wells and a permissible place of use to this right. Water will be used at the current place of use south of Lake Lowell and northeast of Marsing Road.

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. 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 October 3, 2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on 9/15 & 9/22/2011



March 24, 2011

RECEIVED

MAR 25 2011

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

WATER RESOURCES
WESTERN REGION

Subject: Greg Amaral Water Rights Applications

Dear Steve,

Greg Amaral, Trustee of the Greg Amaral Ltd. Pension Plan and Trust, has recently purchased property in Canyon County and seeks authorization for changes to the appurtenant water rights as described below.

1. An *Application for Transfer of Water Right* to (1) allow the new wells drilled for domestic purposes to serve as authorized points of diversion under the existing ground water right, and (2) create a permissible place of use to allow the ground water to be used anywhere within the property provided that the acreage limitation for the water right is not exceeded. This application will also serve as a means to change the ownership record for the water right to show Amaral Ranch as the current owner-of-record. The filing fee for the transfer application is \$330.
2. An *Application for Permit* to authorize use of ground water for supplemental irrigation of the remaining acres that do not currently have appurtenant ground water irrigation rights. If approved, this permit and the existing water right will allow all lands within the property boundary to receive irrigation from the ground water sources. The filing fee for the permit application is \$290.
3. A *Notice of Change in Water Right Ownership* for the two domestic water rights. The filing fee for the ownership change is \$50 (\$25 per water right).
4. An *Assignment of Permit 63-32245* to change ownership from Peachtree Development LLC to Amaral Ranch. The filing fee for the permit assignment is \$25.
5. A *Request for Extension of Time* to allow the new owner an additional five years for development of permit 63-32245. The filing fee for the extension request is \$50.

Check No. 2037 for \$745 is enclosed for the total required filing fees.

Please contact me with any questions. Thank you for your assistance Steve.

Sincerely,



Lori Graves
Water Rights Specialist

Enclosures: 1) Application for Transfer
 2) Application for Permit
 3) Notice of Change in Water Right Ownership
 4) Assignment of Permit
 5) Request for Extension of Time
 6) Check No. 2037

SPF File No.: 901.0010