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 63-32405
Date Received: 9/20/1989
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LISA WARDLE Phone:
549 KA AWAKEA RD
KAILUA HI USA 96734-3524

SCOTT WARDLE Phone:
549 KA AWAKEA RD
KAILUA HI USA 96734-3524

2. Date of Priority: 09/13/1874

3. Source: DRY CREEK Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4	1/4	1/4	Lot	County	Type
05N	02E	31	SE	SE	NE		ADA	

5. Description of diverting works:

Dam, gravity ditches, & pressure irrigation from distribution pond.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	11/15	0.2	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	02E	31	SW NE		IRRIGATION	10
					Section Acres	10
					Total Acres	10

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:

WESTERN REGION RECEIVED AMENDED CLAIM 14 JULY 2003.

PREPARED AMENDED CLAIM AT REQUEST OF MATT HOWARD ATTORNEY FOR BULL DEVELOPMENT. RDH 8 APRIL 2003.

This claim is the result of a split due to change in ownership for a portion of 63-4849. Claim created by DB 4/7/2004 to complete hard file.

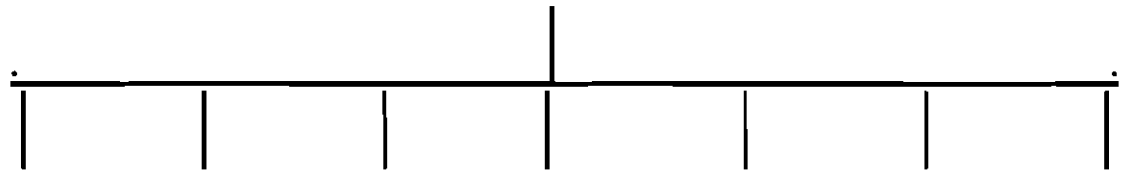
This right is a split from former right 63-31737 .

15. Basis of Claim: Beneficial Use

63-31737

Bull Development
129 acres
2.58 cfs

.02cfs/acre



63-32402	63-32403	63-32404	63-32405	63-32406	63-32407	63-32408
BULL DEV	**GROOTHIUS**	**MAILHOT**	**WARDLE**	**BOHME**	**BALL**	**REILLY**
49.1 acres	**6.2 acres**	**9.7 acres**	**10 acres**	**18 acres**	**26 acres**	**10 acres**
2.3 – NW NE	*2.9 –SENW*	*2 NENW*	*SWNE*	*4- NWNE*	*24- NWNE*	*NWNE*
22.7- NENW	*3.3 – SWNE*	*7.7 – SENW*		*14- NENW*	*2 - SW NE*	
11.7- SWNE						
12.4 - SENW						
.98 CFS	**.13 CFS**	**.19 CFS**	**.20 CFS**	**.36 CFS**	**.52 CFS**	**.20 CFS**

#3

WARDLE

DRY CREEK

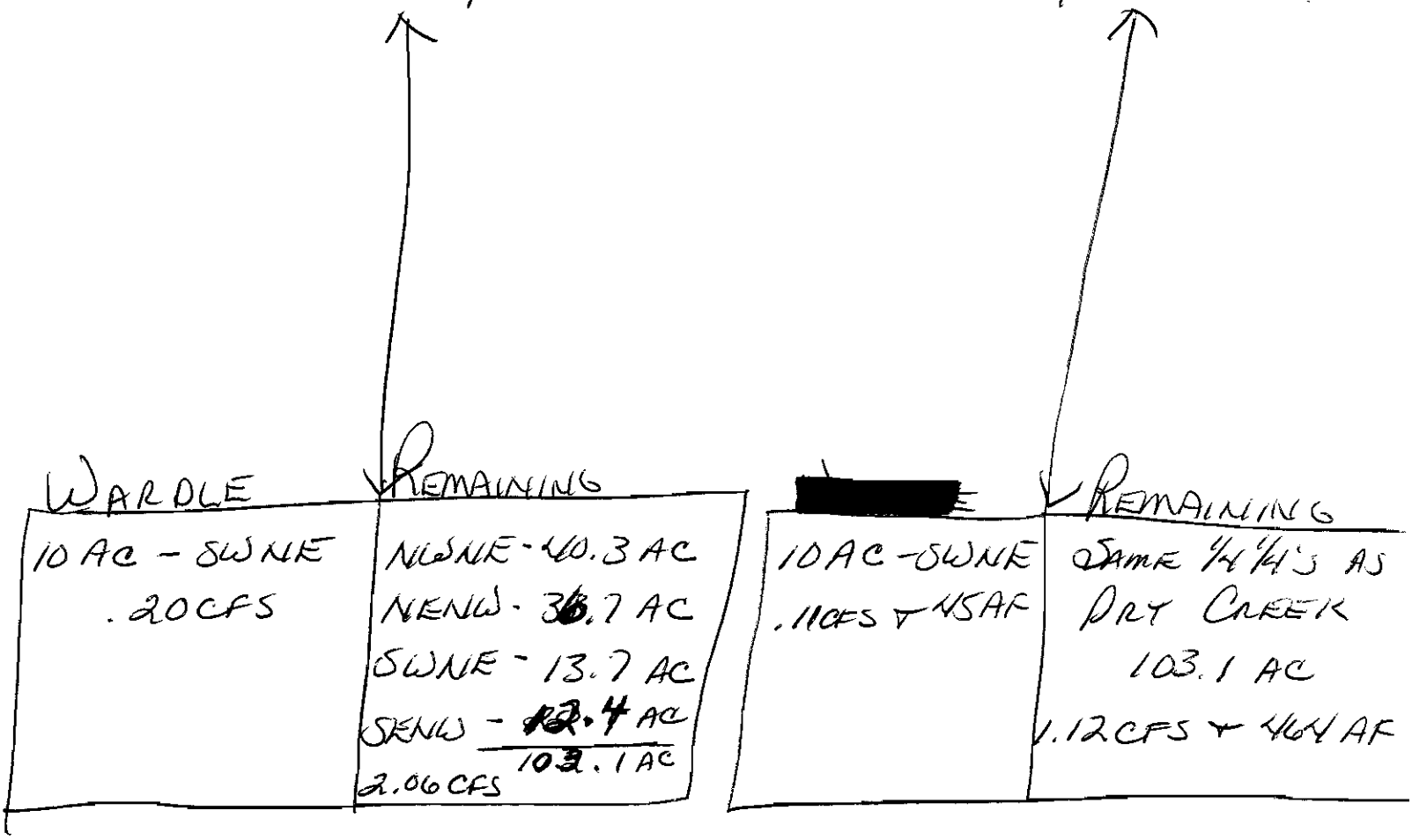
113.1 AC + 2.26 CFS

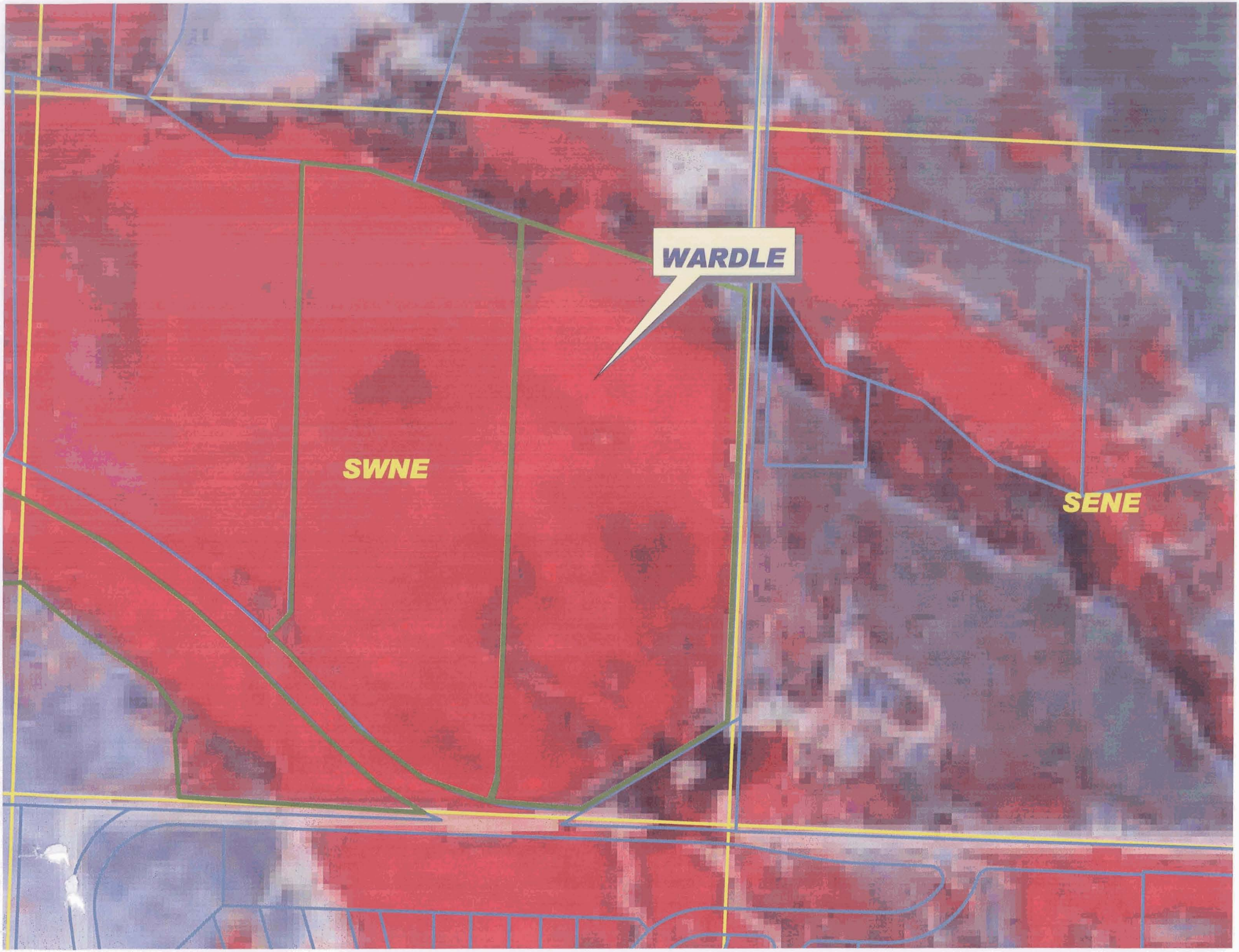
.02 CFS/AC

[redacted]

113.1 AC / 1.22 CFS / 509 AF

.0K CFS/AC 4.5 AF/AC




WARDLE
SWNE
SENE

Form 42-248/42-1409(6) July, 2000

RECEIVED

AUG 11 2004

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
	63-3162 (NOW NUMBERED 5175?)				
> See attached sheet	63-4849 (NOW NUMBERED 5175?)				

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

A. The appropriate ~~**FILING FEE. See**~~ instructions for fee amounts. NO Fee

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): PEDRO ECHANOVE
RT 1 Dry Creek RD
BOISE ID 83703

4. New Owner/Claimant(s)

Name Connector (Check one): [ ] and, [ ] or, [X] and/or

New Mailing Address: Scott or Lisa Wardle

City, State and ZIP Code: 405 N Lancaster Ct

New Telephone Number: (316) 733 6737

5. Date you acquired the property: 25 Jul 2002

City + State is:
Wichita KS 67230
(per envelope)

SCANNED

AUG 11 2004

NOTE:

63-4849 HAS BEEN SPLIT AS FOLLOWS:

63-31737 BULL DEVELOPMENT

63-31738 MEULEMAN

63-3162 HAS BEEN SPLIT AS FOLLOWS:

63-31739 BULL DEVELOPMENT

63-31740 MEULEMAN

It appears that the Wardle's 10 acre portion, being Lot 10, Block 1, Echanove Ranch Sub. No. 1, is a portion of the Bull Development rights 63-31737 & 63-31739.

The Grantees herein have read and approved the following: _____

Title File No.: T02-80890 PB

CORPORATE WARRANTY DEED

FOR VALUE RECEIVED,

Bull Development, Inc.

a corporation organized and existing under the laws of the State of Idaho, with its principal office at 2229 W. State, #B, Boise, ID 83702 of County of **Ada** , State of Idaho,

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto Scott J. Wardle and Lisa A. Wardle, Husband and Wife

GRANTEES(s), whose current address is: 3804 Tayton, Nampa, ID 83686 the following described real property in **Ada** County, State of Idaho, more particularly described as follows, to wit:

Lot 10 in Block 1 of ECHANOVE RANCH SUBDIVISION NO. 1, according to the official plat thereof, filed in Book 82 of Plats at Pages 8918 thru 8920, AND AMENDED By Affidavit recorded June 20, 2001 as Instrument No. 101060347, records of Ada County, Idaho.

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

2002 JL 29 PM 4:26

RECORDED-REQUEST OF
FEE 3.00 DEPUTY J. Parsons
102085368

TRANSNATION

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.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the Grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the Grantor has caused its corporate name to be hereunto affixed by its duly authorized officers this **25th** day of **July** , in the year of 2002.

Bull Development, Inc.
By _____
Michael S. Homan, President President

Attest: _____
Secretary

STATE OF **Idaho** , County of **Ada** , ss.

On this **25th** day of **July** in the year of 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared Michael S. Homan known or identified to me to be the President of the corporation that executed the instrument or the person who execucuted on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Signature: _____
Name: **Pamela J. Bigelow**
Residing at: **Boise, ID**
My commission expires: **01/12/06**

PAMELA J. BIGELOW NOTARY PUBLIC STATE OF IDAHO

SCANNED
AUG 1 1 2004

Transnation Title & Escrow, Inc.

Wardle

5N 2E

Section Line

QQ Lines

Tax Lot Data

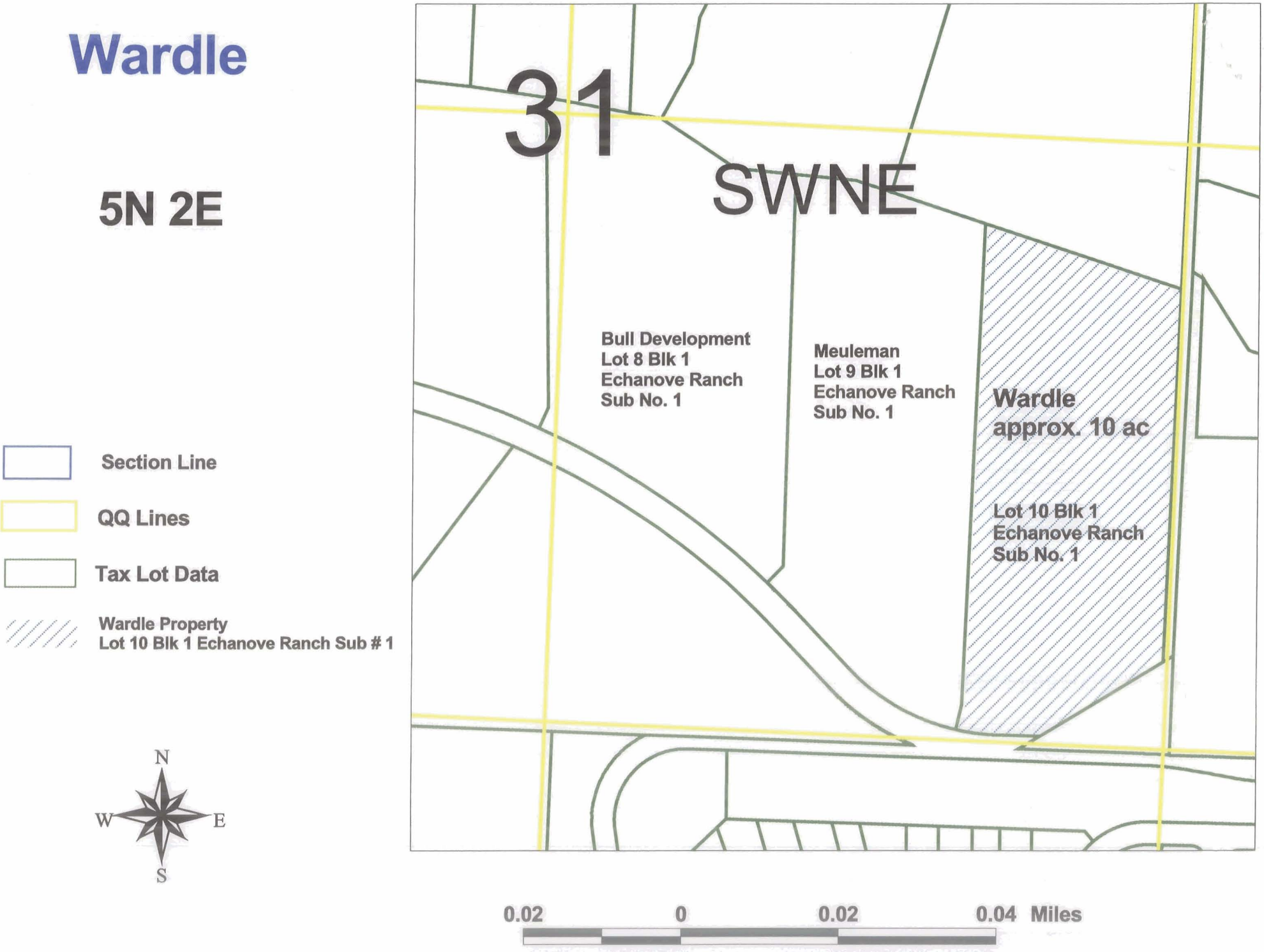
Wardle Property
Lot 10 Blk 1 Echanove Ranch Sub # 1

N
W E
S

0.02 0 0.02 0.04 Miles

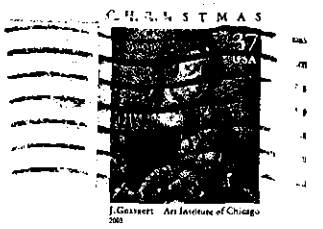
Wardle

5N 2E


31
SWNE
Bull Development
Lot 8 Blk 1
Echanove Ranch
Sub No. 1
Meuleman
Lot 9 Blk 1
Echanove Ranch
Sub No. 1
Wardle
approx. 10 ac
Lot 10 Blk 1
Echanove Ranch
Sub No. 1
Section Line
QQ Lines
Tax Lot Data
Wardle Property
Lot 10 Blk 1 Echanove Ranch Sub # 1
N
W
E
S
0.02
0
0.02
0.04 Miles

SCOTT & LISA WARDLE
405 LANCASTER
WICHITA, KS 67230

WICHITA, KS
PM
MAR 9
2004



IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082

SCANNED
AUG 1 1 2004

83705+5082 08

Form 42-248/42-1409(6) July, 2000

RECEIVED
FEB 19 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
A 63-04849					
63-03162					

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

   A. The appropriate **FILING FEE**. See instructions for fee amounts. N/A

   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.**
   Deed attached

   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).
   Plat attached **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) _____

4. New Owner/Claimant(s) Wayne and Susan Meuleman
   Name Connector (Check one): [ ] and, [ ] or, [ ] and/or

   New Mailing Address 235 E. Braemere Rd.

   City, State and ZIP Code Boise, ID 83702

   New Telephone Number (208) 345-8398; 342-6066 office

5. Date you acquired the property 2/27/2002

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 63-31737
Date Received: 9/20/1989
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BULL DEVELOPMENT INC
ATTN: MIKE HOMAN
2229 W STATE ST
STE B
BOISE ID USA 83702

Phone: (208)429-1900

2. Date of Priority: 09/13/1874

3. Source: DRY CREEK Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4	1/4	1/4	Lot	County	Type
05N	02E	31	SE	SE	NE		ADA	

5. Description of diverting works:

Dam, gravity ditches, & pressure irrigation from distribution pond.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	11/15	2.58	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
05N	02E	31	NW	NE		IRRIGATION	40.3
			SW	NE		IRRIGATION	27
			NE	NW		IRRIGATION	38.7
			SE	NW		IRRIGATION	23
						Section Acres	129
						Total Acres	129

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:

PREPARED AMENDED CLAIM AT REQUEST OF MATT HOWARD ATTORNEY FOR BULL DEVELOPMENT. RDH 8 APRIL 2003.

WESTERN REGION RECEIVED AMENDED CLAIM 14 JULY 2003.

This claim is the result of a split due to change in ownership for a portion of 63-4849. Claim created by DB 4/7/2004 to complete hard file.

15. Basis of Claim: Beneficial Use

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 A 63 - 04849

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		10 acres
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 63-03162

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		10 acres
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 DH Date 2-19-03 Fee N/A
Receipted by _____ Date _____ Receipt No. _____
Processed by _____ AJ Date _____ WR _____ Date _____

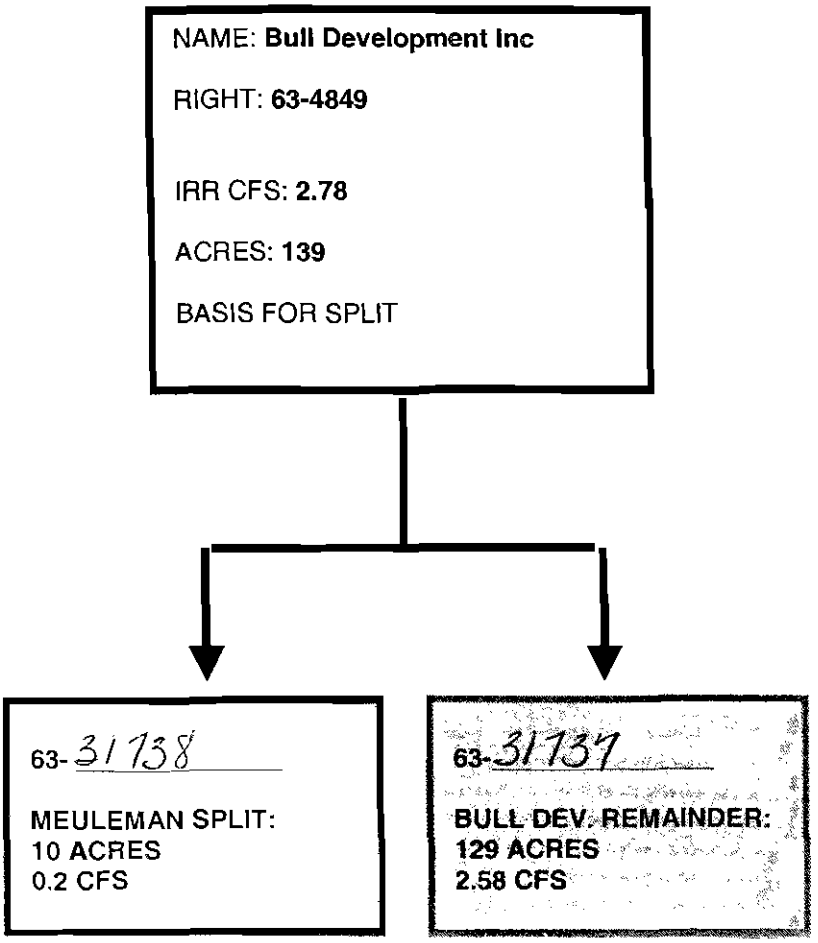
SPLIT TREE

CLAIMS 63-4849
AGENT: Ron Howerton
Date: 07/22/03

MEULEMAN SPLIT:
63- 31738 = FACTOR X 10 ACRES = 0.2 CFS

BULL DEVELOPMENT REMAINDER:
63- 31737 = FACTOR X 129 ACRES = 2.58 CFS

IRRIGATION CFS FACTOR = CFS 2.78 / ACRES 139 = (0.02 CFS per acre = FACTOR)



DRY CREEK

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 63-4849
Date Received: 9/20/1989
Receipt No: W006001
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BULL DEVELOPMENT INC Phone: (208) 429-1900
ATTN: MIKE HOMAN
2229 W STATE ST
STE B
BOISE ID USA 83702

ok NEW SPLIT 31137

BULL DEV.

2. Date of Priority: 09/13/1874

3. Source: DRY CREEK Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County	Type
05N	02E	31	SE SE NE		ADA	

5. Description of diverting works:

Dam, gravity ditches & pressure irrigation from distribution pond.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	11/15	~~2.78~~ 2.59	

7. Total Quantity Appropriated is:
2.78 C.F.S. 2.58

8. Total consumptive use:

PRIMARY RIGHT

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	02E	31	NW	NE		IRRIGATION	40.3
			SW	NE		IRRIGATION	~~37~~ 27
			NE	NW		IRRIGATION	38.7
			SE	NW		IRRIGATION	23
						Section Acres	~~139~~
						Total Acres	~~139~~ 129

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: DELETE

PREPARED AMENDED CLAIM AT REQUEST OF MATT HOWARD ATTORNEY FOR BULL DEVELOPMENT. RDH 8 APRIL 2003.

WESTERN REGION RECEIVED AMENDED CLAIM 14 JULY 2003.

15. Basis of Claim: Beneficial Use

ADD: OWNERSHIP CHANGED BY— 7-22-03.

ADD: PROPERTY IS ALSO KNOWN AS ECHANOVE RANCH SUBDIVISION NO. 1.

THIS FORM FURNISHED COURTESY OF:

ALLIANCE TITLE & ESCROW CORP.

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO
2002 FEB 27 PM 4:08

RECORDED-REQUEST OF
FEE 3.00 DEPUTY
102023796

READ & APPROVED BY GRANTEE(S): 2002

TRANSNATION

SPACE ABOVE THIS LINE FOR RECORDING DATA

TCI-77754PB

CORPORATE WARRANTY DEED

FOR VALUE RECEIVED, BULL DEVELOPMENT, INC.

, a corporation
organized and existing under the laws of the State of Idaho, with its principal office at 2229 W. STATE, #B BOISE, ID 83702 of County of ADA, State of Idaho, GRANTOR, hereby GRANT, BARGAIN, SELL AND CONVEY unto

Wayne V. Meuleman and Susan G. Meuleman, husband and wife

GRANTEE(S), whose current address is: 235 E. Braemere Road, Boise, ID 83704
the following described real property located in ADA County, State of Idaho, more particularly described as follows, to wit:

Lot 9 in Block 1 of ECHANOVE RANCH SUBDIVISION NO. 1, according to the Official Plat thereof, filed in Book 82 of Plats at Page 8918-8920, ~~records of Ada County, Idaho.~~
AND AMENDED BY AN AFFIDAVIT RECORDED JUNE 20, 2001, AS INSTRUMENT NO. 101060347 RECORDS OF ADA COUNTY, IDAHO.

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 does hereby covenant to and with the said Grantee(s), that Grantor is the owner 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 will warrrant and defend the same from all lawful claims whatsoever.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the Grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the Grantor has caused its corporate name to be hereunto affixed by its duly authorized officers this 15th day of June, in the year of 2001.

(Corporate Seal)

BULL DEVELOPMENT, INC.
(Corporate Name)

By: Michael S. Homan
MICHAEL S. HOMAN, President

Attest: _____
Secretary

STATE OF IDAHO)
COUNTY OF ADA)

On this 15th day of June, in the year of 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared MICHAEL S. HOMAN, PRESIDENT

known or identified to me to be the President of the corporation that executed the instrument or the person(s) who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

PAMELA J. BIGELOW NOTARY PUBLIC STATE OF IDAHO

Signature: Pamela J. Bigelow

Name: PAMELA J. BIGELOW
(type or print)

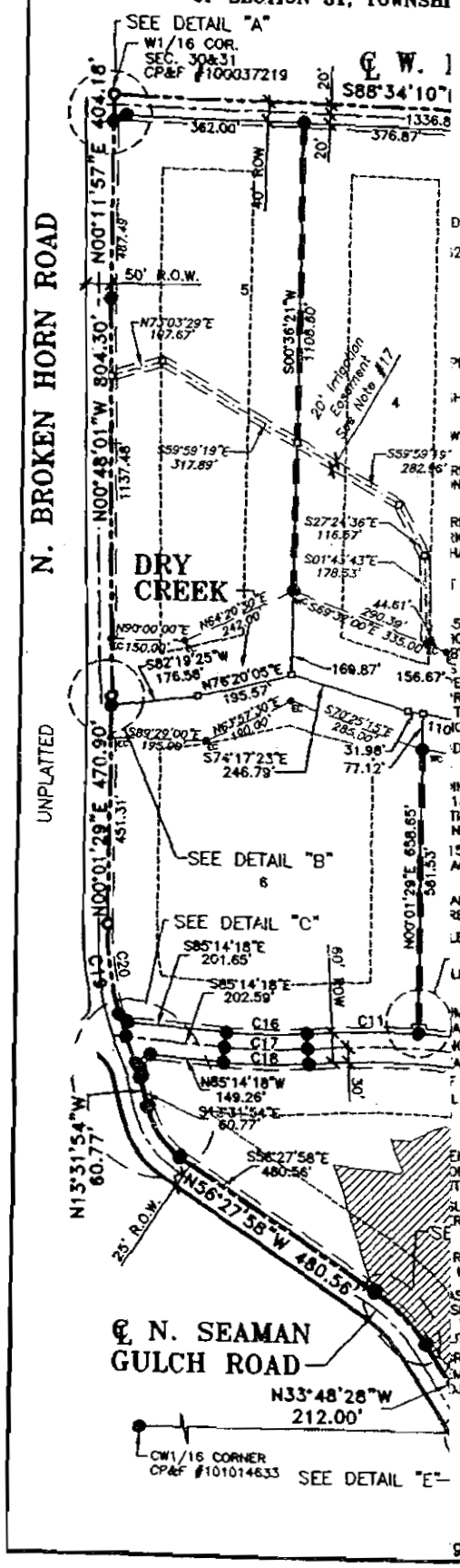
Residing at: BOISE, IDAHO

My Commission Expires: 01/12/06

p. 8918-8920

PL
ECHANOVE RA

A PORTION OF THE
OF SECTION 31, TOWNSHI



P.O.B. POINT OF BEGINNING
FOUND ALUM. MONUMENT N1/4 COR.

SET 5/8"x 30" REBAR W/CAP MARKED LS 6901

SET 1/2" x 24" REBAR W/CAP MARKED LS 6901

EC EASEMENT CORNER SET 1/2" x 24" REBAR W/CAP MARKED LS 6901

RM REFERENCE MONUMENT SET 5/8" x 30" REBAR W/CAP MARKED LS 6901

FOUND ALUMINUM MONUMENT

FOUND 5/8" REBAR W/CAP LS 943 UNLESS OTHERWISE NOTED

WC WITNESS CORNER SET 5/8" x 30" REBAR W/CAP MARKED LS 6901

WC WITNESS CORNER SET 1/2" x 24" REBAR W/CAP MARKED LS 6901

CALCULATED POINT

PLY WITH THE APPLICABLE REGULATIONS IN

HALL BE IN COMPLIANCE WITH THE APPLICABLE

WITH IDAHO CODE 31-3805 CONCERNING

RESERVED ADJACENT TO THE SUBDIVISION
N EASEMENT) FOR PUBLIC UTILITIES, DRAINAGE

RESERVED CENTERED ON ALL INTERIOR LOT
IGATION EXCEPT AS SHOWN. THIS EASEMENT
HARD SURFACE DRIVEWAYS TO EACH LOT.

T PRIOR APPROVAL FROM THE

503 OF THE IDAHO CODE, RIGHT TO FARM
ION OR AN APPURTENANCE TO IT SHALL BE
BY ANY CHANGED CONDITION IN OR ABOUT
S AFTER THE SAME HAS BEEN IN OPERATION
ERATION WAS NOT A NUISANCE AT THE TIME
ROVISIONS OF THIS SECTION SHALL NOT
THE IMPROPER OR NEGLIGENT OPERATION OF
ICE TO IT.

DA COUNTY CODE, NO BUILDING SHALL BE

ING BUT NOT LIMITED TO DRIVEWAYS,
1&2, BLOCK 2 SHALL AVOID THOSE AREAS
TIFIED ON THE FINAL PLAT OR SHALL FULLY
NTY CODE.

15% OR GREATER IS PROHIBITED UNLESS
ACCORDANCE WITH ADA COUNTY HILLSIDE

ALL BE INSTALLED BEYOND THE WATER
RELEASE.

LETTER ON FILE REGARDING

LIMITED TO THOSE COMMON DRIVEWAYS

MENT NO.101012647) ALONG DRY CREEK
AD, AND ALONG CURRANT CREEK FROM
CE OF DRY CREEK AND CURRANT CREEK
ASEMENT PROVIDES FOR ACCESS TRAIL(S)
F DRY CREEK FROM McFARLAND ROAD
L BE PROVIDED BY ADA COUNTY PARKS
ESTABLISH VEGETATION WITHIN THESE

ENT SHALL BE REQUIRED TO FENCE OUTSIDE
ON OF LIVESTOCK TO SAID LOT. FENCING
T OF SAID EASEMENT.

SLOPES AND THE 100' SETBACK AS REQUIRED
RLAY DISTRICT AS DESCRIBED IN 8-80 OF THE

RESERVED, AS SHOWN, FOR THE PURPOSE OF
IRRIGATION HEAD GATE AND LATERAL.

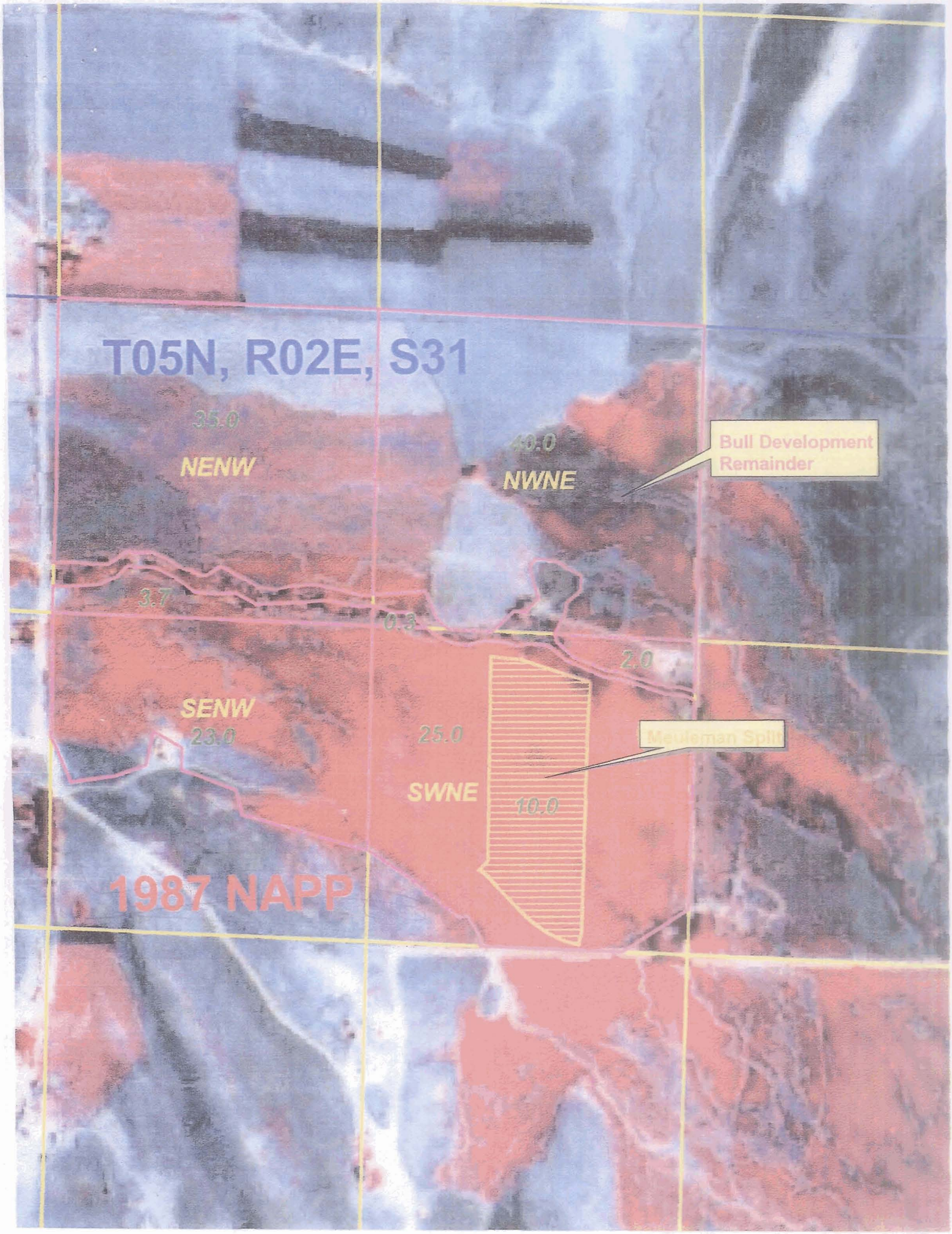
ASEMENT IS RESERVED ALONG THE EAST SIDE OF
SHALL REMAIN FREE OF ALL ENCROACHMENTS AND
WHICH MAY ADVERSELY AFFECT DRAINAGE
STY.

RANTED TO THE LANDOWNER
MENT AND LOT 10 BLOCK 1.
JOINING LAND.

PINNACLE
Engineers, Inc.
12552 W. Executive Dr., Suite 6, Boise, Idaho 83713
(208) 887-7760

9

RECEIVED
FEB 19 2003
WATER RESOURCES
WESTERN REGION


T05N, R02E, S31
35.0
NENW
40.0
NWNE
Bull Development
Remainder
3.7
0.3
2.0
SENW
23.0
25.0
SWNE
10.0
Meuleman Split
1987 NAPP

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 63-4849
Date Received: 9/20/1989
Receipt No: W006001
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BULL DEVELOPMENT INC Phone: (208) 429-1900
ATTN: MIKE HOMAN
2229 W STATE ST
STE B
BOISE ID USA 83702

2. Date of Priority: 09/13/1874

3. Source: DRY CREEK Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County	Type
05N	02E	31	SE SE NE		ADA	

5. Description of diverting works:

Dam, gravity ditches & pressure irrigation from distribution pond.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	11/15	2.78	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use		Acres
05N	02E	31	NW	NE		IRRIGATION	40.3
			SW	NE		IRRIGATION	37
			NE	NW		IRRIGATION	38.7
			SE	NW		IRRIGATION	23
						Section Acres	139
						Total Acres	139

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:

PREPARED AMENDED CLAIM AT REQUEST OF MATT HOWARD ATTORNEY FOR BULL DEVELOPMENT. RDH 8 APRIL 2003.

WESTERN REGION RECEIVED AMENDED CLAIM 14 JULY 2003.

15. Basis of Claim: Beneficial Use

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 63-4849
Date Received: 9/20/1989
Receipt No: W006001
Received By:

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

RECEIVED
JUL 14 2003
WATER RESOURCES
WESTERN REGION

1. Name of Claimant(s)

BULL DEVELOPMENT INC Phone: (208) 429-1900
ATTN: MIKE HOMAN
2229 W STATE ST
STE B
BOISE ID USA 83702

2. Date of Priority: 09/13/1874

3. Source: DRY CREEK Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County	Type
05N	02E	31	SE SE NE		ADA	

5. Description of diverting works:

Dam, gravity ditches & pressure irrigation from distribution pond.

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Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	11/15	2.78	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use		Acres
05N	02E	31	NW	NE		IRRIGATION	40.3
			SW	NE		IRRIGATION	37
			NE	NW		IRRIGATION	38.7
			SE	NW		IRRIGATION	23
						Section Acres	139
						Total Acres	139

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

PREPARED AMENDED CLAIM AT REQUEST OF MATT HOWARD ATTORNEY FOR BULL DEVELOPMENT. RDH 8 APRIL 2003.

15. Basis of Claim: Beneficial Use

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 XX wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 01

For Organizations:

I do solemnly swear or affirm that I am President of
Title
Bull Development, Inc., that I have signed the foregoing
Organization

document in the space below as President of
Title
Bull Development, Inc., and that the statements contained in the
Organization

foregoing document are true and correct. Michael D. Homer
Signature of Authorized Agent

President, Bull Development, Inc.
Title and Organization

_____
Date

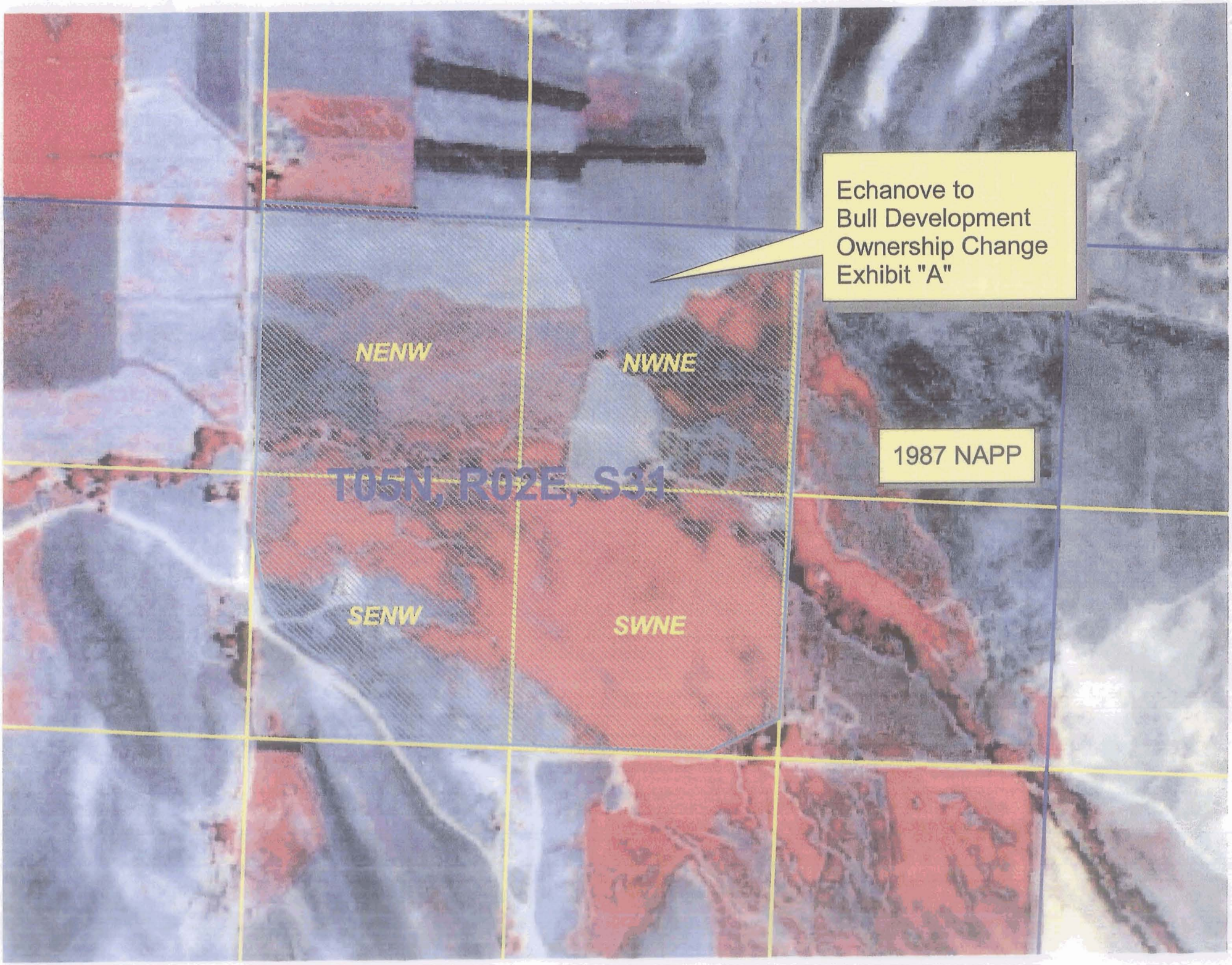
State of Idaho)
) SS.
County of Ada)

Subscribed and sworn (or affirmed) before me this 23rd
of May 2003

Pamela J. Bigelow
Notary Public

Residing at Boise

My commission Expires 1-12-06


Echanove to
Bull Development
Ownership Change
Exhibit "A"
NENW
NWNE
1987 NAPP
T05N, R02E, S31
SENW
SWNE

Form 42-248/42-1409(6) July, 2000

RECEIVED
FEB 25 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
63-4849	A63-4849				
63-3162	A63-3162				

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): Pedro & Betty Echanove and Alfred & Anita Gibbens
   Rt. 1, Dry Creek Rd., Boise, ID 83703

4. New Owner/Claimant(s): Bull Development, Inc.
   Name Connector (Check one): [ ] and, [ ] or, [ ] and/or

   New Mailing Address: 2229 W. State St., Ste. B

   City, State and ZIP Code: Boise, ID 83702

   New Telephone Number: ( ) 208-429-1900

5. Date you acquired the property: September 21, 2000

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) Bull Development Inc.
By Michael L. Homan pres.

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 _____

RECORDED-REQUEST OF

THIS FORM FURNISHED COURTESY OF: ADA COUNTY RECORDER DAVID NAVARRO

FEE 9- DEPUTY

ALLIANCE TITLE & ESCROW CORP. 2000 SP 22 PM 2:27

100075885

ALLIANCE TITLE

READ & APPROVED BY GRANTEE(S):

SPACE ABOVE THIS LINE FOR RECORDING DATA

{0621} Order No.: 99080204 JG-PB

WARRANTY DEED

FOR VALUE RECEIVED PEDRO ECHANOVE and BETTY LOU ECHANOVE, husband and wife, and ALFRED D. GIBBENS and ANITA GIBBENS, HUSBAND AND WIFE (who acquired title as ELENA ANITA ECHANOVE, same person as ANITA ECHANOVE) GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto BULL DEVELOPMENT, INC., AN IDAHO CORPORATION

GRANTEE(S), whose current address is 2229 W. STATE, #B, BOISE, IDAHO 83702 the following described real property in ADA County, State of Idaho, more particularly described as follows, to wit:

As set forth on the attached EXHIBIT "A", which by this reference becomes a part hereof.

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, 2000

PEDRO ECHANOVE

BETTY LOU ECHANOVE

ALFRED D. GIBBENS

ANITA GIBBENS

STATE OF IDAHO)
COUNTY OF ADA)

On this 21st day of September, in the year of 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared PEDRO ECHANOVE, BETTY LOU ECHANOVE, ALFRED D. GIBBENS AND ANITA GIBBENS

known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

PAMELA J. BIGELOW NOTARY PUBLIC STATE OF IDAHO

Signature: Pamela J. Bigelow

Name: PAMELA J. BIGELOW
(Type or print)

Residing at: BOISE, IDAHO

My Commission Expires: 01/12/06

ORDER NO. 99080204 JG

EXHIBIT "A"

Situated in a portion of the East Half of the Northwest Quarter and the West Half of the Northeast Quarter of Section 31, Township 5 North, Range 2 East, Boise Meridian, Ada County, Idaho, and described as follows:

BEGINNING at an aluminum cap marking the North Quarter corner common to Sections 30 and 31, thence along the North line of said West Half South 88 degrees 51'44" East a distance of 1373.74 feet to an aluminum cap marking the Northeast corner of said West Half; thence leaving said North line and along the East line of said West Half

South 00 degrees 54'38" West a distance of 2436.01 feet to a 5/8 inch rebar; thence leaving said East line

South 57 degrees 32'41" West a distance of 395.15 feet to a 5/8 inch rebar on the South line of said West Half; thence along said South line

North 89 degrees 19'13" West a distance of 1024.92 feet to an aluminum cap marking the Southwest corner of said West Half; thence leaving said South line of the West Half and along the South line of the said East Half

North 89 degrees 19'32" West a distance of 551.11 feet to a 5/8 inch rebar on the Northeasterly right-of-way line of Dry Creek Road; thence leaving said South line and along said right-of-way the following courses:

North 33 degrees 48'28" West a distance of 212.00 feet to a 5/8 inch rebar; thence along the arc of a curve to the left having a radius of 379.00 feet, a central angle of 22 degrees 39'30", a length of 149.88 feet, and a long chord bearing

North 45 degrees 08'24" West a distance of 148.91 feet to a 5/8 inch rebar; thence

North 56 degrees 27'59" West a distance of 480.56 feet to a 5/8 inch rebar; thence along the arc of a curve to the right having a radius of 166.00 feet, a central angle of 42 degrees 56'04", a length of 124.39 feet, and a long chord bearing

North 34 degrees 59'56" West a distance of 121.50 feet to a 5/8 inch rebar; thence

North 13 degrees 31'54" West a distance of 60.77 feet to a 5/8 inch rebar; thence along the arc of a curve to the left a radius of 145.00 feet, a central angle of 10 degrees 56'14", a length of 27.68 feet, and a long chord bearing

North 19 degrees 00'01" West a distance of 27.64 feet to a 5/8 inch rebar on a non-tangent curve on the Easterly right-of-way line of Broken Horn Road; thence leaving the right-of-way of said Dry Creek Road and along the Easterly right-of-way of said Broken Horn Road the following course:

Along the arc of a curve to the right having a radius of 675.00 feet, a central angle of 24 degrees 28'40", a length of 288.37 feet, and a long chord bearing

Continuation of Exhibit A

Order No.:99080204 JG

North 12 degrees 13'48" West a distance of 286.19 feet
to a 5/8 inch rebar; thence
North 00 degrees 01'29" East a distance of 470.90 feet
to a 5/8 inch rebar; thence
North 00 degrees 48'01" West a distance of 1208.69 feet
to a 5/8 inch rebar; thence along the North line of said
East Half
South 88 degrees 34'10" East a distance of 369.30 feet
to the POINT OF BEGINNING.

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 63-4849
Date Received: 9/20/1989
Receipt No: W006001
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

PEDRO ECHANOVE Phone: (208)939-6783
5750 DRY CREEK RD
BOISE ID USA 83703

ELENA ANITA GIBBENS Phone: (208) 853-9239
7481 N BOGART LN
BOISE ID USA 83703

2. Date of Priority: 02/21/1883

3. Source: CURRENT CREEK, DRY CREEK Trib. to: DRY CREEK, BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	02E	31	NE NW	ADA	
05N	02E	31	SW NE	ADA	
05N	02E	31	SE NE	ADA	
05N	02E	31	NW NE	ADA	

5. Description of diverting works:

DAMS & GRAVITY FLOW DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	1/15	7/01	2.78	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
05N	02E	31	NW	NE		IRRIGATION	40
			SW	NE		IRRIGATION	37
			NE	NW		IRRIGATION	40
			SE	NW		IRRIGATION	22
						Section Acres	139
						Total Acres	139

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:

Address change for Pedro Echenove and Elena Anita Gibbens per address change for overlapping claim 63-3162. RDH 11/25/02.
Removed Petra Echanove from this claim per DB conversation with Pedro (son) she is now deceased. 5/10/02.

2 P/D IN SENE, SEC. 31, T5N., R2E. & NWNE, SEC. 31, T5N, R2E.

15. Basis of Claim: Beneficial Use

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

May 13, 2002

RECEIVED
MAY 2 2 2002
WATER RESOURCES
WESTERN REGION

ELENA ANITA GIBBENS
7481 N BOGART LN
BOISE ID 83703

Re: Snake River Basin Adjudication (SRBA)
Water Right No. 63-3162 & 4949
Change of Address

Dear Water Right Holder(s):

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation that this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your claim or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to our office. Make corrections to your name and address if necessary before returning this letter. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update or records.

If there has been a change in ownership of any of the properties connected with the water right referenced above, please call this office to obtain a form to make this required change to the water right records.

Sincerely,

Denise Buffington

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

****

The address is correct as shown above or as otherwise changed.

Elena Anita Gibbens
Signature of water right claimant

853-9239
Telephone number

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

May 6, 2002

RECEIVED
MAY 10 2002
WATER RESOURCES
WESTERN REGION

PEDRO ECHANOVE
5750 DRY CREEK RD
BOISE ID 83703

Re: Snake River Basin Adjudication (SRBA)
Water Right No. 63-3162 E 4849
Change of Address

Dear Water Right Holder(s):

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation that this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your claim or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to our office. Make corrections to your name and address if necessary before returning this letter. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update or records.

If there has been a change in ownership of any of the properties connected with the water right referenced above, please call this office to obtain a form to make this required change to the water right records.

Sincerely,

Denise Buffington

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

****

The address is correct as shown above or as otherwise changed.

Pedro Echanove
Signature of water right claimant

939-6783
Telephone number

Per phone conversation with Pedro on 5-10-2002, his mother Petra is deceased + he'd like her name taken off. Gibbens is his sister and stays on claim.

DO

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: A63-04849
Date Received: 9/20/1989
Receipt No: W006001
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PEDRO ECHANOVE 208-939-6783
Address: RT. 1
DRY CREEK RD.
BOISE, ID 83703

OR

Name: BETTY L. ECHANOVE
Address: RT. 1
DRY CREEK RD.
BOISE, ID 83703

OR

Name: ELENA ANITA GIBBENS
Address:

2. Date of Priority: FEB 21, 1883

3. Source: CURRENT CREEK Trib. to: DRY CREEK
DRY CREEK BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
05N	02E	31	✓NW NE		ADA
			✓SW NE		ADA
			✓SE NE		ADA
			NE NW		ADA

5. Description of diverting works:
DAMS & GRAVITY FLOW DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S (or)	A.F.A.
IRRIGATION	01/15	07/01	2.780	

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

MICROFILMED
AUG 2 0 1992

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
05N	02E	31	NW	NE		IRR	40.0
			SW	NE		IRR	37.0
			NE	NW		IRR	40.0
			SE	NW		IRR	22.0
						Section Acres	139.0
						Total Acres	139.0

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:

14. Remarks:
2 P/D IN SENE, SEC. 31, T5N., R2E. & NWNE, SEC. 31, T5N, R2E.

15. Basis of Claim: STATUTORY CLAIM

MICROFILMED
AUG 2 0 1992

16. Signature(s)

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

Number of attachments: 1

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): X Pedro Echanove Date: X Sept. 20-19

_____ Date: _____

State of Idaho)
) SS.
County of Ada)

Subscribed and sworn (or affirmed) before me this 20 day of Sept. 19 89

Linda Werner
Notary Public

Seal

Residing at Linda A. Werner ~~Residing at Boise, Idaho~~

My Commission Expires My Commission Expires December 8, 1996

MICROFILMED
AUG 2 0 1992

Spring
Spring Valley Road
Valley Creek
Gaging Sta
BM 2731
26
25
30
29
3028
2927
3246
3279
3034
2950
2861
3153
McFarland Cr
PID(4) x AG3-4849
PID well AG3-3162
Dry Creek Valley
Dry Creek
Gaging Sta
Artesian Wells
2716
BEND
HORSESHOE
2702
2725
2770
35
36
31
32
2807
3021
2847
2939
2872
2911
2849
3182
750 000 FEET
T5N
T4N
T. 4 N.
Goose Landing Strip
2879
3202
2
1
6
5
SEAMAN GULCH
Creek
2677
3017
3188
42' 30"
T5N R2E Sec. 31
MICROFILMED
AUG 2 0 1982

PLZ. FILE IN 63-32405

B03 PART 3

Mr. Tuthill, 20 May 2007

I was referred to you by Jan Shurte in regards to a water rights issue that we have been unable to get a clear answer from the district office.

This issue falls under a non-forfeiture from SRBA and an extension of non use from the state board. The in question rights are 63-32414 (ground water), and 63-32405 (Dry Creek). These are splits from the original 63-31739 and 63-31737 respectively that were owned by Pedro Enchanove and then Bull Development prior to the split amongst the new owners who have 10 acre parcels.

Currently the SRBA is in the adjudication process and we are awaiting the court findings on the matter. I was originally told by Jan Shurte that she hoped that the adjudication process would be complete by fall 2006. The other issue is an extension of non use that was filed by Bull Development in Jun 2002 that is set to expire on June 1 2007. I have received conflicting information as to the status of our water rights. According to Jan, we have five years to use the water before forfeiture once the adjudication process has been finalized. Since the adjudication process has not been finalized the five year clock has not started. The other info we have received from neighbors (reference the attached document) states that there is a possibility we could forfeit the right if the water is not used by June 1 2007. What we are asking is to get a position from the Idaho Department of Water Resources on what we need to do to protect our water rights.

Currently we are on active duty in the USAF and are stationed at Hickam AFB in Hawaii. Our current plan is to return to Boise around 2010, when I am retirement eligible and our oldest daughter begins high school. The original plan, when we purchased the land, was to build on the land back in 2002, but due to world events we felt an obligation to return to active duty and do our part to protect our country, allies, and stop the spread of terrorism. With that we were relocated to Wichita Kansas for four years and moved to our current location last summer. Currently a small portion of the land is under irrigation (trees and plants) and we were not planning on extending the coverage until we were ready to move back. Call it the conservation in us but we do not feel it is appropriate to use the water just to use it under a "use it or lose it" criteria. We understand that water is a precious resource and want to be a good steward of that resource as well as to the land.

We would prefer that we be allowed to keep the status quo until we return to Boise in the next three years, if things go as planned, or until the five year clock expires after the adjudication process is complete. As I mentioned to Jan, we would like a "warm fuzzy" in writing that our rights are protected by the state per current policy (as stated by Jan Shurte). We do understand that things can change and if the department needs to change policy direction/criteria for beneficial use that you would allow us the opportunity to comply with the new policy.

Thank you for your time.

Sincerely

Scott and Lisa Wardle
549 Ka Awakea Road
Kailua, HI 96734
(808) 638-3044

Jan,

This email is in reference to the water rights we have been working on up at Dry Creek on Petro Echanove's former farm. the right numbers that we are currently hold are 63-32414, & 63-32405. The below email contradicts a lot of what I have discussed with you in the past on the use of the water right. The word and understanding that I had with you is that the five year clock on the water right does not start until the right has been adjudicated. It appears that from the adjudication report (from online search shows today's as the date) the date is 30 Mar 2007. My question is what is the real date that the right must be exercised before forfeited. Currently we have been using some of the right but have more land that has not been exercised. The other question I have is there a way to file an additional extension of none use, similar to what Bull Development used in 2002. My current situation is active duty military stationed in Hawaii, if that will help with an extension. I will follow up with you with a phone call today. my cell number is 316 204 7532 and a local number, currently in town is 322-6602. If possible I would like to come down to the office and discuss this matter

Thank you

Scott Wardle

>From: "Welcker, Chris" < Chris.Welcker@idwr.idaho.gov>
>To: < mnholdeman@hotmail.com >
>Subject: Echanove Ranch Water Rights
>Date: Fri, 9 Feb 2007 11:49:13 -0700
>
>Sorry for the delay in getting back to you.
>
>The basic question being posed is whether the irrigation water rights
>associated with the old Echanove Ranch (63-03162 and 63-04849) and all of
>the split rights resulting from them will be forfeited if the water is not
>used by June, 2007. There are essentially two legal issues involved, the
>Application for Extension of Time to Avoid Forfeiture and a completely
>separate court ruling, which likely has some bearing on this situation.
>Both of these issues are fairly clear on their own, but the exact
>relationship between them is less clear.
>
>ISSUE #1: In 2001, Bull Development filed an Application for Extension of
>Time to Avoid Forfeiture to prevent a forfeiture of the water rights while
>the lots were sold and developed. This was meant to give time, "for the
>new lot owners to begin irrigating their lots and putting water to
>beneficial use." According to section 42-222 of the Idaho Code, sixty days
>before the use of the water is to be resumed, IDWR shall notify the owner
>of the impending deadline and provide a form for reporting the resumption
>of use of water. If the use of the water has not been resumed and reported
>to IDWR, the right shall revert back to the state. The date set for the
>resumption of use is June 1, 2007. The most certain way to maintain your
>water rights is to resume the use of water and report that use to IDWR.
>
>ISSUE #2: In 1999, the so-called "Facility Volume" decision in the Snake
>River Basin Adjudication (SRBA) Court found that so long as water rights
>are involved in the SRBA they should not be considered forfeited by IDWR.
>The water rights we are discussing are still part of the SRBA court case
>until the court issues a Partial Decree. This will likely, but not
>definitely, happen this year or in 2008. Once the Partial Decree comes
>from the court, there will be a five-year period within which to
>re-establish beneficial use of the water before forfeiture would be an
>issue again. A less certain way to maintain your water right would be to
>use this court case as a precedent to defend against forfeiture when June
>1, 2007 passes. This would give you more time to resume use of the water.
>

>Using either of these standards, it is fairly easy to establish an answer
>to the basic question of, "Will the irrigation water rights be forfeited if
>they are not used by June, 2007?" Unfortunately they do not give the same
>answer, which is why you and your neighbors have received conflicting
>advice. According to Issue #1, you must resume use and report the
>resumption by June, 2007 to avoid forfeiture. Following Issue #2, you have
>until 2012, or possibly later, to resume use before facing forfeiture for
>non-use. But whether Issue #1 or Issue #2 supercedes the other is not
>clear.
>
>An absolutely guaranteed definitive answer can only be achieved through a
>subsequent court case that clarifies the exact legal relationship between
>42-222 and the "Facility Volume" decision. In the absence of such a court
>case, and as a practical matter, IDWR will not find forfeiture until 5
>years after the Partial Decree and so the June, 2007 deadline would not
>apply. This represents the view of the Department at this time, but it is
>important to realize that if your water rights ever became part of a court
>case in the future, then this question could go before a judge who would
>make the final determination. It is entirely possible that a judge would
>agree with the Department's view and actions, but the Department cannot
>guarantee the outcome of any court case.
>
>In the end, this means that if you resume use of the water on your property
>and duly report to IDWR by June, you will definitely be fine. If you
>decide to not use the water until after June 2007 but before 2012 (5 years
>after the Partial Decree), you will probably be fine, but you accept a
>certain level of risk.
>
>Regardless of your decisions, you and your neighbors should all file Change
>of Ownership forms so that the Department can update its records and direct
>correspondence to the correct owners. I looked in the database, and you
>and your husband still need to fill out a Change of Ownership form which I
>will mail out to you today.
>
>If you need more information, please feel free to contact me.
>
>
>Chris
>
>_____
>Chris Welcker
>Stream Channel Protection Specialist
>IDWR--Western Region
>2735 Airport Way
>Boise ID 83705-5082
>
>Phone (208) 334-2190
>Cell (208) 830-4689
>FAX (208) 334-2348
>

09/29/2006

NOTICE OF ERROR

REPLY

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.

RECEIVED

NOV 0 1 2006

WATER RESOURCES
WESTERN REGION

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-32405

LISA WARDLE
~~405 N. LANCASTER~~ CT
~~WICHITA KS~~ 67230

SCOTT WARDLE
~~405 N. LANCASTER~~ CT
~~WITCHTA KS 67230~~

> 549 Ka Awakea Rd
Kailua, HI 96734
(808) 638-3044

changed phone 11-3-06 address already changed

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

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 23oct06 **SIGNATURE:** Lisa L Wardle

Please print your name: Scott Wardle / Lisa Wardle

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

10/27/2006

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-32405

NAME AND ADDRESS: LISA WARDLE
549 KA AWAKEA RD
KAILUA HI 96734-3524

SCOTT WARDLE
549 KA AWAKEA RD
KAILUA HI 96734-3524

SOURCE: DRY CREEK TRIBUTARY: BOISE RIVER

QUANTITY: 0.200 CFS

USE OF THIS RIGHT WITH RIGHT NO. 63-32414 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .2 CFS.

PRIORITY DATE: 09/13/1874

POINT OF DIVERSION:

T05N R02E S31 SESENE Within ADA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/01 11/15	0.200 CFS

PLACE OF USE: IRRIGATION Within ADA County

T05N R02E S31 SWNE 10.00

10 ACRES TOTAL

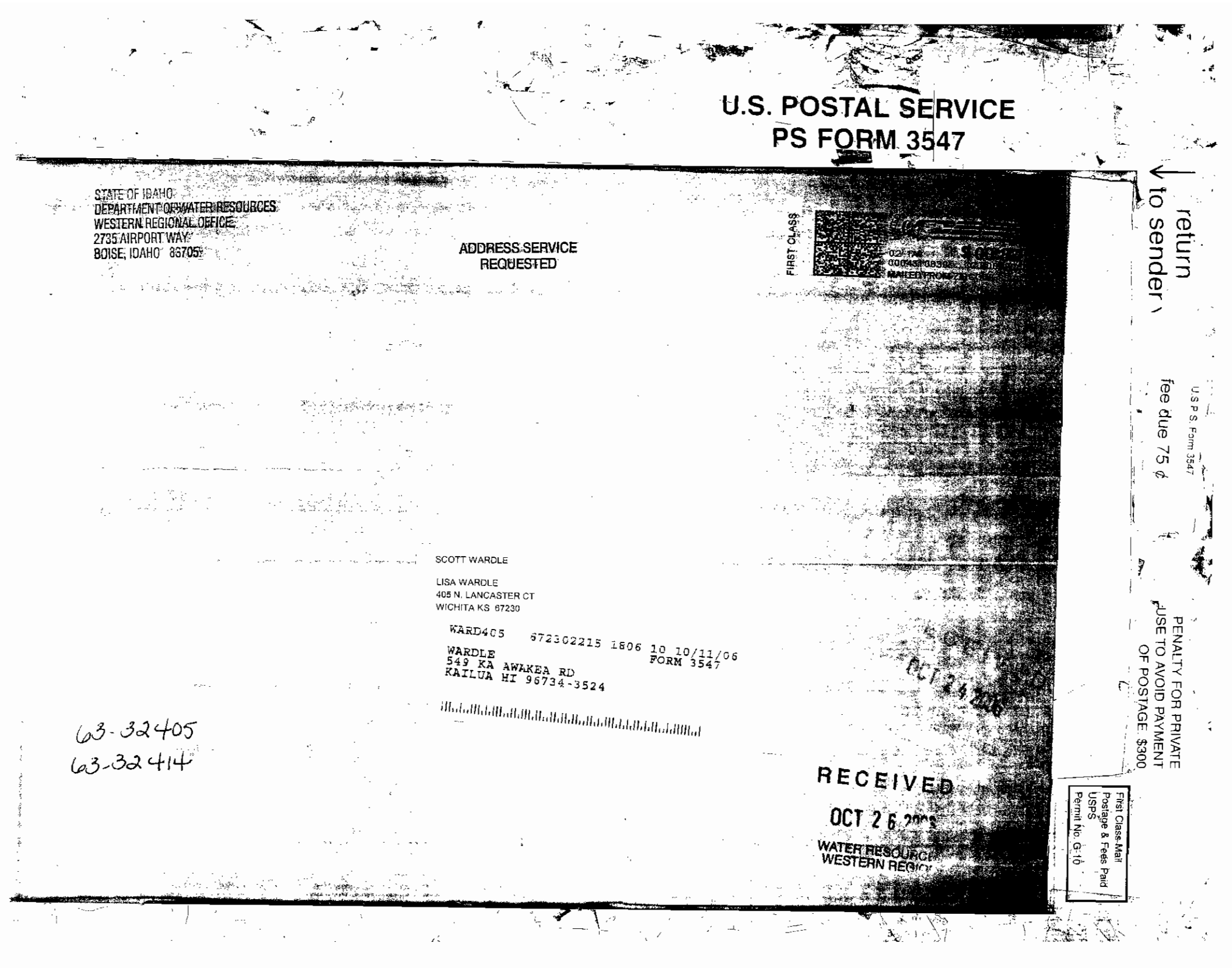
USE OF THIS RIGHT WITH RIGHT NO. 63-32414 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 10 ACRES IN A SINGLE IRRIGATION SEASON.

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 - Beneficial Use

This right is a split from former right 63-31737 .



U.S. POSTAL SERVICE
PS FORM 3547

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED

FIRST CLASS

return
to sender

fee due 75 ¢

U.S.P.S. Form 3547

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, $300

SCOTT WARDLE

LISA WARDLE
405 N. LANCASTER CT
WICHITA KS 67230

WARD405 672302215 1806 10 10/11/06
WARDLE FORM 3547
549 KA AWAKEA RD
KAILUA HI 96734-3524

OCT 24 2006

63-32405
63-32414

RECEIVED
OCT 26 2006
WATER RESOURCES
WESTERN REGION

First Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

Idaho Department of Water Resources

SRBA Recommendation:

63-32405

(Irrigation)

R02E

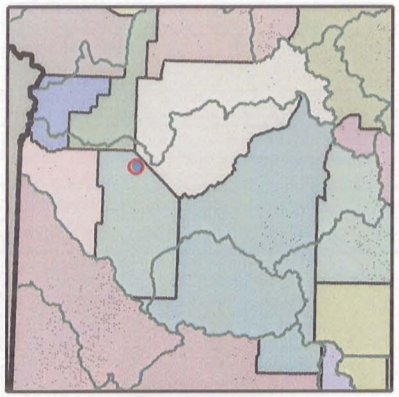
T05N

SWNE

31

Legend

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



Ada County
IDWR Basin 63

N

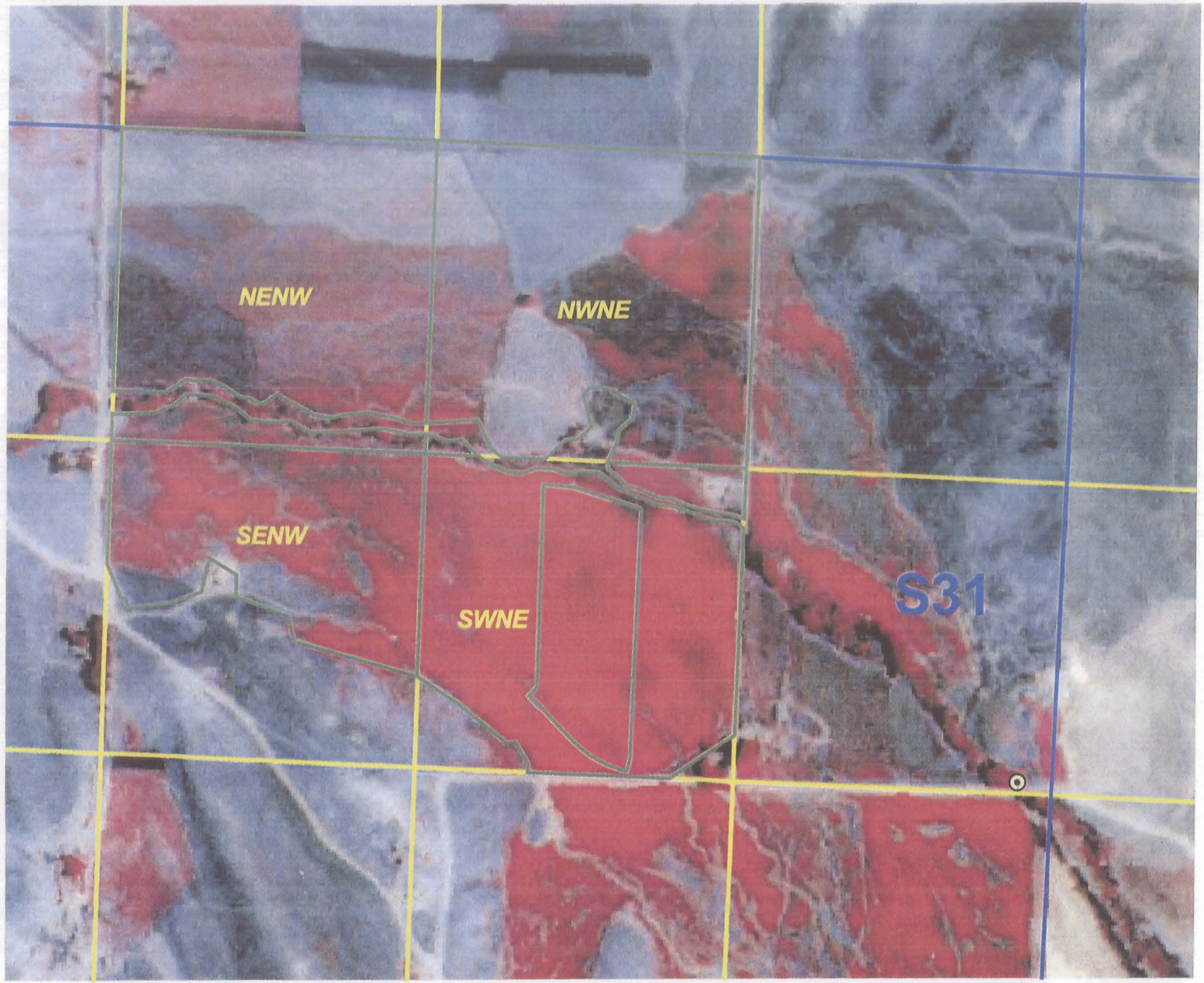
0 0.1 0.2 Miles

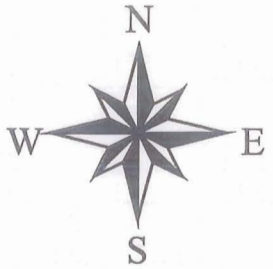
Prepared by S. Egbert
On Thursday, September 7, 2006
1987/88 Aerial Photography

Idaho Department of Water Resources

Claims: 63-31737
Date Prepared: 07-25-03
By: Ron Howerton

T05N, R02E
S31





Point of Diversion
Place of use
Section
1/4 1/4

1987 NAPP

07/23/2003

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-31737

NAME AND ADDRESS: BULL DEVELOPMENT INC
ATTN: MIKE HOMAN
2229 W STATE ST
STE B
BOISE ID 83702

SOURCE: DRY CREEK TRIBUTARY: BOISE RIVER

QUANTITY: 2.580 CFS

USE OF THIS RIGHT WITH RIGHT NO. 63-31739 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.58 CFS.

PRIORITY DATE: 09/13/1874

POINT OF DIVERSION:

T05N R02E S31 SESENE Within ADA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/01 11/15	2.580 CFS

PLACE OF USE: IRRIGATION Within ADA County

T05N R02E S31	NWNE	40.3	T05N R02E S31	SWNE	27.0
T05N R02E S31	NENW	38.7	T05N R02E S31	SENW	23.0

129 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 63-31739 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 129.0 ACRES IN A SINGLE IRRIGATION SEASON.

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

This partial decree is subject to such general provisions neeessary 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 deeree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Beneficial Use

PROPERTY IS ALSO KNOWN AS ECHANOVE RANCH SUBDIVISION NO. 1.

07/16/2003

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-4849

NAME AND ADDRESS: BULL DEVELOPMENT INC
ATTN: MIKE HOMAN
2229 W STATE ST
STE B
BOISE ID 83702

ok - RECOMMENDATION SPLIT 63-31737

SOURCE: DRY CREEK TRIBUTARY: BOISE RIVER

QUANTITY: 2.780 CFS 2.58

NEW SPLIT NO. 63-31739 (GROUNDWATER BULL DEV)

USE OF THIS RIGHT WITH RIGHT NO. 63-3162 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF ~~2.78~~ 2.58 CFS.

PRIORITY DATE: 09/13/1874

POINT OF DIVERSION:

T05N R02E S31 SESENE Within ADA County

PURPOSE AND PERIOD OF USE: 2.58

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/01 11/15	2.780 CFS

PLACE OF USE: IRRIGATION Within ADA County

T05N R02E S31	NWNE	40.3	T05N R02E S31	SWNE	~~37.0~~ 27
T05N R02E S31	NENW	38.7	T05N R02E S31	SENW	23.0

~~139~~ 129 ACRES TOTAL

NEW SPLIT NO. 63-31739 (GROUNDWATER) BULL DEV.

USE OF THIS RIGHT WITH RIGHT NO. 63-3162 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF ~~139.0~~ 129 ACRES IN A SINGLE IRRIGATION SEASON.

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: Beneficial Use

PROPERTY IS ALSO KNOWN AS ECHANOVE RANCH ESTATES.

PROPERTY IS ALSO KNOWN AS ECHANOVE RANCH SUBDIVISION NO. 1.

PRIMARY RIGHT

07/16/2003

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-4849

NAME AND ADDRESS: BULL DEVELOPMENT INC
ATTN: MIKE HOMAN
2229 W STATE ST
STE B
BOISE ID 83702

SOURCE: DRY CREEK TRIBUTARY: BOISE RIVER

QUANTITY: 2.780 CFS

USE OF THIS RIGHT WITH RIGHT NO. 63-3162 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.78 CFS.

PRIORITY DATE: 09/13/1874

POINT OF DIVERSION:

T05N R02E S31 SESENE Within ADA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/01 11/15	2.780 CFS

PLACE OF USE: IRRIGATION Within ADA County

T05N R02E S31	NWNE	40.3	T05N R02E S31	SWNE	37.0
T05N R02E S31	NENW	38.7	T05N R02E S31	SENW	23.0

139 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 63-3162 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 139.0 ACRES IN A SINGLE IRRIGATION SEASON.

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: Beneficial Use

PROPERTY IS ALSO KNOWN AS ECHANOVE RANCH ESTATES.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4849 V1

WATER RIGHT NUMBER: 63-4849 V1

Owner Type	Name and Address
Original Owner	PEDRO ECHANOVE 5750 DRY CREEK RD BOISE, ID 83703 (208)939-6783
Original Owner	ELENA ANITA GIBBENS 7481 N BOGART LN BOISE, ID 83703 (208) 853-9239
Current Owner	BULL DEVELOPMENT INC ATTN: MIKE HOMAN 2229 W STATE ST STE B BOISE, ID 83702 (208) 429-1900
Original Owner	BETTY L ECHANOVE RT 1 BOISE, ID 83703

Priority Date: 09/13/1874

Basis: Beneficial Use

Status: Active

Source	Tributary
DRY CREEK	BOISE RIVER

Beneficial Use	From	To	Diversion Rate	Annual Volume
IRRIGATION	03/01	11/15	2.780 CFS	
		Total Diversion:	2.780 CFS	

Location of Point(s) of Diversion

DRY CREEK SE1/4SE1/4NE1/4 Sec. 31, Twp 05N, 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	
05N 02E 31		40.3	37.0		38.7			23.0									139.0

Total Acres: 139

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4849 V1

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

1. Quantity USE OF THIS RIGHT WITH RIGHT NO. 63-3162 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.78 CFS.
2. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 63-3162 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 139.0 ACRES IN A SINGLE IRRIGATION SEASON.
3. Explanatory PROPERTY IS ALSO KNOWN AS ECHANOVE RANCH ESTATES.

Comments:

1. rhowerto 11/25/2002 TRANSFER
Comment: 15 TRANSFERS WERE PROPOSED FOR OVERLAPPING RIGHT 63-3162 AND WITHDRAWN

2. rhowerto 11/25/2002 PRIMARY RIGHT
Comment: THIS RIGHT IS THE PRIMARY, THE SUPPLEMENTAL RIGHT IS 63-3162.

3. rhowerto 11/25/2002 SYSTEM CHANGE
Comment: THE ORIGINAL SYSTEM CHANGED IN 2001 FROM OPEN FLOW WITH ADDITIONAL PODS WITH INJECTION AND REDIVERSION POINTS.

4. dhatfield 3/6/2003 Ownership change
Comment: The data in the name field was changed to show this right has an ownership change.

5. rhowerto 7/16/2003 Date of priority
Comment: Western Region received evidence of priority in the form of a homestead document on 14 July 2003.

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:
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

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 6, 2003

BULL DEVELOPMENT INC
ATTN: MIKE HOMAN
2229 W STATE, STE B
BOISE ID 83702

Re: Notice of Claim to a Water Right No. 63-3162 & 63-4849

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

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region Office

DH: dh

Enclosure

cc: Matt Howard, Attorney at Law

MATT J. HOWARD

ATTORNEY AT LAW

P. O. BOX 190012
BOISE, IDAHO 83719
TELEPHONE (208) 333-0622
FACSIMILE (208) 333-8409

EMAIL: MHOWARD@FIBERPIPE.NET

RECEIVED
JUL 14 2003
WATER RESOURCES
WESTERN REGION

July 16, 2003

Ron Howerton
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

RE: Amended Notice of Claim for Water Right Nos. 63-4849

Dear Ron:

Enclosed is an Amended Notice of Claim for 63-4849 with an accompanying patent as support for the priority date, which we discussed earlier. As you are aware, some of the lots within the Echanove Subdivision have been sold, and therefore, this notice of claim pertains only to the lots still owned by my client, Bull Development, Inc. I do not represent the individual lot owners. Nonetheless, I understand that you will also apply evidence of the 1874 priority date to the other portions of the above-referenced water right.

I understand that the enclosed amended claim will be consistent with your recommendation to the SRBA Court. If I am correct in that regard, would you please let me know as soon as possible so I can close my file on this matter. Thank you very much.

Very truly yours,

Matt J. Howard

Enclosures
Cc: Clients (w/ enclosure)

The United States of America,

To all to whom these presents shall come, Greeting:

Homestead Certificate No. 28

Application 46

Whereas There has been deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Boise City Idaho Territory whereby it appears that pursuant to the Act of Congress approved 20th May, 1862, "To secure Homesteads to actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of John M. Glenn has been established and duly consummated, in conformity to law, for the East half of the North West quarter and the West half of the North East quarter of Section thirty one, in Township five North, of Range two East, in the district of lands subject to sale at Boise City Idaho Territory, containing one hundred and sixty acres.

according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General.

Now know ye, That there is, therefore, granted by the United States unto the said John M. Glenn the tract of Land above described: **To have and to hold** the said tract of Land, with the appurtenances thereof, unto the said John M. Glenn and to his heirs and assigns forever, subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law.

In testimony whereof, I, Ulysses S. Grant, President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the thirtieth day of September in the year of our Lord one thousand eight hundred and seventy four and of the Independence of the United States the ninety ninth

L.S.

BY THE PRESIDENT: U S Grant

By J. D. Williamson, Secretary

L. K. Dispinnett, Recorder of the General Land Office.

Howerton, Ron

From: Matt Howard [mhoward@fiberpipe.net]
Sent: Tuesday, April 08, 2003 11:53 AM
To: 'Howerton, Ron'
Subject: RE: Amended Bull Dev. claim 63-4849

Thank you, Ron. I will get you the information ASAP.

-----Original Message-----
From: Howerton, Ron [mailto:RHowerto@idwr.state.id.us]
Sent: Tuesday, April 08, 2003 11:49 AM
To: MATT J. HOWARD (E-mail)
Cc: Howerton, Ron
Subject: Amended Bull Dev. claim 63-4849

Matt,

Here is a word document that amends the date of priority date as requested for your review and to return an original copy with the appropriate signatures. It looks very much like I would recommend it, without any conditions, if all other supporting data is received.

The other elements I changed on this claim are/were reflecting what I feel the correct elements should be for the a recommendation.

Specifically:

Season of use: Standard season added
Points of diversion: Reflect the current one used
Source: Dry Creek, the only surface water source used
Acres: Remain same as claimed but specific to GIS digitizing.

You may make any changes to the amended claim before it is signed, since this is a word document, however, I would appreciate it if we talk again, if you intend to make additions or changes to the claim.

Thank you,

Ron Howerton
Senior Water Right Agent
Idaho Dept. of Water Resources
2735 Airport Way
Boise ID 83705
(208) 334-2190
rhowerto@idwr.state.id.us

Field Exam Date 11-14-02

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

Prior to Field Exam

- ☑ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☑ Check fees paid
- ☐ Well logs (if needed)
- ☑ Copy of topo or NAPP
- ☑ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☑ Check POD & POU overlap, see below – include overlapping right for exam
- ☑ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) 63-4849

Owner: ECHANOVE Phone No. _____

Current Address: _____

- ☐ No change NAME IS THE SAME
- ☑ NEW OWNER BULL DEVELOPMENT – WAITING FOR OWNERSHIP CHG
- ☐ No change Address
- ☐ NEW ADDRESS _____
- ☐ How long owned property? _____

Accompanied by: MATT HOWARD; ATTORNEY FOR NEW OWNER
JOHN CARPENTER – ENGR WHOM DESIGNED NEW SYSTEM

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

~~2-21-1883~~ → NOW CLAIMED 9/13/1874

Priority date, per claimant, is: ~~1925 – Subj to Chgs SEE BELOW –~~

(If priority date, based on your exam, seems questionable, explain below.) ← RECEIVED 14 Jul 03

MATT HOWARD WILL BE LOOKING FOR ADDITIONAL EVIDENCE FOR OLDER DOP – MAILED IN HOMESTEAD DOCUMENT DESCRIBING 1862 FOR 160 ACRES IN E½NW & W½NE, 5 31, T5N, R2E

Source: DRY CREEK (ONLY) **Tributary to** BOISE RIVER SEE – MATT HOWARD'S LETTER WITH HOMESTEAD DOCUMENT

- ☑ No Change –SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☐ No change
- ☐ POD found is different than claimed: _____
- ☑ If different, when did POD change? SAME POD AS CLAIMED, HOWEVER, DROPPED ALL OTHERS BECAUSE OF SYSTEM CHANGE.

SEE 1987 NAPP

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
																			139

Overlap with other water rights: 63-3162

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:
COMBINED ACRES = 139 LIMITED TO COMBINED 2.78 CFS

Delivery System Narrative: System changed from 2-SOURCES TO ONLY DRY CREEK. POD STAYED SAME but ONLY ONE BEING USED FOR CHANGED SYSTEM. ORIGINAL SYSTEM CONSISTED OF 4 - DIVERSIONS FROM DRY CR. WATER WAS INJECTED FROM DRY CREEK INTO CURRANT CREEK THEN REDIVERTED OUT OF CURRANT CR. NEW SYSTEM combines DRY CR AND GROUNDWATER INTO A DISTRIBUTION POND. POND IS TOO SMALL FOR STORAGE BASED UPON COMBINED CFS TOTAL. SEE DETAILED DESCRIPTION OF PRESSURE SYSTEM AFTER IT LEAVED DISTRIBUTION POND. MY FIELD MAP SHOWS SYSTEM up to the pond. (SEE OLD SYSTEM MAP IN FILE.)

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size
NA					

FLOW MEASUREMENTS: MANNING - SEE ATTACHMENTS

Attach appropriate documents FLOW MEASURED IS EXCESSIVE OF DUTY OF WATER.

NARRATIVE/REMARKS/COMMENTS

THE MEASUREMENT SHOWS that the DIVERSION IS MORE THAN ENOUGH FOR THE DUTY OF WATER FOR THIS CLAIM.

USE OF THIS right with 63-3162 IS LIMITED TO A TOTAL OF 139 ACRES AND 2.78 CFS IN A SINGLE IRRIGATION SEASON.

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

1. Quantity USE OF THIS RIGHT WITH RIGHT NO. 63-3162 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.78 CFS.
2. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 63-3162 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 139.0 ACRES IN A SINGLE IRRIGATION SEASON.
3. Explanatory PROPERTY IS ALSO KNOWN AS ECHANOVE RANCH ESTATES.

Comments:

1. rhowerto 11/25/2002 TRANSFER
Comment: 15 TRANSFERS WERE PROPOSED FOR OVERLAPPING RIGHT 63-3162 AND WITHDRAWN

2. rhowerto 11/25/2002 PRIMARY RIGHT
Comment: THIS RIGHT IS THE PRIMARY, SUPPLEMENTAL RIGHT IS 63-3162.

3. rhowerto 11/25/2002 SYSTEM CHANGE
Comment: THE ORIGINAL SYSTEM CHANGED IN 2001 FROM OPEN FLOW WITH ADDITIONAL PODS WITH INJECTION AND REDIVERSION POINTS.

4. rhowerto 11/25/2002 OWNERSHIP
Comment: BULL DEVELOPMENT BOUGHT LAND FROM ENCHANOVE, WAITING FOR OWNERSHIP CHANGE FROM THEIR ATTORNEY MATT HOWARD.

IDAHO DEPARTMENT OF WATER RESOURCES
11/25/2002

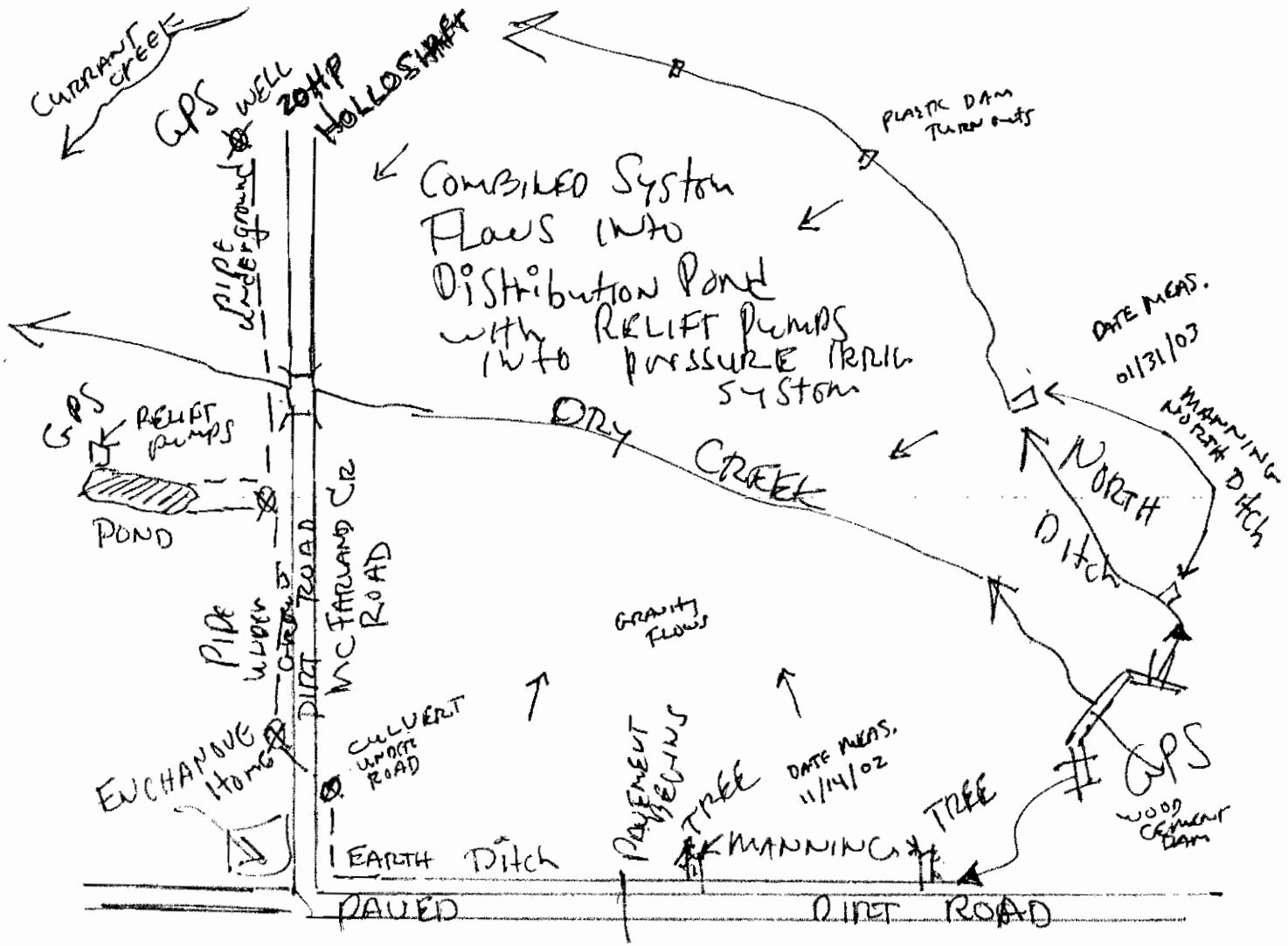
ADJUDICATION CLAIM POU REVIEW REPORT

ADJUDICATION CLAIM NUMBER: 63-4849

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
63-3162	Claim	05N	02E	31	NW	NE		IRRIGATION	40/139	PEDRO ECHANOVE
63-4849	Claim	05N	02E	31	NW	NE		IRRIGATION	40/139	BETTY L ECHANOVE
63-4849	Water Right	05N	02E	31	NW	NE		IRRIGATION	40/139	BETTY L ECHANOVE
63-3162	Water Right	05N	02E	31	NW	NE		IRRIGATION	40/139	PETRA ECHANOVE
63-3162	Claim	05N	02E	31	SW	NE		IRRIGATION	37/139	PEDRO ECHANOVE
63-4849	Claim	05N	02E	31	SW	NE		IRRIGATION	37/139	BETTY L ECHANOVE
63-3162	Water Right	05N	02E	31	SW	NE		IRRIGATION	37/139	PETRA ECHANOVE
63-4849	Water Right	05N	02E	31	SW	NE		IRRIGATION	37/139	BETTY L ECHANOVE
63-3162	Claim	05N	02E	31	NE	NW		IRRIGATION	40/139	PEDRO ECHANOVE
63-4849	Claim	05N	02E	31	NE	NW		IRRIGATION	40/139	BETTY L ECHANOVE
63-3162	Water Right	05N	02E	31	NE	NW		IRRIGATION	40/139	PETRA ECHANOVE
63-4849	Water Right	05N	02E	31	NE	NW		IRRIGATION	40/139	BETTY L ECHANOVE
63-3162	Claim	05N	02E	31	SE	NW		IRRIGATION	22/139	PEDRO ECHANOVE
63-4849	Claim	05N	02E	31	SE	NW		IRRIGATION	22/139	BETTY L ECHANOVE
63-4849	Water Right	05N	02E	31	SE	NW		IRRIGATION	22/139	BETTY L ECHANOVE
63-3162	Water Right	05N	02E	31	SE	NW		IRRIGATION	22/139	PETRA ECHANOVE

TR- 11-14-02
TRH

FIELD MAP - SYSTEM DIAGRAM



MANNING EQUATION - DATA COLLECTION

Claim Number(s): 63-5139 A & B

Name of Claimant(s): BRADY - GARROW

Name of Ditch, Canal, or Stream: DRY CREEK - NORTH DITCH

Date of Measurement: JAN. 31, 03 Data Collected By: _____

Measurement Location: SE 1/4 NE 1/4 Section 31 T 5N R 2E

Cross Section Data

Basis: high water mark(X) maximum capacity( )

Note: minimum of five depth or rod readings; first and last must be equal or zero

	UPSTREAM depth or rod reading	UPSTREAM distance from initial point		DOWNSTREAM depth or rod reading	DOWNSTREAM distance from initial point
1.	0	0	7.	0	0
2.	0.6	1	8.	.5	1
3.	1.4	2	9.	1.7	2
4.	1.7	3	10.	1.8	3
5.	1.5	4	11.	1.1	4
6.	-3	5	12.	0.2	5
	0	5.2		0	5.4

Slope Data

Basis: high water mark(X) channel bottom( ) land surface( )

Level Readings:	upstream	downstream	
upper stadia	8.09	8.85	
center	6.96	7.90	
lower stadia	5.84	6.94	channel length
stadia difference	(2.25 +	1.91) x 100 =	416

Note: for elevations, the downstream rod reading must be higher than the upstream rod reading

Comments

Are maps and/or photos attached? yes(X)

Huge ditch, Looks as if it diverted the entire flow of Dry Cr..

CROSS SECTION NUMBER 1

For File Number 63-5139A&B for the DRY CREEK NORTH DITCH

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.60	0.60	1.00
3	1.40	1.40	2.00
4	1.70	1.70	3.00
5	1.50	1.50	4.00
6	0.30	0.30	5.00
7	0.00	0.00	5.20

The area for this cross section is 5.38 square feet
and the wetted perimeter is 6.43 feet.

CROSS SECTION NUMBER 2

For File Number 63-5139A&B for the DRY CREEK NORTH DITCH

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.50	0.50	1.00
3	1.70	1.70	2.00
4	1.80	1.80	3.00
5	1.10	1.10	4.00
6	0.20	0.20	5.00
7	0.00	0.00	5.40

The area for this cross section is 5.24 square feet
and the wetted perimeter is 6.70 feet.

MANNING EQUATION CHANNEL CAPACITY RESULTS 02-04-2003

File Number: 63-5139A&B
Claimant: BRADY & GARROW
Channel measured: DRY CREEK NORTH DITCH
Date of measurement: 01-31-03
Measurement location:
SENE S31 T5N R2E
Calculation prepared by: RDH
Comments about the measurement:

The results of the calculation are:
The length of the channel measured is 416 feet.
The upstream and downstream rod readings are 6.96 and 7.90 feet.
The channel cross section is 5.31 ft-sq.
The wetted perimeter is 6.57 feet.
The hydraulic radius is 0.81 feet.
The slope is 0.0023
The roughness coefficient is 0.0250
The flow velocity is 2.459 ft/sec.
The rate of flow is 13.06 cfs.

MANNING EQUATION - DATA COLLECTION

Claim Number(s): 63-4849 / 63-5139 A & B

Name of Claimant(s): ENCHANTED RANCH ESTATES / BRADY HARROW

Name of Ditch, Canal, or Stream: S. Ditch from Dry Cr. POD

Date of Measurement: 11-14-02 Data Collected By: _____

Measurement Location: SE 1/4 NE 1/4 Section 31 T 05N R 02E

North Ditch is Similar to South D. Approx 200' BELOW POD SEE 2000 PHOTO, Shows BETWEEN TWO TREES IN Photo.

Cross Section Data

Basis: high water mark( ) maximum capacity(X)

Note: minimum of five depth or rod readings; first and last must be equal or zero

	depth or rod reading	distance from initial point		depth or rod reading	distance from initial point
1.	0	0	7.		
2.	.8	1.5	8.		
3.	.8	2.0	9.		
4.	1.0	2.5	10.		
5.	.9	3.0	11.		
6.	.5	3.5	12.		
	.5	4.0			
	0	4.5			

Slope Data

Basis: high water mark( ) channel bottom( ) land surface(X)

Level Readings:	upstream	downstream	
upper stadia			
center	5.2	7.48	
lower stadia			channel length
stadia difference	(_____ + _____) x 100 =		530 FT

Note: for elevations, the downstream rod reading must be higher than the upstream rod reading

Comments

Are maps and/or photos attached? yes(X)

POD 5N, 2E, S31, SESENE
NO Lot #'S

MANNING EQUATION CHANNEL CAPACITY RESULTS 11-20-2002

File Number: 63-4849
Claimant: ENCHANOVE RANCH ESTATES
Channel measured: SOUTH DITCH FROM DRY CREEK POD
Date of measurement: 11-14-02
Measurement location:
ABOUT 200 FT FROM POD ALONG DIRT ROAD BETWEEN TREES
Calculation prepared by: RDH
Comments about the measurement:

The results of the calculation are:
The length of the channel measured is 530 feet.
The upstream and downstream rod readings are 5.20 and 7.48 feet.
The channel cross section is 2.65 ft-sq.
The wetted perimeter is 5.10 feet.
The hydraulic radius is 0.52 feet.
The slope is 0.0043
The roughness coefficient is 0.0250
The flow velocity is 2.528 ft/sec.
The rate of flow is 6.70 cfs.

CROSS SECTION NUMBER 1

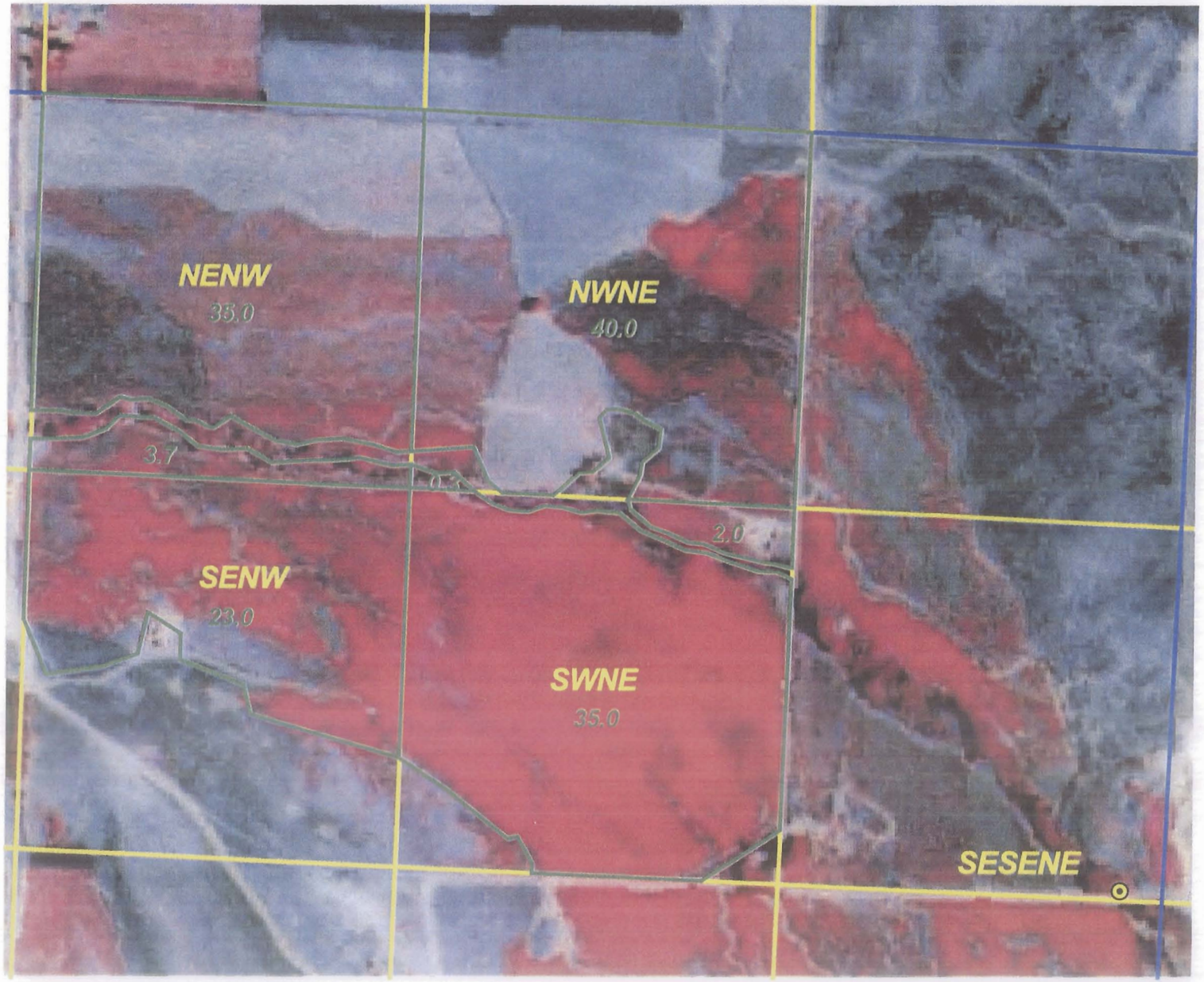
For File Number 63-4849 for the SOUTH DITCH FROM DRY CREEK POD

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.80	0.80	1.50
3	0.80	0.80	2.00
4	1.00	1.00	2.50
5	0.90	0.90	3.00
6	0.50	0.50	3.50
7	0.50	0.50	4.00
8	0.00	0.00	4.50

The area for this cross section is 2.65 square feet
and the wetted perimeter is 5.10 feet.

IDAHO DEPARTMENT OF WATER RESOURCES

Claims: 63-4849
Date Prepared: 11-18-02
Prepared By: Ron Howerton



T05N, R02E
S31

N
W E
S

- Point of Diversion
- Place of use
- Section
- Quarter/Quarter

139 Acres

0 0.25 0.5 0.75 Miles

1987 NAPP

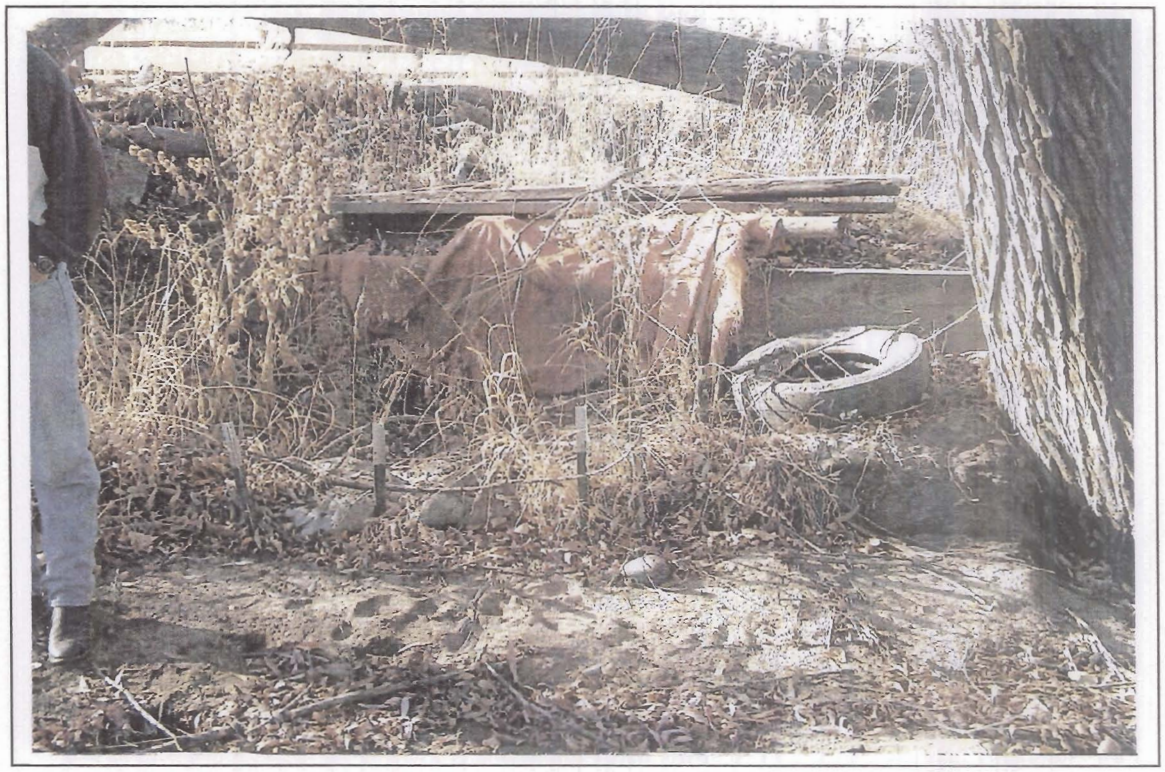


Photo 1: 63-4849, Field Exam 11-14-02: Located in the SESENE, S31, T05N, R02E. GPS location. This is one of the old system's points of diversion that is still being used. This is the South ditch from Dry Creek. Discharge west into a south gravity flow ditch. Pumps were used from other ditches to deliver water to area's not reached by gravity irrigation. A north ditch is no longer used for this right.

Photo 2: Concrete & wood dam on Dry Creek. View is to West. New system from above photo 1 POD delivers water first into an open flow ditch then underground piping into a distribution pond where the Dry Creek water is commingled with groundwater. Re-lift pumps put water in to a pressurized underground sprinkler system. See attached Enchanove Ranch Estates plats for detailed irrigation system.

Photo 3: Culvert with gravity flow from Dry Creek on East side and under McFarland Creek road.

Photo 4: Manhole with gravity flow from Dry Creek on West side under McFarland Creek road.

Photo 5: View to South along McFarland Creek road where underground pipe carry Dry Creek water to distribution pond.

Photo 6: Distribution pond with re-lift water pumps. Piped into pressurized sprinkler irrigation system. View is to south in the SWNE, S31, T05N, R02E.

Photo 7: Distribution pond & pressurized system, view is to the east. See attached measurements. The pond has 5.17 AFA volume MAX. The well water is supplemental to surface Dry Creek right and thus the MAX combined flow is 2.78 CFS. (2.78)(1.9835) = 5.51 AFA.

Photo 8: Place of use view to west from dirt road near Currant Creek in the NWNE S31, T05N, R02E. Irrigation shown on 1987 NAPP.

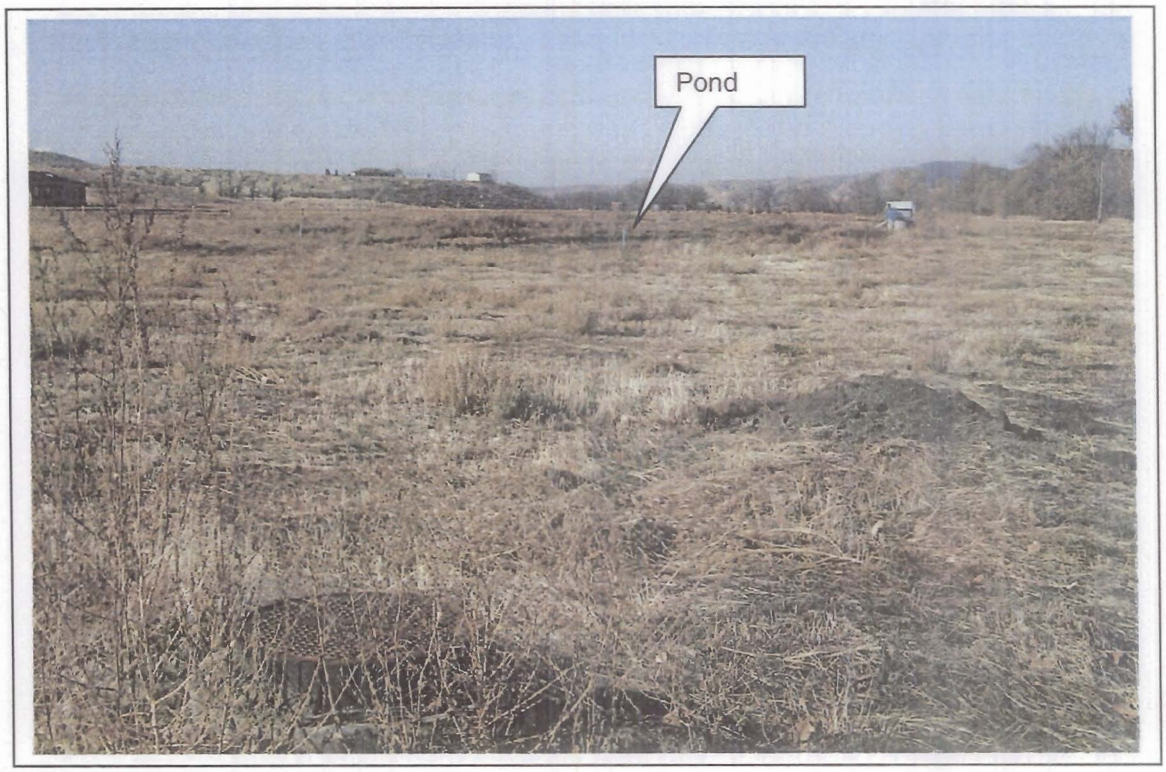


Photo 9: Place of use from dirt road. View is to west. New system pond shown in background. Re-lift pumps are on right. Manhole is part of underground system from Dry Creek. See attached Enchanove Ranch Estates plats for detailed irrigation system. Located in the SWNE, S31, T05N, R02E.

Comment Report

Application ID 68907

1. dnelson 2/27/2001 Legal Notice Remarks
Comment: This transfer proposes to seperate a 1/15 th portion of water right 63-03162 to supply irrigation to one of 15 lots in the Echanove Ranch Estates subdivision. A new well will be added to supply the water for this lot and the original well will be abandoned. The remainder of the right will be split into proportionate shares to supply the other 14 lots of this subdivision with water. Each share of the original right will have its own well, 0.10 cfs diversion rate and 9.27 acres of irrigation. 15 transfers were filed, one for each lot. The following transfers are associated with these subdivision lots: 68907 = Lot 2 Block 1, 68908 = Lot 3 Block 1, 68909 = Lot 7 Block 1, 68910 = Lot 4 Block 1, 68911 = Lot 1 Block 1, 68912 = Lot 5 Block 1, 68913 = Lot 6 Block 1, 68914 = Lot 8 Block 1, 68915 = Lot 10 Block 1, 68916 = Lot 11 Block 1, 688917 = Lot 1 Block 2, 68919 = Lot 13 Block 1, 68921 = Lot 12 Block 1, 68922 = Lot 2 Block 2, 68923 = Lot 9 Block 1.

2. dnelson 2/27/2001 7:54:08 AM General Comments/Analysis
Comment: Water right 63-04849 overlaps the place of use. 63-04849 is a flood right from Dry Creek and Current Creek. This right is rarely used and some years is undeliverable. The main source of water for this 139 acres is the ground water. Upon approval of the transfer, water right 63-04849 should remain attached to each parcel and used first if available. The ditch delivering the water still exists and the new owners will have access to the creek if they wish to change the point of diversion through a transfer. However, this right was originally licensed as a primary right, since the surface water right is only a statutory claim and has not been verified. If the Snake River Basin Adjudication determines that the statutory right is not valid, then the water right associated with this transfer should maintain its primary status.

3. pskaggs 8/30/2001 Transfer Withdrawn
Comment: Transfer Withdrawn 5-9-2001.

RECEIVED

OCT 04 2001

WATER RESOURCES
WESTERN REGION

Form 2-222
12/99
FEE $100.00

Water Right No. 63-4849

RECEIVED

JAN - , 2002

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR EXTENSION OF TIME TO AVOID FORFEITURE OF A WATER RIGHT

Section 42-222, Idaho Code, provides that a water right shall be lost and forfeited and the water right revert to the state upon the failure of a water user to apply the water to beneficial use for a period of five (5) years. The Director may allow an additional five (5) year period of non-use without forfeiture upon a showing of reasonable cause.

1. Name of water right holder Bull Development, Inc. (208) 429-1900
2. Mailing address 2229 W. State St., Ste. B, Boise, ID 83702
3. The right was obtained or is evidenced by:
   a. Decree to n/a in Case of _____
   vs. _____, Dated _____ in _____ (Name of Court)
   Court, County of _____. Fully describe decree _____
   _____
   _____ b.
   d. SRBA No. A63-4849
4. Source of water Dry Creek (Name of stream or source) tributary to Boise River
5. Date of priority of right 02/21/1883
6. Description of Right:
   amount 2.78 (cfs/ac-ft) for Irrigation purposes from 1/15 to 7/01
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
7. Point of Diversion NW ¼ NE ¼ of Sec. 31 Twp. 5N Rge. 2E County Ada
   SWNE, SENE, NENW Sec. 31, T5N, R2E
8. Lands irrigated or Place(s) of Use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	2E	31		40	37		40			22									139

Total Acres 139

9. Give the last date when water was put to beneficial use 1998

Length of extension of time requested 5 years, or until _____ (Date)

10. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and reasons for non-use See Appendix A

The information contained in this application is true to the best of my knowledge.

Bull Development Inc. By Michael S. Hansen pres.
(Signature of Applicant)

TONYA R. WILSON NOTARY PUBLIC STATE OF IDAHO

Subscribed and sworn to before me this 2nd day of October, 20 01.

Tonya Wilson
(Notary Public)

My commission expires 9/25/06 Residing at Ada County

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby APPROVE said application subject to the following conditions or reasons:

The right holder shall resume beneficial use of water on or before June 1, 2007.
Approval of this extension does not confirm the right claimed.

Signed this 9th day of January, 20 02.

L. Glen Saxton
Chief, Water Allocation Bureau L. Glen Saxton

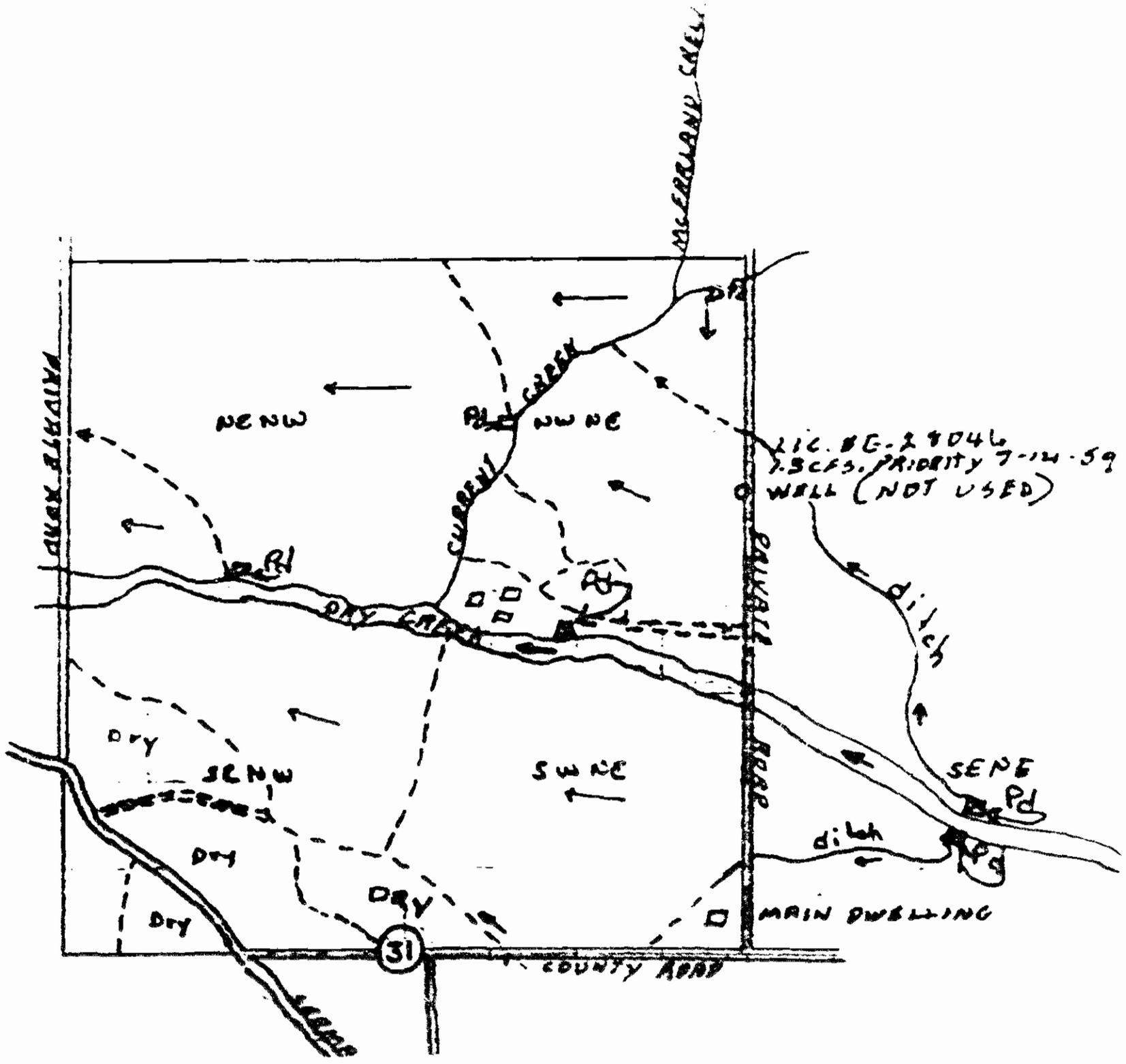
FOR DEPARTMENT USE ONLY

Date Received 10/4/01 FEE Receipted by KL Date 10/4/01 Receipt # W028372
Preliminary Th by _____ Publication prepared by AT Pub. approved by AT Date 11-7-01
Published Idaho Statesman Dates Published 11-15 & 22 - 01
Protests filed by _____
Copies of protests forwarded by _____ Hearing held by _____ Date _____
Recommended for - 9 APPROVAL / 9 DENIAL By _____

Appendix A
To
Applications for Extension of Time to Avoid Forfeiture
Water Right Nos. 63-4849 and 63-3162

Bull Development, Inc., purchased the Echanove Ranch, which includes the places of use for right nos. 63-4849 and 63-3162. Purchase of the ranch was based on a series of agreements entered into beginning in late 1997 and ending on November 5, 1998. After purchase of the Echanove Ranch, Bull Development undertook the required studies, engineering work, and related development actions to comply with federal, state, and local regulations for development of the Echanove Ranch Estates Subdivision, including required permit and plat approvals. Because of the ongoing development of the Echanove Ranch as a residential subdivision, irrigation of the Echanove Ranch has not been undertaken since 1998.

As part of the residential development, Bull Development has constructed a pressurized irrigation system to provide irrigation water to the various lots located within the original place of use. (Plans of the irrigation system were previously provided to IDWR on September 14, 2001). Lots in the Echanove Ranch Subdivision are currently being marketed and are available for sale. A five (5) year extension of time is needed to allow sufficient time for the lots to be sold, houses to be constructed, and for the new lot owners to begin irrigating their lots and putting water to beneficial use.

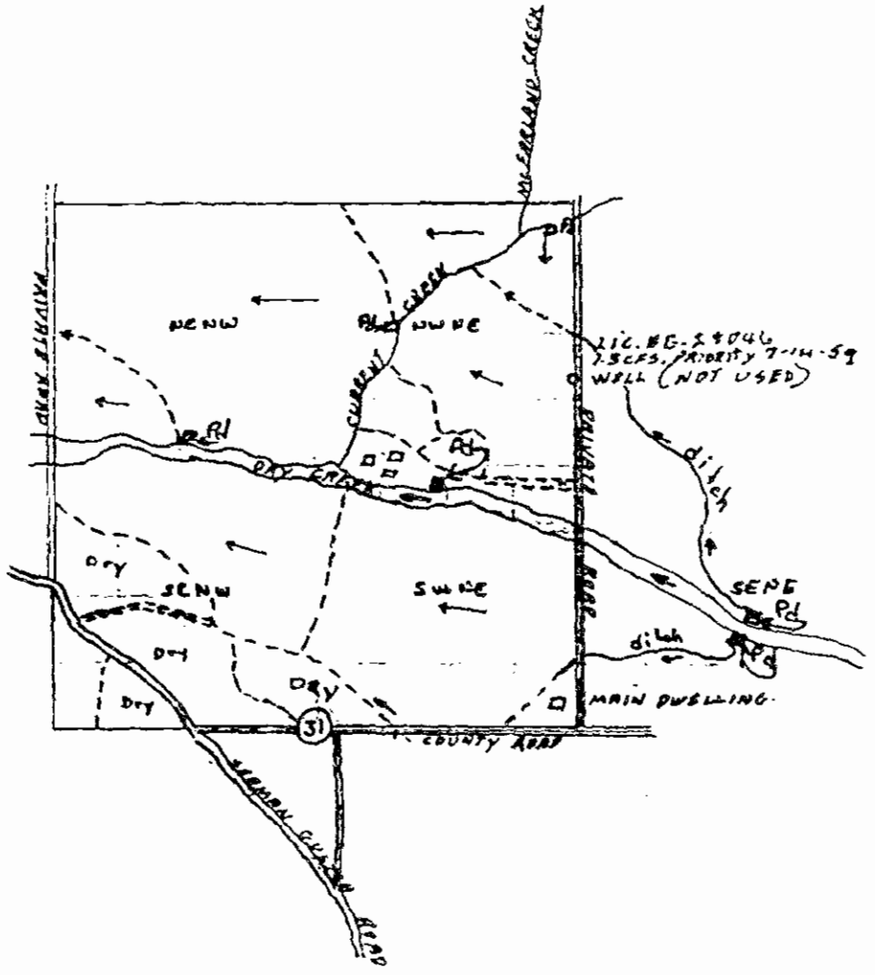

McFARLANE CREEK
CURRENT CREEK
NE NW
NW NE
LIC. BG-2 9046
1.5 CFS. PRIORITY 7-14-59
WELL (NOT USED)
DRY CREEK
ditch
DRY
SE NW
SW NE
SE NE
Pd
Pg
ditch
DRY
DRY
DRY
MAIN DWELLING
31
COUNTY ROAD

Applicant's Initials PE

PLAT OF FARM

No. 189486-3

Use Standard Legend. Indicate roads and show direction and distance to nearest town. Indicate points of compass—show scale of map. Designate section numbers or section corners. If more than one source of irrigation supply, indicate area served by each.



PEDRO ECHANOVE

TP. 5N RGE 2E

ARR COUNTY

FORHR STATE

SCALE: 1" = 660'

PLATTED BY PE

VERIFIED BY WC

TITLE REPORT DESCRIPTION 2E

MATT J. HOWARD
Attorney at Law
2402 W. Jefferson
Boise, Idaho 83702
Telephone: (208) 333-0622
Facsimile: (208) 345-8945

RECEIVED
OCT 04 2001
WATER RESOURCES
WESTERN REGION

Attorney for Bull Development, Inc.

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATIONS FOR EXTENSION OF TIME TO AVOID FORFEITURE OF WATER RIGHT NOS. 63-4849 AND 63-3162 IN THE NAME OF BULL DEVELOPMENT, INC.	AFFIDAVIT OF PEDRO ECHANOVE

STATE OF IDAHO)
) ss.
County of Ada)

PEDRO ECHANOVE, being first duly sworn upon oath, deposes and says:

1. I make the following statements based on my personal knowledge.

2. I am a resident of Ada County, Idaho. My address is Route 1, Dry Creek Rd., Boise, Idaho 83703.

3. In the early 1920's my family purchased the land now known as the Echanove Ranch located off Dry Creek Road in Ada County. I am 76 years of age, and I have lived on the ranch all my life.

ATTACH 01

4. During the time that I lived on the ranch, my family and I irrigated and farmed the ground every year up until I sold the ranch in late 1998. We mostly grew alfalfa and grain. To irrigate, I used my Dry Creek water right, no. 63-4849. I would also use my supplemental ground water right, no. 63-3162, to irrigate in years when there was not enough Dry Creek water to irrigate my crops.

5. The last year that I grew crops and irrigated the Echanove Ranch was in 1998.

Further your affiant sayeth naught.

Pedro Echanove
PEDRO ECHANOVE

SUBSCRIBED AND SWORN to before me this 20 day of September 2001.

ROBIN R. RICE
NOTARY
PUBLIC
STATE OF IDAHO

Robin R. Rice
NOTARY PUBLIC FOR IDAHO
Residing at 1508 N. 15th St.
Commission expires April 16, 07

ATTACH 0-2

RECEIVED
SEP 14 2001
WATER RESOURCES
WESTERN REGION

MATT J. HOWARD
ATTORNEY AT LAW

2402 W. JEFFERSON
BOISE, IDAHO 83702
TELEPHONE (208) 333-0622
FACSIMILE (208) 345-8945

EMAIL: MATTHOWARD@QWEST.NET

September 13, 2001

HAND-DELIVERED
Dan Nelson
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

RE: Diversion Pond Plans – Echanove Ranch Estates

Dear Dan:

Pursuant to your earlier request, enclosed please find a copy of the diversion pond plans for the Echanove Ranch Estates. Before advising my client to move forward with construction of the diversion pond, I had conferred with Norm Young and Jeff Peppersack concerning the Department's most recent policy with respect to diversion ponds. My client also retained Dave Shaw to provide consulting on the project. I believe you should find everything in order.

If you have questions, please feel free to contact me.

Very truly yours,

Matt J. Howard

Cc: Client

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

August 20, 2001

DIRK KEMPTHORNE
Governor
KARL J. DREHER
Director

MIKE HOMAN
BULL DEVELOPMENT
2229 W STATE STREET
BOISE ID 83702

COPY

RE: COMPLAINT AGAINST ENCHANOVE RANCH ESTATES

Dear Mr. Homan:

We recently received a complaint that you have constructed a large storage pond for Enchanove Ranch Estates. I have spoken to you and your representatives about constructing a small irrigation pond to deliver the water for water rights 63-3162 and 63-4849. A small irrigation is defined as being able to be filled and/or drained within a 24-hour period at the diversion rate established by your water rights.

The diversion rate for 63-3162 and 63-4849 is 1.50 cfs. A diversion rate of 1.00 cfs generally can fill a pond with a volume of 1.98-acre feet volume. This would allow you to construct a pond with a volume of approximately 3 acre-feet in conjunction with your irrigation system without acquiring a water right.

In order to address the complaint about your pond, please send the as-built plans for the pond. The plans should include the width, length, and depth of the pond. This will allow us the opportunity to review the complaint and determine if a site visit is necessary. If the pond has a larger volume than can be used in a 24-hour period, you will need to file a transfer to move water from the appurtenant irrigation land that is now covered with roads to pond storage.

Thank you for your co-operation and if you have any questions or concerns please contact Dan Nelson at the above address.

Respectfully,

Daniel A. Nelson
Sr. Water Right Agent

Cc Matt Howard - Attorney at Law

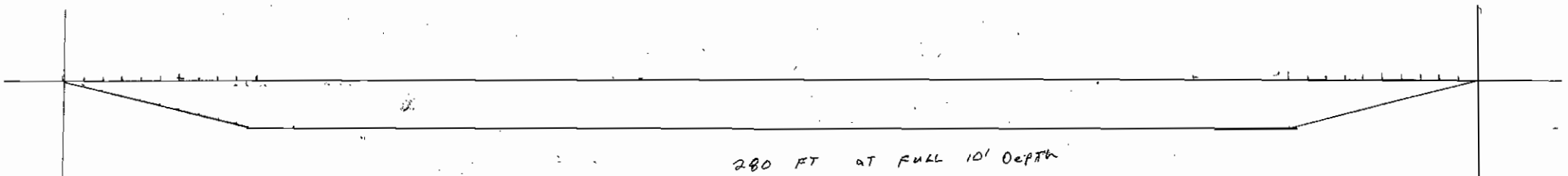
Diversion
Rate
2.78 CFS
X 1.98
5.5 AF
Allowed.

Echanove Ranch
complaint.

POND LOOKS OK
TO me.

Daniel A. Nelson

9-17-01



280 FT AT FULL 10' DEPTH

300FT x 75FT = 22,500 FT

22,500 FT / 43,560 = 0.516528926 ACRES

0.517 ACRES x 10FT DEPTH = 5.17 ACRE FT VOLUME MAX

AVERAGE SHORE DEPTH IS 6 FT - 40 FT INTO THE POND.

40 x 75 = 3000 FT

40 x 300 = 12,000 FT + 3,000 FT = 16,000 FT / 43,560 = 0.34 ACRES X 6 FT AVERAGE DEPTH = 1.7 AF VOLUME

(.517 ACRES TOTAL SURFACE AREA - 0.34 ACRES) X 10 FT = 1.97 AF VOLUME

1.7 PERIMETER VOLUME + 1.8 INTERIOR VOLUME = 3.5 AF VOLUME.

The VOLUME OF POND is BETWEEN 3.5 AF TO 5.2 AF VOLUME.

This is well within The 5.5 ACRE FEET VOLUME

24 hour Fill Rate FOR their Two WATER RIGHTS.

63 - 3162 = 1.50 CFS

63 - 4849 = 2.78 CFS

4.28 CFS

Limit RATE TO 2.78 CFS

x 1.98

5.5 ACRE FEET VOLUME WITHIN 24HR FILL.

139 acres.

x.02 CFS

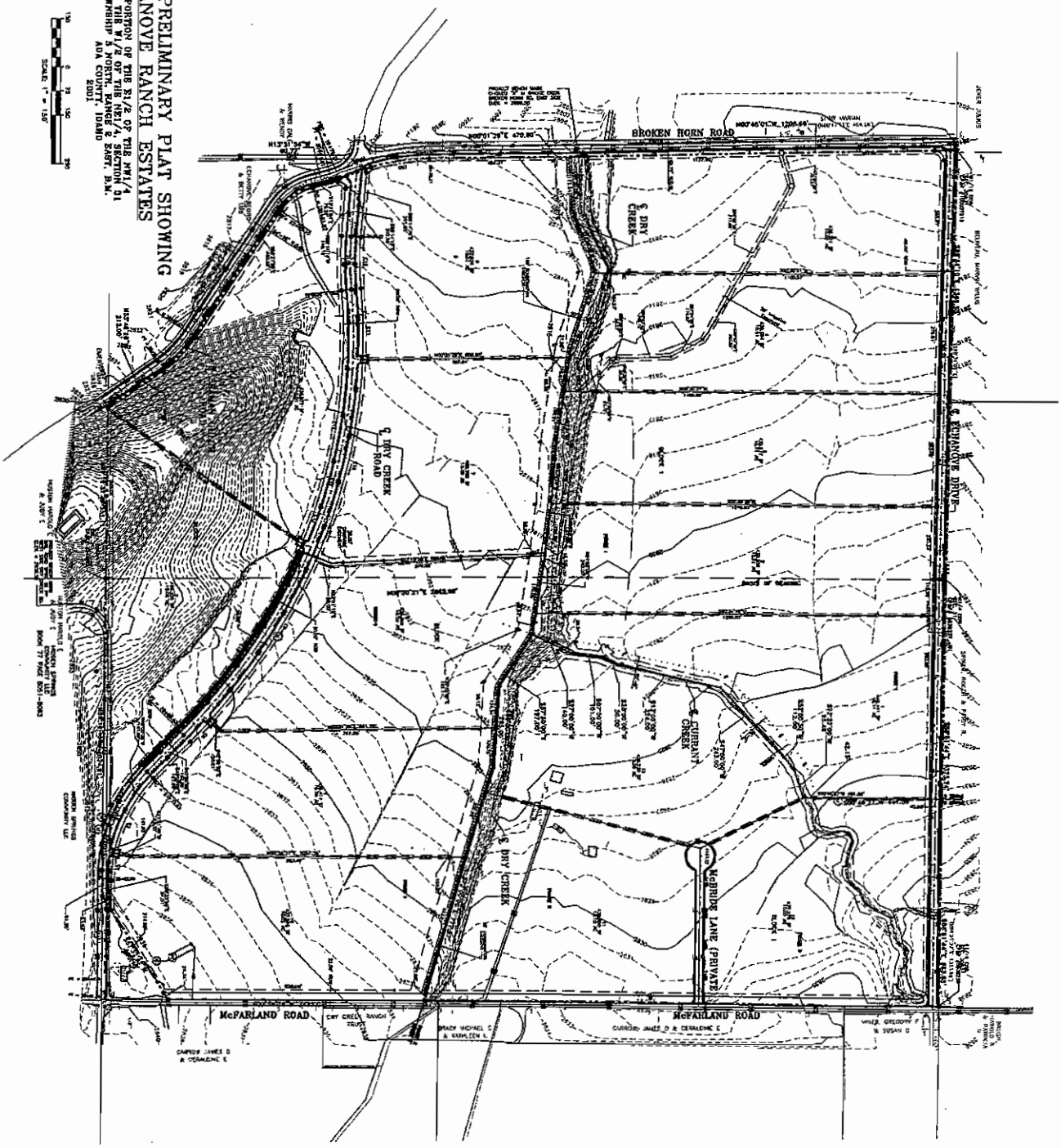
2.78CFS

P:\A_CIVIL\C006265\dwg\006265_PP.dwg, WHO ... DATE, 02/07/01 11:14:51 AM, PINNACLE ENGINEERS, INC. ... ALL RIGHTS RESERVED

AMENDED PRELIMINARY PLAT SHOWING ECHANOVE RANCH ESTATES

A PORTION OF THE E1/2 OF THE NW1/4, AND A PORTION OF THE NE1/4 OF SECTION 31, TOWNSHIP 4 NORTH, RANGE 2 EAST, B.M. ADA COUNTY, IDAHO 2001

SCALE: 1" = 150'



PP

SHEET

PROJECT NO.

CHECKED BY: JE CONNOR, P.E.

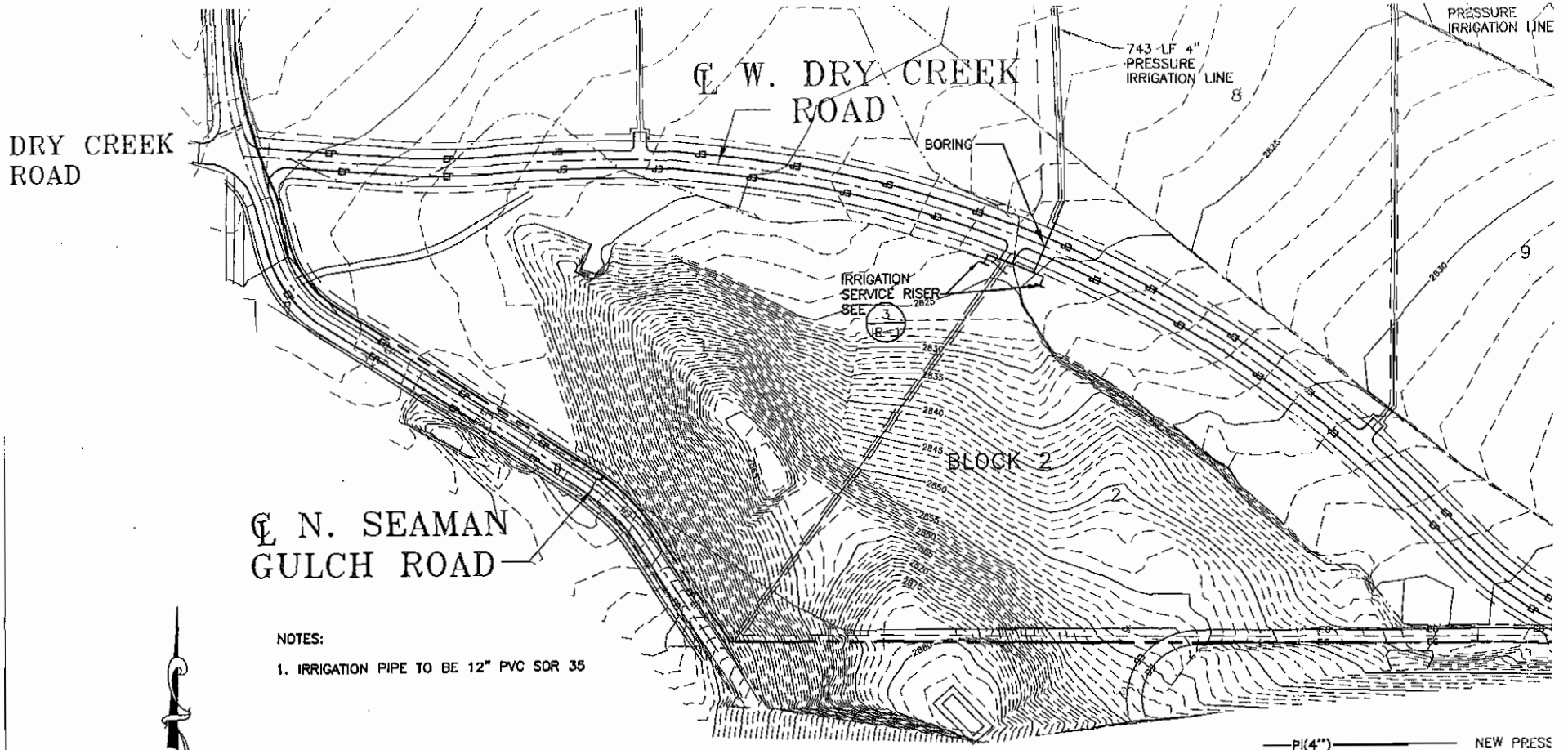
DRAWN BY:

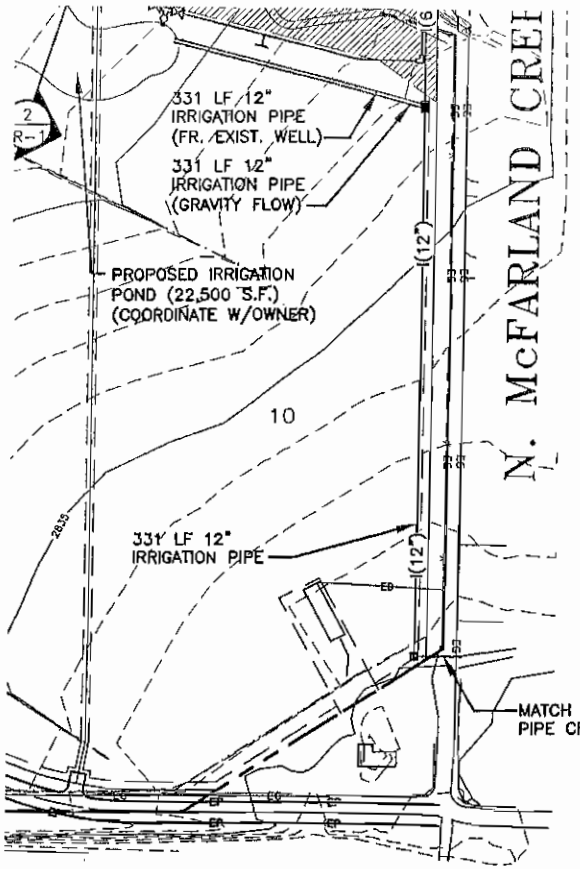
DATE: 12-22-00

REVISED NO. DATE DESCRIPTION

ECHANOVE RANCH ESTATES
AMENDED PRELIMINARY PLAT
MIKE HOMAN

PINNACLE
Engineers, Inc.

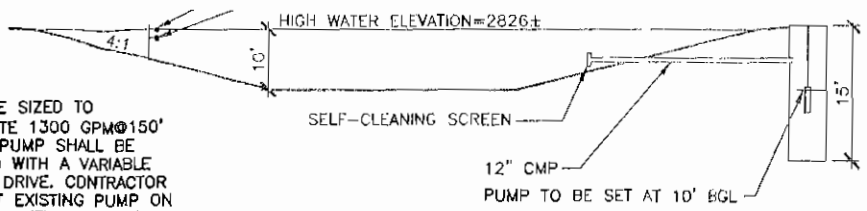

DRY CREEK ROAD
℄ W. DRY CREEK ROAD
743 LF 4" PRESSURE IRRIGATION LINE
PRESSURE IRRIGATION LINE
BORING
IRRIGATION SERVICE RISER SEE 3/IR-1
BLOCK 2
℄ N. SEAMAN GULCH ROAD
NOTES:
1. IRRIGATION PIPE TO BE 12" PVC SDR 35
150 0 75 150 300
SCALE: 1" = 150'
PI(4")
NEW PRESS
NEW IRRIGA
NEW IRRIGA
NEW IRRIGA
EXISTING E
EXISTING D
PROPOSED



GENERAL LEGEND

IRRIGATION LINE	NEW EDGE OF PAVEMENT
PIPE	BOUNDARY LINE
BOX	ROADWAY CENTER LINE
RISER	ROADWAY RIGHT-OF-WAY
OF PAVEMENT	EASEMENT BOUNDARY
	EXISTING CONTOUR

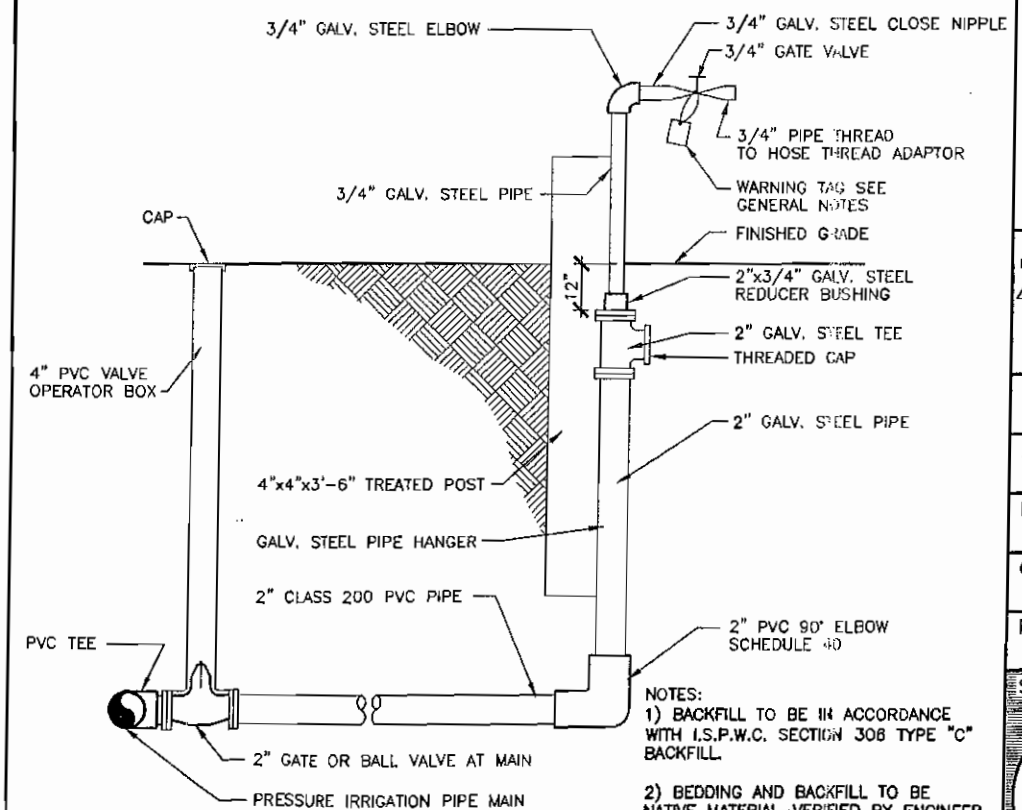
IGATION CONTROL VALVE



PUMP TO BE SIZED TO ACCOMMODATE 1300 GPM@150' HEAD MAX. PUMP SHALL BE CONTROLLED WITH A VARIABLE FREQUENCY DRIVE. CONTRACTOR TO RETROFIT EXISTING PUMP ON THE EXISTING WELL SO IT WILL TURN ON AND OFF AT THE INDICATED LEVELS.

2 IRRIGATION POND DETAIL

N.T.S.



NOTES:
1) BACKFILL TO BE IN ACCORDANCE WITH I.S.P.W.C. SECTION 308 TYPE "C" BACKFILL.

2) BEDDING AND BACKFILL TO BE NATIVE MATERIAL-VERIFIED BY ENGINEER PRIOR TO SETTING PIPE.

2 RISER DETAIL

N.T.S.

ECHANOVE E
PRESSURE

REVISED
NO. DATE DES
1 7/18/01 PE

DATE
6-22-01

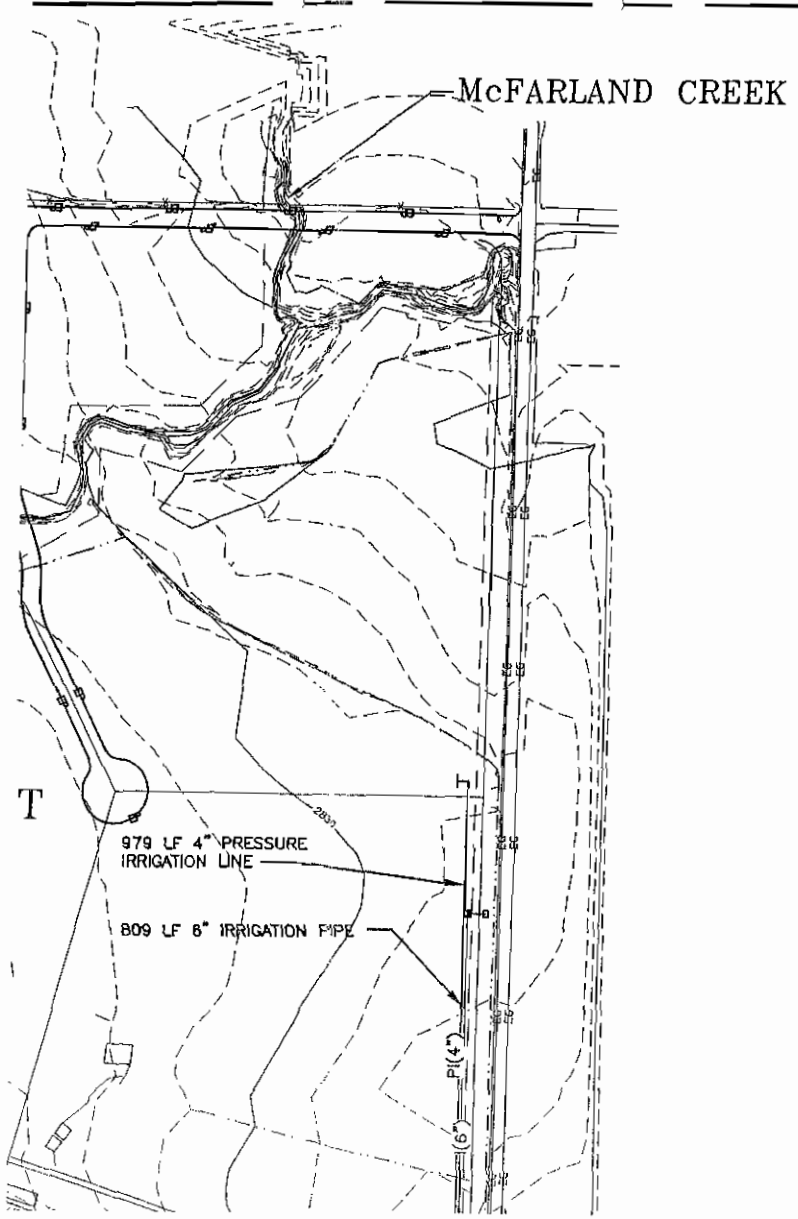
DRAWN BY:
DKG

DESIGNED E
JGC

CHECKED B
J.G. CARPENT

PROJECT N
98627

SHEET
PI-



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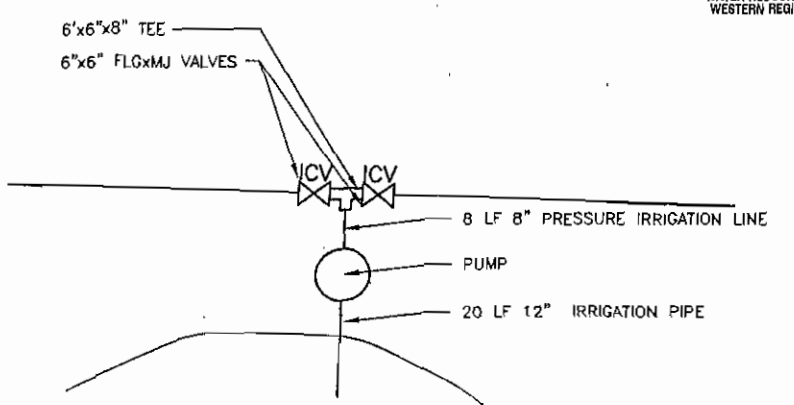
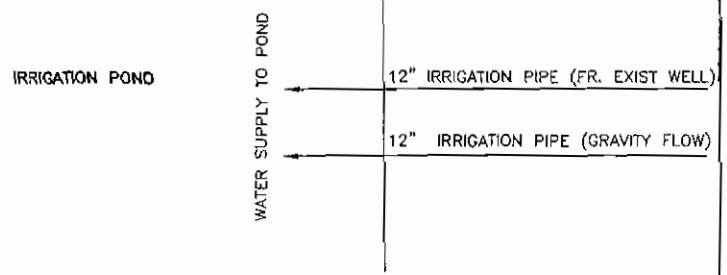
WATER RESOURCES
WESTERN REGION

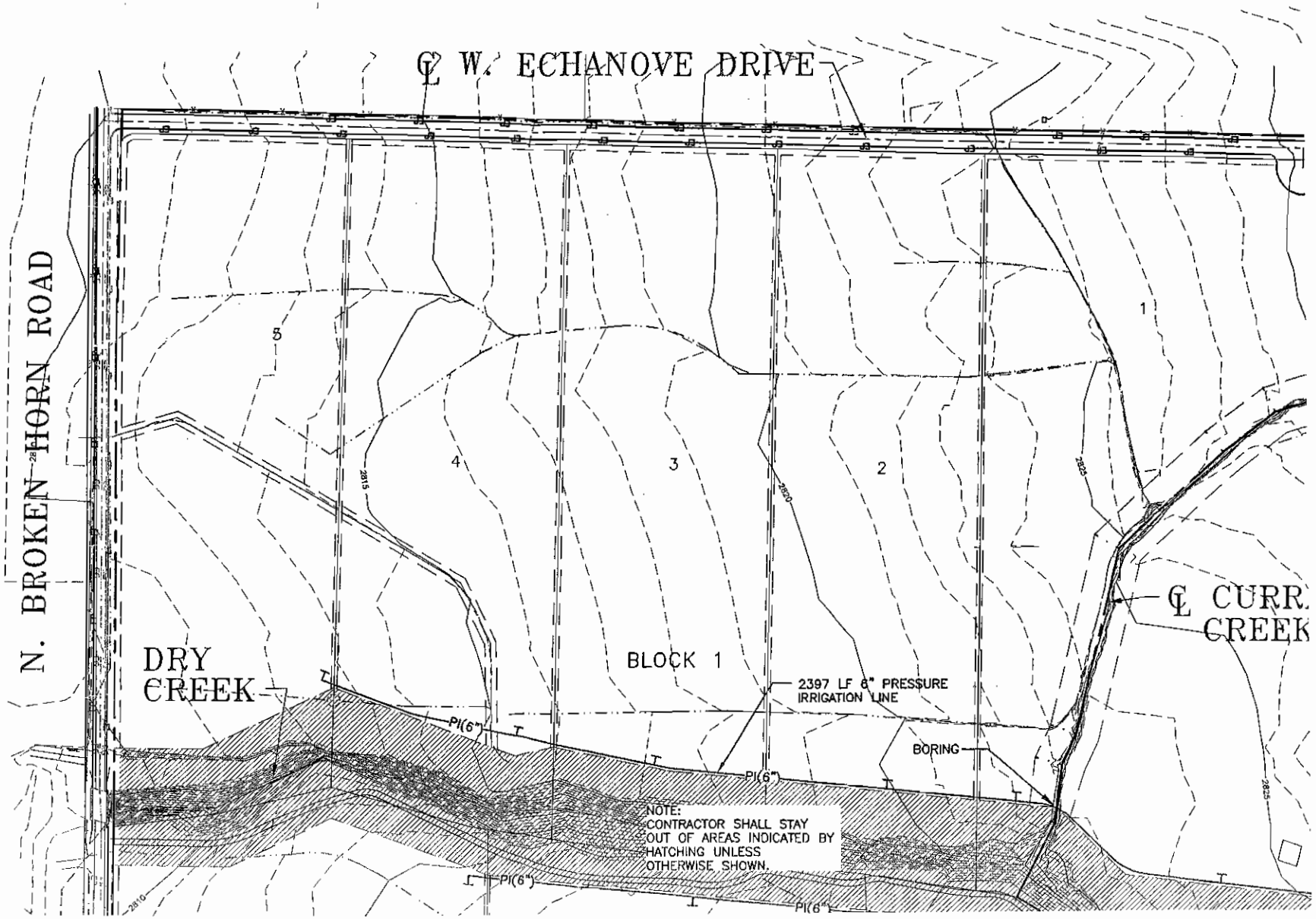




1 PUMP DETAIL

PINACLE

SUBDIVISION


℄ W. ECHANOVE DRIVE
N. BROKEN HORN ROAD
DRY CREEK
BLOCK 1
2397 LF 6" PRESSURE IRRIGATION LINE
BORING
PI(6")
NOTE:
CONTRACTOR SHALL STAY OUT OF AREAS INDICATED BY HATCHING UNLESS OTHERWISE SHOWN.
℄ CURR
CREEK
1
2
3
4
5
2815
2820
2825

Form No. 243
7/78

Claim No. 63-1849

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Pedro &/or Betty L. Echanove &/or Elena Anita Gibbens
(Name of Claimant)

Rt. 1, Dry Creek Rd., Boise, ID 83703 Telephone No. 939-6783
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) Feb. 21, 1883

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Dry Creek and Current Creek tributary to Boise River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive) (Mo., Day)		(Mo., Day)
Quantity	2.78	Use	irrigation	Period of Use From	1/15	To	7/1
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	

(4) _____ (cfs, gpd, AFA) TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source)
(2 pts) SE ¼ NE ¼, Sec. 31 Twp. 5N Rge. 2E B.M., County of Ada
Additional points of diversion: NENW, SWNE, Sec. 31, T. 5N, R. 2E, NWNE, Sec. 31 (2 PTS) TWP. 5N, R. 2E.

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Diversion dams with gravity flow ditches

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	2E	31		40	37		40			22									139

No. of acres 139

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: _____

(7) If you are claiming water as a member of an organization, list name of organization: _____

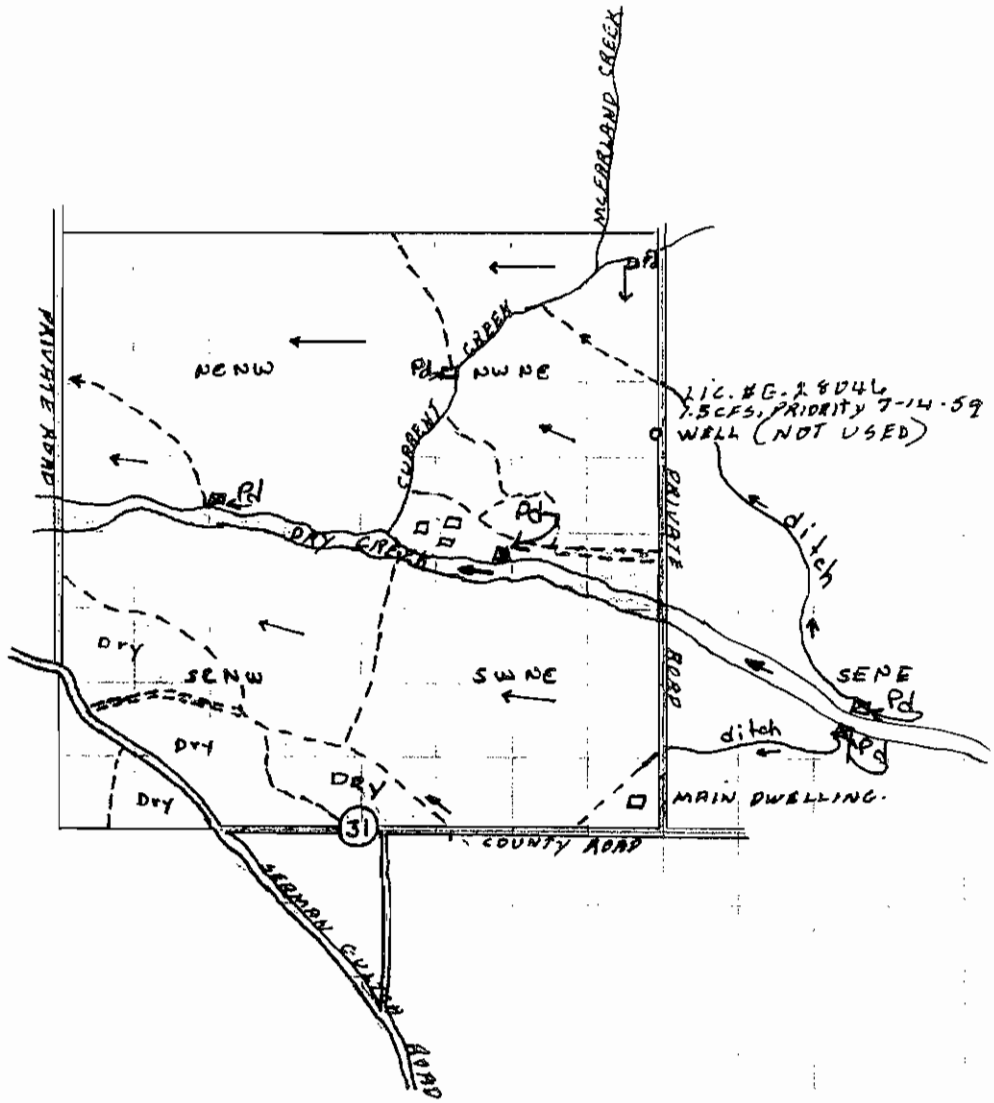
RECEIVED

Appraiser's Initials VC

PLAT OF FARM

No. 189485-3

Use Standard Legend. Indicate roads and show direction and distance to nearest town. Indicate points of compass—show scale of map. Designate section numbers at section centers. If more that one source of irrigation supply, indicate area served by each.



PEDRO ECHANOVE

TP. 5N RGE 2E

ADA COUNTY

IDAHO STATE

N

SCALE: 1" = 660'

PLATTED BY	VERIFIED BY
VC	VC

TITLE REPORT DESCRIPTION VC

MICROFILMED

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

JAMES E. RISCH
Governor
KARL J. DREHER
Director

September 6, 2006

Scott and Lisa Wardle
405 N. Lancaster Ct
Witchita KS 67230

Re: Original Notice of Claim to a Water Right No. 63-31737, 63-31739
Renumbered Notice of Claim to a Water Right No. 63-32405, 63-32414

Dear Claimant(s):

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This Change of Ownership required a split of the original claim resulting in renumbering this claim, using a new water right number to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time.

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your water right. This claim represents a split of the claim filed by a previous owner 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 for your patience, as we have had several water right changes to process. Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

Adjudication Section
Western Region

LG: lg

Enclosure