

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 74488
73760APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant John A. Holmes and L. Joan Holmes Phone (208) 938-2955Post Office address 2552 E. Brierfield Dr, Eagle, ID 83616

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 Applicant proposes to split Water Right 63-31795, moving the transferred portion to a new place of use, and changing the point of diversion. This transfer is for Lot 4, Block 1 of Bella Vista Estates subdivision.

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
TBD 9/29/1978 0.13 / 36 irrigation 3/15 to 11/15
 (portion of 63-31795) _____ to _____
 _____ to _____

2. Total amount of water being transferred 0.13 cubic feet per second and/or 36 acre-feet per annum.

3. Source of water ground water tributary to NA

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		SW	SE	25	5N	1W	Ada	

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	
5N	1W	25															8		8

RECEIVED

Total Acres 8

JUN 15 2005

WATER RESOURCES

PART 1

6. General Information:

- a. Description of diversion system Well with 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?
_____ 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:
Land will no longer be irrigated.

- d. Remarks:
Proposed water bearing zone from 100 to 500 feet. Place of use identified by Ada County Parcel R0885200300.

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:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-31795 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 ground water tributary to NA

4. Date or priority 9/29/1978

5. Water is used for the following purposes:

amount 0.81 / 225 for irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.81 cubic feet per second and/or 225 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		SE	NE	25	5N	1W	Ada	
		NE	SE	25	5N	1W	Ada	
		SE	SE	25	5N	1W	Ada	

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	
5N	1W	25				40									40			25	105

Total Acres 105*

***50 irrigated acres within a 105 acre permissible place of use**

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 0.13 / 36 for irrigation purposes from 3/15 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	NE	25	5N	1W	ADA	
		NE	SE	25	5N	1W	ADA	
		SE	SE	25	5N	1W	ADA	

3. Lands irrigated or place of use: The allowable irrigable area within the existing permissible place of use to be reduced by 8 acres.

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 0.68 / 189 for irrigation purposes from 3/15 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	NE	25	5N	1W	Ada	
		NE	SE	25	5N	1W	Ada	
		SE	SE	25	5N	1W	Ada	

3. Lands irrigated or place of use:

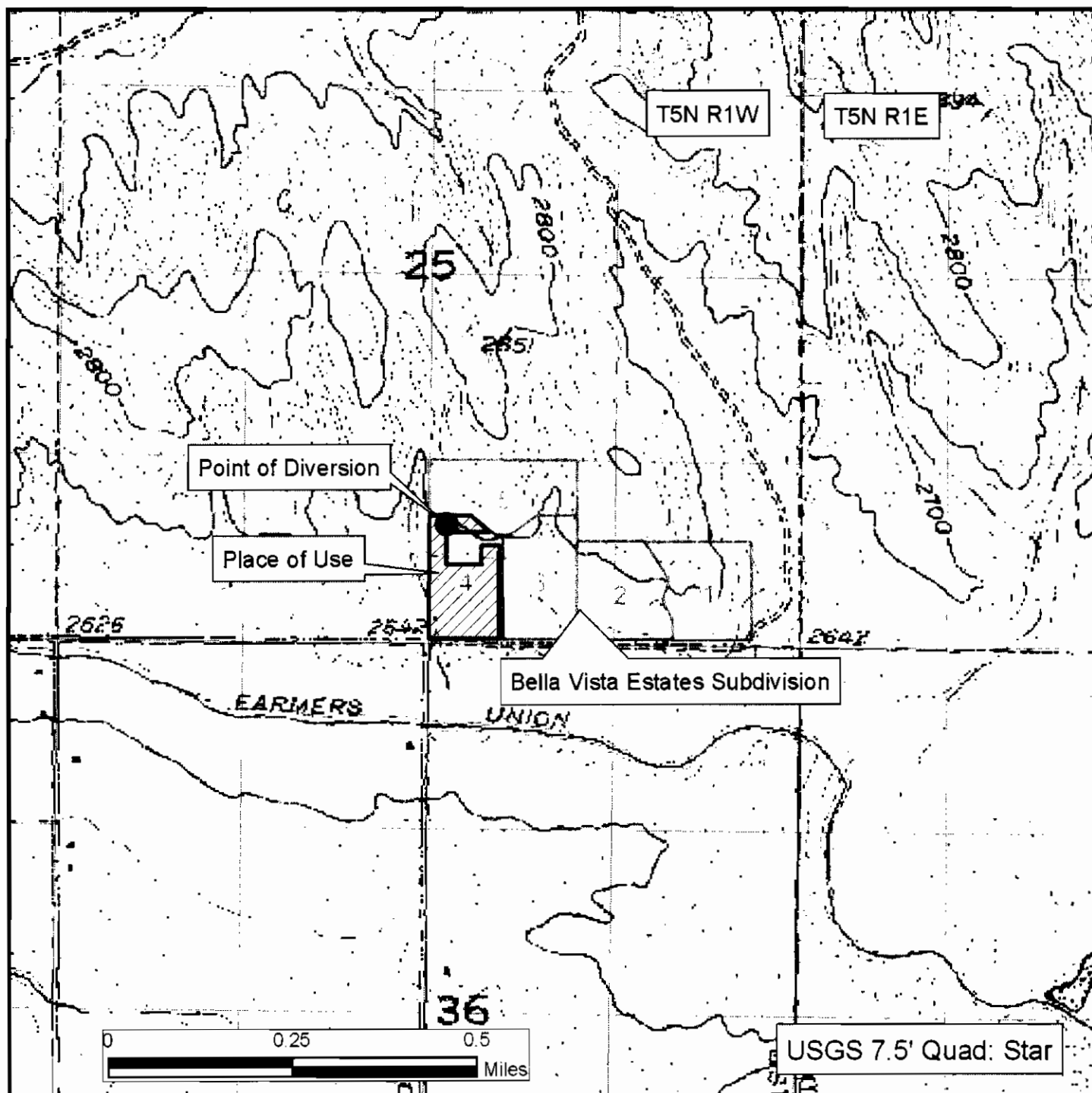
Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	1W	25				40									40			25	105

Total Acres 105*

***42 irrigated acres within a 105 acre permissible place of use**

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.



PART 3

B. CHANGES IN NATURE OF USE

1.

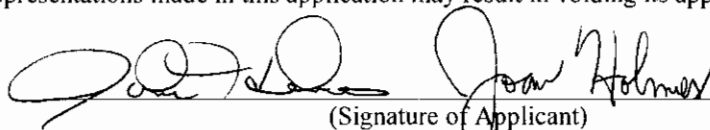
<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
_____	_____	_____	to _____
_____	_____	_____	to _____

2. Quantity and quality of return flows and location of discharge: _____

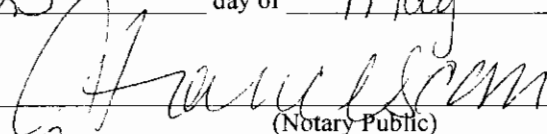
3. Describe effects on other water uses resulting from the proposed change:

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.

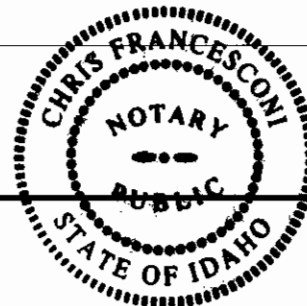
I understand that any willful misrepresentations made in this application may result in voiding its approval.


(Signature of Applicant)

Subscribed and sworn to before me this 25th day of May, 2005.


(Notary Public)

My commission expires 9/19/09



FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 3 attachments

Received by SK Date 6-15-05 Protest filed by _____

Prelim. Check by _____ Fee _____

Receipted by SK Date 6-15-05 W033062

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 _____

Water Rights Transfer Request

Paul A. Beckman and Susan M. Beckman own 50 acres of water rights associated with the 106 acre parcel identified in the attached warranty deed. We desire to transfer 8 acres of water rights to each of the 5 lots in Bella Vista Estates. Lots 1 & 2 of Block 1 in Bella Vista Estates Subdivision are owned by Susan M. Beckman. Lot 3 is owned by Calvin Clark, Jr. and Diana G. Clark. Lot 4 is owned by John A. Holmes and L. Joan Holmes. Lot 5 is owned by Jon B. Getz and Kelly S. Beach. As a result of these actions, 10 acres of rights will be retained on the original parcel and each of the five lots will have 8 acres of rights for a total of 50 acres.

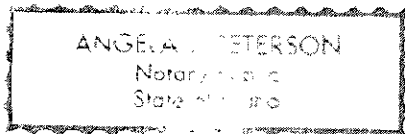
Dated: March 31, 2005

Paul A. Beckman
Paul A. Beckman

Susan M. Beckman
Susan M. Beckman

STATE OF Idaho, County of Ada, ss

On this ^{1st} ~~31st~~ day of ^{April} ~~March~~, in the year of 2005, before me the undersigned, a notary public, personally appeared Paul A. Beckman and Susan M. Beckman, known and acknowledged to me that he/she/they executed the same.



Angela J. Peterson
Notary Public

Attachment A



A Pioneer Company
PIONEER TITLE COMPANY
 OF ADA COUNTY
 8151 W. Rittenman Ave. / Boise, Idaho 83704
 (208) 377-2700

ADA COUNTY RECORDER J. DAVID NAVARRO
 BOISE IDAHO 09/27/04 03:53 PM
 DEPUTY Jennie Oberlin
 RECORDED - REQUEST OF
 Pioneer

AMOUNT 3.00 1



184123368

WARRANTY DEED

For Value Received Forud Roghani, a married man as his sole and separate property

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

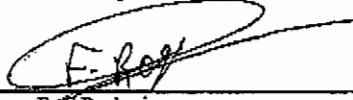
John A. Holmes and L. Joan Holmes, Husband and Wife

hereinafter referred to as Grantee, whose current address is 1705 Spanish Bay Drive, Eagle, Id 8361
 the following described premises, to-wit:

Lot 4, Block 1, in Bella Vista Estates Subdivision according to the
 plat thereof, filed in Book 88 of Plats at Pages 10071 thru 10072, records of
 Ada County, Idaho

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.

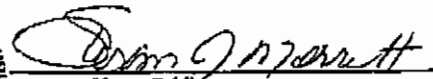
Dated: September 23, 2004


 Forud Roghani

STATE OF Idaho. County of Ada, ss.

On this 23rd day of September, in the year of 2004, before me the undersigned, notary public personally appeared
 Forud Roghani 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.




 Notary Public

RESIDING AT CALDWELL, ID
 MY COMMISSION EXPIRES 05-05-05

Seller's Deed

ATTACHMENT A

08/13/00 09:27 FAX 83/33810

Pioneer Title

10-1-01

P187445



Post-It® Fax Note 7/5/71		Date 6/13	# of pages 7
To: Mike Setu	From: Sue Rich		
Co./Dept: Remat & Boise	Co: Pioneer Title		
Phone # 376-4000	Phone # 373-3012		
Fax # 378-1346	Fax # 373-3710		

PIONEER TITLE COMPANY
OF ADA COUNTY
8151 W. Riferman Ave / Boise, Idaho 83704 / (208) 377-2700

WARRANTY DEED

For Value Received
DAVID M. FINKEL, BARRY S. FINKEL, RAPHAEL A. FINKEL, IOEL R. FINKEL, AS TRUSTEES OF
THE FINKEL HOMESTEAD TRUST DATED 29TH DAY OF NOVEMBER, 1976

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

PAUL A. BECKMAN and SUSAN M. BECKMAN, husband and wife

hereinafter referred to as Grantee, whose current address is

the following described premises, to-wit:

SEE ATTACHED EXHIBIT "A" WHICH BY THIS REFERENCE IS INCORPORATED HEREIN AND
MADE A PART OF.

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO
2000 JUN -7 PM 4:16

RECORDED - REQUEST OF
FEE 12.00 DEPUTY *Mark*
100044352
PIONEER TITLE

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: May 23, 2000.

David M. Finkel

DAVID M. FINKEL, TRUSTEE

Barry S. Finkel

BARRY S. FINKEL, TRUSTEE

Raphael A. Finkel

RAPHAEL A. FINKEL, TRUSTEE

Joel R. Finkel

JOEL R. FINKEL, TRUSTEE

STATE OF *Id*)
COUNTY OF *Love*) ss.

On This *31st* day of *May*, in the year 2000, before me, a Notary Public in and for said State,
personally appeared DAVID M. FINKEL, BARRY S. FINKEL, RAPHAEL A. FINKEL AND IOEL R.
FINKEL, known or identified to me to be the persons whose names are subscribed to the within instrument as the

Attachment C

FILE NO.: P187445

EXHIBIT A

A PARCEL OF LAND SITUATE IN THE EAST ONE-HALF OF SECTION 25, TOWNSHIP 5 NORTH, RANGE 1 WEST, BOISE MERIDIAN, ADA COUNTY, IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 25; THENCE NORTH 00 DEGREES 11'04" EAST, 25.00 FEET ALONG THE WESTERLY BOUNDARY OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 25 TO THE NORTHERLY RIGHT-OF-WAY OF HOMER ROAD; THENCE CONTINUING NORTH 00 DEGREES 11' 04" EAST, 1,286.90 FEET ALONG THE WESTERLY BOUNDARY OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 25 TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 25; THENCE SOUTH 89 DEGREES 34'38" EAST, 1,055.00 FEET ALONG THE NORTHERLY BOUNDARY OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 25 TO THE REAL POINT OF BEGINNING:

THENCE CONTINUING SOUTH 89 DEGREES 34'38" EAST, 273.36 FEET ALONG THE NORTHERLY BOUNDARY OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 25 TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 25;

THENCE NORTH 00 DEGREES 18'08" WEST, 1,311.28 FEET ALONG THE WESTERLY BOUNDARY OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 25 TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 25;

THENCE NORTH 00 DEGREES 07'09" EAST, 1,315.84 FEET ALONG THE WESTERLY BOUNDARY OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 25 TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF A SAID SECTION 25;

THENCE SOUTH 89 DEGREES 33'15" EAST, 1,315.72 FEET ALONG THE NORTHERLY BOUNDARY OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 25 TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 25;

THENCE SOUTH 00 DEGREES 03'14" WEST, 1,315.83 FEET ALONG THE EASTERLY BOUNDARY OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 25 TO THE EAST QUARTER CORNER OF SECTION 25;

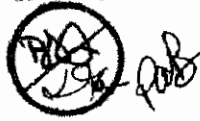
THENCE SOUTH 00 DEGREES 47'40" EAST, 2,586.51 FEET ALONG THE EASTERLY BOUNDARY OF THE SOUTHEAST QUARTER OF SECTION 25 TO THE NORTHERLY RIGHT-OF-WAY OF HOMER ROAD WHICH BEARS NORTH 00 DEGREES 47'40 WEST, 35.00 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 25;

THENCE NORTH 89 DEGREES 36'26" WEST, 338.63 FEET ALONG THE NORTHERLY RIGHT-OF-WAY OF HOMER ROAD ALONG A LINE 35.00 FEET NORTHERLY OF AND PARALLEL TO THE SOUTHERLY BOUNDARY OF THE SOUTHEAST QUARTER OF SAID SECTION 25;

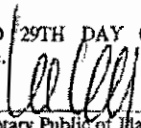
THENCE NORTH 00 DEGREES 11'04" EAST, 677.00 FEET ALONG A LINE PARALLEL TO THE WESTERLY BOUNDARY OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 25;

INITIAL

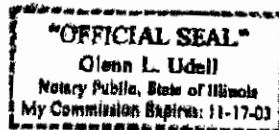
DATE



Trustees of the FINKEL HOMESTEAD TRUST DATED 29TH DAY OF NOVEMBER, 1976, and
acknowledged to me that they executed the same as such Trustee.



Notary Public of Idaho
Residing at
Commission expires:



THENCE NORTH 89 DEGREES 36'26" WEST, 1,285.00 FEET ALONG A LINE PARALLEL TO THE SOUTHERLY BOUNDARY OF THE SOUTHEAST QUARTER OF SECTION 25;

THENCE NORTH 00 DEGREES 11'04" EAST, 599.35 FEET ALONG A LINE PARALLEL TO THE WESTERLY BOUNDARY OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 25 TO THE REAL POINT OF BEGINNING.

END OF LEGAL DESCRIPTION