

RECEIVED

NOV 16 2006

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Transfer No. 73773

74428

Name of Applicant David Buich Phone _____Post Office address 3100 Glen Stuart Ln., 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 Water right is needed for irrigation of 3.0 acres at new place of use.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>Portion of 63-31215</u>	<u>9/14/1989</u>	<u>0.06 cfs</u>	<u>irrigation</u>	<u>3/15</u> to <u>11/15</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 0.06 cubic feet per second and/or 13.5 acre-feet per annum.3. Source of water ground water tributary to _____

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
2		NW	NE	3	4N	1E	Ada	

5. 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	
4N	1E	3		3.0 Lot 2															3.0

Total Acres 3.0

PART 1

6. General Information:

- a. Description of diversion system well and pump

- 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.

- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Three (3.0) acres at the current place of use will no longer be irrigated.

- d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

And the said application is hereby _____, subject to the following conditions:

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 as 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. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 69050 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 ground water tributary to _____

4. Date or priority 9/14/1989

5. Water is used for the following purposes:

amount 0.12 cfs for irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.12 cubic feet per second and/or 27.0 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
	SW	SW	SW	5	5N	2W	Canyon	

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	
5N	2W	6											3.0					3.0	6.0

Total Acres 6.0

9. Describe any other water rights used for the same purpose as described above none

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 0.06 cfs for irrigation purposes from 3/15 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
	SW	SW	SW	5	5N	2W	Canyon	

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	
5N	2W	5																3.0	3.0

Total Acres 3.0

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

1. amount 0.06 cfs for irrigation purposes from 3/15 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
	SW	SW	SW	5	5N	2W	Canyon	

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	
5N	2W	5											3.0						3.0

Total Acres 3.0

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.



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

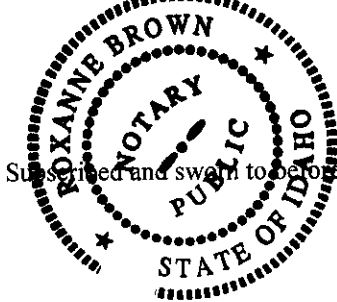
1.	<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	_____	_____	_____	_____ to _____
	_____	_____	_____	_____ to _____

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

2. 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]

(Signature of Applicant)

Subscribed and sworn to before me this 27TH day of October, 20 06.

Roxanne Brown

(Notary Public)

My commission expires 5-11-2008

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by DB Date 11-16-06 Protest filed by _____

Prelim. Check by _____ Fee \$100 -

Received by DB W034888 Date 11-16-06

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 _____



ADA COUNTY RECORDER J. DAVID NAVARRO AMOUNT 6.00 2
BOISE IDAHO 11/01/04 04:58 PM
DEPUTY Bonnie Oberling
RECORDED - REQUEST OF
Title One
104139514

Order No.: A0432813

WARRANTY DEED

FOR VALUE RECEIVED,

LLOYD CAMBELL, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY

The Grantor(s), do(es) hereby grant, bargain sell and convey unto

RAY M. SANTUCCI and GINA M. SANTUCCI, HUSBAND AND WIFE

whose current address is

the Grantee(s), the following described premises, in Ada County, Idaho, TO WIT:

The land referred to in this commitment is situated in the State of Idaho, County of Ada, and is described as follows:

A tract of land situated in the Northwest quarter of the Northeast quarter of Section 3, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho more particularly described as follows:

Commencing at the Northeast corner of said Section 3; thence
South 89°33'30" West for 1325.33 feet along the North line of said Section 3 to the North
sixteenth corner of the Northeast quarter of said Section 3; thence
South 34°45'28" West for 630.08 feet to a point on the centerline of State Highway 55, said point
being the REAL POINT OF BEGINNING; thence following the centerline of State Highway 55
along a circular curve to the left having a radius of 716.30 feet and sub-chord bearing
South 25°23'21" East for 174.76 feet; thence
South 32°23'45" East for 69.09 feet along the centerline of State Highway 55 to a point on the
Southwesterly right-of-way line for the realignment of State Highway 55 in accordance with the
plans for Idaho Project No. ST-3271 (546) which are on file in the office of the Department of
Highways of the State of Idaho; thence following said Southwesterly right-of-way line for the
realignment of State Highway 55 along the following courses: a circular curve to the left having
a radius of 1205.92 feet and a sub-chord bearing
South 18°46'30" East for 152.31 feet; a spiral curve to the left, which has a total length of 400
feet and a total spiral angle of 10°, having short chord bearing
South 27°19'48" East for 259.34 feet; thence leaving said right of-way and traveling
South 89°40'29" West for 505.11 feet; thence
North 1°14'14" West for 592.47 feet; thence
North 89°40'29" East for 237.86 feet to the centerline of State Highway 55 and the REAL
POINT OF BEGINNING.

EXCEPT any portion which may be within State Highway 55 and which was conveyed to the State of Idaho by deed recorded as Instrument No. 162008, and

FURTHER EXCEPTING any portion of the above described tract that may be within realignment of State Highway 55.

FURTHER EXCEPTING a parcel of land being on both sides of the centerline of State Highway No. 55, Project No. NHG-3271 (052) Highway Survey, as show on the plans thereof now on file in the office of the Idaho Transportation Department, and being a portion of Government Lot 2 (Northwest quarter Northeast quarter) of Section 3, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, described as follows, to wit:

Beginning at the Northeast corner of Lot 20 in Block 1 of BOGUS RIDGE SUBDIVISION, according to the official plat thereof, filed in Book 60 of Plats at Pages 5981 and 5982 Official Records of Ada County, Idaho, which bears
North 83°04'10" East, 57.41 feet from station 136+11.45 of said State Highway No. 55, Project No. NHF-3271 (052) Highway Survey; thence
North 89°14'29" West along the Northerly boundary of said Lot 20, a distance of 140.59 feet to a point that bears
South 83°04'10" West, 82.01 feet from Station 136+29.48 of said Highway Survey; thence
North 6°33'50" West, 324.77 feet to a point on the Westerly right of way of existing State Highway No. 55, USPW Project No. NRH-129A(1935), that bears
South 83°04'10" West, 80.0 feet from Station 139+54.25 of said Highway Survey; thence
South 31°39'22" East, along said existing Westerly right of way, 370.0 feet, more or less, to the PLACE OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they 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 all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility easements (if any) for the current year, which are not due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: 10/27/04

LLOYD CAMPBELL

MARI LYNN CAMPBELL

STATE OF CALIFORNIA
COUNTY OF Orange

ON THIS 29 OF OCTOBER, 2004, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC PERSONALLY APPEARED, LLOYD CAMPBELL AND MARI LYNN CAMPBELL, KNOWN TO ME OR PROVEN TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC
RESIDING AT: Orange, CA
MY COMMISSION EXPIRES: 4/19/05

(SEAL)

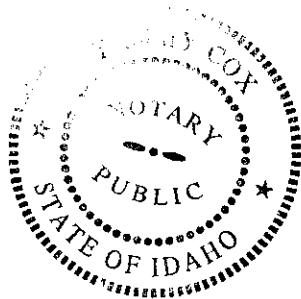


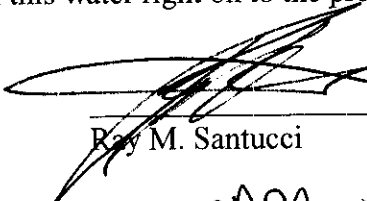
October 24, 2006

To Whom It May Concern:

We, Ray M. Santucci and Gina M. Santucci, husband and wife, are the owners of a tract of land in the Northwest quarter of Section 3, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho. The property is further described on the attached Warranty Deed.

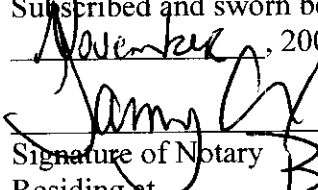
We wish to inform the Dept. of Water Resources that we do not object to Mr. Buich's transfer application for a portion of water right 63-31215. We are aware the proposed transfer will move a portion of this water right on to the property noted above.



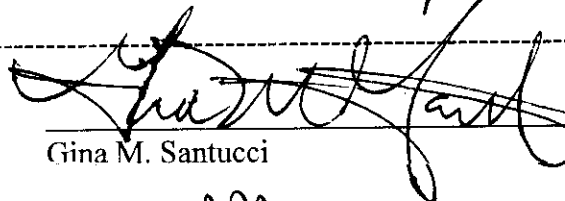

Ray M. Santucci

County of ADA)
State of Idaho)

Subscribed and sworn before me this 2 day of
November, 2006.

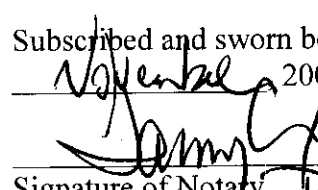

Signature of Notary
Residing at Boise

My commission expires 10/15/08


Gina M. Santucci

County of ADA)
State of Idaho)

Subscribed and sworn before me this 3 day of
November, 2006.


Signature of Notary
Residing at Boise

My commission expires 10/15/08





COPY

November 14, 2006

IDWR Western Region
2735 Airport Way
Boise, ID 83705

Subject: Notice of Change in Water Right Ownership
Water Right/Subcase No(s) 63-31215

Dear Western,

Enclosed, on behalf of David Buich, is a *Notice of Change in Water Right Ownership* document. There is no fee for this change.

This change is related to a series of water right sales concerning this and related rights. I met most recently with Jan Shurte and Sandy Egbert concerning these changes.

Please let me know if I can be of help.

Sincerely,

Roxanne Brown
Water Rights Specialist

Cc: David Buich

Enclosures
Notice of Change in Water Right Ownership
Grant deed (Jade Eagle to Buich)

SPF file number: 454.0060

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.

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
63-31215					

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) Christopher and Tracy Doyle
P.O Box 1480, Caldwell, ID 83606
4. New Owner/Claimant(s) David Buich
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 3100 Glen Stuart Ln.
- City, State and ZIP Code Eagle, ID 83616
- New Telephone Number (208)
5. Date you acquired the property June 2006

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>63-31215</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>0.06 cfs</u>	<u>3.0 acres</u>
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	<u>0.06 cfs</u>	

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) _____
(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 _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

GRANT DEED

THIS INSTRUMENT, made this 7th day of June, 2006, between Jade Eagle, Inc., of 660 East Franklin Road, Meridian, Idaho 83642 (Grantor), and David Buich, whose address is 3407 Holl Drive, Eagle, Idaho 83616 (Grantee).

WITNESSETH:

The Grantor, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain and sell, convey and confirm unto the Grantee, and to the successors and assigns of Grantee forever, the right, title and interest in and to the following portion of Water Right #63-31215:

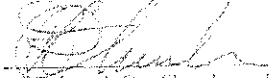
Quantity: 0.06 cubic feet per second + 13.5 acre feet per year

Acres: 3.0 acres (SESE Section 6, Township 5 North, Range 2 West, Canyon County, Idaho)

TO HAVE AND TO HOLD, all and singular the above-mentioned and described portion of Water Right #63-31215, unto the Grantee and to the successors and assigns of Grantee forever.

IN WITNESS WHEREOF, the Grantor has executed this Deed the day and year first above written

JADE EAGLE, INC

By: 
Richard O. Thurber, President

STATE OF IDAHO

1
1988

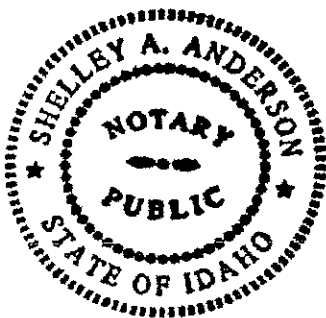
GRANT DEED

1

County of Ada)

On this 20 day of June, 2006, before me, a Notary Public for said County and State, personally appeared Richard O. Thurman, President known or identified to me, to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Shelley A. Anderson
 NOTARY PUBLIC FOR IDAHO
 Residing at: Meridian Idaho
 My commission expires: 3/27/09