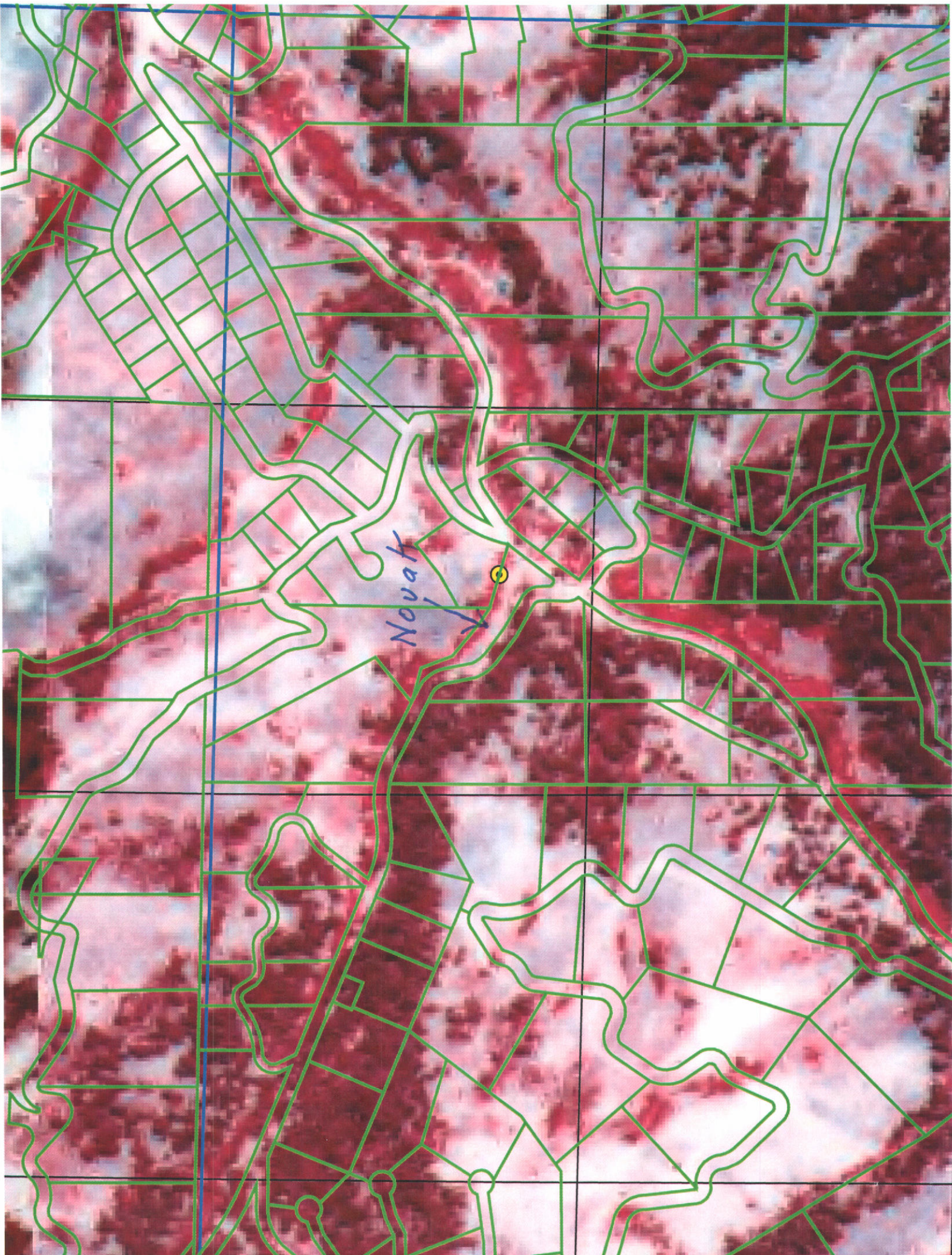
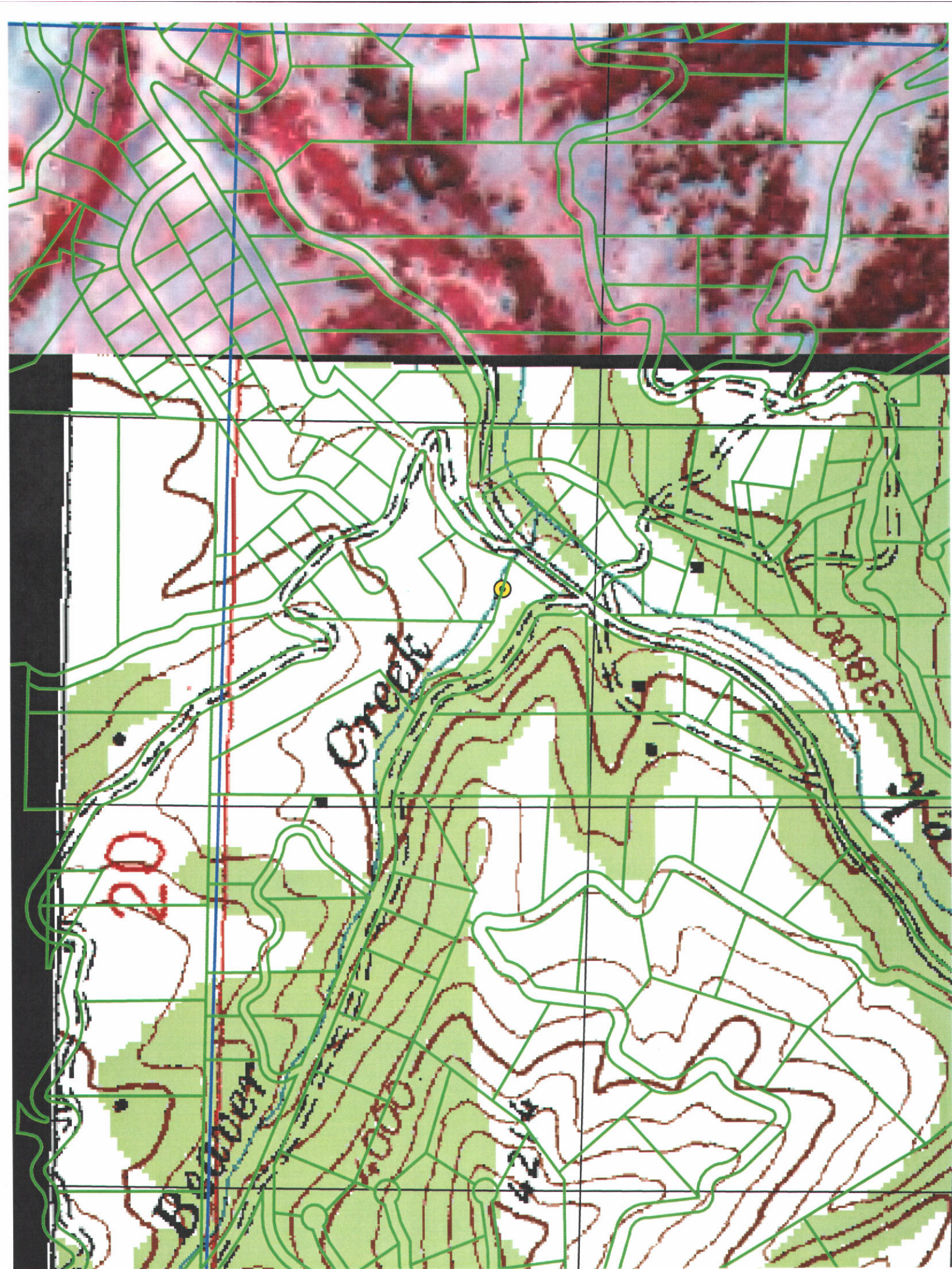






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Department of Water Resources

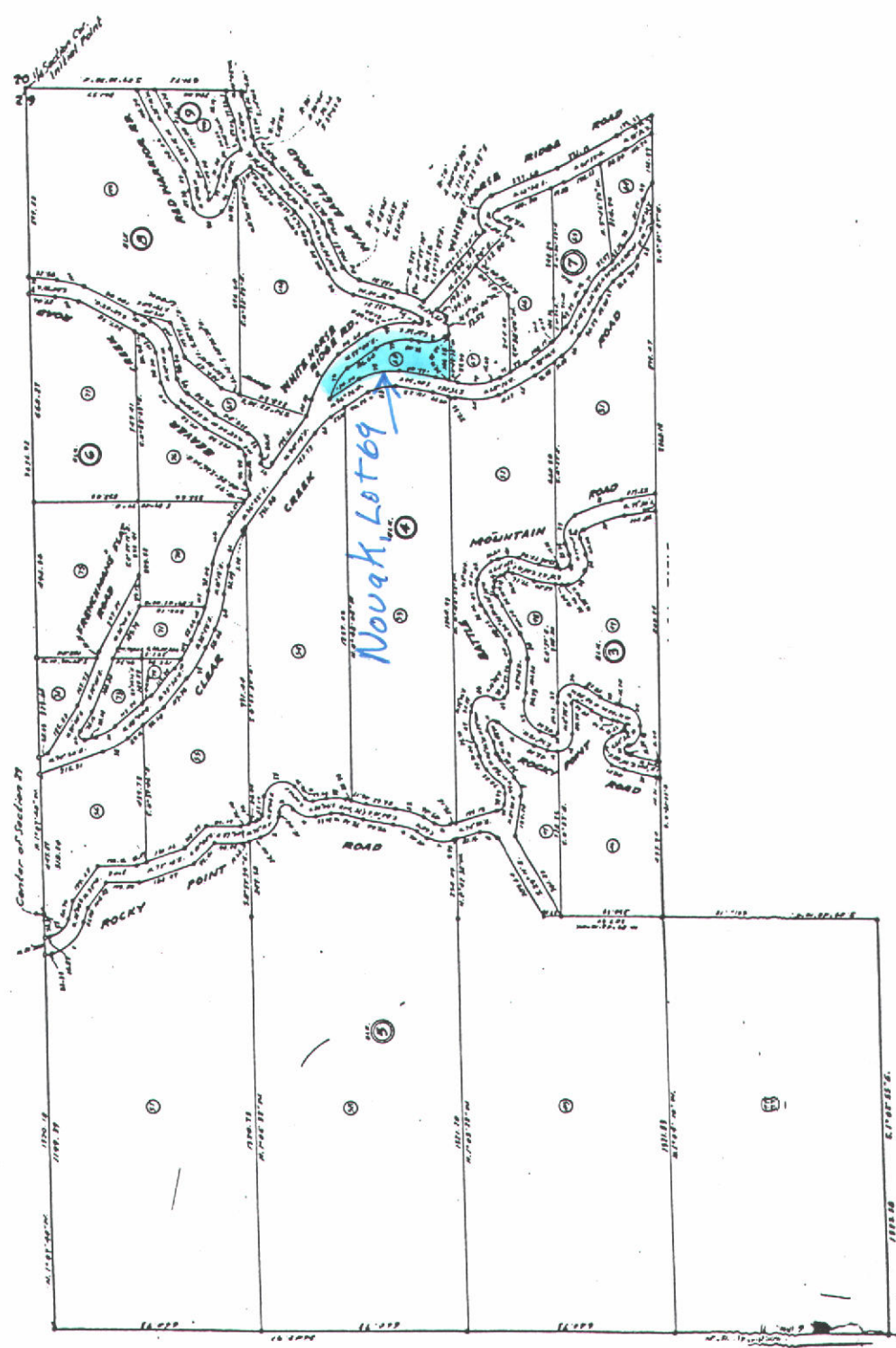
CLEAR CREEK ESTATES SUBDIVISION NO. 2
IN SECTION 29, T.5N, R.4E, B.M., BOISE COUNTY, IDAHO

This sketch is for location purposes only. The Company assumes no liability for variations.

PIONEER TITLE COMPANY
of Ada County

10

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Department of Water Resources

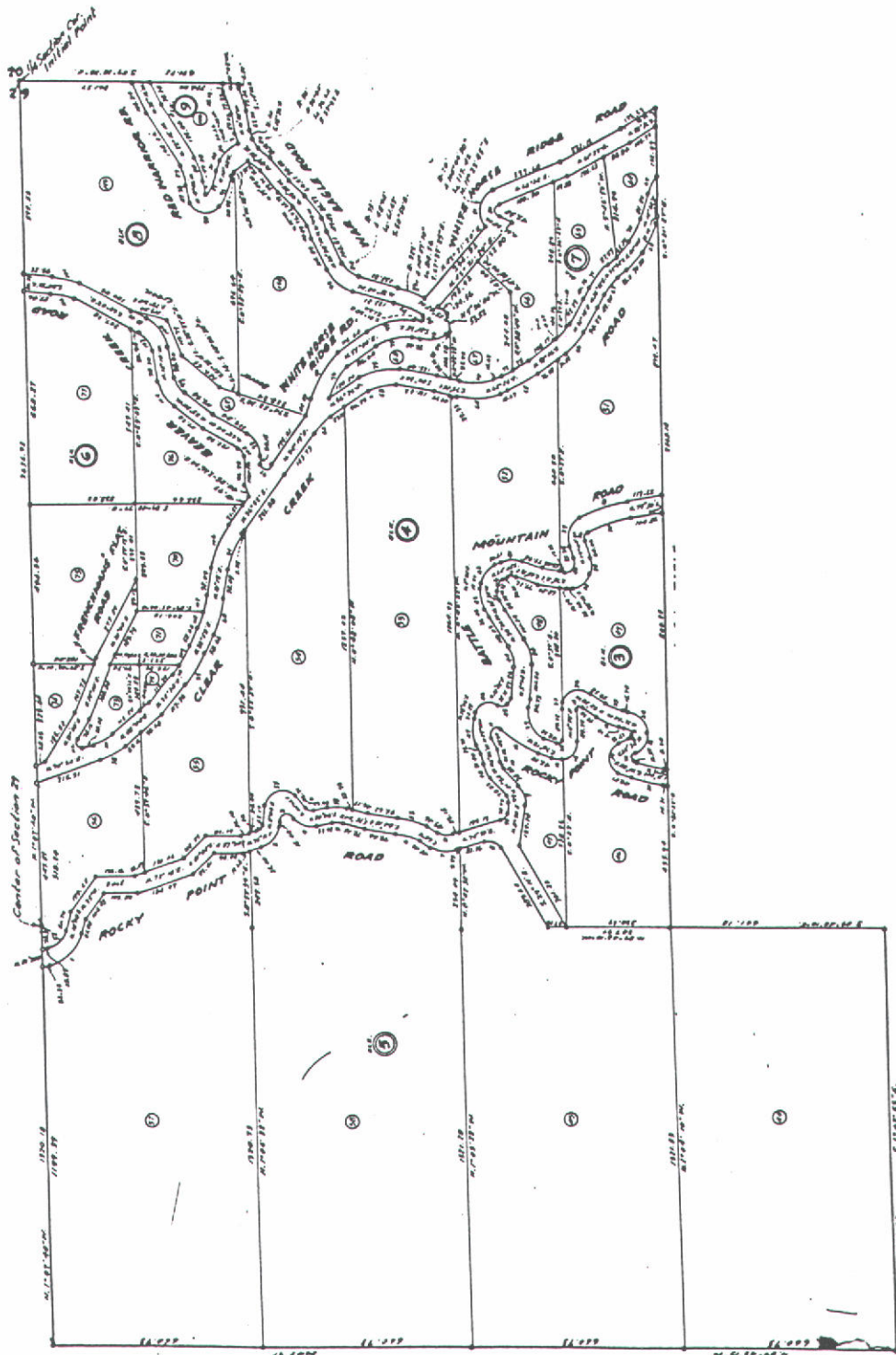
CLEAR CREEK ESTATES SUBDIVISION NO. 3
IN SECTION 27, T.5N., R.4E., B.M., BOISE COUNTY, IDAHO

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PIONEER TITLE COMPANY
of Ada County

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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: A63-15136
Date Received: 3/16/1989
Receipt No: M003025
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: TODD NOVAK 208-392-4599
Address: HC 33 BOX 4030
BOISE ID 83706

2. Date of Priority: JUL 1, 1987

3. Source: BEAVER CREEK Trib. to: CLEAR CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	04E	29	SE	NW	NE		BOISE

5. Description of diverting works:
CANVAS DAM AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
FIRE PROTECTION	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
FIRE PROTECTION FOR ONE HOUSE HOLD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	04E	29	NW	NE		FIRE	

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:
A63-15135 DOMESTIC

14. Remarks:
OWNERSHIP CHANGE BY DB 1/2/98.

15. Basis of Claim: BENEFICIAL USE

RECEIVED

NOV 21 1997

RECEIVED

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

Department of Water Resources

NOV 24 1997

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

WATER RESOURCES
WESTERN REGIONPlease print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): A63-15135 A63-15136 also
Adjudication Claim No(s): _____
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Verly E Myers HC 33 Box 4030 Boise Id 83706
(new address) → 1805 S Substation Emmett Id
83617-9431
4. New Owner/Claimant(s) Todd Novak
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address HC 33 Box 4030
City, State and ZIP Code Boise Id 83706
New Telephone Number (208) 392 4599
5. Date you acquired the property 11-8-95
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) Todd Novak
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

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: A63-15136
Date Received: 3/16/1989
Receipt No: M003025
Received By: BJS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VERYL E. MYERS 208-392-4533
Address: HC 33 BOX 4030
BOISE, ID 83706

OR

Name: LOIS MYERS 208-392-4533
Address: HC 33 BOX 4030
BOISE, ID 83706

2. Date of Priority: JUL 01, 1987

3. Source: BEAVER CREEK Trib. to: CLEAR CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	04E	29	SE	NW	NE		BOISE

5. Description of diverting works:
CANVAS DAM AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
FIRE PROTECTION	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
FIRE PROTECTION FOR ONE HOUSE HOLD

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	04E	29	NW NE		FIRE	

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:
A63-15135 DOMESTIC

14. Remarks:

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 _____

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: A63-15136
Date Received: 3/16/1989
Receipt No: M003025
Received By: BAS

RECEIVED

APR 19 1989

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

1. Name: VERYL E. MYERS
Address: HC 33 BOX 4030
BOISE, ID

208-392-4533

83706

OR

Name: LOIS MYERS
Address: HC 33 BOX 4030
BOISE, ID

208-392-4533

83706

2. Date of Priority: JUL 01, 1987

3. Source: BEAVER CREEK

Trib. to: CLEAR CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	04E	29	SE	NW	NE		BOISE

5. Description of diverting works:
CANVAS DAM AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
FIRE PROTECTION	01/01	12/31	0.020		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

FIRE PROTECTION FOR ONE HOUSE HOLD

A63-15136

Page 1

Date: 03/16/89

MICROFILMED

AUG 24 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	04E	29	NW NE		FIRE	

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:
A63-15135 DOMESTIC

14. Remarks:

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: 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 Verly E Myers Date: X 3/18/89
Lea Myers Date: 3/16/89

State of Idaho)
County of Boise) SS.

Subscribed and sworn (or affirmed) before me this day
of March 19 16 John Dale Carlson
Notary Public

Seal

Residing at Boise Id
My Commission Expires 6/2/94

IDAHO DEPARTMENT OF WATER RESOURCES 12/07/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

63-15136

NAME AND ADDRESS: TODD NOVAK
218 CLEAR CREEK RD
BOISE ID 83716

SOURCE: BEAVER CREEK TRIBUTARY: CLEAR CREEK

QUANTITY: 0.02 CFS

PRIORITY DATE: 07/01/1987

POINT OF DIVERSION:

T05N R04E S29 SENWNE Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
FIRE PROTECTION	1/01 12/31	0.020 CFS

PLACE OF USE: FIRE PROTECTION Within BOISE County

T05N R04E S29 NWNE

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

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

EXPLANATORY MATERIAL: Beneficial Use

PROPERTY IS ALSO KNOWN AS LOT 69, CLEAR CREEK ESTATES NO.3

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

CLAIM NO(s). 403-15136 _____

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☐ No Change ADDRESS
☒ NEW ADDRESS: 218 Clear Creek Rd, Boise 83716
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: _____
(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 _____ From _____ To _____ Amount _____ CFS _____ AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA

7. ☒ No Change - TOTAL VOLUME

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

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

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

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

Additional comments: _____

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

Use: _____ 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

This claim violates the mandatory permit statute but because it is diminutive and a use that can be added to any right it is not worth the time C18, Exp 201 for a disallowal and objection.

☐ SYSTEM DIAGRAM INCLUDED

☐ NA

☐ Shown on GIS Layout

☒ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: _____

FIELD EXAMINER: _____

Print Name

Neil Schulte
Signature



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

TODD NOVAK
218 CLEAR CREEK RD
BOISE ID 83716

Re: Claim No(s). 103-15136

*Todd was in
10-11-01. He will get
Affidavit confirming priority date
10-11-01. 2001*

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

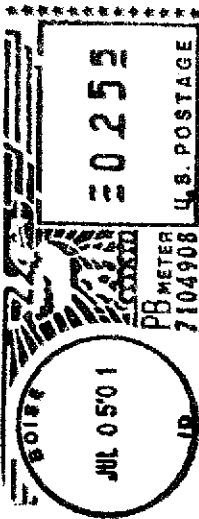
JS:lh
Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

RETURN SERVICE REQUESTED

REASON CHECKED

Unclaimed	Refused
Attempted-Not Known	
Insufficient Address	
Box not in good	
Other	



63-15136

Boise City Assessor ->

218 Clear Creek Rd
Boise 83716

RECEIVED

JUL 09 2001

WATER RESOURCES
WESTERN REGION

TODD N. WAK
CLEAR CREEK RD

63-15136

63-15136



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

January 2, 1998

Re: Notice of Claim to a Water Right No. A63-15135, A63-15136

TODD NOVAK
HC 33, BOX 4030
BOISE ID 83706

Dear Mr. Novak:

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.

If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

Denise Buffington
Records Clerk
Adjudication Section
Western Region Office

DB:d

Enclosure





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Department of Water Resources

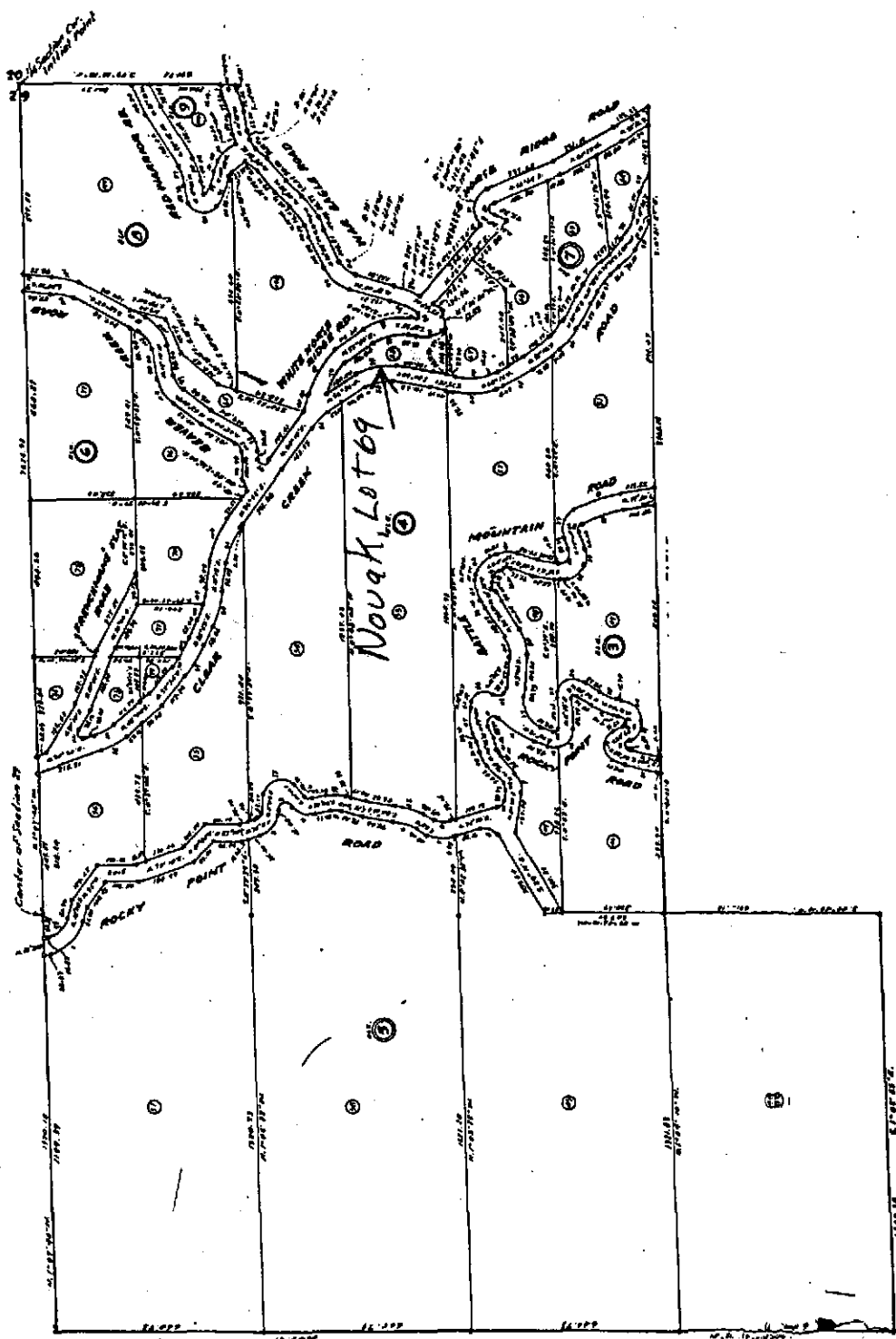
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IN SECTION 29, T.5N, R.4E, B.M., BOISE COUNTY, IDAHO

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PIONEER TITLE COMPANY
of Ada County

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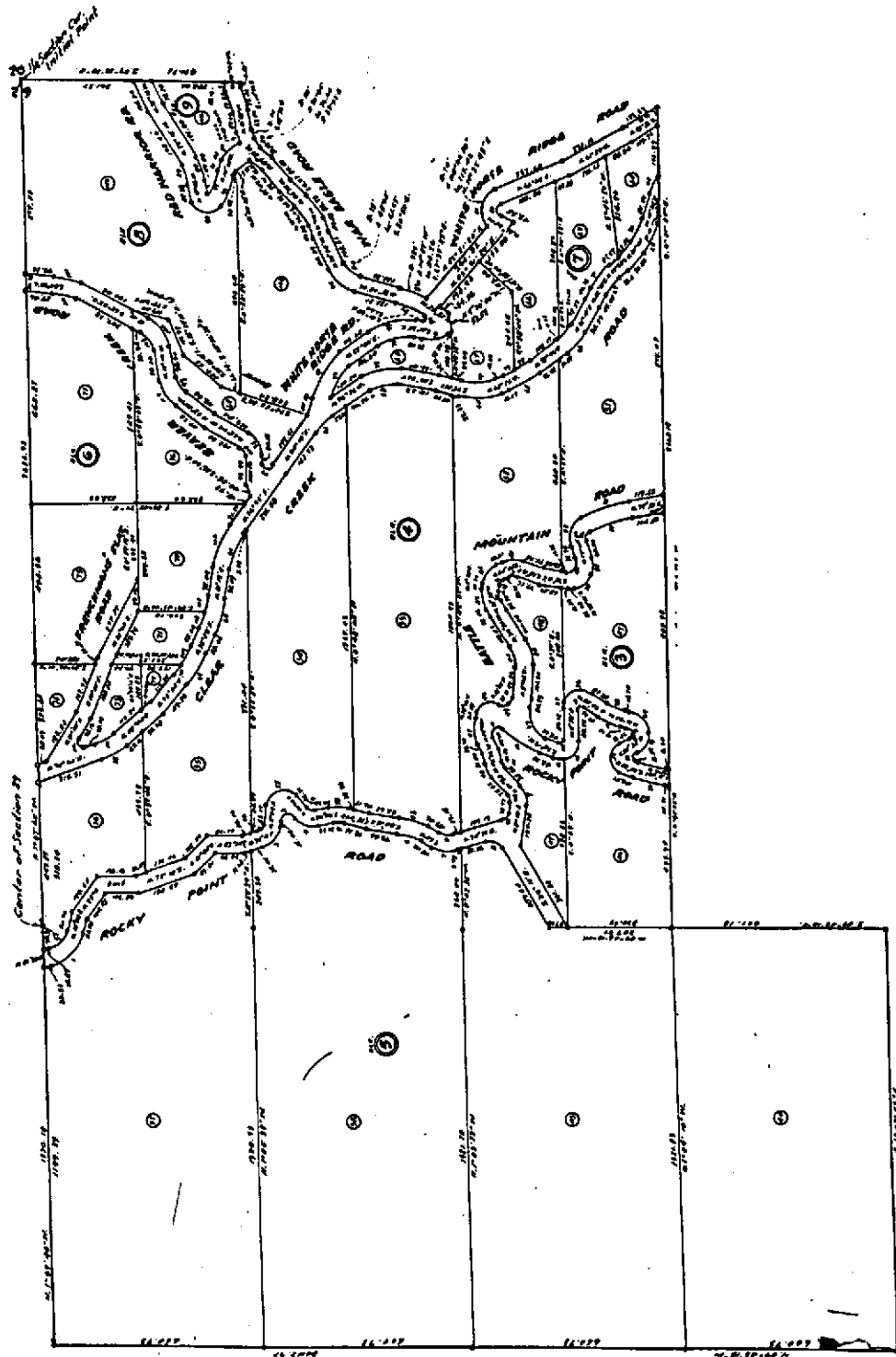
Department of Water Resources

CLEAR CREEK ESTATES SUBDIVISION NO. 3
IN SECTION 21, T.5N, R.4E, B.M., BOISE COUNTY, IDAHO

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PIONEER TITLE COMPANY
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NOV 24 1997

WATER RESOURCES
WESTERN REGION

RECEIVED

NOV 21 1997

Department of Water Resources

WHEN RECORDED MAIL TO:

MSN SV-79 / DOCUMENT CONTROL DEPT.
P.O. BOX 10266
VAN NUYS, CALIFORNIA 91410-0266

Prepared by: L. NALL

LOAN #: 7164478

ESCROW/CLOSING #: NOVAK P-142506 SH/SG

SPACE ABOVE FOR RECORDERS USE

DEED OF TRUST

THIS DEED OF TRUST ("Security Instrument") is made on November 2, 1995
TODD NOVAK, AN UNMARRIED MAN

. The grantor is

("Borrower"). The trustee is
PIONEER TITLE COMPANY OF ADA COUNTY
821 WEST STATE STREET BOISE, ID. 83702

("Trustee"). The beneficiary is
AMERICA'S WHOLESALE LENDER
which is organized and existing under the laws of NEW YORK
address is

, and whose

155 NORTH LAKE AVENUE, PASADENA, CA 91109

("Lender"). Borrower owes Lender the principal sum of
EIGHTY FOUR THOUSAND FIVE HUNDRED FIFTY and 00/100

Dollars (U.S. \$ 84,550.00). This debt is evidenced by Borrower's note dated the same date as this Security Instrument ("Note"), which provides for monthly payments, with the full debt, if not paid earlier, due and payable on November 1, 2025 . This Security Instrument secures to Lender: (a) the repayment of the debt evidenced by the Note, with interest, and all renewals, extensions and modifications of the Note; (b) the payment of all other sums, with interest, advanced under paragraph 7 to protect the security of this Security Instrument; and (c) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in
BOISE

County, Idaho:

LOT 69, BLOCK 8, CLEAR CREEK ESTATES SUBDIVISION NO. 3, ACCORDING TO THE PLAT
THEREOF, FILED AS INSTRUMENT NO. 75224, RECORDS OF BOISE COUNTY, IDAHO.

which has the address of HC 33 BOX 4030 CLEAR CREEK RD. , IDAHO CITY

[Street, City]

Idaho 83631-

("Property Address");

[Zip Code]

IDAHO - Single Family - Fannie Mae/Freddie Mac UNIFORM INSTRUMENT

Page 1 of 6

Form 3013 8/90

⑈ -6H(ID) (9401).01 CFC (07/94)

VMP MORTGAGE FORMS - (800)521-7291

Initials: *[Signature]*



* 2 3 9 9 1 *



* 0 0 7 1 6 4 4 7 8 0 0 0 0 F T 1 A 0 *