After Split

Owner Type	Name and Address
Current Owner	GODFREY LIVING TRUST 9135 SKY RANCH RD NAMPA, ID 83686-9189 (916) 416-0280
Original Owner	BRYCE MILLAR RT 7 BOX 7380 NAMPA, ID 83651
Previous Owner	TIMOTHY J SCHELHORN PO BOX 1790 NAMPA, ID 83653-1790 (208) 466-4044
Previous Owner	JULIE M SCHELHORN PO BOX 1790 NAMPA, ID 83653-1790 (208) 466-4044
Previous Owner	FRANKIE GENE AMEN 9125 SKY RANCH RD NAMPA, ID 83686-9189 (208) 466-1853
Previous Owner	JEANIE AMEN 9125 SKY RANCH RD NAMPA, ID 83686-9189 (208) 466-7033
Trustee	SCOTT J GODFREY 9135 SKY RANCH RD NAMPA, ID 83686-9189 (916) 416-0280
Trustee	STEPHANIE J GODFREY 9135 SKY RANCH RD NAMPA, ID 83686-9189 (916) 416-0280

Priority Date: 4/19/1973
Basis: Decreed
Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume

IRRIGATION	03/15	11/15	0.026 CFS	8.0 AF
		Total Diversion	0.030 CFS	8.0 AF

Source and Point(s) of Diversion:

GROUND WATER SESE Sec. 14, Twp 02N, Rge 03W, CANYON County

Place Of Use:

IRRIGATION within CANYON County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N	03W	14																2.0	2.0

POU Total Acres: 2.0

Conditions of Approval:

1.	046	Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2.	X61	The period of use for the irrigation described in this approval may be extended to a beginning date of March 1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before March 15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than April 29, 2009.
3.	R65	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.
4.	01M	After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5.	T19	Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
6.	T07	The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8.		The actual overall diversion rate is 0.026 cfs.

Comments:

1 jhersley 3/25/2020 POU
Updated Shape

2 jhersley 3/25/2020 Split Right
This right is the result of split from 63-32256. The Grantors kept 22 acres of the 40 acres per the warranty deed.

3 AOlson 6/20/2023 POD

Updated Shape of PointOfDiversionId 942723 (previously at SpatialDataId 509818)

4 AOlson 8/8/2023 POU
Updated Shape

5 LEvans 8/16/2023 Transferred Right
This is now an approved transfer. Transfer Number = 86460

6 nmiller 9/26/2023 Transfer clarification
An amended approval notice was sent out. The transfer approval document was not amended, only the notice because the notice letter lacked information regarding WSB. I am adding this comment because the scanned document title is a little unclear.

7 ABradbury 12/6/2023 Split Right
Split into 63-35507.

8 ABradbury 12/7/2023 POU
Updated Shape

9 jhersley 12/28/2023 correction of rate and volume
Mr. David Lunt was conveyed Lot 1, Block 1 of North Fork Ranch Subdivision in June 2023. In November 2023, Mr. Lunt quitclaimed any portion of water right 63-34871 appurtenant to Lot 1, Block 1 to HTI-ID-3, LLC. In December 2023, HTI-ID-3, LLC conveyed a portion of water right 63-34871 that totaled 0.013 cfs and 4 af for the irrigation of 1 acre within Lot 1, Block 1 of North Fork Ranch Subdivision. Correction has been made on all water rights involved.

10 jhersley 12/28/2023 Split Right
Split into 63-35510.

11 jhersley 12/28/2023 POU
Updated Shape

Dates and Other Information:
Decreed Date: 4/29/2009
State or Federal: S
Water District Number: EXC
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 4.0
Mitigation Plan: False

Combined Use Limits:
N/A

SubCase:
N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES **12/28/2023**

Water Right 63-34871

Before Split

Owner Type	**Name and Address**
Current Owner	GODFREY LIVING TRUST 9135 SKY RANCH RD NAMPA, ID 83686-9189 (916) 416-0280
Trustee	SCOTT J GODFREY 9135 SKY RANCH RD NAMPA, ID 83686-9189 (916) 416-0280
Trustee	STEPHANIE J GODFREY 9135 SKY RANCH RD NAMPA, ID 83686-9189 (916) 416-0280

Priority Date: 4/19/1973
Basis: Decreed
Status: Active

Source	**Tributary**
GROUND WATER	

Beneficial Use	**From**	**To**	**Diversion Rate**	**Volume**
IRRIGATION	03/15	11/15	0.217 CFS	68.0 AF
	Total Diversion		0.220 CFS	68.0 AF

Source and Point(s) of Diversion:

GROUND WATER SESE Sec. 14, Twp 02N, Rge 03W, CANYON County

Place Of Use:

IRRIGATION within CANYON County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N	03W	14																17.0	17.0

POU Total Acres: 17.0

Conditions of Approval:

1.	046	Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2.	X61	The period of use for the irrigation described in this approval may be extended to a beginning date of March 1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before March 15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than April 29, 2009.
3.	R65	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.
4.	01M	After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5.	T19	Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
6.	T07	The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8.		The actual overall diversion rate is 0.217 cfs.

Comments:

1 jhersley 3/25/2020 POU
Updated Shape

2 jhersley 3/25/2020 Split Right
This right is the result of split from 63-32256. The Grantors kept 22 acres of the 40 acres per the warranty deed.

3 AOlson 6/20/2023 POD
Updated Shape of PointOfDiversionId 942723 (previously at SpatialDataId 509818)

4 AOlson 8/8/2023 POU
Updated Shape

5 LEvans 8/16/2023 Transferred Right
This is now an approved transfer. Transfer Number = 86460

6 nmiller 9/26/2023 Transfer clarification
An amended approval notice was sent out. The transfer approval document was not amended, only the notice because the notice letter lacked information regarding WSB. I am adding this comment because the scanned document title is a little unclear.

7 ABradbury 12/6/2023 Split Right
Split into 63-35507.

8 ABradbury 12/7/2023 POU
Updated Shape

9 jhersley 12/28/2023 correction of rate and volume
Mr. David Lunt was conveyed Lot 1, Block 1 of North Fork Ranch Subdivision in June 2023. In November 2023, Mr. Lunt quitclaimed any portion of water right 63-34871 appurtenant to Lot 1, Block 1 to HTI-ID-3, LLC. In December 2023, HTI-ID-3, LLC conveyed a portion of water right 63-34871 that totaled 0.013 cfs and 4 af for the irrigation of 1 acre within Lot 1, Block 1 of North Fork Ranch Subdivision. Correction has

been made on all water rights involved.

Dates and Other Information:
Decreed Date: 4/29/2009
State or Federal: S
Water District Number: EXC
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 4.0
Mitigation Plan: False

Combined Use Limits:
N/A

SubCase:
N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources

Water Right

63-34871



0 0.0375 0.075 0.15 Miles

Place Of Use Boundary
Townships
PLS Sections
Quarter Quarters
Point of Diversion
State Outline

N

Form 42-248/42-1409(6) Rev. 6/22

RECEIVED
DEC 22 2023
DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "*Yes*" in the "*Split?*" column. If the water right is leased to the Water Supply Bank, check "*Yes*". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

DE

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
63-34871	Yes ☒	Yes ☐		Yes ☐	Yes ☐
63-35510	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Godfrey Living Trust
   Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): HTI-ID 3 LLC
   New owner(s) as listed on the conveyance document Name connector ☐ **and** ☐ **or**

   784 S Clearwater Loop, Ste R — Mailing address
   Post Falls — City
   ID — State
   83854 — Zip
   916-416-0280 — Telephone
   sgodfrey@hte1.net — Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
   - ☒ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
   - ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: 12/18/2023.

6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
   - If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

7. This form must be signed and submitted with the following **REQUIRED** items:
   - ☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
   - ☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
   - ☒ Filing fee (see instructions for further explanation):
     - $25 per *undivided* water right.
     - $100 per *split* water right.
     - No fee is required for pending adjudication claims.

     SUPPORT DATA IN FILE # 63-34871
   - ☒ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
   - ☒ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: _____ Managing Member — 12/21/23
   Signature of new owner/claimant — Title, if applicable — Date
   Scott Godfrey
   Print name

   Signature: _____ Managing Member — 12/21/23
   Signature of new owner/claimant — Title, if applicable — Date
   Stephanie Godfrey
   Print name

For IDWR Office Use Only:

Receipted by KM Date 12.22.23 Receipt No. C117560 Receipt Amt. $100

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☑ No ☐

Name on W-9 HTI-ID 3 LLC Approved by _____ Processed by _____ Date 12-28-23

Close

Water Right Report : 63-34871(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	GODFREY LIVING TRUST	9135 SKY RANCH RD	NAMPA	ID	83686-9189
Original Owner	MILLAR, BRYCE	RT 7 BOX 7380	NAMPA	ID	83651
Previous Owner	AMEN, FRANKIE GENE	9125 SKY RANCH RD	NAMPA	ID	83686-9189
Previous Owner	AMEN, JEANIE	9125 SKY RANCH RD	NAMPA	ID	83686-9189
Previous Owner	SCHELHORN, JULIE M	PO BOX 1790	NAMPA	ID	83653-1790
Previous Owner	SCHELHORN, TIMOTHY J	PO BOX 1790	NAMPA	ID	83653-1790
Trustee	GODFREY, SCOTT J	9135 SKY RANCH RD	NAMPA	ID	83686-9189
Trustee	GODFREY, STEPHANIE J	9135 SKY RANCH RD	NAMPA	ID	83686-9189

Water Right Status

Priority Date : 4/19/1973
Basis : Decreed
Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	02N	03W	14	0		SE	SE	CANYON	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/15	11/15	0.23 CFS	72.00 AFA
TOTAL			0.23 CFS	72.00 CFS

Places of Use

Paged View

Place of Use Legal Description : IRRIGATION (CANYON county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
02N	03W	14			SE	SE	18

Irrigation Totals

Total Acres	Acre Limit
18.00	

Conditions

Code	Condtions
046	Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

X61 The period of use for the irrigation described in this approval may be extended to a beginning date of March 1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before March 15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than April 29, 2009.

R65 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.

01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Dates

Licensed Date :
Decreed Date : 4/29/2009
Permit Proof Due Date :
Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargment Use Priority Date :
Enlargement Statute Priority Date :
Application Recevied Date:
Protest Deadline Date:

Other Information

State or Federal : S
Water District Number : EXC
Generic Max Rate Per Acre : 0.02
Generic Max Volume Per Acre : 4
Civil Case Number :
Decree Plantiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES 9/18/2023

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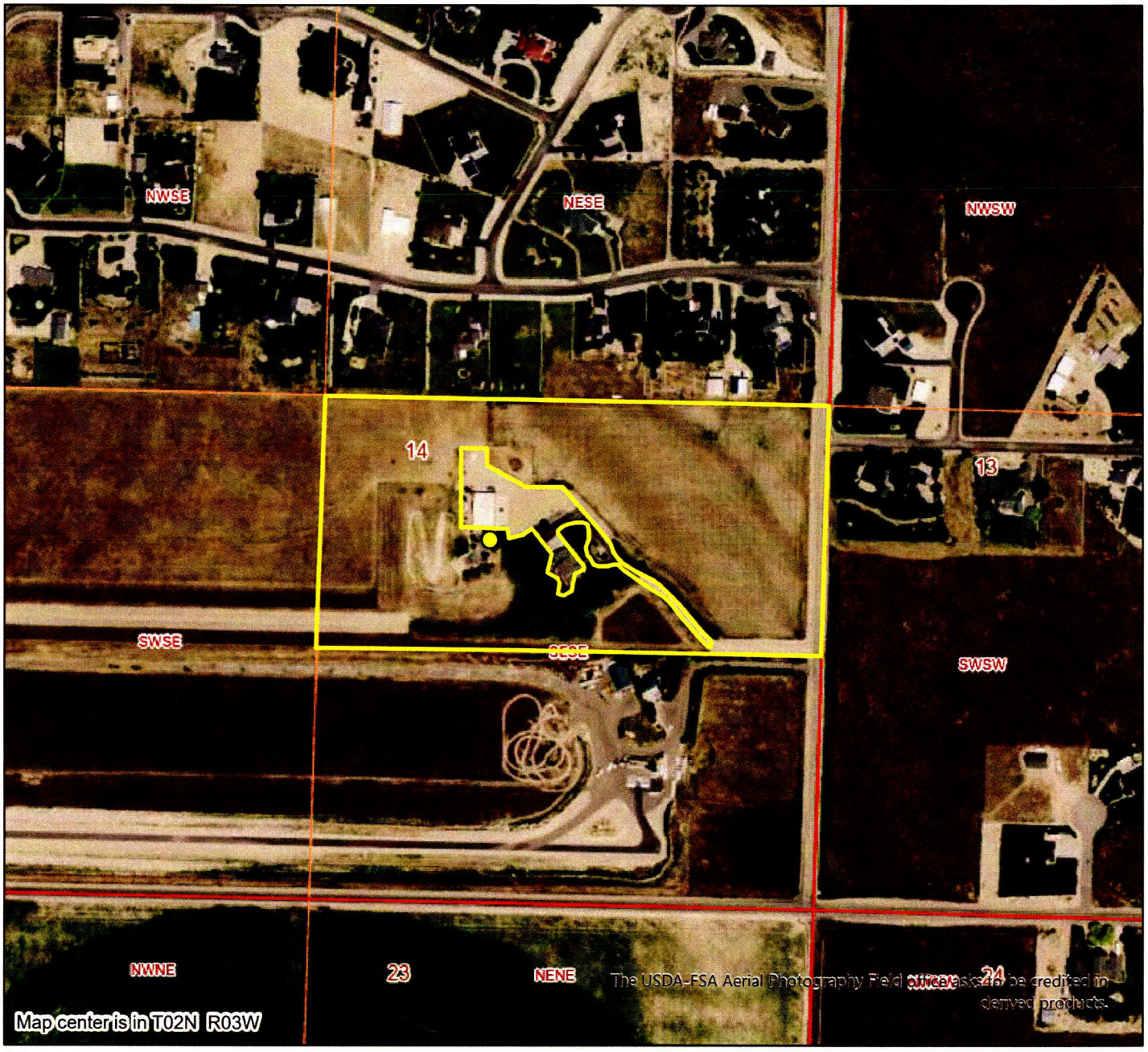
State of Idaho
Department of Water Resources

Water Right

63-34871

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.





0 0.03 0.06 0.11 0.17 0.22
Miles

Legend
- Quarter Quarters
- PLS Sections
- Townships
- Place of Use Boundary
- Point of Diversion

N

Date created: 9/18/2023

IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

December 28, 2023

HTI-ID3 LLC
784 S CLEARWATER LOOP STE R
POST FALLS ID 83854-9599

Re: Change in Water Right Ownership: 63-34871 (Split into 63-34871 and ***63-35510***)

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

c: GODFREY LIVING TRUST
SCOTT J GODFREY
STEPHANIE J GODFREY

IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

December 28, 2023

DAVID LUNT
6112 TURNERGROVE DR
LAKEWOOD CA 90713

RE: Correction of Ownership Change for Water Right 63-34871 (Split into 63-34871 & 63-35507

Dear Water Right Holder:

The Department received a request for an ownership change from you on October 6, 2023. The change was completed, and acknowledgement was sent to you on December 14, 2023.

When the Department split water permit 63-34871 into 63-35507 it was based on the size of Lot 1, Block 1 of North Fork Ranch Subdivision. The Department received a Notice of Change in Water Right Ownership from HTI-ID 3, LLC on December 22, 2023. HTI-ID 3, LLC included all the deeds appurtenant to the North Fork Ranch Subdivision. In these documents were water right quitclaim deeds. One quitclaim deed conveyed all water rights appurtenant to Lot 1, Block 1 of North Fork Ranch Subdivision from you to HTI-ID 3, LLC. Another quitclaim deed conveyed a portion of water right 63-34871 totaling 0.013 cfs and 4 af for irrigation of 1 acre within Lot 1, Block 1 of North Fork Subdivision.

Water rights 63-34871 and 63-35507 have been updated to reflect the conveyance of this water right. I have enclosed a corrected computer-generated report for your records.

If you have any questions, please contact me at (208) 287-4942.

Thank you.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure

IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082
Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Mathew Weaver**

December 14, 2023

DAVID LUNT
6112 TURNERGROVE DR
LAKEWOOD CA 90713-1947

Re: Change in Water Right Ownership: 63-34871 (Split into 63-34871 and 63-35507),

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 334-2190.

Sincerely,

Allen Bradbury

Allen Bradbury
Water Resource Agent, Senior

Enclosure(s)

c: GODFREY LIVING TRUST
SCOTT J & STEPHANIE J GODFREY

IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082
Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

August 25, 2023

GODFREY LIVING TRUST
9135 SKY RANCH RD
NAMPA ID 83686-9189

Re: Transfer No: 86460
Water Right No(s).: 63-34871

Amended Transfer Approval Notice

Dear Water Right Holder(s):

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

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

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

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note part or all of the water right in your approved transfer is leased to the Water Supply Bank (Bank). You may not use the right or portion of right leased to the Bank, even if the right is not rented from the Bank. To make the right available for your use,

SCANNED
SEP 22 2023

please submit a written request to the Department to change the lease. The Department will verify if the right is rented and not available for your use, or if the lease can be changed to allow your use of the right.

For more information about the Bank and the lease, please contact the Department at the following:

Water Supply Bank Coordinator
IDWR State Office
PO Box 83720
Boise ID 83720-0098
(telephone: (208) 287-4963)

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

If you have any questions, please contact me at (208) 334-2190.

Sincerely,

Lynne Evans
Administrative Assistant I

Enclosure(s)

SCANNED
SEP 22 2023

CERTIFICATE OF SERVICE

I hereby certify that on August 25, 2023 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 86460
Water Right No(s).: 63-34871

GODFREY LIVING TRUST (Current Owner)
9135 SKY RANCH RD
NAMPA ID 83686-9189

LORI GRAVES
HDR INC (Representative)
412 E PARKCENTER BLVD STE 100
BOISE ID 83706-6659

Lynne Evans
Administrative Assistant I

SCANNED
SEP 22 2023

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

SCANNED
SEP 22 2023

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) The petition for reconsideration is disposed of; or
> (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

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SEP 22 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082
Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

August 17, 2023

GODFREY LIVING TRUST
9135 SKY RANCH RD
NAMPA ID 83686-9189

Re: Transfer No: 86460
Water Right No(s).: 63-34871

Transfer Approval Notice

Dear Water Right Holder(s):

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

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

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

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a $100 late filing fee. Contact any office

SCANNED
SEP 22 2023

of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 334-2190.

Sincerely,

Lynne Evans
Administrative Assistant I

Enclosure(s)

SCANNED
SEP 22 2023

CERTIFICATE OF SERVICE

I hereby certify that on August 17, 2023 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 86460
Water Right No(s).: 63-34871

GODFREY LIVING TRUST (Current Owner)
9135 SKY RANCH RD
NAMPA ID 83686-9189

LORI GRAVES
HDR INC (Representative)
412 E PARKCENTER BLVD STE 100
BOISE ID 83706-6659

Lynne Evans
Administrative Assistant I

SCANNED
SEP 22 2023

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

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

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SEP 2 2 2023

CERTIFICATE OF SERVICE

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> (a) The petition for reconsideration is disposed of; or
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i. A hearing was held,
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iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

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

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SEP 22 2023

MEMORANDUM

TO: Transfer No. 86460
FROM: Aaron Olson
DATE: August 15, 2023
RE: Evaluation of Application

The transfer proposes to change the point of diversion for water right no. 63-34871.

Legal Notice Not Required
Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.

Summary of Information Submitted

Authority to File:
IDWR records show the applicant as the current owner of the involved water rights. The application was signed by Scott Godfrey, Trustee of Godfrey Living Trust.

Water Right Validity:
The partial decree for water rights no. 63-34871 was issued on 4/29/2009. The right is presumed to be valid since beneficial use has occurred within the last five years. Beneficial use confirmed by department aerial imagery, landsat images, google earth images, or other evidence. Evidence of beneficial use does not need to be added to the file it is an IDWR product available to other staff.

Injury to Other Water Rights:
Other water rights should not be impacted by the proposed transfer. The quantity of water used for the right will not change as a result. A measuring device and lockable controlling works may be installed at the future request of the department.

Enlargement of Use:
Enlargement does not appear to be an issue. The proposed changes will not result in an increase of diversion rate or number of acres irrigated.

Local Public Interest:
This application proposes a change consistent with the local public interest.

Beneficial Use/Conservation of Water Resources:
The application proposes beneficial use consistent with conservation of water resources in Idaho.

The application is consistent with criteria of I. C. § 42-222 and should be processed.

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SEP 22 2023

Summary

Water Supply Bank
A portion of water right 63-34821 is currently leased to the Water Supply Bank until 12/31/2023 under Contract 854. The quantities of this right leased to the bank are 0.20 cfs, 64 AF, and the irrigation of 16 acres.

SCANNED
SEP 22 2023

MEMORANDUM

TO: WR Files 63-32256 and 63-34871

FROM: Nick Miller

DATE: 08/08/2023

RE: Ownership Change, place of use, WSB

This memo is intended to document a minor correction to a water right split that occurred in 2020 and to clarify that ownership of 63-32256 has been separated from ownership of the land.

Water Right 63-32256 was partially decreed by the SRBA on April 29, 2009. The decree described irrigation of 40 acres. Specifically, the right described 20 acres in the north ½ of the SESE and 20 acres in the SWSE of Section 14, T02N R03W. In Spring 2019, the owners (Schelhorns) sold 34 acres of land to the Godfreys, consisting of all 20 acres in the SWSE and 14 acres of the SESE. As part of the sale, the Schelhorns retained ownership of 22 acres of water right 63-32256 (20 acres in the SWSE and 2 acres in the SESE), but otherwise conveyed the appurtenant water rights. Note that a six-acre parcel was excluded from the sale, so Schelhorns also retained the water rights appurtenant to that six-acre parcel as well.

The Godfreys submitted an ownership change split notice to the Department in the spring of 2020 and included the deed conveying 34 acres of land, reserving 22 acres of the water right, and excluding the six-acre parcel. With that information, the child right should have only reflected 12 of the 20 acres in the north half of the SESE since two acres of water right were reserved, and six acres of land and appurtenant water right was not conveyed. However, the Department processed the ownership change split with the child right receiving 18 acres, but the GIS shape depicted the reserved six-acre parcel as part of the parent right. During processing of transfer 86460, this discrepancy was discovered, and the applicant provided a copy of a second conveyance document from 2019, wherein the Schelhorns conveyed the six-acre parcel along with all appurtenances, etc... That deed is attached to this memorandum to augment the ownership change documentation from 2019 and support that the Godfreys were conveyed 18 acres of 63-32256. To avoid confusing overlap of the two water rights, the GIS shape for the two acres of 63-32256 in the SESE is depicted as the remnant of the north half of the SESE that the Godfreys omitted from the place of use for their 18 acres authorized under the child right 63-34871.

SUPPORT DATA
IN FILE # 63-32256

SCANNED
SEP 22 2023

PioneerTitleCo.
GOING BEYOND

5680 E. Franklin Rd., Ste. 150
Nampa, ID 83687

ELECTRONICALLY RECORDED-DO NOT REMOVE THE COUNTY STAMPED FIRST PAGE AS IT IS NOW INCORPORATED AS PART OF THE ORIGINAL DOCUMENT

2019-010567
RECORDED
03/15/2019 03:26 PM
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=2 DLSTEPHENS $15.00
TYPE: DEED
PIONEER TITLE CANYON - CALDWELL
ELECTRONICALLY RECORDED

File No. 674532 KC/DM

WARRANTY DEED

For Value Received Timothy J. Schelhorn and Julie M. Schelhorn, husband and wife hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Scott J. Godfrey and Stephanie J. Godfrey, trustees of the Godfrey Living Trust dated April 2, 2004 hereinafter referred to as Grantee, whose current address is 2930 Garrity Blvd Nampa, ID 83687
The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the 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 U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: March 12, 2019

Timothy J Schelhorn

Julie M Schelhorn

State of Idaho, County of Canyon

This record was acknowledged before me on March 15th, 2019 by Timothy J Schelhorn and Julie M Schelhorn

Signature of notary public
Commission Expires:

Residing in Middleton, Idaho
Commission Expires: 03-11-2020

KRISTI COX
COMMISSION #37722
NOTARY PUBLIC
STATE OF IDAHO

SCANNED
SEP 22 2023

PioneerTitleCo.
GOING BEYOND

5680 E. Franklin Rd., Ste. 150
Nampa, ID 83687

ELECTRONICALLY RECORDED-DO NOT REMOVE THE COUNTY STAMPED FIRST PAGE AS IT IS NOW INCORPORATED AS PART OF THE ORIGINAL DOCUMENT

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CANYON COUNTY RECORDER
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Dated: March 12, 2019

Timothy J Schelhorn

Julie M Schelhorn

State of Idaho, County of Canyon

This record was acknowledged before me on March 15th, 2019 by Timothy J Schelhorn and Julie M Schelhorn

Signature of notary public
Commission Expires:

Residing in Middleton, Idaho
Commission Expires: 03-11-2020

KRISTI COX
COMMISSION #37722
NOTARY PUBLIC
STATE OF IDAHO

SCANNED
SEP 22 2023

EXHIBIT A

A parcel of land being a portion of the North Half of the Southeast Quarter of the Southeast Quarter, Section 14, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho and more particularly described as follows:

Commencing at an iron pin marking the corner common to Sections 14, 13, 24 and 23, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho; thence
North 0° 04' 30" West a distance of 660.82 feet along the boundary between said Sections 14 and 13 to a point marking the Southeast 1/64 corner of said Section 14 and 13, said point having a Half inch iron pin set as a witness corner at
South 89° 21' 43" West a distance of 25.00 feet from the point. Said point being the Real Point of Beginning; thence
South 89° 21' 43" West a distance of 850.00 feet along the Southeast 1/64 line of said Section 14 to an iron pin; thence
North 0° 04' 30" West a distance of 330.00 feet to an iron pin; thence
North 89° 21' 43" East a distance of 850.00 feet to a point on the said boundary between Sections 14 and 13, said point having an iron pin set at
South 89° 21' 43" West a distance of 25.00 feet from the said point as a witness corner; thence
South 00° 04' 30" East a distance of 330.00 feet to the POINT OF BEGINNING.

SCANNED
SEP 2 2 2023

Olson, Aaron

From: Graves, Lori <Lori.Graves@hdrinc.com>
Sent: Thursday, July 20, 2023 9:09 AM
To: Miller, Nick; Olson, Aaron
Subject: RE: Godfrey Transfer
Attachments: 9135 Sky Ranch rd Warranty Deed.pdf

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Hi Nick and Aaron,
Attached is the requested warranty deed indicating water was not withheld. Thanks.

Lori Graves, Sr. Water Rights Specialist
D 208.872.9519 M 208.850.4601

hdrinc.com/follow-us

From: Miller, Nick <Nick.Miller@idwr.idaho.gov>
Sent: Wednesday, July 19, 2023 2:46 PM
To: Graves, Lori <Lori.Graves@hdrinc.com>
Cc: Skinner, Aaron <Aaron.Skinner@idwr.idaho.gov>; Olson, Aaron <on.Olson@idwr.idaho.gov>
Subject: RE: Godfrey Transfer

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Lori,

Aaron Olson is processing this application (Aaron Skinner has moved to the State Office).

As I read the deed, the first part describes 40 acres:

SCANNED
SEP 22 2023

EXHIBIT A

A parcel of land being the North ½ of the South ½ of the Southeast ¼ of Section 14, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho and more particularly described as follows:

Beginning at the South East Corner of Section 14, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho;

Thence North 0° 04'30" West along the Easterly Boundary of Said Section 14 a distance of 660.82 feet to a point being the South-South 1/64 corner on the easterly boundary of Said Section 14; said point being the REAL POINT OF BEGINNING;

Thence South 89° 21'43" West a distance of 2652.70 feet to a point marking the Center-South-South 1/64 Corner o Said Section 14;

Thence North 00° 04'27" West a distance of 661.31 feet to a point marking the Center-South 1/16 Corner of Said Section 14;

Thence North 89° 22'21" East a distance of 2652.68 feet to a point marking the South 1/16 Corner on the Easterly Boundary of Said Section 14;

Thence South 00° 04'30" East a distance of 660.82 feet along the Said Easterly Boundary of Section 14 to the REAL POINT OF BEGINNING.

<u>But the next part excepts about 6 acres:</u>

EXCEPTING THEREFROM the following described parcel:

A parcel of land being a portion of the North Half of the Southeast Quarter of the Southeast Quarter, Section 14, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho and more particularly described as follows:

Commencing at an iron pin marking the corner common to Sections 14, 13, 24 and 23, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho; thence
North 0° 04' 30" West a distance of 660.82 feet along the boundary between said Sections 14 and 13 to a point marking the Southeast 1/64 corner of said Section 14 and 13, said point having a Half inch iron pin set as a witness corner at
South 89° 21' 43" West a distance of 25.00 feet from the point. Said point being the Real Point of Beginning: thence
South 89° 21' 43" West a distance of 850.00 feet along the Southeast 1/64 line of said Section 14 to an iron pin; thence
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From: Graves, Lori <Lori.Graves@hdrinc.com>
Sent: Wednesday, July 19, 2023 2:33 PM
To: Miller, Nick <Nick.Miller@idwr.idaho.gov>
Cc: Skinner, Aaron <Aaron.Skinner@idwr.idaho.gov>
Subject: Godfrey Transfer

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SCANNED
SEP 22 2023

Hi Nick and Aaron,
The attached warranty deed only describes 34 acres? Can you let me know which 6 acres are not included? Is it

Lori Graves
Sr. Water Rights Specialist

HDR | SPF
412 E Parkcenter Blvd, Ste 100
Boise, ID 83706
D 208.872.9519 **M** 208.850.4601
Lori.Graves@hdrinc.com

hdrinc.com/follow-us

SCANNED
SEP 22 2023

RECEIVED
JUN 30 2022
WATER RESOURCES
WESTERN REGION

HDR | SPF

June 27, 2022

Scott Storms
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Application for Transfer

Dear Scott,

Enclosed on behalf of Godfrey Living Trust, is an *Application for Transfer* proposing a point of diversion change for water right 63-34871. Check #2210 is enclosed for the $500 application filing fee and $125 well upgrade fee.

Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

HDR Engineering, Inc.

Lori Graves

Lori Graves
Sr. Water Rights Specialist

Cc: Scott Godfrey, John Marshall

Enclosers: application, check

hdrinc.com

HDR | SPF, 300 E. Mallard Dr., Suite 350, Boise, ID 83706
(208) 872-9500

SCANNED
SEP 22 2023