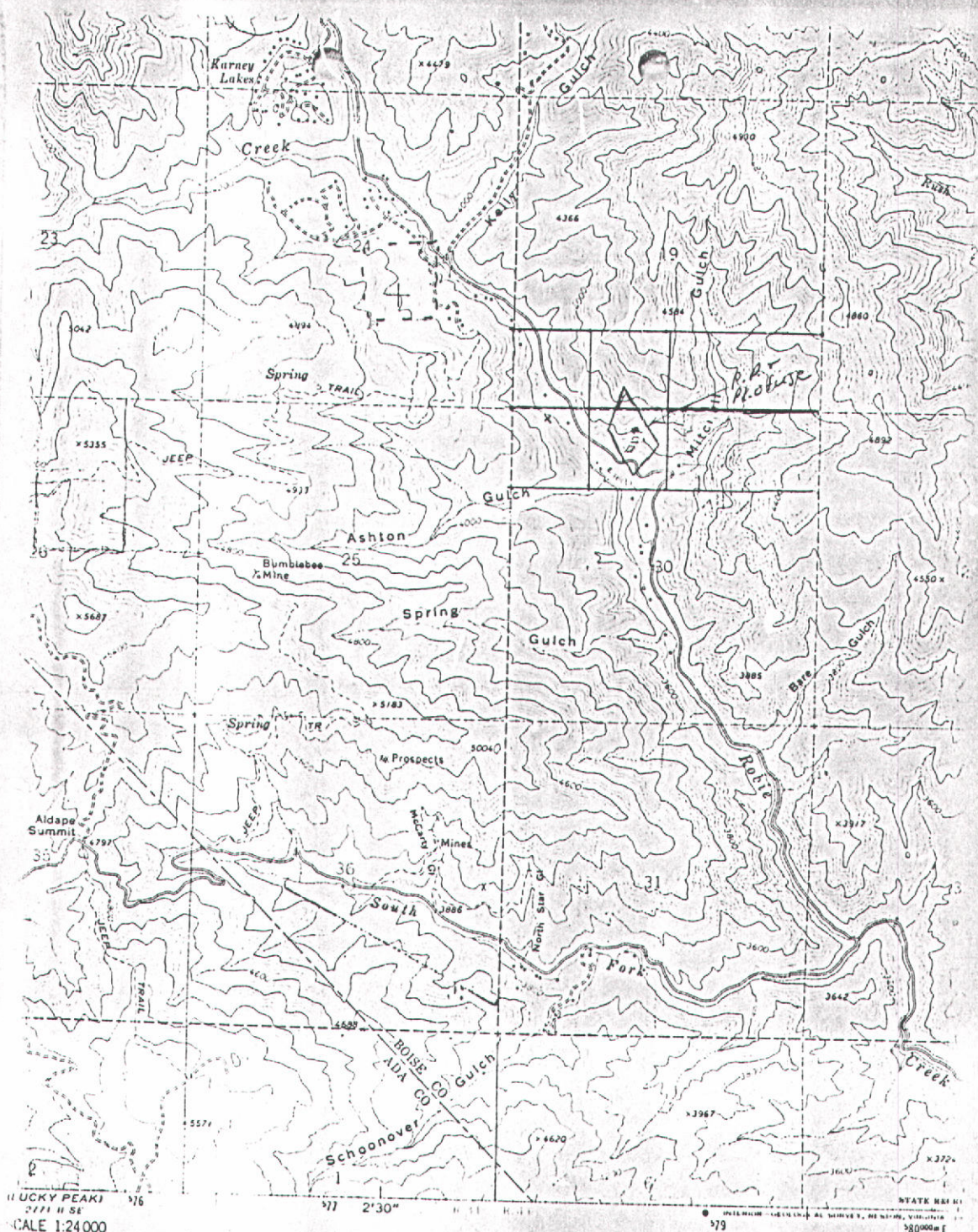




LUCKY PEAK
2171 N SE
SCALE 1:24000



ROAD CLASSIFICATION
Primary highway, hard surface
Light duty road, hard improved surface

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: A63-10104B
Date Received: 8/26/1992
Receipt No: C025321
Received By:

rejected 3-31-93.
af

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROSS I FENNER 208-336-7120
Address: HC33 2442
BOISE ID 83706

AND

Name: JOANN FENNER 208-336-7120
Address: HC33 2442
BOISE ID 83706

2. Date of Priority: JUN 30, 1983

3. Source: SPRING Trib. to: ROBBIE CREEK

4. Point of Diversion:

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

5. Description of diverting works:

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		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	04E	30	NE NW		DOMEST	

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM WAS LICENSED FOR TWO HOMES, SEPARATE OWNERSHIP, AT
0.04 CFS EACH HOME.
PARCEL B

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: _____

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 _____

APR 29 1993

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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-10104B
Date Received: 4/27/93
Receipt No: 0027352
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROSS I FENNER 208-336-7120
Address: HC33 2442
BOISE ID 83706

AND

Name: JOANN FENNER 208-336-7120
Address: HC33 2442
BOISE ID 83706

2. Date of Priority: JUN 30, 1983

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	30	NE	NW			BOISE

5. Description of diverting works:

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		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME

MICROFILMED

JUL 26 1994

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	04E	30	NE NW		DOMEST	

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM WAS LICENSED FOR TWO HOMES, SEPARATE OWNERSHIP, AT
0.04 CFS EACH HOME.
PARCEL B

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: _____

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):

[Signature]
Sam Brian Tanner
SS.

Date: 4/9/93

Date: 4/9/93

State of Idaho

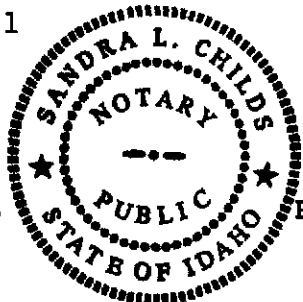
County of ADA

Subscribed and sworn (or affirmed) before me this 9th day

of April 19 93

[Signature]
Notary Public

Seal



Residing at BOISE, IDAHO

My Commission Expires 9-17-96

A63-10104B

Page

2

Date: 10/26/92

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JUL 26 1994

RECEIVED

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

AUG 26 1992

Department of Water Resources

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. 63-10104B

Date Received 8/26/92

Receipt Number C025321

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW For Domestic and/or Stockwater Purposes Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) ROSS I AND JOANN O. FENNER Phone (208) 336-7120
Mailing Address H.C. 33 2442 - Boise Zip 83706
2. Date of Priority (Only one per claim) 6/30/83 Month/Day/Year
3. Source of water supply (Check one) ☒ Groundwater or Other () (a) Spring
which is tributary to (b) BOBIE CREEK Name or kind of source
4. Location of point of diversion is: Township Township 4N Range 4E
Section 30 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.,
County of Boise
- Additional points of diversion if any: NONE
5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. SPRING IS IMPROVED WITH HOLDING TANK EXISTING ON ABOVE STATED LEGAL DISCRPTION - INCL. SHUT OFF VALVE
6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
For Domestic purposes from 1/01 Month/Day to 12/31 Month/Day amount 0.04 (cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____
7. Total quantity claimed 0.04 (cfs)
8. Total consumptive use claimed is de minimus
9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Domestic purposes for (2) households.

MICROFILMED

JUL 26 1994

RECEIVED

AUG 5 1988

Department of Water Resources

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

10. Place of use is: Township: 4N Range 4E
Section 30, NENW 1/4 of _____ 1/4, Govt. Lot _____, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? Boise
12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.
13. Describe any other water rights used at the same place and for the same purposes as described above.
() None or SEE ATTACHED INFO ON MILES WILLIAMS PORTION
14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree
Court _____ Decree Date _____ Plaintiff vs Defendant _____
If applicable provide IDWR Water Right Number 63-10104

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) [Signature] Date 8/10/92

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, Title _____
Organization _____, that I have signed the foregoing
document in the space below as _____ of _____
Title _____ Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of _____)

SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

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

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

Last Name _____ Ident No. _____

MICROFILMED

Copies: White-State, Yellow-Claimant JUL 26 1994

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-10104B V1

WATER RIGHT NUMBER: 63-10104B V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	MICHELE TAE WOODBURY PO BOX 1405 BOISE, ID 83701
Original Owner	SCOTT D WOODBURY PO BOX 1405 BOISE, ID 83701
Current Owner	JOANN FENNER 32 LEPRECHAUN LANE BOISE, ID 83716 (208)336-7120
Current Owner	ROSS I FENNER 32 LEPRECHAUN LANE BOISE, ID 83716 (208)336-7120

Priority Date: 06/30/1983

Basis: License

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>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.040 CFS	0.60 AF
	<u>Total Diversion:</u>	0.040 CFS	0.60 AF

Location of Point(s) of Diversion

SPRING	NE1/4NE1/4NW1/4	Sec. 30, Twp 04N, Rge 04E, B.M.
BOISE County		

Place of UseDOMESTIC Within BOISE County

T04N R04E S30 NENW

Conditions of Approval:

1. C18 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.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-10104B V1

1. Explanatory DOMESTIC USE IS FOR IN HOUSE ONLY.
2. Quantity USE OF THIS RIGHT WITH RIGHT NO. 63-10104A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .08 CFS AND 1.2 AFA.

Comments:

1. FRAZEE 3/31/1993 COPIED FROM REMARKS
Comment: CLAIM INCOMPLETE.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag: NONE RECEIVED
 State or Federal:
 Owner Name Connector: 0
 Water District Number: 63
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre: 0.6
 Swan Falls Trust or Nontrust: False
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan:

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	7/18/2000 3:06:26 PM	DSHAFF			Active
Priority Date	6/7/2001 2:53:26 PM	mschulte			Active
POD	6/7/2001 2:57:49 PM	mschulte			Active
POU	6/7/2001 2:58:07 PM	mschulte			Active
Use	6/7/2001 2:58:35 PM	mschulte			Active
Quantity	6/7/2001 2:59:29 PM	mschulte			Active
Summary			06/07/2001	mschulte	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Priority Date	7/18/2000 3:06:25 PM	DSHAFF	1. (NO) There has not been a later court decree of the water right(s) from the water source. 4. (NO) The basis of claim is not beneficial use. 5. (NO) The basis of claim is not a posted notice. 6. (YES) Parent right has a priority date. 7. (NO) The basis of claim is not an application or permit. 12. (YES) The claim is recommended. 13. (YES) The claim is coded correctly. 14. (NO) Priority remark was not required. 15. (NO) Priority condition was not required.
POD	6/7/2001 2:55:00 PM	mschulte	Edited point location

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-10104B V1

POD	6/7/2001 2:56:26 PM	mschulte	Edited point location
POD	6/7/2001 2:57:47 PM	mschulte	1. (NO) The basis is not beneficial use. 2. (YES) Parent right has a Point of Diversion. 8. (NO) Point of Diversion remark was not required. 9. (NO) Point of Diversion condition was not required.
POU	6/7/2001 2:58:05 PM	mschulte	1. (YES) The POU is required. 2. (NO) The basis of claim is not beneficial use. 3. (YES) The Parent Right has a POU. 12. (NO) POU remark was not required. 13. (NO) POU condition was not required.
Priority Date	6/7/2001 2:53:24 PM	mschulte	1. (NO) There has not been a later court decree of the water right(s) from the water source. 4. (NO) The basis of claim is not beneficial use. 5. (NO) The basis of claim is not a posted notice. 6. (YES) Parent right has a priority date. 7. (NO) The basis of claim is not an application or permit. 12. (YES) The claim is recommended. 13. (YES) The claim is coded correctly. 14. (NO) Priority remark was not required. 15. (NO) Priority condition was not required.
Use	6/7/2001 2:58:33 PM	mschulte	1. (NO) The basis of claim is not beneficial use. 2. (YES) The parent right has a purpose of use. 11. (NO) Purpose of Use remark was not required. 12. (NO) Purpose of Use condition was not required.
Quantity	6/7/2001 2:59:24 PM	mschulte	1. (NO) The basis of claim is not beneficial use. 2. (NO) The basis of claim is not a posted notice. 3. (YES) The parent right has a diversion rate and/or diversion volume. 9. (NO) Quantity remark was not required. 10. (NO) Quantity condition was not required.
Summary	6/7/2001 3:11:28 PM	mschulte	1. (NO) The basis of the claim is not beneficial use. 3. (NO) There is no indication that there has been a five year period of continuous nonuse that could result in a recommendation of forfeiture or partial forfeiture. 5. (NO) General remark was not required. 6. (NO) Explanatory remark was not required. 7. (YES) Additional condition was required. 8. (YES) Wanted to view the recommended right. 9. (YES) This is a split right. 10. (NO) This is not a combined right. 11. (NO) Documents were not linked or attached to this file. 12. (YES) Set the verification date.

NOTICE OF ERROR
REPLY

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: April 5, 2002

Water right number: 63-10104B

JOANN FENNER

HC 33 2442

BOISE ID 83706

Telephone Number: (208)336-7120

ROSS I FENNER

HC 33 2442

BOISE ID 83706

Telephone Number: (208)336-7120

RECEIVED

MAR 22 2002

WATER RESOURCES
WESTERN REGION

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

OUR ADDRESS + PURPOSE OF USE SECTION

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

1) TO UPDATE OUR ADDRESS* + 2) TO INCLUDE DOMESTIC ANIMAL USE
* 32 Leprechaun Lane, Boise, ID 83716 same phone

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

1) THE COUNTY CHANGED HOW THEY WERE ADDRESSING HOMES IN THE AREA.

2) THE WATER AVAILABLE SUPPORTS THE USE OF IT FOR DOMESTIC ANIMALS.

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

DATE: 3/15/02

SIGNATURE:

JoAnn O'Brien Fenner

Please print your name:

Jo Ann O'Brien Fenner

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

*Licensed for
internal use only!*

IMPORTANT MESSAGE

FOR _____

DATE

4-4

TIME

8:30

A.M.
P.M.

WHILE YOU WERE OUT

M

John Fenner

OF _____

PHONE NO.

336-7120

TELEPHONED

PLEASE CALL

X

CALLED TO SEE YOU

WILL CALL AGAIN

WANTS TO SEE YOU

URGENT

RETURNED YOUR CALL

MESSAGE

returning call from
Mel last week.

SIGNED

63-10104 B.

Called Back and Explained
Domestic Def includes
stock watering. C Saxton
4-4-02

06/07/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. 63-10104B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOANN FENNER
Current Owner	ROSS I FENNER
	HC33 2442
	BOISE, ID 83706
	(208)336-7120
Original Owner	MICHELE TAE WOODBURY
Original Owner	SCOTT D WOODBURY
	PO BOX 1405
	BOISE, ID 83701

Priority Date: 06/30/1983
Basis: License
Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
DOMESTIC	1/01	12/31	0.04 CFS		
Total Diversion			0.04 CFS		

Location of Point(s) of Diversion:

SPRING NENW Sec. 30 Township 04N Range 04E BOISE County

Place(s) of use:

Place of Use Legal Description: DOMESTIC BOISE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	04E	30		NENW										

Conditions of Approval:

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

Remarks:

1. General THIS CLAIM WAS LICENSED FOR TWO HOMES, SEPARATE OWNERSHIP, AT 0.04 CFS EACH HOME.
PARCEL B

Dates:

Licensed Date:
Claim Received Date:
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:

C18 + N11 + N13 + E01

Use: Internal

Other Information:

06/07/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

WATER RIGHT NO. 63-10104

<u>Owner Type</u>	<u>Name and Address</u>
Present Owner	JOANN O FENNER
Present Owner	ROSS T FENNER
	HC 33 BOX 2442
	ROBIE CREEK, ID 83706
	(208)336-7120
Present Owner	JOIE WILLIAMS
Present Owner	MILES WILLIAMS
	RD 3 BOX 186
	WILLIAMSPORT, PA 17701
	(208)745-7640
Original Owner	MICHELE TAE WOODBURY
Original Owner	SCOTT D WOODBURY
	PO BOX 1405
	BOISE, ID 83701

Priority Date: 06/30/1983
Basis: License
Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
DOMESTIC	1/01	12/31	0.08 CFS	1.2 AFA	
Total Diversion			0.08 CFS	1.2 AFA	

Location of Point(s) of Diversion:

SPRING	NENW	Sec. 30	Township 04N	Range 04E	BOISE County
--------	------	---------	--------------	-----------	--------------

Licensed Diversion Capacity: 0.08

Place(s) of use:

Place of Use Legal Description: DOMESTIC	BOISE County
--	--------------

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	04E	30		NENW										

Conditions of Approval:

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

Remarks:

1. General Domestic use is for 2 homes.

Dates:

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10104

Priority: June 30, 1983 Amount: .08 CFS 1.2 AF

This is to certify, that SCOTT D. WOODBURY
MICHELE TAE WOODBURY

P.O. BOX 1405
BOISE, ID 83701

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated June 30, 1983, and has submitted proof to the Department of Water Resources on June 30, 1983, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .08 cfs of water from;

SPRING tributary to ROBBIE CREEK

and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Domestic	01/01 to 12/31	.08 cfs	1.2 af

LOCATION OF POINT OF DIVERSION(S): NENW, Sec. 30, Township 4N, Range 4E
Boise County

PLACE OF USE: Domestic

TWN RGE SEC

4N 4E 30 NENW

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Use of water under this license is subject to control by the watermaster of State Water District No. 63.
5. Domestic use is for 2 homes.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 11TH day of FEBRUARY, 1987.

Acting for the Director

Form 219
12/82

RECEIVED

MAR 18 1988

State of Idaho
DEPARTMENT OF WATER &
WATER RIGHT BENEFICIAL USE

Department of Water Resources

KEYPUNCHED

63-10104

SCOTT WOODBURY

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made (List Telephone No. used)	NONE		
☒ Appointment scheduled for: (Date, time, location)	5/12/85	SW	

EXAMINATION

Date 5/12/85 Accompanied by SCOTT WOODBURY Total Q measured 0.08 cfs
 Source WELL SPRING Tributary to ROBIE CREEK Supp. annubar measurement sheet used?
 If source is surface water, estimate total flow of source
 Methods of measurement ESTIMATED Meets permit requirements? YES

Measurement calculations:

DOMESTIC - 2 HOMES - 0.08 cfs ✓
 IN-HOUSE USE ONLY = $.6 \times 2 = 1.2 \text{ AF/ANN.}$ ✓

WELL/DIV. NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEVICE	REMARKS
				N/A				

System Description 2000 GALLON STORAGE TANK W/1 1/2" OVERFLOW & 9" PIPELINE DOWN TO 2 HOMES. IN-HOUSE USE ONLY. 2ND HOME IS 150' (APPROX.) DOWN. 2-1" LINES TO HOMES.

*Code with map on reverse side. Disregard code if only one.

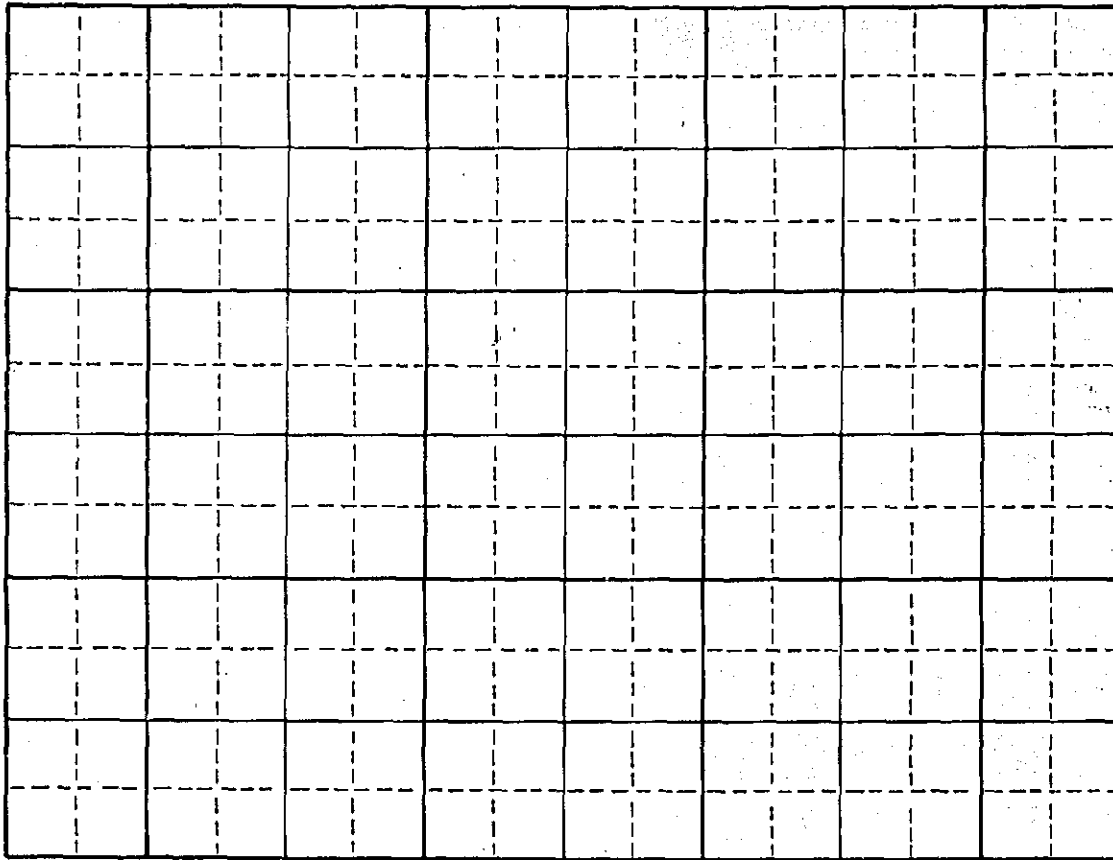
RECOMMENDED AMOUNTS

Irrigation requirement = _____ AFA/Acre

USE	Q (cfs)	V (afa)	FROM	TO
DOMESTIC - 2 HOMES ✓	0.08 cfs ✓	1.20 afa ✓	1-1 ✓	12-31 ✓
IN-HOUSE USE ONLY				
Total	0.08 cfs ✓	1.20 afa ✓	1-1	12-31

Remarks _____

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: NE 1/4 NW 1/4, S. 30, T. 4N, R. 4E.

Place(s) of Use

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	4E	30					X												

Recommended Amendments:

- ☒ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other _____

Examiner's Signature

Jan Skute

Date 3/4/86

Checked by

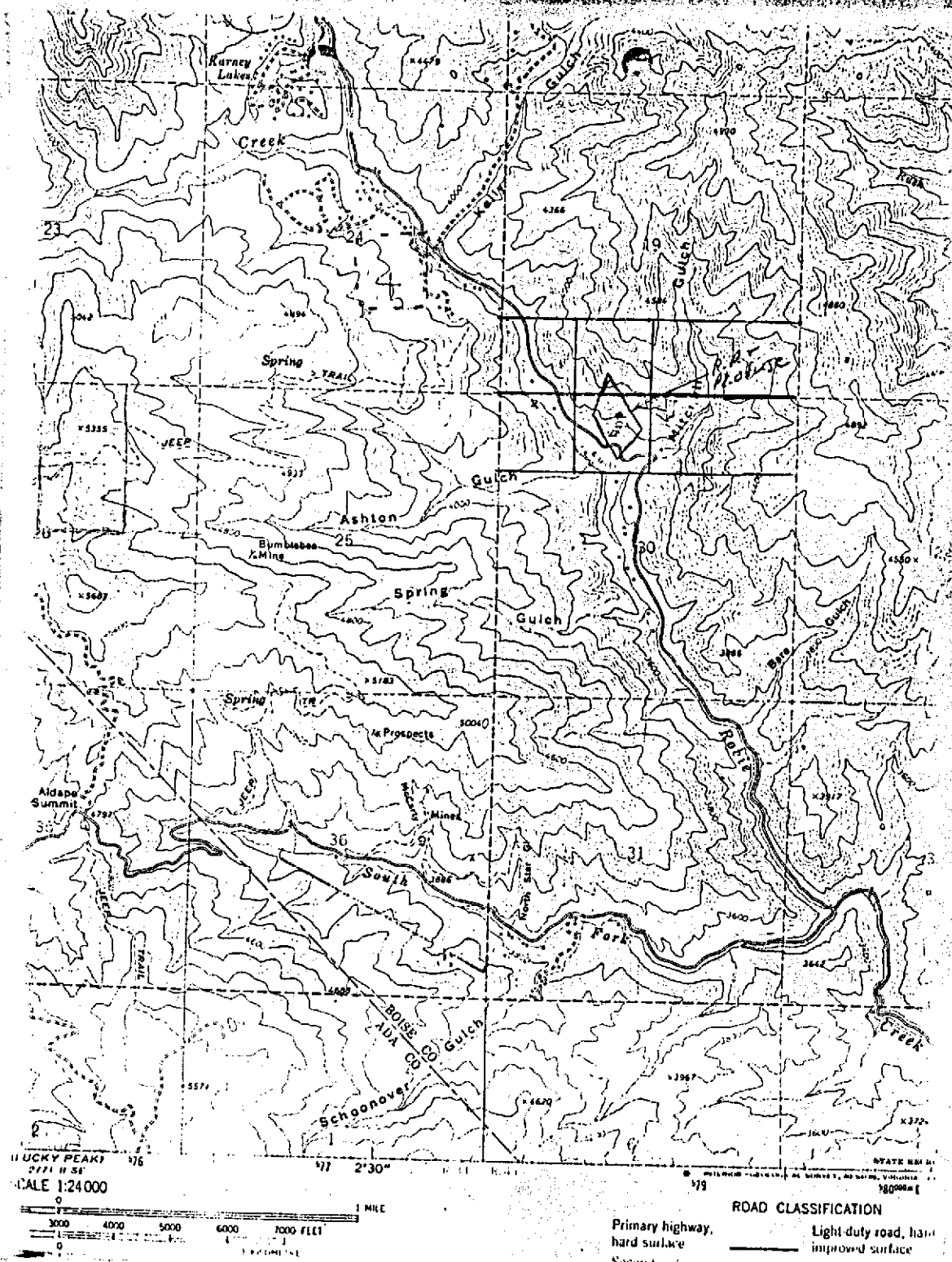
ChS

Date 3/10/86

Approved by

K. Walker

Date 12-5-86



JUL 26 1994

Water right number - R63-10104B

Prefix Translation: RESEARCH

+ - - Diversion Means -

+ - - Non-Irrigation Use - DOMESTIC, 1 HOME

+ - - Other Rights for Same Use -

----- CLAIM INCOMPLETE. -----

	No	Old	Water	Right	Numbers	Found
--	----	-----	-------	-------	---------	-------

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

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

Date: 03/31/1993 User
CLAIM INCOMPLETE.

Date:	User Id:	FRAZEE	Subject:	COPIED FROM REMARKS	-Comments-
03/31/1993					

- - - Audit Fields - - +

03/31/93 FRAZEE

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432	433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464	465	466	467	468	469	470	471	472	473	474	475	476	477	478	479	480	481	482	483	484	485	486	487	488	489	490	491	492	493	494	495	496	497	498	499	500	501	502	503	504	505	506	507	508	509	510	511	512	513	514	515	516	517	518	519	520	521	522	523	524	525</
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Court Report Filing	- 00/00/0000
Objection Filed Date	- 00/00/0000
Response Filed Date	- 00/00/0000
Claim Received Date	- 00/00/0000

Field Inspection Made
Field Inspection Flag
Verified Date
Last Amended Date
Receipt Number
POU Ownership Flag
Name Connector

Field Inspection Made - 00/00/0000

Civil Case Number
Old Case Number
Old Judicial District
Temporary Right

39576

Temporary Right	-	P
Water District	-	63
Federal/State Indicator	-	S
Presumption Flag	-	
Notice of Error Flag	-	

MICROFILMED

JUL 26 1958

MEMORANDUM

DATE: 04/09/1993
TO: FILE A63-10104B/R63-10104B
FROM: S. FRAZEE *df*
RE: JO ANN OR ROSS FENNER/BOISE CO.
REFUND/SUBMITTAL OF LATE CLAIM

THIS MORNING JO ANN FENNER CONTACTED ME (385-1899, OFFICE) REGARDING THEIR CLAIM WHICH WAS NOT RETURNED TO US AND THE REFUND LETTER THEY RECEIVED FROM DON SHAFF.

MRS. FENNER EXPLAINED THE CLAIM HAD BEEN IN THE GLOVE BOX OF THEIR CAR WAITING TO GET NOTARIZED AND THEY HAD FORGOTTEN IT.

I TOLD HER HOW TO MODIFY THE CLAIMANT NAME(S) IN ITEM 1 TO "AND/OR" SO ONLY ONE OF THEM WOULD HAVE TO SIGN/NOTARIZE, AND TO SUBMIT LATE FEES ALONG WITH THE FILING FEE WHICH HAD BEEN REFUNDED. I ALSO TOLD HER ABOUT FILING A REQUEST FOR EXTENSION OF TIME.

SHE AGREED AND SAID SHE'D GET THE CLAIM TO US ASAP.

MICROFILMED

JUL 26 1994

REFUND REQUEST

SUBMITTED TO AUDITOR

TO: S. Frazee to Log In
FOR: D. Shaff/D. Allen
FROM: R. McElrath Date: 3-3-93
SUBJ: Receipt No. 10035321 (Please attach ARQ2 Receipt copy)

RE: PayOR John a Ross Turner
Address HC 33, Box 2442
Boise, ID 83706

Claimant if NOT Payor n/a
Refund Amount \$ 25.00 Claim Location (Region/Claimant) 400
Extension Filed? (Y/N) NA Copy Attached? (Y/N) NA
Late Fees Paid? Y/N (NA) GRANTED Late Fee Receipt #
S.O. Verified Ext. by on D.B. Query by
Refund Generated By (✓) Agent () Claimant
Refund Category incomplete claim
Date of Last Correspondence (copy attached) 10-27-92

Claim No.	Use	Fees Paid	Correct Fee	Rec't #
<u>163-10104B</u>	<u>A/R</u>	\$ <u>25.00</u>	<u>25.00</u>	<u>10035321</u>
		\$		
		\$		
		\$		
		\$		
		\$		
Total		\$ <u>25.00</u>	\$ <u>25.00</u>	
Detailed Reason(s) for Refund Attached <u>Y/N</u>				
<u>signed claim not returned</u>				

Region AJ Spvsr. Approval S.O. AJ Spvsr. Approval
Don Shaff Approval 3-15-93 Hold 2 wks To Fiscal 63-31-93
Data Base Modified? (Y/N) NA A &/or R Records By 3-3-93 on 2/
24 Fiscal yes!

10/29/92

MICROFILMED

JUL 26 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 15, 1993

Mr. & Mrs. Ross Fenner
HC 33, Box 2442
Boise, ID 83706

RE: Snake River Basin Adjudication (SRBA)
Boise County - Notice of Claim #A63-1014B

Dear Mr. & Mrs. Fenner:

In our letter to you of October 27, 1992, you were offered some options to record your water right. Since we have not received anything further from you, the refund process has been initiated with the State Auditor's Office for the fees you paid. You should receive your check in the near future.

If you later decide to refile, a new claim must be completed within one year with filing fees and appropriate late fees included at the time of submittal.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Donald V. Shaff'.

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:ref

MICROFILMED

JUL 26 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 27, 1992

Mr. & Mrs. Ross I. Fenner
HC33, Box 2442
Boise, ID 83706

RECEIVED
NOV 10 1992

RE: Snake River Basin Adjudication (SRBA)
Boise County - #A63-10104B

Department of Water Resources
Western Regional Office

Dear Mr. & Mrs. Fenner:

I am sending to you a computer-generated claim form using information compiled from the hand-written claim you submitted. I have also enclosed your yellow file copy of your claim, which you may retain for your records.

I assumed you only want to file a Notice of Claim for your own use, and as such, modified Item #9 as shown. The Williams' have filed a claim on Parcel A.

As you can see from your yellow copy, your claim was not notarized. Both of you need to sign the form in front of a notary and return it to this office within 30 days to avoid late fees.

Please feel free to contact this office if you have any questions.

Sincerely,

Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

RM:sf:west

Enclosures:

Notice of Claim to a Water Right
Yellow Claimant Copy of Claim

MICROFILMED

JUL 26 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

July 24, 1992

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

ROSS OR JOANN FENNER
HC 33 BOX 2442
ROBIE CREEK ID 83706

Dear Mr. or Ms. Fenner:

It has been brought to my attention through a change in ownership of property previously owned by Scott Woodbury and sold to Miles and Joie Williams and Ross and JoAnn Fenner, known as property A and B, that your property may have a water right appurtenant to it.

This is a licensed water right, numbered 63-10104, and is from a spring that is used for domestic purposes by two parties. The Williams' have filed a Notice of Claim to a Water Right in the Snake River Basin Adjudication (SRBA) based on half of the above right. Because of this the water right has been split and now represents their half of this license. This leaves the remaining portion of the right left unclaimed in the adjudication.

If the other portion of the right is appurtenant to your property and you are still using the spring, you may want to file a claim in the adjudication to claim your portion of the usage. A water right or a portion of water right that has not been filed in the SRBA will not be decreed by the Court and may be deemed to have been forfeited due to nonusage.

I have enclosed a copy of this right as it was licensed along with a form entitled Notice of Claim to a Water Right, with instructions, should you wish to make a claim on this right. There is a filing fee of \$25.00 plus a late fee of \$50.00. The late fee may be waived depending on when you bought your home.

Please contact me if you have any questions regarding completion of the form or the late fee waiver. I would appreciate it if you would respond within 30 days of the date of this letter.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

MICROFILMED

JUL 26 1994

Enclosures

P.S. Also enclosed is a change in ownership form. Please submit a copy of your warranty deed with this form.

63-10104B

Approved

SEP 21 1992

State of Idaho
Department of Water Resources

RECEIVED

AUG 26 1992

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

Department of Water Resources
Western Regional Office

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

ROSS & JoANN Fenner

(208) 336-7120

Name of Claimant

Phone Number

HC 33-2442 ROBE CREEK

BOISE

ID

83706

Mailing Address

City

State

Zip

BOISE

County(s) where place of use is located

Date claim originally due

Identify water right(s) for which extension is requested

C025321 - 25.00 8/26/92
63-10104B

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

We were notified on February 7, 1992 that "proof of
owning the land is proof of owning the water right."
We were then notified in August that we had to submit
a claim - the home was bought in OCT. 91'

Claimant requests an extension to

SEPT 1

, 19 92

JoAnn O'Brien Fenner

AUGUST 22

, 19 92

Signature

Date of request

Co-owner of water right 63-10104B

Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [X granted] [_____ denied] for the following reasons:

and if granted the filing deadline is extended to Sept 1, 19 92

Signed this 19 day of Sept, 19 92

Director or his designated agent

DAVID B. SHAW

OCT 08 1992

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

State of Idaho
Department of Water Resources
**REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)**

RECEIVED

AUG 26 1992

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

ROSS & JoAnn Fenner

(208) 336-7120

Name of Claimant

Phone Number

HC 33-2442 ROBLE CREEK

BOISE

ID

83706

Mailing Address

City

State

Zip

BOISE

County(s) where place of use is located

Date claim originally due

Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

We were notified on February 2, 1992 that "proof of
owning the land is proof of owning the water right."
We were then notified in August that we had to submit
a claim - the home was bought in OCT. 91'

Claimant requests an extension to SEPT 1

, 19 92

JoAnn O'Brien Fenner

AUGUST 22

, 19 92

Signature

Date of request

Co-owner of water right 63-10104B

Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [X granted] [_____ denied] for the following reasons:

and if granted the filing deadline is extended to Sept 1, 19 92

Signed this 19 day of Sept, 19 92

DAVID B. SHAW
Director or his designated agent

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

MICROFILMED

JUL 26 1994

ADJUDICATION CLAIM REVIEW CHECKLIST

4-3-91

CLAIMANT'S NAME Fenner, Ross/JoAnn

CLAIM IDENT. NO. A63-10104B

DATE RECEIVED 8-26-92 RECEIPT # C025321 AMOUNT \$ 25.00

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	
2. Is a priority date entered?	☒	☐	
Is the priority date acceptable in view of mandatory filing dates?	☒	☐	
See Adjudication Memos #1 and #4 to determine if a Permit is required.	☒	☐	
3. (a) Is a source entered?	☒	☐	
(b) Is a tributary to entered? (if required)	☒	☐	N/A
4. Is the legal description of the p.d. sufficient?	☒	☐	
5. Is there a description of the diverting works?	☒	☐	
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	☒	☐	
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered?	☒	☐	N/A
Is the consumptive use correct?	☒	☐	N/A
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	☒	☐	N/A
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated? (See Item No.'s 16 & 17 for checking other water rights)	☒	☐	
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.)	☒	☐	N/A
15. Is the basis of the claim indicated?	☒	☐	
16. If the basis of claim is shown as <u>license</u> , permit, or decree is the existing water rt. no. listed? (Compare claim with the existing water rt. and either <u>attached</u> a <u>proof report</u> or state in comments that the existing right was compared to the claim)	☒	☐	N/A
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal desc. or name on the claim? (If yes, describe the right in "Comments" and attach a proof report) NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.	☒	☐	N/A
18. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	☒	☐	N/A
19. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	☒	☐	
20. Has the claim been signed, sealed, and dated by a notary?	☒	☐	
21. Was this claim filed on time, or was an <u>extension</u> granted?	☒	☐	
22. Is the fee enclosed correct?	☒	☐	Exempt

MICROFILMED

JUL 26 1994

1. Should this claim be data entered?

Claim reviewed by: J Date 10-5-92

Claim data entered by: J Date 10-26-92

Claim is being returned to claimant: / (Yes) (No)

Claimant is being notified of modifications: (Yes) (No)

Comments: #13 There was no a Hochman; #19 needs both sigs
or adjust #7; Needs notary. Rox. asked me to ASB. This
claim - send w/ ltr to Fenner's.

Total Acres:

MICROFILMED
JUL 26 1994

MICROFILMED
JUL 26 1994