

A63-15206

PHOTOS TAKEN: 10/22/2001



PHOTO # 1
POINT OF DIVERSION
FROM THE STREAM AT
THE EAST SIDE OF THE
PROPERTY

SEE FILE 63-31335 FOR
PHOTOS OF THE PLACE
OF USE

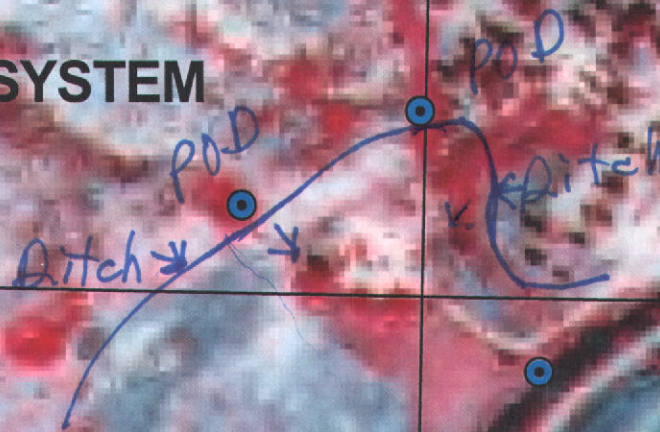


PHOTO # 2
POINT OF DIVERSION
FROM THE STREAM
FURTHEST TO THE
WEST

28

A63-15206

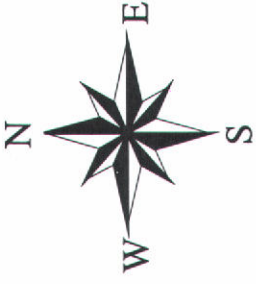
DITCH SYSTEM



NW

IDAHO DEPARTMENT OF WATER RESOURCES

T04N, R04E, S28



1987 NAPP PHOTO

POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

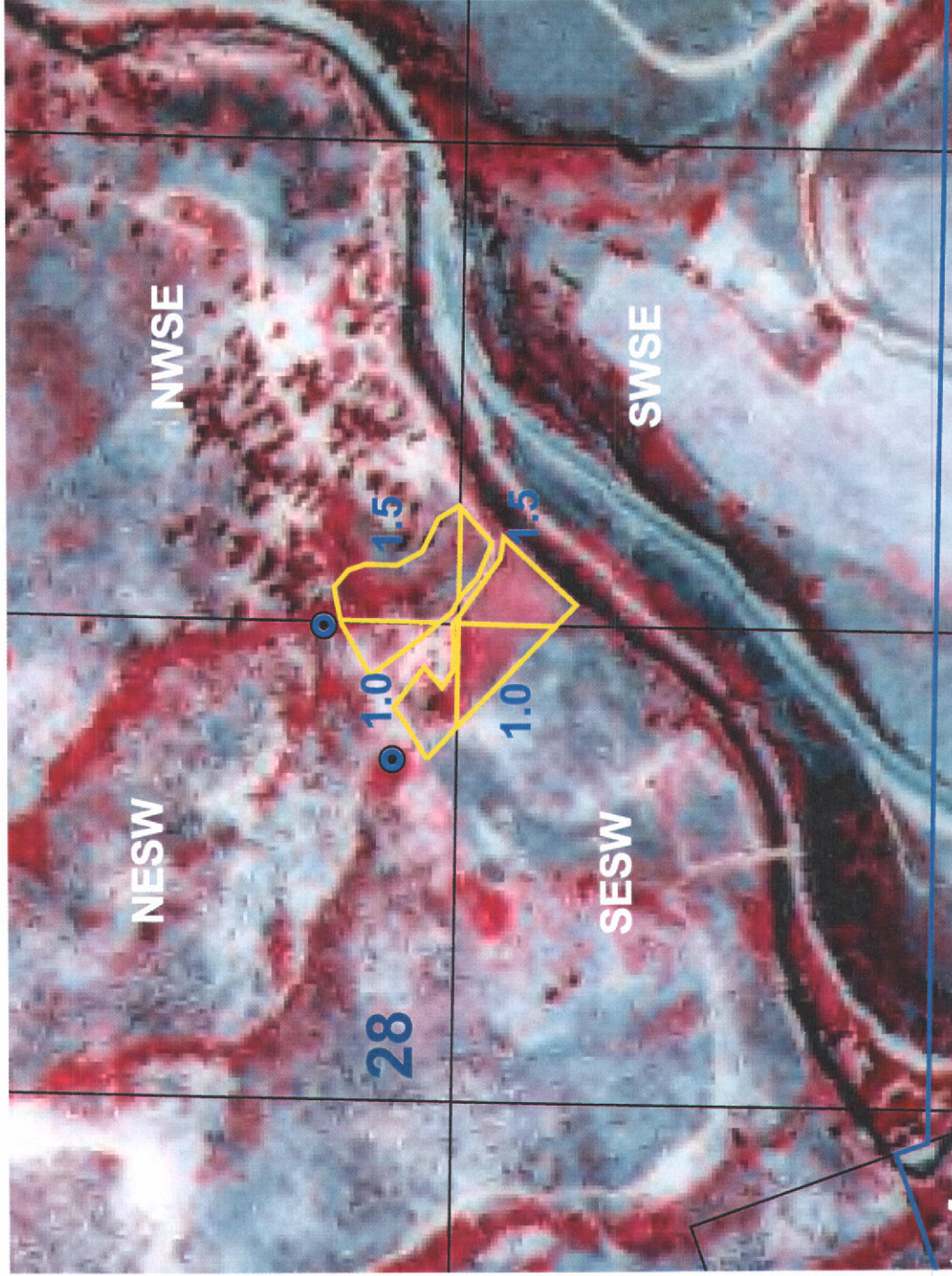
6 SECTION NUMBERS

CLAIM(S): 63-15206

OWNER(S) : SCHROEDER, VAL DEAN

DATE: JANUARY 30, 2002

by: Mel Schulte



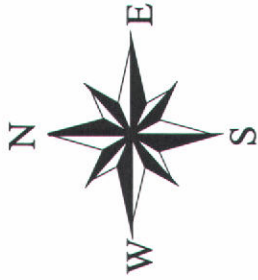
0.5 Miles

0.25

0

IDAHO DEPARTMENT OF WATER RESOURCES

T04N, R04E, S28



1987 NAPP PHOTO

POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

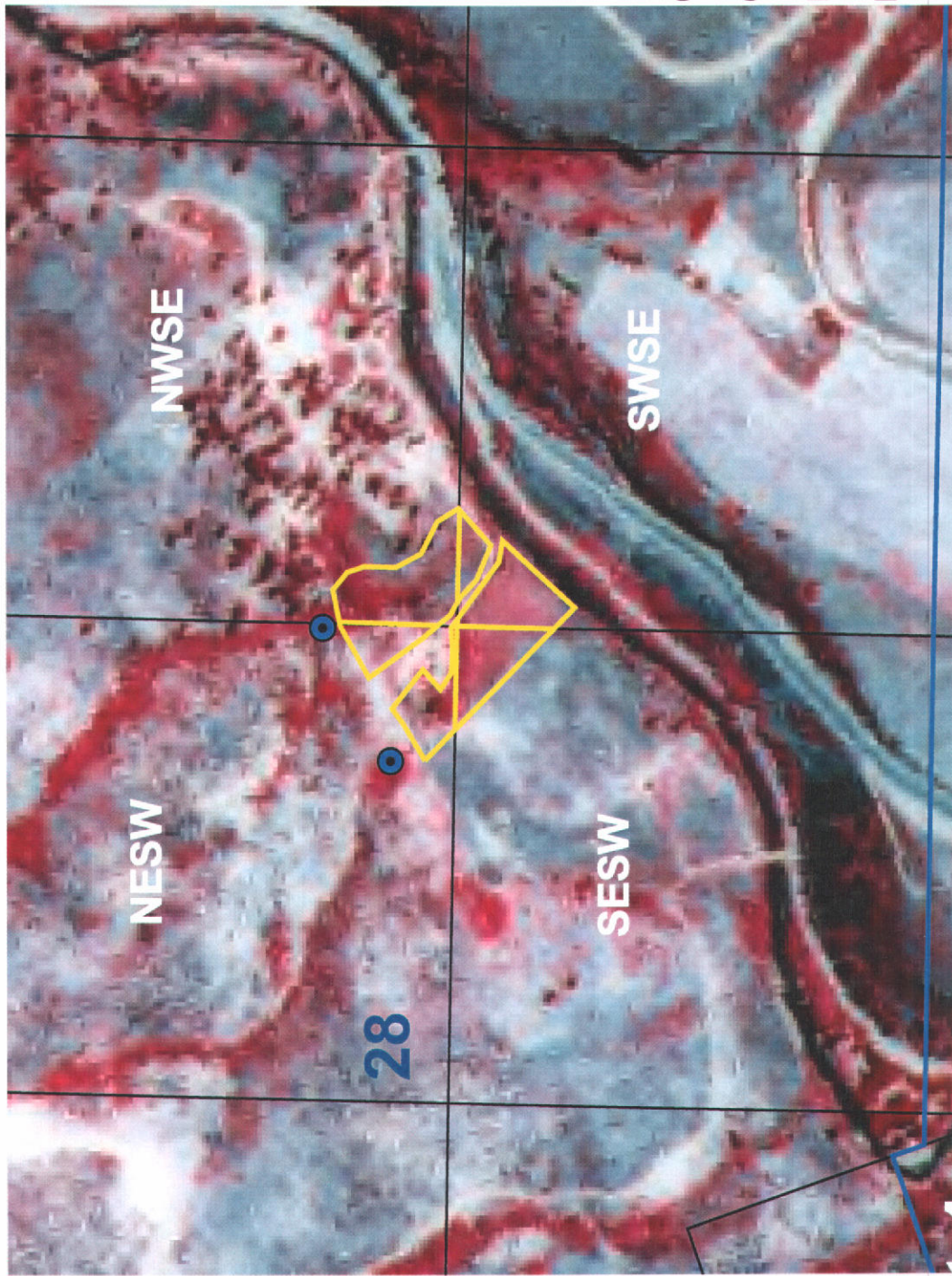
6 SECTION NUMBERS

CLAIM(S): 63-15206

OWNER(S) : SCHROEDER, VAL DEAN

DATE: JANUARY 30, 2002

by: Mel Schulte



0.5 Miles

0.25

0



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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A63-15206
Date Received: 4/13/1989
Receipt No: W002568
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: VAL DEAN SCHROEDER 208-342-5948
Address: 13 BLACKSMITH RD
BOISE ID 83716

2. Date of Priority: JAN 1, 1896

3. Source: UNN. STREAMS Trib. to: MORES CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	04E	28	NE	NE	SW		BOISE
			NW	NE	SW		BOISE

5. Description of diverting works:
SPRINGS FLOW INTO UNN. STREAM W/DITCH FROM STREAMS FOR FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.100		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 20 HEAD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	04E	28	NE	SW		IRR	5.0
			NE	SW		STOCK	

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	5.0
					Total Acres	5.0

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:

CLAIM NO.'S A63-02346 & A63-15205 FOR ADJOINING 25 ACRES.

14. Remarks:

OWNERSHIP CHANGED BY LH 10/4/95.

15. Basis of Claim: BENEFICIAL USE

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: A63-15206
Date Received: 4/13/1989
Receipt No: W002568
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VAL DEAN SCHROEDER 208-342-5948
Address: HC 33 BOX 1169
BOISE ID 83706

2. Date of Priority: JAN 1, 1896

3. Source: UNN. STREAMS Trib. to: MORES CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	04E	28	NE	NE	SW		BOISE
			NW	NE	SW		BOISE

5. Description of diverting works:
SPRINGS FLOW INTO UNN. STREAM W/DITCH FROM STREAMS FOR FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.100		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 20 HEAD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	04E	28	NE	SW		IRR	5.0
			NE	SW		STOCK	

MICROFILMED
OCT 08 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	5.0
					Total Acres	5.0

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:

CLAIM NO.'S A63-02346 & A63-15205 FOR ADJOINING 25 ACRES.

14. Remarks:

OWNERSHIP CHANGED BY LH 10/4/95.

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)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
OCT 08 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: A63-15206
Date Received: 4/13/1989
Receipt No: W003568
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PAUL J. MONTALON 208-342-3963
Address: MORES CREEK RANCH
HC 33, BOX 1169
BOISE, ID 83706

OR

Name: LOIS A. MONTALON 208-342-3963
Address: MORES CREEK RANCH
HC 33, BOX 1169
BOISE, ID 83706

2. Date of Priority: JAN 01, 1896

3. Source: UNN. STREAMS Trib. to: MORES CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	04E	28	NE	NE	SW		BOISE
			NW	NE	SW		BOISE

5. Description of diverting works:
SPRINGS FLOW INTO UNN. STREAM W/DITCH FROM STREAMS FOR FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.100		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/20 HD.

A63-15206

Page 1

Date: 04/13/89

MICROFILMED

AUG 24 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	04E	28	NE	SW		IRR	5.0
			NE	SW		STOCK	
						Section Acres	5.0
						Total Acres	5.0

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:

CLAIM NO.'S A63-02346 & A63-15205 FOR ADJOINING 25 ACRES.

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

Number of attachments: 1

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): Paul J. Montalvo Date: 4/13/89
Louis A. Montalvo Date: 4/13/89

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 13th day
of April 19 89 Jan Shurtle
Notary Public

Seal

Residing at Meridian ID
My Commission Expires 9-14-94

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 63-15395

2004 AUG 25 PM 4:48
FILED
TWIN FALLS CO., IDAHO

NAME AND ADDRESS: JAY R PRIEST
MARILYN PRIEST
PO BOX 122
IDAHO CITY, ID 83631

SOURCE: THORN CREEK TRIBUTARY: MORES CREEK

QUANTITY: 0.10 CFS

USE OF THIS RIGHT WITH RIGHT NO. 63-5101 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF .10 CFS.

PRIORITY DATE: 04/26/1989

POINT OF DIVERSION: T05N R04E S24 LOT 5 (SESE) Within Boise County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.10 CFS

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

PLACE OF USE: Irrigation Within Boise County
T05N R04E S24 LOT 5 (SESE) 5.0
5.0 Acres Total

USE OF THIS RIGHT WITH RIGHT NO. 63-5101 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 5 ACRES IN A SINGLE IRRIGATION
SEASON.

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

RULE 54(b) CERTIFICATE

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

Recommended
8/24/04

John M. Melanson

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

08/12/2003

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

RIGHT NUMBER: 63-15206

NAME AND ADDRESS: VAL DEAN SCHROEDER
13 BLACKSMITH RD
BOISE ID 83716

SOURCE: UNNAMED STREAMS

TRIBUTARY: MORES CREEK

QUANTITY: 0.120 CFS

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

PRIORITY DATE: 03/15/1896

POINT OF
DIVERSION: T04N R04E S28 SENESW Within BOISE County
T04N R04E S28 SENESW Within BOISE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	03/15 11/15	0.100 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 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoir dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir and/or Lake Lowell as decreed in SRBA Case No. 39576.

PLACE OF USE: IRRIGATION Within BOISE County

T04N R04E S28	NESW	1.0	T04N R04E S28	SESW	1.0
T04N R04E S28	NWSE	1.5	T04N R04E S28	SWSE	1.5

STOCKWATER Within BOISE County

T04N R04E S28	NESW	T04N R04E S28	SESW
T04N R04E S28	NWSE	T04N R04E S28	SWSE

5 ACRES TOTAL

VS
Om
OK
Scher
CPB

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 63-15206
(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: Val Dean Schroeder
Address: 13 Blacksmith 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):

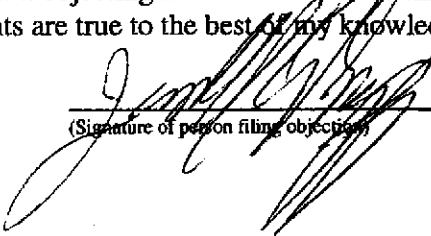
The Director's Report recommendation appears to expand the Season of Use beyond a customary maximum of April 1 to November 1, which would allow (a) injury to the United States' water rights, (b) impairment of historic river conditions conducive to regular United States Bureau of Reclamation diversions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

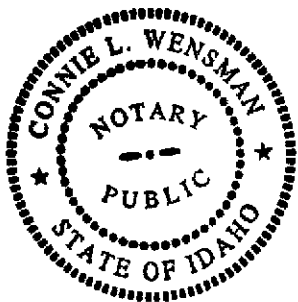


Connie L. Wensman

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: Val Dean Schroeder

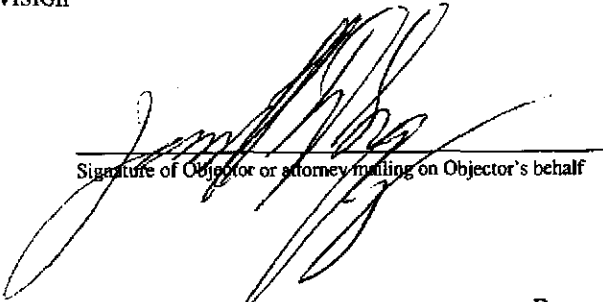
Address: 13 Blacksmith Rd
Boise, ID 83716

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

**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 Number: See Attachment A
(Insert water right number)

**STANDARD FORM 1
OBJECTION RECEIVED**

JAN 31 2003

Department of Water Resources

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Boise Project Board of Control acting on its own behalf and on behalf of
and for the following individual entities:
New York Irrigation District, Nampa & Meridian Irrigation District, Wilder
Irrigation District, Boise-Kuna Irrigation District, Big Bend Irrigation
District
Address: 2465 Overland Road
Boise, Idaho 83705
Phone: (208) 344-1141

Name & Address of Attorney, if any:
Albert P. Barker, ISB # 2867
Amy D. Chestnut, ISB # 5904
Barker Rosholt & Simpson, LLP
205 North 10th Street, Suite 520
P.O. Box 2139
Boise, Idaho 83701-2139
Telephone: 208-336-0700
Facsimile: 208-344-6034

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

Name: See Attachment B
Address:

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)

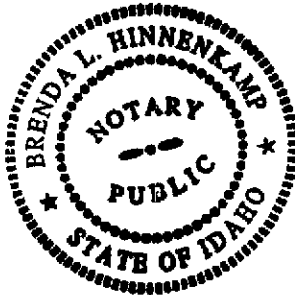
Albert P. Barker, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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

01/30/2002

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

RIGHT NUMBER: 63-15206

NAME AND ADDRESS: VAL DEAN SCHROEDER
13 BLACKSMITH RD
BOISE ID 83716

SOURCE: UNNAMED STREAMS

TRIBUTARY: MORES CREEK

QUANTITY: 0.12 CFS

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

PRIORITY DATE: 03/15/1896

POINT OF DIVERSION:

T04N R04E S28 SENESW Within BOISE County

T04N R04E S28 SENESW Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	03/15 11/15	0.100 CFS

PLACE OF USE: STOCKWATER Within BOISE County

T04N R04E S28	NESW	T04N R04E S28	SESW
T04N R04E S28	NWSE	T04N R04E S28	SWSE

IRRIGATION Within BOISE County

T04N R04E S28	NESW	1.0	T04N R04E S28	SESW	1.0
T04N R04E S28	NWSE	1.5	T04N R04E S28	SWSE	1.5

5 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
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

EXPLANATORY MATERIAL: Beneficial Use

STOCKWATER, 20 RANGE CATTLE AND HORSES

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

CLAIM NO(s). A63-15206

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: 1-1-1896
(If the priority date, based on your exam, seems questionable, explain below.)

Recommend 3-15-1896 to comply with season of use standard for the area.

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

Source found: _____

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

Township 4N Range 4E Section 28 1/4 SE 1/4 NE 1/4 SW
Township 11 Range 11 Section 11 1/4 11 1/4 11 1/4 11

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

Both streams collect into a ditch that is used to gravity irrigate. Stock drink from the ditch. At one time the ditch delivered Moses Creek water to the homestead

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 # 20 List types: _____

Additional comments: _____

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

Use: <u>Dr.</u> Township <u>4N</u> Range <u>4E</u> Section <u>28</u>	<u>1/4 NW 1/4 SE</u>	<u>-1.5</u>
Use: <u>"</u> Township <u>"</u> Range <u>"</u> Section <u>"</u>	<u>1/4 SW 1/4 SE</u>	<u>1.5</u>
Use: <u>"</u> Township <u>"</u> Range <u>"</u> Section <u>"</u>	<u>1/4 NE 1/4 SW</u>	<u>1.0</u>
Use: <u>"</u> Township <u>"</u> Range <u>"</u> Section <u>"</u>	<u>1/4 SE 1/4 SW</u>	<u>1.0</u>
		<u>5.0</u>

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

Assisted by Val Dean Schroeder. Mores
Creek water is used on part of

C18, N05, N08

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 10-22-01

FIELD EXAMINER: _____

Print Name

Me Schulte
 Signature

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO. (S))
463-15206)

AFFIDAVIT

State of Idaho
County of

Valdean Schroeder being first duly sworn,
deposes and says: To the best of my knowledge and what Paul
& Louis Montelano my predecessors have told me that
the stream's near used San irrigation, State & Domestic
water since the ~~late~~ 1800's when the place was
homesteaded

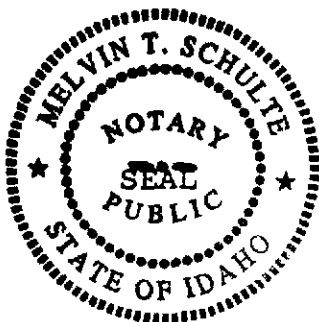
Val Das Shoke
(Signature)

Subscribed and sworn to before me this
day Jan of 30, 1902.

Melvin J. Scheltz
(Notary Public)

Residing at Bosse, Idaho

My Commission Expires 7-24-2007.



A63-15206

PHOTOS TAKEN: 10/22/2001



PHOTO # 1
POINT OF DIVERSION
FROM THE STREAM AT
THE EAST SIDE OF THE
PROPERTY

SEE FILE 63-31335 FOR
PHOTOS OF THE PLACE
OF USE



PHOTO # 2
POINT OF DIVERSION
FROM THE STREAM
FURTHEST TO THE
WEST

2002

[illegible]

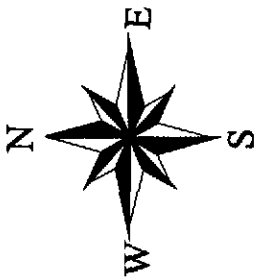
283

SYSTEM

NW

IDAHO DEPARTMENT OF WATER RESOURCES

T04N, R04E, S28



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 63-15206

OWNER(S) : SCHROEDER, VAL DEAN

DATE: JANUARY 30, 2002

by: Mel Schulte



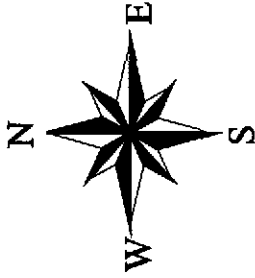
0.5 Miles

0.25

0

IDAHO DEPARTMENT OF WATER RESOURCES

T04N, R04E, S28



1987 NAPP PHOTO

● POINT OF DIVERSION

□ PLACE OF USE

□ 1/4 1/4 LINES

□ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 63-15206

OWNER(S) : SCHROEDER, VAL DEAN

DATE: JANUARY 30, 2002

by: Mel Schulte





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

December 12, 2001

VAL DEAN SCHROEDER
13 BLACKSMITH RD
BOISE, ID 83716

RE: A63-15206 & A63-15205

Dear Val Dean:

I'm writing to remind you we still need evidence to support the priority date claimed in Snake River Basin Adjudication (SRBA) claims A63-15206 & A63-15205.

I'm currently preparing the recommendations for claims in the Boise Basin and plan to be finished by the end of January 2002. If I don't receive any evidence of priority for claims A63-15205 & a63-15206 by January 31, 2002 I will recommend they be disallowed.

Call me at the number below if you have any questions.

Cordially,

Mel Schulte
Senior Water Rights Agent
208-334-2190



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

VAL DEAN SCHROEDER
13 BLACKSMITH RD
BOISE, ID 83716

Re: Claim No(s) 63-15205

63-15206

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



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

MAR 31 2000

WATER RESOURCES
WESTERN REGION

February 23, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Val Dean Schroeder
13 Blacksmith Rd.
Boise, ID 83716

3-29-00
8 response
- no

Re: Snake River Basin Adjudication (SRBA)
Water Rights #63-15204, 63-15205, 63-15206 & 63-15207

Dear Mr. Schroeder:

Thank you for your message. Before we can change our records we need your signature as water right holder.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by March 6, 2000. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water rights referenced above, please write down the name and address of the new owner(s) so we can send them a form to make this required change to the water right records.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

The address is correct as shown above or as otherwise changed.

Water Right Holder's Signature

Telephone No.



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 4, 1995

Re: Notices of Claim to a Water Right Nos. A63-02346, A63-15204,
A63-15205, A63-15206, A63-15207

VAL DEAN SCHROEDER
HC 33 BOX 1169
BOISE, ID 83706

Mr. Schroeder:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water rights covered under the original filings.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

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

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

LH:1
Enclosure

MICROFILMED

OCT 08 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

February 23, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RECEIVED

Val Dean Schroeder
13 Blacksmith Rd.
Boise, ID 83716

FEB 28 2000

Department of Water Resources

Re: Snake River Basin Adjudication (SRBA)
Water Rights #63-15204, 63-15205, 63-15206 & 63-15207

Dear Mr. Schroeder:

A. only, & prefix, & R
Records modified 2-28-00, NCAP prepared

Thank you for your message. Before we can change our records we need your signature as water right holder.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by March 6, 2000. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water rights referenced above, please write down the name and address of the new owner(s) so we can send them a form to make this required change to the water right records.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

The address is correct as shown above or as otherwise changed.

Water Right Holder's Signature

Telephone No.

342-5948



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

OCT 03 1995

WATER RESOURCES
WESTERN REGIONDATE OF CLOSING: N/A

LEGAL DESCRIPTION OF PROPERTY: Township 4N Range 4E
Section 28, — 1/4 of — 1/4 of — 1/4, Govt. Lot —, BM.
Lot —, Block —, Subdivision/Townsite —.

If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A63-02346, A63-15204, A63-15205,
A63-15206 & A63-15207
- ☐ Name and Address of Former
Owner/Claimant(s)(Seller): LOIS A & PAUL J MONTANONI
MORES CREEK RANCH
HC 33 BOX 1169, BOISE ID 83706
- ☐ New Owner/Claimant
(Purchaser): VAL DEAN SCHROEDER
- ☐ New Mailing Address: HC 33 BOX 1169
BOISE ID 83706
- ☐ New Telephone Number: 208 342-5948
- ☐ 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: _____

(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)

Val Dean Schroeder

Date 10/3/95

Date _____

☐ 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: 10-4-95 By: JD

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 10-4-95 By: JD

Claim Numbers of Split, if any:

MICROFILMED

OCT 08 1995

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

RECEIVED
OCT 03 1995
WATER RESOURCES
WESTERN REGION

WARRANTY DEED

COPY

FOR VALUE RECEIVED, Paul J. Montalon and Lois A. Montalon, husband and wife, hereinafter called the Grantors, hereby grant, bargain, sell, and convey unto ValDean M. Schroeder and Patricia J. Schroeder, HC 33, Box 3221, Boise, Idaho 83706, hereinafter called the Grantees, all that certain real property located in Boise County, State of Idaho, described in Exhibit "A" hereto, which exhibit is incorporated herein by this reference.

TO HAVE AND TO HOLD The said premises, with their appurtenances, unto the said Grantees and to the Grantees' heirs and assigns, forever. And the said Grantors do hereby covenant to and with the said Grantees, that Grantors are the owners in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantees, and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantors will warrant and defend the same from all lawful claims whatsoever.

BOISE COUNTY IDAHO SS
REQUEST OF

ValDean M. Schroeder

146414

93 FEB - 11 11:10:19

CLERK OF COURT

John J. Jones
*21.00

MICROFILMED

OCT 08 1996

COPY

DATED this 26 day of September, 1991.

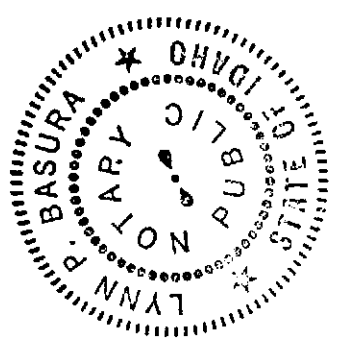
Paul J. Montalon
PAUL J. MONTALON

Lois A. Montalon
LOIS A. MONTALON

STATE OF IDAHO)
 : ss
County of Ada)

On this 26 day of September, 1991, before me, a Notary Public in and for said state, personally appeared PAUL J. MONTALON and LOIS A. MONTALON, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument and that they executed the same.

IN WITNESS WHEREOF, I subscribe my name and seal the day and year above first written.



Leroy P. Basura
NOTARY PUBLIC FOR IDAHO
Residing at: Meridian, ID
My Commission Expires: 5/30/93

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PARCEL A:

THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 4 EAST, B.M., BOISE COUNTY, IDAHO, LYING NORTHWESTERLY OF HWY. 21 AS NOW LOCATED, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 5/8" IRON PIN AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 4 EAST, THE REAL POINT OF BEGINNING; THENCE ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28,

NORTH 89 40'49" EAST A DISTANCE OF 456.37 FEET TO A POINT ON THE NORTHWESTERLY RIGHT OF WAY LINE OF STATE HIGHWAY 21; THENCE ALONG THE RIGHT OF WAY LINE, THE FOLLOWING COURSES AND DISTANCES:

SOUTH 47 20'02" WEST, 228.02 FEET

SOUTH 39 53'16" WEST, 452.46 FEET TO A POINT ON THE RIGHT OF WAY LINE AND THE WEST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28; THENCE ALONG SAID LINE

NORTH 00 10'06" EAST 499.17 FEET TO THE POINT OF BEGINNING.

PARCEL B:

A PARCEL OF LAND SITUATED IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 4 EAST, B.M., BOISE COUNTY, IDAHO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP MARKING THE QUARTER CORNER COMMON TO SECTIONS 28 AND 33, TOWNSHIP 4 NORTH, RANGE 4 EAST, THENCE

NORTH 0 10'06" EAST ALONG THE CENTER OF SECTION 28 A DISTANCE OF 1169.12 FEET TO A 5/8" IRON PIN AND THE REAL POINT OF BEGINNING; THENCE

NORTH 56 49'19" WEST A DISTANCE OF 354.06 FEET TO A 5/8" IRON PIN; THENCE

NORTH 56 08'10" WEST A DISTANCE OF 392.04 FEET TO A 5/8" IRON PIN; THENCE

NORTH 83 16'31" WEST A DISTANCE OF 395.00 FEET TO A 5/8" IRON PIN; THENCE

NORTH 54 43'38" WEST A DISTANCE OF 370.13 FEET TO A 5/8" IRON PIN ON THE WEST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 28; THENCE

NORTH 00 30'44" EAST ALONG SAID WEST LINE A DISTANCE OF 817.00 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28; THENCE

SOUTH 89 50'51" EAST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28, A DISTANCE OF 1313.40 FEET TO THE NORTHEAST CORNER OF SAID

NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28; THENCE

SOUTH 00 10'06" WEST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28 A DISTANCE OF 1485.68 FEET TO THE REAL POINT OF BEGINNING.

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PARCEL C:

THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 4 EAST, B.M., BOISE COUNTY, IDAHO, LYING WESTERLY OF THE PLAT OF SIX-B SUBDIVISION ACCORDING TO THE PLAT THEREOF FILED JUNE 6, 1964 UNDER INSTRUMENT NO. 69155 AND LYING NORTHWESTERLY OF HIGHWAY 21, EXCEPT THOSE PORTIONS LYING WITHIN THE FOLLOWING DESCRIBED TRACTS:

(TRACT 1)

A TRACT OF LAND IN THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 4 EAST, B.M., BOISE COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST WESTERLY LOT CORNER COMMON TO LOTS 11 AND 12, BLOCK 2, SIX-B SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE BOISE COUNTY RECORDERS OFFICE, IDAHO CITY, IDAHO, THENCE

NORTH 86 36' WEST, 20.00 FEET TO A STEEL PIN ON THE WESTERLY BOUNDARY OF SAID SIX-B SUBDIVISION, BEING THE REAL POINT OF BEGINNING; THENCE NORTHERLY ALONG SAID WESTERLY BOUNDARY THE FOLLOWING COURSES AND DISTANCES:

ALONG A CURVE TO THE LEFT WITH A RADIUS OF 80.00 FEET, A CENTRAL ANGLE OF 34 11' AND WHOSE LONG CHORD BEARS NORTH 13 41'30" WEST, 47.02 FEET TO A POINT; THENCE

NORTH 30 47' WEST, 40.82 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 130.00 FEET, A CENTRAL ANGLE OF 17 49' AND WHOSE LONG CHORD BEARS NORTH 21 52'30" WEST, 40.26 FEET TO A POINT; THENCE

NORTH 12 58' WEST, 34.28 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 69 00' AND WHOSE LONG CHORD BEARS NORTH 47 28' WEST, 22.66 FEET TO A POINT; THENCE

NORTH 81 58' WEST, 32.81 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 140.00 FEET, A CENTRAL ANGLE OF 31 52'30" AND WHOSE LONG CHORD BEARS NORTH 61 01'45" WEST, 76.88 FEET TO A STEEL PIN; THENCE LEAVING SAID WESTERLY BOUNDARY,

SOUTH 89 50' WEST, 90.27 FEET TO A STEEL PIN; THENCE

SOUTH 0 10' EAST, 203.18 FEET TO A STEEL PIN; THENCE

NORTH 89 50' EAST, 263.83 FEET TO THE REAL POINT OF BEGINNING.

(TRACT 2)

A TRACT OF LAND IN THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 4 EAST, B.M., BOISE COUNTY, IDAHO MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST WESTERLY LOT CORNER COMMON TO LOTS 11 AND 12, BLOCK 2, SIX-B SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE BOISE COUNTY RECORDER'S OFFICE, IDAHO CITY, IDAHO, THENCE

NORTH 86 36' WEST, 20.00 FEET TO A STEEL PIN ON THE WESTERLY BOUNDARY OF SAID SIX-B SUBDIVISION, BEING THE REAL POINT OF BEGINNING; THENCE

SOUTHERLY ALONG SAID WESTERLY BOUNDARY THE FOLLOWING COURSES AND DISTANCE:

SOUTH 3 24' WEST, 61.90 FEET TO A POINT; THENCE

SOUTH 19 37' WEST, 52.09 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 130.00 FEET, A CENTRAL ANGLE OF 40 21' AND WHOSE LONG CHORD BEARS SOUTH 0 33'30" EAST 89.67 FEET TO A STEEL PIN; THENCE LEAVING SAID WESTERLY BOUNDARY,

SOUTH 89 50' WEST, 242.96 FEET TO A STEEL PIN; THENCE

NORTH 0 10' WEST, 200.47 FEET TO A STEEL PIN; THENCE

NORTH 89 50' EAST, 263.83 FEET TO THE REAL POINT OF BEGINNING.

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(TRACT 3)

A TRACT OF LAND IN THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 4 EAST, B.M., BOISE COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST NORTHERLY LOT CORNER COMMON TO LOTS 6 AND 9, BLOCK 2, SIX-B SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE BOISE COUNTY RECORDER'S OFFICE, IDAHO CITY, IDAHO, THENCE

SOUTH 72 11' WEST ALONG THE NORTHERLY BOUNDARY OF SAID LOT 6, 63.66 FEET; THENCE NORTH 17 49' WEST 20.00 FEET TO A STEEL PIN ON THE NORTHWESTERLY BOUNDARY OF SAID SIX-B SUBDIVISION, BEING THE REAL POINT OF BEGINNING; THENCE NORTHEASTERLY ALONG SAID NORTHWESTERLY BOUNDARY THE FOLLOWING COURSES AND DISTANCES:

NORTH 72 11' EAST 93.25 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 140.00 FEET, A CENTRAL ANGLE OF 61 19' AND WHOSE LONG CHORD BEARS NORTH 41 31'30" EAST 142.78 FEET TO A POINT; THENCE NORTH 10 52' EAST 71.92 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 90.00 FEET, A CENTRAL ANGLE OF 30 27' AND WHOSE LONG CHORD BEARS NORTH 4 21'30" WEST 47.27 FEET TO A POINT; THENCE LEAVING SAID NORTHWESTERLY BOUNDARY SOUTH 89 50' WEST 257.95 FEET TO A POINT; THENCE SOUTH 4 23' WEST 158.17 FEET TO A POINT; THENCE SOUTH 47 05'20" EAST 79.79 FEET TO A POINT; THENCE SOUTH 24 15' EAST 44.31 FEET TO THE POINT OF BEGINNING.

TRACT 4)

TRACT OF LAND IN THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 4 EAST, B.M., BOISE COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST NORTHERLY LOT CORNER COMMON TO LOTS 6 AND 9, BLOCK 2, SIX-B SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE BOISE COUNTY RECORDER'S OFFICE, IDAHO CITY, IDAHO, THENCE

SOUTH 72 11' WEST, ALONG THE NORTHERLY BOUNDARY OF SAID LOT 6, 63.66 FEET; THENCE NORTH 17 49' WEST, 20.00 FEET TO A STEEL PIN ON THE NORTHWESTERLY BOUNDARY OF SAID SIX-B SUBDIVISION, BEING THE REAL POINT OF BEGINNING; THENCE NORTHWESTERLY ALONG SAID NORTHWESTERLY BOUNDARY THE FOLLOWING COURSES AND DISTANCES:

ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 60.00 FEET, A CENTRAL ANGLE OF 34 12' AND WHOSE LONG CHORD BEARS SOUTH 89 17' WEST, 35.28 FEET TO A POINT; THENCE NORTH 73 37' WEST, 21.06 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 60.00 FEET, A CENTRAL ANGLE OF 38 29' AND WHOSE LONG CHORD BEARS SOUTH 87 08'30" WEST, 39.55 FEET TO A POINT; THENCE SOUTH 67 54' WEST, 53.77 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 90.00 FEET, A CENTRAL ANGLE OF 27 26' AND WHOSE LONG CHORD BEARS SOUTH 81 37' WEST, 12.68 FEET TO A POINT; THENCE NORTH 84 40' WEST, 19.99 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 22 30' AND WHOSE LONG CHORD BEARS SOUTH 84 05' WEST, 9.02 FEET TO A POINT; THENCE SOUTH 72 50' WEST, 42.11 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 190.00 FEET, A CENTRAL ANGLE OF 36 01' AND WHOSE LONG CHORD BEARS SOUTH 54 49'30" WEST, 117.48 FEET TO A POINT; THENCE SOUTH 36 49' WEST, 47.85 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 110.00 FEET, A CENTRAL ANGLE OF 20 21' AND WHOSE LONG CHORD BEARS SOUTH 46 59'30" WEST, 38.36 FEET TO A STEEL PIN; THENCE LEAVING SAID NORTHWESTERLY BOUNDARY, NORTH 3 32' EAST, 532.18 FEET TO A STEEL PIN; THENCE NORTH 45 23'40" EAST, 107.11 FEET TO A STEEL PIN; THENCE NORTH 50 17' EAST, 143.00 FEET TO A STEEL PIN; THENCE NORTH 69 35' EAST, 165.90 FEET TO A STEEL PIN; THENCE NORTH 4 23' WEST, 158.17 FEET TO A STEEL PIN; THENCE NORTH 47 05'20" EAST, 79.79 FEET TO A STEEL PIN; THENCE NORTH 24 15' EAST, 44.31 FEET TO THE REAL POINT OF BEGINNING.

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(TRACT 5)

A TRACT OF LAND IN THE NORTH HALF OF THE SOUTHEAST QUARTER, OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 4 EAST, B.M., BOISE COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST NORTHERLY LOT CORNER COMMON TO LOTS 3 AND 4, BLOCK 2, SIX-B SUBDIVISION ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE BOISE COUNTY RECORDER'S OFFICE; THENCE SOUTH 46 21'37" WEST, 158.48 FEET TO A POINT ON THE BOUNDARY OF SAID SIX-B SUBDIVISION, THE REAL POINT OF BEGINNING; THENCE SOUTH 65 23'00" WEST 113.99 FEET ALONG THE NORTHWESTERLY BOUNDARY OF PROPERTY NOW, OR FORMERLY, OWNED BY BARNEY TO A POINT; THENCE SOUTH 54 11'20" WEST ALONG SAID BARNEY PROPERTY LINE, 39.90 FEET TO A POINT; THENCE SOUTH 71 28'50" WEST 149.61 FEET TO AN IRON PIPE; THENCE NORTH 0 12'44" EAST 69.32 FEET TO AN IRON PIPE; THENCE NORTH 62 32'07" EAST 80.77 FEET TO AN IRON PIPE; THENCE NORTH 72 54'45" EAST 177.72 FEET TO AN IRON PIPE; THENCE SOUTH 77 19'17" EAST 24.02 FEET TO A POINT ON THE EXTERIOR BOUNDARY OF SAID SIX-B SUBDIVISION; THENCE SOUTHEASTERLY ALONG SAID SUBDIVISION BOUNDARY 16.54 FEET ALONG THE ARC OF A CURVE LEFT HAVING A RADIUS OF 40.00 FEET AND A LONG CHORD WHICH BEARS SOUTH 21 34'33" EAST 16.43 FEET TO A 1/2" REBAR; THENCE 21.19 FEET ALONG THE ARC OF A CURVE RIGHT HAVING A RADIUS OF 40.00 FEET AND A LONG CHORD WHICH BEARS SOUTH 18 14'45" EAST, 20.95 FEET TO THE POINT OF BEGINNING.

(TRACT 6)

A TRACT OF LAND IN THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 4 EAST, B.M., BOISE COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST NORTHERLY LOT CORNER COMMON TO LOTS 3 AND 4, BLOCK 2, SIX-B SUBDIVISION ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE BOISE COUNTY RECORDER'S OFFICE, IDAHO CITY, IDAHO; THENCE SOUTH 46 21'37" WEST, 158.48 FEET TO A STEEL PIN ON THE BOUNDARY OF SAID SIX-B SUBDIVISION, THE REAL POINT OF BEGINNING; THENCE SOUTH 3 04' EAST ALONG SAID BOUNDARY, 59.24 FEET TO A STEEL PIN; THENCE ALONG SAID BOUNDARY ON A CURVE TO THE RIGHT WITH A RADIUS OF 170.00 FEET, A CENTRAL ANGLE OF 39 33' AND WHOSE LONG CHORD BEARS SOUTH 16 42'30" WEST, 115.03 FEET TO A STEEL PIN; THENCE SOUTH 36 29' WEST ALONG SAID BOUNDARY, 12.47 FEET TO A STEEL PIN; THENCE NORTH 77 23'40" WEST 124.31 FEET TO A STEEL PIN; THENCE NORTH 15 33' EAST, 84.49 FEET TO A STEEL PIN; THENCE NORTH 54 11'20" EAST, 39.90 FEET TO A STEEL PIN; THENCE NORTH 65 23' EAST, 113.99 FEET TO THE REAL POINT OF BEGINNING.

(TRACT 7)

A TRACT OF LAND IN THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 4 EAST, B.M., BOISE COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST NORTHERLY LOT CORNER COMMON TO LOTS 3 AND 4, BLOCK 2 SIX-B SUBDIVISION ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE BOISE COUNTY RECORDER'S OFFICE, THENCE SOUTH 46 21'37" WEST, 158.48 FEET TO A POINT ON THE BOUNDARY OF SAID SIX-B SUBDIVISION; THENCE SOUTH 03 04'00" EAST 59.24 FEET; THENCE SOUTHWESTERLY, 117.35 FEET ALONG THE ARC OF A CURVE RIGHT HAVING A RADIUS OF 170.00 FEET, A CENTRAL ANGLE OF 39 33'00", AND A LONG CHORD WHICH BEARS SOUTH 16 42'30" WEST 115.03 FEET TO A POINT; THENCE

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SOUTH 36 29'00" WEST 12.47 FEET TO THE REAL POINT OF BEGINNING, SAID POINT BEING THE
SOUTHEAST CORNER OF PROPERTY NOW, OR FORMERLY, OWNED BY BARNEY; THENCE
NORTH 79 30'41" WEST, 121.53 FEET (RECORD NORTH 77 23'40" WEST 124.31 FEET) ALONG SAID BARNEY
PROPERTY BOUNDARY TO A 1/2" REBAR; THENCE
NORTH 13 33'16" EAST 88.88 FEET (RECORD NORTH 15 33' EAST 84.49 FEET), ALONG SAID BARNEY
PROPERTY BOUNDARY TO A POINT; THENCE
SOUTH 71 28'50" WEST 149.61 FEET TO AN IRON PIPE; THENCE
SOUTH 27 40'15" EAST 73.12 FEET TO AN IRON PIPE; THENCE
SOUTH 59 35'00" EAST 83.34 FEET TO AN IRON PIPE; THENCE
NORTH 79 10'28" EAST 135.16 FEET TO A POINT ON THE BOUNDARY OF SAID SIX-B SUBDIVISION;
THENCE NORTHERLY 21.70 FEET ALONG THE ARC OF A CURVE RIGHT HAVING A RADIUS OF 20.00
FEET, A CENTRAL ANGLE OF 62 09'38", AND A LONG CHORD WHICH BEARS
NORTH 05 24'11" EAST 20.65 FEET TO THE POINT OF BEGINNING.

END OF LEGAL DESCRIPTION

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**WATER RESOURCES
WESTERN REGION**

AJ0749NP
No. A63-15206

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Presumption Flag: