

Transfer No. 73796

RECEIVED

FEB 21 2007

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant Scott and/or Theresa England Phone (208)850-1851Post Office address 416 18th Ave. S., Nampa, ID 83651

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 being subdivided into eight (8) lots. Water rights for each lot will be represented by individual transfers. Water will be delivered to each lot from individual wells. An additional transfer will represent the parcel shown on Part 3.A as the "England parcel", and that lot will also have its own well. This transfer represents the England parcel.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number portion of 63-7825B Priority 07/09/1973 Amount (cfs/ac-ft) 0.01 cfs/2.25 ac-ft * Nature of Use irrigation Period of Use 03/15 to 11/15

2. Total amount of water being transferred 0.01 cubic feet per second and/or 2.25 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
		NW	SW	15	2N	3W	Canyon	

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	15										0.5							0.5

Total Acres 0.5

PART 1

6. General Information:

a. Description of diversion system private well and electric pump

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:

The remaining portions of water right no. 63-7825B will be placed in the Idaho Water Supply Bank.The only irrigated land in the NWSW and SWSW, S15, T02N, R03W will be represented by the transfers for Lots 1-8 and the Englund parcel (as shown on Part 3.A).

d. Remarks:

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 (see attached SRBA Recommendation for 63-7825B)

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 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 0.01 cfs/2.25 ac-ft for irrigation purposes from 03/15 to 11/15
 (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
		NW	SW	15	02N	03W	Canyon	

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	
02N	03W	15										0.5							0.5

Total Acres 0.5

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

1. amount 1.59 cfs/357.75 ac-ft for irrigation purposes from 03/15 to 11/15
 (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
		SE	SW	15	02N	03W	Canyon	

3. Lands irrigated or place of use:

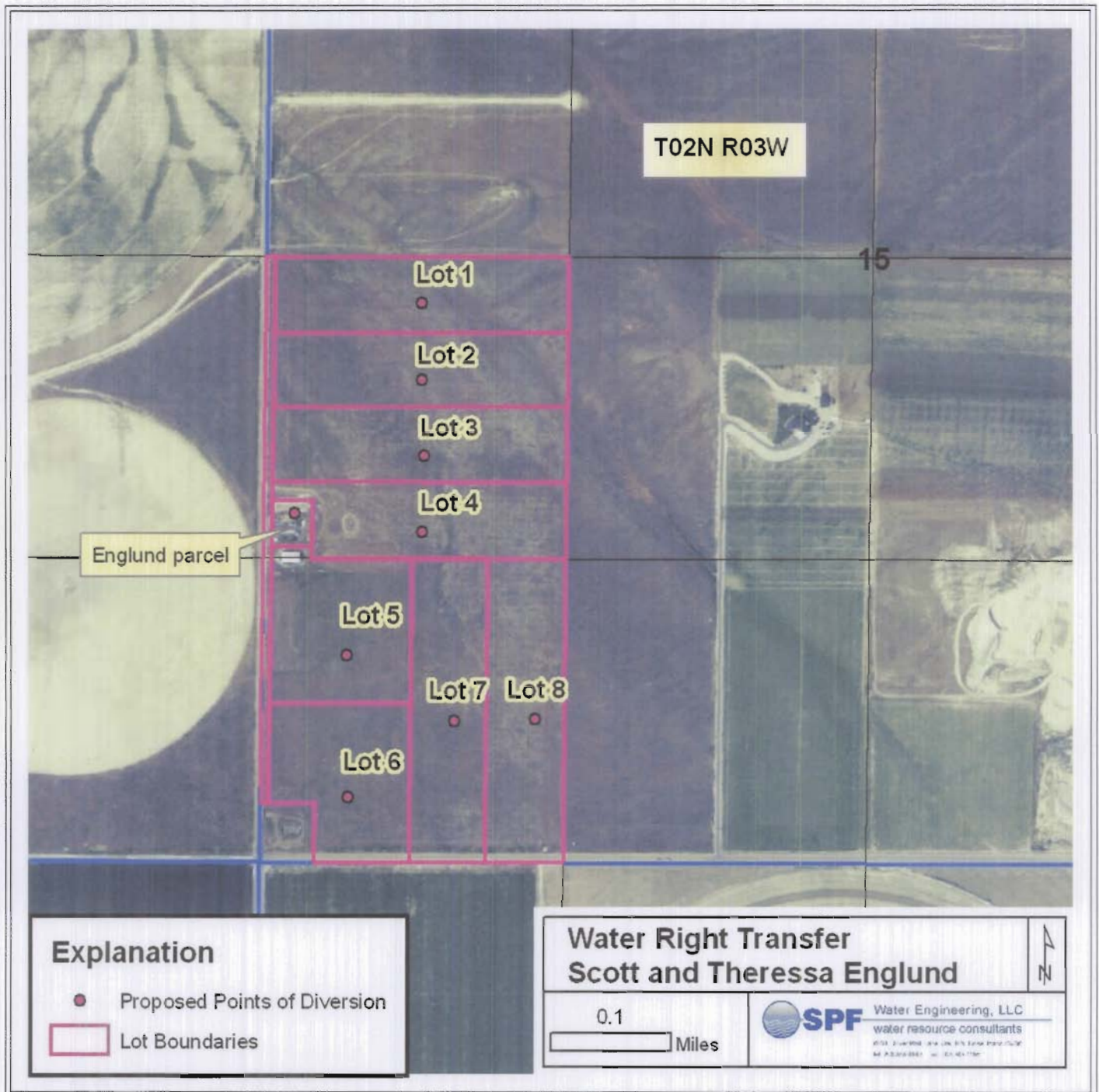
Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	03W	15										39.5	40						79.5

Total Acres 79.5

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION 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.

This transfer applies to the Englund parcel



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.

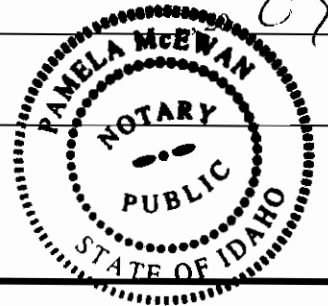
Subscribed and sworn to before me this

day of

(Signature of Applicant)

(Notary Public)

My commission expires

**FOR DEPARTMENT USE ONLY**Transfer contains 6 pages and 4 attachmentsReceived by DB Date 2-21-07 Protest filed by _____Prelim. Check by AB Fee \$100-Received by DB W035097 Date 2-21-07

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 _____

12/14/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-7825B
NAME AND ADDRESS: THERESSA ENGLUND
416 18TH AVE S
NAMPA ID 83651

SCOTT ENGLUND
416 18TH AVE. S.
NAMPA ID 83651

SOURCE: GROUND WATER
QUANTITY: 1.600 CFS
360.00 AFY

TRIBUTARY:

Right Nos. 63-2879 and 63-7825B are limited to a total combined diversion rate of 1.6 cfs and to a total combined annual diversion volume of 360 AF.

PRIORITY DATE: 07/09/1973

POINT OF DIVERSION: T02N R03W S15 SESW Within CANYON County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.600 CFS 360.00 AFY

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.

PLACE OF USE: IRRIGATION in CANYON County

T02N R03W S15	NWSW	40.00	T02N R03W S15	SWSW	40.00
80 ACRES TOTAL					

Right Nos. 63-2879 and 63-7825B are limited to the irrigation of a combined total of 80 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

**Northwest**
FARM CREDIT SERVICES1700 South Assembly Street
PO Box 2515, Spokane, WA 99220-2515
Voice: 509.340.5300 Toll Free: 800.827.6505 Fax: 509.340.5400

Customer/Note No. 43544-442

CONSENT

Lender: Northwest Farm Credit Services

For good and valuable consideration, Scott E. Englund, whose address is 416 18th Ave South, Nampa, ID 83651, consent and agree that the first lien position of Lender is not altered due to that certain:

Water right change made to certificates 63-2879 & 63-7825B

It is understood that the above-described transaction does not constitute a satisfaction of the indebtedness in the principal amount of \$86,763.06 as of January 29, 2007, together with all accrued interest and advances, fees and costs made under the terms of the Loan Documents evidencing such indebtedness. The Loan Documents evidencing such indebtedness shall remain valid obligations enforceable according to their terms, except as modified by the above-referenced transaction, against all liable parties and the property described in the security documents.

As used herein, the term "mortgage" also means "deed of trust." "Loan Documents" consist of the note(s), security documents and any other documents or instruments signed in connection with the note(s) and any amendments thereto.

The undersigned acknowledges review of the Loan Documents specifically referenced herein.

The heirs, personal representatives, successors and assigns of the undersigned shall be bound by this Consent. This Consent shall inure to the benefit of the Lender, its personal representatives, successors and assigns.

Dated: 1/29/07

NORTHWEST FARM CREDIT SERVICES, FCLA

By: [Signature]Title: Manager - Central ServiceDate: 1/29/07

ACA1601 (6/05)

ATTACHMENT B



REQUEST
TRANSACTION TITLE
TYPE *Doc Fee* *900*

CANYON COUNTY RECORDER
BY *gnoel hales*

2004 FEB 27 PM 4 44

RECORDED

200411174

Escrow No. 0300014983- *LUK*

WARRANTY DEED

FOR VALUE RECEIVED

GREGORY S. BRUMFIELD AND LAURA A. BRUMFIELD, HUSBAND AND WIFE

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL AND CONVEY unto: SCOTT E. ENGLAND AND
THERESA ENGLAND, HUSBAND AND WIFE

GRANTEES(s), whose current address is: 1003 14th Ave. S, Nampa ID 83651
the following described real property in Canyon County, State of Idaho,
more particularly described as follows, to wit:

SEE EXHIBIT "A" ATTACHED
(Continued)

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

Date: February 24, 2004

X Greg Brumfield
Greg S. Brumfield

X Laura Brumfield
Laura A. Brumfield

Notary Acknowledgment - see page 2

ATTACHMENT C (4 PAGES)

WARRANTY DEED - NOTARY ACKNOWLEDGMENT(S):

ArizonaState of IDAHO, County of ADA, ss.

On this 25 day of FEBRUARY in the year of 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared GREGORY S. BRUMFIELD AND LAURA A. BRUMFIELD known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

~~LISA KEBER~~~~Residing at: MERIDIAN IDAHO~~~~My commission expires:~~

[Signature]
Leah Haag
Maricopa, Arizona
1-15-06



LEGAL DESCRIPTION (continued)

EXHIBIT "A"

This parcel is a portion of the Northwest quarter of the Southwest quarter and the Southwest quarter of the Southwest quarter of Section 15, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

Beginning at the Northwest corner of said Northwest quarter of the Southwest quarter; thence North $89^{\circ}50'18''$ East along the North boundary of said Northwest quarter of the Southwest quarter a distance of 1324.41 feet to the Northeast corner of said Northwest quarter of the Southwest quarter; thence South $00^{\circ}25'03''$ West along the East boundary of said Northwest quarter of the Southwest quarter a distance of 1326.48 feet to the Northeast corner of said Southwest quarter of the Southwest quarter; thence South $00^{\circ}25'03''$ West along the East boundary of said Southwest quarter of the Southwest quarter a distance of 1326.40 feet to the Southeast corner of said Southwest quarter of the Southwest quarter; thence South $89^{\circ}45'34''$ West along the South boundary of said Southwest quarter of the Southwest quarter a distance of 1081.50 feet to a point which lies 245.00 feet East of the Southwest corner of said Southwest quarter of the Southwest quarter; thence North $00^{\circ}27'44''$ East parallel with the West boundary of said Southwest quarter of the Southwest quarter a distance of 245.00 feet; thence South $89^{\circ}45'34''$ West parallel with the South boundary of said Southwest quarter of the Southwest quarter a distance of 245.00 feet to a point on the West boundary of said Southwest quarter of the Southwest quarter; thence North $00^{\circ}27'44''$ East along said West boundary a distance of 1082.36 feet to the Southwest corner of said Northwest quarter of the Southwest quarter; thence North $00^{\circ}27'44''$ East along the West boundary of said Northwest quarter of the Southwest quarter a distance of 48.89 feet; thence North $89^{\circ}45'01''$ East parallel with the South boundary of said Northwest quarter of the Southwest quarter a distance of 215.22 feet; thence North $00^{\circ}27'44''$ East parallel with the West boundary of said Northwest quarter of the Southwest quarter a distance of 202.40 feet; thence South $89^{\circ}45'01''$ West parallel with the South boundary of said Northwest quarter of the Southwest quarter a distance of 215.22 feet to a point on the West boundary of said Northwest quarter of the Southwest quarter; thence North $00^{\circ}27'44''$ East along said West boundary a distance of 1076.28 feet to the POINT OF BEGINNING.

200625012

RECORDED

2006 APR 5 PM 4 19

C. NOEL HALE

CANYON CNTY RECORDER

TRADERS

RECEIVED
TYPED
2006 APR 5 PM 3 30

QUITCLAIM DEED

00613554

FOR VALUE RECEIVED,

DONALD WAYNE BLEVINS AND KRISTYN ANN BLEVINS, HUSBAND AND WIFE

Does hereby convey, release, remise and forever quit claim unto

SCOTT ENGLUND HOLDINGS, LLC

whose current address is: 416 18TH AVE. SO., NAMPA, ID 83651

the following described premises:

PARCEL 2

This parcel is a portion of the Northwest Quarter of the Southwest Quarter of Section 15, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

COMMENCING at the southwest corner of said Northwest Quarter of the Southwest Quarter; thence North 00° 27' 44" East along the west boundary of said Northwest Quarter of the Southwest Quarter a distance of 48.69 feet to the TRUE POINT OF BEGINNING; thence continuing North 00° 27' 44" East along said west boundary a distance of 202.40 feet; thence North 89° 48' 01" East parallel with the south boundary of said Northwest Quarter of the Southwest Quarter a distance of 215.22 feet; thence South 00° 27' 44" West parallel with the west boundary of said Northwest Quarter of the Southwest Quarter a distance of 202.40 feet; thence South 89° 48' 01" West parallel with the south boundary of said Northwest Quarter of the Southwest Quarter a distance of 215.22 feet to the TRUE POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, unto the said grantors, heirs and assigns forever.

Date: APRIL 5, 2006

DONALD WAYNE BLEVINS

KRISTYN ANN BLEVINS

STATE OF IDAHO

COUNTY OF CANYON

RECEIVED
TYPED
2006 APR 13 PM 4 24

C. NOEL HALE
CANYON CNTY RECORDER
BY *[Signature]*

RECORDED

200627340

On this 5th day of APRIL, 2006, before me, the undersigned, a notary public personally appeared DONALD WAYNE BLEVINS AND KRISTYN ANN BLEVINS 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.

RESIDING IN: Nampa, ID
MY COMMISSION EXPIRES: 1-8-09





ARTICLES OF ORGANIZATION LIMITED LIABILITY COMPANY

(Instructions on back of application)

1. The name of the limited liability company is:

SCOTT ENGLUND HOLDINGS LLC

2. The street address of the initial registered office is:

416 18 Avenue S Nampa ID 83651

and the name of the initial registered agent at the above address is:

Scott E Englund

3. The mailing address for future correspondence is:

416 18 Avenue S Nampa ID 83651

4. Management of the limited liability company will be vested in:

Manager(s) ☒ or Member(s) ☐ (Please check the appropriate box)

5. If management is to be vested in one or more manager(s), list the name(s) and address(es) of at least one initial manager. If management is to be vested in the member(s), list the name(s) and address(es) of at least one initial member.

Name	Address
<u>Scott E Englund Manager</u>	<u>416 18 Avenue S Nampa ID 83651</u>

6. Signature of at least one person responsible for forming the limited liability company:

Signature: [Signature]
 Typed Name: D Virginia Jones
 Capacity: Organizer

Signature: _____
 Typed Name: _____
 Capacity: _____

Secretary of State use only

11-3 SECRETARY OF STATE
 12/27/2005 05:00
 OFF: 205-371-1530 FAX: 205-371-1531
 1400 10th Ave N, Montgomery, AL 36104

ATTACHMENT D