



SWK

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: A63-24149
Date Received: 3/14/1990
Receipt No: W011122
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DELBERT E. HATHAWAY 208-342-0211
Address: 4516 CATALPA DR.
BOISE, ID 83703

2. Date of Priority: JUN 30, 1930

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	02E	29	SE	NW			ADA

5. Description of diverting works:
WELL, 6" CASING, 55' DEEP, 1.5 H.P. SUBM. PUMP, PIPE TO HOUSE

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		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME; STOCKWATER, CATTLE AND HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	02E	29	SE	NW		DOMEST	
			SE	NW		STOCK	

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:
NONE

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

CIVIL CASE NUMBER: 39576

Identification No. _____

Date Received _____

Receipt Number W011122NOTICE OF CLAIM
TO A
WATER RIGHTRECEIVED
MAR 14 1990RECEIVED
MAR 26 1991

ACQUIRED UNDER STATE LAW

Department of Water Resources
Western Regional OfficeFor Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Department of Water Resources

Filing Fee \$25

Please type or print clearly

- Name of Claimant (s) DELBERT E. HATHAWAY Phone (208) 342-0211
Mailing Address 4516 CATALPA DR, BOISE, ID. Zip 83703
- Date of Priority (Only one per claim) JUNE 30, 1930 Month/Day/Year
- Source of water supply (Check one) ☒ Groundwater or Other () (a) _____
which is tributary to (b) _____
Name or kind of source
- Location of point of diversion is: Township 4 NORTH Range 2 EAST OF BOISE MERIDIAN
Section 29, _____ 1/4 of SE 1/4 of NW 1/4, Govt. Lot _____, BM.,
County of ADA
Additional points of diversion if any: _____
- Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. WELL, 6" CASING, 55' DEEP, 1 1/2 H.P. SUBMERSIBLE PUMP, PIPE TO HOUSE, AND YARD
- Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
For DOMESTIC purposes from 1-1 Month/Day to 12-31 Month/Day amount .04 (cfs)
For STOCK WATER purposes from 1-1 Month/Day to 12-31 Month/Day amount .02 (cfs)
(Both dates are inclusive)
- Total quantity claimed .06 (cfs)
- Total consumptive use claimed is de minimus
- Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) DOMESTIC, 1 HOME; STOCKWATER CATTLE, HORSES

MICROFILMED

SEP 14 1992

DH-
3-25-91

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

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

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

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

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

10. Place of use is: Township: 4 NORTH Range 2 EAST OF BOISE MERIDIAN

Section 29 SE 1/4 of NW 1/4, Govt. Lot _____, B.M.,

for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? ADA

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

X None or _____

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

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

Number of Attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Delbert E. Hathaway Date March 13, 1990

Date _____

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

of _____ Title _____, that I have signed the foregoing

document in the space below as _____ of _____ Organization _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of _____) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 13th day of Mar. 19 90

SEAL

Notary Public Christie Harris

Residing at Boise, ID

My Commission Expires 8-10-95 **MICROFILMED**

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant **SEP 14 1992**

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

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

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

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

RECEIVED

4/5/1989

SRBA CLAIMS RECEIVING CH. 1

CLAIMANT'S NAME Hathaway, Delbert E.

CLAIM IDENT. NO. _____

DATE RECEIVED 3-14-1990CK # 289AMOUNT \$ 2500

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☒ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO *
- See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO *
3. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (if required) N/A ☒ YES ☐ NO *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO *
5. Is there a description of the diverting works? ☒ YES ☐ NO *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☒ NO *
- Is the period of use included? ☒ YES ☐ NO *
- Is a quantity claimed for each use? ☒ YES ☐ NO *
7. Is a total quantity claimed entered? ☒ YES ☐ NO *
8. If required is a consumptive use entered? N/A ☒ YES ☐ NO *
- Is the consumptive use correct? N/A ☒ YES ☐ NO *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A ☒ YES ☐ NO *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ☒ YES ☐ NO *
15. Is the basis of the claim indicated? ☒ YES ☐ NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A ☒ YES ☐ NO *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☐ YES ☒ NO *
20. Is the fee enclosed correct? Exempt ☒ YES ☐ NO *
21. If this claim is based on an existing water right, has the identification number been entered? N/A ☒ YES ☐ NO *
22. Should this claim be data entered? ☐ YES ☒ NO *

Claim checked by: S.W. KeenDate: 2/8/91

Claim must be returned to claimant:

☒ (Yes) ☐ (No)

Claimant must be notified of modifications:

☐ (Yes) ☒ (No)Receipt Prepared by: Valerie J. HoltDate: 3/15/90

Claim data entered by: _____

Date: _____

Checked by: _____

Date: _____

Sent to claimant by: _____

Date: _____

Comments: Needs to add stock to the uses. Needs late fee **MICROFILMED**10 acre.

SEP 14 1992

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 63-24149

NAME & ADDRESS: CITY OF BOISE PARKS & RECREATION DEPT
1104 ROYAL BLVD
BOISE ID 83706

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

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

PRIORITY DATE: 06/30/1930

POINT OF DIVERSION: T04N R02E S29 SENW Within ADA County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within ADA County
T04N R02E S29 SENWDOMESTIC Within ADA County
T04N R02E S29 SENW

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. S 0629243710

In Re SRBA) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDINGS
Case No. 39576)
) Water Right 63-24149
)

<u> </u>	Change of Address
<u>X</u>	Substitution of Party
<u> </u>	I.C. 42-222 Transfer

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

PAGE 1

From (Claimant/Seller):

Name of Claimant: DELBERT E HATHAWAY
Address: 4516 CATALPA DR
BOISE ID 83703
Phone: (208) 342-0211

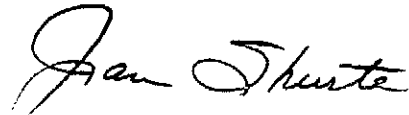
To (Claimant/Purchaser):

Name of Claimant: CITY OF BOISE PARKS & RECREATION DEPT
Address: 1104 ROYAL BLVD
BOISE ID 83706
Phone: (208) 384-4060

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: June 25, 1999



Signature of IDWR Representative

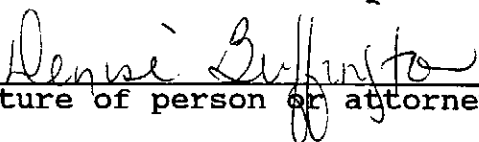
CERTIFICATE OF MAILING

I certify that on June 25, 1999 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:
Claimant/Seller for Substitution of Party or attorney of record:

DELBERT E HATHAWAY
4516 CATALPA DR
BOISE ID 83703
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

CITY OF BOISE PARKS & RECREATION DEPT
1104 ROYAL BLVD
BOISE ID 83706
4. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
5. 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

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

JUN 18 1999

WATER RESOURCES
WESTERN REGION

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

Water Right or Adjudication Claim No(s): A63-24149

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.

Name and Address of Former Owner/Claimant Delbert E. Hathaway
4516 Catalpa Boise, ID

New Owner/Claimant(s) City of Boise Parks & Recreation Dept.
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address 1104 Royal Blvd

City, State and ZIP Code Boise ID 83706

New Telephone Number (208) 384-4060

*See survey
map in #
63-17483*

5. Date you acquired the property August 24, 1996

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 6.5 Number and type of stock 1 horse

Diversion rate in CFS .06 Number of homes 1 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) *James H. Bell*
Director, Boise Parks & Recreation Department

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this 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.

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

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

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

RECEIVED
JAN 14 1998
WATER RIGHTS
DIVISION



PIONEER TITLE COMPANY
OF ADA COUNTY

821 West State Street / Boise, Idaho 83702
(208) 336-6700

8151 W. Rifleman Street / Boise, Idaho 83704
(208) 377-2700

96078356

PIONEER TITLE

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

96 SEP 19 PM 2 36
FEE 6.00 DLP J. Heeper
RECORDED AT THE REQUEST OF

4516
Catalpa

P-150219 JB/NEH

SPACE ABOVE FOR RECORDING DATA

QUITCLAIM DEED

FOR VALUE RECEIVED IDAHO FOUNDATION FOR PARKS AND LANDS, an Idaho non-profit corporation

do hereby convey, release, remise and forever quitclaim

unto BOISE CITY, a municipal corporation

whose address is: P.O. Box 500, Boise, Idaho 83701

the following described premises, to wit:

See the Attached Exhibit "A" for legal description, which by this reference is incorporated herein.

together with their appurtenances.

Dated: August 24th, 1996

IDAHO FOUNDATION FOR PARKS AND LANDS, an
Idaho non-profit corporation

BY: [Signature]

STATE OF IDAHO, County of Ada, ss.

On this 24th day of August, 1996, before me
ROGER L. FREUDENBERG, a notary public,
personally appeared DON E. WEILMUNSTER,
known or identified to me to be the PRESIDENT
of the Corporation that executed the instrument or the person who executed the instrument on behalf of
said corporation, and acknowledged to me that such corporation executed the same.

Notary Public: [Signature]

Residing at: BOISE, IDAHO

My Commission Expires: 12:16:00

EXHIBIT A

File Number: P144128

A PORTION OF LAND WITHIN THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 SECTION 29, TOWNSHIP 4 NORTH, RANGE 2 EAST, BOISE MERIDIAN, CITY OF BOISE, ADA COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED, AS FOLLOWS:

COMMENCING AT THE FOUND BRASS CAP MONUMENT MARKING THE CENTER 1/4 CORNER OF SAID SECTION 29;

THENCE WESTERLY ALONG THE CENTER LINE OF CATALPA DRIVE ALSO THE EAST WEST CENTER LINE OF SAID SECTION 29 NORTH 88 DEGREES 58'33" WEST 526.30 FEET TO A POINT;

THENCE NORTH 00 DEGREE 19'27" EAST 10.00 FEET TO A SET 5/8" REBAR AND PLASTIC CAP P.L.S. 7612 AND THE REAL POINT OF BEGINNING;

THENCE CONTINUING NORTH 00 DEGREE 19'27" EAST 533.69 FEET TO THE CENTER LINE OF SAND CREEK AS THE SAME NOW EXISTS;

THENCE ALONG THE CENTER LINE OF SAND CREEK THE FOLLOWING COURSES AND DISTANCES;

SOUTH 85 DEGREES 56'39" WEST 9.13 FEET TO A POINT;

SOUTH 74 DEGREES 40'23" WEST 50.72 FEET TO A POINT;

SOUTH 86 DEGREES 24'38" WEST 35.04 FEET TO A POINT;

SOUTH 77 DEGREES 11'09" WEST 6.97 FEET TO A POINT;

THENCE LEAVING SAID CENTER LINE OF SAND CREEK SOUTH 00 DEGREE 21'27" WEST 514.11 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAID CATALPA DRIVE;

THENCE ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID CATALPA DRIVE, SOUTH 88 DEGREE 58'33" EAST 99.99 FEET TO THE REAL POINT OF BEGINNING.

END OF LEGAL DESCRIPTION



A Pioneer Company

PIONEER TITLE COMPANY
OF ADA COUNTY

821 West State Street / Boise, Idaho 83702-5836 / Telephone (208) 336-6700

96040515

PIONEER TITLE
ADA CO. RECORDER
J. DAVID NAYARRO
BOISE ID

'96 MAY 14 PM 4 07

FEE 6.00 DEP 6.00
RECORDED AT THE REQUEST OF

6.00

P-144128 JB HED

WARRANTY DEED
(INDIVIDUAL)

FOR VALUE RECEIVED DELBERT E. HATHAWAY, an unmarried man

Grantor, does hereby grant, bargain, sell and convey unto IDAHO FOUNDATION FOR PARKS AND LANDS, an Idaho non-profit corporation

the Grantee, whose current address is: 5657 Warm Springs Avenue, Boise, ID 83712
the following described real property in ADA County, State of Idaho, more particularly described as follows, to-wit:
SEE LEGAL DESCRIPTION EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

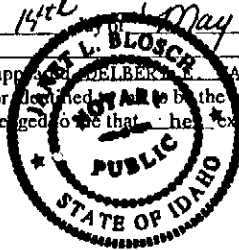
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, and Grantee heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances,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

Dated: April 22, 1996

Delbert E. Hathaway
DELBERT E. HATHAWAY

STATE OF IDAHO, County of ADA, ss.

On this 14th day of May, in the year of 1996, before me JANET L. BLOSCH, a notary public, personally appeared DELBERT E. HATHAWAY, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.



Notary Public: Janet L. Blosch
Residing at: BOISE, IDAHO
My Commission Expires: MARCH 17, 1999

EXHIBIT A

File Number: P144128

A PORTION OF LAND WITHIN THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 SECTION 29, TOWNSHIP 4 NORTH, RANGE 2 EAST, BOISE MERIDIAN, CITY OF BOISE, ADA COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE FOUND BRASS CAP MONUMENT MARKING THE CENTER 1/4 CORNER OF SAID SECTION 29;

THENCE WESTERLY ALONG THE CENTER LINE OF CATALPA DRIVE ALSO THE EAST WEST CENTER LINE OF SAID SECTION 29 NORTH 88 DEGREES 58'33" WEST 526.30 FEET TO A POINT;

THENCE NORTH 00 DEGREE 19'27" EAST 10.00 FEET TO A SET 5/8" REBAR AND PLASTIC CAP P.L.S. 7612 AND THE REAL POINT OF BEGINNING;

THENCE CONTINUING NORTH 00 DEGREE 19'27" EAST 533.69 FEET TO THE CENTER LINE OF SAND CREEK AS THE SAME NOW EXISTS;

THENCE ALONG THE CENTER LINE OF SAND CREEK THE FOLLOWING COURSES AND DISTANCES;

SOUTH 85 DEGREES 56'39" WEST 9.13 FEET TO A POINT;

SOUTH 74 DEGREES 40'23" WEST 50.72 FEET TO A POINT;

SOUTH 86 DEGREES 24'38" WEST 35.04 FEET TO A POINT;

SOUTH 77 DEGREES 11'09" WEST 6.97 FEET TO A POINT;

THENCE LEAVING SAID CENTER LINE OF SAND CREEK SOUTH 00 DEGREE 21'27" WEST 514.11 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAID CATALPA DRIVE;

THENCE ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID CATALPA DRIVE, SOUTH 88 DEGREE 58'33" EAST 99.99 FEET TO THE REAL POINT OF BEGINNING.

END OF LEGAL DESCRIPTION



AJ0749NP
No. 63-24149

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 06/21/99
PAGE: 2

=====

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
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Misc:	Water District Number:	Field Inspection Flag:
		Presumption Flag:

Comments: Date: 06/21/1999 User-ID: DBUFFING Subject: NAME CHANGE - OWNERSHIP CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN
OWNERSHIP CHANGE.

Audit: 06/21/99 DBUFFING



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

June 25, 1999

DIRK KEMPTHORNE
GOVERNOR

RE: Water Right No. 63-24149

KARL J. DREHER
DIRECTOR

CITY OF BOISE PARKS & RECREATION DEPT
1104 ROYAL BLVD
BOISE ID 83706

Dear Property Owners:

Enclosed is a copy of the above referenced water right which reflects the change in ownership of the land and appurtenant water rights covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

Thank you for your patience and cooperation. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

Denise Buffington
Denise Buffington
Records Clerk
Adjudication Section
Western Region

DB:db

Enclosures

cc: Delbert E Hathaway

DATE: 10/14/98
PAGE: 1

(REGIONAL)

Water Source:	Tributary to:	Stage:	BENEFICIAL USE
GROUNDWATER			
Point(s) of Diversion:	SENW	ADA County	
	T04N R02E S29		

Place of use Legal Description for: DOMESTIC													
		NE				NW				SE			
		NENE	NNNE	SUNE	SENE	NENW	NNNW	SNW	SEW	NESW	NNSW	SWSW	SESW
T	R S	Lt AC	Lt AC	Lt AC	Lt AC	Lt AC	Lt AC	Lt AC	Lt AC	Lt AC	Lt AC	Lt AC	Lt AC
04N 02E 29		:				D				:			

Other Rights: NONE

Remarks:	EXP	PARCEL NO. S 0629243710	
Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	Presumption Flag:
Audit:	10/14/98 DBUFFING		

DATE: 07/15/98
PAGE: 314

DIVERSION RATE

01-01 12-31 0.02 CFS
01-01 12-31 0.04 CFS

DIVERSION: 0.06 CFS

Stage: BENEFICIAL USE

ADA County

35

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

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35

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:      NESE  NWSE  SWSE  SESE
:      Lt  Ac  Lt  Ac  Lt  Ac  Lt  Ac
:      -----
:
:

```

Other Rights: NONE

Audit:	03/15/94 DUNN1	03/19/94 DUNN1	03/30/95 POST-STD	08/15/97 AUJ3-DSH
	09/17/97 CORR1			

Approved

Date Received

RECEIVED
MAR 26 1991

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

Department of Water Resources

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

DELBERT E. HATHAWAY (208) 342-0211
Name of Claimant Phone Number
4516 CATALPA DR. BOISE ID. 83703
Mailing Address City State Zip
ADA 8-18-89
County(s) where place of use is located Date claim originally due
DOMESTIC WELL, SAME STOCK WATER A63-24149
Identify water right(s) for which extension is requested WO11122 2500

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

see attached -

Claimant requests an extension to _____, 19 ____
Delbert E. Hathaway March 25, 19 91
Signature Date of request

Title _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

and if granted the filing deadline is extended to June 14, 19 91

Signed this 4 day of May, 19 91

Director or his designated agent

DAVID B. SHAW

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

MICROFILMED

SEP 14 1992

3-25-91

On confusion of the water rights claim. I talked to several people on the phone, and personally went to the office in Orchard. This was mostly during Aug. I was given many different stories on what to do. I was supposed to receive info. & maps for completing my forms. Some came but no maps. I called again. I was told not to worry about being late and send to Airport Way for direct processing without late fee, which I did.

Now again I receive a letter telling me they have enclosed a map to fill out, which was not enclosed, and wanting a late fee due to their negligence. I call again, and am told they don't need the information down to a 10 acre tract after all. I give up —

MICROFILMED

SEP 14 1992

DATE: MARCH 25, 1991

TO: DAVID B. SHAW

FROM: DANNI SMITH

RE: TELEPHONE CONVERSATION WITH DELBERT HATHAWAY

Today at 11:30 Mr. Hathaway called, very irritated and upset with our system. Said he figured out what was requested on the stockwater use in item #6 and corrected. Only runs a couple of cows or horses occasionally, and had never been told why he should claim the large amount for such a small use. We discussed, he concluded he would put in stockwater since the letter said he should, and that is the only reason!

Then, on to the 10 acre legal....said this is the second time someone was sending him a map to mark and he had not received one. Explained on this type of claim only two $\frac{1}{4}$ $\frac{1}{4}$'s were required, if he wanted to come to the office an agent could help him get the third $\frac{1}{4}$ from an aerial map. He said after several calls and a trip each to Orchard and Western, if it wasn't necessary, why do it. Had a very frustrated attitude, not "nasty". If the extension is granted he will gladly come in and get the legal done.

Hathaway sounded very sincere, wished he had kept a record of who he called and saw. Does want to file this claim right, but after a year thought everything was okay. Stated it took till March to file only because he was told it was okay by a couple of people.

My comments: Workshops were going strong, so why was he sent to Western? Who would say a map would be sent? No envelop showing late date attached or other correspondence at Western (per Lori today). Val signed receipt #W011122, if a walk-in, why didn't she get the late fee? No reference in John's letter on deferral. No map listed under enclosures for Staci to catch. Also, was Eldon still with us?

All yours....

Thanks,



MICROFILMED

SEP 14 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

February 26, 1991

R. KEITH HIGGINSON
DIRECTOR

Delbert E. Hathaway
4516 Catalpa Dr.
Boise, ID 83703

RE: Snake River Basin Adjudication (SRBA)
Ada County

Dear Mr. Hathaway:

Review of the Notice of Claim to a Water Right that you filed with us in 1990 revealed three problems which require your attention. We have enclosed your claim form so that you may attend to these matters. Also enclosed is Receipt #W011122 for your filing fee.

First, please refer to Items #6, #9, and #10. At #9 and #10 you refer to stock watering as a use of your water, but in #6 you do not list stock as a use. The uses listed in these three items should be consistent. Please refer to pages 7-10 of the enclosed instruction booklet for further details.

Second, we would like to determine your point of diversion (Item #4) to the nearest 10-acre tract. You may do this as described on pages 6-7 of the instructions booklet, or you may mark with an "X" the location of your well on the enclosed map. We can use your mark to determine the proper 10- acre tract.

NO
MAP

Third, your Notice of Claim form was postmarked after the filing deadline for Ada County. This August 18, 1989, deadline was noted on the Commencement Notice you received. The statutes governing the adjudication provide that late fees be assessed to encourage prompt filing of the Notices of Claims. Idaho Code §42-1409(8) sets these fees at \$50.00 or 15%, whichever is greater. The late fee applicable to your claim is \$50.00. If you feel you have a compelling reason for not complying with this deadline, you may request an extension of time and a waiver of the late fee. We have enclosed a Request for Extension of Time form for your use in this matter.

We are suspending the processing of your claim for 30 days or until your claim form is returned to this office and your late fee is paid or waived. Please remember to initial and date any and all changes you make on the claim form.

MICROFILMED

SEP 14 1992

Delbert Hathaway
February 26, 1991
Page 2 - Ada County

Please keep the yellow copy for your records. If we have not received your claim and the late fee (or a Request for Extension of Time) within 30 days, then the fee you paid under Receipt #W011122 will be refunded to you.

Please feel free to contact our office if you have any questions about your Notice of Claim or about the SRBA in general.

Yours truly,

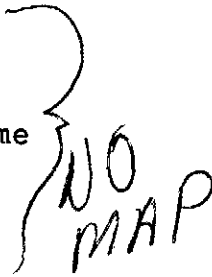


John D. Carlson
Adjudication Supervisor

JDC:SWK:sf:state:tf

Enclosures:

Instruction Booklet (Short)
Notice of Claim
Receipt #W011122
Request for Extension of Time



MICROFILMED

SEP 14 1992

OCT 11 1996

PREFIX TRANSLATION: ADJUDICATION CLAIM

WATER RIGHT NUMBER - A63-24149

AUDIT FIELDS - 05/07/91 KEEN

NO COMMENTS FOUND

ADJUDICATION RIGHTS DATES AND FLAGS AREA

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 03/15/1990	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- W011122	FEDERAL/STATE INOICATOR	- S
CLAIMS TAPE ERROR FLAG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	-		

506292 43710

Verified By
Topo Map/Catho-PO
Aerial Photo Records
Water Rights
NWR Records
Floodplain
County Records
Witness Statements
Project Records
IDWR Records

DATA ENTRY

ENTERED 3-19-91
CHECKED 5-22-91

VERIFIED
FEB 09 1994

CERTIFIED
FEB 18 1994
WATER EXAMINER

PROOF
AUG 02 1991