

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 63-161BZ  
Date Received: 9/8/1989  
Receipt No: X777777  
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

TOM J OCAMICA Phone: (208)286-7000  
RT 1  
STAR RIVER RANCH  
STAR ID USA 83669

EVERGREEN DEVELOPMENT Phone:  
112 GARLAND  
NAMPA ID USA 83651

2. Date of Priority: 05/01/1866

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 03N      | 02E   | 9       | NW NW                 | ADA    |      |

5. Description of diverting works:

Concrete diversion dam in river to earthen laterals.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 03/15 | 11/15 | 0.01   |            |

7. Total Quantity Appropriated is:  
0.01 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
| 04N      | 01E   | 33      | SW         | NW  | IRRIGATION    | 4     |
|          |       |         |            |     | Section Acres | 4     |
|          |       |         |            |     | Total Acres   | 4     |

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Decreed

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

NOV 25 2005

Department of Water Resource

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.  
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

| Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

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WATER RESOURCES  
WESTERN REGION

2. The following **REQUIRED** information must be submitted with this form:
- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):  
**PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).  
**OR**  
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former  
Owner/Claimant(s)

Evergreen Development &  
Tom Ocamica

4. New Owner/Claimant(s)

WESTCHESTER PLACE

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

5601 W STATE STREET, STE 203

City, State and ZIP Code

BOISE, ID 83714

New Telephone Number

208 939-6000

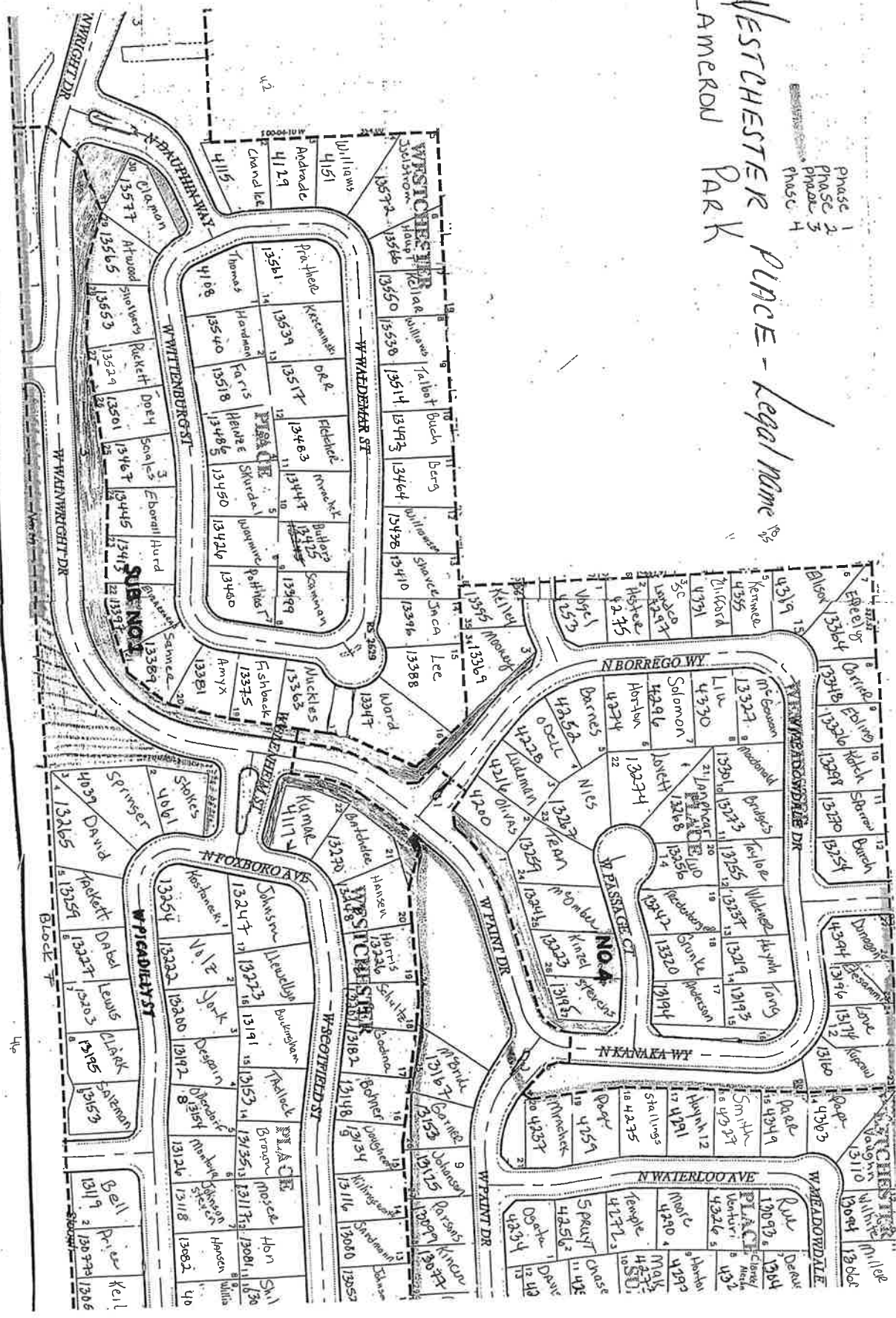
5. Date you acquired the property

9-20-99

WESTCHESTER  
AMERON PARK

PRICE - Legal Name

Phase 1  
Phase 2  
Phase 3  
Phase 4



**FILED**

99 SEP 20 AM 11:28

SECRETARY OF STATE  
STATE OF IDAHO

## ARTICLES OF INCORPORATION

OF

WESTCHESTER PLACE HOMEOWNERS' ASSOCIATION, INC.

\* \* \* \* \*

The undersigned, acting as incorporator of a corporation under the Idaho Nonprofit Corporation Act, adopts the following Articles of Incorporation for such corporation.

ARTICLE 1. NAME: The name of the corporation shall be Westchester Place Homeowners' Association, Inc. This corporation is a nonprofit corporation.

**ARTICLE 2. DURATION:** The duration of this corporation shall be perpetual.

ARTICLE 3. PURPOSE AND POWERS: The purposes for which the corporation is organized are to engage in all such activities as are incidental or conducive to the attainment of the objectives of the corporation and any other activities which are permitted to be done by a nonprofit corporation under any laws that may now or hereafter be applicable or available to this corporation. Without limiting the foregoing, it is expressly provided hereby that:

- (a) The corporation shall exercise all of the powers and privileges and perform all of the duties and obligations of the corporation as set forth in the Declaration of Covenants, Conditions and Restrictions for Westchester Place Subdivision No. 1 recorded on November 21, 1996 as Instrument No. 96096349, records of Ada County, Idaho and as set forth in the Declaration of Covenants, Conditions and Restrictions for Westchester Place Subdivision No. 2 recorded on July 9, 1997 as Instrument No. 97054466, records of Ada County, Idaho, and as set forth in the Declaration of Covenants, Conditions and Restrictions for Westchester Place Subdivision No. 3 recorded on May 22, 1999 as Instrument No. 98049839, records of Ada County, Idaho, and as set forth in the Declaration of Covenants, Conditions and Restrictions for Westchester Place Subdivision No. 4 recorded on June 29, 1999 as Instrument No. 99064941, records of Ada County, Idaho <sup>IDAHO STATE PUBLIC SUFFICIENT</sup> collectively referred to as the "Declaration"), as the same have been or may be amended from time to time as therein provided, said Declaration being <sup>89/28/1239</sup> ~~as set forth herein~~ <sup>2512A0</sup> as set out at length.

1 @ 30.00 = 30.00 INC NOMP II 2

C 130504

persons who shall serve as directors until the first meeting of the members and until their successors are elected and qualify, or unless they resign or are removed, are:

Dennis Thornton

2821 Northup Way  
Bellevue, WA 98004

Tim Price

2821 Northup Way  
Bellevue, WA 98004

Ralph Gregory

2821 Northup Way  
Bellevue, WA 98004

ARTICLE 8. INCORPORATOR: The name and address of the incorporator are as follows:

Ralph Gregory  
2821 Northup Way  
Bellevue, WA 98004

ARTICLE 9. AMENDMENT OF ARTICLES AND BYLAWS: These Articles may not be amended without at least 66-2/3% of the membership votes being cast in support of such amendment.

ARTICLE 10. DISSOLUTION: Upon dissolution or final liquidation of the corporation, the assets of the corporation shall be dedicated to a public body or conveyed to a nonprofit organization with similar purposes.

ARTICLE 11. LIMITATION OF LIABILITY: A director of this corporation shall not be personally liable to this corporation or its members for monetary damages for breach of fiduciary duty as a director, except for liability (i) for any breach of the director's duty of loyalty to this corporation or its members, (ii) for acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law, or (iii) for any transaction from which the director derived any improper personal benefit. If the Idaho Nonprofit Corporation Act (the "Act") is amended to authorize corporate action further eliminating or limiting the personal liability of directors, then the liability of a director of this corporation shall be eliminated or limited to the fullest extent permitted by the Act as so amended. Any repeal or modification of this Article 11 by the members of the corporation shall not adversely affect any right or protection of a director of the corporation existing at the time of such repeal or modification.

EXECUTED in duplicate this 15th day of SEPTEMBER 1999, by the undersigned incorporator.

  
Ralph Gregory



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

RECEIVED

NOV 25 2005

Department of Water Resources

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

November 8, 2005

RECEIVED NOV 14 2005

RECEIVED

NOV 28 2005

WATER RESOURCES  
WESTERN REGION

WESTCHESTER PLACE HOMEOWNERS  
109 S 4<sup>TH</sup> ST 9601 W STATE ST. #203  
BOISE ID 83702

RE: Snake River Basin Adjudication (SRBA)  
Water Right No. 63-161BG

Dear Sir or Madam:

We have been advised you may be the new owner of the property with the water right referenced above (see enclosed report).

Before we can modify our records to reflect your ownership for a portion of this water right, we need to have the enclosed Notice of Change of Water Right Ownership form completed. Please follow the instructions included with this form and return to our office with all of the required information.

If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

Adjudication Section  
Western Region

LH:1  
Enclosures

*Attached is our map for Cameron Park  
and the signed Notice.*

*Thank you! if you have further questions,  
please call or write to the address above.*

*Pam Engelhardt - 939-6000  
for the Board  
Westchester Place HOA*

split  
portion

SENNW

SENNW

SENNW

SENNW

3

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A63-00161BG  
Date Received: 9/08/1989  
Receipt No: C011305  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: TOM OCAMICA  
Address: RT 1  
STAR, ID 83669  
OR  
Name: EVERGREEN DEVELOPMENT  
Address: 112 GARLAND  
NAMPA, ID 83651  
208-286-7000
2. Date of Priority: MAY 01, 1866
3. Source: BOISE RIVER Trib. to: SNAKE RIVER
4. Point of Diversion:  

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 03N      | 02E   | 9       | NW     | NW     |     |     | ADA    |
5. Description of diverting works:  
CONCRETE DIV. DAM IN RIVER TO EARTHEN LATERALS
6. Water is used for the following purposes:  

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.160 |      |        |
7. Total Quantity Appropriated is:  
0.160 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 210.0 Acre Feet Per Annum.
9. Non-irrigation uses:  
NA

10. Place of Use:

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 04N           | 01E   | 33      | SW     | NW  |     | IRR | 20.0  |
|               |       |         | SE     | NW  |     | IRR | 40.0  |
| Section Acres |       |         |        |     |     |     | 60.0  |
| Total Acres   |       |         |        |     |     |     | 60.0  |

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:  
63-230, 63-231, 63-5262, 63-3618, 63-3614

14. Remarks:  
TRANS. 991.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

FARMERS CO-OP DITCH CO.

Decree Plaintiff

vs

RIVERSIDE IRR. DIST.

Decree Defendant

16. Signature(s)

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

Number of attachments: \_\_\_\_\_

**For Individuals:**

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of \_\_\_\_\_ ) SS.

Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

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

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

CIVIL CASE NUMBER: 39576

Ident. Number

**Date Received**

Receipt Number

9-08-89

0011305

**NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW**

**Please type or print clearly**

1. Name of Claimant (s) See Exhibit D Phone ( )

**Mailing Address** \_\_\_\_\_ **Zip** \_\_\_\_\_

2. Date of Priority (Only one (1) per claim) May 1, 1856

3. Source of water supply (a) Boise River  
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 3N Range 2E Section 9,  
1/4 of NW 1/4 of NW 1/4, Govt. Lot, \_\_\_\_\_ B.M., County of \_\_\_\_\_

Additional points of diversion if any: \_\_\_\_\_

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

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4,

Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_

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

1/4, Govt. Lot      B.M., County of \_\_\_\_\_

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates , Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Reinforced concrete diversion dam in river to earthen canal, to earthen lateral ditch system.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3/15 to 11/15 amount .16 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) .16 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is 210 acre feet per annum.

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

10. Description of place of use:

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

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

| TWP | RNG | SEC | NE 1/4 |       |       |       | NW 1/4 |       |       |       | SW 1/4 |       |       |       | SE 1/4 |       |       |       | Totals |
|-----|-----|-----|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|
|     |     |     | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 |        |
| 4N  | 1E  | 33  |        |       |       |       |        |       | 20    | 40    |        |       |       |       |        |       |       |       | 60     |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |

Total number of acres irrigated 60

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.  
Water Right Nos. 63-0230, 63-0231, 63-05262, 63-03618, and 63-03614 or None ( )

14. Remarks: A power of attorney (Exhibit A) provides written authorization  
for the Chairman of Settlers Irrigation District to file this claim.  
This water right is evidenced by transfer no. 991 (Exhibit C).

Last Name Ocamica, etc. Ident No. \_\_\_\_\_

**MICROFILMED**  
Copies: White-State, Yellow-Claimant  
**AUG 17 1992**

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

Decree X

If applicable provide IDWR Water Right Number 63-0161

Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_

Plaintiff vs Defendant \_\_\_\_\_

16. Signature (s)

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

Number of attachments 4

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

Signature of Claimant (s) \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_

**For Organizations:** I do solemnly swear or affirm that I am Chairman \_\_\_\_\_

Title

of Settlers Irrigation District \_\_\_\_\_, that I have signed the foregoing

Organization

document in the space below as Chairman \_\_\_\_\_ of Settlers Irrigation District

Title

Organization

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

Signature of Authorized Agent D. Or Smith \_\_\_\_\_

Title and Organization Chairman / President \_\_\_\_\_ Date 9/5/89

State of Idaho/or \_\_\_\_\_ )  
County of Ada ) SS.

Subscribed and sworn (or affirmed) before me this 5<sup>th</sup> day of Sept 19 89

SEAL

Notary Public Zeferino B. Bicaudi

Residing at Meridian, Id

My Commission Expires 8-1-93

Please Print Name

17. Notice of Appearance:

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

Signature \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

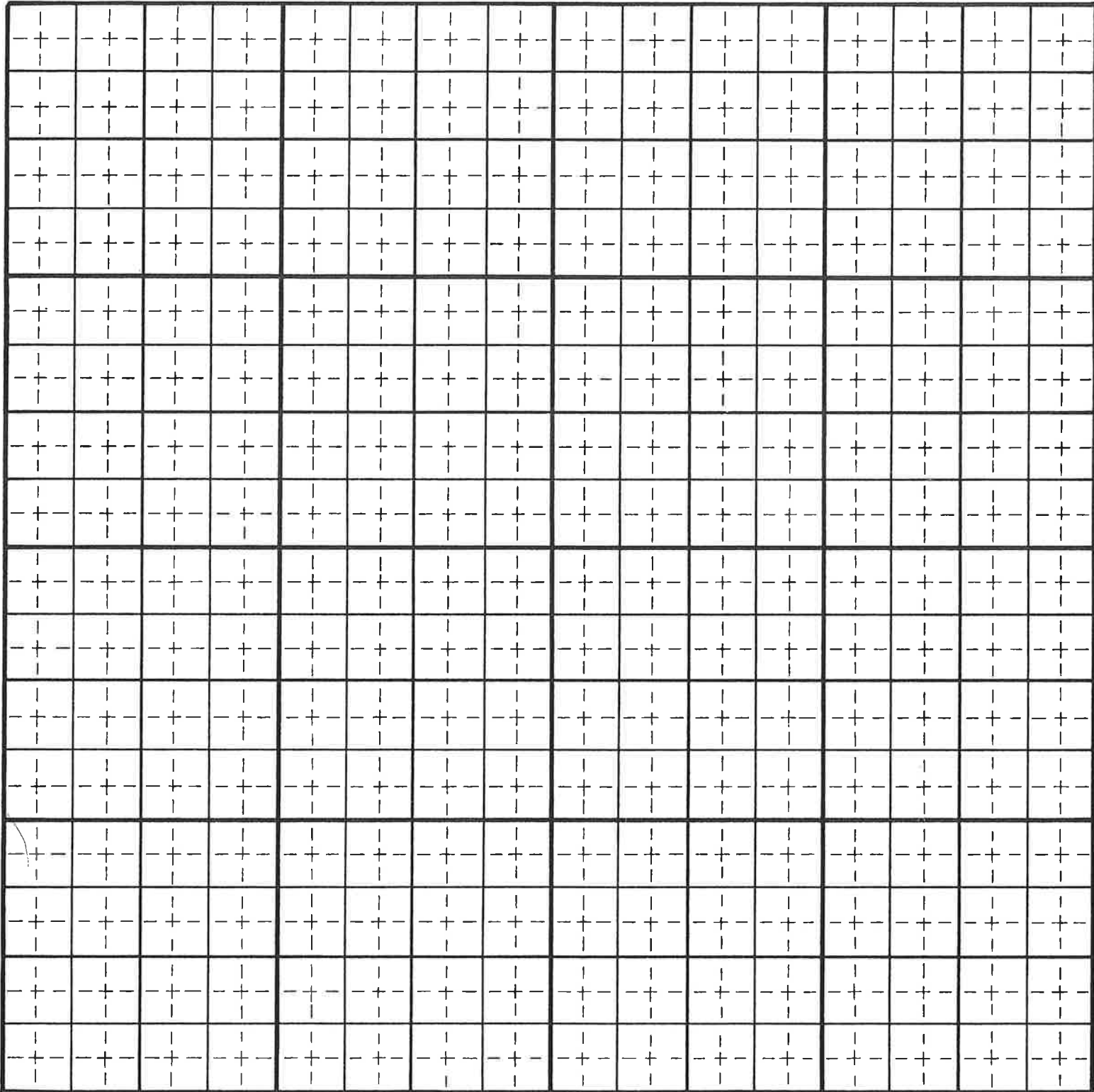
Last Name Ocamica, etc. Ident. Number \_\_\_\_\_

Copies White & Yellow Clakman  
**MICROFILMED**  
**AUG 17 1992**

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

Scale: 2 inches equals 1 mile

See Exhibit B



Last Name Ocamica, etc. Ident No. \_\_\_\_\_

**MICROFILMED**  
Copies: White-State, Yellow-Claimant  
**AUG 17 1992**

Water Right Number - 63-00161BG Adj. Flag Translation: Standard Water Right Number Old (D) Number -  
+ - - - - Last Name - - - - + + - - - - - Address - - - - - +

\*\*\* C - CURRENT OWNER \*\*\*  
CONSUMERS WATER CORP.

1 -  
2 -  
3 -  
City-  
Phone -

State- Zip-

\*\*\* O - ORIGINAL OWNER \*\*\*  
PERRAULT

JOSEPH

1 -  
2 -  
3 -  
City-  
Phone -

State- Zip-

JOHNSON

RICHARD Z.

1 -  
2 -  
3 -  
City-  
Phone -

State- Zip-

+ - - Priority Date - - + + - - - Region - - - + + - - Stage - - - + + - - Status - - - +  
05/01/1866 14 D - DECREED

+ - - Source - - - - - + + - - - - Tributary - - - - - + + - - - -  
BOISE RIVER SNAKE RIVER

+ - - - - - - - - - - - Point of Diversion - - - - - Stream Index (Blank if no Index Code) - - - - - +  
Twn Rng Sec Tract Lot RFlg County

03N 02E 9 NW NW ( 1 ) ADA

+ - - - - - - - - - - - Water Use - - - - - Diversion Rate Diversion Volume - - - - - +  
Code Description Period From Period To

01 - IRRIGATION

0.160

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - + + - - Total Consumptive Use - + + - - KW Usage - - +  
0.160

+ - - - - - - - - - - - Place of Use - - - - - Description - - - - - County - - - - - +  
Twn Rng Sec Tract Lot Acres Code

04N 01E 33 SW NW 01 IRRIGATION  
04N 01E 33 SE NW 01 IRRIGATION

( 1 ) ADA  
( 1 ) ADA

Total Acres:

+ - - Diversion Means -  
- - - Non-Irrigation Use -  
- - - Other Rights for Same Use -

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AUG 17 1992

**MICROFILMED**  
**AUG 17 1992**

#971

LIMITED POWER OF ATTORNEY

I/We do hereby authorize and appoint Settlers Irrigation District and its duly elected and authorized officers and their agents to take all actions necessary or appropriate to prepare or cause to be prepared Notice of Water Right Claims and to execute and file the same on our behalf with the Idaho Department of Water Resources.

This authorization is limited to those Notice of Water Right Claims which describe and refer to water rights which allow the diversion and delivery of surface water from the Boise River through the Settlers Irrigation District water diversion and delivery system.

Aug 10 - 1989  
Date

TOM J. OCAMICA  
Signature

Tom J. Ocamica  
(Please print full name)

Aug 10 - 1989  
Date

Marie L. Ocamica  
Signature

MARIE L. OCAMICA  
(Please print full name)

MICROFILMED  
AUG 17 1992  
EXHIBIT A

#991

LIMITED POWER OF ATTORNEY

I/We do hereby authorize and appoint Settlers Irrigation District and its duly elected and authorized officers and their agents to take all actions necessary or appropriate to prepare or cause to be prepared Notice of Water Right Claims and to execute and file the same on our behalf with the Idaho Department of Water Resources.

This authorization is limited to those Notice of Water Right Claims which describe and refer to water rights which allow the diversion and delivery of surface water from the Boise River through the Settlers Irrigation District water diversion and delivery system.

August 27, 1989  
Date

Alvin G. Stoeger  
Signature

ALVIN G. STOEGER - MANAGING PARTNER  
(Please print full name)

August 27, 1989  
Date

Vera Zoe Stoeger  
Signature

VERA ZOE STOEGER  
(Please print full name)

MICROFILMED

AUG 17 1992

EXHIBIT A

## IRRIGATION WATER SOURCES

Data based on 1975 agricultural season



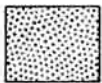
Private groundwater diversions



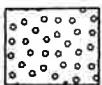
Combined small district and private Boise River diversions



Boise - Kuna Irrigation District (Boise River diversion)



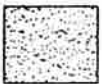
Eagle Island Water Users (Boise River diversion)



Farmers Union Ditch Co. (Boise River diversion)



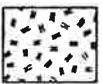
Little Pioneer Ditch Co. (Boise River diversion)



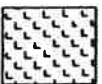
Nampa - Meridian Irrigation District (Boise River diversion)



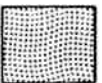
New York Irrigation District (Boise River diversion)



Pioneer Irrigation District (Boise River diversion)



Settlers Irrigation District (Boise River diversion)



Private Boise River tributary diversions



District surface water and supplemental private groundwater diversion

MICROFILMED

AUG 17 1992

EXHIBIT

B

Blumberg No. 5110



STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Certificate of Water Right  
Transferred Right No. 991

THIS IS TO CERTIFY, That Consumers Water Corporation, through G. S. TAYLOR, President, 414 First National Bank Building, Boise, Idaho, is the owner of and using a certain water right for 2500 inches, or 50 cubic feet per second, of the waters of Boise River, with priority of May 1, 1866, decreed to Joseph Perrault and Richard Johnson, by Judge George H. Stewart for the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Canyon, in the case of

FARMERS COOPERATIVE DITCH CO.  
a corporation,

Plaintiff

vs.

RIVERSIDE IRRIGATION DISTRICT, Ltd.,  
a corporation, et al

Defendants

said decree bearing date of January 18, 1906, and being appurtenant to the following described lands, to-wit:

Town lots and agricultural lands lying under what is known as the Walling Ditch or Consumers Canal, in Sections 11, 12, 13 and 14, Township 3 North, Range 2 East, B.M., and Sections 28, 29, 32, 33 and 34, Township 4 North, Range 2 E.B.M.,

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 5 of Decrees, beginning at Page 410 thereof;

Water

That the said Consumers Corporation has become the owner of said water right through mesne conveyance;

And that now, upon the application of the Consumers Water Corporation, through G. S. Taylor, President, for a Certificate of Transfer of Water Right, made before the State Reclamation Engineer of the State of Idaho, and the said application having been granted, the right to the use of 0.16 cubic feet per second of the waters of Boise River upon the above described lands is hereby abandoned, and the lands to be irrigated under such right and to which the water right HEREBY CONFIRMED, shall become appurtenant by this Certificate for irrigation and domestic purposes as described as follows, to-wit:

S3SW1/4, SE1/4, Section 33,  
Township 4 North, Range 1 E.B.M.,  
and known as the Charles G. Hyde  
Tract;

EXHIBIT C

That said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

0.16 cubic feet per second, or 8 miners inches, with priority of May 1, 1866;

That the water right hereby transferred has heretofore been conducted to the first above described lands through the Consumers Canal with point of diversion in Section 24, Township 3 North, Range 2 E. B. M.,

That the water right hereby transferred will hereafter be conducted to the last above described lands through the Settlers Canal with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ , Section 9, Township 3 North, Range 2 E.B.M.,

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 5th day of July, 1962.

GEO. N. CARTER  
State Reclamation Engineer  
By

CARL E. TAPPAN, Assistant  
State Reclamation Engineer

EXHIBIT D

The claimants to this Notice of Claim to a Water Right (Water Right No. 63-0161/Water Right Transfer No. 991) are:

Names and Addresses

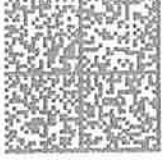
1. Tom Ocamica  
Route #1  
Star, Idaho 83669  
Telephone: (208) 286-7000
2. Evergreen Development  
112 Garland  
Nampa, Idaho 83651

MICROFILMED  
AUG 17 1992

Dept. of Water Resources  
Adjudication Bureau  
P. O. Box 83720  
Boise, ID 83720-0098

RECEIVED  
DEC 23 2005  
DEPARTMENT OF  
WATER RESOURCES

FIRST CLASS



UNITED STATES POSTAGE  
MONEY ROWLS  
02 1A \$ 00-830  
0004389393 DEC 15 2005  
MAILED FROM ZIP CODE 83701



ATTEMPTED,  
NOT KNOWN

RECEIVED

DEC 27 2005

WATER RESOURCES  
WESTERN REGION

63-1618Z

EVERGREEN DEVELOPMENT  
112 GARLAND  
Nampa ID 83651

AMK LA



Dept. of Water Resources  
Adjudication Bureau  
P.O. Box 83720  
Boise, ID 83720-0098

FIRST CLASS



UNITED STATES POSTAGE  
MONEY ORDER  
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MAILED FROM ZIP CODE 83



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UNITED STATES

RECEIVED  
DEC 20 2005  
WATER RESOURCES  
WESTERN REGION

RECEIVED  
DEC 19 2005  
DEPARTMENT OF  
WATER RESOURCES

TOM J OCAMICA  
RT 1  
STAR RIVER RANCH  
STAR ID 83669

63-161BZ

11/29/2005

IDAHO DEPARTMENT OF WATER RESOURCES  
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-161BZ

NAME AND ADDRESS: TOM J OCAMICA  
RT 1  
STAR RIVER RANCH  
STAR ID 83669

EVERGREEN DEVELOPMENT  
112 GARLAND  
NAMPID 83651

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.010 CFS

PRIORITY DATE: 05/01/1866

POINT OF DIVERSION:

T03N R02E S9 SWNE Lot 7 Within ADA County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-----------------|
| IRRIGATION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 03/01 11/15          | 0.010 CFS       |
| Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576 |                      |                 |

PLACE OF USE: IRRIGATION Within ADA County

T04N R01E S33 SWNW 4.0

4 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 63-161BG.

This right is also designated as Right No. 30 in the Boise River Stewart Decree and the Boise River Water Distribution Report. The place of use transferred under Transfer No. 991.

This right is delivered via Settlers Irrigation District Canal.