

RECEIVED

JUN 11 2008

Transfer No. 63-3298

14046

AMENDED

Date: May 11-08By: [Signature]

(Applicants' Initials)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant Richard Rawlings & Judith I. RawlingsPhone (208) 467-9172Post Office address 549 Bayhill Drive, Nampa, ID 83686, with copies toChristian Petrich, SPF Water Engineering, LLC, 600 East River Park Lane, Boise, ID 83706

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 A new subdivision (Cimarron Ridge) is being planned for the Rawlings property. This transfer is requested to change the current place of use under water right 63-3298 to a permissible place of use that includes the current place of use plus remaining portions of the Rawlings property. The total number of acres irrigated under water right 63-3298 will remain unchanged. A permit application for domestic and fire protection uses (63-32549) in the proposed subdivision has been submitted.

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
63-3298	6/12/1962	3.28 cfs / 738 afa	irrigation	3/15 to 11/15
				to
				to
				to

2. Total amount of water being transferred 3.28 cfs cubic feet per second and/or 738 acre-feet per annum.3. Source of water ground water tributary to n/a

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		SE	SW	8	2N	3W	Canyon	Rawlings irrigation wells (2 wells)

5. Lands irrigated or permissible 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	7																29	40
2N	3W	8											40	40					80
2N	3W	17					40	40	40										120

Total Acres 164 acres within a 240-acre permissible place of use

PART 1**6. General Information:**

- a. Description of diversion system a 16-inch diameter, 492-foot deep well drilled in 1962 and a 20-inch, 465-foot well drilled in 1992
(both located in the SESW of Section 8, T2N R3W) provide water for hand and wheel lines. Both wells are capable of producing
approximately 1,500 gpm.

- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
Yes X 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:

Irrigation will be shifted to within the proposed permissible place of use, which includes the current place of use. The total number of
irrigated acres (164 acres) will not change as a result of the proposed transfer.

- d. Remarks:

Total irrigation will be limited to 164 acres within a 240-acre permissible place of use. The applicant owns the entire proposed 240-
acre permissible place of use.

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by: (See attached Adjudication Recommended Water Right Report for 63-3298) Attachment B
- 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 None
-

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:

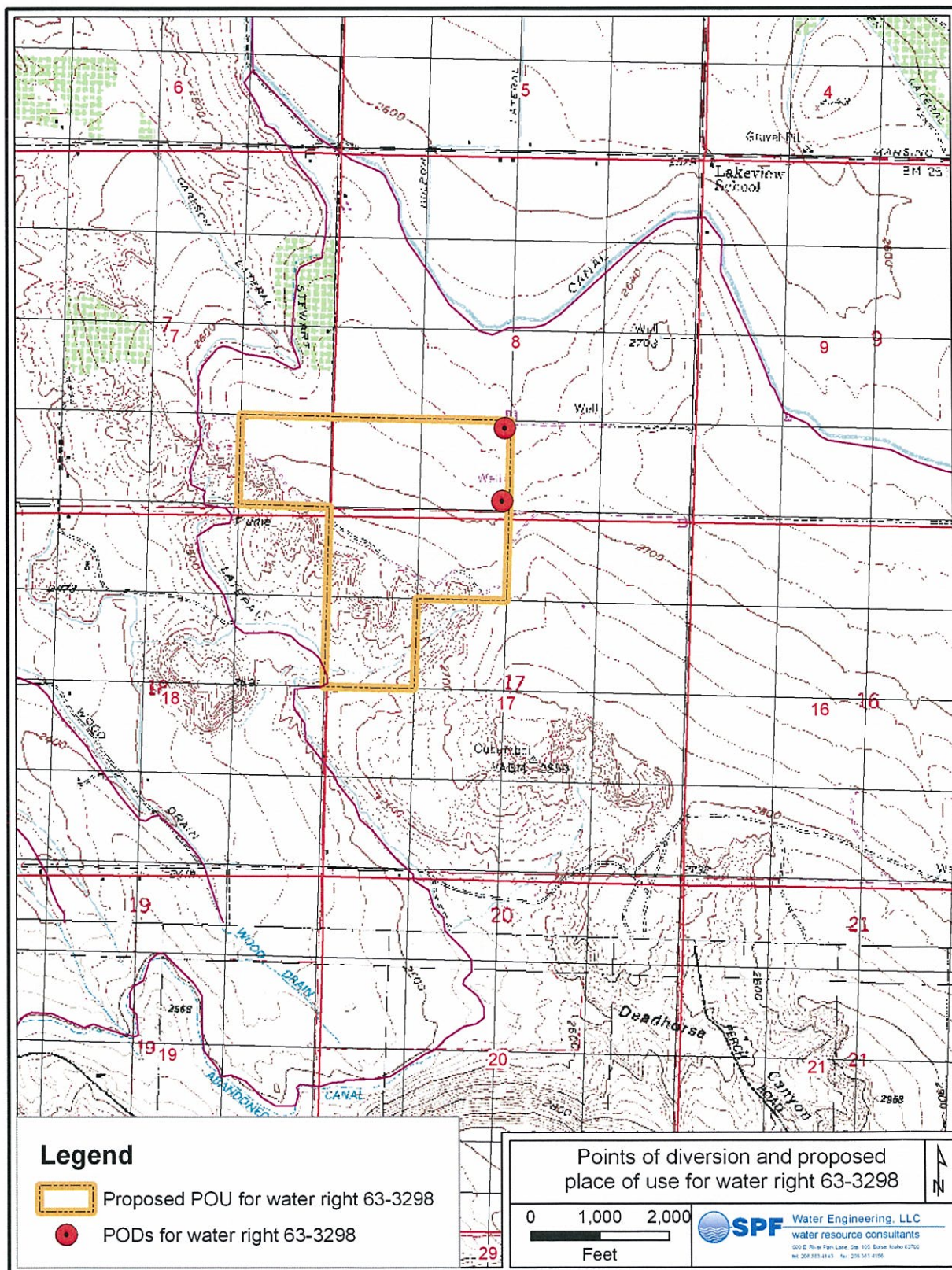
Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

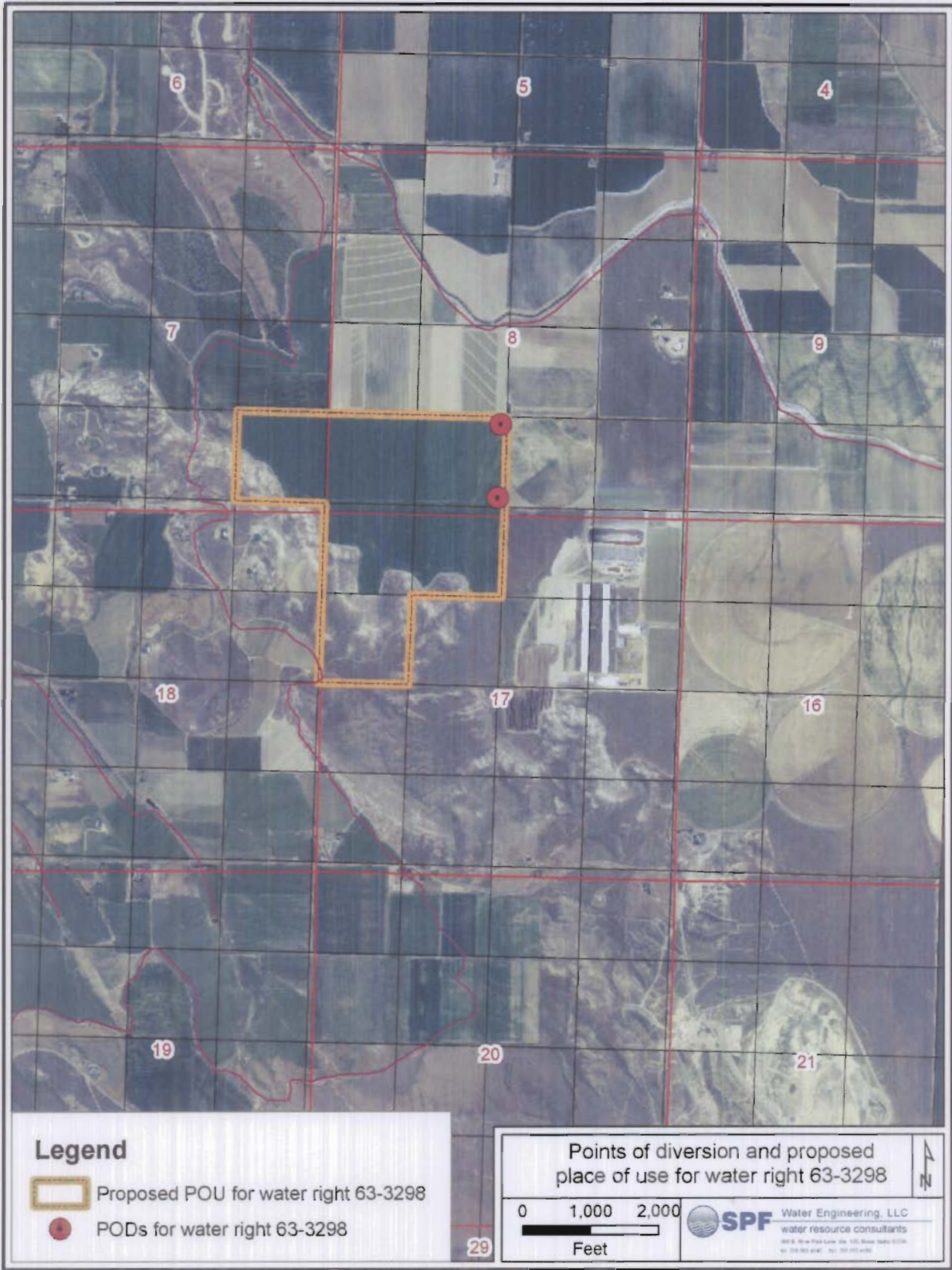
Total Acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- 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.





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.



[Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 16th day of JULY, 20 07.

[Signature]
(Notary Public)

FOR DEPARTMENT USE ONLY

Transfer contains 1 pages and 2 attachments

Received by DB Date 7-20-07 Protest filed by _____

Prelim. Check by VLM Fee \$370-

Received by DB / W035650 Date 7-20-07

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 _____

INSTRUMENT NO. 9727359

PN 45002

WARRANTY DEED

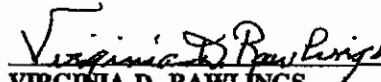
FOR VALUE RECEIVED

VIRGINIA D. RAWLINGS, a married woman dealing with her sole and separate property ("Grantor"), does hereby grant, bargain, sell and convey unto RICHARD T. RAWLINGS and JUDITH I. RAWLINGS, husband and wife, whose current address is 4218 Sunny Ridge Rd., Nampa, ID 83686 (collectively "Grantee"), all Grantor's right, title, and interest in and to an undivided one-half interest in the following described premises located in Canyon County, Idaho, to-wit:

The real estate more particularly described in Exhibit A attached hereto and by this reference incorporated herein

To have and to hold the said premises, with their appurtenances unto the Grantee, his heirs and assigns forever. And the Grantor does hereby covenant to and with the Grantee, that he is the owner in fee simple of said premises; that the premises are free and clear from all encumbrances, except current taxes and assessments, easements, restrictions and reservations of record. Grantor does hereby warrant and defend the quiet and peaceful possession of said premises by the Grantee, and his heirs and assigns forever, against all lawful claims whatsoever.

DATED: August 15, 1997.


VIRGINIA D. RAWLINGS

WARRANTY DEED - 1

F:\USDO\S\SYSTEM\DATA\N\NAMA.DIGS\WARRANTY.DCS

C9

Attachment A (p. 1 of 9)

STATE OF IDAHO)
) ss.
County of Ada)

On This 15 day of August, 1997, before me, the undersigned, a Notary Public in and for said County and State, personally appeared VIRGINIA D. RAWLINGS, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year first above written.



Kristen Adamson
Notary Public for Idaho
Residing at: Boise, ID
My Commission Expires: 6-15-01

WARRANTY DEED - 2

F:\USERS\KRISTEN\DATA\LEGAL\WARRANTY.DOC

Attachment A (p.2 of 9)

EXHIBIT A

All in Township 2 North, Range 3 West, Boise Meridian, Canyon
County, Idaho.

Section 7:

Southeast Quarter of the Southeast Quarter

Section 8:

Southwest Quarter of the Southwest Quarter and the
Southeast Quarter of the Southwest Quarter

Section 17:

North Half of the Northwest Quarter and the Southwest
Quarter of the Northwest Quarter

9727359

RECORDED

97 AUG 19 PM 4 20

NED J KERR

CANYON CNTY RECORDER
BY *[Signature]*

REQUEST PIONEER - NAMPA
TYPE *Deed* FEE *9.00*

Attachment A (p. 3 of 9)

3/ INSTRUMENT NO. 9027357

DU-15002

WARRANTY DEED

FOR VALUE RECEIVED

FRANK N. RAWLINGS, a married man dealing with his sole and separate property ("Grantor"), does hereby grant, bargain, sell and convey unto **RICHARD T. RAWLINGS** and **JUDITH I. RAWLINGS**, husband and wife, whose current address is 4218 Sunny Ridge Rd., Nampa, ID 83686 (collectively "Grantee"), all Grantor's right, title, and interest in and to an undivided one-half interest in the following described premises located in Canyon County, Idaho, to-wit:

The real estate more particularly described in Exhibit A attached hereto and by this reference incorporated herein

To have and to hold the said premises, with their appurtenances unto the Grantee, his heirs and assigns forever. And the Grantor does hereby covenant to and with the Grantee, that he is the owner in fee simple of said premises; that the premises are free and clear from all encumbrances, except current taxes and assessments, easements, restrictions and reservations of record. Grantor does hereby warrant and defend the quiet and peaceful possession of said premises by the Grantee, and his heirs and assigns forever, against all lawful claims whatsoever.

DATED: August 15, 1997.


FRANK N. RAWLINGS

WARRANTY DEED - 1

F:\USERS\KRI\STEN\DATA\JHR\RAWLINGS\WARRANTY.D03

Attachment A (p. 4 of 9)

STATE OF IDAHO)
) ss.
County of Ada)

On This 15 day of August, 1997, before me, the undersigned, a Notary Public in and for said County and State, personally appeared **FRANK N. RAWLINGS**, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year first above written.



Kristen Adamson
Notary Public for Idaho
Residing at: Boise, ID
My Commission Expires: 6-15-01

WARRANTY DEED - 2

F:\USERS\KRISTEN\DATA\JULY\RAWLINGS\WARRANTY.DED

Attachment A (p. 5 of 9)

EXHIBIT A

All in Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

Section 7:

Southeast Quarter of the Southeast Quarter

Section 8:

Southwest Quarter of the Southwest Quarter and the Southeast Quarter of the Southwest Quarter

Section 17:

North Half of the Northwest Quarter and the Southwest Quarter of the Northwest Quarter

9727357

RECORDED

'97 AUG 19 PM 4 20

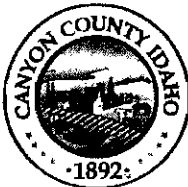
NED J KERR

CANYON COUNTY RECORDER
BY *[Signature]*

PIONEER — NAMPA

REQUEST —
TYPE *Final* FEE *9.00*

Attachment A (p. 6 of 9)



Gene T Kuehn
Canyon County Assessor
1115 Albany St. - Room 343
Caldwell, ID 83605

2007
ASSESSMENT NOTICE

PARCEL DESCRIPTION:

30143000 0
17-2N-3W NW
N1/2NW, SWNW

For any questions, please notify the Assessor's Office immediately

Annual - Real Property 6/1/2007

Assessor's Telephone Number: 208-454-7431

Parcel Address: 0 PERCH RD CA ID

02N03W172400
*****SCH 5-DIGIT 83651



RAWLINGS RICHARD T
549 BAYHILL DR
NAMPA ID 83686-8209

Appeals of your property value must be filed in writing, on a form provided by the County, by:

6/25/2007

Tax Code Area: 157-00

Parcel Number:

ALT PIN: 02N03W172400

ASSESSED VALUE OF YOUR PROPERTY

CURRENT DESCRIPTION	LOTS/ACRES	LAST YEAR'S VALUE	CURRENT YEAR'S VALUE
01 Irr Ag	52.00	27,700	27,700
05 Dry grazing	68.00	2,400	2,400
SUBTOTAL:	120.00	30,100	30,100
LESS HOMEOWNERS EXEMPTION:		30,100	30,100
NET TAXABLE PROPERTY VALUE:		30,100	30,100

These values may not include personal property values. Taxes are based on the values shown on this Notice and on the Budgets of the taxing districts.

TAXING DISTRICT INFORMATION

TAXING DISTRICTS	PHONE NUMBER	DATE OF PUBLIC BUDGET HEARING
AMBULANCE DISTRICT	208-466-8800	8/15/2007
CANYON COUNTY	208-454-7507	8/15/2007
MARSING RURAL FIRE	208-896-4204	8/8/2007
NAMPA HWY #1	208-467-6576	8/30/2007
PEST	208-454-7507	8/15/2007
VALLIVUE SCH #139	208-454-0445	6/12/2007

40 - 100% DO NOT POST

See the back of this Notice for details

RECEIVED

JUL 20 2007

WATER RESOURCES
WESTERN REGION

0044071

Attachment A (p. 1 of 1)



Gene T Kuehn
Canyon County Assessor
1115 Albany St. - Room 343
Caldwell, ID 83605

2007
ASSESSMENT NOTICE

PARCEL DESCRIPTION:

30039000 0
08-2N-3W SW
SWSW & SESW

For any questions, please notify the Assessor's Office immediately

Annual - Real Property 6/1/2007

Assessor's Telephone Number: 208-454-7431

Parcel Address: 0 PERCH RD CA ID

02N03W086000
*****SCH 5-DIGIT 83651



RAWLINGS RICHARD T
549 BAYHILL DR
NAMPA ID 83686-8209

Appeals of your property value must be filed in writing, on a form provided by the County, by:

6/25/2007

Tax Code Area: 157-00

Parcel Number:
ALT PIN: 02N03W086000

ASSESSED VALUE OF YOUR PROPERTY

CURRENT DESCRIPTION	LOTS/ACRES	LAST YEAR'S VALUE	CURRENT YEAR'S VALUE
01 Irr Ag	80.00	49,400	49,400
SUBTOTAL:	80.00	49,400	49,400
LESS HOMEOWNERS EXEMPTION:		49,400	49,400
NET TAXABLE PROPERTY VALUE:		49,400	49,400

These values may not include personal property values. Taxes are based on the values shown on this Notice and on the Budgets of the taxing districts.

TAXING DISTRICT INFORMATION

TAXING DISTRICTS	PHONE NUMBER	DATE OF PUBLIC BUDGET HEARING
AMBULANCE DISTRICT	208-466-8800	8/15/2007
CANYON COUNTY	208-454-7507	8/15/2007
MARSING RURAL FIRE	208-896-4204	8/8/2007
NAMPA HWY #1	208-467-6576	8/30/2007
PEST	208-454-7507	8/15/2007
VALLIVUE SCH #139	208-454-0445	6/12/2007

US DEPT OF AGRICULTURE

See the back of this Notice for details

Attachment A (p. BofA)



Gene T Kuehn
Canyon County Assessor
1115 Albany St. - Room 343
Caldwell, ID 83605

2007
ASSESSMENT NOTICE

PARCEL DESCRIPTION:

30022000 0
07-2N-3W SE
SESE

For any questions, please notify the Assessor's Office immediately

Annual - Real Property 6/1/2007

Assessor's Telephone Number: 208-454-7431

Parcel Address: 0 COOL RD CA ID

02N03W079000
37682 *****SCH 5-DIGIT 83651



RAWLINGS RICHARD T
549 W BAYHILL DR
NAMPA ID 83686-8209

Appeals of your property value must be filed in writing, on a form provided by the County, by:

6/25/2007

Tax Code Area: 157-00

Parcel Number:
ALT PIN: 02N03W079000

ASSESSED VALUE OF YOUR PROPERTY

CURRENT DESCRIPTION	LOTS/ACRES	LAST YEAR'S VALUE	CURRENT YEAR'S VALUE
01 Irr Ag	27.00	17,800	17,800
05 Dry grazing	13.00	500	500
SUBTOTAL:	40.00	18,300	18,300
LESS HOMEOWNERS EXEMPTION:		18,300	18,300
NET TAXABLE PROPERTY VALUE:			

These values may not include personal property values. Taxes are based on the values shown on this Notice and on the Budgets of the taxing districts.

TAXING DISTRICT INFORMATION

TAXING DISTRICTS	PHONE NUMBER	DATE OF PUBLIC BUDGET HEARING
AMBULANCE DISTRICT	208-466-8800	8/15/2007
CANYON COUNTY	208-454-7507	8/15/2007
MARSING RURAL FIRE	208-896-4204	8/8/2007
NAMPA HWY #1	208-467-6576	8/30/2007
PEST	208-454-7507	8/15/2007
VALLIVUE SCH #139	208-454-0445	6/12/2007

SEE THE BACK OF THIS NOTICE FOR DETAILS

See the back of this Notice for details

Attachment A (p 9 of 9)

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3298 V1

WATER RIGHT NUMBER: 63-3298 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	FRANK N RAWLINGS RT 4 NAMPA, ID 83651
Original Owner	VIRGINIA D RAWLINGS RT 4 NAMPA, ID 83651
Current Owner	JUDITH I RAWLINGS 549 BAYHILL DR NAMPA, ID 83686 (208)467-9172
Current Owner	RICHARD T RAWLINGS 549 BAYHILL DR NAMPA, ID 83686 (208)467-9172

Priority Date: 06/12/1962

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>Annual Volume</u>
IRRIGATION	3/15 to 11/15	3.280 CFS	738.00 AF
	<u>Total Diversion:</u>	3.280 CFS	738.00 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SW1/4	Sec. 8, Twp 02N, Rge 03W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	03W	7																29.0	29.0
02N	03W	8											40.0	40.0					80.0
02N	03W	17							36.0	19.0									55.0

Total Acres: 164

Attachment B (p.1 of 2)

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-3298 V1

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.

Remarks:

Comments:

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
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:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

Attachment B (p. 2 of 2)