

Bruce M. Smith, ISB No. 3425
Carl J. Withroe, ISB No. 7051
MOORE SMITH BUXTON & TURCKE, CHTD.
950 West Bannock Street, Suite 520
Boise, ID 83702
Tel: 331-1800
Fax: 331-1202

RECEIVED
MAR 26 2010
DEPARTMENT OF
WATER RESOURCES

Attorneys for Marion and Judy Groothuis

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

In Re SRBA

Case No. 39576

)
)
) Subcases 63-32403 & 63-32412
)

) WITHDRAWAL OF OBJECTION
)
)

COMES NOW, Marion (Butch) D. Groothuis and Judy L. Groothuis, by and through its attorneys of record Moore Smith Buxton & Turcke, Chartered, and hereby withdraws their objection in the above-referenced matter.

Dated this 25th day of March, 2010.

MOORE SMITH BUXTON & TURCKE, CHTD.



Bruce M. Smith
Carl J. Withroe
Attorneys for Marion D. and Judy L. Groothuis

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32412 V1

WATER RIGHT NUMBER: 63-32412 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	PETRA ECHANOVE RT 1 BOISE, ID 83703
Original Owner	PEDRO ECHANOVE 5750 DRY CREEK RD BOISE, ID 83703 (208)939-6783
Original Owner	PEDRO ECHANOVE , ID
Current Owner	MARION D GROOTHUIS 3490 N SADDLEMAN PL EAGLE, ID 83616 (208)938-1613
Original Owner	HILARIO ECHANOVE , ID
Original Owner	ELENA ANITA GIBBENS 7481 N BOGART LN BOISE, ID 83703 (208)853-9239
Original Owner	BULL DEVELOPMENT INC ATTN: MIKE HOMAN 2229 W STATE ST STE B BOISE, ID 83702 (208)429-1900
Current Owner	JUDY L GROOTHUIS 3490 N SADDLEMAN PL EAGLE, ID 83616 (208)938-1613

Priority Date: 07/14/1959

Basis: License

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.070 CFS	27.90 AF
	<u>Total Diversion:</u>	0.070 CFS	27.90 AF

Location of Point(s) of Diversion

GROUND WATER

SE1/4NW1/4NE1/4

Sec. 31, Twp 05N, Rge 02E, B.M.

ADA County

Place of Use

IRRIGATION

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-32412 V1

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
05N	02E	31	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
					3.3					2.9									6.2

Total Acres: 6.2

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. This right is a split from former right 63-31739 .
3. E51 USE OF THIS RIGHT WITH RIGHT NO. 63-32403 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .13 CFS.
4. X35 Rights 63-32403, 63-31738, 63-32404, 63-32405, 63-32407, 63-32408, 63-32637, 63-32638, 63-32707, 63-32708, 63-32709, 63-32710, 63- 33243, 63-33244, 63-32412, 63-31740, 63-32413, 63-32414, 63-32416, 63-32417, 63-32639, 63-32640, 63-32712, 63-32713, 63-32714, 63-32715, 63-33246 and 63-33247 when combined shall not exceed a total diversion rate of 2.78 cfs, and the irrigation of 139 acres.
5. E55 USE OF THIS RIGHT WITH RIGHT NO. 63-32403 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 6.2 ACRES IN A SINGLE IRRIGATION SEASON.

Remarks:Comments:

1. Igagnon 9/7/2006 CHANGE IN OWNERSHIP
Comment: THIS RIGHT IS THE RESULT OF A SPLIT DUE TO A CHANGE IN OWNERSHIP FOR A PORTION 63-31739
2. Iharris 10/28/2009 Approved Transfer
Comment: Quantity condition added per Transfer 74412.

SubCase:

SubCase Number: 63-32412
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent: Sandy Egbert
Basis of Claim: License
Date Filed: 6/19/2007 Objection Status: Active

Page 3

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-32412 V1

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-32403 V1

WATER RIGHT NUMBER: 63-32403 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	PEDRO ECHANOVE 5750 DRY CREEK RD BOISE, ID 83703 (208)939-6783
Original Owner	BETTY L ECHANOVE RT 1 DRY CREEK RD BOISE, ID 83703
Current Owner	MARION D GROOTHUIS 3490 N SADDLEMAN PL EAGLE, ID 83616 (208)938-1613
Original Owner	ELENA ANITA GIBBENS 7481 N BOGART LN BOISE, ID 83703 (208)853-9239
Original Owner	BULL DEVELOPMENT INC ATTN: MIKE HOMAN 2229 W STATE ST STE B BOISE, ID 83702 (208)429-1900
Current Owner	JUDY L GROOTHUIS 3490 N SADDLEMAN PL EAGLE, ID 83616 (208)938-1613

Priority Date: 09/13/1874
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
DRY CREEK	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.130 CFS	
	<u>Total Diversion:</u>	0.130 CFS	

<u>Location of Point(s) of Diversion</u>		
DRY CREEK	SE1/4SE1/4NE1/4	Sec. 31, Twp 05N, Rge 02E, B.M.
ADA County		

Place of Use
IRRIGATION

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32403 V1

	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05N 02E 31			3.3					2.9									6.2

Total Acres: 6.2

Conditions of Approval:

1. X35 Rights 63-32403, 63-31738, 63-32404, 63-32405, 63-32407, 63-32408, 63-32637, 63-32638, 63-32707, 63-32708, 63-32709, 63-32710, 63-33243, 63-33244, 63-32412, 63-31740, 63-32413, 63-32414, 63-32416, 63-32417, 63-32639, 63-32640, 63-32712, 63-32713, 63-32714, 63-32715, 63-33246 and 63-33247 when combined shall not exceed a total diversion rate of 2.78 cfs, and the irrigation of 139 acres.
2. E51 USE OF THIS RIGHT WITH RIGHT NO. 63-32414 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .13 CFS. *→ 32412 changed in database*
3. This right is a split from former right 63-31737.
4. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
5. E55 USE OF THIS RIGHT WITH RIGHT NO. 63-32414 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 6.2 ACRES IN A SINGLE IRRIGATION SEASON. *→ 32412 changed in database*

Remarks:Comments:

1. Igagnon 8/30/2006 CHANGE IN OWNERSHIP
Comment: THIS RIGHT IS THE RESULT OF A SPLIT DUE TO A CHANGE IN OWNERSHIP FOR A PORTION OF 63-31737.
2. Iharris 10/28/2009 Approved Transfer
Comment: Quantity condition added per Transfer 74412.

SubCase:

SubCase Number: 63-32403
 Class: 1
 SF5 Filed Date:
 Special Master Recom Signed Date:
 Attorney Assigned:
 Adjudication Agent: Sandy Egbert
 Basis of Claim: Beneficial Use
 Date Filed: 6/19/2007 Objection Status: Active

Water Supply Bank:

STATUS CONFERENCE NOTES:

RIGHT NO. 63-32403 &
63-32412

DATE: 12/3/09

Carl Withre will withdraw the objections as soon as it is ok with Zwothins's on the transfers resulting in 63-33247 for ground water & 63-33244 for Dry Creek to bring the total acres between all rights up to 14.1 acres which was the source of the objections on both 63-32403 & 32412.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-33244

WATER RIGHT NUMBER: 63-33244

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JUDY L GROOTHIUS 3490 N SADDLEMAN PL EAGLE, ID 83616 (208)938-1613
Original Owner	BETTY L ECHANOVE RT 1 DRY CREEK RD BOISE, ID 83703
Original Owner	BULL DEVELOPMENT INC ATTN: MIKE HOMAN 2229 W STATE ST STE B BOISE, ID 83702 (208)429-1900
Original Owner	PEDRO ECHANOVE 5750 DRY CREEK RD BOISE, ID 83703 (208)939-6783
Original Owner	ELENA ANITA GIBBENS 7481 N BOGART LN BOISE, ID 83703 (208)853-9239
Current Owner	MARION D GROOTHIUS 3490 N SADDLEMAN PL EAGLE, ID 83616 (208)938-1613

Priority Date: 09/13/1874

Basis: Decreed

Status: Active

Source

DRY CREEK

Tributary

BOISE RIVER

Beneficial Use

IRRIGATION

From To

03/01 to 11/15

Diversion Rate

0.190 CFS

Annual VolumeTotal Diversion:

0.190 CFS

Location of Point(s) of Diversion

DRY CREEK

SE1/4SE1/4NE1/4

Sec. 31, Twp 05N, Rge 02E, B.M.

ADA County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Split for 63-32706 - Bull
Development for more acres
for Groothius - should resolve objection
to 63-32403 + Groothius
should withdraw obj.
Transfer filed moving
PO4 to Groothius's
property 11-24-09
JP

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-33244

05N 02E 31	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
			3.9					4.0									7.9

Total Acres: 7.9

Conditions of Approval:

1. Rights 63-33244 and 63-33247 when combined shall not exceed the irrigation of 7.9 acres.
2. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
5. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
6. X35 Rights 63-32403, 63-31738, 63-32404, 63-32405, 63-32407, 63-32408, 63-32637, 63-32638, 63-32707, 63-32708, 63-32709, 63-32710, 63-33243, 63-33244, 63-32412, 63-31740, 63-32413, 63-32414, 63-32416, 63-32417, 63-32639, 63-32640, 63-32712, 63-32713, 63-32714, 63-32715, 63-33246 and 63-33247 when combined shall not exceed a total diversion rate of 2.78 cfs, and the irrigation of 139 acres.
7. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.

Remarks:Comments:

1. kwalker 8/11/2009 1:51:18 PM POD
Comment: Updated Shape
2. kwalker 8/11/2009 1:55:32 PM POU
Comment: Updated Shape
3. kwalker 10/27/2009 8:45:48 AM Transferred Right
Comment: This is now an approved transfer, transfer number = 74412

Water Supply Bank:

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

RIGHT NUMBER: 63-32403

NAME AND ADDRESS: MARION D GROOTHUIS
3490 N SADDLEMAN PL
EAGLE ID 83616

JUDY L GROOTHUIS
3490 N SADDLEMAN PL
EAGLE ID 83616

SOURCE: DRY CREEK

TRIBUTARY: BOISE RIVER

QUANTITY: 0.130 CFS

Rights 63-32403, 63-31738, 63-32404, 63-32405, 63-32407, 63-32408,
63-32637, 63-32638, 63-32707, 63-32708, 63-32709, 63-32710, 63- 33243,
63-33244, 63-32412, 63-31740, 63-32413, 63-32414, 63-32416, 63-32417,
63-32639, 63-32640, 63 32712, 63 32713, 63-32714, 63-32715, 63-33246
and 63-33247 when combined shall not exceed a total diversion rate of 2.78
cfs, and the irrigation of 139 acres.

USE OF THIS RIGHT WITH RIGHT NO. 63-32414 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF .13 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	0.130 CFS

PLACE OF USE: IRRIGATION in ADA County

T05N R02E S31	SWNE	3.30	T05N R02E S31	SENE	2.90
---------------	------	------	---------------	------	------

6.2 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 63-32414 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 6.2 ACRES IN A SINGLE
IRRIGATION SEASON.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

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

Case No. 39576

)
)
)
)
)

Water Rights: 63-32403, 63-32412

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following administrative proceeding:

☐

Address change

☐

Substitution of Party

XX IC § 42-222 transfer

☐

Point of diversion

☐

Place of use

☐

Period of use

☐

Nature of use

☐

Split of water right

☐

Change in ownership

XX Other – Quantity Condition

☐

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: October 28, 2009


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on October 28, 2009, 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
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

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

2. Copies to:

Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

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

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

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

3. Copies to all parties to the subcase:

Marion Groothius
Judy Groothius
3490 N Saddleman Pl
Eagle ID 83616

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

Bruce M. Smith
950 W Bannock Ste 520
Boise ID 83702

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


Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

October 28, 2009

MARION GROOTHUIS
JUDY GROOTHUIS
3490 N SADDLEMAN PL
EAGLE ID 83616

Re: Water Right Nos. 63-32403, 63-32412

Dear Mr. & Mrs. Groothuis:

Enclosed is a copy of the Notice of Completed Administrative Procedure and pertinent water right(s) recently sent to the Snake River Basin Adjudication Court in Twin Falls. These documents are now required to be filed by the Department in order to notify the Court of any changes to your water right(s).

The change to your water right(s) was a result of an approved transfer. This notification to the Court does not affect the previous approval of this transfer or your water right(s). You will be notified of any future action on your water right(s) by the SRBA Court or Water Resources.

Please contact this office if you have any questions concerning this notification.

Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

JS:lh
Enclosures

cc: Bruce M. Smith

State of Idaho
Department of Water Resources
SRBA CLAIM NO. 63-32403

Priority: September 13, 1874**Maximum Diversion Rate:** 0.13 CFS

Right Holder: MARION D GROOTHUIS And JUDY L GROOTHUIS
 3490 N SADDLEMAN PL
 EAGLE ID 83616

SOURCE

DRY CREEK

Tributary: BOISE RIVER**BENEFICIAL USE**

IRRIGATION

PERIOD OF USE

03/01 to 11/15

DIVERSION RATE

0.13 CFS

LOCATION OF POINT OF DIVERSION:

DRY CREEK

SE1/4SE1/4NE1/4

Sec. 31, Twp 05N, Rge 02E, B.M. ADA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	02E	31																	
																			6.2

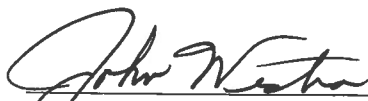
Total Acres: 6.2

CONDITIONS OF APPROVAL

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. Use of this right with Right No. 63-32414 is limited to the irrigation of a combined total of 6.2 acres in a single irrigation season.
3. Use of this right with Right No. 63-32414 is limited to a total combined diversion rate of 0.13 cfs.
- * 4. Rights 63-32403, 63-31738, 63-32404, 63-32405, 63-32407, 63-32408, 63-32637, 63-32638, 63-32707, 63-32708, 63-32709, 63-32710, 63-33243, 63-33244, 63-32412, 63-31740, 63-32413, 63-32414, 63-32416, 63-32417, 63-32639, 63-32640, 63-32712, 63-32713, 63-32714, 63-32715, 63-33246 and 63-33247 when combined shall not exceed a total diversion rate of 2.78 cfs, and the irrigation of 139 acres.
5. This right is a split from former right 63-31737.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 23rd day of October, 2009.


 John Westra, Western Regional Manager

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74412

This is to certify that: MARION D GROOTHUIS and JUDY L GROOTHUIS
 3490 N SADDLEMAN PL
 EAGLE ID 83616
 (208)938-1613

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

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-32706	WR/Decreed	09/13/1874	0.25 cfs	N/A	N/A	10.6	DRY CREEK
63-32711	WR/Decreed	07/14/1959	0.13 cfs	47.7 af	N/A	10.6	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-32706	YES	NO	YES	NO	NO	NO
63-32711	YES	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-32706	63-33244	0.19 cfs	N/A	N/A	7.9	63-33243	0.06 cfs	N/A	N/A	2.7
63-32711	63-33247	0.10 cfs	35.5 af	N/A	7.9	63-33246	0.03 cfs	12.2 af	N/A	2.7
COMBINED TOTALS		0.29 cfs		7.9	7.9		N/A	N/A	N/A	N/A

Detailed Water Right Descriptions attached

This approval document also contains 24 pages of associated water rights whose conditions have been updated as a result of this transfer (shown as pages 8 thru 31). These associated rights are as follows: 63-32403, 63-31738, 63-32404, 63-32405, 63-32407, 63-32408, 63-32637, 63-32638, 63-32707, 63-32708, 63-32709, 63-32710, 63-32412, 63-31740, 63-32413, 63-32414, 63-32416, 63-32417, 63-32639, 63-32640, 63-32712, 63-32713, 63-32714, and 63-32715

Dated this 23rd day of October, 2009


 John Westra, Western Regional Manager

Shurte, Jan

From: Shurte, Jan
Sent: Monday, March 30, 2009 10:34 AM
To: Williams, Ray
Cc: Shurte, Jan; Egbert, Sandy
Subject: RE: 63-32403 and 63-32412

Yes sir – Sandy has the files. The situation is complicated, of course. Groothius filed to hold up on the partial decrees for these two rights with the SRBA Court until a transfer is approved. The objection is to the number of acres recommended. So, in order to resolve Groothius's objection they want more acres from the original developer, Bull Development. Bull Development had left over acres, so the transfer is actually filed on Bull Development's remaining portion and not on these two rights. Once the transfer is completed, the extra acres will be under two completely different numbers. The two rights being held will not be changed. I would like to get the hold lifted and go ahead and issue the partial decrees on these. However, I think the parties are holding them in case the transfer does not go through and they feel they have a chance to eek more acres out of us. Problem is, there is a creek that runs right through the property and no matter how many acres the developer promised, there just is not enough. So, I guess they have to stay on hold? Jan

From: Williams, Ray
Sent: Monday, March 30, 2009 9:40 AM
To: Shurte, Jan
Subject: RE: 63-32403 and 63-32412

Hi, Jan - I'm going through my e-mails from when I was out. Were you able to track down these files? Thanks!

From: Shurte, Jan
Sent: Monday, March 23, 2009 7:55 AM
To: Williams, Ray; Egbert, Sandy
Subject: RE: 63-32403 and 63-32412

Hi Sandy,

Ray's out of the office this week – do you have these? They are barcoded to you and I don't seem to have them here. Please let me know.

Thanks, Jan

From: Williams, Ray
Sent: Thursday, March 19, 2009 3:43 PM
To: Shurte, Jan
Subject: FW: 63-32403 and 63-32412

Hey, Jan -

I think this might have initially been Sandy's, but am guessing it's your now. Do you know the status or can you point me to the right person to bug?

Thanks!

Ray

From: Diana Delaney [mailto:ddelaney@srba.state.id.us]
Sent: Thursday, March 19, 2009 3:22 PM

11/19/2009

To: Williams, Ray

Subject: 63-32403 and 63-32412

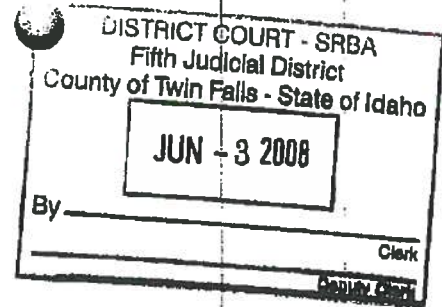
Back in June we continued the initial hearing in these subcases based on the fact that a transfer was in process. Any word on the transfer? Any estimate when it may be completed?

Diana Delaney
SRBA

11/19/2009

Bruce M. Smith, ISB No. 3425
Carl J. Withroe, ISB No. 7051
MOORE SMITH BUXTON & TURCKE, CHTD.
950 West Bannock Street, Suite 520
Boise, ID 83702
Tel: 331-1800
Fax: 331-1202

Attorneys for Marion and Judy Groothuis



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

In re SRBA

Case No. 39576

) Subcases 63-32403 & 63-32412
)
)
)
)

ORDER TO CONTINUE INITIAL
HEARING

THIS MATTER having come before the court pursuant to the Motion of Marion D. and
Judy L. Groothuis and good cause appearing therefor,

IT IS HEREBY ORDERED, That the Initial Hearing set in this matter, currently
scheduled for June 5, 2008, is continued until the transfer application process has concluded.

Dated this 3rd day of June, 2008.



JUDGE

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER TO
CONTINUE INITIAL HEARING was mailed on June 03, 2008, with sufficient
first-class postage to the following:

MARION D & JUDY L GROOTHUIS

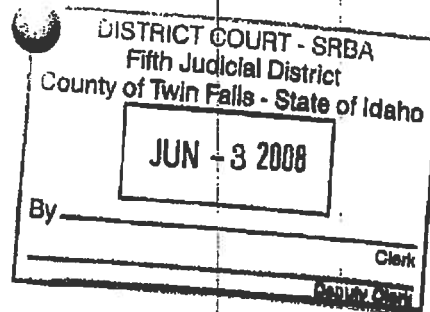
Represented by:

BRUCE M. SMITH
950 W BANNOCK STE 520
BOISE, ID 83702
Phone: 208-331-1800

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

JUDY L GROOTHUIS
MARION D GROOTHUIS
3490 N SADDLEMAN PL
EAGLE, ID 83616
Phone: 208-938-1613

Bruce M. Smith, ISB No. 3425
Carl J. Withroe, ISB No. 7051
MOORE SMITH BUXTON & TURCKE, CHTD.
950 West Bannock Street, Suite 520
Boise, ID 83702
Tel: 331-1800
Fax: 331-1202



Attorneys for Marion and Judy Groothuis

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

In re SRBA

) Subcases 63-32403 & 63-32412
)
)

Case No. 39576

) ORDER TO CONTINUE INITIAL
) HEARING
)

THIS MATTER having come before the court pursuant to the Motion of Marion D. and
Judy L. Groothuis and good cause appearing therefor,

IT IS HEREBY ORDERED, That the Initial Hearing set in this matter, currently
scheduled for June 5, 2008, is continued until the transfer application process has concluded.

Dated this 3rd day of June, 2008.


JUDGE

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER TO
CONTINUE INITIAL HEARING was mailed on June 03, 2008, with sufficient
first-class postage to the following:

MARION D & JUDY L GROOTHUIS

Represented by:
BRUCE M. SMITH
950 W BANNOCK STE 520
BOISE, ID 83702
Phone: 208-331-1800

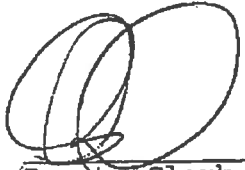
DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

JUDY L GROOTHUIS
MARION D GROOTHUIS
3490 N SADDLEMAN PL
EAGLE, ID 83616
Phone: 208-938-1613

ORDER TO CONTINUE INITIAL HEARING

Page 1 6/03/08

FILE COPY FOR 02073


Deputy Clerk

RECEIVED

MAY 30 2008

DEPARTMENT OF
WATER RESOURCES

Bruce M. Smith, ISB No. 3425
Carl J. Withroe, ISB No. 7051
MOORE SMITH BUXTON & TURCKE, CHTD.
950 West Bannock Street, Suite 520
Boise, ID 83702
Tel: 331-1800
Fax: 331-1202

Attorneys for Marion and Judy Groothuis

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

In re SRBA	)	Subcases 63-32403 & 63-32412
	)	
	)	ORDER TO CONTINUE INITIAL
Case No. 39576	)	HEARING
_____	)	

THIS MATTER having come before the court pursuant to the Motion of Marion D. and
Judy L. Groothuis and good cause appearing therefor,

IT IS HEREBY ORDERED, That the Initial Hearing set in this matter, currently
scheduled for June 5, 2008, is continued until the transfer application process has concluded.

* * *

Dated this _____ day of _____, 2008.

JUDGE

COPY

Bruce M. Smith, ISB No. 3425
Carl J. Withroe, ISB No. 7051
MOORE SMITH BUXTON & TURCKE, CHTD.
950 West Bannock Street, Suite 520
Boise, ID 83702
Tel: 331-1800
Fax: 331-1202

RECEIVED

MAY 30 2008

DEPARTMENT OF
WATER RESOURCES

Attorneys for Marion and Judy Groothuis

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

In re SRBA	)	Subcases 63-32403 & 63-32412
	)	
	)	MOTION TO CONTINUE INITIAL
Case No. 39576	)	HEARING
_____	)	

Marion D. and Judy L. Groothuis hereby move this Court to continue the Initial Hearing set in this matter, currently scheduled for June 5, 2008 at 1:15 p.m. in Nampa, Idaho.

The Groothuises are the persons in whose name water right numbers 63-32403 and 63-32412 are on file with the Department of Water Resources. No objection other than the objection filed by the Groothuises was filed on these rights. The water rights which are the subject of the above-identified subcases are currently the subject of a pending water rights transfer application. (See Affidavit of Carl J. Withroe at p. 1, para. 3, filed contemporaneously herewith.)¹ The water rights transfer application was submitted to the Department of Water Resources on November 9, 2007 and is currently being processed. (See *id.* at p. 2 and para. 4.) The Department is as of the date of this filing unable to provide an estimate of the approximate time needed to complete the application. (See *id.* at p. 2, para. 4.) The outcome of said water rights transfer application will affect the Groothuises' position in the adjudication with respect to

¹ The attachments (consisting of 11 pages) are not included.

COPY

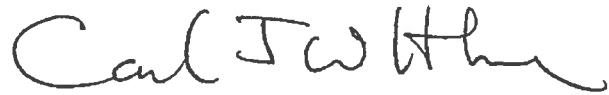
right numbers 63-32403 and 63-32412. (*See id.* at p. 2, para. 5.) Therefore, a hearing at this time is premature and unnecessary. The Groothuises therefore request that the initial hearing on these water rights be continued until the transfer application process has concluded.

A proposed order granting the continuance as requested is submitted to the Court with this Motion.

* * *

Dated this 29th day of May, 2008.

MOORE SMITH BUXTON & TURCKE, CHTD.

A handwritten signature in cursive script, appearing to read "Carl J. Withroe", written over a horizontal line.

Bruce M. Smith
Carl J. Withroe
Attorneys for Marion D. and Judy L. Groothuis

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on the 29th day of May, 2008, I caused to be served the original and a true and correct copy of the foregoing Motion to Continue Initial Hearing by the method indicated below, and addressed to the following:

1. Original via Federal Express Overnight Delivery to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303

2. Copies via U.S. Mail to:

Special Master Ted R. Booth
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449



Bruce M. Smith
Carl J. Withroe
Attorneys for Marion and Judy Groothuis

Bruce M. Smith, ISB No. 3425
Carl J. Withroe, ISB No. 7051
MOORE SMITH BUXTON & TURCKE, CHTD.
950 West Bannock Street, Suite 520
Boise, ID 83702
Tel: 331-1800
Fax: 331-1202

RECEIVED
MAY 30 2008
DEPARTMENT OF
WATER RESOURCES

Attorneys for Marion and Judy Groothuis

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

In re SRBA	)	Subcases 63-32403 & 63-32412
	)	
	)	AFFIDAVIT OF CARL J. WITHROE IN
Case No. 39576	)	SUPPORT OF MOTION TO CONTINUE
_____	)	INITIAL HEARING

State of Idaho)
 ss.
County of Ada)

Carl J. Withroe, first being duly sworn, states as follows:

1. My name is Carl J. Withroe. I am an adult human being over the age of 18 years, and the following statements are based on my own personal knowledge.

2. I am an attorney with the firm Moore Smith Buxton & Turcke in Boise, Idaho. This firm represents Mr. and Mrs. Groothuis with respect to water right numbers 63-32403 and 63-32412. These water rights are in Mr. and Mrs. Groothuis' name.

3. The water rights at issue in this matter, 63-32403 and 63-32412, are the subject of a water rights transfer application. Exhibit A attached to this Affidavit is a true and correct copy of the main portion of the transfer application. I have not included the 11 pages of attachments.

COPY

4. I telephoned the western regional office of the Department of Water Resources on Thursday, May 22, 2008, to inquire about the status of these applications. Later that day I received a voicemail from a department staffer explaining that it was being processed, but that they did not have an estimate for when they might be completed.

5. The Groothuis' position in the adjudication will depend on the outcome of the transfer application. A hearing at this time is therefore unnecessary.

Further this affiant sayeth naught.

* * *

Dated this 29th day of May, 2008.

Carl J. Withroe
Carl J. Withroe

State of Idaho)

S.S.

County of Ada)

Subscribed and sworn to before me this 29th day of May, 2008.



Catherine A. Minyard
Notary Public for Idaho
Residing at Nampa, ID
My Commission Expires on 04/15/2010

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on the 29th day of May, 2008, I caused to be served the original and a true and correct copy of the foregoing Affidavit of Carl J. Withroe in Support of Motion to Continue Initial Hearing by the method indicated below, and addressed to the following:

1. Original via Federal Express Overnight Delivery to:

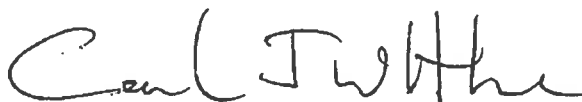
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303

2. Copies via U.S. Mail to:

Special Master Ted R. Booth
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449



Bruce M. Smith
Carl J. Withroe
Attorneys for Marion and Judy Groothuis

COPY

Page 1 of 7 STATE OF IDAHO Transfer No. _____

Department of Water Resources
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of Applicant Groothius, Marion D. & Judy L. Phone 938-1613
 Post Office address 3490 N. Saddleman Place, Eagle, ID 83616

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes Please see Attachment A

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>63-32706</u>	<u>9/13/1874</u>	<u>.12cfs</u>	<u>Irrigation</u>	<u>3/1</u> to <u>11/15</u>
<u>63-32711*</u>	<u>7/14/1959</u>	<u>.06 cfs</u>	<u>Irrigation</u>	<u>3/1</u> to <u>11/15</u>
				to _____
				to _____

*63-32711 is groundwater, supplemental to 63-32706

2. Total amount of water being transferred 0.13 cfs (Dry Cr.); 0.070 cfs (g/w) cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Dry Creek (63-32706) tributary to Boise River; groundwater (63-32711)

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twn.	Rge.	County	Local Name for diversion
	SE	SE	NE	31	5N	2E	Ada	(Dry Cr)
	SE	NW	NE	31	5N	2E	Ada	(Groundwater)

5. Lands irrigated or place of use: POU is same for 63-32706 and 63-32711

Twn.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5N	3E	31		0.00	0.0		0.00			2.71									2.71

EXHIBIT

A

Total acres 2.71

Department of Water Resources
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
 in case of _____ vs _____
 dated _____ in _____ county of _____

b. License No. _____ issued by the Idaho Department of Water Resources.

c. Claim No. 63-32706, 63-32711 on file with the Idaho Department of Water Resources.

d. Transfer No. _____ which produced this right.

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

☐ Tax Notice ☐ Warranty Deed ☒ Other (Please see Attach. A)

3. Source of water Dry Creek (63-32706) tributary to Boise River; groundwater (63-32711)

4. Date of priority 63-32706: 09/13/1874; 63-32711: 07/14/1959

5. Water is used for the following purposes:

32706 : amount .25cfs for Irrigation purposes from 3/1 to 11/15

32711 : amount .13 cfs for Irrigation purposes from 3/1 to 11/15

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

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twn.	Rge.	County	Local Name for diversion
	SE	SE	NE	31	5N	2E	Ada	Dry Cr.
	SE	NW	NE	31	5N	2E	Ada	Groundwater

8. Lands irrigated or place of use:

Twn.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	2E	31		2.3	2.45		2.55			3.3									10.6
(32706)																			
5N	2E	31		2.3	2.45		2.55			3.3									10.6
(32711)																			

Total acres 10.6

9. Describe any other water rights used for the same purpose as described above _____

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

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount .13cfs for Irrigation purposes from 3/1 to 11/15 (Dry Cr.)
 amount .07cfs for Irrigation purposes from 3/1 to 11/15 (g/w)

2. Point(s) of Diversion:

	¼	¼	¼	Sec	Twn.	Rge.	County	Local Name for diversion
63-32706	SE	SE	NE	31	5N	2E	Ada	Dry Cr.
63-32711	SE	NW	NE	31	5N	2E	Ada	Groundwater

3. Lands irrigated or place of use: Please also see Attachment B

T	R	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	2E	31		2.30	2.45		2.55			0.59									7.89

Total acres 7.89

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

1. amount 0.12cfs for Irrigation purposes from 3/1 to 11/15 (Dry Cr.)
 amount 0.06 cfs for Irrigation purposes from 3/1 to 11/15 (groundwater)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twn.	Rge.	County	Local Name for diversion
	SE	SE	NE	31	5N	2E	Ada	Dry Cr.
	SE	NW	NE	31	5N	2E	Ada	Groundwater

3. Lands irrigated or place of use:

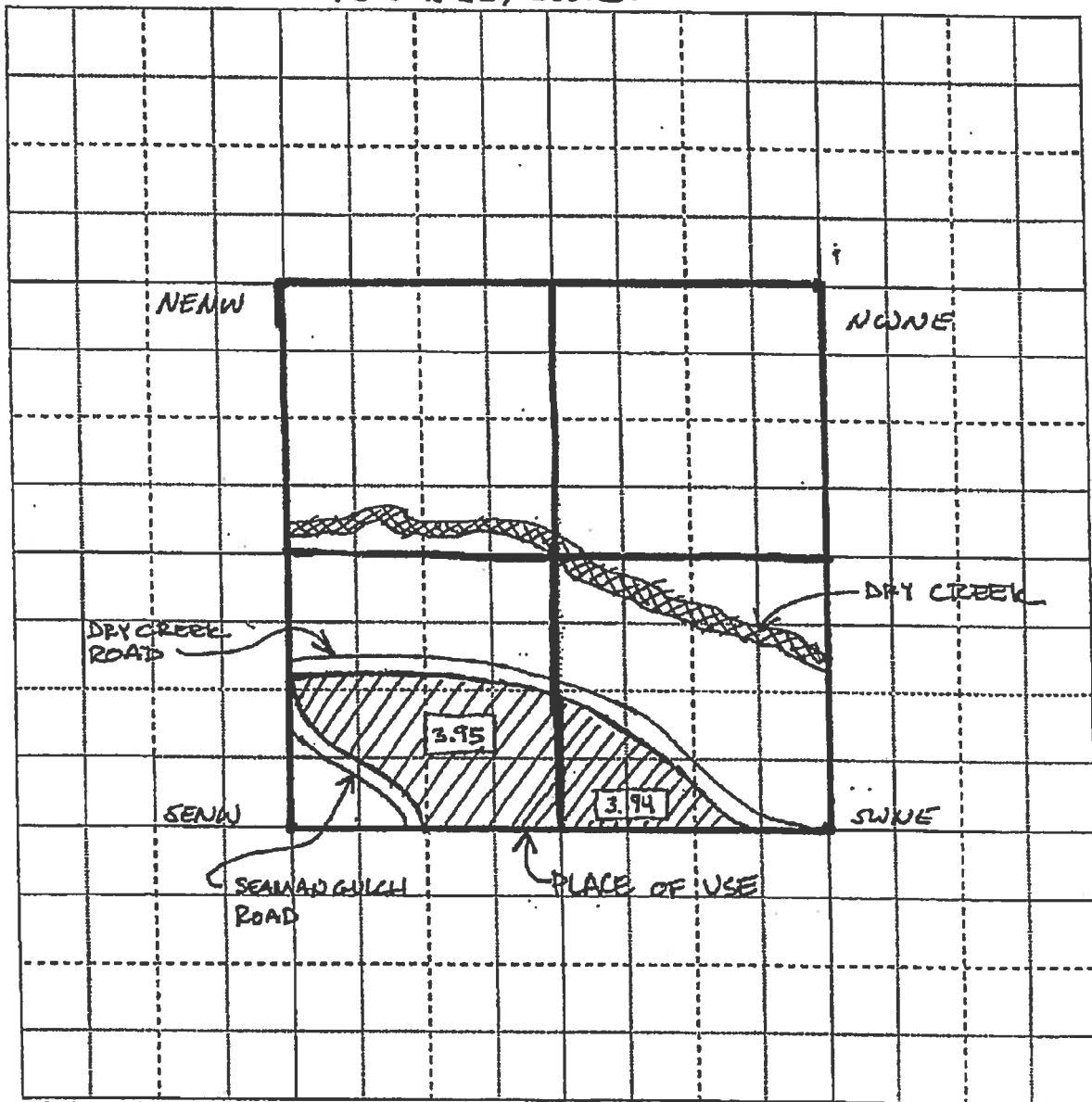
Twn.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
32706			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	2E	31								2.71									2.71
32711																			
5N	2E	31								2.71									2.71

Total acres 2.71

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

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

TSN R2E, Sec. 31



Scale: 2 inches equal 1 mile. Draw plan in ink.

PART 3

B. CHANGES IN NATURE OF USE N/A

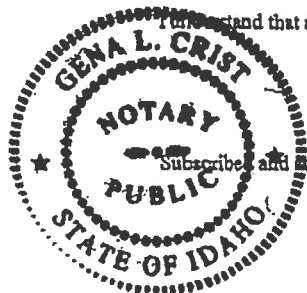
1.	New Nature of Use	Amount(cfs/af-ft)	Hours/days/year	Period of Use
				to _____
				to _____

2. Quantity and quality of return flows and location of discharge: _____

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



(Signature of Applicant)

Subscribed and sworn to before me this

9th

day of

November, 20 07.Gena L. Crist

(Notary Public)

My commission expires 11-14-09

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments
 Received by _____ Date _____ Protest filed by _____
 Prelim. Check by _____ Fee _____
 Receipted by _____ Date _____
 Published in _____ Copies of protest forwarded by _____
 Pub. Dates _____ Hearing held by _____ Date _____
 Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

RECEIVED

MAY 06 2008

DEPARTMENT OF
WATER RESOURCES

2008 MAY 05 PM 02:37
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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	)	ORDER SETTING SUBCASE(S)
	)	FOR INITIAL HEARING
Case No. 39576	)	
_____	)	SUBCASE NOS: 63-32403 63-32412

The Initial Hearing for this subcase will be held before
Special Master THEODORE R. BOOTH

THURSDAY, JUNE 05, 2008 at 01:15 PM (MT)
NAMPA
120 - 9TH AVE S
NAMPA, ID

ATTENDANCE IS MANDATORY. All parties are required to
attend and must have full settlement authority.

At the Initial Hearing you will have an opportunity
to meet with a representative of the Idaho Department of
Water Resources (IDWR) and/or the objector in an attempt
to reconcile any difference between the claim and the
Director's Report. Bring any and all information you
believe is relevant to your claim and/or objection. If
the claim cannot be reconciled at the Initial Hearing,
the court will set the subcase(s) for trial within 45
days of the Initial Hearing. IF YOU INTEND TO AMEND YOUR
CLAIM, YOU MUST DO SO AT OR BEFORE THE INITIAL HEARING.

Settlement documents must be filed with the court by
JUNE 02, 2008 or hearing will not be vacated.

IT IS SO ORDERED.

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

(continued)

Dated: MAY 05, 2008

/S/ THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING
SUBCASE(S) FOR INITIAL HEARING was mailed on MAY 05, 2008,
with sufficient first-class postage to the following:

MARION D & JUDY L GROOTHUIS

Represented by:

BRUCE M. SMITH
950 W BANNOCK STE 520
BOISE, ID 83702
Phone: 208-331-1800

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

JUDY L GROOTHUIS
MARION D GROOTHUIS
3490 N SADDLEMAN PL
EAGLE, ID 83616
Phone: 208-938-1613

In Re SRBA

Case No. 39576

STANDARD FORM 1 OBJECTION

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Marion (Butch) D. Groothius and Judy L. Groothius

Address: 3490 N. Saddleman Place

Eagle, ID 83616

Daytime Phone: (208) 938-1613

Name & Address of Attorney, if any:

Bruce M. Smith

Carl J. Withroe

Moore Smith Buxton & Turcke, Chtd.

950 W. Bannock, Suite 520

Boise, ID 83702

Name: Marion (Butch) D. Groothius and Judy L. Groothius

Address: 3490 N. Saddleman Place

Eagle, ID 83616

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: 14.09 acres
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____
10. ☐ **I object because:**
☐ This water right Should not exist.
☐ This water right was not recommended, but Should be recommended with
The elements described above.

E. **REASONS SUPPORTING OBJECTION(S):** Amount should be as indicated on
deeds

F.

VERIFICATION (must be completed)

State of Idaho)
County of Ada) ss.

Carl J. Withroe, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

Carl J. Withroe

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: June 19, 2007



Debbie L. Smith
Notary Public for Idaho
Residing at: Boise, ID
My Commission Expires: 6/8/2013

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the court. **FAX filings will not be accepted.**
You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on June 19, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Marion (Butch) D. Groothius and Judy L. Groothius

Address: 3490 N. Saddleman Place

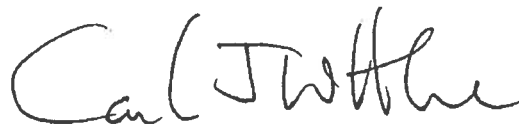
Eagle, ID 83616

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W. Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise, ID 83711-4449



Signature of objector or attorney
mailing on Objector's behalf

MOORE SMITH BUXTON & TURCKE, CHARTERED

ATTORNEYS AND COUNSELORS AT LAW
950 W. BANNOCK STREET, SUITE 520; BOISE, ID 83702
TELEPHONE: (208) 331-1800 FAX: (208) 331-1202 www.msbtlaw.com

STEPHANIE J. BONNEY
SUSAN E. BUXTON*
PAUL J. FITZER
MICHAEL C. MOORE†
BRUCE M. SMITH
PAUL A. TURCKE*
CARL J. WITHROE*
TAMMY A. ZOKAN*

RECEIVED
JUN 21 2007
DEPARTMENT OF
WATER RESOURCES

JOHN J. MCFADDEN*†
Of Counsel
» Also admitted in California
* Also admitted in New Mexico
* Also admitted in Oregon
* Also admitted in South Dakota
† Also admitted in Washington

June 19, 2007

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
Twin Falls, ID 83303

RE: SRBA Case No. 39576
Subcase No.'s 63-32403 & 63-32412

To Whom It May Concern:

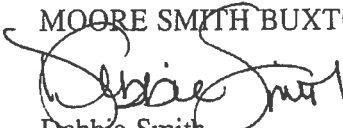
Enclosed please find the original and one copies of the Standard Form Objection being filed on behalf of our client in the above referenced matter.

Please file the original, and return one of the conformed copies to our office in the enclosed self-addressed, stamped envelope.

If you should have any questions or require any additional information, please don't hesitate to contact our office.

Sincerely,

MOORE SMITH BUXTON & TURCKE, CHTD.


Debbie Smith

Legal Assistant to Bruce M. Smith

/dls

Enclosures

cc: IDWR Document Depository

US Dept of Justice - Environmental & Natl Resources Div

Chief, Natural Resources Div - Office of the Attorney General

Client

09/07/2006

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

RIGHT NUMBER: 63-32403

NAME AND ADDRESS: MARION D GROOTHUIS
3490 N SADDLEMAN PL
EAGLE ID 83616

JUDY L GROOTHUIS
3490 N SADDLEMAN PL
EAGLE ID 83616

SOURCE: DRY CREEK

TRIBUTARY: BOISE RIVER

QUANTITY: 0.130 CFS

USE OF THIS RIGHT WITH RIGHT NO. 63-32414 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF .13 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	0.130 CFS

PLACE OF USE: IRRIGATION Within ADA County

T05N R02E S31	SWNE	3.30	T05N R02E S31	SENW	2.90
---------------	------	------	---------------	------	------

6.2 ACRES TOTAL

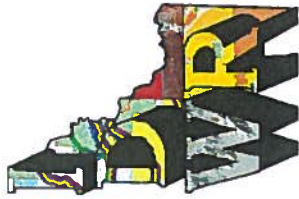
USE OF THIS RIGHT WITH RIGHT NO. 63-32414 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 6.2 ACRES IN A SINGLE
IRRIGATION SEASON.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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



Idaho Department of Water Resources

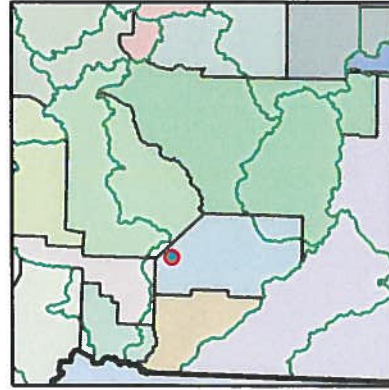
SRBA Recommendation:

63-32403

(Irrigation)

Legend

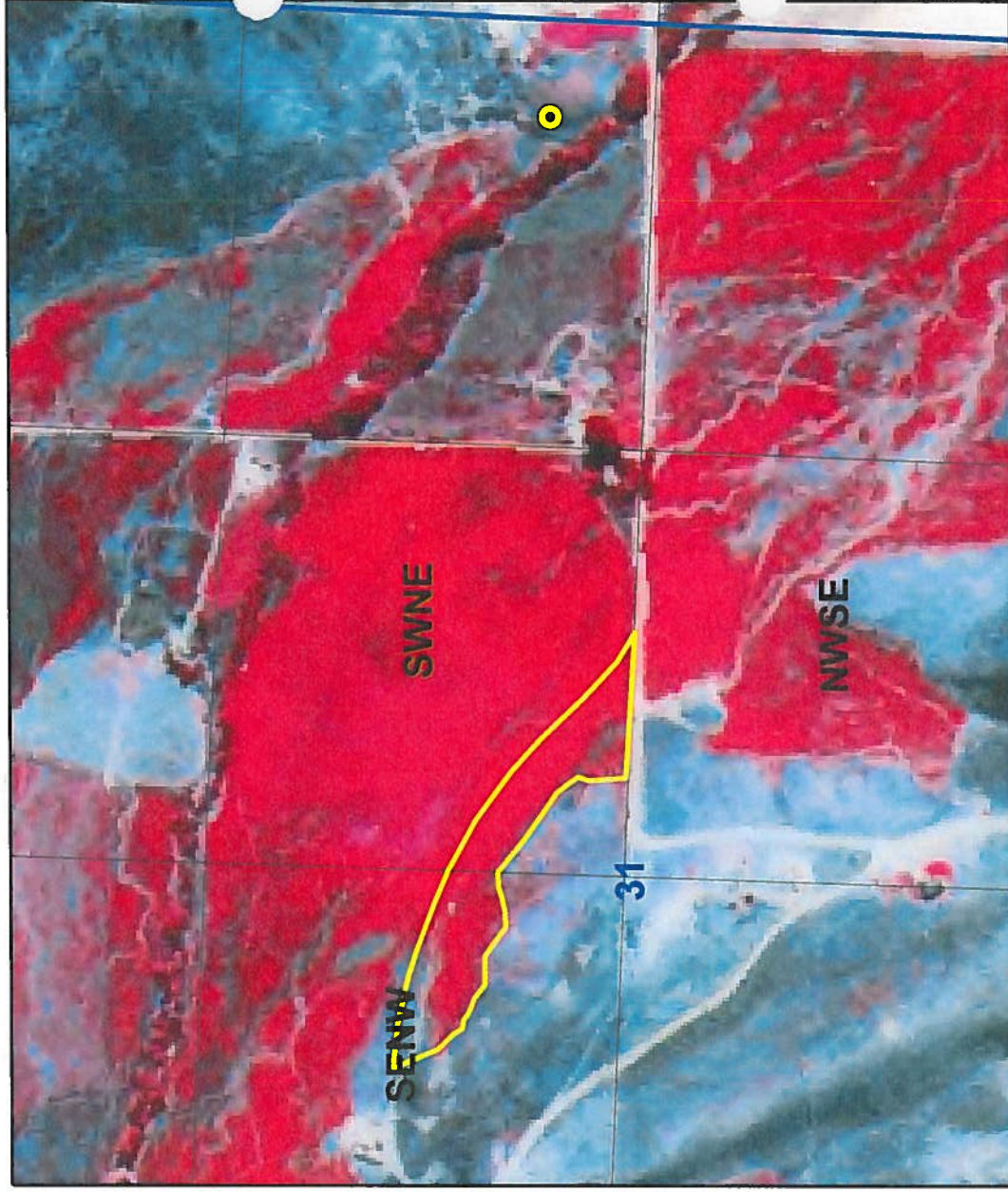
-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Ada County
IDWR Basin 63



R02E



T050E

0.4 Miles

0.2

0

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32403 V1

WATER RIGHT NUMBER: 63-32403 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	PEDRO ECHANOVE 5750 DRY CREEK RD BOISE, ID 83703 (208)939-6783
Original Owner	BETTY L ECHANOVE RT 1 DRY CREEK RD BOISE, ID 83703
Current Owner	MARION D GROOTHUIS 3490 N SADDLEMAN PL EAGLE, ID 83616 (208)938-1613
Original Owner	ELENA ANITA GIBBENS 7481 N BOGART LN BOISE, ID 83703 (208)853-9239
Original Owner	BULL DEVELOPMENT INC ATTN: MIKE HOMAN 2229 W STATE ST STE B BOISE, ID 83702 (208)429-1900
Current Owner	JUDY L GROOTHUIS 3490 N SADDLEMAN PL EAGLE, ID 83616 (208)938-1613

Priority Date: 09/13/1874

Basis: Beneficial Use

Status: Active

Source

DRY CREEK

Tributary

BOISE RIVER

Beneficial Use

IRRIGATION

From To

03/01 to 11/15

Diversion Rate

0.130 CFS

Annual VolumeTotal Diversion:

0.130 CFS

Location of Point(s) of Diversion

DRY CREEK

SE1/4SE1/4NE1/4

Sec. 31, Twp 05N, Rge 02E, B.M.

ADA County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32403 V1

Season	9/7/2006 12:28:58 PM	segbert	Active
Quantity	9/7/2006 12:29:32 PM	segbert	Active
Summary		09/07/2006 segbert	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	9/7/2006 12:24:15 PM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Source	9/7/2006 12:27:50 PM	segbert	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required?
POU	9/7/2006 12:28:06 PM	segbert	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required?
POU	9/7/2006 12:28:23 PM	segbert	Updated shape for Active POU
Use	9/7/2006 12:28:38 PM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required?
POD	9/7/2006 12:26:59 PM	segbert	Updated shape

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32403 V1

General	9/7/2006 12:20:01 PM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
---------	----------------------	---------	--

Water Supply Bank:

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.

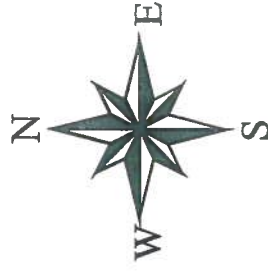
EXPLANATORY MATERIAL: License

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



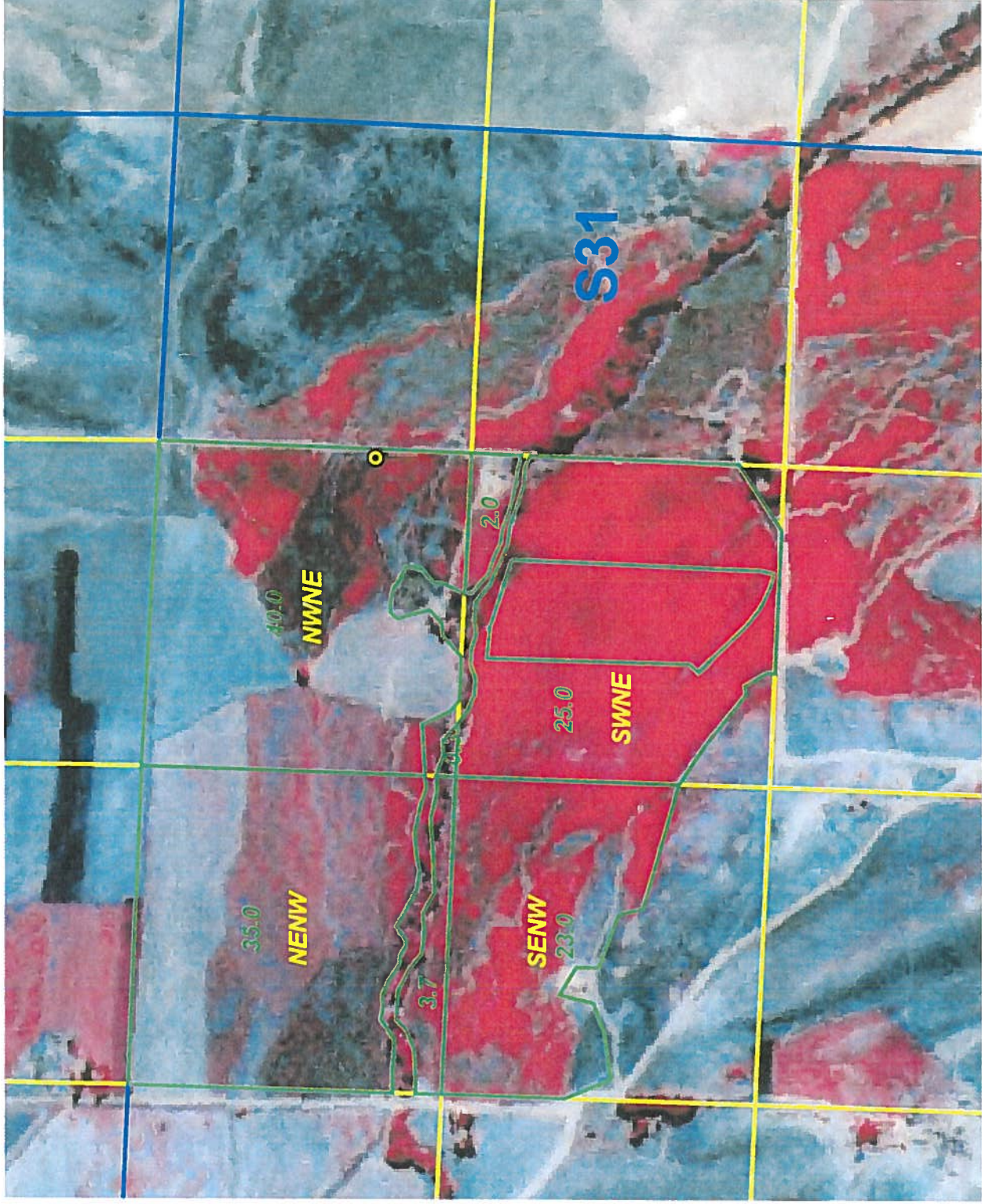
● Point of Diversion

Place of use

Section

1/4 1/4

129 Acres



0 0.25 0.5 0.75 Miles

1987 NAPP

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
625.30 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
625.30 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 SENW 23.0

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.

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

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:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/01 11/15

QUANTITY
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 SENW 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 1
Adjudication Section
Western Region Office

DH: dh

Enclosure

cc: Matt Howard, Attorney at Law

11/20/2002

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

RIGHT NUMBER: 63-3162

NAME AND ADDRESS: PEDRO ECHANOVE
5750 DRY CREEK RD
BOISE ID 83703

ELENA ANITA GIBBENS
7481 N BOGART LN
BOISE ID 83703

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

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

ADJUDICATION FIELD REPORT

Prior to Field Exam

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

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) 63-3162

Owner: Echanove 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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3162 V1

Conditions of Approval:

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

Remarks:

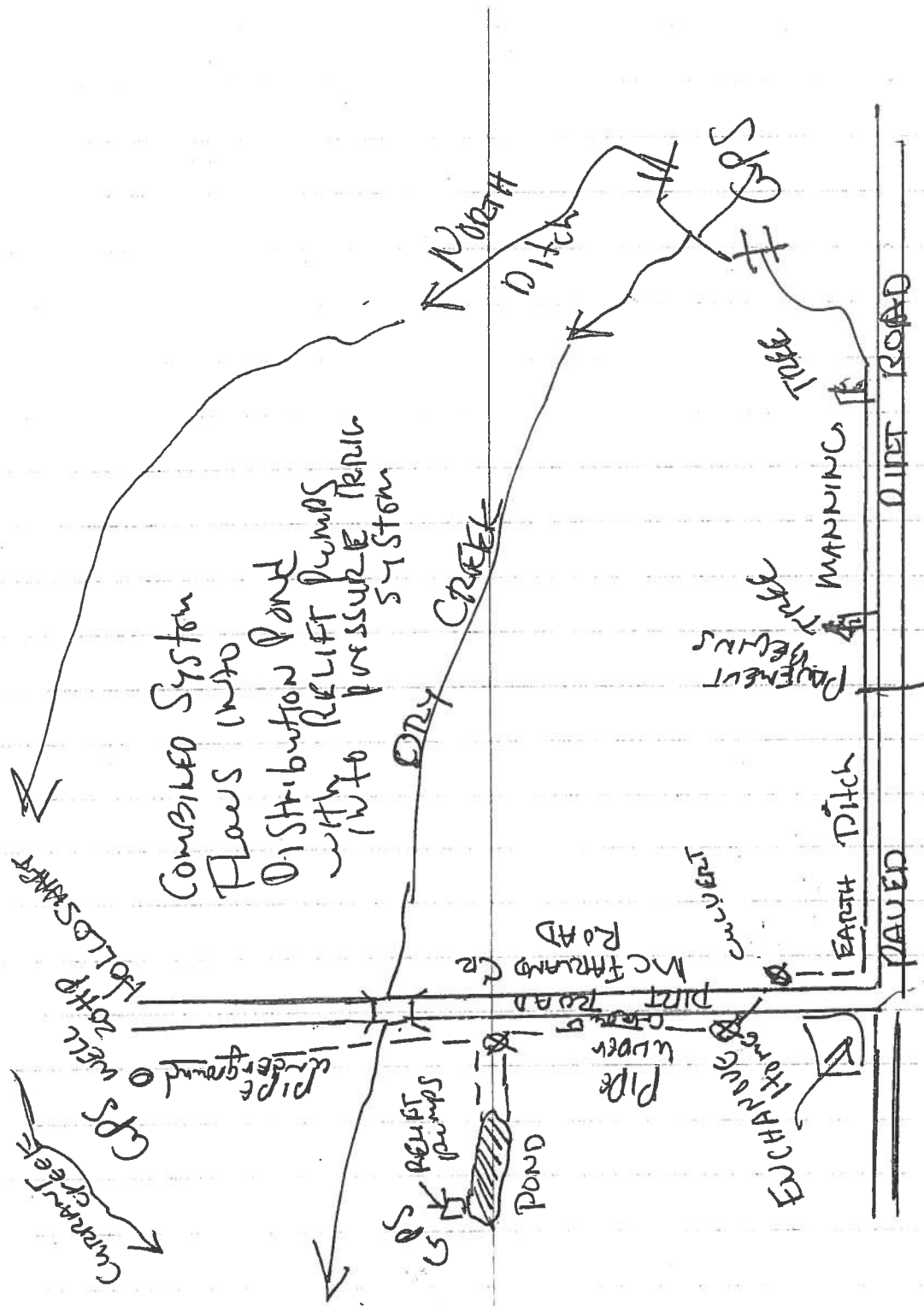
1. Quantity USE OF THIS RIGHT WITH RIGHT NO. 63-4849 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.78 CFS.
2. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 63-4849 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 139.0 ACRES IN A SINGLE IRRIGATION SEASON.
3. Explanatory PROPERTY IS ALSO KNOWN AS ECHANOVE RANCH ESTATES.

Comments:

1. rhowerto 11/20/2002 Ownership
Comment: Bull Development bought land from Echanove, waiting for ownership change form from their attorney Matt Howard.
2. rhowerto 11/20/2002 Supplemental right
Comment: Dry Creek is the main source for irrigation of the lands in this recommendation.
3. rhowerto 11/20/2002 System change
Comment: The original irrigation system changed from open flow from the well into gravity ditches and pumping from ditches to where gravity irrigation could not be reached to a pressurized system with a co-mingled distribution pond in 2001. See file for detailed map.
4. rhowerto 11/20/2002 Ambiguous License
Comment: The season of use and diversion volume were not listed for this license.
5. rhowerto 11/20/2002 TRANSFER
Comment: 15 TRANSFERS WERE PROPOSED AND WITHDRAWN SEE FILE.

FX= 11-14-02
TRH

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

20

Handwritten signature

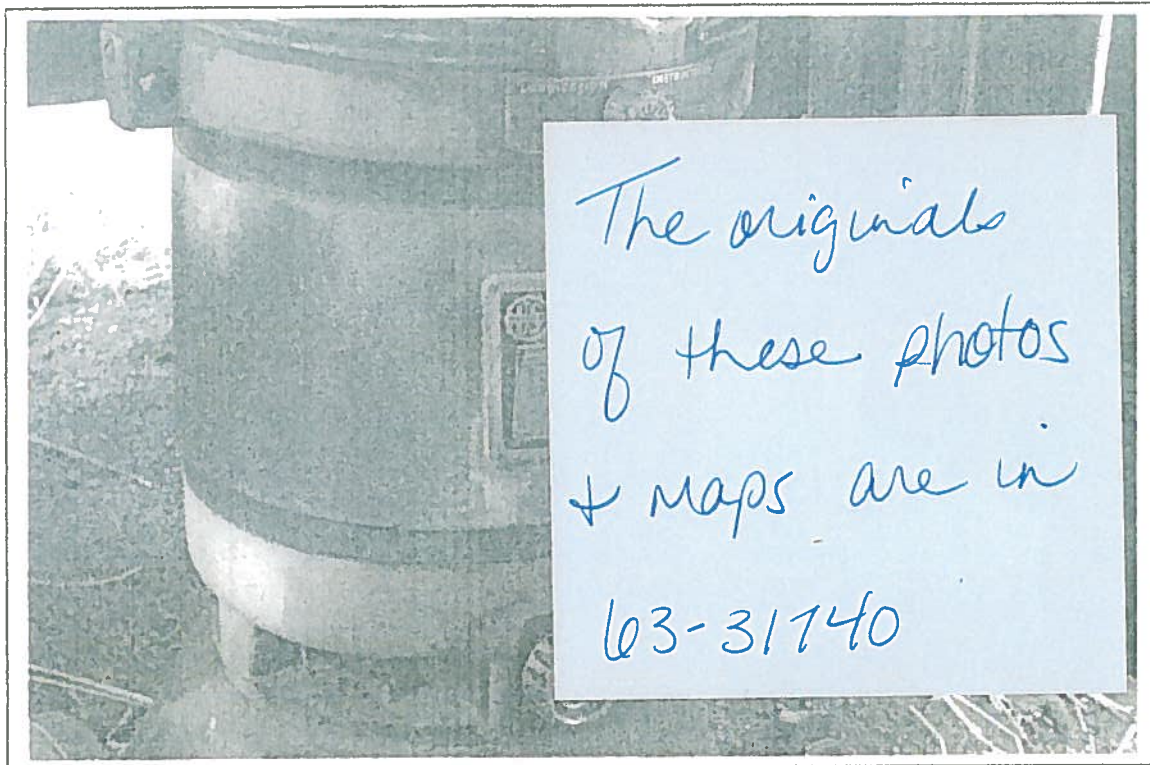


Photo 1: 63-3162, Field Exam 11-14-02: Located in the SENWNE, S31, T05N, R02E. GPS location shown on 1987 NAPP. 20 HP Holloshaft. Old system had 6" discharge east into gravity flow ditches. Pumps were used to deliver water to areas not reached by gravity irrigation.

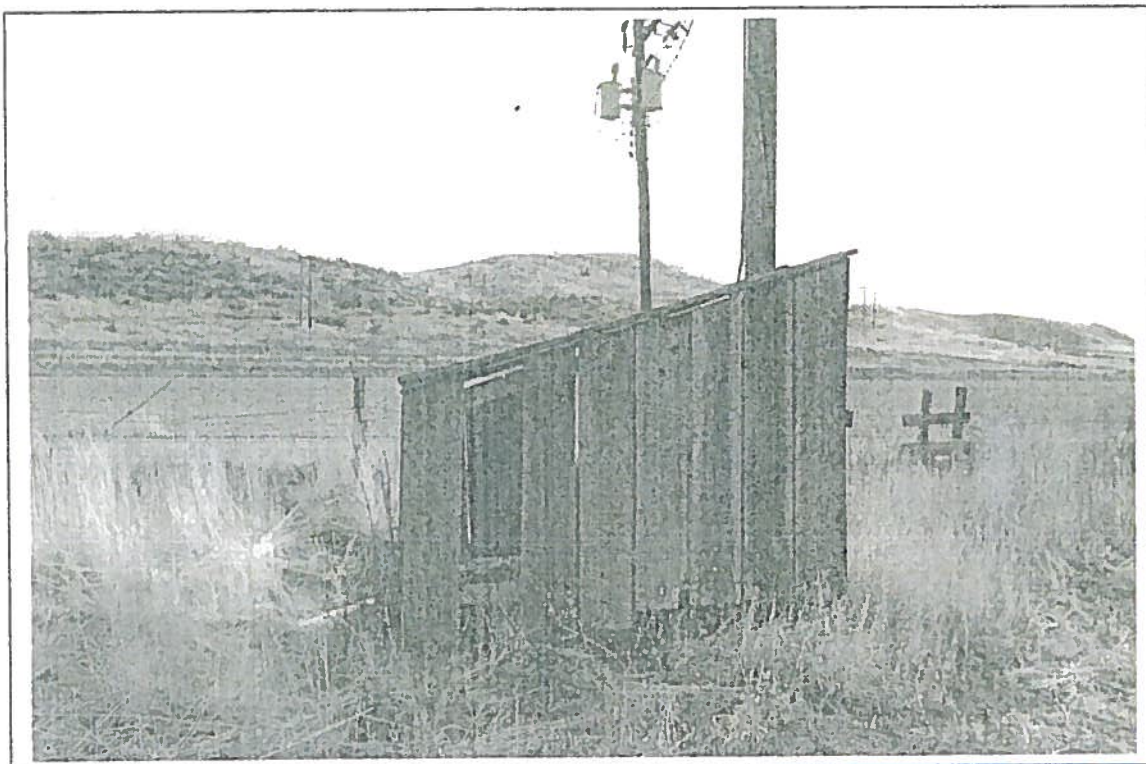


Photo 2: Well house. View is to east. New system from well delivers water in underground piping into a distribution pond where the groundwater is commingled with Dry Creek water. Re-lift pumps put water in to a pressurized underground sprinkler system. See attached Enchanove Ranch Estates plats for detailed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

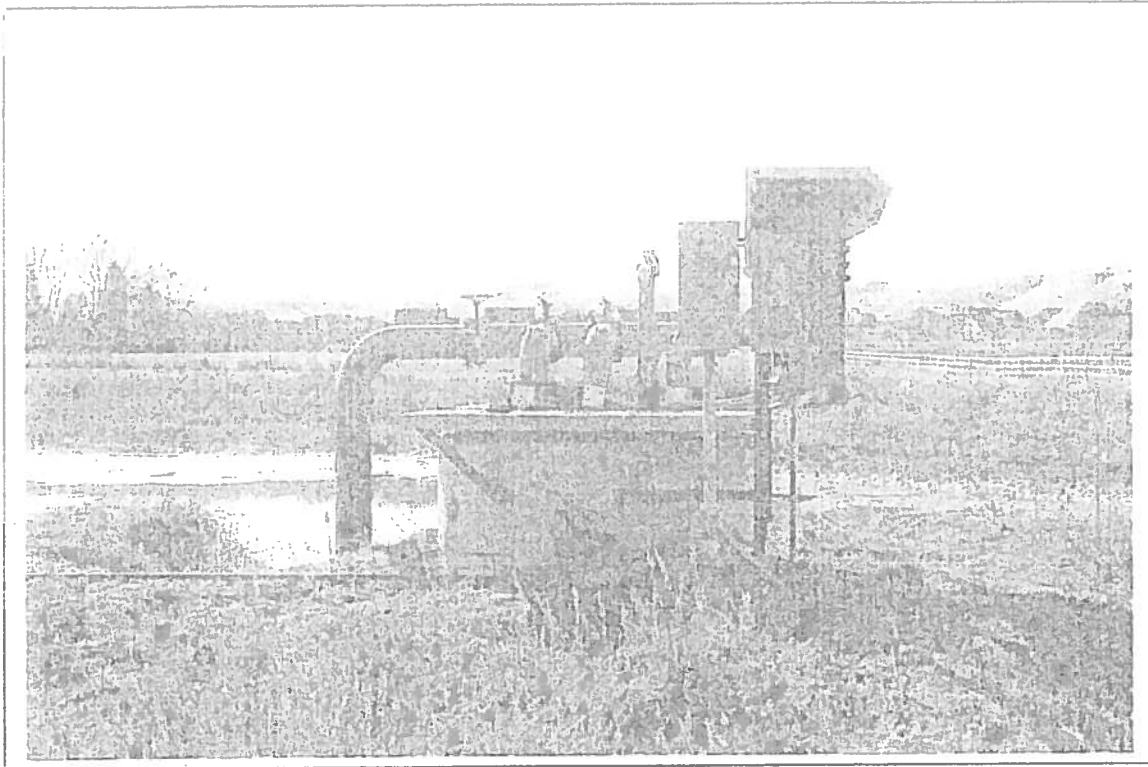


Photo 3: Distribution pond with re-lift water pumps. Piped into pressurized sprinkler irrigation system. View is to south in the SWNE, S31, T05N, R02E.

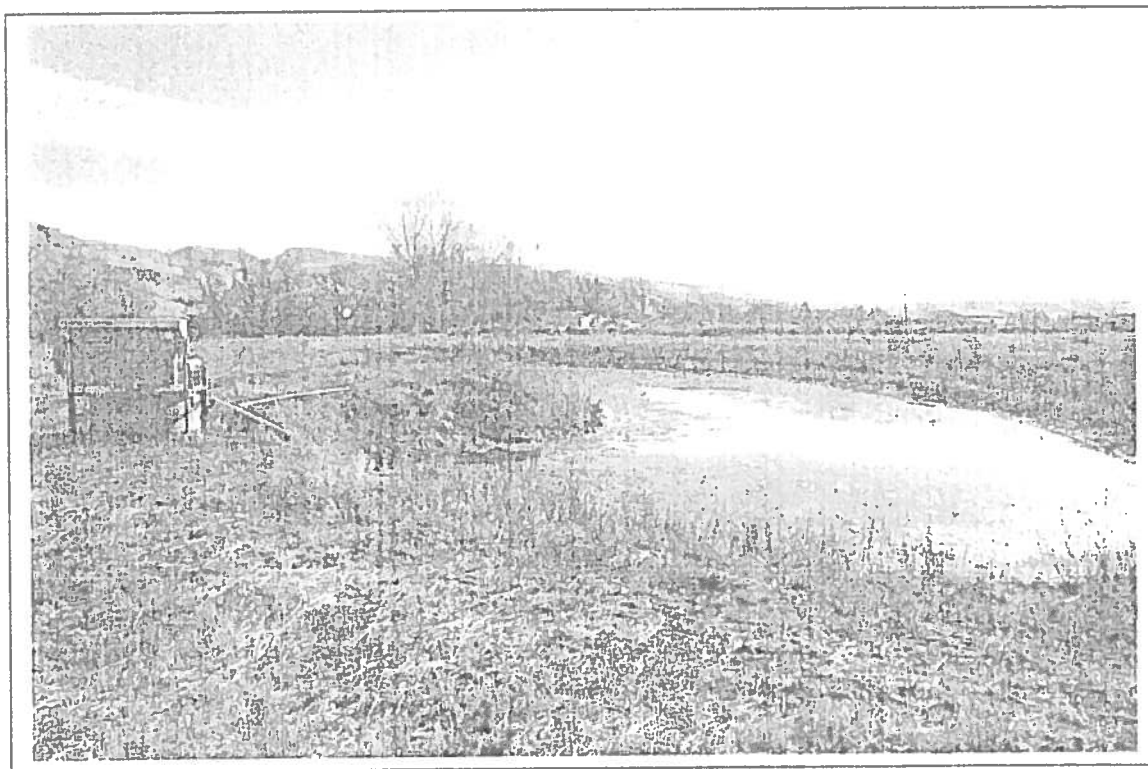


Photo 4: Distribution pond & pressurized system, view is to the east. See attached measurements. The pond has 5.17 AFA volume MAX. The well water is supplemental to surface Dry Creek right and thus the MAX combined flow is 2.78 CFS. $(2.78)(1.9835) = 5.51$ AFA.

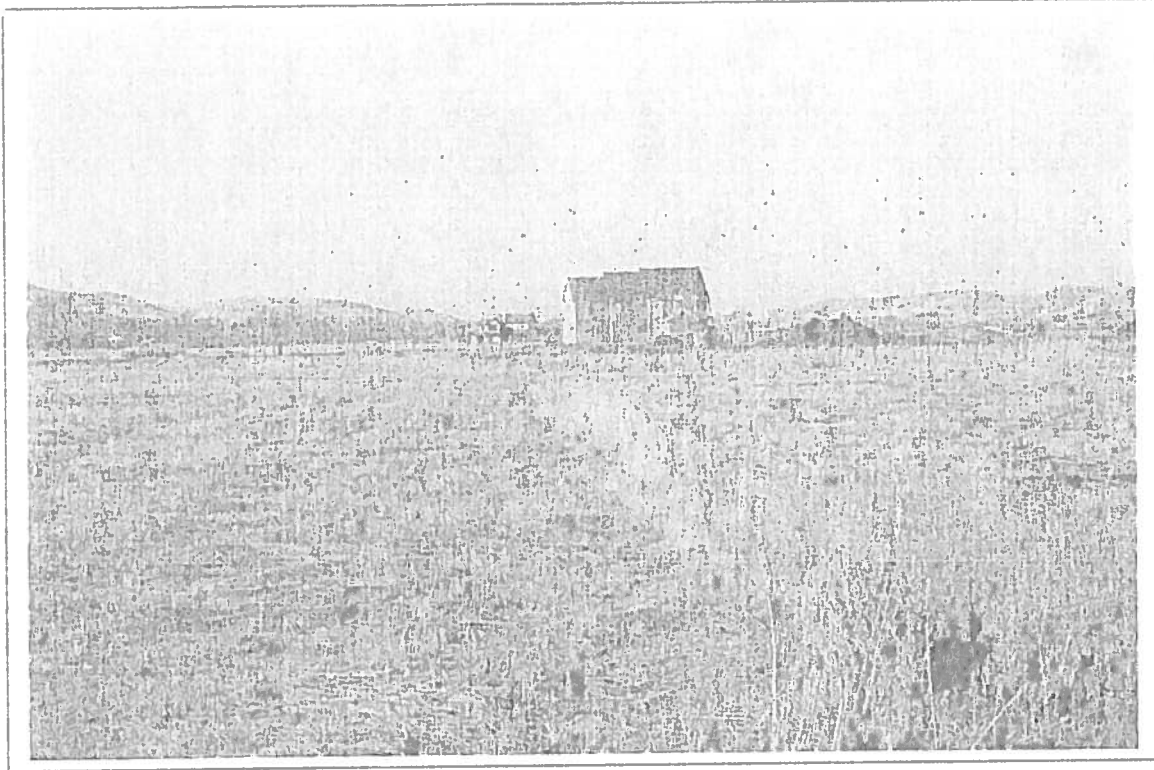


Photo 5: Place of use view to west from dirt road near Currant Creek in the NWNE S31, T05N, R02E. Irrigation shown on 1987 NAPP

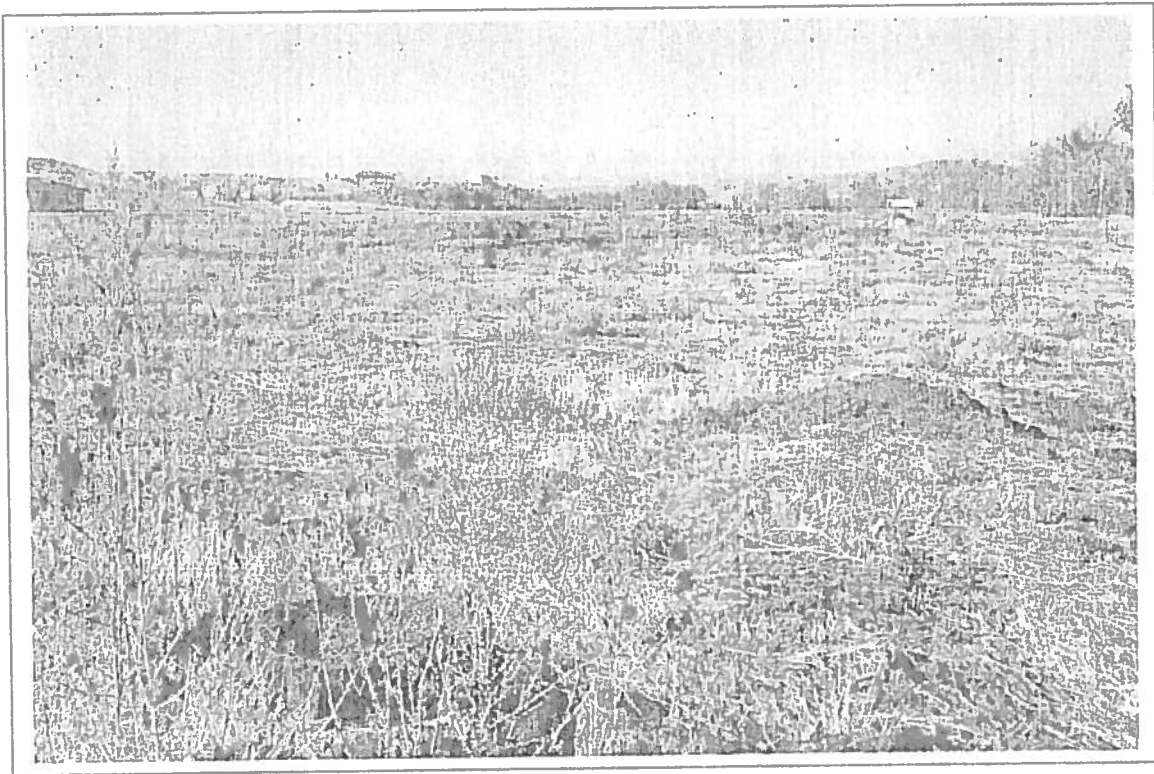


Photo 6: Place of use from dirt road. View is to west. New system pond shown in background. Re-lift pumps are on right. Manhole is part of underground system from Dry Creek. See attached Enchanove Ranch Estates plats for detailed irrigation system. Located in the SWNE, S31, T05N, R02E.

Claims: 63-3162

Date Prepared: 11-18-02

Prepared By: Ron Howerton

IDAHO DEPARTMENT OF WATER RESOURCES

T05N, R02E
S31



○ Point of Diversion

□ Place of use

□ Section

□ Quarter/Quarter

139 Acres



0.75 Miles

0.5

0.25

0

1987 NAPP

Claims: 63-3162

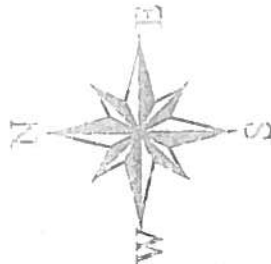
Date Prepared: 11-18-02

Prepared By: Ron Howerton

NAHO DEPARTMENT OF WATER RESOURCES



T05N, R02E
S31



○ Point of Diversion

□ Place of use

□ Section

□ Quarter/Quarter

0.75 Miles

0.5

0.25

0

Claims: 63-3162

Date Prepared: 11-18-02

Prepared By: Ron Howerton

IDAHO DEPARTMENT OF WATER RESOURCES

T05N, R02E
S31



○ Point of Diversion

□ Place of use

□ Section

□ Quarter/Quarter



0.75 Miles

0.5

0.25

0

MATT J. HOWARD

ATTORNEY AT LAW

RECEIVED

SEP 14 2001

WATER RESOURCES
WESTERN REGION

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

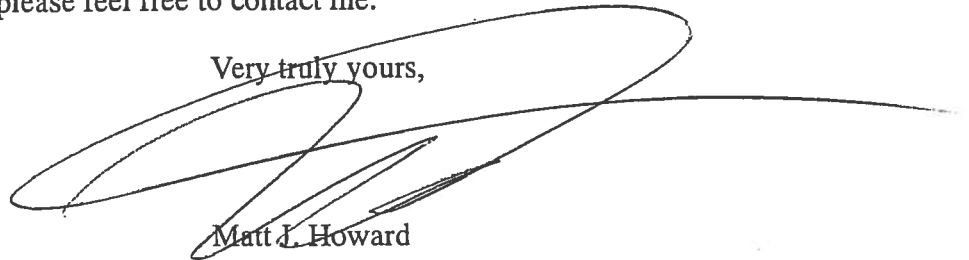
RE: Diversion Pond Plans – Echanove Ranch Estates

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,

A large, stylized handwritten signature in black ink, appearing to read 'Matt J. Howard', is written over the typed name.

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

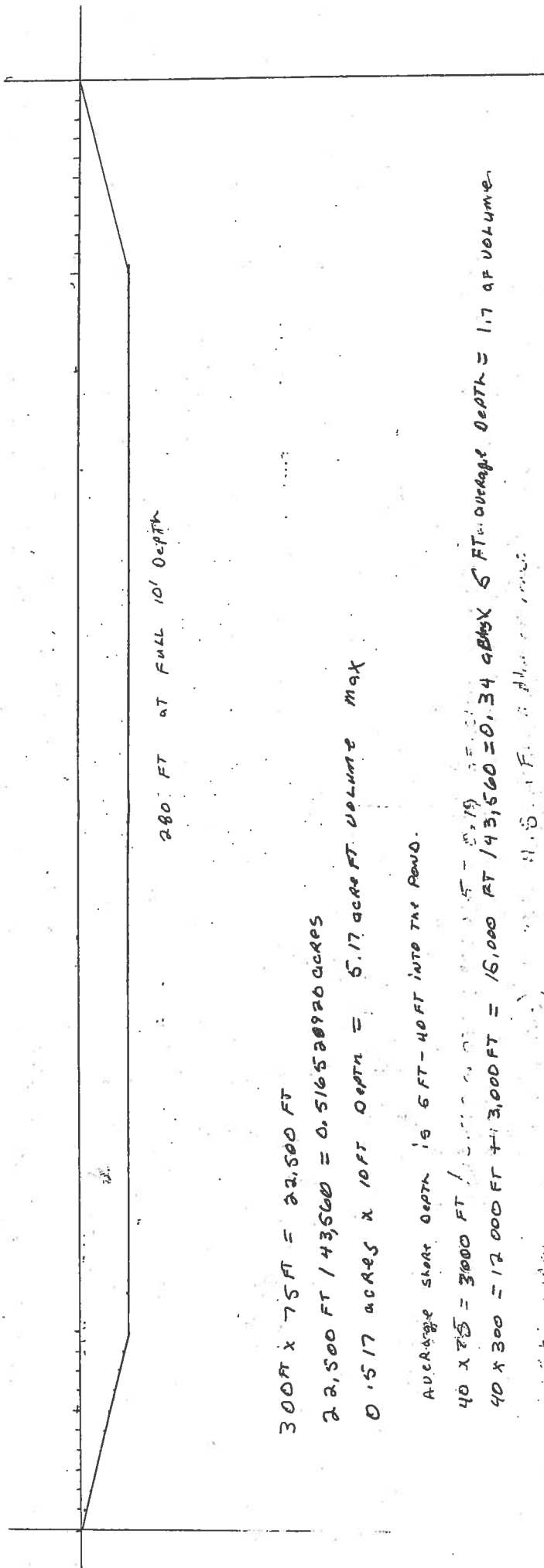
5.5 aF
Allowed.

Echanove Ranch
complaint.

POND LOOKS OK
TO ME.

Daniel A. Nelson

9-17-01



280 FT AT FULL 10' Depth

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

$$22,500 \text{ FT} / 43,500 = 0.516520920 \text{ acres}$$

$$0.517 \text{ acres} \times 10 \text{ FT Depth} = 5.17 \text{ acre FT Volume Max}$$

Average shore depth is 5 FT - 40 FT INTO THE POND.

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

$$40 \times 300 = 12,000 \text{ FT} + 3,000 \text{ FT} = 15,000 \text{ FT} / 43,500 = 0.34 \text{ acres} \times 5 \text{ FT overage depth} = 1.7 \text{ ac volume}$$

$$(0.517 \text{ acres Total surface area} - 0.34 \text{ acres}) \times 10 \text{ FT} = 1.87 \text{ ac volume}$$

$$1.7 \text{ perimeter volume} + 1.8 \text{ interior volume} = 3.5 \text{ ac volume}$$

The volume of pond is between 3.5 ac to 5.2 ac volume.

This is well within the 5.5 acre feet volume 24 hour fill rate for their two water rights.

$$\begin{array}{r} 63 - 3162 = 1,500 \text{ CFS} \\ 63 - 4849 = 2,789 \text{ CFS} \\ \hline 4,289 \text{ CFS} \end{array}$$

$$\begin{array}{r} \text{Limit Rate to } 2,780 \text{ CFS} \\ \times 1.98 \\ \hline 5,504 \text{ acre feet volume within 24 hr fill} \end{array}$$

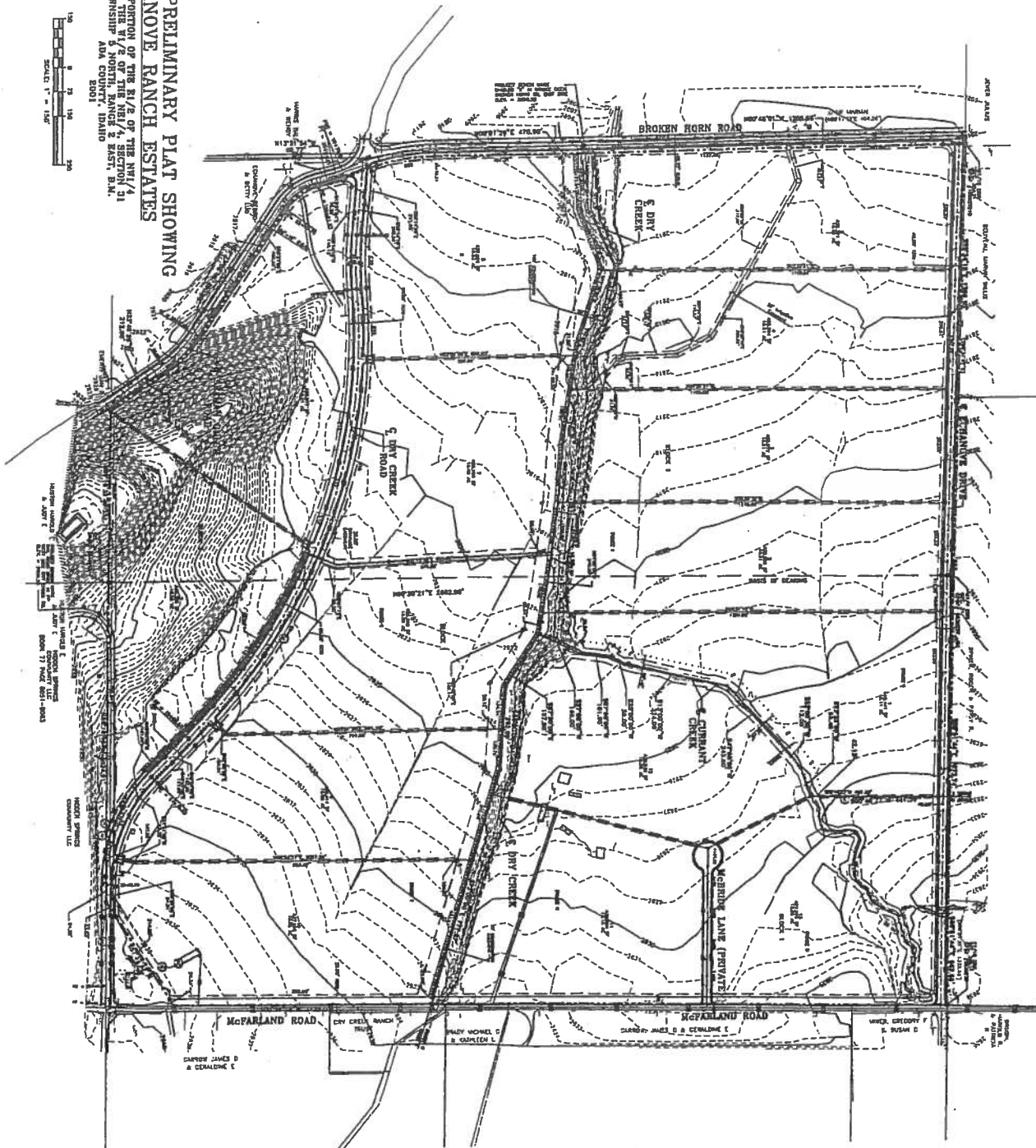
$$\begin{array}{r} 139 \text{ acres} \\ \times .02 \text{ CFS} \\ \hline 2,780 \text{ CFS} \end{array}$$

Page 5 of 6

AMENDED PRELIMINARY PLAT SHOWING

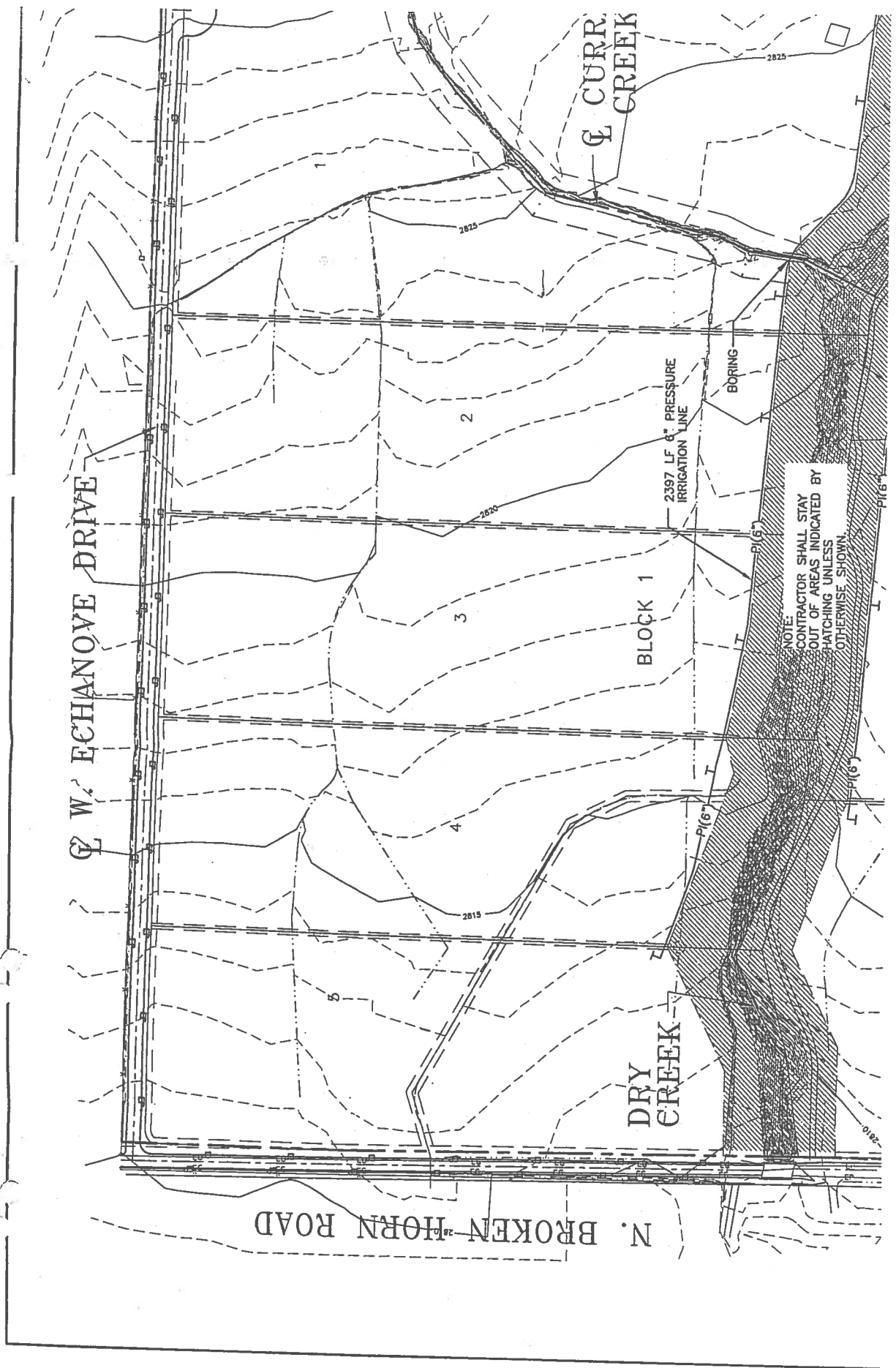
ECHANOVE RANCH ESTATES

A PORTION OF THE S 1/4 OF THE NW 1/4
AND THE W 1/2 OF THE NE 1/4, SECTION 31,
TOWNSHIP 5 NORTH, RANGE 2 EAST, B.M.
ADA CO. 2001, IDAHO



ECHANOVE RANCH ESTATES
AMENDED PRELIMINARY PLAT

PINNACLE
Engineers, Inc.
210 N. Union Suite 200, Portland, Idaho 83801



W. ECHANOVE DRIVE

N. BROKEN HORN ROAD

CURR CREEK

DRY CREEK

BLOCK 1

2

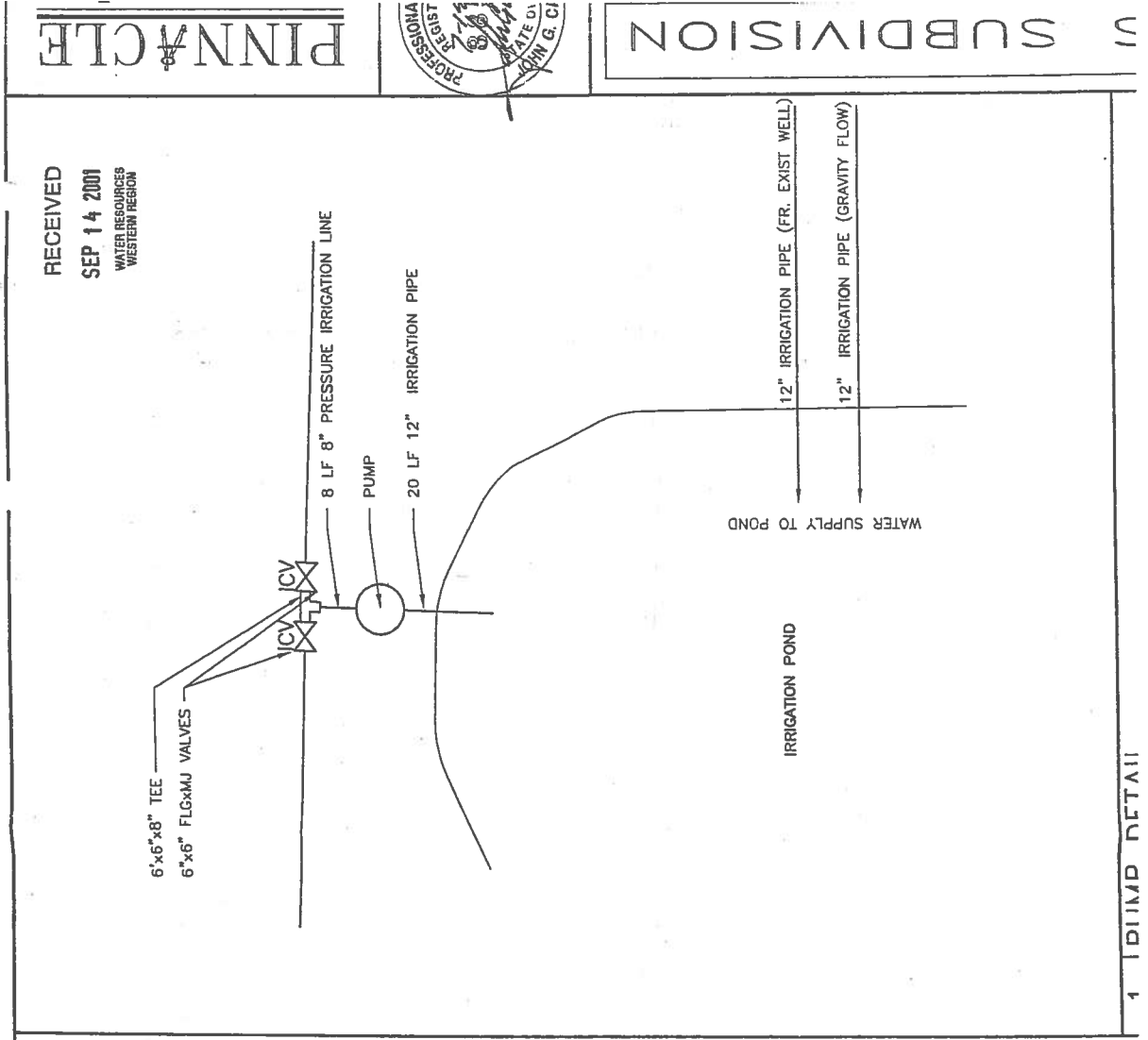
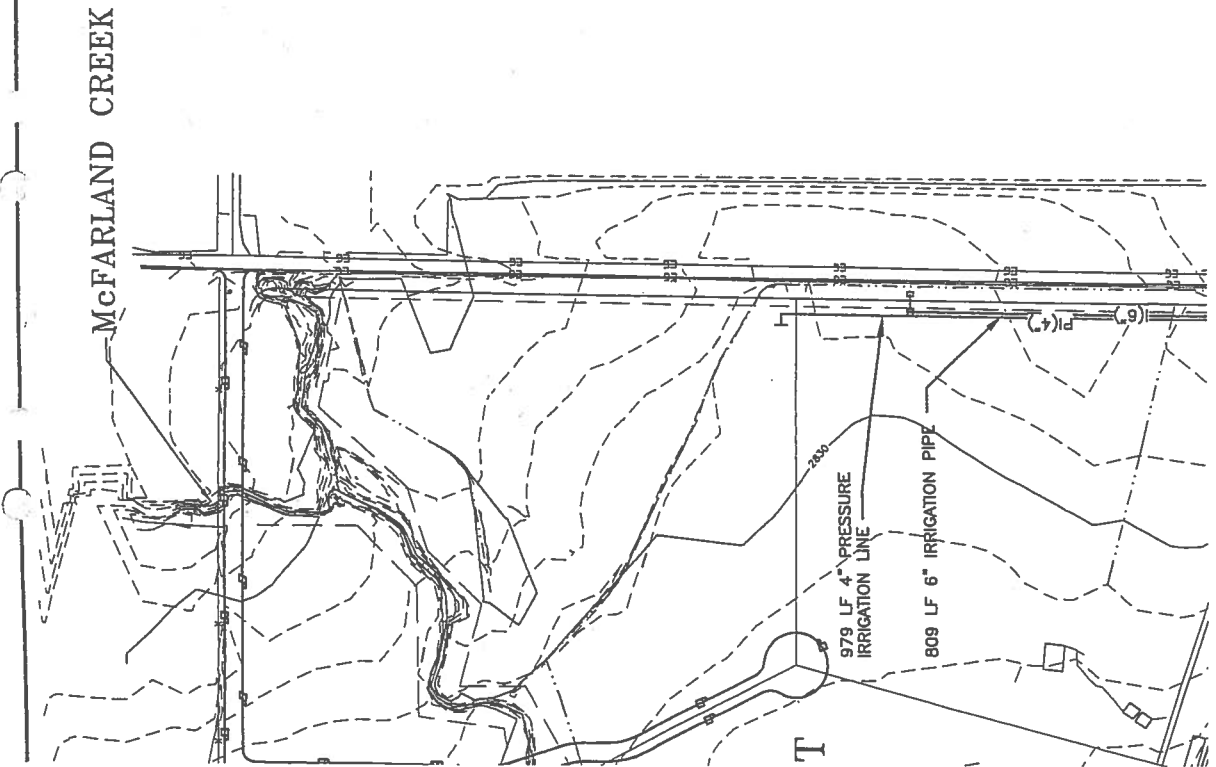
3

4

2397 LF 6" PRESSURE
IRRIGATION LINE

BORING

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



PINNACLE



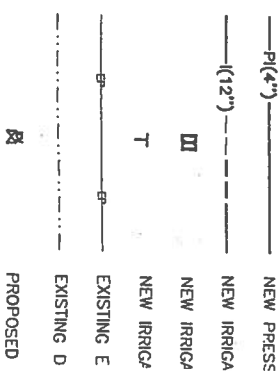
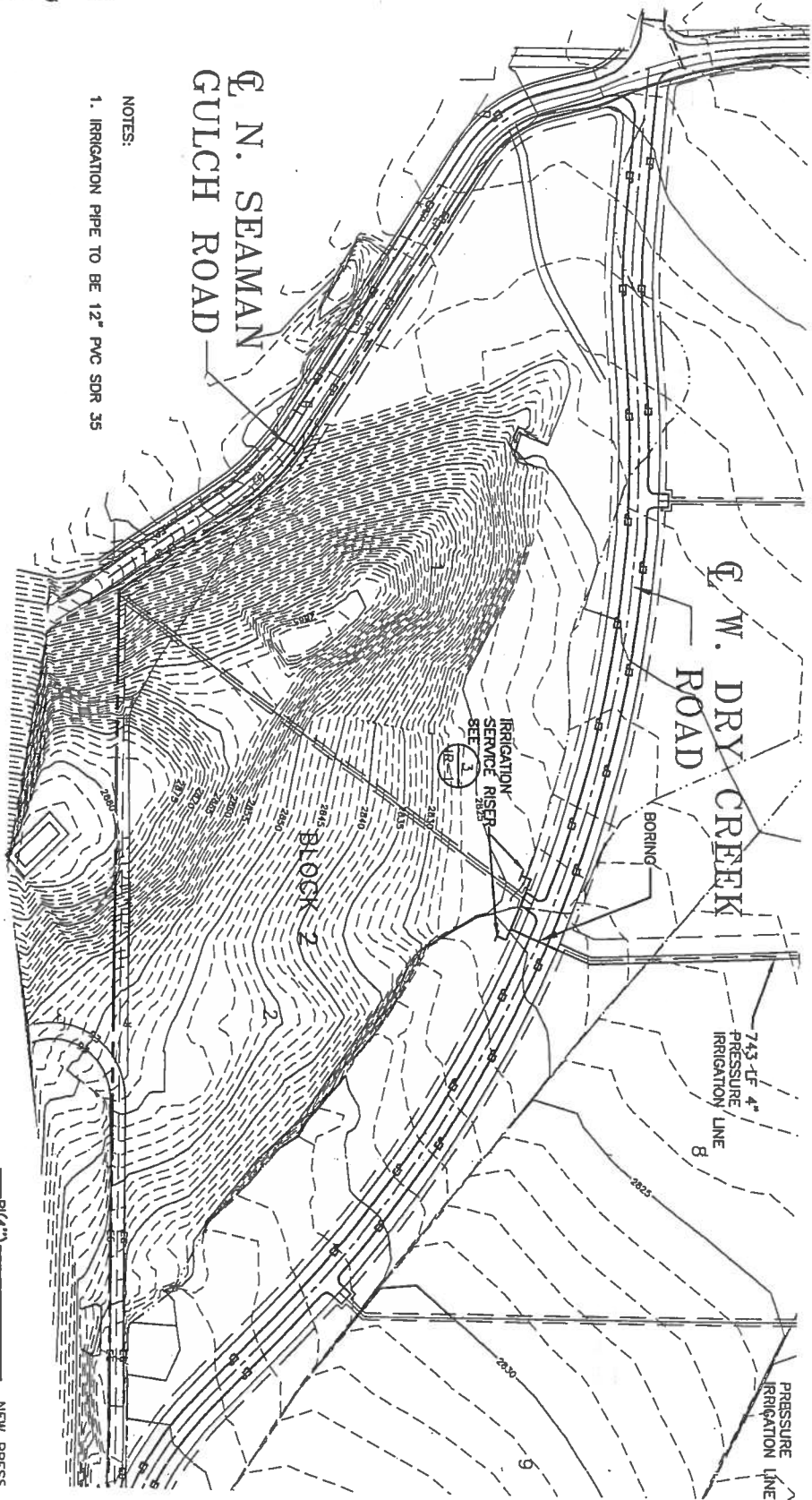
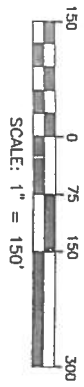
SUBDIVISION

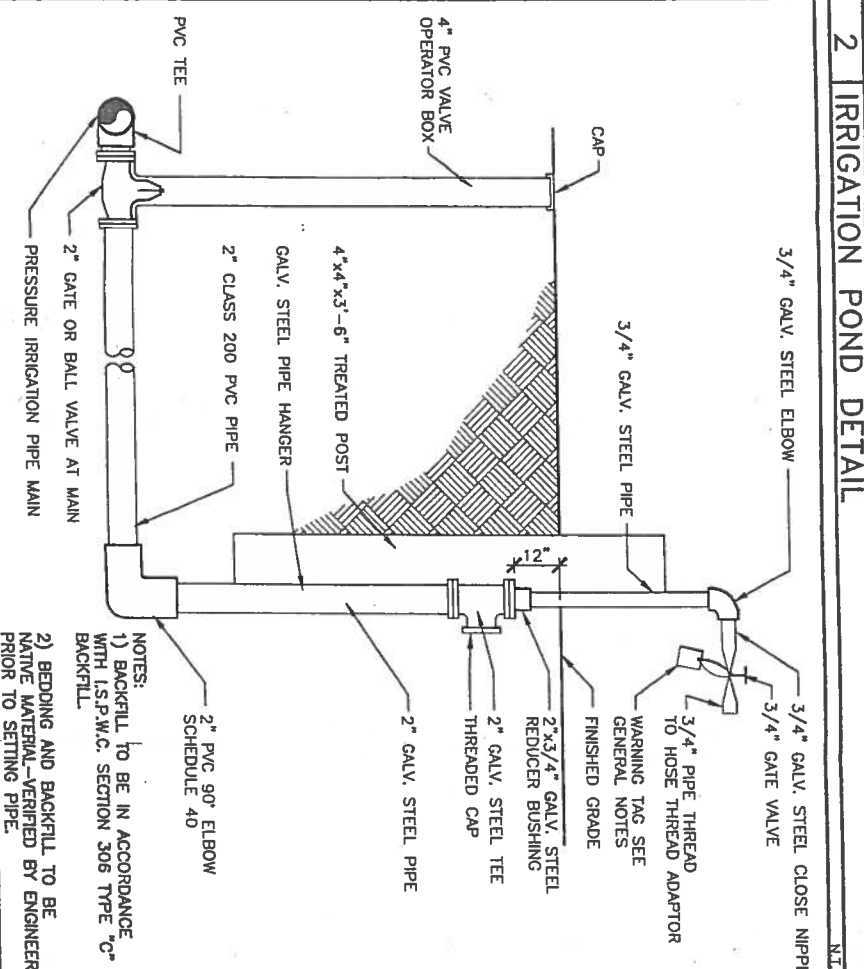
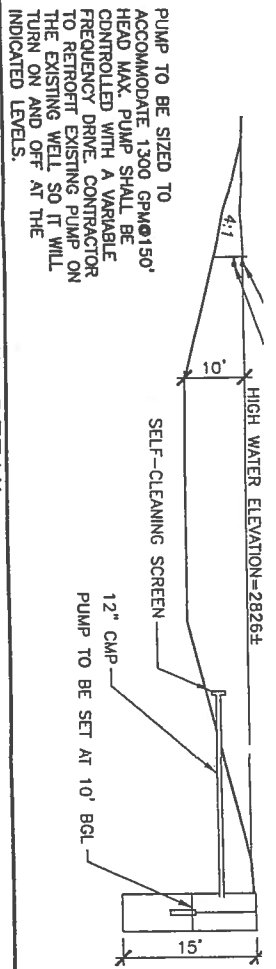
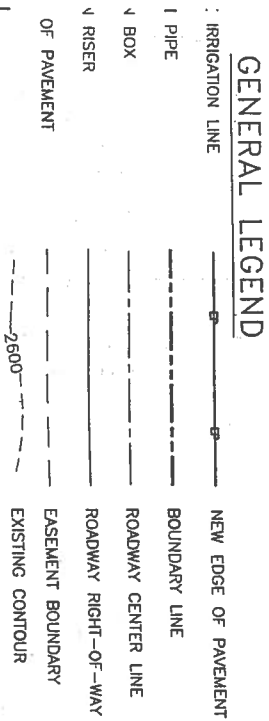
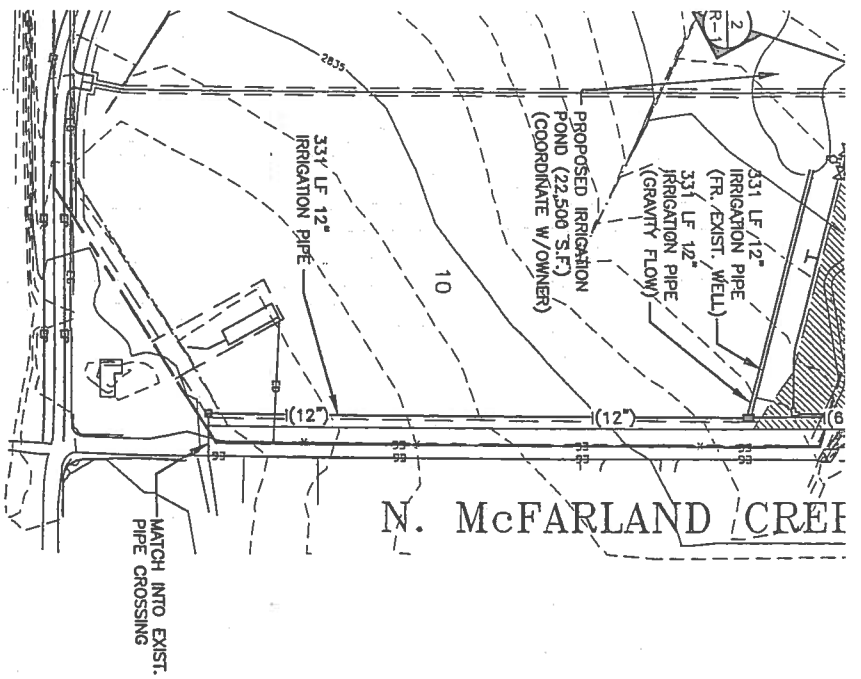
DRY CREEK ROAD

W. DRY CREEK ROAD

E. N. SEAMAN GULCH ROAD

NOTES:
1. IRRIGATION PIPE TO BE 12" PVC SDR 35





ECHANOVE E
PRESSURE

REVISED
NO. DATE DES
7/16/01 PEI

DATE

6-22-01

DRAWN BY:

DKG

DESIGNED BY

JGC

CHECKED BY

J.G. CARPENT

PROJECT NO.

98627

SHEET

P1-

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, 68917 = Lot 1 Block 2, 68919 = Lot 13 Block 1, 68921 = Lot 12 Block 1, 68922 = Lot 2 Block 2, 68923 = Lot 9 Block 1.

2. dnelson 2/27/2001 7:54:08 AM General Comments/Analysis

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

3. pskaggs 8/30/2001 Transfer Withdrawn

Comment: Transfer Withdrawn 5-9-2001.

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 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.

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



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 1
Adjudication Section
Western Region Office

DB: db

Enclosure

A63-3162

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](#)

RECEIVED

OCT 04 2001

WATER RESOURCES
WESTERN REGIONNOTE: THIS IS NOT YET APPROVED - PRIOR TO SL
RECOMMENDATION - NEED TO CHECK APPROVAL

Water Right No. 63-4849

763-3162

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION 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

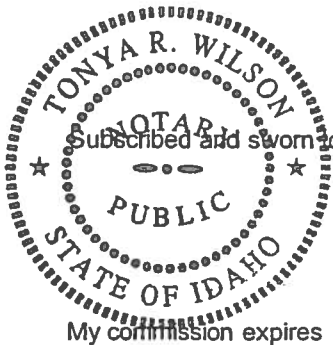
9. Give the last date when water was put to beneficial use 1998

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 KL Date 10/4/01 Receipt # W028372
Preliminary T by _____ Publication prepared by KL Pub. approved by KL Date 11-7-01
Published in Idaho Statesman Dates Published 11-15-01 to 11-22-01
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. ONSTATE 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 _____
 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
(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

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)

Beul Development Inc By Michael J. Hansen, Pres.



Subscribed and sworn to before me this

and day of October, 20 01

(Notary Public)

Tonya Wilson

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

Chief, Water Allocation Bureau

L. Glen Saxton

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 _____ 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 _____

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

Attorney for Bull Development, Inc.

RECEIVED

OCT 04 2001

WATER RESOURCES
WESTERN REGION

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

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

STATE OF IDAHO)
County of Ada) ss.

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

1. I make the following statements based on my personal knowledge.
2. I am a resident of Ada County, Idaho. My address is Route 1, Dry Creek Rd., Boise, Idaho 83703.
3. In the early 1920's my family purchased the land now known as the Echanove Ranch located off Dry Creek Road in Ada County. I am 76 years of age, and I have lived on the ranch all my life.

AFFIDAVIT OF PEDRO ECHANOVE - 1

ATTACH 01

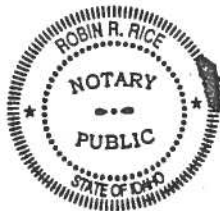
4. During the time that I lived on the ranch, my family and I irrigated and farmed the ground every year up until I sold the ranch in late 1998. We mostly grew alfalfa and grain. To irrigate, I used my Dry Creek water right, no. 63-4849. I would also use my supplemental ground water right, no. 63-3162,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

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

Further your affiant sayeth naught.

Pedro Echanove
PEDRO ECHANOVE

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



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

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, 1959

THIS IS TO CERTIFY that
of Boise, Idaho

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 works, 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 ¼ NE ¼, 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 tract					
Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 N	2 E	31	NW¼ NE¼	40	40
			SW¼ NE¼	40	37
			NE¼ NW¼	40	40
			SE¼ NW¼	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)

JAN-04-2001 THU 12:57 PM

FAX NO.

P. 02/04

THIS FORM FURNISHED COURTESY OF IDAHO COUNTY RECORDER DAVID HAVARD		RECORDED - REQUEST OF FEE 9- DEPUTY <i>[Signature]</i> 100075885 ALLIANCE TITLE
ALLIANCE TITLE ESCROW CORP. 2000 SP 27 PH 2:27		
READ & APPROVED BY GRANTEE: <i>[Signature]</i>		PAGE ABOVE THIS LINE FOR RECORDING DATA Order No.: 99000204 JG-PB
(0631)		
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 ELERA 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: 2223 W. STATE, 8B, 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.		
IDA COUNTY RECORDER DAVID HAVARD 2000 OC - 6 PH 4:51		RECORDED - REQUEST OF FEE 9- DEPUTY <i>[Signature]</i> 100080595
RE-RECORDED TO CORRECT LEGAL		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> ALFRED D. GIBBENS		<i>[Signature]</i> BETTY LOU ECHANOVE <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>Pamela J. Bigelow</i> Name: PAMELA J. BIGELOW Residing at: BOISE, IDAHO My Commission Expires: 01/12/06

ALLIANCE TITLE & TRUST SP 22 PH 2:27
ESCROW CORP.

100075885

ALLIANCE TITLE

READ & APPROVED BY GRANTEE(S):

SPACE ABOVE THIS LINE FOR RECORDING DATA

Order No.: 99080204 JG-PB

(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 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, NB, 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 HAVARDO
CLERK

RECORDED-REQUEST OF

FEE 9- DEPUTY A. Chon

RE-RECORDED TO CORRECT LEGAL

2000 DC -6 PH 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

Pedro Echanove
PEDRO ECHANOVE

Betty Lou Echanove
BETTY LOU ECHANOVE

Alfred D. Gibbens
ALFRED D. GIBBENS

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.

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 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 470.90 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 ~~1369.30~~ feet
to the POINT OF BEGINNING. 1369.30

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-28016This proof is for Completion of Works & Bene. Use In Water District No. _____1. Name of applicant Pedro, Petra, and Elena Anita Gibbens ^{/Echango}2. Source of water supply: subterranean3. Location of point of diversion: Is in the NW 1/4 of Section 31T 5N R 2E County of Ada

4. Describe works as they exist, giving dimensions and capacities of same: 20 HP V.S. shaft
Motor "325211, F-M Pump" PE 8738, 6" discharge cast into
open ditch. They 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: irrigation6. 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):

W 1/4, E 1/4, 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 Echango consulted. (wife)

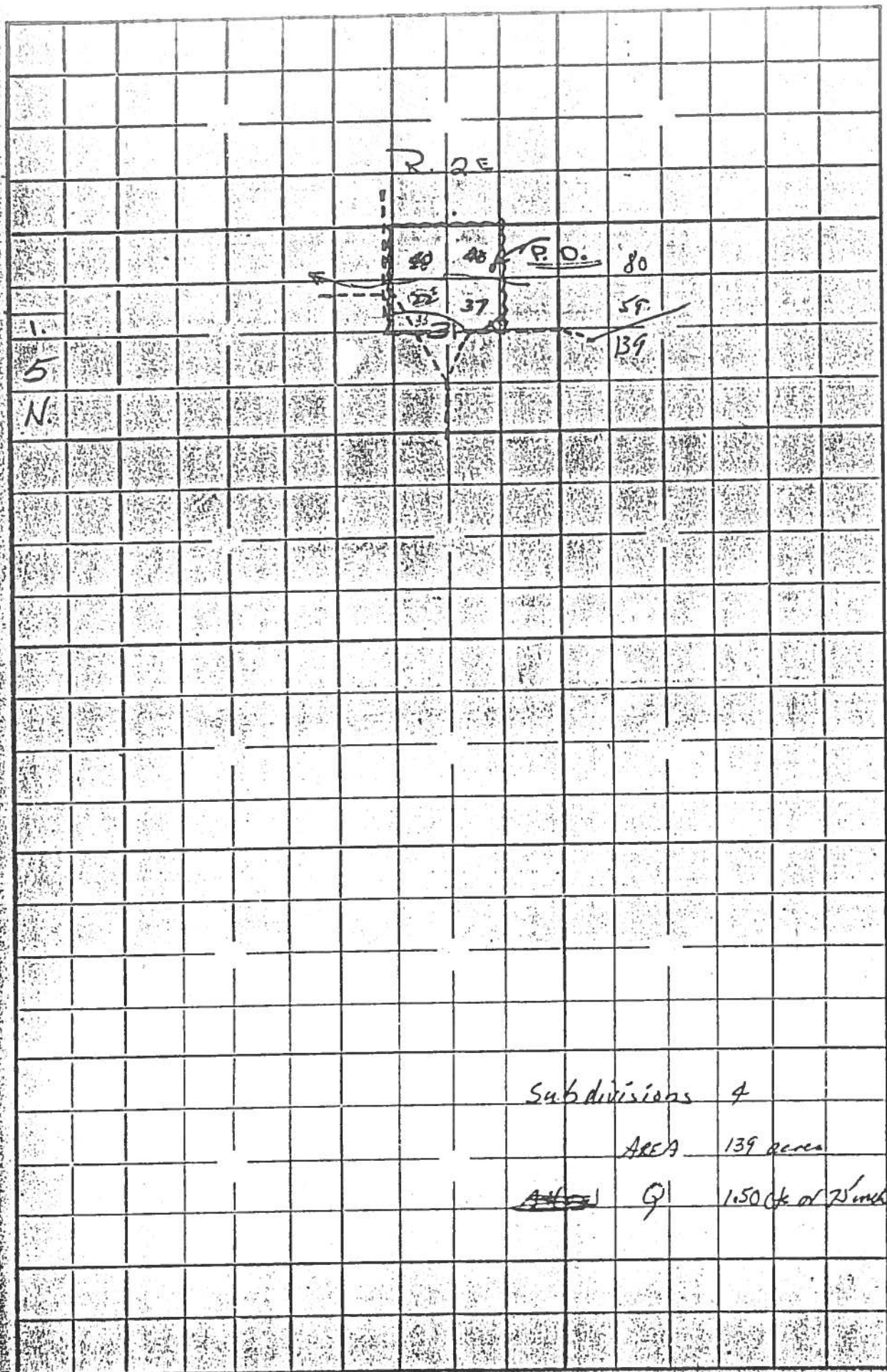
Measured over 2" Cipolletti weir. 37' = 1.5 cfs

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

(L. 2553)

L. Johnson

Examiner



Subdivisions 4

AREA 139 acres

~~Area~~ 91 1.50 $\frac{1}{4}$ of 1/4

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.

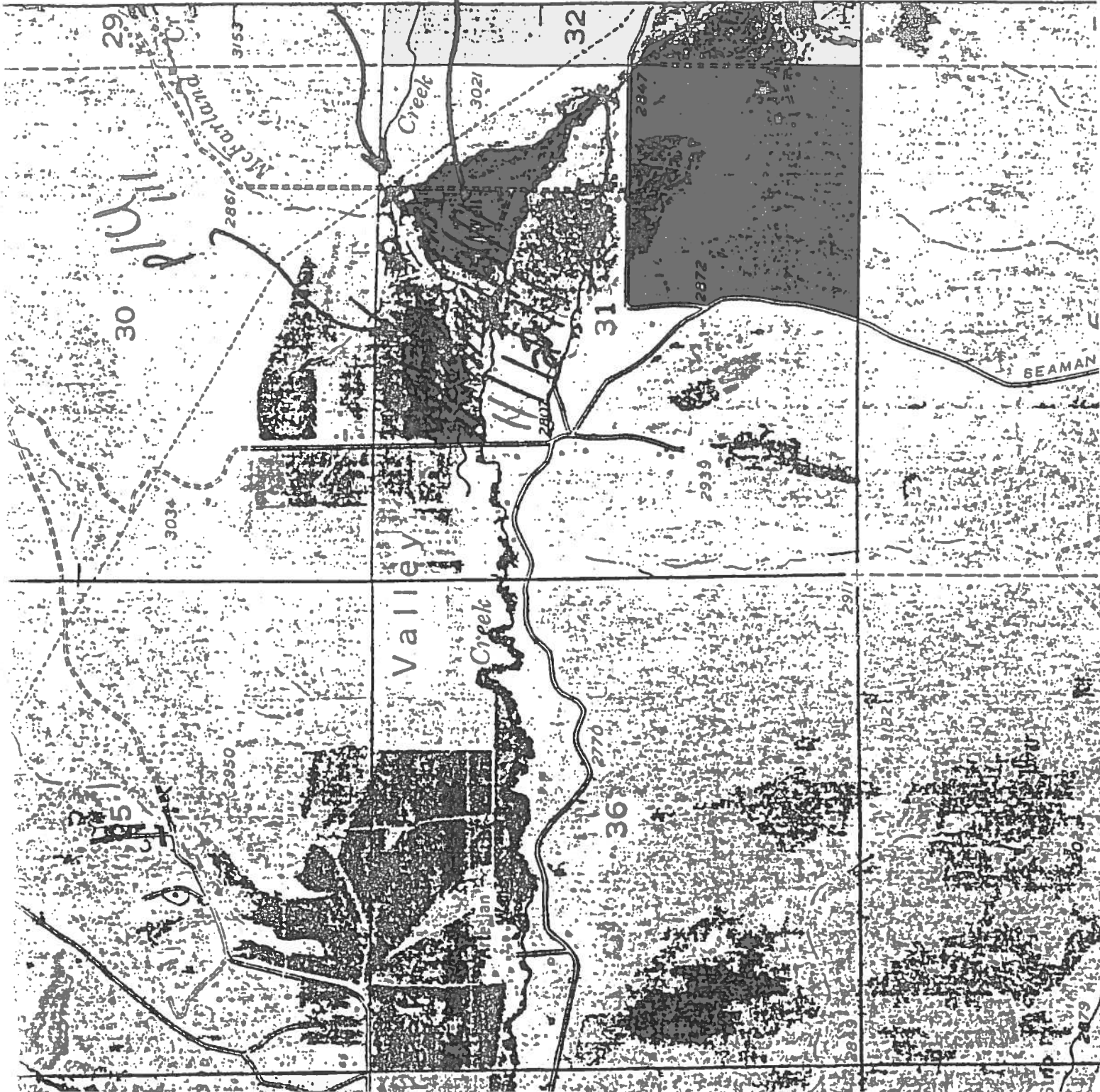


RECEIVED

OCT 05 2000

WATER DIVISION
WFO

~~1998~~
~~20~~
1999 acres
Directed on a
1993 ~~erial~~ Aerial photo.
Per applicant
DAN
10-5-2000



750 000
FEET

845 N.

T. 4 N.

T 5 N

T 4 N

T 5 N
0 2 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

Marion D. and Judy L. Groothuis
3490 N. Saddleman Pl.
Eagle, ID 83616

Re: Original Notice of Claim to a Water Right No. 63-31737, 63-31739
Renumbered Notice of Claim to a Water Right No. 63-32403, 63-32412

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

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
--	---	--	--	--	--	---

GROOTHUIS

63-31737

DRY CREEK

129 AC + 2.58 CFS

.02 CFS/AC



GROOTHUIS

2.9 AC - SENEW

3.3 AC - SWNE

6.2 AC TOTAL

.12 CFS

REMAINING

NWNE - 40.3 AC

NENW - 38.7 AC

SWNE - 23.7 AC

SENEW - 20.1 AC

TOTAL 122.8 AC

2.46 CFS

63-31739

GROUNDWATER

129 AC + 1.39 CFS +

580.5 AF

.01 CFS/AC + 4.5 AF/AC



GROOTHUIS

2.9 AC - SENEW

3.3 AC - SWNE

6.2 AC TOTAL

.07 CFS/27.9 AF

REMAINING

SAME ACRES

AS DRY CK

ONLY

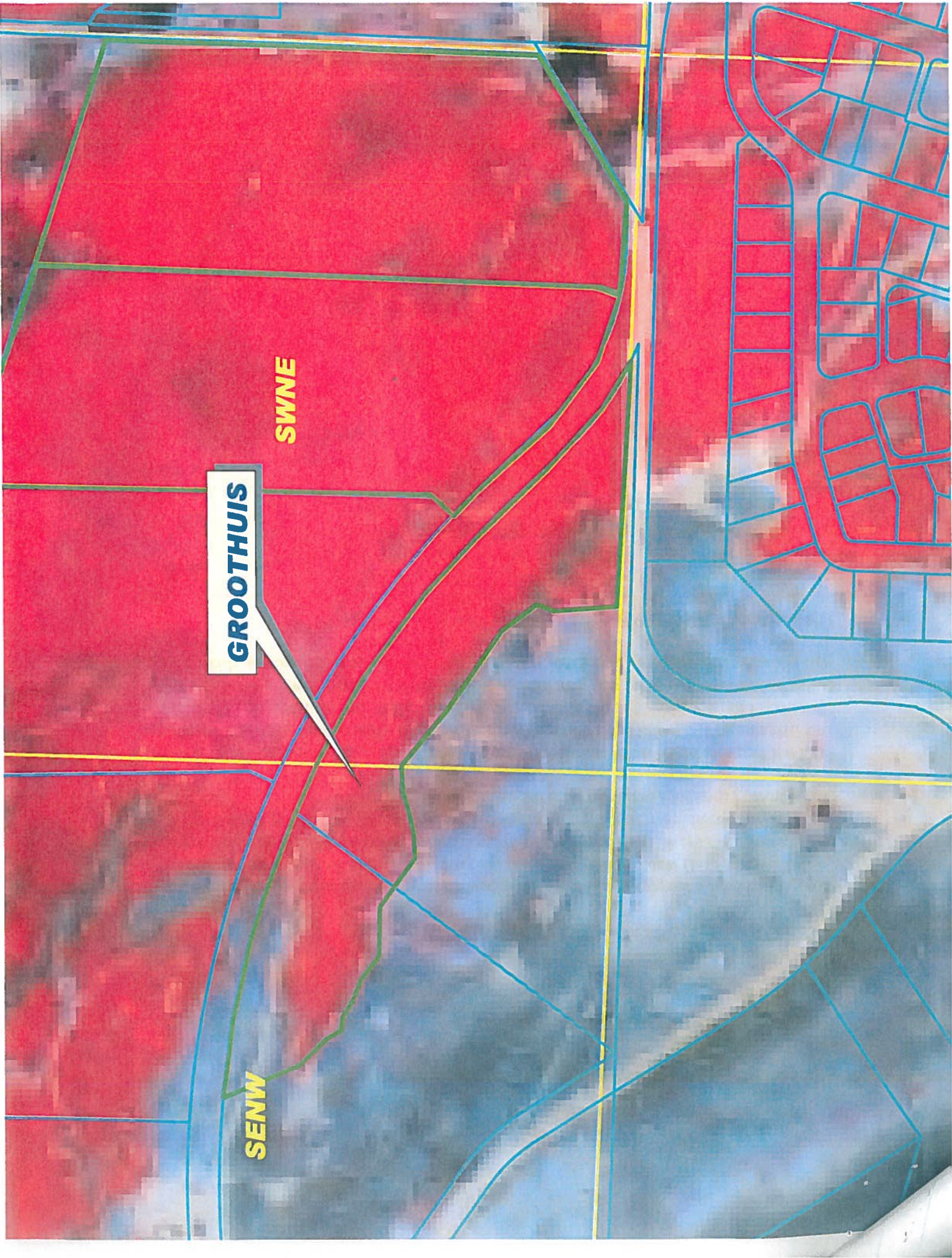
1.32 CFS +

552.6 AF

SWNE

GROOTHUIS

SENW



MEMORANDUM

TO: CRAIG SAXTON

FROM: DANIEL A. NELSON

DATE: 10/7/04

SUBJECT: TELEPHONE CALL REFERRAL

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

12 ac

63- 3162

- 4000

10.26.04 = Cannot move acreage around in
same 40 ac tract w/o Transfer.
John Westra spoke w/ 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

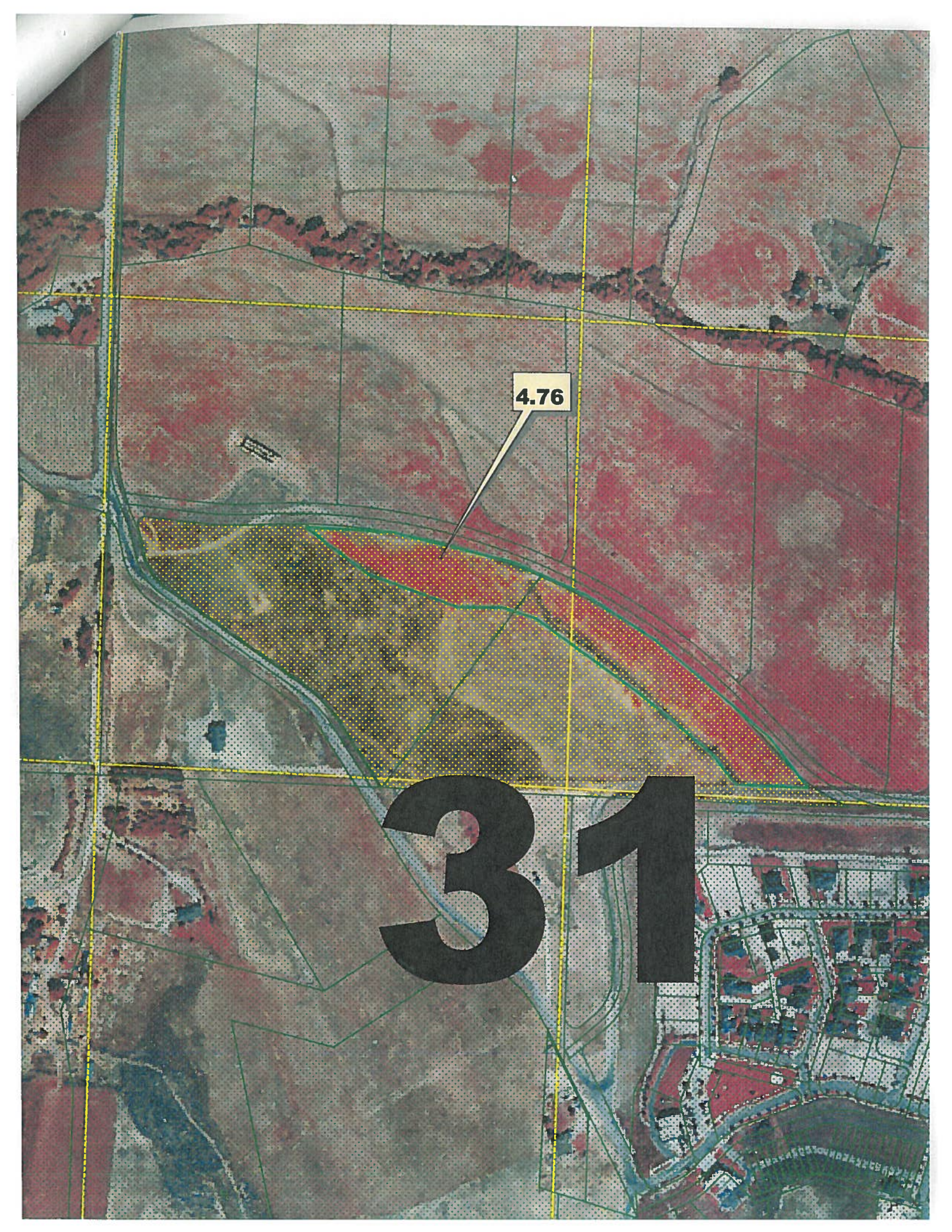
RE: Groothuis Change in Ownership

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

T05N, R02E, S31

35.0
NENW

10.0
NWNE

**Bull Development
Remainder**

0.3

2.0

SENW
23.0

SWNE

Meuleman Split

1987 NAPP

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
63-2849	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>		
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		

Lot 2, BK 2

see
attach-
ments to
Deeds

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>		
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		

Lot 1, BK 2

7.

Signature of New Owner(s) or Claimant(s)
(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 lg AJ Date 9/16/06 WR Date

reviewed by: J. Shurte

2/16/04
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 Oberbillerig
RECORDED - REQUEST OF
Pioneer
AMOUNT 6.00



2

CORPORATE WARRANTY DEED

[Handwritten signature]

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.

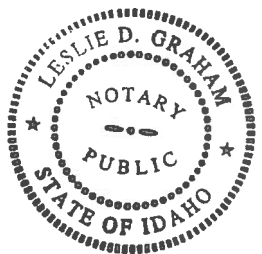
TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in a fee simple of said premises; that they are free from all encumbrances and that it will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

41649
GB/JSB



A Pioneer Company
PIONEER TITLE COMPANY
OF ADA COUNTY

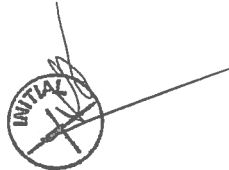
8151 W. Rifleman Ave. / Boise, Idaho 83704
(208) 377-2700

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

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
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**.
Deed attached
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
Plat attached **OR**
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

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

4. New Owner/Claimant(s) Wayne and Susan Meuleman

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

New Mailing Address 235 E. Braemere Rd.

City, State and ZIP Code Boise, ID 83702

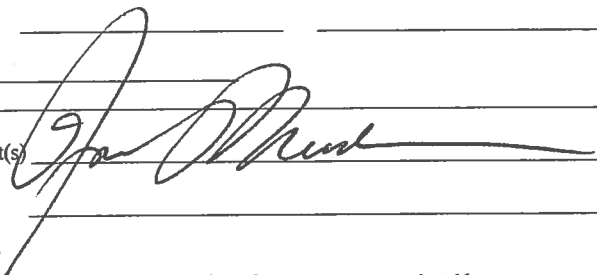
New Telephone Number 208 345-8398 ; 342-6066 office

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

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 <u>DH</u>	Date <u>2-19-03</u>	Fee <u>N/A</u>	
Received by _____	Date _____	Receipt No. _____	
Processed by _____	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

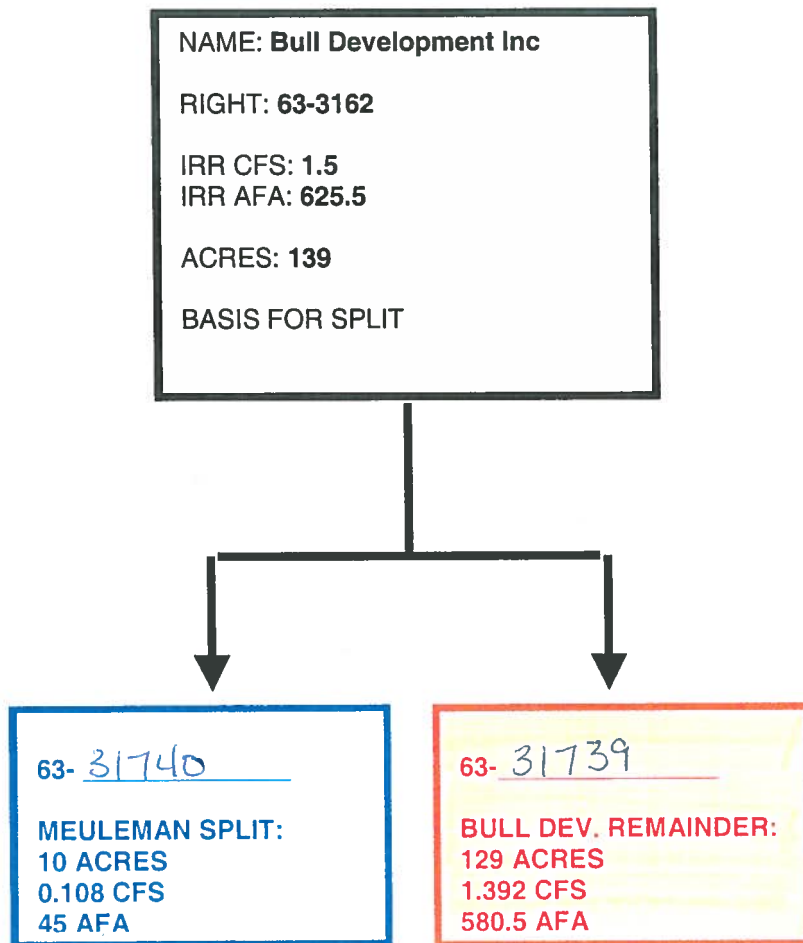
BULL DEVELOPMENT REMAINDER:

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)



THIS FORM FURNISHED COURTESY OF:

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

RECORDED - REQUEST OF

FEE 3.00 DEPUTY MDapile

102023796

ALLIANCE TITLE & ESCROW CORP
2002 FEB 27 PM 4:08

READ & APPROVED BY GRANTEE(S) Dr SM

TRANSACTION

SPACE ABOVE THIS LINE FOR RECORDING DATA

TCI-77754PB

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.

(Corporate Seal)

BULL DEVELOPMENT, INC.

(Corporate Name)

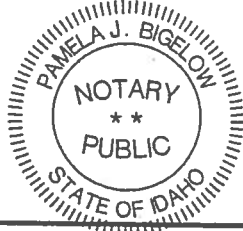
By: Michael S. Homan
MICHAEL S. HOMAN, President

Attest: _____
Secretary

STATE OF IDAHO)
COUNTY OF ADA)

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

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



Signature: Pamela J. Bigelow

Name: PAMELA J. BIGELOW

(type or print)

Residing at: BOISE, IDAHO

My Commission Expires: 01/12/06

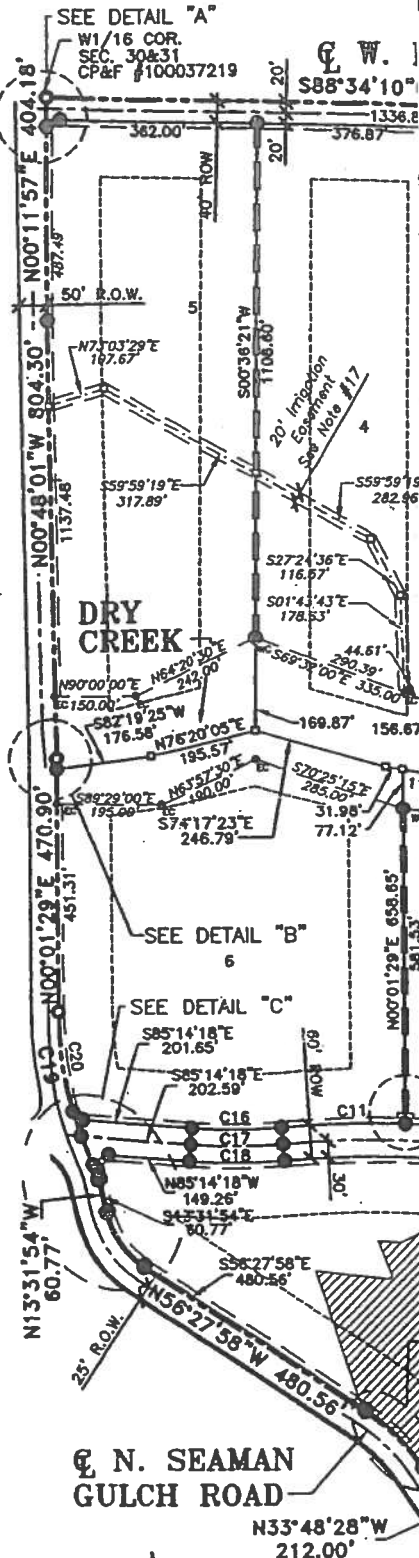
82 p. 8918-8920

PL ECHANOVE RAI

A PORTION OF THE
OF SECTION 31, TOWNSHI

N. BROKEN HORN ROAD

UNPLATT



- P.O.B. POINT OF BEGINNING FOUND ALUM. MONUMENT N1/4 COR.
- SET 5/8" x 30" REBAR W/CAP MARKED LS 6901
- SET 1/2" x 24" REBAR W/CAP MARKED LS 6901
- 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.

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

1-4503 OF THE IDAHO CODE, RIGHT TO FARM RATION 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

NANCE TO IT.

ADA COUNTY CODE, NO BUILDING SHALL BE

JE.

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 ACCORDANCE WITH ADA COUNTY HILLSIDE

SHALL BE INSTALLED BEYOND THE WATER RELEASE.

LETTER ON FILE REGARDING

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

LL BE PROVIDED BY ADA COUNTY PARKS TO 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

GRANTED TO THE LANDOWNER EMENT AND LOT 10 BLOCK 1. DIVJOINING LAND.

RECEIVED
FEB 19 2003
WATER RESOURCES
WESTERN REGION

N. SEAMAN
GULCH ROAD

CW1/16 CORNER
CP&F #101014633

SEE DETAIL "E"

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

T05N, R02E, S31

NENW

40.0

NWNE

Bull Development Remainder

3.7

0.3

2.0

SENW

25.0

SWNE

100

Meuleman Split

1987 NAPP

Echanove to
Bull Development
Ownership Change
Exhibit "A"

1987 NAPP

NENW

NWNE

SENE

SWNE

Section 34

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 S. Homan Pres.

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

For Office Use Only			
Received by _____	Date _____	Fee _____	
Received by _____	Date _____	Receipt No. _____	
Processed by _____ AJ	Date _____	WR _____	Date _____

THIS FORM FURNISHED COURTESY OF:

ADA COUNTY RECORDER
DAVID NAVARRO

RECORDED - REQUEST OF

FEE 9 - DEPOSIT

100075885

ALLIANCE TITLE

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

READ & APPROVED BY GRANTEE(S):

SPACE ABOVE THIS LINE FOR RECORDING DATA

Order No.: 99080204 JG-PB

{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 ANITA ECHANOVE, same person as ANITA ECHANOVE) GRANTEE(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, #D, 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

ALFRED D. GIBBENS

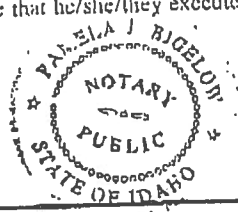
BETTY LOU ECHANOVE

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:

Name: PAMELA J. BIGELOW

(type in print)

Residing at: BOISE, IDAHO

My Commission Expires: 01/12/06

ORDER NO. 99080204 JG

EXHIBIT "A"

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

BEGINNING at an aluminum cap marking the North Quarter corner common to Sections 30 and 31, thence along the North line of said West Half South 88 degrees 51'44" East a distance of 1373.74 feet to an aluminum cap marking the Northeast corner of said West Half; thence leaving said North line and along the East line of said West Half South 00 degrees 54'38" West a distance of 2436.01 feet to a 5/8 inch rebar; thence leaving said East line South 57 degrees 32'41" West a distance of 395.15 feet to a 5/8 inch rebar on the South line of said West Half; thence along said South line North 89 degrees 19'13" West a distance of 1024.92 feet to an aluminum cap marking the Southwest corner of said West Half; thence leaving said South line of the West Half and along the South line of the said East Half North 89 degrees 19'32" West a distance of 551.11 feet to a 5/8 inch rebar on the Northeastly 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 675.37 feet, a central angle of 24 degrees 26'40", 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.



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

DIRK KEMPTHORNE

Governor

KARL J. DREHER

Director

MAY 10 2002

WATER RESOURCES
WESTERN REGION

PEDRO ECHANOVE
5750 DRY CREEK RD
BOISE ID 83703

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

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 NWNE 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:

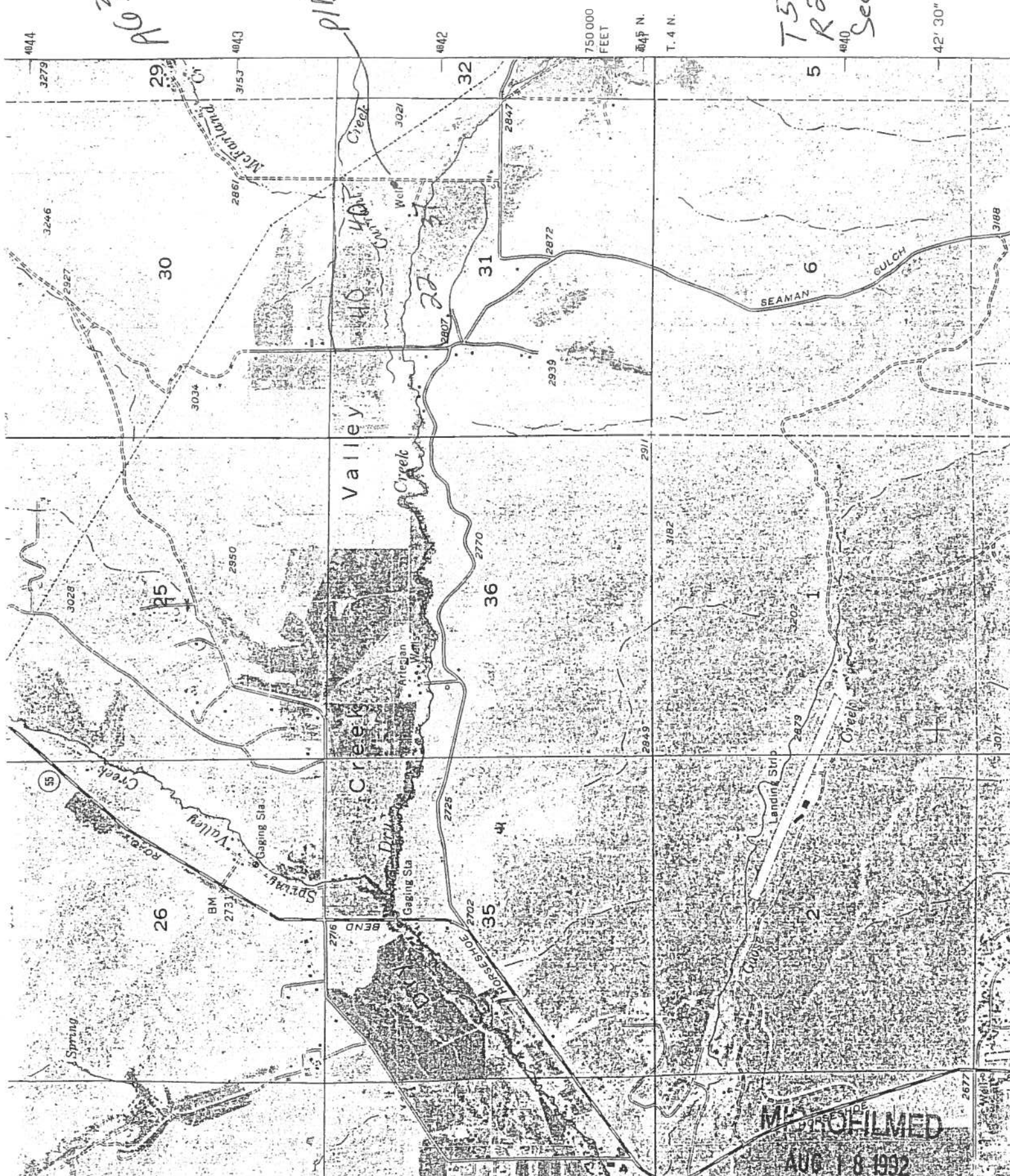
Licensed Date: 08/28/1979
 Claim Received Date:
 Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:

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

T5N
R2E
40 Sec. 31



MEMORANDUM

TO: CRAIG SAXTON
FROM: DANIEL A. NELSON
DATE: 10/7/04
SUBJECT: TELEPHONE CALL REFERRAL

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
- 4000

12 ac

10-26-04 - found some acreage around the
same 40 ac tract. Mathew Castrigno
John Nelson spoke with 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

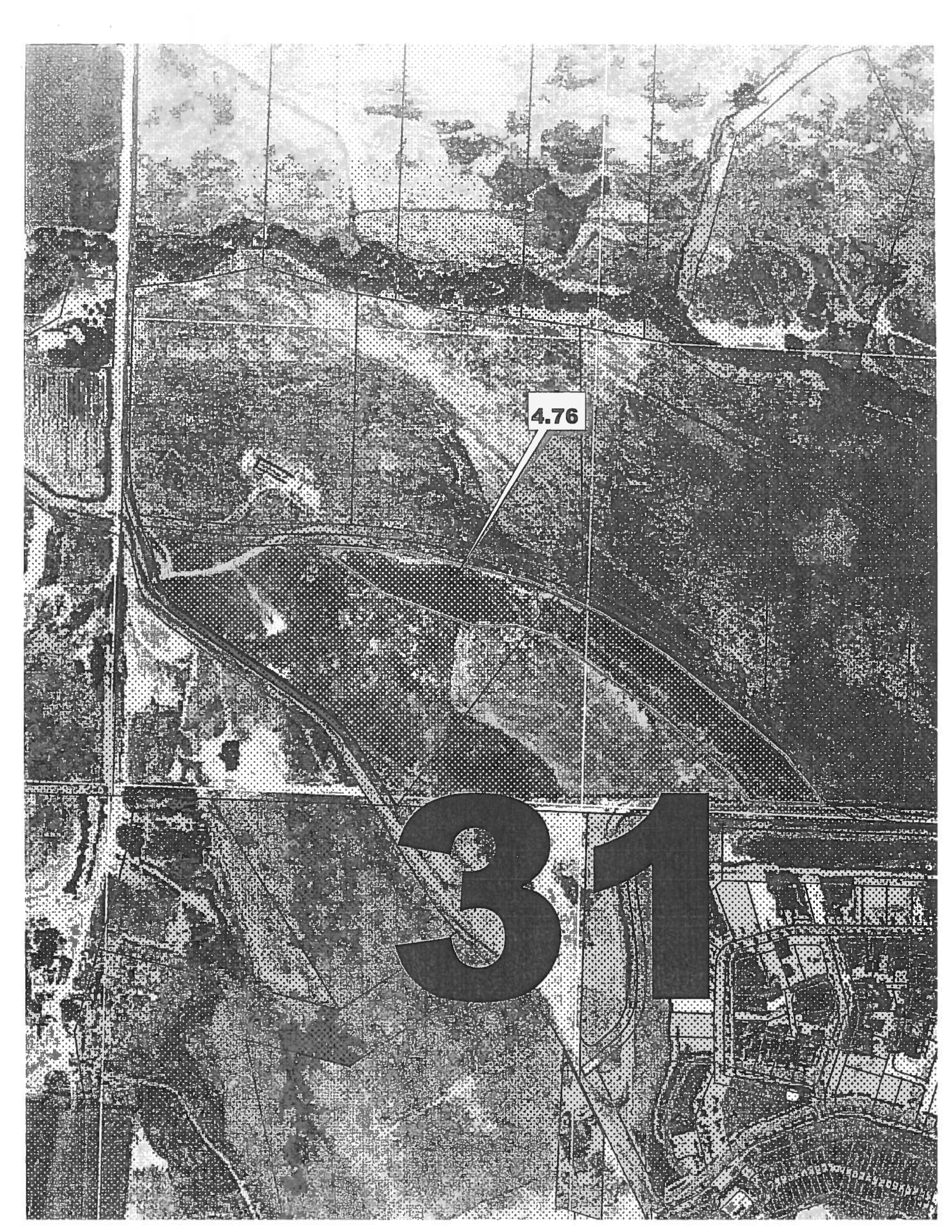
RE: Groothuis Change in Ownership

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.

An aerial photograph of a rural landscape, likely a farm or undeveloped land. The image shows a mix of fields, some with distinct patterns suggesting crops or different soil types. A network of roads or paths is visible, including a prominent one on the left side. A callout box with the number '4.76' points to a specific area in the upper-middle part of the image. The overall image has a grainy, high-contrast appearance typical of older aerial photography.

4.76

31

T05N, R02E, S31

32.0
NENW

10.0
NWNE

Bull Development
Remainder

3.7

SENW
23.0

25.0
SWNE

2.0

1987 APP

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>		
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>		
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 to
Deed

7. Signature of New Owner(s) or Claimant(s) [Signature]
(include title if applicable) MID, 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 <u>lg</u>	Date <u>9/28/04</u>	Fee <u>—</u>	
Received by <u> </u>	Date <u> </u>	Receipt No. <u> </u>	
Processed by <u> </u> AJ	Date <u> </u>	WR <u> </u>	Date <u> </u>

RECEIVED
FEB 19 2007
WATER RESOURCES
WESTERN REGIC

1010F - 82 Book 82 p. 89, 88-89, 87

PLAT SHOWING

ECHANOVE RANCH SUBDIVISION NO. 1

A PORTION OF THE N1/4 AND THE W1/2 OF THE NE1/4
OF SECTION 31, TOWNSHIP 5 NORTH, RANGE 2 EAST, BOISE MERIDIAN
ADA COUNTY, IDAHO
STREET UNPLATTED
2001

*AFFIDAVIT #101060347

SCALE: 1"=200'

SEE DETAIL "A"

SEE DETAIL "B"

SEE DETAIL "C"

SEE DETAIL "D"

SEE DETAIL "E"

SEE DETAIL "F"

SEE DETAIL "G"

SEE DETAIL "H"

SEE DETAIL "I"

SEE DETAIL "J"

SEE DETAIL "K"

SEE DETAIL "L"

SEE DETAIL "M"

SEE DETAIL "N"

SEE DETAIL "O"

SEE DETAIL "P"

SEE DETAIL "Q"

SEE DETAIL "R"

SEE DETAIL "S"

SEE DETAIL "T"

SEE DETAIL "U"

SEE DETAIL "V"

SEE DETAIL "W"

SEE DETAIL "X"

SEE DETAIL "Y"

SEE DETAIL "Z"

SEE DETAIL "AA"

SEE DETAIL "AB"

SEE DETAIL "AC"

SEE DETAIL "AD"

SEE DETAIL "AE"

SEE DETAIL "AF"

SEE DETAIL "AG"

SEE DETAIL "AH"

SEE DETAIL "AI"

SEE DETAIL "AJ"

SEE DETAIL "AK"

SEE DETAIL "AL"

SEE DETAIL "AM"

SEE DETAIL "AN"

SEE DETAIL "AO"

SEE DETAIL "AP"

SEE DETAIL "AQ"

SEE DETAIL "AR"

SEE DETAIL "AS"

SEE DETAIL "AT"

SEE DETAIL "AU"

SEE DETAIL "AV"

SEE DETAIL "AW"

SEE DETAIL "AX"

SEE DETAIL "AY"

SEE DETAIL "AZ"

SEE DETAIL "BA"

SEE DETAIL "BB"

SEE DETAIL "BC"

SEE DETAIL "BD"

SEE DETAIL "BE"

SEE DETAIL "BF"

SEE DETAIL "BG"

SEE DETAIL "BH"

SEE DETAIL "BI"

SEE DETAIL "BJ"

SEE DETAIL "BK"

SEE DETAIL "BL"

SEE DETAIL "BM"

SEE DETAIL "BN"

SEE DETAIL "BO"

SEE DETAIL "BP"

SEE DETAIL "BQ"

SEE DETAIL "BR"

SEE DETAIL "BS"

SEE DETAIL "BT"

SEE DETAIL "BU"

SEE DETAIL "BV"

SEE DETAIL "BW"

SEE DETAIL "BX"

SEE DETAIL "BY"

SEE DETAIL "BZ"

SEE DETAIL "CA"

SEE DETAIL "CB"

SEE DETAIL "CC"

SEE DETAIL "CD"

SEE DETAIL "CE"

SEE DETAIL "CF"

SEE DETAIL "CG"

SEE DETAIL "CH"

SEE DETAIL "CI"

SEE DETAIL "CJ"

SEE DETAIL "CK"

SEE DETAIL "CL"

SEE DETAIL "CM"

SEE DETAIL "CN"

SEE DETAIL "CO"

SEE DETAIL "CP"

SEE DETAIL "CQ"

SEE DETAIL "CR"

SEE DETAIL "CS"

SEE DETAIL "CT"

SEE DETAIL "CU"

SEE DETAIL "CV"

SEE DETAIL "CW"

SEE DETAIL "CX"

SEE DETAIL "CY"

SEE DETAIL "CZ"

SEE DETAIL "DA"

SEE DETAIL "DB"

SEE DETAIL "DC"

SEE DETAIL "DD"

SEE DETAIL "DE"

SEE DETAIL "DF"

SEE DETAIL "DG"

SEE DETAIL "DH"

SEE DETAIL "DI"

SEE DETAIL "DJ"

SEE DETAIL "DK"

SEE DETAIL "DL"

SEE DETAIL "DM"

SEE DETAIL "DN"

SEE DETAIL "DO"

SEE DETAIL "DP"

SEE DETAIL "DQ"

SEE DETAIL "DR"

SEE DETAIL "DS"

SEE DETAIL "DT"

SEE DETAIL "DU"

SEE DETAIL "DV"

SEE DETAIL "DW"

SEE DETAIL "DX"

SEE DETAIL "DY"

SEE DETAIL "DZ"

SEE DETAIL "EA"

SEE DETAIL "EB"

SEE DETAIL "EC"

SEE DETAIL "ED"

SEE DETAIL "EE"

SEE DETAIL "EF"

SEE DETAIL "EG"

SEE DETAIL "EH"

SEE DETAIL "EI"

SEE DETAIL "EJ"

SEE DETAIL "EK"

SEE DETAIL "EL"

SEE DETAIL "EM"

SEE DETAIL "EN"

SEE DETAIL "EO"

SEE DETAIL "EP"

SEE DETAIL "EQ"

SEE DETAIL "ER"

SEE DETAIL "ES"

SEE DETAIL "ET"

SEE DETAIL "EU"

SEE DETAIL "EV"

SEE DETAIL "EW"

SEE DETAIL "EX"

SEE DETAIL "EY"

SEE DETAIL "EZ"

SEE DETAIL "FA"

SEE DETAIL "FB"

SEE DETAIL "FC"

SEE DETAIL "FD"

SEE DETAIL "FE"

SEE DETAIL "FF"

SEE DETAIL "FG"

SEE DETAIL "FH"

SEE DETAIL "FI"

SEE DETAIL "FJ"

SEE DETAIL "FK"

SEE DETAIL "FL"

SEE DETAIL "FM"

SEE DETAIL "FN"

SEE DETAIL "FO"

SEE DETAIL "FP"

SEE DETAIL "FQ"

SEE DETAIL "FR"

SEE DETAIL "FS"

SEE DETAIL "FT"

SEE DETAIL "FU"

SEE DETAIL "FV"

SEE DETAIL "FW"

SEE DETAIL "FX"

SEE DETAIL "FY"

SEE DETAIL "FZ"

SEE DETAIL "GA"

SEE DETAIL "GB"

SEE DETAIL "GC"

SEE DETAIL "GD"

SEE DETAIL "GE"

SEE DETAIL "GF"

SEE DETAIL "GG"

SEE DETAIL "GH"

SEE DETAIL "GI"

SEE DETAIL "GJ"

SEE DETAIL "GK"

SEE DETAIL "GL"

SEE DETAIL "GM"

SEE DETAIL "GN"

SEE DETAIL "GO"

SEE DETAIL "GP"

SEE DETAIL "GQ"

SEE DETAIL "GR"

SEE DETAIL "GS"

SEE DETAIL "GT"

SEE DETAIL "GU"

SEE DETAIL "GV"

SEE DETAIL "GW"

SEE DETAIL "GX"

SEE DETAIL "GY"

SEE DETAIL "GZ"

SEE DETAIL "HA"

SEE DETAIL "HB"

SEE DETAIL "HC"

SEE DETAIL "HD"

SEE DETAIL "HE"

SEE DETAIL "HF"

SEE DETAIL "HG"

SEE DETAIL "HH"

SEE DETAIL "HI"

SEE DETAIL "HJ"

SEE DETAIL "HK"

SEE DETAIL "HL"

SEE DETAIL "HM"

SEE DETAIL "HN"

SEE DETAIL "HO"

SEE DETAIL "HP"

SEE DETAIL "HQ"

SEE DETAIL "HR"

SEE DETAIL "HS"

SEE DETAIL "HT"

SEE DETAIL "HU"

SEE DETAIL "HV"

SEE DETAIL "HW"

SEE DETAIL "HX"

SEE DETAIL "HY"

SEE DETAIL "HZ"

SEE DETAIL "IA"

SEE DETAIL "IB"

SEE DETAIL "IC"

SEE DETAIL "ID"

SEE DETAIL "IE"

SEE DETAIL "IF"

SEE DETAIL "IG"

SEE DETAIL "IH"

SEE DETAIL "II"

SEE DETAIL "IJ"

SEE DETAIL "IK"

SEE DETAIL "IL"

SEE DETAIL "IM"

SEE DETAIL "IN"

SEE DETAIL "IO"

SEE DETAIL "IP"

SEE DETAIL "IQ"

SEE DETAIL "IR"

SEE DETAIL "IS"

SEE DETAIL "IT"

SEE DETAIL "IU"

SEE DETAIL "IV"

SEE DETAIL "IW"

SEE DETAIL "IX"

SEE DETAIL "IY"

SEE DETAIL "IZ"

SEE DETAIL "JA"

SEE DETAIL "JB"

SEE DETAIL "JC"

SEE DETAIL "JD"

SEE DETAIL "JE"

SEE DETAIL "JF"

SEE DETAIL "JG"

SEE DETAIL "JH"

SEE DETAIL "JI"

SEE DETAIL "JJ"

SEE DETAIL "JK"

SEE DETAIL "JL"

SEE DETAIL "JM"

SEE DETAIL "JN"

SEE DETAIL "JO"

SEE DETAIL "JP"

SEE DETAIL "JQ"

SEE DETAIL "JR"

SEE DETAIL "JS"

SEE DETAIL "JT"

SEE DETAIL "JU"

SEE DETAIL "JV"

SEE DETAIL "JW"

SEE

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.

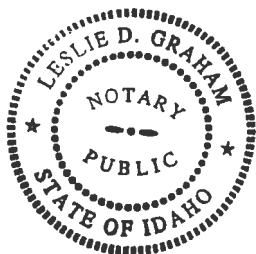
Bull Development Inc.

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



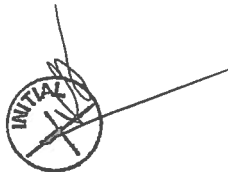
A Pioneer Company
PIONEER TITLE COMPANY
OF ADA COUNTY
8151 W. Rifleman Ave. / Boise, Idaho 83704
(208) 377-2700

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 03/04/04 02:41 PM
DEPUTY Bonnie Oberbillig
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.

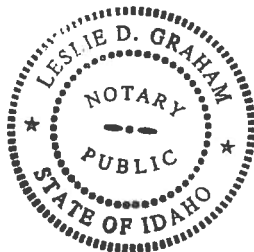
Bull Development Inc.

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.

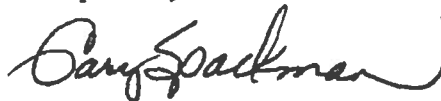
Staff extracted power consumption information from IDWR records for Pete Echanove's irrigation well for the years 1995-2000. During the six year period, the pump was only operated during May of 1998. The relationship between power consumption and water pumped can be estimated using the horsepower equation. 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

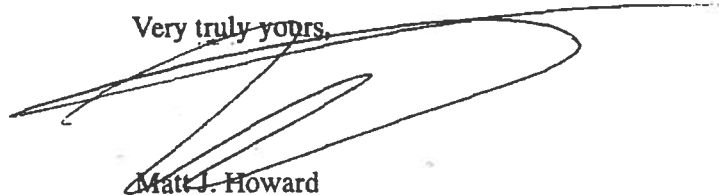
RE: Notice of Withdrawal of Applications for Transfer for Water Right no. 63-03162 –
Echanove Ranch

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 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.

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.

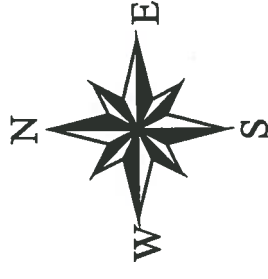
MICROFILMED

SEP 19 2001

Idaho Department of Water Resources

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

T05N, R02E
S31

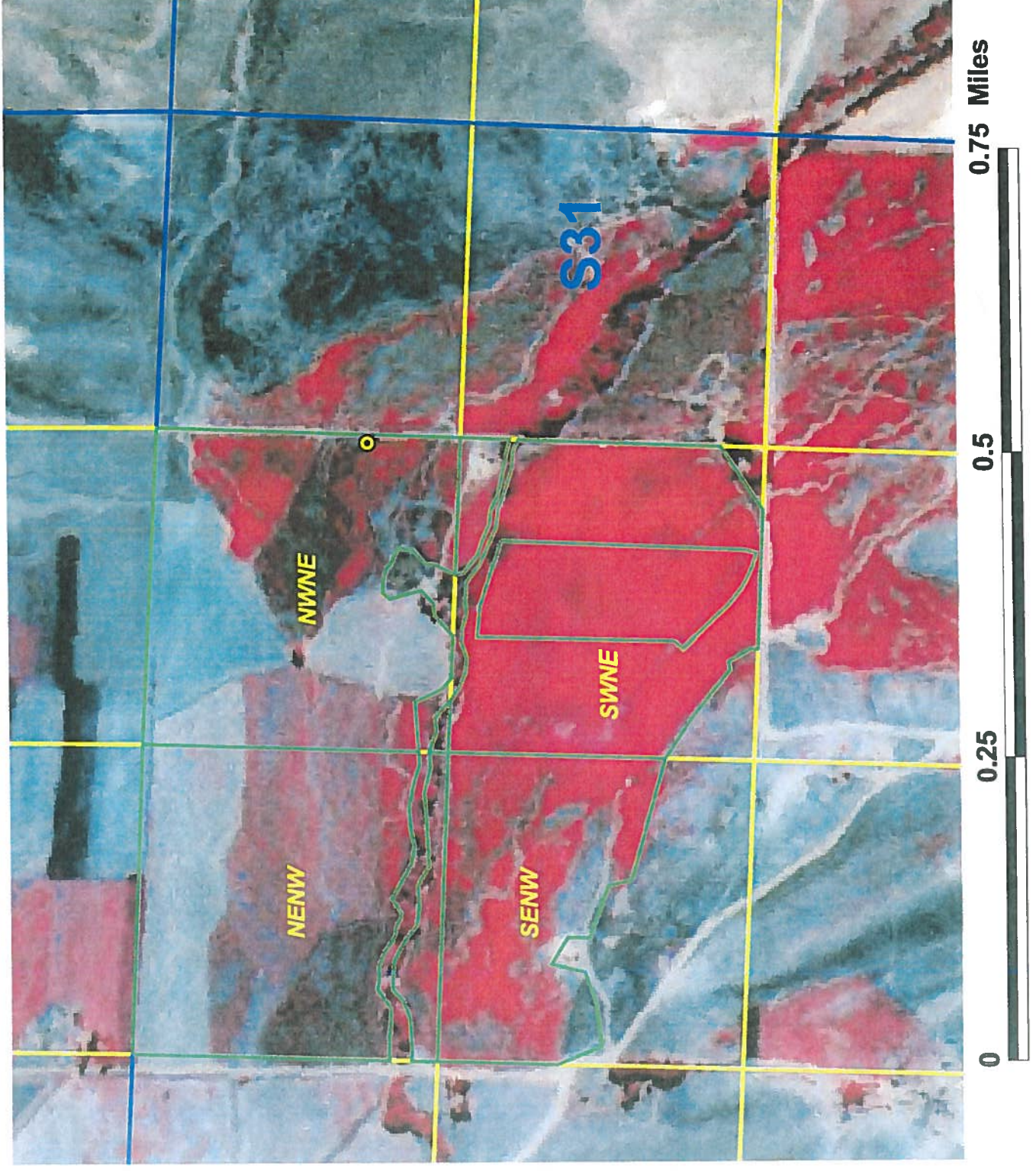


● Point of Diversion

Place of use

Section

1/4 1/4



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 63-31166
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.

63-31166

02/22/2001

1

SCANNED
APR 14 2008

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

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 63-32412
Date Received: 9/20/1989
Receipt No: x7777777
Received By:

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

1. Name of Claimant(s)

MARION D GROOTHUIS Phone: (208)938-1613
3490 N SADDLEMAN PL
EAGLE ID USA 83616

JUDY L GROOTHUIS Phone: (208)938-1613
3490 N SADDLEMAN PL
EAGLE ID USA 83616

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	0.07	27.9

7. Total Quantity Appropriated is:
0.07 C.F.S. and/or 27.9 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

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

05N	02E	31	SW	NE	IRRIGATION	3.3
			SE	NW	IRRIGATION	2.9
					Section Acres	6.2
					Total Acres	6.2

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

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

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

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

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

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 63-31739
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

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~~
			NE	NW	IRRIGATION	40
			SE	NW	IRRIGATION	22

Section Acres ~~139~~

Total Acres ~~139~~

27

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

DELETE

15. Basis of Claim: License

ADD: OWNERSHIP CHANGED BY _____
7-22-03

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

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

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

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

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	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 13 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 Echavave Date: X Sept. 20 1989
_____ Date: _____

State of Idaho)
County of Ada) SS.

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

Seal

Residing at Linda A. Warner
Residing at Ada, Idaho
My Commission Expires My Commission Expires December 2, 1991