

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 63-161CA
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)

WESTCHESTER PLACE Phone: (208) 939-6000
9601 W STATE ST SUITE 203
BOISE ID USA 83714

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	0.15	

7. Total Quantity Appropriated is:
0.15 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	16
			SE	NW	IRRIGATION	40
					Section Acres	56
					Total Acres	56

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:

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

15. Basis of Claim: Decreed

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

FIRST CLASS



UNITED STATES POSTAGE
02 1A
\$ 00.83
0004389393 DEC 15 2005
MAILED FROM ZIP CODE 83701

RECEIVED

DEC 27 2005

WATER RESOURCES
WESTERN REGION

RECEIVED

DEC 23 2005

DEPARTMENT OF
WATER RESOURCES

Phoned their office 12-27-05
since this was a new owner to
verify address, error on ownership
change form.

Should be
9601 W. State St.



63-161CA

NO SUCH
NUMBER

WESTCHESTER PLACE
5601 W STATE ST SUITE 203 •
BOISE ID 83714



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
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Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	02E	9	NW NW	ADA	

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Concrete diversion dam in river to earthen laterals.

6. Water is used for the following purposes:

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IRRIGATION	03/15	11/15	0.15	

7. Total Quantity Appropriated is:
0.15 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	16
			SE	NW	IRRIGATION	40
					Section Acres	56
					Total Acres	56

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:

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 Resources

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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split

RECEIVED

NOV 28 2005

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

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

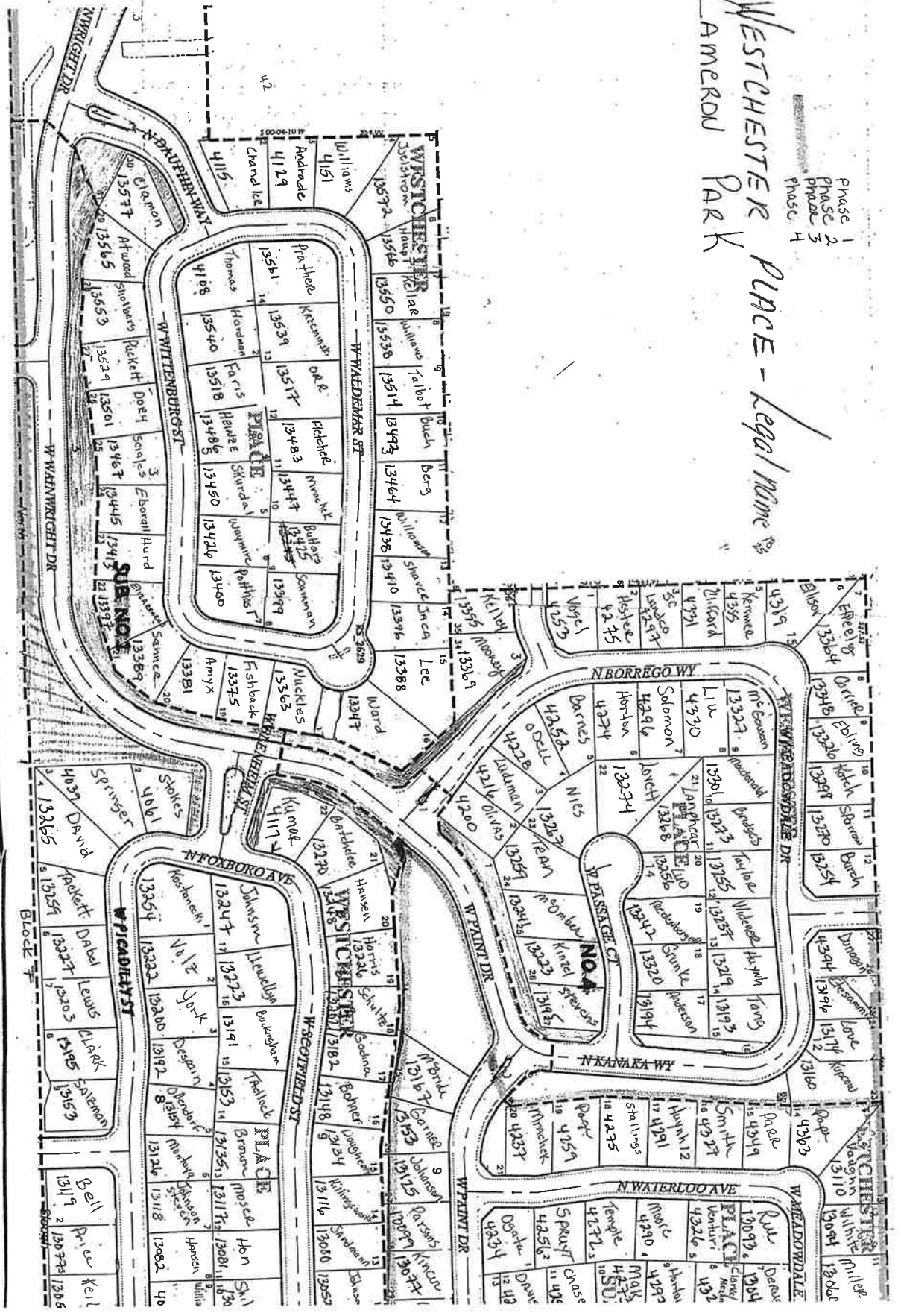
Pamella Engelhardt
Project Manager for the HAA BOARD

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by *[Signature]* Date 11-29-05 Fee N/A
 Received by *[Signature]* Date 11-2 Receipt No. _____
 Processed by *[Signature]* AJ Date 11-29-05 WR _____ Date _____

WESTCHESTER PLACE - Legal Name
 AMEROU PARK
 Phase 1
 Phase 2
 Phase 3
 Phase 4



- (b) The corporation shall fix, levy, collect and enforce payment by any lawful means, all charges or assessments, periodic or special, authorized to be made under the Declaration.
- (c) Annexation of additional properties, mergers and consolidations, mortgaging of Common Area, dissolution and amendment of these Articles shall require prior approval of the United States Department of Housing and Urban Development and/or the United States Veterans Administration as long as there is a Class B membership and provided that the said agencies then have an interest in the property which is subject to the Declaration.

ARTICLE 4. MEMBERSHIP: Every person or entity who is a record owner of a fee or undivided fee interest in any lot which is subject by covenants of record to assessment by the corporation, including contract sellers, shall be a member of the corporation. The foregoing is not intended to include persons or entities who hold an interest merely as security for the performance of an obligation. Membership shall be appurtenant to and may not be separated from ownership of any lot which is subject to assessment by the corporation.

ARTICLE 5. VOTING RIGHTS: The corporation shall have two classes of voting membership.

CLASS A. Class A members shall be all Owners, with the exception of the Declarant, and shall be entitled to one vote for each lot owned. When more than one person holds an interest in any lot, all such persons shall be members. The vote for such lot shall be exercised as they determine, but in no event shall more than one vote be cast with respect to any lot. Fractional votes shall not be allowed. The vote applicable to any said lot being sold under contract of purchase shall be exercised by the contract seller, unless the contract expressly provides otherwise.

CLASS B. Class B member(s) shall be the Declarant, as defined in the Declaration, and shall be entitled to three (3) votes for each lot owned. The Class B membership shall cease and be converted to Class A membership on the happening of either of the following events, whichever occurs first:

- (a) When the total votes outstanding in the Class A membership equal the total votes outstanding in the Class B membership, or
- (b) On December 31, 2008.

ARTICLE 6. REGISTERED OFFICE AND AGENT: The address of the initial registered office of this corporation is 7201 West Franklin, Boise, Idaho 83709, and the name of its initial registered agent at such address is Darlene Ziemer.

ARTICLE 7. DIRECTORS: The number of directors of this corporation shall be fixed by the bylaws and may be increased or decreased from time to time in the manner specified therein. The initial board of directors shall consist of three (3) directors. The names and addresses of the

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) 334-2196

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 4TH 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:l
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
4th
PORTION

SENNW

WESTQUARTER

SENNW

ESTATE
SITE

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 208-286-7000
OR
Name: EVERGREEN DEVELOPMENT
Address: 112 GARLAND
NAMPA, ID 83651

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 of	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

2011305

**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.

MICROFILMED

AUG 17 1992

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

Signature of Authorized Agent Don 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 5th day of Sept 19 89

SEAL Notary Public Joe Antonio 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 _____

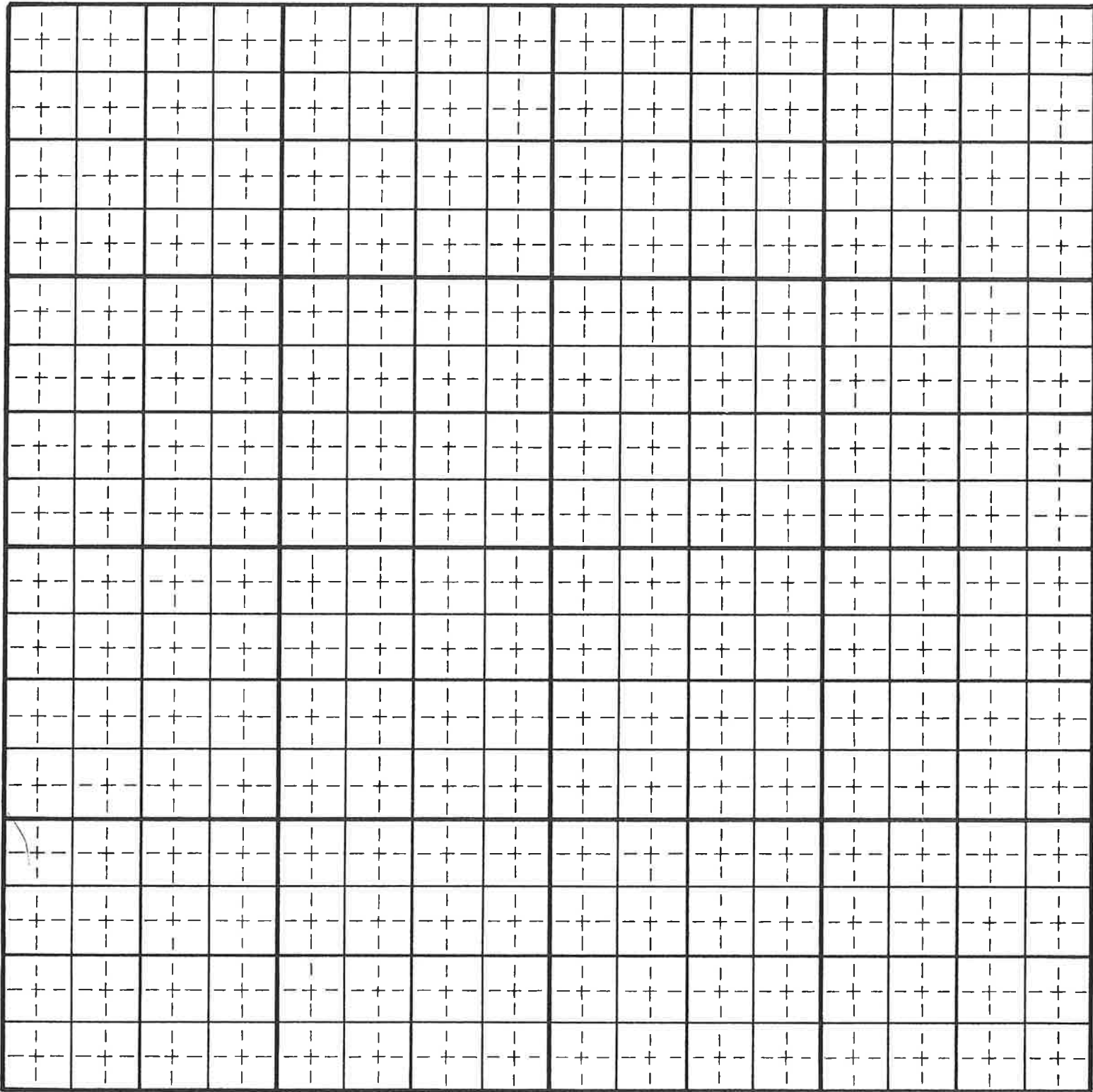
Last Name Ocamica, etc. Ident. Number _____

Copies White & Yellow Claimant
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 - - - - + + - First 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 - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

03N 02E 9 NW NW (1) ADA

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

01 - IRRIGATION

0.160

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

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

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 -

MICROFILMED
AUG 17 1992

TRANS. 991.

Remarks

Water Right Numbers - - - - -
No Old Water Right Numbers found.

- - Conditions of Approval - -
No Conditions of Approval found.

+ - - - Decree Defendant - - - +
RIVERSIDE IRR. DIST.

+ - Decree Date - +
01/18/1906

05/01/88 CONVERT

- - - Water Rights Dates and Flags Area

| | | | | | | | |
|------------------|---|------------|------------------|---|------------|------------------|----|
| Proof Due Date | - | 00/00/0000 | Field Exam Made | - | 00/00/0000 | Field Exam Fee | - |
| Approved/Denied | - | 00/00/0000 | Protested Date | - | 00/00/0000 | Swan Falls | - |
| Proof Made Date | - | 00/00/0000 | Hearing Date | - | 00/00/0000 | Temporary Right | - |
| Start Work Date | - | 00/00/0000 | Verified Date | - | 07/01/1985 | DLE/Carney Act | - |
| Order Show Cause | - | 00/00/0000 | Receipt Number | - | | Water District | 63 |
| Licensed Date | - | 00/00/0000 | Appl Received | - | 00/00/0000 | Transfer/Amended | - |
| Decree Date | - | 01/18/1906 | Presumption Flag | - | | | |

Microfilm Roll Number -

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

#994

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



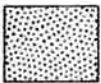
Private groundwater diversions



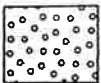
Combined small district and private Boise River diversions



Boise - Kuna Irrigation District (Boise River diversion)



Eagle Island Water Users (Boise River diversion)



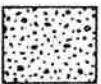
Farmers Union Ditch Co. (Boise River diversion)



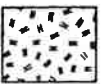
Little Pioneer Ditch Co. (Boise River diversion)



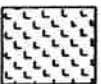
Nampa-Meridian Irrigation District (Boise River diversion)



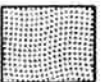
New York Irrigation District (Boise River diversion)



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

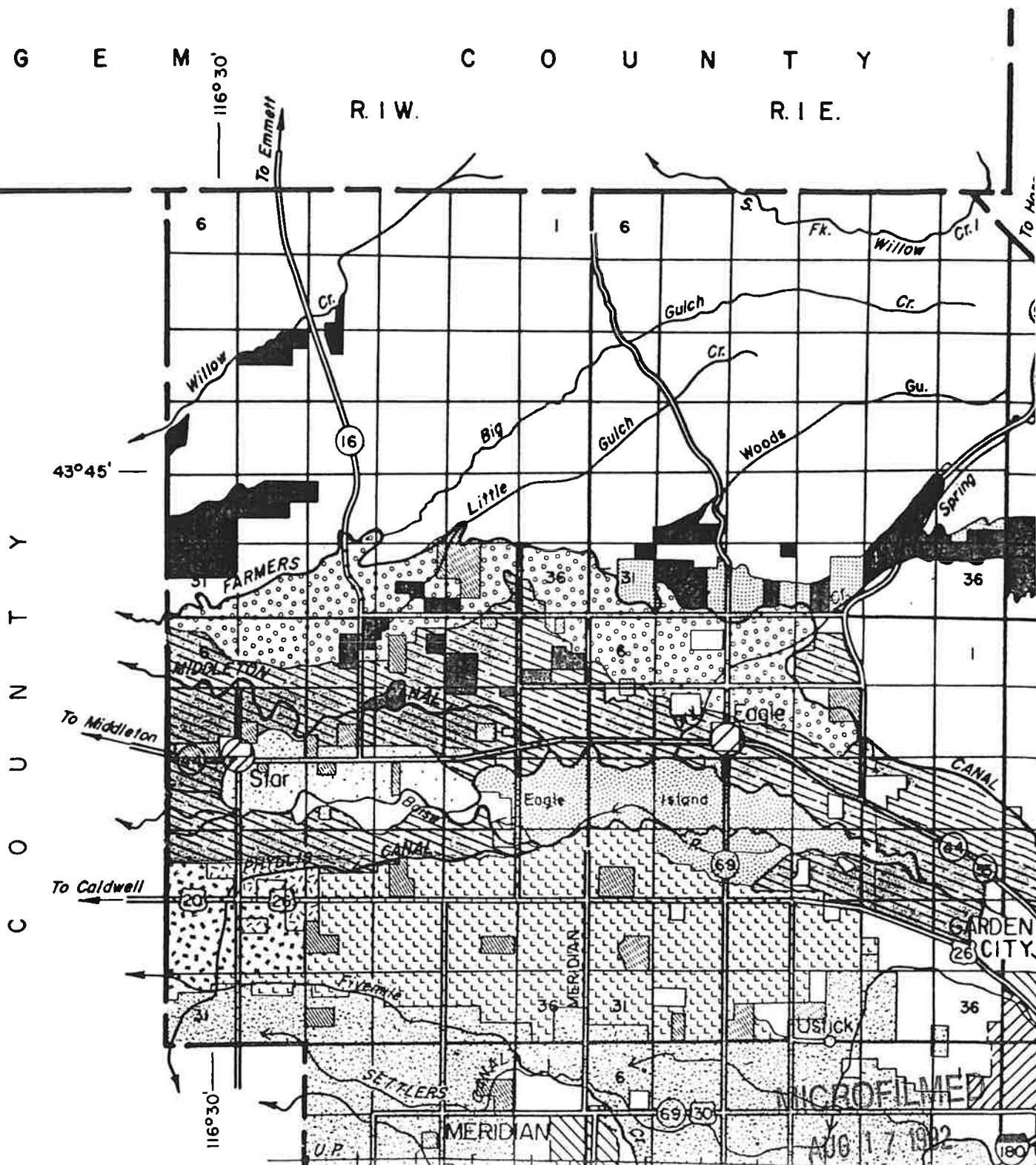
Blumberg No. 5119



G E M C O U N T Y

R. I. W.

R. I. E.



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, E.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:

SE 1/4 NW 1/4, SE 1/4, 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

11/29/2005

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

RIGHT NUMBER: 63-161CA

NAME AND ADDRESS: WESTCHESTER PLACE
5601 W STATE ST SUITE 203
BOISE ID 83714

SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.150 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 | 0.150 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 | 16.0 | T04N R01E S33 | SENW | 40.0 |
|---------------|------|------|---------------|------|------|

56 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.