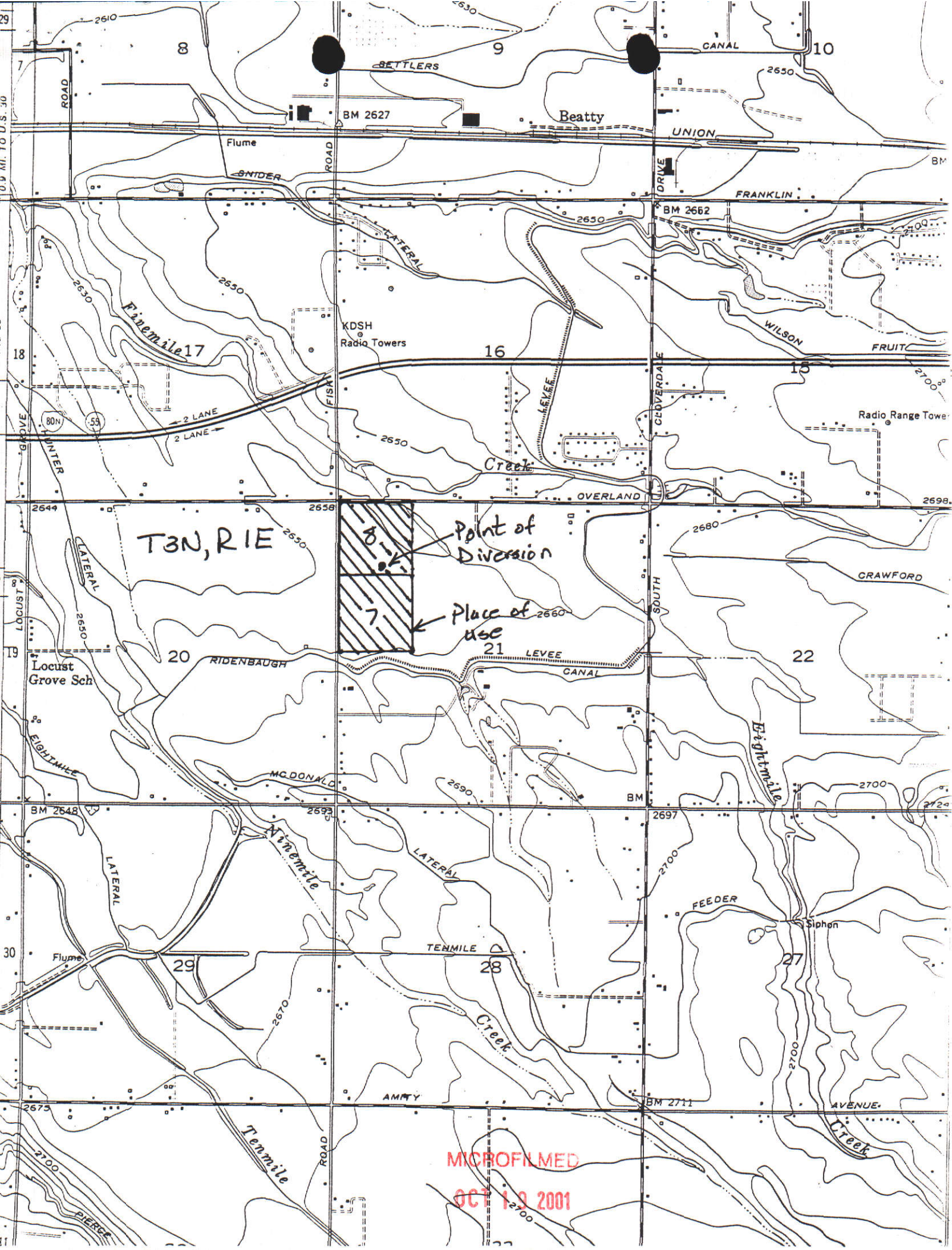
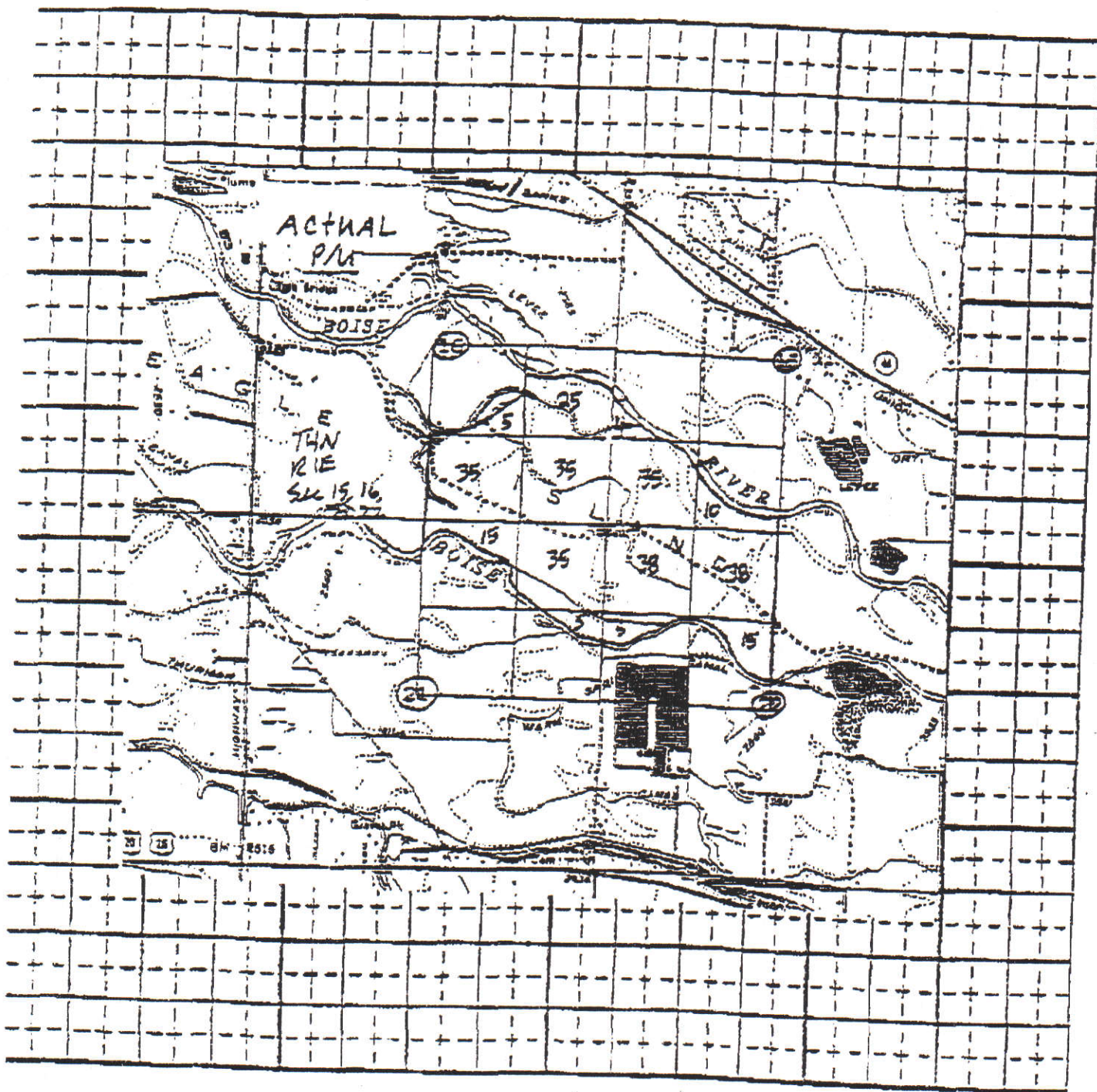




Map or Project show clearly the point of diversion, place of use, section number, township, and range number.

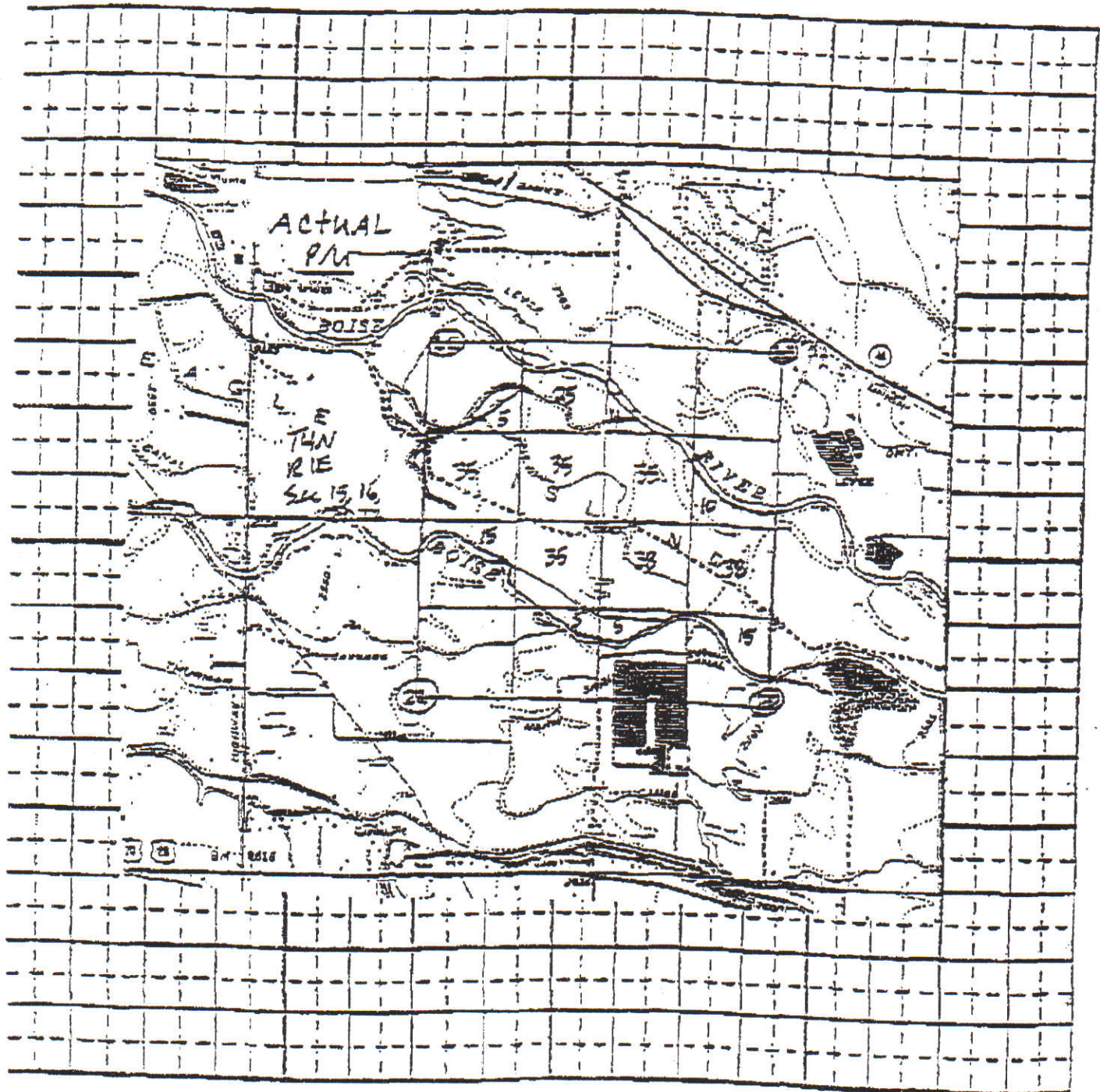
Scale: 2 inches equals 1 mBa



Last Name _____ Ident No. _____

MICROFILMED
OCT 19 2001

Scale: 2 inches equals 1 mile



Last Name _____

Idaz No. _____

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OCT 19 2001

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-31258

Priority: 05/23/2001

Maximum Diversion Rate: 0.30 CFS
Maximum Diversion Volume: 18.0 AF

This is to certify, that SUNDANCE INVESTMENT LTD PARTNERSHIP
C/O RYAN ANDERSON
9100 WEST BLACKEAGLE DR
BOISE ID 83709

has applied for a permit to appropriate water from:

Source: GROUND WATER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/01 to 11/15	0.30 CFS	18.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 21, Twp. 03N, Rge 01E, B.M. ADA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N 01E 21					8.0	7.0											15.0

Total Acres: 15

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before September 1, 2006.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

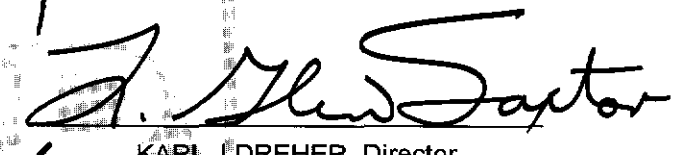
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State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-31258

7. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
8. Water shall not be diverted and beneficially used under this right unless water is available for mitigation purposes under the portion of Right 63-270 (currently in the name of Sylvan &/or Barbara Williamson) purchased by the right holder as evidenced by the water right purchase and sales agreement dated 5/3/2001. Such water right used for mitigation purposes shall be left wholly undiverted in the Boise River to offset depletions caused by use under this permit. Failure to comply with these provisions is cause for immediate cancellation of this permit.
9. The permit holder is not authorized to assign ownership of this permit or the part of the Williamson water right used for mitigation without prior written approval of the department. In its consideration of a request for assignment, the department will review the permit holders diligence in the development of a water right and the extent of development performed under terms of the permit.
10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
11. Water bearing zone to be appropriated is 75 to 200 feet.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 6th day of September, 2001.


for **KARL J. DREHER, Director**

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SEP 11 2001

AUG 21 2001

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 103-31258

RECEIVED

MAY 23 2001

WATER RESOURCES
WESTERN REGION

Sundance Investment Limited Partnership

1. Name of Applicant c/o Ryan Anderson, Partner Phone 208-322-7300
Mailing address 9100 West Blackeagle Drive, Boise, ID 83709

2. Source of water supply groundwater which is a tributary of NA

3. Location of point of diversion is Township 3N Range 1E Sec. 21 in the SE 1/4,
NW 1/4, NW 1/4, Govt. Lot , B.M., Ada County;

additional points of diversion if any:

4. Water will be used for the following purposes:

Amount 0.30 for irrigation purposes from 3/1 to 11/15 (both dates inclusive)

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

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

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

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

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

(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.30 and/or (b)
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source well with electric
submersible pump

b. Height of storage dam feet; active reservoir capacity acre-feet; total
reservoir capacity acre-feet

c. Proposed well diameter is 8 inches; proposed depth of well is 200 feet

d. Is ground water with a temperature of greater than 85°F being sought? no

e. If well is already drilled, when? ; Drilling firm ;

Well was drilled for (well owner) ; Drilling Permit No.

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

8. Description of proposed uses (if irrigation only, go to item 9):

a. Hydropower; show total feet of head and proposed capacity in KW.

b. Stockwatering; list number and kind of livestock.

c. Municipal; show name of municipality.

d. Domestic; show number of households.

e. Other; describe fully.

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AUG 18 2001

9. Description of place of use:

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

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

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	1E	21						8	7										15

Total number of acres to be irrigated 15

10. Describe any other water rights used for the same purposes as described above. Nampa & Meridian Irrigation District

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

12. Remarks: This application proposes supplemental irrigation of 15 acres of landscape at the Silverstone Corporate Center Subdivision. Annual diversion volume under this water right permit shall be limited to 18 acre feet. Mitigation will be accomplished by retiring 4 acres of Boise River water right 63-00270. Water-bearing zone to be appropriated is 75 to 200 feet.

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

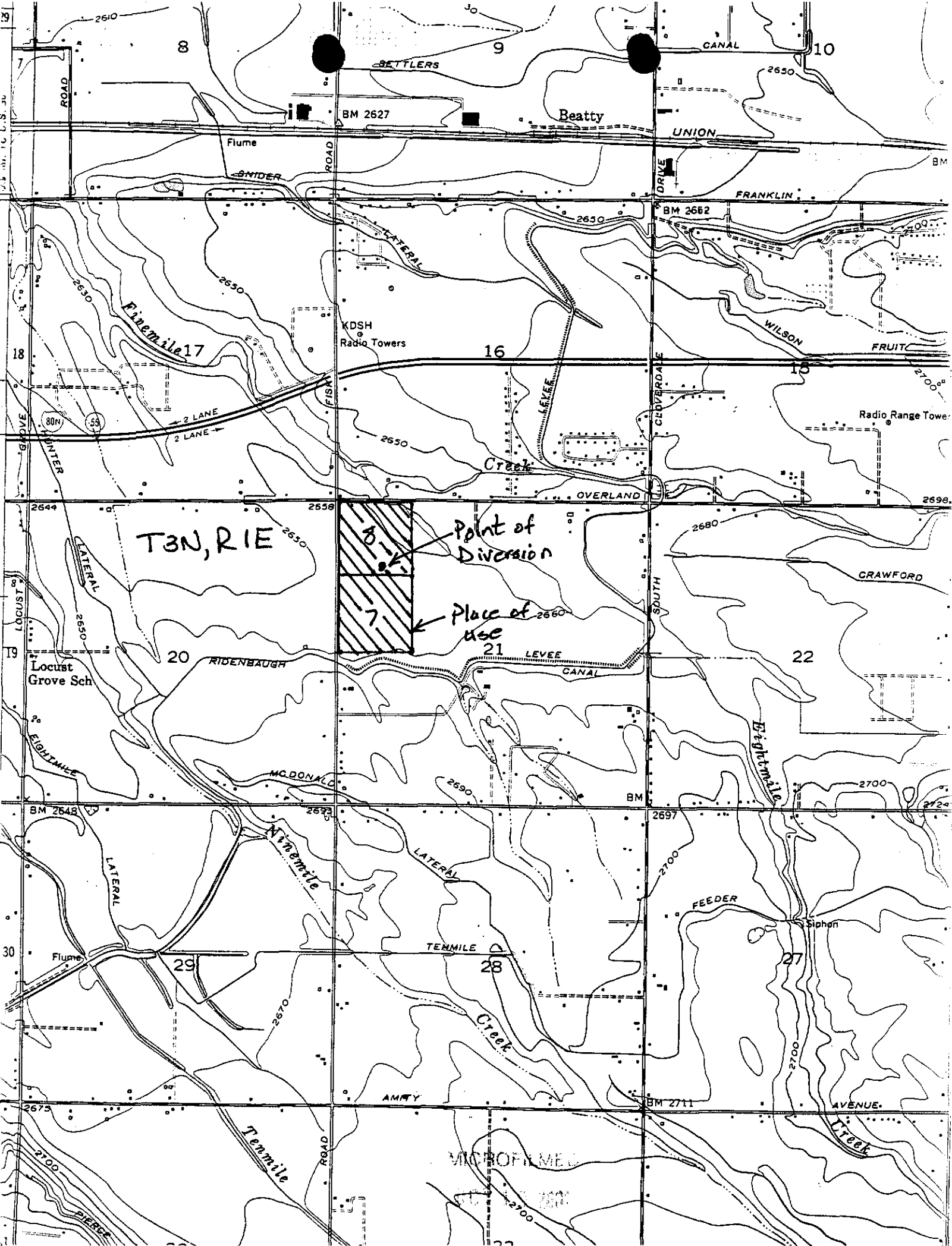
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.


Signature of Applicant (and title, if applicable)
Ryan Anderson, Partner

Received by LM Date 5-23-01 Time 12:13 Preliminary check by DAN
Fee \$ 230.00 Receipted by LM # W027797 Date 5-23-01
Publication prepared by AT Date 7-5-01 Published in THE IDAHO STATESMAN
Publication approved AT Date 7-24-01

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807 13 2001



When recorded return to:

GIVENS PURSLEY LLP
277 North Sixth Street, Suite 200
P.O. Box 2720
Boise, Idaho 83701-2720
Attn: Jeffrey C. Fereday

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

2001 SP 13 PM 12:01

RECORDED - REQUEST OF

DEPUTY

101094581

WATER RIGHT GRANT DEED

FOR VALUE RECEIVED, Sylvan and Barbara Williamson, husband and wife, (collectively, "Grantor") of Eagle, Idaho, hereby grant, bargain, sell and convey unto Grantee Sundance Investment Limited Partnership, (Ryan Anderson, Partner) 9100 West Blackeagle Drive, Boise, ID 83709, all of Grantor's right, title and interest in and to that portion of decreed water right 63-00270 necessary to deliver a water flow rate of 0.08 cubic feet per second during the irrigation season and an annual diversion volume of 18 acre-feet (such portion hereinafter referred to as the "Water Right"). The Water Right heretofore has been diverted and beneficially used by Grantor, and is appurtenant to the real property located in Ada County, Idaho, more particularly described on Exhibit A attached hereto. A copy of the amended SRBA claim evidencing the Water Right is attached hereto as Exhibit B.

TO HAVE AND TO HOLD the Water Right and all of its appurtenances unto the Grantee, its successors and assigns, forever.

The Idaho Department of Water Resources shall be entitled to enter the change in ownership of the Water Right effected hereby upon its records and those of the Snake River Basin Adjudication Court, Fifth Judicial District, in the State of Idaho, in and for the County of Twin Falls, Case No. 39576.

IN WITNESS WHEREOF, the Grantor has caused the Grantor's name to be subscribed to this Grant Deed effective the 30 day of May, 2001.

GRANTOR: SYLVAN WILLIAMSON BARBARA WILLIAMSON

Sylvan Williamson Barbara Williamson

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APR 13 2001

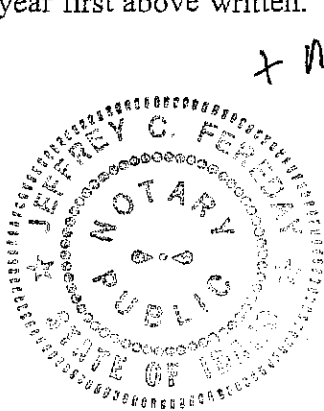
STATE OF IDAHO)

) ss.

County of Ada)

On this 3rd day of May, in the year 2001, before me, a Notary Public in and for the State of Idaho, personally appeared Sylvan and Barbara Williamson, known or identified to me to be the husband and wife who executed the above instrument, and acknowledged to me that they executed the same.

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



Jeffrey C. Feraday

Notary Public for Idaho

Residing at: Boise, Idaho

My commission expires: 2006

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OCT 15 2001

EXHIBIT A

Legal Description of Real Property to Which the Water Right is Appurtenant

Four acres within the NE 1/4 of the NW 1/4 of Section 22, Township 4 North, Range 1 East, B.M.

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SEP 13 2001

SEP 24 2001

Department of Water Resources

LAW OFFICES

277 North 6th Street, Suite 200
PO Box 2720, Boise, Idaho 83701

TELEPHONE: 208 388-1200

FACSIMILE: 208 388-1300

WEBSITE: www.givenspursley.com

Direct Dial: (208) 388-1217

E-Mail: jcf@givenspursley.com

Gary G. Allen
Christopher J. Beeson
Michael C. Creamer
Thomas E. Dvorak
Roy Lewis Eiguren
Jacqueline M. Fearnside
Timothy P. Fearnside
Jeffrey C. Fereday
Amanda L. Keating
Karl T. Klein
Debora K. Kristensen
Franklin G. Lee

David R. Lombardi
D. David Lorello, Jr.
Kevin T. Maloney
Kimberly D. Maloney
John M. Marshall
Kenneth R. McClure
Kelly Greene McConnell
Cynthia A. Melillo
Christopher H. Meyer
Kendall L. Miller
L. Edward Miller
Patrick J. Miller

Judson B. Montgomery
Angela K. Nelson
W. Hugh O'Riordan
Kenneth L. Pursley
Virginia L. Stukel
Conley Ward
Stephanie C. Westermeier
Robert B. White

Raymond D. Givens
James A. McClure
OF COUNSEL

September 20, 2001

VIA U.S. MAIL

Kari Lynn Townsend
Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706

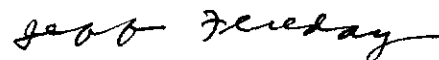
Re: Water Right Permit Number 63-31258 (Sundance Investment Water Right)
Our File: 6035-1

Dear Ms. Townsend:

Enclosed are copies of the Permit to Appropriate Water, Water Right Purchase and Sale Agreement and a recorded copy of the Water Right Grant Deed between Sylvan and Barbara Williamson and Sundance Investment Limited Partnership (Ryan Anderson, Partner). The recording of this deed satisfies the mitigation conditions set forth in the water right permit.

If you have any questions or concerns, please feel free to contact me. Thank you for your assistance in this matter

Sincerely,



Jeffrey C. Fereday

JCF/ack

Enclosures

cc: Sylvan and Barbara Williamson
Ryan Anderson, Sundance Investment Limited Partnership
Terry Scanlan

S:\clients\6035\1\9-20-01 IDWR Letter.doc

MICROFILMED

OCT 19 2001

SCANLAN ENGINEERING

Groundwater and Environmental Engineering

RECEIVED

JUN 27 2001

WATER RESOURCES
WESTERN REGION

June 26, 2001

Lori Graves
Western Region
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Subject: Change of Water Right Ownership – Sundance Investments Limited Partnership

Dear Lori:

Enclosed at your request, please find a Notice of Change in Water Right Ownership for 4-acres of water right 63-00270. Sundance Investments Limited Partnership has purchased the 4 acres of water right from Sylvan and Barbara Williamson as mitigation for its pending application for permit. The sale of the water right will be finalized upon approval of the application for permit. Therefore, we request that you wait until the permit is approved before processing the Notice of Change in Water Right Ownership.

Please contact me with any questions or comments.

Sincerely,



Terry M. Scanlan, P.E., P.G.

Enclosures

Cc: Ryan Anderson
Jeff Fereday

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SEP 11 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 7, 2001

SUNDANCE INVESTMENT LTD PARTNERSHIP
C/O RYAN ANDERSON
9100 WEST BLACKEAGLE DR
BOISE ID 83709

RE: Permit No. 63-31258

Permit Approval Notice

Dear Permit Holder:

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

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

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

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

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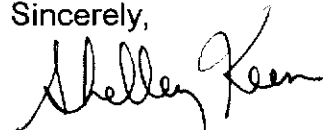
SEP 13 2001

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed a least sixty days prior to the commencement of work in the stream.

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

If you have any questions, please contact me at 208-327-7946.

Sincerely,



Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

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SEP 11 2002

CERTIFICATE OF MAILING

I hereby certify that on September 7, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 63-31258

**SUNDANCE INVESTMENT LTD PARTNERSHIP
C/O RYAN ANDERSON
9100 WEST BLACKEAGLE DR
BOISE ID 83709**


**Kari Lynn Townsend
Secretary**

MICROFILMED

SEP 15 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- I. A hearing was held,
- II. The final agency action was taken,
- III. The party seeking review of the order resides, or
- IV. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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2017 1 10

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS
Reviewed by Sharla Curtis on 8/29/01

No. 63-31258 Name: Sundance Corp. Officers ✓ Ad ok Govt Lots

AREA OF CONCERN: No/Yes TVGW Moratorium GWMA ~~TRUST/NON-TRUST~~

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046
Basin 34 - 084 (if necessary)
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067

~~WMD~~

Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121

Trust - 051 (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

~~STORAGE~~ - 18C-01H-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/FS)-111 (instream stock)
MINING - 054-106
HEAT/COOL - R07 (injection well)
FIRE PROT - 077
COMMERCIAL/
INDUSTRIAL - 106-R07
DAIRY - 082-WD8
POWER - 17H or 17K (+uses)-17G (under FERC)
or 17M (not FERC regulated)
025-027-R22-08A

BENEFICIAL USE DUE: 9/01/2006

MISC CONDITIONS/REMARKS:

~~Protested~~ - 020-W19
Development Period
> 1 yr - 26A
Ownership - 004
Non-consumptive - 027
Water Quality - 106-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response
In/Above MSF - WB9
PLANNING REVIEW/RESPONSE
WD - R04 (WD#)
≤ 0.20 cfs/others - 01H, 01P or No MD
> 0.20 cfs - 01J

SPRINGS/SINK, INACTIVE WD or WB

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

SNAKE R (01) - W23, N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - W23, 047 (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

MUNICIPAL

Restricted area - 022,075
Irr., GW supp to SW - 102
Future needs - 007,109
FISH PROP - 029 (70's only)-007-042-106
DOMESTIC
Surface water - WB5 (Big Wood/Boise above Star Bridge)
- 27A (Payette R)
> 1 in restricted area - 070-071-075 (no parks/common areas)
Irr separate or none allowed - WB5
GW w/irrigation from SW evident - 065-104
Moratorium approvable - W03 (2500 gpd - meets domestic def
i.e. D/convenience store)

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON 3/1 - 11/15 (Per updated map)

IRR VOLUME/ACRE 4.5

OTHER CONDITIONS/REMARKS

COMMENTS

W Bearing zone = 75-200 ft.
Copy
Mitigation Cond. from 63-31257

Lester, Steve

From:  Lester, Steve
Sent: Friday, August 17, 2001 10:02 AM
To: 'tmscanlan@aol.com'
Subject: Application 63-31258 for Sundance Investment Ltd. Partnership

RECEIVED

AUG 21 2001

Contacts: Terry Scanlan

Department of Water Resources

Terry:

This note replies to your phone message I received today. You mentioned a previous request to expedite the application but I don't see anything in the file about that. Maybe we forgot to document the earlier request.

Advertising has been completed without protests. Regional Manager's final review is in process before file goes to the State Office. I will flag the file with your request to expedite to help move it along but am unable to give you a time frame of its expected arrival at State Office.

Let me know if you need more.

Steve Lester

MICROFILMED

AUG 21 2001

January 2001

**IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET**

INITIAL REVIEW BY: DAN DATE: 6-19-2001 APPLICATION: 63-31258
APPID* 69226

REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
- ☒ Address:
- ☒ Source: (See USGS Quad for names of water sources)
- ☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ County:
- ☒ Quantity: (flow and/or volume)
- ☒ Period of use:
- ☒ Nature of proposed use: (Include description of use)
- ☒ Description of diverting works:
- ☒ Time required for beneficial use of water:
- ☒ Place of use or acres irrigated:
- ☒ Map: (show T, R, S, QQ &/or QQQ)
- ☒ Subdivision plat: (for > 1 home in restricted area. $\geq$ 5 homes in non-restricted area)
- ☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid

Gov't. Lots:

NO P/DNO PIU**ADDITIONAL INFORMATION**

YES NO

- ☒ Overlapping place of use: (Describe source & relationship to present application on next page.) Nampa / Meridian water overlaps PIU
- ☒ Overlapping point of diversion.
- ☒ Critical groundwater area:
- ☒ Groundwater management area:
- ☒ 1992 moratorium: MITIGATION PROPOSED.
- ☒ Surface water source, IDFG letter needed.
- ☒ Protected river or minimum flow reach, notify water planning bureau.
- ☒ E-mail to SCA staff: (perennial stream, non-pump diversion &/or any mining).
- ☒ E-mail to Dam Safety staff: (for any storage)
- ☒ Mitigation plan: Check any that apply.
- ☒ immediate = acceptable plan required and submitted. MITIGATION PLAN ATTACHED.
- ☐ future = open areas, acceptance of condition of approval is in file.
- ☒ Send power requirement letter &/or fish farm requirement letter.
- ☒ Power residency affidavit:
- ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
- ☒ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

Change OF OWNERSHIP FORM

Date Requested 6-19-01 Date Response Received 6-27-200

PROCESSING

APP. NO. _____

YES NO

☒ ☐ In form for advertising:
☐ ☒ Statewide advertising: (> 10 cfs &/or 1000 af)
☒ ☐ Fee amount, receipt number and date recorded on application:

SEND COPIES TO: NOTE IF E-MAIL COMMENT LETTER USED.

YES NO

☐ ☒ I.D. Health & Welfare
☐ ☒ I.D. District Health
☐ ☒ I.D. Fish & Game
☐ ☒ I.D. Lands

YES NO

☐ ☒ U.S. BLM
☐ ☒ U.S. Forest Service
☒ ☐ Water Dist. # 63
☐ ☒ Water Planning Bureau
☐ ☒ Other _____

FINAL REGIONAL PROCESSING REVIEW:

YES NO

☒ ☐ Affidavit of publication received:
☒ ☐ Application published correctly: If not, record action taken.

☒ ☐ Publication dates and paper recorded on application:

☐ ☐ Final date for protest 7-23-01

☐ ☒ Protests received.

☐ ☒ Recommendations attached:

☐ ☒ Measuring device required:

☐ ☒ Water delivered by water master? District # _____

☒ ☐ Special conditions of approval or cover letter: 121, 046

See below for additional information

Recommended Date or Priority 5/23/01

Recommended by: Gay S

Date: 7/17/01

ADDITIONAL INFORMATION:

12/99

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATERMASTER**

Application No: 63-31258Applicant's Name: Sundance Investment

Watermaster's Recommendation:

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

Dated this 30 day of July, 2001.Water District No: 63Lee Lujan
Watermaster's Signature

Use reverse side of page if you need more space.

MICROFILMED

JUL 31 2001

RECEIVED
JUL 13 2001
WATER RESOURCES
WESTERN REGION

LEGAL ADVERTISING PROOF OF PUBLICATION

DEC 19 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 5, 2001

LEE SISCO
WATER DISTRICT 63
6616 OVERLAND RD
BOISE ID 83709

Re: Application for Water Right No. 63-31257 in the Name of Scott F. Woodhead &/or
Jeanette Bennion.
Application for Water Right No. 63-31258 in the Name of Sundance Investment Limited
Partnership.
Application for Water Right No. 63-12323 in the Name of Lloyd F. &/or Julia Kiff.

Dear Mr. Sisco:

Enclosed are copies of the above-referenced applications for permit. Also enclosed are
forms for your recommendation concerning these applications.

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

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

Sincerely,

Gary Spackman

GS:lm

Encl: Copy of Application
Recommendation of Watermaster Form

MICROFILMED

9/27/01



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

June 27, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Legal Notice Department

IDAHO STATESMAN

PO BOX 40

BOISE ID 83707

RE: Application for Permit Nos. 63-31254, 63-31257 and 63-31258 and Transfer No. 69237

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 07/23/2001. Your cooperation is appreciated.

Sincerely

Sue Taylor

Senior Secretary

MICROFILMED

OCT 11 1991

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

63-31258

SUNDANCE INVESTMENT LIMITED PARTNERSHIP
C/O RYAN ANDERSON, PARTNER
9100 WEST BLACKEAGLE DRIVE
BOISE ID 83709

Point(s) of Diversion SENWNW S21 T03N R01E ADA County Source GROUND WATER

Use: IRRIGATION 03/01 To 11/15 0.3 CFS

Total Diversion: 0.3 CFS

Date Filed: 05/23/2001

Place Of Use: IRRIGATION

T03N R01E S21 NWNW SWNW

Number of Acres 15

Remark: Mitigation is proposed for consumptive use.
Water bearing zone to be appropriated is from 75 to 200 feet.

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

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 07/23/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director Published on July 5 and 12, 2001.

MICROFILMED

800-541-4000

FAX**Scanlan Engineering**600 East River Park Lane, # 105
Boise, Idaho 83706**Date:** June 19, 2001**Tel:** 208 383-4140**Fax:** 208 383-4156**To:** Dan Nelson**Fax No:** 334-2348**From:** Terry Scanlan**Reference:****Subject:** Sundance Investments**No. of Pages:** 3
(including cover)

Dan -

Here is the list of partners for Sundance Investments Ltd. Partnership. Call me if you need anything else.

Terry

MICROFILMED

If you do not receive all pages, or if there are any problems with this transmission, please call at 208 383-4140

Sundance Investments Ltd. Partnership

List of Partners

General Partners: Roger L. Anderson
Sue I. Anderson

Limited Partners: Ryan L. Anderson
Travis L. Anderson
Christopher L. Anderson
Lee Trust
RSA Trust - FBO Ryan L. Anderson
RSA Trust - FBO Travis L. Anderson
RSA Trust - FBO Christopher L. Anderson

MICROFILMED

SEP 15 2001

SCANLAN ENGINEERING

Groundwater and Environmental Engineering

RECEIVED

MAY 23 2001

WATER RESOURCES
WESTERN REGION

May 22, 2001

Gary Spackman
Western Region Manager
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Subject: Application for Permit – Sundance Investment Limited Partnership

Dear Gary:

Enclosed please find an application for permit proposing supplemental irrigation from a groundwater source of 15 acres of landscape at the Silverstone Corporate Center. A check for the \$250 permit filing fee is included.

The point of diversion and place of use are located southeast of Meridian, within Basin 63. Groundwater at this location is tributary to the Boise River. Primary irrigation water source will be surface water supplied by Nampa and Meridian Irrigation District. Groundwater under the proposed permit will be used for supplemental purposes only. An annual diversion volume limit of 18 acre feet is proposed.

The applicant, Sundance Investment Limited Partnership, proposes mitigating this water right permit by retirement of 4 acres of irrigation water right 63-00270. Water right 63-00270 is an 1865-priority Boise River water right for irrigation of lands on Eagle Island. The applicants have purchased the 4 acres of water right from Sylvan and Barbara Williamson. A copy of the purchase agreement is enclosed.

Retirement of 4 acres of water right 63-00270 will fully mitigate any depletion to the Boise River resulting from the development of the proposed permit. Therefore, we request that this application for permit be exempted from the administrative hold on processing of applications for permit in Basin 63. Please contact me with any questions or comments.

Sincerely,



Terry M. Scanlan, P.E., P.G.

mitigation

Enclosures

Cc: Ryan Anderson
Jeff Fereday

MICROFILMED

OCT 13 2001

WATER RIGHT PURCHASE AND SALE AGREEMENT

This Water Right Purchase and Sale Agreement ("Agreement") is made and entered into this 3 day of May, 2001, in Ada County, State of Idaho, by and between Sylvan and Barbara Williamson, husband and wife, whose address is 850 Williamson Lane, Eagle, Idaho 83616 ("Seller") and Sundance Investment Limited Partnership (Ryan Anderson, Partner) 9100 West Blackeagle Drive, Boise, ID 83709 ("Buyer").

Recitals

1. Seller owns water right number 63-00270, a decreed Boise River natural flow irrigation water right serving approximately 300 acres with a priority date of April 1, 1865, which is evidenced by, among other things, Snake River Basin Adjudication claim number A63-00270, a copy of which is attached as Exhibit A.
2. Buyer wishes to purchase from Seller, and Seller wishes to sell to Buyer, that portion of water right 63-00270 necessary to deliver a water flow rate of 0.08 cubic feet per second during the irrigation season and an annual diversion volume of 18 acre-feet for irrigation of 4 acres (such portion hereinafter referred to as the "Water Right").

Agreement Terms

NOW THEREFORE, in consideration of the mutual covenants and conditions set forth herein, Seller and Buyer agree as follows:

3. **Sale of the Water Right.** Seller agrees to sell the Water Right described in paragraph 2, above, to Buyer, and Buyer agrees to purchase it, pursuant to the terms of this Agreement.
4. **Transfer of Water Right in connection with Buyer's permit application.** Buyer is acquiring the Water Right to transfer or otherwise use it as mitigation in connection with a ground water permit and license sought by the Buyer for lands located in Ada County, Idaho, and more particularly described as: the NW1/4 of the NW 1/4 and the SW 1/4 of the NW 1/4 of Section 21, T3N, R1E, B.M. Accordingly:
 - a. Within 30 days after the date of this Agreement, Buyer at his own expense shall apply for and diligently pursue authorization from the Idaho Department of Water Resources ("Department") to retire the Water Right, or to change and/or transfer the place of use, nature of use, and/or point of diversion under the Water Right, as part of Buyer's application for a permit to use ground water (the "permit application").

MICROFILMED
OCT 1 5 2001

b. At Buyer's request, Seller shall execute any documents pertaining to Seller's diversion, use, and/or ownership of the Water Right which Buyer deems necessary to support the permit application.

5. **Seller's obligation to cease using Water Right.** After the Department approves the permit application involving Buyer's use of the Water Right, the Water Right shall be used solely for Buyer's purposes as specified in the approved permit, transfer or other Department documentation, and Seller shall:

a. cease all diversions and uses under the Water Right; and

b. dry up and not irrigate the following parcel of irrigated land to which the Water Right was appurtenant, containing two acres, more or less, and more fully described on Exhibit B, provided, that nothing in this paragraph 5 shall prohibit Seller from transferring another valid water right for use on such parcel pursuant to law.

6. **Purchase price.** The purchase price for the Water Right is \$12,000.00, to be paid in two installments as follows:

a. An initial payment of \$500.00, the receipt of which Buyer hereby acknowledges, as a non-refundable down payment.

b. At closing, a final payment of \$11,500.00 upon the Department's final approval of the permit application by recognizing Buyer as entitled to receive credit for or transfer to Buyer's use (as the case may be) a water diversion rate and an annual volume of diversions under the Water Right of not less than 0.08 cfs and 18 acre-feet, respectively. Buyer's obligation to make the final payment is conditioned on the provisions of paragraph 7, below.

7. **Conditions entitling Buyer to cancel contract.** If the Department denies Buyer's permit application, or if it is finally denied after appeal, Buyer may, at Buyer's sole option and discretion, either: a) cancel this Agreement or b) continue with the purchase of the water right at the full purchase price. If Buyer elects to cancel this Agreement, Buyer shall, within 30 days after such denial or unsuccessful appeal, notify Seller in writing of this election, withdraw those portions of the permit application pertaining to or relying upon the Water Right, and execute any documents necessary to confirm Seller's continued full ownership of the Water Right. Upon taking these steps, this Agreement shall be null and void, and Seller shall retain the \$500 down payment.

8. **Closing.** Closing shall occur at the law offices of Givens Pursley LLP, 277 N. 6th Street, Boise, Idaho within 10 business days after the Department approves the permit application, or at such other time as the parties might mutually establish. At closing, Buyer shall pay Seller the final payment specified above in paragraph 6.b, and Seller shall deliver to Buyer a Grant Deed in the form specified on Exhibit C. Seller has executed a copy of the Grant Deed simultaneously with the execution of this Agreement, and hereby authorizes Buyer's counsel to hold such deed and deliver it to Buyer at closing. If this Agreement is voided pursuant to paragraph 7, above, or if closing otherwise cannot occur, Seller's signature on the Grant Deed shall be of no effect and Buyer's counsel shall promptly return the Grant Deed to Seller.

9. **Warranty.** Seller hereby warrants that the Water Right is valid and not forfeited in whole or in part; that Seller has a good and marketable title to the Water Right and the authority to sell it; that upon delivery of the deed in the form described above, Buyer will acquire a good and marketable title to the water right free and clear of liens and encumbrances, options, proxies, charges and any other adverse interests of any kind and nature; and that Seller will abide by all provisions of this Agreement after the closing and conveyance of title, including the dry-up requirement specified in paragraph 5, above. Seller further warrants that all current and past water district or other assessments on the Water Right have been paid in full by Seller and that no further assessments are due and owing as of the date of this Agreement.

10. **Reservation of actions.** Seller shall take no actions which would adversely affect the permit application or Buyer's attempts to gain approval of it or to change the point of diversion, nature, time or place of use of the Water Right in connection with the permit application. Nothing in this Agreement shall be construed so as to prohibit Seller from using, developing, selling, or filing change, transfer or other applications of his own, either individually or in concert with others, with respect to the portion of water right 63-00270 which Seller is retaining.

11. **Binding effect.** This Agreement shall be binding upon the parties hereto and their heirs, successors, administrators and assigns.

12. **Entire agreement.** The foregoing constitutes the full and complete agreement by and between these parties, and shall supersede all prior oral or written discussions or representations between them.

13. **Survival of closing.** The dry-up obligations of this Agreement shall survive the closing and the delivery of a deed of water right to Buyer.

14. **Recitals incorporated.** The above recitals are hereby incorporated as material terms of this Agreement.

15. **Attorney fees.** If either party shall fail to comply with the terms of the Agreement, the non-breaching party shall send written notice and provide a reasonable opportunity to cure, but not less than ten days. If the breach is not cured within the time allowed, the breaching party agrees to pay all attorney's fees and costs incurred by the non-breaching party. If suit is filed to interpret or enforce this Agreement, the unsuccessful party to such litigation agrees to pay the prevailing party all costs and expenses, including attorney's fees, incurred by the prevailing party whether incurred in district court, on appeal, or in bankruptcy court.

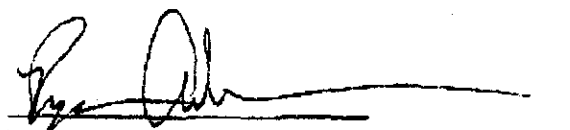
IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first set forth above.

SELLER:


Sylvan Williamson


Barbara Williamson

BUYER:


Ryan Anderson
Sundance Investment Limited Partnership

Acknowledgments

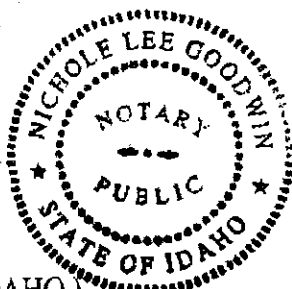
STATE OF IDAHO)

) ss.

County of Ada)

On this 3 day of May 2001, before me, a notary public for said state, personally appeared Sylvan Williamson, known or identified to me as the person who executed the within instrument.

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



Nichole Lee Goodman
 Notary Public for Idaho
 Residing at: Emmett
 My commission expires: 7/24/06

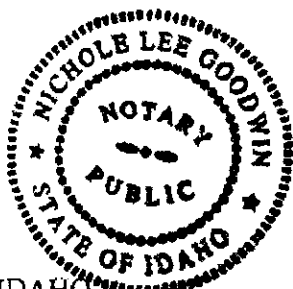
STATE OF IDAHO)

) ss.

County of Ada)

On this 3 day of May 2001, before me, a notary public for said state, personally appeared Barbara Williamson, known or identified to me as the person who executed the within instrument.

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



Nichole Lee Goodman
 Notary Public for Idaho
 Residing at: Emmett
 My commission expires: 7/24/06

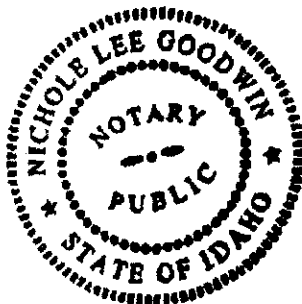
STATE OF IDAHO)

) ss.

County of Ada)

On this 8 day of May, 2001, before me, a notary public for said state,
personally appeared Ryan Anderson, known or identified to me as the person who
executed the within instrument.

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



Nichole Lee Goodwin
Notary Public for Idaho
Residing at: Emmett
My commission expires: 7/24/06

EXHIBIT A

Water Right Claim
Snake River Basin Adjudication Claim No. A63-00270

MICROFILMED

DEC 19 2001

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

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

CIVIL CASE NUMBER: 39576
Ident. Number: 463-00770
Date Received:
Receipt Number: W003463

RECEIVED

JUL 8 7 2001

WATER RESOURCES
WESTERN REGION

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

Please type or print clearly

1. Name of Claimant(s) SYLVAN +/or BJORARA WILLIAMSON Phone (208) 939-6287

Mailing Address 850 WILLIAMSON IN EAGLE ID 83616 Zip 83616

2. Date of Priority (Only one (1) per claim) 4/1/1965

3. Source of water supply (a) BOISE RIVER
which is tributary to (b) SNAKE RIVER

4. a. Location of existing point of diversion is: Township 4N Range 1E Section 22
1/4 of SW 1/4 of NE 1/4, Gov. Lot 6 B.M. County of ADA

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4,

Gov. Lot _____ B.M. County of _____

ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____

1/4, Gov. Lot _____ B.M. County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc).
Including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. WING DAM, DITCH

Exhibit A

MICROFILMED

DEC 13 2001

Use of water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 2/1 to 11/15 amount 6 or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 6 (cfs) and/or (b) 1350 (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses: describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	
4N	1E	15									4	35	10						49
		16													25	5	35	35	100
		21	25	15	5														55
		22				38	38	5	15										96

Total number of acres irrigated 300

11. In which county (ies) are lands listed above as place of use located? ADA

12. Do you own the property listed above as place of use? Yes ☒ No ☐

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None (✓)

14. Remarks:

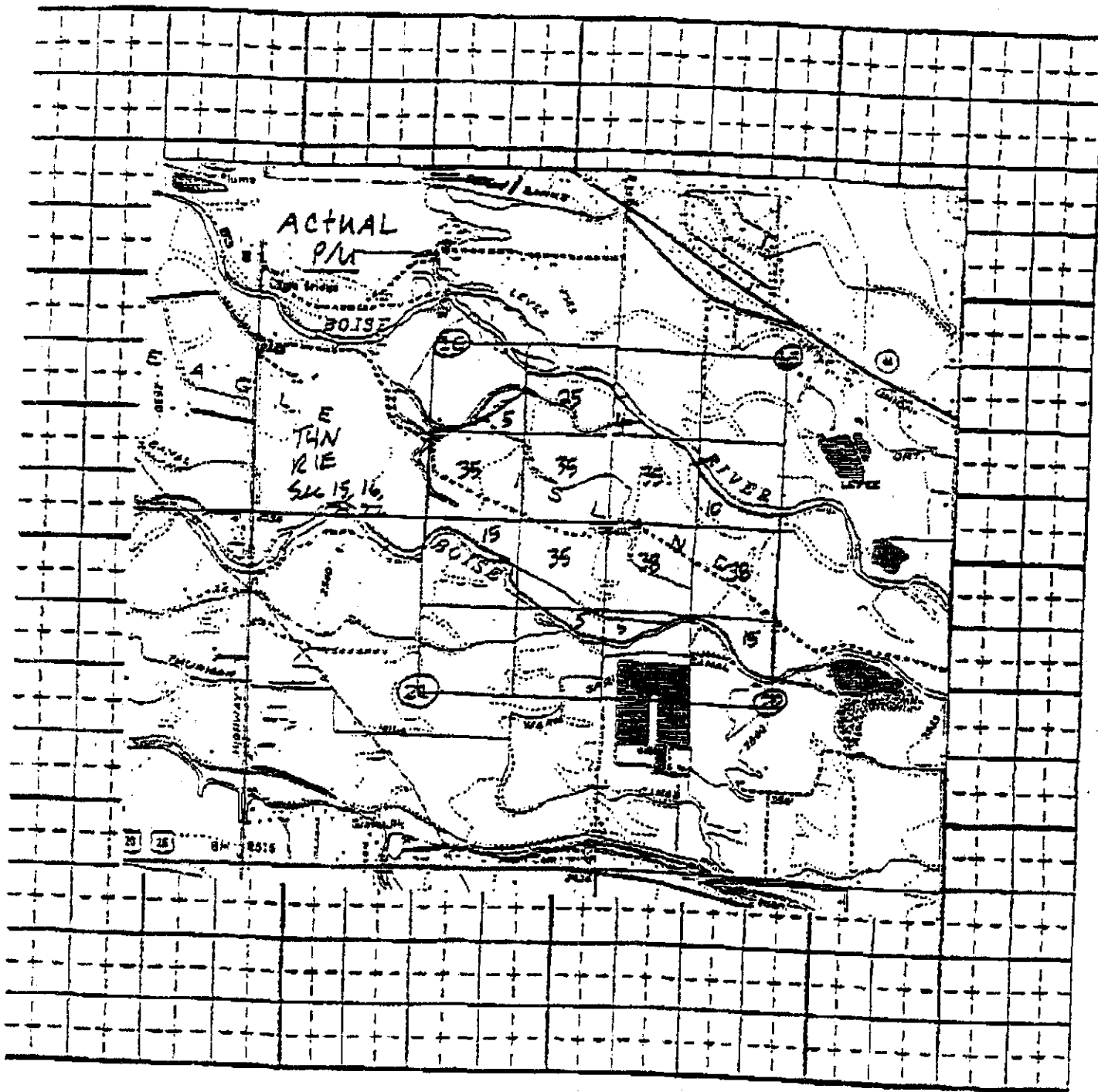
Last Name _____ Ident No. _____

MICROFILMED

NOV 1 1999

Map or Project show clearly the point of diversion, place of use, section number, ship, and range number.

Scale: 2 inches equals 1 mile



Last Name _____ Ident No. _____

MICROFILMED

SEP 19 2001

if applicable provide IDWR Waiver Number 63-00270

Court _____

Case Number _____

Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Barbara WilliamsonDate 7-5-2000

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title _____

of _____, that I have signed the foregoing

Organization _____

document in the space below as _____

Title _____

of _____

Organization _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or _____

County of _____

SS.

Subscribed and sworn (or affirmed) before me this _____

5thday of July2000Notary Public Doni GrahamResiding at BoiseMy Commission Expires 6/15/04

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____

Ident. Number _____

MICROFILMED

2001 JUL 13 2001

EXHIBIT B

The four acres to be removed from irrigation as part of this water right purchase and sale shall be removed from the NE 1/4 of Section 22, T4N, R1E. The sale of four acres of irrigation water right will reduce the irrigated area claimed under water right A63-00270 by four acres. The irrigated acres within the NE 1/4 of the NW 1/4 of section 22 claimed by A63-00270 will be reduced by four.

MICROFILMED

JUN 11 1991

EXHIBIT C

Water Right Grant Deed

MICROFILMED
DEC 1 1999

When recorded return to:

GIVENS PURSLEY LLP
277 North Sixth Street, Suite 200
P.O. Box 2720
Boise, Idaho 83701-2720
Attn: Jeffrey C. Fereday

WATER RIGHT GRANT DEED

FOR VALUE RECEIVED, Sylvan and Barbara Williamson, husband and wife, (collectively, "Grantor") of Eagle, Idaho, hereby grant, bargain, sell and convey unto Grantee Sundance Investment Limited Partnership, (Ryan Anderson, Partner) 9100 West Blackeagle Drive, Boise, ID 83709, all of Grantor's right, title and interest in and to that portion of decreed water right 63-00270 necessary to deliver a water flow rate of 0.08 cubic feet per second during the irrigation season and an annual diversion volume of 18 acre-feet (such portion hereinafter referred to as the "Water Right"). The Water Right heretofore has been diverted and beneficially used by Grantor, and is appurtenant to the real property located in Ada County, Idaho, more particularly described on Exhibit A attached hereto. A copy of the amended SRBA claim evidencing the Water Right is attached hereto as Exhibit B.

TO HAVE AND TO HOLD the Water Right and all of its appurtenances unto the Grantee, its successors and assigns, forever.

The Idaho Department of Water Resources shall be entitled to enter the change in ownership of the Water Right effected hereby upon its records and those of the Snake River Basin Adjudication Court, Fifth Judicial District, in the State of Idaho, in and for the County of Twin Falls, Case No. 39576.

IN WITNESS WHEREOF, the Grantor has caused the Grantor's name to be subscribed to this Grant Deed effective the ___ day of May, 2001.

GRANTOR: SYLVAN WILLIAMSON BARBARA WILLIAMSON

GRANT DEED (WILLIAMSON TO SUNDANCE) - 1

MICROFILMED
907 17 1999

STATE OF IDAHO)

) ss.

County of Ada)

On this ____ day of _____, in the year 2001, before me, a Notary Public in and for the State of Idaho, personally appeared Sylvan and Barbara Williamson, known or identified to me to be the husband and wife who executed the above instrument, and acknowledged to me that they executed the same.

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

Notary Public for Idaho

Residing at:

My commission expires:

GRANT DEED (WILLIAMSON TO SUNDANCE) - 2

MICROFILMED

JUN 1 1998

EXHIBIT A

Legal Description of Real Property to Which the Water Right is Appurtenant

Three acres within the NE 1/4 of the NW 1/4 of Section 22, Township 4 North, Range 1 East. B.M.

GRANT DEED (WILLIAMSON TO SUNDANCE) - 3

MICROFILMED
JUL 15 2001

EXHIBIT B

Water Right Claim

Snake River Basin Adjudication Claim No. A63-00270

GRANT DEED (WILLIAMSON TO SUNDANCE) - 4

MICROFILMED

APR 1 1997

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

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

CIVIL CASE NUMBER: 39578

Idaho Number 462-00270

Date Received

Receipt Number W003463

RECEIVED

JUL 17 2001

WATER RESOURCES
WESTERN REGION

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

Please type or print clearly

1. Name of Claimant (s) SIVIAN +/or ROBERTA WILKINSON Phone (208) 939-6237

Mailing Address 800 WILKINSON IN EAGLE ID 82414 Zip 83616

2. Date of Priority (Only one (1) per claim) 4/1/1965

3. Source of water supply (a) BOISE RIVER
which is tributary to (b) SNAKE RIVER

4. a. Location of existing point of diversion is: Township 4N Range 1E Section 22

1/4 of SW 1/4 of NE 1/4, Gov. Lot 6, B.M. County of ADA

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____ 1/4 of _____ 1/4 of _____ 1/4 of _____

Gov. Lot _____ B.M. County of _____

ending point is: Township _____ Range _____ Section _____ 1/4 of _____ 1/4 of _____

1/4, Gov. Lot _____ B.M. County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Weirs, Pumps, Pipelines, Headgates, etc.)
including the dates of any changes or improvements in use, the dimensions of the diversion works as
constructed and as enlarged and the date of each well. WING DAM DITCH

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Exhibit B

(Note: dates are inclusive)

(a)

(acre feet)

For IRRIGATION purposes from 2/1 to 11/15 amount 6 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 6 (b) and/or (b) 1350 (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses: describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example O for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NE 1/4	NE 1/4	NE 1/4	NE 1/4	NE 1/4	NE 1/4	NE 1/4	NE 1/4	NE 1/4	NE 1/4	NE 1/4	NE 1/4	NE 1/4	NE 1/4	NE 1/4	
4N	1E	1S									4	35	10						49
		16												25	5	35	35	100	
		21	25	15	5														45
		22				35	35	5	15										90

Total number of acres irrigated 300

11. In which country (ies) are lands listed above as place of use located? ADA

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None ☒

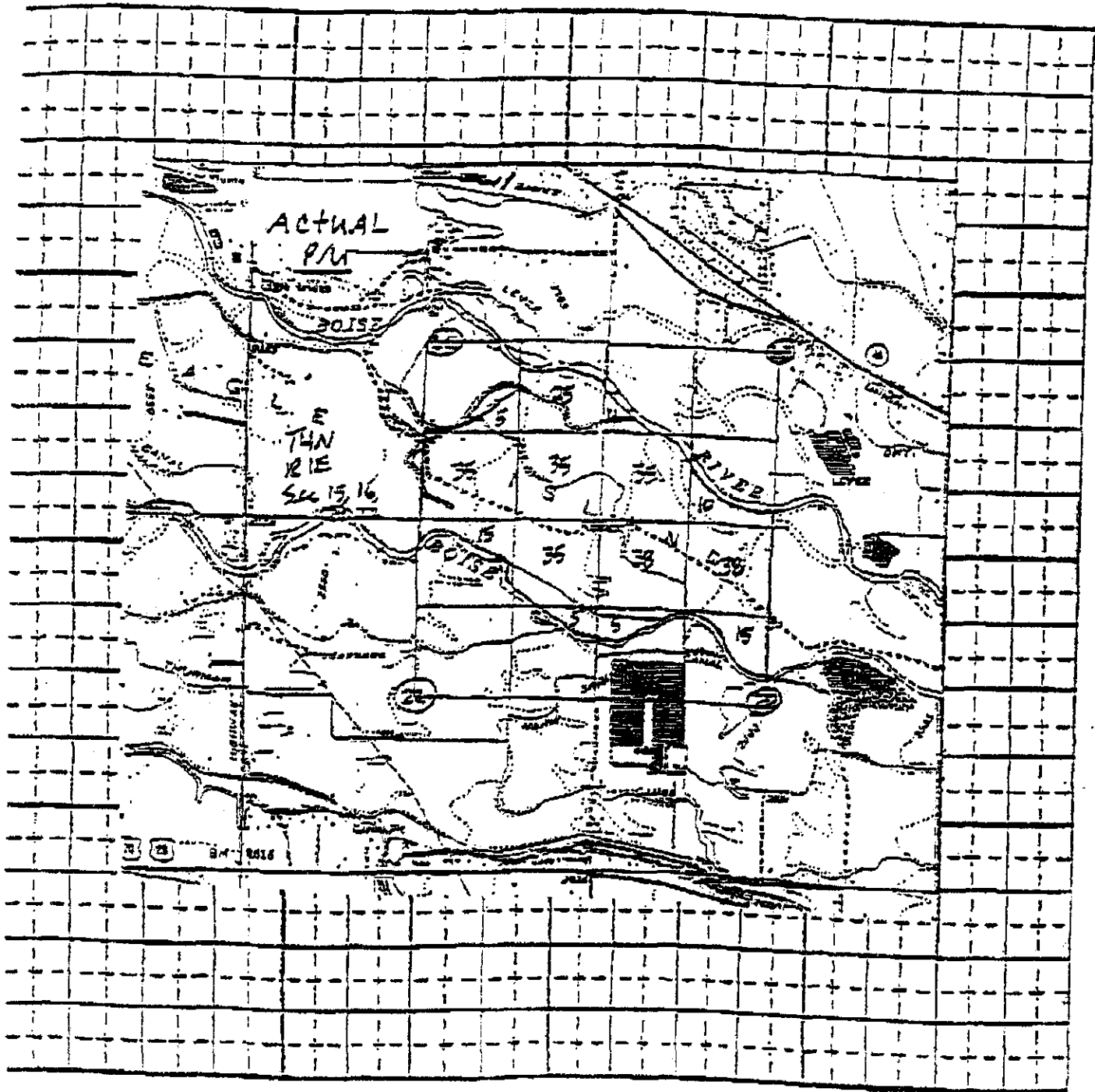
14. Remarks

LES Name _____ Ident No. _____

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1977-8-5-2004

Scale: 2 inches equals 1 mile



Last Name _____

Index No. _____

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SEP 5 9 1988

If applicable provide ICWA Waiver Number 63-00270
 Court _____ Case Number _____ Decree Date _____
 Plaintiff vs Defendant _____

15. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Barbara Williamson Date 7-5-2000
 _____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____
 of _____ Title _____ that I have signed the foregoing
 document in the space below as _____ of _____
 and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
 Title and Organization _____ Date _____

State of Idaho/or _____
 County of _____

Subscribed and sworn (or affirmed) before me this 5th day of July, 2000



Notary Public Donna Graham

Residing at Bain

My Commission Expires 6/15/04

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Case Number _____

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 JUL 10 2001

Idaho Department of Water Resources Receipt

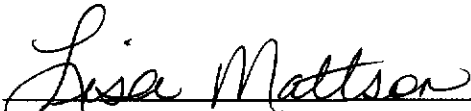
Receipt ID W027797

Payment Amount Date Received Region Status
Payment Type Check Number

Payer Comment

Fee Detail

Amount Description Fund FD PCA SO
\$250.00 PERMITS 0229 21 62103 1155



Signature Line (Dept. Representative)

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MAY 24 2001

REQUEST TO PROCESS

COMPLETE REQUEST IF YOU WANT YOUR APPLICATION TO BE PROCESSED USING ONE OF THE
THREE ALTERNATIVES BELOW

Name of Applicant Sundance Investment Limited Partnership
c/o Ryan Anderson, Partner

Mailing Address 9100 West Balckeagle Drive

Boise, ID 83709

Application No(s).:
(if known) _____

☐ IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

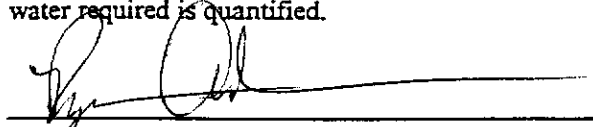
☒ PROPOSE MITIGATION NOW

Yes, I want my application processed and ~~before it is~~ advertised, I ~~will amend my~~ have application to include proposed mitigation to offset anticipated depletions to flows in the Snake River during the periods of anadromous fish migration.

☐ WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature



Date

5/17/01

Please return this form to:

Idaho Dept. of Water Resources
State Office
1301 N. Orchard Rd.
Boise ID 83706

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OCT 19 2001