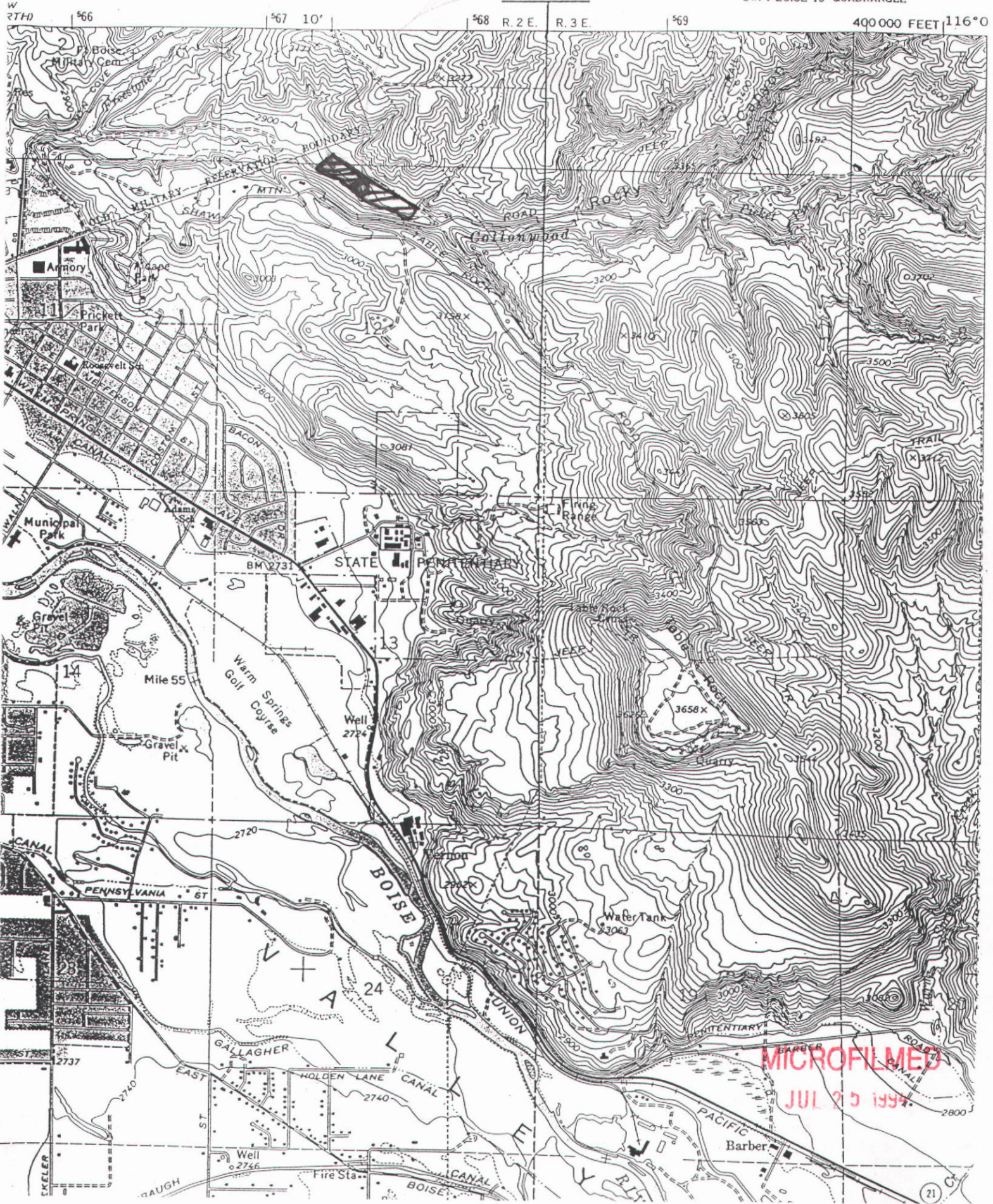


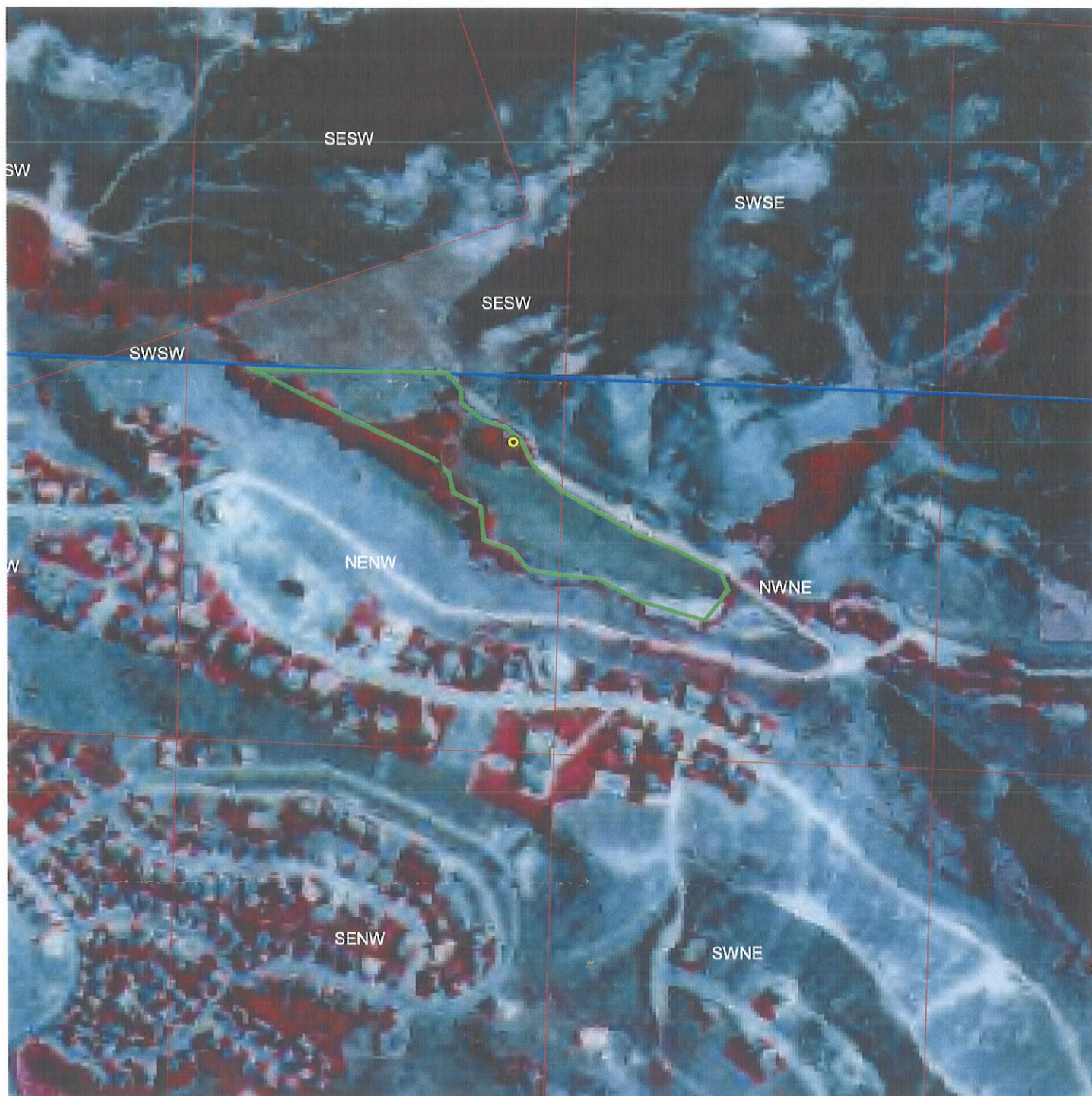
POOR ORIGINAL

Place of Use
Point of Diversion
T. 3 N.

BOISE SOUTH QUADRANGLE
IDAHO-ADA CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)
SW 1/4 BOISE 15' QUADRANGLE



Idaho Department of Water Resources
63-4116
T03N R02E S12



- Point of Diversion
- ▭ Place of Use
- ▭ Sections
- ▭ Quarter Quarter



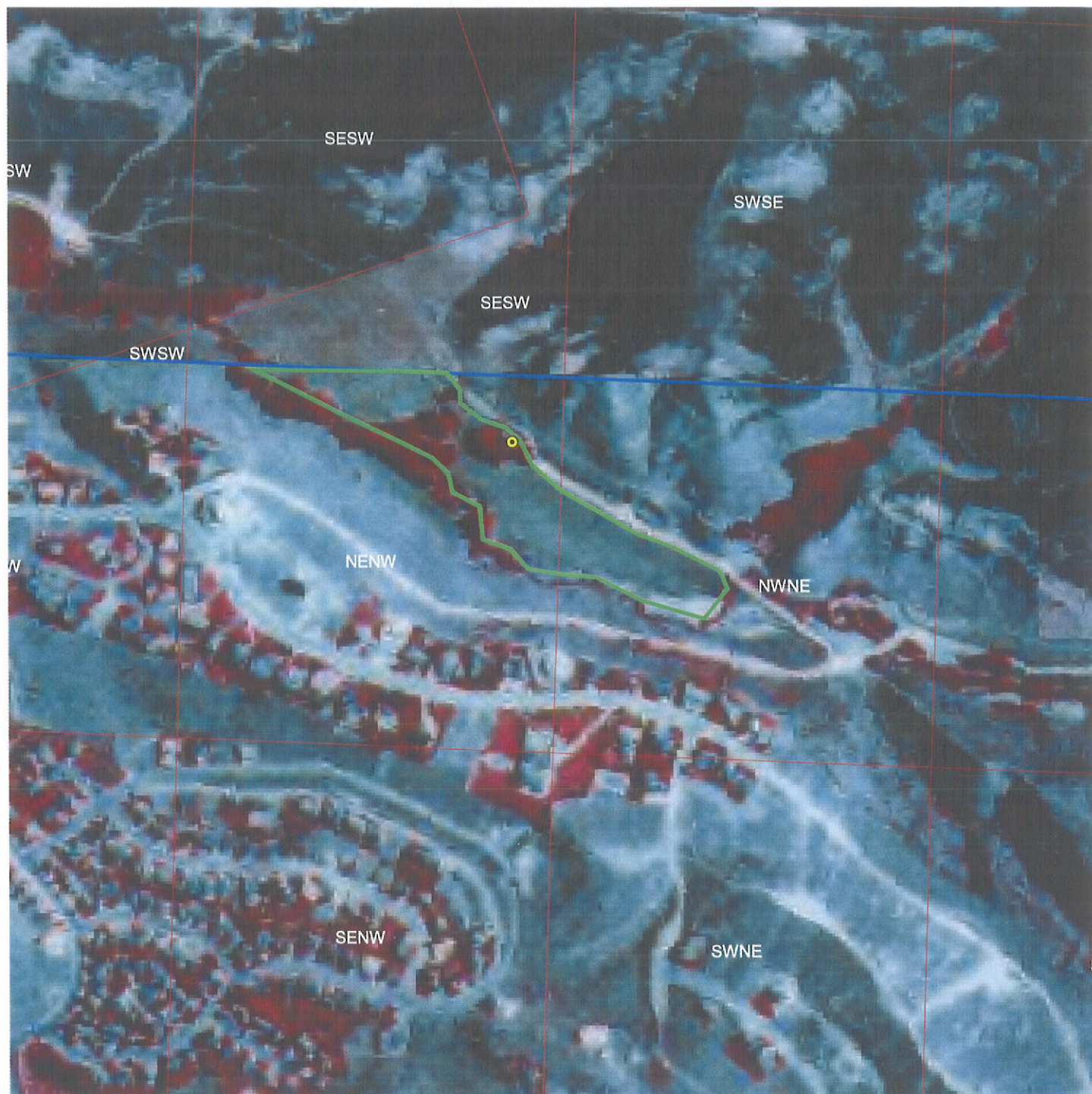
500 0 500 Feet

IDWR
Prepared by: Sandy Egbert
Date: 1-14-05
1987 NAPP Photography

Idaho Department of Water Resources

63-4116

T03N R02E S12



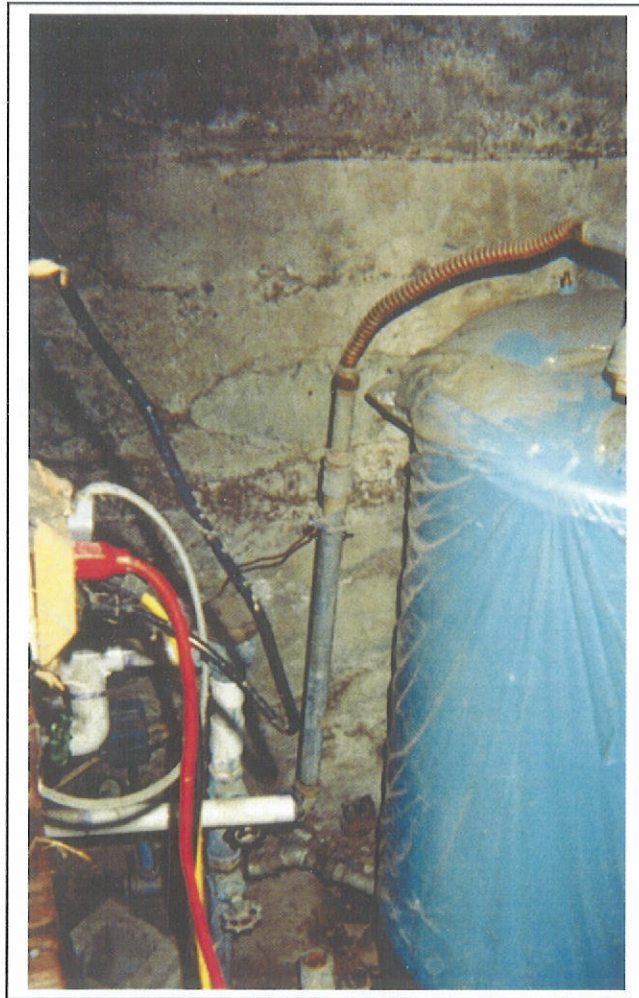
-  Point of Diversion
-  Place of Use
-  Sections
-  Quarter Quarter



500 0 500 Feet



IDWR
Prepared by: Sandy Egbert
Date: 1-14-05
1987 NAPP Photography



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: A63-04116
Date Received: 5/ 9/1994
Receipt No: C030249
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: STEPHEN E SPENCER MD 208-345-3926
Address: 2900 SHAW MOUNTAIN RD
BOISE ID 83712

2. Date of Priority: JAN 1, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02E	12		NE	NW		ADA

5. Description of diverting works:
12" WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.320		
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 56.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME; STOCKWATER, 20 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02E	1	SE	SW		IRRI	2.0
			SE	SW		STOCK	

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JUL 25 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	2.0
		12	NW	NE	IRR	5.0
			NW	NE	STOCK	
			NE	NW	IRR	9.0
			NE	NW	STOCK	
					Section Acres	14.0
					Total Acres	16.0

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:
A63-04112, A63-02572 AND A63-29962

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

MICROFILMED
JUL 25 1994

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 A63-04116

Date Received

5-9-94 *DNB*

Receipt Number

CO 30249

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
MAY 09 1994
Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Stephen E. Spencer, M.D. Phone (208) 345-3926
Mailing Address 2900 Shaw Mountain Road, Boise, ID Zip 83712

2. Date of Priority (Only one (1) per claim) January 1, 1961

3. Source of water supply (a) groundwater
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 3N Range 2E Section 12,
_____ 1/4 of NE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Ada

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. 12 inch diameter well

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 0.04 or _____

For Irrigation purposes from 3/15 to 11/15 amount 0.32 or _____

For Stock Water purposes from 1/1 to 12/31 amount 0.02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.38 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 56 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic - one household served; Stock Water - approximately 20 horses.

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	2E	12		5			9												14
3N	2E	1												2					2
3N	2E	12		S			S												
3N	2E	1												S					

Total number of acres irrigated 16

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.

63-04112, 63-02572

or None ()

14. Remarks:

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JUL 25 1994

Last Name SPENCER Ident No. A63-04116

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.

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

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 One map

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

Signature of Claimant (s) Stephen E. Spencer, MD Date 5-2-94

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 _____) SS.

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

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Dana Hofstetter, Holland & Hart 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 Dana Hofstetter

Address P.O. Box 2527, Boise, ID 83701

Date 5/6/94

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JUL 25 1994

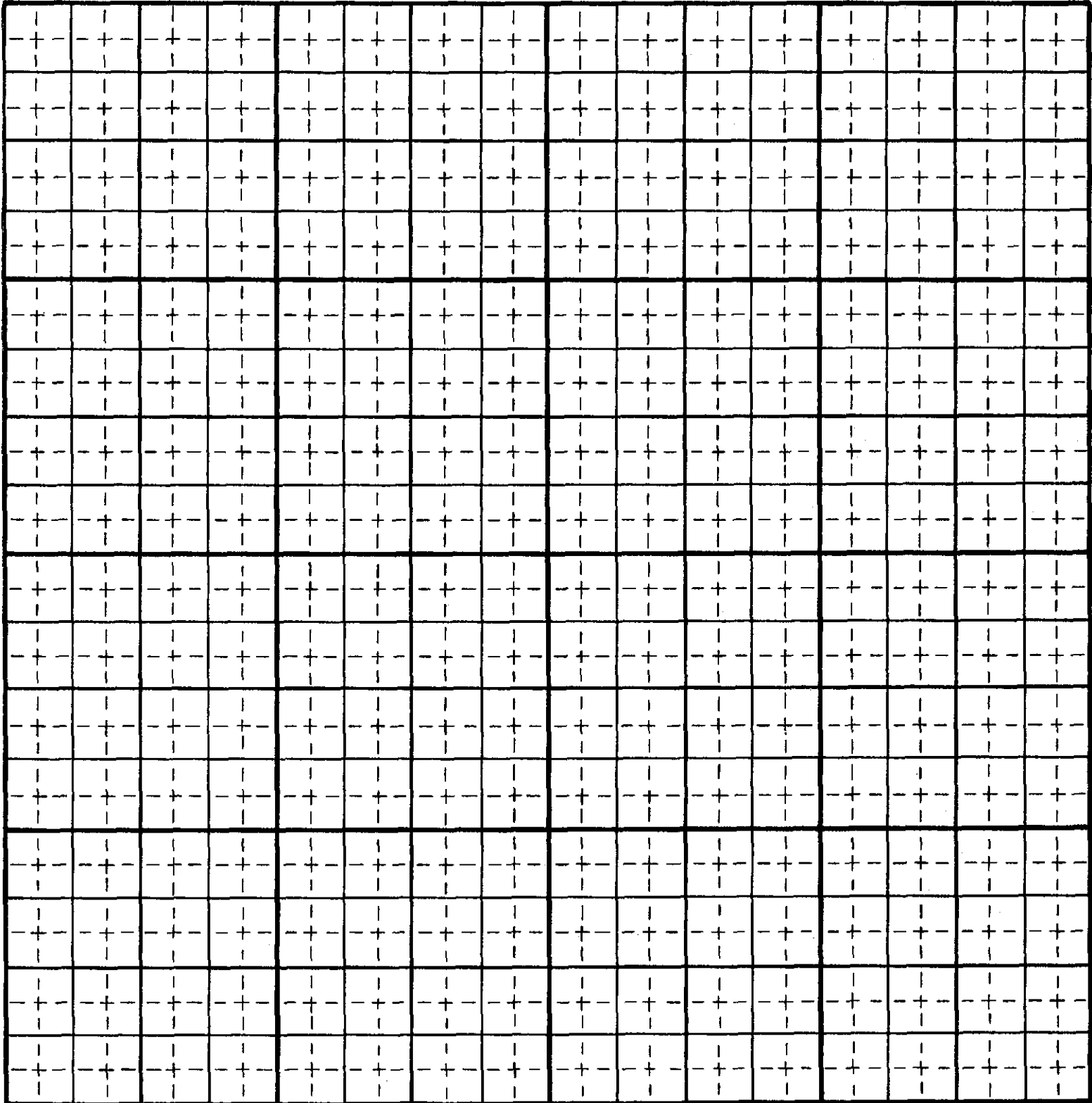
Last Name SPENCER Ident. Number A63-04116

Copies White-State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

SEE ATTACHED MAP



MICROFILMED

JUL 25 1994

Last Name SPENCER

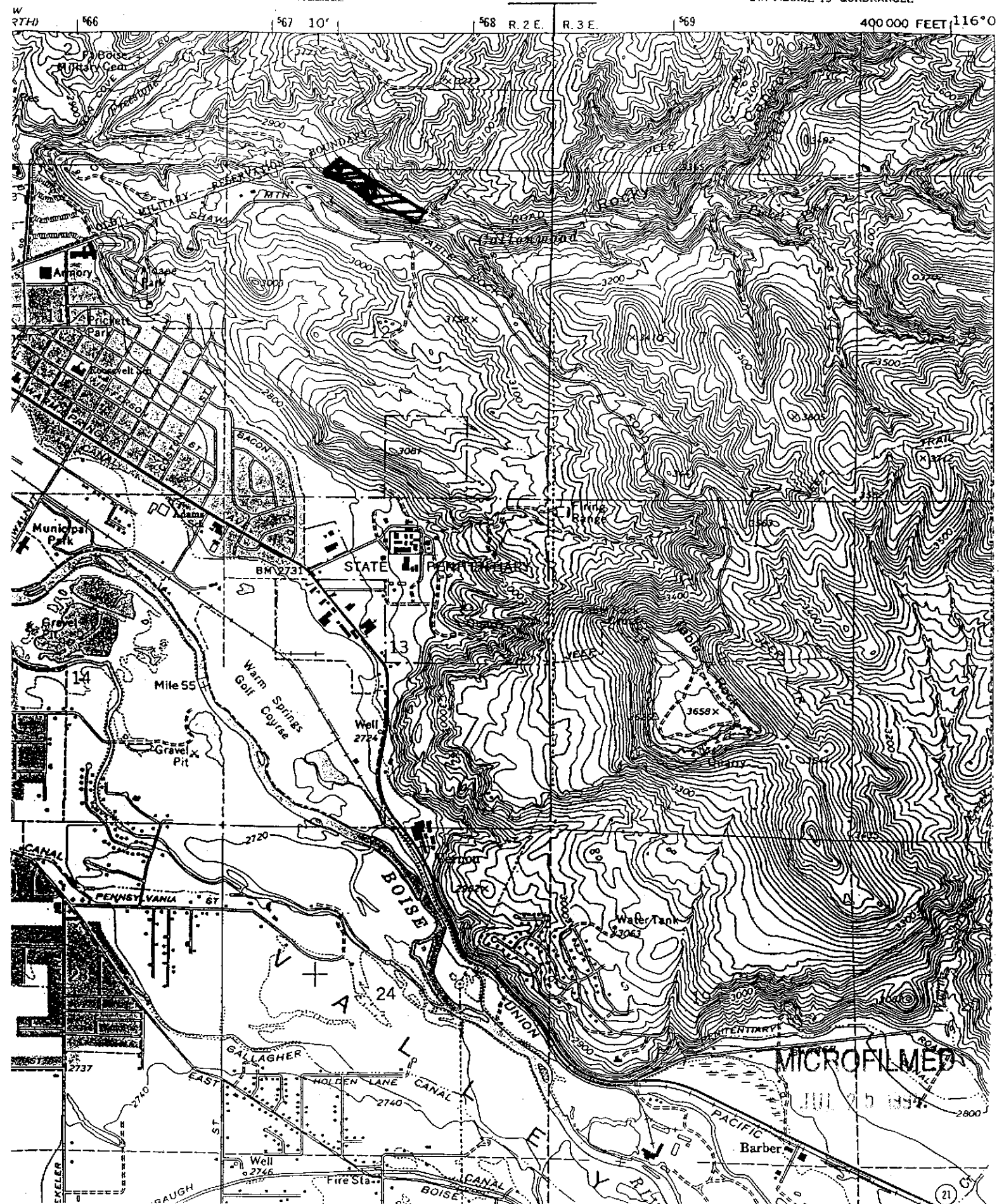
Ident No. A63-04116

Copies: White-State, Yellow-Claimant

POOR ORIGINAL

Place of Use
Point of Diversion
T. 3 N.

BOISE SOUTH QUADRANGLE
IDAHO-ADA CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)
SW/4 BOISE 15' QUADRANGLE



05/28/2005

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

RIGHT NUMBER: 63-4116

NAME AND ADDRESS: STEPHEN E SPENCER
2900 SHAW MOUNTAIN RD
BOISE ID 83712

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.240 CFS
40.50 AFY

The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

Use of this right with Right No.63-2572 is limited to a total combined diversion rate of .18 cfs.

PRIORITY DATE: 01/01/1961

POINT OF DIVERSION:
T03N R02E S12 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	0.180 CFS 40.50 AFY
DOMESTIC	01/01 12/31	0.040 CFS
STOCKWATER	01/01 12/31	0.020 CFS

Stockwater use is for 20 horses.

Domestic use is for 1 home.

PLACE OF USE: IRRIGATION Within ADA County

T03N R02E S12	NWNE	3.0	T03N R02E S12	NENW	9.0
T03N R02E S12	NENW	6.0			

STOCKWATER Within ADA County

T03N R02E S01	SESW		T03N R02E S12	NWNE	
T03N R02E S12	NENW				

DOMESTIC same as IRRIGATION

18 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 63-2572 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 9.0 ACRES IN A SINGLE IRRIGATION SEASON.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RECEIVED
05/31/2005

JUL 15 2005

WATER RESOURCES
WESTERN REGION

NOTICE OF ERROR

REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: July 15, 2005

Water right number: 63-4116

STEPHEN E SPENCER
2900 SHAW MOUNTAIN RD
BOISE ID 83712
Telephone Number: (208)345-3926

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Location of ground water source incorrect on map.

2. Describe the changes you wish to make in the proposed recommendation:

See black X on N.E. bank of Creek which is where well is located

3. Give a brief explanation as to why you disagree with these portions:

I have no way to personally verify whether or not the map coordinates correctly describe the ground water source location but I know that the diversion point on the map is incorrect.

____ I AGREE with this proposed recommendation: no changes need to be made.

See X on map

DATE: 7-12-05

SIGNATURE: *Stephen E. Spencer*

Please print your name: Stephen E. Spencer

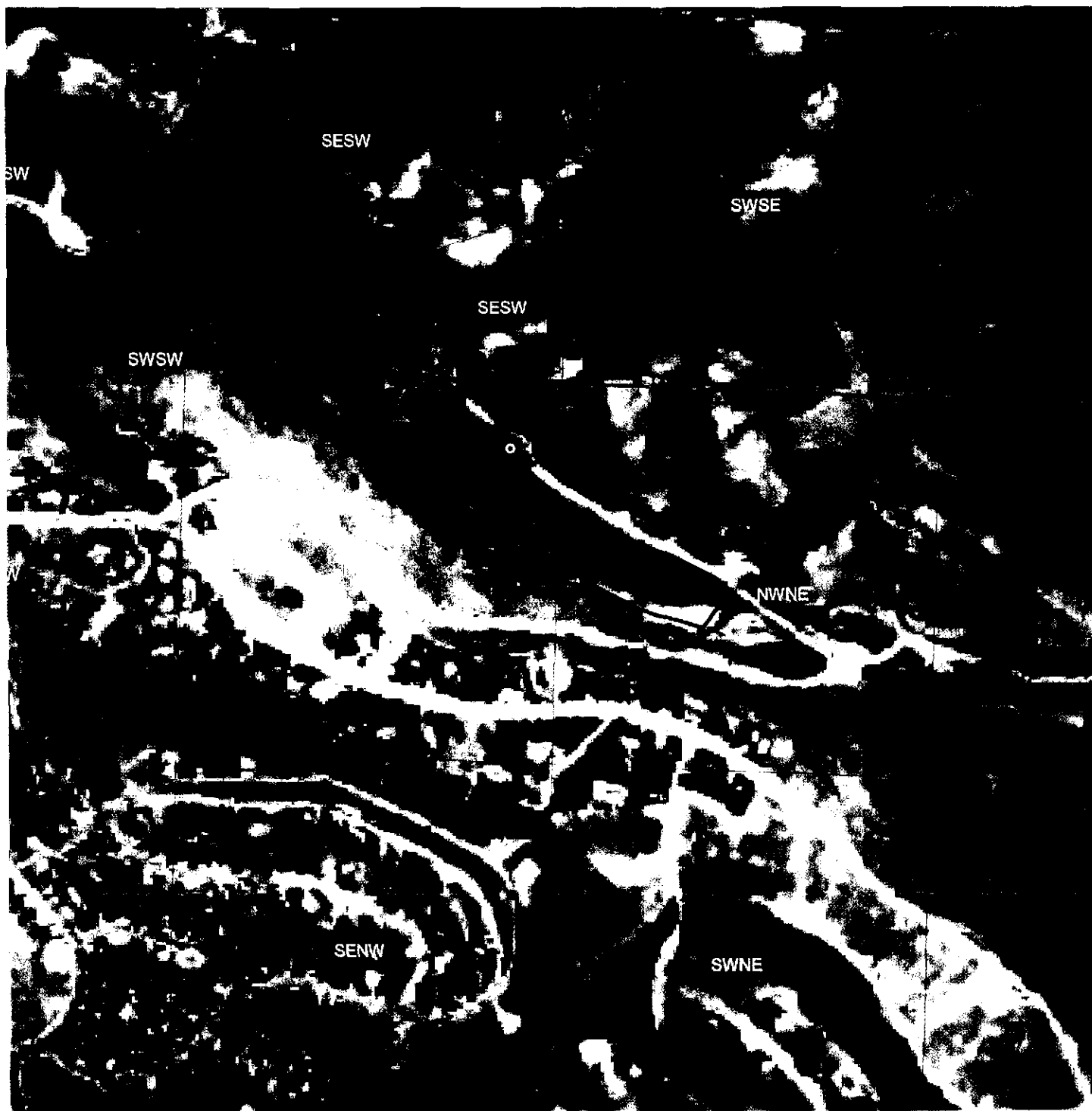
IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

*Moved point
in Rec Layer
7-27-05*

Idaho Department of Water Resources

63-4116

T03N R02E S12



- ⊙ Point of Diversion
- ▭ Place of Use
- ▭ Sections
- ▭ Quarter Quarter



500 0 500 Feet

IDWR

Prepared by: Sandy Egbert

Date: 1-14-05

1987 NAPP Photography

01/14/2005

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

RIGHT NUMBER: 63-4116

NAME AND ADDRESS: STEPHEN E SPENCER
2900 SHAW MOUNTAIN RD
BOISE ID 83712

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.240 CFS
40.500 AFY

Use of this right with Right No.63-2572 is limited to a total combined diversion rate of .18 cfs.

The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 01/01/1961

POINT OF DIVERSION:

T03N R02E S12 NENW Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15 OK 3/1	0.180 CFS ~~40.50 AFY~~
DOMESTIC	01/01 12/31	0.040 CFS
STOCKWATER	01/01 12/31	0.020 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Domestic use is for 1 home.

Stockwater use is for 20 horses.

PLACE OF USE: IRRIGATION Within ADA County

T03N R02E S12	NWNE	3.0	T03N R02E S12	NENW	9.0
T03N R02E S12	NENW	6.0			

STOCKWATER Within ADA County

T03N R02E S01	SESW	T03N R02E S12	NWNE
T03N R02E S12	NENW		

DOMESTIC same as IRRIGATION

18 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 63-2572 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 9.0 ACRES IN A SINGLE IRRIGATION SEASON.

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

OK FOR C.W.
HPT OK
Carter
Conner

01/14/2005

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

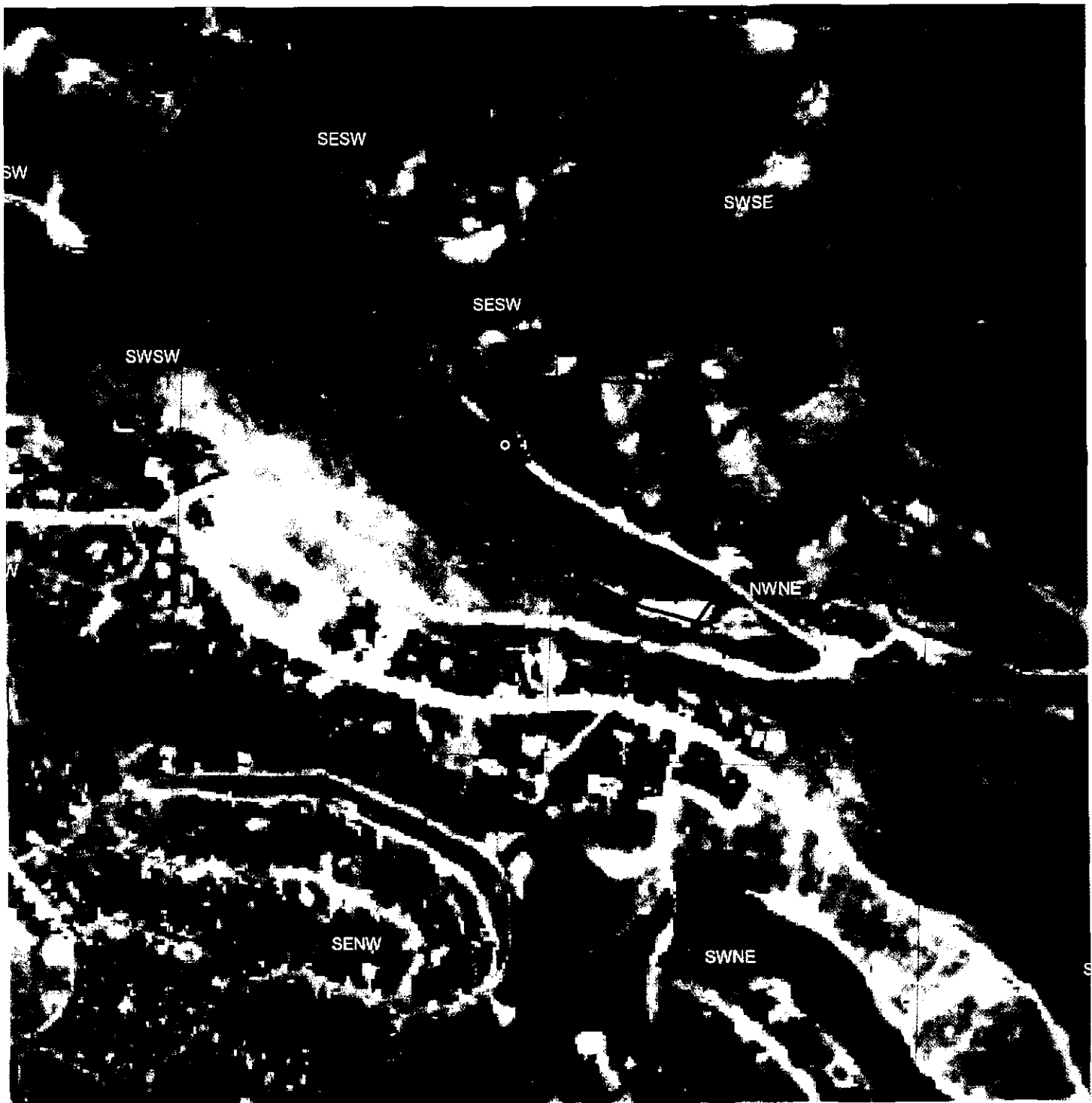
The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

Idaho Department of Water Resources

63-4116

T03N R02E S12



- ⊙ Point of Diversion
- ▭ Place of Use
- ▭ Sections
- ▭ Quarter Quarter



500 0 500 Feet

IDWR
Prepared by: Sandy Egbert
Date: 1-14-05
1987 NAPP Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4116 V1

WATER RIGHT NUMBER: 63-4116 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	R V HANSBERGER 410 IDAHO 1ST NATL BANK BLDG BOISE, ID
Current Owner	STEPHEN E SPENCER 2900 SHAW MOUNTAIN RD BOISE, ID 83712 (208)345-3926

Priority Date: 01/01/1961

Basis: Beneficial Use

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	03/15 to 11/15	0.180 CFS	40.50 AF
DOMESTIC	01/01 to 12/31	0.040 CFS	
STOCKWATER	01/01 to 12/31	0.020 CFS	
	<u>Total Diversion:</u>	0.240 CFS	40.50 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4	Sec. 12, Twp 03N, Rge 02E, 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	02E	12			3.0				9.0										12.0

Total Acres: 18

STOCKWATER

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	02E	1												X					
03N	02E	12			X				X										

DOMESTIC same as IRRIGATION

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-4116 V1

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. N09 The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.
3. N14 The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.
4. X01 Domestic use is for 1 home.
5. X02 Stockwater use is for 20 horses.

Remarks:

1. Quantity Use of this right with Right No.63-2572 is limited to a total combined diversion rate of .18 cfs.
2. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 63-2572 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 9.0 ACRES IN A SINGLE IRRIGATION SEASON.
3. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:

1. segbert 1/14/2005 POU

Comment: Acreage recommended the same as acreage under 63-2572 for Cottonwood Creek. Map with claim does not indicate any acreage

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:
 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:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4116 V1

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	1/14/2005 3:13:11 PM	segbert			Active
POD	1/14/2005 3:13:43 PM	segbert			Active
Source	1/14/2005 3:24:35 PM	segbert			Active
POU	1/14/2005 3:25:13 PM	segbert			Active
Use	1/14/2005 3:30:27 PM	segbert			Active
Season	1/14/2005 3:32:04 PM	segbert			Active
Quantity	1/14/2005 3:34:38 PM	segbert			Active
Summary			01/14/2005	segbert	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	1/14/2005 3:25:13 PM	segbert	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required?
Priority Date	1/14/2005 3:13:12 PM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POU	1/14/2005 3:29:17 PM	segbert	Created polygon from PLS
POU	1/14/2005 3:29:50 PM	segbert	Edited shape boundary
Source	1/14/2005 3:24:35 PM	segbert	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition

required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4116 V1

Season	1/14/2005 3:32:05 PM	segbert	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
Quantity	1/14/2005 3:34:39 PM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (Yes) 12. Is a Quantity remark or condition required?
Summary	1/14/2005 3:48:50 PM	segbert	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right?
POD	1/14/2005 3:13:44 PM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Use	1/14/2005 3:30:28 PM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4116

WATER RIGHT NUMBER: 63-4116

Owner Type Name and Address
 Original Owner R V HANSBERGER
 410 IDAHO 1ST NATL BANK BLDG
 BOISE, ID
 Current Owner STEPHEN E SPENCER
 2900 SHAW MOUNTAIN RD
 BOISE, ID 83712
 (208)345-3926

Priority Date: 01/01/1961
 Basis: Beneficial Use
 Status: Active

Source
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15	11/15	0.320 CFS	1.8 cfs
DOMESTIC	1/01	12/31	0.040 CFS	
STOCKWATER	1/01	12/31	0.020 CFS	
<u>Total Diversion:</u>			0.380 CFS	2.4 cfs

Location of Point(s) of Diversion

GROUND WATER

NE1/4NW1/4

Sec. 12, Twp 03N, Rge 02E, B.M.

ADA County

Place of Use

IRRIGATION

POU cond. This it when comb. w/ right # 63-2572 shall not exceed the irg. of 9 acres during a single irg. season.

Twp	Rge	Sec	NE	NW	SW	SE	Totals
03N	02E	1					0
03N	02E	12	5.0 3.0	8.0 6.0			14.0 9

Total Acres: 16.9
 STOCKWATER

Twp	Rge	Sec	NE	NW	SW	SE	Totals
03N	02E	1				X	
03N	02E	12	X	X			

Add
 N cond
 for stock
 down

Quantity cond.
 This it when comb.
 w/ right # 63-2572 for
 irigation shall not exceed
 .18 cfs.
 need to
 compute
 for irg.
 only.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-4116

DOMESTIC same as IRRIGATION

Conditions of Approval:

Remarks:

Comments:

Dates and Other Information:

Claim Received Date: 5/9/1994

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

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>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid
- ☐ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☒ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-4116

Owner: _____ Phone No. _____

Current Address: _____

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER _____
- ☐ No change Address
- ☐ NEW ADDRESS _____
- ☐ How long owned property? _____

Accompanied by: _____

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: _____

(If priority date, based on your exam, seems questionable, explain below.)

Source: _____ Tributary to _____

- ☒ No Change –SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

OVERLAP REVIEWOther water rights with the same point of diversion: 63-2572 63-#112

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

WATER USES☒ No change☐ Different Uses

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA☒ Changes found, the new total is, Amount 124 CFS 40.5 AFA☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)**NON-IRRIGATION USES:**☒ No change☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☐ No Change☐ Changes shown below:see comments

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: 63-2572 63-4112

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative:

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

*Acreage recommended same as acreage under
63-2572 for Cottonwood Creek. Map with claim
does not indicate any acreage.*

AFFIDAVIT IN SUPPORT OF
R. V. HANSBERGER'S CLAIMS
TO WATER RIGHTS

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

JOE ALDAPE, Being first duly sworn, deposes and
says:

I am a lifetime resident of the State of Idaho
and have lived in the Cottonwood Creek area of Ada
County, Idaho, for the greater part of my life and have
been familiar with the development of the area for over
forty years.

I have read the seven claims to a water right
submitted by R. V. Hansberger to the Department of
Water Reclamation and I know of my own personal know-
ledge that the facts and dates recited in each claim
are true and correct and that the water rights claimed
have been established by diversion and applied to
beneficial uses.


SUBSCRIBED AND SWORN to before me this 20 day of
July, 1971.
~~June~~


Notary Public for Idaho
Residing at Basin, Idaho



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 63



RIGHT ID 63 4116
POD ID 394779
Quad Boise South 2
Claim Type Large
Easting 325461
Northing 281967
GPSID A0013011

Diversion Description

12" WELL AND PUMP. Located under boardwalk that leads to front door.
Submersible/Pressure tank

Assumptions

Elevation head and pressure head.

Invoice

2000-055-01

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missin
Phase-III (Complete w/issues)
Phase-IV (Total Complete)

Linked

ja Photos\394779a.jpg

Photos

ja Photos\394779b.jpg

EPE (ft)

24

Date (M/D/Y)

11/21/01

Time

14.56

Flow Rate (CFS)

0.04

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
☐ Half full
☐ More than half full
☐ Full

Diameter 0

Depth 0

☐ Rectangular Channel

Width 0

Depth 0

Flow Calculation

☐ Continuity

Velocity

0

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline 0

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe 0

Width of weir 0

☐ Manning

(If used, include photo of representative channel section)

Channel Slope

Channel Description	
Concrete lined	.016
Smooth earth	.025
Earth	.033
Rough bed, weeds on sides	.04
Smooth natural stream	.033
Rough natural stream	.1

Pumped System ☒

HP 1

Pressure Head (psl) 50

Elevation Head (ft) 30

Motor Mfg Franklin

Motor Serial # unknown

Pump Type Submersible

Pump Mfg Franklin

Pump Serial#

New Contact Information ☐

New Contact Comments

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RIGHT ID

63 4116





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

November 9, 2001

RE: Investigation of Water Right Claims in the Snake River Basin Adjudication, Basin 63

Dear Claimant:

As you may be aware, the Idaho Department of Water Resources (IDWR) is commencing its Snake River Basin Adjudication (SRBA) investigation of water rights in the Boise River Basin (Basin 63). This investigation is a major effort, and IDWR has hired a contractor, Intrepid Engineering Services, to assist us with this task.

The purpose of this letter is to advise you that Intrepid might be contacting you to conduct a field investigation of your water use. This investigation is meant to provide important information to the IDWR Senior Water Resource Agent who will be making a recommendation for your water rights. Accordingly, we request that you provide Intrepid with access to your water diversion system so that their personnel can conduct this field examination. Intrepid will be gathering information on the rate of flow, diversion location and place of use of your water rights, and will be reporting this information to IDWR.

If you have sold your property in the Boise River Basin, we request that you forward this letter to the purchaser, so that the purchaser can report the new name and address to our office. If you are unable to forward this letter, please send any information regarding a new owner to our Western Regional Office located at 2735 Airport Way, Boise, 83705, (208) 334-2190.

The process of adjudicating your water rights is straightforward for most people, resulting in the issuance of decreed water rights on your property. Experience has shown that water users who work with our agency early in the process to ensure that their recordings are correct have a better experience than those who wait until IDWR has filed its findings with the SRBA Court. Thus, we encourage you to work with our staff and with Intrepid to ensure that the results accurately reflect your water uses.

Sincerely,

Jan Shurte
Adjudication Section Supervisor
Western Regional Office

HOLLAND & HART
ATTORNEYS AT LAW

DENVER
DENVER TECH CENTER
COLORADO SPRINGS
ASPEN
BILLINGS
BOISE
CHEYENNE
JACKSON
SALT LAKE CITY
WASHINGTON, D.C.

SUITE 1400
WEST ONE PLAZA
BOISE, IDAHO 83702-7714
MAILING ADDRESS
P.O. BOX 2527
BOISE, IDAHO 83701-2527

TELEPHONE (208) 342-5000
FACSIMILE (208) 343-8869

Dana L. Hofstetter

May 9, 1994

RECEIVED

MAY 09 1994

Department of Water Resources

HAND DELIVERY

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706

Re: Stephen Spencer's Snake River Basin
Adjudication ("SRBA") Claim Nos. A63-02572,
A63-04116, and A63-04112 and Domestic SRBA
Claim

Dear Sir/Madam:

Enclosed of behalf of Dr. Stephen Spencer are the following
original SRBA claims and checks to cover the filing fees:

A63-02572	\$109 filing fee
A63-04112	\$107 filing fee
<u>A63-04116</u>	\$116 filing fee
<i>A63-04116</i> Domestic Claim	\$ 75 filing fee

by runner when he del. the claims. - ss. state fees pd.
Also enclosed are photocopies of these SRBA claims. Please
date stamp the photo copies to confirm the filing date and return
them to me. Also, please provide me receipts for the filing
fees. Please let me know if you have any questions about the
SRBA claims or if the enclosed filing fees are insufficient.

Sincerely,

HOLLAND & HART

Dana L. Hofstetter
Dana L. Hofstetter

DLH:cd
Enclosures
39801/17915.0201

MICROFILMED

JUL 23 1994