

8N
2E

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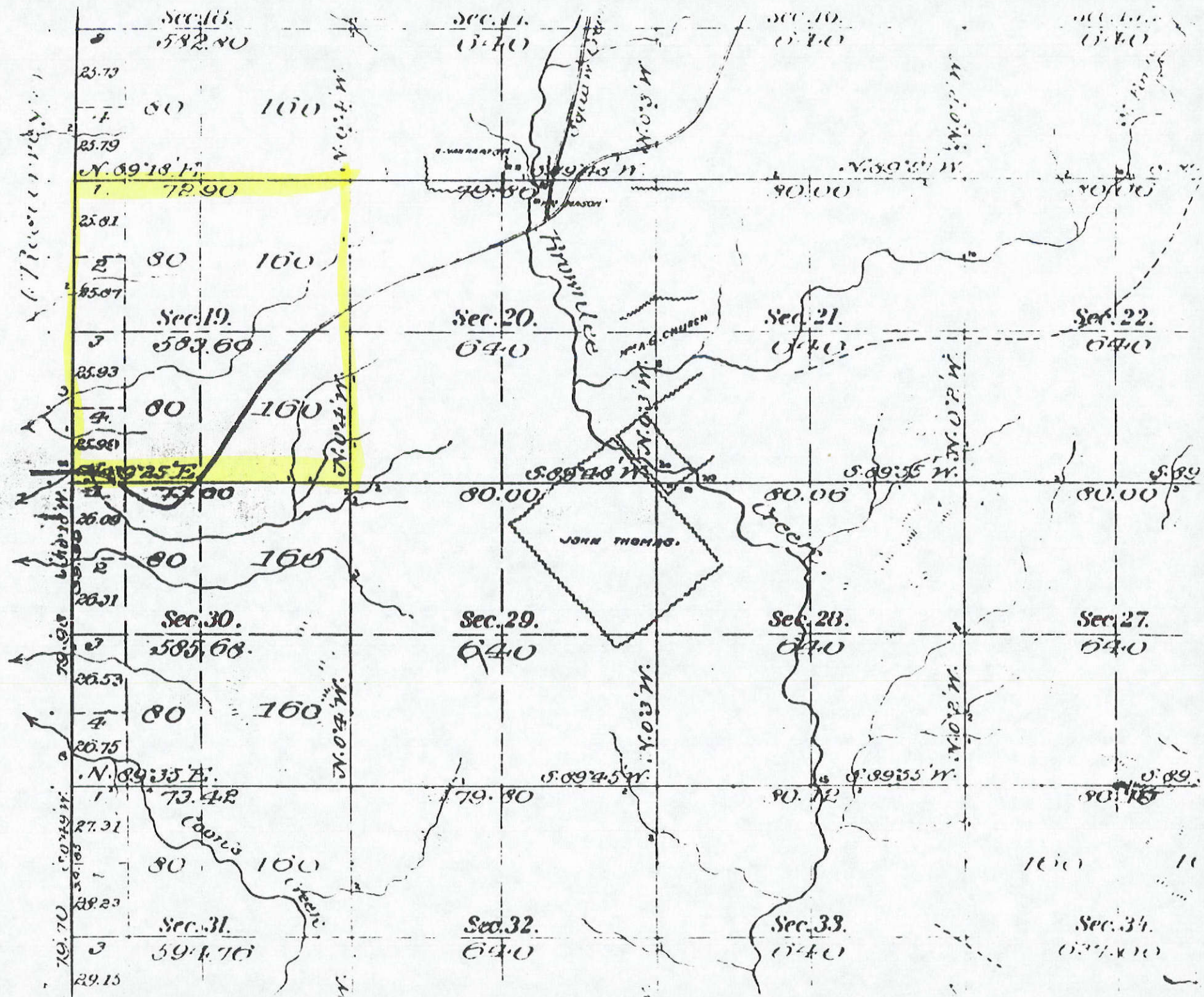
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Notary Public residing at _____

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 65-22278
Date Received: 4/28/89
Receipt No: X777777
Received By:

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

1. Name of Claimant(s): RODNEY H HERR
400 COSTON ST
BOISE ID USA 83712

Phone: (208)343-9438

MARCIA H HERR
400 COSTON ST
BOISE ID USA 83712

Phone: (208)343-9438

2. Date of Priority: 04/01/1900

3. Source: SPRINGS Trib. to: Coon Creek North Fork

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
08N	02E	19	NE SW	BOISE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.01	0.34

7. Total Quantity Appropriated is:
0.01 C.F.S. and/or 0.34 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08N	02E	19	NE SW		STOCKWATER	

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:

14. Remarks:

THIS RIGHT WHEN COMBINED WITH RIGHTS 65-10796 & 65-10797 SHALL PROVIDE NO MORE THAN .05 CFS NOR 2.7 AFA FOR STOCKWATER

This claim is the result of a split due to change in ownership. Parent right # is 65-10795. DB 10/13/2000.

15. Basis of Claim: Decreed

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 14 1997

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: 65-10795
 Adjudication Claim No(s).: split → A 65-10795 - A 65-10797 = 100% md.
 2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 - AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked. 2836 Calmar Drive
 3. Name and Address of Former Owner/Claimant Irma Ann Sanders - Esccondido, Ca. 92029
Elmer Field - 1140 S. Citrus - Esccondido Ca. 92027
 4. New Owner/Claimant(s) RODNEY H and MARCIA H. HERR
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 400 COSTON ST.
 City, State and ZIP Code BOISE, IDAHO 83712
 New Telephone Number (208) 343-9438
 5. Date you acquired the property APRIL 1983
 6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

25 range cattle

 Number of acres you irrigate N. A. Number and type of stock or 4 horses
 Diversion rate in CFS portion of 205 Number of homes _____ Other uses _____
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) Rodney H Herr
Marcia H. Herr
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
 8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

Split Tree A65-10795 - change A & R records

A65-10795 N/O Zields/Sanders

* DR: .05 cfs - Stockwater AV: 2.70 AF

POB: 8N, 02E, S19, SENW, NESW, NWSE

POU: 8N, 02E, S19, SENW, NESW, NWSE

65-22277

A65-10795A N/O Zields/Sanders.

* DR: .04 cfs - Stockwater AV: = 2.36 AF

POB: 8N, 2E, S19, SENW, NWSE

POU: 8N, 2E, S19, SENW, NWSE.

65-22278

A65-10795B N/O Rodney & Marcia Herr

* DR: .01 cfs - Stockwater AV: .34 AF

POB: 8N, 2E, S19, NESW

POU: 8N, 2E, S19, NESW

* The diversion rate was prorated as follows:

$$25 \text{ head} \div 200 \text{ head} = .125 \times .05 = .00625 = .01 \text{ cfs}$$

The annual volume was prorated as follows:

$$25 \text{ head} \div 200 \text{ head} = .125 \times 2.70 = .3375 = .34 \text{ AF}$$

BOISE COUNTY ASSESSOR
P.O. BOX BC
IDAHO CITY, ID 83631

IMPORTANT NOTICE PLEASE READ

PRESORTED
FIRST CLASS MAIL
U.S. POSTAGE PAID
IDAHO CITY, ID 83631
PERMIT NO. 2

CATEGORY DESCRIPTION	TAX CODE LOTS/ACRES	MARKET VALUE
5 DRY GRAZING	40.000 AC	1,400
	40.000	1,400*

1997
TAXPAYER'S
VALUATION

ASSESSMENT NOTICE
TAXES ARE BASED ON THE VALUATION
LISTED ON THIS STATEMENT

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 20, 1997

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS
PARCEL NUMBER

RP 08N02E194850 A

Mail To:

T8N R2E SEC 19
NESW

HERR RODNEY H & MARCIA H.

400 COSTON ST

BOISE

ID 83702

EXHIBIT A - continued

RECEIVED

NOV 14 1997

WATER RESOURCES
WESTERN REGION

PARCEL I *Belar John*

S 1/2 SE 1/4, SE 1/4 SW 1/4, E 1/2 SW 1/4 SW 1/4, Section 3,
Township 9 North, Range 3 East, Boise, Meridian, Boise County,
Idaho.

PARCEL II

Lots 1, 2 and 3, the E 1/2 of the NW 1/4; the S 1/2 of the NE
1/4; the N 1/2 of the SE 1/4; and the NE 1/4 of the SW 1/4, all
in Section 30, Township 8 North, Range 2 East, Boise Meridian,
Boise County, Idaho.

ALSO that part of the N 1/2 of the NE 1/4 of Section 30, Township
8 North, Range 2 East, Boise Meridian, Boise County, Idaho,
described as follows, to-wit:

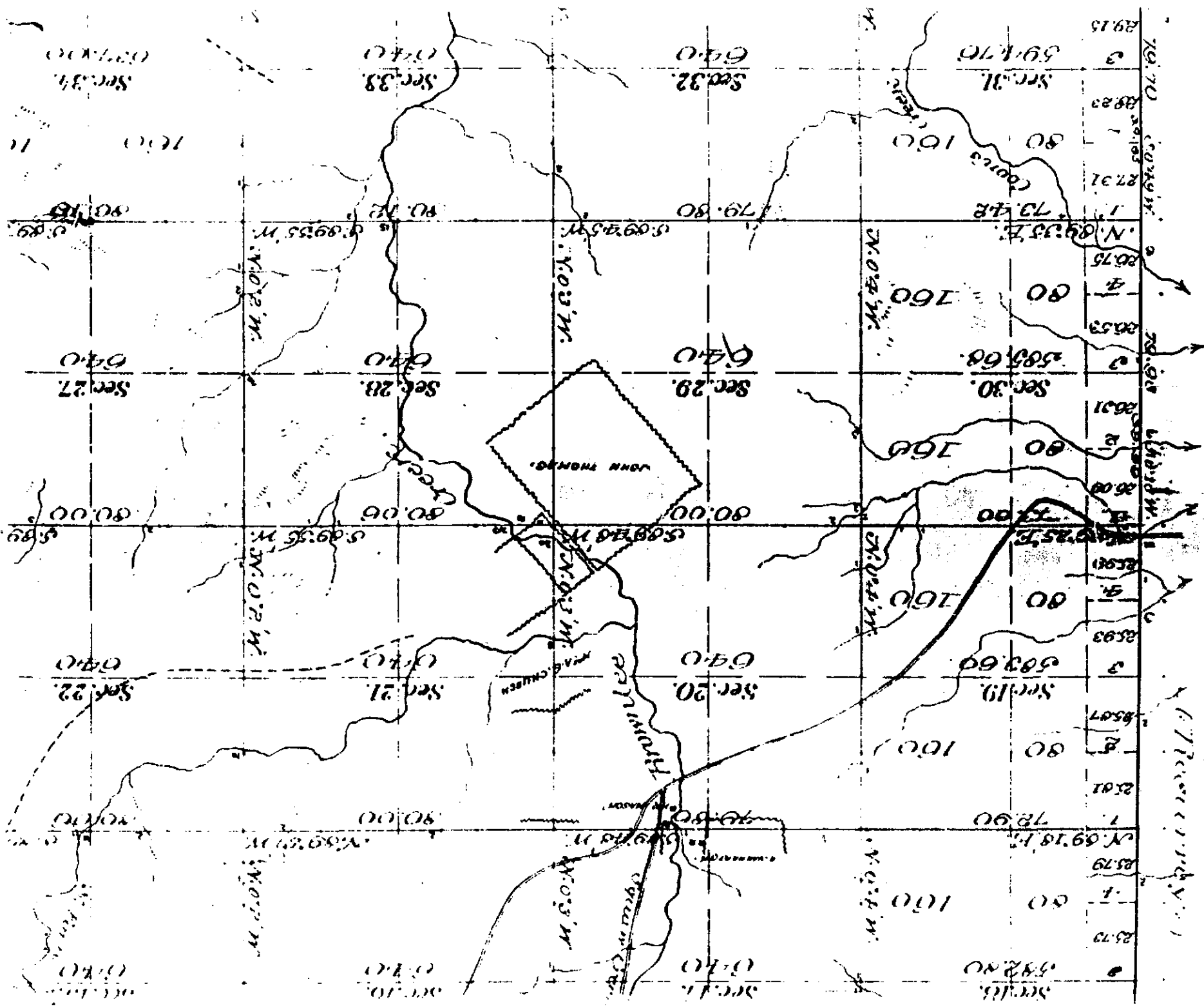
Beginning at the SE corner of the NE 1/4 of the NE 1/4 of said
Section 30; thence
Northwesterly in a straight line to a point on the North line of
the public highway which is 33 rods West of the East line of
said Section 30, and about 16 rods South of the North line
of said NE 1/4 of the NE 1/4 of said Section 30; thence in a
Westerly direction following the North line of said public
highway to a point where said North line intersects the
North line of the NW 1/4 of the NE 1/4 of Section 30;
thence
West on the Section line to the NW corner of said NW 1/4 of the
NE 1/4; thence
South to the SW corner of said NW 1/4 of the NE 1/4; thence
East on the 1/4 1/4 Section line to said POINT OF BEGINNING.

PARCEL III

NE 1/4 SW 1/4, Section 19, Township 8 North, Range 2 East, Boise
Meridian, Boise County, Idaho.

*40 acre
Dry Ground -*

11
M
1
1
K
2E
8N



IN THE DISTRICT COURT OF THE NINTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO: IN AND FOR THE COUNTY OF

IN THE MATTER OF THE GENERAL DETERMINATION OF RIGHTS TO THE USE OF
Pavette River

NOTICE OF CLAIM TO A WATER RIGHT

45-1795-6
 I.D. No. Map No.
 For Paid Receipt No.

Notice is hereby given that Dora Field and/or Clarence Beckman

Route 3, Box 40, Emmett, ID 83611

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claims are as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decree, license or permit right)
April 1, 1900

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
springs, tributary to Little River, N. E. Coos Co.

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed.
- | Quantity | Use | Period of Use | To | Dec. |
|----------|-------|---------------|----|------|
| 05 | stock | | | |

- | (CFS, GPD, AF) | (Domestic, Irrigation, stock, etc.) | (Mile, Day) | (Mile, Day) |
|----------------|-------------------------------------|-------------|------------------------|
| | | | (Both dates inclusive) |

- | Quantity | Use | Period of Use From | To |
|----------------|-------------------------------------|------------------------|------------|
| (CFS, GPD, AF) | (Domestic, Irrigation, stock, etc.) | (Mo., Day) | (Mo., Day) |
| | | (Both dates inclusive) | |

- | Quantity | Use | Period of Use From | To |
|----------------|-------------------------------------|--------------------|------------|
| (CFS, GPD, AF) | (Domestic, Irrigation, Stock, etc.) | (Mo., Day) | (Mo., Day) |
| | | | |

- Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, A/F) (Domestic, Irrigation, stock, etc.) (Mo., Day) (Mo., Day)

- (4) .05 TOTAL QUANTITY CLAIMED.

- (5) A) Point of Diversion: Give location of point where water is diverted from its source. SE 1/4 NW 1/4
Sec. 19 Two. 81 Rge. 2E B.M. Boise

- Additional Points: WESH, NMSE, Sec. 19, TRH, R2E

- sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not irrigation, place an "X" in appropriate box to show location.

[illegible]

Total no. of acres _____

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:
- (8) Remarks: 00-16797 No. 00-16797 No. 00-16797. (This right when combined with Nos. 00-16797)

- (9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.

- ☐ B) Right decreed by court, cite title of case. _____

- ☐ C) Right based on application, permit, license, or previous statutory claim filed with the Department of Water Resources. Give No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

(Date) _____ (Signature of Claimant) _____

State of _____ Organization _____

County of San Diego SE
 Seal (Signature of Authorized Agent)

On this 14 day of July, in the year 1971 at San Francisco, California, before me, the undersigned authority, personally appeared John F. Smith, known to me to be the person whose name is subscribed to the foregoing instrument, acknowledged to me that he executed the same for the purposes and consideration therein expressed.

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporate name) executed the same.

My commission expires: 12/31/2023 Notary Public residing at: 11111 1st St, Suite 100, San Diego, CA 92101

alw 12-5-77

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: A65-10795
Date Received: 4/28/1989
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ELMER FIELD 619-487-7414
Address: 1140 S. CITRUS
ESCONDIDO CA 92027
AND/OR
Name: IRMA ANN SANDERS 619-745-3677
Address: 2836 CALMAR DRIVE
ESCONDIDO CA 92029
2. Date of Priority: APR 1, 1900
3. Source: SPRINGS Trib. to: COONS CREEK, NORTH FORK
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 08N | 02E | 19 | | SE | NW | | BOISE |
| | | | | NE | SW | | BOISE |
| | | | | NW | SE | | BOISE |
5. Description of diverting works:
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| STOCKWATER | 01/01 | 12/31 | 0.050 | | 2.70 |
7. Total Quantity Appropriated is:
0.050 C.F.S. (and/or) 2.70 A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:

~~MICROFILMED~~
~~AUG 04 1994~~

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08N	02E	19	SE		NW		STOCK	
			NE		SW		STOCK	
			NW		SE		STOCK	

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:

14. Remarks:

THIS RIGHT WHEN COMBINED WITH RIGHTS 65-10796 & 65-10797 SHALL
PROVIDE NO MORE THAN .05 CFS NOR 2.7 AFA FOR STOCKWATER.

15. Basis of Claim: DECREED



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.

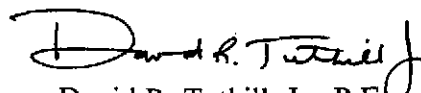
IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without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

10/20/2000

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

RIGHT NUMBER: 65-22278

NAME AND ADDRESS: MARCIA H HERR
RODNEY H HERR
400 COSTON ST
BOISE, ID 83712

SOURCE: SPRINGS TRIBUTARY: COON CREEK

QUANTITY: 0.01 CFS
0.34 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL
NOT EXCEED 13,000 GALLONS PER DAY.

USE OF THIS RIGHT WITH RIGHT NO. 65-10796, 65-10797 &
65-22277 IS LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF .05 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 2.7 AF FOR STOCKWATER.

PRIORITY DATE: 04/01/1900

POINT OF DIVERSION: T08N R02E S19 NESW Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01-01 12-31	0.01 CFS 0.3 AFY

PLACE OF USE:

STOCKWATER Within BOISE
County
T08N R02E S19 NESW

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER
RIGHT IS NOT A DETERMINATION OF HISTORICAL
BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

("R" record)

10/17/2000

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 65-22278

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RODNEY H HERR
Current Owner	MARCIA H HERR
	400 COSTON ST
	BOISE, ID 83712
	(208)343-9438
Original Owner	DORA FIELD
Original Owner	CLARENCE BECKMAN
	2227 PLUM ST
	EMMETT, ID 83617
Original Owner	IRMA ANN SANDERS
	2836 CALMAR DRIVE
	ESCONDIDO, CA 92029
	(619)745-3677
Original Owner	ELMER FIELD
	1140 S CITRUS
	ESCONDIDO, CA 92027
	(619)487-7414

Priority Date: 04/01/1900
Basis: Decreed
Status:

Source: SPRINGS Trib. to: Coon Creek North Fork

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	01/01	12/31	0.01 CFS	0.34 AFA	
Total Diversion			0.01 CFS	0.34 AFA	

Point(s) of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
08N	02E	19	NE SW		BOISE

Place(s) of use:

Place of Use Legal Description: STOCKWATER BOISE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
08N	02E	19		NESW										

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
Dbuffing	10/13/00	Ownership	This right is the result of a split due to change in ownership. Parent right # is 65-10795.
CORR1	3/17/97	COPIED FROM REMARKS	THIS RIGHT WHEN COMBINED WITH RIGHTS 65-10796 & 65-10797 SHALL PROVIDE NO MORE THAN .05 CFS NOR 2.7 AFA FOR STOCKWATER



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

October 13, 2000

RODNEY H HERR
MARCIA H HERR
400 COSTON ST
BOISE ID 83712

Re: Original Notice of Claim to a Water Right No. A65-10795

Renumbered Notice of Claim to a Water Right No. 65-22278

Dear Claimants:

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This Change of Ownership required a split of the original claim resulting in renumbering this claim by adding alpha suffixes to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time. You will be notified of any future action taken on this claim. Also enclosed is a copy of the original claim for your reference.

Please note, the ownership has also been changed on claim number A65-10797, and a copy is enclosed.

Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,


Denise Buffington
Office Specialist I
Adjudication Section
Western Region

DB:db

Enclosure