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AUG 29 1994

WATER RESOURCES
WESTERN REGION

PN29937

DEED OF TRUST

THIS DEED OF TRUST, Made this May 27, 1994 BETWEEN STERLING K. TURNER and DEBBIE K. TURNER, husband and wife herein called GRANTOR, whose address is

PIONEER TITLE COMPANY OF CANYON COUNTY, an Idaho corporation, herein called TRUSTEE, whose address is 100-10th Avenue So., Nampa, Idaho 83651, and ERNA K. HOOVER, a single person, herein called BENEFICIARY, whose address is 2025 N. Iris Pl., Boise, ID 83704

WITNESSETH: That Grantor does hereby irrevocably GRANT, BARGAIN, SELL AND CONVEY TO TRUSTEE IN TRUST, WITH POWER OF SALE, that property in the County of BOISE State of Idaho, described as follows, and containing not more than twenty acres:

Lot 4, Block 2, FLOWING SPRINGS RANCH SUBDIVISION, according to the plat thereof, filed as Instrument No. 146752, records of Boise County, Idaho.

TOGETHER WITH the rents, issues and profits thereof, SUBJECT, HOWEVER, to the right, power and authority hereinafter given to and conferred upon Beneficiary to collect and apply such rents, issues and profits,

For the Purpose of Securing payment of the indebtedness evidenced by a promissory note, of even date herewith, executed by Grantor in the sum of ---TWENTY FOUR THOUSAND FIVE HUNDRED AND NO/100--- Dollars, (\$24,500.00) final payment due JUNE 1, 2004 and to secure payment of all such further sums as may hereafter be loaned or advanced by the Beneficiary herein to the Grantor herein, or any or either of them, while record owner of present interest, for any purpose, and of any notes, drafts or other instruments representing such further loans, advances or expenditures together with interest on all such sums at the rate therein provided. Provided, however, that the making of such further loans, advances or expenditures shall be optional with the Beneficiary, and provided, further, that it is the express intention of the parties to this Deed of Trust that it shall stand as a continuing security until paid for all such advances together with interest thereon.

A. To protect the security of this Deed of Trust, Grantor agrees:

1. To keep said property in good condition and repair; not to remove or demolish any building thereon; to complete or restore promptly and in good and workmanlike manner any building which may be constructed, damaged or destroyed thereon and to pay when due all claims for labor performed and materials furnished therefor; to comply with all laws affecting said property or requiring any alterations or improvements to be made thereon; not to commit or permit waste thereof; not to commit, suffer or permit any act upon said property in violation of law; to cultivate, irrigate, fertilize, fumigate, prune and do all other acts which from the character or use of said property may be reasonably necessary, the specific enumerations herein not excluding the general.

2. To provide, maintain and deliver to Beneficiary fire insurance satisfactory to and with loss payable to Beneficiary. The amount collected under any fire or other insurance policy may be applied by Beneficiary upon any indebtedness secured hereby and in such order as Beneficiary may determine, or at option of Beneficiary the entire amount so collected or any part thereof may be released to Grantor. Such application or release shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.

3. To appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of Beneficiary or Trustee; and to pay all costs and expenses, including cost of evidence of title and attorney's fees in a reasonable sum, in any such action or proceeding in which Beneficiary or Trustee may appear.

4. To pay, at least ten days before delinquency all taxes and assessments affecting said property, when due, all encumbrances, charges and liens, with interest, on said property or any part thereof, which appear to be prior or superior hereto; all costs, fees and expenses of this Trust. In addition to the payments due in accordance with the terms of the note hereby secured the Grantor shall at the option, and on demand of the Beneficiary, pay each month 1/12 of the estimated annual taxes, assessments, insurance premiums, maintenance and other charges upon the property, nevertheless in trust for Grantor's use and benefit and for the payment by Beneficiary of any such items when due. Grantor's failure so to pay shall constitute a default under this trust.

5. To pay immediately and without demand all sums expended by Beneficiary or Trustee pursuant to the provisions hereof, with interest from date of expenditure at eight per cent per annum.

6. Should Grantor fail to make payment or to do any act as herein provided, then Beneficiary or Trustee, but without obligation so to do and without notice to or demand upon Grantor and without releasing Grantor from any obligation hereof, may make or do the same in such manner and to such extent as either may deem necessary to protect the security hereof, Beneficiary or Trustee being authorized to enter upon said property for such purposes; appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of Beneficiary or Trustee; pay, purchase, contest or compromise any encumbrance, charge or lien which in the judgment of either appears to be prior or superior hereto; and, in exercising any such powers, or in enforcing this Deed of Trust by judicial foreclosure, pay necessary expenses, employ counsel and pay his reasonable fees.

B. It is mutually agreed that:

1. Any award of damages in connection with any condemnation for public use of or injury to said property or any part thereof is hereby assigned and shall be paid to Beneficiary who may apply or release such moneys received by him in the same manner and with the same effect as above provided for disposition of proceeds of fire or other insurance.

2. By accepting payment of any sum secured hereby after its due date, Beneficiary does not waive his right either to require prompt payment when due of all other sums so secured or to declare default for failure so to pay.

3. At any time from time to time, without liability therefor and without notice, upon written request of Beneficiary and presentation of this Deed and said note for endorsement, and without affecting the personal liability of any person for payment of the indebtedness secured hereby, Trustee may reconvey all or any part of said property; consent to the making of any map or plat thereof; join in granting any easement thereon; or join in any extension agreement or any agreement subordinating the lien or charge hereof.

4. Upon written request of Beneficiary stating that all sums secured hereby have been paid, an upon surrender of this Deed and said note to Trustee for cancellation and retention and upon payment of its fees, Trustee shall reconvey, without warranty, the property then held hereunder. The recitals in any reconveyance executed under this deed of trust, of any matters or facts shall be conclusive proof of the truthfulness thereof. The grantee

MICROFILMED
OCT 07 1996



T4N
Sec. 32
POD: NW, NE, SW
POU: NE, SW

5-1-1955
Dam
2 acres

~~MICROFILMED~~
AUG 24 1992

ROBIE CREEK, IDAH
N4337.5-W11600/7.
1975

roduced by the Geological Survey
cooperation with the State of Idaho
rthophotograph prepared from 1:80,000 scale aerial
otographs taken August 8, 1984
ojection and 10,000 foot grid ticks
ho coordinate system, west zone
ransverse Mercator)
000-meter Universal Transverse Mercator grid ticks,
ne 11. 1927 North American Datum
hotoimagery rectified by optical scanning
here double or mismatched image occur
ean of image position

MICROFILMED
OCT 07 1996

EXHIBIT "A"

DESCRIPTION OF PROPERTY

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 3 NORTH, RANGE 4 EAST, AND THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 4 NORTH, RANGE 4 EAST, BOISE MERIDIAN, BOISE COUNTY, IDAHO; MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT A 1/2" IRON PIPE WITH A BRASS SCREW AND WASHER MARKING THE NORTHWEST CORNER OF SAID SECTION 5; THENCE
 NORTH 89° 48' 00" EAST 2619.42 FEET ALONG THE NORTH LINE OF SAID SECTION 5 TO A BRASS CAP BEING THE NORTH QUARTER CORNER OF SAID SECTION 5; THENCE
 NORTH 70° 49' 48" WEST 1001.16 FEET TO AN IRON PIN BEING ON THE CENTERLINE OF A COUNTY ROAD ALSO BEING THE REAL POINT OF BEGINNING; THENCE, ALONG SAID COUNTY ROAD,
 SOUTH 38° 33' 53" WEST 51.98 FEET TO A POINT; THENCE
 SOUTH 4° 55' 18" EAST 84.83 FEET TO A POINT; THENCE
 SOUTH 18° 54' 28" EAST 54.46 FEET TO A POINT; THENCE
 SOUTH 6° 07' 36" EAST 99.70 FEET TO A POINT; THENCE
 SOUTH 17° 34' 36" WEST 66.44 FEET TO A POINT; THENCE
 SOUTH 31° 36' 58" WEST 48.14 FEET TO A POINT; THENCE
 SOUTH 25° 53' 37" WEST 43.94 FEET TO A POINT; THENCE
 SOUTH 0° 51' 56" WEST 37.96 FEET TO A POINT; THENCE
 SOUTH 39° 45' 29" EAST 38.25 FEET TO A POINT; THENCE
 SOUTH 75° 26' 34" EAST 28.42 FEET TO A POINT ON THE CENTERLINE INTERSECTION OF SAID COUNTY ROAD AND A PRIVATE DRIVE; THENCE ALONG SAID CENTERLINE OF SAID PRIVATE DRIVE
 SOUTH 10° 24' 40" WEST 125.73 FEET TO A POINT; THENCE
 SOUTH 23° 11' 32" WEST 75.67 FEET TO A POINT; THENCE
 SOUTH 27° 00' 31" WEST 65.48 FEET TO A POINT; THENCE
 NORTH 74° 30' 22" WEST 40.18 FEET TO A POINT; THENCE
 NORTH 51° 23' 36" WEST 101.16 FEET TO A POINT; THENCE
 NORTH 45° 57' 51" WEST 40.19 FEET TO A POINT; THENCE
 NORTH 65° 41' 01" WEST 39.31 FEET TO A POINT AT THE END OF SAID CENTERLINE OF SAID PRIVATE DRIVE; THENCE, LEAVING SAID CENTERLINE OF PRIVATE DRIVE
 NORTH 66° 23' 35" WEST 80.09 FEET TO AN IRON PIN; THENCE
 NORTH 0° 12' 00" WEST 594.96 FEET TO AN IRON PIN; THENCE
 NORTH 89° 48' 00" EAST 350.62 FEET TO THE REAL POINT OF BEGINNING.

END OF LEGAL DESCRIPTION

BOISE COUNTY IDAHO SS
REQUEST OF

93APB-1 File 2:53

146870

MICROFILMED

OCT 07 1996

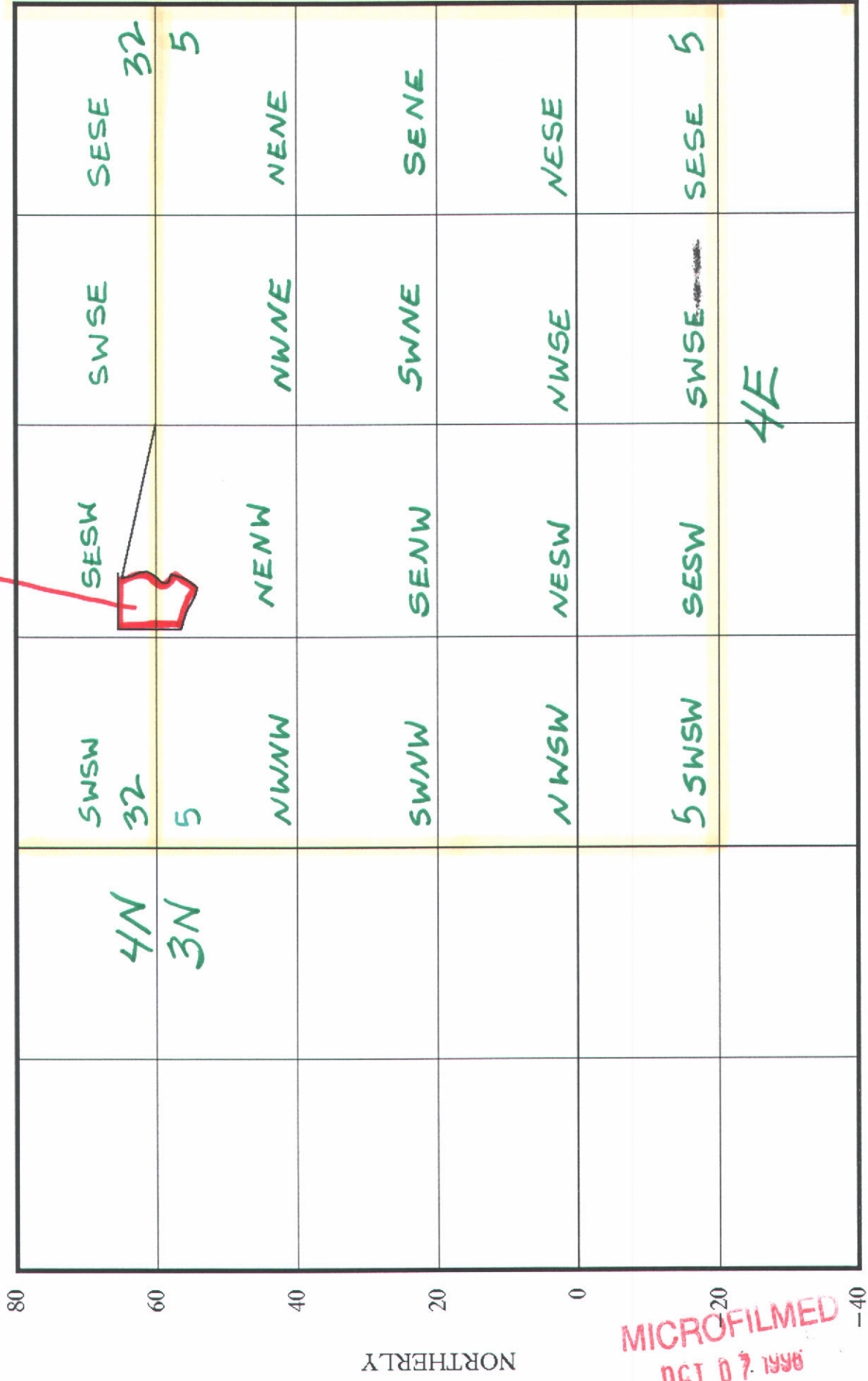
C. KOLAR
Shirley Lange
86.00

KW 8/23/94

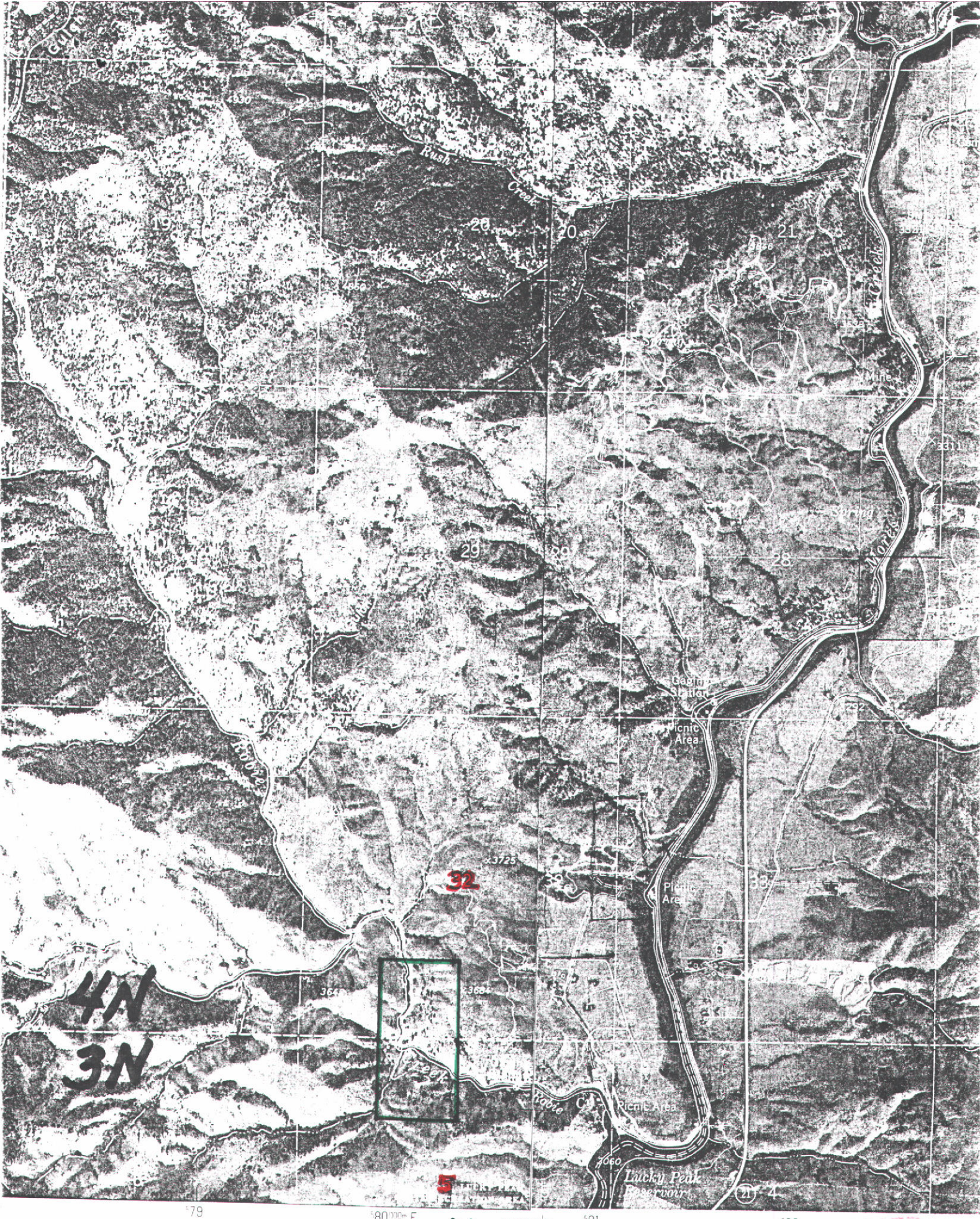
Place of
property
per metes
& bounds
description.

PARCEL PLOT - METES & BOUNDS

DISTANCE IS IN CHAINS



MICROFILMED
APR 20 1998



4E

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001 07 1996

Produced by the Geological Survey
in cooperation with the State of Idaho
Orthophotograph prepared from 1:80,000 scale aerial
photographs taken August 8, 1984

63-5161C 5/16/02 Sue Beck
POV looking W. down driveway

1 of 3



63-5161C
POU

2 of 3



Area claimed
to be IRR
between driveway
& Road.



63-5161C

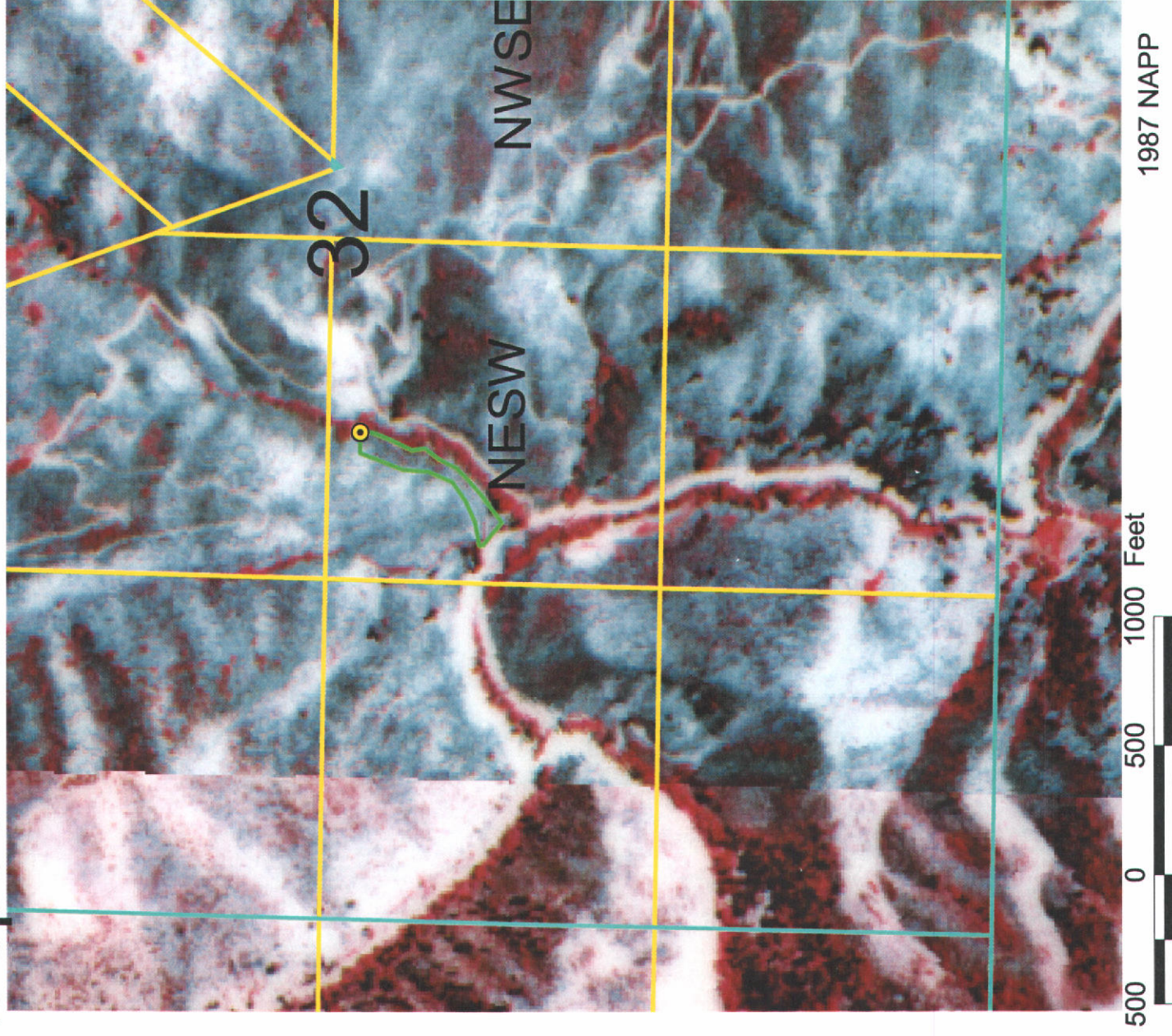
3 of 3



Idaho Dept of Water Resources

Calim No. 63-5161C
T04N, R04E, S 32
Prepared by: Sue Bock
Date: 05/07/2002

- Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



A63-5161C

PHOTOS TAKEN: 09/07/2001



PHOTO # 3
PART OF THE POU
CLAIMED LOOKING
NORTH FROM THE
ROCKY CANYON ROAD



PHOTO # 4
PART OF THE POU
CLAIMED LOOKING
NORTH FROM THE
ROCKY CANYON
ROAD

A63-5161C

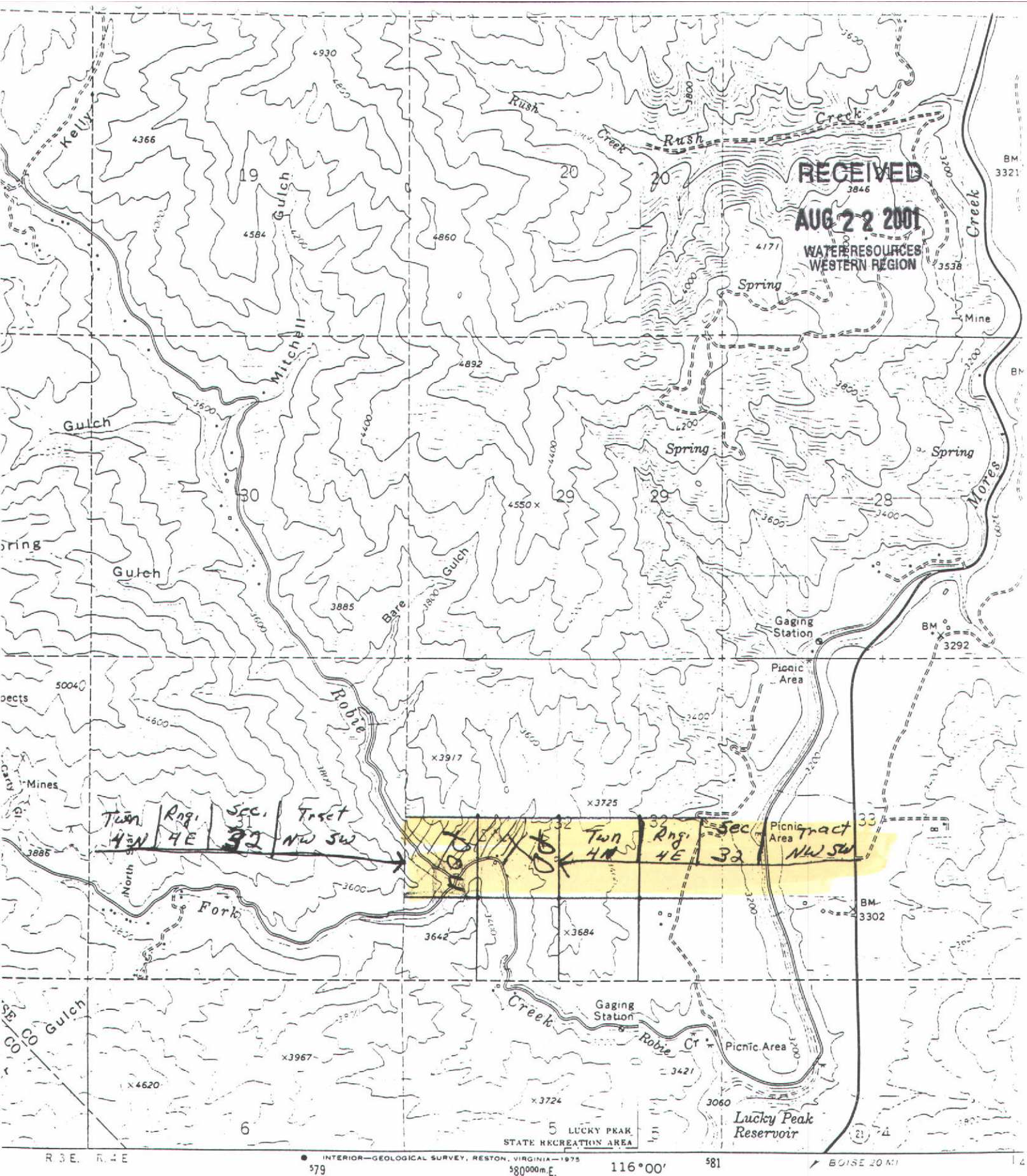
PHOTOS TAKEN: 09/07/2001



PHOTO # 1
PART OF THE POU
CLAIMED LOOKING
NORTH FROM THE
ROCKY CANYON ROAD



PHOTO # 2
PART OF THE POU
CLAIMED LOOKING
NORTH FROM THE
ROCKY CANYON
ROAD



ROAD CLASSIFICATION

Primary highway, hard surface	Light-duty road, hard or improved surface
Secondary highway, hard surface	Unimproved road
Interstate Route	U. S. Route
	State Route

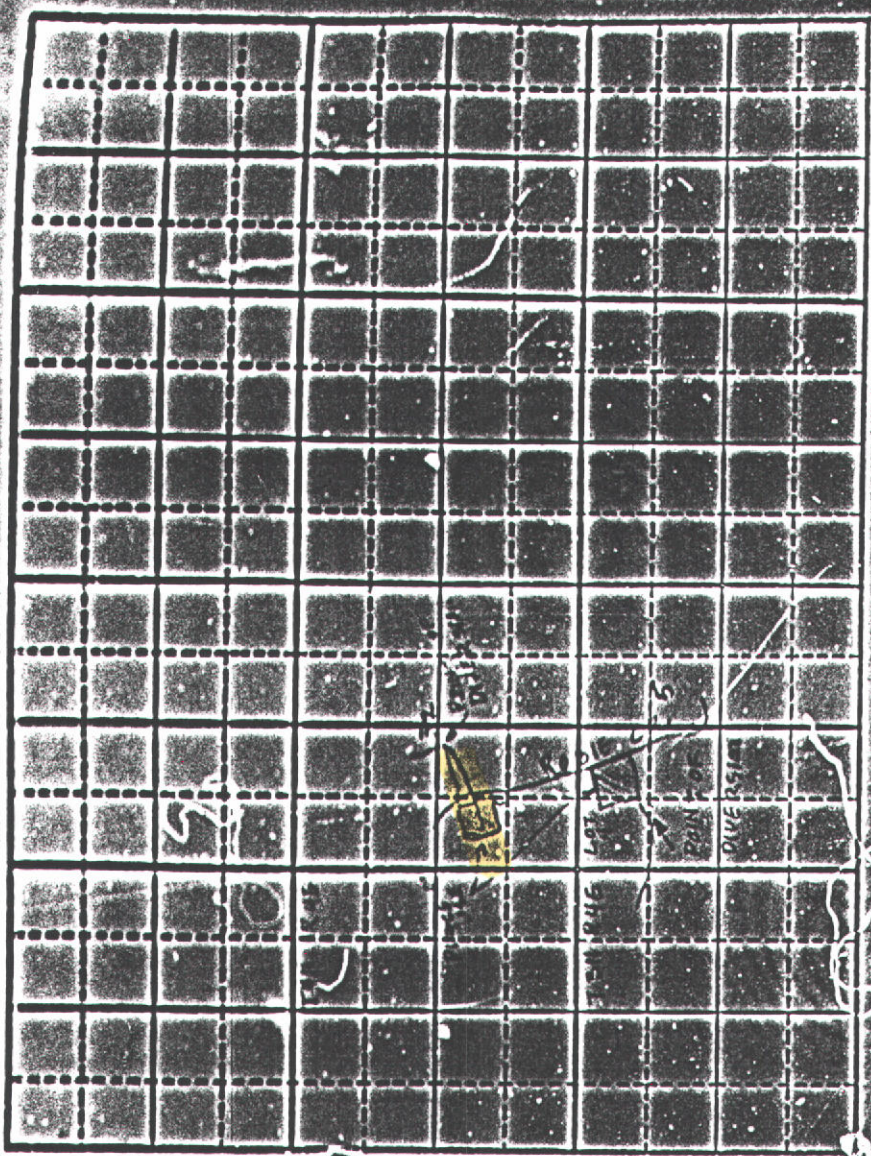
Mapped by the U. S. Forest Service
Edited and published by the Geological Survey
Control by the USGS, USC&GS, and USFS

Topography by photogrammetric methods from aerial
photographs taken 1963. Field checked by USGS 1969
Underwater contours by USCE

Polyconic projection. 1927 North American datum
10,000-foot grid based on Idaho coordinate system,
west zone



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 WESTERN REGION



Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions section, township and range of the public land survey system.

State of Idaho

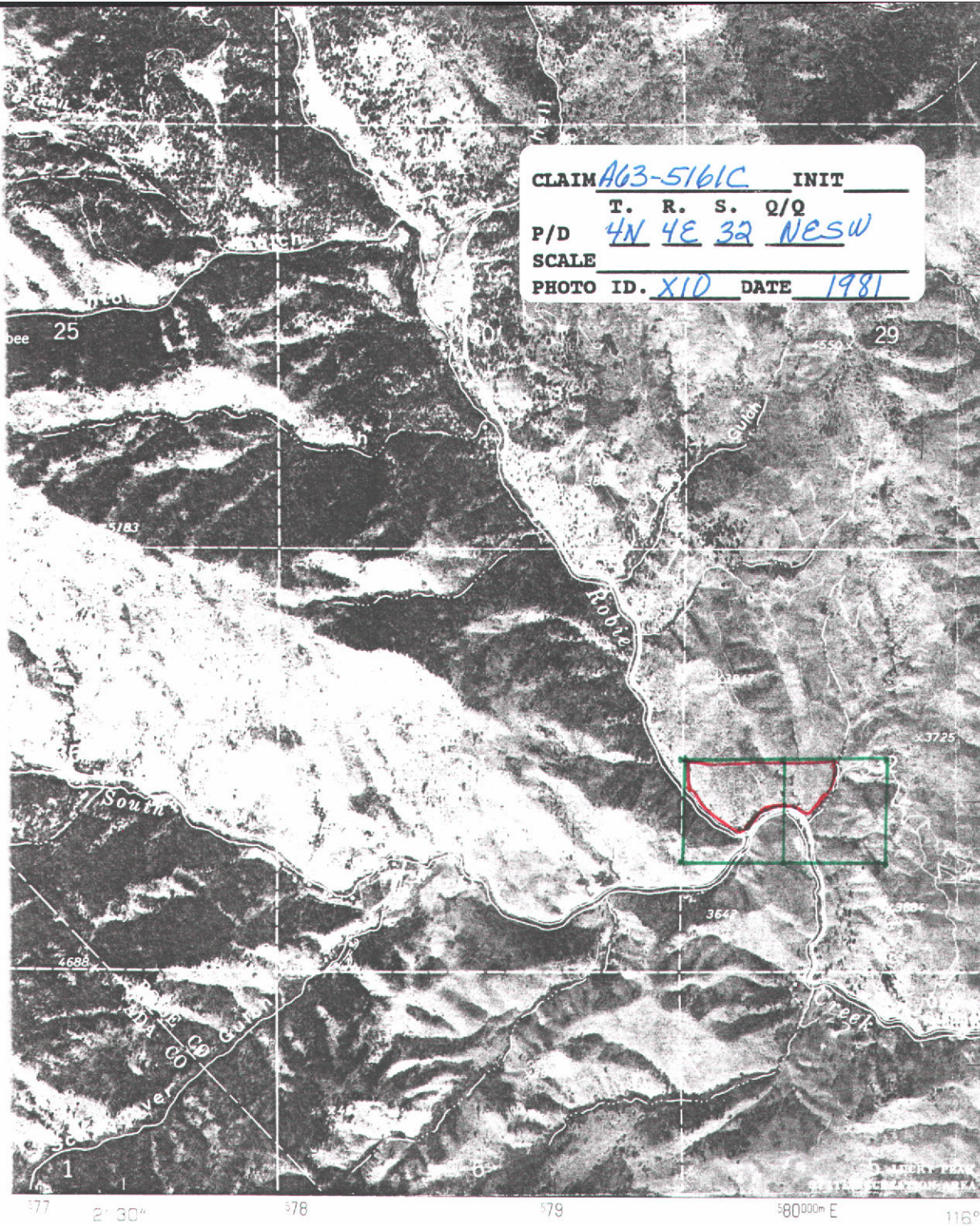
County of Ada

Do I know that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 16th day of June

Deane Z. Clark
 (Deponent)
 1983
Deane Z. Clark
 Notary Public
 Residing at Boise, ID

By commission expires 1988



T4N

T3N

1 MILE
0 FEET
RE



ROBIE CREEK, IDAHO
N4337.5-W11600/7.5
1981

ADVANCE PRINT

A63-5161C

T04N, R04E

PLACE OF USE CLAIMED

x3977

x3925

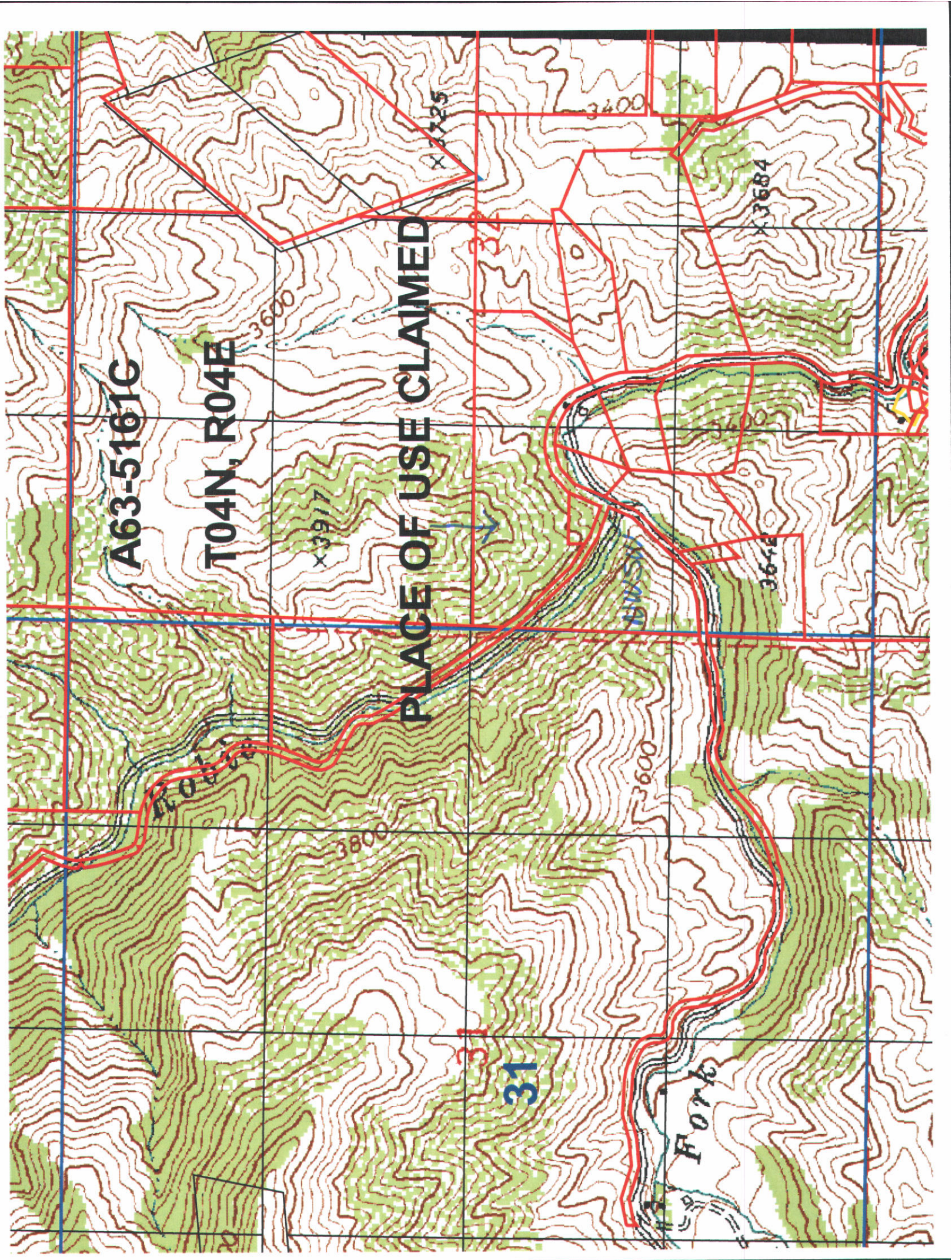
x3684

3646

31

31

Fork



A63-5161C

T04N, R04E

PLACE OF USE CLAIMED



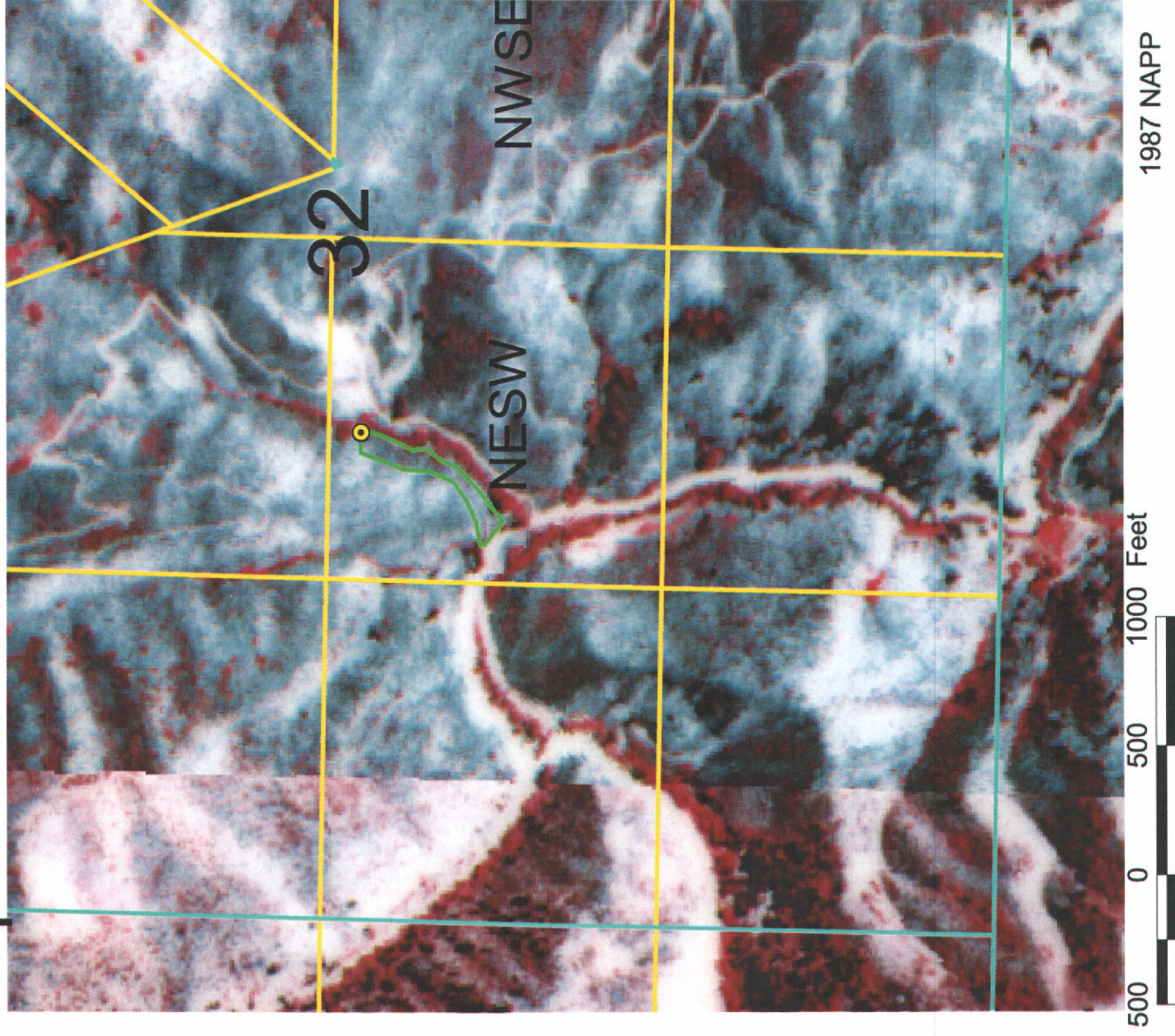
NW SW

31

Idaho Dept of Water Resources

Calim No. 63-5161C
T04N, R04E, S 32
Prepared by: Sue Bock
Date: 05/07/2002

- Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



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 63-5161C
Date Received: 5/9/1989
Receipt No: C006690
Received By:

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

1. Name of Claimant(s)

STERLING TURNER Phone: (208)342-6703

328 ROBIE CREEK RD
BOISE ID USA 83716

DEBBIE TURNER Phone: (208)342-6703

328 ROBIE CREEK RD
BOISE ID USA 83716

2. Date of Priority: 05/01/1955

3. Source: SPRING Trib. to: ROBIE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
04N	04E	32	NW	NE	SW	BOISE	

5. Description of diverting works:

CEMENT BOX, WOOD COVER; PIPED TO HOUSE AND DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/15	0.8	
DOMESTIC	1/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.8 C.F.S.

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	32	NE NW	SW SW	DOMESTIC IRRIGATION	20
Section Acres						20
Total Acres						20

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:

THE BASIS OF THIS CLAIM IS THE STATUTORY CLAIM 63-05161 WHICH ORIGINALLY GAVE UNNAMED STREAMS AS THE SOURCE, WHEN IN ACTUALITY THE SOURCE IS A SPRING. THE OLD SCHOOL HOUSE WAS THE ORIGINAL PLACE OF USE, AND WHEN THE NEW HOME WAS MOVED IN THE USE WAS TRANSFERRED

NOTE: THIS CLAIM WAS ORIGINALLY FILED UNDER CLAIM NO. A63-15223. CLAIM NO. A63-15223 WAS AMENDED TO CLAIM NO. A63-05161 BY THE CLAIMANT ALONG WITH THE ADDITION OF 20 ACRES OF IRRIGATION AND .80 CFS (40") OF WATER FOR IRRIGATION USE. THEREFORE, CLAIM NO. A63-15223 WAS CHANGED TO THIS CLAIM NO. A63-05161C SINCE THERE ARE TWO CLAIMS PREVIOUSLY FILED ON 63-05161 NUMBERED A63-05161A & A63-05161B

15. Basis of Claim: Beneficial Use

16. Signature(s)

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AUG 22 2001

WATER RESOURCES
WESTERN REGION

Snake River Basin Adjudication
Change in Address of Notice of Claim

Claim Number(s):

63-514/C

Previous Mailing Address:

HC 33 Box 2028
Boise ID 83706

New Mailing Address:

328 Robie Creek Rd.
Boise ID 83716

Telephone Number:

(208) 342-6703

Signature of Claimant(s):

Please return this completed form to:

Adjudication Bureau
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise, ID 83706-2237
Ph. 1/800/451-4129 or
FAX 208/327-5400

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653 or
FAX 208/525-7177

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: A63-05161C

Date Received: 5/ 9/1989

Receipt No: C006690

Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: STERLING TURNER
Address: HC 33 BOX 2028
BOISE ID

83706

~~208-336-4446~~

342-6703

AND

Name: DEBBIE TURNER
Address: HC 33 BOX 2028
BOISE ID

83706

~~208-336-4446~~

2. Date of Priority: MAY 1, 1955

3. Source: SPRING

Trib. to: ROBBIE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	04E	32	NW	NE	SW		BOISE

5. Description of diverting works:

CEMENT BOX, WOOD COVER; PIPED TO HOUSE AND DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.800		
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC, ONE HOUSEHOLD.

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OCT 07 1996

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	04E	32	NE NW	SW SW	DOMEST IRR	20.0
				Section Acres		20.0
				Total Acres		20.0

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:

THE BASIS OF THIS CLAIM IS THE STATUTORY CLAIM 63-05161 WHICH ORIGINALLY GAVE UNNAMED STREAMS AS THE SOURCE, WHEN IN ACTUALITY THE SOURCE IS A SPRING. THE OLD SCHOOL HOUSE WAS THE ORIGINAL PLACE OF USE, AND WHEN THE NEW HOME WAS MOVED IN THE USE WAS TRANSFERRED.

NOTE: THIS CLAIM WAS ORIGINALLY FILED UNDER CLAIM NO. A63-15223. CLAIM NO. A63-15223 WAS AMENDED TO CLAIM NO. A63-05161 BY THE CLAIMANT ALONG WITH THE ADDITION OF 20 ACRES OF IRRIGATION AND .80 CFS (40") OF WATER FOR IRRIGATION USE. THEREFORE, CLAIM NO. A63-15223 WAS CHANGED TO THIS CLAIM NO. A63-05161C SINCE THERE ARE TWO CLAIMS PREVIOUSLY FILED ON 63-05161 NUMBERED A63-05161A & A63-05161B.

15. Basis of Claim: STATUTORY CLAIM

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: ~~A63-15223~~ *63-05161C SKT*
Date Received: 5/9/1989
Receipt No: C006690
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STERLING TURNER
Address: HC 33 BOX 2028
BOISE ID 83706

AND

Name: DEBBIE TURNER
Address: HC 33 BOX 2028
BOISE ID 83706

Phone 336-4446

2. Date of Priority: MAY 1, 1955

3. Source: SPRING Trib. to: ROBIE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	04E	32	NW	NE	SW		BOISE

5. Description of diverting works:
CEMENT BOX, WOOD COVER; PIPED TO HOUSE AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
IRRIGATION	04/01	10/15	~~0.040~~ <i>SKT</i>	<i>, 80</i>	<i>20"</i>

7. Total Quantity Appropriated is:
SKT ~~0.080~~ C.F.S. (and/or) *.80*

A.F.A.

8. Total consumptive use is *SKT*

Acre Feet Per Annum.

9. ~~Domestic~~-irrigation uses:
D/ ONE HOUSEHOLD

20 Acres

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OCT 07 1996

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	04E	32	NE	SW	DOMEST	
			NE	SW	IRR	2.0
			NW	SW	Irr.	20.0
			Section Acres			2.0
			Total Acres			2.0

SKT

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:

THE BASIS OF THIS CLAIM IS THE STATUTORY CLAIM 63-05161 WHICH ORIGINALLY GAVE UNNAMED STREAMS AS THE SOURCE, WHEN IN ACTUALITY THE SOURCE IS A SPRING. THE OLD SCHOOL HOUSE WAS THE ORIGINAL PLACE OF USE, AND WHEN THE NEW HOME WAS MOVED IN THE USE WAS TRANSFERRED.

OWNERSHIP CHANGED BY KW 9/16/1994.

15. Basis of Claim: BENEFICIAL USE

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: _____

For Individuals:

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

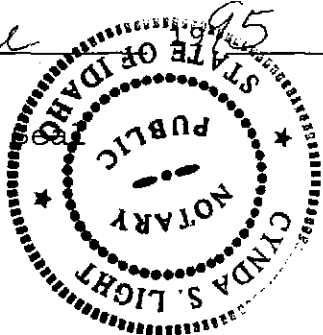
Signature of Claimant(s): Stacy K. Turner Date: 6-30-95
Debbie Turner Date: 6-30-95

MICROFILMED

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 30th day

of June



Cynda S. Light
Notary Public

Residing at Bow

My Commission Expires 7/20/2000

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

RENUMBERED TO: A63-05161C

Ident. Number: ~~A63-15223~~

Date Received: 5/ 9/1989

Receipt No: C006690

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STERLING TURNER
Address: HC 33 BOX 2028
BOISE ID

83706

AND

Name: DEBBIE TURNER
Address: HC 33 BOX 2028
BOISE ID

83706

2. Date of Priority: MAY 1, 1955

3. Source: SPRING Trib. to: ROBIE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	04E	32	NW	NE	SW		BOISE

5. Description of diverting works:
CEMENT BOX, WOOD COVER; PIPED TO HOUSE AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
IRRIGATION	04/01	10/15	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ ONE HOUSEHOLD

MICROFILMED
OCT 07 1990

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	04E	32	NE	SW		DOMEST	
			NE	SW		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:

THE BASIS OF THIS CLAIM IS THE STATUTORY CLAIM 63-05161 WHICH ORIGINALLY GAVE UNNAMED STREAMS AS THE SOURCE, WHEN IN ACTUALITY THE SOURCE IS A SPRING. THE OLD SCHOOL HOUSE WAS THE ORIGINAL PLACE OF USE, AND WHEN THE NEW HOME WAS MOVED IN THE USE WAS TRANSFERRED.

OWNERSHIP CHANGED BY KW 9/16/1994.

15. Basis of Claim: BENEFICIAL USE

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: _____

MICROFILMED
OCT 07 1996

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

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: A63-15223
Date Received: 5-9-1989
Receipt No: C006690
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ERNA K. HOOVER 208-322-7703
Address: P.O. BOX 1564
BOISE, ID 83701

2. Date of Priority: MAY 01, 1955

3. Source: SPRING Trib. to: ROBBIE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	04E	32	NW	NE	SW		BOISE

5. Description of diverting works:
CEMENT BOX, WOOD COVER; PIPED TO HOUSE AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
IRRIGATION	04/01	10/15	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ ONE HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	04E	32	NE	SW		DOMEST	
			NE	SW		IRR	2.0
						Section Acres	2.0

A63-15223

Page 1

Date: 06/14/89

MICROFILMED
OCT 07 1986

~~MICROFILMED~~
AUG 24 1992

10. Place of Use: Continued

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:

THE BASIS OF THIS CLAIM IS THE STATUTORY CLAIM 63-05161 WHICH
ORIGINALLY GAVE UNNAMED STREAMS AS THE SOURCE, WHEN IN ACTUALITY
THE SOURCE IS A SPRING. THE OLD SCHOOL HOUSE WAS THE ORIGINAL
PLACE OF USE, AND WHEN THE NEW HOME WAS MOVED IN THE USE WAS TRAN
SFERRED.

15. Basis of Claim: BENEFICIAL USE

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

~~MICROFILMED~~
~~AUG 24 1992~~

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: A63-15223

Date Received:

Receipt No:

Received By: 0006690
DMS

RECEIVED
MAY 10 1989

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources
Name:

ERNA K. HOOVER

208-322-7703

Address: P.O. BOX 1564
BOISE, ID

83701

2. Date of Priority: MAY 01, 1955

3. Source: SPRING

Trib. to: ROBIE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	04E	32	NW	NE	SW		BOISE

5. Description of diverting works:

CEMENT BOX, WOOD COVER; PIPED TO HOUSE AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
IRRIGATION	04/01	10/15	0.040		

7. Total Quantity Appropriated is:

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

D/ ONE HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	04E	32	NE	SW		DOMEST	
			NE	SW		IRR	2.0

Section Acres

A63-15223

Page

1

Date:

MICROFILMED
04/08/89 7 1936

~~MICROFILMED~~
AUG 24 1982

10. Place of Use: Continued

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:

THE BASIS OF THIS CLAIM IS THE STATUTORY CLAIM 63-05161 WHICH
ORIGINALLY GAVE UNNAMED STREAMS AS THE SOURCE, WHEN IN ACTUALITY
THE SOURCE IS A SPRING. THE OLD SCHOOL HOUSE WAS THE ORIGINAL
PLACE OF USE, AND WHEN THE NEW HOME WAS MOVED IN THE USE WAS TRAN
SFERRED.

15. Basis of Claim: BENEFICIAL USE

MICROFILMED
OCT 07 1996

~~MICROFILMED~~
AUG 24 1992

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: 2

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): Emma Hoover Date: 4/24/89

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 24th day
of April 19 89

Anna Baumhoff
Notary Public

Seal

Residing at BOISE IDAHO
My Commission Expires 12/7 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

RECEIVED
JUN 06 1994

Department of Water Resources

DATE OF CLOSING: 6-1-94

LEGAL DESCRIPTION OF PROPERTY: Township 04N Range 04E
 Section 32, NW 1/4 of NE 1/4 of SW 1/4, Govt. Lot _____, BM.
 Lot 4, Block, 2, Subdivision/Townsite Flowing Springs
 If you have additional legal descriptions, please attach separate sheet.

RECEIVED
JUN 07 1994

 WATER RESOURCES
 WESTERN REGION

☐ 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:

(A63-15223)(A63-0161)(63-01561)
☐ Name and Address of Former
Owner/Claimant(s)(Seller):

ERNA K. Hoover
2025 N. Iris Place
Boise, ID 83704
RECEIVED
AUG 29 1994

 WATER RESOURCES
 WESTERN REGION

☐ New Owner/Claimant
(Purchaser):

Sterling & Debbie Turner
☐ New Mailing Address:

HC 33 Box 2028
Boise, ID 83706
☐ New Telephone Number:

() ? -
☐ 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:

See Deed of Trust

(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)

Sterling K. Turner
Debbie K. Turner
Date 6-2-94Date 6-2-94
☐ 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: 9/16/94 By: kw

Claim Numbers of Split, if any:

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OCT 07 1996

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

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.

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AUG 29 1994

WATER RESOURCES
WESTERN REGION

201 MORTGAGE--Short Covenant

(IP 612) Printed and for sale by Synia York Company, Boise

THIS INDENTURE, Made the 2nd day of June
in the year of our Lord one thousand nine hundred and ninety-four between
XXXXXXXXXXXXX STERLING K. TURNER AND DEBBIE K. TURNER, husband and wife
of Boise, County of Boise, State of Idaho
the party of the first part, and XXXXX XXXXX XXXXX DEBBIE K. TURNER, XXXXX XXXXX
EREA K. HOOVER AN UNMARRIED PERSON
of Nampa, County of Canyon, State of Idaho
the party of the second part,

WITNESSETH: That the said party of the first part, for and in consideration of the sum of
*** ~~XXXXXXXXXXXXX~~ DOLLARS,
lawful money of the United States of America, do by these presents GRANT, BARGAIN, SELL
and CONVEY, unto the said party of the second part, and to their heirs and assigns
FOREVER, all that certain real property situate in the County of Boise, State of Idaho, and bounded and particularly described as follows, to-wit:
***TWENTY FOUR THOUSAND AND FIVE HUNDRED DOLLARS

Lot 4 in Block 2 of FLOWING SPRINGS RANCH SUBDIVISION, according
to the plat thereof, filed as instrument No. 146752, records of
Boise County, Idaho.

152824

BOISE COUNTY CLERK
REQUEST OF
Leon Tills
94 AUG -4 PM 2:05
ADOLPH D. POLAR
Shirley Page
\$6.00

together with the tenements, hereditaments and appurtenances thereto belonging or in anywise
appertaining.

THIS GRANT is intended as a mortgage to secure the payment of that certain
promissory note of even date herewith, executed and delivered by the said
STERLING K. TURNER AND DEBBIE K. TURNER to the said party of the second part

MICROFILMED
OCT 07 1996

AND THESE PRESENTS SHALL BE VOID if such payment be made. But in case default shall
be made in the payment of said principal sum of money, or any part thereof, or the interest thereon, as
provided in said note, or if default be made in the performance of any of the covenants, conditions
or agreements, herein contained,

then it shall be optional with the said

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AUG 29 1994

WATER RESOURCES
WESTERN REGION

part y of the second part, their executors, administrators or assigns, to consider the whole of said principal sum expressed in said note as immediately due and payable; and immediately to enter into and upon all and singular the above described premises, and to sell and dispose of the same according to law, and out of the money arising from such sale to retain the principal and interest which shall then be due on said promissory note , together with the costs and charges of foreclosure suit, including attorney's fees and also the amounts of all such payments of taxes, assessments, incumbrances, or insurance as may have been made by said part y of the second part, theirs heirs, executors, or assigns, with the interest on the same, rendering the overplus of the purchase money (if any there shall be) unto the said part y of the first part, their heirs, executors, administrators or assigns.

IN WITNESS WHEREOF, The said party of the first part has hereunto set their hand and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

Sterling K. Turner [Seal]
STERLING K. TURNER
Debbie K. Turner [Seal]
DEBBIE K. TURNER

STATE OF IDAHO,

County of Ada

ss.

On this 2nd day of June in the year 1994 , before me,
the undersigned , a Notary Public in and for

said State, personally appeared STERLING K. TURNER AND DEBBIE K. TURNER

known to me to be the person whose name s are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Curae Freely
Notary Public for the State of Idaho,
Residing at *Kampan*, Idaho.
My commission expires 82498

No. _____

MORTGAGE

19 _____

STATE OF IDAHO.

County of _____

I hereby certify that this instrument was filed for record at request of _____

At _____ M., this _____ day _____, A. D. 19 _____

Filed _____, and duly recorded in Book _____ at page _____

Ex-Office Recorder.

MICROFILMED
OCT 07 1996

FILED FOR CO. - FURNISH A SURETY BOND

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

OWNER CODE	NAME & ADDRESS
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C MAURICE BROWN
HC 33 BOX 2002
BOISE ID 83706
(208) 345-4523

PRIORITY
DATE

09/01/1978 DOMESTIC

USE PERIOD FROM TO

DIVERSION RATE
DIVERSION VOLUME

0.01 CES

0.01 CFS

Water Source: SPRING

Tributary to: ROBIE CREEK

Stage: BENEFICIAL USE
BOISE County

TO4N R04E S32 SESWSW

Point(s) of Diversion:

Place of use Legal description for: DOMESTIC

22

[illegible]

POU County: BOISE

Non-Irrigation Uses: DOMESTIC & HOME

Other Rights: NONE

Remarks: THE BASIS OF THIS CLAIM IS THE STATUTORY CLAIM 63-05161 WHICH HAD GIVEN UNNAMED STREAMS AS THE SOURCE, WHEN IN ACTUALITY THE SOURCE IS AND WAS 2 SPRINGS WHICH WERE DEVELOPED BEFORE 1955. THE CLAIMANT'S ABILITY TO MAKE THIS CLAIM IS BASED ON A CONTRACTUAL CONDITION WITH THE SELLER THAT PERMITS THE USE OF WATER FROM THIS SPRING UNTIL SUCH TIME AS THE PROPERTY WHERE THE SPRING IS LOCATED IS SOLD TO ANOTHER PARTY.

Dates: _____ **Exam Made Date:** _____

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

MICROFILMED
OCT 07 1996

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

OWNER
CODE

NAME & ADDRESS

PRIORITY
DATE

WATER USE

USE PERIOD
FROM TO

DIVERSION RATE
DIVERSION VOLUME

C ERNA K. HOOVER
P.O. BOX 1564
BOISE ID 83701
(208) 322-7703

05/01/1955 IRRIGATION DOMESTIC

0.04 CFS
0.04 CFS

(208) 322-7703

TOTAL DIVERSION:

Water Source: SPRING

Tributary to: ROBIE CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T04N R04E S32 NLNLSW

BOISE County

Place of use Legal Description for: IRRIGATION

五

T	R	S	NENE	NWNE	SWNE	SENE
04N	04E	32	Lt	Ac	Lt	Ac

五

NESE	NESE	NESE	NESE	SESE
Lt	AC	Lt	AC	Lt
AC	Lt	AC	Lt	AC

45

25 370 N4C

AC	Lt	AC	Lt	AC	SUM
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Place of use Legal Description for: DOMESTIC

三

		NE			
		NENE	NWNE	SWNE	SENE
T	R S	Lt	Ac	Lt	Ac
64N	04E 32				

三

131

[illegible]

2

04N 04E 32

POU County: BOISE

Non-Irrigation Uses: D/ ONE HOUSEHOLD

Other Rights: NONE

Remarks: THE BASIS OF THIS CLAIM IS THE STATUTORY CLAIM 63-05161 WHICH ORIGINALLY GAVE UNNAMED STREAMS AS THE SOURCE, WHEN IN ACTUALITY THE SOURCE IS A SPRING. THE OLD SCHOOL HOUSE WAS THE ORIGINAL PLACE OF USE, AND WHEN THE NEW HOME WAS MOVED IN THE USE WAS TRANSFERRED.

Dates: _____ **Exam Made Date:** _____

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

MISC
MICROFILMED
OCT 07 1996

RECEIVED

AUG 29 1994

WATER RESOURCES
WESTERN REGION

S.H.

PN29937

DEED OF TRUST

THIS DEED OF TRUST, Made this May 27, 1994 BETWEEN STERLING K. TURNER and DEBBIE K. TURNER, husband and wife herein called GRANTOR, whose address is

PIONEER TITLE COMPANY OF CANYON COUNTY, an Idaho corporation, herein called TRUSTEE, whose address is 100-10th Avenue So., Nampa, Idaho 83651, and ERNA K. HOOVER, a single person, herein called BENEFICIARY, whose address is

2025 N. Iris Pl., Boise, ID 83704

WITNESSETH: That Grantor does hereby irrevocably GRANT, BARGAIN, SELL AND CONVEY TO TRUSTEE IN TRUST, WITH POWER OF SALE, that property in the County of BOISE State of Idaho, described as follows, and containing not more than twenty acres:

Lot 4, Block 2, FLOWING SPRINGS RANCH SUBDIVISION, according to the plat thereof, filed as Instrument No. 146752, records of Boise County, Idaho.

TRUSTEE SHALL PAY the rents, issues and profits thereof, SUBJECT, HOWEVER, to the right, power and authority hereinafter given to and conferred upon Beneficiary to collect and apply such rents, issues and profits,

For the purpose of securing payment of the indebtedness evidenced by a promissory note, of even date herewith, executed by Grantor in the sum of ---TWENTY FOUR THOUSAND FIVE HUNDRED AND NO/100--- Dollars, (\$24,500.00) final payment due JUNE 1, 2004 and to secure payment of all such further sums as may hereafter be loaned or advanced by the Beneficiary herein to the Grantor herein, or any or either of them, while record owner of present interest, for any purpose, and of any notes, drafts or other instruments representing such further loans, advances or expenditures together with interest on all such sums at the rate therein provided. Provided, however, that the making of such further loans, advances or expenditures shall be optional with the Beneficiary, and provided, further, that it is the express intention of the parties to this Deed of Trust that it shall stand as a continuing security until paid for all such advances together with interest thereon.

A. To protect the security of this Deed of Trust, Grantor agrees:

1. To keep said property in good condition and repair; not to remove or demolish any building thereon; to complete or restore promptly and in good and workmanlike manner any building which may be constructed, damaged or destroyed thereon and to pay when due all claims for labor performed and materials furnished therefor; to comply with all laws affecting said property or requiring any alterations or improvements to be made thereon; not to commit or permit waste thereof; not to commit, suffer or permit any act upon said property in violation of law; to cultivate, irrigate, fertilize, fumigate, prune and do all other acts which from the character or use of said property may be reasonably necessary, the specific enumerations herein not excluding the general.

2. To provide, maintain and deliver to Beneficiary fire insurance satisfactory to and with loss payable to Beneficiary. The amount collected under any fire or other insurance policy may be applied by Beneficiary upon any indebtedness secured hereby and in such order as Beneficiary may determine, or at option of Beneficiary the entire amount so collected or any part thereof may be released to Grantor. Such application or release shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.

3. To appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of Beneficiary or Trustee; and to pay all costs and expenses, including cost of evidence of title and attorney's fees in a reasonable sum, in any such action or proceeding in which Beneficiary or Trustee may appear.

4. To pay, at least ten days before delinquency all taxes and assessments affecting said property, when due, all encumbrances, charges and liens, with interest, on said property or any part thereof, which appear to be prior or superior hereto; all costs, fees and expenses of this Trust. In addition to the payments due in accordance with the terms of the note hereby secured the Grantor shall at the option, and on demand of the Beneficiary, pay each month 1/12 of the estimated annual taxes, assessments, insurance premiums, maintenance and other charges upon the property, nevertheless in trust for Grantor's use and benefit and for the payment by Beneficiary of any such items when due. Grantor's failure so to pay shall constitute a default under this trust.

5. To pay immediately and without demand all sums expended by Beneficiary or Trustee pursuant to the provisions hereof, with interest from date of expenditure at eight per cent per annum.

6. Should Grantor fail to make payment or to do any act as herein provided, then Beneficiary or Trustee, but without obligation so to do and without notice to or demand upon Grantor and without releasing Grantor from any obligation hereof, may make or do the same in such manner and to such extent as either may deem necessary to protect the security hereof, Beneficiary or Trustee being authorized to enter upon said property for such purposes; appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of Beneficiary or Trustee; pay, purchase, contest or compromise any encumbrance, charge or lien which in the judgment of either appears to be prior or superior hereto; and, in exercising any such powers, or in enforcing this Deed of Trust by judicial foreclosure, pay necessary expenses, employ counsel and pay his reasonable fees.

B. It is mutually agreed that:

1. Any award of damages in connection with any condemnation for public use of or injury to said property or any part thereof is hereby assigned and shall be paid to Beneficiary who may apply or release such moneys received by him in the same manner and with the same effect as above provided for disposition of proceeds of fire or other insurance.

2. By accepting payment of any sum secured hereby after its due date, Beneficiary does not waive his right either to require prompt payment when due of all other sums so secured or to declare default for failure so to pay.

3. At any time from time to time, without liability therefor and without notice, upon written request of Beneficiary and presentation of this Deed and said note for endorsement, and without affecting the personal liability of any person for payment of the indebtedness secured hereby, Beneficiary may reconvey all or any part of said property; consent to the making of any map or plat thereof; join in granting any easement hereon, or join in any extension agreement or any agreement subordinating the lien or charge hereof.

4. Upon written request of Beneficiary stating that all sums secured hereby have been paid, and upon surrender of this deed and said note to Trustee for cancellation and release and upon payment of its fees, Trustee shall reconvey, without warranty, the property then held hereunder. The

is any conveyance subsequent to this deed of trust, of any matters or facts shall be conclusive proof of the truthfulness thereof. The

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in such reconveyance may be described as "the person or persons legally entitled thereto."

5. As additional security, Grantor hereby gives to and confers upon Beneficiary the right, power and authority, during the continuance of these Trusts, to collect the rents, issues and profits of said property, reserving unto Grantor the right, prior to any default by Grantor in payment of an indebtedness secured hereby or in performance of any agreement hereunder, to collect and retain such rents, issues and profits as they become due and payable. Upon any such default, Beneficiary may at any time without notice, either in person, by agent, or by a receiver to be appointed by a court and without regard to the adequacy of any security for the indebtedness hereby secured, enter upon and take possession of said property or any part thereof, in his own name sue for or otherwise collect such rents, issues and profits, including those past due and unpaid, and apply the same, less costs and expenses of operation and collection, including reasonable attorney's fees, upon any indebtedness secured hereby, and in such order as Beneficiary may determine. The entering upon and taking possession of said property, the collection of such rents, issues and profits and the application thereof as aforesaid, shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.

6. Upon default by Grantor in payment of any indebtedness secured hereby or in performance of any agreement hereunder, all sums secured hereby shall immediately become due and payable at the option of the Beneficiary. In the event of default, Beneficiary shall execute or cause the Trustee to execute a written notice of such default and of his election to cause to be sold the herein described property to satisfy the obligations hereof, and shall cause such notice to be recorded in the office of the recorder of each county wherein said real property or some part thereof is situated.

Notice of sale having been given as then required by law, and not less than the time then required by law having elapsed, Trustee, without demand on Grantor, shall sell said property at the time and place fixed by it in said notice of sale, either as a whole or in separate parcels and in such order as it may determine, at public auction to the highest bidder for cash in lawful money of the United States, payable at time of sale. Trustee shall deliver to the purchaser its deed conveying the property so sold, but without any covenant or warranty express or implied. The recitals in such deed of any matters of facts shall be conclusive proof of the truthfulness thereof. Any person, including Grantor, Trustee, or Beneficiary, may purchase at such sale.

After deducting all costs, fees and expenses of Trustee and of this Trust, including cost of evidence of title and reasonable counsel fees in connection with sale, Trustee shall apply the proceeds of sale to payment of: all sums expended under the terms hereof, not then repaid, with accrued interest at eight per cent per annum; all other sums then secured hereby; and the remainder, if any, to the persons or persons legally entitled thereto.

7. This Deed applies to, insures to the benefit of, and binds all parties hereto, their heirs, legatees, devisees, administrators, executors, successors and assigns. The term Beneficiary shall mean the holder and owner of the note secured hereby; or, if the note has been pledged, the pledges thereof. In this Deed whenever the context so requires, the masculine gender includes the feminine and/or neuter, and the singular number includes the plural.

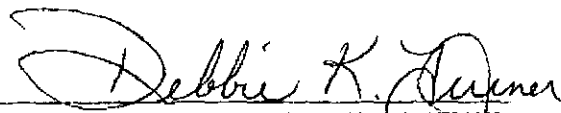
8. Trustee is not obligated to notify any party hereto of pending sale under any other Deed of Trust or of any action or proceeding in which Grantor, Beneficiary or Trustee shall be a party unless brought by Trustee.

9. In the event of dissolution or resignation of the Trustee, the Beneficiary may substitute a trustee or trustees to execute the trust hereby created, and when any such substitution has been filed for record in the office of the Recorder of the county in which the property herein described is situated, it shall be conclusive evidence of the appointment of such trustee or trustees, and such new trustee or trustees shall succeed to all of the powers and duties of the trustee or trustees named herein.

Request is hereby made that a copy of any Notice of Default and a copy of any Notice of Sale hereunder be mailed to the Grantor at his address hereinbefore set forth.

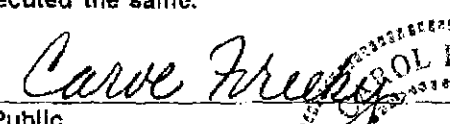
DATED: May 27, 1994

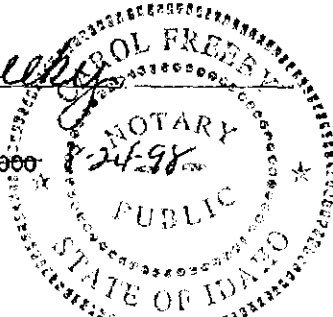

STERLING K. TURNER


DEBBIE K. TURNER

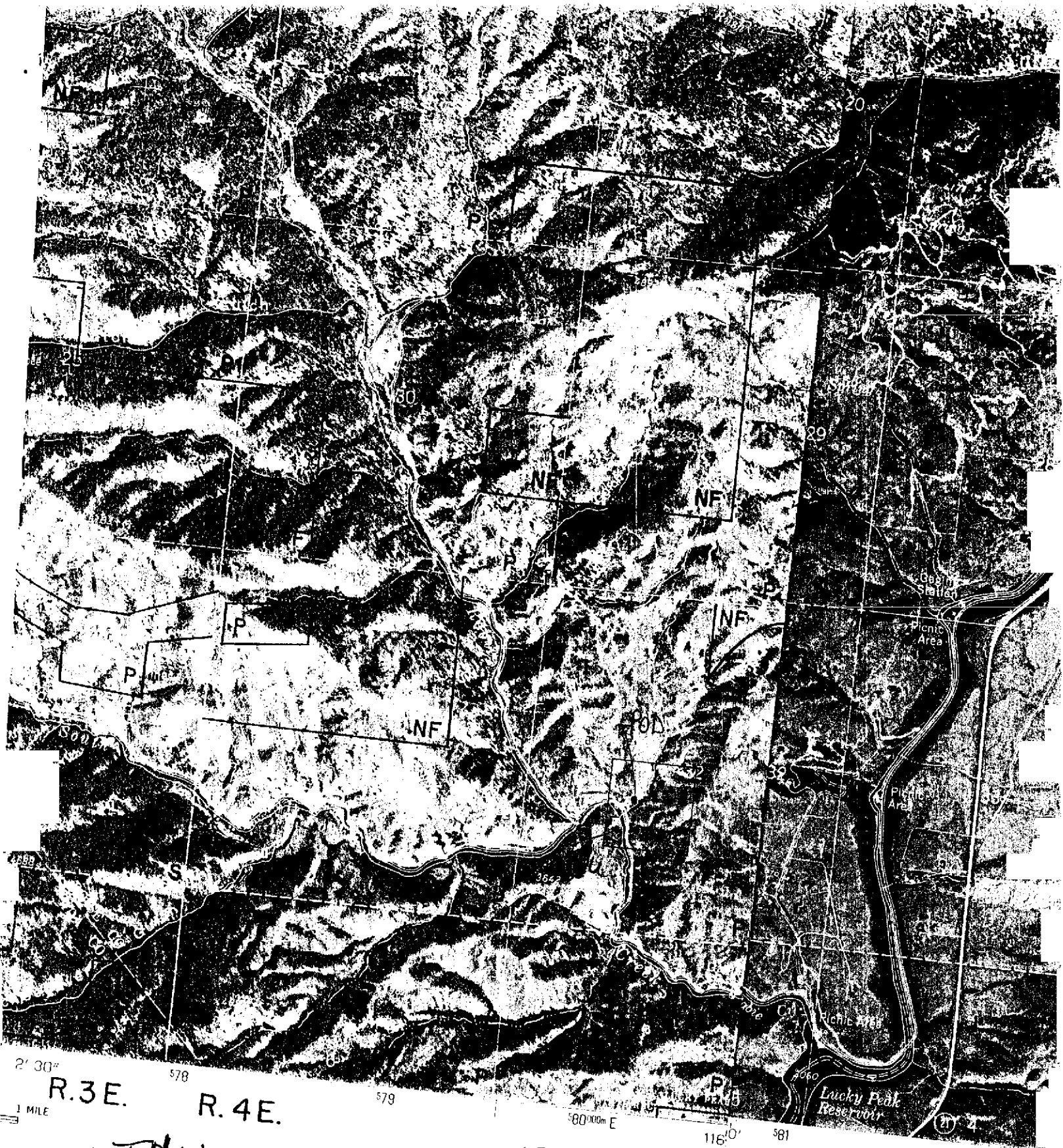
STATE OF IDAHO
COUNTY OF CANYON

On this 31 day of May, 1994, before me a notary public, personally appeared **STERLING K. TURNER AND DEBBIE K. TURNER**, known or identified to me to be the person(s) who(se) name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they have executed the same.


Notary Public
Residing at NAMPA, Idaho
My commission expires: 3-9-2000



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2' 30" R.3E. R.4E. 578 579 580 581 582

TA N
Sec. 32
POP: NW, NE, SW
POP: NE, SW

5-1-1955
Dam
2 acres

~~MICROFILMED~~
AUG 24 1992

ROBIE CREEK, IDAH
N4337.5-W11600/7.
1975

Produced by the Geological Survey
cooperation with the State of Idaho
Aerial photograph prepared from 1:80,000-scale aerial
photographs taken August 8, 1994
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Projection and 10,000-foot grid ticks
also coordinate system, west zone
transverse Mercator)
1000 meter Universal Transverse Mercator grid ticks,
line 11, 1927 North American Datum
Photomicrography rectified by optical scanning
here double or mismatched image
can of image

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)04/14/89 09:14:10
Page 1

Water Right Number - 63-05161

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - +

*** C - CURRENT OWNER ***
HOOVER

+ - First Name - - - +

LESTER

+ - - - - Address - - - - +

1 - P.O. BOX 1564
2 -
3 -City- BOISE
Phone -

State- ID Zip- 83701

+ - - - - Region - - - +
14+ - - - - Source - - - - +
UNNAMED STREAMS+ - - - - Stage - - - +
S - STATUTORY CLAIM+ - - - - Tributary - - - - +
ROBIE CREEK

+ - - - - Status - - - +

Ten	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Diversion Rate	Diversion Volume
-----	-----	-----	-------	-----	------	--------	--------------------	----------------	------------------

03N	04E	5						1.200	
04N	04E	32	NW NW	4		(15) BOISE		0.020	
			NE SW			(15) BOISE		0.160	

Code	Description	Period From	Water Use Period To	Diversion Rate	Diversion Volume
------	-------------	-------------	---------------------	----------------	------------------

01 - IRRIGATION		04/01	10/15		
04 - STOCKWATER		01/01	12/31		
43 - DOMESTIC		01/01	12/31		

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Div. Capacity - +
1.380		

Tract	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
-------	-----	-----	-------	-----	-------	-------------------	-------------	--------

03N	04E	5						
04N	04E	32	NE NW	3	40.0	01	IRRIGATION	(15) BOISE
			NW SW		20.0	01	IRRIGATION	(15) BOISE

Total Acres: 60.0

+ - - Diversion Means - DITCH

+ - - Non-Irrigation Use - S/14 RANGE

+ - - Other Rights for Same Use -

+ - - Remarks - - -
No Remarks found.+ - - Conditions of Approval - - -
No Conditions of Approval found.MICROFILMED
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Adj. flag translation: Standard Water Right Number

+ - - - Decree Plaintiff	- - - +	+ - - - Decree Defendant	- - - +	+ - Decree Date
				00/00/0000

+ - - Audit Fields -

[illegible]

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	-
Start Work Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				

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~~AUG 24 1992~~

1/23/88

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Cina K. Hoover

CLAIM IDENT. NO.

H63-15223

DATE RECEIVED

5/10/89

CK #

AMOUNT \$

52.00

YES

NO

Required Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☒ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO *
- See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO *
3. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☒ YES ☐ NO N/A ☒ YES ☐ NO *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO *
5. Is there a description of the diverting works? ☒ YES ☐ NO *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO *
- Is the period of use included? ☒ YES ☐ NO *
- Is a quantity claimed for each use? ☒ YES ☐ NO *
7. Is a total quantity claimed entered? ☒ YES ☐ NO *
8. If required is a consumptive use entered? ☒ YES ☐ NO N/A ☒ YES ☐ NO *
- Is the consumptive use correct? ☒ YES ☐ NO N/A ☒ YES ☐ NO *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☒ YES ☐ NO N/A ☒ YES ☐ NO *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO N/A ☒ YES ☐ NO *
15. Is the basis of the claim indicated? ☒ YES ☐ NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO N/A ☒ YES ☐ NO *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *
20. Is the fee enclosed correct? ☒ YES ☐ NO Exempt ☒ YES ☐ NO *
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO N/A ☒ YES ☐ NO *
22. Should this claim be receipted and data entered? ☒ YES ☐ NO *

Claim checked by:

Bruce A. Schmitt

Date:

6/15/89

Claim must be returned to claimant:

(Yes) (No)

Claimant must be sent a copy of amended claim for approval:

(Yes) (No)

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date:

Date:

Date:

Checked by:

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Comments:

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AUG 24 1992

MEMORANDUM

October 26, 1995

TO: CLAIM FILE NOS. A63-05161A, A63-05161B, A63-05161C
& A63-15427
APPLICATION FOR PERMIT NOS. 63-12284 & 63-12290

FROM: JAN SHURTE

RE: GENERAL SUMMATION OF FILING PROBLEMS WITH ABOVE CLAIMS
EXPLANATION OF WATER RIGHT DISPUTE AND FILING OF
APPLICATIONS

On June 21, 1983, Mr. & Mrs. Hoover filed Statutory Claim No. 63-05161. This claim was filed for 60 acres of irrigation, domestic and stockwater purposes from two unnamed streams, tributary to Robie Creek. The description of diversion works stated open ditch and 2" pipe out of stream for domestic. The priority date claimed was May 1, 1955. The number of homes or head of stock was not shown on this claim.

In May, 1989, Erna Hoover refiled on the above statutory claim under Claim Nos. A63-05161 and A63-15223 (see claims in file). In the remarks for Claim No. A63-05161(now renumbered to A63-05161B) Mrs. Hoover stated, "The basis of this claim is the statutory claim 63-05161 which had given unnamed streams as the source, when in actuality the source is and was 2 springs which were developed before 1955." In the remarks for Claim No. A63-15223(now renumbered to A63-05161C) she stated, "The basis of this claim is the statutory claim 63-05161 which originally gave unnamed streams as the source, when in actuality the source is a spring. The old school house was the original place of use, and when the new home was moved in the use was transferred." There is a memo to the file from Anna Baumhoff which states that from discussions with both Mrs. Hoover and Maury Brown (A63-05161A & A63-15427) it appears the unnamed stream systems were abandoned and Mrs. Hoover did not file a claim in the adjudication because she felt these unnamed streams had not been used for more than 5 years. Two other claims have been filed by Maury Brown based on this statutory claim. Claim No. A63-05161A covers one home for .01 cfs (4.5 gpm) from a spring source and Claim No. A63-15427 covers 12 acres of irrigation from one of the unnamed stream sources (Sec. 5).

There are currently 3 homes attached to the spring source. Two of the homes were added after 1971 and the one home is on the site of the original homestead - original home burnt down years ago and this house replaced it. When Mrs. Hoover sold the land for the two newer homes (Maury Brown & Ron Randall) and the third home (Joe Allen), she put a clause in their contracts concerning the spring use. The clauses stated that the two newer homeowners could use the water from the spring. She also put a clause in the third homeowners (Joe Allen) where he signed off stating that he would honor the agreement for the spring use between Brown & Hoover and

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that he would allow the owners of the adjacent mobile home(Ron Randall) use of the spring water. It appears that Joe Allen's home has the oldest water right, however, it will remain to be decided if a portion of this older right was given up when he purchased the home and signed the contract granting the other two users the right to the use of the spring water. Due to this question, along with the after 1971 uses, both Maury Brown & Ron Randall have now filed new applications for permit for this spring water.

Per Joe Allen's request, I conducted an adjudication field exam on October 24, 1995, on his land in Sec. 5 as described in the original statutory claim. The diversions are all from springs located in the draw approximately 600' to the west of the unnamed stream described in the original statutory claim in Sec. 5. The unnamed stream in Sec. 32 was not field examined at this time. This portion has been claimed as a spring source by Sterling & Debbie Turner under Claim No. A63-15223(now A63-05161C) per an ownership change from Ms. Hoover. Mr. Allen requested the exam because he is having a water dispute with the 2 other users of the spring source, Maury Brown and Ron Randall. He claims that he does not have enough water to irrigate his lawn and pasture area.

At the time of the field exam, I measured 9 gpm (.02 cfs) available at the headgate for irrigation. The amount measured at the springs collection area was 5 gpm with the remaining 4 gpm picked up thru other springs subbing into the stream from the springs as it flows down to the irrigation headgate. The stream from these springs is not the same as the unnamed stream described in the original statutory claim. See file for more details. Irrigation of the pasture area is .6 acres and approximately .1 acre for the lawn area around the home. The lawn area is less than .1 acre, however, I rounded it up to the nearest tenth. This brings the total irrigated area to .7 acres. I used an 8" to the mile acre grid and counted the acres using 1/10th acre increments. The area irrigated was outlined using both the orthophotoquad and Napp photos based on the findings during my field exam. Photos were also taken and are in the file showing the pasture and lawn area. Mr. Allen stated the hillside behind his home had once been irrigated, however, he indicated it has not been irrigated since 1987 or 1988. It is not now being irrigated nor does it appear to have been irrigated recently. A photo of this hillside area is also in the file. Mr. Allen owns a total of 2.5 acres in Sec. 5. The other two owners do not have outside irrigation.

In summary, the claims filed appear to be for a different source than that claimed originally under 63-05161. Mr. Allen did have 9 gpm for .7 acres at the time of the field exam. The spring water cannot be regulated by the Department or anyone since the source has not been decreed. Mr. Allen will need to seek civil action in order to pursue administration of this water. In the meantime, copies of the applications are being sent to Mr. Allen and a conference may be set up to tell the details again.

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State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 20, 1995

Joseph B. Allen
HC 33, Box 2032
Boise, ID 83706

Dear Mr. Allen:

This letter is to respond to your requests for a field examination of your water system by explaining the Department's duties in this regard and provide information concerning the original filing and current filings on the water right you have claimed.

Originally, Mr. & Mrs. Hoover filed Statutory Claim No. 63-05161 on June 21, 1983. This claim was filed for two unnamed streams, tributary to Robie Creek, for the irrigation of 60 acres, domestic and stockwater use. A statutory claim is a filing based on what the claimants state they have been using the water for since the date of first use, which Mr. & Mrs. Hoover stated was May 1, 1955. This filing did not claim the use of any springs and listed the diversion works as open ditch for irrigation and 2" pipeline out of the stream for domestic use (the number of home(s) was not listed on this original claim). Enclosed is a copy of this claim and map for your review.

During the Snake River Basin Adjudication claims filing, all property owners were notified to file a Notice of Claim to a Water Right for any **water being used**. The only exemption was domestic use from a groundwater source that did not exceed 13,000 gallons per day. During that time the following claims were filed, based on Statutory Claim No. 63-05161 (the A prefixes designate a claim filed during the adjudication filing process):

Claim No. A63-05161

Claim filed 5-10-1989 by Erna K. Hoover claiming 5 acres of irrigation and domestic use for two homes dating back to May 12, 1955 located within Govt. Lot 3 (NENW), Sec. 5, Twp. 3N, Rge. 4E. This claim was filed based on the existing statutory claim, however, the source was changed to springs, tributary to Robie Creek, with a remark: "The statutory claim had given unnamed streams as the source, when in actuality the source is and was 2 springs which were developed before 1955." The location of the springs were listed as Govt. Lot 4 (NENWNW), Sec. 5, Twp. 3N, Rge. 4E. Documentation will be required to prove that the sources had always been the springs rather than the unnamed streams originally claimed, or if the sources have changed, evidence of the date of change will be needed.

7-8-93 - Change of ownership was received and processed from Erna K. Hoover to Joseph B. Allen.

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A63-05161 cont.

3-25-94 - This claim number was changed to A63-05161B after it was discovered another claim had been filed on this same right by Maurice Brown - A63-05161A (see below).

7-11-95 - Claim amended by claimant changing priority date to October 23, 1906, reducing domestic use to one home and changing amount of water to .04 cfs (18 gpm) total from .18 cfs. Evidence will also be required supporting this change of the priority date and continuous historical irrigation of the 5 acres claimed. Some evidence has been submitted by the claimant at this time.

Claim No. A63-15223 - Renumbered to A63-05161C (see below)

Claim filed 5-10-1989 by Erna K. Hoover claiming 2 acres of irrigation and domestic use for one home dating back to May 1, 1955 located north of the above claim in the NESW, Sec. 32, Twp. 4N, Rge. 4E. The remarks on this claim state: "The basis of this claim is statutory claim 63-05161 which originally gave unnamed streams as the source, when in actuality the source is a spring. The old school house was the original place of use, and when the new home was moved in, the use was transferred." This claim will also require evidence concerning the change in source(s) of the water as described above under Claim No. A63-05161B.

6-6-1994 - Change of ownership was received and processed from Erna K. Hoover to Sterling and Debbie Turner.

7-1995 - Amended claim submitted by claimants changing the basis of claim from beneficial use to statutory claim number 63-05161. Due to the other two claims being filed on this same existing water right, this claim was renumbered to **A63-05161C**. This claim was also amended from 2 acres of irrigation to 20 acres and from .04 cfs of water for irrigation purposes to .80 cfs. The place of use for irrigation was changed from the NESW, Sec. 32 to the NWSW, Sec. 32, Twp. 4N, Rge. 4E. Evidence will be required supporting the date of priority, source, date of change of the place of use and the continuous historical irrigation of the 20 acres.

Claim No. A63-05161A

Claim filed 5-19-1989 by Maurice Brown claiming domestic use for 1 home from a spring source, tributary to Robie Creek, dating back to September 1, 1918. This filing was based on the original claim 63-05161, however, the priority date (date of first use) of the water, as claimed, changed from the original filing, May 1, 1955, to September 1, 1918. Evidence to support the earlier priority date will be needed along with evidence to support the source question mentioned above. Some evidence has been submitted by the claimant at this time.

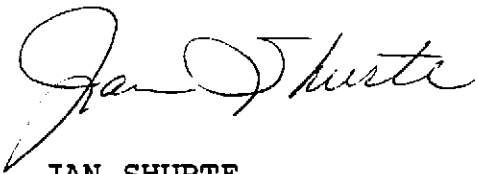
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NOTE - If evidence cannot be submitted supporting a date of priority prior to May 20, 1971, then it is likely that the claim(s) will not be recommended for court decree. Any development, from a surface water source, after May 20, 1971, was required to be filed upon at the time of development. If evidence cannot be located now, or in the future, supporting a date earlier than May 20, 1971, then an application for permit should be filed at this time. An application for permit has a priority date as of the date it is filed.

The Department's job is to verify the items claimed and make a recommendation for decree to the Snake River Basin Adjudication Court in Twin Falls. We are currently conducting exams in the Boise River drainage basin, however, we have four other basins that have field exams completed for which recommendations will be required prior to this area. We can do a field exam on your claim, as we discussed in my office, however, the information will be placed in the file and no recommendation made. Water cannot be regulated unless all the rights involved have been decreed in court. If you feel this is necessary at this time, you must contact an attorney to initiate a court action. In the meantime, this water cannot legally be regulated, either by the Department or yourself.

If you have any questions concerning the contents of this letter, please feel free to contact this office.

Sincerely,



JAN SHURTE
Water Rights Supervisor
Adjudication Section
Western Regional Office

Enclosures: Copies of Original Claim No. 63-05161
Adjudication Claim Nos. A63-05161A
A63-05161B
A63-05161C

cc: William Collins, Attorney at Law
Maurice Brown
Sterling & Debbie Turner
Ron Randall

ERNA HOOVER 

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OCT 07 1996

6. 11. 19. 03 5101.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that LESTER HOOVER
 (Name of Claimant)
2307-1564, BOISE IDAHO 83701 Telephone No. 342-0852
 (Mailing Address) (Zip Code)

(1) Date of priority: (When was the water first applied to a beneficial use) MAY 1, 1935 (SA)

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

tributary to ROBIE CREEK

		[Both dates inclusive]	
(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Mo., Day)
Quantity <u>1.2 cfs</u>	Use <u>IRRIGATION</u>	Period of Use From <u>APRIL 1</u>	To <u>OCT. 15</u>
Quantity <u>.16 cfs</u>	Use <u>DOMESTIC</u>	Period of Use From <u>JAN. 1</u>	To <u>DEC. 31</u>
Quantity <u>12.02 cfs</u>	Use <u>STOCK</u>	Period of Use From <u>JAN. 1</u>	To <u>DEC. 31</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

Quantity	Unit	Cost	Amount
(4)	1.38	~~1.38~~	~~1.38~~
			TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 of Sec. 32, Twp. 4N, Rge. 4E, B.M., County of BOISE
Additional points of diversion: LOT 4 (E OF THE NW 1/4 OF THE NW 1/4), SECTION 5,
T3N, R4E

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. OPEN DITCH

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

[illegible]

No. of acres 60

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: 2" PIPE OUT OF STREAM FOR DOMESTIC.

NOTE: Include here the type and number of stock watered: COWS AND STEERS 10, HORSES 4.

(7) If you are claiming water as a member of an organization, list name of organization: _____

MICROFILMED
OCT 07 1996

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

My commission expires LIFE

Received by gaw Date 6/21/83 Exception filed by: _____ Forwarded to _____ Date _____
 Prelim. check by 21 Date 6/23/83 claimant by: _____
 \$30.00 fee received by sl Date 6/22/83 31129
 Published in 1. d. m. world
 Dates 9/29 & 10/6/83

MICROFILMED
OCT 07 1996

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A63-15223

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 T. Turner Date 06/27/1995

Contact Person(s) Debbie Turner

Nature of Contact Water use on her property

Substance of Communication Ms. Turner thought they had bought a 20 acre water right but this claim is for only 2 acres. She currently irrigates 2 acres but would like to develop more pasture. Stat. claim 63-05161 may be appurtenant to her property, but since no irrigation has taken place it appears that this water right has been lost through non-use. After speaking w/ S. Lester about the availability (or lack of) water trib. to Robie Creek, I advised her to contact the Boise River watermaster or the Idaho Water Users Association. If she could provide evidence that 63-05161 has been used ~~on~~ on her property, she could file a claim on a portion of it. She declined to file a claim at this time.

MICROFILMED
OCT 07 1996



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

September 16, 1994

RE: Notice of Claim No. A63-15223

Sterling & Debbie Turner
HC 33, Box 2028
Boise, ID 83706

Dear Claimants:

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

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree. If you have any questions concerning the enclosed claim, please feel free to contact me.

Sincerely,

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosure

MICROFILMED
OCT 07 1996

STEWART TITLE OF IDAHO, INC.

"Setting the Standard of Quality"

RECEIVED

AUG 29 1994

WATER & IRRIGATION
WESTERN REGION

Kay,

8-26-94

Des at Pioneer Title in Nampa said that there is no Exhibit "A" for property description & the only metes & bounds is on the Plat map.

Thanks!
Debbie Turner

Hope this helps!

MICROFILMED

- 805 Cleveland Boulevard, Caldwell, Idaho 83605 (208) 454-1491 FAX 459-1247
Boise to Caldwell 385-0114 Caldwell to Boise 466-0690
- 213 11th Avenue South, Nampa, Idaho 83651 (208) 465-6600 FAX 465-6603
Boise, to Nampa 336-6777
- 1412 West Idaho, P.O. Box 7546, Boise, Idaho 83707 (208) 336-6515 FAX 343-4898
- 7235 Emerald, Suite C, Boise, Idaho 83704 (208) 378-1666 FAX 375-6323
- 671 E. River Park Lane, Boise, Idaho 83706 (208) 336-6565 FAX 336-6694

LABORATORY

DESCRIPTION OF PROPERTY

A PARCEL OF LAND LOCATED IN THE
AND THE

BOISE MERIDIAN, BOISE COUNTY, IDAHO; MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A 1/2" IRON PIPE WITH A BRASS SCREW AND WASHER MARKING THE NORTHWEST
CORNER OF SAID SECTION 5; THENCE
NORTH 89° 48' 00" EAST 2619.42 FEET ALONG THE NORTH LINE OF SAID SECTION 5 TO A BRASS CAP
BEING THE NORTH QUARTER CORNER OF SAID SECTION 5; THENCE
NORTH 70° 49' 48" WEST 1001.16 FEET TO AN IRON PIN BEING ON THE CENTERLINE OF A COUNTY ROAD
ALSO BEING THE REAL POINT OF BEGINNING; THENCE, ALONG SAID COUNTY ROAD,
SOUTH 38° 33' 53" WEST 51.98 FEET TO A POINT; THENCE
SOUTH 4° 55' 18" EAST 81.83 FEET TO A POINT; THENCE
SOUTH 1° 54' 28" EAST 54.46 FEET TO A POINT; THENCE
SOUTH 1° 07' 36" EAST 99.70 FEET TO A POINT; THENCE
SOUTH 17° 34' 36" WEST 66.44 FEET TO A POINT; THENCE
SOUTH 31° 36' 58" WEST 48.14 FEET TO A POINT; THENCE
SOUTH 25° 53' 37" WEST 43.94 FEET TO A POINT; THENCE
SOUTH 0° 51' 56" WEST 37.96 FEET TO A POINT; THENCE
SOUTH 39° 45' 29" EAST 38.25 FEET TO A POINT; THENCE
SOUTH 75° 26' 34" EAST 28.42 FEET TO A POINT ON THE CENTERLINE INTERSECTION OF SAID COUNTY
ROAD AND A PRIVATE DRIVE; THENCE ALONG SAID CENTERLINE OF SAID PRIVATE DRIVE
SOUTH 10° 24' 40" WEST 125.73 FEET TO A POINT; THENCE
SOUTH 23° 11' 22" WEST 75.67 FEET TO A POINT; THENCE
SOUTH 27° 00' 31" WEST 65.48 FEET TO A POINT; THENCE
NORTH 74° 30' 22" WEST 40.18 FEET TO A POINT; THENCE
NORTH 51° 23' 36" WEST 101.16 FEET TO A POINT; THENCE
NORTH 46° 57' 51" WEST 40.19 FEET TO A POINT; THENCE
NORTH 65° 41' 01" WEST 39.31 FEET TO A POINT AT THE END OF SAID CENTERLINE OF SAID PRIVATE
DRIVE; THENCE, LEAVING SAID CENTERLINE OF PRIVATE DRIVE
NORTH 66° 23' 35" WEST 80.09 FEET TO AN IRON PIN; THENCE
NORTH 0° 12' 00" WEST 594.96 FEET TO AN IRON PIN; THENCE
NORTH 89° 48' 00" EAST 350.62 FEET TO THE REAL POINT OF BEGINNING.

END OF LEGAL DESCRIPTION

BOISE COUNTY INADVISABLE
REQUEST OF

REQUESTED BY
Mr. [Signature]

93 APR -1 PM 2:53

MICROFILMED *Shirley Gunge*
OCT 07 1996 \$6.00

NA



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

August 25, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

RE: Change in Ownership of Water Rights

Debbie Turner
HC 33, Box 2028
Boise, ID 83706

Debbie Turner
336-4446

Dear Mrs. Turner:

Pursuant to our telephone conversation on Tuesday, August 23, enclosed you will find a copy of where the computer platted your property, per the metes and bounds description that accompanied your Notice of Change of Water Right Ownership, and a copy of the ortho-photo quad with the 40-acre tracts outlined that the computer identified. Please mark on the ortho-photo quad where your property is actually located so we can locate which water right Mrs. Hoover has sold to you.

I also notice on the copy of the plat you submitted that Lot 4, Block 2, Flowing Springs Ranch Subdivision, is located within the S1/2, Sec. 32, Twp. 4N, Rge. 4E. This plat is not consistent with the metes and bounds description you provided. Did you purchase two separate properties from Mrs. Hoover? Please note that the Instrument Numbers shown on your Deed of Trust and Exhibit "A" are different.

The Notice of Change of Water Right Ownership form identifies 3 water rights, Nos. A63-15223, A63-0161 and A63-01561, to be transferred to you. I am returning the Change of Water Right Ownership and accompanying documents to you to help in resolving this matter.

1. Claim A63-15223 was filed for domestic use and irrigation of 2 acres within the NESW, Sec. 32, Twp. 4N, Rge. 4E, which would be partially consistent with the Flowing Springs Ranch Subdivision plat but not consistent with the metes and bounds description.

2. There has been no claim filed by Mrs. Hoover under number A63-0161. This water right delivers water to irrigation companies in the Boise Valley and has no previous connection to lands identified on your paperwork.

3. We have no water rights under No. 63-01561. However, we do have a statutory claim, No. 63-05161, in the name of Lester Hoover for irrigation of 60 acres, domestic and stockwater use from unnamed streams tributary to Robie Creek, to be used within the NWSW, Sec. 32, Twp. 4N, Rge. 4E, (20 acres); and within the NENW, Sec. 5, Twp.

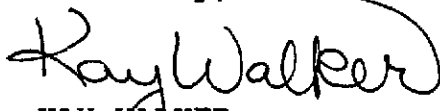
MICROFILMED
OCT 07 1996

3N, Rge. 4E, (40 acres). Claims submitted in the Snake River Basin Adjudication under this right are A63-05161A in the name of Maurice Brown, for domestic use in 1 home within the NENW, Sec. 5, Twp. 3N, Rge. 4E; and A63-05161B, in the name of Joseph B. Allen which was originally submitted by Mrs. Hoover for irrigation of 5 acres and domestic use in 2 homes within the NENW, Sec. 5, Twp. 3N, Rge. 4E.

There is still a portion of statutory claim 63-05161 which has not been claimed in the SRBA, which may be the water right Mrs. Hoover is selling to you, but I cannot be sure of this from any of the information you submitted.

If you have any questions in regard to this, or if you would like to come into the office, we are available to assist you in any way we can. I am in the office every Monday, to assist claimants and respond to phone calls. If you want to come in on a Monday, I would be happy to help you. Since we are in the middle of our field season I will be in and out of the office during the rest of the week.

Sincerely,



KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures

per Sterling Turner
8/26/94:
Their home is
where old school
house was located.
KW

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OCT 07 1996

PARCEL PLOT – METES & BOUNDS

DISTANCE IS IN CHAINS

20

20
MICROFILMED
OCT 07 1996

-40

place of
property
per metres
& bounds
description.

MSMS

32

44

MSFS



5

32

WNNW

NEW

NWNE

NEVE

MWMS

SENV

SWNE

SEVEN

MSM N

MSW

NWSE

NESE

MSMS

MSS

35MS

5375

學

KW
8/23/94

METES AND BOUNDS TABLE

X-COR	Y-COR	ANGLE			BEARING	DIST (FT)	CUM ACRES
		DEGREES	MINUTES	SECONDS			
40.00	60.00						-3.44
25.61	64.78	70.00	49.00	48.00	NW	1001.16	-1.61
25.72	63.50	38.00	33.00	53.00	SW	51.98	-0.51
26.00	62.73	4.00	55.00	18.00	SE	84.83	1.58
26.17	61.23	18.00	54.00	28.00	SE	54.46	2.92
25.86	60.27	6.00	7.00	36.00	SE	99.70	3.80
25.47	59.65	17.00	34.00	36.00	SW	66.44	4.67
25.17	59.06	31.00	36.00	58.00	SW	48.14	5.53
25.15	58.48	25.00	53.00	37.00	SW	43.94	6.18
25.53	58.04	0.00	51.00	56.00	SW	37.96	6.32
25.94	57.94	39.00	45.00	29.00	SE	38.25	8.99
25.58	56.07	75.00	26.00	34.00	SE	28.42	10.53
25.12	55.02	10.00	24.00	40.00	SW	125.73	11.85
24.66	54.14	23.00	11.00	32.00	SW	75.67	11.61
24.07	54.30	27.00	0.00	31.00	SW	65.48	10.05
22.86	55.24	74.00	30.00	22.00	NW	40.18	9.34
22.41	55.65	51.00	23.00	36.00	NW	101.16	8.90
21.87	55.89	46.00	57.00	51.00	NW	40.19	8.01
20.75	56.37	65.00	41.00	1.00	NW	39.31	-9.36
20.72	65.38	66.00	23.00	35.00	NW	80.09	-9.39
26.03	65.40	0.00	12.00	0.00	NW	594.96	-9.39
26.03	65.40	89.00	48.00	0.00	NE	350.62	-9.39

MICROFILMED
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 *DK*

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-05161C

2004 NOV 4 PM 2 59

NAME AND ADDRESS: DEBBIE TURNER
STERLING TURNER
328 ROBIE CREEK RD
BOISE, ID 83716

SOURCE: SPRING TRIBUTARY: ROBIE CREEK

QUANTITY: 0.12 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC AND
STOCKWATER USES SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 05/01/1955

POINT OF DIVERSION: T04N R04E S32 NWNESW Within Boise County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.06 CFS
	Stockwater	01-01 TO 12-31	0.02 CFS
	Domestic	01-01 TO 12-31	0.04 CFS

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 S32	NESW 2.0
	2.0 Acres Total	
	Stockwater	Within Boise County
	T04N R04E S32	NESW
	Domestic	Within Boise County
	T04N R04E S32	NESW

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

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

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. I.C. SECTION 42-1412(6).

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 63-5161C

(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: Sterling Turner Debbie Turner

Address: 328 Robie Creek Rd.
Boise, ID 83716

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):

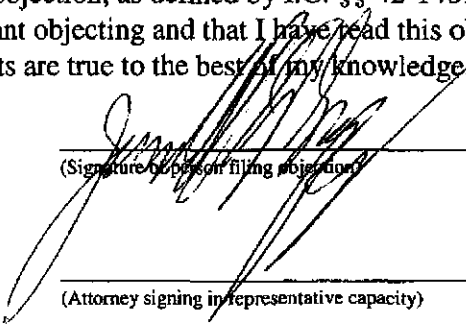
The Director's Report recommendation appears to expand the Season of Use beyond a customary maximum of April 1 to November 1, which would allow (a) injury to the United States' water rights, (b) impairment of historic river conditions conducive to regular United States Bureau of Reclamation diversions 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)

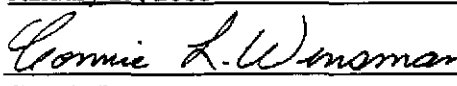
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

January 29, 2003

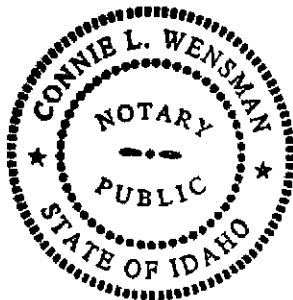


Connie L. Wensman

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: Sterling Turner Debbie Turner

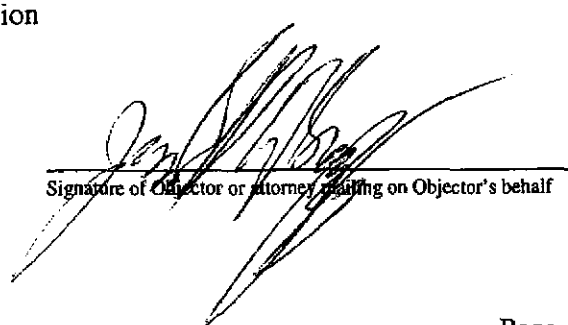
Address: 328 Robie Creek Rd.
Boise, ID 83716

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)

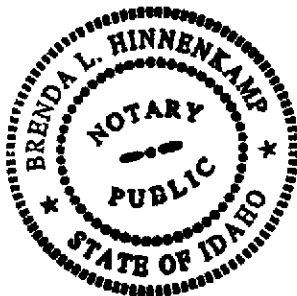
Albert P. Barker, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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)

Albert P. Barker
(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:

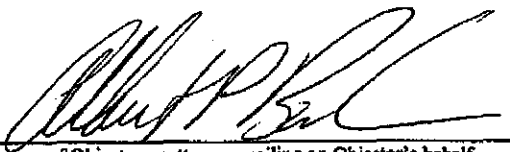
Name: See Attachment B
Address:

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

63-8624

Randall A Ambuehl
HC 33 Box 1610
Boise ID 83706

63-31336

Wilderness Ranch Owners Assn Inc
46 Wilderness Ranch Rd
Boise ID 83716

63-148B

South Boise Water Co
PO Box 6005
Boise ID 83707

63-7529

Walter M Nichols
Thelma E Nichols
14 Cougar Lane
Boise ID 83716

63-2026

James E Bryant
1915 N 11th
Boise ID 83712

63-5102

Laura LA May Holmes
2391 Sheri Dr
Emmett ID 83617

63-318C

Paula E Lewis
Stephen E Lewis
PO Box 4002
Boise ID 83711-4002

63-4810

Walter S Nichols
Sara A Nichols
12 Cougar Ln
Boise ID 83716

63-31289

Walter M Nichols
Thelma E Nichols
14 Cougar Lane
Boise ID 83716

63-7984A

Teresa L Raschke
Steven L Raschke
2095 Panama St
Boise ID 83705

63-10279

Cumer L Green
PO Box 2597
Boise ID 83701

63-7119

Michael Robich
Lynette Robich
87 Beaver Creek Rd
Boise ID 83716

63-15395

Marilyn Priest
Jay R Priest
PO Box 122
Idaho City ID 83631

63-7037

Blue Jay Creek Water & Road Users Inc
C/O Robert O Walker
129 Blue Jay Creek Rd
Boise ID 83706

63-7207

Barbara W Little
1980 Myers Rd
Boise ID 83706

63-5192

David Steadman
Lynae Steadman
8873 Ottawa Ct
Boise ID 83709

63-4629A

Wilderness Ranch Owners Assn Inc
46 Wilderness Ranch Rd
Boise ID 83716

63-5101

Marilyn Priest
Jay R Priest
PO Box 122
Idaho City ID 83631

63-31328

Michael C Perry
Tami J Perry
10 Cougar Ln
Boise ID 83716

63-7984B

Lawrence Poisson
Sheila Poisson
3193 Highway 21
Idaho City ID 83716

63-31335

Val Dean Schroeder
13 Blacksmith Road
Boise ID 83716

63-7115

Michael Robich
Lynette Robich
87 Beaver Creek Rd
Boise ID 83716

63-2472

Chapman Ranch LLC
737 N 7th St
Boise ID 83702

63-2026

Hilda Larson
3015 Silver St
Boise ID 83703

63-31077

State of Idaho
Dept of Parks & Recreation
PO Box 83720
Boise ID 83720-0065

63-318A

Ranch Subdivision Property Owners
Assn
26 Burnett Dr
Boise ID 83716

63-4797

Connie Jo Cooper
Douglas S Cooper
2268 Highway 21
Boise ID 83716

63-31074

Barry Marcus
737 N 7th St
Boise ID 83702

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

05/07/2002

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

RIGHT NUMBER: 63-5161C

NAME AND ADDRESS: STERLING TURNER
328 ROBIE CREEK RD
BOISE ID 83716

DEBBIE TURNER
328 ROBIE CREEK RD
BOISE ID 83716

SOURCE: SPRING

TRIBUTARY: ROBIE CREEK

QUANTITY: 0.12 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC AND STOCKWATER
USES SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 05/01/1955

POINT OF DIVERSION:

T04N R04E S32 NWNESE Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.060 CFS
STOCKWATER	01/01 12/31	0.020 CFS
DOMESTIC	01/01 12/31	0.040 CFS

PLACE OF USE:

IRRIGATION Within BOISE County
T04N R04E S32 NESW 2.0
STOCKWATER Within BOISE County
T04N R04E S32 NESW
DOMESTIC Within BOISE County
T04N R04E S32 NESW

2 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.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
DOMESTIC USE AND STOCKWATER USE IS NOT A DETERMINATION OF
HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

PARCEL NO. RP 001030020040A
STOCKWATER USE IS 4 HORSES.
DOMESTIC USE IS FOR 1 HOME.

63-5161C 5/6/02 Sue Beck

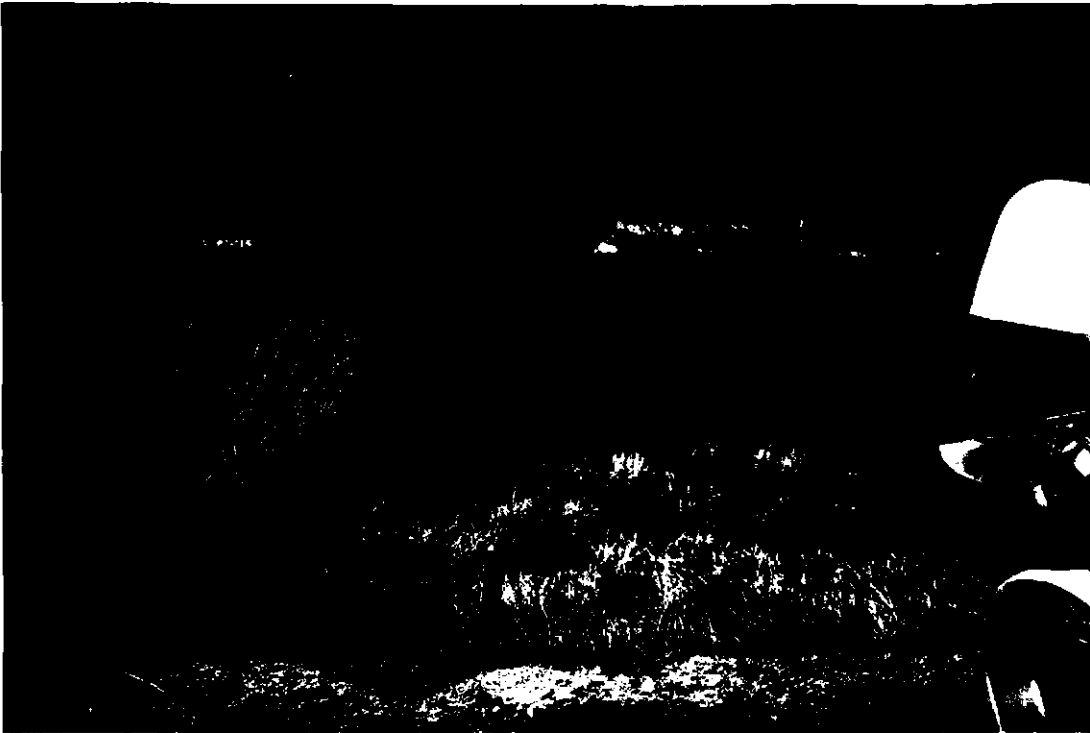
183

POV looking W. down driveway



63-5161C
POU

2 of 3



Area claimed
to be irr
between driveway
& Road.



63-5161C

303



Idaho Dept of Water Resources

Calim No. 63-5161C

T04N, R04E, S 32

Prepared by: Sue Bock

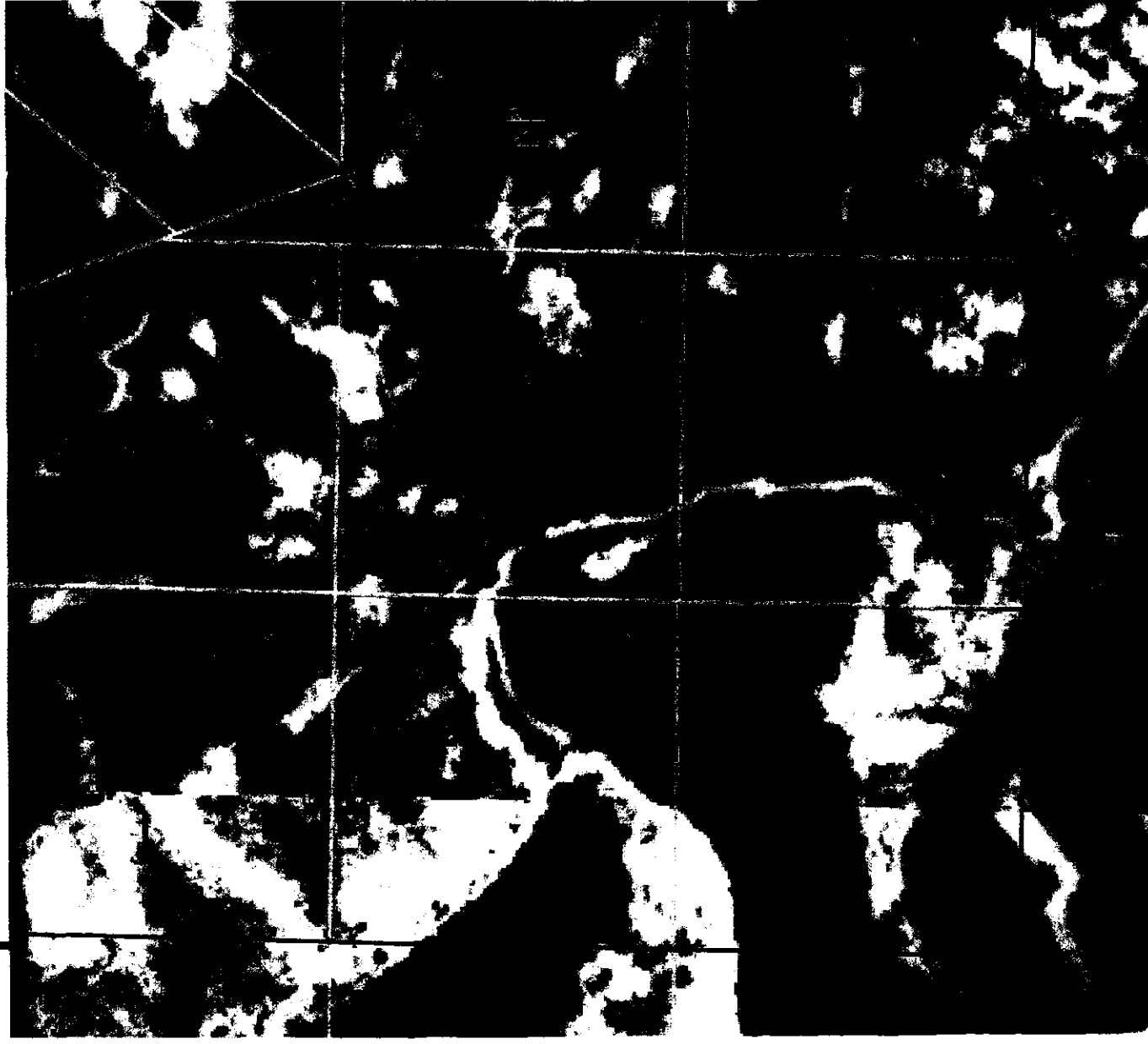
Date: 05/07/2002

● Point of Diversion

□ Place of Use

□ Section Lines

□ Quarter Quarter Lines



500 0 500 1000 Feet

1987 NAPP

RECEIVED

**NOTICE OF ERROR
REPLY**

APR - 2 2002

Department of Water Resources

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

**YOUR DEADLINE FOR RETURNING A
NOTICE OF ERROR REPLY IS:**

Water right number: *63-5161C*

*Sterling Turner
328 Abbie Creek Rd.
Boise, ID 83716*

Daytime Telephone Number: *867-8754*

Evening Telephone Number: *342-4703*

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

*Source: Springs Irrigation
Domestic; Well pressure system.*

2. Describe the changes you wish to make in the proposed recommendation:

*One spring is used to irrigate approximately 2 Acres
The other spring has 2 3/4" pipes coming out of the
ground & will be used to water horses in the corral down
by the road, also to irrigate approximately one Acre.*

3. Give a brief explanation as to why you disagree with these portions:

*I have used both springs for irrigation and to
water horses.*

☐ I AGREE with this proposed recommendation; no changes need to be made.

DATE: _____

SIGNATURE: _____

Please print your name: _____

RECEIVED

APR 03 2002

WATER RESOURCES
WESTERN REGION

03/01/2002

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

RIGHT NUMBER: 63-5161C

NAME AND ADDRESS: STERLING TURNER
328 ROBIE CREEK RD
BOISE ID 83716

DEBBIE TURNER
328 ROBIE CREEK RD
BOISE ID 83716

SOURCE: SPRING

TRIBUTARY: ROBIE CREEK

QUANTITY: 0.040 CFS

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

PRIORITY DATE: 05/01/1955

POINT OF DIVERSION:

T04N R04E S32 NWNESW Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS

PLACE OF USE: DOMESTIC Within BOISE County

T04N R04E S32 NESW

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY
FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF
THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A
POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION
42-1412(6), IDAHO CODE.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PARCEL NO. RP 001030020040A
DOMESTIC USE IS 1 HOME

IDAHO DEPARTMENT OF WATER RESOURCES 01/03/2002
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

63-5161C

NAME AND ADDRESS: STERLING TURNER
328 ROBIE CREEK RD
BOISE ID 83716

DEBBIE TURNER
328 ROBIE CREEK RD
BOISE ID 83716

SOURCE: SPRING TRIBUTARY: ROBIE CREEK

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 05/01/1955

POINT OF DIVERSION:

T04N R04E S32 NWNESW Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS

PLACE OF USE: DOMESTIC Within BOISE County

T04N R04E S32 NESW

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

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

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

EXPLANATORY MATERIAL: Statutory Claim

PARCEL NO. RP 001030020040A

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

CLAIM NO(s). A63-5761C _____

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: 5-1-1955
(If the priority date, based on your exam, seems questionable, explain below.)

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

Source found: _____

4. ☒ No Change — POINT OF DIVERSION
☐ 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 Domestic From 1-1 To 12-31 Amount .04 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 .04 CFS AFA

8. ☐ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: 1 Stock # List types:

Additional comments:

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

*Use: Dom Township 4N Range 4E Section 32 1/4 NE 1/4 SW
Use: Township Range Section 1/4 1/4
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

* See attached memo dated 7-6-2001 and attached
photos dated 9-7-2001

C18, N11, N13

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☒ CHECK IF IN OFFICE EXAM

DATE EXAM CONDUCTED:

FIELD EXAMINER:

Print Name

Mel Schulte

Signature

MEMORANDUM TO FILE

TO: A63-5161C

FROM: Mel Schulte *MS.*

DATE: July 6, 2001

RE: Telephone conversation with claimant

On this date I called the claimant, Sterling Turner, to discuss setting an appointment for a field examination to verify the uses claimed in A63-5161C. Mr. Turner informed me they are not irrigating the 20 acres claimed but they are using the spring for their domestic use.

Mr. Turner informed me that he has already confirmed and verified that his Statutory Claim is a valid claim in the records of the State and that is all that is necessary. He said he does not have to irrigate the 20 acres of land to retain the validity of his Statutory Claim and neither the State nor any other government agency can take it away from him. He said if the "government" tried to take his claim he will sue.

When I tried to explain the nature of a Statutory Claim, Mr. Turner said he knew what a Statutory claim is and quoted a section of the law that I did not recognize. He said he would come to Boise if necessary and convince the "top people" that he has a Statutory Claim based on the law and that no one can take it from him.

Based on my conversation with Sterling Turner, I do not intend to pursue efforts for a field inspection of claim A63-5161C. I will attempt to document the file with maps and photographs to verify there has been no irrigation. I will recommend the Domestic component but I intend to disallow the Irrigation component.

MTS

A63-5161C

PHOTOS TAKEN: 09/07/2001

PHOTO # 3
PART OF THE POU
CLAIMED LOOKING
NORTH FROM THE
ROCKY CANYON ROAD



PHOTO # 4
PART OF THE POU
CLAIMED LOOKING
NORTH FROM THE
ROCKY CANYON
ROAD



A63-5161C

PHOTOS TAKEN: 09/07/2001



PHOTO # 1
PART OF THE POU
CLAIMED LOOKING
NORTH FROM THE
ROCKY CANYON ROAD



PHOTO # 2
PART OF THE POU
CLAIMED LOOKING
NORTH FROM THE
ROCKY CANYON
ROAD

OWNER CODE	NAME & ADDRESS
1	...
2	...
3	...
4	...
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9	...
10	...
11	...
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100	...

C STERLING TURNER
C DEBBIE TURNER
HC 33 BOX 2028
BOISE ID 83706
(208) 336-4446

PRIORITY
DATE

05/01/1955 IRRIGATION DOMESTIC

USE PERIOD
FROM TO

0.800 CFS
0.040 CFS

0.800 CFS

0.800 CFS

Water source: SPRING

Tributary to: ROBIE CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T04N R04E S32 NWNESH

BOISE County

Place of use Legal Description for: IRRIGATION

WIN

[illegible]

• • • • •

Place of use Legal Description for: DOMESTIC

山

[illegible]

04N 04E 32

POU County: BOISE

Non-Irrigation Uses: DOMESTIC, ONE HOUSEHOLD-

Other Rights: NONE

Remarks: GEN

THE BASIS OF THIS CLAIM IS THE STATUTORY CLAIM 63-05161 WHICH ORIGINALLY GAVE UNNAMED STREAMS AS THE SOURCE, WHEN IN ACTUALITY THE SOURCE IS A SPRING. THE OLD SCHOOL HOUSE WAS THE ORIGINAL PLACE OF USE, AND WHEN THE NEW HOME WAS MOVED IN THE USE WAS TRANSFERRED.

NOTE: THIS CLAIM WAS ORIGINALLY FILED UNDER CLAIM NO. A63-152233. CLAIM NO. A63-15223 WAS AMENDED TO CLAIM NO. A63-05161 BY THE CLAIMANT ALONG WITH THE ADDITION OF 20 ACRES OF IRRIGATION AND .80 CFS (40") OF WATER FOR IRRIGATION USE. THEREFORE, CLAIM NO. A63-15223 WAS CHANGED TO THIS CLAIM NO. A63-05161C SINCE THERE ARE TWO CLAIMS PREVIOUSLY FILED ON 63-05161 NUMBERED A63-05161A & A63-05161B.

Dates: **Exam Made Date:**

Verified Date:

Objection Filed Date:

Misc:

Field Inspection Flag:
Presumption Flag:

RECEIVED

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

AUG 22 2001

WATER RESOURCES
WESTERN REGIONIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number _____

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Sterling Turner Phone (208) 466-6062
Mailing Address HC 33 Box 2028 Boise, ID Zip 83706

2. Date of Priority (Only one (1) per claim) _____

3. Source of water supply (a) Unnamed
which is tributary to (b) Robic Creek4. a. Location of existing point of diversion is: Township 04N Range 04E Section 32,
NE 1/4 of SW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of BoiseAdditional points of diversion if any: Lot 4 (of the NW 1/2 of the NW 1/4) Section
5 T3N, R4E

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Water Catch Box

This packet of documents was
received on 8-22-2001 as
evidence to support the date
of priority in A63-5461C.

MS



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

AUG 22 2001

WATER RESOURCES
WESTERN REGIONDATE OF CLOSING: 6-1-74

LEGAL DESCRIPTION OF PROPERTY: Township 04N Range 04E
Section 32, NW 1/4 of NE 1/4 of SW 1/4, Govt. Lot , BM.
Lot 4, Block 2, Subdivision/Townsite Flowing Springs
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: (A63-15223)(A63-0161)(63-01561)
- [] Name and Address of Former Owner/Claimant(s)(Seller): ERNA K. Hoover
2025 N. Iris Place
Boise, ID 83704
- [] New Owner/Claimant (Purchaser): Stirling & Debbie Turner
- [] New Mailing Address: HC 33 Box 2028
Boise, ID 83706
- [] New Telephone Number: () ? -
- [] Does the change in ownership result in a splitting of the water right owned/claimed? yes X 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: See Deed of Trust

(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) Stirling & Debbie Turner Date 6-2-74
Debbie K. Turner Date 6-2-74
- [] 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

startled movement 2. a starting, or beginning 3. a) a place or time of beginning b) a lead or other advantage 4. an opportunity of beginning a career —**start out** (or off) to start a journey, project, etc. —**start'er** *n.*
star-tle (stär'tl) *vt.* -tled, -tling [*<* ME. *starcen*, to start] to surprise, frighten, or alarm suddenly; esp., to cause to start —*vt.* to be startled
starve (stärv) *vi.* starved, starv'ing [*<* OE. *starfan*, to die] 1. to die from lack of food 2. to suffer from hunger 3. to suffer great need (with *for*) —*vt.* 1. to cause to starve 2. to force by starvation —**star-va-tion** (stär vä'shən) *n.*
starve'ling (-līg) *n.* a person or animal that is weak from lack of food
Star Wars [*<* a film title] [Colloq.] a proposed defense system of space-based weapons for destroying missiles
stash (stəsh) *vt.* -tled, -tling [*<* ?] [Colloq.] to put or hide away (money, etc.) —*n.* [Slang] 1. a place for hiding things 2. something hidden away
-stat (stat) [*<* Gr. *-statēs*] a combining form meaning stationary (thermostat)
state (stāt) *n.* [*<* L. *stare*, to stand] 1. a set of circumstances, etc. characterizing a person or thing; condition 2. condition as regards structure, form, etc. 3. rich display; pomp 4. [some-times S-] a body of people politically organized under one government; nation 5. [usually S-] any of the political units forming a federal government, as in the U.S. 6. civil government (matters of state) —*adj.* 1. formal; ceremonial 2. [sometimes S-] of the government or a state —*vt.* **stat'ed**, **stat'ing** 1. to establish by specifying 2. a) to set forth in words b) to express —*in a state* in an excited condition —*lie in state* to be displayed formally before burial —*the States* the United States
State'house' *n.* the building in which the legislature of a State meets
state'less *adj.* having no state or nationality
state'ly *adj.* -H-er, -H-est 1. imposing; majestic 2. slow, dignified, etc. —*state'li-ness* *n.*
state'ment *n.* 1. a) a stating b) an assertion, declaration, etc. 2. a) a financial account b) an invoice; bill
state'room' *n.* 1. a private cabin on a ship 2. a private room on a train
state'side *adj.* [Colloq.] of or in the U.S. (as viewed from abroad) —*adv.* [Colloq.] in or to the U.S.
states'man *n., pl.* -men one who is wise or experienced in the business of government —**states'man-ship'** *n.*
stat'ic (stat'ik) *adj.* [*<* Gr. *statikos*, causing to stand] 1. of masses, forces, etc. at rest or in equilibrium 2. at rest; inactive 3. of or producing stationary electrical charges, as from friction 4. of or having to do with static —*n.* 1. atmospheric electrical discharges causing noise on radio or TV 2. such noise 3. [Slang] adverse criticism —**stat'ic-al-ly** *adv.*
sta-tion (stā'shən) *n.* [*<* L. *stare*, to

stand] 1. the place or building where one stands or is located; esp., an assigned post 2. a regular stopping place, as on a bus line or railroad 3. social standing 4. a place equipped for radio or TV transmission, frequency —*vt.* to assign to a station
sta-tion-ar-y (stā'shən er'ē) *adj.* not moving; fixed 2. unchanging
station break a pause in radio or TV programs for station identification
sta-tion-er (stā'shə nər) *n.* [*<* ML. *stationarius*, shopkeeper] a dealer in stationary, office supplies, etc.
sta-tion-er-y (-ner'ē) *n.* writing materials; esp., paper and envelopes
station wagon an automobile with folding or removable rear seats and a back end that opens
sta-tis-tics (stə tist'iks) *n., pl.* [*<* L. *status*, standing] 1. numerical data assembled and classified so as to present significant information 2. [with sing. v.] the science of compiling such data —**sta-tis-ti-cal** *adj.* —**sta-tis-ti-cian** (stāt'is tish'ən) *n.*
stat-u-ar-y (stach'oo wər'ē) *n.* statues collectively
stat-ue (stach'oo) *n.* [*<* L. *statuere*, to set] the form of a person or animal carved in stone, etc., modeled in clay, or cast in plaster, metal, etc.
stat-u-esque (stach'oo wesk'ē) *adj.* of or like a statue; stately and dignified
stat'u-ette' (-wet'ē) *n.* a small statue
stat-ure (stach'ar) *n.* [*<* L. *statura*] 1. the standing height of the body 2. level of attainment (moral stature)
sta-tus (stāt'us, stat'ē) *n., pl.* -tus-es [*L.*, standing] 1. legal condition (the status of a minor) 2. position; rank 3. state, as of affairs
status quo (kwō) [*L.*, the state in which] the existing state of affairs
status symbol a possession regarded as a sign of (high) social status
stat-ute (stach'oo) *n.* [see **STATUTE**] 1. an established rule or law 2. a law passed by a legislative body
statute of limitations a statute limiting the time for legal action
stat-u-to-ry (stach'oo tōr'ē) *adj.* 1. fixed or authorized by statute 2. punishable by statute, as an offense
staunch (stanch, stāch) *vt.* [*<* L. *stare*, to stand] to check the flow of (blood, etc.) from (a cut, etc.) —*vi.* to stop flowing Also **staunch** —*adj.* 1. seaworthy 2. steadfast; loyal 3. strong; solid —**staunch'ly** *adv.*
stave (stāv) *n.* [*<* *staves*, pl. of **STAFF**] 1. one of the shaped strips of wood that form the walls of a barrel, bucket, etc. 2. a stick or staff 3. a stanza —*vt.* **staved** or **stove**, **staving** to puncture, as by breaking in staves —**stave off** to hold or put off
staves (stāvz) *n.* 1. *alt.* *pl.* of **STAFF** 2. *pl.* of **STAVE**
stay' (stā) *n.* [OE. *stæg*] a heavy rope or cable, used as a brace or support
stay' (stā) *n.* [MF. *estais*] 1. a support, or prop 2. a strip of stiffening material used in a corset, shirt collar, etc. —*vt.* to support, or prop up
stay' (stā) *vi.* [*<* L. *stare*, to stand] 1.

to continue in the place or condition specified; remain 2. to live; dwell 3. to stop; halt 4. to pause; delay 5. [Colloq.] to continue; last —*vt.* 1. to stop or check 2. to hinder or detain 3. to postpone (legal action) 4. to satisfy (thirst, etc.) for a time 5. to remain to the end of —*n.* 1. a) a stopping or being stopped b) a halt or pause 2. a postponement in legal action 3. the action of remaining, or the time spent, in a place —**stay put** [Colloq.] to remain in place or unchanged
stay'ing power power to last; endurance
Ste. [Fr. *Sainte*] Saint (female)
stead (sted) *n.* [OE. *stede*] the place of a person or thing as filled by a substitute —**stand (one)** in good stead to give (one) good service
stead-fast (sted'fast) *adj.* [OE. *stede-fast*] 1. firm; fixed 2. constant —**stead-fast'ly** *adv.*
stead-y (sted'ē) *adj.* -I-er, -I-est [see **STEADY**] 1. firm; stable; not shaky 2. constant, regular, or uniform 3. constant in behavior, loyalty, etc. 4. calm and controlled (steady nerves) 5. sober; reliable —*vt., vi.* -led, -y-ing to make or become steady —*n.* [Colloq.] a sweetheart —**stead-y** [Colloq.] to be sweethearts —**stead-y-ly** *adv.*
steady-state theory a theory that as the universe is expanding new matter is continuously being created
steak (stāk) *n.* [*<* ON. *steikja*, roast on a spit] a slice of meat, esp. beef, or fish, for broiling or frying
steal (stēl) *vt.* stole, stol'en, steal'ing [OE. *stelan*] 1. to take (another's property, etc.) dishonestly, esp. in a secret manner 2. to take (a look, etc.) slyly 3. to gain insidiously or artfully (he stole her heart) 4. to move, put, etc. stealthily (*in, from, etc.*) 5. Baseball to gain a base as by running to it from another base while a pitch is being delivered —*vt.* 1. to be a thief 2. to move stealthily —*n.* [Colloq.] an extraordinary bargain
stealth (stēlth) *n.* [*<* ME. *stelen*, to steal] secret or furtive action —**stealth'i-ly** *adv.* —**stealth'y** *adj.*
steam (stēm) *n.* [OE.] 1. water as converted into a vapor by being heated to the boiling point 2. the power of steam under pressure 3. condensed water vapor 4. [Colloq.] vigor; energy —*adj.* using or operated by steam —*vt.* 1. to give off steam 2. to become covered with condensed steam 3. to move by steam power —*vt.* to expose to steam, as in cooking —**steam'y** *adj.*
steam'boat' *n.* a small steamship
steam engine an engine using pressurized steam to supply mechanical energy
steam'er *n.* 1. something operated by steam, as a steamship 2. a container for cooking, cleaning, etc. with steam etc.

fat, spē, cār; ten, ēven; la, bīte; gō, hōrī
 chin; she, thīn, zhēn; zh, leisūre; ŋ, ring; ō, i
 ō, Fr. feu; Fr. mon; ū, Fr. duc; kh, G. ich

citizen or citizens 2. civilized 3. polite 4. of citizens in matters not military or religious —*civ'il-ly adv.*
civil disobedience nonviolent opposition to a law by refusing to comply with it, on the grounds of conscience
civil engineering engineering dealing with the construction of bridges, roads, etc. —*civil engineer*
civilian (sə vī'yan) *n.* [see *civic*] a person not in military or naval service —*adj.* of civilians; nonmilitary
civilian (sə vī'yan) *n.* [see *civic*] a person not in military or naval service —*adj.* of civilians; nonmilitary
civilization (siv'ə-lə-zā'shən) *n.* 1. a civilizing or being civilized 2. the total culture of a people, period, etc. 3. the peoples considered to have reached a high social development
civilized (siv'ə-līz'd) *vt., vi.* -lized', -lizing [see *civic*] 1. to bring out of a condition of savagery or barbarism to a higher level of social organization, esp. in the arts and sciences 2. to refine —*civilized adj.*
civil law the body of law having to do with private rights
civil liberties liberties guaranteed to the individual by law; rights of thinking, speaking, and acting as one likes without hindrance except in the interests of public welfare
civil rights those rights guaranteed to the individual, esp. by the 13th, 14th, 15th, and 19th Amendments to the U.S. Constitution
civil servant a civil service employee
civil service those employed in government service, esp. through public competitive examination
civil war war between different factions of the same nation —the Civil War the war between the North and the South in the U.S. (1861-1865)
civiles (siv'ēz) *n.pl.* [Colloq.] civilian clothes; also sp. *civ'ies*
ck. *n.* cka. 1. cask 2. check
Cl Chem. chlorine
clack (klak) *vt., vi.* [prob. echoic < ON.] to make or cause to make a sudden, sharp sound —*n.* this sound
clad (klad) *adj.* *pl. & pp.* of *CLOTHES* —*adj.* clothed; dressed
claim (klām) *vt.* [*< L. clamare, cry out*] 1. to demand as rightfully belonging to one 2. to require; deserve (to *claim* attention) 3. to assert —*n.* 1. a claiming 2. a right to something 3. something claimed —*claim'a-ble adj.* —*claim'ant, claim'er n.*
clair-voy-ance (klier voi'əns) *n.* [Fr. < *clair, clear* + *voyant, seeing*] the supposed ability to perceive things not in sight —*clair-voy'ant n., adj.*
clam (klam) *n.* [*< earlier clam, a clam*] a hard-shelled bivalve mollusk —*vi.* clammed, clam'ming to dig for clams —clam up [Colloq.] to keep silent
clam/bake *n.* 1. a picnic at which steamed or baked clams are served 2. [Colloq.] any large, noisy party
clam-ber (klam'ber) *vt., vi.* [ME. *clambren*] to climb clumsily, esp. by using both hands and feet
clam-my (klam'ē) *adj.* -mi-er, -mi-

est [ME. < *clam, mud*] moist, cold, and sticky —*clam'mi-ness n.*
clam-or (klam'ər) *n.* [*< L. clamare, cry out*] 1. a loud outcry; uproar 2. a loud demand or complaint —*vt.* to make a clamor —*clam'or-ous adj.*
clamp (klamp) *n.* [*< M.Du. klampe*] a device for clamping or fastening things together —*vt.* to fasten or brace, as with a clamp —*clamp down (on)* to become more strict (with)
clan (kian) *n.* [*< Gael. < L. plecta, offshoot*] 1. a group of families claiming descent from a common ancestor 2. a group of people with interests in common —*clan'nish adj.*
clans-man (klanz'man) *n., pl. -men*
clan-des-tine (klan dəs'tēn) *adj.* [*< L. clam, secret*] secret or hidden; furtive —*clan-des'tine-ly adv.*
clang (klaŋ) *vi., vt.* [echoic] to make or cause to make a loud, ringing sound, as by striking metal —*n.* this sound
clank (klaŋk) *n.* [echoic] a sharp metallic sound —*vi., vt.* to make or cause to make this sound
clap (klap) *vt.* clapped, clap'ping [OE. *clappan*, to beat] 1. to make the explosive sound of two flat surfaces struck together 2. to strike the hands together, as in applause —*vt.* 1. to strike together briskly 2. to strike with an open hand 3. to put, move, etc. abruptly (clapped into jail) —*n.* 1. the sound or act of clapping 2. a sharp slap
clap-board (klap'ərd, klap'bərd') *n.* [transl. of M.Du. *klapholt* < *klappen*, to fit + *holt, wood*] a thin board with one thicker edge, used as siding —*vt.* to cover with clapboards
clap-per *n.* a thing that makes a clapping sound, as the tongue of a bell
clap-trap *n.* [CLAP + TRAP] insincere, empty talk intended to get applause —*adj.* showy and cheap
claque (klak) *n.* [Fr. < *claqueur*, to clap] a group of people paid to applaud at a play, opera, etc.
clar-et (klar'it) *n.* [*< L. clarus, clear*] a dry red wine
clar-i-fy (klar'ə fī') *vt., vi.* -fied', -fy'ing [*< L. clarus, clear* + *facere, make*] to make or become clear —*clar'i-fi-ca'tion n.*
clar-i-net (klar'ə net') *n.* [*< Fr. < L. clarus, clear*] a single-reed, woodwind instrument played by means of holes and keys —*clar'i-net'tist n.*
clar-i-on (klar'ē ən) *adj.* [*< L. clarus, clear*] clear, sharp, and ringing (a *clarion* call)
clar-i-ty (klar'ə tē) *n.* [*< L. clarus, clear*] clear quality; clearness
clash (klaʃ) *vt.* [echoic] 1. to collide with a loud, harsh, metallic noise 2. to conflict; disagree —*vt.* to strike with a clashing noise —*n.* 1. the sound of clashing 2. conflict



CLARINET

clasp (klasp) [*< ME. clasp*] 1. a fastener for clasping and things together 2. a grasping; embrace 3. a grip of the hand —*vt.* to fasten with a clasp —*clasp'ed adj.*
class (klas) [*< L. classis*] 1. a number of people or things grouped together because of likenesses; kind; sort 2. social or economic rank (the working class) 3. a) a group of students taught together b) a group graduating together c) a grade or quality 5. [Slang] excellence, as of style —*vt.* to classify —*vi.* to be classified —*class'less adj.*
class action (suit) a legal action brought by one or more persons on behalf of themselves and a much larger group
class-ic (klas'ik) *adj.* [*< L. classis, class*] 1. being an excellent model of its kind 2. of the art, literature, etc. of the ancient Greeks and Romans 3. balanced, formal, simple, etc. 4. famous as traditional or typical —*n.* 1. a literary or artistic work of the highest excellence 2. a creator of such a work 3. a famous traditional or typical event —the classics ancient Greek and Roman literature
class'i-cal (ik'l) *adj.* 1. same as CLASSIC (senses 1, 2, 3) 2. versed in Greek and Roman literature, etc. 3. designating or of music conforming to certain standards of form, complexity, etc. 4. standard and traditional (classical economics) —*class'i-cal-ly adv.*
class'i-cism (sə klās'iz'm) *n.* 1. the aesthetic principles of ancient Greece and Rome 2. adherence to these principles 3. knowledge of classical art and literature —*class'i-cist n.*
classified advertising advertising under such listings as help wanted
class'i-fy (klas'ə fī') *vt.* -fied', -fy'ing 1. to arrange in classes according to a system 2. to designate (government documents) to be secret or restricted —*class'i-fi-ca'tion n.* —*class'i-fi'er n.*
class'mate *n.* a member of the same class at a school or college
class-room *n.* a room where a class is taught at a school or college
class'y *adj.* -i-er, -i-est [Slang] first-class, esp. in style; elegant
clat-ter (klāt'tər) *vt., vi.* [ME. *clateren*] to make or cause to make a clatter —*n.* 1. a rapid succession of loud, sharp noises 2. a tumult; hubbub
clause (klōz) *n.* [*< L. claudere, to close*] 1. a group of words containing a subject and verb; an independent (principal) clause can stand alone as a sentence; a dependent (subordinate) clause functions as a noun, adjective, or adverb 2. a particular article or provision in a document
claus-tro-pho-bi-a (klōs'trə fō'bē-ə) *n.* [*< L. claustrum, enclosure* + -PHOBIA] a fear of enclosed places
claus-tro-pho-bic *adj.*

fat, spē, cār; tan, ōven; la, bīte; gō, hōrn, tō chin; shē; thīn, shen; sh, leisur; g, ring; s for s. 0, Fr. feu; Fr. now; ū, Fr. duc; kh, G. ich, doc

WARRANTY DEED

FOR VALUE RECEIVED ERNA K. HOOVER, also known as ERNA KIRSTINE HOOVER, an unmarried person since acquiring title on May 22, 1986

the Grantor does hereby grant, bargain, sell and convey unto STERLING TURNER AND DEBBIE TURNER, husband and wife K.

the Grantee, whose address is

the following described premises, to-wit:

Lot 4 in Block 2 of FLOWING SPRINGS RANCH SUBDIVISION, according to the plat thereof, filed as Instrument No. 146752, records of Boise County, Idaho.

Reserving and excepting therefrom, however, 49% of all mineral rights in the described property for grantor, grantor's heirs, executors and assigns, this reservation to include oil, gas, and any other minerals on, in, and under the property.

BOISE COUNTY IDAHO SS
REQUEST OF

mt. view title
DATE 1994 JUN 17

151963

94 JUN -1 PM 3:46

ARLENE C. KOLAR

BY *Shirley George*
DEPUTY
FEE \$ 3.00

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that she is the owner in fee simple of said premises; that said premises are free from all encumbrances; subject to conditions, restrictions and easements of recording and 1994 taxes and subsequent years;

and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: May 31, 1994

Erna K. Hoover
ERNA K. HOOVER

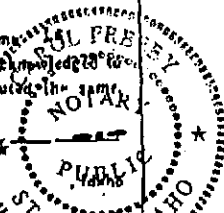
STATE OF IDAHO, COUNTY OF CANYON

On this 31st day of May, 1994,
before me, a notary public in and for said State, personally
appeared ERNA K. HOOVER

known to me to be the person who so name
subscribed to the within instrument, and acknowledged to me that she has executed the same

Carve Shirley
Notary Public

Residing at Nampa
Comm. Expires 8-24-98



423 So. Kimball
Caldwell, Idaho 83605

PIONEER TITLE COMPANY
OF CANYON COUNTY

100 - 10th Ave. South
Nampa, Idaho 83651

Old (D) Number - 50,00 + 2 = 52,00

Prefix Translation: WATER RIGHT

Water Right Number - 63-05161C.

*** C - CURRENT OWNER ***
HOOVER

1 - P.O. BOX 1564
2 -
3 -
City- BOISE
Phone -
State- ID Zip- 83701

Priority Date - 05/01/1955
Region - 14 WESTERN
Stage - STATUTORY CLAIM
Tributary - ROBIE CREEK
Status -

Point of Diversion -
County -
Diversion Name -
Diversion Rate -
Diversion No. -

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	10/15		1.200	0.4 CFS
04 - STOCKWATER		01/01	12/31		0.020	0.2 CFS
43 - DOMESTIC		01/01	12/31		0.160	0.6 CFS

Total Div. Rate - + - Total Div. Volume - + - Total Div. Capacity - +
1.380

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
03N	04E	5	NW NW	4	40.0	01	IRRIGATION	(15) BOISE
04N	04E	32	NW SW	1	20.0	01	IRRIGATION	(15) BOISE

Total Acres: 60.0
POW = ACRES
(2)

Diversion Means - DITCH
Non-Irrigation Use - S/14 RANGE
Other Rights for Same Use -

Remarks -
No Remarks found.

Old Water Right Numbers -
No Old Water Right Numbers found.

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WATER RIGHT

No Conditions of Approval found.

+ - - - Decree Defendant - - - +

- - - Comments - - -
No Comments Found

+ - - Audit Fields - 09/26/83 05/01/88 CONVERT

Water Rights Dates and Flags Area

Proof Due Date	-	00/00/0000	Field Exam Made	-	00/00/0000	Field Exam Fee	-
Approved/Denied	-	00/00/0000	Protested Date	-	00/00/0000	Swan Falls	-
Proof Made Date	-	00/00/0000	Hearing Date	-	00/00/0000	Temporary Right	-
Exam to S.O. Date	-	00/00/0000	Verified Date	-	00/00/0000	DLE/Carey Act	-
Order Show Cause	-	00/00/0000	Receipt Number	-		Water District	-
Licensed Date	-	00/00/0000	Appl Received	-	00/00/0000	Transfer/Amended	-
Decree Date	-	00/00/0000	Name Connector	-		POU Ownership Flag	-
Presumption Flag	-						

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WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-2-3, Idaho Code, any person using or claiming rights in the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-2304ff, Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that

LESTER HOOVER

(Name of Claimant)

PC Box 1564, Boise, IDAHO
(Mailing Address)

22.74

Telephone No 44-0002

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

- (1) Date of priority: (When was : a water first applied to a beneficial use) May 1 1935 (CA)

A claim is not acceptable on a ground water source with a priority later than March 25, 1983 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

UNITED STATES

tributary to North Creek

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(eds. et) (Domestic, Irrigation, Stock, Etc.)

(Date Given Followed)
(Mo., Day) (Mo., Day)

Quantity ~~1.2 ccs~~ 1.2 ccs Use IRRIGATION

Period of Use From APRIL to OCT 12

Quantity	16	Use	Domestic
----------	----	-----	----------

Period of Use From JAN 1 To DEC 31

Quantity 10.02 c/s Use STOCK

Period of Use From JAN. To DEC.

Quantity	Use
----------	-----

Period of Use From _____ To _____

Quantity	Use
----------	-----

Period of Use From _____ To _____

- (4) 1.38 ~~6.20~~ TOTAL QUANTITY USED.

(cfs af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NE 1/4 of SW 1/4, Sec. 32 Twp. 4 N Rge. 4 E B.M., County of

Additional points of diversion: LOT 4 OF THE NW 1/4 OF THE NW 1/4 SECTION 5

I 31 24 E

- 8) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. OPEN DITCH

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

[illegible]

No. of votes 62

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

2" PIPE OUT OF STREAM FOR 100 YDS.

NOTE: Include here the type and number of stock watered *Cow 40 5/165 12/200/4*

If you are claiming water as a member of an organization, list name of organization

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Map should show the location of the point of diversion and the place of use of the water by the water subscribers.

System of Idioms

12

It is known that the undersigned, being duly sworn to, is a person who has been in the service of the undersigned for a period of ten years, and that the undersigned and said person are now in the best of the person's health and are well and happy in their respective homes.

Letter to the Editor

[Handwritten signature]

2000

Water Right ReportClose

07/10/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

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WATER RESOURCES
WESTERN REGION

WATER RIGHT NO. 63-15223

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	DEBBIE TURNER
Original Owner	STERLING TURNER
	HC 33 BOX 2028
	BOISE, ID 83706
Original Owner	ERNA K HOOVER
	PO BOX 1564
	BOISE, ID 83701
	(208)322-7703

Priority Date: 05/01/1955

Basis:

Status: See Remarks

<u>Source</u>	<u>Tributary</u>
SPRING	ROBIE CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/15	0.04 CFS	
DOMESTIC	1/01	12/31	0.04 CFS	
Total Diversion			0.08 CFS	

Location of Point(s) of Diversion:

SPRING	NWNESW	Sec. 32	Township 04N	Range 04E	BOISE County
--------	--------	---------	--------------	-----------	--------------

IRRIGATION Use:

Acre Limit: 2

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Place(s) of use:

Place of Use Legal Description: IRRIGATION BOISE County

Place of Use Legal Description: DOMESTIC BOISE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04N	04E	32		NESW	2									
Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04N	04E	32		NESW										

Total Acres: 2

Remarks:

1. General	THE BASIS OF THIS CLAIM IS THE STATUTORY CLAIM 63-05161 WHICH ORIGINALLY GAVE UNNAMED STREAMS AS THE SOURCE, WHEN IN ACTUALITY THE SOURCE IS A SPRING. THE OLD SCHOOL HOUSE WAS THE ORIGINAL PLACE OF USE, AND WHEN THE NEW HOME WAS MOVED IN THE USE WAS TRANSFERRED. OWNERSHIP CHANGED BY KW 9/16/1994. NOTE - THIS CLAIM HAS BEEN RENUMBERED PER AN AMENDED CLAIM SUBMITTED BY THE CLAIMANT - SEE CLAIM NO. A63-05161C. JS
------------	---

Dates:

Licensed Date:

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

[Close](#)

Water Right Report

Close

07/10/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

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WATER RESOURCES
WESTERN REGION

WATER RIGHT NO. 63-5161

Owner Type	Name and Address
Current Owner	LESTER HOOVER PO BOX 1564 BOISE, ID 83701

Priority Date: 05/01/1955

Basis: Statutory Claim

Status: Active

Source	Tributary
UNNAMED STREAMS	ROBIE CREEK

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	10/15	1.2 CFS	
STOCKWATER	1/01	12/31	0.02 CFS	
DOMESTIC	1/01	12/31	0.16 CFS	
Total Diversion			1.38 CFS	

Location of Point(s) of Diversion:

UNNAMED STREAMS	NWNW Lt 4	Sec. 05	Township 03N	Range 04E	BOISE County
UNNAMED STREAMS	NESW	Sec. 32	Township 04N	Range 04E	BOISE County

IRRIGATION Use:

Acre Limit: 60

Place(s) of use:

Place of Use Legal Description: IRRIGATION BOISE County

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WESTERN REGION

Place of Use Legal Description: STOCKWATER same as IRRIGATION

Place of Use Legal Description: DOMESTIC same as IRRIGATION

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
03N	04E	5	3	NENW	40									
04N		32		NWSW	20									

Total Acres: 60

Dates:

Licensed Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Basin	Who	What	When	Where	Clear	Search
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WESTERN REGION

Search Results

Query parameters:
lastName = hoover

Information for type: Right

	Record	Basin	Sequence	Suffix	Version	Basis	Status	Priority Date	Diversion Rate
More Info	1	47	10611			Decreed	Active	1950-01-01	0.04
More Info	2	47	11142			Decreed	Active	1964-09-10	0.04
More Info	3	61	10688			Decreed	Active	1977-04-24	0.06
More Info	4	63	4207			~~Statutory Claim~~	Active	1949-03-01	0.04
More Info	5	63	5161			Statutory Claim	Active	1955-05-01	1.38
More Info	6	63	28085			Decreed	Active	1971-07-20	0.04

More Info	7	63	28111			Decreed	Active	1945-05-15 WATER RESOURCES WESTERN REGION	0.04
More Info	8	63	28134			Decreed	Active	1948-08-20	0.04
More Info	9	65	1481			Decreed	Active	1962-04-01	0.04
More Info	10	65	7691			Decreed	Active	1976-10-20	0.16
More Info	11	65	21692			Decreed	Active	1977-10-19	0.04
More Info	12	67	348	B		Decreed	Active	1878-05-01	0.12
More Info	13	67	582			Decreed	Active	1886-04-01	0.42
More Info	14	67	594			Decreed	Active	1890-04-01	0.84
More Info	15	72	10468			Decreed	Active	1971-04-15	0.06
More Info	16	75	4081			Statutory Claim	Active	1922-10-16	0.04

More Info	17	75	7161			License	Active	1979-10-31	0.04
More Info	18	97	7372			License	Active	1996-06-03	0.04

Number of records = 18

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Water Right ReportClose

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Adjudication Claim Report**RECEIVED****AUG 22 2001**WATER RESOURCES
WESTERN REGION

WATER RIGHT NO. 63-5161C

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DEBBIE TURNER
Current Owner	STERLING TURNER
	HC 33 BOX 2028
	BOISE, ID 83706
	(208)336-4446
Original Owner	ERNA K HOOVER
	PO BOX 1564
	BOISE, ID 83701
	(208)322-7703

Priority Date: 05/01/1955

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	ROBIE CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/15	0.8 CFS	
DOMESTIC	1/01	12/31	0.04 CFS	
Total Diversion			0.8 CFS	

Location of Point(s) of Diversion:

SPRING	NWNESW	Sec. 32	Township 04N	Range 04E	BOISE County
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IRRIGATION Use:
Acre Limit: 20

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WESTERN REGION

Place(s) of use:

Place of Use Legal Description: IRRIGATION BOISE County

Place of Use Legal Description: DOMESTIC BOISE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04N	04E	32		NWSW	20									
Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04N	04E	32		NESW										

Total Acres: 20

Remarks:

1. General	THE BASIS OF THIS CLAIM IS THE STATUTORY CLAIM 63-05161 WHICH ORIGINALLY GAVE UNNAMED STREAMS AS THE SOURCE, WHEN IN ACTUALITY THE SOURCE IS A SPRING. THE OLD SCHOOL HOUSE WAS THE ORIGINAL PLACE OF USE, AND WHEN THE NEW HOME WAS MOVED IN THE USE WAS TRANSFERRED. NOTE: THIS CLAIM WAS ORIGINALLY FILED UNDER CLAIM NO. A63-15223. CLAIM NO. A63-15223 WAS AMENDED TO CLAIM NO. A63-05161 BY THE CLAIMANT ALONG WITH THE ADDITION OF 20 ACRES OF IRRIGATION AND .80 CFS (40") OF WATER FOR IRRIGATION USE. THEREFORE, CLAIM NO. A63-15223 WAS CHANGED TO THIS CLAIM NO. A63-05161C SINCE THERE ARE TWO CLAIMS PREVIOUSLY FILED ON 63-05161 NUMBERED A63-05161A & A63-05161B.
------------	---

Dates:

Licensed Date:

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

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**WATER RESOURCES
WESTERN REGION**

Water Right Report[Close](#)

07/10/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report**RECEIVED****AUG 22 2001**WATER RESOURCES
WESTERN REGION

WATER RIGHT NO. 63-5161C

Owner Type	Name and Address
Current Owner	DEBBIE TURNER
Current Owner	STERLING TURNER
	HC 33 BOX 2028
	BOISE, ID 83706
	(208)336-4446
Original Owner	ERNA K HOOVER
	PO BOX 1564
	BOISE, ID 83701
	(208)322-7703

Priority Date: 05/01/1955

Basis: Beneficial Use

Status: Active

Source	Tributary
SPRING	ROBIE CREEK

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	10/15	0.8 CFS	
DOMESTIC	1/01	12/31	0.04 CFS	
Total Diversion			0.8 CFS	

Location of Point(s) of Diversion:

SPRING	NWNESEW	Sec. 32	Township 04N	Range 04E	BOISE County
--------	---------	---------	--------------	-----------	--------------

IRRIGATION Use:

Acre Limit: 20

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WATER RESOURCES
WESTERN REGION

Place(s) of use:

Place of Use Legal Description: IRRIGATION BOISE County

Place of Use Legal Description: DOMESTIC BOISE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04N	04E	32		NWSW	20									
Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04N	04E	32		NESW										

Total Acres: 20

Remarks:

1. General	THE BASIS OF THIS CLAIM IS THE STATUTORY CLAIM 63-05161 WHICH ORIGINALLY GAVE UNNAMED STREAMS AS THE SOURCE, WHEN IN ACTUALITY THE SOURCE IS A SPRING. THE OLD SCHOOL HOUSE WAS THE ORIGINAL PLACE OF USE, AND WHEN THE NEW HOME WAS MOVED IN THE USE WAS TRANSFERRED. NOTE: THIS CLAIM WAS ORIGINALLY FILED UNDER CLAIM NO. A63-15223. CLAIM NO. A63-15223 WAS AMENDED TO CLAIM NO. A63-05161 BY THE CLAIMANT ALONG WITH THE ADDITION OF 20 ACRES OF IRRIGATION AND .80 CFS (40") OF WATER FOR IRRIGATION USE. THEREFORE, CLAIM NO. A63-15223 WAS CHANGED TO THIS CLAIM NO. A63-05161C SINCE THERE ARE TWO CLAIMS PREVIOUSLY FILED ON 63-05161 NUMBERED A63-05161A & A63-05161B.
------------	---

Dates:

Licensed Date:

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

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WESTERN REGION**



Idaho Department of Water Resources

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WATER RESOURCES
WESTERN REGION

Idaho Water Rights

Water has always been a critical element of Idaho's economic and social development history. One indicator of its importance is the fact that Idaho's constitution specifically addresses the issue of water.

Article 15, Section 3, of the Idaho Constitution states: *The right to divert and appropriate the unappropriated waters of any natural stream to beneficial uses, shall never be denied, except that the state may regulate and limit the use thereof for power purposes.*

A complex system of water rights has been developed over the years by which appropriation and use of Idaho's public waters can be managed. Article 15, Section 3 of the Idaho Constitution provides: *Priority of appropriation shall give the better right as between those using the water; but when the waters of any natural stream are not sufficient for the service of all those desiring the use of the same, those using the water for domestic purposes shall (subject to such limitations as may be prescribed by law) have the preference over those claiming for any other purpose; and those using the water for agricultural purposes shall have preference over those using the same for manufacturing purposes. And in any organized mining district those using the water for mining purposes or milling purposes connected with mining have preference over those using the same for manufacturing or agriculture purposes.*

AN IDAHO WATER RIGHT PRIMER

The general rule of thumb for Idaho water rights is: if you intend to put public waters to some form of beneficial use, it is against the law to do so without a valid water right. The exception is water for domestic use where, under specific conditions, a recorded water right is not required. Idaho law provides for civil penalties for appropriating water without a valid water right.

What is a water right?

The constitution and statutes of the State of Idaho declare all the waters of the state, when flowing in their natural channels, including the waters of all natural springs and lakes within the boundaries of the state, and ground waters of the state, to be public waters.

The constitution and statutes of the State of Idaho guarantee the right to appropriate the public waters of the State of Idaho. When a private right to the use of public waters is established by appropriation, a water right is established that is a real property right much like property rights in land. The constitution and statutes of the state of Idaho protect private property rights, including water rights.

A water right is the right to divert the public waters of the state of Idaho and put them to a



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

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WATER RESOURCES
WESTERN REGION

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

TO: Staff

January 22, 1980

FROM: C. Stephen Allred *CSA*

RE: Boise River Appropriations.

This memo supercedes my memo of July 11, 1977.

Effective immediately, no additional water right permits for consumptive use* of water during the period of June 15 to November 1 will be issued on the Boise River and tributaries in the reach upstream from Lucky Peak Reservoir.

The water in this reach of the river has been determined to be fully appropriated by the existing waterusers, and therefore, no water is available for any additional consumptive uses.

Persons wishing to file applications for permit in this area should be advised of the limited season of use and possible denial of the permit.

Applications for permit downstream from Lucky Peak must still be evaluated individually to determine whether water is available.

*For purposes of this memo, the consumptiveness of a use must be evaluated on a case-by-case basis. Irrigation and municipal uses are always consumptive, but industrial, commercial, mining, stockwater, recreation, wildlife, fish propagation, power, heating, cooling and aesthetics may or may not be consumptive depending on the circumstances of the use. Domestic can be considered to be non-consumptive, but a condition will be added that no water can be used for irrigation, lawn or garden watering as a part of the domestic water right.



T4N
T3N

1 MILE
3 FEET
RE



ROBIE CREEK, IDAHO
N4337.5-W11600/7.5
1981
ADVANCE PRINT

A63-5181C

T04N R04E

FOR USE CLAIMED

3400

3582

3600

3600

Forb





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

August 15, 2001

STERLING TURNER
DEBBIE TURNER
328 ROBIE CREEK RD
BOISE ID 83716

Re: Claim No(s) 63-5161C

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is **NOT** to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "**Priority Date**" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water ~~rights within the Snake River Basin as accurately as possible. Field exams to verify~~ claims in this area are now being conducted by Department personnel. Please contact this office as soon as possible to schedule a field exam appointment convenient for you.

The required evidence supporting the priority date(s) must be submitted by **October 15, 2001**, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

JS:lh
Enclosures

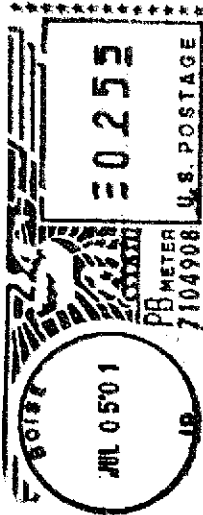
IDAHO DEPARTMENT OF WATER RESOURCES

WESTERN REGION

2735 Airport Way

Boise, Idaho 83705-5082

RETURN SERVICE REQUESTED



RETURNED TO SENDER
NO SUCH ADDRESS

RECEIVED

JUL 09 2001

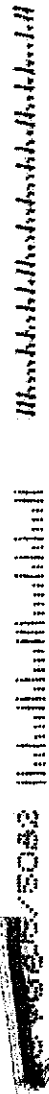
WATER RESOURCES
WESTERN REGION

STERLING TURNER 63-5161C
DEBBIE TURNER
ROBIE CREEK WILDERNESS RANCH
BOISE ID 83706

63-5161C

Boise City Assessor ->
328 Robie Creek Rd

Boise 83714



CLAIM TO A WATER RIGHT

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

LESTER HOOVER

(Name of Claimant)

PC Box 1564, Boise, IDAHO
(Mailing Address)

(Zip Code)

Telephone No. 342-0852

(1) Date of priority: (When was the water first applied to a beneficial use) MAY 1 1955 (X)

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

tributary to ROBIE CREEK

icls. af)

(Domestic, Irrigation, Stock, Etc.)

(Mo., Day)

(Mo., Day)

Quantity ~~6.0~~ 1.2 ccs

Use IRRIGATION

Period of Use From APRIL 1

To OCT. 15

Quantity .16 cfs

Use DOMESTIC

Period of Use From JAN 1

To DEC. 31

Quantity 0.02 cfs

Use STOCK

Period of Use From JAN, 1

To DEC. 31

Quantity _____

Use _____

Period of Use From _____

To _____

Quantity 1000

Use _____

Period of Use From _____

To _____

(4) 1.38 ~~5.20 AF~~ TOTAL QUANTITY USED.

(cfs af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

NE 1/4 of SW 1/4, Sec. 32, Twp. 4 N Rge. 4 E B.M., County of BOISE

Additional points of diversion: LOT 4 (OF THE NW 1/4 OF THE NW 1/4), SECTION 5,

1) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. OPEN DITCH

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

[illegible]

No. of acres 60

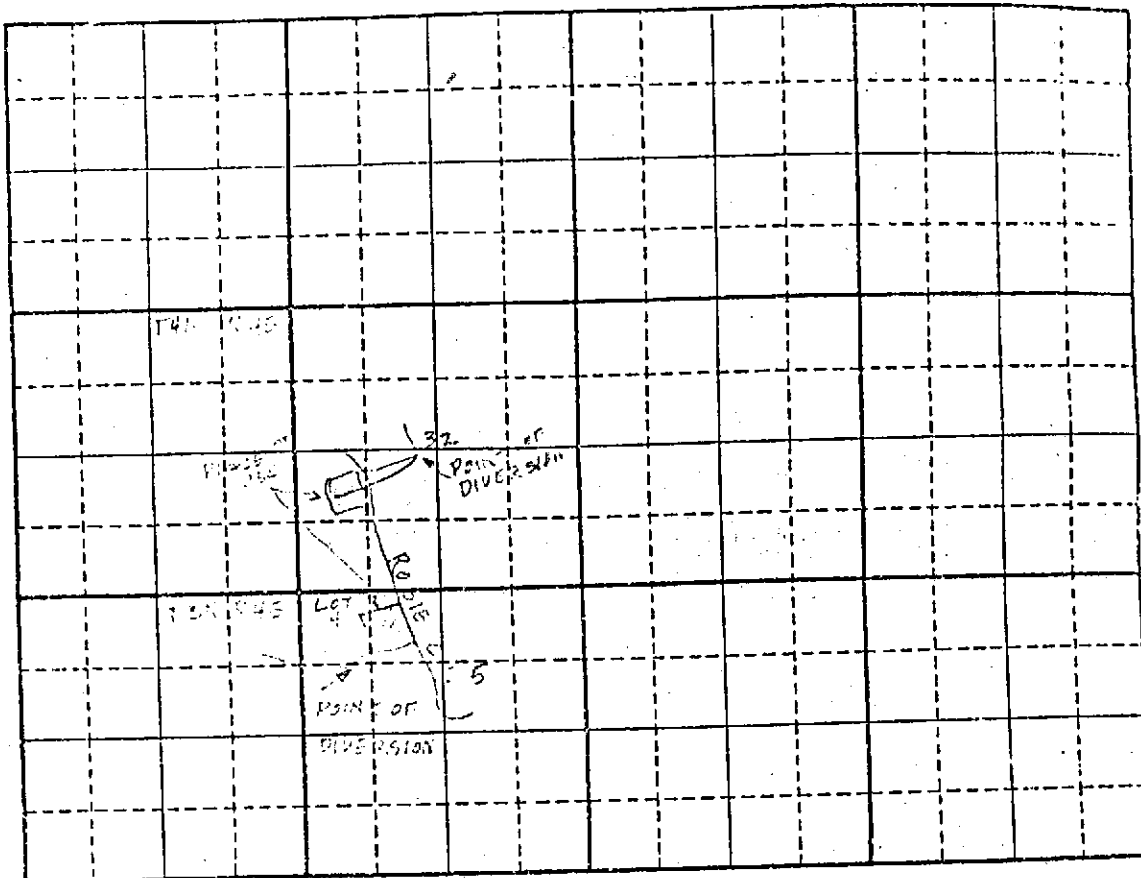
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

2" PIPE OUT OF STREAM FOR DOMESTIC.

NOTE: Include here the type and number of stock watered: Cows AND STEERS 10, HORSES 4.

(7) If you are claiming water as a member of an organization, list name of organization:

(B) Remarks



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of ADA

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 16 day of JUNE

Lester Hoover
(Claimant)

Donald Hoff
Notary Public
Residing at BOISE, ID

My commission expires LIFE

FOR DEPARTMENT USE ONLY

Received by AW Date 6/11/83
Profil. check by AW Date 6/22/83
\$30.00 fee received by AW Date 6/22/83
Published in Idaho Statesman
Dates 9/20/83 to 10/10/83

Forwarded to
claimant by: Date

Idaho Dept of Water Resources

Calim No. 63-5161C

T04N, R04E, S 32

Prepared by: Sue Bock

Date: 05/07/2002

● Point of Diversion

□ Place of Use

□ Section Lines

□ Quarter Quarter Lines



500 0 500 1000 Feet

1987 NAPP