

Should questions arise during the processing of this application please contact:
David Shaw - ERO Resources Corp. (208) 373-7983

STATE OF IDAHO **DEPARTMENT OF WATER RESOURCES** **NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

- Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-32614*					

- The following **REQUIRED** information must be submitted with this form:
 - The appropriate **FILING FEE**. See instructions for fee amounts.
 - A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
 - Either of the following (if necessary to clarify division of water rights or other complex property descriptions): **PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

- Name and Address of Former Owner/Claimant(s) Howell Kiser Development Corp
619 Queens Guard Way, Boise, ID 83709
- New Owner/Claimant(s) Rivers End Neighborhood Association, Inc.
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address C/o Association Management, Inc. PO Box 5714
City, State and ZIP Code Boise, ID 83705
New Telephone Number (208) 385-9650 Fax: 208-381-0252
- Date you acquired the property 11/16/07

* Applies also to Application for Transfer #70024 pending at IDWR

6.

If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7.

Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Title:

Henry D. Blum
President of River and Hill

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 11/16/07 02:34 PM
DEPUTY Vicki Allen
RECORDED - REQUEST OF
Howell-Kiser

AMOUNT 9.00



DEED TO HOMEOWNER'S ASSOCIATION
OF
WATER RIGHTS
Idaho Department of Water Resources Water Right 63-32614

FOR RIVERS END SUBDIVISION (No. 1)
RIVERS END SUBDIVISION, No. 2
RIVERS END SUBDIVISION, No. 3

GRANTOR: Howell-Kiser Development Corporation, An Idaho Corporation

GRANTEE: Rivers End Neighborhood Association, an Idaho non-profit corporation
whose address is c/o Association Management, Inc. POBox 5714, Boise, Idaho
83705

Grantor does hereby convey, release, remise and forever quitclaim unto
Grantee any and all of the water rights owned by Grantor in the development of the
Riversend Subdivisions land, including but not limited to, the following water right:

Idaho Department of Water Resources Water Right No. 63-32614
(Copy of Partial Decree attached hereto as Exhibit A)

For the use in and on the Common Area Lots and all the Building Lots in the
Riversend Subdivision (No. 1); Riversend Subdivision No. 2 (except Lot 8, Block 2
as set out below); and Riversend Subdivision No. 3 as those subdivisions are legally
described in the respective official plats thereof filed Ada County records.

[HISTORICAL NOTE: This water right does not include the water rights that
were transferred by Grantor to and are appurtenant to the approximately 3.7 acres
of land described as Lot 8, Block 2, Riversend Subdivision (No. 1) as the water
rights that were appurtenant to that Lot were transferred with that Lot when the
deed to that Lot was recorded to Toby and Linda Williamson. Lot 8, Block 2 is not
currently part of the Association in RiversEnd Subdivision and does not use the
pressurized urban irrigation system (PUIS) that is part of the Riversend Subdivisions.]

To have and to hold the said premises, together with all appurtenances
thereto, unto the Grantee, and Grantees heirs and assigns forever.

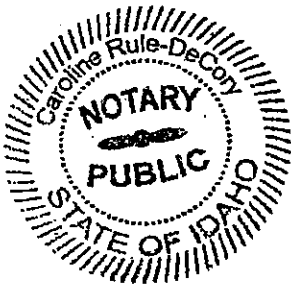
DATED This 16 day of November, 2007.

Howell-Kiser Development Corporation, an Idaho Corporation
by [Signature] Vice-President

STATE OF IDAHO,)
(ss.
COUNTY OF ADA,)

On this 16 day of November, 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared James w. Kiser, known or identified to me to be the Vice-President of Howell-Kiser Development Corporation, the corporation that executed the within and foregoing instrument, 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.



[Signature]
Notary Public for Idaho
Residing at Boise, ID
Commission Expires: 01/29/2010

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 63-32614

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

MAY 14 2007

By _____ Clerk
_____ Deputy Clerk

NAME AND ADDRESS: HOWELL KISER DEVELOPMENT CORP
619 QUEENS GUARD WAY
BOISE, ID 83709

SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 1.58 CFS
355.50 AFY

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 03/01/1865

POINT OF DIVERSION: T04N R01E S22 LOT 6 (SWNE) Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	1.58 CFS 355.50 AFY

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE:	Irrigation	Within Ada County
	T04N R01E S16 LOT 8 (NESE) 9.0	LOT 7 (NWSE) 4.0
	LOT 7 (SWSE) 29.0	LOT 8 (SESE) 14.5
	S21 LOT 1 (NENE) 12.5	LOT 2 (NWNE) 10.0
	79.0 Acres Total	

Exhibit
A



**DEED OF COMMON AREA LOTS
TO
RIVERS END NEIGHBORHOOD ASSOCIATION, INC**

**RIVERSEND SUBDIVISION (No. 1)
AND
RIVERSEND SUBDIVISION No. 2**

GRANTOR: Howell-Kiser Development Corporation

GRANTEE: Rivers End Neighborhood Association, Inc., an Idaho Non-Profit Corporation.

Grantee's Address: c/o 619 Queens Guard Way, Boise, Idaho 83709.

SUBDIVISIONS: RiversEnd Subdivision (No. 1)

AND

RiversEnd Subdivision No. 2 according to the Official Plats
Ada County Records.

For good and valuable consideration, Grantor hereby conveys, grants and transfers unto the Grantee the following COMMON AREA LOTS located in the above named subdivisions:

RiversEnd Subdivision (No. 1)

Lot 1	Block 1	Pond, Pump Station
Lot 5	Block 1	Private Roadway Area and Walkway and Pathway Easement Area
Lot 16	Block 1	Pond and Pathway
Lot 23	Block 1	Pond
Lot 1	Block 2	Pond, Sitting Area
Lot 6,	Block 2	Private Roadway Area
Lot 12	Block 2	Small Pond
Lot 1	Block 3	Pond, Gazebo
Lot 1	Block 4	Landscape Traffic Circle
Lot 1	Block 5	Landscape Traffic Circle
Lot 1	Block 6	Landscape Area

Lot 1	Block 7	Landscape Strip
Lot 1	Block 8	Landscape Strip

RiversEnd Subdivision No. 2

Lot 2	Block 6	Pond and Pathway
Lot 11	Block 6	Pond and Pathway
Lot 21	Block 6	Un-maintained Natural Nature Area; Slough; Wetlands and Floodway Areas; and Pathways, Bridge and Green Belt Pathway
Lot 2	Block 7	Pond, Water Fall, Pathway, Gazebo
Lot 2	Block 8	Club House Swimming Pool Kiddie Play Area
Lot 1	Block 9	Pond, Pathway, Water Falls
Lot 1	Block 10	Landscape Traffic Circle

To have and to hold the said premises, and together with appurtenances thereto (except water rights which are reserved and will be transferred at a later time by separate document), unto the Grantee, and Grantee's successors and assigns forever;

Subject to: Reservations contained in the patent or of record; Easements of record or existing on the premises; CC&R's and Amendments and Annexations thereto of record; Covenants, conditions, restrictions, agreements or licenses of record.

Dated this 16th day of August, 2005.

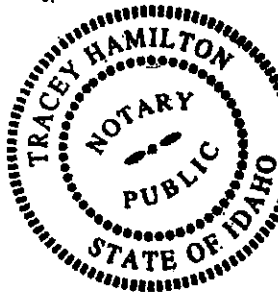
GRANTOR: Howell-Kiser Development Corporation

by Kevin A. Howell
Kevin A. Howell
Title: President

STATE OF IDAHO,)
)ss.
COUNTY OF ADA,)

On this 16th day of August, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared Kevin Howell, known or identified to me to be the President of the corporation that executed the instrument and 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.



Tracey Hamilton
Notary Public for Idaho
Residing in Meridian, Idaho
My Commission Expires:

Residing at Meridian, Idaho
Commission Expires 03/23/2010



**DEED OF COMMON AREA LOTS
TO
RIVERS END NEIGHBORHOOD ASSOCIATION, INC

RIVERSEND SUBDIVISION No. 3**

GRANTOR: Howell-Kiser Development Corporation

GRANTEE: Rivers End Neighborhood Association, Inc., an Idaho Non-Profit Corporation.

Grantee's Address: c/o Association Management, Inc. POBox 5714, Boise, Idaho 83705

SUBDIVISIONS: RiversEnd Subdivision No. 3
Plat recorded the 17th day of August, 2007 ;
Instrument No. 107116323;
Book 98 of Plats, pages 12596-12599.

For good and valuable consideration, Grantor hereby conveys, grants and transfers unto the Grantee the following COMMON AREA LOTS located in the above named subdivision:

Lot 24	Block 1	Private Roadway Area and Walkway and Pathway Area, and Easement Area. <u>THERE SHALL BE NO PARKING ON THIS DRIVEWAY LOT.</u>
Lot 25	Block 1	Open Space. Wetland Mitigation and Wetland Area. Wildlife Habitat Area.
Lot 28	Block 1	Pathway to River. Easement Area. Subject to Irrigation Headgate and Pipeline.
Lot 31	Block 1	Landscape Area. Drainage Ditch Area.

To have and to hold the said premises, and together with appurtenances thereto (except water rights which are reserved and will be transferred at a later time by separate document), unto the Grantee, and Grantee's successors and assigns forever;

Subject to: Conditions set out on the official Plat, Reservations contained in the patent or of record; Easements of record or existing on the premises; CC&R's and Amendments and Annexations thereto of record; Covenants, conditions, restrictions, agreements or licenses of record.

Lot 24 is subject to perpetual easements for ingress and egress, underground utilities and sprinkler systems in favor of the Owners of Lots 26 and 27 and their guests, tenants, invitees, agents and contractors.

Grantor and assignees of Grantor and the principles of Grantor and their contractors and agents are reserved a perpetual easement for the maintenance and installation and operation of wetland mitigation areas and any further development work over or on these common area lots as they deem necessary in their sole discretion.

Dated this 16th day of November, 2007.

GRANTOR: Howell-Kiser Development Corporation

by James W. Kiser

James W. Kiser

Title: Vice-President

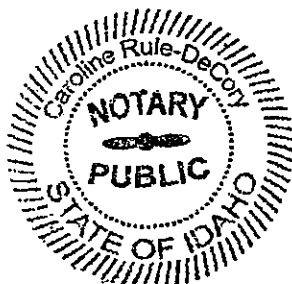
STATE OF IDAHO,)

)ss.

COUNTY OF ADA,)

On this 16th day of NOV, 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared James W. Kiser, known or identified to me to be the Vice-President of the corporation that executed the instrument and 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.



Caroline Rule-DeCory
Notary Public for Idaho

Residing in Boise, Idaho

My Commission Expires:

11/29/2010





ERO Resources Corp.
3314 Grace Street
Boise, ID 83703-5836
(208) 373-7983
Fax: 373-7985
Denver • Boise • Durango
www.eroresources.com
eroboise@eroresources.com

Attachment 2a

February 25, 2008

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

Re: Change of Ownership for Water Right No. 63-32614

Dear Jan:

Attached is a Notice of Change in Water Right Ownership for water right no. 63-32614. This water right is recommended to Howell Kiser Development Corp in a Special Master's Report filed March 28, 2007. The developer now wishes to change the ownership to the Home Owners Association as the owner and operator of the irrigation system for the benefit of the RiversEnd Subdivision. Attached to the notice is a copy of water right deed filed November 16, 2007 conveying water right no. 63-32614 to the Association. Also attached, for you information, are copies of deeds conveying the common areas of the Subdivision to the Association. Note the deeds conveying the common areas specifically withheld the water rights, noting they would be conveyed at a later time.

Please let me know if you have questions about any of this material or if there is additional information you would like to review in completing the change of ownership. I would be happy to meet with you or others if it would be helpful to answer questions about the change of ownership of this right.

Yours truly,

David B. Shaw

Enc.

cc: Jim Kiser
Kevin Howell