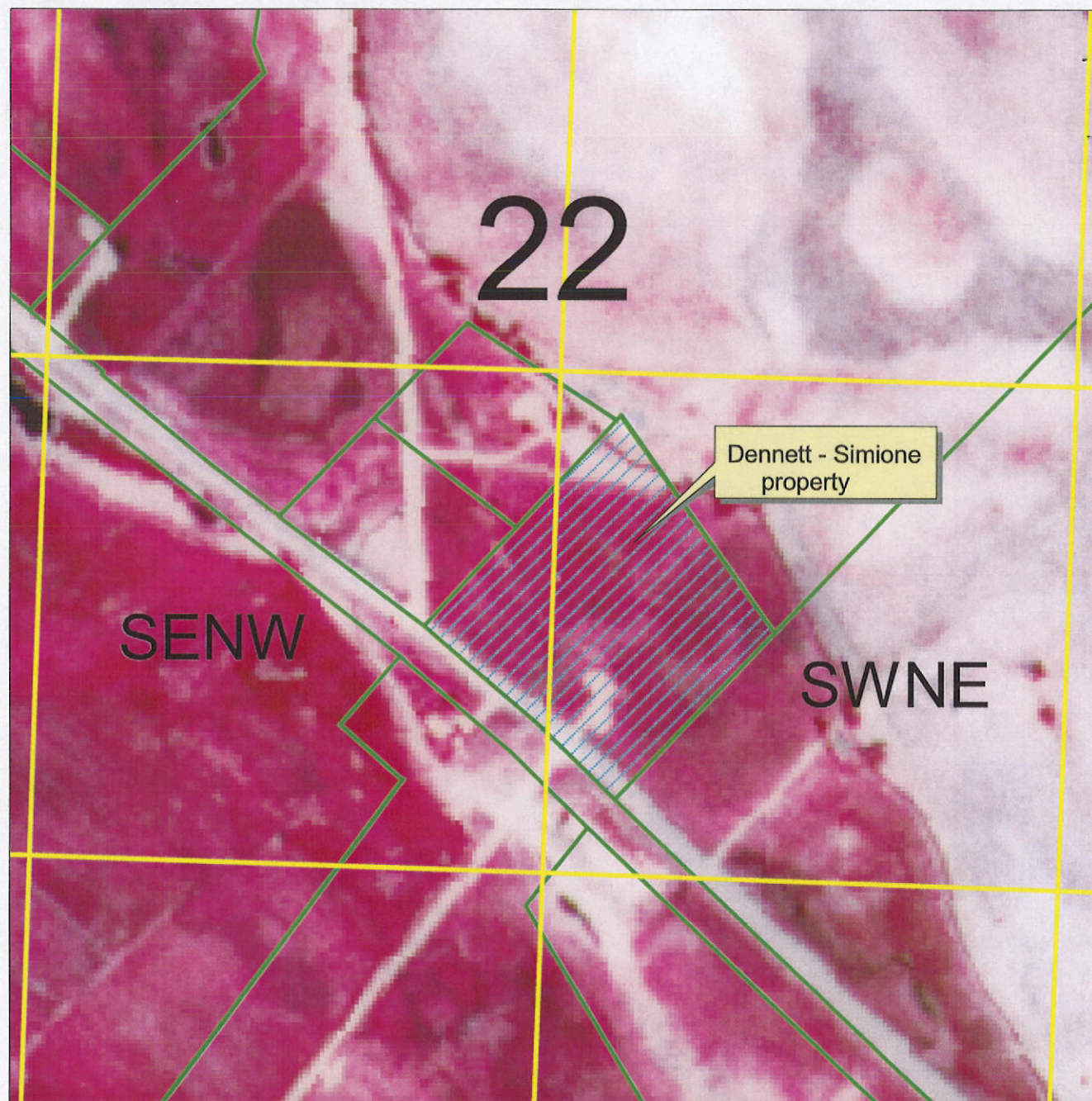


65-10840B

9N 4E

-  Section Line
-  QQ Lines
-  Tax Lot Data
-  Metes & bounds description



0.03 0 0.03 0.06 Miles



THE LAND REFERRED TO IN THIS COMMITMENT IS LOCATED IN THE COUNTY OF BOISE STATE OF IDAHO AND DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 4 EAST, BOISE MERIDIAN, BOISE COUNTY, IDAHO; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A BRASS CAP MARKING THE NORTH QUARTER CORNER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 4 EAST, B.M.; THENCE, ALONG THE NORTH SECTION LINE OF SAID SECTION 22, NORTH 90°00'00" WEST 2606.02 FEET TO AN ALUMINUM CAP MARKING THE NORTHWEST CORNER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 4 EAST, B.M.; THENCE SOUTH 50°07'51" EAST 3334.45 FEET TO AN IRON PIN ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE GARDEN VALLEY HIGHWAY, THENCE CONTINUING ALONG THE SAID NORTHERLY RIGHT-OF-WAY LINE, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 5779.58 FEET, A CENTRAL ANGLE OF 2°34'43", AN ARC LENGTH OF 260.12 FEET, AND WHOSE CHORD BEARS SOUTH 51°04'43" EAST, 300.38 FEET ~~SOUTH 51°11'42" EAST 260.10 FEET~~ TO AN IRON PIN; THE REAL POINT OF BEGINNING, THENCE, LEAVING SAID RIGHT-OF-WAY LINE NORTH 40°17'54" EAST, 687.76 FEET TO AN IRON PIN, THENCE SOUTH 35°34'06" EAST, 393.56 FEET TO AN IRON PIN, THENCE SOUTH 41°54'42" WEST, 600.88 FEET TO AN IRON PIN ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE GARDEN VALLEY HIGHWAY, THENCE ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID HIGHWAY NORTH 47°53'34" WEST, 193.92 FEET TO AN IRON PIN, THENCE CONTINUING ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID HIGHWAY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 5779.58 FEET, AN ARC LENGTH OF 170.94 FEET WHOSE CHORD BEARS NORTH 48°44'31" WEST, 170.94 FEET TO THE REAL POINT OF BEGINNING.

J.E.W.
CW

THIS WARRANTY DEED BEING RE-RECORDED TO CORRECT LEGAL DESCRIPTION

SCANNED
JUN 28 2004

SCANNED
MAY 25 2004

1000 S 8 300V
SCANNED

Idaho Dept. of Water Resources

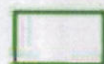
Claim No(s): 65-10840B

Claimant(s): Ward

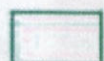
T09N, R04E, S 22

Prepared by: Sue Bock

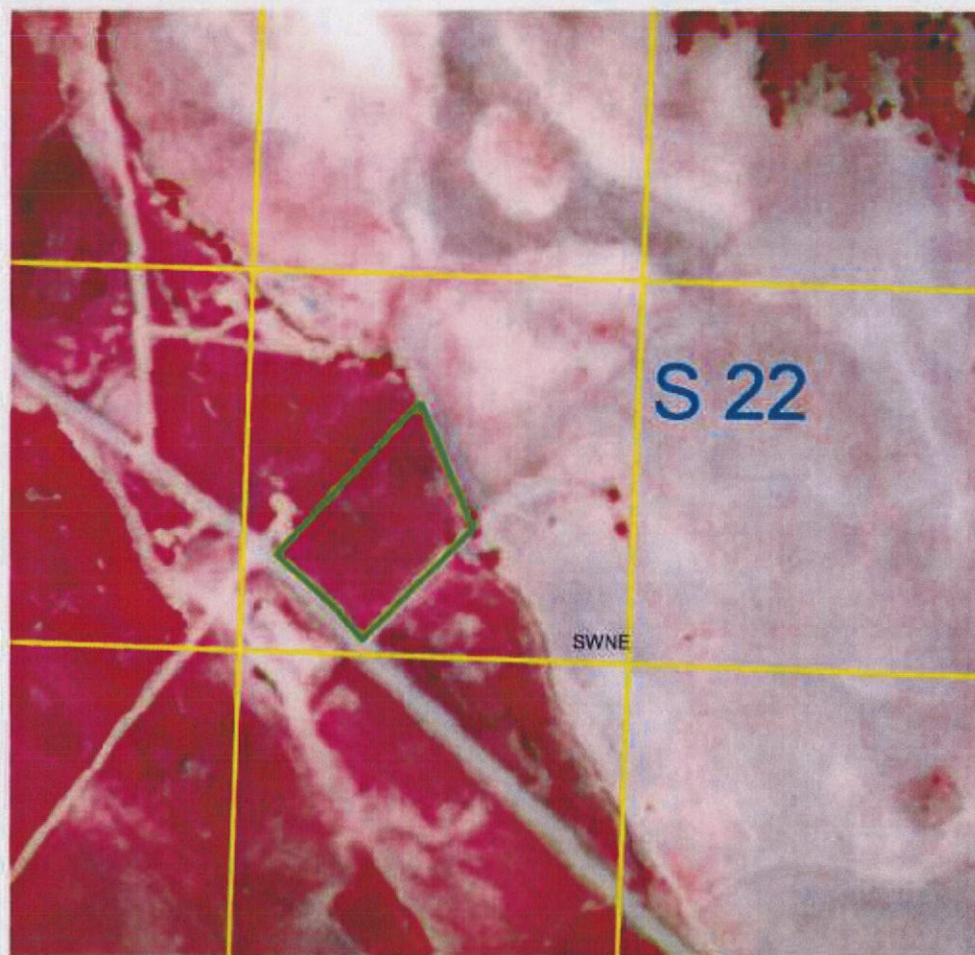
Date: 11/18/1999

 Place of Use

 Point of Diversion

 Section lines

 1/4 1/4 lines



1987 NAPP Photo
0.6 Miles

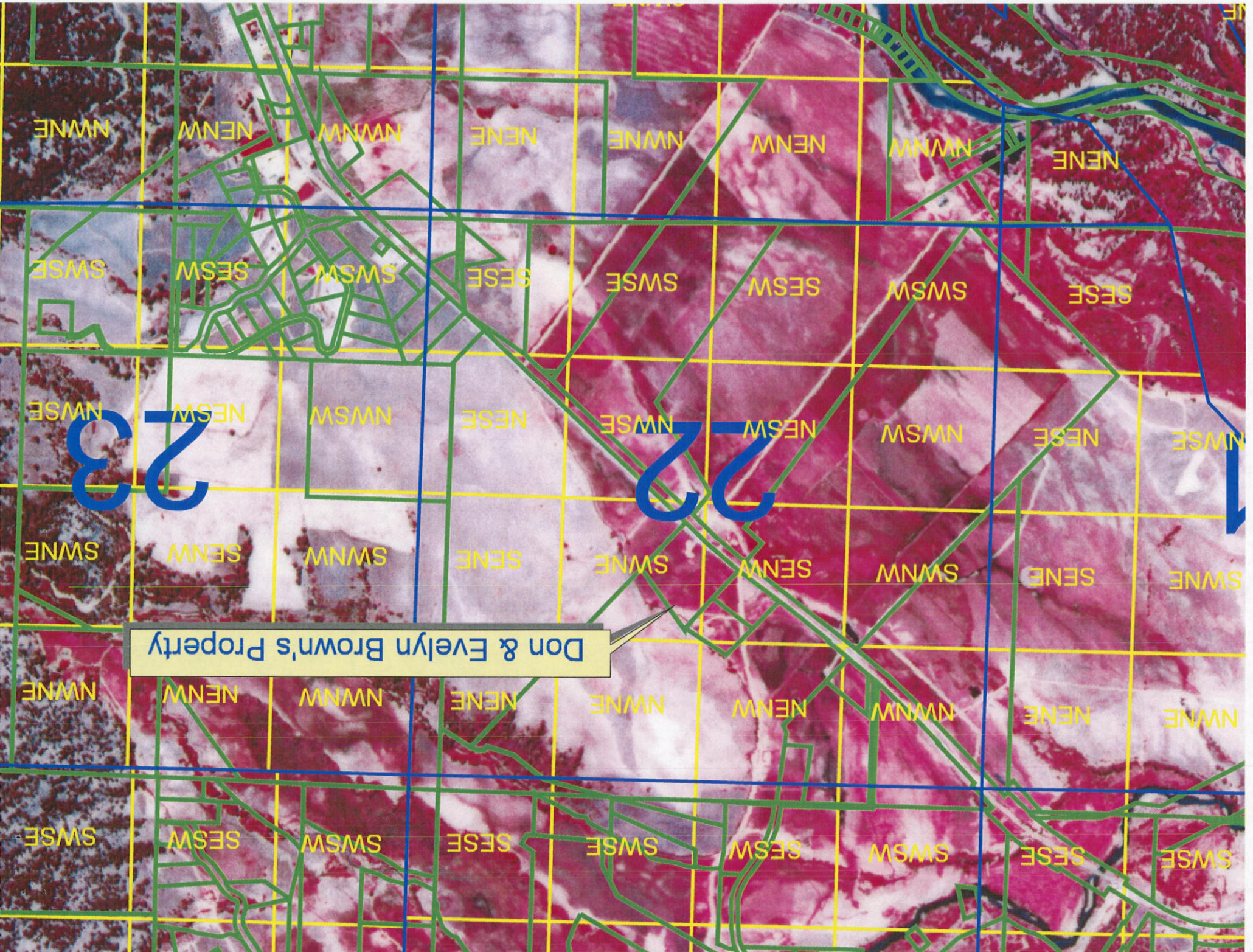
SCANNED

MAY 25 2004

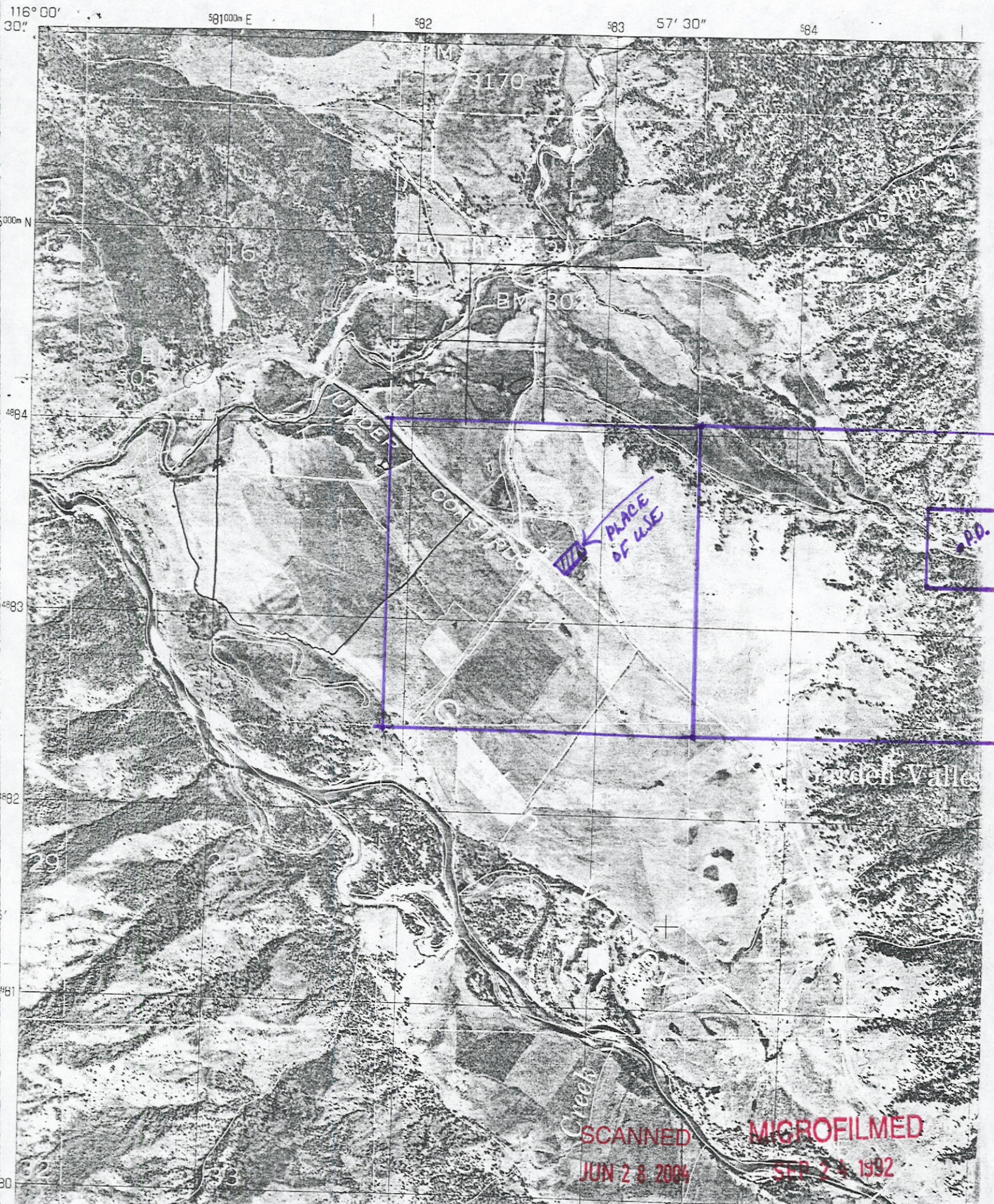
Don & Evelyn Brown's Property

22

23



UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

UNCLASSIFIED

2007 7 2 JJS

4002 8 2 NJJ
SCANNED

581000+ E

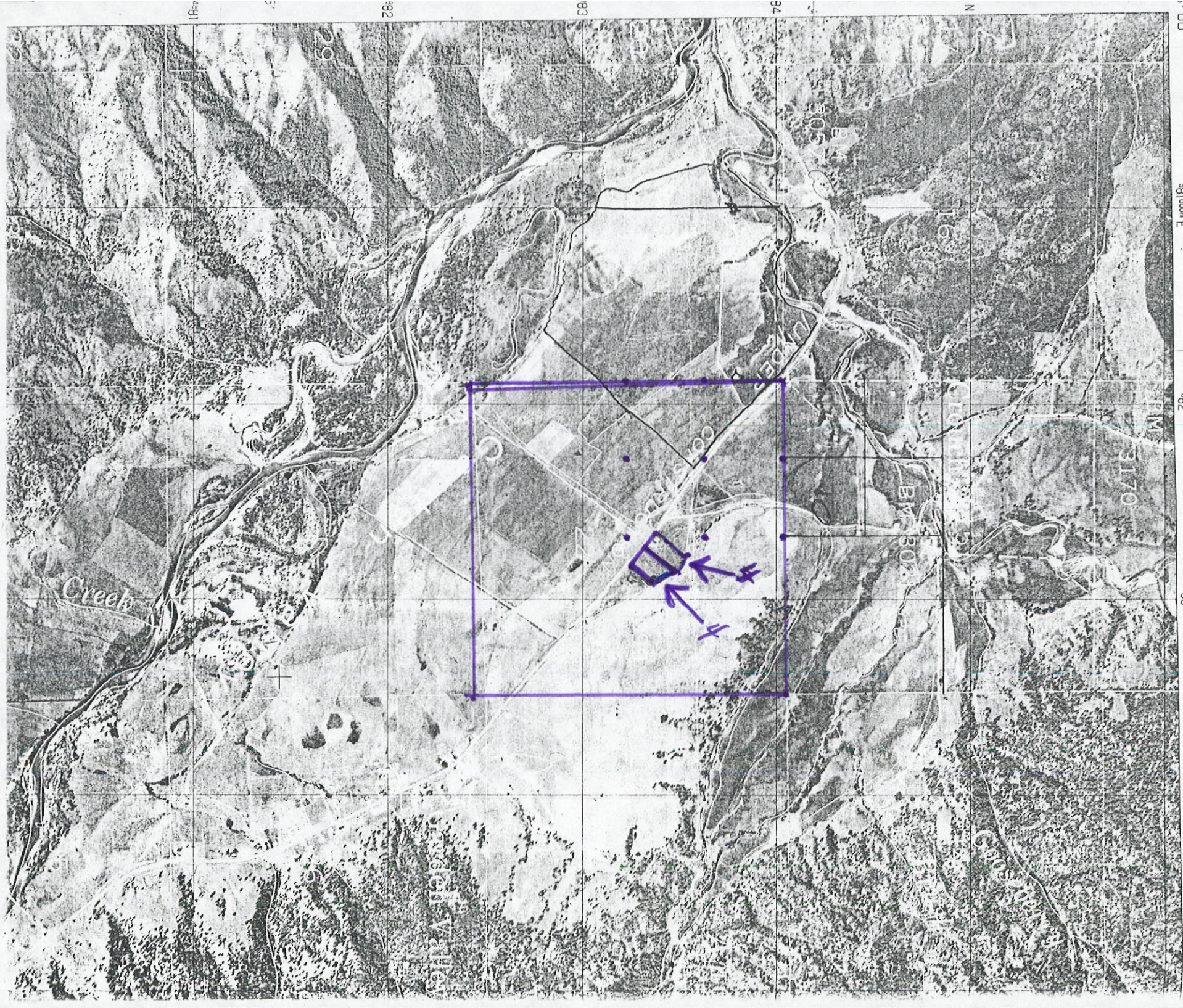
582

583

57' 30"

584

585





A Pioneer Company
PIONEER TITLE COMPANY
OF ADA COUNTY

661 S. Rivershore Lane, Suite 110/ Eagle, Idaho 83616 / (208) 938-8075

RECEIVED
JUN 21 2004
WATER RESOURCES
WESTERN REGION

June 18, 2004

State of Idaho
Department of Water Resources
IDWR Western Region
735 Airport Way
Boise, ID 83705-5082

RE: Water Right No. 65-1084OB

Please find enclosed a check for the \$25.00 transfer fee, Notice of Change in Water Right Ownership, and copy of recorded Warranty Deed.

Please mail new water right certificate to Dennett-Simione, LLC, 62 Scriver Bluff Road, Garden Valley, ID 83622.
Any questions, please contact me at (208) 938-8075.

Sincerely,

Sharon Baker
Escrow Manager

SAB:mc

Encl.

SCANNED
JUN 28 2004

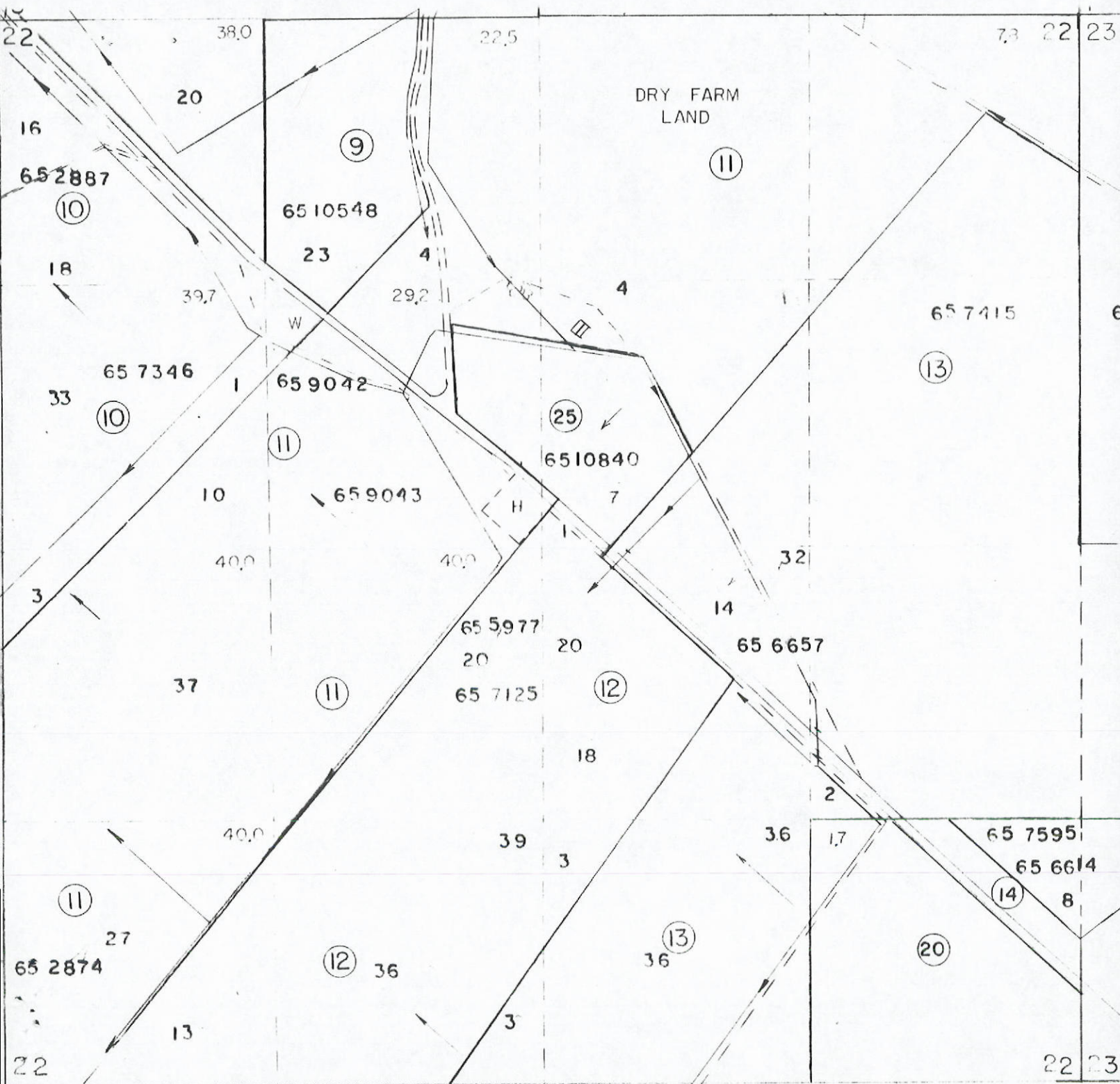
SCANNED
JUN 22 2004

10-6-69

OHU.2KK-229

22/23





Idaho Dept. of Water Resources

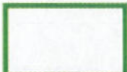
Claim No(s): 65-10840B

Claimant(s): Ward

T09N, R04E, S 22

Prepared by: Sue Bock

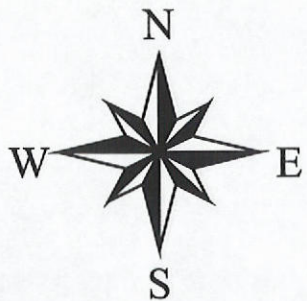
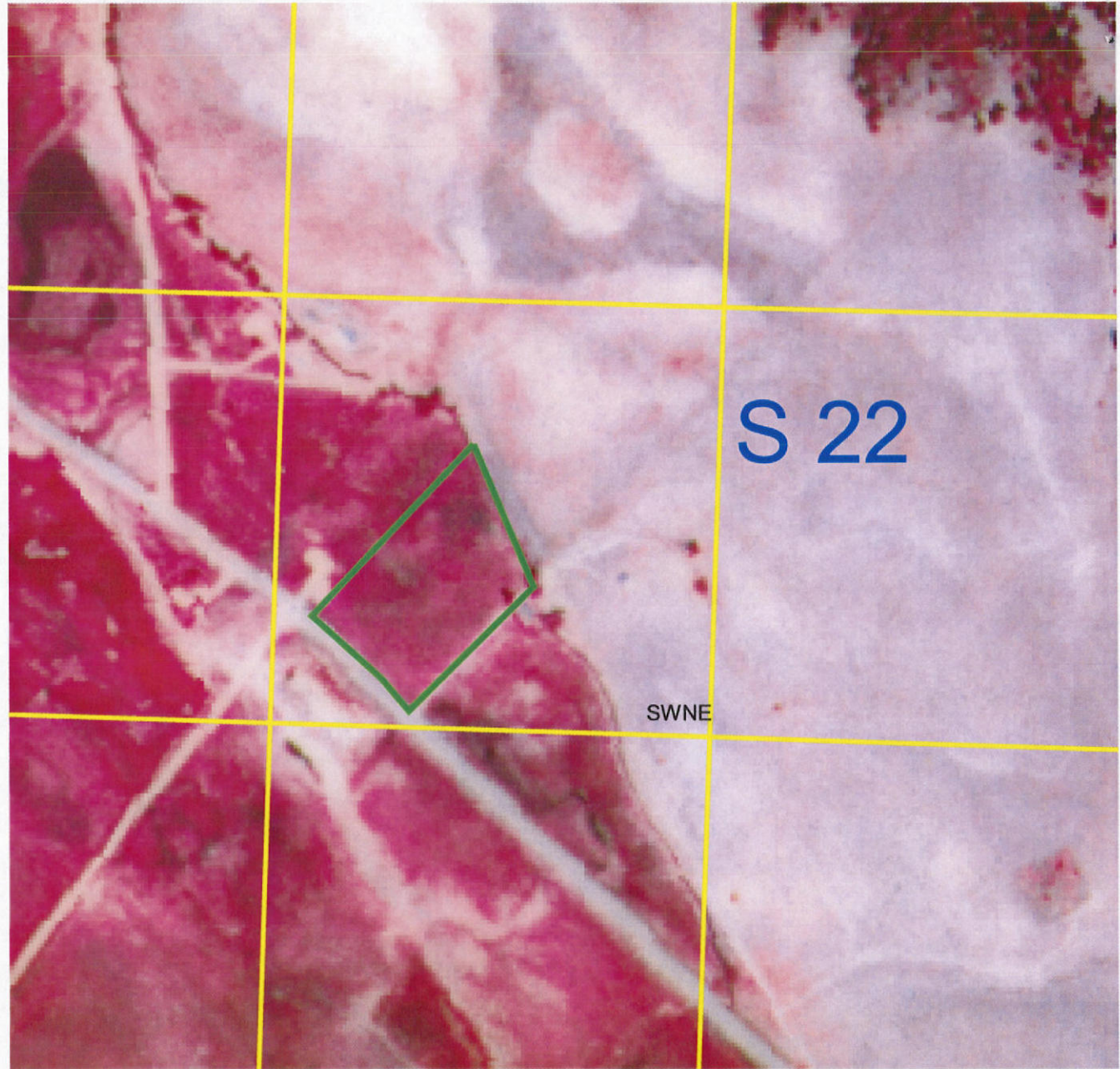
Date: 11/18/1999

 Place of Use

 Point of Diversion

 Section lines

 1/4 1/4 lines



0

0.3

0.6 Miles

1987 NAPP Photo

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

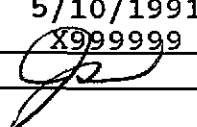
IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A65-10840B

Date Received: 5/10/1991

Receipt No: X999999

Received By: 

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: JEAN E. WARD
Address: 7321 FAIRVIEW AVE.
BOISE, ID

208-378-1163

83704

2. Date of Priority: JUL 1, 1874

3. Source: ANDERSON CREEK

Trib. to: PAYETTE RIVER, MIDDLE FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	04E	23	SE	NE			BOISE

5. Description of diverting works:

MAIN DITCH FROM CREEK GRAVITY FLOW AND FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.100		

7. Total Quantity Appropriated is:

0.100 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

10.0 Acre Feet Per Annum.

9. Non-irrigation uses:

NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	04E	22	SW	NE		IRR	4.0

Section Acres 4.0

MICROFILMED

10. Place of Use: Continued

Total Acres 4.0

11. Place of use in counties: BOISE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE.

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Jean E. Ward Date: 5-10-91
Date:

SCANNED
JUN 28 2004

MICROFILMED
SEP 24 1992

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 10th day

of May 19 90

Seal

Jan O. Hunt
Notary Public

Residing at 9-14-94

My Commission Expires Quidain ID

MICROFILMED

SEP 24 1992

06/28/2004

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER 65-10840B

NAME AND ADDRESS DENNETT SIMIONE LLC
 GREG SIMIONE
 GERROLD DENNETT
 62 SCRIVER BLUFF RD
 GARDEN VALLEY ID 83622

SOURCE ANDERSON CREEK TRIBUTARY MIDDLE FORK PAYETTE RIVER

QUANTITY 0 085 CFS

PRIORITY DATE 07/01/1874

POINT OF DIVERSION
 T09N R04E S23 SENE Within BOISE County

PURPOSE AND
PERIOD OF USE

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	0 085 CFS

PLACE OF USE IRRIGATION Within BOISE County
 T09N R04E S22 SWNE 3 5

3 5 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT

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

EXPLANATORY MATERIAL Decreed

Form 43-200/43-1-00000 July 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

JUN 21 2004

WATER RESOURCES
WESTERN REGION

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
65-10840B	65-10840B	☒			

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) Donald L. & Evelyn J. Brown
668 Middlefork Rd. Garden Valley, ID 83622
4. New Owner/Claimant(s) Greg Simione and Gerrold Dennett /Dennett-Simione, LLC
 Name Connector (Check one): ☒ and ☐ or ☐ and/or
62 Scriver Bluff RD., Garden Valley, ID 83622
 New Mailing Address _____
 City, State and ZIP Code _____
 New Telephone Number 208 462-5400
()
 Date you acquired the property 5 June 04

SCANNED
JUN 28 2004

SCANNED
JUN 22 2004

Form 45-248(1-1489(4) July 2000

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 _____		
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	_____	_____

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	_____	_____

Signature of New Owner(s) or Claimant(s)
(include title if applicable)

[Handwritten Signature]
[Handwritten Signature]

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.

SCANNED

JUN 28 2004

For Office Use Only

Received by DB Date 6-21-04 Fee \$25 -
 Receipt by DB Date 6-21-04 Receipt No. W031853
 Processed by AJ Date _____ WR _____ Date _____

SCANNED

JUN 22 2004

THE LAND REFERRED TO IN THIS COMMITMENT IS LOCATED IN THE COUNTY OF BOISE STATE OF IDAHO AND DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 4 EAST, BOISE MERIDIAN, BOISE COUNTY, IDAHO; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A BRASS CAP MARKING THE NORTH QUARTER CORNER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 4 EAST, B.M.; THENCE, ALONG THE NORTH SECTION LINE OF SAID SECTION 22, NORTH 90°00'00" WEST 2606.02 FEET TO AN ALUMINUM CAP MARKING THE NORTHWEST CORNER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 4 EAST, B.M.; THENCE SOUTH 50°07'51" EAST 3334.45 FEET TO AN IRON PIN ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE GARDEN VALLEY HIGHWAY, THENCE CONTINUING ALONG THE SAID NORTHERLY RIGHT-OF-WAY LINE, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 5779.58 FEET, A CENTRAL ANGLE OF 2°34'43", AN ARC LENGTH OF 260.12 FEET, AND WHOSE CHORD BEARS SOUTH 51°04'43" EAST, 300.38 FEET ~~SOUTH 54°11'42" EAST 260.10 FEET~~ TO AN IRON PIN; THE REAL POINT OF BEGINNING, THENCE, LEAVING SAID RIGHT-OF-WAY LINE NORTH 40°17'54" EAST, 687.76 FEET TO AN IRON PIN, THENCE SOUTH 35°34'06" EAST, 393.56 FEET TO AN IRON PIN, THENCE SOUTH 41°54'42" WEST, 600.88 FEET TO AN IRON PIN ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE GARDEN VALLEY HIGHWAY, THENCE ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID HIGHWAY NORTH 47°53'34" WEST, 193.92 FEET TO AN IRON PIN, THENCE CONTINUING ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID HIGHWAY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 5779.58 FEET, AN ARC LENGTH OF 170.94 FEET WHOSE CHORD BEARS NORTH 48°44'31" WEST, 170.94 FEET TO THE REAL POINT OF BEGINNING.

J.E.W.
CW

THIS WARRANTY DEED BEING RE-RECORDED TO CORRECT LEGAL DESCRIPTION

SCANNED

JUN 28 2004

SCANNED

JUN 22 2004

244075 36/21



A Pioneer Company

PIONEER TITLE COMPANY

OF ADA COUNTY

661 S. Rivershore Lane, Suite 110 / Eagle, Idaho 83616

(208) 938-8075

Instrument # 196705

IDAHO CITY, BOISE COUNTY, IDAHO

2004-06-07 04:35:51 No. of Pages: 3

Recorded for: PIONEER TITLE

ROSA A. CANODY Fee: 9.00

Idaho Recorder Deputy

Index to: DEEDS

[Signature]

Reviewed - Appraised: [Signature]

WARRANTY DEED

For Value Received

DONALD LEROY BROWN, aka DONALD L. BROWN and

EVELYN JEAN BROWN, Husband and Wife, as to a life estate only, and DONALD LEROY BROWN

and EVELYN JEAN BROWN, as Co-Trustees of THE DONALD L. & EVELYN JEAN BROWN

TRUST, under Trust Agreement dated effective January 8, 2003, as to the remainder:

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

DENNETT-SIMIONE, LLC., an Idaho Limited Liability Company

hereinafter referred to as Grantee, whose current address is 62 Scripps Bluff Rd., Garden Valley, ID 83622

the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: June 3, 2004

Donald L. & Evelyn Jean Brown Trust

By: *[Signature]*
Donald Leroy Brown, Co-Trustee

[Signature]
Evelyn Jean Brown, Co-Trustee

[Signature]
Donald Leroy Brown

[Signature]
Evelyn Jean Brown

SCANNED

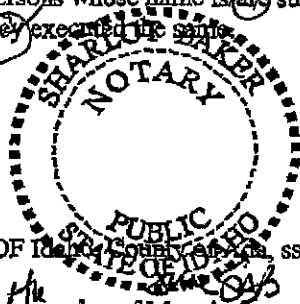
JUN 28 2004

SCANNED

JUN 22 2004

STATE OF Idaho. County of Ada, ss.

On this 4th day of June 2004, before me Sharlot Baker, notary public personally appeared Donald Leroy Brown and Evelyn Jean Brown known or identified to me to be the person/persons whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

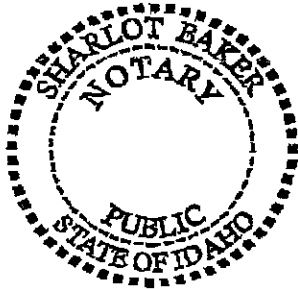


Sharlot Baker
Notary Public
Residing in: Boise, ID
My Commission Expires: 6/22/2007

7/31/07

STATE OF Idaho. County of Ada, ss.

On this 4th day of May, in the year of 2004, before me Sharlot Baker, a notary public personally appeared Donald Leroy Brown and Evelyn Jean Brown, known or identified to me to be the person whose name is subscribed to the within instrument as Co-Trustees and acknowledged to me that he/she/they executed the same as such The Donald L. & Evelyn Jean Brown Trust.



Sharlot Baker
Sharlot Baker
Notary Public of Idaho
Residing at Boise, ID
Commission expires: July 31, 2007

SCANNED
JUN 28 2004

SCANNED
JUN 22 2004

EXHIBIT A

A parcel of land located in the Southeast quarter of the Northwest quarter, and the Southwest quarter of the Northeast quarter of Section 22, Township 9 North, Range 4 East, Boise Meridian, Boise County, Idaho; more particularly described as follows:

Beginning at a brass cap marking the North quarter corner of Section 22, Township 9 North, Range 4 East, Boise Meridian; thence, along the North section line of said Section 22 North 90 degrees 00'00" West 2606.02 feet to an aluminum cap marking the Northwest corner of Section 22, Township 9 North, Range 4 East, Boise Meridian; thence South 50 degrees 07'51" East 3334.45 feet to an iron pin on the Northerly right-of-way line of the Garden Valley Highway; thence continuing along the said Northerly right-of-way line, along a curve to the right, having a radius of 5779.58 feet, a central angle of 2 degrees 58'41", an arc length of 300.41 feet, and whose chord bears South 51 degrees 04'43" East 300.38 feet to an iron pin; the Real Point of Beginning; thence, leaving said right-of-way line North 40 degrees 17'54" East, 687.76 feet to an iron pin; thence South 35 degrees 34'06" East, 393.56 feet to an iron pin; thence South 41 degrees 54'42" West, 600.88 feet to an iron pin on the Northerly right-of-way line of the Garden Valley Highway; thence along the Northerly right-of-way line of said highway North 47 degrees 53'34" West, 193.92 feet to an iron pin; thence continuing along the Northerly right-of-way line of said highway along a curve to the left having a radius of 5779.58 feet, an arc length of 170.94 feet whose chord bears North 48 degrees 44'31" West, 170.94 feet to the Real Point of Beginning.

SCANNED
JUN 28 2004

SCANNED
JUN 22 2004

SRBA

PARTIAL DECREE 65-10840B

Issued on 11-03-2000.

This is not an official copy.

Contact IDWR or the Court for a Certified Copy.

Choose Landscape Orientation when printing.

NAME AND ADDRESS:	JEAN E WARD 7321 FAIRVIEW AVE BOISE, ID 83704		
SOURCE:	ANDERSON CREEK	TRIBUTARY:	PAYETTE RIVER, MIDDLE FORK
QUANTITY:	0.085 CFS		
PRIORITY DATE:	07/01/1874		
POINT OF DIVERSION:	T09N R04E S23	SENE	Within Boise County
PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTIT
	Irrigation	04-01 TO 11-01	0.085 C
PLACE OF USE:	Irrigation		Within Boise C
	T09N R04E S22	SWNE 3.5	
	3.5 Acres Total		

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIO
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFI
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN T
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

[Return to SRBA Home Page](#)

SCANNED
JUN 28 2004

Idaho Department of Water Resources Receipt

Receipt ID W031853

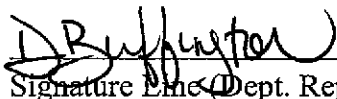
Payment Amount \$25 00 Date Received 6/21/2004 1 22:01 PM Region Western Status
Payment Type Check Check Number 4-10012

Payer PIONEER TITLE COMPANY OF ADA COUNTY

Comment CHANGE OF OWNERSHIP: 65-10840B

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$25.00	OWNERSHIP CHANGES/SECURITY INTERESTS	0229	21	62140	1155



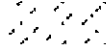
Signature Line (Dept. Representative)

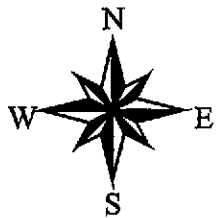
SCANNED
JUN 28 2004

SCANNED
JUN 22 2004

65-10840B

9N 4E

-  Section Line
-  QQ Lines
-  Tax Lot Data
-  Metes & bounds description



0.03 0 0.03 0.06 Miles



05/28/2004

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER 65-10840B

NAME AND ADDRESS DONALD L BROWN
HC 76 BOX 2430
GARDEN VALLEY ID 83622

EVELYN J BROWN
HC 76 BOX 2430
GARDEN VALLEY ID 83622

SOURCE ANDERSON CREEK TRIBUTARY MIDDLE FORK PAYETTE RIVER

QUANTITY 0 085 CFS

PRIORITY DATE 07/01/1874

POINT OF DIVERSION
T09N R04E S23 SENE Within BOISE County

PURPOSE AND PERIOD OF USE

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	0 085 CFS

PLACE OF USE IRRIGATION Within BOISE County
T09N R04E S22 SWNE 3 5

3 5 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT

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

EXPLANATORY MATERIAL Decreed

RECEIVED

MAY 25 2004

WATER RESOURCES
WESTERN REGION

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, 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
65-10840 B	65-10840 B	-0-			

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) are 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) Jean E. Ward
unknown
4. New Owner/Claimant(s) Donald L. & Evelyn J. Brown
 Name Connector (Check one) ☒ and, ☐ or, ☐ and/or
- New Mailing Address HC 76 Box 2430,
- City, State and ZIP Code Garden Valley, ID 83622
- New Telephone Number 208 - 462-3787
5. Date you acquired the property May 15, 1991

SCANNED

JUN 28 2004

SCANNED

MAY 25 2004

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 _____		
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	_____	_____

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)

Ronald L. Brown
Evelyn Jean Brown

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 DB Date 5-25-04 Fee \$25-
 Received by DB Date 5/25/04 Receipt No. W031756
 Processed by _____ AJ Date _____ WR _____ Date _____

Re-Record to correct Legal

PIONEER TITLE COMPANY OF ADA COUNTY

Time 8:30 MT
Date 5/12/91

321 West State Street - Boise, Idaho 83702
(208) 336-6700

888 North Cole Road - Boise, Idaho 83704
(208) 377-2700

Arlene O. Kolar
Deputy

By *Arlene O. Kolar*
Deputy
Fee \$2.00

Arlene O. Kolar

By *Arlene O. Kolar*
Deputy
Fee \$6.00

Boise County Idaho SS
#6745-2 of

By *Arlene O. Kolar*
Time 14:35 MT
Date 5/16/91
1-1-1991

PISSSS LBIEN

SPACE ABOVE FOR RECORDING DATA

WARRANTY DEED

(INDIVIDUAL)

FOR VALUE RECEIVED

JEAN ELLEN WARD and CHET WARD, Husband and Wife and EARL JAMES SIMPSON, an Unmarried Person at all times since August 16, 1983, GRANTOR(S), does/they GRANT, BARGAIN, SELL and CONVEY unto

DONALD L. BROWN AND EVELYN J. BROWN, HUSBAND AND WIFE

GRANTEE(S), whose current address is: EC 76, Box 2430, Garden Valley, ID 83622

BOISE

County, State of Idaho,

the following described real property in more particularly described as follows, to wit:

SEE ATTACHED EXHIBIT "A" WHICH BY THIS REFERENCE IS INCORPORATED HEREIN AND MADE A PART OF AND WHICH IS COMPRISED OF ONE PAGE.

State of Idaho, County of Ada, ss

On this 15th day of May, 1991, before me, the undersigned, personally appeared Jean Ellen Ward, known to me to be the person whose name is subscribed to the within instrument as the attorney in fact of Earl James Simpson, and acknowledged to me that she subscribed the name of Earl James Simpson thereto as principal, and her own name as attorney in fact.

Notary Public:

Residing at:

Comments to Holders:

Forever. And the said Grantor(s) does/they covenant to and with the Grantee(s), and Grantee(s) heirs and assigns simple of said premises that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (includes irrigation and utility assessments, (if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: MAY , 1991

Jean Ellen Ward
JEAN ELLEN WARD

CHET WARD

Earl James Simpson
EARL JAMES SIMPSON

STATE OF IDAHO

On this 15th

in the year of 1991

before me,

a Notary Public,

personally appeared *Jean Ellen Ward and Chet Ward*

known or identified to me to be the person(s) whose name(s) are subscribed to the within

instrument, and acknowledged that they executed the same.

Notary Public:

Residing at:

My Commission Expires:

Arlene O. Kolar
Arlene O. Kolar, Idaho
6-22-95

SCANNED

SCANNED

2004 8 2 NJR

MAY 5 2 2004

May. 06 2004 01:43PM P2

[REDACTED] BOISE
[REDACTED]
[REDACTED] MERIDIAN, BOISE COUNTY, IDAHO; MORE PARTICULARLY DESCRIBED AS

NORTH 48°44'31" WEST, 170.94 FEET TO THE REAL POINT OF BEGINNING.

100

2003 ☒

~~LOOKS LIKE IT IS JUST EAST
OF THE BROWN'S PROPERTY.
THOUGHT IT MAY HELP IN
SEEING WHERE SOME USES
ARE.~~

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 65-10840B

WATER RIGHT NUMBER: 65-10840B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JEAN E WARD 7321 FAIRVIEW AVE BOISE, ID 83704 (208)378-1163
Original Owner	EARL N SIMPSON GARDEN VALLEY, ID 83622

This is the
Browns
Property

Priority Date: 07/01/1874

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
ANDERSON CREEK	MIDDLE FORK PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01	11/01	0.100 CFS	
	<u>Total Diversion:</u>		0.100 CFS	

Location of Point(s) of Diversion

ANDERSON CREEK	SE1/4NE1/4	Sec 23, Twp 09N, Rge 04E, B.M.
BOISE 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	
09N	04E	22			4.0														4.0

Total Acres: 4

Conditions of Approval:

Remarks:

Comments:

SCANNED
JUN 28 2004

SCANNED
MAY 25 2004

Idaho Dept. of Water Resources

Claim No(s): 65-10840B

Claimant(s): Ward

T09N, R04E, S 22

Prepared by: Sue Bock

Date: 11/18/1999

☐ Place of Use

● Point of Diversion

☐ Section lines

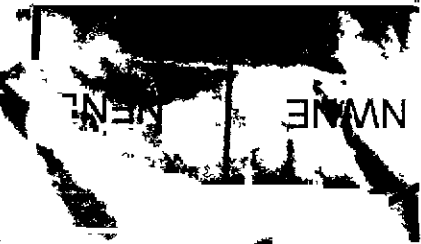
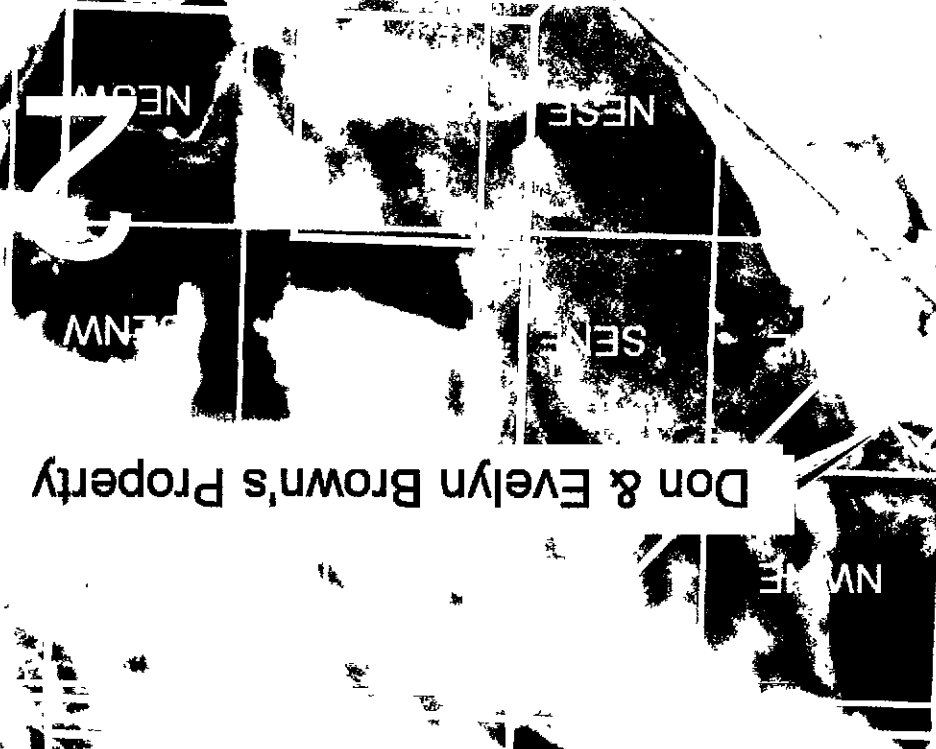
☐ 1/4 1/4 lines



SCANNED

MAY 25 2004

Don & Evelyn Brown's Property



SRBA

SUBCASE SUMMARY REPORT 65-10840B

[Return to SRBA Home Page](#)

SRBA
05-25-2004

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 65-10840B FILE#: 00000
CLAIMANT: WARD, JEAN E
7321 FAIRVIEW AVE

BOISE ID 83704
STATUS: PD ISSUED SPECIAL MASTER:
WATER SOURCE: ANDERSON CREEK TRIBUTARY: PAYETTE RIVER, MIDDLE FORK

****** PARTIES INVOLVED ******

JEAN E WARD C PRO SE

****** ROA ENTRIES ******

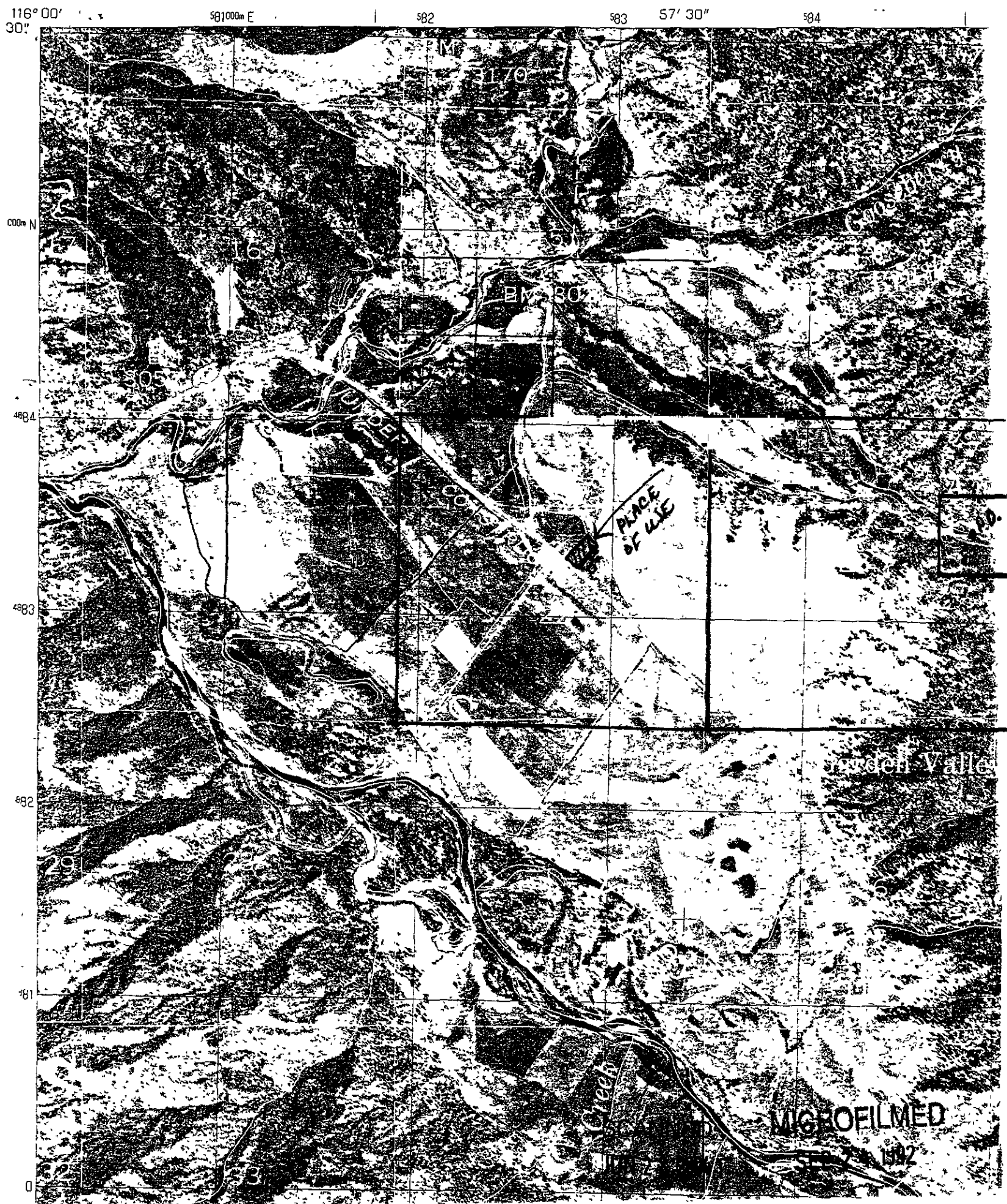
11-03-2000 PARTIAL DECREE FILED

11-03-2000

[Return to SRBA Home Page](#)

SCANNED
JUN 28 2004

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



2004 7 2 03:5

4002 8 2 JUN
SCANNED
DENNVC

8100m E

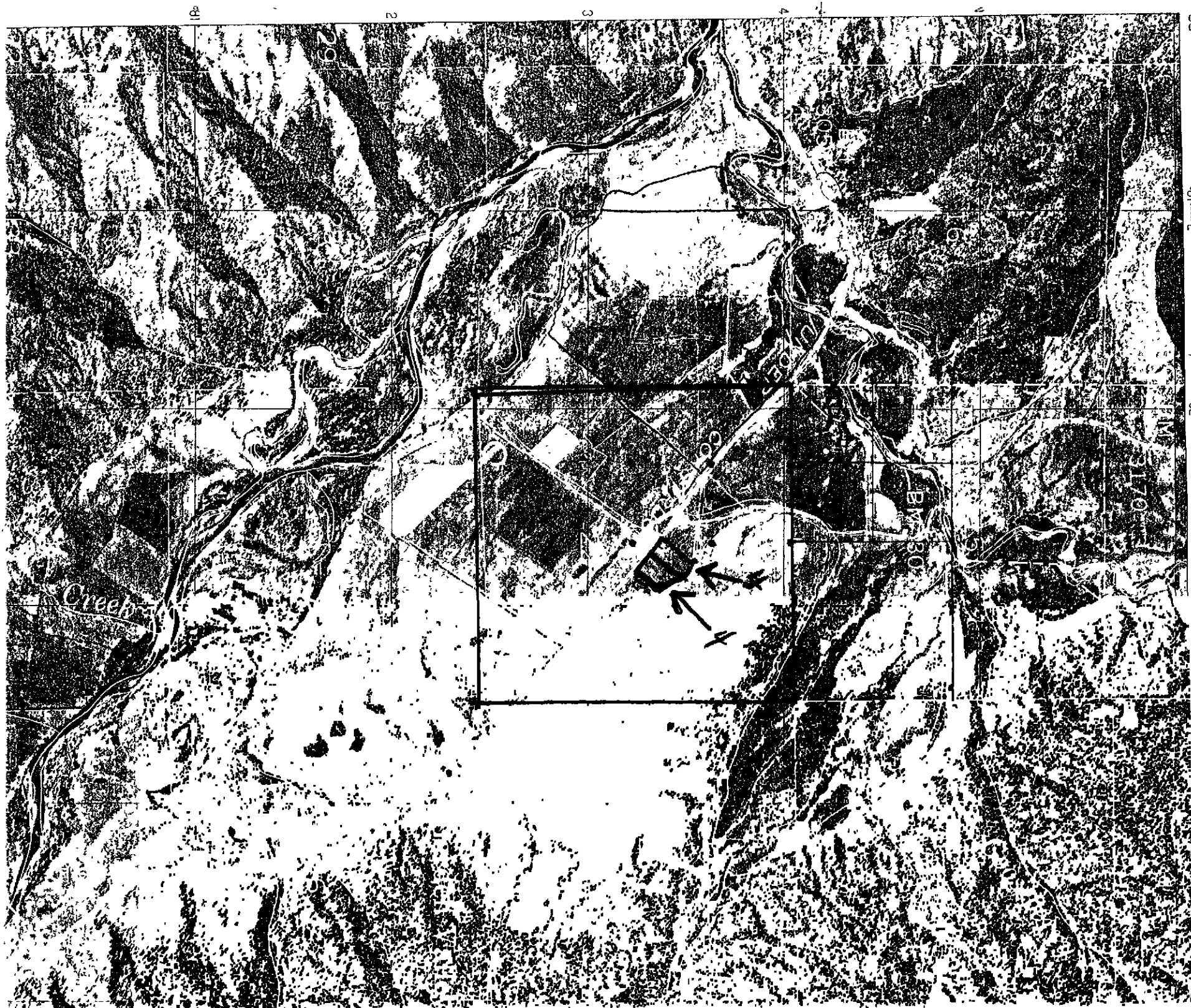
882

883

57' 30"

884

885



4. THE LAND REFERRED TO IN THIS COMMITMENT IS LOCATED IN THE COUNTY ~~OF~~ OF BOISE STATE OF IDAHO AND DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 4 EAST, BOISE MERIDIAN, BOISE COUNTY, IDAHO; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A BRASS CAP MARKING THE NORTH QUARTER CORNER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 4 EAST, B.M.; THENCE, ALONG THE NORTH SECTION LINE OF SAID SECTION 22, NORTH 90°00'00" WEST 2606.02 FEET TO AN ALUMINUM CAP MARKING THE NORTHWEST CORNER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 4 EAST, B.M.; THENCE SOUTH 50°07'51" EAST 3334.45 FEET TO AN IRON PIN ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE GARDEN VALLEY HIGHWAY, THENCE CONTINUING ALONG THE SAID NORTHERLY RIGHT-OF-WAY LINE, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 5779.58 FEET, A CENTRAL ANGLE OF 2°34'43", AN ARC LENGTH OF 260.12 FEET, AND WHOSE CHORD BEARS SOUTH 51°1'42" EAST 260.10 FEET TO AN IRON PIN; THE REAL POINT OF BEGINNING, THENCE, LEAVING SAID RIGHT-OF-WAY LINE NORTH 40°17'54" WEST, 687.76 FEET TO AN IRON PIN, THENCE SOUTH 35°34'06" EAST, 393.56 FEET TO AN IRON PIN, THENCE SOUTH 41°54'42" WEST, 600.88 FEET TO AN IRON PIN ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE GARDEN VALLEY HIGHWAY, THENCE ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID HIGHWAY NORTH 47°53'34" WEST, 193.92 FEET TO AN IRON PIN, THENCE CONTINUING ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID HIGHWAY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 5779.58 FEET, AN ARC LENGTH OF 170.94 FEET WHOSE CHORD BEARS NORTH 48°44'31" WEST, 170.94 FEET TO THE REAL POINT OF BEGINNING.

SCANNED

JUN 28 2004

MICROFILMED

SEP 2 1992

1 **DAVID H. LEROY**
2 Attorney General
3 State of Idaho
4 Statehouse, Room 210
5 Boise, Idaho 83720
6 Telephone (208) 384-2400

7 **W. HUGH O'RIORDAN**
8 Deputy Attorney General
9 Chief, Natural Resources Division

10 **JOSEPHINE P. BEEMAN**
11 Deputy Attorney General
12 Natural Resources Division
13 Telephone: (208) 384-2215

14 IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
15 OF THE STATE OF IDAHO, IN AND FOR
16 THE COUNTY OF GEM

17 INTHE MATTER OF THE GENERAL)
18 DETERMINATION OF THE RIGHT)
19 TO THE USE OF SURFACE AND)
20 GROUNDWATERS OF THE PAYETTE)
21 RIVER DRAINAGE BASIN)
22 _____)

CIVIL NO. 3667
RESPONSE TO OBJECTION OF
JAMES A. WARNER

23 COMES NOW The Director of the Department of Water
24 Resources, C. STEPHEN ALLRED, and by way of response to the
25 objection to the Proposed Findings of Water Rights filed by
26 James A. Warner states and responds as follows:

27 I.

28 That Water Right Claim No. 65-9042, filed by James A.
29 and Ben C. Warner, is based on diversion and beneficial use, and
30 no previous record of this claimed right appears in the records
31 of the Department.

32 II.

33 That the Objector and Ben C. Warner are the successors
34 in interest to the land described on Water Right Claim No. 65-9042.

35 III.

36 That the diversion and application of water to benefi-
37 cial use for irrigation and stockwater purposes under Claim No.
38 65-9042 has continued without interruption and in common with

DAVID H. LEROY
Attorney General
State of Idaho
Statehouse, Room 210
Boise, Idaho 83720
Telephone (208) 384-2400

1 claims 65-5539, 65-10506, 65-10548, 65-6657, 65-6630, 65-10294,
2 65-5977, and 65-10840, held by other claimants, all from Diversion
3 #1 (Big Anderson Creek Ditch) from Anderson Creek, since July 1,
4 1874, as described in the objection.

5 IV.

6 Following investigation and review of claims 65-5539,
7 65-10506, 65-10548, 65-6657, 65-6630, 65-10294, 65-5977, 65-10840,
8 and 65-9042, the Department recommends that each of these claims
9 should have a July 1, 1874 priority date as set forth in the
10 attached Exhibit A. The amended priority dates have been under-
11 scored in Exhibit A. There is no change recommended for claims
12 65-5539, 65-10506, and 65-10548 because they are each already
13 recommended with a priority date of July 1, 1874.

14 WHEREFORE, the Department having responded to the above
15 objection, requests that the final decree incorporate July 1,
16 1874 priority dates for claims 65-6657, 65-6630, 65-10294,
17 65-5977, 65-10840 and 65-9042.

18 DATED This 25th day of June, 1979.

19 DAVID H. LEROY

20 Attorney General of Idaho

21
22 Josephine P. Beeman
23 JOSEPHINE P. BEEMAN
24 Deputy Attorney General
25 Natural Resources Division
26 Department of Water Resources
27
28
29
30
31
32

DAVID H. LEROY
Attorney General
State of Idaho
Statehouse Room 210
Boise Idaho 83720
Telephone (208) 384-2400

CERTIFICATE OF MAILING

I HEREBY CERTIFY That on this 25th day of June,
1979, a true and correct copy of the foregoing RESPONSE TO
OBJECTION OF JAMES A. WARNER, Claim No. 65-9042, was mailed,
postage prepaid to:

James A. Warner,
Garden Valley, Idaho 83622

Mill Mountain View Ranch,
Inc.
Box 86
Garden Valley, Idaho 83622

Ben C. Warner
Garden Valley, Idaho 83622

Mr. & Mrs. James E. Youren
Garden Valley, Idaho 83622

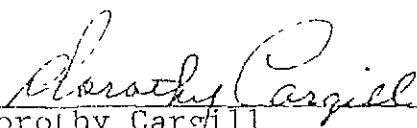
Donald K. Weilmunster
P.O. Box 3
Montour, Idaho 83646

Garden Valley Ranch, Inc.
Garden Valley, Idaho 83622

Earl N. Simpson
Garden Valley, Idaho 83622

Mr. & Mrs. D. E. Reay
Garden Valley, Idaho 83622

Mr. & Mrs. James Huston
Garden Valley, Idaho 83622


Dorothy Cargill

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

INDICATES TOTAL*

SOURCE: ANDERSON CREEK

TRIBUTARY TO: MIDDLE FORK, PAYETTE RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIC FOR RIGHT
65-6630	WEILMUNSTER, DONALD K. P. O. BOX 3, MONTOUR, IDAHO 83646 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-7383 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	<u>7/1/1874</u>	DOMESTIC	1/ 1 12/31	1.40 AFA .05 CFS	SENE S 23 T 9N R 4E	SAME AS OTHER USE	BENEFICIAL USE
			SIDCHWATER	1/ 1 12/31	3.22 AFA .06 CFS		SAME AS OTHER USE	
			IRRIGATION	4/ 1 11/ 1	--- AFA 2.22 CFS *---*AFA *2.22*CFS		NENW(35) NWNW(33) SENW(5) S23 T 9N R 4E SWSW(18) SESW(2) S14 T 9N R 4E *93*	
65-6657	MILL MOUNTAIN VIEW RANCH, INC., BOX 86, GARDEN VALLEY, IDAHO 83622	<u>7/1/1874</u>	IRRIGATION	4/ 1 11/ 1	--- AFA 2.65 CFS	SENE S 23 T 9N R 4E	NENW(40) SWNW(3) SENW(13) S27 T 9N R 4E SESW(3) NESE(2) NWSE(14) SWSE(36) S22 T 9N R 4E *111*	BENEFICIAL USE
65-10294	WEILMUNSTER, DONALD K. P. O. BOX 3, MONTOUR, IDAHO 83646 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-7830 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	<u>7/1/1874</u>	IRRIGATION	4/ 1 11/ 1	--- AFA 2.05 CFS	SENE S 23 T 9N R 4E	NWSW(2) SWSW(33) SESW(31) S15 T 9N R 4E NWNW(20) S22 T 9N R 4E *86*	BENEFICIAL USE

MICROFILMED

SEP 24 1992

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

INDICATES TOTAL*

SOURCE: ANDERSON CREEK

TRIBUTARY TO: MIDDLE FORK, PAYETTE RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-5977	GARDEN VALLEY RANCH, INC., GARDEN VALLEY, IDAHO, 83622 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS 65-2887 C 65-7115 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	<u>7/1/1874</u>	IRRIGATION	4/ 1 11/1	--- AFA 2.70 CFS	SENE S 23 T 9N R 4E NESE S 22 T 9N R 4E	SWNE(1) SENW(1) NESW(20) SWSW(13) SESW(36) NWSE(20) SWSE(3) S22 T 9N R 4E NWNW(19) S27 T 9N R 4E *113* SAME AS OTHER USE	BENEFICIAL USE
			STOCKWATER	1/1 12/31	16.70 AFA .05 CFS *---*AFA *2.75*CFS			
65-9042	WARNER, BEN C. & WARNER, JAMES A. GARDEN VALLEY, IDAHO 83622	<u>7/1/1874</u>	IRRIGATION	4/ 1 11/1	--- AFA 3.80 CFS	SENE S 23 T 9N R 4E	NESE(7) SESE(9) S21 T 9N R 4E NENE(8) SWNE(4) NENW(4) SWNW(10) SENW(33) NESW(20) NWSW(37) SWSW(27) S22 T 9N R 4E *159* SAME AS OTHER USE	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	3.22 AFA .06 CFS *---*AFA *3.80*CFS			
65-10840	SIMPSON, EARL N. GARDEN VALLEY, IDAHO 83622	<u>7/1/1874</u>	IRRIGATION	4/ 1 11/1	--- AFA .17 CFS	SENE S 23 T 9N R 4E	SWNE(7) S22 T 9N R 4E *7*	BENEFICIAL USE



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 28, 2004

DENNETT-SIMIONE LLC
GREG SIMIONE
GERROLD DENNETT
62 SCRIVER BLUFF RD
GARDEN VALLEY ID 83622

Re: Notice of Claim To A Water Right No. 65-10840B

Dear Claimants:

Enclosed is a copy of the above referenced water right, which reflects the change in ownership of the land and appurtenant water rights, covered under the original filing.

Thank you for your patience in this process, as we have had several ownership changes to process. If you have any further questions or concerns regarding the enclosed water rights, please feel free to contact this office.

Sincerely,

Denise Buffington
Office Specialist 1
Adjudication Section
Western Regional Office

DB: db

Enclosures

SCANNED

JUN 28 2004



A Pioneer Company
PIONEER TITLE COMPANY
OF ADA COUNTY

661 S. Rivershore Lane, Suite 110/ Eagle, Idaho 83616 / (208) 938-8075

RECEIVED
JUN 21 2004
WATER RESOURCES
WESTERN REGION

June 18, 2004

State of Idaho
Department of Water Resources
IDWR Western Region
735 Airport Way
Boise, ID 83705-5082

RE: Water Right No. 65-1084OB

Please find enclosed a check for the \$25 00 transfer fee, Notice of Change in Water Right Ownership, and copy of recorded Warranty Deed

Sincerely,

Sharon Baker
Escrow Manager

SAB:me

Encl

SCANNED
JUN 28 2004

SCANNED
JUN 22 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 1, 2004

DONALD L BROWN
EVELYN J BROWN
HC 76 BOX 2430
GARDEN VALLEY ID 83622

Re: Notice of Claim To A Water Right No. 65-10840B

Dear Claimants:

Enclosed is a copy of the above referenced water right, which reflects the change in ownership of the land and appurtenant water rights, covered under the original filing.

Thank you for your patience in this process, as we have had several ownership changes to process. If you have any further questions or concerns regarding the enclosed water rights, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist 1
Adjudication Section
Western Regional Office

DB: db

Enclosures

SCANNED
JUN 28 2004



State of Idaho

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

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,

David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief

SCANNED

JUN 28 2004

AJ0749NP
No. R65-10840B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 11/18/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JEAN E WARD 7321 FAIRVIEW AVE BOISE ID 83704 (208) 378-1163	07/01/1874	IRRIGATION	04-01 11-01	0.085 CFS	
TOTAL DIVERSION:					0.085 CFS	

Water Source: ANDERSON CREEK

Tributary to: PAYETTE RIVER, MIDDLE FORK

Stage: DECREED

Point(s) of Diversion: T09N R04E S23 SENE

BOISE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
09N	04E	22	:				03													:	3.5
TOTAL ACRES																				3.5	

POU County: BOISE

Other Rights: NONE.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Comments: Date: 11/18/1999 User-ID: SBOCK Subject: SPLIT
FOR INFO ON SPLIT SEE MEMO IN FILE DATED 11/18/99

Audit: 11/18/99 SBOCK

SCANNED
JUN 28 2004

AJ5809NP
No. R65-10840B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/27/99
PAGE: 139

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JEAN E WARD 7321 FAIRVIEW AVE BOISE ID 83704 (208) 378-1163	07/01/1874	IRRIGATION	04-01 11-01	0.10 CFS	0.85
TOTAL DIVERSION:					0.10 CFS	0.85

Water Source: ANDERSON CREEK

Tributary to: PAYETTE RIVER, MIDDLE FORK

Stage: DECREED

Point(s) of Diversion:

T09N R04E S23

SENE

BOISE County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE				
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM			
09N	04E	22																			4.0			
TOTAL ACRES																				3.5				

POU County: BOISE

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

A65-02140A	A65-02140B	A65-02887A	A65-02887B	A65-05539	A65-05977	A65-06614	A65-06630	A65-06657	A65-09042
A65-10294	A65-10459	A65-10506	A65-10548A	A65-10548B	A65-10548C	A65-10680	A65-10784	A65-10840A	A65-10840B
A65-10934	A65-11394	A65-12282	A65-18110	R65-02140A	R65-02140B	R65-02887A	R65-02887B	R65-05539	R65-05977
R65-06614	R65-06630	R65-06657	R65-09042	R65-10294	R65-10459	R65-10506	R65-10548A	R65-10548B	R65-10548C
R65-10680	R65-10784	R65-10840A	R65-10934	R65-11394	R65-12282	R65-18110			

Other Water Rights Listing Overlapping Place(s) of Use:

A65-05977	A65-09042	A65-10493	A65-10840	A65-10840A	A65-10840B	R65-05977	R65-09042	R65-10493	R65-10840A
-----------	-----------	-----------	-----------	------------	------------	-----------	-----------	-----------	------------

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:

Presumption Flag:

Audit: 03/26/99 JSHURTE

SCANNED
JUN 28 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:01:22
10/20/99
16

PAGE: 16
PROFILE REPORT

CLAIM NUMBER: A65-10840B

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JEAN E WARD	07/01/1874	IRRIGATION	04-01 11-01	0.100 CFS	
TOTAL DIVERSION:					0.100 CFS	
CONSUMPTIVE USE:						10.00 AFA
Water Source: ANDERSON CREEK		Tributary to: PAYETTE RIVER, MIDDLE FORK			Stage: DECREED	
Point(s) of Diversion:		T09N R04E S23 SENE			BOISE County	
Place of use Legal Description for: IRRIGATION						
NE NW SW SE						
NENE		NWNE		SWNE		SENE
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac
: Lt Ac		: Lt Ac		: Lt Ac		: Lt Ac

POU County: BOISE

Non-Irrigation Uses: NONE.

Other Rights: NONE.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag: Presumption Flag:

SCANNED
JUN 28 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:13
10/20/99

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A65-10840B

LAST: SIMPSON FIRST: EARL N
ADDRESS:
CITY: GARDEN VALLEY STATE: ID ZIP: 83622
PHONE NUMBER: 208-000-0000

OWNER CODE: O

LAST: WARD FIRST: JEAN E
ADDRESS: 7321 FAIRVIEW AVE
CITY: BOISE STATE: ID ZIP: 83704
PHONE NUMBER: 208-378-1163

OWNER CODE: C

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____ PHONE NUMBER: (____) ____-____
DATE OF FIELD EXAM: ____/____/____ APPOINTMENT MADE: Y(____) N(____) TIME: ____:____ A(____) P(____)
ACCOMPANIED BY: _____ PHONE NUMBER: (____) ____-____
RELATIONSHIP TO CLAIMANT: _____
DIRECTIONS TO PROPERTY / NOTES:

SCANNED
JUN 28 2004

- A. AJ CLAIM: # A65-10840B PRIORITY DATE: 07-01-1874 STAGE: D
- B. WR RECORD: # 65-10840 PRIORITY DATE: 07-01-1874 STAGE: D
- C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?
- D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?
- E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW)
- F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

Y(☒) N(☐)

Y(☐) N(☒)

Y(☐) N(☒)

PROOF OF BENEFICIAL USE SUBMITTED

N/A(☒) Y(☐) N(☐)

FIELD EXAM COMPLETED

N/A(☒) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE

N/A(☒) Y(☐) N(☐)

LICENSE ISSUED

N/A(☒) Y(☐) N(☐)

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

- G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED?

N/A(☒) Y(☐) N(☐)

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

- H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y(☒) N(☐)

NOTES:

ad denied
For more info on priority date see file
65-09042

RECOMMENDED PRIORITY DATE:

07-01-1874

REVIEWED BY

DATE

SB
11/18/99

SCANNED
JUN 28 2004

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-10840B	09N	04E	23		SE	NE			BOISE		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
* **

WR RECORDS IN SAME 40 ACRE TRACT

* 23 A PREFIX CLAIMS WITH THIS POD
** 23 R PREFIX CLAIMS WITH THIS POD
*** 17 WR RECORDS IN SAME 40 ACRE TRACT

SOURCE: ANDERSON CREEK

TRIB: PAYETTE RIVER, MIDDLE FORK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-10840	09N	04E	23		SE	NE			BOISE		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

**** 17 WR RECORDS WITH SAME WR POD
***** 23 A PREFIX CLAIMS IN SAME 40 ACRE TRA
***** 23 R PREFIX CLAIMS WITH THIS POD

SOURCE: ANDERSON CREEK

TRIB: PAYETTE RIVER, MIDDLE FORK

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y(☒) N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N(☒)

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(☒) N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N(☒)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ☒)

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY BOISE	DIVERSION NAME	DIVERSION NBR
09N	04E	23		SE	NE					
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: ANDERSON CREEK

TRIB: PAYETTE RIVER, MIDDLE FORK

REVIEWED BY: SB DATE: 11/18/99

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

A. ROOT WATER RIGHT NUMBERS: A65-10840A
A65-10840B

R65-10840A

R65-10840B

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
09N	04E	22	SW	NE		WARD, JEAN E	A65-10840B / 4.0	- /	27.0		
			SW	NE		MILLS MOUNTAIN VIEW RANCH INC	A65-10493 / 1.0	65-10493 / 1.0			
			SW	NE		WARNER, JAMES A	A65-09042 / 4.0	65-09042 / 4.0			
			SW	NE		COOK, DONALD G	A65-10840A / 4.0	- /			
			SW	NE		PROJECT PATCH	A65-05977 / 1.0	65-05977 / 1.0			
			SW	NE		PROJECT PATCH	R65-05977 / 1.0	- /			
			SW	NE		MILLS MOUNTAIN VIEW RANCH INC	R65-10493 / 1.0	- /			
			SW	NE		COOK, DONALD G	R65-10840A / 4.0	- /			
			SW	NE		WARD, JEAN E	R65-10840B / 4.0	- /			
			SW	NE		COOK, DONALD G	A65-10670 /	- /			
			SW	NE		COOK, DONALD G	65-10670 /	- /			
			SW	NE		WARNER, JAMES A	R65-09042 / 4.0	- /			
			SW	NE		SIMPSON, EARL N.		65-10840 / 7.0			

ADDITIONAL POU FOUND

TOTAL ACRES A65-10840B 4.00 27.00

POU COUNTY: BOISE

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N(☒)

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-10840B	ANDERSON CREEK	WARD, JEAN E	0.100	0.025		
R65-05977	ANDERSON CREEK	PROJECT PATCH	2.750	0.024		
A65-05977	ANDERSON CREEK	PROJECT PATCH	2.750	0.024		
R65-09042	ANDERSON CREEK	WARNER, JAMES A	3.800	0.023		
A65-09042	ANDERSON CREEK	WARNER, JAMES A	3.800	0.023		
R65-10493	GROUNDWATER	MILLS MOUNTAIN VIEW RANCH INC	0.060	0.060		
A65-10493	GROUNDWATER	MILLS MOUNTAIN VIEW RANCH INC	0.060	0.060		
A65-10840A	ANDERSON CREEK	COOK, DONALD G	0.100	0.025	14.00	3.50
R65-10840A	ANDERSON CREEK	COOK, DONALD G	0.100	0.025	14.00	3.50
R65-10840B	ANDERSON CREEK	WARD, JEAN E	0.100	0.025		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-10493	DOMESTIC	MILLS MOUNTAIN VIEW RANCH INC	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
R65-10493	DOMESTIC	MILLS MOUNTAIN VIEW RANCH INC	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-10670	DOMESTIC	COOK, DONALD G	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-10670	DOMESTIC	COOK, DONALD G	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N(☒)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE.

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y(☒) N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N(☒)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N(☒)

() NAPP, IDWR NO. _____; () ASCS PHOTO; () OTHER

NOTES:

TOTAL ACRES: 2.0 N/A()

REVIEWED BY:

DATE:

Memorandum

To: File
From: Sue Bock
Date: 11/18/99
Re: Split of 65-10840

This claim was filed on by Cook 65-10840A for 4 acres and by Ward 65-10840B for 4 acres. The original right was decreed for 7 acres and 0.17 cfs. Documents in the file shows that Cook purchased over 10 acres with 5.02 of those acres occurring in the SWNE of Sec 22. Ward, daughter of original claimant Simpson, has 5.52 acres in the SWNE of Sec 22.

A memo in 65-10840B by Jan Shurte on 5/20/91, states that Ward feels she has more of the irrigated acres than Cook, and therefore filed on 4 acres also. It is apparent by looking at the 1987 NAPP photo that approximately 11.5 acres in the SWNE is irrigated, this does not take into account homes and out buildings. Additionally 3.66 acres in the SENW look irrigated, no water right covers these acres owned by Cook.

It is not possible in reviewing the original mylar field exam sheet where the 7 acres of irrigation took place. After talking with Jan about this, we thought it best to split the claim to 3.5 acres apiece and let second-round notice take care of the expanded acres.

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-10840B IRRIGATION	FROM 04-01 TO 11-01	0.100 CFS	
TOTAL DIVERSION RATE/VOLUME		0.100 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-10840 IRRIGATION	FROM 04-01 TO 11-01	0.170 CFS	
TOTAL DIVERSION RATE/VOLUME		0.170 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(☐) N(☒)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(☒) N(☐)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(☐) N(☐)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y(☐) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☒) Y(☐) N(☐)

PAGE: 9

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET CONTINUED

CLAIM NUMBER: A65-10840B

NOTES:

SCANNED

JUN 28 2004

AJ CLAIM TOTAL DIVERSION RATE: 0.100 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.170 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y(☒) N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N(☒)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N(☒)

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 33 x 0.02 CFS/ACRE = .07 CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ 10.0 AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES:

WR RECORD CONDITIONS/REMARKS:

SCANNED
JUN 28 2004

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
IRRIGATION	04-01 11-01	0.100 _____	_____	10.0 _____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
TOTAL FOR THIS RIGHT		0.100 _____	_____	10.0 _____

NON-IRRIGATION USES CLAIMED: NONE.

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED 

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

SCANNED
JUN 28 2004

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-10840

TOTAL DIVERSION RATE OF WR SPLITS DATABASE 0.170 EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-10840A	0.100	R65-10840A	0.100	65-10840	0.170
-	A65-10840B	0.100	R65-10840B	0.100	-	-
TOTAL CFS		0.200		0.200		0.170

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE N FIELD
EXAMINER Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
() NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
(X) ASCS AERIAL PHOTO	DATE OF PHOTO <u>DHU-2KK-229 10-6-69</u>	Y(X) N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
(X) OTHER <u>GIS map</u>	DATE <u>11/18/99</u>	Y(X) N()
(X) OTHER <u>Myron field exam</u>	DATE _____	Y(X) N()
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
() OTHER _____	DATE _____	_____	_____
() OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:13
10/20/99

PAGE: 15
QUICKLOOK INFORMATION

15
CLAIM NUMBER: A65-10840B

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE					Done	SB 11-18-99		
POINT OF DIV				2				
SOURCE				2				
PLACE OF USE				2				
	Y			1				
DIV. AMOUNT CFS/VOLUME				1				
CONSUMPTIVE USE				1/2				
PURPOSES OF USE				2				
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS	Y							

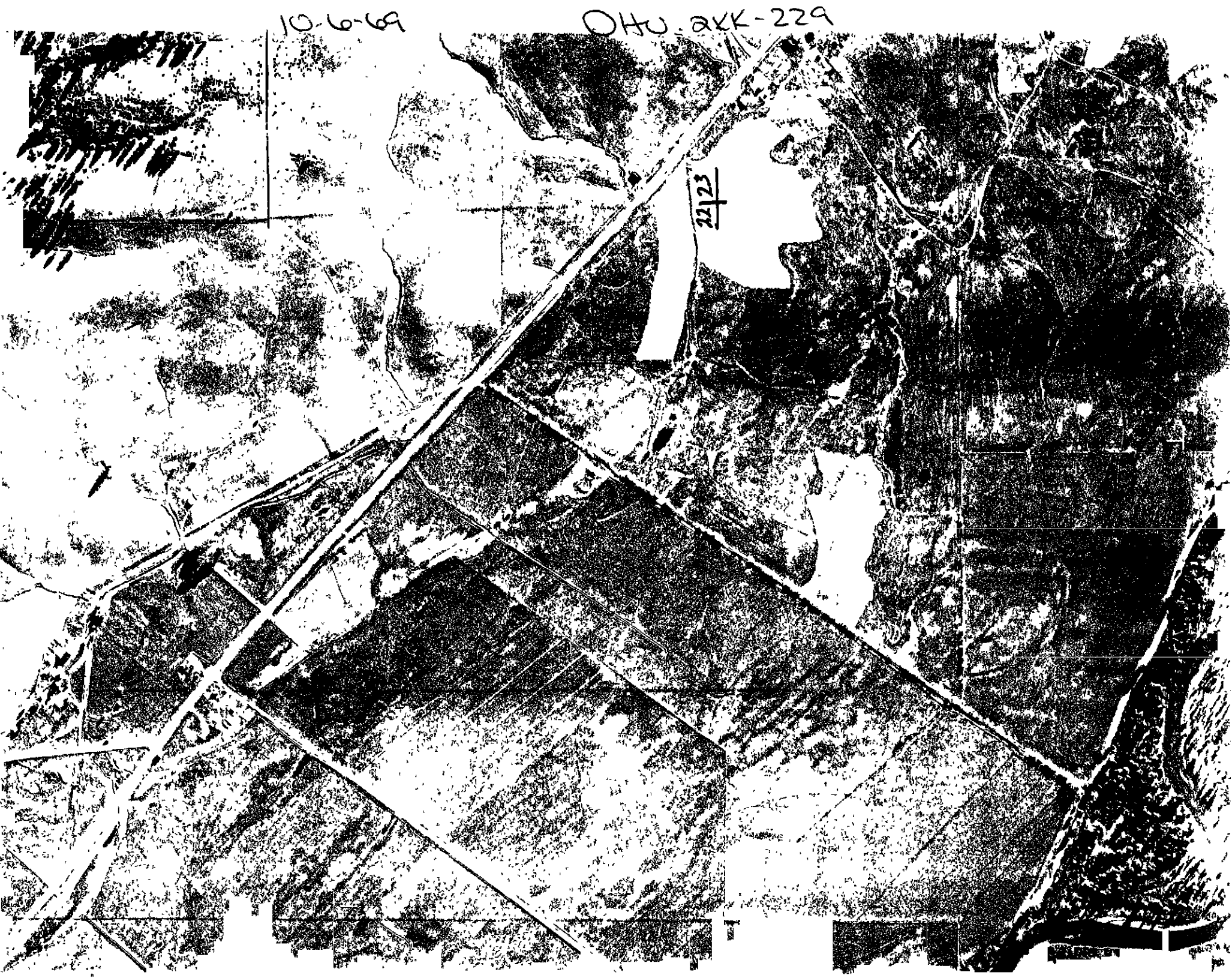
BARCODE UPDATED
WHOM/DATE

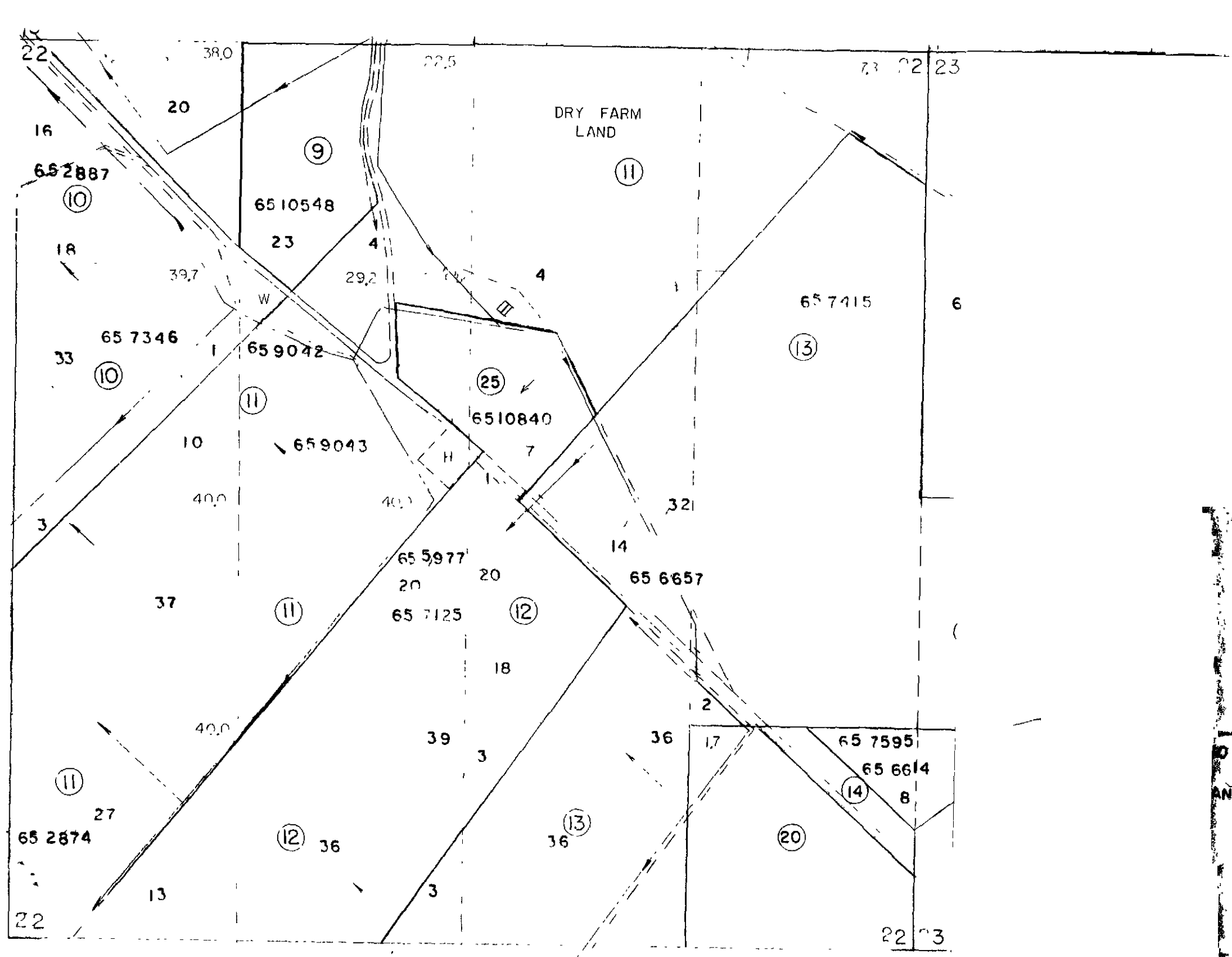
SCANNED
JUN 28 2004

10-6-69

OHU-2KK-229

22/23





Idaho Dept. of Water Resources

Claim No(s): 65-10840B

Claimant(s): Ward

T09N, R04E, S 22

Prepared by: Sue Bock

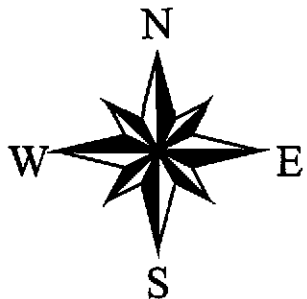
Date: 11/18/1999

 Place of Use

 Point of Diversion

 Section lines

 1/4 1/4 lines



0 0.3 0.6 Miles

1987 NAPP Photo

SCANNED

JUN 28 2004

INTER-DEPARTMENT MEMO — 1

FROM

Jan Thunte

DATE

5/20/9 MICROFILME

TO

Files for Claim Nos. A65-10840A & B

SEP 24 1992

SUBJECT

Explanation of split claims & acres in.
This map reflects the exact location of each
parcel orig. owned by Carl Timpson. In
the PRBA the maps show a total of 7 acres
outlined for ownership by Mr. Timpson
rather than the 10.52 shown in the survey
done in 19. Only 7 acres were decreed as
being irrigated for Mr. Timpson's claim
#A65-10840. All the 10 acres minus outlay.
over →

SIGNATURE

and the eig. home of Mr. Simpson ~~was~~
to have been ~~inherited~~ (approx. 8.5 acres) in
and since all 10 acres lie below the
ditch, it appears the eig. has returned
since the ditch was put in. Jean Wood
is Col Simpson's daughter and she
states that the property showing 5.52 acres
after the parcel split has not ~~inherited~~
ground than the 10.02 acre parcel. The
10.02 acre parcel contains the home & outbldg.
However, the brother who bought the 10.02 acre
parcel joined in it as the Grace Charred. It
when the second split of this ~~split~~ was

filled, only 3 acres were remaining.
Mr. Ward decided to file on 40 acres
anyway, since 3 just wasn't correct.

At the time of review & examination
of these A & S rights, research should
be conducted to see if the imp. acres
(8.5) are a part of the neighboring land-
owners orig. rights & could be split off
of other rights or not. Also, ~~if~~ if that
proves what to be possible, we could con-
sider it as an expansion in acres &
decree it again for the same 40 ^{acres}
a total of 80 acres. P 5/20/91

MICROFILMED

SEP 24 1992

WESTERN REGION

OWNER (S): 65-10840B

CLAIM NUMBERS: Wood

AGENT: Sue Bock DATE _____

RIGHT NO				NE				NW				SW				SE			
	TSP	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
			</																

POLYGON CREATED ON 332

POLYGON # () () () () UPDATED BY sue

ATTRIBUTES OF B65-POU.SHP (1147) () () () ()

ATTRIBUTES OF B65-POD.SHP (1128) () () () ()

☒ B65-DBPOU.DBF UPDATED BY sue

☒ B65-DBPOD.DBF UPDATED BY sue

NOTES:
