

RECEIVED

OCT 18 2007

WATER RESOURCES  
WESTERN REGIONSTATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESTransfer No. 74306APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1Name of Applicant Barron Development, LLC Phone 208-454-3936Post Office address 1605 S Kimball Ave, Ste 101, Caldwell, ID 83605

## A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use  
☐ Change nature of use ☐ Change period of use ☐ Other \_\_\_\_\_
2. Describe the reason for the proposed changes The property is subject to development. A common, pressurized irrigation system will be used for lawns and common areas within the development aka Rolling Meadows Subdivision. Diversions will be from an existing primary well in Section 10 and an existing back-up well in Section 14. Internal domestic uses will be supplied from a separate system proposed on application 63-32545.

## 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>63-32686</u> | <u>04/17/1961</u> | <u>0.35/78.0</u>   | <u>Irrigation</u> | <u>03/01</u> to <u>11/15</u> |
| <u>63-32690</u> | <u>04/13/1967</u> | <u>0.19/42.0</u>   | <u>Irrigation</u> | <u>03/15</u> to <u>11/15</u> |
| <u>63-32692</u> | <u>03/22/1967</u> | <u>1.41/474.0</u>  | <u>Irrigation</u> | <u>03/15</u> to <u>11/15</u> |
| <u>63-32694</u> | <u>10/07/1968</u> | <u>0.8/340.0</u>   | <u>Irrigation</u> | <u>04/01</u> to <u>11/01</u> |
|                 |                   | <u>0.01</u>        | <u>Stockwater</u> | <u>01/01</u> to <u>12/31</u> |

2. Total amount of water being transferred 2.75 cubic feet per second and/or 934.0 acre-feet per annum.
3. Source of water Ground Water tributary to \_\_\_\_\_
4. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec | Twp | Rge | County | Local name for diversion |
|-----|-----|-----|-----|-----|-----|-----|--------|--------------------------|
|     |     | SE  | NW  | 10  | 2N  | 3W  | Canyon | Primary Well             |
|     |     | NE  | NE  | 14  | 2N  | 3W  | Canyon | Back-up Well             |
|     |     |     |     |     |     |     |        |                          |
|     |     |     |     |     |     |     |        |                          |

5. Lands irrigated or place of use:

| Twp | Rge | Sec | NE 1/4 |    |    |    | NW 1/4 |    |    |    | SW 1/4 |    |    |    | SE 1/4 |    |    |    | Totals |
|-----|-----|-----|--------|----|----|----|--------|----|----|----|--------|----|----|----|--------|----|----|----|--------|
|     |     |     | NE     | NW | SW | SE | NE     | NW | SW | SE | NE     | NW | SW | SE | NE     | NW | SW | SE |        |
| 2N  | 3W  | 14  | 40     | 40 | 40 | 40 | 40     | 40 | 40 | 40 |        |    |    |    |        |    |    |    | 320    |
|     |     |     |        |    |    |    |        |    |    |    |        |    |    |    |        |    |    |    |        |

(Irrigation will be limited to 211.9 acres within the ppu listed above)

Total Acres 320 ppu

WITHDRAWN

12-09-09

SUPPORT DATA

IN FILE # 63-32686 SCANNED

JAN 03 2008

RECEIVED

OCT 18 2007

Transfer No. 74306

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
WATER RESOURCES  
WESTERN REGION

**APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1**

Name of Applicant Barron Development, LLC Phone 208-454-3936Post Office address 1605 S Kimball Ave, Ste 101, Caldwell, ID 83605**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 \_\_\_\_\_
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|-----------------|-------------------|--------------------|-------------------|------------------------------|
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| <u>63-32690</u> | <u>04/13/1967</u> | <u>0.19/42.0</u>   | <u>Irrigation</u> | <u>03/15</u> to <u>11/15</u> |
| <u>63-32692</u> | <u>03/22/1967</u> | <u>1.41/474.0</u>  | <u>Irrigation</u> | <u>03/15</u> to <u>11/15</u> |
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|                 |                   | <u>0.01</u>        | <u>Stockwater</u> | <u>01/01</u> to <u>12/31</u> |

2. Total amount of water being transferred 2.75 cubic feet per second and/or 934.0 acre-feet per annum.
3. Source of water Ground Water tributary to \_\_\_\_\_
4. Point(s) of Diversion:

| Lot | ¼ | ¼  | ¼  | Sec | Twp | Rge | County | Local name for diversion |
|-----|---|----|----|-----|-----|-----|--------|--------------------------|
|     |   | SE | NW | 10  | 2N  | 3W  | Canyon | Primary Well             |
|     |   | NE | NE | 14  | 2N  | 3W  | Canyon | Back-up Well             |
|     |   |    |    |     |     |     |        |                          |
|     |   |    |    |     |     |     |        |                          |

5. Lands irrigated or place of use:

| Twp | Rge | Sec | NE ¼ |    |    |    | NW ¼ |    |    |    | SW ¼ |    |    |    | SE ¼ |    |    |    | Totals |
|-----|-----|-----|------|----|----|----|------|----|----|----|------|----|----|----|------|----|----|----|--------|
|     |     |     | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE |        |
| 2N  | 3W  | 14  | 40   | 40 | 40 | 40 | 40   | 40 | 40 | 40 |      |    |    |    |      |    |    |    | 320    |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |

(Irrigation will be limited to 211.9 acres within the ppu listed above)

Total Acres 320 ppu

**PART 1**

## 6. General Information:

- a. Description of diversion system Two existing wells, pumps, pipe, pressurized irrigation system.
- 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.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:  
General pou will remain the same. Lawns and common areas will replace crop land.
- d. Remarks:  
Applicants have an easement for access and use of the primary well located in Section 10. The pressurized system will also serve eleven lots in the NWNW Section 13 as proposed on the accompanying transfer application for water right 63-32688.

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

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

And the said application is hereby \_\_\_\_\_, subject to the following conditions:

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
 For the Director

SPF Water Engineering, LLC  
Attn: Jennifer Sukow  
600 E. River Park Ln., Suite 105  
Boise, ID 83706-6551

Re: Application for Transfer of Water Rights for Barron Development, LLC

Dear Jennifer,

Teton Valley Community Bank has received a copy of the Application for Transfer of Water Rights 63-63686, 63-32690, 63-32692, and 63-32694 for Barron Development, LLC.

Teton Valley Community Bank currently has a mortgage on the property where the transfers of water rights will occur.

We do not object to the proposed water right transfer.

Sincerely,

Sharon Rae Hoge  
Signature

Sharon Rae Hoge  
Printed Name

Vice Pres. / Unit Leader  
Title

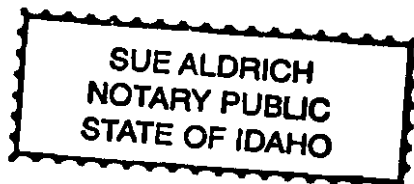
State of Idaho )  
County of Canyon ) SS.  
\_\_\_\_\_ )

Subscribed and sworn (or affirmed) before me this 25<sup>th</sup> day of September, 2007.

Sue Aldrich  
Notary Public

Residing at Wilkes, Idaho

My Commission Expires 9-30-09



**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 (See Attached SRBA Recommendation)**

1. Right as evidenced by:

- 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 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 \_\_\_\_\_ tributary to \_\_\_\_\_

4. Date or priority \_\_\_\_\_

5. Water is used for the following purposes:

amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(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 \_\_\_\_\_ cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

7. Point(s) of Diversion:

| Lot | ¼ | ¼ | ¼ | Sec | Twp | Rge | County | Local name for diversion |
|-----|---|---|---|-----|-----|-----|--------|--------------------------|
|     |   |   |   |     |     |     |        |                          |
|     |   |   |   |     |     |     |        |                          |
|     |   |   |   |     |     |     |        |                          |

8. Lands irrigated or place of use:

| Twp | Rge | Sec | NE ¼ |    |    |    | NW ¼ |    |    |    | SW ¼ |    |    |    | SE ¼ |    |    |    | Totals |
|-----|-----|-----|------|----|----|----|------|----|----|----|------|----|----|----|------|----|----|----|--------|
|     |     |     | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |

Total Acres \_\_\_\_\_

9. Describe any other water rights used for the same purpose as described above 63-32690, 63-32692, 63-32694

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Adjudication Recommended Right Report

09/05/2007

WATER RIGHT NO. 63-32686

| <u>Owner Type</u> | <u>Name and Address</u>                                                                                 |
|-------------------|---------------------------------------------------------------------------------------------------------|
| Current Owner     | BARRON DEVELOPMENT LLC<br>C/O SALLIE PALLERIA<br>2511 DORMAN AVE<br>CALDWELL, ID 83605<br>(208)455-8501 |
| Original Owner    | HERBERT R MONTIERTH JR<br>6312 S ZITHER AVE<br>BOISE, ID 83709<br>(208)407-2243                         |
| Original Owner    | FARM CREDIT BANK OF SPOKANE<br>PO BOX 15367<br>BOISE, ID 83715<br>(208)343-7782                         |
| Original Owner    | LADISLAV MAGLECIC<br>12754 DEER FLAT RD<br>NAMPA, ID 83686<br>(208)466-3075                             |
| Original Owner    | EDWARD RAY MONTIERTH                                                                                    |
| Original Owner    | SUSAN L MONTIERTH<br>825 HEARTLAND DR<br>NAMPA, ID 83686<br>(208) 989-8310                              |
| Original Owner    | THE ESTATE OF GOLDA D MONTIERTH<br>825 HEARTLAND DRIVE<br>NAMPA, ID 83686<br>(208)463-8163              |
| Original Owner    | KATHI L MEYERS                                                                                          |
| Original Owner    | ROBERT J MEYERS                                                                                         |
| Original Owner    | RODNEY KENT MONTIERTH                                                                                   |
| Original Owner    | RUBY C VICTOR                                                                                           |
| Original Owner    | W NOLAN VICTOR<br>1528 ADDISON AVE E<br>TWIN FALLS, ID 83301<br>(208)733-5217                           |

Priority Date: 04/17/1961

Basis: License

Status: Active

SourceTributary

## GROUND WATER

| Beneficial Use  | From  | To    | Diversion Rate | Volume |
|-----------------|-------|-------|----------------|--------|
| IRRIGATION      | 03/01 | 11/15 | 0.35 CFS       | 78 AFA |
| Total Diversion |       |       | 0.35 CFS       |        |

Location of Point(s) of Diversion:

GROUND WATER|NENE|Sec. 14|Township 02N|Range 03W|CANYON County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CANYON County

| Township | Range | Section | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 02N      | 03W   | 14      |     | NENE  | 26    |     |       |       |     |       |       |     |       |       |

Total Acres: 26

Conditions of Approval:

1. This right is a split from former right 63-3232 .
2. 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.
3. K06 This right is limited to the irrigation of 17.3 acres within the place of use described above in a single irrigation season.

Dates:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

**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 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 | ¼ | ¼ | ¼ | Sec | Twp | Rge | County | Local name for diversion |
|-----|---|---|---|-----|-----|-----|--------|--------------------------|
|     |   |   |   |     |     |     |        |                          |
|     |   |   |   |     |     |     |        |                          |
|     |   |   |   |     |     |     |        |                          |

3. Lands irrigated or place of use:

| Twp | Rge | Sec | NE ¼ |    |    |    | NW ¼ |    |    |    | SW ¼ |    |    |    | SE ¼ |    |    |    | Totals |
|-----|-----|-----|------|----|----|----|------|----|----|----|------|----|----|----|------|----|----|----|--------|
|     |     |     | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |

Total Acres \_\_\_\_\_

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

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 | ¼ | ¼ | ¼ | Sec | Twp | Rge | County | Local name for diversion |
|-----|---|---|---|-----|-----|-----|--------|--------------------------|
|     |   |   |   |     |     |     |        |                          |
|     |   |   |   |     |     |     |        |                          |
|     |   |   |   |     |     |     |        |                          |

3. Lands irrigated or place of use:

| Twp | Rge | Sec | NE ¼ |    |    |    | NW ¼ |    |    |    | SW ¼ |    |    |    | SE ¼ |    |    |    | Totals |
|-----|-----|-----|------|----|----|----|------|----|----|----|------|----|----|----|------|----|----|----|--------|
|     |     |     | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |

Total Acres \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR TRANSFER OF WATER RIGHT

### PART 2

(Attach one copy for each right)

#### D. DESCRIPTION OF RIGHT AS RECORDED (See Attached SRBA Recommendation)

1. Right as evidenced by:

- e. Decree No. \_\_\_\_\_ Decreed to \_\_\_\_\_  
in case of \_\_\_\_\_ vs. \_\_\_\_\_  
dated \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_
- f. License No. \_\_\_\_\_ issued by the Idaho Department of Water Resources.
- g. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources.
- h. Transfer No. \_\_\_\_\_ which produced this right.

2. Attach 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 \_\_\_\_\_ tributary to \_\_\_\_\_

4. Date or priority \_\_\_\_\_

5. Water is used for the following purposes:

amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(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 \_\_\_\_\_ cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

7. Point(s) of Diversion:

| Lot | ¼ | ¼ | ¼ | Sec | Twp | Rge | County | Local name for diversion |
|-----|---|---|---|-----|-----|-----|--------|--------------------------|
|     |   |   |   |     |     |     |        |                          |
|     |   |   |   |     |     |     |        |                          |
|     |   |   |   |     |     |     |        |                          |

8. Lands irrigated or place of use:

| Twp | Rge | Sec | NE ¼ |    |    |    | NW ¼ |    |    |    | SW ¼ |    |    |    | SE ¼ |    |    |    | Totals |
|-----|-----|-----|------|----|----|----|------|----|----|----|------|----|----|----|------|----|----|----|--------|
|     |     |     | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |

Total Acres \_\_\_\_\_

9. Describe any other water rights used for the same purpose as described above 63-32686, 63-32692, 63-32694

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommended Right Report

09/05/2007

WATER RIGHT NO. 63-32690

| <u>Owner Type</u> | <u>Name and Address</u>                                                                                 |
|-------------------|---------------------------------------------------------------------------------------------------------|
| Current Owner     | BARRON DEVELOPMENT LLC<br>C/O SALLIE PALLERIA<br>2511 DORMAN AVE<br>CALDWELL, ID 83605<br>(208)455-8501 |
| Original Owner    | HERBERT R MONTIERTH JR<br>6312 S ZITHER AVE<br>BOISE, ID 83709<br>(208)407-2243                         |
| Original Owner    | CHRYSTAL R EVANS                                                                                        |
| Original Owner    | EDWARD T EVANS<br>9990 ROAN MEADOWS DR<br>BOISE, ID 83705                                               |
| Original Owner    | FARM CREDIT BANK OF SPOKANE<br>PO BOX 15367<br>BOISE, ID 83715<br>(208)343-7782                         |
| Original Owner    | EDWARD RAY MONTIERTH                                                                                    |
| Original Owner    | SUSAN L MONTIERTH<br>825 HEARTLAND DR<br>NAMPA, ID 83686<br>(208) 989-8310                              |
| Original Owner    | THE ESTATE OF GOLDA D MONTIERTH<br>825 HEARTLAND DRIVE<br>NAMPA, ID 83686<br>(208)463-8163              |
| Original Owner    | KATHI L MEYERS                                                                                          |
| Original Owner    | ROBERT J MEYERS                                                                                         |
| Original Owner    | RODNEY KENT MONTIERTH                                                                                   |
| Original Owner    | RUBY C VICTOR                                                                                           |
| Original Owner    | W NOLAN VICTOR<br>1528 ADDISON AVE E<br>TWIN FALLS, ID 83301<br>(208)733-5217                           |

Priority Date: 04/13/1967

Basis: License

Status: Active

SourceTributary

## GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 03/15       | 11/15     | 0.19 CFS              | 42 AFA        |
| Total Diversion       |             |           | 0.19 CFS              |               |

Location of Point(s) of Diversion:

GROUND WATER|NENE|Sec. 14|Township 02N|Range 03W|CANYON County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CANYON County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 02N             | 03W          | 14             |            | NENE         | 14           |            |              |              |            |              |              |            |              |              |

Total Acres: 14

Conditions of Approval:

1. 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.
2. 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.
3. This right is a split from former right 63-3599A.
4. K06 This right is limited to the irrigation of 9.3 acres within the place of use described above in a single irrigation season.

Dates:

Other Information:

State or Federal: S

Owner Name Connector: AND

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

**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 \_\_\_\_\_

**E. 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 | ¼ | ¼ | ¼ | Sec | Twp | Rge | County | Local name for diversion |
|-----|---|---|---|-----|-----|-----|--------|--------------------------|
|     |   |   |   |     |     |     |        |                          |
|     |   |   |   |     |     |     |        |                          |
|     |   |   |   |     |     |     |        |                          |

3. Lands irrigated or place of use:

| Twp | Rge | Sec | NE ¼ |    |    |    | NW ¼ |    |    |    | SW ¼ |    |    |    | SE ¼ |    |    |    | Totals |
|-----|-----|-----|------|----|----|----|------|----|----|----|------|----|----|----|------|----|----|----|--------|
|     |     |     | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |

Total Acres \_\_\_\_\_

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

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 | ¼ | ¼ | ¼ | Sec | Twp | Rge | County | Local name for diversion |
|-----|---|---|---|-----|-----|-----|--------|--------------------------|
|     |   |   |   |     |     |     |        |                          |
|     |   |   |   |     |     |     |        |                          |
|     |   |   |   |     |     |     |        |                          |

3. Lands irrigated or place of use:

| Twp | Rge | Sec | NE ¼ |    |    |    | NW ¼ |    |    |    | SW ¼ |    |    |    | SE ¼ |    |    |    | Totals |
|-----|-----|-----|------|----|----|----|------|----|----|----|------|----|----|----|------|----|----|----|--------|
|     |     |     | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |

Total Acres \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2**

(Attach one copy for each right)

**G. DESCRIPTION OF RIGHT AS RECORDED (See Attached SRBA Recommendation)**

1. Right as evidenced by:

- i. Decree No. \_\_\_\_\_ Decreed to \_\_\_\_\_  
in case of \_\_\_\_\_ vs. \_\_\_\_\_  
dated \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_
- j. License No. \_\_\_\_\_ issued by the Idaho Department of Water Resources.
- k. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources.
- l. Transfer No. \_\_\_\_\_ which produced this right.

2. Attach 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 \_\_\_\_\_ tributary to \_\_\_\_\_

4. Date or priority \_\_\_\_\_

5. Water is used for the following purposes:

amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(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 \_\_\_\_\_ cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

7. Point(s) of Diversion:

| Lot | ¼ | ¼ | ¼ | Sec | Twp | Rge | County | Local name for diversion |
|-----|---|---|---|-----|-----|-----|--------|--------------------------|
|     |   |   |   |     |     |     |        |                          |
|     |   |   |   |     |     |     |        |                          |
|     |   |   |   |     |     |     |        |                          |

8. Lands irrigated or place of use:

| Twp | Rge | Sec | NE ¼ |    |    |    | NW ¼ |    |    |    | SW ¼ |    |    |    | SE ¼ |    |    |    | Totals |
|-----|-----|-----|------|----|----|----|------|----|----|----|------|----|----|----|------|----|----|----|--------|
|     |     |     | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |

Total Acres \_\_\_\_\_

9. Describe any other water rights used for the same purpose as described above 63-32686, 63-32690, 63-32694

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommended Right Report

09/05/2007

WATER RIGHT NO. 63-32692

| <u>Owner Type</u> | <u>Name and Address</u>                                                                                 |
|-------------------|---------------------------------------------------------------------------------------------------------|
| Current Owner     | BARRON DEVELOPMENT LLC<br>C/O SALLIE PALLERIA<br>2511 DORMAN AVE<br>CALDWELL, ID 83605<br>(208)455-8501 |
| Original Owner    | HERBERT R MONTIERTH JR<br>6312 S ZITHER AVE<br>BOISE, ID 83709<br>(208)407-2243                         |
| Original Owner    | FARM CREDIT BANK OF SPOKANE<br>PO BOX 15367<br>BOISE, ID 83715<br>(208)343-7782                         |
| Original Owner    | EDWARD RAY MONTIERTH                                                                                    |
| Original Owner    | SUSAN L MONTIERTH<br>825 HEARTLAND DR<br>NAMPA, ID 83686<br>(208) 989-8310                              |
| Original Owner    | THE ESTATE OF GOLDA D MONTIERTH<br>825 HEARTLAND DRIVE<br>NAMPA, ID 83686<br>(208)463-8163              |
| Original Owner    | BRYCE MILLAR<br>RT 7 BOX 7380<br>NAMPA, ID 83651                                                        |
| Original Owner    | KATHI L MEYERS                                                                                          |
| Original Owner    | ROBERT J MEYERS                                                                                         |
| Original Owner    | RODNEY KENT MONTIERTH                                                                                   |
| Original Owner    | RUBY C VICTOR                                                                                           |
| Original Owner    | W NOLAN VICTOR<br>1528 ADDISON AVE E<br>TWIN FALLS, ID 83301<br>(208)733-5217                           |

Priority Date: 03/22/1967

Basis: License

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| GROUND WATER  |                  |

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 03/15       | 11/15     | 1.41 CFS              | 474 AFA       |
| Total Diversion       |             |           | 1.41 CFS              |               |

Location of Point(s) of Diversion:

GROUND WATER|NWSW|Sec. 11|Township 02N|Range 03W|CANYON County  
 GROUND WATER|SESW|Sec. 14|Township 02N|Range 03W|CANYON County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CANYON County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 02N             | 03W          | 14             |            | NENW         | 39           |            | NWNW         | 39           |            | SWNW         | 40           |            | SESW         | 40           |

Total Acres: 158

Conditions of Approval:

1. 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.  
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. C18
3. This right is a split from former right 63-32077 .
4. K06 This right is limited to the irrigation of 105.3 acres within the place of use described above in a single irrigation season.

Dates:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

**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 \_\_\_\_\_

**H. 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 | ¼ | ¼ | ¼ | Sec | Twp | Rge | County | Local name for diversion |
|-----|---|---|---|-----|-----|-----|--------|--------------------------|
|     |   |   |   |     |     |     |        |                          |
|     |   |   |   |     |     |     |        |                          |
|     |   |   |   |     |     |     |        |                          |

3. Lands irrigated or place of use:

| Twp | Rge | Sec | NE ¼ |    |    |    | NW ¼ |    |    |    | SW ¼ |    |    |    | SE ¼ |    |    |    | Totals |
|-----|-----|-----|------|----|----|----|------|----|----|----|------|----|----|----|------|----|----|----|--------|
|     |     |     | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |

Total Acres \_\_\_\_\_

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

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 | ¼ | ¼ | ¼ | Sec | Twp | Rge | County | Local name for diversion |
|-----|---|---|---|-----|-----|-----|--------|--------------------------|
|     |   |   |   |     |     |     |        |                          |
|     |   |   |   |     |     |     |        |                          |
|     |   |   |   |     |     |     |        |                          |

3. Lands irrigated or place of use:

| Twp | Rge | Sec | NE ¼ |    |    |    | NW ¼ |    |    |    | SW ¼ |    |    |    | SE ¼ |    |    |    | Totals |
|-----|-----|-----|------|----|----|----|------|----|----|----|------|----|----|----|------|----|----|----|--------|
|     |     |     | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |

Total Acres \_\_\_\_\_

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommended Right Report

09/05/2007

WATER RIGHT NO. 63-32694

| <u>Owner Type</u> | <u>Name and Address</u>                                                                                 |
|-------------------|---------------------------------------------------------------------------------------------------------|
| Current Owner     | BARRON DEVELOPMENT LLC<br>C/O SALLIE PALLERIA<br>2511 DORMAN AVE<br>CALDWELL, ID 83605<br>(208)455-8501 |
| Original Owner    | HERBERT R MONTIERTH JR<br>6312 S ZITHER AVE<br>BOISE, ID 83709<br>(208)407-2243                         |
| Original Owner    | FARM CREDIT BANK OF SPOKANE<br>PO BOX 15367<br>BOISE, ID 83715<br>(208)343-7782                         |
| Original Owner    | BRYCE MILLAR<br>PO BOX 15367<br>NAMPA, ID 83651                                                         |
| Original Owner    | EDWARD RAY MONTIERTH                                                                                    |
| Original Owner    | SUSAN L MONTIERTH<br>825 HEARTLAND DR<br>NAMPA, ID 83686<br>(208) 989-8310                              |
| Original Owner    | THE ESTATE OF GOLDA D MONTIERTH<br>825 HEARTLAND DRIVE<br>NAMPA, ID 83686<br>(208)463-8163              |
| Original Owner    | KATHI L MEYERS                                                                                          |
| Original Owner    | ROBERT J MEYERS                                                                                         |
| Original Owner    | RODNEY KENT MONTIERTH                                                                                   |
| Original Owner    | RUBY C VICTOR                                                                                           |
| Original Owner    | W NOLAN VICTOR<br>1528 ADDISON AVE E<br>TWIN FALLS, ID 83301<br>(208)733-5217                           |

Priority Date: 10/07/1968

Basis: License

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| GROUND WATER  |                  |

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | 11/01     | 0.8 CFS               | 340 AFA       |
| STOCKWATER            | 01/01       | 12/31     | 0.01 CFS              |               |
| Total Diversion       |             |           | 0.8 CFS               |               |

Location of Point(s) of Diversion:

GROUND WATER|NESE|Sec. 11|Township 02N|Range 03W|CANYON County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CANYON County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 02N             | 03W          | 14             |            | NWNE         | 40           |            | SWNE         | 40           |            | SENE         | 40           |            |              |              |

Place of Use Legal Description: STOCKWATER same as IRRIGATION

Total Acres: 120

Conditions of Approval:

1. This right is a split from former right 63-7156A.
2. S39 The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after November 1 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.
3. 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.
4. 001 A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.
5. K06 This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.

Dates:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2  
(Attach one copy for each right)

J. DESCRIPTION OF RIGHT AS RECORDED (See Attached SRBA Recommendation)

1. Right as evidenced by:
- m. Decree No. \_\_\_\_\_ Decreed to \_\_\_\_\_  
in case of \_\_\_\_\_ vs. \_\_\_\_\_  
dated \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_
  - n. License No. \_\_\_\_\_ issued by the Idaho Department of Water Resources.
  - o. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources.
  - p. Transfer No. \_\_\_\_\_ which produced this right.
2. Attach 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 \_\_\_\_\_ tributary to \_\_\_\_\_

4. Date or priority \_\_\_\_\_

5. Water is used for the following purposes:

|              |           |                     |          |
|--------------|-----------|---------------------|----------|
| amount _____ | for _____ | purposes from _____ | to _____ |
| (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 \_\_\_\_\_ cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

7. Point(s) of Diversion:

| Lot | ¼ | ¼ | ¼ | Sec | Twp | Rge | County | Local name for diversion |
|-----|---|---|---|-----|-----|-----|--------|--------------------------|
|     |   |   |   |     |     |     |        |                          |
|     |   |   |   |     |     |     |        |                          |
|     |   |   |   |     |     |     |        |                          |

8. Lands irrigated or place of use:

| Twp | Rge | Sec | NE ¼ |    |    |    | NW ¼ |    |    |    | SW ¼ |    |    |    | SE ¼ |    |    |    | Totals |
|-----|-----|-----|------|----|----|----|------|----|----|----|------|----|----|----|------|----|----|----|--------|
|     |     |     | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |

Total Acres \_\_\_\_\_

9. Describe any other water rights used for the same purpose as described above 63-32686, 63-32690, 63-32692

**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 \_\_\_\_\_

**K. 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 | ¼ | ¼ | ¼ | Sec | Twp | Rge | County | Local name for diversion |
|-----|---|---|---|-----|-----|-----|--------|--------------------------|
|     |   |   |   |     |     |     |        |                          |
|     |   |   |   |     |     |     |        |                          |
|     |   |   |   |     |     |     |        |                          |

3. Lands irrigated or place of use:

| Twp | Rge | Sec | NE ¼ |    |    |    | NW ¼ |    |    |    | SW ¼ |    |    |    | SE ¼ |    |    |    | Totals |
|-----|-----|-----|------|----|----|----|------|----|----|----|------|----|----|----|------|----|----|----|--------|
|     |     |     | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |

Total Acres \_\_\_\_\_

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

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 | ¼ | ¼ | ¼ | Sec | Twp | Rge | County | Local name for diversion |
|-----|---|---|---|-----|-----|-----|--------|--------------------------|
|     |   |   |   |     |     |     |        |                          |
|     |   |   |   |     |     |     |        |                          |
|     |   |   |   |     |     |     |        |                          |

3. Lands irrigated or place of use:

| Twp | Rge | Sec | NE ¼ |    |    |    | NW ¼ |    |    |    | SW ¼ |    |    |    | SE ¼ |    |    |    | Totals |
|-----|-----|-----|------|----|----|----|------|----|----|----|------|----|----|----|------|----|----|----|--------|
|     |     |     | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |

Total Acres \_\_\_\_\_

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 3**

(See Attached Maps)

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

Scale: 2 inches equal 1 mile. Draw plan in ink.

**PART 3****B. CHANGES IN NATURE OF USE**

| 1. | <u>New Nature of Use</u> | <u>Amount(cfs/af-ft)</u> | <u>Hours/days/year</u> | <u>Period of Use</u> |
|----|--------------------------|--------------------------|------------------------|----------------------|
|    | _____                    | _____                    | _____                  | _____ to _____       |
|    | _____                    | _____                    | _____                  | _____ to _____       |

Quantity and quality of return flows and location of discharge: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. 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.

*Sallie Pallera*

(Signature of Applicant)

Subscribed and sworn to before me this 26th day of Sept., 20 07



*Shauna Rae Hoge*

(Notary Public)

My commission expires 2/15/09

**FOR DEPARTMENT USE ONLY**

Transfer contains \_\_\_\_\_ pages and \_\_\_\_\_ attachments

Received by DB Date 10-18-07 Protest filed by \_\_\_\_\_

Prelim. Check by \_\_\_\_\_ Fee \$330-

Received by DB / W035922 Date 10-18-07

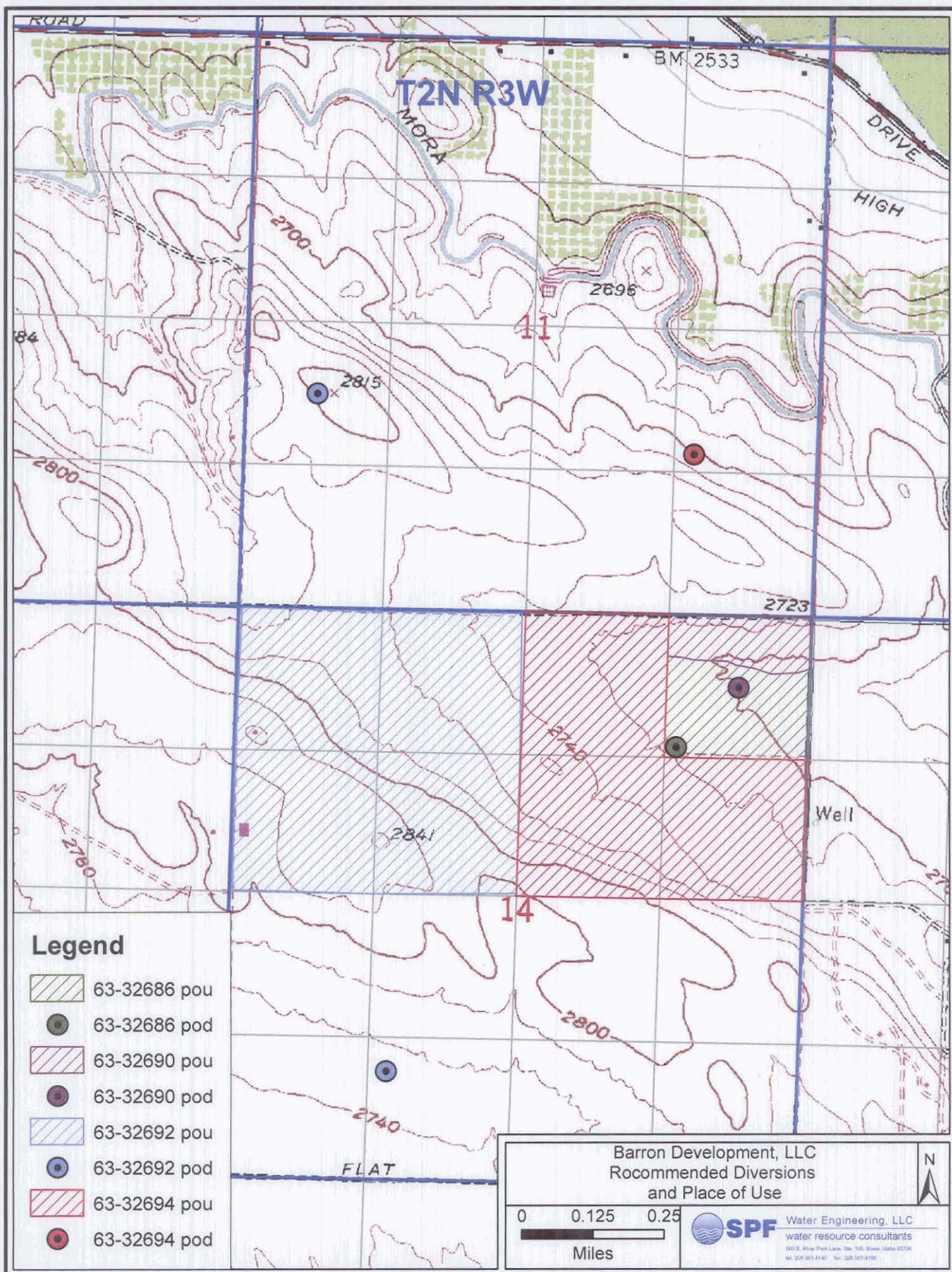
Published in \_\_\_\_\_ Copies of protest forwarded by \_\_\_\_\_

Pub. Dates \_\_\_\_\_ Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

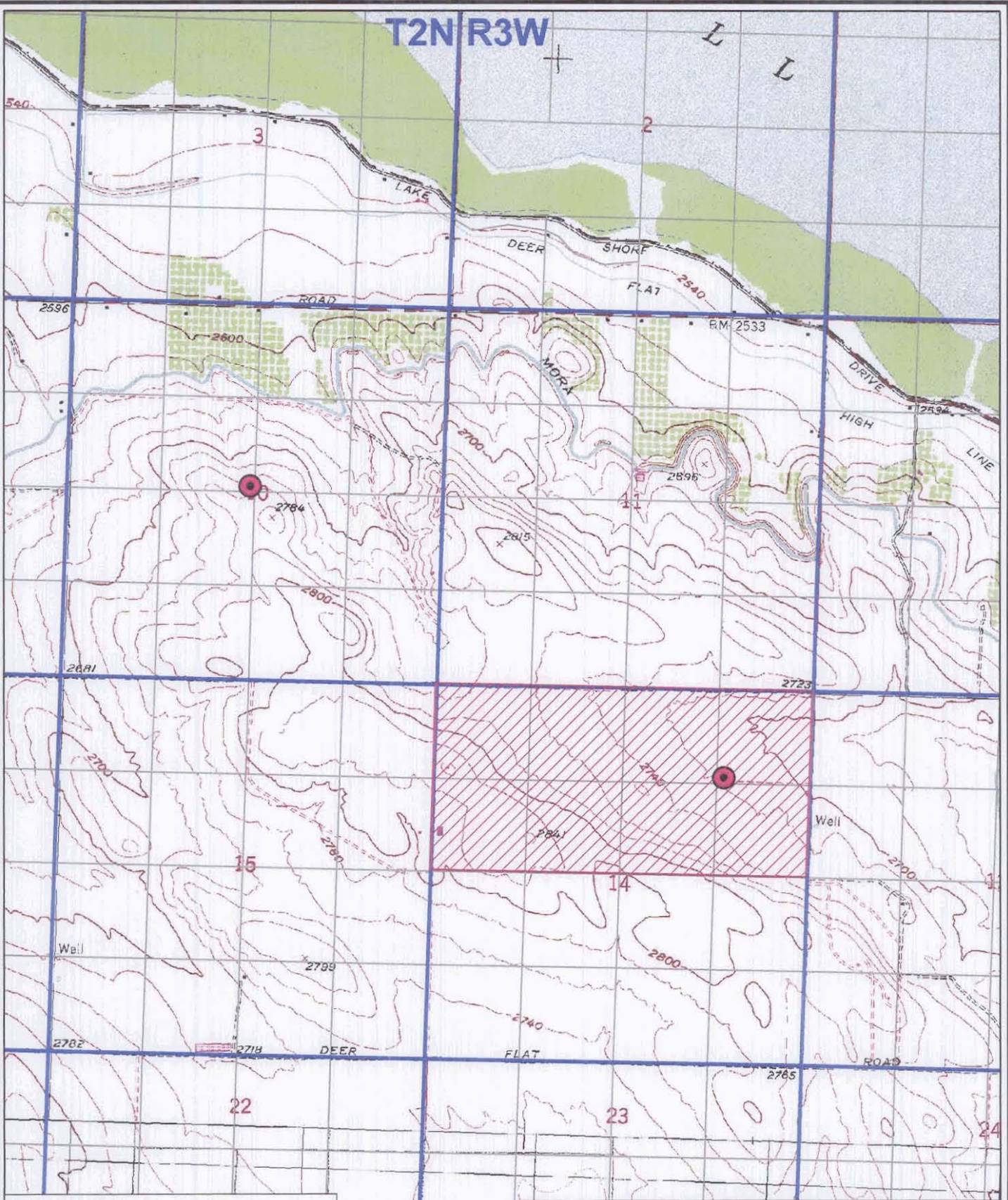
Watermaster recommendations requested on \_\_\_\_\_ Recommended for ☐ approval ☐ denial

\_\_\_\_\_ received \_\_\_\_\_ by \_\_\_\_\_

Copy of transfer sent to lien holder \_\_\_\_\_



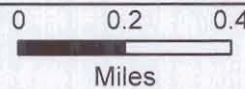
T2N R3W



### Legend

-  Proposed pod
-  Proposed pods (existing)

Barron Development, LLC  
Proposed Diversions and  
Permissible Place of Use



Water Engineering, LLC  
water resource consultants  
800 E. River Park Lane, Ste. 105, Sioux Falls, SD 57105  
Tel: 605.333.4140 Fax: 605.333.4146





8151 W. Riffehan Ave. / Boise  
Idaho 83704 / (208) 377-2700

RECEIVED  
2006 JUN 15 PM 4 36  
BY [Signature]  
CANYON COUNTY RECORDER  
PIONEER-CALDWELL  
FEE 9

200647419

PCL67066

### WARRANTY DEED

For Value Received HERBERT R. MONTIERTH, A MARRIED MAN AS HIS SOLE  
AND SEPARATE PROPERTY, HERBERT R. MONTIERTH AS PERSONAL REPRESENTATIVE OF  
THE ESTATE OF GOLDA DARLENE M. MONTIERTH, DECEASED, AND EDWARD RAY  
MONTIERTH AND SUSAN MONTIERTH, HUSBAND AND WIFE

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

BARRON DEVELOPMENT, LLC

hereinafter referred to as Grantee, whose current address is P.O. BOX 691872, WEST HOLLYWOOD,  
CA 90069

the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

TOGETHER WITH THOSE CERTAIN WATER RIGHTS AS MENTIONED IN THE OPTION CONTRACT  
DATED June 13, 2005, UNDER PARAGRAPH #15.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his  
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 said premises are free from all encumbrances  
except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions,  
easements of record, and easements visible upon the premises, and that Grantor will warrant and defend  
the same from all claims whatsoever.

Dated: June 12, 2006

[Signature]  
HERBERT R. MONTIERTH

[Signature]  
EDWARD RAY MONTIERTH

[Signature]  
SUSAN MONTIERTH

[Signature]  
SUSAN MONTIERTH

READ AND APPROVED

[Signature]

STATE OF ID, County of ADA, ss.

On this 14th day of JUNE, in the year of 2006, before me THE UNDERSIGNED, notary public personally appeared HERBERT R. MONTIERTH, EDWARD RAY MONTIERTH AND SUSAN MONTIERTH known or identified to me to be the person/persons whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



RESIDING AT: BOISE, IDAHO  
COMMISSION EXPIRES: 8-15-2009

STATE OF ID, County of ADA, ss.

On this 14th day of JUNE, in the year 2006, before me THE UNDERSIGNED, a notary public personally appeared HERBERT R. MONTIERTH known or identified to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of GOLDA DARLENE MONTIERTH, and acknowledged to me that HE executed the same as said Personal Representative



KATHY COONTZ  
Notary Public of ID  
Residing at BOISE  
Commission expires: August 15, 2009

File No.: 200607066

**EXHIBIT A**

**Parcel I:**

The Northwest Quarter of the Northwest Quarter of Section 13, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

**Parcel II:**

The Northeast Quarter of Section 14, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

**Parcel III:**

The East Half of the Northwest Quarter of Section 14, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho.

**EXCEPT:**

A part of the Northwest Quarter of Section 14, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho, more particularly described as:

COMMENCING at the Northeast corner of said Section 14 (section corner) monumented with a rebar, 5/8 inches diameter; thence

South 62° 48' 15" West 4,482.39 feet to the POINT OF BEGINNING; said point bears South 63° 05' 00" East 1,480.17 feet from a found 3/8 inch pipe at the Northwest corner of the Southwest Quarter of the Northwest Quarter, Section 14 (North one-sixteenth corner); thence

North 89° 54' 30" East 295.32 feet; thence

South 0° 05' 30" East 295.00 feet; thence

South 89° 54' 30" West 295.32 feet; thence

North 0° 05' 30" West 295.00 feet to the POINT OF BEGINNING.

**Parcel IV:**

The Southwest Quarter of the Northwest Quarter of Section 14, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho.

D

PC65476



A Pioneer Company  
**PIONEER TITLE COMPANY**  
OF ADA COUNTY  
8151 W. Rifleman Ave. / Boise, Idaho 83704  
(208) 377-2700

REQUEST  
TYPE *Full Fee*  
PIONEER-CADWELL

CANYON CITY RECORDER  
BY *[Signature]*

2005 JUN 15 PM 4 43

RECORDED

200533678

### WARRANTY DEED

For Value Received **HERBERT R. MONTIERTH, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY, HERBERT R. MONTIERTH AS PERSONAL REPRESENTATIVE OF THE ESTATE OF GOLDA DARLENE MONTIERTH, DECEASED, EDWARD RAY MONTIERTH AND SUSAN L. MONTIERTH, HUSBAND AND WIFE**

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

**BARRON DEVELOPMENT, L.L.C.**

hereinafter referred to as Grantee, whose current address is 2511 Dorman Ave., Caldwell, Id 83605  
the following described premises, to-wit:

THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14,  
TOWNSHIP 2 NORTH, RANGE 3 WEST OF THE BOISE MERIDIAN, CANYON COUNTY,  
IDAHO

TOGETHER HERewith A CERTAIN EASEMENT RECORDED AS INST. #9924656 FOR  
WELL USAGE AND AN ADDITIONAL EASEMENT RECORDED AS Inst. #9412430 FOR  
WELL USAGE, RECORDS OF CANYON COUNTY, IDAHO.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his 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 said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: June 13, 2005

Pioneer 1031 Company for the Benefit of Herbert R. Montierth.

*Herbert R. Montierth*  
, approved: Herbert R. Montierth

Pioneer 1031 Company for the Benefit of  
Edward Ray Montierth and Susan L.  
Montierth, approved: Edward Ray  
Montierth and Susan L. Montierth

*Susan L. Montierth*  
Susan L. Montierth

*Herbert R. Montierth*  
as PR

STATE OF ID. County of ADA, ss.



On this 13<sup>th</sup> day of JUNE, in the year of 2005, before me THE UNDERSIGNED, notary public personally appeared HERBERT R. MONTIER TH, EDWARD RAY MONTIER TH AND SUSAN L. MONTIER TH known or identified to me to be the person/persons whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

RESIDING AT BOISE, IDAHO  
COMMISSION EXPIRES: 8-15-2009

STATE OF ID, County of ADA, ss.

On this 13<sup>th</sup> day of JUNE, in the year 2005, before me THE UNDERSIGNED, a notary public personally appeared HERBERT R. MONTIER TH known or identified to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of GOLDA DARLENE MONTIER TH, and acknowledged to me that HE executed the same as said Personal Representative



Kathy Coombs  
Notary Public of Id  
Residing at Boise  
Commission expires: August 15, 2009