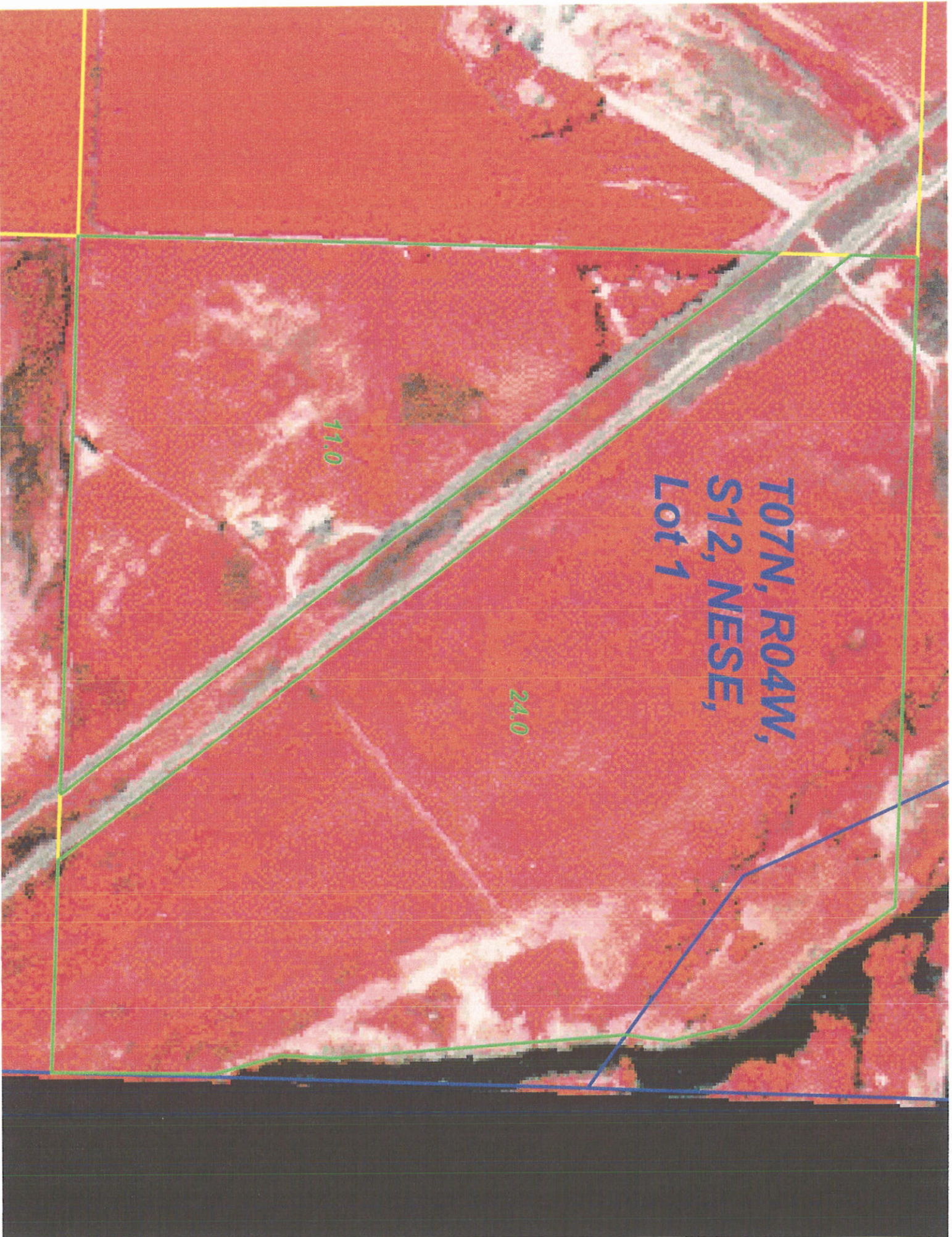


**T07N, R04W,
S12, NESE,
Lot 1**

24.0

11.0



SPLIT TREE

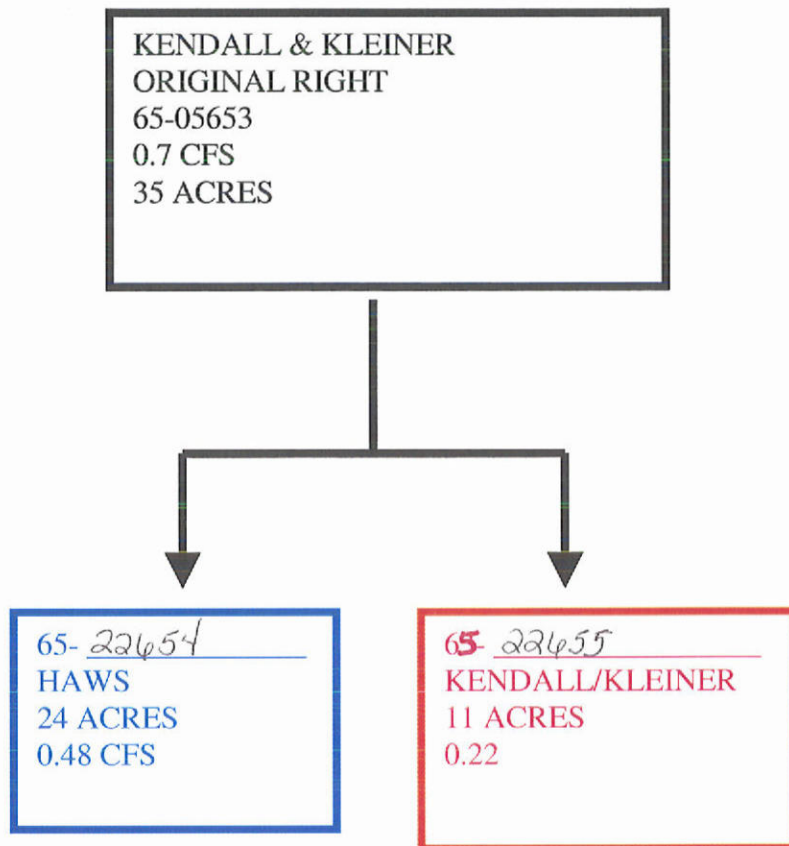
CLAIMS 65-05653

AGENT: Ron Howerton

Date: 1/29/02

65- <u>22654</u>	= 0.02 CFS @	24 ACRES	0.48 CFS
65- <u>22655</u>	= 0.02 CFS @	11 ACRES	0.22 CFS

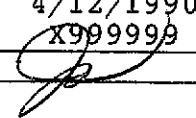
TOTALS = 35 ACRES @ 0.70 CFS



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: A65-05653
Date Received: 4/12/1990
Receipt No: X999999
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: W. H. KLEINER 208-365-4062
Address: 3787 COUNTY LINE RD.
EMMETT, ID 83617
OR
Name: ANDY KENDALL 208-365-4062
Address: 3787 COUNTY LINE RD.
EMMETT, ID 83617

2. Date of Priority: APR 01, 1918

3. Source: WASTE WATER Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	04W	13	NW	NE	NE		PAYETTE

5. Description of diverting works:
HEADGATE, DITCH GRAVITY FLOW FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.700		

7. Total Quantity Appropriated is:
0.700 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 122.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	04W	12	NE SE	1	IRR	35.0

Section Acres 35.0

Total Acres 35.0

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:
STEWART DITCH CO. RIGHTS.

14. Remarks:
CLAIMANTS ARE CO-OWNERS OF THE PROPERTY COVERED BY THIS CLAIM.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

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: 0

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): Audy Kendall Date: 4-12-90

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 12th day
of April 19 90

Seal

Jan Skute
Notary Public

Residing at Meridian ID
My Commission Expires 9-14-94





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

February 1, 2002

**D MARC HAWS TRUST
KAREN I HAWS TRUST
975 CLEAR CREEK
BOISE ID 83709**

Re: Original Notice of Claim to a Water Right No. 65-5653

Renumbered Notice of Claim to a Water Right No. 65-22654

Dear Claimant:

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 with a new water right number 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 Notice of Completed Administrative Proceedings, which has been sent to the Snake River Basin Court as notification of the change.

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

Sincerely,

**Denise Buffington
Office Specialist 1
Adjudication Section
Western Region**

DB:db

Enclosure

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

In Re SRBA

Case No. 39576

Water Rights: 65-5653

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

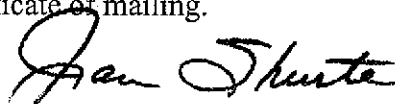
IDWR has completed the following administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party
- ☐ IC § 42-222 transfer
 - ☐ Point of diversion ☐ Place of use
 - ☐ Period of use ☐ Nature of use
 - ☒ Split of water right ☐ Change in ownership
 - ☐ Other
- ☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: February 1, 2002



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on February 1, 2002, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Andy Kendall *(Former Owners)*
W H Kleiner
3787 County Line Rd
Emmett ID 83617

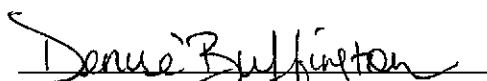
☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Andy Kendall *(Current Owners)*
W H Kleiner
3787 County Line Rd
Emmett ID 83617

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

D Marc Haws Trust *(Current Owners)*
Karen I Haws Trust
975 Clear Creek
Boise ID 83709

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile


Signature of person mailing this document

Jan 25, 2002

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

**RECEIVED
JAN 28 2002**

**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, 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
65-5653					

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) W.H. KLEINER / ANDY KENDALL
3787 County Line Rd, Emmett, ID 83617
4. New Owner/Claimant(s) D. MARC HAWS AND KAREN I. HAWS TRUST
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 975 Clearcreek
- City, State and ZIP Code Boise, ID 83709
- New Telephone Number (208) 375-5671
5. Date you acquired the property July 7, 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	_____	_____

7. Signature of New Owner(s) or Claimant(s) Marc Haws for
(include title if applicable) D MARC HAWS AND KAREN J HAWS TRUST

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

SPLIT TREE

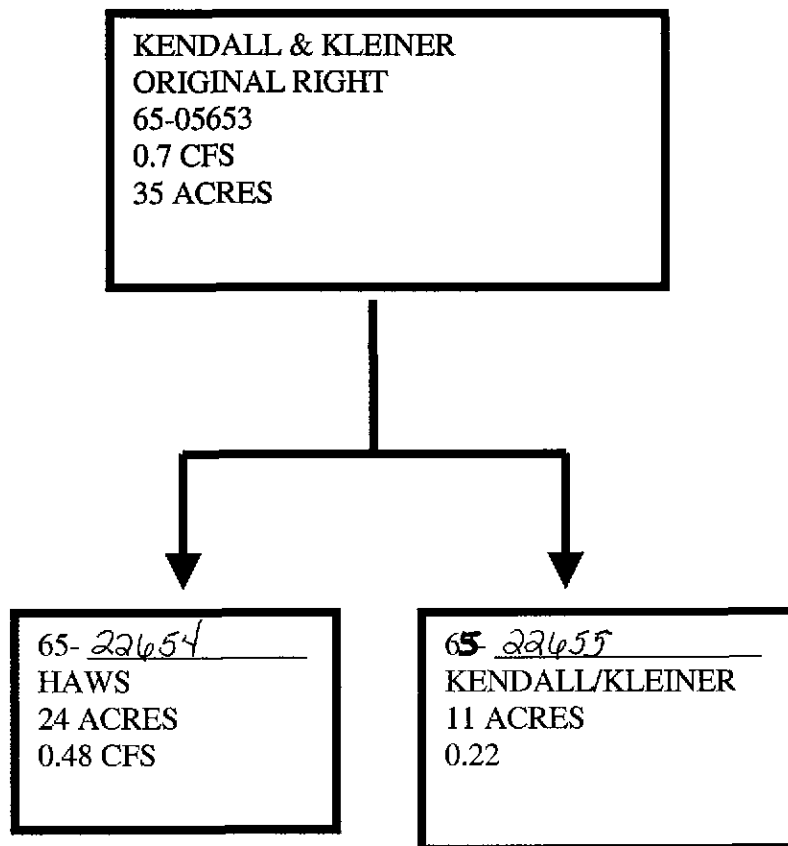
CLAIMS 65-05653

AGENT: Ron Howerton

Date: 1/29/02

65- <u>22654</u>	= 0.02 CFS @	24 ACRES	0.48 CFS
65- <u>22655</u>	= 0.02 CFS @	11 ACRES	0.22 CFS

TOTALS = 35 ACRES @ 0.70 CFS



CHECK PAYABLE TO:
COUNTY TAX COLLECTOR
D. PETERSON, TREASURER
3RD AVENUE NORTH
PE, ID 83661
PE: (208)642-6004

TAX YEAR 2001 CODE AREA 25
2001 TAX BILL/RECEIPT
COUNTY OF PAYETTE
STATE OF IDAHO

PARCEL: 610
STATE #: 07N04W127300
REAL PROPERTY
VALUATION
LAND 11,670
IMPRVMTS
PERS. PROP.
MOBILE HM
SUBTOTAL 11,670
-HM EXEMP
TOTAL 11,670

HAWS, D MARC & KAREN I TRUST
975 CLEAR CREEK
BOISE ID 83709

TAXING DIST	*PHONE*	**RATE**	**AMOUNT**
COUNTY	642-6000	.004691768	54.75
RODENT DIST.	642-6021	.000118744	1.39
RECREATION	452-3542	.000400908	4.68
SCHOOL #372	278-5740	.008172104	95.37
PARKVIEW CEM.	452-3127	.000189714	2.21
HWY DIST. #1	278-3041	.001122543	13.10
N.P. FIRE	278-5338	.000340488	3.97
REDEEM JAIL BOND	642-6000	.000248050	2.89
AMBULANCE DIST.	642-6000	.000399063	4.66

SESE N OF RR-LOT 1
LESS SW OF CO RD
SEC 12-7-4

SUBTOTAL .015683382 183.02

TOTAL ACRES: 29.75

TAXES DELINQUENT FOR:

TOT TAX, SPECIALS, FEES 183.02
-CIRCUIT BREAKER EXEMPTION .00
SUBTOTAL 183.02

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK

*** MONTHLY PAYMENTS ARE ACCEPTED ***

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.

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

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

NET TAX, SPECIALS, FEES 183.02

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

D MARC & KAREN I TRUST 610
YR: 2001
CD: 25

DELINQUENCIES:

#	2ND HALF
0127300	
TAXES/SPECIALS	91.51
LAND FEE	.00
TOTAL DUE	91.51

COUNTY: PAYETTE

IF NOT PAID ON OR BEFORE

PAID: JUNE 20, 2002
BY: CHECK #:
CASH

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

HAWS, D MARC & KAREN I TRUST 610
YR: 2001
CD: 25

DELINQUENCIES:

STATE #	1ST HALF	FULL
07N04W127300		
TAXES/SPECIALS	91.51	183.02
LANDFILL FEE	.00	.00
TOTAL DUE	91.51	183.02

COUNTY: PAYETTE

DELINQUENT IF NOT PAID ON OR BEFORE

DATE PAID: DECEMBER 20, 2001
PAID BY: CHECK #:
CASH

CHECK PAYABLE TO:
THE COUNTY TAX COLLECTOR
D. PETERSON, TREASURER
3RD AVENUE NORTH
BOISE, ID 83661
PHONE: (208)642-6004

TAX YEAR 2001 CODE AREA 26
2001 TAX BILL/RECEIPT
COUNTY OF PAYETTE
STATE OF IDAHO

PARCEL#: 7233
STATE #: 07N03W182411
REAL PROPERTY
VALUATION
LAND 1,310
IMPRVMTS
PERS. PROP.
MOBILE HM
SUBTOTAL 1,310
-HM EXEMPT
TOTAL 1,310

HAWS, D MARC & KAREN I TRUST
975 CLEAR CREEK
BOISE ID 83709

	TAXING DIST	*PHONE*	**RATE**	**AMOUNT**
COUNTY		642-6000	.004691768	6.15
RODENT DIST.		642-6021	.000118744	.16
RECREATION		452-3542	.000400908	.53
SCHOOL #372		278-5740	.008172104	10.71
ROAD & BRIDGE		278-3402	.000722677	.95
PARKVIEW CEM.		452-3127	.000189714	.25
N.P. FIRE		278-5338	.000340488	.45
REDEEM JAIL BOND		642-6000	.000248050	.32
AMBULANCE DIST.		642-6000	.000399063	.52
SUBTOTAL			.015283516	20.04
CANYON # 1				1.00

TOTAL ACRES: 2.18

AXES DELINQUENT FOR:

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

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.

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

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

TOT TAX, SPECIALS, FEES 21.04
-CIRCUIT BREAKER EXEMPTION .00
SUBTOTAL 21.04

NET TAX, SPECIALS, FEES 21.04

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

D MARC & KAREN I TRUST 7233
YR: 2001
CD: 26

DELINQUENCIES:

#	2ND HALF
#182411	
/SPECIALS	10.52
ILL. FEE	.00
DUE	10.52

Y: PAYETTE

IF NOT PAID ON OR BEFORE

PAID: CHECK #:
BY: CASH

JUNE 20, 2002

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

HAWS, D MARC & KAREN I TRUST 7233
YR: 2001
CD: 26

DELINQUENCIES:

STATE #	1ST HALF	FULL
07N03W182411		
TAXES/SPECIALS	10.52	21.04
LANDFILL FEE	.00	.00
TOTAL DUE	10.52	21.04

COUNTY: PAYETTE

DELINQUENT IF NOT PAID ON OR BEFORE

DATE PAID: CHECK #:
PAID BY: CASH

DECEMBER 20, 2001

CHECK PAYABLE TO:
E COUNTY TAX COLLECTOR
D. PETERSON, TREASURER
RD AVENUE NORTH
E, ID 83661
E: (208)642-6004

TAX YEAR 2001 CODE AREA 26

PARCEL: 7232
STATE #: 07N03W075011
REAL PROPERTY
VALUATION
LAND 56,500
IMPRVMTS 22,300
PERS. PROP.
MOBILE HM
SUBTOTAL 78,800
-HM EXEMP
TOTAL 78,800

2001 TAX BILL/RECEIPT
COUNTY OF PAYETTE
STATE OF IDAHO

HAWS, D MARC & KAREN I TRUST
975 CLEAR CREEK
BOISE ID 83709

TAXING DIST	*PHONE*	**RATE**	**AMOUNT**
COUNTY	642-6000	.004691768	369.72
RODENT DIST.	642-6021	.000118744	9.36
RECREATION	452-3542	.000400908	31.59
SCHOOL #372	278-5740	.008172104	643.96
ROAD & BRIDGE	278-3402	.000722677	56.95
PARKVIEW CEM.	452-3127	.000189714	14.95
N.P. FIRE	278-5338	.000340488	26.83
REDEEM JAIL BOND	642-6000	.000248050	19.55
AMBULANCE DIST.	642-6000	.000399063	31.45

LOTS 6,7,8 N OF RR - SESW ALL
LESS TAX 10
SEC 7-7-3
SPLIT FROM #264 FOR 2000

SUBTOTAL .015283516 1,204.36
CANYON # 1 2.54

TOTAL ACRES: 117.63

TAXES DELINQUENT FOR: 2000

TOT TAX, SPECIALS, FEES 1,206.90
-CIRCUIT BREAKER EXEMPTION .00
SUBTOTAL 1,206.90

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK

*** MONTHLY PAYMENTS ARE ACCEPTED ***

NET TAX, SPECIALS, FEES 1,206.90

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.

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

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

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

D MARC & KAREN I TRUST 7232
YR: 2001
CD: 26
DELINQUENCIES: 2000

#	2ND HALF
075011	
SPECIALS	603.45
LL FEE	.00
DUE	603.45

: PAYETTE

LATE
INT
COST
TOT

IF NOT PAID ON OR BEFORE

PAID: CHECK#:
BY: CASH

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

HAWS, D MARC & KAREN I TRUST 7232
YR: 2001
CD: 26
DELINQUENCIES: 2000

STATE #	1ST HALF	FULL
07N03W075011		
TAXES/SPECIALS	603.45	1,206.90
LANDFILL FEE	.00	.00
TOTAL DUE	603.45	1,206.90

COUNTY: PAYETTE

LATE
INT
COST
TOT

DELINQUENT IF NOT PAID ON OR BEFORE

DATE PAID: CHECK#:
PAID BY: CASH

DECEMBER 20, 2001

08/31/2001

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

RIGHT NUMBER: 65-5653

NAME AND ADDRESS: ANDY KENDALL
3787 COUNTY LINE RD
EMMETT ID 83617

W H KLEINER
3787 COUNTY LINE RD
EMMETT ID 83617

SOURCE: WASTE WATER

TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.700 CFS

PRIORITY DATE: 04/01/1918

POINT OF
DIVERSION:

T07N R04W S13 NWNENE Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
3/15 11/15

QUANTITY
0.700 CFS

PLACE OF USE: IRRIGATION Within PAYETTE County

T07N R04W S12 Lot 1 NESE 35.0

35 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: BASIS OF CLAIM - Decreed