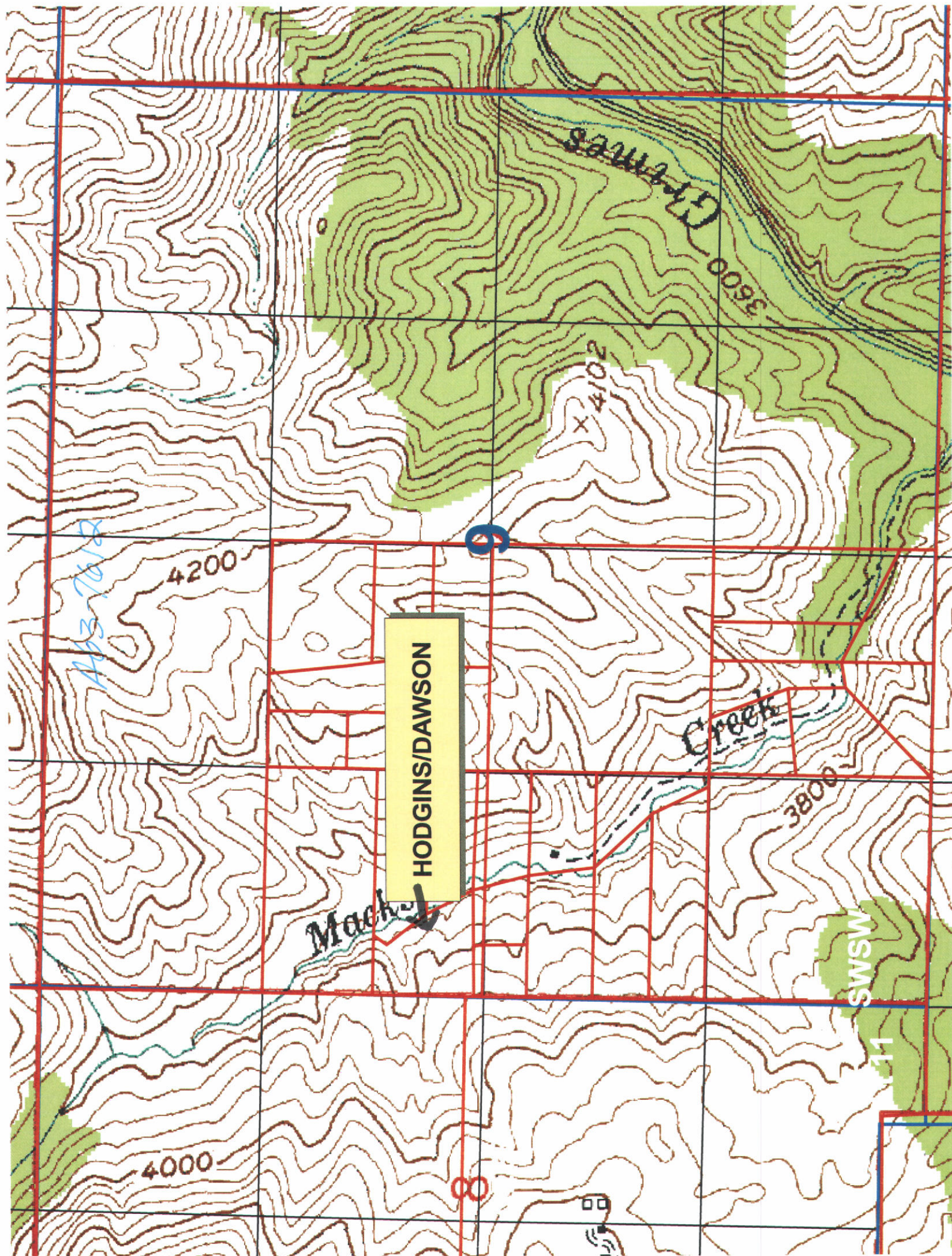




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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 63-7612
Date Received: 3/14/1989
Receipt No: M003012
Received By:

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

1. Name of Claimant(s): MARVENNA S HODGINS
PO BOX 6466
BOISE ID USA 83707

Phone: (208) 392-9952

MARILYN E DAWSON
PO BOX 6466
BOISE ID USA 83707

Phone: (208) 392-9952

2. Date of Priority: 06/16/1972

3. Source: MACKS CREEK Trib. to: GRIMES CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	04E	8	SE NE	BOISE	

5. Description of diverting works:

COLLECTION BOX & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	1/01	12/31	0.09	1.8

7. Total Quantity Appropriated is:
0.09 C.F.S. and/or 1.8 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	04E	9	SW NW		DOMESTIC	
			NW SW		DOMESTIC	

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:

Ownership changed by DB 8/3/2001

15. Basis of Claim: License



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

JUN 04 1996

DATE OF CLOSING: 3-11-96

LEGAL DESCRIPTION OF PROPERTY: Township 05N Range 04E Department of Water Resources
Section 9, SW 1/4 of NW 1/4 of 1/4, Govt. Lot , BM. **RECEIVED**
Lot , Block , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet. **JUN 06 1996**

- [] 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 RESOURCES WESTERN REGION**
- [] Water Right Number(s) A63-09878 HYDRO A63-07612 DOMESTIC (SPRING)
Assigned by IDWR: A63-07613 IRRIGATION 63-90-W-249 "- WELL
- [] Name and Address of Former Owner/Claimant(s)(Seller): FLOYD E. AUDETTE
5642 MINERAL DR BOISE, ID 83712
- [] New Owner/Claimant (Purchaser): MARVENNA S. HODGINS/MARILYN E. DAWSON
- [] New Mailing Address: P.O. Box 6466
BOISE, IDAHO 83707
- [] New Telephone Number: (208) 439-4125
392-9952
- [] 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: _____
(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) Marnenna S. Hodgins Date 5/2/96
Marilyn E. Dawson Date 6/5/96
- [] Signature of Former Owner/Claimant(s): Floyd E. Audette Date 3-12-96
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

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.

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: A63-07612
Date Received: 3/14/1989
Receipt No: M003012
Received By: BAF

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FLOYD AUDETTE
Address: C/O IDAHO CITY STAGE
BOISE, ID

83706

2. Date of Priority: JUN 16, 1972

3. Source: MACKS CREEK

Trib. to: GRIMES CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	04E	8	SE	NE			BOISE

5. Description of diverting works:
COLLECTION BOX & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.090		1.80

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

1.80 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
D/3 HOMES.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	04E	9	SW	NW		DOMEST	
			NW	SW		DOMEST	

11. Place of use in counties: BOISE

A63-07612

Page 1

Date: 03/14/89

MICROFILMED

AUG 21 1992

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: 0

For Individuals:

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

Signature of Claimant(s): X Lloyd E. Audette Date: X 3-14-89

Date: _____

State of Idaho)
County of Boon) SS.

Subscribed and sworn (or affirmed) before me this 14 day
of March 19 89

John Paul Carlson
Notary Public

Seal

Residing at Boon Id

My Commission Expires 6/2/94

02/21/2002

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

RIGHT NUMBER: 63-7612

NAME AND ADDRESS: MARVENNA S HODGINS
PO BOX 6466
BOISE ID 83707

MARILYN E DAWSON
PO BOX 6466
BOISE ID 83707

SOURCE: MACKS CREEK

TRIBUTARY: GRIMES CREEK

QUANTITY: 0.06 CFS
1.8 AFY

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

PRIORITY DATE: 06/16/1972

POINT OF DIVERSION:

T05N R04E S8 SENE Within BOISE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
DOMESTIC

PERIOD OF USE
01/01 12/31

QUANTITY
0.060 CFS
1.80 AFY

PLACE OF USE: DOMESTIC Within BOISE County

T05N R04E S09

SWNW

T05N R04E S09

NWSW

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: License

DOMESTIC IS INTERNAL USE FOR 3 HOMES

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

CLAIM NO(s). A03-7612

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: 6-16-1972
(If the priority date, based on your exam, seems questionable, explain below.)

as licensed

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

Source found: _____

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

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

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

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

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

7. ☒ No Change - TOTAL VOLUME

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

☐ Changes found, the new total is, Amount .06 CFS _____ AFA *as licensed*

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: 3 Stock # _____ List types: _____

Additional comments: *# of homes unknown*

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

Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____
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

Copy of license not available on microfiche or in file.

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☒ CHECK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: _____

FIELD EXAMINER: _____

Print Name

Mel Schulte

Signature

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-7612

WATER RIGHT NUMBER: 63-7612

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FLOYD AUDETTE C/O IDAHO CITY STAGE BOISE, ID 83706

Priority Date: 06/16/1972

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
MACKS CREEK	GRIMES CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.060 CFS	1.80 AF
	<u>Total Diversion:</u>	0.060 CFS	1.80 AF

Location of Point(s) of Diversion

MACKS CREEK	SE1/4NE1/4	Sec. 8, Twp 05N, Rge 04E, B.M.
BOISE County		

Place of UseDOMESTIC Within BOISE County

T05N R04E S09	SWNW	T05N R04E S09	NWSW
---------------	------	---------------	------

Total Acres: 0

Conditions of Approval:Remarks:Comments:Dates and Other Information:



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 6, 2001

MARVENNA S HODGINS
MARILYN E DAWSON
PO BOX 6466
BOISE ID 83707

Re: Notice of Claim to a Water Right No. 63-7612, 63-7613D & 63-09878

Dear Claimant(s):

Enclosed is a copy of the above referenced claim, which reflects the change in ownership of the land and appurtenant water rights 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.

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

Sincerely,

Adjudication Section
Western Region Office

DB: db

Enclosure

United States Department of Agriculture
Forest Service

SPECIAL USE PERMIT

Act of June 4, 1897

This permit is revocable and nontransferable
(Ref. FSM 2710)

a. Record no. (1-3)	b. Fee (3-4)	c. Fee (5-6)
70	04	02
d. District (7-8)	e. Use number (9-12)	f. Kind of use (13-15)
Ida City 03	2220-	Water transmission 911
g. State (16-17)	h. County (18-20)	i. Card no. (21)
Idaho 16	Boise 015	913

Permission is hereby granted to Mr. Floyd E. Audette

of 2042 Longmont, Boise, Idaho 83706

hereinafter called the permittee, to use subject to the conditions set out below, the following described lands or improvements:

SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, T. 5 N., R. 4 E., B.M., Boise County, Idaho; a spring from which water will be transmitted via buried pipe to a storage tank on private property.

This permit covers 900 feet ~~xxxxxx~~ and is issued for the purpose of:
diverting domestic water for domestic use.

1. Construction or occupancy and use under this permit shall begin within 3 months, and construction, if any, shall be completed within 4 months, from the date of the permit. This use shall be actually exercised at least 365 days each year, unless otherwise authorized in writing.

2. In consideration for this use, the permittee shall pay to the Forest Service, U.S. Department of Agriculture, the sum of Fifteen Dollars (\$ 15.00) for the period from January 1 1973, to December 31, 1973, and thereafter annually on January 1

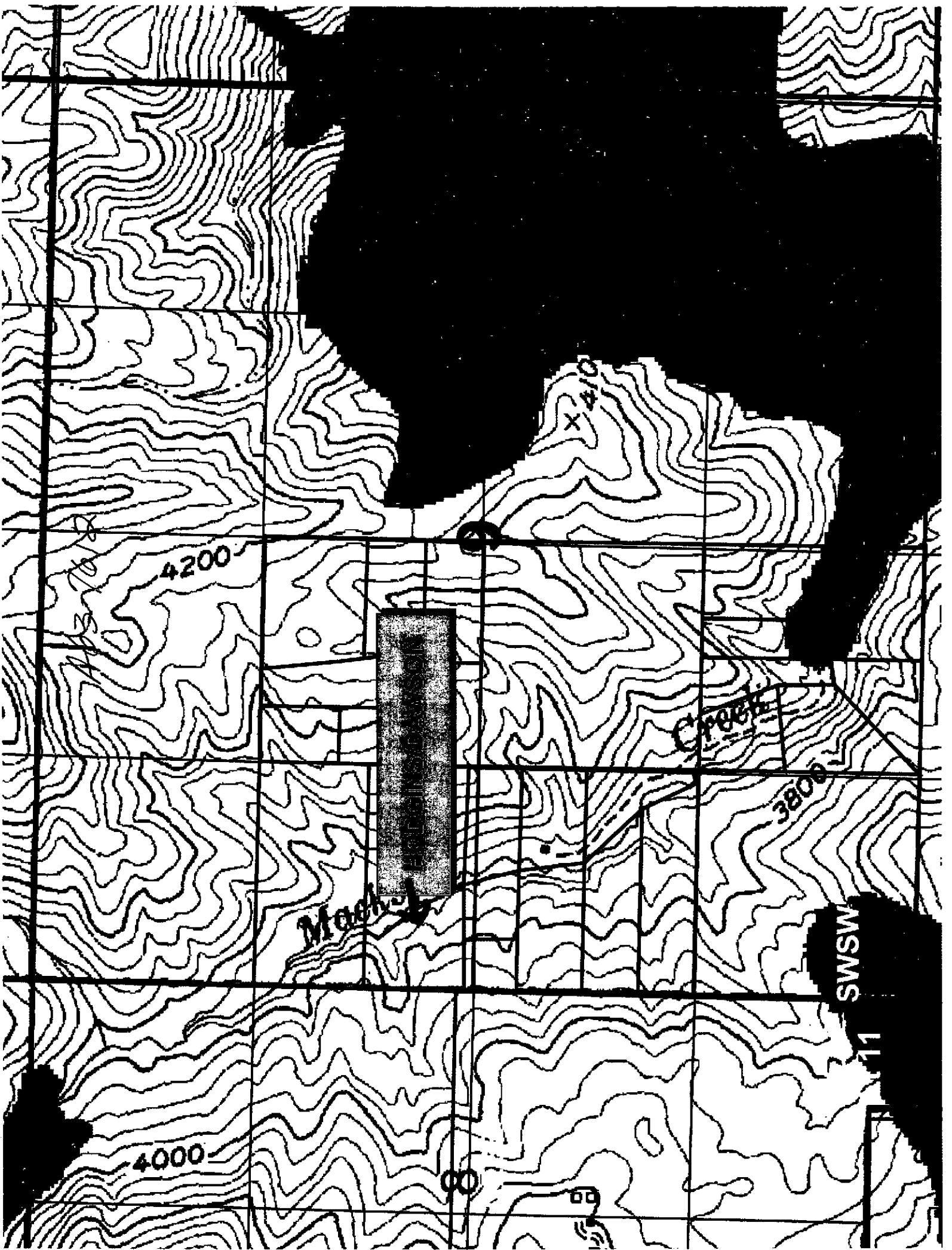
Fifteen Dollars (\$ 15.00)
Provided, however, Charges for this use may be made or readjusted whenever necessary to place the charges on a basis commensurate with the value of use authorized by this permit.

3. This permit is accepted subject to the conditions set forth herein, and to conditions 18 to 28 attached hereto and made a part of this permit.

PERMITTEE	NAME OF PERMITTEE	SIGNATURE OF AUTHORIZED OFFICER	DATE
	<u>Floyd E. Audette</u>	<u>(Signature)</u>	<u>4/5/73</u>
ISSUING OFFICER	NAME AND SIGNATURE	TITLE	DATE
	<u>(Signature)</u>	<u>Acting E.S.</u>	<u>4/4/73</u>

(CONTINUED ON REVERSE)

2700-4 (11-6-68)



X 410

4200

463 10/8

Creek

3800

MSW

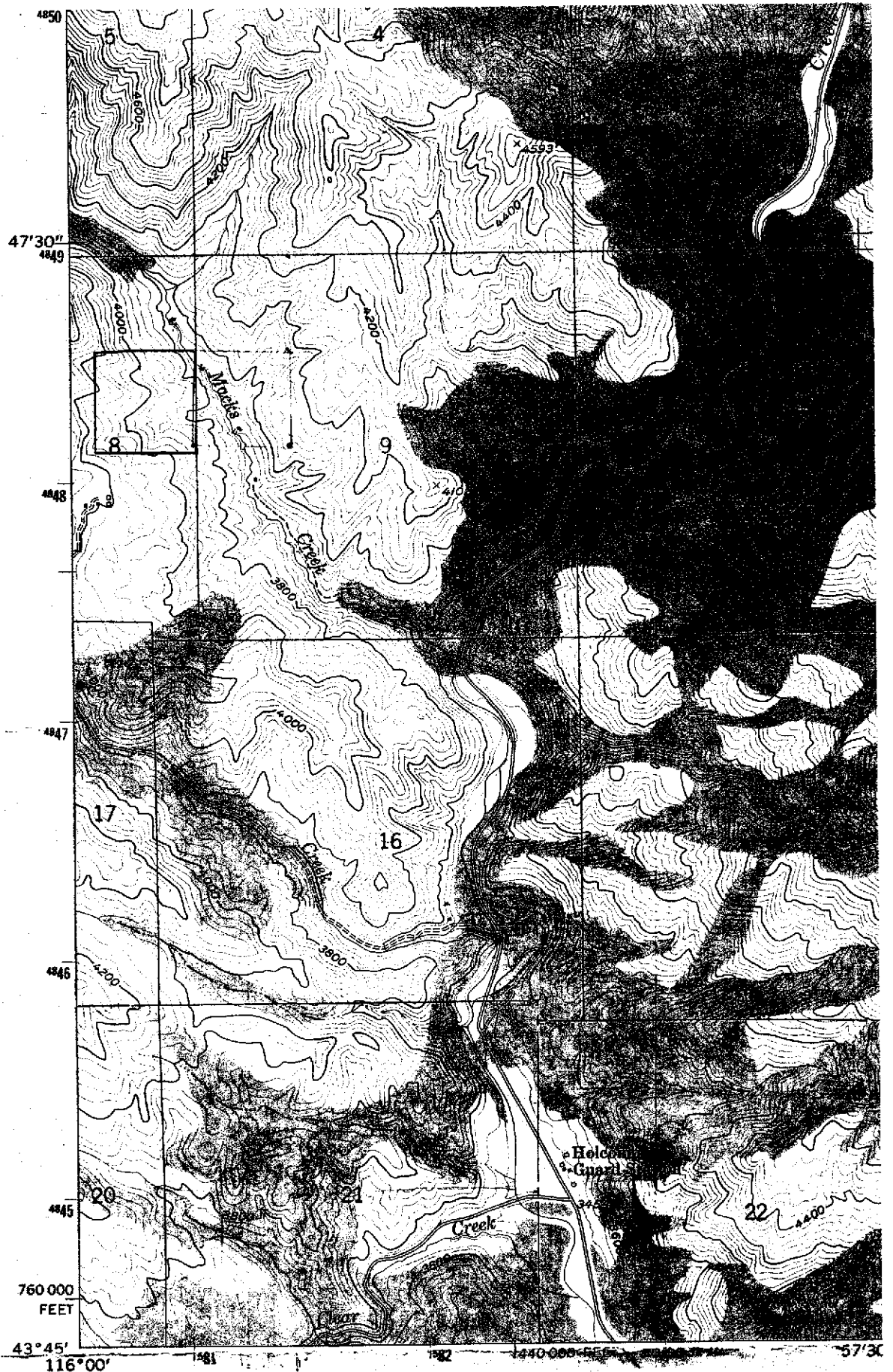
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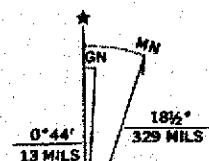
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BOISE 1:62 500
2771 II

Mapped by U. S. Forest Service
 Edited and published by the Geological Survey
 Control by USGS, USC&GS, and USFS
 Topography from aerial photographs by KEK plotter
 Aerial photographs taken 1938-1939 and 1948
 Field check by USGS 1957

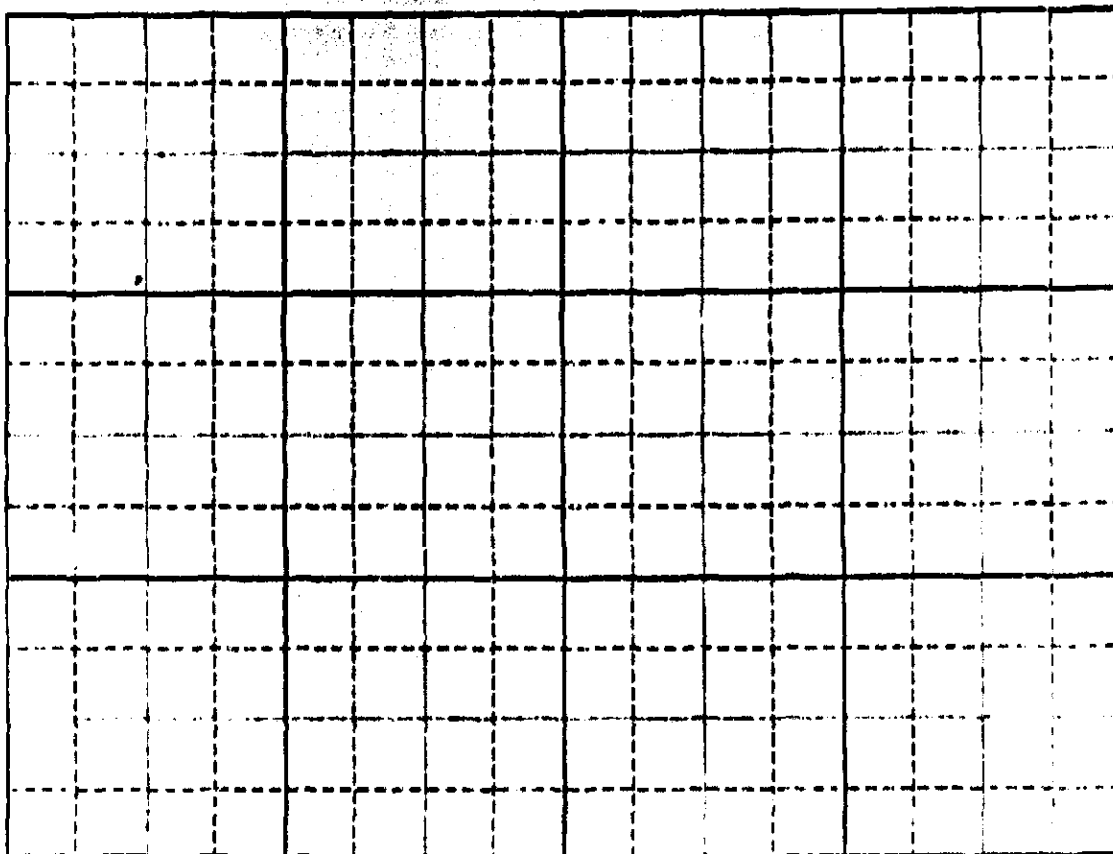


DEC 28 1973
Department of Water Administration

Total number of acres to be irrigated

63 7612

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holder's own risk

Signed at Butte, Montana, this 28 day of Dec, 1973

[Signature]
(signature)

ACTION OF STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, State Reclamation Engineer of the State of Idaho, hereby approve the above application for amendment for Permit No. 63-7612.

Witness my hand this 19 day of JANUARY, 1974

[Signature]
State Reclamation Engineer