

Idaho Department of Water Resources



T04N, R01E,
S29

Claim No: 63-04893

Prepared By: Kimberly Brown

Date: February 8, 2005



Place of Use



Section Lines



1/4 1/4



Point of Diversion

Acres Irrigated = 17.0



0.06 0 0.06 0.12 Miles



1987 NAPP

S29

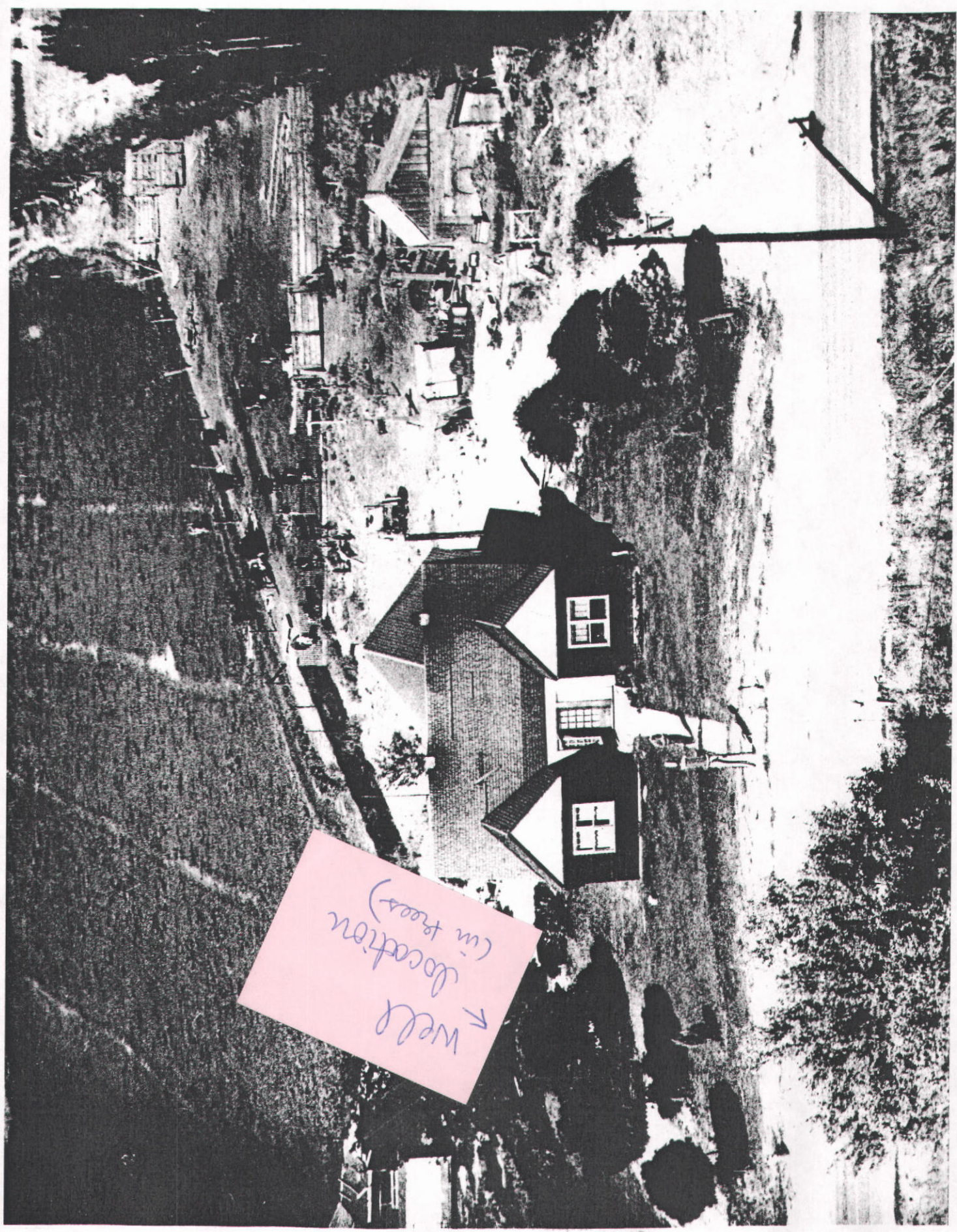
NESE

1994 NAPP
#63-04893

NESE

S29

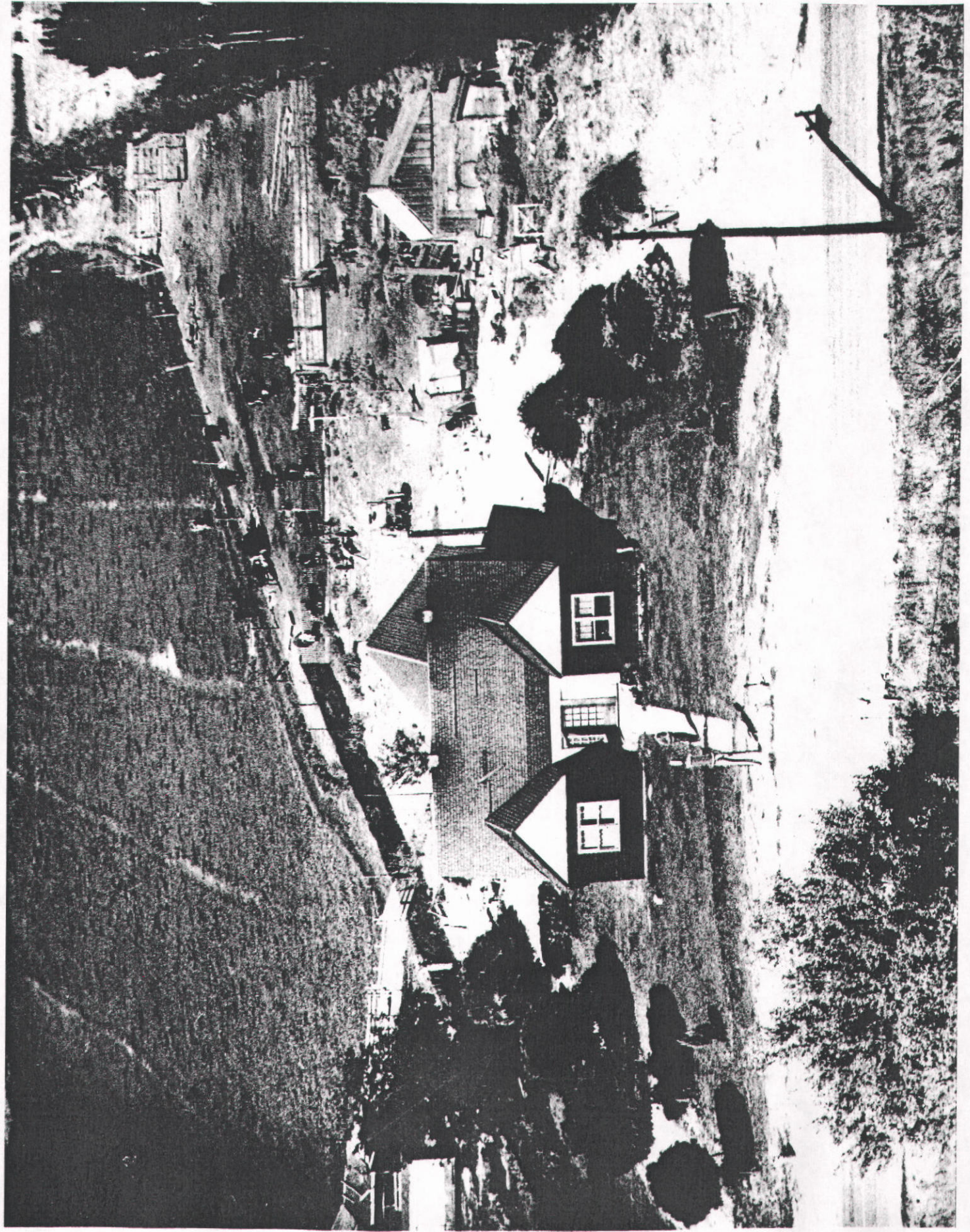
2003 NADP
#63-04893



Well
location
(in trees)

1947-48

63-0489



1947-48

63-04893

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 63-4893
Date Received: 8/16/1989
Receipt No: C009666
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JOSEPHINE DECHAMBEAU Phone: (208)938-9469

12775 W. SILVERBROOK
BOISE ID USA 83713

2. Date of Priority: 04/01/1939

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01E	29	NE NE SE	ADA	

5. Description of diverting works:

100' WELL, 7" CASING, 2 PUMPS SUBMERSIBLE FOR IRRIG. & DOM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.34	
DOMESTIC	1/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.38 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
04N	01E	29	NE	SE	DOMESTIC	
			NE	SE	IRRIGATION	17
					Section Acres	17
					Total Acres	17

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:

CHANGE IN OWNERSHIP 2-10-05 LG

15. Basis of Claim: Beneficial Use

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

RECEIVED

AUG 21 2003

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, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s)	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-4893 →					

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) are 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) Roxy E. Burns
4. New Owner/Claimant(s) Josephine DeChambray
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 12775 W. Silverbrook
- City, State and ZIP Code Boise, Ida - 83713
- New Telephone Number () 938-9469
5. Date you acquired the property Sept. 12, 1997

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) Josephine DeChambeau

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 8/2/03 Fee 0
 Receipted 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. 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

COPY

Allen R. Derr, Esq.
DERR LAW OFFICES
200 North 3rd, Suite 8
P. O. Box 1006
Boise, ID 83701-1006
Phone: (208) 342-2674
Fax: (208) 342-2676

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, Made by Josephine DeChambeau, as Personal Representative of the Estate of Roxie E. Burns, deceased, Grantor, to the following Grantees whose names and addresses are:

Josephine DeChambeau	10611 W. Treeline Boise, ID 83713	(^{AS} Trustee)
Ann Parsons	17535 Melville Place Granada Hills, CA 91344	
Maxine Berry	5585 N. Eagle Road Meridian, ID 83642	
Mary Lindley	P.O. Box 653 Big Bear Lake, CA 92315	
Ida Walker	4935 S. 180th Seattle, WA 98188	

WHEREAS, Grantor is the qualified Personal Representative of the Estate of Roxie E. Burns, deceased, filed and pending as Probate Number SP-IE-9600558M in Ada County, Idaho.

NOW THEREFORE, for valuable consideration received, Grantor sells and conveys to Grantees as their sole and separate property the following real property in Ada County, Idaho:

N2 NE4 SE4, Section 29, Township 4N,
Range 1E, #S0529411000R,
04N01E297250, less road and utility
easements and more particularly
known as 5585 North Eagle Road,
Meridian, Ada County, Idaho.

TOGETHER with all and singular tenements, hereditaments, and appurtenances thereunto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and all estate, right, title, and interest in

and to the said property, as well in law as in equity, of the said Grantor.

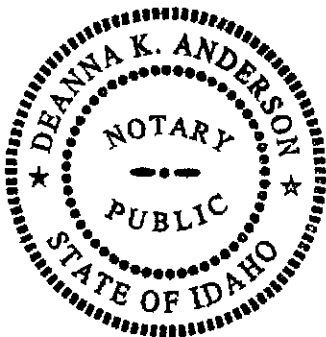
EXECUTED This 12th day of September, 1997.

Josephine DeChambeau
Josephine DeChambeau
Personal Representative of the
Estate of Roxey E. Burns

STATE OF IDAHO)
) ss.
County of Ada)

On this 12th day of September, 1997, before me, a Notary Public in and for said State, personally appeared Josephine DeChambeau, known to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Roxey E. Burns, and acknowledged to me that she executed the same.

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



Deanna K. Anderson
Notary Public for Idaho
Residing in Boise, Idaho
My comm. exp.: 4-7-98

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: A63-04893
Date Received: 8/16/1989
Receipt No: C009666
Received By: DE JN

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROXEY E. BURNS
Address: 5585 N. EAGLE RD.
MERIDIAN, ID

83642

~~208-939-2296~~

*no longer valid
9/03*

2. Date of Priority: APR 01, 1939

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	01E	29	NE	NE	SE		ADA

5. Description of diverting works:

100' WELL, 7" CASING, 2 PUMPS SUBMERSIBLE FOR IRRIG. & DOM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.340		
DOMESTIC	01/01	12/31	0.040		

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

A.F.A.

8. Total consumptive use is

59.5 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	01E	29	NE	SE		IRR	17.0
			NE	SE		DOMEST	

A63-04893

Page

1

Date: 05/21/90

MICROFILMED
AUG 20 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	17.0
					Total Acres	17.0

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:
SETTLERS IRRIG. DIST.

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

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 _____

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 A63-04893
Date Received 8-16-89
Receipt Number C009666

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
AUG 16 1989

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Roxey E Burns Phone (1) 9392296
Mailing Address 5585 NEagle Meridian Idaho Zip 83642

2. Date of Priority (Only one (1) per claim) April 1 1939

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

4. a. Location of existing point of diversion is: Township 4th Range 1E Section 29,
NE 1/4 of NE 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Ada

Additional points of diversion if any: _____

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

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

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

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

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

well 7 inch casing 100-hydant ft
2 pumps 5 sub. for irrigation and d.w.b.
for domestic use

MICROFILMED

AUG 20 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3-15 to 11-15 amount 34 or _____

For domestic purposes from 1-1 to 12-31 amount 204 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 34 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 59.5 acre feet per annum.

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

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4N	1E	29													17				
															DE				

Total number of acres irrigated _____

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

12. Do you own the property listed above as place of use? Yes yes No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
Settlers dist or None ()

14. Remarks:

MICROFILMED

AUG 20 1992

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

MICROFILMED

SEP 11 1988

Scale: 2 inches equals 1 mile

29

P.D.

T 4 N

P.k.

R / E

1/2 inch

AUG 20 1992

Last Name Ident No.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

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

Signature of Claimant (s) Rowley & Burns Date 8-16-1989

Date _____

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

Signature of Authorized Agent _____
Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 16th day of August 1989

SEAL

Notary Public Carter Fritschle

Residing at Carter Fritschle, Notary Public

Residing at Eagle, Idaho

My Commission Expires March 21, 1994

Please Print Name

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

Signature _____

Address _____

Date _____

MICROFILMED
AUG 20 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

Water Right Number - 63-04893 Adj. Flag Translation: Standard Water Right Number Old (D) Number -

+ - - - - Last Name - - - - + + - - - - First Name - - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
BURNS ROXEY E.

1 - 5585 N. EAGLE RD.
2 -
3 -
City- MERIDIAN State- ID Zip- 83642
Phone -

+ - - - - Priority Date - - + + - - - - Region - - - + + - - - - Stage - - - + + - - - - Status - - - +
06/01/1942 14 S - STATUTORY CLAIM

+ - - - - Source - - - - + + - - - - Tributary - - - - - +

GROUNDWATER

+ - - - - Twn Rng Sec Tract Lot RFlg County Point of Diversion - - - - - Stream Index (Blank if no Index Code) - - - - -

04N 01E 29 NE SE (1) ADA

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

01 - IRRIGATION 03/15 11/15 0.660

+ - - - - Total Div. Rate - + + - - - - Total Div. Volume - + + - - - - Total Div. Capacity - + + - - - - Total Consumptive Use - + + - - - - KW Usage - +
0.660

+ - - - - Twn Rng Sec Tract Lot Acres Code Description County

04N 01E 29 NE SE 20.0 01 IRRIGATION (1) ADA

Total Acres: 20.0

+ - - - - Diversion Means - WELL, PUMP & GRAVITY SYSTEM

+ - - - - Non-Irrigation Use -

+ - - - - Other Rights for Same Use -

+ - - - - Remarks - - - - - Remarks - - - - -

No Remarks found.

+ - - - - Conditions of Approval - - - - - Conditions of Approval found.

No Conditions of Approval found.

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

+ - - - - Audit Fields - 01/17/86 05/01/88 CONVERT

MICROFILMED

AUG 20 1992

Adj. flag translation: Standard Water Right Number

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Tested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	-
Start Work Date	- 00/00/0000	Verified Date	- 01/17/1986	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				

AUG 20 1992

NOTICE OF ERROR

REPLY

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

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

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

Water right number: 63-4893

JOSEPHINE DECHAMBEAU
12775 W. SILVERBROOK
BOISE ID 83713
Telephone Number: (208)938-9469

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

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

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

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

DATE: June 16/2005 SIGNATURE: Josephine DeChambeau

Please print your name: Josephine DeChambeau

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

02/10/2005

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

RIGHT NUMBER: 63-4893

NAME AND ADDRESS: JOSEPHINE DECHAMBEAU
12775 W. SILVERBROOK
BOISE ID 83713

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.380 CFS
76.500 AFY

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

PRIORITY DATE: 04/01/1939

POINT OF DIVERSION:

T04N R01E S29 NENESE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
IRRIGATION	03/01 11/15	0.340 CFS 76.50 AFY

Domestic use is for 1 home.

PLACE OF USE: DOMESTIC Within ADA County

T04N R01E S29 NESE

IRRIGATION Within ADA County

T04N R01E S29 NESE 17.0

17 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 is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

PARCEL NO: S0529417260.

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



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

February 10, 2005

Josephine Dechambeau
12775 W. Silverbrook
Boise, ID 83713

Re: Notice of Claim to a Water Right No. 63-4893

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,

A handwritten signature in cursive script that reads "Liberty Gagnon".

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

Enclosure

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

RIGHT NUMBER: 63-4893

NAME AND ADDRESS: ROXEY E BURNS
5585 N EAGLE RD
MERIDIAN ID 83642

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.380 CFS
76.500 AFY

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

PRIORITY DATE: 04/01/1939

POINT OF DIVERSION:

T04N R01E S29 NENESE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
IRRIGATION	03/01 11/15	0.340 CFS 76.50 AFY

Domestic use is for 1 home.

PLACE OF USE: DOMESTIC Within ADA County

T04N R01E S29 NESE

IRRIGATION Within ADA County

T04N R01E S29 NESE 17.0

17 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 is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

PARCEL NO: S0529417260.

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

Idaho Department of Water Resources

T04N, R01E,
S29

Claim No: 63-04893

Prepared By: Kimberly Brown

Date: February 8, 2005



Place of Use

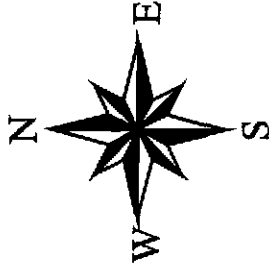
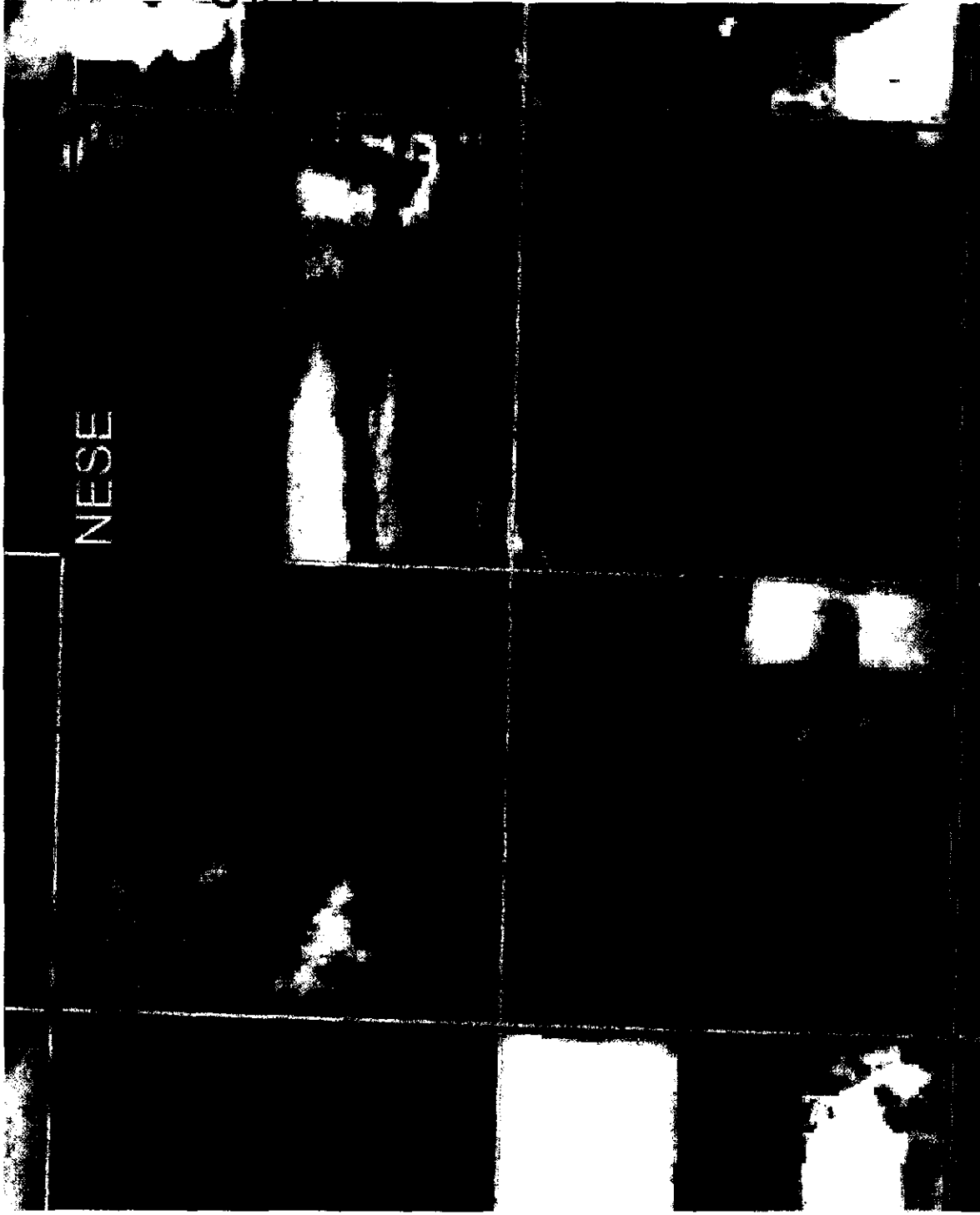


Section Lines

1/4 1/4

☉ Point of Diversion

Acres Irrigated = 17.0



1987 NAPP

0.06 0 0.06 0.12 Miles



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4893

WATER RIGHT NUMBER: 63-4893 ✓

Owner Type

Current Owner

Name and Address

ROXEY E BURNS ✓
5585 N EAGLE RD
MERIDIAN, ID 83642
(208)939-2296

2003 Ada County Tax lot information:

Maxine Berry, et al
12775 Silverbrook Ct.
Boise, ID 83713

Priority Date: 04/01/1939 ✓

Basis: Beneficial Use ✓

Status: Active

Source

GROUND WATER ✓

Tributary

Property Address: (10.95 AC)
5585 N. Eagle Rd.

Beneficial Use

DOMESTIC ✓

IRRIGATION ✓

From To

1/01 to 12/31 ✓

3/15 to 11/15 ✓

Diversion Rate

0.040 CFS ✓

0.340 CFS ✓

Annual Volume

76.5 AF

76.5 AF

Total Diversion:

0.380 CFS ✓

change to
3/1

Location of Point(s) of Diversion

GROUND WATER

ADA County ✓

(NE1/4NE1/4SE1/4 ✓

Sec. 29, Twp 04N, Rge 01E, B.M. ✓

Place of Use

DOMESTIC ✓

Twp	Rge	Sec	NE				NW				SW				SE				Totals
✓ 04N	01E	29	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
															X				

IRRIGATION ✓

Twp	Rge	Sec	NE				NW				SW				SE				Totals
✓ 04N	01E	29	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
															17.0				17.0

Total Acres: 17 ✓

Conditions of Approval:

ADD X01 - Domestic use is for 1 home and related domicile stock.

Remarks:

ADD W54 - Use is combined with Settler's Irr. Dist. water.

Photos?

ADD N10 & N12 - for domestic use...

Parcel No: S0529417260.

Field Exam Date 2.8.05

(in office review)

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 \$67.00
- ☐ 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) A63-4893

Owner: Roxey E. Burns Phone No. (208) 939-2296 9/2003

Current Address: 5585 N. Eagle Rd., Meridian 83642

- Property Address: 5585 N. Eagle Rd., Meridian
- ☒ No change NAME IS THE SAME
 - ☒ NEW OWNER Josephine De Chambeau (Trustee) Personal Representative
 - ☐ No change Address
 - ☒ NEW ADDRESS 12775 W. Silverbrook, Boise 83713
 - ☐ 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. (Maxine Berry is Josephine De Chambeau, the daughter of Roxey Burns)
- ☒ Priority date is acceptable/within mandatory filing dates? (Josie's older sister)

Priority date, per claimant, is: 4/01/1939

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

Source: Ground Water Tributary to

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

POINT OF DIVERSION

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

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

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

Description of diverting works

100' well, 7" casing, 2 pumps - 5 sub.
for irrigation

OVERLAP REVIEW

Other water rights with the same point of diversion: 63-7519, 63-18320, 63-18321

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

No overlap - separate PODs.

WATER USES

Season of use is 8/1 to 11/15

☐ No change

☐ Different Uses

Use Irrigation From 8/1 To Amount 0.38 CFS 76.5 AFA

Use From To Amount CFS AFA

Use From To Amount CFS AFA

17 AC x 4.5 af/acre = 76.5 af/annum (v.) 0.38 cfs x 1.9835 x 260 days = 195.96 af/annum

TOTAL VOLUME - Groundwater only

☒ Incomplete on claim, the total is, Amount CFS 76.5 AFA

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

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

NON-IRRIGATION USES:

☒ No change

☐ Changes Exam found: Domestic # of homes 1 Stock #

Types Additional comments:

PLACE OF USE:

☒ No Change

☐ Changes shown below:

Domestic use is for 1 household and related domicile stock.

Use is combined with Settlers Irrigation District water.

Quantity decreed for domestic use is not an indication of historical beneficial use and shall not exceed 13,000 gal/day.

Parcel No: S05 294 17260.

AFTER EXAM THE FILE SHOULD CONTAIN:

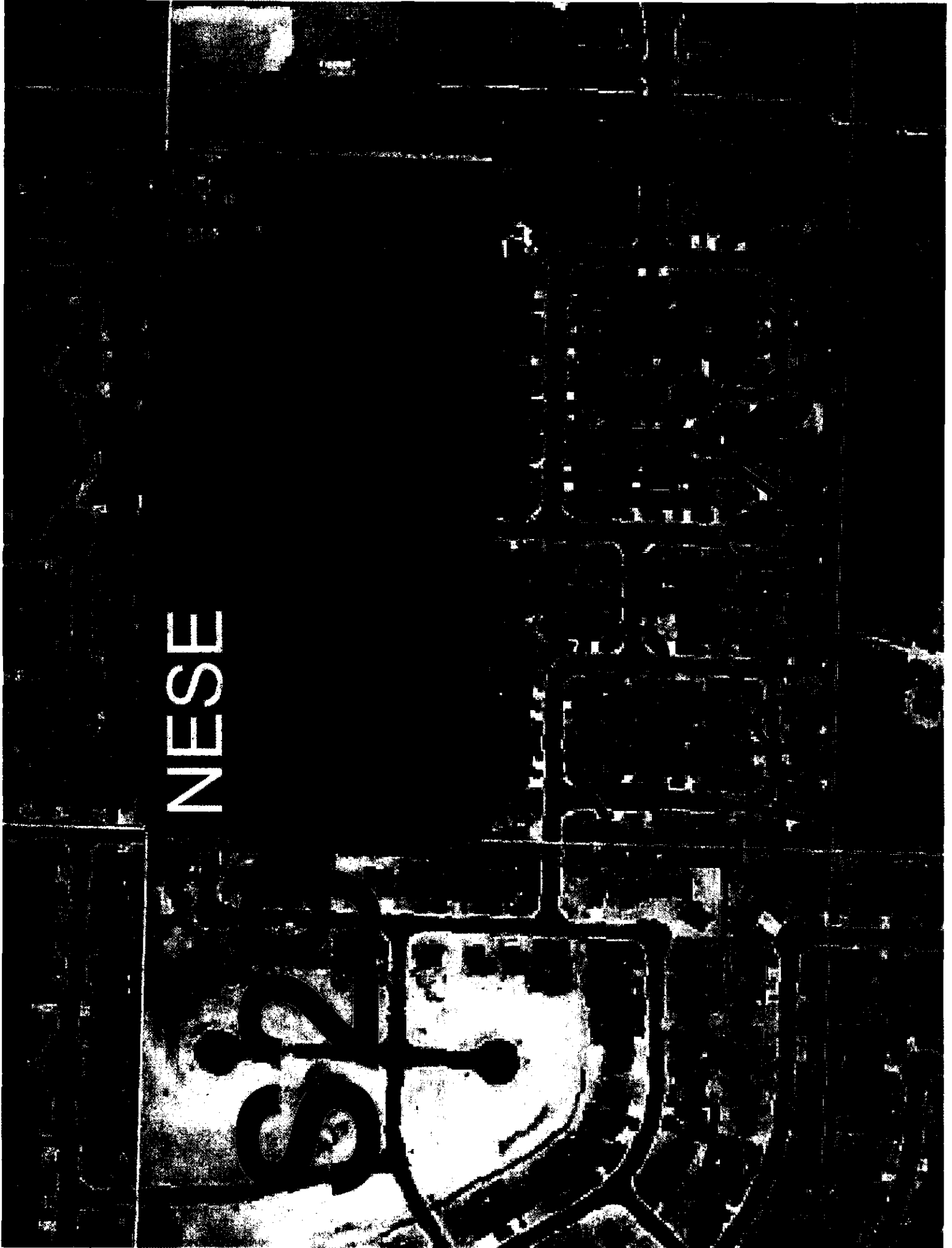
- ☒ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 2.8.05 (in office review)

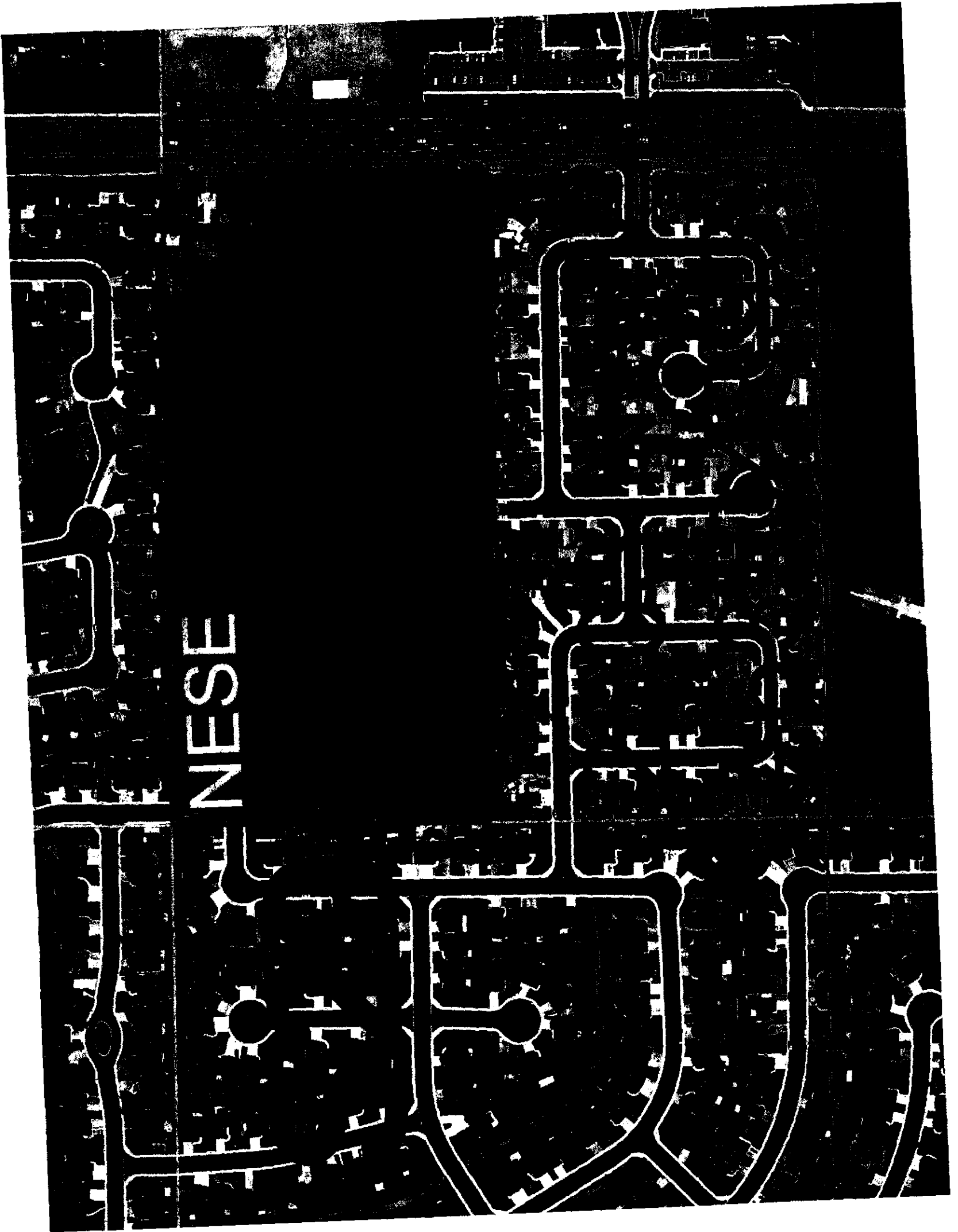
FIELD EXAMINER: Kimberly Brown

NESE

21



NESE



Overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-4893

02/09/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
161V	Claim	04N	01E	29	NE	SE	Boise River	IRRIGATION	1866 10/70	HARRY L BRYSON
4893	Claim	04N	01E	29	NE	SE		IRRIGATION	17/17	ROXEY E BURNS
161V	Water Right	04N	01E	29	NE	SE		IRRIGATION		CONSUMERS WATER CORP
4893	Water Right	04N	01E	29	NE	SE		IRRIGATION	20/20	ROXEY E BURNS
7519	Water Right	04N	01E	29	NE	SE	1971	STOCKWATER	5275 N. Eagle Rd. Parcel No: RP 80529417600	YANNA A MC DONALD
2576	Claim	04N	01E	29	NE	SE		MUNICIPAL		UNITED WATER IDAHO INC
2605	Claim	04N	01E	29	NE	SE		MUNICIPAL		UNITED WATER IDAHO INC
2874	Claim	04N	01E	29	NE	SE		MUNICIPAL		UNITED WATER IDAHO INC
2954	Claim	04N	01E	29	NE	SE		MUNICIPAL		UNITED WATER IDAHO INC
2956	Claim	04N	01E	29	NE	SE		MUNICIPAL		UNITED WATER IDAHO INC
2989	Claim	04N	01E	29	NE	SE		MUNICIPAL		UNITED WATER IDAHO INC
3164	Claim	04N	01E	29	NE	SE		MUNICIPAL		UNITED WATER IDAHO INC
7067	Claim	04N	01E	29	NE	SE		MUNICIPAL		UNITED WATER IDAHO INC
7577	Claim	04N	01E	29	NE	SE		MUNICIPAL		UNITED WATER IDAHO INC
7998	Claim	04N	01E	29	NE	SE		MUNICIPAL		UNITED WATER IDAHO INC
19456	Claim	04N	01E	29	NE	SE		MUNICIPAL		UNITED WATER IDAHO INC
4893	Claim	04N	01E	29	NE	SE		DOMESTIC		ROXEY E BURNS
18320	Water Right	04N	01E	29	NE	SE	1971	DOMESTIC	5325 N. Eagle Rd. Parcel No: S0529417450	GEORGE G VASIL JR
18321	Water Right	04N	01E	29	NE	SE	1980	DOMESTIC	5325 N. Eagle Rd. Parcel No: S0529417450	GEORGE G VASIL JR

No overlap -
separate POU's.

Overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-4893

02/09/2005

1

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Parcel No: RP 0529417600 D&S Name
63-7519	Claim	04N	01E	29	NE	SE	1971	GROUND WATER	VANNA A MC DONALD
63-18320	Claim	04N	01E	29	NE	SE	1971	GROUND WATER	Domestic Parcel No: S0529417450 LOIS L VASIL
63-18321	Claim	04N	01E	29	NE	SE	1980	GROUND WATER	Domestic Parcel No: S0529417450 LOIS L VASIL
63-4893	Claim	04N	01E	29	NE	SE		GROUND WATER	ROXEY E BURNS
63-4893	Water Right	04N	01E	29	NE	SE		GROUND WATER	ROXEY E BURNS
63-7519	Water Right	04N	01E	29	NE	SE		GROUND WATER	VANNA A MC DONALD
63-18320	Water Right	04N	01E	29	NE	SE		GROUND WATER	GEORGE G VASIL JR
63-18321	Water Right	04N	01E	29	NE	SE		GROUND WATER	GEORGE G VASIL JR

No overlap -
separate POBs.

Overlap review -

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-161V

WATER RIGHT NUMBER: 63-161V

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HARRY L BRYSON 2600 N EAGLE MERIDIAN, ID 83642 (208)375-2145
Original Owner	JOSEPH PERRAULT BOISE, ID
Original Owner	RICHARD Z JOHNSON BOISE, ID
Original Owner	CONSUMERS WATER CORP BOISE, ID
Current Owner	PERCY W MC DONALD 5275 N EAGLE RD MERIDIAN, ID 83642 (208)939-2220

Priority Date: 05/01/1866

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.460 CFS	
	<u>Total Diversion:</u>	0.460 CFS	

Location of Point(s) of Diversion

BOISE RIVER	NW1/4NW1/4	Sec. 9,	Twp 03N,	Rge 02E, B.M.
ADA County				

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	29													10.0			20.0	30.0
04N	01E	34						40.0											40.0

Total Acres: 70

Receipt Details for ID C009666

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
8/16/1989 12:53:49 PM	8/16/1989	State	\$67.00	Check
Payer		BURNS, ROXEY E.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
847			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$67.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	4893		\$67.00	Claim

[Print Report](#)

CONVERSATION MEMORANDUM

RE: Snake River Basin Adjudication Water Right No. A63-04893

August 14, 2003

Josie DeChambeau, the daughter of claimant Roxey Burns (who is deceased), called in response to the evidence of priority letter she recently received. Mrs. DeChambeau verified that they were irrigating in the late 1980s and said that they are still using the well for irrigation purposes today. Regarding evidence of priority, she has an old aerial photograph of the farm. Mrs. DeChambeau will look for additional information.

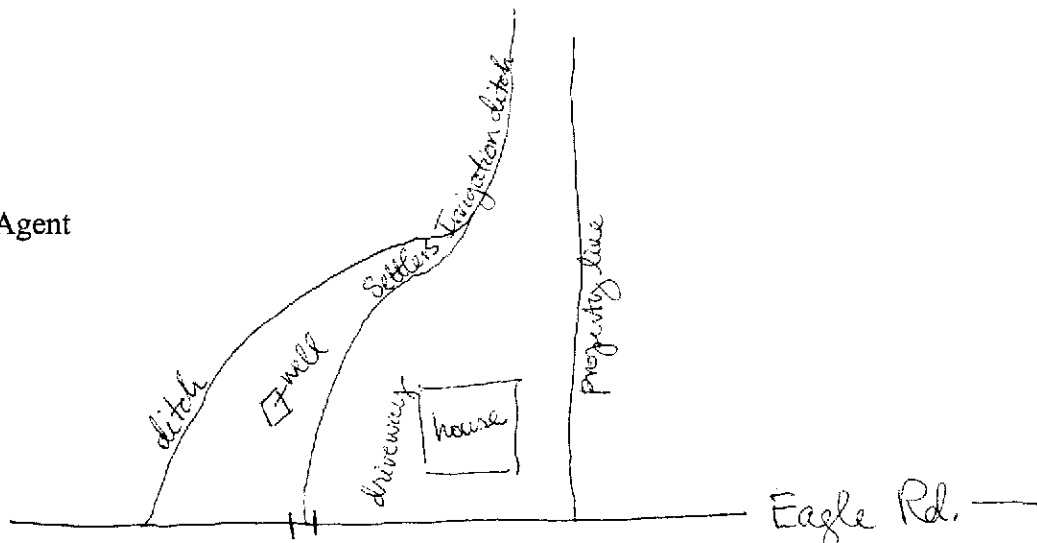
August 21, 2003

Josie DeChambeau came into the office with two of her sisters and supplied evidence of priority with a 1947 photograph of the farm and Abstract of Title No. C-16300. I gave her a Change in Ownership form to fill out; which she did while she was here in the office. The "legal" documents Mrs. DeChambeau had with her may be in question on order to file the Change in Ownership, so it may be necessary for her to submit proper legal documents in the future. Her telephone number is 938-9469.

In addition, Mrs. DeChambeau found a 1988 power bill in her documents and said that the house well had a $\frac{3}{4}$ HP pump (18 gpm) and the irrigation pump had a 5 HP pump (360 gpm) (the gpm information she said she got from "the pump guy"). Mrs. DeChambeau also stated that the well water comes from a pipe and goes to Eagle Rd. and then into a 2nd ditch; which is located past the Settlers Irrigation ditch near the pumps and well.

100 psi
working
pressure

Kimberly Brown
Senior Water Resource Agent
Western Region



No. C-16300

ABSTRACT OF TITLE

To

*Evidence
of
Priority*

The N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the N $\frac{1}{2}$ of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 29, Township 4 North, Range 1 East of the Boise Meridian, Ada County, Idaho,

EXCEPT: Beginning at a point 10 feet North of the SE corner of the N $\frac{1}{2}$ of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 29, Township 4 North, Range 1 East of the Boise Meridian; thence North 150 feet; thence South 89°48' West 135 feet; thence South 150 feet; thence North 89°48' East 135 feet to the point of beginning.

Prepared By
Capitol Title Company
BOISE, IDAHO

LOAN NO. 118
2 ABSTRACTS
TITLE POLICY
THE FEDERAL LAND
OF SPOKANE

AUDRAY C. BURNS and ROXEY BURNS,
husband and wife

to

11.

LILLIE M. RAPER

MORTGAGE

Dated March 14th, 1939
Ack'd March 16th, 1939
Before Laurel E. Elam, N.P. Re-
siding at Boise, Idaho.
Ack. in Ada Co. Idaho. Seal.
Recorded March 16th, 1939
at 3:20 P.M.
Book 155 of Mortgages at Page 141
Consideration \$900.00

Covers:

The following described real estate, situate in Ada County, IDAHO,
to-wit:

North Half of the Northeast Quarter of the Southeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$)
and the North Half of the South Half of the Northeast Quarter of the South-
east Quarter (N $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) Section Twenty-nine (29), Township Four (4)
North, Range One (1) East Boise Meridian, Ada County, Idaho, with the ap-
purtenances, including all water rights and all lighting, heating, plumb-
ing, screening, watering and other fixtures or appliances now or hereafter
placed thereon, together with all the improvements, privileges, tenements,
hereditaments and appurtenances thereto belonging or in anywise appertain-
ing and all rights of homestead; together with all ditch and water rights
of every nature, however evidenced, used on said land, belonging thereto
or owned in connection therewith or which may hereafter be acquired for
or used upon said land.

Secures the payment of one note for \$900.00, dated March 14, 1939,
due Three years, after date, with interest thereon from date until paid,
at the rate of six per cent per annum, payable semi-annually.

Audray C. Burns
Roxey Burns

AUDRAY C. BURNS and ROXEY BURNS,
Husband and Wife

to

1.

NELLE A. VINCENT

MORTGAGE #193595

Dated November 16th, 1939
Ack'd November 16th, 1939
Before Claude R. Davis, N.P.
Residing at Boise, Idaho
Ack. in Ada Co. Idaho. Seal.
My commission expires July 14,
1940
Witness: Claude R. Davis
Recorded November 16th, 1939
at 4:15 P.M.
Book 157 of Mortgages at Page 192
Consideration \$1,500.00

Covers:

The following described real estate, situate in ADA County, IDAHO
to-wit:

The North Half of the Northeast Quarter of the Southeast Quarter
(N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) and the North Half of the South Half of the Northeast Quar-
ter of the Southeast Quarter (N $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) Section Twenty-nine (29) in
Township Four (4) North of Range One (1) East of the Boise Meridian,
according to the official plat thereof (if platted) filed for record
in the Recorder's office of said County; together with all the improve-
ments, privileges, tenements, hereditaments and appurtenances thereto
belonging or in anywise appertaining and all rights of homestead; to-
gether with all ditch and water rights of every nature, however, evid-
enced, used on said land, belonging thereto or owned in connection
therewith or which may hereafter be acquired for or used upon said land.

Secures the payment of one note for \$1500.00, dated November 16th,
1939, due Three (3) Years after date, with interest from date until
paid, at the rate of Six (6%) per cent per annum, payable semi-annually.

Audray C. Burns
Roxey Burns

LILLIE M. RAPER

to

1.

AUDRAY C. BURNS AND ROXEY
BURNS, Husband and Wife

SATISFACTION OF MORTGAGE # 193730

Dated November 22nd, 1939

Ack'd November 22nd, 1939

Before Laurel E. Elam, N.P.

for the State of Idaho,

Residing at Boise, Idaho.

Ack. in Ada Co. Idaho. Seal

Recorded November 24th, 1939

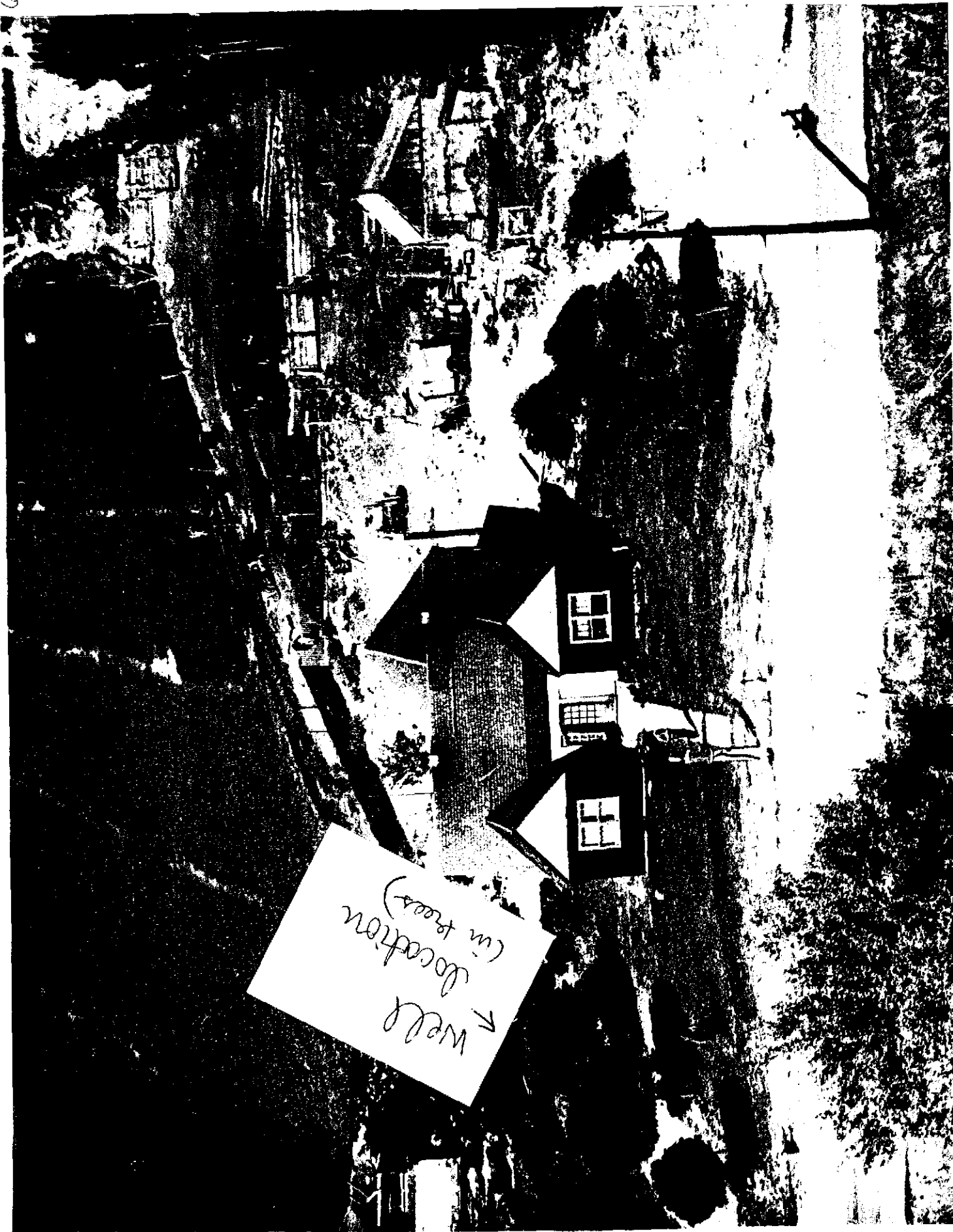
at 3:10 P.M.

Book 46 of Satisfactions of 284
Mortgages at Page

Certify and declare that a certain mortgage, bearing date the 14th day of March A.D. 1939, made and executed by AUDRAY C. BURNS AND ROXEY BURNS, husband and Wife, the parties of the first part therein, to LILLIE M. RAPER, the party of the second part therein, recorded in the office of the County Recorder of the County of ADA, State of Idaho, in Book 155 of Mortgages, on page 141 on the 16th day of March A.D. 1939, together with the debt thereby secured, is fully paid, satisfied and discharged.

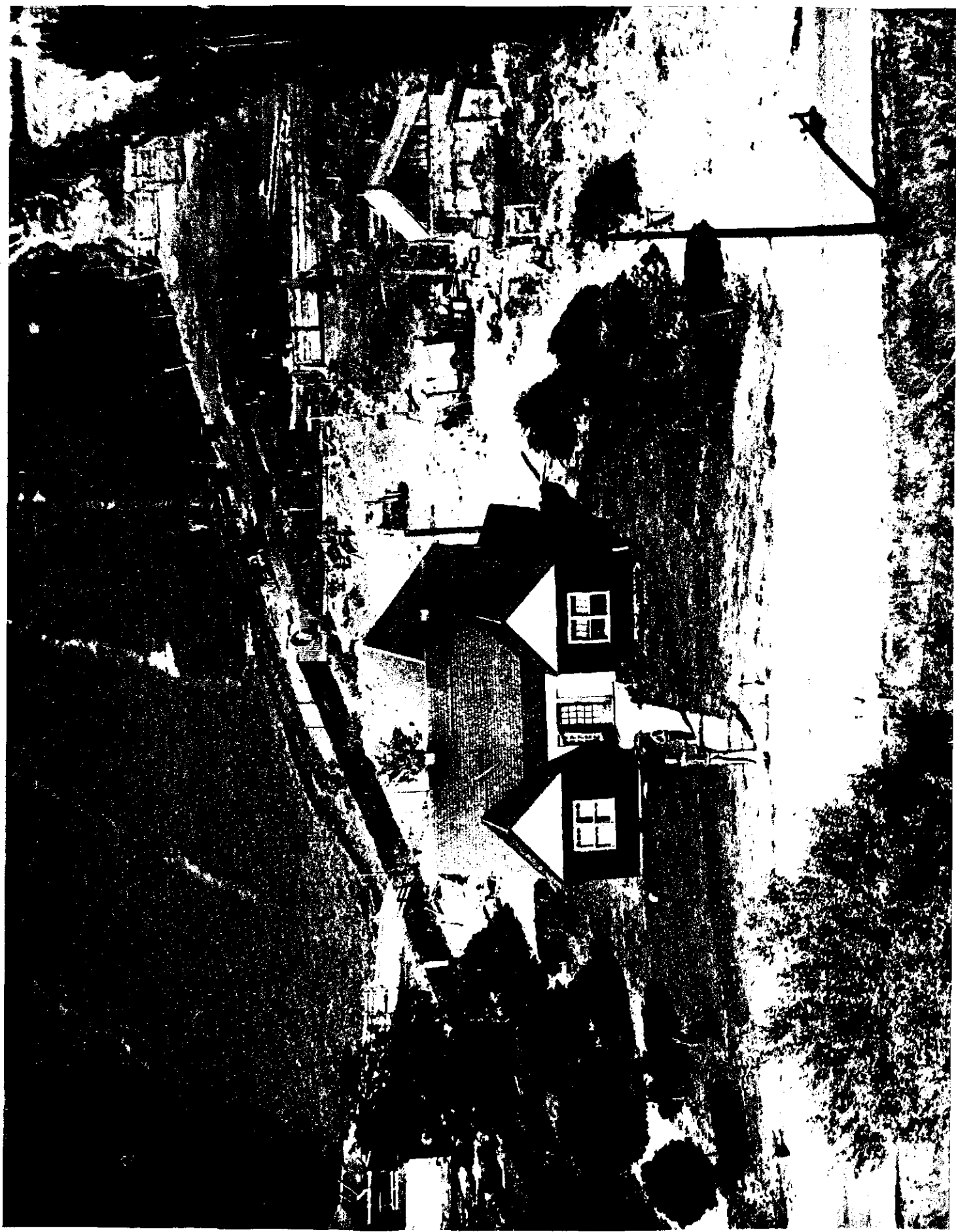
Lillie M. Raper

63-0489



1947-48

63-04893



1947-48



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

August 12, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

MAXINE BERRY, et al
12775 SILVERBROOK CT.
BOISE, ID 83713

Dear Ms. Berry,

The enclosed letter, sent to Roxey Burns and concerning Evidence of Priority for Water Right No. A63-4893, was returned to our Department as "not deliverable." According to our 2002 Tax Lot information, you are the current owner of the 20 acres located at 5585 N Eagle Road. If this is correct, you will need to file a 1) Change of Ownership form with our Department and also provide us with 2) a copy of the Warranty Deed and 3) evidence of your priority date (please refer to the enclosed letter addressed to Roxey Burns).

An electronic version of the current Change of Ownership form is available on the Department's Internet homepage at: <http://www.idwr.state.id.us/forms/wrf3.pdf>.

If you have any questions, please contact me at the Western Region office.

Sincerely,

Kimberly Brown

Kimberly L. Brown
Water Resource Agent



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

August 5, 2003

ROXEY E. BURNS
5585 N EAGLE RD
MERIDIAN ID 83642

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-4893

*returned 8/11/03 as
"not deliverable as addressed -
unable to forward"
(see copy of envelope)*

Dear Claimant(s),

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a 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. You 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.

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. Since it is our goal to decree the historical water rights within the Snake River Basin as accurately as possible, field exams are now being conducted by Department water resource agents to verify claims in this area.

The required evidence supporting the priority date(s) requested needs to be submitted by September 5, 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. In addition, please contact me at the Western Region office as soon as possible to set up a field exam.



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,

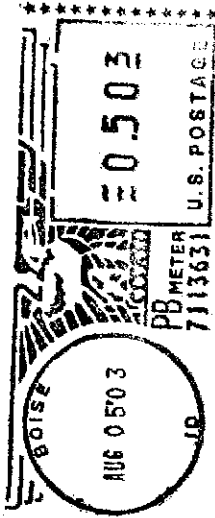
Kimberly L. Brown

Kimberly L. Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-4893

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

RETURN SERVICE
REQUESTED



Evidence of Priority letter

63-4893

August 5, 2003

ROXEY E. BURNS
5585 N EAGLE RD
MERIDIAN ID 83642

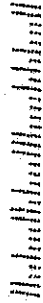
RECEIVED

AUG 11 2003

WATER RESOURCES
WESTERN REGION

NOT DELIVERABLE
AS ADDRESSEE
UNABLE TO FORWARD

83642-7058-6042



8/18/03 present to Maxine Berry - based on 2002 Tax lot info.

-KL3

8/21/03 received by sister, Josie De Chambeau,
who called with questions

Maxine Berry, et al
12775 Silverbush Ct.

Boise, ID 83713

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

Return Service Requested

63-4893

& found

PRESORTED
FIRST CLASS



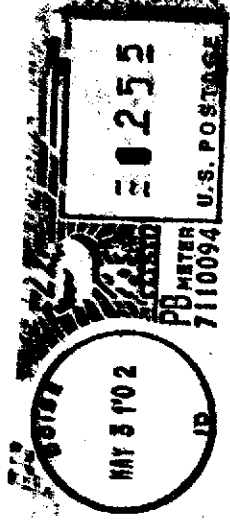
NOT DELIVERABLE
AS ADDRESSED,
UNABLE TO FORWARD

ROXEY E BURNS
5585 N EAGLE RD
MERIDIAN ID 83642

RECEIVED

JUN 06 2002

WATER RESOURCES
WESTERN REGION



63720-0098-642

63720-0098-642

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

RETURN SERVICE REQUESTED

63-4893



RECEIVED
NOV 19 2001
WATER RESOURCES
WESTERN REGION

ROXEY E BURNS
5585 N EAGLE RD
MERIDIAN, ID 83642

BURNS ID 83713-0990
5585 N EAGLE RD
BURNS, ROXEY
FORWARD TIME EXP RTN TO SEND
055422007 1900 05 11/17/01

RETURN TO SENDER

63-4893





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 9, 2001

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

Dear Claimant:

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

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

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

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

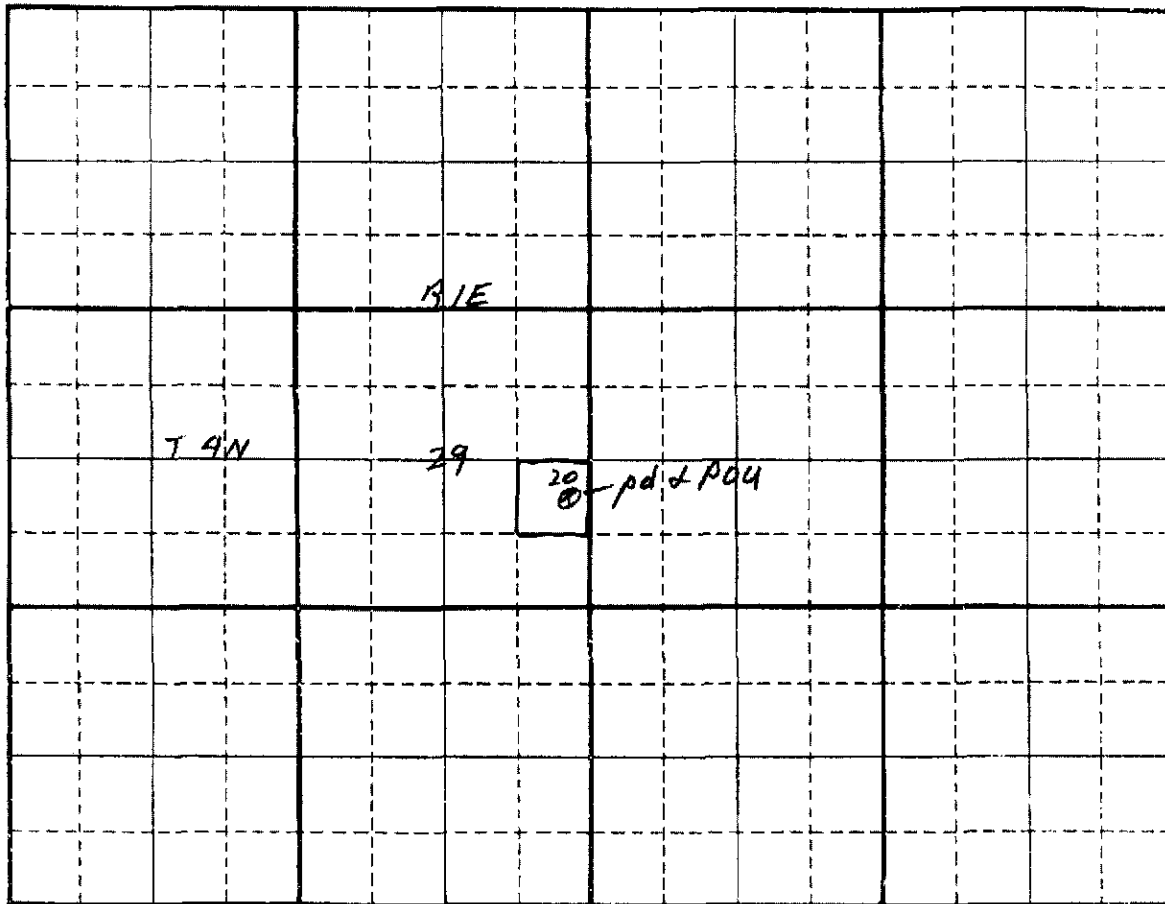
Sincerely,

Jan Shurte
Adjudication Section Supervisor
Western Regional Office

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

NOTED

(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

15

day of

June

1982

x Percy P. Burns
(Claimant)

Nancy M. Northway
Notary Public
Residing at Boise

My commission expires

Life

FOR DEPARTMENT USE ONLY

Received by

6/15/82

Date

6/15/82

Exception filed by:

Forwarded to

Date

Printed check by

6/15/82

Date

6/15/82

22983

claimant by:

Witnessed in

Boise, Idaho

Dates

6/15/82 - 6/15/82