STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 89467

This is to certify that: TOLL WEST INC
1140 VIRGINIA DR
FT WASHINGTON, PA 19034-3204

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
63-2851	WR/DECREED	3/12/1951	1.540 cfs	355.5 af	N/A	79.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
63-2851	YES	NO	YES	YES	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
63-2851	63-35643	0.410 cfs	94.5 af	N/A	21.0	63-2851	1.130 cfs	254.3 af	N/A	56.5
COMBINED TOTALS		**N/A**	**N/A**	**N/A**	**N/A**		**N/A**	**N/A**	**N/A**	**N/A**

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 17th day of April, 2025.

Cody Parker, Water Resources Supervisor

SUPPORT DATA
IN FILE # 63-2851

Transfer No. 89467

WATER RIGHT NO. 63-2851

As Modified by Transfer No. 89467

In accordance with the approval of Transfer No. 89467, Water Right No. 63-2851 is now described as follows:

Right Holder: TOLL WEST INC
1140 VIRGINIA DR
FT WASHINGTON, PA 19034-3204

Priority Date: 3/12/1951

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
IRRIGATION	03/01	to 11/15	1.130 cfs	254.3 af
			1.130 cfs	254.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNW	Sec 10 Twp 03N Rge 03W CANYON County
GROUND WATER	NENE	Sec 9 Twp 03N Rge 03W CANYON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N	03W	10						20.0	19.3	17.2									56.5

POU Total Acres: 56.5

CONDITIONS OF APPROVAL

1. 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 place of use.

2. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company or irrigation district deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.

3. Use of this right is combined with water from Wilder Irrigation District.

WATER RIGHT NO. 63-2851

As Modified by Transfer No. 89467

CONDITIONS OF APPROVAL

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

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

7. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 63-35643

As Modified by Transfer No. 89467

In accordance with the approval of Transfer No. 89467, Water Right No. 63-35643 is now described as follows:

Right Holder: TOLL WEST INC
1140 VIRGINIA DR
FT WASHINGTON, PA 19034-3204

Priority Date: 3/12/1951

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
IRRIGATION	03/01	to 11/15	0.410 cfs	94.5 af
			0.410 cfs	94.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNW Sec 10 Twp 03N Rge 03W CANYON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N	03W	9				9.0													9.0
03N	03W	10							12.0										12.0

POU Total Acres: 21.0

CONDITIONS OF APPROVAL

1. 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 place of use.
2. Use of this right is combined with water from Wilder Irrigation District.
3. 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.
4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 63-35643

As Modified by Transfer No. 89467

CONDITIONS OF APPROVAL

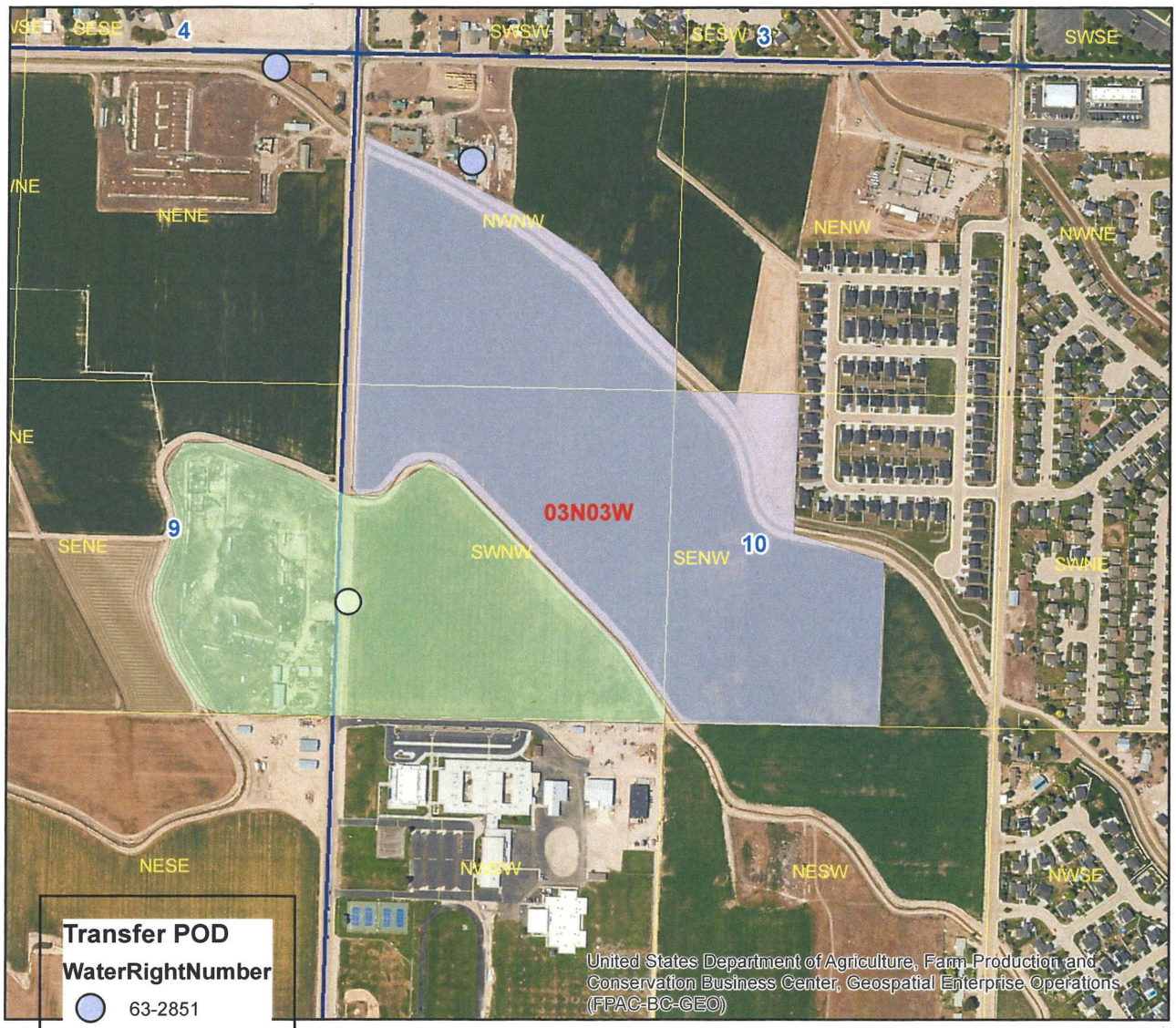
6. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

State of Idaho
Department of Water Resources

Attachment to Transfer No. 89467

Water Right(s): 63-2851 & 63-35643

This map depicts the IRRIGATION place of use at the time of this approval and is attached to the approval document solely for illustrative purposes.



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WATER RESOURCES
WESTERN REGION

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 89467

Amended 11/21/2024 Part 1

Amendment

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) Toll West Inc.

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes	N/A	
		* Means the item is always required and must be included with the application.
☑	*	Completed Application for Transfer of Water Right form, Part 1.
☑	*	Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
☑	*	Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
☑	☐	Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
☑	*	Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
☑	*	Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

☐	☑	#1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
☑	☐	#2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
☑	☐	#2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).** ** Additional fee(s) required for water right ownership changes; see fee schedule.
☐	☑	#3 Documentation of authority to make the change if the applicant is not the water right owner.
☐	☑	#4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
☐	☑	#5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at idwr.idaho.gov/water-rights/transfers/resources.html.
☐	☑	#6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
☑	*	#7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
☑	☐	#7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
☐	☑	#8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
☐	☑	#8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
☐	☑	#9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
☐	☑	#10 Other. Please describe: _____

Rev. 07-18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Toll West Inc. Phone _____

Mailing address 1140 Virginia Dr, Fort Washington, PA 19034 Email _____

☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.

☑ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.

☑ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.

☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative HDR Phone 208-872-9519

Mailing address 412 E Parkcenter Blvd, Ste 100, Boise, ID 83706 Email lori.graves@hdrinc.com

☐ Send all correspondence for this application to the representative and not to the applicant.
OR
☑ Send original correspondence to the applicant and copies to the representative.

☑ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date
	Ryan Hammons, Division President	9/3/24
Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date

A. PURPOSE OF TRANSFER

1. ☑ Change point of diversion ☐ Add diversion point(s) ☑ Change place of use
   ☐ Change nature of use ☐ Change period of use ☑ Other Split right, update ownership

2. Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
   If yes, ☐ attach an explanation and any supporting documentation labeled as **Part1A.2**.

3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.
   The water right allows supplemental use on low ground and primary use on high ground. The property is being developed and will incorporate two irrigation systems; one for high ground that will utilize primary groundwater and the other for low ground that will utilize surface water and supplemental ground water. This application and

accompanying permit application is for the low ground system. See accompanying transfer application for the water right's high ground system. The City of Caldwell Municipal Irrigation District will manage both systems upon development.

89467 - Part 1

Rev. 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1. All or Part	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☐ ☑	63-2851	1.13/261	Irrigation	3/1 to 11/15	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 1.13 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 1.13 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Y			NE	NE	9	3N	3W	Canyon	Ground Water	
Y			NW	NW	10	3N	3W	Canyon	Ground Water	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	3W	10						20	19	17.5									56.5 lg

*Low ground condensed portion to allow 0.02 cfs/acre.

Total Acres (for irrigation use) *56.5

89467 - Part 1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:
Two wells, pumps, pressurized irrigation system. Measuring devices and lockable controlling works will be accommodated upon Department request.

b. Who owns the property at the point(s) of diversion? Applicant
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien:

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete Attachment WSB.

e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
N/A - lands are subject to a residential development project. To prevent surface water expansion, the development will utilize two separate PI systems. This application represents the supplemental ground water system applicable to the development's low ground. See accompanying transfer application for high ground sys.

f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
Wilder Irrigation District surface water serves as the primary irrigation source on the development's low ground. One acre irrigation authorized for landscaping irrigation around the abandoned research center under water right 63-5361 has been forfeited due to several years of non-use. If found, the associated well will be abandoned per IDWR standards.

g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

☐ ☑ undergone a period of five or more consecutive years of non-use,
☐ ☑ currently leased to the Water Supply Bank,
☐ ☑ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☑ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

89467 - Part 1

Rev. 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ idwr.idaho.gov, Water Right Transfers, Step 1.
Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

☑ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: 63-2851 Low Ground Irrigation Portion

1. amount 1.13 cfs/261afa (cfs/ac-ft) for Irrigation purposes from 3/1 to 11/15
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	3W	10						20	19	19									58

Rev. 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

☑ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
☑ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b.**

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

The accompanying application for permit proposed supplemental ground water use from the same system for the remaining acres within the development without supplemental ground water right coverage.

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

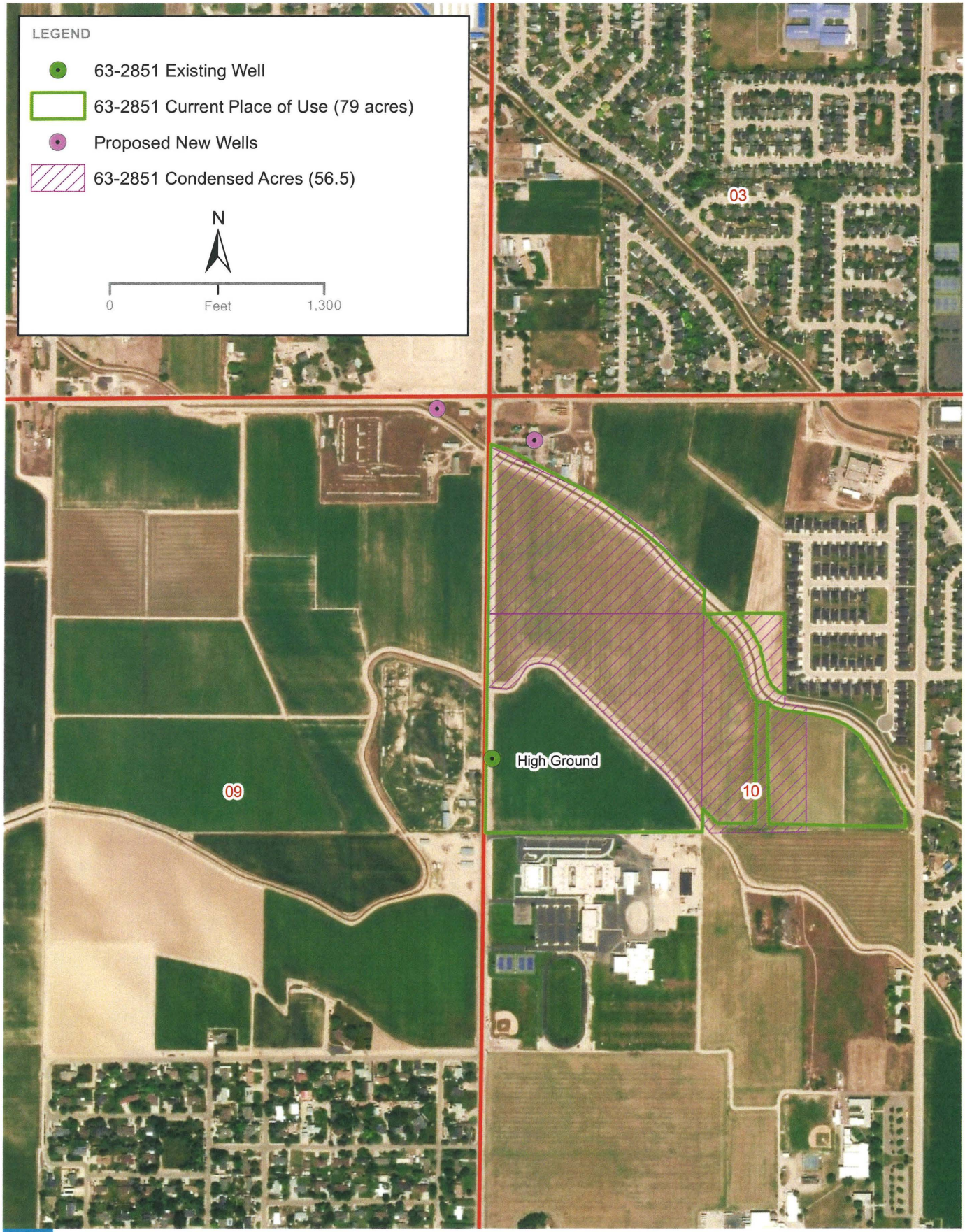
Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid _____ Date _____ Receipted by _____ Receipt # _____

Add'l fee paid _____ Date _____ Receipted by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

89467 - Part 1



HDR

89467-Part 1

ATTACHMENT 7A & 7B

VERBENA RANCH SUBDIVISION

TOLL WEST INC.

PATH: S:\PROJECTS\S THRU Z PROJECTS\T PROJECTS\TOLL BROTHERS_1358\10374911_VERBENA RANCH\PROJECT\GIS\ARCMAP_PROJECTS\SUPPLEMENTAL GW XFR MAP (AMENDED).MXD - USER: LGRAVES - DATE: 11/22/2024

PROJECT #10374911

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 89467
Amended 11/21/2024 Part 2

Amendment

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) Toll West Inc.

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☑ * Completed Application for Transfer of Water Right form, Part 1.
- ☑ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☑ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☑ ☐ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☑ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☑ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☑ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☑ ☐ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☑ ☐ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).** ** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☑ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☑ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☑ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at https://idwr.idaho.gov/water-rights/transfers/resources/.
- ☐ ☑ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☑ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☑ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☑ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☑ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☑ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☑ #10 Other. Please describe: _____

Rev. 07-18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Toll West Inc. Phone _____

Mailing address 1140 Virginia Dr, Fort Washington, PA 19034 Email _____

☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.

☑ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.

☑ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.

☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative HDR Phone 208-872-9519

Mailing address 412 E Parkcenter Blvd, Ste 100, Boise, ID 83706 Email lori.graves@hdrinc.com

☐ Send all correspondence for this application to the representative and not to the applicant.
OR
☑ Send original correspondence to the applicant and copies to the representative.

☑ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date
	Ryan Hammons, Division President	9/3/24
Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☑ Change place of use
   ☐ Change nature of use ☐ Change period of use ☒ Other Split right, update ownership

2. Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
   If yes, ☐ attach an explanation and any supporting documentation labeled as **Part1A.2**.

3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part1A.3**.

The water right allows supplemental use on low ground and primary use on high ground. The property is being developed and will incorporate two irrigation systems; one for high ground that will utilize primary groundwater and the other for low ground that will utilize surface water and supplemental ground water. This application is for the high ground system. See accompanying transfer and permit applications for the water right's low ground system. The City of Caldwell Municipal Irrigation District will manage both system upon development.

89467 - Part 2

Rev. 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1. All	or Part	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☐	☑	63-2851	0.41cfs/94.5	Irrigation	3/1 to 11/15	Ground Water
☐	☑				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	

Total authorized under rights 0.41 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.41 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

☑ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	3W	9				9													9
		10							12										12

Total Acres (for irrigation use) 21

lg

The acres listed represent 60% of the area shown on the attached transfer map.
The remaining 40% accounts for hard-scape that will result from residential development.

89467 - Part2

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:
Existing well, pump, pressurized irrigation system. Measuring devices and lockable controlling works will be accommodated upon Department request.

b. Who owns the property at the point(s) of diversion? Applicant
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien:

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete Attachment WSB.

e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
n/a - Lands are subject to a residential development project. To prevent surface water expansion, the development will utilize two separate PI systems. This application represents the primary ground water system applicable to the development's high ground. See accompanying transfer application for supplemental ground water system.

f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
None. The property is within Wilder Irrigation District's service area, but is classified "high ground" and not assessed for surface water delivery. The high ground in the SENE was a former feedlot that was not irrigated.

g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes	No	
☐	☑	undergone a period of five or more consecutive years of non-use,
☐	☑	currently leased to the Water Supply Bank,
☐	☑	currently used in a mitigation plan limiting the use of water under the right, or
☐	☑	currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

89467 - Part2

Rev. 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ idwr.idaho.gov, Water Right Transfers, Step 1.
Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

☐ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: 63-2851 Primary Irrigation Portion

1. amount 0.41/94.5 (cfs/ac-ft) for Irrigation purposes from 3/1 to 11/15
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	3W	10							21										21

Rev. 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b.**

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

_____

_____

_____

_____

_____

_____

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_____

_____

_____

_____

_____

FOR DEPARTMENT USE ONLY

Transfer contains_____pages and_____attachments.

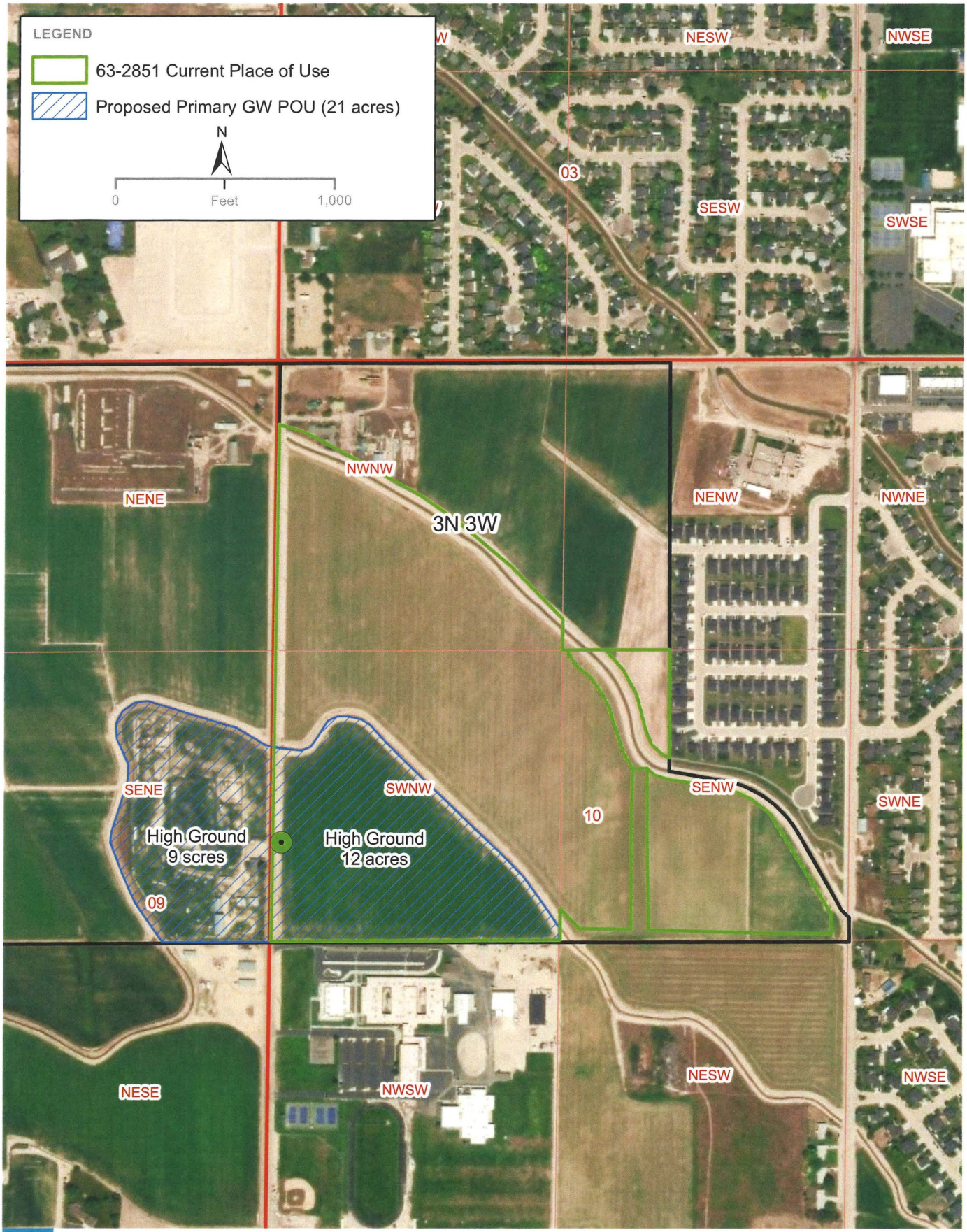
Received by_____Date_____Preliminary check by_____Date_____

Fee paid_____Date_____Receipted by_____Receipt # _____

Add'l fee paid_____Date_____Receipted by_____Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

89467 - Part 2



ATTACHMENT 7A & 7B

VERBENA RANCH SUBDIVISION

TOLL WEST INC.

PATH: S:\PROJECTS\S THRU Z PROJECTS\T PROJECTS\TOLL BROTHERS_1358\10374911_VERBENA RANCH\PROJECT\GIS\ARCMAP_PROJECTS\PRIMARY GW XFR MAP (AMENDED).MXD - USER: LGRAVES - DATE: 11/22/2024

PROJECT #10374911

89467 - Part 2

Rev. 07/18 Secondary

RECEIVED
SUPERCEDED
SEP 13 2024
DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 89467 Part 1

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) Toll West Inc.

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes	N/A	
		* Means the item is always required and must be included with the application.
☑	*	Completed Application for Transfer of Water Right form, Part 1.
☑	*	Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
☑	*	Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
☑	☐	Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
☑	*	Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
☑	*	Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

☐	☑	#1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
☑	☐	#2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
☑	☐	#2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).** ** Additional fee(s) required for water right ownership changes; see fee schedule.
☐	☑	#3 Documentation of authority to make the change if the applicant is not the water right owner.
☐	☑	#4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
☐	☑	#5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at idwr.idaho.gov/water-rights/transfers/resources.html.
☐	☑	#6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
☑	*	#7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
☑	☐	#7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
☐	☑	#8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
☐	☑	#8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
☐	☑	#9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
☐	☑	#10 Other. Please describe: _____

Rev. 07 18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Toll West Inc. Phone _____

Mailing address 1140 Virginia Dr, Fort Washington, PA 19034 Email _____

☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.

☑ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.

☑ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.

☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative HDR Phone 208-872-9519

Mailing address 412 E Parkcenter Blvd, Ste 100, Boise, ID 83706 Email lori.graves@hdrinc.com

☐ Send all correspondence for this application to the representative and not to the applicant.
OR
☑ Send original correspondence to the applicant and copies to the representative.

☑ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date
	Ryan Hammons, Division President	9/3/24
Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date

A. PURPOSE OF TRANSFER

1. ☑ Change point of diversion ☐ Add diversion point(s) ☑ Change place of use
   ☐ Change nature of use ☐ Change period of use ☑ Other Split right, update ownership

2. Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
   If yes, ☐ attach an explanation and any supporting documentation labeled as **Part1A.2**.

3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.
   The water right allows supplemental use on low ground and primary use on high ground. The property is being developed and will incorporate two irrigation systems; one for high ground that will utilize primary groundwater and the other for low ground that will utilize surface water and supplemental ground water. This application and

 89467 - Part 1

accompanying permit application is for the low ground system. See accompanying transfer application for the water right's high ground system. The City of Caldwell Municipal Irrigation District will manage both systems upon development.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1. All or Part	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☐ ☑	63-2851	1.13/261	Irrigation	3/1 to 11/15	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 1.13 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 1.13 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Y			NE	NE	9	3N	3W	Canyon	Ground Water	
Y			NW	NW	10	3N	3W	Canyon	Ground Water	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	3W	9	40	40	40	25													145
		10					15	40	20	26									101

*Limited to 58 acres irrigation within a 246-acre permissible place of use (PPU).

Total Acres (for irrigation use) *246

89467 - part 1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:
Two wells, pumps, pressurized irrigation system. Measuring devices and lockable controlling works will be accommodated upon Department request.

b. Who owns the property at the point(s) of diversion? Applicant
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien:

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete Attachment WSB.

e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
N/A - lands are subject to a residential development project. To prevent surface water expansion, the development will utilize two separate PI systems. This application represents the supplemental ground water system applicable to the development's low ground. See accompanying transfer application for high ground sys.

f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
Wilder Irrigation District surface water serves as the primary irrigation source on the development's low ground. One acre irrigation authorized for landscaping irrigation around the abandoned research center under water right 63-5361 has been forfeited due to several years of non-use. If found, the associated well will be abandoned per IDWR standards.

g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

☐ ☑ undergone a period of five or more consecutive years of non-use,
☐ ☑ currently leased to the Water Supply Bank,
☐ ☑ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☑ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

89467 - Part 1

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No.: 63-2851

Current Owner: UNIVERSITY OF IDAHO REGENTS

Priority Date: 3/12/1951

Origin: Water Right

Status: Active

Basis: Decreed

Source	**Tributary**
GROUND WATER	

Beneficial Use	**From To**	**Diversion Rate**	**Annual Volume**
IRRIGATION	03/01 to 11/15	1.54 CFS	355.5 AF
	Total Diversion	1.54 CFS	355.5 AF

Location of Point(s) of Diversion

GROUND WATER SW1/4NW1/4 Sec. 10, Twp 03N, Rge 03W B.M.
CANYON County

Place of Use

IRRIGATION Within CANYON County

T03N R03W S10	NWNW	20.00	T03N R03W S10	SWNW	40.00
T03N R03W S10	SENW	19.00			

Total Acres: 79

Conditions of Approval:

1.	C18	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.
2.	W59	Use of this right is combined with water from Wilder Irrigation District.
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.

Decreed Date: 2/6/2009

89467 - Part 1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ idwr.idaho.gov, Water Right Transfers, Step 1.
Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

☑ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: 63-2851 Supplemental Irrigation Portion

1. amount 1.13 cfs/261afa (cfs/ac-ft) for Irrigation purposes from 3/1 to 11/15
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	3W	10						20	19	19									58

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

☑ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
☑ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b.**

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

The accompanying application for permit proposed supplemental ground water use from the same system for the remaining acres within the proposed PPU without supplemental ground water right coverage.

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

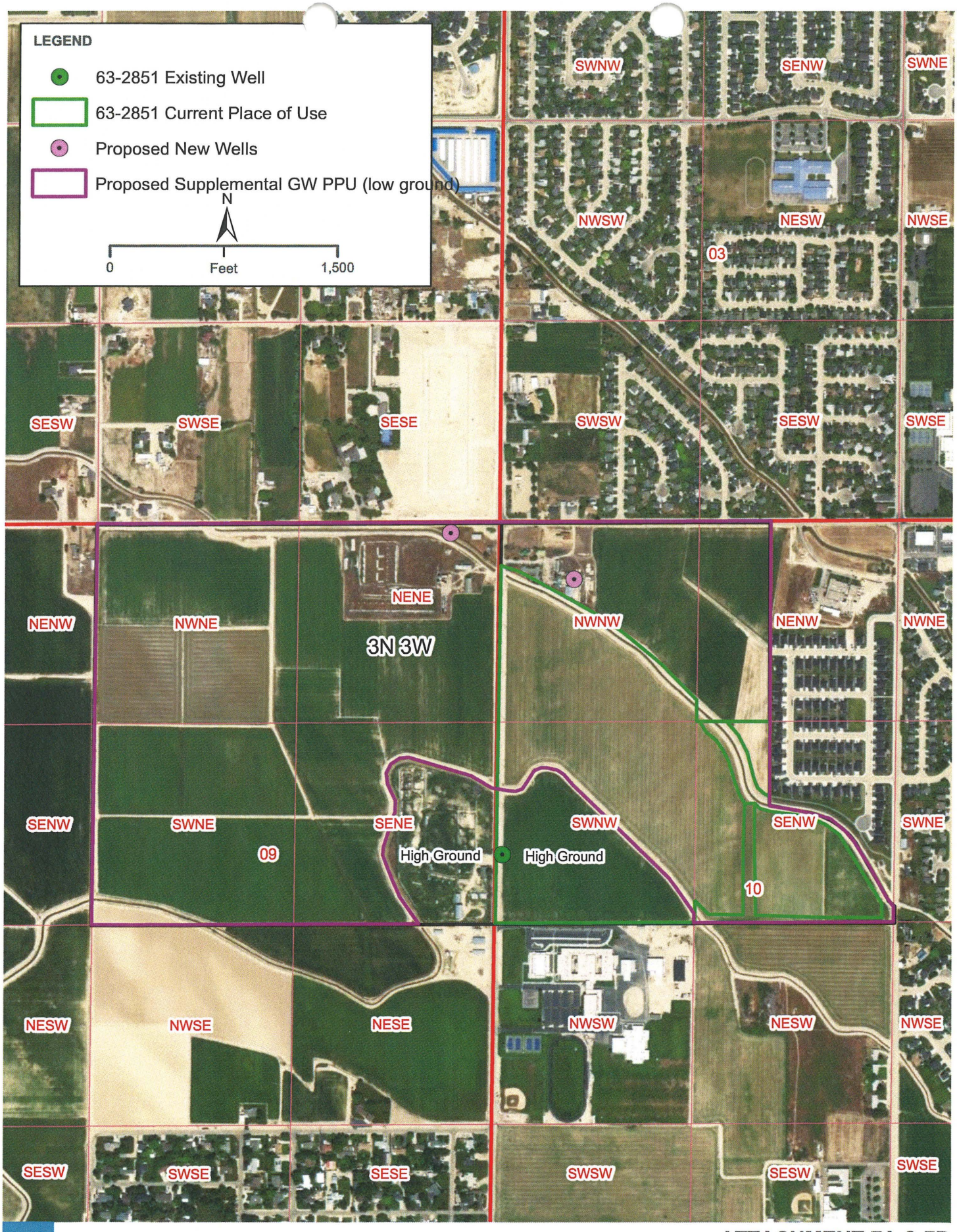
Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid $1180 Date 9/16/2024 Receipted by mjenkins Receipt # G188061

Add'l fee paid _____ Date _____ Receipted by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

89467 - Part 1



89467 Part 1

ATTACHMENT 7A & 7B

VERBENA RANCH SUBDIVISION

TOLL WEST INC.

PATH: S:\PROJECTS\S THRU Z PROJECTS\T PROJECTS\TOLL BROTHERS_1358\10374911_VERBENA RANCH\PROJECT\GIS\ARCMAP_PROJECTS\SUPPLEMENTAL GW XFR MAP.MXD - USER: LGRAVES - DATE: 6/10/2024

PROJECT #10374911

0005575823

STATE OF IDAHO

Office of the secretary of state, Phil McGrane

ANNUAL REPORT

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: $0.00

For Office Use Only

-FILED-

File #: 0005575823

Date Filed: 1/31/2024 8:23:04 AM

Entity Name and Mailing Address:

Entity Name:	Toll West Inc.
Foreign Name (name in home jurisdiction):	Toll West Inc.
The file number of this entity on the records of the Idaho Secretary of State is:	0004118624
Address	1140 VIRGINIA DR FORT WASHINGTON, PA 19034-3204

Entity Details:

Entity Status	Active-Good Standing
This entity is organized under the laws of:	DELAWARE
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:	

The registered agent on record is:

Registered Agent	UNITED AGENT GROUP INC. Commercial Registered Agent Physical Address 950 W BANNOCK ST #1100 BOISE, ID 83702 Mailing Address 950 W BANNOCK ST #1100 MICHAEL REINHOLD BOISE, ID 83702

Agent or Address Change

☐ Select if you are appointing a new agent.

Corporate Officers and Directors:

Name	Title	Business Address
Douglas C. Yearley Jr.	Director	1140 VIRGINIA DR FORT WASHINGTON, PA 19034-3204
Robert Parahus	Director	1140 VIRGINIA DR FORT WASHINGTON, PA 19034-3204
Martin P. Connor	Director	1140 VIRGINIA DR FORT WASHINGTON, PA 19034-3204
Robert Parahus	President	1140 VIRGINIA DR FORT WASHINGTON, PA 19034-3204
Kevin J. Coen	Secretary	1140 VIRGINIA DR FORT WASHINGTON, PA 19034-3204
Gregg L. Ziegler	Treasurer	1140 VIRGINIA DR FORT WASHINGTON, PA 19034-3204
Kenneth J. Greenspan	Vice President	1140 VIRGINIA DR FORT WASHINGTON, PA 19034-3204

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Page 1 of 2

BU8'7-'16'12 01/31/2024 8:23 AM Received by Office of the Idaho Secretary of State

William Stanton	Vice President	3103 W. SHERYL DRIVE SUITE 100 MERIDIAN, ID 83642
Denise Bourne	Vice President	3103 W. SHERYL DRIVE SUITE 100 MERIDIAN, ID 83642
+ Adam Capell	Vice President	3103 W SHERYL DRIVE SUITE 100 MERIDIAN, ID 83642

The annual report must be signed by an authorized signer of the entity.

Job Title: VICE PRESIDENT

KENNETH J. GREENSPAN — Sign Here

01/31/2024 — Date

89467

Page 2 of 2

BUSINESS 01/31/2024 8:23 AM Received by Office of the Idaho Secretary of State

Rev. 07/18

Primary
RECEIVED
Amended
SEP 13 2024
DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 89467 Part 2

MINIMUM REQUIREMENTS CHECKLIST

TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) Toll West Inc.

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- [x] * Completed Application for Transfer of Water Right form, Part1.
- [x] * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- [x] * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- [x] [ ] Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- [x] * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- [x] * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- [ ] [x] #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- [x] [ ] #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- [x] [ ] #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).** ** Additional fee(s) required for water right ownership changes; see fee schedule.
- [ ] [x] #3 Documentation of authority to make the change if the applicant is not the water right owner.
- [ ] [x] #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- [ ] [x] #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at https://idwr.idaho.gov/water-rights/transfers/resources/.
- [ ] [x] #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- [x] * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- [x] [ ] #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- [ ] [x] #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- [ ] [x] #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- [ ] [x] #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- [ ] [x] #10 Other. Please describe: _____

Rev. 07-18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Toll West Inc. Phone

Mailing address 1140 Virginia Dr, Fort Washington, PA 19034 Email

☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1.**

☑ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a.**

☑ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b.**

☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3.**

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative HDR Phone 208-872-9519

Mailing address 412 E Parkcenter Blvd, Ste 100, Boise, ID 83706 Email lori.graves@hdrinc.com

☐ Send all correspondence for this application to the representative and not to the applicant.
OR
☑ Send original correspondence to the applicant and copies to the representative.

☑ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4.**

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date
	Ryan Hannon, Division President	9/3/24
Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☑ Change place of use
   ☐ Change nature of use ☐ Change period of use ☐ Other Split right, update ownership

2. Is this a transfer for changes pursuant to Idaho Code §42-221.O.8?
   If yes, ☐ attach an explanation and any supporting documentation labeled as **Part I A.2.**

3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part I A.3.**

The water right allows supplemental use on low ground and primary use on high ground. The property is being developed and will incorporate two irrigation systems; one for high ground that will utilize primary groundwater and the other for low ground that will utilize surface water and supplemental ground water. This application is for the high ground system. See accompanying transfer and permit applications for the water right's low ground system. The City of Caldwell Municipal Irrigation District will manage both system upon development.

89467 - part 2

Rev. 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1. All	Part	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☐	☑	63-2851	0.41cfs/94.5	Irrigation	3/1 to 11/15	Ground Water
☐	☑				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	

Total authorized under rights 0.41 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.41 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

☑ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5.**

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	3W	10				15			21										36

*Limited to 21 acres irrigation within a 36-acre permissible place of use (PPU).

Total Acres (for irrigation use) *36

 89467-part 2

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:
Existing well, pump, pressurized irrigation system. Measuring devices and lockable controlling works will be accommodated upon Department request.

b. Who owns the property at the point(s) of diversion? Applicant
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien:

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete Attachment WSB.

e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
n/a - Lands are subject to a residential development project. To prevent surface water expansion, the development will utilize two separate PI systems. This application represents the primary ground water system applicable to the development's high ground. See accompanying transfer application for supplemental ground water system.

f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
None. The property is within Wilder Irrigation District's service area, but is classified "high ground" and not assessed for surface water delivery. The high ground in the SENE was a former feedlot that was not irrigated.

g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☑ undergone a period of five or more consecutive years of non-use,
- ☐ ☑ currently leased to the Water Supply Bank,
- ☐ ☑ currently used in a mitigation plan limiting the use of water under the right, or
- ☐ ☑ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

89467 - part 2

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No.: 63-2851

Current Owner: UNIVERSITY OF IDAHO REGENTS

Priority Date: 3/12/1951

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary
GROUND WATER	

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	03/01 to 11/15	1.54 CFS	355.5 AF
	Total Diversion	1.54 CFS	355.5 AF

Location of Point(s) of Diversion

GROUND WATER SW1/4NW1/4 Sec. 10, Twp 03N, Rge 03W B.M.
CANYON County

Place of Use

IRRIGATION Within CANYON County

T03N R03W S10	NWNW	20.00	T03N R03W S10	SWNW	40.00
T03N R03W S10	SENW	19.00			

Total Acres: 79

Conditions of Approval:

1. C18 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.
2. W59 Use of this right is combined with water from Wilder Irrigation District.
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.

Decreed Date: 2/6/2009

89467

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ idwr.idaho.gov, Water Right Transfers, Step 1.
Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

☐ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: 63-2851 Primary Irrigation Portion

1. amount 0.41/94.5 (cfs/ac-ft) for Irrigation purposes from 3/1 to 11/15
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	3W	10							21										21

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a.**

☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b.**

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

FOR DEPARTMENT USE ONLY

Transfer contains_____ pages and _____ attachments.

Received by_____ Date_____ Preliminary check by_____ Date_____

Fee paid_____ Date_____ Receipted by_____ Receipt # _____

Add'l fee paid_____ Date_____ Receipted by_____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

89467 - part2

89467 - part 2

ATTACHMENT 7A & 7B

VERBENA RANCH SUBDIVISION

TOLL WEST INC.

PATH: S:\PROJECTS\S THRU Z PROJECTS\T PROJECTS\TOLL BROTHERS_1358\10374911_VERBENA RANCH\PROJECT\GIS\ARCMAP_PROJECTS\PRIMARY GW XFR MAP.MXD - USER: LGRAVES - DATE: 6/8/2024

PROJECT #10374911

0005575823

STATE OF IDAHO

Office of the secretary of state, Phil McGrane

ANNUAL REPORT

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: $0.00

For Office Use Only

-FILED-

File #: 0005575823

Date Filed: 1/31/2024 8:23:04 AM

Entity Name and Mailing Address:

Entity Name:	Toll West Inc.
Foreign Name (name in home jurisdiction):	Toll West Inc.
The file number of this entity on the records of the Idaho Secretary of State is:	0004118624
Address	1140 VIRGINIA DR FORT WASHINGTON, PA 19034-3204

Entity Details:

Entity Status	Active-Good Standing
This entity is organized under the laws of:	DELAWARE
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:	

The registered agent on record is:

Registered Agent	UNITED AGENT GROUP INC. Commercial Registered Agent Physical Address 950 W BANNOCK ST #1100 BOISE, ID 83702 Mailing Address 950 W BANNOCK ST #1100 MICHAEL REINHOLD BOISE, ID 83702

Agent or Address Change

☐ Select if you are appointing a new agent.

Corporate Officers and Directors:

Name	Title	Business Address
Douglas C. Yearley Jr.	Director	1140 VIRGINIA DR FORT WASHINGTON, PA 19034-3204
Robert Parahus	Director	1140 VIRGINIA DR FORT WASHINGTON, PA 19034-3204
Martin P. Connor	Director	1140 VIRGINIA DR FORT WASHINGTON, PA 19034-3204
Robert Parahus	President	1140 VIRGINIA DR FORT WASHINGTON, PA 19034-3204
Kevin J. Coen	Secretary	1140 VIRGINIA DR FORT WASHINGTON, PA 19034-3204
Gregg L. Ziegler	Treasurer	1140 VIRGINIA DR FORT WASHINGTON, PA 19034-3204
Kenneth J. Greenspan	Vice President	1140 VIRGINIA DR FORT WASHINGTON, PA 19034-3204

894607

Page 1 of 2

BUSI-1/6/12 01/31/2024 8:23 AM Received by Office of the Idaho Secretary of State

William Stanton	Vice President	3103 W. SHERYL DRIVE SUITE 100 MERIDIAN, ID 83642
Denise Bourne	Vice President	3103 W. SHERYL DRIVE SUITE 100 MERIDIAN, ID 83642
+ Adam Capell	Vice President	3103 W SHERYL DRIVE SUITE 100 MERIDIAN, ID 83642

The annual report must be signed by an authorized signer of the entity.

Job Title: VICE PRESIDENT

KENNETH J. GREENSPAN — Sign Here

01/31/2024 — Date

89467

Page 2 of 2

BUSI-/6/3 01/31/2024 8:23 AM Received by Office of the Idaho Secretary of State

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

April 18, 2025

TOLL WEST INC
1140 VIRGINIA DR
FT WASHINGTON PA 19034-3204

Re: Transfer No: 89467
Water Right Nos: 63-2851 (Split into 63-2851 & 63-35643)

Transfer Approval Notice

Dear Water Right Holder:

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

The Transfer of Water Right 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 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 the Department at (208) 334-2190.

Sincerely,

Susan G Hobson

Susy Hobson
Technical Records Specialist

Enclosure

CERTIFICATE OF SERVICE

I hereby certify that on April 18, 2025 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.: 89467
Water Right Nos: 63-2851 (Split into 63-2851 & 63-35643)

TOLL WEST INC
1140 VIRGINIA DR
FT WASHINGTON PA 19034-3204

HDR INC
412 E PARKCENTER BLVD STE 100
BOISE ID 83706-6659

Susan G Hobson

Susy Hobson
Technical Records Specialist

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.

Howe, Bob

From: Graves, Lori <lori.graves@hdrinc.com>
Sent: Friday, November 22, 2024 5:15 PM
To: Howe, Bob
Cc: Hannula, Steve
Subject: RE: Additional Information Requested Toll West Inc -Transfers and Permit 63-35628
Attachments: Low Ground Transfer (amended).pdf; High Ground Transfer (amended).pdf; Toll West Inc Shapes.zip

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 Bob,
Attached per your request. Please resume processing. Thank you.

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

hdrinc.com/follow-us

From: Howe, Bob <Bob.Howe@idwr.idaho.gov>
Sent: Thursday, November 21, 2024 4:07 PM
To: Graves, Lori <lori.graves@hdrinc.com>
Subject: Re: Additional Information Requested Toll West Inc -Transfers and Permit 63-35628

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.

Lori,
The acres will be reduced on the low ground portion of the transfer. If you would like, you can condense the "high ground" area in the transfer too, by making the irrigated area 20.5 acres. Please provide land lists and shapefiles for the specific locations of the "Low Ground" and " High Ground" **transfer** places of use. We can render the permit map for the remaining "Low Ground" area to cover the full 246 acres. We just need you provide us the details where you want what portions of right 63-2851 transferred. Thank you for your time and attention in this matter.

Please respond as soon as possible so that we can resume processing your permit and transfer. If IDWR does not receive your written response within thirty (30) days, a refund will be issued for this filing. Thank you for your time and attention in this matter.

Regards,

Bob Howe

IDAHO DEPARTMENT OF
WATER RESOURCES

Bob Howe | Water Resource Agent
2735 W Airport Way, Boise, ID 83705-5082
(208) 334-2190 | www.idwr.idaho.gov

From: Graves, Lori <lori.graves@hdrinc.com>
Sent: Thursday, November 21, 2024 3:37 PM
To: Howe, Bob <Bob.Howe@idwr.idaho.gov>
Subject: RE: Additional Information Requested Toll West Inc -Transfers and Permit 63-35628

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Hi Bob. Based on your reply, not sure what you want for shape files and application maps. Where do you advise the 1.5 acres be reduced and added? Do you want shape files for the 246-acre development POU and 36-acre high ground area (note, only 21 acres broken down between the two tracts will be proposed).

Lori Graves, Sr. Water Rights Specialist

D 208.872.9519 M 208.850.4601

hdrinc.com/follow-us

From: Howe, Bob <Bob.Howe@idwr.idaho.gov>
Sent: Thursday, November 21, 2024 3:26 PM
To: Graves, Lori <lori.graves@hdrinc.com>
Cc: Hannula, Steve <Steve.Hannula@hdrinc.com>; Parker, Cody <Cody.Parker@idwr.idaho.gov>
Subject: Re: Additional Information Requested Toll West Inc -Transfers and Permit 63-35628

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,

Given that, we will consolidate the 58 acres of right 63-2851 via the transfer to 1.13cfs (0.02cfs/acre) for the irrigation of 56.5 acres, and permit 63-35682 with a rate of 3.79cfs. The combined rate of 4.92 cfs for the irrigation of 246 acres (@0.02cfs/acre).

Thank you for pointing that out. Please provide land lists and shapefiles for the "Low Ground" and " High Ground" transfer places of use.

Thank you for your time and attention in this matter.

Regards,

Bob Howe

IDAHO DEPARTMENT OF WATER RESOURCES

Bob Howe | Water Resource Agent
2735 W Airport Way, Boise, ID 83705-5082
(208) 334-2190 | www.idwr.idaho.gov

From: Graves, Lori <lori.graves@hdrinc.com>
Sent: Thursday, November 21, 2024 2:56 PM
To: Howe, Bob <Bob.Howe@idwr.idaho.gov>
Cc: Hannula, Steve <Steve.Hannula@hdrinc.com>; Parker, Cody <Cody.Parker@idwr.idaho.gov>
Subject: RE: Additional Information Requested Toll West Inc -Transfers and Permit 63-35628

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 Bob,

FYI: Water right 63-2851 allows 0.01949 inch/acre rather than a full inch/acre. We would like authorization for a full inch/acre on all 246 acres. As such, I will reduce the supplemental GW transfer to 58 acres but will keep all

246 acres on the permit appli[illegible]on to [illegible]lude 188 acres proposed at a fu[illegible]nch/a[illegible] and 58 acres at 0.00051 inch/acre. Please let me know if you confirm.

Lori Graves, Sr. Water Rights Specialist

D 208.872.9519 M 208.850.4601

hdrinc.com/follow-us

From: Howe, Bob <Bob.Howe@idwr.idaho.gov>
Sent: Wednesday, November 20, 2024 2:37 PM
To: Graves, Lori <lori.graves@hdrinc.com>; Parker, Cody <Cody.Parker@idwr.idaho.gov>
Cc: Hannula, Steve <Steve.Hannula@hdrinc.com>
Subject: RE: Additional Information Requested Toll West Inc -Transfers and Permit 63-35628

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,

Thank you for your quick response, and for offering to submit the ownership change documentation needed. Regarding item 2 in the preceding email the point we are trying to make is that the 58 acres already has a full inch per acre so there is no reason to overlap the new permit and those 58 acres. The 58 acres are already fully allocated, and the Department would not issue a permit that would exceed the irrigation standard in statute for the 58 acres. Why not just get a permit for 188 acres at an inch per acre so the two add up to 246 at an inch per acre without the need for combined limits or a 206 map?

Regarding item 3, if 60% of the area / 21 acres of irrigation are proposed for the project the number of acres proposed within each of the two quarter-quarters can be provided. The POU shape can always be changed within those parameters to remove structures, hardscape, etc. If the estimate is correct, then a PPU is unnecessary and if the estimate is too low not having a PPU would simplify processing any future application for additional water. Please provide a land list and electronic shapefile for the "High Ground" irrigation.

Please respond as soon as possible so that we can resume processing your permit and transfer. If IDWR does not receive your written response within thirty (30) days, a refund will be issued for this filing. Thank you for your time and attention in this matter.

RECEIVED
NOV 20 2024
WATER RESOURCES
WESTERN REGION

2021-085158
RECORDED
12/15/2021 01:26 PM
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=3 JWINSLOW $15.00
TYPE: DEED
FIRST AMERICAN TITLE AND ESCROW
ELECTRONICALLY RECORDED

When recorded, please return to:

Toll West Inc.
c/o Toll Bros., Inc.
3103 W Sheryl Drive, Suite 100
Meridian, ID 83642

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

3854147-TD/mc

GRANT DEED

THIS GRANT DEED ("**Deed**") is made this 15TH day of December 2021, by and between the **TOLL BROS., INC.**, a Pennsylvania corporation, whose mailing address is 3103 W Sheryl Drive, Suite 100, Meridian, ID 83642 (hereinafter referred to as "**Grantor**"), and **TOLL WEST INC.**, a Delaware corporation, whose mailing address is 3103 W Sheryl Drive, Suite 100, Meridian, ID 83642 (hereinafter referred to as "**Grantee**").

WITNESSETH: That Grantor, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby transfer, sell, convey and release unto Grantee all of Grantor's right, title and interest in and to the following described real property (the "**Property**") situated in Canyon County, State of Idaho, to-wit:

[See Exhibit "A", attached hereto]

SUBJECT TO all matters, whether or not of record.

TOGETHER WITH:

1. All mineral rights in accordance with Idaho Code § 47-711(1).

2. The tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining.

RESERVING THEREFROM, a right of way for ditches constructed by authority of the United States as identified in Idaho Code § 58-604.

THE PROPERTY IS CONVEYED "AS IS", with no representation or warranty of any kind as to the fitness of the Property for any particular purpose.

TO HAVE AND TO HOLD, all and singular, the Property unto the said Grantee and its successors and assigns forever.

[remainder of page intentionally left blank]

IN WITNESS WHEREOF, Grantor has executed this instrument as set forth below.

TOLL BROS., INC.,
a Pennsylvania corporation

By: _____
Name: Ryan Hammons
Title: Senior Vice President

State of IDAHO, County of Ada

This record was acknowledged before me on December 14th, 2021 by Ryan Hammons, as Senior Vice President of Toll Bros., Inc.

Natasha Tucker
Signature of notary public
Commission Expires: 10/13/26

EXHIBIT A

LEGAL DESCRIPTION

Parcel 1 (street address 0 South 10th Ave)**:**

The Northwest Quarter of Section 10, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

EXCEPT THEREFROM that portion lying within the following described tract:

BEGINNING at the North 1/4 corner of said Section 10; thence along the centerline of said Section 10, South 0°34'30" West, 2,539.17 feet to a point on the centerline of Deer Flat Canal; thence along the centerline of the Deer Flat Canal North 39°04'48" West, 65.76 feet to a point; thence North 30°02'18" West, 392.00 feet to a point of curvature; thence along a curve to the left whose central angle is 50°14'11", whose radius is 481.76 feet, whose arc length is 429.99 feet, whose tangent is 225.00 feet and whose long chord bears North 55°04'23" West, 407.72 feet to a point; thence North 80°06'29" West, 259.60 feet; thence leaving said centerline of the Deer Flat Canal North 1870.61 feet to a point on the North line of said Section 10; thence East 853.20 feet to the REAL POINT OF BEGINNING

Parcel 2 (street address 16569 South 10th Ave)**:**

The Northeast Quarter of Section 9, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

subject to the United States Government Water Contract, for storage and drainage, and all principal payments thereon.
Ack. Nov. 12,1917 before A.J. Grosscup N.P. res. at Nampa C.C.I.(SEAL)

84928

Clear List. Book 6 Misc. 532
Rec. Dec. 22,1917. 10:22 A.M.

List No. 18, exhibiting the tracts of public land situated in the district of lands subject to sale at Boise, which have beenselected for the State of Idaho, under the provisions, of the 10th Section of the Act of Congress approved July 3,1890 (26 Stats. 216) in part satisfaction of its grant of 90,000 acres of an Agricultural College.

List No. 4, filed April 27,1907.	Sec.	Twp.	Rge	Area.
NE¼ of	9	3 N	3 W	160.00
NW¼ of	10	" "	" "	160.00
		Total		320.00

Department of the Interior,
General Land Office, Washington D.C.Jany.24,1908.

This certifies that the tracts of land desc. in the foregoing list have been carefully examined and compared with the township plats and tracts books in this office, and the same have been found to inure to the state of Idaho under its grant for the purpose stated, being free from conflicts or other adverse claims of record; that the same were not returned by the surveyor General as mineral, and are not within mineral areas asshown by map furnished by the Geological Survey. Rosetta C. Maytum, Examiner. Approved, S.W.Williams,Chief of Division "G"

Department of the Interior, General Land Office, Wash. D.C.Jany.27,1908

It is hereby certified that the tracts desc. in this list No. 18 are embraced in the original list, now on file in this office of lands, selected by the S.of I. pursuant to the laws of said State, in the Boise Land district, in part satisfaction of the grant to said State for the purpose and under the provisions of the act of Congress cited.

It is further certified that the said tracts are unreserved ,unappropriated,surveyed public lands of the United States within the limits of said State,free from adverse claims of record, and not mineral in character.

The quantity of land heretofore certified to the State under this grant is 84,955.78 acres, which with the 320. acres embraced herein aggregate 85,275.78 acres.

It is therefore recommended that the selecttions be approved, subject to any valid interfering rights existing at date of selection. R.A.Ballinger, Commissioner.

Department of the Interior ,Office of the Secretary,Wash.D.C.Jany27,1908

The foregoing selections,embracing 320 acres are hereby approved subject to any valid interfering rights existing at date of selection. Frank Pierce, First Assistant Secretary
Certf. as to clear list dated Jany.31,1908 by R.A.Ballinger Comm. General Land Office (S)

84929

The American Freehold-Land Mortgage Company of London,Limited
-TO-
Michael Conway and Frances H. Conway,husband and wife

Sat.of Mtg #44650
Dated, Dec. 1,1917
Rec. Dec. 22,1917. 11:36 A.M.
Book 18 Rel.,Page 69

Mtg dated March 30,1912 recorded in Book 19 of Mtgs page 321 on March 30,1912 at 4:55 PM is, with the notes accompanying it, fully paid and satisfied. And the Register of Deeds of said County is hereby authorized and directed to discharged the same upon the record hereof according to the statute in such case provided.
Signed: The American Freehold-Land Mortgage Company of London,Limited.
Per Robert Grier Patton,Attorney in Fact
Ack. Dec. 1,1917 as signed before E.H.Patton N.P. McLennan Co.Texas (SEAL)

84930

Vaughn B. McKeeth and Ethelyne McKeeth his wife
-TO-
George J. Clark

W.D.
Dated Dec. 12,1917
Rec. Dec. 22,1917. 11:50 A.M.
Book 179 D.Page 436
Cons.$1. $1. I.R.S.Canc.

Lots 62.64 and 66 Block 66 of the Original Town of Nampa and Interstate Addition to Nampa Idaho.
Ack. Dec. 19,1917 before William N. Scofield N.P.Ada Co.I.(SEAL)

84931

Samuel J.Miller and Ora B. Miller his wife
-TO-
John G. Krehbiel

Dec 23-96520

Mtg
Dated, Dec. 19,1917.
Rec. Dec. 22,1917. 12:1 P.M.
Book 67 Mtgs.,Page 179
Cons.$1500.

SE¼ NE¼ Sec. 26 T.4 N.R. 2 W.B.M.
Note for $1500. due 2 years A.D. with int at 7% P.A.Int. payable annually. 3Cots I.R.S.Canc
Ack. Dec. 19,1917 before C.L.Sloan N.P.res.Caldwell C.C.I.(SEAL)

INSTRUMENT NO. 836159

STATE OF IDAHO DEED

Certificate No. 25050
Number 11548

To All to Whom These Presents Shall Come, Greetings:

Whereas, on the .....7th..... day of .....JUNE..... 1978, all that tract or parcel of AGRICULTURAL COLLEGE ENDOWMENT land of the State of Idaho, hereinafter mentioned and particularly described, was sold in the manner provided by law to

- THE REGENTS OF THE UNIVERSITY OF IDAHO -

of Moscow....., State of.....IDAHO....., for the aggregate price of

----------ONE HUNDRED ELEVEN THOUSAND AND NO/100---------- DOLLARS

And Whereas, the said sum of-----ONE HUNDRED ELEVEN THOUSAND AND NO/100---------- DOLLARS

has been fully paid to the proper receiving officer for the State of Idaho, by .....THE REGENTS OF THE UNIVERSITY OF IDAHO, Moscow, Idaho 83843.

as shown by the records in the office of the State Board of Land Commissioners, the said sum being the whole amount of the purchase price for the said tract or parcel of land hereinafter described:

Now, Know Ye, That the said State of Idaho, in pursuance of law in such case made and provided, and in consideration of the premises aforesaid, and of the aforesaid sum of

----------ONE HUNDRED ELEVEN THOUSAND AND NO/100---------- DOLLARS

to the said State of Idaho paid, doth by these presents grant, bargain, sell, convey and confirm, in fee, unto the said

- THE REGENTS OF THE UNIVERSITY OF IDAHO -

Their..... heirs and assigns, all of the said tract and parcel of land situated in the County of.....CANYON and State of Idaho, and described as follows, to-wit: A parcel of land situated in the East Half of the Northwest Quarter (E½NW¼) of Section Ten (10), Township Three (3) North, Range Three (3) West, Boise Meridian, Canyon County, Idaho more particularly described as follows:

Beginning at the North 1/4 corner of said Section 10;
thence along the centerline of said Section 10 South 0°34'30" West, 2539.17 feet to a point on the centerline of Deer Flat Canal;
thence along the centerline of Deer Flat Canal North 39°04'48" West, 65.76 feet to a point;
thence North 30°02'18" West, 392.00 feet to a point of curvature;
thence along a curve to the left whose central angle is 50°14'11", whose radius is 481.76 feet, whose arc length is 422.39 feet, whose tangent is 225.00 feet and whose long chord bears North 55°04'23" West, 407.72 feet to a point; thence North 80°06'29" West, 259.60 feet to a point;
thence leaving said centerline of Deer Flat Canal North 1870.61 feet to a point on the North line of said Section 10; thence East 1913.00 feet to the REAL POINT OF BEGINNING, containing Forty (40.00) acres, more or less, and subject to Easement No. 519 to the University of Idaho for an experiment farm and improvements thereon; also subject to Easement No. 4629 to Idaho Power Company for an underground powerline.

To have and to hold the said premises and parcel of land above particularly described, with the appurtenances thereon, unto the said

- THE REGENTS OF THE UNIVERSITY OF IDAHO -

Their..... heirs and assigns, in fee simple forever, subject to the provisions of Section 58-601, Idaho Code, as amended by Chapter 11, 1951 Session Laws; which grants over all lands belonging to the State a right of way for ditches constructed by authority of the United States. The State reserves the right to all coal, oil, oil shale, gas phosphate, sodium, asbestos, gold, silver, lead, zinc, copper, antimony and all minerals or deposits of minerals of whatsoever kind or character, including sand, gravel and pumice pursuant to Sec. 47-703, Idaho Code; also reserved to the State are geothermal resources, including associated by-products. Said minerals being reserved are as shown on State of Idaho Land Sale Certificate No. 25050.

In Witness Whereof, I.....JOHN V. EVANS....., the Governor of the State of Idaho, have hereunto signed my name and caused the Great Seal of the State of Idaho and the Seal of the Board of Land Commissioners to be hereunto affixed, this 28th day of June, 1978 A.D.

Countersigned:

Secretary of State

Countersigned:

Director, Department of Lands

STATE OF IDAHO, } ss.
County of Ada,

On this 28th day of JUNE, in the year 1978, before me, a Notary Public in and for said State, personally appeared John V. Evans known to me to be the Governor of the State of Idaho, and Pete T. Cenarrusa known to me to be the Secretary of the State of Idaho, and Gordon C. Trombley known to me to be the Director, Department of Lands of the State of Idaho, who executed said instrument and acknowledged to me that such State of Idaho executed the same.

In Witness Whereof, I have hereunto set my hand and seal on the day and year last above written.

Notary Public residing at Boise, Idaho

has been fully paid to the proper receiving officer for the State of Idaho, by .....THE REGENTS OF THE UNIVERSITY OF IDAHO, Moscow, Idaho 83843.

as shown by the records in the office of the State Board of Land Commissioners, the said sum being the whole amount of the purchase price for the said tract or parcel of land hereinafter described:

Now, Know Ye, That the said State of Idaho, in pursuance of law in such case made and provided, and in consideration of the premises aforesaid, and of the aforesaid sum of

----------ONE HUNDRED ELEVEN THOUSAND AND NO/100---------- DOLLARS

to the said State of Idaho paid, doth by these presents grant, bargain, sell, convey and confirm, in fee, unto the said

- THE REGENTS OF THE UNIVERSITY OF IDAHO -

Their..... heirs and assigns, all of the said tract and parcel of land situated in the County of.....CANYON and State of Idaho, and described as follows, to-wit: A parcel of land situated in the East Half of the Northwest Quarter (E½NW¼) of Section Ten (10), Township Three (3) North, Range Three (3) West, Boise Meridian, Canyon County, Idaho more particularly described as follows:

Beginning at the North 1/4 corner of said Section 10;
thence along the centerline of said Section 10 South 0°34'30" West, 2539.17 feet to a point on the centerline of Deer Flat Canal;
thence along the centerline of Deer Flat Canal North 39°04'48" West, 65.76 feet to a point;
thence North 30°02'18" West, 392.00 feet to a point of curvature;
thence along a curve to the left whose central angle is 50°14'11", whose radius is 481.76 feet, whose arc length is 422.39 feet, whose tangent is 225.00 feet and whose long chord bears North 55°04'23" West, 407.72 feet to a point; thence North 80°06'29" West, 259.60 feet to a point;
thence leaving said centerline of Deer Flat Canal North 1870.61 feet to a point on the North line of said Section 10; thence East 855.20 feet to the REAL POINT OF BEGINNING, containing Forty (40.00) acres, more or less, and subject to Easement No. 819 to the University of Idaho for an experiment farm and improvements thereon; also subject to Easement No. 4629 to Idaho Power Company for an underground powerline.

To have and to hold the said premises and parcel of land above particularly described, with the appurtenances thereon, unto the said

- THE REGENTS OF THE UNIVERSITY OF IDAHO -

Their..... heirs and assigns, in fee simple forever, subject to the provisions of Section 58-604, Idaho Code, as amended by Chapter 44, 1951 Session Laws; which grants over all lands belonging to the State a right of way for ditches constructed by authority of the United States. The State reserves the right to all coal, oil, oil shale, gas phosphate, sodium, asbestos, gold, silver, lead, zinc, copper, antimony and all minerals or deposits of minerals of whatsoever kind or character, including sand, gravel and pumice pursuant to Sec. 47-701, Idaho Code; also reserved to the State are geothermal resources, including associated by-products. Said minerals being reserved are as shown on State of Idaho Land Sale Certificate No. 25050

In Witness Whereof, I.....JOHN V. EVANS....., the Governor of the State of Idaho, have hereunto signed my name and caused the Great Seal of the State of Idaho and the Seal of the Board of Land Commissioners to be hereunto affixed, this 28th day of June, 1978 A.D.

Countersigned:

Secretary of State

Governor of Idaho and President of State Board of Land Commissioners

Countersigned:

Director, Department of Lands

STATE OF IDAHO, County of Ada, } ss.

On this 28th day of JUNE, in the year 1978, before me, a Notary Public in and for said State, personally appeared John V. Evans, known to me to be the Governor of the State of Idaho, and Pete T. Cenarrusa, known to me to be the Secretary of the State of Idaho, and Gordon C. Trombley, known to me to be the Director, Department of Lands of the State of Idaho, who executed said instrument and acknowledged to me that such State of Idaho executed the same.

In Witness Whereof, I have hereunto set my hand and seal on the day and year last above written.

836159

FILED

Jul 10 1 24 PH '78

BILL A. STATE
AUDITOR

O Chaney

RECORDED
AT THE REQUEST OF
University of Idaho

OF
Deed

FEE Free

GRANTOR
State of Idaho

GRANTEE
The Regents of the U of I

Deed

RETURN TO
Received: Office of
Finan. Affairs, Moscow, Id.
Attn: Carol Krupp 83843

2021-085157
RECORDED
12/15/2021 01:26 PM
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=4 JWINSLOW NO FEE
TYPE: DEED
FIRST AMERICAN TITLE AND ESCROW
ELECTRONICALLY RECORDED

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

3854147-TD/MC

STATE OF IDAHO DEED

DEED NO. 14345

THIS STATE DEED ("**Deed**") is made this 7th day of December, 2021, by and between the **STATE BOARD OF LAND COMMISSIONERS**, whose mailing address is P.O. Box 83720, Boise, Idaho 83720-0050 (hereinafter referred to as "**Grantor**"), and **TOLL BROS., INC.**, a Pennsylvania corporation, whose mailing address is 1140 Virginia Drive, Fort Washington, PA 19034 (hereinafter referred to as "**Grantee**").

WITNESSETH: That Grantor, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby transfer, sell, convey and release unto Grantee all of Grantor's right, title and interest in and to the following described real property (the "**Property**") situated in Canyon County, State of Idaho, to-wit:

[See Exhibit "A", attached hereto]

SUBJECT TO all matters, whether or not of record.

TOGETHER WITH:

1. All mineral rights in accordance with Idaho Code § 47-711(1).

2. The tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining.

RESERVING THEREFROM, a right of way for ditches constructed by authority of the United States as identified in Idaho Code § 58-604.

THE PROPERTY IS CONVEYED "AS IS", with no representation or warranty of any kind as to the fitness of the Property for any particular purpose.

TO HAVE AND TO HOLD, all and singular, the Property unto the said Grantee and its successors and assigns forever.

[remainder of page intentionally left blank]

IN WITNESS WHEREOF, Grantor has executed this instrument as set forth below.

STATE BOARD OF LAND COMMISSIONERS

President of the State Board of Land Commissioners
and Governor of the State of Idaho

Countersigned:

Secretary of the State of Idaho

Director of the Idaho Department of Lands

STATE OF IDAHO)
)ss.
COUNTY OF ADA)

On this 7th day of December, 2021, before me, a Notary Public in and for said State, personally appeared BRAD LITTLE, as the President of the State Board of Land Commissioners and Governor of the State of Idaho, that executed the within instrument, and acknowledged to me that he executed the same as said President and Governor, and that the State Board of Land Commissioners and the State of Idaho executed the same.

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

(seal)

Notary Public for State of Idaho
My Commission Expires: 12/31/25

STATE OF IDAHO)
)ss.
COUNTY OF ADA)

On this 7 day of December, 2021, before me, a Notary Public in and for said State, personally appeared LAWERENCE E. DENNEY, as Secretary of the State of Idaho, that executed the within instrument, and acknowledged to me that he executed the within instrument as said Secretary of State and that the State Board of Land Commissioners and the State of Idaho executed the same.

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

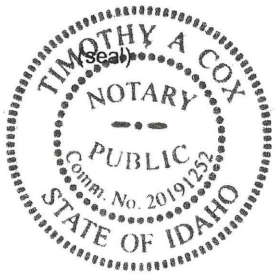
(seal)

Notary Public for State of Idaho
My Commission Expires: 2/12/2026

STATE OF IDAHO)
)ss.
COUNTY OF ADA)

On this 3rd day of December, 2021, before me, a Notary Public in and for said State, personally appeared DUSTIN T. MILLER, the Director of the Idaho Department of Lands and Secretary of the State Board of Land Commissioners, and acknowledged to me that he executed the within instrument as said Director and Secretary, and that the State Board of Land Commissioners and the State of Idaho executed the same.

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



(seal)

Notary Public for State of Idaho
My Commission Expires: 6/25/25

EXHIBIT A

LEGAL DESCRIPTION

Parcel 1 (street address 0 South 10th Ave):

The Northwest Quarter of Section 10, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

EXCEPT THEREFROM that portion lying within the following described tract:

BEGINNING at the North 1/4 corner of said Section 10; thence along the centerline of said Section 10, South 0°34'30" West, 2,539.17 feet to a point on the centerline of Deer Flat Canal; thence along the centerline of the Deer Flat Canal North 39°04'48" West, 65.76 feet to a point; thence North 30°02'18" West, 392.00 feet to a point of curvature; thence along a curve to the left whose central angle is 50°14'11", whose radius is 481.76 feet, whose arc length is 429.99 feet, whose tangent is 225.00 feet and whose long chord bears North 55°04'23" West, 407.72 feet to a point; thence North 80°06'29" West, 259.60 feet; thence leaving said centerline of the Deer Flat Canal North 1870.61 feet to a point on the North line of said Section 10; thence East 853.20 feet to the REAL POINT OF BEGINNING

Parcel 2 (street address 16569 South 10th Ave):

The Northeast Quarter of Section 9, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

Toll Brothers®
LAND DEVELOPMENT

PAVING THE WAY FOR AMERICA'S LUXURY HOMEBUILDER

May 22nd, 2023

Canyon County Planning & Zoning
111 N. 11th Ave ROOM 310
Caldwell, ID 83605

RE: Administrative Land Division (Parcel R32720000 0)

Toll Brothers hereby apply for an Administrative Land Division for a parcel located at 0 S 10th Ave, Caldwell, ID 83607, parcel number R32720000 0 (the "Property"). The Property is located southeast of the intersection of W Homedale Road and S 10th Ave in the NW ¼ of Section 10, T3N, R3W, Boise Meridian, Canyon County, Caldwell, Idaho. The Property is approximately 120.66 acres in size. The Property is zoned Agricultural. The Property was originally deeded to the State of Idaho in 1917, the Property was split in 1978, and the Property was acquired by Toll West Inc. in 2021.

The Property is currently used for agricultural purposes and contains several vacant residential buildings and outbuildings. The proposed future use of the Property is also agricultural. The requested Administrative Land Division creates four (4) parcels ranging in size from approximately 15 acres to approximately 65 acres. The creation of four (4) parcels allows for greater flexibility in consideration of the future development of the Property. The proposed Administrative Land Division of the Property is not anticipated to significantly impact neighboring uses.

The Property is eligible for an administrative land division under Canyon County Code § 07-18-07 as proposed because:

1. The Property is greater than 120 acres.
2. The Property is an original parcel of record, enclosed are deeds establishing the Property as an original parcel of record.
3. All proposed parcels are greater than 5 acres.
4. There are no slopes on the Property greater than 15%.

No variances or waivers are being requested as part of this application.

Thank you for your time and consideration of this Administrative Land Division application. If you have any questions or need further information, please don't hesitate to reach out to me at (208) 576-3625 or by email at kprewett@tollbrothers.com.

Sincerely,

Kyle Prewett

Kyle Prewett
Land Entitlement Manager

3103 W Sheryl Drive, Suite 100, Meridian ID 83642
Phone: (208) 424-0020 Fax: (208) 424-0030

RECORD OF SURVEY

FOR TOLL WEST INC.
LOCATED IN THE NE 1/4 OF SECTION 09 AND THE NW 1/4 OF SECTION 10,
TOWNSHIP 3 NORTH, RANGE 3 WEST, BOISE MERIDIAN,
CANYON COUNTY, CALDWELL, IDAHO
2023

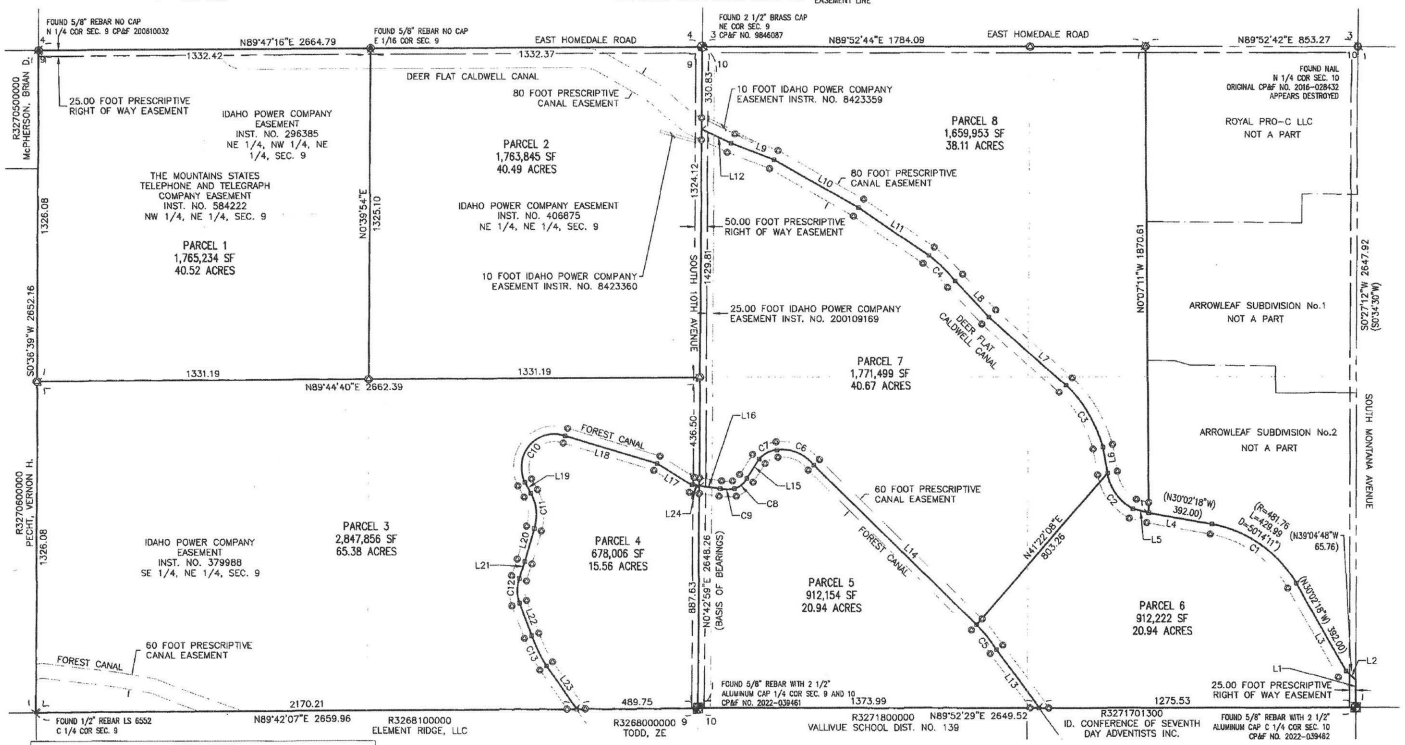
BEARINGS NOTE

BEARINGS SHOWN ON THIS SURVEY ARE BASED UPON GPS OBSERVATIONS PROJECTED TO THE IDAHO WEST ZONE (1103) NAD83 COORDINATE SYSTEM. ALL BEARINGS SHOWN ARE GRID BEARINGS. ALL DISTANCES ARE GROUND DISTANCES.

HORIZONTAL GRAPHIC SCALE
300 0 300 600
(IN FEET)
1" = 300 FEET

LEGEND

- PROPERTY BOUNDARY
- SECTION LINE
- RIGHT-OF-WAY LINE
- 1/16TH SECTION LINE
- LOT LINE
- ADJACENT LOT LINE
- EASEMENT LINE
- FOUND BRASS CAP (AS NOTED)
- FOUND ALUMINUM CAP MONUMENT (AS NOTED)
- FOUND 5/8" REBAR WITH CAP (AS NOTED)
- FOUND 1/2" REBAR WITH CAP (AS NOTED)
- SET 5/8" REBAR WITH CAP "PLS 20904"
- SET 1/2" REBAR WITH CAP "PLS 20904"
- CALCULATED POINT-NOTHING SET
- FOUND PIN (AS NOTED)
- (100.00') RECORD DATA



PARCEL LINE TABLE		
Line #	Length	Direction
L1	108.71	S0°27'12"W
L2	53.32	N46°02'01"W
L3	405.78	N29°34'35"W
L4	259.59	N80°13'40"W
L5	66.45	N75°48'53"W
L6	105.94	N9°44'14"W
L7	412.40	N48°13'44"W
L8	197.34	N43°00'21"W
L9	183.40	N69°04'50"W
L10	388.80	N60°36'46"W
L11	340.19	N56°11'09"W
L12	131.00	N64°25'13"W
L13	290.71	N35°59'53"W
L14	909.45	N45°56'55"W
L15	91.03	S33°18'41"W
L16	84.46	N81°58'42"W
L17	164.71	N58°31'08"W
L18	384.64	N73°32'18"W
L19	49.88	S28°35'30"E
L20	136.10	N16°14'15"E
L21	71.01	N19°49'32"E
L22	138.49	S20°54'35"E
L23	212.43	S34°48'00"E
L24	30.08	N81°58'42"W

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	421.00	481.76	50°04'10"	N55°11'36"W	407.73
C2	182.20	197.07	52°58'12"	N35°25'32"W	175.78
C3	293.40	579.15	29°01'34"	N30°46'13"W	290.27
C4	147.40	587.46	14°22'35"	N46°19'53"W	147.02
C5	127.62	552.85	13°13'33"	N38°27'30"W	127.34
C6	166.30	159.84	59°36'38"	N67°49'24"W	158.90
C7	83.18	105.17	45°18'59"	S62°49'09"W	81.03
C8	66.35	76.90	49°25'54"	S49°45'59"W	64.31
C9	57.63	143.29	23°02'36"	N89°49'53"W	57.24
C10	316.06	132.80	136°21'51"	S41°46'41"W	246.57
C11	145.83	176.09	47°26'59"	S5°03'43"E	141.70
C12	99.59	144.02	39°37'07"	S0°08'51"W	97.61
C13	134.91	668.64	11°33'38"	S25°27'57"E	134.68

REFERENCES

1. UNRECORDED ALTA BY THE LAND GROUP DATED 08-16-17
2. RECORD OF SURVEY, INSTRUMENT NO. 2019038849
3. RECORD OF SURVEY, INSTRUMENT NO. 2004046639
4. RECORD OF SURVEY, INSTRUMENT NO. 2008027652
5. PLAT OF ARROWLEAF SUBDIVISION NO. 1, BOOK 51, PAGE 14
6. PLAT OF ARROWLEAF SUBDIVISION NO. 2, BOOK 53, PAGE 6
7. PLAT OF WEST VALLEY ESTATES SUBDIVISION NO. 9 BOOK 29, PAGE 24

CERTIFICATE OF SURVEYOR

I, JOHN JOEL CAYTON, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF IDAHO. THAT THIS RECORD OF SURVEY WAS PREPARED FROM AN ACTUAL SURVEY ON THE GROUND UNDER MY DIRECT SUPERVISION AND THAT THIS SURVEY COMPLIES WITH THE ACCEPTED STANDARDS OF SURVEYING. I FURTHER CERTIFY THAT I HAVE COMPLIED WITH TITLE 55, CHAPTER 16, IDAHO CODE.

JOHN JOEL CAYTON — 5/19/23 DATE

5/19/23
PROFESSIONAL LAND SURVEYOR LICENSED 20904 STATE OF IDAHO JOHN JOEL CAYTON

SURVEYOR'S NARRATIVE

THIS RECORD OF SURVEY WAS PREPARED AT THE REQUEST OF TOLL WEST INC., TO CREATE PARCELS 1 THROUGH 8 AS SHOWN, OUT OF THE 2 EXISTING PARCELS OF LAND. THE BOUNDARY LINES OF THESE PARCELS OF LAND WERE ESTABLISHED FROM RECORD INFORMATION (AS LISTED IN THE REFERENCE DATA TABLE) AND FROM FOUND MONUMENTATION AS SHOWN AND DESCRIBED HEREON. THIS SURVEY WAS PERFORMED WITHOUT A TITLE REPORT.

SHEET NO.: 1 OF 1

ESE CONSULTANTS
ENGINEERING • PLANNING • SURVEYING • ENVIRONMENTAL
ESE Consultants, Inc.
3103 W. Sheryl Drive • Suite 100 • Meridian, ID 83642
T: 208-424-0020

DocuSign Envelope ID: 05D8BB7D-CFB8-4[illegible]-90AD-E863E39E55AA

OFFICER'S CERTIFICATE

Dated: January 23, 2023

I, Kenneth J. Greenspan, Vice President and Assistant Secretary of Toll ID I LLC, an Idaho limited liability company, Toll Southwest LLC, a Delaware limited liability company, and Toll West Inc., a Delaware corporation (collectively, the "Companies"), do hereby certify and confirm that:

1. The following individuals are duly appointed to the offices next to their names and they are individually authorized, empowered and directed to execute and deliver, for and on behalf of each of the Companies, (i) any performance agreement, bond, escrow agreement, easement, permit application, license application, deed, record plat and any and all ancillary documents which may be required by various governmental municipalities and agencies; (ii) any agreement, easement and any and all related documents which may be required by utility companies and (iii) any agreement, deed or document with respect to the sale and conveyance of individual homes, lots or units owned by each of the Companies:

Ryan Hammons	Division President
William E. Stanton	Vice President

2. Adam Capell is a duly appointed Vice President and he is individually authorized, empowered and directed to execute and deliver, for and on behalf of each of the Companies, (i) any performance agreement, bond, escrow agreement, easement, permit application, license application, deed, record plat and any and all ancillary documents which may be required by various governmental municipalities and agencies and (ii) any agreement, easement and any and all related documents which may be required by utility companies.

3. Vice Presidents of Sales, including Denise Bourne, are individually authorized, empowered and directed to execute and deliver, for and on behalf of each of the Companies, any agreement, deed or document with respect to the sale of individual homes or units owned by each of the Companies, upon such terms and conditions as they deem appropriate and in the best interest of each of the Companies.

3. Area Sales Managers, including Eric Ellsworth and Matthew Lotridge, are appointed as authorized representatives of each of the Companies, and they are individually authorized, empowered and directed to execute and deliver, for and on behalf of each of the Companies, agreements of sale and any and all related documents with respect to the sale of individual homes or units owned by each of the Companies, upon such terms and conditions as they deem appropriate and in the best interest of each of the Companies.

4. Design Studio Managers, including Dana Kartchner, are appointed as authorized representatives of each of the Companies, and they are individually authorized, empowered and directed to execute and deliver, for and on behalf of each of the Companies, change orders to agreements of sale with respect to the sale of individual homes or units owned by each of the Companies, upon such terms and conditions as they deem appropriate and in the best interest of each of the Companies:

[SIGNATURE ON THE FOLLOWING PAGE]

DocuSign Envelope ID: 05D8BB7D-CFB8-4. -90AD-E863E39E55AA

IN WITNESS WHEREOF, the undersigned has executed this Officer's Certificate as of the date first written above.

DocuSigned by:
2D3645A0FBBD4B3...

Kenneth J. Greenspan
Vice President and Assistant Secretary

ADMINISTRATIVE LAND DIVISION - CHECKLIST

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT
111 North 11th Avenue, #310, Caldwell, ID 83605
www.canyoncounty.id.gov Phone: 208-454-7458 Fax: 208-454-6633

Check appropriate application type:

- ☑ Administrative Land Division of "A" (Agricultural) land in accordance with CCZO §07-18-01
  - Less than 80 acres: Two (2) residential parcels
  - 80 to 119 acres: Three (3) residential parcels
  - More than 120 acres: Four (4) residential parcels
- ☐ Administrative Land Division of original parcels in all other Zones in accordance with CCZO §07-18-01(1)B.
- ☐ Administrative Division and Relocation of Building Permits Between Contiguous Parcels in an Agricultural Zone in accordance with CCZO §07-18-05.
- ☐ Administrative Division of a Nonviable Parcel in an Agricultural Zone in accordance with CCZO §07-18-03.

THE FOLLOWING ITEM MUST BE SUBMITTED WITH THIS CHECKLIST:

- ☑ Completed Parcel Inquiry verifying eligibility Case # _____ or provide evidence the parcel is eligible for land division.
- ☑ Master Application completed and signed.
- ☑ Site Plan showing existing and proposed property lines and sizes, easements, irrigation, access, and setbacks from existing structures, north arrow, and contours. (Please see Record of Survey)
- ☑ Detailed Letter fully describing the request and required findings. The following findings must be included:
  - Does the property contain 15% slopes or greater?
  - Provide an irrigation plan (if applicable); and
  - Provide proof that any required conditions from previous County approvals are met or will be met as part of this request.
  - Additional information for Relocation of Building Permits: Demonstrate how the request promotes effective or efficient farming and/or promotes the clustering of structures.
  - Additional Information for Nonviable Parcels in the "A" Zone: (1) Demonstrate how the site constraints/resource issues on the property makes agricultural use extremely difficult; and (2) Demonstrate how the request does not create a negative impact to surrounding agricultural uses.
- ☑ Deed or evidence of property interest to all subject properties
- ☑ Draft record of survey with metes and bounds descriptions of all lots, that shows access from each parcel complies with the requirements of section 07-10-03: of this chapter, and that includes all required utility easements.
- ☐ Road User's Maintenance Agreement (if applicable)
- ☑ **$330 (lot split) or $600 (building permit transfer/non-viable division) non-refundable fee**

ADDITIONAL APPROVALS COMBINED WITH THIS REQUEST:

- ☐ Private Road application **$80 fee**
- ☐ Easement reduction request (The reduction cannot be less than 28 feet wide) **$80 fee**
- ☐ Property Boundary Adjustment **$80 fee**

DISCLAIMER: The subject property shall be in compliance with the public nuisance ordinance, the building code and the zoning code before the Director can approve the application.

Revised 7/11/22

Process:

1. Complete **Parcel Inquiry** verifying eligibility for Administrative Land Division process or provide evidence demonstrating the subject parcel is eligible for land division.
2. Submit application with all required submittals and fees.
3. Notification of the application shall be provided to the applicable fire and highway districts and shall provide such districts a period of fifteen (15) calendar days from the date of notice to submit comments concerning the application.
4. Once the case planner reviews the application and provided preliminary approval; the following must be provided:
   a. A recorded Record of Survey;
   b. A recorded Road User's Maintenance Agreement (if applicable); and
   c. Any additional information required by the case planner.
5. The case planner provides a report to the Director who will make a final determination regarding the application.
6. The signed approval document by the Director, which may include conditions of approval, must be recorded at the Recorder's office by the applicant or their representative. A copy of the recorded approval must be submitted to DSD.
7. **DISCLAIMER:** The decision by the Director is appealable per §07-05-07.
8. **DISCLAIMER:** Parcels will not be adjusted as approved or receive new parcel numbers by the Assessor's office until deeds are recorded.

SETBACKS THAT MAY APPLY TO YOUR PROPERTY TO PLAN FOR WHEN DESIGNING LOTS:

- ☐ Minimum Setbacks Based on Zoning (CCZO Section §07-10-21(1)
- ☐ Section/Quarter Section Line (70 foot unless waived by highway district; §07-10-19)
- ☐ Collector (50' setback from identified collectors on functional classification map; §07-10-21(1)4(A)
- ☐ Principal Arterial (70' setback from identified arterials on functional classification map; §07-10-21(1)4(B)
- ☐ State Highway 44 (95' setback from centerline); §07-10-21(1)4(B)
- ☐ State Highway 55 (90' setback from centerline); §07-10-21(1)4(B)
- ☐ US Highway 20/26 (120' setback from centerline); §07-10-21(1)4(B)

MASTER APPLICATION

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Avenue, #140, Caldwell, ID 83605

www.canyonco.org/dsd.aspx Phone: 208-454-7458 Fax: 208-454-6633

PROPERTY OWNER	OWNER NAME: Toll West Inc.
	MAILING ADDRESS: 1140 Virginia Dr, Fort Washington, PA 19034
	PHONE: 208.424.0020 EMAIL: acapell@tollbrothers.com

I consent to this application and allow DSD staff / Commissioners to enter the property for site inspections. If owner(s) are a business entity, please include business documents, including those that indicate the person(s) who are eligible to sign.

Signature: _____ *Date:* 5/23/23

(AGENT) ARCHITECT ENGINEER BUILDER	CONTACT NAME: Kyle Prewett
	COMPANY NAME: Toll Brothers
	MAILING ADDRESS: 3103 W Sheryl Dr, Suite 100, Meridian, ID 83642
	PHONE: 208.424.0020 EMAIL: kprewett@tollbrothers.com

SITE INFO	STREET ADDRESS: 0 S 10th, Caldwell, ID 83607
	PARCEL #: R32720000 0 LOT SIZE/AREA: 120 Acres
	LOT: BLOCK: SUBDIVISION:
	QUARTER: NW SECTION: 10 TOWNSHIP: 3N RANGE: 3W
	ZONING DISTRICT: AG FLOODZONE (YES/NO):

HEARING LEVEL APPS	____CONDITIONAL USE	____COMP PLAN AMENDMENT	____CONDITIONAL REZONE
	____ZONING AMENDMENT (REZONE)	____DEV. AGREEMENT MODIFICATION	____VARIANCE > 33%
	____MINOR REPLAT	____VACATION	____APPEAL
	____SHORT PLAT SUBDIVISION	____PRELIMINARY PLAT SUBDIVISION	____FINAL PLAT SUBDIVISION

DIRECTORS DECISION APPS	✓ ADMINISTRATIVE LAND DIVISION	____EASEMENT REDUCTION	____SIGN PERMIT
	____PROPERTY BOUNDARY ADJUSTMENT	____HOME BUSINESS	____VARIANCE 33% >
	____PRIVATE ROAD NAME	____TEMPORARY USE	____DAY CARE
	____OTHER_____		

CASE NUMBER:	DATE RECEIVED:
RECEIVED BY:	APPLICATION FEE: CK MO CC CASH

Revised 1/3/21

Regards,

Bob Howe

IDAHO DEPARTMENT OF
WATER RESOURCES

Bob Howe | Water Resource Agent
2735 W Airport Way, Boise, ID 83705-5082
(208) 334-2190 | www.idwr.idaho.gov

From: Graves, Lori <lori.graves@hdrinc.com>
Sent: Wednesday, November 20, 2024 11:52 AM
To: Howe, Bob <Bob.Howe@idwr.idaho.gov>; Parker, Cody <Cody.Parker@idwr.idaho.gov>
Cc: Hannula, Steve <Steve.Hannula@hdrinc.com>
Subject: RE: Additional Information Requested Toll West Inc -Transfers and Permit 63-35628

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.

Lori Graves, Sr. Water Rights Specialist

D 208.872.9519 M 208.850.4601

hdrinc.com/follow-us

From: Howe, Bob <Bob.Howe@idwr.idaho.gov>
Sent: Tuesday, November 19, 2024 4:17 PM
To: Graves, Lori <lori.graves@hdrinc.com>
Subject: FW: Additional Information Requested Toll West Inc -Transfers and Permit 63-35628

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,

Please let me know when you receive this. Thank you.

Regards,

Bob Howe

IDAHO DEPARTMENT OF WATER RESOURCES

Bob Howe | Water Resource Agent
2735 W Airport Way, Boise, ID 83705-5082
(208) 334-2190 | www.idwr.idaho.gov

From: Howe, Bob
Sent: Tuesday, November 19, 2024 3:49 PM
To: Graves, Lori <Lori.Graves@hdrinc.com>
Cc: Parker, Cody <Cody.Parker@idwr.idaho.gov>
Subject: Additional Information Requested Toll West Inc -Transfers and Permit 63-35628

Hi Lori,

I am currently attempting to process the transfers for Toll West "Low Ground" and "High Ground" irrigation use. I have come across a couple of items which need more information to begin processing.

1. In order to process the ownership change for right 63-2851 a copy of the conveyance documentation (the Grant Deed or Warranty Deed) showing a clear chain of custody is needed. **Please provide the conveyance document(s).** **We will provide the conveyance documentation. Sorry for the oversight.**

2. In order to process the "Low Ground" transfer as a PPU condition 206 will be added to the transferred right, stating "*This right is limited to the irrigation of a specific 58 acres within the 246 acre place of use authorized by this right in a single irrigation season. The specific 58 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 58 acres to be irrigated within the 246 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.*" **Please provide a map and GIS shapefile identifying the specific 58 acres to be irrigated within the 246-acre place of use so that the PPU can be processed.** **We are proposing irrigation of all 246 ppu acres from a**

single system wh[illegible]he pe[illegible]t application and water right[illegible] com[illegible]ed. If we were proposing 246 combined acres in a PPU larger than 246 acres, we can see how condition 206 would apply.

Our application approach is based on the Department's requirement that transfer and/or permit applications can only represent single systems. Please let us know if otherwise

3. **Please provide a map and GIS shapefile identifying the 21-acre area of "High Ground" irrigation resulting from the proposed split of right 63-2851. The 36-acre ppu is subject to residential development. Assuming a high estimate of 60% remaining irrigation (40% hard-scape) upon buildout, only 21 acres will be irrigated.**

Alternately, it seems like it would simplify things to request the "Low Ground" permit for 188 acres of irrigation and process one transfer to split right 63-2851 to provide a specific 58 acres in the "Low Ground" area and a specific 21 acres within the "High Ground" area and avoid possible future processing necessary to update a PPU. If you would like to take a different approach, please let me know as soon as possible.

Please provide all the information requested within the next thirty (30) days. If IDWR does not receive your written response within thirty (30) days, a refund will be issued for this filing. This correspondence is an attempt to ensure that your application is complete in order to begin processing it. You may receive future mailed correspondence regarding more specific details of your application. Thank you for your time and attention in this matter.

Feel free to reach out with any questions.

Regards,

Bob Howe

IDAHO DEPARTMENT OF
WATER RESOURCES

Bob Howe | Water Resource Agent
2735 W Airport Way, Boise, ID 83705-5082
(208) 334-2190 | www.idwr.idaho.gov