

DE ✓

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

RECEIVED

AUG 25 2009

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 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
63-33025 PD	3-19-09	N			
63-33027 PD	~	N			
63-32819 PD	~	N			
63-32821 PD	~	N			

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 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**.

3. Name and Address of Former Owner/Claimant(s) Herbert R. Montierth, Jr, et al
4. New Owner/Claimant(s) Willowbrook Development, Inc.
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 210 Murray St.
- City, State and ZIP Code Boise, ID 83714
- New Telephone Number 208-376-4665
5. Date you acquired the property June 20, 1995

SUPPORT DATA

IN FILE # 63-32819



A Pioneer Company

PIONEER TITLE COMPANY
 OF ADA COUNTY

821 West State Street / Boise, Idaho 83702-5836 / Telephone (208) 336-6700 & f

*THIS DEED IS BEING RECORDED IN ADA COUNTY (AS WELL AS CANYON COUNTY) FOR CONVEYANCE OF EASEMENT AND APPURTENANCES DESCRIBED BELOW (SEE * BELOW)

9518217

PA30888

Reviewed By: *(Signature)*
WARRANTY DEED
 (INDIVIDUAL)

FOR VALUE RECEIVED BRYON L. MARTIN AND KARREN G. MARTIN, HUSBAND AND WIFE,

Grantor s , do hereby grant, bargain, sell and convey unto WILLOWBROOK DEVELOPMENT, INC., AN IDAHO CORPORATION

the Grantee , whose current address is: 210 MURRAY STREET, BOISE, ID 83714
 the following described real property in CANYON County, State of Idaho, more particularly described as follows, to-wit:
 SEE THE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION, WHICH BY THIS REFERENCE IS INCORPORATED HEREIN.

THE PROPERTY DESCRIBED ON THE ATTACHED EXHIBIT "A" IS CONVEYED TOGETHER WITH ALL WATER RIGHTS APPURTENANT THERETO INCLUDING THE WATER RIGHTS IDENTIFIED AS WATER PERMIT NO.s 63-03365, 63-07056, and 63-08415.

*TOGETHER WITH ALL RIGHTS OF GRANTOR IN AND TO THAT CERTAIN EASEMENT AND APPURTENANCES THERETO DESCRIBED IN EXHIBIT "A" OF THAT CERTAIN WARRANTY DEED RECORDED AS INSTRUMENT NO. 9338344, RECORDS OF ADA COUNTY, IDAHO.

RESERVING UNTO GRANTOR A NON-EXCLUSIVE EASEMENT FOR MAINTENANCE AND OPERATION OF MAINLINE FOR IRRIGATION SYSTEM OVER AND ACROSS THE LIMITED EASEMENT RIGHT OF WAY DESCRIBED ON THE ATTACHED EXHIBIT "B",

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee , and Grantee heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantee , the Grantors are the owner s in fee simple of said premises; that said premises 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 reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (includes irrigation and utility assessments, (if any) for the current year, which are not yet due and payable, and that Grantors will warrant and defend the same from all lawful claims whatsoever.

Dated: June 20, 1995

Bryon L. Martin
 BRYON L. MARTIN

Karren G. Martin
 KARREN G. MARTIN

 STATE OF IDAHO
 COUNTY OF FRANKLIN } ss

On this 20th day of June , in the year 1995, before me, a Notary Public, personally appeared BRYON L. MARTIN & KARREN G. MARTIN, known or identified to me, to be the person whose name s subscribed to the within instrument, and acknowledged to me that the y executed the same.

(Signature)
 Notary Public
 Residing at Swan Lake, Idaho.
 Comm. expires: May 25, 2000

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of

at _____ minutes past _____ o'clock M.,
 this _____ day of _____
 19____, in my office, and duly recorded in Book
 of Deeds at page _____

Ex-Officio Recorder

 By _____ Deputy:
 Fees \$
 Mail to:

INSTRUMENT NO.

EXHIBIT "A"

A portion of Section 25, Township 5 North, Range 2 West of the Boise Meridian, Canyon County, Idaho, more particularly described as follows:

Beginning at the Southeast corner of Section 25, Township 5 North, Range 2 West of the Boise Meridian, Canyon County, Idaho; thence

South 89° 28' 00" West 4564.42 feet along the Section line, thence

North 0° 00' 00" West 275.01 feet; thence

South 89° 28' 00" West 721.86 feet to a point on the section line; thence

North 00° 00' 00" East 325.01 feet along the Section line, thence

North 89° 28' 00" East 817.02 feet; thence

North 59° 45' 33" East 256.90 feet; thence

North 11° 08' 33" East 480.02 feet; thence on a curve to the left whose central angle is 103° 25' 01", whose radius is 1465.00, whose length is 2644.28 feet and whose long chord bears

North 49° 26' 02" East, 2299.66 feet, thence

North 90° 00' 00" East 261.60 feet, thence on a curve to the left whose central angle is 101° 56' 18", whose radius is 1454.00 feet, whose length is 2586.90 feet and whose long chord bears

North 71° 45' 24" East, 2258.96 feet to a point on the section line, thence along the section line,

South 00° 02' 58" East 723.99 feet to a 1/4 corner, thence

South 00° 00' 18" West 2637.48 feet to the POINT OF BEGINNING.

EXHIBIT B

A GRANT OF EASEMENT EXTENDING 5 FEET ON EACH SIDE OF LINE DESCRIBED BELOW:

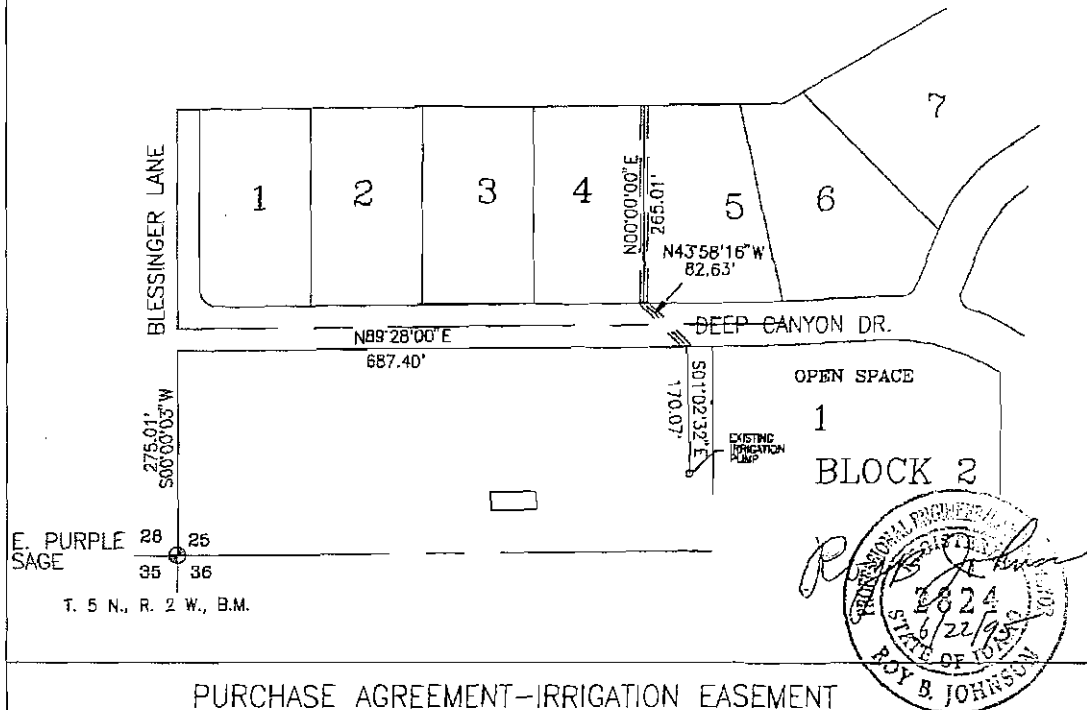
PARCEL 1

A PORTION OF SECTION 25, T.5 N., R.2 W., BOISE MERIDIAN, CANYON COUNTY, IDAHO
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SW CORNER OF SECTION 25, T.5 N. R.2 W, BOISE MERIDIAN,
CANYON COUNTY, IDAHO, THENCE

N 00°00'00" E 275.01 FEET, THENCE
N 89°28'00" E 687.40 FEET TO THE POINT OF BEGINNING, THENCE

N 43°58'16" W 82.63 FEET, THENCE
N 00°00'00" E 265.01 FEET TO THE END POINT.



PURCHASE AGREEMENT-IRRIGATION EASEMENT			
DRAWN BY: E. S.	DATE 6-20-95	PROJECT:	
CK'D. BY: R.B.J.	SCALE 1"=200'	STAR RIDGE IRRIGATION EASEMENT	
APPROVED		A PORTION OF THE S 1/2 OF SEC. 25, T.5N., R.2W., B.M. CANYON COUNTY, IDAHO	DRAWING NAME 1: HILL GRANTEAS.DWG SHEET 1 OF 1
95053953			

ADA CO. RECORDER

BOISE ID

PIONEER TITLE

'95 AUG 4 PM 5 08

FEE 900
RECORDED REQUEST OF

REQUEST
FEE 900

PIONEER - NAMPA

CANYON CNTY RECORDER

'95 JUL 12 AM 11 16

RECORDED

9518217

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

8/20/2009

WATER RIGHT NO. 63-35025

Owner Type	Name and Address
Current Owner	HERBERT R MONTIERTH JR 6312 S ZITHER AVE BOISE, ID 83709 (208)407-2243
Current Owner	DARLENE E MONTIERTH 2409 W KUNA CAVE RD KUNA, ID 83634 (208)922-4237
Current Owner	DOLLIE MONTIERTH RT 1 KUNA, ID 83634 (208)922-4475
Current Owner	RODNEY K MONTIERTH RT 1 BOX 156 KUNA, ID 83634
Current Owner	EDWARD RAY MONTIERTH
Current Owner	SUSAN L MONTIERTH 825 HEARTLAND DR NAMPA, ID 83686 (208) 989-8310
Current Owner	RUBY C VICTOR
Current Owner	W NOLAN VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-1359
Current Owner	KATHI L MEYERS
Current Owner	ROBERT J MEYERS 3921 N 3300 E TWIN FALLS, ID 83301 (208)733-4952
Attorney	WILLIAM A PARSONS 137 W 13TH ST PO BOX 910 BURLEY, ID 83318 (208)878-8382
Original Owner	EDNA PATRICK CALDWELL, ID 83605
Original Owner	HANK VANDERWEY
Original Owner	THEA VANDERWEY 14040 WILLIS RD CALDWELL, ID 83605 (208)454-2404
Original Owner	HUGH WINCHESTER PO BOX 45 CALDWELL, ID 83605
Original Owner	NORWEST AGRICULTURAL CREDIT INC PO BOX 1837 SIOUX FALLS, SD 57117 (605)339-7477

Priority Date: 07/23/1957

Basis: License

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/15	11/15	0.23 CFS	90 AFA
Total Diversion			0.23 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWSWNW	Sec. 31	Township 05N	Range 01W	ADA County
GROUND WATER	NENWNE	Sec. 25	Township 05N	Range 02W	CANYON County
GROUND WATER	SENW	Sec. 25	Township 05N	Range 02W	CANYON County
GROUND WATER	SWSW	Sec. 25	Township 05N	Range 02W	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
05N	02W	25		SWNE	1									
				NESW	2		SWSW	17						

Total Acres: 20

Conditions of Approval:

- 1
- THE WELL FROM WHICH THIS RT IS TAKEN IS TIED INTO A COMMON SYSTEM WHICH IS USED TO IRRIGATE OVER 900 ACRES. SYSTEM INTEGRATED PRIOR TO 1987.
- 2
- This right is a split from former right 63-32817 .

Dates:
Licensed Date:
Claim Received Date:
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:

Other Information:
State or Federal: S
Owner Name Connector: OR
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

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

8/20/2009

WATER RIGHT NO. 63-33025

Owner Type	Name and Address
Current Owner	HERBERT R MONTIERTH JR 6312 S ZITHER AVE BOISE, ID 83709 (208)407-2243
Current Owner	DARLENE E MONTIERTH 2409 W KUNA CAVE RD KUNA, ID 83634 (208)922-4237
Current Owner	DOLLIE MONTIERTH RT 1 KUNA, ID 83634 (208)922-4475
Current Owner	RODNEY K MONTIERTH RT 1 BOX 156 KUNA, ID 83634
Current Owner	EDWARD RAY MONTIERTH
Current Owner	SUSAN L MONTIERTH 825 HEARTLAND DR NAMPA, ID 83686 (208) 989-8310
Current Owner	RUBY C VICTOR
Current Owner	W NOLAN VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-1359
Current Owner	KATHI L MEYERS
Current Owner	ROBERT J MEYERS 3921 N 3300 E TWIN FALLS, ID 83301 (208)733-4952
Attorney	WILLIAM A PARSONS 137 W 13TH ST PO BOX 910 BURLEY, ID 83318 (208)878-8382
Original Owner	EDNA PATRICK CALDWELL, ID 83605
Original Owner	HANK VANDERWEY
Original Owner	THEA VANDERWEY 14040 WILLIS RD CALDWELL, ID 83605 (208)454-2404
Original Owner	HUGH WINCHESTER PO BOX 45 CALDWELL, ID 83605
Original Owner	NORWEST AGRICULTURAL CREDIT INC PO BOX 1837 SIOUX FALLS, SD 57117 (605)339-7477
Priority Date: 07/23/1957	
Basis: License	
Status: Active	

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/15	11/15	0.23 CFS	90 AFA
Total Diversion			0.23 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWSWNW	Sec. 31	Township 05N	Range 01W	ADA County
GROUND WATER	NENWNE	Sec. 25	Township 05N	Range 02W	CANYON County
GROUND WATER	SENW	Sec. 25	Township 05N	Range 02W	CANYON County
GROUND WATER	SWSW	Sec. 25	Township 05N	Range 02W	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
05N	02W	25		SWNE/1										
				NESW/2			SWSW/17							

Total Acres: 20

Conditions of Approval:

1. THE WELL FROM WHICH THIS RT. IS TAKEN IS TIED INTO A COMMON SYSTEM WHICH IS USED TO IRRIGATE OVER 900 ACRES. SYSTEM INTEGRATED PRIOR TO 1987.
2. This right is a split from former right 63-32817 .

Dates:
Licensed Date:
Claim Received Date:
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:

Other Information:
State or Federal: S
Owner Name Connector: OR
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

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

8/20/2009

WATER RIGHT NO. 63-33027

Owner Type	Name and Address
Current Owner	HERBERT R MONTIERTH JR 6312 S ZITHER AVE BOISE, ID 83709 (208)407-2243
Current Owner	DARLENE E MONTIERTH 2409 W KUNA CAVE RD KUNA, ID 83634 (208)922-4237
Current Owner	DOLLIE MONTIERTH RT 1 KUNA, ID 83634 (208)922-4475
Current Owner	RODNEY K MONTIERTH RT 1 BOX 156 KUNA, ID 83634
Current Owner	EDWARD RAY MONTIERTH
Current Owner	SUSAN L MONTIERTH 825 HEARTLAND DR NAMPA, ID 83686 (208) 989-8310
Current Owner	RUBY C VICTOR
Current Owner	W NOLAN VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-1359
Current Owner	KATHI L MEYERS
Current Owner	ROBERT J MEYERS 3921 N 3500 E TWIN FALLS, ID 83301 (208)733-4952
Attorney	WILLIAM A PARSONS 137 W 13TH ST PO BOX 910 BURLEY, ID 83318 (208)878-8382
Original Owner	BYRLE C MORSE CALDWELL, ID 83605
Original Owner	HANK VANDERWEY
Original Owner	THEA VANDERWEY 14040 WILLIS RD CALDWELL, ID 83605 (208)454-2404
Original Owner	NORWEST AGRICULTURAL CREDIT INC PO BOX 1837 SIOUX FALLS, SD 57117 (605)339-7477

Priority Date: 08/26/1968
Basis: License
Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/15	11/15	0.21 CFS	112.5 AFA
Total Diversion			0.21 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWSWNW L1 2	Sec. 31	Township 05N	Range 01W	ADA County
GROUND WATER	SENW	Sec. 25	Township 05N	Range 02W	CANYON County
GROUND WATER	SWSW	Sec. 25	Township 05N	Range 02W	CANYON County
GROUND WATER	NENWSE	Sec. 25	Township 05N	Range 02W	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
05N	02W	25		SWNE1										
				NESW12			SWSW22							

Total Acres: 25

Conditions of Approval:

- 1. SYSTEM HAS BEEN INTEGRATED SINCE 1987.
- 2. This right is a split from former right 63-32823 .

Dates:
Licensed Date:
Claim Received Date:
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:

Other Information:
State or Federal: S
Owner Name Connector: OR
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

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

8/20/2009

WATER RIGHT NO. 63-32819

Owner Type	Name and Address
Current Owner	HERBERT R. MONTIERTH JR. 6312 S ZITHER AVE BOISE, ID 83709 (208)407-2243
Current Owner	DARLENE E. MONTIERTH 2409 W KUNA CAVE RD KUNA, ID 83634 (208)922-4237
Current Owner	DOLLIE MONTIERTH RT 1 KUNA, ID 83634 (208)922-4475
Current Owner	RODNEY K. MONTIERTH RT 1 BOX 156 KUNA, ID 83634
Current Owner	EDWARD RAY MONTIERTH
Current Owner	SUSAN L. MONTIERTH 825 HEARTLAND DR Nampa, ID 83686 (208) 989-8310
Current Owner	RUBY C. VICTOR
Current Owner	W. NOLAN VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-1359
Current Owner	KATHI L. MEYERS
Current Owner	ROBERT J. MEYERS 3921 N 3500 E TWIN FALLS, ID 83301 (208)733-4952
Attorney	WILLIAM A. PARSONS 137 W 13TH ST PO BOX 910 BURLEY, ID 83318 (208)878-8382
Original Owner	VANITA F. WINCHESTER CALDWELL, ID 83605
Original Owner	HANK VANDERWEY
Original Owner	THEA VANDERWEY 14040 WILLIS RD CALDWELL, ID 83605 (208)454-2404
Original Owner	BYRLE C. MORSE PO BOX 220 CALDWELL, ID 83605
Original Owner	NORWEST AGRICULTURAL CREDIT INC PO BOX 1837 SIOUX FALLS, SD 57117 (605)339-7477

Priority Date: 08/13/1963

Basis: Decreed

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/15	11/15	1.59 CFS	357.8 AFA
Total Diversion			1.59 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWSWN	Lt 2	Sec. 31	Township 05N	Range 01W	ADA County
GROUND WATER	SENW		Sec. 25	Township 05N	Range 02W	CANYON County
GROUND WATER	SWSW		Sec. 25	Township 05N	Range 02W	CANYON County
GROUND WATER	NENWSE		Sec. 25	Township 05N	Range 02W	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
05N	02W	25		SENE	3									
				NESE	0.5		NWSE	28		SWSE	17		SESE	31

Total Acres: 79.5

Conditions of Approval:

1. C05
- Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. E62
- This right when combined with Right No. 63-32821 shall provide no more than .02 cfs per acre.
3. 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 irrigation use and a priority date earlier than the date a partial decree is entered for this right.
4.
- This right is a split from former right 63-3365 .
5. 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.
6. C03
- Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Dates.
Licensed Date:
Decreed Date: 03/19/2009
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: OR
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