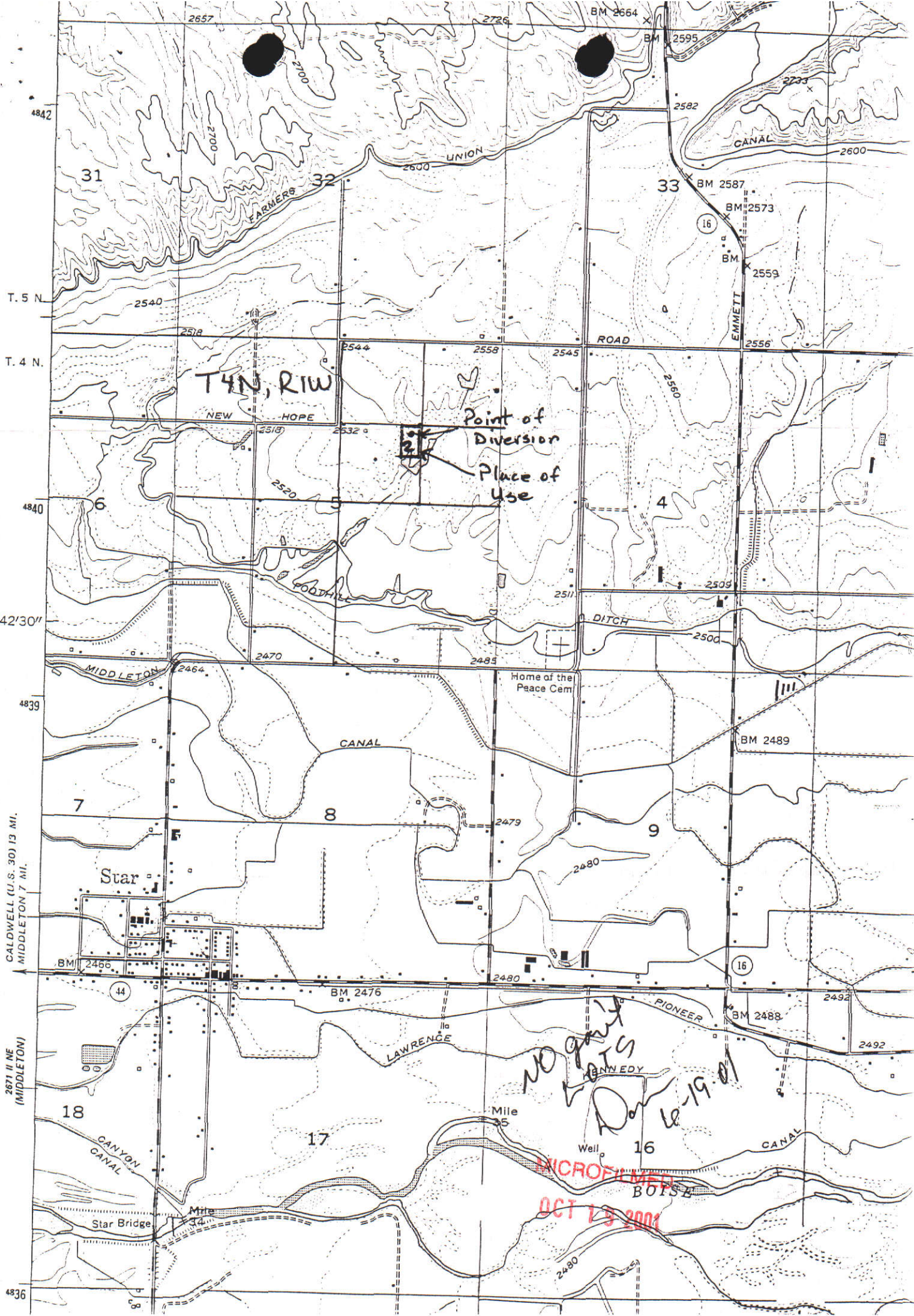




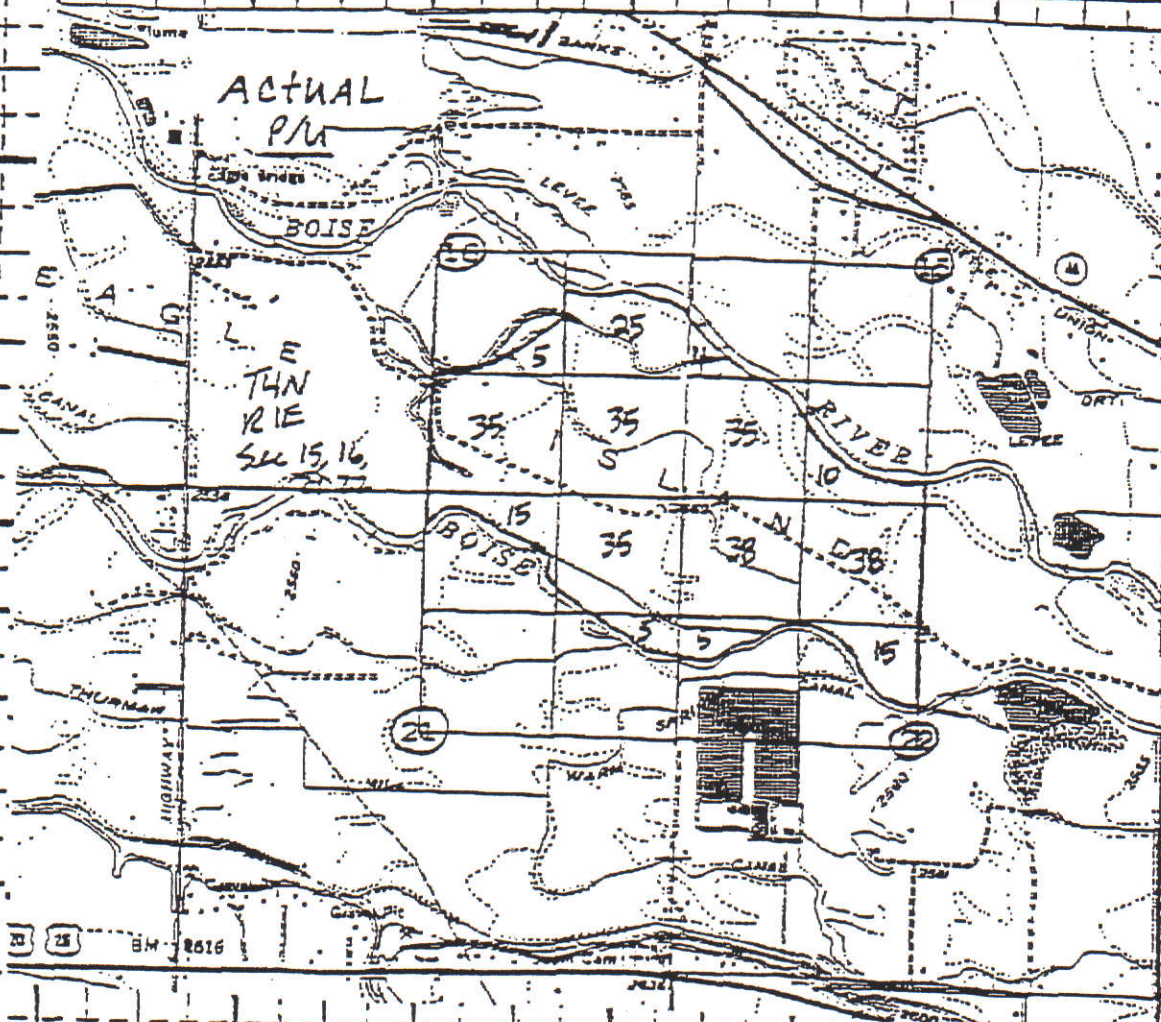
CALDWELL (U.S. 30) 13 MI.
MIDDLETON 7 MI.

2671 ft NE
(MIDDLETON)

NO grant
to
BOISE
12-19-01

MICROFILMED
OCT 15 2001

Scale: 2 inches equals 1 mile

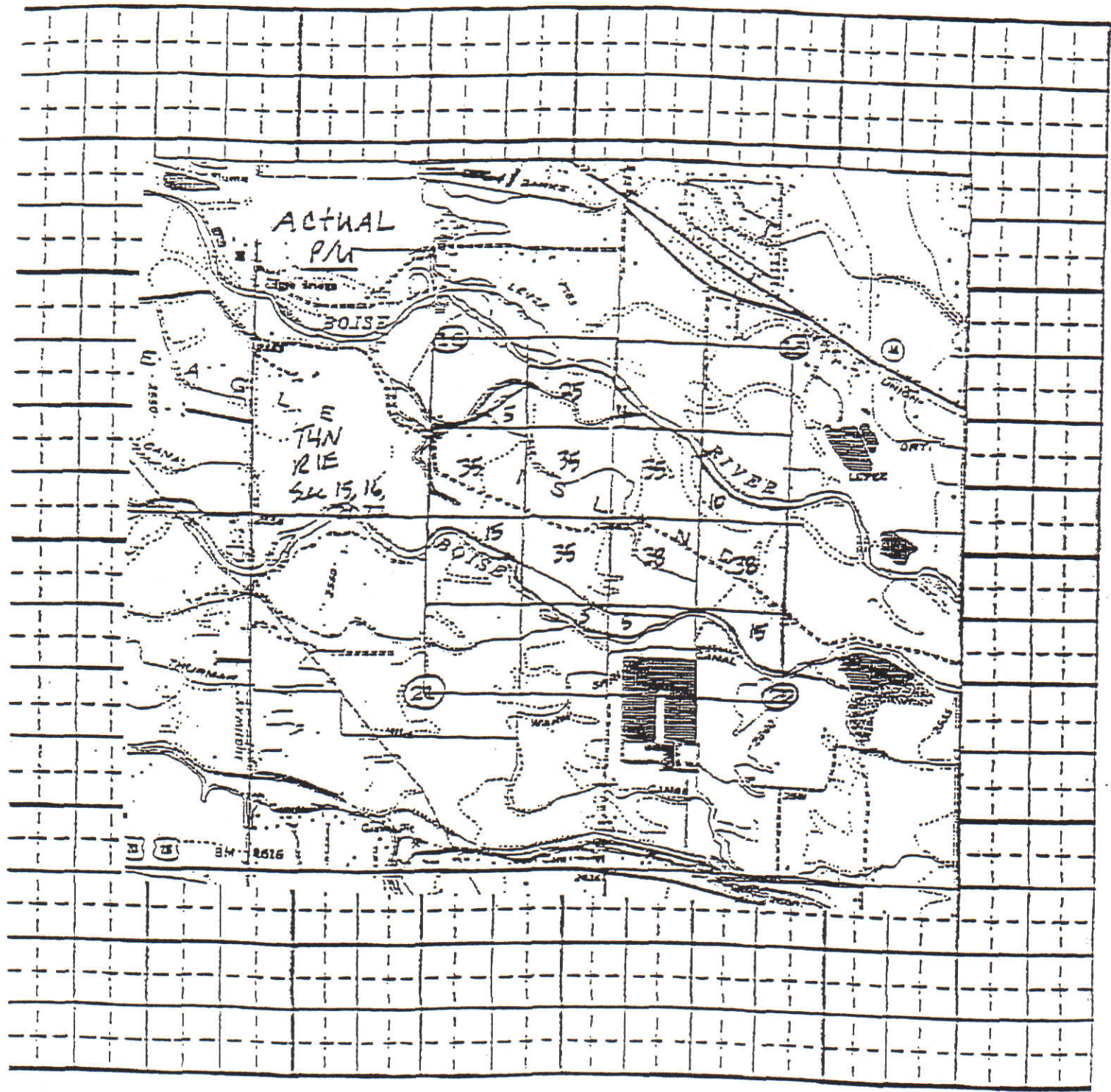


Last Name _____ Ident. No. _____

MICROFILMED
OCT 19 2001

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

Scale: 2 inches equals 1 mile



Last Name _____

Idaz No. _____

MICROFILMED
OCT 19 2001

FOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No. 10029690
Receipt By: RH
Date Received: 9/10/02

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
SEP 12 2002

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have 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, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 63-31257 Telephone No. 286-7931
2. Name of Permit Holder(s): SCOTT F. WOODHEAD & JEANNETTE K. BENNION
3. Mailing Address: 10075 STAR ACRES DR.
City STAR State ID Zip 83669
4. Source of Water: Well If GROUNDWATER (well), Date Drilled: mo. 11/14 / yr. 01
Well Driller: SYLVAN ADAMSON Drilling Permit Number: 771598
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): 2.0 ACR Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 0.04 cfs OR 2.0 acre-feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes _____ or No X
Has the measuring device been installed? Yes _____ or No X
8. Fee Enclosed: \$ 50 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: SCOTT WOODHEAD Telephone Number: 286-7931
Address: 10075 STAR ACRES DR
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: [Signature] Date: 9/9/02
(include your title, if on behalf of company or organization)

MICROFILMED

SEP 11 2002

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-31257

Priority: 05/23/2001

Maximum Diversion Rate: 0.04 CFS

This is to certify, that SCOTT F WOODHEAD
10075 STAR ACRES DR
STAR ID 83669

And

JEANETTE Y BENNION
10075 STAR ACRES DR
STAR ID 83669

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>
IRRIGATION	03/01 to 11/15	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 5, Twp 04N, Rge 01W, 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	
04N 01W 5			2.0														2.0

Total Acres: 2

CONDITIONS OF APPROVAL

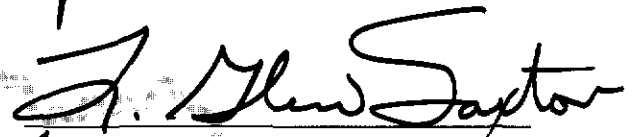
1. Proof of application of water to beneficial use shall be submitted on or before **September 1, 2006**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to 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.

MICROFILMED

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 63-31257

5. 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.
6. 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.
7. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
8. Water bearing zone to be appropriated is 50 to 150 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.



KARL J. DREHER, Director

MICROFILMED

RECEIVED

AUG 21 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

MAY 23 2001

WATER RESOURCES
WESTERN REGION

Department of Water Resources

Scott F. Woodhead and

1. Name of Applicant Jeanette Y. Bennion Phone 208-286-7931Mailing address 10075 Star Acres Drive, Star, ID 836692. Source of water supply groundwater which is a tributary of NA3. Location of point of diversion is Township 4N Range 1W Sec. 5, in the NE 1/4,
SW 1/4, NE 1/4, Govt. Lot Ada, B.M., Ada County;

additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.04 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) 0.04 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source well and electric submersible pumpb. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feetc. Proposed well diameter is 6 inches; proposed depth of well is 150 feetd. 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. _____

MICROFILMED

NOV 14 1981

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	
4N	1W	5			2														2

Total number of acres to be irrigated 2

10. Describe any other water rights used for the same purposes as described above. none

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: Water right permit will be mitigated by retiring 2 acres of Boise River water right 63-00270. Water-bearing zone to be appropriated is 50 to 150 feet.

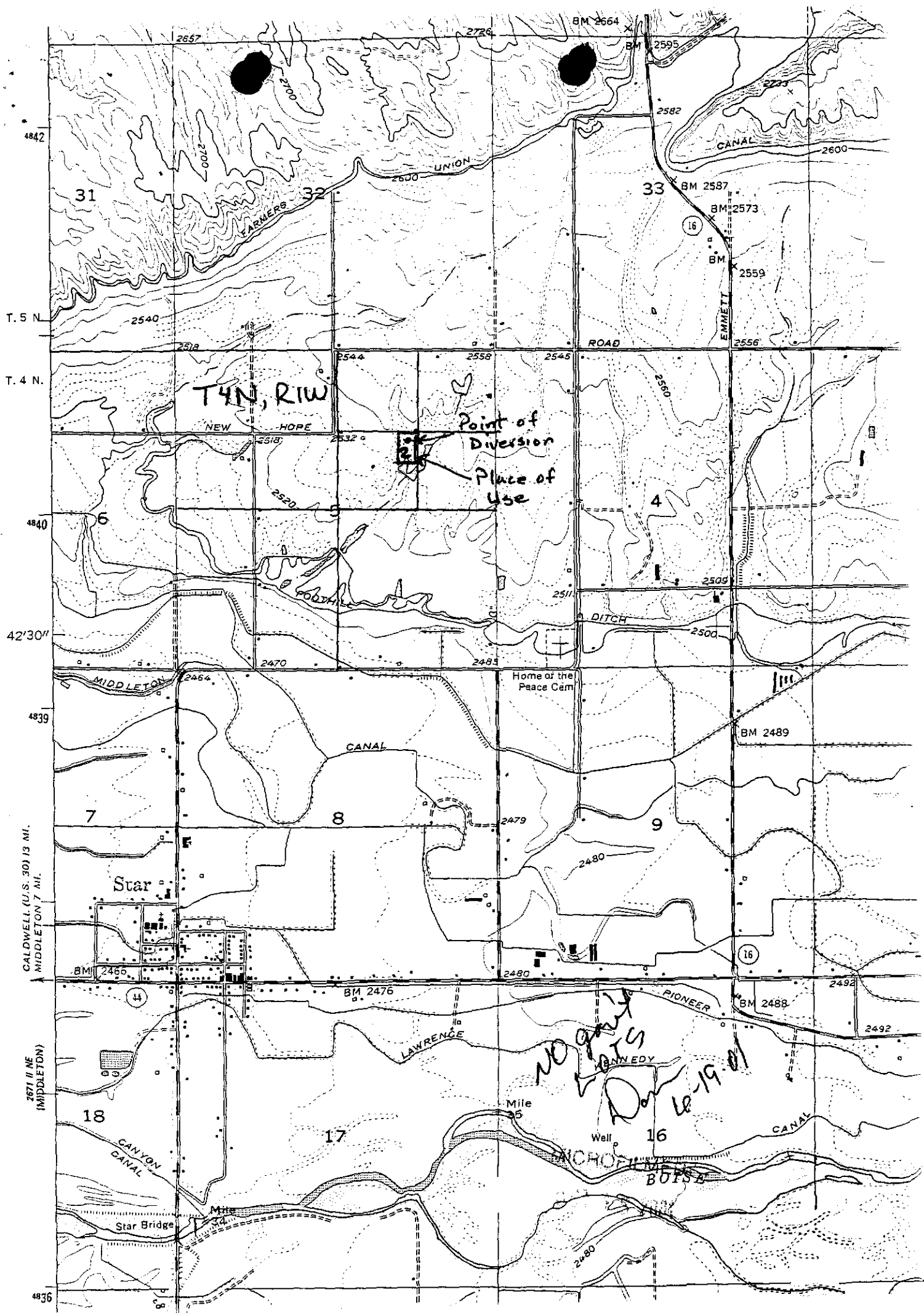
13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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.

MICROFILMED

Signature of Applicant Jeannette Y. Dennis
3/15/01
Signature of Applicant (and title, if applicable)

Received by LM Date 5-23-01 Time 12:19 Preliminary check by _____
Fee \$ 100.00 Received by LM # W027799 Date 5-23-01
Publication prepared by AT Date 7-5-12-01 Published in THE IDAHO STATESMAN
Publication approved _____ Date 7-24-01





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

October 10, 2002

SCOTT F WOODHEAD
JEANETTE Y BENNION
10075 STAR ACRES DR
STAR ID 83664

Re: Proof of Beneficial Use for 63-31257

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm that the use being made meets the permitted beneficial use.

Upon review of your proof, I find that you paid a \$50 license examination fee. Since your total diversion rate is .04 cfs, the license exam fee is waived with a groundwater right. Therefore, I will request that \$50.00 be refunded to you. A check will be issued by the State of Idaho in approximately 7-10 business days and mailed to you under separate cover.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **Western Regional Office** of the department in Boise at (208) 334-2190. If you have any questions regarding the refund or the processing of this proof, please contact me at (208) 327-7953.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

MICROFILMED

OCT 12 2002

Encl.

c: IDWR - Regional Office
Fiscal

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 63-31257

Reviewed By: dgibson

Date: October 9, 2002

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?	X	
License examination fee required?		X	Drilling permit No.:		771598
Appropriate fee submitted?		X	Drilling permit upgrade needed?		
Receipt No.:		W027799, W029690	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		09/10/2002
Date proof due	-	09/01/2006
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	05/23/2001
New priority date	=	05/23/2001

Deficiencies of Actions Items

Acknowledge proof and return fee.

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 Scott F. Woodhead and Jeanette Y. Bennion, 10075 Star Acres Drive, Star, ID 83669, 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 0.04 cubic feet per second during the irrigation season and an annual diversion volume of 9 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 3rd day of May, 2001.

GRANTOR: SYLVAN WILLIAMSON BARBARA WILLIAMSON



MICROFILMED

OCT 14 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.



J. C. Flaherty

Notary Public for Idaho

Residing at: Boise, ID

My commission expires: 02-8-06

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.

MICROFILMED

OCT 13 2001

SEP 24 2001

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

Department of Water Resources

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. Westemeier
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 No. 63-31257 (Woodhead/Bennion Water Right)
Our File: 6037-1

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 Scott Woodhead and Jeanette Bennion. 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
Scott Woodhead and Jeanette Bennion
Terry Scanlan

s:\clients\6037\19-20-01 IDWR Letter.doc

MICROFILMED

SEP 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 – Scott Woodhead and Jeanette Bennion

Dear Lori:

Enclosed at your request, please find a change of water right ownership for 2-acres of water right 63-00270. Scott Woodhead and Jeanette Bennion have purchased the 2 acres of water right from Sylvan and Barbara Williamson as mitigation for their 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: Scott Woodhead and Jeanette Bennion
Jeff Fereday

MICROFILMED



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

SCOTT F WOODHEAD
JEANETTE Y BENNION
10075 STAR ACRES DR
STAR ID 83669

RE: Permit No. 63-31257

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.

MICROFILMED

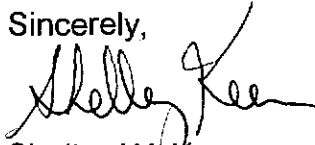
OCT 12 2001

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)

MICROFILMED

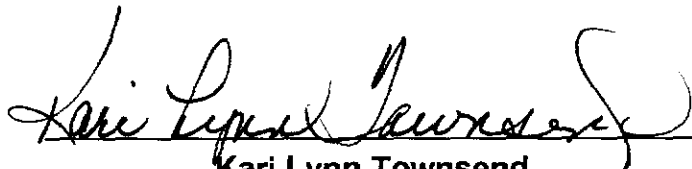
OCT 19 2001
MIC

CERTIFICATE OF MAILING

I hereby certify that on September , 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. 63-31257

**SCOTT F WOODHEAD
JEANETTE Y BENNION
10075 STAR ACRES DR
STAR ID 83669**


**Kari Lynn Townsend
Secretary**

RECORDED
OCT 18 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).

MICROFILMED

107 10 2001

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

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

MICROFILMED
JUL 1 5 1987

**APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS**
Reviewed by Sharla Curtis on 8/28/01

No. 63-31257 Name: Woodhead/Pennion Corp. Officers N/A Ad ok _____ Govt Lots _____

AREA OF CONCERN: No/Yes _____ 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)
STOCK WATER - 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

WBearing zone = 50-150 ft.

COMMENTS

Mit plan use cond from 63 1246/7c

INLAND WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: DAN DATE: 6-19-01 APPLICATION: 63-31257

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

RECEIVED

AUG 21 2001

Gov't. Lots:

NO P/D
NO P/U

Department of Water Resources

ADDITIONAL INFORMATION

YES NO

- ☒ Overlapping place of use: (Describe source & relationship to present application on next page.)
- ☒ Overlapping point of diversion.
- ☒ Critical groundwater area:
- ☒ Groundwater management area:
- ☒ 1992 moratorium: Mitigation has been 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

Need change of ownership for mitigated
Right.

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

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. The portion of

water right 63-00270 acquired by the permit holder, shall
and offered as mitigation shall not be diverted from the
Borse River in any year water is diverted under this permit.

See below for additional information

Recommended Date or Priority 5/23/01

Recommended by: Dany Date: 8/20/01

ADDITIONAL INFORMATION:

There overlapping Rights for the P/U, but
we have seen significant. Farmers
union overlaps place of use
also but owners don't have any shares.

12/99

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

Application No: 63-31257Applicant's Name: Woodhead & Bennion

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, 2001Water District No: 63Lee Lico
Watermaster's Signature

Use reverse side of page if you need more space.

MICROFILMED

AUG 1 5 2001

The Idaho Statesman

RECEIVED

JUL 13 2001

WATER RESOURCES
WESTERN REGION

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

LEGAL ADVERTISING PROOF OF PUBLICATION

Account #	DTI#	Identification	Amount:
047628	481316	APPLICATION NO. 63-31257	\$118.50
Ordered by:	P.O. #	Rate	Run Dates
SUE TAYLOR		TT	JULY 5, 12, 2001
STATE OF IDAHO DEPT. OF WATER RESOURCES WESTERN REG. 2735 AIRPORT WAY BOISE, IDAHO 83705 - 5082			Number of Lines 33 X 2
			Affidavit 1
			Legal # 10845

LEGAL NOTICE

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

63-31257

SCOTT F. WOODHEAD
JEANETTE Y. BENNION
10075 STAR ACRES DRIVE
STAR ID 83669

Point(s) of Diversion NESWNE S5 T04N R01W ADA County Source GROUND WATER
Use: IRRIGATION 03/01 To 11/15 0.04 CFS
Total Diversion: 0.04 CFS

Date Filed: 05/23/2001
Place of Use: * IRRIGATION

Number of Acres: 2

Remark: Mitigation is proposed for consumptive use.
Water bearing zone to be appropriated is from 50 to 150 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

Pub. Jul. 5, 12, 2001

10845

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of *The Idaho Statesman*, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in *The Idaho Statesman*, in conformity with Section 60-108, Idaho Code, as amended for: TWO

☒

consecutive weekly

☐

single

☐

consecutive daily

☐

odd skip

insertion(s)

beginning with the issue of

JULY 5 2001

and ending with the issue of:

JULY 12 2001

Janice Hildreth

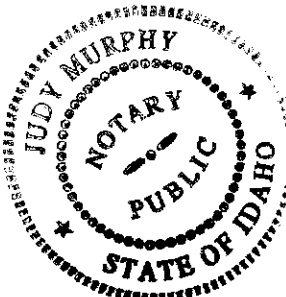
STATE OF IDAHO)

)ss

COUNTY OF ADA)

On this 5 day of JULY in the year of 2001

before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.



Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires: 1/6/04

Judy Murphy

MICROFILMED

JUL 13 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

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JUL 10 2001

Nelson, Dan

From: TMSCANLAN@aol.com
Sent: Tuesday, June 19, 2001 2:22 PM
To: dnelson@idwr.state.id.us
Subject: Re: Kiff Amendment

The Woodhead/Benion property is directly adjacent to the Kiff property.

I understand that they are in the same situation -- high dry ground without any canal shares.

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JUN 24 2001



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
SEP 10 2001

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

63-31257

SCOTT F. WOODHEAD
JEANETTE Y. BENNION
10075 STAR ACRES DRIVE
STAR ID 83669

Point(s) of Diversion NESWNE S5 T04N R01W ADA County Source GROUND WATER

Use: IRRIGATION 03/01 To 11/15 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 05/23/2001

Place Of Use: IRRIGATION

T04N R01W S5 SWNE

Number of Acres 2

Remark: Mitigation is proposed for consumptive use.
Water bearing zone to be appropriated is from 50 to 150 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 in the Idaho Statesman on July 5 and 12, 2001.

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2001 10 10

SCANLAN ENGINEERING

Groundwater and Environmental Engineering

May 22, 2001

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

RECEIVED
MAY 23 2001
WATER RESOURCES
WESTERN REGION

Subject: Application for Permit – Scott Woodhead and Jeanette Bennion

Dear Gary:

Enclosed please find an application for permit proposing irrigation of 2 acres located northeast of Star from a groundwater source. A check for the \$100 permit filing fee is included.

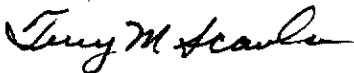
The point of diversion is located within Basin 63. Groundwater at this location is tributary to the Boise River.

The applicants, Scott Woodhead and Jeanette Bennion, propose mitigating this water right permit by retirement of 2 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 2 acres of water right from Sylvan and Barbara Williamson. A copy of the purchase agreement is enclosed.

Retirement of 2 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.

Enclosures

Cc: Scott Woodhead
Jeff Fereday

Mitigation Plan.

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MAY 23 2001

REQUEST TO PROCESS

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

Name of Applicant Scott F. Woodhead and Jeanette Y. Bennion

Mailing Address 10075 Star Acres Drive

Star, ID 83669

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

Scott F. Woodhead Jeanette Y. Bennion

Date

5/15/01

Please return this form to:

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

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JUL 15 2001

WATER RIGHT PURCHASE AND SALE AGREEMENT

This Water Right Purchase and Sale Agreement ("Agreement") is made and entered into this 3rd 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 Scott F. Woodhead and Jeanette Y. Bennion, of 10075 Star Acres Drive, Star, ID 83669 ("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 0.04 cubic feet per second during the irrigation season and an annual diversion volume of 9 acre-feet for irrigation of 2 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 SW 1/4 of the NE 1/4 of Section 5, T4N, R1W, 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").



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 \$6000.00, 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 \$5500.00 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 0.04 cfs and 9 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.

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1971 JUN 28

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.

NOTE



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.

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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.

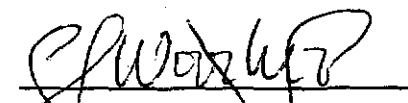
IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first set forth above.

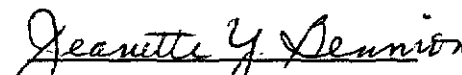
SELLER:


Sylvan Williamson


Barbara Williamson

BUYER:


Scott F. Woodhead


Jeanette Y. Bennion

MICROFILMED

1997

Acknowledgments

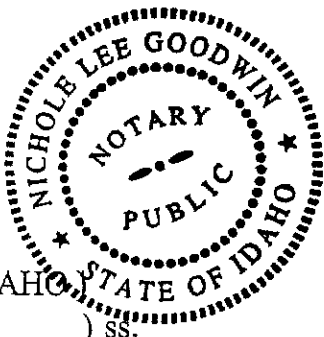
STATE OF IDAHO)

) 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 Goodwin
Notary Public for Idaho

Residing at: Emmett

My commission expires: 7/24/06

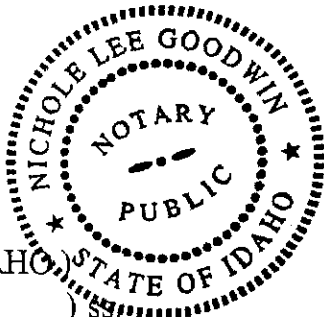
STATE OF IDAHO)

) 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 Goodwin
Notary Public for Idaho

Residing at: Emmett

My commission expires: 7/24/06

STATE OF IDAHO)

) ss.

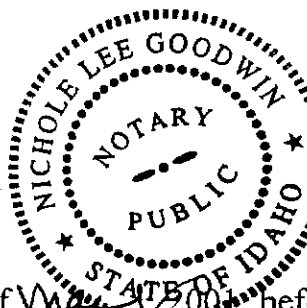
County of Ada)

MICROFIL

907 1 1 2001

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

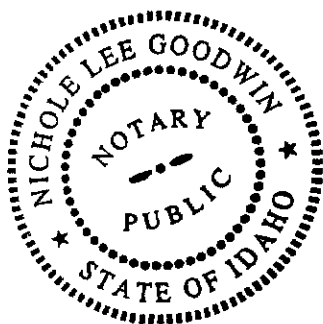
IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first
above written.



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

On this 3 day of May 2001, before me, a notary public for said state,
personally appeared Jeanette Y. Bennion, 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

MICROFILMED

OCT 13 1991

EXHIBIT A

Water Right Claim

Snake River Basin Adjudication Claim No. A63-00270

MICROFILMED

JUL 11 1987

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 463-00270

Date Received

Receipt Number W003463

RECEIVED

JUL 9 7 2000

WATER RESOURCES
WESTERN REGIONNOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

Please type or print clearly

1. Name of Claimant (a) SYLVAN +/or BARRARA WILLIAMSON Phone (208) 939-6287Mailing Address 850 WILLIAMSON LN EAGLE ID 83616 Zip 836162. Date of Priority (Only one (1) per claim) 4/1/19653. Source of water supply (a) BOISE RIVERwhich is tributary to (b) SNAKE RIVER4. a. Location of existing point of diversion is: Township 4N Range 1E Section 221/4 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

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JUL 11 2000

6. 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	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	1E	15									4	35	10						49
		16													25	5	35	35	100
		21	35	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:

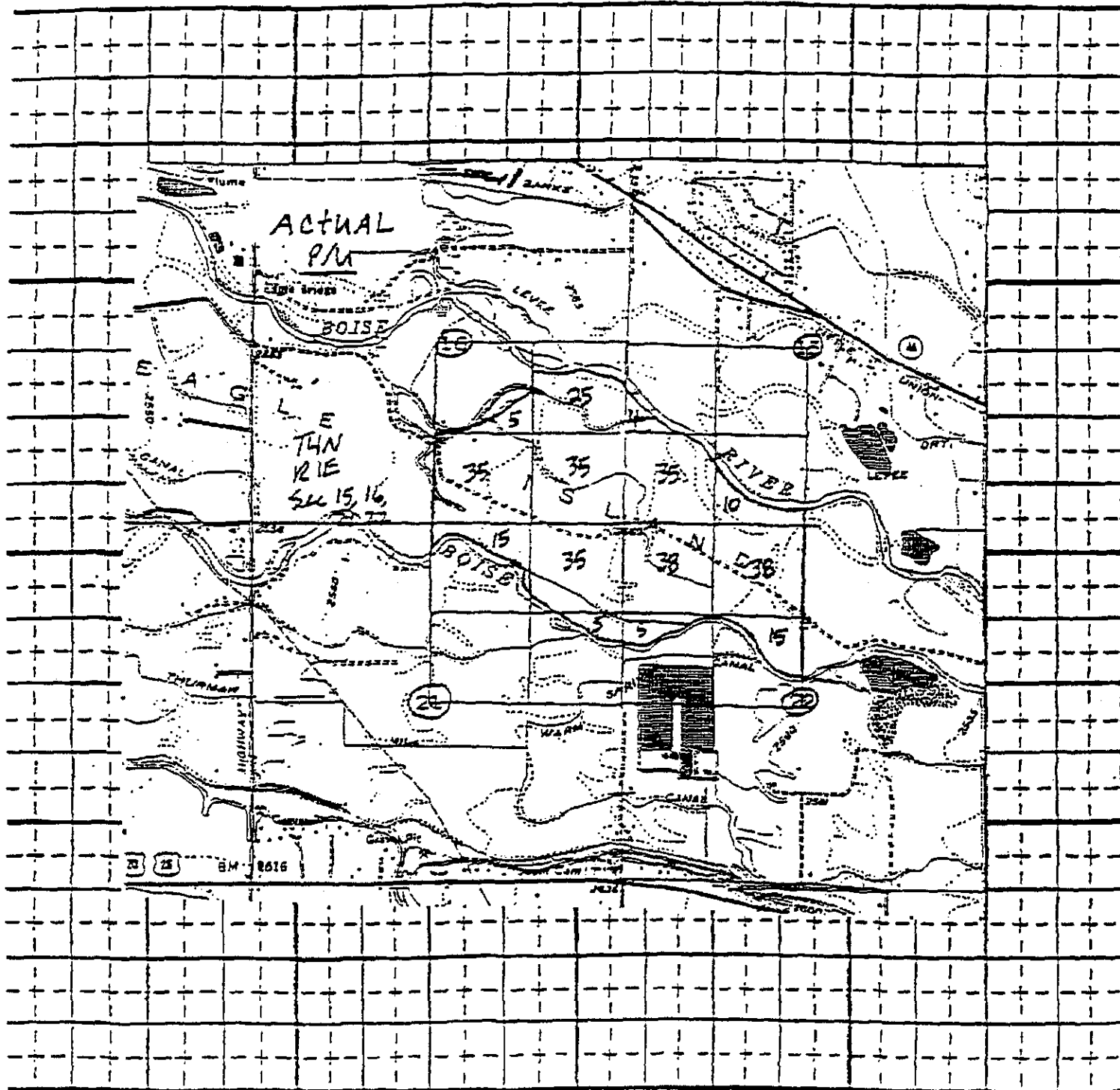
Last Name _____ Ident No. _____

MICROFILM

RECEIVED

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

Scale: 2 inches equals 1 mile



Last Name _____ Identi No. _____

MICROFILMED
OCT 13 2001

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice ☐ License ☐ Permit ☐

If applicable provide IDWR Water Right 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 Williamson Date 7-5-2000

_____ Date _____

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

_____ Title _____ of _____ 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.

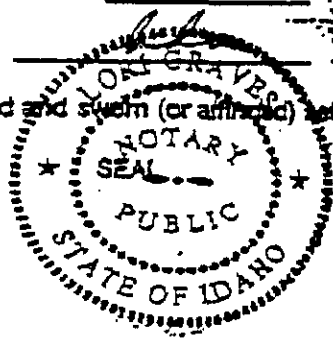
Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)

County of _____) SS.

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



Notary Public Lori Graves

Residing at Boise

My Commission Expires 6/18/04

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 _____

MICROFILM

DEC 12 2001

EXHIBIT B

The two 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 two acres of irrigation water right will reduce the irrigated area claimed under water right A63-00270 by 2 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 2.

MICROFILMED
JUL 13 2000

EXHIBIT C

Water Right Grant Deed

MICROFILM

1971-1972

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 Scott F. Woodhead and Jeanette Y. Bennion, 10075 Star Acres Drive, Star, ID 83669, 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 0.04 cubic feet per second during the irrigation season and an annual diversion volume of 9 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

MICROFILMED
2001 1 1 2001

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:

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.

MICROFILMED
OCT 15 2011

EXHIBIT B

Water Right Claim

Snake River Basin Adjudication Claim No. A63-00270

MICROFILMED
OCT 12 1994

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

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

CIVIL CASE NUMBER: 39576

Case Number 463-00270

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 RABARA WILLIAMSON Phone (208) 939-6297

Mailing Address 920 WILLIAMSON LN 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, Govt 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 _____

Govt Lot _____ B.M. County of _____

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

1/4, Govt 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 enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. WING DAM, DITCH

MICROFILMED

OCT 10 2001

Exhibit B

2. 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 cfs or _____
 For _____ purposes from _____ to _____ amount _____ cfs or _____
 For _____ purposes from _____ to _____ amount _____ cfs or _____
 For _____ purposes from _____ to _____ amount _____ cfs 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.) _____

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- 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.

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			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	1E	15									4	35	10						49
		16												25	5	35	35		100
		21	35	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 (/)

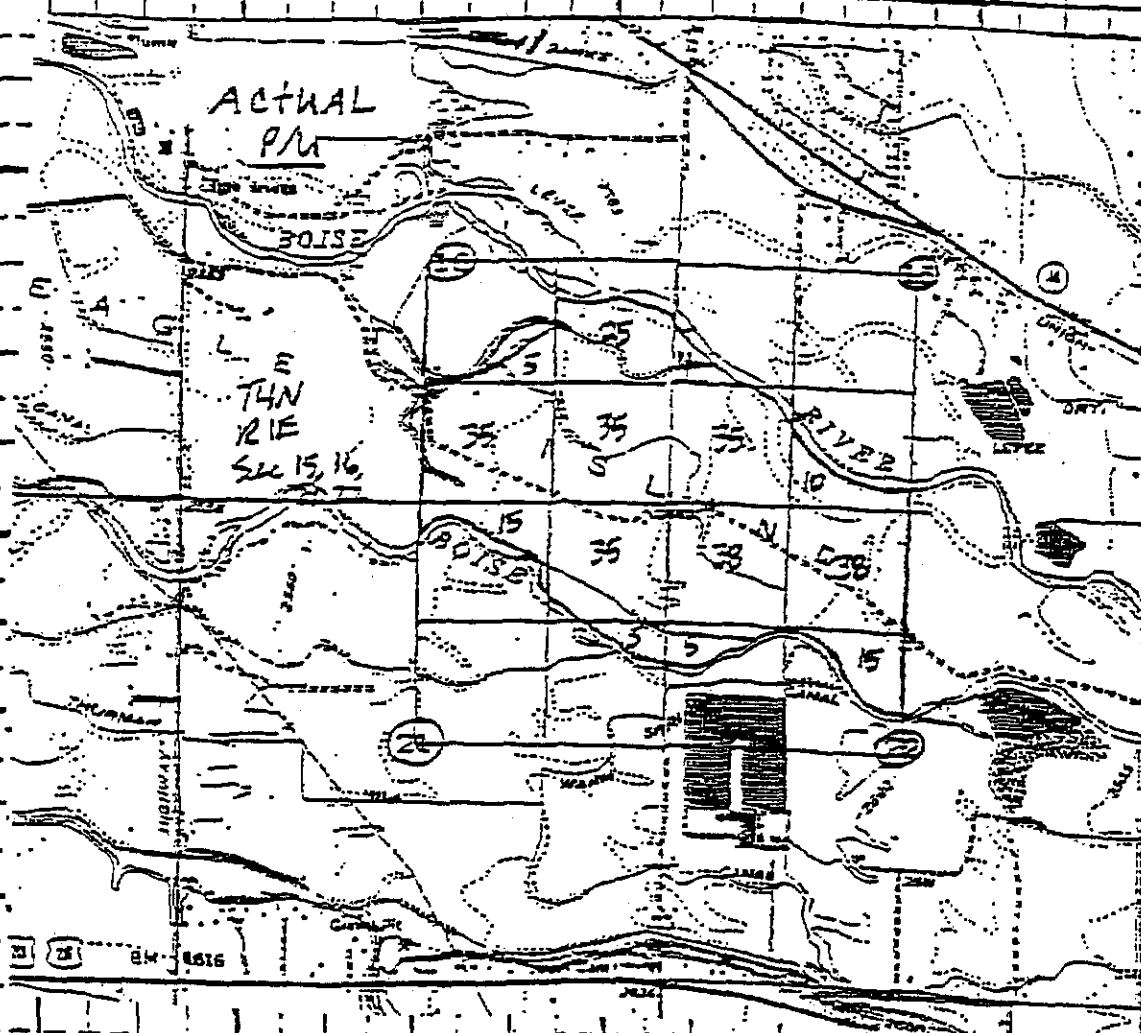
14. Remarks:

Last Name _____ Ident No. _____

MICROFILMED
 OCT 15 2001

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

Scale: 2 inches equals 1 mile



Last Name

Idaz No.

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001 10 000

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

If applicable provide ICWR Water Right 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 Williamson Date 7-5-2000

Date _____

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

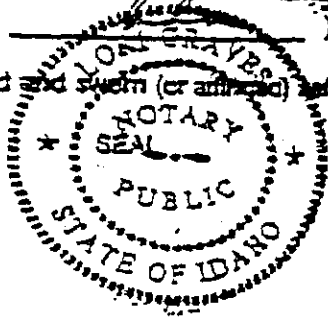
Title _____
of _____ that I have signed the foregoing
Organization _____
document in the space below as _____ of _____
Title _____ Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/or _____)
County of Blaine) ss.

Subscribed and sworn (or affirmed) before me this

5th day of July 2000



Notary Public Lori Gruen

Residing at Blaine

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 _____ Idax Number _____

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