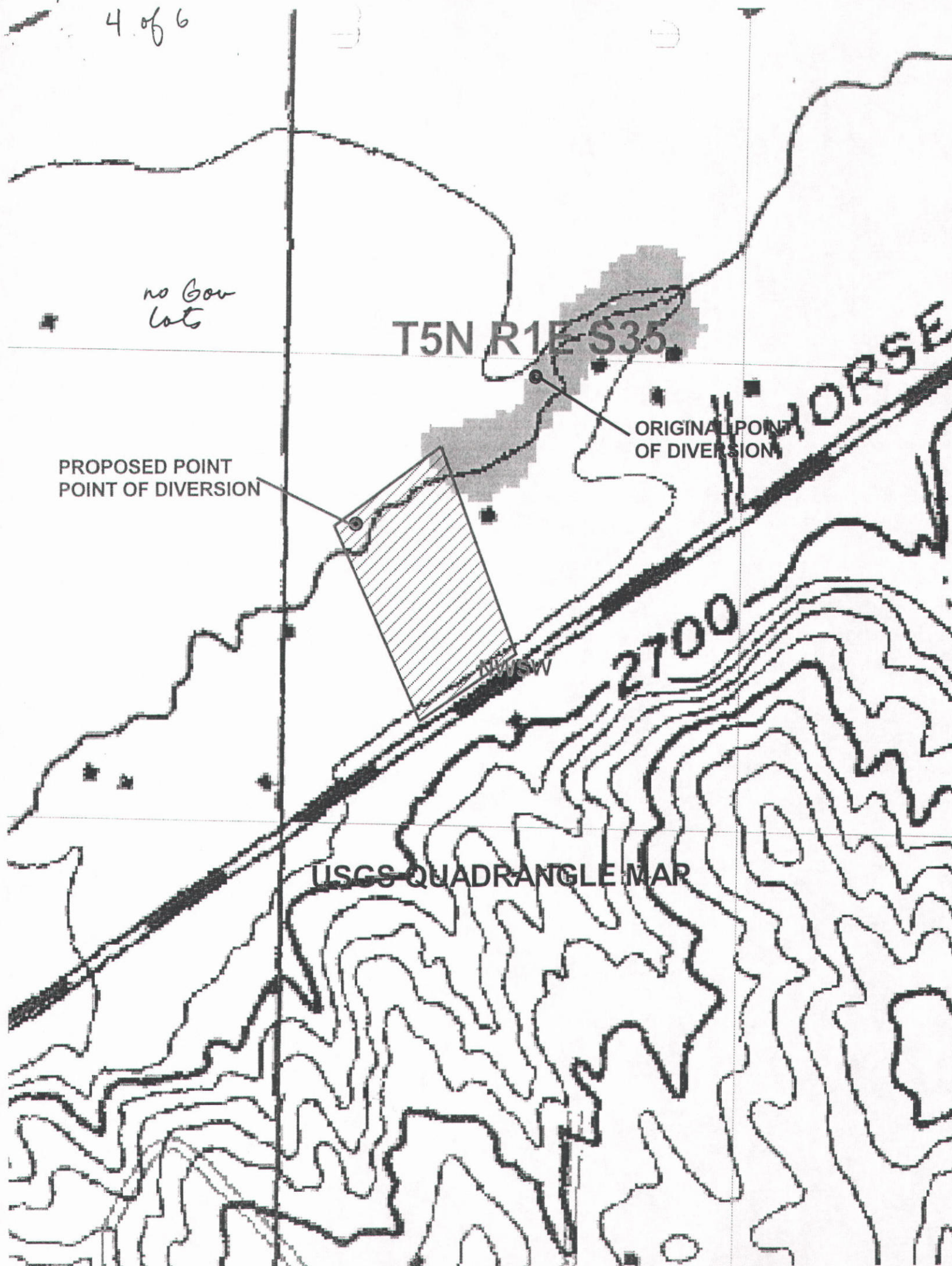




no Gov
lots

T5N R1E S35

PROPOSED POINT
POINT OF DIVERSION

ORIGINAL POINT
OF DIVERSION

HORSE

2700

USGS QUADRANGLE MAP

4 of 6

no Gov
lots

T5N R1E S35

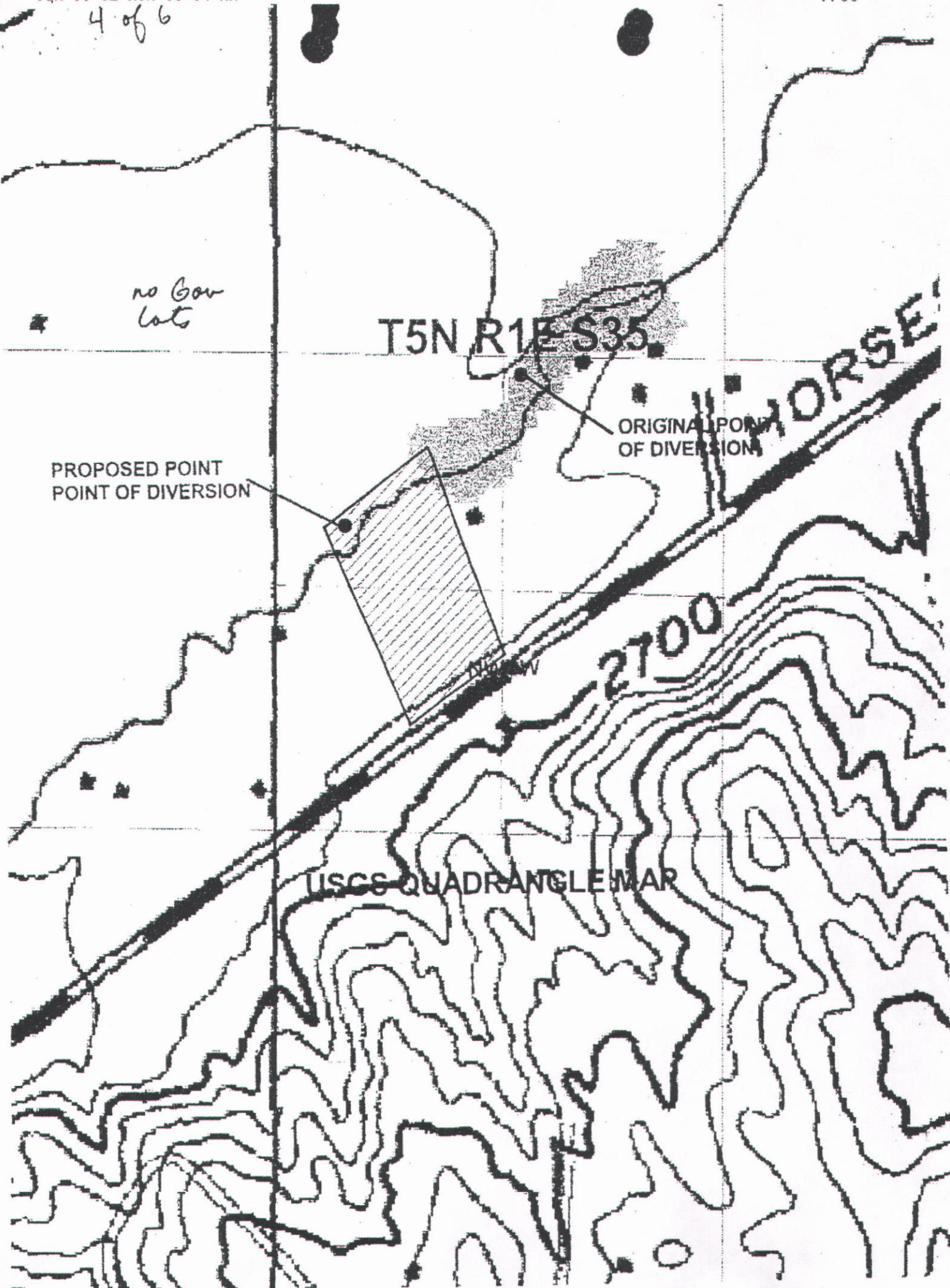
PROPOSED POINT
POINT OF DIVERSION

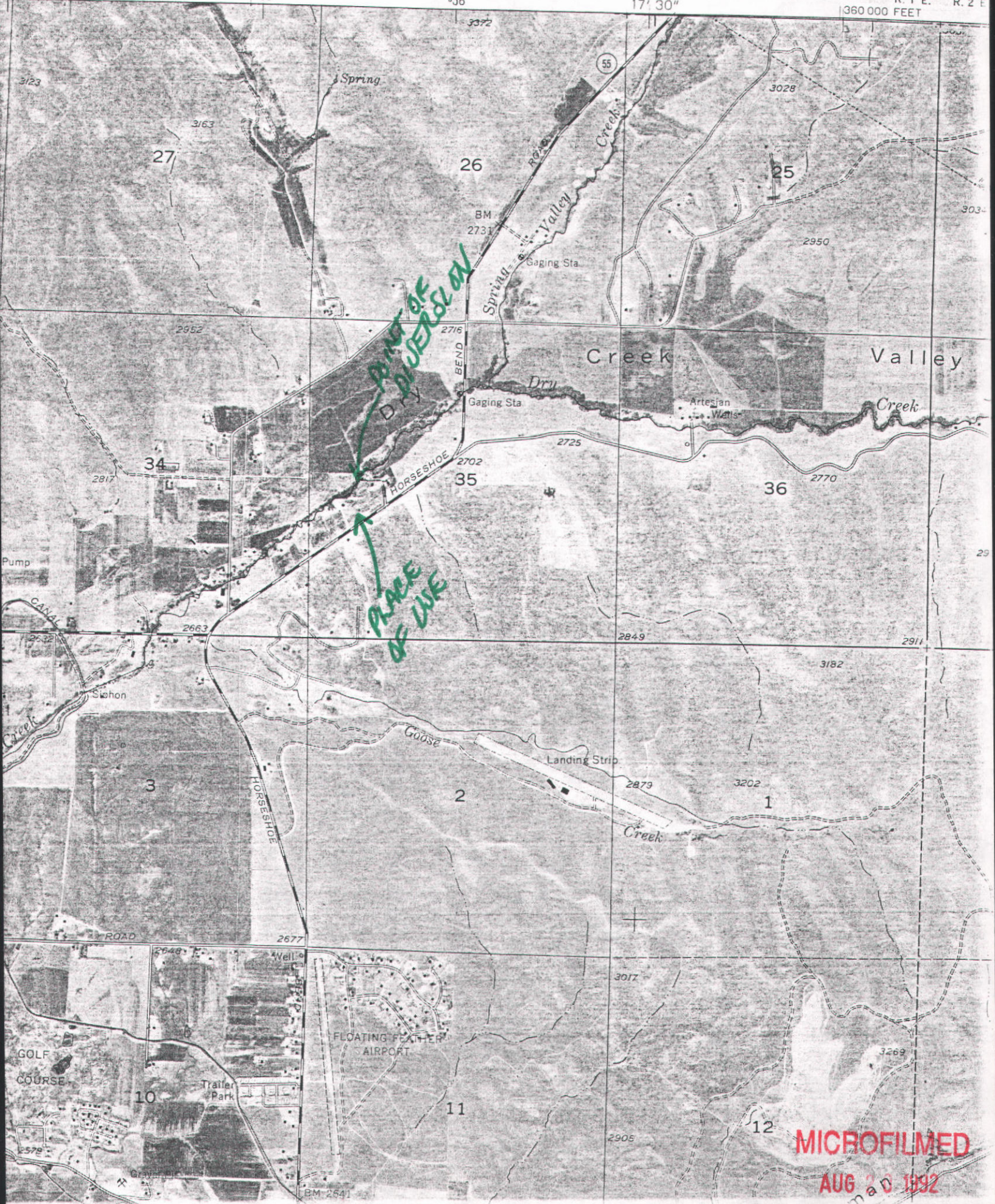
ORIGINAL POINT
OF DIVERSION

HORSE

2700

USGS QUADRANGLE MAP





MICROFILMED
AUG 20 1992

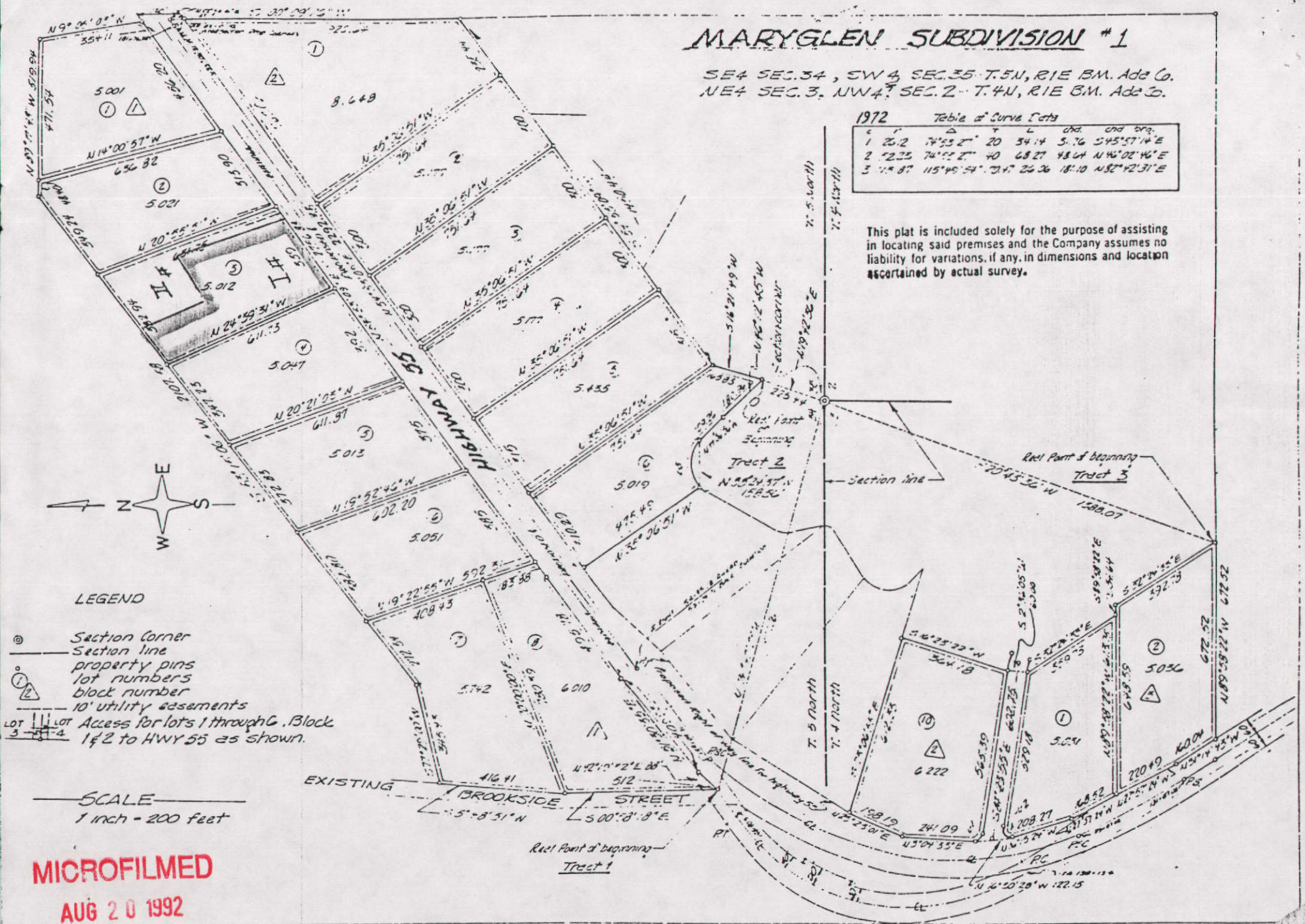
MARYGLEN SUBDIVISION #1

SE4 SEC.34, SW4 SEC.35 T.5N, R.1E B.M. Adg Co.
NE4 SEC.3, NW4 SEC.2 T.4N, R.1E B.M. Adg Co.

1972 Table of Curve Data

Sta.	Δ	L	Chd.	Ord.	Brk.
1 25.12	74°53'2" 20	34.14	5.76	545°57'14"E	
2 52.35	74°52'2" 40	68.27	11.54	114°02'46"E	
3 74.87	115°45'54" 74.7	26.26	18.10	182°42'31"E	

This plat is included solely for the purpose of assisting in locating said premises and the Company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.

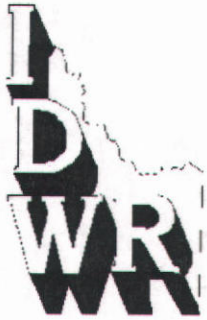


LEGEND

- Section Corner
- Section line
- property pins
- lot numbers
- block number
- 10' utility easements
- LOT 11 LOT 12
- Access for lots 1 through 6, Block 142 to Hwy 55 as shown.

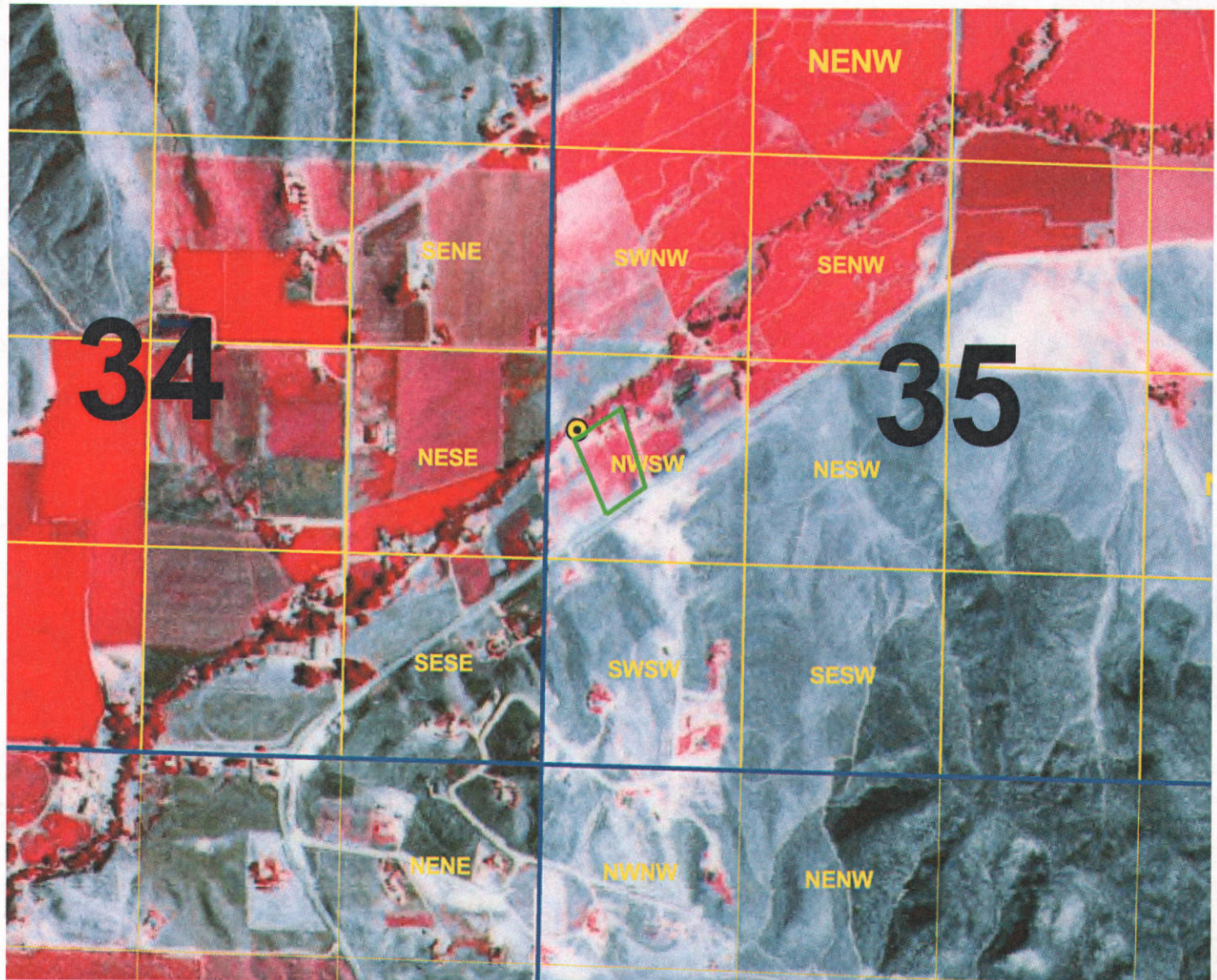
SCALE
1 inch = 200 feet

MICROFILMED
AUG 20 1992



State of Idaho
Idaho Department of Water Resources
Western Region

T5N R1E SECTION 35
Water Right (s): 63-4219A



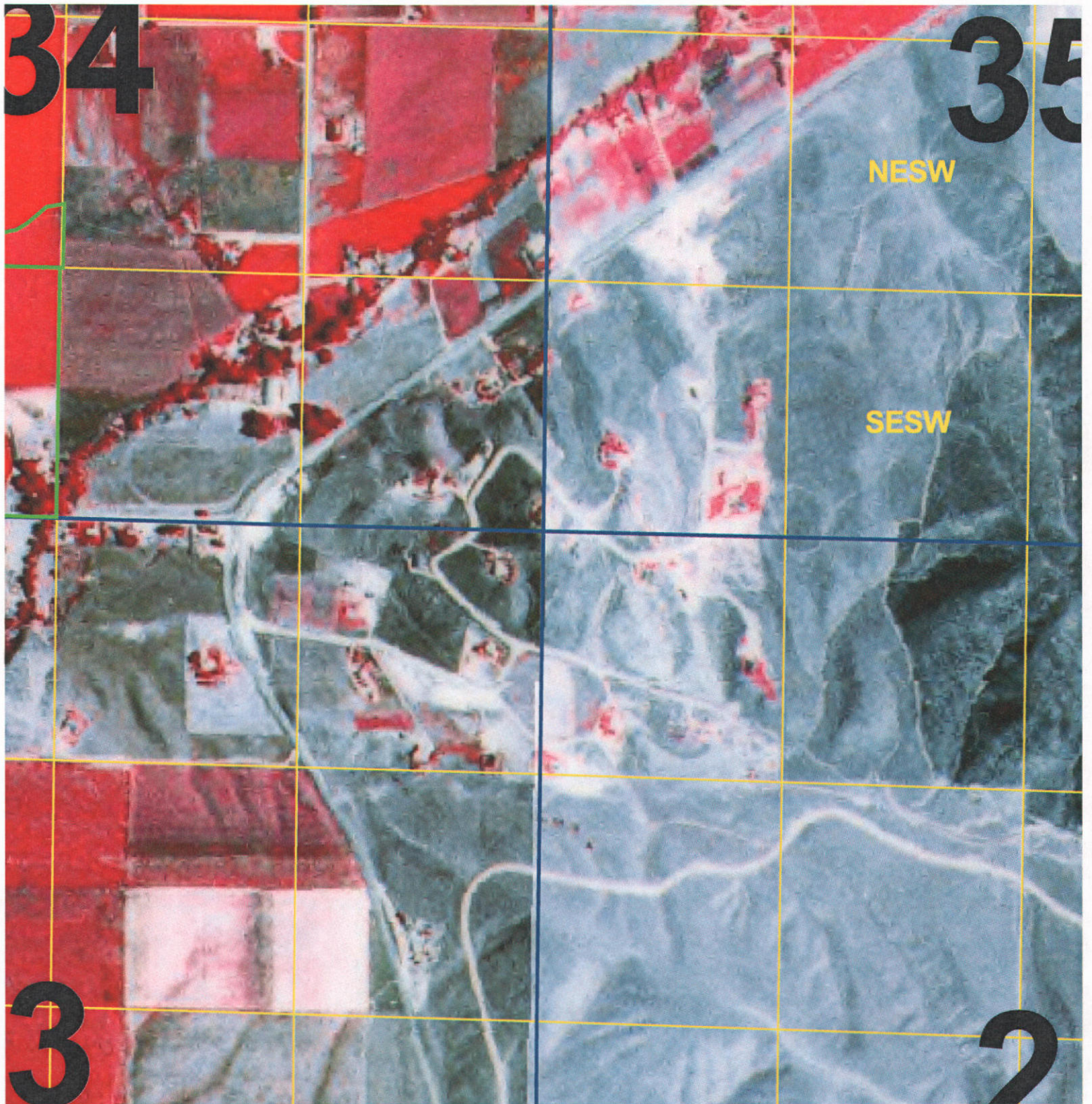
1320 0 1320 2640 3960 Feet

TOTAL IRRIGATED ACRES = 4



-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: June 2005



**DRY CREEK CLAIMS IN MARYGLEN SUB. FORMERLY STILWELL LAND.
1987 AERIAL.**

4 of 6

no Gov
lots

T5N R1E S35

ORIGINAL POINT
OF DIVERSION

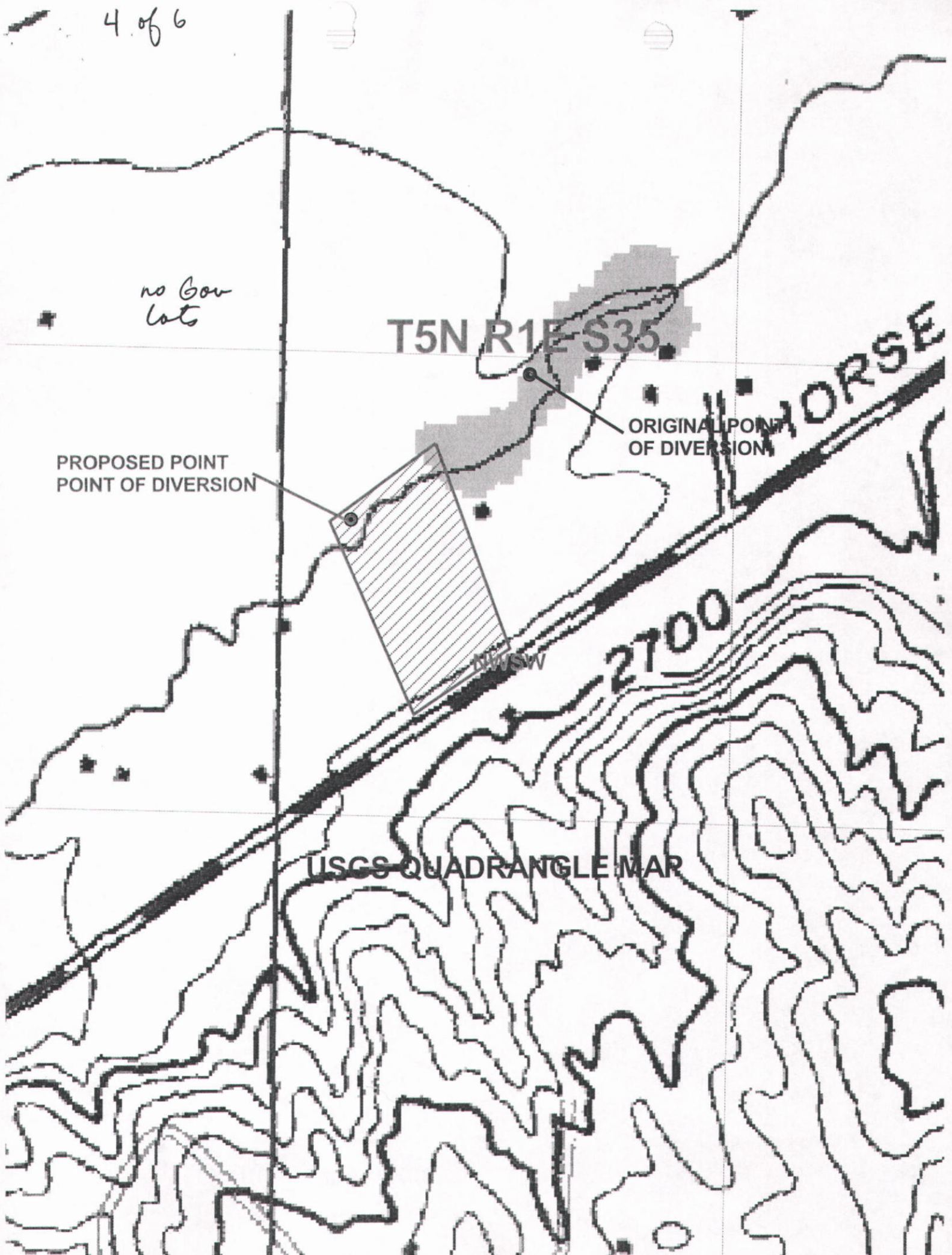
PROPOSED POINT
POINT OF DIVERSION

DIV SW

2700

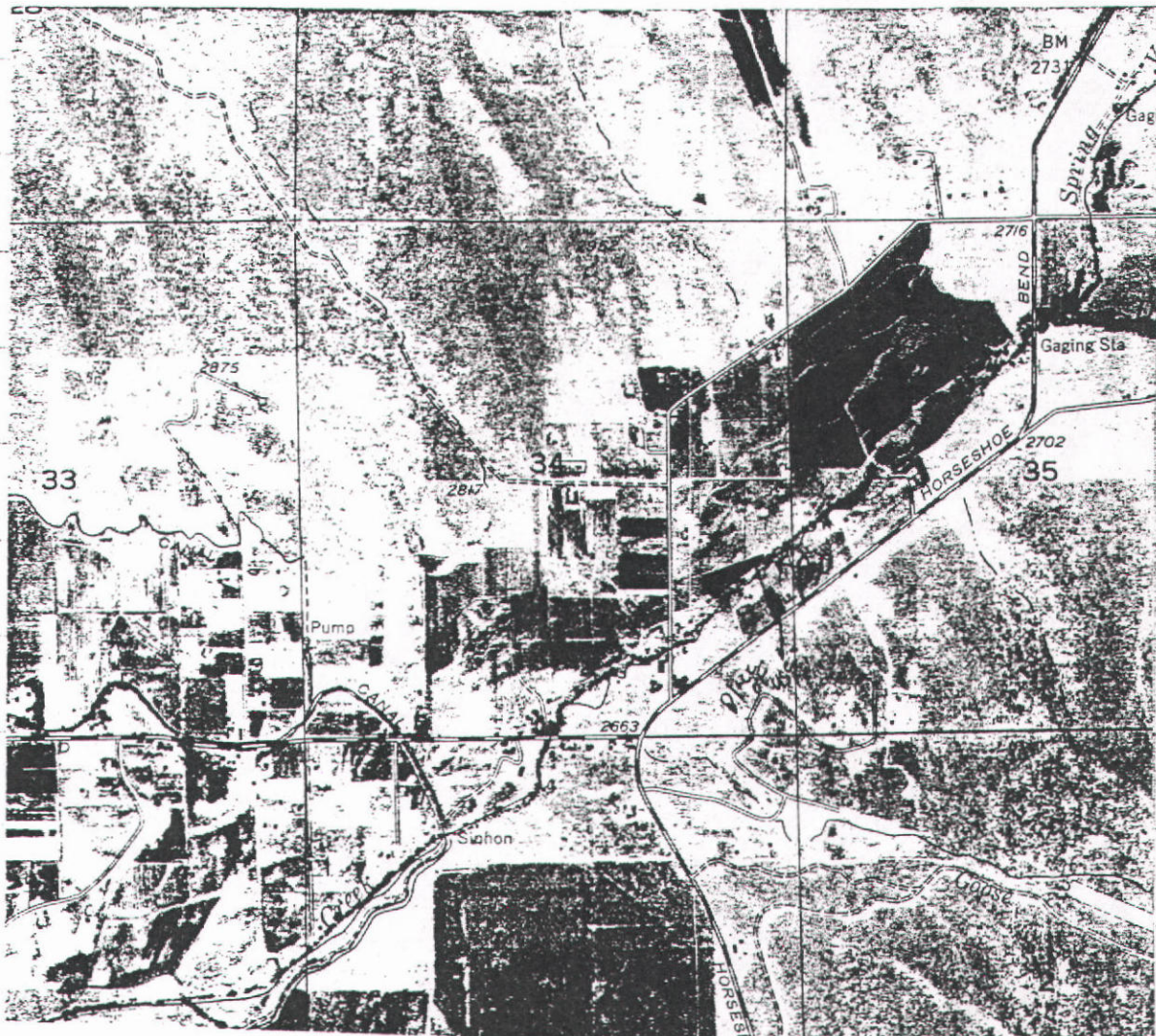
USGS QUADRANGLE MAP

HORSE



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

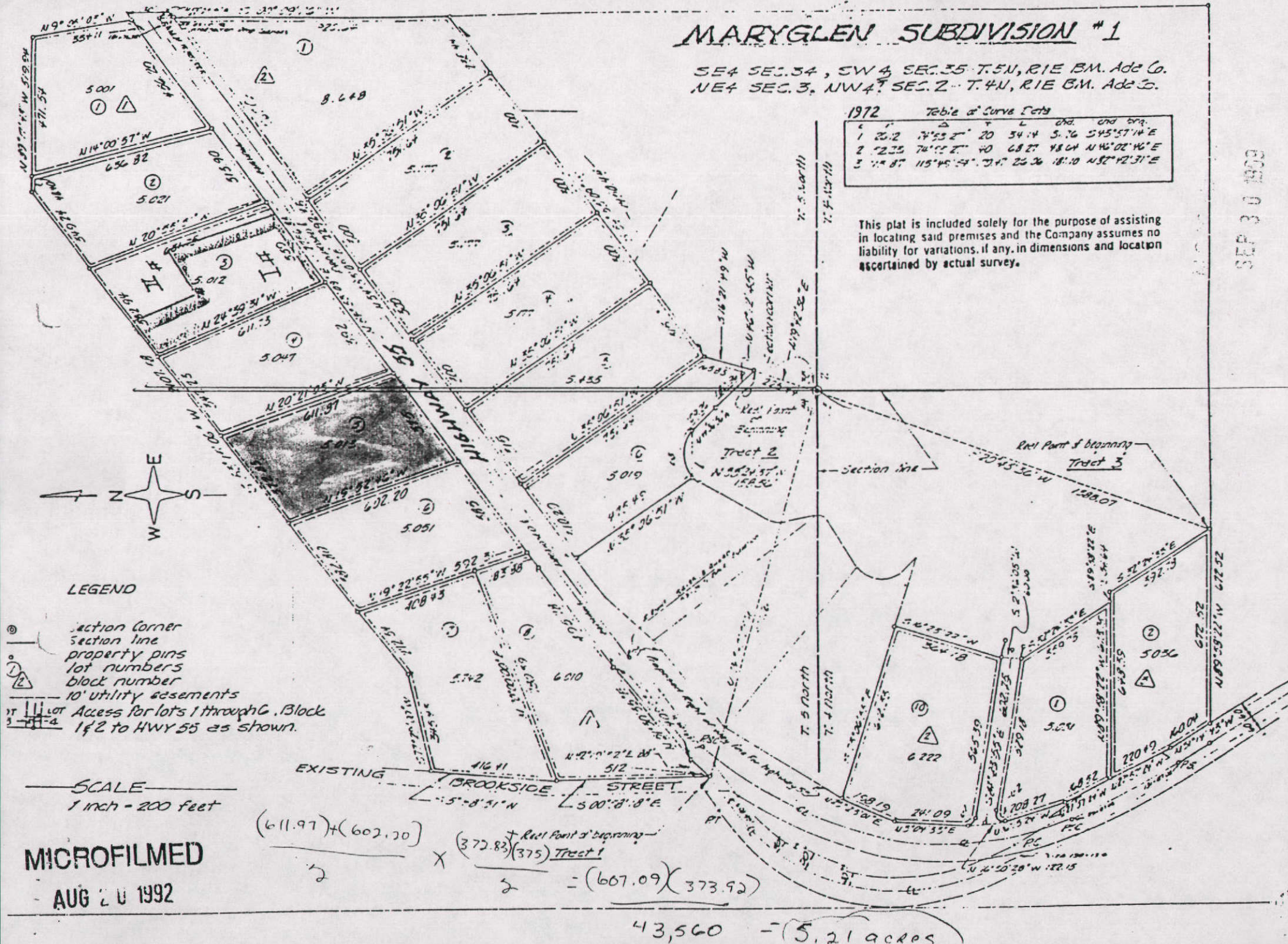
MARYGLEN SUBDIVISION #1

SE4 SEC.34, SW4 SEC.35 T.5N, R.1E BM. Ad. Co.
NE4 SEC.3, NW4 SEC.2 T.4N, R.1E BM. Ad. Co.

1972 Table of Curve Data

Sta.	Chord	Angle	Chord	Angle
1 20.2	74°53'20"	34.14	5.76	54°57'14"E
2 72.35	74°53'20"	40	68.27	48.04 N 40°02'46"E
3 114.87	115°45'54"	74.7	26.26	18.10 N 82°12'31"E

This plat is included solely for the purpose of assisting in locating said premises and the Company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.



PARCEL NO. R5488500065 – claim 62-4219A also includes R5488500060 to west.

Geocortex Internet Mapping Framework - Microsoft Internet Explorer

Ada County Assessor

Legend Find Parcel Key Map Bookmarks Create PDF Help Exit

Map Legend

- Major Streets
 - MINOR ARTERIAL
 - MAJOR COLLECTOR
 - SECTION
 - PRINCIPAL ARTERIAL
 - INTERSTATE
 - Other
- Minor Streets
 - LOCAL
 - PARKS
 - PRIVATE
 - RESIDENTIAL
 - Other
- Street Names (minor)
- Water
- Parcels
- Schools
- Parks
- City Limits
 - Kuna
 - Boise
 - Garden City
 - Eagle

Map Center: 116° 18' 44.4" W, 43° 43' 33.5" N

1:2,760 Go Map Tool: **Zoom In** Active Layer: **Parcels** Powered by geocortex

Cursor Location: 2475997.378239319 , 751757.9692237237

• Ada County Home Page	Assessed value for year 2003	\$280,700
• Commissioners	Assessed value for year 2002	\$271,500
• Treasurer	Assessed value for year 2001	\$277,300
	Assessed value for year 2000	\$277,300

Start | Inboxes - Mi... | http://we... | ArcView G... | Microsoft ... | Proof Rep... | Ada Coun... | Document... | Geocorte... | Internet | 4:52 PM



Ada County Assessor Land Records/GIS

Land Records

- [Main Page](#)
- [Property Search](#)
- [Online Map](#)
- [Contact Us](#)
- [Disclaimer](#)
- [Help Index](#)
- [FAQ](#)
- [About Us](#)
- [Image Documents](#)
- [Old interactive map](#)

[\[Previous Search\]](#) [\[New Search\]](#) [\[Print View\]](#)

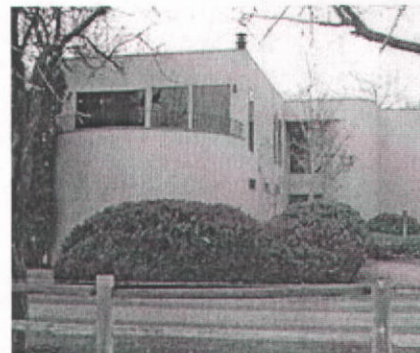
Property Details for Parcel R5488500065

General Information

Property Acres: 2.510
 Zone Code: RUT
 Primary Code Area: 270 Tax Districts
 Group Type: SUB
 Subdivision: MARYGLEN SUB NO 01
 Section: 5N1E34

Property Description

PAR #0065 OF LOT 3 BLK 1
 MARYGLEN SUB NO 1



Property Address

13327 N HORSESHOE BEND RD
 BOISE, ID 83703

[Click to View Interactive M](#)

Assessor Links

- [Assessor Main Page](#)
- [Administration](#)
- [Information](#)
- [Appraisal](#)
- [Exemptions and Reductions](#)
- [Motor Vehicles](#)
- [Levy Rates](#)

Parcel Valuation Details

Assessment Roll	State Category Code	Acreage	Assessed Value	Valuation Method
Primary	150-RES SUB LOT	2.500	\$66,000	MARKET
Primary	370-RES IMPROVEMENT	0.000	\$273,900	COST

Total Assessed Value: \$339,900

Parcel Valuation History

Assessed value for year 2005 \$339,900
 Assessed value for year 2004 \$286,700
 Assessed value for year 2003 \$280,700
 Assessed value for year 2002 \$271,500
 Assessed value for year 2001 \$277,300
 Assessed value for year 2000 \$277,300

Ada County Links

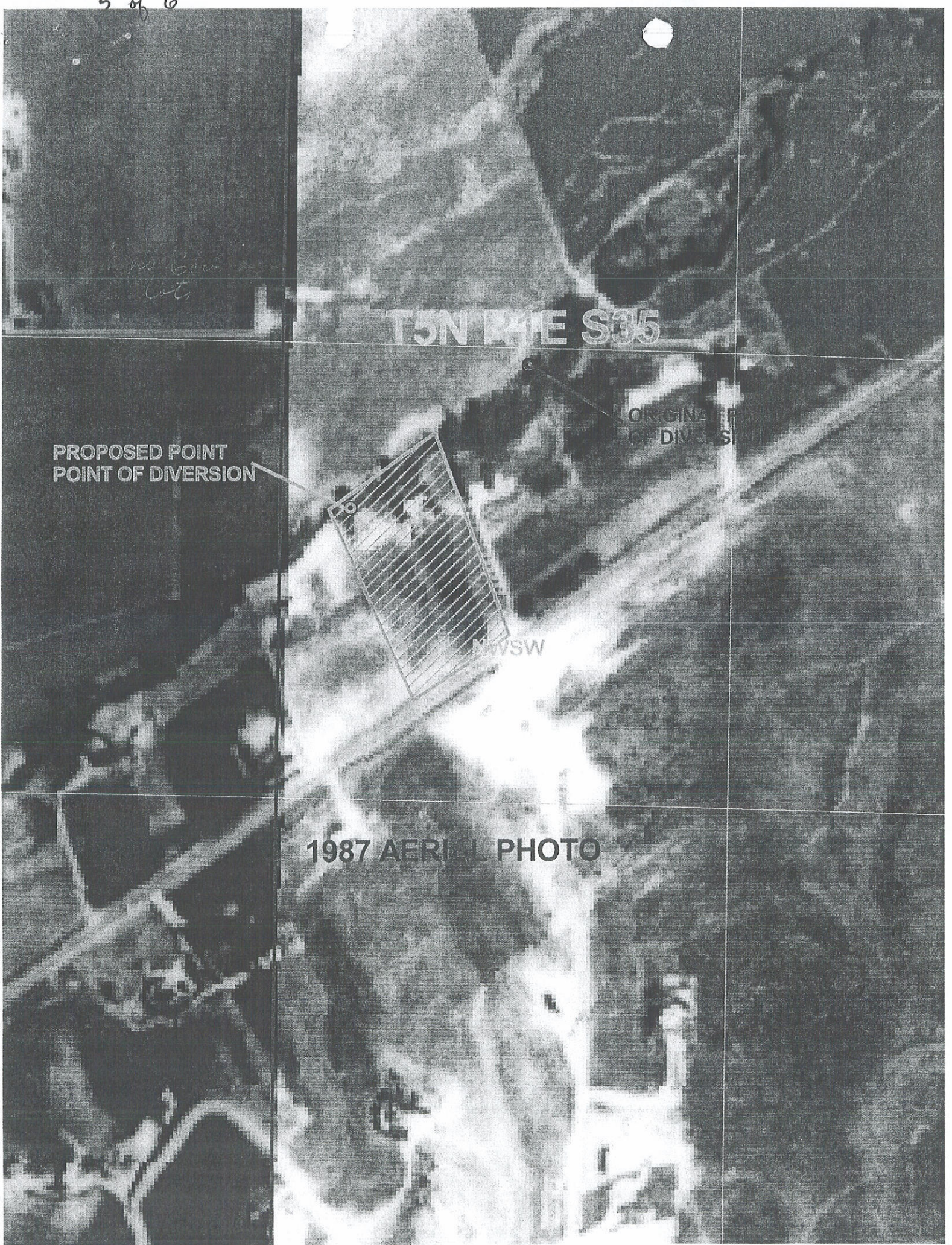
- [Ada County Home Page](#)
- [Commissioners](#)
- [Treasurer](#)
- [Clerk/Auditor/Recorder](#)
- [Development Services](#)
- [Human Resources](#)

Property Characteristics

Residential
 Land

[\[Previous Search\]](#) [\[New Search\]](#) [\[Print View\]](#)

[Contact Us](#) | [Help Index](#) | [Disclaimer](#) | [About Us](#)



T5N R4E S35

PROPOSED POINT
POINT OF DIVERSION

ORIGINAL
POINT OF DIVERSION

NWSW

1987 AERIAL PHOTO

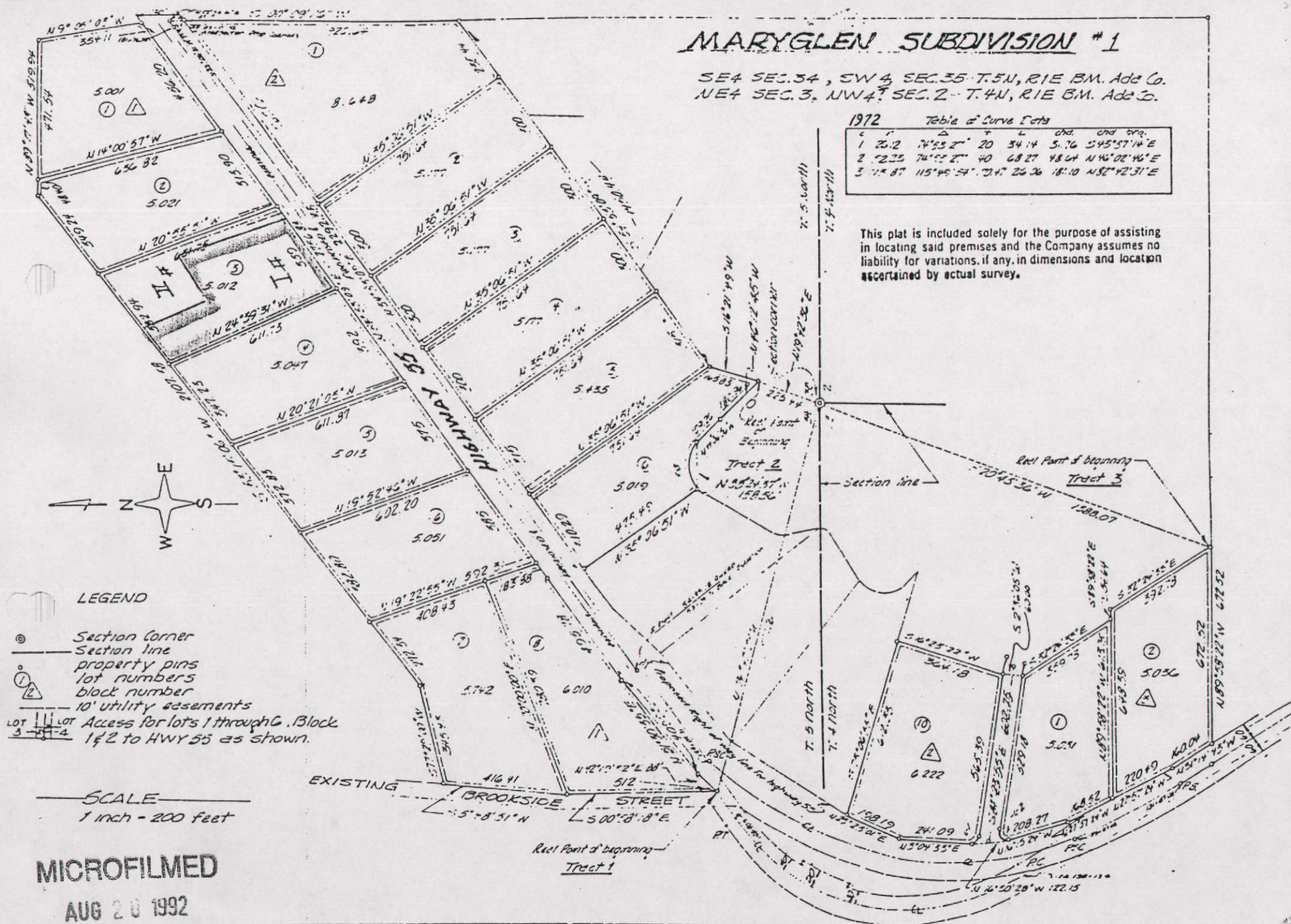
MARYGLEN SUBDIVISION #1

SE4 SEC.34, SW4, SEC.35 T.5N, R.1E BM. Add Co.
NE4 SEC.3, NW4, SEC.2 T.4N, R.1E BM. Add Co.

1972 Table of Curve Data

Sta.	Chord	Angle	Chord	Angle	Chord	Angle
1 26.12	74°55'21"	20	34.14	5.76	54°57'14"E	
2 72.35	74°55'21"	40	68.27	11.52	N46°02'46"E	
3 118.87	115°45'54"	70	118.26	18.10	N52°42'31"E	

This plat is included solely for the purpose of assisting in locating said premises and the Company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.



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 63-4219A
Date Received: 6/9/1989
Receipt No: W003166
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

JUDY A. JEPSON Phone: (208)939-6312
13327 HORSESHOE BEND RD
BOISE ID USA 83714

2. Date of Priority: 12/31/1910

3. Source: DRY CREEK Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	01E	35	NW SW	ADA	

5. Description of diverting works:

Pump, Ditch

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	11/15	0.1	18

7. Total Quantity Appropriated is:

0.1 C.F.S. and/or 18 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	01E	35	NW	SW	IRRIGATION	4
					Section Acres	4
					Total Acres	4

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:

Ownership change by DH 11/18/2002

Use of water under this water right will be regulated by the watermaster of State Water District No. 63, Boise River.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Place of use is also known as Lot 3, Block 1, Maryglen Subdivision No. 1.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

OWNERSHIP CHANGE LG 9/22/05

15. Basis of Claim: Beneficial Use

Form 43-248(42)-1489(6) July, 2000

OK
VLM

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

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
SRBA	63-4219A				

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) Matthew & Stephanie Mc Glothlin
13327 N. Horseshoe Bend Rd. ->
4. New Owner/Claimant(s) Judy A. Jepson
Name Connector (Check one): ☐ and ☐ or ☐ and/or
- New Mailing Address 13327 Horseshoe Bend Road
- City, State and ZIP Code Raise ID 83714
- New Telephone Number 208 939-6312
5. Date you acquired the property Sept 29, 2004

Form 41-54R(42, 1409(6)) July, 2000

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)

For Snake River Basin Adjudication Claim: 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 claim.

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

248241
CS/PP



A Pioneer Company
PIONEER TITLE COMPANY
OF ADA COUNTY
3525 E. Overland Rd. / Meridian, Idaho 83642
(208) 888-7230

ADA COUNTY RECORDER J. DAVID NAVARRO AMOUNT 6.00 2
BUREAU DATE 09/20/04 04:28 PM
DEPUTY With Adam
RECORDED - REQUEST OF
PIONEER
104125782

WARRANTY DEED

For Value Received Matthew S. McGlothlin and Stephanie L. McGlothlin, husband and wife

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Judy A Jepson, an unmarried woman

hereinafter referred to as Grantee, whose current address is 13327 Horseshoe Bend Rd, Boise, ID 83714-9630

the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current year taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

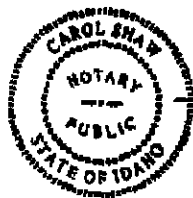
Dated: September 29, 2004

Matthew S. McGlothlin

Stephanie L. McGlothlin

STATE OF IDAHO, County of ADA, ss.

On this 29TH day of SEPTEMBER, in the year of 2004, before me, the undersigned, a notary public personally appeared MATTHEW S. McGLOTHLIN AND STEPHANIE L. McGLOTHLIN known or identified to me to be the persons/persons whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Carol Shaw
Notary Public of Idaho
Residing at Meridian
Commission expires: August 24, 2010

EXHIBIT A

PARCEL 1

Lot 3 in Block 1 of Maryglen Subdivision #1, according to the official plat thereof, filed in Book 29 of Plats at Page 1781, records of Ada County, Idaho, EXCEPTING THEREFROM the following described property:
Commencing at the Northeast corner of said property; thence
South 53 degrees 15'05" West along said property line 225 feet to a point; thence
South 20 degrees 55'51" East 250 feet to a point; thence
North 53 degrees 15'06" East 200 feet to a point; thence
South 20 degrees 55'51" East 382.50 feet to a point on the Southerly property line of said property; thence
North 51 degrees 30'35" East 25 feet along said property line to the Southeastly corner of said property; thence
North 20 degrees 55'51" West along the Easterly property line of said property 631.75 feet to the POINT OF BEGINNING.

PARCEL II

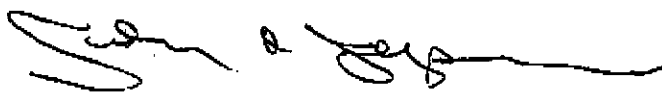
A portion of Lot 3 in Block 1 of Maryglen Subdivision #1, according to the official plat thereof, filed in Book 29 of Plats at Page 1781, records of Ada County, Idaho, more particularly described as follows:
Commencing at the Northeast corner of said property; thence
South 53 degrees 15'05" West along said property line 225 feet to a point; thence
South 20 degrees 55'51" East 250 feet to a point; thence
North 53 degrees 15'06" East 200 feet to a point; thence
South 20 degrees 55'51" East 382.50 feet to a point on the Southerly property line of said property; thence
North 51 degrees 30'35" East 25 feet along said property line to the Southeastly corner of said property; thence
North 20 degrees 55'51" West along the Easterly property line of said property 631.75 feet to the POINT OF BEGINNING.

To Whom it may concern,

Please tell me if I
have now given you all
the paper work needed.

I Believe some were
misplaced, as when I did
close I hand delivered
them to an office on
ORchard.

Thank You For your time!



Ms. Judy A. Jepson
13327 Horseshoe Bend Rd.
Boise, ID 83714-9630



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

June 21, 2005

JUDY JEPSON
13327 N HORSESHOE BEND RD
BOISE, ID 83703

RE: Snake River Basin Claim No(s): 63-4219A

Dear Judy Jepson,

In the past, MATT AND STEPHANIE MCGLOTHLIN submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. You may be the owner of this water right claim. Enclosed is a computer printout of the claim(s) for your reference.

The Idaho statutes require that the Idaho Department of Water Resources (IDWR) be informed of a change in water right ownership within 120 days of the property transaction. If you purchased the property referenced in this letter, please fill out the change of ownership form and send it with the required documentation to my attention at 2735 Airport Way, Boise, ID 83705. Please call me at (208) 334-2190 if you have questions.

Sincerely,

Vicky L. Music
Sr. Water Resource Agent
Adjudication Bureau

Enclosure: Change of Ownership form and instructions
Computer print-out for SRBA Claim No. A63-4219A.

Page 1 of 3

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69746

This is to certify that: SHARON A LEE AND/OR
JERALD G LEE
13327 HORSESHOE BEND RD
BOISE ID 83703
(208)939-0641

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
63-4219A	AJC/Beneficial Use	12/31/1910	0.12 cfs			4.0	DRY CREEK

Purpose of Transfer (Changes Proposed)

Current Number	Sell	POD	POU	Add POD	Period of Use	Nature of Use
63-4219A	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acres Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acres Limit	Remaining Total Acres
63-4219A	83-4219A	0.10 cfs	18.0 af	N/A	4.0		N/A	N/A	N/A	N/A
TOTALS		0.10 cfs	18.0 af	N/A	4.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 4th day of

June, 2002

L. Glenn Sauter
Chief, Water Allocation Bureau

Point of Diversion:

Page 2 of 3

WATER RIGHT NO. 63-4219A

As Modified by Transfer No. 68746

In accordance with the approval of Transfer No. 68746, Water Right No. 63-4219A is now described as follows.

Right Holder: SHARON A LEE AND
JERALD G LEE
13327 HORSESHOE BEND RD
BOISE ID 83703

Priority Date: 12/31/1910

Source: DRY CREEK

Tributary: BOISE RIVER

BENEFICIAL USE
IRRIGATION

From To
03/01 to 11/15

Diversion Rate
0.10 CFS
0.10 CFS

Volume
18.0 AF
18.0 AF

LOCATION OF POINT(S) OF DIVERSION:
DRY CREEK

NWSW Sec. 36 Twp 05N Rge 01E ADA County

44,883 gallons/minute.

5,465,300 gallons between 3/1 and 11/15.

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
05N 01E 36	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	4.0

Total Acres: 4

CONDITIONS OF APPROVAL

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 63, Boise River.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 gpm per acre at the field headgate for irrigation of the lands above.
4. Place of use is also known as Lot 3, Block 1, Maryglen Subdivision No. 1.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

(By 6/3/03.)

(acre feet per minute)

(On the sump pump or on the pipe from the creek.)

no Gov
lots

T5N R1E S35

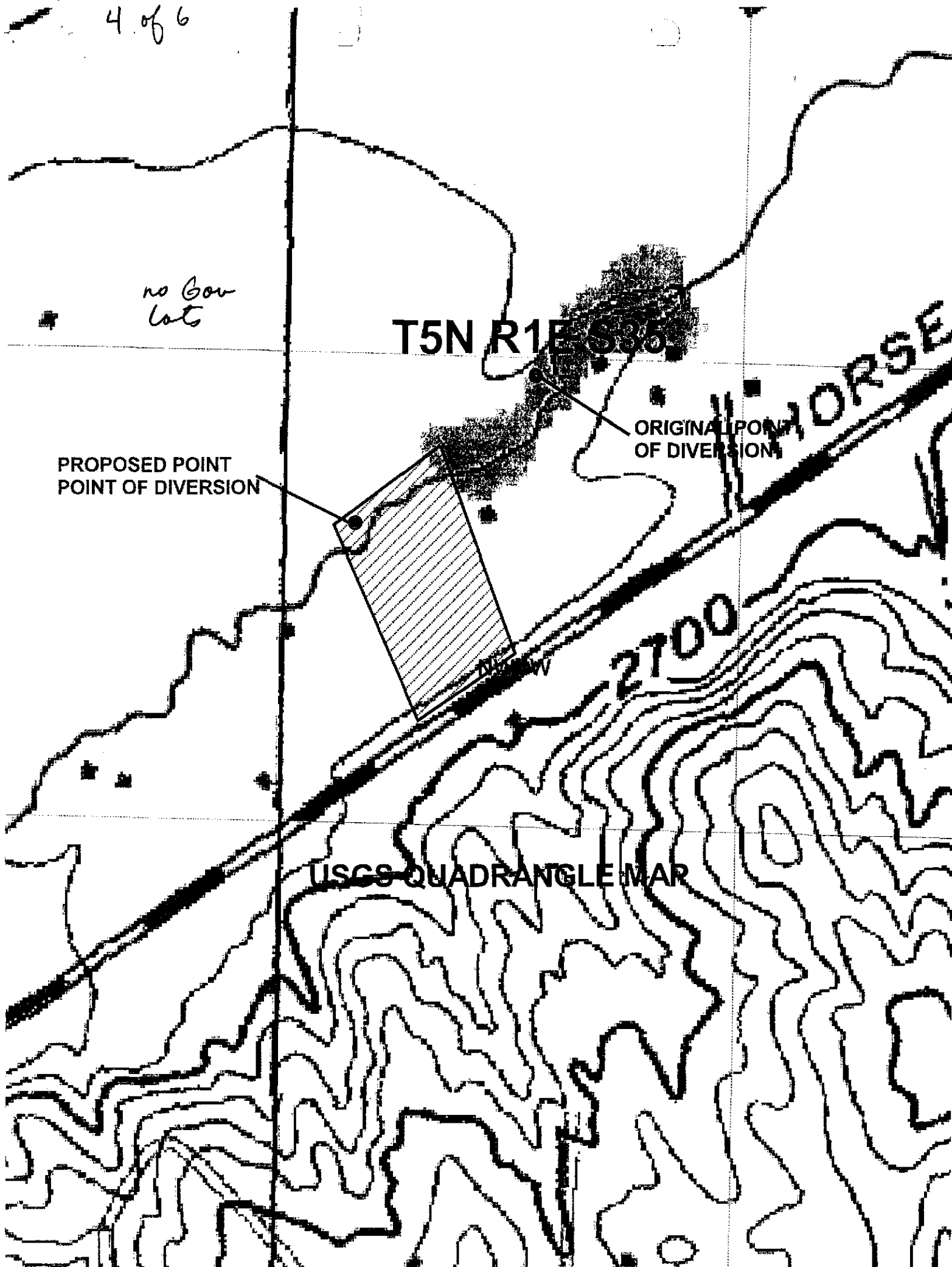
PROPOSED POINT
POINT OF DIVERSION

ORIGINAL POINT
OF DIVERSION

WORSE

2700

USGS QUADRANGLE MAP



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 63-4219A
Date Received: 6/9/1989
Receipt No: W003166
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MATTHEW S MC GLOTHLIN
13327 N HORSESHOE BEND RD
BOISE ID USA 83703

Phone: (208) 938-0322

STEPHANIE L MC GLOTHLIN
13327 N HORSESHOE BEND RD
BOISE ID USA 83703

Phone: (208) 938-0322

2. Date of Priority: 12/31/1910

3. Source: DRY CREEK Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	01E	35	NW SW	ADA	

5. Description of diverting works:

Pump, Ditch

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	11/15	0.1	18

7. Total Quantity Appropriated is:
0.1 C.F.S. and/or 18 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	01E	35	NW	SW	IRRIGATION	4
Section Acres						4
Total Acres						4

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:

Ownership change by DH 11/18/2002

Use of water under this water right will be regulated by the watermaster of State Water District No. 63, Boise River.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Place of use is also known as Lot 3, Block 1, Maryglen Subdivision No. 1.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

15. Basis of Claim: Beneficial Use

RECEIVED

NOV 12 2002

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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
63-4219A					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. N/A
- 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)

Jerald G. Lee

Sharon A. Lee

4. New Owner/Claimant(s)

Matthew S. McGlothlin/Stephanie L. McGlothlin
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

13327 No. Horseshoe Bend Road

City, State and ZIP Code

Boise, ID 83703

New Telephone Number

(208) 938-0322

5. Date you acquired the property

7-11-02

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	_____	_____

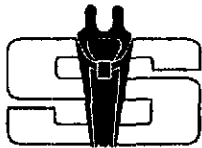
7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

[Handwritten signatures]

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>SH</u>	Date <u>11-12-02</u>	Fee <u>0</u>
Receipted by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____



QUITCLAIM DEED

THIS INDENTURE, Made this 20th day of August, 2002 between
MATTHEW S. McGLOTHLIN

as Grantor and

MATTHEW S. McGLOTHLIN and STEPHANIE L. McGLOTHLIN, husband and wife

as Grantee

whose current address is 13327 No. Horseshoe Bend Road, Boise, ID 83703

WITNESSETH That said Grantor for and in consideration in lawful money of the United States of America, in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does by these premises remise, release and forever QUITCLAIM, unto the said Grantee and to its heirs and assigns all that certain lot, piece or parcel of land, bounded and particularly described as follows, to-wit:

AS PER LEGAL DESCRIPTION ATTACHED HERETO

Parcel Number: R5488500060, R5488500065

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof. TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the Grantee, and to its heirs and assigns forever.

IN WITNESS WHEREOF, The said Grantor has hereunto set its hand and seal the day and year first above written.

MATTHEW S. McGLOTHLIN

State of IDAHO

ss.

County of ADA

On this 13 day of September, 2002, before me, the undersigned, a Notary Public, in and for said State, personally appeared MATTHEW S. McGLOTHLIN

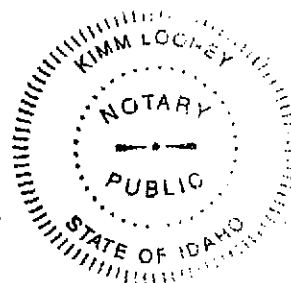
known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that he executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

(SEAL)

Notary Public
Residing at:

Commission Expires: 12-06-07



PARCEL I

LOT 3 IN BLOCK 1 OF MARYGLEN SUBDIVISION NO. 1, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED IN BOOK 29 OF PLATS AT PAGE 1781, RECORDS OF ADA COUNTY, IDAHO.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

COMMENCING AT THE NORTHEAST CORNER OF SAID PROPERTY; THENCE SOUTH 53°15'05" WEST ALONG SAID PROPERTY LINE 225 FEET TO A POINT; THENCE SOUTH 20°55'51" EAST, 250 FEET TO A POINT; THENCE NORTH 53°15'06" EAST, 200 FEET TO A POINT; THENCE SOUTH 20°55'51" EAST, 382.50 FEET TO A POINT ON THE SOUTHERLY PROPERTY LINE OF SAID PROPERTY; THENCE NORTH 51°30'35" EAST, 25.00 FEET ALONG SAID PROPERTY LINE TO THE SOUTHEASTERLY CORNER OF SAID PROPERTY; THENCE NORTH 20°55'51" WEST ALONG THE EASTERLY PROPERTY LINE OF SAID PROPERTY 631.75 FEET TO THE POINT OF BEGINNING.

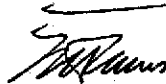
PARCEL II:

A PORTION OF LOT 3 IN BLOCK 1 OF MARYGLEN SUBDIVISION NO. 1, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED IN BOOK 29 OF PLATS AT PAGE 1781, RECORDS OF ADA COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID PROPERTY; THENCE SOUTH 53°15'05" WEST ALONG SAID PROPERTY LINE 225 FEET TO A POINT; THENCE SOUTH 20°55'51" EAST 250 FEET TO A POINT; THENCE NORTH 53°15'06" EAST, 200 FEET TO A POINT; THENCE SOUTH 20°55'51" EAST, 382.50 FEET TO A POINT ON THE SOUTHERLY PROPERTY LINE OF SAID PROPERTY; THENCE NORTH 51°30'35" EAST, 25 FEET ALONG SAID PROPERTY LINE TO THE SOUTHEASTERLY CORNER OF SAID PROPERTY; THENCE NORTH 20°55'51" WEST ALONG THE EASTERLY PROPERTY LINE OF SAID PROPERTY 631.75 FEET TO THE POINT OF BEGINNING.

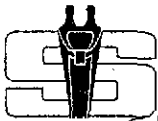
TOGETHER WITH Water rights, as referenced by the Idaho Department of Water Resources, Adjudication Claim Report 63-15641 and 63-4219A.

INITIAL



2002 JUL 11 PM 4:26

102078122



STEWART

STW02016627 ms/RB

WARRANTY DEED

For Value Received SHARON A. LEE AND JERALD G. LEE, WIFE AND HUSBAND

the Grantor hereby grants, bargains, sells, conveys and warrants unto MATTHEW S. MCGLOTHLIN,
A SINGLE MAN

the Grantee whose current address is: 13327 N. HORSESHOE BEND RD., BOISE, ID 83703

the following described premises, to-wit:

AS PER LEGAL DESCRIPTION ATTACHED HERETO

Parcel Number: R5488500060, R5488500065

SUBJECT TO: Current General Taxes, a lien in the process of assessment, not yet due or payable.
Easements, restrictions, reservations, provisions of record, and assessments, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs
and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the
owner in fee simple of said premises; that said premises are free from all encumbrances and that he will warrant
and defend the same from all lawful claims whatsoever.

Dated: July 11, 2002

Sharon A. Lee
SHARON A. LEE

Jerald G. Lee
JERALD G. LEE

State of IDAHO

ss.

County of ADA

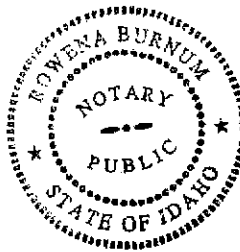
On this 11th day of July, 2002, before me, the
undersigned, a Notary Public, in and for said State, personally appeared SHARON A. LEE AND
JERALD G. LEE

known to me, and/or identified to me
on the basis of satisfactory evidence, to be the person(s) whose name is subscribed to the within instrument
and acknowledged to me that they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

(SEAL)

Rowena Burnum
Notary Public ROWENA BURNUM
Residing at: BOISE, IDAHO
Commission Expires: June 10, 2006



Page 1 of 3

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69746

This is to certify that: SHARON A LEE AND/OR
JERALD G LEE
13327 HORSESHOE BEND RD
BOISE ID 83703
(208)939-0641

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
63-4219A	AJC/Beneficial Use	12/31/1910	0.12 cfs			4.0	DRY CREEK

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
63-4219A	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
63-4219A	63-4219A	0.10 cfs	18.0 af	N/A	4.0		N/A	N/A	N/A	N/A
TOTALS		0.10 cfs	18.0 af	N/A	4.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 4th day of June, 2002

J. Glen Sauter
Chief, Water Allocation Bureau

Page 2 of 3

WATER RIGHT NO. 63-4219A

As Modified by Transfer No. 69746

In accordance with the approval of Transfer No. 69746, Water Right No. 63-4219A is now described as follows.

Right Holder: SHARON A LEE AND
JERALD G LEE
13327 HORSESHOE BEND RD
BOISE ID 83703

Priority Date: 12/31/1910

Source: DRY CREEK

Tributary: BOISE RIVER

BENEFICIAL USE
IRRIGATION

From To
03/01 to 11/15

Diversion Rate
0.10 CFS
0.10 CFS

Volume
18.0 AF
18.0 AF

44.883 gallons/minute.

LOCATION OF POINT(S) OF DIVERSION:
DRY CREEK

NWSW Sec. 35 Twp 05N Rge 01E ADA County

5,965,300
gallons between
3/1 and 11/15.

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
05N	01E	35	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	4.0

Total Acres: 4

CONDITIONS OF APPROVAL

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 63, Boise River.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 (a) per acre at the field headgate for irrigation of the lands above.
4. Place of use is also known as Lot 3, Block 1, Maryglen Subdivision No. 1.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

(On the sump pump
or on the pipe from
the creek.)

(By 6/3/03.)

(ACRES FEET PER ANNUM)

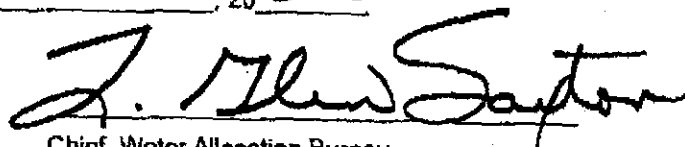
WATER RIGHT NO. 63-4219A
As Modified by Transfer No. 69746

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 4th day of June, 2002

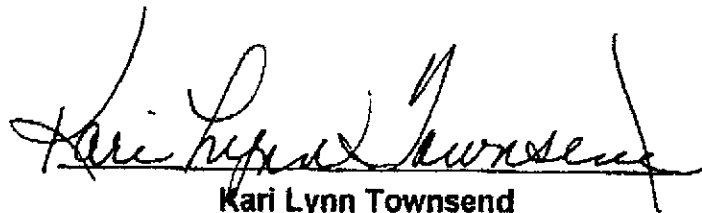

Chief, Water Allocation Bureau

CERTIFICATE OF SERVICE

hereby certify that on June 5, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 69746 - WATER RIGHT 63-4219A

JERALD G LEE
SHARON A LEE
13327 HORSESHOE BEND RD
BOISE ID 83703



Kari Lynn Townsend
Secretary

Post-it* Fax Note	7671	Date	6/7	# of pages	4
To	Kirk	From	Sharon Lee		
Co./Dept.		Co.			
Phone #		Phone #			
Fax #	439-6711	Fax #			

4 of 6

no Gov
lots

T5N R1E S35

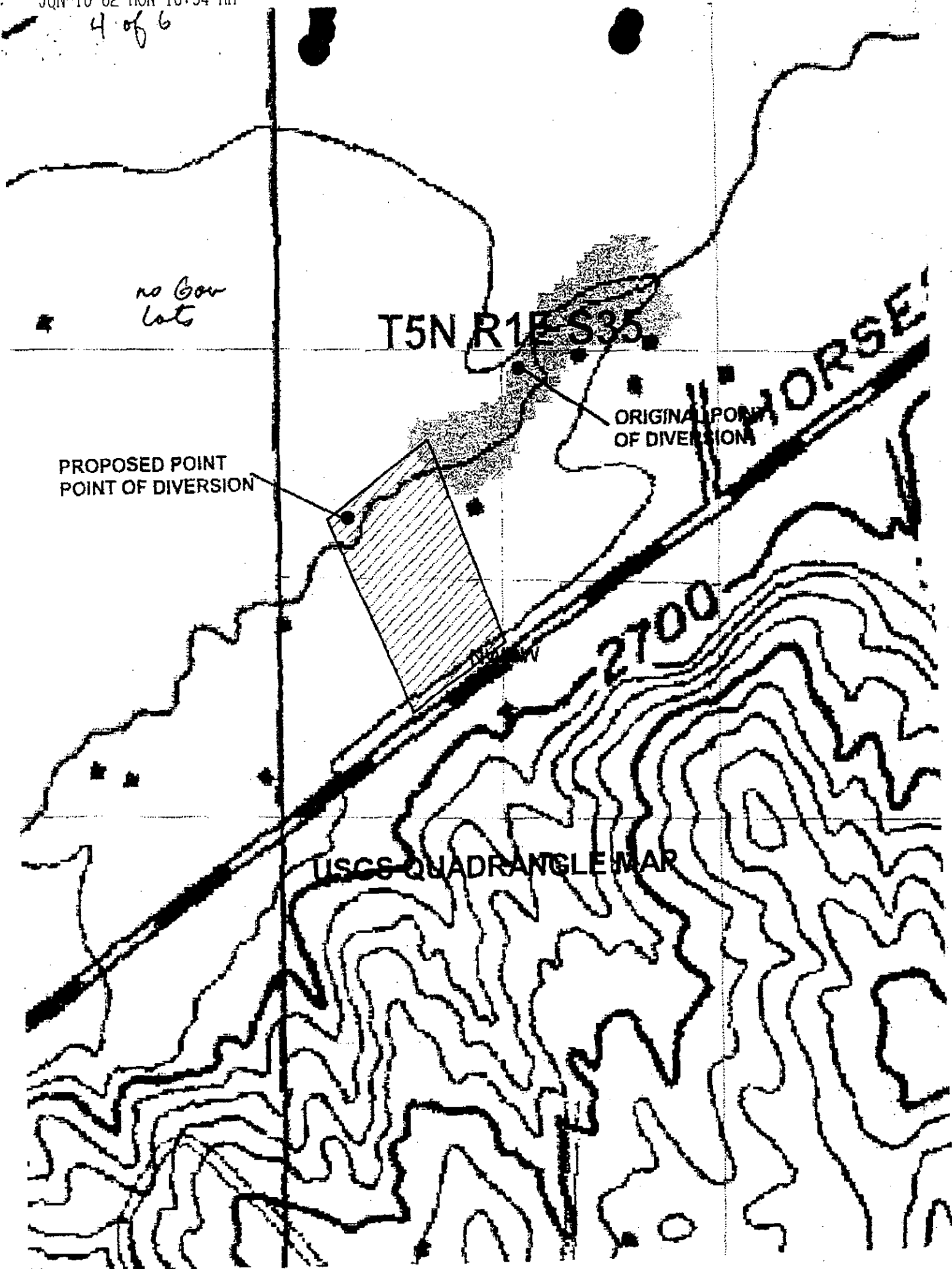
PROPOSED POINT
POINT OF DIVERSION

ORIGINAL POINT
OF DIVERSION

MORSE

2700

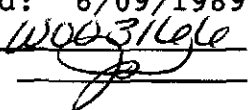
USGS QUADRANGLE MAP



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: A63-04219A
Date Received: 6/09/1989
Receipt No: 12003166
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SHARON A. LEE 208-939-0641
Address: 13327 HORSESHOE BEND RD.
BOISE, ID 83703

OR

Name: JERALD G. LEE 208-939-0641
Address: 13327 HORSESHOE BEND RD.
BOISE, ID 83703

2. Date of Priority: DEC 31, 1910

3. Source: DRY CREEK Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	01E	35		NW	SW		ADA

5. Description of diverting works:
DIVERSION DAM W/DITCH TO IRRIGATED ACRES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.120		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	01E	35	NW SW		IRR	4.0
Section Acres						4.0
Total Acres						4.0

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:
NONE.

14. Remarks:
AKA LOT 3, BLOCK 1, MARYGLEN SUBDIVISION #1.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: 2

For Individuals:

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

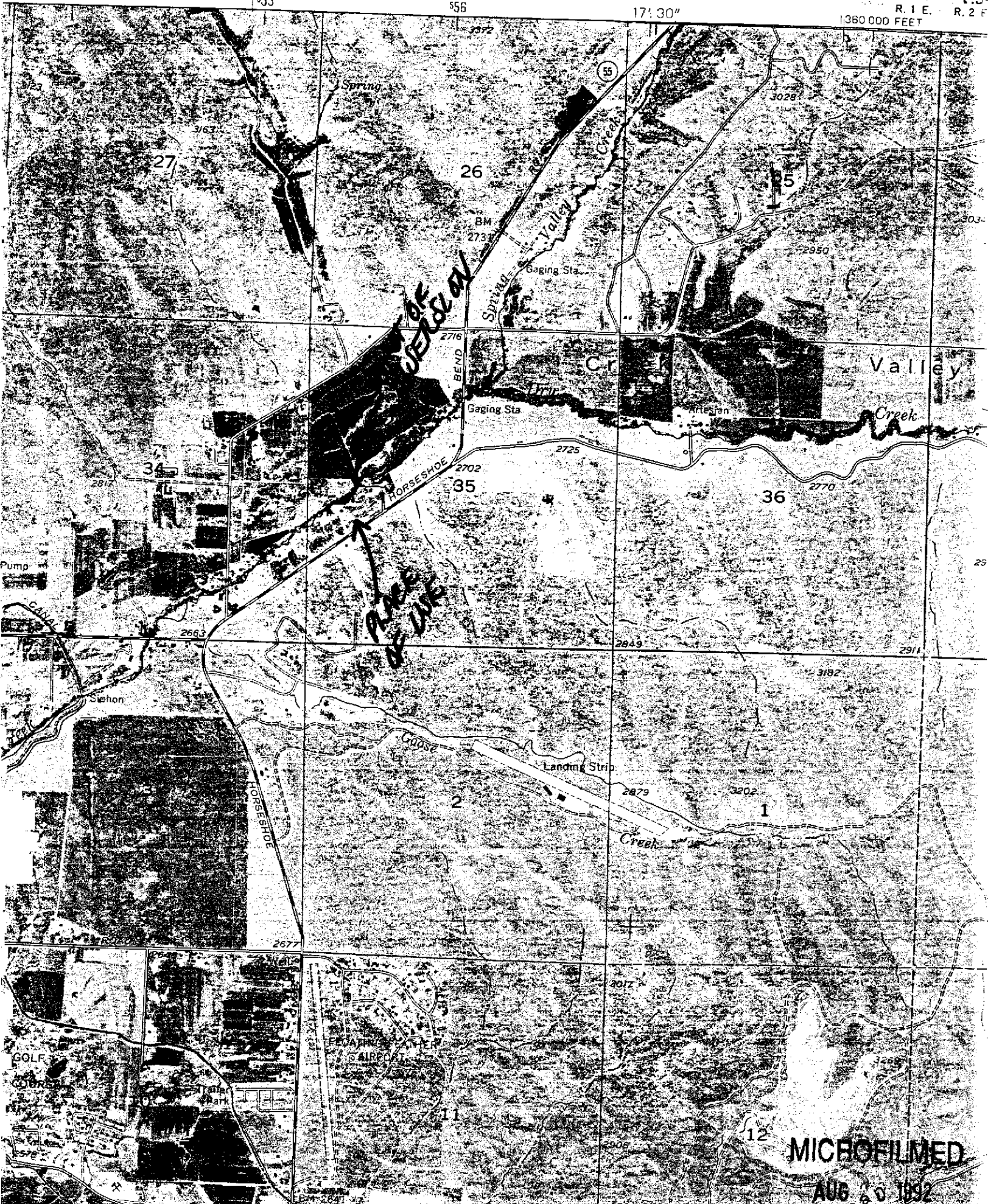
Signature of Claimant(s): *James A. Lee* Date: 6-9-89
Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 9th day
of June 19 89 *Jan Shute*
Notary Public

Seal

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



MICROFILMED

AUG 20 1892

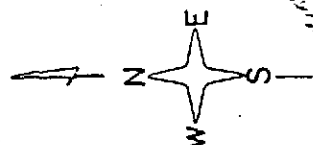
MARYGLEN SUBDIVISION #1

SE4 SEC.34, SW4 SEC.35 T.5N, R.1E B.M. Adg Co.
NE4 SEC.3, NW4 SEC.2 T.4N, R.1E B.M. Adg Co.

1972 Table of Curve Data

Sta.	Chg.	Ord.	Ord. brg.
1 20.2	74°53'2"	20	34.14 S.76 54°53'11"E
2 72.35	74°53'2"	40	68.27 N.64 14°02'16"E
3 74.87	115°49'34"	74.7	26.26 18.10 N.82°42'31"E

This plat is included solely for the purpose of assisting in locating said premises and the Company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.

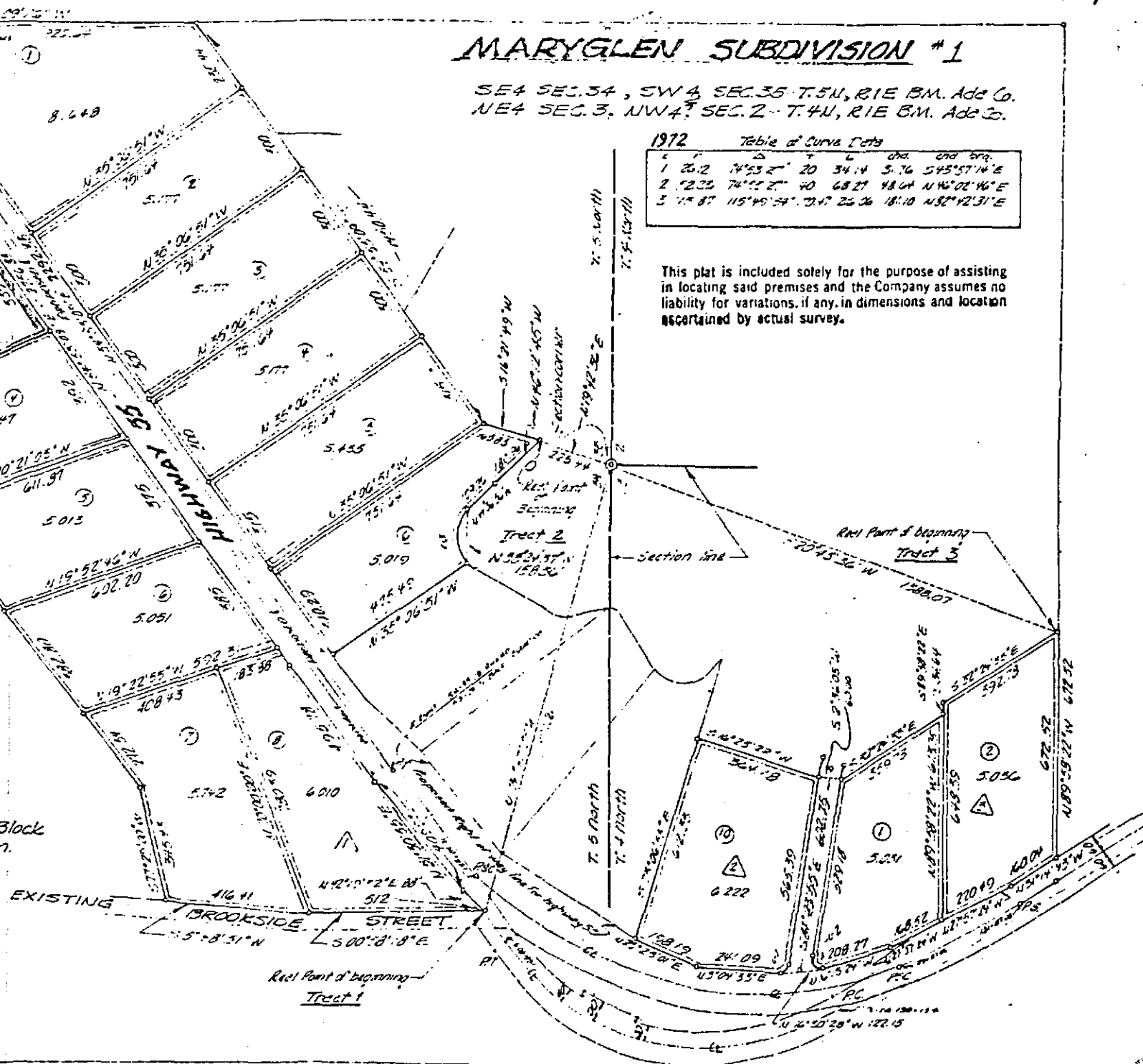


LEGEND

- ① Section Corner
- Section line
- property pins
- lot numbers
- block number
- 10' utility easements
- Access for lots 1 through 6, Block 1 & 2 to HWY 55 as shown.

SCALE
1 inch = 200 feet

MICROFILMED
AUG 20 1992



09/22/2005

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

RIGHT NUMBER: 63-4219A

NAME AND ADDRESS: JUDY A. JEPSON
13327 HORSESHOE BEND RD
BOISE ID 83714

SOURCE: DRY CREEK

TRIBUTARY: BOISE RIVER

QUANTITY: 0.100 CFS
18.000 AFY

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for Irrigation of the lands above.

PRIORITY DATE: 12/31/1910

POINT OF DIVERSION:

T05N R01E S35 NWSW 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	0.100 CFS 18.00 AFY

PLACE OF USE: IRRIGATION Within ADA County

T05N R01E S35 NWSW 4.0

4 ACRES TOTAL

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

Place of use is also known as Lot 3, Block 1, Maryglen Subdivision No. 1.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Use of water under this water right will be regulated by the watermaster of State Water District No. 63, Boise River.

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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 - Beneficial Use

Parcel Nos. R5488500060 and R5488500065.

The right holder shall maintain a measuring device and lockable controlling

works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

September 22, 2005

Judy A Jepson
13327 Horseshoe Bend Road
Boise, ID 83714

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Re: Notice of Claim to a Water Right No. 63-4219A

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflect the change in ownership of the land and appurtenant water rights, covered under the original filing.

Please note that the enclosed Notice of Claim to a Water Right is not a final determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed information, please feel free to contact this office.

Sincerely,

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

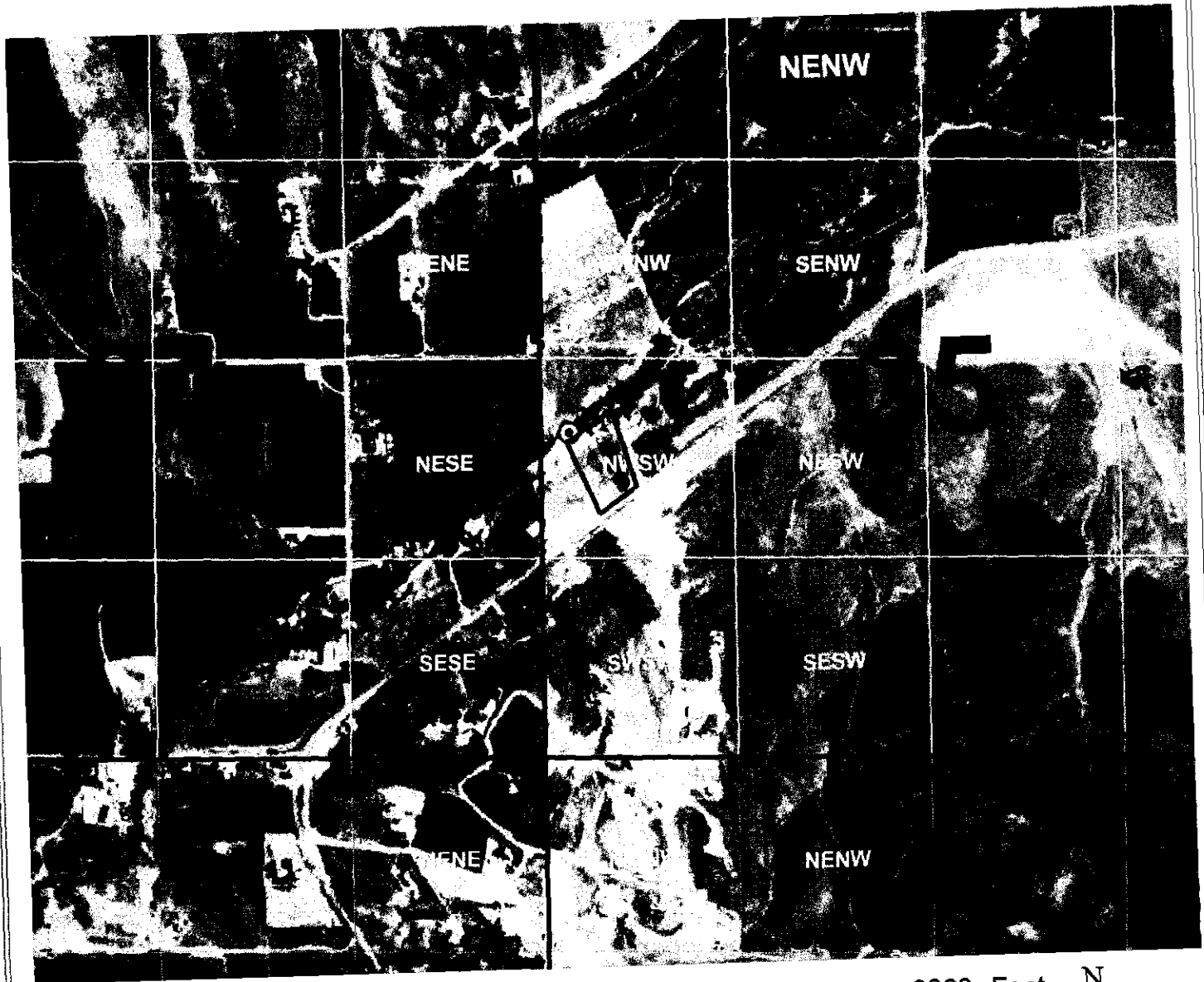
LG: lg

Enclosure



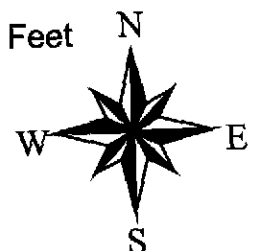
State of Idaho
Idaho Department of Water Resources
Western Region

T5N R1E SECTION 35
Water Right (s): 63-4219A



1320 0 1320 2640 3960 Feet

TOTAL IRRIGATED ACRES = 4



- ⊙ Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines

GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: June 2005

06/21/2005

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

RIGHT NUMBER: 63-4219A

NAME AND ADDRESS: MATTHEW S MC GLOTHLIN
13327 N HORSESHOE BEND RD
BOISE ID 83703

STEPHANIE L MC GLOTHLIN
13327 N HORSESHOE BEND RD
BOISE ID 83703

SOURCE: DRY CREEK

TRIBUTARY: BOISE RIVER

QUANTITY: 0.100 CFS
18.000 AFY

This right when combined with all other rights shall provide no more than 0.03
cfs per acre nor more than 4.5 afa per acre at the field headgate for
irrigation of the lands above.

PRIORITY DATE: 12/31/1910

POINT OF DIVERSION:
T05N R01E S35 NWSW 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	0.100 CFS 18.00 AFY

PLACE OF USE: IRRIGATION Within ADA County
T05N R01E S35 NWSW 4.0

4 ACRES TOTAL

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

Place of use is also known as Lot 3, Block 1, Maryglen Subdivision No. 1.

Failure of the right holder to comply with the conditions of this transfer is
cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by this transfer
within one (1) year of the date of this approval.

Use of water under this water right will be regulated by the watermaster
of State Water District No. 63, Boise River.

Approval of this transfer does not preclude the opportunity for review of
the validity of this water right in the ongoing Snake River Basin
Adjudication.

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: Beneficial Use

Water Right 63-4219A

Handwritten: parcel #
R 5488500060
65

06/21/2005

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.



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

June 21, 2005

JUDY JEPSON
13327 N HORSESHOE BEND RD
BOISE, ID 83703

RE: Snake River Basin Claim No(s): 63-4219A

Dear Judy Jepson,

In the past, MATT AND STEPHANIE MCGLOTHLIN submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. You may be the owner of this water right claim. Enclosed is a computer printout of the claim(s) for your reference.

The Idaho statutes require that the Idaho Department of Water Resources (IDWR) be informed of a change in water right ownership within 120 days of the property transaction. If you purchased the property referenced in this letter, please fill out the change of ownership form and send it with the required documentation to my attention at 2735 Airport Way, Boise, ID 83705. Please call me at (208) 334-2190 if you have questions.

Sincerely,

Vicky L. Music
Sr. Water Resource Agent
Adjudication Bureau

Enclosure: Change of Ownership form and instructions
Computer print-out for SRBA Claim No. A63-4219A.

06/22/2005

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

RIGHT NUMBER: 63-4219A

NAME AND ADDRESS: MATTHEW S MC GLOTHLIN
13327 N HORSESHOE BEND RD
BOISE ID 83703

STEPHANIE L MC GLOTHLIN
13327 N HORSESHOE BEND RD
BOISE ID 83703

SOURCE: DRY CREEK

TRIBUTARY: BOISE RIVER

QUANTITY: 0.100 CFS
18.000 AFY

This right when combined with all other rights shall provide no more than 0.03
cfs per acre nor more than 4.5 afa per acre at the field headgate for
irrigation of the lands above.

PRIORITY DATE: 12/31/1910

POINT OF DIVERSION:

T05N R01E S35 NWSW Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.100 CFS
18.00 AFY

PLACE OF USE: IRRIGATION Within ADA County

T05N R01E S35 NWSW 4.0

4 ACRES TOTAL

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

Place of use is also known as Lot 3, Block 1, Maryglen Subdivision No. 1.

Failure of the right holder to comply with the conditions of this transfer is
cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by this transfer
within one (1) year of the date of this approval.

Use of water under this water right will be regulated by the watermaster
of State Water District No. 63, Boise River.

Approval of this transfer does not preclude the opportunity for review of
the validity of this water right in the ongoing Snake River Basin
Adjudication.

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: Beneficial Use

06/22/2005

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

Parcel Nos. R5488500060 and R5488500065.

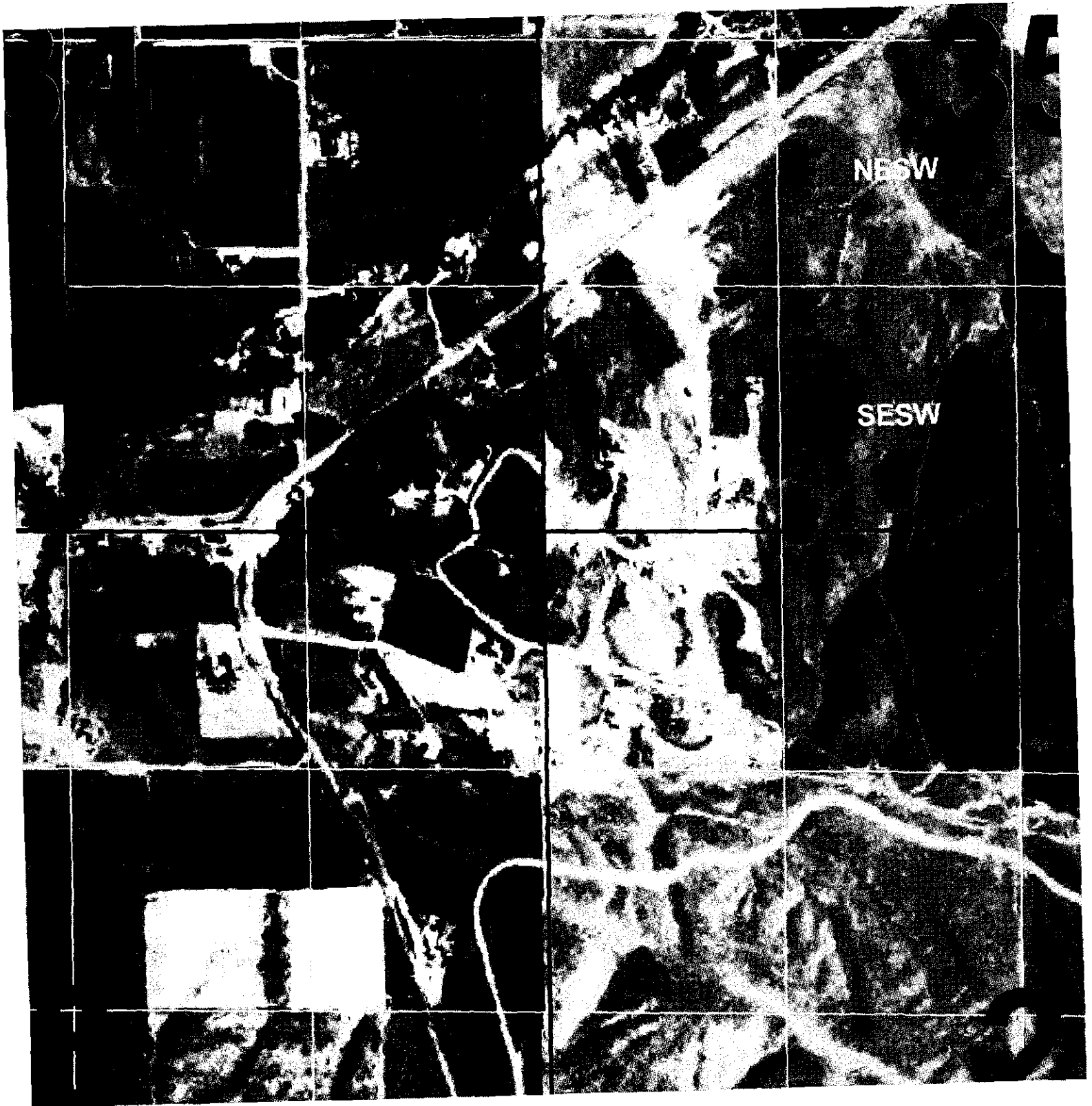
The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

Nubby

Matt Mc Slotkin called & said he
sold the property a year ago.

63-4219A

He said Judy Jepson is the new
owner - same address - 13327 H Horseshoe
Bend.



**DRY CREEK CLAIMS IN MARYGLEN SUB. FORMERLY STILWELL LAND.
1987 AERIAL.**

no Gov
lots

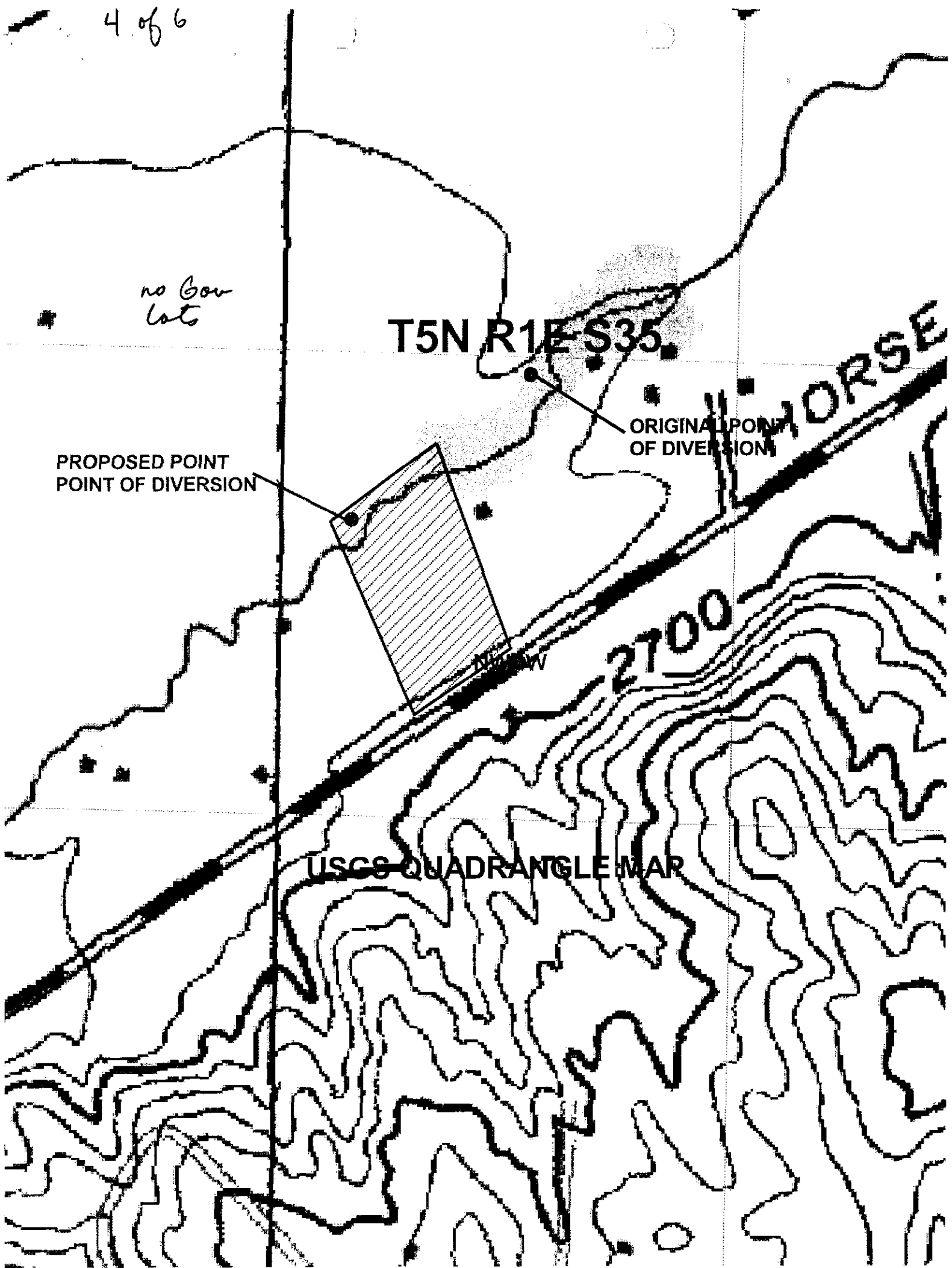
T5N R1E S35

ORIGINAL POINT
OF DIVERSION

PROPOSED POINT
POINT OF DIVERSION

2700

USGS QUADRANGLE MAP





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

May 20, 2005

MATHEW AND STEPHANIE MCGLOTHLIN
13327 N HORSESHOE BEND RD
BOISE, ID 83703

RE: EVIDENCE OF PRIORITY

Snake River Basin Claim No(s): A63-4219A

Dear Claimant(s),

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a printout of the claim(s) for your reference only. You indicated, when these claims were filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. This claim(s) has not been confirmed by a previous filing with the Idaho Department of Water Resources (IDWR) since there is no decree, license, or permit on file to verify the use of this water. For this reason, IDWR is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date.**"

If no evidence of this priority date is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future. Please submit the required evidence supporting the priority date(s) by May 27, 2005.

Please let me know if have questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

Sincerely,

Vicky L. Musie
Water Resource Agent

Enclosures: Notice of claim report for A63-4219A and "Evidence of Priority" brochure

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.

May 25, 2005

Vicky L. Music
Water Resource Agent
Dept. of Water Resources
State of Idaho

RE: EVIDENCE OF PRIORITY

Snake River Basin Claim No(s): A63-4219E

A - 10/11/46 2 10th from FLOOKS

Current owner: Perry and Isabel Flook
13153 N Horseshoe Bend Rd.
Boise ID 83714

EVIDENCE AFFIDAVIT:

Mr. Glenn Stillwell provides this statement of evidence. Mr. Stillwell is the previous owner of said property and Claims.

The Mary Glenn Subdivisions present point of diversion (off Dry Creek) for irrigation purposes is at the same location on the creek, and has been in use for irrigation since the land was originally homesteaded.

This was prior to 1900.

My Family (STILLWELLS), rented /leased this property from the original homesteaders the Clemmens family, before the turn of the century. I latter purchased the said property along dry creek. Myself and my Grand parents before me have always irrigated the land adjoining Dry Creek from that "point of diversion" on Dry creek at its present location, (which is now, Helen Yeagers property),

Sincerely

Glenn Stillwell

Glenn Stillwell

WATER RIGHT NO. 63-4219A
As Modified by Transfer No. 69746

In accordance with the approval of Transfer No. 69746, Water Right No. 63-4219A is now described as follows.

Right Holder: SHARON A LEE AND
JERALD G LEE
13327 HORSESHOE BEND RD
BOISE ID 83703

Priority Date: 12/31/1910

Source: DRY CREEK

Tributary: BOISE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	to 11/15	0.10 CFS	18.0 AF
			0.10 CFS	18.0 AF

LOCATION OF POINT(S) OF DIVERSION:

DRY CREEK NWSW Sec. 35 Twp 05N Rge 01E 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	
05N 01E 35											4.0						4.0

Total Acres: 4

CONDITIONS OF APPROVAL

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 63, Boise River.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
4. Place of use is also known as Lot 3, Block 1, Maryglen Subdivision No. 1.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-4219A

WATER RIGHT NUMBER: 63-4219A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARY STILLWELL RT 1 BOISE, ID 83702
Current Owner	GLENN STILLWELL RT 1 BOISE, ID 83702

Priority Date: 06/01/1910

Basis: Statutory Claim

Status: Active Transferred

<u>Source</u>	<u>Tributary</u>
DRY CREEK	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	0.740 CFS	
	<u>Total Diversion:</u>	0.740 CFS	

Location of Point(s) of Diversion

DRY CREEK	NW1/4SW1/4	Sec. 35, Twp 05N, 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	
05N 01E 34													2.5			14.5	17.0
05N 01E 35							5.0				15.0						20.0

Total Acres: 37

Comments:

1. PSKAGGS 9/24/1999 TRANSFER 5445

Comment: Transfer 5445 changes the point of diversion under a portion of Right 63-04219, splitting the right into Parts A & B.

2. pskaggs 6/4/2002 9:23:54 AM Approved Transfer 69746

Comment: Approved transfer 69746 is associated with all or part of this Right and the following records.

Claim 63-4219A 0.1 cfs 18 afa 4 total acres

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-4219A

03/21/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
1219A	Claim	05N	01E	35	NW	SW		IRRIGATION	4/4	MATTHEW S MC GLOTHLIN
1219B	Claim	05N	01E	35	NW	SW		IRRIGATION	9/9	JAMES L ARNETT
1219F	Claim	05N	01E	35	NW	SW		IRRIGATION	3/3	ARLENE J DIBBLE
4982	Claim	05N	01E	35	NW	SW		IRRIGATION	1/24	HELEN WEISSHAUPT
8028	Claim	05N	01E	35	NW	SW		IRRIGATION	5/5	ELZADA STEPP
4982	Water Right	05N	01E	35	NW	SW		IRRIGATION	1/24	HELEN WEISSHAUPT
8028	Water Right	05N	01E	35	NW	SW		IRRIGATION	5/5	SIDNEY W COY
10877	Water Right	05N	01E	35	NW	SW		IRRIGATION	0.3/0.3	VALENE NICOLLS

Receipt Details for ID W003166

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
6/9/1989 12:06:45 PM	6/9/1989	Western	\$79.00	Check
Payer		LEE, JERALD OR SHARON		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
999			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$79.00	ADJUDICATION CLAIM FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	4219	A	\$54.00	Claim
63	15641		\$25.00	Claim

[Print Report](#)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5445
WATER RIGHT NO. 63-04219B

This is to certify that: PERRY R FLOOK
ISABEL N FLOOK
13153 N HORSESHOE BEND RD
BOISE ID 83703

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.06 CFS	13.5 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
DRY CREEK	BOISE RIVER

Priority: 06/01/1910

LOCATION OF POINT(S) OF DIVERSION: NESE , Sec. 34, Township 05N, Range 01E
ADA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	01E	34	NESE 2.5	SESE 0.5		3.0
Total number of acres irrigated:						3.0

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

MICROFILMED
SEP 30 1999

TRANSFER NO. 5445
WATER RIGHT NO. 63-04219B

CONDITIONS OF APPROVAL AND REMARKS

5. Approval of Transfer 5445 does not confirm Claimed Right 63-04219B.
6. Place of use is located within Lot 5, Maryglen Subdivision No. 1.

Dated this 27 ~~th~~ day of September, 1999


Chief, Water Allocation Bureau

MICROFILMED
SEP 30 1999

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. ⁵⁴⁴³
~~RECEIVED~~

APPLICATION FOR TRANSFER OF WATER RIGHT SEP 10 1999

PART 1

Department of Water Resources

Name of applicant Perry R and/or Leibel N Floak Phone 208 938 9479

Post Office address 13153 North Horseshoe Bend Rd Boise ID 83703

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes DIO Division Destroyed and not repaired
would be relevant to stream bed on my property

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|--|-------------------|-----------------------|-------------------|--|
| <u>A03-04219E</u> | <u>06/01/1910</u> | <u>.06</u> | <u>IRRIGATION</u> | <u>04-01</u> to <u>10-31</u> ^{PM} |
| | | | | to |
| | | | | to |
| | | | | to |
| | | | | to |
| 2. Total amount of water being transferred <u>.06</u> cubic feet per second and/or _____ acre-feet per annum | | | | |
| 3. Source of water <u>DRY CREEK</u> tributary to <u>BOISE RIVER</u> ^{PM} | | | | |
| 4. Point(s) of Diversion: | | | | |

[illegible]

5. Lands irrigated or place of use:

[illegible]

PART 1

6. General Information:

a. Description of diversion system Pump From Creekb. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes ☒ No If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Water will be available where now it is not Because of
old diversion dam

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____

MICROFILMED
SEP 30 1999

PART 2**A. DESCRIPTION OF RIGHT AS RECORDED:**

Water Right No. 63-04219

STAGE: STATUTORY CLAIM

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	0.80 CFS
		(A) .74 cfs
		(B) .06 cfs
<u>SOURCE</u>	<u>TRIBUTARY OF</u>	
DRY CREEK	BOISE RIVER	

Priority: 06/01/1910

LOCATION OF POINT(S) OF DIVERSION:NWSW , Sec. 35, Township 05N, Range 01E
ADA CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N 01E 34	NESE 5 < 2.5	SESE 15 < 14.5		20 < 17
35	SWNW 5 < 2.5	NWSW 15 < .5		20 < 3
		Total number of acres irrigated:		40 < 37

CONDITIONS/REMARKS:

MICROFILMED

SEP 30 1993

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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ISABEL N FLOOK	06/01/1910	IRRIGATION	04-01 10-31	0.06 CFS	
C	PERRY R FLOOK					
	13153 N HORSESHOE BEND RD			TOTAL DIVERSION:	0.06 CFS	
	BOISE ID 83703					
	(208) 983-9479					

Water Source: DRY CREEK

Tributary to: BOISE RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T05N R01E S3S

SWNW

ADA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE					
T	R	S		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
05N	01E	34	:														
																TOTAL ACRES	3.1

POU County: ADA

Other Rights: LOT 7-SUPPLEMENTARY WELL

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A63-04219C

Other Water Rights Listing Overlapping Place(s) of Use:
A63-04219 A63-04219C A63-04247 A63-07163 A63-16781

Remarks: GEN LOTS 5, MARYGLEN SUB.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

SEP 30 1999

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

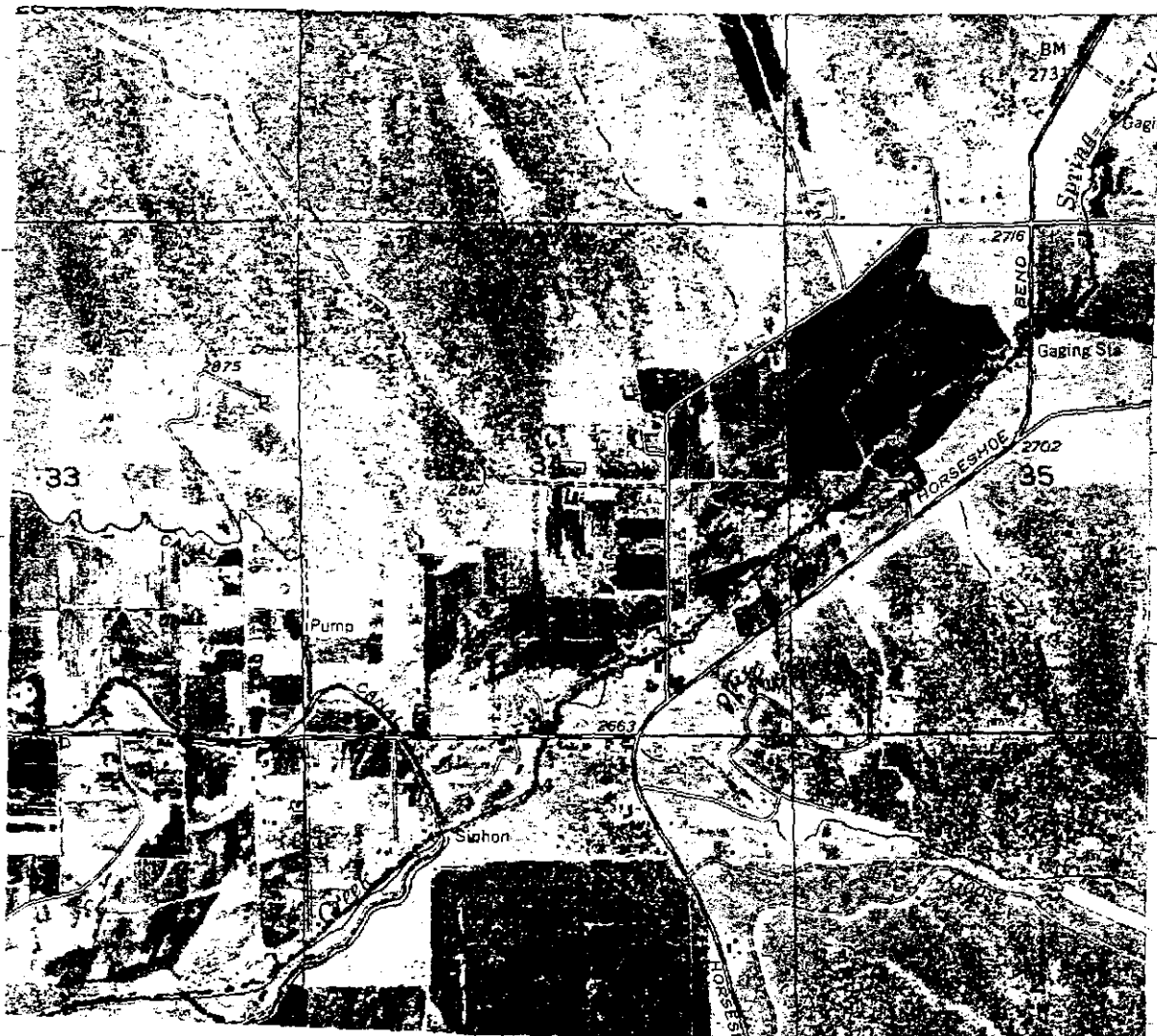
MICROFILM

SEP 30 1999

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



PART 3**B. CHANGES IN NATURE OF USE**

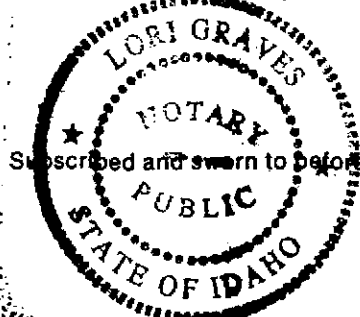
1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to _____
				to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



Subscribed and sworn to before me this

Adul N. Shukh
 (Signature of Applicant)
3rd day of Feb, 19 99.

Lori Graves
 (Notary Public)

My commission expires

6/18/04**FOR DEPARTMENT USE ONLY**Transfer contains 6 pages and 1 attachmentsReceived by DAN Date 2-1-99 Protest filed by _____Prelim. check by Ly Fee \$ 100.00 W024764Receipted by DAN Date 2/1/1999Published in Id. Statesman Copies of protest forwarded by _____Pub. dates 5-6+13-99 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

SEP 30 1999

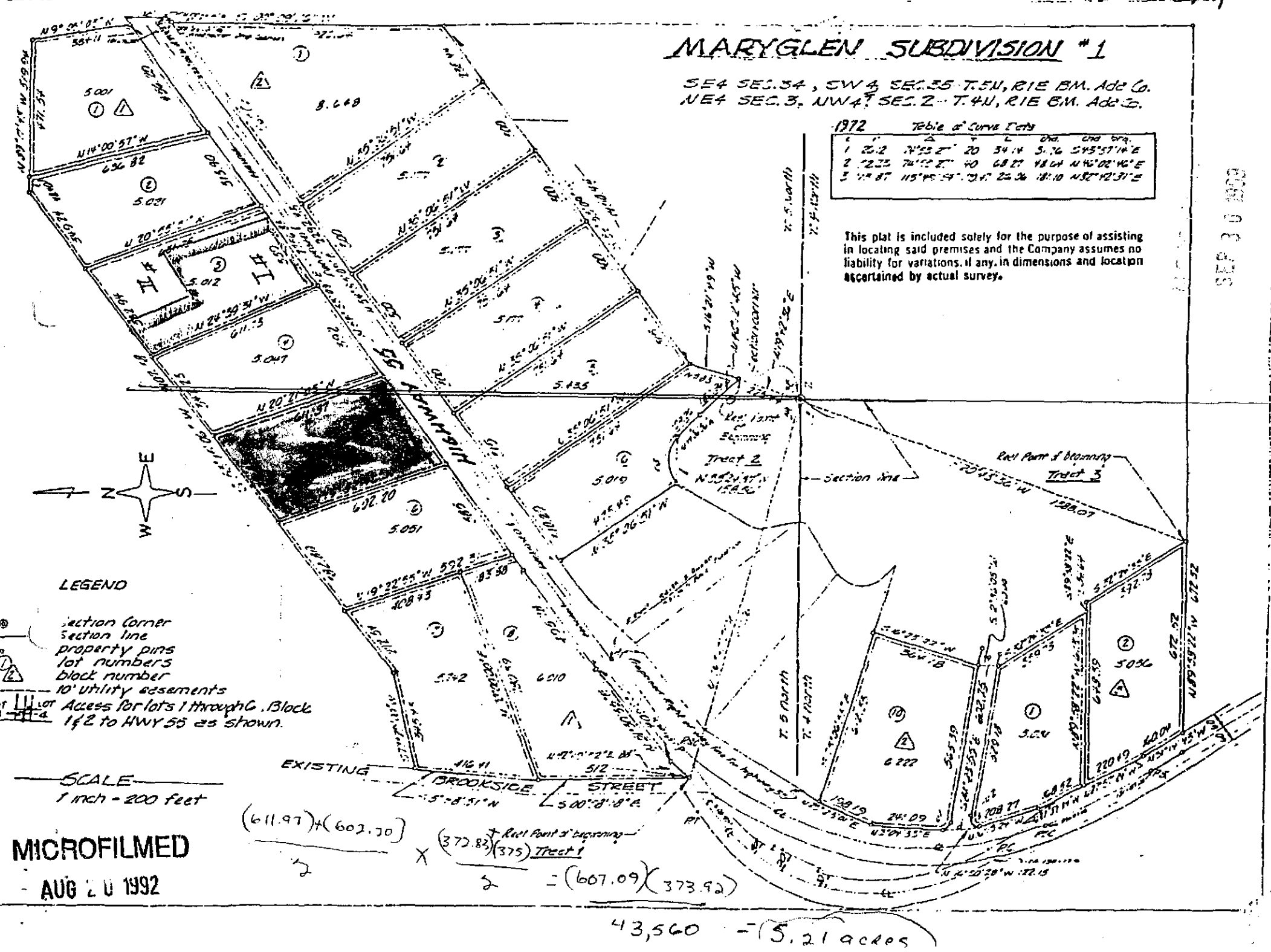
MARYGLEN SUBDIVISION #1

SE4 SEC.34, SW4 SEC.35 T.5N, R.1E BM. Ad. Co.
NE4 SEC.3, NW4 SEC.2 T.4N, R.1E BM. Ad. Co.

1972 Table of Curve Data

Sta.	Chord	Chord Brg.
1 25.2	74°55'20"	34.14 S. 76°55'57" E
2 12.25	74°55'20"	40.68 S. 76°55'57" E
3 14.87	115°45'54"	22.24 S. 11°10'42" E

This plat is included solely for the purpose of assisting in locating said premises and the Company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.



STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that GLENN STILLWELL &/or MARY STILLWELL
(name of claimant)
of Route #1, Boise, Idaho 83702, claims a right to the diversion and beneficial use of
(mailing address)

ground water or surface water tributary to Boise River

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Dry Creek
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount	<u>0.80</u>	Use	<u>Irrigation</u>	Period of Use:	From	<u>4/1</u>	To	<u>10/31</u>
Amount		Use		Period of Use:	From		To	
Amount		Use		Period of Use:	From		To	
	(cfs, gpm or a/f)		(dom., irri., stock, etc.)					(both dates inclusive)

- (3) Total quantity of water claimed: 0.80 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) 1910
A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
NW ¼ SW ¼, Sec. 35 Twp. 5N Rgc. 1E B. M. County of Ada
Additional points of diversion:

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. Diversion dam and ditch 3 X 1½ about 2000' long

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

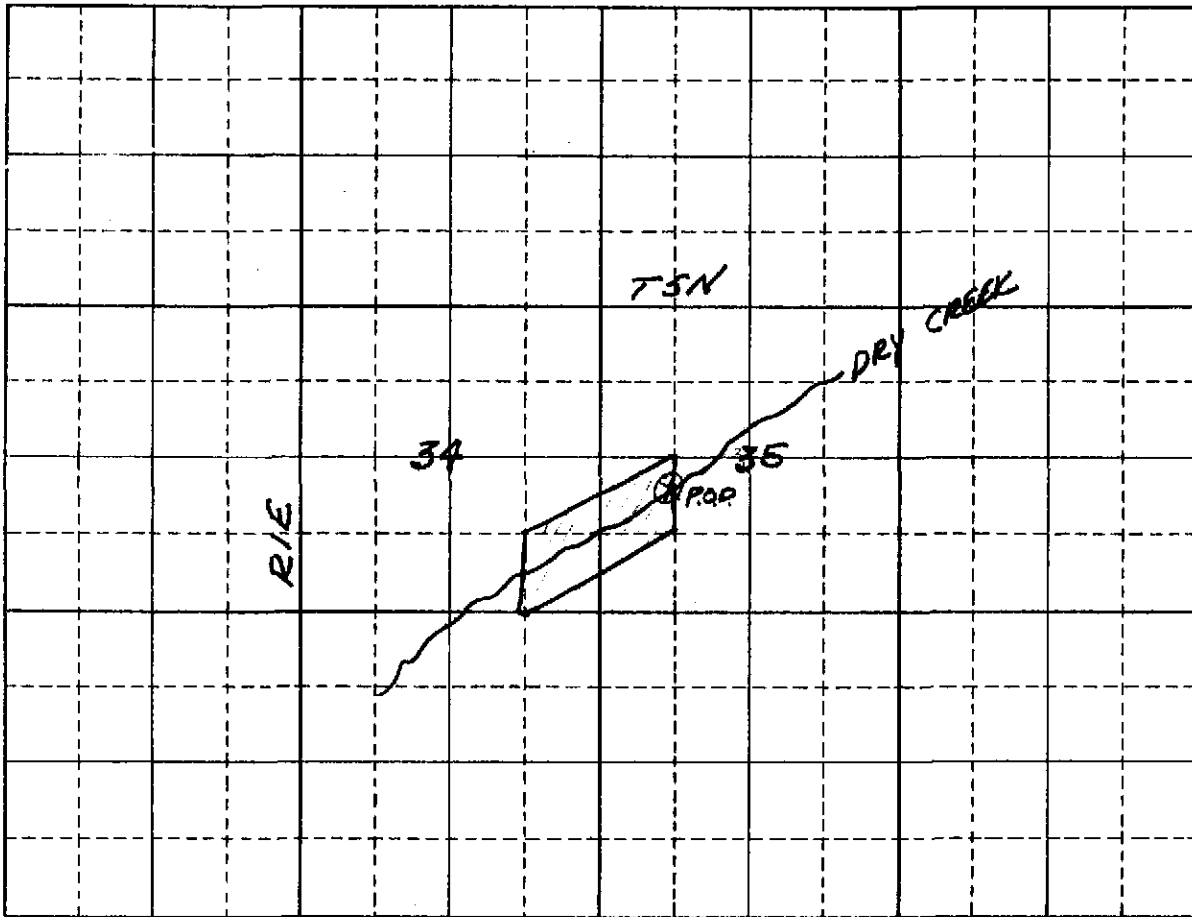
[illegible]

Total No. of acres 40

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:

- (7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

ss.

County of ADA

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this

14th

day of

May

(Claimant)

1973

Kenneth Stillwell - Mary Stillwell

Notary Public

Residing at

Boise, Idaho

My commission expires

May 26, 1974

Rec'd # 10532

For Department Use Only

Received by

Date

5-24-73

Exception filed by:

Forwarded to

Date

Prelim. check by

R.W.H.

Date

5-24-73

claimant by:

\$10.00 fee received by

Date

5-24-73

Approved for publication by

Published in Boise Statesman, Boise Id.

Dates

May 31 & June 1, 1973

PARCEL NO. R5488500065 – claim 62-4219A also includes R5488500060 to west.

Geocortex Internet Mapping Framework - Microsoft Internet Explorer

Ada County Assessor

Map Legend

- Major Streets
 - MINOR ARTERIAL
 - MAJOR COLLECTOR
 - SECTION
 - PRINCIPAL ARTERIAL
 - INTERSTATE
 - Other
- Minor Streets
 - LOCAL
 - PARKS
 - PRIVATE
 - RESIDENTIAL
 - Other
- Street Names (minor)
- Water
- Parcels
- Schools
- Parks
- City Limits
- Kuna
- Boise
- Garden City
- Eagle

Map Center: 116° 18' 44.4" W, 43° 43' 33.5" N

1:2,760 Go Map Tool: Zoom In Active Layer: Parcels

Cursor Location: 2475997.378239319, 751757.9692237237

• Ada County Home Page	Assessed value for year 2003	\$280,700
• Commissioners	Assessed value for year 2002	\$271,500
• Treasurer	Assessed value for year 2001	\$277,300
	Assessed value for year 2000	\$277,300

Microsoft

Start | Inb... | http://we... | ArcView G... | Microsoft ... | Proof Rep... | Ada Coun... | Document... | Geocorte... | 4:52 PM

**Land Records**
[\[Previous Search\]](#) [\[New Search\]](#) [\[Print View\]](#)
Property Details for Parcel R5488500060

- [Main Page](#)
- [Property Search](#)
- [Online Map](#)
- [Contact Us](#)
- [Disclaimer](#)
- [Help Index](#)
- [FAQ](#)
- [About Us](#)
- [Image Documents](#)
- [Old interactive map](#)

General Information

Property Acres: 2.510
Zone Code: RUT
Primary Code Area: 270 Tax Districts
Group Type: SUB
Subdivision: MARYGLEN SUB NO 01
Section: 5N1E34

Property Description

PAR #0060 OF LOT 3
 BLK 1
 MARYGLEN SUB #1

Property Address

N HORSESHOE BEND RD
 BOISE, ID 00000


[Click to View Interactive Map](#)
Assessor Links

- [Assessor Main Page](#)
- [Administration](#)
- [Information](#)
- [Appraisal](#)
- [Exemptions and Reductions](#)
- [Motor Vehicles](#)
- [Levy Rates](#)

Parcel Valuation Details

Assessment Roll	State Category Code	Acreage	Assessed Value	Valuation Method
Primary	150-RES SUB LOT	2.500	\$33,000	MARKET
Total Assessed Value:			\$33,000	

Parcel Valuation History

Assessed value for year 2005 \$33,000
Assessed value for year 2004 \$33,000
Assessed value for year 2003 \$30,000
Assessed value for year 2002 \$30,000
Assessed value for year 2001 \$20,000
Assessed value for year 2000 \$20,000

Ada County Links

- [Ada County Home Page](#)
- [Commissioners](#)
- [Treasurer](#)
- [Clerk/Auditor/Recorder](#)
- [Development Services](#)
- [Human Resources](#)

Property Characteristics
Land
[\[Previous Search\]](#) [\[New Search\]](#) [\[Print View\]](#)

[Contact Us](#) | [Help Index](#) | [Disclaimer](#) | [About Us](#)

**Land Records**
[\[Previous Search\]](#) [\[New Search\]](#) [\[Print View\]](#)
Property Details for Parcel R5488500065

- [Main Page](#)
- [Property Search](#)
- [Online Map](#)
- [Contact Us](#)
- [Disclaimer](#)
- [Help Index](#)
- [FAQ](#)
- [About Us](#)
- [Image Documents](#)
- [Old interactive map](#)

General Information

Property Acres: 2.510
Zone Code: RUT
Primary Code Area: 270 Tax Districts
Group Type: SUB
Subdivision: MARYGLEN SUB NO 01
Section: 5N1E34

**Property Description**

PAR #0065 OF LOT 3 BLK 1
 MARYGLEN SUB NO 1

Assessor Links**Property Address**

13327 N HORSESHOE BEND RD
 BOISE, ID 83703

[Click to View Interactive Map](#)

- [Assessor Main Page](#)
- [Administration](#)
- [Information](#)
- [Appraisal](#)
- [Exemptions and Reductions](#)
- [Motor Vehicles](#)
- [Levy Rates](#)

Parcel Valuation Details

Assessment Roll	State Category Code	Acreage	Assessed Value	Valuation Method
Primary	150-RES SUB LOT	2.500	\$66,000	MARKET
Primary	370-RES IMPROVEMENT	0.000	\$273,900	COST

Total Assessed Value: \$339,900

Parcel Valuation History

Assessed value for year 2005 \$339,900
Assessed value for year 2004 \$286,700
Assessed value for year 2003 \$280,700
Assessed value for year 2002 \$271,500
Assessed value for year 2001 \$277,300
Assessed value for year 2000 \$277,300

Ada County Links

- [Ada County Home Page](#)
- [Commissioners](#)
- [Treasurer](#)
- [Clerk/Auditor/Recorder](#)
- [Development Services](#)
- [Human Resources](#)

Property Characteristics

Residential
 Land

[\[Previous Search\]](#) [\[New Search\]](#) [\[Print View\]](#)

[Contact Us](#) | [Help Index](#) | [Disclaimer](#) | [About Us](#)

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4219A V1

WATER RIGHT NUMBER: 63-4219A V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SHARON A LEE 13327 HORSESHOE BEND RD BOISE, ID 83703 (208)939-0641
Current Owner	JERALD G LEE 13327 HORSESHOE BEND RD BOISE, ID 83703 (208)939-0641

Priority Date: 12/31/1910
 Basis: Beneficial Use
 Status: Active

<u>Source</u>	<u>Tributary</u>
DRY CREEK	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.100 CFS	18.00 AF
	<u>Total Diversion:</u>	0.100 CFS	18.00 AF

Location of Point(s) of Diversion

DRY CREEK	NW1/4SW1/4	Sec. 35, Twp 05N, 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	
05N	01E	35																	4.0

Conditions of Approval:

1. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 63, Boise River.
2. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. R69 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

10/1/02
 GEN

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4219A V1

6. ~~T09~~ Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

Remarks:

1. General Place of use is also known as Lot 3, Block 1, Maryglen Subdivision No. 1.

Comments:

1. PSKAGGS 6/4/2002 9:24:13 AM Transferred Right
Comment: This is now a approved transfer, transfer number = 69746

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: And
Water District Number: 63
Generic Max Rate Per Acre: 0.03
Generic Max Volume Per Acre: 4.5
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Verification Log:

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

11/18/2002

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

RIGHT NUMBER: 63-4219A

NAME AND ADDRESS: MATTHEW S MC GLOTHLIN
13327 N HORSESHOE BEND RD
BOISE ID 83703

STEPHANIE L MC GLOTHLIN
13327 N HORSESHOE BEND RD
BOISE ID 83703

SOURCE: DRY CREEK

TRIBUTARY: BOISE RIVER

QUANTITY: 0.100 CFS
18.000 AFY

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 12/31/1910

POINT OF DIVERSION:

T05N R01E S35 NWSW Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/01 11/15

QUANTITY
0.100 CFS
18.00 AFY

PLACE OF USE: IRRIGATION Within ADA County
T05N R01E S35 NWSW 4.0

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

Place of use is also known as Lot 3, Block 1, Maryglen Subdivision No. 1.

Use of water under this water right will be regulated by the watermaster of State Water District No. 63, Boise River.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

EXPLANATORY MATERIAL: Beneficial Use



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 18, 2002

MATTHEW S MC GLOTHLIN
STEPHANIE L MC GLOTHLIN
13327 N HORSESHOE BEND RD
BOISE ID 83703

Re: Notice of Claim to a Water Right No. 63-4219A

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflects the change in ownership of the land and appurtenant water rights, covered under the original filing.

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you again for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Hatfield". The signature is written in dark ink and is positioned above the printed name and title.

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region Office

DH: dh

Enclosure



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 12, 2002

MATTHEW S MC GLOTHLIN, MD
STEPHANIE L MC GLOTHLIN
13327 N HORSESHOE BEND RD
BOISE ID 83703

RE: Water Right No. 63-4219A

Dear Claimant(s):

This office has received your Notices of Change of Water Right Ownership (copy enclosed), recently submitted. We also received check number 1078 in the amount of \$25; however, we are returning it to you, as the ownership change fee is not required for this particular water right. This water right has not yet been decreed by the SRBA Court. The fee does, however, apply to water right number 63-15641 and a receipt is enclosed for that fee. The ownership change is being processed for these water rights, and copies will be mailed out upon completion.

Thank you for your patience and cooperation. If you have any questions regarding this letter, feel free to contact this office at (208) 334-2190.

Sincerely,

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region

DH: dh

Enclosures

		Matthew S. McGlothlin, MD Stephanie L. McGlothlin 13327 N. Horseshoe Bend Rd. Boise, ID 83703 208-938-0322	KEYBANK NATIONAL ASSOCIATION EAGLE, ID 83616 92-155/1241	1078
Pay to the Order of	Idaho Dept. Of Water Resources		11/7/2002	
Twenty-Five and 00/100*****		\$**25.00		
memo: Transfer fee for water right # 63-4219A				1078
1: 24 10 1555: 1 2 278 2000972#				

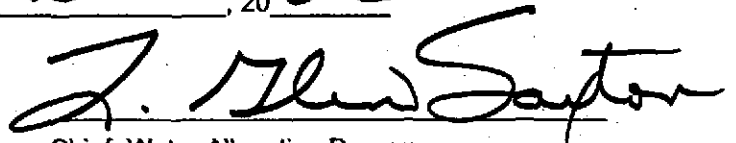
WATER RIGHT NO. 63-4219A
As Modified by Transfer No. 69746

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 4th day of June, 2002


Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69746

RECEIVED

JUN 05 2002

WATER RESOURCES
WESTERN REGION

This is to certify that: SHARON A LEE AND/OR
JERALD G LEE
13327 HORSESHOE BEND RD
BOISE ID 83703
(208)939-0641

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
63-4219A	AJC/Beneficial Use	12/31/1910	0.12 cfs			4.0	DRY CREEK

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
63-4219A	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
63-4219A	63-4219A	0.10 cfs	18.0 af	N/A	4.0		N/A	N/A	N/A	N/A
TOTALS		0.10 cfs	18.0 af	N/A	4.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 4th day ofJune, 2002

[Signature]
Chief, Water Allocation Bureau

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 69746

RECEIVED

MAR 05 2002

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

WATER RESOURCES
WESTERN REGIONName of applicant Jerald G Lee / Sharon A Lee Phone (208) 935-0641Post Office address 13327 Horseshoe Bend Rd, Boise, ID 83703

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use☐ Change nature of use☐ Change period of use☐ Other2. Describe the reason for the proposed changes The Diversion Dam in Sec 35, Twp 05N, Rge 01E, B.M. blew out. This dam diverted water from Dry Creek to Irrigation Ditch. Propose to irrigate with water directly from Dry Creek at Sec. 35 Twp 05N Rge 01E, B.M. AKA Lot 3 Block 1, Mary Glen Subdivision #1

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>63-4219A</u>	<u>12/31/1910</u>	<u>0.120 CFS</u>	<u>Irrigation</u>	<u>3/15 to 11/15</u>
				to
				to
				to

2. Total amount of water being transferred 0.120 cubic feet per second and/or _____ acre-feet per annum.3. Source of water Dry Creek tributary to Boise River

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>3</u>	<u>NW</u>	<u>SW</u>		<u>35</u>	<u>05N</u>	<u>01E</u>	<u>Ada</u>	<u>Dry Creek Proposed</u>

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>05N</u>	<u>01E</u>	<u>35</u>									<u>4.0</u>								<u>4.0</u>

Total acres 4.0

PART 1

6. General Information:

a. Description of diversion system

Pump to a sprinkler system

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Place of use is unchanged.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

3 of 6

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4219A

WATER RIGHT NUMBER: 63-4219A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JERALD G LEE 13327 HORSESHOE BEND RD BOISE, ID 83703 (208)939-0641
Current Owner	SHARON A LEE 13327 HORSESHOE BEND RD BOISE, ID 83703 (208)939-0641

Priority Date: 12/31/1910

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
DRY CREEK	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.120 CFS	
	<u>Total Diversion:</u>	0.120 CFS	

Location of Point(s) of Diversion

DRY CREEK	NW1/4SW1/4	Sec. 35, Twp 05N, 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	
05N	01E	35																	4.0

Total Acres: 4

Conditions of Approval:

Remarks:

- General AKA LOT 3, BLOCK 1, MARYGLEN SUBDIVISION #1.

Comments:

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4219A

Dates and Other Information:

Claim Received Date: 6/9/1989

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

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:

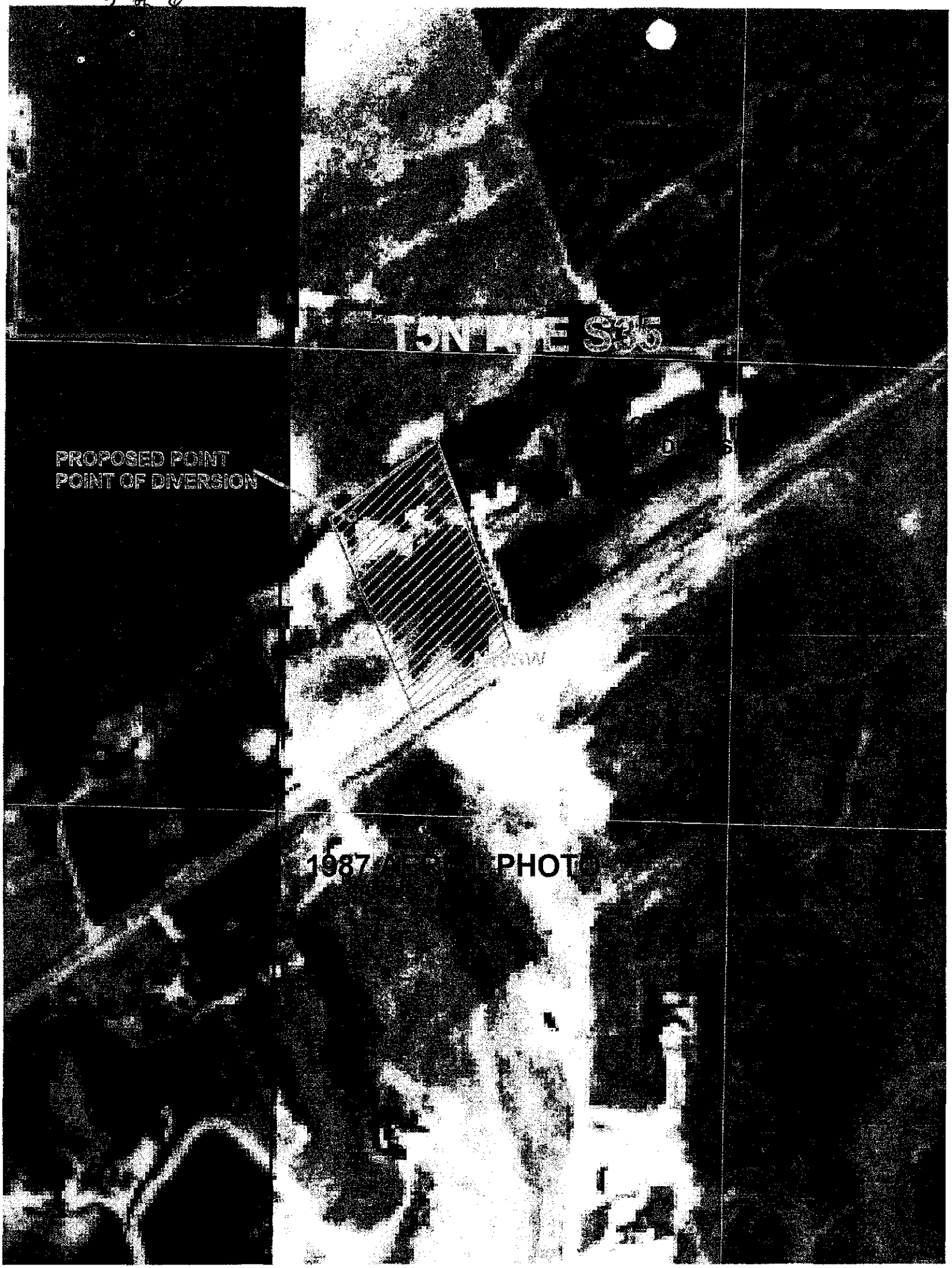
Mitigation Plan: False

7 86 60

T5N E S35

PROPOSED POINT
POINT OF DIVERSION

1987 AERIAL PHOTO



PART 3**B. CHANGES IN NATURE OF USE**

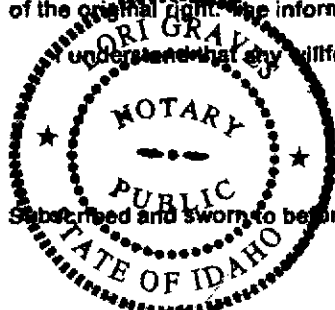
1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
	<u>N/A</u>			_____ to _____
				_____ to _____

2. Quantity and quality of return flows and location of discharge:
N/A

3. Describe effects on other water uses resulting from the proposed change:
N/A

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

understand that any willful misrepresentations made in this application may result in voiding its approval.



Subscribed and sworn to before me this _____

(Signature of Applicant)

day of _____

2002

(Notary Public)

My commission expires _____

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 5 attachments

Received by Ly Date 3/6/02 Protest filed by _____

Prelim. check by Ly Fee 100

Receipted by Ly Date 3/6/02 # W028829

Published in THE IDAHO STATESMAN Copies of protest forwarded by _____

Pub. dates 4-4-11-02 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

SE4 SEC. 34, SW4 SEC. 35 T. 5N, R. 1E B.M. Adg Co.
NE4 SEC. 3, NW4 SEC. 2 T. 4N, R. 1E B.M. Adg Co.

Table of Curve Folds

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432	433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464	465	466	467	468	469	470	471	472	473	474	475	476	477	478	479	480	481	482	483	484	485	486	487	488	489	490	491	492	493	494	495	496	497	498	499	500	501	502	503	504	505	506	507	508	509	510	511	512	513	514	515	516	517	518	519	520	521	522	523	524	525	526	527	528	529	530	531	532	533	534	535	536	537	538	539	540	541	542	543	544	545	546	547	548	549	550	551	552	553	554	555	556	557	558	559	560	561	562	563	564	565	566	567	568	569	570	571	572	573	574	575	576	577	578	579	580	581	582	583	584	585	586	587	588	589	590	591	592	593	594	595	596	597	598	599	600	601	602	603	604	605	606	607	608	609	610	611	612	613	614	615	616	617	618	619	620	621	622	623	624	625	626	627	628	629	630	631	632	633	634	635	636	637	638	639	640	641	642	643	644	645	646	647	648	649	650	651	652	653	654	655	656	657	658	659	660	661	662	663	664	665	666	667	668	669	670	671	672	673	674	675	676	677	678	679	680	681	682	683	684	685	686	687	688	689	690	691	692	693	694	695	696	697	698	699	700	701	702	703	704	705	706	707	708	709	710	711	712	713	714	715	716	717	718	719	720	721	722	723	724	725	726	727	728	729	730	731	732	733	734	735	736	737	738	739	740	741	742	743	744	745	746	747	748	749	750	751	752	753	754	755	756	757	758	759	760	761	762	763	764	765	766	767	768	769	770	771	772	773	774	775	776	777	778	779	780	781	782	783	784	785	786	787	788	789	790	791	792	793	794	795	796	797	798	799	800	801	802	803	804	805	806	807	808	809	810	811	812	813	814	815	816	817	818	819	820	821	822	823	824	825	826	827	828	829	830	831	832	833	834	835	836	837	838	839	840	841	842	843	844	845	846	847	848	849	850	851	852	853	854	855	856	857	858	859	860	861	862	863	864	865	866	867	868	869	870	871	872	873	874	875	876	877	878	879	880	881	882	883	884	885	886	887	888	889	890	891	892	893	894	895	896	897	898	899	900	901	902	903	904	905	906	907	908	909	910	911	912	913	914	915	916	917	918	919	920	921	922	923	924	925	926	927	928	929	930	931	932	933	934	935	936	937	938	939	940	941	942	943	944	945	946	947	948	949	950	951	952	953	954	955	956	957	958	959	960	961	962	963	964	965	966	967	968	969	970	971	972	973	974	975	976	977	978	979	980	981	982	983	984	985	986	987	988	989	990	991	992	993	994	995	996	997	998	999	1000
--	---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	------

This plat is included solely for the purpose of assisting in locating said premises and the Company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.



Lot 1

7/6/02

I give my permission for Jerry Lee
to change his point of with drawal
on dry creek.

J. Weygelsworth

Sept 2

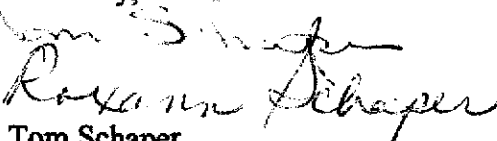
Feb. 5. 2002

Dept. of Water Resources

To Whom It May Concern:

We the undersigned , will allow Jerry and Sharon Lee the residents of 13327 Hwy 55 to change the point of diversion of water from Dry Creek for the purpose of irrigation of said property.

Sincerely,


Tom Schaper
Roxann Schaper

To Whom It May Concern:

I attest to the fact that Jerry and Sharon Lee, who live at 13327 Horseshoe Bend Road, Boise, Idaho, irrigated their pasture at this address with water from the irrigation ditch each year from 1988 through 1997, up until the spring of 1998 when the diversion dam that supplied water to the irrigation ditch washed out.

Date:

Feb 8, 02

Signature:

Charlotte Snow

Signature:

Address:

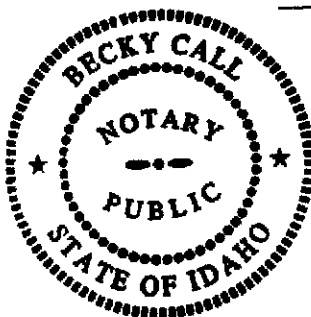
*3744 Brookside Ln
Boise, Id 83703*

Subscribed and sworn to me this 8th day of February, 2002

Becky Call
Notary Public

My commission expires Aug. 18, 2005

Residing at Boise, Id



To Whom It May Concern:

I attest to the fact that Jerry and Sharon Lee, who live at 13327 Horseshoe Bend Road, Boise, Idaho, irrigated their pasture at this address with water from the irrigation ditch each year from 1988 through 1997, up until the spring of 1998 when the diversion dam that supplied water to the irrigation ditch washed out.

Date:

2-8-02

Signature:

Tom Schaper

Signature:

Roxann Schaper

Address:

13343 Hwy 55

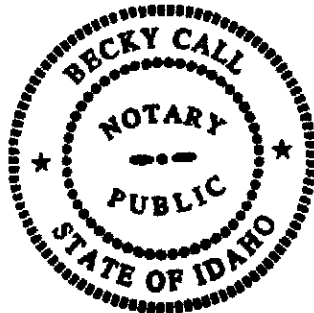
Boise ID 83703

Subscribed and sworn to me this 8th day of February, 2002

Becky Call
Notary Public

My commission expires Aug. 18, 2005

Residing at Boise, Id



To Whom It May Concern:

I attest to the fact that Jerry and Sharon Lee, who live at 13327 Horseshoe Bend Road, Boise, Idaho, irrigated their pasture at this address with water from the irrigation ditch each year from 1988 through 1997, up until the spring of 1998 when the diversion dam that supplied water to the irrigation ditch washed out.

Date:

2-8-02

Signature:

Jerry Lee

Signature:

Sharon Lee

Address:

13327 Horseshoe Bend Rd.
Boise, Id. 83703

Subscribed and sworn to me this

8th

day of

February

, 2002

Notary Public

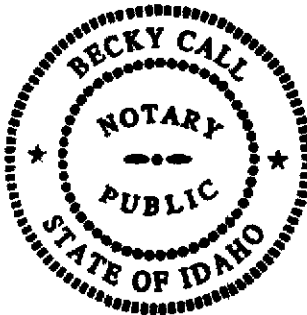
Becky Call

My commission expires

Aug. 18, 2005

Residing at

Boise, Id



8819710

WARRANTY DEED

READ AND APPROVED: *q h*

FOR VALUE RECEIVED

MARGIE PLAUS O'NEILL, also known of record as MARGIE J. O'NEILL,
and JAMES O'NEILL, wife and husband

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto

Jerald G. Lee and Sharon A. Lee, husband and wife

GRANTEE(S), whose current address is: 13327 Horseshoe Bend Road, Boise, Idaho 83703
the following described real property in Ada County, State of Idaho,
more particularly described as follows, to wit:

Lot 3 in Block 1 of MARYGLEN SUBDIVISION #1, according to the official plat thereof, filed in Book 29 of Plats at Page 1781, records of Ada County, Idaho, more particularly described on Exhibit A attached hereto and made a part hereof by this reference.

Together with all water rights, entitlements or rights of participation therein currently existing or created in the future, arising from or out of the ownership of the herein described property.

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: April 26, 1988

Margie Plaus O'Neill
Margie Plaus O'Neill

James O'Neill
James O'Neill

STATE OF Idaho, County of Ada, ss.On this 26th day of AprilIn the year of 1988, before me, the undersigned, a Notary

Public in and for said State, personally appeared

Public in and for said State, personally appeared

Margie Plaus O'Neill andJames O'Neill

known or identified to me to be the person(s) whose name(s)

are subscribed to the within instrument, and

acknowledged to me that they executed the same.

Signature: *Barbara Bowne*Name: *Barbara Bowne

(type or print)

Residing at: Boise, IdahoMy commission expires: 2/5/92STATE OF IDAHO, COUNTY OF AdaI hereby Certify that this instrument was filed for record at
the request of Boiseat 15 minutes past 3 o'clock P m.,this 26th day of April19 88, in my office, and duly recorded in Book

of Deeds at page

JOHN BASTIDA

Ex-Officio Recorder

By *John Bastida*

Deputy:

Fee \$ 6.00

Mail to:



Boise Title & Escrow, Inc.

EXHIBIT A

Parcel I:

Lot 3 in Block 1 of MARYGLEN SUBDIVISION #1, according to the official plat thereof, filed in Book 29 of Plats at Page 1781, records of Ada County, Idaho, EXCEPTING THEREFROM the following described property:

Commencing at the Northeast corner of said property; thence
South 53°15'05" West along said property line 225 feet to a point; thence
South 20°55'51" East 250 feet to a point; thence
North 53°15'06" East 200 feet to a point; thence
South 20°55'51" East 382.50 feet to a point on the Southerly property line
of said property; thence
North 51°30'35" East 25 feet along said property line to the Southeasterly
corner of said property; thence
North 20°55'51" West along the Easterly property line of said property
631.75 feet to the Point of Beginning.

Parcel II:

A portion of Lot 3 in Block 1 of MARYGLEN SUBDIVISION #1, according to the official plat thereof, filed in Book 29 of Plats at Page 1781, records of Ada County, Idaho, more particularly described as follows:

Commencing at the Northeast corner of said property; thence
South 53°15'05" West along said property line 225 feet to a point; thence
South 20°55'51" East 250 feet to a point; thence
North 53°15'06" East 200 feet to a point; thence
South 20°55'51" East 382.50 feet to a point on the Southerly property line
of said property; thence
North 51°30'35" East 25 feet along said property line to the Southeasterly
corner of said property; thence
North 20°55'51" West along the Easterly property line of said property
631.75 feet to the Point of Beginning.

9-9-



P.O. Box 9481
Gaithersburg, MD 20898-9481

February 25, 2002

Sharon A Lee
Jerald G Lee
13327 Horseshoe Bend Rd
Boise, ID 83703

RE: Consent To Adding Point Diversion For Irrigation Water
Borrowers: Sharon and Jerald Lee
FNMC LOANS: 5411367421

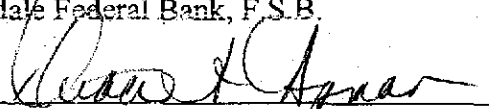
Dear To Whom It May Concern:

California Federal Bank, successor by merger to Glendale Federal Bank, F.S.B., an present assigned, lienholder of a mortgage for Sharon A. Lee and Jerald G. Lee, on property whose address is 13327 Horseshoe Bend Road, Boise, Idaho, hereby consents to the addition of a point of diversion, to take irrigation water from the Dry Creek behind their home, as shown on Map. (Instead of from the irrigation ditch that was fed from the irrigation dam that was washed out in the Spring of 1998)

If you have any questions, please contact Barbara Dick at 1-800-777-1708, X5397.

California Federal Bank, successor by merger
to Glendale Federal Bank, F.S.B.

By: _____


Traci A. Hoffman, Vice President

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 19 2002

WATER RESOURCES
WESTERN REGION

APPLICATION FOR EXTENSION OF TIME TO AVOID
FORFEITURE OF A WATER RIGHT

Section 42-222, Idaho Code, provides that a water right shall be lost and forfeited and the water right revert to the state upon the failure of a water user to apply the water to beneficial use for a period of five (5) years. The Director may allow an additional five (5) year period of non-use without forfeiture upon a showing of reasonable cause.

1. Name of water right holder Jerald G. Lee / Sharon A. Lee
2. Mailing address 13327 Horseshoe Bend Rd. Boise, ID 83703
3. The right was obtained or is evidenced by:
 - a. Decree to _____ in Case of _____
vs. _____, Dated _____ in _____
(Name of Court)
Court, County of _____ Fully describe decree _____
 - b. _____
 - d. SRBA No. _____
4. Source of water Dry Creek tributary to Boise River.
(Name of stream or source)
5. Date of priority of right 12/31/1910
6. Description of Right:
amount 0.120 CFS for Irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
7. Point of Diversion NW 1/4 SW 1/4 of Sec. 35 Twp. 65N Rge. 01E BM County Ada

8. Lands irrigated or Place(s) of Use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	01E	35										4.0							4.0

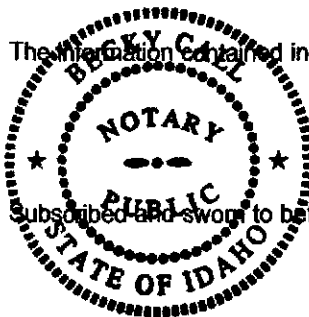
Total Acres 4.0

9. Give the last date when water was put to beneficial use Fall, 1997

Length of extension of time requested 5 years years, or until 11/1/2007 (Date)

10. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and reasons for non-use The Diversion Dam from Dry Creek to the irrigation ditch blew out and has not been replaced. We are requesting an addition to the point of diversion from Sec. 35 Twp 05N Rge 01E B.M. to Sec. 35 Twp 05N Rge 01E taking water from the creek behind the house instead of from the ditch because it no longer has water.

The information contained in this application is true to the best of my knowledge.



(Signature of Applicant)

James A. Lee Sharon A. Lee

Subscribed and sworn to before me this 8th day of February, 20 02.

Becky Call
(Notary Public)

My commission expires Aug. 18, 2005

Residing at Boise, Id

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby _____ said application subject to the following conditions or reasons:

Signed this _____ day of _____, 20 _____.

Chief, Water Allocation Bureau

FOR DEPARTMENT USE ONLY

Date Received 2-19-02 FEE Received by DAW Date 2-19-02 Receipt # 4028755
Preliminary T by g Publication prepared by AT Pub. approved by _____ Date _____
Published in PRESS TRIBUNE Dates Published 4-4 + 11-02
Protests filed by 4-22-02
Copies of protests forwarded by _____ Hearing held by _____ Date _____
Recommended for - 9 APPROVAL / 9 DENIAL By _____

Send comment

10-2001

**WESTERN REGION STAFF REVIEW
EXTENSION OF TIME TO AVOID FORFEITURE OF WATER RIGHT**

Applicant Lee
Water Right 63-4219 A
Reviewed by g Date 3/13/02
Advertising file name Lee ad
SRBA Claim filed if required Yes
Analysis memo ☒ Yes, see attached ☐ N/A
Comment letters ☐ N/A ☐ Yes, see below
☒ Water District # 63 ☒ IDFG for surface water
☒ Other, see attached

see accompanying x-fer no. 69746 for supporting attachments

ADVERTISING & PROCESSING INFORMATION

Legal notice electronically sent to State Office ☐ Yes
Comment letters sent ☐ Yes ☐ N/A
☐ Watermaster reply received
Protests received & acknowledged ☐ Yes ☐ No
Affidavit of publication received ☐ Yes
Published correctly ☐ Yes ☐ If No, is readvertising needed?

REGIONAL MANAGER RECOMMENDATIONS ☐ Approve ☐ Deny

(initials and date)

FILE COPIED BEFORE FORWARDED TO S.O. – Application, staff review form, legal notice, analysis memo and other items identified by staff reviewer.

COMMENT LETTERS

Lee Sisko
Boise River Watermaster

IDFG

William Thompson
13153 Horseshoe Bend Rd
Boise ID 83703

Marlene Harris
13103 HWY 55
Boise ID 83703

Phil Huff
3502 Brookside
Boise ID 83703

James and Nancy Arnett
Thomas and Roxanne Schaper
13343 Horseshoe Bend Rd
Boise ID 83703

Dr Frank Wregglesworth and Elzaba Stepp
13361 Horseshoe Bend Rd
Boise ID 83703

Perry and Isabel Flook
13153 N Horseshoe Bend Rd
Boise ID 83703

MEMORANDUM

DATE: 3/13/2002

FROM: Lori Graves 

TO: X-fer File No. 69746, Application For Extension of Time To Avoid Forfeiture No. 63-4219A

Attachments

- A. Plat Map
- B. Neighbor's Consent Letters (2)
- C. Neighbors Affidavits (2)
- D. Warranty Deed
- E. Mortgage Holder's Consent Letter

Brief

The diversion dam in Dry Creek for a delivery ditch to applicant's property washed out in 1998. Applicant wishes to divert directly from Dry Creek, adjacent to his property. Because the filing of a transfer application does not necessarily protect a water right from forfeiture during processing and because the applicant is in the process of selling his property, applicant also filed an application for extension of time to avoid forfeiture.

Overlaps

A transfer was approved on claim 63-4219 in 1999, splitting the water right into A and B at 1"/acre. Applicant has a portion of 63-4219A represented by SRBA claim A63-4219A. Others also claimed portions of 63-4219A under SRBA claims A63-4219B and D. Water right 63-4219B was claimed in the SRBA as A63-4219E. All the rights are for separate acre portions that were originally listed on 63-4219.

Claim 63-4982 shows up as an overlap from the same source and in the same p/u, but represents different acres and system. All other rights listed in the overlap analysis involve domestic ground water systems. No other rights are used.

Applicant's property is Lot 3 of Maryglen Subdivision #1. The previous p/d was upstream and was used to divert water into a ditch used by Lot 1 and Lot 2 owners before reaching applicant's Lot 3. Owners of Lot 1 and Lot 2 have written consent statements for the applicant to add his own p/d rather than using the common ditch (see Attachment C).

Verification

Applicant included affidavits from two neighbors that stated the applicant had used Dry Creek water for irrigation from 1988 up to the time the dam washed out in 1998. Aerial photos confirm irrigation from 1987 to 1992 on applicant's property. Aerial photos beyond 1992 do not indicate irrigation but do outline the existing irrigation ditch system. The aerial photos were taken in July of each year. According to Gene Gibson, Dry Creek is a natural perennial stream, however irrigation diversions cause the stream flow to be either sporadic or nonexistent by July. Applicant attributes the lack of visual irrigation on the later photos to irrigators with earlier priority dates that divert the majority of Dry Creek water upstream, leaving little or no water available for applicant to use for irrigation. With regards to return flows from upstream users, Gary Spackman has visited applicant's section of Dry Creek and stated that this stretch of the Creek is a losing reach rather than a gaining reach, which further supports the applicant's explanation.

Based on the Arc View 1987 photo, plat map and previous Dept. records, SRBA staff stated they would recommend the applicant's SRBA claim as filed, except reduce the flow rate to 1"/acre as historically claimed rather than 1 1/2 "/acre as applicant claimed in the SRBA.

Ownership

Applicant supplied a warranty deed and an acknowledgement letter from the mortgage lien holder of applicant's property (see Attachments D and E).

Recommendations

Approve the transfer and request to avoid forfeiture as filed, except limit total diversion rate to .08 cfs and total volume to 18 afa for applicant's 4 acre portion.

Send comment letters to immediate downstream users: A63-4219B, A63-4219D and A63-4219E.

Ownership change

done

Att 11/18/02