

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 63-31584
Date Received: 3/18/2003
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LONE PINE DAIRY
5592 W KUNA RD
KUNA ID USA 83634

Phone: (208) 467-2816

STEVE BOSCHMA
5592 KUNA RD
KUNA ID USA 83634

Phone: (208) 870-1763

2. Date of Priority: 06/08/1978

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
02N	01W	19	SW	SE	SW	CANYON	
02N	01W	19	NW	SE	SW	CANYON	

5. Description of diverting works:

Drilled well, pipelines, stock tanks, dairy facilities.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.04	3.3
COMMERCIAL	01/01	12/31	0.04	7.6

7. Total Quantity Appropriated is:
0.04 C.F.S. and/or 10.9 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	01W	19	NE	SW	COMMERCIAL	
			SE	SW	COMMERCIAL	
			NE	SW	STOCKWATER	
			SE	SW	STOCKWATER	

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

Ownership changed by DH 3/18/2003

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

The total instantaneous diversion of water from all points of diversion under Rights 63-9103D, 63-4498, and 63-31584 shall not exceed 0.18 cfs, nor total combined annual volume of 58.7 af.

The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by this water right.

Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.

The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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

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

15. Basis of Claim: License

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70232

This is to certify that: THOMAS M BEVAN And
SUSAN K BEVAN
4202 N MARCLIFFE AVE
BOISE ID 83704
(208)323-7873

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 Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-31438	AJC/License	06/08/1978	0.19 cfs	70.4 af			GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-31438	YES	YES	YES	YES	YES	YES

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-31438	63-31584	0.04 cfs	10.9 af	N/A		63-31583	0.15 cfs	56.9 af	N/A	12.5
COMBINED										
TOTALS		0.04 cfs	10.9 af				N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 18th day of February, 2003

[Signature]
Chief, Water Allocation Bureau

MICROFILMED

SEP 09 2003

SCANNED

FEB 28 2003

WATER RIGHT NO. 63-31584
As Modified by Transfer No. 70232

In accordance with the approval of Transfer No. 70232, Water Right No. 63-31584 is now described as follows.

Right Holder: SUSAN K BEVAN And
 THOMAS M BEVAN
 4202 N MARCLIFFE AVE
 BOISE ID 83704

Priority Date: June 08, 1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	to 12/31	0.04 CFS	7.6 AF
STOCKWATER	01/01	to 12/31	0.04 CFS	3.3 AF
			0.04 CFS	10.9 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSESW Sec. 19 Twp 02N Rge 01W CANYON County
 GROUND WATER SWSESW Sec. 19 Twp 02N Rge 01W CANYON County

PLACE OF USE: COMMERCIAL, same as Stockwater

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N 01W 19									X				X				

CONDITIONS OF APPROVAL

1. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
2. The total instantaneous diversion of water from all points of diversion under Rights 63-9103D, 63-4498, and 63-31584 shall not exceed 0.18 cfs, nor total combined annual volume of 58.7 af.
3. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by this water right.
4. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
5. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.

SCANNED
 FEB 28 2003
 MICROFILMED
 SEP 09 2003

WATER RIGHT NO. 63-31584
As Modified by Transfer No. 70232

CONDITIONS OF APPROVAL

6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right 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.

Dated this 18th day of February, 2003



Chief, Water Allocation Bureau



SCANNED

FEB 28 2003 MICROFILMED

SEP 09 2003

WATER RIGHT NO. 63-31583
As Modified by Transfer No. 70232

In accordance with the approval of Transfer No. 70232, Water Right No. 63-31583 is now described as follows.

Right Holder: SUSAN K BEVAN And
 THOMAS M BEVAN
 4202 N MARCLIFFE AVE
 BOISE ID 83704

Priority Date: June 08, 1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.15 CFS	56.3 AF
DOMESTIC	01/01	to 12/31	0.04 CFS	0.6 AF
			0.15 CFS	56.9 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNW Sec. 8 Twp 01N Rge 02E ADA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE	NW	SW	SE	Totals
01N 02E 8	12.5				12.5

Total Acres: 12.5

PLACE OF USE: DOMESTIC, same as Irrigation

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 lands above.
2. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right 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.

Dated this 18 day of February, 2003

[Signature]
 Chief, Water Allocation Bureau

MICROFILMED
 SEP 09 2003

SCANNED
 FEB 28 2003

Should questions arise during the processing of this application please contact:
Steven Hannula - ERO Resources Corp. (208) 373-7983

RECEIVED**MAR 14 2003****WATER RESOURCES
WESTERN REGION**

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

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-31584					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. *D*
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions): **PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s) Thomas M and Susan K Bevan
4202 N Marcliffe Ave Boise, Idaho 83704
4. New Owner/Claimant(s) Steve Boschma (Lone Pine Dairy)
Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address 5592 W. Kuna Rd
- City, State and ZIP Code Kuna, Idaho 83634
- New Telephone Number (208) 467-2816
5. Date you acquired the property February 18, 2003 (Transfer 70232 approval)

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

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

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

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

Shirley Boschner

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

For Office Use Only

Received by DH Date 3-14-03 Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

FROM : Lone Pine Dairy

FAX NO. : 208 4671373

Feb. 28 1998 11:25AM P1

MODE:F ACTION:
1R29001000 G

2001 TAX INQUIRY as of 09/09/2002 13:43 TR0K701
02N01W194800 0000
099-00 * * CHECK FOR DELINQUENCIES * *

LONE PINE DAIRY PARTNERSHIP

Original Tax

5592 KUNA RD
KUNA

ID 83634

Adjusted Amount

19-2N-1W SW
E 1/2 SW LS TX 7,, TX 7

5592 KUNA RD, KU

Outstanding Tax

FCV / QTY 443,200 / 80.00

Bill Number 2001046560
MHR

.00

Information on this screen is subject to change without notice

Water Right Purchase and Sale Agreement

16 3-11-02

This Water Right Purchase and Sale Agreement is made this 11 day of ^{march}~~January~~, 2002, between Thomas M. Bevan and Susan K. Bevan, husband and wife, 4202 N. Marcliff Avenue, Boise, Idaho 83704 (hereinafter "Sellers"), and Steve Boschma, 5592 W. Kuna Road, Kuna, Idaho 83634 (hereinafter "Buyer").

Whereas Sellers are the owners of the water right evidenced by water license no. 63-09156 for 0.88 cubic feet per second (cfs) of water appurtenant to land in Section 8, Township 1 North, Range 2 East, Ada County, more particularly described on Exhibit A, hereto. And whereas the parties have reached agreement on the terms and conditions for the purchase and sale of a portion of Sellers' water right, for the consideration hereinafter recited, Sellers and Buyer agree as follows:

- 1) Purchase and Sale of Rights. Sellers agree to sell to Buyer and Buyer agrees to purchase from Sellers 0.04 cfs (13.5 ac-ft.) of Sellers' water right evidenced by water license no. 63-09156 (hereinafter referred to as "the purchased water right").
- 2) Purchase Price and Payment. Buyer shall pay the Sellers, as consideration for the purchased water right, [REDACTED] per irrigated acre for approximately three (3) acres of land [REDACTED], (hereinafter referred to as "the purchase price"). Buyer agrees to deliver the purchase price to the escrow agent, Idaho Escrow, P.O. Box 8012, Boise, Idaho 83707, to be deposited in an escrow account pursuant to the escrow instructions of paragraph 5, hereof upon execution of this Agreement by Sellers and Buyer at the closing of this transaction, which shall occur on a date and at a time agreeable to the Buyer and Sellers.
- 3) Conveyance of Title and Title Policy. Sellers agree to execute a Water Right Warranty Deed, in the form of Exhibit B, conveying the purchased water right to Buyer and Sellers agree to deliver such deed to the escrow agent at the closing of this transaction. Sellers agree to provide Buyer with a title insurance policy on the three (3) acres of the purchased water right at

the time of delivery of the purchase price to the escrow agent. Sellers shall also provide Buyer, at closing, written certification from the Idaho Department of Water Resources that no Notice of Security Interest has been filed concerning the three (3) acres of the purchased water right as of the closing date.

4) Water Right Transfer. The parties acknowledge and agree that diversion of the purchased water right for use on the Steve Boschma property will require an Idaho Department of Water Resources (IDWR) approval of an Application for Transfer of Water Right. Buyer agrees to prepare and file an Application for Transfer to change the point of diversion, nature of use, and the place of use that is acceptable to both Sellers and Buyer. Buyer agrees to be primarily responsible for monitoring the status of the transfer and for maintaining contact with both IDWR and Sellers. Sellers agree to participate as applicant and advocate for the transfer in all administrative and judicial proceedings necessary to obtain final approval of the Application for Transfer. For purposes of this Agreement, final approval shall mean approval of the Application for Transfer on terms and conditions that are acceptable to both Sellers and Buyer after all administrative and judicial remedies are exhausted. Costs and attorney fees in preparing, filing, and obtaining final approval of the Application for Transfer shall be paid by Sellers and Buyer as follows:

a) Sellers shall be responsible for all costs and attorney fees incurred in responding to issues regarding the validity and Sellers' ownership of the purchased water right. Buyer shall be responsible for his costs and attorneys fees incurred in responding to all other issues regarding the proposed transfer not to exceed two thousand and five hundred dollars (\$2,500.00). At any time after Buyer's expenditure of two thousand and five hundred dollars (\$2,500.00) pursuant to this paragraph, Buyer may extend or terminate this Agreement and either withdraw or continue with the Application for Transfer.

b) Termination of Sale. If Sellers make invalid the purchased water right available to the Buyer, the escrow shall terminate and all monies and accrued interest shall be returned to the Buyer. If Buyer terminates this Agreement for any cause other than that described in paragraph 4.a. above, twenty percent (20%) of the purchase price plus the appurtenant accrued

interest on that amount shall be transferred to the Sellers. The remaining eighty percent (80%) of the purchase price and the appurtenant accrued interest on that amount shall be returned to Buyer by the escrow agent.

5) Escrow Agent and Instructions. The parties hereby appoint Idaho Escrow, P.O. Box 8012, Boise, Idaho 83707, telephone: (208) 377-2212, as the escrow agent to hold and release a purchase price and deed to a water right pursuant to the terms of this Agreement and any additional written instructions signed by both parties hereto and provided to the escrow agent.

a) The purchase price shall be released to the Sellers only upon: 1) Approval by the IDWR of the Application for Transfer of the point of diversion and place of use for the purchase water right; 2) The expiration of all administrative and judicial periods for appeal; and 3) The written approval by Buyer of any conditions placed on the transfer by the IDWR. Buyer's approval shall not unreasonably be withheld and shall be provided within thirty (30) days after delivery of written notice of such conditions to Buyer by Sellers or within thirty (30) days after expiration of the applicable administrative and judicial periods for appeal should conditions already approved by Buyer be modified by subsequent administrative or judicial action. Failure by Buyer to provide written approval to escrow agent within thirty (30) days after delivery of such written notice of such conditions to Buyer shall be deemed written approval.

b) The Sellers and the Buyer shall act in good faith and use best efforts to complete the agreed upon transfer as described herein on or before January 31, 2002. If the transfer has not been completed by that date, the Sellers and the Buyer may terminate the escrow by executing a mutual written consent and by each party providing a copy of the mutual written consent to the escrow agent. Termination of the escrow shall be effective upon receipt by the escrow agent of a separate copy of the mutual written consent from the Sellers and from the Buyer.

c) Upon receipt of written notice from IDWR or Court of proper jurisdiction of the timely final approval of the Application for Transfer and after expiration of all applicable appeal periods, expiration of the applicable thirty (30) day period described in paragraph 5.a. hereof and

Sellers' full performance of the terms of this Agreement, Buyer shall, within ten (10) days of expiration of the applicable thirty (30) day period described in paragraph 5.a. hereof, provide a letter of confirmation thereof to escrow agent and escrow agent shall release the purchase price to Sellers. All accrued interest on the purchase price shall be released to Buyer.

d) The deed to a water right shall be released to the Buyer upon release of the purchase price to the Sellers.

6) Entire Agreement. This Agreement contains the entire understanding of the parties. Any changes or modifications to this Agreement must be in writing signed by Sellers and Buyer.

7) Heirs, Successor, and Assigns. The covenants, conditions, and agreements herein contained shall be binding on each of the parties hereto and on all parties and all persons claiming under them or either of them and the advantages hereof shall inure to the benefit of each of the parties hereto and the respective heirs and successors and assigns.

8) Sellers affirmatively represent and warrant to Buyer that they are the sole owners of the water right evidenced by water license no. 63-09156 for 0.88 cubic feet per second (cfs) appurtenant to real property located in Section 8, Township 1 North, Range 2 East, Ada County, more particularly described on Exhibit A, hereto. Sellers also affirmatively represent and warrant to Buyer that said water right has no pending lien, security interest, mortgage, or other form of encumbrance whatsoever which would prevent or impede the full and complete transfer of legal and equitable title of the purchased water right to Buyer under the terms of this Agreement.

By:

Thomas M. Bevan

Thomas M. Bevan

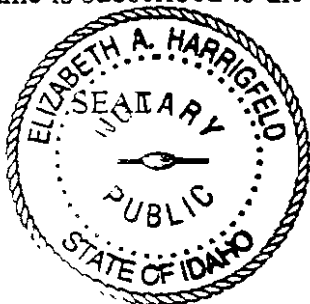
By:

Susan K. Bevan

Susan K. Bevan

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

On this 4th day of February 2002, before me personally appeared **Thomas M. Bevan**, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.



Elizabeth A. Harrigfeld

Notary Public

Residing at Boise, ID

My Commission Expires on 11-23-07

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

On this 4th day of February 2002, before me personally appeared **Susan K. Bevan**, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same.



Elizabeth A. Harrigfeld

Notary Public

Residing at Boise, ID

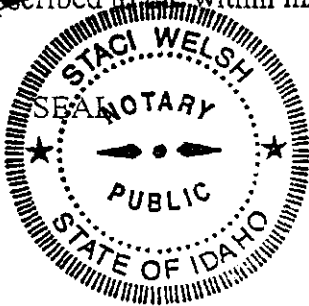
My Commission Expires on 11-23-07

By:

Steve Boschma
Steve Boschma

State of Idaho/or _____)
County of Ada) SS.

On this 11th day of March 2002, before me personally appeared **Steve Boschma**, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.



Staci Welsh
Notary Public
Residing at 1111 1st Ave N
My Commission Expires on 12/1/2004

Should questions arise during the processing of this application please contact:
Sheri L. Chapman - ERO Resources Corp. (208) 373-7983

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
Part 1

Name of applicant Thomas M. and Susan K. Bevan

Phone (208) 323-7873

Post Office address 4202 N. Marcliffe Ave., Boise, Idaho 83704

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 _____
2. Describe the reason for the proposed changes A portion of the land under this water right will be converted to stockwater and commercial uses.

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

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|-----------------|----------|--------------------|---------------|----------------|
| 63-09156 | 6-8-1978 | .04 / 7.6 | Commercial | 1-1 to 12-31 |
| 63-09156 | 6-8-1978 | .04 / 3.3 | Stockwater | 1-1 to 12-31 |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |

2. Total amount of water being transferred .04 cubic feet per second and/or 10.9 acre-feet per annum.
3. Source of water Groundwater tributary to N/A
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SE	SW	19	2N	1W	Canyon	
	NW	SE	SW	19	2N	1W	Canyon	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	1W	19									C			C					
2N	1W	19									S			S					

SCANNED

DEC 19 2007

Total acres 0

PART 1

6. General Information:

- a. Description of diversion system Drilled well, pipelines, stock tanks, dairy facilities.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes XX No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer: The land will no longer be irrigated.
- d. Remarks: The transfer of water from irrigation to stockwater and commercial uses will allow expansion of an existing dairy by approximately 225 head of milking cows or 600 head of replacement stock.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 20 _____

SCANNED
DEC 19 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
Part 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-09156 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice

☒ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to N/A

4. Date of priority 6-8-1978

5. Water is used for the following purpose:

Amount .84 for Irrigation purposes from 3-15 to 11-15

(cfs/ac-ft)

Amount .04 for Domestic purposes from 1-1 to 12-31

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

6. Total amount of water under right .88 cubic feet per second and/or 311.1 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	8	1N	2E	Ada	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
1N	2E	8						39	30										
1N	2E	8						D											

SCANNED
DEC 19 2007

Total acres 69

9. Describe any other water rights used for the same purpose as described above None

PART 2

Transfer No. _____

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

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. Amount .04 / 13.5 for Commercial purposes from 1-1 to 12-31

(cfs/ac-ft)

Amount .04 / 13.5 for Stockwater purposes from 1-1 to 12-31

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

2. Points of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	8	1N	2E	Canyon	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	2E	8						3											

Total acres 3

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

1. Amount .80 for Irrigation purposes from 3-15 to 11-15

(cfs/ac-ft)

Amount .04 for Domestic purposes from 1-1 to 12-31

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

2. Points of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	8	1N	2E	Canyon	

3. Lands irrigated or place of use:

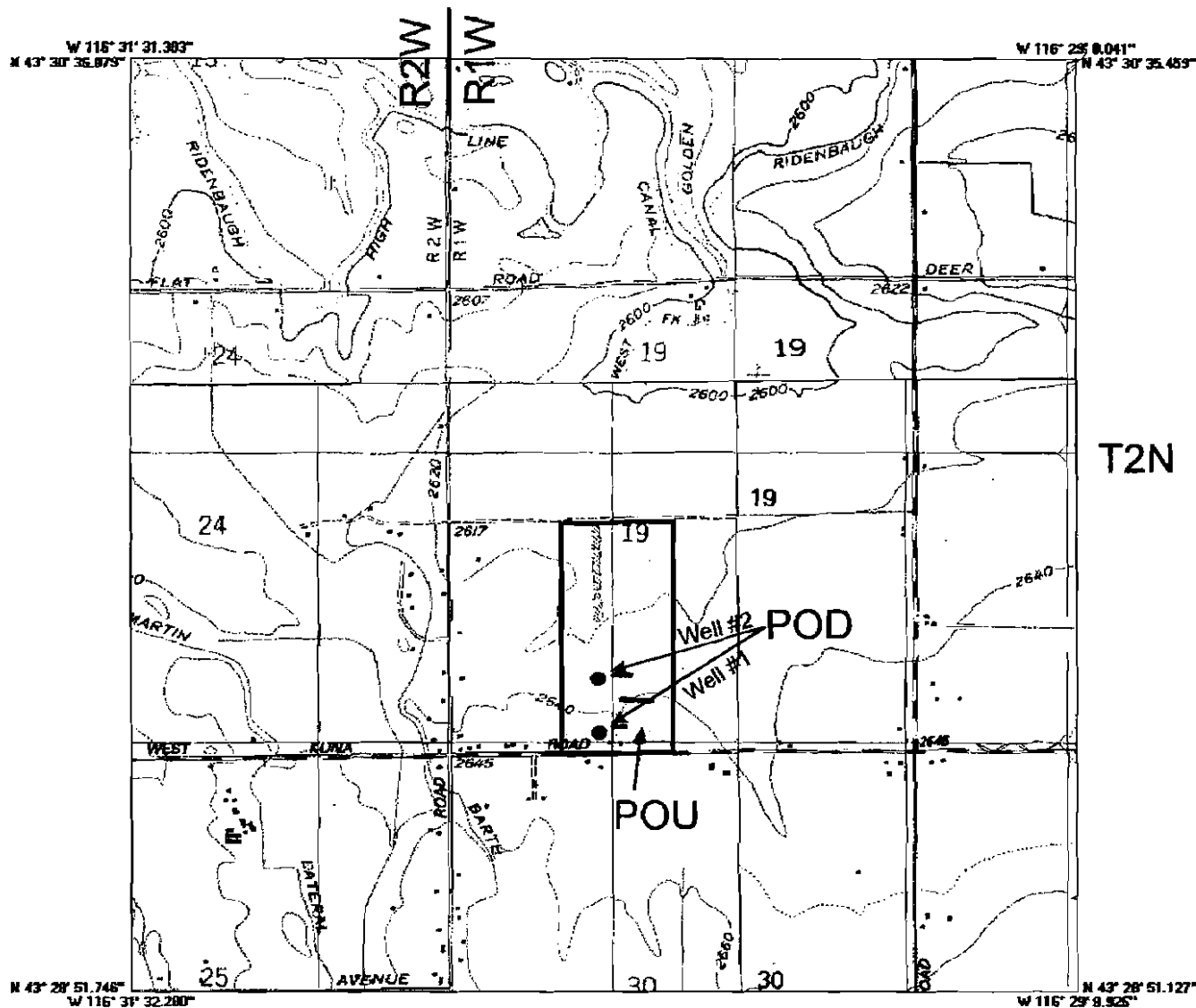
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	2E	8						36	30										
1N	2E	8						D											

SCANNED

DEC 19 2002

Total acres 66

Area Map



1927 North American Datum; 1,000-meter UTM grid zone 11
Generated by BigTopo (www.bigtopo.com)
Map compiled from USGS Quads: Nampa; ID Meridian: ID Meridian; ID Meridian: ID Meridian; ID Meridian: ID Meridian

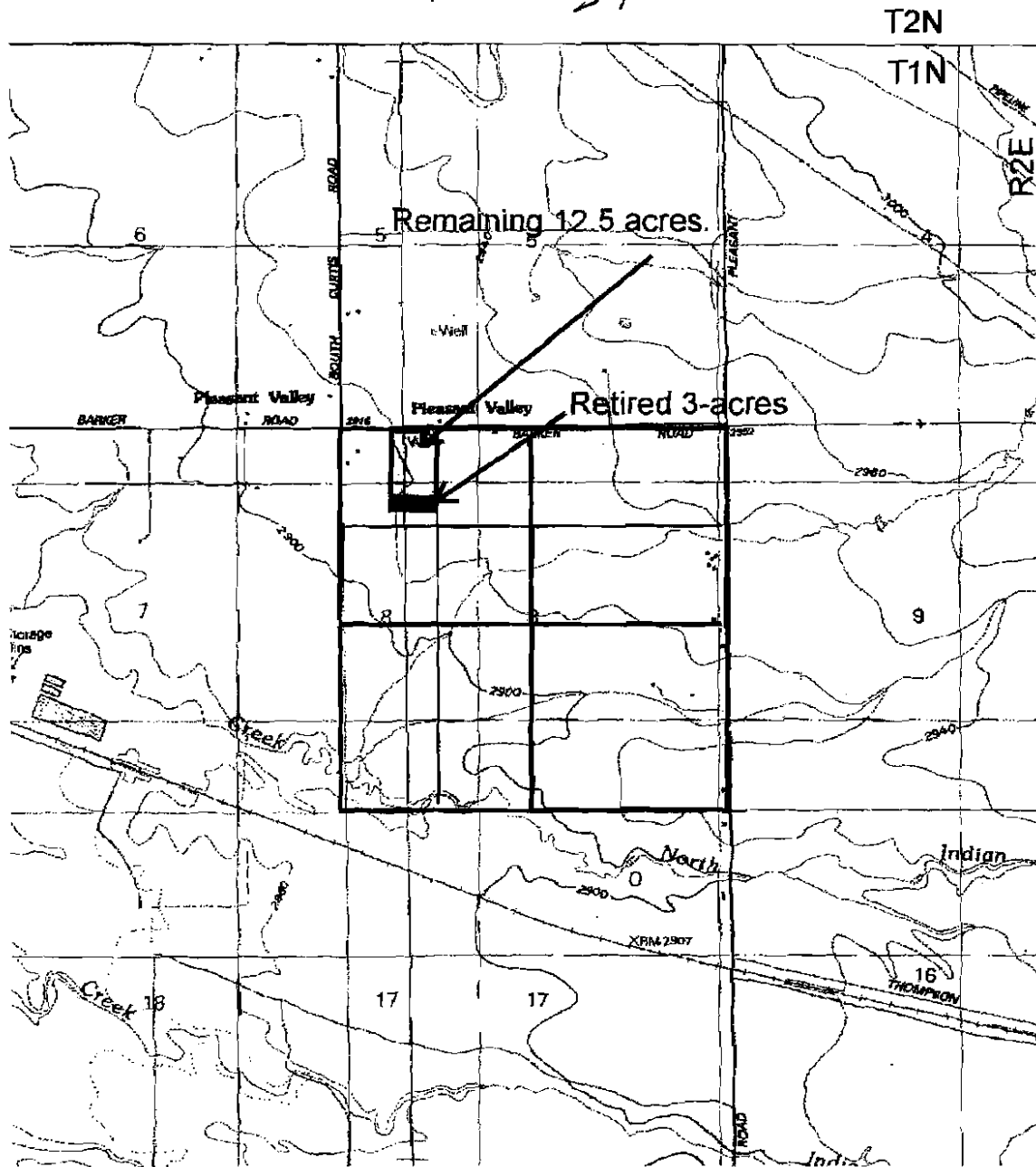
POU and PODs for the Lone Pine Dairy

SCANNED

2007

Page 6 of 7

Part 3A



**Lands Retired and Remaining After Transfer
of Water Right #63-09156
(Bevan/Lone Pine)**

PART 3

B. CHANGES IN NATURE OF USE

- | 1 | New Nature of Use | Amount
(cfs/ac-ft) | Hours/days/year | Period of Use |
|---|-------------------|-----------------------|-----------------|---------------------|
| | <u>Stockwater</u> | <u>.04</u> | <u>365 days</u> | <u>1-1 to 12-31</u> |
| | <u>Commercial</u> | <u>.04</u> | <u>365 days</u> | <u>1-1 to 12-31</u> |
2. Quantity and quality of return flows and location of discharge: No wastewater will leave the dairy site.
3. Describe effects on other water uses resulting from the proposed change: None

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Frank J. Laven Kay Bar
(Signature of Applicant)

Subscribed and sworn to before me this 26th day of April, 20 02



Elizabeth A. Harrigfeld
(Notary Public)

FOR DEPARTMENT USE ONLY

Transfer contains 7 pages and 10 attachments

Received by Janis Fontaine Date 5/13/02 Protest filed by _____

Prelim. check by _____ Fee \$100.00

Receipted by Janis Fontaine Date 5/13/02 W029159

Published in THE IDAHO STATESMAN PRESS TRIBUNE Copies of protest forwarded by _____

Pub. Dates 11-7 + 14-02 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

SCANNED

DEC 10 2002

ERO Resources Corp.
1106 N. Cole Rd., Suite C
Boise, ID 83704-8661
(208) 373-7983
Fax: 373-7985



Denver • Boise

www.eroresources.com
erobuise@eroresources.com

October 23, 2002

Idaho Department of Water Resources
Western Region Office
2735 Airport Way
Boise, ID 83705-5082

RE: Application for transfer for water right 63-9156

Dear Mr. Nelson

Your letter dated June 17, 2002, requested some additional information that is needed to continue processing the transfer for water right 63-9156 in the name of Thomas and Susan Bevan. Please accept the following information to satisfy that request.

Item 1: Enclosed, please find the warranty deed for the new place of use (POU). The owner of the property at the new POU is not the name listed on the transfer so I enclosed a letter from the new owner providing permission for the water to be transferred to his property.

Item 2: The new POU is an existing dairy. The dairy is owned and operated by Mr. Steve Boschma and is called the Lone Pine Dairy. The other water rights currently used for the dairy are as follows:

Name	WR No.	Total Diversion Rate (cfs)	Volume (AFA)
Bevan transfer	63-09156	0.04	7.6 C 2.3 S
Harold Boschma (claim will be filed under Steve Boschma)	63-4498	0.04	14.56* (13,000 gpd)
Steve Boschma	63-9103D	0.1	7.4 C 26.8 S
Total		0.18	58.66

*Volume is calculated from 350 milking cow limit.

Item 3: See attached dairy worksheet.

Attach A-1

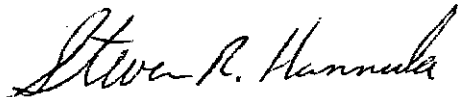
Consultants in
Natural Resources
and the Environment

Item 4: Enclosed, please find the supporting documentation for the historical use; including an Affidavit by Steven Hannula regarding Pleasant Valley Irrigation Company, a statement from Thomas Bevan about historical use, Table of AGRIMET values of consumptive use of various crops in Nampa, Idaho, and a calculation of consumptive volume.

Also, you have expressed concern about the relatively low commercial water use of the dairy as shown on the enclosed Dairy Requirement Worksheet. Mr. Boschma has indicated that his dairy uses a dry scrape system, no wash pen, and cow prep is performed without water. He beds the cows on fresh straw to keep them clean to minimize prep requirements. His milking system does not use a bulk tank. These techniques keep his commercial demand at a minimum. Mr. Boschma has indicated that he is comfortable with the projected commercial use of 7 afa.

If there are any questions, please feel free to contact me.

Regards



Steven R. Hannula

cc Lone Pine Dairy

ATTACH A-2

The Grantees herein have read and approved the following:

Title File No.: T01-77990 **AX****WARRANTY DEED****FOR VALUE RECEIVED**

V. Janice Stringer, an unmarried woman, Neal Curtis Stringer, an unmarried man and William Curtis Stringer, Jr., a married man dealing with his separate property

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto: Thomas M. Bovan and Susan K. Bovan, husband and wife

GRANTEES(s), whose current address is: 4202 N. Marcellite Avenue, Boise, Idaho 83704 the following described real property in Ada County, State of Idaho, more particularly described as follows, to wit:

See exhibit "A" attached hereto and made a part of

RECORDED-REQUEST OF

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHOFEE \$6 DEPUTY *K. Hough*

2001 SP 24 PM 4:02

101098083

TRANSACTION

*THIS DEED, FOR THE PURCHASE OF, SXS***INCLUDING ALL WATER AND MINERAL RIGHTS SPECIFICALLY, WATER RIGHT LICENSE, WATER RIGHT NO. 63-09156, STATE OF IDAHO, DEPARTMENT OF WATER RESOURCES**

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

Dated: September 21, 2001

V. Janice Stringer
V. Janice Stringer*Neal Curtis Stringer*
Neal Curtis Stringer *only 2 feet**William Curtis Stringer, Jr.*
William Curtis Stringer, Jr.

STATE OF Idaho County of Ada, ss.

On this 21st day of September in the year of 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared V. Janice Stringer, Neal Curtis Stringer, and William Curtis Stringer, Jr.

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

Signature: *[Signature]*

Name: Alana G. Pierce

Residing at: RESIDING IN MERIDIAN, IDAHO

My commission expires: COMM. EXPIRES: 6-15-2003

NOTARY PUBLIC - Attorney in Fact

State of Idaho County of Ada

On this 21st day of September, 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared V. Janice Stringer, Neal Curtis Stringer, and William Curtis Stringer, Jr.

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

Signature: *[Signature]*

Name: Alana G. Pierce

Residing at: RESIDING IN MERIDIAN, IDAHO

My commission expires: COMM. EXPIRES: 6-15-2003

Transaction T

Exhibit A to Water Right Purchase and Sale Agreement

ATTACH B

EXHIBIT "A"

The West half of the Northwest quarter of Section 8, Township 1 North, Range 2 East, Boise Meridian, Ada County, Idaho.

EXCEPT the Southwest quarter of the Southwest quarter of the Northwest quarter of said Section 8.

FURTHER EXCEPT a parcel of land situated in the Northwest quarter of the Northwest quarter of Section 8, Township 1 North, Range 2 East, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

Commencing at the section corner common to Sections 5, 6, 7 and 8, Township 1 North, Range 2 East, which point is a brass cap, and being the REAL POINT OF BEGINNING; thence South 89°38'55" East along the North line of Section 8 a distance of 435.60 feet to a 1/2 inch iron pin; thence South 00°15'06" East a distance of 500.06 feet to a 1/2 inch iron pin; thence North 89°38'55" West a distance of 435.60 feet to a 1/2 inch iron pin; thence North 00°15'06" West a distance of 500.06 feet along the West line of Section 8 to the REAL POINT OF BEGINNING.

EXCEPT that portion lying within the right of way for county road commonly referred to as Barker Road and Curtis Road over and across the Northerly and westerly portion of said premises.

SKB

TMS.

VCH

MCA 6/7/77

WJ

ATTACH B-1

Steve Boschma
Boschma Dairy
5592 W. Kuna Road
Kuna, Idaho 83634

July 11, 2002

Idaho Department of Water Resources
Western Region Office
2735 Airport Way
Boise, ID 83705-5082

RE: Permission for transfer for water right 63-9156 to have a POU on my property

Dear Mr. Nelson

This letter is in regard to the application for transfer of water right 63-9156 in the name of Thomas and Susan Bevan. The new Place of Use listed on the transfer is an existing dairy that I own and operate. I hereby grant permission for the water to be transferred onto my property.

If there are any questions, please feel free to contact Steven Hannula of ERO Resources Corp. or me.

Regards

A handwritten signature in cursive script that reads "Steve Boschma".

Steve Boschma

cc Steven Hannula, ERO

ATTACH C

FROM : Lone Pine Dairy

FAX NO. : 208 4671373

Feb. 28 1998 11:25AM P1

MODE: F ACTION:
1R29001000 0

2001 TAX INQUIRY as of 09/09/2002 13:43 TRQK701
02NO1W194800 099-00 * * CHECK FOR DELINQUENCIES * * 0000

LONE PINE DAIRY PARTNERSHIP

Original Tax

5592 KUNA RD
KUNA

ID 83634

Adjusted Amount

19-2N-1W SW
E 1/2 SW LS TX 7,, TX 7

5592 KUNA RD, KU

Outstanding Tax

00

FCV / QTY 443,200 / 80.00

Bill Number 2001046560
MHR

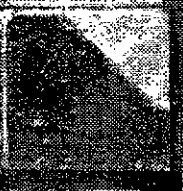
Information on this screen is subject to change without notice

ATTACH D

FILE 2 E

Barney

1856



205

1/5/57



1/1

ATTACH F-1

DAILY FRESH WATER REQUIREMENT FOR DAIRY FACILITY

FOR: Lone Pine Dairy
BY: Steven Hannula
DATE: 10/23/02

STOCKWATER VOLUME REQUIREMENT

TYPE OF ANIMAL	NUMBER	USE/DAY GAL/DAY	TOTAL GAL/DAY	TOTAL GAL/YEAR
MILKING COWS	1,169	35	40,915	14,933,975
DRY COWS	206	12	2,472	902,280
HEIFERS	0	0	0	0
TOTAL GALLONS			43,387	15,836,255

STOCKWATER ANNUAL VOLUME NEEDED (AFA) 48.60

COMMERCIAL VOLUME REQUIREMENT

MISTERS ESTIMATE

GPH	NUMBER OF NOZZLES	TIME PER USE(IN HOURS)	NUMBER OF USES PER DAY	TOTAL GAL/DAY	TOAL GAL/YEAR
2.00	600	10	1	12,000	1,440,000

MILKING PARLOR ESTIMATES

ITEM	GALS/OP	X'S/DAY	GALS/DAY	GALS/YEAR
BULK TANK	0	0	0	0
COW PREP	0.00	0	0	0
PIPELINES	300	3	900	328,500
CLEANUP	400	3	1,200	438,000
TOTAL MILK PARLOR USE			2,100	766,500

ATTACH F-2

MISCELLANEOUS USES

ITEM	GALS/OP	X'S/DAY	GALS/DAY	GALS/YEAR
TOWEL WASHING	50	4	200	73,000
EMPLOYEE SHOWERS & RESTROOMS	50	0	0	0
MAINTENANCE SHOP	250	0	0	0
TOTAL MISCELLANEOUS USES			200	73,000

COMMERCIAL ANNUAL VOLUME NEEDED (AFA)

7.00

STOCK WATER VOLUME REQUIREMENT =	48.60
COMMERCIAL REQUIREMENT =	7.00
TOTAL VOLUME REQUIRED =	55.60

Calculation of Consumptive Volume of Water to be Transferred
Thomas Bevan - Stockwater/Commercial transfer.

Consumptive Use of Bevan's Irrigated Lands

Crop	AgriMet CU CU Units	Acres	Annual CU (ac-ft/yr)
Alfalfa	43.6 inches*	3.0	10.9

* AGRIMET evaporation for alfalfa (mean) in Nampa, ID for 2001.

Attach C

NMPI -- Nampa, Idaho

	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	Average
Alfalfa (Mean	--	--	--	--	--	--	--	--	39	42.4	39.9	40.9	42.5	43.6	41.4
Alfalfa (Mean	--	--	--	--	--	--	--	--	40.8	41.4	40.2	43.4	45.2	46.7	43
Pasture	--	--	--	--	--	--	--	--	30.7	33.1	31.3	32.5	33.8	34.2	32.6
Lawn	--	--	--	--	--	--	--	--	37.3	--	--	--	--	42.2	39.8
Winter Grain	--	--	--	--	--	--	--	--	21.4	24.1	20.6	23.3	25.3	24.8	23.3
Spring Grain	--	--	--	--	--	--	--	--	22.4	25.4	23.5	26.7	27.8	27.6	25.6
Sugar Beets	--	--	--	--	--	--	--	--	32.1	33.8	34	32.4	35.7	35.8	34
Onion	--	--	--	--	--	--	--	--	27	28.1	27.4	27.7	29.7	29.3	28.2
Shepody Pot	--	--	--	--	--	--	--	--	23.5	24.5	19.6	22.1	22.6	26.9	23.2
Potatoes	--	--	--	--	--	--	--	--	26	26.6	26.9	27.9	29.5	23.1	26.7
Dry Beans	--	--	--	--	--	--	--	--	18.9	19.9	20.3	20.5	21.7	21.1	20.4
Field Corn	--	--	--	--	--	--	--	--	25.1	25.3	26	26.2	28.9	29.1	26.8
Spring Corn	--	--	--	--	--	--	--	--	20.9	20.9	21.6	21.5	23.5	23.5	22
Asparagus	--	--	--	--	--	--	--	--	31	32.2	31.9	30.9	31.7	35.1	32.1
Peas	--	--	--	--	--	--	--	--	13.1	14	12.6	15.5	16.5	16.9	14.8
New Mint	--	--	--	--	--	--	--	--	24.8	34	33.7	26.1	28.2	25.9	28.8
Peppermint	--	--	--	--	--	--	--	--	22.2	35.4	32.8	23.2	24	24.6	27
Wine Grape	--	--	--	--	--	--	--	--	24.7	25.6	24.9	25.9	26.6	26.1	25.6
Apples	--	--	--	--	--	--	--	--	34.9	35.7	35.1	35.1	39.9	40.5	36.9

Attach #

Thomas M. Bevan, Jr.
4202 N. Marcliffe Ave.
Boise, ID 83704
Tel: 208-323-7873 Fax: 208-375-7246

January 31, 2002

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

Attn: Ms. Lori Graves
Subject: **Water Right 63-09156**

Dear Ms. Graves,

I am writing regarding applications of Water Rights Transfer to Quail Ridge Subdivision in Nampa and Pacific Hide and Fur of Nampa and any future transfer applications regarding the above referenced Water Right. Please accept my assurances that the only source of water used on the alfalfa ground covered in the above mentioned Water Right has been provided exclusively by the ground water well covered under the Water Right and that no surface water right was ever provided or used on this property or in conjunction with this subject Water Right.

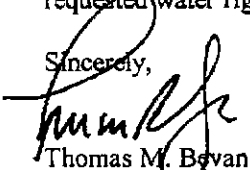
I spoke with Mr. William Stringer, Jr., an heir and personal representative for the Estate of Mr. William Stringer, Sr.; Mr. Stringer, Sr., deceased, was the previous land owner. Mr. Stringer, Jr., confirms all water used on this property was derived from the ground water well situated on the property and licensed under the above referenced Water Right 63-09156. He confirms this property never used any surface water from Pleasant Valley Irrigation District or any other Irrigation District.

Mr. Steve Hanula, of ERO Resources Corp., of 1106 N. Cole Road, Suite C of Boise, Idaho, telephone number: 373-7983, contacted Pleasant Valley Irrigation District and spoke to the president of the District, Mr. Eric Bodily, telephone number: 869-9867 and to the District's attorney and preferred contact on such matters, Mr. Terry Copple, telephone 342-3658. They both confirmed to Mr. Hanula, that Pleasant Valley Irrigation District never provided surface water to the property covered by Water Right 63-09156.

Thus, as the current land owner, please accept my assurances the exclusive source for the water used in the growing of alfalfa over the past five (5) years and also previous to the last five (5) years, on the ground covered by the Water Right 63-09156, came only from the ground water well and the noted Water Right.

Please advise if any further information or clarifications are required in your efforts to research the requested water right transfer.

Sincerely,



Thomas M. Bevan

Farm Owner and current owner of Water Right 63-09156

Copy: ERO RESOURCES CORP.
ATTN: Mr. Steve Hanula,
Fax: 373-7985

Attach I

AFFIDAVIT THAT PLEASANT VALLEY IRRIGATION COMPANY HAS NOT
DELIVERED WATER TO PROPERTY CURRENTLY OWNED BY THOMAS AND
SUSAN BEVAN

Steven R. Hannula, being first duly sworn deposes and states:

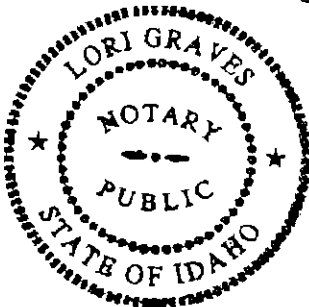
1. My name is Steven R. Hannula, and my work address is ERO Resources Corporation, 1106 N. Cole Road, Suite C, Boise, Idaho 83704-8661. My home address is 12596 W. Trafalger Ct, Boise, Idaho 83709.
2. My educational background includes Bachelor of Science in Geology from the University of Wisconsin Oshkosh in 1989 and Master of Engineering in Geological Engineering from Colorado School of Mines in 1995.
3. My work experience after graduation from Colorado School of Mines includes 5 years as a hydrogeologist at Shepherd Miller Inc. in Fort Collins, Colorado. Since August 2000, I have been employed by ERO Resources Corp. providing consulting services to clients in the areas of water rights and water quality.
4. Thomas and Susan Bevan currently own 69 acres in NW and SW of the NW Sec 8 T1N R2E in Ada County. Mr. and Mrs. Bevan have owned the property since September 2001.
5. Mr. William Stringer Sr. was the previous landowner and is now deceased. Mr. William Stringer Jr. is the heir and personal representative of the family. The Stringer family has owned the property since 1978 and sold the property to Mr. and Mrs. Bevan in September 2001.
6. Pleasant Valley Irrigation Company owns several water rights (63-2615, 63-329B, 63-330B, 63-331B, and 63-332) that include this same land (NW Sec 8 T1N R2E) in the Place of Use description.

7. On January 30, 2002, I spoke to Eric Bodily over the telephone. Eric Bodily is the current president of the Pleasant Valley Irrigation Company. Mr. Bodily indicated that there are no Pleasant Valley Irrigation Company shares on the Bevan property. One share was owned in 1995 to allow Mr. William Stringer Sr. eligibility to vote within the company. Mr. Bodily stated that he could not recall water ever being delivered to the property.
8. On March 14, 2002, I spoke to Mr. William Stringer Jr. via telephone. Mr. Stringer stated that when they owned the property, ground water was the sole source of irrigation and that Pleasant Valley Irrigation Company never delivered water to their property.
9. Mr. Bevan has supplied the Idaho Department of Water Resources with a letter stating that the ground water has been the only source of water used during his ownership.
10. Through conversations with Mr. Bevan, Mr. Stringer Jr., and Pleasant Valley Irrigation Company, water from Pleasant Valley Irrigation Company has not been delivered to the property at least since 1978 and that Water Right No. 63-9156 is the primary source of irrigation water for the property.

Dated this 14 day of March, 2002

Steven R. Hannula
Steven R. Hannula

SUBSCRIBED and SWORN to before me this 14th day of March, 2002



Lori Graves
NOTARY PUBLIC FOR IDAHO
Residing at: Boise
My Commission Expires: 6/18/04

ATTACH J-2

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31438 V1

WATER RIGHT NUMBER: 63-31438 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	WILLIAM C STRINGER 421 MARCUS COURT MOAB, UT 84532 (801)259-8686
Original Owner	VIOLET J STRINGER 421 MARCUS COURT MOAB, UT 84532 (801)259-8686
Current Owner	SUSAN K BEVAN 4202 N MARCLIFFE AVE BOISE, ID 83704 (208)323-7873
Current Owner	THOMAS M BEVAN 4202 N MARCLIFFE AVE BOISE, ID 83704 (208)323-7873

Priority Date: 06/08/1978

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.190 CFS	69.80 AF
DOMESTIC	01/01 to 12/31	0.040 CFS	0.60 AF
	<u>Total Diversion:</u>	0.190 CFS	70.40 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NW1/4	Sec. 8,	Twp 01N,	Rge 02E, B.M.
ADA County				
GROUND WATER	NW1/4NW1/4	Sec. 8,	Twp 01N,	Rge 02E, B.M.
ADA County				

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	02E	8																	15.5

DOMESTIC

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31438 V1

Twp	Rge	Sec	NE				NW				SW				SE				Totals
01N	02E	8	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
								X											

Conditions of Approval:

1. 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.

Remarks:

1. General Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

Comments:

1. PSKAGGS 7/5/2002 10:41:16 AM Transferred Right
Comment: This is now a approved transfer, transfer number = 69750

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: And
 Water District Number:
 Generic Max Rate Per Acre: 0.02
 Generic Max Volume Per Acre: 4.5
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31438

WATER RIGHT NUMBER: 63-31438

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	VIOLET J STRINGER 421 MARCUS COURT MOAB, UT 84532 (801)259-8686
Current Owner	SUSAN K BEVAN 4202 N MARCLIFFE AVE BOISE, ID 83704 (208)323-7873
Current Owner	THOMAS M BEVAN 4202 N MARCLIFFE AVE BOISE, ID 83704 (208)323-7873
Original Owner	WILLIAM C STRINGER 421 MARCUS COURT MOAB, UT 84532 (801)259-8686

Priority Date: 06/08/1978

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.190 CFS	69.80 AF
DOMESTIC	01/01 to 12/31	0.040 CFS	0.60 AF
	<u>Total Diversion:</u>	0.190 CFS	70.40 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NW1/4	Sec. 8,	Twp 01N,	Rge 02E, B.M.
ADA County				
GROUND WATER	NW1/4NW1/4	Sec. 8,	Twp 01N,	Rge 02E, B.M.
ADA County				

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	02E	8																	15.5

Total Acres: 15.5

DOMESTIC

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31438

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	02E	8						X											

Conditions of Approval:

1. 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.

Remarks:

1. General Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

Comments:

1. scurtis 7/5/2002 10:41:12 AM Transferred Right
Comment: This is now an approved transfer, transfer number = 69750

Dates and Other Information:

Claim Received Date: 8/13/2002
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: AND
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

RECEIVED

JUL 08 2002

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 69750

This is to certify that: THOMAS M BEVAN And
SUSAN K BEVAN
4202 N MARCLIFFE AVE
BOISE ID 83704
(208)323-7873

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. 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 Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
63-31428	AJC/License	06/08/1978	0.37 cfs	70.4 af		30.5	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
63-31428	YES	YES	YES	YES	YES	YES

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
63-31428	63-31439	0.18 cfs	63.1 af	11.0	11.0	63-31438	0.19 cfs	70.4 af	N/A	15.5
TOTALS		0.18 cfs	63.1 af	11	11		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 5th day of July, 2002

[Signature]
Chief, Water Allocation Bureau

WATER RIGHT NO. 63-31438
As Modified by Transfer No. 69750

In accordance with the approval of Transfer No. 69750, Water Right No. 63-31438 is now described as follows.

Right Holder: WILLIAM C STRINGER And
 VIOLET J STRINGER
 421 MARCUS COURT
 MOAB UT 84532

Priority Date: 06/08/1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.19 CFS	69.8 AF
DOMESTIC	01/01	to 12/31	0.04 CFS	0.6 AF
			0.19 CFS	70.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNW Sec. 8 Twp 01N Rge 02E ADA County
 GROUND WATER NWNW Sec. 8 Twp 01N Rge 02E ADA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N 02E 8							15.5										15.5

Total Acres: 15.5

PLACE OF USE: DOMESTIC, same as Irrigation

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 lands above.
2. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

This water right 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.

Dated this 5th day of July, 20 02


 Chief, Water Allocation Bureau

SPLITS RE 63-9156

SL 7/9/02

T. 69712 split 63-9156 to

1 - 63-31428 unchanged portion

1

1 63-31429 changed portion for Quail Ridge
Estates homeowners' individual
wells

1

1

↓

T. 69750 split 63-31428 to

63-31438 unchanged portion

63-31439 changed portion for Pacific
Hide & Fur Depot

MEMORANDUM

DATE: 3/14/02

FROM: Lori Graves

TO: Transfer File No. 69750

Attachments

- A. Application Remarks
- B. Water Budget for Commercial Uses
- C. Calculations for Consumptive Irrigation Volume in 1999
- D. ERO Affidavit
- E. Thomas Bevan's Supporting Letter
- F. 1987 FSA Photo
- G. Ownership Documentation For Current P/U
- H. Ownership Documentation For Proposed P/U

Brief

Applicants propose to transfer 15 acres of their irrigation right 63-9156 to the site of Pacific Hide and Fur Depot's (PHF) new facility. The consumptive use from 4 of the 15 acres will be used commercially for the new PHF facility and the remaining will continue to be used for irrigation at the proposed site. Although two qtr-qtrs are listed under the P/D, only one new well will be drilled within the E ½ NE.

ERO consultants prepared the transfer for the applicants.

Historical Use

Applicants provided 1987 CFSA maps showing irrigation of the licensed acres. 1994 and 2000 photos available in Arc View also show irrigation of the licensed acres. Applicants stated in Attachment 2 that the acres have been continuously planted in alfalfa crop.

Overlaps

The overlap analysis shows that water from Tenmile Creek in the name of Pleasant Valley Irrigation District overlaps the current P/U. Applicants stated in Attachment E that the well has always been the only source of water for irrigation of the licensed acres. Applicants also stated that Pleasant Valley Irrigation District's President Eric Bodily and Attorney Terry Copple were contacted by ERO and both confirmed that Pleasant Valley Irrigation District has never provided surface water to the property covered by water right 63-9156. ERO provided an affidavit for supporting documentation (see Attachment D).

Application 63-12541 overlaps the proposed P/U. PHF filed this application in 1999 for industrial use, which is currently on moratorium hold.

Consumptive Use

PHF's needs ~12,000 gpd to satisfy their commercial uses, which equates to 13.4 afa. ERO used the AGRIMET data from the Nampa station to determine that on the average, 3.4 afa is consumed annually by one acre of alfalfa. Based on this information, of the 15 acres purchased, 4 acres must be retired to satisfy the new facility's commercial needs. The remaining 11 acres can be accounted for 4.5 afa/ac for irrigation as licensed.

Ownership

The transfer was submitted by ERO in the name of the current water right owner. Sufficient documentation has been submitted to change the transfer into PHF's name once approved (Attachment H).

Recommendations

Approve the transfer as filed.

Approve the transfer in PHF's name per Attachment H.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
Part 1

RECEIVED

JAN 09 2002

WATER RESOURCES
WESTERN REGION

Name of applicant Thomas M. and Susan K. Bevan

Phone (208) 323-7873

Post Office address 4202 N. Marcliff Ave., Boise, Idaho, 83704

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 _____
2. Describe the reason for the proposed changes Applicant wishes to transfer a portion of the water right to another property for commercial use and irrigation use.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>63-09156</u>	<u>6-8-1978</u>	<u>0.05 / 13.6</u>	<u>Commercial</u>	<u>1-1 to 12-31</u>
<u>63-09156</u>	<u>6-8-1978</u>	<u>0.13 / 49.5</u>	<u>Irrigation</u>	<u>3-15 to 11-15</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 0.18 cubic feet per second and/or 63.1 acre-feet per annum.
3. Source of water Groundwater tributary to N/A
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	12	1N	1E	Ada	
		SE	NE	12	1N	1E	Ada	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	N ½	S ½	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
1N	1E	12	C/11			C													11

Total acres 11 for irrigation

PART 1

Transfer No. 69750

6. General Information:

- a. Description of diversion system Drilled well.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes XX No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
The 15 acres at the original Place of Use will no longer be irrigated.
- d. Remarks: See attached.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and condition:

Witness my hand this _____ day of _____, 20_____.

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

Part 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-9156 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice

☒ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to N/A

4. Date of priority June 8, 1978

5. Water is used for the following purpose:

Amount 0.84 / 310.5 for Irrigation purposes from 3-15 to 11-15
(cfs/ac-ft)

Amount 0.04 / 0.6 for Domestic purposes from 1-1 to 12-31
(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.88 cubic feet per second and/or 311.1 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	8	1N	2E	Ada	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	2E	8						39	30										69
1N	2E	8						D											

Total acres 6

9. Describe any other water rights used for the same purpose as described above None

PART 2

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

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. Amount 0.18 / 67.5 for Irrigation purposes from 3-15 to 11-15
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Points of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	8	1N	2E	Ada	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Total
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
1N	2E	8						15											15

Total acres 1

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

1. Amount 0.66 / 243 for Irrigation purposes from 3-15 to 11-15
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Points of Diversion:

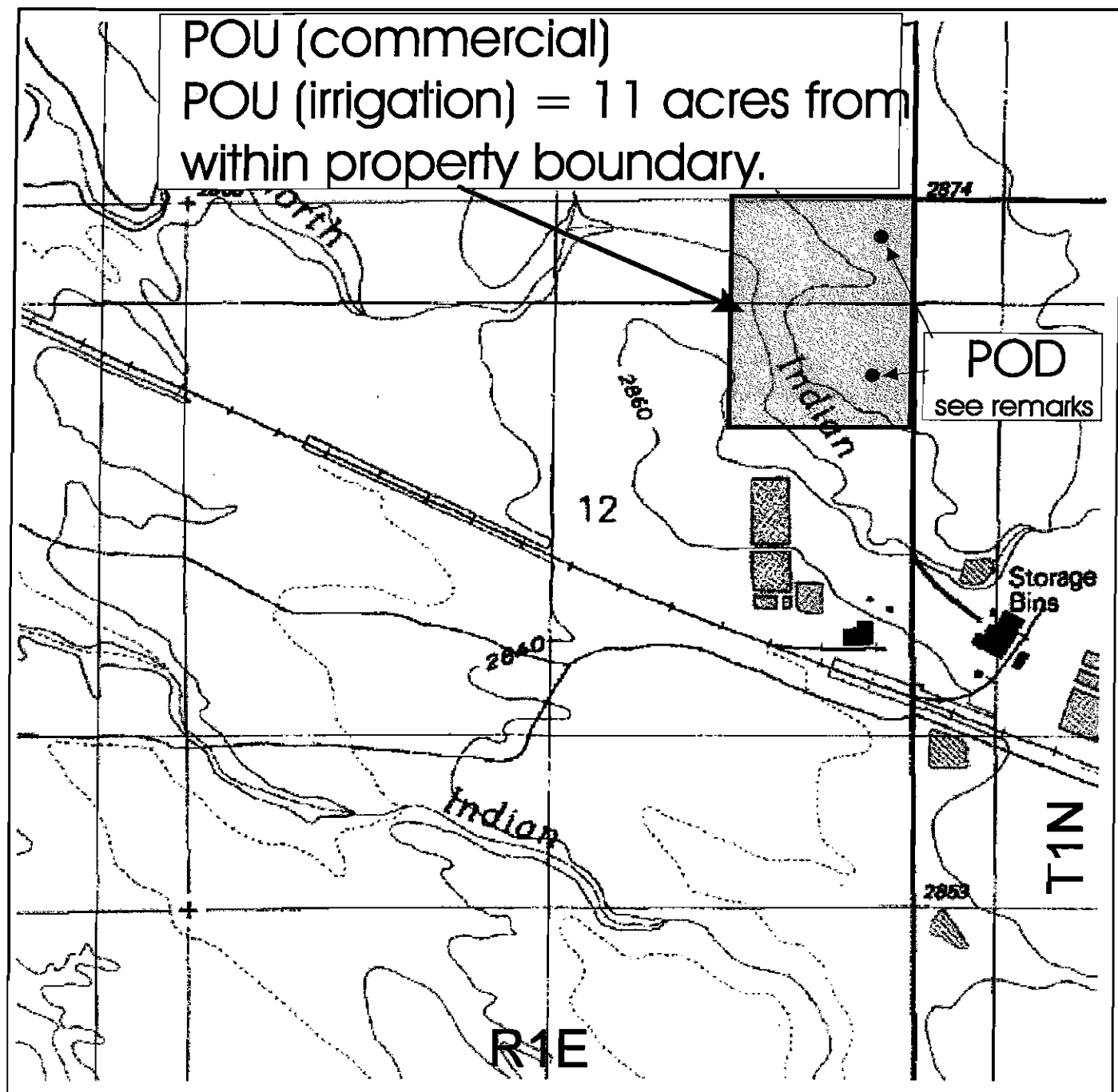
Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	8	1N	2E	Ada	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Total
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
1N	2E	8						24	30										54

Total acres 54

Place of Use and Point of Diversion Map
for Transfer of a Portion of Water Right 63-9156



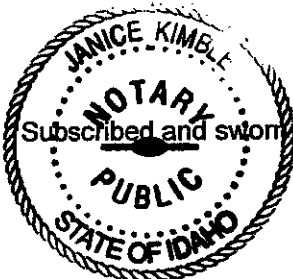
PART 3

B. CHANGES IN NATURE OF USE

1. New Nature of Use

Amount (cfs/ac-ft)	Hours/days/year	Period of Use
<u>Commercial</u>	<u>0.05 / 13.6</u>	<u>1-1 to 12-31</u>
<u>Irrigation</u>	<u>0.13 / 49.5</u>	<u>3-15 to 11-15</u>
2. Quantity and quality of return flows and location of discharge: Discharge will be approximately 12,000 gallons per day (gpd) including brine to an on-site evaporation pond, septic/sewer, and landscape maintenance. No surface water discharge.
3. Describe effects on other water uses resulting from the proposed change: The change will extend portion of the diversion of ground water from the irrigation season to year round for commercial use. Annual diversion volume from the aquifer will be reduced since only the consumptive portion of the right is being transferred to the commercial use.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.



Subscribed and sworn before me this 10th day of April, 2002

(Signature of Applicant)

(Notary Public)

My commission expires 2-14-03

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 8 attachments

Received by KB Date 1/9/02 Protest filed by _____

Prelim. check by KB Fee 100-

Received by KB Date 1/9/02 W028617

Published in THE IDAHO STATESMAN Copies of protest forwarded by _____

Pub. Dates 5-24-02 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

Remarks for the Application of Transfer

for Thomas and Susan Bevan (commercial and irrigation)

Applicant wishes to transfer a portion of the water right (63-9156) to another property for commercial and irrigation uses. The acres of the old place of use will no longer be irrigated. Water will be pumped from a new point of diversion at the new place of use. The commercial use will have a peak diversion rate not to exceed 0.05 cfs and total annual volume of 13.6 acre-feet as specified on the transfer form. Some water from the facility will be disposed of on site through the use of lined evaporation ponds. The facility is designed to be zero discharge. This application for transfer does not interfere with other pending transfer applications.

Exact location of the point of diversion is unknown at time of filing application. Only one point of diversion will be constructed. The final location will be near one of the two points indicated on the map.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31428

WATER RIGHT NUMBER: 63-31428

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WILLIAM C STRINGER 421 MARCUS COURT MOAB, UT 84532 (801)259-8686
Current Owner	VIOLET J STRINGER 421 MARCUS COURT MOAB, UT 84532 (801)259-8686

Priority Date: 06/08/1978

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
---------------	------------------

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.370 CFS	137.20 AF
DOMESTIC	01/01 to 12/31	0.040 CFS	0.60 AF
	<u>Total Diversion:</u>	0.370 CFS	137.80 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NW1/4	Sec. 8, Twp 01N, Rge 02E, B.M.
ADA County		
GROUND WATER	NW1/4NW1/4	Sec. 8, Twp 01N, Rge 02E, B.M.
ADA County		

Place of UseIRRIGATION Within ADA County

T01N R02E S08 NWNW 30.5

Total Acres: 30.5

DOMESTIC Within ADA County

T01N R02E S08 NWNW

Conditions of Approval:

1. 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.

Remarks:

1. General Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31428

Comments:

1. scurtis 7/5/2002 10:39:30 AM Transferred Right
Comment: This is now an approved transfer, transfer number = 69712

Dates and Other Information:

Claim Received Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: And
Water District Number:
Generic Max Rate Per Acre: 0.02
Generic Max Volume Per Acre: 4.5
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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WATER RIGHT NO. 63-31428
As Modified by Transfer No. 69712

In accordance with the approval of Transfer No. 69712, Water Right No. 63-31428 is now described as follows.

Right Holder: WILLIAM C STRINGER And
 VIOLET J STRINGER
 421 MARCUS COURT
 MOAB UT 84532

Priority Date: 06/08/1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.37 CFS	137.2 AF
DOMESTIC	01/01	to 12/31	0.04 CFS	0.8 AF
			0.37 CFS	137.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNW Sec. 8 Twp 01N Rge 02E ADA County
 GROUND WATER NWNW Sec. 8 Twp 01N Rge 02E ADA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	02E	8							30.5										30.5

Total Acres: 30.5

PLACE OF USE: DOMESTIC, same as Irrigation

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 lands above.
2. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

This water right 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.

Dated this 5th day of July, 2002

[Signature]
 Chief, Water Allocation Bureau

RECEIVED

JUL 08 2002

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69712

This is to certify that: THOMAS M BEVAN And
SUSAN K BEVAN
4202 N MARCLIFFE AVE
BOISE ID 83704
(208)323-7873

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. 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 Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
63-9156	AJC/License	06/03/1978	0.84 cfs	311.1 af		69.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
63-9156	YES	YES	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acres Total	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
63-9156	63-31429	0.47 cfs	173.3 af	N/A	63-31429	0.37 cfs	137.8 af	N/A	30.5
TOTALS		0.47 cfs	173.3 af	30.5		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this

5th

day of

July

20

02

[Signature]
Chief, Water Allocation Bureau

MEMORANDUM

DATE: 3/19/02

FROM: Lori Graves *lg*

TO: X-fer File No. 69712

Attachments

- A. Ownership Documentation of Current P/U
- B. 1987 FSA Photo of Current P/U
- C. 1/31/02 Explanation Letter From Applicant
- D. Affidavit from ERO
- E. Quail Ridge Estates Plat Map Identifying Well Locations and Owners
- F. Participating Subdivision Lot Owners, Addresses and Phone Numbers

Brief

Applicants have proposed to change the P/U and P/D on a 38.5 acre portion of license 63-9156 for irrigation use in Quail Ridge Estates Subdivision. The transfer was prepared by ERO consultants.

Historical Use

Applicant provided a 1987 FSA photo showing irrigation of the licensed acres. 1994 and 2000 photos available in Arc View also show the licensed acres irrigated. Applicant stated in Attachment C that the acres have been continuously planted in alfalfa crop.

Overlaps

The overlap analysis for the current P/U shows water from Tenmile Creek, in the name of Pleasant Valley Irrigation District, overlaps the licensed acres. Applicant stated in Attachment 3 that the well has always been the only source of water for irrigation of the licensed acres. Applicant also stated that Pleasant Valley Irrigation District's President Eric Bodily and Attorney Terry Copple were contacted by ERO and both confirmed that Pleasant Valley Irrigation District has never provided surface water to the property covered by water right 63-9156. ERO provided an affidavit for supporting documentation (see attachment D).

The overlap analysis for the proposed P/U shows various filings for domestic and irrigation uses that have been previously submitted by individual lot owners in Quail Ridge Estates Subdivision. Right 63-8732 was once used for irrigation at the proposed P/U, however after Dept analysis, the right appeared forfeited based on non-use. At the advice of the Dept., some lot owners limited their irrigation to 1/2 acre and filed

applications for permit for additional irrigation, which are being held due to the moratorium. Others developed over 1/2 acre irrigation anyway and filed SRBA claims on a portion of the old irrigation right that looks forfeited. Now with resumption of use being recognized in the SRBA, forfeiture may not be an issue. Those following the advice of the Dept. seem to be getting punished for doing so now that resumption of use is possible.

In an effort to remedy the above mess, the lot owners united and through ERO, purchased ground water and filed this transfer to take care of all the subdivision's irrigation needs. Jeff Peppersack and Norm Young decided that one transfer, representing all the participating Quail Ridge lot owners, was easier to process than a separate transfer for each, even though there are 15 private wells involved. The subdivision plat map (attachment E) has been included which identifies the location of each individual well and owner. Attachment F lists the owners names, addresses and phone numbers.

Every parcel within Quail Ridge Estates has been included in this transfer for irrigation except for lot 1, block 3. The owner of this parcel refused to participate and did not purchase irrigation water. Sherl Chapman of ERO stated that the lot owner was made fully aware of the consequences of his decision. Sherl said that currently lot 1, block 3 is not irrigated.

Once this transfer is approved, participating lot owners will be notified by Steve Lester to file a change in ownership and upgrade their domestic drilling permits. Those who have filed some kind of claim or application will be advised to withdraw their previous filing. Their filing fees will be applied towards their well upgrade fee. Any excess fees will be refunded.

Recommendations

Request well upgrade fees prior to sending to SO.

received 5/20/02

Notify Steve Lester ASAP once the transfer has been approved.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
Part 1

Name of applicant Thomas M. & Susan K. Bevan

Phone 208-323-7873

Post Office address 4202 N. Marcliffe Ave., Boise, Idaho, 83704

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 Quail Ridge Estates Homeowners

Association will be the new water right owner.

2. Describe the reason for the proposed changes A portion of the water right (38.5 acres) will be transferred to different place of use and points of diversion. The presently irrigated ground will be dried up and no longer irrigated.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>63-09156</u>	<u>06-08-1978</u>	<u>.47</u>	<u>Irrigation</u>	<u>3-15 to 11-15</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

RECEIVED

JAN 03 2002

**WATER RESOURCES
WESTERN REGION**

2. Total amount of water being transferred .47 cubic feet per second and/or 173 acre-feet per annum.

3. Source of water Groundwater tributary to N/A

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	22	2N	2W	Canyon	<u>See Attachment "E" Twp</u>
		NE	SW	22	2N	2W	Canyon	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	2W	22									16	22.5							38.5

Total acres 38.5

PART 1

Transfer No. 69712

6. General Information:

- a. Description of diversion system Drilled wells, sprinkler system.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages contracts? Yes XX No. If yes, provide a notarized statement from the holder of the lien, deed of trust mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer: The land will not be irrigated.
- d. Remarks: The transferred portion of the water right will be held by the Quail Ridge Estate Homeowners Association.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions

Witness my hand this _____ day of _____, 20____

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

Part 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-09156 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice

☒ Warranty Deed

☐ Other

3. Source of water Groundwater tributary to N/A

4. Date of priority 06-08-1978

5. Water is used for the following purpose:

Amount 0.84 for Irrigation purposes from 3-15 to 11-15
(cfs/ac-ft)

Amount 0.04 for Domestic purposes from 1-1 to 12-31
(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.88 cubic feet per second and/or 311.1 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	8	1N	2E	Ada	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
1N	2E	8						39	30										69
1N	2E	8						D											

Total acres 69

9. Describe any other water rights used for the same purpose as described above None

PART 2

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

No If yes, describe _____**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED***(If the entire right is to be changed by the applicant, omit part B and C.)*1. Amount .47 for Irrigation purposes from 3-15 to 11-15

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

2. Points of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	8	1N	2E	Ada	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	2E	8						8.5	30										38.5

Total acres 38.5**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** *(omit if there is no change)*1. Amount .37 for Irrigation purposes from 3-15 to 11-15

(cfs/ac-ft)

Amount .04 for Domestic purposes from 1-1 to 12-31

(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

2. Points of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	8	1N	2E	Ada	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	2E	8						30.5											

Total acres 30.5

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

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

The grid map shows a 12x12 section layout. Handwritten annotations include:

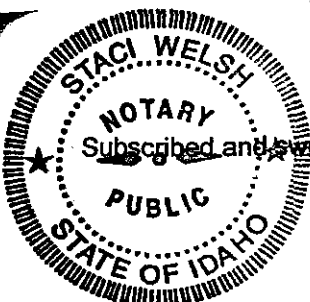
- R2W**: Range 2 West, located in the upper right quadrant.
- T2N**: Township 2 North, located in the middle left quadrant.
- 22**: Section 22, located in the center of the grid.
- PID & P/U**: Point of Diversion and Place of Use, written on both the left and right sides of the central section 22.

PART 3

B. CHANGES IN NATURE OF USE

- | 1. | New Nature of Use | Amount
(cfs/ac-ft) | Hours/days/year | Period of Use |
|----|--|-----------------------------|-----------------------------|--|
| | <u>N/A</u> | <u> </u> | <u> </u> | <u> </u> to <u> </u> |
| | <u> </u> | <u> </u> | <u> </u> | <u> </u> to <u> </u> |
| 2. | Quantity and quality of return flows and location of discharge: <u>N/A</u> | | | |
| 3. | Describe effects on other water uses resulting from the proposed change: <u>None</u> | | | |

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement of the original right. The information contained in this application is true to the best of my knowledge and I understand that any willful misrepresentations made in this application may result in voiding its approval.



(Signature of Applicant)

Subscribed and sworn before me this 19th day of December, 20 01

(Notary Public)

My commission expires 1/27/2005

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 6 attachments
Received by Janis Foutaine Date 1/3/02 Protest filed by
Prelim. check by Fee 250.00
Received by Janis Foutaine Date 1/3/02 # W028599
Published in THE IDAHO STATESMAN PRESS TRIBUNE of protest forwarded by
Pub. Dates 4-3 + 10-02 Hearing held by Date
Watermaster recommendation requested on Recommended for ☐ approval ☐ den
 rec'd. by
Copy of transfer sent to lien holder

ALL PARTIES HERETO HAVE READ AND APPROVED THE FOLLOWING:

Title File No.: T01-T7990

WARRANTY DEED

FOR VALUE RECEIVED

V. Janice Stringer, an unmarried woman, Neal Curtis Stringer, an unmarried man and William Curtis Stringer, Jr., a married man dealing with his separate property

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto: Thomas M. Bevan and Susan K. Bevan, husband and wife

GRANTEES(s), whose current address is: 4202 N. Marcliffe Avenue, Boise, Idaho 83704 the following described real property in Ada County, State of Idaho, more particularly described as follows, to wit:

See exhibit "A" attached hereto and made a part of

THIS DEED, MADE BY THE GRANTOR(S), IS A

INCLUDING ALL WATER AND MINERAL RIGHTS SPECIFICALLY, WATER RIGHT LICENSE, WATER RIGHT NO. 63-09156, STATE OF IDAHO, DEPARTMENT OF WATER RESOURCES

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

Dated: September 21, 2001

J. Janice Stringer
V. Janice Stringer

Neal Curtis Stringer
Neal Curtis Stringer *att. in fact*

William Curtis Stringer, Jr.
William Curtis Stringer, Jr.

STATE OF Idaho, County of Ada, ss.

On this 21st day of September in the year of 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared

Stringer, William Curtis Stringer, Jr.

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

Signature: 

Name: Alana G. Pierce

Residing at:

My commission expires:

Transnation Title & Escrow, Inc.

EXHIBIT "A"

The West half of the Northwest quarter of Section 8, Township 1 North, Range 1 East, Boise Meridian, Ada County, Idaho.

EXCEPT the Southwest quarter of the Southwest quarter of the Northwest quarter of said Section 8.

FURTHER EXCEPT a parcel of land situated in the Northwest quarter of the Northwest quarter of Section 8, Township 1 North, Range 2 East, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

Commencing at the section corner common to Sections 5, 6, 7 and 8, Township 1 North, Range 2 East, which point is a brass cap, and being the REAL POINT OF BEGINNING; thence

South 89°38'56" East along the North line of Section 8 a distance of 435.60 feet to a 1/2 inch iron pin; thence

South 00°15'06" East a distance of 500.06 feet to a 1/2 inch iron pin; thence

North 89°38'56" West a distance of 435.60 feet to a 1/2 inch iron pin; thence

North 00°15'06" West a distance of 500.06 feet along the West line of Section 8 to the REAL POINT OF BEGINNING.

EXCEPT that portion lying within the right of way for county road commonly referred to as Barker Road and Curtis Road over and across the Northerly and Westerly portion of said premises.

SKB

TMB.

1/10

NCA 1/10

1/10

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 63-9156
Date Received: 8/8/1989
Receipt No: W004146
Received By:

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

1. Name of Claimant(s): THOMAS M BEVAN
4202 N MARCLIFFE AVE
BOISE ID USA 83704

Phone: (208)323-7873

SUSAN K BEVAN
4202 N MARCLIFFE AVE
BOISE ID USA 83704

Phone: (208)323-7873

2. Date of Priority: 06/08/1978

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	02E	8	NW NW	ADA	

5. Description of diverting works:

442' & 438' DRILLED WELLS W/SURFACE & SUBMERSED PUMP W/PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.84	310.5
DOMESTIC	1/01	12/31	0.04	0.6

7. Total Quantity Appropriated is:
0.88 C.F.S. and/or 311.1 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	02E	8	NW NW		IRRIGATION	39
			SW NW		IRRIGATION	30
			NW NW		DOMESTIC	
					Section Acres	69
					Total Acres	69

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

Ownership changed by DB 3/20/2002

TWO POINTS OF DIVERSION LOCATED IN THE NWNW, SEC. 8, TWP. 1N, RGE 2E.

NOTE: THE TOTAL CFS FOR THIS WATER RIGHT HAS BEEN INCREASED TO .88 CFS RATHER THAN THE .84 CFS ISSUED ON THE LICENSE. THE REASON FOR THIS IS DUE TO AN ERROR IN THE FIELD EXAM REPORT WHEN THE DOMESTIC .04 CFS AND THE IRRIGATION .84 CFS WERE NOT ADDED TOGETHER. THERE ARE TWO WELLS SHOWN ON THE EXAM, THE IRRIGATION WELL WAS MEASURED AT .84 CFS , THEN IN ADDITION THE DOMESTIC WELL SHOULD HAVE BEEN ADDED IN SINCE IT IS A SEPARATE WELL. DUE TO THE FACT IT WAS THE DEPARTMENTS ERROR, THIS RIGHT SHOULD BE AMENDED TO SHOW .88 CFS. ALSO, THE CLAIMANT WAS NOT HOME AT THE TIME THE 10-DAY NOTICE LETTER WAS SENT, BUT AS SOON AS HE RETURNED A CALL WAS MADE TO JIM JOHNSON QUESTIONING THE .84 CFS TOTAL. HE WAS INFORMED IT SHOULD NOT CAUSE A PROBLEM AND THE .84 CFS WAS ISSUED. HOWEVER, DURING A SALE THE .84 CFS CAME UP AND DID CAUSE PROBLEMS, THEREFORE, THE CLAIMANT REQUESTS THIS CHANGE. NOTE: CHANGE OF ADDRESS FROM: 5795 BARKER RD., RT. 2, KUNA, ID 83634 - PHONE NO. 342-2429 TO THE MOAB, AZ ADDRESS PER CLAIMANTS REQUEST. JS

15. Basis of Claim: License

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

RECEIVED**OCT 01 2001****WATER RESOURCES
WESTERN REGION**

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

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

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
63-09156					

2. The following **REQUIRED** information must be submitted with this form:

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

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

WILLIAM C. STRINGER, V. JANIS STRINGER
+ NEAL CURTIS STRINGER

4. New Owner/Claimant(s)

THOMAS M. AND SUSAN K. BEVAN
 Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

4202 N. MARCLIFFE AVE.

City, State and ZIP Code

BOISE, IDAHO 83704

New Telephone Number

(208) 323-7873

5. Date you acquired the property

September 21, 2001

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

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

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

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

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

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

The Grantees herein have read and approved

following:

Title File No.: T01-77990

WARRANTY DEED

FOR VALUE RECEIVED

V. Janice Stringer, an unmarried woman, Neal Curtis Stringer, an unmarried man and William Curtis Stringer, Jr., a married man dealing with his separate property

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto: Thomas M. Bevan and Susan K. Bevan, husband and wife

GRANTEES(s), whose current address is: 4202 N. Marcliffe Avenue, Boise, Idaho 83704
the following described real property in Ada County, State of Idaho,
more particularly described as follows, to wit:

See exhibit "A" attached hereto and made a part of

THIS IS TO, NOT BY THE GRANTOR, SEE B

*INCLUDING ALL WATER AND MINERAL RIGHTS SPECIFICALLY, WATER
RIGHT LICENSE, WATER RIGHT NO. 63-09156, STATE OF IDAHO,
DEPARTMENT OF WATER RESOURCES*

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

Dated: September 21, 2001

J. Janice Stringer
V. Janice Stringer

Neal Curtis Stringer by J. Janice Stringer
Neal Curtis Stringer *att. in fact*

William Curtis Stringer, Jr.
William Curtis Stringer, Jr.

STATE OF Idaho, County of Ada, ss.

On this 21st day of September in the year of 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared

V. Janice Stringer, Neal Curtis Stringer, William Curtis Stringer, Jr.

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

Signature: *[Signature]*

Name: Alana G. Pierce

Residing at:

My commission expires:

Transnation Title & Escrow, Inc.

EXHIBIT "A"

The West half of the Northwest quarter of Section 8, Township 1 North, Range 1 East, Boise Meridian, Ada County, Idaho.

EXCEPT the Southwest quarter of the Southwest quarter of the Northwest quarter of said Section 8.

FURTHER EXCEPT a parcel of land situated in the Northwest quarter of the Northwest quarter of Section 8, Township 1 North, Range 2 East, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

Commencing at the section corner common to Sections 5, 6, 7 and 8, Township 1 North, Range 2 East, which point is a brass cap, and being the REAL POINT OF BEGINNING; thence

South 89°38'56" East along the North line of Section 8 a distance of 435.60 feet to a 1/2 inch iron pin; thence

South 00°15'06" East a distance of 500.06 feet to a 1/2 inch iron pin; thence

North 89°38'56" West a distance of 435.60 feet to a 1/2 inch iron pin; thence

North 00°15'06" West a distance of 500.06 feet along the West line of Section 8 to the REAL POINT OF BEGINNING.

EXCEPT that portion lying within the right of way for county road commonly referred to as Barker Road and Curtis Road over and across the Northerly and Westerly portion of said premises.

SKB

TMZ.

WCh
NCD LRP

MS

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-09156

Priority: June 8, 1978 Amount: 0.84 CFS 311.1 AFA

This is to certify, that WILLIAM C. STRINGER

RT. 2

KUNA, ID 83634

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated June 8, 1978, and has submitted proof to the Department of Water Resources on September 24, 1984, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .840 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	03/15 to 11/15	0.84 CFS	310.5 AFA
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AFA
	Totals	0.84 CFS	311.1 AFA

LOCATION OF POINT(S) OF DIVERSION:

NWNW, Sec. 8, Township 01N, Range 02E
ADA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	02E	8	NWNW 39	SWNW 30		69

PLACE OF USE: DOMESTIC

TWN, RGE, SEC

01N 02E 8 NWNW

Total number of acres irrigated: 69

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. 2 points of diversion located in NWNW, S8, T1N, R2E.

PAGE 2

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-09156

This license is issued pursuant to the provisions of Section 42-219, Idaho Code,
Witness the seal and signature of the Director, affixed at Boise, this 24th
day of MARCH, 1989.

Acting for the

Director





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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A63-09156
Date Received: 8/ 8/1989
Receipt No: W004146
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM C. STRINGER 801-259-8686
Address: 421 MARCUS COURT
MOAB, UT 84532
AND/OR
Name: VIOLET J. STRINGER 801-259-8686
Address: 421 MARCUS COURT
MOAB, UT 84532

2. Date of Priority: JUN 8, 1978

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	02E	8	NW	NW			ADA

5. Description of diverting works:

442' & 438' DRILLED WELLS W/SURFACE & SUBMERSED PUMP W/PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.840		310.50
DOMESTIC	01/01	12/31	0.040		0.60

7. Total Quantity Appropriated is:

0.880 C.F.S. (and/or) 311.10 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

D/1 HOUSEHOLD

MICROFILMED

AUG 24 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	02E	8	NW	NW		IRR	39.0
			NW	NW		DOMEST	
			SW	NW		IRR	30.0
						Section Acres	69.0
						Total Acres	69.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE

14. Remarks:

TWO POINTS OF DIVERSION LOCATED IN THE NWNW, SEC. 8, TWP. 1N, RGE 2E.

NOTE: THE TOTAL CFS FOR THIS WATER RIGHT HAS BEEN INCREASED TO .88 CFS RATHER THAN THE .84 CFS ISSUED ON THE LICENSE. THE REASON FOR THIS IS DUE TO AN ERROR IN THE FIELD EXAM REPORT WHEN THE DOMESTIC .04 CFS AND THE IRRIGATION .84 CFS WERE NOT ADDED TOGETHER. THERE ARE TWO WELLS SHOWN ON THE EXAM, THE IRRIGATION WELL WAS MEASURED AT .84 CFS, THEN IN ADDITION THE DOMESTIC WELL SHOULD HAVE BEEN ADDED IN SINCE IT IS A SEPARATE WELL. DUE TO THE FACT IT WAS THE DEPARTMENT'S ERROR, THIS RIGHT SHOULD BE AMENDED TO SHOW .88 CFS. ALSO, THE CLAIMANT WAS NOT HOME AT THE TIME THE 10-DAY NOTICE LETTER WAS SENT, BUT AS SOON AS HE RETURNED A CALL WAS MADE TO JIM JOHNSON QUESTIONING THE .84 CFS TOTAL. HE WAS INFORMED IT SHOULD NOT CAUSE A PROBLEM AND THE .84 CFS WAS ISSUED. HOWEVER, DURING A SALE THE .84 CFS CAME UP AND DID CAUSE PROBLEMS, THEREFORE, THE CLAIMANT REQUESTS THIS CHANGE.

NOTE: CHANGE OF ADDRESS FROM: 5795 BARKER RD., RT. 2, KUNA, ID 83634 - PHONE NO. 342-2429 TO THE MOAB, AZ ADDRESS PER CLAIMANT'S REQUEST. JS

15. Basis of Claim: LICENSE

16. Signature(s)

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

MICROFILMED

Number of attachments: _____

AUG 24 1992

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
AUG 24 1992

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A63-09156
Date Received: 8/03/1989
Receipt No: W004146
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM C. STRINGER 208-342-2429
Address: 5795 BARKER RD., ROUTE 2
KUNA, ID 83634

AND/OR

Name: VIOLET J. STRINGER 208-342-2429
Address: 5795 BARKER RD., ROUTE 2
KUNA, ID 83634

2. Date of Priority: JUN 08, 1978

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	02E	8	NW	NW			ADA

5. Description of diverting works:
442' & 438' DRILLED WELLS W/SURFACE & SUBMERSED PUMP W/PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.840		310.50
DOMESTIC	01/01	12/31	0.040		0.60

7. Total Quantity Appropriated is:
0.880 C.F.S. (and/or) 311.10 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	02E	8	NW	NW		IRR	39.0
			NW	NW		DOMEST	
			SW	NW		IRR	30.0
						Section Acres	69.0
						Total Acres	69.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE

14. Remarks:

TWO POINTS OF DIVERSION LOCATED IN THE NWNW, SEC. 8, TWP. 1N, RGE 2E.

NOTE: THE TOTAL CFS FOR THIS WATER RIGHT HAS BEEN INCREASED TO .88 CFS RATHER THAN THE .84 CFS ISSUED ON THE LICENSE. THE REASON FOR THIS IS DUE TO AN ERROR IN THE FIELD EXAM REPORT WHEN THE DOMESTIC .04 CFS AND THE IRRIGATION .84 CFS WERE NOT ADDED TOGETHER. THERE ARE TWO WELLS SHOWN ON THE EXAM, THE IRRIGATION WELL WAS MEASURED AT .84 CFS, THEN IN ADDITION THE DOMESTIC WELL SHOULD HAVE BEEN ADDED IN SINCE IT IS A SEPARATE WELL. DUE TO THE FACT IT WAS THE DEPARTMENT'S ERROR, THIS RIGHT SHOULD BE AMENDED TO SHOW .88 CFS. ALSO, THE CLAIMANT WAS NOT HOME AT THE TIME THE 10-DAY NOTICE LETTER WAS SENT, BUT AS SOON AS HE RETURNED A CALL WAS MADE TO JIM JOHNSON QUESTIONING THE .84 CFS TOTAL. HE WAS INFORMED IT SHOULD NOT CAUSE A PROBLEM AND THE .84 CFS WAS ISSUED. HOWEVER, DURING A SALE THE .84 CFS CAME UP AND DID CAUSE PROBLEMS, THEREFORE, THE CLAIMANT REQUESTS THIS CHANGE.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: 0

For Individuals:

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

Signature of Claimant(s): William C. Stanger Date: 8-8-89
Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of August 19 89

Seal

Jan Shurt
Notary Public

Residing at Meridian ID
My Commission Expires 9-14-94

09/29/2006

NOTICE OF ERROR
REPLY

RECEIVED

OCT 31 2006

WATER RESOURCES
WESTERN REGION

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 63-31584

Steve Boschma
5592 Kuna Rd
Kuna, ID 83634
Telephone Number: (208) 467-2816

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source): Quantity

2. Describe the changes you wish to make in the proposed recommendation:
Change the total combined annual volume of "58.7 af" to "74.1 af"

3. Give a brief explanation as to why you disagree with these portions:
The 58.7 af combined annual volume stems from supporting information supplied by ERO dated October 23, 2002 in support of transfer 70232. In that letter, the water rights associated with the dairy are summarized and a total combined annual volume of 58.7 af was identified. However, this total did not include the 2 homes associated with 63-4498 and therefore does not represent the entire property accurately. The annual volume 58.7 af carried into the approved transfer as condition #2. I believe the total combined annual volume should be 74.1 af, which is the 58.7 af plus the 2 homes under 63-4498. The explanation of 63-4498's respective annual volume limit is repeated here for convenience and is taken directly from the Notice of Error Reply of 63-4498.

63-4498 includes stockwater for 350 dairy cattle, plus 1000 replacement cattle, plus domestic water for 2 homes. The recommended annual volume of 29 afy correctly relates to the list of uses in this claim. However, there is a 13,000 gpd limit listed that contradicts the 29 afy volume. I believe this limit comes, in part, from a letter dated October 23, 2002 from ERO that summarizes the other water rights associated with the dairy. The October 23, 2002 letter was to provide supporting information for transfer 70232. That letter indicated an annual volume for 63-4498 of 14.56 afy which relates to 13,000 gpd. This annual volume was based on the 350 milking cow limit related to the dairy only, but did not include the 2 homes, which would add volume. The original claim filed in 1977 by Harold Boschma did not identify an annual volume. I believe that the annual volume for 63-4498 should be 29 afy to include all uses. Then the total annual volume of all water rights to this property (not just the dairy) would then be 74.1 afy.

 I AGREE with this proposed recommendation: no changes need to be made.

DATE: 10/26/06 SIGNATURE: Steve Boschma

Please print your name: Stephen T Boschma

IDWR Regional Office _____

ERO Resources Corp.
1106 N. Cole Rd., Suite C
Boise, ID 83704-8661
(208) 373-7983
Fax: 373-7985



Denver • Boise

www.eroresources.com
eroboise@eroresources.com

October 23, 2002

Idaho Department of Water Resources
Western Region Office
2735 Airport Way
Boise, ID 83705-5082

RECEIVED

OCT 31 2002

WATER RESOURCES
WESTERN REGION

RE: Application for transfer for water right 63-9156

Dear Mr. Nelson

Your letter dated June 17, 2002, requested some additional information that is needed to continue processing the transfer for water right 63-9156 in the name of Thomas and Susan Bevan. Please accept the following information to satisfy that request.

Item 1: Enclosed, please find the warranty deed for the new place of use (POU). The owner of the property at the new POU is not the name listed on the transfer so I enclosed a letter from the new owner providing permission for the water to be transferred to his property.

Item 2: The new POU is an existing dairy. The dairy is owned and operated by Mr. Steve Boschma and is called the Lone Pine Dairy. The other water rights currently used for the dairy are as follows:

Name	WR No.	Total Diversion Rate (cfs)	Volume (AFA)
Bevan transfer	63-09156	0.04	7.6 C 2.3 S
Harold Boschma (claim will be filed under Steve Boschma)	63-4498	0.04	14.56* (13,000 gpd)
Steve Boschma	63-9103D	0.1	7.4 C 26.8 S
Total		0.18	58.66

*Volume is calculated from 350 milking cow limit.

*dairy
only
does not include
2 homes*

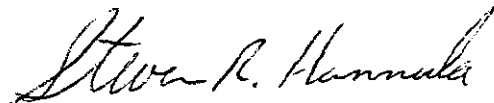
Item 3: See attached dairy worksheet.

Item 4: Enclosed, please find the supporting documentation for the historical use; including an Affidavit by Steven Hannula regarding Pleasant Valley Irrigation Company, a statement from Thomas Bevan about historical use, Table of AGRIMET values of consumptive use of various crops in Nampa, Idaho, and a calculation of consumptive volume.

Also, you have expressed concern about the relatively low commercial water use of the dairy as shown on the enclosed Dairy Requirement Worksheet. Mr. Boschma has indicated that his dairy uses a dry scrape system, no wash pen, and cow prep is performed without water. He beds the cows on fresh straw to keep them clean to minimize prep requirements. His milking system does not use a bulk tank. These techniques keep his commercial demand at a minimum. Mr. Boschma has indicated that he is comfortable with the projected commercial use of 7 afa.

If there are any questions, please feel free to contact me.

Regards



Steven R. Hannula

cc Lone Pine Dairy

WATER RIGHT NO. 63-31584
As Modified by Transfer No. 70232

In accordance with the approval of Transfer No. 70232, Water Right No. 63-31584 is now described as follows.

Right Holder: SUSAN K BEVAN And
 THOMAS M BEVAN
 4202 N MARCLIFFE AVE
 BOISE ID 83704

Priority Date: June 08, 1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	to 12/31	0.04 CFS	7.6 AF
STOCKWATER	01/01	to 12/31	0.04 CFS	3.3 AF
			0.04 CFS	10.9 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSESW	Sec. 19 Twp 02N	Rge 01W CANYON County
GROUND WATER	SWSESW	Sec. 19 Twp 02N	Rge 01W CANYON County

PLACE OF USE: COMMERCIAL, same as Stockwater

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	01W	19									X								X

CONDITIONS OF APPROVAL

1. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
2. The total instantaneous diversion of water from all points of diversion under Rights 63-9103D, 63-4498, and 63-31584 shall not exceed 0.18 cfs, nor total combined annual volume of 58.7 af.
3. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by this water right.
4. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
5. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.

WATER RIGHT NO. 63-31584
As Modified by Transfer No. 70232

CONDITIONS OF APPROVAL

6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right 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.

Dated this 18th day of February, 2003



Chief, Water Allocation Bureau

A hand-drawn diagram on a grid. A rectangle is drawn with its bottom-left corner at the intersection of the 3rd vertical line and the 4th horizontal line from the top. The rectangle is 2 units wide and 2 units high. A dot is drawn inside the rectangle at the intersection of the 4th vertical line and the 5th horizontal line. Another dot is drawn on the right boundary of the rectangle at the intersection of the 5th vertical line and the 4th horizontal line.

Received by LEB Date 5-17-77 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by LEB Date 5-18-77 claimant by: _____
\$10.00 fee received by M Date 5-17-77 # 7763
Approved for publication by CS May 19, 1977 _____
Published in Atlanta Journal-Constitution _____
Dates May 26, 1977 & June 2, 1977 _____
OK
6-13-77
CS

09/15/2006

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

RIGHT NUMBER: 63-31584

NAME AND ADDRESS: STEVE BOSCHMA
5592 KUNA RD
KUNA ID 83634

LONE PINE DAIRY
5592 W KUNA RD
KUNA ID 83634

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
10.900 AFY

The total instantaneous diversion of water from all points of diversion under Rights 63-9103D, 63-4498, and 63-31584 shall not exceed 0.18 cfs, nor total combined annual volume of 58.7 af.

PRIORITY DATE: 06/08/1978

POINT OF DIVERSION:

T02N R01W S19 NWSESW Within CANYON County
T02N R01W S19 SWSESW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	01/01 12/31	0.040 CFS 7.60 AFY
STOCKWATER	01/01 12/31	0.040 CFS 3.30 AFY

PLACE OF USE: STOCKWATER Within CANYON County

T02N R01W S19	NESW	T02N R01W S19	SESW
<u>COMMERCIAL Within CANYON County</u>			
T02N R01W S19	NESW	T02N R01W S19	SESW

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

09/15/2006

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

Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.

Failure of the right holder to comply with the conditions of Transfer No. 70232 is cause for the Director to rescind approval of the transfer.

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

The place of commercial use authorized by Transfer No. 70232 includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by this water right.

The right holder shall accomplish the change authorized by this Transfer No. 70232 within one (1) year of the date of this approval.

The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Prior to diversion of water under Transfer No. 31584, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.



Idaho Department of Water Resources

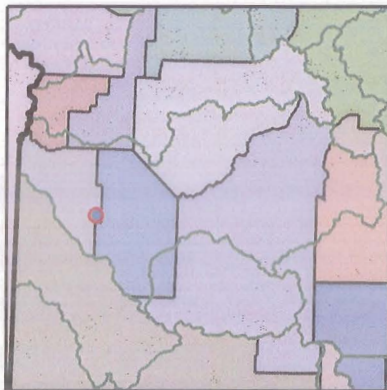
SRBA Recommendation:

63-31584

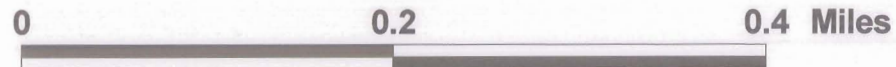
(Stockwater)

Legend

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



Canyon County
IDWR Basin 63



Prepared by S. Egbert
On Friday, September 15, 2006
1987/88 Aerial Photography

Draft

10/27/2005

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

RIGHT NUMBER: 63-31584

NAME AND ADDRESS: STEVE BOSCHMA
5592 KUNA RD
KUNA ID 83634

LONE PINE DAIRY
5592 W KUNA RD
KUNA ID 83634

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
10.900 AFY

The total instantaneous diversion of water from all points of diversion under Rights 63-9103D, 63-4498, and 63-31584 shall not exceed 0.18 cfs, nor total combined annual volume of 58.7 af.

PRIORITY DATE: 06/08/1978

POINT OF DIVERSION:

T02N R01W S19 NWSESW Within CANYON County
T02N R01W S19 SWSESW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	01/01 12/31	0.040 CFS 7.60 AFY
STOCKWATER	01/01 12/31	0.040 CFS 3.30 AFY

Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.

The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.

PLACE OF USE: STOCKWATER Within CANYON County

T02N R01W S19 NESW T02N R01W S19 SESW

COMMERCIAL Within CANYON County

T02N R01W S19 NESW T02N R01W S19 SESW

The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by this water right.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Draft

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31584 V1

WATER RIGHT NUMBER: 63-31584 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	VIOLET J STRINGER 421 MARCUS CT MOAB, UT 84532 (801)259-8686
Original Owner	WILLIAM C STRINGER 421 MARCUS CT MOAB, UT 84532 (801)259-8686
Original Owner	SUSAN K BEVAN 4202 N MARCLIFFE AVE BOISE, ID 83704 (208)323-7873
Original Owner	THOMAS M BEVAN 4202 N MARCLIFFE AVE BOISE, ID 83704 (208)323-7873
Current Owner	STEVE BOSCHMA 5592 KUNA RD KUNA, ID 83634 (208)467-2816
Current Owner	LONE PINE DAIRY 5592 W KUNA RD KUNA, ID 83634 (208)467-2816

Priority Date: 06/08/1978

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
COMMERCIAL	01/01 to 12/31	0.040 CFS	7.60 AF
STOCKWATER	01/01 to 12/31	0.040 CFS	3.30 AF
	<u>Total Diversion:</u>	0.040 CFS	10.90 AF

<u>Location of Point(s) of Diversion</u>		
GROUND WATER	SW1/4SE1/4SW1/4	Sec. 19, Twp 02N, Rge 01W, B.M.
CANYON County		
GROUND WATER	NW1/4SE1/4SW1/4	Sec. 19, Twp 02N, Rge 01W, B.M.
CANYON County		

Place of Use
COMMERCIAL

Twp Rge Sec	NE		NW		SW		SE	
-------------	----	--	----	--	----	--	----	--

| NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31584 V1

	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N 01W 19									X				X				

STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
02N 01W 19																	

Conditions of Approval:

- 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- 082 The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
- 106 Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
- 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.
- T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T17 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
- WB4 The total instantaneous diversion of water from all points of diversion under Rights 63-9103D, 63-4498, and 63-31584 shall not exceed 0.18 cfs, nor total combined annual volume of 58.7 af.
- WD8 The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by this water right.

Remarks:Comments:

- PSKAGGS 2/18/2003 2:02:31 PM Transferred Right
Comment: This is now a approved transfer, transfer number = 70232
- dhatfield 3/18/2003 Ownership change
Comment: The data in the name field was changed to show this right has an ownership change.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-31584 V1

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: And
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	12/16/2004 10:53:04 AM	awarntje			Active
Source	12/16/2004 10:53:21 AM	awarntje			Active
POD	12/16/2004 11:05:52 AM	awarntje			Active
Use	12/16/2004 11:08:26 AM	awarntje			Active
Season	12/16/2004 11:08:59 AM	awarntje			Active
Quantity	12/16/2004 11:10:12 AM	awarntje			Active
Summary			12/16/2004	awarntje	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	12/16/2004 11:03:29 AM	awarntje	Edited point location
POD	12/16/2004 11:04:37 AM	awarntje	Edited point location
Use	12/16/2004 11:08:26 AM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (No) 5. Can the claimed Purpose of Use be verified using the water right file? (Yes) 6. Is there evidence that there has been a change in the Purpose of Use? (No) 7. Can the change be verified as an accomplished transfer? (No) 8. Does the change include an enlargement of the Purpose of Use? (Yes) 12. Did the claimant file a transfer? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 8 - Transfer #70232

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31584 V1

Season	12/16/2004 11:08:59 AM	awarntje	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (No) 14. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	12/16/2004 11:10:12 AM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (No) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - .04 cfs and 7.6 af for commercial and 3.3 af for stockwater
Summary	12/16/2004 11:11:06 AM	awarntje	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Priority Date	12/16/2004 10:53:04 AM	awarntje	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
Source	12/16/2004 10:53:21 AM	awarntje	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POD	12/16/2004 11:03:50 AM	awarntje	Edited point location

POD

12/16/2004 11:05:21 AM

awarntje

Edited point location

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31584 V1

POD	12/16/2004 11:05:53 AM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License?
			(Yes) 4. Does the Decree or License have a POD?
			(No) 5. Can the claimed POD be verified using the water right file?
			(Yes) 6. Is there evidence that there has been a change in the POD?
			(No) 7. Can the change be verified as an accomplished transfer?
			(Yes) 8. Was a transfer filed?
			(No) 10. Is a POD remark and/or condition required?
			Description for Question 6 - Transfer 70232



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 18, 2003

STEVE BOSCHMA
LONE PINE DAIRY
5592 W KUNA RD
KUNA ID 83634

Re: Notice of Claim to a Water Right No. 63-31584

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflects the change in ownership of the land and appurtenant water rights, covered under the original filing.

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you again for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region Office

DH: dh

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

March 14, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

ERO RESOURCES CORP
ATTN STEVE HANNULA
1106 N COLE RD SUTIE C
BOISE ID 83704

RE: RETURN OF CHANGE OF OWNERSHIP FEE

Dear Mr. Hannula:

I received the change of ownership you submitted for Lone Pine Dairy. The water right for which the change of ownership was filed is still being reviewed in the Snake River Basin Adjudication. Therefore, no fee is required. I am returning check number 7925 back to your office, and submitting the change of ownership to our adjudication staff.

If you have any questions or concerns please contact me at the above address.

Respectfully,

Daniel A. Nelson
Sr. Water Right Agent



LONE PINE DAIRY 01-89
STEVE OR DEBORAH BOSCHMA
5592 W. KUNA RD.
KUNA, ID 83634
208-467-2816

WELLS FARGO BANK, N.A.
WWW.WELLSFARGO.COM
11-24/1210

7925

3/10/2003

PAY TO THE ORDER OF Idaho Department of Water Resources

\$ **25.00

Twenty-Five and 00/100

REJECTED

DOLLARS

Idaho Department of Water Resources

MEMO

007925 121000248 4296 906159

ERO Resources Corp.
1106 N. Cole Rd., Suite C
Boise, ID 83704-8661
(208) 373-7983
Fax: 373-7985



Denver • Boise

www.eroresources.com
eroboise@eroresources.com

March 13, 2003

Dan Nelson
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

RECEIVED
MAR 14 2003
WATER RESOURCES
WESTERN REGION

RE: Change in Ownership

Dear Dan

Enclosed is a change in ownership for Water Right No. 63-31584. This is a new water right resulting from a transfer from Tom Bevan to Steve Boschma of the Lone Pine dairy. A \$25 filing fee is included.

If you have any questions, please call Steve Hannula at ERO Resources Corporation.

Regards

A handwritten signature in cursive script that reads "Steve R. Hannula".

Steven R. Hannula