

Water Supply Bank No. _____

Water Right No. 63-2117
63-2338

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 26 2007

DEPARTMENT OF
WATER RESOURCES

APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK

Name of Seller/Lessor Don + Candy Miller
Jesse + Molly Hamilton Phone 373-3733
Post office address 703 Americana Blvd., Suite 120 Boise ID 83702

1. DESCRIPTION OF WATER RIGHT:

Right evidenced by: See attached IDWR Water Right Reports

- a. Decree No. _____ Decreed to _____
(Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water
Resources.
- c. Permit No. _____ issued by the Idaho Department of Water
Resources.

2. DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE: (If the entire right is for sale or lease,
show "all" on line a. below and skip the remainder of part 2.)

- a. Amount of water under right: 2.5 (combined) cubic feet per second &/or
_____ acre-feet per annum
- b. Point of diversion: _____ ¼ of _____ ¼ of Section _____ Township _____ Range
_____, B.M. in _____ County.
Additional points See attached legal description

c. Place of use:

TWP	RGE	SEC	N E				N W				S W				S E				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

If the right is for irrigation, show the number of acres for the part of the right to be put into the bank.

Total number of acres _____

3. ADDITIONAL INFORMATION ABOUT RIGHT, OR PORTION THEREOF, FOR SALE OR LEASE

- a. Explain how the seller/lessor acquired the right, or portion thereof, and attach a copy of the deed to the land to which it is appurtenant or other evidence of ownership of the right. If the right is not recorded in the name of the seller/lessor, attach a copy of a change of ownership form as required by Section 42-248 or 42-1409(6), Idaho Code, together with required documentation.

See attached Warranty Deed

- b. Describe the frequency of water use under the right, or portion thereof, during the past five (5) years of use. Attach watermaster records, pumping power bills, or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture. (This information is not required if a partial decree has been issued on the right within the last 5 years).

NA - Water Right Decreed 4/24/2003

- c. If the right is from a surface water source, describe the period of the year that water is typically available to satisfy the right.

Year Round

- d. Describe any other water rights with the same purpose and place of use as the right, or portion thereof, offered for lease. Will the present place of use continue to receive water from any source? If so, describe.

No

- e. If the water right is a permit, describe the work accomplished toward developing the right.

NA

- f. If the right to the use of the water or the use of the diversion works or irrigation system is represented by shares of stock in a company or corporation, or if such works or system is owned or managed by an irrigation district, a written consent of the sale or lease must be attached.

4. REMARKS:

5. SALE/LEASE AGREEMENT

1. The water right, or portion thereof, described above is offered to the Idaho Water Resource Board:

_____ For sale;

X For lease for a period from May 1, 2007 to May 1, 2008
(Day, month, year) (Day, month, year)

(The lease period may be shown as "indefinite", if the total duration of lease is unknown); or

_____ As a gift to the state of Idaho.

2. Show the minimum payment acceptable to the Seller/Lessor. Include the method of determining the minimum payment. The minimum payment may be shown as the "current rental rate".

TBD - Current rental rate

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this right for sale or lease to the Idaho Water Resource Board.

The owner/lessor acknowledges the following:

1. Payment to the owner/lessor is contingent upon the sale or rental of the right from the bank.
2. While a right is in the bank, the owner of the right may not use the right even if the right is not rented.
3. A right accepted into the bank stays in the bank until the Board releases it or until the lease term expires.
4. While a water right is in the bank, forfeiture provisions are stayed.
5. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right.

4-24-07
Date

Jane Hamilton
Signature

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

(Close)

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

07/01/2005

WATER RIGHT NO. 63-2117

<u>Owner Type</u>	<u>Name and Address</u>
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Current Owner	
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Current Owner	
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Original Owner	
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Priority Date: 11/30/1909
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
CONFEDERATE GULCH CREEK	GRANITE CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MINING	03/01	11/30	0.5 CFS	
Total Diversion			0.5 CFS	

Location of Point(s) of Diversion:

CONFEDERATE GULCH CREEK SWSNW Sec. 09 Township 07N Range 04E BOISE County
CONFEDERATE GULCH CREEK NESW Sec. 09 Township 07N Range 04E BOISE County
CONFEDERATE GULCH CREEK NWNWSE Sec. 09 Township 07N Range 04E BOISE County

Place(s) of use:

Place of Use Legal Description: MINING BOISE 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>
07N	04E	9		SE										
				NW										
				SE										

Conditions of Approval:

1. THE PLACE OF USE DOES NOT INCLUDE A USE ON FEDERAL PUBLIC LAND. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE
2. C18 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. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. C04 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PURPOSE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates:

Licensed Date:

Decreed Date: 04/24/2003

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

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:

Water District Number: 63

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

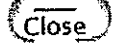
Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close



IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

07/01/2005

WATER RIGHT NO. 63-2338

Owner Type

Name and Address

Current Owner

Current Owner

Original Owner

Priority Date: 11/12/1919

Basis: Decreed

Status: Active

Source

Tributary

GRANITE CREEK GRIMES CREEK

Beneficial Use From To Diversion Rate Volume

MINING 03/01 11/30 2 CFS

Total Diversion 2 CFS

Location of Point(s) of Diversion:

GRANITE CREEK SWNE Sec. 09 Township 07N Range 04E BOISE County
GRANITE CREEK NESENW Sec. 09 Township 07N Range 04E BOISE County
GRANITE CREEK NENWSE Sec. 09 Township 07N Range 04E BOISE County

Place(s) of use:

Place of Use Legal Description: MINING BOISE 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>
07N	04E	9		SWNE										
				SENE										
				NWSE										

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE
2. C18 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. C04 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PURPOSE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. THE PLACE OF USE DOES NOT INCLUDE A USE ON FEDERAL PUBLIC LAND.
5. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates:

Licensed Date:

Decreed Date: 04/24/2003

Permit Proof Due Date:

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Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

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Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

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



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

Instrument # 210069

IDAHO CITY, BOISE COUNTY, IDAHO
2006-08-31 03:20:25 No. of Pages: 2
Recorded for : PIONEER TITLE
RORA A. CANODY Fee: 6.00
Ex-Officio Recorder Deputy *Shirley Gyle*
Index to: DEEDS

WARRANTY DEED

For Value Received WILLIAM J. RODMAN, AN UNMARRIED MAN AS October 8,
1962 HIS DATE OF ACQUIRING THE GOLDEN STAR AND LAST CHANCE MINERAL SURVEY
AND WILLIAM J. RODMAN, AN UNMARRIED MAN AS OF November 30, 1965 and January 26,
1966, THE DATES OF ACQUIRING THE REMAINING PROPERTIES, AND JON WHITNEY
also known as John Whitney Parrish
PARRISH, AN UNMARRIED MAN AS OF NOVEMBER 30, 1965 AND JANUARY 26, 1966, THE
DATES OF ACQUIRING THE REMAINING PROPERTIES

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

DONALD E. MILLER AND CANDACE W. MILLER, HUSBAND AND WIFE AND JESSE R.
HAMILTON AND MOLLY M. HAMILTON, HUSBAND AND WIFE

hereinafter referred to as Grantee, whose current address is 781 N. Ashtree Way, Boise, Id 83712
the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

TOGETHER WITH ANY EXISTING WATER RIGHTS.

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: August 30, 2006

William J. Rodman

William J. Rodman

Jon Whitney Parrish

Jon Whitney Parrish

STATE OF ID, County of ADA, ss.

On this 31ST day of AUGUST, in the year of 2006, before me THE UNDERSIGNED, notary public
personally appeared WILLIAM J. RODMAN AND JON WHITNEY PARRISH 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.



Kathy Coontz

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

EXHIBIT A

The following nineteen (19) patented mining claims located in Sections 3, 9 and 10 in Township 7 North, Range 4 East, Boise Meridian, Boise County, Idaho. Each patented claim is described in further detail below. Entries under "County Record - Book & Page" is in reference to the Book of Deeds or Patents in which the patent to the claim was recorded in the Records of Boise County, Idaho. "Mineral Survey Number" refers to the United States Mineral Survey made upon the mining claim prior to application for mineral patent, and the survey upon which the metes and bounds description for the property as contained in the patent deed is based.

<u>Name of Patented Claim</u> <u>Survey Number</u>	<u>County Record (Book & Page)</u>	<u>Mineral</u>
Gold Hill	19-559 of Deeds	1205
Pioneer	19-561 of Deeds	1206
Dunlap	19-564 of Deeds	1207
Confederate	19-567 of Deeds	1208
North Yellow Jacket	31-562 of Deeds	2053
Kossuth	31-562 of Deeds	2053
Eisler	31-562 of Deeds	2053
Iowa	31-562 of Deeds	2053
North Iowa	31-562 of Deeds	2053
Yellow Jacket	31-562 of Deeds	2053
Hall	31-562 of Deeds	2053
Oregon	6-290 of Patents	2076
Sunday	6-367 of Patents	2880
Black Hawk	6-367 of Patents	2880
Independence	6-367 of Patents	2880
Crocker	6-358 of Patents	2879
Hercules	6-390 of Patents	2882
Golden Star	8-19 of Patents	2883
Last Chance	8-16 of Patents	2884