

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 63-32710
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)

DOUGLAS MILLER Phone: 208-229-8898
14150 N BROKEN HORN RD
BOISE ID USA 83714

PATRICIA MILLER Phone: (208)229-8898
14150 N BROKEN HORN RD
BOISE ID USA 83714

2. Date of Priority: 09/13/1874

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

4. Point of Diversion:

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

5. Description of diverting works:

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	11/15	0.18	

7. Total Quantity Appropriated is:
0.18 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	NE	NW	IRRIGATION	9.25
					Section Acres	9.25
					Total Acres	9.25

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

This right is a split from former right 63-32402 .

15. Basis of Claim: Beneficial Use

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

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>63-4849</u>	<u>63-31737</u>	<u>?</u>	_____	_____	_____
<u>63-3162</u>	<u>63-31739</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)

Sull Development, Inc.
And/or Pedro Echanove

4. New Owner/Claimant(s)

Douglas and Patricia Miller
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

14150 N. Broken Horn

City, State and ZIP Code

Boise, ID 83714

New Telephone Number

208 224-8898

5. Date you acquired the property

11/28/2002 5/30/03

RECEIVED

JUN 15 2007

WATER RESOURCES
 WESTERN REGION

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

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

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

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

Patricia Miller

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 <i>[Signature]</i>	Date <u>6-15-07</u>	Fee <u>N/A</u>
Received by _____	Date _____	Receipt No. _____
Processed by <i>[Signature]</i> AJ	Date <u>7-12-07</u>	WR _____ Date _____

Title File No.: T03-92693 PB

2

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

DOUGLAS E. MILLER AND PATRICIA M. MILLER, Husband and wife

GRANTEES(s), whose current address is: 570 N. Cove Colony Way, Eagle, ID 83616
the following described real property in Ada County, State of Idaho,
more particularly described as follows, to wit:

Lot 5 in Block 1 of ECHANOVE RANCH SUBDIVISION NO. 1, according to the
Official Plat thereof, filed in Book 82 of Plats at Pages 8918 thru 8920, AND
AMENDED By Affidavit recorded June 20, 2001 as Instrument No. 101060347,
records of Ada County, Idaho.

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 05/30/03 04:11 PM
DEPUTY Michelle Turner
RECORDED - REQUEST OF
Transnation Title
AMOUNT 6.00
103089337

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 25 day of July, 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.

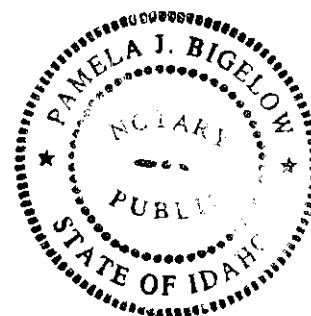
On this 25 day of July in the year of
2002, before me, the undersigned, a Notary Public in and
for said State, personally appeared Michael S.
Homan
known or identified to me to be the President
of the corporation that executed
the instrument or the person who executed on behalf of
said corporation, and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

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 9.25 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.

DEM
PM

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

RIGHT NUMBER: 63-32710

NAME AND ADDRESS: DOUGLAS MILLER
14150 N BROKEN HORN RD
BOISE ID 83714

PATRICIA MILLER
14150 N BROKEN HORN RD
BOISE ID 83714

SOURCE: DRY CREEK

TRIBUTARY: BOISE RIVER

QUANTITY: 0.180 CFS

USE OF THIS RIGHT WITH RIGHT NOS. 63-32711, 63-32712, 63-32713,
63-32714, 63-32715 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE
OF .98 CFS.

PRIORITY DATE: 09/13/1874

POINT OF DIVERSION:

T05N R02E S31 SESENE 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	0.180 CFS

PLACE OF USE: IRRIGATION in ADA County

T05N R02E S31 NENW 9.25

9.25 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 63-32711, 63-32712, 63-32713,
63-32714, 63-32715 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL
OF 49.1 ACRES IN A SINGLE IRRIGATION SEASON.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is a split from former right 63-32402 .

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

In Re SRBA	)	Water Rights: 63-32402 (Split)
	)	63-32706, 63-32707, 63-32708,
	)	63-32709, 63-32710
Case No. 39576	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE
_____	)	PROCEEDING

IDWR has completed the following administrative proceeding:

☐ Address change

XX Substitution of Party

☐ IC § 42-222 transfer

☐ Point of diversion

☐ Period of use

☐ Split of water right

☐ Other

☐ Place of use

☐ Nature of use

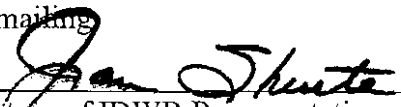
☐ Change in ownership

☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing

DATED: July 19, 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on July 19, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court	☐	overnight mail
Snake River Basin Adjudication	☒	regular mail
P.O. Box 2707	☐	hand-delivered
Twin Falls, ID 83303-2707	☐	facsimile

2. Copies to:

Clive Strong	☐	overnight mail
Off ice of the Attorney General	☒	regular mail
P.O. Box 44449	☐	hand-delivered
Boise, ID 83711-4449	☐	facsimile

United States Dept of Justice	☐	overnight mail
Environment & Natural Resource Div	☒	regular mail
550 West Fort Street MSC 033	☐	hand-delivered
Boise ID 83724	☐	facsimile

3. Copies to all parties to the subcase:

Bull Development Inc	☐	overnight mail
Mike Homan	☒	regular mail
2229 W State St Ste B	☐	hand-delivered
Boise ID 83702	☐	facsimile

Mark A Strode	☐	overnight mail
Tina Strode	☒	regular mail
6237 W Echanove St	☐	hand-delivered
Boise ID 83714	☐	facsimile

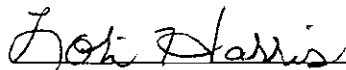
Julia Whiting	☐	overnight mail
Robert Whiting	☒	regular mail
6122 W Dry Creek Rd	☐	hand delivered
Boise ID 83714	☐	facsimile

Eric Holley
13016 N Shafer Way
Boise ID 83714

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Douglas Miller
Patricia Miller
14150 N Broken Horn Rd
Boise ID 83714

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile


Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

WESTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

July 19, 2007

DOUGLAS MILLER
PATRICIA MILLER
14150 N BROKEN HORN RD
BOISE ID 83714

Re: Original Water Right Nos. 63-32402, 63-32411

Renumbered to Water Right Nos. 63-32710, 63-32715

Dear Mr. & Mrs. Miller:

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Numbers as referenced above. This change of ownership resulted in a split of the original claims.

When a portion of the original water right has been conveyed to another and the original right has been split, then the original right number is renumbered to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new water right numbers reflect your remaining portion of the original rights after the change of ownership. Enclosed is a copy of these new water rights for your records. Please refer to your new numbers when corresponding with our office. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the SRBA Court as notification of this change.

If you have any questions concerning this ownership change, or the enclosed copies, please feel free to contact this office.

Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

LH:1
Enclosures