

Should questions arise during the processing of this application please contact:  
Paul E. Drury, P.E. ERO Resources Corp. (208) 373-7983

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1

Name of applicant Elias and Inez Jaca *Jaca Family Properties, LLC* Phone 208-466-8801  
Post Office address 817 W. Blaine Ave. Nampa, ID 83651

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  
Transfer will allow the irrigation of 5.5 acres of newly acquired dry ground and 4 acres of restored gravel pit.

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

| Right Number   | Priority         | Amount<br>(cfs/ac-ft)                       | Nature<br>of Use  | Period of Use                |
|----------------|------------------|---------------------------------------------|-------------------|------------------------------|
| <u>2-10013</u> | <u>3/15/1965</u> | <u>0.48cfs / 135 ac-ft</u> <i>135.9 PED</i> | <u>Irrigation</u> | <u>03/01</u> to <u>11/15</u> |
|                |                  | <u>0.19 cfs</u>                             | <u>Stockwater</u> | <u>01/01</u> to <u>12/31</u> |

2. Total amount of water being transferred 0.19 cubic feet per second and/or 42.75 acre-feet per annum.
3. Source of water Snake River tributary to Columbia River
4. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec | Twp | Rge | County | Local name for diversion |
|-----|-----|-----|-----|-----|-----|-----|--------|--------------------------|
| 2   | SE  | SW  | NE  | 27  | 01N | 03W | Owyhee | Jaca Pump Station        |
|     |     |     |     |     |     |     |        |                          |
|     |     |     |     |     |     |     |        |                          |

5. Lands irrigated or place of use:

| Twp | 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 |        |
| 01N | 03W | 27  |        |    |    |    |        |    | 4.0 | 5.5 |        |    |    |    |        |    |    |    | 9.5    |
|     |     | 28  |        |    |    | S  |        |    |     |     |        |    |    |    | S      |    |    |    |        |
|     |     | 28  |        |    |    | 10 |        |    |     |     |        |    |    |    | 10.5   |    |    |    | 20.5   |
|     |     |     |        |    |    |    |        |    |     |     |        |    |    |    | 10.7   |    |    |    | 20.7   |
|     |     |     |        |    |    |    |        |    |     |     |        |    |    |    |        |    |    |    | PED    |
|     |     |     |        |    |    |    |        |    |     |     |        |    |    |    |        |    |    |    |        |
|     |     |     |        |    |    |    |        |    |     |     |        |    |    |    |        |    |    |    |        |

Total acres 30.0  
*30.2 PED*

RECEIVED  
MAY 16 2007  
WATER RESOURCES  
WESTERN REGION

**PART 1**

## 6. General Information:

## a. Description of diversion system

Two vertical turbine pumps, (1) 150 HP and (1) 125 HP, with 10" intake and 12" discharge head located adjacent to Snake River discharge through 14" pipeline to sprinklers and irrigation ditches, associated booster pumps and daily storage pond.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? \_\_\_\_\_ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

## b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

A portion of the land irrigated in the SE ¼ NE ¼ and NE ¼ SE ¼ Section 28 will be converted to stock feed lot.

- d. Remarks: 1) Right as recorded allows a diversion of 0.014 cfs per acre and 4.5 ac-ft per acre on 34 acres.  
2) Transfer application is for the irrigation of 9.5 acres of dry ground at a rate of 0.02 cfs per acre and 4.5 ac-ft per acre.  
3) Amount transferred is 0.19 cfs and 42.75 ac-ft leaving 0.29 cfs and 110.25 ac-ft on original place of use.  
4) To prevent enlargement the remaining irrigated acres will be reduced based on the diversion rate of 0.014 cfs per acre.  
5) The remaining irrigated acres in section 28 total 20.5 acres and the remaining volume limitation is 92.25 ac-ft.  
6) The right after the requested transfer will allow the irrigation of 30 acres with a diversion rate of 0.48 cfs and a volume limitation of 135 ac-ft. Area reduced by four acres and volume reduced by 18 ac-ft.  
7) No change to the stockwater component is proposed.

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Transfer of Water Rights No. \_\_\_\_\_

And said application is hereby \_\_\_\_\_, subject to the following limitations and conditions:

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Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
For the Director

**STATE OF IDAHO  
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. 2-10013 on file with the Idaho Department of Water Resources.
- d. Transfer No. \_\_\_\_\_ which produced this right.

2. Attach 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 \_\_\_\_\_

3. Source of water Snake River tributary to Columbia River

4. Date of priority March 15, 1965

5. Water is used for the following purpose:

Amount 0.48 cfs/153 ac-ft for Irrigation purposes from 03/01 to 11/15  
(cfs/ac-ft)

Amount 0.19 cfs for Stockwater purposes from 01/01 to 12/31  
(cfs/ac-ft)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)

6. Total amount of water under right 0.48 cubic feet per second and/or 153.0 acre-feet per annum.

7. Point(s) of Diversion:

| Lot | ¼  | ¼  | ¼  | Sec | Twp | Rge | County | Local name for diversion |
|-----|----|----|----|-----|-----|-----|--------|--------------------------|
| 2   | SE | SW | NE | 27  | 01N | 03W | Owyhee | Jaca Pump Station        |
|     |    |    |    |     |     |     |        |                          |
|     |    |    |    |     |     |     |        |                          |

8. Lands irrigated or place of use:

| Twp | Rge | Sec | NE ¼ |    |    |    | NW ¼ |    |    |    | SW ¼ |    |    |    | SE ¼ |    |    |    | Totals |
|-----|-----|-----|------|----|----|----|------|----|----|----|------|----|----|----|------|----|----|----|--------|
|     |     |     | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE |        |
| 01N | 03W | 28  |      |    |    | 16 |      |    |    |    |      |    |    |    | 18   |    |    |    | 34     |
|     |     | 28  |      |    |    | S  |      |    |    |    |      |    |    |    | S    |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |

Total acres 34

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

Place of use is within area served by Opaline Irrigation District

**PART 2**

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

No 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 0.19 cfs / 42.75 ac-ft for irrigation purposes from 03/01 to 11/15  
 (cfs/ac-ft)  
 Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | ¼  | ¼  | ¼  | Sec | Twp | Rge | County | Local name for diversion |
|-----|----|----|----|-----|-----|-----|--------|--------------------------|
| 2   | SE | SW | NE | 27  | 01N | 03W | Owyhee | Jaca Pump Station        |
|     |    |    |    |     |     |     |        |                          |
|     |    |    |    |     |     |     |        |                          |

3. Lands irrigated or place of use:

| Twp | Rge | Sec | NE ¼ |    |    |    | NW ¼ |    |    |    | SW ¼ |    |    |    | SE ¼ |    |    |    | Totals |
|-----|-----|-----|------|----|----|----|------|----|----|----|------|----|----|----|------|----|----|----|--------|
|     |     |     | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE |        |
| 01N | 03W | 28  |      |    |    | 6  |      |    |    |    |      |    |    |    | 7.5  |    |    |    | 13.5   |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |

Total acres 13.5

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

1. Amount 0.19 cfs for stockwater purposes from 01/01 to 12/31  
 (cfs/ac-ft)  
 Amount 0.29 cfs / 92.25 ac-ft for irrigation purposes from 03/01 to 11/15  
 (cfs/ac-ft)  
 Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | ¼  | ¼  | ¼  | Sec | Twp | Rge | County | Local name for diversion |
|-----|----|----|----|-----|-----|-----|--------|--------------------------|
| 2   | SE | SW | NE | 27  | 01N | 03W | Owyhee | Jaca Pump Station        |
|     |    |    |    |     |     |     |        |                          |
|     |    |    |    |     |     |     |        |                          |

3. Lands irrigated or place of use:

| Twp | Rge | Sec | NE ¼ |    |    |    | NW ¼ |    |    |    | SW ¼ |    |    |    | SE ¼ |    |    |    | Totals |
|-----|-----|-----|------|----|----|----|------|----|----|----|------|----|----|----|------|----|----|----|--------|
|     |     |     | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE |        |
| 01N | 03W | 28  |      |    |    | 10 |      |    |    |    |      |    |    |    | 10.5 |    |    |    | 20.5   |
|     |     | 28  |      |    |    | S  |      |    |    |    |      |    |    |    | S    |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |

Total acres 20.5

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

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

SCALE: 2 inches equals 1 mile. Draw plan in ink.

SEE ATTACHMENT B

**PART 3****B. CHANGES IN NATURE OF USE**

1. 

| <u>New Nature of Use</u> | <u>Amount</u><br>(cfs/ac-ft) | <u>Hours/days/year</u> | <u>Period of Use</u> |
|--------------------------|------------------------------|------------------------|----------------------|
| NA                       |                              |                        | _____ to _____       |
|                          |                              |                        | _____ to _____       |
2. Quantity and quality of return flows and location of discharge:  
NA
3. Describe effects on other water uses resulting from the proposed change:  
NA

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.



Elias Jaca Mez Jaca  
(Signature of Applicant)

Subscribed and sworn before me this 15<sup>th</sup> day of May, 20 05.

Staci Welsh  
(Notary Public)

My commission expires 2/3/2011

**FOR DEPARTMENT USE ONLY**

Transfer contains 6 pages and 2 attachments  
 Received by SB Date 5-16-07 Protest filed by \_\_\_\_\_  
 Prelim. Check by KW Fee \$100-  
 Receipted by SB Date 5-16-07 W035401  
 Published in OWYHEE AVALANCHE DB Copies of protest forwarded by \_\_\_\_\_  
 Pub. Dates NOVEMBER 4 & 11, 2009 Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
 Watermaster recommendation requested on \_\_\_\_\_ Recommended for ☐ approval ☐ denial  
 \_\_\_\_\_ received \_\_\_\_\_ by \_\_\_\_\_  
 Copy of transfer sent to lien holder \_\_\_\_\_

1/16/07

TAX MASTER INQUIRY - OWYHEE TAX COLLECTOR COUNTY

Attachment A  
page 1 of 3

PMPKEY: RP 01N03W272420 A YEAR 2006

TXPKY: RP01N03W272420A

NAME JACA FAMILY PROPERTIES, LP

BILLED TO: BENSON, JERRY L & FAYE

CODE AREA 20-0000

BANK REQ FLB

OWNER

BILL# 4278

ACCT TYP

PUP

ADDRESS 817 BLAINE AVE

NAMPA

ID 83651

LEGAL TAX 17 27 1N 3W

MARKET VALUE

3,600

HARDSHIP

HOMEOWNER

NET MARKET

3,600

TAX AMOUNT

34.22

LESS: CIRCUIT

PLUS: SPECIALS

NET TAX BILLED

34.22

TAX PAYMENTS

17.11

TAX CANCELLED

SPEC CANCELLED

REMAINING TAX DUE

17.11

NEXT PARCEL# RP \_\_\_\_\_ A OR NEXT BILL# RP \_\_\_\_\_ 2006

F3=EXIT F14=OTHER TAXES F2=PRT SCREEN F5=PAYMNTS F6=TRANSACTIONS F24=MORE

F4=TAX COMMENTS

F18=HISTORY NAME/ADDR

MAKE CHECK PAYABLE TO:

BRENDA RICHARDS TAX COLLECTR  
P.O. BOX 128  
MURPHY, ID 83650  
208-495-1158 OR 337-5522

BILL# 4280  
CODE AREA 20-0000

PARCEL NUMBER  
RP01N03W27556  
82,04

| 1ST HALF DUE |        | 2ND HALF DUE |        | FULL DUE |        | TOT MV  |        |
|--------------|--------|--------------|--------|----------|--------|---------|--------|
| TAX          | 390.06 | TAX          | 390.06 | TAX      | 780.12 |         | 82,04  |
| LATE         |        | LATE         |        | LATE     |        |         |        |
| INT          |        | INT          |        | INT      |        |         |        |
| COST         |        | COST         |        | COST     |        |         |        |
| TOT          |        | TOT          |        | TOT      |        | TOT ACS | 234.22 |

2006 TAX BILL/RECEIPT

Attachment A  
page 2 of 3

JACA FAMILY PROPERTIES LP  
817 BLAINE AVE  
NAMPA ID 83651

W2NW LYING S OF HWY, N2SW, W2SE,  
SESE, NESESW, LESS TAX 18  
27 1N 3W

\*\*\* IMPORTANT \*\*\*  
PLEASE READ BOTH FRONT AND BACK  
\*\*\* MONTHLY PAYMENTS ARE ACCEPTED \*\*\*

TO AVOID LATE CHARGES, PAYMENTS MUST BE  
RECEIVED OR POSTMARKED BY THE DUE DATE.

| TAXING DISTRICT | RATE       |       |
|-----------------|------------|-------|
| STATE           | .000000000 |       |
| COUNTY          | .003378621 | 277.1 |
| SCHOOL 363      | .000912027 | 74.8  |
| SCHOOL 363 BOND | .004095878 | 336.0 |
| COUNTY RD       | .000344812 | 28.2  |
| MARS-HOME CEM   | .000099028 | 8.1   |
| M-R-W FIRE      | .000678648 | 55.6  |
| AMOUNT DUE      | .009509014 | 780.1 |

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT  
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE.

JACA FAMILY PROPERTIES, LP

2006  
4280

2ND HALF

AMOUNT DUE 390.06

OWYHEE COUNTY  
RP01N03W275560A  
20-0000

LATE  
INT  
COST  
TOTAL

DELINQUENT IF NOT PAID ON OR BEFORE

JUNE 20, 2007

Attachment A  
page 3 of 3

|                              |          |              |          |               |          |
|------------------------------|----------|--------------|----------|---------------|----------|
| MAKE CHECK PAYABLE TO:       |          |              |          | PARCEL NUMBER |          |
| BRENDA RICHARDS TAX COLLECTR |          |              |          | RP01N03W28255 |          |
| P.O. BOX 128                 |          |              |          | BILL#         | 4288     |
| MURPHY, ID 83650             |          |              |          | CODE AREA     | 20-0000  |
| 208-495-1158 OR 337-5522     |          |              |          | L             | 150.29   |
|                              |          |              |          | I             | 70.96    |
| 1ST HALF DUE                 |          | 2ND HALF DUE |          | FULL DUE      |          |
| TAX                          | 1,051.98 | TAX          | 1,051.98 | TAX           | 2,103.96 |
| LATE                         |          | LATE         |          | LATE          |          |
| INT                          |          | INT          |          | INT           |          |
| COST                         |          | COST         |          | COST          |          |
| TOT                          |          | TOT          |          | TOT           |          |
|                              |          |              |          | TOT MV        | 221.26   |
|                              |          |              |          | TOT ACS       | 429.00   |
| 2006 TAX BILL/RECEIPT        |          |              |          |               |          |

JACA ELIAS  
817 BLAINE AVE  
Nampa ID 83651

N2S2, S2N2 LYING S OF CANAL,  
SESE, N2NW 28 IN 3W

9243 JACA LN 83641

\*\*\* IMPORTANT \*\*\*  
PLEASE READ BOTH FRONT AND BACK  
\*\*\* MONTHLY PAYMENTS ARE ACCEPTED \*\*\*

TO AVOID LATE CHARGES, PAYMENTS MUST BE  
RECEIVED OR POSTMARKED BY THE DUE DATE.

BLM + Tom Johnston

| TAXING DISTRICT | RATE                |
|-----------------|---------------------|
| STATE           | .000000000          |
| COUNTY          | .003378621 747.50   |
| SCHOOL 363      | .000912027 201.80   |
| SCHOOL 363 BOND | .004095878 906.20   |
| COUNTY RD       | .000344812 76.20    |
| MARS-HOME CEM   | .000099028 21.90    |
| M-R-W FIRE      | .000678648 150.10   |
| AMOUNT DUE      | .009509014 2,103.90 |

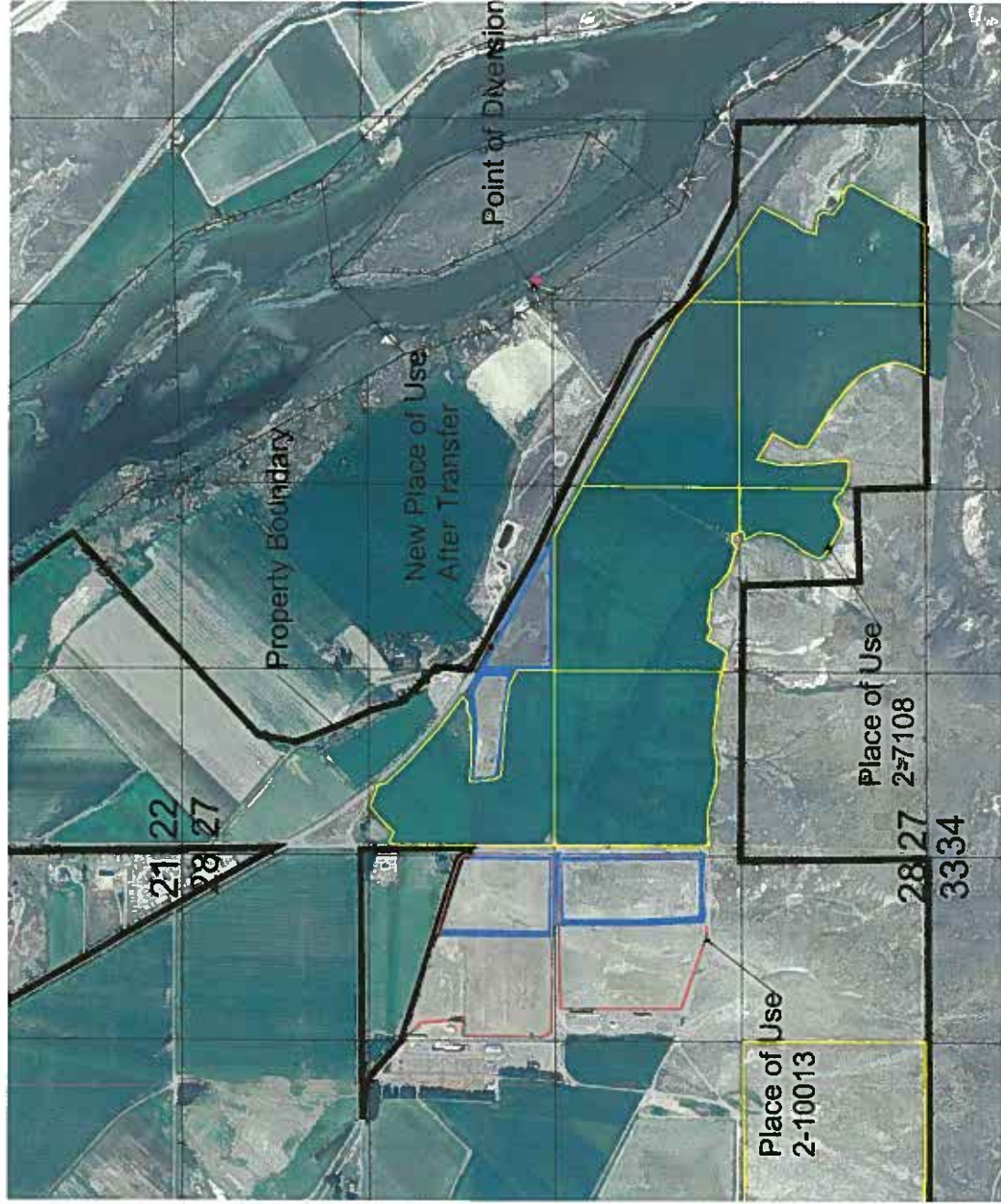
# Attachment B Elias and Inez Jaca Transfer Application



T01N R03W

Water Right # 2-10013

- WR # 2-7108
- WR # 2-10013
- Point of Diversion
- Property Boundary
- Place of Use After Transfer
- Quarter Sections



Date Drawn: February 19, 2007  
 Drawn By: Paul Drury, P.E.  
 Data Source: IDWR  
 ERO Resources, Corp.  
 NAIP 2004 Aerial Photo

Attachment B