

Idaho Department of Water Resources

Claim Number: 63-02435A

Legal: T03N, R01E, S14

Reviewed By:

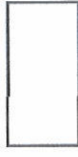
● Point of Diversion



Place of Use



Section Lines



Quarter Quarter Lines

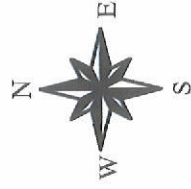
1987 Napp Photo



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 63-2435A
Date Received: 8/8/1989
Receipt No: W004135
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

STEVE WEST Phone: (208)378-8212
300 APPALOOSA
BOISE ID USA 83709

DONNA WEST Phone: (208)378-8212
300 APPALOOSA
BOISE ID USA 83709

2. Date of Priority: 07/28/1930

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	01E	14	NE NW	ADA	

5. Description of diverting works:

6" DIA WELL, 90' DEEP WITH 3/4 HP PUMP. CONTINUED IN REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/01	11/15	0.05	
DOMESTIC	1/01	12/31	0.05	

7. Total Quantity Appropriated is:
0.1 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	01E	14	NE	NW	DOMESTIC	
			NE	NW	IRRIGATION	1
					Section Acres	1
					Total Acres	1

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:

14. Remarks:

CONTINUED FROM ITEM 5: THIS IS A REPLACEMENT WELL DRILLED IN 1974.
LOCATION OF 1 ACRE IS LOT 8 IN BLOCK 1 OF TOWN & COUNTRY ESTATES SUBDIVISION NO. 6
ACCORDING TO OFFICIAL PLAT FILED IN BOOK 22 OF PLATS AT PAGE 1414, RECORDS OF ADA
COUNTY.

Ownership changed 12/1/05.

15. Basis of Claim: License

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

RECEIVED**DEC 01 2005****WATER RESOURCES
WESTERN REGION**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-2435A					

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

John & Janet Hegmann
300 Appaloosa

4. New Owner/Claimant(s)

Stelle & Donna West

Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

300 Appaloosa

City, State and ZIP Code

Boise, ID 83709

New Telephone Number

208-378-8212

5. Date you acquired the property

May 9, 1998

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

Don West
Att. West

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only			
Received by <u><i>JD</i></u>	Date <u><i>12-1-05</i></u>	Fee <u><i>N/A</i></u>	
Received by _____	Date _____	Receipt No. _____	
Processed by <u><i>JD</i></u> AJ	Date <u><i>12-1-05</i></u>	WR. _____	Date _____

THIS FORM FURNISHED COURTESY OF:

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHOFEE 300 DEPUTY NeftALLIANCE TITLE &
ESCROW CORP.

1998 MY 11 PM 4:36

98045074

ALLIANCE TITLE

READ & APPROVED BY GRANTEE(S): [Signature]

SPACE ABOVE THIS LINE FOR RECORDING DATA

{0040}

Order No.: 98074394 JG/PD

WARRANTY DEED

FOR VALUE RECEIVED JOHN J. HEGMANN AND JANET M. HEGMANN, HUSBAND AND WIFE

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto DONNA RODMAN,
AN UNMARRIED WOMANGRANTEE(S), whose current address is: 300 S. APPALOOSA DRIVE, BOISE, IDAHO, 83704
the following described real property in ADA County, State of Idaho, more particularly
described as follows, to wit:Lot 8 in Block 1 of TOWN AND COUNTRY ESTATES SUBDIVISION
NO. 6, according to the Official Plat thereof, filed in Book
22 of Plats at Page(s) 1414, records of Ada County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) 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(s); 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 Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: May 08, 1998

[Signature]
JOHN J. HEGMANN

[Signature]
JANET M. HEGMANN
STATE OF IDAHO
COUNTY OF ADA

On this 8th day of MAY, in the year of 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared JOHN J. HEGMANN AND JANET M. HEGMANN

known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Signature: [Signature]

Name: PAMELA DRAPER

(type or print)

Residing at: BOISE, IDAHO

My Commission Expires: 04/16/03



QUITCLAIM DEED

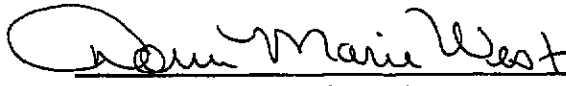
FOR VALUE RECEIVED, Donna Marie West, formerly known as Donna Rodman, Grantor, does hereby convey, release, remise and forever quitclaim unto Stephen Edward West and Donna Marie West, husband and wife, whose current address is 300 S. Appaloosa, Boise, Idaho, the following described premises located in Ada County, Idaho, to-wit:

Lot 8 in Block 1 of Town and Country Estates Subdivision No. 6,
according to the official plat thereof, filed in Book 22 of Plats at Page
(S) 1414, records of Ada County, Idaho

together with their appurtenances.

DATED this 7 day of ^{February}~~January~~, 2000.

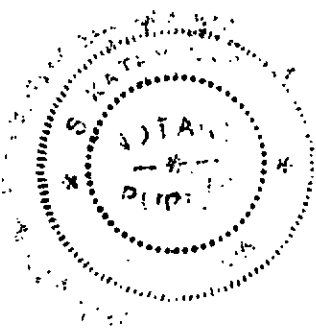
GRANTOR:

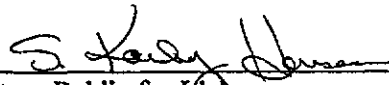

Donna Marie West, formerly known as
Donna Rodman

STATE OF IDAHO)
) ss.
County of Ada)

On this 7 day of ^{February}~~January~~, 2000, before me, a notary public, personally appeared DONNA MARIE WEST, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.




Notary Public for Idaho
Residing at Canyon County
Commission Expires: 8/30/2001

TOWN & COUNTRY ESTATES SUBDIVISION NO. 6

A PART OF THE NE¼ OF THE NW¼ OF SECTION 14,
T.3N., R.1E., B.M., ADA COUNTY, IDAHO.

HOFFMANN & FISKE — CONSULTING ENGINEERS

-LEGEND-

- 5/8" ϕ Steel Bars 30" Long at Boundary Corners
- 1/2" ϕ Steel Bars 24" Long at all Lot Corners and Points of Curvature.

----- Easements

② Lot Number

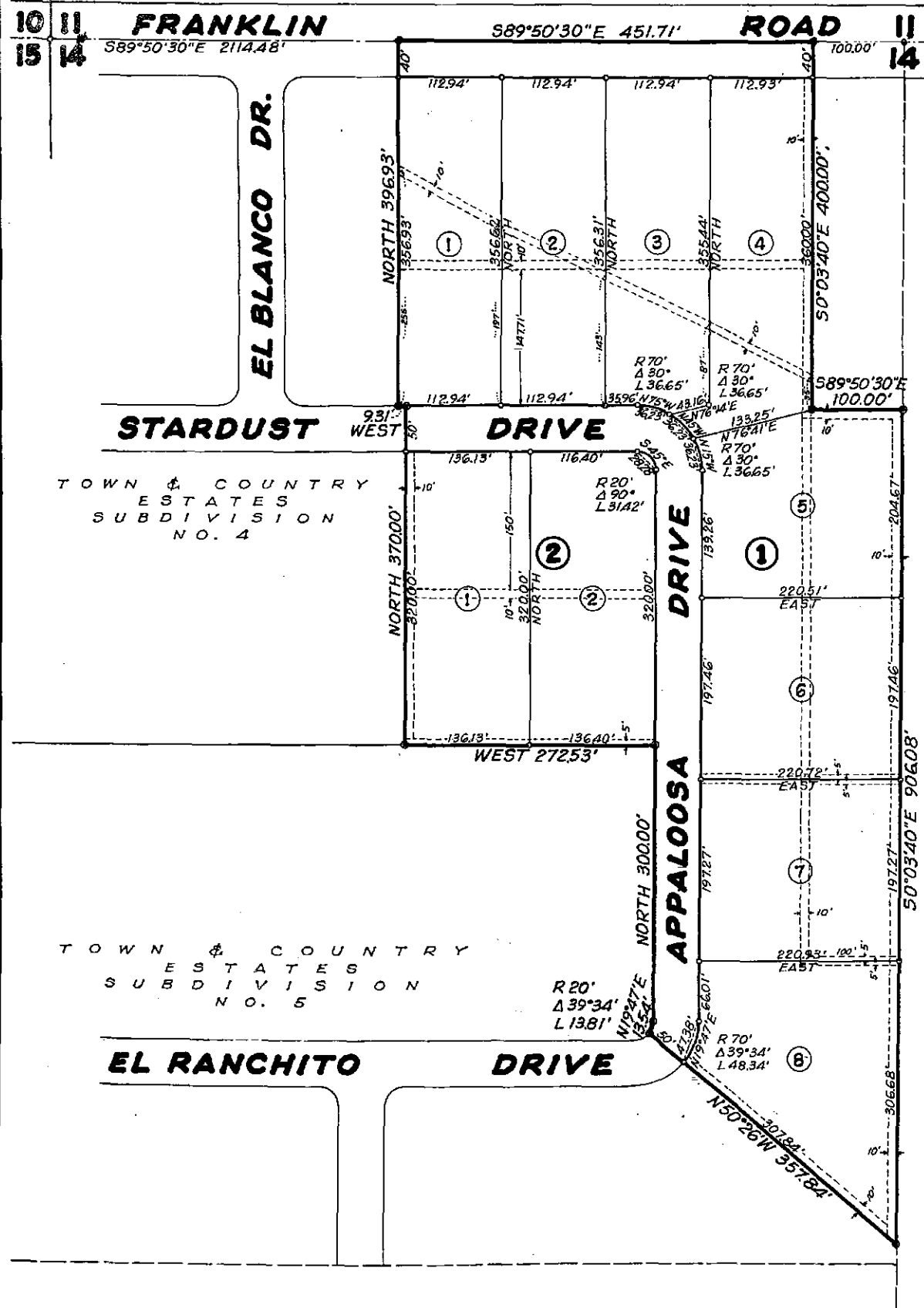
② Block Number

BUILDING RESTRICTIONS

Building and occupancy shall conform to the standards as established by the Restrictive Covenants as filed in Plat Book _____ of Miscellaneous Records at Page _____, Ada County, Idaho.



FOR Rest. & Covenants
See Instrument No. 723187 Filed August 1962



CERTIFICATE OF OWNERS

This is to certify that we the undersigned are the owners of the property hereinafter described, a portion of the NE¹ of the NW¹ of Section 14, T.3N., R.1E., B.M., Ada County, Idaho; more particularly described as follows:-

Commencing at the Quarter Corner common to Sections 11 and 14, T.3N., R.1E., B.M., thence N89°50'30"W 100.00 feet to the Real Point of Beginning;

thence S0°03'40"E 400.00 feet to an iron pin;
thence S89°50'30"E 100.00 feet to an iron pin;
thence S0°03'40"E 906.08 feet to an iron pin;
thence N50°26'W 357.84 feet to an iron pin;
thence along a curve to the left, said curve having a Radius of 20 feet, a Central Angle of 39°34', a Length of 13.81 feet; and a Long Chord which bears N19°47'E 13.54 feet to an iron pin;
thence NORTH 300.00 feet to an iron pin;
thence WEST 272.53 feet to an iron pin;
thence NORTH 370.00 feet to an iron pin;
thence WEST 9.31 feet to an iron pin;
thence NORTH 396.93 feet to an iron pin;
thence S89°50'30"E 451.71 feet to the Real Point of Beginning.

That it is the intention of the undersigned to and they do hereby include said land in this plat; that the undersigned do by these presents dedicate to the public for public use forever, all streets as shown on this plat; the easements indicated on said plat are not dedicated to the public, but the right to use said easements is hereby perpetually reserved for public utilities and for any other use as designated hereon, and no structure other than for such utility purposes are to be erected within the lines of said easements.

TOWN & COUNTRY DEVELOPMENT CORP.

By Win W. Hedrick
Its President

Attest Verna M. Goedderitz
Its Secretary

ACKNOWLEDGMENT

STATE OF IDAHO } 55
COUNTY OF ADA }

On this 18th day of July, 1969, before me, the undersigned, a Notary Public in and for said State, personally appeared Win W. Hedrick and Verna M. Goedderitz, known to me to be officers of Town and Country Development Corp. as shown in the foregoing dedication and acknowledged to me that said Corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

My Commission expires 13 Dec 1971

Ronald L. Scott
Notary Public for the State of Idaho.

CERTIFICATE OF ENGINEER

This is to certify that I, John L. Hoffmann, a Registered Professional Engineer, surveyed the land as described in the "Certificate of Owners," and designated herein as "Town and Country Estates Subdivision No. 6," and that this plat is a true and correct representation of said survey as made and staked by me on said land.

John L. Hoffmann
Idaho 573

ACKNOWLEDGMENT

STATE OF IDAHO } 55
COUNTY OF ADA }

On this 18th day of July, 1969, before me, the undersigned, a Notary Public in and for said State, personally appeared John L. Hoffmann, known to me to be the person whose name is subscribed to the foregoing "Certificate of Engineer," and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

My Commission expires 13 Dec 1971

Ronald L. Scott
Notary Public for the State of Idaho.

COUNTY SURVEYOR'S CERTIFICATE

This is to certify that the undersigned has checked the foregoing plat and computations for making the same, and has determined that they comply with the laws of the State of Idaho relating to plats and surveys.

Date 7-23-69



Elmer E. Sonville
County Surveyor

COUNTY COMMISSIONER'S ACCEPTANCE

The foregoing plat was duly accepted and approved by the Board of Commissioners of the County of Ada, Idaho, this 18th day of August, 1969.

Robert J. Swenson
Chairman

COVENANTS INSTRUMENT #: 723182

PLAT INSTRUMENT# 723187

COUNTY RECORDER'S CERTIFICATE

This is to certify that the foregoing plat was filed for record in the office of the Recorder of Ada County, Idaho; this 18th day of AUGUST, 1969, at 9:10 o'clock A.M., at the request of Win W. Hedrick, and duly recorded in Plat Book 22, at Page MM-1415.

Ray Warner
Deputy

CLARENCE A. PLANTING
Ex-Officio Recorder

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: A63-02435A
Date Received: 8/21/1992
Receipt No: W004135
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: JOHN J HEGMANN
Address: 300 APPALOOSA DR
BOISE ID 83709

OR

Name: JANET M HEGMANN
Address: 300 APPALOOSA DR
BOISE ID 83709

208-376-3399

208-376-3399
RECEIVED
AUG 25 1992

2. Date of Priority: JUL 28, 1930

3. Source: GROUNDWATER

Trib. to:

Department of Water Resources
Western Regional Office

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	01E	14	NE	NW			ADA

5. Description of diverting works:

6" DIA WELL, 90' DEEP WITH 3/4 HP PUMP. CONTINUED IN REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	11/15	0.050		
DOMESTIC	01/01	12/31	0.050		

7. Total Quantity Appropriated is:

0.100 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

3.5 Acre Feet Per Annum.

9. Non-irrigation uses:

1 HOUSEHOLD

MICROFILMED

JUL 25 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	01E	14	NE	NW		IRR	1.0
			NE	NW		DOMEST	

Section Acres 1.0

Total Acres 1.0

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:

NAMPA & MERIDIAN IRRIGATION DISTRICT

14. Remarks:

CONTINUED FROM ITEM 5:

THIS IS A REPLACEMENT WELL DRILLED IN 1974.

LOCATION OF 1 ACRE IS LOT 8 IN BLOCK 1 OF TOWN & COUNTRY ESTATES
SUBDIVISION NO. 6 ACCORDING TO OFFICIAL PLAT FILED IN BOOK 22 OF
PLATS AT PAGE 1414, RECORDS OF ADA COUNTY.

15. Basis of Claim: LICENSE

Water Right Number: 17344

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

A63-02435A

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 A63-17033Date Received 8-7-89Receipt Number W0004135

RECEIVED

AUG 07 1989

Department of Water Resources
Western Regional OfficeNOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

RECEIVED

AUG 05 1992

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) John L. or Janet M. Hegmann Phone (208) 376-3399Mailing Address 300 Appaloosa Dr. Zip 837092. Date of Priority (Only one (1) per claim) 5-15-74 July 20, 19303. Source of water supply (a) groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 3N Range 1E Section 14,1/4 of NE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

1/4, Govt. Lot _____ B.M., County of _____5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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.6" Dia Well, 90 ft ± deep,
With 3/4 hp pump
This is a Replacement well drilled
in 1974.

MICROFILMED

JUL 25 1994

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.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic purposes from 1-1 to 12-31 amount 0.05 or _____

For Lawn/Garden Irrig. purposes from 3-1 to 11-15 amount 0.05 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.10 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 3.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 1 household

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3N	1E	1A					D												1

Total number of acres irrigated 1

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 ✓ 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.
Surface Water-Ditch from Nampa-Meridian Irrig. Dist or None ()

14. Remarks: Location of 1 acre is Lot 8 in Block 1 of Town & County Estates Subdivision No. 6 according to official plat filed in Book 22 of Plats at page 1414, records of Ada County.

MICROFILMED

JUL 25 1994

Last Name Hegmann Ident No. _____

Copies: White -State, Yellow-Claimant

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.

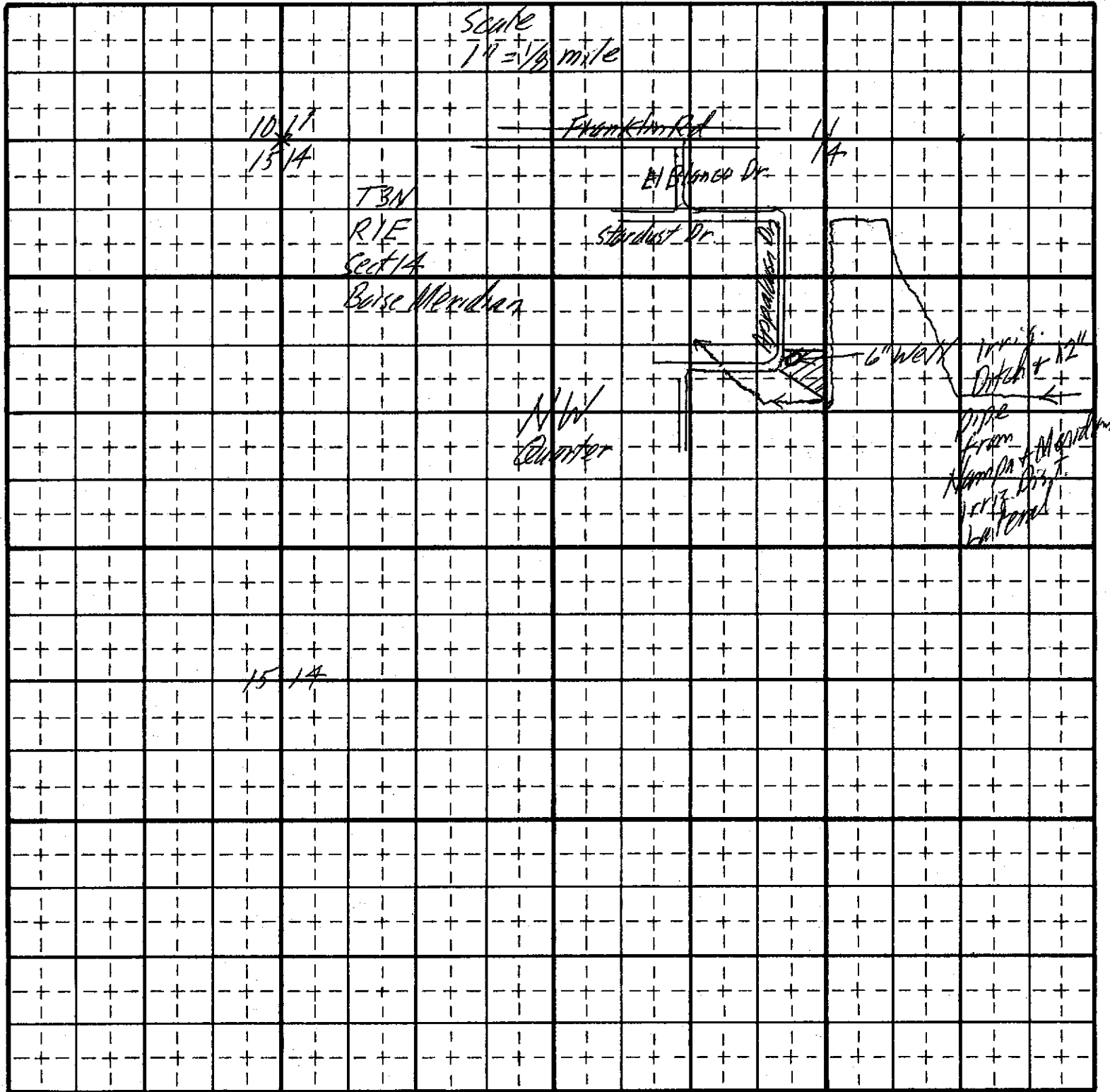
If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water 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.

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



MICROFILMED

JUL 25 1994

Last Name _____

Ident No. _____

Copies: White-State, Yellow-Claimant

45. Basis of Claim (check one) Beneficial Use ☒ Posted Notice ☐ License ☒ Permit ☐
Decree ☐
If applicable provide IDWR Water Right Number A portion of 63-02435
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments 0

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

Signature of Claimant (s) [Signature] Date 8-7-89

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 7 day of August 19 89

SEAL

Notary Public Lori Harris

Residing at Boise, Idaho

My Commission Expires 12-8-94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED
JUL 25 1994

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

ADJUDICATION CLAIM REVIEW CHECKLIST

4-3-91

CLAIMANT'S NAME John J. or Janet M. Hegman CLAIM IDENT. NO. A63-17033

DATE RECEIVED 8-7-89 RECEIPT # W004B5 AMOUNT \$ 51⁰⁰

- | | YES | NO | Required Info? |
|---|-------------------------------------|--------------------------|----------------|
| 1. Is the name and address complete with zip code? <u>Boise</u> | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates? ☒ * | | | |
| See Adjudication Memos #1 and #4 to determine if a Permit is required. | | | |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) N/A ☒ | ☐ | ☐ | |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? N/A ☒ | ☒ | ☐ | |
| Is the consumptive use correct? N/A ☒ | ☒ | ☐ | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4 N/A ☒ | ☒ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? (See Item No.'s 16 & 17 for checking other water rights) | ☒ | ☐ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ☒ | ☒ | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the basis of claim is shown as license, permit, or decree is the existing water rt. no. listed? N/A ☒
(Compare claim with the existing water rt. and either attach a proof report or state in comments that the existing right was compared to the claim) | ☒ | ☐ | * |
| 17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal desc. or name on the claim? N/A ☒
(If yes, describe the right in "Comments" and attach a proof report) NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed. | ☒ | ☐ | |
| 18. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A ☒ | ☒ | ☐ | |
| 19. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 20. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 21. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |

MICROFILMED

JUL 25 1994

23. Should this claim be data entered?

~~YES~~

NO

Claim reviewed by: 1

Date 6-23-91

Claim data entered by: _____

Date _____

Claim is being returned to claimant:

____ (Yes)

~~____ (No)~~

Claimant is being notified of modifications:

____ (Yes)

~~____ (No)~~

Comments: _____



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

*Rec'd from
So 9-30-92*

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 15, 1992

[
John J. Hegmann
Janet M. Hegmann
300 Appaloosa Dr.
Boise, ID 83709
]

Dear Claimant(s):

On July 1, 1992 we sent a letter to you and returned your Notice of Claim submitted during the Snake River Basin Adjudication water right claims filing. This claim was returned to you as it needed further information before being acceptable for filing. The letter (copy enclosed) sent with the claim informed you of what information was needed and gave a 30 day response time, explaining that if no response was received we would refund the filing fee paid, if any, and consider your claim as rejected. The 30 day time period has passed and we have not yet received either a response to this letter, or the claim returned.

Therefore, we have initiated the refund process, if a filing fee was paid, and have marked your claim as rejected. If you decide to file in the future, the original filing fee that is now being refunded, plus a \$50 late fee will be required. This claim can be resubmitted until claims in this area are recommended to the court for decree.

Sincerely,

ROXANNE MC CARTHY
Sr. Water Rights Agent
Adjudication Section

RM:lh
Enclosures

MICROFILMED

JUL 25 1994

12/01/2005

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

RIGHT NUMBER: 63-2435A

NAME AND ADDRESS: DONNA WEST
300 APPALOOSA
BOISE ID 83709

STEVE WEST
300 APPALOOSA
BOISE ID 83709

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.020 CFS
3.500 AFY

PRIORITY DATE: 07/28/1930

POINT OF DIVERSION:

T03N R01E S14 NENW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.020 CFS 3.50 AFY

PLACE OF USE: IRRIGATION Within ADA County

T03N R01E S14 NENW 1.0

1 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Use of this right is combined with water from Nampa Meridian Irrigation
District.

PROPERTY IS ALSO KNOWN AS LOT 8, BLK 1, TOWN & COUNTRY
ESTATES SUBDIVISION NO. 6

IMPORTANT MESSAGE

FOR

DATE

10/10

Vicky

TIME

2:47

A.M.
P.M.

WHILE YOU WERE OUT

M

Steve West

OF

PHONE NO.

378-8212 or 484-6751

TELEPHONED

PLEASE CALL

CAME TO SEE YOU

WILL CALL AGAIN

WANTS TO SEE YOU

RUSH

X

RETURNED YOUR CALL

MESSAGE

Questions on 63-2435A.

- Consulting

no Steve West?

SIGNED

OfficeMax

I.M.

Will call CLO in in 10/10/10

OM97295

Feb 05

OCT 12/05



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

September 26, 2005

DONNA RODMAN
300 S APPALOOSA DR
BOISE ID 83709-0306

RE: NOTICE OF CLAIM NO(S): A63-2435A

Dear Claimant(s):

We are currently preparing the Notice(s) of Claim referenced above for the Director's Report in the Snake River Basin Adjudication. Our research indicates there may have been a change in the ownership for the above claim(s). IDWR records currently show the following name and address as the owner of the claim(s) listed above:

**JOHN J HEGMANN
JANET M HEGMANN
300 S APPALOOSA DR
BOISE ID 83709**

If our current records, as listed above, are not correct please complete the enclosed Change in Ownership form, as appropriate, to correct our records.

If no response is received from you, all further legal notices concerning the claim(s) will be sent to the name and address shown above. If you have claims other than those referenced here, please contact the Department so we may assist you in updating the information for all your claims. Should you have any questions, or feel that you need assistance, please contact IDWR at (208) 334-2190.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region

LH:1
Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

REFUND TO BE
MADE TO ORDER
UNDELIVERABLE
ADDRESS
RETURN TO ORDER

WMA 9

JOHN J HEGMANN
JANET M HEGMANN
306 S APPALOGSA DR
BOISE ID 83709-0306
EXPRESS ORDER

Donna Rodman
300 S Appalossa Dr.,
83709-0306

RECEIVED

JUN 08 2005

WATER RESOURCES
WESTERN REGION

ADDRESS SERVICE
UNITED STATES POSTAGE

UNITED STATES POSTAGE
02 1A
0004389393 JUN
\$0
MAILED FROM ZIP 00

FIRST CLASS

63-2435A
NO ADDRESS FOUR

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2435A V1

WATER RIGHT NUMBER: 63-2435A V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	EARL FRUIT CO
Current Owner	MERIDIAN, ID JANET M HEGMANN 300 S APPALOOSA DR BOISE, ID 83709 (208)376-3399
Current Owner	JOHN J HEGMANN 300 S APPALOOSA DR BOISE, ID 83709 (208)376-3399

Priority Date: 07/28/1930

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.020 CFS	3.50 AF
	<u>Total Diversion:</u>	0.020 CFS	3.50 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4	Sec. 14, Twp 03N, Rge 01E, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	01E	14					1.0												1.0

Total Acres: 1

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. W51 Use of this right is combined with water from Nampa Meridian Irrigation District.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2435A V1

1. Explanatory PROPERTY IS ALSO KNOWN AS LOT 8, BLK 1, TOWN & COUNTRY ESTATES
SUBDIVISION NO. 6

Comments:

1. sbock 8/22/2002 recommendation

Comment: This is the only split off of the original water right for 40 acres. I am not recommending the domestic portion as it was not a part of the license and can be filed on seperatley, probably has a different priority date. According to the tax lot data, the owner is now Donna Rodman.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector: OR

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	8/22/2002 11:55:47 AM	sbock			Active
POD	8/22/2002 11:56:24 AM	sbock			Active
POD	8/22/2002 12:06:48 PM	sbock			Active
Source	8/22/2002 12:07:23 PM	sbock			Active
POU	8/22/2002 12:08:58 PM	sbock			Active
Use	8/22/2002 12:11:56 PM	sbock			Active
Season	8/22/2002 12:12:58 PM	sbock			Active
Quantity	8/22/2002 12:13:18 PM	sbock			Active
Summary			08/22/2002	sbock	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2435A V1

Use	8/22/2002 12:11:56 PM	sbock	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
POU	8/22/2002 12:08:55 PM	sbock	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Contacts	8/22/2002 11:54:59 AM	sbock	(No) 1. Do you want to schedule an appointment?
Priority Date	8/22/2002 11:55:47 AM	sbock	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	8/22/2002 11:56:12 AM	sbock	Edited point location
POD	8/22/2002 11:56:23 AM	sbock	(Yes) 1. Is the basis of this claim a Decree or License?
POD	8/22/2002 12:06:47 PM	sbock	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (Yes) 10. Is a POD remark and/or condition required?
Source	8/22/2002 12:07:22 PM	sbock	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	8/22/2002 12:08:21 PM	sbock	Edited shape boundary

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2435A V1

Season	8/22/2002 12:12:57 PM	sbock	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 18. Is a Period of Use remark and/or condition required?
POD	8/22/2002 12:13:17 PM	sbock	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (No) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required?
Summary	8/22/2002 12:31:49 PM	sbock	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2435A V1

WATER RIGHT NUMBER: 63-2435A V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	EARL FRUIT CO
	MERIDIAN, ID
Current Owner	JANET M HEGMANN
	300 S APPALOOSA DR
	BOISE, ID 83709
	(208)376-3399
Current Owner	JOHN J HEGMANN
	300 S APPALOOSA DR
	BOISE, ID 83709
	(208)376-3399

Priority Date: 07/28/1930

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.020 CFS	3.50 AF
	<u>Total Diversion:</u>	0.020 CFS	3.50 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4	Sec. 14, Twp 03N, Rge 01E, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	01E	14					1.0												1.0

Total Acres: 1

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. W51 Use of this right is combined with water from Nampa Meridian Irrigation District.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2435A V1

1. Explanatory PROPERTY IS ALSO KNOWN AS LOT 8, BLK 1, TOWN & COUNTRY ESTATES
SUBDIVISION NO. 6

Comments:

1. sboc 8/22/2002 recommendation

Comment: This is the only split off of the original water right for 40 acres. I am not recommending the domestic portion as it was not a part of the license and can be filed on separately, probably has a different priority date. According to the tax lot data, the owner is now Donna Rodman.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Idaho Department of Water Resources

Claim Number: 63-02435A
Legal: T03N, R01E, S14
Reviewed By:

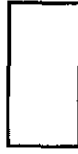
⊙ Point of Diversion



Place of Use

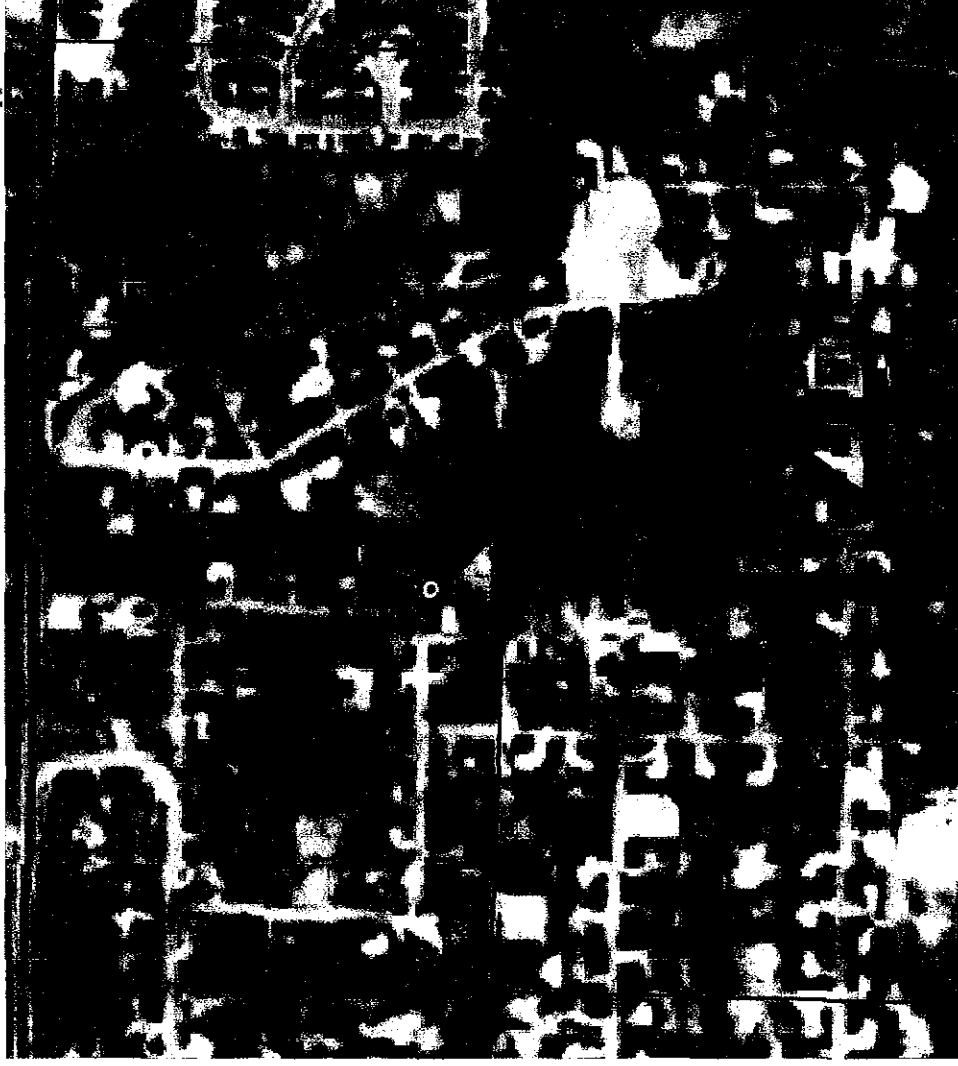


Section Lines

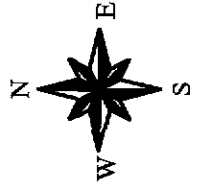


Quarter Quarter Lines

1987 Napp Photo



0 0.25 0.5 Miles



IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID #: 63-02435a Date: 3-11-01

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	3N	1E	14					1												1
GIS								.7												.7
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 1

Overlapping POU Claim #'s:

Total GIS Acres: .7

COMMENTS:

AJ5809NP
No. A63-02435A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/27/01
PAGE: 7

Audit: 08/22/92 FRITSCHL 03/30/95 POST-STD



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

August 6, 1992

John Hegmann
300 Appaloosa Dr.
Boise, ID 83709

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Re: Snake River Basin Adjudication (SRBA)
Ada County - Claim No. A63-17033

Dear Mr. Hegmann,

I have enclosed a "Request for Withdrawal of Claim" for your use as we discussed on the telephone today.

As you now know, any water right developed from a groundwater source after March 25, 1963, for any use other than single family domestic use (including the irrigation of up to 1/2 acre), is required to have an application for permit filed. We can find no record of a permit for this property. The claim you have presented conflicts with the Ground Water Statute at §42-229 and defined in §42-230, Idaho Code, and Water Appropriation Rules and Regulations, paragraph 2,15.

I have enclosed an application for permit, with instructions for your use in this matter. We have discussed the current restrictions on permits and you understand that a permit acquired at this time would be temporary. If you wish to file the Application, please return the completed form to:

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

Please return either the Withdrawal form or Application by September 6, 1992. If we do not receive the documents by that date, we will assume you wish to continue the filing process and will process the claim. As we discussed, the claim would be recommended for domestic purposes only. Do not hesitate to contact this office if you have any questions.

Sincerely,

Roxanne McCarthy
Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

RM:sf:state:tf

Enclosures:

Withdrawal Form
Permit Application w/instructions

MICROFILMED

JUL 25 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

July 1, 1992

RECEIVED

AUG 05 1992

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

Department of Water Resources

DIRECTOR

[John J. or Janet M. Hegmann
300 Appaloosa Dr.
Boise ID 83709]

Dear Claimant(s):

This office has received your Notice of Claim(s) to a Water Right for the use of water within the Snake River Basin Water System. However, due to the item(s) checked below, we cannot process this claim(s). We are returning the claim(s) to you to complete only the following items showing a checkmark in the blank for that item. Receipt No. W004135 in the amount of \$ 51.00 for the filing fee previously submitted is also enclosed.

_____ Fee - No fee received or inadequate fee received, fee due is _____.
See enclosed fee schedule for how this fee was computed.

_____ Late Notice of Claim - This claim was received on _____ which is after the deadline for filing claims in _____ County. The deadline for this County was _____, and the late fee now due is _____. The enclosed Late Fee Notice explains the late fee and how it was computed.

_____ Item No. 2 - Date of Priority - date water was first put to a beneficial use regardless of ownership.

(See pg. 3 also)
X _____ Item No. 2 & 3 - Priority Date and Source - An adjudication claim filed on a water use from a GROUNDWATER source with a priority date (date of first use) after March 25, 1963, may be rejected at the time of final review for court decree. NOTE: This law excludes single ownership domestic uses that do not exceed 13,000 gallons per day and up to 1/2 acre irrigation, stockwater use of up to 1,000 head, or any other use not exceeding .04 cubic feet per second (18 gallons per minute). The mandatory cutoff date for filing on grandfather uses from a groundwater source, other than the exceptions listed above was March 25, 1963. After this date applications for permit were required to be filed prior to any development. If you have filed a claim for more than two or more homes where each have a different owner off of the same well, each owner file a separate claim for their home using the date the home was hooked up to the well as the priority date (date of first use), and avoid filing an application for permit as explained below. However, a \$25.00 fee is still required for each additional claim filed. Claim forms with instructions are enclosed for your use. NOTE: Prior to completing a claim form for each single family domestic or stockwater use, please read the enclosed brochure entitled, "The Snake River Basin Water Right Adjudication, A Quick Guide to the Special Domestic and Stockwater Filing Procedure". The other alternative is to file an Application for Permit which could include all uses on one form. However, the date of priority for your uses will be the date the application is received in our office. Enclosed is an application for permit with instructions. Please note that there is no deadline for filing the application form. Your adjudication claim can still be filed as it was previously submitted, however, you may run the risk of losing your water right later if the claim is rejected due to the mandatory groundwater sources.

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Item No. 2 & 3 - Priority Date and Source -An adjudication claim filed on a water use from a SURFACE WATER source with a priority date(date of first use) after May 20, 1971, may be rejected at the time of review. The mandatory cutoff date for filing water rights on grandfather uses from a surface water source was May 20, 1971. The form to file for this use would be an application for permit. The date of priority for your uses will be the date the application is received in our office. Enclosed is an application for permit with instructions for your use in this matter. Please note that there is no deadline for filing the application form. Your adjudication claim can still be filed as it was previously submitted, however, you may run the risk of losing your water right later if the claim is rejected due to the mandatory filing date for surface water sources.

Item No. 4 - Point of Diversion -The point of diversion listed on this claim is not in the correct form for legal descriptions. Diversion points must be listed by quarter-quarter(40 acre tract), section, township, and range. This legal can be found either on your deed, sales contract or tax notice. If not, then the county assessor may be helpful. Lot and Block for a subdivision are not acceptable, however, please include this information in the remarks section of your claim.

Item No. 10 - Place of Use - The place of use listed on this claim is not in the correct form for legal descriptions. Places of use points must be listed by quarter-quarter(40 acre tract), section, township, and range. This legal can be found either on your deed, sales contract or tax notice. If not, then the county assessor may be helpful. Lot and Block for a subdivision are not acceptable, however, please include this information in the remarks section of your claim.

Item No. 12 - Ownership of Place of Use.

Item No. 15 - Basis of Claim - Please designate if your water right is based on beneficial use of the water - Beneficial Use, or if it is based upon a previously filed water right - Posted Notice, License, Permit or Decree.

Item No. 16 - Signature - this claim form does require your signature be affixed and notarized by a notary public. Note, the notary public signs below the signature blocks listed on this item.

Adjudication Claim Form No. 42-1409(2)a., needs to be filed instead of Claim Form No. 42-1409(2)b., due to the following reasons: _____

Enclosed is the correct claim form with instructions for completion. The fee schedule is also in the instruction sheets to help you figure the fee needed for filing this type of claim form.

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An adjudication claim cannot be filed when no water use or development has taken place. An application for permit is the form to file at the time you decide to begin development. Claims are required only on development and uses completed prior to the commencement of the adjudication, November 19, 1987. Enclosed is an application for permit form with instructions to be completed at the time development will begin.

An adjudication claim cannot be filed on an application for permit which has not been approved. Therefore, we are returning your Notice of Claim to you. An application for permit must be approved in order to establish a water right to file on.

X other: If your irrigation is 1/2 acre or less, it is considered part of the domestic use and does not need to be identified separately. If the domestic exclusion noted on page 1 accurately describes your use, and your claim is modified accordingly, you may wish to request a refund of a portion of the filing fees paid.
(see attached fee schedule).

Please complete the above item(s) on your claim form(s), initial and date any changes or additions, and return the claim(s), with the requested fee (if one is required above), to our office within 30 days from the date of this letter. If the claim(s), or fee requested, is not received within this 30-day period, the claim(s) will be rejected and your fee (if one was paid previously) will be refunded. Please contact the agent listed in the address below, within the 30 day time period, either in writing or by phone, to let us know if there is a problem returning the claim(s), or fee, in order to keep this claim(s) valid. If the claim(s) is rejected and fee refunded, due to no response within the 30-days, the claim(s) can be resubmitted up until claims in this area are prepared for court decree. However, at that time the corrected claim(s) along with the regular filing fee that was refunded, and an additional late fee will be required. Please return your claim(s), any information needed, and the fee requested, if any, to the Western Region Office, 2735 Airport Way, Boise, ID 83705, to the attention of

Selen

Feel free to contact this office if you have any questions concerning the items checked in this letter. Please call me at 327-7935.

Sincerely,

Helen Harrington-Thornton

Helen Harrington-Thornton
Sr. Water Resource Agent
Adjudication Bureau

JS:lh
Enclosures

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JUL 25 1994

old (D) Number - 17344

[illegible]
$$\begin{array}{ccc} 1 & 1 & 1 \\ 1 & 2 & 3 \end{array}$$

+ - -	Priority Date	- - +	+ - -	Region	- - -	+ - -	Stage	- - -	+ - -	Status
				14 WESTERN			L - LICENSE			
				07/28/1930						

[illegible]

GROUNDWATER

[illegible]

03N	01E	14	NE NW	(1)	ADA
-----	-----	----	-------	-------	-----

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
+	+	+	+	+	+	+

0.800

	+ - Total Div.	Rate ~ +	+ - Total Div.	Volume - +	+ - Total Div.	Capacity - +
		0.800				

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
03N	01E	14	NE NW		40.0	01	IRRIGATION	(1) ADA

Total Acres: 40.0

+ - - Diversion Means -

	+ -	- -	Non-Irrigation	Use -
--	-----	-----	----------------	-------

+ - - Other Rights for Same Use -

	Date	Remarks
+	- - - - -	No Remarks found.

```

+-----+-----+-----+-----+-----+-----+-----+-----+-----+
- Old Water Right Numbers - - - - -
No Old Water Right Numbers found.

```

[illegible]

+ - - -	- Decree Plaintiff	- - - +	+ - - -	- Decree Defendant	- - - +	+ - Decree Date
						00/00/0000

WELTON

WATER RIGHT

--Comments--
No Comments Found

+ - - Audit Fields - 05/20/85 05/01/88 CONVERT

[illegible]

Proof Due Date	-	00/00/0000	Field Exam Made	-	00/00/0000	Field Exam Fee	-
Approved/Denied	-	00/00/0000	Protested Date	-	00/00/0000	Swan Falls	-
Proof Made Date	-	00/00/0000	Hearing Date	-	00/00/0000	Temporary Right	-
Exam to S.O. Date	-	00/00/0000	Verified Date	-	05/20/1985	DLE/Carey Act	-
Order Show Cause	-	00/00/0000	Receipt Number	-		Water District	-
Licensed Date	-	08/28/1979	Appl Received	-	00/00/0000	Transfer/Amended	-
Decree Date	-	00/00/0000	Presumption Flag	-			-

WELLINGTON

State of Idaho
License and Certificate of Water Right

Water License No. 17344
Water District No. _____

Amount 0.8 sec. ft.
Priority 7-28-1930

THIS IS TO CERTIFY that **Earl Fruit Company**
of **Meridian, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **July 28**, 1930; that Permit No. 17344
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.8 second feet, was issued thereunder on **October 15**, 1930, showing that said works
were completed on the 17th day of **September**, 1930; and that on the 17th
day of **September**, 1930,

Earl Fruit Company
of **Meridian**, State of **Idaho**, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to the use of subterranean water,
a tributary of **no stream**, for the purpose of irrigation and domestic
use, under Use Permit No. 17344, of the Commissioner of Reclamation,
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is
hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume **7**
of Licenses, at page **3633**, on the **15th** day of **October**, 1930;

The right hereby confirmed dates from **July 28**, 1930;

The Point of Diversion is located
in the **NE ¼ NW ¼**, Sec. **14**, Tp. **3 N.**, R. **1 E.**, B. M. **Ada County**.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid,
is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed **0.8**
cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N	1 E	14	NE ¼ NW ¼	40	40

DO NOT FILM

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use
herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
this **15th** day of **October**, 1930.

Geo. H. Carter
Commissioner of Reclamation

(SEAL)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. ~~L-444~~ 17344This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant: EARL FRUIT COMPANY
2. Source of water supply: Subterranean water
3. Location of point of diversion: Is in the NE 1/4 of Section 14
T. 3. N. R. 1. E. County of ADA
4. Describe works as they exist, giving dimensions and capacities of same: Pump house 8'x8', 175 ft well with 12 1/2" casing, equipped with 10" Fairbanks More deep well turbine pump type 111S, driven by 15 H.P. motor, 3 phase, 60 cycle, 200 volts. Full load rating 36.4 amps, speed 1725 R.P.M.
5. Water is used for: irrigation and domestic
6. State whether or not water has been turned into works of diversion: yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): NE 1/4 of NW 1/4, Sec. 14, T. 3. N., R. 1. E., B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: well yields 54 minims inches,
Fairbanks More motor.

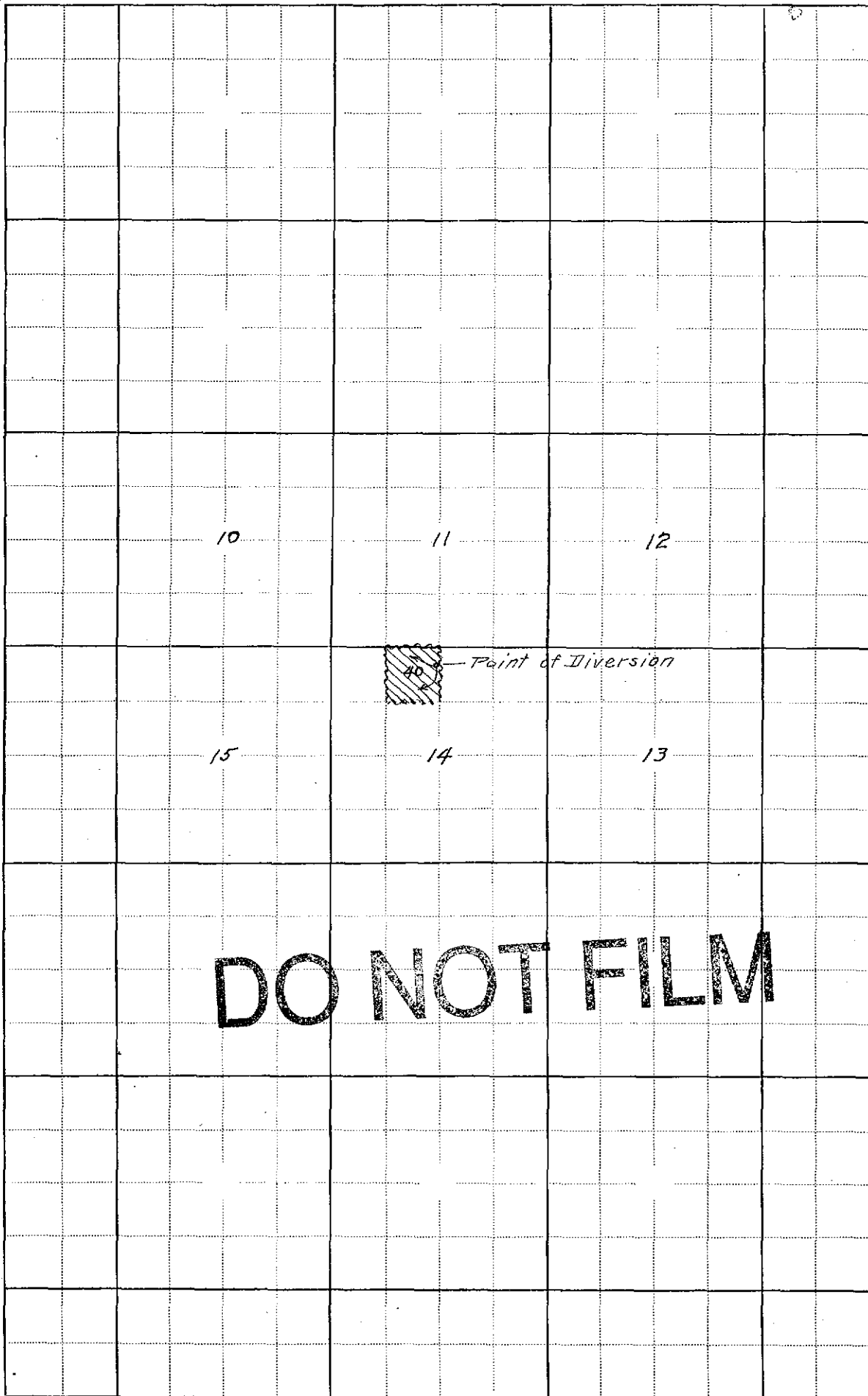
DO NOT FILM

This examination was made on the 23rd day of Sept. 1930

(Signed) _____

Frank H. Johnson
Examiner.

17344



SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

17344