

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 Plantation Development, Inc. Phone 342-7577

Post office address P.O. Box 3218, Boise, Idaho 83703

2. Source of water supply Ground water - wells which is a tributary of --

3. Location of point of diversion is ⁽¹⁾ NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 30 Township 4N

Range 2E B.M. Ada County, additional points of diversion if any: ---

(2) SE 1/4 NW 1/4 Section 30 T4N, R2E, B.M.

(3) NW 1/4 NW 1/4 Section 30 T4N, R2E, B.M.

4. Water will be used for the following purposes:

Amount 1.0 cfs for Irrig. purposes from April 1 to Oct. 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 1.0 cfs for Irrig. purposes from April 1 to Oct. 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 1.0 cfs for Irrig. purposes from April 1 to Oct. 15 (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. 3.0 cubic feet per second and/or b. --- acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 3 wells

b. Height of storage dam N/A 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 12 or less inches; proposed depth of well is 60 or less feet.
DBS letter of 8/24/79 DBS letter of 8/24/79

7. Time required for the completion of the works and application of the water to the proposed beneficial

use is 2 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: --- $\frac{1}{4}$ of --- $\frac{1}{4}$ of Section --- Township ---

Range --- B.M. ---

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

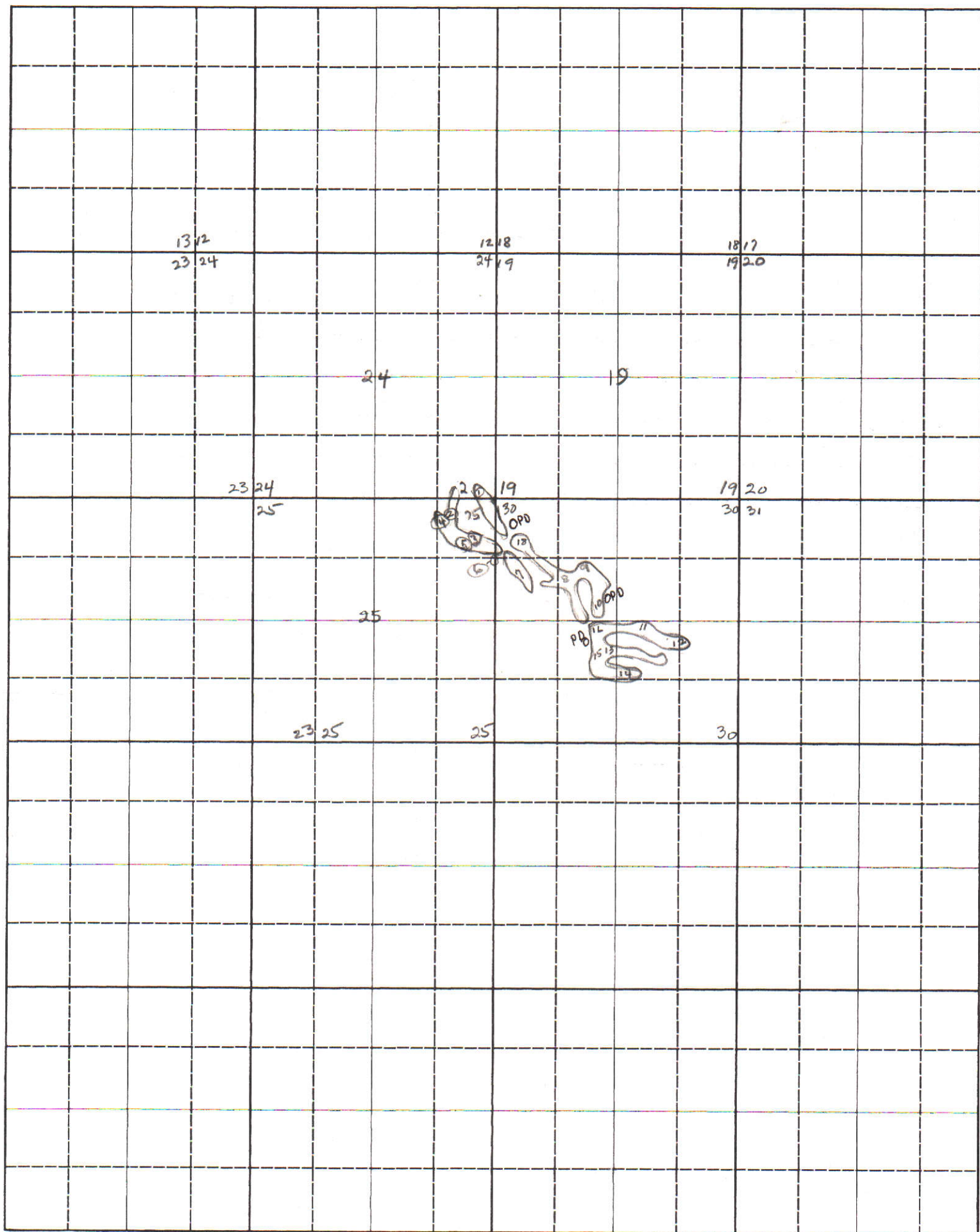
(3) List number of each kind of livestock to be watered ---

(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: ---

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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.

Willie E. Sullivan
 (Applicant)
 atty for Plantation Development Inc

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
MAY 31 1990

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 63-9248

1. Owner: FIREMANS FUND INS CO.

Phone No. _____

Current Address: 27555 FARMINGTON RD. FARMINGTON HILLS MICH 48018

2. Accompanied by: JIM BODNAR

EXAM. DATE: 10-14-88

Address: 6515 W STATE ST. BOISE, ID.

Phone No. 345-4793

Relationship to Permit Holder: GROUNDS SUPERVISOR

3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: BOISE VALLEY IRRIG DISTRICT RIGHTS

☐ Copies Attached

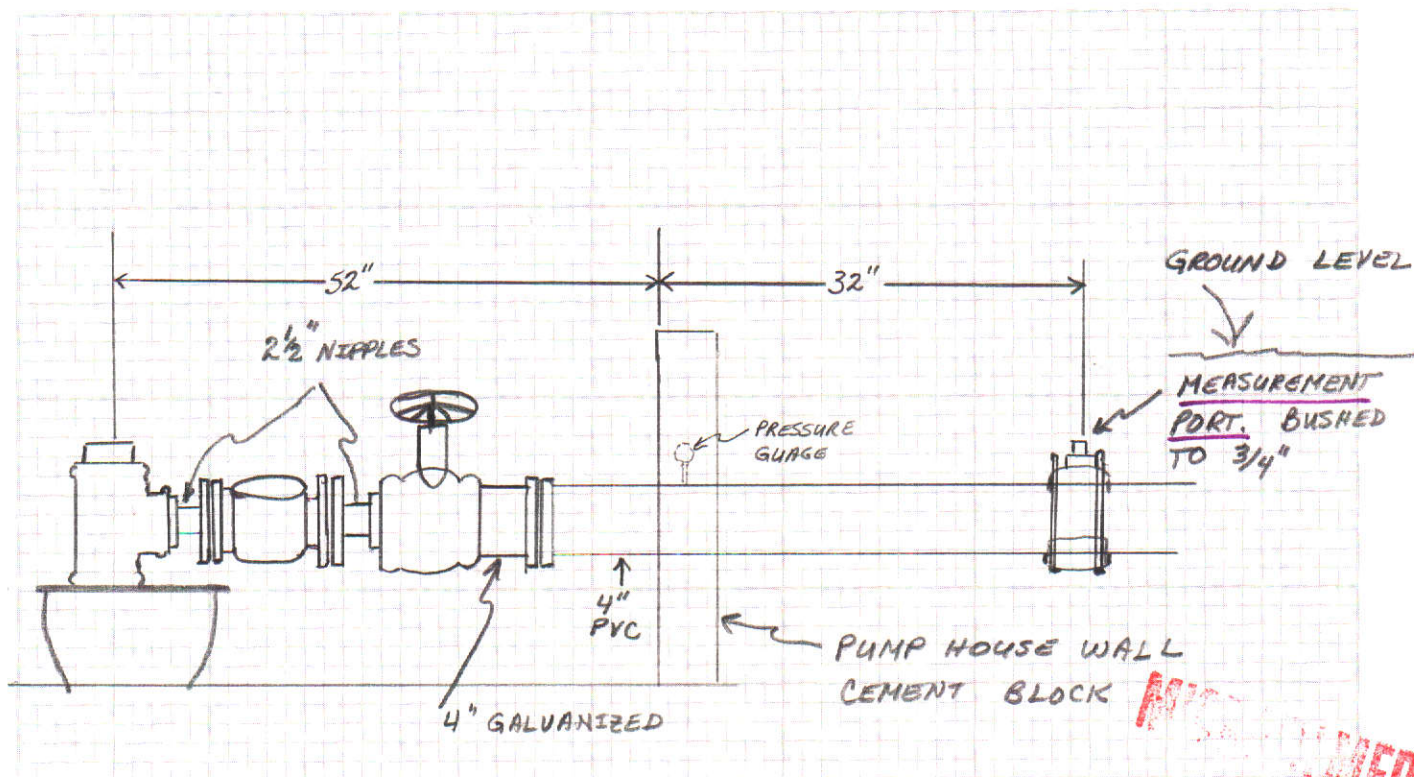
2. Other water rights with same point of diversion: NONE

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = NOT TO SCALE

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

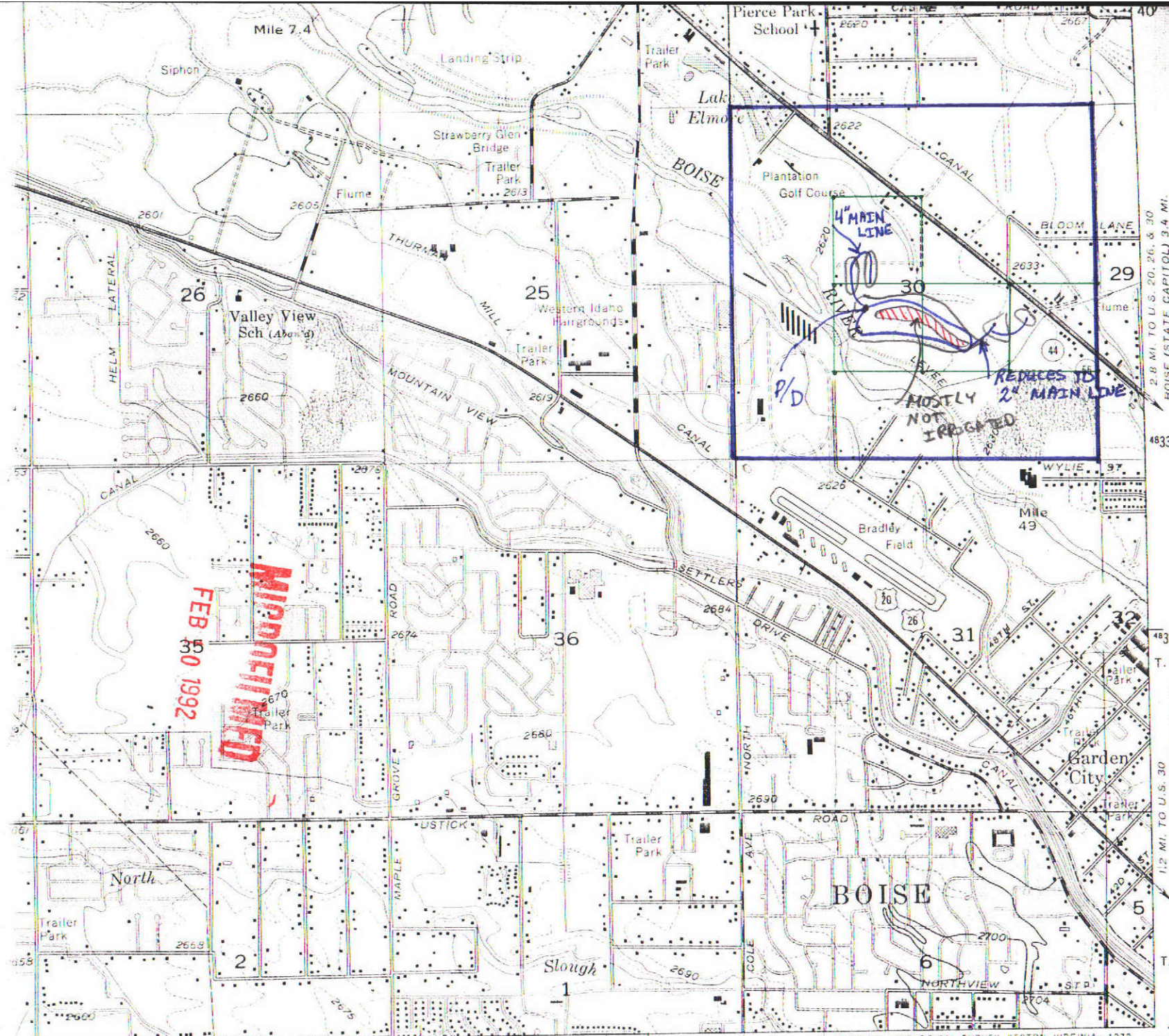
☒ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.)

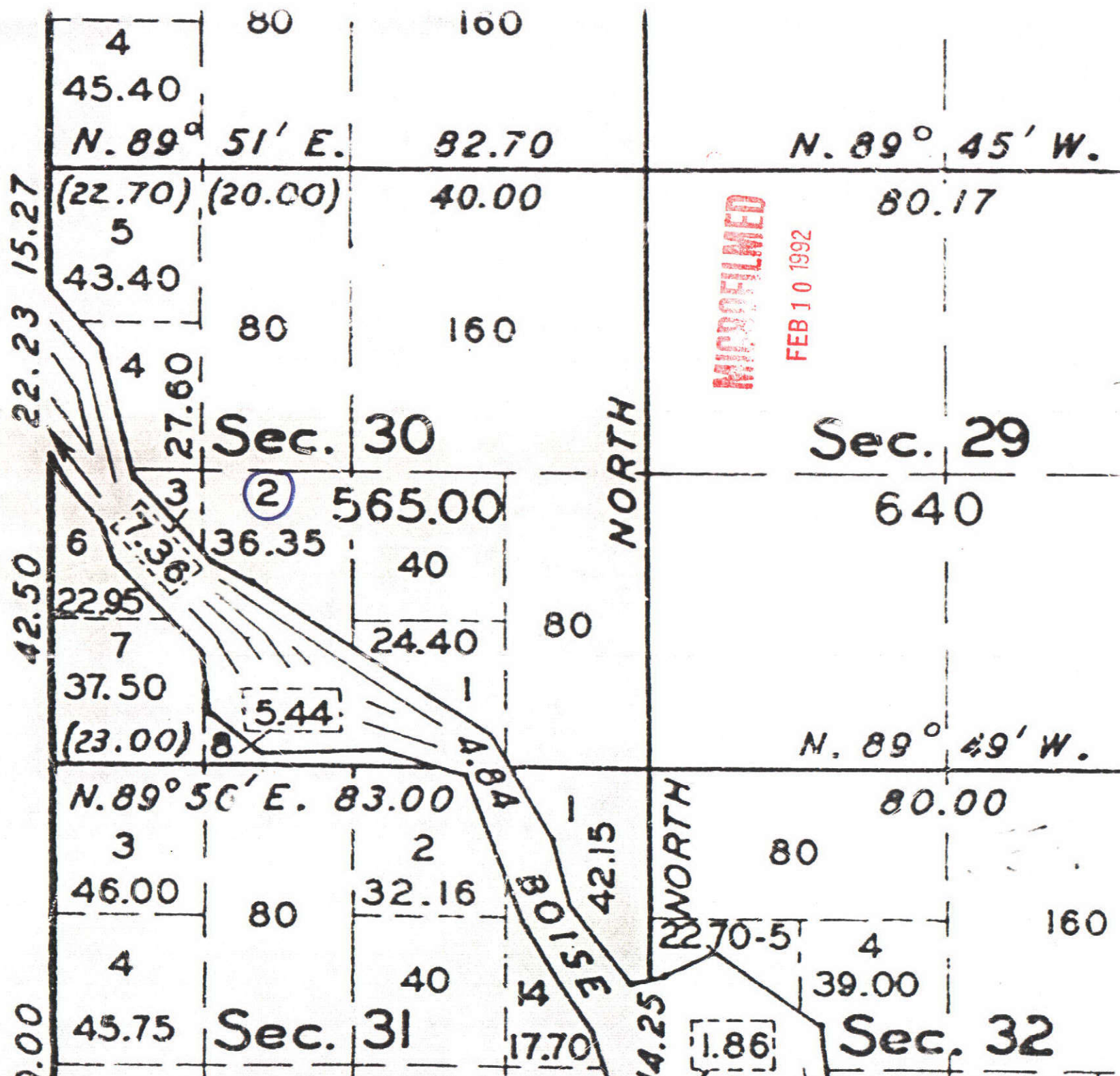
☒ Aerial Photo Attached

(required for irrigation of 10 acres or more).

RECEIVED
FEB 10 1992



530



63-00348
TWN R2E
5.30

24/19
25/30

19/20
20/30

MAIN
LINE 4"

4 Acres

15.5 Acres

19.5 Acres

MAIN
LINE 4"

31/20

Glennwood

WILD
FAIRGROUND

25/30
30/31

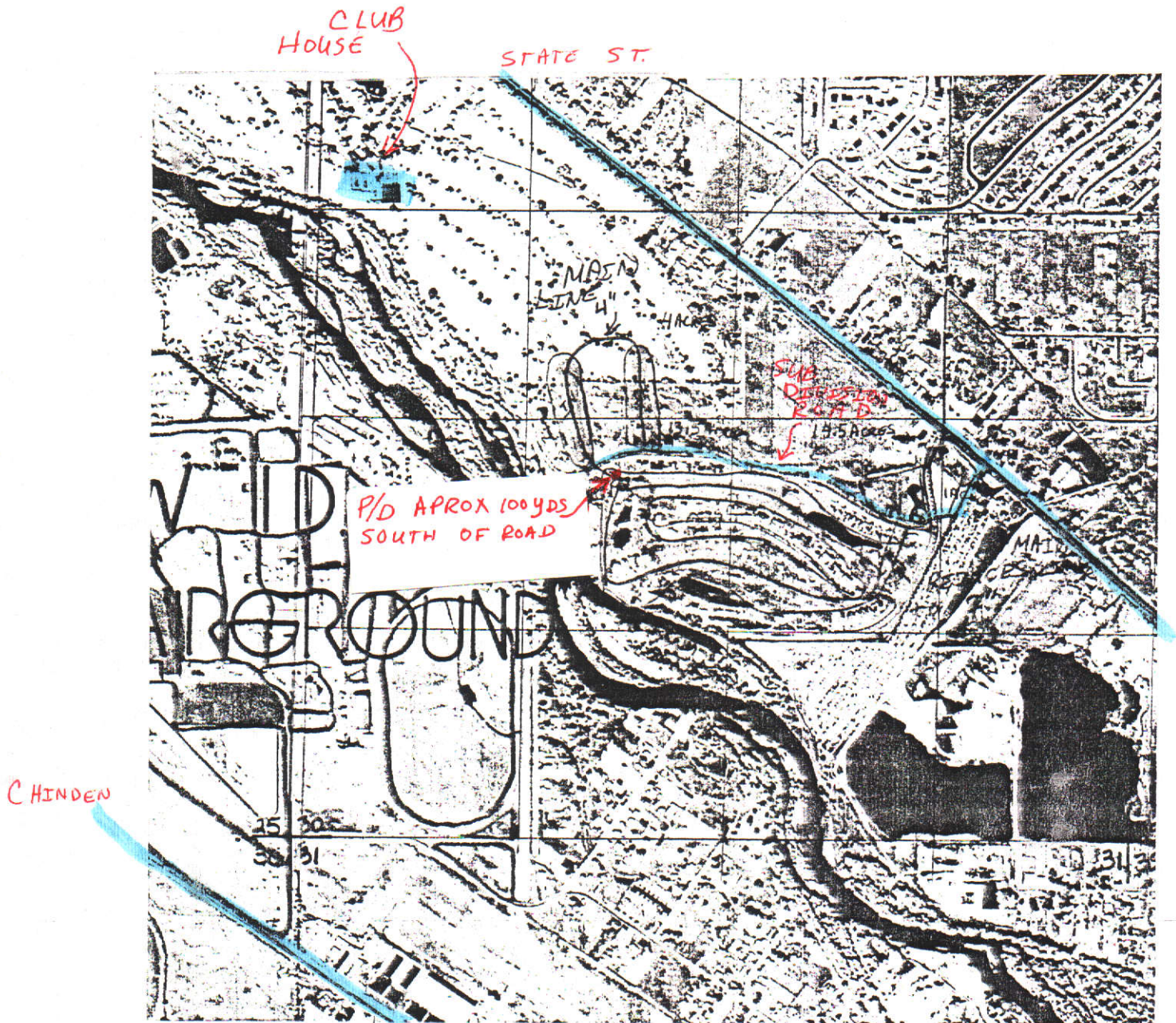
B345
2 T46
9.1

NOT RECORDED
FEB 16 1998

Chunder

SCHEMATIC

Provide a schematic diagram showing the location of the well in the quarter-quarter with respect to houses, roads, other wells or readily identifiable features.



Inspected by Kelly Christensen

Date 10-14-88

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63-09248

P/O



P/u

LOOKING WEST

P/O



MIDSELMED

FEB 10 1992

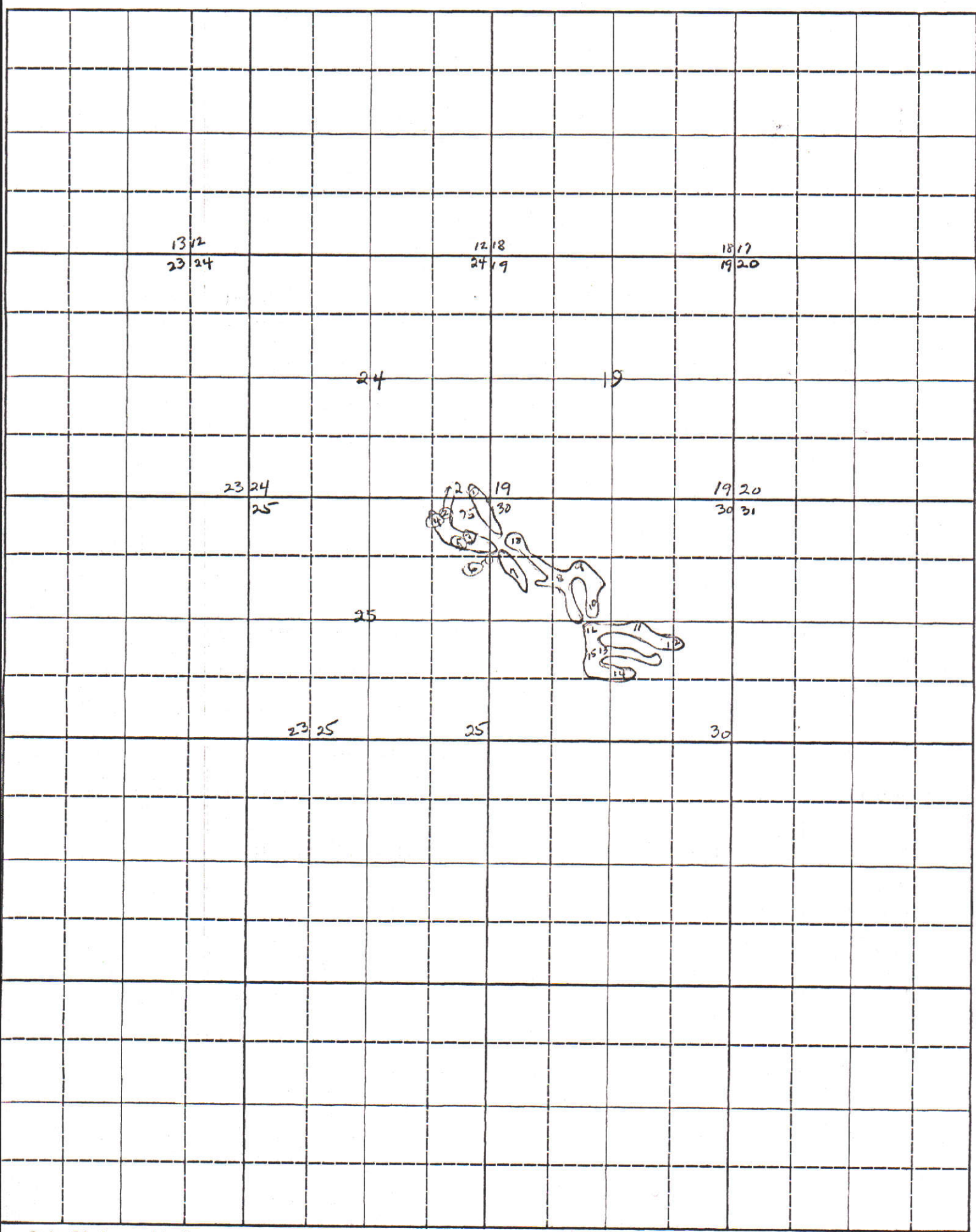
63-09248

P/U LOOKING EAST



FEB 10 1992

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.

MICROFILMED

Willie E. Sullivan
(Applicant)
Atty for Plantation Development Inc

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-09248

Priority: September 20, 1979

Maximum Diversion Rate: 0.58 CFS
Maximum Diversion Volume:¹ 153.0 AF

This is to certify, that FIREMANS FUND MORTGAGE CORP.
6515 W. STATE ST.

BOISE ID 837030000 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated June 12, 1979; and
has submitted Proof of Beneficial Use on January 9, 1987. An examination indicates
that the works have a diversion capacity of .580 cfs of water from a GROUNDWATER
source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.58 CFS	153.0 AF

LOCATION OF POINT(S) OF DIVERSION: NESW , Sec. 30, Township 04N, Range 02E
ADA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N	02E	30	SENW 4	LOT 2(NESW) 14	NESE 1	
			NWSE 15			34

Total number of acres irrigated: 34

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
6. The issuance of this permit in no way grants any right-of-way or easement across the land of another.

FEB 10 1992

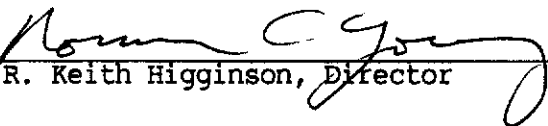
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-09248

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 22ND
day of JANUARY, 1992.

Acting for


R. Keith Higginson, Director

WRS
FEB 16 1992

APPROVED

State of Idaho
Department of Water Resources

RECEIVED
SEP 20 1991

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-09248

Department of Water Resources

Date of Priority: September 20, 1979 Maximum Diversion Rate: 0.58 CFS
Maximum Diversion Volume:¹ 153.0 AF

Comes now FIREMANS FUND MORTGAGE CORP.,
6515 W. STATE ST.
BOISE ID 837030000

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. 63-09248, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.58 CFS	153.0 AF

LOCATION OF POINT(S) OF DIVERSION: NESW , Sec. 30, Township 04N, Range 02E
ADA County

<u>PLACE OF USE:</u> IRRIGATION						
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N	02E	30	SENW 4	LOT 2 (NESW) 14	NESE 1	
			NWSE 15			34
Total number of acres irrigated:						34

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

Signed at 6515 W. State St. Boise, this 19 day of September, 1991.

J. Leland Campbell
(Signature)

FEB 10 1992

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-09248

FOR DEPARTMENT USE ONLY

Preliminary check by SD Fee = \$20.00

Received by myh Date 9-20-91 #0021813

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 63-09248 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

Witness my hand this 22ND day of JANUARY, 19 92.

Acting for

R. Keith Higginson Director

FEB 10 1992

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 63-9248 IN THE
NAME OF MANUFACTURERS HANOVER MORTGAGE CORP.

ORDER OF REINSTATEMENT

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before October 1, 1986; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, the Department notified the permit holder that the permit lapsed for failure of the permit holder to submit proof of beneficial use; and,

WHEREAS, on January 9, 1987, Manufacturers Hanover Mortgage Corp. received all right, title, and interest in and to Permit No. 63-9248; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on January 9, 1987;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 63-9248 be REINSTATED and the priority advanced to September 20, 1979.

Dated this 29th day of September, 1987.

MICROFILMED

OCT 09 1987

L. Glen Saxton
L. GLEN SAXTON
Chief, Operations Bureau

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Permit	63-9248	Plantation Development, Inc.	3.0
*	63-9248	Manufacturers Hanover Mortgage Corp.	

*Evidence of ownership change in copy of Case No. 80340, Manufacturers Hanover Mortgage Corp. vs Plantation Developers

Full Assignment	63-9248	Fireman's Fund Mortgage Corp.	3.0
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MICROFILMED

JUL 07 1981

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

I, Manufacturers Hanover Mortgage Corp., hereby assign to Fireman's Fund Mortgage Corp.
of 6515 W. State St. Boise, ID 83703
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 63-9248
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 26th day of June, 19 87.

MANUFACTURERS HANOVER MORTGAGE CORP.
Permit Holder

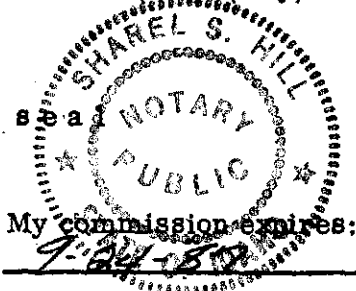
By DALE G. HIGER

~~DALE G. HIGER, Attorney-in-Fact~~

DALE G. HIGER, Attorney-in-Fact

State of Idaho)
County of Ada) ss.

On this 26th day of June, 19 87, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he ~~(she)~~ ~~(they)~~ executed the same.



MICROFILMED

JUL 07 1987

Sharel S. Hill
Notary Public residing at Boise, Idaho

RECEIVED

JUN 29 1987

Department of Water Resources

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME**

To provide additional time in which to submit
proof of beneficial use on a water right permit

Plantation Development of P.O. Box 3218, Boise
(Name) (Address)

State of Idaho 83703, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Waters of the State of Idaho No. 63-9248.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before October 1, 19 81.

That he has heretofore performed the following work described under said permit: _____

One well now operational feeding irrigation system for new golf course and common
areas of development.

Costing \$ 10,000.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Project development slowed due to sluggish economy and high interest rates

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to October 1, 19 86.

Ken A. Allen for
Plantation Development, Inc.
(Signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to October 1, 1986.

Signed 11th day of September, 19 81.

A. Glen Saxton
Chief, Operations Bureau

* IF OTHER THAN HOLDER, Power of Attorney must be supplied.

Received by 19 9-9-81 # 20414 \$ 15.00

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 Plantation Development, Inc. Phone 342-7577
Post office address P.O. Box 3218, Boise, Idaho 83703
2. Source of water supply Ground water - wells which is a tributary of --
3. Location of point of diversion is ⁽¹⁾ NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 30 Township 4N
Range 2E B.M. Ada County, additional points of diversion if any: --
(2) SE 1/4 NW 1/4 Section 30 T4N, R2E, B.M.
(3) NW 1/4 NW 1/4 Section 30 T4N, R2E, B.M.
4. Water will be used for the following purposes:
- | | |
|--|--|
| Amount <u>1.0 cfs</u> for <u>Irrig.</u> purposes from <u>April 1</u> to <u>Oct. 15</u> (both dates inclusive)
<small>(cfs or acre-feet per annum)</small> | |
| Amount <u>1.0 cfs</u> for <u>Irrig.</u> purposes from <u>April 1</u> to <u>Oct. 15</u> (both dates inclusive)
<small>(cfs or acre-feet per annum)</small> | |
| Amount <u>1.0 cfs</u> for <u>Irrig.</u> purposes from <u>April 1</u> to <u>Oct. 15</u> (both dates inclusive)
<small>(cfs or acre-feet per annum)</small> | |
| Amount <u> </u> for <u> </u> purposes from <u> </u> to <u> </u> (both dates inclusive)
<small>(cfs or acre-feet per annum)</small> | |
5. Total quantity to be appropriated:
- a. 3.0 cubic feet per second and/or b. acre-feet per annum.
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. 3 wells
- b. Height of storage dam N/A 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 12 or less inches; proposed depth of well is 60 or less feet.
DBS letter of 8/24/79 DBS letter of 8/24/79
7. Time required for the completion of the works and application of the water to the proposed beneficial use is 2 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: $\frac{1}{4}$ of $\frac{1}{4}$ of Section Township
Range 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
- (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:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	2E	30						5	11	14	16					8			54
4N	1E	25	13																13
4N	1E	24																4	4

Total number of acres to be irrigated 71

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

134" ? Boise Valley Irrig. Dist. rights

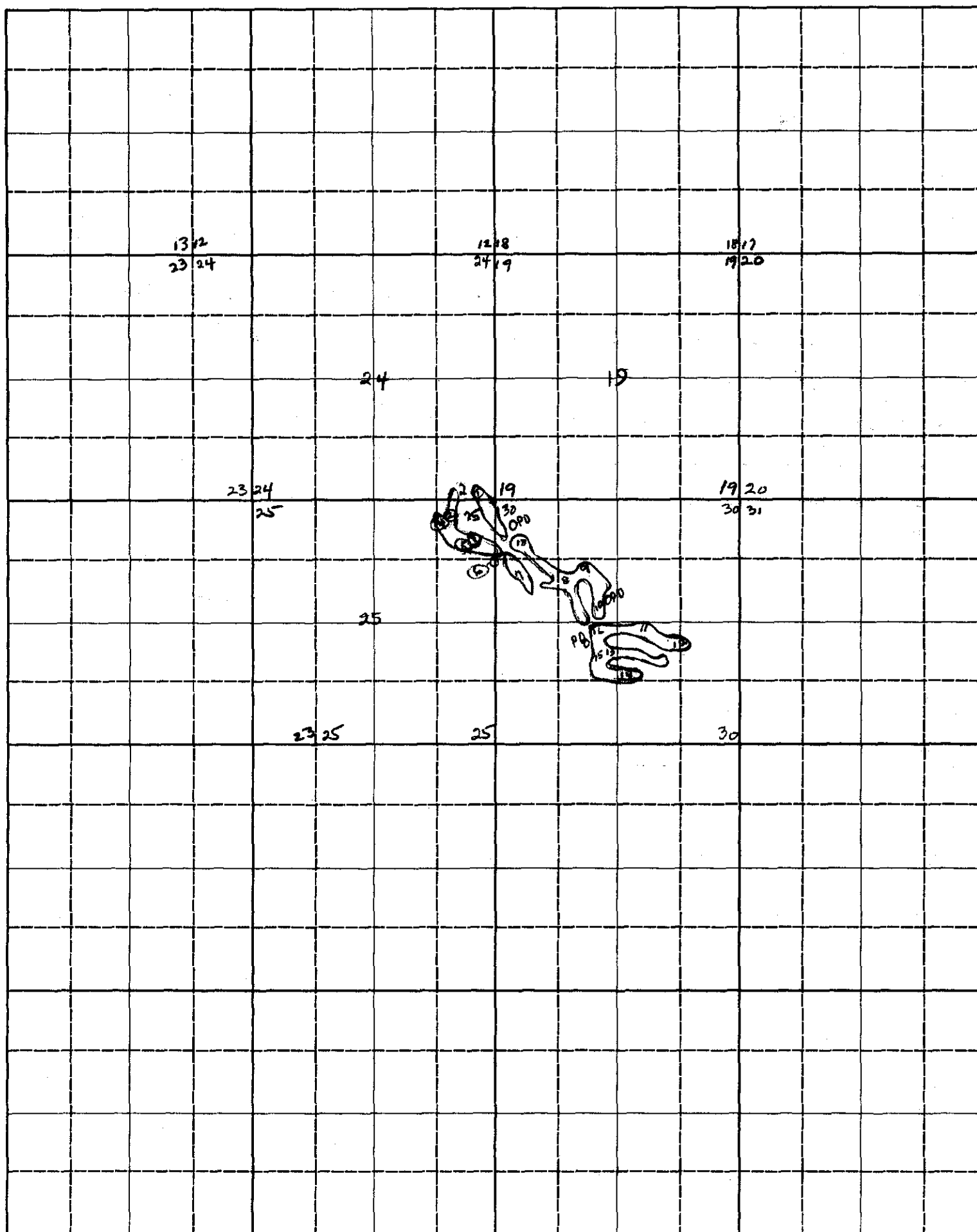
9. a. Who owns the property at the point of diversion Plantation Development, Inc.

b. Who owns the land to be irrigated or place of use Plantation Development, Inc.

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 _____

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.

Willie E. Sullivan
 (Applicant)
 atty for Plantation Development Co

Proposed Priority 4/12/79

Received by gkn Date 6/12/79 Time 12:30pm

Preliminary check by P.W.H. Fee \$ 55.00 # 13122

Receipted by AK Date 6/12/79

Publication prepared by kk Date 6/14/79

Published in Idaho Statesman

Publication dates 6/21 & 6/28/79

Publication approved KK Date 7/9/79 withdrawn

Protests filed by: Daniel Brown from Boise Water Corp.

withdrawn 9/4/79

Copies of protests forwarded by KK

Hearing held by _____ Date _____

Recommended for approval denial by DAS Jim

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. 63-9248, 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 October 1, 19 81.
- 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: (1) An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department (2) The issuance of this permit in no way grants any right-of-way or easement across the land of another (3) Use of water under this permit may be affected by an agreement between the protestant and the applicant.

Witness my hand this 13th day of September, 1979

J. Glen Saxton
Chief, Operations Bureau

WHITE SAVAGE ASSOCIATES
BOX 2592 • BOISE, IDAHO 83701
499 MAIN STREET
(208) 342-4639

September 6, 1979

Robert P. Walker, P.E.
District Engineer
Boise Water Corporation
P.O. Box 7488
Boise, Idaho 83707

Dear Mr. Walker:

I am in receipt of your letter to Mr. David B. Shaw, Western Regional Supervisor, Department of Water Resources, State of Idaho, dated August 31, 1979

We shall notify you of the drilling schedule as soon as we are in receipt of same. We have no problem in granting you or your agents permission to visit and inspect the well site during drilling operations.

Very truly yours,

Willis E. Sullivan, III

WSIII/rw
cc: David B. Shaw ✓
William McCombs

RECEIVED

SEP 10 1979

Department of Water Resources
Western Regional Office



BOISE WATER CORPORATION • P.O. BOX 7488 • BOISE, IDAHO 83707 • (208) 345-3100

August 31, 1979

Mr. David B. Shaw
Western Regional Supervisor
State of Idaho
Department of Water Resources
Western Region
92 South Cole Road
Boise, Idaho 83705

Dear Mr. Shaw:

Re: Application for Permit #63-9248 in the name of Plantation Development, Inc.

We have reviewed the revision of Application for Permit #63-9248 in the name of Plantation Development, Inc. from Mr. Willis E. Sullivan, III. As long as this revision is strictly adhered to and the well does not penetrate the blue clays we would have no problem with said well. Boise Water Corporation would like to have notification from the owner of the drilling schedule and would further want permission to visit and inspect the well site during drilling operations.

If the above conditions are acceptable to the owner, Boise Water Corporation hereby withdraws its protest of Application for Permit #63-9248.

Sincerely yours,

BOISE WATER CORPORATION

Robert P. Walker, P.E.
District Engineer

RPW:lb

cc: W.E. Sullivan III

RECEIVED

SEP 4 1979

Department of Water Resources
Western Regional Office
MINUTES

WHITE SAVAGE ASSOCIATES
BOX 2592 • BOISE, IDAHO 83701
499 MAIN STREET
(208) 342-4639

August 24, 1979

William R. Gossett
Acting Western Regional Supervisor
Department of Water Resources
Western Region
92 South Cole Road
Boise, Idaho 83705

Re: Application for permit to Appropriate Public Waters
of the State of Idaho (Application 63-9248),
Plantation Golf Course, Boise, Idaho

Dear Mr. Gossett:

We have been advised by Mr. Alan Jones, P.E., that Boise Water Corporation might be willing to withdraw their protest in the above referenced Application were we to clarify it by the addition of certain language to our Application. Accordingly, I would like to formally amend our Application, now in your hands, by amending Section 6C of our Application with the following language:

"With reference to the Application for Permit filed by the Plantation Development, Inc., dated June 12, 1979, and a letter of protest filed by the Boise Water Corporation dated June 28, 1979, Plantation Development, Inc., wishes to clarify in Section 6C of the aforesaid Application that the proposed well diameter is expected to be 12-inch diameter or less and the drilled depth is expected to be 60 feet or less; that the casing will not be advanced into the blue clays more than five feet and the Plantation Development, Inc., will not utilize water from the artesian waters underlying the blue clays."

I have written a letter to Mr. R. F. Walker, P.E., concerning this matter, a copy of which letter is attached hereto. I am also attaching to this letter a copy of a letter from Mr. Alan Jones, P.E., to us.

Could you please advise us if the Amendment to the Application is accepted by you and the protest is withdrawn by the Boise

RECEIVED
AUG 27 1979

Department of Water Resources
Western Regional Office

(con't)

MICROFILMED

Page 2

to: Mrs. William R. Gossett
from: Willis E. Sullivan, III
8/24/79

Water Corporation.

Thank you very much for your help in this matter.

Very truly yours,

A handwritten signature in cursive script that reads "Willis E. Sullivan, III". The signature is written in dark ink and includes a stylized flourish at the end.

Willis E. Sullivan, III

WSIII/rw
cc: Alan Jones
R. F. Walker
enc.

WHITE SAVAGE ASSOCIATES
BOX 2592 • BOISE, IDAHO 83701
499 MAIN STREET
(208) 342-4639

8/24/79

R. F. Walker, P.E.
Chief Engineer, Boise Water Corporation
P.O. Box 7488
Boise, Idaho 83707

Re: Application for permit to Appropriate Public Waters
of the State of Idaho (Application 63-9248),
Plantation Golf Course, Boise, Idaho

Dear Mr. Walker:

I am writing to you with regard to an apparent compromise reached between you and Mr. Alan Jones, P.E./L.S., a consulting engineer, concerning your protest filed June 28, 1979 on the above referenced application. We have been advised in writing by Mr. Jones that Boise Water Corporation would be willing to withdraw their protest to our application if we revise our Application for Permit by including the following language:

"With reference to the Application for Permit filed by the Plantation Development, Inc., dated June 12, 1979, and a letter of protest filed by the Boise Water Corporation dated June 28, 1979, Plantation Development, Inc., wishes to clarify in Section 6C of the aforesaid Application that the proposed well diameter is expected to be 12-inch diameter or less and the drilled depth is expected to be 60 feet or less; that the casing will not be advanced into the blue clays more than five feet and the Plantation Development, Inc., will not utilize water from the artesian waters underlying the blue clays."

We have no objection to making the suggested clarification and are doing so as of this writing. Attached hereto is a copy of Mr. Jones letter to us as well as my letter to the Director of the Idaho Department of Water Resources.

Could you please advise if the above is not your understanding of the situation?

Very truly yours,

Willis E. Sullivan, III

WSIII/rw
enc.

AUG 23 REC'D

Alan Jones Associates
Consulting Engineers
Suite 261
1365 North Orchard Street
Boise, Idaho 83706

August 22, 1979

Mr. Calvin Jensen, Managing Partner
White Savage Associates
P.O. Box 2592
Boise, Idaho 83701

Re: Application for Permit to Appropriate Public Waters of the State of
Idaho (Application 63-9248), Plantation Golf Course, Boise, Idaho

Dear Calvin,

On June 12, 1979, Plantation Development, Inc., filed an "Application for Permit" and on June 28, 1979, Boise Water Corporation filed a protest of this Application. The Application was filed, I believe, with the intention of appropriating both the shallow and deep aquifers underlying the Plantation Golf Course. The Boise Water Corporation will, I'm advised, withdraw their objection (protest) provided Plantation Development, Inc., will clarify the Application filed June 12, 1979, as follows: (specific wording)

"With reference to the Application for Permit filed by the Plantation Development, Inc., dated June 12, 1979, and a letter of protest filed by the Boise Water Corporation dated June 28, 1979, Plantation Development, Inc., wishes to clarify in Section 6C of the aforesaid Application that the proposed well diameter is expected to be 12-inch diameter or less and the drilled depth is expected to be 60 feet or less; that the casing will not be advanced into the blue clays more than five feet and the Plantation Development, Inc., will not utilize water from the artesian waters underlying the blue clays."

If this outline is satisfactory and agreeable to you, I would suggest you send a letter to the Director, Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83709.

I think it would save Plantation Development, Inc., considerable time in obtaining approval of the Application to send the Boise Water Corporation a carbon copy of this letter. The Boise Water Corporation copy should be addressed to:

R. F. Walker, P.E.
Chief Engineer
P.O. Box 7488
Boise, Idaho 83707

Will you also send us a copy of your letter to the Idaho Department of Water Resources.

WALKER, R. F.

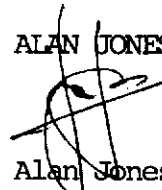
Mr. Calvin Jensen
August 22, 1979

Page 2

I expect Plantation Development, Inc., will obtain an approval within two weeks. If you have any questions, please contact me.

Yours truly,

ALAN JONES ASSOCIATES,


Alan Jones, P.E., L.S.

AJ/vj

**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:

63-9245
EAGLE RANCH WATER CO.
P.O. BOX 455, EAGLE, ID 83616
Source: GROUNDWATER
Date Filed: 06/08/1979
Amount: 3.50 CFS
Diversion Point: SWNW SENE Sec 09 T 04N R 01E, ADA Co.
Use: FIRE PROTECTION (3.50 CFS) from 01/01 to 12/31
MUNICIPAL (3.50 CFS) from 01/01 to 12/31
Place of Use: SENE NESE SESE Sec 08 T 04N R 01E SWNW SENW NWNE SWNE SENE NESE NWSE NESW NWSW SWSW SESW Sec 09 T 04N R 01E NENW NWNW SWNW SENW Sec 10 T 04N R 01E.

Diversion Means: WELLS & PUMP

63-9246
RIVER RUN DEVELOPMENT CO.
707 N. 27TH STREET, BOISE, ID 83702
Source: GROUNDWATER
Date Filed: 06/11/79.
Amount: 0.60 CFS
Diversion Point: NWNW Sec 24 T 03N R 02E, ADA Co.
Use: IRRIGATION (0.60 CFS) from 04/01 to 11/30.
Place of Use: NWNE SWNE NENW NWNW SWNW SENW Sec 24 T 03N R 02E NENE Sec 23 T 03N R 02E FOR 30 ACRES.

Diversion Means: WELL, PUMP, PIPELINE & SPRINKLER SYSTEM

63-9247
CARNAHAN, JOHN &/or BRENDA
2516 BANNOCK, BOISE, ID 83706
Source: GROUNDWATER
Date Filed: 06/12/1979
Amount: 0.14 CFS
Diversion Point: NWNW Sec 31 T 05N R 01E, ADA Co.
Use: IRRIGATION (0.10 CFS) from 03/15 to 11/15
DOMESTIC (0.04 CFS) from 01/01 to 12/31
Place of Use: NWNW Sec 31 T 05N R 01E FOR 5 ACRES

Diversion Means: WELL & PUMP

63-9248
PLANTATION DEVELOPMENT, INC.
P.O. Box 3128, Boise, ID 83703
Source: GROUNDWATER
Date Filed: 06/12/1979.
Amount: 3.00 CFS
Diversion Point: NESW SENW NWNW Sec 30 T 04N R 02E, ADA Co.
Use: IRRIGATION (3.00 CFS) from 04/01 to 10/15.
Place of Use: NWNW SWNW SENW NESW NWSE Sec 30 T 04N R 02E NENE Sec 25 T 04N R 01E SESE Sec 24 T 04N R 01E FOR 71 ACRES.

Diversion Means: 3 WELLS
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, 92 S. Cole Road, Boise, Idaho 83709 on or before JULY 9, 1979.

C. STEPHEN ALLRED

Director

Pub. June 21, 28, 1979

2268

STATE OF IDAHO)

) ss.

COUNTY OF ADA)

Cheryl R. Rehwaalt, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in the regular edition of The Idaho Statesman for

two insertions, beginning with the issue of June 21, 1979, and ending with the issue of June 28, 1979.

Cheryl R. Rehwaalt
Subscribed and sworn to before me this 28th day of June, 1979.

Stanley Engoren
Notary Public for Idaho, Residing at Boise, Idaho

RECEIVED

JUN 29 1979

Department of Water Resources
Western Regional Office

MICROFILMED

MEMORANDUM

TO: Denise Hatfield

FROM: KAY WALKER *Kay*

RE: Change in Ownership for 63-9248

Date: October 7, 2002

.....

Denise: I have been working with American Golf Corp. to get the water rights for Plantation Golf Course in the name of National Golf Operating Partnership. I have changed the ownership on Permit 63-09633 which is water for the aesthetic ponds that they have on the course.

This golf course had changed ownership three or four times between the ownership of Plantation Development and National Golf. The warranty deeds sent over to you with the change of ownership on September 17, 2002, covers the chain of title from Plantation Development to National Golf. I realize that this chain did not cover the Fireman's Fund Mortgage Corp. after they returned all the paperwork to me. National Golf has since sent in copies of all their tax notices for property owned by them. They are attached, along with the warranty deeds previously submitted.

We have a survey plat of their land in File 63-09633 but it is so big I can hardly open it up in my office. I had requested the survey plat because the metes and bounds description would have taken me months to enter into deed plotter. If you need the survey plat call me. (It didn't help me on the pond issue but you never know.) Mike Ciscell copied this area of Ada County to his pc common so I could access it to triple check the ownership of the ponds. You can also access it at this address: plantation.shp on dwr625\pcccommon

I have looked at the field exam for 63-09248 and can see there are a couple of problem areas but most of the lands on the field exam are under National Golf's ownership. I am also attaching a copy of the field exam for your help.

I had corresponded with National Golf regarding the permit many times and in one of my letters told them it appeared that 63-09248 was theirs. I also told them not to pay a fee for the ownership change on that claim since it was pending in the SRBA which they ignored and paid a \$25.00 fee anyway. I don't know what you want to do about that.

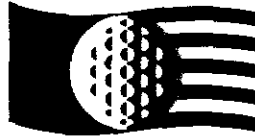
I hope all this extra information helps... Maybe the claim can be split between the claimant and National Golf??? This is a tough one but I think you can handle it. Kay

Do Not Film !!

RECEIVED

SEP 30 2002

Department of Water Resources



American Golf Corporation®

September 26, 2002

State of Idaho
Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83706

Attention: Kay Walker

Re: Water Right Permit No. 63-09248
Plantation Golf Club
6515 West State Street
Boise, Idaho

Dear Kay:

Per our telephone conversation, I am enclosing a copy of the letter dated September 18, 2002 (with enclosures) from the Adjudication Section – Department of Water Resources regarding the Change of Water Right Ownership form for Permit No. 63-09248.

I have also enclosed a copy of the 2001 property tax bills for Plantation Golf Course. As you advised me, you will be forwarding this to the Adjudication Section for processing.

Thanks for your assistance in this matter. Please call me at (310) 664-3107 if you need additional information.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Charlene Atsumo'. The signature is fluid and cursive.

Charlene Atsumo
Lease Administrator

Enclosure

January 24, 1992

FIREMANS FUND MORTGAGE CORP.
6515 W. STATE ST.
BOISE ID 837030000

RE: WATER RIGHT NO. 63-09248

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

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

Sincerely,

SHARLA CURTIS
Water Resource Agent

SC:blm

Enclosure

RECEIVED
FEB 10 1992

MEMORANDUM

TO: File 63-9248

FROM: Sharla

DATE: October 22, 1991

RE: Conditions of Approval

The permit originally contained three conditions of approval. Condition #1 requiring the installation of an access port was complied with as verified by the examiner (he notated the location of the measurement port on the system diagram).

Condition #2 concerning right-of-way or easement across the land of another will be carried forward to the license.

Condition #3 was placed on the permit as a result of protests received against the issuance of the permit. The protests were withdrawn upon agreement that 1) the applicant would notify Boise Water Corp. of the drilling schedule and would grant permission for BWC to inspect the well site during drilling operations and 2) the well's diameter would be approximately 12 inches and the depth would be approximately 60 feet or less in order not to utilize water from artesian waters in the close vicinity.

The application was amended to correspond with the second stipulation. Further, inspection of a well log indicates that well diameter and depth proposals were maintained. Therefore, this condition is considered to have been complied with and is not a concern of license issuance.

RECEIVED

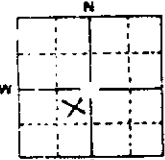
FEB 10 1992

USE TYPEWRITER OR
BALL POINT PEN

State of Idaho
Department of Water Resources

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER Name <u>Plantation development, Inc.</u> Address <u>499 Main St. Boise, ID</u> Owner's Permit No. _____		7. WATER LEVEL Static water level <u>7</u> feet below land surface Flowing? ☐ Yes ☒ No G.P.M. flow _____ Temperature _____ F. Quality _____ Artesian closed in pressure _____ P.S.I. Controlled by ☐ Valve ☐ Cap ☐ Plug																																															
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____		8. WELL TEST DATA ☒ Pump ☐ Bailor ☐ Other Discharge G.P.M. <u>300</u> Draw Down <u>17 ft.</u> Hours Pumped <u>4.5</u>																																															
3. PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Test ☐ Other (specify type) _____ ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection		9. LITHOLOGIC LOG <table border="1"><thead><tr><th rowspan="2">Hole Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th colspan="2">Water</th></tr><tr><th>From</th><th>To</th><th>Yes</th><th>No</th></tr></thead><tbody><tr><td>12</td><td>0</td><td>1</td><td>Topsoil</td><td></td><td>X</td></tr><tr><td>12</td><td>1</td><td>2</td><td>hardpan</td><td></td><td>X</td></tr><tr><td>12-8</td><td>2</td><td>45</td><td>gravel</td><td></td><td>X</td></tr><tr><td>8</td><td>45</td><td>55</td><td>sandy clay</td><td></td><td>X</td></tr><tr><td>8</td><td>55</td><td>59</td><td>red sandy clay</td><td></td><td>X</td></tr><tr><td>8</td><td>59</td><td></td><td>blue clay</td><td></td><td></td></tr></tbody></table>		Hole Diam.	Depth		Material	Water		From	To	Yes	No	12	0	1	Topsoil		X	12	1	2	hardpan		X	12-8	2	45	gravel		X	8	45	55	sandy clay		X	8	55	59	red sandy clay		X	8	59		blue clay		
Hole Diam.	Depth		Material		Water																																												
	From	To		Yes	No																																												
12	0	1	Topsoil		X																																												
12	1	2	hardpan		X																																												
12-8	2	45	gravel		X																																												
8	45	55	sandy clay		X																																												
8	55	59	red sandy clay		X																																												
8	59		blue clay																																														
4. METHOD DRILLED ☒ Cable ☐ Rotary ☐ Dug ☐ Other																																																	
5. WELL CONSTRUCTION Diameter of hole <u>8</u> inches Total depth <u>57</u> feet Casing schedule: ☒ Steel ☐ Concrete Thickness <u>.277</u> inches Diameter <u>8</u> inches From <u>2</u> feet <u>36</u> feet _____ inches _____ inches _____ feet _____ feet _____ inches _____ inches _____ feet _____ feet _____ inches _____ inches _____ feet _____ feet _____ inches _____ inches _____ feet _____ feet Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☒ Yes ☐ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches Number _____ From _____ To _____ _____ perforations _____ feet _____ feet _____ perforations _____ feet _____ feet _____ perforations _____ feet _____ feet Well screen installed? ☒ Yes ☐ No Manufacturer's name <u>Johnson</u> Type <u>Stainless</u> Model No. <u>304</u> Diameter <u>6</u> Slot size <u>50</u> Set from <u>35</u> feet to <u>45</u> feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>22</u> Material used in seal ☐ Cement grout ☒ Pudding clay ☐ Well cuttings Sealing procedure used ☐ Slurry pit ☒ Temporary surface casing ☐ Overbore to seal depth																																																	
6. LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name _____ Lot No. _____ Block No. <u>1002</u> County <u>Ada</u> N.E. <u>30</u> S.W. <u>4</u> Sec. <u>30</u> T. <u>4</u> N. R. <u>2</u> E/W		10. Work started <u>9/25/79</u> finished <u>10/20/79</u>																																															
		11. DRILLERS CERTIFICATION Firm Name <u>Engleman Well Drilling</u> Firm No. <u>47</u> Rt. <u>3</u> Box <u>3397A</u> Address <u>Nampa ID, 83651</u> Date <u>10/25/79</u> Signed by (Firm Official) <u>[Signature]</u> and _____ (Operator) <u>[Signature]</u>																																															

USE ADDITIONAL SHEETS IF NECESSARY

FORWARD THE WHITE COPY TO THE DEPARTMENT

September 6, 1991

FIREMANS FUND MORTGAGE CORP.
6515 W. STATE ST.
BOISE ID 837030000

RE: WATER RIGHT NO. 63-09248

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 15 days.

If you do not concur with these findings or if you have any questions, please contact us within the 15-day period.

Sincerely,

SHARLA CURTIS
Technical Records Specialist

SC:blm

Enclosure

FEB 10 1992

LICENSE REVIEW CHECKLIST

Permit No. 63-9248

Name/Address change? ok ☒

Priority date Advance? yes no ☒

Memo to advance
Order to reinstate needed? yes no ☒

Total cfs Limited by fee OK

Limited by capacity ☒

Total volume Limited by flow

Chart checked for AF rate/ac 4.5

Capacity Actual measurement checked

Theoretical checked ☒

If greater than permit, check for other rts

Source Changed? yes no ☒

If so, is memo needed to clarify?

P/D Verify with map ☒ permit ☒

More than one per 1/4? Remember remark

Check p/d overlap

Uses Check irrigation period of use w/ chart 3/15-11/15

P/U Verify with map ☒ permit ☒

> 5 acres irrigated, run overlap *LESE added - amendment needed*

Remarks More than one p/d in 1/4

Description of non-irrig uses

Special overlap condition

Conditions Measuring device *Permit Cond. complied with*

W.Master control

Overlap P32

Water quality

Other

Dates/Misc Water district

App Rec'd date

Proof Rec'd date 11/9/87

Comments/Changes to Examiner's Recommendations:

License 10-day 30-day ☒

Back of field report signed? ☒

Reviewer L. Curtis Date 11-6-90
Review time 13 minutes

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE				NW				SW				SE				SUM	
							NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
L6309248																								
6302360	ECHAVARRIA	L	BOISE RIVER	04N	02E	30			10	:			10	:					40			60		
6302387	DRAINAGE DISTRICT NO.	L	BOISE RIVER	04N	02E	30				:				:										
6302406	DRAINAGE DISTRICT NO.	L	WASTE WATER	04N	02E	30	40	40	37	40	:	40	36	27	40	:	30	1		37	37	3	28	436
6303568	COUNTY OF ADA	L	GROUNDWATER	04N	02E	30				:				:		1	21	37	8				67	
6303579	COUNTY OF ADA	L	GROUNDWATER	04N	02E	30				:				:		1	21	37	8				67	
6307464	OLSON	L	GROUNDWATER	04N	02E	30				:				:						2			2	
6309021	HOPKINS	L	UNNAMED SLOUGH	04N	02E	30				:				:						3			3	
~~6309248~~	~~FIREMANS FUND MORTGAGE~~	~~P~~	~~GROUNDWATER~~	~~04N~~	~~02E~~	~~30~~				:	5	11	14	:	16					8			54	
6309895	REALTY INVESTMENT CO.	L	GROUNDWATER	04N	02E	30			0	:				:						0				
6310326	LAKEHARBOR MASTER ASSN	P	UNNAMED LAKE	04N	02E	30		7		:			7	:	7		7		7	7	7	7	56	
6310327	LAKEHARBOR MASTER ASSN	P	SPRING	04N	02E	30		7		:			7	:	7		7		7	7	7	7	56	
6310878	KIMBERLY MANOR	A	GROUNDWATER	04N	02E	30				:		1		:									1	
6311387	PLANTATION MASTER ASSN	A	GROUNDWATER	04N	02E	30				:				:						3			3	
6311388	PLANTATION GOLF CLUB	A	GROUNDWATER	04N	02E	30				:	13		30	:									43	
L6309248	FIREMANS FUND MORTGAGE	L	GROUNDWATER	04N	02E	30				:			4	:						1	15		20	
	1986 MAPPING DATA ---	-	COUNTY 1 QUAD X	8	04N	02E	30	8	2	:	40		33	:						16			99	

only questionable overlap is App 63-11388 - any overlap problems
 can be handled at the time of its licensing

No P/D overlaps - ok to license w/ standard cmd. R32

FEB 10 1992

WATER RIGHT NO.	LAST NAME	STG	PRIORITY DATE	P F	WATER SOURCE	WATER USE	RATE cfs	CAPACITY	TWP	RNG	SECT	TRACT	LOT
L63-09248	PLANTATION DEVELOPME FIREMANS FUND MORTGA	L	09/20/1979		GROUNDWATER	IRR	0.58	0.58	04N	02E	30		NESW
63-09248	PLANTATION DEVELOPME FIREMANS FUND MORTGA	P	09/20/1979		GROUNDWATER	IRR	3.00		04N	02E	30		NESW

OK - NO OVERLAP

REC-1618

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

63-9248
Permit No.

P.D.

1	NE SW	30	4 N	2 E
2	SE NW	20	4 N	2 E
3	NW NW	20	4 N	2 E
	NW NW	30	4 N	2 E
	SE NW			
	NE SW			
	NW SE	25	4 N	1 E
	NE NE	24	4 N	1 E
	SE SE			

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat *yes* *SL 3/22/90*

Check of P/D index 10-12-88 KKC (Initial and date)

- Overlap? ☒ yes ☐ no If yes: ☐ copy of exam(s) attached?
- Type of Overlap? ☐ Add acres or uses to existing system
- ☐ Increase rate of flow or volume
- ☒ Other: *other P/D diff owners & use & dring dirt water*

Check of P/U index 10-12-88 KKC (Initial and date)

- Overlap? ☒ yes ☐ no If yes: ☐ copy of water right(s) attached?
- Type of Overlap? ☐ Increase rate of flow or volume
- ☐ Add P/D's
- ☐ Increase number of acres within tracts
- ☐ Other: *ERR 55. DIST WATER & other systems in same QQ*

Aerial Photo

NOTE Required? ☒ yes ☐ no If yes: ☒ copy attached?

Scheduling Letter sent? _____ (Initial and date)

☒ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☒ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed 12-14-88 Kelly K Christensen (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent SL 3/22/90 (Initial and date)

Exam Reviewed by Manager of Regional Office DR 3/21/90 (Initial and date)

Exam Date Entered in Computer ✓ (Initial and date)

Exam sent to State Office 5/30/90 st (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original

Refiled in White File _____ (Initial and date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
MAY 31 1990
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 63-9248

1. Owner: FIREMANS FUND INS CO.

Phone No. _____

Current Address: 27555 FARMINGTON RD. FARMINGTON HILLS MICH 48018

2. Accompanied by: JIM BODNAR

EXAM. DATE: 10-14-88

Address: 6515 W STATE ST. BOISE, ID.

Phone No. 345-4793

Relationship to Permit Holder: GROUNDS SUPERVISOR

3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: BOISE VALLEY IRRIG DISTRICT RIGHTS

☐ Copies Attached

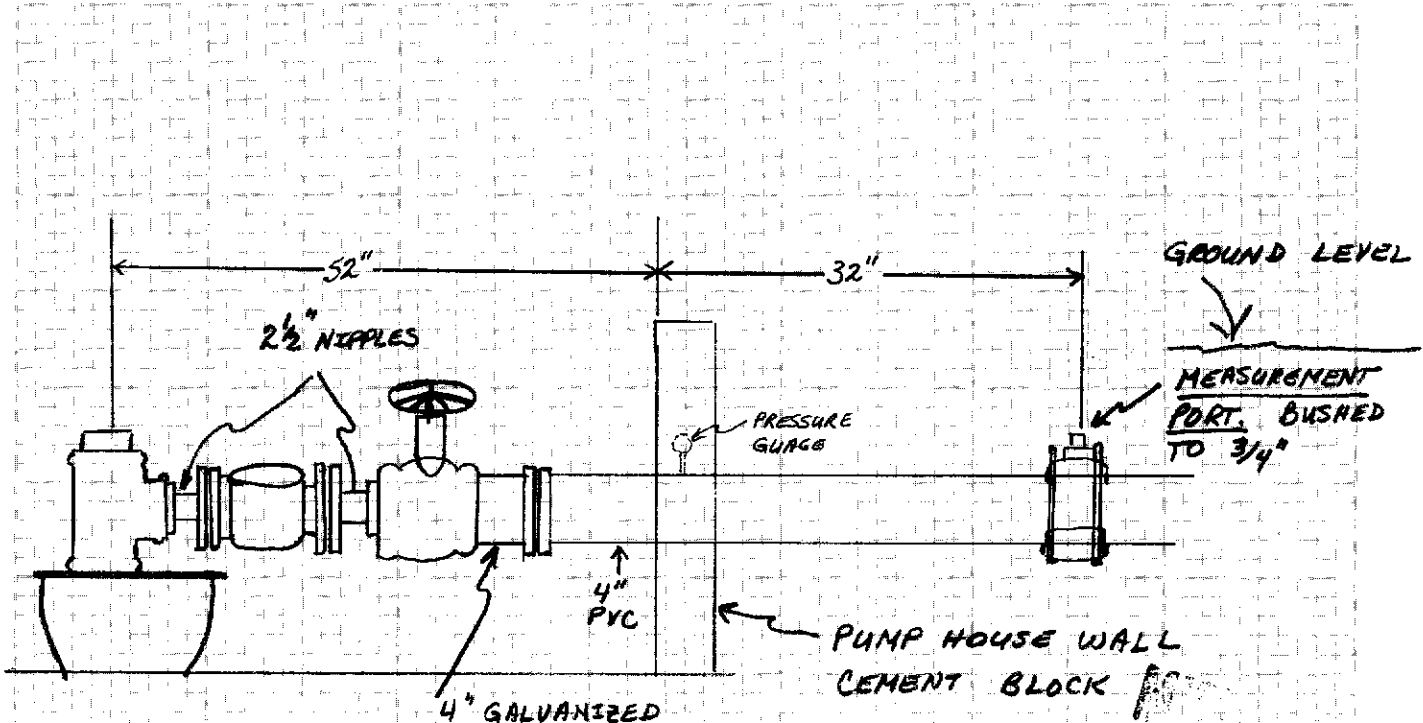
2. Other water rights with same point of diversion: NONE

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = NOT TO SCALE

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.

☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).

RECEIVED
FEB 10 1992

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

SYSTEM IS A WELL⁽¹⁾ WITH A 4" MAIN LINE RUNNING THROUGH GOLF GREENS BESIDE THE WELL. ONE LINE RUNS EAST TO THE EAST END OF THE COURSE. ANOTHER LINE RUNS SOUTH APPROX 600 FT THEN RUNS EAST TO THE END OF THE COURSE WHERE IT TIES BACK INTO THE OTHER LINE. FROM THAT POINT IT REDUCES TO 2" AND RUNS NORTH TO IRRIGATE TO AREAS OF THE COURSE ALONG THE ROAD. ANOTHER LINE RUNS NORTH WEST FROM THE WELL AND LOOPS

☒ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	UNKNOWN	30	UNKNOWN	UNKNOWN	4"

*Code to correspond with No. on map and aerial photo

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	2		NE	SW	30	4N	2E	ADA	AERIAL PHOTO

6. **Place(s) of Use:**

Indicate Method of Determination AERIAL PHOTO

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	2E	30								4 1/4					1 1/5				34
										Lot 2									

GOVT LOT 2 SL 3/22/90 PER USGS PLAT.

NOT REFILED

Do not use this space

FEB 10 1992

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
COX/HALL METER						
MANOMETER						

2. Measurements:

SEE SUPPLEMENTAL COX/HALL MEASUREMENT SHEET.

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

0.58 CFS

2. Alternate Method for Checking Purposes:

DYNAMIC WATER LEVEL
EST.

$$\frac{30 \times 8.8 \times .8}{15 + (80 \times 2.3)} = \underline{\underline{1.06 \text{ CFS}}}$$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2) AS SOON AS POSSIBLE
Total Head: (1) + (2) = _____ (3); Flow rate: _____ cfs (4) AFTER MEASUREMENT

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 34 \times 4.5 = 153$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.58 \times 198 \times 1.9835 = 227.8$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 153$$

2. Volume Calculations for Other Uses:

FEB 10 1992

H. REMARKS AND OVERLAP REVIEW ANALYSIS

THROUGH 2 GREENS (Nos 9 & 10). IT ALSO IS A 4" LINE.
THE SYSTEM OPERATES WITH A SERIES OF 6 TIME
CLOCKS CONTROLLING AN AVERAGE OF 17 VALVES WITH
6 SPRINKLERS EACH.

THIS SYSTEM SUPPLEMENTS IRRIGATION DIST
WATER. ONLY FOUND 1 WELL. ~~ONLY~~

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4-1	10-15	0.58	153
Totals:			0.58 CFS	153

2. Recommended 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

J. AUTHENTICATION

Field Examiner's Name

KELLY K. CHRISTENSEN

Signature

Kelly K. Christensen

Certification Date

Field Report Preparation Date

12-14-88

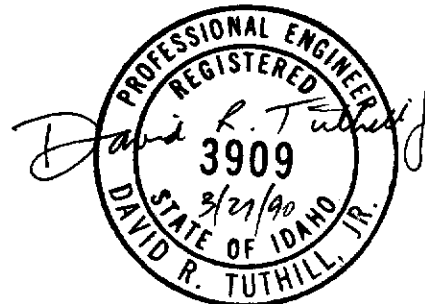
CONSULTANT SEAL

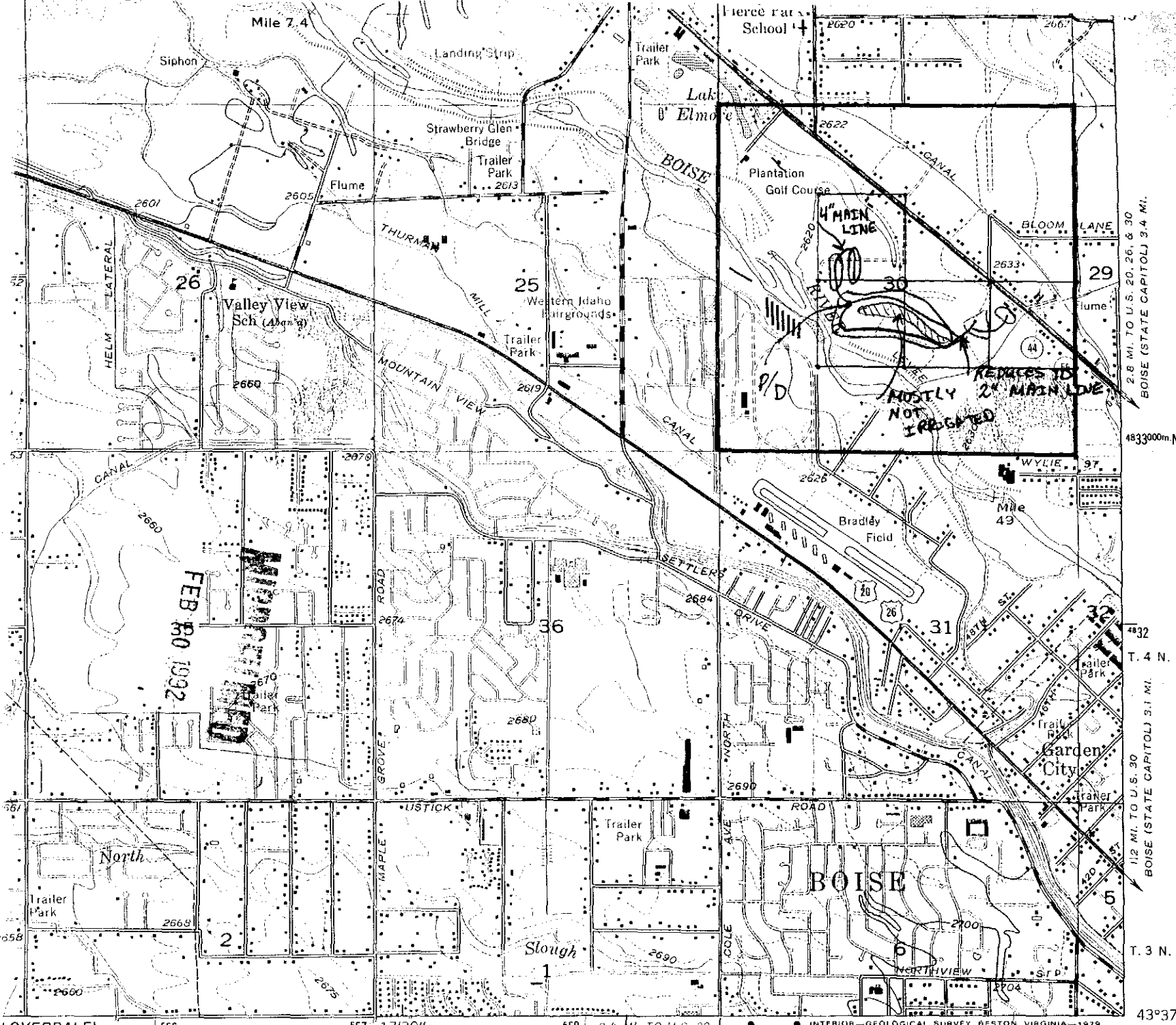
FL
3/22/90

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

11-6-90
SC

MICROFILMED
FEB 10 1992





LOVERDALE)
2771 III SE
ALE 1:24 000
0
1 MILE
556 557 17'30" 558 0.4 MI. TO U.S. 30 R. 1 E. R. 2 E. 559 560000m E. 116°15' 43°37'30" (BOISE SOUTH 2771 II S)
ROAD CLASSIFICATION
Light duty

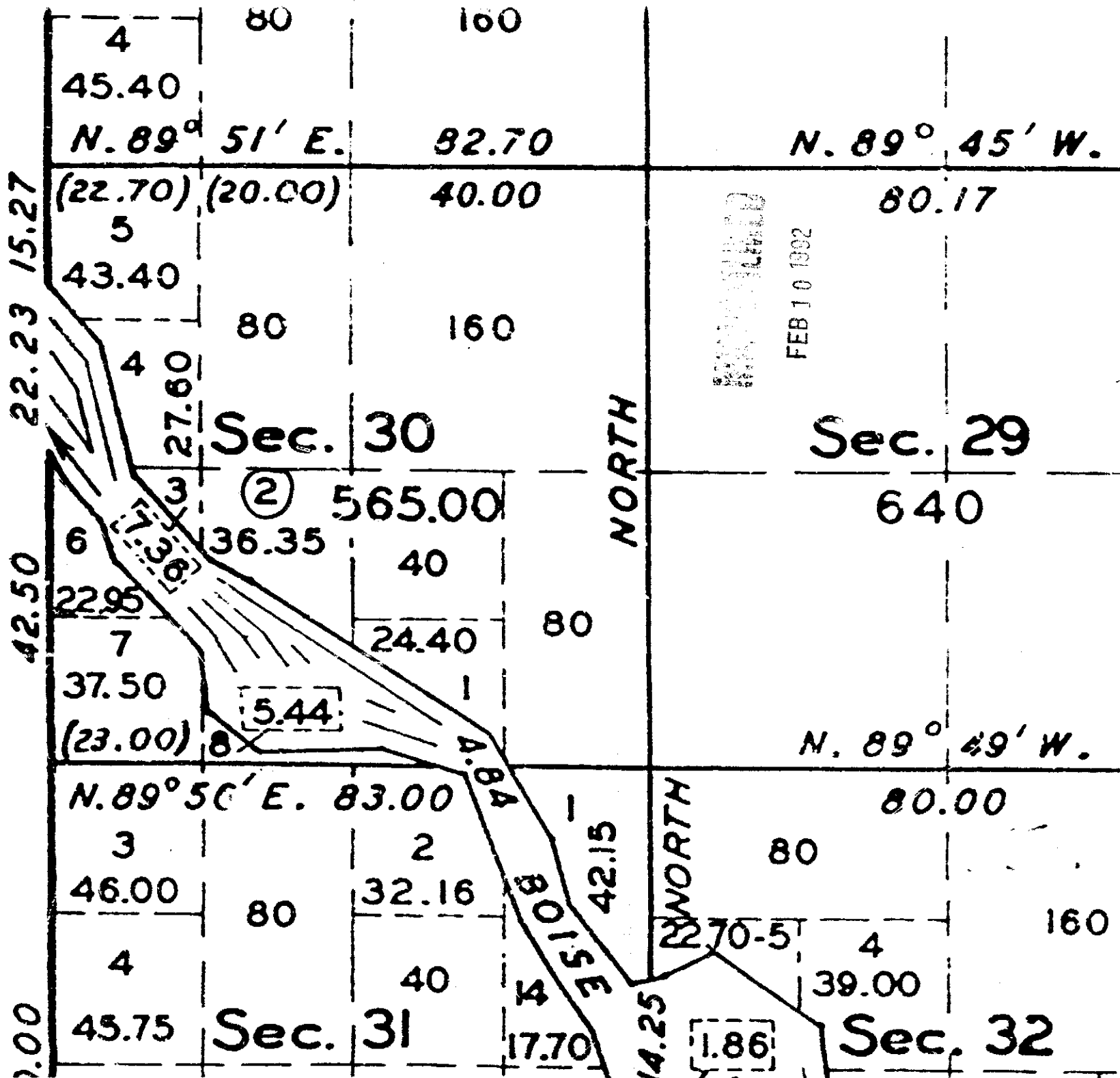
63-09248
T4N
R2E
S.30

63.09248

T4N

R2E

S.30



63° 0' 48" N
74° 12' 48" W
570

2533

MAIN
LINE 4

WILD
FARROUNE

2533

B245

FEB 10 1998
Chunder

7/87

State of Idaho
DEPARTMENT OF WATER RESOURCES
SUPPLEMENTAL FIELD REPORT FOR COX/HALL MEASUREMENT

Measured by: KELLY K. CHRISTENSENDate 10-14-88Owner: FIREMAUS FUND INS CO.Permit No. 63-9248

Description of well &/or measuring site

- Include any clarifications of the sketch

- Include legal description if more than one p.d. is described in the Field Report

SEE FIELD REPORT FOR SKETCH.

MEASURED INSIDE PIPE RADIUS IN INCHES

(IR)

CIR = Pipe Circumference in Inches = 14 1/4"T = Pipe Thickness in Inches = .25IR = [(0.1592 X CIR) - T] = ... 2.02

DIFFERENTIAL PRESSURE READING IN INCHES OF H2O

(H)

High Reading = 38.5Low Reading = 21High - Low = H = ... 17.5

COX/HALL DESCRIPTION & FACTOR DETERMINATION

(H#)

State ID No. _____

Size of tip used _____

Number of holes in
meter taped or blocked _____

To determine Cox/Hall Factor (H#) use table to the right.
Using the Differential Pressure Reading (H) find appropriate
Row and Column to determine (H#).
(example: H = 12.4 then H# = 17.0)

Determine (H#) and enter here: 20.4

CALCULATION OF DISCHARGE IN CFS

(Q)

$$Q = \frac{(3.1416)(IR)^2(H\#)}{(448.8)}$$

$$Q = \frac{(3.1416)(2.02)^2(20.4)}{(448.8)} = .58 \text{ CFS}$$

SKETCH (If not shown on Field Report)

FEB 10 1992

	.0	.1	.2	.3	.4	.5	.6	.7	.8	.9
0	0.0	0.8	1.3	1.8	2.2	2.5	2.9	3.3	3.7	4.0
1	4.3	4.5	4.8	5.0	5.2	5.4	5.6	5.8	6.0	6.2
2	6.3	6.5	6.7	6.9	7.0	7.2	7.3	7.5	7.6	7.7
3	7.9	8.0	8.2	8.3	8.5	8.6	8.7	8.8	9.0	9.1
4	9.3	9.4	9.5	9.6	9.7	9.8	10.0	10.1	10.2	10.3
5	10.4	10.5	10.6	10.7	10.9	11.0	11.1	11.2	11.3	11.4
6	11.5	11.6	11.7	11.8	11.9	12.0	12.1	12.2	12.3	12.4
7	12.5	12.6	12.7	12.8	12.9	13.0	13.1	13.2	13.3	13.4
8	13.5	13.5	13.6	13.7	13.8	13.9	14.0	14.0	14.1	14.2
9	14.3	14.4	14.5	14.5	14.6	14.7	14.8	14.9	15.0	15.0
10	15.1	15.2	15.3	15.4	15.5	15.5	15.6	15.7	15.8	15.9
11	15.9	16.0	16.1	16.2	16.3	16.3	16.4	16.5	16.5	16.6
12	16.7	16.7	16.8	16.9	17.0	17.0	17.1	17.2	17.3	17.3
13	17.4	17.5	17.5	17.6	17.7	17.8	17.8	17.9	18.0	18.1
14	18.1	18.2	18.3	18.3	18.4	18.5	18.5	18.6	18.7	18.7
15	18.8	18.9	18.9	19.0	19.1	19.1	19.2	19.3	19.3	19.4
16	19.5	19.5	19.6	19.6	19.7	19.7	19.8	19.9	19.9	20.0
17	20.1	20.1	20.2	20.2	20.3	20.4	20.4	20.5	20.5	20.6
18	20.7	20.7	20.8	20.9	20.9	21.0	21.0	21.1	21.2	21.2
19	21.3	21.3	21.4	21.4	21.5	21.6	21.6	21.7	21.7	21.8
20	21.9	21.9	22.0	22.0	22.1	22.2	22.2	22.3	22.3	22.4
21	22.4	22.5	22.5	22.6	22.6	22.7	22.7	22.8	22.9	22.9
22	23.0	23.0	23.1	23.1	23.2	23.2	23.3	23.4	23.4	23.5
23	23.5	23.6	23.6	23.7	23.7	23.8	23.8	23.9	23.9	24.0
24	24.0	24.1	24.2	24.2	24.3	24.3	24.4	24.4	24.5	24.5
25	24.6	24.6	24.7	24.7	24.8	24.8	24.9	24.9	25.0	25.0
26	25.1	25.1	25.2	25.2	25.3	25.3	25.4	25.4	25.5	25.5
27	25.6	25.6	25.7	25.7	25.8	25.8	25.9	25.9	26.0	26.0
28	26.1	26.1	26.2	26.2	26.3	26.3	26.4	26.4	26.5	26.5
29	26.6	26.6	26.7	26.7	26.8	26.8	26.9	26.9	27.0	27.0
30	27.0	27.1	27.1	27.2	27.2	27.3	27.3	27.4	27.4	27.5
31	27.5	27.5	27.6	27.6	27.7	27.7	27.8	27.8	27.9	27.9
32	28.0	28.0	28.0	28.1	28.1	28.2	28.2	28.3	28.3	28.4
33	28.4	28.5	28.5	28.5	28.6	28.6	28.7	28.7	28.8	28.8
34	28.9	28.9	29.0	29.0	29.0	29.1	29.1	29.1	29.2	29.2
35	29.3	29.3	29.3	29.4	29.4	29.5	29.5	29.5	29.6	29.6
36	29.7	29.7	29.8	29.8	29.9	29.9	30.0	30.0	30.0	30.1
37	30.1	30.2	30.2	30.3	30.3	30.4	30.4	30.5	30.5	30.5
38	30.6	30.6	30.7	30.7	30.8	30.8	30.8	30.9	30.9	31.0
39	31.0	31.0	31.1	31.1	31.2	31.2	31.2	31.3	31.3	31.4
40	31.4	31.5	31.5	31.5	31.6	31.6	31.7	31.7	31.7	31.8
41	31.8	31.9	31.9	31.9	32.0	32.0	32.1	32.1	32.2	32.2
42	32.2	32.3	32.3	32.3	32.4	32.4	32.5	32.5	32.5	32.6
43	32.6	32.6	32.7	32.7	32.7	32.8	32.8	32.9	32.9	33.0
44	33.0	33.0	33.1	33.1	33.2	33.2	33.3	33.3	33.3	33.4
45	33.4	33.5	33.5	33.5	33.6	33.6	33.7	33.7	33.7	33.8
46	33.8	33.9	33.9	33.9	34.0	34.0	34.0	34.1	34.1	34.1
47	34.2	34.2	34.2	34.3	34.3	34.4	34.4	34.4	34.5	34.5
48	34.6	34.6	34.6	34.7	34.7	34.8	34.8	34.8	34.9	34.9

FORWARD THE WHITE COPY TO THE DEPARTMENT

State of Idaho
Department of Water Resources
WELL INSPECTION FORM

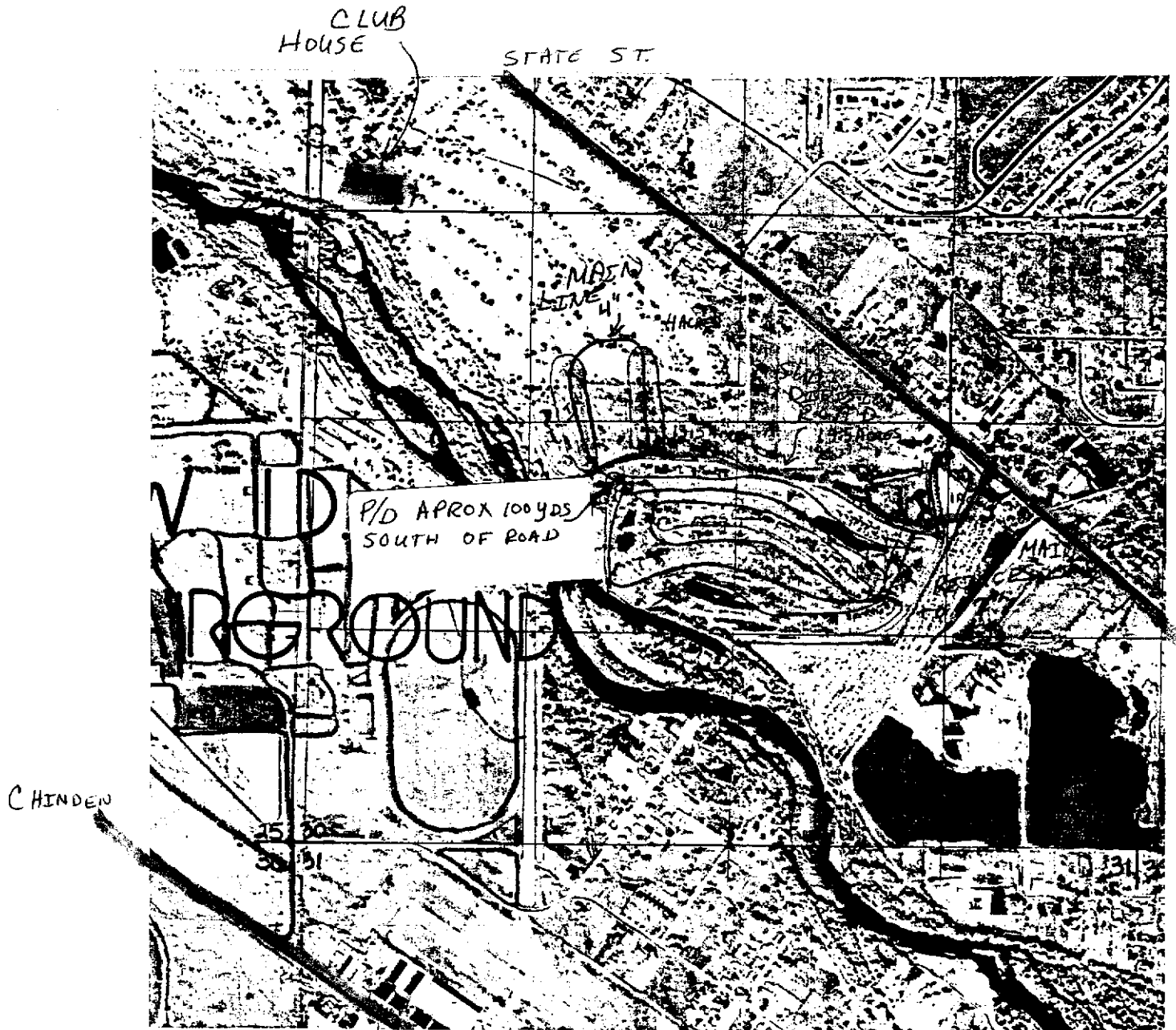
This form should be completed by the examiner when conducting a field examination to determine the extent of beneficial use of water from a well or whenever a well is inspected for other reasons. The form should be forwarded to Groundwater Protection Section in the State Office upon completion.

1. Legal Description of well location. Twp. 4N1, Rge. 2E,
Sec. 30, Qtr./Qtr. NE SW or Lot 2 (govt. Lot)
2. Owner FIREMANS FUND INS Co.
Address 27555 FARMINGTON RD, City FARMINGTON State MICH
3. Approx. date of well construction 1981 1979
Well Driller ENGLEMAN WELL DRILLING
4. Casing: Diameter TOP BELLED TO 12" Condition FAIR
5. Casing length above land surface 7"
6. Well depth (ft) 59 Flowing NO Temp. _____
Access port COULD NOT OPEN.
7. Condition of piping and valving SOME LEAKING
8. Evidence of well seal NO
9. Shut in pressure or static water level 7 (in 1979)
10. Evidence of leakage around the casing NO
11. Does well need repair _____
12. Comments RECOMMENDED REPAIR OF LEAKING
VALVES.

(OVER) FEB 10 1992

SCHEMATIC

Provide a schematic diagram showing the location of the well in the quarter-quarter with respect to houses, roads, other wells or readily identifiable features.



Inspected by Kelly Christensen Date 10-14-88

FEB 10 1992

63-09248

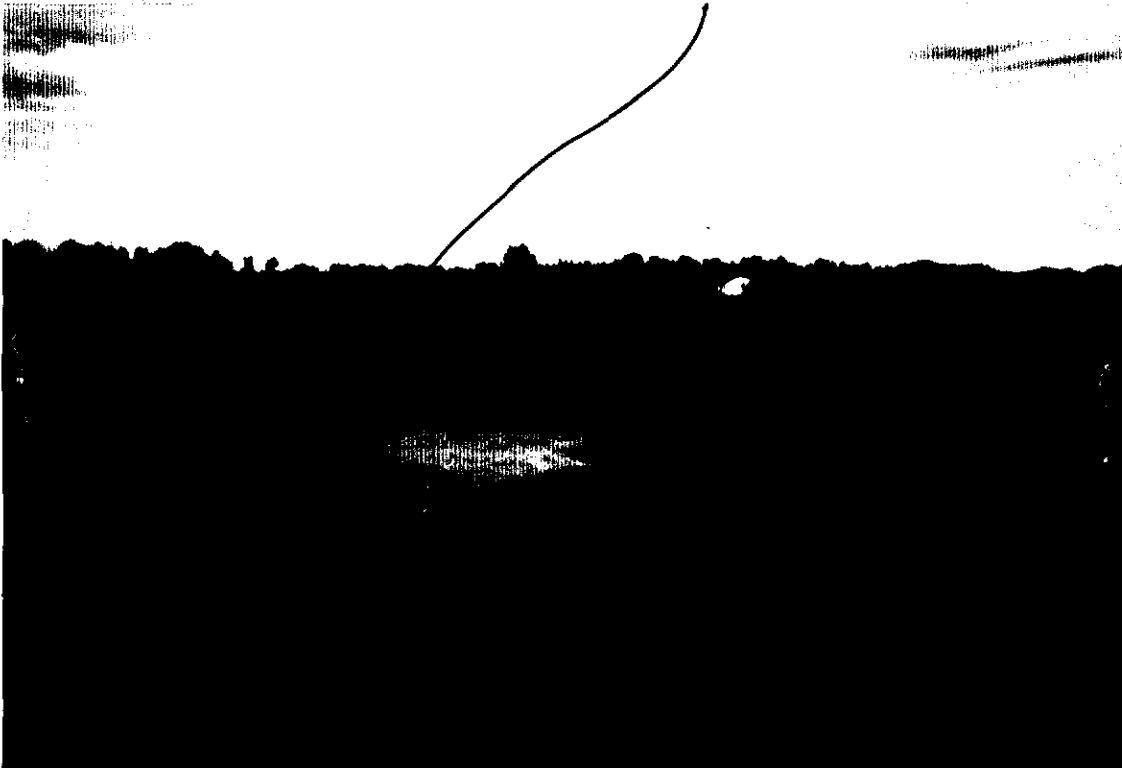
P/D



P/U

LOOKING WEST

P/D

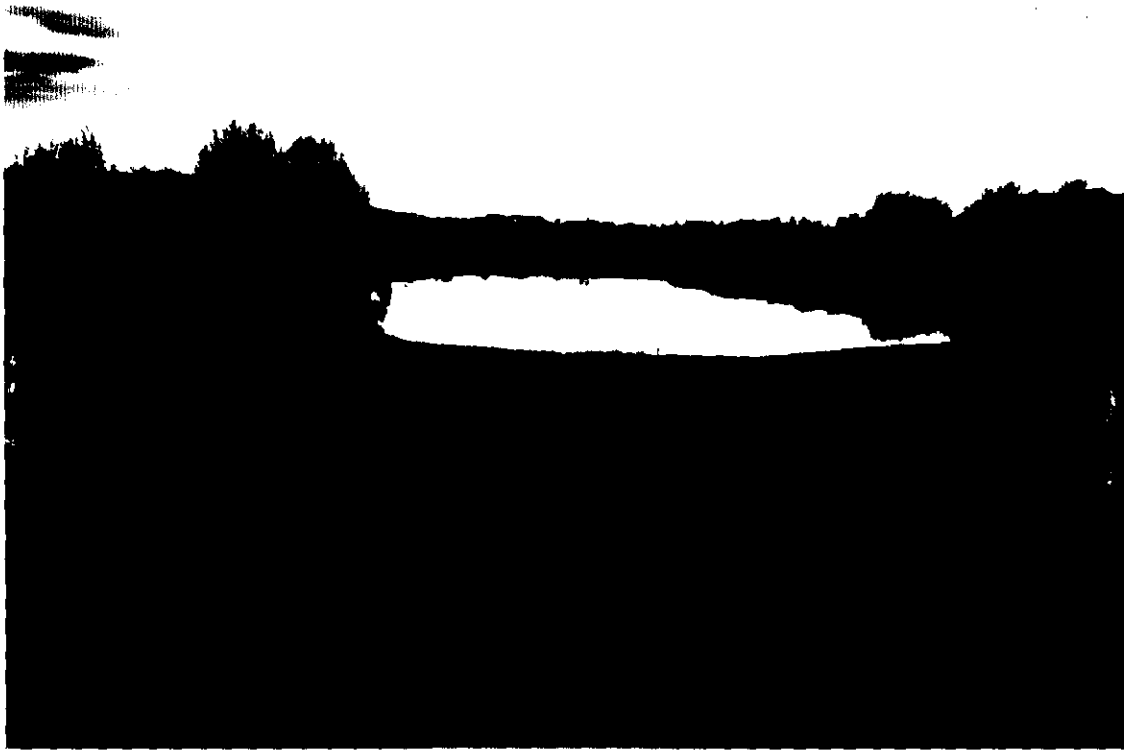


RECEIVED

FEB 10 1992

63-09248

P/U LOOKING EAST



RECEIVED
FEB 16 1962



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region

CECIL D. ANDRUS
Governor

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

R. KEITH HIGGINSON
Director

October 15, 1987

63-9248
FIREMANS FUND MORTGAGE CORP.
6515 W. STATE ST.
BOISE, ID 83703

Dear Applicant(s):

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 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
Secretary

/jp

RECORDED

FEB 10 1992

CALCULATION OF NEW PRIORITY DATE

FROM: RITA FLECK

TO: FILE # *63-9248*

DATE: *7-27-1987*

Date proof received

Proof due

Number of day proof late

Priority date

New priority date

365
+9

374

-274

100

+163

263

Jan. 9, 1987

Oct. 1, 1986

June 12, 1979

Sept. 20, 1979

Remarks:

MICROFILMED

OCT 09 1987

EBERLE, BERLIN, KADING, TURNBOW & GILLESPIE,
CHARTERED

R. B. KADING, JR.
R. M. TURNBOW
JAMES R. GILLESPIE
WILLIAM J. MCKLVEEN
DALE G. HIGER
WARREN E. JONES
MARK S. GESTON
B. NEWAL SQUIRES, JR.
WILLIAM L. VASCONCELLOS
THOMAS R. LINVILLE
RICHARD A. RILEY
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JOHN MICHAEL BRASSEY
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BRADLEY G. ANDREWS
KATHY PERKINS BROOKS
WILLIAM A. FUHRMAN
J. BRENT FERY
KAY C. MANWEILER
RICHARD K. LIERZ
NEIL D. MCFEELEY

ATTORNEYS AND COUNSELORS AT LAW
CAPITOL PARK PLAZA
300 NORTH SIXTH STREET
POST OFFICE BOX 1368
BOISE, IDAHO 83701

TELEPHONE
(208) 344-8535

JAMES L. BERLIN
OF COUNSEL

T. H. EBERLE (1922-1977)

RECEIVED
JUN 29 1987

June 26, 1987

Department of Water Resources

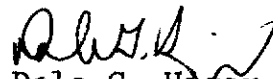
Mr. Jim Johnson
Water Rights Supervisor
Department of Water Resources
State of Idaho
450 W. State Street
Boise, Idaho 83720

Re: Permit No. 63-9248

Dear Jim:

Please find enclosed an assignment of permit which I have executed. I have a power of attorney from Manufacturers and Fireman's Fund. If there is anything else we need to do, please let us know.

Very truly yours,


Dale G. Higer

DGH:jr
Enclosure

RECEIVED
JUN 27 1987



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

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

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

June 15, 1987

RE: Permit No. 63-9248

Dale G. Higer
Eberle, Berlin, Kading,
Turnbow & Gillespie
300 N. 6th St.
P.O. Box 1368
Boise, ID 83701

Dear Dale:

Enclosed is an Assignment of Permit form which should be signed before a notary by a representative of Manufacturers Hanover Mortgage Corporation.

I am not sure that we need to do this in this case, but if you will return it, it keeps our records straight. You know how bureaucracies are.

By the way, since you are representing Manufacturers, your signature is probably sufficient.

If you have any questions, please let me know.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECORDED

JUL 07 1987

EBERLE, BERLIN, KADING, TURNBOW & GILLESPIE,
CHARTERED

ATTORNEYS AND COUNSELORS AT LAW
CAPITOL PARK PLAZA
300 NORTH SIXTH STREET
POST OFFICE BOX 1368
BOISE, IDAHO 83701

TELEPHONE
(208) 344-8535

JAMES L. BERLIN
OF COUNSEL

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KAY C. MANWEILER
RICHARD K. LIERZ
NEIL D. MCFEELEY

May 27, 1987

T. H. EBERLE (1922-1977)
RECEIVED
MAY 28 1987

Department of Water Resources

Mr. Jim Johnson
Water Rights Supervisor
Department of Water Resources
450 W. State Street
Boise, Idaho 83702

Re: Permit No. 63-9248

Dear Jim:

As I indicated to you by telephone several weeks ago, our client, Manufacturers Hanover Mortgage Corporation, changed its name to Fireman's Fund Mortgage Corporation last year. Please make a note of this for your records and issue your license in that name. If I need to provide you with any additional information concerning the name change, please let us know.

Very truly yours,

Dale G. Higer
Dale G. Higer

DGH:js

RECEIVED

JUL 07 1987



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS

Governor

A. KENNETH DUNN

Director

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

April 13, 1987

RE: Permit No. 63-9248

Dale G. Higer
Eberle, Berlin, Kading, et al
P.O. Box 1368
Boise, ID 83701

Dear Dale:

This is to confirm that the Department has reviewed the documents provided by you on 1/8/87 and have determined that it provides sufficient information to show change in ownership of the above referenced permit from Plantation Development Inc. to Manufacturers Hanover Mortgage Corp. and our records have been changed accordingly.

We are also in receipt of the proof of beneficial use form filed in connection with this permit. Additional correspondence will be forthcoming concerning that document.

If you have any questions, please let me know.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

MICROFILMED

JUL 07 1987

EBERLE, BERLIN, KADING, TURNBOW & GILLESPIE,
CHARTERED

ATTORNEYS AND COUNSELORS AT LAW

CAPITOL PARK PLAZA

300 NORTH SIXTH STREET

POST OFFICE BOX 1368

BOISE, IDAHO 83701

TELEPHONE
(208) 344-8535

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J. BRENT FERY
KAY C. MANWEILER
RICHARD K. LIERZ
NEIL D. MCFEELEY

January 8, 1987

T. H. EBERLE (1922-1977)
RECEIVED
JAN 09 1987

Department of Water Resources

Mr. Jim Johnson
Water Rights Supervisor
Department of Water Resources
Statehouse
450 W. State Street
Boise, Idaho 83720

Re: Permit Nos. 63-9248 and 63-9632

Dear Jim:

As a follow-up to our conversation of December 29, this is to confirm that we represent Manufacturers Hanover Mortgage Corporation, the current owner of the Plantation Development property upon which water has been appropriated and beneficially applied under the above referenced permits. We believe our client is the successor in interest to the permit holder, Plantation Development, Inc., by virtue of an amended order granting summary judgment, stating findings of undisputed fact, conclusions of law and decree of foreclosure and judgment and a sheriff's deed under execution, copies of which are enclosed.

I call your attention to the lead-in language to Exhibit A to both documents, which reads as follows:

"The following described real property, together with all tangible and personal property owned by Plantation Developers and Plantation Development, Inc. and located on or at the following described real property or used in connection therewith: ..."

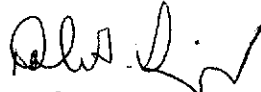
At the time our client made the loan to Plantation Development, Inc. the intent was for Plantation Development to mortgage all of its property rights, including water rights pertaining to the real property described in the mortgage given to

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Mr. Jim Johnson
Page 2
January 8, 1987

our client. I believe the foregoing language covers those water rights. I would hope that you would agree with my interpretation and proceed to process the enclosed proof of beneficial use. If there is any additional information we can provide you, please let us know.

Very truly yours,


Dale G. Higer

DGH:jr

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COPY

DALE G. HIGER
EBERLE, BERLIN, KADING, TURNBOW
& GILLESPIE, CHARTERED
300 North Sixth Street
Post Office Box 1368
Boise, Idaho 83701
Telephone: (208) 344-8535

Department of Water Resources

COPY
NO. _____
FILED
AM. _____ P.M. _____

AUG 6 1984

JOHN BASTIDA, Clerk
By MARY A. LINDE
DEPUTY

Attorneys for Plaintiff and Counterclaimant

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

MANUFACTURERS HANOVER MORTGAGE
CORPORATION, a Delaware
corporation,

Plaintiff and
Counterclaimant,

vs.

PLANTATION DEVELOPERS, an Idaho
joint venture; ALAN MINSKOFF and
KATHY WREN MINSKOFF, husband and
wife; CALVIN M. JENSEN; WILLIAM A.
RUNDELL and JENNIE D. RUNDELL,
husband and wife; HENRY MINSKOFF;
PLANTATION DEVELOPMENT, INC.;
CHICAGO TITLE COMPANY OF IDAHO;
JENAL, INC.; M & M DEVELOPERS,
INC.; CORPORATION SIX, INC.;
O'CONNOR DEVELOPMENT CO., INC.;
BLW, INC.; RIVER SEVEN, INC.;
RSSW, INC.; GLEN-STATE, INC.;
CHENCO, INC.; TTA CORPORATION;
NINETEENTH HOLE, INC.; CANAAN
LAND CORP., dba CANAAN LAND
DEVELOPMENT; DESIGN STUDIO
UNLIMITED, INC.; CORPORATION 55;
RIVER BANK INCORPORATED; EQUICO
LESSORS, INC.; W. L. SCOTT, INC.,
dba L. S. LEASING; THE PLANTATION

Case No. 80340

AMENDED ORDER GRANTING
SUMMARY JUDGMENT STATING
FINDINGS OF UNDISPUTED FACT,
CONCLUSIONS OF LAW, AND
DECREE OF FORECLOSURE
AND JUDGMENT

MICROFILMED

JUL 07 1984

AMENDED ORDER GRANTING SUMMARY JUDGMENT STATING
FINDINGS OF UNDISPUTED FACT, CONCLUSIONS OF LAW,
AND DECREE OF FORECLOSURE AND JUDGMENT, p. 1

MASTER ASSOCIATION, INC.; THE
WATERFRONT; FIRST IDAHO
VENTURE CAPITAL CORPORATION;
CITY CORPORATION; ROY B. JOHNSON
dba JOHNSON ENGINEERING; WATCO,
INC.; C. WRIGHT CONSTRUCTION CO.,
INC., aka WRIGHT CONSTRUCTION
COMPANY, INC.; ROY JOHNSON
CONSTRUCTION CO., INC., dba ROY
JOHNSON CONSTRUCTION MANAGEMENT
CO.; C. EDWARD TROUT; C. ED
TROUT AND ASSOCIATES CHARTERED,
dba TROUT-BINNING AND ASSOCIATES
CHARTERED; ROY B. JOHNSON, dba
JOHNSON ENGINEERING; ABBASS
BOZEGHI; STATE OF IDAHO,
DEPARTMENT OF REVENUE AND
TAXATION,, STATE TAX COMMISSION;
J. M. HESS CONSTRUCTION CO.,
INC.; UNITED STATES OF AMERICA,
DEPARTMENT OF TREASURY, INTERNAL
REVENUE SERVICE; WANKE PANEL
COMPANY; COREY NURSERY CO. INC.;
A & H SUPPLY, INC.; THE COBLE
COMPANY; CUMER L. GREEN LAW
OFFICES; BOYD MARTIN COMPANY,
a division of WEST AMERICAN
FINANCE CORPORATION, INC.; FRANZ
WITTE, dba FRANS WITTE
LANDSCAPE CONTRACTING; EBERLE,
BERLIN, KADING, TURNBOW &
GILLESPIE, CHARTERED; MARCUM,
INC.; GEMINI CORPORATION, dba
HOMES BY HEMMER; and GREG M.
BAUMGART and PAULENE L. BAUMGART,
husband and wife,

Defendants,

and

WILLIAM B. MAYS, ROBERT D. MAYS,
GARY WEIHER, JUAN DelVALLE,
WILLIAM BRIDENBAUGH, CARL WILEY,
BRAD SCUDDER, WILLIAM S. CAMPBELL,
KENNETH E. CHANDLER and SCOTT
CHANDLER, SUCCESSORS IN INTEREST
TO DEFENDANT FIRST IDAHO VENTURE

MICROFILMED
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CAPITAL CORPORATION,

Defendants and
Counterclaimants

Plaintiff's motions for summary judgment came on regularly before the Court on June 28, 1984, with Dale G. Higer and Scott D. Hess of the firm of Eberle, Berlin, Kading, Turnbow & Gillespie, Chartered appearing for the plaintiff, Manufacturers Hanover Mortgage Corporation; Willis E. Sullivan III of the firm of Cantrill, Skinner & Sullivan appearing for the defendants, Henry Minskoff, Alan Minskoff and Kathy Wren Minskoff; Cumer L. Green of Green Law Offices appearing for the defendants, William A. Rundell and Jennie D. Rundell; Brian F. McColl of McKee, Harwood & McColl appearing for the defendants, Plantation Developers; Lee B. Dillion of the firm of Chandler & Dillion appearing for the defendants and counterclaimants, William B. Mays, Robert D. Mays, Gary Weiher, Juan Del Valle, William Bridenbaugh, Carl Wiley, Brad Scudder, William S. Campbell, Kenneth E. Chandler and Scott Chandler and the other defendants failing to appear in person or through counsel, and it appearing to the Court that the default of the defendants, Chicago Title Company of Idaho; Equico Lessors, Inc.; The Plantation Master Association, Inc.; Watco, Inc.; Gemini Corporation, dba Homes by Hemmer; C. Wright Construction Co., Inc., aka Wright Construction Company, Inc.; A & H Supply, Inc.; The Coble Company; Franz Witte,

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dba Franz Witte Landscape Contracting; Abbass Bazeghi; J. M. Hess Construction Co., Inc.; Wanke Panel Company; and W. L. Scott, Inc., dba L. S. Leasing, having been entered, and the plaintiff having submitted adequate proof in support of its motions for summary judgment, and the plaintiff, Manufacturers Hanover Mortgage Corporation, having agreed at the hearing that the real property involved herein can be sold in a sequence applying the doctrine of marshaling and that the real property involved herein can be sold before execution will issue against the guarantors of plaintiff's note and the Court having considered argument of counsel and the record, the Court concludes that there is no genuine issue of material fact and plaintiff is entitled to judgment as a matter of law, the following facts are not in dispute:

UNDISPUTED FACTS

1.) During all times herein mentioned, plaintiff, Manufacturers Hanover Mortgage Corporation, was and is a corporation organized and existing under the laws of the State of Delaware.

2.) During all times herein mentioned, defendant, Plantation Developers, was and is an Idaho joint venture comprised of the following entities, all of which were and are corporations organized and existing under the laws of the State of Idaho: Plantation Development, Inc.; Jenal, Inc.; M & M Developers,

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Inc.; Corporation Six, Inc.; O'Connor Development Co., Inc.; BLW, Inc.; River Seven, Inc.; RSSW, Inc.; Glen-State, Inc.; Chenco, Inc.; TTA Corporation; Nineteenth Hole, Inc.; Canaan Land Corp., dba Canaan Land Development; Design Studio Unlimited, Inc.; Corporation 55; and River Bank Incorporated. During all times herein mentioned, Defendants, Alan Minskoff, Kathy Wren Minskoff, husband and wife; Calvin M. Jensen; William A. Rundell and Jennie D. Rundell, husband and wife; Cumer L. Green Law Offices; Franz Witte, dba Franz Witte Landscape Contracting; Greg M. Baumgart and Paulene L. Baumgart, husband and wife; William B. Mays; Robert D. Mays; Gary Weiher; Juan Del Valle; William Bridenbaugh; Carl Wiley; Brad Scudder; William S. Campbell; Kenneth E. Chandler and Scott Chandler, were and are residents of the County of Ada, State of Idaho. During all times herein mentioned, Defendant, Henry Minskoff, was and is a resident of the County of New York, State of New York.

3.) During all times herein mentioned, defendants, Chicago Title Company of Idaho; O'Connor Development Co., Inc.; The Plantation Master Association, Inc.; First Idaho Venture Capital Corporation; City Corporation; Watco, Inc.; C. Wright Construction Co., Inc., aka Wright Construction Company, Inc.; J. M. Hess Construction Co., Inc.; The Coble Company; Eberle, Berlin, Kading, Turnbow & Gillespie, Chartered; Marcum, Inc.; and Gemini Corporation, dba Homes by Hemmer, were and are corporations organized and existing under the laws of the State of Idaho.

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4.) During all times herein mentioned, defendant, Equico Lessors, Inc., was and is a corporation organized and existing under the laws of the State of Delaware and was and now is authorized to do business in the State of Idaho.

5.) During all times herein mentioned, defendant, Boyd Martin Company, a division of West American Finance Corporation, Inc., was and is a corporation organized and existing under the laws of the State of Utah and was and now is authorized to do business in the State of Idaho.

6.) During all times herein mentioned, defendant, Wanke Panel Company, was and is a corporation organized and existing under the laws of the State of Oregon and was and now is authorized to do business in the State of Idaho.

7.) During all times herein mentioned, defendants, Corey Nursery Co. Inc. and A & H Supply, Inc., appear to be corporations from the public records, but have failed to qualify to do business in the State of Idaho.

8.) The defendant, Roy Johnson Construction Co., Inc., is a corporation duly organized and existing under the laws of the State of Washington, doing business as Roy Johnson Construction Management Co., and whose certificate of authority to transact business in the State of Idaho has been revoked by the Secretary of State of the State of Idaho. The defendant, W. L. Scott, Inc., was a corporation duly organized and existing under the laws of the

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State of Idaho, doing business as L. S. Leasing, and has forfeited its corporate powers for failure to file its annual report on or before November 1, 1980.

9.) During all times herein mentioned, defendant, Roy B. Johnson, was and is a resident of the County of Ada, State of Idaho, doing business as Johnson Engineering.

10.) During all times herein mentioned, defendants, Roy B. Johnson, C. Edward Trout, and Abbass Bazeghi, were and are residents of the County of Ada, State of Idaho.

11.) During all times herein mentioned, defendant, The Waterfront, was and is an Idaho general partnership doing business in the State of Idaho.

12.) The United States of America was named as a defendant pursuant to the provisions of 28 U.S.C. §2410(a).

13.) The State of Idaho was named as a defendant because it has filed a tax lien on the real property involved herein.

14.) Defendants, Plantation Developers and Plantation Development, Inc., for valuable consideration, made, executed and delivered to plaintiff a Mortgage/Deed of Trust Note dated August 14, 1980 (hereinafter referred to as the "Note") to evidence an indebtedness to Plaintiff in the sum of \$5,000,000.

15.) At the same time and as part of the same transaction and to secure the payment of said Note, defendants,

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Plantation Developers and Plantation Development, Inc., executed and delivered to plaintiff a Mortgage upon real and personal property owned by Plantation Development, Inc. The Mortgage was dated August 14, 1980 and recorded August 20, 1980, as Instrument No. 8039316, Records of Ada County, Idaho (hereinafter referred to as "Mortgage"). This Mortgage has never been satisfied or discharged.

16.) At the same time and as part of the same transaction and to secure the payment of said Note, defendants, Plantation Developers and Plantation Development, Inc., executed and delivered to plaintiff an Assignment of Purchase Contracts and Assignment of Purchase Contracts and Options to Purchase upon real property owned by Plantation Development, Inc. The Assignments were both dated August 14, 1980 and recorded August 20, 1980 as Instrument Nos. 8039318 and 8039319, respectively, Records of Ada County, Idaho (hereinafter referred to as "Assignments").

17.) On or about August 14, 1980, defendants, Henry Minskoff, Alan D. Minskoff, Kathy Wren Minskoff, Calvin M. Jensen, William A. Rundell and Jennie D. Rundell, for value received, entered into agreements of guaranty with plaintiff (hereinafter referred to as "Guaranty"). The Guaranty was made, executed and delivered to plaintiff to induce plaintiff to extend credit to defendant, Plantation Developers.

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18.) The defendants, Plantation Developers and Plantation Development, Inc., has not made the principal payment due on said Note on August 14, 1981, and the interest payment due in September 1, 1981, and the first day of each month thereafter, and by reason thereof, plaintiff declared the entire unpaid principal balance, together with accrued interest thereon and all sums secured thereby, due and payable.

19.) There is now due and owing to plaintiff from the defendants, Plantation Developers; Plantation Development, Inc.; Alan D. Minskoff; Kathy Wren Minskoff; Calvin M. Jensen; William A. Rundell and Jennie D. Rundell, the sum of \$4,869,627.19, together with accrued interest as of July 13, 1984, in the sum of \$2,158,054.82 and interest continues thereafter at the rate of eighteen percent (18%) per annum, and there is now due and owing to plaintiff from the defendant Henry Minskoff on his guaranty the sum of \$973,925.44 and interest from July 13, 1984 at the rate of eighteen percent (18%) per annum.

20.) The Note, Mortgage and Guaranty provide that in the event plaintiff shall employ attorneys for the enforcement of the Note, Mortgage and Guaranty or the collection of sums due thereunder, defendants, Plantation Developers; Plantation Development, Inc.; Henry Minskoff; Alan D. Minskoff; Kathy Wren Minskoff; Calvin M. Jensen; William A. Rundell and Jennie D. Rundell, agree to pay reasonable attorney's fees. Plaintiff has

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employed the law firm of Eberle, Berlin, Kading, Turnbow & Gillespie, Chartered to enforce the terms of the Note, Mortgage and the Guaranty and is entitled to recover its attorneys' fees incurred herein.

21.) Plaintiff has paid the sum of \$10,587.00 for a foreclosure report as a part of these proceedings and is entitled to recover this sum under the terms of the Mortgage.

22.) The defendant, The United States of America, was named a party pursuant to the provisions of 28 U.S.C. §2410(a). This defendant claims an interest in the real property described in the Mortgage under the following Notice of Federal Tax Liens:

a. Instrument No. 8211444, which was recorded by Ada County, Under Internal Revenue Laws: filed against Plantation Developers, Inc., Jenal, Inc., M & M Developers, Inc., Corporation Six, Inc., et al. PTRS, Plantation Developers, 6515 W. State Street, Boise, Idaho 83703 in the sum of \$8,462.84 and recorded March 22, 1982. This Notice was prepared and signed by Monte Hobson, Group Manager of the Boise District Office of the Internal Revenue Service on March 18, 1982. Idaho.

b. Instrument No. 8123138, Records of Ada County, Idaho filed against Design Studio Unlimited, Inc., 6493 Fairview Avenue, Boise, Idaho 83704 in the sum of \$2,259.71 and recorded June 1, 1981. This Notice was

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prepared and signed by Ronald Viano, Group Manager of the Boise District Office of the Internal Revenue Service on May 29, 1981.

c. Instrument No. 8217465, Records of Ada County, Idaho filed against Plantation Developers Inc., Jenal Inc., M & M Developers, Inc., Corporation Six Inc., et al PTRS, Plantation Developers, 6515 W. State Street, Boise, Idaho 83703 in the sum of \$22,048.62 and recorded April 27, 1982. This Notice was prepared and signed by Monte Hobson for Ronald Viano, Group Manager of the Boise District Office of the Internal Revenue Service on April 22, 1982.

d. Instrument No. 8217716, Records of Ada County, Idaho filed against Plantation Developers Inc., Jenal Inc., M & M Developers, Inc., Corporation Six Inc., et al PTRS, Plantation Developers, 6515 W. State Street, Boise, Idaho 83703 in the sum of \$12,104.99 and recorded April 28, 1982. This Notice was prepared and signed by Hugh E. Pierce, Revenue Officer of the Boise District Office of the Internal Revenue Service on April 28, 1982.

The interest of the defendants, and each of them, in the real and personal property described in the Mortgage and Assignments are inferior and subordinate to the lien of plaintiff's Mortgage and Assignments.

RECORDED

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23.) No suit or action has been begun to foreclose said Mortgage or to collect said Note and plaintiff has no plain, speedy or adequate remedy at law.

CONCLUSIONS OF LAW

1.) Plaintiff is entitled to have its Mortgage foreclosed on the real and personal property described in Exhibit A and the proceeds from the sale of that property applied to the payment of the sum due on the Note secured by the Mortgage, and to attorneys' fees, costs of this action and expenses of sale of the property.

2.) The claims, interests and liens of the defendants, Plantation Developers; Alan Minskoff and Kathy Wren Minskoff; Calvin M. Jensen; William A. Rundell and Jennie D. Rundell; Henry Minskoff; Plantation Development, Inc.; Chicago Title Company of Idaho; Jenal, Inc.; M & M Developers, Inc.; Corporation Six, Inc.; O'Connor Development Co., Inc.; BLW, Inc.; River Seven, Inc.; RSSW, Inc.; Glen-State, Inc.; Chenco, Inc.; TTA Corporation; Nineteenth Hole, Inc.; Canaan Land Corp., dba Canaan Land Development; Design Studio Unlimited, Inc.; Corporation 55; River Bank Incorporated; Equico Lessors, Inc.; W. L. Scott, Inc., dba L. S. Leasing; The Plantation Master Association, Inc.; The Waterfront; First Idaho Venture Capital Corporation; City Corporation; Roy B. Johnson, dba Johnson Engineering; Watco, Inc.; C. Wright Construction Co., Inc., aka Wright Construction

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Company, Inc.; Roy Johnson Construction Co., Inc., dba Roy Johnson Construction Management Co.; C. Edward Trout; C. Ed Trout and Associates Chartered, dba Trout-Binning and Associates Chartered; Roy B. Johnson, dba Johnson Engineering; Abbass Bazeghi; State of Idaho, Department of Revenue and Taxation, State Tax Commission; J. M. Hess Construction Co., Inc.; United States of America, Department of Treasury, Internal Revenue Service; Wanke Panel Company; Corey Nursery Co. Inc.; A & H Supply, Inc.; The Coble Company; Cumer L. Green Law Offices; Boyd Martin Company, a division of West American Finance Corporation, Inc.; Franz Witte, dba Franz Witte Landscape Contracting; Eberle, Berlin, Kading, Turnbow & Gillespie, Chartered; Marcum, Inc.; Gemini Corporation, dba Homes by Hemmer; Greg M. Baumgart and Paulene L. Baumgart; William B. Mays, Robert D. Mays, Gary Weiher, Juan Del Valle, William Bridenbaugh, Carl Wiley, Brad Scudder, William S. Campbell, Kenneth E. Chandler and Scott Chandler, successors in interest to Defendant First Idaho Venture Capital Corporation, are inferior and subordinate to the lien of plaintiff's mortgage.

3.) This is a proper case in which to apply the doctrine of marshaling and the real property described in Exhibit A shall be sold accordingly.

4.) The defendants, Alan Minskoff, Kathy Wren Minskoff, Calvin M. Jensen, William A. Rundell, Jennie D. Rundell and Henry Minskoff, are personally liable to plaintiff on their

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guaranties, but execution on the judgment to be entered hereinafter against these defendants shall not issue until after the Sheriff sells the real and personal property described in Exhibit A and makes his return on sale.

WHEREFORE, by virtue of the law and by reason of the premises aforesaid and for the reasons stated in the court's memorandum decision filed herewith,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

1.) Manufacturers Hanover Mortgage Corporation have judgment against the defendants, Plantation Developers, Plantation Development, Inc., Alan Minskoff, Kathy Wren Minskoff, Calvin M. Jensen, William A. Rundell and Jennie D. Rundell, for the sum of \$4,869,627.19, together with accrued interest as of July 13, 1984, in the sum of \$2,158,054.82, for the sum of \$10,587.00 for a foreclosure report, being a total of \$7,038,269.01, together with costs and attorneys' fees to be taxed hereinafter, with interest on the total judgment at the rate of eighteen percent (18%) per annum from July 13, 1984 and Manufacturers Hanover Mortgage Corporation have judgment against the defendant Henry Minskoff on his guaranty for the sum of \$973,925.44, attorneys' fees, costs and interest on the total thereof at the rate of eighteen percent (18%) per annum from July 13, 1984.

2.) The Mortgage held by Manufacturers Hanover Mortgage Corporation on the property described in Exhibit A attached hereto is a valid first mortgage on said property.

3.) Manufacturers Hanover Mortgage Corporation and First Idaho Venture Capital Corporation, City Corporation, Wright Construction Company, Inc., J. M. Hess Construction Company, Inc., C. Edward Trout, Trout-Binning and Associates, Roy B. Johnson, dba Johnson Engineering and Johnson Construction Management, Inc., Abbass Bazeghi, State Tax Commission, Internal Revenue Service, The Coble Company, Cumer L. Green Law Offices, Boyd Martin Company, Franz Witte, Eberle, Berlin, Kading, Turnbow & Gillespie, Chartered, and Marcum, Inc. have liens on the property described in Exhibit A, situate in Ada County, State of Idaho, but Manufacturers Hanover Mortgage Corporation's lien has priority over the liens of the aforementioned lien claimants.

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4.) That all and singular of the premises described in Exhibit A attached hereto and situate in Ada County, State of Idaho, be sold at public auction in separate parcels and in the order set forth in Exhibit A by the Sheriff of Ada County, Idaho in the letter and manner prescribed by law and according to the rules and practice of this Court, and that the Sheriff, after the time allowed by law for redemption has expired, shall execute the deed to the purchaser or purchasers of the said premises at said sale. With respect to Parcel III, the Sheriff shall first offer to sell Parcel III as two separate parcels, offering to sell Parcel IIIA first and then Parcel IIIB. If the Sheriff receives a bid on Parcel IIIA which will, when combined with the bids received on Parcels I and II satisfy the judgment of Manufacturers Hanover Mortgage Corporation, then the Sheriff shall sell Parcels IIIA and IIIB to the successful bidders. If the judgment of Manufacturers Hanover Mortgage Corporation is not satisfied on the bids received on Parcels IIIA and IIIB when combined with bids received on Parcels I and II, then the Sheriff shall offer to sell Parcel III as a whole and will sell Parcel III as one parcel if the highest bid on Parcel III is higher than the total of the highest bids received on Parcels IIIA and IIIB and will sell Parcel III as two parcels if the highest bid is the sum of the bids on those two parcels.

5.) That said Sheriff from the proceeds of said sale shall retain his fees, disbursements and commissions on said sale and shall then pay out the proceeds as follows:

a. First, to Manufacturers Hanover Mortgage Corporation the sum of \$4,869,627.19, together with accrued interest as of July 13, 1984, in the sum of \$2,158,054.82, for attorneys' fees and costs as hereinafter taxed, and for the sum of \$10,587.00 for a foreclosure report, or so much thereof as the proceeds will pay off the same.

b. Second, the surplus, if any, shall be paid by said Sheriff to the Clerk of the Court, there to be held by the Clerk of this Court and subject to further order of the Court.

6.) That Plantation Developers; Alan Minskoff and Kathy Wren Minskoff; Calvin M. Jensen; William A. Rundell and Jennie D. Rundell; Henry Minskoff; Plantation Development, Inc.; Chicago Title Company of Idaho; Jenal, Inc.; M & M Developers, Inc.; Corporation Six, Inc.; O'Connor Development Co., Inc.; BLW, Inc.; River Seven, Inc.; RSSW, Inc.; Glen-State, Inc.; Chenco, Inc.; TTA Corporation; Nineteenth Hole, Inc.; Canaan Land Corp., dba Canaan Land Development; Design Studio Unlimited, Inc.; Corporation 55; River Bank Incorporated; Equico Lessors, Inc.; W. L. Scott, Inc., dba L. S. Leasing; The Plantation Master

RECORDED
JUL 07 1987

Association, Inc.; The Waterfront; First Idaho Venture Capital Corporation; City Corporation; Roy B. Johnson, dba Johnson Engineering; Watco, Inc.; C. Wright Construction Co., Inc., aka Wright Construction Company, Inc.; Roy Johnson Construction Co., Inc., dba Roy Johnson Construction Management Co.; C. Edward Trout; C. Ed Trout and Associates Chartered, dba Trout-Binning and Associates Chartered; Roy B. Johnson, dba Johnson Engineering; Abbass Bazeghi; State of Idaho, Department of Revenue and Taxation, State Tax Commission; J. M. Hess Construction Co., Inc.; United States of America, Department of Treasury, Internal Revenue Service; Wanke Panel Company; Corey Nursery Co. Inc.; A & H Supply, Inc.; The Coble Company; Cumer L. Green Law Offices; Boyd Martin Company, a division of West American Finance Corporation, Inc.; Franz Witte, dba Franz Witte Landscape Contracting; Eberle, Berlin, Kading, Turnbow & Gillespie, Chartered; Marcum, Inc.; Gemini Corporation, dba Homes by Hemmer; Greg M. Baumgart and Paulene L. Baumgart; William B. Mays, Robert D. Mays, Gary Weiher, Juan Del Valle, William Bridenbaugh, Carl Wiley, Brad Scudder, William S. Campbell, Kenneth E. Chandler and Scott Chandler, successors in interest to Defendant First Idaho Venture Capital Corporation, and any unknown heirs or devisees of the foregoing named parties who may be deceased, and the unknown owners, claimants and parties in interest claiming to all or any part of the real and personal property described in Exhibit A attached hereto, and each of them, and all persons claiming or to claim from and under them, or any of them, and all persons having liens subject to the Mortgage of Plaintiff herein by judgment or decree or otherwise upon the lands and premises hereinabove described, or any part or parcel thereof, and their heirs, personal representatives and all persons claiming to have acquired any estate or interest in or to said lands or premises be, and they hereby are, forever barred and foreclosed of and from all right, title, claim and interest in and to said mortgaged premises and in and to every part or parcel thereof, except for such rights of redemption as they may have pursuant thereto, and that said persons, and each of them, be, and they hereby are enjoined and restrained from removing or destroying any of the buildings, the improvements or appurtenances, or otherwise damaging the lands or premises prior to redemption from such sale.

7.) In the event the proceeds from the sale of the premises described in Exhibit A attached hereto shall be insufficient to satisfy the amounts due herein, together with the costs of sale and other proper charges, as shown by the Sheriff's return on sale, then the Clerk of the Court shall issue a writ of execution against the Defendants, Alan Minskoff, Kathy Wren Minskoff, Calvin M. Jensen, William A. Rundell, Jennie D. Rundell and Henry Minskoff for the amount of judgment entered herein

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remaining unsatisfied, and this Court shall retain jurisdiction to enter such additional order, judgment or decree of foreclosure necessary to satisfy said judgment.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the purchaser or purchasers of the mortgaged premises hereinabove described at such sale be let into possession thereof upon application to this Court and that any of the parties to this action who may be in possession of said premises or any part thereof, or any person who, since the commencement of this action, has come into possession of them, or any of them, shall deliver possession thereof to such purchaser or purchasers upon the production of a Sheriff's Deed for such premises or any part thereof.

Jurisdiction of this cause is hereby expressly reserved and retained for the purpose of making such further orders as may be necessary in order to carry this Decree of Foreclosure and Judgment into effect and correct any mathematical error, to grant any accrued credits, or for the purpose of making such further orders as may be necessary or desirable.

DATED: This 3rd day of August, 1984.

DEBORAH A. BAIL
DEBORAH A. BAIL
DISTRICT JUDGE

RECORDED
JUL 07 1984

EXHIBIT A
Real and Personal Property

The following described real property, together with all tangible personal property owned by Plantation Developers and Plantation Development, Inc. and located on or at the following described real property or used in connection therewith:

PARCEL I:

Lot 25 and the Easterly 19.25 feet of Lot 26 in Block 1 of THE PLANTATION NO. 1 SUBDIVISION, according to the official plat thereof, filed in Book 44 of Plats at Pages 3529, 3530 and 3531, records of Ada County, Idaho.
TO BE KNOWN AS LOT 25A.

The Westerly 67.75 feet of Lot 26 and the Easterly 38.50 feet of Lot 27 in Block 1 of THE PLANTATION NO. 1 SUBDIVISION, according to the official plat thereof, filed in Book 44 of Plats at Pages 3529, 3530 and 3531, records of Ada County, Idaho.
TO BE KNOWN AS LOT 26A.

The Westerly 29.24 feet of Lot 28 and the Easterly 77.04 feet of Lot 29 in Block 1 of THE PLANTATION NO. 1 SUBDIVISION, according to the official plat thereof, filed in Book 44 of Plats at Pages 3529, 3530 and 3531, records of Ada County, Idaho.
TO BE KNOWN AS LOT 28A.

Lot 30 and the Westerly 9.96 feet of Lot 29 in Block 1 of THE PLANTATION NO. 1 SUBDIVISION, according to the official plat thereof, filed in Book 44 of Plats at Pages 3529, 3530 and 3531, records of Ada County, Idaho.
TO BE KNOWN AS LOT 29A.

Lot 38 and also a portion of Lot 39 in Block 1 of THE PLANTATION NO. 1 SUBDIVISION, according to the official plat thereof, filed in Book 44 of Plats at Pages 3529, 3530 and 3531, records of Ada County, Idaho, more particularly described as follows:

Beginning at the corner on Sterling Lane common to Lots 38 and 39; thence on a curve to the right whose central angle is 2°08'43", whose radius is 475.00 feet, whose length is 17.78 feet and whose long chord bears South 83°03'04" East 17.78 feet; thence South 8°01'16" West 118.10 feet; thence North 77°00'00" West 13.46 feet; thence North 5°52'32" East 116.68 feet to the POINT OF BEGINNING
TO BE KNOWN AS LOT 38A.

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Part of Lots 39 and 40 in Block 1 of THE PLANTATION NO. 1 SUBDIVISION, according to the official plat thereof, filed in Book 44 of Plats at Pages 3529, 3530 and 3531, records of Ada County, Idaho, more particularly described as follows:

Beginning at the corner on Sterling Lane common to Lots 39 and 40; thence on a curve to the left whose central angle is $30^{\circ}54'14''$, whose radius is 45.00 feet, whose length is 24.27 feet and whose long chord bears South $87^{\circ}27'13''$ East 23.98 feet; thence South $20^{\circ}52'04''$ West 103.04 feet; thence North $77^{\circ}00'00''$ West 80.11 feet; thence North $8^{\circ}01'16''$ East 118.10 feet; thence on a curve to the right whose central angle is $5^{\circ}34'45''$, whose radius is 475.00 feet, whose length is 46.25 feet and whose long chord bears South $79^{\circ}11'25''$ East 46.24 feet; thence on a curve to the left whose central angle is $54^{\circ}04'45''$, whose radius is 45.00 feet, whose length is 42.47 feet and whose long chord bears South $44^{\circ}57'37''$ East 40.91 feet to the POINT OF BEGINNING.

TO BE KNOWN AS LOT 39A.

Part of Lots 40 and 41 in Block 1 of THE PLANTATION NO. 1 SUBDIVISION, according to the official plat thereof, filed in Book 44 of Plats at Pages 3529, 3530 and 3531, records of Ada County, Idaho, more particularly described as follows:

Beginning at the corner on Sterling Lane common to Lots 40 and 41; thence South $60^{\circ}00'00''$ East 30.79 feet; thence South $30^{\circ}00'00''$ West 103.20 feet; thence North $60^{\circ}00'00''$ West 30.79 feet; thence North $77^{\circ}00'00''$ West 59.57 feet; thence North $20^{\circ}52'04''$ East 103.04 feet; thence on a curve to the left whose central angle is $23^{\circ}10'26''$, whose radius is 45.00 feet, whose length is 18.20 feet and whose long chord bears North $65^{\circ}30'39''$ East 18.08 feet; thence on a curve to the right whose central angle is $7^{\circ}36'00''$, whose radius is 475.00 feet, whose length is 63.01 feet and whose long chord bears South $63^{\circ}48'00''$ East 69.96 feet to the POINT OF BEGINNING.

TO BE KNOWN AS LOT 40A.

Part of Lots 41 and 42 in Block 1 of THE PLANTATION NO. 1 SUBDIVISION, according to the official plat thereof, filed in Book 44 of Plats at Pages 3529, 3530 and 3531, records of Ada County, Idaho, more particularly described as follows:

Beginning at the corner on Sterling Lane common to Lots 41 and 42; thence South $60^{\circ}00'00''$ East 47.29 feet; thence

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South 30°00'00" West 103.20 feet; thence
 North 60°00'00" West 106.50 feet; thence
 North 30°00'00" East 103.20 feet; thence
 South 60°00'00" East 59.21 feet to the POINT OF BEGINNING.
TO BE KNOWN AS LOT 41A.

Part of Lots 42 and 43 in Block 1 of THE PLANTATION NO. 1 SUBDIVISION, according to the official plat thereof, filed in Book 44 of Plats at Pages 3529, 3530 and 3531, records of Ada County, Idaho, more particularly described as follows:

Beginning at the corner on Sterling Lane common to Lots 42 and 43, thence on a curve to the right whose central angle is 3°42'18", whose radius is 975.00 feet, whose length is 63.05 feet and whose long chord bears South 57°46'20" East 63.04 feet; thence
 South 34°04'47" West 105.85 feet; thence
 North 55°00'00" West 55.67 feet; thence
 North 60°00'00" West 43.47 feet; thence
 North 30°00'00" East 103.20 feet; thence
 South 60°00'00" East 37.08 feet; thence on a curve to the right whose central angle is 0°22'31", whose radius is 975.00 feet, whose length is 6.38 feet and whose long chord bears South 59°48'43" East 6.38 feet to the POINT OF BEGINNING.
TO BE KNOWN AS LOT 42A.

Part of Lots 43 and 44 in Block 1 of THE PLANTATION NO. 1 SUBDIVISION, according to the official plat thereof, filed in Book 44 of Plats at Pages 3529, 3530 and 3531, records of Ada County, Idaho, more particularly described as follows:

Beginning at the corner on Sterling Lane common to Lots 43 and 44; thence on a curve to the right whose central angle is 3°59'43", whose radius is 975.00 feet, whose length is 67.99 feet and whose long chord bears South 51°39'33" East 67.97 feet; thence
 South 40°20'17" West 102.18 feet; thence
 North 55°00'00" West 95.16 feet; thence
 North 34°04'47" East 105.85 feet; thence on a curve to the right whose central angle is 2°15'47", whose radius is 975.00 feet, whose length is 38.51 feet and whose long chord bears South 54°47'18" East 38.51 feet to the POINT OF BEGINNING.
TO BE KNOWN AS LOT 43A.

Part of Lots 44 and 45 in Block 1 of THE PLANTATION NO. 1 SUBDIVISION, according to the official plat thereof, filed in Book 44 of Plats at Pages 3529, 3530 and 3531, records of Ada County, Idaho, more particularly described as follows:

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Beginning at the corner on Sterling Lane common to Lots 44 and 45; thence on a curve to the right whose central angle is $2^{\circ}45'42''$, whose radius is 975.00 feet, whose length is 46.99 feet and whose long chord bears South $46^{\circ}22'50''$ East 46.99 feet; thence South $45^{\circ}00'00''$ East 27.17 feet; thence South $45^{\circ}00'00''$ West 100.00 feet; thence North $45^{\circ}00'00''$ West 69.38 feet; thence North $55^{\circ}00'00''$ West 29.17 feet; thence North $40^{\circ}20'17''$ East 102.18 feet; thence on a curve to the right whose central angle is $1^{\circ}54'00''$, whose radius is 975.00 feet, whose length is 32.33 feet and whose long chord bears South $48^{\circ}42'42''$ East 32.33 feet to the POINT OF BEGINNING.
TO BE KNOWN AS LOT 44A.

Part of Lots 45 and 46 in Block 1 of THE PLANTATION NO. 1 SUBDIVISION, according to the official plat thereof, filed in Book 44 of Plats at Pages 3529, 3530 and 3531, records of Ada County, Idaho, more particularly described as follows:

Beginning at the corner on Sterling Lane common to Lots 45 and 46; thence South $45^{\circ}00'00''$ East 62.00 feet; thence on a curve to the left whose central angle is $3^{\circ}55'00''$, whose radius is 275.00 feet, whose length is 18.80 feet and whose long chord bears South $46^{\circ}57'24''$ East 18.80 feet; thence South $41^{\circ}05'00''$ West 100.88 feet; thence North $45^{\circ}00'00''$ West 113.29 feet; thence North $45^{\circ}00'00''$ East 100.00 feet; thence South $45^{\circ}00'00''$ East 25.62 feet to the POINT OF BEGINNING.
TO BE KNOWN AS LOT 45A.

Lot 47 and also a portion of Lot 46 in Block 1 of THE PLANTATION NO. 1 SUBDIVISION, according to the official plat thereof, filed in Book 44 of Plats at Pages 3529, 3530 and 3531, records of Ada County, Idaho, more particularly described as follows:

Beginning at the corner on Sterling Lane common to Lots 46 and 47; thence South $39^{\circ}00'00''$ West 102.07 feet; thence North $45^{\circ}00'00''$ West 13.74 feet; thence North $41^{\circ}05'00''$ East 100.88 feet; thence on a curve to the left whose central angle is $2^{\circ}05'00''$, whose radius is 275.00 feet, whose length is 10.00 feet and whose chord bears South $49^{\circ}57'33''$ East 10.00 feet to the POINT OF BEGINNING.
TO BE KNOWN AS LOT 46A.

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Lot 35 in Block 1, Lots 2 and 3 in Block 4, Lot 4 in Block 3 and Lot 2 in Block 5 of THE PLANTATION NO. 1, according to the official plat thereof, filed in Book 44 of Plats at Pages 3529, 3530 and 3531, records of Ada County, Idaho.

Lots 1, 2, 3, 4, 6, 7 and 8 in Block 2 of THE PLANTATION NO. 1, according to the official plat thereof, filed in Book 44 of Plats at Pages 3529, 3530 and 3531, records of Ada County, Idaho.

Lots 60, 61 and 62 in Block 1 of the AMENDED PLAT OF LOTS 53 THRU LOT 62, BLOCK 1, THE PLANTATION SUBDIVISION NO. 1, according to the official plat thereof, filed in Book 45 of Plats at Page 3689, records of Ada County, Idaho.

Lot 1 in Block 1 of THE PLANTATION NO. 2, according to the official plat thereof, filed in Book 45 of Plats at Page 3693, records of Ada County, Idaho.

Lots 2, 3, 4, 5 and 6 in Block 1 of THE PLANTATION NO. 2, according to the official plat thereof, filed in Book 45 of Plats at Page 3693, records of Ada County, Idaho;

TOGETHER WITH:

All of the road rights-of-way as described on the Plats of THE PLANTATION SUBDIVISIONS NOS. 1 and 2, as amended.

EXCEPT THEREFROM:

Lots 60 and 61 in Block 1 of AMENDED PLAT of Lots 53 thru 62, Block 1, THE PLANTATION SUBDIVISION NO. 1, AND Lot 7 in Block 6 of THE PLANTATION NO. 3, AND Lot 67 in Block 1 of THE PLANTATION NO. 3.

PARCEL II: Leased Lands

TRACT B:

A portion of the NE 1/4 NE 1/4 of Section 25, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, or more particularly described as follows:

Commencing at the Northeast corner of said Section 25,
 Township 4 North, Range 1 East, Boise Meridian, Ada
 County, Idaho; thence
 South 1007.82 feet, thence
 South 43°45' East, 303.00 feet, thence
 North 77°00' West, 213.70 feet, thence
 North 67°04'17" West, 310.75 feet to the REAL POINT OF
 BEGINNING; thence following the banks of the Boise
 River
 North 79°47'01" West, 160.23 feet, thence
 North 80°56'12" West, 352.66 feet, thence
 North 67°26'55" West, 87.09 feet, thence
 North 62°02'23" West, 182.94 feet, thence
 North 47°28'02" West, 273.74 feet, thence
 North 22°28'03" West, 111.83 feet, thence
 North 38°12'24" West, 50.68 feet, to a point on the easterly
 right-of-way line of Glenwood Street, ~~thence following~~
 said right-of-way line

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North 0°21'46" West, 221.23 feet to a point on the toe of the Corps of Engineers dike on the north side of the Boise River, thence following said toe
 South 47°00' East, 133.00 feet, thence
 South 41°00' East, 140.00 feet, thence
 South 53°00' East, 114.00 feet, thence
 South 60°00' East, 136.00 feet, thence
 South 64°00' East, 200.00 feet, thence
 South 59°45'25" East, 398.13 feet, thence
 South 60°04'30" East, 160.51 feet, to the REAL POINT OF BEGINNING.

TRACT F - Large Island in the Boise River:

A portion of the NW 1/4, Section 30, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, and a portion of the NE 1/4, Section 25, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the Northwest corner of Section 30, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, thence

South 1210.00 feet to the REAL POINT OF BEGINNING; thence
 South 65°00' East, 70.00 feet, thence
 South 37°30' East, 260.00 feet, thence
 South 5°00' East, 110.00 feet, thence
 South 34°00' East, 45.00 feet, thence
 South 61°00' East, 125.00 feet, thence
 South 42°00' East, 97.00 feet, thence
 South 23°00' East, 170.00 feet, thence
 South 36°30' East, 280.00 feet, thence
 South 55°00' West, 125.00 feet, thence
 North 37°30' West, 170.00 feet, thence
 North 20°30' West, 220.00 feet, thence
 North 52°30' West, 265.00 feet, thence
 North 64°00' West, 265.00 feet, thence
 North 13°00' East, 37.00 feet, thence
 South 70°00' East, 37.00 feet, thence
 North 33°00' East, 30.00 feet, thence
 North 40°00' West, 45.00 feet, thence
 North 152.00 feet, thence
 South 57°00' West, 70.00 feet, thence
 North 3°00' East, 165.00 feet, thence
 East 62.76 feet, thence
 South 65°00' East, 27.01 feet to the REAL POINT OF BEGINNING.

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TRACT F-2 - Small Island in the Boise River:

A portion of the NW 1/4, Section 30, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the Northwest corner of Section 30, Township 4
North, Range 2 East, Boise Meridian, Ada County, Idaho,
thence
South 1007.82 feet to a point on the original meander line
of the North bank of the Boise River, thence along said
meander line
South 43°45' East, 375.00 feet to the REAL POINT OF BEGINNING,
thence continuing
South 43°45' East, 90.00 feet, thence leaving said original
meander line
South 11°00' East, 210.00 feet, thence
South 82°00' West, 70.00 feet, thence
North 7°00' West, 105.00 feet, thence
North 33°00' West, 216.78 feet, thence
South 87°00' East, 98.01 feet to the REAL POINT OF BEGINNING.

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PARCEL III:

Portions of the SE 1/4 of Section 24 and the NE 1/4 of Section 25, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, and portions of the SW 1/4 of Section 19 and the NW 1/4 of Section 30, and Government Lots 2 and 3 and portions of the NW 1/4 of the SE 1/4 and the SW 1/4 of the NE 1/4 of Section 30, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the Northwest corner of Section 30, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho; thence

North 453.12 feet to the REAL POINT OF BEGINNING, thence
 North 57°45' West 356.04 feet, thence
 North 50°37' West 404.59 feet, thence
 South 42°15' West 213.58 feet, thence
 South 72.10 feet, thence
 North 48°38' West 499.26 feet, thence
 South 42°19' West 274.65 feet to a point on the East right of way line of Glenwood Street, thence following said right of way line South 0°21'46" East 1101.49 feet, to a point on the toe on the Corps of Engineers dike on the north side of the Boise River, thence

Following said toe

South 47°00'00" East 133.00 feet, thence
 South 41°00'00" East 140.00 feet, thence
 South 53°00'00" East 114.00 feet, thence
 South 60°00'00" East 136.00 feet, thence
 South 64°00'00" East 200.00 feet, thence
 South 50°45'25" East 398.13 feet, thence
 South 60°04'30" East 160.51 feet, thence
 South 67°04'17" East 310.74 feet, thence
 South 77°00'00" East 337.01 feet, thence
 South 57°40'00" East 81.56 feet, thence leaving said toe of the dike and following the bank of the Boise River
 South 32°20'00" West 39.00 feet, thence
 South 22°41'54" East 137.41 feet, thence
 South 43°45'00" East 37.11 feet, thence
 South 13°45'00" East 60.75 feet, thence
 South 32°30'11" East 128.78 feet, thence
 South 13°33'51" East 211.90 feet, thence
 South 33°01'50" East 71.24 feet, thence
 South 49°00' East 356.40 feet, thence
 South 41°00' East 643.01 feet, thence
 North 89°57'40" West 4.82 feet, thence

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South 17°14' East 252.08 feet, thence
 South 28°44' East 620.00 feet, thence
 South 53°44' East 140.00 feet, thence
 South 43°14'00" East 31.87 feet, thence
 South 11°00'11" East 226.42 feet, thence
 South 11°38' East 174.00 feet, thence
 South 32°20' East 345.00 feet, thence
 South 66°20' East 194.00 feet, thence
 East 505.52 feet, thence
 North 17°36'00" East 316.02 feet, to a point on the North
 side of the Boise River Dike, thence leaving the Boise
 River
 North 0°06'05" East 22.00 feet, to a point on the East line
 of government lot 2, thence
 South 89°28'40" East 975.58 feet, thence
 North 27°54' East 1,270.34 feet, to a point on the South
 right of way line of State Highway 44, thence following
 said right of way line
 North 51°24'30" West 365.48 feet, to a brass cap, thence
 North 51°24'30" West 25.61 feet, thence leaving said State
 Highway 44 right of way line
 South 31°22'33" West 310.01 feet, thence
 North 64°19' West 200.00 feet, thence
 North 41°10' East 352.59 feet, to a point on the South right
 of way line of State Highway 44, thence
 North 51°24'30" West 893.84 feet along said right of way,
 thence leaving said right of way
 South 955.20 feet, thence
 North 79°30' West 432.96 feet, thence
 North 201.80 feet, thence
 North 89°57'40" West 319.48 feet, thence
 North 0°01' West 328.39 feet, thence
 East 193.20 feet, thence
 North 14°03' West 254.10 feet, thence
 North 28°27' West 198.00 feet, thence
 North 39°25' West 165.00 feet, thence
 North 37°16' West 204.60 feet, thence
 North 44°35' West 256.08 feet, thence
 North 39°03' East 268.62 feet, to a point on the South right
 of way line of State Highway 44, thence
 North 51°24'30" West 122.55 feet, along said right of way to
 a brass cap, thence continuing along said right of way
 North 51°26'10" West 1,449.43 feet, to a brass cap and a
 point of curvature, thence on a curve to the left,
 whose central angle is 00°43'19", whose radius is
 17,229.00 feet, whose length is 217.09 feet, and whose
 long chord bears
 North 51°04'32" West 217.09 feet, thence leaving said Highway
 44 right of way line
 South 45°17' West 452.33 feet along the Southerly boundary
 of PLANTATION ACRES SUBDIVISION, thence
 North 49°23' West 169.40 feet, thence
 North 21°43' West 351.16 feet, thence
 North 15°19' West 222.07 feet, thence
 North 57°45' West 397.09 feet, to the REAL POINT OF BEGINNING.

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TOGETHER WITH:

A nonexclusive easement for operation and maintenance of a water pumping station and distribution systems upon the following described parcel of real property in Ada County, Idaho:

COMMENCING at the SE corner of Section 24, T. 4 N., R. 1 E., B.M., Ada County, Idaho; thence North $66^{\circ}35'36''$ W. 825.35 feet; thence North 299.75 feet, to the REAL POINT OF BEGINNING; thence on a curve to the left, whose central angle is $135^{\circ}15'42''$, whose radius is 50.00 feet, whose length is 118.04 feet, and whose long chord bears South $67^{\circ}37'53''$ East, 92.47 feet; thence South $51^{\circ}00'$ East 28.77 feet; thence South $18^{\circ}00'$ East 69.91 feet; thence South $60^{\circ}00'$ East 229.56 feet; thence North $45^{\circ}00'$ East 10.35 feet; thence North $60^{\circ}00'$ West 228.40 feet; thence North $18^{\circ}00'$ West 69.03 feet; thence North $51^{\circ}00'$ West 31.73 feet; thence on a curve to the left, whose central angle is $117^{\circ}31'18''$, whose radius is 50.00 feet, whose length is 102.56 feet, and whose long chord bears North $25^{\circ}30'$ West 85.50 feet; thence North 50.54 feet; thence North $42^{\circ}15'$ East 189.33 feet; thence North $50^{\circ}37'$ West 10.01 feet; thence South $42^{\circ}15'$ West 192.69 feet; thence South 54.40 feet; thence on a curve to the left, whose central angle is $84^{\circ}15'39''$, whose radius is 50.00 feet, whose length is 73.53 feet, and whose long chord bears South $42^{\circ}07'49''$ West 67.08 feet.

TOGETHER WITH:

A nonexclusive easement for providing maintenance for a certain body of water commonly known as Lake Elmore, identical to that easement set forth in Instrument No. 7851395, records of Ada County, Idaho.

TOGETHER WITH:

A nonexclusive easement for the maintenance of water lines installed on the real property, set forth as Exception No. 1 of this legal description, which are supplying or will supply water to subject property.

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TOGETHER WITH:

A permanent easement and right-of-way for the purpose of constructing a water line for the transport of diverted ground water across the following property for the benefit of subject property:

A 10-foot wide strip of land lying in the Northwest quarter of the Southeast quarter, Section 30, Township 4 North, Range 2 East, Boise, Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the SE corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 30, T.4N, R.2E, B.M., thence
 N. 89°28'40" W. 351.12 feet, thence
 N. 27°54'00" E. 239.58 feet, to the POINT OF REAL BEGINNING,
 thence 5.0 feet on each side of the following described line:

S. 25°26'00" E. 206.47 feet, thence
 S. 36°00'00" E. 25.00 feet, more or less, to a point on the
 E. side of the Barger-Matson property.

EXCEPT THEREFROM the following:

EXCEPTION 1

A portion of the SE 1/4 of the SE 1/4 of Section 24, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the SE corner of Section 24, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, thence
 North 66°35'36" West 825.35 feet, to the REAL POINT OF BEGINNING, thence following along the North line of a proposed road, on a curve to the left, whose central angle is 10°06'33", whose radius is 335.00 feet, whose length is 59.11 feet, and whose long chord bears South 80°03'17" West 59.03 feet, thence
 South 75°00' West 97.42 feet, thence on a curve to the right, whose central angle is 15°00', whose radius is 175.00 feet, whose length is 45.82 feet, and whose long chord bears South 82°30' West 45.68 feet, thence
 West 338.95 feet, thence on a curve to the right, whose central angle is 89°38'14", whose radius is 20.00 feet, whose length is 31.29 feet, and whose long chord bears North 45°10'53" West 28.20 feet, to a point on the east right of way line of Glenwood Street, thence following said right of way line
 North 0°21'46" West 490.13 feet, thence leaving said right of way line,
 North 42°19' East 274.65 feet, thence
 South 48°38' East 499.26 feet, thence
 South 341.75 feet, to the REAL POINT OF BEGINNING.

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EXCEPTION 2

A portion of the SE 1/4 of the SE 1/4 of Section 24, Township 4 North, Range 1 East, Boise Meridian, and a portion of the NE 1/4 of the NE 1/4, of Section 25, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the SE corner of Section 24, Township 4 North, Range 1 East, Boise Meridian, thence
 North 72°21'35" West 867.58 feet, to the REAL POINT OF BEGINNING, said point being on the South right-of-way line of a proposed street, thence
 South 21°00' West 400.00 feet, thence
 South 16°30' West 300.00 feet, thence
 North 80°00' West 193.82 feet, thence
 North 47°00' West 87.29 feet, to a point on an East right-of-way line of Glenwood Street, thence following said right-of-way,
 North 0°21'46" West 521.36 feet, thence leaving said right-of-way and following the South right-of-way line of a proposed new street, on a curve to the right, whose central angle is 90°21'46" whose radius is 20.00 feet, length is 31.54 feet, and whose long chord bears
 North 44°49'07" East 28.37 feet, thence
 East 338.38 feet, thence on a curve to the left, whose central angle is 15°00', whose radius is 225.00 feet, whose length is 58.90 feet, and whose long chord bears
 North 82°30' East 58.74 feet, thence
 North 75°00' East 72.42 feet, to the REAL POINT OF BEGINNING.

EXCEPTION 3

Portion of the SE ¼ of Section 24, and the NE ¼ of Section 25, Township 4 North, Range 1 East, Boise Meridian, and portions of the SW ¼ of Section 19, and the NW ¼ of Section 30, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the Northwest corner of Section 30, Township 4 North, Range
 2 East, Boise Meridian; thence
 North 66°35'36" West, 825.35 feet to the REAL POINT OF BEGINNING; thence
 North 413.85 feet; thence
 North 42°15' East, 213.58 feet; thence
 South 50°37' East, 70.00 feet; thence
 South 37°00' West, 210.00 feet; thence
 South 62°00' East, 345.00 feet; thence
 North 82°00' East, 120.00 feet; thence
 South 63°00' East, 245.00 feet; thence
 South 42°00' East, 470.00 feet; thence
 South 15°30' East, 395.00 feet; thence

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South 26°00' East, 200.00 feet; thence
 South 61°00' West, 265.00 feet; thence
 North 25°00' West, 800.00 feet; thence
 North 29°30' West, 288.00 feet; thence on a curve to the
 left whose central angle is 105°30', whose radius is
 75.00 feet, whose length is 138.10 feet, and whose long
 chord bears
 North 82°15' West, 119.40 feet; thence
 South 45°00' West, 198.07 feet; thence on a curve to the
 left whose central angle is 46°26'18", whose radius
 is 335.00 feet, whose length is 271.52 feet, and
 whose long chord
 bears
 North 71°40'18" West, 264.15 feet to the REAL POINT OF
 BEGINNING.

EXCEPTION 4

A portion of Lot 1, Block 1, THE PLANTATION SUBDIVISION NO.
 2, in the NW 1/4 SE 1/4, Section 30, Township 4 North, Range
 2 East, Boise Meridian, Ada County, Idaho, more particularly
 described as follows:

Commencing at the SE corner NW 1/4 SE 1/4 of Section 30,
 Township 4 North, Range 2 East, Boise Meridian, Ada
 County, Idaho, thence
 North 89°28'40" West 351.12 feet, thence
 North 27°54' East 211.83 feet, thence
 North 55°00' West 103.08 feet, to the REAL POINT OF BEGINNING,
 thence on a curve to the right whose central angle is
 95°41'19" whose radius is 14.23 feet, whose length is
 23.76 feet and whose long chord bears South 7°09'03"
 East 21.10 feet, thence on a curve to the right whose
 central angle is 49°50'00", whose radius is 410.00
 feet, whose length is 356.60 feet, and whose long chord
 bears South 65°36'20" West 345.47 feet, thence
 North 89°28'40" West 194.90 feet, thence on a curve to the
 left whose central angle is 1°49'24", whose radius is
 840.00 feet, whose length is 26.73 feet, and whose long
 chord bears South 89°36'39" West 26.73 feet, thence
 North 113.80 feet, thence
 East 280.00 feet, thence
 North 58°00' East 68.01 feet, thence
 North 20°00' East 56.26 feet, thence
 East 47.65 feet, thence on a curve to the right whose central
 angle is 35°00' whose radius is 225.00 feet, whose
 length is 137.44 feet and whose long chord bears South
 72°30' East 135.32 feet to the POINT OF BEGINNING.

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EXCEPTION 5

THE PLANTATION NO. 1, according to the official plat thereof, filed in Book 44 of Plats at Page 3529, records of Ada County, Idaho.

THE PLANTATION NO. 2, according to the official plat thereof, filed in Book 45 of Plats at Page 3693, records of Ada County, Idaho.

The AMENDED PLAT OF LOT 53 THRU LOT 62, BLOCK 1, THE PLANTATION SUBDIVISION NO. 1, according to the official plat thereof, filed in Book 45 of Plats at Page 3689, records of Ada County, Idaho.

PARCEL III legal description, as set forth above, now includes THE PLANTATION NO. 3, according to the plat thereof, filed August 27, 1981, in Book 51 of Plats at Page 4249, records of Ada County, Idaho, which said subdivision consists of Lots 62 thru 69 in Block 1 and Lots 7 thru 13 in Block 6.

NOTE: THE ENTIRE PARCEL III above is composed of the following two parcels of land:

PARCEL III - A

Portions of the SE 1/4 of Section 24 and the NE 1/4 of Section 25, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, and portions of the SW 1/4 of Section 19 and the NW 1/4 of Section 30, and Government Lots 2 and 3 and portions of the NW 1/4 of the SE 1/4 and the SW 1/4 of the NE 1/4 of Section 30, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the Northwest corner of Section 30, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho; thence North 453.12 feet to the REAL POINT OF BEGINNING, thence North 57°45' West 356.04 feet, thence North 50°37' West 404.59 feet, thence South 42°15' West 213.58 feet, thence South 72.10 feet, thence North 48°38' West 499.26 feet, thence South 42°19' West 274.65 feet to a point on the East right of way line of Glenwood Street, thence following said right of way line South 0°21'46" East 1101.49 feet, to a point on the toe on the Corps of Engineers dike on the north side of the Boise River, thence

Following said toe

South 47°00'00" East 133.00 feet, thence
 South 41°00'00" East 140.00 feet, thence
 South 53°00'00" East 114.00 feet, thence
 South 60°00'00" East 136.00 feet, thence
 South 64°00'00" East 200.00 feet, thence
 South 50°45'25" East 398.13 feet, thence

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South 60°04'30" East 160.51 feet, thence
 South 67°04'17" East 310.74 feet, thence
 South 77°00'00" East 337.01 feet, thence
 South 57°40'00" East 81.56 feet, thence leaving said toe of
 the dike and following the bank of the Boise River

South 32°20'00" West 39.00 feet, thence
 South 22°41'54" East 137.41 feet, thence
 South 43°45'00" East 37.11 feet, thence
 South 13°45'00" East 60.75 feet, thence
 South 32°30'11" East 128.78 feet, thence
 South 13°33'51" East 211.90 feet, thence
 South 33°01'50" East 71.24 feet, thence
 South 49°00' East 356.40 feet, thence
 South 41°00' East 643.01 feet, thence
 North 89°57'40" West 4.82 feet, thence
 South 17°14' East 252.08 feet, thence
 South 28°44' East 620.00 feet, thence
 South 53°44' East 140.00 feet, thence
 South 43°14'00" East 31.87 feet, thence
 South 11°00'11" East 226.42 feet, thence
 South 11°38' East 174.00 feet, thence
 South 32°20' East 345.00 feet, thence
 South 66°20' East 194.00 feet, thence
 East 505.52 feet, thence
 North 17°36'00" East 316.02 feet, to a point on the North
 side of the Boise River Dike, thence leaving the Boise
 River
 North 0°06'05" East 22.00 feet, to a point on the East line
 of government lot 2, thence
 South 89°28'40" East 975.58 feet, thence
 North 27°54' East 1,270.34 feet, to a point on the South
 right of way line of State Highway 44, thence following
 said right of way line
 North 51°24'30" West 365.48 feet, to a brass cap, thence
 North 51°24'30" West 25.61 feet, thence leaving said State
 Highway 44 right of way line
 South 31°22'33" West 310.01 feet, thence
 North 64°19' West 200.00 feet, thence
 North 41°10' East 352.59 feet, to a point on the South right
 of way line of State Highway 44, thence
 North 51°24'30" West 893.84 feet along said right of way,
 thence leaving said right of way
 South 955.20 feet, thence
 North 79°30' West 432.96 feet, thence
 North 201.80 feet, thence
 North 89°57'40" West 319.48 feet, thence
 North 0°01' West 328.39 feet, thence
 East 193.20 feet, thence
 North 14°03' West 254.10 feet, thence
 North 28°27' West 198.00 feet, thence
 North 39°25' West 165.00 feet, thence

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North 37°16' West 204.60 feet, thence
 North 44°35' West 256.08 feet, thence
 North 39°03' East 268.62 feet, to a point on the South right
 of way line of State Highway 44, thence
 North 51°24'30" West 122.55 feet, along said right of way to
 a brass cap, thence continuing along said right of way
 North 51°26'10" West 1,449.43 feet, to a brass cap and a
 point of curvature, thence on a curve to the left,
 whose central angle is 00°43'19", whose radius is
 17,229.00 feet, whose length is 217.09 feet, and whose
 long chord bears
 North 51°04'32" West 217.09 feet, thence leaving said Highway
 44 right of way line
 South 45°17' West 452.33 feet along the Southerly boundary
 of PLANTATION ACRES SUBDIVISION, thence
 North 49°23' West 169.40 feet, thence
 North 21°43' West 351.16 feet, thence
 North 15°19' West 222.07 feet, thence
 North 57°45' West 397.09 feet, to the REAL POINT OF BEGINNING.

TOGETHER WITH:

A nonexclusive easement for operation and maintenance of a
 water pumping station and distribution systems upon the
 following described parcel of real property in Ada County,
 Idaho:

COMMENCING at the SE corner of Section 24, T. 4 N., R. 1 E.,
 B.M., Ada County, Idaho; thence
 North 66°35'36" W. 825.35 feet; thence
 North 299.75 feet, to the REAL POINT OF BEGINNING; thence
 on a curve to the left, whose central angle is 135°15'42",
 whose radius is 50.00 feet, whose length is 118.04
 feet, and whose long chord bears
 South 67°37'53" East, 92.47 feet; thence
 South 51°00' East 28.77 feet; thence
 South 18°00' East 69.91 feet; thence
 South 60°00' East 229.56 feet; thence
 North 45°00' East 10.35 feet; thence
 North 60°00' West 228.40 feet; thence
 North 18°00' West 69.03 feet; thence
 North 51°00' West 31.73 feet; thence on a curve to the
 left, whose central angle is 117°31'18", whose radius
 is 50.00 feet, whose length is 102.56 feet, and whose
 long chord bears
 North 25°30' West 85.50 feet; thence
 North 50.54 feet; thence
 North 42°15' East 189.33 feet; thence
 North 50°37' West 10.01 feet; thence

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South 42°15' West 192.69 feet; thence
 South 54.40 feet; thence on a curve to the left, whose
 central angle is 84° 15'39", whose radius is 50.00
 feet, whose length is 73.53 feet, and whose long chord
 bears
 South 42°07'49" West 67.08 feet.

TOGETHER WITH:

A nonexclusive easement for providing maintenance for a certain body of water commonly known as Lake Elmore, identical to that easement set forth in Instrument No. 7851395, records of Ada County, Idaho.

TOGETHER WITH:

A nonexclusive easement for the maintenance of water lines installed on the real property, set forth as Exception No. 1 of this legal description, which are supplying or will supply water to subject property.

TOGETHER WITH:

A permanent easement and right-of-way for the purpose of constructing a water line for the transport of diverted ground water across the following property for the benefit of subject property:

A 10-foot wide strip of land lying in the Northwest quarter of the Southeast quarter, Section 30, Township 4 North, Range 2 East, Boise, Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the SE corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 30,
 T.4N, R.2E, B.M., thence
 N. 89°28'40" W: 351.12 feet, thence
 N. 27°54'00" E. 239.58 feet, to the POINT OF REAL BEGINNING,
 thence 5.0 feet on each side of the following described
 line:

S. 25°26'00" E. 206.47 feet, thence
 S. 36°00'00" E. 25.00 feet, more or less, to a point on the
 E. side of the Barger-Matson property.

EXCEPT THEREFROM the following:

EXCEPTION 1

A portion of the SE 1/4 of the SE 1/4 of Section 24, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the SE corner of Section 24, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, thence North $66^{\circ}35'36''$ West 825.35 feet, to the REAL POINT OF BEGINNING, thence following along the North line of a proposed road, on a curve to the left, whose central angle is $10^{\circ}06'33''$, whose radius is 335.00 feet, whose length is 59.11 feet, and whose long chord bears South $80^{\circ}03'17''$ West 59.03 feet, thence South $75^{\circ}00'$ West 97.42 feet, thence on a curve to the right, whose central angle is $15^{\circ}00'$, whose radius is 175.00 feet, whose length is 45.82 feet, and whose long chord bears South $82^{\circ}30'$ West 45.68 feet, thence West 338.95 feet, thence on a curve to the right, whose central angle is $89^{\circ}38'14''$, whose radius is 20.00 feet, whose length is 31.29 feet, and whose long chord bears North $45^{\circ}10'53''$ West 28.20 feet, to a point on the east right of way line of Glenwood Street, thence following said right of way line North $0^{\circ}21'46''$ West 490.13 feet, thence leaving said right of way line, North $42^{\circ}19'$ East 274.65 feet, thence South $48^{\circ}38'$ East 499.26 feet, thence South 341.75 feet, to the REAL POINT OF BEGINNING.

EXCEPTION 2

A portion of the SE 1/4 of the SE 1/4 of Section 24, Township 4 North, Range 1 East, Boise Meridian, and a portion of the NE 1/4 of the NE 1/4, of Section 25, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the SE corner of Section 24, Township 4 North, Range 1 East, Boise Meridian, thence North $72^{\circ}21'35''$ West 867.58 feet, to the REAL POINT OF BEGINNING, said point being on the South right-of-way line of a proposed street, thence South $21^{\circ}00'$ West 400.00 feet, thence South $16^{\circ}30'$ West 300.00 feet, thence North $80^{\circ}00'$ West 193.82 feet, thence North $47^{\circ}00'$ West 87.29 feet, to a point on an East right-of-way line of Glenwood Street, thence following said right-of-way, North $0^{\circ}21'46''$ West 521.36 feet, thence leaving said right-of-way and following the South right-of-way line of a proposed new street, on a curve to the right, whose central angle is $90^{\circ}21'46''$ whose radius is 20.00 feet, length is 31.54 feet, and whose long chord bears North $44^{\circ}49'07''$ East 28.37 feet, thence East 338.38 feet, thence on a curve to the left, whose central angle is $15^{\circ}00'$, whose radius is 225.00 feet, whose length is 58.90 feet, and whose long chord bears North $82^{\circ}30'$ East 58.74 feet, thence North $75^{\circ}00'$ East 72.42 feet, to the REAL POINT OF BEGINNING.

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EXCEPTION 3

Portion of the SE $\frac{1}{4}$ of Section 24, and the NE $\frac{1}{4}$ of Section 25, Township 4 North, Range 1 East, Boise Meridian, and portions of the SW $\frac{1}{4}$ of Section 19, and the NW $\frac{1}{4}$ of Section 30, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the Northwest corner of Section 30, Township 4 North, Range

2 East, Boise Meridian; thence

North $66^{\circ}35'36''$ West, 825.35 feet to the REAL POINT OF BEGINNING; thence

North 413.85 feet; thence

North $42^{\circ}15'$ East, 213.58 feet; thence

South $50^{\circ}37'$ East, 70.00 feet; thence

South $37^{\circ}00'$ West, 210.00 feet; thence

South $62^{\circ}00'$ East, 345.00 feet; thence

North $82^{\circ}00'$ East, 120.00 feet; thence

South $63^{\circ}00'$ East, 245.00 feet; thence

South $42^{\circ}00'$ East, 470.00 feet; thence

South $15^{\circ}30'$ East, 395.00 feet; thence

South $26^{\circ}00'$ East, 200.00 feet; thence

South $61^{\circ}00'$ West, 265.00 feet; thence

North $25^{\circ}00'$ West, 800.00 feet; thence

North $29^{\circ}30'$ West, 288.00 feet; thence on a curve to the left whose central angle is $105^{\circ}30'$, whose radius is 75.00 feet, whose length is 138.10 feet, and whose long chord bears

North $82^{\circ}15'$ West, 119.40 feet; thence

South $45^{\circ}00'$ West, 198.07 feet; thence on a curve to the left whose central angle is $46^{\circ}26'18''$, whose radius is 335.00 feet, whose length is 271.52 feet, and whose long chord bears

North $71^{\circ}40'18''$ West, 264.15 feet to the REAL POINT OF BEGINNING.

EXCEPTION 4

A portion of Lot 1, Block 1, THE PLANTATION SUBDIVISION NO. 2, in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 30, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the SE corner NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, thence

North $89^{\circ}28'40''$ West 351.12 feet, thence

North $27^{\circ}54'$ East 211.83 feet, thence

North $55^{\circ}00'$ West 103.08 feet, to the REAL POINT OF BEGINNING, thence on a curve to the right whose central angle is $95^{\circ}41'19''$ whose radius is 14.23 feet, whose length is 23.76 feet and whose long chord bears South $7^{\circ}09'03''$

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East 21.10 feet, thence on a curve to the right whose central angle is $49^{\circ}50'00''$, whose radius is 410.00 feet, whose length is 356.60 feet, and whose long chord bears South $65^{\circ}36'20''$ West 345.47 feet, thence North $89^{\circ}28'40''$ West 194.90 feet, thence on a curve to the left whose central angle is $1^{\circ}49'24''$, whose radius is 840.00 feet, whose length is 26.73 feet, and whose long chord bears South $89^{\circ}36'39''$ West 26.73 feet, thence North 113.80 feet, thence East 280.00 feet, thence North $58^{\circ}00'$ East 68.01 feet, thence North $20^{\circ}00'$ East 56.26 feet, thence East 47.65 feet, thence on a curve to the right whose central angle is $35^{\circ}00'$ whose radius is 225.00 feet, whose length is 137.44 feet and whose long chord bears South $72^{\circ}30'$ East 135.32 feet to the POINT OF BEGINNING.

EXCEPTION 5

THE PLANTATION NO. 1, according to the official plat thereof, filed in Book 44 of Plats at Page 3529, records of Ada County, Idaho.

THE PLANTATION NO. 2, according to the official plat thereof, filed in Book 45 of Plats at Page 3693, records of Ada County, Idaho.

The AMENDED PLAT OF LOT 53 THRU LOT 62, BLOCK 1, THE PLANTATION SUBDIVISION NO. 1, according to the official plat thereof, filed in Book 45 of Plats at Page 3689, records of Ada County, Idaho.

ALSO EXCEPT

A portion of Parcel 5A in the NW1/4 NW1/4 Section 30, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

COMMENCING at the Northwest corner of Section 30, Township 4 North, Range 2 East, Boise Meridian; thence South $36^{\circ}20'44''$ East 1118.00 feet to the REAL POINT OF BEGINNING; thence South $5^{\circ}00'00''$ East 238.93 feet; thence South $85^{\circ}00'00''$ West 180.00 feet; thence North $63^{\circ}30'00''$ West 200.00 feet; thence North $1^{\circ}22'39''$ West 135.00 feet; thence North $15^{\circ}36'41''$ West 335.43 feet; thence North $61^{\circ}00'00''$ East 158.52 feet on a curve to the left whose central angle is $89^{\circ}07'43''$, whose radius is 115.00 feet, whose length is 178.89 and whose long chord bears

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North 89°50'48" East 161.39 feet; thence
 South 44°43'00" East 50.00 feet; thence
 South 69°35'20" East 252.12 feet; thence
 South 54°45'50" East 213.77 feet; thence
 North 82°54'12" West 266.16 feet; thence
 South 18°00'00" West 165.00 feet to the REAL POINT OF BEGINNING.

TOGETHER WITH access easement to Parcel 5A-1.

An easement in the NW 1/4 NW 1/4 Section 30, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

COMMENCING at the Northwest corner of Section 30, Township 4 North, Range 2 East, Boise Meridian; thence
 South 45°06'20" East 750.45 feet to the REAL POINT OF BEGINNING; thence
 North 45°17'00" East 623.16 feet, to a point on the South right-of-way line of State Highway 44; thence on a curve to the right whose central angle is 00°10'02", whose radius is 17229.00 feet, whose length is 50.28 feet, and whose long chord bears
 South 50°47'53" East 50.28 feet; thence leaving Highway 44 right-of-way; thence
 South 45°17'00" West 628.49 feet; thence
 North 44°43'00" West 50.00 feet to the REAL POINT OF BEGINNING.

PARCEL III - B

A portion of Parcel 5A in the NW1/4 NW1/4 Section 30, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

COMMENCING at the Northwest corner of Section 30, Township 4 North, Range 2 East, Boise Meridian; thence
 South 36°20'44" East 1118.00 feet to the REAL POINT OF BEGINNING; thence
 South 5°00'00" East 238.93 feet; thence
 South 85°00'00" West 180.00 feet; thence
 North 63°30'00" West 200.00 feet; thence
 North 1°22'39" West 135.00 feet; thence
 North 15°36'41" West 335.43 feet; thence
 North 61°00'00" East 158.52 feet on a curve to the left whose central angle is 89°07'43", whose radius is 115.00 feet, whose length is 178.89 and whose long chord bears
 North 89°50'48" East 161.39 feet; thence
 South 44°43'00" East 50.00 feet; thence
 South 69°35'20" East 252.12 feet; thence
 South 54°45'50" East 213.77 feet; thence

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North 82°54'12" West 266.16 feet; thence
South 18°00'00" West 165.00 feet to the REAL POINT OF BEGINNING.

TOGETHER WITH access easement to Parcel 5A-1.

An easement in the NW 1/4 NW 1/4 Section 30, Township 4
North, Range 2 East, Boise Meridian, Ada County, Idaho, more
particularly described as follows:

COMMENCING at the Northwest corner of Section 30, Township 4
North, Range 2 East, Boise Meridian; thence
South 45°06'20" East 750.45 feet to the REAL POINT OF
BEGINNING; thence

North 45°17'00" East 623.16 feet, to a point on the South
right-of-way line of State Highway 44; thence on a
curve to the right whose central angle is 00°10'02",
whose radius is 17229.00 feet, whose length is 50.28
feet, and whose long chord bears

South 50°47'53" East 50.28 feet; thence leaving Highway 44
right-of-way; thence

South 45°17'00" West 628.49 feet; thence

North 44°43'00" West 50.00 feet to the REAL POINT OF BEGINNING.

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JUL 07 1987

8555652

(ORDER OF SALE)

SHERIFF'S DEED UNDER EXECUTION

JAN 09 1987

Department of Water Resources
October

THIS INDENTURE, Made the 7th day of October in
the year of our Lord one thousand nine hundred and Eighty-five, between

VAUGHN KILLEEN, Sheriff of the County of Ada,

State of Idaho, the party of the first part, and MANUFACTURERS HANOVER MORTGAGE CORPORATION.

A DELAWARE CORPORATION, of the

County of Ada, State of Idaho, the part Y of the second part:

(ORDER OF SALE)
WHEREAS, By virtue of a Writ of Execution issued out of and under the seal of the District Court of

Fourth Judicial District of the State of Idaho, in and for the County of

Ada tested the 15th day of August, A. D. 19 84,

upon a judgment recovered in the said Court on the 6th day of August,

A. D. 19 84, in favor of MANUFACTURERS HANOVER MORTGAGE CORPORATION, A DELAWARE CORPORATION,

and against PLANTATION DEVELOPMENT, INC., PLANTATION DEVELOPERS, ALAN MINSKOFF, KATHY WREN
RUNDELL

MINSKOFF, CALVIN M. JENSEN, WILLIAM A. RUNDELL AND JENNIE D. to the said Sheriff directed and

delivered, commanding him that, out of the personal property of said judgment debtor in his County, he

should cause to be made certain moneys in the said writ specified, and if sufficient personal property of the

said judgment debtor could not be found, then he should cause the amount of said judgment to be made of

the real property belonging to said judgment debtor on the SIXTH day of

AUGUST, A. D. 19 84, or at any time afterward:

AND WHEREAS, Because sufficient personal property of said judgment debtor could not be found,

whereof the said Sheriff could cause to be made the moneys specified in said writ, he, the said Sheriff, did, in

obedience to said command, levy on, take and seize, all the right, title, interest and claim which the said judg-

ment debtor so had to the lands, tenements, real estate and premises hereinafter particularly set forth and

described, with the appurtenances, and did, on the 5th day of October,

A. D. 19 84, sell the said premises at public auction, in front of the Court House in Boise, Idaho

in said County of Ada, between the hours of nine in the morning and five in the after-

noon of that day, namely at 10:00 o'clock A. M., after having first given due notice of the time

and place of such sale.

according to law;

at which sale the said premises were struck off and sold to MANUFACTURERS HANOVER MORTGAGE CORPORATION

for the sum of FOUR MILLION SEVEN HUNDRED FORTY-SIX THOUSAND NINE HUNDRED ONE DOLLARS,

& NO/100--

lawful money of the United States of America, the said

MANUFACTURERS HANOVER MORTGAGE CORPORATION being the highest bidder,

and that being the highest sum bid for the same, whereupon the said Sheriff, after receiving from the said

purchaser the said sum of money so bid as aforesaid, gave to said purchaser such certificate of said sale

as is by law directed to be given, and a duplicate of such certificate was duly filed by the said Sheriff in the

JUL 07 1987

office of the Recorder of the County of.....Ada.....

And whereas, one year after said sale has expired without any redemption of the said premises having been made,.....

NOW, THIS INDENTURE WITNESSETH, That the said.....VAUGHN KILLEEN.....

the Sheriff aforesaid, by virtue of the said writ, and in pursuance of the statute in such case made and provided, for and in consideration of the said sum of money to him in hand paid as aforesaid by the said purchaser....., the receipt whereof is hereby acknowledged, has GRANTED, BARGAINED, SOLD, CONVEYED, and CONFIRMED, and by these presents does GRANT, BARGAIN, SELL, CONVEY and CONFIRM, unto the said part.y...of the second part, and to their heirs and assigns, FOREVER, all the right, title, interest and claim which the said judgment debtor.....

had on the said.....6th..... day of.....August....., A. D. 1984, or at any time afterwards, or now ha.s..., in and to all th.at.certain lot..., piece.....or parcel.....of land, situate, lying and being in the said County of.....Ada....., State of Idaho, and bounded and particularly described as follows, to-wit:

RECORDED

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TOGETHER With all and singular the hereditaments and appurtenances thereunto belonging or in any-wise appertaining.

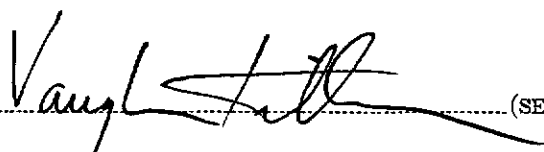
TO HAVE AND TO HOLD The said premises, with the appurtenances, unto the said part.Y...of the second part,.....their.....heirs and assigns, forever, as fully and absolutely as the said Sheriff can, may or ought to, by virtue of the said writ and of the statute in such case made and provided, grant, bargain, sell, convey and confirm the same.

IN WITNESS WHEREOF, The said Sheriff, the said party of the first part, has hereunto set his hand and seal the day and year first above written.

Sealed and Delivered in the Presence of



JUL 07 1937

 (SEAL)
Sheriff of Ada County,
State of Idaho.

STATE OF IDAHO,
COUNTY OF Ada } SS.

On this 7th day of
October, A. D. 19 85, before me, John Bastida, Clerk
of the District Court in and for said County and State, personally
appeared VAUGHN KILLEEN, Sheriff of the County of
Ada, State of Idaho, personally known to me to be the same person whose name is
subscribed to the foregoing instrument, and acknowledged to me that he, as such Sheriff aforesaid, executed
the same.

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

John Bastida
Clerk of the District Court
by Helma E. Richards
Deputy

No. _____

SHERIFF'S DEED UNDER
EXECUTION

—10—

Dated _____, 19____

STATE OF IDAHO,
COUNTY OF Ada } SS.

I hereby certify that this instrument was

filed for record at the request of

STEWART TITF

at 01 o'clock 3 M., this 21
day of Oct, A. D. 19 85,

in my office, and duly recorded in Book

_____ of _____ at page _____

JOHN BASTIDA

Ex-Officio Recorder.

By P. J. West, Deputy

Fees, \$ 52.00

INGALLS PRINTING CO.

RECORDED

JUL 07 1987

EXHIBIT A
Real and Personal Property

The following described real property, together with all tangible personal property owned by Plantation Developers and Plantation Development, Inc. and located on or at the following described real property or used in connection therewith:

PARCEL I:

Lot 25 and the Easterly 19.25 feet of Lot 26 in Block 1 of THE PLANTATION NO. 1 SUBDIVISION, according to the official plat thereof, filed in Book 44 of Plats at Pages 3529, 3530 and 3531, records of Ada County, Idaho.
TO BE KNOWN AS LOT 25A.

The Westerly 67.75 feet of Lot 26 and the Easterly 38.50 feet of Lot 27 in Block 1 of THE PLANTATION NO. 1 SUBDIVISION, according to the official plat thereof, filed in Book 44 of Plats at Pages 3529, 3530 and 3531, records of Ada County, Idaho.
TO BE KNOWN AS LOT 26A.

The Westerly 29.24 feet of Lot 28 and the Easterly 77.04 feet of Lot 29 in Block 1 of THE PLANTATION NO. 1 SUBDIVISION, according to the official plat thereof, filed in Book 44 of Plats at Pages 3529, 3530 and 3531, records of Ada County, Idaho.
TO BE KNOWN AS LOT 28A.

Lot 30 and the Westerly 9.96 feet of Lot 29 in Block 1 of THE PLANTATION NO. 1 SUBDIVISION, according to the official plat thereof, filed in Book 44 of Plats at Pages 3529, 3530 and 3531, records of Ada County, Idaho.
TO BE KNOWN AS LOT 29A.

Lot 38 and also a portion of Lot 39 in Block 1 of THE PLANTATION NO. 1 SUBDIVISION, according to the official plat thereof, filed in Book 44 of Plats at Pages 3529, 3530 and 3531, records of Ada County, Idaho, more particularly described as follows:

Beginning at the corner on Sterling Lane common to Lots 38 and 39; thence on a curve to the right whose central angle is 2°08'43", whose radius is 475.00 feet, whose length is 17.78 feet and whose long chord bears South 83°03'04" East 17.78 feet; thence South 8°01'16" West 118.10 feet; thence North 77°00'00" West 13.46 feet; thence North 5°52'32" East 116.68 feet to the POINT OF BEGINNING.
TO BE KNOWN AS LOT 38A.

(2)

Part of Lots 39 and 40 in Block 1 of THE PLANTATION NO. 1 SUBDIVISION, according to the official plat thereof, filed in Book 44 of Plats at Pages 3529, 3530 and 3531, records of Ada County, Idaho, more particularly described as follows:

Beginning at the corner on Sterling Lane common to Lots 39 and 40; thence on a curve to the left whose central angle is $30^{\circ}54'14''$, whose radius is 45.00 feet, whose length is 24.27 feet and whose long chord bears South $87^{\circ}27'13''$ East 23.98 feet; thence South $20^{\circ}52'04''$ West 103.04 feet; thence North $77^{\circ}00'00''$ West 80.11 feet; thence North $8^{\circ}01'16''$ East 118.10 feet; thence on a curve to the right whose central angle is $5^{\circ}34'45''$, whose radius is 475.00 feet, whose length is 46.25 feet and whose long chord bears South $79^{\circ}11'25''$ East 46.24 feet; thence on a curve to the left whose central angle is $54^{\circ}04'45''$, whose radius is 45.00 feet, whose length is 42.47 feet and whose long chord bears South $44^{\circ}57'37''$ East 40.91 feet to the POINT OF BEGINNING.

TO BE KNOWN AS LOT 39A.

Part of Lots 40 and 41 in Block 1 of THE PLANTATION NO. 1 SUBDIVISION, according to the official plat thereof, filed in Book 44 of Plats at Pages 3529, 3530 and 3531, records of Ada County, Idaho, more particularly described as follows:

Beginning at the corner on Sterling Lane common to Lots 40 and 41; thence South $60^{\circ}00'00''$ East 30.79 feet; thence South $30^{\circ}00'00''$ West 103.20 feet; thence North $60^{\circ}00'00''$ West 30.79 feet; thence North $77^{\circ}00'00''$ West 59.57 feet; thence North $20^{\circ}52'04''$ East 103.04 feet; thence on a curve to the left whose central angle is $23^{\circ}10'26''$, whose radius is 45.00 feet, whose length is 18.20 feet and whose long chord bears North $65^{\circ}30'39''$ East 18.08 feet; thence on a curve to the right whose central angle is $7^{\circ}36'00''$, whose radius is 475.00 feet, whose length is 63.01 feet and whose long chord bears South $63^{\circ}48'00''$ East 69.96 feet to the POINT OF BEGINNING.

TO BE KNOWN AS LOT 40A.

Part of Lots 41 and 42 in Block 1 of THE PLANTATION NO. 1 SUBDIVISION, according to the official plat thereof, filed in Book 44 of Plats at Pages 3529, 3530 and 3531, records of Ada County, Idaho, more particularly described as follows:

Beginning at the corner on Sterling Lane common to Lots 41 and 42; thence South $60^{\circ}00'00''$ East 47.29 feet; thence

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South 30°00'00" West 103.20 feet; thence
North 60°00'00" West 106.50 feet; thence
North 30°00'00" East 103.20 feet; thence
South 60°00'00" East 59.21 feet to the POINT OF BEGINNING.
TO BE KNOWN AS LOT 41A.

Part of Lots 42 and 43 in Block 1 of THE PLANTATION NO. 1 SUBDIVISION, according to the official plat thereof, filed in Book 44 of Plats at Pages 3529, 3530 and 3531, records of Ada County, Idaho, more particularly described as follows:

Beginning at the corner on Sterling Lane common to Lots 42 and 43, thence on a curve to the right whose central angle is 3°42'18", whose radius is 975.00 feet, whose length is 63.05 feet and whose long chord bears South 57°46'20" East 63.04 feet; thence
South 34°04'47" West 105.85 feet; thence
North 55°00'00" West 55.67 feet; thence
North 60°00'00" West 43.47 feet; thence
North 30°00'00" East 103.20 feet; thence
South 60°00'00" East 37.08 feet; thence on a curve to the right whose central angle is 0°22'31", whose radius is 975.00 feet, whose length is 6.38 feet and whose long chord bears South 59°48'43" East 6.38 feet to the POINT OF BEGINNING.
TO BE KNOWN AS LOT 42A.

Part of Lots 43 and 44 in Block 1 of THE PLANTATION NO. 1 SUBDIVISION, according to the official plat thereof, filed in Book 44 of Plats at Pages 3529, 3530 and 3531, records of Ada County, Idaho, more particularly described as follows:

Beginning at the corner on Sterling Lane common to Lots 43 and 44; thence on a curve to the right whose central angle is 3°59'43", whose radius is 975.00 feet, whose length is 67.99 feet and whose long chord bears South 51°39'33" East 67.97 feet; thence
South 40°20'17" West 102.18 feet; thence
North 55°00'00" West 95.16 feet; thence
North 34°04'47" East 105.85 feet; thence on a curve to the right whose central angle is 2°15'47", whose radius is 975.00 feet, whose length is 38.51 feet and whose long chord bears South 54°47'18" East 38.51 feet to the POINT OF BEGINNING.
TO BE KNOWN AS LOT 43A.

Part of Lots 44 and 45 in Block 1 of THE PLANTATION NO. 1 SUBDIVISION, according to the official plat thereof, filed in Book 44 of Plats at Pages 3529, 3530 and 3531, records of Ada County, Idaho, more particularly described as follows:

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Beginning at the corner on Sterling Lane common to Lots 44 and 45; thence on a curve to the right whose central angle is $2^{\circ}45'42''$, whose radius is 975.00 feet, whose length is 46.99 feet and whose long chord bears South $46^{\circ}22'50''$ East 46.99 feet; thence South $45^{\circ}00'00''$ East 27.17 feet; thence South $45^{\circ}00'00''$ West 100.00 feet; thence North $45^{\circ}00'00''$ West 69.38 feet; thence North $55^{\circ}00'00''$ West 29.17 feet; thence North $40^{\circ}20'17''$ East 102.18 feet; thence on a curve to the right whose central angle is $1^{\circ}54'00''$, whose radius is 975.00 feet, whose length is 32.33 feet and whose long chord bears South $48^{\circ}42'42''$ East 32.33 feet to the POINT OF BEGINNING.
TO BE KNOWN AS LOT 44A.

Part of Lots 45 and 46 in Block 1 of THE PLANTATION NO. 1 SUBDIVISION, according to the official plat thereof, filed in Book 44 of Plats at Pages 3529, 3530 and 3531, records of Ada County, Idaho, more particularly described as follows:

Beginning at the corner on Sterling Lane common to Lots 45 and 46; thence South $45^{\circ}00'00''$ East 62.00 feet; thence on a curve to the left whose central angle is $3^{\circ}55'00''$, whose radius is 275.00 feet, whose length is 18.80 feet and whose long chord bears South $46^{\circ}57'24''$ East 18.80 feet; thence South $41^{\circ}05'00''$ West 100.88 feet; thence North $45^{\circ}00'00''$ West 113.29 feet; thence North $45^{\circ}00'00''$ East 100.00 feet; thence South $45^{\circ}00'00''$ East 25.62 feet to the POINT OF BEGINNING.
TO BE KNOWN AS LOT 45A.

Lot 47 and also a portion of Lot 46 in Block 1 of THE PLANTATION NO. 1 SUBDIVISION, according to the official plat thereof, filed in Book 44 of Plats at Pages 3529, 3530 and 3531, records of Ada County, Idaho, more particularly described as follows:

Beginning at the corner on Sterling Lane common to Lots 46 and 47; thence South $39^{\circ}00'00''$ West 102.07 feet; thence North $45^{\circ}00'00''$ West 13.74 feet; thence North $41^{\circ}05'00''$ East 100.88 feet; thence on a curve to the left whose central angle is $2^{\circ}05'00''$, whose radius is 275.00 feet, whose length is 10.00 feet and whose long chord bears South $49^{\circ}57'33''$ East 10.00 feet to the POINT OF BEGINNING.
TO BE KNOWN AS LOT 46A.

Lot 35 in Block 1, Lots 2 and 3 in Block 4, Lot 4 in Block 3 and Lot 2 in Block 5 of THE PLANTATION NO. 1, according to the official plat thereof, filed in Book 44 of Plats at Pages 3529, 3530 and 3531, records of Ada County, Idaho.

Lots 1, 2, 3, 4, 5, 6, 7 and 8 in Block 2 of THE PLANTATION NO. 1, according to the official plat thereof, filed in Book 44 of Plats at Pages 3529, 3530 and 3531, records of Ada County, Idaho.

Lots 60, 61 and 62 in Block 1 of the AMENDED PLAT OF LOTS 53 THRU LOT 62, BLOCK 1, THE PLANTATION SUBDIVISION NO. 1, according to the official plat thereof, filed in Book 45 of Plats at Page 3689, records of Ada County, Idaho.

Lot 1 in Block 1 of THE PLANTATION NO. 2, according to the official plat thereof, filed in Book 45 of Plats at Page 3693, records of Ada County, Idaho.

Lots 2, 3, 4, 5 and 6 in Block 1 of THE PLANTATION NO. 2, according to the official plat thereof, filed in Book 45 of Plats at Page 3693, records of Ada County, Idaho;

TOGETHER WITH:

All of the road rights-of-way as described on the Plats of THE PLANTATION SUBDIVISIONS NOS. 1 and 2, as amended.

EXCEPT THEREFROM:

Lots 60 and 61 in Block 1 of AMENDED PLAT of Lots 53 thru 62, Block 1, THE PLANTATION SUBDIVISION NO. 1, AND Lot 7 in Block 6 of THE PLANTATION NO. 3, AND Lot 67 in Block 1 of THE PLANTATION NO. 3.

PARCEL II: Leased Lands

TRACT B:

A portion of the NE 1/4 NE 1/4 of Section 25, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, or more particularly described as follows:

Commencing at the Northeast corner of said Section 25, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho; thence South 1007.82 feet, thence South 43°45' East, 303.00 feet, thence North 77°00' West, 213.70 feet, thence North 67°04'17" West, 310.75 feet to the REAL POINT OF BEGINNING; thence following the banks of the Boise River North 79°47'01" West, 160.23 feet, thence North 80°56'12" West, 352.66 feet, thence North 67°26'55" West, 87.09 feet, thence North 62°02'23" West, 182.94 feet, thence North 47°28'02" West, 273.74 feet, thence North 22°28'03" West, 111.83 feet, thence North 38°12'24" West, 50.68 feet, to a point on the easterly right-of-way line of Glenwood Street, thence following said right-of-way line

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North 0°21'46" West, 221.23 feet to a point on the toe of the Corps of Engineers dike on the north side of the Boise River, thence following said toe
South 47°00' East, 133.00 feet, thence
South 41°00' East, 140.00 feet, thence
South 53°00' East, 114.00 feet, thence
South 60°00' East, 136.00 feet, thence
South 64°00' East, 200.00 feet, thence
South 59°45'25" East, 398.13 feet, thence
South 60°04'30" East, 160.51 feet, to the REAL POINT OF BEGINNING.

TRACT F - Large Island in the Boise River:

A portion of the NW 1/4, Section 30, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, and a portion of the NE 1/4, Section 25, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the Northwest corner of Section 30, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, thence
South 1210.00 feet to the REAL POINT OF BEGINNING; thence
South 65°00' East, 70.00 feet, thence
South 37°30' East, 260.00 feet, thence
South 5°00' East, 110.00 feet, thence
South 34°00' East, 45.00 feet, thence
South 61°00' East, 125.00 feet, thence
South 42°00' East, 97.00 feet, thence
South 23°00' East, 170.00 feet, thence
South 36°30' East, 280.00 feet, thence
South 55°00' West, 125.00 feet, thence
North 37°30' West, 170.00 feet, thence
North 20°30' West, 220.00 feet, thence
North 52°30' West, 265.00 feet, thence
North 64°00' West, 265.00 feet, thence
North 13°00' East, 37.00 feet, thence
South 70°00' East, 37.00 feet, thence
North 33°00' East, 30.00 feet, thence
North 40°00' West, 45.00 feet, thence
North 152.00 feet, thence
South 57°00' West, 70.00 feet, thence
North 3°00' East, 165.00 feet, thence
East 62.76 feet, thence
South 65°00' East, 27.01 feet to the REAL POINT OF BEGINNING.

TRACT F-2 - Small Island in the Boise River:

A portion of the NW 1/4, Section 30, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

RECORDED

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Commencing at the Northwest corner of Section 30, Township 4
North, Range 2 East, Boise Meridian, Ada County, Idaho,
thence
South 1007.82 feet to a point on the original meander line
of the North bank of the Boise River, thence along said
meander line
South 43°45' East, 375.00 feet to the REAL POINT OF BEGINNING,
thence continuing
South 43°45' East, 90.00 feet, thence leaving said original
meander line
South 11°00' East, 210.00 feet, thence
South 82°00' West, 70.00 feet, thence
North 7°00' West, 105.00 feet, thence
North 33°00' West, 216.78 feet, thence
South 87°00' East, 98.01 feet to the REAL POINT OF BEGINNING.

RECORDED

JUL 07 1981

PARCEL III:

Portions of the SE 1/4 of Section 24 and the NE 1/4 of Section 25, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, and portions of the SW 1/4 of Section 19 and the NW 1/4 of Section 30, and Government Lots 2 and 3 and portions of the NW 1/4 of the SE 1/4 and the SW 1/4 of the NE 1/4 of Section 30, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the Northwest corner of Section 30, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho; thence

North 453.12 feet to the REAL POINT OF BEGINNING, thence
 North 57°45' West 356.04 feet, thence
 North 50°37' West 404.59 feet, thence
 South 42°15' West 213.58 feet, thence
 South 72.10 feet, thence
 North 48°38' West 499.26 feet, thence
 South 42°19' West 274.65 feet to a point on the East right of way line of Glenwood Street, thence following said right of way line South 0°21'46" East 1101.49 feet, to a point on the toe on the Corps of Engineers dike on the north side of the Boise River, thence

Following said toe

South 47°00'00" East 133.00 feet, thence
 South 41°00'00" East 140.00 feet, thence
 South 53°00'00" East 114.00 feet, thence
 South 60°00'00" East 136.00 feet, thence
 South 64°00'00" East 200.00 feet, thence
 South 50°45'25" East 398.13 feet, thence
 South 60°04'30" East 160.51 feet, thence
 South 67°04'17" East 310.74 feet, thence
 South 77°00'00" East 337.01 feet, thence
 South 57°40'00" East 81.56 feet, thence leaving said toe of the dike and following the bank of the Boise River
 South 32°20'00" West 39.00 feet, thence
 South 22°41'54" East 137.41 feet, thence
 South 43°45'00" East 37.11 feet, thence
 South 13°45'00" East 60.75 feet, thence
 South 32°30'11" East 128.78 feet, thence
 South 13°33'51" East 211.90 feet, thence
 South 33°01'50" East 71.24 feet, thence
 South 49°00' East 356.40 feet, thence
 South 41°00' East 643.01 feet, thence
 North 89°57'40" West 4.82 feet, thence

RECORDED

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(9)

South 17°14' East 252.08 feet, thence
South 28°44' East 620.00 feet, thence
South 53°44' East 140.00 feet, thence
South 43°14'00" East 31.87 feet, thence
South 11°00'11" East 226.42 feet, thence
South 11°38' East 174.00 feet, thence
South 32°20' East 345.00 feet, thence
South 66°20' East 194.00 feet, thence
East 505.52 feet, thence
North 17°36'00" East 316.02 feet, to a point on the North
side of the Boise River Dike, thence leaving the Boise
River
North 0°06'05" East 22.00 feet, to a point on the East line
of government lot 2, thence
South 89°28'40" East 975.58 feet, thence
North 27°54' East 1,270.34 feet, to a point on the South
right of way line of State Highway 44, thence following
said right of way line
North 51°24'30" West 365.48 feet, to a brass cap, thence
North 51°24'30" West 25.61 feet, thence leaving said State
Highway 44 right of way line
South 31°22'33" West 310.01 feet, thence
North 64°19' West 200.00 feet, thence
North 41°10' East 352.59 feet, to a point on the South right
of way line of State Highway 44, thence
North 51°24'30" West 893.84 feet along said right of way,
thence leaving said right of way
South 955.20 feet, thence
North 79°30' West 432.96 feet, thence
North 201.80 feet, thence
North 89°57'40" West 319.48 feet, thence
North 0°01' West 328.39 feet, thence
East 193.20 feet, thence
North 14°03' West 254.10 feet, thence
North 28°27' West 198.00 feet, thence
North 39°25' West 165.00 feet, thence
North 37°16' West 204.60 feet, thence
North 44°35' West 256.08 feet, thence
North 39°03' East 268.62 feet, to a point on the South right
of way line of State Highway 44, thence
North 51°24'30" West 122.55 feet, along said right of way to
a brass cap, thence continuing along said right of way
North 51°26'10" West 1,449.43 feet, to a brass cap and a
point of curvature, thence on a curve to the left,
whose central angle is 00°43'19", whose radius is
17,229.00 feet, whose length is 217.09 feet, and whose
long chord bears
North 51°04'32" West 217.09 feet, thence leaving said Highway
44 right of way line
South 45°17' West 452.33 feet along the Southerly boundary
of PLANTATION ACRES SUBDIVISION, thence
North 49°23' West 169.40 feet, thence
North 21°43' West 351.16 feet, thence
North 15°19' West 222.07 feet, thence
North 57°45' West 397.09 feet, to the REAL POINT OF BEGINNING.

JUL 07 1967

TOGETHER WITH:

A nonexclusive easement for operation and maintenance of a water pumping station and distribution systems upon the following described parcel of real property in Ada County, Idaho:

COMMENCING at the SE corner of Section 24, T. 4 N., R. 1 E., B.M., Ada County, Idaho; thence North 66°35'36" W. 825.35 feet; thence North 299.75 feet, to the REAL POINT OF BEGINNING; thence on a curve to the left, whose central angle is 135°15'42", whose radius is 50.00 feet, whose length is 118.04 feet, and whose long chord bears South 67°37'53" East, 92.47 feet; thence South 51°00' East 28.77 feet; thence South 18°00' East 69.91 feet; thence South 60°00' East 229.56 feet; thence North 45°00' East 10.35 feet; thence North 60°00' West 228.40 feet; thence North 18°00' West 69.03 feet; thence North 51°00' West 31.73 feet; thence on a curve to the left, whose central angle is 117°31'18", whose radius is 50.00 feet, whose length is 102.56 feet, and whose long chord bears North 25°30' West 85.50 feet; thence North 50.54 feet; thence North 42°15' East 189.33 feet; thence North 50°37' West 10.01 feet; thence South 42°15' West 192.69 feet; thence South 54.40 feet; thence on a curve to the left, whose central angle is 84° 15'39", whose radius is 50.00 feet, whose length is 73.53 feet, and whose long chord bears South 42°07'49" West 67.08 feet.

TOGETHER WITH:

A nonexclusive easement for providing maintenance for a certain body of water commonly known as Lake Elmore, identical to that easement set forth in Instrument No. 7851395, records of Ada County, Idaho.

RECORDED

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TOGETHER WITH:

A nonexclusive easement for the maintenance of water lines installed on the real property, set forth as Exception No. 1 of this legal description, which are supplying or will supply water to subject property.

(11)

TOGETHER WITH:

A permanent easement and right-of-way for the purpose of constructing a water line for the transport of diverted ground water across the following property for the benefit of subject property:

A 10-foot wide strip of land lying in the Northwest quarter of the Southeast quarter, Section 30, Township 4 North, Range 2 East, Boise, Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the SE corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 30, T.4N, R.2E, B.M., thence
N. 89°28'40" W. 351.12 feet, thence
N. 27°54'00" E. 239.58 feet, to the POINT OF REAL BEGINNING, thence 5.0 feet on each side of the following described line:

S. 25°26'00" E. 206.47 feet, thence
S. 36°00'00" E. 25.00 feet, more or less, to a point on the E. side of the Barger-Matson property.

EXCEPT THEREFROM the following:

EXCEPTION 1

A portion of the SE 1/4 of the SE 1/4 of Section 24, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the SE corner of Section 24, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, thence
North 66°35'36" West 825.35 feet, to the REAL POINT OF BEGINNING, thence following along the North line of a proposed road, on a curve to the left, whose central angle is 10°06'33", whose radius is 335.00 feet, whose length is 59.11 feet, and whose long chord bears South 80°03'17" West 59.03 feet, thence
South 75°00' West 97.42 feet, thence on a curve to the right, whose central angle is 15°00', whose radius is 175.00 feet, whose length is 45.82 feet, and whose long chord bears South 82°30' West 45.68 feet, thence
West 338.95 feet, thence on a curve to the right, whose central angle is 89°38'14", whose radius is 20.00 feet, whose length is 31.29 feet, and whose long chord bears North 45°10'53" West 28.20 feet, to a point on the east right of way line of Glenwood Street, thence following said right of way line
North 0°21'46" West 490.13 feet, thence leaving said right of way line,
North 42°19' East 274.65 feet, thence
South 48°38' East 499.26 feet, thence
South 341.75 feet, to the REAL POINT OF BEGINNING.

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EXCEPTION 2

A portion of the SE 1/4 of the SE 1/4 of Section 24, Township 4 North, Range 1 East, Boise Meridian, and a portion of the NE 1/4 of the NE 1/4, of Section 25, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the SE corner of Section 24, Township 4 North, Range 1 East, Boise Meridian, thence
 North 72°21'35" West 867.58 feet, to the REAL POINT OF BEGINNING, said point being on the South right-of-way line of a proposed street, thence
 South 21°00' West 400.00 feet, thence
 South 16°30' West 300.00 feet, thence
 North 80°00' West 193.82 feet, thence
 North 47°00' West 87.29 feet, to a point on an East right-of-way line of Glenwood Street, thence following said right-of-way,
 North 0°21'46" West 521.36 feet, thence leaving said right-of-way and following the South right-of-way line of a proposed new street, on a curve to the right, whose central angle is 90°21'46" whose radius is 20.00 feet, length is 31.54 feet, and whose long chord bears
 North 44°49'07" East 28.37 feet, thence
 East 338.38 feet, thence on a curve to the left, whose central angle is 15°00', whose radius is 225.00 feet, whose length is 58.90 feet, and whose long chord bears
 North 82°30' East 58.74 feet, thence
 North 75°00' East 72.42 feet, to the REAL POINT OF BEGINNING.

EXCEPTION 3

Portion of the SE 1/4 of Section 24, and the NE 1/4 of Section 25, Township 4 North, Range 1 East, Boise Meridian, and portions of the SW 1/4 of Section 19, and the NW 1/4 of Section 30, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the Northwest corner of Section 30, Township 4 North, Range
 2 East, Boise Meridian; thence
 North 66°35'36" West, 825.35 feet to the REAL POINT OF BEGINNING; thence
 North 413.85 feet; thence
 North 42°15' East, 213.58 feet; thence
 South 50°37' East, 70.00 feet; thence
 South 37°00' West, 210.00 feet; thence
 South 62°00' East, 345.00 feet; thence
 North 82°00' East, 120.00 feet; thence
 South 63°00' East, 245.00 feet; thence
 South 42°00' East, 470.00 feet; thence
 South 15°30' East, 395.00 feet; thence

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(13)

South 26°00' East, 200.00 feet; thence
South 61°00' West, 265.00 feet; thence
North 25°00' West, 800.00 feet; thence
North 29°30' West, 288.00 feet; thence on a curve to the
left whose central angle is 105°30', whose radius is
75.00 feet, whose length is 138.10 feet, and whose long
chord bears
North 82°15' West, 119.40 feet; thence
South 45°00' West, 198.07 feet; thence on a curve to the
left whose central angle is 46°26'18", whose radius
is 335.00 feet, whose length is 271.52 feet, and
whose long chord
bears
North 71°40'18" West, 264.15 feet to the REAL POINT OF
BEGINNING.

EXCEPTION 4

A portion of Lot 1, Block 1, THE PLANTATION SUBDIVISION NO.
2, in the NW 1/4 SE 1/4, Section 30, Township 4 North, Range
2 East, Boise Meridian, Ada County, Idaho, more particularly
described as follows:

Commencing at the SE corner NW 1/4 SE 1/4 of Section 30,
Township 4 North, Range 2 East, Boise Meridian, Ada
County, Idaho, thence
North 89°28'40" West 351.12 feet, thence
North 27°54' East 211.83 feet, thence
North 55°00' West 103.08 feet, to the REAL POINT OF BEGINNING,
thence on a curve to the right whose central angle is
95°41'19" whose radius is 14.23 feet, whose length is
23.76 feet and whose long chord bears South 7°09'03"
East 21.10 feet, thence on a curve to the right whose
central angle is 49°50'00", whose radius is 410.00
feet, whose length is 356.60 feet, and whose long chord
bears South 65°36'20" West 345.47 feet, thence
North 89°28'40" West 194.90 feet, thence on a curve to the
left whose central angle is 1°49'24", whose radius is
840.00 feet, whose length is 26.73 feet, and whose long
chord bears South 89°36'39" West 26.73 feet, thence
North 113.80 feet, thence
East 280.00 feet, thence
North 58°00' East 68.01 feet, thence
North 20°00' East 56.26 feet, thence
East 47.65 feet, thence on a curve to the right whose central
angle is 35°00' whose radius is 225.00 feet, whose
length is 137.44 feet and whose long chord bears South
72°30' East 135.32 feet to the POINT OF BEGINNING.

MICROFILMED

JUL 07 1981

EXCEPTION 5

THE PLANTATION NO. 1, according to the official plat thereof, filed in Book 44 of Plats at Page 3529, records of Ada County, Idaho.

THE PLANTATION NO. 2, according to the official plat thereof, filed in Book 45 of Plats at Page 3693, records of Ada County, Idaho.

The AMENDED PLAT OF LOT 53 THRU LOT 62, BLOCK 1, THE PLANTATION SUBDIVISION NO. 1, according to the official plat thereof, filed in Book 45 of Plats at Page 3689, records of Ada County, Idaho.

PARCEL III legal description, as set forth above, now includes THE PLANTATION NO. 3, according to the plat thereof, filed August 27, 1981, in Book 51 of Plats at Page 4249, records of Ada County, Idaho, which said subdivision consists of Lots 62 thru 69 in Block 1 and Lots 7 thru 13 in Block 6.

NOTE: THE ENTIRE PARCEL III above is composed of the following two parcels of land:

PARCEL III - A

Portions of the SE 1/4 of Section 24 and the NE 1/4 of Section 25, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, and portions of the SW 1/4 of Section 19 and the NW 1/4 of Section 30, and Government Lots 2 and 3 and portions of the NW 1/4 of the SE 1/4 and the SW 1/4 of the NE 1/4 of Section 30, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the Northwest corner of Section 30, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho; thence North 453.12 feet to the REAL POINT OF BEGINNING, thence North 57°45' West 356.04 feet, thence North 50°37' West 404.59 feet, thence South 42°15' West 213.58 feet, thence South 72.10 feet, thence North 48°38' West 499.26 feet, thence South 42°19' West 274.65 feet to a point on the East right of way line of Glenwood Street, thence following said right of way line South 0°21'46" East 1101.49 feet, to a point on the toe on the Corps of Engineers dike on the north side of the Boise River, thence

Following said toe

South 47°00'00" East 133.00 feet, thence
South 41°00'00" East 140.00 feet, thence
South 53°00'00" East 114.00 feet, thence
South 60°00'00" East 136.00 feet, thence
South 64°00'00" East 200.00 feet, thence
South 50°45'25" East 398.13 feet, thence

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JUL 07 1987

(15)

South 60°04'30" East 160.51 feet, thence
South 67°04'17" East 310.74 feet, thence
South 77°00'00" East 337.01 feet, thence
South 57°40'00" East 81.56 feet, thence leaving said toe of
the dike and following the bank of the Boise River

South 32°20'00" West 39.00 feet, thence
South 22°41'54" East 137.41 feet, thence
South 43°45'00" East 37.11 feet, thence
South 13°45'00" East 60.75 feet, thence
South 32°30'11" East 128.78 feet, thence
South 13°33'51" East 211.90 feet, thence
South 33°01'50" East 71.24 feet, thence
South 49°00' East 356.40 feet, thence
South 41°00' East 643.01 feet, thence
North 89°57'40" West 4.82 feet, thence
South 17°14' East 252.08 feet, thence
South 28°44' East 620.00 feet, thence
South 53°44' East 140.00 feet, thence
South 43°14'00" East 31.87 feet, thence
South 11°00'11" East 226.42 feet, thence
South 11°38' East 174.00 feet, thence
South 32°20' East 345.00 feet, thence
South 66°20' East 194.00 feet, thence
East 505.52 feet, thence
North 17°36'00" East 316.02 feet, to a point on the North
side of the Boise River Dike, thence leaving the Boise
River
North 0°06'05" East 22.00 feet, to a point on the East line
of government lot 2, thence
South 89°28'40" East 975.58 feet, thence
North 27°54' East 1,270.34 feet, to a point on the South
right of way line of State Highway 44, thence following
said right of way line
North 51°24'30" West 365.48 feet, to a brass cap, thence
North 51°24'30" West 25.61 feet, thence leaving said State
Highway 44 right of way line
South 31°22'33" West 310.01 feet, thence
North 64°19' West 200.00 feet, thence
North 41°10' East 352.59 feet, to a point on the South right
of way line of State Highway 44, thence
North 51°24'30" West 893.84 feet along said right of way,
thence leaving said right of way
South 955.20 feet, thence
North 79°30' West 432.96 feet, thence
North 201.80 feet, thence
North 89°57'40" West 319.48 feet, thence
North 0°01' West 328.39 feet, thence
East 193.20 feet, thence
North 14°03' West 254.10 feet, thence
North 28°27' West 198.00 feet, thence
North 39°25' West 165.00 feet, thence

RECORDED

JUL 07 1937

(16)

North 37°16' West 204.60 feet, thence
North 44°35' West 256.08 feet, thence
North 39°03' East 268.62 feet, to a point on the South right
of way line of State Highway 44, thence
North 51°24'30" West 122.55 feet, along said right of way to
a brass cap, thence continuing along said right of way
North 51°26'10" West 1,449.43 feet, to a brass cap and a
point of curvature, thence on a curve to the left,
whose central angle is 00°43'19", whose radius is
17,229.00 feet, whose length is 217.09 feet, and whose
long chord bears
North 51°04'32" West 217.09 feet, thence leaving said Highway
44 right of way line
South 45°17' West 452.33 feet along the Southerly boundary
of PLANTATION ACRES SUBDIVISION, thence
North 49°23' West 169.40 feet, thence
North 21°43' West 351.16 feet, thence
North 15°19' West 222.07 feet, thence
North 57°45' West 397.09 feet, to the REAL POINT OF BEGINNING.

TOGETHER WITH:

A nonexclusive easement for operation and maintenance of a
water pumping station and distribution systems upon the
following described parcel of real property in Ada County,
Idaho:

COMMENCING at the SE corner of Section 24, T. 4 N., R. 1 E.,
B.M., Ada County, Idaho; thence
North 66°35'36" W. 825.35 feet; thence
North 299.75 feet, to the REAL POINT OF BEGINNING; thence
on a curve to the left, whose central angle is 135°15'42",
whose radius is 50.00 feet, whose length is 118.04
feet, and whose long chord bears
South 67°37'53" East, 92.47 feet; thence
South 51°00' East 28.77 feet; thence
South 18°00' East 69.91 feet; thence
South 60°00' East 229.56 feet; thence
North 45°00' East 10.35 feet; thence
North 60°00' West 228.40 feet; thence
North 18°00' West 69.03 feet; thence
North 51°00' West 31.73 feet; thence on a curve to the
left, whose central angle is 117°31'18", whose radius
is 50.00 feet, whose length is 102.56 feet, and whose
long chord bears
North 25°30' West 85.50 feet; thence
North 50.54 feet; thence
North 42°15' East 189.33 feet; thence
North 50°37' West 10.01 feet; thence

JUL 07 1987

(17)

South 42°15' West 192.69 feet; thence
South 54.40 feet; thence on a curve to the left, whose
central angle is 84° 15'39", whose radius is 50.00
feet, whose length is 73.53 feet, and whose long chord
bears
South 42°07'49" West 67.08 feet.

TOGETHER WITH:

A nonexclusive easement for providing maintenance for a
certain body of water commonly known as Lake Elmore, identical
to that easement set forth in Instrument No. 7851395, records
of Ada County, Idaho.

TOGETHER WITH:

A nonexclusive easement for the maintenance of water lines
installed on the real property, set forth as Exception No. 1
of this legal description, which are supplying or will
supply water to subject property.

TOGETHER WITH:

A permanent easement and right-of-way for the purpose of
constructing a water line for the transport of diverted
ground water across the following property for the benefit
of subject property:

A 10-foot wide strip of land lying in the Northwest quarter
of the Southeast quarter, Section 30, Township 4 North,
Range 2 East, Boise, Meridian, Ada County, Idaho, more
particularly described as follows:

Commencing at the SE corner of the NW¼ SE¼, Section 30,
T.4N, R.2E, B.M., thence
N. 89°28'40" W. 351.12 feet, thence
N. 27°54'00" E. 239.58 feet, to the POINT OF REAL BEGINNING,
thence 5.0 feet on each side of the following described
line:

S. 25°26'00" E. 206.47 feet, thence
S. 36°00'00" E. 25.00 feet, more or less, to a point on the
E. side of the Barger-Matson property.

EXCEPT THEREFROM the following:

EXCEPTION 1

A portion of the SE 1/4 of the SE 1/4 of Section 24, Township
4 North, Range 1 East, Boise Meridian, Ada County, Idaho,
more particularly described as follows:

(18)

Commencing at the SE corner of Section 24, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, thence North $66^{\circ}35'36''$ West 825.35 feet, to the REAL POINT OF BEGINNING, thence following along the North line of a proposed road, on a curve to the left, whose central angle is $10^{\circ}06'33''$, whose radius is 335.00 feet, whose length is 59.11 feet, and whose long chord bears South $80^{\circ}03'17''$ West 59.03 feet, thence South $75^{\circ}00'$ West 97.42 feet, thence on a curve to the right, whose central angle is $15^{\circ}00'$, whose radius is 175.00 feet, whose length is 45.82 feet, and whose long chord bears South $82^{\circ}30'$ West 45.68 feet, thence West 338.95 feet, thence on a curve to the right, whose central angle is $89^{\circ}38'14''$, whose radius is 20.00 feet, whose length is 31.29 feet, and whose long chord bears North $45^{\circ}10'53''$ West 28.20 feet, to a point on the east right of way line of Glenwood Street, thence following said right of way line North $0^{\circ}21'46''$ West 490.13 feet, thence leaving said right of way line, North $42^{\circ}19'$ East 274.65 feet, thence South $48^{\circ}38'$ East 499.26 feet, thence South 341.75 feet, to the REAL POINT OF BEGINNING.

EXCEPTION 2

A portion of the SE $1/4$ of the SE $1/4$ of Section 24, Township 4 North, Range 1 East, Boise Meridian, and a portion of the NE $1/4$ of the NE $1/4$, of Section 25, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the SE corner of Section 24, Township 4 North, Range 1 East, Boise Meridian, thence North $72^{\circ}21'35''$ West 867.58 feet, to the REAL POINT OF BEGINNING, said point being on the South right-of-way line of a proposed street, thence South $21^{\circ}00'$ West 400.00 feet, thence South $16^{\circ}30'$ West 300.00 feet, thence North $80^{\circ}00'$ West 193.82 feet, thence North $47^{\circ}00'$ West 87.29 feet, to a point on an East right-of-way line of Glenwood Street, thence following said right-of-way, North $0^{\circ}21'46''$ West 521.36 feet, thence leaving said right-of-way and following the South right-of-way line of a proposed new street, on a curve to the right, whose central angle is $90^{\circ}21'46''$ whose radius is 20.00 feet, length is 31.54 feet, and whose long chord bears North $44^{\circ}49'07''$ East 28.37 feet, thence East 338.38 feet, thence on a curve to the left, whose central angle is $15^{\circ}00'$, whose radius is 225.00 feet, whose length is 58.90 feet, and whose long chord bears North $82^{\circ}30'$ East 58.74 feet, thence North $75^{\circ}00'$ East 72.42 feet, to the REAL POINT OF BEGINNING.

FILED

JUL 10 1987

EXCEPTION 3

Portion of the SE $\frac{1}{4}$ of Section 24, and the NE $\frac{1}{4}$ of Section 25, Township 4 North, Range 1 East, Boise Meridian, and portions of the SW $\frac{1}{4}$ of Section 19, and the NW $\frac{1}{4}$ of Section 30, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the Northwest corner of Section 30, Township 4 North, Range 2 East, Boise Meridian; thence North $66^{\circ}35'36''$ West, 825.35 feet to the REAL POINT OF BEGINNING; thence North 413.85 feet; thence North $42^{\circ}15'$ East, 213.58 feet; thence South $50^{\circ}37'$ East, 70.00 feet; thence South $37^{\circ}00'$ West, 210.00 feet; thence South $62^{\circ}00'$ East, 345.00 feet; thence North $82^{\circ}00'$ East, 120.00 feet; thence South $63^{\circ}00'$ East, 245.00 feet; thence South $42^{\circ}00'$ East, 470.00 feet; thence South $15^{\circ}30'$ East, 395.00 feet; thence South $26^{\circ}00'$ East, 200.00 feet; thence South $61^{\circ}00'$ West, 265.00 feet; thence North $25^{\circ}00'$ West, 800.00 feet; thence North $29^{\circ}30'$ West, 288.00 feet; thence on a curve to the left whose central angle is $105^{\circ}30'$, whose radius is 75.00 feet, whose length is 138.10 feet, and whose long chord bears North $82^{\circ}15'$ West, 119.40 feet; thence South $45^{\circ}00'$ West, 198.07 feet; thence on a curve to the left whose central angle is $46^{\circ}26'18''$, whose radius is 335.00 feet, whose length is 271.52 feet, and whose long chord bears North $71^{\circ}40'18''$ West, 264.15 feet to the REAL POINT OF BEGINNING.

EXCEPTION 4

A portion of Lot 1, Block 1, THE PLANTATION SUBDIVISION NO. 2, in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 30, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the SE corner NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, thence North $89^{\circ}28'40''$ West 351.12 feet, thence North $27^{\circ}54'$ East 211.83 feet, thence North $55^{\circ}00'$ West 103.08 feet, to the REAL POINT OF BEGINNING, thence on a curve to the right whose central angle is $95^{\circ}41'19''$ whose radius is 14.23 feet, whose length is 23.76 feet and whose long chord bears South $7^{\circ}09'03''$

(20)

East 21.10 feet, thence on a curve to the right whose central angle is $49^{\circ}50'00''$, whose radius is 410.00 feet, whose length is 356.60 feet, and whose long chord bears South $65^{\circ}36'20''$ West 345.47 feet, thence North $89^{\circ}28'40''$ West 194.90 feet, thence on a curve to the left whose central angle is $1^{\circ}49'24''$, whose radius is 840.00 feet, whose length is 26.73 feet, and whose long chord bears South $89^{\circ}36'39''$ West 26.73 feet, thence North 113.80 feet, thence East 280.00 feet, thence North $58^{\circ}00'$ East 68.01 feet, thence North $20^{\circ}00'$ East 56.26 feet, thence East 47.65 feet, thence on a curve to the right whose central angle is $35^{\circ}00'$ whose radius is 225.00 feet, whose length is 137.44 feet and whose long chord bears South $72^{\circ}30'$ East 135.32 feet to the POINT OF BEGINNING.

EXCEPTION 5

THE PLANTATION NO. 1, according to the official plat thereof, filed in Book 44 of Plats at Page 3529, records of Ada County, Idaho.

THE PLANTATION NO. 2, according to the official plat thereof, filed in Book 45 of Plats at Page 3693, records of Ada County, Idaho.

The AMENDED PLAT OF LOT 53 THRU LOT 62, BLOCK 1, THE PLANTATION SUBDIVISION NO. 1, according to the official plat thereof, filed in Book 45 of Plats at Page 3689, records of Ada County, Idaho.

ALSO EXCEPT

A portion of Parcel 5A in the NW1/4 NW1/4 Section 30, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

COMMENCING at the Northwest corner of Section 30, Township 4 North, Range 2 East, Boise Meridian; thence South $36^{\circ}20'44''$ East 1118.00 feet to the REAL POINT OF BEGINNING; thence South $5^{\circ}00'00''$ East 238.93 feet; thence South $85^{\circ}00'00''$ West 180.00 feet; thence North $63^{\circ}30'00''$ West 200.00 feet; thence North $1^{\circ}22'39''$ West 135.00 feet; thence North $15^{\circ}36'41''$ West 335.43 feet; thence North $61^{\circ}00'00''$ East 158.52 feet on a curve to the left whose central angle is $89^{\circ}07'43''$, whose radius is 115.00 feet, whose length is 178.89 and whose long chord bears

RECORDED
JUL 07 1987

(21)

North 89°50'48" East 161.39 feet; thence
South 44°43'00" East 50.00 feet; thence
South 69°35'20" East 252.12 feet; thence
South 54°45'50" East 213.77 feet; thence
North 82°54'12" West 266.16 feet; thence
South 18°00'00" West 165.00 feet to the REAL POINT OF BEGINNING.

TOGETHER WITH access easement to Parcel 5A-1.

An easement in the NW 1/4 NW 1/4 Section 30, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

COMMENCING at the Northwest corner of Section 30, Township 4 North, Range 2 East, Boise Meridian; thence
South 45°06'20" East 750.45 feet to the REAL POINT OF BEGINNING; thence
North 45°17'00" East 623.16 feet, to a point on the South right-of-way line of State Highway 44; thence on a curve to the right whose central angle is 00°10'02", whose radius is 17229.00 feet, whose length is 50.28 feet, and whose long chord bears
South 50°47'53" East 50.28 feet; thence leaving Highway 44 right-of-way; thence
South 45°17'00" West 628.49 feet; thence
North 44°43'00" West 50.00 feet to the REAL POINT OF BEGINNING.

PARCEL III - B

A portion of Parcel 5A in the NW1/4 NW1/4 Section 30, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

COMMENCING at the Northwest corner of Section 30, Township 4 North, Range 2 East, Boise Meridian; thence
South 36°20'44" East 1118.00 feet to the REAL POINT OF BEGINNING; thence
South 5°00'00" East 238.93 feet; thence
South 85°00'00" West 180.00 feet; thence
North 63°30'00" West 200.00 feet; thence
North 1°22'39" West 135.00 feet; thence
North 15°36'41" West 335.43 feet; thence
North 61°00'00" East 158.52 feet on a curve to the left whose central angle is 89°07'43", whose radius is 115.00 feet, whose length is 178.89 and whose long chord bears
North 89°50'48" East 161.39 feet; thence
South 44°43'00" East 50.00 feet; thence
South 69°35'20" East 252.12 feet; thence
South 54°45'50" East 213.77 feet; thence

JUL 07 1974

(22)

North 82°54'12" West 266.16 feet; thence
South 18°00'00" West 165.00 feet to the REAL POINT OF BEGINNING.

TOGETHER WITH access easement to Parcel 5A-1.

An easement in the NW 1/4 NW 1/4 Section 30, Township 4
North, Range 2 East, Boise Meridian, Ada County, Idaho, more
particularly described as follows:

COMMENCING at the Northwest corner of Section 30, Township 4
North, Range 2 East, Boise Meridian; thence
South 45°06'20" East 750.45 feet to the REAL POINT OF
BEGINNING; thence
North 45°17'00" East 623.16 feet, to a point on the South
right-of-way line of State Highway 44; thence on a
curve to the right whose central angle is 00°10'02",
whose radius is 17229.00 feet, whose length is 50.28
feet, and whose long chord bears
South 50°47'53" East 50.28 feet; thence leaving Highway 44
right-of-way; thence
South 45°17'00" West 628.49 feet; thence
North 44°43'00" West 50.00 feet to the REAL POINT OF BEGINNING.

RECORDED

JUL 07 1981

RECEIVED

JAN 09 1987

For Office Use Only
Fee Received \$100.00
Date 1-9-87
Receipt # 40948
Receipt by CEW
Reviewed by _____
Sent to region _____

STATE OF IDAHO Department of Water Resources

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 63-9248

Name(s) of Permit Holder: Manufacturers Hanover Mortgage Corporation

Post Office Address: 6515 W. State Street, Boise, Idaho 83703

Telephone No. 345-4793

Source of Water: WELL

Extent of Use:

Domestic _____ (number of households) Stockwater _____ (number and type of stock)

Irrigation (FORTY) 40 (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted (ONE) 1 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: _____

Measuring Device: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No
Fee enclosed \$ _____
(See License Examination Fee Schedule)

Flow Measurement Port: Required? ☒ Yes ☐ No
Installed? ☒ Yes ☐ No

Person to contact to accompany the Department representative during the field examination:

Leland Campbell and/or James Bodnar 345-4793
(Name) (Telephone Number)

6515 W. State Street, Boise, Idaho 83703 JUL 07 1987
(Address)

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

MANUFACTURERS HANOVER MORTGAGE CORPORATION

01-08-87

Date Signature of Permit Holder (and title, if appropriate)
DALE G. HIGER, Attorney-in-Fact



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

December 22, 1986

Dale G. Higer
Eberle, Higer & Assoc.
Box 1368
Boise, ID 83701

Dear Mr. Higer:

Re: Permit Nos. 63-9248 & 63-9632

Pursuant to our telephone conversation of this date, enclosed is a copy of each of the above referenced permits along with the department's proof due notice for each.

Please advise me as soon as possible as to what action you wish to take, if any, since for each day that no action is taken the priority date is being advanced.

If you have any questions concerning these permits, please feel free to contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

MICROFILMED

JUL 07 1987

MEMORANDUM

December 22, 1986

TO: Files 63-9248 & 63-9632

FROM: Rita Fleck

I attempted several time to mail the proof due notices to someone who would be able to follow up on the matter. Finally, I contacted Willis Sullivan, an attorney's name I found on a document in the file. He advised me that the permit holder has gone thru foreclosure proceedings and that the land including the golf course is owned by Manufacturer's Hanover. He suggested I contact Dale Higer, an attorney for Manufacturer's Hanover.

I contacted Mr. Higer and he asked me to send the information to him. He would review it and get back with me.

I advised him that it may be necessary to acquire an assignment from the permit holder if possible.

RECORDED

JUL 07 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

State House
Boise, Idaho 83720

RECEIVED
OCT 20 1988

Department of Water Resources

Plantation Development, Inc.
c/o White Savage Associates
Box 2592
Boise, ID 83701

RECEIVED
JUL 07 1987

FLA 19 001035N1 10/10/86

WHI 92 001035N1 10/10/86

RETURN TO SENDER
NO FORWARDING ORDER ON FILE:
UNABLE TO FORWARD



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

September 11, 1981

Plantation Development
P. O. Box 3218
Boise, ID 83703

Gentlemen:

Re: Permit No. 63-9248

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use is extended to October 1, 1986.

Also enclosed is receipt No. 20414 in the amount of \$15.00.

Sincerely,

RITA I. FLECK
Sr. Secretary

Enclosures

RECEIVED
JUL 07 1981

STATE OF IDAHO

Department of Water Resources

No 20414

Boise, Idaho, Sept. 9, 1981

RECEIVED
FROM

White Savage Assoc.
Fifteen and no/100

of Boise \$ 15⁰⁰
DOLLARS

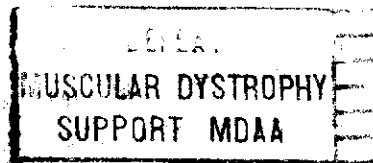
CR No. 1380 92-1/1241

FOR

<u>Extension</u>	\$	
<u># 63-9248</u>	\$	
	\$	
	\$	
TOTAL - - -	\$	<u>15</u>

Roberta Garrett

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720



RECEIVED

SEP 21 1981

Department of Water Resources

Plantation Development
~~P. O. Box 3218~~ *not here*
Boise, ID 83703


NOT DELIVERABLE
AS ADDRESSED —
UNABLE TO FORWARD

INTER-DEPARTMENT MEMO — 1

FROM

*Pete Flick*DATE *10-1-1986*

TO

File 63-9248

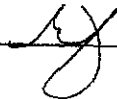
SUBJECT

Returned B/u Notice

The file has an envelope with an address of White-Savage Associates, Box 2592, Boise, Id. I'll forwarding the letter in care of to this address.

MICROFILMED

JUL 07 1987


SIGNATURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720

JUL 10 1986

RECEIVED

RECEIVED

AUG 5 1986

Department of Water Resources

AUG - 4 1986

138971

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
JULY 31, 1986

PLANTATION DEVELOPMENT, INC.
P.O. BOX 3218
BOISE, ID 83703

138971

PROOF DUE NOTICE

RE: PERMIT NO. 63-9248

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF THE ABOVE REFERENCED WATER PERMIT WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE OCTOBER 1, 1986. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST.) ENCLOSED IS A FORM WHICH WHEN ACCOMPANIED BY THE LICENSE EXAMINATION FEE OR A COMPLETED FIELD EXAMINATION REPORT PREPARED BY A CERTIFIED WATER RIGHT EXAMINER MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION WHICH MIGHT BRING TITLE TO THE WATER IN QUESTION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER AN ACCEPTABLE PROOF OF BENEFICIAL USE SUBMITTAL OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

MICROFILMED

JUL 07 1987

September 11, 1981

Plantation Development
P. O. Box 3218
Boise, ID 83703

Gentlemen:

Re: Hermit No. 63-9248

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use is extended to October 1, 1986.

Also enclosed is receipt No. 20414 in the amount of \$15.00.

Sincerely,

RITA I. FLECK
Sr. Secretary

Enclosures

10/12/81

WHITE SAVAGE ASSOCIATES, BOISE, IDAHO

P A Y E E : DETACH THIS STATEMENT BEFORE DEPOSITING CHECK

DATE	ACCOUNT OR INVOICE NO.	DESCRIPTION	AMOUNT	DISCOUNT OR DEDUCTION	NET AMOUNT
8/27/81		Extension of time period on water right permit 125.5-870			

EMPLOYEE'S
NAME

PAY PERIOD ENDING	HOURS	RATE	GROSS EARNINGS							NET EARNINGS PAID
				F.I.C.A.	FED. WITH TAX	STATE WITH TAX				
	REG. T. O.T.									

EMPLOYEE: THIS IS A STATEMENT OF YOUR EARNINGS AND DEDUCTIONS FOR PERIOD INDICATED. KEEP THIS FOR YOUR PERMANENT RECORD.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

PLANTATION DEVELOPMENT, INC.
P.O. BOX 3218
BOISE, ID 83703

138445

JULY 31, 1981

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 63-9248 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE OCTOBER 01, 1981. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF \$15.00 MUST BE SUBMITTED WITH THIS FORM.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENCLOSURE

REPRODUCTION



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 92 South Cole Road, Boise, Idaho 83705

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 384-2190

July 9, 1979

Plantation Development, Inc.
P.O. Box 3218
Boise, ID 83703

RE: Application for Permit No. 63-9248

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to your Application No. 63-9248. The Department suggests you contact the protestant(s) directly in 63-9248 to determine the nature of the protest(s) and to attempt to resolve the protest(s).

If this office has not been advised within twenty (20) days that the protest(s) has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

If this office can be of further assistance, please contact us.

Yours truly,

DAVID B. SHAW
XXXXXXXXXXXX WILLIAM B. COSSETT
Acting Western Regional Supervisor

Enc.



BOISE WATER CORPORATION • P.O. BOX 7488 • BOISE, IDAHO 83707 • (208) 345-3100

June 28, 1979

Director of the Idaho Department
of Water Resources
92 S. Cole Road
Boise, Idaho 83709

Gentlemen:

Re: Protest of Applications 63-9246 & 63-9248

Boise Water Corporation has wells in close proximity to the locations of the above applications. Due to the scarcity of adequate ground water in these areas and the probable interaction between the wells, Boise Water Corporation hereby protests the granting of permits for Applications 63-9246 and 63-9248.

Very truly yours,

BOISE WATER CORPORATION

Daniel Brown
District Engineer in Training

DB:lb

RECEIVED
JUN 29 1979

Department of Water Resources
Western Regional Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Plantation Development, Inc. Phone 342-7577

Post office address P.O. Box 3218, Boise, Idaho 83703

2. Source of water supply Ground water - wells which is a tributary of --

3. Location of point of diversion is ⁽¹⁾ NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 30 Township 4N

Range 2E B.M. Ada County, additional points of diversion if any: ---

(2) SE 1/4 NW 1/4 Section 30 T4N, R2E, B.M.

(3) NW 1/4 NW 1/4 Section 30 T4N, R2E, B.M.

4. Water will be used for the following purposes:

Amount 1.0 cfs for Irrig. purposes from April 1 to Oct. 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 1.0 cfs for Irrig. purposes from April 1 to Oct. 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 1.0 cfs for Irrig. purposes from April 1 to Oct. 15 (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. 3.0 cubic feet per second and/or b. --- acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 3 wells

b. Height of storage dam N/A 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 2 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: --- $\frac{1}{4}$ of --- $\frac{1}{4}$ of Section --- Township ---

Range --- 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 ---

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

If water is to be used for other purposes describe: ---

RECORDED

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	2E	30						5	11	14	16					8			54
4N	1E	25	13																13
4N	1E	24																4	4

Total number of acres to be irrigated 71

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

134" ? Boise Valley Irrig. Dist. rights

9. a. Who owns the property at the point of diversion Plantation Development, Inc.

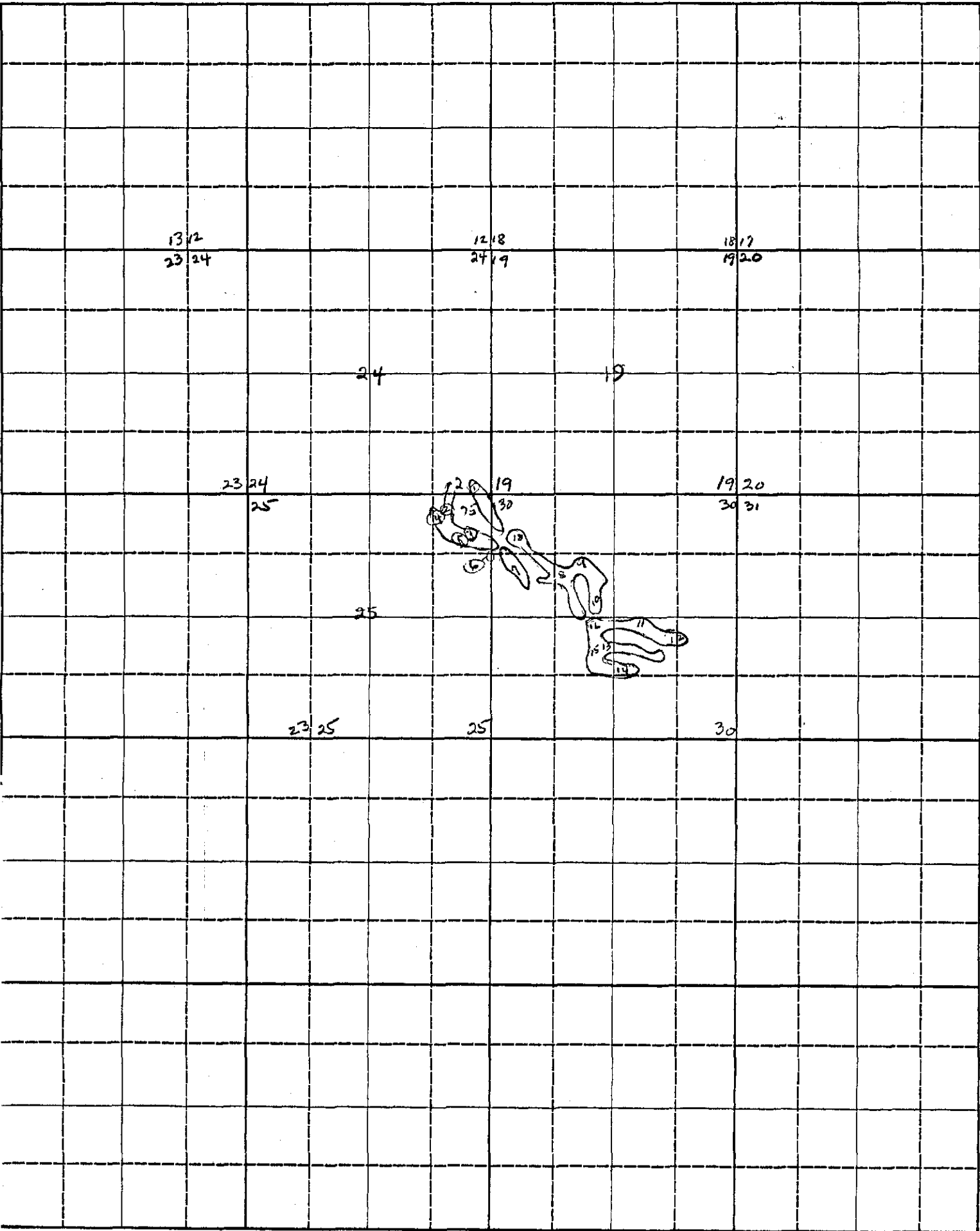
b. Who owns the land to be irrigated or place of use Plantation Development, Inc.

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

MICROFILMED

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.

MICROFILMED

Willie E. Sullivan
(Applicant)
atty for Plantation Development Co

Received by JKN Date 6/12/79 Time 12:30pm
Preliminary check by BWH Fee \$ 55.00 # 13132
Receipted by HR Date 6/12/79
Publication prepared by kk Date 6/14/79
Published in Idaho Statesman
Publication dates 6/21 & 6/28/79
Publication approved _____ Date _____
Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by _____

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. _____, and said application is hereby _____.

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 _____, 19 ____.
- 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: _____

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

Director

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

September 17, 1979

Plantation Development, Inc.
P.O. Box 3218
Boise, Idaho 83703

Dear Sirs,

Permit No. 63-9248

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

Please note the special condition requiring you to install an access port or other device to provide for the installation of measuring equipment by the Department. Enclosed are specifications for the installation of the access port, as well as a list of measuring device options.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power.

While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit. However, the Department of Water Resources has been advised the the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right.

If you have any question, please let us know.

Sincerely,

DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

Enclosures

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

63-9248

INITIAL REVIEW BY: Robert Hamilton

APPLICATION NUMBER: _____

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☐ 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: _____

Diversion rate is higher than normal to allow for irrigation of golf course & public areas during non-use periods.

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. None platted

- ☒ Yes ☐ No* In form for advertising.

Final date for protests: 7/9/79

- ☒ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 6/29/79
☒ 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? _____
☒ 6/12/79 Date of priority recommended.
Special conditions of approval or cover letter. I.P. Gw letter

By: DBS

Date: 9/11/79

STATE OFFICE REVIEW:

OK, 04, 20

Idaho Power letter w/ ACCESS PORT condition

- ☐ See attached sheet for more information.

By: Jim

Date: 9/12/79

RECEIVED
SEP 13 1979

Department of Water Resources

September 11, 1979

Willis E. Sullivan, III
White Savage Associates
Box 2592
Boise, ID 83701

RE: Application for Permit No. 63-9248

Dear Mr. Sullivan:

Enclosed is a copy of a withdrawal of protest against the above referenced application.

This office can now take further action on the application.

Sincerely,

DAVID B. SHAW
Western Region Supervisor

DBS:kk

Enclosure

MICROFILMED

September 11, 1979

Robert P. Walker, P.E.
District Engineer
Boise Water Corporation
P.O. Box 7488
Boise, ID 83707

RE: Application for Permit No. 63-9248

Dear Mr. Walker:

This office acknowledges receipt of the withdrawal of protest against Application No. 63-9248 in the name of Plantation Development, Inc.

This office now will continue to process the application, since the protest has been withdrawn.

Sincerely,

DAVID B. SHAW
Western Region Supervisor

DBS:kk

September 7, 1979

Willis E. Sullivan, III
White Savage Associates
Box 2592
Boise, ID 83701

RE: Application for Permit No. 63-9248
In the Name of Plantation Development, Inc.

Dear Mr. Sullivan:

Attached please find a copy of the letter from Mr. Robert Walker, P.E., of Boise Water Corporation tentatively withdrawing their protest against your application in the name of Plantation Development. Mr. Walker has agreed to withdraw the protest of Boise Water Corporation based upon the conditions set forth in your letter of August 24, 1979, and upon the condition that you will provide Boise Water Corporation with the drilling schedule for the wells and allow Boise Water Corporation representatives to visit the site of the wells during drilling operations.

These last two conditions were not addressed in your letter of August 24; however, if you agree with them and would so notify this Department, then Mr. Walker's letter of August 31, 1979, will be accepted as a withdrawal of protest and the Department will continue to process Application No. 63-9248 in the name of Plantation Development, Incorporated.

If you have any questions or would like to discuss this, please feel free to contact me at any time.

Yours truly,

DAVID B. SHAW
Western Region Supervisor

DBS:kk

Attachment

MICROFILMED

August 28, 1979

R. F. Walker, P.E.
Boise Water Corporation
P.O. Box 7488
Boise, ID 83707

RE: Application for Permit No. 63-9248
In the name of Plantation Development, Inc.

Dear Mr. Walker:

Our office acknowledges receipt of a revision of Application for Permit No. 63-9248, in the name of Plantation Development Inc., from Mr. Sullivan. This revision will be added to the file (copy enclosed).

If this revision is satisfactory and you would like to withdraw your protest, please notify this office in writing that you wish to do so.

Sincerely,

DAVID B. SHAW
Western Regional Supervisor

kk

Enclosure

cc: W. E. Sullivan, III

MICROFILMED



BOISE WATER CORPORATION • P.O. BOX 7466 • BOISE, IDAHO 83707 • (208) 345-3100

June 28, 1979

Director of the Idaho Department
of Water Resources
92 S. Cole Road
Boise, Idaho 83709

Gentlemen:

Re: Protest of Applications 63-9246 & 63-9248

Boise Water Corporation has wells in close proximity to the locations of the above applications. Due to the scarcity of adequate ground water in these areas and the probable interaction between the wells, Boise Water Corporation hereby protests the granting of permits for Applications 63-9246 and 63-9248.

Very truly yours,

BOISE WATER CORPORATION

Daniel Brown

Daniel Brown
District Engineer in Training

DB:lb

RECEIVED
JUN 29 1979

Department of Water Resources
Western Regional Office

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83705

JOHN V. EVANS

Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED

Director

(208) 384-2190

July 9, 1979

Plantation Development, Inc.
P.O. Box 3218
Boise, ID 83703

RE: Application for Permit No. 63-9248

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to your Application No. ~~63-9248~~. The Department suggests you contact the protestant(s) directly in an effort to determine the nature of the protest(s) and to attempt to resolve the protest(s).

If this office has not been advised within twenty (20) days that the protest(s) has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

If this office can be of further assistance, please contact us.

Yours truly,

DAVID B. SHAW
~~JOHN D. BOONICK~~ WILLIAM R. GOSSETT
Acting Western Regional Supervisor

Enc.



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83705

JOHN V. EVANS

Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED

Director

(208) 384-2190

July 9, 1979

Daniel Brown
Boise Water Corporation
P.O. Box 7488
Boise, ID 83707

RE: Protest of Application Nos. 63-9246 & 73-7248 ⁶³⁹²⁴⁸

Dear Mr. Brown:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application. The Department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

If this office can be of further assistance, please contact us.

Yours truly,

~~DAVID E. GOSSETT~~ WILLIAM R. GOSSETT
Acting Western Regional Supervisor

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709.

C. STEPHEN ALLRED

Director

Published 6/21 & 6/28/79.

MICROFILMED

63-9248_

PLANTATION DEVELOPMENT, INC.

P.O. BOX 3128, BOISE, ID 83703

Source: GROUNDWATER

Date Filed: 06/12/1979

Amount: 3.00 CFS

Diversion Point: NESW SENW NWNW Sec 30 T 04N R 02E, ADA Co.

Use: IRRIGATION (3.00 CFS) from 04/01 to 10/15

Place of Use: NWNW SWNW SENW NESW NWSE Sec 30 T 04N R 02E NENE
Sec 25 T 04N R 01E SESE Sec 24 T 04N R 01E FOR 71 ACRES

Diversion Means: 3 WELLS

MICROFILMED