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Steve Hannula - ERO Resources Corp. (208) 373-7983

APR 02 2004

WATER RESOURCES
WESTERN REGION

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

Name of applicant Tim C. and/or Jan M. Peterson

Phone 208-362-9797

Post Office address P.O. Box 16602, Boise, Idaho 83715

A. Purpose of Transfer

- ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
- Describe the reason for the proposed changes Applicant purchased water right to irrigate their property at the new place of use, more specifically described as Lot 11 and 12 in Block 1 of amended plat of Calderon Estates Subdivision.

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

- | Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|-----------------|-----------------|-----------------------|-------------------|----------------------|
| <u>63-31439</u> | <u>6/8/1978</u> | <u>0.047 / 18</u> | <u>Irrigation</u> | <u>3/15 to 11/15</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
- Total amount of water being transferred 0.047 cubic feet per second and/or 18 acre-feet per annum.
- Source of water Groundwater tributary to N/A
- Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	7	2N	2E	Ada	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2N	2E	7													4				4

Total acres 4

PART 1

6. General Information:

- a. Description of diversion system Drilled well, submersible pump, sprinkler system.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ____ Yes XX 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: The land will not 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 said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 20 _____.



IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

03/04/2004

WATER RIGHT NO. 63-31439

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PACIFIC HIDE & FUR DEPOT PO BOX 849 NAMP, ID 83651 (208)466-1673
Original Owner	SUSAN K BEVAN
Original Owner	THOMAS M BEVAN 4202 N MARCLIFFE AVE BOISE, ID 83704 (208)323-7873
Original Owner	VIOLET J STRINGER
Original Owner	WILLIAM C STRINGER 421 MARCUS CT MOAB, UT 84532 (801)259-8686

Priority Date: 06/08/1978

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>Volume</u>
IRRIGATION	03/15	11/15	0.13 CFS	49.5 AFA
COMMERCIAL	01/01	12/31	0.05 CFS	13.6 AFA
Total Diversion			0.18 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NENENE	Sec. 12	Township 01N	Range 01E	ADA County
GROUND WATER	NESENE	Sec. 12	Township 01N	Range 01E	ADA County

Place(s) of use:

Place of Use Legal Description: IRRIGATION ADA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
01N	01E	12		NENE	11									

Place of Use Legal Description: COMMERCIAL ADA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
01N	01E	12		NENE			SENE							

Total Acres: 11

Conditions of Approval:

1.	c18	This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2.	T08	Failure of the right holder to comply with the conditions of Transfer No. 69750 is cause for the Director to rescind approval of the transfer.
3.	T17	Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4.	046	Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5.	01Q	After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6.	R32	This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

Remarks:

1.	Purpose of Use	Commercial use is for a fur and hide facility.
2.	Purpose of Use	THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
3.	Quantity	The total instantaneous diversion of water from all points of diversion under Right 63-31439 shall not exceed 0.18 cfs, nor total combined annual volume of 63.1 af.

Dates:

Other Information:

State or Federal: S

Owner Name Connector: And

Water District Number:

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4.5

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: True

[Close](#)

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 0.047 / 18 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. Points of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	NE	NE	12	1N	1E	Ada	
	NE	SE	NE	12	1N	1E	Ada	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
1N	1E	12	4																4

Total acres 4**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. Amount 0.083 / 31.5 for Irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 Amount 0.05 / 13.6 for Commercial purposes from 1/1 to 12/31
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Points of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	NE	NE	12	1N	1E	Ada	
	NE	SE	NE	12	1N	1E	Ada	

3. Lands irrigated or place of use:

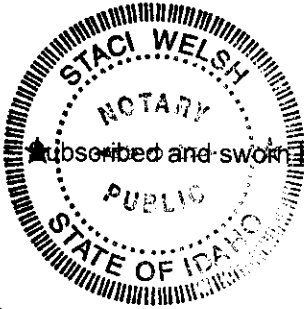
Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
1N	1E	12	7																7

Total acres 7

PART 3**B. CHANGES IN NATURE OF USE****N/A**

1. New Nature of Use _____ Amount (cfs/ac-ft) _____ Hours/days/year _____ Period of Use _____ to _____
_____ to _____
2. Quantity and quality of return flows and location of discharge: _____
3. 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.



Tom Peterson

Jan Peterson

(Signature of Applicant)

Subscribed and sworn before me this 23rd day of March, 20 04.

Staci Welsh

(Notary Public)

My commission expires 1/27/2005

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by DB Date 4-2-04 Protest filed by _____

Prelim. check by _____ Fee \$100 - W031473

Received by DB Date 4-2-04

Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

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THIS MAP IS FURNISHED AS AN
ACCOMMODATION, STRICTLY FOR THE
PURPOSES OF GENERALLY LOCATING
THE LAND. IT DOES NOT REPRESENT
A SURVEY OF THE LAND OR IMPLY ANY
REPRESENTATION AS TO THE SIZE,
AREA OR ANY OTHER FACTS
RELATED TO THE LAND SHOWN THERE OF

CALDERON ESTATES SUBDIVISION

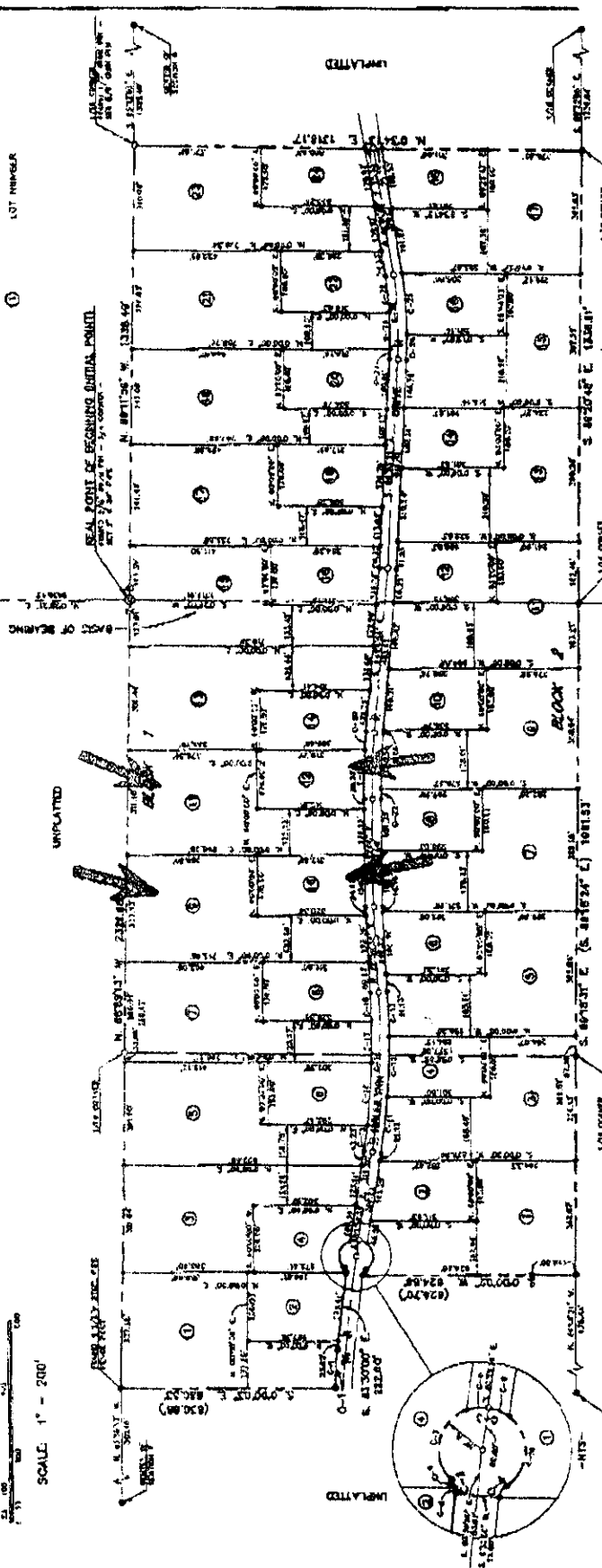
A PORTION OF
THE NW 1/4 SW 1/4, SECTION 8,
T 2N., R 2E., B.M.,
ADA COUNTY, IDAHO
1991

HUBBLE ENGINEERING, INC.
BOISE, IDAHO

LEGEND

- POINT 5/8" 1/4" 1/4" 1/4"
- SET 5/8" 1/4" 1/4" 1/4"
- SET 1/2" 1/4" 1/4" 1/4"
- (S 80°18'24" E)
- PROPERTY BOUNDARY LINE
- LOT OF WAY LINE
- LOT LINE
- CENTERLINE
- ① LOT NUMBER

SCALE 1" = 200'

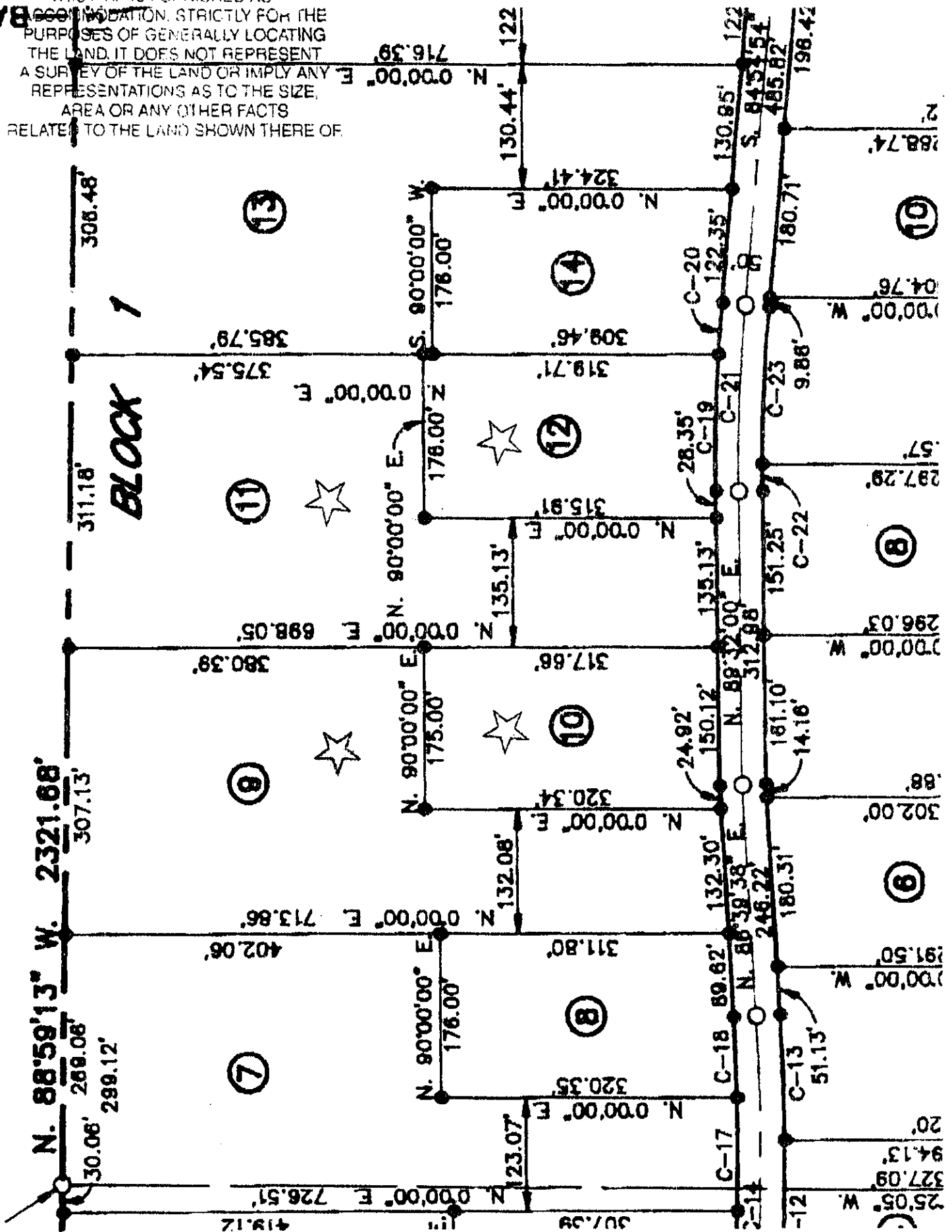


Lot	Area	Owner	Remarks
1	0.12	...	...
2	0.12	...	...
3	0.12	...	...
4	0.12	...	...
5	0.12	...	...
6	0.12	...	...
7	0.12	...	...
8	0.12	...	...
9	0.12	...	...
10	0.12	...	...
11	0.12	...	...
12	0.12	...	...
13	0.12	...	...
14	0.12	...	...
15	0.12	...	...
16	0.12	...	...
17	0.12	...	...
18	0.12	...	...
19	0.12	...	...
20	0.12	...	...
21	0.12	...	...
22	0.12	...	...
23	0.12	...	...
24	0.12	...	...

- NOTES
- 1) ALL LOTS ARE TO BE CONVEYED TO THE APPLICABLE JURISDICTION OF APPLICABLE...
 - 2) ALL LOTS ARE TO BE CONVEYED TO THE APPLICABLE JURISDICTION OF APPLICABLE...
 - 3) ALL LOTS ARE TO BE CONVEYED TO THE APPLICABLE JURISDICTION OF APPLICABLE...
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 - 22) ALL LOTS ARE TO BE CONVEYED TO THE APPLICABLE JURISDICTION OF APPLICABLE...
 - 23) ALL LOTS ARE TO BE CONVEYED TO THE APPLICABLE JURISDICTION OF APPLICABLE...
 - 24) ALL LOTS ARE TO BE CONVEYED TO THE APPLICABLE JURISDICTION OF APPLICABLE...



RECOMMENDATION



Place of Use Map for Water Right 63-31439

