State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 63-32128

Priority: March 04, 2005 Maximum Diversion Rate: 0.04 CFS

This is to certify, that DEER POINT RANCH LLC
4317 N TIVERTON PL
BOISE ID 83702

has applied for a permit to appropriate water from:

Source: GROUND WATER

and a permit is APPROVED for development of water as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT OF DIVERSION:
GROUND WATER SE¼ SE¼ Sec. 11, Twp 04N, Rge 02E, B.M. ADA County

PLACE OF USE: DOMESTIC

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	02E	11																X	

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **September 01, 2006.**
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. Domestic use is for 1 home.
5. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
6. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 12th day of September, 2005.

Gary Spackman

FOR KARL J DREHER, Director

RECEIVED
AUG 30 2005
DEPARTMENT OF WATER RESOURCES

FORM 37
12/99

Ident. No. 63-32128

AMENDED

AMENDED
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Deer Point Ranch, LLC Phone _____
   Mailing address 4317 North Tiverton Place, Boise, Idaho 83702
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is Township 4N Range 2E Sec. 11, in the _____ ¼, SE ¼, SE ¼, Govt. Lot _____, B.M., Ada County;
   additional points of diversion if any: _____
4. Water will be used for the following purposes:
   Amount .04 (cfs or acre-feet per annum) for domestic purposes from 1/1 to 12/31 (both dates inclusive)
   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)
5. Total quantity to be appropriated is (a) .04 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
   a. Describe type and size of devices used to divert water from the source _____
   b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
   c. Proposed well diameter is 6 inches; proposed depth of well is 720 feet
   d. Is ground water with a temperature of greater than 85°F being sought? No
   e. If well is already drilled, when? 5/19/04; Drilling firm SOS Well Drilling & Pump;
      Well was drilled for (well owner) Bogus Basin Lot Dev. LLC; Drilling Permit No. D0031155
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (*minimum 1 year*)
8. Description of proposed uses (*if irrigation only, go to item 9*):
   a. Hydropower; show total feet of head and proposed capacity in kW. _____
   b. Stockwatering; list number and kind of livestock. _____
   c. Municipal; show name of municipality. _____
   d. Domestic; show number of households. 1
   e. Other; describe fully. _____

RECEIVED
JUN 15 2005
WATER RESOURCES
WESTERN REGION

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (*example: D for Domestic*) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	2E	11																D	

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? Deer Point Ranch, LLC

b. Who owns the land to be irrigated or place of use? Deer Point Ranch, LLC

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: Well Driller's Report is Attachment A. The well that is the point of diversion for this right is also used by an adjoining lot. A separate right is sought for that lot. Applicant is a successor in interest to the property owner for whom the well was drilled. See Attachment C.

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

See Attachment B

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

John W Ryan mgr.

Signature of Applicant (and title, if applicable)

Received by SL Date 6/15/05 Time 9:40 Preliminary check by SC

Fee $ -566 original Receipted by _____ # _____ Date _____

Publication prepared by SL Date 7/28/05 Published in ~~THE IDAHO STATESMAN~~

Publication approved SL 8/25/05 Date 8/4 & 8/11/05

ATTACHMENT A

Form 238-7
3/95-C96

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Office Use Only
Inspected by _____
Twp _____ Rge _____ Sec _____
_____ 1/4 _____ 1/4 _____ 1/4
Lat: : : Long: : :

DRILLING PERMIT NO. _____
Other IDWR No. D0031155

2. OWNER:
Name BOGUS BASIN LOT DEVELOPMENT L.L.C.
Address 3101 N CENTRAL AVE - STE 1390
City PHOENIX State AZ Zip 85012-2688

3. LOCATION OF WELL by legal description:
Sketch map location must agree with written location

N / W / E / S

Twp. 4 North ☒ or South ☐
Rge. 2 East ☒ or West ☐
Sec. 11 1/4 (NW) SE 1/4 (40 acres) SE 1/4 (160 acres)
Gov't lot _____ County ADA
Lat: : : Long: : :
Address of Well Site N BOGUS BASIN ROAD
City BOISE
(Street or Nearest Town) (Distance to Road or Lot Line)
Lt. 1 Blk. _____ Sub. Name BOGUS BASIN ESTATE

4. USE:
☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)
☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD
☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK Material	From	To	AMOUNT Sacks or Pounds	METHOD
Bentonite	0	20	16 SACKS	OVERBORE

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 312'
Was drive shoe seal tested? ☐ Y ☒ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6"	+2	312	250	ST	☒	☐	☒	☐
5"	-2	640	188	ST	☒	☐	☒	☐
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS
☒ Perforations Method perforator
☐ Screens Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
320	330	1/8X	105	5"	ST	☒	☐
400	420	1/8X	150	5"	ST	☒	☐
440	460	1/8X	225	5"	ST	☒	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:
130 ft. below ground Artesian Pressure _____ lb
Depth flow encountered 320 ft. Describe access port or control devices: _____

11. WELL TESTS:
☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Pumping Level	Time
14	490	620	1 HRS

Water Temp. _____ Bottom hole temp. _____
Water Quality test or comments: _____
Depth first Water Encountered 200

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore dia.	From	To	Material/Lithology, Water Quality & Temp.	Water Y	Water N
10	0	20	SOFT GRAY & BROWN GRANITE		☒
8	20	200	MEDIUM GRAY & BROWN GRANITE		☒
8	200	220	GRAY & BROWN GRANITE	☒	
8	220	230	GRAY GRANITE W/CRACKS	☒	
8	230	314	GRAY GRANITE		☒
6	314	333	MED. HARD GRAY GRANITE	☒	
6	333	340	BROWN CLAY		☒
6	340	358	SOFT GRAY GRANITE		☒
6	358	380	SOFT BROWN GRANITE W/ CLAY STRIPS		☒
6	380	400	HARD GRAY GRANITE		☒
6	400	500	GRAY GRANITE W/CRACKS	☒	
6	500	560	HARD GRAY GRANITE		☒
6	560	600	GRAY FRACTURED GRANITE	☒	
6	600	655	HARD GRAY GRANITE		☒
6	655	660	GREEN ROCK		☒
6	660	720	HARD FRACTURED GRANITE	☒	
			CONTINUED FROM SECTION 9		
	360	380	150 PERFORATIONS 1/8" X]		

Completed Depth: 720 (Measurable)
Date: Started 04/12/04 Completed 05/19/04

13. DRILLER'S CERTIFICATION
I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

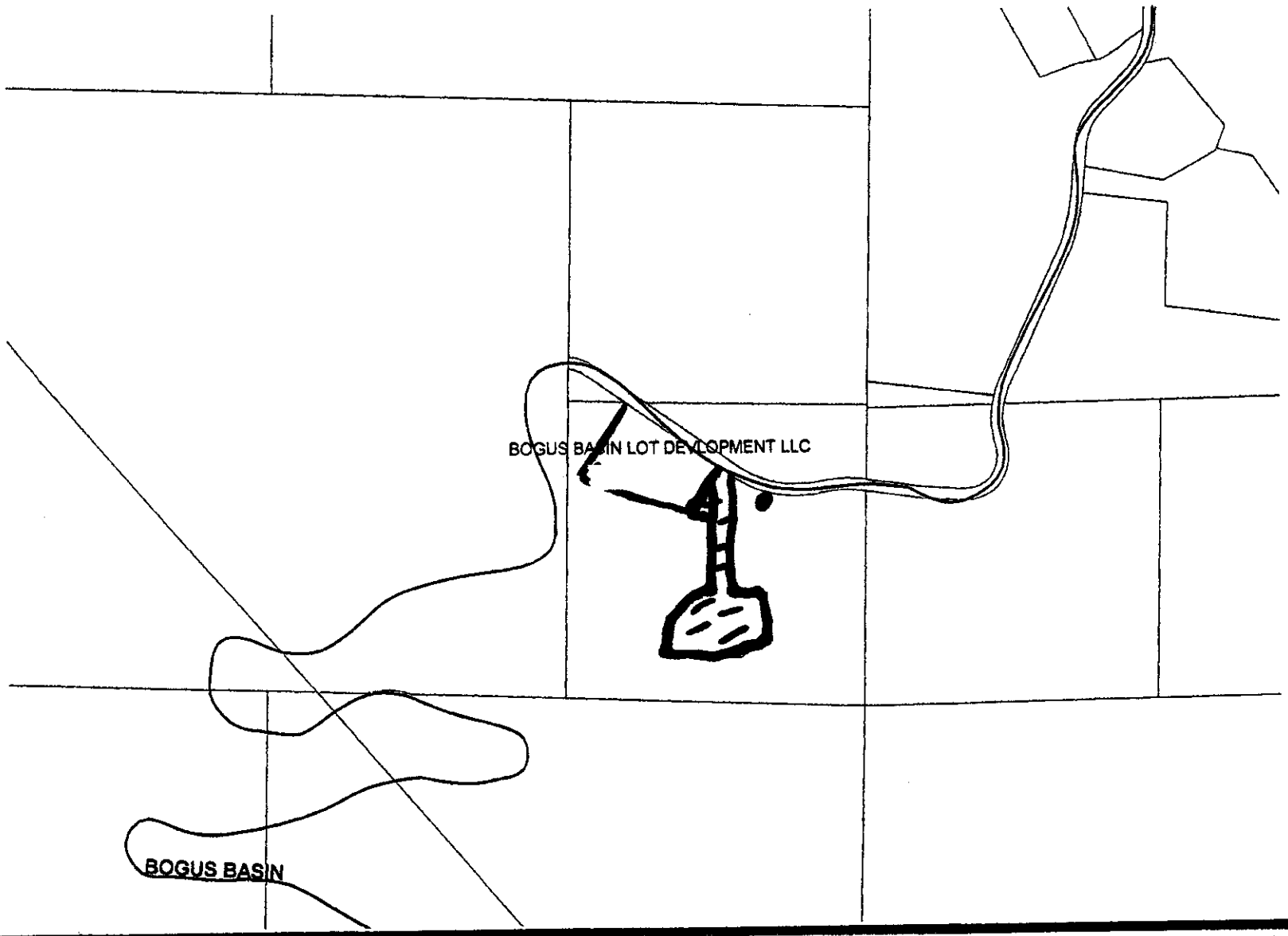
Firm Name SOS Welldrilling & Pump Co Firm No. 212
Firm Official Frank Simms Date 5-20-04
Supervisor or Operator Frank Simms Date 5-20-04
(Sign only if Firm Official & Operator)

Date: 5/20/04 Time: 9:52 AM

Attachment A

ATTACHMENT B

Place of use
Point of diversion



ALLIANCE
TITLE & ESCROW CORP.

Order No. 5000420557

Map Created: June-15-2004

This Map and data displayed is a graphic representation derived from the Ada Counties Geographic Information System (GIS) data. It was designed and intended for staff use only; it is not guaranteed survey accuracy. This map is based on information available and was compiled from numerous sources which may not be accurate. Users are to field verify this information. Ada County and Regional Geographic Services, Inc. Are not liable for errors or omissions resulting from the use of this product for any purpose.

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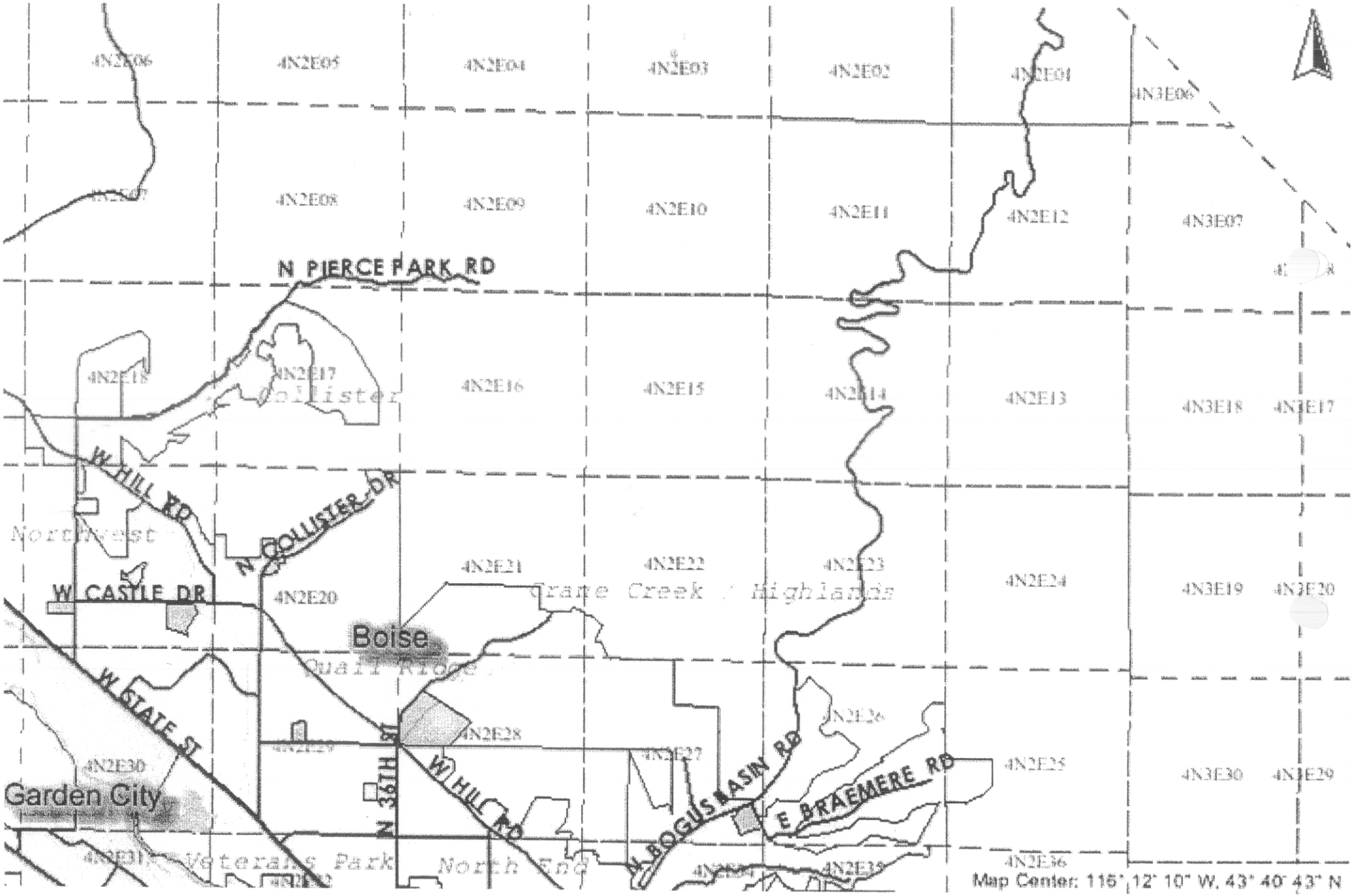
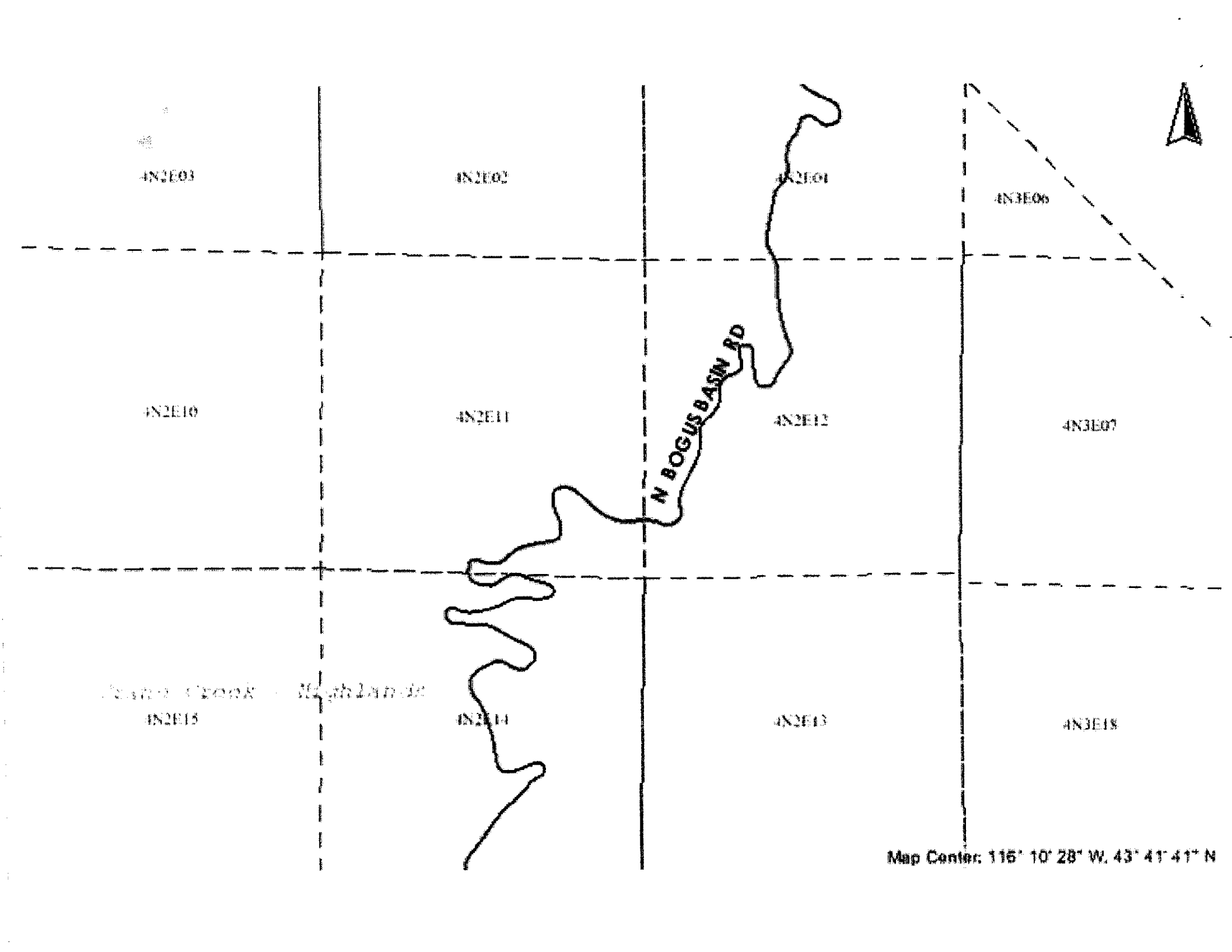
Attachment B


4N2E06
4N2E05
4N2E04
4N2E03
4N2E02
4N2E01
4N3E06
4N2E08
4N2E09
4N2E10
4N2E11
4N2E12
4N3E07
N PIERCE PARK RD
4N2E18
4N2E17
Collister
4N2E16
4N2E15
4N2E14
4N2E13
4N3E18
4N3E17
W HILL RD
N COLLISTER DR
NorthWest
4N2E21
4N2E22
4N2E23
4N2E24
4N3E19
4N3E20
W CASTLE DR
4N2E20
Crane Creek / Highlands
Boise
Quail Ridge
W STATE ST
4N2E28
4N2E27
4N2E26
4N2E30
4N2E25
4N3E30
4N3E29
Garden City
N 36TH ST
W HILL RD
N BOGUS BASIN RD
E BRAEMERE RD
4N2E31
Veterans Park
North End
4N2E36
Map Center: 116° 12' 10" W, 43° 40' 43" N

Section 12
BOGUS BASIN RD
Section 11
p/u
p/u
Map Center: 116° 10' 24" W, 43° 41' 49" N
Appl. map per file info
-jc 7/1/05
63-32128


4N2E03
4N2E02
4N2E01
4N3E06
4N2E10
4N2E11
4N2E12
4N3E07
N BOGUS BASIN RD
4N2E15
4N2E14
4N2E13
4N3E18
Map Center: 116° 10' 28" W, 43° 41' 41" N

ATTACHMENT C

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 07/02/04 04:05 PM
DEPUTY Vicki Allen
RECORDED-REQUEST OF
Alliance Title
AMOUNT 21.00

104084637

When recorded return to:
Robert B. Burns
Moffatt Thomas Barrett Rock & Fields
P.O. Box 829
Boise, ID 83701

AT- 500042056Z

SPECIAL WARRANTY DEED

For Ten dollars ($10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, **Bogus Basin Lot Development LLC**, an Idaho limited liability company whose principal business address is c/o Grossman Company Properties, 3101 North Central Avenue, Suite 1390, Phoenix, Arizona 85012 ("Grantor"), does hereby grant, bargain, sell and convey unto HDA, LLC, an Idaho limited liability company whose principal business address is 525 W. Curling, Boise, ID 83702 ("Grantee") that real property located in Ada County, Idaho and legally described as follows:

See Exhibit "A" attached hereto and by this reference incorporated herein

(collectively, the "**Property**"), together with all rents, remainders and reversions, and all appurtenances and hereditaments, issues and perofits, improvements and fixtures, easements, mineral rights, water rights and all other permits, licenses and rights thereunto appertaining.

TO HAVE AND TO HOLD said premises with their appurtenances unto said Grantee, its successors and assigns forever; and said Grantor does hereby covenant to and with said Grantee that Grantor is the owner in fee simple absolute of said premises; that said premises are free from all encumbrances, except current year taxes, levies, and assessments, restrictions, licenses, agreements and easements of record, and easements visible upon the premises; and that Grantor will warrant and defend the premises from all other claims and demands whatsoever arising by, through, or under Grantor, but not otherwise, and subject aforesaid.

In Witness Whereof, the Grantor has caused these presents to be executed by its authorized representative this 2nd day of July, 2004.

Lots 1-3

Bogus Basin Lot Development LLC, an Idaho limited liability company

By: Grossman Company Properties, Inc., an Arizona corporation

By: _____
A. Ennis Dale, Sr. Vice President

State of Idaho }
}ss.
County of Ada }

On this 2nd day of July, 2004 before me Susan Perisi, the undersigned Notary Public in and for said state, personally appeared A. Ennis Dale known to me to be the Sr. Vice President of Grossman Company Properties, Inc., an Arizona corporation and acknowledged to me that pursuant to a Resolution of the Board of Directors, he executed the foregoing in said Corporation name.

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

SUSAN PERISI NOTARY PUBLIC STATE OF IDAHO

_____
Notary Public for the State of Idaho
Residing at: Boise
Commission Expires: 10/22/05

EXHIBIT A-1

Parcel 6 as delineated on Record of Survey No. 5427, as recorded on June 15, 2001 under Instrument No. 101058301, of Official Records, being more particularly described as follows:

A parcel of land being a portion of the Southeast Quarter of Section 11, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, as shown on Record of Survey No. 5427, filed for record in the office of the Ada County Recorder, Boise, Idaho under Instrument No. 101058301 and more particularly described as follows:

Commencing at an iron pin marking the Southeast corner of said Section 11; thence along the East boundary of said Section 11

North 00°21'12" West 1319.59 feet to an iron pin marking the Northeast corner of the Southeast Quarter of said Southeast Quarter of Section 11; thence along the North boundary of said Southeast Quarter of the Southeast Quarter of Section 11

North 89°42'43" West 959.66 feet to an iron pin on the centerline of Bogus Basin Road marking the POINT OF BEGINNING; thence along said centerline

South 56°21'43" East 420.24 feet to an iron pin; thence leaving said centerline

South 03°40'48" West 28.61 feet to an iron pin; thence

South 24°40'50" West 253.60 feet to an iron pin; thence

North 71°00'00" West 544.45 feet to an iron pin; thence

North 33°38'17" East 378.17 feet to an iron pin on said North boundary of the Southeast Quarter of the Southeast Quarter of Section 11; thence along said North boundary

South 89°42'43" East 63.16 feet to the POINT OF BEGINNING.

EXHIBIT A – 2

Approximately 4.313 acres of real property located in Ada County, Idaho known as Parcels 7 and 8 of Record of Survey No. 5427 recorded in the official records of Ada County, Idaho as Instrument No. 101058301 and further described as follows:

A parcel of land being a portion of the Southeast Quarter of Section 11, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, as shown on Record of Survey No. 5427, filed for record in the office of the Ada County Recorder, Boise, Idaho under Instrument No. 101058301 and more particularly described as follows:

Commencing at an iron pin marking the Southeast corner of said Section 11; thence along the East boundary of said Section 11
North 00°21'12" West 1319.59 feet to an iron pin marking the Northeast corner of the Southeast Quarter of said Southeast Quarter of Section 11; thence along the North boundary of said Southeast Quarter of the Southeast Quarter of Section 11
North 89°42'43" West 959.66 feet to an iron pin on the centerline of Bogus Basin Road; thence along said centerline
South 56°21'43" East 420.24 feet to an iron pin marking the POINT OF BEGINNING; thence continuing along said centerline along the arc of a curve to the left having a radius of 460.00 feet, a central angle of 13°34'49", a length of 109.03 feet and a long chord which bears
South 63°09'08" East 108.78 feet to a PK nail and washer; thence leaving said centerline
South 03°40'48" West 657.17 feet to an iron pin; thence at right angles
South 86°19'12" East 100.00 feet to an iron pin; thence at right angles
South 03°40'48" West 166.96 feet to an iron pin; thence
South 44°54'13" West 161.77 feet to an iron pin; thence
South 90°00'00" West 322.22 feet to an iron pin; thence at right angles
North 00°00'00" West 130.00 feet to an iron pin; thence
North 44°32'47" East 208.64 feet to an iron pin; thence
South 86°19'12" East 100.00 feet to an iron pin; thence at right angles
North 03°40'48" East 721.77 feet to the POINT OF BEGINNING.

AND

A parcel of land being a portion of the Southeast Quarter of Section 11, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, as shown on Record of Survey 5427, filed for record in the office of the Ada County Recorder, Boise, Idaho under Instrument No. 101058301 and more particularly described as follows:

Commencing at an iron pin marking the Southeast corner of said Section 11; thence along the East boundary of said Section 11
North 00° 21' 12" West 1319.59 feet to an iron pin marking the Northeast corner of the Southeast Quarter of said Southeast Quarter of Section 11; thence along the North boundary of said Southeast Quarter of the Southeast Quarter of Section 11
North 89° 42' 43" West 959.66 feet to an iron pin on the centerline of Bogus Basin Road; thence along said centerline
South 56° 21' 43" East 420.24 feet to an iron pin; thence leaving said centerline
South 03° 40' 48" West 28.61 feet to an iron pin marking the POINT OF BEGINNING; thence continuing

South 03° 40' 48" West 300.00 feet to an iron pin; thence
North 51° 29' 12" West 110.72 feet to an iron pin; thence
North 24° 40' 50" East 253.60 feet to the POINT OF BEGINNING.

EXHIBIT "A"- 3

A parcel of land located in the Southeast Quarter of the Southeast Quarter of Section 11, Township 4 North, Range 2 East, Boise Meridian;

EXCEPTING THEREFROM:

Parcel 6 as delineated on Record of Survey No. 5427, as recorded on June 15, 2001 under Instrument No. 101058301, of Official Records, being more particularly described as follows:

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North 00°21'12" West 13'9.59 feet to an iron pin marking the Northeast corner of the Southeast Quarter of said Southeast Quarter of Section 11; thence along the North boundary of said Southeast Quarter of the Southeast Quarter of Section 11
North 89°42'43" West 959.66 feet to an iron pin on the centerline of Bogus Basin Road marking the POINT OF BEGINNING; thence along said centerline
South 56°21'43" East 420.24 feet to an iron pin; thence leaving said centerline
South 03°40'48" West 28.61 feet to an iron pin; thence
South 24°40'50" West 253.60 feet to an iron pin; thence
North 71°00'00" West 544.45 feet to an iron pin; thence
North 33°38'17" East 378.17 feet to an iron pin on said North boundary of the Southeast Quarter of the Southeast Quarter of Section 11; thence along said North boundary
South 89°42'43" East 63.16 feet to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:

Approximately 4.313 acres of real property located in Ada County, Idaho known as Parcels 7 and 8 of Record of Survey No. 5427 recorded in the official records of Ada County, Idaho as Instrument No. 101058301 and further described as follows:

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North 00°21'12" West 1319.59 feet to an iron pin marking the Northeast corner of the Southeast Quarter of said Southeast Quarter of Section 11; thence along the North boundary of said Southeast Quarter of the Southeast Quarter of Section 11
North 89°42'43" West 959.66 feet to an iron pin on the centerline of Bogus Basin Road;

thence along said centerline
South 56°21'43" East 420.24 feet to an iron pin; thence leaving said centerline
South 03°40'48" West 28.61 feet to an iron pin marking the POINT OF BEGINNING;
thence continuing
South 03°40'48" West 300.00 feet to an iron pin; thence
North 51°29'12" West 110.72 feet to an iron pin; thence
North 24°40'50" East 253.60 feet to the POINT OF BEGINNING.

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South 63°09'08" East 108.78 feet to a PK nail and washer; thence leaving said centerline
South 03°40'48" West 657.17 feet to an iron pin; thence at right angles
South 86°19'12" East 100.00 feet to an iron pin; thence at right angles
South 03°40'48" West 166.96 feet to an iron pin; thence
South 44°54'13" West 161.77 feet to an iron pin; thence
South 90°00'00" West 322.22 feet to an iron pin; thence at right angles
North 00°00'00" West 130.00 feet to an iron pin; thence
North 44°32'47" East 208.64 feet to an iron pin; thence
South 86°19'12" East 100.00 feet to an iron pin; thence at right angles
North 03°40'48" East 721.77 feet to the POINT OF BEGINNING.

ADA COUNTY RECORDER J. DAVID NAVARRO AMOUNT 24.00 8
BOISE IDAHO 12/03/04 11:27 AM
DEPUTY Bonnie Oberbillig
RECORDED – REQUEST OF
Moffatt Thomas

104153236

RECORDING REQUESTED BY AND WHEN RECORDED RETURN TO:

Robert B. Burns
Moffatt, Thomas, Barrett, Rock & Fields, Chartered
101 S. Capitol Boulevard, 10th Floor
Post Office Box 829
Boise, Idaho 83701-0829

(Space Above For Recorder's Use)

WARRANTY DEED

FOR TEN DOLLARS ($10.00) AND OTHER GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, **HDA, LLC,** an Idaho limited liability company, whose principal business address is 525 West Curling, Boise, Idaho 83702 ("Grantor"), does hereby grant, transfer, sell, and convey unto **DEER POINT RANCH, LLC,** an Idaho limited liability company, whose principal business address is 4317 North Tiverton, Boise, Idaho 83702 ("Grantee"), all that real property located in Ada County, Idaho, referenced on **Exhibit A** attached hereto and incorporated herein as Parcel A, Parcel B, Parcel C, Parcel E, Parcel F, and Parcel G (but excluding Parcel D), and therein legally described, together with all rents, remainders, and reversions, and all appurtenances and hereditaments, issues and profits, improvements and fixtures, easements, mineral rights, water rights, and all other permits, licenses, and rights thereunto appertaining.

TO HAVE AND TO HOLD said premises with their appurtenances unto said Grantee, its successors and assigns forever; and said Grantor does hereby covenant to and with said Grantee that Grantor is the owner in fee simple absolute of said premises; that said premises are free from all encumbrances except those matters reflected in those certain policies of title insurance issued by Ticor Title Insurance to Grantor with respect to said premises under Alliance Title & Escrow Corp. order numbers 5000420557AK and 5000421446AK; and that Grantor will warrant and defend the premises from all other claims and demands whatsoever.

FILE COPY

IT WITNESS WHEREOF, the Grantor has caused these presents to be executed by its authorized representative this 2 day of ~~November~~ December RB 2004.

HDA, LLC
an Idaho limited liability company

By _____
Randy J. Berry, Member

STATE OF IDAHO)
) ss.
County of Ada)

On this 2 day of December, 2004, before me Kathleen Alonzo, personally appeared **RANDY J. BERRY** known or identified to me (or proved to me on the oath of Same) to be a member of **HDA, LLC**, the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company 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.

KATHLEEN ALONZO NOTARY PUBLIC STATE OF IDAHO

_____
NOTARY PUBLIC FOR IDAHO
Residing at Meridian ID
My Commission Expires 1/11/11

EXHIBIT A

Parcel A:

A parcel of land being a portion of the Northwest Quarter of the Southwest Quarter of Section 12, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, as shown on Record of Survey No. 5428, filed for record in the office of the Ada County Recorder, Boise, Idaho under Instrument No. 101058302 and more particularly described as follows:

Commencing at an iron pin marking the Southwest corner of said Section 12; thence along the West boundary of said Section 12
North 00°21'12" West 1319.59 feet to an iron pin marking the Southwest corner of said Northwest Quarter of the Southwest Quarter of Section 12, said point marking the POINT OF BEGINNING; thence continuing
North 00°21'12" West 86.41 feet to an iron pin; thence leaving said West boundary
North 89°38'48" East 547.17 feet to an iron pin on the centerline of Bogus Basin Road marking a point of curve; thence along said centerline along the arc of a curve to the left having a radius of 354.00 feet, a central angle of 04°37'12", a length of 28.54 feet and a long chord which bears
South 10°46'30" West 28.54 feet to an iron pin marking a point of ending of curve on the South boundary of said Northwest Quarter of the Southwest Quarter of Section 12; thence leaving said centerline along said South boundary
South 83°29'31" West 544.80 feet to the POINT OF BEGINNING.

Parcel B:

That portion of the Southwest Quarter of the Southwest Quarter of Section 12, Township 4 North, Range 2 East of the Boise Meridian lying North and West of Bogus Basin Road.

Parcel C:

Parcel 6 of Record of Survey No. 5428 recorded in the official records of Ada County, Idaho as Instrument No. 101058302 and further described as follows:

A parcel of land being a portion of the West Half of Section 12, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, as shown on Record of Survey No. 5428, filed for record in the office of the Ada County Recorder, Boise, Idaho under Instrument No. 101058302 and more particularly described as follows:

Commencing at an aluminum cap marking the Northwest corner of said Section 12; thence along the West boundary of said Section 12
South 00°46'07" East 1319.75 feet to an iron pin marking the Northwest corner of the Southwest Quarter of said Northwest Quarter of Section 12, said point being the POINT OF BEGINNING; thence along the North boundary of said Southwest Quarter of the Northwest Quarter of Section 12
North 84°42'25" East 251.55 feet to an iron pin; thence leaving said North boundary
South 26°33'35" East 917.35 feet to an iron pin; thence
South 56°21'59" West 112.69 feet to an iron pin; thence

South 33°38'01" East 353.91 feet to an iron pin; thence
South 89°19'49" East 104.41 feet to an iron pin; thence
North 79°02'59" East 48.78 feet to an iron pin; thence
North 55°01'03" East 56.57 feet to an iron pin; thence
North 77°00'36" East 41.22 feet to an iron pin; thence
North 59°50'56" East 132.22 feet to an iron pin; thence
North 51°34'32" East 115.22 feet to an iron pin on the centerline of Bogus Basin Road marking a point of curve; thence along said centerline along the arc of a curve to the right having a radius of 280.00 feet, a central angle of 38°59'58", a length of 190.59 feet and a long chord which bears
South 24°05'29" West 186.93 feet to a point of tangent; thence continuing
South 43°35'28" West 188.12 feet to a point of curve; thence continuing along the arc of a curve to the left having a radius of 320.00 feet, a central angle of 39°13'27" a length of 219.07 feet and a long chord which bears
South 23°58'45" West 214.82 feet to a point of tangent; thence continuing
South 04°22'02" West 220.00 feet to a point of curve; thence continuing along the arc of a curve to the right having a radius of 780.00 feet, a central angle of 19°23'57", a length of 264.09 feet and a long chord which bears
South 14°04'00" West 262.83 feet to a point of tangent; thence continuing
South 23°45'58" West 593.06 feet to a point of curve; thence continuing along the arc of a curve to the left having a radius of 354.00 feet, a central angle of 10°40'53", a length of 65.99 feet and a long chord which bears
South 18°25'32" West 65.90 feet to an iron pin; thence leaving said centerline
South 89°38'48" West 547.17 feet to an iron pin on said West boundary of Section 12; thence along said West boundary
North 00°21'12" West 1233.19 feet to the West Quarter corner of said Section 12; thence continuing
North 00°46'07" West 1319.75 feet to the POINT OF BEGINNING.

~~Parcel D:~~

Parcel 1 of Record of Survey No. 5428 recorded in the official records of Ada County, Idaho as Instrument No. 101058302 and further described as follows:

A parcel of land being a portion of the Northwest Quarter of Section 12, Township 4 North, Range 2 East, Boise, Meridian, Ada County, Idaho, as shown on Record of Survey No. 5428, filed for record in the office of the Ada County Recorder, Boise, Idaho under Instrument No. 101058302 and more particularly described as follows:
Commencing at an aluminum cap marking the Northwest corner of said Section 12; thence along the North boundary of said Section 12
North 85°39'11" East 1302.89 feet to an iron pin marking the Northwest corner of the Northeast Quarter of said Northwest Quarter of Section 12, said point being the POINT OF BEGINNING; thence continuing
North 85°39'11" East 743.41 feet to an iron pin marking a point of curve on the centerline of Bogus Basin Road; thence along said centerline along the arc of a curve to the left having a radius of 845.00 feet, a central angle of 01°56'12", a length of 28.56 feet and long chord which bears
South 20°48'32" East 28.56 feet to a point of tangent; thence continuing
~~South 21°46'38" East 254.07 feet to a point of curve; thence continuing along the arc of~~

~~a curve to the right having a radius of 350.00 feet, a central angle of 29°56'34", a~~ length of 182.91 feet and a long chord which bears
South 06°48'21" East 180.84 feet to a point of tangent; thence continuing
South 08°09'56" West 86.91 feet to a point of curve; thence continuing along the arc of a curve to the right having a radius of 500.00 feet, a central angle of 21°23'50", a length of 186.73 feet and a long chord which bears
South 02°31'59" East 180.64 feet to a point of tangent; thence continuing
South 13°13'54" East 47.75 feet to an iron pin; thence leaving said centerline
South 75°17'58" West 68.23 feet to an iron pin; thence
South 49°46'05" West 112.13 feet to an iron pin; thence
South 40°41'22" West 168.42 feet to an iron pin; thence
South 23°07'50" West 94.88 feet to an iron pin; thence
South 46°20'06" West 178.66 feet to an iron pin; thence
South 18°35'40" West 322.08 feet to an iron pin on said centerline of Bogus Basin Road marking a point of curve; thence continuing along the arc of a curve to the left having a radius of 108.00 feet, a central angle of 92°17'51", a length of 173.98 feet and a long chord which bears
South 36°26'43" West 155.77 feet to a point of tangent; thence
South 09°42'13" East 185.59 feet to a point of curve; thence continuing along the arc of a curve to the right having a radius of 150.00 feet, a central angle of 75°00'34", a length of 196.37 feet and a long chord which bears
South 27°48'05" West 182.65 feet to a point of tangent; thence continuing
South 65°18'22" West 88.35 feet to a point of curve; thence continuing along the arc of a curve to the left having a radius of 305.00 feet, a central angle of 44°59'19", a length of 239.49 feet and a long chord which bears
South 42°48'42" West 233.38 feet to an iron pin marking a point of tangent; thence leaving said centerline
North 26°30'05" West 217.25 feet to an iron pin; thence
South 59°45'09" West 86.07 feet to an iron pin; thence
North 90°00'00" West 101.97 feet to an iron pin; thence
South 62°51'31" West 135.42 feet to an iron pin; thence
South 44°14'12" West 265.14 feet to an iron pin; thence
North 26°33'38" West 917.35 feet to an iron pin on the North boundary of the Southwest Quarter of said Northwest Quarter of Section 12; thence along said North boundary
North 84°42'25" East 1050.71 feet to an iron pin marking the Southwest corner of said Northeast Quarter of the Northwest Quarter of Section 12; thence along the West boundary of said Northeast Quarter of the Northwest Quarter of Section 12
~~North 00°40'26" West 1298.35 feet to the POINT OF BEGINNING.~~

Parcel E:

Parcel 6 as delineated on Record of Survey No. 5427, as recorded on June 15, 2001 under Instrument No. 101058301, of Official Records, being more particularly described as follows:

A parcel of land being a portion of the Southeast Quarter of Section 11, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, as shown on Record of Survey No. 5427,

filed for record in the office of the Ada County Recorder, Boise, Idaho under Instrument No. 101058301 and more particularly described as follows:

Commencing at an iron pin marking the Southeast corner of said Section 11; thence along the East boundary of said Section 11
North 00°21'12" West 1319.59 feet to an iron pin marking the Northeast corner of the Southeast Quarter of said Southeast Quarter of Section 11; thence along the North boundary of said Southeast Quarter of the Southeast Quarter of Section 11
North 89°42'43" West 959.66 feet to an iron pin on the centerline of Bogus Basin Road marking the POINT OF BEGINNING; thence along said centerline
South 56°21'43" East 420.24 feet to an iron pin; thence leaving said centerline
South 03°40'48" West 28.61 feet to an iron pin; thence
South 24°40'50" West 253.60 feet to an iron pin; thence
North 71°00'00" West 544.45 feet to an iron pin; thence
North 33°38'17" East 378.17 feet to an iron pin on said North boundary of the Southeast Quarter of the Southeast Quarter of Section 11; thence along said North boundary
South 89°42'43" East 63.16 feet to the POINT OF BEGINNING.

Parcel F:

Parcels 7 and 8 of Record of Survey No. 5427 recorded in the official records of Ada County, Idaho as Instrument No. 101058301 and further described as follows:

A parcel of land being a portion of the Southeast Quarter of Section 11, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, as shown on Record of Survey No. 5427, filed for record in the office of the Ada County Recorder, Boise, Idaho under Instrument No. 101058301 and more particularly described as follows:

Commencing at an iron pin marking the Southeast corner of said Section 11; thence along the East boundary of said Section 11
North 00°21'12" West 1319.59 feet to an iron pin marking the Northeast corner of the Southeast Quarter of said Southeast Quarter of Section 11; thence along the North boundary of said Southeast Quarter of the Southeast Quarter of Section 11
North 89°42'43" West 959.66 feet to an iron pin on the centerline of Bogus Basin Road; thence along said centerline
South 56°21'43" East 420.24 feet to an iron pin marking the POINT OF BEGINNING; thence continuing along said centerline along the arc of a curve to the left having a radius of 460.00 feet, a central angle of 13°34'49", a length of 109.03 feet and a long chord which bears
South 63°09'08" East 108.78 feet to a PK nail and washer; thence leaving said centerline
South 03°40'48" West 657.17 feet to an iron pin; thence at right angles
South 86°19'12" East 100.00 feet to an iron pin; thence at right angles
South 03°40'48" West 166.96 feet to an iron pin; thence
South 44°54'13" West 161.77 feet to an iron pin; thence
South 90°00'00" West 322.22 feet to an iron pin; thence at right angles
North 00°00'00" West 130.00 feet to an iron pin; thence
North 44°32'47" East 208.64 feet to an iron pin; thence
South 86°19'12" East 100.00 feet to an iron pin; thence at right angles
North 03°40'48" East 721.77 feet to the POINT OF BEGINNING.

AND

A parcel of land being a portion of the Southeast Quarter of Section 11, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, as shown on Record of Survey 5427, filed for record in the office of the Ada County Recorder, Boise, Idaho under Instrument No. 101058301 and more particularly described as follows:

Commencing at an iron pin marking the Southeast corner of said Section 11; thence along the East boundary of said Section 11
North 00° 21' 12" West 1319.59 feet to an iron pin marking the Northeast corner of the Southeast Quarter of said Southeast Quarter of Section 11; thence along the North boundary of said Southeast Quarter of the Southeast Quarter of Section 11
North 89° 42' 43" West 959.66 feet to an iron pin on the centerline of Bogus Basin Road; thence along said centerline
South 56° 21' 43" East 420.24 feet to an iron pin; thence leaving said centerline
South 03° 40' 48" West 28.61 feet to an iron pin marking the POINT OF BEGINNING; thence continuing
South 03° 40' 48" West 300.00 feet to an iron pin; thence
North 51° 29' 12" West 110.72 feet to an iron pin; thence
North 24° 40' 50" East 253.60 feet to the POINT OF BEGINNING.

Parcel G:

A parcel of land located in the Southeast Quarter of the Southeast Quarter of Section 11, Township 4 North, Range 2 East, Boise Meridian;

EXCEPTING THEREFROM:

Parcel 6 as delineated on Record of Survey No. 5427, as recorded on June 15, 2001 under Instrument No. 101058301, of Official Records, being more particularly described as follows:

A parcel of land being a portion of the Southeast Quarter of Section 11, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, as shown on Record of Survey No. 5427, filed for record in the office of the Ada County Recorder, Boise, Idaho under Instrument No. 101058301 and more particularly described as follows:

Commencing at an iron pin marking the Southeast corner of said Section 11; thence along the East boundary of said Section 11
North 00°21'12" West 13'9.59 feet to an iron pin marking the Northeast corner of the Southeast Quarter of said Southeast Quarter of Section 11; thence along the North boundary of said Southeast Quarter of the Southeast Quarter of Section 11
North 89°42'43" West 959.66 feet to an iron pin on the centerline of Bogus Basin Road marking the POINT OF BEGINNING; thence along said centerline
South 56°21'43" East 420.24 feet to an iron pin; thence leaving said centerline
South 03°40'48" West 28.61 feet to an iron pin; thence
South 24°40'50" West 253.60 feet to an iron pin; thence
North 71°00'00" West 544.45 feet to an iron pin; thence
North 33°38'17" East 378.17 feet to an iron pin on said North boundary of the Southeast

Quarter of the Southeast Quarter of Section 11; thence along said North boundary South 89°42'43" East 63.16 feet to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:

Parcels 7 and 8 of Record of Survey No. 5427 recorded in the official records of Ada County, Idaho as Instrument No. 101058301 and further described as follows:

A parcel of land being a portion of the Southeast Quarter of Section 11, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, as shown on Record of Survey No. 5427, filed for record in the office of the Ada County Recorder, Boise, Idaho under Instrument No. 101058301 and more particularly described as follows:

Commencing at an iron pin marking the Southeast corner of said Section 11, thence along the East boundary of said Section 11
North 00°21'12" West 1319.59 feet to an iron pin marking the Northeast corner of the Southeast Quarter of said Southeast Quarter of Section 11; thence along the North boundary of said Southeast Quarter of the Southeast Quarter of Section 11
North 89°42'43" West 959.66 feet to an iron pin on the centerline of Bogus Basin Road; thence along said centerline
South 56°21'43" East 420.24 feet to an iron pin; thence leaving said centerline
South 03°40'48" West 28.61 feet to an iron pin marking the POINT OF BEGINNING; thence continuing
South 03°40'48" West 300.00 feet to an iron pin; thence
North 51°29'12" West 110.72 feet to an iron pin; thence
North 24°40'50" East 253.60 feet to the POINT OF BEGINNING.

FORM 202
12/99

Ident. No. 63-32128

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED
MAR 0 4 2005
DEPARTMENT OF WATER RESOURCES

1. Name of Applicant Deer Point Ranch, LLC Phone _____
   Mailing address 4317 North Tiverton Place, Boise, Idaho 83702
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is Township 4N Range 2W Sec. 11, in the _____ ¼, SE ¼, SE ¼, Govt. Lot _____, B.M., Ada County;
   additional points of diversion if any: _____
4. Water will be used for the following purposes:
   Amount .04 (cfs or acre-feet per annum) for domestic purposes from 1/1 to 12/31 (both dates inclusive)
   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)
5. Total quantity to be appropriated is (a) .04 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
   a. Describe type and size of devices used to divert water from the source _____
   b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
   c. Proposed well diameter is 6 inches; proposed depth of well is 720 feet
   d. Is ground water with a temperature of greater than 85°F being sought? No
   e. If well is already drilled, when? 5/19/04; Drilling firm SOS Well Drilling & Pump;
      Well was drilled for (well owner) Bogus Basin Lot Dev. LLC; Drilling Permit No. D0031155
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (*minimum 1 year*)
8. Description of proposed uses (*if irrigation only, go to item 9*):
   a. Hydropower; show total feet of head and proposed capacity in kW. _____
   b. Stockwatering; list number and kind of livestock. _____
   c. Municipal; show name of municipality. _____
   d. Domestic; show number of households. 1
   e. Other; describe fully. _____

RECEIVED
MAR 0 8 2005
WATER RESOURCES
WESTERN REGION

ORIGINAL

Superseded

BOI_MT2:571436

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (*example: D for Domestic*) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	2E	11																D	

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? Deer Point Ranch, LLC

b. Who owns the land to be irrigated or place of use? Deer Point Ranch, LLC

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: Well Driller's Report is Attachment A. The well that is the point of diversion for this right is also used by an adjoining lot. A separate right is sought for that lot. Applicant is a successor in interest to the property owner for whom the well was drilled. See Attachment C.

13. **MAP OF PROPOSED PROJECT REQUIRED -** Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

See Attachment B

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

John W Ryan - mngr.

Signature of Applicant (and title, if applicable)

Received by MK Date 3-4-05 Time ✓ Preliminary check by _____

Fee $ 500.00 Receipted by MK # C077005 Date 3-4-05

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

ATTACHMENT A

Form 238-7
3/95-C96

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Office Use Only
Inspected by _____
Twp ____ Rge ____ Sec ____
1/4 ____ 1/4 ____ 1/4
Lat: : Long: :

DRILLING PERMIT NO. ___-___-___-____-____
Other IDWR No. D0031155

2. OWNER:
Name BOGUS BASIN LOT DEVELOPMENT L.L.C.
Address 3101 N CENTRAL AVE - STE 1390
City PHOENIX State AZ Zip 85012-2688

3. LOCATION OF WELL by legal description:
Sketch map location must agree with written location

N
W E
S

Twp. 4 North ☒ or South ☐
Rge. 2 East ☒ or West ☐
Sec. 11 1/4 SE 1/4 SE 1/4
W'mes 40 Acres 160 Acres
Gov't lot _____ County ADA
Lat: : : Long: : :
Address of Well Site N BOGUS BASIN ROAD
City BOISE
(Give distance to Road or Landmark)
Lt. 1 Blk. _____ Sub. Name BOGUS BASIN ESTATE

4. USE:
☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other

5. TYPE OF WORK check all that apply (Replacement etc.)
☒ New Well ☐ Modify ☐ Abandonment ☐ Other

6. DRILL METHOD
☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other

7. SEALING PROCEDURES

SEAL/FILTER PACK Material	From	To	AMOUNT Sacks or Pounds	METHOD
Bentonite	0	20	16 SACKS	OVERBORE

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 312'
Was drive shoe seal tested? ☐ Y ☒ N How?

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6"	+2	312	250	ST	☒	☐	☒	☐
5"	-2	640	188	ST	☒	☐	☒	☐
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS
☒ Perforations Method perforator
☐ Screens Screen Type

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
320	330	1/8X	105	5"	ST	☒	☐
400	420	1/8X	150	5"	ST	☒	☐
440	460	1/8X	225	5"	ST	☒	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:
110 ft. below ground
Artesian Pressure ____ lb
Depth flow encountered 320 ft.
Describe access port or control devices:

11. WELL TESTS:
☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Pumping Level	Time
14	490	620	3 HRS

Water Temp. _____ Bottom hole temp. _____
Water Quality test or comments:
Depth first Water Encountered 200

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore dia.	From	To	Material/Lithology, Water Quality & Temp.	Water Y	Water N
10	0	20	SOFT GRAY & BROWN GRANITE		☒
8	20	200	MEDIUM GRAY & BROWN GRANITE		☒
8	200	220	GRAY & BROWN GRANITE	☒	
8	220	230	GRAY GRANITE W/CRACKS	☒	
8	230	314	GRAY GRANITE		☒
6	314	333	MED. HARD GRAY GRANITE	☒	
6	333	340	BROWN CLAY		☒
6	340	358	SOFT GRAY GRANITE		☒
6	358	380	SOFT BROWN GRANITE W/ CLAY STRIPS		☒
6	380	400	HARD GRAY GRANITE		☒
6	400	500	GRAY GRANITE W/CRACKS	☒	
6	500	560	HARD GRAY GRANITE		☒
6	560	600	GRAY FRACTURED GRANITE	☒	
6	600	655	HARD GRAY GRANITE		☒
6	655	660	GREEN ROCK		☒
6	660	720	HARD FRACTURED GRANITE	☒	
			CONTINUED FROM SECTION 9		
	560	580	150 PERFORATIONS 1/8" X]		

Completed Depth: 720 (Measurable)
Date: Started 04/12/04 Completed 05/19/04

13. DRILLER'S CERTIFICATION
I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

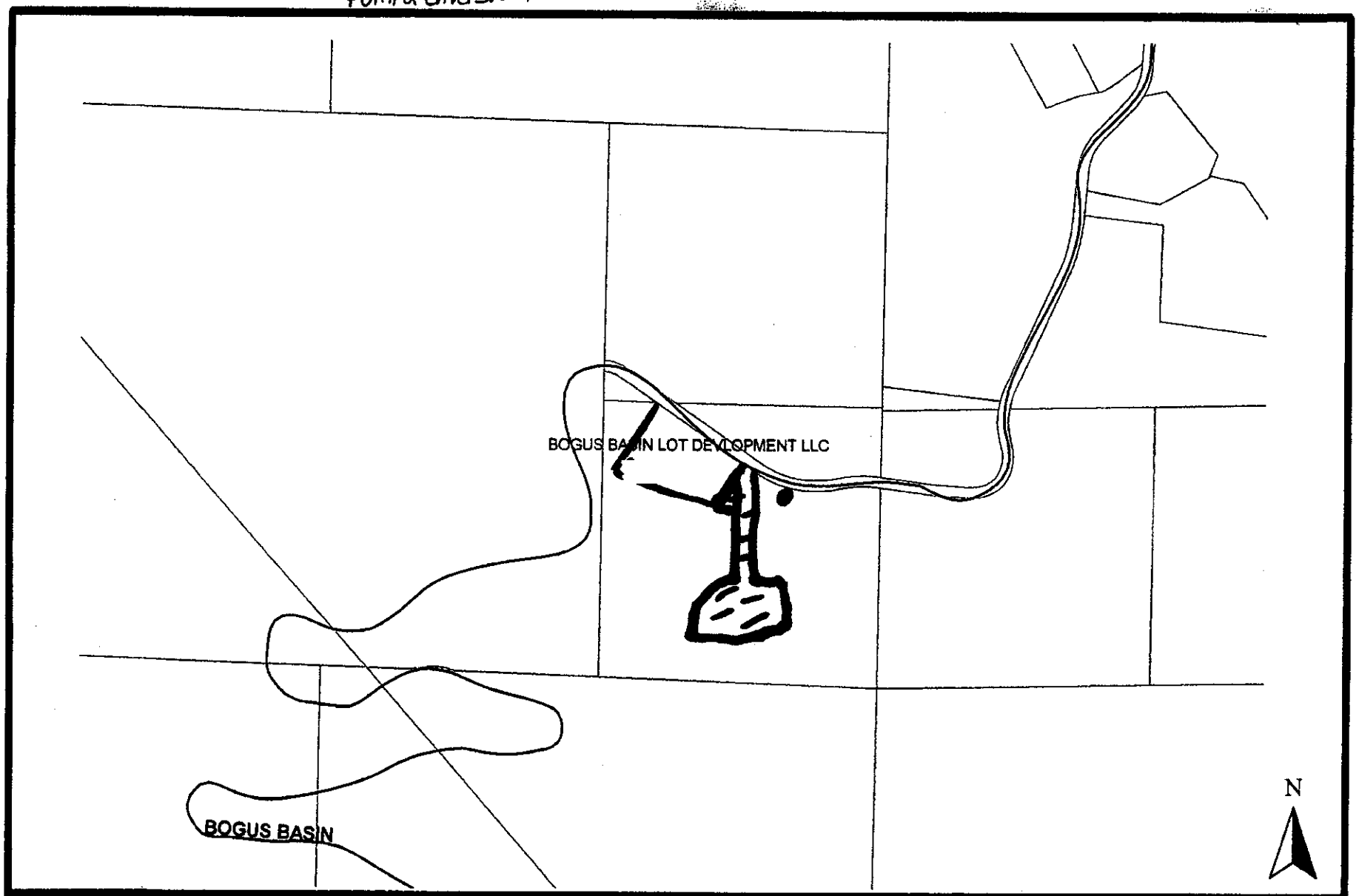
Firm Name SOS Welldrilling & Pump Co Firm No. 212
Firm Official _____ Date 5-20-04
Supervisor or Operator _____ Date 5-20-04
(Sign only if Firm Official & Operator)

Date: 5/20/04 Time: 9:52 AM

Attachment A

ATTACHMENT B

Place of use
Point of diversion



ALLIANCE
TITLE & ESCROW CORP.

Order No. 5000420557

Map Created: June-15-2004

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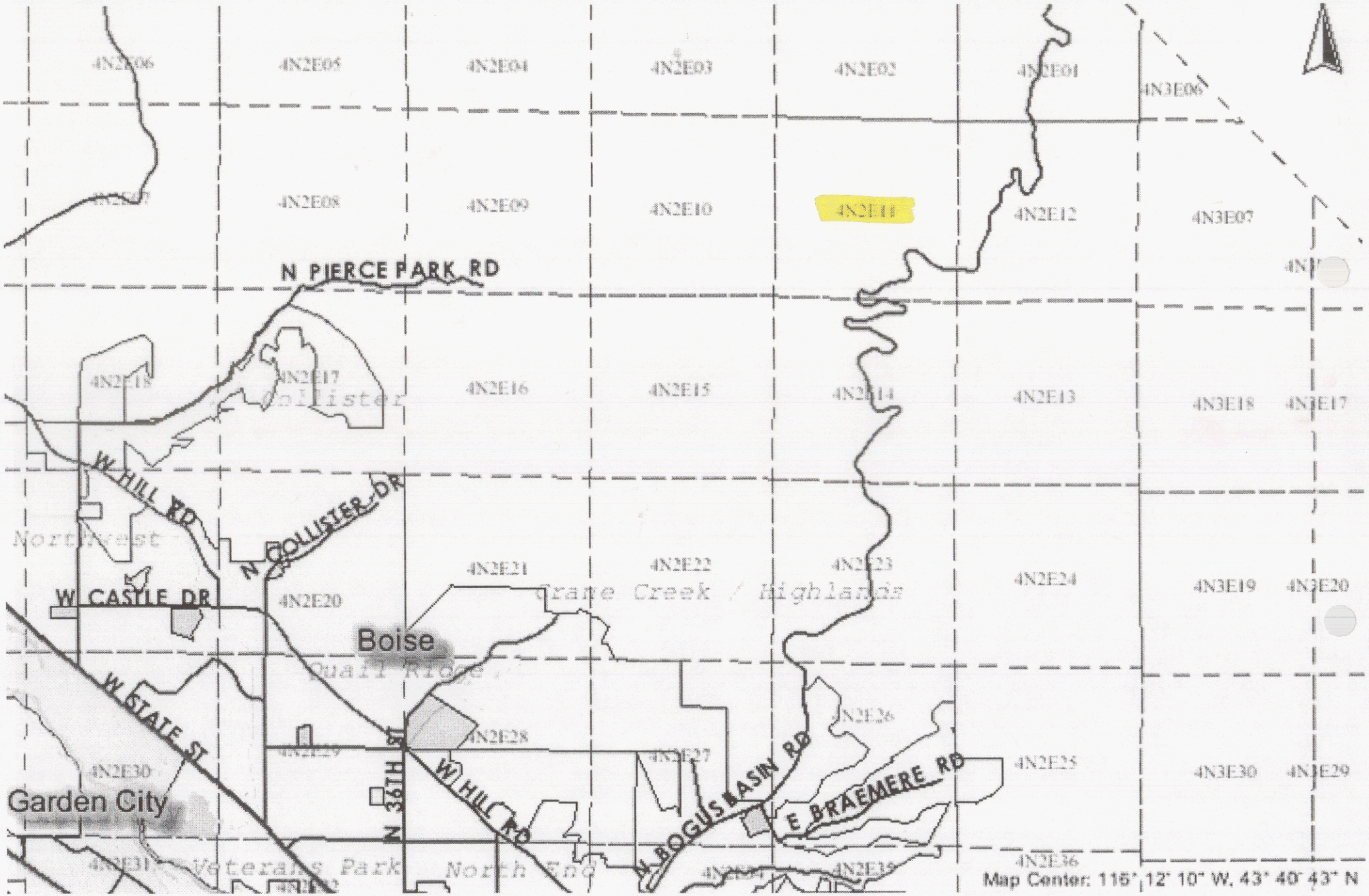
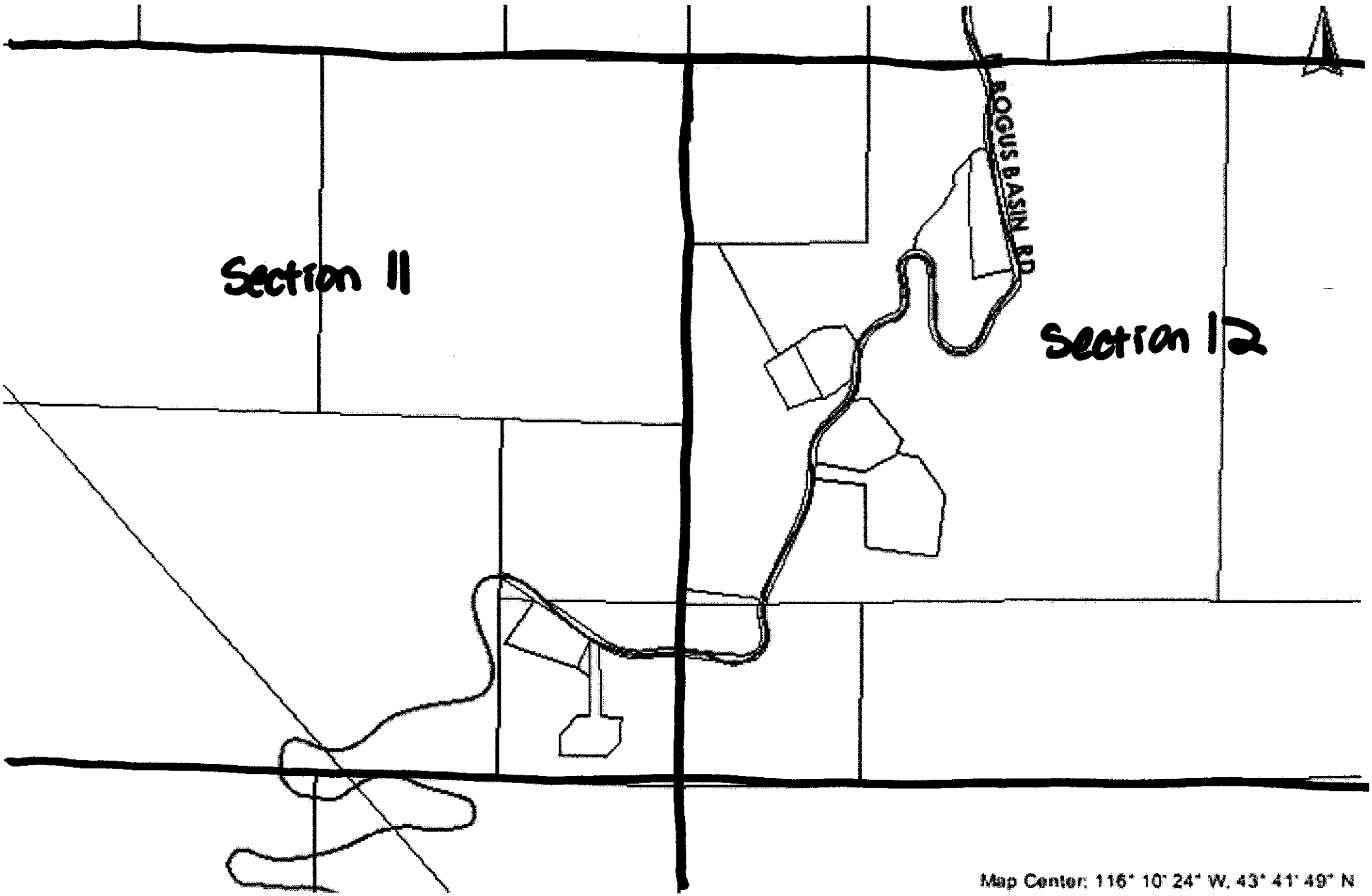
Attachment B


4N2E06
4N2E05
4N2E04
4N2E03
4N2E02
4N2E01
4N3E06
4N2E08
4N2E09
4N2E10
4N2E11
4N2E12
4N3E07
N PIERCE PARK RD
4N2E18
4N2E17
Collister
4N2E16
4N2E15
4N2E14
4N2E13
4N3E18
4N3E17
W HILL RD
N COLLISTER DR
Northwest
4N2E21
4N2E22
4N2E23
4N2E24
4N3E19
4N3E20
W CASTLE DR
4N2E20
Crane Creek / Highlands
Boise
Quail Ridge
4N2E26
W STATE ST
4N2E28
4N2E29
4N2E27
4N2E25
4N3E30
4N3E29
4N2E30
N 36TH ST
W HILL RD
N BOGUS BASIN RD
E BRAEMERE RD
Garden City
4N2E31
Veterans Park
North End
4N2E36
Map Center: 116° 12' 10" W, 43° 40' 43" N


BOGUS BASIN RD
Section 11
Section 12
Map Center: 116° 10' 24" W, 43° 41' 49" N

4N2E03
4N2E02
4N2E01
4N3E06
4N2E10
4N2E11
4N2E12
4N3E07
N BOGUS BASIN RD
4N2E15
4N2E14
4N2E13
4N3E18
Map Center: 116° 10' 28" W, 43° 41' 41" N

ATTACHMENT C

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 07/02/04 04:05 PM
DEPUTY Vicki Allen
RECORDED – REQUEST OF
Alliance Title
AMOUNT 21.00

104084637

When recorded return to:
Robert B. Burns
Moffatt Thomas Barrett Rock & Fields
P.O. Box 829
Boise, ID 83701

AT= 50004/20562

SPECIAL WARRANTY DEED

For Ten dollars ($10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, **Bogus Basin Lot Development LLC**, an Idaho limited liability company whose principal business address is c/o Grossman Company Properties, 3101 North Central Avenue, Suite 1390, Phoenix, Arizona 85012 ("Grantor"), does hereby grant, bargain, sell and convey unto HDA, LLC, an Idaho limited liability company whose principal business address is 525 W. Curling, Boise, ID 83702 ("Grantee") that real property located in Ada County, Idaho and legally described as follows:

See Exhibit "A" attached hereto and by this reference incorporated herein

(collectively, the "**Property**"), together with all rents, remainders and reversions, and all appurtenances and hereditaments, issues and perofits, improvements and fixtures, easements, mineral rights, water rights and all other permits, licenses and rights thereunto appertaining.

TO HAVE AND TO HOLD said premises with their appurtenances unto said Grantee, its successors and assigns forever; and said Grantor does hereby covenant to and with said Grantee that Grantor is the owner in fee simple absolute of said premises; that said premises are free from all encumbrances, except current year taxes, levies, and assessments, restrictions, licenses, agreements and easements of record, and easements visible upon the premises; and that Grantor will warrant and defend the premises from all other claims and demands whatsoever arising by, through, or under Grantor, but not otherwise, and subject aforesaid.

In Witness Whereof, the Grantor has caused these presents to be executed by its authorized representative this 2nd day of July, 2004.

Attachment C

Lots 1-3

Bogus Basin Lot Development LLC, an Idaho limited liability company

By: Grossman Company Properties, Inc., an Arizona corporation

By: _____
A. Ennis Dale, Sr. Vice President

State of Idaho }
}ss.
County of Ada }

On this 2nd day of July, 2004 before me Susan Perisi, the undersigned Notary Public in and for said state, personally appeared A. Ennis Dale known to me to be the Sr. Vice President of Grossman Company Properties, Inc., an Arizona corporation and acknowledged to me that pursuant to a Resolution of the Board of Directors, he executed the foregoing in said Corporation name.

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

SUSAN PERISI NOTARY PUBLIC STATE OF IDAHO

Susan Perisi
Notary Public for the State of Idaho
Residing at: Boise
Commission Expires: 10/22/05

EXHIBIT A-1

Parcel 6 as delineated on Record of Survey No. 5427, as recorded on June 15, 2001 under Instrument No. 101058301, of Official Records, being more particularly described as follows:

A parcel of land being a portion of the Southeast Quarter of Section 11, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, as shown on Record of Survey No. 5427, filed for record in the office of the Ada County Recorder, Boise, Idaho under Instrument No. 101058301 and more particularly described as follows:

Commencing at an iron pin marking the Southeast corner of said Section 11; thence along the East boundary of said Section 11

North 00°21'12" West 1319.59 feet to an iron pin marking the Northeast corner of the Southeast Quarter of said Southeast Quarter of Section 11; thence along the North boundary of said Southeast Quarter of the Southeast Quarter of Section 11

North 89°42'43" West 959.66 feet to an iron pin on the centerline of Bogus Basin Road marking the POINT OF BEGINNING; thence along said centerline

South 56°21'43" East 420.24 feet to an iron pin; thence leaving said centerline

South 03°40'48" West 28.61 feet to an iron pin; thence

South 24°40'50" West 253.60 feet to an iron pin; thence

North 71°00'00" West 544.45 feet to an iron pin; thence

North 33°38'17" East 378.17 feet to an iron pin on said North boundary of the Southeast Quarter of the Southeast Quarter of Section 11; thence along said North boundary

South 89°42'43" East 63.16 feet to the POINT OF BEGINNING.

EXHIBIT A-2

Approximately 4.313 acres of real property located in Ada County, Idaho known as Parcels 7 and 8 of Record of Survey No. 5427 recorded in the official records of Ada County, Idaho as Instrument No. 101058301 and further described as follows:

A parcel of land being a portion of the Southeast Quarter of Section 11, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, as shown on Record of Survey No. 5427, filed for record in the office of the Ada County Recorder, Boise, Idaho under Instrument No. 101058301 and more particularly described as follows:

Commencing at an iron pin marking the Southeast corner of said Section 11; thence along the East boundary of said Section 11
North 00°21'12" West 1319.59 feet to an iron pin marking the Northeast corner of the Southeast Quarter of said Southeast Quarter of Section 11; thence along the North boundary of said Southeast Quarter of the Southeast Quarter of Section 11
North 89°42'43" West 959.66 feet to an iron pin on the centerline of Bogus Basin Road; thence along said centerline
South 56°21'43" East 420.24 feet to an iron pin marking the POINT OF BEGINNING; thence continuing along said centerline along the arc of a curve to the left having a radius of 460.00 feet, a central angle of 13°34'49", a length of 109.03 feet and a long chord which bears
South 63°09'08" East 108.78 feet to a PK nail and washer; thence leaving said centerline
South 03°40'48" West 657.17 feet to an iron pin; thence at right angles
South 86°19'12" East 100.00 feet to an iron pin; thence at right angles
South 03°40'48" West 166.96 feet to an iron pin; thence
South 44°54'13" West 161.77 feet to an iron pin; thence
South 90°00'00" West 322.22 feet to an iron pin; thence at right angles
North 00°00'00" West 130.00 feet to an iron pin; thence
North 44°32'47" East 208.64 feet to an iron pin; thence
South 86°19'12" East 100.00 feet to an iron pin; thence at right angles
North 03°40'48" East 721.77 feet to the POINT OF BEGINNING.

AND

A parcel of land being a portion of the Southeast Quarter of Section 11, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, as shown on Record of Survey 5427, filed for record in the office of the Ada County Recorder, Boise, Idaho under Instrument No. 101058301 and more particularly described as follows:

Commencing at an iron pin marking the Southeast corner of said Section 11; thence along the East boundary of said Section 11
North 00° 21' 12" West 1319.59 feet to an iron pin marking the Northeast corner of the Southeast Quarter of said Southeast Quarter of Section 11; thence along the North boundary of said Southeast Quarter of the Southeast Quarter of Section 11
North 89° 42' 43" West 959.66 feet to an iron pin on the centerline of Bogus Basin Road; thence along said centerline
South 56° 21' 43" East 420.24 feet to an iron pin; thence leaving said centerline
South 03° 40' 48" West 28.61 feet to an iron pin marking the POINT OF BEGINNING; thence continuing

South 03° 40' 48" West 300.00 feet to an iron pin; thence
North 51° 29' 12" West 110.72 feet to an iron pin; thence
North 24° 40' 50" East 253.60 feet to the POINT OF BEGINNING.

EXHIBIT "A"-3

A parcel of land located in the Southeast Quarter of the Southeast Quarter of Section 11, Township 4 North, Range 2 East, Boise Meridian;

EXCEPTING THEREFROM:

Parcel 6 as delineated on Record of Survey No. 5427, as recorded on June 15, 2001 under Instrument No. 101058301, of Official Records, being more particularly described as follows:

A parcel of land being a portion of the Southeast Quarter of Section 11, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, as shown on Record of Survey No. 5427, filed for record in the office of the Ada County Recorder, Boise, Idaho under Instrument No. 101058301 and more particularly described as follows:

Commencing at an iron pin marking the Southeast corner of said Section 11; thence along the East boundary of said Section 11
North 00°21'12" West 13'9.59 feet to an iron pin marking the Northeast corner of the Southeast Quarter of said Southeast Quarter of Section 11; thence along the North boundary of said Southeast Quarter of the Southeast Quarter of Section 11
North 89°42'43" West 959.66 feet to an iron pin on the centerline of Bogus Basin Road marking the POINT OF BEGINNING; thence along said centerline
South 56°21'43" East 420.24 feet to an iron pin; thence leaving said centerline
South 03°40'48" West 28.61 feet to an iron pin; thence
South 24°40'50" West 253.60 feet to an iron pin; thence
North 71°00'00" West 544.45 feet to an iron pin; thence
North 33°38'17" East 378.17 feet to an iron pin on said North boundary of the Southeast Quarter of the Southeast Quarter of Section 11; thence along said North boundary
South 89°42'43" East 63.16 feet to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:

Approximately 4.313 acres of real property located in Ada County, Idaho known as Parcels 7 and 8 of Record of Survey No. 5427 recorded in the official records of Ada County, Idaho as Instrument No. 101058301 and further described as follows:

A parcel of land being a portion of the Southeast Quarter of Section 11, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, as shown on Record of Survey No. 5427, filed for record in the office of the Ada County Recorder, Boise, Idaho under Instrument No. 101058301 and more particularly described as follows:

Commencing at an iron pin marking the Southeast corner of said Section 11, thence along the East boundary of said Section 11
North 00°21'12" West 1319.59 feet to an iron pin marking the Northeast corner of the Southeast Quarter of said Southeast Quarter of Section 11; thence along the North boundary of said Southeast Quarter of the Southeast Quarter of Section 11
North 89°42'43" West 959.66 feet to an iron pin on the centerline of Bogus Basin Road;

thence along said centerline
South 56°21'43" East 420.24 feet to an iron pin; thence leaving said centerline
South 03°40'48" West 28.61 feet to an iron pin marking the POINT OF BEGINNING;
thence continuing
South 03°40'48" West 300.00 feet to an iron pin; thence
North 51°29'12" West 110.72 feet to an iron pin; thence
North 24°40'50" East 253.60 feet to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:

Approximately 4.313 acres of real property located in Ada County, Idaho known as Parcels 7 and 8 of Record of Survey No. 5427 recorded in the official records of Ada County, Idaho as Instrument No. 101058301 and further described as follows:

A parcel of land being a portion of the Southeast Quarter of Section 11, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, as shown on Record of Survey No. 5427, filed for record in the office of the Ada County Recorder, Boise, Idaho under Instrument No. 101058301 and more particularly described as follows:

Commencing at an iron pin marking the Southeast corner of said Section 11; thence along the East boundary of said Section 11
North 00°21'12" West 1319.59 feet to an iron pin marking the Northeast corner of the Southeast Quarter of said Southeast Quarter of Section 11; thence along the North boundary of said Southeast Quarter of the Southeast Quarter of Section 11
North 89°42'43" West 959.66 feet to an iron pin on the centerline of Bogus Basin Road; thence along said centerline
South 56°21'43" East 420.24 feet to an iron pin marking the POINT OF BEGINNING; thence continuing along said centerline along the arc of a curve to the left having a radius of 460.00 feet, a central angle of 13°34'49", a length of 109.03 feet and a long chord which bears
South 63°09'08" East 108.78 feet to a PK nail and washer; thence leaving said centerline
South 03°40'48" West 657.17 feet to an iron pin; thence at right angles
South 86°19'12" East 100.00 feet to an iron pin; thence at right angles
South 03°40'48" West 166.96 feet to an iron pin; thence
South 44°54'13" West 161.77 feet to an iron pin; thence
South 90°00'00" West 322.22 feet to an iron pin; thence at right angles
North 00°00'00" West 130.00 feet to an iron pin; thence
North 44°32'47" East 208.64 feet to an iron pin; thence
South 86°19'12" East 100.00 feet to an iron pin; thence at right angles
North 03°40'48" East 721.77 feet to the POINT OF BEGINNING.

ADA COUNTY RECORDER J. DAVID NAVARRO AMOUNT 24.00 8
BOISE IDAHO 12/03/04 11:27 AM
DEPUTY Bonnie Oberbillig
RECORDED - REQUEST OF
Moffatt Thomas

104153236

RECORDING REQUESTED BY AND WHEN RECORDED RETURN TO:

Robert B. Burns
Moffatt, Thomas, Barrett, Rock & Fields, Chartered
101 S. Capitol Boulevard, 10th Floor
Post Office Box 829
Boise, Idaho 83701-0829

(Space Above For Recorder's Use)

WARRANTY DEED

FOR TEN DOLLARS ($10.00) AND OTHER GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, **HDA, LLC,** an Idaho limited liability company, whose principal business address is 525 West Curling, Boise, Idaho 83702 ("Grantor"), does hereby grant, transfer, sell, and convey unto **DEER POINT RANCH, LLC,** an Idaho limited liability company, whose principal business address is 4317 North Tiverton, Boise, Idaho 83702 ("Grantee"), all that real property located in Ada County, Idaho, referenced on **Exhibit A** attached hereto and incorporated herein as Parcel A, Parcel B, Parcel C, Parcel E, Parcel F, and Parcel G (but excluding Parcel D), and therein legally described, together with all rents, remainders, and reversions, and all appurtenances and hereditaments, issues and profits, improvements and fixtures, easements, mineral rights, water rights, and all other permits, licenses, and rights thereunto appertaining.

TO HAVE AND TO HOLD said premises with their appurtenances unto said Grantee, its successors and assigns forever; and said Grantor does hereby covenant to and with said Grantee that Grantor is the owner in fee simple absolute of said premises; that said premises are free from all encumbrances except those matters reflected in those certain policies of title insurance issued by Ticor Title Insurance to Grantor with respect to said premises under Alliance Title & Escrow Corp. order numbers 5000420557AK and 5000421446AK; and that Grantor will warrant and defend the premises from all other claims and demands whatsoever.

FILE COPY

Lots 1-4 & L

IT WITNESS WHEREOF, the Grantor has caused these presents to be executed by its authorized representative this 2 day of ~~November~~ December RB 2004.

HDA, LLC
an Idaho limited liability company

By _____
Randy J. Berry, Member

STATE OF IDAHO)
) ss.
County of Ada)

On this 2 day of December, 2004, before me Kathleen Alonzo, personally appeared **RANDY J. BERRY** known or identified to me (or proved to me on the oath of Some) to be a member of **HDA, LLC**, the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company 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.

KATHLEEN ALONZO NOTARY PUBLIC STATE OF IDAHO

_____
NOTARY PUBLIC FOR IDAHO
Residing at Meridian ID
My Commission Expires 1/11/11

EXHIBIT A

Parcel A:

A parcel of land being a portion of the Northwest Quarter of the Southwest Quarter of Section 12, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, as shown on Record of Survey No. 5428, filed for record in the office of the Ada County Recorder, Boise, Idaho under Instrument No. 101058302 and more particularly described as follows:

Commencing at an iron pin marking the Southwest corner of said Section 12; thence along the West boundary of said Section 12
North 00°21'12" West 1319.59 feet to an iron pin marking the Southwest corner of said Northwest Quarter of the Southwest Quarter of Section 12, said point marking the POINT OF BEGINNING; thence continuing
North 00°21'12" West 86.41 feet to an iron pin; thence leaving said West boundary
North 89°38'48" East 547.17 feet to an iron pin on the centerline of Bogus Basin Road marking a point of curve; thence along said centerline along the arc of a curve to the left having a radius of 354.00 feet, a central angle of 04°37'12", a length of 28.54 feet and a long chord which bears
South 10°46'30" West 28.54 feet to an iron pin marking a point of ending of curve on the South boundary of said Northwest Quarter of the Southwest Quarter of Section 12; thence leaving said centerline along said South boundary
South 83°29'31" West 544.80 feet to the POINT OF BEGINNING.

Parcel B:

That portion of the Southwest Quarter of the Southwest Quarter of Section 12, Township 4 North, Range 2 East of the Boise Meridian lying North and West of Bogus Basin Road.

Parcel C:

Parcel 6 of Record of Survey No. 5428 recorded in the official records of Ada County, Idaho as Instrument No. 101058302 and further described as follows:

A parcel of land being a portion of the West Half of Section 12, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, as shown on Record of Survey No. 5428, filed for record in the office of the Ada County Recorder, Boise, Idaho under Instrument No. 101058302 and more particularly described as follows:

Commencing at an aluminum cap marking the Northwest corner of said Section 12; thence along the West boundary of said Section 12
South 00°46'07" East 1319.75 feet to an iron pin marking the Northwest corner of the Southwest Quarter of said Northwest Quarter of Section 12, said point being the POINT OF BEGINNING; thence along the North boundary of said Southwest Quarter of the Northwest Quarter of Section 12
North 84°42'25" East 251.55 feet to an iron pin; thence leaving said North boundary
South 26°33'35" East 917.35 feet to an iron pin; thence
South 56°21'59" West 112.69 feet to an iron pin; thence

South 33°38'01" East 353.91 feet to an iron pin; thence
South 89°19'49" East 104.41 feet to an iron pin; thence
North 79°02'59" East 48.78 feet to an iron pin; thence
North 55°01'03" East 56.57 feet to an iron pin; thence
North 77°00'36" East 41.22 feet to an iron pin; thence
North 59°50'56" East 132.22 feet to an iron pin; thence
North 51°34'32" East 115.22 feet to an iron pin on the centerline of Bogus Basin Road marking a point of curve; thence along said centerline along the arc of a curve to the right having a radius of 280.00 feet, a central angle of 38°59'58", a length of 190.59 feet and a long chord which bears
South 24°05'29" West 186.93 feet to a point of tangent; thence continuing
South 43°35'28" West 188.12 feet to a point of curve; thence continuing along the arc of a curve to the left having a radius of 320.00 feet, a central angle of 39°13'27" a length of 219.07 feet and a long chord which bears
South 23°58'45" West 214.82 feet to a point of tangent; thence continuing
South 04°22'02" West 220.00 feet to a point of curve; thence continuing along the arc of a curve to the right having a radius of 780.00 feet, a central angle of 19°23'57", a length of 264.09 feet and a long chord which bears
South 14°04'00" West 262.83 feet to a point of tangent; thence continuing
South 23°45'58" West 593.06 feet to a point of curve; thence continuing along the arc of a curve to the left having a radius of 354.00 feet, a central angle of 10°40'53", a length of 65.99 feet and a long chord which bears
South 18°25'32" West 65.90 feet to an iron pin; thence leaving said centerline
South 89°38'48" West 547.17 feet to an iron pin on said West boundary of Section 12; thence along said West boundary
North 00°21'12" West 1233.19 feet to the West Quarter corner of said Section 12; thence continuing
North 00°46'07" West 1319.75 feet to the POINT OF BEGINNING.

~~Parcel D:~~

Parcel 1 of Record of Survey No. 5428 recorded in the official records of Ada County, Idaho as Instrument No. 101058302 and further described as follows:

A parcel of land being a portion of the Northwest Quarter of Section 12, Township 4 North, Range 2 East, Boise, Meridian, Ada County, Idaho, as shown on Record of Survey No. 5428, filed for record in the office of the Ada County Recorder, Boise, Idaho under Instrument No. 101058302 and more particularly described as follows:
Commencing at an aluminum cap marking the Northwest corner of said Section 12; thence along the North boundary of said Section 12
North 85°39'11" East 1302.89 feet to an iron pin marking the Northwest corner of the Northeast Quarter of said Northwest Quarter of Section 12, said point being the POINT OF BEGINNING; thence continuing
North 85°39'11" East 743.41 feet to an iron pin marking a point of curve on the centerline of Bogus Basin Road; thence along said centerline along the arc of a curve to the left having a radius of 845.00 feet, a central angle of 01°56'12", a length of 28.56 feet and long chord which bears
South 20°48'32" East 28.56 feet to a point of tangent; thence continuing
~~South 21°46'38" East 254.07 feet to a point of curve; thence continuing along the arc of~~

~~a curve to the right having a radius of 350.00 feet, a central angle of 29°56'34", a~~ length of 182.91 feet and a long chord which bears
South 06°48'21" East 180.84 feet to a point of tangent; thence continuing
South 08°09'56" West 86.91 feet to a point of curve; thence continuing along the arc of a curve to the right having a radius of 500.00 feet, a central angle of 21°23'50", a length of 186.73 feet and a long chord which bears
South 02°31'59" East 180.64 feet to a point of tangent; thence continuing
South 13°13'54" East 47.75 feet to an iron pin; thence leaving said centerline
South 75°17'58" West 68.23 feet to an iron pin; thence
South 49°46'05" West 112.13 feet to an iron pin; thence
South 40°41'22" West 168.42 feet to an iron pin; thence
South 23°07'50" West 94.88 feet to an iron pin; thence
South 46°20'06" West 178.66 feet to an iron pin; thence
South 18°35'40" West 322.08 feet to an iron pin on said centerline of Bogus Basin Road marking a point of curve; thence continuing along the arc of a curve to the left having a radius of 108.00 feet, a central angle of 92°17'51", a length of 173.98 feet and a long chord which bears
South 36°26'43" West 155.77 feet to a point of tangent; thence
South 09°42'13" East 185.59 feet to a point of curve; thence continuing along the arc of a curve to the right having a radius of 150.00 feet, a central angle of 75°00'34", a length of 196.37 feet and a long chord which bears
South 27°48'05" West 182.65 feet to a point of tangent; thence continuing
South 65°18'22" West 88.35 feet to a point of curve; thence continuing along the arc of a curve to the left having a radius of 305.00 feet, a central angle of 44°59'19", a length of 239.49 feet and a long chord which bears
South 42°48'42" West 233.38 feet to an iron pin marking a point of tangent; thence leaving said centerline
North 26°30'05" West 217.25 feet to an iron pin; thence
South 59°45'09" West 86.07 feet to an iron pin; thence
North 90°00'00" West 101.97 feet to an iron pin; thence
South 62°51'31" West 135.42 feet to an iron pin; thence
South 44°14'12" West 265.14 feet to an iron pin; thence
North 26°33'38" West 917.35 feet to an iron pin on the North boundary of the Southwest Quarter of said Northwest Quarter of Section 12; thence along said North boundary
North 84°42'25" East 1050.71 feet to an iron pin marking the Southwest corner of said Northeast Quarter of the Northwest Quarter of Section 12; thence along the West boundary of said Northeast Quarter of the Northwest Quarter of Section 12
~~North 00°40'26" West 1298.35 feet to the POINT OF BEGINNING.~~

Parcel E:

Parcel 6 as delineated on Record of Survey No. 5427, as recorded on June 15, 2001 under Instrument No. 101058301, of Official Records, being more particularly described as follows:

A parcel of land being a portion of the Southeast Quarter of Section 11, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, as shown on Record of Survey No. 5427,

filed for record in the office of the Ada County Recorder, Boise, Idaho under Instrument No. 101058301 and more particularly described as follows:

Commencing at an iron pin marking the Southeast corner of said Section 11; thence along the East boundary of said Section 11
North 00°21'12" West 1319.59 feet to an iron pin marking the Northeast corner of the Southeast Quarter of said Southeast Quarter of Section 11; thence along the North boundary of said Southeast Quarter of the Southeast Quarter of Section 11
North 89°42'43" West 959.66 feet to an iron pin on the centerline of Bogus Basin Road marking the POINT OF BEGINNING; thence along said centerline
South 56°21'43" East 420.24 feet to an iron pin; thence leaving said centerline
South 03°40'48" West 28.61 feet to an iron pin; thence
South 24°40'50" West 253.60 feet to an iron pin; thence
North 71°00'00" West 544.45 feet to an iron pin; thence
North 33°38'17" East 378.17 feet to an iron pin on said North boundary of the Southeast Quarter of the Southeast Quarter of Section 11; thence along said North boundary
South 89°42'43" East 63.16 feet to the POINT OF BEGINNING.

Parcel F:

Parcels 7 and 8 of Record of Survey No. 5427 recorded in the official records of Ada County, Idaho as Instrument No. 101058301 and further described as follows:

A parcel of land being a portion of the Southeast Quarter of Section 11, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, as shown on Record of Survey No. 5427, filed for record in the office of the Ada County Recorder, Boise, Idaho under Instrument No. 101058301 and more particularly described as follows:

Commencing at an iron pin marking the Southeast corner of said Section 11; thence along the East boundary of said Section 11
North 00°21'12" West 1319.59 feet to an iron pin marking the Northeast corner of the Southeast Quarter of said Southeast Quarter of Section 11; thence along the North boundary of said Southeast Quarter of the Southeast Quarter of Section 11
North 89°42'43" West 959.66 feet to an iron pin on the centerline of Bogus Basin Road; thence along said centerline
South 56°21'43" East 420.24 feet to an iron pin marking the POINT OF BEGINNING; thence continuing along said centerline along the arc of a curve to the left having a radius of 460.00 feet, a central angle of 13°34'49", a length of 109.03 feet and a long chord which bears
South 63°09'08" East 108.78 feet to a PK nail and washer; thence leaving said centerline
South 03°40'48" West 657.17 feet to an iron pin; thence at right angles
South 86°19'12" East 100.00 feet to an iron pin; thence at right angles
South 03°40'48" West 166.96 feet to an iron pin; thence
South 44°54'13" West 161.77 feet to an iron pin; thence
South 90°00'00" West 322.22 feet to an iron pin; thence at right angles
North 00°00'00" West 130.00 feet to an iron pin; thence
North 44°32'47" East 208.64 feet to an iron pin; thence
South 86°19'12" East 100.00 feet to an iron pin; thence at right angles
North 03°40'48" East 721.77 feet to the POINT OF BEGINNING.

AND

A parcel of land being a portion of the Southeast Quarter of Section 11, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, as shown on Record of Survey 5427, filed for record in the office of the Ada County Recorder, Boise, Idaho under Instrument No. 101058301 and more particularly described as follows:

Commencing at an iron pin marking the Southeast corner of said Section 11; thence along the East boundary of said Section 11
North 00° 21' 12" West 1319.59 feet to an iron pin marking the Northeast corner of the Southeast Quarter of said Southeast Quarter of Section 11; thence along the North boundary of said Southeast Quarter of the Southeast Quarter of Section 11
North 89° 42' 43" West 959.66 feet to an iron pin on the centerline of Bogus Basin Road; thence along said centerline
South 56° 21' 43" East 420.24 feet to an iron pin; thence leaving said centerline
South 03° 40' 48" West 28.61 feet to an iron pin marking the POINT OF BEGINNING; thence continuing
South 03° 40' 48" West 300.00 feet to an iron pin; thence
North 51° 29' 12" West 110.72 feet to an iron pin; thence
North 24° 40' 50" East 253.60 feet to the POINT OF BEGINNING.

Parcel G:

A parcel of land located in the Southeast Quarter of the Southeast Quarter of Section 11, Township 4 North, Range 2 East, Boise Meridian;

EXCEPTING THEREFROM:

Parcel 6 as delineated on Record of Survey No. 5427, as recorded on June 15, 2001 under Instrument No. 101058301, of Official Records, being more particularly described as follows:

A parcel of land being a portion of the Southeast Quarter of Section 11, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, as shown on Record of Survey No. 5427, filed for record in the office of the Ada County Recorder, Boise, Idaho under Instrument No. 101058301 and more particularly described as follows:

Commencing at an iron pin marking the Southeast corner of said Section 11; thence along the East boundary of said Section 11
North 00°21'12" West 13'9.59 feet to an iron pin marking the Northeast corner of the Southeast Quarter of said Southeast Quarter of Section 11; thence along the North boundary of said Southeast Quarter of the Southeast Quarter of Section 11
North 89°42'43" West 959.66 feet to an iron pin on the centerline of Bogus Basin Road marking the POINT OF BEGINNING; thence along said centerline
South 56°21'43" East 420.24 feet to an iron pin; thence leaving said centerline
South 03°40'48" West 28.61 feet to an iron pin; thence
South 24°40'50" West 253.60 feet to an iron pin; thence
North 71°00'00" West 544.45 feet to an iron pin; thence
North 33°38'17" East 378.17 feet to an iron pin on said North boundary of the Southeast

Quarter of the Southeast Quarter of Section 11; thence along said North boundary South 89°42'43" East 63.16 feet to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:

Parcels 7 and 8 of Record of Survey No. 5427 recorded in the official records of Ada County, Idaho as Instrument No. 101058301 and further described as follows:

A parcel of land being a portion of the Southeast Quarter of Section 11, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, as shown on Record of Survey No. 5427, filed for record in the office of the Ada County Recorder, Boise, Idaho under Instrument No. 101058301 and more particularly described as follows:

Commencing at an iron pin marking the Southeast corner of said Section 11, thence along the East boundary of said Section 11
North 00°21'12" West 1319.59 feet to an iron pin marking the Northeast corner of the Southeast Quarter of said Southeast Quarter of Section 11; thence along the North boundary of said Southeast Quarter of the Southeast Quarter of Section 11
North 89°42'43" West 959.66 feet to an iron pin on the centerline of Bogus Basin Road; thence along said centerline
South 56°21'43" East 420.24 feet to an iron pin; thence leaving said centerline
South 03°40'48" West 28.61 feet to an iron pin marking the POINT OF BEGINNING; thence continuing
South 03°40'48" West 300.00 feet to an iron pin; thence
North 51°29'12" West 110.72 feet to an iron pin; thence
North 24°40'50" East 253.60 feet to the POINT OF BEGINNING.

NOW STARTING RIGHT SIDE OF FILE

State of Idaho
DEPARTMENT OF WATER RESOURCES
322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 13, 2005

DEER POINT RANCH LLC
4317 N TIVERTON PL
BOISE ID 83702

RE: Permit No. 63-32128

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit 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 a party 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.

Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

Also, 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 208-287-4947.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

cc: ANGELA D SCHAER KAUFMANN

CERTIFICATE OF SERVICE

I hereby certify that on September 13, 2005 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 63-32128

MOFFATT THOMAS BARRETT ROCK & FIELDS CHTD
ANGELA D SCHAER KAUFMANN
PO BOX 829
BOISE ID 83701-0829

DEER POINT RANCH LLC
4317 N TIVERTON PL
BOISE ID 83702

Kari Lynn Townsend
Secretary

EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

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 Water Resource 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).

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.

MEMORANDUM

Date: September 01, 2005

To: Water Right File 63-32128

From: eretelle

Re: permit review

No protests no water District.

PoD overlap with 63-32129.

Recommend approval as suggested by IDWR Western.

ARTICLES OF ORGANIZATION
LIMITED LIABILITY COMPANY

FILED EFFECTIVE

(Instructions on back of application)

2004 JUN 28 P 2:20
A/C #1117
SECRETARY OF STATE
STATE OF IDAHO

[our file no. 17-781.0]

1. The name of the limited liability company is:

   Deer Point Ranch, LLC

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

   4317 North Tiverton, Boise, ID 83702

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

   John W. Ryan

3. The mailing address for future correspondence is:

   John W. Ryan, 1770 West State Street, #312, Boise, ID 83702

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) or 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
John W. Ryan	4317 North Tiverton
	Boise, ID 83702

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

   Signature: _____
   Typed Name: Robert B. Burns
   Capacity: Organizer

   Signature _____
   Typed Name: _____
   Capacity: _____

g:\corp\forms_LLC\formsetup\organization.pt5
Revised 07/2002

Secretary of State use only

IDAHO SECRETARY OF STATE
06/29/2004 05:00
CK: none CT: 1117 BH: 752918
1 @ 20.00 = 20.00 EXPEDITE C # 2
1 @ 100.00 = 100.00 ORGAN LLC # 3

W 31525

BOI_MT2:550484.

The Idaho Statesman

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

RECEIVED
AUG 12 2005
WATER RESOURCES
WESTERN REGION

LEGAL ADVERTISING PROOF OF PUBLICATION

Account #	DTI#	Identification	Amount:
047628	1325997	APPLICATION	$110.00

Attention:	P.O. #	Run Dates
SUE KREGER		AUGUST 4, 11, 2005

IDAHO DEPT. WATER RESOURCES WEST
2735 AIRPORT WY.
BOISE, ID 83705

Number of Lines: 2 X 30

Affidavit	Legal #
1	23116

LEGAL NOTICE

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

63-32128
DEER POINT RANCH LLC
4317 N TIVERTON PL
BOISE ID 83702

Point(s) of Diversion	SESE S11 T04N R02E	ADA County Source GROUND WATER
Use: DOMESTIC	01/01 To 12/31	0.04 CFS
Total Diversion:		0.04 CFS
Date Filed:	03/04/2005	
Place Of Use:	DOMESTIC T04N R02E S11 SESE	

Remark: Domestic use is for 1 home.
Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.
Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of $25.00 for each application on or before 08/22/2005. The protestant must also send a copy of the protest to the applicant.
KARL J DREHER, Director

Pub. Aug. 4,11, 2005

23116

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:

TWO

[X] consecutive weekly [ ] single
[ ] consecutive daily [ ] odd skip
insertion(s)

beginning issue of: AUGUST 4, 2005
ending issue of: AUGUST 11, 2005

Janice Hildreth

STATE OF IDAHO)
.ss
COUNTY OF ADA)

On this 11 day of AUGUST in the year of 2005 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.

Leeley Bringman

Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires: 8-27-09

Lester, Steve

To: legals@idahostatesman.com
Subject: Legal Ad

Dear Statesman:

The attached information is provided for legal notices to run on August 4 and 11, 2005.

Please let me know once you receive this and if anything needs to be corrected.

Thank you.

Steve Lester
Water Rights Supervisor
IDWR Western Region
tel. 208-334-2190
steve.lester@idwr.idaho.gov

T. 71927 T. 72036 T. 72109

cover letter

plus

63-32129

63-32130

63-32133

63-32134

Legal notice 7/28/05

July 28, 2005

Legal Notice Department
IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

RE: Application for Transfer Nos. 71927, 72036, 72109

Application for Permit Nos. 63-32128, 63-32129, 63-32130, 63-32133, 63-32134

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 notice 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 08/22/2005. Your cooperation is appreciated.

Sincerely,

Steve Lester
Water Rights Supervisor

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

63-32128

DEER POINT RANCH LLC
4317 N TIVERTON PL
BOISE ID 83702

Point(s) of Diversion SESE S11 T04N R02E ADA County Source GROUND WATER

Use: DOMESTIC 01/01 To 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 03/04/2005

Place Of Use: DOMESTIC

T04N R02E S11 SESE

Remark: Domestic use is for 1 home.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of $25.00 for each application on or before 08/22/2005. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director Published on 8/4 and 8/11/2005

CONVERSATION MEMORANDUM

DATE 7/1/05

FILE

NAME OF PARTY Angela Schaer Kaufmann - Atty

EMPLOYEE FZ

Also See Attached Notes

RE: Meeting re 5 Appls

Appls. for Lots 1-3, 6 & 10, "informal lots" not named subd. etc.

Lots 2, 3 & 10 exempted uses, ok to process

Lots 2 & 10 amended 6/15/05 to clarify.
Lot 10 " 7/1/05 " " (mistakenly dated 7/10).

Not expanded, no tree or priority issues.
Use Appl. map that shows section & QQ to confirm legals.

Lots 2 & 3 share same well (assume separate pumps re office visit & typical set up of shared wells).

Lot 10 P/U ... home on lot somewhere (except location unknown), lot is NENW, SWNW & SENW so all 3 tracts for potential P/U.

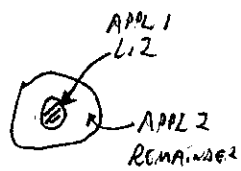
Lots 1 + 6 lot configuration ... unresolved issues ... Atty to contact clients & see what to do. Hold until clarified.

7/1/05
-JC

5 APPLS c/o ANGELA S.K. ATTORNEY

TAG	NAME	LOCATION	LOT *	AMENDED
29134	DEER Pt. Ranch LLC	SESW S.11	1 HOLD	Y
31155	"	SESE S.11	2 PROCESS	Y
31155	"	"	3 PER follow up email ~~N/A~~ PROCESS	N
31927	RYAN	SWNW S.12	6 HOLD	Y
38109	HDA LLC	NENW S.12	10 PROCESS	Y

SAME WELL SEPARATE LOTS



* "informal" lot # ... not a named subd.

Results of meeting w/ Angela:

- Lots 1 + 6 list irrigation: # acres? Add to Plu. Std season is 3/15-11/15. Mitigation? R-t-Process form? Web zone (use well log info). She will visit w/ clients to (a) delete irr or (2) pursue mitigation
- Lots 2, ~~N/A~~ 3, 10 ... maps clarified so Legals match maps, ok to process asap.

Moffatt Thomas
MOFFATT THOMAS BARRETT ROCK & FIELDS, CHTD.

Eugene C. Thomas
John W. Barrett
R. B. Rock
Richard C. Fields
Robert E. Bakes
John S. Simko
John C. Ward
D. James Manning
Gary T. Dance
Larry C. Hunter
Randall A. Peterman
Mark S. Prusynski
Stephen R. Thomas
Glenna M. Christensen
Gerald T. Husch
Scott L. Campbell

Robert B. Burns
James C. Dale
Michael E. Thomas
Patricia M. Olsson
James C. deGlee
Bradley J Williams
Lee Radford
Michael O. Roe
David S. Jensen
James L. Martin
C. Clayton Gill
David P. Gardner
John O. Fitzgerald, II
Julian E. Gabiola
Angela Schaer Kaufmann
Michael W. McGreaham

Kimberly D. Evans Ross
Jon A. Stenquist
Eric M. Barzee
Valerie N. Charles
Bradley J. Dixon
Jason G. Murray
Mark C. Peterson
Andrew J. Waldera
Tyler J. Anderson
Russell G. Metcalf

Morgan W. Richards, *of counsel*

Willis C. Moffatt, 1907-1980
Kirk R. Helvie, 1956-2003

RECEIVED
JUN 15 2005
WATER RESOURCES
WESTERN REGION

Boise
Idaho Falls
Pocatello
Twin Falls

US Bank Plaza Building
101 S Capitol Blvd 10th Fl
PO Box 829
Boise Idaho 83701 0829

208 345 2000
800 422 2889
208 385 5384 Fax
www.moffatt.com

June 14, 2005

Steve Lester
Western Regional Office
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

Re: Amended Applications for Permit
MTBR&F File No. 17-781.0

Dear Steve:

As a follow up to our previous telephone conversation, please find the enclosed Amended Applications for Permit. Some of them have addressed issues that you discussed with me, while others have been corrected to more accurately reflect what our clients intend to do.

After you have had an opportunity to review the Amended Applications for Permit, please do not hesitate to contact me with any additional questions or concerns. In the meantime, I look forward to working with the Idaho Department of Water Resources.

Very truly yours,

Angela Schaer Kaufmann

Angela Schaer Kaufmann
ask@moffatt.com

ASK/mdr
Enclosures

cc: John Ryan

Idaho Department of Water Resources Receipt

Receipt ID C077005

Payment Amount: $500.00
Date Received: 3/4/2005 1:12:54 PM
Region: State
Status:
Payment Type: Check
Check Number: 176598

Payer: MOFFATT THOMAS
Comment: FIVE APPLICATIONS FOR PERMIT AND FILING FEE

Fee Detail

Amount	Description	Fund	FD	PCA	SO
$500.00	PERMITS	0229	21	56103	1155

Signature Line (Dept. Representative)

Moffatt Thomas

MOFFATT THOMAS BARRETT ROCK & FIELDS, CHTD.

Eugene C. Thomas
John W. Barrett
R. B. Rock
Richard C. Fields
Robert E. Bakes
John S. Simko
John C. Ward
D. James Manning
Gary T. Dance
Larry C. Hunter
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Morgan W. Richards, *of counsel*

Willis C. Moffatt, 1907-1980
Kirk R. Helvie, 1956-2003

RECEIVED
MAR 0 4 2005
DEPARTMENT OF
WATER RESOURCES

Boise
Idaho Falls
Pocatello
Twin Falls

US Bank Plaza Building
101 S Capitol Blvd 10th Fl
PO Box 829
Boise Idaho 83701 0829

208 345 2000
800 422 2889
208 385 5384 Fax
www.moffatt.com

March 3, 2005

RECEIVED
MAR 0 8 2005
WATER RESOURCES
WESTERN REGION

Director
Idaho Department of Water Resources
Idaho Water Center
322 E. Front Street, 6th Floor
P.O. Box 83720
Boise, ID 83720-0098

Re: Applications for Permit
MTBR&F File No. 17-781.0

Dear Director:

I am enclosing for filing with the Department of Water Resources five (5) Applications for Permit and one copy of each. Also enclosed is a check in the amount of $500.00 for the filing fees, as well as a postage-prepaid return envelope. Please conform the copies of each document and return them in the envelope provided.

If you have any questions concerning these applications, please contact me. Thank you for your prompt attention.

Very truly yours,

Angela Schaer Kaufmann

Angela Schaer Kaufmann

ASK/dll
Enclosures
cc: John Ryan