

STEIN'S SUBDIVISION

OF

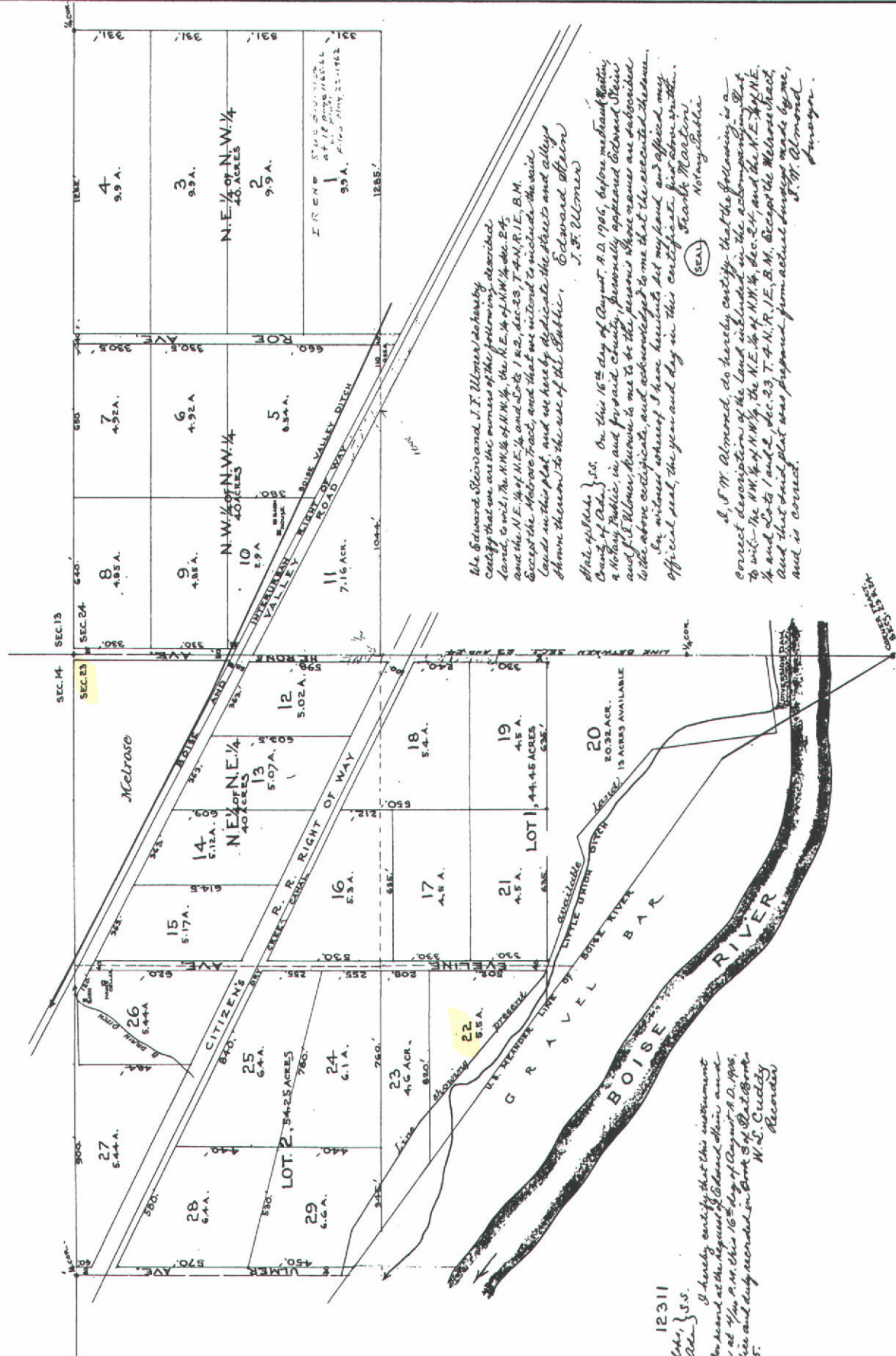
THE N.W. 1/4 OF N.W. 1/4, THE N.E. 1/4 OF THE N.W. 1/4, SEC. 24, AND THE N.E. 1/4 OF N.E. 1/4, AND LOTS 1 AND 2, SEC. 23, T. 4 N., R. 1 E., B. M.

EXCEPT THE MELROSE TRACT.

SCALE 300 FT. TO 1 INCH.

FOR STATE NAME CHANGE USE
COMPARISONS SEE 18 PAGE 107

of Irene Sub. of Lot 1, Steins Sub.
as filed and recorded in the
FOR AMENDED RESTRICTIVE COVENANTS
See 18 page 107 of the Record
Recorded book 116 page 229 of the Record
restoring covering Lot 1 of Steins Sub
Not disclosed in this instrument.



We Edward Steins and J. F. Wilson, hereby certify that we are the owners of the following described land, to wit: The N.W. 1/4 of N.W. 1/4, the N.E. 1/4 of N.W. 1/4, sec. 24, and the N.E. 1/4 of N.E. 1/4, and lots 1 & 2, sec. 23, T. 4 N., R. 1 E., B.M. Except the Melrose Tract, and that we intend to include the said lands in this plat, and we hereby dedicate the streets and alleys shown thereon to the use of the public. Edward Steins J. F. Wilson

State of Idaho, } ss. On this 16th day of August, A.D. 1906, before me, Notary Public, in and for said County, personally appeared Edward Steins and J. F. Wilson, known to me to be the persons whose names are subscribed to the above certificate, and acknowledged to me that they executed the same as their free and voluntary act, and that they intended to include the said lands in this plat, and we hereby certify that the said lands are the official seal, the year and day in this certificate, first above written.

Notary Public

I, J. F. Wilson, do hereby certify that the following is a correct description of the land included in the accompanying plat to wit: The N.W. 1/4 of N.W. 1/4, the N.E. 1/4 of N.W. 1/4, sec. 24, and the N.E. 1/4 of N.E. 1/4, and lots 1 and 2, sec. 23, T. 4 N., R. 1 E., B.M. Except the Melrose Tract, and that said plat was prepared from actual survey made by me, and is correct.

12311

State of Idaho, } ss. I hereby certify that this instrument was filed for record at the County of Blaine, Idaho, and that it was at 4:10 P.M. this 16th day of August, A.D. 1906, in my office and duly recorded in Book 5 of Blaine, Idaho, at page 165.

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: A63-16019
Date Received: 6/29/1989
Receipt No: W003402
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DELBERT E. WHITAKER 208-853-2636
Address: 5956 W OVERLAND RD
BOISE ID 83642

OR

Name: IRENE A. WHITAKER 208-853-2636
Address: 5956 W OVERLAND RD
BOISE ID 83642

2. Date of Priority: DEC 31, 1920

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01E	23	NE	SW	NE		ADA

5. Description of diverting works:
185' DEEP, 6" CASING, SURFACE PUMP, PUMP IN BASEMENT

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	01E	23	SW	NE		DOMEST	

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
BOISE VALLEY DITCH

14. Remarks:
STEINS SUBD., LOT 22.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED

4/5/94
TO: DEPT. OF WATER
RESOURCES

PLEASE CHANGE MY MAILING
ADDRESS

TO:
A63-16019



Mr. & Mrs. Delbert E. Whitaker
5956 W. Overland Rd.
Meridian, ID 83642

THANK YOU,
Delbert E. Whitaker

MICROFILMED

AUG 25 1992

AUG 25 1992

MICROFILMED

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: A63-16019
Date Received: 6/29/1989
Receipt No: W003402
Received By: Rdh

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DELBERT E. WHITAKER 208-853-2636
Address: 5801 ARNEY LANE
BOISE, ID 83703

OR

Name: IRENE A. WHITAKER 208-853-2636
Address: 5801 ARNEY LANE
BOISE, ID 83703

2. Date of Priority: DEC 31, 1920

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	01E	23	NE	SW	NE		ADA

5. Description of diverting works:
185' DEEP, 6" CASING, SURFACE PUMP, PUMP IN BASEMENT

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	01E	23	SW NE		DOMEST	

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
BOISE VALLEY DITCH

14. Remarks:
STEINS SUBD., LOT 22.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Robert E. Whitaker Date: 29 Jun 89

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 29th day
of JUNE 19 89

Ron Howerton
Notary Public

Seal

Residing at Ron Howerton
My Commission Expires Residing at Boise, Idaho
My Commission Expires December 8, 1994



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

JUN 27 2001

WATER RESOURCES
WESTERN REGION

May 16, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Delbert E. and Irene A. Whitaker
220 NE Main St.
Blackfoot, ID 83221-2328

RE: Snake River Basin Adjudication (SRBA)
Water Right #63-16019

*6-26-01
response
[initials]*

Dear Water Right Holders:

Mail recently sent to you was returned to us by the Postal Service. They also advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

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 before returning this letter, **list any other water rights you have**, and return this letter by **June 1, 2001**. 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. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right records.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:
Returned Mail

#####

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

Water Right Holder's Signature

Telephone No.

STATE OF IDAHO

District Court

Snake River Basin Adjudication

P.O. Box 2707

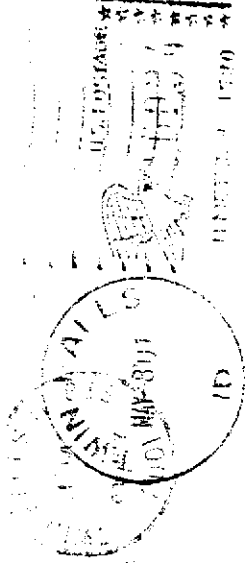
Twin Falls, ID 83303-2707

RECEIVED

MAY 15 2001

Department of Water Resources

69-16019



NAME AND ADDRESS:

DELBERT E WHITAKER
IRENE A WHITAKER
5956 W OVERLAND RD
MERIDIAN, ID 83642

SOURCE:

GROUNDWATER

WHIT056 836422009 1200 08 05/10/01
FORWARD TIME EXP RTN TO SEND
WHITAKER DELBERT E
220 NE MAIN ST
BLACKFOOT ID 83221-2328

RETURN TO SENDER

83642/2707





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 25, 1999

FERNANDO E RODRIGUEZ
9601 W RIVERSIDE DR
BOISE ID 83703

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 63-16019

Dear Mr. Rodriguez:

Per the former owner, we have been advised you may be the new owner of the property with the water right referenced above.

Before we can modify our records to reflect your ownership of this water right, we need to have your signature on the enclosed Notice of Change of Water Right Ownership form. Please sign and return this form at your earliest convenience.

If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

Denise Buffington
Denise Buffington
Records Clerk
Adjudication Section
Western Region

DB:d

Enclosures



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

DEC 24 1998

WATER RESOURCES
WESTERN REGION

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 4 N Range 1 E
Section 23, NE 1/4 of SW 1/4 of NE 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: 63-16019

☐ Name and Address of Former Owner/Claimant(s)(Seller): Delbert E. Whitaker

5956 W. Overland Rd

Meridian, Idaho 83642

☐ New Owner/Claimant (Purchaser): Fernando E. Rodriguez

☐ New Mailing Address: 9601 W. Riverside Dr.

Boise, ID 83703

☐ New Telephone Number: () _____ - _____

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: _____

(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) _____ Date _____

Date

☐ Signature of Former Owner/Claimant(s): Delbert E. Whitaker Date 12/2/98

Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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

WESTBERG, McCABE & COLLINS, CTD.

ATTORNEYS & COUNSELORS AT LAW
516 WEST FRANKLIN STREET
P. O. BOX 2836
BOISE, IDAHO 83701-2836

PAUL L. WESTBERG
THOMAS J. McCABE
WILLIAM D. COLLINS

FAX
(208) 336-2121

TELEPHONE
(208) 336-5200

December 23, 1998

Fernando E. Rodriguez
9601 W. Riverside Drive
Boise, ID 83703

Re: SRBA Claim No. A63-16019

Dear Mr. Rodriguez:

I do not know whether this letter will be received by you or not. I understand from Mr. Boesiger that you are the purchaser of a parcel of real property in an acreage formerly owned by my client, Mr. Whitaker. Mr. Whitaker sold his property to Max A. Boesiger, Inc., the developer.

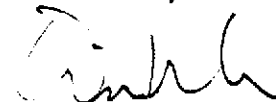
Mr. Whitaker had filed a claim to a water right in the Snake River Basin Adjudication for a domestic right from a well which is located on property which I understand you have purchased and are presently constructing a residence. The water right should go with the land.

To reflect the change of ownership of the property Mr. Whitaker has had me send to the Department of Water Resources a Notice of Change of Ownership. That Notice of Change is enclosed along with a recent Notice received by Mr. Whitaker.

If you intend to retain that water right, you should contact the Department of Water Resources and make certain that they have everything in order to reflect the ownership of that claim in your name. The Western Region's telephone number is 334-2190.

Very truly yours,

WESTBERG, McCABE & COLLINS, CTD.


William D. Collins

WDC:mrs
enclosures
cc: Delbert E. Whitaker w/enc.
✓ ID Department of Water Resources

WESTBERG, McCABE & COLLINS, CTD.

ATTORNEYS & COUNSELORS AT LAW
516 WEST FRANKLIN STREET
P. O. BOX 2836
BOISE, IDAHO 83701-2836

PAUL L. WESTBERG
THOMAS J. McCABE
WILLIAM D. COLLINS

RECEIVED
DEC 24 1998
WATER RESOURCES
WESTERN REGION

FAX
(208) 336-2121

TELEPHONE
(208) 336-5200

December 23, 1998

Idaho Department of Water Resources
Western Region
SRBA
2735 Airport Way
Boise, ID 83705

Re: Claim No. A63-16019

Dear Sir or Madam:

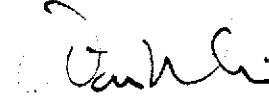
I represent Delbert E. Whitaker. He had filed the above claim in the SRBA. The claim is for a domestic right. Mr. Whitaker sold the property in 1992 to Max A. Boesiger, Inc. That entity was a developer and it has subdivided the property and they have told me that the parcel upon which the well is located has been purchased by Fernando E. Rodriguez, 9601 W. Riverside Drive, Boise, ID 83703.

I have been told that Mr. Rodriguez is in the process of building a residence on the property and he will likely want to make a use of the water from the well. Therefore, to reflect the change of ownership, I am enclosing your standard Form 42-1409(7) for changing the name of the claimant to Mr. Rodriguez. I do not have Mr. Rodriguez's present mailing address and, therefore, have not been able to obtain his signature to the form. In any event, notices regarding this right should no longer be mailed to Mr. Whitaker.

I am sending a copy of this letter along with the Notice of Change of Ownership to the address of the property in hope that Mr. Rodriguez might receive it and contact you for any further information you may desire.

Very truly yours,

WESTBERG, McCABE & COLLINS, CTD.



William D. Collins

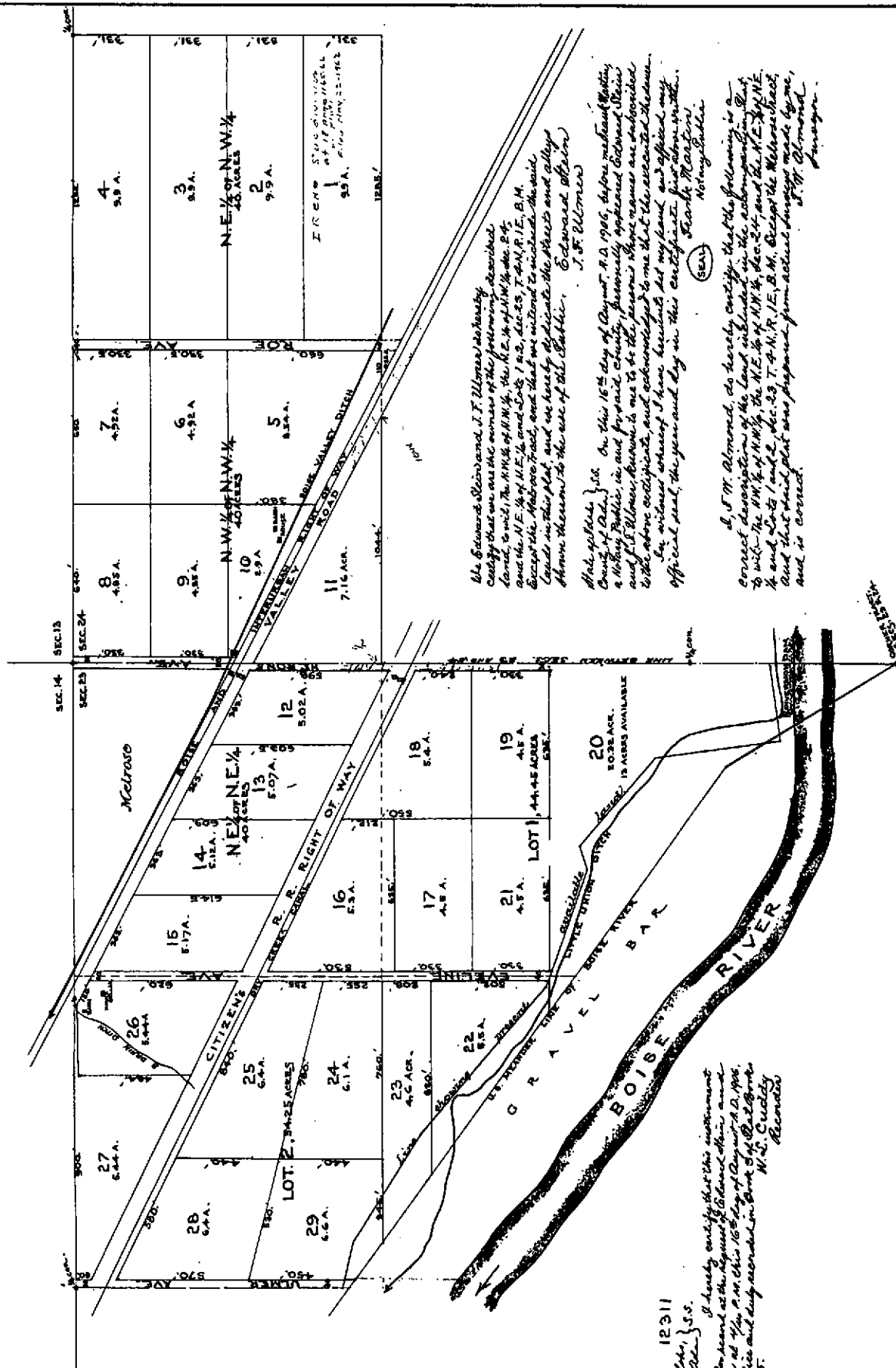
WDC:mrs
enclosures
cc: Delbert E. Whitaker w/enc.

THE N.W. $\frac{1}{4}$ OF N.W. $\frac{1}{4}$, THE N.E. $\frac{1}{4}$ OF THE N.W. $\frac{1}{4}$, SEC. 24, AND THE N.E. $\frac{1}{4}$ OF N.E. $\frac{1}{4}$, AND LOTS 1 AND 2, SEC. 23, T. 4 N., R. 1 E., B. M.

EXCEPT THE MELROSE TRACT.

SCALE 300 FT. TO 1 INCH.

FOR STREET NAME CHANGES SEE
UNRECORDED PAGE 28 PAGE 807



113

12311
 Gray's Lake, 1355.
 County of Allen. I hereby certify that this instrument
 was filed for record in the office of the County Clerk and
 put to book at the same time, and placed within the
 file of book of the same date of payment of \$2.00.
 My office and my residence in town of Clay City, Mo.
 at page 185.
 W. S. Crutcher
 Recorder

DATE: 11/04/98
PAGE: 1

Water Source: GROUNDWATER

Point(s) of Diversion:

[illegible]

Other Rights: BOISE VALLEY DITCH

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Audit: 11/04/98 DSMITH

DATE: 04/20/98
PAGE: 1

Audit: 04/20/08 CWALKER

DATE: 04/08/98
PAGE: 7

DIVERSION VOLUME

DIVERSION RATE

0.04 CFS

Stage: BENEFICIAL USE

ADA County

33

```

:      NESE  NWSE  SWSE  SESE
:      Lt AC Lt AC Lt AC Lt AC
:      -----
:

```

- THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
- THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Objection Filed Date:

Field Inspection Flag:

Subject: COPIED FROM REMARKS

02/10/97 CORR1

--- CONDITIONS OF APPROVAL ---
 --- NO CONDITIONS OF APPROVAL FOUND. ---

+ - DECREE DATE - +
00/00/0000[illegible][illegible]

CIVIL CASE NUMBER	-	39576
OLD CASE NUMBER	-	
OLD JUDICIAL DISTRICT	-	
TEMPORARY RIGHT	-	P
WATER DISTRICT	-	
FEDERAL/STATE INDICATOR	-	S
PRESUMPTION FLAG	-	

CERTIFIED
AUG 1991
WATER EXAMINER

Topo Map/Ortho-PQ
 ASCS Map
 Watermaster Records
 NAPP Photos
 Field Exam
 Other (See Remarks)
 County Records
 Witness Statement
 Protect Records
 IDWR Records

VERIFIED
AUG 11 1991

DATA ENTRY
ENTERED
CHECKED

AJ5856NP

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

DATE: NOV-5-1998
PAGE: A-3

RIGHT NUMBER: 63-16019

NAME & ADDRESS: DELBERT E WHITAKER
IRENE A WHITAKER
5956 W OVERLAND RD
MERIDIAN ID 83642

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 12/31/1920

POINT OF DIVERSION: T04N R01E S23 NESWNE Within ADA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within ADA County
T04N R01E S23 SWNE

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

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

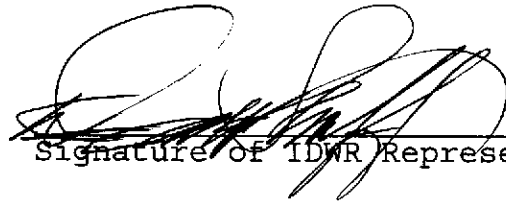
EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP R8123253911
PROPERTY ALSO KNOWN AS LOT 22, STEINS SUBDIVISION.

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached Amended Director's Reports for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the Notice of Completed Administrative Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED:

11/18/98



Signature of IDWR Representative

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
11/5/1998

63-16019

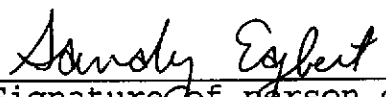
RECEIVED
NOV 19 1998
PAGE 2
RECEIVED

CERTIFICATE OF MAILING

I certify that on 11-27-98 I mailed the original and copies of this form to the following persons, 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, Idaho 83303-2707
2. One Copy to:
Each party in the subcase, or attorney of record:

DELBERT E WHITAKER
IRENE A WHITAKER
5956 W OVERLAND RD
MERIDIAN ID 83642
3. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
4. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person or attorney mailing the form

