

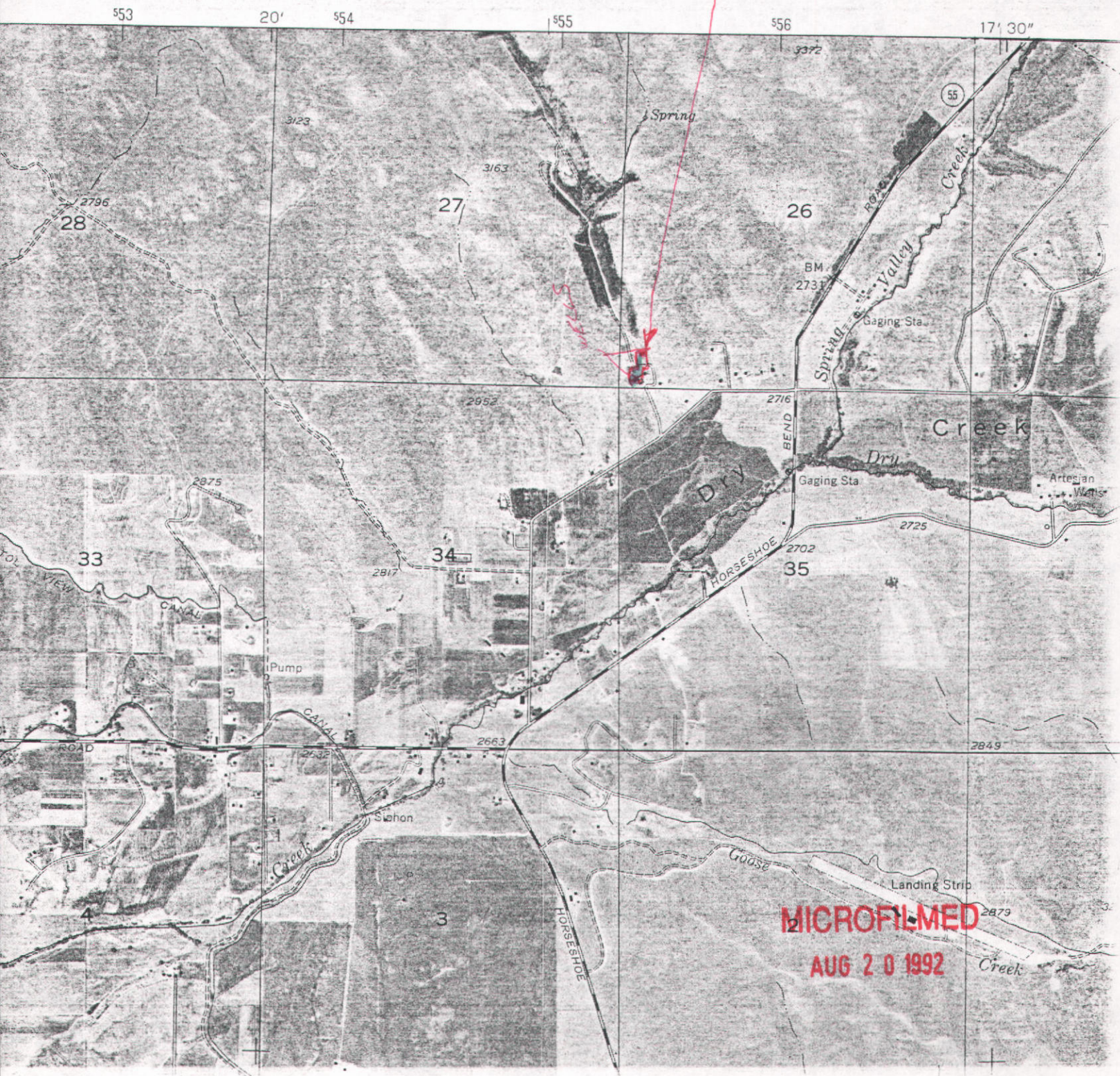
Domestic
house

RECEIVED

NOV 28 2005

WATER RESOURCES
WESTERN REGION

ICES



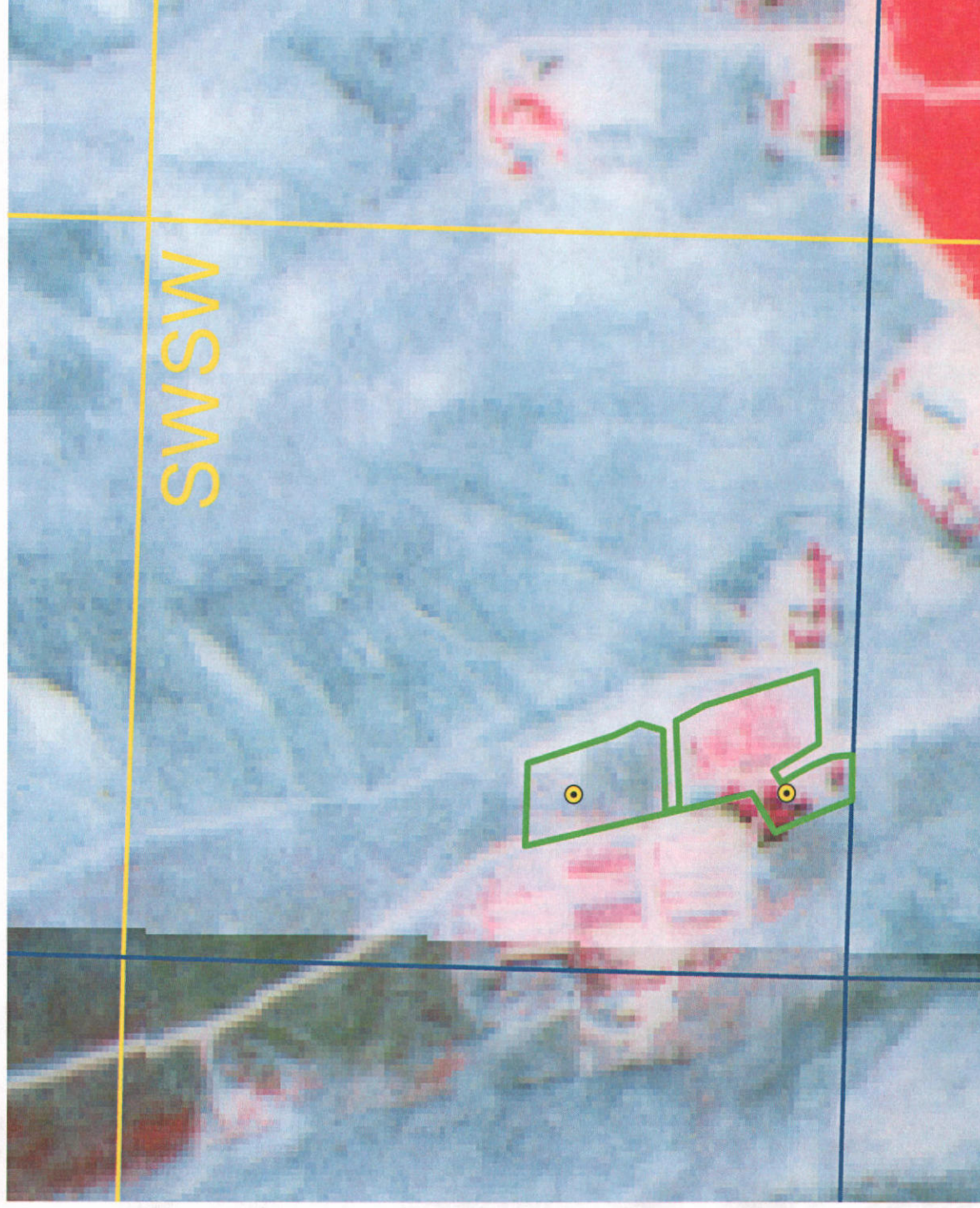
Idaho Department of Water Resources

T05N, R01E,
S26

Claim No: 63-4791

Prepared By: Kimberly Brown

Date: November 28, 2005



SW SW



Place of Use



Section Lines



1/4 1/4



Point of Diversion

Acres Irrigated = 2.2

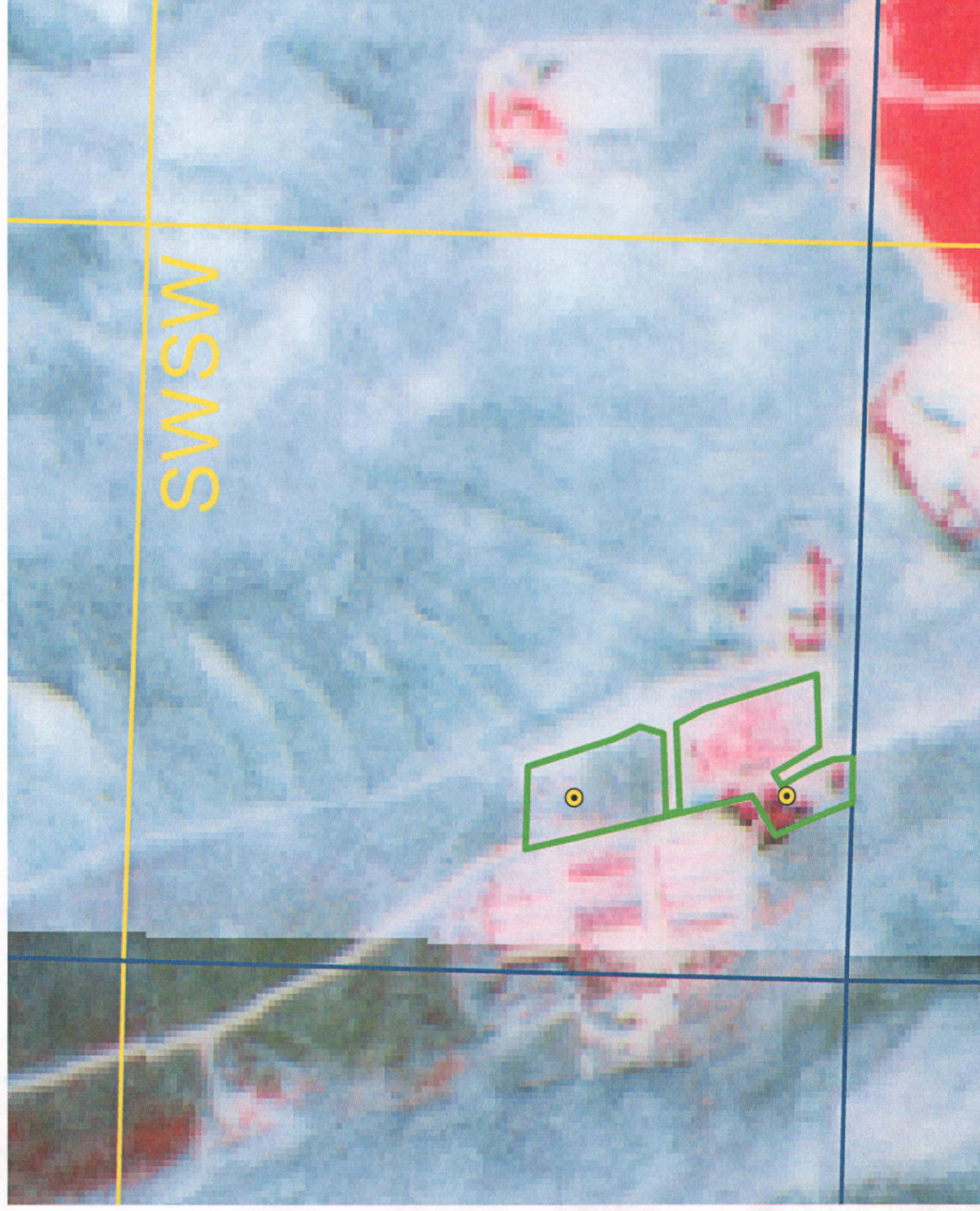


1987 NAPP

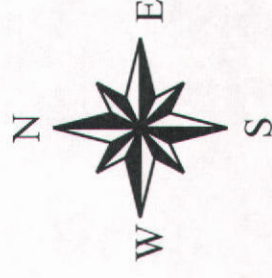
Idaho Department of Water Resources

T05N, R01E, S26

Claim No: 63-4791
Prepared By: Kimberly Brown
Date: November 28, 2005



-  Place of Use
-  Section Lines
-  1/4 1/4
-  Point of Diversion

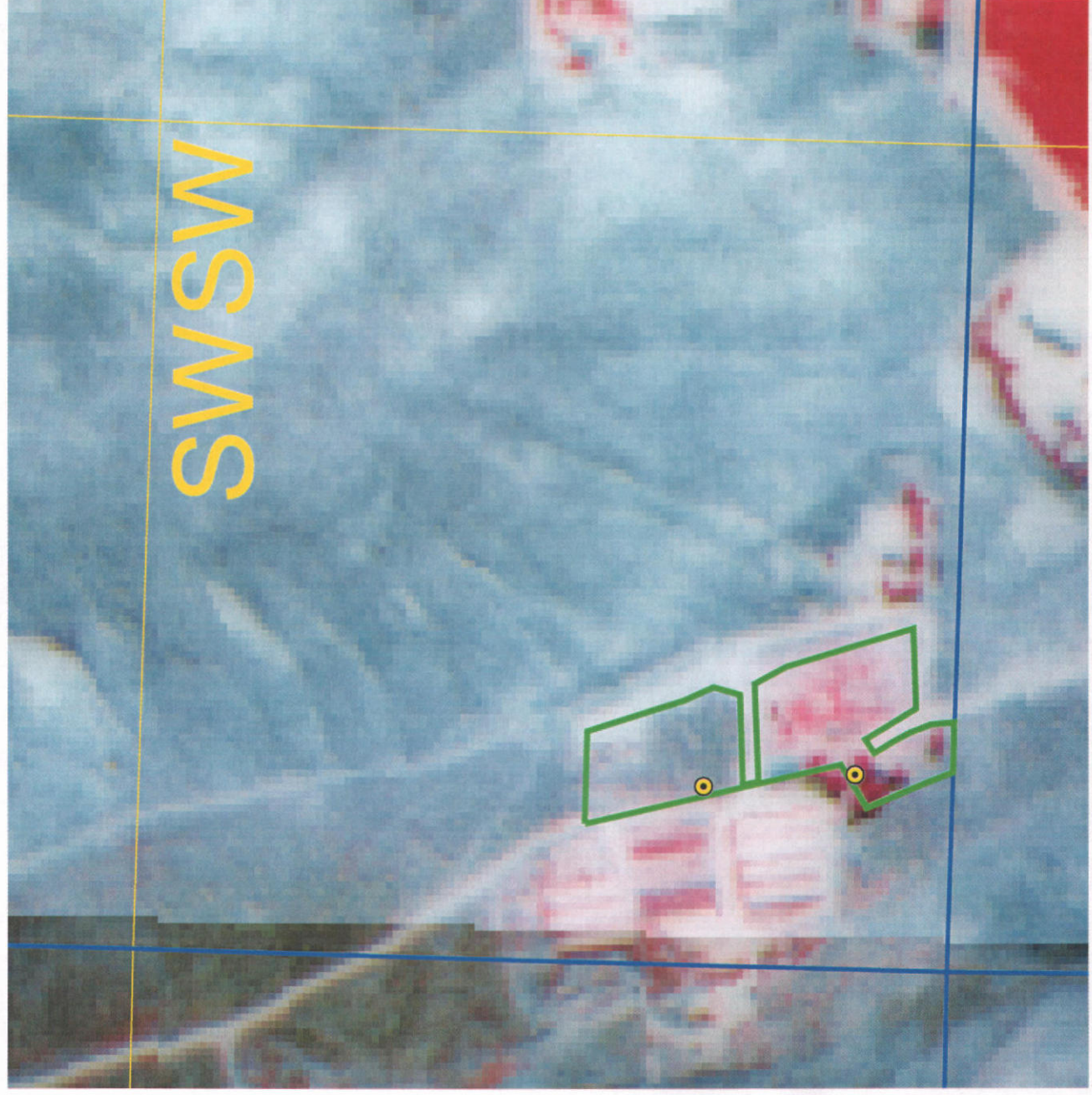


1987 NAPP

Idaho Department of Water Resources

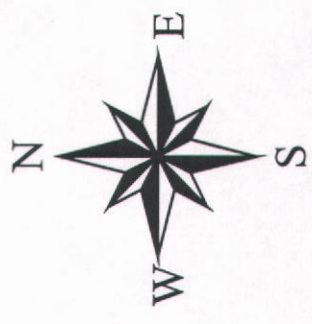
T05N, R01E,
S26

Claim No: 63-04791
Prepared By: Kimberly Brown
Date: November 4, 2004



- Point of Diversion
- Place of Use
- Section Lines
- 1/4 1/4

Acres Irrigated = 2.2



1987 NAPP

1994 NAPP
(a tad bit off
to the NE)



**Land Records**
[\[Previous Search\]](#) [\[New Search\]](#) [\[Print View\]](#)
Property Details for Parcel S0226333700

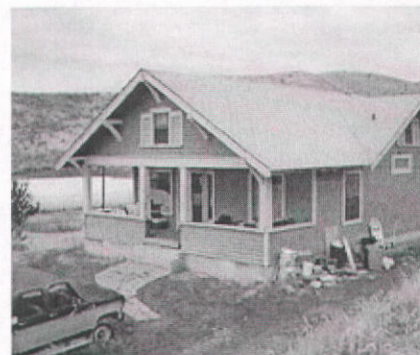
- [Main Page](#)
- [Property Search](#)
- [Online Map](#)
- [Contact Us](#)
- [Disclaimer](#)
- [Help Index](#)
- [FAQ](#)
- [About Us](#)
- [Image Documents](#)
- [Old interactive map](#)

General Information

Property Acres: 2.690
Zone Code: RR
Primary Code Area: 270 Tax Districts
Group Type: SECT
Subdivision: 5N 1E 26
Section: 5N1E26

Property Description

PAR #3700 OF SW4SW4
 SEC 26 5N 1E

**Property Address**

4997 N BROOKSIDE LN
 BOISE, ID 83703

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

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

Parcel Valuation Details

Assessment Roll	State Category Code	Acreage	Assessed Value	Valuation Method
Primary	120-RESIDENTIAL TRACT	2.690	\$84,000	MARKET
Primary	340-RES IMPROVEMENT	0.000	\$71,000	COST

Total Assessed Value: \$155,000

Parcel Valuation History

Assessed value for year 2004 \$155,000
 Assessed value for year 2003 \$147,600
 Assessed value for year 2002 \$108,300
 Assessed value for year 2001 \$96,300
 Assessed value for year 2000 \$96,300

Ada County Links

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

Property Characteristics

Residential
 Land

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

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

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 63-4791
Date Received: 5/15/1989
Receipt No: W002792
Received By:

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

1. Name of Claimant(s)

ANTONIO EIGUREN Phone: (208)424-9553
4997 BROOKSIDE LANE
BOISE ID USA 83714

TARA MCELHOSE-EIGUREN Phone: (208)424-9553
4997 BROOKSIDE LN
BOISE ID USA 83714

2. Date of Priority: 04/01/1940

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	01E	26	SW SW	ADA	

5. Description of diverting works:

WELLS,PUMP & SPRINKLER SYSTEM, BOTH CAN BE CONNECTED TOGETHER.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/31	0.06	
STOCKWATER	1/01	12/31	0.02	
DOMESTIC	1/01	12/31	0.02	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	01E	26	SW	SW	IRRIGATION	3
			SW	SW	DOMESTIC	
			SW	SW	STOCKWATER	
					Section Acres	3
					Total Acres	3

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

DOMESTIC AND STOCKWATER USES WERE NOT LISTED BUT ALWAYS HAVE BEEN USED, BUT NOT LISTED ON STATUTORY CLAIM.

2 POINTS OF DIVERSION IN P/D, SECOND WELL WAS ADDED TO SUPPLEMENT 1ST WELL IN 1986. HOMESTEAD HOUSE WAS TORN DOWN DUE TO THE PRIVATE ROAD AND ORDERS FROM ADA COUNTY PLANNING AND ZONING.

1 FAMILY DWELLING NOW EXISTS.

OWNERSHIP CHANGED BY LH 8/10/94.

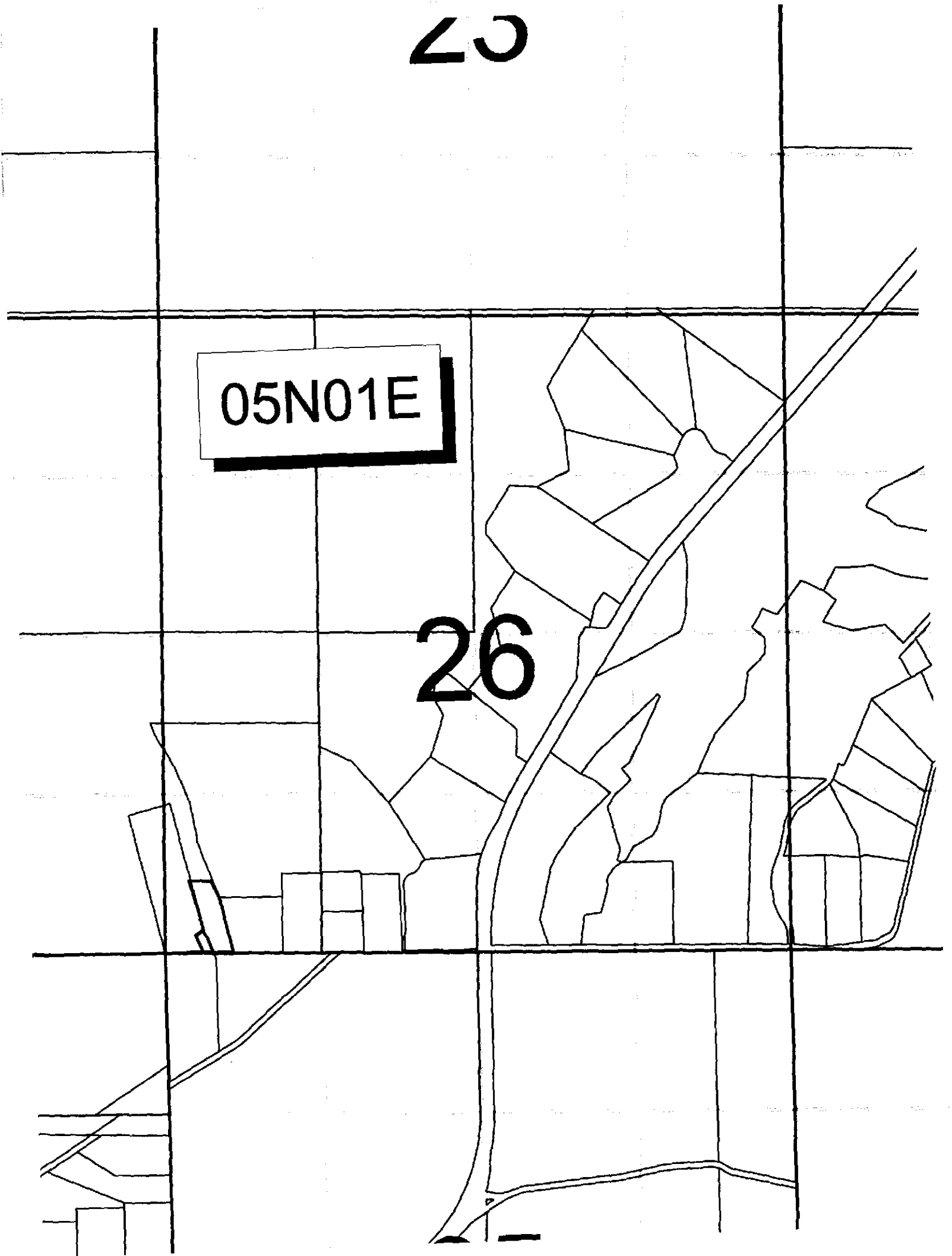
CHANGE OF OWNERSHIP LG 11/30/05

15. Basis of Claim: Statutory Claim

25

05N01E

26



RECEIVED

NOV 28 2005

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

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
A63-04791	63-4791	☐			☐
		☐			☐
		☐			☐
		☐			☐
		☐			☐

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. *(no filing fee)*
- 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**.

(enclosed)

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

Carson Spencer, P.O. Box 45324, Boise 83714

4. New Owner/Claimant(s)

Antonio Eiguren Tara McElhose-Eiguren

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

New Mailing Address

4997 Brookside Lane

City, State and ZIP Code

Boise, ID 83714

New Telephone Number

(208) 424-9553

5. Date you acquired the property

02/25/03

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

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

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

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

Z. M. C. S.

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

For Office Use Only

Received by KB Date 11/28/05 Fee \$
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**INSTRUCTIONS FOR FILING
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

Effective July 1, 2000, the Idaho Legislature amended Section 42-248, Idaho Code to include a provision for fees to file a Notice of Change in Water Right Ownership. Please see details at Item 8, below, to determine if fees are required for your filing.

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

1. If there are water rights associated with the property, **the seller should be able to provide you with the water right or adjudication claim number(s).** Please enter the number(s) at **Item 1.** Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. **Do not** obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner/claimant(s) of the water right(s) at **Item 3.**
4. The name, mailing address, and telephone numbers of the new owner/claimant(s) is entered at **Item 4.** Please indicate the relationship between multiple owners by using the connector "and", "or", or "and/or." If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign; however, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.

6. You may have purchased only a portion of the water right(s) held by the seller. If this change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. For each water right requiring a split between owners, fill in the appropriate spaces in the box(es) at **Item 6**. Copy the page as many times as necessary to fully describe each water right after the change. Include documentation as necessary to describe nonstandard agreements or arrangements regarding division of the water right(s). **If the water right(s) will not be split, skip Item 6 and go to Item 7.**
7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. If an "and" connector is used at **Item 4**, all parties must sign this form. If an "and/or" or "or" connector is used, all parties may sign; however, only one of the named parties is required to sign. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.
8. *no filing fee is required* → The Legislature has waived the fee to file a Notice of Change in Water Right Ownership for any water right pending in a general water right adjudication such as the Snake River Basin Adjudication. This waiver ends when a partial decree is issued for the water right that has been claimed. For water rights not pending in a general adjudication, the filing fee is \$25 per water right, except for those water rights which will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right to be divided. When complete, you should retain a copy and return the original form to the IDWR office nearest you:

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

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

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

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



ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 01/28/03 04:10 PM
DEPUTY Jamie Parsons
RECORDED - REQUEST OF
Transnation Title & Escrow
AMOUNT 9.00



3

Escrow No. T03-89040 NB

WARRANTY DEED

FOR VALUE RECEIVED

ROBERT PAUL DESMOND, an unmarried man

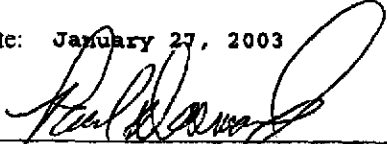
GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL AND CONVEY unto: ANTONIO L. FIGUREN AND
TARA MCELHOSE-FIGUREN, husband and wife

GRANTEES(s), whose current address is: 4997 N Brookside Ln, Boise, ID 83703
the following described real property in Ada County, State of Idaho,
more particularly described as follows, to wit:

SEE EXHIBIT "A" ATTACHED
(Continued)

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

Date: January 27, 2003

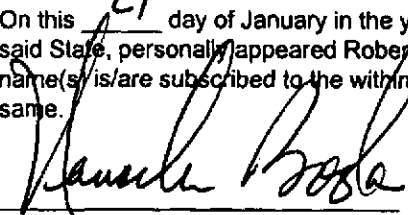

Robert Paul Desmond

Notary Acknowledgment - see page 2

WARRANTY DEED - NOTARY ACKNOWLEDGMENT(S):

State of Idaho, County of Ada, ss.

On this 27 day of January in the year of 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared Robert Paul Desmond known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Notary Public
Residing at:
My commission expires:

Residing in Meridian, Idaho
Commission expires 11-12-04



LEGAL DESCRIPTION (continued)

EXHIBIT "A"

N 1395324.43
E 2313628.62

PARCEL I

A portion of Section 26, Township 5 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the section corner common to Sections 26, 27, 34 and 35, Township 5 North, Range 1 East, Boise Meridian; thence
East 320.68 feet along the South section line of said Section 26 to the REAL POINT OF BEGINNING; thence
North 24°3' West (formerly North 3°24" West) 149.94 feet; thence
North 55°19' East (formerly North 19°55' East) 71.59 feet; thence
South 33°37'40" East (formerly South 37°33'40" East) 67.27 feet; thence
South 21°7' East (formerly South 7°21' East) 130.41 feet to the South section line of said Section 26; thence
West 82.00 feet along said section line to the REAL POINT OF BEGINNING.

PARCEL II

A portion of Section 26, Township 5 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the section corner common to Sections 26, 27, 34 and 35, Township 5 North, Range 1 East, Boise Meridian; thence
East 402.68 feet along the South section line of said Section 26 to the REAL POINT OF BEGINNING; thence
North 21°7' West (formerly North 7°21' West) 130.41 feet; thence
North 33°37' West (formerly North 37°33' West) 67.27 feet; thence
North 55°19' East (formerly 19°55' East) 9.90 feet; thence
North 14°57'30" West (formerly North 57°14'30" West) 423.50 feet; thence
East 186.82 feet; thence
South 23° East (formerly South 13° East) 167.28 feet; thence
South 13° East (formerly South 13° East) 450.00 feet to the South section line of said Section 26; thence
West 168.00 feet along section line to the REAL POINT OF BEGINNING.



12/03

This photo was taken in (1987.) 2002 Tax
lot information shows that you own the
two parcels that I have highlighted in
yellow. Please indicate where the 3
acres of irrigation, 1 domestic house, and
stockwater use is on the map. Also
draw where the well(s) are located &
then return this photo with your Change
in Ownership form. Thank you —



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: A63-04791
Date Received: 5/15/1989
Receipt No: W002792
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CARSON R SPENCER 208-939-1570
Address: PO BOX 45324
BOISE ID 83711

2. Date of Priority: APR 1, 1940

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	01E	26	SW	SW			ADA

5. Description of diverting works:
WELLS, PUMP & SPRINKLER SYSTEM, BOTH CAN BE CONNECTED TOGETHER.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.060		
DOMESTIC	01/01	12/31	0.020		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC 1 HOME, HORSES AND RANGE CATTLE, MIXED UP TO 12 HEAD.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	01E	26	SW	SW		IRR	3.0
			SW	SW		DOMEST	

MICROFILMED
OCT 07 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	01E	26	SW SW		STOCK	
Section Acres						3.0
Total Acres						3.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE

14. Remarks:

DOMESTIC AND STOCKWATER USES WERE NOT LISTED BUT ALWAYS HAVE BEEN USED, BUT NOT LISTED ON STATUTORY CLAIM.
2 POINTS OF DIVERSION IN P/D, SECOND WELL WAS ADDED TO SUPPLEMENT 1ST WELL IN 1986.
HOMESTEAD HOUSE WAS TORN DOWN DUE TO THE PRIVATE ROAD AND ORDERS FROM ADA COUNTY PLANNING AND ZONING.
1 FAMILY DWELLING NOW EXISTS.
OWNERSHIP CHANGED BY LH 8/10/94.

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)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

AUG 03 1994

WATER RESOURCES
WESTERN REGION

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 5N Range 1E
Section 26, 1/4 of SW 1/4 of SW 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A63-04791
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Donald O Kelly or Linda O Kelly
4997 Brookside Ln.
Boise ID 83703
- ☐ New Owner/Claimant (Purchaser): Carson R. Spencer
- ☐ New Mailing Address: P.O. Box 45324
Boise ID 83711
- ☐ New Telephone Number: (208) 939-1570
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: yes
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) Carson R. Spencer Date 7/22/94
- ☐ Signature of Former Owner/Claimant(s) _____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 8-9-94 By: JAD

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 8-9-94 By: JAD

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

MICROFILMED
OCT 07 1996

CEV13030

APR 8 0 00A

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.



PIONEER TITLE COMPANY
OF ADA COUNTY

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

888 North Cole Road • Boise, Idaho 83704
(208) 377-2700

9153628
PIONEER TITLE CO.

ADA COUNTY, ID. FOR
J. DAVID NAZARRO
RECORDER

'91 SEP 25 PM 1 44

P-108547 EBN/SO

SPACE ABOVE FOR RECORDING DATA

WARRANTY DEED

(INDIVIDUAL)

FOR VALUE RECEIVED DONALD T. O'KELLY and LINDA LOU O'KELLY also known as
LINDA L. O'KELLY, Husband and Wife

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto CARSON R. SPENCER, an Unmarried
Person

GRANTEE(S), whose current address is: P.O. BOX 45324, BOISE, ID
the following described real property in ADA County, State of Idaho,
more particularly described as follows, to wit:

SEE ATTACHED EXHIBIT "A", WHICH BY THIS REFERENCE BECOMES A PART HEREOF, AND
WHICH BY THIS REFERENCE BECOMES A PART HEREOF, AND WHICH IS COMPRISED OF ONE (1)
PAGE.

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

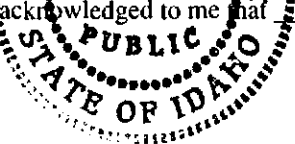
Dated: September 25, 1991

DONALD T. O'KELLY

LINDA LOU O'KELLY

STATE OF IDAHO, County of Ada, ss.

On this 25th day of September, 1991, before me, a notary public, personally appeared Donald T. O'Kelly and Linda Lou O'Kelly, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that he executed the same.



Notary Public:

Residing at: Meridian, Idaho

My Commission Expires: 6-23-95

EXHIBIT "A"

PARCEL I

A PORTION OF SECTION 26, TOWNSHIP 5 NORTH, RANGE 1 EAST, BOISE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SECTION CORNER COMMON TO SECTIONS 26, 27, 34 AND 35, TOWNSHIP 5 NORTH, RANGE 1 EAST, BOISE MERIDIAN, THENCE
EAST 320.68 FEET ALONG THE SOUTH SECTION LINE OF SAID SECTION 26 TO THE REAL POINT OF BEGINNING; THENCE
NORTH 24 3' WEST (FORMERLY NORTH 3 24' WEST) 149.94 FEET; THENCE
NORTH 55 19' EAST (FORMERLY NORTH 19 55' EAST) 71.59 FEET; THENCE
SOUTH 33 37'40" EAST (FORMERLY SOUTH 37 33'40") 67.27 FEET; THENCE
SOUTH 21 7' EAST (FORMERLY SOUTH 7 21' EAST) 130.41 FEET TO THE SOUTH SECTION LINE OF SAID SECTION 26; THENCE
WEST 82.00 FEET ALONG SAID SECTION LINE TO THE REAL POINT OF BEGINNING.

PARCEL II

A PORTION OF SECTION 26, TOWNSHIP 5 NORTH, RANGE 1 EAST, BOISE-MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SECTION CORNER COMMON TO SECTION 26, 27, 34 AND 35, TOWNSHIP 5 NORTH, RANGE 1 EAST, BOISE-MERIDIAN, THENCE
EAST 402.68 FEET ALONG THE SOUTH SECTION LINE OF SAID SECTION 26 TO THE REAL POINT OF BEGINNING; THENCE
NORTH 21 7' WEST (FORMERLY NORTH 7 21' WEST) 130.41 FEET; THENCE
NORTH 33 37' WEST (FORMERLY NORTH 37 33' WEST) 67.27 FEET; THENCE
NORTH 55 19' EAST (FORMERLY 19 55' EAST) 9.90 FEET; THENCE
NORTH 14 57'30" WEST (FORMERLY NORTH 57 14'30" WEST) 423.50 FEET; THENCE
EAST 186.82 FEET; THENCE
SOUTH 23 EAST (FORMERLY SOUTH 13' EAST) 167.28 FEET; THENCE
SOUTH 13 EAST (FORMERLY SOUTH 13' EAST) 450.00 FEET TO THE SOUTH SECTION LINE OF SAID SECTION 26; THENCE
WEST 168.00 FEET ALONG SECTION LINE TO THE REAL POINT OF BEGINNING.

END OF LEGAL DESCRIPTION

RECEIVED

AUG 03 1994

WATER RESOURCES
WESTERN REGION

CARSON R. SPENCER
P.O. BOX 45324
BOISE, IDAHO 83711
208-939-1570

**AFFIDAVIT
WATER RIGHT NUMBER: A63-04791**

STATE OF IDAHO)
) **ss.**
County of Ada)

I, Wallace R. Connolly will certify the use of water on described premises, to wit: PARCEL NO I, 4695 N. Brookside Lane and PARCEL NO.II, 4997 N. Brookside Lane being a portion of Section 26, T.5N. R1E., 1/4 S.W., 1/4 S.W., B.M., Back to 1960. The water was used for irrigation, domestic and stockwater. The wells, pumps, and sprinkler system was/is used for horses and range cattle up to 12 head, irrigation and 1 home domestic use.

Wallace R. Connolly
Wallace R. Connolly

SUBSCRIBED AND SWORN TO BEFORE ME THE 2nd DAY OF August, 1994

Larry A. Cadwell
Notary Public for Idaho
Residing at 10102 Eagle, Idaho
My Commission Expires: 10/02/95

MICROFILMED
OCT 07 1996

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: A63-04791
Date Received: 5/15/1989
Receipt No: W002792
Received By: Rdh

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DONALD O KELLY 208-939-2499
Address: 4997 BROOKSIDE LN.
BOISE, ID 83703

OR

Name: LINDA O KELLY 208-939-2499
Address: 4997 BROOKSIDE LN.
BOISE, ID 83703

2. Date of Priority: APR 01, 1940

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	01E	26	SW	SW			ADA

5. Description of diverting works:
WELLS, PUMP & SPRINKLER SYSTEM, BOTH CAN BE CONNECTED TOGETHER.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.060		
DOMESTIC	01/01	12/31	0.020		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC 1 HOME, HORSES AND RANGE CATTLE, MIXED UP TO 12 HEAD.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	01E	26	SW	SW		IRR	3.0
			SW	SW		DOMEST	
			SW	SW		STOCK	
						Section Acres	3.0
						Total Acres	3.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE

14. Remarks:
DOMESTIC AND STOCKWATER USES WERE NOT LISTED BUT ALWAYS HAVE BEEN USED, BUT NOT LISTED ON STATUTORY CLAIM.
2 POINTS OF DIVERSION IN P/D, SECOND WELL WAS ADDED TO SUPPLEMENT 1ST WELL IN 1986.
HOMESTEAD HOUSE WAS TORN DOWN DUE TO THE PRIVATE ROAD AND ORDERS FROM ADA COUNTY PLANNING AND ZONING.
1 FAMILY DWELLING NOW EXISTS.

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 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):

John A. Kelly

Date:

5/15/89

Date:

State of Idaho

County of

ADA

)
) ss.
)

Subscribed and sworn (or affirmed) before me this 15th day

of MAY 19 89

Ron Howerton
Notary Public

Seal

Residing at

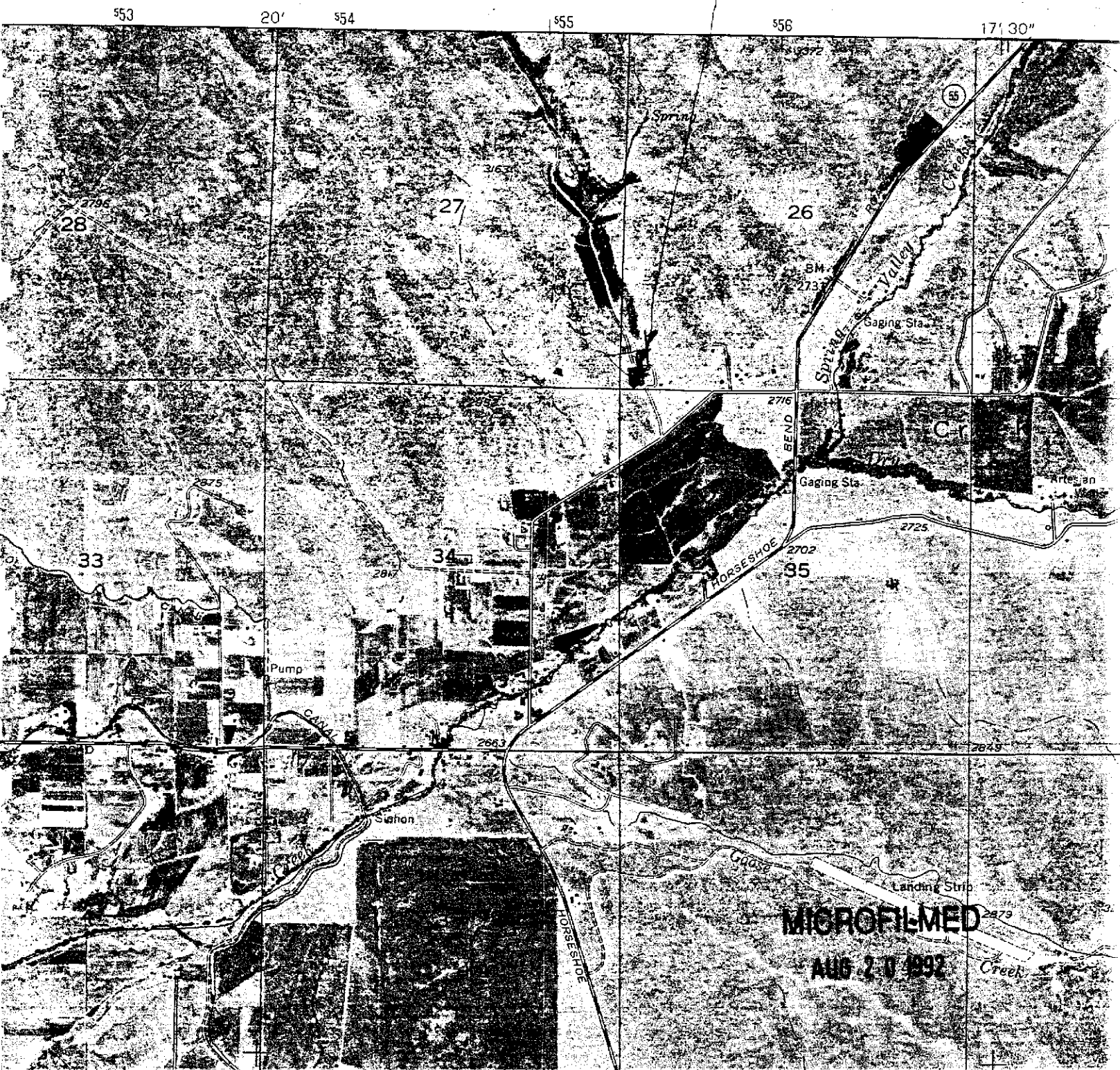
Ron Howerton

Residing at Boise, Idaho

My Commission Expires

8, 1991

ICES



11/30/2005

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

RIGHT NUMBER: 63-4791

NAME AND ADDRESS: ANTONIO EIGUREN
4997 BROOKSIDE LANE
BOISE ID 83714

TARA MCELHOSE-EIGUREN
4997 BROOKSIDE LN
BOISE ID 83714

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
9.900 AFY

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

PRIORITY DATE: 04/01/1940

POINT OF DIVERSION:

T05N R01E S26 SWSW Within ADA County

T05N R01E S26 SWSW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.040 CFS 9.90 AFY
DOMESTIC	01/01 12/31	0.020 CFS
STOCKWATER	01/01 12/31	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

T05N R01E S26 SWSW 2.2

STOCKWATER Within ADA County

T05N R01E S26 SWSW

DOMESTIC Within ADA County

T05N R01E S26 SWSW

2.2 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

Stockwater use is for 12 mixed head of horses and range cattle.

PARCEL NOS: S0226333700 & S0226333800.

Water Right 63-4791

1



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

November 30, 2005

Antonio Eiguren
Tara McElhose-Eiguren
4997 Brookside Lane
Boise, ID 83714

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Re: Notice of Claim to a Water Right No. 63-4791

Dear Claimant(s):

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

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

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

Sincerely,

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

Enclosure

11/28/2005

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

RIGHT NUMBER: 63-4791

NAME AND ADDRESS: CARSON R SPENCER
PO BOX 45324
BOISE ID 83711

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
9.900 AFY

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

PRIORITY DATE: 04/01/1940

POINT OF DIVERSION:

T05N R01E S26 SWSW Within ADA County
T05N R01E S26 SWSW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.040 CFS 9.90 AFY
DOMESTIC	01/01 12/31	0.020 CFS
STOCKWATER	01/01 12/31	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
T05N R01E S26 SWSW 2.2
STOCKWATER Within ADA County
T05N R01E S26 SWSW
DOMESTIC Within ADA County
T05N R01E S26 SWSW

2.2 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

Stockwater use is for 12 mixed head of horses and range cattle.

PARCEL NOS: S0226333700 & S0226333800.

MEMORANDUM

**RE: Snake River Basin Adjudication Water Right Nos. A63-4791
Notice of Error Reply**

November 28, 2005

Dave and Jeannie Eiguren, the parents of Antonio Eiguren, came into the Western Region office in response to the Notice of Error packet they recently received via Carson Spencer. Mr. Eiguren wanted to know why Carson Spencer received the information in the mail and why their son, Antonio, was not on the water right. Dave Eiguren added that he and his wife had been here 2 years ago and thought that everything had been taken care of at that time.

After pulling the file, I found that after I received a call from Carson Spencer telling me that he no longer owned the property, that I tracked-down Antonio Eiguren as the current owner and requested both evidence of priority and the filing of a Change in Water Right Ownership form (which I sent to Antonio) from him in December 2005. I told Dave and Jeannie Eiguren that the ownership had not been changed because I did not receive the Change in Ownership form back and that I changed the priority date from 1940 to 1960 because I did not receive any evidence of priority. I also informed them that 1960 was the best that I could do for them, based on my **own** research.

While we were looking through the Eiguren's personal file that they brought with them to the office, we found the Change in Water Right Ownership form that I had sent their son in December 2003. It was filled-out and signed and even had the Warranty Deed attached. In essence, I surmise they filled it out 2 years ago and forgot to send it back to me. In order to take care of the evidence of priority, I had Mr. Eiguren fill-out and sign an affidavit; based on a conversation he had with one of the previous owners.

After the Eigurens left the office, I changed the priority date **back to the claimed date**, changed the location of the PODs (based on the map I enclosed with the Change in Ownership form in 2003), and will have the Ownership form processed this afternoon.

Kimberly Brown
Senior Water Resource Agent
Western Region

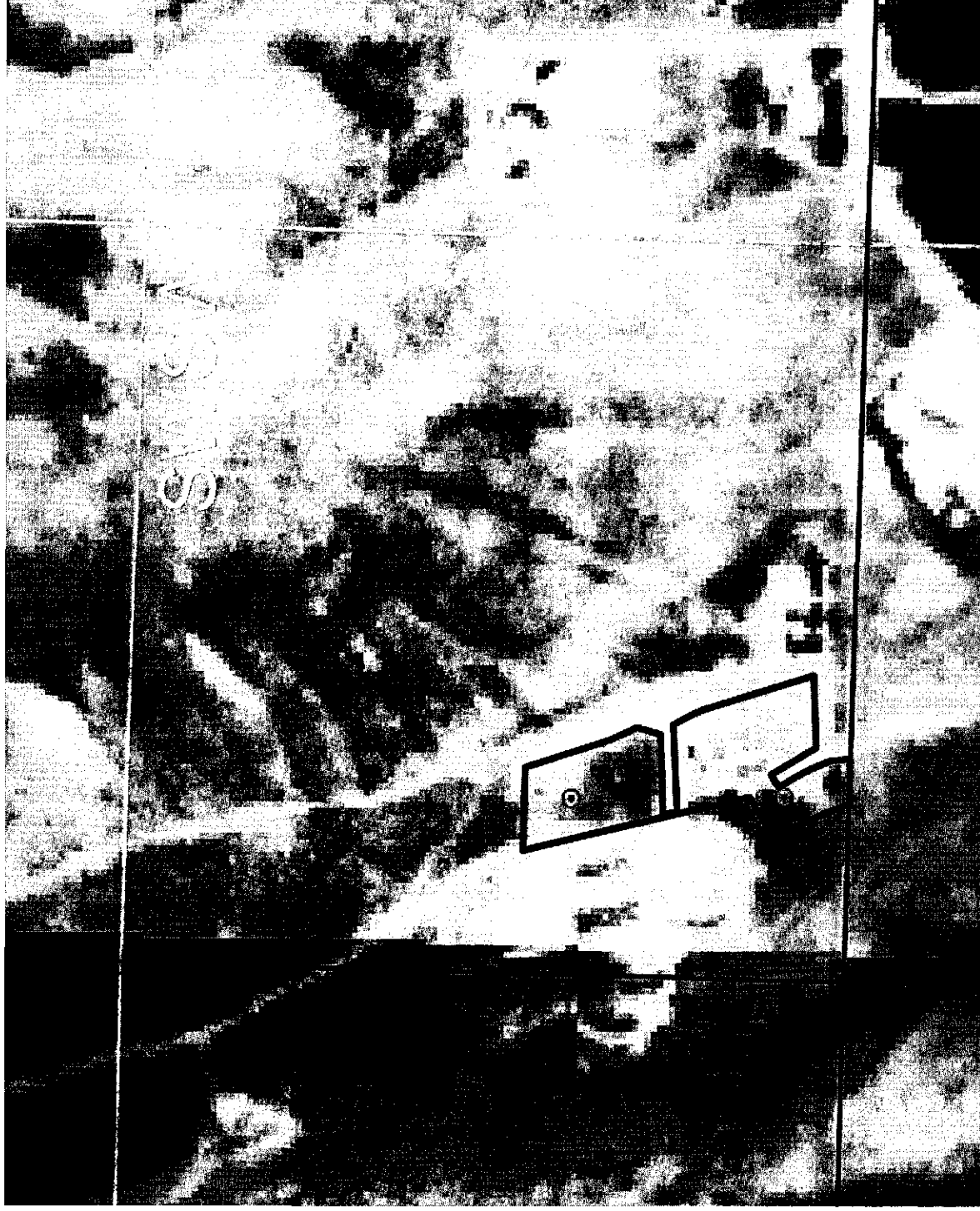
Idaho Department of Water Resources

**T05N, R01E,
S26**

Claim No: 63-4791

Prepared By: Kimberly Brown

Date: November 28, 2005



Place of Use

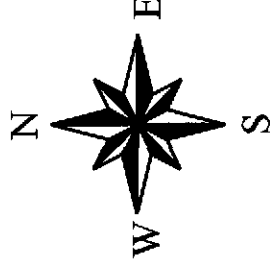


Section Lines

1/4 1/4

☉ Point of Diversion

Acres Irrigated = 2.2

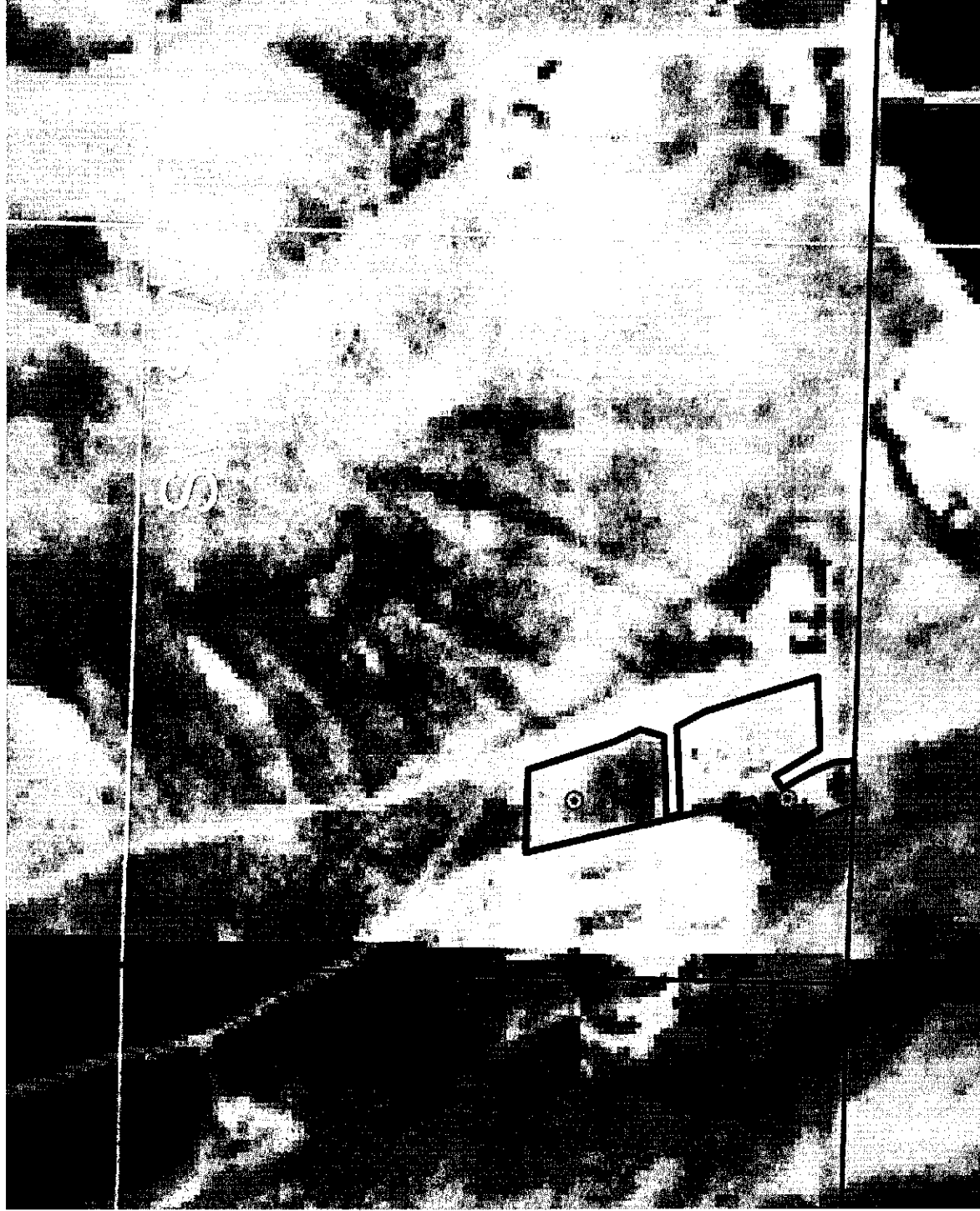


1987 NAPP

Idaho Department of Water Resources

T05N, R01E,
S26

Claim No: 63-4791
Prepared By: Kimberly Brown
Date: November 28, 2005



Place of Use

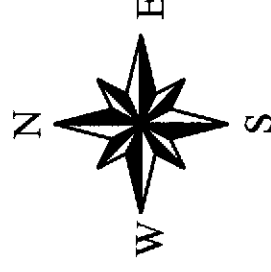


Section Lines

1/4 1/4



Point of Diversion



1987 NAPP

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))

63-4791)
State of Idaho)
County of ADA)

AFFIDAVIT

RECEIVED

NOV 28 2005

WATER RESOURCES
WESTERN REGION

DAVE EIGUREN being first duly sworn,
deposes and says: I did speak with Mrs.
O'Kellay approximately two years ago
To do with the usage of water on
his stated Brookside property. Mrs.
O'Kellay stated that the wells were
in use in 1940 and used for
domestic, irrigation and stock water
the usage was for 3 acres and
one horse 12 animals. The
domestic is a three bedroom
home

Dave Eiguren
(Signature)

11/08/2004

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

RIGHT NUMBER: 63-4791

NAME AND ADDRESS: CARSON R SPENCER
PO BOX 45324
BOISE ID 83711

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
9.900 AFY

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

PRIORITY DATE: 01/01/1960

POINT OF DIVERSION:

T05N R01E S26 SWSW Within ADA County

T05N R01E S26 SWSW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.040 CFS 9.90 AFY
DOMESTIC	01/01 12/31	0.020 CFS
STOCKWATER	01/01 12/31	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

T05N R01E S26 SWSW 2.2

DOMESTIC Within ADA County

T05N R01E S26 SWSW

STOCKWATER Within ADA County

T05N R01E S26 SWSW

2.2 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 NOS: S0226333700 & S0226333800.

Stockwater use is for 12 mixed head of horses and range cattle.

Idaho Department of Water Resources

T05N, R01E,
S26

Claim No: 63-04791

Prepared By: Kimberly Brown

Date: November 4, 2004

● Point of Diversion



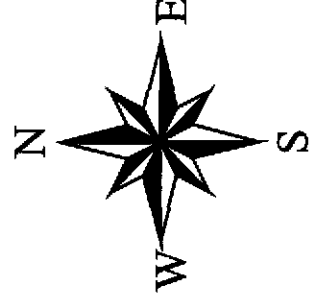
Place of Use



Section Lines

1/4 1/4

Acres Irrigated = 2.2



1987 NAPP



ADD WB5 - Domestic use is for 1 home and does
not include irrigation of lawn and garden.

ADD XO2 - Stockwater use is for 121 ^{mixed} head of horses and
range cattle. (OVER) →

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-4791

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
05N	01E	26	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
													X						

Conditions of Approval:Remarks:

1. General DOMESTIC AND STOCKWATER USES WERE NOT LISTED BUT ALWAYS HAVE BEEN USED, BUT NOT LISTED ON STATUTORY CLAIM.
2 POINTS OF DIVERSION IN P/D, SECOND WELL WAS ADDED TO SUPPLEMENT 1ST WELL IN 1986.
HOMESTEAD HOUSE WAS TORN DOWN DUE TO THE PRIVATE ROAD AND ORDERS FROM ADA COUNTY PLANNING AND ZONING.
1 FAMILY DWELLING NOW EXISTS.
OWNERSHIP CHANGED BY LH 8/10/94.

Comments:

ADD N09 -

ADD N14 -

Parcel Nos: S0226333700 & S0226333800.

* electronic backfile available

Field Exam Date 11.02.04

(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 \$ 53.⁰⁰
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information None
- ☒ 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 - 4791

Owner: Carson Spencer Phone No. (208) 939-1570

Current Address: P.O. Box 45324 Boise 83711

☐ No change NAME IS THE SAME

☒ NEW OWNER

☐ No change Address

☒ NEW ADDRESS

☒ How long owned property?

Antonio Figuren & Tara McElhose - Figure
4997 N. Brookside Lane, Boise 83703
Since March 2003

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: 4/1/1940

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

The O'Kellys claimed 1940, but Carson Spencer submitted
an Affidavit written by Wallace Connolly that only goes
back to 1960. Therefore, 01/01/1960 will be recommended, due to

Source: Ground Water

Tributary to

the domestic
use.

☒ No Change - SAME SOURCE

☐ Source found is different than claimed:

POINT OF DIVERSION

☒ No change

☐ POD found is different than claimed:

☐ If different, when did POD change?

2 POBs - the second well was added to
supplement the 1st well in 1986.

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

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

Description of diverting works

2 PODs, 80' & 125' deep, pump

OVERLAP REVIEW

Other water rights with the same point of diversion: 63-22859

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

No, separate POD.

WATER USES

☐ No change

☐ Different Uses

Season of use is 3/1 to 11/15.
 2.2 acres x 0.02 cfs = 0.04 cfs
 Use Irrigation From 3/1 To Amount 0.04 CFS 9.9 AFA
 Use From To Amount CFS AFA
 Use From To Amount CFS AFA

2.2 acres x 4.5 af/annum = 9.9 af/annum
 TOTAL VOLUME - Groundwater only
 0.04 cfs x 1.9835 x 246 days = 19.5 af/annum

☒ Incomplete on claim, the total is, Amount 9.9 CFS 9.9 AFA
☒ Changes found, the new total is, Amount 0.04 CFS AFA
☐ More than 1" per Acre? Yes (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

D & S

☒ No change

☐ Changes Exam found: Domestic # of homes 1 Stock # 12 mixed head
 Types Additional comments:

PLACE OF USE:

☐ No Change

☒ Changes shown below:

Parcels: S0226333700 & S0226333800.
 (house)

3.0 acres, as claimed, have been reduced to reflect irrigation use in 1987 (with 1994 NAPP also taken into consideration) endorsed
 w/ roads, driveways, etc. removed from total acreage. 2

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	
5N	1E	26											2.2						2.2

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: N/A

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

(COVER)

Season of use is 3/1 to 11/15.

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

Stockwater use is for 12 mixed breed of horses and range cattle.

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

Parcel Nos: S0226333700 & S0226333800.

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: 11.4.04

(in office review)

FIELD EXAMINER: Kimberly Porcion

Harris, Lori

From: Walker, Kay
Sent: Monday, June 13, 2005 4:59 PM
To: Harris, Lori; Shurte, Jan
Subject: Water Right 63-4791

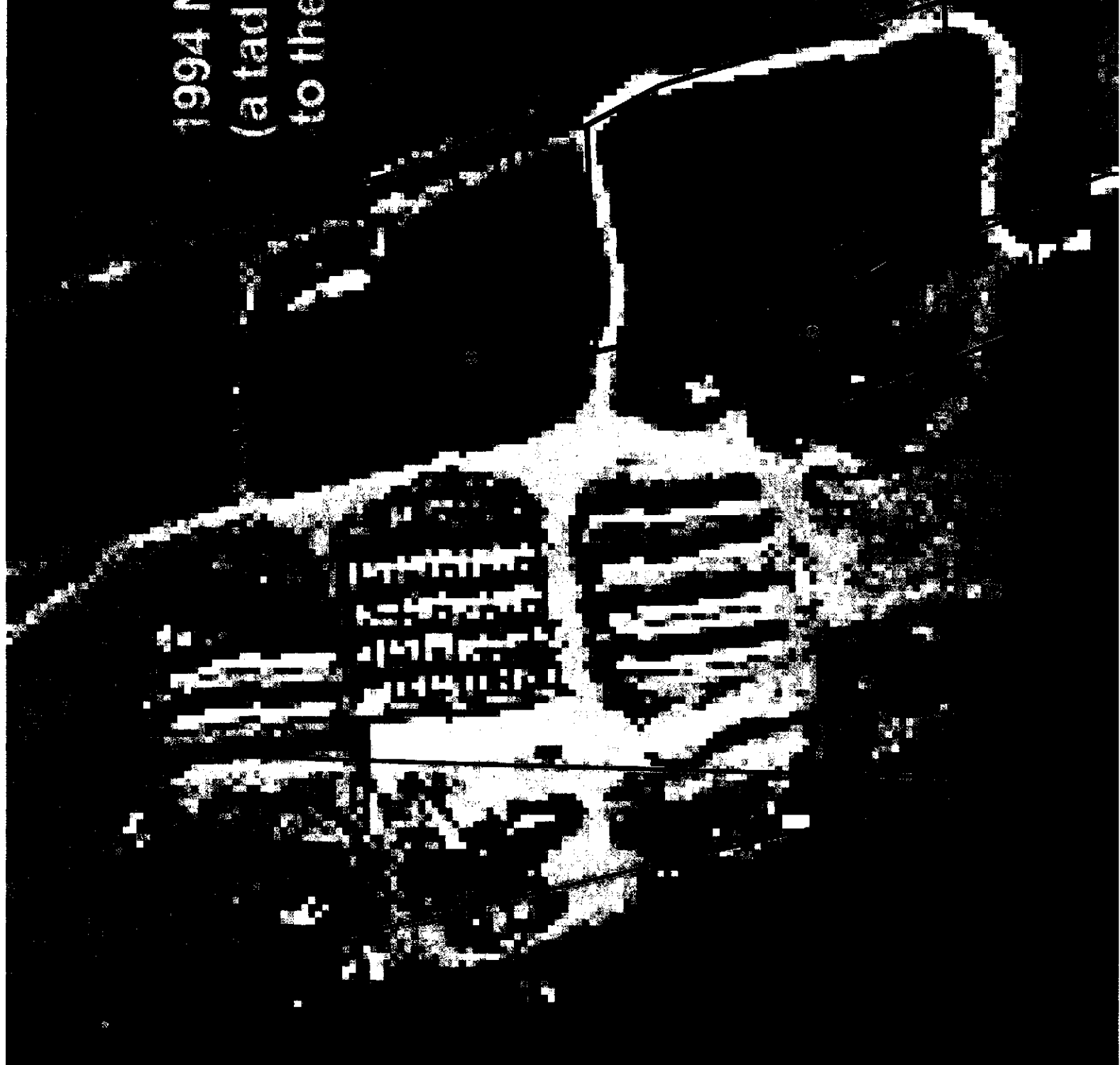
I had a call today from Carson Spencer (853-2509) who just received a large package of information regarding the above water right. He says he has not owned the property for over 10 years and did not want the information. I told him to give it to the new owners of the property so they could take care of it but he did not want to do that. I then suggested he return the package to the address that sent it to him but he said he wasn't going to do that either. I could not convince this fellow to deliver the information to the current owners even tho he drives past there all the time. Don't know what to tell you.... I tried. Kay

June 14, 2005
9:44 a.m.

I resent a new package, complete with Notice of Error, Shapefile, etc; to address: 4037 N. Brookside Lane,
Boise 83703

- Kimberly Brown

1994 NAPP
(a tad bit off
to the NE)



IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-4791

11/08/2004

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
~~63-4791~~	~~Claim~~	~~05N~~	~~01E~~	~~26~~	~~SW~~	~~SW~~		~~GROUND WATER~~	~~CARSON R SPENCER~~
63-22859	Claim	05N	01E	26	SW	SW		GROUND WATER	GEORGE T SINCLAIR JR
~~63-4791~~	~~Water Right~~	~~05N~~	~~01E~~	~~26~~	~~SW~~	~~SW~~		~~GROUND WATER~~	~~DONALD O KELLY~~
63-22859	Water Right	05N	01E	26	SW	SW		GROUND WATER	LINDA L SINCLAIR

No overlap -
separate POD.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-4791

11/08/2004

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
1016D	Claim	05N	01E	26	SW	SW	1955	IRRIGATION	licensed 2/2	GARY CANOVA
~~4791~~	~~Claim~~	~~05N~~	~~01E~~	~~26~~	~~SW~~	~~SW~~		~~IRRIGATION~~	~~3/3~~	~~CARSON R SPENCER~~
9295	Claim	05N	01E	26	SW	SW	1979	IRRIGATION	licensed 1/80	EDA RAE CONNOLLY
~~4791~~	~~Water Right~~	~~05N~~	~~01E~~	~~26~~	~~SW~~	~~SW~~		~~IRRIGATION~~	~~3/3~~	~~DONALD O KELLY~~
9295	Water Right	05N	01E	26	SW	SW		IRRIGATION	1/80	EDA RAE CONNOLLY
~~4791~~	~~Claim~~	~~05N~~	~~01E~~	~~26~~	~~SW~~	~~SW~~		~~STOCKWATER~~		~~CARSON R SPENCER~~
22859	Water Right	05N	01E	26	SW	SW	1974	STOCKWATER	Decreed R+S Parcel No: 5022633400	LINDA L SINCLAIR
1016D	Claim	05N	01E	26	SW	SW		DOMESTIC		GARY CANOVA
~~4791~~	~~Claim~~	~~05N~~	~~01E~~	~~26~~	~~SW~~	~~SW~~		~~DOMESTIC~~		~~CARSON R SPENCER~~
22859	Water Right	05N	01E	26	SW	SW		DOMESTIC		LINDA L SINCLAIR

No overlap -
separate POU's.

ReceiptID	Amount	BasinNumber	SequenceNum	SplitSuffix	Type
W002792	53.00	63	4791		Claim

**Land Records**
[\[Previous Search\]](#) [\[New Search\]](#) [\[Print View\]](#)
Property Details for Parcel S0226333700

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

General Information

Property Acres: 2.690
Zone Code: RR
Primary Code Area: 270 Tax Districts
Group Type: SECT
Subdivision: 5N 1E 26
Section: 5N1E26

**Property Description**

PAR #3700 OF SW4SW4
 SEC 26 5N 1E

Assessor Links**Property Address**

4997 N BROOKSIDE LN
 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	120-RESIDENTIAL TRACT	2.690	\$84,000	MARKET
Primary	340-RES IMPROVEMENT	0.000	\$71,000	COST

Total Assessed Value: \$155,000

Parcel Valuation History

Assessed value for year 2004 \$155,000
Assessed value for year 2003 \$147,600
Assessed value for year 2002 \$108,300
Assessed value for year 2001 \$96,300
Assessed value for year 2000 \$96,300

Ada County Links

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- [Treasurer](#)
- [Clerk/Auditor/Recorder](#)
- [Development Services](#)
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Property Characteristics

Residential
 Land

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Land Records

Characteristics Detail

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Residential

Land

Residential Characteristics 1 for Parcel "S0226333700"

Occupancy Date:	No Date Available
Year Built:	1910
Year Remodel:	2001
Effective Age:	1986
Construction Class:	3
Number of Bedrooms:	3
Number Bathrooms:	2.0
Number of Fireplaces:	1
Air Conditioning:	Y
Car Storage Sq Ft #1:	288
Car Storage Sq Ft #2:	0
General Purpose Building Sq Ft:	1584
Porch Sq Ft:	0
Deck Sq Ft:	0
Deck Covered:	N
Patio Sq Ft:	0
Patio Covered:	N
Pool Sq Ft:	0
Total Sq Ft:	2336
Main Floor Sq Ft:	1500
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:	836
Unfinished Attic Sq Ft:	0

Assessor Links

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**Land Records**
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Property Details for Parcel S0226333800

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- [Property Search](#)
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- [FAQ](#)
- [About Us](#)
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- [Old interactive map](#)

General Information

Property Acres: 0.310
Zone Code: RR
Primary Code Area: 270 Tax Districts
Group Type: SECT
Subdivision: 5N 1E 26
Section: 5N1E26

Property Description

PAR #3800 OF SW4SW4
 SEC 26 5N 1E

**Assessor Links****Property Address**

4695 N BROOKSIDE LN
 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	120-RESIDENTIAL TRACT	0.310	\$2,100	MARKET

Total Assessed Value: \$2,100

Parcel Valuation History

Assessed value for year 2004 \$2,100
Assessed value for year 2003 \$2,000
Assessed value for year 2002 \$2,000
Assessed value for year 2001 \$2,000
Assessed value for year 2000 \$2,000

Ada County Links

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

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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

December 29, 2003

ANTONIO L. EIGUREN OR
TARA MCELHOSE-EIGUREN
4997 N. BROOKSIDE LANE
BOISE, ID 83703

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 63-04791

Dear Property Owner(s):

Before we can modify our records to reflect your ownership of this water right, we need to also have you complete the enclosed Notice of Change of Water Right Ownership form. Please follow the instructions attached to the form and return to me with all of the required information.

Also enclosed is an aerial photograph of your property for your review. Please indicate the correct place of use (3 acres) and point of diversion (2 wells?) on the photograph and return the photograph to me with your Change of Ownership form.

If you have any questions, please call me at 329-2190.

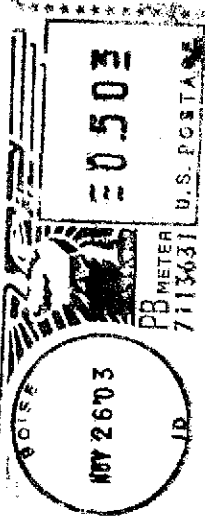
Sincerely,

Kimberly L. Brown
Water Right Agent
Western Region

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

RETURN SERVICE
REQUESTED

PRESTON
FIRST CLASS



5N1E

Spencer

63-04791

RECEIVED

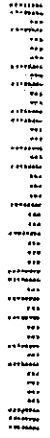
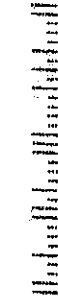
DEC 05 2003

WATER RESOURCES
WESTERN REGION

CARSON R. SPENCER
PO BOX 45324
BOISE ID 83711

SPEN324* T937112001 1903 05 12/03/03
RETURN TO SENDER
SPENCER CARSON R.
TEMPORARILY AWAY
RETURN TO SENDER

JAN 15 2004



12.18.03 Re: Evidence of Priority letter, etc. to PO Box 45324

-KRB

12.23.03 I Received a message from Carson Spencer regarding proof of priority.
Carson Spencer now lives in St. George, UT (#435 - 628 - 4143) and
sold the property several years ago.

According to 2002 Ada County Tax lot information: (Current Owners)

Antonio L. Figueroa and Tara McElhose - Figueroa
4997 N. Brookside Lane
Boise, ID 83703

* Asent Evidence of Priority letter
to Figueroa - KRB (12.23.03)

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

RETURN SERVICE

REQUESTED

POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



5N1E

Spencer

63-04791

RECEIVED

DEC 05 2003

WATER RESOURCES
WESTERN REGION

SPEN324* T037112001 1903 05 12/03/03
RETURN TO SENDER
SPENCER CARSON R
TEMPORARILY AWAY
RETURN TO SENDER

JAN 15 2004





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

December 29, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

ANTONIO L. EIGUREN
TARA MCELHOSE-EIGUREN
4997 N. BROOKSIDE LANE
BOISE, ID 83703

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-04791

Dear Claimant(s),

In the past, Linda O'Kelly 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. Mrs. O'Kelly 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.**"

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

The required evidence supporting the priority date(s) requested needs to be submitted by January 26, 2004. 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,

Kimberly L. Brown

Kimberly L. Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-04791

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

November 25, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

CARSON R. SPENCER
PO BOX 45324
BOISE ID 83711

12.29.03

*Carson Spencer left a message
that she now lives in St. George, UT
(435-628-4143) and sold the
property several years ago.*

-KLB

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-04791

Dear Claimant(s),

In the past, Linda Kelly 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. Mrs. Kelly 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."

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

The required evidence supporting the priority date(s) requested needs to be submitted by December 23, 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,

Kimberly L. Brown

Kimberly L. Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-04791

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



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 15, 1994

Re: Notice of Claim to a Water Right No. A63-04791

Carson R. Spencer
P.O. Box 45324
Boise, ID 83711

Mr. Spencer:

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

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

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

Sincerely,

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

LH:1

cc: Donald & Linda O'Kelly

RECEIVED
AUG 17 1994
208 334-2190

07/15/94

COMMUNICATION DOCUMENTATION

RECEIVED

AUG 02 1994

WATER RESOURCES
WESTERN REGION

Claim No.: A63-04791

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent: Carter Fritschle

Date: July 22, 1994

Contact Person(s): Carson R. Spencer

Nature of Contact and Substance of Communication: Mr. Spencer purchased the property described in claim A63-04791 in 1991. He is now thinking of selling the property and the potential buyer wanted to be sure the water rights were in order. I helped him complete a change of ownership form, and also explained that evidence supporting the claimed priority date would be required at some point in the future. We discussed the types of evidence that would likely be sufficient, and he decided he would try to get an affidavit from Wallace Connolly, a nearby land owner.

WATER RESOURCES
WESTERN REGION
AUG 17 1994

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 DONALD AND/OR LINDA O'KELLY

(Name of Claimant)

Rt. 1, Brookside Lane, Boise, ID 83702

(Mailing Address)

Telephone No. 939-0744

(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) 4/1/1940

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)

groundwater tributary to _____

- (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)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>0.06 cfs</u>	Use	<u>irrigation</u>	Period of Use From <u>4/1</u>	To <u>10/31</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) 0.06 cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

SW ¼ SW ¼, Sec. 26 Twp. 5N Rge. 1E B.M., County of Ada

Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 6" well with pump; 305' deep, with sprinkler system

- (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	
5N	1E	26											3						3

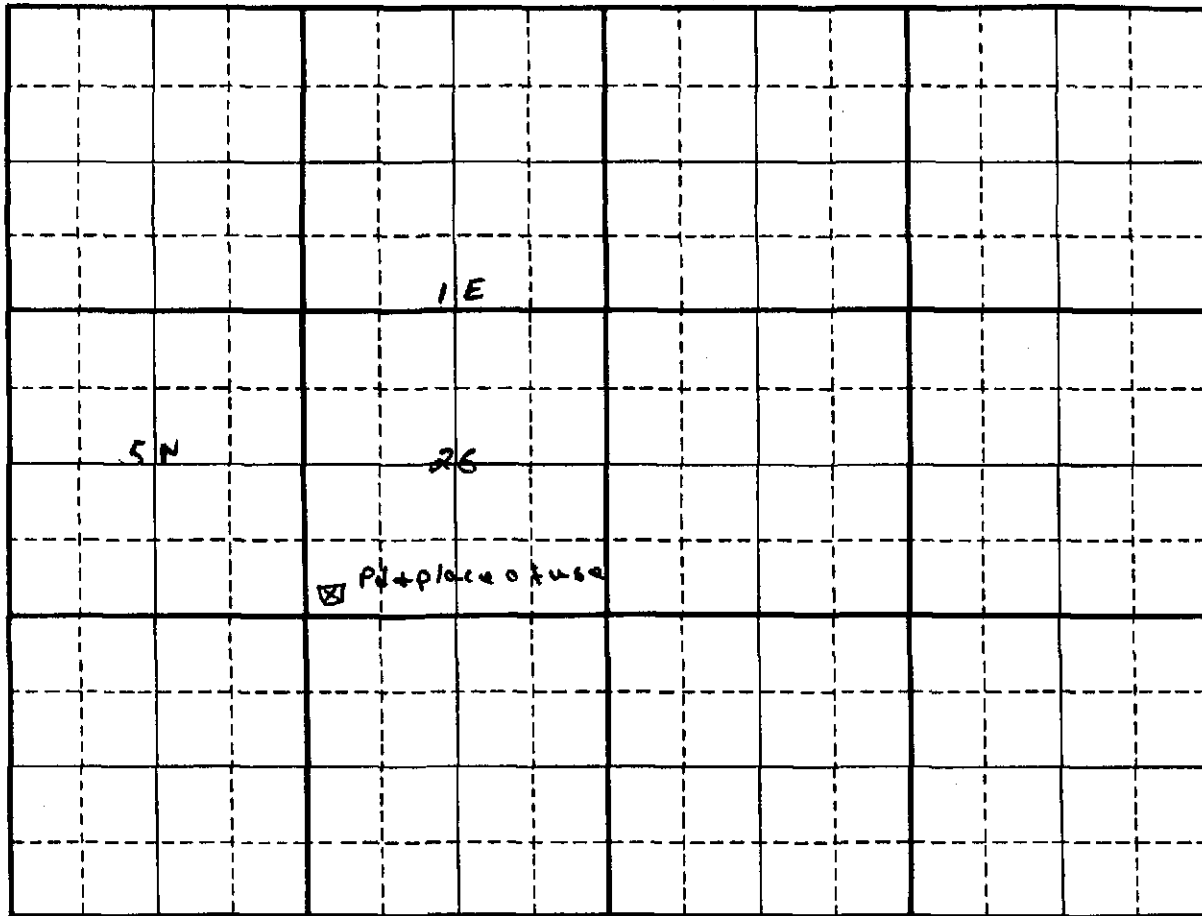
No. of acres 3

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: _____

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

(B) Remarks _____



Scale: 2 inches equal 1 mile.

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

State of Idaho)
County of Ada) 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 29th day of April, 1981.

Don C. Kelly
(Claimant)
John H. Hargis
Notary Public
Residing at Boise, Idaho.

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by CEB Date 29 April 81 Exception filed by: _____ Date _____
Prelim. check by CEB Date 29 April 81
\$20.00 fee received by CEB Date 29 April 81
Published in Idaho Statesman NEA 5/29/81
Dates 5/7 & 5/14/81

RECORDED