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APR 30 2002

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 70024

AMENDED APPLICATION FOR TRANSFER OF WATER RIGHT

Part 1

Name of applicant Sylvan Williamson &/or Howell-Kiser Development Corp. Phone (208) 376-3100
Post Office address 850 Williamson Lane, Eagle, Idaho 83616 & 619 Queens Guard Way, Boise, ID 83709

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 Split the right

2. Describe the reason for the proposed changes See Attachment B

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|-----------------|-----------------|-----------------------|-------------------|----------------------|
| <u>63-270</u> | <u>4-1-1865</u> | <u>1.36 cfs</u> | <u>Irrigation</u> | <u>3/15 to 11/15</u> |
| <u>63-270</u> | <u>4-1-1865</u> | <u>0.33 cfs</u> | <u>Irrigation</u> | <u>3/15 to 11/15</u> |
| <u>63-270</u> | <u>4-1-1865</u> | <u>0.22 cfs</u> | <u>Aesthetics</u> | <u>3/15 to 11/15</u> |

← PROCESS AS change of
Adjudication claim Round
63-31496 per June, 2002,
Notices of ownership change.

2. Total amount of water being transferred 1.91 cubic feet per second and/or 429.8 acre-feet per annum.

3. Source of water Boise River tributary to Snake River

~~Source of water Groundwater tributary to Boise River~~

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
1		NE	NE	21	4N	1E	Ada	Aesthetic Ponds
2		NW	NE	21	4N	1E	Ada	Aesthetic Ponds
<u>7</u>	SW	SW	SE	16	4N	1E	Ada	RiversEnd Subdivision Pump Station
<u>8</u>		SW	NE	22	4N	1E	Ada	Boise River (Williamson)
8		NE	SE	16	4N	1E	Ada	Aesthetic Ponds
7		NW	SE	16	4N	1E	Ada	Aesthetic Ponds
7		SW	SE	16	4N	1E	Ada	Aesthetic Ponds
8		SE	SE	16	4N	1E	Ada	Aesthetic Ponds

} Subdivision
(Williamson)
} Subdivision

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	1E	16													6.0	7.0	30.8	16.8	60.6
															J 4.8	J 4.7	J 4.7	J 4.8	
4N	1E	21	13.1	10.8															23.9
			J	J															

6.1 6.2

Total acres 84.5

Impersedal

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED1. Amount 1.58 cfs for Irrigation purposes from 3/15 to 11/15

(cfs/ac-ft)

← to use within subdivision

2. Points of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
6		SW	NE	22	4N	1E	Ada	Boise River

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	1E	16													11	3.6	27.7	14.9	57.2
4N	1E	21	8.4	13.4															21.8

Total acres 79.0**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**1. Amount 0.33 cfs for Irrigation purposes from 3/15 to 11/15

(cfs/ac-ft)

← for Williamson to retain as separate piece to decide later how to use

2. Points of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
6		SW	NE	22	4N	1E	Ada	Boise River

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	1E	16													1.1	1.4	7.3	3.1	12.9
4N	1E	21	2.0	1.6															3.6

Total acres 16.5**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**1. Amount 4.09 cfs for Irrigation purposes from 3/15 to 11/15

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

← this portion will be reduced slightly to 3.93 cfs for 196.5 acres for Williamson land

2. Points of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
6		SW	NE	22	4N	1E	Ada	Boise River

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	1E	15										4	35	10					49.0
4N	1E	16													12.9			17	29.9
4N	1E	21	24.6			5													29.6
4N	1E	22					38	38	5	15									96.0

Total acres 204.5

(Internet)

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FEB 26 2002

Page 1 of 7STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 1

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Sylvan Williamson Phone (208) 939-6287Post Office address 850 Williamson Lane Eagle, ID 83616

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 Split the right
 2. Describe the reason for the proposed changes See Attachment B

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>63-270</u>	<u>4-1-1865</u>	<u>1.58 cfs</u>	<u>Irrigation</u>	<u>3/15</u> to <u>11/15</u>
<u>63-270</u>	<u>4-1-1865</u>	<u>0.33 cfs</u>	<u>Irrigation</u>	<u>3/15</u> to <u>11/15</u>
<u>63-270</u>	<u>4-1-1865</u>	<u>4.09 cfs</u>	<u>Irrigation</u>	<u>3/15</u> to <u>11/15</u>
				to

2. Total amount of water being transferred 6.0 cubic feet per second and/or 1350 acre-feet per annum.3. Source of water Boise River tributary to Snake River

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	SE	16	4N	1E	Ada	RiversEnd Subdivision Pump Station
6		SW	NE	22	4N	1E	Ada	Boise River

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
4N	1E	15									4.0	35.0	10.0						49.0
4N	1E	16													19.2	8.4	37.4	35.0	100.0
4N	1E	21	38.7	11.3		5.0													55.0
4N	1E	22					38.0	38.0	5.0	15.0									96.0

Total acres 300.0

PART 1

6. General Information:

a. Description of diversion system See Attachment B

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes. See Attachment B.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

See Attachment B.

d. Remarks:

See Attachment B.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by: See Attachment C.

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Boise River tributary to Snake River

4. Date or priority 4-1-1865

5. Water is used for the following purpose:

amount 6.0 cfs for Irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 6.0 cubic feet per second and/or 1350 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
6		SW	NE	22	4N	1E	Ada	Boise River

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	1E	15										4	35	10					49.0
4N	1E	16													25	5	35	35	100.0
4N	1E	21	35	15		5													55.0
4N	1E	22					38	38	5	15									96.0

Total acres 300.0

9. Describe any other water rights used for the same purpose as described above None Known.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED (To new diversion point.)

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 1.58 cfs for Irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	SE	16	4N	1E	Ada	RiversEnd Subdivision Pump Station

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
4N	1E	16													5.2	7.0	30.1	14.9	57.2
4N	1E	21	12.1	9.7															21.8

Total acres 79.0

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 4.09 cfs for Irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
6		SW	NE	22	4N	1E	Ada	Boise River

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
4N	1E	15									4.0	35.0	10.0						49.0
4N	1E	16													12.9			17.0	29.9
4N	1E	21	24.6			5.0													29.6
4N	1E	22					38.0	38.0	5.0	15.0									96.0

Total acres 204.5

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 0.33 cfs for Irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
6		SW	NE	22	4N	1E	Ada	Boise River

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	1E	16													1.1	1.4	7.3	3.1	12.9
4N	1E	21	2.0	1.6															3.6

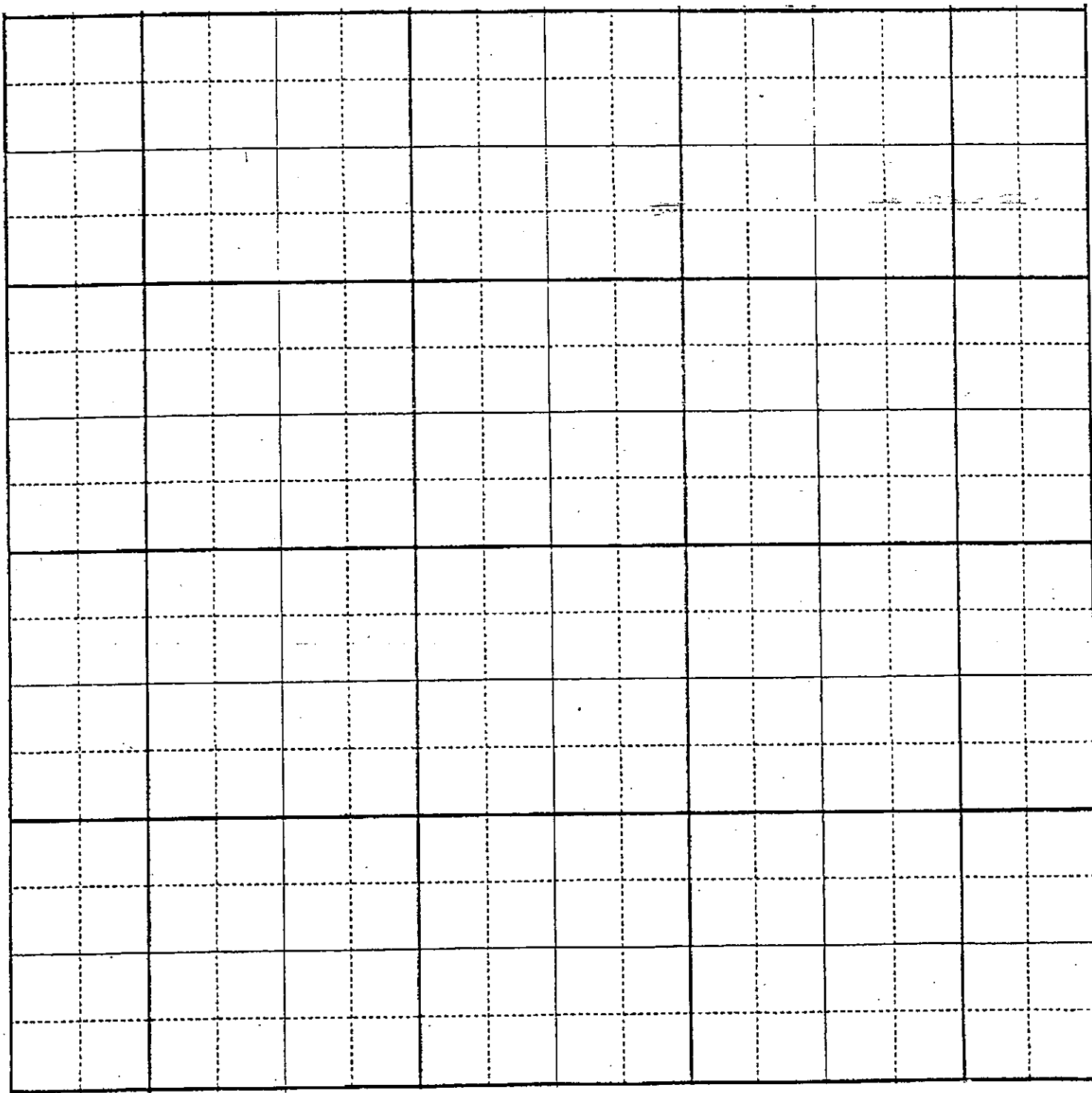
Total acres 16.5

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

See Attachment D

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



PART 3**B. CHANGES IN NATURE OF USE** N/A

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to _____
				to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.

Subscribed and sworn to before me this 26th day of Feb, 2002.

(Signature of Applicant)

(Notary Public)

My commission expires 10-02-2003**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by Anis Fontaine Date 2/26/02 Protest filed by _____

Prelim. check by _____ Fee _____

Receipted by Anis Fontaine Date 2/26/02 W028795

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

8245460

CORPORATION WARRANTY DEED

THIS INDENTURE, Made this 31st day of December,
in the year of our Lord one thousand nine hundred and sixty-five
between HAMMOND LIVESTOCK, INC., a California corporation authorized
to do business in the State of Idaho, and having its principal
office in Idaho at Eagle, in the County of Ada, party of the first
part, and SILVANO D. WILLIAMSON and BARBARA A. WILLIAMSON, husband
and wife, of Vale, County of Malheur, State of Oregon, parties of
the second part,

WITNESSETH, That the said party of the first part, having been hereunto duly authorized by resolution of its Board of Directors, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), lawful money of the United States of America, and other good and valuable considerations, to it in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all the following described real estate situated in the County of Ada, State of Idaho, to wit:

Lots 5 and 6 in Section 15;

Lots 7 and 8 in Section 16;

Lot 1 and an irregular tract contained in Lot 2 in Section 21, described as follows:

Beginning at the section corner common to Sections 16, 17, 20 and 21, Township 4 North, Range 1 East, 10th Boise Meridian, thence on a bearing of North 86° 15' East which bears 90° 18' East of the West Quarter corner of Section 21, according to 19th State Highway Department road survey maps, a distance of 207.2 feet to the real point of beginning; thence South 86° 15' East a distance of 222.90 feet to the point of intersection of the Boise River; thence North 86° 15' East a distance of 207.2 feet to the real point of beginning.

163.56 feet along the bank of the Boise River to a point; thence South 88° 41' East a distance of 237.60 feet along the bank of the Boise River to a point; thence South 46° 29' East a distance of 331.53 feet along the bank of the Boise River to a point; thence South 61° 16' East a distance of 352.80 feet along the bank of the Boise River to a point; thence North 81° 31' East a distance of 279.22 feet along the bank of an old channel of the Boise River to a point; thence North 25° 38' West a distance of 204.90 feet along the bank of an old channel of the Boise River to a point; thence North 56° 32' East a distance of 165.38 feet along the bank of an old channel of the Boise River to a point; thence North 0° 27' West a distance of 258.00 feet to a point; thence South 89° 46' West a distance of 1268.95 feet to the real point of beginning;

Lots 2, 3, 4 and 9 in Section 22;

ALSO, a tract of land lying in Sections 15 and 22, described as follows:

Commencing at a point on the section line 18.205 chains South of the corner common to Sections 14, 15, 22 and 23, Township 4 North, Range 1 East of the Boise Meridian, and running thence South 1.85 chains; thence West 19.975 chains; thence North 27.50 chains; thence South 58° 39' East 5.40 chains; thence South 30° 45' East 6.0 chains; thence South 12° 30' East 3.80 chains; thence South 31° East 4.50 chains; thence South 30° 45' East 9.60 chains; thence South 66° 15' East 4.63 chains to the place of beginning;

all being in Township 4 North, Range 1 East of the Boise Meridian, in Ada County, Idaho;

EXCEPT that portion lying within Lot 9, Section 22, Township 4 North, Range 1 East of the Boise Meridian;

ALSO EXCEPTING THEREFROM portions of Lot 1, Section 15; Lot 1, Section 22; and adjacent accretion land; all in Township 4 North, Range 1 East of the Boise Meridian in Ada County, Idaho, more particularly described as follows:

Commencing at the corner common to Sections 14, 15, 22, 23, Township 4 North, Range 1 East of the Boise Meridian; thence North along the Easterly line of said Section 15, 620.40 feet to a point; thence West 1,318.01 feet to a point; thence South 0° 07' East 127.71 feet to the REAL POINT OF BEGINNING; thence South 58° 39' East 356.4 feet to a point; thence South 30° 45' East 396.0 feet to a point; thence South 12° 30' East 250.8 feet to a point; thence South 31° 00' East 246.87 feet to a point on the north bank of the Boise River; thence along the bank of the Boise River South 85° 35' West 22.54 feet to a point; thence along the said north bank North 49° 03' West 610.90 feet to a point; thence North 9.29 feet to the REAL POINT OF BEGINNING;

Together with all water, water rights, claims and rights of way for discharges appurtenant thereto or in anywise appertaining;

Attachment A.

SUBJECT TO easement to provide a means of ingress and egress to and from the County Road running North and South between the Village of Eagle, Ada County, Idaho and United States Highway No. 20, by instrument recorded November 23, 1965, recorder's instrument No. 403207, records of Ada County, Idaho;

SUBJECT TO right of way granted by Karl Fischer and Bernice Fischer to The Mountain States Telephone and Telegraph Co., by instrument recorded July 1, 1936 in Book 14 of Miscellaneous at page 621, records of Ada County, Idaho, and specifically covers the overhang of 2 cross-arms, a distance of 4 feet from the above property;

SUBJECT TO power line easement as granted by Karl Fischer and Bernice Fischer, his wife, to IDAHO POWER COMPANY, a corporation, by instrument recorded September 18, 1931, recorder's instrument No. 3, records of Ada County, Idaho, including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system. *Book 13 of Miscellaneous at page 24;

SUBJECT TO power line easement as granted by Dwight Pline and Ardyce Pline, to IDAHO POWER COMPANY, a corporation, by instrument recorded April 4, 1961, recorder's instrument No. 499980, records of Ada County, Idaho, including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system;

SUBJECT TO any claim arising from the difference in the mean high water line of the Boise River and the meander line as shown by the Government Survey;

SUBJECT TO easement as granted by George E. Fletcher to Salt Lake Pipe Line Company, by instrument recorded March 1, 1950, recorder's instrument No. 298075, records of Ada County, Idaho;

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said party of the first part.

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances, unto the

parties of the second part, and to their heirs and assigns forever. And the said party of the first part, and its successors, the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against the said party of the first part, and its successors, and against all and every person whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The party of the first part has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secretary in pursuance to said resolution the day and year first above written.

Ada, County, Idaho, ss.
Request of

HAMMOND LIVESTOCK, INC.

TIME 11:25 A.M.
DATE 11-9-65

JOHN EASTON

RECORDER

By Robert L. Alexander
Deputy

By W.E. Hammond
Its President

Secretary



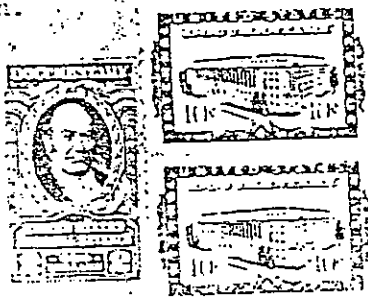
STATE OF IDAHO)

ss.

County of Canyon)

On this 31st day of December, in the year 1965, before me, the undersigned, a notary public in and for said state, personally appeared W.E. Hammond, known to me to be the President of the corporation that executed this 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.



Robert L. Alexander
Notary Public for Idaho
Residing at Caldwell, Idaho

Attachment A

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR TRANSFER OF WATER RIGHT

Summary

The purpose of this application for transfer of water right is to add a diversion point for water right #63-270 and to split the water right into three parts. A new subdivision called RiversEnd Subdivision will be developed on 106.8-acres of existing farmland currently owned by the applicant, Sylvan Williamson. An additional diversion point is needed to supply irrigation water directly to the pressurized irrigation system for RiversEnd Subdivision rather than piping the irrigation water from the existing diversion point. Splitting the water right is needed to specify the amount of irrigation water diverted to each diversion point and to quantify the amount of irrigation water that will no longer be needed due to the development of impervious areas. Sylvan Williamson has not yet decided whether to sell, lease, or transfer the non-use portion of the water right, but understands that after 5 consecutive years of non-use, that portion of the water right may be lost.

The subdivision land is under contract with Howell-Kiser Development Corporation to be purchased and developed in four phases over a period of a few years. Therefore, after approval of this application, the transfer of water rights to the new diversion point will occur each time a phase of RiversEnd Subdivision is developed and a transfer of ownership is filed. A summary of the phase transfers is shown in Table-1. Howell-Kiser Development Corporation understands and agrees to the proposed changes. A notarized statement from their representative, James W. Kiser, is included with this application as Attachment E.

Table-1 Phase Transfers

Phase	Amount for New Diversion Point per Phase	Total Amount for New Diversion Point	Leftover Non-use Portion of Water Right per Phase	Total Leftover Non-use Portion of Water Right	Remaining Amount for Existing Diversion Point
1	0.51-cfs (25.5")	0.51-cfs (25.5")	0.13-cfs (6.5")	0.13-cfs (6.5")	5.36-cfs (268.0")
2	0.42-cfs (20.8")	0.93-cfs (46.3")	0.11-cfs (5.5")	0.24-cfs (12.0")	4.83-cfs (241.7")
3	0.36-cfs (18.2")	1.29-cfs (64.5")	0.02-cfs (1.0")	0.26-cfs (13.0")	4.45-cfs (222.5")
4	0.29-cfs (14.5")	1.58-cfs (79.0")	0.07-cfs (3.5")	0.33-cfs (16.5")	4.09-cfs (204.5")

The quantity of water right for the land is calculated as 1" or 0.02-cfs per irrigable acre. The amount of historically irrigated acres in RiversEnd Subdivision is 95.5-acres. This equates to 1.91-cfs (95.5"). However, since the land is being developed for a 141-lot single-family residential subdivision, there will be 16.5-acres of impervious areas including paved streets and houses that will no longer be irrigated, hence the 0.33-cfs (16.5") of non-use water right. Therefore, there is only 79.0-acres of irrigable land within RiversEnd Subdivision. This equates to 1.58-cfs (79.0") which will be transferred to the new diversion point. There will also be 15 amenity ponds with a surface area of 11.0-acres that will be constructed in RiversEnd Subdivision that will be counted as irrigable acres because of the consumptive-use of irrigation water that evaporates from the pond surfaces. This leaves 68.0-acres that are actually irrigated by the pressurized irrigation system. This equates to 1.36-cfs (68.0") that will supply the pump-station to irrigate all of the lots in the subdivision. Each lot will be provided a service line with an average rate of 4-gpm. The pressurized irrigation system will be supplied by irrigation water rather than the potable water provided by United Water Idaho. This is required by Eagle City when water rights for the property are available.

Water right #63-270 has a diversion rate of 6.0-cfs (300.0") for 300-irrigable acres. The place of use for the water right will not change; however, the number of irrigable acres will be reduced due to the development of RiversEnd Subdivision. The existing farmland outside of RiversEnd Subdivision will continue to be farmed by Sylvan Williamson by receiving irrigation water from the existing diversion point. When each phase of RiversEnd Subdivision is completed, the land will be irrigated from the new point of diversion. The applicant is the only water user from the existing diversion point, so no other water users will be affected by changes to the water right.

The new diversion point will consist of a pump-station located near the west entrance of RiversEnd Subdivision. The pump-station will draw irrigation water from a pond that is filled with shallow groundwater linked to the Boise River. The pump will be sized to only allow a maximum flow rate of 1.36-cfs (68.0"). The Boise River Water Master will be given a key for access to the pump-station to control operation, and a flow meter will be installed outside of the pump-station so the Water Master can verify use with a glance. The Water Master will be able to start or stop the pump-station to ensure that the pump-station operates only during the irrigation season. They can also vary the flows below the 1.36-cfs (68.0") maximum, in the case of a drought water year when water rights need to be reduced.

RiversEnd Subdivision will be designed so that all excess water that is not absorbed into the ground will flow back to the ponds, but before discharging into the ponds, the water will be cleaned and filtered by standards accepted by the Department of Environmental Quality. Irrigation water from the existing point of diversion will continue to flow through open ditches and used for irrigation. Any leftover irrigation water from the existing diversion point will continue to flow to an existing drain ditch that leads back to the north channel of the Boise River.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-270

WATER RIGHT NUMBER: 63-270

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BARBARA A WILLIAMSON 850 WILLIAMSON LN EAGLE, ID 83616 (208)939-6287
Original Owner	LOUISE SIMONSON
	, ZZ
Current Owner	SYLVAN D WILLIAMSON 850 WILLIAMSON LN EAGLE, ID 83616 (208)939-6287

Priority Date: 04/01/1865

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	6.000 CFS	
	<u>Total Diversion:</u>	6.000 CFS	1,350.00 AF

Location of Point(s) of Diversion

BOISE RIVER	L6 SW1/4NE1/4	Sec. 22, Twp 04N, Rge 01E, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	15									4.0	35.0	10.0						49.0
															25.0	5.0	35.0	35.0	100.0
															L 8	L 7	L 7	L 8	
04N	01E	21	35.0	15.0		5.0													55.0
			L 1	L 2		L 2													
04N	01E	22					38.0	38.0	5.0	15.0									96.0
							L 3	L 4	L 5	L 6									

Total Acres: 300

Conditions of Approval:

Attachment C

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-270

Remarks:

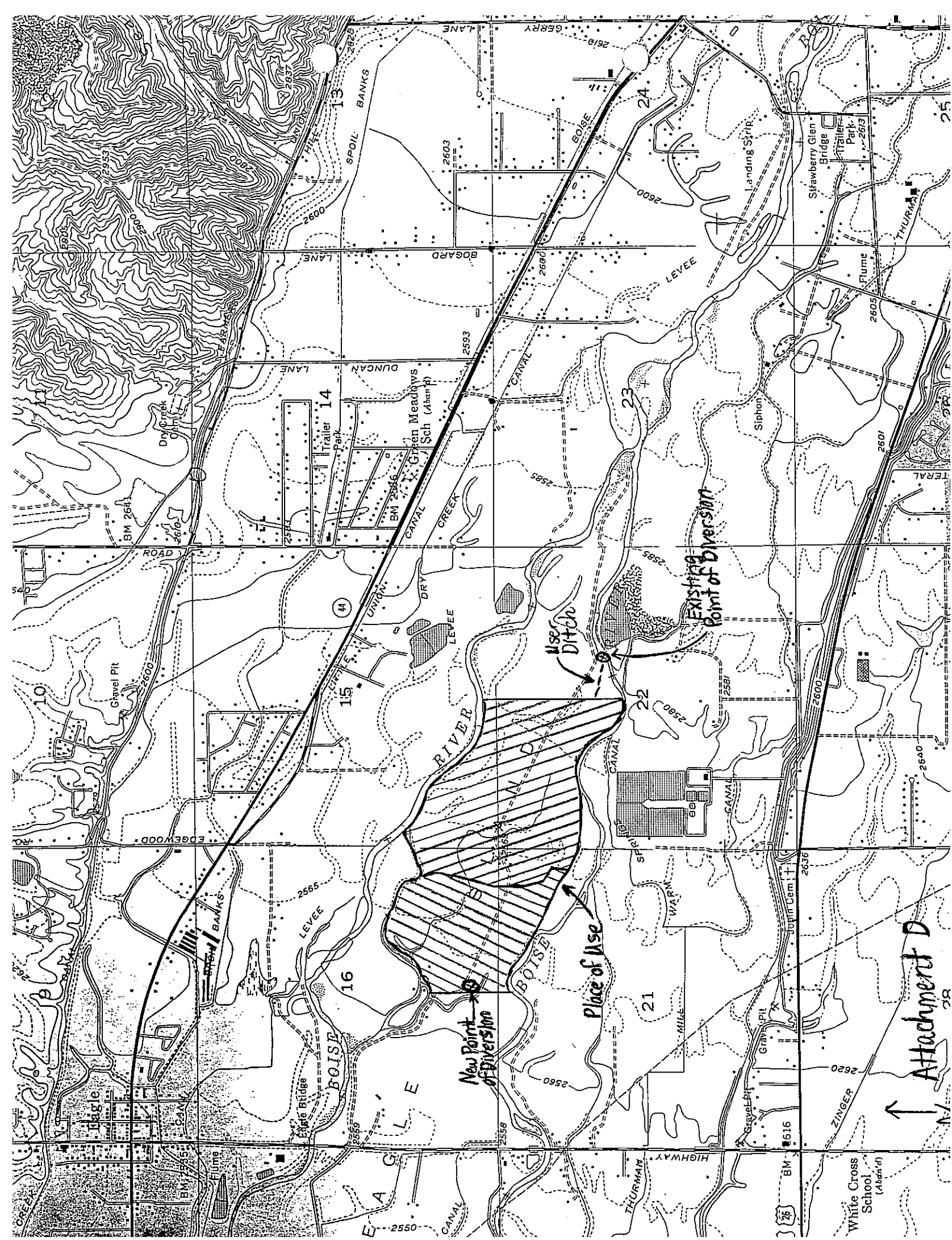
1. General THIS CLAIM REPRESENTS A TRANSFER OF THE PLACE OF USE TO THE ACRES LISTED IN THIS SRBA CLAIM.

Comments:

Dates and Other Information:

Claim Received Date: 7/5/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: And
Water District Number: 63
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

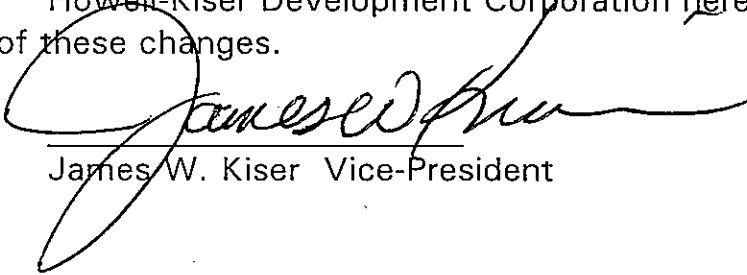
Attachment C



Statement of Contract Holder Agreeing to Changes

Howell-Kiser Development Corporation is the holder of a contract for the purchase of certain lands of Sylvan and Barbara Williamson. These lands are to be developed as Rivers End Subdivision. Sylvan and Barbara Williamson have made application for certain permits and water right changes needed for that development.

Howell-Kiser Development Corporation hereby approves and consents to of these changes.



James W. Kiser Vice-President

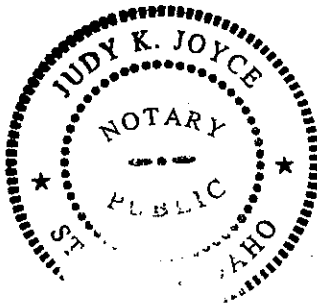
STATE OF IDAHO,)

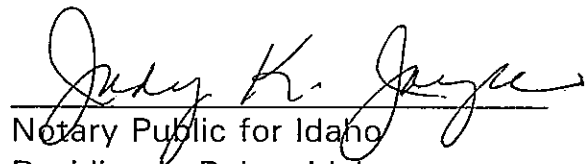
) ss.

COUNTY OF Ada)

On this 26 day of February, 2002, before me, a notary public in and for said State, personally appeared _James W. Kiser, known or identified to me (on the basis of satisfactory evidence), to be the Vice-President of the corporation that executed the 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.




Notary Public for Idaho
Residing in Boise, Idaho
My Commission Expires: 12-21-05

