



DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

January 5, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

GREGORY AND CATHY URRUTIA
10525 PERCH RD
CALDWELL ID 83607

RE: WATER SUPPLY BANK LEASE TERM. WATER RIGHT NO. 63-3010

Dear Lessors:

As requested in your letter, dated December 26, 2003, and in the new Application to Sell or Lease a Water Right to the Water Supply Bank ("bank"), the Department will retain water no. 63-3010 in bank through December 31, 2004.

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

Sincerely,

Cynthia Bridge Clark
Water Allocation Bureau

c: John Westra -- IDWR Western Region



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September 16, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Gregory Urrutia
10525 Perch Road
Caldwell, ID 83607

RE: APPLICATION TO LEASE WATER RIGHT NO. 63-3010 TO THE WATER
SUPPLY BANK

Dear Mr. Urrutia:

The department has reviewed the Application to Sell or Lease a Water Right to the Water Supply Bank ("bank") that you submitted to this office. Please consider that the offered water right is accepted into the bank.

Several items to keep in mind in connection with lease of a water right to the bank is as follows:

1. There is no rental payment to the owner of the water right if the right or a part thereof is not rented from the bank.
2. While a right is in the bank, the owner of the right may not use the right even if the right is not rented.
3. A right accepted into the bank stays in the bank until the Board releases it or until the lease term expires.
4. While a water right is in the bank, forfeiture provisions are stayed.
5. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right.

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

Sincerely,

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

c: Gary Spackman - IDWR
63-3010

RECEIVED

SEP 16 2002

Department of Water Resources

September 13, 2002

Mr. Glenn Saxton
State of Idaho
Department of Water Resources
1301 N. Orchard Street
Boise, ID 83706

Re: Application to Lease to Water Supply Bank

Dear Mr. Saxton:

I spoke with you last month regarding the possibility of offering our water right to the Water Supply Bank. We have only recently become informed of the Water Supply Bank and the possibility of offering water rights for use through the Bank.

We have included the supporting information that seemed pertinent to the application. If you have questions or need additional information, please don't hesitate to call us.

Unfortunately, we have not been able to afford the necessary improvements to use the water on this property as of yet, but certainly hope to be in a position to do so in the future.

Thank you for your assistance.

Sincerely,


Greg Urrutia
10525 Perch Road
Caldwell, ID 83607
(208) 459-4096
cell: (208) 880-6670

Enclosures

Water Supply Bank No. _____
Water Right No. A63-03010

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK

Name of Seller/Lessor Gregory and Cathy Urrutia Phone (208) 459-4906
Post office address 10525 Perch Road Caldwell, ID 83607

1. DESCRIPTION OF WATER RIGHT:

Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ (Name)
vs _____
dated _____ in _____ county of _____
(Name of court)
- b. License No. 25293 issued by the Idaho Department of Water
Resources.
- c. Permit No. _____ issued by the Idaho Department of Water
Resources.

2. DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE: (If the entire right is for sale or lease,
show "all" on line a. below and skip the remainder of part 2.)

- a. Amount of water under right: ALL cubic feet per second &/or
_____ acre-feet per annum
- b. Point of diversion: _____ 1/4 of _____ 1/4 of Section _____ Township _____ Range
_____, B.M. in _____ County.
Additional points _____

c. Place of use:

TWP	RGE	SEC	N E				N W				S W				S E				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	3W	8				40									40				80

If the right is for irrigation, show the number of acres for the part of the right to be put into the bank.

Total number of acres 80

3. ADDITIONAL INFORMATION ABOUT RIGHT, OR PORTION THEREOF, FOR SALE OR LEASE

- a. Explain how the seller/lessor acquired the right, or portion thereof, and attach a copy of the deed to the land to which it is appurtenant or other evidence of ownership of the right. If the right is not recorded in the name of the seller/lessor, attach a copy of a change of ownership form as required by Section 42-248 or 42-1409(6), Idaho Code, together with required documentation.

Obtained when the property was purchased in 1994.

- b. Describe the frequency of water use under the right, or portion thereof, during the past five (5) years of use. Attach watermaster records, pumping power bills, or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture. (This information is not required if a partial decree has been issued on the right within the last 5 years).

Property had been under CKP Contract until 1997.

Water used for only limited irrigation since that

time.

- c. If the right is from a surface water source, describe the period of the year that water is typically available to satisfy the right.

N/A

- d. Describe any other water rights with the same purpose and place of use as the right, or portion thereof, offered for lease. Will the present place of use continue to receive water from any source? If so, describe.

None

- e. If the water right is a permit, describe the work accomplished toward developing the right.

- f. If the right to the use of the water or the use of the diversion works or irrigation system is represented by shares of stock in a company or corporation, or if such works or system is owned or managed by an irrigation district, a written consent of the sale or lease must be attached.

4. REMARKS:

This water right was in the water Bank for 2002-2003.

5. SALE/LEASE AGREEMENT

The water right, of portion thereof, described above is offered to the Idaho Water Resource Board.

_____ For sale;

X For lease for a period from 1/1/04 to 12/31/04
(Day, month, year) (Day, month, year)

(The lease period may be shown as "indefinite", if the total duration of lease is unknown); or

_____ As a gift to the state of Idaho.

2. Show the minimum payment acceptable to the Seller/Lessor. Include the method of determining the minimum payment. The minimum payment may be shown as the "current rental rate".

\$30.00 per acre

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this right for sale or lease to the Idaho Water Resource Board.

The owner/lessor acknowledges the following:

1. Payment to the owner/lessor is contingent upon the sale or rental of the right from the bank.
2. While a right is in the bank, the owner of the right may not use the right even if the right is not rented.
3. A right accepted into the bank stays in the bank until the Board releases it or until the lease term expires.
4. While a water right is in the bank, forfeiture provisions are stayed.
5. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right.

12-26-03
Date

[Signature]
Signature

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

Sheet 9423623

WARRANTY DEED

FOR VALUE RECEIVED GEORGE L. KELLOGG AND CAYLA KELLOGG,
husband and wife and KENNETH WYNNE AND ANN WYNNE, husband and wife

the Grantors, do hereby grant, bargain, sell and convey unto GREGORY A. URRUTIA and CATHERINE
VENRICK URRUTIA, husband and wife

the Grantees, whose address is 912 W. GREENHURST, NAMPA, ID 83686

the following described premises, to-wit:

The Southeast Quarter of the Northeast Quarter and the Northeast
Quarter of the Southeast Quarter of Section 8, Township 2 North,
Range 3 West of the Boise Meridian, Canyon County, Idaho, excepting
therefrom that part of said Southeast Quarter of the Northeast
Quarter which lies North of the center line of the Right of Way of
the Mora Canal.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns
forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners
in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for
the year 1994 and subsequent years, covenants, conditions, restrictions and easements of record;
and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: July 29, 1994

George L. Kellogg
GEORGE L. KELLOGG

Cayla Kellogg
CAYLA KELLOGG

Kenneth Wynne & George L. Kellogg
KENNETH WYNNE *Attorney in Fact*

Ann Wynne & George L. Kellogg
ANN WYNNE *Attorney in Fact*

PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

STATE OF IDAHO
COUNTY OF CANYON

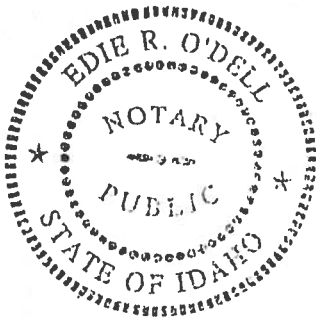
On this 15 day of August, 1994, before me
a Notary Public, personally appeared **GEORGE L.
KELLOGG AND GAYLA KELLOGG**, known or
identified to me to be the person(s) who(se) name(s) is/are
subscribed to the within instrument, and acknowledged to
me that he/she/they have executed the same.

Edie R. O'Dell

Notary Public

Residing at NAMPA, Idaho

My commission expires: 4/17/97



STATE OF IDAHO
COUNTY OF CANYON

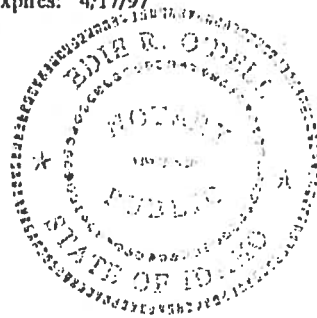
On this 15 day of August, 1994, before me
a Notary Public, personally appeared **GEORGE L.
KELLOGG**, known or identified to me to be the person
whose name is subscribed to the within instrument as
attorney in fact of **KENNETH WYNNE AND ANN
WYNNE** and acknowledged to me that he/she subscribed
the names of **KENNETH WYNNE AND ANN WYNNE**
thereto as principal, and his/her own name as attorney in
fact.

Edie R. O'Dell

Notary Public

Residing at NAMPA, Idaho

My commission expires: 4/17/97



RECORDED

'94 AUG 9 PM 2 13

NED KERR

CANYON CNTY RECORDER
BY C. Kerr

REQUEST
TYPE Real FEE 6.00
PIONEER — NAMPA

9423623

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3010

WATER RIGHT NUMBER: 63-3010

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CATHY URRUTIA PO BOX 304 CALDWELL, ID 83606 (208)466-5248
Current Owner	GREGORY URRUTIA PO BOX 304 CALDWELL, ID 83606 (208)466-5248
Original Owner	GLEN C KNAPP RT 6 CALDWELL, ID 83605

Priority Date: 11/29/1954

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	1.020 CFS	
	<u>Total Diversion:</u>	1.020 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SE1/4NE1/4	Sec. 8, Twp 02N, Rge 03W, B.M.
CANYON 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	
02N	03W	8				40.0									40.0				80.0

Total Acres: 80

Conditions of Approval:Remarks:

- General Property in CRP until 1997.

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3010

Dates and Other Information:

Claim Received Date: 12/23/1994

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

RECEIVED
DEC 30 2003

Department of Water Resources

December 26, 2003

Mr. Glenn Saxton
State of Idaho
Department of Water Resources
1301 N. Orchard Street
Boise, ID 83706

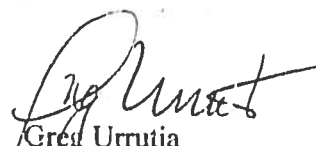
Re: Application to Lease to the Water Supply Bank
Water Right No. A63-03010

Dear Mr. Saxton:

Enclosed please find our application to lease the above water right to the Water Supply Bank. The water right is presently in the Water Supply Bank and we would like to extend this for another year.

If you have any questions, or need any further information, please don't hesitate to contact me.

Thank you for your assistance.


Greg Urrutia
10525 Perch Road
Caldwell, ID 83607

Enclosures