

Cefalo, James

From: Mike & Sissy Wallace <4_mykids@frontiernet.net>
Sent: Sunday, June 04, 2017 8:56 AM
To: Cefalo, James
Cc: Shelley Davis; Miller, Nick
Subject: Hearing regarding applicaton to trasnfer & 78-12445
Attachments: Wallace 6.2.17.pdf; Statement from Property Owners of Timber Ridge.pdf

June 3, 2017

James Cefalo
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402

Re: Hearing regarding the matter of application for transfer No. 81039

Dear Mr. Cefalo,

In anticipation that my expert witness, Hobie P. Alter, will be unable to attend the hearing, Mr. Alter sent the attached letter stating what he knows regarding our water rights. I am also attaching a statement signed by our neighbors in the Timber Ridge Subdivision that when they purchased their property they understood that Leonard & Mike and Sissy (Eulla) Wallace receive their drinking water and irrigation water from the springs in question.

Respectfully submitted,

Eulla Wallace

June 2, 2017

Dear Sissy and Mike Wallace,

I'm sorry to hear there is a big misunderstanding about your (Wallace) water easements across some of the lots (22, 23, 26, 27 & 28) that we sold. We sold these lots under our family partnership called HPJ Partners (HPJ).

My history with the Wallace Ranch property we call "Timber Ridge", began in 1993. I recall Charlie and Leonard Wallace showing me their Spring Wells on the property (now on lots 27 & 28) and an open ditch that kept the grass green and growing in summer for the cattle raised on the 5 acre Wallace parcel in the center of our property on Wallace lane. We (HPJ) eventually developed the 350 acres into 46 lots and named the subdivision, Timber Ridge. When we (HPJ) purchased the Wallace Ranch from the Walter's family in 1993, the Walter's explained the water going to the Wallace property from 3 Mile Creek and from Spring Wells up the hill from Wallace's home was the Wallace water right. We didn't have a concern about the water and offered to survey the Well Water Lines and the Open Ditch running down hill to the Wallace 5 acre parcel on Wallace lane. The Wallace Wells and Ditches are marked on the final Timber Ridge Plat as 10 feet wide Water Line Easements and 10 feet wide Irrigation Easement. These Water Easements on the Plat are exclusive to the Wallace parcel. It's fairly obvious as the Water Easements run downhill and terminate at the Wallace property.

Timber Ridge lot owners were not transferred any surface water rights, other than Goose Creek Water Association (I believe has lapsed due to non use) and an artesian Well on lot 41 on Warm Springs Circle road that provides water to maintain the fire pond. In either case, none is connected to the Wallace Water Easements.

If the lot owners have challenged your water rights, they are doing it without my prior knowledge or approval. I believe the Spring Well Water and any water rights the Wallace's may have to 3 Mile Creek are old rights,

(I think your great grandfather Ellis Wallace homesteaded the Wallace Ranch back in 1908) and way before HPJ purchased the Wallace Ranch in 1993. We (HPJ) did not do a thorough Water Rights search as our intentions were to develop small 5 to 10 acre parcels with individual wells for residential use. Growing grass was not going to work with lots, homes and new fences going up with a subdivision.

I'm hoping you can clear this up with all parties involved. I'm sorry this has gone this far with hearings scheduled and all. If necessary, I could come to Idaho for the hearing or you can send this letter to Idaho Water Resources if that will help you.

Please let me know if I can be of any further help.

Sincerely,

A handwritten signature in black ink, appearing to read 'Hobie P. Alter', with a large, stylized loop at the end.

Hobie P. Alter

HPJ Partner

Timber Ridge Managing Member

Mailing Address:

Hobie P. Alter

33531 Calle Miramar

San Juan Capistrano, CA 92675

To whom it may concern:

WE following are stating when we purchased our lots in Timber Ridge subdivision that the residence that Mike And Sissy Wallace now reside in (which is located on 5 acres which has been Wallace property for over 100 years and is not part of Timber Ridge subdivision) were getting their drinking and irrigation water from a spring located on lot# 28 and Leonard Wallace was getting his drinking water from a spring located on lot #27, until Leonard drilled a well in August of 2009 and that there were no wells on the property until this time.

DATE	Name	Address
2001	Clint H. Wallace	5746 Warm Springs Ct
2003	Mike Christy	3747 Warm Springs Ct.
2008	John S. S. Ag	3469 Wm S. S. Ct
2003	Rebecca Wallace	3294 Wallace Ln, New Meadows
2010	DAVID TASH	3292 Wallace Ln, New Meadows
1996	Jim Christy	3820 Osprey Cir.
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2004	Quincey D. Dille	3278 Wallace Ln, New Meadows
2006	Robert D. Dille	3804 Meadowview Circle New Meadows
2014	ALTTD	3801 Shadow Pine Circle New Meadows
2011	Bruce Coffey	3750 Wallace Lane New Meadows
2009	Aminda S. S. S.	3844 TRAILBLAZER CIR. New Meadows
2000	BRECK J. S. S.	3276 Wallace Lane New Meadows
2007	Quincey D. Dille	3306 Walking Horse Cir New Meadows
2007	Quincey D. Dille	3306 WALKING HORSE CIR New Meadows