

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

RECEIVED

NOV 23 2005

WATER RESOURCES
WESTERN REGION

W033628

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
65-10743	65-10743	NO			
65-22933	65-5539	YES			

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DEPARTMENT OF
WATER RESOURCES

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) IDAHO FOUNDATION FOR PARKS & LANDS INC.
5657 WARM SPRINGS AVE BOISE, ID 83716-8700
4. New Owner/Claimant(s) GARDEN VALLEY RECREATION DISTRICT
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address PO BOX 433
- City, State and ZIP Code GARDEN VALLEY ID 83622
- New Telephone Number (208) 462-3439
5. Date you acquired the property 8-16-05

3

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>65-22933</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>0.024 cfs per acre</u>	<u>3.8 acres</u>
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

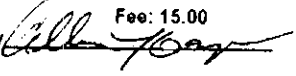
James Alvar
President

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by sk Date 11-23-05 Fee 125⁰⁰
 Receipted by sk Date 11-23-05 Receipt No. W 033628
 Processed by _____ AJ Date _____ WR _____ Date _____

258844
03/56

Instrument # 203870
IDAHO CITY, BOISE COUNTY, IDAHO
2005-08-16 04:01:25 No. of Pages: 5
Recorded for : PIONEER TITLE
RORA A. CANODY Fee: 15.00
Ex-Officio Recorder Deputy 
Index to: DEEDS

GIFT DEED AND ACCEPTANCE

PARTIES:

GRANTEE: Garden Valley Recreation District, an Idaho Recreation District

GRANTOR: Idaho Foundation For Parks And Lands, Inc., an Idaho non-profit corporation

August This Gift Deed and Acceptance made effective as of the 13TH day of August, 2005, by and between Idaho Foundation For Parks and Lands, Inc. an Idaho non-profit corporation, **GRANTOR** herein, and the **Garden Valley Recreation District, an Idaho Recreation District**, a recreation district organized and existing by virtue of Chapter 43 of Title 31 Idaho Code, **GRANTEE** herein, hereinafter referred to as "Recreation District", whose address is P.O.Box 433 Garden Valley, Idaho 83622.

IT IS AGREED IN CONSIDERATION OF THE MUTUAL COVENANTS CONTAINED IN THIS GIFT DEED, AND OTHER GOOD AND VALUABLE CONSIDERATION:

SECTION ONE DEFINITIONS

- 1.1 **Grantor:** means and refers to Idaho Foundation for Parks and Lands, Inc. an Idaho non-profit corporation, Grantors herein and party to this Gift Deed.
- 1.2 **Recreation District:** means and refers to the Garden Valley Recreation District, an Idaho Recreation District, a recreation district organized and existing by virtue of Chapter 43 of Title 31 Idaho Code, Grantee herein and party to this Gift Deed and Acceptance.
- 1.3 **Real Property:** means that certain real property 19.306 acres of real property in Boise County, Idaho, more particularly described on Appendix 1.3 attached hereto and by this reference, incorporated herein as if set forth in full.

SECTION TWO RECITALS

The parties recite and declare:

- 2.1 Grantor is the owner of the Real Property; and

GIFT DEED AND ACCEPTANCE - 1

- 2.2 The Recreation District is willing to accept the Real Property; and
2.3 The Grantor is fully informed and executes this Gift Deed based upon Grantor's own advice and counsel and donative intention.
2.4 The Grantor desires to make a gift to the Recreation District

SECTION THREE

GIFT DEED GRANT AND CONVEYANCE OF REAL PROPERTY

- 3.1 Grantor gives and, by this deed, grants, conveys, and confirms to Recreation District, and its assigns forever, from the effective date hereof the Real Property herein described.
- 3.1.1 SUBJECT TO an easement in favor of The Garden Valley Recreation District granted pursuant to that certain Public Highway/Right-Of-Way Deed of Easement Agreement between Idaho Foundation for Parks and Lands, Grantor, The Garden Valley Recreation District, Grantee, and Boise County, Accommodating Party, dated July 14, 2003 and recorded as Instrument No. 191620, records of Boise County, Idaho, as amended by lot-line adjustment as shown on that certain Record of Survey dated July 12, 2005, and recorded as Instrument No. 203222, records of Boise County, Idaho.
- 3.2 This conveyance shall include any and all appurtenances, tenements, hereditaments, reversions, remainders, easements, rights-of-way and water rights in anywise appertaining to the property herein described.
- 3.3 Grantor covenants to Recreation District that Grantor is the owner in fee simple of the Real Property; that the Real Property is free from all encumbrances, excepting those as may be herein set forth, and that Grantor will warrant and defend the same from all lawful claims.

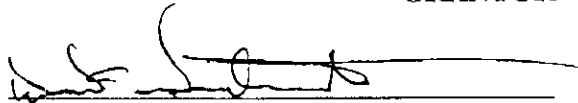
SECTION FOUR

ACCEPTANCE OF GIFT DEED AND CONVEYANCE

- 4.1 The Recreation District does hereby accept this Gift Deed Grant and Conveyance of the Real Property herein provided for in accordance with the terms and conditions of this Gift Deed.

IN WITNESS WHEREOF, this Gift Deed has been executed on the 13th day of August, 2005, with the intent that it shall be recorded in the office of the recorder of the County of Boise, State of Idaho.

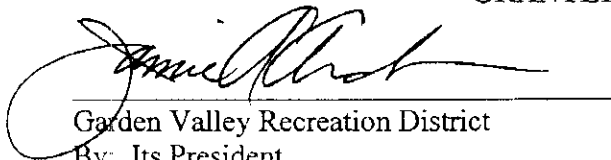
GRANTOR



Idaho Foundation For Parks And Lands,
Inc., an Idaho non-profit corporation

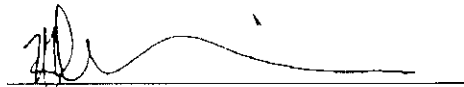
By: Its [Signature]

GRANTEE



Garden Valley Recreation District
By: Its President

ATTEST



Secretary

By Resolution No. 1005-5A

STATE OF IDAHO)

:SS.

County of Boise)

On this 13th day of AUGUST, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared DONALD WEILMUNSTER, known or identified to me to be the PRESIDENT, of the Idaho Foundation For Parks And Lands, Inc., that executed the said instrument, and acknowledged to me that said corporation executed the same.

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

(SEAL)

DIANE E. CAUGHLIN
Notary Public
State of Idaho



Notary Public for Idaho

GIFT DEED AND ACCEPTANCE - 3

MY COMMISSION EXPIRES
June 26, 2007
BONDED THRU NOTARY PUBLIC UNDERWRITERS

Appendix 1.3 Gift Deed and Acceptance

EXHIBIT A

Property Description
Idaho Foundation for Parks and Lands, Inc.
After Adjustment to Arthur E. Willey and Agnes A. Willey

A parcel of land being a situated in the Northeast quarter of the Southwest quarter of Section 15, Township 9 North, Range 4 East, Boise Meridian, Boise County, Idaho. All bearings contained herein being relative to a bearing of North 00°04'24" West along the westerly line of said Northeast quarter of the Southwest quarter of Section 15. Said parcel being more particularly described as follows:

Beginning at a point on said westerly line of the Northeast quarter of the Southwest quarter whence a 3/8" rebar marking the Southwest corner of said Northeast quarter of the Southwest quarter bears South 00°04'24" East, 208.52 feet; thence North 00°04'24" West along said westerly line of the Northeast quarter of the Southwest quarter, 192.15 feet to a point on the centerline of the Middle Fork of the Payette River; thence along said centerline of said Middle Fork of the Payette River the following six (6) courses:

- 1) North 19°09'05" East, 204.87 feet; thence
- 2) North 02°47'30" West, 141.54 feet; thence
- 3) North 14°53'42" East, 358.54 feet; thence
- 4) North 50°10'11" East, 67.78 feet; thence
- 5) North 66°38'25" East, 281.04 feet; thence
- 6) North 88°15'19" East, 275.45 feet thence leaving said centerline of the Middle Fork of the Payette River, South 05°39'42" West, 54.89 feet; thence 129.80 feet along the arc of a curve to the left, having a radius of 105.00 feet, a central angle of 70°49'30", (chord bears South 29°44'59" East, 121.69 feet); thence South 65°09'41" East, 297.60 feet; thence South 31°37'19" West, 272.47 feet; thence 444.33 feet along the arc of a curve to the left, having a radius of 390.00 feet, a central angle of 65°16'39", (chord bears South 01°01'03" East, 420.69 feet); thence South 33°39'20" East, 111.13 feet; thence South 89°37'53" West, 364.83 feet to the northeasterly corner of a parcel shown on a Record of Survey map recorded as Instrument No. 154345 and also being an angle point in the parcel described in Instrument No. 191620 of the Boise County records; thence along said parcel shown and described in the aforementioned Instrument No.'s the following four (4) courses;

- 1) South 89°37'53" West, 110.00 feet; thence
- 2) South 50°43'20" West, 120.85 feet; thence
- 3) North 76°40'21" West, 320.57 feet; thence
- 4) South 89°37'53" West, 108.55 feet to a point on said westerly line of the

Northeast quarter of the Southwest quarter, the point of beginning. Said parcel of land containing 19.306 acres, more or less,

EXHIBIT A

Appendix 1.3 Gift Deed and Acceptance

Boundary Line Adjustment
RECORD OF SURVEY

A PARCEL OF LAND SITUATED IN THE NE 1/4 SW 1/4 OF SECTION 15,
 TOWNSHIP 9 NORTH, RANGE 4 EAST OF THE BOISE MERIDIAN
 BOISE COUNTY, IDAHO.

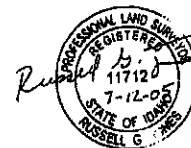
NOTES:

- 1) Date of Survey: May 31-June 2, 2005.
- 2) Date of Preparation: June 7-19, 2005.
- 3) Basis of Survey: Record of Survey No. 154345, Documents of Record recorded as Instrument No.'s 147044, 191620 as recorded in the Boise County records and the found survey monuments as shown.
- 4) Basis of Bearings: A Bearing of N 00°04'24" W between the Southwest corner of the NE 1/4 SW 1/4 being a found 5/8" rebar and the Northwest corner of the NE 1/4 SW 1/4 being a found rebar with aluminum cap marked "Quartz" both of Section 15, Township 9 North, Range 4 East, Boise Meridian.
- 5) This survey does not constitute a title search by Three Rivers Land Surveying, P.C. (TRLS) to determine ownership or easements of record. For all information regarding easements, Rights-of-Way and/or title of record TRLS relied upon the documents of record and the Instrument No.'s referred to above in Note No. 3 to prepare this survey.

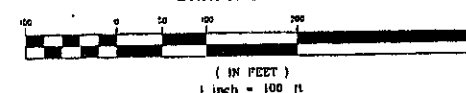
SURVEYOR'S CERTIFICATE

I, Russell G. Jones, do hereby certify that I am a Registered Land Surveyor, licensed by the State of Idaho, and that this map has been prepared from an actual survey made on the ground by me or under my direct supervision, and that this map is an accurate representation of said survey, and is in conformity with the Corner Perpetuation and Filing Act, Idaho Code 55-1601 through 55-1612.

Russell G. Jones
 Russell G. Jones P.L.S. # 11712



GRAPHIC SCALE



RECORDER'S CERTIFICATE

STATE OF IDAHO)
) ss
 COUNTY OF BOISE)

Recorded at the request of
 Three Rivers Land Surveying, P.C.

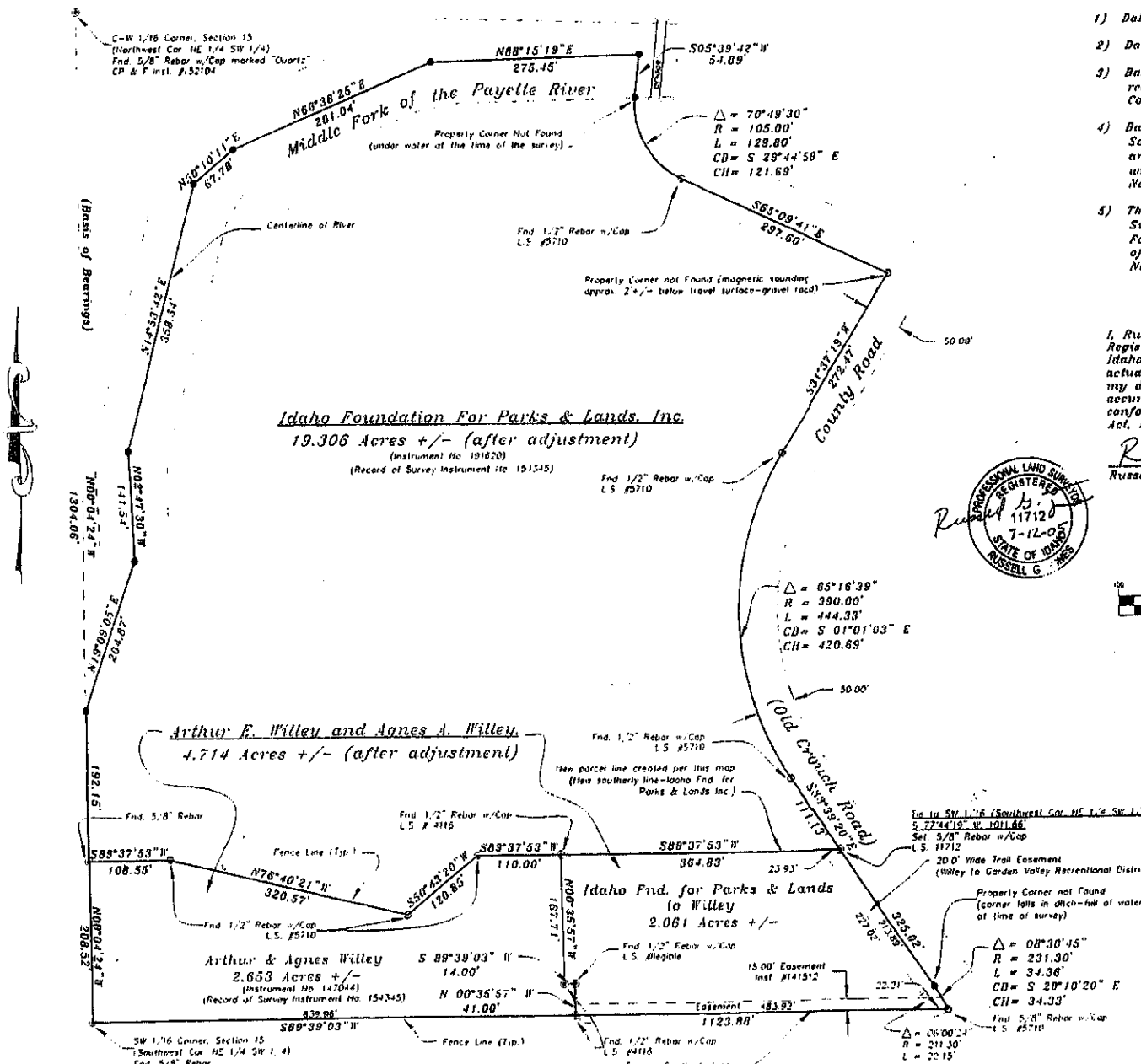
Time: 2:45 p.m.
 Date: 7-12-2005
 Instrument No. 203222
 Recorded as a Survey

Rora A. Canady
 Rora A. Canady, Clerk
 Ex-Officio Recorder
Shirley Sign
 Deputy



Three Rivers Land Surveying, P.C.
 805 So. Middle Fork Road
 Garden Valley, Idaho 83622
 (208) 462-2266

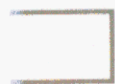
Garden Valley Rec. District Lot Line Adjustment
 Situated in the NE 1/4 SW 1/4, Sec. 15, T.9 N., R.4 E., B.M.



Claim No(s): 65-5539,
65-10743, 65-11394
9N, R04E, S 15

repared by: Sue Bock

ate: 041/30/2001



Place of Use

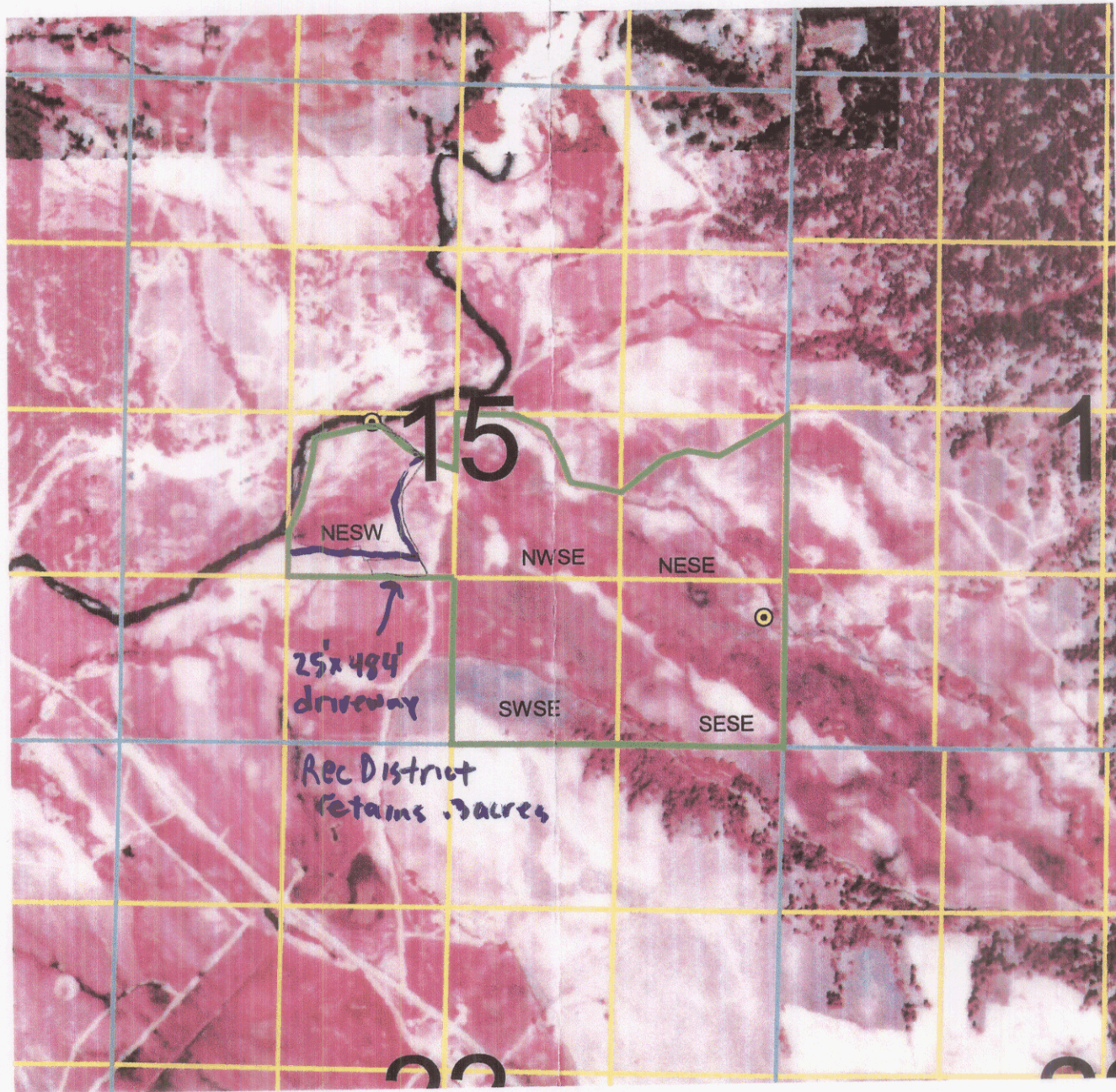


● Point of Diversion



Section lines

1/4 1/4 lines



0 0.1 0.2 Miles

1987 NAPP Photo