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NOV 16 2009

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

WATER RESOURCES
WESTERN REGION

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

1. 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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
63-4776C		0			
63-32914		1			

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. 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**.
- C. 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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. 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 or equivalent **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**.

3. Name and Address of Former Owner/Claimant(s) Michael McGuinness and Gabriela McGuinness
3872 Bunchberry Way
Boise, Idaho 83704
4. New Owner/Claimant(s) Richard V. Keller and Lea Ann Keller
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 13329 W. Pala Mesa Dr.
City, State and ZIP Code Boise, Idaho 83713
New Telephone Number (208) 939-5918 Email: rvkeller@cableone.net

SUPPORT DATA

IN FILE # 63-4776C

September 15, 2009

5. Date you acquired the property

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number 63-32914		
Irrigation Yes	0.12 CFS	7.388 Acres
Stock		
Domestic		
Other		
Totals	0.12 CFS	7.388 Acres
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s)

Guinaid V. Keller
Lea Ann Keller

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by *gmn*
 Received by *gmn*
 Processed by *gmn* AJ

Date 11-16-09
 Date 11-16-09
 Date

Receipt Amt. 125
 Receipt No. W038000
 WR *gmn* Date 12-10-09



Order No.: B0900298 AE/BC

WARRANTY DEED

FOR VALUE RECEIVED,

Michael McGuinness and Gabriela McGuinness, husband and wife,

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

Richard V. Keller and Lea Ann Keller, husband and wife

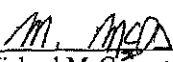
whose current address is 13329 W. Pala Mesa, Boise, ID 83713

the Grantee, the following described premises, in Boise County, Idaho, TO WTT:

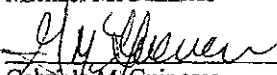
See Exhibit "A" attached hereto and made a part hereof

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated: 09/15/2009



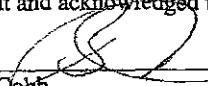
Michael McGuinness



Gabriela McGuinness

State of Idaho)
County of Ada)

On this 15th day of September, 2009, before me, the undersigned, a notary public, personally appeared Michael H. McGuinness and Gabriela McGuinness, known to me or proven to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.



Billie Jo Cobb
Notary Public
Residing at: Meridian
My commission expires: 11/12/10
(Seal)

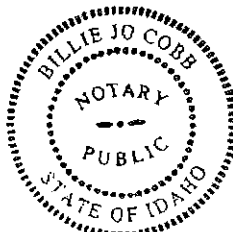


Exhibit A

Parcel I:
(Tract 14)

A tract of land in the Southeast quarter Northeast quarter of Section 27, Township 7 North, Range 4 East, Boise Meridian, Boise County, Idaho, and a portion of Lot 5, Block 1, Star Ranch Unit No. 4, being more particularly described as follows:

Beginning at a steel pin marking the most Northerly lot corner common to Lots 7 and 8, Star Ranch Unit No. 4, according to the official plat thereof on file in the Boise County Recorder's Office, Idaho City, Idaho. Said steel pin bears
South 15°01'12" West 2680.45 feet from a brass cap marking the section corner common to Sections 22, 23, 26 and 27, Township 7 North, Range 4 East, Boise Meridian, Boise County, Idaho; thence
North 68°00'00" West along the boundary line of said subdivision, 245.59 feet (shown of record as 245.61 feet) to a steel pin; thence
North 45°00'00" West along the boundary line of said subdivision, 258.79 feet (shown of record as 258.82 feet) to a steel pin; thence
North 52°22'30" West 139.40 feet (shown on Deed of Record as 139.41 feet) to a steel pin; thence
North 20°44'16" East 414.31 feet to a steel pin on the centerline of a fifty foot wide easement; thence
South 85°36'00" East along said centerline 153.59 feet to a steel pin; thence
South 56°26'00" East along said centerline 508.14 feet to a steel pin; thence
South 23°57'46" West 497.72 feet to the Point of Beginning.

Parcel II:

Tract No. 17 (portion of)

A portion of Tract No. 16 situated in the Northeast quarter of Section 27, Township 7 North, Range 4 East, Boise Meridian, Boise County, Idaho, as recorded in the Boise County Recorder's Office being more particularly described as follows:

Commencing at the section corner common to Sections 22, 23, 26 and 27, Township 7 North, Range 4 East, Boise Meridian, Boise County, Idaho; thence
South 33°41'06" West a distance of 1552.34 feet to a point marking the Southeast corner of Lot 1, Star Ranch Unit 2, the Point of Beginning; thence continuing
South 20°44'16" West a distance of 414.31 feet to a point on the Northerly boundary of Star Ranch Unit 4; thence continuing along said boundary
South 87°38'40" West a distance of 181.94 feet to a point; thence continuing along said boundary
North 18°00'00" West a distance of 53.99 feet to a point; thence continuing along said boundary
North 21°43'30" West a distance of 180.73 feet to a point; thence continuing along said boundary
North 79°36'00" West a distance of 153.10 feet to a marked half inch iron pin; thence continuing along said boundary
South 64°35'54" West a distance of 49.11 feet to a 5/8 inch iron pin and cap marked "RAJ 943" on the Easterly right-of-way of Harris Creek Road; thence along said right-of-way
North 21°39'48" West a distance of 182.26 feet to a 5/8 inch iron pin and cap marked "RAJ 943"; thence continuing along said right-of-way
North 42°42'03" West a distance of 108.22 feet to a 5/8 inch iron pin and cap marked "RAJ 943"; thence continuing along said right-of-way
North 24°27'20" West a distance of 127.31 feet to a 5/8 inch iron pin and cap marked "RAJ 943"; thence continuing along said right-of-way
North 03°03'25" West a distance of 141.93 feet to a 5/8 inch iron pin and cap marked "RAJ 943"; thence continuing along said right-of-way
North 45°09'46" East a distance of 28.89 feet to a 5/8 inch iron pin and cap marked "RAJ 943"; thence
South 61°06'00" East a distance of 714.99 feet to a point; thence
South 85°36'00" East a distance of 161.94 feet to the Point of Beginning.

Parcel III:

An easement for utilities and ingress and egress across a strip of land being fifty feet wide, 25 feet each side of the following described centerline in the West half of Section 26 and the North half of Section 27, Township 7 North, Range 4 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

Commencing at the most Easterly corner of Lot 14, Block 1, Star Ranch Unit No. 4, according to the official plat thereof on file in the Boise County Recorder's Office, Idaho City, Idaho; thence
South 48°00'00" West along the boundary line of said subdivision 144.94 feet (shown of record as 144.97 feet) to a steel pin; thence
North 66°00'00" West along said boundary line 318.27 feet (shown of record as 318.34 feet) to a steel pin; thence
South 24°00'00" West along said boundary line 26.38 feet to a steel pin, the Real Point of Beginning; thence
South 47°22'00" East 598.43 feet to a point; thence
South 89°45'35" East 431.93 feet to a point; thence
North 54°26'00" East 245.96 feet to a steel pin; thence
North 19°44'00" East 379.50 feet to a steel pin hereinafter referred to as Point "C"; thence
North 62°56'00" West 372.50 feet to a steel pin; thence
North 53°40'00" West 853.50 feet to a steel pin; thence
North 54°50'00" West 684.00 feet to a steel pin; thence
North 56°26'00" West 951.00 feet to a steel pin; thence
North 85°36'00" West 315.50 feet to a steel pin; thence
North 61°06'00" West 759.00 feet to the End Point, said End Point being a steel pin on the centerline of a county road as it exists on the ground. Said steel pin bears
North 03°12'27" West 477.99 feet from the most Easterly corner of Lot 1, Block 2, Star Ranch Unit No. 5, according to the official plat thereof on file in the Boise County Recorder's Office, Idaho City, Idaho, and
South 25°58'16" East 1656.10 feet from the one-quarter corner common to said Sections 22 and 27.

And, beginning at the aforementioned Point "C"; thence
South 54°20'00" East 579.26 feet to the End Point, said End Point being a steel pin which bears
South 27°00'00" West 688.40 feet from the most Westerly corner of Lot 18, Star Ranch Unit No. 2, according to the official plat thereof on file in the Boise County Recorder's Office, Idaho City, Idaho.



(Initials) (Initials)

RECORD OF SURVEY

IN THE NW¹ AND THE SW¹ OF SECTION 26 AND THE NW¹ AND THE NE¹ AND SE¹ OF SECTION 27,
T. 1 N., R. 4 E., S. 1 M.,
BOISE COUNTY, IDAHO

NE ⁹ 27

SURVEYOR'S CERTIFICATE

I, LEBLIE L. ANNEHMAN, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF IDAHO, AND THAT THIS SKETCH REPRESENTS AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND IS CORRECT.

Leblie L. Annehman
LEBLIE L. ANNEHMAN - IDAHO NO. 1811
1-21-80

SECTION CORNER - FOUND BRASS CAP
WITNESS COR. TO 1/4 COR. FOUND BRASS CAP
SECTION LINE

0 50 100 150 200 400 600 800

LEGEND

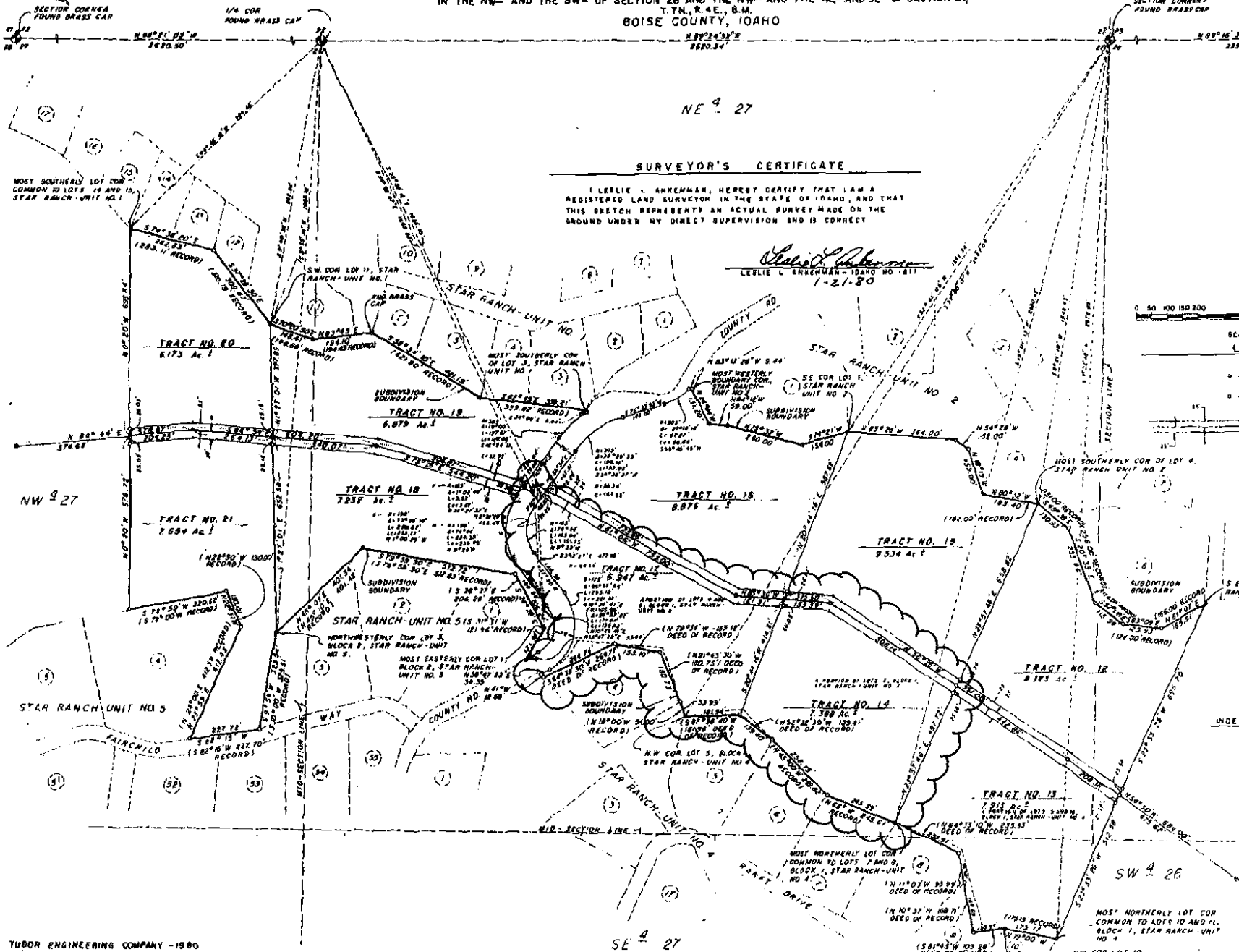
- FOUND STEEL PIN
- STEEL PIN
- CENTERLINE OF 30' WIDE UTILITIES AND INGRESS AND EGRESS EASEMENT

NW ⁹ 26

INDEX NO'S. 741-26-4-3-0-00-00
741-27-1-0-0-00-00
741-27-2-1-1-00-00
741-27-4-0-0-00-00

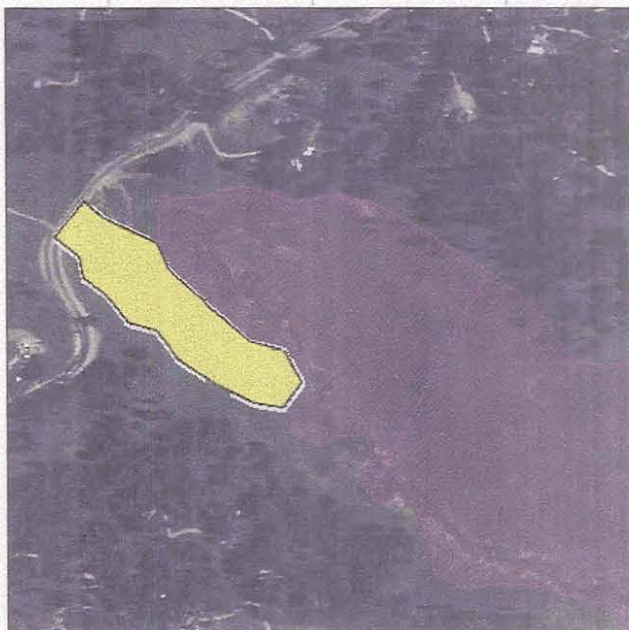
SW ⁴ 26

SE ⁴ 27



Idaho Department of Water Resources

Irrigation District and Water Rights Finder

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Map Tools

Display Layers

- ☐ PLS
- ☐ Water Rights
- ☐ Recommendations
- ☐ Irrigation Company

Map Background

- ☐ No Background
- ☐ USGS Quadrangle
- ☒ Aerial Photo

Legend (Hide)

Search By Address

Address

City

Find Address

Search By Parcel Number

PIN

County

Boise

If a county is missing from the list then we do not have its parcel information

Find PIN

PIN Is Required

Search By PLSS

Township

☒ North ☐

South

Range

☒ East ☐ West

Section

Quarter-Quarter

Find Township

Previous Queries

No Previous Queries

Water Right #	Owner	Action
63-4776C	GABRIELA MCGUINNESS	Select Details

Township	Range	Section	QQ
07N	04E	27	SWNE

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IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

10/1/2009

WATER RIGHT NO. 63-4776C

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GABRIELA MCGUINNESS
Current Owner	MICHAEL MCGUINNESS
	3872 BUNCHBERRY WY
	BOISE, ID 83704
	(208) 378-1314

Priority Date: 04/01/1863

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	CANYON CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.12 CFS	
Total Diversion			0.12 CFS	

Location of Point(s) of Diversion:

UNNAMED STREAM	SWNW	Sec. 27	Township 07N	Range 04E	BOISE County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION BOISE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
07N	04E	27		SWNE	4		SENE	2						

Total Acres: 6

Conditions of Approval:

1. C18	THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
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Dates:

Licensed Date:

Decreed Date: 04/24/2003

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector: AND

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

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

Current Water Right No.: 63-4776C

Current Owner: MICHAEL MCGUINNESS
 GABRIELA MCGUINNESS

Priority Date: 4/1/1863

Origin: Water Right

Status: Active

Basis: Decreed

Source		Tributary	
UNNAMED STREAM		CANYON CREEK	
Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	04/01 to 10/31	0.12 CFS	
	Total Diversion	0.12 CFS	
Location of Point(s) of Diversion			
UNNAMED STREAM		SW1/4NW1/4	Sec. 27, Twp 07N, Rge 04E B.M.
BOISE County			

Place of Use

IRRIGATION Within BOISE County

T07N R04E S27	SWNE	4.00	T07N R04E S27	SENE	2.00
Total Acres: 6					

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Decreed Date: 4/24/2003

Idaho Department of Water Resources

Irrigation District and Water Rights Finder

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☒ Water Rights
☐ Recommendations
☐ Irrigation Company

Map Background

- ☐ No Background
☐ USGS Quadrangle
☒ Aerial Photo

Legend (Hide)

Search By Address

Address

City

Find Address

Search By Parcel Number

PIN

County

Choose A County

If a county is missing from the list then we do not have its parcel information
Find PIN

Search By PLSS

Township

South

Range

Section

Quarter-Quarter

Find Township

☒ North ☐☒ East ☐ West

Previous Queries

No Previous Queries

Water Right #	Owner	Action
63-32914	GABRIELA MCGUINNESS	Select Details

Township	Range	Section	QQ
07N	04E	27	SENE

Idaho Department of Water Resources | [Disclaimer](#)

WATER RIGHT NO. 63-32914

Priority Date: 09/25/1897
Basis: Deceased
Status: Active

<u>Source</u>	<u>Tributary</u>
CANYON CREEK	TRAIL CREEK

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Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.37 CFS	
STOCKWATER	01/01	12/31	0.02 CFS	
Total Diversion			0.37 CFS	

Location of Point(s) of Diversion:

CANYON CREEK	NWSW	Sec. 26	Township 07N	Range 04E	BOISE County
CANYON CREEK	SWNE	Sec. 27	Township 07N	Range 04E	BOISE County
CANYON CREEK	SENE	Sec. 27	Township 07N	Range 04E	BOISE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BOISE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
07N	04E	27		SWNE	2		SENE	16.5						

Place of Use Legal Description: STOCKWATER same as IRRIGATION

Total Acres: 18.5

Conditions of Approval:

1.	C18	THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2.	N08	THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3.	N05	THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Dates:

Licensed Date:

Decreed Date: 04/21/2003

Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Water Supply Bank Enrollment Date Accepted:
Water Supply Bank Enrollment Date Removed:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Other Information:
State or Federal: S
Owner Name Connector: And
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close