

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-32134

Priority: March 04, 2005

Maximum Diversion Rate: 0.04 CFS

This is to certify, that JOHN W RYAN And/Or
MONIKA I RYAN
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:

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

LOCATION OF POINT OF DIVERSION:

GROUND WATER NW¼ SW¼ Sec. 12, Twp 04N, Rge 02E, B.M. ADA County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	02E	12							X			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. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
5. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
6. Domestic use is for 1 home.
7. The irrigation occurring under this domestic use shall not exceed 1/2 acre.

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.


FOR KARL J DREHER, Director

RECEIVED

FORM 202
12/99

JUN 30 2005

Ident. No.

63-32134

AMENDED
DEPARTMENT OF
WATER RESOURCES

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

AMENDED

OK 7-5-05

1. Name of Applicant John W. and/or Monika I. Ryan 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. 12 in the SW NW 1/4,
SW 1/4, Govt. Lot _____, B.M., _____ Ada _____ County;

additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .04 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .03 for Irrigation purposes from 4/1 to 10/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) .04 and/or (b) _____
cubic feet per second 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? _____

e. If well is already drilled, when? 9/18/04; Drilling firm SOS Well Drilling & Pump Co.;
Well was drilled for (well owner) Bogus Basin Lot Dev. LLC; Drilling Permit No. D0031927

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

3. 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	12							D				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? Applicant

b. Who owns the land to be irrigated or place of use? Applicant

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. Deer Point Ranch, LLC, acquired this property from HDA, LLC, which had acquired the property from Bogus Basin Lot Development, LLC. 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. Hahn may.
Signature of Applicant (and title, if applicable)

Received by SL Date 6/15/05 Time 9:00 Preliminary check by SL

Fee \$ - see original - Received by _____ # _____ Date _____

Publication prepared by SL Date 7/28/05 Published in _____

Publication approved SL 8/25/05 Date _____

THE IDAHO STATESMAN
8/4 & 8/11/05

ATTACHMENT A

Office Use Only

Inspected by _____

Twp _____ Rge _____ Sec _____

Lat: 1/4 _____ 1/4 _____ 1/4 _____

Long: _____

1. DRILLING PERMIT NO.

Other IDWR No. 170031159

2. OWNER:

2. OWNER:
Name BOGUS BASINLOT DEVELOPMENT L.L.C.

Address 3101 N CENTRAL AVE. STE 1390

City PHOENIX State AZ Zip 85012

3. LOCATION OF WELL by legal description:

3. LOCATION OF WELLS by NGA - 1964
Sketch map location must agree with written location

W  E

Twp. 4 North ☒ or South ☐
Rge. 2 East ☒ or West ☐
Sec. 12 $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$
10 acres 40 acres 160 acres

S Gov't lot _____ County ADA

Lat: _____ Long: _____
Address of Well Site Between mile marker 5 & 6 west

side of Bogus Basin Rd City Boise
(Give at least name of road + Distance to Road or Landmark)

Lt. _____ Blk. _____ Sub. Name _____

4. USE:

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

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

☒ New Well ☐ Modify ☐ Abandonment ☐ _____

6. DRILL METHOD

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

7. SEALING PROCEDURES

SEAL/FILTER PACK				AMOUNT	METHOD
Material	From	To	Sacks or Pounds		
Bentonite	0	35	17 sacks	overbore	

Was drive shoe used? ☐ Y ☒ N Shoe Depth(s) _____

Was drive shoe steel tested? ☐ Y ☐ N How? _____

8. CASING/LINER:

8. CASING/LINER:					Casing	Liner	Welded	Threaded
Diameter	From	To	Gauge	Material	☒	☐	☒	☐
6"	+2	253	250	st	☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

☒ Perforations Method plasma arc
☐ Screens Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
195	255	1/16	480	6"	st	☒	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

156 ft. below ground Artesian Pressure _____ lb
Depth flow encountered _____ ft. Describe access port or control
devices: _____

11. WELL TESTS:

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal/min.	Drawdown	Pumping Level	Time
33	80'	236'	3 hrs

Water Temp. _____ Bottom hole temp. _____

Water Quality test or comments: _____

Depth first Water Encountered 180

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

[illegible]

Completed Depth: 255 (Measurable)
Date: Started 05/24/04 Completed 05/27/04

13. DRILLER'S CERTIFICATION

1/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 Schuler

Date 5-28-09

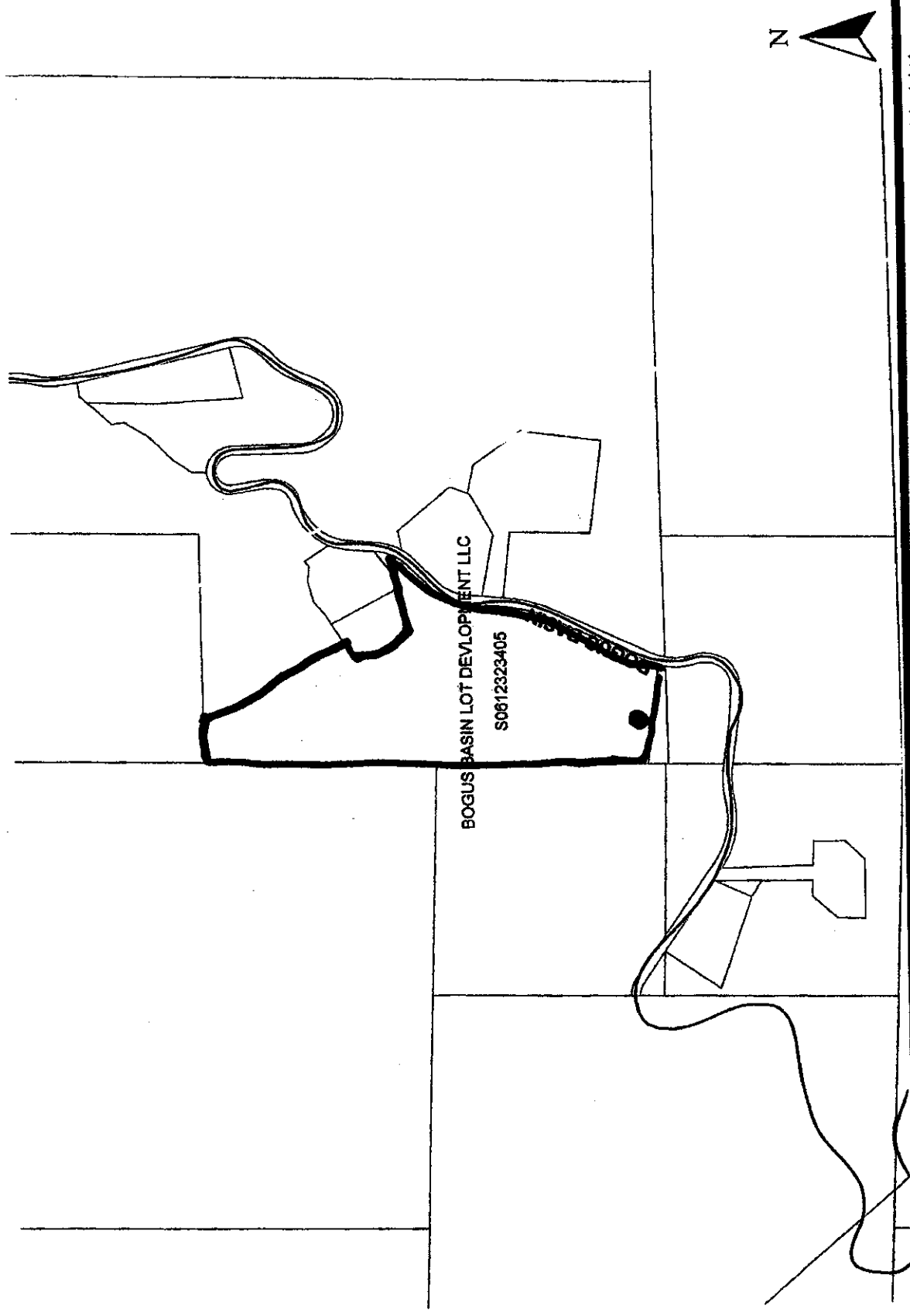
Supervisor or Operator _____
(Sign once if Firm Official & Operator)

Date _____

Date: 5/28/04 Time: 10:21 AM

ATTACHMENT B

- POL - POD

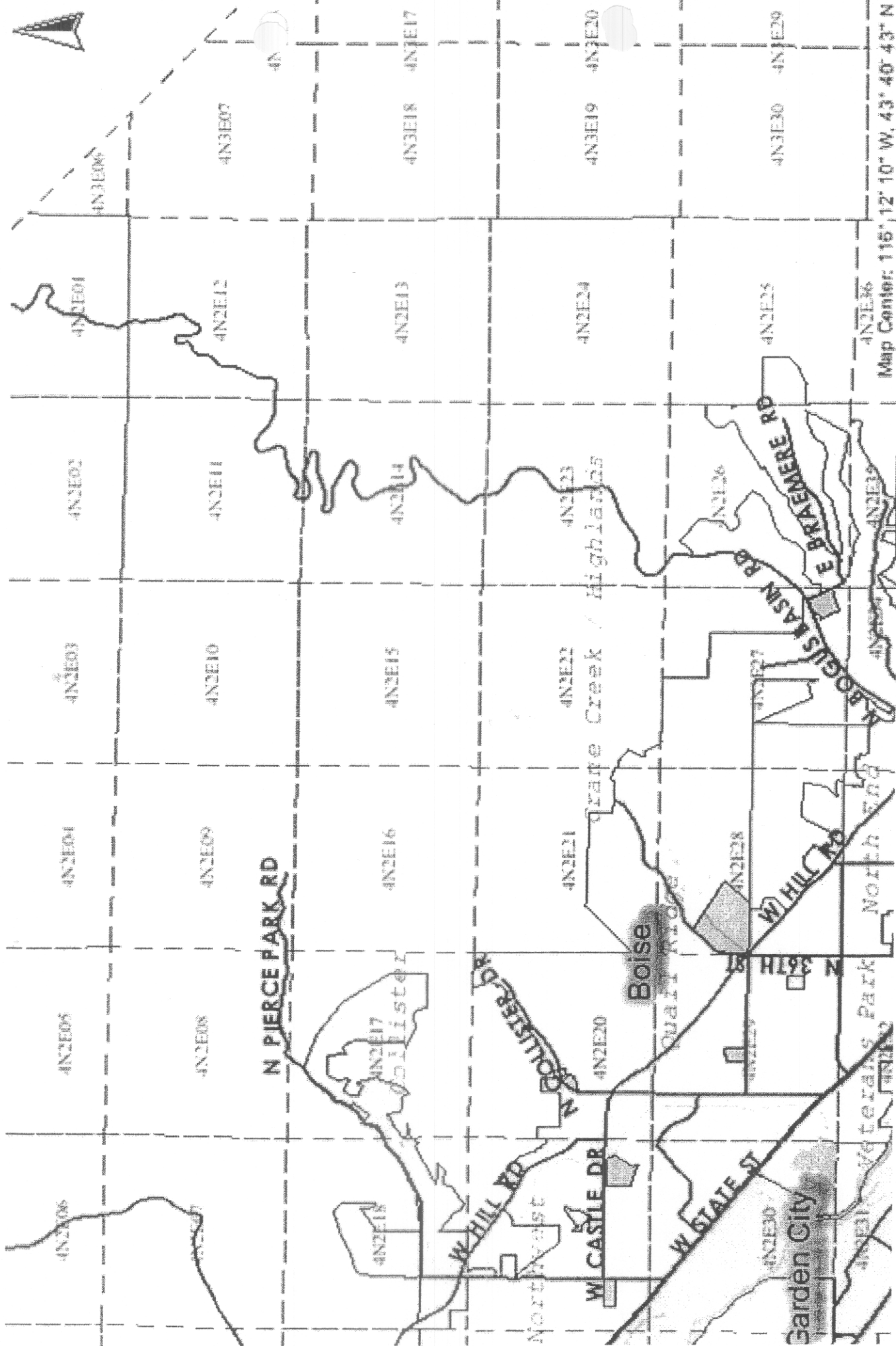


ALLIANCE
TITLE & ESCROW CORP.
Order No. 5000421449

This Map and data displayed is a graphic representation derived from the Ada County 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.

Map Created: June-15-2004

Copyright © 2004



Map Center: 116° 10' 24" W, 43° 41' 49" N

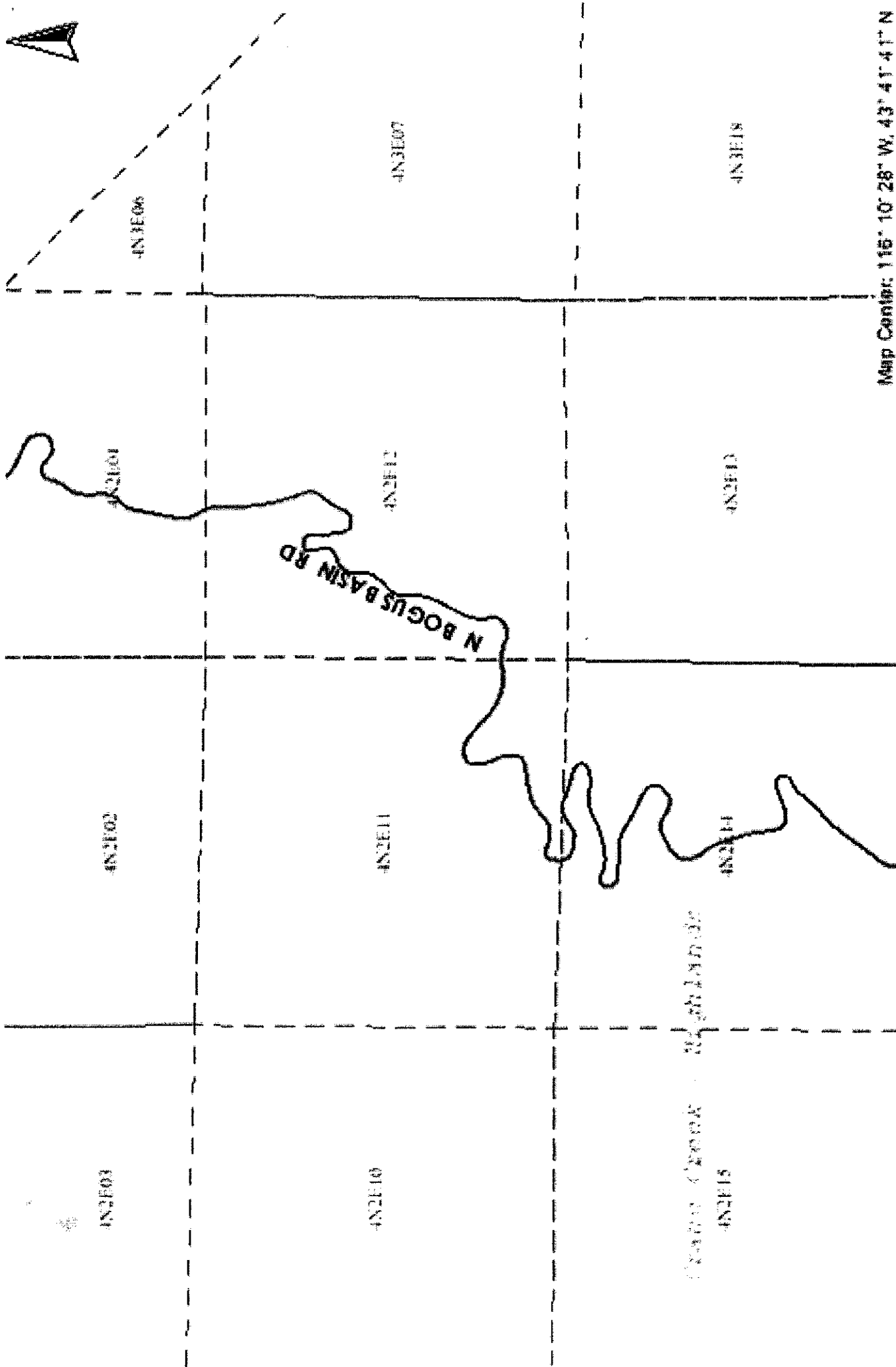
Section 12

ROGUS BASIN RD

Section 11

Appl. map psc
file into
-sc 7/1/65

63-32134



Map Center: 115° 10' 28" W, 43° 41' 41" N

ATTACHMENT C

50004.2 11446-AK

0

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 11/17/04 02:06 PM
DEPUTY Vicki Allen
RECORDED - REQUEST OF
Alliance Title

AMOUNT 15.00 5



When recorded return to:

Robert B. Burns
Moffat Thomas Barrett Rock & Fields
P.O. Box 829
Boise, Idaho 83701

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, Inc., 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 West Curling, Boise, Idaho 83702 ("Grantee"), that real property located in Ada County, Idaho and legally described as follows:

See Exhibits A-4, A-6 and A-10 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 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 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 as aforesaid.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed by its authorized representative this 16th day of November, 2004.

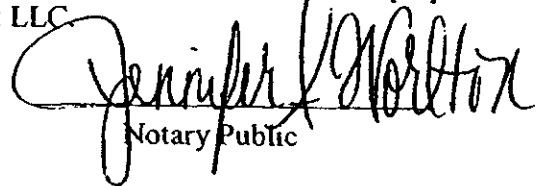
Bogus Basin Lot Development LLC, an Idaho limited liability company

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

By: 
Its: PRESIDENT & CEO

State of Arizona)
) ss.
County of Maricopa)

On this 16th day of November, 2004 before me JENNIFER WORTON, the undersigned notary public personally appeared W. MATTHEW CROO, known or identified to me to be the person who signed the above instrument as PRESIDENT & CEO of Grossman Company Properties, Inc., Manager of Bogus Basin Lot Development LLC, an Idaho limited liability company, who acknowledged to me that he signed the same for the purposes therein stated on behalf of Bogus Basin Lot Development LLC.


Notary Public

My commission expires: 2-19-06

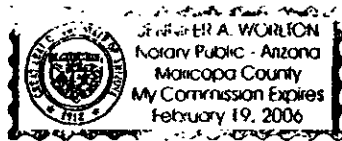


EXHIBIT A

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, Ada County, Idaho, 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°33'35" 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.

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

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

AMOUNT 24.00

8

104153236

(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

WARRANTY DEED - 1
11222004 1500

BOI_MT2:563508.1

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

HDA, LLC
an Idaho limited liability company

By Randy J. Berry
Randy J. Berry, Member

STATE OF IDAHO)
County of Ada) ss.

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.



K Alonzo
NOTARY PUBLIC FOR IDAHO
Residing at Moravian 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:

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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 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.

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.

ADA COUNTY RECORDER J. L. NAVARRO
BOISE IDAHO 12/08/04 11:23 AM
DEPUTY Neava Haney
RECORDED - REQUEST OF
Moffatt Thomas

AMOUNT 15.00 5



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, **DEER POINT RANCH, LLC**, an Idaho limited liability company, whose principal business address is 4317 North Tiverton, Boise, Idaho 83702 ("Grantor"), does hereby grant, transfer, sell, and convey unto **JOHN W. RYAN and MONIKA I. RYAN**, husband and wife, whose 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, 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 Tigor Title Insurance with respect to said premises under Alliance Title & Escrow Corp. order numbers 5000420557AK and 5000421446AK to Grantor's predecessor-in-interest, HDA, LLC, an Idaho limited liability company; and that Grantor will warrant and defend the premises from all other claims and demands whatsoever.

FILE COPY

IT WITNESS WHEREOF, Grantor has caused these presents to be executed by all of its members effective the 7th day of December 2004.

DEER POINT RANCH, LLC,
an Idaho limited liability company

By John W. Ryan
John W. Ryan, Member/Manager

By Monika I. Ryan
Monika I. Ryan, Member

HDA, LLC,
an Idaho limited liability company
Its: Member

By Randy J. Berry
Randy J. Berry, Member

STATE OF IDAHO)
) ss.
County of ADA)

On this 7TH day of December 2004, before me KARLYN D. PARKER personally appeared JOHN W. RYAN, known or identified to me (or proved to me on the oath of N/A) to be a member/manager of DEER POINT RANCH, 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.

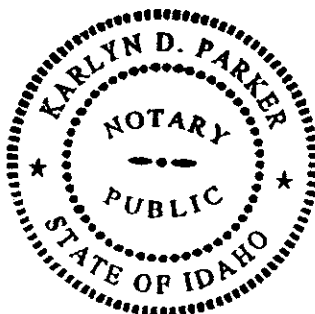


Karlyn D. Parker
NOTARY PUBLIC FOR IDAHO
Residing at Boise, Idaho
My Commission Expires 5/26/09

STATE OF IDAHO)
) ss.
County of ADA)

On this 7TH day of December 2004, before me KARLYN D. PARKER personally appeared MONIKA I. RYAN, known or identified to me (or proved to me on the oath of N/A) to be a member of DEER POINT RANCH, 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.

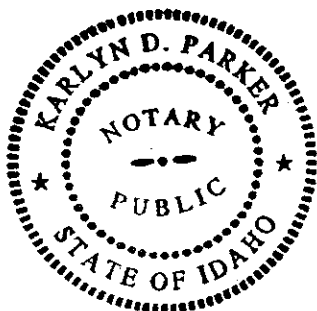


Karlyn D. Parker
NOTARY PUBLIC FOR IDAHO
Residing at Boise, Idaho
My Commission Expires 5/26/09

STATE OF IDAHO)
) ss.
County of ADA)

On this 7TH day of December 2004, before me KARLYN D. PARKER, a Notary Public in and for said State, personally appeared RANDY J. BERRY, known or identified to me (or proved to me on the oath of N/A) to be the member of HDA, LLC, an Idaho limited liability company, a Member of DEER POINT RANCH, LLC, an Idaho limited liability company, 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 he executed the within instrument on behalf of said company, and that such company executed the same in the company's 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.



Karlyn D. Parker
NOTARY PUBLIC FOR IDAHO
Residing at Boise, Idaho
My Commission Expires 5/26/09

EXHIBIT A

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.

Ident. No. 63.32134

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

RECEIVED

MAR 04 2005

DEPARTMENT OF
WATER RESOURCES

1. Name of Applicant John W. and Monika I. Ryan 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. 12, in the SW $\frac{1}{4}$,
NW $\frac{1}{4}$, _____ $\frac{1}{4}$, Govt. Lot _____, B.M., _____ Ada _____ County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .04 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .04 and/or (b) _____
cubic feet per second 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? _____
 - e. If well is already drilled, when? 9/18/04; Drilling firm SOS Well Drilling & Pump Co.;
Well was drilled for (well owner) Bogus Basin Lot Dev. LLC; Drilling Permit No. D0031927
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 08 2005

WATER RESOURCES
WESTERN REGION

ORIGINAL

Superseded

3. 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. _____

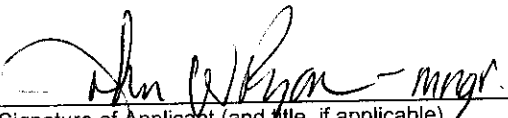
11. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: Well driller's report is Attachment A. Deer Point Ranch, LLC, acquired this property from HDA, LLC, which had acquired the property from Bogus Basin Lot Development, LLC. 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.

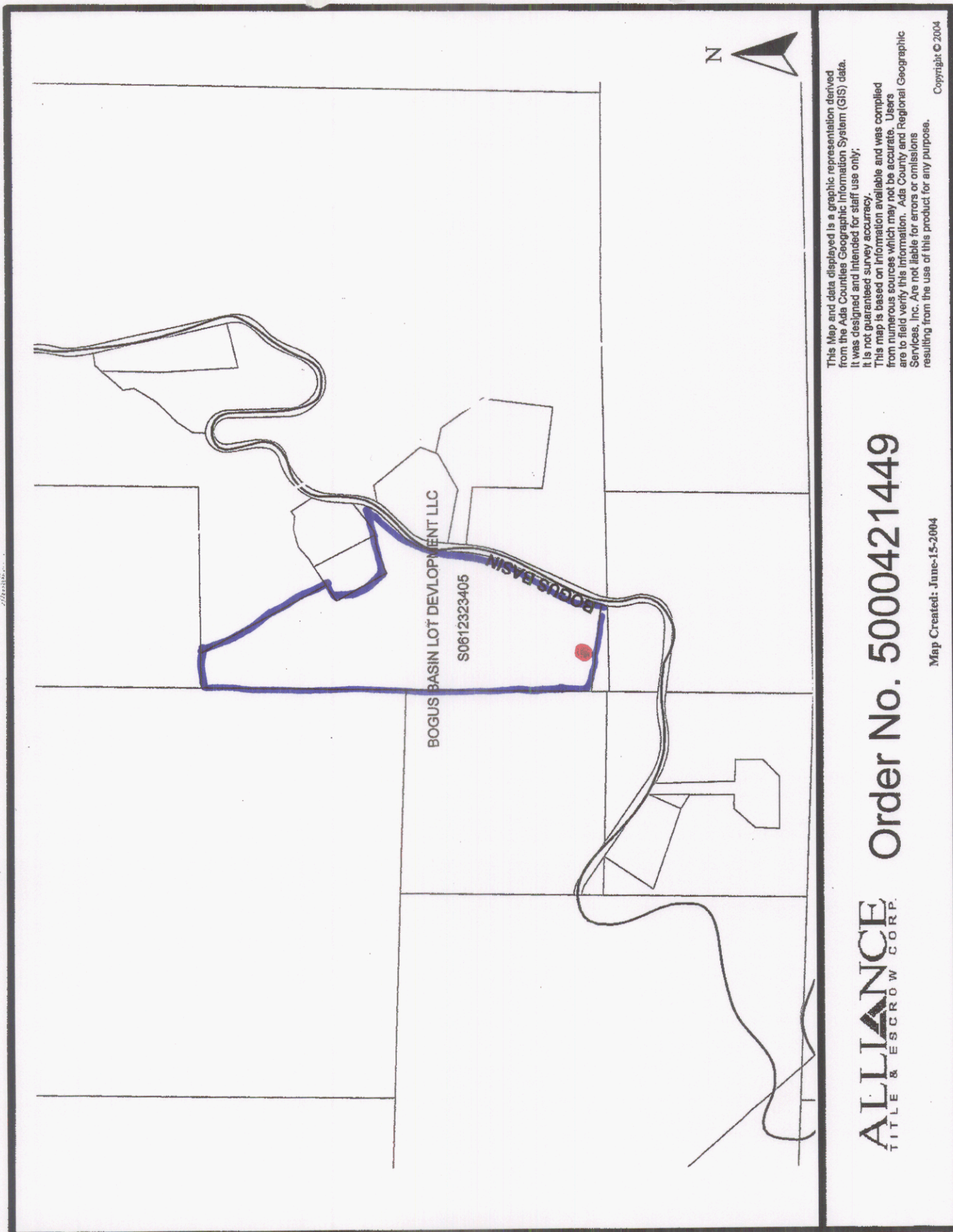

Signature of Applicant (and title, if applicable)

Received by M Date 3-4-05 Time ✓ Preliminary check by _____
 Fee \$ 500.00 Received by M # 0077005 Date 3-4-05
 Publication prepared by _____ Date _____ Published in _____
 Publication approved _____ Date _____

ATTACHMENT A

ATTACHMENT B

- POL - POD



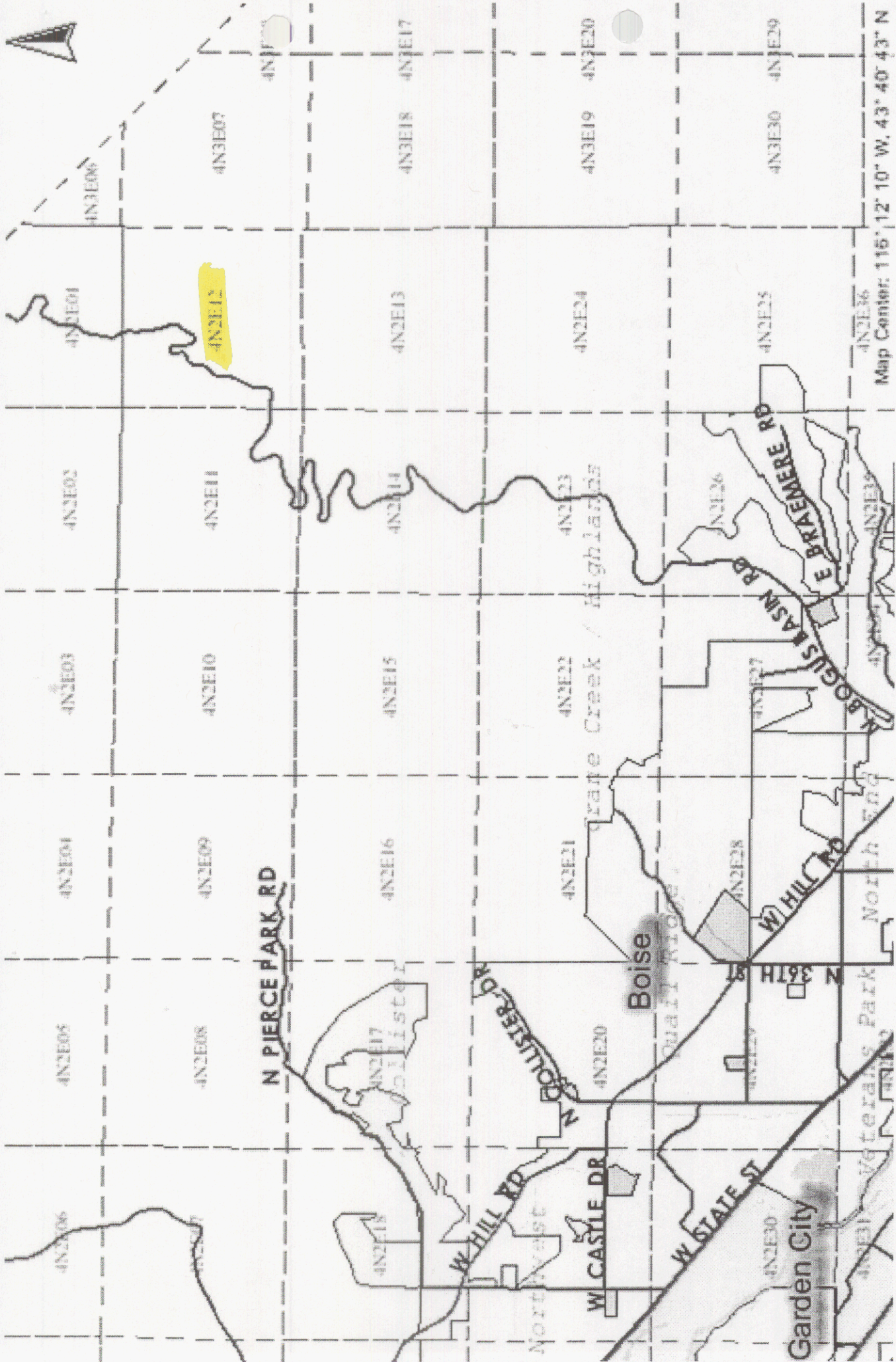
ALLIANCE
TITLE & ESCROW CORP.

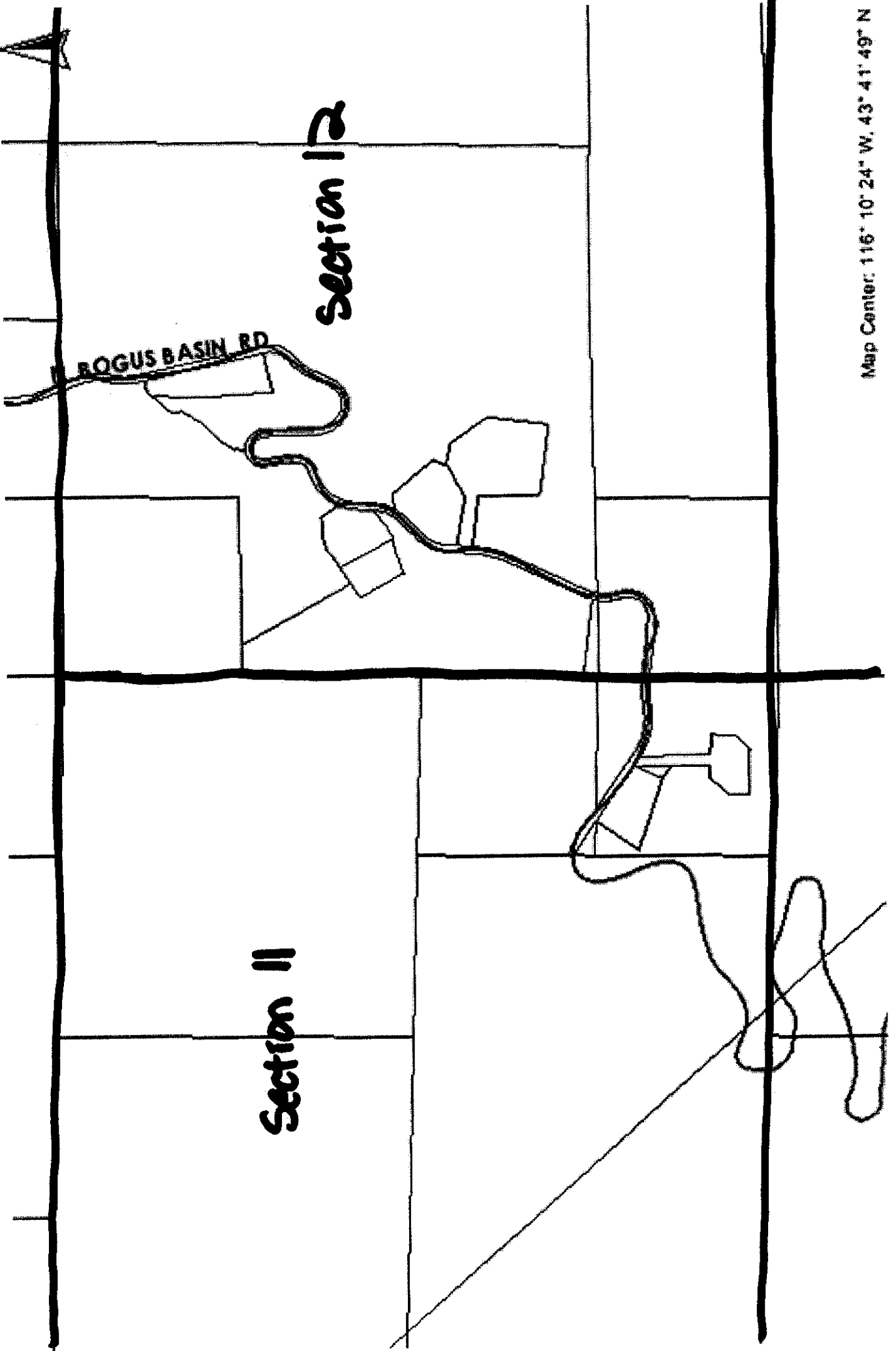
Order No. 5000421449

Map Created: June-15-2004

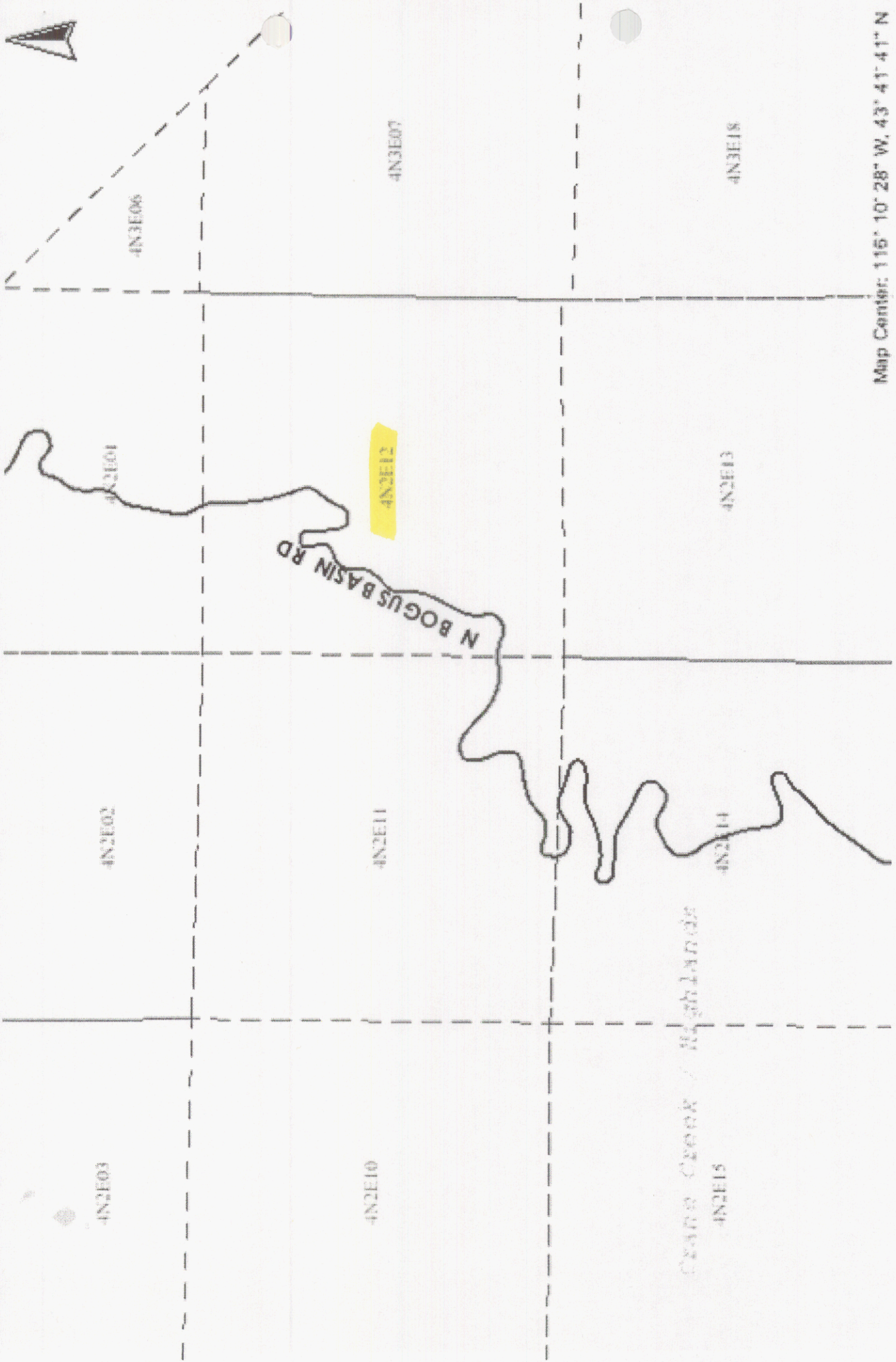
This Map and data displayed is a graphic representation derived from the Ada County Geographic Information System (GIS) data. It is not guaranteed survey accuracy and was compiled from numerous sources which may not be accurate. Users are to field verify this information. Ada County and Regional Geographic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

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Map Center: 116° 10' 24" W, 43° 41' 49" N



Map Center: 115° 10' 28" W, 43° 41' 41" N

ATTACHMENT C

50004.2 11446-AK
0.

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 11/17/04 02:06 PM
DEPUTY Vicki Allen
RECORDED - REQUEST OF
Alliance Title

AMOUNT 15.00 5



When recorded return to:

Robert B. Burns
Moffat Thomas Barrett Rock & Fields
P.O. Box 829
Boise, Idaho 83701

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, Inc., 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 West Curling, Boise, Idaho 83702 ("Grantee"), that real property located in Ada County, Idaho and legally described as follows:

See Exhibits A-4, A-6 and A-10 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 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 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 as aforesaid.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed by its authorized representative this 16th day of November, 2004.

Bogus Basin Lot Development LLC, an Idaho
limited liability company

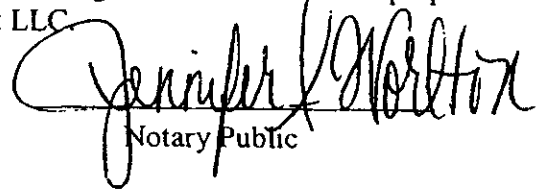
By: Grossman Company Properties, Inc., an
Arizona corporation, its Manager

By:
Its:

PRESIDENT & CEO

State of Arizona)
) ss.
County of Maricopa)

On this 16th day of November, 2004 before me JENNIFER WORTON, the undersigned notary public personally appeared W. MATTHEW CROO, known or identified to me to be the person who signed the above instrument as PRESIDENT & CEO of Grossman Company Properties, Inc., Manager of Bogus Basin Lot Development LLC, an Idaho limited liability company, who acknowledged to me that he signed the same for the purposes therein stated on behalf of Bogus Basin Lot Development LLC.


Notary Public

My commission expires: 2-19-06

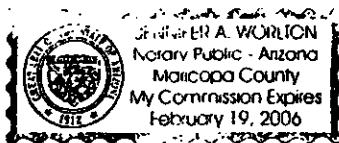


EXHIBIT A

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, Ada County, Idaho, 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°33'35" 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.

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

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

AMOUNT 24.00

8



104153236

(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.

WARRANTY DEED - 1

11222004 1500

FILE COPY

BOI_MT2:563508.1

Lets 1-11-2-1

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

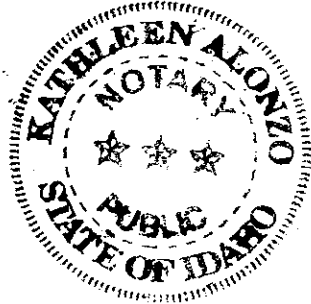
HDA, LLC
an Idaho limited liability company

By Randy J. Berry
Randy J. Berry, Member

STATE OF IDAHO)
County of Ada) ss.

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.



KAlonzo
NOTARY PUBLIC FOR IDAHO
Residing at Mondrian, 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 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.

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.

ADA COUNTY RECORDER J. L. NAVARRO
BOISE IDAHO 12/08/04 11:23 AM
DEPUTY Neava Haney
RECORDED - REQUEST OF
Moffatt Thomas

AMOUNT 15.00

5



104155087

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, **DEER POINT RANCH, LLC**, an Idaho limited liability company, whose principal business address is 4317 North Tiverton, Boise, Idaho 83702 ("Grantor"), does hereby grant, transfer, sell, and convey unto **JOHN W. RYAN and MONIKA I. RYAN**, husband and wife, whose 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, 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 with respect to said premises under Alliance Title & Escrow Corp. order numbers 5000420557AK and 5000421446AK to Grantor's predecessor-in-interest, HDA, LLC, an Idaho limited liability company; and that Grantor will warrant and defend the premises from all other claims and demands whatsoever.

FILE COPY

WARRANTY DEED - 1

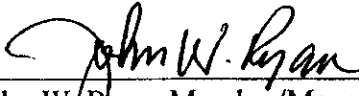
120604 1130

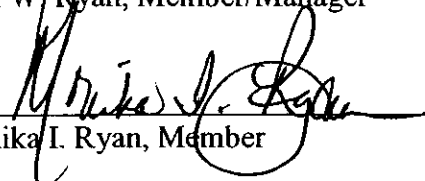
BOI_MT2:564533.1

1. + 6

IT WITNESS WHEREOF, Grantor has caused these presents to be executed by all of its members effective the 7th day of December 2004.

DEER POINT RANCH, LLC,
an Idaho limited liability company

By 
John W. Ryan, Member/Manager

By 
Monika I. Ryan, Member

HDA, LLC,
an Idaho limited liability company
Its: Member

By 
Randy J. Berry, Member

STATE OF IDAHO)
) ss.
County of ADA)

On this 7TH day of December 2004, before me KARLYN D. PARKER personally appeared JOHN W. RYAN, known or identified to me (or proved to me on the oath of N/A) to be a member/manager of DEER POINT RANCH, 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.

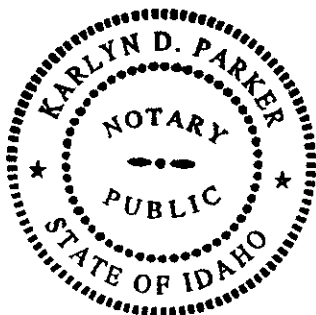


Karlyn D. Parker
NOTARY PUBLIC FOR IDAHO
Residing at Boise, Idaho
My Commission Expires 5/26/09

STATE OF IDAHO)
) ss.
County of ADA)

On this 7TH day of December 2004, before me KARLYN D. PARKER personally appeared MONIKA I. RYAN, known or identified to me (or proved to me on the oath of N/A) to be a member of DEER POINT RANCH, 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.

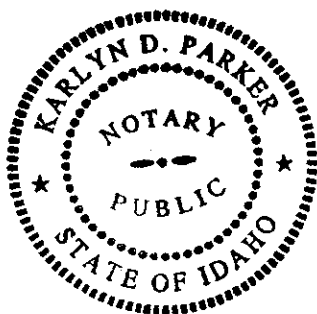


Karlyn D. Parker
NOTARY PUBLIC FOR IDAHO
Residing at Boise, Idaho
My Commission Expires 5/26/09

STATE OF IDAHO)
) ss.
County of ADA)

On this 7TH day of December 2004, before me KARLYN D. PARKER, a Notary Public in and for said State, personally appeared RANDY J. BERRY, known or identified to me (or proved to me on the oath of N/A) to be the member of HDA, LLC, an Idaho limited liability company, a Member of DEER POINT RANCH, LLC, an Idaho limited liability company, 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 he executed the within instrument on behalf of said company, and that such company executed the same in the company's 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.



Karlyn D. Parker
NOTARY PUBLIC FOR IDAHO
Residing at Boise, Idaho
My Commission Expires 5/26/09

EXHIBIT A

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.

**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

JOHN W RYAN
MONIKA I RYAN
4317 N TIVERTON PL
BOISE ID 83702

RE: Permit No. 63-32134

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.

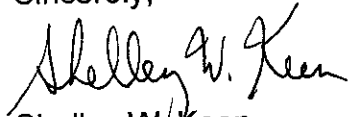
Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should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

A handwritten signature in black ink, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name "Shelley" being the most prominent part.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

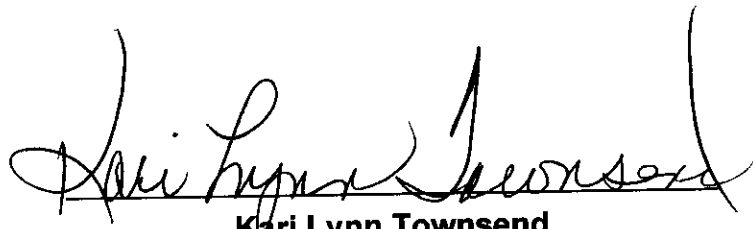
CERTIFICATE OF SERVICE

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.

63-32134

**JOHN W RYAN
MONIKA I RYAN
4317 N TIVERTON PL
BOISE ID 83702**

A handwritten signature in black ink, appearing to read "Kari Lynn Townsend", written over a horizontal line.

**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 63-32134
From: eretelle
Re: permit review

No overlap or protest.

No Water District or moratorium.

Recommend approval as suggested by IDWR Western.

P.O. Box 40, Boise, Idaho 83707-0040 WATER RESOURCES
WESTERN REGION
LEGAL ADVERTISING PROOF OF PUBLICATION

8-27-09

Lester, Steve

To:
Subject:

legals@idahostatesman.com
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



Ada letterJuly
28.RTF



63-32128 etc
ads.RTF



Transfer
7-Vanderwoude.86



Transfer



Transfer

7-United Water.9-Canyon County

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

A handwritten signature in black ink, appearing to be 'SL' or similar initials, located below the typed name of Steve Lester.

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

63-32134

JOHN W & MONIKA I RYAN
4317 N TIVERTON PL
BOISE ID 83702

Point(s) of Diversion NWSW S12 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 S12 SWNW NWSW

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 Schaefer Krautmann - Atty
EMPLOYEE FZ

Also
see
Attached
notes

RE: Meeting c 5 Apps

Apps. for Lots 1-3, 6 & 10, "informal lots" not
usual rule. etc.

Lots 2, 3 & 10 Exempted uses, OK to process

Lots 2 & 10 amended 6/15/05 for clarity.

Lot 10 " 7/1/05 " " (mistakenly dated
7/1/0).

Not expanded, no fee or priority issues

Use App. map that shows section 5 & 6 to
contain legals.

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

Lot 10 P/L ... home on lot somewhere (exact location
unknown), lot is NGRW, SWRW & SEWR so all 3
tracts for potential P/L.

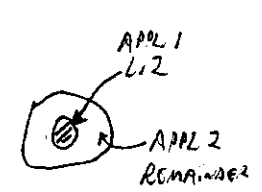
Lots 1 + 6

1st negotiation ... unresolved issues ... Atty to contact
clients & see what to do. Hold until clarified.

7/1/05
-JR

5 APPLS c/o ANGELA S.K. Attorney

<u>TAG</u>	<u>NAME</u>	<u>LOCATION</u>	<u>LOT</u> *	<u>AMENDED</u>
29134	DEER PT. Ranch LLC	SESW 5.11	(1 HOLD)	Y
31155	"	SESE 5.11	(2 PROCESS)	Y
31155	"	"	(3 PER FOLLOWING email) (N/A PROCESS)	N
31927	RYAN	SUNW 5.12	(6 HOLD)	Y
38109	HOA LLC	NSW 5.12	(10 PROCESS)	Y



31155 } SAME
31155 } WILL
31155 } SEPARATE
31155 } LOTS

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

RESULTS of meeting w/ Angela:

- Lots 1 + 6 lot irrigation: # acres? Add to Pln. Still screen is 3/15. 11/15. Mitigation? R.E. Process form? Web zone (use well log info). She will visit w/ clients to (a) delete inc or (2) pursue mitigation.
- Lots 2, ³N/A, 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

June 14, 2005

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

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
ask@moffatt.com

ASK/mdr
Enclosures

cc: John Ryan

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. Marrin
C. Clayton Gill
David P. Gardner
John O. Fitzgerald, II
Julian E. Gabiola
Angela Schaer Kaufmann
Michael W. McGraham

Kimberly D. Evans Ross
Jon A. Stenquist
Eric M. Barzee
Valerie N. Charles
Bradley J. Dixon
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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

MAR 04 2005

DEPARTMENT OF
WATER RESOURCES

March 3, 2005

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

RECEIVED

MAR 08 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

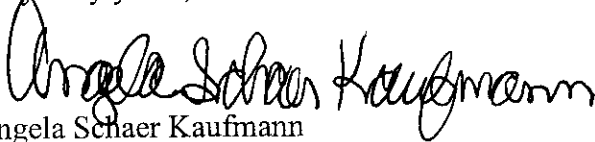
Re: Applications for Permit
MTBR&F File No. 17-781.0

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

ASK/dll
Enclosures
cc: John Ryan