

Warm Springs Creek
63-00365

63-08627

Penitentiary Canal
63-00184

63-07103

EXHIBIT 2

Geographic Distribution of Points of
Diversion

UNCLASSIFIED

JUL 27 2000

Exhibit "B"

JUL 27 2000
MICROFILMED

GOOD COPY

Highway

III

II

21

19 20
30 29

GOV'T LOT 9

WD 680929 (A)
(43 acres)

SENDER LIMITED

Exhibit "C"

588°40'E

N 50°18'W 288.72

20

N 02°07'E 732.17

N 88°52'W

N 02°07'E 254.19

Abandoned RR R.W.

1920

2205 2110 W 2255

Penitentiary

CANAL

022115

5°45'E

51°12'W

55°12'W

59°57'W

221.54

360.61

307.54

332.21

57.49

110500

GOLV

LOT



487.26

RIVER

BOISE

MICROFILMED
JUL 27 2000

130

Exhibit "A"



Hwy. 41

21

19 20
30 29

GOV'T LOT 9

WD 680929 (A)
(43 acres)

Exhibit "E"

GOOD COPY

Highway

III
II

21

19 20
30 29

GOV'T LOT 9

I WD 680929 (A)

(43 acres)

MICROFILMED

JUL 27 2000

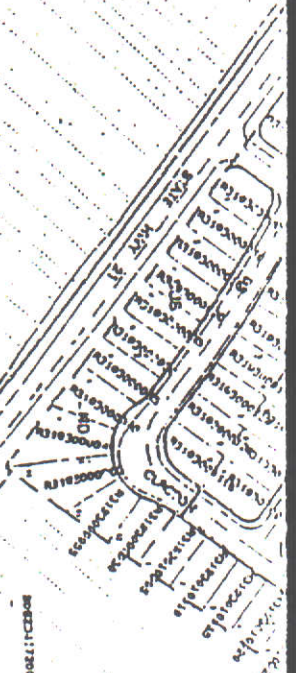
MICROFILMED
JUL 27 2000

Commit

POOR COPY

APPROX. NO.
DL 764362
Future Sewer line
EXISTING Sewer line
DL 764362

Commit



201

Exhibit " "

N 88° 52' 41" W

HIGHWAY

198.2

588° 40' E

N 02° 07' E 732.17'

N 02° 07' E 732.17'

Abandoned RR R.V.

1990/1920

2255' 2205' 2110' N

Penitentiary

CANAL

072X16

5° 45' E

51° 17' W

5° 12' W

9° 57' W

221.54'

360.61'

307.54'

332.2'

519° 30' E
207.08'

487.26'

LOT



GOLDEN

RIVER

BOISE

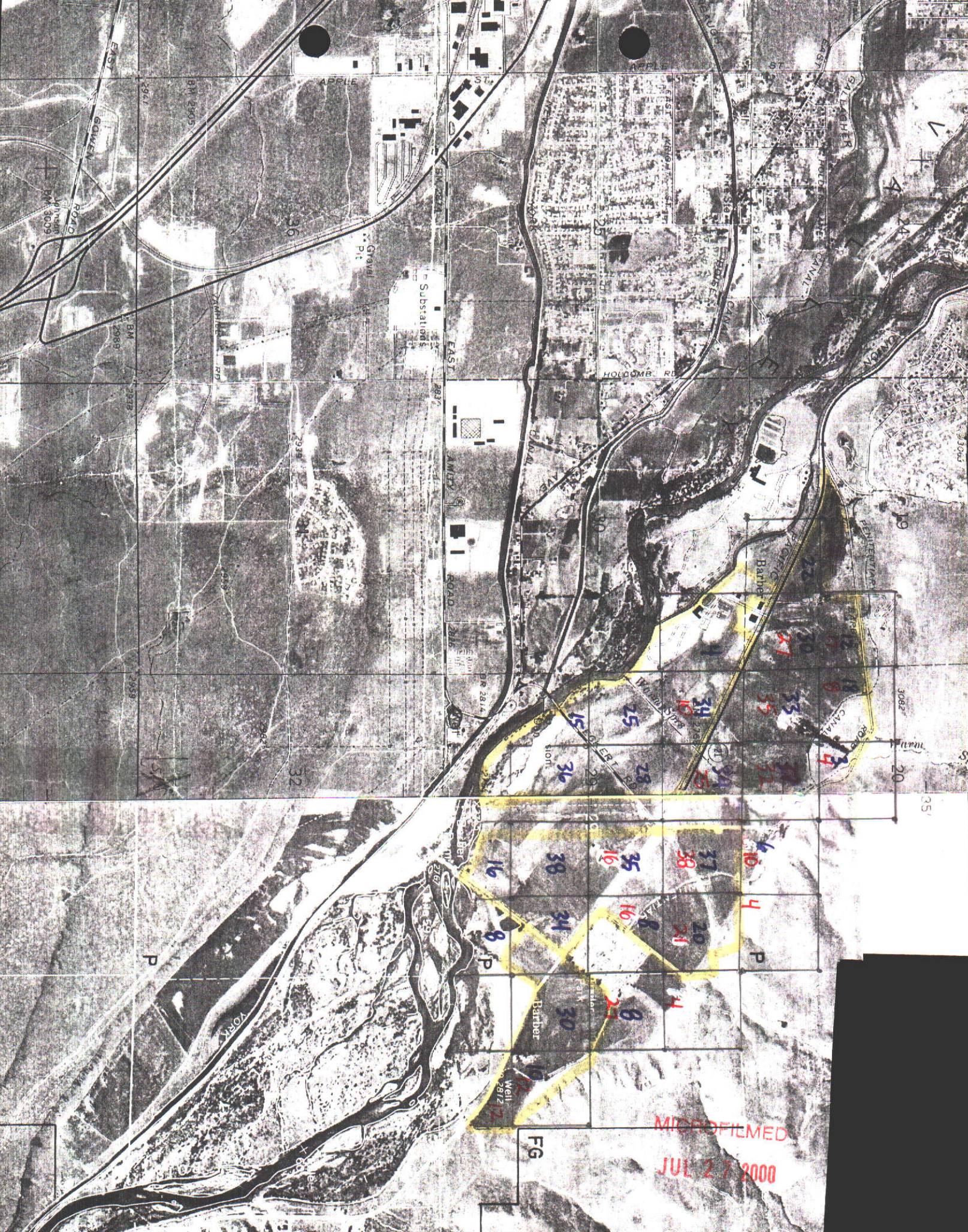
130

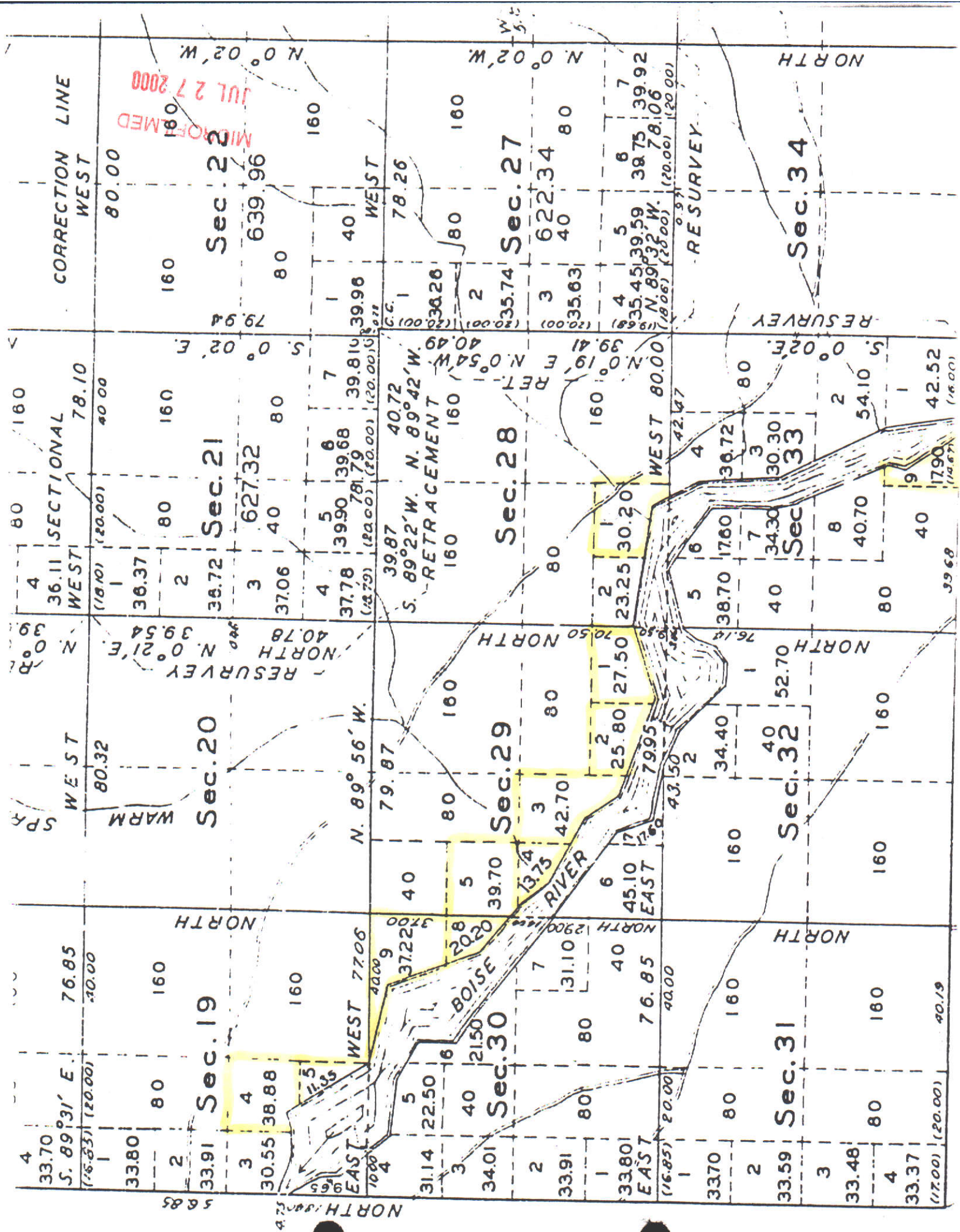
MICROFILMED
JUL 27 2000



MICROFILMED
JUL 27 2000

FG





1968

MICROFILMED

JUL 27 2000

63-03261

STATE OF IDAHO, }
COUNTY OF ADA. } ss.

EARL G. ADAMS, being duly sworn, deposes and says: That
he is the Chief Clerk of the Statesman Printing Company, publishers
of the Idaho ~~Daily~~ ^{Tri-Weekly} Statesman, a newspaper published at Boise City,
Ada County, State of Idaho; that the said paper is in general circu-
lation in the County aforesaid; that the Notice

a copy of which is attached hereto, was published in the regular
edition of the Idaho ~~Daily~~ ^{Tri-Weekly} Statesman Five (5)
consecutive issues beginning with the issue of
January 31- 1910, and ending with the issue of
February 28 1910.

And which said newspaper has been so published as a ~~daily~~ ^{Tri-Weekly}
paper in said County during a period of six consecutive months
prior to the first publication of said

Earl G. Adams
Subscribed and sworn to before me this 1 day

of March 19010

Wm. H. Harte

Notary Public

Notice of Proposed Transfer of Water Right.

Notice is hereby given that the Barber Lumber company has applied to the state engineer of the state of Idaho for a certificate authorizing him to transfer the use of 112 inches continuous flow of the water of Boise river from the land upon which it is now used, i. e., lots 5, 6, 7, 8, 9, and the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of section 33; lot 1 of section 32, also 10 acres in lot 2 of section 32, and the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of section 33, all lying in township 3 north, range 3 east, B. M., to the following described tract: Lots 1 and 2, the W $\frac{1}{2}$ NW $\frac{1}{4}$, the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of section 28, the NE $\frac{1}{4}$, the N $\frac{1}{2}$ SE $\frac{1}{4}$ and lots 1 and 2 of section 29 in township 3 north, range 3 east, B. M.

And that at 11 a. m. on the 1st day of March, A. D., 1910, at state engineer's office, at Boise, Idaho, before J. H. Lowell, the water commissioner of division No. — or his authorized agent, the opportunity will be given to any and all persons to appear and present for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

Full details of the proposed transfer may be obtained from W. E. Healey, watermaster of said stream.

JAS. STEPHENSON, Jr.,
State Engineer.

First insertion January 31, 1910.
Last insertion February 28, 1910.

Order to

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5577
WATER RIGHT NO(S) . 63-00184/63-00365/63-02973
63-03261/63-07103

This is to certify that: **DALLAS HARRIS**
3051 WISE WAY
BOISE ID 83712

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 63-02973 :			
IRRIGATION	03/01 to 11/15	0.42 CFS	108.0 AF
Priority: 12/28/1953			
Right No. 63-03261 :			
IRRIGATION	04/01 to 11/01	0.70 CFS	158.0 AF
Priority: 10/03/1961			
Right No. 63-07103 :			
IRRIGATION	04/01 to 11/01	1.20 CFS	363.0 AF
Priority: 06/25/1968			
	SUBTOTAL:	* 2.32 CFS	627.8 AF *
Right No. 63-00184 :			
IRRIGATION	03/01 to 11/15	2.24 CFS	504.0 AF
Priority: 06/01/1869			
Right No. 63-00365 :			
IRRIGATION	03/01 to 11/15	10.70 CFS	2593.6 AF
Priority: 07/02/1902			
	TOTAL:	** 11.80 CFS	2655.0 AF **

SOURCE

TRIBUTARY OF

Right No. 63-02973, 63-03261 & 63-07103 :
GROUNDWATER

Right No. 63-00184 :
BOISE RIVER

SNAKE RIVER

Right No. 63-00365 :
WARM SPRINGS CREEK

BOISE RIVER

TRANSFER NO. 5577
 WATER RIGHT NO(S) . 63-00184/63-00365/63-02973
 63-03261/63-07103

LOCATION OF POINT(S) OF DIVERSION:

Right No. 63-02973, 63-03261 & 63-07103 :
 SENE, Sec. 29, Township 03N, Range 03E

Right No. 63-00184 :
 Lot 9 (SWSE), Sec. 33, Township 03N, Range 03E

Right No. 63-00365 :
 NESW, Sec. 20, Township 03N, Range 03E

ADA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
03N	03E	19	Lot 4 (NESW)	4	Lot 5 (SESW)	1	NESE	18	
			SWSE	10	SESE	28			61
		20	NESW	7	NWSW	24	SWSW	36	
			SESW	20	SWSE	1			88
		28	SWNW	6	NESW	18	NWSW	31	
			Lot 2 (SWSW)	1	Lot 1 (SESW)	19			75
		29	NENE	33	NWNE	38	SWNE	17	
			SENE	13	NENW	15	NWNW	34	
			Lot 5 (SWNW)	38	SENW	15	Lot 3 (NESW)	20	
			Lot 4 (NWSW)	19	Lot 4 (SWSW)	2	Lot 3 (SESW)	8	
			NESE	27	NWSE	38	Lot 2 (SWSE)	17	
			Lot 1 (SESE)	2					336
		30	NENE	20	NWNE	3	SENE	7	30
Total number of acres irrigated:									*** 590

CONDITIONS OF APPROVAL AND REMARKS

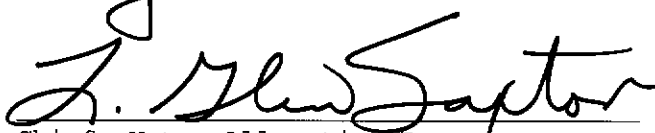
1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

TRANSFER NO. 5577
WATER RIGHT NO(S). 63-00184/63-00365/63-02973
63-03261/63-07103

CONDITIONS OF APPROVAL AND REMARKS

5. 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.
- *** 6. Right 63-00184 is limited to the irrigation of 112 acres within the place of use described above in a single irrigation season.
- *** 7. Right 63-00365 is limited to the irrigation of 533 acres within the place of use described above in a single irrigation season.
- *** 8. Right 63-02973 is limited to the irrigation of 24 acres within the place of use described above in a single irrigation season.
- *** 9. Right 63-03261 is limited to the irrigation of 35 acres within the place of use described above in a single irrigation season.
- *** 10. Right 63-07103 is limited to the irrigation of 80.5 acres within the place of use described above in a single irrigation season.
11. Use of water under Right 63-00184 will be regulated by the watermaster of State Water District No. 63, Boise River.
12. Use of water under Right 63-00365 will be regulated by the watermaster of State Water District No. 63-T, Warm Springs Creek.
- * 13. Rights 63-02973, 63-03261 and 63-07103 when combined shall not exceed a total diversion rate of 2.32 cfs, a total annual maximum diversion volume of 627.8 af at the field headgate, and the irrigation of 139.5 acres.
14. The period of use for the irrigation described in this approval for Rights 63-03261 and 63-07103 may be extended to a beginning date of 3/1 and an ending date of 11/15 provided that beneficial use of the water can shown and other elements of the right are not exceeded. The use of water before 4/1 and after 11/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
15. The wells previously used under Rights 63-02973 and 63-03261 located in Section 28, Twp. 3N, Rge. 3E, shall be abandoned in a manner which complies with Department well abandonment rules.
- ** 16. The total instantaneous diversion of water from all points of diversion under Transfer 5577 shall not exceed 11.80 cfs, nor total combined annual volume of 2655.0 af, and the irrigation of 590 acres.

Dated this 12th day of May, 2000.


Chief, Water Allocation Bureau

Should questions arise during the processing of this application please contact:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5577

RECEIVED

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

APPLICATION FOR TRANSFER OF WATER RIGHTS

PART 1

JUL 28 1999

MAY 03 2000

Department of Water Resources

WATER RESOURCES
WESTERN REGION 344-2573

Name of applicant Dallas Harris

Post Office address 3051 Wise Way, Boise, ID 83712

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion
 ☐ Add diversion point(s)
 ☐ Change place of use
 ☐ Change nature of use
 ☐ Change period of use
 ☐ Other _____
- Describe the reason for the proposed changes The intent of this transfer is to establish a PPOU for the Harris Ranch development. No more than 590 acres will be irrigated with the water rights listed. Exhibit 1

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

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|-----------------|----------|--------------------|---------------|---------------|
| 63-02973 | 12/28/53 | .42 | Irrigation | 3/15 to 11/15 |
| 63-7103 | 6/25/68 | 1.20 | Irrigation | 3/15 to 11/15 |
| 63-8627 | 3/21/77 | 1.42 | Irrigation | 3/15 to 11/15 |
| 63-00184 | 6/1/18 | 2.24 | Irrigation | 3/15 to 11/15 |
| 63-00365 | 7/2/1902 | 10.70 | Irrigation | 3/15 to 11/15 |
| 63-03261 | 10/3/61 | 16.68 | Irrigation | 3/15 to 11/15 |
2. Total amount of water being transferred 16.68 cubic feet per second and/or 2665 acre-feet per annum.
3. Source of water G.W., Boise River, Warm Springs Cr tributary to Snake River
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NE	29	3N	3E	Ada	7103
		NE	SW	20	3N	3E	Ada	0365/8627
1		SW	SE	33	3N	3E	Ada	0184

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	3E	19									4			1	18		10	28	61
3N	3E	20									7	24	36	20			1		88
3N	3E	28							6		18	31	1	19					75
3N	3E	29	33	38	17	13	15	34	38	15	20	19	2	8	27	38	17	2	336
3N	3E	30	20	3		7													30

Total acres 590

KRT. 63-8627 withdrawn from transfer
Application - See letter of 2/23/2000 - KRT

PART 1

6. General Information:

a. Description of diversion system Water is diverted from two wells, a diversion box on Warm Springs Creek and into the Penetentiary Ditch at the Boise River. Irrigation is through both sprinkler and flood irrigation mechanisms. Exhibit 2

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

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

d. Remarks:

Under this permissible place of use no more than 297.5 acres will be irrigated with ground water and no more than 590 acres will be irrigated with surface water. Water has been used for grain and pasture irrigation more or less continuously to the present (Exhibit 3).

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

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

pg 3 of 16

OWNER	PRIORITY	USE PERIOD	DIVERSION	DIVERSION
CODE NAME & ADDRESS	DATE WATER USE	FROM TO	RATE	VOLUME
C BARBER LUMBER CO.	06/01/1869 IRRIGATION	00/00 00/00	2.240 CFS	
TOTAL DIVERSION:			2.240 CFS	

Water Source: BOISE RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T03N R03E S33 Lot 09(SWSE)

ADA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
03N	03E	28	:					:				:				
03N	03E	29	:	I	I			:	I	02-I	01-I	:	I	I	02-I	01-I

Pou County: ADA

Other Water Rights Listing Overlapping Place(s) of use:

63-00365 63-03261 63-04395 63-07103 63-08627 63-10150 63-12114

Remarks: GEN TRANS. 46.

Dates: App. Received: Priority Date: 06/01/1869
 Proof Due Date: Proof Made Date:
 Exam Made Date: Exam Sent to S.O.:
 Licensed Date:

Misc: Water District Number: 63 Field Exam Fee:

Audit: 06/18/85 05/01/88 CONVERT

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

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

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

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

pg 5 of 16

WR0749NP
No. 63-00365

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/27/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KATE A. PERRAULT	00/00/0000	IRRIGATION	00/00 00/00		
				TOTAL DIVERSION:		

Water Source: WARM SPRINGS CREEK

Tributary to: BOISE RIVER

Stage: DECREED

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE							
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
03N	03E	20	:																			:	
03N	03E	29	:	I						I	05-I			03-I	04-I					02-I	01-I	:	
03N	03E	30	:					08-I														:	

Pou County: ADA

Other Water Rights Listing Overlapping Place(s) of use:

63-00184 63-03261 63-07103 63-08181 63-08627 63-10150

Remarks: GEN TOTAL DIVERSION RATE: ALL.
AC. IRR.=576.35.

Dates: App. Received: Priority Date: 00/00/0000
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 63T Field Exam Fee:

Audit: 02/11/86 05/01/88 CONVERT

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED*(If the entire right is to be changed by the applicant, omit part B and C.)*

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

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

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

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WR0749NP
No. 63-02973

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/25/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ALBERT O. DARKWOOD RT. 5 BOISE ID	12/28/1953	IRRIGATION DOMESTIC	00/00 00/00 00/00 00/00	0.420 CFS	
					TOTAL DIVERSION:	0.420 CFS

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T03N R03E S28

SESW

ADA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE					
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM	
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac

03N 03E 28 :																	
: 12 : 12 : 24.0																	
															TOTAL ACRES	24.0	

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: ADA

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

63-05210 63-08379

Other Water Rights Listing Overlapping Place(s) of use:

63-02041A 63-02041B 63-05215

Dates: App. Received: Priority Date: 12/28/1953
 Proof Due Date: Proof Made Date:
 Exam Made Date: Exam Sent to S.O.:
 Licensed Date: 08/28/1979

Misc: Water District Number: Field Exam Fee:

Audit: 05/20/85 05/01/88 CONVERT

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

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

WR0749NP
No. 63-03261

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/07/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GARTH G. ECKERT 7400 WARM SPRINGS AVE. BOISE ID 83706	10/03/1961	IRRIGATION STOCKWATER DOMESTIC	04/01 11/01 01/01 12/31 01/01 12/31	0.700 CFS 0.050 CFS 0.020 CFS	158.00 AFA
TOTAL DIVERSION:					0.770 CFS	158.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T03N R03E S29 SENE SWNW ADA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S		T	R	S		T	R	S		T	R	S		SUM
03N	03E	28	:				:	04		27	:				:	31.0
03N	03E	29	:	01			:				:				:	4.0
TOTAL ACRES															35.0	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: ADA

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

63-04395 63-07103 63-08385 63-10150 63-12464

Other Water Rights Listing Overlapping Place(s) of use:

63-00184 63-00365 63-04395 63-07103 63-08627 63-10150

Remarks: GEN 3 P/D IN SWNW, S28, T3N, R3E.

Dates:	App. Received:	Priority Date:	10/03/1961
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:	08/28/1979	

Misc: Water District Number: Field Exam Fee:

Audit: 05/06/85 05/01/88 CONVERT

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED*(If the entire right is to be changed by the applicant, omit part B and C.)*

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

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

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

WR0749NP
No. 63-07103

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/27/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DALLAS H. HARRIS BOISE ID	06/25/1968	IRRIGATION	04/01 11/01	1.200 CFS	363.00 AFA
TOTAL DIVERSION:					1.200 CFS	363.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T03N R03E S29 SENE ADA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE																				
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
03N	03E	20	:						:						:																9.0	
03N	03E	28	:						:						:																3.0	
03N	03E	29	:	32		23		03		12	:				:																70.0	
TOTAL ACRES																												82.0				

Pou County: ADA

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

63-03261 63-04395 63-08385 63-10150 63-12464

Other Water Rights Listing Overlapping Place(s) of use:

63-00184 63-00365 63-03261 63-08627 63-10150

Conditions of Approval:

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

Remarks: GEN AC. IRR.=80.5.

Dates:	App. Received:	Priority Date:	06/25/1968
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:	09/12/1979	

Misc: Water District Number: Field Exam Fee:

Audit: 03/26/85 05/01/88 CONVERT

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

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

pg 13 of 16
WR0749NP
No. 63-08627

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/27/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	H & H RANCHES	03/21/1977	IRRIGATION	03/15 11/15	1.420 CFS	
C	DALLAS H HARRIS					
	3051 WISE WAY			TOTAL DIVERSION:	1.420 CFS	
	BOISE ID 83706					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 1.420 CFS

Point(s) of Diversion:	T03N R03E S20	NESW	ADA County
Point(s) of Injection:	T03N R03E S20	NESW	ADA County
Point(s) of Re-diversion:	T03N R03E S20	NESW SESW	ADA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S		T	R	S		T	R	S		T	R	S		SUM
03N	03E	19	:				:				:	17			:	44.0
03N	03E	20	:				:	04	08	35	:			05	:	84.0
03N	03E	29	:	15	13	04	:	25	10		:				:	67.0
															TOTAL ACRES	195.0

Pou County: ADA

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
63-09343

Other Water Rights Listing Overlapping Place(s) of use:
63-00184 63-00365 63-03261 63-07103 63-10150

Conditions of Approval:

- R27 - This right when combined with all other rights shall provide no more than 4.5 cfs per acre for irrigation of the lands above.
- 065 - 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.
- 079 - This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.

Remarks: GEN This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 691.7 af for the lands above.
Water diverted under this right is injected into Warm Springs Creek and is rediverted from Warm Springs Creek in the NESW,

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

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

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

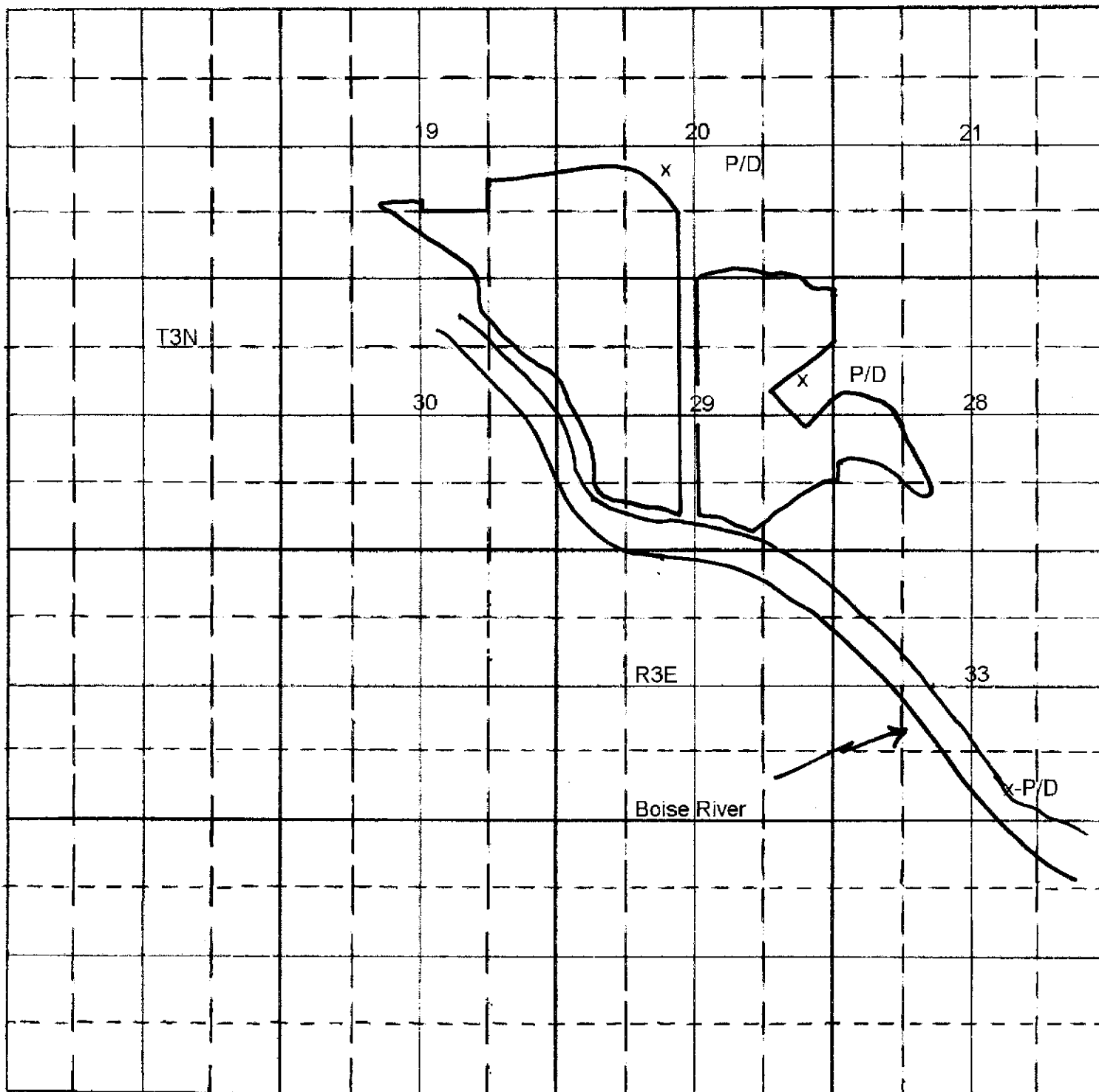
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

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

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



SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3**B. CHANGES IN NATURE OF USE**

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

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

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

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

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

Subscribed and sworn to before me this 16th day of July, 19 99

Dallas H. Harris
(Signature of Applicant) Dallas H. Harris

[Signature]
(Notary Public)

My commission expires 12/20/00

FOR DEPARTMENT USE ONLY

Transfer contains 16 pages and 4 attachments (Exhibits 1-3, Attachment A)

Received by [Signature] Date 7/28/99 Protest filed by _____

Prelim. check by [Signature] Fee 100.00

Receipted by [Signature] Date 7/28/99 WD25511

Published in Ed. Statesman Copies of protest forwarded by _____

Pub. dates 11-4 & 11-99 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

EXHIBIT 1
PURPOSE FOR TRANSFER

Mr. and Mrs. Dallas Harris have operated a ranch for years in Ada County, generally in T3N, R3E, Sections 19, 20, 28, 29 and 30. The property was irrigated primarily as a cattle ranching operation for feed and pasture for beef cattle. Water has been supplied to the ranch under various water rights which include a relatively intermittent supply from Warm Spring Creek (63-00365), a Boise River water right (63-00184) which is conveyed under special contract through the Penitentiary Canal and two (2) ground water rights (63-07103, 63-08627). Additional water has been provided by Boise-Kuna Irrigation District for a specific acreage on the ranch. The point of diversion and place of use for the Boise-Kuna Irrigation District water rights are unaffected by this transfer. Over the past few years the Harris' have been involved in the development of Harris Ranch, a planned unit development. Because of the significant changes in land use and water distribution requirements, the Harris' wish to combine their water rights into a permissible place of use, which will provide enhanced flexibility and efficiency in their operation. There will be no increase in water volume usage or rate of diversion nor will there be an expansion of water right onto additional irrigated lands. As described on Item 2, Page 1 of the application, no more than 581 acres will be irrigated with the water rights listed on the transfer.



Warm Springs Creek
63-00365

63-08627

Penitentiary Canal
63-00184

63-07103

EXHIBIT 2

Geographic Distribution of Points of
Diversion

PROF. 27 JUN

 **BOWERS AERIAL
PHOTOGRAPHY, INC.**
Photo Date 6/9/97 , 1477-10

ATTACHMENT "A"

OWNERSHIP DOCUMENTS

MICROFILMED
JUN 27 2006

96042673

ST-95054320

①

ALLIANCE TITLE

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE IDAfter Recording
Return to:JoAnn C. Butler
Spink & Butler
P.O. Box 639
Boise, ID 83701

'96 MAY 21 AM 10 06

FEE 3900 DEP J. Harper
RECORDED AT THE REQUEST OF

FOR RECORDING INFORMATION

96045017

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

ALLIANCE TITLE

'96 MAY 29 PM 2 44

FEE 4500 DEP J. Harper
RECORDED AT THE REQUEST OFRe-recorded to amend legal
description to include map(s).WARRANTY DEED

DALLAS H. and ALTA M. HARRIS, husband and wife, hereinafter collectively referred to as "Grantor," for \$10.00 and other good and valuable consideration in hand paid, the receipt and sufficiency whereof is hereby acknowledged, do hereby grant, bargain, sell, convey, and warrant unto ALLIANCE TITLE & ESCROW CORP., a Delaware corporation, hereinafter referred to as "Trustee", whose address is 1412 West Idaho Street, Boise, Idaho 83702, the real property located in Ada County, Idaho, more particularly described on Exhibit A, attached hereto and made a part hereof, hereinafter referred to as the "Premises."

TO HAVE AND TO HOLD the Premises, together with its tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, including, without limitation, all water and water rights (including groundwater), ditches and ditch rights, storage and storage rights, mineral rights, easements, and rights-of-way, unto Trustee, and Trustee's heirs, successors and assigns forever. And Grantor does hereby covenant to and with Trustee that Grantor is the owner in fee simple of the Premises; that the Premises are free from all liens, claims and encumbrances, except property taxes not yet due and payable, conditions, covenants, restrictions, reservations and easements of record, and public rights of way, and that Grantor shall warrant and defend the same from all claims whatsoever.

96089275

Re-record

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

ALLIANCE TITLE

'96 OCT 28 AM 10 08

FEE 4800 DEP J. Hall
RECORDED AT THE REQUEST OF

MICROFILMED

JUL 27 2000

WARRANTY DEED - 1

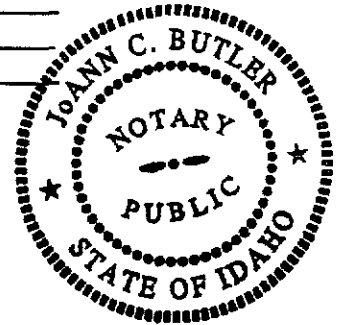
wpdocs\harris\transfer\deed1.war

STATE OF IDAHO)
) ss.
County of Ada)

On this 14th day of May, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared ALTA M. HARRIS, Attorney in Fact for DALLAS H. HARRIS, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

JoAnn C. Butler
Notary Public for _____
Residing at Bonanza RD
My commission expires: 9/2/96

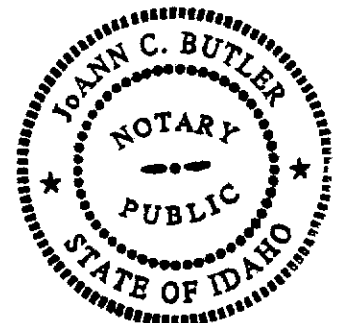


STATE OF IDAHO)
) ss.
County of Ada)

On this 14th day of May, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared ALTA M. HARRIS, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

JoAnn C. Butler
Notary Public for _____
Residing at Bonanza RD
My commission expires: 9/2/96



MICROFILMED
JUL 27 2000

EXHIBIT A

LEGAL DESCRIPTION OF THE PREMISES

Covers property identified in title commitments ST-95054320B (Parcel 1), G, I (Parcel 1), J, K, M, N, O and P.

MICROFILMED

JUL 27 2000

EXHIBIT "A"

PARCEL I

Government Lot 8, and a portion of Government Lot 9 in Section 30, Township 3 North, Range 3 East, and a portion of the South half Southeast Quarter Section 19, Township 3 North, Range 3 East, Boise Meridian, all in Ada County, Idaho, and being all that property outlined on the map attached hereto as Exhibit "B" and made a part hereof.

MICROFILMED
JUL 27 2000

Exhibit "B"

0002 2 2 191

MICROFILMED

GOOD COPY

Highway

III

II

19 20
30 29

GOV'T LOT 9

I WD 680929 (A)

(43 acres)

EXHIBIT "A"

A portion of Government Lot 3 in the Northeast Quarter of Section 33, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho, lying Easterly of the Penitentiary Canal and referenced on the map attached hereto as Exhibit "C" and made a part hereof.

MICROFILMED

MAY 27 2000

20

Exhibit "C"

588°40'E

N 02°07'E 732.17

N 88°32'W

N 02°07'E 304.19

Abandoned R.R. R.V.

026,1920

2110

2205

2255

Penitentiary

Canal

022,15

5°45'E

518.17'W

55°12'W

90°57'W

221.54

360.61

307.54

332.21

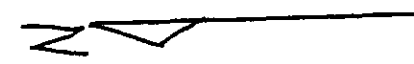
519.23
10.73
207.08

487.26

110505.47

GOLDEN

LOT



RIVER

BOISE

MICROFILMED

JUL 27 2000

130

EXHIBIT "A"

PARCEL 1

All that portion of Government Lots 4 and 5 of Section 19,
Township 3 North, Range 3 East, Boise Meridian, Ada County,
Idaho, lying South and East of Barber Road and North of
Highway No. 21.

RECORDED
JUL 27 1936

EXHIBIT "A"

Southwest Quarter of the Northwest Quarter, Northwest Quarter of the Southwest Quarter, and the West Half of the Northeast Quarter of the Southwest Quarter, Section 17, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho.

MICROFILMED

JUL 27 2000

EXHIBIT "A"

PARCEL 1

All of Section 20, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho, EXCEPTING the following tracts:

TRACT 1

BEGINNING at the Quarter corner between Sections 20 and 29, in Township 3 North, Range 3 East of the Boise Meridian, which is the REAL PLACE OF BEGINNING; thence North 592.5 feet to a point; thence South 49 degrees 15' East a distance of 272.4 feet to a point; thence South 67 degrees 10' East a distance of 624.4 feet to a point; thence South 60 degrees 17" East a distance of 210.8 feet to a point; thence South 16 degrees 16' West a distance of 115.5 feet to a point on the West bank of the Penitentiary Ditch; thence West a distance of 950 feet to the REAL PLACE OF BEGINNING.

TRACT 2

A parcel of land situate in the Southwest Quarter of Section 20, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

COMMENCING at the West Quarter corner of said Section 20, which lies North 2644.29 feet from the Southwest corner of said Section 20; thence South 64 degrees 48'09" East 1680.32 feet, along a random line to the approximate centerline intersection of Barber Road and Shady Lane; thence South 30 degrees 37'45" West 795.86 feet along the centerline of Shady Lane; thence South 45 degrees 18'00" West 187.37 feet along the centerline of Shady Lane; thence South 44 degrees 42'00" East 15.00 feet to the Southeasterly boundary of Shady lane and to the REAL POINT OF BEGINNING; thence North 45 degrees 18'00" East 114.07 feet along the Southeasterly boundary of Shady Lane; thence South 79 degrees 29'30" East 95.26 feet; thence South 10 degrees 30'30" West 290.68 feet; thence North 79 degrees 29'30" West 160.34 feet; thence North 10 degrees 30'30" East 197.00 feet to the REAL POINT OF BEGINNING.

MICROFILMED

JUL 27 2006

Order No. ST-95054320K JH

TRACT 3

A parcel of land situate in the Southwest Quarter of Section 20, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

COMMENCING at the West Quarter corner of said Section 20, which lies North 2644.29 feet from the Southwest corner of said Section 20; thence South 64 degrees 48'09" East 1680.32 feet, along a random line, to the approximate centerline intersection of Barber Road and Shady Lane; thence South 30 degrees 37'45" West 376.45 feet along the centerline of Shady Lane; thence North 59 degrees 25'40" West 15.00 feet to the Northwestern boundary of Shady Lane and to the REAL POINT OF BEGINNING; thence South 30 degrees 37'45" West 171.11 feet along the Northwestern boundary of Shady Lane; thence North 59 degrees 25'40" West 254.58 feet; thence North 30 degrees 37'45" East 171.11 feet along a line parallel to the centerline of Shady Lane; thence South 59 degrees 25'40" East 254.58 feet to the REAL POINT OF BEGINNING.

TRACT 4

The Southwest Quarter of the Northwest Quarter of Section 20, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho.

TRACT 5

That portion of said Section 20 deeded to Idaho Power Company.

PARCEL 2

The Northwest Quarter of the Northwest Quarter and the West Half of the East Half of the Northwest Quarter lying North of Warm Springs Avenue (Highway No. 21), Section 29, Township 3 North, Range 3 East, Ada County, Idaho.

MICROFILMED

JUL 27 2000

EXHIBIT "A"

Government Lot 1 of Section 21, Township 3 North, Range 3
East, Boise Meridian, Ada County, Idaho.

EXHIBIT "A"

All that portion of the Northeast Quarter of Section 29,
Township 3 North, Range 3 East, Boise Meridian, Ada County,
Idaho, lying Easterly of Eckert Road, Northerly of Highway
No. 21, and Westerly of Squaw Creek Road, except the Penitentiary Canal.

MICROFILMED

JUN 27 2000

EXHIBIT "A"

That portion of the Northeast Quarter of the Southeast Quarter of Section 29, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho, lying Northerly of Highway No. 21 and Easterly of Golden Dawn Mobile Home Unit No. 2, according to the Official Plat thereof, filed in Book 24 of Plats at Page(s) 1526, records of Ada County, Idaho.

MICROFILMED
JUL 27 2000

ST-95054320P

EXHIBIT "A"

The East Half of the Northwest Quarter and portion of the West Half of Section 28, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho, lying Northerly of Highway No. 21.

MICROFILMED

JUL 27 2000

96042673

SI-45054320

①

ALLIANCE TITLE

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE IDAfter Recording
Return to:JoAnn C. Butler
Spink & Butler
P.O. Box 639
Boise, ID 83701

'96 MAY 21 AM 10 06

FEE 3900
RECORDED AT THE REQUEST OF J. Harper

FOR RECORDING INFORMATION

96045017

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

ALLIANCE TITLE

'96 MAY 29 PM 2 44

FEE 454
RECORDED AT THE REQUEST OF J. HarperRe-recorded to amend legal
description to include map(s).WARRANTY DEED

DALLAS H. and ALTA M. HARRIS, husband and wife, hereinafter collectively referred to as "Grantor," for \$10.00 and other good and valuable consideration in hand paid, the receipt and sufficiency whereof is hereby acknowledged, do hereby grant, bargain, sell, convey, and warrant unto ALLIANCE TITLE & ESCROW CORP., a Delaware corporation, hereinafter referred to as "Trustee", whose address is 1412 West Idaho Street, Boise, Idaho 83702, the real property located in Ada County, Idaho, more particularly described on Exhibit A, attached hereto and made a part hereof, hereinafter referred to as the "Premises."

TO HAVE AND TO HOLD the Premises, together with its tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, including, without limitation, all water and water rights (including groundwater), ditches and ditch rights, storage and storage rights, mineral rights, easements, and rights-of-way, unto Trustee, and Trustee's heirs, successors and assigns forever. And Grantor does hereby covenant to and with Trustee that Grantor is the owner in fee simple of the Premises; that the Premises are free from all liens, claims and encumbrances, except property taxes not yet due and payable, conditions, covenants, restrictions, reservations and easements of record, and public rights of way, and that Grantor shall warrant and defend the same from all claims whatsoever.

96089275

Re-record

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

ALLIANCE TITLE

'96 OCT 28 AM 10 08

FEE 4800
RECORDED AT THE REQUEST OF J. Hall

MICROFILMED

JUL 27 2000

EXHIBIT "A"

PARCEL I

Government Lot 8, and a portion of Government Lot 9 in Section 30, Township 3 North, Range 3 East, and a portion of the South half Southeast Quarter Section 19, Township 3 North, Range 3 East, Boise Meridian, all in Ada County, Idaho, and being all that property outlined on the map attached hereto as Exhibit "B" and made a part hereof.

MICROFILMED

JUL 27 2000

Exhibit "A"



GOOD COPY

Highway

III
II

31

19 20
30 29

GOV'T LOT 9

I WD 680929 (A)
(43 acres)

FILED
FEB 27 2000
FBI

9351798

P. 120200 JB

1565000524

WARRANTY DEED

WARRANTY DEED made this 29th day of June, 1993, between BOISE CASCADE CORPORATION, a Delaware corporation, city of Boise, county of Ada, state of Idaho ("Grantor"), and BARBER HILL COMPANY, whose address is P. O. Box 2337, Boise, ID 83701 ("Grantee").

W I T N E S S E T H:

That Grantor, for and in consideration of the sum of Ten Dollars (\$10) and other true and good considerations, the receipt whereof is hereby acknowledged as granted, bargained, and sold and does, by these presents, grant, bargain, sell, convey, and confirm unto Grantees and their successors and assigns forever all the following described real estate situated in the county of Ada, state of Idaho:

See attached Exhibit A, incorporated by this reference.

Subject to all easements, restrictions, reservations, and mineral interests of record.

Together with, all and singular, the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof and all estate, right, title, and interest in and to the property, as well in law as in equity.

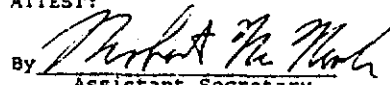
To have and to hold, all and singular, the above-described premises together with the appurtenances unto Grantee, its successors and assigns forever.

And Grantor and its successors and assigns shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of the Grantee, its successors and assigns, against Grantor and its successors and assigns, and against all and every person and persons whomsoever, lawfully claiming the same.

IN WITNESS WHEREOF, Grantor has hereunto set its hand on the day and year first above written:

BOISE CASCADE CORPORATION

By  Vice President

ATTEST:
By  Assistant Secretary

JP30624C

MAILED
JUL 27 2000

1568000825

STATE OF IDAHO)

COUNTY OF ADA)

ss.

On this 29th day of June, 1993, before me the undersigned, a notary public in and for said state, personally appeared Irving Littman and Robert M. Meek, known to me to be the Vice President and Assistant Secretary of BOISE CASCADE CORPORATION, the within-named corporation, and acknowledged to me that the seal affixed to the foregoing instrument is the corporate seal of such corporation and that said instrument was signed and sealed in behalf of such corporation by authority of its board of directors, and acknowledged to me that such corporation executed the same.

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

S. C. M. [Signature]
Notary Public for Idaho
Residing at Boise, Idaho
My Commission expires 11/16/93

JP30624C

-2-

MICROFILMED

JUN 27 2000

156S000826

EXHIBIT A
Page 1 of 2

PART OF THE SOUTH HALF OF SECTION 19, AND THE NORTH HALF OF SECTION 30, TOWNSHIP 3 NORTH, RANGE 3 EAST, BOISE-MERIDIAN, ADA COUNTY, IDAHO, DESCRIBED AS FOLLOWS:
COMMENCING AT THE SECTION CORNER COMMON TO SECTIONS 19, 20, 29 AND 30, TOWNSHIP 3 NORTH, RANGE 3 EAST, BOISE-MERIDIAN;
THENCE NORTH 70 DEGREES 28'07" WEST, 1621.54 FEET TO AN IRON BAR ON THE SOUTHERLY RIGHT-OF-WAY OF THE OREGON SHORT LINE RAILROAD AT CENTERLINE STATION 1271 + 23.14, BEING THAT REAL POINT OF BEGINNING, ALSO BEING THE NORTHWEST CORNER OF THAT PARCEL OF LAND DESCRIBED IN WARRANTY DEED RECORDED JUNE 19, 1986, AS INSTRUMENT NO. 8833134, RECORDS OF ADA COUNTY, IDAHO;
THENCE ALONG THE NORTHWESTERLY BOUNDARY OF THE AFOREDESCRIBED PARCEL, AND ALONG THE NORTHWESTERLY BOUNDARY OF THAT PARCEL OF LAND DESCRIBED IN WARRANTY DEED RECORDED AUGUST 30, 1971, AS INSTRUMENT NO. 780952, RECORDS OF ADA COUNTY, IDAHO; SOUTH 25 DEGREES 22'28" WEST, 741.38 FEET;
THENCE SOUTH 82 DEGREES 34'44" EAST, A DISTANCE OF 49.70 FEET;
THENCE SOUTH 44 DEGREES 43'59" EAST, A DISTANCE OF 168.73 FEET;
THENCESOUTH 37 DEGREES 09'59" EAST, A DISTANCE OF 328.62 FEET;
THENCESOUTH 39 DEGREES 35'06" EAST, A DISTANCE OF 263.13 FEET;
THENCESOUTH 53 DEGREES 23'36" EAST, A DISTANCE OF 168.87 FEET;
THENCE SOUTH 32 DEGREES 14'51" EAST, A DISTANCE OF 265.87 FEET;
THENCE SOUTH 25 DEGREES 40'01" EAST, A DISTANCE OF 547.31 FEET, BEING A POINT ALONG THE RIGHT BANK OF THE BOISE RIVER; THENCE ALONG THE RIGHT BANK OF THE BOISE RIVER APPROXIMATED BY THE FOLLOWING COURSES AND DISTANCES:
THENCE NORTH 68 DEGREES 31'24" WEST, A DISTANCE OF 317.37 FEET;
THENCE SOUTH 85 DEGREES 51'30" WEST, A DISTANCE OF 455.08 FEET;
THENCE SOUTH 62 DEGREES 14'49" WEST, A DISTANCE OF 762.92 FEET;
THENCE NORTH 68 DEGREES 37'37" WEST, A DISTANCE OF 168.87 FEET;
THENCE NORTH 78 DEGREES 21'13" WEST, A DISTANCE OF 124.97 FEET;
THENCE NORTH 51 DEGREES 46'02" WEST, A DISTANCE OF 88.59 FEET;
THENCE NORTH 24 DEGREES 33'09" WEST, A DISTANCE OF 240.04 FEET;
THENCE NORTH 04 DEGREES 48'56" EAST, A DISTANCE OF 381.58 FEET;
THENCE NORTH 32 DEGREES 51'55" WEST, A DISTANCE OF 193.50 FEET;
THENCE NORTH 13 DEGREES 37'55" WEST, A DISTANCE OF 207.28 FEET;
THENCE NORTH 34 DEGREES 15'46" WEST, A DISTANCE OF 240.13 FEET;
THENCE NORTH 20 DEGREES 37'38" WEST, A DISTANCE OF 316.77 FEET;
THENCE NORTH 40 DEGREES 41'02" WEST, A DISTANCE OF 208.20 FEET;
THENCE NORTH 57 DEGREES 47'22" WEST, A DISTANCE OF 400.74 FEET;
THENCE NORTH 79 DEGREES 58'08" WEST, A DISTANCE OF 285.40 FEET;
THENCE NORTH 74 DEGREES 23'07" WEST, A DISTANCE OF 467.90 FEET;
THENCE NORTH 58 DEGREES 58'44" WEST, A DISTANCE OF 222.24 FEET;
THENCE NORTH 41 DEGREES 34'52" WEST, A DISTANCE OF 367.24 FEET;
THENCE NORTH 12 DEGREES 48'57" WEST, A DISTANCE OF 264.03 FEET, TO A POINT WHICH IS THE SOUTHEAST CORNER OF THAT PARCEL OF LAND DESCRIBED IN WARRANTY DEED RECORDED DECEMBER 20, 1961, AS INSTRUMENT NO. 517841 AND AMENDED BY DEED RECORDED DECEMBER 9, 1983 UNDER INSTRUMENT NO. 8335880, RECORDS OF ADA COUNTY, IDAHO; THENCE DEPARTING FROM THE RIGHT BANK OF THE BOISE RIVER ALONG THE EASTERLY BOUNDARY OF THE AFOREDESCRIBED PARCEL; NORTH 40 DEGREES 33'07" EAST, A DISTANCE OF 540.81 (FORMERLY CALLED NORTH 39 DEGREES 10'47" EAST A DISTANCE OF 541.17) FEET;
THENCE SOUTH 89 DEGREES 52'03" EAST, A DISTANCE OF 78.51 FEET TO A POINT IN THE BOTTOM OF A DIVERSION CHANNEL; THENCE NORTH 13 DEGREES 47'18" EAST A DISTANCE OF 15.70 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF THE OREGON SHORT LINE RAILROAD, 25 FEET PERPENDICULAR FROM CENTERLINE STATION 1241 + 44.13;

MICROFILMED
JUL 27 2000

1565000523

EXHIBIT A
Page 2 of 2

THENCE EASTERLY ALONG SAID RIGHT-OF-WAY, WHICH HAS THE FOLLOWING CENTERLINE COURSES:
A CIRCULAR CURVE TO THE LEFT WITH A RADIUS OF 1169.50 FEET, A CENTRAL ANGLE OF 08 DEGREES 30'56" TO P.C.S. STATION 1243 + 17.92, THENCE CONTINUE ALONG A 33 DEGREES 22'52" SPIRAL CURVE TO THE LEFT WITH A LENGTH OF 138.00 FEET TO P.T. STATION 1244 + 55.92, THENCE DIVERGING TO A 50.00 FOOT RIGHT-OF-WAY AT CENTERLINE TANGENT STATION 1244 + 80.92, WHICH IS SOUTH 88 DEGREES 06'30" EAST, A DISTANCE OF 25.00 FEET FROM P.T. STATION 1244.55 + 92, THENCE CONTINUING EASTERLY ALONG THE RIGHT-OF-WAY, WHICH HAS THE FOLLOWING CENTERLINE COURSES: SOUTH 88 DEGREES 06'30" EAST, A DISTANCE OF 558.38 FEET TO P.S. STATION 1250 + 79.38, THENCE ALONG A SPIRAL CURVE TO THE RIGHT THROUGH AN ANGLE OF 02 DEGREES 29'51" AND A LENGTH OF 135.00 FEET TO P.S.C. STATION 1252 + 14.30, THENCE CONTINUING ALONG A CIRCULAR CURVE TO THE RIGHT WITH A RADIUS OF 1548.53 FEET, A CENTRAL ANGLE OF 18 DEGREES 50'18" AND A LENGTH OF 509.14 FEET TO THE P.C.S. STATION 1257 + 23.45, THENCE CONTINUING ALONG A SPIRAL CURVE TO THE RIGHT THROUGH AN ANGLE OF 02 DEGREES 29'51" AND A LENGTH OF 135.00 FEET TO P.T. STATION 1258 + 58.45, THENCE ALONG A TANGENT SOUTH 64 DEGREES 16'30" EAST A DISTANCE OF 1764.60 FEET TO A CENTERLINE STATION 1271 + 23.14, THE POINT OF BEGINNING.

END OF LEGAL DESCRIPTION

9351798

9351798

PIONEER TITLE CO.

RECORDED

K. Larson
12.22

93 JUN 30 PM 4 33

MICROFILMED

JUL 27 2000

EXHIBIT "A"

PARCEL I

Government Lot 8, and a portion of Government Lot 9 in Section 30, Township 3 North, Range 3 East, and a portion of the South half Southeast Quarter Section 19, Township 3 North, Range 3 East, Boise Meridian, all in Ada County, Idaho, and being all that property outlined in red on the map attached hereto as Exhibit "A" and made a part hereof.

REC'D - L.L.

JUL 27 1979

99 1134

THIS INDENTURE, Made this 27th day of AUGUST

, in the year of our Lord

one thousand nine hundred and twenty seven

between

J. H. WILSON, JR., INC.,

a corporation duly organized and existing under the laws of the State of IDAHO

and having its principal office in Idaho at BOISE

in the County of

ADA

, party of the first part, and

HARBUR - LOEB, INC.

of BOISE

, County of

ADA

, State of

IDAHO

party of the second part,

WITNESSETH, That the said party of the first part, having been hereto duly authorized by resolution of its Board of Directors, for and in consideration of the sum of ----- THE DOLLARS AND OTHER VALUABLE

CONSIDERATIONS ----- DOLLARS,

lawful money of the United States of America, to it in hand paid by the said party of the second part, the receipt

whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey

and confirm unto the said party of the second part, and to its heirs and assigns forever, all

the following described real estate situated in

, County of

ADA

State of Idaho, to-wit:

A tract of land containing approximately 3.02 acres partially located in Section 19 and 30, T. 3 N., R. 3 E. B.M., Ada County, Idaho, more particularly described as follows:

Commencing at the section corner common to Sections 19, 20, 29 and 30, T. 3 N., R. 3 E., B.M., thence S 89° - 55' W a distance of 290.5 feet to Sta. 1284 plus 71 on the Center line of the Union Pacific Railroad, Barber Spur; thence N. 64° - 28' W a distance of 858.0 feet to Sta. 1276 plus 13; Thence S 25° - 32' W a distance of 475.0 feet to the REAL POINT OF BEGINNING; Thence S 25° - 32' W a distance of 432.40 feet to a point; Thence N 40° - 48' W a distance of 214.6 feet to a point; Thence N 44° - 30' W a distance of 306.40 feet to a point; Thence N 25° - 32' E a distance of 241.45 feet to a point; Thence S 64° - 28' E a distance of 486.00 feet to the REAL POINT OF BEGINNING.

Together with all fixed improvements thereon.

Together With all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said party of the first part

To HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to

heirs and assigns forever And the said party of the

first part, and its successors, the said premises in the quiet and peaceable possession of the said party of the second

party

heirs and assigns, against the said party of the first part, and its successors, and against all and

RECORDED
JUL 27 2008

every person and persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The party of the first part has caused its corporate name to be hereunto subscribed by its

President and its corporate seal to be affixed by its

Secretary in pursuance

to and resolution the day and year first above written.

WITNESSES, BEATEN AND DELIVERED IN PRESENCE OF

J. H. WINE & SON, INC.

By *Paul W. Wine*

Its *President*

Attest

Its *Secretary*

STATE OF IDAHO,

COUNTY OF ALTA

On this 27th day of August

in the year 1971, before me

the undersigned,

, a Notary Public in and for the said State,

personally appeared Paul W. Wine

known to me to be the

President

of the corporation that executed this instrument

or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation 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 the State of Idaho
Residing at Boise, Idaho

780952

Corporation Warranty Deed

- TO -

Date 19

STATE OF IDAHO

COUNTY OF

I hereby certify that this instrument was filed for record at request of Title Co.

at

o'clock P. M. this day

of

in my office, and duly returned in Book

at page

Ex-Officio Recorder

Per

Notary Public

Notary Public

Notary Public

Notary Public

Notary Public

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

FOR RECORDING INFORMATION

After Recording
Return to:

JoAnn C. Butler
Spink & Butler
P.O. Box 639
Boise, ID 83701

ALLIANCE TITLE
'96 OCT 28 PM 2 43
FEE 12.00 DE *J. Harper*
RECORDED AT THE REQUEST OF

WARRANTY DEED

HARBUR-LE ENO, INC., an Idaho corporation (aka Harbur-Leeno, Inc. dba Producers Lumber), hereinafter referred to as "Grantor," for \$10.00 and other good and valuable consideration in hand paid, the receipt and sufficiency whereof is hereby acknowledged, does hereby grant, bargain, sell, convey, and warrant unto ALLIANCE TITLE & ESCROW CORP., a Delaware corporation, hereinafter referred to as "Trustee", whose address is 1412 West Idaho Street, Boise, Idaho 83702, the real property located in Ada County, Idaho, more particularly described on Exhibit A, attached hereto and made a part hereof, hereinafter referred to as the "Premises."

TO HAVE AND TO HOLD the Premises, together with its tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, including, without limitation, all water and water rights (including groundwater), ditch and ditch rights, storage and storage rights, mineral rights, easements, and rights-of-way, unto Trustee, and Trustee's heirs, successors and assigns forever. And Grantor does hereby covenant to and with Trustee that Grantor is the owner in fee simple of the Premises; that the Premises are free from all liens, claims and encumbrances, except property taxes not yet due and payable, conditions, covenants, restrictions, reservations and easements of record, and public rights of way, and that Grantor shall warrant and defend the same from all claims whatsoever.

RECORDED
OCT 27 2000

IN WITNESS WHEREOF, the undersigned have caused their names to be hereunto subscribed this 9 day of October, 1996.

HARBUR-LE ENO, INC.,
an Idaho corporation

By: Gita Mildred Harris
Dallas H. Harris, President
attorney for

STATE OF IDAHO)
) ss.
County of Ada)

On this 9 day of October, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared ALTA M. HARRIS, Attorney in Fact for DALLAS H. HARRIS, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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



Lisa Arnold
Notary Public for Idaho
Residing at Boise
My commission expires: 5-17-2003

MICROFILMED

JUL 27 2000

EXHIBIT A

LEGAL DESCRIPTION OF THE PREMISES

Covers property identified in title commitments ST-95054320B (Parcel 2) and R.

RECORDED
JUL 27 2000

EXHIBIT A

ST-95054320B JH

PARCEL II

A tract of land, partially located in Sections 19 and 30, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

COMMENCING at the section corner common to Sections 19, 20, 29 and 30, Township 3 North, Range 3 East, Boise Meridian, thence
South 89 degrees 55' West a distance of 290.5 feet to Station 1284 plus 71 on the Center line of the Union Pacific Railroad, Barber Spur; thence
North 64 degrees 28' West a distance of 858.00 feet to Station 1276 plus 13; thence
South 25 degrees 32' West a distance of 475.00 feet to the REAL POINT OF BEGINNING; thence
South 25 degrees 32' West a distance of 432.40 feet to a point; thence
North 40 degrees 48' West a distance of 214.06 feet to a point; thence
North 44 degrees 30' West a distance of 306.90 feet to a point; thence
North 25 degrees 32' East a distance of 241.45 feet to a point; thence
South 64 degrees 28' East a distance of 486.00 feet to the REAL POINT OF BEGINNING.

ST-95054320R JH

The Southwest Quarter of the Northeast Quarter, Southeast Quarter, Lot 7, Southeast Quarter of the Southwest Quarter, all in Section 9, Township 3 North, Range 3 East, of the Boise Meridian, Ada County, Idaho.

MICROFILMED

JUL 27 2000

8840385

D E E D

0106700214

FOR VALUE RECEIVED, The Idaho First National Bank, a national banking association, duly organized and existing under the laws of the United States of America, Grantor, does hereby grant, bargain, sell and convey unto Gary B. Harris, an unmarried man, and Patricia H. Burkhalter, an unmarried woman, and Jack L. Davis and Mildred V. Davis, husband and wife, Grantee, whose address is 3051 Wise Way, Boise, ID 83705, the

following described real property situated in Ada County, State of Idaho:

See attached Exhibit "A"

TO HAVE AND TO HOLD, The said premises, with their appurtenances unto the said Grantee and heirs and assigns forever.

IN WITNESS WHEREOF, The Grantor, pursuant to its By-Laws has caused its corporate name to be hereunto subscribed by its

Asst.- Vice President

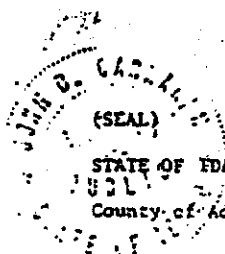
this 15th day of August

19 88.

THE IDAHO FIRST NATIONAL BANK

By: John D. Martin

By: _____



STATE OF IDAHO)
COUNTY OF ADA) ss.

On this 15th day of August, 1988, before me a Notary Public in and for said State, personally appeared John D. Martin, known to me to be the Asst. Vice President of the national banking association that executed this instrument on behalf of said corporation, and acknowledged to me that such association executed the same.

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

John D. Martin
Notary Public for Idaho
Residing at Boise, Idaho
My commission expires: 1-5-92

NOTED
JUL 27 2008

0106780215

That portion of the $S\frac{1}{2}$ $SE\frac{1}{4}$ of Section 19 and the North $\frac{1}{2}$ $NE\frac{1}{4}$ of Section 30, both in Township 3 North, Range 3 East, Boise, Meridian.

Commencing at the Section corner common to Sections 19, 20, 29 and 30, Township 3 North, Range 3 East, Boise Meridian; thence South $89^{\circ} 55'$ West 290.5 feet to a point on the center line of the UNION PACIFIC RAILROAD, Barber Spur; thence

North $64^{\circ} 28'$ West 858.0 feet to a point; thence

South $25^{\circ} 31'$ West 50.0 feet to the REAL POINT OF BEGINNING; thence

South $25^{\circ} 32'$ West a distance of 425.0 feet to a point; thence

North $64^{\circ} 28'$ West a distance of 485.0 feet to a point; thence

North $25^{\circ} 32'$ East a distance of 425.0 feet to a point; thence

South $64^{\circ} 28'$ East a distance of 485.0 feet to the REAL POINT OF BEGINNING.

~~EXCEPT all highways, roads and ditches~~

~~ALSO EXCEPTING THEREFROM:~~ That portion thereof conveyed to Bruce D. Edgerton and Karvl Edgerton, husband and wife, and Daniel A. Niemeier and Sandra H. Niemeier, husband and wife, by Warranty Deed recorded as document number 8501679, records of Ada County, Idaho, described as follows:

A tract of land in the $S\frac{1}{2}$ $SE\frac{1}{4}$ of Section 19, T. 3N., R. 3E, B.M., Ada County, Idaho, being more particularly described as follows:

COMMENCING at the section corner common to Sections 19, 20, 29, and 30.

T. 3N., R 3 E., B.M., Ada County, Idaho, thence

S. $89^{\circ} 55'$ W., 290.5 feet to a point on the centerline of the Union Pacific Railroad Barber spur; thence

N. $64^{\circ} 28'$ W., 823.0 feet to point; thence

S. $25^{\circ} 32'$ W., 50.0 feet to the REAL POINT OF BEGINNING; thence

S. $25^{\circ} 32'$ W., 256.0 feet to a point; thence

N. $64^{\circ} 28'$ W., 170.16 feet to a point; thence

N. $25^{\circ} 32'$ E., 256.0 feet to a point; thence

S. $64^{\circ} 28'$ E., 170.16 feet to the REAL POINT OF BEGINNING.

Ada County, Idaho. 96
Record of
CHICAGO TITLE

TIME 3:47 PM
DATE 8-16-88

MICROFILMED

JUL 27 2000

8502
9565
9500
600

Escrow#129933

119386

94003418

QUITCLAIM DEED

For Value Received

ADJ. CLERK

J. DAVID HAVARRO

BOISE ID

SECURITY TITLE

BONNIE J. HARRIS, A MARRIED WOMAN, WIFE OF GARY D. HARRIS

'94 JAN 13 AM 9 43

do hereby convey, release, remise and forever quitclaim unto

GARY D. HARRIS, A MARRIED MAN, HUSBAND OF BONNIE J. HARRIS

whose current address is 1210 E. Jefferson, Boise, ID 83712

the following described premises, to-wit:

1351000411

SEE ATTACHED LEGALS "PARCEL A" AND "PARCEL B"

together with their appurtenances.

Dated: January 10, 1994

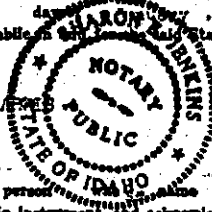
Bonnie J. Harris

BONNIE J. HARRIS

STATE OF IDAHO, COUNTY OF ADA

On this 12th day of January, 1994, before me, a notary public in and for the State of Idaho, personally appeared

BONNIE J. HARRIS



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

Sharon Jenkins

Notary Public

Residing at
Comm. Expires

Meridian, Idaho
5/19/95

STATE OF IDAHO, COUNTY OF

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

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

Ex-Officio Recorder

By _____ Deputy.

Fees \$
Mail to:

INSTRUMENT NO.

"PARCEL A"

166 1000412

That portion of the South $\frac{1}{4}$ Southeast $\frac{1}{4}$ of Section 19, and the North $\frac{1}{4}$ Northeast $\frac{1}{4}$ of Section 30 both in Township 3 North, Range 3 East, Boise, Meridian, Ada County, Idaho.

Commencing at the Section corner common to Sections 19, 20, 29, and 30, Township 3 North, Range 3 East, Boise, Meridian; thence South 89°55' West 290.5 feet to a point on the center line of the Union Pacific Railroad, Barber Spur; thence North 64°28' West 858.0 feet to a point; thence South 25°31' West 50.0 feet to the REAL POINT OF BEGINNING; thence South 25°32' West a distance of 425.0 feet to a point; thence North 64°28' West a distance of 485.0 feet to a point; thence North 25°32' East a distance of 425.0 feet to a point; thence South 64°28' East a distance 485.0 feet to the REAL POINT OF BEGINNING.

EXCEPT all highways, roads, and ditches.

FURTHER EXCEPTING THEREFROM

A tract of land in the SE $\frac{1}{4}$ of Section 19, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the section corner common to Sections 19, 20, 29 and 30, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho, thence South 89°55' West, 290.5 feet to a point on the centerline of the Union Pacific Railroad Barber spur; thence North 64°28' West, 823.0 feet to a point; thence South 25°32' West, 50.0 feet to the REAL POINT OF BEGINNING; thence South 25°32' West 256.00 feet to a point; thence North 64°28' West, 170.16 feet to a point; thence North 25°32' East, 256.00 feet to a point; thence South 64°28' East, 170.16 feet to the REAL POINT OF BEGINNING.

RECORDED

JUL 27 2008

"PARCEL B"

1664000413

A tract of land in the South half of the Southeast quarter of Section 19 and the North half of the Northeast quarter of Section 30, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the section corner common to the Sections 19, 20, 29 and 30, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho; thence south 89°55' West, 290.5 feet to a point on the center line of the Union Pacific Railroad Barber Spur; thence North 64°28' West, 858.0 feet to a point; thence South 25°32' West, 50.0 feet; thence South 25°32' West, 256.00 feet to the REAL POINT OF BEGINNING; thence South 64°28' East, 35.00 feet to a point; thence South 25°32' West, 169.00 feet to a point; thence North 64°28' West, 35.00 feet; thence North 25°32' East 169.00 feet to the REAL POINT OF BEGINNING.

PT of R. 1 - #9565

RECORDED

JUL 27 2000

"PARCEL A"

1661000412

That portion of the South $\frac{1}{4}$ Southeast $\frac{1}{4}$ of Section 19, and the North $\frac{1}{4}$ Northeast $\frac{1}{4}$ of Section 30 both in Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho.

Commencing at the Section corner common to Sections 19, 20, 29, and 30, Township 3 North, Range 3 East, Boise Meridian; thence
South 89°55' West 290.5 feet to a point on the center line of the Union Pacific Railroad, Barber Spur; thence
North 64°28' West 858.0 feet to a point; thence
South 25°31' West 50.0 feet to the REAL POINT OF BEGINNING; thence
South 25°32' West a distance of 425.0 feet to a point; thence
North 64°28' West a distance of 485.0 feet to a point; thence
North 25°32' East a distance of 425.0 feet to a point; thence
South 64°28' East a distance 485.0 feet to the REAL POINT OF BEGINNING.

EXCEPT all highways, roads, and ditches.

FURTHER EXCEPTING THEREFROM

A tract of land in the S $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the section corner common to Sections 19, 20, 29 and 30, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho, thence
South 89°55' West, 290.5 feet to a point on the centerline of the Union Pacific Railroad Barber spur; thence
North 64°28' West, 823.0 feet to a point; thence
South 25°32' West, 50.0 feet to the REAL POINT OF BEGINNING; thence
South 25°32' West 256.00 feet to a point; thence
North 64°28' West, 170.16 feet to a point; thence
North 25°32' East, 256.00 feet to a point; thence
South 64°28' East, 170.16 feet to the REAL POINT OF BEGINNING.

RECORDED

APR 27 1930

"PARCEL B"

1664000413

A tract of land in the South half of the Southeast quarter of Section 19 and the North half of the Northeast quarter of Section 30, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the section corner common to the Sections 19, 20, 29 and 30, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho; thence south 89°55' West, 290.5 feet to a point on the center line of the Union Pacific Railroad Harbor Spur; thence North 64°28' West, 858.0 feet to a point; thence South 25°32' West, 50.0 feet; thence South 25°32' West, 256.00 feet to the REAL POINT OF BEGINNING; thence South 64°28' East, 35.00 feet to a point; thence South 25°32' West, 169.00 feet to a point; thence North 64°28' West, 35.00 feet; thence North 25°32' East, 169.00 feet to the REAL POINT OF BEGINNING.

PT of R. - #9565

MICROFILMED

JUL 27 2000

1662001079

29933

WARRANTY DEED

For Value Received Richard L. Adams, and Roberta L. Adams, husband and wife

The grantor(s) do hereby grant, bargain, sell and convey unto Randy B. Harris and Kathy N. Harris, husband and wife and Gary D. Harris, a married man, and Felicia R. Burkhalter, an unmarried woman and Jack F. Davis and Mildred V. Davis, husband and wife the grantee, whose current address is

the following described premises, in Ada County Idaho, to-wit:

A tract of land in the South half of the Southeast quarter of Section 19 and the North half of the Northeast quarter of Section 30, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the section corner common to the Sections 19, 20, 29 and 30, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho; thence south 89°55' West, 290.5 feet to a point on the center line of the Union Pacific Railroad Barber Spur; thence North 64°28' West, 858.0 feet to a point; thence South 25°32' West, 50.0 feet; thence South 25°32' West, 256.00 feet to the REAL POINT OF BEGINNING; thence South 64°28' East, 35.00 feet to a point; thence South 25°32' West, 169.00 feet to a point; thence North 64°28' West, 35.00 feet; thence North 25°32 East 169.00 feet to the REAL POINT OF BEGINNING

94002362

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID SECURITY TITLE

94 JAN 10 PM 3:30
FEE 3.00
RECORDED AT THE REQUEST OF

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee's heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee that he is the owner in fee simple of said premises; that they are free from all incumbrances EXCEPT current year taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record

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

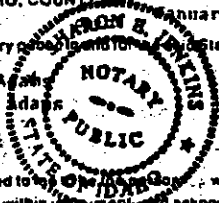
Dated: January 7, 1994

Richard L. Adams
Richard L. Adams

Roberta L. Adams
Roberta L. Adams

STATE OF IDAHO, COUNTY OF Ada
On this January 19 94
before me, a notary public and for the State, personally appeared

Richard L. Adams
Roberta L. Adams



known or identified to me, whose name subscribed to the within instrument and acknowledged to me that they executed the same.

Sharon E. Jenkins
Notary Public

Residing at Meridian Idaho
Comm. Expires 05/19/95

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

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

Ex-Officio Recorder

By Deputy.
Fees \$
Mail to:

INSTRUMENT NO.

9400318

Escrow#129933

19386

QUITCLAIM DEED

ADJ. RECORDER
J. DAVID HAVARRO

BOISE ID

SECURITY TITLE

For Value Received

BONNIE J. HARRIS, A MARRIED WOMAN, WIFE OF GARY D. HARRIS

94 JAN 13 AM 9 43

do hereby convey, release, remise and forever quitclaim unto

GARY D. HARRIS, A MARRIED MAN, HUSBAND OF BONNIE J. HARRIS

FEE 900 L.P. *Harris*

whose current address is 1210 E. Jefferson, Boise, ID 83712

the following described premises, to-wit:

100:000:111

SEE ATTACHED LEGALS "PARCEL A" AND "PARCEL B"

together with their appurtenances.

Dated: January 10, 1994

Bonnie J. Harris
BONNIE J. HARRIS

STATE OF IDAHO, COUNTY OF ADA

On this 10th day of January, 1994, before me, a notary public in and for the State of Idaho, personally appeared

BONNIE J. HARRIS



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

Sharon Jenkins
Notary Public

Residing at Meridian, Idaho
Comm. Expires 5/19/95

STATE OF IDAHO, COUNTY OF

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

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

Ex-Officio Recorder

By _____ Deputy.

Fees \$
Mail to:

INSTRUMENT No.

27 2000

1667001286

QUITCLAIM DEED

For Value Received GARY DALLAS HARRIS, does hereby convey, release, remise and forever quit claim unto GARY DALLAS HARRIS and BONNIE JEAN HARRIS, as husband and wife, whose address is 1210 E. Jefferson, Boise, Idaho 83702, his interest in the following real property in Ada County, State of Idaho, more particularly described as follows, to wit:

A tract of land in the South half of the Southeast quarter of Section 19 and the North half of the Northeast quarter of Section 20, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

94005869

Commencing at the section corner common to the Sections 19, 20, 29 and 30, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho; thence South 89°55' West, 240.5 feet to a point on the center line of the Boise River; thence Railroad Harbor Run; thence North 64°32' West, 250.0 feet to a point; thence North 22°32' West, 30.0 feet; thence South 20°32' West, 250.00 feet to the 1924 POINT OF BEGINNING; thence South 64°20' East, 25.00 feet to a point; thence North 25°32' West, 150.00 feet to a point; thence North 64°20' West, 25.00 feet; thence North 25°32' East 150.00 feet to the 1924 POINT OF BEGINNING.

RECORDED
J. DAVID AVARRO
BOISE ID

94 JAN 21 PM 3 23

FEE 30
RECORDED 12-04-97

DATED This 21 day of January, 1994.

Gary Dallas Harris
GARY DALLAS HARRIS

STATE OF IDAHO)

County of Ada)

On this 21st day of January, 1994, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared GARY DALLAS HARRIS, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

Debra Stevens
NOTARY PUBLIC for Idaho

Residing at Boise, Idaho

My Commission Expires: 12-04-97

RECORDED

JUL 27 2000

96042675

SI-45054320

C

ALLIANCE TITLE
ADA CO. RECORDER
J. DAVID HAYARRO
BOISE ID

FOR RECORDING INFORMATION

After Recording
Return to:

JoAnn C. Butler
Spink & Butler
P.O. Box 639
Boise, ID 83701

'96 MAY 21 AM 10 06

FEE 18.00 DEP J. Hays
RECORDED AT THE REQUEST OF

WARRANTY DEED

FELICIA HARRIS BURKHALTER, BRIAN RANDOLPH HARRIS (aka BRIAN RANDALL HARRIS) and MILDRED H. DAVIS (aka MILDRED V. DAVIS) hereinafter collectively referred to as "Grantor," for \$10.00 and other good and valuable consideration in hand paid, the receipt and sufficiency whereof is hereby acknowledged, do hereby grant, bargain, sell, convey, and warrant unto ALLIANCE TITLE & ESCROW CORP., a Delaware corporation, hereinafter referred to as "Trustee", whose address is 1412 West Idaho Street, Boise, Idaho 83702, the real property located in Ada County, Idaho, more particularly described on Exhibit A, attached hereto and made a part hereof, hereinafter referred to as the "Premises."

TO HAVE AND TO HOLD the Premises, together with its tenaments, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, including, without limitation, all water and water rights (including groundwater), ditches and ditch rights, storage and storage rights, mineral rights, easements, and rights-of-way, unto Trustee, and Trustee's heirs, successors and assigns forever. And Grantor does hereby covenant to and with Trustee that Grantor is the owner in fee simple of the Premises; that the Premises are free from all liens, claims and encumbrances, except property taxes not yet due and payable, conditions, covenants, restrictions, reservations and easements of record, and public rights of way, and that Grantor shall warrant and defend the same from all claims whatsoever.

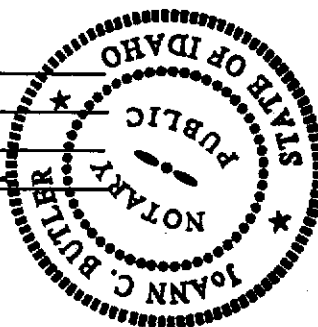
NOTED - LMD
MAY 27 2000

STATE OF IDAHO)
) ss.
County of Ada)

On this 14 day of May, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared MILDRED H. DAVIS, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

JoAnn C. Butler
Notary Public for _____
Residing at Burien
My commission expires: 9/7/96



STATE OF IDAHO)
) ss.
County of Ada)

On this 14 day of May, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared BRIAN RANDOLPH HARRIS, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

JoAnn C. Butler
Notary Public for _____
Residing at Burien
My commission expires: 9/7/96



RECORDED
MAY 27 2000

EXHIBIT A

LEGAL DESCRIPTION OF THE PREMISES

Covers property identified in title commitments ST-95054320C and D.

MICROFILMED
JUL 27 2000

EXHIBIT "A"

In Section 29, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho:

Government Lot 5;

All that portion of Government Lot 4 lying North of the Right-of-way for Eckert Road;

Any portion of Government Lot 3 lying North of the Right-of-way for Eckert Road;

All that portion of the Northwest Quarter Northwest Quarter lying South of the Right-of-way for Warm Springs Ave.

All that portion of the West one-half East one-half Northwest Quarter lying South of the Right-of-way for Warm Springs Ave. and North of the Right-of-way for Eckert Road;

EXCEPT FROM The above described Parcels:

That portion deeded to State of Idaho, Department of Parks and Recreation for a bike path, by Deed recorded APRIL 25, 1988, as Instrument No. 8819518, Official Records.

RECORDED
JUL 27 2000

EXHIBIT "A"

In Section 29, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho:

All that portion of Government Lot 4 lying South of the Right-of-way for Eckert Road; and

The West one-half of Government Lot 3 lying South of the Right-of-way for Eckert Road; and

All that portion of West one-half Southeast Quarter Northwest Quarter lying South of the Right-of-way for Eckert Road

MAILED
JUL 27 1990

96042676
ALLIANCE TITLE
ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

After Recording
Return to:

JoAnn C. Butler
Spink & Butler
P.O. Box 639
Boise, ID 83701

FOR RECORDING INFORMATION
96045018

'96 MAY 21 AM 10 07

FEE 27.00 DEP J. Harper
RECORDED AT THE REQUEST OF

ALLIANCE TITLE
ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

'96 MAY 29 PM 2 44

FEE 30.00 DEP Butler
RECORDED AT THE REQUEST OF

Re-recorded to amend legal
description to include map(s).

WARRANTY DEED

FELICIA HARRIS BURKHALTER, BRIAN RANDOLPH HARRIS (aka BRIAN RANDALL HARRIS), MILDRED H. HARRIS (aka MILDRED V. DAVIS), DALLAS H. HARRIS and ALTA M. HARRIS hereinafter collectively referred to as "Grantor," for \$10.00 and other good and valuable consideration in hand paid, the receipt and sufficiency whereof is hereby acknowledged, do hereby grant, bargain, sell, convey, and warrant unto ALLIANCE TITLE & ESCROW CORP., a Delaware corporation, hereinafter referred to as "Trustee", whose address is 1412 West Idaho Street, Boise, Idaho 83702, the real property located in Ada County, Idaho, more particularly described on Exhibit A, attached hereto and made a part hereof, hereinafter referred to as the "Premises."

TO HAVE AND TO HOLD the Premises, together with its tenaments, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, including, without limitation, all water and water rights (including groundwater), ditches and ditch rights, storage and storage rights, mineral rights, easements, and rights-of-way, unto Trustee, and Trustee's heirs, successors and assigns forever. And Grantor does hereby covenant to and with Trustee that Grantor is the owner in fee simple of the Premises; that the Premises are free from all liens, claims and encumbrances, except property taxes not yet due and payable, conditions, covenants, restrictions, reservations and easements of record, and public rights of way, and that Grantor shall warrant and defend the same from all claims whatsoever.

96089276

Re-record

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

ALLIANCE TITLE

'96 OCT 28 AM 10 08

FEE 30.00 DEP D. Hall
RECORDED AT THE REQUEST OF

WARRANTY DEED - 1
wpdocs\harris\transfer\deed.4

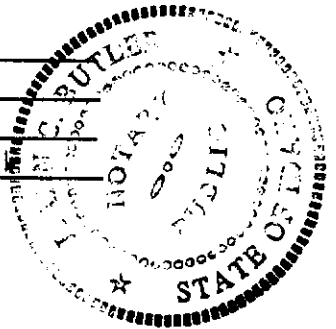
MICROFILMED
JUL 27 1998

STATE OF IDAHO)
) ss.
County of Ada)

On this 14 day of May, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared MILDRED H. DAVIS, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

J Ann C Butler
Notary Public for _____
Residing at Buried
My commission expires: 9/7/96

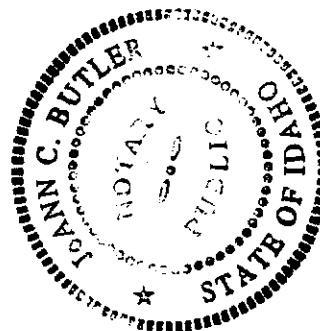


STATE OF IDAHO)
) ss.
County of Ada)

On this 14 day of May, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared BRIAN RANDOLPH HARRIS, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

J Ann C Butler
Notary Public for _____
Residing at Buried
My commission expires: 9/7/96



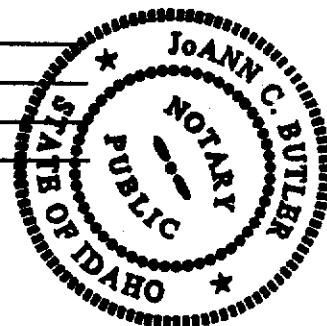
RECORDED
JUL 27 2000

STATE OF IDAHO)
) ss.
County of Ada)

On this 14th day of May, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared ALTA M. HARRIS, Attorney in Fact for DALLAS H. HARRIS, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

JoAnn C. Butler
Notary Public for _____
Residing at Base ID
My commission expires: 7/7/96



STATE OF IDAHO)
) ss.
County of Ada)

On this 14th day of May, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared ALTA M. HARRIS, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

JoAnn C. Butler
Notary Public for _____
Residing at Base ID
My commission expires: 7/7/96

MICROFILMED

JUL 27 2000

EXHIBIT A

LEGAL DESCRIPTION OF THE PREMISES

Covers property identified in title commitments ST-95054320E, F and I (Parcels 2 and 3).

UNRECORDED
JUL 27 2006

EXHIBIT "A"

In Section 29, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho:

Government Lot 2

EXCEPT that portion deeded to DAVID C. TRIPLETT and ANN R. TRIPLETT by Warranty Deed recorded NOVEMBER 4, 1976, as Instrument No. 7643662, Official Records;

EXCEPT that portion deeded to Ada County (and generally known as the Barber Dam Project) by Tax Deed recorded MARCH 3, 1977, as Instrument No. 7708952, Official Records;

AND

Government Lot 1 lying Northwesterly of the Southeasterly boundary of Lysted Road/Lane;

AND

Northwest Quarter of the Southeast Quarter;

AND

Northeast Quarter of the Southeast Quarter lying Northwesterly of the Southeasterly boundary of Lysted Road/Lane and Southwesterly of the Right-of-way for State Highway No. 21;

AND

South half of the Northeast Quarter lying Southwesterly of the Right-of-way for State Highway No. 21

EXCEPT that portion deeded to Ada County by Quitclaim Deed recorded MAY 20, 1987, as Instrument No. 8729698, Official Records.

MICROFILMED
JUL 27 2000

EXHIBIT "A"

That certain parcel of land located in the Northeast Quarter of the Southeast Quarter and in Government Lot 1 of Section 29, and in the Northwest Quarter of the Southwest Quarter of Section 28, all in Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho, lying Easterly of Lysted Lane and Southerly of State Highway No. 21 (Warm Springs Avenue) and shown on the map attached hereto as Exhibit "B" and made a part hereof.

MICROFILMED

JUL 27 2000

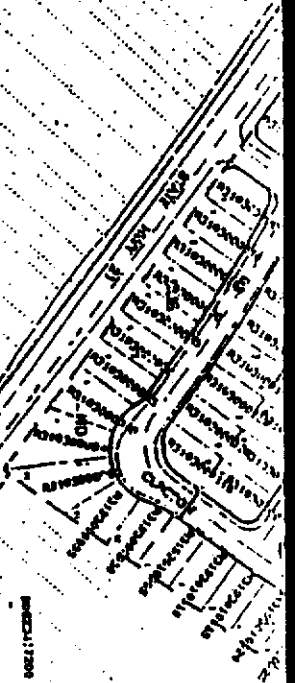
JUL 27 2000
MICROFILM

Commit

POOR COPY

EXISTING Sewer line
Sat. 7/24/00
7/24/00

Commit



PARCEL 2

All that portion of the Northeast Quarter Southeast Quarter of Section 19, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho, lying South of an old wagon road commonly called Barber Road.

MICROFILMED
JUL 27 2000

EXHIBIT "A"

PARCEL 3

All that portion of the South Half, Southeast Quarter of
Section 19, Township 3 North, Range 3 East, Boise Meridian,
Ada County, Idaho, lying North of State Highway No. 21.

MICROFILMED
JUL 27 2000

THIS FORM FURNISHED COURTESY OF:

ALLIANCE TITLE & ESCROW CORP.

READ & APPROVED BY GRANTEE(S): _____

#4101, 8700, 1700

ADA CLERK RECORDER
J. DAVID NAVARRO
BOISE ID**ALLIANCE TITLE**

'96 DEC 23 PM 2 30

FEE 9.00 DEP J. Luper
RECORDED AT THE REQUEST OF

SPACE ABOVE THIS LINE FOR RECORDING DATA

Order No.: 950543201

WARRANTY DEEDFOR VALUE RECEIVED ALLIANCE TITLE AND ESCROW CORP., A Delaware Corp.,
TRUSTEEGRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto HARRIS FAMILY
LIMITED PARTNERSHIP, An Idaho Limited Partnership

GRANTEE(S), whose current address is: C/O JOANN BUTLER 607 NO. 8TH, BOISE, IDAHO

the following described real property in ADA County, State of Idaho, more particularly
described as follows, to wit:As set forth on the attached EXHIBIT "A", which by this
reference becomes a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: December 12, 1996

ALLIANCE TITLE AND ESCROW CORP., TRUSTEE JUL 27 2000

BY: Joan M. Hart

STATE OF IDAHO, COUNTY OF ADA, ss.

On this 13TH day of December in the year 1996, before me, the undersigned, a Notary Public in and for said State personally appeared Joan M. Hart known to me to be the Assistant Secretary of the corporation that executed this instrument and the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

Signature: _____
Name: _____

Ken Franklin

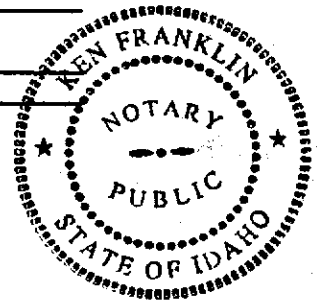
(Type or Print)

Residing At: _____

Borise

My Commission expires: _____

10-3-98



MICROFILMED

1997-27-2000

EXHIBIT "A"

PARCEL 1

All that portion of Government Lots 4 and 5 of Section 19, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho, lying South and East of Barber Road and North of Highway No. 21.

An undivided 25% interest in the following two parcels:

PARCEL 2

All that portion of the Northeast Quarter Southeast Quarter of Section 19, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho, lying South of an old wagon road commonly called Barber Road.

PARCEL 3

All that portion of the South Half, Southeast Quarter of Section 19, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho, lying North of State Highway No. 21.

RECORDED
JUL 27 2003

96042673

ST-95054320

ALLIANCE TITLE

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

After Recording
Return to:

JoAnn C. Butler
Spink & Butler
P.O. Box 639
Boise, ID 83701

'96 MAY 21 AM 10 06

FEE 3900 DEP J. Harper
RECORDED AT THE REQUEST OF

FOR RECORDING INFORMATION

96045017

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

ALLIANCE TITLE

'96 MAY 29 PM 2 44

FEE 4500 DEP J. Harper
RECORDED AT THE REQUEST OF

Re-recorded to amend legal
description to include map(s).

WARRANTY DEED

DALLAS H. and ALTA M. HARRIS, husband and wife, hereinafter collectively referred to as "Grantor," for \$10.00 and other good and valuable consideration in hand paid, the receipt and sufficiency whereof is hereby acknowledged, do hereby grant, bargain, sell, convey, and warrant unto ALLIANCE TITLE & ESCROW CORP., a Delaware corporation, hereinafter referred to as "Trustee", whose address is 1412 West Idaho Street, Boise, Idaho 83702, the real property located in Ada County, Idaho, more particularly described on Exhibit A, attached hereto and made a part hereof, hereinafter referred to as the "Premises."

TO HAVE AND TO HOLD the Premises, together with its tenaments, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, including, without limitation, all water and water rights (including groundwater), ditches and ditch rights, storage and storage rights, mineral rights, easements, and rights-of-way, unto Trustee, and Trustee's heirs, successors and assigns forever. And Grantor does hereby covenant to and with Trustee that Grantor is the owner in fee simple of the Premises; that the Premises are free from all liens, claims and encumbrances, except property taxes not yet due and payable, conditions, covenants, restrictions, reservations and easements of record, and public rights of way, and that Grantor shall warrant and defend the same from all claims whatsoever.

96089275

Re-record

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

ALLIANCE TITLE

'96 OCT 28 AM 10 08

FEE 4800 DEP J. Hall
RECORDED AT THE REQUEST OF

MICROFILMED
JUL 27 2000

EXHIBIT "A"

A portion of Government Lot 3 in the Northeast Quarter of Section 33, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho, lying Easterly of the Penitentiary Canal and referenced on the map attached hereto as Exhibit "C" and made a part hereof.

MICROFILMED

JUL 27 2000

2001-27-2000

96104779

THIS FORM FURNISHED COURTESY OF:

ALLIANCE TITLE & ESCROW CORP.

READ & APPROVED BY GRANTEE(S): _____

#1220

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

ALLIANCE TITLE
'96 DEC 23 PM 2 30

FEE 12.00 REC'D J. Navarro
RECORDED AT THE REQUEST OF

SPACE ABOVE THIS LINE FOR RECORDING DATA

Order No.: 95054320G

WARRANTY DEED

FOR VALUE RECEIVED ALLIANCE TITLE AND ESCROW CORP., A Delaware Corp.,
TRUSTEE

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto HARRIS FAMILY
LIMITED PARTNERSHIP, An Idaho Limited Partnership

GRANTEE(S), whose current address is: C/O JOANN BUTLER 607 NO. 8TH, BOISE, IDAHO

the following described real property in ADA County, State of Idaho, more particularly
described as follows, to wit:

As set forth on the attached EXHIBIT "A", which by this
reference becomes a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and
Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said
Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from
all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered
or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and
agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments,
if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend
the same from all lawful claims whatsoever.

dated: December 12, 1996

ALLIANCE TITLE AND ESCROW CORP., TRUSTEE

BY: Joan M. Hart

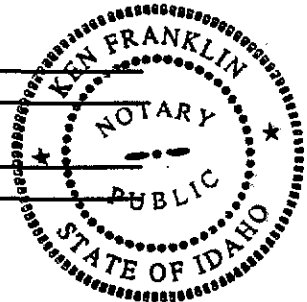
RECORDED
JAN 27 2000

STATE OF IDAHO, COUNTY OF ADA, ss.

On this 13TH day of December in the year 1996, before me, the undersigned, a Notary Public in and for said State personally appeared Joan M. Hart known to me to be the Assistant Secretary of the corporation that executed this instrument and the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

Signature: *Ken Franklin*
Name: _____
(Type or Print)
Residing At: Boise
My Commission expires: 10-5-98



MICROFILMED

JUL 27 2000

EXHIBIT "A"

A portion of Government Lot 3 in the Northeast Quarter of Section 33, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho, lying Easterly of the Penitentiary Canal and referenced in yellow on the map attached hereto as Exhibit "A" and made a part hereof.

MICROFILMED

JUL 27 2000

MICROFILMED
JUL 27 2000

RIVER

BOISE

OM



A Pioneer Company

PIONEER TITLE COMPANY
OF ADA COUNTY

888 North Cole Road / Boise, Idaho 83704 / Telephone (208) 377-2700

16778

PIONEER TITLE CO.

AC
J.C.
RECORDED

Quicksilver

'92 MAR 20 PM 3 25

PII1557516/574

WARRANTY DEED
(INDIVIDUAL)

FOR VALUE RECEIVED LISABETH ISAACSON, AN UNMARRIED WOMAN NOW AND SINCE DECEMBER 19, 1990, WHO ALSO APPEARS OF RECORD AS LISABETH STRUCKMAN AND LISABETH ISSACSON.

Grantor does hereby grant, bargain, sell and convey unto FELICIA BURKHALTER, AN UNMARRIED PERSON

the Grantee, whose current address is: 270 SHADY LANE, BOISE, ID
the following described real property in ADA County, State of Idaho, more particularly described as
follows, to-wit:
SEE ATTACHED EXHIBIT 'A' FOR LEGAL DESCRIPTION WHICH BY THIS REFERENCE IS
INCORPORATED HEREIN.

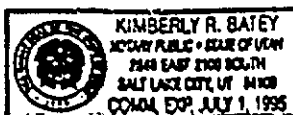
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and Grantee heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (includes irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated March 13, 1992

Lisabeth Isaacson
LISABETH ISAACSON

STATE OF UTAH, County of *Salt Lake*

On this 19 day of March, 1992, in the year of 1992, before me
Kimberly R. Batey, a notary public, personally appeared LISABETH ISAACSON
Known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



Notary Public *Kimberly R. Batey*
Residing at *2548 East 2100 South*
My Commission Expires *July 1, 1995*

MICROFILMED
JUL 27 2000

EXHIBIT 'A'

COMMENCING AT THE SOUTHEAST CORNER OF GOVERNMENT LOT 4, SECTION 19, TOWNSHIP 3 NORTH,
RANGE 3 EAST, BOISE MERIDIAN; THENCE
NORTH 0 20' EAST 404.50 FEET ALONG THE QUARTER SECTION LINE TO A STEEL PIN; THENCE
NORTH 89 07' WEST 23 FEET TO A POINT; THENCE
SOUTH 77 00' WEST 185.00 FEET TO THE REAL POINT OF BEGINNING; THENCE
NORTH 42 24' WEST 135.50 FEET TO AN IRON PIN; THENCE
NORTH 28 32' WEST 59.35 FEET TO AN IRON PIN; THENCE
SOUTH 38 19' WEST 98.00 FEET TO AN STEEL PIN; THENCE
SOUTH 51 37' WEST 51.65 FEET TO AN STEEL PIN; THENCE
SOUTH 12 57' EAST 94.90 FEET TO A POINT; THENCE
NORTH 77 00' EAST 205.00 FEET TO THE REAL POINT OF BEGINNING.
EXCEPT ANY PORTION THEREOF LYING WITHIN THE RIGHT OF WAY FOR BARBER ROAD

END OF LEGAL DESCRIPTION

MICROFILMED

MAY 27 2000

96042673

SI-45054320

ALLIANCE TITLE

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE IDAfter Recording
Return to:JoAnn C. Butler
Spink & Butler
P.O. Box 639
Boise, ID 83701

'96 MAY 21 AM 10 06

FEE 3900 DEED J. Harper
RECORDED AT THE REQUEST OF

FOR RECORDING INFORMATION

96045017

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

ALLIANCE TITLE

'96 MAY 29 PM 2 44

FEE 4500 DEED J. Harper
RECORDED AT THE REQUEST OFRe-recorded to amend legal
description to include map(s).WARRANTY DEED

DALLAS H. and ALTA M. HARRIS, husband and wife, hereinafter collectively referred to as "Grantor," for \$10.00 and other good and valuable consideration in hand paid, the receipt and sufficiency whereof is hereby acknowledged, do hereby grant, bargain, sell, convey, and warrant unto ALLIANCE TITLE & ESCROW CORP., a Delaware corporation, hereinafter referred to as "Trustee", whose address is 1412 West Idaho Street, Boise, Idaho 83702, the real property located in Ada County, Idaho, more particularly described on Exhibit A, attached hereto and made a part hereof, hereinafter referred to as the "Premises."

TO HAVE AND TO HOLD the Premises, together with its tenaments, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, including, without limitation, all water and water rights (including groundwater), ditches and ditch rights, storage and storage rights, mineral rights, easements, and rights-of-way, unto Trustee, and Trustee's heirs, successors and assigns forever. And Grantor does hereby covenant to and with Trustee that Grantor is the owner in fee simple of the Premises; that the Premises are free from all liens, claims and encumbrances, except property taxes not yet due and payable, conditions, covenants, restrictions, reservations and easements of record, and public rights of way, and that Grantor shall warrant and defend the same from all claims whatsoever.

96089275

Re-record

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

ALLIANCE TITLE

'96 OCT 28 AM 10 08

FEE 4800 DEED J. Hall
RECORDED AT THE REQUEST OFMICROFILMED
JUL 27 2000

EXHIBIT "A"

PARCEL 1

All that portion of Government Lots 4 and 5 of Section 19,
Township 3 North, Range 3 East, Boise Meridian, Ada County,
Idaho, lying South and East of Barber Road and North of
Highway No. 21.

MICROFILMED
JUL 27 2000

96042673

ST-95054320

①

ALLIANCE TITLE

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE IDAfter Recording
Return to:JoAnn C. Butler
Spink & Butler
P.O. Box 639
Boise, ID 83701

'96 MAY 21 AM 10 06

FEE 3900
RECORDED AT THE REQUEST OF

FOR RECORDING INFORMATION

96045017

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

ALLIANCE TITLE

'96 MAY 29 PM 2 44

FEE 4500
RECORDED AT THE REQUEST OFRe-recorded to amend legal
description to include map(s).WARRANTY DEED

DALLAS H. and ALTA M. HARRIS, husband and wife, hereinafter collectively referred to as "Grantor," for \$10.00 and other good and valuable consideration in hand paid, the receipt and sufficiency whereof is hereby acknowledged, do hereby grant, bargain, sell, convey, and warrant unto ALLIANCE TITLE & ESCROW CORP., a Delaware corporation, hereinafter referred to as "Trustee", whose address is 1412 West Idaho Street, Boise, Idaho 83702, the real property located in Ada County, Idaho, more particularly described on Exhibit A, attached hereto and made a part hereof, hereinafter referred to as the "Premises."

TO HAVE AND TO HOLD the Premises, together with its tenaments, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, including, without limitation, all water and water rights (including groundwater), ditches and ditch rights, storage and storage rights, mineral rights, easements, and rights-of-way, unto Trustee, and Trustee's heirs, successors and assigns forever. And Grantor does hereby covenant to and with Trustee that Grantor is the owner in fee simple of the Premises; that the Premises are free from all liens, claims and encumbrances, except property taxes not yet due and payable, conditions, covenants, restrictions, reservations and easements of record, and public rights of way, and that Grantor shall warrant and defend the same from all claims whatsoever.

96089275

Re-record

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

ALLIANCE TITLE

'96 OCT 28 AM 10 08

FEE 4800
RECORDED AT THE REQUEST OF

MICROFILMED

OCT 27 2000

WARRANTY DEED - 1

wpdocs\harris\transfer\deed1.war

EXHIBIT "A"

Southwest Quarter of the Northwest Quarter, Northwest Quarter of the Southwest Quarter, and the West Half of the Northeast Quarter of the Southwest Quarter, Section 17, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho.

MICROFILMED

JUL 27 2000

WARRANTY DEED 9019771

FOR VALUE RECEIVED AUSTIN SPENCER WALKER AND JEANETTE WALKER, HUSBAND AND WIFE, SALLY LOU BROWN AND CHARLES R. BROWN, JR., WIFE AND HUSBAND

GRANTOR(s), does/do hereby GRANT, BARGAIN, SELL and CONVEY unto RANDY HARRIS AND KATHY HARRIS, HUSBAND AND WIFE, GARY HARRIS, UNMARRIED, FELICIA HARRIS-BURNHALTER, UNMARRIED, AND JACK DAVIS AND MILDRED DAVIS, husband and wife

GRANTEE(S), whose current address is: 3051 Wise Way, Boise, Idaho 83712
the following described real property in ADA County, State of Idaho,
more particularly described as follows, to wit:

THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER IN SECTION 20, TOWNSHIP 3 NORTH, RANGE 3 EAST OF THE BOISE MERIDIAN, ADA COUNTY, IDAHO.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does/do hereby covenant (in and with the said Grantee(s), that Grantor(s) is are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to covenants, restrictions, dedications, easements, right of way and agreements, (if any) of record, and general taxes and assessments, (includes irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: April 11, 1990

Austin Spencer Walker
AUSTIN SPENCER WALKER

Jeanette Walker
JEANETTE WALKER

SALLY LOU BROWN

CHARLES R. BROWN, JR.

ACKNOWLEDGEMENT - Individual

STATE OF OREGON County of Multnomah

On this 11 day of APRIL
the year of 1990 before me *Pat L. Brown*

personally appeared AUSTIN SPENCER WALKER &
JEANETTE WALKER known or
identified to me to be the person whose name
subscribed to the within instrument, and acknowledged to me that
he executed the same.

Notary Public: *Pat L. Brown*
Residing at: *251 W. 10th St. Portland, OR 97209*
EXPIRATION DATE: *7-26-92*

STATE OF IDAHO, COUNTY of Ada

I hereby certify that this instrument was filed for record in the
records of PIONEER TITLE CO.

in 42 minutes past
this 17 day of April
1990 in my office, and duly recorded in Book
of Deeds at page

JOHN BASTIDA

Ex-Officio Recorder

By *B. Belueal*
Feet 3
Mile to



PIONEER TITLE COMPANY
OF ADA COUNTY

622 West State Street, Boise, Idaho 83702 (208) 336-0700
385 North Cole Road, Boise, Idaho 83704 (208) 337-1700

27 2000

96042673

ST-95054320

①

ALLIANCE TITLE

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

After Recording
Return to:

JoAnn C. Butler
Spink & Butler
P.O. Box 639
Boise, ID 83701

'96 MAY 21 AM 10 06

FEE 3900 REC'D J. Harper
RECORDED AT THE REQUEST OF

FOR RECORDING INFORMATION

96045017

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

ALLIANCE TITLE

'96 MAY 29 PM 2 44

FEE 4500 REC'D Spink & Butler
RECORDED AT THE REQUEST OF

Re-recorded to amend legal
description to include map(s).

WARRANTY DEED

DALLAS H. and ALTA M. HARRIS, husband and wife, hereinafter collectively referred to as "Grantor," for \$10.00 and other good and valuable consideration in hand paid, the receipt and sufficiency whereof is hereby acknowledged, do hereby grant, bargain, sell, convey, and warrant unto ALLIANCE TITLE & ESCROW CORP., a Delaware corporation, hereinafter referred to as "Trustee", whose address is 1412 West Idaho Street, Boise, Idaho 83702, the real property located in Ada County, Idaho, more particularly described on Exhibit A, attached hereto and made a part hereof, hereinafter referred to as the "Premises."

TO HAVE AND TO HOLD the Premises, together with its tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, including, without limitation, all water and water rights (including groundwater), ditches and ditch rights, storage and storage rights, mineral rights, easements, and rights-of-way, unto Trustee, and Trustee's heirs, successors and assigns forever. And Grantor does hereby covenant to and with Trustee that Grantor is the owner in fee simple of the Premises; that the Premises are free from all liens, claims and encumbrances, except property taxes not yet due and payable, conditions, covenants, restrictions, reservations and easements of record, and public rights of way, and that Grantor shall warrant and defend the same from all claims whatsoever.

96089275

Re-record

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

ALLIANCE TITLE

'96 OCT 28 AM 10 08

FEE 4800 REC'D Spink & Butler
RECORDED AT THE REQUEST OF

WARRANTY DEED - 1
wpdocs\harris\transfer\deed1.war

RECORDED
OCT 27 2000

EXHIBIT "A"

PARCEL 1

All of Section 20, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho, EXCEPTING the following tracts:

TRACT 1

BEGINNING at the Quarter corner between Sections 20 and 29, in Township 3 North, Range 3 East of the Boise Meridian, which is the REAL PLACE OF BEGINNING; thence North 592.5 feet to a point; thence South 49 degrees 15' East a distance of 272.4 feet to a point; thence South 67 degrees 10' East a distance of 624.4 feet to a point; thence South 60 degrees 17" East a distance of 210.8 feet to a point; thence South 16 degrees 16' West a distance of 115.5 feet to a point on the West bank of the Penitentiary Ditch; thence West a distance of 950 feet to the REAL PLACE OF BEGINNING.

TRACT 2

A parcel of land situate in the Southwest Quarter of Section 20, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

COMMENCING at the West Quarter corner of said Section 20, which lies North 2644.29 feet from the Southwest corner of said Section 20; thence South 64 degrees 48'09" East 1680.32 feet, along a random line to the approximate centerline intersection of Barber Road and Shady Lane; thence South 30 degrees 37'45" West 795.86 feet along the centerline of Shady Lane; thence South 45 degrees 18'00" West 187.37 feet along the centerline of Shady Lane; thence South 44 degrees 42'00" East 15.00 feet to the Southeasterly boundary of Shady lane and to the REAL POINT OF BEGINNING; thence North 45 degrees 18'00" East 114.07 feet along the Southeasterly boundary of Shady Lane; thence South 79 degrees 29'30" East 95.26 feet; thence South 10 degrees 30'30" West 290.68 feet; thence North 79 degrees 29'30" West 180.34 feet; thence North 10 degrees 30'30" East 197.00 feet to the REAL POINT OF BEGINNING.

JUL 27 2000

Continuation of Exhibit A

Order No. ST-95054320K JH

TRACT 3

A parcel of land situate in the Southwest Quarter of Section 20, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

COMMENCING at the West Quarter corner of said Section 20, which lies North 2644.29 feet from the Southwest corner of said Section 20; thence South 64 degrees 48'09" East 1680.32 feet, along a random line, to the approximate centerline intersection of Barber Road and Shady Lane; thence South 30 degrees 37'45" West 376.45 feet along the centerline of Shady Lane; thence North 59 degrees 25'40" West 15.00 feet to the Northwestern boundary of Shady Lane and to the REAL POINT OF BEGINNING; thence South 30 degrees 37'45" West 171.11 feet along the Northwestern boundary of Shady Lane; thence North 59 degrees 25'40" West 254.58 feet; thence North 30 degrees 37'45" East 171.11 feet along a line parallel to the centerline of Shady Lane; thence South 59 degrees 25'40" East 254.58 feet to the REAL POINT OF BEGINNING.

TRACT 4

The Southwest Quarter of the Northwest Quarter of Section 20, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho.

TRACT 5

That portion of said Section 20 deeded to Idaho Power Company.

PARCEL 2

The Northwest Quarter of the Northwest Quarter and the West Half of the East Half of the Northwest Quarter lying North of Warm Springs Avenue (Highway No. 21), Section 29, Township 3 North, Range 3 East, Ada County, Idaho.

JUL 27 1993

96042673

SI-4503 4320

ALLIANCE TITLE
ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

After Recording
Return to:

JoAnn C. Butler
Spink & Butler
P.O. Box 639
Boise, ID 83701

'96 MAY 21 AM 10 06

FEE 3900
RECORDED AT THE REQUEST OF

FOR RECORDING INFORMATION

96045017

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

ALLIANCE TITLE

'96 MAY 29 PM 2 44

FEE 4500
RECORDED AT THE REQUEST OF

Re-recorded to amend legal
description to include map(s).

WARRANTY DEED

DALLAS H. and ALTA M. HARRIS, husband and wife, hereinafter collectively referred to as "Grantor," for \$10.00 and other good and valuable consideration in hand paid, the receipt and sufficiency whereof is hereby acknowledged, do hereby grant, bargain, sell, convey, and warrant unto ALLIANCE TITLE & ESCROW CORP., a Delaware corporation, hereinafter referred to as "Trustee", whose address is 1412 West Idaho Street, Boise, Idaho 83702, the real property located in Ada County, Idaho, more particularly described on Exhibit A, attached hereto and made a part hereof, hereinafter referred to as the "Premises."

TO HAVE AND TO HOLD the Premises, together with its tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, including, without limitation, all water and water rights (including groundwater), ditches and ditch rights, storage and storage rights, mineral rights, easements, and rights-of-way, unto Trustee, and Trustee's heirs, successors and assigns forever. And Grantor does hereby covenant to and with Trustee that Grantor is the owner in fee simple of the Premises; that the Premises are free from all liens, claims and encumbrances, except property taxes not yet due and payable, conditions, covenants, restrictions, reservations and easements of record, and public rights of way, and that Grantor shall warrant and defend the same from all claims whatsoever.

96089275

Re-record

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

ALLIANCE TITLE

'96 OCT 28 AM 10 08

FEE 4800
RECORDED AT THE REQUEST OF

RECORDED
OCT 27 2008

EXHIBIT "A"

Government Lot 1 of Section 21, Township 3 North, Range 3
East, Boise Meridian, Ada County, Idaho.

MICROFILMED

JUL 27 2000

8863661

DEED OF GIFT

THIS INDENTURE made the 25TH day of December, 1988, between Dallas H. Harris and Alta M. Harris, husband and wife, of the County of Ada, State of Idaho, the parties of the first part, and Felicia Harris Burkhalter of 2710 Shady Lane, Boise, Idaho 83712, party of the second part,

WITNESSETH:

That the parties of the first part, for and in consideration of the natural love and affection which the parties of the first part have unto the party of the second part, and also for the better maintenance, support, protection, and livelihood of the said party of the second part, do by these presents give, grant, alien, and confirm unto the party of the second part, and to her heirs and assigns forever as her sole and separate property the following described real property, situate in the County of Ada, State of Idaho, to wit:

A parcel of land situate in the southwest quarter of Section 20, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the west quarter corner of said Section 20, which lies NORTH, 2,644.29 feet from the southwest corner of said Section 20; thence S64°48'09"E, 1,680.32 feet, along a random line, to the approximate centerline intersection of Barber Road and Shady Lane; thence S30°37'45"W, 795.86 feet along the centerline of Shady Lane; thence S45°18'00"W, 187.37 feet along the centerline of Shady Lane; thence S44°42'00"E, 15.00 feet to the southeasterly boundary of Shady lane and to the REAL POINT OF BEGINNING:

Thence N45°18'00"E, 114.07 feet along the southeasterly boundary of Shady Lane;

Thence S79°29'30"E, 95.26 feet;

Thence S10°30'30"W, 290.68 feet;

Thence N79°29'30"W, 160.34 feet;

Thence N10°30'30"E, 197.00 feet to the REAL POINT OF BEGINNING.

Comprising 1.00 Acres, more or less.

RECORDED - 11/27/88
JUL 27 2000

Together with all and singular, the tenements, hereditaments, and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof, and the rents and profits thereof shall be applied to her sole and separate use.

To have and to hold all and singular the said premises, together with the appurtenances, unto the said party of the second part, her heirs and assigns forever, as the separate property of the said party of the second part and not in anywise community property.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands the day and year first above written.

Dallas H. Harris
Dallas H. Harris

Alta M. Harris
Alta M. Harris

STATE OF IDAHO)
) ss.
County of Ada)

On this 27th day of December, 1988, before me the undersigned, Tim L. Hansen, a notary public in and for said state, personally appeared Dallas H. Harris and Alta M. Harris, husband and wife, known to me to be the persons whose names are subscribed to the foregoing 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 in this certificate first above written.

Tim L. Hansen
Notary Public for Idaho
Residing at Boise, Idaho
My Com. Expires Sept. 15, 1993.

DEED OF GIFT - 2

See County, Idaho, 10
Examined by Board
JUL 27 1989
JUL 27 2000

8862762

DEED OF GIFT

THIS INDENTURE Made the 21ST day of DECEMBER, 1988, between Dallas H. Harris and Alta M. Harris, husband and wife, of the County of Ada, State of Idaho, the parties of the first part, and Millie V. Davis of 2563 Shady Lane, Boise, Idaho 83712, party of the second part,

WITNESSETH:

That the parties of the first part, for and in consideration of the natural love and affection which the parties of the first part have unto the party of the second part, and also for the better maintenance, support, protection, and livelihood of the said party of the second part, do by these presents give, grant, alien, and confirm unto the party of the second part, and to her heirs and assigns forever as her sole and separate property the following described real property, situate in the County of Ada, State of Idaho, to wit:

A parcel of land situate in the southwest quarter of Section 20, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the west quarter corner of said Section 20, which lies North, 2,644.29 feet from the southwest corner of said Section 20; thence S 64° 48' 09" E, 1,680.32 feet, along a random line, to the approximate centerline intersection of Barber Road and Shady Lane; thence S 30° 37' 45" W, 376.45 feet along the centerline of Shady Lane; thence N 59° 25' 40" W, 15.00 feet to the northwesterly boundary of Shady Lane and to the real point of beginning:

Thence S 30° 37' 45" W, 171.11 feet along the northwesterly boundary of Shady Lane

Thence N 59° 25' 40" W, 254.58 feet;

Thence N 30° 37' 45" E, 171.11 feet along a line parallel to the centerline of Shady Lane;

Thence S 59° 25' 40" E, 254.58 feet to the Real Point of Beginning.

Comprising 1.00 Acres, more or less

Together with all and singular, the tenements, hereditaments, and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and

DEED OF GIFT - 1

MICROFILMED

JUL 27 2000

remainders, rents, issues, and profits thereof, and the rents and profits thereof shall be applied to her sole and separate use.

To have and to hold all and singular the said premises, together with the appurtenances, unto the said party of the second part, her heirs and assigns forever, as the separate property of the said party of the second part and not in anywise community property.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands the day and year first above written.

Dallas H. Harris
Dallas H. Harris

Alta M. Harris
Alta M. Harris

STATE OF IDAHO)
) ss.
County of Ada)

On this 21st day of December, 1988, before me the undersigned, a notary public in and for said state, personally appeared Dallas H. Harris and Alta M. Harris, husband and wife, known to me to be the persons whose names are subscribed to the foregoing 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 in this certificate first above written.

[Signature]
Notary Public for Idaho
Residing at Boise, Idaho
My Commission Expires: 9-15-93

Ada County, Idaho
Recorded at
Elam Burke & Boyd
TIME 1:48 P.M.
DATE 12-22-88
RECORDED
[Signature]
6000

DEED OF GIFT - 2

MICROFILMED
JUL 27 2000

96042673

ST-95054320

①

ALLIANCE TITLE

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE IDAfter Recording
Return to:JoAnn C. Butler
Spink & Butler
P.O. Box 639
Boise, ID 83701

'96 MAY 21 AM 10 05

FEE 3900 DEP J. Harper
RECORDED AT THE REQUEST OF

FOR RECORDING INFORMATION

96045017

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

ALLIANCE TITLE

'96 MAY 29 PM 2 44

FEE 4500 DEP J. Harper
RECORDED AT THE REQUEST OFRe-recorded to amend legal
description to include map(s).WARRANTY DEED

DALLAS H. and ALTA M. HARRIS, husband and wife, hereinafter collectively referred to as "Grantor," for \$10.00 and other good and valuable consideration in hand paid, the receipt and sufficiency whereof is hereby acknowledged, do hereby grant, bargain, sell, convey, and warrant unto ALLIANCE TITLE & ESCROW CORP., a Delaware corporation, hereinafter referred to as "Trustee", whose address is 1412 West Idaho Street, Boise, Idaho 83702, the real property located in Ada County, Idaho, more particularly described on Exhibit A, attached hereto and made a part hereof, hereinafter referred to as the "Premises."

TO HAVE AND TO HOLD the Premises, together with its tenaments, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, including, without limitation, all water and water rights (including groundwater), ditches and ditch rights, storage and storage rights, mineral rights, easements, and rights-of-way, unto Trustee, and Trustee's heirs, successors and assigns forever. And Grantor does hereby covenant to and with Trustee that Grantor is the owner in fee simple of the Premises; that the Premises are free from all liens, claims and encumbrances, except property taxes not yet due and payable, conditions, covenants, restrictions, reservations and easements of record, and public rights of way, and that Grantor shall warrant and defend the same from all claims whatsoever.

96089275

Re-record

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

ALLIANCE TITLE

'96 OCT 28 AM 10 08

FEE 4800 DEP J. Hall
RECORDED AT THE REQUEST OFMICROFILMED
JUL 27 2000

EXHIBIT "A"

All that portion of the Northeast Quarter of Section 29,
Township 3 North, Range 3 East, Boise Meridian, Ada County,
Idaho, lying Easterly of Eckert Road, Northerly of Highway
No. 21, and Westerly of Squaw Creek Road, except the Penitentiary Canal.

MICROFILMED

JUL 27 2000

96104781

THIS FORM FURNISHED COURTESY OF:

ALLIANCE TITLE & ESCROW CORP.

READ & APPROVED BY GRANTEE(S): _____

#1000, 1750

ADA CO. RECORDER

J. DAVID NAVARRO

BOISE ID

ALLIANCE TITLE

'96 DEC 23 PM 2 30

FEE 9.00 DEED J. Navarro
RECORDED AT THE REQUEST OF

SPACE ABOVE THIS LINE FOR RECORDING DATA

Order No.: 95054320N

WARRANTY DEED

FOR VALUE RECEIVED ALLIANCE TITLE AND ESCROW CORP., A Delaware Corp.,
TRUSTEE

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto HARRIS FAMILY
LIMITED PARTNERSHIP, An Idaho Limited Partnership

(GRANTEE(S), whose current address is: C/O JOANN BUTLER 607 NO. 8TH, BOISE, IDAHO

the following described real property in ADA County, State of Idaho, more particularly
described as follows, to wit:

As set forth on the attached EXHIBIT "A", which by this
reference becomes a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and
Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said
Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from
all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered
or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and
agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments,
if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend
the same from all lawful claims whatsoever.

Dated: December 12, 1996

ALLIANCE TITLE AND ESCROW CORP., TRUSTEE

BY: Joan M. Hart

RECORDED
JUL 27 2000

STATE OF IDAHO, COUNTY OF ADA, ss.

On this 13TH day of December in the year 1996, before me, the undersigned, a Notary Public in and for said State personally appeared Joan M. Hart known to me to be the Assistant Secretary of the corporation that executed this instrument and the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

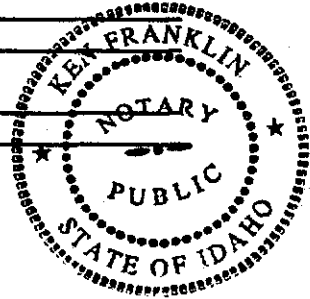
Signature: _____

Name: _____

(Type or Print)

Residing At: _____

My Commission expires: _____



MICROFILMED

JUL 27 2000

EXHIBIT "A"

All that portion of the Northeast Quarter of Section 29,
Township 3 North, Range 3 East, Boise Meridian, Ada County,
Idaho, lying Easterly of Eckert Road, Northerly of Highway
No. 21, and Westerly of Squaw Creek Road.

RECORDED - 11-1-11
JUL 27 2009

96042673

ST-95054320

①

ALLIANCE TITLE

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE IDAfter Recording
Return to:JoAnn C. Butler
Spink & Butler
P.O. Box 639
Boise, ID 83701

'96 MAY 21 AM 10 06

FEE 3900
RECORDED AT THE REQUEST OF

FOR RECORDING INFORMATION

96045017

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

ALLIANCE TITLE

'96 MAY 29 PM 2 44

FEE 4500
RECORDED AT THE REQUEST OFRe-recorded to amend legal
description to include map(s).WARRANTY DEED

DALLAS H. and ALTA M. HARRIS, husband and wife, hereinafter collectively referred to as "Grantor," for \$10.00 and other good and valuable consideration in hand paid, the receipt and sufficiency whereof is hereby acknowledged, do hereby grant, bargain, sell, convey, and warrant unto ALLIANCE TITLE & ESCROW CORP., a Delaware corporation, hereinafter referred to as "Trustee", whose address is 1412 West Idaho Street, Boise, Idaho 83702, the real property located in Ada County, Idaho, more particularly described on Exhibit A, attached hereto and made a part hereof, hereinafter referred to as the "Premises."

TO HAVE AND TO HOLD the Premises, together with its tenaments, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, including, without limitation, all water and water rights (including groundwater), ditches and ditch rights, storage and storage rights, mineral rights, easements, and rights-of-way, unto Trustee, and Trustee's heirs, successors and assigns forever. And Grantor does hereby covenant to and with Trustee that Grantor is the owner in fee simple of the Premises; that the Premises are free from all liens, claims and encumbrances, except property taxes not yet due and payable, conditions, covenants, restrictions, reservations and easements of record, and public rights of way, and that Grantor shall warrant and defend the same from all claims whatsoever.

96089275

Re-record

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

ALLIANCE TITLE

'96 OCT 28 AM 10 08

FEE 4800
RECORDED AT THE REQUEST OFRECORDED
OCT 27 2006

EXHIBIT "A"

That portion of the Northeast Quarter of the Southeast Quarter of Section 29, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho, lying Northerly of Highway No. 21 and Easterly of Golden Dawn Mobile Home Unit No. 2 , according to the Official Plat thereof, filed in Book 24 of Plats at Page(s) 1526, records of Ada County, Idaho.

MICROFILMED

JUL 27 2000

98107102

THIS FORM FURNISHED COURTESY OF:

ADA CO. RECORDER
J. DAVID HAVARRO
BOISE ID

ALLIANCE TITLE & ESCROW CORP.

ALLIANCE TITLE

'96 DEC 23 PM 2 31

READ & APPROVED BY GRANTEE(S): _____

FEE 9.00 REC'D J. Havarro
RECORDED AT THE REQUEST OF

SPACE ABOVE THIS LINE FOR RECORDING DATA

7200

Order No.: 950543200

WARRANTY DEED

FOR VALUE RECEIVED ALLIANCE TITLE AND ESCROW CORP., A Delaware Corp.,
TRUSTEE

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto HARRIS FAMILY
LIMITED PARTNERSHIP, An Idaho Limited Partnership

GRANTEE(S), whose current address is: C/O JOANN BUTLER 607 NO. 8TH, BOISE, IDAHO
the following described real property in ADA County, State of Idaho, more particularly
described as follows, to wit:

As set forth on the attached EXHIBIT "A", which by this
reference becomes a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and
Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said
Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from
all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered
or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and
agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments,
if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend
the same from all lawful claims whatsoever.

Dated: December 12, 1996

ALLIANCE TITLE AND ESCROW CORP., TRUSTEE

BY: Joan M. Hart

RECORDED
DEC 27 2000

STATE OF IDAHO, COUNTY OF ADA, ss.

On this 13TH day of December in the year 1996, before me, the undersigned, a Notary Public in and for said State personally appeared Joan M. Hart known to me to be the Assistant Secretary of the corporation that executed this instrument and the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

Signature: _____

Name: _____

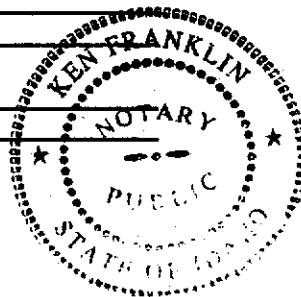
(Type or Print)

Residing At: _____

My Commission expires: _____

Boise

10-5-98



MICROFILMED
JUL 27 2000

EXHIBIT "A"

That portion of the Northeast Quarter of the Southeast Quarter of Section 29, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho, lying Northerly of Highway No. 21 and Easterly of Golden Dawn Mobile Home Unit No. 2 , according to the Official Plat thereof, filed in Book 24 of Plats at Page(s) 1526, records of Ada County, Idaho.

RECORDED
JUL 27 2000

36042673

SI-95054320

(1)

ALLIANCE TITLE

ADA CO. RECORDER

J. DAVID NAVARRO

BOISE ID

After Recording
Return to:

JoAnn C. Butler
Spink & Butler
P.O. Box 639
Boise, ID 83701

'96 MAY 21 AM 10 06

FEE 3900
RECORDED AT THE REQUEST OF J. Harper

FOR RECORDING INFORMATION

96045017

ADA CO. RECORDER

J. DAVID NAVARRO

BOISE ID

ALLIANCE TITLE

'96 MAY 29 PM 2 44

FEE 4500
RECORDED AT THE REQUEST OF J. Harper

Re-recorded to amend legal
description to include map(s).

WARRANTY DEED

DALLAS H. and ALTA M. HARRIS, husband and wife, hereinafter collectively referred to as "Grantor," for \$10.00 and other good and valuable consideration in hand paid, the receipt and sufficiency whereof is hereby acknowledged, do hereby grant, bargain, sell, convey, and warrant unto ALLIANCE TITLE & ESCROW CORP., a Delaware corporation, hereinafter referred to as "Trustee", whose address is 1412 West Idaho Street, Boise, Idaho 83702, the real property located in Ada County, Idaho, more particularly described on Exhibit A, attached hereto and made a part hereof, hereinafter referred to as the "Premises."

TO HAVE AND TO HOLD the Premises, together with its tenaments, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, including, without limitation, all water and water rights (including groundwater), ditches and ditch rights, storage and storage rights, mineral rights, easements, and rights-of-way, unto Trustee, and Trustee's heirs, successors and assigns forever. And Grantor does hereby covenant to and with Trustee that Grantor is the owner in fee simple of the Premises; that the Premises are free from all liens, claims and encumbrances, except property taxes not yet due and payable, conditions, covenants, restrictions, reservations and easements of record, and public rights of way, and that Grantor shall warrant and defend the same from all claims whatsoever.

96089275

Re-record

ADA CO. RECORDER

J. DAVID NAVARRO

BOISE ID

ALLIANCE TITLE

'96 OCT 28 AM 10 08

FEE 4800
RECORDED AT THE REQUEST OF J. Harper

101 27 2000

ST-95054320P

EXHIBIT "A"

The East Half of the Northwest Quarter and portion of the West Half of Section 28, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho, lying Northerly of Highway No. 21.

MICROFILMED
JUL 27 2000

96104783

THIS FORM FURNISHED COURTESY OF:

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID**ALLIANCE TITLE & ESCROW CORP.****ALLIANCE TITLE**

'96 DEC 23 PM 2 31

READ & APPROVED BY GRANTEE(S): _____

FEE 12.00 *J. Navarro*
RECORDED AT THE REQUEST OF

SPACE ABOVE THIS LINE FOR RECORDING DATA

#11000, 21000

Order No.: 95054320P

WARRANTY DEEDFOR VALUE RECEIVED ALLIANCE TITLE AND ESCROW CORP., A Delaware Corp.,
TRUSTEEGRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto HARRIS FAMILY
LIMITED PARTNERSHIP, An Idaho Limited Partnership

GRANTEE(S), whose current address is: C/O JOANN BUTLER 607 NO. 8TH, BOISE, IDAHO

the following described real property in ADA County, State of Idaho, more particularly
described as follows, to wit:As set forth on the attached EXHIBIT "A", which by this
reference becomes a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: December 12, 1996

ALLIANCE TITLE AND ESCROW CORP., TRUSTEE

BY: Joan M. HartRECORDED
101 2-7 7500

STATE OF IDAHO, COUNTY OF ADA, ss.

On this 13TH day of December in the year 1996, before me, the undersigned, a Notary Public in and for said State personally appeared Joan M. Hart known to me to be the Assistant Secretary of the corporation that executed this instrument and the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

Signature: _____

Name: _____

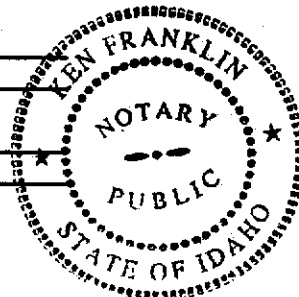
(Type or Print)

Residing At: _____

My Commission expires: _____

Boise

10-5-98



MICROFILMED

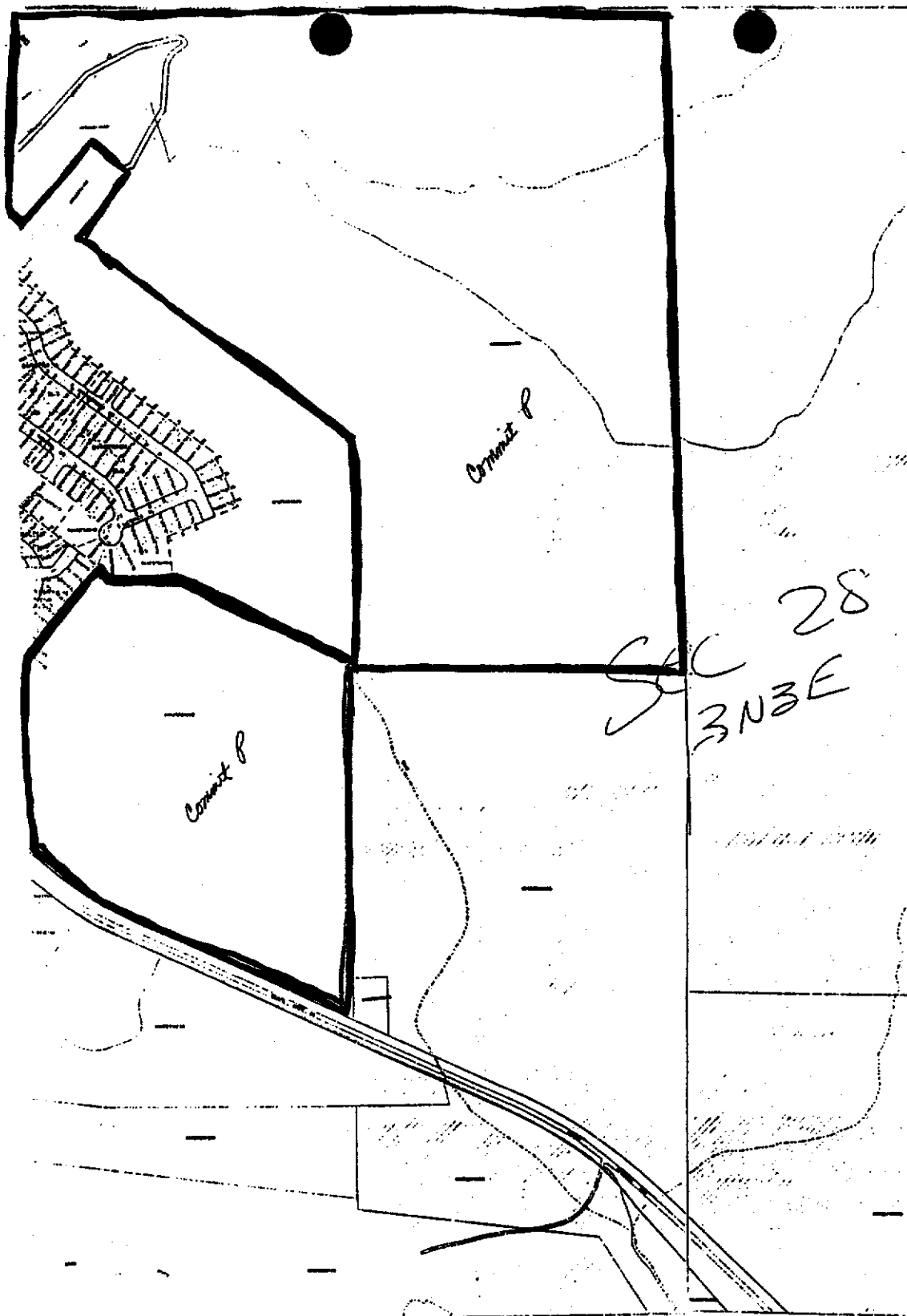
JUL 27 2000

EXHIBIT "A"

The East Half of the Northwest Quarter and portion of the West Half of Section 28, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho, lying Northerly of Highway No. 21 and more particularly shown outlined in red on Exhibit "A" attached hereto and made a part hereof.

MICROFILMED

JUL 27 2000



THIS MAP IS FURNISHED AS AN ACCOMMODATION,
STRICTLY FOR THE PURPOSES OF GENERALLY
LOCATING THE LAND. IT DOES NOT REPRESENT A
SURVEY OF THE LAND OR IMPLY ANY
REPRESENTATIONS AS TO THE SIZE, AREA OR ANY
OTHER FACTS RELATED TO THE LAND SHOWN
THEREON.

MICROFILMED

JUL 27 2000

Exh A

SUBSTITUTE AND CORRECTION WARRANTY DEED

THIS INDENTURE, made this 23rd day of June, 1983,
between JACK EISENBERG, also known as Gustave J. Eisenberg, the
"Grantor", and IVAN M. HARRIS, whose current address is 2007 Warm
Springs Avenue, Boise, Idaho and DALLAS H. HARRIS, whose current
address is 1255 7th Avenue, the "Grantees";

WITNESSETH, that the Grantor for valuable consideration,
the receipt whereof is hereby acknowledged, has granted,
bargained and sold, and by these presents does grant, bargain,
sell, convey and confirm unto the Grantees, the following
described real property located in Ada County, Idaho, to-wit:

Commencing at the 1/16th corner stone which is
the Northeast corner of Lot 2, Section 24,
Township 3 North, Range 2 E., B.M.; thence
North 89°00' West, 1826.57 feet along North
boundary of Lot 2, Section 24, T. 3 N., R. 2
E., B.M., Ada County, Idaho, to a point on
North bank of Boise River; thence on the
following course along South right of way of
Walling or Boise Irrigation Canal which is 25
feet from center line of canal; thence South
35°10'23" East, 228.70 feet to a point; thence
South 16°52'03" East, 107.39 feet to a point;
thence South 13°35'15" East, 262.33 feet to a
point; thence South 26°37'24" East, 201.45
feet to a point; thence South 49°26'02" East,
307.51 feet to a point; thence South 44°21'39"
East, 227.47 feet to a point; thence South
52°40'32" East, 195.85 feet to a point; thence
South 06°16'38" East, 119.90 feet to a point;
thence South 38°33'59" East, 125.33 feet to a
point; thence South 51°32'11" East, 388.53
feet to a point; thence South 43°58'58" East,
338.92 feet to a point; thence South 29°30'51"
East, 354.07 feet to a point; thence South
38°39'54" East, 299.01 feet to a point; thence
South 20°59'58" East, 82.12 feet to the real
point of beginning; thence South 49°19'06"
East, 346.14 feet to a point; thence South
65°05'07" East, 291.97 feet to a point; thence
South 39°10'47" East, 541.17 feet to a point
on river bank; thence North 21°07' West, 111.0
feet to a point on river bank; thence North
07°58' West, 206.27 feet to a point on river
bank; thence North 15°28' West, 151.86 feet to
a point on river bank; thence North 01°42'
East, 102.45 feet to a point on river bank;

101 27 2030

thence North 36°11' West, 113.62 feet to a point on river bank; thence North 46°26' West, 168.21 feet to a point on river bank; thence North 39°08'09" East, 117.72 feet to the real point of beginning; Except roads and ditches.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees that he is the owner in fee simple of said premises; that they are free from all encumbrances excepting those suffered or done by the Grantees and that he will warrant and defend the same from all lawful claims whatsoever.

This Substitute and Correction Warranty Deed is intended as a substitute for that certain Warranty Deed executed on the 19th day of December, 1961 by the Grantor and recorded in Ada County, Idaho as Instrument No. 517841 in Book 484 at Page 519 of the Ada County records, which substitution is for the sole purpose of correcting an inadvertent error in the legal description of the property more particularly described in said Warranty Deed.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal the day and year herein first above written.

Jack Eisenberg
Jack Eisenberg, also known as
Gustave J. Eisenberg

APPROVED:

Ivan M. Harris
Ivan M. Harris

Gallias M. Harris
Gallias M. Harris

8/25/83

J. M. Harris
J. M. Harris
RECEIVED AT 705 LINDEN
Bldg.

SUBSTITUTE AND CORRECTION WARRANTY DEED - 2

MICROFILMED
JUL 27 2000

)
) 33.
)

)

a.
f.
t.
c.
h.

Notary Public for Idaho
Residing at Boise, Idaho

Ada County, Idaho, ss
 Received of
 Felicia Buckhalter
 TIME 1055 A.M.
 DATE 12-9-63
 JOHN BASTIDA
 REC'D
 By Judy [Signature]
 Deputy
 6

100-1000

APR 27 2000
SECTION 1000

SUBSTITUTE AND CORRECTION (AMENDED) DEED - 2



7-1-73

8365796

GIFT DEED

THIS INDENTURE, made this 26 day of January, 1982, by and between IVAN M. HARRIS and GOLDA G. HARRIS, husband and wife, the "Grantors", and THELMA BEATRICE SCOGGIN, a single woman, the "Grantee", whose current address is 2127 South Eagleson Road, Boise, Idaho, WITNESSETH:

IN CONSIDERATION of the love and affection the Grantors hold for Grantee, their daughter, the Grantors do hereby give, remise, release and forever quitclaim to the Grantee all right, title, interest, claim and demand which Grantors now have or may hereafter acquire in and to the following described real property situated in the County of Ada, State of Idaho, to-wit:

Commencing at the 1/16th corner stone which is the Northeast corner of Lot 2, Section 24, Township 3 North, Range 2 E., B.M.; thence North 89°00' West, 1826.57 feet along North boundary of Lot 2, Section 24, T. 3 N., R. 2 E., B.M., Ada County, Idaho, to a point on North bank of Boise River; thence on the following course along South right of way of Walling or Boise Irrigation Canal which is 25 feet from center line of canal; thence South 35°10'23" East, 228.70 feet to a point; thence South 16°52'03" East, 107.39 feet to a point; thence South 18°35'15" East, 262.33 feet to a point; thence South 26°37'24" East, 201.45 feet to a point; thence South 49°26'02" East, 307.51 feet to a point; thence South 44°21'38" East, 227.47 feet to a point; thence South 52°40'13" East, 195.85 feet to a point; thence South 06°16'38" East, 119.90 feet to a point; thence South 38°33'59" East, 125.33 feet to a point; thence South 51°32'13" East, 338.58 feet to a point; thence South 33°58'58" East, 334.92 feet to a point; thence South 22°30'58" East, 354.07 feet to a point; thence South 38°39'34" East, 209.01 feet to a point; thence South 20°59'58" East, 23.12 feet to the real point of beginning; thence South 49°19'06" East, 346.14 feet to a point; thence South 65°05'07" East, 293.97 feet to a point; thence South 29°10'47" West, 541.17 feet to a point on river bank; thence North 21°07' West, 12.00 feet to a point on river bank; thence North 07°58' West, 206.27 feet to a point on river bank; thence North 15°26' West, 151.86 feet to a point on river bank; thence North 01°42' East, 102.65 feet to a point on river bank; thence North 36°11' West, 113.62 feet to a point on river bank; thence North

GIFT DEED - 1

MICROFILMED
JAN 27 2000

46°26' West, 168.21 feet to a point on river bank;
thence North 33°08'09" East, 117. feet to the
al point of beginning; Except roads and ditches.

TOGETHER with any and all land acquired through the
process of accretion or reliction.

TOGETHER with all and singular the tenements,
hereditaments and appurtenances thereunto belonging
or in anywise appertaining, the reversion and
reversions, remainder and remainders, rents, issues
and profits thereof;

SUBJECT TO:

1. All taxes and assessments for the year 1982 and all
subsequent years; and
2. All rights, easements, covenants and restrictions
as appear of record or by use upon the real property.

IN WITNESS WHEREOF, this Gift Deed has been duly
executed by the Grantors the day and year herein first above
written.

Ada County, Idaho, ss.
Record of

Thelma Scoggin

TIME 9:50 A.M.

DATE 12/9/83

JOHN EASTIDA

RECORDER

By Thelma Scoggin

Deputy

4/80

Ivan M. Harris
Ivan M. Harris

Golda G. Harris
Golda G. Harris

STATE OF IDAHO)

) ss.

County of Ada)

On this 26th day of January, 1982, before me, the
undersigned, a Notary Public in and for said County and State,
personally appeared IVAN M. HARRIS and GOLDA G. HARRIS, husband
and wife, known to me to be the persons whose names are
subscribed to the foregoing 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 last above written.

Richard F. Jodoc
Notary Public for Idaho
Residing at Boise, Idaho

GIFT DEED - 2

MICROFILMED

JUL 27 2000

96093855

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

FOR RECORDING INFORMATION

After Recording
Return to:

JoAnn C. Butler
Spink & Butler
P. O. Box 639
Boise, ID 83701

'96 NOV 13 AM 10 52

FEE 12.00 DEP DeHoff
RECORDED AT THE REQUEST OF

ALLIANCE TITLE

QUITCLAIM DEED

FOR VALUE RECEIVED

DALLAS H. and ALTA M. HARRIS, husband and wife, GRANTOR do hereby CONVEY, RELEASE, REMISE and FOREVER QUITCLAIM unto ALLIANCE TITLE & ESCROW CORP., a Delaware corporation, TRUSTEE whose current mailing address is: 1412 W. Idaho Street, Boise, Idaho 83702, the following described real property located in Ada County, state of Idaho, more particularly described as follows, to wit:

See Attached Exhibit A.

together with their appurtenances.

Dated: 11-8-96

Alta M. Harris
Dallas H. Harris by Alta M. Harris,
Attorney in Fact

Dated: 11-8-96

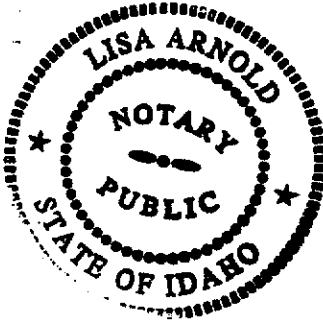
Alta M. Harris
Alta M. Harris

MC-60-1111

JUL 27 2000

State of Idaho)
)ss
County of Ada)

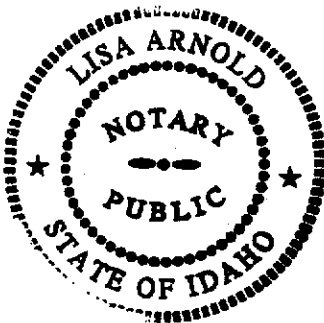
On this 8th day of November in the year 1996, before me, the undersigned, a Notary Public in and for said state, personally appeared ALTA M. HARRIS, Attorney in Fact for Dallas H. Harris, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



Signature: *Lisa Arnold*
Name: Lisa Arnold
(type or print)
Residing at: Boise, ID
My commission expires: 5-17-2002

State of Idaho)
)ss
County of Ada)

On this 8th day of November in the year 1996, before me, the undersigned, a Notary Public in and for said state, personally appeared ALTA M. HARRIS, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



Signature: *Lisa Arnold*
Name: Lisa Arnold
(type or print)
Residing at: Boise, ID
My commission expires: 5-17-2002

MICROFILMED
JUL 27 2000

EXHIBIT A

ST-95054320Q JH

PARCEL I

COMMENCING at the 1/16th corner stone which is the
Northeast corner of Lot 2, Section 24, Township 3 North,
Range 2 East, Boise Meridian; thence
North 89 degrees 00 1/2' West, 1,826.57 feet along North boundary
of Lot 2, Section 24, Township 3 North, Range 2 East,
Boise Meridian, Ada County, Idaho, to a point on North
bank of Boise River; thence on the following course
along South right-of-way of Walling or Boise Irrigation
Canal which is 25 feet from centerline of canal; thence
South 35 degrees 10'23" East, 228.70 feet to a point; thence
South 16 degrees 52'03" East, 107.39 feet to a point; thence
South 18 degrees 35'15" East, 262.33 feet to a point; thence
South 26 degrees 37'24" East, 201.45 feet to a point; thence
South 49 degrees 26'02" East, 307.51 feet to a point; thence
South 44 degrees 21'38" East, 227.47 feet to a point; thence
South 52 degrees 40'32" East, 195.85 feet to a point; thence
South 06 degrees 16'38" East, 119.90 feet to a point; thence
South 38 degrees 33'59" East, 125.33 feet to a point; thence
South 51 degrees 32'13" East, 388.58 feet to a point; thence
South 43 degrees 58'58" East, 338.92 feet to a point; thence
South 29 degrees 30'58" East, 354.07 feet to a point; thence
South 38 degrees 39'54" East, 299.01 feet to a point; thence
South 20 degrees 59'58" East, 82.12 feet to the REAL POINT
OF BEGINNING; thence
South 49 degrees 19'06" East, 346.14 feet to a point; thence
South 65 degrees 05'07" East, 293.97 feet to a point; thence
South 39 degrees 10'47" West, 541.17 feet to a point on river
bank; thence
North 21 degrees 07'00" West, 18.00 feet to a point on river
bank; thence
North 07 degrees 58 1/2' West, 206.27 feet to a point on river
bank; thence
North 15 degrees 28'00" West, 151.86 feet to a point on river
bank; thence
North 01 degrees 42 1/2' East, 102.63 feet to a point on river
bank; thence
North 36 degrees 11 1/2' West, 113.62 feet to a point on river
bank; thence
North 46 degrees 26'00" West, 168.21 feet to a point on river
bank; thence
North 39 degrees 08'09" East, 117.72 feet to the REAL POINT
OF BEGINNING.

MICRO-12112

JUL 27 2000

PARCEL II

A parcel of land in the Southwest one-quarter of Section 19, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho, described as follows:

COMMENCING at a brass cap monument marking the Southwest corner of said Section 19; thence
North 00 degrees 05'58" East, 2,650.84 feet to a brass cap monument marking the West one-quarter corner of said Section 19; thence
South 24 degrees 31'23" East, 1,611.67 feet to a 5/8" rebar with an aluminum cap, said point being the Northeast corner of Harris property described in Instrument Number 674688, Records, Ada County and THE TRUE POINT OF BEGINNING; thence
North 65 degrees 05'07" West, 293.97 feet to a point; thence
North 49 degrees 19'06" West, 346.14 feet to a point; thence
South 39 degrees 08'09" West, 117.72 feet to a point on the North bank of the Boise River; thence
Southeasterly, crossing a slough and following the North bank of the Boise River to a point on said river bank which bears
South 40 degrees 33'07" West, 540.81 feet from THE TRUE POINT OF BEGINNING; thence
North 40 degrees 33'07" East, 540.81 feet to THE TRUE POINT OF BEGINNING.

MICROFILMED

JUL 27 2000

9610478

THIS FORM FURNISHED COURTESY OF:

ALLIANCE TITLE & ESCROW CORP.

READ & APPROVED BY GRANTEE(S): _____

SPACE ABOVE THIS LINE FOR RECORDING DATA

Order No.: 95054320Q

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

ALLIANCE TITLE

'96 DEC 23 PM 2 31

FEE 12.00 DEPT. 2
RECORDED AT THE REQUEST OF

1175

WARRANTY DEED

FOR VALUE RECEIVED ALLIANCE TITLE AND ESCROW CORP., A Delaware Corp.,
TRUSTEE

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto HARRIS FAMILY
LIMITED PARTNERSHIP, An Idaho Limited Partnership

GRANTEE(S), whose current address is: C/O JOANN BUTLER 607 NO. 8TH, BOISE, IDAHO

the following described real property in ADA County, State of Idaho, more particularly
described as follows, to wit:

As set forth on the attached EXHIBIT "A", which by this
reference becomes a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and
Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said
Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from
all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered
or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and
agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments,
if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend
the same from all lawful claims whatsoever.

Dated: December 12, 1996

ALLIANCE TITLE AND ESCROW CORP., TRUSTEE

BY: Joan M. Hart

MICROFILMED

JUL 27 2000

STATE OF IDAHO, COUNTY OF ADA, ss.

On this 13TH day of December in the year 1996, before me, the undersigned, a Notary Public in and for said State personally appeared Joan M. Hart known to me to be the Assistant Secretary of the corporation that executed this instrument and the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

Signature: _____

Name: _____

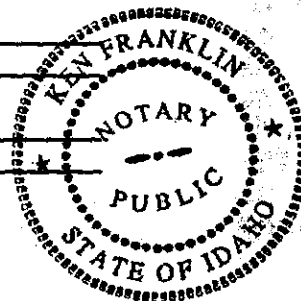
(Type or Print)

Residing At: _____

My Commission expires: _____

739 SR

10-5-98



MICROFILMED
JUL 27 2000

EXHIBIT "A"

PARCEL I

COMMENCING at the 1/16th corner stone which is the Northeast corner of Lot 2, Section 24, Township 3 North, Range 2 East, Boise Meridian; thence North 89 degrees 00 1/2' West, 1,826.57 feet along North boundary of Lot 2, Section 24, Township 3 North, Range 2 East, Boise Meridian, Ada County, Idaho, to a point on North bank of Boise River; thence on the following course along South right-of-way of Walling or Boise Irrigation Canal which is 25 feet from centerline of canal; thence

South 35 degrees 10'23" East, 228.70 feet to a point; thence
South 16 degrees 52'03" East, 107.39 feet to a point; thence
South 18 degrees 35'15" East, 262.33 feet to a point; thence
South 26 degrees 37'24" East, 201.45 feet to a point; thence
South 49 degrees 26'02" East, 307.51 feet to a point; thence
South 44 degrees 21'38" East, 227.47 feet to a point; thence
South 52 degrees 40'32" East, 195.85 feet to a point; thence
South 06 degrees 16'38" East, 119.90 feet to a point; thence
South 38 degrees 33'59" East, 125.33 feet to a point; thence
South 51 degrees 32'13" East, 388.58 feet to a point; thence
South 43 degrees 58'58" East, 338.92 feet to a point; thence
South 29 degrees 30'58" East, 354.07 feet to a point; thence
South 38 degrees 39'54" East, 299.01 feet to a point; thence
South 20 degrees 59'58" East, 82.12 feet to the REAL POINT

OF BEGINNING; thence

South 49 degrees 19'06" East, 346.14 feet to a point; thence
South 65 degrees 05'07" East, 293.97 feet to a point; thence
South 39 degrees 10'47" West, 541.17 feet to a point on river bank; thence
North 21 degrees 07'00" West, 18.00 feet to a point on river bank; thence
North 07 degrees 58 1/2' West, 206.27 feet to a point on river bank; thence
North 15 degrees 28'00" West, 151.86 feet to a point on river bank; thence
North 01 degrees 42 1/2' East, 102.65 feet to a point on river bank; thence
North 36 degrees 11 1/2' West, 113.62 feet to a point on river bank; thence
North 46 degrees 26'00" West, 168.21 feet to a point on river bank; thence
North 39 degrees 08'09" East, 117.72 feet to the REAL POINT
OF BEGINNING.

PARCEL II

A parcel of land in the Southwest one-quarter of Section 19, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho, described as follows:

Continuation of Exhibit A

Order No.:95054320Q JH

COMMENCING at a brass cap monument marking the Southwest corner of said Section 19; thence
North 00 degrees 05'58" East, 2,650.84 feet to a brass cap monument marking the West one-quarter corner of said Section 19; thence
South 24 degrees 31'23" East, 1,611.67 feet to a 5/8" rebar with an aluminum cap, said point being the Northeast corner of Harris property described in Instrument Number 674688, Records, Ada County and THE TRUE POINT OF BEGINNING; thence
North 65 degrees 05'07" West, 293.97 feet to a point; thence
North 49 degrees 19'06" West, 346.14 feet to a point; thence
South 39 degrees 08'09" West, 117.72 feet to a point on the North bank of the Boise River; thence
Southeasterly, crossing a slough and following the North bank of the Boise River to a point on said river bank which bears
South 40 degrees 33'07" West, 540.81 feet from THE TRUE POINT OF BEGINNING; thence
North 40 degrees 33'07" East, 540.81 feet to THE TRUE POINT OF BEGINNING.

P. 91437 DR

8901812

WARRANTY DEED

8861062

FOR VALUE RECEIVED Dean J. Nelson & Renee P. Nelson, husband & wife; Blanche Bingham, a married woman as her separate property; M. L. Clements & Kristen A. Clements, husband & wife; Roland Robertson & Marjorie Robertson, husband and wife; John Hoppert & Karen Hoppert, husband & wife; Jetta Clements, a widow and since October 21, 1988, aka Jetta I. Clements) the Grantors, do hereby grant, bargain, sell and convey unto

Barbur-leeno, Inc., an Idaho Corporation dba Producers Lumber Co.

the Grantee, whose address is
3051 Wise Way, Boise, ID 83712
the following described premises, to-wit:

The Southwest Quarter of the Northeast Quarter, Southeast Quarter, Lot 7, Southeast Quarter of the Southwest Quarter, all in Section 9, Township 3 North, Range 3 East, of the Boise Meridian, Ada County, Idaho.

Subject to all taxes and assessments of the year 1988 and all subsequent years.

Subject to Right of Way Easement No. 467231 for flood control.

This deed is being rerecorded to correct the name and notary on Jetta Clements.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners, in fee simple of said premises; that said premises are free from all encumbrances

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

Dated: September 21, 1988

Dean J. Nelson
Renee P. Nelson
Blanche Bingham
M. L. Clements
Kristen A. Clements
Roland Robertson
Marjorie Robertson
John Hoppert
Karen Hoppert
Jetta I. Clements

Marjorie Robertson

Blanche Bingham

Dean J. Nelson

Karen C. Hoppert

Jetta I. Clements

John D. Nelson

STATE OF IDAHO, COUNTY OF CANYON

On this 21st day of Sept. 1988, before me, a notary public in and for said State, personally appearing Dean J. Nelson, Renee P. Nelson, Blanche Bingham, M. L. Clements, Kristen A. Clements, Roland Robertson, Marjorie Robertson, John Hoppert, Karen Hoppert, and Jetta I. Clements,

known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

Dean J. Nelson

Notary Public
Idaho
My Comm. Expires 12-10-98

Ada County, Idaho
Request of

PIONEER TITLE CO.

DATE 9/21/88

JOHN HOPPERT

RECEIVED

LA-YOTA

300

PIONEER TITLE COMPANY
OF CANYON COUNTY

901 7th Ave. South
Nampa, Idaho 83651

1991 27 2000

96089612

AT-9505-4320

After Recording
Return to:

JoAnn C. Butler
Spink & Butler
P.O. Box 639
Boise, ID 83701

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

FOR RECORDING INFORMATION

ALLIANCE TITLE
'96 OCT 28 PM 2 43
FEE 12.00 DE J. Harper
RECORDED AT THE REQUEST OF

WARRANTY DEED

HARBUR-LE ENO, INC., an Idaho corporation (aka Harbur-Leeno, Inc. dba Producers Lumber), hereinafter referred to as "Grantor," for \$10.00 and other good and valuable consideration in hand paid, the receipt and sufficiency whereof is hereby acknowledged, does hereby grant, bargain, sell, convey, and warrant unto ALLIANCE TITLE & ESCROW CORP., a Delaware corporation, hereinafter referred to as "Trustee", whose address is 1412 West Idaho Street, Boise, Idaho 83702, the real property located in Ada County, Idaho, more particularly described on Exhibit A, attached hereto and made a part hereof, hereinafter referred to as the "Premises."

TO HAVE AND TO HOLD the Premises, together with its tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, including, without limitation, all water and water rights (including groundwater), ditch and ditch rights, storage and storage rights, mineral rights, easements, and rights-of-way, unto Trustee, and Trustee's heirs, successors and assigns forever. And Grantor does hereby covenant to and with Trustee that Grantor is the owner in fee simple of the Premises; that the Premises are free from all liens, claims and encumbrances, except property taxes not yet due and payable, conditions, covenants, restrictions, reservations and easements of record, and public rights of way, and that Grantor shall warrant and defend the same from all claims whatsoever.

MICRO-RECORD
JUL 27 2000

IN WITNESS WHEREOF, the undersigned have caused their names to be hereunto subscribed this 9 day of October, 1996.

HARBUR-LE ENO, INC.,
an Idaho corporation

By: Gita Mildred Harris
Dallas H. Harris, President
attorney for

STATE OF IDAHO)
) ss.
County of Ada)

On this 9 day of October, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared ALTA M. HARRIS, Attorney in Fact for DALLAS H. HARRIS, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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



Lisa Arnold
Notary Public for Idaho
Residing at Boise
My commission expires: 7-77-2003

MICROFILMED

JUL 27 2000

EXHIBIT A

LEGAL DESCRIPTION OF THE PREMISES

Covers property identified in title commitments ST-95054320B (Parcel 2) and R.

MIOPD-11111
JUL 27 2000

EXHIBIT A

ST-95054320B JH

PARCEL II

A tract of land, partially located in Sections 19 and 30, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

COMMENCING at the section corner common to Sections 19, 20, 29 and 30, Township 3 North, Range 3 East, Boise Meridian, thence
South 89 degrees 55' West a distance of 290.5 feet to Station 1284 plus 71 on the Center line of the Union Pacific Railroad, Barber Spur; thence
North 64 degrees 28' West a distance of 858.00 feet to Station 1276 plus 13; thence
South 25 degrees 32' West a distance of 475.00 feet to the REAL POINT OF BEGINNING; thence
South 25 degrees 32' West a distance of 432.40 feet to a point; thence
North 40 degrees 48' West a distance of 214.06 feet to a point; thence
North 44 degrees 30' West a distance of 306.90 feet to a point; thence
North 25 degrees 32' East a distance of 241.45 feet to a point; thence
South 64 degrees 28' East a distance of 486.00 feet to the REAL POINT OF BEGINNING.

ST-95054320R JH

The Southwest Quarter of the Northeast Quarter, Southeast Quarter, Lot 7, Southeast Quarter of the Southwest Quarter, all in Section 9, Township 3 North, Range 3 East, of the Boise Meridian, Ada County, Idaho.

MICROFILMED

JUL 27 2000

THIS FORM FURNISHED COURTESY OF:

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

FEE 12.00 DEPUTY SHERIFF

1999 AP -2 PM 4:15

99032613

ALLIANCE TITLE & ESCROW CORP.

READ & APPROVED BY GRANTEE(S):

SPACE ABOVE THIS LINE FOR RECORDING DATA

{1001, 6600}

Order No.: AT-99079966 JH

WARRANTY DEED

FOR VALUE RECEIVED PHIL FERGUSON and BARBARA J. FERGUSON, husband and wife and DUANE RUPNOW and DELORES A. RUPNOW, husband and wife

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto BRIGHTON CORPORATION, an Idaho corporation

GRANTEE(S), whose current address is: 12301 W. EXPLORER DRIVE #200, BOISE, ID 83704

the following described real property in
described as follows, to wit:

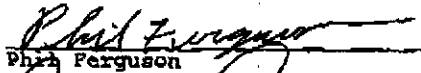
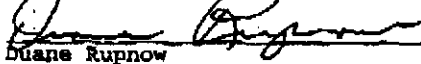
ADA

County, State of Idaho, more particularly

As set forth on the attached EXHIBIT "A", which by this reference becomes a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: April 01, 1999


Phil Ferguson
Barbara J. Ferguson
Duane Rupnow
Delores A. RupnowRECORDED - 1001-6600
APR 27 2000

STATE OF IDAHO, County of Ada, ss.

On this 2nd day of April in the year of 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Phil Ferguson, Barbara J. Ferguson, Duane Rupnow and Delores A. Rupnow known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Signature: [Signature]

Name: _____

(Type or Print)

Residing At: BoiseMy Commission expires: 05/04

MICROFILMED

JUL 27 2003



Engineers Surveyors Planners

Project: 11546
Date: April 2, 1999

EXHIBIT A

**DESCRIPTION FOR
BRIGHTON CORPORATION, WARM SPRINGS ROAD PROPERTY**

A parcel of land being a portion of the NE $\frac{1}{4}$, SW $\frac{1}{4}$, Section 28, T.3 N., R.3 E., B.M., and a portion of Government Lot 1 of said Section 28, T.3 N., R.3 E., B.M., more particularly described as follows:

Commencing at a found brass cap monument marking the South $\frac{1}{4}$ corner of said Section 28; thence North $00^{\circ}07'52''$ East 373.61 feet (formerly North 380.2 feet), along the north-south mid-section line of said Section 28, to a point on the Northeasterly right-of-way of Warm Springs Road, the REAL POINT OF BEGINNING;

thence North $45^{\circ}37'53''$ West 192.06 feet, (formerly North $45^{\circ}55''$ West 191.6 feet), along said Northeasterly right-of-way to a point of tangent curvature;

thence Northwesterly 667.59 feet (formerly 668.8 feet), along a curve to the left and along said Northeasterly right-of-way, said curve having a radius of 1,950.00 feet, a central angle of $19^{\circ}36'56''$ (formerly $19^{\circ}39''$), and a long chord of 664.34 feet which bears North $55^{\circ}26'21''$ West, to a point of tangency;

thence North $65^{\circ}14'49''$ West (formerly North $65^{\circ}34'$ West), 219.61 feet, to a point on the Northeasterly boundary of a 100-foot wide strip of land deeded to the United States of America, recorded in Book 79 of Deeds at page 450, Records of Ada County, Idaho;

thence North $33^{\circ}40'00''$ West 248.00 feet, along said Northeasterly boundary to a point;

thence North $21^{\circ}44'21''$ East (formerly North $09^{\circ}20'$ West) 107.03 feet, to a point on the Northerly boundary of said Government Lot 1;

thence South $89^{\circ}57'17''$ West 107.69 feet along said Northerly boundary of Government Lot 1, to a point on the Northwesterly boundary of said 100-foot wide strip of land deeded to the United States of America;

thence South $21^{\circ}44'21''$ West (formerly South $09^{\circ}20'$ East) 119.57 feet, along said Northwesterly boundary to a point;

thence South $33^{\circ}40'00''$ East 137.84 feet along said Southwesterly boundary to a point on said Northeasterly right-of-way of Warm Springs Road;

thence North $65^{\circ}14'49''$ West 290.94 feet, along said Northeasterly right-of-way to the Southwesterly corner of a parcel of land, described in deed and recorded as Instrument No. 95033792, Records of Ada County, Idaho;

thence North $00^{\circ}18'53''$ East 1,397.87 feet, along an existing fence line and along the Westerly boundary of said parcel of land Instrument No. 95033792, and along the Westerly boundary of Parcel 2, described in deed and recorded as Instrument No. 95033791, records of Ada County, Idaho, to a point on the Northerly boundary of the N $\frac{1}{2}$, SW $\frac{1}{4}$, of said Section 28, from which point the Northwesterly corner of said NE $\frac{1}{4}$, SW $\frac{1}{4}$, Section 28 bears South $89^{\circ}34'45''$ East 10.88 feet (formerly East 10 feet);

thence South $89^{\circ}34'45''$ East 26.26 feet along the Northerly boundary of said N $\frac{1}{2}$, SW $\frac{1}{4}$, Section 28 to a point;

RECORDED
JUL 27 2000





Engineers Surveyors Planners

Description for Brighton, Warm Springs Road Property

April 2, 1979

Page 2

thence leaving said Northerly boundary South 44°34'49" East 151.81 feet to a point;

thence South 22°28'52" East 333.99 feet;

thence South 32°20'57" East 522.37 feet;

thence South 38°55'11" East 243.92 feet;

thence South 54°42'53" East 358.74 feet;

thence South 60°09'01" East 379.76 feet, to a point on the said North-South midsection line of Section 28;

thence South 00°07'52" West 758.48 feet, along said North-South mid-section line to the REAL POINT OF BEGINNING.

Containing 25.60 acres, more or less.

SUBJECT TO:

An easement to drill, construct and maintain a well in favor of Riverland Terrace, recorded as Instrument No. 9037941, Records of Ada County, Idaho.

ALSO SUBJECT TO:

A 55-foot wide easement lying 25 feet Northeasterly and 30 feet Southwesterly of the centerline of the Penitentiary Canal, through that portion of the NE ¼, SW ¼, Section 28, T.3N., R.3E., B.M. This easement falls under the Act of Congress of August 30, 1890, which reserved to the United States of America rights-of-ways for canals and ditches.

END OF DESCRIPTION

Prepared by:

J-U-B ENGINEERS, Inc.



JPG:thc

John Paul Gnipp, Jr., P.L.S.

f:\projects\11546\legal\boundary-legal.doc

RECORDED
JUL 27 1979

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	Barber Lumber Company	2.24		63-0184
46	Barber Lumber Company	2.24	0	63-0184A

T
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 R
 MICROFILMED

File 63-F
63-184

S T A T E O F I D A H O

-----Office of State Engineer-----

CERTIFICATE NO. 46, AUTHORIZING TRANSFER OF USE OF WATER RIGHT.

Permission is hereby granted the BARBER LUMBER COMPANY, to transfer the use of One hundred twelve (112) inches of the waters of Boise River from the land upon which it is now used, i.e., Lots 5,6,7,8,9, and the southwest quarter of the Northwest quarter (SW4 NW4) of Section 33; Lot 1 of Section 32; also ten (10) acres in Lot 2 of Section 32; and the northwest quarter of the Southwest quarter (NW4 SW4) of Section 33, in Township 3 North, Range 3 East of Boise Meridian, to the following described tract, to-wit: Lots 1 and 2, the West half of the Northwest quarter (W2 NW4) the Northwest quarter of the Southwest quarter (NW4 SW4) of Section 28; the Northeast quarter (NE4); the North half of the Southeast quarter (N2 SE4) and lots 1 and 2 of Section 29, in Township 3 North, Range 3 East of Boise Meridian.

The water right appurtenant to the above described land was adjudged by decree, dated January 18, 1906, by George Stewart, Judge of the District Court of the Third Judicial District of the State of Idaho, in and for Ada County, in the matter of the Farmers Coöperative Ditch Company, plaintiff, vs. the Riverside Irrigation District, defendant. ***** In the following words***** (See decree).

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of my office,
at Boise, Idaho, this fourth day of March. A.D. 1910.

State Engineer

File 63-F

63-184

S T A T E O F I D A H O

-----Office of State Engineer-----

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The water right appurtenant to the above described land was adjudged by decree, dated January 18, 1906, by George Stewart, Judge of the District Court of the Third Judicial District of the State of Idaho, in and for Ada County, in the matter of the Farmers Co-operative Ditch Company, plaintiff, vs. the Riverside Irrigation District, defendant. ***** In the following words***** (See decree).

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of my office,
at Boise, Idaho, this fourth day of March. A.D. 1910.

State Engineer

XLVI.

That the defendants Frank Hart, B. F. Swalley, James M. Stewart, W. A. Fowler, J. C. Baldwin, Charles Palmer, J. H. McGrath, Eliza J. McDowell, S. McDowell, Amos Prosser, Elsa Everett, D. D. Shaw, J. W. Dickson, Jacob Fowler, William Snodgrass, State of Idaho, Snyder & McDowell, William Spielman, T. C. Creason and Ed Bullock, be and they are hereby awarded the use of the waters of Boise River, diverted from a point on the north bank thereof near the SE corner of NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 14, T. 4 N. R. 1 W. B.M., through what is known as the Pioneer canal, for use upon agricultural lands situated in Secs. 15, 16, 17, 18, 8, 9 and 10, all in T. 4 N. R. 1 W. B.M., in the following amount from the following date;

63 0185 1286 inches, from June 1, 1870; and hereby designated as Right No. 49.

And be adjudged to pay \$90.02 costs in addition to the costs incurred by them.

XLVII.

63 0181 That the defendant the BARBER LUMBER COMPANY, a corporation, be, and it is hereby awarded the use of the waters of Boise River, diverted at a point on the SE $\frac{1}{4}$ of lot 9, Sec. 33, T. 3 N. R. 3 E. B.M., for use upon lots 7, 8 and 9, and SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 33, lots 5 and 6 of Sec. 33, lot 1 of Sec. 32, also 10 acres in lot 2 of Sec. 32, and NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 3, all in T. 3 N. R. 3 E. B.M., in the following amount and from the following date;

113 inches, from June 1, 1869; and hereby designated as Right No. 50.

And be adjudged to pay \$7.34 costs in addition to the costs incurred by it.

XLVIII.

That the defendant PETER MEYVES be, and he is hereby awarded the use of the waters of Boise River, diverted at a point in the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 24, T. 3 N. R. 3 E. B.M., for use upon lands in parts of Secs. 14 and 23, T. 3 N. R. 3 E. B.M., in the following amount and from the following date;

63 0185 90 inches, from June 1, 1871; and hereby designated as Right No. 53.

And be adjudged to pay \$3.30 costs in addition to the costs incurred by him.

MICROFILMED

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF CANYON.

Farmers' Cooperative Ditch Company, (a corporation)

Plaintiff,

vs.

D E C R E E.

Riverside Irrigating District, Limited, (a corporation)

et al,

Defendants.

RECEIVED

MAR 27 1939

Department of Reclamation

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

May 11, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DALLAS HARRIS
3051 WISE WAY
BOISE ID 83712

RE: TRANSFER OF WATER RIGHTS 63-00184/63-00365/63-02973/63-03261/
63-07103 (Transfer 5577)

Dear Water Right Holder(s):

Enclosed is the copy of your approved Transfer of Water Rights for the above referenced water rights (Transfer 5577). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as an **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

for 
Jeff Peppersack, Manager
Water Right Permits Sections

JP:klt

Enclosures

MICROFILMED

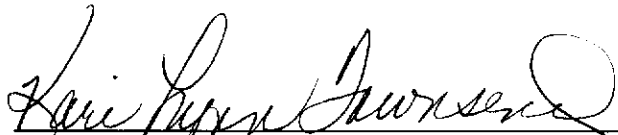
MAY 27 2000

CERTIFICATE OF MAILING

I hereby certify that on the 11th day of **May, 2000** I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

**RE: TRANSFER OF WATER RIGHTS 63-00184/63-00365/63-02973/
63-03261/63-07103 (Transfer 5577)**

**DALLAS HARRIS
3051 WISE WAY
BOISE ID 83712**


Kari Lynn Townsend
Secretary

MICROFILMED

JUL 27 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 12, 2000

LEE SISCO
WATERMASTER
6616 OVERLAND RD
BOISE ID 83709

RE: TRANSFER OF WATER RIGHTS 63-00184/63-00365/
63-02973/63-03261/63-07103(Transfer 5577)

Dear Lee:

Enclosed is a copy of the recently approved Transfer of
Water Right for the above referenced water rights (Transfer
5577) in the name of Dallas Harris.

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

Sincerely,

for 
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED

JUL 27 2000

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

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

Within 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 a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have fourteen (14) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

CERTIFICATE OF SERVICE

All documents intended to be part of the Department record in connection with a preliminary order shall be served upon the representatives of each party of record. Every document filed with and intended to be part of the agency record must be attached to or accompanied by proof of service by the following or similar certificate.

I HEREBY CERTIFY (swear or affirm) that I have this day of _____, served the foregoing (name(s) of document(s)) upon all parties of record in this proceeding, (by delivering a copy thereof in person: (list names)) (by mailing a copy thereof, properly addressed with postage prepaid, to: (list names)).
(Signature) _____

ORAL ARGUMENT

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

FINAL ORDER

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

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.

RIGHT TO HEARING

Pursuant to Section 42-1701A(3), Idaho Code, unless the right to a hearing before the Department is otherwise provided by statute, any person aggrieved by any decision, determination, order, or action of the Department or any applicant for any permit, license, certificate, approval, registration, or similar form of permission required by law to be issued by the Department, who is aggrieved by a denial or conditional approval ordered by the Department, and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the Department to contest the denial or conditional approval upon filing with the Department, within fifteen (15) days after receipt of the denial or conditional approval, a written permission stating the grounds for contesting the action by the director and requesting a hearing.

APPEAL OF FINAL ORDER TO DISTRICT COURT

If a preliminary order becomes final, any party aggrieved by the final order or orders previously issued in the 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 (a) a hearing was held, or (b) the final agency action was taken, or (c) the party seeking review of the order resides, or (d) 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. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal. See Sections 67-5270 through 67-5273, Idaho Code.

TRANSFER REVIEW SHEET

(10-99)

Transfer # 5577Date Reviewed 5-11-2000Right(s) 63-00184 63-00365 63-02973 63-03261 63-07103☒ WRQ/Split Summary ☒ Pending SRBA Status ☒ Run POU Comparison Report

B:Change P/D C:Add P/D

~~D:Change P/U~~

E:Change Nature of Use

F:Change Period of Use

G:Other

H:Change P/D & Add P/D

I:Change P/D & P/U

J:Add P/D & Change P/U

Proof of Ownership warranty deedsTransfer ☒ All of Right ☐ Portion of Right
Resulting Split(s) _____

Check Transfer Against Recorded Right:

Standard Season 3/1 to 11/15Standard Volume CU 3.5/4.5 FHR(1) ☒ Priority (2) ☒ Use (3) ☒ Season/W61 (4) 15.20 Rate (5) over Volume →(6) ☒ Source (7) ☒ change P/D (8) ☒ change P/U (9) ☒ change Proof/Owner (10) ☒ change Map(11) 63 Water District (12) NO Pertinent Conditions (13) NO Expansion(14) Region reviewed ownership documents
(15) & stated all in orderof water, mmt. dist
of gw dist.3 ☒ W61 - for all rights 63-07103/03261
W27 - " " "all well
in 528Transfer Remarks T07, T08, T09, T18 R65 W50-02973
-03261Conditions R04(03) to Boise River
(63-4) W61, W27 - all rights
W64

Database/Processing Notes

Standard ☒ Non-Standard ☐"T" Files Update Complete kw Approval Form kw Transfer Memo ☒
Database Updated Following Approval kw Memo/Form Files Deleted ☐

5/12/000

* See memo by lg dated 5/1/2000

63-00184 (Assume 112 ac) - claimed 244 in SRBA

$$V_1 = 2.24 \times 1.9835 \times 260 = 1155.2$$

$$V_2 = 112 \times 4.5 = 504.0 \leftarrow$$

63-00365

$$V_1 = 10.7 \text{ cfs} \times 1.9835 \times 260 = 5518.1$$

$$V_2 = 574.35 \text{ ac} \times 4.5 = 2593.6 \leftarrow$$

63-02973

$$V_1 = 0.42 \times 1.9835 \times 260 = 216.6$$

$$V_2 = 24 \times 4.5 = 108. \leftarrow$$

63-03261

$$V_1 = 0.70 \times 1.9835 \times 215 = 298.5$$

$$V_2 = 35 \times 4.5 = 157.5 - \text{lic @ } 158 \text{ AF}$$

63-07103

$$V_1 = 1.2 \times 1.9835 \times 215 = 511.7$$

$$V_2 = \cancel{82} \times 4.5 = \cancel{369.0} - \text{lic @ } 363.0$$

$$80.5 = 362.3$$

Entire system =

$$590 \text{ ac} \times 4.5 = 2655.0 \text{ AF}$$

$$\cancel{15.26 \times 1.9835}$$

MEMORANDUM

To: Transfer Review for 5577

From: Kay Walker *KW*

Re: Revision of Recommendations for GW rights

Date: May 11, 2000

.....

In reviewing this transfer for approval, I found several changes to the recommendations of regional review. I found that the groundwater rights involved in this transfer are as follows:

63-02973	0.42 cfs	24 acres	108. af
63-03261	0.70 cfs	35 acres	158. Af
63-07103	<u>1.20 cfs</u>	<u>80.5 acres</u>	<u>363. Af</u>
TOTAL	2.32 cfs	139.5 acres	627.8 af (139.5 x 4.5)

I used these figures in my recommendations.

WATER RIGHT NO.	NAME	OWNER	PRIORITY DATE	STG/STS	SOURCE	USE DESC	SYSTEM
63-00184	BARBER LUMBER CO.	C	06/01/1869	D/	BOISE RIVER	IRR	WR
T63-00184			06/01/1869	D/	BOISE RIVER	IRR	WR

A63-00184	HARRIS, DALLAS	C	06/01/1869	D/	BOISE RIVER	IRR	AJ

WATER RIGHT NO.	NAME	OWNER	PRIORITY DATE	STG/STS	SOURCE	USE DESC	SYSTEM
63-00365	PERRAULT, KATE A.	C	00/00/0000	D/	WARM SPRINGS CREEK	IRR	WR
T63-00365			00/00/0000	D/	WARM SPRINGS CREEK	IRR	WR

A63-00365	HARRIS, DALLAS	C	07/02/1902	D/	WARM SPRINGS CREEK	IRR	AJ

WATER RIGHT NO.	NAME	OWNER	PRIORITY DATE	STG/STS	SOURCE	USE DESC	SYSTEM
63-02973	DARKWOOD, ALBERT O.	C	12/28/1953	L/	GROUNDWATER	IRR DOMEST	WR
T63-02973			12/28/1953	L/	GROUNDWATER	IRR DOMEST	WR
A63-02973	DARKWOOD, ESTHER V DARKWOOD, ALBERT O	C C	12/28/1953	L/	GROUNDWATER	IRR	AJ

Harris just bought -
deed in file to substantiate ownership. *checked
KW*
Transfer will change owner name.

WATER RIGHT NO.	NAME	OWNER	PRIORITY	DATE	STG/STS	SOURCE	USE DESC	SYSTEM
63-03261	ECKERT, GARTH G.	C	10/03/1961	L/	GROUNDWATER	IRR STOCK DOMEST	WR	
T63-03261	ECKERT, GARTH G.	C	10/03/1961	L/	GROUNDWATER	IRR STOCK DOMEST	WR	

A63-03261	HARRIS, DALLAS H	C	10/03/1961	L/	GROUNDWATER	IRR STOCK DOMEST	AJ	

WATER RIGHT NO.	NAME	OWNER	PRIORITY DATE	STG/STS	SOURCE	USE DESC	SYSTEM
63-07103	HARRIS, DALLAS H.	C	06/25/1968	L/	GROUNDWATER	IRR	WR
T63-07103			06/25/1968	L/	GROUNDWATER	IRR	WR

A63-07103	HARRIS, DALLAS H	C	06/25/1968	L/	GROUNDWATER	IRR	AJ

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM		
		NE		NW		SW		SE		NE		NW		SW		SE				
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac			
T03N R03E S 19																				
T6300184	BOISE RIVE :											04-4			05-1	18		10	28	61
A6300243B	BOISE RIVE :													06-5						5
A6300365	WARM SPRIN :															12		22	30	64
T6300365	WARM SPRIN :										04-4				05-1	18		10	28	61
6302392	DRAIN A :													I						
T6302973	GROUNDWATE :										04-4				05-1	18		10	28	61
6303457	GROUNDWATE :				8				7		5							10		30
A6303457	GROUNDWATE :			6	24															30
6304253	GROUNDWATE :												7							7
T6307103	GROUNDWATE :										04-4				05-1	18		10	28	61
6308627	GROUNDWATE :															17			27	44
A6308627	GROUNDWATE :															17			27	44
R6308627	GROUNDWATE :															17			27	44
~~T6308627~~	GROUNDWATE :										04-4				05-1	18		10	28	61
~~6310945~~	GROUNDWATE :			5	1	12		7		02-17	15	04-4	03-6							67

T03N R03E S 20

T6300184	BOISE RIVE :									7	24	36	20				1	88
6300365	WARM SPRIN :								I	1	1	1	1					
A6300365	WARM SPRIN :									3	18	33	37				6	97
T6300365	WARM SPRIN :									7	24	36	20				1	88
T6302973	GROUNDWATE :									7	24	36	20				1	88
6307103	GROUNDWATE :																5	4 : 9
A6307103	GROUNDWATE :																5	4 : 9
T6307103	GROUNDWATE :									7	24	36	20				1	88
6308627	GROUNDWATE :									4	8	35	32				5	84
A6308627	GROUNDWATE :									4	8	35	32				5	84
R6308627	GROUNDWATE :									4	8	35	32				5	84
~~T6308627~~	GROUNDWATE :									7	24	36	20				1	88

T03N R03E S 28

6300184	BOISE RIVE :					I	I			I	02-I	01-I						
A6300184	BOISE RIVE :						8			10	30							48
T6300184	BOISE RIVE :						6			18	31	02-1	01-19					75
T6300365	WARM SPRIN :						6			18	31	02-1	01-19					75
6302041A	MAYNARD GU :									1								
6302041B	MAYNARD GU :									1								
6302973	GROUNDWATE :									12			12					24
A6302973	GROUNDWATE :									12			12					24

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE								NW								SW								SE								SUM
		NE		NW		SW		SE		NE		NW		SW		SE		NE		NW		SW		SE										
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac									
6312114	GROUNDWATE :																							2					2					
T03N R03E S 30																																		
T6300184	BOISE RIVE :	20		3				7																					30					
A6300243B	BOISE RIVE :										04-21		03-1																22					
6300249	BOISE RIVE :																																	
A6300249	BOISE RIVE :																								07-1									
6300279A	BOISE RIVE :																								07-1				1					
6300279A	BOISE RIVE :					06-1				05-1					I																			
A6300279A	BOISE RIVE :																								4				4					
6300365	WARM SPRIN :							08-1																										
A6300365	WARM SPRIN :	4																											4					
T6300365	WARM SPRIN :	20		3				7																					30					
6302388	BOISE RIVE :																																	
A6302388	BOISE RIVE :																																	
6302392	DRAIN A :									1		1		1		1																		
T6302973	GROUNDWATE :	20		3				7																					30					
A6304511	GROUNDWATE :											1																	1					
6304999	GROUNDWATE :																																	
6304999	GROUNDWATE :																																	
T6307103	GROUNDWATE :	20		3				7																					16					
6307304	GROUNDWATE :																												30					
6308181	GROUNDWATE :																																	
6308181	GROUNDWATE :																								07-5				13					
A6308181	GROUNDWATE :																								07-5				5					
T6308627	GROUNDWATE :	20		3				7																					30					
6310617	GROUNDWATE :																												6					
6310864	GROUNDWATE :											03-0																						
6311195	GROUNDWATE :																																	
A6315659	GROUNDWATE :																																	

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 63-00184 ✓

STAGE: DECREED

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE
----------------	---------------	----------------

IRRIGATION ✓

3/1 to 11/15

2.24 CFS ✓

504.

SOURCE

TRIBUTARY OF

BOISE RIVER

SNAKE RIVER ✓

gW, Warm Springs Ck.

Priority: 06/01/1869

LOCATION OF POINT(S) OF DIVERSION:

Boise R. ✓
Lot 9 (SWSE) ✓, Sec. 33, ✓ Township 03N, ✓ Range 03E ✓
ADA County

PLACE OF USE:

gW → SENE, S 29
WS, Ck → NESW, S 20

IRRIGATION

NE				NW				SW				SE								
T	R	S		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
03N	03E	28	✓																	
03N	03E	29	✓	1	1	1	1													

CONDITIONS/REMARKS:

1. TRANS. 46.

+ PPLU = 590 ac

Limit to 112 ac.

Describe any other water rights used for the same purpose as described above:

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? ____ If yes, describe:

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

☐ Tax Notice☐ Warranty Deed☐ Other _____

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 63-00365 ✓

STAGE: DECREED

BENEFICIAL USEPERIOD OF USEDIVERSION RATE

IRRIGATION ✓

3/1 to 11/15

10.7

(claimed in SRBA) 2593.4

SOURCETRIBUTARY OF

WARM SPRINGS CREEK ✓

BOISE RIVER ✓

Priority: 00/00/0000

7/2/1902

Boise River
GLWPLACE OF USE:p/d = SENE, S29
NESW, S20
SWSE (GLW), S33 / 3N, 3E

ADA County

IRRIGATION

NE								NW								SW								SE								SUM								
		NENE		NWNE		SWNE		SENE				NENW		NWNW		SWNW		SENW				NESW		NWSW		SWSW		SESW					NESE		NWSE		SWSE		SESE	
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt		Ac	Lt	Ac	Lt	Ac	:		
---	---	---	:	---	---	---	---	---	---	---	---	:	---	---	---	---	---	---	---	---	:	---	---	---	---	---	---	---	---	---	:	---	---	---	---	---	---	:	---	
03N	03E	20	✓									:									:																	:		
03N	03E	29	:	I					I			:		I	✓	05-I	✓				:	03-I		04-I	✓							02-I		01-I				:		
03N	03E	30	✓						08-I	✓		:									:																	:		

CONDITIONS/REMARKS:

1. TOTAL DIVERSION RATE: ALL.
2. AC. IRR. = 576.35.

change + PPU = 590

~10.70 cfs - ok

Describe any other water rights used for the same purpose as described above:

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? ____ If yes, describe:

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

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

No priority, p/d or quantity in decree -

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 63-02973 ✓

STAGE: LICENSE ✓

BENEFICIAL USEPERIOD OF USEDIVERSIONRATE

IRRIGATION ✓

~~DOMESTIC~~3/1 to 11/15
to

0.42 CFS ✓

108.

Totals

0.42 CFS ✓

SOURCE

GROUNDWATER ✓

Boise River
Warm Springs Creek

Priority: 12/28/1953 ✓

LOCATION OF POINT(S) OF DIVERSION:9W SENE, S29
WSC NESW, S20

SESW, Sec. 28, Township 03N, Range 03E

ADA County

BR SWSE (GL9) S33

PLACE OF USE:

IRRIGATION

NE				NW				SW				SE				SUM
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	:
03N	03E	28W	:					:	12		12	:				24.0
																TOTAL ACRES
																24.0

+ PPLL = 590 ac

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

CONDITIONS/REMARKS:

Describe any other water rights used for the same purpose as described above:

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? ____ If yes, describe:

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 63-03261 ✓

STAGE: LICENSE ✓

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
IRRIGATION ✓	04/01 to 11/01 ✓	0.70 CFS ✓	158.0 AF ✓
~~STOCKWATER~~	~~01/01 to 12/31~~	~~0.05 CFS~~	
~~DOMESTIC~~	~~01/01 to 12/31~~	~~0.02 CFS~~	
Totals		~~0.77 CFS~~ 0.70	158.0 AF ✓

not included in transfer

SOURCE

GROUNDWATER ✓

Boise River, Warm Springs Ck.

Priority: 10/03/1961 ✓

LOCATION OF POINT(S) OF DIVERSION:

SENE ✓, Sec. 29, ✓ Township 03N, ✓ Range 03E ✓

~~SWNW, Sec. 29, Township 03N, Range 03E~~

ADA County

NESW, S20, 3N, 3E

SWSE (6L9), S33, 3N, 3E

PLACE OF USE:

IRRIGATION

NE				NW				SW				SE																				
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
03N	03E	28	✓																												31.0	
03N	03E	29	✓	01																											4.0	
																TOTAL ACRES																35.0

change & add ppu = 590.

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

CONDITIONS/REMARKS:

1. 3 P/D IN SWNW, S28, T3N, R3E.

Describe any other water rights used for the same purpose as described above:

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 63-07103 ✓

STAGE: LICENSE

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
IRRIGATION ✓	04/01 ✓ to 11/01 ✓	1.20 CFS ✓	363.0 AF ✓

SOURCE

GROUNDWATER, Boise River, Warm Springs CK.

Priority: 06/25/1968 ✓

LOCATION OF POINT(S) OF DIVERSION:SENE ✓, Sec. 29, ✓ Township 03N, ✓ Range 03E ✓
ADA CountyPLACE OF USE:NESW, 520
SWSE (649), 533

IRRIGATION

change

NE				NW				SW				SE							
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: SUM
03N	03E	20 ✓																	
03N	03E	28 ✓																	
03N	03E	29 ✓	32	23	03	12													
																		TOTAL ACRES	82.0

CONDITIONS/REMARKS:

1. A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.
2. AC. IRR. = 80.5.

+ PPU = 590

Describe any other water rights used for the same purpose as described above:

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? ____ If yes, describe:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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MAY 3 2000

TRANSFER ANALYSIS SHEET

Department of Water Resources

APPLICANT Dallas Harris

TRANSFER NO. 5577

INITIAL ALLOCATION REVIEW BY lg DATE 10/28/99

1. Right number(s) 63-00184, 63-00365, 63-03291, 63-02973

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

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

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

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

- a. ☒ Analysis memo (always - unless justify why not needed)
- b. ☒ All of right
- c. N/A Part of right (NOTE! Part B should be filled in only if part of right is owned by the applicant)
- d. ☒ Description of point(s) of diversion
- e. ☒ Description of place of use
- f. ☒ Map showing P/D & P/U after transfer
- g. ☒ Correct notarized signature and \$100 fee
- h. ☒ Proof of ownership of right &/or land from which water is transferred
- i. ☒ Expansion in use of right: check rate of flow, diversion volume and consumptive use volume. Discuss in memo.
- j. ☒ Surface water source: IDFG letter; notify Water Planning Bureau if protected river or minimum flow reach.

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MAY 3 2000

Department of Water Resources

k. ☒ Overlapping rights: check current & proposed scenarios:

Current _____

Proposed see memo

l. ☒ SRBA claim(s) _____

m. ☒ Comment letters
If yes

☒ Yes ☐ No
☒ Water District # 63
☒ Other, see #2 below for name
and address see pg 1 of REVISED form

PUBLICATION REVIEW

1. Legal Notice electronically sent to DWR03::VAULT? ☒ Yes ¹¹⁻⁴⁻⁹⁹

2. COMMENT LETTERS

Watermaster recommendation requested on _____, Received on _____

Other comments letters: _____ See attached information

3. Transfer published correctly? ☒ Yes ☐ No

4. Affidavit of publication received? ☒ Yes ☐ No

5. Protests received? ☐ Yes ☐ No; Acknowledgement sent? ☐ Yes

6. Data entry of application completed? ☒ Yes

RECOMMENDED ACTION

1. ☒ Approve ☐ See attached memo

2. ☐ Deny due to _____

3. Conditions (special conditions in Water Districts) See memo dated May 1, 2000 by Lori Graves. Standard xfer conditions.

4. By Gang Date 5/1/00

FILE FORWARDING

1. Copies made for Region file (see attached supplemental page)? ☐ Yes ^{pam}

2. File forwarded to S.O.: by _____ date _____

MEMORANDUM

TO: FILE

FROM: lg ☺ *lg*

DATE: May 1, 2000

RE: DALLAS HARRIS TRANSFER

This transfer proposes a PPU for the Harris Ranch development involving ground water and surface water rights.

DOCUMENTS AND APPLICATION PREPARATION

Sherl Chapman prepared the transfer. Submitted items include:

Exhibit 1: Transfer Purpose

Exhibit 2: Flight Photo (1998)

Exhibit 3: GIS Aerial Photo (1994)

Attachment A: Ownership Documentation

CURRENT RECORDS & PROPOSED CHANGE (prior to 2/23/2000 amendment)

The four ground water licenses represent 7 wells and 297.5 acres of irrigation. Two of the seven wells will continue to be used as diversion points. The other five will be abandoned. Of the two proposed, the well in the NESW, S20 is a hot well with measured and licensed capacity of 1.42 cfs and 691.7 afa (63-08627). It is licensed at full capacity for 195 acres. The well in the SENE, S29 has a measured capacity of 1.2 cfs and 583.1 afa (63-07103). It is licensed for 1.2 cfs and 363 afa for 82 acres. The wells that will be abandoned irrigate 59 neighboring acres that Harris Ranch has purchased (63-03261 and 65-02973). Because the flow rate capacities for the two wells proposed have been licensed, additional cfs for the 59 acres cannot be transferred.

Historically, the hot water for license 63-08627 was injected and rediverted from Warm Springs Creek. For acres upstream (east) of the rediversion points, Penitentiary Canal water was used and then was replenished downstream by the hot well (see 63-08627 remarks). This arrangement will no longer be exercised once the transfer is approved. The hot water from the well will be injected into a cooling pond then integrated into the irrigation system. Penitentiary Canal will continue to deliver ~70 shares of Boise/Kuna water along with Boise River water for decree no. 63-00184.

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MAY 2 7 2000

The SRBA claims for the ground water rights were filed as licensed. The SRBA claims for the surface water rights were filed as decreed and provided information that the decreed rights did not specify.

Decree 63-00365 (Warm Springs Creek) profile report did not designate a priority date, a diversion rate, or location of acres irrigated. From the decree file 63-T-2, the priority date for 63-00365 is 07/02/1902, the amount of water is "all the waters of Warm Springs Creek", and the place of use is "more or less 576.35 acres constituting what is commonly known as Kelly Hot Springs Ranch". The applicant claimed 533 acres and 10.7 cfs on his SRBA claim. After consulting SRBA staff and reviewing the p/u, SRBA stated that they would recommend the 533 acres claimed because of obvious irrigation. If an amended claim was submitted, they would even consider recommending the 576.35 acres if means for irrigation on the additional lands from Warm Springs Creek was evident. Becky Harvey with the A.G. office, said to assume full duty of water at 1"/acre since nothing was specified in the decree. Based on this information, I feel comfortable using 10.7 cfs and 533 acres for decree 63-00365 as claimed and proposed for transfer.

Decree 63-00184 (Boise River) was claimed in the SRBA as decreed with the exception of specifying 244 irrigated acres. Decree file 63-F states the duty of water as 1"/acre for bench lands and 1.1"/acre for bottom lands. Based on 1"/acre, the right is limited to 112 acres and 2.24 cfs.

The other overlapping rights listed on the place of use comparison report are for different lands and systems.

VERIFICATION & OTHER ANALYSIS

Applicant submitted the appropriate warranty deeds for the proposed ppu. Irrigation of the licensed and decreed acres was verified using 1975 and 1981 orthophotoquad maps, a 1987 napp photo, a 1994 GIS photo, and a 1998 flight photo submitted by applicant.

The total acres historically irrigated have not changed primarily because the original ditch system is still used. This is evident when comparing map photos of the property between the years of 1975 and 1998. Of the maps available, the 1994 GIS photo (exhibit 3), provides the greatest detail of the property and was used to determine the 590 acre ppu.

All the ppu is located North of the Boise River. Because the River has changed, government lot 3 represents the E½SW and government lot 4 represents the W½SW for those acres proposed in the SW quarter, S29.

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JUL 27 2000

2/23/2000 TRANSFER AMENDMENT

Boise Warm Springs Water District protested this transfer. To resolve the issue of their concern, applicant requested that license 63-08627 be omitted from the transfer per signed letter dated 2/23/2000. As a result, the transfer was reduced by the amounts associated with license 63-08627 and the hot well p/d was not included. Ground water is now limited to a total of 141 acres, 2.32 cfs and 634.5 afa within the proposed ppu from the three remaining ground water rights 63-07103, 63-02973 and 63-03261. All the water will be diverted from the SENE S29 well only. The water from the hot well will not be integrated into the proposed system and will be used as licensed, separate from the other ground water rights (per telecon with Sherl Chapman 5/1/2000).

RECOMENDATIONS

The proposed integrated irrigation system should be approved.

63-02973, 63-03261 and 63-07103, when combined, should be limited to a pumping capacity of 2.32 cfs and irrigation of 141 acres within the described 590 acre ppu.

63-00184 should be limited to 2.24 cfs for 112 acres irrigation within the described 590 acre ppu.

63-00365 should be limited to 10.7 cfs for 533 acres irrigation within the described 590 acre ppu.

Irrigation is limited to 1"/acre when rights are combined.

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191 2 / 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

April 13, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

HARRIS RANCHES
SHERL CHAPMAN
410 S ORCHARD STE 144
BOISE ID 83647

UNITED WATER ID
C/O JEFF FEREDAY ESQ
PO BOX 2620
BOISE ID 83701

BOISE WARM SPRINGS WATER DIST
C/O BRUCE SMITH
225 N 9TH ST STE 420
BOISE ID 83702

Re: Application for Transfer No. 5577

Dear Parties:

On July 28, 1999, Dallas Harris filed with the Department of Water Resources (IDWR) application for transfer no. 5577. The application was protested by United Water Idaho and Boise Warm Springs Water District.

On January 11, 2000, United Water withdrew its protest. In February, Harris Ranch withdrew its geothermal right (#63-08627) from the transfer application. Since no geothermal right was involved in the transfer, the Boise Warm Springs Water District withdrew its protest.

IDWR will continue to process the application for transfer.

If you have any questions concerning this matter, please contact this office.

Sincerely,


Gary Spackman

GS :st

MICROFILMED
JUL 27 2000

MOORE SMITH BUXTON & TURCKE, CHARTERED

ATTORNEYS AT LAW

9TH & IDAHO CENTER, SUITE 420
225 NORTH 9TH STREET, BOISE, ID 83702
TELEPHONE: (208) 331-1800 FAX: (208) 331-1202

DAVID H. BIETER
SUSAN E. BUXTON *
JOSEPH D. MALLEY
JOHN J. MCFADDEN *†
MICHAEL C. MOORE ‡
BRUCE M. SMITH
PAUL A. TURCKE

*Also Admitted in Oregon
‡ Also Admitted in Washington

RECEIVED

MAR 09 2000

WATER RESOURCES
WESTERN REGION

March 8, 2000

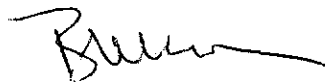
Gary Spackman
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

Re: Application For Transfer No. 5577 (Dallas Harris)

Dear Gary:

I have a February 2, 2000 letter from Sherl Chapman indicating that the Harris family is withdrawing their geothermal right (#63-08627) from their application for transfer. With no geothermal rights involved in the transfer, the Boise Warm Springs Water District withdraws its protest to the transfer.

Sincerely,



Bruce M. Smith

BMS/av

cc: client
Sherl Chapman

Harris Ranch

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FEB 24 2000

WATER RESOURCES
WESTERN REGION

February 23, 2000

Mr. Gary Spackman
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

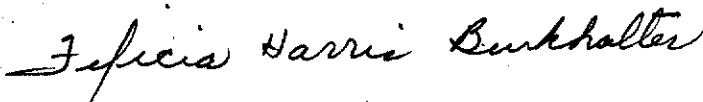
Dear Mr. Spackman:

Through our representative, Sherl Chapman, Dallas H. Harris submitted an Application for Transfer of a number of water rights for the Harris Ranch development. One of the water rights, 63-08627, included in the transfer is a well providing irrigation water to 195 acres within the project.

The inclusion of that right has created concern with the Boise Warm Springs Water District and they protested the application. We met with representatives of the Boise Warm Springs Water District and their attorney, Bruce Smith, on Tuesday, January 25, 2000. Following that discussion, it appears that the easiest way to resolve the issues of concern is the withdrawal of 63-08627 from the Application for Transfer.

We directed Sherl Chapman to notify you (*his letter was dated February 7, 2000*) of our intent to formally withdraw 63-08627 from the Application. We hope that this action will resolve the issues of concern to Boise Warm Springs Water District and that they will withdraw their protest to the application.

Sincerely,



Dallas H. Harris by Felicia Harris Burkhalter,
Sole Representative

cc: Mike Wardle
Sherl Chapman

ENCLOSURE

JUN 27 2000

Sherl L. Chapman Consulting, Inc.

410 S. Orchard / Suite 144 / Boise, Idaho 83705 / Phone (208) 344-6690
Fax (208) 344-2744 / Email chapmaninc@rmci.net

RECEIVED

FEB 08 2000

WATER RESOURCES
WESTERN REGION

February 7, 2000

Mr. Gary Spackman
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Dear Mr. Spackman:

Mr. Dallas Harris has submitted an Application for Transfer of a number of water rights for the Harris Ranch development near Boise. One (1) of the water rights, 63-08627, included on the transfer is served by a well providing irrigation water to 195 acres within the project. It appears that the inclusion of this right has created concern with the Boise Warm Springs Water District and they have protested the application. Representatives of the Harris Ranch development met with a representative of the Boise Warm Springs Water District and their attorney, Mr. Bruce Smith, on Tuesday, January 25, 2000. After a lengthy discussion it appeared to the applicant that the easiest way of resolving the issues of concern was for Harris Ranch to withdraw 63-08627 from the Application for Transfer. I've been asked by representatives of the applicant to notify you that we would like to formally withdraw 63-08627 from the Application for Transfer. It is our hope that this will resolve the issues of concern to Boise Warm Springs Water District and that they will ultimately withdraw their protest to the application.

If you have any questions, please don't hesitate to call.

Sincerely yours,



Sherl L. Chapman
President

SLC:kje
cc:Mr. Mike Wardle
Mr. Bruce Smith

MICROFILMED

JUL 27 2000

Specialist In
Ground-Water Hydrology / Water Rights / Water Well Design / Geothermal Resources

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

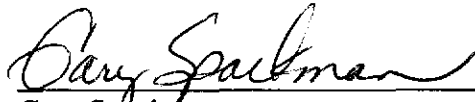
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR TRANSFER NO. 5577 IN THE)
NAME OF DALLAS HARRIS.)
_____)

NOTICE OF CANCELLATION
OF HEARING

Based on representation that the applicant and protestant will come to an agreement, the prehearing conference scheduled for Tuesday, January 25, 2000, at the Department of Water Resources, Western Region, is **CANCELED**.

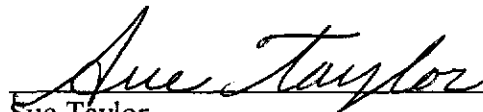
Dated this 20th day of January, 2000.



Gary Spackman

CERTIFICATE OF MAILING

I hereby certify that on the 20th day of January, 2000, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:



Sue Taylor
Senior Secretary

DALLAS HARRIS
3051 WISE WAY
BOISE ID 83712

UNITED WATER ID INC
C/O JEFFREY C FEREDAY ESQ
GIVENS PURSLEY LLP
PO BOX 2720
BOISE ID 83701

BOISE WARM SPRINGS WATER DIST
C/O BRUCE SMITH ESQ
MOORE SMITH BUXTON & TURCKE
225 N 9TH ST STE 420
BOISE ID 83702

MICROFILM

JAN 27 1999

United Water



United Water Idaho
8248 West Victory Road
PO Box 7488
Boise, ID 83707-1488
telephone 208 362 1300
facsimile 208 362 1479

January 6, 2000

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

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JAN 11 2000

WATER RESOURCES
WESTERN REGION

RE: Harris Ranch Development
Permit Application Nos. 63-02873, 63-07103, 63-08627, 63-00184, 63-00365, and 63-03261

Dear Gary:

United Water has been able to research in more detail the background behind this transfer request proposed to accommodate the Harris Ranch Development.

We have read through the paperwork and met with Lori to determine how the department evaluated the previous agricultural practices and beneficial use of the water. Lori explained the department sees this project as relatively straightforward and non-controversial. We appreciated her explaining what the department considered in evaluating this request. After considering the project overall, we find it is not in anyone's interest to continue with the protest and are formally **withdrawing** from the proceeding.

As always and as we have talked many times, we are concerned about the proper accounting of water resources as this valley urbanizes. We are particularly concerned when a forfeiture issue might be involved. We continue to hope the department will encourage and review applications to facilitate awareness about the implications of non-use of water, the "pave-over" of irrigated lands, and the need to protect junior water right holders from speculation in "paper" water rights. From our view, the development area stands to lose 40%-45% due to pavement and building structures. (See attached.) We hope this volume which cannot be used ultimately will come to the market, before the five-year time limit expires, to facilitate opportunities between sellers and buyers like United Water Idaho.

Thanks again for the effort spent and we look forward to the future for our mutual benefit.

Sincerely,

H. Scott Rhead, P.E.
Managing Engineer

HSR:jw

Enclosure

cc: Dallas Harris
Mike Wardle
Jeff Fereday
Greg Wyatt
Ben Hepler

RECEIVED

JAN 11 2000

Bruce M. Smith, ISB #3425
MOORE SMITH BUXTON & TURCKE, CHARTERED
Attorneys at Law
225 North 9th Street, Suite 420
Boise, ID 83702
Telephone: (208) 331-1800
Facsimile: (208) 331-1202

Attorneys for Boise Warm Springs Water District

RECEIVED

DEC 23 1999

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF:

Application For Transfer No. 5577
(Dallas Harris)

)
)
) **NOTICE OF CHANGE OF**
) **ADDRESS**
)
)
)

Notice is hereby given, pursuant to Local Rule 83.4(i), that the address for
Protester's counsel Bruce M. Smith has been changed to the following:

Bruce M. Smith
MOORE SMITH BUXTON & TURCKE, CHARTERED
Attorneys at Law
225 North 9th Street, Suite 420
Boise, Idaho 83702
Telephone: (208) 331-1800
Facsimile: (208) 331-1202

2~
DATED this ____ day of December, 1999.

MOORE SMITH BUXTON & TURCKE,
CHARTERED



BRUCE M. SMITH
Attorney for Protesters

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 23 day of December, 1999, I caused to be served a true and correct copy of the foregoing **NOTICE OF CHANGE OF ADDRESS** by the method indicated below, and addressed to the following:

Dallas Harris
3051 Wise Way
Boise, Idaho 83712

Jeffrey C. Fereday
Givens Pursley, LLC
277 North 6th Street, Suite 200
P.O. Box 2720
Boise, ID 83701-2720

____ via U.S. MAIL
____ via HAND DELIVERY
____ via OVERNIGHT MAIL
____ via FACSIMILE



BRUCE M. SMITH

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO**

**IN THE MATTER OF APPLICATION)
FOR TRANSFER OF PERMIT NOS.)
63-02873, 63-07103, 63-08627, 63-00184,)
63-00365, AND 63-03261 IN THE NAME)
OF DALLAS HARRIS.)**

**NOTICE OF PREHEARING
CONFERENCE**

On July 28, 1998, Dallas Harris filed with the Department of Water Resources (IDWR) application for transfer no. 5577.

IDWR has scheduled a prehearing conference to be held on **Tuesday, January 25, 2000, at 10:00 a.m. at the Idaho Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705.** The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Procedure of the Department of Water Resources, and Rules 40 and 45 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources.

The conference will be conducted in a facility which satisfies the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the conference, please advise the IDWR within (10) days prior to the conference.

Dated this 21st day of December, 1999.

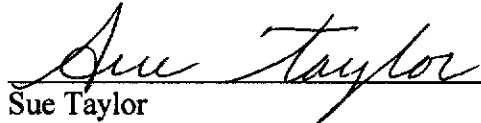


Gary Spackman

MICROFILMED
JUL 27 1999

CERTIFICATE OF MAILING

I hereby certify that on the 21st day of December, 1999, I mailed a true and correct copy, postage prepaid, of this Notice of Prehearing Conference to those listed below:


Sue Taylor
Senior Secretary

DALLAS HARRIS
3051 WISE SY
BOISE ID 83712

UNITED WATER ID INC
C/O JEFFREY C FEREDAY ESQ
GIVENS PURSLEY LLP
PO BOX 2720
BOISE ID 83701

BOISE WARM SPRINGS WATER DIST
C/O BRUCE SMITH ESQ
MOORE SMITH BUXTON & TURCKE
225 N 9TH ST STE 420
BOISE ID 83702

MICROFILMED
JUL 27 2000

CONFERENCE AND HEARING PROCEDURE

APPLICATION FOR PERMIT

Section 42-203A, Idaho Code, requires the department to consider the following issues in connection with an application for permit:

- 1) Will the proposed appropriation injure other water rights?
- 2) Is the proposed water supply sufficient for the purpose for which it is sought to be appropriated?
- 3) Was the application made in good faith or for delay or speculative purposes?
- 4) Does the applicant have sufficient financial resources with which to complete the proposed project?
- 5) Is the proposed appropriation in the local public interest, which is defined as the affairs of the people in the area directly affected by the proposed use?
- 6) Is the proposed use contrary to conservation of water resources within the state of Idaho?

BURDEN OF PROOF

The applicant has the initial burden of proof on issues 1, 2, 3, 4, & 6 above and must provide evidence for the department to evaluate these criteria.

The initial burden of proof on issue 5 above lies with both the applicant and protestant as to factors which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for this issue.

PROCEDURE

The department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held, the department will issue a written decision based on the hearing record.

UNRECORDED

JUL 27 2005

CONFERENCE

The purpose of a prehearing conference is to provide the opportunity for the parties and the department to familiarize themselves with a contested matter and to attempt to resolve the matter.

At the conference, the department may also formulate and simplify the issues, identify documents to avoid unnecessary proof, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement offers, schedule hearings, establish procedure at hearings and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement.

HEARING

The department will tape record the hearing. Copies of a hearing tape are available upon written request and the payment of the cost of reproducing the tape.

The hearing likely will be conducted by a hearing officer appointed by the Director rather than the Director himself. If so, the hearing officer will prepare a recommended order for the Director's consideration. Parties can file exceptions to a recommended order, briefs in support of the exceptions or may request oral argument. Parties may seek judicial review of any final order issued by the Director.

Parties may, by written stipulation, waive their right to a recommended order, particularly when a shortened decision process is desirable or necessary. Such a waiver does not eliminate any rights of the parties in connection with the final order of the Director and judicial review of the order.

EXHIBITS

A party who plans to offer an exhibit as part of the hearing record must provide a copy of the proposed exhibit to the parties and to the hearing officer prior to any scheduled hearing.

AMERICANS WITH DISABILITIES ACT

Any hearing scheduled will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing please advise the department within ten (10) days prior to the hearing.

RECEIVED
JUL 27 2000



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

December 2 1999

UNITED WATER ID INC
C/O JEFFREY C FEREDAY ESQ
GIVENS PURSLEY LLP
PO BOX 2720
BOISE ID 83701

Re: Application for Transfer No. 5577

Dear Protestant:

This office acknowledges receipt of your protest opposing the above-referenced application for transfer. The following are the criteria we consider when either approving or denying an application for transfer:

1. Will other water rights be injured by the transfer?
2. Will the change constitute an enlargement in the use of the original right?
3. Will the proposed change conflict with the local public interest?
4. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

The department suggests you contact the protestant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest. Direct, sincere conversation between the parties prior to initiation of formal proceedings can often resolve a protest.

This office will shortly schedule a conference if the matter is not resolved informally. At the conference, the department will review possibilities for resolution of the protest. If the matter cannot be resolved at that time, a formal hearing will be arranged for a future date.

If we may be of assistance, please contact us.

Sincerely,


Gary Spackman

GS:st

MICROFILMED
DEC 21 1999



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

December 2 1999

BOISE WARM SPRINGS WATER DIST
C/O BRUCE SMITH ESQ
MOORE SMITH BUXTON & TURCKE CHARTERED
999 MAIN ST STE 910
BOISE ID 83702

Re: Application for Transfer No. 5577

Dear Protestant:

This office acknowledges receipt of your protest opposing the above-referenced application for transfer. The following are the criteria we consider when either approving or denying an application for transfer:

1. Will other water rights be injured by the transfer?
2. Will the change constitute an enlargement in the use of the original right?
3. Will the proposed change conflict with the local public interest?
4. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

The department suggests you contact the protestant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest. Direct, sincere conversation between the parties prior to initiation of formal proceedings can often resolve a protest.

This office will shortly schedule a conference if the matter is not resolved informally. At the conference, the department will review possibilities for resolution of the protest. If the matter cannot be resolved at that time, a formal hearing will be arranged for a future date.

If we may be of assistance, please contact us.

Sincerely,

Gary Spackman

MICROFILMED

DEC 27 2000

GS:st



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

December 1, 1999

DALLAS HARRIS
3051 WISE WY
BOISE ID 83712

Re: Application for Transfer No. 5577

Dear Applicant:

Enclosed please find a copy of the protest(s) filed against the above-referenced application for transfer. You should be aware that the following are the criteria we consider when either approving or denying an application for transfer:

1. Will other water rights be injured by the transfer?
2. Will the change constitute an enlargement in the use of the original right?
3. Will the proposed change conflict with the local public interest?
4. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

The department suggests you contact the protestant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest. Direct, sincere conversation between the parties prior to initiation of formal proceedings can often resolve a protest.

This office will shortly schedule a conference if the matter is not resolved informally. At the conference, the department will review possibilities for resolution of the protest. If the matter cannot be resolved at that time, a formal hearing will be arranged for a future date.

If we may be assistance, please contact us.

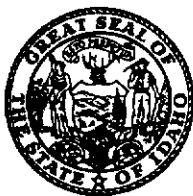
Sincerely,

Gary Spackman

GS:st

Enclosure

MICROFILMED
JUL 27 2000



State of Idaho

Department of Administration
Division of Public Works

SPACEMAN
NCH
RECEIVED

NOV 23 1999

Department of Water Resources

DIRK KEMPTHORNE

Governor

PAMELA I. AHRENS

Director

LARRY OSGOOD

Administrator

502 North 4th Street (83702)

P.O. Box 83720

Boise, ID 83720-0072

Telephone (208)332-1900 or FAX (208)334-4031

<http://www.state.id.us/adm>

Facilities Services

(208) 332-1936

550 W. State St. (83702)

P.O. Box 83720

Boise, ID 83720-0013

November 18, 1999

VIA FACSIMILE TRANSMISSION
327-7866

RECEIVED

NOV 29 1999

WATER RESOURCES
WESTERN REGION

Norman C. Young
Administrator
Water Management Division
Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83706-2237

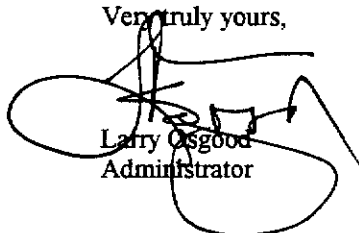
Re: Comments Regarding Proposed Change of Water Rights; Transfer No. 5577; Application of Dallas Harris

Dear Norm:

With regard to the above- referenced proposed change of water rights, it is our understanding that the applicant currently uses the water for irrigation and wishes to change the place of use of certain waters. Some of the waters at issue come from the geothermal aquifer and, we understand, reach a temperature of 190°. As I'm sure you know, waters of that temperature could be used to meet significant heating needs and, in fact, could heat much of downtown Boise. We know that the Department of Water Resources attempts to conserve water resources in the State, serve the public interest and promote the most efficient and appropriate use of the aquifer. As users of the geothermal aquifer, we believe that using waters of this temperature for irrigation does not constitute the most efficient and beneficial use of such waters.

If we can provide any further information related to our comments or to the State's use of the geothermal aquifer, please feel free to contact me.

Very truly yours,



Larry Osgood
Administrator

LO/lm

cc: Pamela I. Ahrens, Director, Department of Administration
Joanna L. Guilfoy, Deputy Attorney General, Department of Administration
Karl J. Dreher, Director, Department of Water Resources

MICROFILMED

NOV 27 1999

GIVENS PURSLEY ^{LLP}

LAW OFFICES

277 North 6th Street, Suite 200
PO Box 2720, Boise, Idaho 83701
TELEPHONE: 208 388-1200
FACSIMILE: 208 388-1300

Gary G. Allen
Christopher J. Beeson
Michael C. Creamer
Thomas E. Dvorak
Roy Lewis Eiguren
Jeffrey C. Fereday
Richard W. Jankowski
Amanda L. Keating
Karl T. Klein
Franklin G. Lee
David R. Lombardi

Kimberly D. Maloney
John M. Marshall
Kenneth R. McClure
Cynthia A. Melillo
Christopher H. Meyer
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. Westermeyer
Robert B. White

Raymond D. Givens
James A. McClure
OF COUNSEL

November 19, 1999

Via Hand Delivery

Gary L. Spackman
Western Region
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

RECEIVED

NOV 19 1999

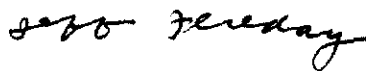
WATER RESOURCES
WESTERN REGION

RE: Application for Transfer No. 5577

Dear Gary:

I am enclosing the original and one copy of United Water's Protest to Application for Transfer of Water Right of Dallas Harris, Transfer No. 5577. Please return the copy with your proof of receipt thereon.

Sincerely,



Jeffrey C. Fereday

JCF/jbg
Enclosure

RECORDED
NOV 27 1999

Jeffrey C. Fereday
 John M. Marshall
 GIVENS PURSLEY LLP
 P.O. Box 2720
 277 No. 6th Street, Suite 200
 Boise, Idaho 83701
 Telephone: (208) 388-1200
 Facsimile: (208) 388-1300

RECEIVED

NOV 19 1999

WATER RESOURCES
WESTERN REGION

Attorneys for Protestant United Water Idaho Inc.

BEFORE THE DIRECTOR

IDAHO DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF APPLICATION	)	UNITED WATER'S
FOR TRANSFER NO. 5577, INVOLVING	)	PROTEST TO
WATER RIGHT NOS. 63-02973, 63-7103	)	APPLICATION FOR
63-8627, 63-00184, 63-00365, and 63-03261	)	TRANSFER OF WATER
	)	RIGHT

United Water Idaho Inc. ("United Water"), by and through its counsel, Jeffrey C. Fereday and John M. Marshall of Givens Pursley LLP, and pursuant to I.C. §§ 42-211, 42-222 and Department Rule 250, hereby protests the above-captioned water right transfer application (the "transfer") submitted by Dallas Harris. A \$25.00 protest fee is submitted with this Protest.

The grounds for this Protest are as follows:

1. United Water holds ground and surface water rights that may be adversely affected by the transfer, unless the transfer is approved subject to conditions that will protect United Water's rights.
2. The transfer may result in an enlargement of the use under the applicant's water rights, may not be consistent with the conservation of water resources in Idaho, and may not be in the local public interest.

3. The transfer application and the information submitted in support of it is inadequate to determine whether the transfer can occur without violating statutory requirements.

DATED this 19th day of November, 1999.

GIVENS PURSLEY LLP

By: Jeffrey C. Fereday
Jeffrey C. Fereday

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 19 day of November, 1999, I caused to be served a true and correct copy of the foregoing by the U.S. mail, postage prepaid, addressed to the following:

Dallas Harris
3051 Wise Way
Boise, ID 83712

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

Sherl L. Chapman, Executive Director
Idaho Water Users Association
410 South Orchard, Suite 144
Boise, ID 83705

Jeffrey C. Flueh

Bruce M. Smith, ISB #3425
MOORE SMITH BUXTON & TURCKE, CHARTERED
Attorneys at Law
999 Main Street, Suite 910
Boise, ID 83702
Telephone: (208) 331-1800
Facsimile: (208) 331-1202

Attorneys for Boise Warm Springs Water District

RECEIVED

NOV 19 1999

WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF:

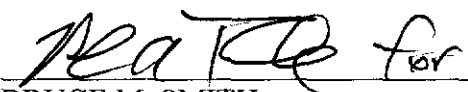
Application For Transfer No. 5577
(Dallas Harris)

)
)
) **NOTICE OF PROTEST**
)
)
)
)

COMES NOW the Boise Warm Springs Water District ("BWSWD"), by and through its attorney of record, Bruce M. Smith and pursuant to I.C. § 42-222 gives notice of its protest to the above transfer on the grounds that (1) BWSWD's water rights are injured by the proposed transfer; (2) the change appears to be an enlargement in use of the original rights; (3) the change is inconsistent with the conservation of water resources; (4) the change is not in the local public interest.; and (5) the proposed use is not a beneficial use of the water.

SUBMITTED this 19th day of November, 1999.

MOORE SMITH BUXTON & TURCKE,
CHARTERED



BRUCE M. SMITH
Attorney for Protesters

MICROFILMED

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 19th day of November, 1999, I caused to be served a true and correct copy of the foregoing **NOTICE OF PROTEST** by the method indicated below, and addressed to the following:

Dallas Harris
3051 Wise Way
Boise, Idaho 83712

☒ via U.S. MAIL
☐ via HAND DELIVERY
☐ via OVERNIGHT MAIL
☐ via FACSIMILE



BRUCE M. SMITH

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No:

W025928

Date:

Time: 11/19/1999

10:56:01

Received

From: MOORE SMITH BUXTON

Type of Payment

Program A cct

Amount

PROTEST - TRANSFER 5577

62103

229 21 1155

25.00

Total

\$

25.00

CHECK

5062

Region: WESTERN

Signature: _____

Kathy Gal

MICROFILMED

JUL 27 2000

MOORE SMITH BUXTON & TURCKE, CHARTERED

ATTORNEYS AT LAW

ONE CAPITAL CENTER, SUITE 910
999 MAIN STREET, BOISE, ID 83702
TELEPHONE: (208) 331-1800 FAX: (208) 331-1202

DAVID H. BIETER
SUSAN E. BUXTON *
JOSEPH D. MALLET
JOHN J. MCFADDEN *‡
MICHAEL C. MOORE ‡
BRUCE M. SMITH
PAUL A. TURCKE

RECEIVED

NOV 15 1999

Department of Water Resources

November 12, 1999

COPY

*Also Admitted in Oregon
‡ Also Admitted in Washington

Mr. Chuck Mickelson
City of Boise
P.O. Box 500
Boise, Idaho 83701

Re: Dallas Harris - Transfer Application 5577

Dear Chuck:

The Boise Warm Springs Water District and the City of Boise have worked together over the past several years to make sure the geothermal aquifer is protected and used wisely. Collectively, the District and the City paid for a model to help better understand how the aquifer works. The City obtained a Department of Energy grant to develop its injection well system in order to maintain aquifer levels, pressures, and temperatures. Hopefully, that system will lead to a stabilized aquifer. In the meantime, we must maintain the health of the aquifer in order to protect the interests of the patrons of both entities.

The development of Harris Ranch has raised a number of issues which pose potential problems and opportunities for the City and the surrounding community. As part of the proposal, the Harris Ranch development project has submitted an application to the Department of Water Resources for transfer of its water rights. One part of the transfer is the proposal for continued and future use of the geothermal aquifer for non-heating purposes. It appears from the application that the project is intending to pump geothermal water into a pond where it will be cooled, then used for irrigation. The Boise Warm Springs Water District does not believe that such a use is consistent with the District's and the City's efforts to promote the protection and sound use of the aquifer. Nor is it in the best interest of the patrons.

Recently, significant efforts and resources have gone into studying the characteristics and dynamics of the aquifers underlying the Boise valley. As the population of the valley grows, increased demands will be made on the aquifers, including the geothermal aquifer. To pump the geothermal aquifer only to use the water for irrigation is not sound management or prudent use of the geothermal resource, particularly when other sources of irrigation water are

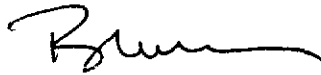
MICROFILMED

NOV 27 2000

Mr. Chuck Mickelson
November 12, 1999
Page 2

readily available. Such use would be an unconscionable waste of a limited resource. The District believes the parties who use the geothermal aquifer for its unique heating attributes must step forward to insure protection of the aquifer. Therefore, the District believes the City, along with the District, must protest this intended use of the geothermal aquifer.

Sincerely,



Bruce M. Smith

cc: Client
Karl Dreher - IDWR

MICROFILMED

JUL 27 2000

MOORE SMITH BUXTON & TURCKE, CHARTERED

ATTORNEYS AT LAW

ONE CAPITAL CENTER, SUITE 910
999 MAIN STREET, BOISE, ID 83702
TELEPHONE: (208) 331-1800 FAX: (208) 331-1202

DAVID H. BIETER
SUSAN E. BUXTON *
JOSEPH D. MALLETT
JOHN J. MCFADDEN *‡
MICHAEL C. MOORE ‡
BRUCE M. SMITH
PAUL A. TURCKE

*Also Admitted in Oregon
‡ Also Admitted in Washington

RECEIVED

NOV 15 1999

WATER RESOURCES
WESTERN REGION

November 11, 1999

Idaho Department of Water Resources
Attn: Sue Taylor
2735 Airport Way
Boise, Idaho 83705

Re: Map for Transfer file # 5577 (Dallas Harris)

Dear Sue:

Enclosed please find the original map for transfer file #5577. We have made a copy and are returning the map to you to put back into the file. Thank you.

Sincerely,



Bruce M. Smith

BMS/av

Enclosure: Map for transfer file # 5577 (Dallas Harris)

NOV 18 1999

NOV 17 1999

Taylor, Sue

From: SCOTT GRUNDER [sgrunder@IDFG.STATE.ID.US]
Sent: Thursday, November 18, 1999 10:20 AM
To: staylor@idwr.state.id.us
Cc: CECE MANN; TERRY VERNHOLM
Subject: Application for Transfer of Permits, Dallas Harris

Dear Ms. Taylor,

The Idaho Department of Fish and Game has reviewed the Application for Transfer of Permits No. 63-00184, 63-00365, 63-02973, 63-03261, 63-7103 and 63-08627 in the name of Dallas Harris in the amount of 16.68 total cubic feet per second from March 15 to November 15 annually. The Department of Fish and Game anticipates no significant adverse effects to fish or wildlife habitats as a result. These are existing water rights and will not cause any problems with maintaining adequate winter flows in the mainstem Boise River. Thank you for the opportunity to comment.

Scott Grunder
Environmental Staff Biologist
IDFG-SW Region, Nampa
465-8465

MICROFILMED

OCT 27 1999

01-99

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Application No: 63-00184, 6300365 63-2923, 3261, 7103
+ 63-08627Applicant's Name: Dallas Harris

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 for the right from
the Boise River.
- c) ☐ I oppose approval of this application for the following reasons:

- d) Additional Comment: _____

Dated this 18 day of November, 1999.Water District No: 63Lee Sisco
Watermaster's Signature

Use reverse side of page if you need more space.

MICROFILMED

JUL 27 2000



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

November 15, 1999

KARL J. DREHER
DIRECTOR

LEE SISCO
WATER DISTRICT 63
6616 OVERLAND RD
BOISE ID 83709

Re: Application for Transfer of Permit No. 63-00184, 63-00365, 63-02973, 63-03261, 63-7103 and 63-08627 in the Name of Dallas Harris

Dear Watermaster:

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

Please review the application and return any comments you might have within two weeks.

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

Sincerely,

Gary Spackman

GS:st

Encl: Copy of Application
Recommendation of Watermaster Form

MICROFILMED

JUL 27 2006



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

November 15, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

SCOTT GRUNDER
STATE OF IDAHO
DEPT OF FISH & GAME
3101 S POWERLINE RD
NAMPA ID 83686

Re: Application for Transfer of Permit No. 63-00184, 63-00365, 63-02973, 63-03261, 63-7103 and 63-08627 in the Name of Dallas Harris

Dear Sir:

Enclosed is a copy of the above referenced application for transfer which may be of interest to your agency. The proposed use of this application is from surface water. Please review the application and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by November 22, 1999.

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

Sincerely,

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

Gary Spackman

GS:st

Encl. Copy of Application

MICROFILMED

NOV 27 2000

The Idaho Statesman

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

LEGAL ADVERTISING INVOICE

Account #	DTI#	Identification	Amount:
047628	149321	PROPOSED CHANGE OF WATER RIGHTS - #5577	\$91.44
Ordered by:	P.O. #	Rate	Run Dates
		NT	NOVEMBER 4, 11, 1999
IDAHO DEPT. WATER RESOURCES WEST 2735 AIRPORT WAY BOISE, IDAHO 83705-5082			Number of Lines 67
			Affidavit 1
			Legal # 5459

RECEIVED
NOV 15 1999

WATER RESOURCES
WESTERN REGION

LEGAL NOTICE PROPOSED CHANGE OF WATER RIGHTS, TRANSFER NO. 5577

Notice is given that DALLIS HARRIS of 3051 Wise Way, Boise ID 83712 has applied to the Department of Water Resources to change the place of use pursuant to I.C. § 42-222 for the following water rights recorded as follows in T3N R3E Ada County:

DECREE 63-00184, priority 6/1/1869, 2.24 cfs, diverted in Lot 9, SWSE S33 from Boise River for unspecified irrigation in S28 and 29. More specifically described in the Snake River Basin Adjudication (SRBA) as 224 acres.

DECREE 63-00365, priority 7/2/1902, unspecified diversion of Warm Springs Creek tributary to Boise River for irrigation of 576.35 acres in S20, 29, and 30. More specifically described in the SRBA as 10.7 cfs, diverted in NESW S20 for 533 acres in S19, 20, 29, and 30.

LICENSE 63-02973, priority 12/28/1953, .42 cfs, diverted from ground water well in SESW S28 for 24 acres irrigation in S28.

LICENSE 63-03261, priority 10/3/1961, .77 cfs, diverted from 4 ground water wells in SWNW S28 and SENE S29 for domestic, stockwater, and 35 acres irrigation in S28 and 29.

LICENSE 63-07103, priority 6/25/1968, 1.2 cfs, diverted from ground water well in SENE S29 for 82 acres irrigation in S20, 28, and 29.

LICENSE 63-08627, priority 3/21/1977, 1.42 cfs, diverted from ground water well and injected into Warm Springs Creek in NESW S20, then re-diverted in NESW and SESW S20 for 195 acres irrigation in S19, 20 and 29.

PROPOSED CHANGE

Applicant proposes a combined irrigation system for the Harris Ranch Housing Development located North and South of Warm Springs Road in the Barber Park area. Ground water will be diverted from 2 existing wells in the SENE S29 and the NESW S20 and integrated with Boise River water and Warm Springs Creek water into a common system for irrigation of 590 acres in S19, 20, 28, 29, and 30. No increase in acres irrigated or diversion rate proposed.

Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 on or before November 22, 1999. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Pub. Nov. 4, 11, 1999

5459

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: NOVEMBER 4, 1999

and ending with the issue of: NOVEMBER 11, 1999

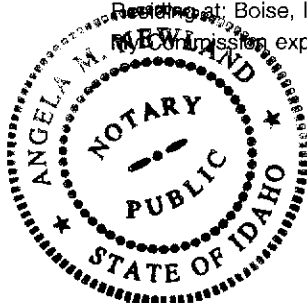
Janice Hildreth

STATE OF IDAHO)
)ss
COUNTY OF ADA)

On this 11 day of NOVEMBER in the year of 1999 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.

Angela M. Newland

Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires: 2/12/05





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

October 27, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JANICE HILDRETH
ID STATESMAN
PO BOX 40
BOISE ID 83707

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavits of publication and publication billing to this office before **November 22, 1999.**

Sincerely,

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

Sue Taylor
Senior Secretary

Enc.

RECEIVED

11/2/1999

**NOTICE OF PROPOSED CHANGE OF WATER
RIGHTS, TRANSFER NO. 5577**

Notice is given that **DALLIS HARRIS** of 3051 Wise Way, Boise ID 83712 has applied to the Department of Water Resources to change the place of use pursuant to I.C. § 42-222 for the following water rights recorded as follows in T3N R3E Ada County:

DECREE 63-00184, priority 6/1/1869, 2.24 cfs, diverted in Lot 9, SWSE S33 from Boise River for unspecified irrigation in S28 and 29. More specifically described in the Snake River Basin Adjudication (SRBA) as 224 acres.

DECREE 63-00365, priority 7/2/1902, unspecified diversion of Warm Springs Creek tributary to Boise River for irrigation of 576.35 acres in S20, 29, and 30. More specifically described in the SRBA as 10.7 cfs, diverted in NESW S20 for 533 acres in S19, 20, 29, and 30.

LICENSE 63-02973, priority 12/28/1953, .42 cfs, diverted from ground water well in SESW S28 for 24 acres irrigation in S28.

LICENSE 63-03261, priority 10/3/1961, .77 cfs, diverted from 4 ground water wells in SWNW S28 and SENE S29 for domestic, stockwater, and 35 acres irrigation in S28 and 29.

LICENSE 63-07103, priority 6/25/1968, 1.2 cfs, diverted from ground water well in SENE S29 for 82 acres irrigation in S20, 28, and 29.

LICENSE 63-08627, priority 3/21/1977, 1.42 cfs, diverted from ground water well and injected into Warm Springs Creek in NESW S20, then re-diverted in NESW and SESW S20 for 195 acres irrigation in S19, 20 and 29.

PROPOSED CHANGE

Applicant proposes a combined irrigation system for the Harris Ranch Housing Development located North and South of Warm Springs Road in the Barber Park area. Ground water will be diverted from 2 existing wells in the SENE S29 and the NESW S20 and integrated with Boise River water and Warm Springs Creek water into a common system for irrigation of 590 acres in S19, 20, 28, 29, and 30. No increase in acres irrigated or diversion rate proposed.

Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 on or before November 22, 1999. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Idaho Statesman on November 4 and 11, 1999.

40782
NOV 24 1999

REVIEWER'S

NOTES

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '**' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM				
		NE		NW		SW		SE		NE		NW		SW		SE						
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac					
T03N R03E S 29																						
6300184	BOISE RIVE :	1		1		1		1								1	1	02-1	01-1	:		
A6300184	BOISE RIVE :	20		37		35		8								34	38	02-16	01-8	:		
6300365	WARM SPRIN :	1						1	05-1			03-1	04-1					02-1	01-1	:		
A6300365	WARM SPRIN :	20		37		35		8		34	34	25	28		36	15		34	38	16	8	:
6302388	BOISE RIVE :																				:	
A6302388	BOISE RIVE :																				:	
6303261	GROUNDWATE :	1						3													:	
6304395	GROUNDWATE :																5				:	
6307103	GROUNDWATE :	32		23		3		12													:	
A6307103	GROUNDWATE :	20		35		3		12													:	
6308181	GROUNDWATE :													04-1							:	
A6308181	GROUNDWATE :													04-1							:	
6308231	GROUNDWATE :															06-2					:	
6308627	GROUNDWATE :			15		13		4		25	10										:	
A6308627	GROUNDWATE :			15		13		4		25	10										:	
6310150	GROUNDWATE :	1						1													:	
6312114	GROUNDWATE :																2				:	
T03N R03E S 30																						
A6300243B	BOISE RIVE :								04-21	03-1											:	
6300249	BOISE RIVE :																07-1				:	
A6300249	BOISE RIVE :																07-1				:	
6300279A	BOISE RIVE :				06-1				05-1		I										:	
A6300279A	BOISE RIVE :																4				:	
6300365	WARM SPRIN :						08-1														:	
A6300365	WARM SPRIN :	4																			:	
6302388	BOISE RIVE :																				:	
A6302388	BOISE RIVE :																				:	
6302392	DRAIN A :								I	I	I	I		I	I						:	
A6304511	GROUNDWATE :										1										:	
6304999	GROUNDWATE :														02-16						:	
6307304	GROUNDWATE :																		13		:	
6308181	GROUNDWATE :																	07-5			:	
A6308181	GROUNDWATE :																	07-5			:	
6310617	GROUNDWATE :																			6	:	
6310864	GROUNDWATE :									03-0											:	
6311195	GROUNDWATE :																		4		:	
A6315659	GROUNDWATE :												1								:	

N/A = separate individual rts either south of river or different prop.

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '**' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		NE		NW		SW		SE		NE		NW		SW		SE		
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
T03N R03E S 19																		
A6300243B	BOISE RIVE :												06-5					5
A6300365	WARM SPRIN :														12		22	30 : 64
6302392	DRAIN A :												I					
6303457	GROUNDWATE :				8				7		5					10		30
A6303457	GROUNDWATE :		6		24													30
6304253	GROUNDWATE :											7						7
6308627	GROUNDWATE :														17		27	44
A6308627	GROUNDWATE :														17		27	44
6310945	GROUNDWATE :			5	1	12		7		02-17	15	04-4	03-6					67
6310946	GROUNDWATE :			11				11	01-17	02-2			03-2					43
T03N R03E S 20																		
6300365	WARM SPRIN :								I		I	I	I	I				
A6300365	WARM SPRIN :										3	18	33	37			6	97
6307103	GROUNDWATE :																5	9
A6307103	GROUNDWATE :																5	9
6308627	GROUNDWATE :									4	8	35	32				5	84
A6308627	GROUNDWATE :									4	8	35	32				5	84
T03N R03E S 28																		
6300184	BOISE RIVE :							1	I			I	02-I	01-I				
A6300184	BOISE RIVE :								8		10	30						48
6302041A	MAYNARD GU :										I							
6302041B	MAYNARD GU :										I							
6302973	GROUNDWATE :										12			12				24
A6302973	GROUNDWATE :										12			12				24
6303261	GROUNDWATE :							4	27									31
6304395	GROUNDWATE :					18			2									20
A6304395	GROUNDWATE :					18			2									20
6305070	MAYNARD CR :															40	20	60
A6305070	MAYNARD CR :															40	20	60
6305215	GROUNDWATE :											15	15					30
A6305215	GROUNDWATE :											15	15					30
6307103	GROUNDWATE :							3										3
A6307103	GROUNDWATE :							3										3
6310150	GROUNDWATE :							I	I									
6312046	GROUNDWATE :												3					3
6312114	GROUNDWATE :											5						5
A6319088	GROUNDWATE :										10	30	8					48

N/A = separate individual pnts either south of river or different property

AJ0749NP
No. A63-00184

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 08/27/99
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DALLAS HARRIS 3051 WISE WAY BOISE ID 83712 (208) 344-2573	06/01/1869	IRRIGATION	03-15 11-15	2.240 CFS	
TOTAL DIVERSION:					2.240 CFS	

Water Source: BOISE RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T03N R03E S33 Lot09(SWSE)

ADA County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE										
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
03N	03E	28	:					:				08	:	10	30			:							:	48.0
03N	03E	29	:	20		37	35	08	:					:					:	34	38	02-16	01-08	:	196.0	
																							TOTAL ACRES		244.0	

POU County: ADA

Non-Irrigation Uses: NONE.

Other Rights: A63-00365, A63-07103, A63-08627.

Other Water Rights Listing Overlapping Place(s) of Use:

A63-00365 A63-02973 A63-04395 A63-07103 A63-08627 A63-19088 R63-08627

Dates: Exam Made Date: Verified Date: 06/18/1985 Objection Filed Date:

Misc: Water District Number: 63 Field Inspection Flag:
Presumption Flag:

SRBA
CLAIMS

AJ0749NP
No. A63-00365

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 08/27/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DALLAS HARRIS 3051 WISE WAY BOISE ID 83712 (208) 344-2573	07/02/1902	IRRIGATION	03-15 11-15	10.700 CFS	
TOTAL DIVERSION:					10.700 CFS	

Water Source: WARM SPRINGS CREEK

Tributary to: BOISE RIVER

Stage: DECREED

Point(s) of Diversion: T03N R03E S20 NESW

ADA County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE					
T	R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
03N	03E 19	:		:		:		:		:		:		:		12	22	30	64.0
03N	03E 20	:		:		:		:		:		:		:		03	18	33	97.0
03N	03E 29	:	20	:	37	:	35	:	08	:	34	:	34	:	25	:	28	368.0	
03N	03E 30	:	04	:		:		:		:		:		:		:		4.0	
TOTAL ACRES																		533.0	

POU County: ADA

Non-Irrigation Uses: NONE.

Other Rights: NO.'S A63-00184(BOISE R.), A63-08627 & 07103(GROUNDWATER).

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A63-08627 R63-08627

Other Water Rights Listing Overlapping Place(s) of Use:
A63-00184 A63-07103 A63-08627 R63-08627

Remarks: GEN NOTE: DECREED RIGHT DECREES ALL THE WATERS OF WARM SPRINGS CK.
FOR A TOTAL OF 576.35 ACRES, KELLY HOT SPRING RANCH.

Dates: Exam Made Date: Verified Date: 07/01/1985 Objection Filed Date:

Misc: Water District Number: 63T Field Inspection Flag:
Presumption Flag:

DATE: 10/25/99
PAGE: 1

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

AJ0749NP
No. A63-07103

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 08/27/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DALLAS H HARRIS 3051 WISE WAY BOISE ID 83712 (208) 344-2573	06/25/1968	IRRIGATION	03-15 11-15	1.200 CFS	363.00 AFA
TOTAL DIVERSION:					1.200 CFS	363.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T03N R03E S29

SENE

ADA County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
03N	03E	20	:					:					:					:					:	9.0
03N	03E	28	:					:					:					:					:	3.0
03N	03E	29	:	20	35	03	12	:					:					:					:	70.0
				20	20		8																	82.0
TOTAL ACRES																								

POU County: ADA

Other Rights: A63-00365 & A63-00184

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A63-04395 A63-08385 A63-10150 A63-17021 A63-19088 R63-17021

Other Water Rights Listing Overlapping Place(s) of Use:
A63-00184 A63-00365 A63-08627 R63-08627

Conditions of Approval:

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

Remarks: GEN AC. IRR.=80.5.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

AJ0749NP
No. A63-08627

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 08/27/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DALLAS H HARRIS 3051 WISE WAY BOISE ID 83706 (208) 344-2573	03/21/1977	IRRIGATION	03-15 11-15	1.420 CFS	690.10 AFA
					TOTAL DIVERSION:	1.420 CFS
					CONSUMPTIVE USE:	690.10 AFA 585.00 AFA

C H & H RANCHES
XXXXXXXXXX ID 0000000

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T03N R03E S20

NESW

ADA County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				
T	R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
03N	03E 19	:		:		:		:		:		:		:		17	27	44.0
03N	03E 20	:		:		:		:		:	04	08	35	32	:		05	84.0
03N	03E 29	:		15	13	04	:	25	10	:				:				67.0
																	TOTAL ACRES	195.0

POU County: ADA

Other Rights: A63-00365, A63-00184 & A63-07103

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A63-00365 R63-08627

Other Water Rights Listing Overlapping Place(s) of Use:
A63-00184 A63-00365 A63-07103 R63-08627

Conditions of Approval:

- 001 - A measuring device of a type approved by the Department shall
- be permanently installed and maintained as part of the diverting
- works.
- 03A - The rate of diversion of water for irrigation under this right
- and all other water rights on the same land shall not exceed 0.02
- cubic feet per second for each acre of land.

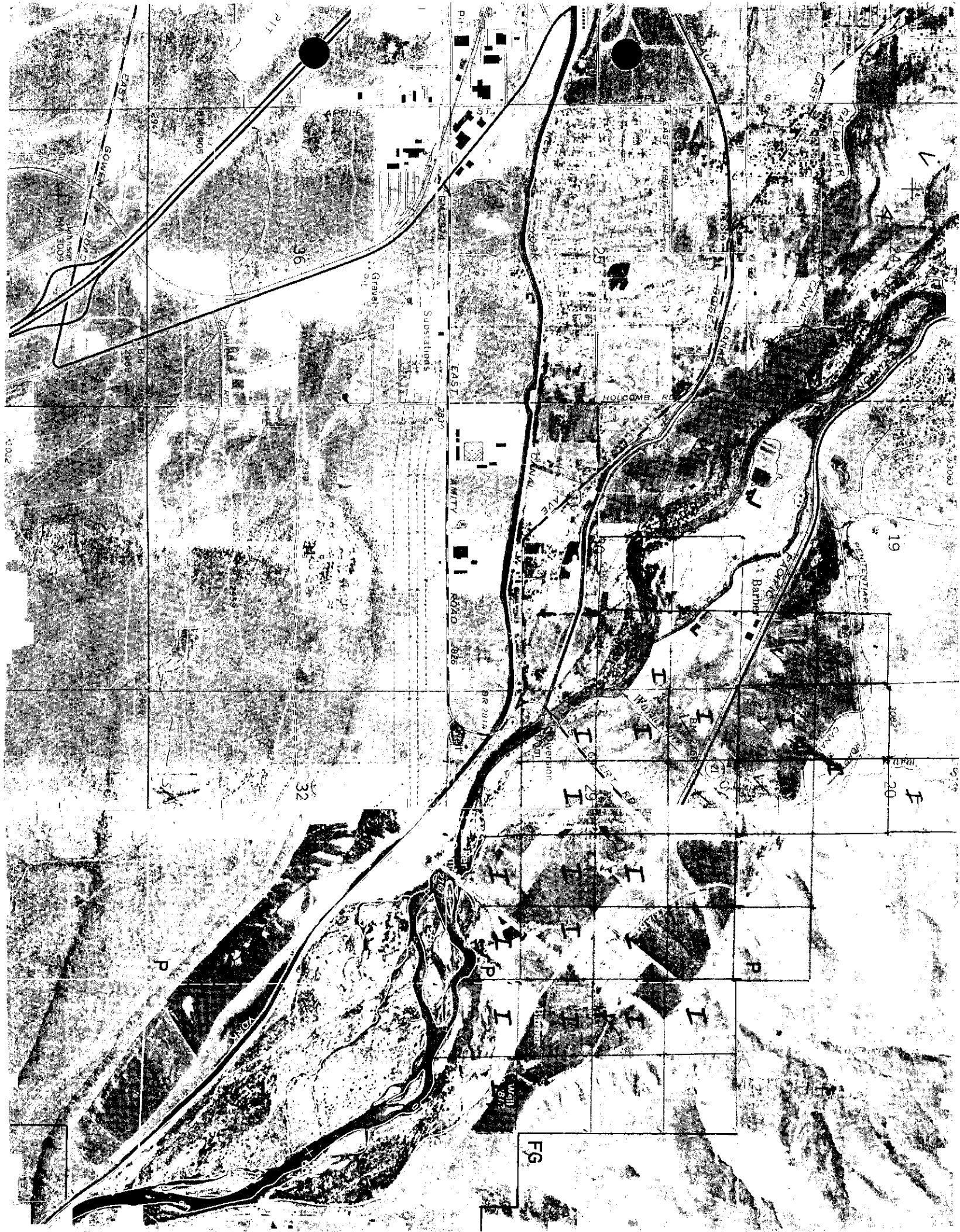
Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

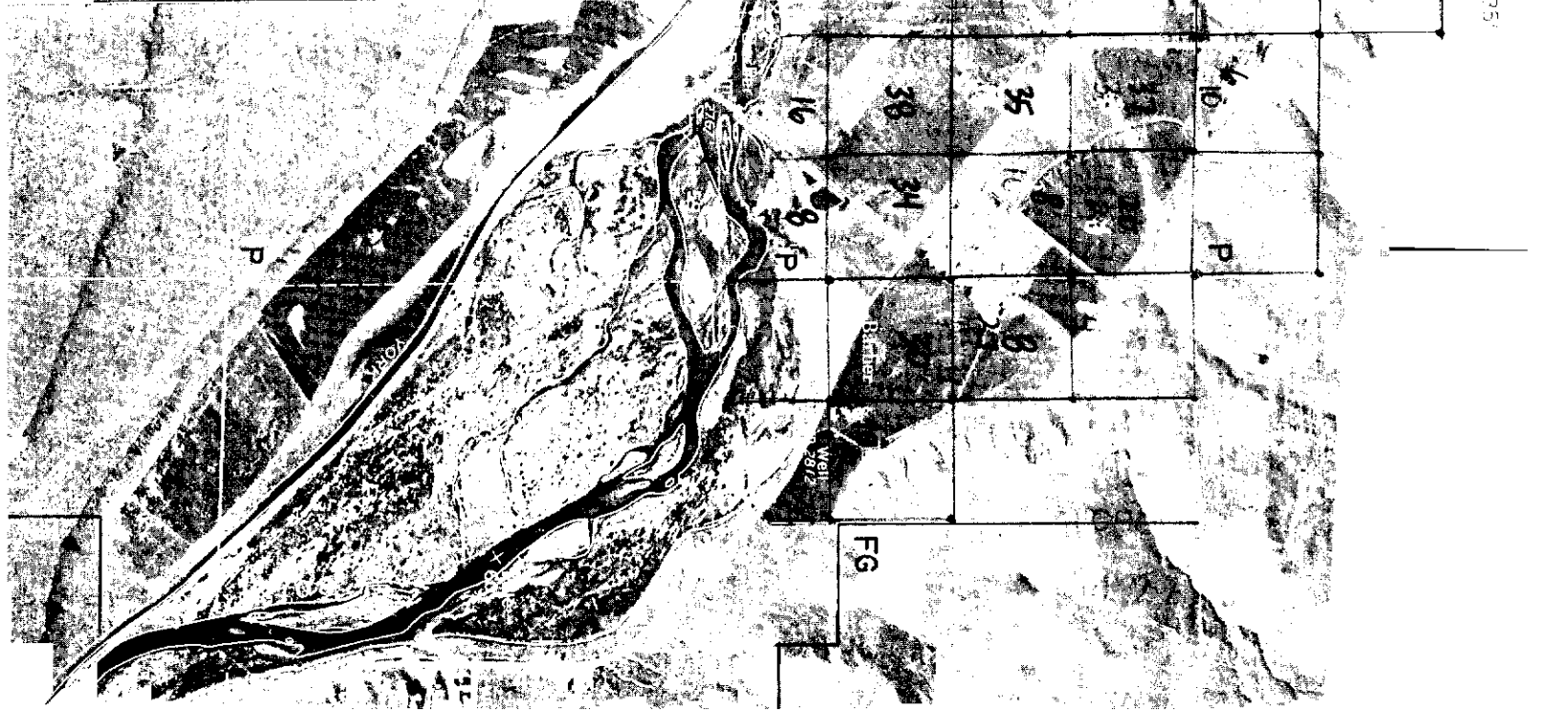
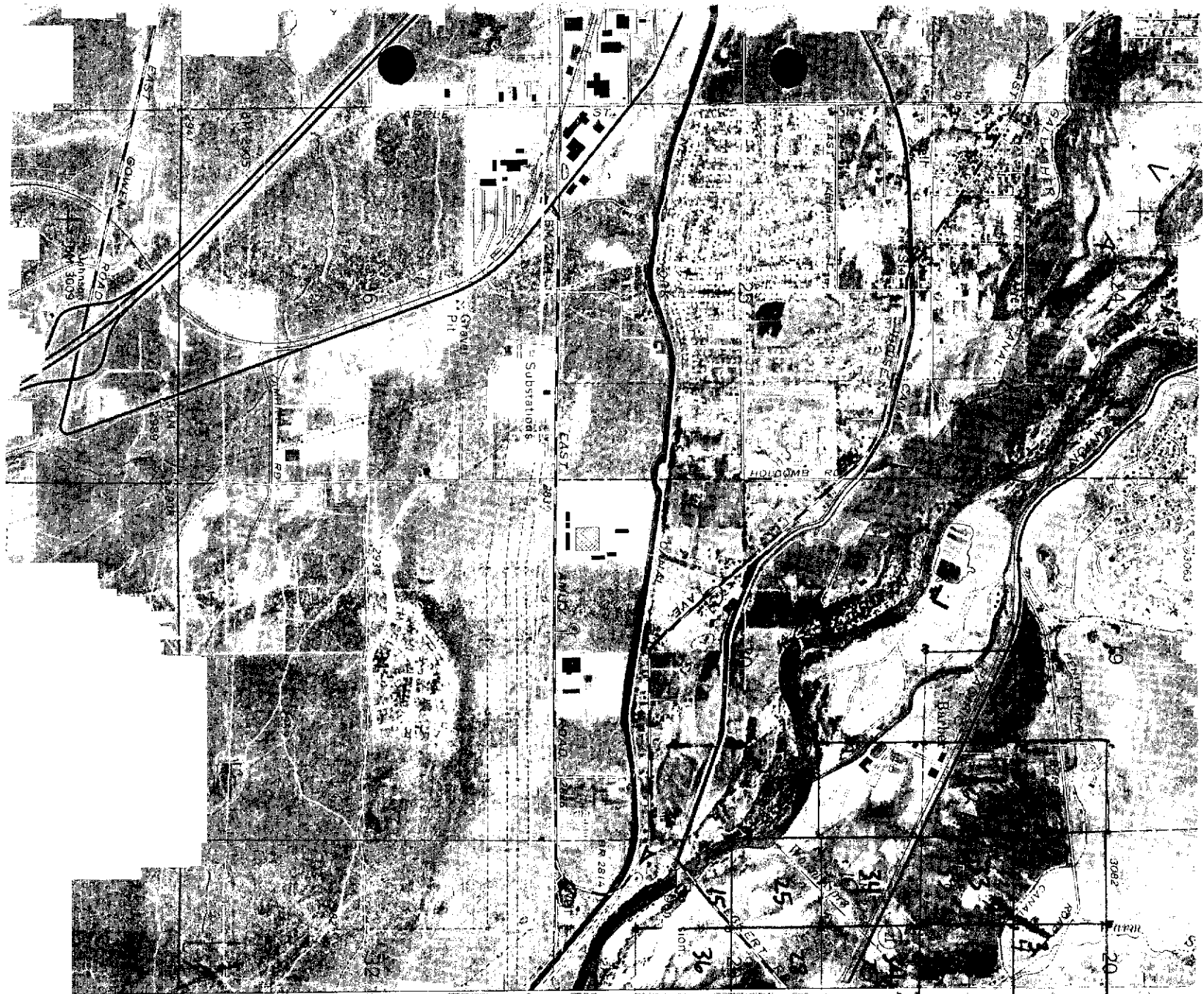
Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

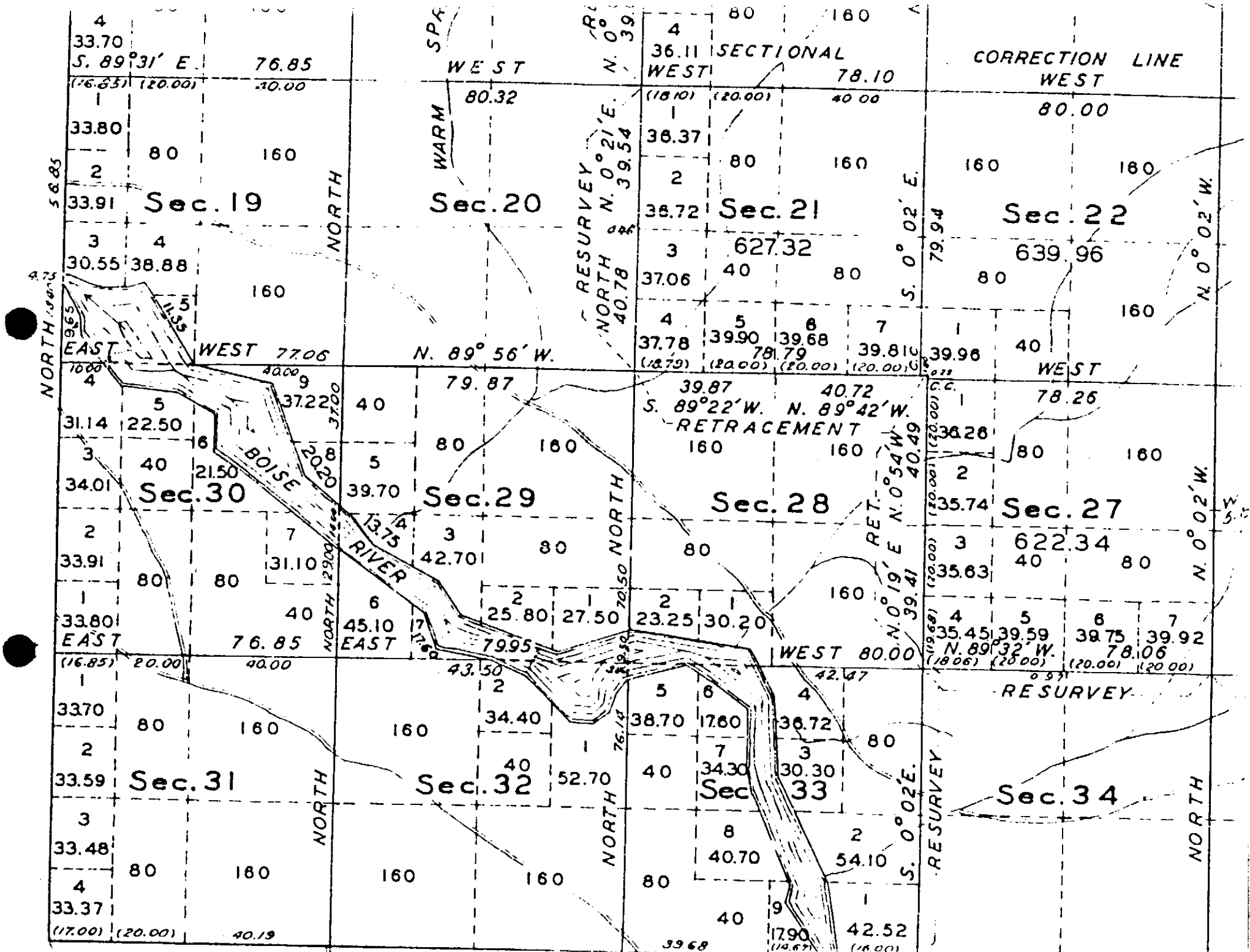


DECREED SURFACE
WATER = I

LICENSED GROUND
WATER = V



AS
CLAIMED
GROUND WATER
SURFACE WATER



CONVERSATION MEMORANDUM

DATE 7/28/99

FILE _____

NAME OF PARTY Stearl Chapman for applicant

EMPLOYEE SL

RE: Harris Rural Transfer- create PPO

g.w. - 2 rights, 1 is geothermal well.

Creek - decreed as "all water in cr" w/o RR land
list ("floodwater Right").

River - water flow via Penitentiary Canal

- e 40 ac. per Buena Vista I.O. contract via same
canal, administered by water master. These shares
are not part of PPO proposal since we
controlled by I.O.

integrate all waters delivered into common distribution
system but don't list BKID shares as noted above.

MICROFILMED

JUL 27 1999



Before the Hon. James H. Stephenson, State Engineer of Idaho.

In the Matter of the Application of the Barber Lumber Company for the transfer of water-rights from Boise River involved in the action pending in the District Court of the Seventh Judicial District of the State of Idaho in and for the County of Canyon, wherein Farmers Co-operative Ditch Company is plaintiff and Riverside Irrigation District et al, are defendants.

Now comes the Wampa & Meridian Irrigation District, owner of what is commonly known as the Eilenbaugh Canal taking water from Boise River and one of the defendants in the action above referred to, and moves that the application of the Barber Lumber Company for a transfer of water-right from Boise River, being the application filed herein on the _____, 1909, be dismissed, upon the ground that the Hon. State Engineer of Idaho has no jurisdiction to proceed and consider said application, for the reason that the water-right claimed by said Barber Lumber Company has not been acquired since the law of 1903 and for the further reason that the water rights from Boise river have not yet been adjudicated and the State Engineer has no jurisdiction to proceed under said application until the final decree has been entered in the action above referred to. The said Wampa & Meridian Irrigation District hereby makes the same objection in relation to all applications pending before the Hon. State Engineer for transfers of water rights from said Boise River. This motion is based upon the records in the said action which show that the final decree heretofore entered therein has been set aside and said action ~~is now pending~~ remanded by the Supreme Court for a new trial.

Dated this 1st day of September, 1909.

Wampa & Meridian Irrigation District

By Hugh E. McChoy its attorney.

RECEIVED

SEP 1 1909

OFFICE OF STATE ENGINEER

March 4, 1910.

Re transfer of Water Right.

Barber Lumber Company,
Boise, Idaho.

Gentlemen:-

Am inclosing you herewith Certificate No. 46, authorizing
transfer of use of water right.

Very truly yours,

State Engineer.

By...

CCWR

RECEIVED

STATE OF IDAHO, }
COUNTY OF ADA. } ss.

EARL G. ADAMS, being duly sworn, deposes and says: That he is the Chief Clerk of the Statesman Printing Company, publishers of the Idaho Twice-a-Week Statesman, a newspaper published at Boise City, Ada County, State of Idaho; that the said paper is in general circulation in the County aforesaid; that the advertisement, a copy of which is attached hereto, was published in the regular edition of the Idaho Twice-a-Week Statesman Sun (10) consecutive issues beginning with the issue of August 16th 1909, and ending with the issue of September 16th 1909.

And which said newspaper has been so published as a twice-a-week paper in said county during a period of fifty-two consecutive weeks prior to the first publication of said

Notice of Proposed Transfer of Water Right.

Notice is hereby given that the Barber Lumber Co., of Boise, Idaho, has applied to the state engineer of the state of Idaho for a certificate authorizing him to transfer the use of 112 inches of the water of Boise river from the land upon which it is now used, i. e., lot 1 and SE $\frac{1}{4}$ NE $\frac{1}{4}$, section 32; lots 5, 6, 7, 8 and 9, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and N $\frac{1}{2}$ SW $\frac{1}{4}$, section 33, township three (3) north range three (3) east Boise Meridian, to the following described tract: W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, lots 1 and 2, section 28, NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, lots 1 and 2, section 29, township three (3) north range three (3) east Boise Meridian. And that, on the 18th day of September, A. D. 1909, at office of state engineer at Boise, Idaho, before the water commissioner of this division, or his authorized agent, the opportunity will be given to any and all persons to appear and present for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

Full details of the proposed transfer may be obtained from Ed Healy, watermaster of said stream.

First insertion Aug. 16, 1909.

Last insertion Sept. 16, 1909.

Earl G. Adams

Subscribed and sworn to before me this 20 day
of September 1909.

Wm. H. Lutz

notary public

RECEIVED
SEP 2 1909

No.

Affidavit of Publication

OF

.....
.....
.....
.....

Filed 190

.....
.....
.....

STATE OF IDAHO, }
COUNTY OF ADA. } ss.

EARL G. ADAMS, being duly sworn, deposes and says: That
he is the Chief Clerk of the Statesman Printing Company, publishers
of the Idaho ^{Mudly} ~~Daily~~ Statesman, a newspaper published at Boise City,
Ada County, State of Idaho; that the said paper is in general circu-
lation in the County aforesaid; that the ^{Notice} ~~Notice~~
a copy of which is attached hereto, was published in the regular
edition of the Idaho ^{Mudly} ~~Daily~~ Statesman ^{Five (5)} ~~Five~~
consecutive ^{issues} ~~issues~~ beginning with the issue of
^{January 31} ~~January 31~~ 1910, and ending with the issue of
^{February 28} ~~February 28~~ 1910.

And which said newspaper has been so published as a ^{Mudly} ~~daily~~
paper in said County during a period of six consecutive months
prior to the first publication of said

Earl G. Adams

Subscribed and sworn to before me this ¹ ~~1~~ day
of ^{March} ~~March~~ 1910

Wm. H. Harte

Notary Public

Notice of Proposed Transfer of Water Right.

Notice is hereby given that the Barber Lumber company has applied to the state engineer of the state of Idaho for a certificate authorizing him to transfer the use of 112 inches continuous flow of the water of Boise river from the land upon which it is now used, i. e., lots 5, 6, 7, 8, 9, and the SW¹/₄ NW¹/₄ of section 33; lot 1 of section 32, also 10 acres in lot 2 of section 32, and the NW¹/₄ SW¹/₄ of section 33, all lying in township 3 north, range 3 east, B. M., to the following described tract: Lots 1 and 2, the W¹/₄ NW¹/₄, the NW¹/₄ SW¹/₄ of section 28, the NE¹/₄, the N¹/₂ SE¹/₄ and lots 1 and 2 of section 29, in township 3 north, range 3 east, B. M.

And that at 11 a. m. on the 1st day of March, A. D., 1910, at state engineer's office, at Boise, Idaho, before J. H. Lowell, the water commissioner of division No. --- or his authorized agent, the opportunity will be given to any and all persons to appear and present for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

Full details of the proposed transfer may be obtained from W. E. Healey, watermaster of said stream.

JAS. STEPHENSON, Jr.,
State Engineer.

First insertion January 31, 1910.
Last insertion February 28, 1910.

No.

Affidavit of Publication

OF

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.....

.....

Filed 190

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.....

Application for Transfer of Water Right.

State of Idaho, Iowa }
 County of Ada & Moivre } ss.

William Carson, being first duly sworn, deposes and says:

That his name is William Carson; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is

Burlington, Iowa

the president of the Barber Lumber Co. That he is the owner and using a certain water right of 112 inches of the

waters of Boise River

County of Ada, State of Idaho, decreed to Barber Lumber Company by decree of Judge George Stewart, of the

Third Judicial District of the State of Idaho, in and for the County of Ada

, in the case of Farmers Co-operative Ditch Company

vs. Riverside Irrigation District et al, said decree bearing date of January, 18,

1906 (or obtained by virtue of License No. _____, issued by the State Engineer

of the State of Idaho, dated _____), for the purpose of irrigating the

following described lands situate, lying and being in the County of Ada and

State of Idaho, to wit: Lots 5, 6, 7, 8, 9 and the SW NW of Sec. 33;

Lot 1 of Sec. 32, also 10 acres in Lot 2 of Sec. 32, and the NW.SW

of Sec. 33, all lying in Township 3 N., Range 3 E., B. M.

_____ and is the person (or the representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i. e.

by purchase from I. N. Coston & wife, June, 23, 1903.

as per abstract of title of said water right hereto attached and made a part of this statement;

That said waters are now diverted from said stream at SE $\frac{1}{4}$ of Lot 9 in Sec. 33

Township 3N., Range 3 E

and conducted to the above described lands through the Coston ranch ditch

as per map hereto attached and of this affidavit made a part;

That affiant and petitioner desires to abandon the use of 112 inches

of said water upon the above described land, and to convey and use same upon the following tract, situate, lying and being in the County of

Ada and State of Idaho, to

wit: Lots 1 and 2, the W $\frac{1}{2}$ NW, the NW SW of Sec. 28, the NE $\frac{1}{4}$, the N $\frac{1}{2}$

SE and Lots 1 and 2 of Sec. 29 in Township 3N, Range 3 E., B.M.

That his reasons for desiring to make such transfer are as follows: abandonment of

practically all the lands originally watered by the Coston ranch

ditch, through the construction of the Barber Lumber Company dam,

across the Boise river in Secs. 29 and 32

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That he intends to divert and convey said 112 inches of water to the tract of land last above described in the following manner, to wit: by pumping through the company pump in the power house, on the north end of the Barber dam; thence through the water mains of the company to the points of discharge-as shown in the accompanying map-from which the water will be put on the land through laterals. The afore mentioned pump has its intake in the power house forebay.

as set forth upon the map hereto attached; and

That no one will be injured by such transfer.

WHEREFORE, Affiant and Petitioner prays that the State Engineer of the State of Idaho issue to him the proper certificate authorizing such transfer, and give proper notice of the same to the Water Commissioner of this Division, in accordance with the provisions of Section 11, House Bill No. 146, of the Laws of the Seventh Session of the Legislature of the State of Idaho.

Subscribed and sworn to before me this

22^d

day of

January

A. D. 1907

William Carson

Notary Public

Notary Public

State of Idaho,

County of Ada

ss.

L. P. McCalla and Crawford Moore

being first duly sworn, each for himself, and not one for the other, deposes and says: That ^{he is a} citizen of the United States and of the State of Idaho, residing at Laure Idaho that he is a user of water from the Boise river, County of Ada, State of Idaho; that he has read or heard read the foregoing affidavit and petition of the Barber Lumber Co., and is familiar with its allegations, and with the water right and lands therein mentioned and described and is not in any way interested in either, nor in any way related to said petitioner; that the statements and allegations therein made are true of his own knowledge; and that no one will be injured by the granting of the certificate authorizing the transfer therein petitioned.

Subscribed and sworn to before me this

29th

day of

January

A. D. 1910

L. P. McCalla

Crawford Moore

Notary Public

Notary Public

Notary Public

Notary Public

State of Idaho, }
County of Ada } ss.
I, Edw Healy, Watermaster of New York Canal
County of Ada, State of Idaho, whose postoffice address is
Boise, have read or heard read the foregoing affidavit and petition of
Barber Lumber Co, and, of my own knowledge, believe the same to be
true as to all matters therein alleged, and that no one will be injured by the transfer prayed to be au-
thorized; and I hereby endorse my approval of said petition, and request that the State Engineer
issue the certificate of transfer as petitioned; or (do not approve of the issuance of the certificate of
transfer prayed for) for the following reasons: _____

Edw Healy
Watermaster.

Baldwin Idaho
March 7, 1910

Notice having been duly published for thirty days of the intention of the above named _____
Barber Lumber Co to apply to the State Engineer of the State of Idaho for a certificate
authorizing the transfer of water as set forth in his affidavit and petition herein, and an opportunity
having been given to any and all persons opposing said transfer to present their objections in a public
hearing before me at Boise, on March 1, 1910, according to
the terms of said notice;

And it not appearing at said hearing that any one would be materially injured by such transfer:

I hereby recommend that the said State Engineer of the State of Idaho issue his certificate to said
applicant, authorizing the transfer as prayed for in his petition; or (and it appearing at said hearing
~~that the following injuries would be sustained by others if such transfer is permitted~~)

~~I hereby recommend that the State Engineer do not issue the certificate authorizing the transfer
sought hereinabove.~~

J B Lowell

Commissioner of Water Division No. 3

By _____

No.

APPLICATION FOR TRANSFER
OF WATER RIGHT.

From

To

Stream

County

Applicant.

Received

Approved

Certificate No. issued

and recorded in

Book of Transfers, at page

March 3, 1910.

Re transfer of water right.

Barber Lumber Company,
Boise, Idaho.

Gentlemen:-

I am today in receipt of a letter from Mr. J. H. Lowell inclosing the application for transfer of water right endorsed by him.

In order to complete the files here it will be necessary for you to furnish a map showing the land upon which the water was originally intended to be used and also the land upon which the water is to be transferred. There also remains the fee amounting to \$1.00. As soon as the above are received the certificate will be issued.

Very truly yours,

State Engineer.

By...

MICROFILMED

E. M. KIRKPATRICK, PRESIDENT
C. E. HURTT, VICE PRESIDENT
J. H. LOWELL, SECY. AND MANAGER

ROSWELL PARK FRUIT CO.

OWNERS OF
ROSWELL PARK FRUIT TRACT

PARMA, IDAHO

March 2nd 1910.

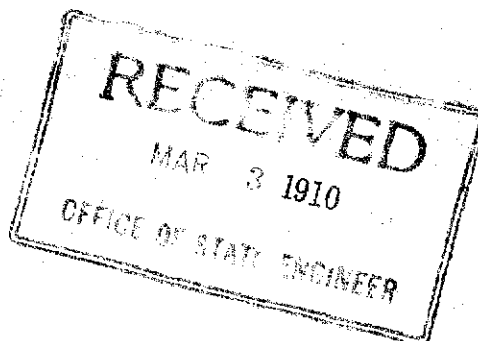
Mr. James Stephenson Jr.,
State Engineer,
Boise, Idaho.

Dear Sir:-

I enclose herewith the application for transfer of water right by the Barber Lumber Co. with my endorsment. From your telephone I judge that no one appeared to enter protest at the hearing. The certified copy of the advertisement has not been filed with this office by I presume it has been filed with you.

Yours very truly,

J. H. Lowell



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