

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 63-32416
Date Received: 9/20/1989
Receipt No: X777777
Received By:

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

1. Name of Claimant(s)

GAYLON BALL Phone: (208)229-8460

14180 BALLMANOR PL
BOISE ID USA 83714

2. Date of Priority: 07/14/1959

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:

1000 ft deep, 8" cs, 20 hp pump

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	11/15	0.28	117

7. Total Quantity Appropriated is:

0.28 C.F.S. and/or 117 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	02E	31	NW	NE	IRRIGATION	24
			SW	NE	IRRIGATION	2

Section Acres	26
Total Acres	26

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

Ownership changed by DH 3/6/2003

Address change for Elena Anita Gibbens per claimant request. DB 5/22/2002

Address change for Pedro Echenove by DB per claimant letter.

Also removed Petra Echanove from this claim per request. Per conversation w/ Pedro (son) she is now deceased. 5/10/2002

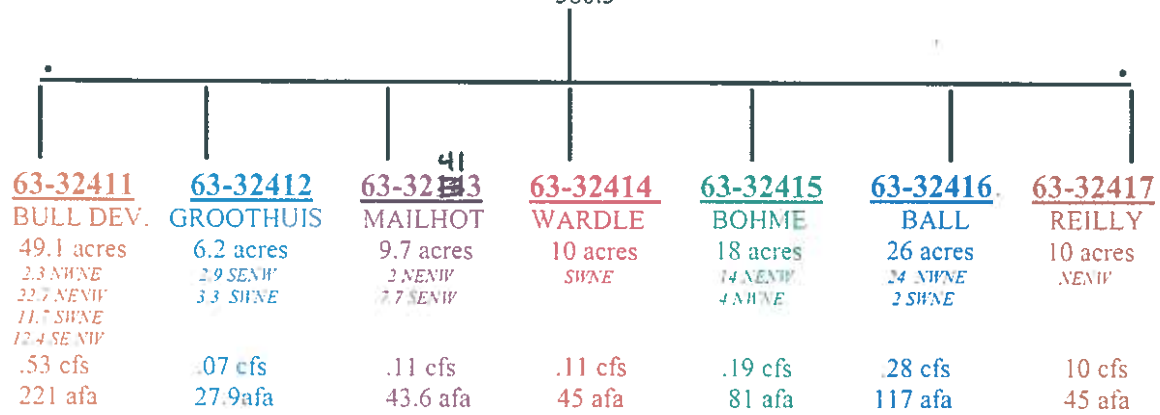
Tran Application 68907 withdrawn negating the splits for this right. dvs 8/13/01.

This claim is the result of a split due to change in ownership for a portion of 63-3162. Claim created by DB 4/7/2004 to complete hard file

This right is a split from former right 63-31739.

15. Basis of Claim: License

BULL DEVELOPMENT
129 ACRES
1.392 CFS
580.5



BALL

5

DRY CREEK

85.1 ACRES + 1.7 CFS

BALL

REMAINING

24AC NWNE	NWNE - 12.3
2AC SWNE	NENW - 22.7
16AC TOTAL	SWNE - 11.7
	SENE - 12.4
.52 CFS	TOTAL 59.1 AC
	1.18 CFS

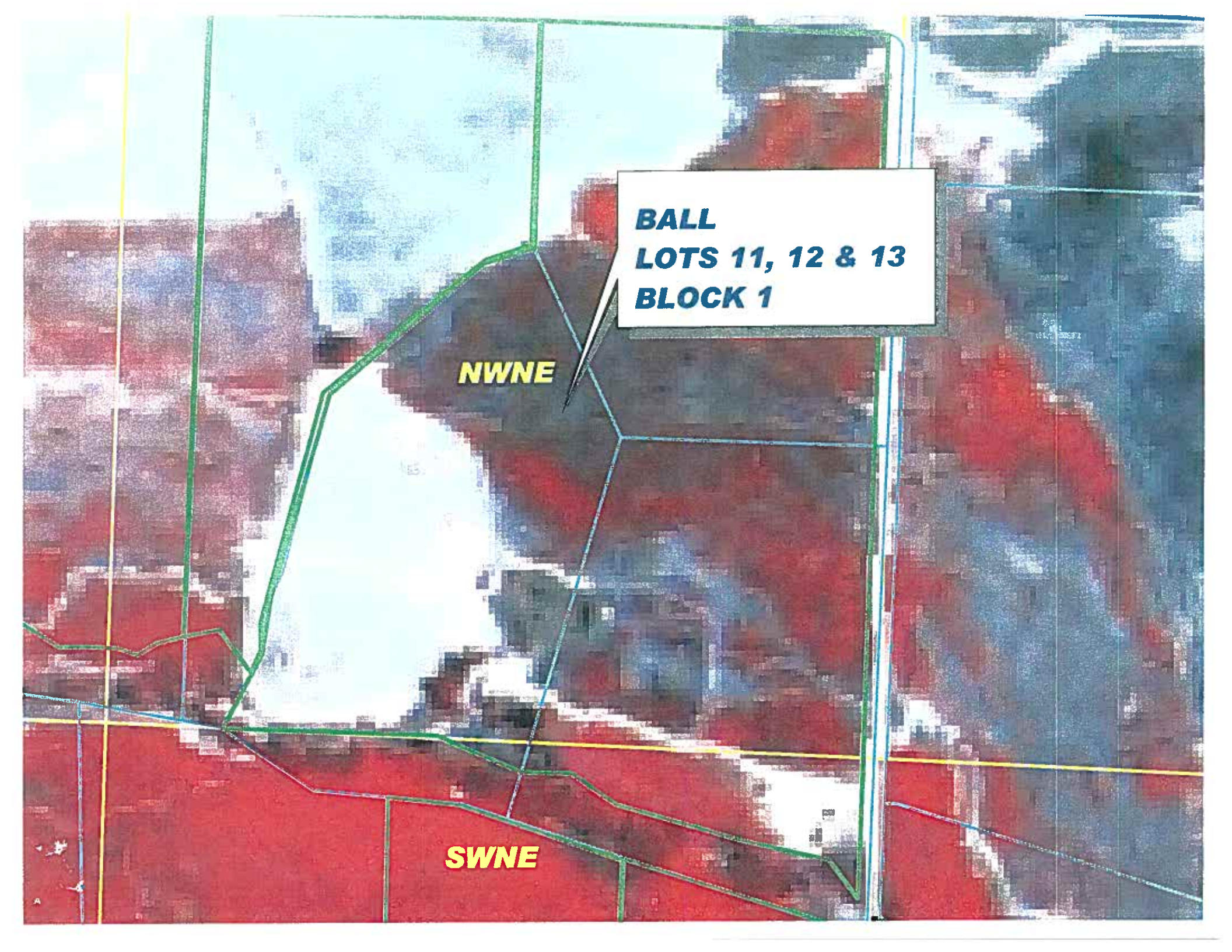
GROUNDWATER

85.1 AC / .93 CFS / 383 AF

BALL

REMAINING

24AC - NWNE	SAME 1/4 1/4'S
2AC - SWNE	AS DRY CK.
26AC TOTAL	59.1 AC
.28 CFS +	.64 CFS + 266 AF
117 AF	

An aerial photograph of a rural area with property boundaries overlaid. A green line outlines a large parcel, and a yellow line outlines a smaller parcel within it. A white callout box points to the green-outlined parcel. The background is a mix of red, blue, and white, likely representing different land uses or ownership.

**BALL
LOTS 11, 12 & 13
BLOCK 1**

NWNE

SWNE

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

RECEIVED
 SEP 21 2004

WATER RESOURCES
 WESTERN REGION

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
GA ~~63-3162~~	63-31739	—			
GA ~~63-4849~~	63-31737	—			

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).

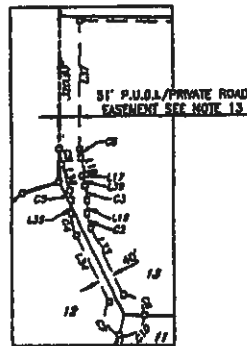
OR

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) Bull Development Co. Attn. Mike Homan
2229 W. State St. Boise, ID 83702
4. New Owner/Claimant(s) Gaylon Ball 14180 N. Ball Manor Place
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 14180 N. Ball Manor Place
- City, State and ZIP Code Boise, IDAHO 83714
- New Telephone Number (208) 229-8400
5. Date you acquired the property October 3, 2002

PLAT SHOWING ECHANOVE RANCH SUBDIVISION NO. 2

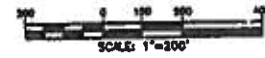
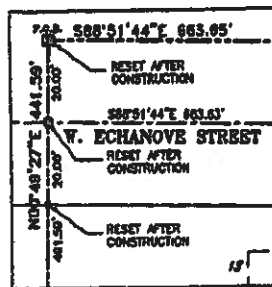
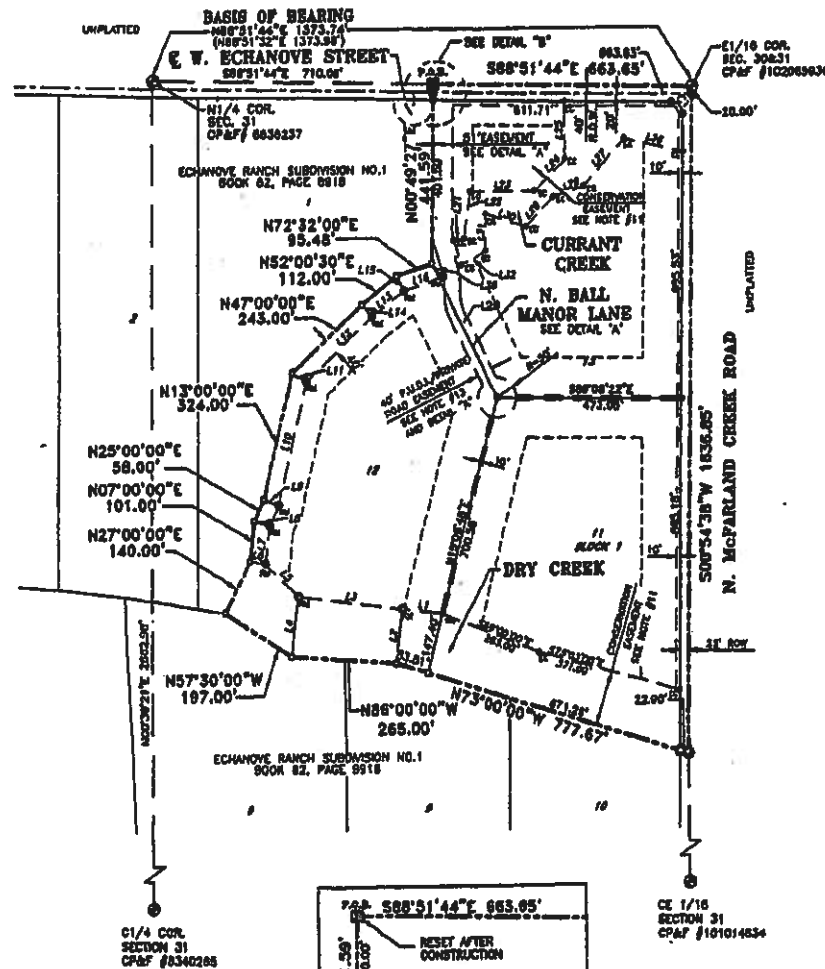
A PORTION OF THE W 1/2 OF THE NE 1/4
OF SECTION 31, TOWNSHIP 5 NORTH, RANGE 2 EAST, BOISE MERIDIAN
ADA COUNTY, IDAHO
2002



DETAIL "A"
SCALE 1"=200'
N. BALL MANOR LANE
(PRIVATE)

NUMBER	LENGTH	BEARING
L1	103.00	N87°00'00"W
L2	131.43	S07°00'00"W
L3	289.98	N67°00'00"W
L4	148.31	S07°00'00"W
L5	118.94	N69°13'54"W
L6	40.61	S07°00'00"W
L7	94.89	S07°00'00"W
L8	42.50	S27°00'00"W
L9	30.81	N67°01'24"W
L10	318.27	N17°00'00"W
L11	41.83	N07°00'00"W
L12	239.82	N17°00'00"W
L13	101.91	N52°00'30"E
L14	40.04	N40°28'45"E
L15	40.83	N73°14'58"E
L16	94.44	N72°35'00"E
L17	11.90	N72°45'01"E
L18	42.59	S17°17'18"E
L19	32.84	S07°00'00"E
L20	347.03	S67°18'48"E
L21	32.00	N17°25'31"E
L22	112.00	N07°25'00"E
L23	181.10	N07°00'00"E
L24	116.00	N49°01'00"E
L25	140.00	N07°00'00"E
L26	183.00	S77°04'00"E
L27	155.00	S41°38'00"E
L28	85.00	S77°32'00"E
L29	100.00	N45°31'00"E
L30	110.00	N57°18'00"E
L31	90.00	N52°00'00"E
L32	70.43	S42°34'28"E
L33	183.04	S42°18'00"E
L34	186.32	N17°12'44"E
L35	32.80	S07°00'00"E
L36	86.80	S17°17'18"E
L37	309.71	S07°12'27"E
L38	41.16	S40°12'00"E
L39	23.58	S17°17'18"E

NUMBER	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BEG
C1	47.00	30.00	89°46'23"	29.69	42.34	N43°08'33"W
C2	24.37	80.00	26°18'27"	18.71	38.43	S12°00'14"E
C3	36.31	120.00	17°17'18"	18.24	36.87	N08°38'00"E
C4	35.31	120.00	20°19'37"	20.09	34.89	S17°00'44"E
C5	24.14	80.00	17°17'18"	18.18	31.05	N05°38'00"E
C6	61.22	30.00	89°46'23"	59.41	86.80	N59°21'30"E
C7	108.31	80.00	114°28'51"	78.44	84.33	S12°24'20"E
C8	21.81	40.00	104°04'04"	11.00	31.71	S05°11'34"E
C9	31.24	180.00	10°04'04"	18.13	37.28	S05°11'34"E
C10	80.57	80.00	180°16'10"	84.83	76.91	N32°00'00"E



ROADWAY CENTERLINE	P.B.	POINT OF BEGINNING
LOT LINE	LS	FORM 8/8" REBAR W/CAP MARKED LS 8901
BOUNDARY LINE	LS	SET 8/8" 20" REBAR W/CAP MARKED LS 8901
SECTION LINE (SEE NOTE 8)	LS	SET 1/2" 24" REBAR W/CAP MARKED LS 8901
EASEMENT LINE	LS	REFERENCE MONUMENT SET 3/4" 24" REBAR W/CAP MARKED LS 8901
EXISTING ROADWAY CENTERLINE	LS	EASEMENT CORNER SET 1/2" 24" REBAR W/CAP MARKED LS 8901
EXISTING LOT LINE	LS	THE LINE
EXISTING BOUNDARY LINE	LS	SET 1/2" 24" REBAR W/CAP MARKED LS 8901
EXISTING EASEMENT LINE	LS	FOUND ALUMINUM MONUMENT
SECTION LINE	LS	FOUND 8/8" REBAR W/CAP LS 8901 UNLESS OTHERWISE NOTED
LOT NUMBER	LS	
EXISTING LOT NUMBER	LS	
RECORD DATA	LS	
CALCULATED POINT	LS	
SET MASS CAP	LS	

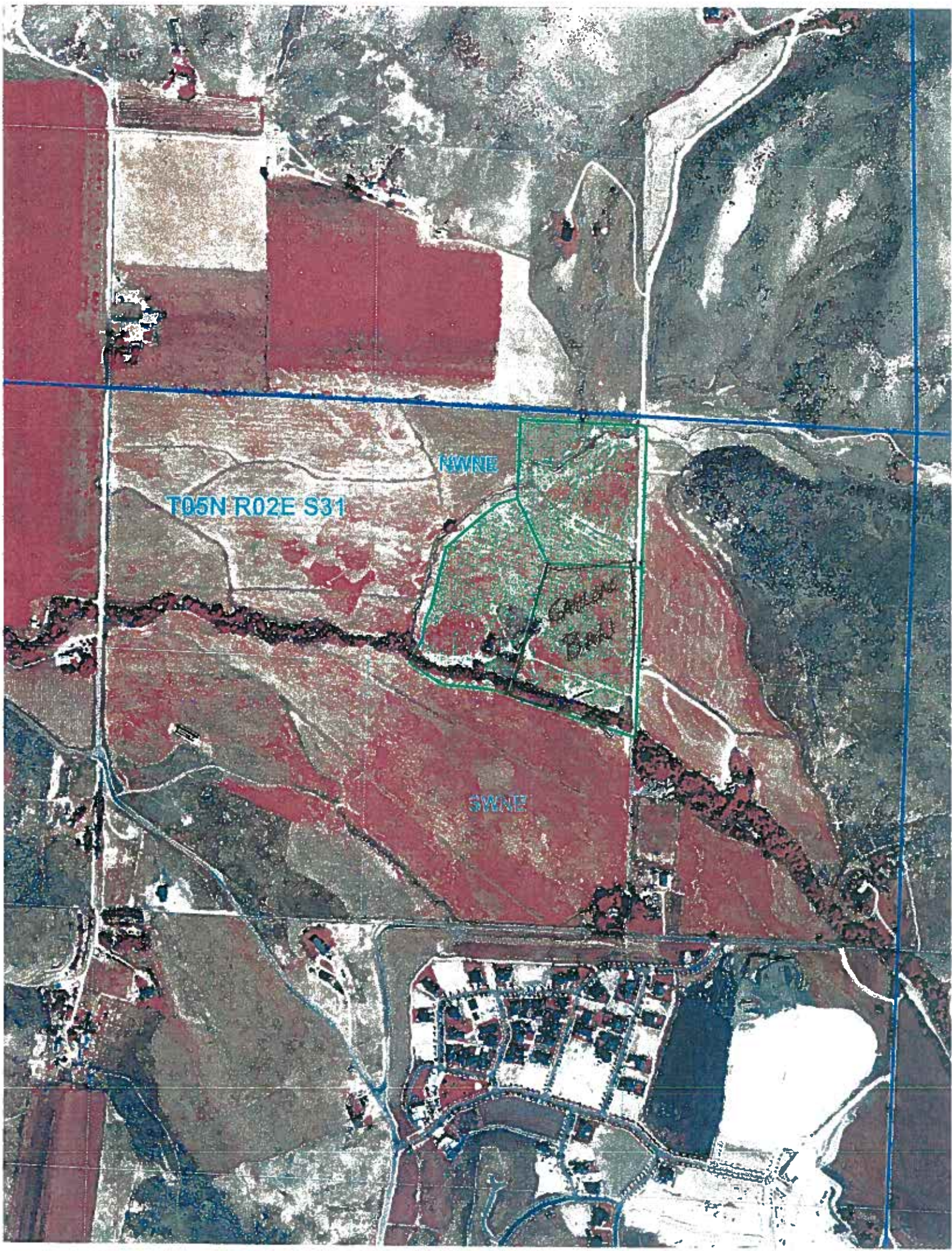
NOTES:

1. ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE REGULATIONS IN EFFECT AT THE TIME OF THE RE-SUBDIVISION.
2. BUILDING SETBACKS AND DIMENSIONAL STANDARDS IN THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH THE APPLICABLE ZONING REGULATIONS OF ADA COUNTY.
3. THIS SUBDIVISION IS SUBJECT TO COMPLIANCE WITH IDAHO CODE 31-3605 CONCERNING IRRIGATION WATER.
4. A TEN FOOT (10') WIDE EASEMENT IS HEREBY RESERVED ADJACENT TO THE PUBLIC ROADS FOR PUBLIC UTILITIES, DRAINAGE AND IRRIGATION AS SHOWN.
5. A TEN FOOT (10') WIDE EASEMENT IS HEREBY RESERVED CENTERED ON ALL INTERIOR LOT LINES FOR PUBLIC UTILITIES, DRAINAGE AND IRRIGATION EXCEPT AS SHOWN. THIS EASEMENT SHALL NOT PRECLUDE THE CONSTRUCTION OF HARD SURFACE DRIVEWAYS TO EACH LOT.
6. LOTS SHALL NOT BE REDUCED IN SIZE WITHOUT PRIOR APPROVAL FROM THE CENTRAL DISTRICT HEALTH DEPARTMENT.
7. THIS DEVELOPMENT RECOGNIZES SECTION 22-4003 OF THE IDAHO CODE, RIGHT TO FARM ACT, WHICH STATES NO AGRICULTURAL OPERATION OR AN APPURTENANCE TO IT SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC BY ANY CHANGED CONDITION OR IN ABOUT THE SURROUNDING AGRICULTURAL ACTIVITIES AFTER THE SAME HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION WAS NOT A NUISANCE AT THE TIME THE OPERATION BEGAN, PROVIDED, THAT THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHEREVER A NUISANCE RESULTS FROM THE IMPROPER OR NEGLECTFUL OPERATION OF ANY AGRICULTURAL OPERATION OR APPURTENANCE TO IT.
8. IN ACCORDANCE WITH ARTICLE 8-80 OF THE ADA COUNTY CODE, NO BUILDING SHALL BE CLOSER THAN 100' FROM ANY PROPERTY LINE.
9. NO ADDITIONAL DOMESTIC WATER SUPPLIES SHALL BE INSTALLED BEYOND THE WATER SYSTEM APPROVED BY SANITARY RESTRICTION RELEASE.
10. REFERENCE IS MADE TO THE PUBLIC HEALTH LETTER ON FILE REGARDING ADDITIONAL RESTRICTIONS.
11. AN EXISTING CONSERVATION EASEMENT RECORDED AS INSTRUMENT NO. 101012647 ALONG DRY CREEK FROM N. McFARLAND CREEK ROAD TO THE SUBDIVISION BOUNDARY AND ALONG CURRANT CREEK FROM THE SUBDIVISION BOUNDARY TO THE CONFLUENCE OF DRY CREEK AND CURRANT CREEK IS PRESERVED AS SHOWN. A PLANT PALATE WALL SHALL BE PROVIDED BY ADA COUNTY PARKS AND RECREATION TO HOMEOWNERS WISHING TO ESTABLISH VEGETATION WITHIN THESE EASEMENTS.
12. ANY LOT CONTAINING A CONSERVATION EASEMENT SHALL BE REQUIRED TO FENCE OUTSIDE OF THE RESERVED EASEMENT PRIOR TO THE INTRODUCTION OF LIVESTOCK TO A LOT. FENCING SHALL BE SUFFICIENT TO KEEP LIVESTOCK OUT OF SAG AREAS.
13. A PUBLIC UTILITY, DRAINAGE, IRRIGATION, AND PRIVATE ROAD INTEREST/DEEDS EASEMENT FOR LOTS 11-13, BLOCK 1 IS RESERVED ALONG N. BALL MANOR LANE AS SHOWN ON THIS PLAT. N. BALL MANOR LANE SHALL BE MAINTAINED BY THE ECHANOVE RANCH SUBDIVISION HOMEOWNERS ASSOCIATION.

PINNACLE
Engineers, Inc.

12502 N. Coocle Dr., Suite 2, Boise, Idaho 83713
(208) 887-7700

SHEET 1 OF 2
DRAWING NO. C006265_FP.dwg



T05N R02E S31

NWNE

SWNE

Garden Brook

The Grantees herein have read and approved the following: GB AB

Title File No.: T02-86240 93B

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
Gaylon Ball and MaryAnn Ball, Husband and Wife

GRANTEES(s), whose current address is: 12650 Running Brook, Boise, Id 83713
the following described real property in Ada County, State of Idaho,
more particularly described as follows, to wit:

Lot 11 in Block 1 of ECHANOVE RANCH SUBDIVISION NO. 2, according to the
official plat thereof, filed in Book 84 of Plats at Pages 9358 and 9359,
records of Ada County, Idaho.

Together with Exhibit "A" attached hereto.

TRANSACTION

RECORDED - REQUEST OF

ADA COUNTY RECORDER
DAVID NAVARRO
BOISE, IDAHO

FEE 6- DEPUTY 102115614

2002 OCT -7 PM 4:13

102115614

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 3rd day of October, in the year of 2002.

Bull Development, Inc.

By Michael S. Homan

Michael S. Homan, President

President

Attest:

Secretary

STATE OF Idaho, County of Ada, ss.

On this 3rd day of October 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 executed on behalf of
said corporation, and acknowledged to me that such
corporation executed the same.

Signature: Pamela J. Bigelow

Name: Pamela J. Bigelow

Residing at: Boise, Id

My commission expires: 01/12/06



Transnation Title & Escrow, Inc.

The Grantees herein have read and approved the following: GB / MB

Title File No.: 602-85898 PJB

WARRANTY DEED

RECORDED - REQUEST OF

FOR VALUE RECEIVED

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

FEE 6.00 DEPUTY J. Pugh

Bull Development, Inc.

2002 OCT -9 PM 4:24

102116787

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto: Gaylon Ball and MaryAnn Ball, Husband and Wife

GRANTEES(s), whose current address is: 12650 Running Brook, Boise, ID 83713
the following described real property in Ada County, State of Idaho,
more particularly described as follows, to wit:

TRANSNATION

Lot 12 in Block 1 of ECHANOVE RANCH SUBDIVISION NO. 2, according to the
official plat thereof, filed in Book 84 of Plats at Pages 9358 and 9359,
records of Ada County, Idaho.

Together with Exhibit "A" attached hereto.

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:

Michael S. Homan

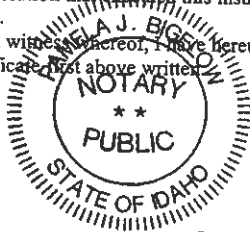
Bull Development, Inc.

STATE OF Idaho . County of Ada . ss.

COUNTY OF ADA)

On this 3rd day of October, 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 this instrument and acknowledged to me that such corporation executed the
same.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this
certificate first above written.



Pamela J. Bigelow

Name: Pamela J. Bigelow
Residing at: Boise, ID
Commission expires: 1-12-06

Transnation Title & Escrow, Inc.

CORPORATE WARRANTY DEED

2

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

Gaylon Ball and Mary Ann Ball, Husband And Wife

GRANTEES(s), whose current address is: 12650 W. Running Brook Court, Boise, ID 83713
the following described real property in Ada County, State of Idaho,
more particularly described as follows, to wit:

Lot 13 in block 1 of ECHANOVE RANCH SUBDIVISION NO. 2, according to the Official
Plat thereof, filed in Book 84 of Plats at Pages 9358 and 9359, records of Ada
County, Idaho.

Together with Exhibit "A" attached hereto.

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 09/16/03 04:18 PM
DEPUTY Joanne Hooper
RECORDED - REQUEST OF
Transaction Title
AMOUNT 6.00

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 3rd day of October, in the year of 2002.

Bull Development, Inc.

By Michael S. Homan
Michael S. Homan, President

President

Attest:

Secretary

STATE OF Idaho, County of Ada, ss.

On this 3rd day of October 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 executed on behalf of
said corporation, and acknowledged to me that such
corporation executed the same.

Signature: Pamela J. Bigelow

Name: Pamela J. Bigelow

Residing at: Boise, Id



Exhibit "A"

Grantor hereby expressly reserves unto Grantor all surface and ground water rights appurtenant to the parcel of land hereby conveyed, except for those water rights hereinafter expressly quitclaimed to the Grantee: Grantor hereby quitclaims to Grantee a prorata portion of the water rights represented by water right nos. 63-3162 and 63-4849 for the irrigation of 9.8 acres of land within the parcel of land hereby conveyed and Grantor makes no warranties of title or other warranties, express or implied, as to the nature, validity, or extent of the water rights hereby quitclaimed.

r. Mike Homan
Gayle Bae
Maya Bell

63-31739

BULL DEVELOPMENT

129 ACRES

1.392 CFS

580.5

<u>63-32411</u> BULL DEV. 49.1 acres 2.3 NWNE 22.7 NENW 11.7 SWNE 12.4 SE NW .53 cfs 221 afa	<u>63-32412</u> GROOTHUIS 6.2 acres 2.9 SENW 3.3 SWNE .07 cfs 27.9afa	<u>63-32143</u> MAILHOT 9.7 acres 2 NENW 7.7 SENW .11 cfs 43.6 afa	<u>63-32414</u> WARDLE 10 acres SWNE .11 cfs 45 afa	<u>63-32415</u> BOHME 18 acres 14 NENW 4 NWNE .19 cfs 81 afa	<u>63-32416</u> BALL 26 acres 24 NWNE 2 SWNE .28 cfs 117 afa	<u>63-32417</u> REILLY 10 acres NENW 10 cfs 45 afa
---	--	---	---	---	---	--

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 63-31739
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: 07/14/1959

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:

1000 ft deep, 8" cs, 20 hp pump

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	11/15	1.392	580.5

7. Total Quantity Appropriated is:
1.392 C.F.S. and/or 580.5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
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:

Address change for Pedro Echenove by DB per claimant letter.
Also removed Petra Echanove from this claim per request. Per conversation w/ Pedro (son) she is now deceased. 5/10/2002

Address change for Elena Anita Gibbens per claimant request. DB 5/22/2002

Tran Application 68907 withdrawn negating the splits for this right. dvs 8/13/01.

Ownership changed by DH 3/6/2003

This claim is the result of a split due to change in ownership for a portion of 63-3162. Claim created by DB 4/7/2004 to complete hard file

15. Basis of Claim: License

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

RECEIVED
 FEB 19 2003
 WATER RESOURCES
 WESTERN REGION

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
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**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
Deed attached
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

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 <u>A 63 - 04849</u>		
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		<u>10 acres</u>
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 <u>63 - 03162</u>		
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		<u>10 acres</u>
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
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

SPLIT TREE

CLAIMS 63-3162

AGENT: Ron Howerton

Date: 07/22/03

MEULEMAN SPLIT:

63- 31740 = FACTOR X 10 ACRES = 0.108 CFS

AFA FACTOR X 10 = 45 AFA

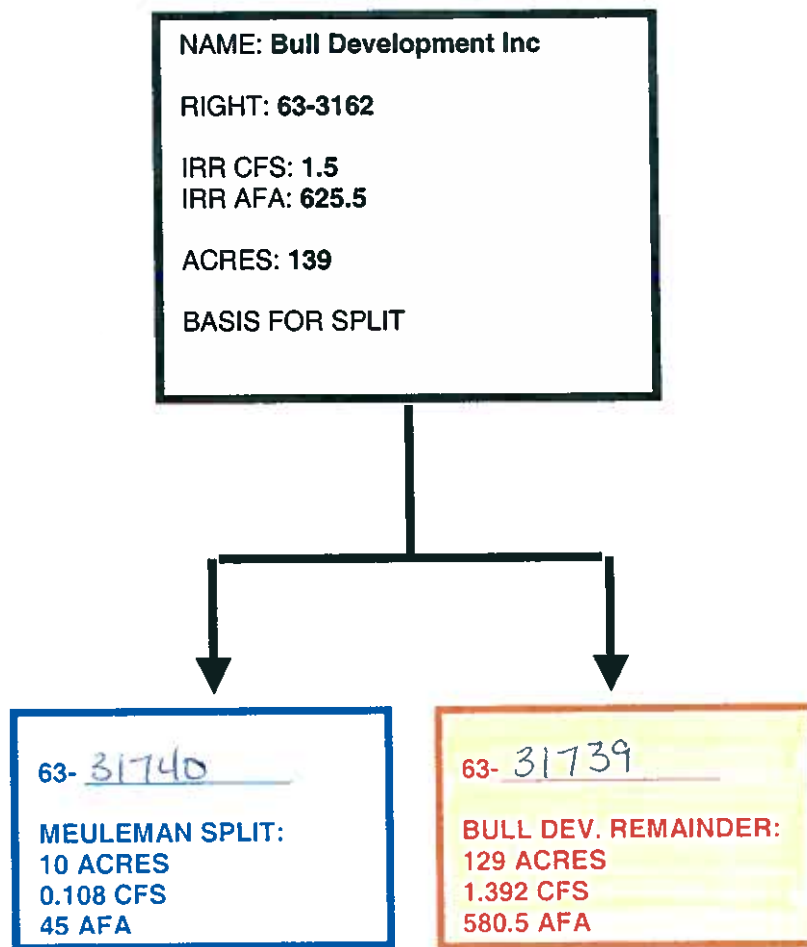
BULL DEVELOPMENT REMAINDER:

63- 31739 = FACTOR X 129 ACRES = 1.392 CFS

AFA FACTOR X 129 = 580.5 AFA

IRRIGATION CFS FACTOR = CFS 1.5 / ACRES 139 = (0.010791367 CFS per acre = FACTOR)

IRRIGATION AFA FACTOR = 625.5 AFA / 139 ACRES = (4.5 AFA per acre = FACTOR)



GROUND WATER

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 63-3162
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)

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

Phone: (208) 429-1900

OK NEW SPLIT 63-31739
BULL
DEV.

2. Date of Priority: 07/14/1959

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:

1000 ft DEEP, 8" CS, 20 HP PUMP

6. Water is used for the following purposes:

Purpose
IRRIGATION

From To C.F.S. (or) A.F.A.
3/15 11/15 1.5

7. Total Quantity Appropriated is:

1.5 C.F.S.

1.392

8. Total consumptive use:

1.392
SUPPLEMENTAL 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
			SW	NE	IRRIGATION	~~37~~ 27
			NE	NW	IRRIGATION	40
			SE	NW	IRRIGATION	22
Section Acres						~~139~~ 129
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 by DB per claimant letter.
Also removed Petra Echanove from this claim per request. Per conversation w/ Pedro (son) she is now deceased. 5/10/2002

Address change for Elena Anita Gibbens per claimant request. DB 5/22/2002

Tran Application 68907 withdrawn negating the splits for this right. dvs 8/13/01.

Ownership changed by DH 3/6/2003

15. Basis of Claim: License

ADD: OWNERSHIP CHANGED BY _____
7-22-03

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

THIS FORM FURNISHED COURTESY OF:

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

RECORDED - REQUEST OF

FEE 3.00 DEPUTY Maple

102023796

ALLIANCE TITLE & ESCROW CORP

2002 FEB 27 PM 4:08

READ & APPROVED BY GRANTEE(S) 2002 AM

TRANSACTION

SPACE ABOVE THIS LINE FOR RECORDING DATA

701-7775498

CORPORATE WARRANTY DEED

FOR VALUE RECEIVED, BULL DEVELOPMENT, INC.

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 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 15th day of June, in the year of 2001.

BULL DEVELOPMENT, INC.

(Corporate Seal)

(Corporate Name)

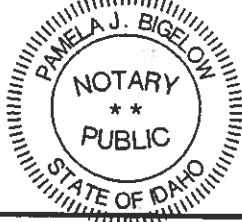
By: Michael S. Homan
MICHAEL S. HOMAN, President

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.



Signature: Pamela J. Bigelow

Name: PAMELA J. BIGELOW

(type or print)

Residing at: BOISE, IDAHO

My Commission Expires: 01/12/06

82 p. 8918-8920

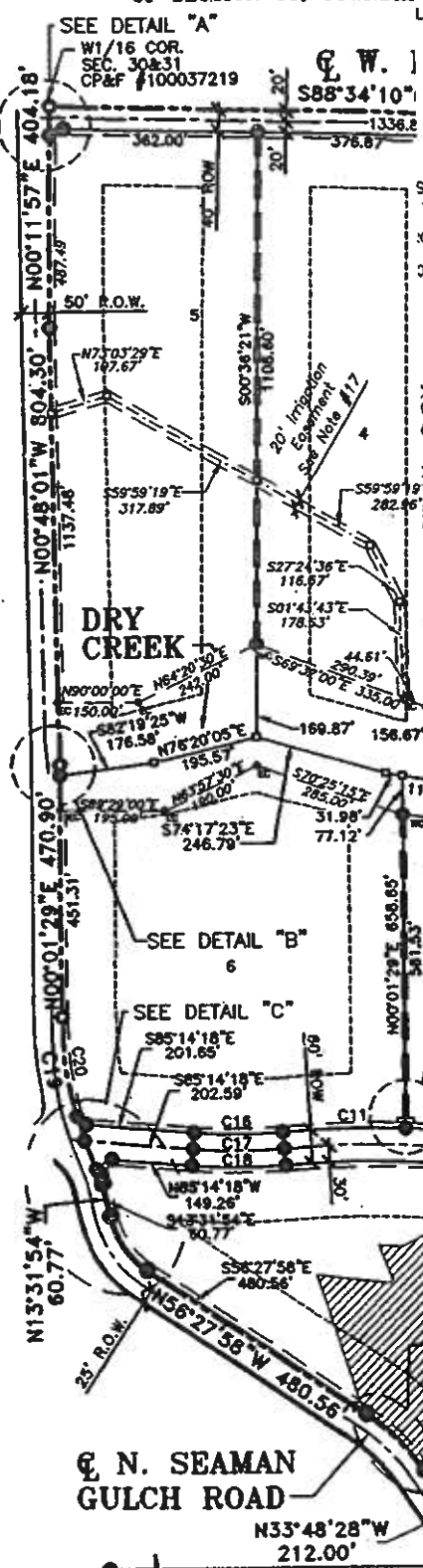
RECEIVED
FEB 19 2003
WATER RESOURCES
WESTERN REGION

ECHANOVE RAIL

A PORTION OF THE
OF SECTION 31, TOWNSHIP

N. BROKEN HORN ROAD

UNPLATTED



- 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
- EASEMENT CORNER
SET 1/2" x 24" REBAR
W/CAP MARKED LS 6901
- 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
- WITNESS CORNER
SET 5/8" x 30" REBAR
W/CAP MARKED LS 6901
- WITNESS CORNER
SET 1/2" x 24" REBAR
W/CAP MARKED LS 6901
- CALCULATED POINT

COMPLY WITH THE APPLICABLE REGULATIONS IN
N. SHALL BE IN COMPLIANCE WITH THE APPLICABLE
DE WITH IDAHO CODE 31-3805 CONCERNING
BY RESERVED ADJACENT TO THE SUBDIVISION
ATION EASEMENT) FOR PUBLIC UTILITIES, DRAINAGE
BY RESERVED CENTERED ON ALL INTERIOR LOT
IRRIGATION EXCEPT AS SHOWN. THIS EASEMENT
IF HARD SURFACE DRIVEWAYS TO EACH LOT.
OUT PRIOR APPROVAL FROM THE
-4503 OF THE IDAHO CODE, RIGHT TO FARM
ATION OR AN APPURTENANCE TO IT SHALL BE
C BY ANY CHANGED CONDITION IN OR ABOUT
IES AFTER THE SAME HAS BEEN IN OPERATION
OPERATION WAS NOT A NUISANCE AT THE TIME
PROVISIONS OF THIS SECTION SHALL NOT
IN THE IMPROPER OR NEGLIGENT OPERATION OF
NUISANCE TO IT.
ADA COUNTY CODE, NO BUILDING SHALL BE
UDING BUT NOT LIMITED TO DRIVEWAYS,
S 1&2, BLOCK 2 SHALL AVOID THOSE AREAS
ENTIFIED ON THE FINAL PLAT OR SHALL FULLY
DUNTY CODE.
15% OR GREATER IS PROHIBITED UNLESS
N ACCORDANCE WITH ADA COUNTY HILLSIDE
SHALL BE INSTALLED BEYOND THE WATER
I RELEASE.
I LETTER ON FILE REGARDING
I LIMITED TO THOSE COMMON DRIVEWAYS
UMENT NO.101012647) ALONG DRY CREEK
ROAD, AND ALONG CURRANT CREEK FROM
ENCE OF DRY CREEK AND CURRANT CREEK
EASEMENT PROVIDES FOR ACCESS TRAIL(S)
OF DRY CREEK FROM McFARLAND ROAD
ILL BE PROVIDED BY ADA COUNTY PARKS
O ESTABLISH VEGETATION WITHIN THESE
MENT SHALL BE REQUIRED TO FENCE OUTSIDE
ION OF LIVESTOCK TO SAID LOT. FENCING
UT OF SAID EASEMENT.
SLOPES AND THE 100' SETBACK AS REQUIRED
ERLAY DISTRICT AS DESCRIBED IN 8-80 OF THE
RESERVED, AS SHOWN, FOR THE PURPOSE OF
IRRIGATION HEAD GATE AND LATERAL.
EASEMENT IS RESERVED ALONG THE EAST SIDE OF
SHALL REMAIN FREE OF ALL ENCROACHMENTS AND
WHICH MAY ADVERSELY AFFECT DRAINAGE
ILITY.
GRANTED TO THE LANDOWNER
EMENT AND LOT 10 BLOCK 1.
ADJOINING LAND.

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

T05N, R02E, S31

35.0
NENW

40.0
NWNE

Bull Development
Remainder

3.7

0.3

2.0

SENW
23.0

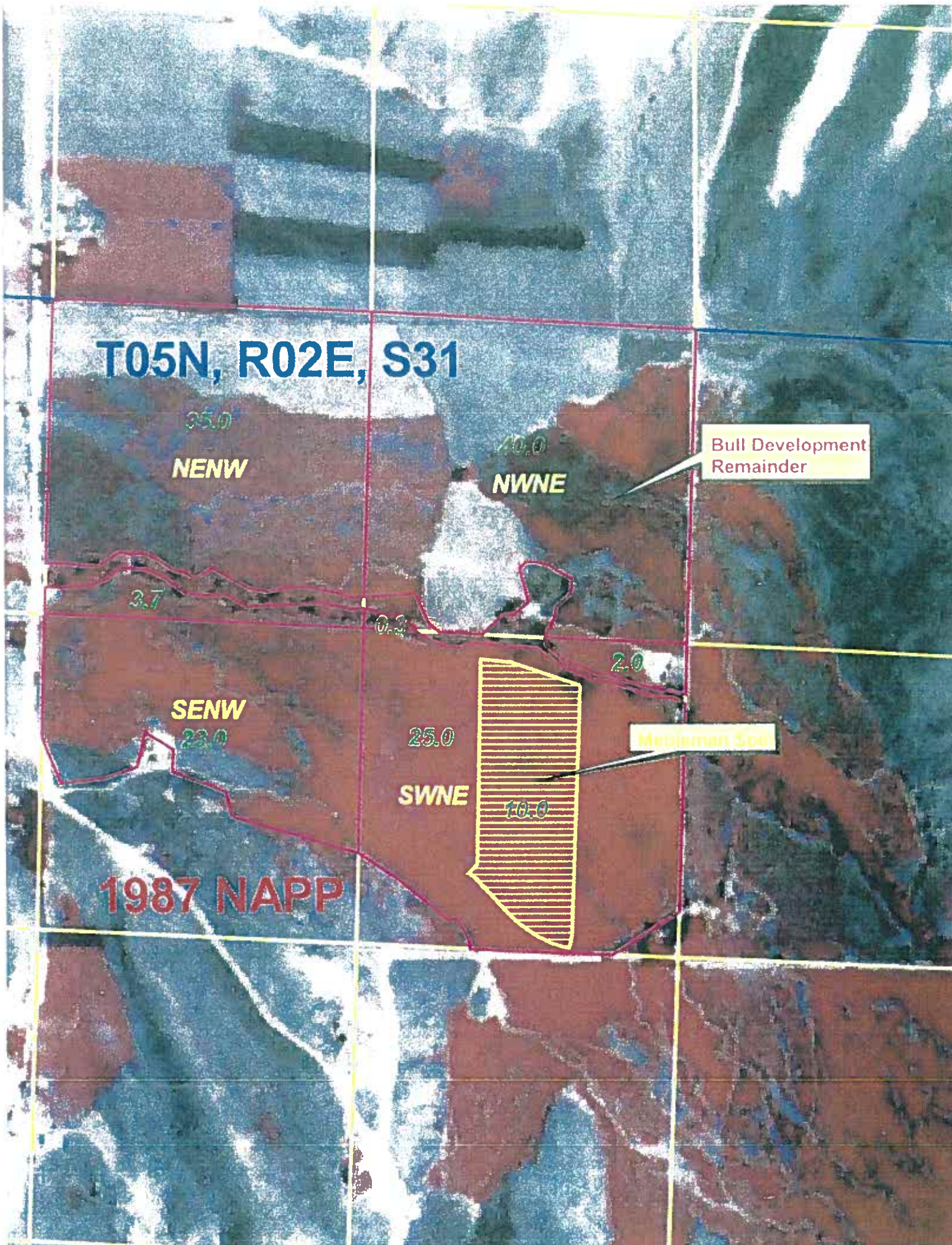
25.0

Meuleman Spur

SWNE

10.0

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 63-3162
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)

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

Phone: (208) 429-1900

2. Date of Priority: 07/14/1959

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:

1000 ft DEEP, 8" CS, 20 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	1.5	

7. Total Quantity Appropriated is:
1.5 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 by DB per claimant letter.
Also removed Petra Echanove from this claim per request. Per conversation w/ Pedro (son) she is now deceased. 5/10/2002

Address change for Elena Anita Gibbens per claimant request. DB 5/22/2002

Tran Application 68907 withdrawn negating the splits for this right. dvs 8/13/01.

Ownership changed by DH 3/6/2003

15. Basis of Claim: License

NENW

NWNE

S31

TH-12P-S11

SWNE

1987 NAPP

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.

RECEIVED

FEB 25 2003

WATER RESOURCES
WESTERN REGION

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
<u>63-4849</u>	<u>A63-4849</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>63-3162</u>	<u>A63-3162</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

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) Bull Development inc.
(include title if applicable) By Michael A. Homan, president

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 _____

THIS FORM FURNISHED COURTESY OF:

ADA COUNTY RECORDER
DAVID HAVARRO

RECORDED - REQUEST OF

FEE

DEPOSIT

100075885

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

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
PEDRO ECHANOVE

Alfred D. Gibbens
ALFRED D. GIBBENS

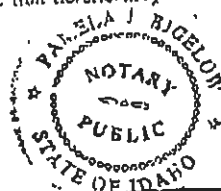
Betty Lou Echanove
BETTY LOU ECHANOVE

Anita 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.

Signature: Pamela J. BigelowName: PAMELA J. BIGELOWResiding at: BOISE, IDAHOMy 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 08'14" 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 25'40", 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 63-3162
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: 07/14/1959

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:

1000 ft DEEP, 8" CS, 20 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	1.5	

7. Total Quantity Appropriated is:
1.5 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:

Tran Application 68907 withdrawn negating the splits for this right. dvs
8/13/01.

Address change for Pedro Echenove by DB per claimant letter.
Also removed Petra Echanove from this claim per request. Per conversation w/ Pedro
(son) she is now deceased. 5/10/2002

Address change for Elena Anita Gibbens per claimant request. DB 5/22/2002

15. Basis of Claim: License



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 22 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
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
Office Specialist 1
Adjudication Section
Western Region

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

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

May 6, 2002

RECEIVED

MAY 10 2002

WATER RESOURCES
WESTERN REGION

DIRK KEMPTHORNE

Governor

KARL J. DREHER

Director

PEDRO ECHANOVE
5750 DRY CREEK RD
BOISE ID 83703

Re: Snake River Basin Adjudication (SRBA)
Water Right No. 63-3162
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 our 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
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.

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 63-3162
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
RT 1
BOISE ID USA 83703

Phone: (208)939-6783

PETRA ECHANOVE
RT 1
BOISE ID USA 83703

Phone:

ELENA ANITA GIBBENS
RT 1
BOISE ID USA 83703

Phone:

2. Date of Priority: 07/14/1959

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:

1000' DEEP, 8" CS, 20 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	1.5	

7. Total Quantity Appropriated is:
1.5 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:

This claim has been split into 15 parts as follows: 63-31155, 63-31156, 63-31157, 63-31158, 63-31159, 63-31160, 63-31161, 63-31162, 63-31163, 63-31164, 63-31166, 63-31167, 63-31168, 63-31169 and 63-31170 - all in the name of Bull Development. DB 2/22/2001.

Tran Appplication 68907 withdrawn negating the splits for this right. dvs 8/13/01.

15. Basis of Claim: License

02/22/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. 63-3162

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SPLIT CLAIM

Original Owner	PEDRO ECHANOVE
Original Owner	PETRA ECHANOVE
Original Owner	ELENA ANITA GIBBENS
	RT 1
	BOISE, ID 83703
	(208)939-6783

Original Owner	HILARIO ECHANOVE
Original Owner	PEDRO ECHANOVE
	RT 1
	O, ID

Priority Date: 07/14/1959
Basis: License
Status: Parent

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15	11/15	1.5 CFS		
Total Diversion			1.5 CFS		

Location of Point(s) of Diversion:

GROUND WATER NWE Sec. 31 Township 05N Range 02E ADA County

IRRIGATION Use:
Acre Limit: 139

Place(s) of use:

Place of Use Legal Description: IRRIGATION ADA County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
05N	02E	31		NWNE	40		SWNE	37
				NENW	40		SENE	22

Total Acres: 139

Remarks:

1. This claim has been split into 15 parts as follows: 63-31155, 63-31156, 63-31157, 63-31158, 63-31159, 63-31160, 63-31161, 63-31162, 63-31163, 63-31164, 63-31166, 63-31167, 63-31168, 63-31169 and 63-31170 - all in the name of Bull Development. DB 2/22/2001.

Dates:

Licensed Date: 08/28/1979
 Claim Received Date:
 Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:

Other Information:

Receipt Number(s): W006001
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:

Mitigation Plan:	False	
Child Right(s):	63-31155	ChangeOfOwnership
	63-31156	ChangeOfOwnership
	63-31157	ChangeOfOwnership
	63-31158	ChangeOfOwnership
	63-31159	ChangeOfOwnership
	63-31160	ChangeOfOwnership
	63-31161	ChangeOfOwnership
	63-31162	ChangeOfOwnership
	63-31163	ChangeOfOwnership
	63-31164	ChangeOfOwnership
	63-31165	ChangeOfOwnership
	63-31166	ChangeOfOwnership
	63-31167	ChangeOfOwnership
	63-31168	ChangeOfOwnership
	63-31169	ChangeOfOwnership
	63-31170	ChangeOfOwnership

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: A63-03162
Date Received: 9/20/1989
Receipt No: W006001
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PETRA ECHANOVE
Address: RT. 1
BOISE, ID 83703

OR
Name: PEDRO ECHANOVE
Address: RT. 1
BOISE, ID 83703

208-939-6783

OR
Name: ELENA ANITA GIBBENS
Address:

2. Date of Priority: JUL 14, 1959

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
1000' DEEP, 8" CS, 20 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.500		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

A63-03162

Page

1

Date: 09/20/89

MICROFILMED

AUG 18 1992

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:
A63-04849

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 28046

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): Pedro Echavere Date: X Sept. 20 1988
_____ Date: _____

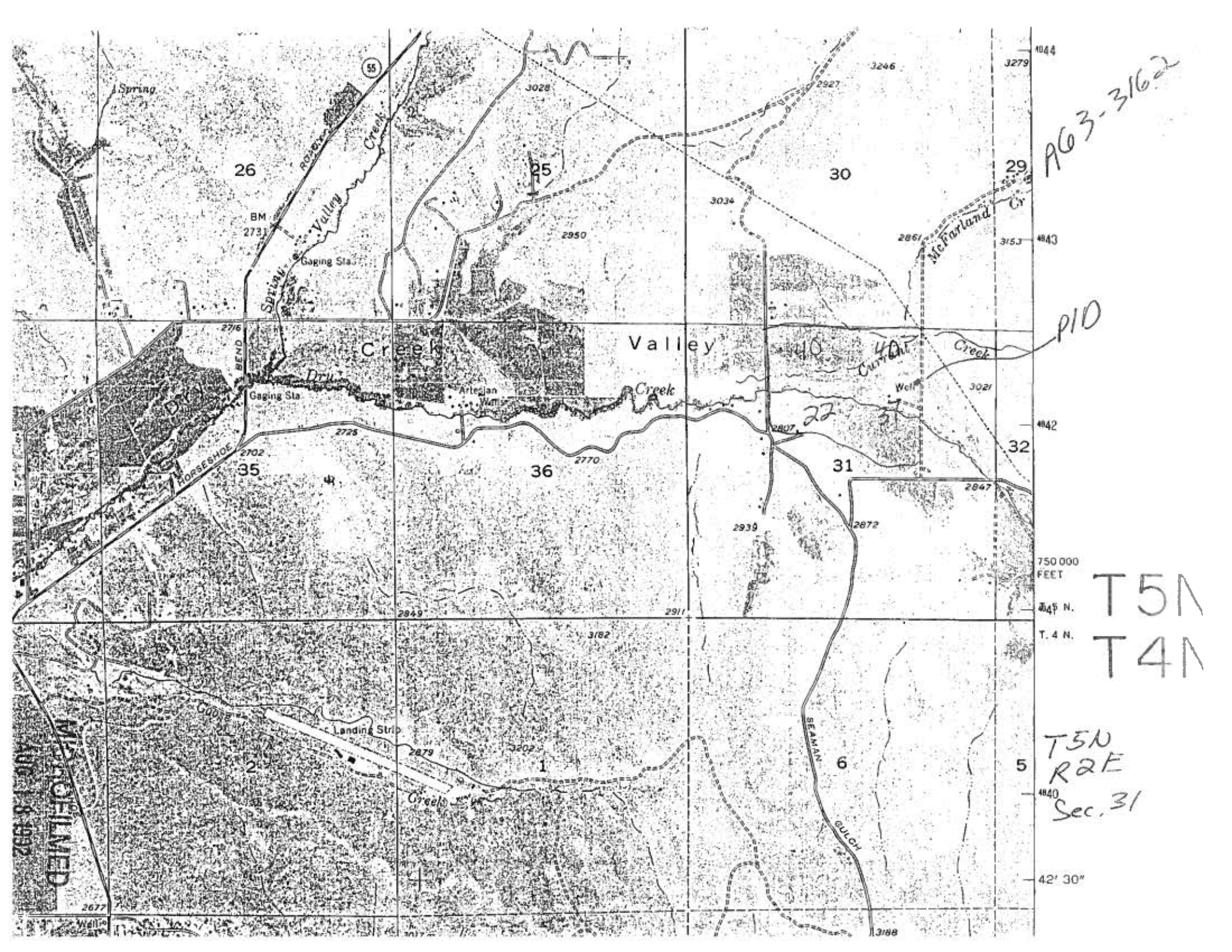
State of Idaho)
County of Ada) SS.

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

Linda Werner
Notary Public

Seal

Residing at
My Commission Expires



MEMORANDUM

TO: CRAIG SAXTON

FROM: DANIEL A. NELSON

DATE: 10/7/04

SUBJECT: TELEPHONE CALL REFERAL

Craig, I received a telephone call from a Mathew Castrigno regarding the Enchanove Ranch (Bull Development) water rights. Mr. Castrigno is claiming that he can move water anywhere within the 40-acre tract without filing a transfer. He said that Ron Howerton told him this was possible without filing a transfer. I am not sure what is going on in this situation, so I thought I better forward the call to you.

I did tell him that based on the transfer memo, we are bound on the allocation side to what was irrigated in 1987, and can't allow movement within a 40-acre tract without a transfer. However, I am not sure what the adjudication folks can allow on this issue, so I thought I better pass it onto you to let you give him the skinny. We are dependent on what you folks will allow, so it is probably better that you work with him directly. I hope you don't mind.

His telephone number is 939-5663.

C

63- 3162
- 400-

10-26-04 - Called. made average amount of
same to me as I had before.
John H. spoke of Mathew Castrigno
yesterday and explained this to
him. Mathew said he was going to
hire a lawyer.

MEMORANDUM

DATE: 9/28/2004

FROM: Lori Graves

TO: SRBA Claim Files 63-31737 & 63-31739

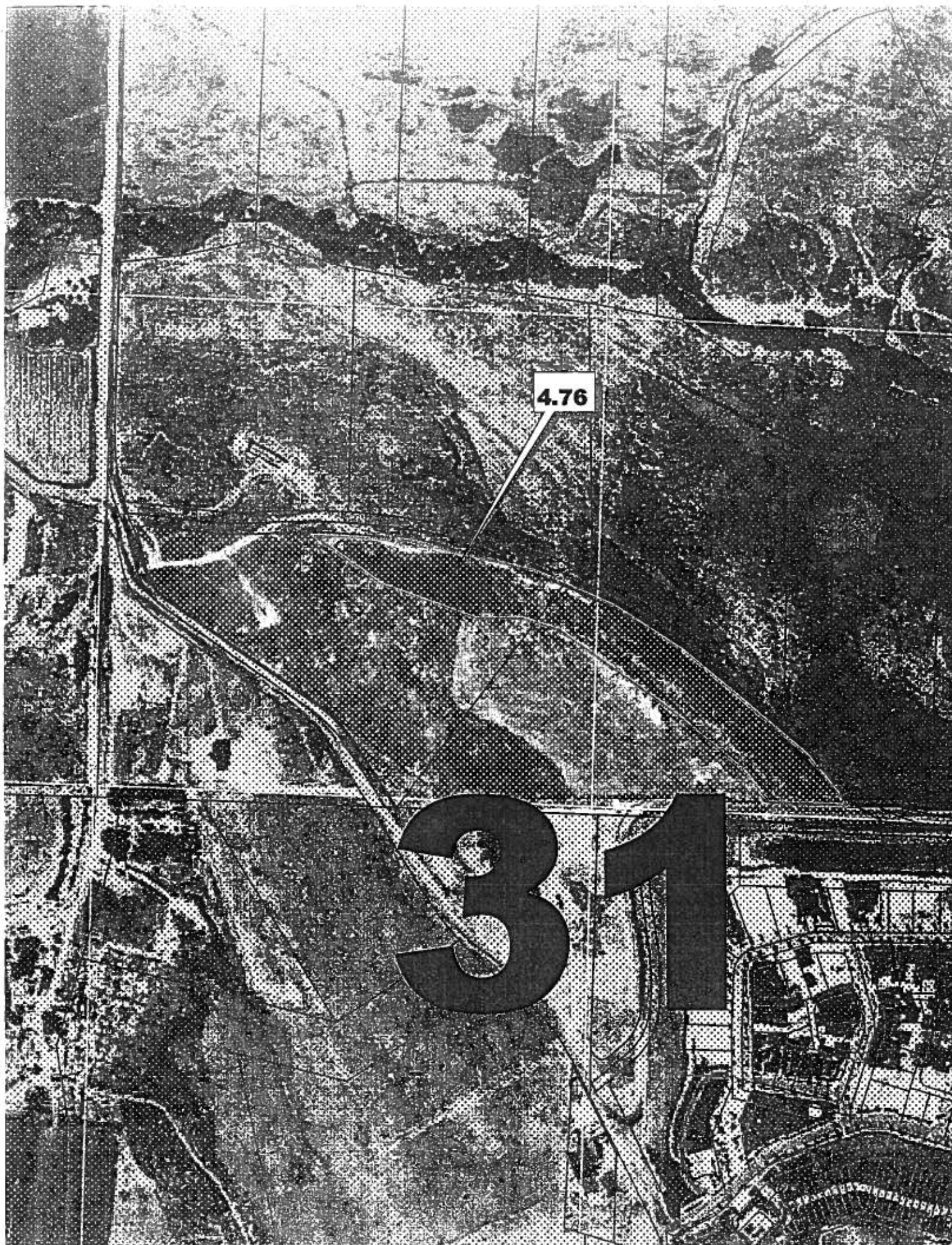
RE: Groothuis Change in Ownership

Groothuis called 9/23/04 asking how long he had to install his sprinkler system before losing his water rights. As it turns out, he purchased Lots 1 & 2, Block 2 of Echanove Estates from Bull Development. He plans to build and install a sprinkler system on his property within the next two years and did not want to lose his water rights in the process. The developer sold him Lot 1 with 8.05 acres irrigation and Lot 2 with 6.04 acres irrigation from original water rights 63-3162 (ground water) and 63-4849 (Dry Creek).

M.D. (Butch) Groothuis filed the attached change in ownership 9/23/04. When I looked at his property location, I asked him to delay installation of his sprinkler system until I had a chance to review the files and consult with an SRBA agent.

Ron Howerton did an initial review of these rights. Based on Ron's analysis and Craig Saxton's re-analysis, Groothuis' property actually only has ~4.76 of the total recommended acres that Ron determined historically irrigated.

I called Groothuis with the news and he stated that he was going to confront the developer with the discrepancy. I'm sure we haven't heard the last of this one.



4.76

31

Bull Development	
Remainder	

35.0
NENW

40.0
NWNE

SENW
220

25.0
SWNE

1987 ADP

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

RECEIVED

SEP 28 2004

WATER RESOURCES
WESTERN REGION

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-41849	63-31737	Y			
63-3162	63-31739	Y			

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)

Bull Development

4. New Owner/Claimant(s)

M.D. and Judy L. Groothuis
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

3490 N. Saddleman Place

City, State and ZIP Code

Eagle, ID 83616

New Telephone Number

(208) 850-0617

5. Date you acquired the property

3-3-2004

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 <u>63-31737, 63-31739</u> <u>Lot 2, BK 2</u>		
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	<u>.12</u>	<u>6 acres</u>
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 <u>63-31737, 63-31739</u> <u>Lot 1, BK 2</u>		
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	<u>.16</u>	<u>8 acres</u>
Stock		
Domestic		
Other		
Total		

see
attach
ments
Deeds

7. Signature of New Owner(s) or Claimant(s) [Signature]
(include title if applicable) M.D. Groothuis

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 lg Date 9/28/04 Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

PLAT SHOWING ECHANOVE RANCH SUBDIVISION NO. 1

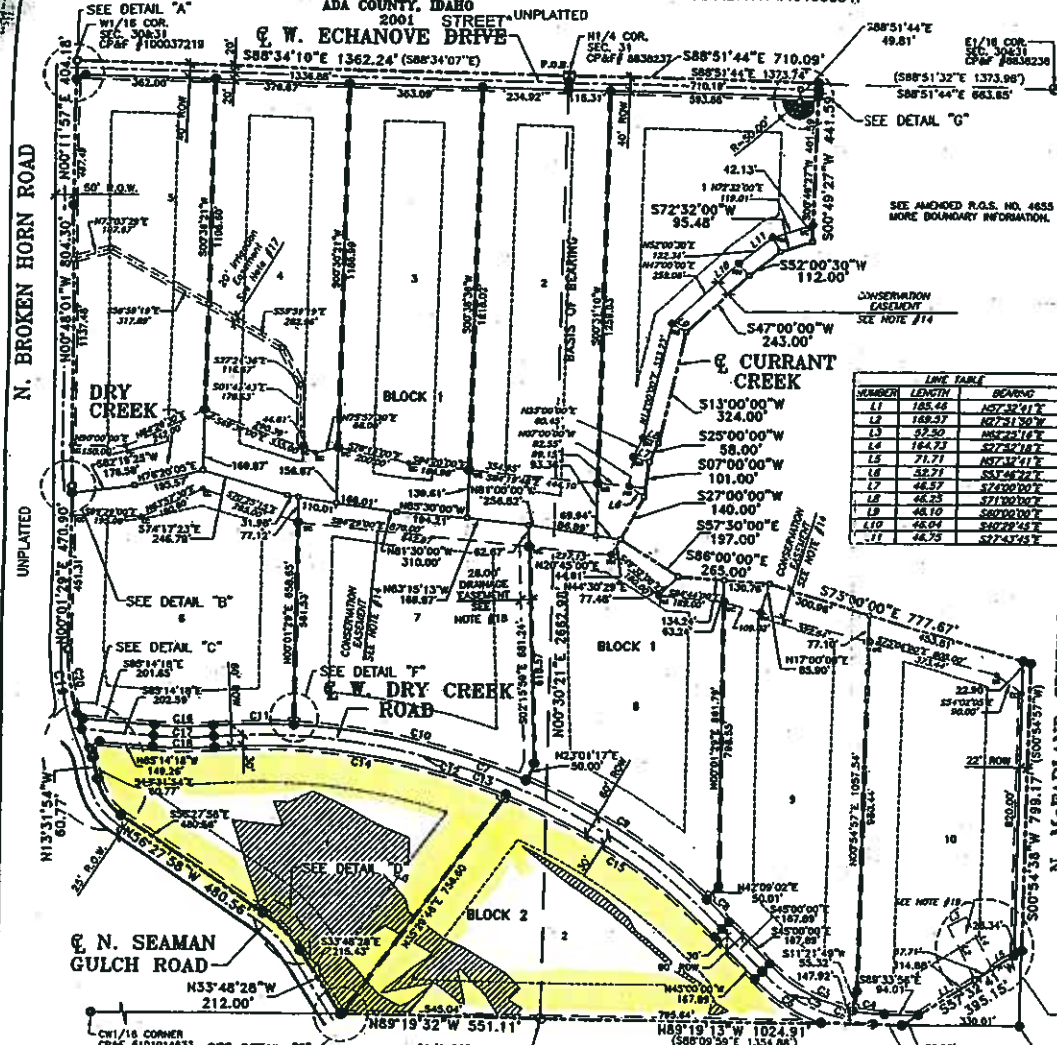
A PORTION OF THE NW1/4 AND THE W1/2 OF THE NE1/4
OF SECTION 31, TOWNSHIP 5 NORTH, RANGE 2 EAST, BOISE MERIDIAN
ADA COUNTY, IDAHO

*AFFIDAVIT #101060347

#101060347

Book 82 p 8918-8920

RECEIVED
FEB 19 2007
WATER RESOURCES
WESTERN REGIC



LINE	ROADWAY CENTERLINE	POINT OF BEGINNING FOUND ALUM. MONUMENT
LOT LINE	LOT LINE	SET 5/8" x 30" REBAR W/CAP MARKED LS 6901
BOUNDARY LINE	BOUNDARY LINE	SET 1/2" x 24" REBAR W/CAP MARKED LS 6901
EASEMENT LINE	EASEMENT LINE	EASEMENT CORNER SET 1/2" x 24" REBAR W/CAP MARKED LS 6901
EASEMENT CENTER LINE	EASEMENT CENTER LINE	REFERENCE MONUMENT SET 5/8" x 30" REBAR W/CAP MARKED LS 6901
SECTION LINE	SECTION LINE	FOUND ALUMINUM MONUMENT
THE LINE	THE LINE	FOUND 5/8" REBAR W/CAP LS 943 UNLESS OTHERWISE NOTED
SETBACK LINE	SETBACK LINE	TEMPORARY TURNAROUND INSTRUMENT #100102262
		LOT NUMBER
		RECORD DATA
		CALCULATED POINT

- NOTES:**
1. ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE REGULATIONS IN EFFECT AT THE TIME OF THE RE-SUBDIVISION.
 2. DIMENSIONAL STANDARDS IN THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH THE APPLICABLE ZONING REGULATIONS OF ADA COUNTY.
 3. THIS SUBDIVISION IS SUBJECT TO COMPLIANCE WITH IDAHO CODE 31-3805 CONCERNING IRRIGATION WATER.
 4. A TEN FOOT (10') WIDE EASEMENT IS HEREBY RESERVED ADJACENT TO THE SUBDIVISION BOUNDARY AS SHOWN (EXCEPT IN CONSERVATION EASEMENT) FOR PUBLIC UTILITIES, DRAINAGE AND IRRIGATION.
 5. A TEN FOOT (10') WIDE EASEMENT IS HEREBY RESERVED CENTERED ON ALL INTERIOR LOT LINES FOR PUBLIC UTILITIES, DRAINAGE AND IRRIGATION EXCEPT AS SHOWN. THIS EASEMENT SHALL NOT PRECLUDE THE CONSTRUCTION OF HARD SURFACE DRIVEWAYS TO EACH LOT.
 6. LOTS SHALL NOT BE REDUCED IN SIZE WITHOUT PRIOR APPROVAL FROM THE CENTRAL DISTRICT HEALTH DEPARTMENT.
 7. THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF THE IDAHO CODE, RIGHT TO FARM ACT, WHICH STATES "NO AGRICULTURAL OPERATION OR AN APPURTENANCE TO IT SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC BY ANY CHANGED CONDITION IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER THE SAME HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION WAS NOT A NUISANCE AT THE TIME THE OPERATION BEGAN, PROVIDED, THAT THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHENEVER A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF ANY AGRICULTURAL OPERATION OR APPURTENANCE TO IT."
 8. IN ACCORDANCE WITH ARTICLE 8-80 OF THE ADA COUNTY CODE, NO BUILDING SHALL BE CLOSER THAN 100' FROM ANY PROPERTY LINE.
 9. CONSTRUCTION OF ANY IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO DRIVEWAYS, RETAINING WALLS AND STRUCTURES, ON LOTS 182, BLOCK 2 SHALL AVOID THOSE AREAS WITH SLOPES OF GREATER THAN 15% AS IDENTIFIED ON THE FINAL PLAT OR SHALL FULLY COMPLY WITH ARTICLE 8-80 OF THE ADA COUNTY CODE.
 10. CONSTRUCTION WITHIN AREAS OF SLOPES OF 15% OR GREATER IS PROHIBITED UNLESS APPROVED BY THE ADA COUNTY ENGINEER IN ACCORDANCE WITH ADA COUNTY WELSH REGULATION.
 11. NO ADDITIONAL DOMESTIC WATER SUPPLIES SHALL BE INSTALLED BEYOND THE WATER SYSTEM APPROVED IN SANITARY RESTRICTION RELEASE.
 12. REFERENCE IS MADE TO THE PUBLIC HEALTH LETTER ON FILE REGARDING ADDITIONAL RESTRICTIONS.
 13. DIRECT LOT ACCESS TO DRY CREEK ROAD IS LIMITED TO THOSE COMMON DRIVEWAYS AS SHOWN.
 14. AN EXISTING CONSERVATION EASEMENT (INSTRUMENT NO. 101012647) ALONG DRY CREEK FROM MCFARLAND ROAD TO BROKEN HORN ROAD, AND ALONG CURRANT CREEK FROM THE SUBDIVISION BOUNDARY TO THE CONFLUENCE OF DRY CREEK AND CURRANT CREEK IS PRESENT AS SHOWN. THE TERMS OF THE EASEMENT PROVIDES FOR ACCESS TRAIL(S) WITHIN THE EASEMENT ON THE SOUTH SIDE OF DRY CREEK FROM MCFARLAND ROAD TO BROKEN HORN ROAD. A PLANT PALATE WILL BE PROVIDED BY ADA COUNTY PARKS AND WATERWAYS TO HOMEOWNERS WISHING TO ESTABLISH VEGETATION WITHIN THESE EASEMENTS.
 15. ANY LOT CONTAINING A CONSERVATION EASEMENT SHALL BE REQUIRED TO FENCE OUTSIDE OF THE EASEMENT PRIOR TO THE INTRODUCTION OF LIVESTOCK TO SAID LOT. FENCING SHALL BE SUFFICIENT TO KEEP LIVESTOCK OUT OF SAID EASEMENT.
 16. BURNING AREAS ARE THOSE OUTSIDE OF 5% SLOPES AND THE 100' SETBACK AS REQUIRED FOR THE WILDLAND-URBAN FIRE INTERFACE OVERLAY DISTRICT AS DESCRIBED IN 8-80 OF THE ADA COUNTY CODE.
 17. A TWENTY FOOT (20') IRRIGATION EASEMENT IS RESERVED, AS SHOWN, FOR THE PURPOSE OF MAINTENANCE AND OPERATION OF THE EXISTING IRRIGATION HEAD GATE AND LATERAL.
 18. TWENTY-FIVE FOOT (25') AGRICULTURAL DRAINAGE EASEMENT IS RESERVED ALONG THE EAST SIDE OF LOT 7, BLOCK 1 AS SHOWN. THE EASEMENT SHALL REMAIN FREE OF ALL ENCROACHMENTS AND OBSTRUCTIONS (INCLUDING FENCES AND TREES) WHICH MAY ADVERSELY AFFECT DRAINAGE OR OPERATION AND MAINTENANCE OF THE FACILITY.
 19. A SEPTIC DRAIN FIELD EASEMENT SHALL BE GRANTED TO THE LANDOWNER SOUTHEASTERLY AND ADJOINING TO SAID EASEMENT AND LOT 10 BLOCK 1. SAID EASEMENT SHALL RUN WITH THE SAID ADJOINING LAND.

SECTOR	LENGTH	BEARING
L1	185.44	N67°28'21"E
L2	189.57	N67°21'50"W
L3	27.50	N54°25'18"E
L4	164.73	S27°22'18"E
L5	71.71	N72°32'11"E
L6	32.71	S57°46'22"E
L7	46.57	S22°00'00"E
L8	46.25	S71°00'00"E
L9	46.10	S80°00'00"E
L10	46.04	S107°28'52"E
L11	46.75	S27°43'42"E

PINNACLE
Engineers, Inc.
12552 N. Emerald Dr., Suite B, Boise, Idaho 83713
(208) 887-7760

241647
GB/JB



A Pioneer Company
PIONEER TITLE COMPANY
OF ADA COUNTY
8151 W. Rifleman Ave. / Boise, Idaho 83704
(208) 377-2700

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 03/04/04 02:41 PM
DEPUTY Bonnie Oberbillig
RECORDED - REQUEST OF
Pioneer
AMOUNT 6.00



CORPORATE WARRANTY DEED

FOR VALUE RECEIVED,

Bull Development Inc., an Idaho Corporation

a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto

Marion D. Groothuis and Judy L. Groothuis, husband and wife

whose address is: 6624 Randolph Dr., Boise, ID 83709, grantee, the following described real estate, to-wit:

Lot 2 in Block 2 of Echanove Ranch Subdivision No. 1, according to the Official Plat thereof, filed in Book 82 of Plats at Page 8918, 8919 and 8920, records of Ada County, Idaho and amended by an Affidavit recorded June 20, 2001, as Instrument No. 101060347.

SUBJECT TO current years taxes, irrigation district assessment, public utility easements, subdivision, restrictions, U.S. patent reservations, easements of record and easements visible upon the said premises.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in a fee simple of said premises; that they are free from all encumbrances and that it will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its officers this 2nd day of March, 2004.

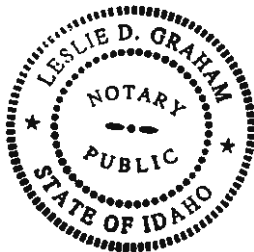
Bull Development Inc.

By: Michael S. Homan

Michael S. Homan, President

STATE OF IDAHO, County of ADA, ss.

On this 2nd day of March, in the year of 2004, before me Glen V. Bennett, a notary public, 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 executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.



Leslie D. Graham
Leslie D. Graham
Notary Public of IDAHO
Residing at Boise
Commission expires: March 8, 2006

Exhibit "A"

Grantor hereby expressly reserves unto Grantor all surface and ground water rights appurtenant to the parcel of land hereby conveyed, except for those water rights hereinafter expressly quitclaimed to the Grantee: Grantor hereby quitclaims to Grantee a prorata portion of the water rights represented by water right nos. 63-3162 and 63-4849 for the irrigation of 6.04 acres of land within the parcel of land hereby conveyed and Grantor makes no warranties of title or other warranties, express or implied, as to the nature, validity, or extent of the water rights hereby quitclaimed.

241649
GB/JB



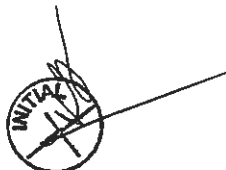
A Pioneer Company
PIONEER TITLE COMPANY
OF ADA COUNTY
8151 W. Rifleman Ave. / Boise, Idaho 83704
(208) 377-2700

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 03/04/04 02:41 PM
DEPUTY Bonnie Oberbiller
RECORDED - REQUEST OF
Pioneer
AMOUNT 6.00

2



CORPORATE WARRANTY DEED



FOR VALUE RECEIVED,

Bull Development Inc., an Idaho Corporation

a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto

Marion D. Groothuis and Judy L. Groothuis, husband and wife

whose address is: 6624 Randolph Dr., Boise, ID 83709, grantee, the following described real estate, to-wit:

Lot 1 in Block 2 of Echanove Ranch Subdivision No. 1, according to the Official Plat thereof, filed in Book 82 of Plats at Page 8918, 8919 and 8920, records of Ada County, Idaho and amended by an Affidavit recorded June 20, 2001, as Instrument No. 101060347.

SUBJECT TO current years taxes, irrigation district assessment, public utility easements, subdivision, restrictions, U.S. patent reservations, easements of record and easements visible upon the said premises.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in a fee simple of said premises; that they are free from all encumbrances and that it will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its officers this 2nd day of March, 2004.

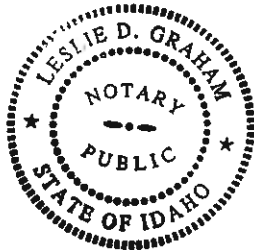
Bull Development Inc.

By: Michael S. Homan

Michael S. Homan, President

STATE OF IDAHO, County of ADA, ss.

On this 2nd day of March, in the year of 2004, before me Leslie D. Graham, a notary public, 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 executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.



Leslie D. Graham
Leslie D. Graham
Notary Public of Idaho
Residing at Boise
Commission expires: March 8, 2006

Exhibit "A"

Grantor hereby expressly reserves unto Grantor all surface and ground water rights appurtenant to the parcel of land hereby conveyed, except for those water rights hereinafter expressly quitclaimed to the Grantee: Grantor hereby quitclaims to Grantee a prorata portion of the water rights represented by water right nos. 63-3162 and 63-4849 for the irrigation of 8.05 acres of land within the parcel of land hereby conveyed and Grantor makes no warranties of title or other warranties, express or implied, as to the nature, validity, or extent of the water rights hereby quitclaimed.



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

August 22, 2001

MATT HOWARD
ATTORNEY AT LAW
2402 W JEFFERSON
BOISE ID 83702

Re: Application for Transfer Nos. 68907, 68908, 68909, 68910, 68911, 68912, 68913, 68914, 68915, 68916, 68917, 68919, 68921, 68922, and 68923 (Water Right No. 63-03162) in the Name of Bull Development

Dear Mr. Howard:

This office acknowledges the withdrawal of the above-referenced applications for transfer of water right no. 63-03162.

The applications will now be removed from the Department's records.

If you have any questions concerning this matter, please contact this office.

Sincerely,

Gary Spackman

GS:st

MICROFILMED
SEP 19 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

April 12, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Mike Homan
Bull Development
2229 W State Street
Boise ID 83702

Re: Applications for Transfer for Water Right no. 63-03162 – Echanove Ranch

Dear Mr. Homan:

The Idaho Department of Water Resources (IDWR) recently published notice of 15 applications for transfer, filed by Bull Development, proposing to add or change points of diversion to water right no. 63-03162. In total, the applications propose the drilling of a well for each of 15 ten-acre subdivision lots in the Dry Creek Drainage.

During prior conversations with Pinnacle Engineers, IDWR staff identified a claim to divert surface water flowing in Dry Creek for beneficial use on the property proposed for development. The claim is numbered in the records of IDWR as 63-04849. During the preliminary conversations, the relationship between the use of ground water and surface water was discussed.

IDWR understood that Bull Development did not want to construct a common system for delivery of the ground water or the surface water. Instead, IDWR understood that Bull Development wanted a point of diversion authorized for each of the lots so each individual lot owner could use water without maintaining a common system through a homeowners' association.

Bull Development represented to IDWR that the majority of the water beneficially used on the property had been diverted from ground water. There was some discussion about the possibility that the Dry Creek right had been forfeited or was no longer used for irrigation of the Echanove property, and that the right might be disallowed in the Snake River Basin Adjudication. As a result, the applications for transfer proposed a point of diversion from ground water for each proposed residential lot, but did not propose any parallel diversion or delivery of the surface water rights.

If the applications for transfer proposing points of diversion only from ground water were approved by IDWR as filed, it is likely that whatever surface water had been historically used on the Echanove property would not be beneficially used in the future. Because the surface water use has not been addressed, I am obligated to investigate the beneficial use of ground water to quantify the historical beneficial use of the ground water right. Failure to review the

MICROFILMED

SEP 19 2001

Mike Homan
April 12, 2001
Page 2

historical beneficial use of ground water could result in an enlargement of use of ground water right no. 63-03162. The quantities of water transferred and the number of acres authorized for irrigation by the transfer depend directly upon the historical use of ground water.

Staff extracted power consumption information from IDWR records for Pete Echanove's irrigation well for the years 1995-2000. During the six year period, the pump was only operated during May of 1998. The relationship between power consumption and water pumped can be estimated using the horsepower equation. IDWR estimates that only 0.2 acre-feet was pumped in May of 1998. This compares to a maximum allowable diversion volume of 4.5 acre feet per acre of irrigated ground. I've enclosed a copy of a spreadsheet for your review.

I recognize the power records may be incomplete, or may not represent the entire history of use of water. Water may have been diverted from ground water by some other means than by the electrical pump and motor. There may be other factors that influence the analysis. Nonetheless, the power records are the only information IDWR now has to analyze the historical use of ground water. Without further information, I would conclude that severance of the ground water right from the surface water right would result in recognizing less than one acre that could be irrigated from ground water.

This letter is a request for further information regarding the diversion and beneficial use of ground water under water right no. 63-03162. The information you provide will be used to determine quantities of water diverted and acres irrigated in any approved transfer. As part of the submittal, you should also reconcile IDWR's analysis of the 1995 - 2000 power records with your conclusions. You may contact Dan Nelson at 334-2190 to discuss the information or the spreadsheet computations.

Please submit the requested information within the next thirty (30) days. Failure to submit the information will result in a recommendation to limit total annual volume diverted, flow rate, and acres irrigated based on the power consumption information we now have.

Respectfully,



Gary Spackman

cc. John Carpenter
Dan Nelson

MICROFILMED

SEP 19 2001

MATT J. HOWARD

ATTORNEY AT LAW

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

EMAIL: MHOWARD@MICRON.NET

May 8, 2001

RECEIVED

MAY 09 2001

WATER RESOURCES
WESTERN REGION

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

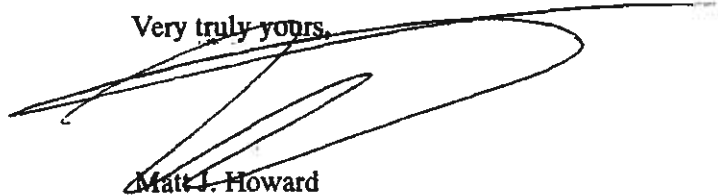
RE: Notice of Withdrawal of Applications for Transfer for Water Right no. 63-03162 -
Echanove Ranch

Dear Gary:

Please be advised that I represent Bull Development concerning the above-referenced applications. I have reviewed your letter of April 12, 2001, as well as the water right files and transfer applications, and I have had conversations with Dan Nelson concerning an alternative to the currently pending transfer applications. I believe the alternative suggested by Dan may be a viable option and one which my Client should explore a bit further.

In the interim, my Client has decided not to pursue the pending transfer applications, which attempt to convert a supplemental groundwater right into a primary right. Therefore, please accept this letter as a notice of withdrawal of the above-referenced applications. Also, Dan mentioned that my Client may be entitled to a refund or that there is a possibility that the filing fees could carry over to a later-filed transfer application. Please let me know how the Department would propose handling the filing fees in this matter.

Very truly yours,



Matt J. Howard

cc: Mike Homan

MICROFILMED

SEP 19 2001

MEMORANDUM

TO: FILE
FROM: DANIEL A. NELSON *DAN*
DATE: 8/10/2000

RE: BULL DEVELOPMENT TRANSFER, RIGHT 63-03162

There are 15 transfers that propose to split water right 63-03162 into 15 separate water rights and irrigation systems. These transfers were filed to subdivide the original property into a 15-lot subdivision known as Echanove Ranch Estates. A new well will be added to each lot and the original well will be abandoned. Each of the 15 lots will have a 0.10-cfs diversion rate and 9.27 acres of land.

DOCUMENTS AND APPLICATION PREPARATION

Each application consists of 6 pages and 3 attachments. Note the location of the following application items:

Attach. A – Proof of ownership documentation (A1 through A3)

Attach. B – Adjudication claim (B1 through B2)

Attach. C – CSFA aerial photo based on 1999 data.

Applicant prepared the application with my assistance.

Other information used in this review includes 1994 IDWR aerial photo, 1987 NAPP aerial photo, Metes & Bounds sheet, Place of Use Comparison Sheet, and a copy of Snake River Basin Adjudication Claim for overlapping right 63-04849 all attached to this memo.

NARRATIVE

The applicant is attempting to split this right into 15 equal parts to supply water to a new subdivision. The applicant wants the lots to be ready to sell so all the new owners would need to do is file a change of ownership with us.

A 1993 CFSA aerial photo was supplied and the CSFA office told the applicant that the acres listed on the photo were from the 1999 irrigation season. I checked these with the 1994 and 1987 aerial available in our office and I am confident that this land was irrigated prior to commencement of the SRBA and within the last 5 years. The applicant supplied a warranty deed as proof of ownership.

MICROFILMED

SEP 13 2001

page 2

Bull Development

The only real problem that I found was the overlapping statutory claim 63-04849. This claim is for the exact same acres as the groundwater right associated with this application. The original owner applied for the groundwater, because the surface water right was only a flood right and usually did not provide any water after the end of June if there was water at all. The current owners do not know if the statutory right has been used, but they did say that the ditches and diversion point were still there. The groundwater right was licensed as a primary right since the department has not validated the statutory claim.

The applicant wanted to add the surface water right into this transfer, but staff decided that the applicant was not actually transferring anything involving the surface water right. Therefore, it was decided that the surface water could be handled in the change of ownership process. Most of the lots should have access to the ditch if they need it, or they can come in and file a transfer to move the point of diversion since most of the lots border Dry Creek.

RECOMENDATIONS

This transfer should be approved as filed. The Statutory claim, 6304849, should remain attached to all of the splits until the SRBA has had the opportunity to review the statutory claim. If the SRBA determines that the statutory claim has been forfeited or is no longer valid, then this water right should be allowed to remain a primary irrigation right.

MICROFILMED

SEP 19 2001

page 2
Bull Development

The only real problem that I found was the overlapping statutory claim 63-04849. This claim is for the exact same acres as the groundwater right associated with this application. The original owner applied for the groundwater, because the surface water right was only a flood right and usually did not provide any water after the end of June if there was water at all. The current owners do not know if the statutory right has been used, but they did say that the ditches and diversion point were still there. The groundwater right was licensed as a primary right since the department has not validated the statutory claim.

The applicant wanted to add the surface water right into this transfer, but staff decided that the applicant was not actually transferring anything involving the surface water right. Therefore, it was decided that the surface water could be handled in the change of ownership process. Most of the lots should have access to the ditch if they need it, or they can come in and file a transfer to move the point of diversion since most of the lots border Dry Creek.

RECOMENDATIONS

This transfer should be approved as filed. The Statutory claim, 6304849, should remain attached to all of the splits until the SRBA has had the opportunity to review the statutory claim. If the SRBA determines that the statutory claim has been forfeited or is no longer valid, then this water right should be allowed to remain a primary irrigation right.

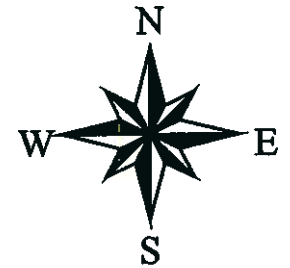
MICROFILMED

SEP 19 2001

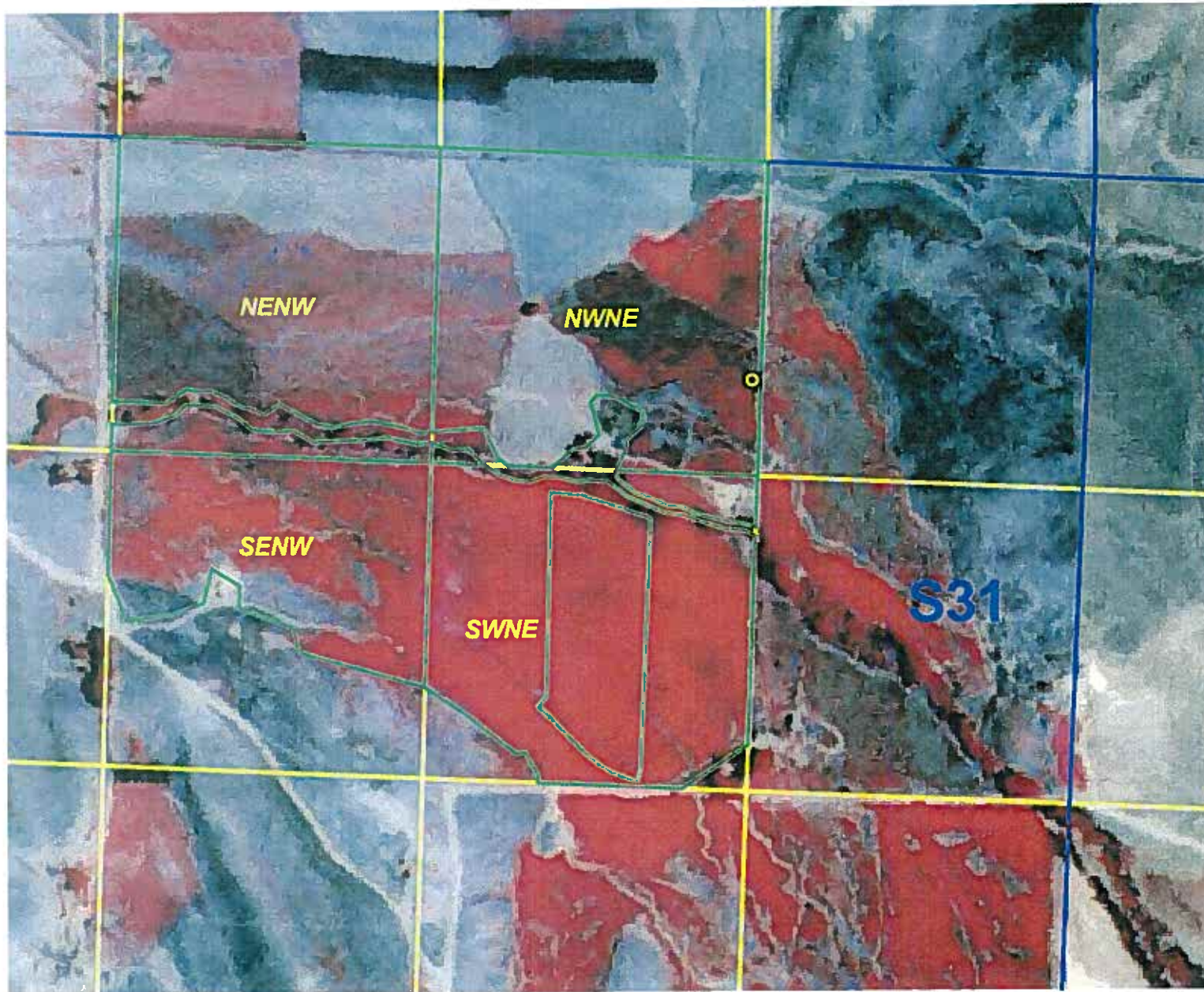
Idaho Department of Water Resources

Claims: 63-31739
Date Prepared: 07-25-03
By: Ron Howerton

T05N, R02E
S31



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



0 0.25 0.5 0.75 Miles

1987 NAPP

07/23/2003

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

RIGHT NUMBER: 63-31739

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.392 CFS
580.500 AFY

USE OF THIS RIGHT WITH RIGHT NO. 63-31737 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 2.58 CFS.

PRIORITY DATE: 07/14/1959

POINT OF DIVERSION:

T05N R02E S31 SENWNE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/01 11/15

QUANTITY
1.392 CFS
580.50 AFY

PLACE OF USE:

IRRIGATION Within ADA County

T05N R02E S31 NWNE 40.3
T05N R02E S31 NENW 38.7

T05N R02E S31 SWNE 27.0
T05N R02E S31 SENW 23.0

129 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 63-31737 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 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: License

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

Idaho Department of Water Resources

Claims: 63-31739
Date Prepared: 07-25-03
By: Ron Howerton

T05N, R02E
S31



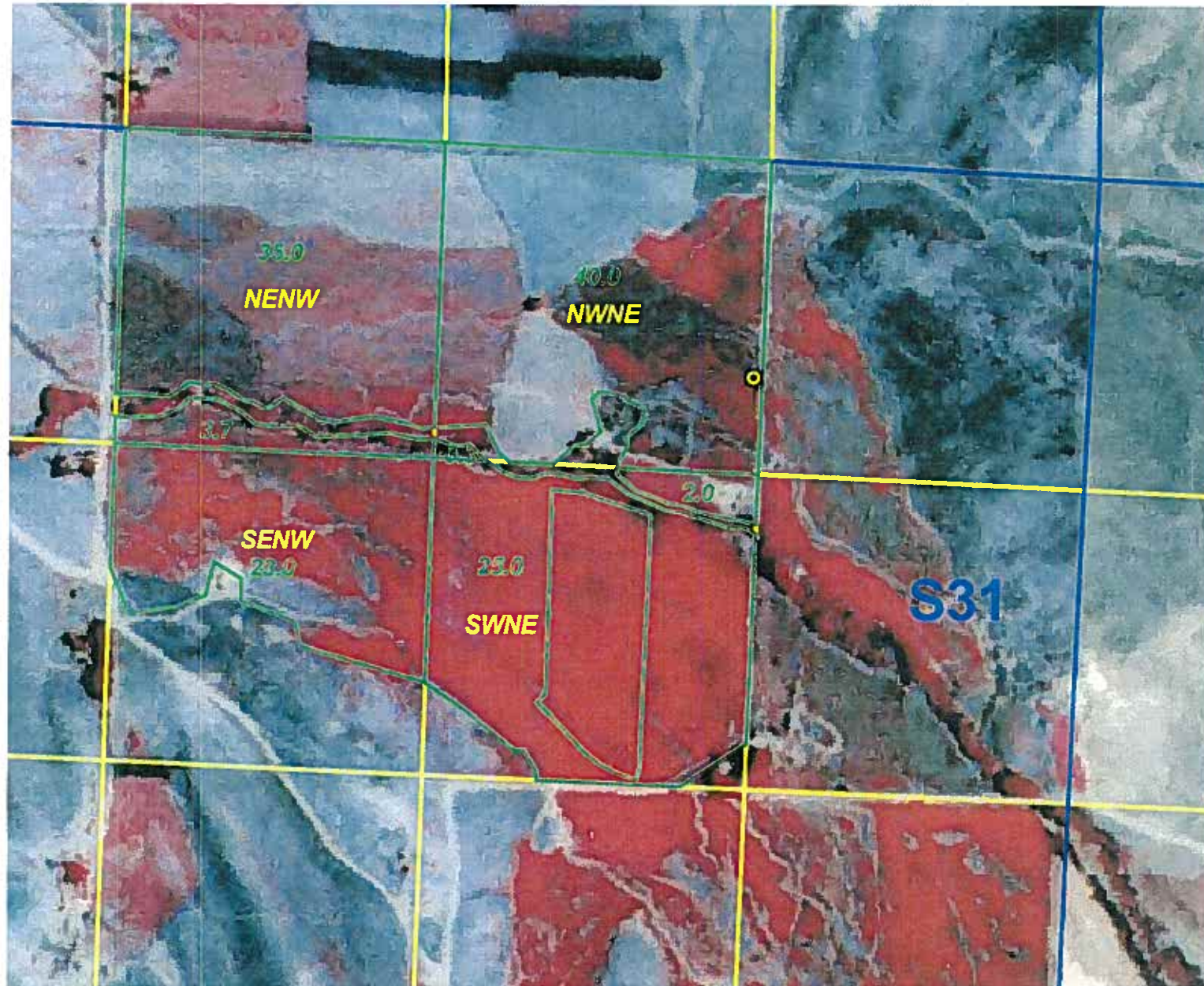
⊙ **Point of Diversion**

 **Place of use**

 **Section**

 **1/4 1/4**

129 Acres



0 0.25 0.5 0.75 Miles

1987 NAPP

Idaho Department of Water Resources

Claims: 63-31739
Date Prepared: 07-25-03
By: Ron Howerton

T05N, R02E
S31

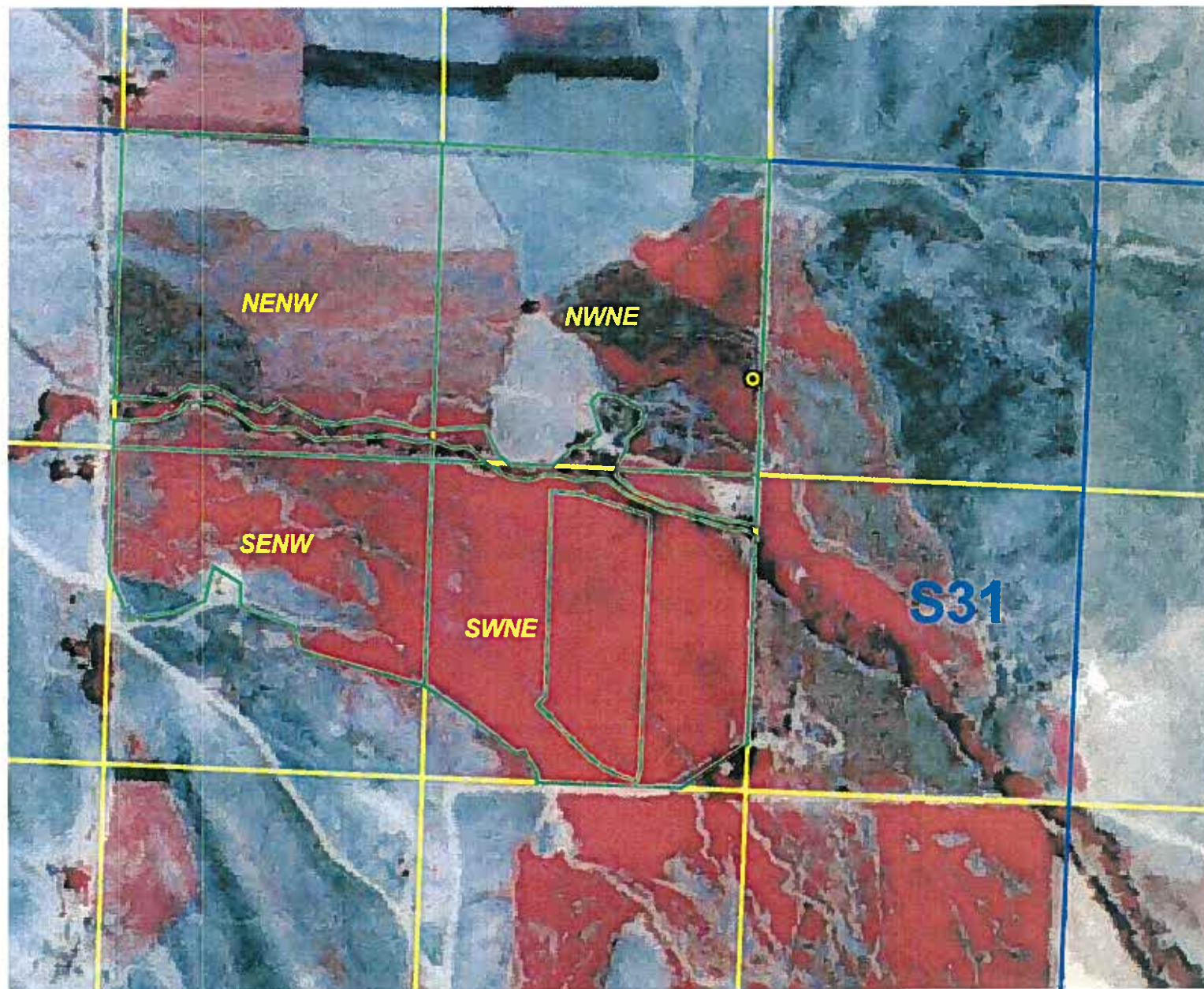


⊙ Point of Diversion

Place of use

Section

1/4 1/4



0 0.25 0.5 0.75 Miles

1987 NAPP

GROUND WATER

03/06/2003

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

RIGHT NUMBER: 63-3162

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

OK - RECOMMENDATION 63-31737

SOURCE: GROUND WATER

QUANTITY: 1.500 CFS
623.300 AFY

1.392
580.5

TRIBUTARY:

NEW SPLIT NO. 63-31737
DRY CR - BULL DEV

USE OF THIS RIGHT WITH RIGHT NO. 63-4849 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 2.78 CFS.

PRIORITY DATE: 07/14/1959

POINT OF DIVERSION:

T05N R02E S31 SENWNE Within ADA County Source: GROUND WATER

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/01 11/15

QUANTITY
1.500 CFS
623.300 AFY

1.392

PLACE OF USE: IRRIGATION Within ADA County

T05N R02E S31 NWNE 40.3
T05N R02E S31 NENW 38.7

T05N R02E S31 SWNE 37.0
T05N R02E S31 SENW 23.0

27

580.5

129
139 ACRES TOTAL

NEW SPLIT NO. 63-31737
DRY CR - BULL DEV.

USE OF THIS RIGHT WITH RIGHT NO. 63-4849 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 139.0 ACRES IN A SINGLE
IRRIGATION SEASON.

129

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: License

PROPERTY IS ALSO KNOWN AS ECHANOVE RANCH ESTATES.

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

SUPPLEMENTAL RIGHT

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.

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

Water right number: 63-32416

GAYLON BALL
14180 BALLMANOR PL
BOISE ID 83714

RECEIVED

OCT 13 2006

WATER RESOURCES
WESTERN REGION

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: 10-10-2006

SIGNATURE: *Gaylon Ball*

Please print your name: Gaylon Ball

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

09/08/2006

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

RIGHT NUMBER: 63-32416

NAME AND ADDRESS: GAYLON BALL
14180 BALLMANOR PL
BOISE ID 83714

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.280 CFS
117.000 AFY

USE OF THIS RIGHT WITH RIGHT NO. 63-32407 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF .52 CFS.

PRIORITY DATE: 07/14/1959

POINT OF DIVERSION:

T05N R02E S31 SENWNE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.280 CFS 117.00 AFY

PLACE OF USE: IRRIGATION Within ADA County

T05N R02E S31	NWNE	24.00	T05N R02E S31	SWNE	2.00
---------------	------	-------	---------------	------	------

26 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 63-32407 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 26 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 - License

This right is a split from former right 63-31739 .



Idaho Department of Water Resources

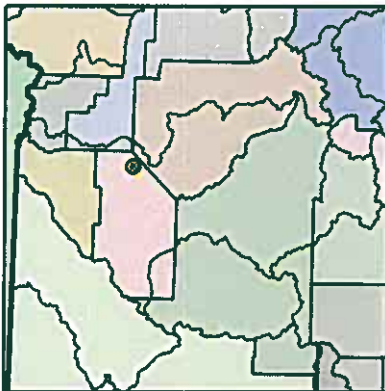
SRBA Recommendation:

63-32416

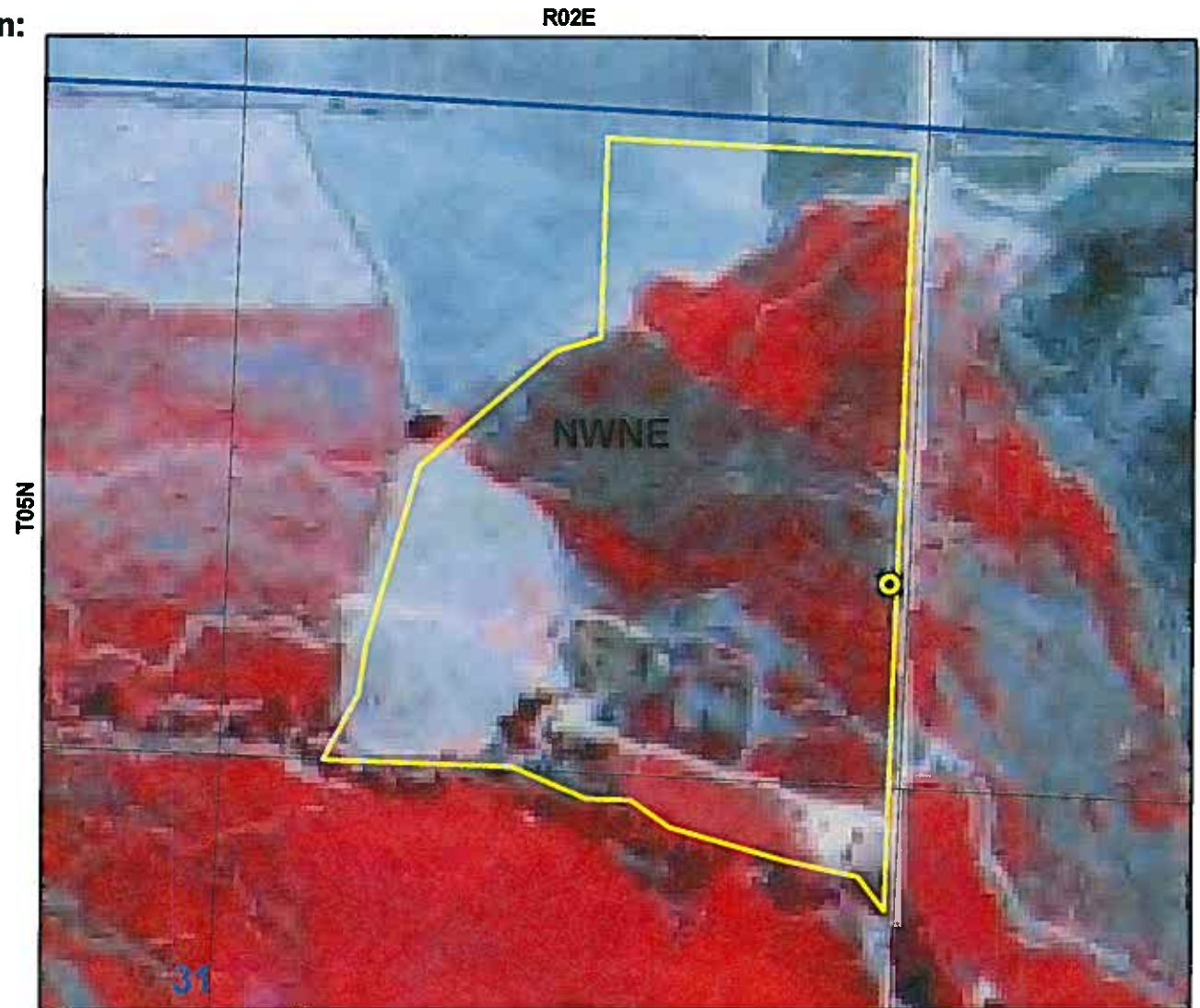
(Irrigation)

Legend

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



Ada County
IDWR Basin 63



0 0.1 0.2 Miles

A horizontal scale bar with markings for 0, 0.1, and 0.2 miles.

Prepared by S. Egbert
On Friday, September 8, 2006
1987/88 Aerial Photography

03/06/2003

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

RIGHT NUMBER: 63-3162

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.500 CFS
625.500 AFY

USE OF THIS RIGHT WITH RIGHT NO. 63-4849 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 2.78 CFS.

PRIORITY DATE: 07/14/1959

POINT OF DIVERSION:

T05N R02E S31 SENWNE Within ADA County Source: GROUND WATER

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	1.500 CFS 625.50 AFY

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	SENE	23.0

139 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 63-4849 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: License

PROPERTY IS ALSO KNOWN AS ECHANOVE RANCH ESTATES.



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
Office Specialist I
Adjudication Section
Western Region Office

DH: dh

Enclosure

cc: Matt Howard, Attorney at Law

**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 completeClaim No(s) 63-3162Owner: Echarove Phone No. _____

Current Address: _____

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

Accompanied by: MATT HOWARD; ATTORNEY FOR NEW OWNER
JOHN CARPENTER – ENR WHO 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?

Priority date, per claimant, is: _____

(If priority date, based on your exam, seems questionable, explain below.)

_____Source: GROUND WATER Tributary to _____

- ☐ 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? _____

1987
SEE A 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: 63-4849

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Dry Cr Right 63-4849 is for same acres
COMBINED ACRES AND CFS LIMITED TO 2.78 CFS

Delivery System Narrative: System change the original irrigation
system changed in 2001 from an open flow from the
well into gravity ditches and pumping from the
ditches to where gravity irrigation could not be reached
to a new pressurized system with a co-mingled distribution
pond. Pond is too small for storage based up combined
CFS limited to primary right of Dry Cr for 2.78 CFS
SEE NOTE and pond diagram in file AFTER IT LEAVES
THE DISTRIBUTION POND. my FIELD MAP shows system
up to the pond.

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size
	Hollowshaft	20		US MOTORS	6" Discharge

FLOW MEASUREMENTS: NA LICENSED

Attach appropriate documents

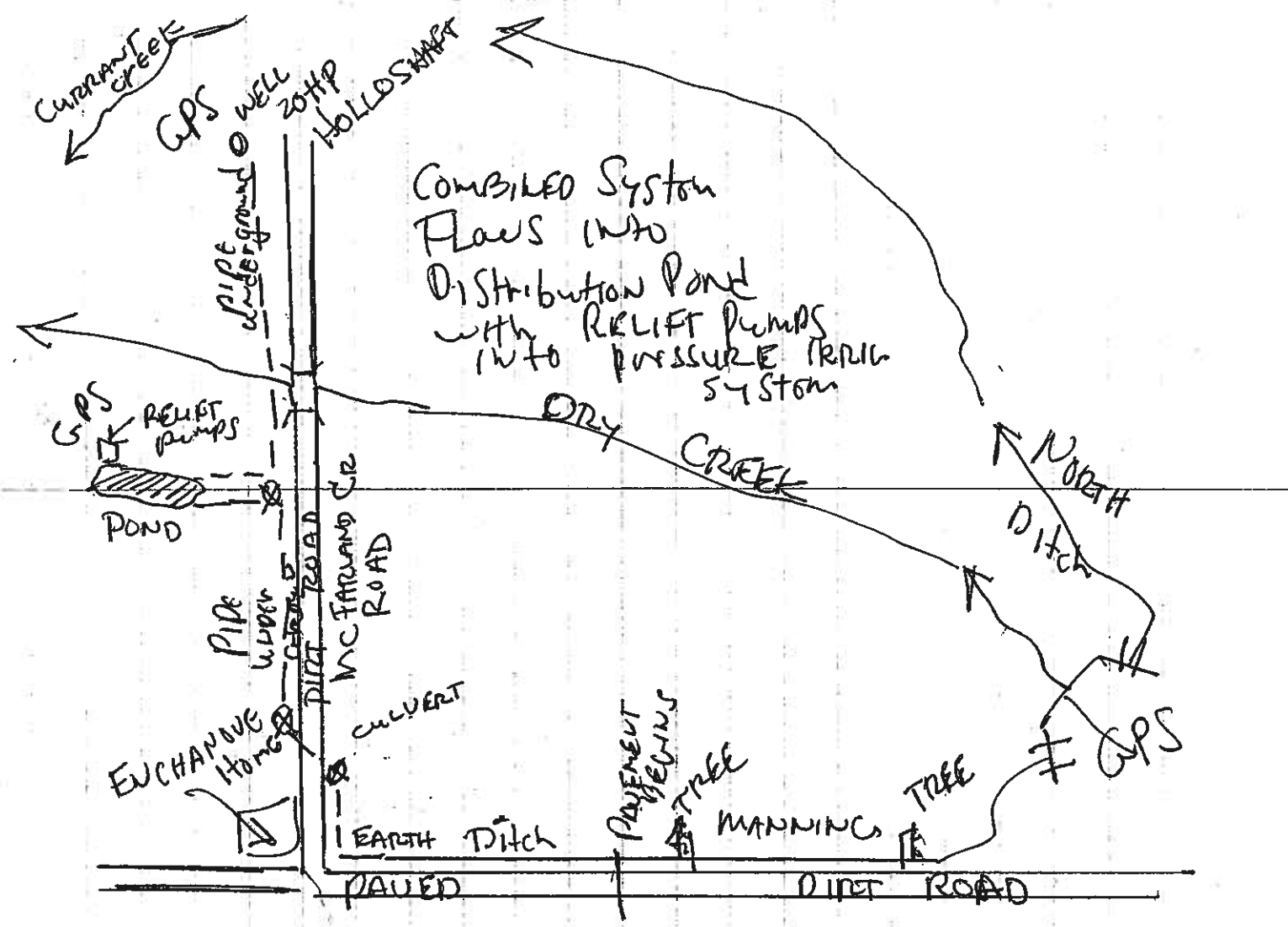
NARRATIVE/REMARKS/COMMENTS

Property is AKA ECHANQUE RANCH ESTATES ---

use of this right with 63-4849 is limited to
a total combined diversion rate of 2.78 CFS AND
139 ACRES IN A SINGLE IRRIGATION SEASON.

FR= 11-14-02
TRCH

FIELD MAP-SYSTEM DIAGRAM



Howerton, Ron

From: Howerton, Ron
Sent: Wednesday, November 06, 2002 11:44 AM
To: 'Matt Howard'
Cc: Howerton, Ron
Subject: RE: Field Exams

Matt,

ok...

Ron

-----Original Message-----

From: Matt Howard [mailto:mhoward@fiberpipe.net]
Sent: Wednesday, November 06, 2002 11:18 AM
To: 'Howerton, Ron'
Subject: RE: Field Exams

Ron,

The Echanove Ranch engineer, John Carpenter, is available Thursday, so let's plan on doing the Echanove claims on Thursday, and you and I will do the Frazell-Keys and Brush claims on Friday. Both times will be at 10am at the Hidden Springs coffee shop / merc.

Thanks,
Matt

-----Original Message-----

From: Howerton, Ron [mailto:RHowerto@idwr.state.id.us]
Sent: Wednesday, November 06, 2002 8:15 AM
To: MATT J. HOWARD (E-mail)
Cc: Howerton, Ron
Subject: Field Exams

Matt,

I'm ready to do field exams for some of your clients next week. The days next week are all open except Monday Veterans day.

We could do the Brush-Frazell-Keys on one day and the Echanove (Bull Development) on another.

I assume you want to do the scheduling and let me know...

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

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-3162**

11/20/2002

1

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

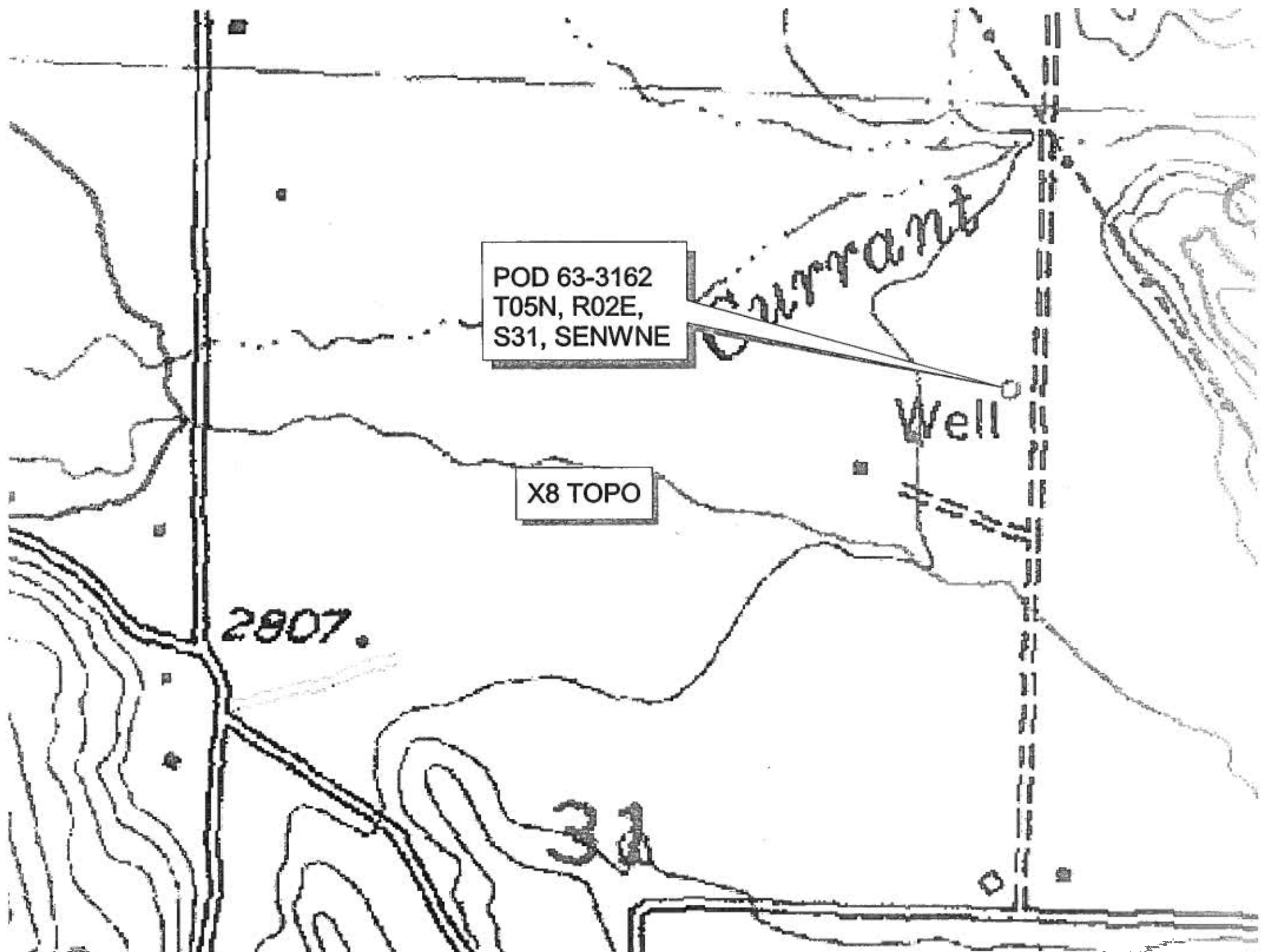
POD 63-3162
T05N, R02E,
S31, SENWNE

X8 TOPO

Well

2807.

31



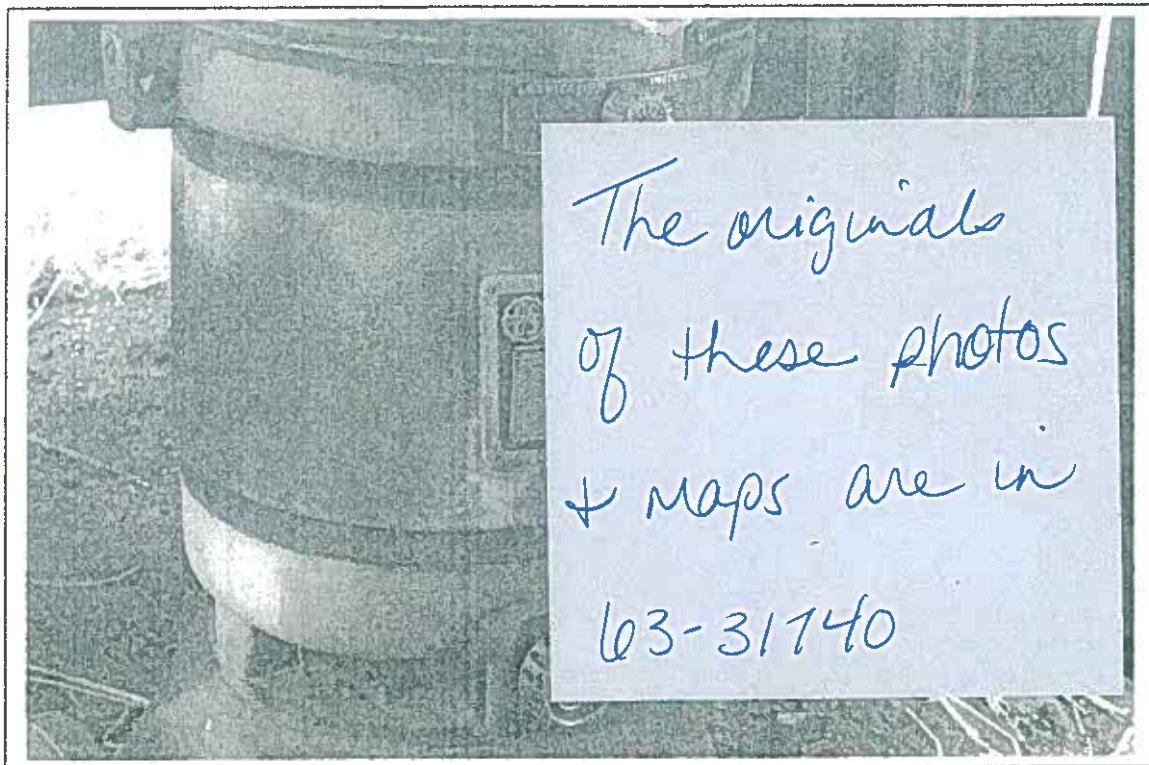


Photo 1: 63-3162, Field Exam 11-14-02: Located in the SENWNE, S31, T05N, R02E. GPS location shown on 1987 NAPP. 20 HP Holloshaft. Old system had 6" discharge east into gravity flow ditches. Pumps were used to deliver water to areas not reached by gravity irrigation.

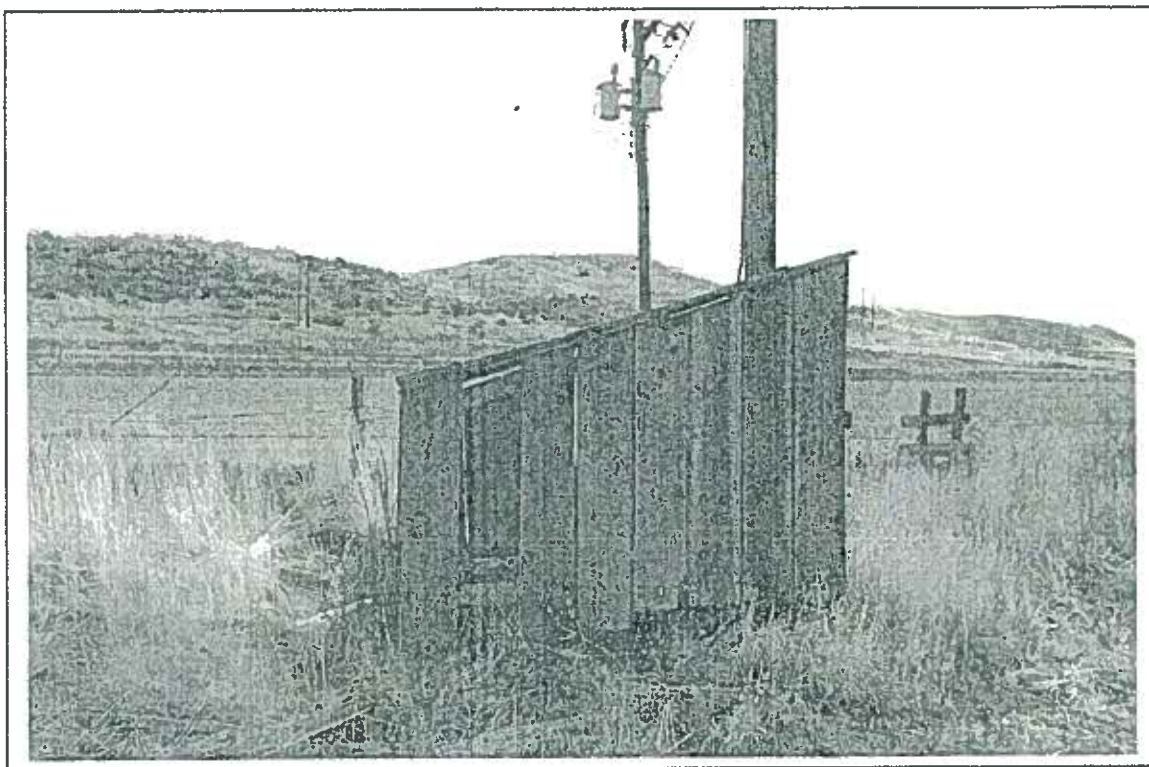


Photo 2: Well house. View is to east. New system from well delivers water in underground piping into a distribution pond where the groundwater is commingled with Dry Creek water. Re-lift pumps put water in to a pressurized underground sprinkler system. See attached Enchanove Ranch Estates plats for detailed irrigation system.

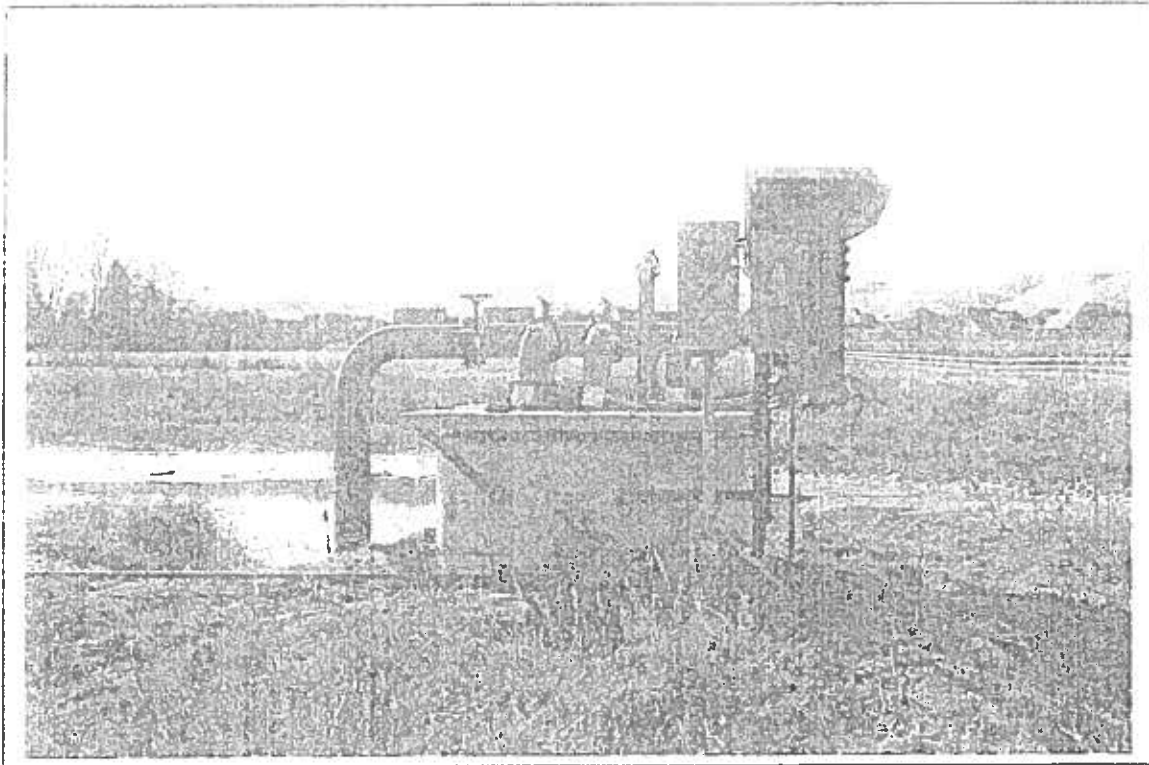


Photo 3: Distribution pond with re-lift water pumps. Piped into pressurized sprinkler irrigation system. View is to south in the SWNE, S31, T05N, R02E.

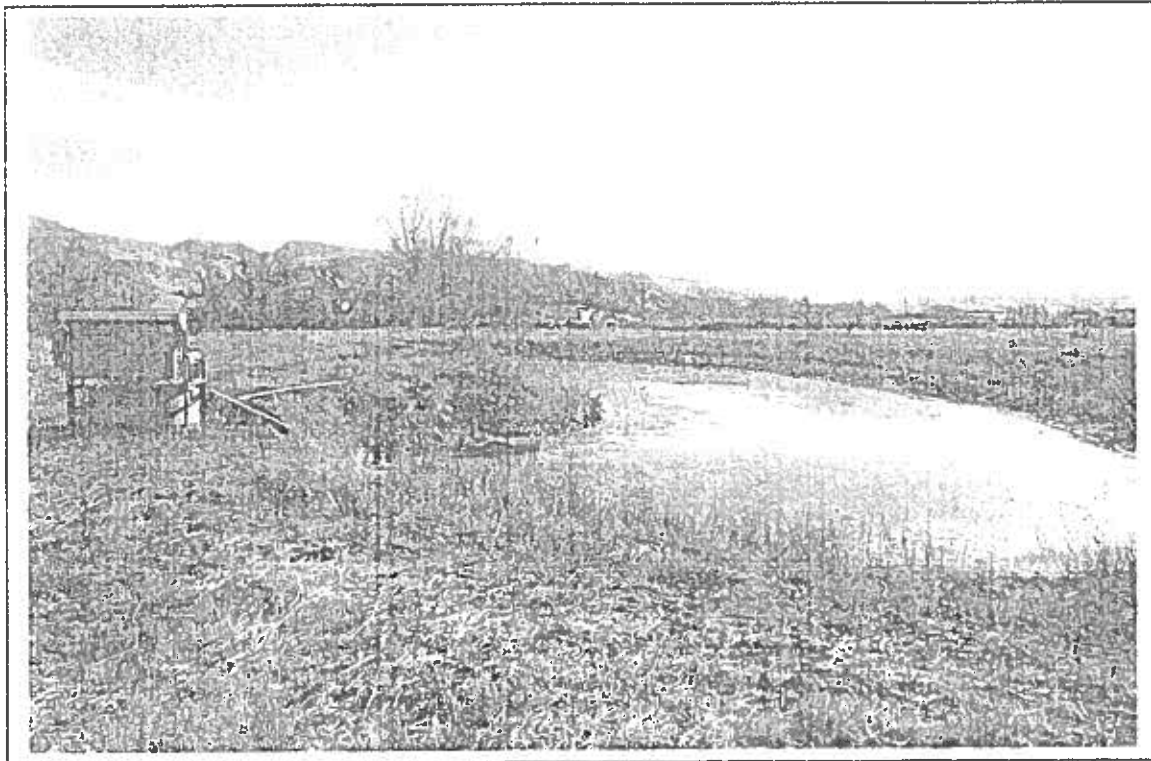


Photo 4: Distribution pond & pressurized system, view is to the east. See attached measurements. The pond has 5.17 AFA volume MAX. The well water is supplemental to surface Dry Creek right and thus the MAX combined flow is 2.78 CFS. $(2.78)(1.9835) = 5.51$ AFA.

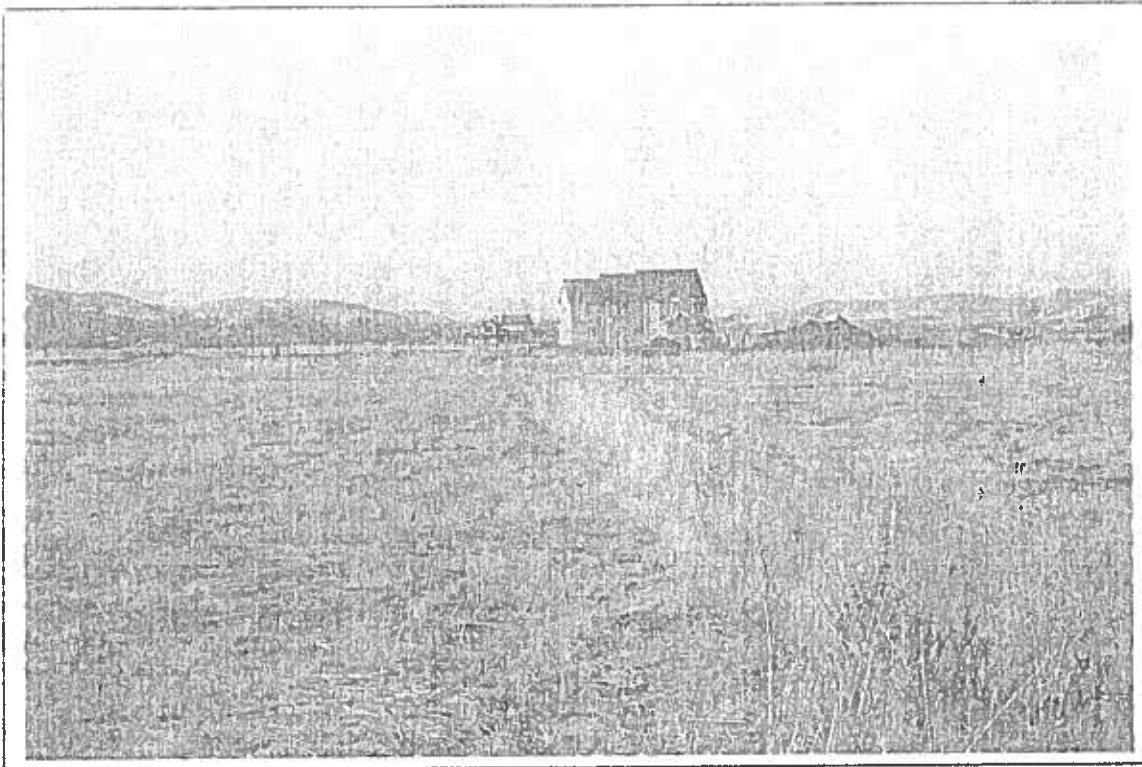


Photo 5: Place of use view to west from dirt road near Currant Creek in the NWNE S31, T05N, R02E. Irrigation shown on 1987 NAPP

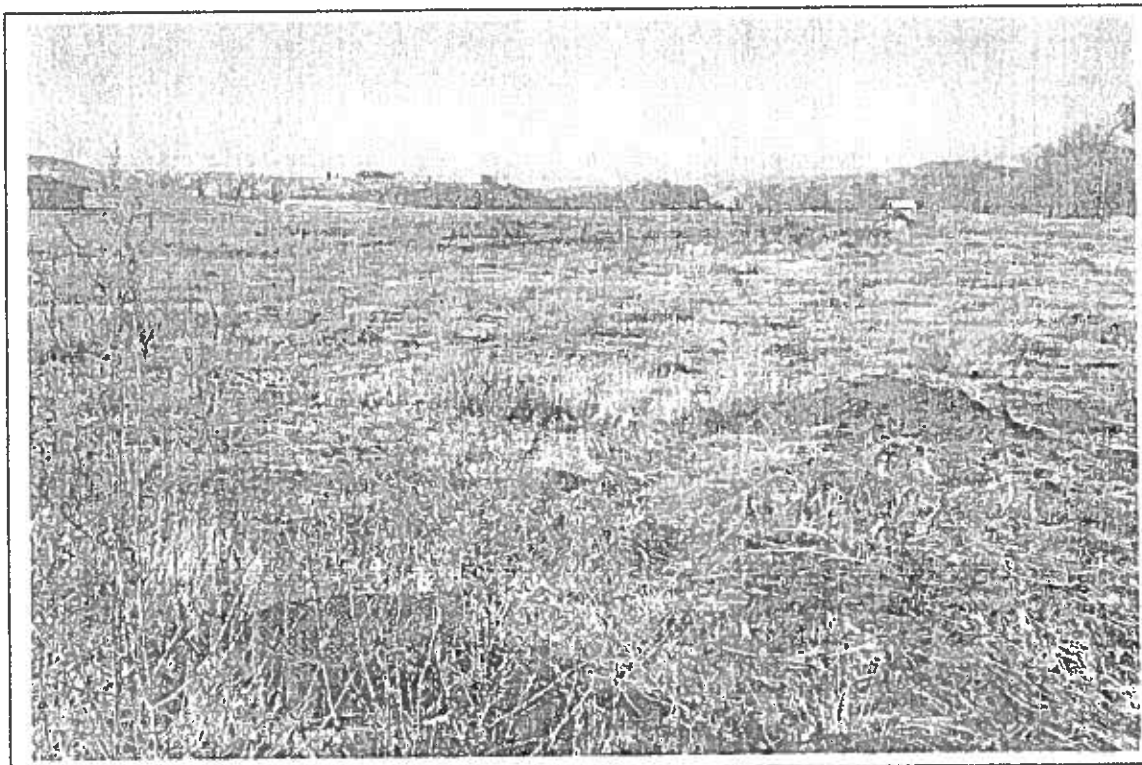


Photo 6: Place of use from dirt road. View is to west. New system pond shown in background. Re-lift pumps are on right. Manhole is part of underground system from Dry Creek. See attached Enchanove Ranch Estates plats for detailed irrigation system. Located in the SWNE, S31, T05N, R02E.

BAHO DEPARTMENT OF WATER RESOURCES

Claims: 63-3162

Date Prepared: 11-18-02

Prepared By: Ron Howerton



T05N, R02E
S31



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

100 Acres

0 0.25 0.5 0.75 Miles

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

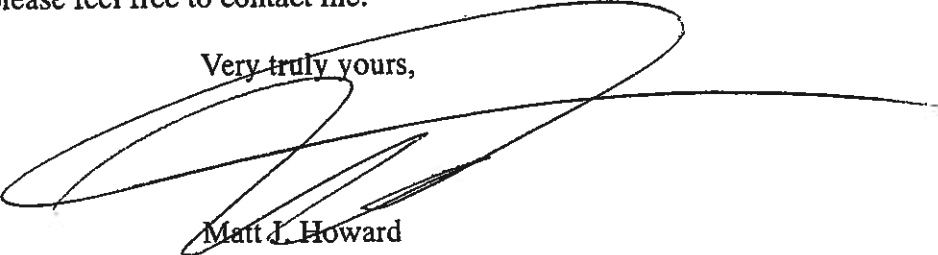
RE: Diversion Pond Plans – Echanove Ranch Estates

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

$$300 \text{ FT} \times 75 \text{ FT} = 22,500 \text{ FT}^2$$

$$22,500 \text{ FT}^2 / 43,560 = 0.516528920 \text{ ACRES}$$

$$0.517 \text{ ACRES} \times 10 \text{ FT DEPTH} = 5.17 \text{ ACRES FT VOLUME MAX}$$

AVERAGE SHORE DEPTH IS 5 FT - 40 FT INTO THE POND.

$$40 \times 75 = 3000 \text{ FT}^2$$

$$40 \times 300 = 12,000 \text{ FT}^2 + 3,000 \text{ FT}^2 = 15,000 \text{ FT}^2 / 43,560 = 0.34 \text{ ACRES} \times 5 \text{ FT AVERAGE DEPTH} = 1.7 \text{ AF VOLUME}$$

$$(0.517 \text{ ACRES TOTAL SURFACE AREA} - 0.34 \text{ ACRES}) \times 10 \text{ FT} = 1.87 \text{ AF VOLUME}$$

$$1.7 \text{ PERIMETER VOLUME} + 1.8 \text{ INTERIOR VOLUME} = 3.5 \text{ AF VOLUME}$$

THE VOLUME OF POND IS BETWEEN 3.5 AF TO 5.2 AF VOLUME.

139 acres.

$\times .02 \text{ CFS}$

2.78 CFS

THIS IS WELL WITHIN THE 5.5 ACRES FEET VOLUME

24 HOUR FILL RATE FOR

THEIR TWO WATER RIGHTS.

$$63 - 3162 = 1.50 \text{ CFS}$$

$$63 - 4849 = 2.78 \text{ CFS}$$

4.28 CFS

LIMIT RATE TO 2.78 CFS

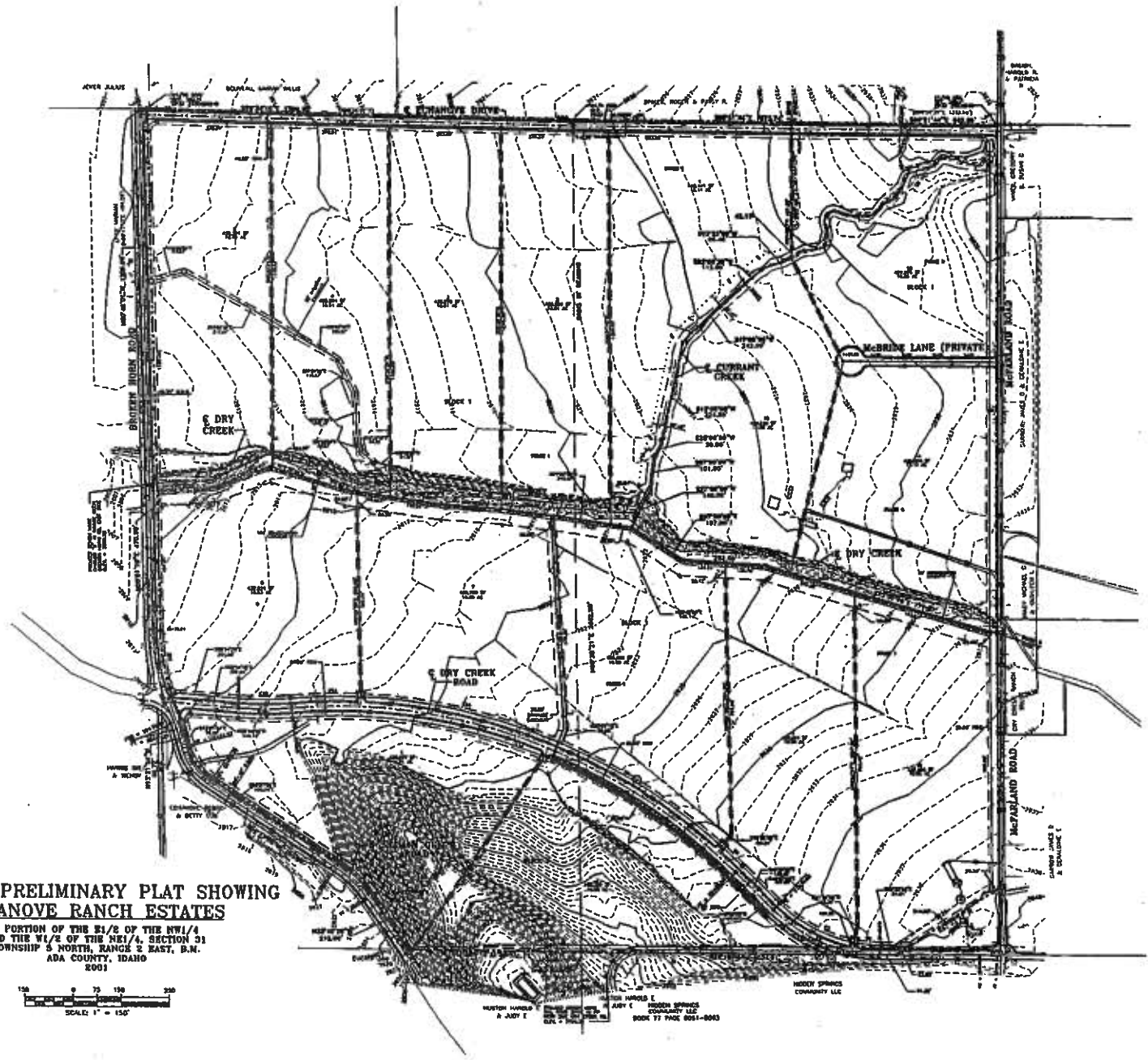
$\times 1.98$

5.5 ACRES FEET VOLUME WITHIN 24HR FILL

Page 5 of 6

**AMENDED PRELIMINARY PLAT SHOWING
ECHANOVE RANCH ESTATES**

A PORTION OF THE S1/2 OF THE NW1/4
AND THE W1/2 OF THE NE1/4, SECTION 31
TOWNSHIP 5 NORTH, RANGE 2 EAST, B.M.
ADA COUNTY, IDAHO
8001



DAVID HARRIS & JUDY L
JAN 1
JOSHUA SPRINGS
COMMUNITY LLC
BOOK 77 PAGE 8001-8003

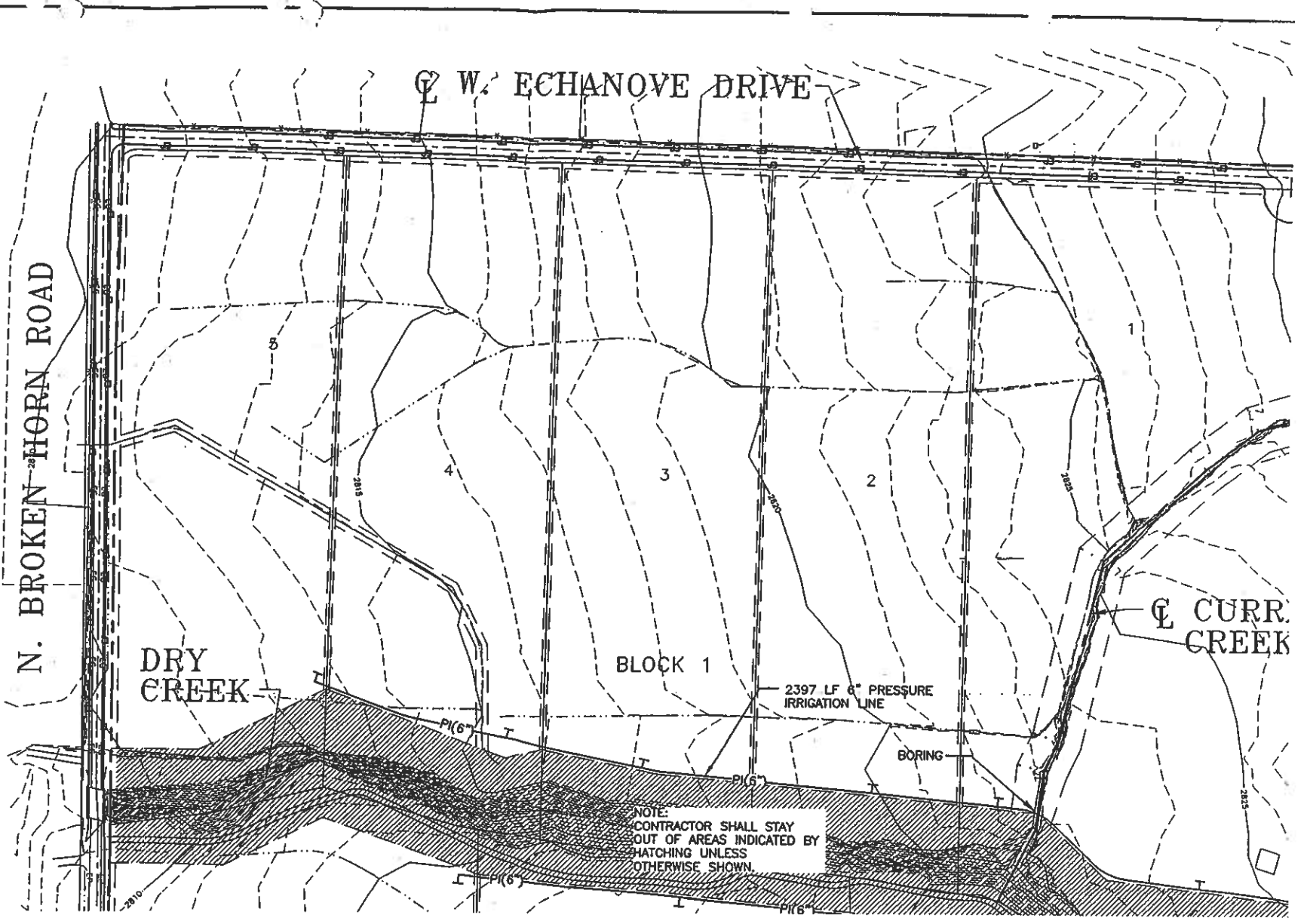
PINNACLE
Engineers, Inc.
201 N. 10th Street, Suite 200
IDAHO FALLS, ID 83401-1700

ECHANOVE RANCH ESTATES
AMENDED PRELIMINARY PLAT

REVISED
NO. DATE REASON

DATE
DRAWN BY:
CHECKED BY:
PROJECT NO.
SHEET

PP



W. ECHANOVE DRIVE

N. BROKEN HORN ROAD

DRY CREEK

BLOCK 1

CURR. CREEK

2397 LF 6" PRESSURE IRRIGATION LINE

BORING

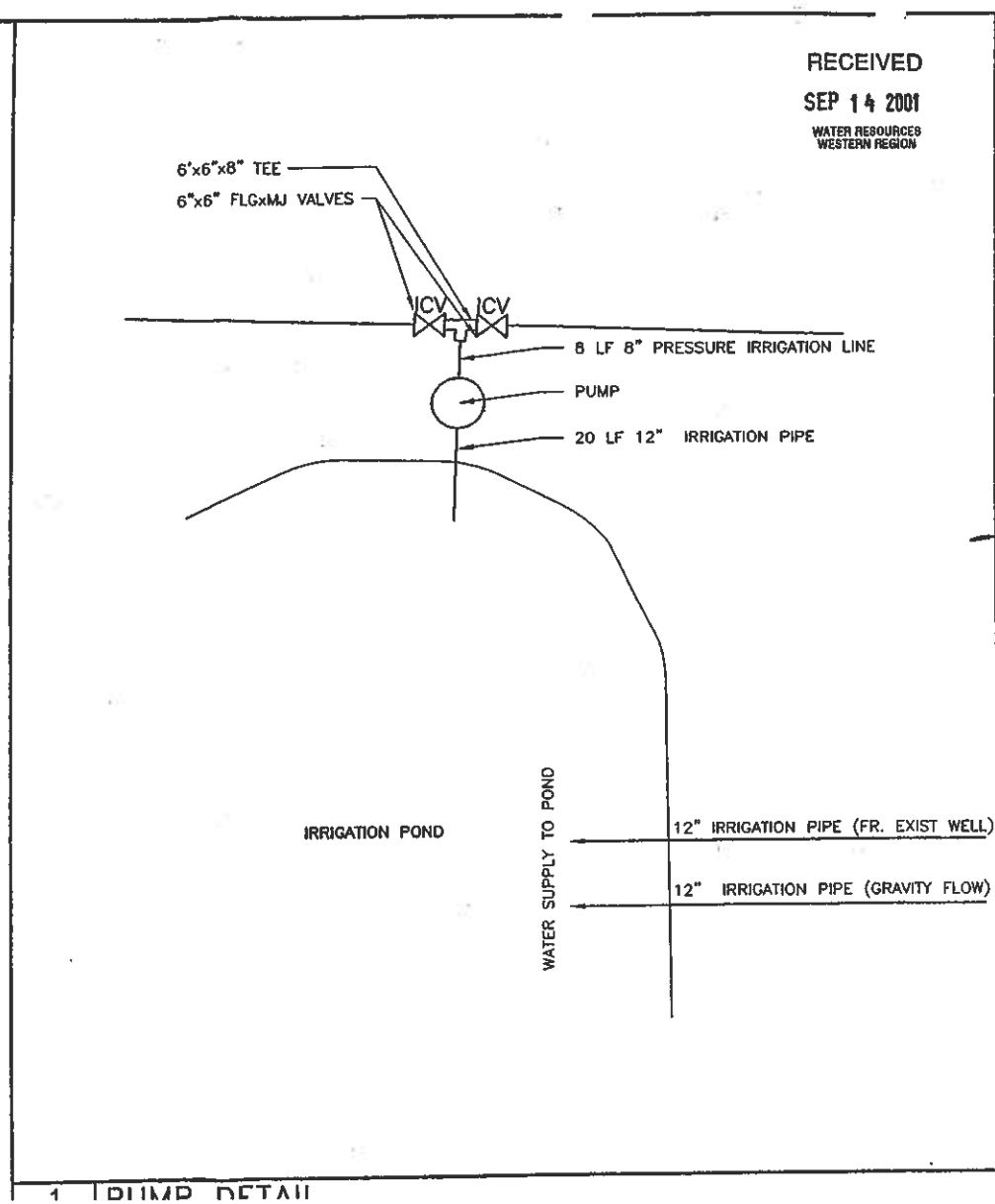
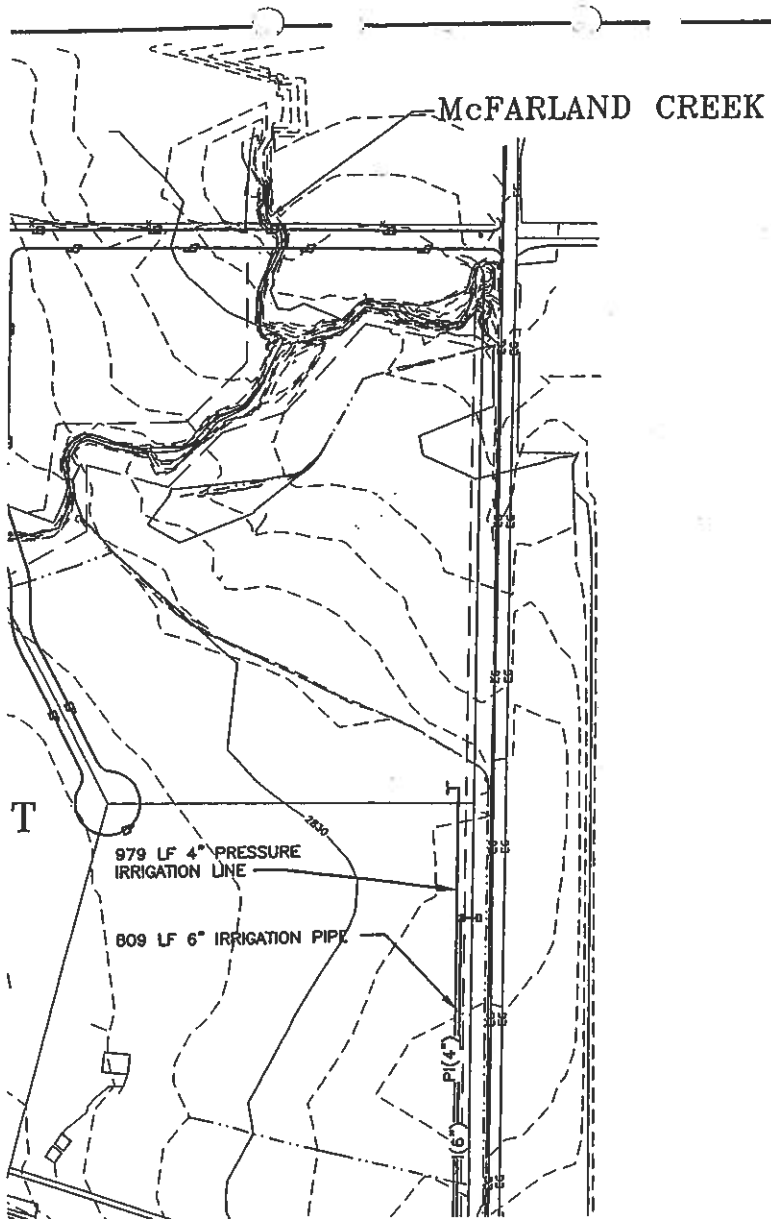
NOTE:
CONTRACTOR SHALL STAY
OUT OF AREAS INDICATED BY
HATCHING UNLESS
OTHERWISE SHOWN.

PI(6")

PI(6")

PI(6")

PI(6")

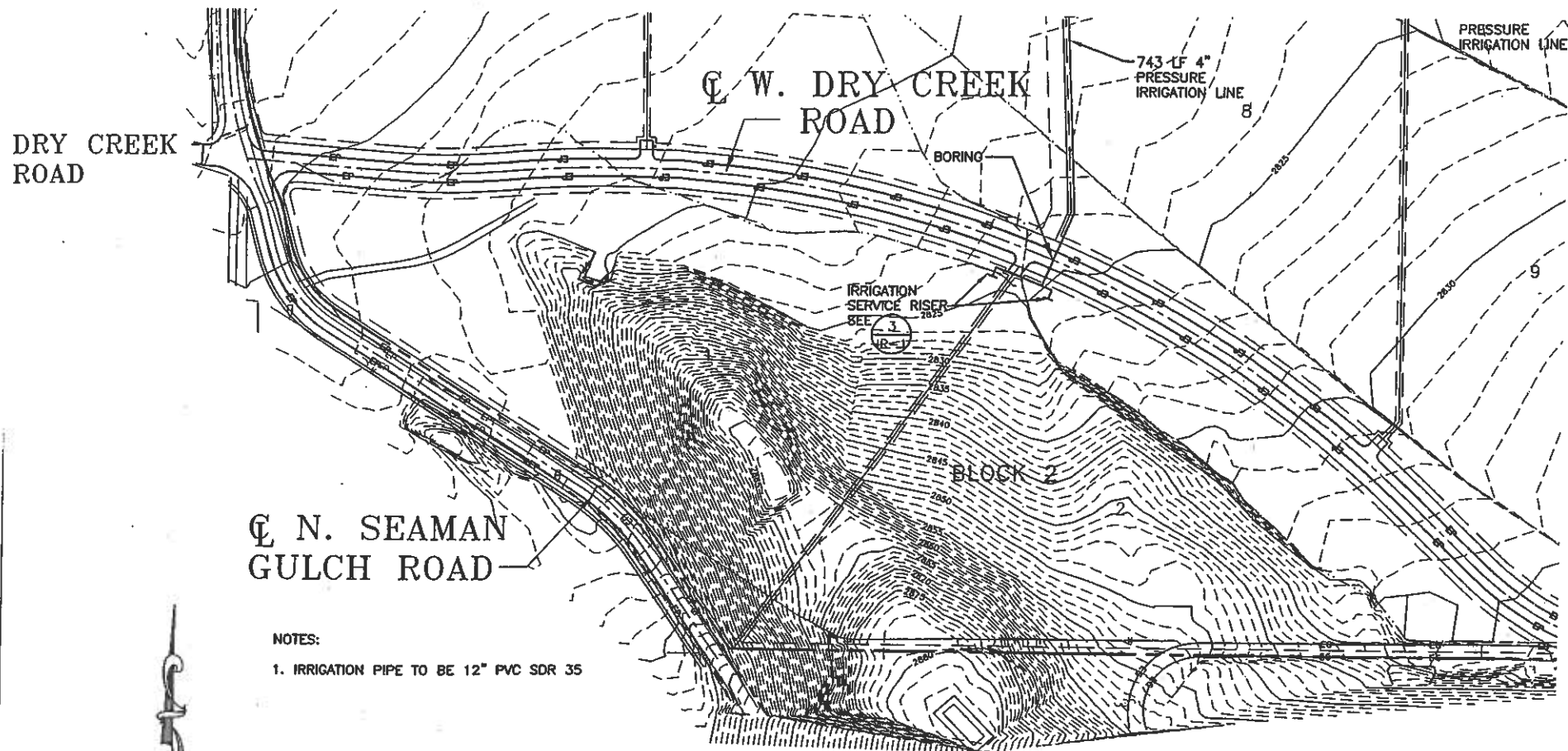


RECEIVED
SEP 14 2001
WATER RESOURCES
WESTERN REGION

PINNACLE

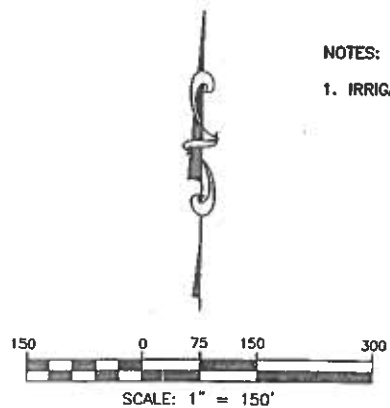


SUBDIVISION

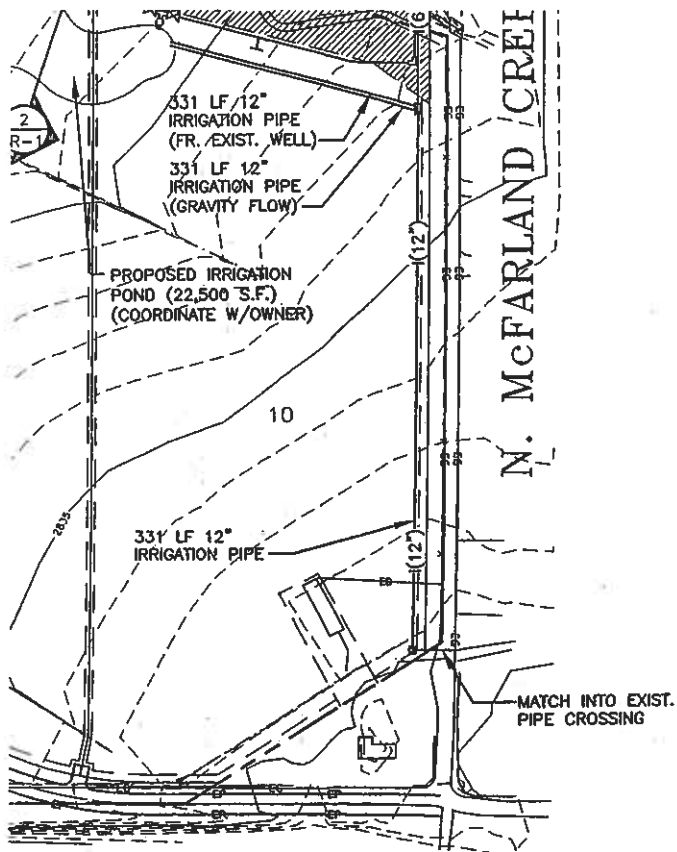


NOTES:

1. IRRIGATION PIPE TO BE 12" PVC SDR 35



—PI(4")—	NEW PRESS
—I(12")—	NEW IRRIGA
▣	NEW IRRIGA
T	NEW IRRIGA
—E—	EXISTING E
—D—	EXISTING D
▣	PROPOSED



GENERAL LEGEND

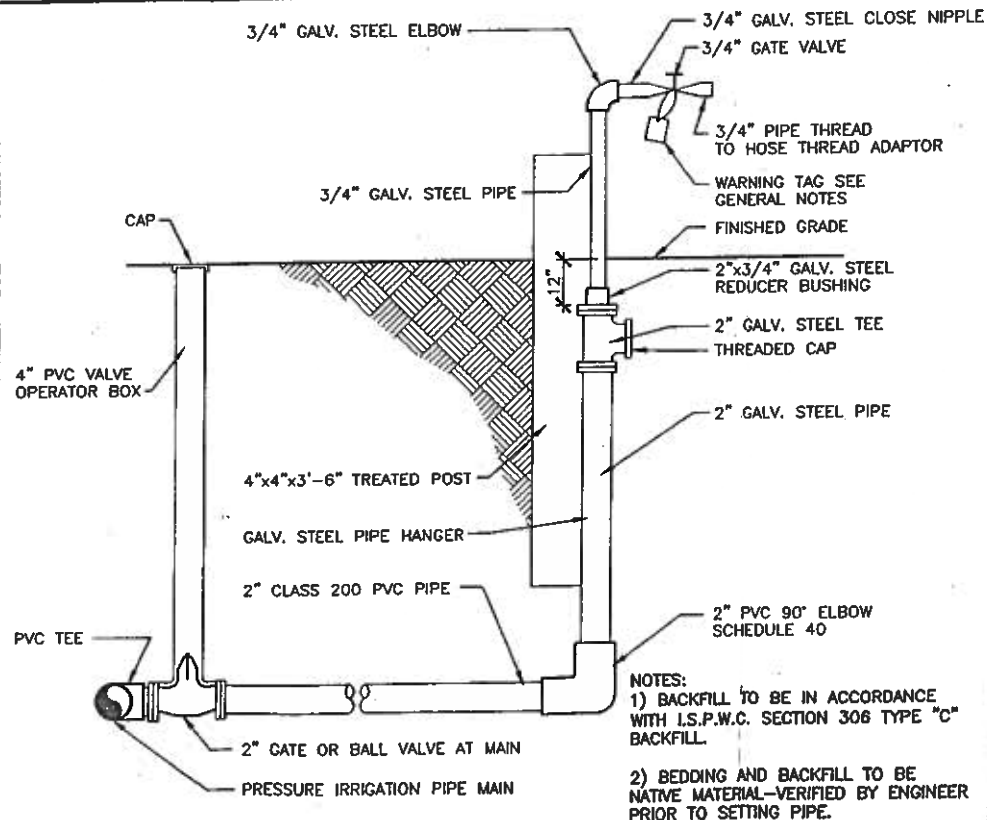
IRRIGATION LINE		NEW EDGE OF PAVEMENT
PIPE		BOUNDARY LINE
BOX		ROADWAY CENTER LINE
RISER		ROADWAY RIGHT-OF-WAY
OF PAVEMENT		EASEMENT BOUNDARY
		EXISTING CONTOUR

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.



2 RISER DETAIL

N.T.S.

ECHANOVE E
PRESSURE

REVISED
NO. DATE DES
7/18/01 PEI

DATE
6-22-01

DRAWN BY:
DKG

DESIGNED BY
JGC

CHECKED BY
J.G. CARPENT

PROJECT NO.
98627

SHEET

PI-

NOTES:
1) BACKFILL TO BE IN ACCORDANCE WITH I.S.P.W.C. SECTION 306 TYPE "C" BACKFILL.
2) BEDDING AND BACKFILL TO BE NATIVE MATERIAL-VERIFIED BY ENGINEER PRIOR TO SETTING PIPE.

Comment Report

Application ID 68907

1. dnelson 2/27/2001 Legal Notice Remarks

Comment: This transfer proposes to separate 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. psdaggs 8/30/2001 Transfer Withdrawn

Comment: Transfer Withdrawn 5-9-2001.

NOTICE OF EXTENSION OF TIME TO AVOID
FORFEITURE OF WATER RIGHTS

Notice is given that **Bull Development, Inc.** of 2229 W State St., Boise, ID 83702 has applied to the Department of Water Resources for an Extension of Time to Avoid Forfeiture pursuant to Idaho Code § 42-222, 2-irrigation rights recorded as follows in T5N R2E S31 Ada County:

Both rights cover the same 139 acres in the W ½ NE and E ½ NW.

Statutory Claim # 63-4849 – Priority date 2/21/1883, for 2.78 cfs diverted from Dry Creek in the NWNE, SWNE, and NENW.

License # 63-3162 – Priority date 7/14/1959, for 1.50 cfs diverted from Ground Water in the NWNE.

The applicant claims the land was last irrigated during the 1998 season. This application was filed to allow sufficient time for the applicant to sell the newly subdivided lots, known as Echanove Ranch Estates, and to form a homeowners association of the new owners to take over administration of the water rights.

Any protests against approval of the proposed water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 for each application on or before December 3, 2001. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Idaho Statesman on November 15 and 22, 2001.

MEMORANDUM

TO: FILE
FROM: DANIEL A. NELSON
DATE: 8/10/2000

RE: BULL DEVELOPMENT TRANSFER, RIGHT 63-03162

There are 15 transfers that propose to split water right 63-03162 into 15 separate water rights and irrigation systems. These transfers were filed to subdivide the original property into a 15-lot subdivision known as Echanove Ranch Estates. A new well will be added to each lot and the original well will be abandoned. Each of the 15 lots will have a 0.10-cfs diversion rate and 9.27 acres of land.

DOCUMENTS AND APPLICATION PREPARATION

Each application consists of 6 pages and 3 attachments. Note the location of the following application items:

Attach. A – Proof of ownership documentation (A1 through A3)

Attach. B – Adjudication claim (B1 through B2)

Attach. C – CSFA aerial photo based on 1999 data.

Applicant prepared the application with my assistance.

Other information used in this review includes 1994 IDWR aerial photo, 1987 NAPP aerial photo, Metes & Bounds sheet, Place of Use Comparison Sheet, and a copy of Snake River Basin Adjudication Claim for overlapping right 63-04849 all attached to this memo.

NARRATIVE

The applicant is attempting to split this right into to 15 equal parts to supply water to a new subdivision. The applicant wants the lots to be ready to sell so all the new owners would need to do is file a change of ownership with us.

A 1993 CFSA aerial photo was supplied and the CSFA office told the applicant that the acres listed on the photo were from the 1999 irrigation season. I checked these with the 1994 and 1987 aerial available in our office and I am confident that this land was irrigated prior to commencement of the SRBA and within the last 5 years. The applicant supplied a warranty deed as proof of ownership.

The only real problem that I found was the overlapping statutory claim 63-04849. This claim is for the exact same acres as the groundwater right associated with this application. The original owner applied for the groundwater, because the surface water right was only a flood right and usually did not provide any water after the end of June if there was water at all. The current owners do not know if the statutory right has been used, but they did say that the ditches and diversion point were still there. The groundwater right was licensed as a primary right since the department has not validated the statutory claim.

The applicant wanted to add the surface water right into this transfer, but staff decided that the applicant was not actually transferring anything involving the surface water right. Therefore, it was decided that the surface water could be handled in the change of ownership process. Most of the lots should have access to the ditch if they need it, or they can come in and file a transfer to move the point of diversion since most of the lots border Dry Creek.

RECOMENDATIONS

This transfer should be approved as filed. The Statutory claim, 6304849, should remain attached to all of the splits until the SRBA has had the opportunity to review the statutory claim. If the SRBA determines that the statutory claim has been forfeited or is no longer valid, then this water right should be allowed to remain a primary irrigation right.

MEMORANDUM

TO: FILE
FROM: DANIEL A. NELSON
DATE: 8/10/2000

**RE: BULL DEVELOPEMNT INC. FILED FOR AN EXTENSION OF TIME TO
AVOID FORFIETURE OF WATER RIGHTS 63-4849 & 63-3162**

This application was filed to prevent forfeiture for water rights 63-4849 and 64-3162. The applicant claims the land was last irrigated during the 1998 season. This application was filed to allow sufficient time for the applicant to sell the newly subdivided lots, known as Echanove Ranch Estates, and to form a homeowners association of the new owners to take over administration of the water rights. The water rights are diverted and the land is irrigated in the W ½ NE and E ½ of NW in S31 T5N R2E. The applicant has also submitted documentation to change the ownership of the property from Echanove to Bull Development Inc. The property will now be known as the Echanove Ranch Estates.

DOCUMENTS AND APPLICATION PREPARATION

Note the following items included with the application:

- Attach. A – Proof reports for water rights 63-4849 and 63-3162 (A1-A4).
- Attach. B – Warranty Deed and small plat map showing ownership of property by Bull Development (B1-B4).
- Attach. C – Large plat map of property.
- Attach. D - Affidavit of Pedro Echanove that land was irrigated(D1-D2)
- Attach. E - 1998 aerial photo of property.
- Attach. F - 1987 aerial photo of property.
- Attach G. - 1994 and 2000 aerial photo of property (F1-F2).

Matt Howard, Attorney at Law, prepared the application.

NARRATIVE

This application was filed to extend time to avoid forfeiting the above-mentioned water rights in order to allow the owners to sell all of the lots in their new subdivision known as the Echanove Ranch Estates. The Echanove Family formerly owned the land. The applicants filed a transfer and withdrew the application, because they believed that the main source of water for the farm was the groundwater associated with water right 63-3162. It was discovered in the transfer process that groundwater was actually supplemental to the surface water and that it has not been used in sometime.

The applicant's attorney, Matt Howard, has spoken to Norm Young of the Idaho Dept. of Water Resources (IDWR) and has been told by Mr. Young that the groundwater is supplemental to the surface water and would not be considered forfeited if there was adequate surface water to irrigate the land. Mr. Howard confirmed that this is the case and has marked section 9 of the application for forfeiture form that the groundwater right is supplemental to the surface water right (63-4849).

I have reviewed the 1987 aerial photo and it looks as though this ground was irrigated in 1987. The 1994 and 2000 aerial photos confirm that the ground has been irrigated in the past. The property looks to be irrigated in the 2000 aerial photo, which could raise suspicions of the amount of actual irrigation that has transpired in the past. However, the areas irrigated in 1987 and 1994 do seem more defined than the 2000 aerial photo suggesting that the land was irrigated in these years.

The applicant has supplied a 1998 aerial photo of the property and an affidavit from the former owner stating that the land was last irrigated in 1998. I can find no reason to dispute this information. I tried to contact Kathleen Brady who has filed a complaint against this development and she has not responded. A comment letter was sent to Ms. Brady to give her the opportunity to respond to the application.

RECOMENDATIONS

I recommend that this application for extension of time to avoid forfeiture be granted. The ownership of the right should also be changed with this application into the new owner's name, Bull Development Inc.



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 23, 2002

ELENA ANITA GIBBENS
7481 N BOGART LN
BOISE ID 83706

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

Dear Claimant(s):

Enclosed is a copy of the above referenced claim, which reflects the necessary address change.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

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

Sincerely,

A handwritten signature in cursive script that reads "Denise Hatfield".

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region Office

DH: dh

Enclosure

63-3162

Coupons: [Print FREE Coupons](#) from your computer!Grocery
CouponsStore
CouponsOnline
Coupons

Free Stuff

[coolsavings.com](#)[find people](#)[web search](#)[join bigfoot](#)[email tools](#)[tour bigfoot](#)[member's area](#)can't find yourself
in the directory?[add your FREE listing here! >>](#)[whitepages search](#)**Find Person: GIBBENS**[new search](#)[Try Public Records!](#)

Listings 1-4 of 4

Gibbens, Alfred D
7481 N Bogart Lane
Boise, ID 83703
208-853-9239

[Did you go to school with Alfred D. Gibbens?](#)[Search public records.](#)[Get your own .NAME email for life!](#)[Send
Flowers](#)[Search
Personals](#)[Cheap
Long
Distance](#)[ONLINE
CREDIT
REPORT](#)[More Info On Alfred D Gibbens](#)**Related Links****Gibbens, Gerald**

1290 Gourley St
Boise, ID 83705
208-342-6796

[Did you go to school with Gerald Gibbens?](#)[Search public records](#)[Get your own .NAME email for life!](#)[Send
Flowers](#)[Search
Personals](#)[Cheap
Long
Distance](#)[ONLINE
CREDIT
REPORT](#)[More Info On Gerald Gibbens](#)**Gibbens, Jennifer**

2523 E Red Cedar Lane
Boise, ID 83716
208-336-1853

[Did you go to school with Jennifer Gibbens?](#)[Search public records](#)[Get your own .NAME email for life!](#)[Send
Flowers](#)[Search
Personals](#)[Cheap
Long
Distance](#)[ONLINE
CREDIT
REPORT](#)[More Info On Jennifer Gibbens](#)



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

PEDRO ECHANOVE
5750 DRY CREEK RD
BOISE ID 83703

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

Dear Claimant(s):

Enclosed is a copy of the above referenced claim, which reflects your correction in address.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

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

Sincerely,

Denise Buffington
Office Specialist I
Adjudication Section
Western Region Office

DB: db

Enclosure

ALB3-3162

read the small print



find people

web search

join bigfoot

email tools

tour bigfoot

member's area



can't find yourself
in the directory?

add your FREE listing here! >>

whitepages search

Find Person: pedro echanove

► [new search](#)

[Try Public Records!](#)

Listings 1-1 of 1

Echanove, Pete Pedro

5750 Dry Creek Rd

Boise, ID 83703

208-939-6783

[Did you go to school with Pete Pedro Echanove?](#)

[Search public records.](#)

[Claim your American .US Web address!](#)



Send
Flowers



Search
Personals



Cheap
Long
Distance

[More Info On Pete Pedro Echanove](#)

Listings 1-1 of 1

► [new search](#)

Related Links

People Search

[Background Check](#)

Court Records

[Find People](#)

Criminal Records

[Military Records](#)

Driving Records

Detailed Search

Mother	▲
Father	
Military	
Records	
Ex-Boyfriend	
Ex-Girlfriend	
Driving	
Records	
Social	
Security	
Brother	
Sister	
Lookup	
Records	
Highschool	
Buddies	▼
Search	

Powered By:
Net Detective

[find person](#)

Form 2-222
12/99
FEE \$100.00

RECEIVED

OCT 04 2001

WATER RESOURCES
WESTERN REGION

NOTE: THIS IS NOT YET APPROVED - PRIOR TO SR
RECOMMENDATION - NEED TO CHECK APPRO

Water Right No. 63-4849

763-3167

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 tributary to Boise River
(Name of stream or source)
5. Date of priority of right 02/21/1883
6. Description of Right:
amount 2.78 for Irrigation purposes from 1/15 to 7/01
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
7. Point of Diversion NW 1/4 NE 1/4 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 J. Hansen Pres.
(Signature of Applicant)



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 _____ said application subject to the following conditions or reasons:

Signed this _____ day of _____, 20 _____.

Chief, Water Allocation Bureau

FOR DEPARTMENT USE ONLY

Date Received 10/4/01 FEE Received by K6 Date 10/4/01 Receipt # W028372
Preliminary T by _____ Publication prepared by At Pub. approved by At Date 11-7-01
Published in Idaho Statesman Dates Published 11-15-01 & 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.

Form 2-222

12/99

FEE \$100.00

RECEIVED

OCT 04 2001

WATER RESOURCES
WESTERN REG. DIV.STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Water Right No. 63-3162

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. A63-3162
4. Source of water Ground water tributary to n/a
(Name of stream or source)
5. Date of priority of right 07/14/1959
6. Description of Right:
amount 1.5 for Irrigation purposes from 3/15 to 11/15
(cu/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cu/ac-ft)
7. Point of Diversion NW 1/4 NE 1/4 of Sec. 31 Twp. 5N Rge. 2E County Ada

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

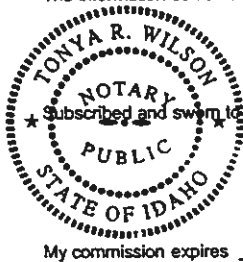
Total Acres 139

9. Give the last date when water was put to beneficial use Supplemental to 63-4849

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.



(Signature of Applicant)

Reed Development Inc by Michael J. Hansen, Sr.

Subscribed and sworn to before me this 9th 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.

Signed this 9th day of January, 20 02

L. Glen Saxton
Chief, Water Allocation Bureau

L. Glen Saxton

FOR DEPARTMENT USE ONLY

Date Received 10/14/01 FEE Received by KG Date 10/14/01 Receipt # W028372

Preliminary T by _____ Publication prepared by _____ Pub. approved by _____ Date _____

Published in _____ Dates Published _____

Protests filed by _____

Copies of protests forwarded by _____ Hearing held by _____ Date _____

Recommended for - 9 APPROVAL / 9 DENIAL By _____

Attorney for Bull Development, Inc.

WATER RESOURCES
WESTERN REGION

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

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

- ATTACK 01

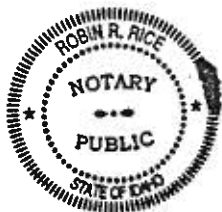
4. During the time that I lived on the ranch, my family and I irrigated and farmed the ground every year up until I sold the ranch in late 1998. We mostly grew alfalfa and grain. To irrigate, I used my Dry Creek water right, no. 63-4849. I would also use my supplemental ground water right, no. 63-3162, 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 FOR IDAHO
Residing at 1508 N. 15th St.
Commission expires April 16, 07

AFFIDAVIT OF PEDRO ECHANOVE - 2

ATTACH O-2

State of Idaho

License and Certificate of Water Right

Water License No. G-28046

Amount 1.5 c.f.s.

Water District No. _____

Priority July 14, 1969

THIS IS TO CERTIFY that HILARIO and PEDRO ECHANOVE - Distribution of Estate of HILARIO ECHANOVE - PETRA, PEDRO ECHANOVE & ELENA ANITA GIBBENS, made application for a permit to appropriate the

public waters of the State of Idaho, dated July 14, 1959; that Permit No. G-28046 was issued under said application; that Certificate of Completion of work, with a carrying capacity of 1.5 second feet, was issued thereunder on October 27, 1965, showing that said works were completed on the 17 day of July, 1964; and that on the 17th day of July, 1964,

PETRA, PEDRO ECHANOVE and ELENA ANITA GIBBENS

of Boise, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well

, a tributary of subterranean flow, for the purpose of irrigation

, under Use Permit No. G-28046 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

13 of Licenses at page 8381, on the 27 day of October, 1965;

The right hereby confirmed dates from July 14, 1959;

The Point of Diversion is located

in the NW 1/4 NE 1/4 Sec. 31, Tp. 5 N. R. 2 E, B. M. Ada County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.5 cubic feet per second.

Description and location of use:

Description and location of irrigated land					
Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 N	2 E	31	NW 1/4 NE 1/4	40	40
			SW 1/4 NE 1/4	40	37
			NE 1/4 NW 1/4	40	40
			SE 1/4 NW 1/4	40	22
			Total number of acres to be irrigated:		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 27th day of October, 1965.

RALPH W. THOMAS

Deputy State Reclamation Engineer.

(SEAL)

THIS FORM FURNISHED COURTESY OF		IDA COUNTY RECORDER 1540 S. HAYWARD BOISE, IDAHO 83725	RECORDED - REQUEST OF 9-16-00 FEE DEPOSIT 100075885 ALLIANCE TITLE
ALLIANCE TITLE ESCROW CORP.		SEP 22 PM 2:27	
DEAD & APPROVED BY CLERK: <i>[Signature]</i>		SEARCH ABOVE THIS LINE FOR RECORDING DATA Order No.: 09050206 JG-PS	
(0621)			
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 AMITA 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: 3225 W. STATE, 89, 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.			
ADA COUNTY RECORDER 1540 S. HAYWARD BOISE, IDAHO 83725		RECORDED - REQUEST OF 9-16-00 FEE DEPOSIT 100080595	
DO-RECORDED TO CORRECT LEGAL		SEP 20 PM 4:51	
ALLIANCE TITLE			
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			
<i>[Signature]</i> PEDRO ECHANOVE		<i>[Signature]</i> BETTY LOU ECHANOVE	
<i>[Signature]</i> ALFRED D. GIBBENS		<i>[Signature]</i> 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.			
		Signature <i>[Signature]</i> Name: PAMELA J. BIGNALL Residing at: BOISE, IDAHO My Commission Expires: 01/12/06	

READ & APPROVED BY GRANTEE(S): [Signature]

{0621}

SPACE ABOVE THIS LINE FOR RECORDING DATA

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.

ADA COUNTY RECORDER
J. DAVID NAVARRO
CLERK

RECORDED-REQUEST OF

FEE 9- DEPUTY [Signature]

RE-RECORDED TO CORRECT LEGAL

2000 OC -6 PM 4:51

100080595

ALLIANCE TITLE

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

[Signature]
PEDRO ECHANOVE

[Signature]
BETTY LOU ECHANOVE

[Signature]
ALFRED D. GIBBENS

[Signature]
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.

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 90 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 08'14" 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

JAN-04-2001 THU 12:58 PM

FAX NO.

Continuation of Exhibit A

Order No.:99080204 JG

North 12 degrees 13'48" West a distance of 296.19 feet
to a 5/8 inch rebar; thence
North 00 degrees 01'29" East a distance of 470.30 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. 1369.30

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 0-28046

This proof is for Completion of Works & Bene. Use In Water District No. _____

1. Name of applicant Pedro, Petra, and Elena Anita Gibbens

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the NW 1/4 of Section 31

T. 5N R. 2E County of Ada

4. Describe works as they exist, giving dimensions and capacities of same: 20 HP US Hiltashoff Motor 325211, F-M Pump PE 8738, 6" discharge cast into open ditch. Use a portable sprinkler system that pumps out of the ditch and creek to irrigate land not reached by gravity irrigation.

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Ward, Elena, Section 31, T5N-R2E making a total of 160 acres to be irrigated.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Mrs. Pedro Echanove consulted (wife)

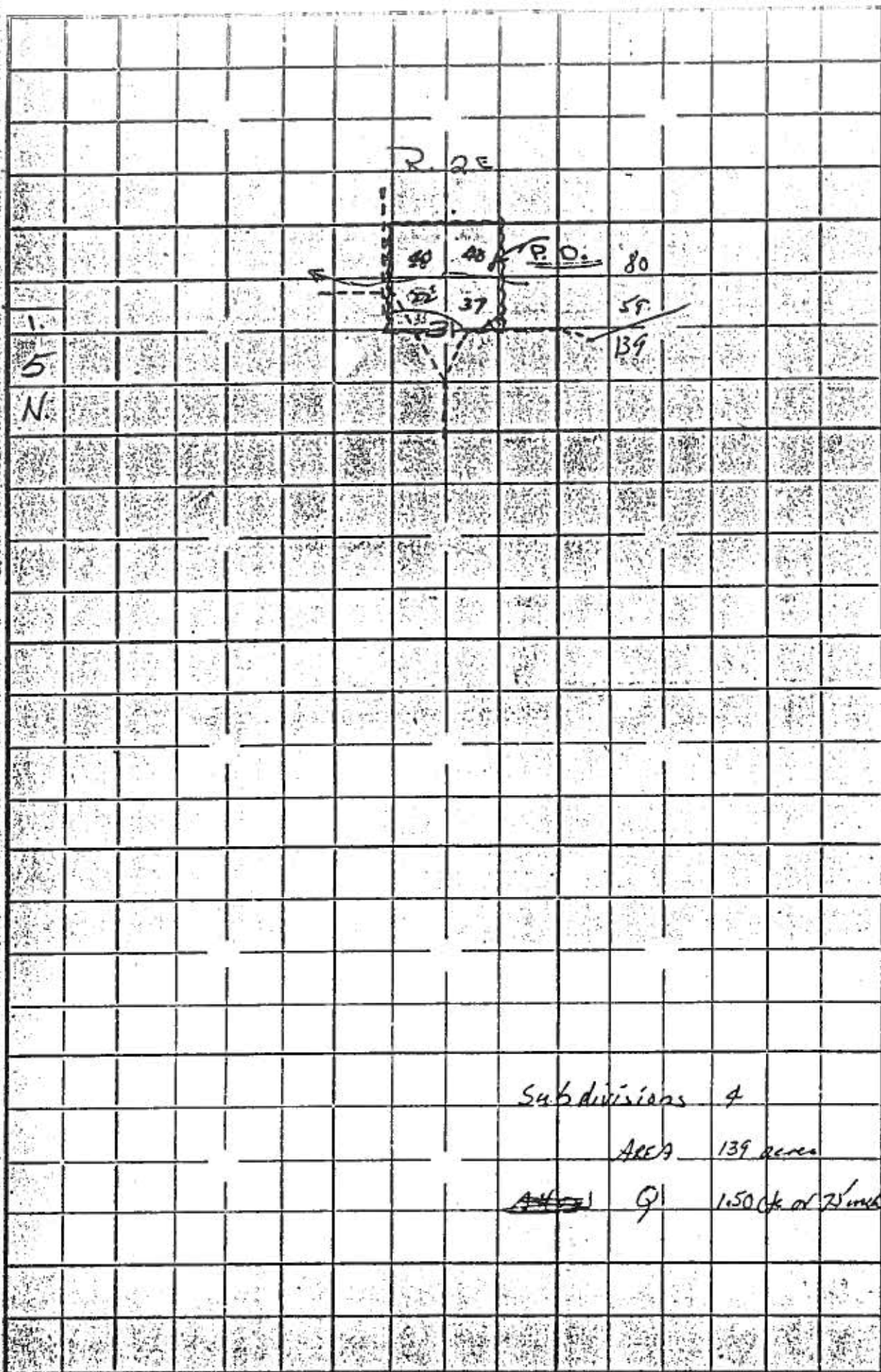
Measured over 2" Cipolletti weir 37' = 1.5 cfs

This examination was made on the _____ day of August, 1965

(L. 1965)

Lyn Johnson
Examiner

28046



Subdivisions 4

Area 139 acres

~~Area~~ 91 1.50 ch of 75 miles

MEMORANDUM

TO: FILE
FROM: DANIEL A. NELSON *DAN*
DATE: 8/10/2000

RE: BULL DEVELOPMENT TRANSFER, RIGHT 63-03162

There are 15 transfers that propose to split water right 63-03162 into 15 separate water rights and irrigation systems. These transfers were filed to subdivide the original property into a 15-lot subdivision known as Echanove Ranch Estates. A new well will be added to each lot and the original well will be abandoned. Each of the 15 lots will have a 0.10-cfs diversion rate and 9.27 acres of land.

DOCUMENTS AND APPLICATION PREPARATION

Each application consists of 6 pages and 3 attachments. Note the location of the following application items:

Attach. A - Proof of ownership documentation (A1 through A3)

Attach. B - Adjudication claim (B1 through B2)

Attach. C - CSFA aerial photo based on 1999 data.

Applicant prepared the application with my assistance.

Other information used in this review includes 1994 IDWR aerial photo, 1987 NAPP aerial photo, Metes & Bounds sheet, Place of Use Comparison Sheet, and a copy of Snake River Basin Adjudication Claim for overlapping right 63-04849 all attached to this memo.

NARRATIVE

The applicant is attempting to split this right into 15 equal parts to supply water to a new subdivision. The applicant wants the lots to be ready to sell so all the new owners would need to do is file a change of ownership with us.

A 1993 CFSA aerial photo was supplied and the CSFA office told the applicant that the acres listed on the photo were from the 1999 irrigation season. I checked these with the 1994 and 1987 aerial available in our office and I am confident that this land was irrigated prior to commencement of the SRBA and within the last 5 years. The applicant supplied a warranty deed as proof of ownership.

page 2
Bull Development

The only real problem that I found was the overlapping statutory claim 63-04849. This claim is for the exact same acres as the groundwater right associated with this application. The original owner applied for the groundwater, because the surface water right was only a flood right and usually did not provide any water after the end of June if there was water at all. The current owners do not know if the statutory right has been used, but they did say that the ditches and diversion point were still there. The groundwater right was licensed as a primary right since the department has not validated the statutory claim.

The applicant wanted to add the surface water right into this transfer, but staff decided that the applicant was not actually transferring anything involving the surface water right. Therefore, it was decided that the surface water could be handled in the change of ownership process. Most of the lots should have access to the ditch if they need it, or they can come in and file a transfer to move the point of diversion since most of the lots border Dry Creek.

RECOMENDATIONS

This transfer should be approved as filed. The Statutory claim, 6304849, should remain attached to all of the splits until the SRBA has had the opportunity to review the statutory claim. If the SRBA determines that the statutory claim has been forfeited or is no longer valid, then this water right should be allowed to remain a primary irrigation right.

**NOTICE OF PROPOSED CHANGE OF WATER
RIGHTS, TRANSFER NUMBERS 68907 - 68917, 68919, and 68921 - 68923**

Notice is given that **BULL DEVELOPMENT** of 2229 W State Street, Boise, ID 83702 has applied to the Department of Water Resources to add points of diversion and split a water right pursuant to I.C. § 42-222 for an irrigation right recorded as follows in T5N R2E S31, Ada County:

License 63-03162, priority 7/14/1959, 1.5 cfs, Groundwater (one well) diverted in NWNE and used in W½ NE and E½ NW for 139 acres

PROPOSED CHANGE FOR ALL RIGHTS

15 transfers have been filed to split the right into 15 proportionate parts with each part having its own well, 0.10-cfs diversion rate and 9.27 acres of irrigation. Each part will be associated with one of the 15 lots known as the Enchanove Ranch Estates Subdivision. The 15 wells and proportionate rights will be spread throughout W½ NE and E½ NW. A subdivision plat map showing the proposed wells and lots is available for review at the department address listed below.

Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 for each application on or before April 2, 2001. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Idaho Statesman on March 15 and 22, 2001.

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 63-31166
Date Received: 9/20/89
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s): BULL DEVELOPMENT
ATTN: MIKE HOMAN
2229 W STATE ST
STE B
BOISE ID USA 83702

Phone: (208) 429-1900

2. Date of Priority: 07/14/1959

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:

1000' DEEP, 8" CS, 20 HP PUMP

6. Water is used for the following purposes:

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

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	02E	31	NW NE		IRRIGATION	5.77
			SW NE		IRRIGATION	3.5
					Section Acres	9.27
					Total Acres	9.27

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:

Property also known as Lot 11, Blk 1, Echanove Ranch Estates.
This claim is the result of a split for a pending transfer. Parent claim is A63-03162. DB 2/22/2001.

15. Basis of Claim: License

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 63-31170
Date Received: 9/20/89
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s): BULL DEVELOPMENT
ATTN: MIKE HOMAN
2229 W STATE ST
STE E
BOISE ID USA 83702
Phone: (208) 429-1900

2. Date of Priority: 07/14/1959

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:

1000' DEEP, 8" CS, 20 HP PUMP

6. Water is used for the following purposes:

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

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	02E	31	SW NE SE NW		IRRIGATION IRRIGATION	4.4 4.87
Section Acres						9.27
Total Acres						9.27

11. Place of use in counties: ADA

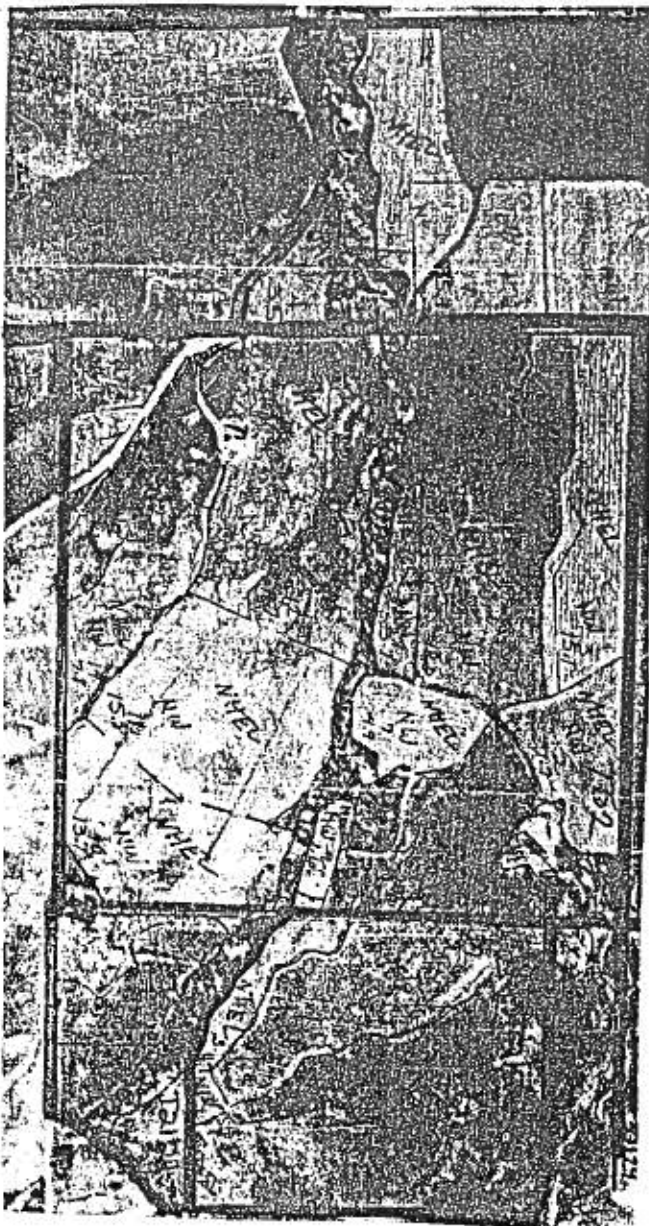
12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

Property also known as Lot 2, Blk 2, Echanove Ranch Estates.
This claim is the result of a split for a pending transfer. Parent claim is A63-03162. DB 2/22/2001.

15. Basis of Claim: License

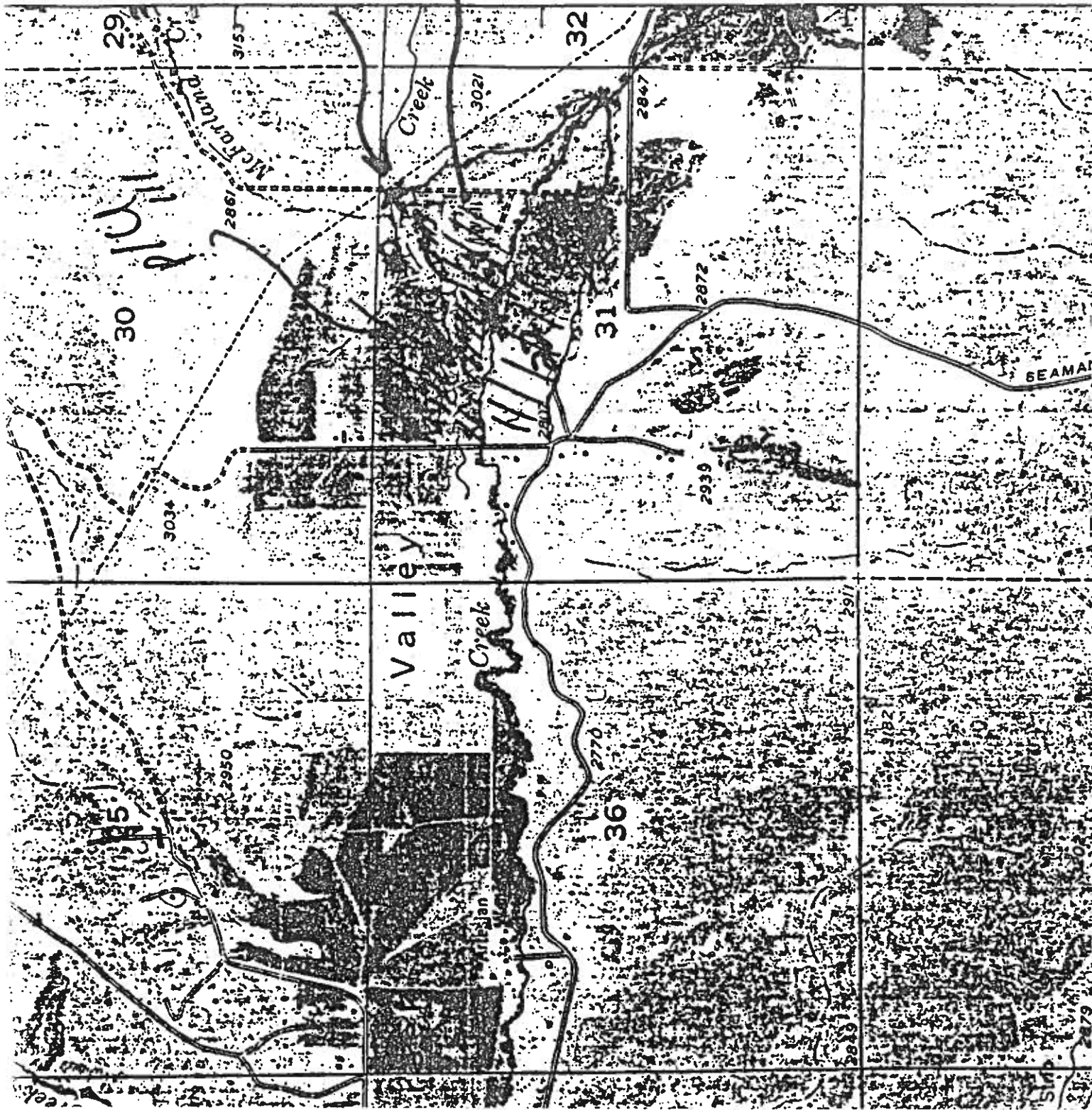


RECEIVED

OCT 05 2000

WATER CONTROL
UNIT

~~199~~
~~20~~
1999 ACRES
DIRECTED ON A
1993 ~~actual~~ Aerial photo.
PER APPLICANT
DAN
10-5-2000



T 5 N
T 4 N

750 000
FEET

845 N.

T. 4 N.

T 5 N
T 4 E



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

September 6, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

Gaylon Ball
14180 Ball Manor Pl.
Boise, ID 83714

Re: Original Notice of Claim to a Water Right No. 63-31737, 63-31739
Renumbered Notice of Claim to a Water Right No. 63-32407, 63-32416

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