

FLAKE COUNTRY SUBDIVISION

A PORTION OF THE N2 S2 SEC. 24, T4N., R1E., B.M.
ADA COUNTY, IDAHO.

TOOTHMAN & ASSOCIATES CONSULTING ENGINEERS

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

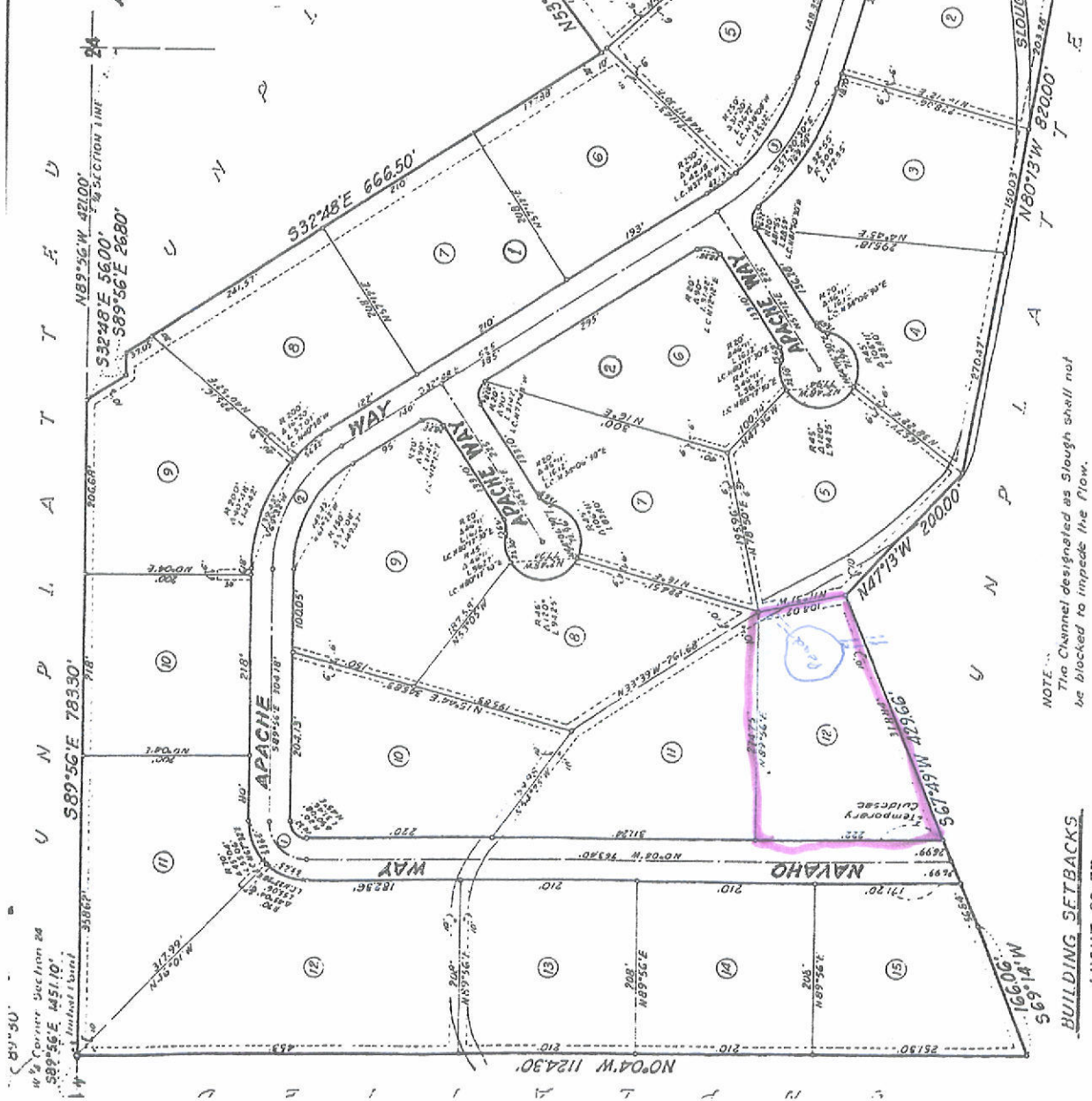
SCALE
0 50 100 150 200 300 FEET

This sketch is for location purposes
only. The Company assumes no
liability for variations.

PIONEER TITLE COMPANY
of Ada County

CAPITOL TITLE COMPANY

300 North Third Street
BOISE, IDAHO



LEGEND

- Initial Point
- Angle Points on Boundary - 5/8" x 30" Iron Bars
• All other Points - 1/2" x 24" Iron Bars.
- Utility and Drainage Easement
- ① Lot Number
- ② Block Number

BUILDING SETBACKS

FRONT 20 FT.
REAR 20 FT.
SIDE 5 FT.

CURVE DATA & OF ROAD

CURVE NO.	RADIUS	ANGLE	TANGENT LENGTH
1	45'	90°08'	45.10'
2	175'	57°08'	95.28'
3	775'	41°00'	102.82'
4	125'	39°05'	41.37'
			85.27'

Idaho Department of Water Resources



T04N, R01E,
S24

Claim No: 63-04651

Prepared By: Kimberly Brown

Date: December 10, 2004



Place of Use



Section Lines

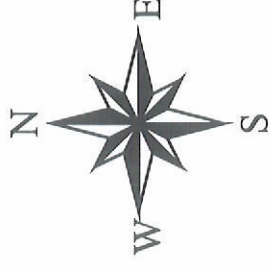


1/4 1/4



Point of Diversion

Acres Irrigated = 0.8



1987 NAPP



A PORTION OF THE N² S² SEC. 24, T.4N., R.1E., B.M.
ADA COUNTY, IDAHO.

[illegible]



Land Records

- Main Page
- Property Search
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- Contact Us
- Disclaimer
- Help Index
- FAQ
- About Us
- Image Documents
- Old interactive map

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

Property Details for Parcel R2854100130

General Information

Property Acres: 1.117
Zone Code: A
Primary Code Area: 06-3 Tax Districts
Group Type: SUB
Subdivision: FLAKE COUNTRY SUB
Section: 4N1E24

Property Description

LOT 12 BLK 2
 FLAKE COUNTRY SUB



Property Address

5200 N NAVAHO WAY
 BOISE, ID 83703

[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	200-RES LOT OR TRACT	1.117	\$91,200	MARKET
Primary	410-RES IMPROVEMENT	0.000	\$111,100	COST

Total Assessed Value: \$202,300

Parcel Valuation History

Assessed value for year 2004 \$202,300
 Assessed value for year 2003 \$202,300
 Assessed value for year 2002 \$193,900
 Assessed value for year 2001 \$145,100
 Assessed value for year 2000 \$145,100

Ada County Links

- Ada County Home Page
- Commissioners
- Treasurer
- Clerk/Auditor/Recorder
- Development Services
- Human Resources

Property Characteristics

Residential
 Land

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63-04651
Jacqueline J. Poore

POU

~~POD~~



63-4651

Jacqueline J. Poore

Part of POU



63-4651
Michael Eddy
Pump Data

LI	477P	SA
REMOVALLY PROTECTED	CST36ABN	SA
MOTOR MOD	C56M2P104	SER 6D8T
VOLTS 230	367R	HP 2
		PH 1 CODE J
PM 3450	FR 56Y	HZ 60
WAX LOAD	AMPS 12	SF 1.1
INSUL CLASS	AMB 40 °C	CONT. DUTY
TYPE UAC	MFG BY A.O. SMITH CORP.	TIPP CITY OHIO

CAUTION

DO NOT OPERATE MOTOR WITHOUT CONNECTING GROUND
WIRE TO GREEN GROUNDING SCREW
DO NOT CONNECT TO A POWER SOURCE OTHER THAN THAT

To

To all to Whom these Presents shall come, GREETING:

Mander

Homestead Certificate No. 13

APPLICATION 135

Whereas, There has been deposited in

the General Land Office of the United States a Certificate of the Register of the Land Office at Boise City, Idaho Territory, whereby it appears that, pursuant to

the Act of Congress approved 20th May, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the Acts supplemental thereto, the claim of

the Act of Cong
Acts supplement
has been establ

Joseph I. Rhodes

Lots 4

town

Boise

mine

Northwest quarter of the Southeast quarter and the Lots numbered two and three, of Section twenty-four, in Township four, North of range one, East, in the district of lands subject to sale at Boise City, Idaho Territory, containing one hundred and twenty-seven acres and twenty hundredths of an acre.

according to the
Now for

According to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General, Now Know Ye, that there is, therefore, granted by the UNITED STATES unto the said

Joseph I. Rhodes

the tract of land above described:

To Have and to Hold the said tract of land with the appurtenances thereof, unto the said

Joseph I. Rhodes

To Have

and to

manufacturing

recognized and

for of a vein or

hereby granted

In Testi

have caused the

heirs and assigns forever, subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws and decisions of Courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises so granted, as provided by law.

In Testimony Whereof, I

W. L. Cady

President of the United States of America,

have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the

day of June

in the year of our Lord one thousand eight

hundred and twenty-five

and of the Independence of the United

States the one hundred and

ninety-ninth

By the President:

W. L. Cady

Secretary

Secretary

J. A. Lippincott

Recorder of the General Land Office



Recorded, Vol. 1

Page 61

State of Idaho,

ss.

I hereby certify that this instrument was recorded at the request of

County of

Ada

Edward L. Schorn

120

Boise, P. M., this

31st

day of

August

1903

W. L. Cady

Recorder

by Charles L. Stewart

Deputy

State of

County of

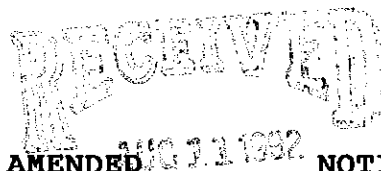
at 11/2

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: A63-04651
Date Received: 8/ 8/1989
Receipt No: C009168
Received By: _____



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

AMENDED

Department of Water Resources
1. Name: ADICE M. FLAVELLE
Address: 5200 NAVAHO WAY
BOISE ID 83702

208-342-2067

2. Date of Priority: JUL 1, 1965

3. Source: UNNAMED STREAM Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	01E	24	NE	SE	SW		ADA

5. Description of diverting works:
2HP MOTOR AND PUMP WITH SPRINKLER SYSTEM.

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	.03	
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 21.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC FOR 1 HOUSEHOLD, LAWN & GARDEN, STR. TO ⁵ ~~30~~ HEAD/MIXED.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	01E	24	NE	SW		DOMEST	
			NE	SW		STOCK	

A63-04651

Page 1

Date: 08/05/92

MICROFILMED
JUL 25 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01E	24	NE	SW		IRR	6.0

Section Acres 6.0

Total Acres 6.0

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:
N/A

14. Remarks:
FLAKE SUBDIVISION #2, LOT 12 AND ADJOINING 5 ACRES

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments:

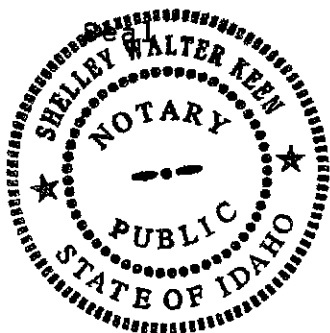
For Individuals:

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

Signature of Claimant(s): Date:
 Date:

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 5th day
of August 1992 Shelley Walter Keen
Notary Public



Residing at Boise, ID
My Commission Expires 7/31/97

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: A63-04651
Date Received: 8/08/1989
Receipt No: C009168
Received By: JSJ

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ALICE M. FLAVELLE 208-342-2067
Address: 5200 NAVAHO WAY
BOISE, ID 83702

2. Date of Priority: JUL 01, 1965

3. Source: UNNAMED STREAM Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01E	24	NE	SE	SW		ADA

5. Description of diverting works:
2HP MOTOR AND PUMP WITH SPRINKLER SYSTEM.

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		
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 21.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC FOR 1 HOUSEHOLD, LAWN & GARDEN, STK. TO 50 HEAD/MIXED.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01E	24	SE	SW		DOMEST	

A63-04651

Page 1

Date: 08/08/89

MICROFILMED
AUG 20 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01E	24	SE	SW		STOCK	
			SE	SW		IRR	6.0
						Section Acres	6.0
						Total Acres	6.0

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:
N/A

14. Remarks:
FLAKE SUBDIVISION #2, LOT 12 AND ADJOINING 5 ACRES

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

SUSAN M. GRAHAM
ATTORNEY AT LAW
104 South Capitol Blvd.
Boise, Idaho 83702

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 No. 39576
Identification No. RL63-04651
Date Received 8/8/1989
Receipt Number 5009168

NOTICE OF CLAIM TO A WATER RIGHT

Acquired under State Law

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25.00

1. Name of Claimant: Alice M. Flavelle, individually as as the widow, and sole heir of HARRY FLAVELLE.

Phone: 208-342-2067.

Mailing Address: 5200 Navaho Way, Boise, Idaho 83702

2. Date of Priority (only one per claim). July 1, 1965

3. Source of water supply: unnamed stream which is a tributary to the Boise River, in Ada County.

4. Location of point of diversion is: SE 1/4 SW 1/4, Sec. 24, Twp. 4N Rge. 1E, B.M., County of Ada.

Additional points of diversion: 2 HP motor with sprinkler system.

5. Description of existing diversion works (Ditches, wells, pumps, pipelines, headgate, Etc.) including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.

MICROFILMED

AUG 20 1992

See response to 4 above.

6. Water is claimed for the following (limited to domestic and/or stockwater only.):

For: Domestic and stockwater
From: March 15 to November 15
Amount: 0.12 cfs

7. Total amount claimed 0.12 cfs.

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. Domestic use for lawns, home use for washing, stockwater for a few animals as permitted by the county planning and zoning.

10. Place of use is: Township 4N, Range 1E, Section 24, SE 1/4, SW 1/4, County of Ada. For Domestic and Stock use.

11. In which county are lands listed above as place of use located? Ada.

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

13. Describe any other water rights used at the same place and for the same purposes as described above. None.

14. Remarks: Please see the attached Claim to a Water Right dated May 3, 1979, and the Deed of Distribution by Personal Representative dated August 1, 1986, both attached as Exhibits A and B respectively, and incorporated by reference herein.

Note that four notices were received by the claimant. They had the following numbers in Ada County: 1600, 4828, 7359, and 7360.

15. Basis of Claim: Beneficial use.
Claim Number 63-4651, Department of Water Resources, Western Region.

16. I do solemnly swear or affirm that the statements contained in the foregoing documents are true and correct.

Dated this 8th day of August, 1989.

Alice M. Flavelle
Alice M. Flavelle

MICROFILMED
AUG 20 1992

STATE OF IDAHO)
 : ss.
County of Ada)

Subscribed and sworn (or affirmed) before me this 8th day of
August, 1989.

Nancy J. Ketch
Notary Public in and for
The State of Idaho
Residing at Boise, Idaho
My commission expires 8-29-94

MICROFILMED

AUG 20 1992

8644923

DEED OF DISTRIBUTION
BY PERSONAL REPRESENTATIVE

THIS DEED, made by ALICE M. FLAVELLE, as Personal Representative of the Estate of Harry Flavelle, deceased, Grantor, to Alice M. Flavelle Grantee, whose address is 5200 Navaho Way, Boise, Idaho 83703.

WHEREAS, Grantor is the qualified personal representative of said estate, filed as Probate Number 3P-10784, in Ada County, Idaho; and

WHEREAS, Grantee is entitled to distribution of the hereinafter described real property;

THEREFORE, FOR VALUABLE CONSIDERATION RECEIVED, Grantor conveys and releases to Grantee the real property located in Ada County, Idaho, with all appurtenances, described in Exhibit "A" which is attached to and incorporated by reference herein.

EXECUTED this 1st day of August, 1986.

Alice M. Flavelle
Alice M. Flavelle
Personal Representative
of the Estate of
Harry Flavelle, deceased.

STATE OF IDAHO)

: ss

COUNTY OF ADA)

On this 1st day of August, 1986, before me, a notary public in and for said State, personally appeared Alice M. Flavelle, known to me to be the PERSONAL REPRESENTATIVE and person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Keray A. Wells
Notary Public
In and for the State of Idaho
Residing at Boise, Idaho.

MICROFILMED

AUG 20 1992

EXHIBIT B

EXHIBIT "A"

A tract of land in Section 24, Township 4 N. R. 1 EB.M., Ada County, Idaho, more particularly described as follows:

Beginning at the Southwest corner of Lot 15, Block 1, Flake Country Subdivision, according to the official plat thereof on file in the Ada County Recorder's Office, Boise, Idaho, thence N. 69°36' 43" E. (same as 69°14' E. on said subdivision plat) along the Southerly boundary of said subdivision 166.06 feet to a steel pin; thence N. 68°11' 43" E. (same as N. 67°49' E. on said subdivision plat) along the Southerly boundary of said subdivision 429.66 feet to a steel pin; thence S. 46°50' 17" E. (same as S. 47°13' E. on said subdivision plat) 144.09 feet to a point; thence S. 35°37' W., 684.73 feet to a point; thence N. 54°23' W., 359.00 feet to a point; thence N. 7°42' E. along an existing fence line, 230.77 feet to the place of beginning

Together with all water, ditch and lateral rights thereon or used in connection therewith. Subject to roadway easement over the following described property.

Beginning at the Southwest corner of Lot 12, Block 2, Flake Country Subdivision, according to the official plat thereof on file in the Ada County Recorder's Office, Boise, Idaho, thence S. 54°23' E., 314.53 feet to a point; thence S. 35°37' W., 50.00 feet to a point; thence N. 54°23' W., 340.39 feet to a point; thence N. 0°18' 43" E., 5.54 feet to a point on the Southerly boundary of said subdivision; thence N. 68°11' 43" E., (same as N. 67°49' E. on said subdivision plat) along the Southerly boundary of said plat 53.97 feet to the place of beginning.

MICROFILMED
AUG 20 1992

Ada County, Idaho, ss
Request of

Susan Graham

TIME 3:54P M

DATE 8-5-84

JOHN BASTIDA

RECORDER

By *D. D. Renteria*
Deputy

4.00

Alice M. Flavelle
5200 Navaho Way
Boise, Idaho 82702

August 8, 1989

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

Re: Water Claim

Please accept my claim for a water right that is enclosed with this letter. In addition I am including the ~~\$25.00~~ filing fee.

If you have any questions, please contact me at the above address. *\$56.00 per*

Sincerely

Alice M. Flavelle

Alice M. Flavelle

Enc. Claim for water right
Check for ~~\$25.00~~

\$56.00 per

Rcpt # C009168
8/8/1989

MICROFILMED

AUG 20 1992

03/07/2006

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

RIGHT NUMBER: 63-4651

NAME AND ADDRESS: MICHAEL J EDDY
7988 W ARAPAHO CT
GARDEN CITY ID 83714

STEPHANIE J EDDY
7988 W ARAPAHO CT
GARDEN CITY ID 83714

ALICE M FLAVELLE
5300 NAVAHO WAY
BOISE ID 83702

SOURCE: LAKE ELMORE

TRIBUTARY: BOISE RIVER

QUANTITY: 0.060 CFS

PRIORITY DATE: 01/01/1946

POINT OF DIVERSION:

T04N R01E S24 SESE Lot 1 Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
DOMESTIC	01/01 12/31	0.020 CFS
IRRIGATION	03/01 11/15	0.020 CFS

Domestic use is for 1 home and does not include lawn, garden, landscape,
or other types of irrigation.

PLACE OF USE: IRRIGATION Within ADA County

T04N R01E S24 Lot 3 NESW 0.80

STOCKWATER Within ADA County

T04N R01E S24 Lot 3 NESW

DOMESTIC Within ADA County

T04N R01E S24 Lot 3 NESW

0.8 ACRES TOTAL

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

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

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

PROPERTY IS ALSO KNOWN AS LOT 12, BLK 2, FLAKE COUNTRY
SUBDIVISION.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

Stockwater use is for 5 head of mixed stock.

PARCEL NO: R2854100130.

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

In Re SRBA

Case No. 39576

Water Rights: 63-4651

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following administrative proceeding:

☐ Address change

XX Substitution of Party

☐ IC § 42-222 transfer

☐ Point of diversion

☐ Place of use

☐ Period of use

☐ Nature of use

☐ Split of water right

☐ Change in ownership

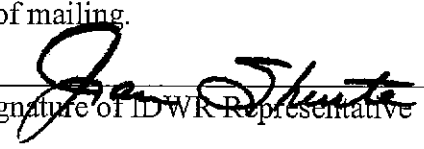
☐ Other

☐ IC § 42-219 license

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

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

DATED: March 10, 2006



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on March 10, 2006, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

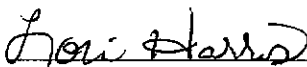
3. Copies to all parties to the subcase:

Michael J Eddy
Stephanie J Eddy
7988 W Arapaho Ct
Garden City ID 83714

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Alice Flavelle
5200 Navaho Way
Boise ID 83702

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2755 Airport Way, Boise, Idaho 83706-5682 (208) 334-2190

FAX (208) 334-2348

DEREK BATHFORD
Governor

KARL J. DRECHER
Director

March 10, 2006

Re: Water Right No. 63-4651

MICHAEL J EDDY
STEPHANIE J EDDY
7988 W ARAPAHO CT
GARDEN CITY ID 83714

Dear Mr. & Mrs. Eddy:

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

If you have any questions concerning the enclosed water right, please feel free to contact this office.

Sincerely,

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region Office

LH:1
Enclosures

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

RECEIVED

OCT 18 2005

WATER RESOURCES
WESTERN REGION

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	A-63-4651				

RECEIVED

NOV 04 2005

WATER RESOURCES
WESTERN REGION

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)

Alice Flanella
5200 Nampa

4. New Owner/Claimant(s)

Michael J. and Stephen J. Eddy
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

7955 W. Apache Ct.

City, State and ZIP Code

Garden City, Idaho 83714

New Telephone Number

208 853-8300

5. Date you acquired the property

5/27/05



104065867

QUITCLAIM

I, Jacqueline J. Poore, whose address is 5200 North Navaho Way, Garden City, Idaho 83714, (the "Grantor"), for One Dollar (\$1.00) consideration paid, grant to Michael J. Eddy and Stephanie J. Eddy, Husband and Wife, whose address is 7988 West Arapaho Court, Garden City, Idaho 83714, with QUITCLAIM COVENANTS, a certain parcel of land with the buildings thereon, situated at 5200 North Navaho Way, Garden City, Idaho 83714, more particularly bounded and described as follows:

Lot 12 in Block 2 of Flake Country Subdivision,
according to the official plat thereof, filed in Book
19 of Plats at Page 1264, records of Ada County,
Idaho.

There is expressly excluded from this conveyance, and the Grantor does hereby reserve for herself, the full use, control, income, and possession of all the premises for the remainder of her life. The Grantor shall not have the power to sell, mortgage, exchange, or dispose of the premises. The interest reserved in this paragraph is hereinafter referred to as the "Life Estate." The Life Estate may be terminated only by the death of the Grantor or by an instrument of release, executed by the Grantor or Grantor's legal representative in a form suitable for recording and delivered to Grantee, at 7988 West Arapaho Court, Garden City, Idaho 83714.

The Grantor hereby agrees that during the Life Estate, she will do the following at her own cost and expense:

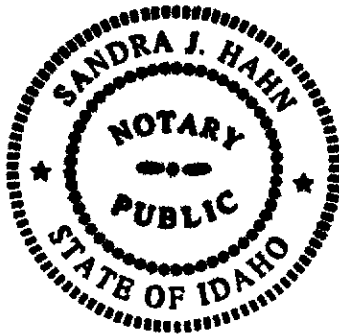
1. Keep the buildings on the premises insured against loss or damage by fire in an amount sufficient to avoid being deemed a coinsurer and naming Grantee, as the additional insured;
2. Pay all real estate taxes assessed on the premises, and if the expiration of the Life Estate is on a date other than at the commencement or expiration of any fiscal year, the taxes in such year all be apportioned between the Grantor and Grantee;
3. Keep premises in substantially such repair, order, and condition as the same are in on the date hereof, reasonable use and wear excepted.

WITNESS, my hand and seal this 27th of May, 2004.

Jacqueline J. Poore, Grantor

State of Idaho)
)
County of Ada)

On this 27th day of May, 2004, personally appeared before me,
Sandra J. Hahn and satisfactorily proved to me to be the signer
of the above instrument



Sandra J. Hahn
Notary Public
My commission expires April 21 2009

FLAKE COUNTRY SUBDIVISION

A PORTION OF THE N2 S2 SEC. 24, T4N, R1E., B.M.
ADA COUNTY, IDAHO.

TOOTHMAN & ASSOCIATES CONSULTING ENGINEERS

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

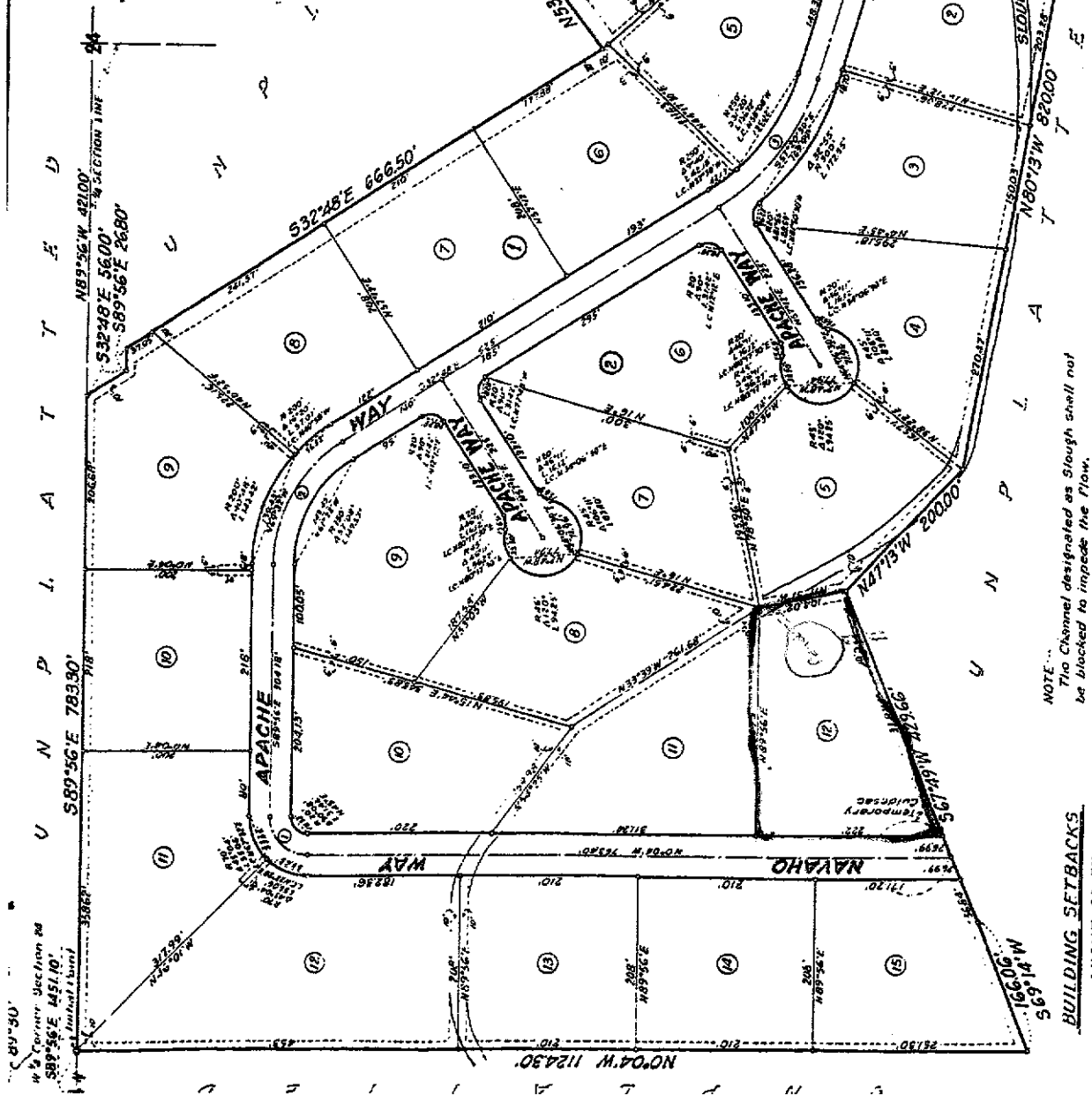
0 50 100 150 200 300 FEET
SCALE

This sketch is for location purposes
only. The Company assumes no
liability for violations.

FRONTIER TILE COMPANY

of Ada County

CAPITOL TILE COMPANY
30 Ninth Street
BOISE, IDAHO



NOTE...
The Channel designated as Slough shall not
be blocked to impede the flow.

- LEGEND -

- Initial Point
- Angle Points on Boundary - $\frac{1}{8}$ " x 30" Iron Bars
- All other Points - $\frac{1}{2}$ " x 28" Iron Bars.
- Utility and Drainage Easement
- ① Lot Number
- ② Block Number

CURVE DATA & OF ROAD

CURVE NO.	RADIUS	ANGLE	TANGENT LENGTH
1	45'	90°08'	45.10'
2	175'	37°08'	95.78'
3	775'	41°00'	102.82'
4	125'	39°05'	41.37'
5			85.27'

BUILDING SETBACKS

FRONT 20 FT.
REAR 20 FT.
SIDE 5 FT.

5200 Navaho
Lot 12 Block 2 Flake Country Subdivision

Chain of title

1989 Approx. - Flavelle to Ron and Nancy Davis

1994 Approx. - Ron Davis (divorce) to Nancy Davis

4-27-95 - Nancy Davis to Michael and Stephanie Eddy

12-31-96 - Michael and Stephanie Eddy to Jacqueline Poore ½ interest

4-14-97 - Jacqueline Poore to Michael and Stephanie Eddy ½ interest

4-23-97 - Michael and Stephanie Eddy to Jacquiline Poore

5-27-04 - Jacqueline Poore (reserving life estate) to Michael and Stephanie Eddy

Title insurance was last obtained from Stewart Title on 10/31/2001 when Poore refinanced.

Jacqueline Poore is mother of Stephanie Eddy.

97031146

ADA CO. RECORDER
J. DAVIS
BOISE ID
PIONEER TITLE

PIONEER TITLE COMPANY
OF ADA COUNTY

821 West Sunnyside / Boise, Idaho 83702-3836 / Telephone (208) 333-8700

APR 23 PM 3 48
FEE \$10.00
REC'D

P-130342 80/88

Read out Approved

WARRANTY DEED
(INDIVIDUAL)

FOR VALUE RECEIVED MICHAEL J. EDDY and STEPHANIE J. EDDY, Husband and Wife

Grantor a do hereby grant, bargain, sell and convey unto JACQUELINE J. POORE, an Unmarried Person

the Grantee, whose current address is: 5250 Nevada, Boise, ID 83703
the following described real property in ADA County, State of Idaho, more particularly described as follows, to wit:
Lot 12 in Block 2 of FLAKE COUNTY SUBDIVISION, according to the plat thereof filed in Book 19 of Plats at Page 1264, records of Ada County, Idaho.

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

Done: *April 22 1997*
Michael J. Eddy *Stephanie J. Eddy*
By *Michael J. Eddy* His Attorney In Fact

STATE OF Idaho County of Ada

On this *22nd* day of *April*, in the year of 1997, before me, *Sheriot Allen*, a Notary Public, per-
sonally appearing *Stephanie J. Eddy*,
known to me to be the person whose name is subscribed to the within instrument, and
acknowledged to me that she executed the same.



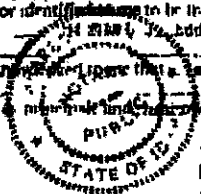
Notary Public: *Sheriot Allen*
Residing at Boise, Idaho
My Commission Expires On 12/31/2001

ACKNOWLEDGMENT - Attorney in Fact

STATE OF Idaho, County of Ada, ss.

On this 12th day of April, in the year of 1997, before me
personally appeared Shirley Riden, a notary public
known or identified to be the person whose name is subscribed to the within instrument as the attorney in
fact of Michael J. Eddy

and acknowledged that s/he subscribed the name of Michael J. Eddy
therein as attorney in fact.



Notary Public: Shirley Riden

Residing at: Boise, Idaho

My Commission Expires: 11/23/2001

QUITCLAIM DEED

For Value Received

JACQUELINE J. POORE, AN UNMARRIED PERSON

do hereby convey, release, remise and forever quit claim unto

MICHAEL J. EDDY AND STEPHANIE J. EDDY, HUSBAND AND WIFE

whose current address is 7988 W. ARAPAHO CT.
BOISE, IDAHO 83701

the following described premises, to-wit:

LOT 12 IN BLOCK 2 OF FLAKE COUNTRY SUBDIVISION,
ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED IN
BOOK 19 OF PLATS AT PAGE 1264, RECORDS OF ADA COUNTY,
IDAHO.

97020257

ADA CO. RECORDER
J. DAVID JAVACHO
BOISE ID
'97 APR 14 PM 3:40
FEE 3.00
RECORD DATE 11/1/97

together with their appurtenances.

Dated: APRIL 12, 1997

Jacqueline J. Poore
JACQUELINE J. POORE

STATE OF IDAHO, COUNTY OF
On this 12th day of April, 1997,
before me, a notary public in and for said State, personally
appeared

Jacqueline J. Poore

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that she executed the same.

Michael C. Donnelly
Notary Public
Boise, Idaho
Residing at
Comm Expires 4/6/2002

Recorded by the American Land Title Co

QUITCLAIM DEED

For Value Received

MICHAEL J. EDDY AND STEPHANIE J. EDDY, HUSBAND
AND WIFE

do hereby convey, release, remise and forever quit claims unto

JACQUELINE J. POORE, AN UNMARRIED PERSON

whose current address is 5724 LYNNWOOD PLACE, BOISE, IDAHO 83704

AN UNDIVIDED 1/2 INTEREST IN

the following described premises, to-wit:

LOT 12 IN BLOCK 2 OF FLAKE COUNTRY SUBDIVISION, ACCORDING
TO THE OFFICIAL PLAT THEREOF, FILED IN BOOK 19 OF PLATS
AT PAGE 1264, RECORDS OF ADA COUNTY, IDAHO.

96106594

ADA CO. RECORDER
J. DAVID HAYARR
BOISE ID

96 DEC 31 PM 12 08

FEE 3.00 DE
RECORDED AT THE

together with their appurtenances.

Dated: DECEMBER 31, 1996.

MICHAEL J. EDDY

STEPHANIE J. EDDY

STATE OF IDAHO, COUNTY OF .

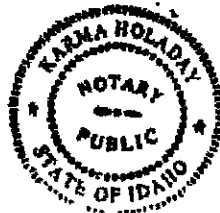
On this 31st day of Dec., 1996,
before me, a notary public in and for said State, personally
appeared

Michael J. Eddy
Stephanie J. Eddy

known to me to be the persons whose names
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Notary Public

Residing at
Comm. Expires July 2000



NOT RECORDED
P.A. NOT BY
PHONE 116 1210
ENTER 1160
117 1210 1171

QUITCLAIM DEED

For Value Received

NANCY K. DAVIS, an unmarried person

do hereby convey, release, remise and forever quit claims unto

MICHAEL J. EDDY AND STEPHANIE J. EDDY, husband and wife

whose current address is 7988 W. ARAPAHO CT.
BOISE, IDAHO 83703

the following described premises, to-wit:

LOT 12 IN BLOCK 2 OF FLAKE COUNTRY SUBDIVISION, ACCORDING TO
THE OFFICIAL PLAT THEREOF, FILED IN BOOK 19 OF PLATS AT PAGE
1264, OFFICIAL RECORDS OF ADA COUNTY, IDAHO.

96081860

Michael Eddy
ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

'96 OCT 1 PM 1 38-

FEE *For* DEL *Navarro*
RECORDED IN THE REQUEST OF

together with their appurtenances.

Dated: OCTOBER 1, 1996

Nancy K Davis
NANCY K. DAVIS

STATE OF IDAHO, COUNTY OF *ADA*
On this *1st* day of *OCT*, 19*96*,
before me, a notary public in and for said State, personally
appeared

NANCY K. DAVIS

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that *she* executed the same.

Notary Public
Notary Public
Boise
2-12-99

6793 GENERAL
P.O. BOX 3255
BOISE 83703-0255
BOISE, IDAHO
817 600 8707

1671001026

QUITCLAIM DEED

FOR VALUE RECEIVED, RONALD K. DAVIS, Grantor, does hereby convey, release, remise and forever quitclaim unto NANCY K. DAVIS, the Grantee, whose address is 5200 Navaho, Boise, Idaho 83714, the following described premises, to wit:

Lot 12, Block 2, FLAKE COUNTRY
SUBDIVISION, records of Ada County,
Idaho.

together with their appurtenances.

Dated: 5-15-95


RONALD K. DAVIS

STATE OF IDAHO

County of Ada

On this 15th day of May, 1995, before me, a Notary Public in and for said State, personally appeared RONALD K. DAVIS, known to me to be the person whose name is subscribed to the within and foregoing instrument, and acknowledged to me that he executed the same.

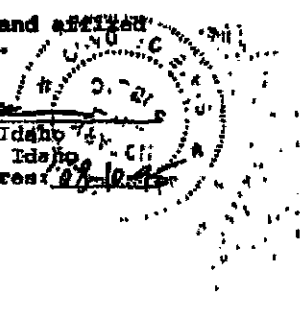
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

95034249

ALL: J. RECHNER
J. DAVIS, GRANTOR
BOISE ID

'95 MAY 11 PM
FEE 3.00
RECORDED


NOTARY PUBLIC for Idaho
Residing at Boise, Idaho
Commission Expires: 08-10-95



31019

9003751

DEED OF DISTRIBUTION
BY PERSONAL REPRESENTATIVE

THIS DEED, made by Alice M. Flavelle, as Personal Representative of the Estate of Harry Flavelle, deceased, and Alice M. Flavelle, individually, Grantor, to Ronald K. Davis and Mary K. Davis, husband and wife, Grantees, whose address is 5200 Navaho, Boise, Idaho.

WHEREAS, Grantor is the qualified Personal Representative of said estate, filed as Probate Number 3P-10784, in Ada County, Idaho; and acting in her capacity as a single woman dealing with her sole and separate property, and

1184001644

WHEREAS, Grantee is entitled to distribution of the hereinafter described real property:

THEREFORE, FOR VALUABLE CONSIDERATION RECEIVED, Grantor conveys and releases to Grantees the following described real property in Ada County, Idaho:

Lot 12 in block 2 of Flake Country Subdivision, according to the official plat thereof, filed in book 19 of plats at page 1264, Records of Ada County, Idaho with all appurtenances.

Executed this 19th day of January, 1990.

Ada County, Idaho to
Request of
Lawyer's Title

TIME 3:16 P.M.

DATE 1-22-90

JOHN BASTON

RECORDED

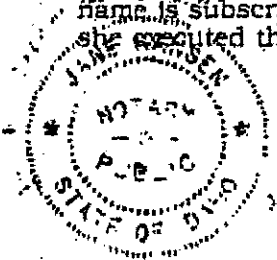
302

STATE OF IDAHO)

: ss.

COUNTY OF ADA)

On this 19th day of January, 1990, before me, a notary public in and for said State, personally appeared Alice M. Flavelle, as Personal Representative for the Estate of Harry Flavelle, and individually, and whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



Alice M. Flavelle
Alice M. Flavelle, Personal Representative
Personal Representative of the Estate of Harry Flavelle, Deceased

Alice M. Flavelle
Alice M. Flavelle

Jane R. Hamann
Notary Public for Idaho;
Residing at Boise, Idaho.
Comm. Exp. 6-22-95

RECEIVED

NOV 04 2005

WATER RESOURCES
WESTERN REGION

Michael E. Eddy
7988 W. Arapho Court
Garden City, Idaho 83714

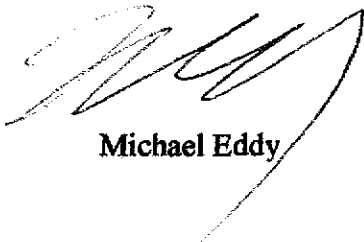
Adjudication Staff
Department of Water Resources
Western Region

November 3, 2005

I am in receipt of your letter dated October 18, 2005. Attached please find the revised application including copies of all deeds of record from Flaville to Davis, Davis to Eddy, Eddy to Poore, and Poore to Eddy. Again please remember that Jacqueline Poore is my wife's mother.

If you need further information, let me know.

Thank You,

A handwritten signature in black ink, appearing to be 'ME', with a long, sweeping underline that extends to the right.

Michael Eddy



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

October 18, 2005

Micheal and Stephanie Eddy
7988 Arapaho Ct
Garden City, ID 83714

Dear Waterusers:

This office has received the **Notice of Change of Water Right Ownership** form submitted to our office. However, due to the items below, we cannot continue to process this ownership change. We are returning the Notice of Change of Ownership to you to **COMPLETE OR RESEARCH ONLY THE FOLLOWING ITEM(S)**. We also received check number 4195 in the amount of \$25; however, we are returning it to you also, as the ownership change fee is not required for this particular water right claim. This claim has not yet been decreed by the SRBA Court.

Proof of Chain of title is needed. This proof should be a copy of the warranty deed in Jacqueline Poore's name which includes a description of the property by ¼ ¼, Section, Township and Range. This is required in addition to the Quitclaim Deed you have already submitted.

Please complete the above item(s), and return it to the Department of Water Resources, Western Region Office, 2735 Airport Way, Boise, ID 83705. If we do not hear from you within 30 days, the claim upon which this form was filed (if one exists), will remain in the original owner's name.

Feel free to contact this office if you have questions concerning this letter.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

LG: lg

Enclosures

**Michael E. Eddy
7988 W. Arapho Court
Garden City, Idaho 83714**

RECEIVED
OCT 18 2005
WATER RESOURCES
WESTERN REGION

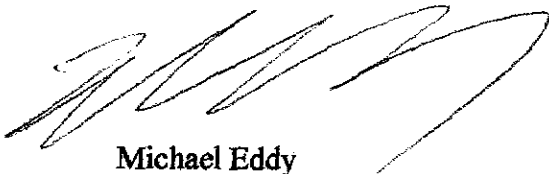
Adjudication Staff
Department of Water Resources
Western Region

October 14, 2005

I am in receipt of your notice relating to claim A63-4651. I have attached a schedule showing the chain of title from Flavelle to Eddy/Poore. I have also attached a copy of the Deed from Poore to Eddy wherein Poore reserved a life estate. Please note that Jacqueline Poore is Stephanie Eddy's mother.

If you need further information, let me know.

Thank You,



Michael Eddy

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

RECEIVED
DEC 22 2005
DEPARTMENT OF
WATER RESOURCES

RETURNED TO SENDER
UNDELIVERABLE AS ADDRESSED -
NO FORWARDING ORDER ON FILE

RETURNED TO SENDER
UNDELIVERABLE AS ADDRESSED -
NO FORWARDING ORDER ON FILE

Re: Notice of Filing of
Director's Report

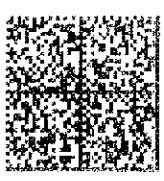
[Handwritten signature]

ALICE M FLAVELLE
5200 NAVAHO WAY
BOISE ID 83702
63-4651

RECEIVED
DEC 23 2005
WATER RESOURCES
WESTERN REGION

4 n 1 e

FIRST CLASS



UNITED STATES POSTAGE
02 1A
004510839 DEC 16 2005
\$ 00.83
MAILED FROM ZIP CODE 83720



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 27, 2005

MICHAEL EDDY
7988 W ARAPAHO CT
BOISE ID 83714-6604

RE: NOTICE OF CLAIM NO(S): A63-4651

Dear Claimant(s):

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

**ALICE FLAVELLE
5200 NAVAHO WAY
BOISE ID 83702**

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

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

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region

LH:1
Enclosures

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

FIRST CLASS



UNITED STATES POSTAGE
02 1A
\$00
0004389393 JUN 01
MAILED FROM ZIP CODE

NO ADDRESS
FOUND



UNDELIVERABLE AS ADDRESSED-
NO FORWARDING ORDER ON FILE

ALICE M FLAVELLE
5200 NAVAHO WAY
BOISE ID 83702



UNDELIVERABLE AS ADDRESSED-
NO FORWARDING ORDER ON FILE

Michael Eddy
7988 W. Arapahoe
83714-6604

ADDRESS SERVICE
REQUESTED

RECEIVED
JUN 10 2005
WATER RESOURCES
WESTERN REGION

Handwritten signature

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

RIGHT NUMBER: 63-4651

NAME AND ADDRESS: ALICE M FLAVELLE
5200 NAVAHO WAY
BOISE ID 83702

SOURCE: LAKE ELMORE

TRIBUTARY: BOISE RIVER

QUANTITY: 0.060 CFS

PRIORITY DATE: 01/01/1946

POINT OF DIVERSION:

T04N R01E S24 SESE Lot 1 Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
DOMESTIC	01/01 12/31	0.020 CFS
IRRIGATION	03/01 11/15	0.020 CFS

Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

PLACE OF USE:

STOCKWATER Within ADA County

T04N R01E S24 Lot 3 NESW

DOMESTIC Within ADA County

T04N R01E S24 Lot 3 NESW

IRRIGATION Within ADA County

T04N R01E S24 Lot 3 NESW 0.8

0.8 ACRES TOTAL

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

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

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

EXPLANATORY MATERIAL: Beneficial Use

PARCEL NO: R2854100130.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

PROPERTY IS ALSO KNOWN AS LOT 12, BLK 2, FLAKE COUNTRY
SUBDIVISION.

Stockwater use is for 5 head of mixed stock.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4651

WATER RIGHT NUMBER: 63-4651 ✓

Owner Type

Current Owner

Name and Address

ALICE M FLAVELLE ✓
5200 NAVAHO WAY
BOISE, ID 83702
(208)342-2067

Original Owner

HARRY FLAVELLE
5200 NAVAHO WAY
BOISE, ID 83702

Current Owners:

Michael J. Eddy
7988 W. Arapaho Way
Boise 83714

Priority Date: 07/01/1905 ✓ 1946

Basis: ~~Statutory Claim~~

Beneficial Use

Status: Active

Source~~UNNAMED STREAM~~

Lake Elmore

Tributary

BOISE RIVER ✓

Beneficial Use

STOCKWATER ✓

From To

1/01 to 12/31 ✓

Diversion Rate

0.020 CFS ✓

Annual Volume

(Internal only) DOMESTIC ✓

1/01 to 12/31 ✓

0.02 - 0.040 CFS ✓

IRRIGATION ✓

Change 3/15 to 11/15
3/1

0.02 - 0.120 CFS ✓

Total Diversion:

- 0.120 CFS ✓

0.06

Location of Point(s) of Diversion~~UNNAMED STREAM~~

Lake Elmore

~~NE 1/4 SE 1/4 SW 1/4~~ ✓

Sec. 24, Twp 04N, Rge 01E, B.M. ✓

ADA County ✓

SE SE

Gov't. lot 1

Place of Use

STOCKWATER ✓

Twp	Rge	Sec	NE	NW	SW	SE	Totals
✓ 04N	01E	24	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	
					X		
					L3		

✓ DOMESTIC

Twp	Rge	Sec	NE	NW	SW	SE	Totals
✓ 04N	01E	24	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	
					X		
					L3		

✓ IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE
-----	-----	-----	----	----	----	----

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4651

04N 01E 24	NE NW SW SE				NE NW SW SE				NE NW SW SE				NE NW SW SE				Totals
✓																	6.0
																	0.8
																	0.8
Total Acres: 6																	0.763 AC
																	0.8 AC

Conditions of Approval:Remarks:

1. General FLAKE SUBDIVISION #2, LOT 12 AND ADJOINING 5 ACRES

Comments:Dates and Other Information:

Claim Received Date: 8/8/1989
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

ADD WB5 - Domestic use is for 1 household & does not include use of lawn. head of mixed
ADD X02 - Stockwater use is for 5 mixed head of stock.

ADD 001 - Place of use is also known as lot 12, Blk. 2, Flake Country Subdiv.

ADD N09 & N14 - for domestic & stockwater use

ADD 003 - POD Accomplished Transfer
 Parcel No: R2854100130.

Idaho Department of Water Resources



**T04N, R01E,
S24**

Claim No: 63-04651

Prepared By: Kimberly Brown

Date: December 10, 2004



Place of Use



Section Lines

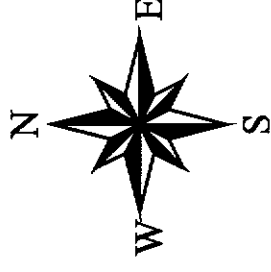


1/4 1/4



Point of Diversion

Acres Irrigated = 0.8



0.1 0 0.1 0.2 Miles



1987 NAPP

Field Exam Date 12.8.04

(in office)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$56.00
- ☐ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information Gov't. lots 1 & 3
- ☒ Check POD & POU overlap, see below - include overlapping right for exam
- ☒ Evidence of Priority - if none, talk with claimant

CLAIMANT INFORMATION - verify contact information is complete

Claim No(s) A63 - 4651
Owner: Alice Flavelle Phone No. (208) 342-2067
Current Address: 5200 Navajo Way

- ☐ No change NAME IS THE SAME
- ☒ NEW OWNER Michael J. Eddy & Stephanie Eddy
- ☐ No change Address
- ☒ NEW ADDRESS 7988 W. Anapaho Way Boise, 83714
- ☐ How long owned property?

Accompanied by: N/A

PRIORITY DATE

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

Priority date, per claimant, is: 7/01/1965

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

New owner, Michael Eddy, submitted an affidavit and various documents to substantiate a 1946 priority date (even though the house wasn't built until 1965 - irrigation of land was in use).

Source: Unnamed Stream Tributary to Boise River

- ☐ No Change - SAME SOURCE
- ☒ Source found is different than claimed: Lake Elmore

POINT OF DIVERSION

- ☐ No change
- ☒ POD found is different than claimed: Government lot 1
- ☐ If different, when did POD change?

Lake Elmore, not unnamed stream.

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

Lake Elmore -

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
	1		SE	SE	24	4N	1E		

Description of diverting works

2HP pump with sprinkler system.

OVERLAP REVIEW

Other water rights with the same point of diversion: 63-4651A

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

WATER USES

☐ No change

☐ Different Uses

Use Irrigation From 3/1 To 11/15 Amount 0.02 CFS AFA

Use Domestic From To Amount 0.02 CFS AFA

Use From To Amount CFS AFA

Season of use is 3/1 to 11/15. 0.8 AC
0.03 cfs
0.024 cfs

TOTAL VOLUME - Groundwater only

☒ Incomplete on claim, the total is, Amount CFS AFA

☒ Changes found, the new total is, Amount 0.06 CFS AFA

☒ More than 1" per Acre? Yes (claimant must complete excess flow sheet)

IDWR allows 0.03 cfs/acre & claimed acres are under 5 AC.

NON-IRRIGATION USES:

☐ No change

☐ Changes Exam found: Domestic # of homes 1 Stock # 5 head mixed stock

Types Additional comments:

PLACE OF USE:

☐ No Change

☒ Changes shown below:

↑ 0.03 cfs x 1.9835 x 260 days = 10.31
af/annum
surface water
volume N/A

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	1E	24									0.8								0.8
											13								

Overlap with other water rights: _____

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

Delivery System Narrative: Sprinkler system.

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

FLOW MEASUREMENTS: See Field Exam.

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS (OVER)

Domestic use is for 1 home & does not include irrigation of lawn.

Stockwater use is for 5 head of mixed stock.

Place of use is also known as lot 12, Blk. 2, Lake Country Subdivision.

POD Accomplished Transfer

The quantity decreed shall not exceed 13,000 for domestic and stockwater purposes & is not a determination of historical beneficial use.

Parcel No: R2854100130.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☒ Photographs of POD's and POU
- ☒ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 12.8.04 (in office review)

FIELD EXAMINER: Kimberly Brown



Land Records

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Property Details for Parcel R2854100130

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

General Information

Property Acres: 1.117
Zone Code: A
Primary Code Area: 06-3 Tax Districts
Group Type: SUB
Subdivision: FLAKE COUNTRY SUB
Section: 4N1E24

Property Description

LOT 12 BLK 2
 FLAKE COUNTRY SUB



Assessor Links

Property Address
 5200 N NAVAHO WAY
 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	200-RES LOT OR TRACT	1.117	\$91,200	MARKET
Primary	410-RES IMPROVEMENT	0.000	\$111,100	COST

Total Assessed Value: \$202,300

Parcel Valuation History

Assessed value for year 2004 \$202,300
Assessed value for year 2003 \$202,300
Assessed value for year 2002 \$193,900
Assessed value for year 2001 \$145,100
Assessed value for year 2000 \$145,100

Ada County Links

- [Ada County Home Page](#)
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Property Characteristics

Residential
 Land

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Land Records

Characteristics Detail

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- [Old interactive map](#)



Residential Characteristics 1 for Parcel "R2854100130"

Occupancy Date:	No Date Available
Year Built:	1965
Year Remodel:	0
Effective Age:	0
Construction Class:	4
Number of Bedrooms:	3
Number Bathrooms:	2.75
Number of Fireplaces:	1
Air Conditioning:	Y
Car Storage Sq Ft #1:	528
Car Storage Sq Ft #2:	0
General Purpose Building Sq Ft:	0
Porch Sq Ft:	350
Deck Sq Ft:	0
Deck Covered:	N
Patio Sq Ft:	480
Patio Covered:	Y
Pool Sq Ft:	0
Total Sq Ft:	1854
Main Floor Sq Ft:	1854
Upper Floor Sq Ft:	0
Finished Lower Floor Sq Ft:	0
Unfinished Lower Floor Sq Ft:	0
Finished Basement Floor Sq Ft:	0
Unfinished Basement Floor Sq Ft:	0
Finished Attic Sq Ft:	0
Unfinished Attic Sq Ft:	0

Assessor Links

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overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES ADJUDICATION CLAIM POU REVIEW REPORT ADJUDICATION CLAIM NUMBER: 63-4651

12/10/2004

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2406	Claim	04N	01E	24	NE	SW		IRRIGATION	20/29248	DRAINAGE DIST NO 2
1026A	Claim	04N	01E	24	NE	SW		IRRIGATION	0.5/1.1	LYNNE MARCUS
1026B	Claim	04N	01E	24	NE	SW		IRRIGATION	5.3/5.3	MICHAEL J EDDY
4265	Claim	04N	01E	24	NE	SW		IRRIGATION	0.4/0.5	LYNNE MARCUS
4651	Claim	04N	01E	24	NE	SW		IRRIGATION	6/6	ALICE M FLAVELLE
7972	Claim	04N	01E	24	NE	SW		IRRIGATION	1/1	MICKEY W MATTHEWS
10119	Claim	04N	01E	24	NE	SW		IRRIGATION	1/1	PATRICIA WARE
2406	Water Right	04N	01E	24	NE	SW		IRRIGATION	20/29248	DRAINAGE DIST NO 2
4026	Water Right	04N	01E	24	NE	SW		IRRIGATION	5/40	DENNIS E FLAKE
7838	Water Right	04N	01E	24	NE	SW		IRRIGATION	1/1	LYLE G SAXTON
7972	Water Right	04N	01E	24	NE	SW		IRRIGATION	1/1	MICKEY W MATTHEWS
10119	Water Right	04N	01E	24	NE	SW		IRRIGATION	1/1	RONALD WARE
1026B	Claim	04N	01E	24	NE	SW		STOCKWATER		MICHAEL J EDDY
4651	Claim	04N	01E	24	NE	SW		STOCKWATER		ALICE M FLAVELLE
'985A	Water Right	04N	01E	24	NE	SW		STOCKWATER		SUSANNE VADER
15473	Water Right	04N	01E	24	NE	SW		STOCKWATER		LYNNE MARCUS
19108	Water Right	04N	01E	24	NE	SW		STOCKWATER		SUSANNE VADER
1026B	Claim	04N	01E	24	NE	SW		WILDLIFE STORAGE		MICHAEL J EDDY
4651	Claim	04N	01E	24	NE	SW		DOMESTIC		ALICE M FLAVELLE
7838	Claim	04N	01E	24	NE	SW		DOMESTIC		LINDA R SAXTON
4533	Water Right	04N	01E	24	NE	SW		DOMESTIC		SALLY A MATTHEWS
'985A	Water Right	04N	01E	24	NE	SW		DOMESTIC		SUSANNE VADER
'985B	Water Right	04N	01E	24	NE	SW		DOMESTIC		LEROY SCHLAGEL
15401	Water Right	04N	01E	24	NE	SW		DOMESTIC		PATRICIA WARE
15450	Water Right	04N	01E	24	NE	SW		DOMESTIC		ROBERT R MALLIS
15451	Water Right	04N	01E	24	NE	SW		DOMESTIC		DEBORAH A MALLIS
15472	Water Right	04N	01E	24	NE	SW		DOMESTIC		CRAIG MARCUS
16224	Water Right	04N	01E	24	NE	SW		DOMESTIC		GEORGE ANN MORRIS

All cover different POUs.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-4651

12/10/2004

2

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
16271	Water Right	04N	01E	24	NE	SW		DOMESTIC		JOAN SCHLAGEL
16660	Water Right	04N	01E	24	NE	SW		DOMESTIC		DIANE D BINDER
19108	Water Right	04N	01E	24	NE	SW		DOMESTIC		SUSANNE VADER
19631	Water Right	04N	01E	24	NE	SW		DOMESTIC		HELEN M MORRISON
29736	Water Right	04N	01E	24	NE	SW		DOMESTIC		STEPHEN L CONKLIN
1026B	Claim	04N	01E	24	NE	SW		DIVERSION TO STORAGE		MICHAEL J EDDY
10969	Water Right	04N	01E	24	NE	SW	3	AESTHETIC		DIANE D BINDER
12104	Water Right	04N	01E	24	NE	SW	3	AESTHETIC STORAGE		LINDA G CONKLIN

overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-4651

12/10/2004

1

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-4651A	Claim	04N	01E	24	SE	SW		UNNAMED STREAM BOISE RIVER	MICHAEL J EDDY
63-9718	Claim	04N	01E	24	SE	SW		VILLAGE LAKE BOISE RIVER	RIVERSIDE VILLAGE HOMEOWNERS A
~~63-4651~~	~~Claim~~	~~04N~~	~~01E~~	~~24~~	~~SE~~	~~SW~~		~~UNNAMED STREAM BOISE RIVER~~	~~ALICE M FLAVELLE~~
~~63-4651~~	~~Water Right~~	~~04N~~	~~01E~~	~~24~~	~~SE~~	~~SW~~		~~UNNAMED STREAM BOISE RIVER~~	~~ALICE M FLAVELLE~~

63-4026B & 63-4651A both share the same POD with 63-4651; but are for different POU. No overlap.

ReceiptID	Amount	BasinNumber	SequenceNum	SplitSuffix	Type
C009168	56.00	63	4651		Claim

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). A63-04651

1. ~~No Change~~ NAME IS SAME
NEW OWNER: See doc in file
~~No Change~~ ADDRESS
NEW ADDRESS: _____

2. ~~No Change~~ - DATE OF PRIORITY: Completed evidence submitted
Incomplete - Claimant should be asked during the exam when was water first
used and submit proof of date of priority.

Priority date, per claimant, is: Aff. Dat. Submitted (see file)
(If the priority date, based on your exam, seems questionable, explain below.)

3. No Change — SAME SOURCE
Source is different than that claimed: Water comes from Lake Elmore into
unnamed (Stream or Drain) then runs
into Boise River.
Source found: Lake Elmore

4. No Change — POINT OF DIVERSION of Pump in unnamed stream - Drain?
Point of diversion is different than the claim and/or new P/D's: 2315643

Township 04N Range 01E Section 24 1/4 SE 1/4 SW NA 1387732
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ NA

5. No Change - DESCRIPTION OF DIVERTING WORKS
Incomplete description, list below:

2 HP Pump (see Photo) pipeline Sprinklers
A63-04026B, A63-04651 & A63-04651A All
use same pump

6. No Change - WATER USES

Different uses, (list uses found):

See remarks

Use	<u>Irr</u>	From		To		Amount	<u>.03</u>	CFS		AFA
Use		From		To		Amount		CFS		AFA
Use		From		To		Amount		CFS		AFA

7. No Change - TOTAL VOLUME

Incomplete on claim, the total is, Amount _____ CFS _____ AFA *need to cal*

Changes found, the new total is, Amount _____ CFS _____ AFA

8. No Change - NON-IRRIGATION USES:

Changes Exam found:

Domestic # of homes: 1 Stock # 5 List types: Mixed

Additional comments: _____

9. No Change - PLACE OF USE: (If changed, list below.)

Use:	_____ Township	_____ Range	_____ Section	_____ 1/4	_____ 1/4
Use:	_____ Township	_____ Range	_____ Section	_____ 1/4	_____ 1/4
Use:	_____ Township	_____ Range	_____ Section	_____ 1/4	_____ 1/4
Use:	_____ Township	_____ Range	_____ Section	_____ 1/4	_____ 1/4

Remarks: (Comments pertinent to field examination) See additional attachment

only one acre irrigated (claimant agreed) 5 head mixed stock

SYSTEM DIAGRAM INCLUDED

NA

Shown on GIS Layout

CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 7-30-2004

FIELD EXAMINER:

M. G. Gibson

Print Name

[Signature]

Signature

63-04651

Jacqueline J. Poore

POU

~~POD~~

Line 14 Poore



PER 008

HP

PH I CODE

HZ 60

SF

CONT

DOWN

WITH CORR

TIPP CITY
OHIO

GROUND

THAN THAT



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 26, 2003

ANGSTMAN LAW, PLLC
MINDY JOHNSON, PARALEGAL
3649 LAKEHARBOR LANE
BOISE ID 83703

RE: Snake River Basin Adjudication (SRBA) Claim Nos. 63-04026B, -4651, & -4651A

Dear Ms. Johnson,

As of March, I received your evidence of priority and made two additional copies in order to place a copy of the document in each of the three files.

Since a field investigation is required for these claims, one of our contractors, Mr. Gene Gibson, will be contacting your client within the next few weeks in order to schedule and conduct a field exam for all of the claims. Once I receive the completed field investigations from our contractor, I will be able to review each file and make recommendations to the Court.

Respectfully submitted,

A handwritten signature in cursive script that reads "Kimberly L. Brown".

Kimberly L. Brown
Senior Water Resource Agent
Adjudication Bureau

Cc
Stephanie and Michael Eddy
7988 W Arapaho
Boise ID 8370-6604

FAX: (208) 853-0117

WATER RESOURCES
WESTERN REGION

RECEIVED

MAR 26 2004

WATER RESOURCES
WESTERN REGION

T.J. Angstman
Wyatt B. Johnson
Angstman Law, PLLC
3649 Lakeharbor Lane
Boise, Idaho 83703
Telephone: (208) 384-8588
Facsimile: (208) 853-0117
Angstman ISB #5738
Johnson ISB #5858

ORIGINAL

Attorneys for Michael J. Eddy

In Re:

SNAKE RIVER BASIN ADJUDICATION

Claim No. A63-4651

Claim No. A63-4026B

Claim No. A63-4651A

AFFIDAVIT OF MICHAEL J. EDDY

STATE OF IDAHO)

)ss:
County of Ada)

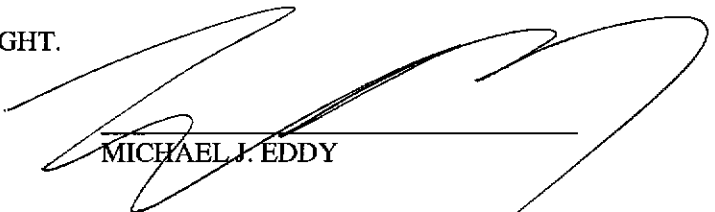
Michael J. Eddy, being first duly sworn, upon oath deposes and says:

1. I am over the age of eighteen, competent to testify before the Court, and make the following statements based upon my own personal knowledge.
2. I am familiar with the property and water rights related to the above mentioned parcels because I presently reside on part of the property; I was the developer involved in the resubdivision of these lands; and Jacqueline J. Poore is my mother.
3. I have attached hereto as Exhibit A true and correct copies of the following documents evidencing the water rights for Claims A63-4651 and A63-4651A:

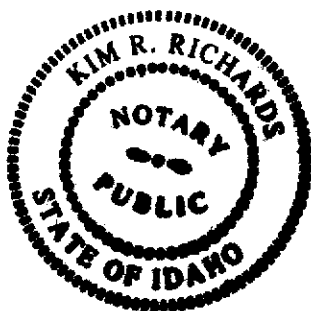
- a. Warranty Deed from J. C. Anduiza and Juana Anduiza to Gerard Bruneel and Francis Lucile Bruneel dated March 1, 1946, bearing instrument number 293194, records of Ada County, Idaho.
 - b. Quitclaim Deed from Gerrard Bruneel and Francis Lucille Bruneel to Tertling Land Company dated February 10, 1956, bearing instrument number 390641, records of Ada County, Idaho.
 - c. Quitclaim Deed from Juana Anduiza and the Estate of J. C. Anduiza to Tertling Land Company dated February 14, 1956, bearing instrument number 390642, records of Ada County, Idaho.
 - d. Warranty Deed from Terteling Land Company to Dennis Flake and Carol R. Flake dated March 5, 1956, bearing instrument number 391844, records of Ada County, Idaho.
 - e. Quitclaim Deed from Terteling Land Company to Dennis Flake and Carol R. Flake for 137 minor's inches of water dated March 5th, 1956, bearing instrument number 391846, records of Ada County, Idaho.
4. The documents attached as part of Exhibit A all reference the water rights claimed in SRBA Claims A63-4651 and A63-4651A. Although your records indicate a claimed priority date of 1965 for these water rights, it is fairly clear that these water rights were put to beneficial use not later than 1946 as referenced in the deed from Anduiza to Bruneel. This is the priority date that I would like to apply to these claims.
 5. I have attached hereto as Exhibit B true and correct copies of the following documents evidencing the water rights for SRBA Claim A63-4026B:
 - a. United States Patent to John Blagg by the President U. S. Grant, Certificate No. 344 dated May 15, 1875 (91.8 acres).
 - b. United States Patent to Godfrey F. Rhodes by the President U. S. Grant, Instrument Number 1470 dated June 1, 1875 (127.2 acres).

1 6. The documents attached as Exhibit B all reference the water rights claimed in SRBA
2 Claim A63-4026B. Although your records indicate a claimed priority date of March 1,
3 1936 for these water rights, it is clear that these lands were patented before statehood.
4 The Homestead Act was passed by Congress in 1862. This act provided free grants of
5 public land to any person who was a citizen of the United States and over 21 years old or
6 the head of a household. Homesteaders were allowed 160 acres. In order to obtain a
7 patent, homesteaders were required to improve and cultivate the land and to maintain
8 residency on it for five years. Potential homesteaders were originally required to
9 personally appear at the land office to file an entry, prove citizenship and other
10 qualifications, and verify that they had personally examined the land and were satisfied
11 with its character. The priority date that should apply to this claim is 1875 or 1870 if you
12 go from the date the homesteaders were required to start cultivating the land.
13

14
15 FURTHER THE AFFIANT SAITH NAUGHT.

16
17 
MICHAEL J. EDDY

18
19 SUBSCRIBED AND SWORN to before me this 22nd day of March, 2004.



30
31 
Notary Public
Residing in Boise, Idaho
Commission Expires: 9-18-09

293194

WARRANTY DEED RECORD No. 340

151

6

INSTRUMENT NUMBER: EP 273194

This Indenture, Made this 1st day of March in the year of our Lord one thousand nine hundred and forty-six, between
J. C. ANDRIGA and JUANA ANDRIGA, husband and wife,
of Boise, County of Ada, State of Idaho,
the parties of the first part, and
GERARD BRUNEL and FRANCIS LUCILE BRUNEL, husband and wife,
of Boise, County of Ada, State of Idaho,
the parties of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of

THE DOLLARS AND OTHER VALUABLE CONSIDERATION

lawful money of the United States of America.

to then in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained, and sold and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part and to their heirs and assigns forever, all of the following described real estate, situated in the County of Ada, State of Idaho, to-wit:

Commencing at a point being the northeast corner of the northwestern quarter of the southeast quarter of section twenty-four, township four north, range one east, Boise Meridian, thence west along the quarter section line 12.74 chains, thence south 13.87 chains to an iron bar, the real place of beginning; thence south 37°23' west 9.10 chains (from this point the quarter corner on the east boundary of section twenty-four bears north 62°43' east 49.67 chains) thence north 80°13' west 12.42 chains; thence north 47°13' west 3.03 chains; thence south 68°22' west 0.51 chains; thence south 71°01' west 2.78 chains; thence south 14°16' west 1.21 chains; thence south 3°58' east 1.17 chains; thence south 54°23' east 26.81 chains; thence north 61°16' east 4.82 chains; thence south 82°02' east 4.10 chains; thence north 0°58' east 1.59 chains; thence north 7°02' west 4.13 chains; thence north 11°28' east 2.53 chains; thence north 1°15' west 4.56 chains; thence north 44°28' east 3.16 chains; thence north 81°31' west 3.21 chains to the place of beginning, containing 41.67 acres; Together with all accretion lands and water rights.

(U.S.I.R. Stamp 32.00 Cancelled)

(i.d. 11/1/42)

together with all and singular the elements, belongings and appurtenances thereto belonging or in anywise appertaining, the real and personal, movable and immovable, hereditaments and profits thereof, and all estate, right, title and interest in, and in the said property, as well as law as to equity, of the said said £100 of the first year.

TO HAVE AND TO HOLD, I, and singular the above person(s) as so described premises, together with the appurtenances, unto the part (s) of the second part, and to heirs and assigns forever. And the said part(s) of the first part, and heirs, the said person(s) as so named and personally person(s) of the said part (s) of the second part, heirs and assigns, each of the said part (s) of the first part, and heirs and assigns all and every person and persons whomsoever, lawfully claiming or to claim the same, shall and well WARRANT and by these premises forever DIFFER.

ADA COUNTY, IDAHO

131 10

This conveyance is made subject to taxes for the year 1966.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in the presence of

J. C. Anduiza (SEAL)
 Juana Anduiza (SEAL)
 (SEAL)
 (SEAL)

STATE OF IDAHO,

County of ADA,

On this 1st day of March,

in the year 1967, before me,

the undersigned

a Notary Public in and for

said State

personally appeared

J. C. ANDUIZA and JUANA ANDUIZA, husband and wife,

Known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

(SEAL)

Elbert S. Delane,
 Notary Public for the State of Idaho,
 residing at Boise, Idaho.

STATE OF IDAHO,

County of Ada,

I hereby certify that this instrument was filed for record at the request

of Elam L. Burke,

at 10 minutes past 2 o'clock A. M. the 2

day of November

A.D. 1967.

Per: E. L. Burke,

Notary

BOOK 340

[REDACTED] THE 192nd

WITNESSES with all other water rights, ditches and rights of way for ditches pertaining thereto or used in connection with said real property; and

TO HAVE AND TO HOLD, all and singular the premises, together with the appurtenances thereto, unto the said party of the second part, and to his heirs and assigns forever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Gerard Bruner (GMB)
Frances Louella Bruner (GBL)
 _____ (GMB)
 _____ (GBL)

STATE OF IDAHO

County of Ada

On this 10th day of February, in the year 1954, before me, the undersigned, a Notary Public in and for said State, personally appeared GERARD BRUNER, and FRANCES LOUELLA BRUNER, his wife, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

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

Donald O. L. L.
 Notary Public for the State of Idaho
 My Comm. Expires 1955

BOOK 412

#390642

188 145R

THE STATE OF IDAHO, ss. I, JUAN C. RODRIGUEZ, County Clerk of said State, do hereby certify that the following is a true and correct copy of the original record of the same as the same appears in the books of said County Clerk.

WITNESSETH that the said JUAN C. RODRIGUEZ is duly qualified as a County Clerk of said State, and is the principal place of business at Boise, Idaho, and is the holder of the said office.

WITNESSETH that the said JUAN C. RODRIGUEZ is duly qualified as a County Clerk of said State, and is the principal place of business at Boise, Idaho, and is the holder of the said office.

Commencing at a point being the Northwest corner of the Northwest Quarter of the Southeast Quarter (1/4) of Section Twenty-four (24), Township Four (4) North, Range One (1) East of the Boise Meridian, in Ada County, State of Idaho; thence West along the quarter section line 12.74 chains; thence South 13.67 chains to an iron bar, the real place of beginning; thence South 37° 23' West 51.10 chains (from this point the quarter corner on the East boundary of Section 24 bears North 51° 43' East 40.67 chains); thence North 80° 13' West 12.42 chains; thence North 47° 13' West 3.03 chains; thence South 68° 22' West 5.51 chains; thence South 75° 07' West 5.78 chains; thence South 49° 25' West 1.81 chains; thence South 49° 23' East 2.12 chains; thence South 54° 23' East 25.41 chains; thence North 41° 36' East 7.22 chains; thence South 82° 02' East 4.10 chains; thence North 0° 58' East 4.59 chains; thence North 7° 02' West 4.49 chains; thence North 11° 28' East 2.59 chains; thence North 49° 15' West 4.66 chains; thence North 14° 28' West 3.10 chains; thence North 81° 53' West 2.81 chains to the place of beginning.

EXCEPT ditch and road rights of way. EXCEPTING ALSO the following described tract of land:

Commencing at an iron bar in ground which is described as 12.74 chains West along the Quarter Meridian line 12.74 chains South from the Northeast corner of the Northwest Quarter of the Southeast Quarter of Section 24, Township Four (4) North, Range One (1) East of the Boise Meridian, in Ada County, Idaho; thence South 37° 23' West 51.10 chains to an iron bar; thence South 54° 23' East 25.41 chains along a fence line to a point; thence North 47° 13' East 3.03 feet to a point; the real place of beginning; thence South 51° 43' East 40.67 feet to a point; thence North 80° 13' East along the western side of Strawberry Glass Road, right of way 119.2 feet to a point; thence North 28° 38' East along the western side of said road right of way 110.43 feet to a point; thence North 47° 13' East along the western side of said road right of way 110.25 feet to a point; thence North 28° 37' West 121.7 feet to a point; thence South 49° 23' West 2.12 feet to the real point of beginning.

BOOK 412

STATE OF IOWA
County of Ada

Mar 4 1951

On this 4th day of March in the year 1951, before me, a Notary Public in and for said State, personally appeared J. H. [illegible], known to me to be the President of the corporation that executed this instrument, on the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

J. H. [illegible]
Notary Public for State
Residence: Boone, Idaho

(Small)

5124A

Wm. H. [illegible]
1951

Wm. H. [illegible]
1951

Wm. H. [illegible]
1951

Wm. H. [illegible]
1951

Wm. H. [illegible]

182 512

Page 41 of 41

THE STATE OF NEW YORK, ss. I, _____, County Clerk, do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears from the records of the County of _____, New York.

[illegible]

WITNESSETH that the said party of the first part, for and in consideration of the sum of One and no/100

partial money of the United States of America and other gold and silver coins, and

Death by Mass Poisoning: Police, Nurses and Doctors **QUITCLAIN** who is also credited with the first use of the word "chemical terrorism" in 1984. He was the first to use the term "chemical terrorism" in 1984. He was the first to use the term "chemical terrorism" in 1984.

to with	State	County of	Latin	State of 1790

One Hundred Thirty-seven (137) acres of waste water originating in Pierce Park Land Reservoir, not used upon said property situated in the South half of Section 24, Township 10 North, Range 1 East of the Boise Meridian, 14th County, Idaho, particularly described in a Warranty Deed of even date herewith and therein conveyed by the part of the first part herein to the parties of the second part herein.

TOGETHER, with all and singular the tenements, hereditaments and appurtenances thereto in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto the said first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-sixth, twenty-seventh, twenty-eighth, twenty-ninth, thirtieth, thirty-first, thirty-second, thirty-third, thirty-fourth, thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, fortieth, forty-first, forty-second, forty-third, forty-fourth, forty-fifth, forty-sixth, forty-seventh, forty-eighth, forty-ninth, fiftieth, fifty-first, fifty-second, fifty-third, fifty-fourth, fifty-fifth, fifty-sixth, fifty-seventh, fifty-eighth, fifty-ninth, sixtieth, sixty-first, sixty-second, sixty-third, sixty-fourth, sixty-fifth, sixty-sixth, sixty-seventh, sixty-eighth, sixty-ninth, seventieth, seventy-first, seventy-second, seventy-third, seventy-fourth, seventy-fifth, seventy-sixth, seventy-seventh, seventy-eighth, seventy-ninth, eightieth, eighty-first, eighty-second, eighty-third, eighty-fourth, eighty-fifth, eighty-sixth, eighty-seventh, eighty-eighth, eighty-ninth, ninetieth, ninety-first, ninety-second, ninety-third, ninety-fourth, ninety-fifth, ninety-sixth, ninety-seventh, ninety-eighth, ninety-ninth, and to their heirs and assigns forever.

caused its corporate name to be changed from
ITW INC. WHEREOF 100% OF THE COMMON STOCK IS OWNED BY

sanctioned by its President and its Council.

Abstract

WITNESS:  J. EDGAR HOOVER

Secretary _____ By _____
Post Colonel _____

(CORPORATE SEAL)

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
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THE UNIVERSITY OF CHICAGO

STATE OF IDAHO

Jan 4 1956

County of Ada

On the 3rd day of March 1956, before me, the undersigned, a Notary Public in and for said State, personally appeared JOHN TOOMEY, President of the corporation that executed this instrument, and he presented and substantiated to me that such corporation existed and acknowledged to me that such corporation executed the same.

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

W. H. Nichols
Notary Public for the State of Idaho
Bozeman, Montana

(SEA)

QUITCLAIM DEED

For and to the use of
Forrest and Co.

Donna Stahle

STATE OF IDAHO

County of Ada
I hereby certify that this instrument was properly recorded.

Recorded in Book 11, Page 11
Filed for Record 1956, in my office and duly entered in Book 11, Page 11

VERN THOMAS

Donna Stahle

Filed for Record 1956, in my office and duly entered in Book 11, Page 11

United States Patent

To

John Blagg.

Certificate

No. 344.

The United States of America.

To all to whom these presents shall come, Greeting:

Whereas John Blagg, of Ada County, Idaho Territory, has deposited in the General Land Office of the United States a certificate of the Register of the Land Office at Boise City, Idaho Territory, whereby it appears that full payment has been made by the said John Blagg according to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An Act making further provisions for the sale of the Public Lands", and the acts supplemental thereto, for the north-east quarter of the south-east quarter and the lot numbered one of Section twenty-four, and the lot numbered one of Section twenty-five in township four north, of range one east, in the district of lands subject to sale at Boise City, Idaho Territory, containing ninety-one acres and eight hundredths of an acre, according to the official Plat of the Survey of the said Lands, returned to the General Land Office by the Surveyor General, which said Tracts have been purchased by the said John Blagg.

Now know ye, That the United States of America, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, have given and granted, and by these presents do give and grant unto the said John Blagg and to his heirs, the said Tracts above described, To have and to hold the same, together with all the rights, privileges, immunities, and appurtenances of whatsoever nature, thereto belonging, unto the said John Blagg and to his heirs and assigns forever, subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of courts, and also subject to the right of the proprietor of a mine or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law.

EXHIBIT

B

1000000

To all to Whom these Presents shall come, GREETING.

APR 17 1964

Whereas, There has been deposited, in
a Certificate of the Register of the Land Office
the following and to wit:

John F. Kennedy

Northwest quarter of the Southeast quarter and the Southwest
two and three of Section twenty-four, in Township four, North
of range one East in the district of lands subject to sale
of the Oil, Gas, Privilege, Containing not less than and
not more than seven acres and twenty hundredths of an acre.

being in the Official Plot of the Survey of the said Land, returned to the General Land Office by the Surveyor General Juan Antonio De Los Rios, is therefore granted by the UNITED STATES unto the said

To Have and to Hold the said tract of land with the appurtenances thereto in full and sole and undivided fee simple unto the said

14. The rights and interests herein shall be subject to any vested and unvested water rights for irrigation, beneficial use, or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be owned and acknowledged by the local customs, laws and decisions of Courts, and also subject to the right of the grantor or a third party to exhaust and remove his or her stream, should it same be found to be private or unvested. The rights herein granted are granted by lot.

In Testimony Whereof

Ulysses A. Bryant

President of the United States of America

caused these Letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the 17th Nov^r 1864

day of April
hundred and seventy five

States the ~~one hundred and~~ newly made

By the President

234

Lat. 0.000

Synonyms

Records of the General Land Office

State of Idaho

Yours Truly
 Thomas Wilson

I hereby certify that this instrument was recorded at the request of

120 o'clock P.M. 1911

374

Pres. 1880 11-18-190

W. L. Cuddy
in Charles J. Howard

Recorder
J. J. J.

being granted, as provided by law.
 In testimony whereof, I, Ulysses S. Grant, President
 of the United States of America, have caused these
 letters to be under Patent and the Seal of the General
 Land Office to be hereunto affixed.

Given under my hand, at the City of Washington,
 the Thirtieth day of May, in the year of our
 Lord one thousand, eight hundred and seventy
 five, and of the Independence of the United States
 the thirty ninth.

By the President: W. S. Grant -
 Seal By S. D. Williamson, Secretary.

Recorded Vol. 2, Page 82 L. H. Lippincott,
 Recorder of the General
 Land Office.

Recorded at the Request of A. R. Anderson aprie
 11/2 1891 at 4 12 o'clock P. M.

Sherman G. King
 Encl. Office Recorder

Angstman Law, PLLC

3649 Lakeharbor Lane

Boise, Idaho 83703

TEL: (208) 384-8588

FAX: (208) 853-0117

T. J. Angstman, Esq.
tj@angstman.com

Wyatt B. Johnson, Esq.
wyatt@angstman.com

March 22, 2004

SENT VIA FACSIMILE: 334-2348

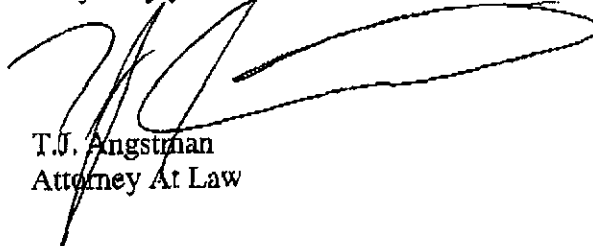
Kimberly Brown
State of Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

RE: Snake River Basin Claim No(s): A63-4651, A63-4026B, and A63-4651A

Dear Ms. Brown:

Please find enclosed an Affidavit of Michael J. Eddy. My client is hopeful that this affidavit resolves all issues regarding the above water right claims. If you are in need of additional information, my client has located a person who lived on this property years ago named Joel Flake. His family lived on Strawberry Glenn and farmed 80 acres that was all irrigated. They bought the property in the 1950's and it was already irrigated at that time. Mr. Flake's family developed Flake Country Subdivision where my client's property is located. Due to the expense associated with my office meeting with Mr. Flake and obtaining his affidavit we are hopeful that you will simply accept the affidavit we have submitted showing deeds and water rights for the subject property. However, we would appreciate the opportunity to supplement our submittal if you would prefer to have information from Mr. Flake.

Very truly yours,



T.J. Angstman
Attorney At Law

TJA:krr
Enclosures
cc: Client

Angstman Law, PLLC
3649 N. Lakeharbor Lane
Boise, ID 83703
(208) 384-8588
(208) 853-0117 (FAX)

Angstman Law, PLLC

Fax

To: Kime Brown From: T.J. Angstman
Fax: 334-2348 Pages: 20 including cover page
Phone: _____ Date: 3-22-04
Rec: Mike Eddy CC: _____
☐ Urgent ☒ For Review ☐ Please Reply ☐ Original will Follow ☐ Original Will Not Follow

MESSAGE:

● **Confidentiality Notice:** This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address via the US Postal Service. Thank you.



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN
February 10, 2004

JACQUELINE J POORE
5200 NAVAJO WAY
BOISE ID 83703

Re: SRBA Claim A63-04651

Dear Claimant(s):

I am the Deputy Attorney General assigned to represent the Idaho Department of Water Resources in Basin 63 in the Snake River Basin Adjudication.

The Department of Water Resources has previously contacted you regarding information on the priority date for the above SRBA claim. In order to make a positive recommendation of this water right, each element of the water right must be proven.

The Department plans to issue its Preliminary Recommendations on this water right later this year. If the Department does not receive all the necessary evidence for this claim, it will have no option but to recommend to the SRBA Court that this water right be disallowed, meaning that the water right will not be valid.

Please contact Kimberly Brown at the Western Regional Office for the Idaho Department of Water Resources at (208) 334-2190. If she does not hear from you by March 12, 2004, then your water right will be recommended as disallowed.

Very truly yours,

A handwritten signature in black ink that reads "Nick Spencer".

NICHOLAS B. SPENCER
Deputy Attorney General
Idaho Department of Water Resources

NBS/pm

cc: Kimberly Brown



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 4, 2003

JACQUELINE J. POORE
5200 NAVAJO WAY
BOISE, ID 83703

RE: EVIDENCE OF PRIORITY

SNAKE RIVER BASIN CLAIM NO(S): A63-04651

Dear Claimant(s),

According to current Tax Lot information, you are the current owner of this property. If this is correct, you will need to contact the Western Region office, preferably Kimberly Brown, in order to complete a Change In Ownership form in regard to this water right.

In addition, in the past, Alice Flavelle submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out or re-file it. She indicated, when this claim was 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. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department 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."**

It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

If no evidence 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.

The required evidence supporting the priority date(s) requested needs to be submitted by October 2, 2003. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.



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

Respectfully Submitted,

A handwritten signature in cursive script that reads "Kimberly L. Brown".

Kimberly L. Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-04651

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

603-4651

RECEIVED

JUN 14 2002

Department of Water Resources



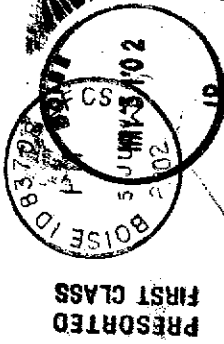
UNDELIVERABLE AS ADDRESSED
NO FORWARDING ORDER ON FILE

ALICE M FLAVELLE
5200 NAVAHO WAY
BOISE ID 83702

RECEIVED

JUN 20 2002

WATER RESOURCES
WESTERN REGION



PRESORTED
FIRST CLASS

PB METER
7110094

0253

U.S. POSTAGE

603-4651-637



9.3.03 2002 Tax lot information -
no Alice Flavelle listed as a "primary owner"

under "Address Contact" - Jacqueline J. Poore
5200 Navajo Way
Boise, ID 83703
Sent Evidence of Priority to Jacqueline Poore

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

JUNE 14, 1979

HARRY FLAVELLE
ALICE M. FLAVELLE
5200 NAVAHO WAY
BOISE

ID 83702

RE: Claim No. 63-4651

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

MICROFILMED

AUG 20 1992


DAVID B. SHAW
for Western Region Supervisor

MICROFILMED

AUG 20 1992

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that FLAVELLE, HARRY AND/OR ALICE M.
(Name of Claimant)
5200 NAVAHO WAY, BOISE, ID. 83702 Telephone No. 342-2067
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 7/1/65

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 is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
unnamed stream tributary to Boise River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>.12</u>	Use	<u>Irrigation</u>	Period of Use From <u>3/15</u>	To <u>11/15</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) .12 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ SW ¼, Sec. 24 Twp. 4N Rge. 1E B.M., County of Ada
Additional points of diversion: 2 HP Motor with sprinkler system

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. Describe any changes in the system and give the date of the change.

(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.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	1E	24											6						6

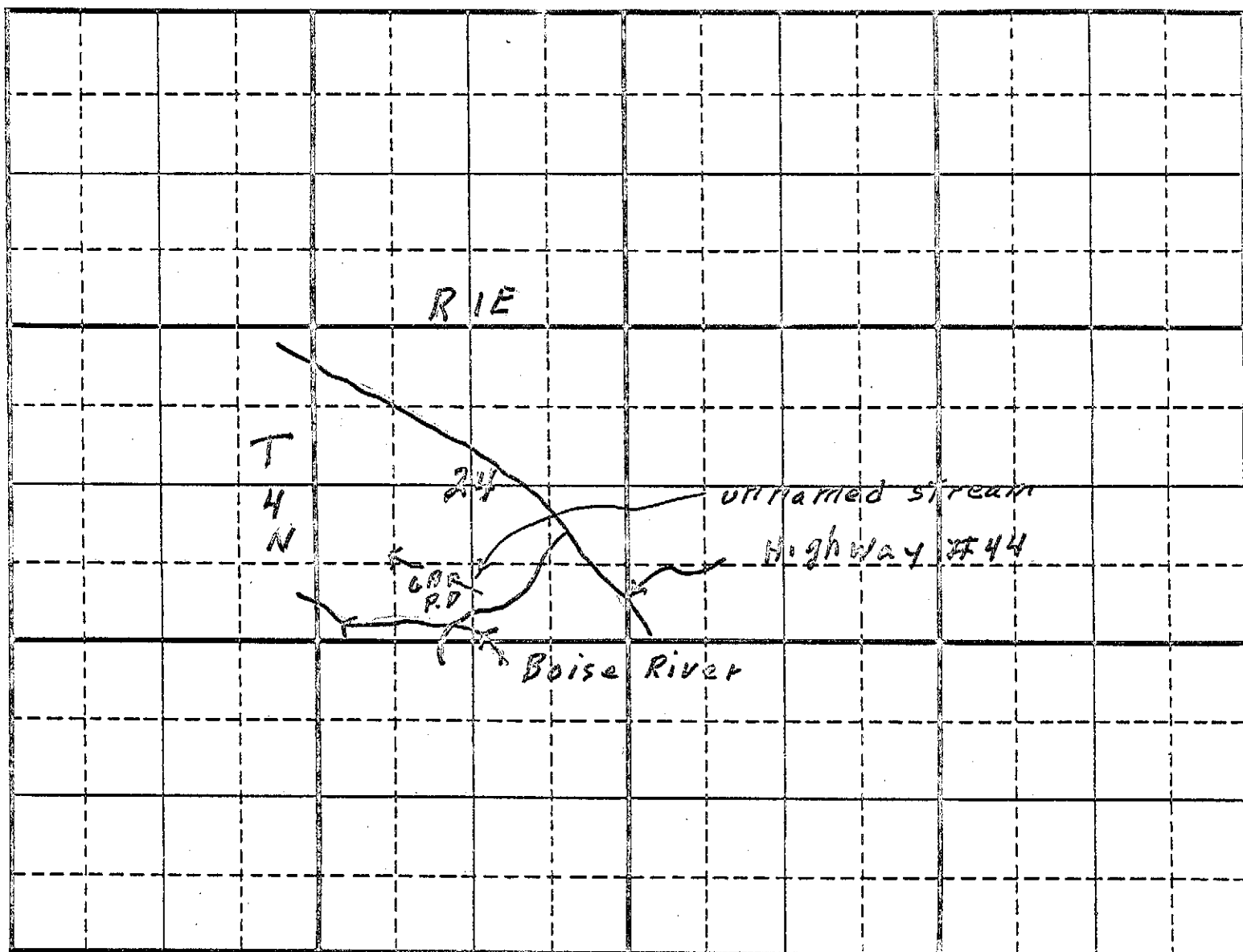
No. of acres 6

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

NOTE: Include here the type and number of stock watered:

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

(8) Remarks Flake Dubdivision #2, Lot 12 and adjoining 5 acres.



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)
County of Idaho) ss.

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 3 day of May, 19 79.

Harry Hamble
(Claimant)

Kathleen A. Walker
Notary Public
Residing at Boise

My commission expires life

FOR DEPARTMENT USE ONLY

Received by gkn Date 5/3/79 Exception filed by: _____ Date _____
Prelim. check by _____ Date _____
\$20.00 fee received by 20.00 Date 5-3-79 #13061
Published in Statesman
Dates 5/17 & 5/24/79 Forwarded to claimant by: KK Date 6/15/79