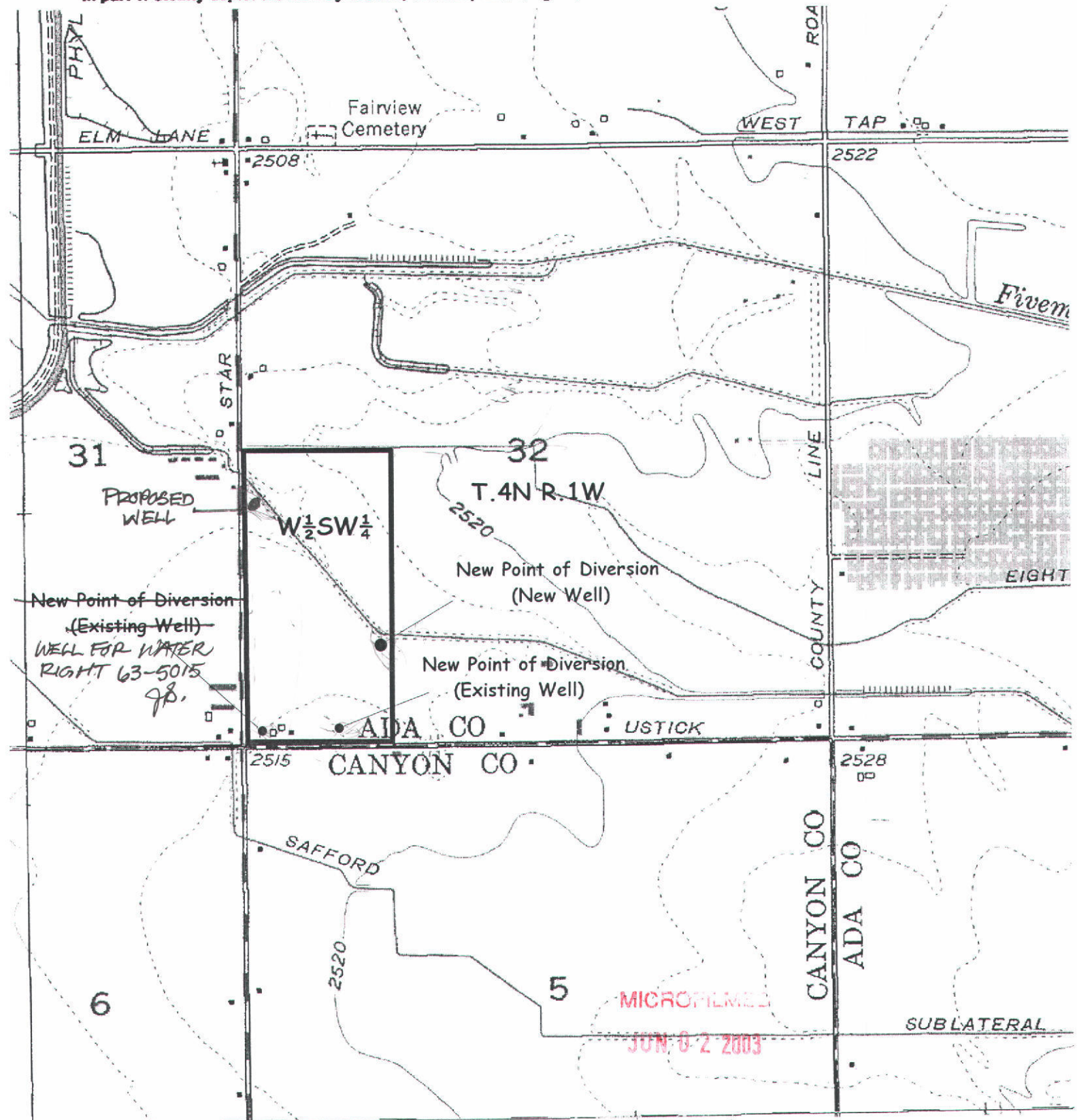


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



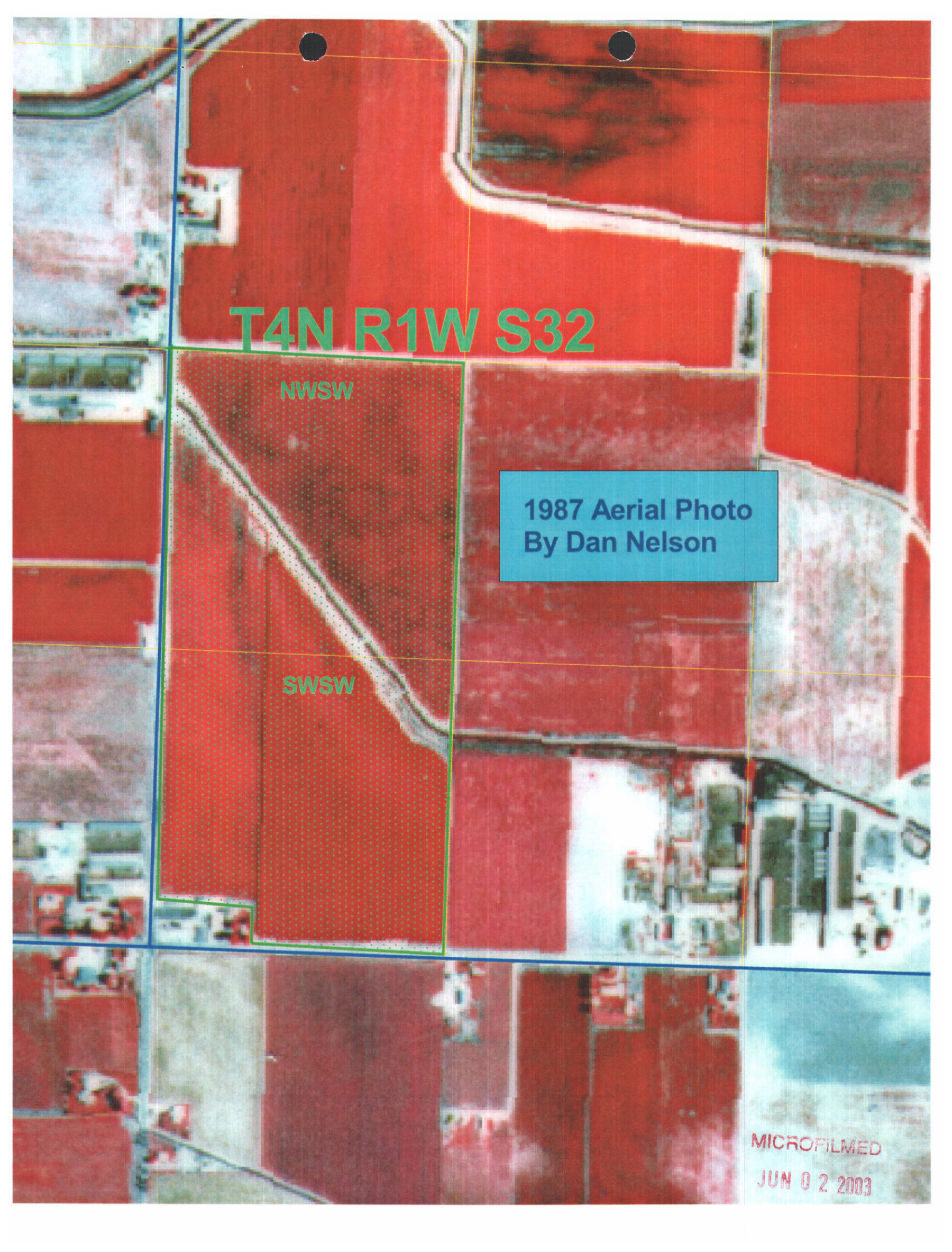


T4N R1W S32

NWSW

2000 Aerial Photo
By Dan Nelson

SWSW

An aerial photograph of agricultural land, likely cornfields, with a grid overlay. The grid is divided into sections by blue and green lines. The text 'T4N R1W S32' is overlaid in green. A blue box contains the text '1987 Aerial Photo By Dan Nelson'. The labels 'NWSW' and 'SWSW' are also present in green. The image has two punch holes at the top.

T4N R1W S32

NWSW

**1987 Aerial Photo
By Dan Nelson**

SWSW

**MICROFILMED
JUN 02 2003**

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	63-31306	STERLING LANDSCAPE CO.	GROUND WATER	04N01W32											38	37					75
Claim	63-230F	SETTLERS IRRIGATION DISTRICT,	BOISE RIVER	04N01W32								25	40		40	40				10	340
Claim	63-231	SETTLERS IRRIGATION DISTRICT,	BOISE RIVER	04N01W32	25	35	20		30	35		25	40		40	40				10	340
Claim	63-3060	SETTLERS IRRIGATION DISTRICT,	GROUND WATER	04N01W32	25	35	20		30	35		25	40		40	40				10	340
Claim	63-3614B	SETTLERS IRRIGATION DISTRICT,	BOISE RIVER	04N01W32	25	35	20		30	35		25	40		40	40				10	340
Claim	63-3618B	SETTLERS IRRIGATION DISTRICT,	BOISE RIVER	04N01W32	25	35	20		30	35		25	40		40	40				10	340
Claim	63-5262B	SETTLERS IRRIGATION DISTRICT,	BOISE RIVER	04N01W32	25	35	20		30	35		25	40		40	40				10	340
Claim	63-30181	STERLING LANDSCAPE CO.	BOISE RIVER	04N01W32			X				X	X	X	X	X	X	X	X	X	X	0
Claim	63-31304	STERLING LANDSCAPE CO.	GROUND WATER	04N01W32											X						0
Claim	63-5015	STERLING LANDSCAPE CO.	GROUND WATER	04N01W32											37						37
Right	63-2169	JOHN JEPSEN,	UNNAMED STREAM	04N01W32											40						40
Claim	63-15735	MARILYN FRIDAY, ROBERT FRIDAY,	GROUND WATER	04N01W32							X										0
Rec	63-15735	MARILYN FRIDAY, ROBERT FRIDAY,	GROUND WATER	04N01W32							X										0
Claim	63-16857	DORIS E WINKLER,	GROUND WATER	04N01W32												X					0
Rec	63-16857	DORIS E WINKLER,	GROUND WATER	04N01W32												X					0
Claim	63-16860	DORIS E WINKLER,	GROUND WATER	04N01W32												X					0
Claim	63-16860	DORIS E WINKLER,	GROUND WATER	04N01W32												X					0
Rec	63-16860	DORIS E WINKLER,	GROUND WATER	04N01W32												X					0
Rec	63-16860	DORIS E WINKLER,	GROUND WATER	04N01W32												X					0
Claim	63-21410	LUIS NUNEZ,	GROUND WATER	04N01W32	X																0
Claim	63-21410	LUIS NUNEZ,	GROUND WATER	04N01W32	X																0
Claim	63-22470	TECHNICAL DEVELOPMENT CONSULTANTS INC,	GROUND WATER	04N01W32																X	0
Rec	63-22470	TECHNICAL DEVELOPMENT CONSULTANTS INC,	GROUND WATER	04N01W32																X	0
Rec	63-22805	DARLENE SCHWISOW, DUANE SCHWISOW,	GROUND WATER	04N01W32						X											0
Claim	63-22806	DARLENE SCHWISOW, DUANE SCHWISOW,	GROUND WATER	04N01W32						X											0
Claim	63-22806	DARLENE SCHWISOW, DUANE SCHWISOW,	GROUND WATER	04N01W32						X											0
Rec	63-22806	DARLENE SCHWISOW, DUANE SCHWISOW,	GROUND WATER	04N01W32						X											0
Rec	63-22806	DARLENE SCHWISOW, DUANE SCHWISOW,	GROUND WATER	04N01W32						X											0
Claim	63-22853	LOIS A SCHWISOW, GERALD G SCHWISOW,	GROUND WATER	04N01W32	X																0
Claim	63-22853	LOIS A SCHWISOW, GERALD G SCHWISOW,	GROUND WATER	04N01W32	X																0
Rec	63-22853	LOIS A SCHWISOW, GERALD G SCHWISOW,	GROUND WATER	04N01W32	X																0
Rec	63-22853	LOIS A SCHWISOW, GERALD G SCHWISOW,	GROUND WATER	04N01W32	X																0
Claim	63-2388	UNITED STATES OF AMERICA ACTING THROUGH,	BOISE RIVER	04N01W32																	0
Claim	63-2771	PAM REEVES, MARK V PECKHAM,	GROUND WATER	04N01W32						X											0
Rec	63-2771	PAM REEVES, MARK V PECKHAM,	GROUND WATER	04N01W32						X											0
Claim	63-31303	ROBERT FRIDAY, MARILYN FRIDAY,	GROUND WATER	04N01W32				X			X	X									0
Claim	63-31305	CHASE FAMILY LLC,	GROUND WATER	04N01W32					5	4	32	33									74
Right	63-5015	OSCAR E FLOWER,	GROUND WATER	04N01W32																	0
Claim	63-7320	OSCAR E FLOWER,	GROUND WATER	04N01W32															X		0
Claim	63-7320	OSCAR E FLOWER,	GROUND WATER	04N01W32															X		0
Rec	63-7320	OSCAR E FLOWER,	GROUND WATER	04N01W32															X		0
Rec	63-7320	OSCAR E FLOWER,	GROUND WATER	04N01W32															X		0
Claim	63-8820	IDAHO POWER CO.	GROUND WATER	04N01W32						X											0
Rec	63-8820	IDAHO POWER CO.	GROUND WATER	04N01W32						X											0

4-18-2002
overlaid
checked
NO
A3 claim

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JUN 02 2003

P/D SEARCH FOR T4N R1W S32

BASIN	Sequence Number	Split Suffix	Basis	Status	Right ID	Priority Date	RATE	Source List	Water Use List	Owner List	Source Table
63	5015		Statutory Claim	Active	273111	4/1/1958	0.74	GROUND WATER	IRRIGATION	STERLING LANDSCAPE CO (Current)	ADJUDICATION CLAIM
63	31303		License	Active	555158	5/4/1983	0.45	GROUND WATER	COMMERCIAL	FRIDAY, MARILYN (Current); FRIDAY, ROBERT (Current)	ADJUDICATION CLAIM
63	31304		License	Active	555159	5/4/1983	0.22	GROUND WATER	COMMERCIAL	STERLING LANDSCAPE CO (Current)	ADJUDICATION CLAIM
63	5015		Statutory Claim	Active	54106	4/1/1958	0.74	GROUND WATER	IRRIGATION	FRIDAY, MARILYN (Current); FRIDAY, ROBERT (Current)	WATER RIGHT
63	10029		License	Active	57569	5/4/1983	0.67	GROUND WATER	COMMERCIAL	FRIDAY, MARILYN (Current); FRIDAY, ROBERT (Current)	WATER RIGHT
63	15734		Decreed	Active	377642	12/31/1920	0.04	GROUND WATER	DOMESTIC	STERLING LANDSCAPE CO (Current)	WATER RIGHT

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 JUN 02 2003

P/D SEARCH FOR T4N R1W S32 SENW

BASIN	Sequence Number	Split Suffix	Basis	Status	Priority Date	RATE	Source List	Water Use List	Owner List	Source Table
63	31305		License	Active	8/15/1977		1.48 GROUND WATER	IRRIGATION	CHASE FAMILY LLC (Current)	wrAdjudication Claim
63	31306		License	Active	8/15/1977		1.5 GROUND WATER	IRRIGATION	STERLING LANDSCAPE CO (Current)	wrAdjudication Claim
63	9004		License	Active	8/15/1977		2.98 GROUND WATER	IRRIGATION	FRIDAY, MARILYN (Current); FRIDAY, ROBERT (Current)	wrWaterRight

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JUN 02 2003

T4N R1W S32

NWSW

63-31304 - COMMERCIAL
GROUNDWATER
LAND APPLICATION
(NOT COVERED UNDER ORIGINAL
LICENSE 63-10029)

SETTLERS IRRIGATION
DISTRICT

61-31306 - 38 ACRES
GROUNDWATER

SWSW

63-2169 - 40 AC
UNNAMED STREAM

63-5015 - 37 ACRES
GROUNDWATER

SETTLERS IRRIGATION
DISTRICT

61-31306 - 37 ACRES
GROUNDWATER

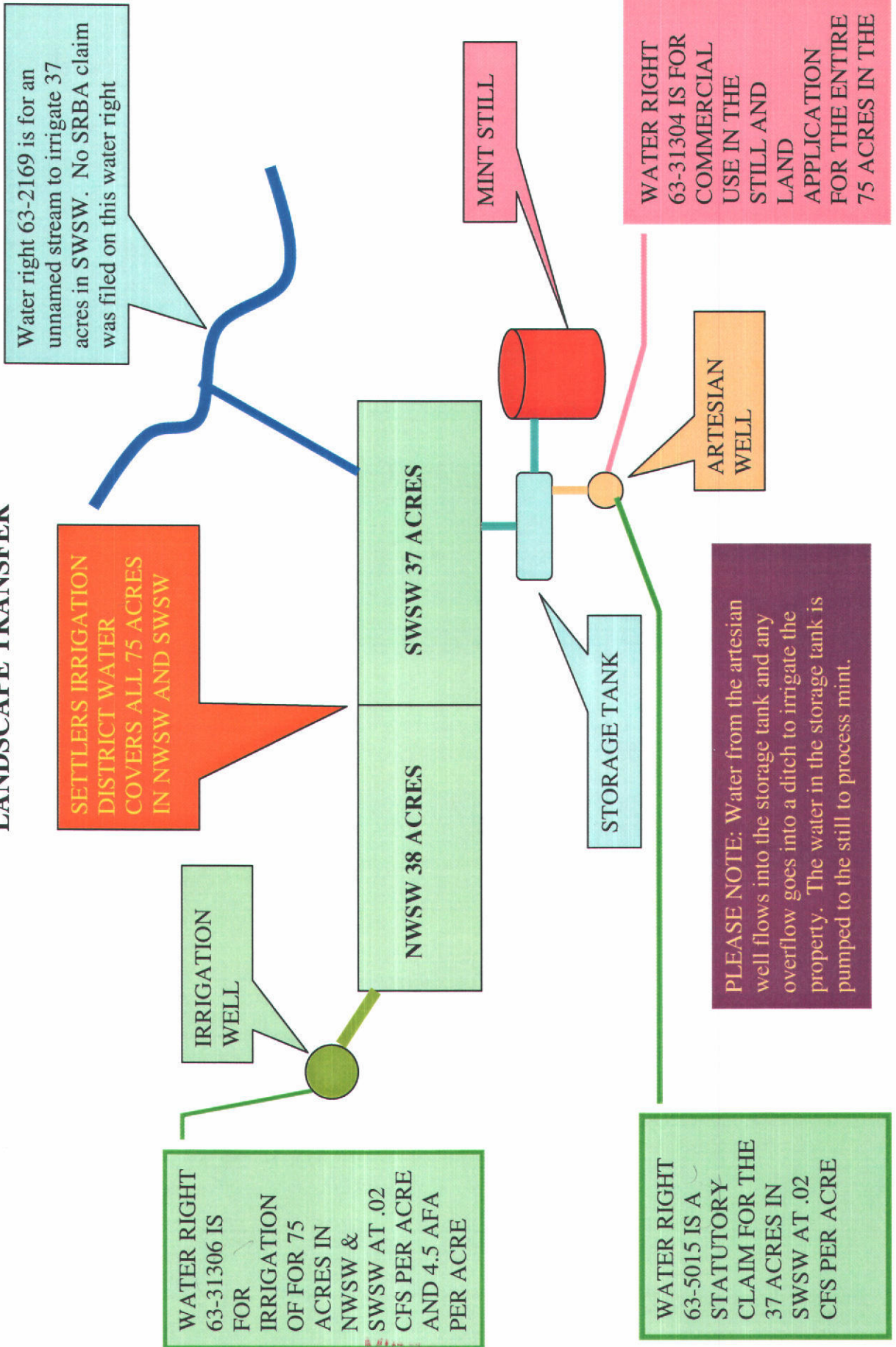
63-31304 - COMMERCIAL
GROUNDWATER
LAND APPLICATION
(ALSO COVERD IN ORIGINAL
LICENSE 63-10029)

OVERLAPPING WATER RIGHTS
FOR STERLING LANDSCAPE TRANSFER
FOR WATER RIGHT 61-31306

MICROFILMED

JUN 9 2 2003

WATER RIGHTS COVERAGE FOR LANDS IRRIGATED IN CONNECTION WITH STERLING LANDSCAPE TRANSFER



MICROFILMED
JUN 02 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69886

This is to certify that: STERLING LANDSCAPE CO

C/O LYNNE STERLING
1081 N MITCHELL ST
BOISE ID 83704
(208)322-4505

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
63-31306	AJC/License	08/15/1977	1.5 cfs	337.5 af		75.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
63-31306	NO	NO	NO	YES	NO	NO

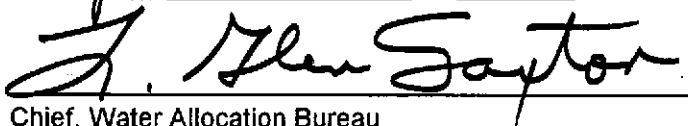
Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
63-31306	63-31306	1.5 cfs	337.5 af	N/A	75.0		N/A	N/A	N/A	N/A
TOTALS		1.5 cfs	337.5 af		75		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 25th day of

September, 2002


Chief, Water Allocation Bureau

MICROFILMED
JUN 02 2003

WATER RIGHT NO. 63-31306
As Modified by Transfer No. 69886

In accordance with the approval of Transfer No. 69886, Water Right No. 63-31306 is now described as follows.

Right Holder: STERLING LANDSCAPE CO
 C/O LYNNE STERLING
 1081 N MITCHELL ST
 BOISE ID 83704

Priority Date: August 15, 1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	1.50 CFS	337.5 AF
			1.50 CFS	337.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNWSW	Sec. 32 Twp 04N Rge 01W	ADA County
GROUND WATER	NESWSW	Sec. 32 Twp 04N Rge 01W	ADA County
GROUND WATER	SESWSW	Sec. 32 Twp 04N Rge 01W	ADA 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	
04N 01W 32											38.0	37.0					75.0

Total Acres: 75

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. The total instantaneous diversion of water from all points of diversion under Right 63-31306 shall not exceed 1.50 cfs, nor total combined annual volume of 337.5 af.
5. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 25th day of September, 2002

MICROFILMED

JUN 12 2003

J. Glen Saylor
 Chief, Water Allocation Bureau

(Internet)

Page 1 of 1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES RECEIVED

Transfer No. 69886

RECEIVED

JAN 28 2002

**WATER RESOURCES
WESTERN REGION**

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Department of Water Resources

Name of applicant Sterling Landscape Co. Phone 208-322-4505
Post Office address 1081 N. Mitchell Ave., Boise, ID 83704

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 See Attachment 1

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE					(For Applicant's portion of water right No. 63-9004 only)
1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use	
63-31306					

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use	No. 63-90 only)
<u>63-31306</u>	<u>Aug. 15, 1977</u>	<u>1.5 cfs</u>	<u>Irrigation</u>	<u>April 1</u> to <u>Nov. 1</u>	
<u>63-9804</u>					

2. Total amount of water being transferred 1.5 cubic feet per second and/or 337.5 acre-feet per annum.
3. Source of water groundwater tributary to _____
4. Point(s) of Diversion: (For Applicant's portion of water right no. 63-9004 only)

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SW	SW	32	4N	1W	Ada	(New Point of Diversion - New Well)
	SW	SW	SW	32	4N	1W	Ada	(New Point of Diversion - Existing Well)
	SE	SW	SW	32	4N	1W	Ada	(New Point of Diversion - Existing Well)
	NW	NW	SW	32	4N	1W	ADA	PROPOSED WELL

5. Lands irrigated or place of use: (For Applicant's portion of water right no. 63-9004 only)

[illegible]

MICROFILMED

100229

Total acres 75

PART 1

6. General Information:

a. Description of diversion system Wells, Pumps, Pipelines

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. (No Change in Place of Use Requested)

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

This transfer application does not seek a change to the licensed place of use.

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 said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

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JUN 02 2003

Page 3 of 7

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31306

WATER RIGHT NUMBER: 63-31306

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	MARILYN FRIDAY 4190 N STAR RD MERIDIAN, ID 83642 (208) 466-4063
Original Owner	ROBERT FRIDAY 4190 N STAR RD MERIDIAN, ID 83642 (208) 466-4063
Current Owner	STERLING LANDSCAPE CO C/O LYNNE STERLING 1081 N MITCHELL ST BOISE, ID 83704 (208) 322-4505

Priority Date: 08/15/1977

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	04/01 to 11/01	1.500 CFS	337.50 AF
	<u>Total Diversion:</u>	1.500 CFS	337.50 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NW1/4	Sec. 32, Twp 04N, Rge 01W, B.M.
ADA 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	
04N	01W	32																	75.0
													38.0	37.0					

Total Acres: 75

Conditions of Approval:

1. R05 The rate of diversion of water for irrigation under this license and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Remarks:

1. General This claim is the result of a split due to change in ownership for a portion of 63-9004. DB 9/24/2001

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JUN 12 2003

Page 4 of 7

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31306

Comments:

Dates and Other Information:

Claim Received Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector: 0
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre: 337.5
Swan Falls Trust or Nontrust: False
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: OR

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JUN 02 2003

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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

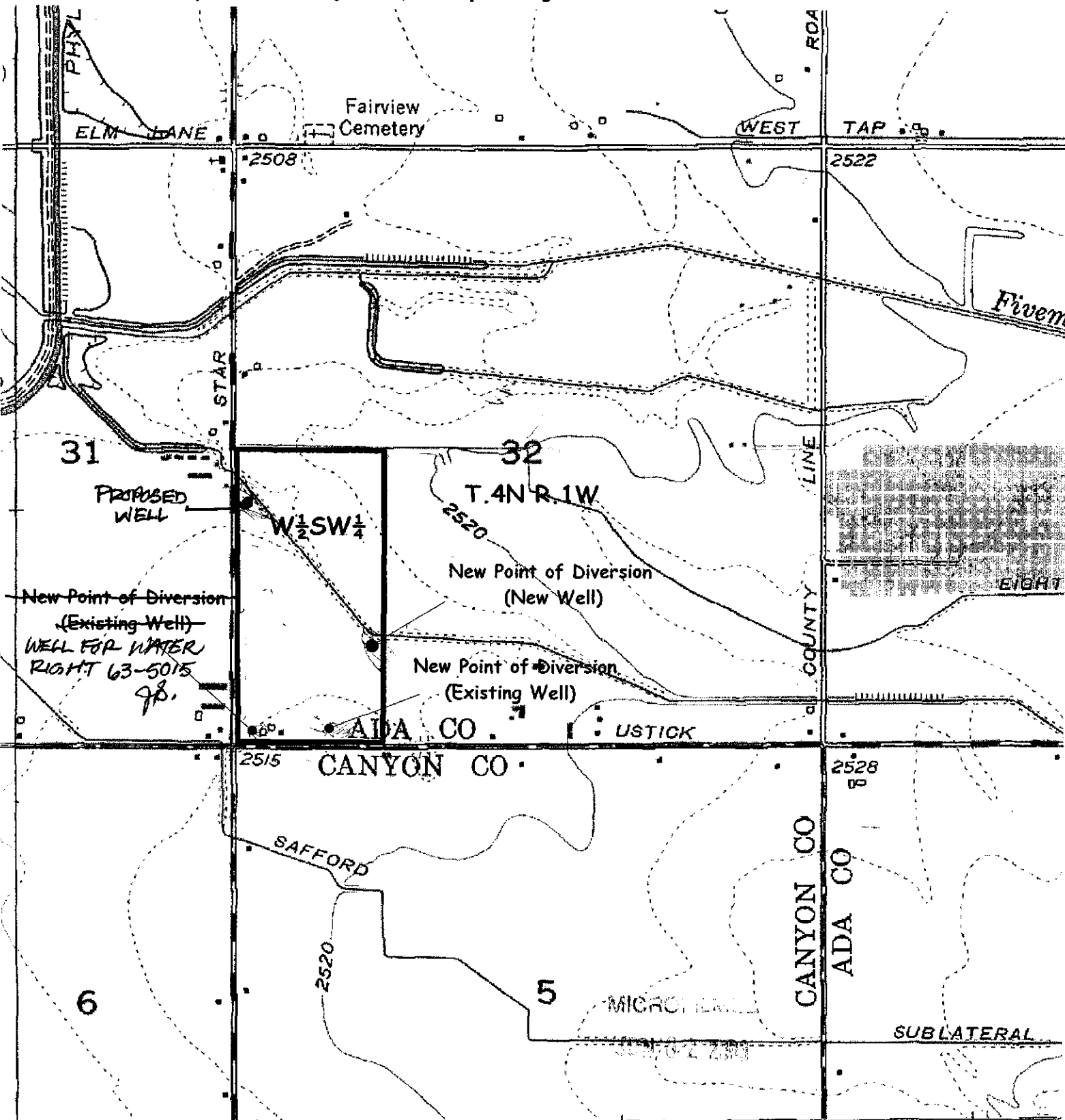
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

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 rights described in part 1. Clearly depict the land by section, township and range number.



PART 3**B. CHANGES IN NATURE OF USE** (No change to the existing nature of use requested)

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				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.

Sterling Landscape Co.

By: _____

(Signature of Applicant)

Subscribed and sworn to before me this _____

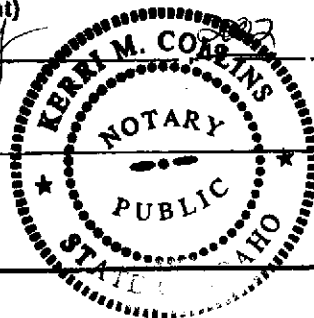
25th

day of _____

JanuaryKerri M. Collins

(Notary Public)

My commission expires _____

8/03**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by Ann FontaineDate 1/28/03

Protest filed by _____

Prelim. check by _____

Fee \$290Received by Ann FontaineDate 1/28/02W0281.76

Published in _____

THE IDAHO STATESMAN

Copies of protest forwarded by _____

Pub. dates 6-6+13-02

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for

☐ approval ☐ denial

rec'd. _____

by _____

Copy of transfer sent to lien holder _____

MICROFILMED

JUN 9 2 2003

Attachment 1

The applicant recently acquired a portion of the place of use licensed under IDWR water right no. 63-9004. However, the point of diversion licensed under water right no. 63-9004 is not located on the land acquired. This transfer application seeks to add three proposed points of diversion, which are located on land acquired by the Applicant. An ownership change has been filed for the Applicant's portion of 63-9004, so the new number is now 63-31306.

MICHAEL W. LEE

JUN 12 2003

ATTACH A



ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

2001 FEB -9 PM 4:36

WARRANTY DEED

RECORDED - REQUEST OF

FEE 3- DEPUTY

101011961

FIRST AMERICAN

For Value Received

Robert Friday and Marilyn Friday, husband and wife

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

Sterling Landscape Co., an Idaho corporation

hereinafter referred to as Grantee, whose current address is

1081 N. Mitchell St. - Boise, ID 83704

the following described premises, to-wit:

The West half of the Southwest quarter of Section 32, Township 4 North, Range 1 West, of the Boise Meridian, 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.

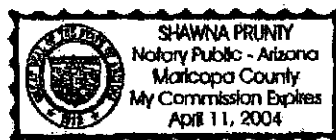
Dated: January 24, 2001.

Robert Friday
Robert Friday

Marilyn Friday
Marilyn Friday

STATE OF Arizona)
COUNTY OF Maricopa) ss.

On This 26 day of January, in the year 2001, before me, a Notary Public in and for said State, personally appeared Robert Friday and Marilyn Friday, known or identified to me to be the person(s) whose name(s) are subscribed to the within Instrument, and acknowledged to me that they executed the same.



Shawna Prunty
Notary Public of: Maricopa County, AZ
Residing at: 5320 E. University Mall
Commission expires: April 11, 2004

MICROFILMED

JAN 26 2001

Attach B



LANDSCAPE DESIGN & CONSTRUCTION
SPRINKLER IRRIGATION
LANDSCAPE MANAGEMENT
NURSERY & GARDEN CENTER

January 23, 2002

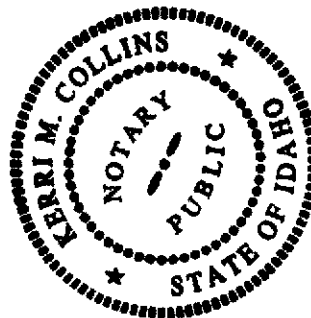
Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83704

The corporate officers for Sterling Landscape Co. are as follows:

President:	John H. Sterling	4201 Lenora Drive, Boise, ID.
Secretary:	Lynne D. Sterling	" "
Treasurer:	Lynne D. Sterling	" "

Respectfully submitted,

Lynne Sterling
Secy/Treas



Subscribed and sworn before me
this 24th day of January, 2002.

Notary Public Kerri M. Collins
My Commission Expires: 8/03

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JUN 02 2003

ATTACH C.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 27, 2002

STERLING LANDSCAPE CO
C/O LYNNE STERLING
1081 N MITCHELL ST
BOISE ID 83704

RE: Transfer No.: 69886 - Water Right 63-31306 - Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

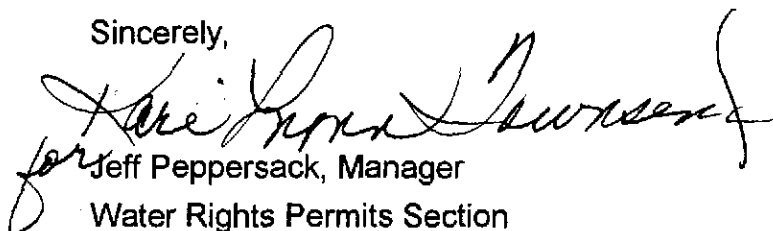
The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7940.

Sincerely,


Jeff Peppersack, Manager
Water Rights Permits Section

MICROFILMED

SEP 27 2002

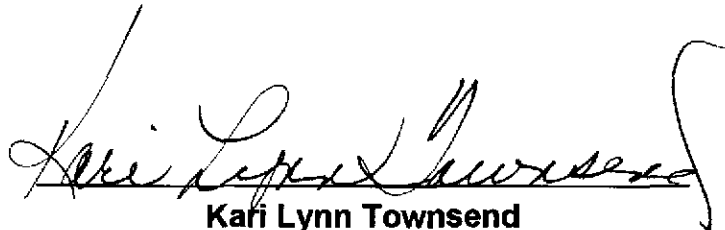
JP:klt
Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on September 27, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 69886 - WATER RIGHT 63-31306

**STERLING LANDSCAPE CO
C/O LYNNE STERLING
1081 N MITCHELL ST
BOISE ID 83704**



**Kari Lynn Townsend
Secretary**

MICROFILMED
JUN 02 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

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JUN 5 2 2003

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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JUN 5 2 2003

TRANSFER REVIEW SHEET

Trans # 69886

Date Reviewed 9/25/02

Right No(s). * 63-9004

Split? Y N Y N Y N Y N Y N Y N

AREA OF CONCERN: No/Yes TV

PURPOSE OF TRANSFER FOR EACH RIGHT:

Change p/d Change use period Change p/u
Add p/d Change nature of use

RightID's of From & To records correct? Y N (resolve with State Office personnel)

Check for Partial Decree issuance, etc. since time of application's entry

PROOF OF OWNERSHIP COMPLETE FOR OLD & NEW P/U _____ Lien Holder Release _____

GROUNDWATER:

DRILLING PERMIT

All wells - 046
DP upgrade req'd Y N (contact GW personnel)

WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067

WMD

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or 01Q

SUPPLEMENTAL (irr = only use) - 065-104

SUPPLEMENTAL (irr + other uses) - 100-105

SURFACE WATER:

WD - R05 (WD# _____) WM comments rec'd _____
≤ 0.20 cfs/others - R02, 01P or No MD
> 0.20 cfs - R43

WB, SPRINGS/SINK, INACTIVE WD & REST OF STATE
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or 01Q

STANDARD SEASON 3/1 to 11/15 (use X61 if extended season)

STANDARD VOLUME 4.5 af/ac

CONSUMPTIVE USE VOLUME N/A af/ac

USES:

STORAGE - 18C-R02-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (all BLM/USFS)
MINING - 054-106
FISH PROP - 029(70'S only)-007-122-106
HEAT/COOL - R07 (injection well)
FIRE PROT. - 077
DAIRY - 082 (zoning if a concern)-106-WD8

USES:

POWER - 17H-17K (+uses)-025-106
MUNICIPAL
Restricted area - 022-075 RAFN - 007-109-X64
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
- 27A (Payette River)
>1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5

MISC CONDITIONS/REMARKS:

T07 - 1 yr to develop
T08 - comply or rescind
T17 - measure all p/d's (used with WB4)
T18 - Special T17 & R43 combined - multiple pds in WD

Protested - 020-X19
Water Quality - 106-R07

X27 - Number of acres/season in ppu
X35 - Combined totals of multiple rts

X49 - measure p/d's (source chg'd to orig trib)
X51 - 2+ yrs to develop
X53 - Use ltd to orig. source availability
X54 - forfeited ac/rate (used rarely)
X55 - (transfer shrinks total water to less ac)
004 - no right-of-way
X58 - pending claim (statutory or AJ b/u claim)
X61 - extended irr season
X62 - replaces N11 and N13
X63 - replaces C12
WB4 - + p/ds, cfs & afa (used with T17)
WD8 - land application of waste water
01Q - used instead of 01M when there's another meas. Cond (i.e. T17 & 01m)

Apply one to chg'd and unchg'd rts:

T09 - on-going SRBA (no Dir Rpt or Recomm yet)
T19 - replaces C18 (if at Recommendation or Partial Decree stage)
T20 - use instead of T09 where not ongoing in SRBA

OTHER CONDITIONS/REMARKS

COMMENTS

Database files updated ✓ Approval form printed ✓ Shape files created ✓

Special Mailing Instructions (cc's, etc)

Final database update after approval ✓ *Comment to WR No(s). 63-9004

9/25/02
sc

RECEIVED

JUL 22 2002

Form 222a

Department of Water Resources

January 2002

IDWR WESTERN REGION TRANSFER ANALYSIS

Applicant STERLING Landscape CO. Transfer No. 69886

Reviewed by DAV Date 4-18

Data entered by _____

1. Right number(s) 63-9004

Caution before processing: _____ Partial Decree to WR X Ownership Change filed & split completed done

2. Type of right _____ Decree X License _____ Stat. Claim _____ BU Claim

3. Purpose of transfer _____ Change P/D X Add P/D _____ Change P/U
 _____ Change N/U _____ Change Period _____ Split Right
 _____ Other: _____

4. Check Existing Right
X Source X Priority X Amount
X Purpose X Period X SRBA Claim
X Description of original point(s) of diversion
X Description of original place of use
X Overlapping rights for original P/D &/or P/U

5. Check Proposed Right for amount of land &/or water transferred:

- X Analysis memo – always include unless justify why not needed
- X All of right
- _____ Part of right – Note: Part B should normally be completed only if part of right is owned by applicant
- X Description of point(s) of diversion
- X Description of place of use
- X Map showing proposed P/D &/or P/U
- X Correct notarized signature and fee – see Transfer Memo #23 about fees if necessary
- X Proof of ownership of right &/or land from which water is transferred
- X Expansion in use of right: check rate of flow, diversion volume and consumptive volume. Discuss in memo.
- no Surface water source: IDFG letter; notify Water Planning Bureau if protected river or minimum flow reach.

k. ☒ Overlapping rights for current & proposed scenarios

Current 63-31304 - 63-2169 - 63-5015 - Settlers
Proposed Same IRR.ig
Dist

l. ☒ SRBA Claim(s) Claim has been Filed
BUT NOT Recommended.

m. ☒ Comment letters ☒ No ☐ Yes as follows:
Water District # IDFG Other per attached

PUBLICATION REVIEW

1. Comment Letters

Watermaster comments requested on _____, received on _____

Other comment letters received ☐ Yes ☐ No

2. Affidavit of publication received: ☒ Yes

3. Published correctly: ☒ Yes ☐ No

If No, re-publication required: ☐ Yes ☐ No

4. Protests received: ☐ Yes ☒ No ☐ If yes, acknowledgement sent

RECOMMENDATIONS

1. ☒ Approve ☐ See attached memo

2. ☐ Deny due to _____

3. Conditions of Approval See Dan Nelson's memo dated 5/10/2002

4. Recommended by Gary S Date 7/19/02

FORWARDING FILE TO S.O.

1. Copies made for Region file (see attached supplemental page): Yes ☒ 450 + adj

2. File forwarded to S.O. by At Date 7-22-02

SUPPLEMENTAL ANALYSIS SHEET FOR TRANSFER

- Transfer No. 6988C
- Legal Notice: Use Workflow ad X
- OR Word Filename _____
- Email to SO & Western by: DAN OR N/A _____

COPIES MADE

- ASAP Yes STATE OFFICE files for all transfers ... copy APPLICATION
- ASAP Yes REGION ADJUDICATION files if adj. claim involved ... copy APPLICATION
- JUST BEFORE FILE TO S.O. – REGION WATER RIGHT files ... copy as follows:

Yes Legal Notice

Yes Transfer Analysis Sheet (Form 222a)

Yes Transfer Application – assume entire application with attachments to be copied except as noted below (always copy ownership information); identify by letter/number attachments that are not to be copied:

Yes Reviewer's analysis memo: list date of memo _____

____ List other items to be copied:

AVOID COPYING FOR REGION WATER RIGHT FILES – excess computer reports, excess attachments unless show ownership or other clarifying information, easements & other agreements, oversized documents and so forth.

DISCARD THIS FORM BEFORE FORWARDING FILE.

MEMORANDUM

TO: FILE
FROM: DANIEL A. NELSON *DAN*
DATE: 5/10/2002

RE: STERLING LANDSCAPE COMPANY TRANSFER, RIGHT 63-31306

The transfer proposes to add three points of diversion in T4N R1W S32. The wells will be described as the NESWSW, SESWSW, and NWNWSW. The applicant purchased this property and no longer has access to the original well on this water right. The place of use and diversion rates will not change.

DOCUMENTS AND APPLICATION PREPARATION

The application consists of 7 pages and 3 attachments. Note the location of the following application items

Attach. A – Remarks for question 2 - part 1.

Attach. B – Warranty Deed Showing ownership of Property

Attach. B – List of Corporate Officers.

Applicant prepared the application.

Other information used in this review includes 2000 aerial photo, 1987 aerial photo, Place of Use Comparison Sheets, Point of Diversion comparison Sheet, overlap map, and water right coverage bubble graph attached to this memo.

NARRATIVE

The applicant proposes to add one to three wells, depending on the quality of the wells, to irrigate the 75 acres associated with this water right. The applicant purchased this land and no longer has access to the original well. Therefore, he has proposed to drill, one to three wells and the old well location will be removed from this water right.

I have attached the 1987 and 2000 aerial photos that show that this land has been irrigated. Forfeiture should not be an issue. The applicant supplied a warranty deed that proves ownership.

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JUN 02 2003

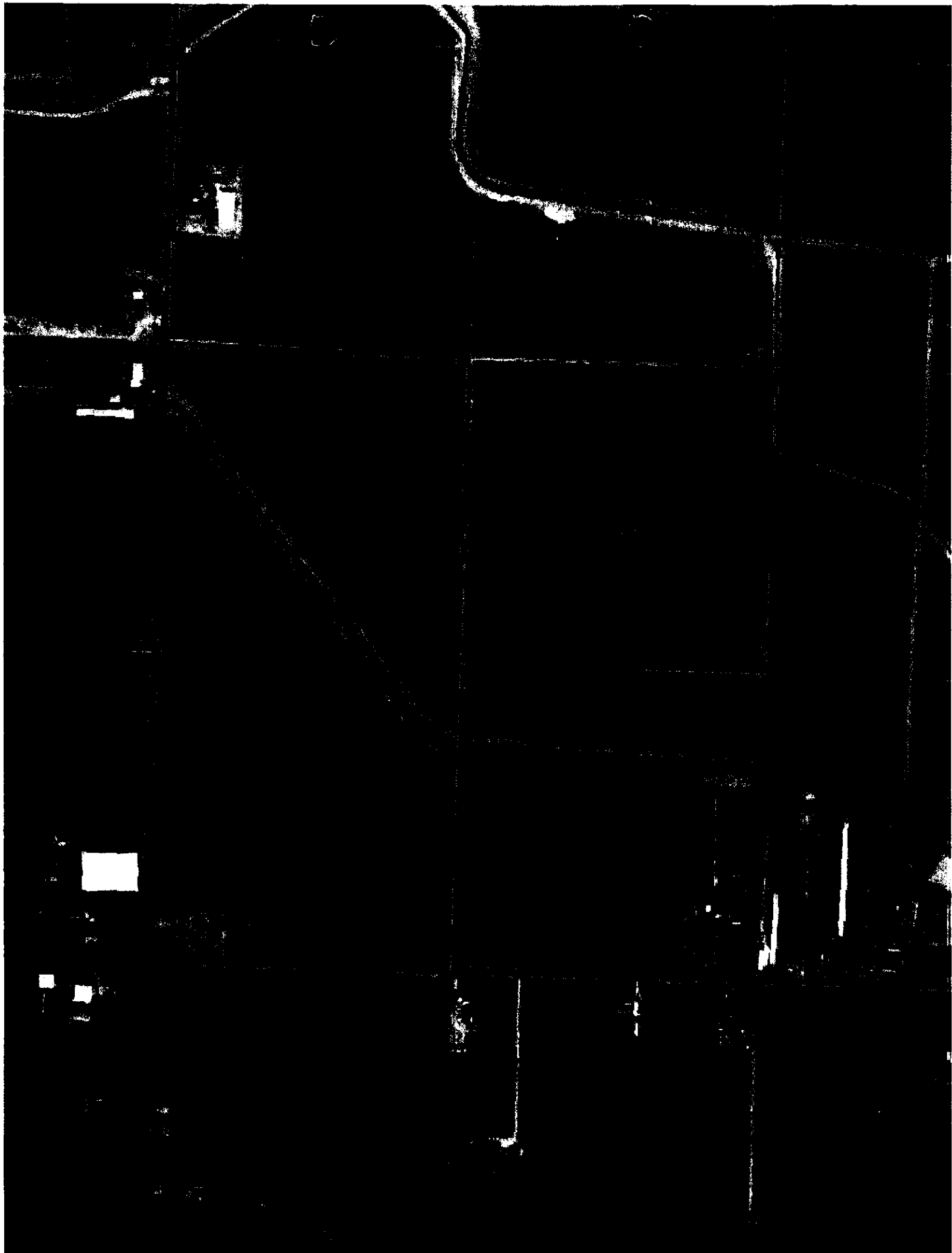
The only real concern with this application is the overlap involved in the application. The applicant has an artesian well that supplies water to a commercial mint still (63-31304) and the overflow water from that well is also used for irrigation of the same land under a statutory claim (63-5015). This allows 37 acres in the SWSW to be irrigated at the full rate per acre of 0.02 cfs. The commercial right allows land application water to be applied to the 37 acres from the existing artesian well, the statutory claim allows irrigation of the 37 acres at an 0.02 cfs acre from the artesian well, and this license allows the same 37 acres to be irrigated at 0.02 cfs per acre from the irrigation well in SENW. To make matters even more confusing all this property is also covered with canal water from the Settlers Irrigation District. Even though the irrigation is limited to 0.02 cfs per acre, it seems as though there is a great deal of water available to use, which could be confusing to the water user. The only remedy to this is to limit the water right in conditions with the condition that limits the water use with all rights combined to 0.02 cfs per acre and 4.5 afa per acre.

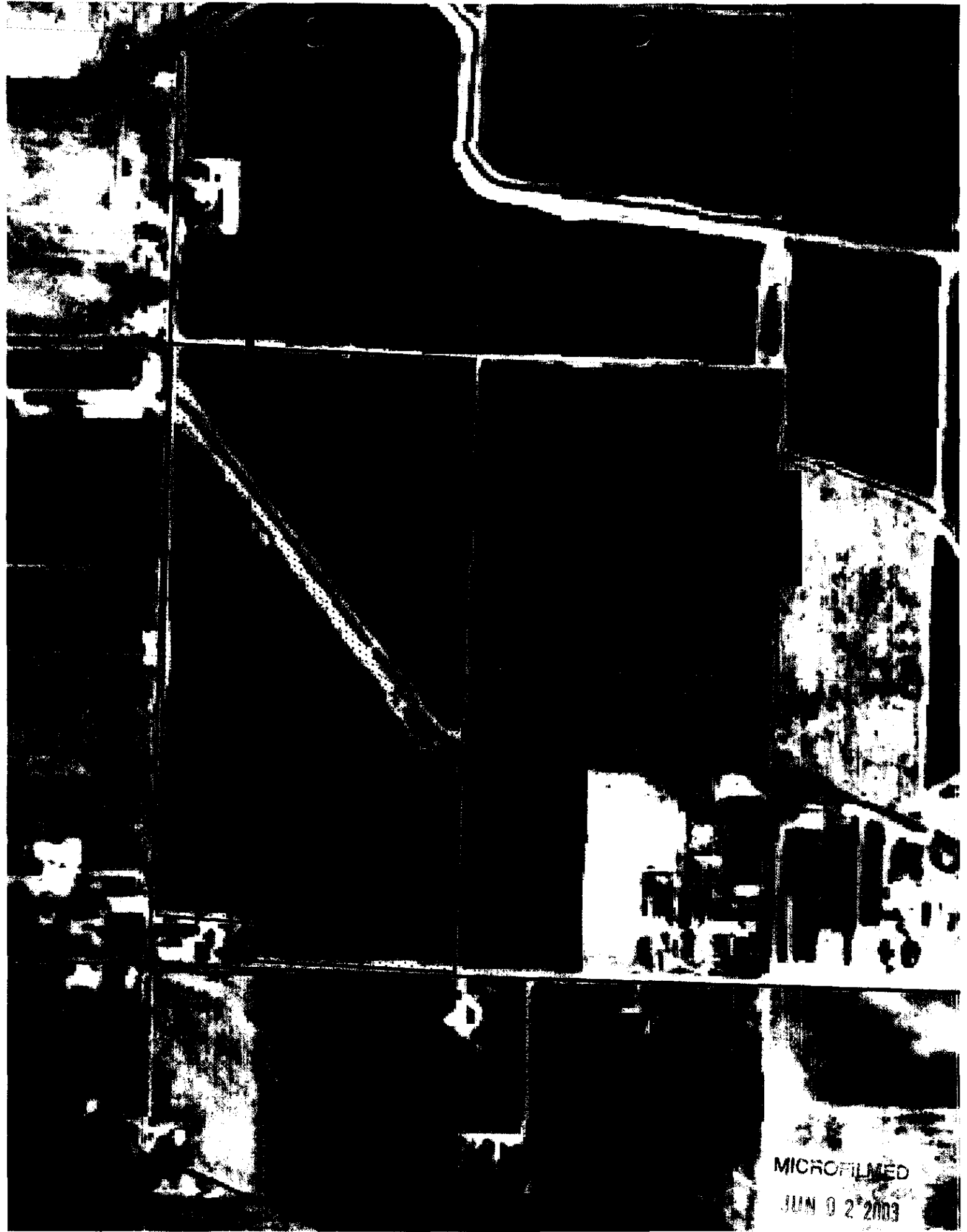
RECOMENDATIONS

This transfer should be approved as listed on the application with the following conditions. When all water rights are combined the irrigation use is limited to 0.02 cfs per acre and 4.5-afa pr acre. The applicant should use the full apportionment of surface water prior to using any of the groundwater rights for irrigation.

MICROFILMED

JUN 02 2003





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JUN 9 2 2003

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	SNW	SEW	NESW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	63-31306	STERLING LANDSCAPE CO.	GROUND WATER	04N01W32														75
Claim	63-230F	SETTLERS IRRIGATION DISTRICT,	BOISE RIVER	04N01W32	25	35	20		30	35	25	40	40				10	340
Claim	63-231	SETTLERS IRRIGATION DISTRICT,	BOISE RIVER	04N01W32	25	35	20		30	35	25	40	40				10	340
Claim	63-3090	SETTLERS IRRIGATION DISTRICT,	GROUND WATER	04N01W32	25	35	20		30	35	25	40	40				10	340
Claim	63-36145	SETTLERS IRRIGATION DISTRICT,	BOISE RIVER	04N01W32	25	35	20		30	35	25	40	40				10	340
Claim	63-36188	SETTLERS IRRIGATION DISTRICT,	BOISE RIVER	04N01W32	25	35	20		30	35	25	40	40				10	340
Claim	63-32826	SETTLERS IRRIGATION DISTRICT,	BOISE RIVER	04N01W32	25	35	20		30	35	25	40	40				10	340
Claim	63-30181	STERLING LANDSCAPE CO.	BOISE RIVER	04N01W32				X			X	X	X	X	X	X	0	0
Claim	63-4015	STERLING LANDSCAPE CO.	GROUND WATER	04N01W32													87	0
Right	63-2109	JOHN JEPSEN,	UNNAMED STREAM	04N01W32													40	0
Claim	63-16735	MARILYN FRIDAY, ROBERT FRIDAY,	GROUND WATER	04N01W32						X							0	0
Claim	63-18657	DORIS E WINKLER,	GROUND WATER	04N01W32													0	0
Claim	63-18660	DORIS E WINKLER,	GROUND WATER	04N01W32													0	0
Claim	63-18660	DORIS E WINKLER,	GROUND WATER	04N01W32													0	0
Claim	63-21410	LUIS NUNEZ,	GROUND WATER	04N01W32	X												0	0
Claim	63-21410	LUIS NUNEZ,	GROUND WATER	04N01W32	X												0	0
Claim	63-22470	TECHNICAL DEVELOPMENT CONSULTANTS INC,	GROUND WATER	04N01W32													X	0
Claim	63-22806	DARLENE SCHWISOW, DUANE SCHWISOW,	GROUND WATER	04N01W32					X								0	0
Claim	63-22806	DARLENE SCHWISOW, DUANE SCHWISOW,	GROUND WATER	04N01W32					X								0	0
Claim	63-22853	LOIS A SCHWISOW, GERALD G SCHWISOW,	GROUND WATER	04N01W32	X												0	0
Claim	63-22853	LOIS A SCHWISOW, GERALD G SCHWISOW,	GROUND WATER	04N01W32	X												0	0
Claim	63-2398	UNITED STATES OF AMERICA ACTING THROUGH,	BOISE RIVER	04N01W32													0	0
Claim	63-2771	PAM REEVES, MARK V PECKHAM,	GROUND WATER	04N01W32					X								0	0
Claim	63-31303	ROBERT FRIDAY, MARILYN FRIDAY,	GROUND WATER	04N01W32					X	X	X	X					0	0
Claim	63-31305	CHASE FAMILY LLC,	GROUND WATER	04N01W32					5	4	32	33					74	0
Right	63-5015		GROUND WATER	04N01W32													X	0
Claim	63-7320	OSCAR E FLOWER,	GROUND WATER	04N01W32													X	0
Claim	63-7320	OSCAR E FLOWER,	GROUND WATER	04N01W32													X	0
Claim	63-8820	IDAHO POWER CO,	GROUND WATER	04N01W32					X								0	0

overlaid
claim
NO
A 5 claim

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JUN 2 2003

P/D SEARCH FOR T4N R1W S32

63	5015	Statutory Claim	Active	273111	4/1/1958	0.74	GROUND WATER	IRRIGATION	STERLING LANDSCAPE CO (Current)	ADJUDICATION CLAIM
63	31303	License	Active	555158	5/4/1983	0.45	GROUND WATER	COMMERCIAL	FRIDAY, MARILYN (Current); FRIDAY, ROBERT (Current)	ADJUDICATION CLAIM
63	31304	License	Active	555159	5/4/1983	0.22	GROUND WATER	COMMERCIAL	STERLING LANDSCAPE CO (Current)	ADJUDICATION CLAIM
63	5015	Statutory Claim	Active	54106	4/1/1958	0.74	GROUND WATER	IRRIGATION	FRIDAY, MARILYN (Current); FRIDAY, ROBERT (Current)	WATER RIGHT
63	10029	License	Active	57569	5/4/1983	0.67	GROUND WATER	COMMERCIAL	FRIDAY, MARILYN (Current); FRIDAY, ROBERT (Current)	WATER RIGHT
63	15734	Decreed	Active	377642	12/31/1920	0.04	GROUND WATER	DOMESTIC	STERLING LANDSCAPE CO (Current)	WATER RIGHT

SEARCHED
INDEXED
SERIALIZED
FILED
APR 2 2003
FBI - MEMPHIS

P/D SEARCH FOR T4N R1W S32 SENW

63	31305		License	Active	8/15/1977	1.48	GROUND WATER	IRRIGATION	CHASE FAMILY LLC (Current)	wrAdjudication Claim
63	31306		License	Active	8/15/1977	1.5	GROUND WATER	IRRIGATION	STERLING LANDSCAPE CO (Current)	wrAdjudication Claim
63	9004		License	Active	8/15/1977	2.98	GROUND WATER	IRRIGATION	FRIDAY, MARILYN (Current); FRIDAY, ROBERT (Current)	wrWaterRight

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JUN 22 2008

T4N R1W S32

NWSW

63-31304 - COMMERCIAL
GROUNDWATER
LAND APPLICATION
(NOT COVERED UNDER ORIGINAL
LICENSE 63-10029)

SETTLERS IRRIGATION
DISTRICT

61-31306 - 38 ACRES
GROUNDWATER

SWSW

63-2169 - 40 AC
UNNAMED STREAM

63-5015 - 37 ACRES
GROUNDWATER

SETTLERS IRRIGATION
DISTRICT

61-31306 - 37 ACRES
GROUNDWATER

63-31304 - COMMERCIAL
GROUNDWATER

LAND APPLICATION
(ALSO COVERD IN ORIGINAL
LICENSE 63-10029)

**OVERLAPPING WATER RIGHTS
FOR STERLING LANDSCAPE TRANSFER
FOR WATER RIGHT 61-31306**

MICROFILMED

APR 5 2 2003

WATER RIGHTS COVERAGE FOR LANDS IRRIGATED IN CONNECTION WITH STERLING LANDSCAPE TRANSFER

Water right 63-2169 is for an unnamed stream to irrigate 37 acres in SWSW. No SRBA claim was filed on this water right

SEELERS IRRIGATION DISTRICT WATER COVERS ALL 75 ACRES IN NWSW AND SWSW

WATER RIGHTS
AT 11:30 AM IS
FOR X
IRRIGATION
OFFICE IS
ACRES IN
NWSW &
SWSW AT .02
CFS PER ACRE
AND 4.3 AFA
PER ACRE

IRRIGATION
WELL

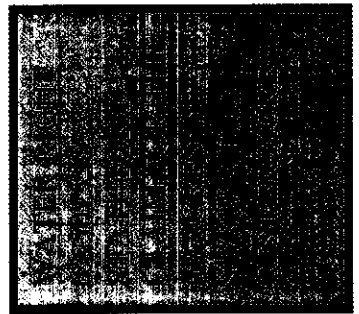
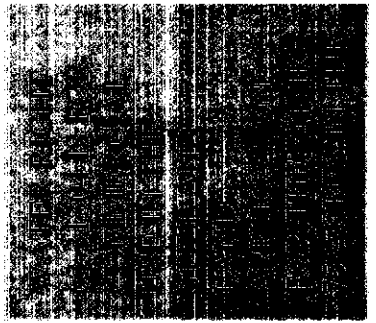
NWSW 36 ACRES
SWSW 37 ACRES

WATER RIGHT
63-2169

STORAGE TANK

ARTESIAN
WELL

PLEASE NOTE: Water from the artesian well flows into the storage tank and any overflow goes into a ditch to irrigate the property. The water in the storage tank is pumped to the soil to process it in.



The Idaho Statesman

P.O. Box 40, Boise, Idaho 83707-0040

RECEIVED

JUN 18 2002

WATER RESOURCES
WESTERN REGION

LEGAL ADVERTISING PROOF OF PUBLICATION

Account	DTI Ad#	Identification	Amount		
047628	673270	TRANSFER NO. 69886	\$125.50		
Ordered by	P.O.#	Times Run	Lines	Columns	Legal #
SUE TAYLOR		2	35	X 2	13678
IDAHO DEPT WATER RESOURCE 2735 AIRPORT WAY BOISE, ID 83705 5082					

LEGAL NOTICE NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 69886

STERLING LANDSCAPE CO

C/O LYNNE STERLING

1081 N MITCHELL ST

BOISE ID 83704, has filed Application No. 69886 for changes to the following water rights within ADA County:

Right No. 63-31306

Priority 8/15/1977

Source GROUND WATER

Use IRRIGATION (75 acres)

1.50 CFS 337.5 AFA

Total Amount

1.50 CFS 337.5 AFA

Point(s) of Diversion SENW S32 T04N R01W

Place of Use S32 T04N R01W

Remark: The transfer proposes to add three points of diversion in T4N R1W S32. The wells will be described as the NESWSW, SESWSW, and NWNWSW. The applicant purchased this property and no longer has access to the original well on this water right. The place of use and diversion rates will not change.

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before June 24, 2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER,
Director

Pub. Jun. 6, 13, 2002

13678

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of *The Idaho Statesman*, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in *The Idaho Statesman*, in conformity with Section 60-108, Idaho Code, as amended for: 2

☒ consecutive weekly	☐ single
☐ consecutive daily	☐ odd skip
insertion(s)	

beginning with the issue of: June 6, 2002

and ending with the issue of: June 13, 2002

Janice Hildreth

STATE OF IDAHO

Notary

COUNTY OF ADA

On this

17

day of

June

in the year of

2002

before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Judy Murphy

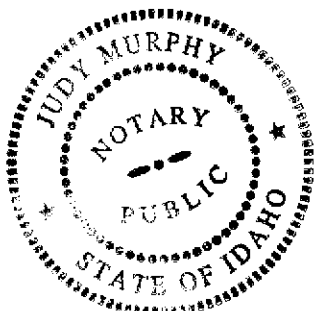
Notary Public for Idaho

Residing at Boise, Idaho

Emmet

My Commission expires:

1/16/04



MICROFILMED

JUN 18 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

May 10, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

STERLING LANDSCAPE COMPANY
1081 N MITCHELL AVE
BOISE ID 83704

COPY

RE: APPLICATION FOR TRANSFER NUMBER 69886

Dear Mr. Sterling:

Enclosed is a copy of the transfer you requested after the changes that we made during our meeting on 5/9/2002. Please read it through and make sure it is correct. I have submitted your application for advertising and should be advertised in the next round of advertising.

If you have any questions or concerns please contact Dan Nelson at the above address.

Respectfully,

Daniel A. Nelson
Sr. Water Right Agent

MICROFILMED

JUN 17 2002



LANDSCAPE DESIGN & CONSTRUCTION
SPRINKLER IRRIGATION
LANDSCAPE MANAGEMENT
NURSERY & GARDEN CENTER

January 24, 2002

Gary Spackman, Manager
State of Idaho
Department of Water Resources
2735 Airport Way
Boise, ID 83705

RECEIVED
JAN 28 2002
WATER RESOURCES
WESTERN REGION

Re: Application for Transfer of Water Right No. 63-9004.

Dear Mr. Spackman:

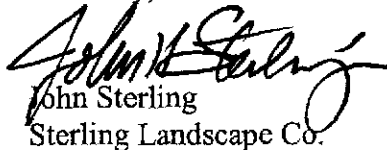
In February, 2001, we acquired a portion of the place of use licensed under water right no. 63-9004 when purchasing the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 32 T.4N R.1W B.M. However, the licensed point of diversion was not located on the land we acquired.

The enclosed transfer application seeks approval to add three points of diversion to our portion of water right no. 63-9004. Two of the proposed diversion points are existing wells that are identified under water right no. 63-10029. The third well will be constructed after the enclosed transfer application is approved.

All three proposed points of diversion are located on the land we acquired. The transfer application does not propose to change the place, nature, or season of use originally licensed.

Please apply the enclosed \$290.00 check toward your application processing fee and forward a receipt to my attention at the above address. Should you have any questions about the enclosed transfer application please contact me. My phone number is 322-4505.

Sincerely,


John Sterling
Sterling Landscape Co.

Enclosure

RECORDED

JUN 12 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 30, 2002

Legal Notice Department

IDAHO STATESMAN

PO BOX 40

BOISE ID 83707

RE: Transfer No. 69886

Water Right No(s). 63-31306

Transfer No. 69897

Water Right No(s). 63-31483

Application for Permit No. 63-31493

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find legal notices which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notices on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 06/24/2002. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

MICROFILMED
JUN 12 2002

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 69886

STERLING LANDSCAPE CO
C/O LYNNE STERLING
1081 N MITCHELL ST

BOISE ID 83704, has filed Application No. 69886 for changes to the following water rights within ADA County:

Right No. 63-31306

Priority 8/15/1977

Source GROUND WATER

Use IRRIGATION (75 acres) 1.50 CFS 337.5 AFA

Total Amount 1.50 CFS 337.5 AFA

Point(s) of Diversion SENW S32 T04N R01W

Place of Use S32 T04N R01W

Remark: The transfer proposes to add three points of diversion in T4N R1W S32. The wells will be described as the NESWSW, SESWSW, and NWNWSW. The applicant purchased this property and no longer has access to the original well on this water right. The place of use and diversion rates will not change.

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KARL J DREHER, Director

Published in the Idaho Statesman on June 6 and 13, 2002.

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JUN 9 2 2002