

AMENDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

TRANSFER OF WATER RIGHT
TRANSFER NO. 78689

This is to certify that: ECHANOVE DRIVE LLC
C/O GAYLON BALL
14180 W BALL MANOR PL
BOISE, ID 83714
AND
GAYLON BALL
14180 W BALL MANOR PL
BOISE, ID 83714

has requested a change to the water right(s) listed below. This change in water right(s) 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 Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-32416	WR/DECREED	7/14/1959	0.280 cfs	117.0 af	N/A	26.0	GROUND WATER
63-32417	WR/DECREED	7/14/1959	0.100 cfs	45.0 af	N/A	10.0	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>
63-32416	NO	YES	NO	NO	NO	NO
63-32417	NO	YES	NO	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>
63-32416	63-32416	0.280 cfs	117.0 af	N/A	26.0	N/A	N/A	N/A	N/A	N/A
63-32417	63-32417	0.100 cfs	45.0 af	N/A	10.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.380 cfs	162.0 af	N/A	36.0		N/A	N/A	N/A	N/A

This water right(s) 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. Detailed Water Right Description(s) attached.

Dated this 23RD day of December, 2013.

SUPPORT DATA

IN FILE # 63-32416


Western Regional Manager

Transfer No. 78689

WATER RIGHT NO. 63-32416
As Modified by Transfer No. 78689

In accordance with the approval of Transfer No. 78689, Water Right No. 63-32416 is now described as follows:

Right Holder: GAYLON BALL
 14180 W BALL MANOR PL
 BOISE, ID 83714

Priority Date: 7/14/1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/01	to 11/15	0.280 cfs	117.0 af
			0.280 cfs	117.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNE Sec 31 Twp 05N Rge 02E ADA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05N	02E	31		24.0	2.0														26.0

POU Total Acres: 26.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. 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. 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.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works. The measuring device shall record the instantaneous rate of flow and total volume diverted.

Transfer No. 78689

WATER RIGHT NO. 63-32416

As Modified by Transfer No. 78689

CONDITIONS OF APPROVAL

6. After notification by the Department, the right holder shall use the measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
7. For the first five (5) years of irrigation under this right, the right holder shall:
 - (a) During March and prior to initial irrigation for the year, measure water levels in the new irrigation well authorized for this right;
 - (b) Repeat the water level measurement for the well one time during the month of August;
 - (c) Record rate and volume data from the measuring device on some periodic basis and keep records of the data; and
 - (d) Data from a, b and c shall be available to members and officers of the Echanove Ranch Homeowners' Association, Inc., upon request.
8. After notification by the Department, the right holder shall provide the above data to the Department.
9. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
10. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
11. 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.
12. Rights 63-32416 and 63-32407 when combined shall not exceed a total diversion rate of .52 cfs and the irrigation of 26 acres.
13. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
14. The following rights are diverted through point of diversion described above: 63-32416 and 63-32417 .

WATER RIGHT NO. 63-32417
As Modified by Transfer No. 78689

In accordance with the approval of Transfer No. 78689, Water Right No. 63-32417 is now described as follows:

Right Holder: ECHANOVE DRIVE LLC
C/O GAYLON BALL
14180 W BALL MANOR PL
BOISE, ID 83714

Priority Date: 7/14/1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/01	to 11/15	0.100 cfs	45.0 af
			0.100 cfs	45.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNE Sec 31 Twp 05N Rge 02E ADA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	02E	31					10.0												10.0

POU Total Acres: 10.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. 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. 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.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works. The measuring device shall record the instantaneous rate of flow and total volume diverted.

Transfer No. 78689

WATER RIGHT NO. 63-32417
As Modified by Transfer No. 78689

CONDITIONS OF APPROVAL

6. After notification by the Department, the right holder shall use the measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
7. For the first five (5) years of irrigation under this right, the right holder shall:
 - (a) During March and prior to initial irrigation for the year, measure water levels in the new irrigation well authorized for this right;
 - (b) Repeat the water level measurement for the well one time during the month of August;
 - (c) Record rate and volume data from the measuring device on some periodic basis and keep records of the data; and
 - (d) Data from a, b and c shall be available to members and officers of the Echanove Ranch Homeowners' Association, Inc., upon request.
8. After notification by the Department, the right holder shall provide the above data to the Department.
9. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
10. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
11. 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.
12. Rights 63-32417 and 63-32408 when combined shall not exceed a total diversion rate of .2 cfs and the irrigation of 10 acres.
13. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
14. The following rights are diverted through point of diversion described above: 63-32416 and 63-32417 .