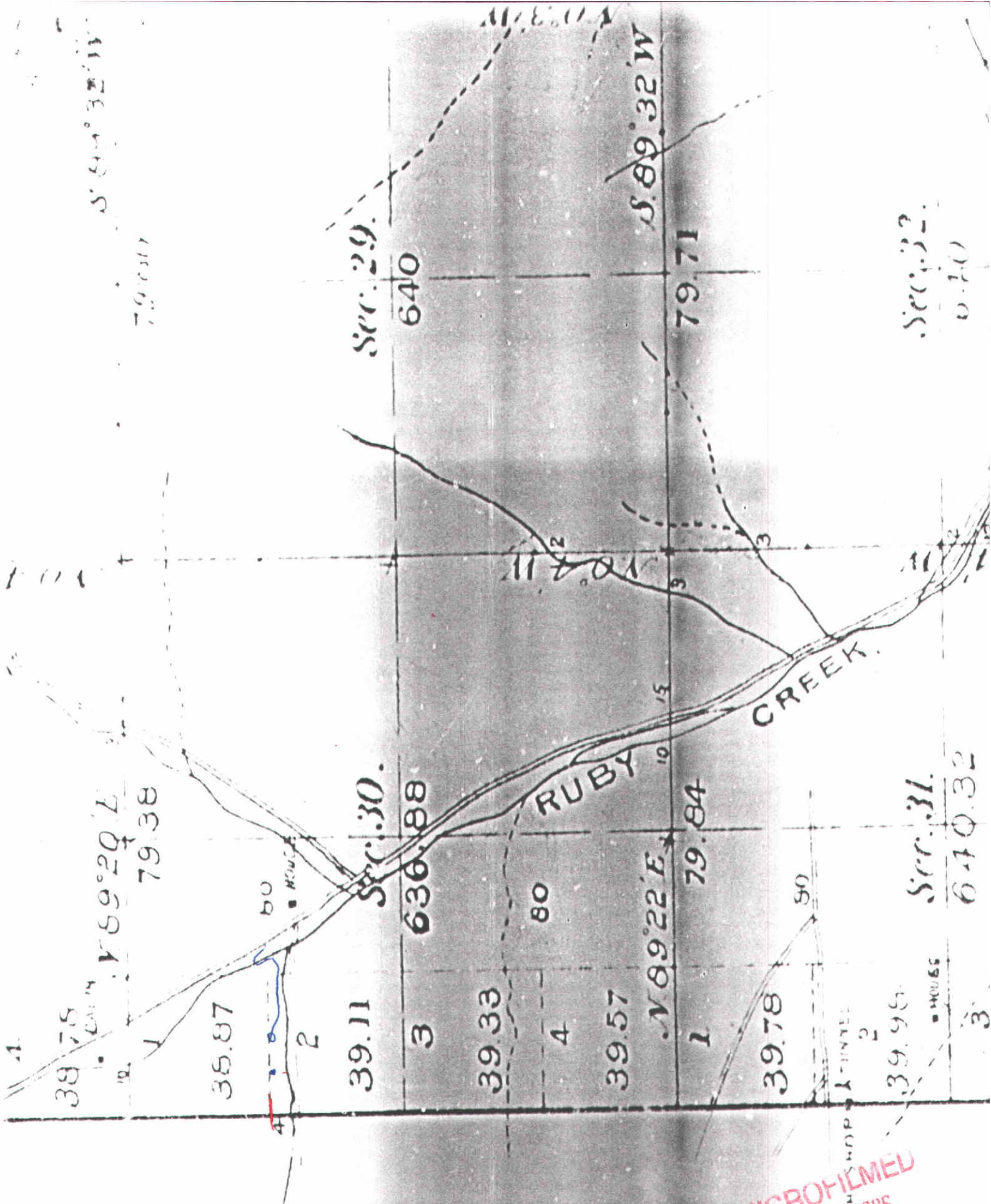




MICROFILMED
 OCT 07 1996

BRUCE - Le FAVOUR
Tx 107
82.94 ac

N 86° 19' 04" E
792.07'

CAROLE EVERS
CIB DUSAN ULACKY
Tx 162 - 12.07 ac

CIB AUDREY MILLER
Tx 161 - 3.07 ac
S 12° 29' E 96.43'

N 45° 45' 11" W
457.39'

N 72° 32' 45" W
323.19'

S 31° 15' E 53.5'
S 9° 5' W 75.13'

N 71° 53' 23" W
274.08'

S 79° 31' 23" W
170.66'

N 77° 49' 50" E 221'
N 130° 30' W
N 75°

S 89° 12' 30" W 2,049'

2434.47'

1320'

N 1/2, N 1/2, N 1/2, NE, SW, W Hamberry 5 ac

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OCT 10 7 1995

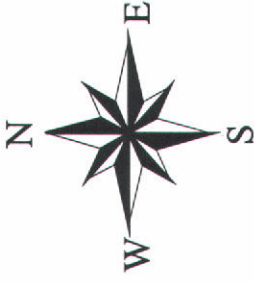
Tx 42 J McGavin

Tx 47

Tx 38
E. Phi
c/o Id
16

IDAHO DEPARTMENT OF WATER RESOURCES

T04N, R04E, S30



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

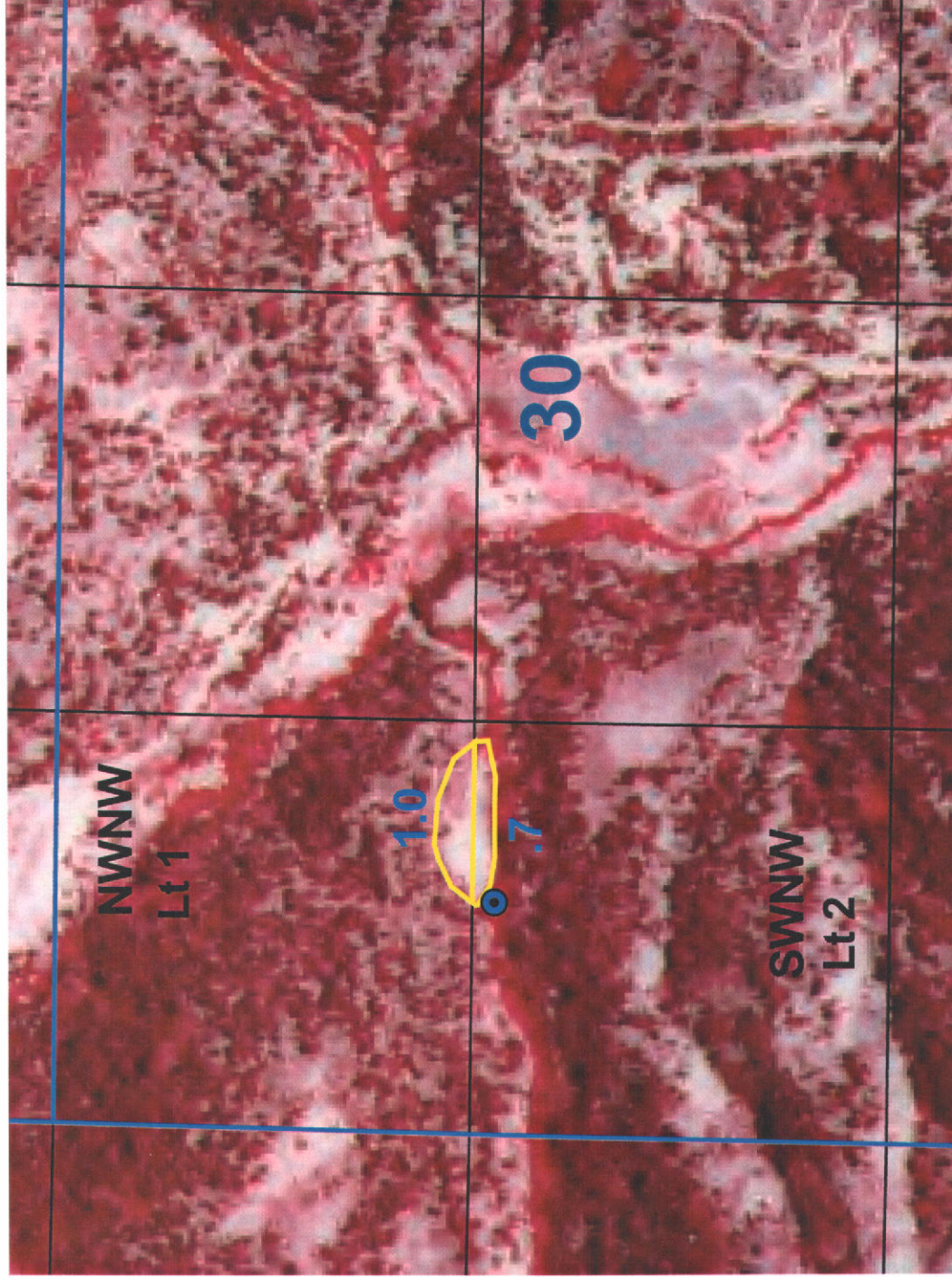
6 SECTION NUMBERS

CLAIM(S): 63-3447D

OWNER(S): STEPHENS, JAMES & JOAN

DATE: NOVEMBER 19, 2001

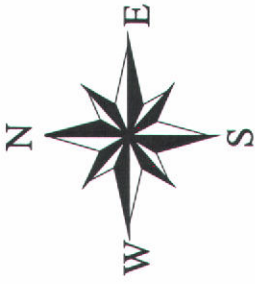
by: Mel Schulte



0 0.25 0.5 0.75 Miles

IDAHO DEPARTMENT OF WATER RESOURCES

T04N, R04E, S30



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

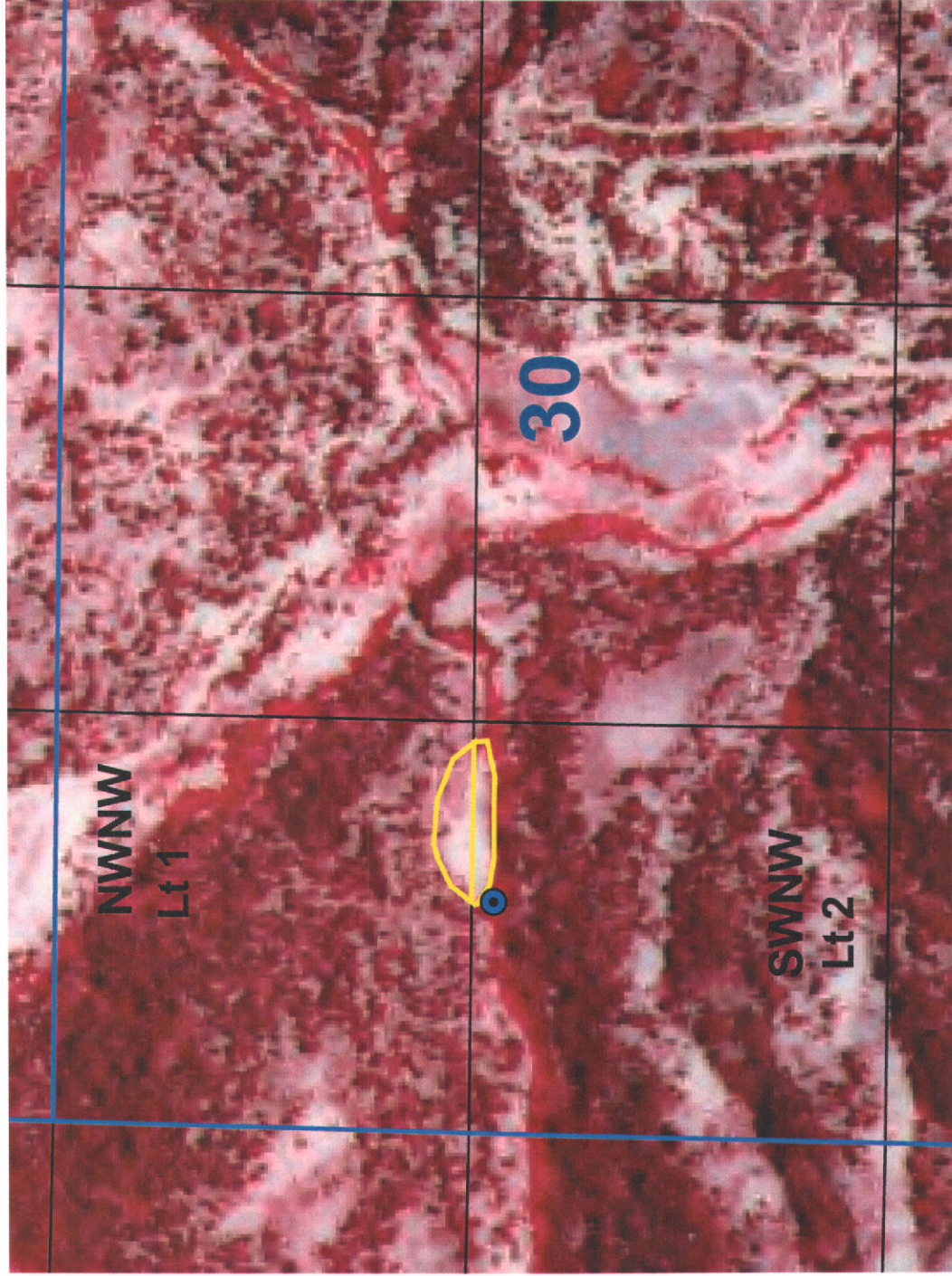
6 SECTION NUMBERS

CLAIM(S): 63-3447D

OWNER(S): STEPHENS, JAMES & JOAN

DATE: NOVEMBER 19, 2001

by: Mel Schulte

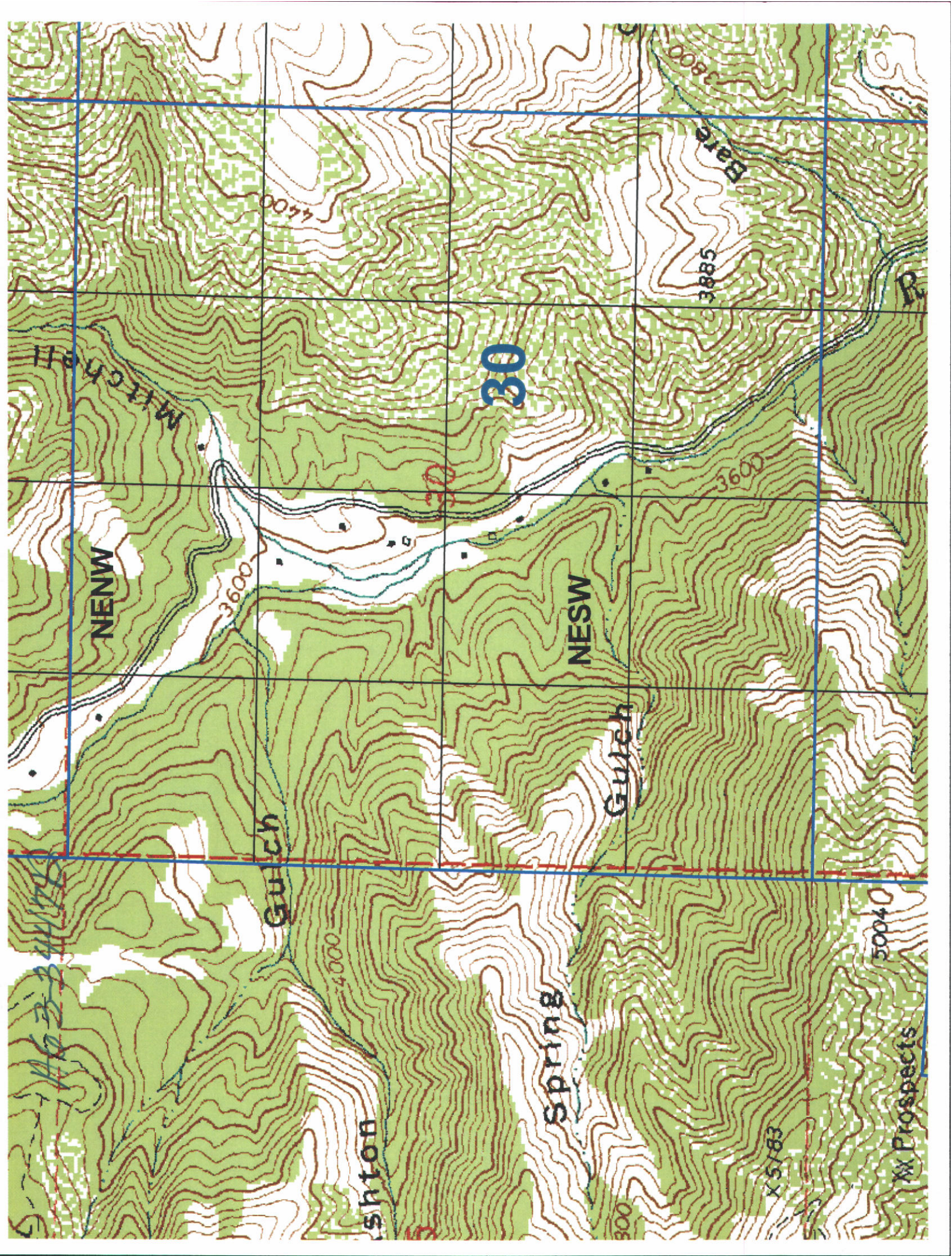


0.75 Miles

0.5

0.25

0



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 63-3447D
Date Received: 5/4/89
Receipt No: X777777
Received By:

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

1. Name of Claimant(s)

JOAN STEPHENS Phone: (208)345-7154

3939 S TRANSPORT
BOISE ID USA 83705

JAMES R STEPHENS Phone: (208)345-7154

3939 S TRANSPORT
BOISE ID USA 83705

2. Date of Priority: 04/26/1965

3. Source: ASHTON GULCH CREEK Trib. to: ROBIE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	04E	30	SW NW 2	BOISE	

5. Description of diverting works:

DAM, HOLDING POND, 3/4 HP PUMP, PIPELINE, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/15	0.01	4.25

7. Total Quantity Appropriated is:
0.01 C.F.S. and/or 4.25 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
04N	04E	30	NW NW	1	IRRIGATION	1.7
					Section Acres	1.7
					Total Acres	1.7

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:

Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

THIS IS A SPLIT OFF OF A63-03447A AND IS A RESULT OF A CHANGE IN OWNERSHIP.
L.R.W., 1/30/91

15. Basis of Claim: License

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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

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: A63-03447D
Date Received: 5/ 4/1989
Receipt No: X777777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES STEPHENS 208-345-7154
Address: HC 33 BOX 2225
BOISE ID 83706

2. Date of Priority: APR 26, 1965

3. Source: ASHTON GULCH Trib. to: ROBIE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	04E	30	SW	NW		2	BOISE

5. Description of diverting works:
DAM, HOLDING POND, 3/4 HP PUMP, PIPELINE, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.010		4.25

7. Total Quantity Appropriated is:
0.010 C.F.S. (and/or) 4.25 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	04E	30	NW	NW	1	IRR	1.7

Section Acres 1.7

Total Acres 1.7

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 IS A SPLIT OFF OF A63-03447A AND IS A RESULT OF A CHANGE
IN OWNERSHIP. L.R.W., 1/30/91.

15. Basis of Claim: LICENSE

Water Right Number: 32340

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 _____ wish to receive and pay
a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: A63-03447C
Date Received: 5/4/1989
Receipt No: X777777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES STEPHENS 208-345-7154
Address: HC 33 BOX 2225
BOISE ID 83706

2. Date of Priority: APR 26, 1965

3. Source: ASHTON GULCH Trib. to: ROBIE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	04E	30	SW	NW		2	BOISE

5. Description of diverting works:
DAM, HOLDING POND, 3/4 HP PUMP, PIPELINE, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.010		4.25

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

8. Total consumptive use is 4.2 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	04E	30	NW	NW		IRR	1.7

Section Acres 1.7

Total Acres 1.7

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:
*THIS IS A SPLIT OFF OF A63-03447A AND IS DUE TO A CHANGE IN
OWNERSHIP. L.R.W., 1/30/91*
TRANSFER NUMBER 3913

15. Basis of Claim: LICENSE

Water Right Number: 32340

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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
OCT 07 1995

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: **A63-03447C**
Date Received: 5/ 4/1989
Receipt No: X777777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES STEPHENS 208-345-7154
Address: HC 33, BOX 2225
BOISE ID 83706

2. Date of Priority: APR 26, 1965

3. Source: ASHTON GULCH Trib. to: ROBIE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	04E	30	SW	NW		2	BOISE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.050		4.25

7. Total Quantity Appropriated is:
0.050 C.F.S. (and/or) 4.25 A.F.A.

8. Total consumptive use is 5.9 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	04E	30	NW	NW	/	IRR	2.0
Section Acres							2.0
Total Acres							2.0

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:

AC. IRR. = 1.7

*THIS IS A SPLIT OFF OF A63-03447A AND IS DUE TO A CHANGE IN
OWNERSHIP. L.R.W., 1/30/91*

15. Basis of Claim: LICENSE

Water Right Number: 32340

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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

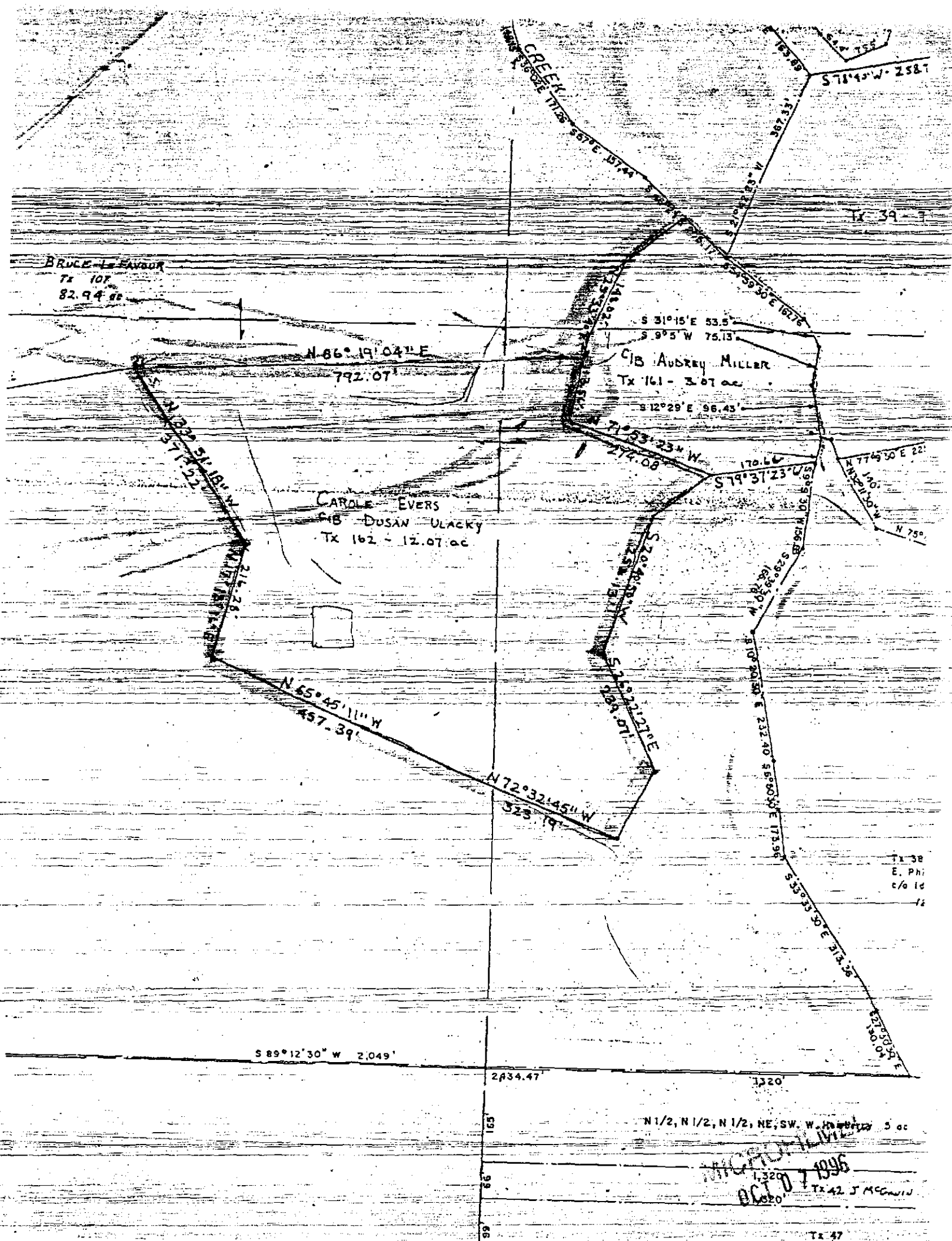
Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
OCT 07 1996





NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 11-14-90

LEGAL DESCRIPTION OF PROPERTY: Township 04 N Range 04 E
Section 30, 1/4 of 11W 1/4 of 11W 1/4, Govt. Lot 1+2, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) Assigned by IDWR: 63-03447A-X
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): PATRICIA LEFAVOUR - BRUCE LEFAVOUR
Longbeach, Calif. | 1000 Adams St. #1st. Helen Calif.
- ☐ New Owner/Claimant (Purchaser): Jim + Joan Stephens
- ☐ New Mailing Address: H.C. 33 Bx 2225
BOISE, ID 83706
- ☐ New Telephone Number: (208) 345-7154
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: WARRANTY DEED w/ Legal Description
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s): Jim Stephens Date 1-14-92
Joan Stephens Date 1-14-92
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

MICROFILMED
OCT 7 1996

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 12, 1994

JAMES STEPHENS
HC 33 BOX 2225
BOISE ID 83706

Dear Mr. Stephens;

I am writing in regard to the Notice of Claim to a Water Right which you filed in the Snake River Basin Adjudication. This claim is for the irrigation of 1.7 acres from Ashton Gulch.

Due to administrative policy your claim has been renumbered from A63-03447C to A63-03447D. I am sending you a copy for your records. Thank you.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

MICROFILMED
OCT 07 1996

COMMUNICATION DOCUMENTATION

Claim No. AG3-03447C & D

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Linda Werner Date 10-12-94Contact Person(s) N/ANature of Contact Number change - again & again & etc

Substance of Communication This number has been changed so that the acreages & quantities correspond w/ the numbers assigned by the appropriations section. Consequently, AG3-3447C now corresponds w/ 63-3447C & likewise AG3-3447D & 63-3447D. This was necessary in order to clean up the discrepancy report. Hopefully the data on the page dated 10-12-94 will help to outline the circumstances.

MICROFILMED
OCT 07 1996

WR

63-3447

3447A

3447B

3447C 3447D

ADJ

Johnson AG3-3447A

Eshelman 3447B

Stephens 3447C

12 Ac + 0.08 cfs

1.5 Ac + 0.08 cfs

1.7 Ac + 0.08 cfs

Albiston 3447B = 0.01 cfs + 1.5 Ac

Evers 3447C = 0.08 cfs + 12 Ac

Stephens 3447D = $\frac{0.01 \text{ cfs}}{0.10 \text{ cfs}}$ + 1.7 Ac
15.2 Ac

Albiston to Eshelman

To Match w/WR

- ✓ 1. Delete AG3-3447A (split right)
- ✓ 2. Chg. Johnson, 3447A to 3447C
- ✓ 3. Chg. Stephens, 3447C to 3447D
4. 3447B is okay.

10-12-94. LRW



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

AUG 24 1992

Department of Water Resources
~~Western Regional Office~~

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 17, 1992

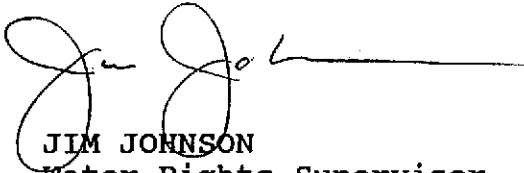
JAMES STEPHENS
HAUN STEPHENS
HC 33 BOX 2225
BOISE ID 83706

RE: Transfer of Water Right No. 63-03447C

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 3913) Be sure to note any conditions of approval as listed on the second page.

Sincerely,



JIM JOHNSON
Water Rights Supervisor

JJ:cz

Enclosure

MICROFILMED
OCT 07 1996

Form 222
1-87Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3913

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

APPROVED

Name of applicant James or Joan Stephens Phone 345-7154
Post Office address HC 33 Box 2225 Boise, Id. 83706

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes To move the diversion closer to the place of use.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>63-3447C</u>	<u>4-26-1965</u>	<u>0.01</u>	<u>IRR</u>	<u>4-1</u> to <u>10-15</u>
<u>63-3447D</u>	<u>4-26-1965</u>	<u>0.08</u>	<u>IRR</u>	<u>4-1</u> to <u>10-15</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 0.01 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Ashton Gulch tributary to Robie creek
4. Point(s) of Diversion: ASHTON

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>2</u>		<u>SW</u>	<u>NW</u>	<u>30</u>	<u>4N</u>	<u>4E</u>	<u>Boise</u>	<u>N/A</u> (will also be 2 nd pld in L.2 SWNW Egs 63-03447A)

5. Lands irrigated or place of use:

A 63-03447C *

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>4N</u>	<u>4E</u>	<u>30</u>							<u>1.7</u>										<u>1.7</u>

MICROFILMED
OCT 07 1996

*classification per file, see 2/11/92

PART 1

6. General Information:

a. Description of diversion system

Dam, holding pond, 3/4 hp pump, pipeline,
sprinklers

N/A b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

N/A c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 63-03447D

And said application is hereby APPROVED, subject to the following limitations and conditions:

USE OF WATER UNDER THIS RIGHT WILL BE REGULATED BY THE WATERMASTER
OF STATE WATER DISTRICT NO. 63, BOISE RIVER.

Witness my hand this

13th

day of

August

, 19 92

L. Glen Saxton
CHIEF, WATER ALLOC. BUREAU

MICROFILMED
OCT 07 1998

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-03447A issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below: N/A

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Ashton Gulch tributary to Boile creek

4. Date or priority 4-26-1965

5. Water is used for the following purpose:

amount 0.10 cfs for IRR purposes from 4-1 to 10-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.10 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

← 0.09 cfs @ 35.2 cfs per license 92 2/11/92

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
2		SW	NW	30	4N	4E	Boise	N/A

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	4E	30					1.7	1.2											13.7
							1.1	1.2											

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

2 12 } per license
actual irrig = 13.7 (Remarks) } 92 2/11/92
Total acres 13.7

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

Shows portion claimed in A63-03447C
(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.01 for IRR purposes from 4-1 to 10-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

* *claims .05 cfs @ 4.25 afa for 2 runs - see Attachment F*

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>2</u>		<u>SW</u>	<u>NW</u>	<u>30</u>	<u>4N</u>	<u>4E</u>	<u>Boise</u>	<u>N/A</u>

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>4N</u>	<u>4E</u>	<u>30</u>						<u>1.7</u>											<u>1.7</u>
								<u>2.1</u>											

Total acres 1.7

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change) *Shows remainder of right*

1. amount 0.08 for IRR purposes from 4-1 to 10-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>2</u>		<u>SW</u>	<u>NW</u>	<u>30</u>	<u>4N</u>	<u>4E</u>	<u>Boise</u>	<u>N/A</u>

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>4N</u>	<u>4E</u>	<u>30</u>							<u>12</u>										<u>12</u>
									<u>2.2</u>										

Total acres 12

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

POOR ORIGINAL

Linda,
APPLICANT'S NOTE
The new location will be
down stream, on Ashton gulch
From the existing point of diversion
Approximately 600 ^{ft. per 2/11/92 tel. conv} yds. I could
draw this in if I had a point
of reference, such as the existing
diversion point at Albion's diversion
point. In

SEE MAPS

ATTACHMENTS A & B

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Page

6

of

6

Transfer No. _____

PART 3

B. CHANGES IN NATURE OF USE

N/A

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

(Signature of Applicant)

Subscribed and sworn to before me this 7 day of Feb, 19 92.

LINDA WERNER

(Notary Public)

My commission expires

RESIDING AT EAGLE, IDAHO

MY COMMISSION EXPIRES DEC. 8, 1994

FOR DEPARTMENT USE ONLY

7 by gl 2/11/92

Transfer contains 6 pages and 0 attachmentsReceived by L. Werner Date 1-15-92

Protest filed by _____

Prelim. check by L. Werner Fee 30.00Received by L. Werner Date 1-15-92 *W14013Published in Idaho World

Copies of protest forwarded by _____

Pub. dates 2/19 & 2/26/92

Hearing held by _____ Date _____

Watermaster recommendation requested on N/ARecommended for ☒ approval ☐ denial

rec'd.

by

DRT

Copy of transfer sent to lien holder _____

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OCT 07 1996

CONVERSATION MEMORANDUM

DATE 1-17-92FILE A763-3447C

NAME OF PARTY

James Stephens

EMPLOYEE

Linda Werner

RE:

Have claimant the option as to whether he wants to resign an accurate transfer app. or go w/ the one we initially prepared in my office which shows the wrong amt. of money to be transferred.

- He will call me back on 1-21 as he was out of the office.

To: Fax No.

→ 389-9027

1-21-92 - Called back & said he would resign the transfer app. After I explained the transfer process to him. Faxed new ~~for~~ transfer app.

Transfer app. received on ≈ 1-31-92 & submitted on 2-7-92

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Ownership Change
Sorenson - 63-3447

63-3447

T4N, R4E, Sec. 30

15.2 Ac + 0.10 cfs = 0.006 cfs/Ac

NWNW - 1.7 Ac } 63-3447A: 13.7 Ac + 0.09 cfs
SWNW - 12 Ac } (0.006 cfs/Ac)
SE NW - 1.5 Ac - 63-3447B: 1.5 Ac + 0.01 cfs
(0.006 cfs/Ac)

AG3-3447

AG3-3447A - Sorenson - 13.7 Ac - 0.29 cfs

AG3-3447A

3447C 3447D
Stephens Johnston
NWNW - 1.7 Ac SWNW - 12 Ac
(0.05) 0.08

AG3-3447B
Eshelman
SE NW - 1.5 Ac
0.01 cfs

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* See AG3-3447A for more information
1-16-92 - L RW

James or Joan Stephens
HC 33, Box 2225
Boise, ID 83706

MAILING DATE: January 10, 1992

RESPONSE DATE: February 10, 1992

RE: NOTICE OF CLAIM NO[S]: A63-03447A

Dear Mr. and Mrs. Stephens:

We are currently in the process of preparing the above referenced Notice(s) of Claim for court decree in the Snake River Basin Adjudication. During this review certain questions arose concerning the claims listed above.

IDWR records currently show the following name and address for the owner of the claim(s) listed above:

Carole Sorensen, Idaho City Stage, Boise, ID

If the ownership has changed, please complete the enclosed Change in Ownership form. If only the address has changed, then complete and return the enclosed Change in Address form.

Your response must be received in this office by the response due date indicated above. If a change in ownership or address has occurred, and no response is received from you, all further legal notices concerning this claim(s) will be sent to the name and address currently shown.

Thank-you for your cooperation. If you should have any questions, or feel that you need help in any way, please contact me at 208-334-2190.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Bureau

Enclosures: Change in Ownership
Water Right Proof for 63-03447A

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IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705



☒ FORWARDING ORDER EXPIRED

☐ ATTEMPTED - NOT KNOWN

☐ NO SUCH NUMBER

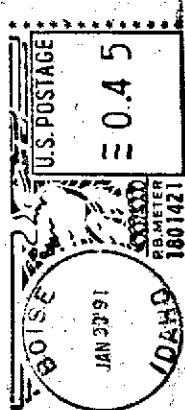
☐ SUITE/APT. # NECESSARY

☐ UNCLAIMED ☐ VACANT

☐ REFUSED ☐ NO MAIL BOX

☐ ROUTE # *311* DATE *1/13/91*

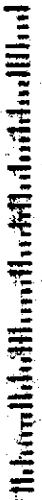
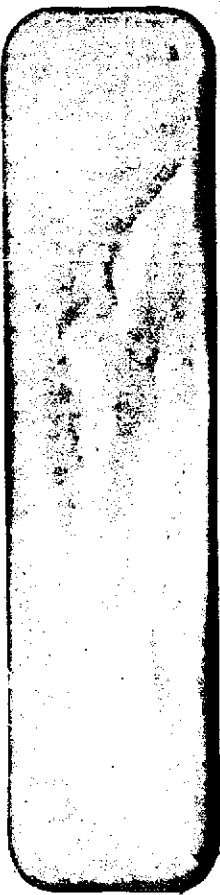
☐ CARRIER INITIALS



RECEIVED

FEB 04 1991

Department of Water Resources
Western Regional Office



OCT 07 1991



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 30, 1991

Carole Sorensen
4518 Tobias Ave.
Sherman Oaks, CA 91403

Dear Ms. Sorensen:

It has come to my attention, through a change in ownership submitted by Alan Johnson, that you have sold a portion of your property. The Notice of Claim to a Water Right appurtenant to this property is numbered A63-03447A.

Based on this information I have completed a split on this Notice of Claim. I have enclosed a copy of your portion of this split claim numbered A63-03447C.

There is another item that you should be aware of. The total quantity on your Claim, A63-03447A, is shown as 0.29 cubic feet per second (cfs). This is in error. The quantity for this right should have been 0.09 cfs. The initial license was for 0.10 cfs. I believe the error may have occurred during data entry of the right when it was split from 63-03447 to 63-03447A and 63-03447B (a parcel sold to Mr. Albiston). Therefore, the Claim I have enclosed, A63-03447C, reflects this change in quantity.

When conversing with Mr. Johnson regarding this Claim he indicated that the remaining portion of the property referenced in A63-03447C has also been sold. If this should be the case, I have enclosed a change in ownership form and ask that you complete it and return to my attention.

Please feel free to contact me if you have any questions. Thank you for your prompt consideration of this matter.

Sincerely,

Linda A. Werner

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosures

cc: P.O. Box 146
Stanley, ID 83278

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OCT 07 1996

WARRANTY DEED

FOR VALUE RECEIVED

PATRICIA LeFAVOUR, AN UNMARRIED WOMAN

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto

JAMES R. STEPHENS AND JOAN E. STEPHENS, HUSBAND AND WIFE

GRANTEE(S), whose current address is: HC33, BOX 2225, BOISE, IDAHO 83706

the following described real property in BOISE

County, State of Idaho,

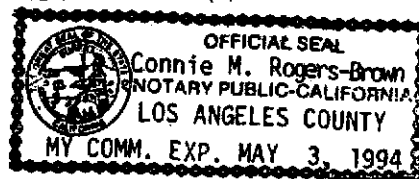
more particularly described as follows, to wit:

SEE ATTACHED EXHIBIT "A" WHICH BY THIS REFERENCE BECOMES A PART
THEREOF AND IS COMPRISED OF 2 PAGES.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including 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: OCTOBER 31, 1990


PATRICIA LEFAVOUR

STATE OF California County of Los Angeles, ss.STATE OF IDAHO, COUNTY OF Baer

I hereby Certify that this instrument was filed for record at

OCT 07 1996

WARRANTY DEED

FOR VALUE RECEIVED

BRUCE LeFAVOUR, AN UNMARRIED MAN

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto

JAMES R. STEPHENS AND JOAN E. STEPHENS, HUSBAND AND WIFE

GRANTEE(S), whose current address is: HC33, BOX 2225, BOISE, IDAHO 83706
 the following described real property in BOISE County, State of Idaho,
 more particularly described as follows, to wit:

SEE ATTACHED EXHIBIT "A" WHICH BY THIS REFERENCE BECOMES A PART
 THEREOF AND IS COMPRISED OF 2 PAGES.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including 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: OCTOBER 31, 1990

Bruce LeFavour
 BRUCE LEFAVOUR

MICROFILMED
 OCT 07 1996

STATE OF *California* County of *Napa*, ss.

On this *1* day of *November*
 in the year of *1990* before me, the undersigned a Notary

STATE OF IDAHO, COUNTY OF *Boni*

I hereby Certify that this instrument was filed for record at
 the request of *me View*

Exhibit A

Beginning at the section corner common to Sections 19 and 30, T. 4 N., R. 4 E., B.M., and Sections 24 and 25, T. 4 N., R. 3 E., B.M.; thence N. 89°20' E. along the section line between said Section 19 and 30, 487.50 feet to a point; thence S. 44°06'30" E., 499.25 feet to a point; thence N. 89°20' E., 100.00 feet to a point on the west bank of Robie Creek; thence N. 36°10' E. 261.00 feet to a point in the county road; thence S. 22°06' E. along the county road 205.07 feet to a point; thence S. 56°02' E. along the county road, 668.16 feet to a point; thence S. 39°00' E. along the county road, 163.89 feet to a point; thence S. 21°42'23" W. 367.33 feet to a steel pin on the west bank of Robie Creek; thence along said west bank S. 54°59'30" E., 167.76 feet; thence S. 31°15' E. 53.50 feet; thence S. 09°05' W. 75.13 feet; thence S. 12°29' E. 96.43 feet; thence S. 07°15' W. 46.20 feet to a point; thence S. 09°09'30" W. 156.83 feet to a point; thence S. 29°39'30" W. 166.76 feet to a point; thence S. 10°20'30" E. 232.40 feet to a point; thence S. 06°50'30" E. 173.96 feet to a point; thence S. 33°30'30" E. 313.36 feet to a point; thence S. 27°30'30" E. 130.04 feet to a point on the half section line of Section 30; thence S. 89°12'30" W. along said half section line 2049.00 feet to the $\frac{1}{4}$ corner common to Sections 25 and 30; thence N. 00°06' E. along the section line between 25 and 30, 2634.58 feet to the real place of beginning.

EXCEPT the following described tract of land:

Part of the Northwest quarter of Section 30, T. 4 N., R. 4 E., B.M., Boise County, Idaho, described as follows:

Commencing at a found brass cap monumenting the Northwest Corner of said Section 30; thence along the Westerly boundary of said Section 30 S. 00°04'36" W., a distance of 2636.06 feet (formerly S. 00°06'00" W. a distance of 2634.58 feet) to a found brass cap monumenting the West quarter Corner of said Section 30; thence continuing along said Westerly boundary N. 00°04'36" E. (formerly N. 00°06'00" E.) a distance of 1077.18 feet to a set steel pin; thence leaving said Westerly boundary N. 77°43'29" E., a distance of 674.18 feet to a set steel pin, said pin being the real point of beginning; thence N. 86°19'04" E. a distance of 792.07 feet to a set steel pin; thence S. 10°30'14" W. a distance of 113.56 feet to a found steel pin; thence S. 71°53'23" E. a distance of 274.08 feet to a found steel pin; thence S. 54°36'49" W. a distance of 134.98 feet to a set steel pin; thence S. 20°40'50" W. a distance of 252.13 feet to a set steel pin; thence S. 26°22'27" E. a distance of 239.07 feet to a set steel pin; thence S. 28°53'45" W. a distance of 143.26 feet to a set steel pin; thence N. 72°32'45" W. a distance of 323.19 feet to a set steel pin; thence N. 65°45'11" W. a distance of 457.39 feet to a set steel pin; thence N. 17°13'16" E. a distance of 216.28 feet to a set steel pin; thence N. 33°51'18" W. a distance of 371.22 feet to the real point of beginning.

continued

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Also except the following described tract of land:

Part of the Northwest quarter of Section 30, T. 4 N., R. 4 E., B.M., Boise County, Idaho, described as follows:

Commencing at a found brass cap monumenting the West quarter corner of said Section 30; thence along the Westerly boundary of said Section 30 N. $00^{\circ}04'36''$ E. (formerly N. $00^{\circ}06'00''$ E.) a distance of 1077.18 feet to a steel pin; thence leaving said Westerly boundary N. $77^{\circ}43'29''$ E. a distance of 674.18 feet to a steel pin; thence

N. $86^{\circ}19'04''$ E. a distance of 792.07 feet to a steel pin; thence

N. $10^{\circ}30'14''$ E. a distance of 35.00 feet to a set steel pin, said pin being the real point of beginning; thence N. $25^{\circ}33'40''$ E. a distance of 148.02 feet to a set steel pin; thence N. $49^{\circ}38'46''$ E. a distance of 139.14 feet to a set steel pin; thence S. $43^{\circ}38'31''$ E. a distance of 92.96 feet; thence along said Easterly boundary the following courses:

S. $54^{\circ}36'44''$ E. (formerly S. $54^{\circ}59'30''$ E.) a distance of 167.76 feet to a point; thence S. $30^{\circ}52'14''$ E. (formerly S. $31^{\circ}15'$ E.) a distance of 53.50 feet to a found steel pin; thence

S. $09^{\circ}27'46''$ W. (formerly S. $09^{\circ}05'$ W.) a distance of 75.13 feet to a found steel pin; thence S. $12^{\circ}46'08''$ E. (formerly S. $12^{\circ}29'$ E.) a distance of 96.43 feet to a found PK nail; thence

S. $07^{\circ}25'14''$ W. a distance of 46.05 feet (formerly S. $07^{\circ}15'$ W. a distance of 46.20 feet) to a found steel pin; thence leaving said Easterly boundary

S. $79^{\circ}37'23''$ W. a distance of 170.66 feet to a set steel pin; thence

N. $71^{\circ}53'23''$ W. a distance of 274.08 feet to a set steel pin; thence

N. $10^{\circ}30'14''$ E. a distance of 148.56 feet to the real point of beginning.

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OCT 07 1996

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

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED PK

2004 NOV 2 AM 11 15

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-03447D

NAME AND ADDRESS: JAMES R STEPHENS
JOAN STEPHENS
3040 ELDER STREET
BOISE, ID 83705

SOURCE: ASHTON GULCH TRIBUTARY: ROBIE CREEK

QUANTITY: 0.01 CFS
4.25 APY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF .10 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 39.1 AF. COMBINED RIGHT NOS.:
63-3447B & 63-3447C.

PRIORITY DATE: 04/26/1965

POINT OF DIVERSION: T04N R04E S30 LOT 2 (SWNW) Within Boise County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-01 TO 10-15	0.01 CFS 4.25 APY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 15 UNDER THIS REMARK
IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY
OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE
A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
DIVERSION FOR IRRIGATION UNDER THIS WATER RIGHT PRIOR TO APRIL 1
AND AFTER OCTOBER 31 SHALL OCCUR ONLY AS AUTHORIZED BY THE WATER
DISTRICT 63 WATERMASTER AND ONLY WHEN WATER IS BEING RELEASED
FOR FLOOD CONTROL BY THE UNITED STATES FROM THE LUCKY PEAK DAM
OUTLET UNDER PROCEDURES AND REQUIREMENTS FOR THE MEMORANDUM OF
AGREEMENT BETWEEN THE U.S. DEPARTMENT OF THE ARMY AND THE U.S.
DEPARTMENT OF THE INTERIOR FOR FLOOD CONTROL OPERATIONS OF THE
BOISE RIVER RESERVOIRS, DATED NOVEMBER 20, 1953, THE WATER
CONTROL MANUAL FOR BOISE RIVER RESERVOIR DATED APRIL 1985 AND
ANY FUTURE AMENDMENTS OR REVISIONS MADE THERETO PURSUANT TO
STATE OR FEDERAL PROCEDURES OR LAW; PROVIDED THAT ANY SUCH USE
OF THIS WATER RIGHT PRIOR TO APRIL 1 AND AFTER OCTOBER 31 SHALL
BE SUBORDINATED TO WATER RIGHTS FOR STORAGE IN LUCKY PEAK
RESERVOIR AND/OR LAKE LOWELL AS DECREED IN SRBA CASE NO. 39576.

PLACE OF USE: Irrigation Within Boise County
T04N R04E S30 LOT 1 (NWNW) 1.0 LOT 2 (SWNW) 0.7
1.7 Acres Total

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 15.2 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 63-3447B & 63-3447C

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

1

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

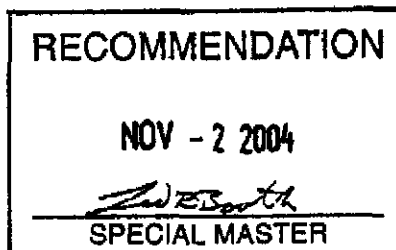
OTHER PROVISIONS (continued)

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. I.C. SECTION 42-1412(5).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication



08/12/2003

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

RIGHT NUMBER: 63-3447D
NAME AND ADDRESS: JOAN STEPHENS
3939 S TRANSPORT
BOISE ID 83705

JAMES R STEPHENS
3939 S TRANSPORT
BOISE ID 83705

SOURCE: ASHTON GULCH CREEK

TRIBUTARY: ROBIE CREEK

QUANTITY: 0.010 CFS
4.25 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF .10 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 39.1 AF. COMBINED RIGHT NOS.:
63-3447B & 63-3447C.

PRIORITY DATE: 04/26/1965

POINT OF
DIVERSION: T04N R04E S30 SWNW Lot 2 Within BOISE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4/01 10/15	0.010 CFS 4.25 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER
15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED.
THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 15 UNDER
THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO
SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY
DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR
THIS RIGHT.

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoir dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir and/or Lake Lowell as decreed in SRBA Case No. 39576.

PLACE OF USE: IRRIGATION Within BOISE County

T04N R04E S30 Lot 1 NWNW 1.0 T04N R04E S30 Lot 2 SWNW 0.7

1.7 ACRES TOTAL

SF5 - 63-3447D

OL
Sub
2/12
DWI

08/12/2003

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

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 15.2 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 63-3447B & 63-3447C

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 - License

*Der
OK
Sche
JCB*

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

) Subcase No. 63-3447D
)
)
)
)
)
)
)

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT(s):

James & Joan Stephens

James R. Stephens
claimant

10-22-04
Date

Joan Stephens
claimant

10-22-04
Date

OBJECTOR(s):

USDI/Bureau of Reclamation

David Gehlert
David Gehlert

2/13/04
Date

Trial Attorney, General Litigation Section
U.S. Dept. of Justice

OBJECTOR(s):

Boise Project Board of Control

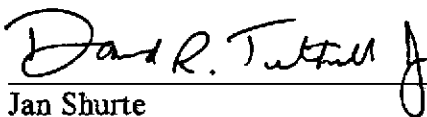


Albert P. Barker

Date

Attorney for Objector(s)

IDWR Concurrence:

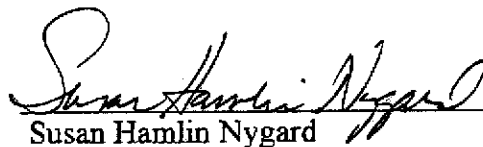


7/23/04

Date

Jan Shurte

Adjudication Supervisor



7/22/04

Date

Susan Hamlin Nygard

Deputy Attorney General

CERTIFICATE OF MAILING

I certify that on Oct. 26, 2004 2003, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

USDI Bureau of Reclamation
US Department of Justice
Environment & Natural Resources
550 West Fort Street, MSC 033
Boise, ID 83724

Albert P. Barker
Barker, Rosholt & Simpson LLP
P.O. Box 2139
Boise, ID 83701-2139

James & Joan Stephens
~~3939 S Transport~~ 3040 Elder Street
~~Boise, ID 83705~~ Boise ID 83705 J.S. 345-7154

IDWR Repository
P.O. Box 83720
Boise, ID 83720

Diane Berkson
Signature of person or attorney mailing the form

10/27/2004

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

RIGHT NUMBER: 63-3447D

NAME AND ADDRESS: JAMES R STEPHENS
3040 ELDER STREET
BOISE ID 83705

JOAN STEPHENS
3040 ELDER STREET
BOISE ID 83705

SOURCE: ASHTON GULCH CREEK

TRIBUTARY: ROBIE CREEK

QUANTITY: 0.010 CFS
4.250 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF .10 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 39.1 AF. COMBINED RIGHT NOS.: 63-3447B
& 63-3447C.

PRIORITY DATE: 04/26/1965

POINT OF DIVERSION:

T04N R04E S30 SWNW Lot 2 Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/15	0.010 CFS 4.25 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER
15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED.
THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 15 UNDER
THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO
SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY
DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR
THIS RIGHT.

PLACE OF USE: IRRIGATION Within BOISE County

T04N R04E S30 Lot 1 NWNW 1.0 T04N R04E S30 Lot 2 SWNW 0.7

1.70000004768372 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 15.2 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 63-3447B & 63-3447C

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: License

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: 63-3447D

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

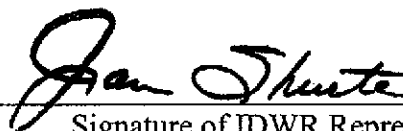
IDWR has completed the following administrative proceeding:

- ☒ Address change
- ☐ Substitution of Party – Middle Name of Claimant added to water right
- ☐ 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: October 27, 2004



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on October 27, 2004, 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

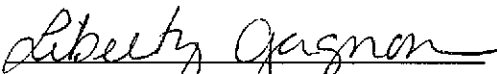
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

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

3. Copies to all parties to the subcase:

James R Stephens (Current Owner)
Joan Stephens
3040 Elder St.
Boise, ID 83705

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


Signature of person mailing this document

SCANNED
OCT 26 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 26 2004

WATER RESOURCES
WESTERN REGION

CHANGE IN ADDRESS

This form can be used to notify the Department
of a change in address for Department records
(Please print or type)

63-3447 D [] Name(s):
63-3447 D V1

James & Joan Stephens

63-9080 [] Old Mailing Address:
63-9082

3939 TRANSPORT
BOISE ID 83705

[] New Mailing Address:

3040 ELDER STREET
BOISE ID 83705

Telephone Number:

(208) 345-7154

[] Signature(s)
(must be signed by all
individuals listed unless
you have authority to sign
on their behalf)

Joan Stephens
Joan R. Stephens
(Include your title if on behalf of company or organization)

Date:

10-22-04

When complete, please mail or FAX this form to the IDWR office nearest you:

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
FAX: (208) 769-1454

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
FAX: (208) 334-2348

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
FAX: (208) 525-7177

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
FAX: (208) 736-3037

References[Contact Help](#)[Desk](#)[Document](#)[Management](#)[Search](#)[Launch ArcView](#)[Administrative](#)[Rules](#)[Query Tools](#)[Data Entry](#)[Standards](#)**Information Search (WR/AJ)**

Basin	Seque...	Suffix	Versio...	Source Table	Basis	Status	Priority Date	DI...	Source List
63	3447	D		wrAdjudication...	License	Active	1965-04-26	0.01	ASHTON GUL...
63	9080			wrAdjudication...	License	Active	1983-05-10	0.02	SPRING
63	9082			wrAdjudication...	License	Active	1977-12-28	0.02	SPRING
63	3447	D	1	wrAdjudication...	License	Active	1965-04-26	0.01	ASHTON GUL...
63	9080		1	wrAdjudication...	License	Active	1983-05-10	0.02	SPRING
63	9082		1	wrAdjudication...	License	Active	1977-12-28	0.02	SPRING

The number of records is 6

[View Documents](#)[Print Proc Report](#)

Parameters

Results

[Hide References](#)[Next Step](#)[Return to Home](#)[Previous Steps:](#)[Sc](#)



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 27, 2004

James R. Stephens
Joan Stephens
3040 Elder St.
Boise, ID 83705

RE: Water Right No. 63-3447D

Dear Property Owner(s):

Enclosed is a copy of the above referenced water right, which reflects the change in address. 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.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Liberty Gagnon". The signature is fluid and extends to the right with a long, sweeping tail.

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region

LG: lg

Enclosures

RECEIVED

FEB 4 - 2003

Department of Water Resources

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

A. Subcase 63-3447D
(Insert water right number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Reclamation, Regional Director PN Code-3100

Address: 1150 N. Curtis Rd. Suite 100
Boise, Idaho 83706-1234

Daytime Phone: (208) 378-5306 E.Gail McGarry

Name & Address of Attorney, if any:
David W. Gehlert (303 312-7352)
Trial Attorney, General Litigation Section
Environment and Natural Resource Division
U.S. Department of Justice
999 18th Street, Suite N 945
Denver, CO 80202

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Joan Stephens James R Stephens

Address: 3939 S Transport
Boise, ID 83705

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☐ **Point(s) of Diversion**
Should be:
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☒ **Period of Year**
Should be: April 1 to November 1
9. ☐ **Place of Use**
Should be:
11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described.

E. REASONS SUPPORTING EACH OBJECTION(S):

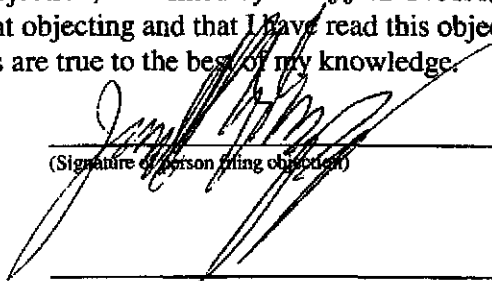
The Director's Report recommendation appears to expand the Season of Use beyond a customary maximum of April 1 to November 1, which would allow (a) injury to the United States' water rights, (b) impairment of historic river conditions conducive to regular United States Bureau of Reclamation diversions to storage reservoirs and the New York Canal, and (c) diminution of contract water reliability.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Jerrold D. Gregg, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

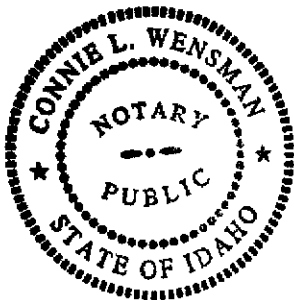
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

January 29, 2003



Connie L. Wensman

Connie L. Wensman

Notary Public for: Idaho

Residing at: Meridian

My Commission Expires: 10-06-2004

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on January 31, 2003, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. One copy to the claimant of the water right at the following address:

Name: Joan Stephens James R Stephens

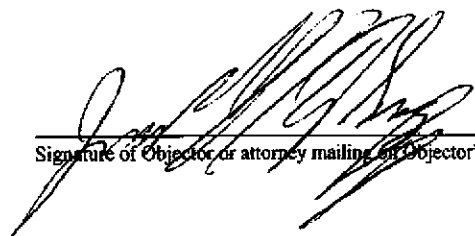
Address: 3939 S Transport
Boise, ID 83705

3. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of Objector or attorney mailing on Objector's behalf

Page 1

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☐ **Point(s) of Diversion**
Should be:
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☒ **Period of Year**
Should be: April 1 to November 1
9. ☐ **Place of Use**
Should be:
11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described.

E. **REASONS SUPPORTING EACH OBJECTION(S):** The Director's Report recommendation appears to expand the Season of Use beyond a customary maximum of April 1 to November 1, which would allow injury to the objector's water rights and diminution of contract water reliability.

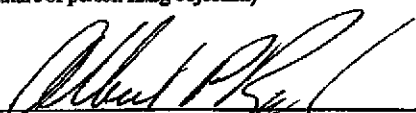
F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

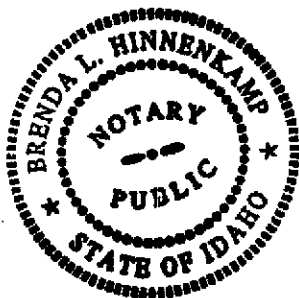
Albert P. Barker, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on: January 30, 2003



Brenda L. Hinnenkamp
Brenda L. Hinnenkamp
Notary Public for: Idaho
Residing at: Boise
My Commission Expires: 9/11/2004

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on January 30, 2003, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. One copy to the claimant of the water right at the following address:

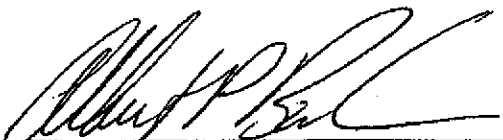
Name: See Attachment B
Address:

3. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724


Signature of Objector or attorney mailing on Objector's behalf

Attachment A

63-3540	63-7984A	63-7984B
63-8624	63-10279	63-31335
63-31336	63-7119	63-7115
63-148B	63-15395	63-2472
63-7529	63-7037	63-2026
63-7207	63-31077	63-5102
63-5192	63-318A	63-318C
63-4629A	63-4797	63-4810
63-5101	63-31074	63-31289
63-31328	63-19A	63-19B
63-378	63-4636	63-5057
63-31124	63-31173	63-31174
63-31319	63-31320	63-31397
63-4548	63-3125	63-15093
63-15677	63-31317	63-5332
63-5334	63-4071	63-31380
63-5235	63-4629C	63-31454
63-5408	63-2171	63-5167
63-317B	63-320A	63-7613D
63-30310	63-97	63-15409
63-3447D	63-3447B	63-3447C
63-5161B	63-15101	63-4731
63-3422B	63-5161C	63-3422A
63-5251	63-5250	63-15684
63-5108	63-15427	63-15094
63-15206	63-15373	63-2252

ATTACHMENT D

63-3540 Rex E Lanham 2630 Highway 21 Boise ID 83716	63-7984A Teresa L Raschke Steven L Raschke 2095 Panama St Boise ID 83705	63-7984B Lawrence Poisson Sheila Poisson 3193 Highway 21 Idaho City ID 83716
63-8624 Randall A Ambuehl HC 33 Box 1610 Boise ID 83706	63-10279 Cumer L Green PO Box 2597 Boise ID 83701	63-31335 Val Dean Schroeder 13 Blacksmith Road Boise ID 83716
63-31336 Wilderness Ranch Owners Assn Inc 46 Wilderness Ranch Rd Boise ID 83716	63-7119 Michael Robich Lynette Robich 87 Beaver Creek Rd Boise ID 83716	63-7115 Michael Robich Lynette Robich 87 Beaver Creek Rd Boise ID 83716
63-148B South Boise Water Co PO Box 6005 Boise ID 83707	63-15395 Marilyn Priest Jay R Priest PO Box 122 Idaho City ID 83631	63-2472 Chapman Ranch LLC 737 N 7th St Boise ID 83702
63-7529 Walter M Nichols Thelma E Nichols 14 Cougar Lane Boise ID 83716	63-7037 Blue Jay Creek Water & Road Users Inc C/O Robert O Walker 129 Blue Jay Creek Rd Boise ID 83706	63-2026 Hilda Larson 3015 Silver St Boise ID 83703
63-2026 James E Bryant 1915 N 11th Boise ID 83712	63-7207 Barbara W Little 1980 Myers Rd Boise ID 83706	63-31077 State of Idaho Dept of Parks & Recreation PO Box 83720 Boise ID 83720-0065
63-5102 Laura LA May Holmes 2391 Sheri Dr Emmett ID 83617	63-5192 David Steadman Lynae Steadman 8873 Ottawa Ct Boise ID 83709	63-318A Ranch Subdivision Property Owners Assn 26 Burnett Dr Boise ID 83716
63-318C Paula E Lewis Stephen E Lewis PO Box 4002 Boise ID 83711-4002	63-4629A Wilderness Ranch Owners Assn Inc 46 Wilderness Ranch Rd Boise ID 83716	63-4797 Connie Jo Cooper Douglas S Cooper 2268 Highway 21 Boise ID 83716
63-4810 Walter S Nichols Sara A Nichols 12 Cougar Ln Boise ID 83716	63-5101 Marilyn Priest Jay R Priest PO Box 122 Idaho City ID 83631	63-31074 Barry Marcus 737 N 7th St Boise ID 83702
63-31289 Walter M Nichols Thelma E Nichols 14 Cougar Lane Boise ID 83716	63-31328 Michael C Perry Tami J Perry 10 Cougar Ln Boise ID 83716	63-19A Larry R Smith Alda L Smith 8442 W Beachside Ct Boise ID 83703

63-19B

Rosemary Swanstrum
Philip Swanstrum
2708 Columbus
Boise ID 83705

63-5057

Francis Mangum
Shirley Mangum
17 Old Mill Rd
Boise ID 83716

63-31174

Michal Sweeney
28 N Fork Clear Creek Rd
Boise ID 83716

63-31397

Michael E Claus
Connie M Claus
105 Johnson Creek Rd
Boise ID 83716

63-15093

Gail G Allen
Robert P Allen
14 Allen Ln
Boise ID 83716

63-5332

Osprey Land Co
737 N 7th St
Boise ID 83702

63-5235

Rex E Lanham
2630 Highway 21
Boise ID 83716

63-5408

Scott R Nicholson, Thomas Emil Nicholson,
Christine Nicholson et al
C & T Ranches Inc
PO Box 690
Meridian ID 83680-0690

63-317B

Richard A Stull
K Gail Richardson
13 Robie Creek Ln
Boise ID 83716

63-97

L G Davison & Sons Inc
1969 Prairie Rd
Prairie ID 83647-9803

63-378

Dirk L Marcum
14364 E Highway 21
Boise ID 83716

63-31124

Allen Cupit
Diana Cupit
25 Old Mill Rd
Boise ID 83716

63-31319

Sandra Miner
1512 Apache Dr Unit D
Chula Vista CA 91910-8160

63-4548

James R Stringfellow
787 David Way
North Salt Lake UT 84054

63-15677

Barry Marcus
737 N 7th St
Boise ID 83702

63-4071

Robert P. Perez
Laurie A. Perez
20 Colleen Lane
Boise, ID 83716

63-4629C

Sherry Smith
James C Smith
7 Mores Creek Cir
Boise ID 83716

63-2171

Rex B Lanham
2630 Highway 21
Boise ID 83716

63-320A

Wade C Woolery
1902 Thompson Street
Richland WA 99352

63-15409

Wilda Bradley
33 Wild Rose Ln
Boise ID 83716

63-4636

Connie M Claus
105 Johnson Creek Rd
Boise ID 83716

63-31173

Hide Associates Partnership
Boise Holcomb Inc
737 N 7th St
Boise ID 83702

63-31320

David Peterson
Toni Peterson
14 Homestead Ct
Boise ID 83716

63-3125

State of Idaho
Dept of Fish & Game
PO Box 25
Boise ID 83707

63-31317

Rex E Lanham
2630 Highway 21
Boise ID 83716

63-31380

Rex E Lanham
2630 Highway 21
Boise ID 83716

63-31454

Jay D Hollinger
Carol L Hollinger
51 Daggett Creek Rd
Boise ID 83716

63-5167

Rex B Lanham
2630 Highway 21
Boise ID 83716

63-7613D

Marvenna S Hodgins
Marilyn E Dawson
PO Box 6466
Boise ID 83707

63-30310

Steven D Cummings
545 Robie Creek
Boise ID 83716

63-3447B
Biff Eshelman
31 Sonshine Lane
Boise ID 83716

63-15101
Steven D Cummings
545 Robie Creek
Boise ID 83716

63-5161C
Sterling Turner
Debbie Turner
328 Robie Creek Rd.
Boise ID 83716

63-5250
Jan Blum
27 Idaho City Stage Rd
Boise ID 83716

63-15684
Chapman Ranch LLC
737 N 7th St
Boise ID 83702

63-15094
Gail G Allen
Robert P Allen
14 Allen Ln
Boise ID 83716

63-2252
Twin Springs Resort LLC
PO Box 3994
Ketchum ID 83340

63-3447C
Alan K Johnson
3929 Overland Rd #840
Boise ID 83715

63-4731
Wilda Bradley
33 Wild Rose Ln
Boise ID 83716

63-3422A
Mary Lou Pote
William W H Pote
27 Idaho City Stage Rd
Boise ID 83716

63-5251
Mary Lou Pote
William W H Pote Jr
27 Idaho City Stage Rd
Boise ID 83716

63-5108
Chapman Ranch LLC
737 N 7th St
Boise ID 83702

63-15206
Val Dean Schroeder
13 Blacksmith Rd
Boise ID 83716

63-3447D
Joan Stephens
James R Stephens
3939 S Transport
Boise ID 83705

63-5161B
Dwaine Wright
Lizabeth Wright
4 Larkspur Lane
Boise, ID 83716

63-3422B
Virginia M Cafferty
Allan E Cafferty
2121 S Eagleson
Boise ID 83705

63-15427
Maurice Brown
11 Hoover Dr
Boise ID 83716

63-5334
Osprey Land Co
737 N 7th Street
Boise, ID 83702

63-15373
Rex E. Lanham
2630 Highway 21
Boise ID 83716

02/26/2002

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

RIGHT NUMBER: 63-3447D
NAME AND ADDRESS: JOAN STEPHENS
3939 S TRANSPORT
BOISE ID 83705
JAMES R STEPHENS
3939 S TRANSPORT
BOISE ID 83705

SOURCE: ASHTON GULCH TRIBUTARY: ROBBIE CREEK

QUANTITY: 0.01 CFS
4.3 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF .10 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 39.1 AF. COMBINED RIGHT NOS.: 63-3447B & 63-3447C.

PRIORITY DATE: 04/26/1965

POINT OF DIVERSION:

T04N R04E S30 SWNW Lot 2 Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/15	0.010 CFS 4.25 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY
AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED
OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER
BEFORE APRIL 1 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE
TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION
USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS
ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within BOISE County

T04N R04E S30 Lot 1 NWNW 1.0 T04N R04E S30 Lot 2 SWNW 0.7

1.70000004768372 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 15.2 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 63-3447B & 63-3447C

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: License

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). A63-3447D

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☒ No Change ADDRESS
☐ NEW ADDRESS: _____

2. ☒ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: 4-26-1965
(If the priority date, based on your exam, seems questionable, explain below.)

as licensed

3. ☒ No Change — SAME SOURCE
☐ Source is different than that claimed:

Source found: _____

4. ☒ No Change — POINT OF DIVERSION Per transfer 3913
☐ Point of diversion is different than the claim and/or new P/D's:

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☒ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☐ No Change — PLACE OF USE: (If changed, list below.)

Use: IRR. Township 4N Range 4E Section 30 1/4 NW 1/4 NW (L1) = 1.0
Use: _____ Township _____ Range _____ Section _____ 1/4 SW 1/4 NW (L2) = ~~1.0~~ .7
Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____
Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____

Remarks: (Comments pertinent to field examination) See additional attachment

*Place of use correction per meeting with claimant
in our office on 6-25-2001. Use confirmed during
location of spring for 63-9080. See T3913 in claim pack.
C18, Put with B&C, shoulder remark*

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 6-28-01

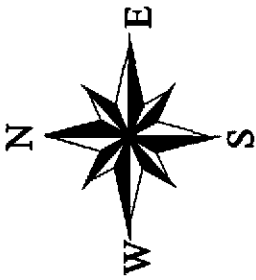
FIELD EXAMINER: _____

Print Name

Mel Schulte
Signature

IDAHO DEPARTMENT OF WATER RESOURCES

T04N, R04E, S30



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 63-3447D

OWNER(S): STEPHENS, JAMES & JOAN

DATE: NOVEMBER 19, 2001

by: Mel Schulte

0.75 Miles

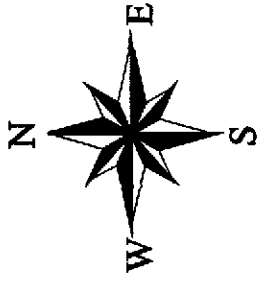
0.5

0.25

0

IDAHO DEPARTMENT OF WATER RESOURCES

T04N, R04E, S30



1987 NAPP PHOTO

● POINT OF DIVERSION

□ PLACE OF USE

□ 1/4 1/4 LINES

□ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 63-3447D

OWNER(S): STEPHENS, JAMES & JOAN

DATE: NOVEMBER 19, 2001

by: Mel Schulte



0.75 Miles

0.5

0.25

0



Split Tree 63-03447

63-3447

DR: .10 cfs DV: 39.1 AF
POD: 4N, 4E, S30, SWNW
POU: 4N, 4E, S30, NWNW - 1.7 ac SWNW - 12 ac
SE NW - 1.5 ac

A63-03447B N/O Eskelman

T3356 DR: .01 cfs DV: 3.9 AF
POD: 4N, 4E, S30, NENW
POU: 4N, 4E, S30, SENW - 1.5 ac

A63-03447C N/O Johnson

DR: .08 cfs DV: 30 AF
POD: 4N, 4E, S30, SWNW
POU: 4N, 4E, S30, SWNW - 12 ac

A63-03447D N/O Stephens

T3913 DR: .01 cfs DV: 4.25
POD: 4N, 4E, S30, SWNW
POU: 4N, 4E, S30, NWNW - 1.7

POOR ORIGINAL

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

Invoice # Water Right No. 03-3447 Priority April 26, 1965 Amount 0.10 cfs.

THIS TO CERTIFY, that Richard E. 2/nr Carole Evers,
of Boise, Idaho, has complied with the terms and conditions of Permit

63-3447 April 26, 1965

63-1447
September 30, 1971

0.10 cfs Ashton Gulch

and that the person made was applied to a beneficial use and

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from April 1 to October 15	at 0.10 cfs and	39.1 acre feet
	from " " to " "	at " " cfs and	" "
	from " " to " "	at " " cfs and	" "

(Write dates in figures)

Subject hereto, is the condition that no more than 0.10 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is attached and continued to for the purpose also mentioned and is limited to the amount which can actually be beneficially used and shall not exceed 1 acre foot per year, and waters to be diverted within the SNAWA, Sec. 30, Twp. 4N., Rge. 4E, B. M. in the County of Boise

History from and location of place of war

[illegible]

Total number of acres irrigated 152

... as indicated in the margin from the larger mail be made at the limits of Section 42-222, Idaho

MICROFILMED

06/07/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. 63-3447D

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JAMES STEPHENS HC 33 BOX 2225 BOISE, ID 83706 (208)345-7154
Original Owner	CAROLE SORENSEN
Original Owner	E H AFTON 4518 TOBIAS AVENUE SHERMAN OAKS, CA 91403 (818)907-5882
Original Owner	CAROLE EVERS
Original Owner	RICHARD E EVERS IDAHO CITY STAGE BOISE, ID 83706
Original Owner	ALAN K JOHNSON PO BOX 316 IDAHO CITY, ID 83631 (208)385-9029
Original Owner	CAROLE SORENSEN PO BOX 146 STANLEY, ID 83278 (208)838-2353

Priority Date: 04/26/1965
Basis: License
Status: Active

<u>Source</u>	<u>Tributary to</u>
ASHTON GULCH CREEK	ROBIE CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	10/15	0.01 CFS	4.25 AFA	
Total Diversion			0.01 CFS	4.25 AFA	

Location of Point(s) of Diversion:

ASHTON GULCH CREEK	SWNW Lt 2	Sec. 30	Township 04N	Range 04E	BOISE County
--------------------	-----------	---------	--------------	-----------	--------------

IRRIGATION Use:
Acre Limit: 1.7

Place(s) of use:

Place of Use Legal Description: IRRIGATION	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>
04N	04E	30	1	NWNW	1.7									

Total Acres: 1.7

06/07/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

WATER RIGHT NO. 63-3447D

Owner Type Name and Address
Current Owner JAMES STEPHENS
Current Owner JUAN STEPHENS
 HC 33 BOX 2225
 BOISE, ID 83706

Original Owner E H AFTON

Priority Date: 04/26/1965
Basis: License
Status: Active

Source Tributary to
ASHTON GULCH CREEK ROBIE CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/15	10/15	0.01 CFS	6 AFA	
Total Diversion			0.01 CFS	6 AFA	

Location of Point(s) of Diversion:

ASHTON GULCH CREEK SWNW Lt 2 Sec. 30 Township 04N Range 04E BOISE County

IRRIGATION Use:
Acre Limit: 1.7

Place(s) of use:

Place of Use Legal Description: IRRIGATION 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>
04N	04E	30		NWNW	1.7									

Total Acres: 1.7

Conditions of Approval:

1. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 63 .

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
CURTIS	8/11/92	Trans. 3913	Trans. 3913 was filed to add a point of diversion under a portion of Right 63-03447A.

Dates:

Licensed Date: 09/12/1979
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

1. Ownership change for 3447C
2. Address for Jim Stephens
3. POB for 3447C & D
4. POB for 3447C - 1.2ac in SWNW
3447D - 1.7ac in NWNW
5. POB for 9080 - sprung in SWNW
6. POB for 9082 sprung in NWNW

Thompson Const.

39395 Newport

345-7154

Bosse Suite A
83705