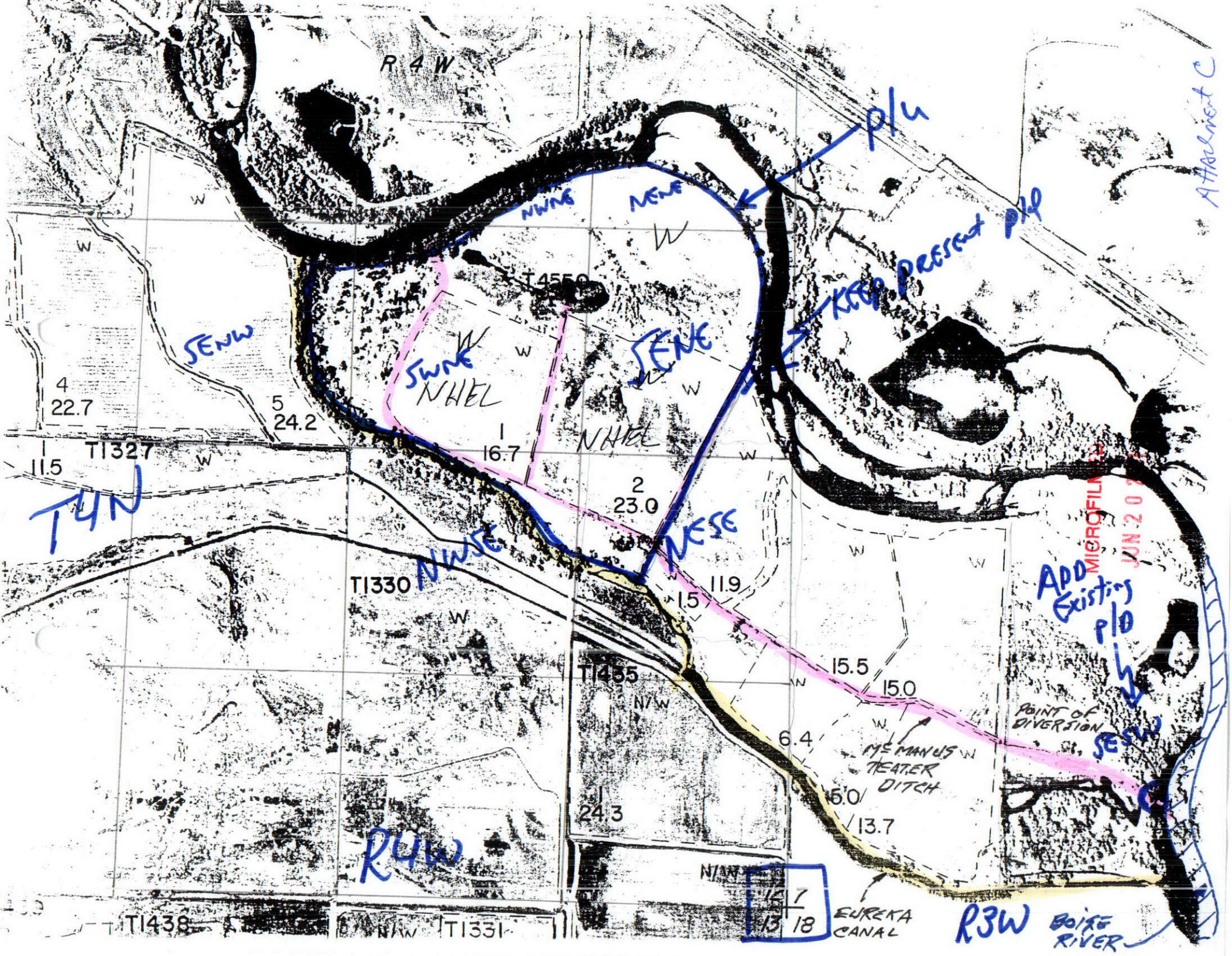
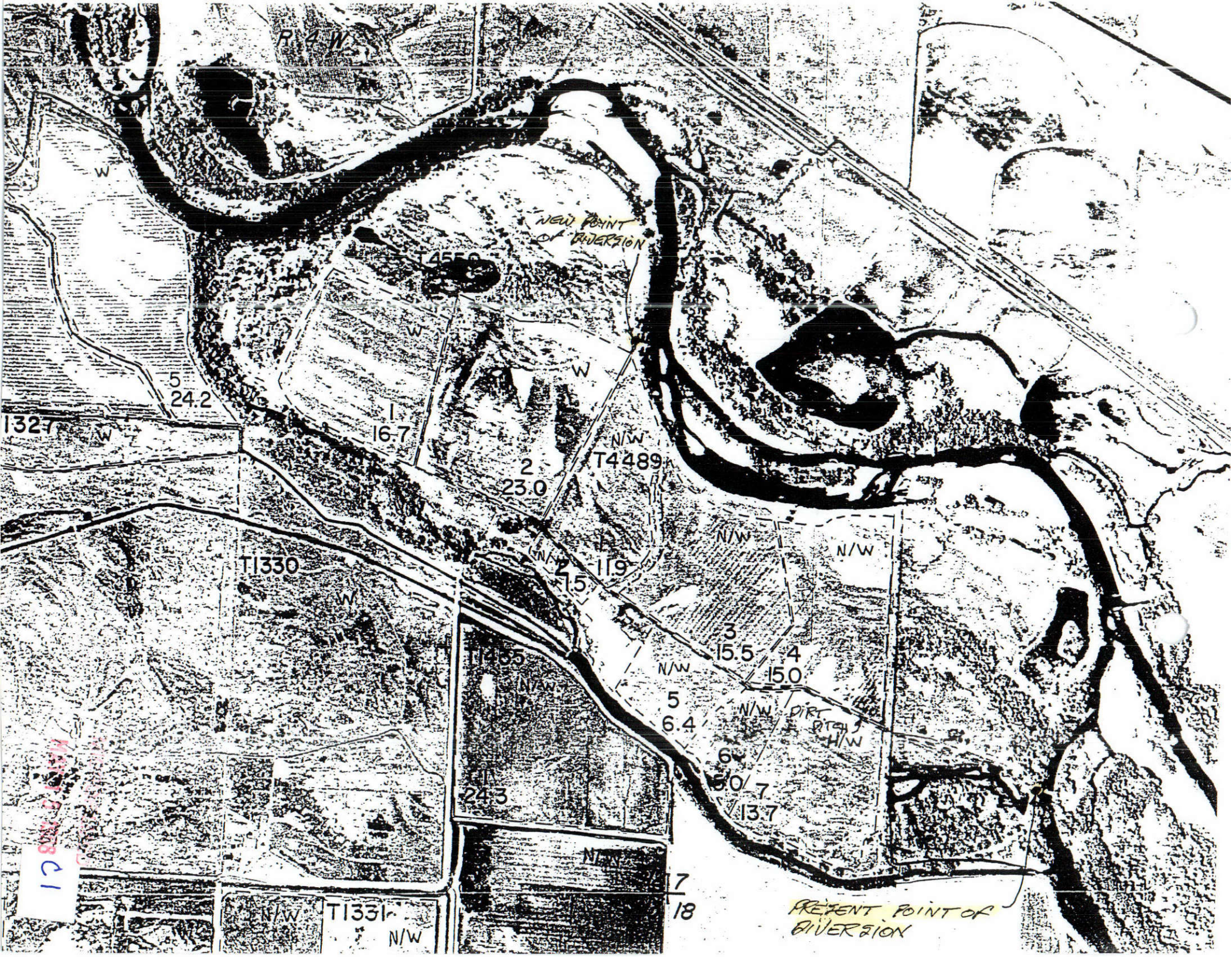






R 4 W

NEW POINT OF DIVERSION

T4550

T4489

T1330

T4435

T1331

PRESENT POINT OF DIVERSION

5
24.2

1
16.7

2
23.0

2
11.9

3
15.5

4
15.0

5
6.4

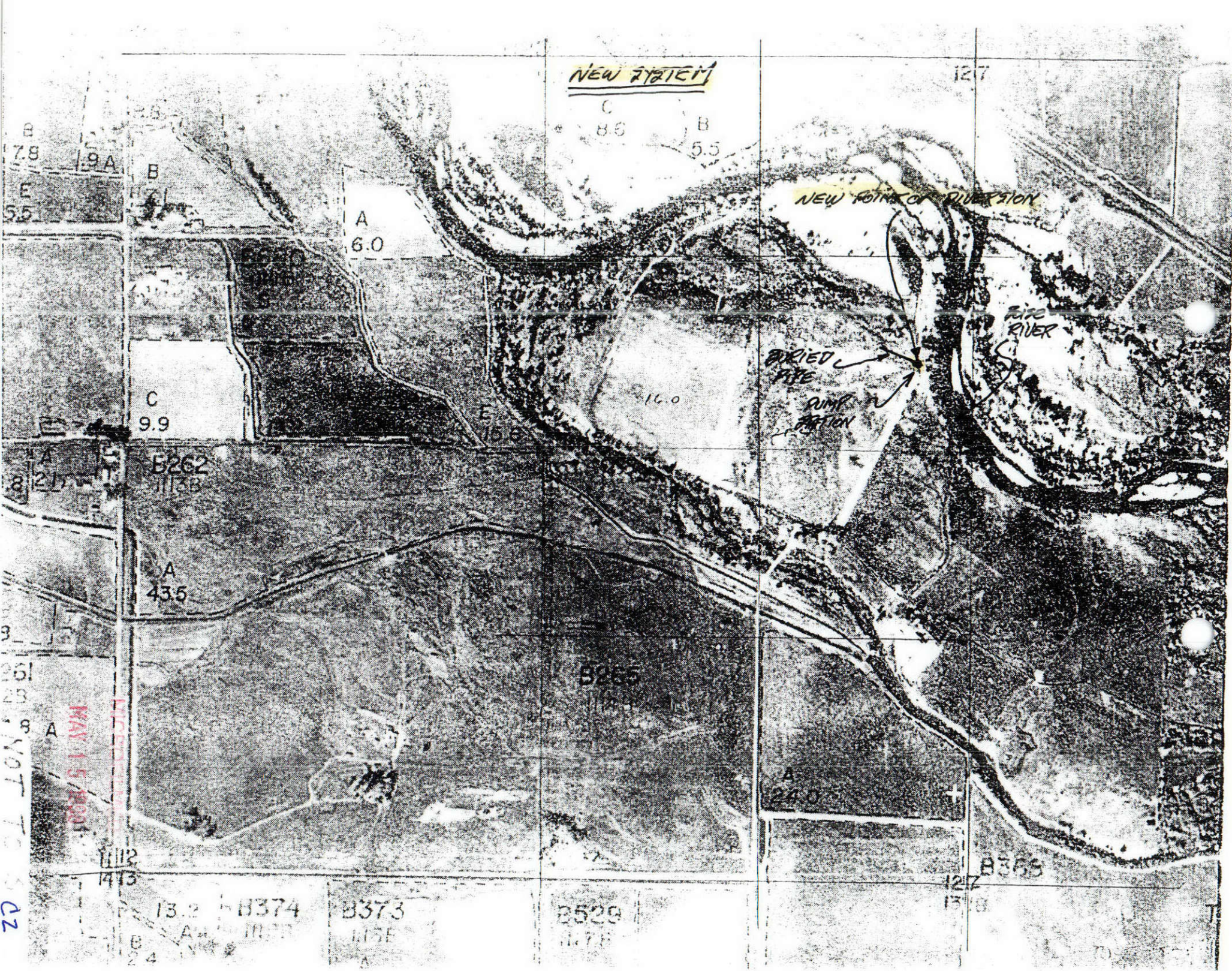
6
6.0

7
13.7

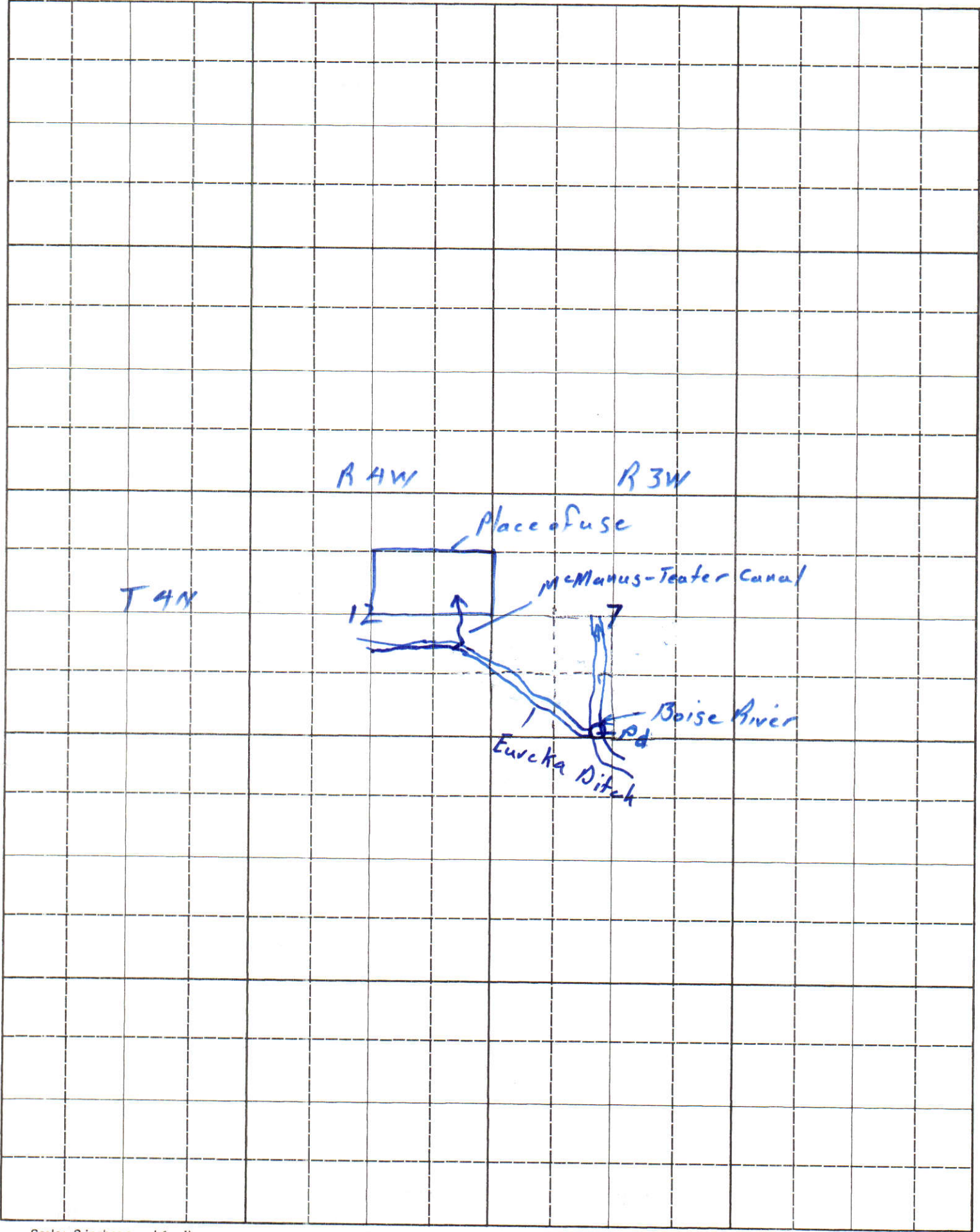
24.3

17
18

1327



11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

RECORDED

x Robert R. Angel
(Applicant)

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)
) SS.
County of Canyon)

NOTICE OF APPLICATION FOR WATER RIGHT
Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

63-9696

MILLS, ZIMRI E.

BOISE, ID 83709

Source: SOUTH BOISE DRAIN tributary to SNAKE RIVER

Date Filed: March 27, 1981

Amount: 1.00 CFS

Diversion Point: LOT 02 (SENW) LOT 03 (NESW) Sec 11 T 05N R 06W, CANYON County

Use: IRRIGATION (1.00 CFS) from March 15 to November 15

Place of Use: LOT 02 (SENW) LOT 03 (NESW) Sec 11 T 05N R 06W FOR 50 ACRES

Diversion Means: PUMP & PIPELINE.

63-9698

ANGELL, ROBERT

1026 STRAWBERRY LN., BOISE, ID 83702

Source: BOISE RIVER tributary to SNAKE RIVER

Date Filed: March 27, 1981

Amount: 3.00 CFS

Diversion Point: SESE Sec 07 T 04N R 03W, CANYON County

Use: STOCKWATER (0.05 CFS) from November 1 to March 31

RECREATION (3.00 CFS) from November 1 to March 31

Place of Use: SENE SWNE Sec 12 T 04N R 04W

Diversion Means: MC MANUS-TEATER CANAL THROUGH EXISTING DIVERTING WORKS.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 82 S. Cole Road, Boise, Idaho 83709 on or before APRIL 27, 1981.

C. STEPHEN ALLRED

Director

April 9, 16, 1981

o.k.
not

Suzanne Smith

of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily, (except Saturday) newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times

in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

April 9, 16, 1981

Suzanne Smith

Subscribed and sworn to before me this

16th day of April

19 81

Janne Lusk
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1981

RECEIVED
APR 16 1981

Department of Water Resources
Nampa Regional Office

RECEIVED

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) SS.
County of Canyon)

DANIEL J. JONES
of Nampa, Canyon County, Idaho, being first duly
sworn, deposes and says:

1. That I am a citizen of the United States, and at all times
hereinafter mentioned was over the age of eighteen years, and
not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a
daily newspaper published in the City of Nampa and Caldwell,
in the County of Canyon, State of Idaho; that the said
newspaper is in general circulation in the said County of
Canyon, and in the vicinity of Nampa and Caldwell, and has
been uninterruptedly published in said County during a period of
seventy-eight consecutive weeks prior to the first publication of
the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was
published in said newspaper two times in the regular and entire
issue of said paper, and was printed in the newspaper proper,
and not in a supplement.

February 1, 8, 2001

STATE OF IDAHO)
County of Canyon)

On this 8th day of February in the year of 2001 before
me a Notary Public, personally appeared. Daniel J. Jones,
known or identified to me to be the person whose name
subscribed to the within instrument, and being by me first
duly sworn, declared that the statements therein are true, and
acknowledge to me that she executed the same.

Jeanne Lusk
Notary Public for Idaho

Residing at Nampa

My Commission expires June 21st, 2003

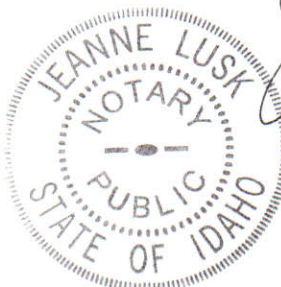
MICROFILMED
JUN 20 2001

**NOTICE OF PROPOSED CHANGE OF
WATER RIGHT
TRANSFER NO. 68846**
VALE ISLAND FARMS, 35 HORI-
ZON DR BOISE ID 83702, has filed Ap-
plication No. 68846 for changes to the
following water rights within CANYON
County:
Right No. 63-9698 ✓
Priority 3/27/81
Source BOISE RIVER
Use STOCKWATER
0.05 CFS 2.7 AFA
RECREATION
Total Amount 3.00 CFS 892.6 AFA
Point(s) of Diversion SENE S12 T04N R04W
Place of Use S12 T04N R04W
The purpose of the transfer is to
change a portion of the above rights as
follows:
Applicant wishes to include the SENW
and the N1/2SE S12, T4N R4W to the
place of use and add a point of diversion
in the SESW S7, T4N R3W. No in-
crease in licensed flow rate or volume
has been proposed.
Any protest against the proposed
change must be filed with the Depart-
ment of Water Resources, Western Re-
gion, 2735 Airport Wy, Boise ID 83705
together with a protest fee of \$25.00 for
each application on or before 2-20-01.
The protestant must also send a copy of
the protest to the applicant.
KARL J DREHER, Director
February 1, 8, 2001 2627

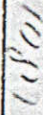
RECEIVED

FEB 14 2001

WATER RESOURCES
WESTERN REGION



!-



2050

JUN 20 2001

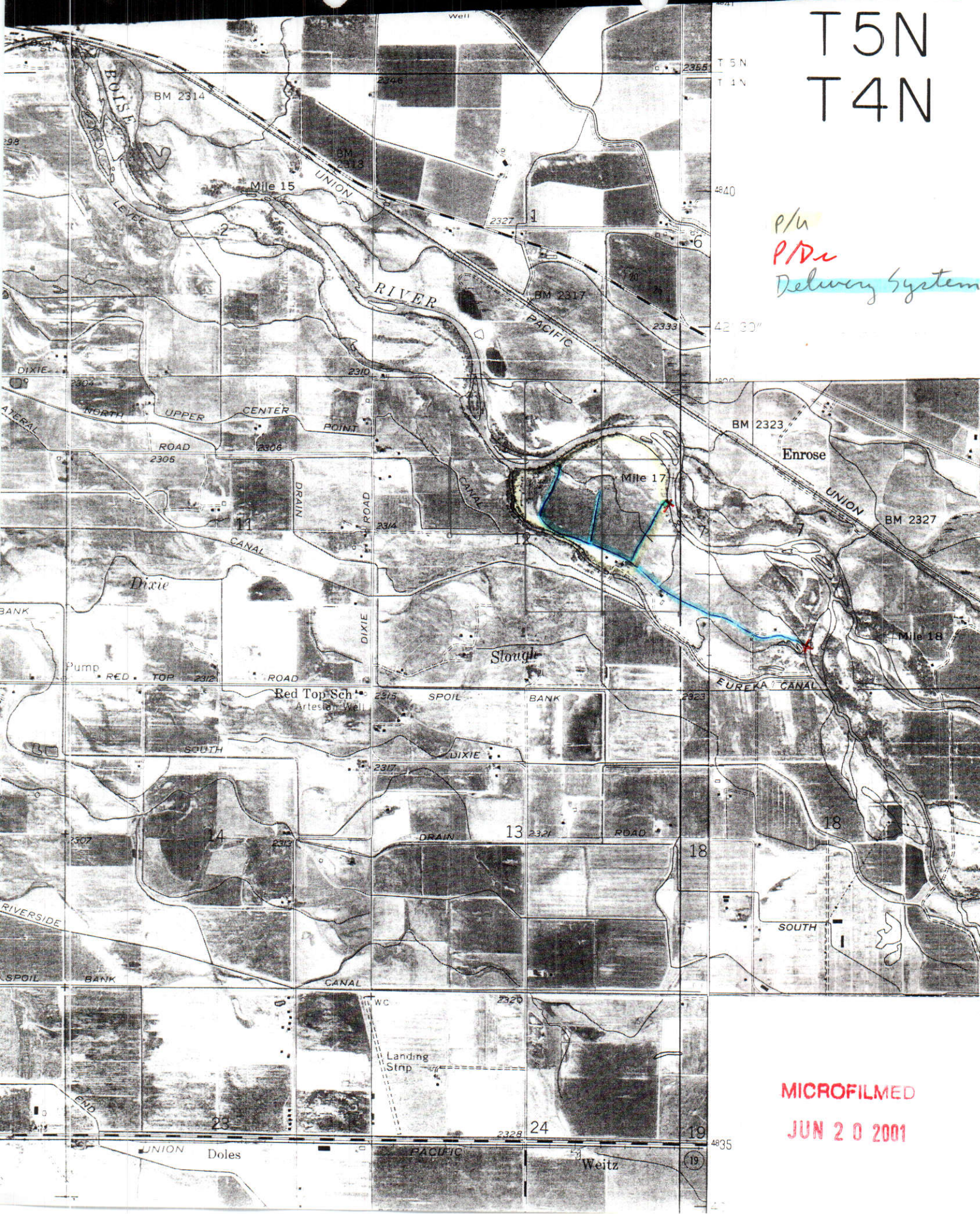
COMFUSI



MICROFILMED

T5N
T4N

P/U
P/D
Delivery System



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JUN 20 2001



Point(s) of diversion: SE 1/4 SW 1/4, SEC. 7, TWP. 4N, RGE. 3W, R.M.

Place(s) of Use

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	3W	12	X	X	X	✓													

Recommended Amendments:

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☒ Add P.U. as reflected above

- ☐ None
☐ Other

Examiner's Signature

Checked by DBS

Approved by [Signature]

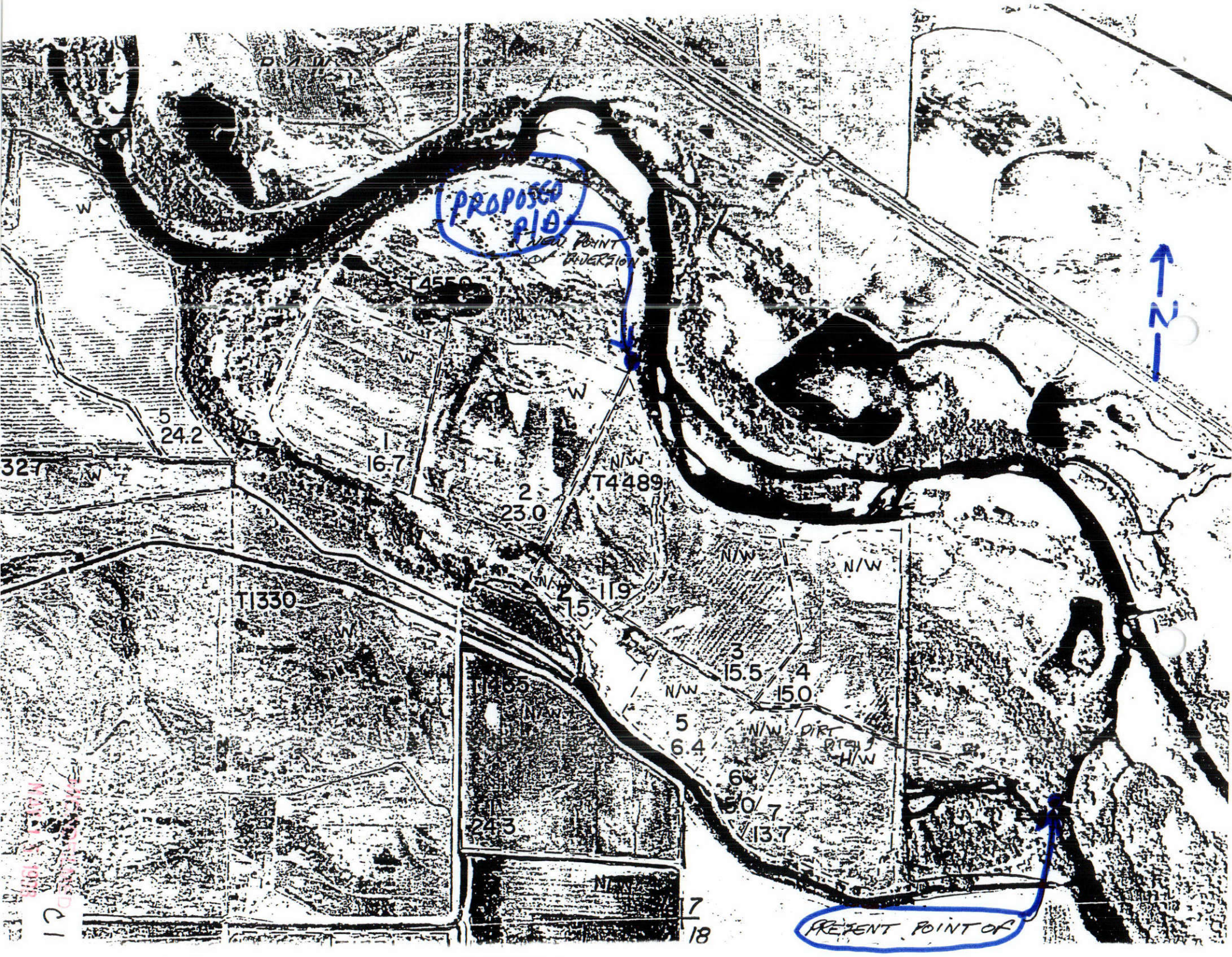
Date

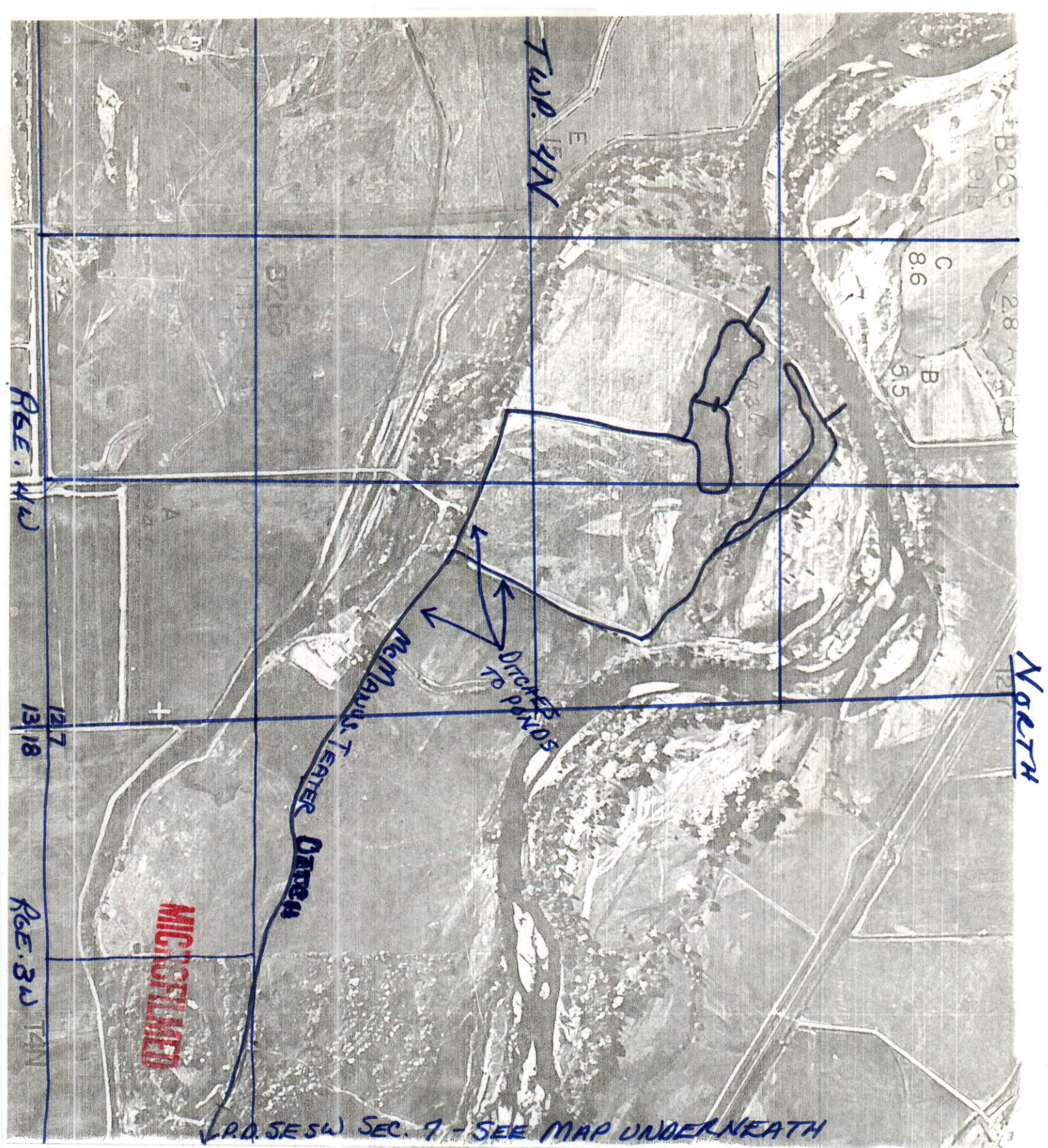
Date

Date

MICROFILMED

JUN 20 2001





✓ Point(s) of diversion: SE 1/4 SW 1/4, SEC. 7, TWP. 4N, RGE. 3W, B.M.

Place(s) of Use

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	4W	12	X	X	X	✓													

Recommended Amendments:

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☒ Add P.U. as reflected above

- ☐ None
☐ Other _____

Examiner's Signature

Checked by

Approved by

Jan Grover

DBS

Keep

Date

Date

Date

1/19/83

1/19/83

3/28/83

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 68846

This is to certify that: VALE ISLAND FARMS
35 HORIZON DR
BOISE ID 83702
(208)345-9000

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

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
63-9698	WR/License	03/27/1981	3.00 cfs	892.6 af	N/A	N/A	BOISE RIVER

Purpose of Transfer (Changes Proposed)

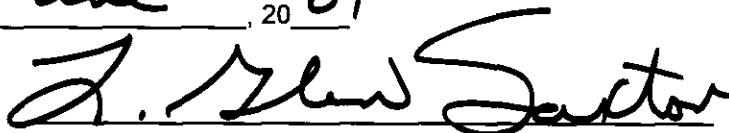
<u>Current Number</u>	<u>Split</u>	<u>POP</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-9698	NO	NO	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-9698	63-9698	3 cfs	892.6 af	N/A	N/A		N/A	N/A	N/A	N/A
TOTALS		3 cfs	892.6 af				N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 18th day of June, 2001


Chief, Water Allocation Bureau

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JUN 20 2001

WATER RIGHT NO. 63-9698
As Modified by Transfer No. 68846

In accordance with the approval of Transfer No. 68846, Water Right No. 63-9698 is now described as follows.

Right Holder: VALE ISLAND FARMS
 35 HORIZON DR
 BOISE ID 83702

Priority Date: 03/27/1981

Source: BOISE RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE	From To	Diversion Rate	Volume
STOCKWATER	11/01 to 03/31	0.05 CFS	2.7 AF
RECREATION	11/01 to 03/31	3.00 CFS	892.6 AF
		3.00 CFS	892.6 AF

LOCATION OF POINT(S) OF DIVERSION:

BOISE RIVER **SESW** Sec. 7 Twp 04N Rge 03W CANYON County

BOISE RIVER **SENE** Sec. 12 Twp 04N Rge 04W CANYON County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 04W 12	X	X	X	X				X					X	X			

PLACE OF USE: RECREATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 04W 12	X	X	X	X				X					X	X			

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Right 63-9698 shall not exceed 3.00 cfs, nor total combined annual volume of 892.6 af.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 63, Boise River.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

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JUN 20 2001

(Internet)

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 68846

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

**WATER RESOURCES
WESTERN REGION**

Name of applicant VALE ISLAND FARMS 208 363-0115

Post Office address 35 Horizon Drive, Boise, ID 83702

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use (correction)
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes See attached letter

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Flight Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use	
63-9698	3-27-81	3.0 CFS	Recreation	11-1	3-31
63-9698	3-27-81	.05 CFS	Stock water	11-1	3-31

2. Total amount of water being transferred 3,00 cubic feet per second and/or 892.6 acre-feet per annum.
3. Source of water Boise River tributary to Snake River
4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

[illegible]

PART 1

6. General Information:

The addition diversion system is the McManus

a. Description of diversion system _____

Teater Ditch in which a plicant has a 50% un divided ownership

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? No Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

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

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

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

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

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JUN 20 2001

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

PART 2

(Attach one copy for each right)

SEE ATTACHED
T. 5170

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water _____ tributary to _____

4. Date of priority _____

5. Water is used for the following purpose:

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

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

7. Point(s) of Diversion:

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

8. Lands irrigated or place of use:

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

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JUN 20 2001

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

N/A

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: (Additional)

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SW		7	4N	3W	Canyon	McManus Teater Ditch

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	4W	12	X	X	X	X				X					X	X			90

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

N/A

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

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JUN 20 2001

Total acres _____

[illegible]

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

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

SEE Attached
Aerial photo

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JUN 20 2001

PART 3

N/A

B. CHANGES IN NATURE OF USE

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

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

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

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

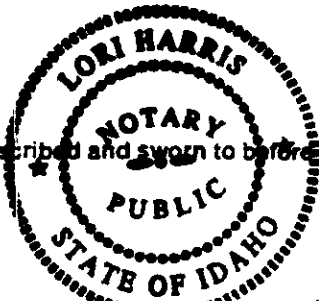
I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 15 day of December, 192000

[Signature]
(Signature of Applicant)

Lori Harris
(Notary Public)

My commission expires 12-8-06



FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 5 attachments A-E

Received by *Kh* Date 12/15/00 Protest filed by _____

Prelim. check by *Kh* Fee 330⁰⁰ _____

Receipted by *Kh* Date 12/15/00 W027224

Published in *Press Tribune* Copies of protest forwarded by _____

Pub. dates 2-1 & 8-01 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

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JUN 20 2001

ROBERT R. ANGELL

December 14, 2000

State of Idaho
Department of Water Resources
2725 Airport Way,
Boise, ID 83705

RECEIVED

DEC 15 2000

WATER RESOURCES
WESTERN REGION

Dear Sir or Madam:

The additional information is to be attached to the Application for Transfer of Water Right by Vale Island Farms.

1. Page 1, A 2: For many years Applicant has utilized the McManus-Teater Ditch at the Boise River as a source of seasonal irrigation water for his irrigated acres during spring, summer and fall months. On March 27, 1981, Applicant obtained a Water Right License (copy attached) to divert water for recreational and stock watering purposes from November 1 through March 31 utilizing the McManus Teater Ditch of which Applicant has a 50% undivided interest.

In 1998, Applicant requested and received a transfer of that water right to another point of diversion on Applicant's property (see Transfer #5170 attached). The new point of diversion did not allow Applicant a sufficient source of water flow for his needs therefore, Applicant desires to correct the transfer by requesting two points of diversion, the original point at the inlet of the McManus-Teater Ditch and the Boise River and the new point of diversion on Applicant's property at the Boise River.

Additionally, Applicant has opened previously unused property located in the western half of his farm for winter grazing and recreational uses. The new source of diversion, because it lies lower than this section of the farm cannot provide gravity flow water for this section of property however, this section of property can easily obtain water from the McManus-Teater Ditch which runs flows through this property and empties into the Boise River. As such, Applicant requires an additional source of diversion to provide water flows to the SE1/4 of the NW1/4 and the NE1/4 and NW 1/4 of the SE1/4, approximately 50 additional acres.

The McManus-Teater Ditch (the requested additional point of diversion) is administered by Water District No. 63 and was originally constructed in the early years of the 19th century. The Ditch is owned 50% by Applicant and 50% by the JR Simplot Company. The ditch originates and runs through adjacent property and Simplot's property by reason of recorded easements granted to the McManus-Teater Ditch owners many years ago. The requested additional point of diversion is on property which is currently owned by Mr. Robert Glazier of Boise, Idaho.

2. Page 2, 6c: A 10HP Parma waterlifter pump is located at the new point of diversion which supplies water to the northern portion of Applicant's farm on a gravity flow basis. Such water is insufficient for Applicant's needs. Further, the present source of water cannot, because of terrain, flow to the southern and western portions of Applicant's farm. Therefore, Applicant

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JUN 27 2001

Attachment A

is requesting an additional point of diversion at the Boise River utilizing the McManus-Teater Ditch, co-owned by Applicant, as the source to divert water to and through Applicant's farm. By alternating between the two sources of diversion, Applicant will have sufficient flows for his needs.

This application is therefore a correction of the previous Transfer of Water Right and not a request to obtain additional flows.

Thank you for your assistance.


Robert R. Angell
General Partner,
Vale Island Farms

Enclosures

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JUN 20 2001

A2

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 5170
WATER RIGHT NO. 63-09698

This is to certify that: **VALE ISLAND FARMS**
35 HORIZON DR
BOISE ID 83702

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	11/01 to 03/31	0.05 CFS	2.7 AF
RECREATION	11/01 to 03/31	3.00 CFS	892.6 AF
Totals		3.00 CFS	892.6 AF

SOURCE

BOISE RIVER

TRIBUTARY OF

SNAKE RIVER

Priority: 03/27/1981

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 12, Township 04N, Range 04W
CANYON County

PLACE OF USE: STOCKWATER

TWN RGE SEC

04N 04W 12

NENE
SENE

NWNE

SWNE

PLACE OF USE: RECREATION, same as STOCKWATER use

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

MICROFILMED

JUN 26 2001

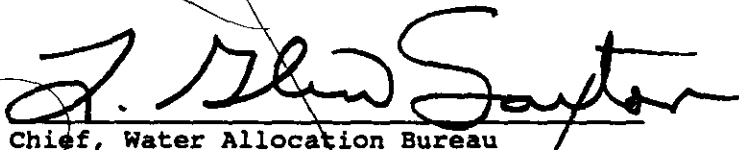
Attachment B

TRANSFER NO. 5170
WATER RIGHT NO. 63-09698

CONDITIONS OF APPROVAL AND REMARKS

3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 20th day of March, 1998.


Chief, Water Allocation Bureau

MICROFILMED

JUN 20 2001

B2

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-09698
Date Received: 11/18/1994
Receipt No: C031852
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: A. H. BURROUGHS III
Address: 1617 CLAREMONT DRIVE
BOISE ID

208-343-7556

83702

AND

Name: ROBERT ANGELL
Address: 35 HORIZON DRIVE
BOISE ID

208-345-9000

83702

2. Date of Priority: MAR 27, 1981

3. Source: BOISE RIVER

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	03W	7	SE	SW			CANYON

5. Description of diverting works:

MC MANUS-TEATER CANAL THROUGH EXISTING DIVERTING WORKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	11/01	03/31	0.050		2.70
RECREATION	11/01	03/31	3.000		

7. Total Quantity Appropriated is:

3.000 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

S/30 HORSES, 100 HEAD RANGE; R/FISH PONDS & WATERFOWL NESTING.

MICROFILMED

A63-09698

Page

1

Date: 12/20/94

JUN 20 2001

Attachment D

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5170
WATER RIGHT NO. 63-09698

This is to certify that: **VALE ISLAND FARMS**
35 HORIZON DR
BOISE ID 83702

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	11/01 to 03/31	0.05 CFS	2.7 AF
RECREATION	11/01 to 03/31	3.00 CFS	892.6 AF
	Totals	3.00 CFS	892.6 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
BOISE RIVER	SNAKE RIVER

Priority: 03/27/1981

LOCATION OF POINT(S) OF DIVERSION: SENE , Sec. 12, Township 04N, Range 04W
CANYON County

PLACE OF USE: STOCKWATER

TWN RGE SEC

04N 04W 12	NENE	NWNE	SWNE
	SENE		

PLACE OF USE: RECREATION, same as STOCKWATER use

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

MAY 18 1981

TRANSFER NO. 5170
WATER RIGHT NO. 63-09698

CONDITIONS OF APPROVAL AND REMARKS

3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 20th day of March, 1998.


Chief, Water Allocation Bureau

APR 13 1998

Page 1 of 26STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 5170
RECEIVED**RECEIVED****OCT 30 1997**WATER RESOURCES
WESTERN REGION**APPLICATION FOR TRANSFER OF WATER RIGHT SEP 29 1997****PART 1**WATER RESOURCES
WESTERN REGIONName of applicant VALE ISLAND FARMS Phone (208) 345-9000
Post Office address 35 HORIZON DRIVE, BOISE, IDAHO 83702**RECEIVED****A. PURPOSE OF TRANSFER**

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____ Department of Water Resources
2. Describe the reason for the proposed changes TO ELIMINATE 2,800 FT. OF DIRT DITCH WITH GRAVITY
FLOW AND INSTALL SUMP WITH PUMP AND BURIED PVC PIPE.

MAR 18 1998**B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE**

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|-----------------|----------|-----------------------|------------------|---------------|
| 63-9698 | 3-27-81 | 3.0 CFS | RECREATION | 11-1 to 3-31 |
| " " | " | .05 CFS | STOCK WATER | " to " |
| | | | | to |
| | | | | to |
2. Total amount of water being transferred 3.0 cubic feet per second and/or 2.7 acre-feet per annum.
3. Source of water BOISE RIVER tributary to SNAKE RIVER

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NE		12	4N	4W	CANYON	N/A (BOISE RIVER)

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
4N	4W	12	X	X	X	X													
4N	4W	12																	

MICROFILMED
MAY 15 1998

Total acres _____

PART 1

6. General Information:

a. Description of diversion system 48" STEEL SUMP TO BE INSTALLED IN RIVER WITH
10HP PARMA PUMP AND 10" BURIED PVC PIPE.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? NO Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

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

NO EFFECT.

d. Remarks:

THIS CHANGE IN POINT OF DIVERSION WILL ELIMINATE 2,800 FT OF INEFFICIENT, LEAKY,
DIRT DITCH, DRASTICALLY IMPROVING THE DELIVERY OF WATER.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

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

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

RECEIVED

RECEIVED

MAY 15 1988

3 of 6

OWNER CODE	NAME & ADDRESS	PRIORITY	WATER USE	USE PERIOD		DIVERSION	DIVERSION
		DATE		FROM	TO	RATE	VOLUME
C	ROBERT ANGELL 1026 STRAWBERRY LN. BOISE ID 83702	03/27/1981	STOCKWATER RECREATION	11/01	03/31	0.050 CFS 3.000 CFS	2.70 AFA
TOTAL DIVERSION:						3.000 CFS	

Water Source: BOISE RIVER Tributary to: SNAKE RIVER Stage: LICENSE
 Point(s) of Diversion: T04N R03W S07 SESW CANYON County

Place of use Legal Description for: RECREATION

NE				NW				SW				SE			
NENE	NUNE	SUNE	SENE	NEWV	NUNW	SUNW	SEWV	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac
04N	04W	12	: R R R R	: :	: :	: :	: :	: :	: :	: :	: :	: :	: :	: :	: :

Place of use location for STOCKWATER is the same location as described for: RECREATION
 Pou County: CANYON
 Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
 63-00155 63-00157 63-00158 63-00159 63-00223K 63-00233M 63-00233W 63-00233P 63-05000 63-07721

Other Water Rights Listing Overlapping Place(s) of use:
 63-02910 63-04529 63-04531

Dates: App. Received: Priority Date: 03/27/1981
 Proof Due Date: 06/01/1982 Proof Made Date: 01/01/1990
 Exam Made Date: Exam Sent to S.O.:
 Licensed Date: 05/24/1983

Misc: Water District Number: 63 Field Exam Fee:

Audit: 02/26/85 05/01/88 CONVERT

RECORDED
 MAY 15 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 5170

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-9698 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other _____3. Source of water BOISE RIVER tributary to SNAKE RIVER4. Date or priority 3-27-81

5. Water is used for the following purpose:

amount 3.0 CFS for RECREATION purposes from 11-1 to 3-31
(cfs/ac-ft)
amount .05 CFS for STOCK WATER purposes from " to "
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 3.0 cubic feet per second and/or 2.7 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SW		7	4N	3W	CANYON	MC MANUS TEATER DITCH,
								WATER DISTRICT #63

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
4N	4W	12	X	X	X	X													
4N	4W	12																	

MAY 15 1998

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

PART 2

Transfer No. _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 NO _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount N/A for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount N/A for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

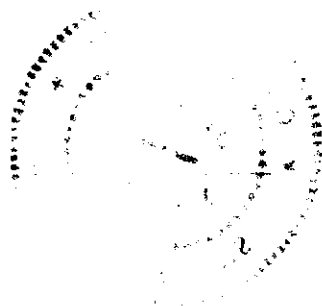
Total acres _____

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

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

SEE ATTACHED

← *attached C*



MAY 15 1938

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	N/A			to _____
				to _____

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

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

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

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

Subscribed and sworn to before me this 27th day of October, 1997.

Nancy Stephens
(Notary Public)

My commission expires 4-18-00

FOR DEPARTMENT USE ONLY # W023106

Transfer contains 6 pages and 3 attachments

Received by Kh Date 9/29/97 Protest filed by _____

Prelim. check by g Fee 100.00

Receipted by Kh Date 9/29/97

Published in Press Tribune Copies of protest forwarded by _____

Pub. dates 11-20 & 27-97 Hearing held by _____ Date _____

Watermaster recommendation requested on 12-19-97 Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

MAY 13 1998

94681

INSTRUMENT NO 742595

Warranty Deed

⑦

For Value Received

LAVERDA MAE POLLARD AND ELDON D. POLLARD, wife and husband, of Caldwell, Canyon County, Idaho,

the grantor S, do hereby grant, bargain, sell and convey unto

RAPON LAND AND LIVESTOCK CO., a partnership, of 1100 West Jefferson, Boise, Ada County, Idaho,

the grantee, the following described premises, situated in Canyon County, State of Idaho, to-wit:

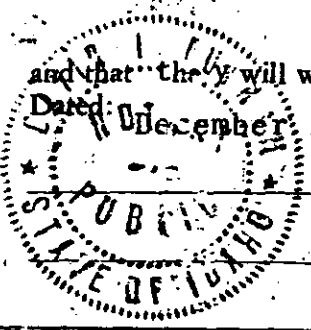
Section 12, Township 4 North, Range 4 West of the Boise Meridian, Canyon County, Idaho; Commencing at the Southeast corner of Section 12; thence North on the section line, 880 feet; thence North 49°40' West, 150 feet; thence North 36°00' West, 250 feet; thence North 31°20' West, 465 feet; thence North 45°5' West, 525 feet; thence North 53°10' West, 53.25 feet to the real point of beginning; thence North 26°40' East, 1421.95 feet; thence North 4°10' West, 323.14 feet; thence North 18°15' West, 500 feet; thence North 54°20' West, 465 feet; thence South 83°35' West, 485 feet; thence South 74°35' West, 436 feet; thence South 59°30' West, 770 feet; thence South 71°45' West, 330 feet; thence South 40°15' West, 245 feet; thence South 14°20' East, 125 feet; thence South 36°45' East, 490 feet; thence South 44°45' East, 330 feet; thence South 69°35' East, 415 feet; thence South 58°55' East, 575 feet; thence South 65°10' East 392 feet; thence South 53°10' East, 206.75 feet, to the real point of beginning.

Together with all water, water rights, ditches and rights of way for ditches thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its successors, heirs and assigns forever. And the said Grantor S do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated December 27, 1974.



Laverda Mae Pollard
Eldon D. Pollard

STATE OF IDAHO, COUNTY OF CANYON
On this _____ day of December, 1974,
before me, a notary public in and for said State, personally appeared
LAVERDA MAE POLLARD AND ELDON D. POLLARD, wife and husband,
known to me to be the persons whose names are subscribed
to the within instrument, and acknowledged to me that
they executed the same.

David L. Johnson
Notary Public.
Residing at Caldwell, Idaho

STATE OF IDAHO, COUNTY OF _____
I hereby certify that this instrument was filed for record at the
request of _____
at _____ minutes past _____ o'clock _____ m.,
this _____ day of _____
19 _____, in my office, and duly recorded in Book _____ of
Deeds at page _____

Ex-Officio Recorder.

By _____ Deputy.

Fees \$ _____
Mail to: *El Rancho Realty*
446 Caldwell, Idaho AI

(2)

Sub 892513

86 2005

ORDER NO. 3007 A

QUITCLAIM DEED

For Value Received, RAPON LAND AND LIVESTOCK COMPANY, an Idaho general partnership,

does
hereby convey, release, remise and forever quitclaim unto ROBERT R. ANGELL, the sole remaining partner of Rapon Land and Livestock Company,

whose current address is 1026 Strawberry, Boise, Idaho 83706,

the following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof by this reference as if set forth in full herein.

This Quitclaim Deed is given to effect conveyance of the property described in Exhibit A out of the dissolved partnership entity, Rapon Land and Livestock Company, to Robert R. Angell, the sole remaining partner.

together with their appurtenances.

Dated: May 8, 1980.

RAPON LAND AND LIVESTOCK COMPANY

By: Robert R. Angell
Robert R. Angell, Sole Remaining Partner

STATE OF IDAHO, COUNTY OF ADA
On this 8th day of May, 1980,
before me, a notary public in and for the said State, personally appeared

ROBERT R. ANGELL, the sole remaining partner of RAPON LAND AND LIVESTOCK COMPANY,

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Notary Public
Residing at Boise, Idaho
Comm. Expires 10/15/81

STATE OF IDAHO, COUNTY OF
I hereby certify that this instrument was filed for record at the request of

at _____ minutes past _____ o'clock M.,
this _____ day of _____,
19 _____, in my office, and duly recorded in Book _____ of Deeds at Page _____

Ex-Officio Recorder
May 15 1980

By _____ Deputy.

Fees \$
Mail to:

INSTRUMENT NO.

AZ

EXHIBIT A

Section 12, Township 4 North, Range 4 West of the Boise Meridian, Canyon County, Idaho; Commencing at the Southeast corner of Section 12; thence North on the section line, 680 feet; thence North 49°40' West, 150 feet; thence North 36°00' West, 250 feet; thence North 31°20' West, 465 feet; thence North 45°5' West, 525 feet; thence North 53°10' West, 53.25 feet to the real point of beginning; thence North 26°40' East, 1421.95 feet; thence North 4°10' West, 323.14 feet; thence North 18°15' West, 500 feet; thence North 54°20' West, 465 feet; thence South 83°35' West, 485 feet; thence South 74°35' West, 436 feet; thence South 59°30' West, 770 feet; thence South 71°45' West, 330 feet; thence South 40°15' West, 245 feet; thence South 14°20' East, 125 feet; thence South 36°45' East, 490 feet; thence South 44°45' East, 330 feet; thence South 69°35' East, 415 feet; thence South 58°55' East, 575 feet; thence South 65°10' East 392 feet; thence South 53°10' East, 206.75 feet, to the real point of beginning.

Together with all water, water rights, ditches and rights of way for ditches thereunto belonging or in anywise appertaining.

EXHIBIT A to QUITCLAIM DEED

RECORDED
(Rapon L&L/Angell)
MAY 15 1908

INSTRUMENT NO. 8500106

QUITCLAIM DEED

For Value Received, MICHELLE P. ANGELL, the wife of ROBERT R. ANGELL, Grantor,

does

~~do~~ hereby convey, release, remise and forever quitclaim unto ROBERT R. ANGELL, her husband, as his sole and separate property,

whose current address is 35 Horizon Drive, Boise, ID 83702,

the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE AS IF SET FORTH IN FULL HEREIN.

TOGETHER WITH any interest which Grantor may acquire in said property after the date of this Quitclaim Deed; and

TOGETHER WITH their appurtenances.

AND all income and gain derived from such property shall be the sole and separate property of said ROBERT R. ANGELL.

This Deed is executed for the purpose of confirming the status of the above-described property, together with the income therefrom, as the sole and separate estate of ROBERT R. ANGELL, pursuant to Sec. 32-906, Idaho Code.

~~together with their appurtenances~~

Dated: December 24, 1984.

Michelle P. Angell
MICHELLE P. ANGELL

STATE OF IDAHO, COUNTY OF ADA

On this 24th day of December, 19 84, before me, a notary public in and for the said State, personally appeared MICHELLE P. ANGELL, the wife of ROBERT R. ANGELL,

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Bill J. Gardella
Notary Public
Residing at Boise, Idaho
Comm. Expires 2/21/88

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of

at _____ minutes past _____ o'clock M.,
this _____ day of _____
19 _____, in my office, and duly recorded in Book
of Deeds at Page _____

Michelle P. Angell
MAY 15 1988
Ex-Officio Recorder

By _____ Deputy.

Fees \$
Mail to:

INSTRUMENT NO.

A3

EXHIBIT A

Section 12, Township 4 North, Range 4 West of the Boise Meridian, Canyon County, Idaho; Commencing at the Southeast corner of Section 12; thence North on the section line, 880 feet; thence North 49°40' West, 150 feet; thence North 36°00' West, 250 feet; thence North 31°20' West, 465 feet; thence North 45°5' West, 525 feet; thence North 53°10' West, 53.25 feet to the real point of beginning; thence North 26°40' East, 1421.95 feet; thence North 4°10' West, 323.14 feet; thence North 18°15' West, 500 feet; thence North 54°20' West, 465 feet; thence South 83°35' West, 485 feet; thence South 74°35' West, 436 feet; thence South 59°30' West, 770 feet; thence South 71°45' West, 330 feet; thence South 40°15' West, 245 feet; thence South 14°20' East, 125 feet; thence South 36°45' East, 490 feet; thence South 44°45' East, 330 feet; thence South 69°35' East, 415 feet; thence South 58°55' East, 575 feet; thence South 65°10' East 392 feet; thence South 53°10' East, 206.75 feet, to the real point of beginning.

8500106

RECORDED

85 JAN 2 PM 12 51

REC'D STAKER

CANYON COUNTY RECORDER

BY *C. Smith*

REQUEST

TYPE

Chas. A. Smith - V. L. Atty

MAY 15 1925

INSTRUMENT

. 8500/08

(4)

RECEIVED

OCT 30 1987

WATER RESOURCES
WESTERN REGION

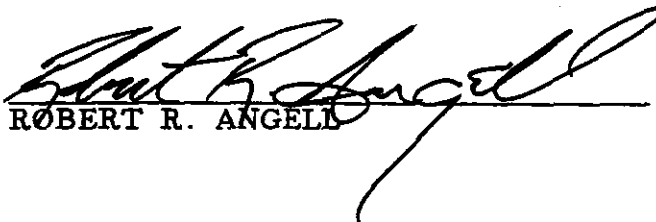
BARGAIN AND SALE DEED

FOR VALUE RECEIVED, ROBERT R. ANGELL, a married man, dealing with his sole and separate property, does hereby grant, bargain, sell and convey to VALE ISLAND FARMS, an Idaho general partnership, whose address is 35 Horizon Drive, Boise, ID 83702, Grantee, a fifty percent (50%) undivided interest in and to that certain piece or parcel of land situate, lying and being in the County of Canyon, State of Idaho, more particularly described on Exhibit A attached hereto and made a part hereof, SUBJECT TO those certain exceptions to title as set forth on Exhibit A.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said Grantee and to its successors and assigns forever.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal this 24TH day of December, 1984.

GRANTOR:


ROBERT R. ANGELL

RECORDED
MAY 15 1985

STATE OF IDAHO)

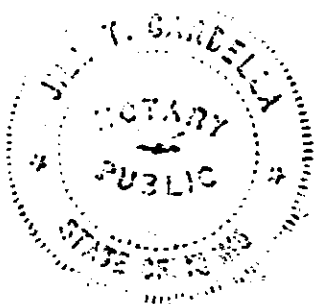
SS.

County of Ada)

On this 24th day of December, 1984, before me, the undersigned Notary Public in and for said State, personally appeared ROBERT R. ANGELL, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he 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.

Neil K. Gardella
NOTARY PUBLIC, State of Idaho
Residing at Boise, Idaho



1947

EXHIBIT A

Section 12, Township 4 North, Range 4 West of the Boise Meridian, Canyon County, Idaho; Commencing at the Southeast corner of Section 12; thence North on the section line, 880 feet; thence North 49°40' West, 150 feet; thence North 36°00' West, 250 feet; thence North 31°20' West, 465 feet; thence North 45°5' West, 525 feet; thence North 53°10' West, 53.25 feet to the real point of beginning; thence North 26°40' East, 1421.95 feet; thence North 4°10' West, 323.14 feet; thence North 18°15' West, 500 feet; thence North 54°20' West, 465 feet; thence South 83°35' West, 485 feet; thence South 74°35' West, 436 feet; thence South 59°30' West, 770 feet; thence South 71°45' West, 330 feet; thence South 40°15' West, 245 feet; thence South 14°20' East, 125 feet; thence South 36°45' East, 490 feet; thence South 44°45' East, 330 feet; thence South 69°35' East, 415 feet; thence South 58°55' East, 575 feet; thence South 65°10' East 392 feet; thence South 53°10' East, 206.75 feet, to the real point of beginning.

TOGETHER WITH all water rights appurtenant to said property.

SUBJECT, HOWEVER, to current taxes and assessments, easements, restrictions and reservations.

AND FURTHER SUBJECT TO the following specific exceptions:

1. Easements or claims of easements not shown by the public records.
2. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts which a correct survey and inspection of the premises would disclose and which are not shown by the public records.
3. Taxes or special assessments which are not shown as existing liens by the public records.
4. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, and claims or title to water.
5. General Taxes for the year 1984, which are liens, are now due and payable. PARCEL nO. R-36054, in the original amount of \$337.18.
6. General Taxes for the year 1983 are paid. PARCEL NO. R-36054, in the original amount of \$317.31.
7. An easement over said land in favor of Idaho Power Company, for electric transmission, distribution and telephone lines and circuits and incidental purposes as set forth in an instrument recorded April 30, 1941, as Instrument No. 260752, Official Records.

8. An easement over said land in favor of Idaho Power Company, for electric transmission, distribution and telephone lines and circuits and incidental purposes as set forth in an instrument recorded April 30, 1941, as Instrument No. 260751, Official Records.
9. An easement over said land in favor of Idaho Power Company, for electric transmission, distribution and telephone lines and circuits and incidental purposes as set forth in an instrument recorded September 7, 1951, as Instrument No. 380017, Official Records.
10. Right of way for roads, canals, laterals, ditches and public utility easements as the same may exist over said premises.
11. Any claim arising from the difference in the mean high water line of the Boise River and the meander line as shown by the Government Survey.
12. A portion of this property appears to have been acquired by accretion or avulsion in the changes of the mean high water line of the Boise River. This report is issued and accepted upon the assumption that title to the alluvion follows that of the abutting property and liability therein is excepted.
13. Any questions that may arise due to the shifting and changing in the course of the Boise River.
14. A Mortgage to secure an indebtedness of \$60,000.00 and any other amounts due thereunder, recorded June 20, 1975, as Instrument No. 753088, Official Records.
Dated: June 13, 1975
Mortgagor: RAPON LAND & LIVESTOCK COMPANY, A Partnership
Mortgagee: BANK OF IDAHO, N.A.
15. A Mortgage to secure an indebtedness of \$68,900.00, and any other amounts due thereunder, recorded June 25, 1980, as Instrument No. 895880, and re-recorded July 11, 1980, as Instrument No. 896959, Official Records.
Dated: June 24, 1980
Mortgagor: ROBERT R. ANGELL, A Single Person
Mortgagee: ADMINISTRATOR OF SMALL BUSINESS ADMINISTRATION

8500108

RECORDED

85 JAN 2 PM 12 52

BILL A. STAKER

CANYON COUNTY RECORDER

BY *C. Staker*

REQUEST

TYPE *Deed* FEE *8.00*

Charles R. Bell

INSTRUMENT NO 500109

5

RECEIVED

OCT 30 1997

WATER RESOURCES
WESTERN REGION

BARGAIN AND SALE DEED

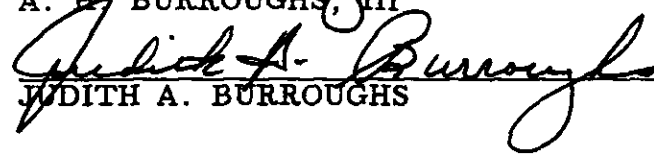
FOR VALUE RECEIVED, A. H. BURROUGHS, III, and JUDITH A.

BURROUGHS, husband and wife, do hereby grant, bargain, sell and convey to VALE ISLAND FARMS, an Idaho general partnership, whose address is 35 Horizon Drive, Boise, ID 83702, Grantee, a fifty percent (50%) undivided interest in and to that certain piece or parcel of land situate, lying and being in the County of Canyon, State of Idaho, more particularly described on Exhibit A attached hereto and made a part hereof, SUBJECT TO those certain exceptions to title as set forth on Exhibit A.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said Grantee and to its successors and assigns forever.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal this 24th day of December, 1984.

GRANTOR:


A. H. BURROUGHS, III

JUDITH A. BURROUGHS

STATE OF IDAHO)
 ss.
County of Ada)

On this 24th day of December, 1984, before me, the undersigned Notary Public in and for said State, personally appeared A. H. BURROUGHS, III and JUDITH A. BURROUGHS, husband and wife, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he 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.



Jill T. Cardella
NOTARY PUBLIC, State of Idaho
Residing at Boise, Idaho

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Dated: June 24, 1980
Mortgagor: ROBERT R. ANGELL, A Single Person
Mortgagee: ADMINISTRATOR OF SMALL BUSINESS ADMINISTRATION

8500109

RECORDED

'85 JAN 2 PM 12 5A

ELL A. STAKER

CANYON CITY, RECORDER

BY *C. Smith*

REQUEST

TYPE *Doc & Fee*

1-1-80

AJ5809NP
No. A63-09698

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/23/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	A H BURROUGHS III 1617 CLAREMONT DRIVE BOISE ID 83702 (208) 343-7556	03/27/1981	STOCKWATER RECREATION	11-01 03-31 11-01 03-31	0.05 CFS 3.00 CFS	2.70 AFA
TOTAL DIVERSION:					3.00 CFS	
C	ROBERT ANGELL 35 HORIZON DRIVE BOISE ID 83702 (208) 345-9000					

Water Source: BOISE RIVER

Tributary to: SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion: T04N R03W S07

SESW

CANYON County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE			
T	R	S	:	NE	NW	SE	:	NE	NW	SE	:	NE	NW	SE	:
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
04N	04W	12	:	S	S	S	:				:				:

Place of use Legal Description for: RECREATION

NE				NW				SW				SE			
T	R	S	:	NE	NW	SE	:	NE	NW	SE	:	NE	NW	SE	:
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
04N	04W	12	:	R	R	R	:				:				:

POJ County: CANYON

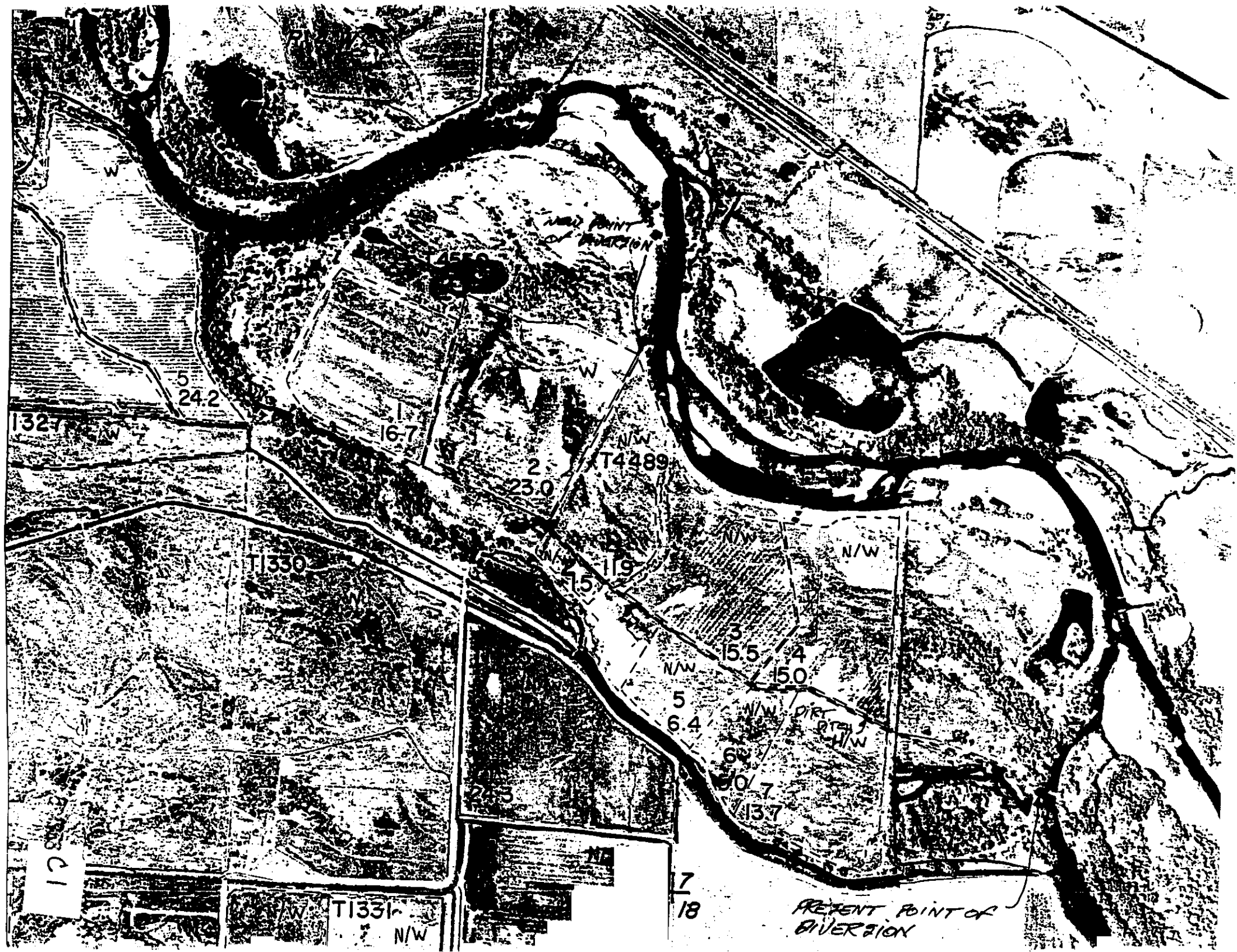
Non-Irrigation Uses: S/30 HORSES, 100 HEAD RANGE; R/FISH PONDS & WATERFOWL NESTING.

Other Rights: NONE

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number: 63	Field Inspection Flag:	Presumption Flag:

MAY 15 1998

B



POINT OF DIVERSION

T4550

5
24.2

1327 NW

16.7

NW
T4489

2
23.0

T1330

15.19

3
15.5

4
15.0

NW
5
6.4

NW
DIRT
DIRT
H/W

6
6.0

7
7.0

NW
13.7

24.5

7
18

PRESENT POINT OF DIVERSION

T1331

NW

C1

NEW SYSTEM

127

C

86

B

55

B

78

55

6.0

A

9.9

C

9.9

A

9.9

C

9.9

A

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C

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C

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A

9.9

C

9.9

B374

B373

B529

B378

127

13

13

13

13

13

NOT TO SCALE

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-9698 Priority March 27, 1981 Amount 3.0 cfs

THIS IS TO CERTIFY, that Robert Angell
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 63-9698 issued pursuant to Application for Permit dated March 27, 1981,
and has submitted proof to the Department of Water Resources on October 2, 1981,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 9.67 cfs of water from Boise River,
tributary to SNAKE RIVER, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Recreation	from <u>November 1</u> to <u>March 31</u>	at <u>3.0</u> cfs and <u>n/a</u>	
Stockwater	from <u>November 1</u> to <u>March 31</u>	at <u>0.05</u> cfs and <u>2.7</u> acre feet	
	from _____ to _____	at _____ cfs and _____	
(both dates inclusive)			

Subject, however, to the condition that no more than 3.0 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
n/a acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 7, Twp.
4N, Rge. 3W in the County of Canyon

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4N	4W	12	X	X	X	X													

Total number of acres irrigated _____

Use of water under this license is subject to control by the watermaster of
State Water District No. 63, Boise River.
A measuring device of a type approved by this Department shall be maintained
as a part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 2nd day of
May, 19 83.

Acting for the Director



STATE OF IDAHO

Licensing

RECEIVED

APPLICATION FOR AMENDMENT OF A PERMIT

APR 5 1983

Department of Water Resources

To change the point of diversion and/or the place of use.

Comes now Robert Angell Phone _____

of (address) 1026 Strawberry Lane, Boise, ID 83702, and represents to the

Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 63-9698, and requests that the permit and permit map be changed as follows:

1. NO CHANGE
Point of diversion: _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____, Township _____, Range _____, B.M.,
County of _____. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

NO CHANGE
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)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4N	4W	12	X	X	X	X													

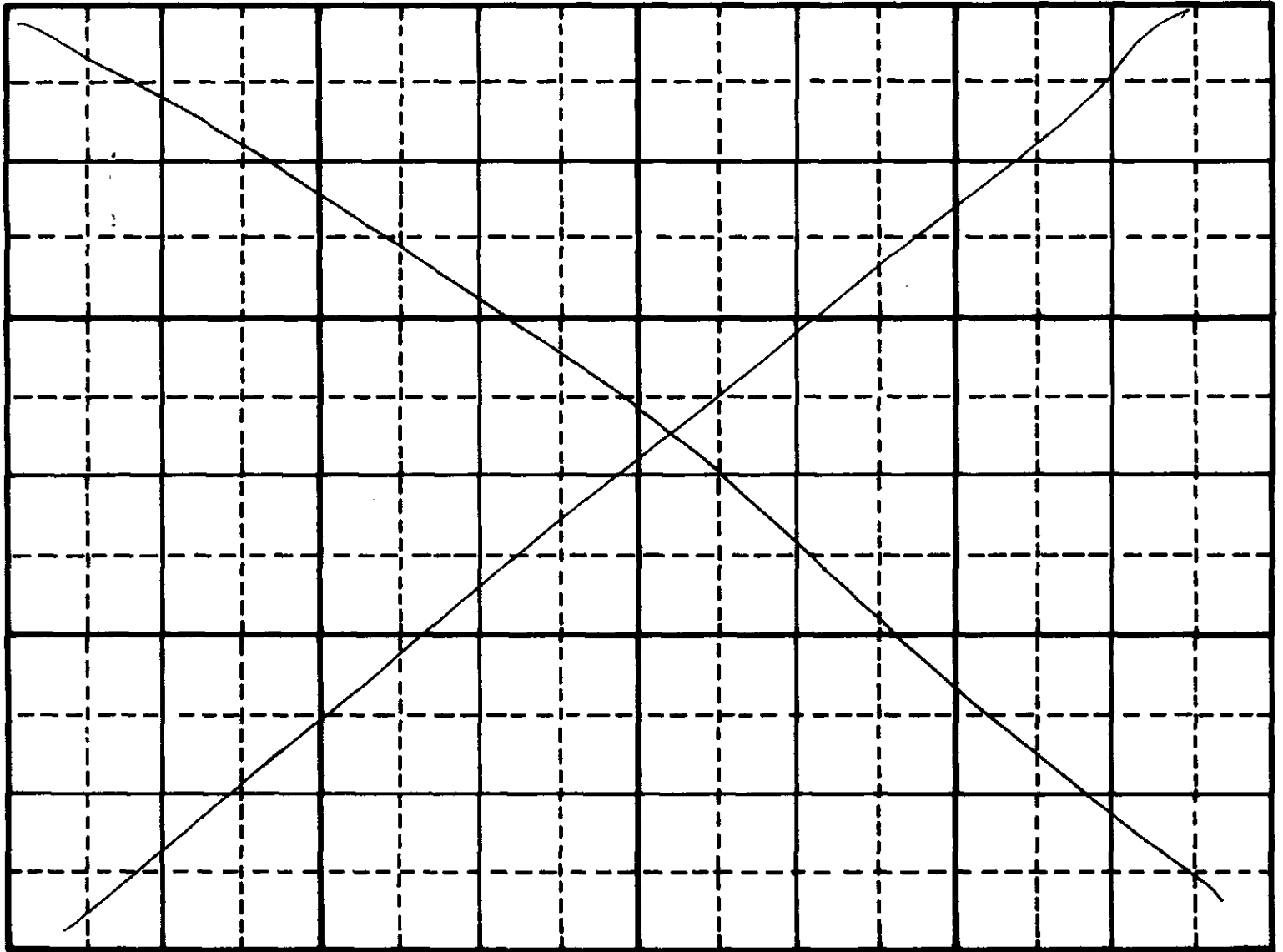
Total number of acres to be irrigated = _____

4. a. Who owns the property at the point of diversion? APPLICANT & JIM ROESER
b. Who owns the land to be irrigated or the 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: _____

MICROFILMED

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Boise, Idaho, this 4th day of April, 1983.

Robert R. Angell
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by RC Fee = \$20.00

Received by uj Date 4-6-83 # 26462

Publication prepared by N/A Date _____

Published in _____

Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, of the Department of Water Resources hereby

APPROVE the above Application for Amendment of Permit No. 63-9698.

Witness my hand this 2nd day of May, 19 83.

Norman C. Young
Acting for the Director

RECORDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Robert Angell Phone 345-1842

Post office address 1026 Strawberry Lane, Boise, Idaho 83702

2. Source of water supply Boise River which is a tributary of Snake River

3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 7 Township 4N

Range 3W B.M. Canyon County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 3.00 for Recreation purposes from 11/1 to 3/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .05 for Stockwater purposes from 11/1 to 3/31 (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)

5. Total quantity to be appropriated:

a. 3.00 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. McManus-Teater Canal through
existing diverting works

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir
capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is 1 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: S $\frac{1}{2}$ X of NE $\frac{1}{4}$ of Section 12 Township 4N
X
Range 4W B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered 30 horses and 100 head range

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.

(5) If water is to be used for other purposes describe: A series of fish ponds and waterfowl
nesting and resting areas. Irrigation water maintains ponds during
irrigation season.

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

[illegible]**Total number of acres to be irrigated**

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

9. a. Who owns the property at the point of diversion Ken Atwell

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

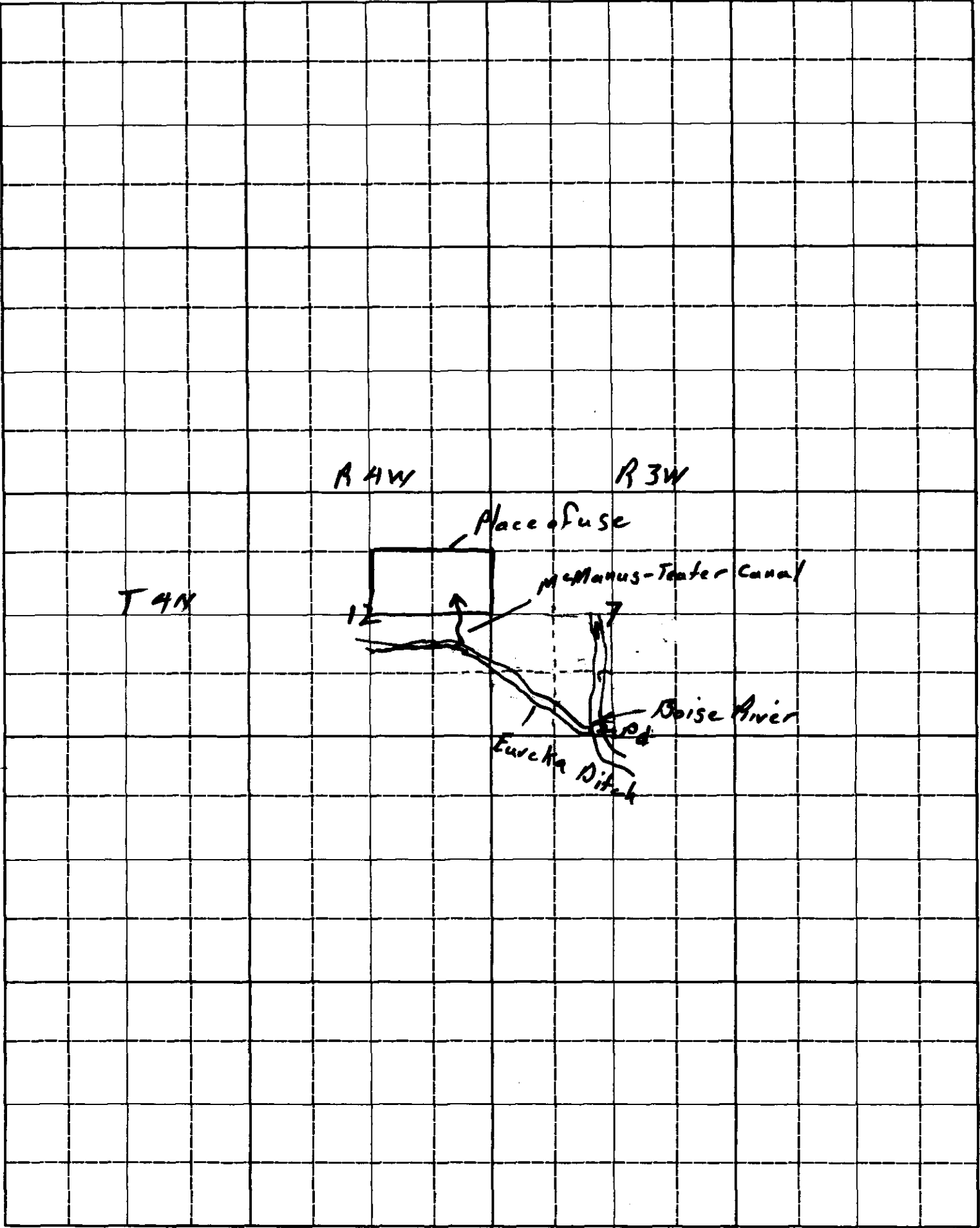
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks Applicant is 50% owner of the water right in the McManus-Teater

Canal which has a permanent right of way or easement through Mr. Atwell's
property.

MICHAEL

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

Robert R. Angel
(Applicant)

Proposed Priority 3/27/81

Received by GLS Date 3/27/81 Time 4:15

Preliminary check by JG Fee \$ 85.00

Received by NEA Date 2/27/81 # 17383

Publication prepared by NEA Date 4/3/81

Published in 4/9 & 4/16/81

Publication dates Idaho Press-Tribune

Publication approved NEA Date 4/27/81

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DBS RC

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-9698, and said application is hereby approved.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 82.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other:

A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Use of water under this permit is subject to control by the watermaster of State Water District # 63, Boise River.

Witness my hand this 13th day of May, 1981.

J. Glen Saxton
Chief, Operations Bureau

MICROFILMED

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)
) ss.
County of Canyon)

Suzanne Smith
of Nampa, Canyon County, Idaho, being first duly
sworn, deposes and says:

1. That I am a citizen of the United States of
America, and at all times hereinafter mentioned
was over the age of eighteen years, and not a party
to the above entitled action.

2. That I am the Principal Clerk of the Idaho
Press-Tribune, a daily, (except Saturday)
newspaper published in the City of Nampa and
Caldwell, in the County of Canyon, State of Idaho;
that the said newspaper is in general circulation
in the said County of Canyon, and in the vicinity of
Nampa and Caldwell, and has been uninterrupted-
ly published in said County during a period of
seventy-eight consecutive weeks prior to the first
publication of the notice, a copy of which is hereto
attached.

3. That the notice, of which the annexed is a prin-
ted copy, was published in said newspaper

Two Times

in the regular and entire issue of said paper, and
was printed in the newspaper proper, and not in a
supplement.

4. That said notice was published the following
dates:

April 9, 16, 1981

Suzanne Smith

Subscribed and sworn to before me this
16th day of April

19 81

Jeanne Lust
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1981

RECEIVED
DEPARTMENT OF REVENUE
Nampa Regional Office

APR 16 1981



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 19, 2001

VALE ISLAND FARMS
35 HORIZON DR
BOISE ID 83702

RE: Transfer No.: 68846 - Water Right 63-9698 - Transfer Approval Notice

Dear Water Right Holder:

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

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

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

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

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

Sincerely,

Camille S. Shaggs
for Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt

Enclosure(s)

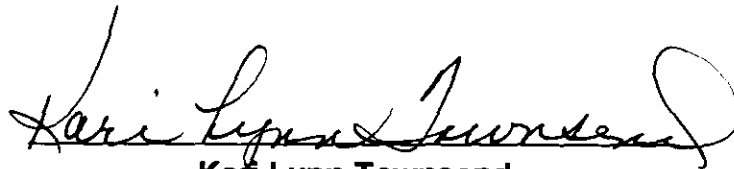
MICROFILMED
JUN 20 2001

CERTIFICATE OF MAILING

I hereby certify that on June 19, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 68846 - WATER RIGHT 63-9698

**VALE ISLAND FARMS
35 HORIZON DR
BOISE ID 83702**


**Kari Lynn Townsend
Secretary**

**MICROFILMED
JUN 20 2001**



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 19, 2001

LEE SISCO
WATERMASTER
6616 OVERLAND RD
BOISE ID 83709

RE: TRANSFER OF WATER RIGHT 63-9698 (Transfer 68846)

Dear Lee:

Enclosed is a copy of the recently approved Transfer of Water Right for the
above referenced water right (Transfer 68846) in the name Vale Island Farms.

If you have any questions regarding this matter, please call me at 208-327-7940.

Sincerely,


for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

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JUN 20 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

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JUN 20 2001

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.

TRANSFER REVIEW SHEET

(05-01)

TRANSFER # 68846

DATE REVIEWED 6-18-01 CS

SPLIT POD ADD POD ☒ POU ☒ PERIOD or NATURE of USE

ALL OF RIGHT(S) W=Water Right C=SRBA Claim R=SRBA Recommendation

<u>C/63-9698</u>	<u>/</u>	<u>/</u>	<u>/</u>	<u>No Activity</u>
<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>
<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>
<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>

PART OF RIGHTS(S)		(Unchanged)	(Changed)
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
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<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>

Standard Season Per T5170 11-1 to 3-31 150 Days - Non-IRR
Standard Volume /

- (1) ☒ Priority (2) ☒ Use (3) ☒ Season/W61 (4) ☒ Rate (5) ☒ Volume
 (6) ☒ Source (7) P/D (8) P/U (9) ☒ Proof/Owner (10) ☒ Map
 (11) 63 Water District (12) Yes Pertinent Conditions (13) No Expansion
 WM/Rcvd 2-27-01

(7) Add original P/D - McManus - Tenter Ditch - 2 P/Ds total
(8) Change P/U to include NV2SE + SE12.

Conditions/Remarks R04, R43, WB4, T07, T08, T09

WRs for Update Comments 63-9698 ☒

Database Updated to Reflect Final Action 6-18-01 CS
email + Jan@Western.

WESTERN REGION TRANSFER ANALYSIS

Applicant Vale Island Farms Transfer No. 68846
Reviewed by ly Date 1/3/01

1. Right number(s) 63-9698

2. Type of right ☐ Decree ☒ License ☐ Stat. Claim ☐ BU Claim

3. Purpose of transfer ☐ Change P/D ☒ Add P/D ☐ Change P/U
☐ Change N/U ☐ Change Period ☐ Split Right
☐ Other: correct P/U

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

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

- a. ☒ Analysis memo – always include unless justify why not needed
- b. ☒ All of right
- c. ☐ Part of right – Note: Part B should normally be completed only if part of right is owned by applicant
- d. ☒ Description of point(s) of diversion
- e. ☒ Description of place of use
- f. ☒ Map showing proposed P/D &/or P/U
- g. ☒ Correct notarized signature and fee – new fees effective July 1, 2000
- h. ☒ Proof of ownership of right &/or land from which water is transferred
- i. ☒ Expansion in use of right: check rate of flow, diversion volume and consumptive volume. Discuss in memo.
- j. ☒ Surface water source: IDFG letter; notify Water Planning Bureau if protected river or minimum flow reach.

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MAY 22 2001

Department of Water Resources

k. ☒ Overlapping rights for current & proposed scenarios

Current _____

Proposed _____

l. ☒ SRBA Claim(s) _____

m. ☒ Comment letters ☒ Yes (also see #2 below) ☐ No

☒ Water District # 63
☒ Other *see end of memo for addressees*

PUBLICATION REVIEW

1. Legal Notice electronically sent to S.O. ☒ Yes

2. Comment Letters

Watermaster comments requested on _____, received on _____

Other comment letters: ☐ See attached information

3. Affidavit of publication received: ☒ Yes

4. Published correctly: ☒ Yes ☐ No

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

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

RECOMMENDATIONS

1. ☒ Approve ☐ See attached memo

2. ☐ Deny due to _____

3. Conditions of Approval standard xfer conditions

4. Recommended by Gary S Date 5/19/01

FORWARDING FILE TO S.O.

1. Copies made for Region file (see attached supplemental page): ☐ Yes

2. File forwarded to S.O. by JS Date 2-26-01

SUPPLEMENTAL ANALYSIS SHEET FOR TRANSFER

Transfer No. 68846 Word Filename Vale Island Legal Notice

COPY FOR WATER RIGHT AND ADJUDICATION FILES

Yes Legal Notice

Yes Transfer Analysis Sheet (Form 222a)

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

Yes Reviewer's analysis memo: list date of memo 1/5/01

 List other items to be copied:

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

REGIONAL COPIES TO BE MADE JUST BEFORE FORWARD FILE TO S.O.

DISCARD THIS FORM BEFORE FORWARDING THE FILE.

MEMORANDUM

DATE: 1/5/01

FROM: lg ☺ 6

TO: File

RE: Transfer no. (63-9698)

Brief

In 1998, applicant transferred a p/d in S7 to his property in S12 and now wishes to use both p/ds. The S7 p/d reaches some p/u that the S12 p/d cannot. Source is the Boise River used for recreation and stock during the non-irrigation season. Applicant also wishes to change the p/u to include additional tracts. No increase in licensed water amount is proposed.

Review

The p/d change approved in 1998 moved the S7 p/d from the inlet of the McManus Teater ditch to applicant's property next to the Boise River in S12. The S7 p/d that applicant wishes to restore is managed by water district #63 during the irrigation season, but not during the winter months. Applicant stated that the S7 p/d originates and runs through other adjacent property by reason of recorded easements granted to McManus Teater Ditch owners many years ago. According to the applicant, current owners of the ditch are JR Simplot Co. and applicant. Applicant also stated that the ditch p/d in S7 is located on the property of Robert Glazier. The p/d in S12 is on applicant's property and consists of a 10 hp pump and pipe.

In 1981, the p/u licensed was subject to the p/u limited by permit 63-9698. The field report showed ditches running through the N ½ SE S12 on applicant's property, but did not diagram ditches extending to the SENW S12 property. However, a ditch could easily be extended to that area if not already done so. The applicant wishes to clarify the p/u listed on the license to include the N ½ SE S12 and add the SENW without increasing the licensed flow rate.

The 1981 exam noted that the ditches are used for recreation (fish and wildlife) and stockwater during the non-irrigation season. The ditches flow into ~6 acres of pond area, ~2' deep with overflow directly tributary to the Boise River.

Overlaps

No other rights found use surface water from the Boise River during the winter months at the p/u or the p/d.

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Government lots exist at the p/d and the p/u, however the course of the river has changed since the lots were platted. Rather than guessing and manipulating the old lots to fit the current area, I chose not to include the government lots. See Reviewer's notes

Ownership

Vale Island Farms consists of two partners, Bob Angell and A.H. Burroughs, III. Ownership documentation submitted consists of Bob Angell deeding Burroughs 50% interest in the p/u, then Angell and Burroughs both deeding their 50% interest to Vale Island Farms. Also included is a quick claim deed from Michelle Angell's to Bob Angell (husband and wife) granting him her interest in the property. See transfer file 5170 for additional ownership documentation if needed.

Recommendations

Approve the transfer as filed.

Send comment letters to the following:

Water District 63
C/o Lee Sisko
6616 Overland Rd
Boise ID 83709

JR Simplot Co
C/o Vic Conrad
PO Box 27
Boise ID 83707

Robert Glazier
9111 W Teakwood Dr
Boise ID 83709

A.H. Burroughs, III
1617 Claremont Dr
Boise ID 83702

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JUN 20 2001

12/99

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECOMMENDATION OF WATERMASTER

Application No: Transfer 68846

Applicant's Name: Vale Island Farms

Watermaster's Recommendation:

- a) ☐ I do not oppose approval of this application.
- b) ☒ I do not oppose approval of this application if it is conditioned as follows: standard watermaster conditions
- c) ☐ I oppose approval of this application for the following reasons:
- d) ☐ Additional Comment:

Dated this 27 day of February, 2001

Water District No: 63

Lee Lisco
Watermaster's Signature

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Use reverse side of page if you need more space.

JUN 20 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 30, 2001

LEE SISCO
WATER DISTRICT 63
6616 OVERLAND RD
BOISE ID 83709

Re: Application for Transfer of No. 68846 in the Name of Vale Island Farms

Dear Watermaster:

Enclosed is a copy of the above-referenced application for transfer. Also enclosed is a form for your recommendation concerning this application.

Please review the application. We must have your comments within two weeks.

If you have any questions or need information, feel free to contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Steve Lester'.

Steve Lester

SL:lm

Encl: Copy of Application
Recommendation of Watermaster Form

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JUN 20 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 30, 2001

A H BURROUGHS III
1617 CLAREMONT DR
BOISE ID 83702

Re: Application for Transfer of No. 68846 in the Name of Vale Island Farms

Dear Sir:

Enclosed is a copy of the above-referenced application for transfer which may be of interest to you. Please review the application and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if you desire to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by February 20, 2001.

If you have any questions regarding the application, please contact this office.

Sincerely,

Gary Spackman

GS:lm

Encl: Copy of Application

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JUN 20 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 30, 2001

ROBERT GLAZIER
9111 W TEAKWOOD DR
BOISE ID 83709

Re: Application for Transfer of No. 68846 in the Name of Vale Island Farms

Dear Sir:

Enclosed is a copy of the above-referenced application for transfer which may be of interest to you. Please review the application and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if you desire to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by February 20, 2001.

If you have any questions regarding the application, please contact this office.

Sincerely,

Gary Spackman

GS:lm

Encl: Copy of Application

MICROFILMED

JUN 20 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 30, 2001

JR SIMPLOT
C/O VIC CONRAD
PO BOX 27
BOISE ID 83707

Re: Application for Transfer of No. 68846 in the Name of Vale Island Farms

Dear Sir:

Enclosed is a copy of the above-referenced application for transfer which may be of interest to you. Please review the application and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if you desire to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by February 20, 2001.

If you have any questions regarding the application, please contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Gary Spackman".

Gary Spackman

GS:lm

Encl: Copy of Application

MICROFILMED
JUN 20 2001

January 25, 2001

Legal Notice Department
Press-Tribune
PO Box 9399
Nampa ID 83652

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 February 20, 2001. Your cooperation is appreciated.

Sincerely



Sue Taylor
Senior Secretary

MICROFILMED

JUN 20 2001

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 68846

VALE ISLAND FARMS, 35 HORIZON DR BOISE ID 83702, has filed Application No. 68846 for changes to the following water rights within CANYON County:

Right No. 63-9698

Priority 3/27/81

Source BOISE RIVER

**Use STOCKWATER 0.05 CFS 2.7 AFA
 RECREATION**

Total Amount 3.00 CFS 892.6 AFA

Point(s) of Diversion SENE S12 T04N R04W

Place of Use S12 T04N R04W

The purpose of the transfer is to change a portion of the above rights as follows:

Applicant wishes to include the SENW and the N1/2SE S12, T4N R4W to the place of use and add a point of diversion in the SESW S7, T4N R3W. No increase in licensed flow rate or volume has been proposed.

Any protest against the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 2-20-01. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director Published on February 1 and 8, 2001.

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JUN 20 2001

FILE # 63-4698
XFER
APPL. ID # 68846
DATE 1/24/01
STAFF Ly

SHAPE FILE NEEDED

ROUTING

ORIGINAL TO SL

☒ COPY IN APPLICATION FILE

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JUN 20 2001

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	04W	12	NE		NE		REC	
			NE		NE		STOCK	
			NW		NE		REC	
			NW		NE		STOCK	
			SW		NE		REC	
			SW		NE		STOCK	
			SE		NE		REC	
			SE		NE		STOCK	

11. Place of use in counties: CANYON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

D2

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) SS.
County of Canyon)

DANIEL J. JONES
of Nampa, Canyon County, Idaho, being first duly
sworn, deposes and says:

1. That I am a citizen of the United States, and at all times
hereinafter mentioned was over the age of eighteen years, and
not a party to the above entitled action.

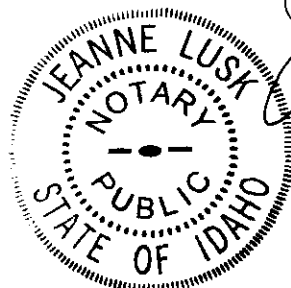
2. That I am the Principal Clerk of the Idaho Press-Tribune, a
daily newspaper published in the City of Nampa and Caldwell,
in the County of Canyon, State of Idaho; that the said
newspaper is in general circulation in the said County of
Canyon, and in the vicinity of Nampa and Caldwell, and has
been uninterruptedly published in said County during a period of
seventy-eight consecutive weeks prior to the first publication of
the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was
published in said newspaper two times in the regular and entire
issue of said paper, and was printed in the newspaper proper,
and not in a supplement.
February 1, 8, 2001

STATE OF IDAHO)
County of Canyon)

On this 8th day of February in the year of 2001 before
me a Notary Public, personally appeared, Daniel J. Jones,
known or identified to me to be the person whose name
subscribed to the within instrument, and being by me first
duly sworn, declared that the statements therein are true, and
acknowledge to me that she executed the same.

RECEIVED
FEB 14 2001
WATER RESOURCES
WESTERN REGION



[Signature]
Notary Public for Idaho
Residing at Nampa
My Commission expires June 21st, 2003

MICROFILMED
JUN 20 2001

ROBERT R. ANGELL

January 3, 2001

Ms. Lori Graves
Idaho Dept. of Water Resources
Boise, Idaho

Fax: 334-2348

Dear Lori,

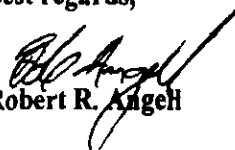
I have looked over all the deeds within the Vale Island file and can see why you are confused. Apparently, the attorney we used elected to have me deed a 50% interest to A.H. Burroughs (#8500107)) followed by another deed (#8500108) conveying my remaining 50% interest to Vale Island Farms followed by still another deed from Burroughs (#8500109) conveying his 50% interest to Vale Island Farms.

Not being an attorney, I do not know why this was necessary but the deeds were recorded in order for a reason.

Just to be sure, I am enclosing copies of all three of those deeds. Hopefully, this will clear up the flow of title which presently is vested 100% in Vale Island Farms with Angell and Burroughs the two general partners.

Please call me if you have any further questions.

Best regards,


Robert R. Angell

Enclosures

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JUN 20 2001

INSTRUMENT NO. 8500107

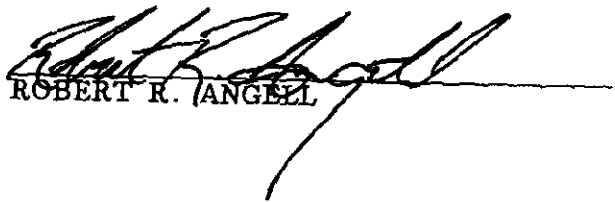
BARGAIN AND SALE DEED

FOR VALUE RECEIVED, ROBERT R. ANGELL, a married man, dealing with his sole and separate property, does hereby grant, bargain, sell and convey to A. H. BURROUGHS, III, whose address is 515 West Idaho Street, Boise, ID 83702, Grantee, a fifty percent (50%) undivided interest in and to that certain piece or parcel of land situate, lying and being in the County of Canyon, State of Idaho, more particularly described on Exhibit A attached hereto and made a part hereof, SUBJECT TO those certain exceptions to title as set forth on Exhibit A.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said Grantee and to his heirs and assigns forever.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal this 24TH day of December, 1984.

GRANTOR:


ROBERT R. ANGELL

COPY

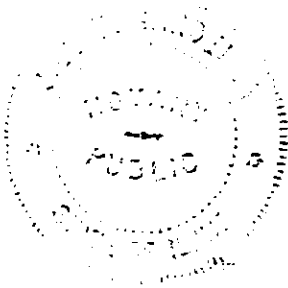
MICROFILMED
JUN 20 2001

STATE OF IDAHO)
 ss.
County of Ada)

On this 24th day of December, 1984, before me, the undersigned Notary Public in and for said State, personally appeared ROBERT R. ANGELL, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he 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.

Bill K. Bardella
NOTARY PUBLIC, State of Idaho
Residing at Boise, Idaho



MICROFILMED
JUN 20 2001

EXHIBIT A

Section 12, Township 4 North, Range 4 West of the Boise Meridian, Canyon County, Idaho; Commencing at the Southeast corner of Section 12; thence North on the section line, 880 feet; thence North 49°40' West, 150 feet; thence North 36°00' West, 250 feet; thence North 31°20' West, 465 feet; thence North 45°5' West, 525 feet; thence North 53°10' West, 53.25 feet to the real point of beginning; thence North 26°40' East, 1421.95 feet; thence North 4°10' West, 323.14 feet; thence North 18°15' West, 500 feet; thence North 54°20' West, 465 feet; thence South 83°35' West, 485 feet; thence South 74°35' West, 436 feet; thence South 59°30' West, 770 feet; thence South 71°45' West, 330 feet; thence South 40°15' West, 245 feet; thence South 14°20' East, 125 feet; thence South 36°45' East, 490 feet; thence South 44°45' East, 330 feet; thence South 69°35' East, 415 feet; thence South 58°55' East, 575 feet; thence South 65°10' East 392 feet; thence South 53°10' East, 206.75 feet, to the real point of beginning.

TOGETHER WITH all water rights appurtenant to said property.

SUBJECT, HOWEVER, to current taxes and assessments, easements, restrictions and reservations.

AND FURTHER SUBJECT TO the following specific exceptions:

1. Easements or claims of easements not shown by the public records.
2. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts which a correct survey and inspection of the premises would disclose and which are not shown by the public records.
3. Taxes or special assessments which are not shown as existing liens by the public records.
4. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, and claims or title to water.
5. General Taxes for the year 1984, which are liens, are now due and payable. PARCEL NO. R-36054, in the original amount of \$337.18.
6. General Taxes for the year 1983 are paid. PARCEL NO. R-36054, in the original amount of \$317.31.
7. An easement over said land in favor of Idaho Power Company, for electric transmission, distribution and telephone lines and circuits and incidental purposes as set forth in an instrument recorded April 30, 1941, as Instrument No. 260752, Official Records.

MICROFILMED

JUN 20 2001

8. An easement over said land in favor of Idaho Power Company, for electric transmission, distribution and telephone lines and circuits and incidental purposes as set forth in an instrument recorded April 30, 1941, as Instrument No. 260751, Official Records.
9. An easement over said land in favor of Idaho Power Company, for electric transmission, distribution and telephone lines and circuits and incidental purposes as set forth in an instrument recorded September 7, 1951, as Instrument No. 380017, Official Records.
10. Right of way for roads, canals, laterals, ditches and public utility easements as the same may exist over said premises.
11. Any claim arising from the difference in the mean high water line of the Boise River and the meander line as shown by the Government Survey.
12. A portion of this property appears to have been acquired by accretion or avulsion in the changes of the mean high water line of the Boise River. This report is issued and accepted upon the assumption that title to the alluvion follows that of the abutting property and liability therein is excepted.
13. Any questions that may arise due to the shifting and changing in the course of the Boise River.
14. A Mortgage to secure an indebtedness of \$60,000.00 and any other amounts due thereunder, recorded June 20, 1975, as Instrument No. 753088, Official Records.
Dated: June 13, 1975
Mortgagor: RAPON LAND & LIVESTOCK COMPANY, A Partnership
Mortgagee: BANK OF IDAHO, N.A.
15. A Mortgage to secure an indebtedness of \$68,900.00, and any other amounts due thereunder, recorded June 25, 1980, as Instrument No. 895880, and re-recorded July 11, 1980, as Instrument No. 896959, Official Records.
Dated: June 24, 1980
Mortgagor: ROBERT R. ANGELL, A Single Person
Mortgagee: ADMINISTRATOR OF SMALL BUSINESS ADMINISTRATION

MICROFILMED

JUN 20 2001

REQUEST
TYPE *Reel* *8-1*
BY *Charles B. Smith*BY *Charles B. Smith*
GILL A. STAKER
CANYON OFFICE RECORDER

85 JUN 2 PM 12 51

RECORDED

8500107

INSTRUMENT NO. 8500/08

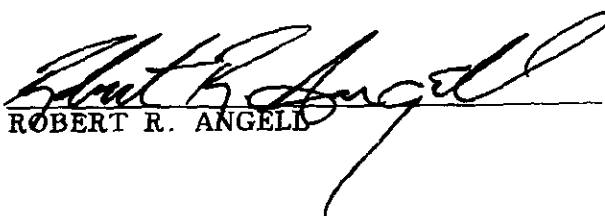
BARGAIN AND SALE DEED

FOR VALUE RECEIVED, ROBERT R. ANGELL, a married man, dealing with his sole and separate property, does hereby grant, bargain, sell and convey to VALE ISLAND FARMS, an Idaho general partnership, whose address is 35 Horizon Drive, Boise, ID 83702, Grantee, a fifty percent (50%) undivided interest in and to that certain piece or parcel of land situate, lying and being in the County of Canyon, State of Idaho, more particularly described on Exhibit A attached hereto and made a part hereof, SUBJECT TO those certain exceptions to title as set forth on Exhibit A.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said Grantee and to its successors and assigns forever.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal this 24TH day of December, 1984.

GRANTOR:


ROBERT R. ANGELL

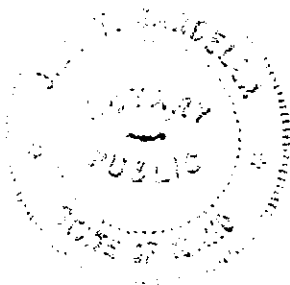
MICROFILMED

JUN 20 2001

STATE OF IDAHO)
ss.
County of Ada)

On this 24th day of December, 1984, before me, the undersigned Notary Public in and for said State, personally appeared ROBERT R. ANGELL, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he 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.



Will I Gardella
NOTARY PUBLIC, State of Idaho
Residing at Boise, Idaho

MICROFILMED

JUN 20 2001

BARGAIN AND SALE DEED, p. 2

E6

EXHIBIT A

Section 12, Township 4 North, Range 4 West of the Boise Meridian, Canyon County, Idaho; Commencing at the Southeast corner of Section 12; thence North on the section line, 880 feet; thence North 49°40' West, 150 feet; thence North 36°00' West, 250 feet; thence North 31°20' West, 465 feet; thence North 45°5' West, 525 feet; thence North 53°10' West, 53.25 feet to the real point of beginning; thence North 26°40' East, 1421.95 feet; thence North 4°10' West, 323.14 feet; thence North 18°15' West, 500 feet; thence North 54°20' West, 465 feet; thence South 83°35' West, 485 feet; thence South 74°35' West, 436 feet; thence South 59°30' West, 770 feet; thence South 71°45' West, 330 feet; thence South 40°15' West, 245 feet; thence South 14°20' East, 125 feet; thence South 36°45' East, 490 feet; thence South 44°45' East, 330 feet; thence South 69°35' East, 415 feet; thence South 58°55' East, 575 feet; thence South 65°10' East 392 feet; thence South 53°10' East, 206.75 feet, to the real point of beginning.

TOGETHER WITH all water rights appurtenant to said property.

SUBJECT, HOWEVER, to current taxes and assessments, easements, restrictions and reservations.

AND FURTHER SUBJECT TO the following specific exceptions:

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MICROFILMED

JUN 20 2001

EXHIBIT A to BARGAIN AND SALE DEED

(Vale Island Farms)

E7

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12. A portion of this property appears to have been acquired by accretion or avulsion in the changes of the mean high water line of the Boise River. This report is issued and accepted upon the assumption that title to the alluvion follows that of the abutting property and liability therein is excepted.
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Dated: June 24, 1980
Mortgagor: ROBERT R. ANGELL, A Single Person
Mortgagee: ADMINISTRATOR OF SMALL BUSINESS ADMINISTRATION

MICROFILMED
JUN 20 2001

RECORDED
BY *Cheryl Rodwell*
JUN 20 1980

BY *Cheryl Rodwell*
CANYON COUNTY RECORDER

85 JUN 2 PM 12 52

RECORDED

8500108

INSTRUMENT NO. 8500109

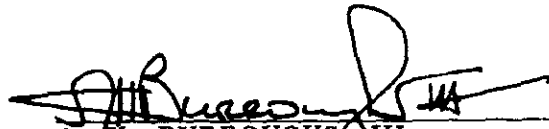
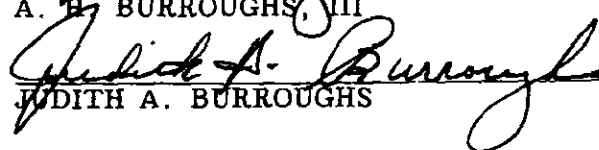
BARGAIN AND SALE DEED

FOR VALUE RECEIVED, A. H. BURROUGHS, III, and JUDITH A. BURROUGHS, husband and wife, do hereby grant, bargain, sell and convey to VALE ISLAND FARMS, an Idaho general partnership, whose address is 35 Horizon Drive, Boise, ID 83702, Grantee, a fifty percent (50%) undivided interest in and to that certain piece or parcel of land situate, lying and being in the County of Canyon, State of Idaho, more particularly described on Exhibit A attached hereto and made a part hereof, SUBJECT TO those certain exceptions to title as set forth on Exhibit A.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said Grantee and to its successors and assigns forever.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal this 24th day of December, 1984.

GRANTOR:


A. H. BURROUGHS, III

JUDITH A. BURROUGHS

MICROFILMED

BARGAIN AND SALE DEED JUN 20 2001 p. 1

E9

STATE OF IDAHO)
 ss.
County of Ada)

On this 24th day of December, 1984, before me, the undersigned Notary Public in and for said State, personally appeared A. H. BURROUGHS, III and JUDITH A. BURROUGHS, husband and wife, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he 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.

Hill T. Gardella
NOTARY PUBLIC, State of Idaho
Residing at Boise, Idaho



MICROFILMED

JUN 20 2001

EXHIBIT A

Section 12, Township 4 North, Range 4 West of the Boise Meridian, Canyon County, Idaho; Commencing at the Southeast corner of Section 12; thence North on the section line, 880 feet; thence North 49°40' West, 150 feet; thence North 36°00' West, 250 feet; thence North 31°20' West, 465 feet; thence North 45°5' West, 525 feet; thence North 53°10' West, 53.25 feet to the real point of beginning; thence North 26°40' East, 1421.95 feet; thence North 4°10' West, 323.14 feet; thence North 18°15' West, 500 feet; thence North 54°20' West, 465 feet; thence South 83°35' West, 485 feet; thence South 74°35' West, 436 feet; thence South 59°30' West, 770 feet; thence South 71°45' West, 330 feet; thence South 40°15' West, 245 feet; thence South 14°20' East, 125 feet; thence South 36°45' East, 490 feet; thence South 44°45' East, 330 feet; thence South 69°35' East, 415 feet; thence South 58°55' East, 575 feet; thence South 65°10' East 392 feet; thence South 53°10' East, 206.75 feet, to the real point of beginning.

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MICROFILMED

JUN 20 2001

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Dated: June 24, 1980
Mortgagor: ROBERT R. ANGELL, A Single Person
Mortgagee: ADMINISTRATOR OF SMALL BUSINESS ADMINISTRATION

MICROFILMED

JUN 20 2001

REQUEST
TYPE*Charles B. Smith*
JUN 20 1980BY *C. Smith*
CANTON, IDAHO, RECORDER

'85 JUN 2 PM 12 52

RECORDED

8500109

E12

INSTRUMENT NO. 8500106

QUITCLAIM DEED

For Value Received, MICHELLE P. ANGELL, the wife of ROBERT R. ANGELL, Grantor,

does

~~do hereby convey, release, remise and forever quitclaim unto~~ ROBERT R. ANGELL, her husband, as his sole and separate property,

whose current address is 35 Horizon Drive, Boise, ID 83702,

the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE AS IF SET FORTH IN FULL HEREIN.

TOGETHER WITH any interest which Grantor may acquire in said property after the date of this Quitclaim Deed; and

TOGETHER WITH their appurtenances.

AND all income and gain derived from such property shall be the sole and separate property of said ROBERT R. ANGELL.

This Deed is executed for the purpose of confirming the status of the above-described property, together with the income therefrom, as the sole and separate estate of ROBERT R. ANGELL, pursuant to Sec. 32-906, Idaho Code.

~~together with their appurtenances.~~

Dated: December 24, 1984.

Michelle P. Angell
MICHELLE P. ANGELL

STATE OF IDAHO, COUNTY OF ADA

On this 24th day of December, 19 84, before me, a notary public in and for the said State, personally appeared MICHELLE P. ANGELL, the wife of ROBERT R. ANGELL,

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Bill S. Gardella
Notary Public
Residing at Boise, Idaho
Comm. Expires 2/21/88

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of

at _____ minutes past _____ o'clock M.,
this _____ day of _____,
19 _____, in my office, and duly recorded in Book _____
of Deeds at Page _____

Ex-Officio Recorder

By _____ Deputy.

Fees \$ _____
Mail to: _____

MICROFILMED
JUN 20 2001

513

INSTRUMENT NO.

EXHIBIT A

Section 12, Township 4 North, Range 4 West of the Boise Meridian, Canyon County, Idaho; Commencing at the Southeast corner of Section 12; thence North on the section line, 880 feet; thence North 49°40' West, 150 feet; thence North 36°00' West, 250 feet; thence North 31°20' West, 465 feet; thence North 45°5' West, 525 feet; thence North 53°10' West, 53.25 feet to the real point of beginning; thence North 26°40' East, 1421.95 feet; thence North 4°10' West, 323.14 feet; thence North 18°15' West, 500 feet; thence North 54°20' West, 465 feet; thence South 83°35' West, 485 feet; thence South 74°35' West, 436 feet; thence South 59°30' West, 770 feet; thence South 71°45' West, 330 feet; thence South 40°15' West, 245 feet; thence South 14°20' East, 125 feet; thence South 36°45' East, 490 feet; thence South 44°45' East, 330 feet; thence South 69°35' East, 415 feet; thence South 58°55' East, 575 feet; thence South 65°10' East 392 feet; thence South 53°10' East, 206.75 feet, to the real point of beginning.

8500106

RECORDED

'85 JAN 2 PM 12 51

REC'D STAKER

CANYON COUNTY RECORDER

BY

C. Smith

REQUEST

TYPE

Check, Building - 12-10 atty

Idaho Department of Water Resources Receipt

Receipt ID W027224

Payment Amount	\$330.00	Date Received	12/15/00 9:05:04 AM	Region	Western	Status
Payment Type	Check	Check Number	1430			

Payer VALE ISLAND FARMS

Comment TRANSFER OF WATER RIGHT 63-9698

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$330.00	TRANSFERS	0229	21	62105	1155


Signature Line (Dept. Representative)

MICROFILMED

JUN 20 2001

REVIEWER'S

NOTES

MICROFILMED

JUN 20 2001

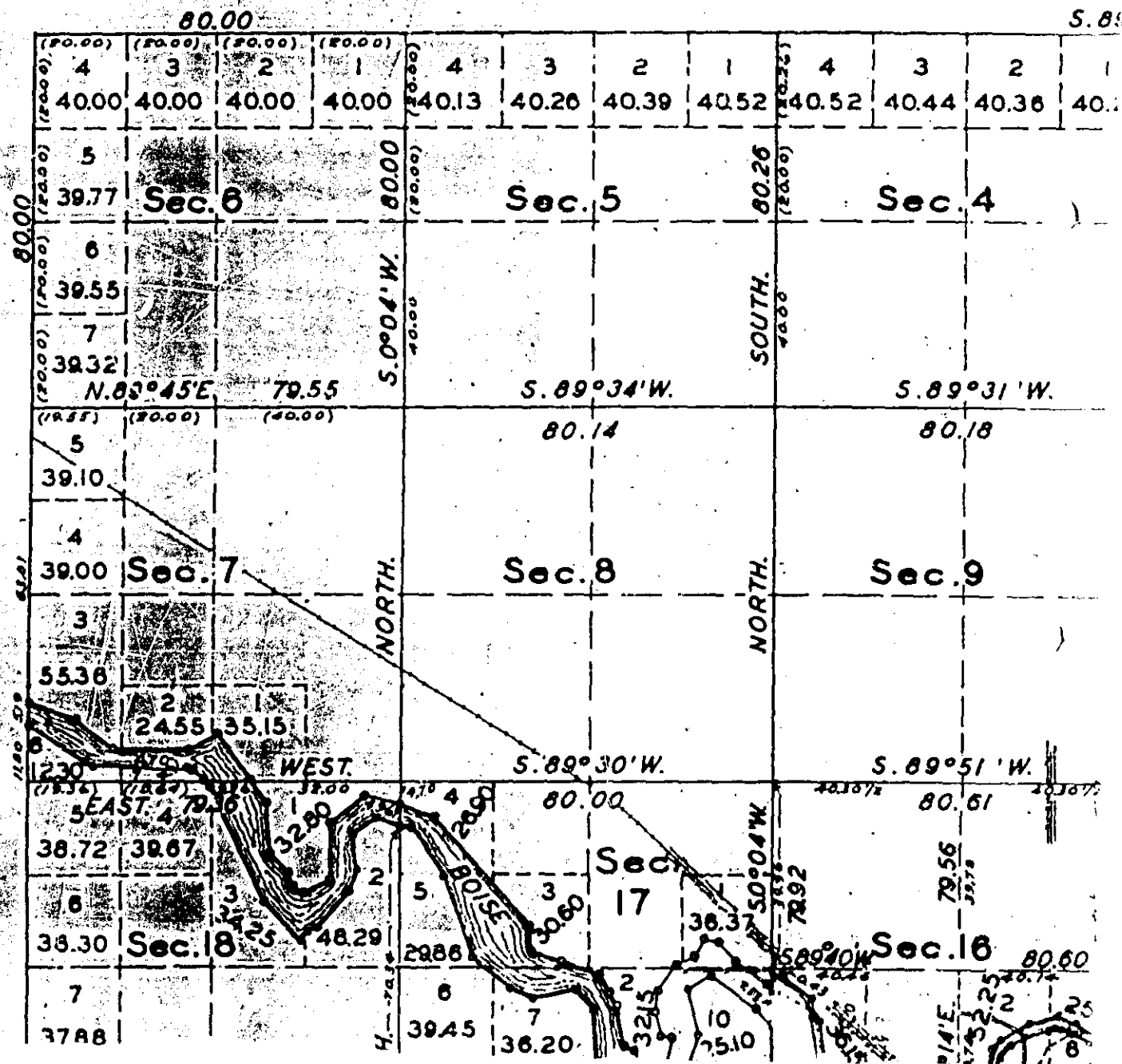
This is a detailed topographic map of a section of the Colorado River, showing the confluence of the Colorado and Grand Rivers. The map features a grid with elevation contours and various numerical data points. Key locations include 'West' and 'East' markers, and a 'River' label. The map is heavily annotated with handwritten numbers and lines, suggesting a survey or engineering project. The Colorado River flows from the top left towards the bottom right, while the Grand River joins it from the top right. The map is framed by a grid with coordinates ranging from 10 to 40 on the vertical axis and 10 to 40 on the horizontal axis.

MICROFILMED

JUN 20 2004

COMFUS

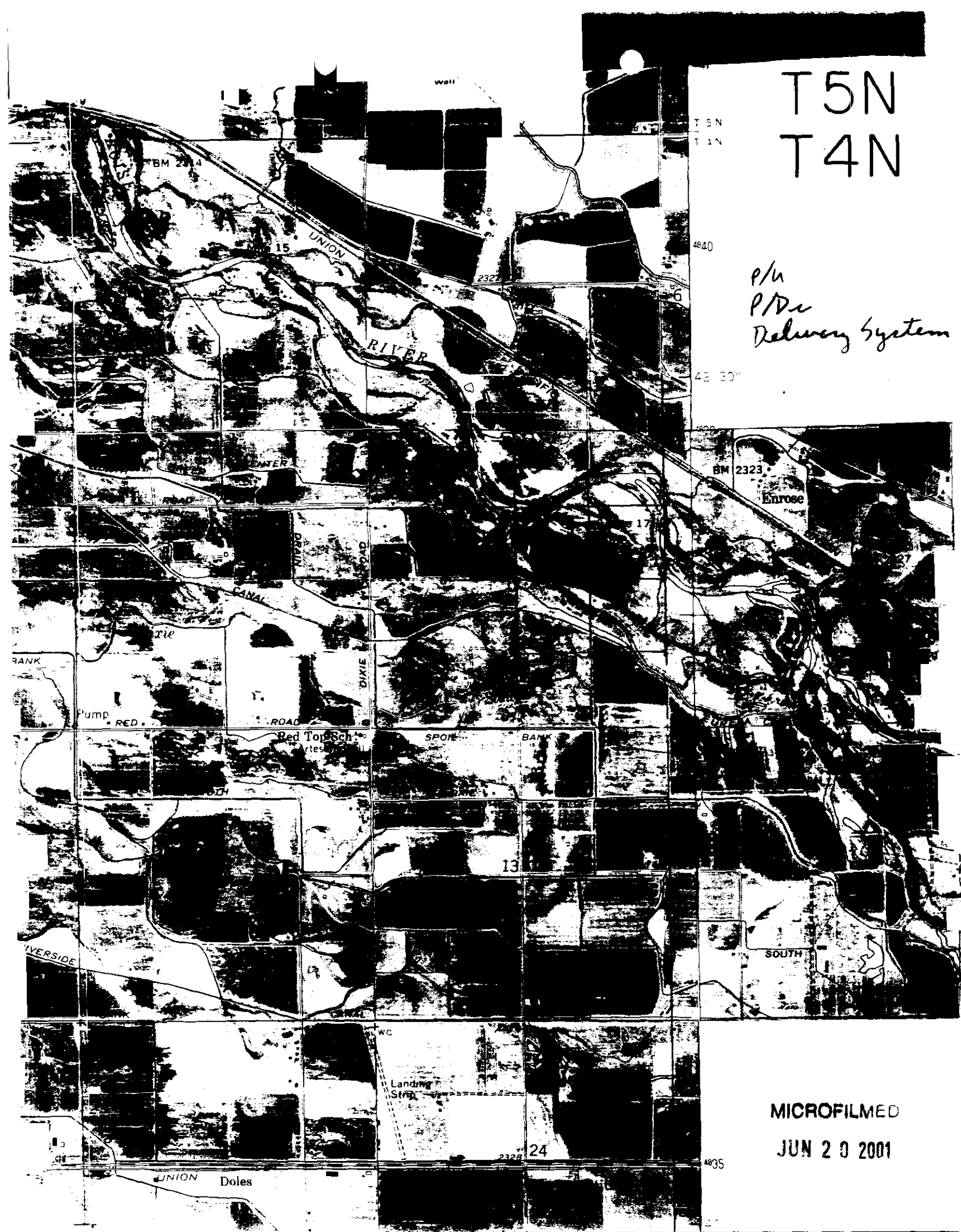
JUN 20 2001



T5N
T4N

P/W
P/D
Delivery System

MICROFILMED
JUN 20 2001



Form 219
12/79

Angell, Robt
d: SESH Sec 7, T4N, R3W.
se: Stockwater
Recreation

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

63-9698
Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:	11/19/81	jp	no appointment made
☐ Telephone call made: (List Telephone No. used)	10/26/82		MR. ANGELL PHONED STATING HE IS READY FOR EXAM.
☐ Appointment scheduled for: (Date, time, location)	10/27/82 10:00	f	AST SIMPLOT AT LOT MONWELT RD. TO ISLAND

EXAMINATION

Date 10/27/82 Accompanied by BOB ANGELL Total Q measured 9.67 cfs ✓
If source is surface water, estimate total flow of source _____
Methods of measurement 4' RECTANGULAR WEIR Meets Permit requirements? capacity

Measurement calculations:

48" WIDE WEIR AT .83' ON GAUGE = 9.67 cfs ✓
PER WATER MEASUREMENT BULLETIN No. 552 - CHARTS LISTED ON
PAGE 23.

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
						GRAVITY FLOW		

System Description CEMENT CHECK, EPN RIVER W/ 4' RECT. WEIR & 24" PIPELINE
TOMCMANUS - TETER DITCH TO PONDS CATTLE DRINK FROM DITCH
& PONDS. 16 ACRE POND APPROX 84" DEEP. (TOTAL OF ALL PONDS)

*Code with map on reverse side. Disregard code if only one.

SEE REMARKS FOR
FURTHER DESCRIPTION.

RECOMMENDED AMOUNTS

USE	Irrigation requirement =		AFA/Acre	
	Q (cfs)	V (afa)	FROM	TO
30 HD HORSES - 100 HD CATTLE				
STOCKWATER	0.05 ✓	2.7 AF ✓	11/1	3/31
RECREATION - FISH & WILDLIFE	3.00 ✓	N/A	11/1	3/31
Total	3.00	2.7 AF - STOCK ONLY		

Remarks THE LARGE AMOUNT OF CFS IS DUE TO THE FACT THAT
WHERE THE MCILHINUS - TETER CANAL QUITS FROM THE RIVER
& COUL THE WEIR IS WHERE THE MEASUREMENT WAS TAKEN THE
CANAL THEN FLOWS THROUGH THE PONDS (AFTER IT DIVIDES INTO
TWO DITCHES) THEN DUMPS INTO THE RIVER FROM OUTLETS IN
THE PONDS. WATER ACTUALLY FLOWS THROUGH NAME ALL YEAR
ROUND, BUT PERMIT HOLDERS GET LESS WATER DURING THE IRRIGA-
TION SEASON

MICROFILMED

JUN 20 2001

MEMORANDUM

TO: FILE 63-09698

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: TRANSFER 5170

DATE: March 20, 1998

Transfer 5170 changes the point of diversion under Right 63-09698.

The right was originally diverted through the McManus Teater Ditch which the applicant describes as an inefficient, leaky dirt ditch. At the proposed point of diversion water will be diverted by a pump in the river and delivered through PVC pipe to the adjacent place of use. ✓

Recreation volume was identified and standard watermaster and transfer conditions recommended. ✓

ok

12/00
New restoring p12 dropped
in T. 5170 & classifying
current p12
Real change to where water
used)

12/12/00
MICROFILMED

JUN 20 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way, Boise, Idaho 83705

Phone: (208) 334-2190 FAX: (208) 334-2348 www.idwr.state.id.us/idwr/idwrhome.htm

Draft for proposal review

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 12/12/00

TO: Robert R. Angell

FROM: Steve Lester

fax 367-0139

DOCUMENT DESCRIPTION: Proposed transfer:
for 1st pg: list both points of diversion so can use
either/both as needed ... item B4.
delete reference to # acres, which is only for
irrigation use, not part of this right item B5.

TOTAL PAGES SENT: 01 + COVER SHEET

CONTACT: _____

Otherwise, looks good.

*Send: Application w/ notarized signature, fee,
incl. names/titles of officers/directors for
Vale Island Farms, and include proof of
ownership of lands listed in proposed
place of use (item B5 on 1st page) to show
that applicant owns all the land to be
described by proposed transfer.*

Form 1-322
1988

(Internet)

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant VALE ISLAND FARMS Phone (208) 763-0115Post Office address 25 HORIZON DRIVE, BOISE, IDAHO 83702

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use (correction)
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes SEE ATTACHED LETTER

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>63-7698</u>	<u>3-27-81</u>	<u>3.0 CFS</u>	<u>RECREATION</u>	<u>1-1</u> to <u>3-31</u>
<u>"</u>	<u>"</u>	<u>.05 CFS</u>	<u>DRINK WATER</u>	<u>"</u> to <u>"</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 3.00 cubic feet per second and/or 892.6 acre-feet per annum.3. Source of water BOISE RIVER tributary to SNAKE RIVER4. Point(s) of Diversion: (ADDITIONAL)

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	<u>SE</u>	<u>SW</u>		<u>7</u>	<u>4N</u>	<u>3W</u>	<u>CANYON</u>	<u>→ McMANUS-TEATER DITCH, STATE</u>
								<u>WATER DISTRICT NO. 63, BOISE</u>
								<u>RIVER (RESTORE ORIGINAL POINT IN LICENSE).</u>
	<u>SE</u>	<u>NE</u>	<u>12</u>	<u>4N</u>	<u>4W</u>	<u>CANYON</u>	<u>→</u>	<u>Point identified by Transfer #5170</u>

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>4N</u>	<u>4W</u>	<u>12</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>				<u>X</u>					<u>X</u>	<u>X</u>			<u>(90) ←</u>

MICROFILMED

JUN 20 2001

Dglete

Not
Irrigation
Right

ROBERT R. ANGELL

December 12, 2000

Mr. Steve Lester
Idaho Dept. of Water Resources
Boise, Idaho

Fax: 334-2348

Dear Steve,

Enclosed are copies of my Transfer Application which if you have time, I would appreciate your looking over for correctness and sensibility.

I would really appreciate it if you would make any corrections you deem necessary and fax the same back to me.

I'll make the corrections, type up the Application and bring it down to your offices along with our check for \$330.00.

Thanks very much for your time.

Best regards,



Robert R. Angell

Enclosure

MICROFILMED

JUN 20 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

March 23, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

VALE ISLAND FARMS
35 HORIZON DR
BOISE ID 83702

RE: Water Right 63-09698 (Transfer 5170)

Dear Water Right Holder(s):

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water right (Transfer 5170). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying **transfer approval** should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

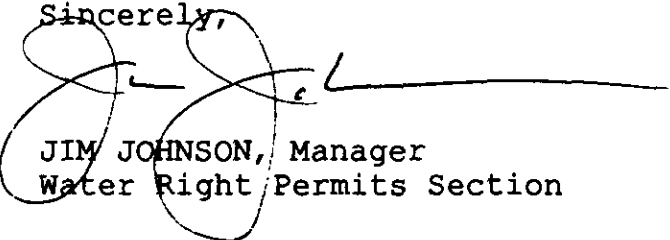
As of July 1, 1996, all water right owners are required to report any change in water right ownership and any change of mailing address to the department.

If you have acquired any other water right or have changed your mailing address **PRIOR TO** July 1, 1996, you have until July 30, 1998, to record the ownership and/or address change with the department.

If you acquired other water rights or changed your mailing address **AFTER** July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes in a timely manner could result in a \$100 late filing fee. You can contact any office of the department for more information. If you have any questions concerning your water right listed above you can contact me at (208) 327-7947.

Sincerely,


JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt
Enclosures

ENCLOSURE
MAY 15 1998

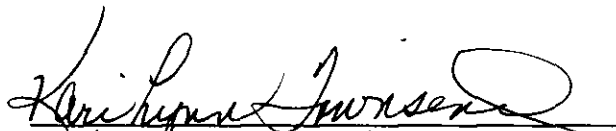
MAY 15 1998

CERTIFICATE OF MAILING

I hereby certify that on the 23rd day of **March, 1998**, I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

WATER RIGHT 63-09698 (Transfer 5170)

VALE ISLAND FARMS
35 HORIZON DR
BOISE ID 83702


Kari Lynn Townsend
Secretary

MAY 15 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 23, 1998

LEE SISCO
WATERMASTER
6616 OVRLAND RD
BOISE ID 83709

RE: TRANSFER OF WATER RIGHT 63-09698 (Transfer 5170)

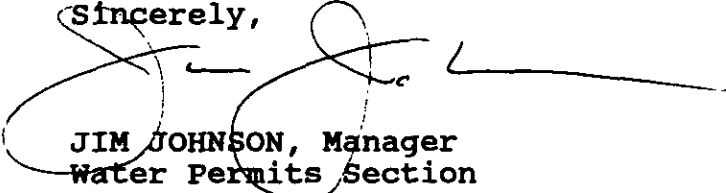
Dear Lee:

Enclosed is a copy of the recently approved Transfer of Water Rights for the above referenced water right (Transfer No. 5170) in the name of Vale Island Farms.

Also enclosed is a copy of the reviewers notes.

If you have any questions, please call me at (208) 327-7947.

Sincerely,



JIM JOHNSON, Manager
Water Permits Section

JJ:klt

Enclosures

RECORDED
MAY 15 1998

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the 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 twenty-one (21) 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 a 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. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

RECORDED
MAY 15 1998

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Department 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 Department 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.

NOT RECORDED
MAY 15 1998

MEMORANDUM

TO: FILE 63-09698

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: TRANSFER 5170

DATE: March 20, 1998

Transfer 5170 changes the point of diversion under Right 63-09698.

The right was originally diverted through the McManus Teater Ditch which the applicant describes as an inefficient, leaky dirt ditch. At the proposed point of diversion water will be diverted by a pump in the river and delivered through PVC pipe to the adjacent place of use. ✓

Recreation volume was identified and standard watermaster and transfer conditions recommended. ✓

sk

RECEIVED

MAY 15 1998

TRANSFER REVIEW SHEET
(06-97)

Transfer # 5170

Date Reviewed 3-20-98 38

Right(s) 63-09698

WR Print Split Summary NA Run POU Comparison Report

B:Change P/D C:Add P/D D:Change P/U E:Change Nature of Use
F:Change Period of Use G:Other H:Change P/D & Add P/D
I:Change P/D & P/U J:Add P/D & Change P/U

Proof of Ownership NA - P/D Change
Warranty & Civil Claim Needs -

Transfer ☒ All of Right ☐ Portion of Right
Resulting Split(s) NONE

Check Transfer Against Recorded Right

Season/Vol. NA - Stock/Rec.

(1) ☒ Priority (2) ☒ Use (3) ☒ Season (4) ☒ Rate (5) ☐ Volume
150 Days/Non-IAR
(6) ☒ Source (7) ☐ P/D (8) ☒ P/U (9) NA Proof/Owner (10) ☒ Map

(11) 63 Water District (12) NO Pertinent Conditions (13) NO Expansion
WM Comment Rev'd. 3-3-98. Reduce Conveyance losses.

(5) Rec. Vol = Vol 3.00 cfs x 150 days x 1.4835 = 892.6 cft (Max. Total Vol.)
(7) Change P/D from ditch to pump adjacent property.

Transfer Remarks

Conditions R04, R43, T07, T08, T09

Database/Processing Notes

Standard ☒ Non-Standard ☐

T File

Pccommon File F5170.txt; 3-20-98
File Deleted OK

Transfer Memo Complete ☒
Database Updated 03-20-98 38

SD-0611-2 Basin: 63 Starting Water Right: 09698

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
-	63-09698	ANGELL, ROBERT	C	03/27/1981	L/	BOISE RIVER	STOCK REC	WR
-	63-09698	VALE ISLAND FARMS	C	03/27/1981	L/	BOISE RIVER	STOCK REC	WR
-	63-09698	BURROUGHS III, A H ANGELL, ROBERT	C C	03/27/1981	L/	BOISE RIVER	STOCK REC	AJ

END OF DATA...ENTER MENU OPTION AND/OR PRESS ENTER TO CONTINUE
(Enter=Continue) (GOLD7=This Query) (GOLD8=Cancel)

(GOLD8=Cancel) (Menu)

SUPPLEMENTAL STAFF ANALYSIS SHEET

TRANSFER NO. 5170 WORDPERFECT FILENAME XFERADV-VIF

COPY FOR WATER RIGHT AND ADJUDICATION FILES:

GOAL: Enough information to make filing understandable in Region file for allocation & adjudication uses. Indicate items to be copied below. Always include first four items.

RECEIVED

MAR 10 1998

<u>YES</u>	LEGAL NOTICE
<u>YES</u>	TRANSFER ANALYSIS SHEET (FORM 222a) Department of Water Resources
<u>YES</u>	TRANSFER APPLICATION INCLUDING MAP
<u>YES</u>	REVIEWER'S ANALYSIS MEMO DATED <u>11/4/97</u>
<u> </u>	REVIEWER'S ADDITIONAL MAPS/DIAGRAMS
<u> </u>	REVIEWER'S ADDITIONAL COMPUTER REPORTS
<u> </u>	OWNERSHIP VERIFICATION - <u>ALWAYS INCLUDE IF ANY QUESTIONS ABOUT OWNERSHIP ARE FOUND RE SRBA CLAIM (OWNERSHIP CHANGE, SPLITS, ODD SITUATIONS ETC.)</u>
<u>✓</u>	OTHER ITEMS - LIST THESE BELOW OR ON BACK AS NEEDED <u>Attachment C1 - 82 3/3/98</u>

AVOID COPIES -

excess profile reports; oversized documents; numerous application attachments unless are clarifying maps, explanations etc.; easements & other agreements unless are essential to understanding the application.

COPIES TO BE MADE AFTER MANAGER'S REVIEW PRIOR TO FORWARDING FILE TO S.O.

DISCARD THIS FORM BEFORE FORWARDING FILE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

RECEIVED
MAR 18 1998

Department of Water Resources

APPLICANT Vale Island Farms

TRANSFER NO. 5170

INITIAL ALLOCATION REVIEW BY [Signature]
SRBA SUPERVISOR REVIEW BY [Signature]

DATE 11/4/97
DATE 11/4/97

1. Right number(s) 63-09698

2. Type of right ☐ Decree ☒ License ☐ Statutory Claim
☐ SRBA Beneficial Use Claim

3. Purpose of transfer ☒ Change P/D ☐ Add P/D ☐ Change P/U
☐ Change N/U ☐ Change Source ☐ Split Right
☐ Other: _____

4. Check Existing Right: ☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period ☐ SRBA Claim
☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights on original place of use

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

☒ Also see attached memo for more analysis information

- a. ☒ All of right
- b. ☒ Part of right (NOTE! Part B should be filled in only if part of right is owned by the applicant)
- c. ☒ Description of point(s) of diversion
- d. ☒ Description of place of use
- e. ☒ Map showing P/D & P/U after transfer
- f. ☒ Correct notarized signature and \$100 fee
- g. ☒ Proof of ownership of right &/or land from which water is transferred
- h. ☒ Expansion in use of right - Comments: _____

T5170

- i. N/A Existing rights from same source, on land water is being transferred to; right number(s): _____
- j. / SRBA claim(s) - Comments (NOTE! Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain) filed same as licensed
- k. / Comment letters / Yes / No
If yes / Water District # 63
/ Other, see #2 below for name and address

PUBLICATION REVIEW

1. Legal Notice electronically sent to DWR03::VAULT? / Yes
2. COMMENT LETTERS re-sent w fax 3-3-98 -9
Watermaster recommendation requested on 12-19-97, Received on 3/4/98 (fax reply)
Other comments letters: / See attached information
3. Transfer published correctly? / Yes / No
4. Affidavit of publication received? / Yes / No
5. Protests received? / Yes / No; Acknowledgement sent? / Yes
6. Data entry of application completed? / Yes

RECOMMENDED ACTION

1. / Approve / See attached memo
2. / Deny due to _____
3. Conditions (special conditions in Water Districts) T07, T08, T09, R04 (dist. #63)
4. By Gary S Date 3/16/98

FILE FORWARDING

1. Copies made for Region file (see attached supplemental page)? / Yes
2. File forwarded to S.O.: by dt date 3-16-98

TRANSFER MEMO

DATE: 11/4/1997

FR: LG

RE: VALE ISLAND FARM TRANSFER

The purpose of this transfer is to change the P/D from the Boise River for #63-09698 licensed from 11/1 to 3/31 for recreation and stockwater use. The licensed P/D is delivered through the McManus Teater Ditch. This P/D is managed by water district #63 during the irrigation season, but not during the winter months for this license. The applicant wishes to improve delivery efficiency by not having to divert the water through 2800' of dirt ditch, but rather using a pump/pvc pipe system. The proposed P/D would be located on the applicant's property, closer to the licensed P/U. A comment letter will be sent to Lee Sisko.

11/15/97
11/15/97

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 63-969BRECOMMENDATION OF WATERMASTER

I, Lee Sisco, watermaster of Boise River,
of Water District No. 63, County of Ada, State of Idaho,
whose address is 6616 Overland Rd. Boise Idaho
have read the attached copy of the application for transfer of water right for _____
Vale Island Farms, and to the best of my knowledge believe the
(name)
application to be true.

(A) I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: Standard watermaster
conditions

OR

B. I do not endorse approval of the above numbered Application for Transfer as re-
quested for the following reasons: _____

Dated at Boise, Idaho, this 3 day of March 19 98

Lee Sisco
(signature)

MAR 15 1998

Please use reverse side if needed.

STATE OF IDAHO
WATER DISTRICT #63
LEE SISCO
6616 OVERLAND RD., BOISE, IDAHO 83709
PHONE 378-0246 FAX 378-1274

FAX TRANSMITTAL MEMO

TO:

COMPANY/AGENCY NAME:

ATTENTION: *Steve Lester*

DATE:

TIME:

NO. OF PAGES: *1*

378-1274



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

✓ NOT sure went through
to faxing again

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 3/3/98

TO: Lee Sisco
Watermaster # 63
fax 378-1274

FROM: Steve Lester

DOCUMENT DESCRIPTION: Transfer # 5170 (63-09698), Vale Island
Trans. Proposed change from McManus Transfer Ditch to pump
station c 1/2-3/4 miles downstream from ditch. Looks like
sent you comment letter 12/14/97 but maybe you never
received it.

TOTAL PAGES SENT: 5 + COVER SHEET

CONTACT: Have only sent pertinent pgs. from Appl.
map may not fax very well (b/w ASCS photo).

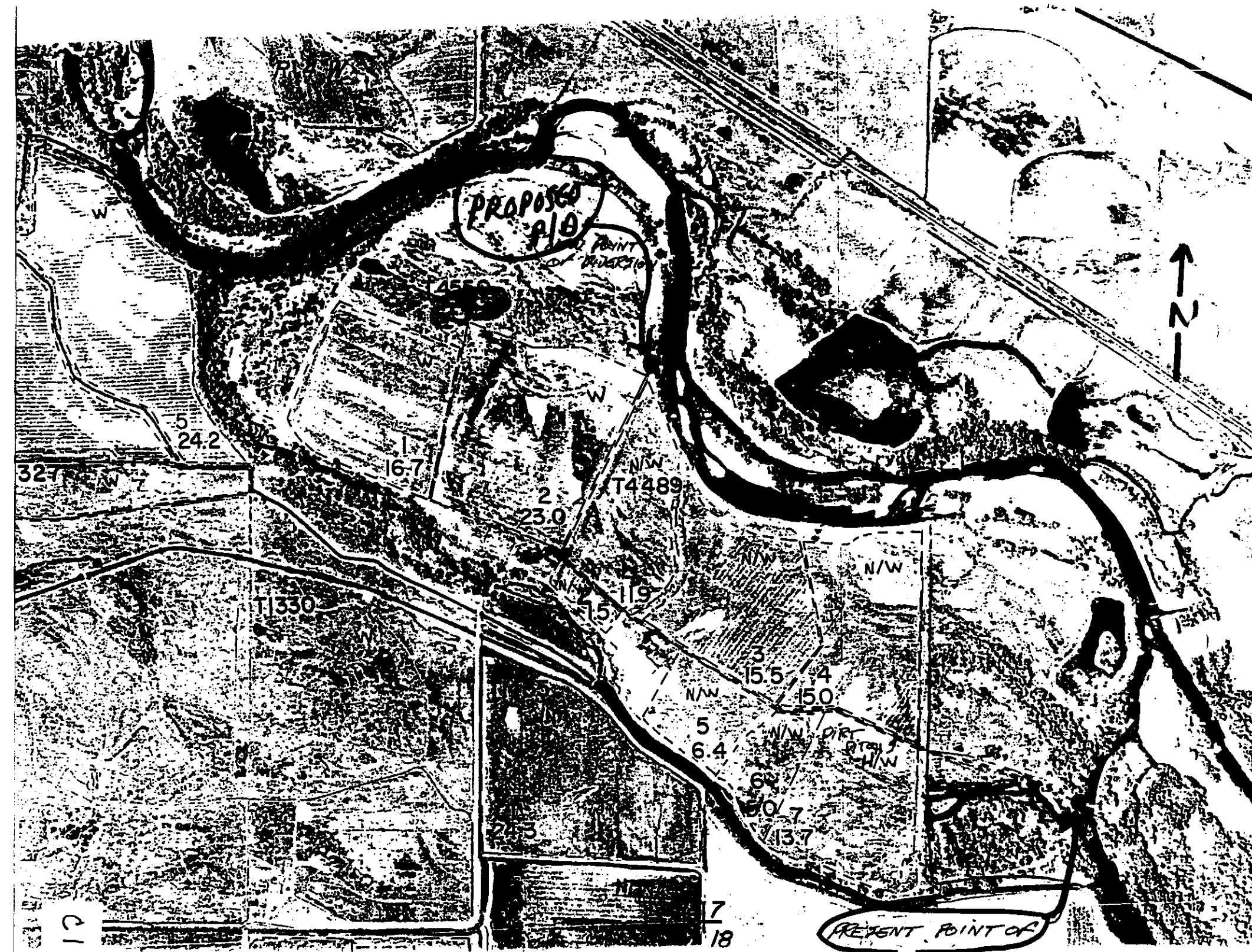
Please send reply soon as you get time.

Let me know if need
more info or better
copy.

thanks,

Steve

MAY 15 1998





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 19, 1997

LEE SISCO
WATER DISTRICT #63
6616 OVERLAND RD
BPOSE ID 83709

Re: Application for Transfer of Water Right No. 63-09698 in the Name of Vale Island Farms

Dear Lee:

Enclosed is a copy of the above-referenced application for transfer. Also enclosed is a form for your recommendation concerning this application. Please review the application and return any comments you might have within two weeks.

If you have any questions or need information, feel free to contact this office.

Sincerely,

Gary Spackman

GS:st

Encl: Copy of Application
Recommendation of Watermaster Form

NOV 15 1998

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT,
TRANSFER NO. 5170**

Notice is given that VALE ISLAND FARMS of 35 Horizon Dr., Boise, ID 83702 has applied to the Department of Water Resources to add a Point of Diversion pursuant to I.C. § 42-222 for the following recreation/stockwater right. All legals in T4N R4W Canyon County unless otherwise specified:

License 63-09698, priority 3/27/1981, 3.0 cfs, Boise River diverted in SESW S7 T4N R3W for recreation and stockwater use in NE S12 from 11/1 to 3/31.

PROPOSED CHANGE

Replace dirt ditch system with pump/pipe system in SENE S12 to improve delivery efficiency. No change in licensed place of use proposed.

Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 on or before December 8, 1997. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

November 20, 27, 1997

6235

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
County of Canyon) SS.

RECEIVED

DEC 01 1997

WATER RESOURCES
WESTERN REGION

Carolyn Spath

of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Twice

— in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:
November 20, 27, 1997

STATE OF IDAHO)
COUNTY OF CANYON)

On this 27th day of November
in the year of 1997, before me, a Notary
Public, personally appeared Carolyn Spath,
known or identified to me to be the person whose
name subscribed to the within instrument, and being
by me first duly sworn, declared that the statements
therein are true, and acknowledged to me that he/she
executed the same.

MAY 15 1998

Notary Public for Idaho
Residing at Nampa
MY COMMISSION EXPIRES
JUNE 21ST, 2003

Water Right Number - 63-09698

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

ANGELL

ROBERT

1 - 1026 STRAWBERRY LN.

2 -

3 -

City- BOISE

State- ID Zip- 83702

Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
03/27/1981 14 WESTERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
BOISE RIVER SNAKE RIVER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

04N 03W 7 SE SW (27) CANYON

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
04 - STOCKWATER 11/01 03/31 0.050 2.70
46 - RECREATION 11/01 03/31 3.000+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
3.000+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
04N 04W 12 NE NE 46 RECREATION (27) CANYON
04N 04W 12 NW NE 46 RECREATION (27) CANYON
04N 04W 12 SW NE 46 RECREATION (27) CANYON
04N 04W 12 SE NE 46 RECREATION (27) CANYON

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 12, 1997

PRESS TRIBUNE
PO BOX 9399
NAMPID 83652

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated. 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. Your cooperation is appreciated.

Please send the affidavits of publication and publication billing to this office before **December 8, 1997.**

Sincerely,

Sue Taylor
Senior Secretary

MAY 15 1998

**NOTICE OF PROPOSED CHANGE OF WATER
RIGHT, TRANSFER NO. 5170**

Notice is given that **VALE ISLAND FARMS** of 35 Horizon Dr., Boise ID 83702 has applied to the Department of Water Resources to add a Point of Diversion pursuant to I.C. § 42-222 for the following recreation/stockwater right. All legals in T4N R4W Canyon County unless otherwise specified:

License 63-09698, priority 3/27/1981, 3.0 cfs, Boise River diverted in SESW S7 T4N R3W for recreation and stockwater use in NE S12 from 11/1 to 3/31.

PROPOSED CHANGE

Replace dirt ditch system with pump/pipe system in SENE S12 to improve delivery efficiency. No change in licensed place of use proposed.

Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 on or before December 8, 1997. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Press Tribune on November 20 and 27, 1997.

MAY 15 1998

May 2, 1983

RE: Permit No. 63-9698

Robert Angell
1026 Strawberry Lane
Boise, ID 83702

Dear Mr. Angell:

Enclosed herewith is a copy of your Water Right License issued on the above referenced permit along with a copy of your approved application for amendment. Also enclosed is Departmental Receipt No. 26462 in the amount of \$20.00.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosures

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

March 30, 1983

RE: Permit No. 63-9698

Robert Angell
1026 Strawberry Ln.
Boise, ID 83702

Dear Mr. Angell:

A representative of this Department made an examination of the works covered by your Permit No. **63-9698** and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: **3.0 cfs** Source: **Boise River**

The maximum quantity diverted shall not exceed **n/a** acre feet per year.

Point of diversion: **SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 7, Twp. 4N, Rge. 3W, Canyon County**

Beneficial use: **Recreation and stockwater uses within the NE $\frac{1}{4}$, Sec. 12, Twp. 4N, Rge. 4W**

Priority date established: **March 27, 1981**

In order for the Department to issue the above license, it will be necessary for you to amend the permit to correspond with the findings of the field examiner. We are enclosing a partially completed amendment form for your use in this matter.

Please sign the amendment application and return it to this office along with a \$20.00 filing fee within 30 days in order that we might issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

MICROFILMED
TIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

Form 219
12/79

Angell, Robert
w/d: SESW Sec 7, T4N, R3W.
se: Stockwater
Recreation

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

63-9698
Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:	11/19/81	jp	no appointment made
☐ Telephone call made: (List Telephone No. used)	10/26/82		MR. ANGELL PHONED STATING HE IS READY FOR EXAM.
☐ Appointment scheduled for: (Date, time, location)	10/27/82 10:00	g	PAST SIMPLOT FEEDLOT DOWN WEITZ RD. TO ISLAND.

EXAMINATION

Date 10/27/82 Accompanied by BOB ANGELL Total Q measured 9.67 cfs ✓
If source is surface water, estimate total flow of source _____
Methods of measurement 4' RECTANGULAR WEIR Meets Permit requirements? capacity

Measurement calculations:

48" WIDE WEIR AT .83' ON GAUGE = 9.67 cfs ✓
PER WATER MEASUREMENT BULLETIN No. 552 - CHARTS LISTED ON
PAGE 23.

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
						GRAVITY FLOW		

System Description CEMENT CHANNEL FROM RIVER W/ 4' RECT. WEIR + 34" PIPELINE
TO MCILMANUS - TEETER DITCH TO PONDS. CATTLE DRINK FROM DITCH
& PONDS. 16 ACRE POND APPROX. 24" DEEP. (TOTAL OF ALL PONDS)
SEE REMARKS FOR FURTHER DESCRIPTION.

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

Irrigation requirement = _____ AFA/Acre

USE	Q (cfs)	V (afa)	FROM	TO
30 HD HORSES - 100 HD CATTLE				
STOCK WATER	10.05 ✓	2.7 AF ✓	11/1	3/31
RECREATION - FISH & WILDLIFE	3.00 ✓	N/A	11/1	3/31
Total	3.00	2.7 AF - STOCK ONLY		

Remarks THE LARGE AMOUNT OF CFS IS DUE TO THE FACT THAT
WHERE THE MCILMANUS - TEETER CANAL DIVERTS FROM THE RIVER
OVER THE WEIR IS WHERE THE MEASUREMENT WAS TAKEN. THE
CANAL THEN FLOWS THROUGH THE PONDS (AFTER IT DIVIDES INTO
TWO BRANCHES) THEN DUMPS INTO THE RIVER FROM OUTLETS IN
THE PONDS. WATER ACTUALLY FLOWS THROUGH HERE ALL YEAR
ROUND, BUT PERMIT HOLDER GETS LESS WATER DURING THE IRRIGA-
TION SEASON.



Point(s) of diversion: SE 1/4 SW 1/4, SEC. 7, TWP. 4N, RGE. 3W, B.M.

Place(s) of Use

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	4W	12	X	X	X	✓													

Recorded Amendments:

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

☐ Change P.U. as reflected above

☒ Add P.U. as reflected above

☐ Other

Examiner's Signature

Checked by

Approved by

Date

Date

Date

Jan Grover

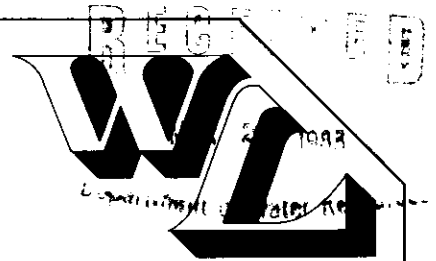
DBS

Keen

1/19/83

1/19/83

3/28/83



March 24, 1983

WRIGHT-LEASE COMPANY,
Realtors/Commercial and Investment Real Estate

Mr. David R. Tuthill, Jr.
State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

Dear Mr. Tuthill:

Enclosed please find a copy of a letter which you sent to me last May. Since that time I have made contact with Ms. Rita Fleck, and in fact spent some time one morning last fall making "Proof of Beneficial Use". Ms. Fleck indicated at that time that she would prepare the paper work to issue my license. Since that time, and I suspect this was some-time in October of 1982, I have heard no word from her or from your Department and am wondering what the status of my permit is?

Would you please contact me and let me know where we are? Your expediency in this matter would be greatly appreciated.

Sincerely,


Robert R. Angell
1026 Strawberry Lane
Boise, Idaho 83702

RRA/smb:48

MICROFILMED

Idaho First Plaza
Suite 1701
101 S. Capitol Blvd.
Boise, Idaho 83702
Phone (208) 345-1842



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

Fita Fleck

334-4290

May 21, 1981

Robert Angell
1026 Strawberry Lane
Boise, Idaho 83702

Dear Mr. Angell,

RE: Permit No. 63-9698

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

Be sure to note the special condition requiring you to install and maintain a measuring device at your point of diversion. We have enclosed a description of the different types of measuring devices accepted by this office.

Please be advised that there is insufficient natural flow available in the Boise River and tributaries to provide water for a new appropriation throughout the entire season of use. During the spring run-off each year, there may be a period of time in which the prior rights to the use of the natural flow and storage are filled leaving water available for your permit. As the natural flow diminishes, however, there may be no water available for your right unless you arrange for an additional source of water as a supplemental supply.

The exercise of this permit may also be affected by the Supreme Court's review of the case of Idaho Power Company vs. State of Idaho, et al., Ada County Civil No. 62237, currently being appealed to the Supreme Court of Idaho. Since the use of water under your permit may affect the flows in the Snake River between Milner Dam and Hells Canyon, the final decision in this case may determine to what extent the exercise of your permit is subject to water rights of Idaho Power. While the Supreme Court is reviewing this case, Idaho Power Company has not filed a specific protest to your permit. However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or subsequent license.

We have enclosed a form entitled "Making Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop your permit into a license.

Sincerely,

David R. Tutnill Jr.

DAVID R. TUTHILL JR., P.E.
Supervisor, Water Allocation Section

Enclosure

WRIGHT-LEASURE COMPANY



WRIGHT-LEASURE COMPANY,
Realtors/Commercial and Investment Real Estate

Idaho First Plaza
Suite 1701
101 S. Capitol Blvd.
Boise, Idaho 83702

Mr. David R. Tuthill, Jr.
State of Idaho, Dept. of Water Resources
Statehouse
Boise, Idaho 83720



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS

Governor

(Office at the corner of
Franklin and Cole Roads)

A. Kenneth Dunn

Director

(208) 334-2190

November 20, 1981

Robert R. Angell
1026 Strawberry Lane
Boise, Idaho 83702

RE: 63-0698

Dear Mr. Angell:

We acknowledge receipt of your statement submitted as proof as beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department.

☐ A field examination of your system has been scheduled for _____.

If this time and date is not convenient for you, please contact this office as soon as possible.

☒ A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office.

Sincerely,

Judy Pense

Judy Pense
Secretary

MICROFILMED

DEPARTMENT OF WATER RESOURCES

1. Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 63-9698.

Name(s) of Permit Holder: ROBERT R. ANGELL

Post Office Address: 1026 STRAWBERRY LN.

BOISE, ID. 83702 Tel. No. 345-1842

Source of Water: BOISE RIVER

Extent of Use: ☐ Domestic (number of households)
☒ Stockwater (number and type of stock)
☐ Irrigation (acres)
☒ Other RECREATION

Measuring Device: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No
Access Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has developed.

7-30-81
Date

R.R. Angell
Signature of Permit Holder

PLACE
TEN CENT
STAMP
HERE



MICROFILMED

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

May 21, 1981

Robert Angell
1026 Strawberry Lane
Boise, Idaho 83702

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Sincerely,

DAVID R. TUTHILL JR., P.E.
Supervisor, Water Allocation Section

Enclosure

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: Jan Janner

APPLICATION NUMBER: 63-9698

ANGELL

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☒ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☒ No* In form to receipt.

Field check by: _____
Date: _____
Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☒ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
☐ Yes ☒ No Final date for protests: 4/27/81 ✓
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 4/16/81 ✓
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☒ Yes ☐ No Measuring device required.
☐ Yes ☒ No Access port required.
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? 63
3/27/81 Date of priority recommended.
Special conditions of approval or cover letter. G.W. letter
W.M. condition
Right-of-way clause

By: DBS Date: 4/27/81

STATE OFFICE REVIEW:

5/1/81 105
5/1/81, 104 (Boise R.) 01, 04, 05 (63, Boise R.)

☐ See attached sheet for more information.
By: [Signature] Date: 5/5/81

WATER RIGHT NUMBER 63-9698

OWNER LAST NAME - ANGELL FIRST NAME - ROBERT ORIG OWNER -
ADDRESS LINE 1 - 1026 STRAWBERRY LN. ADDRESS LINE 2 -
ADDRESS LINE 3 - CITY - BOISE STATE - ID ZIP CODE - 83702
SOURCE - BOISE RIVER TRIBUTARY OF - SNAKE RIVER
STAGE - PERMIT STATUS - PRIORITY - 03-27-1981 COUNTY - CANYON TOTAL DIV. RATE - 3.0000 -CFS
TOTAL DIV. VOLUME - .00 AFA TRFR/AMEND - WATER DIST. - 63 DLE/CAREY ACT - RIGHT BASIS -
DIVERSION POINT - SESW 07 04N 03W LOT REDIV - 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0
FROM - 11-01 TO - 03-31 USE - STOCKWATER USE DIV. RATE - .0500 CFS USE DIV. VOLUME - 2.7 .00 AFA
FROM - 11-01 TO - 03-31 USE - RECREATION USE DIV. RATE - 3.0000 CFS USE DIV. VOLUME - .00 AFA
USE - RECREATION PLACE OF USE - TWN 04N RNG 04W SEC 12 TRACT SENE LOT AC TRACT SWNE LOT AC
DECREE NAME - DATE - *NENE* TOTAL ACRES 0
REMARKS - *NWNE*
NON IRRIG USE - S/30 HORSES, 100 HEAD RANGE; R/FISH PONDS & WATERFOWL NESTING.
OTHER RIGHTS FOR SAME USE -
PROOF DUE - 06-01-1982 PERMIT/DENIED - 05-13-1981 PROTESTED - HEARING - OLD NO. -
PROOF MADE - P FLD EXAM - COND. OF APPROVAL - 01 04 05
DIVERSION MEANS - MC MANUS-TEATER CANAL THROUGH EXISTING DIVERTING WORKS.

3/79

IDENT. NO. 63-9698

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

05-70-
63-9648

ANGELL, ROBERT

1026 STRAWBERRY LN., BOISE, ID 83702

Source: BOISE RIVER tributary to SNAKE RIVER

Date Filed: 03/27/1981

Amount: 3.00 CFS

Diversion Point: SESW Sec 07 T 04N R 03W, CANYON Co.

Use: STOCKWATER	(0.05 CFS)	from 11/01 to 03/31
RECREATION	(3.00 CFS)	from 11/01 to 03/31

Place of Use: SENE SWNE Sec 12 T 04N R 04W

Diversion Means: MC MANUS-TEATER CANAL THROUGH EXISTING DIVERTING WORKS.

MICROFILMED