

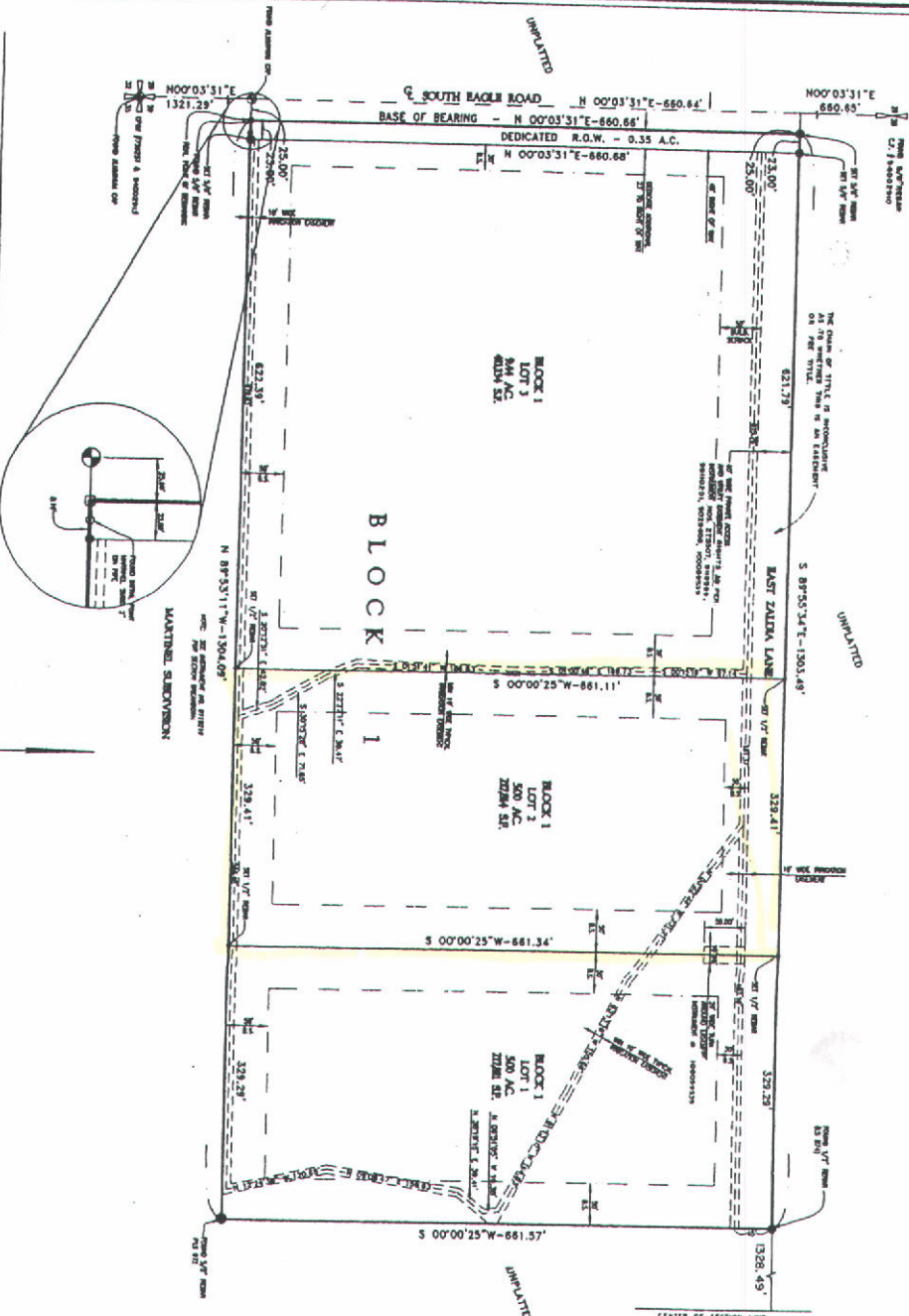
**ZALDIEN ZERUA
SUBDIVISION
LOCATED IN THE (WEST 1/2) OF THE
SOUTH 1/2 OF THE NORTH 1/2
OF THE SOUTHWEST 1/4,
SECTION 28,
TOWNSHIP 3 NORTH, RANGE 1 EAST,
BOISE MERIDIAN, ADA COUNTY, IDAHO
2000**

NOTES

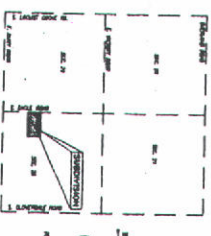
1. FIRE PROTECTION SPRINKLERS ARE REQUIRED IN ALL STRUCTURES 1501 TO 3600 SQUARE FEET.
2. THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF THE IDAHO CODE, RIGHT TO FARM ACT, WHICH STATES: "NO AGRICULTURAL OPERATION OR AN APPLICABLE TO IT SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGES IN CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER THE SAME HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, PROVIDED THAT THE PROVISIONS OF THE SECTION SHALL NOT APPLY WHENEVER A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF ANY AGRICULTURAL OPERATION OR APPLICABLE TO IT."
3. BUILDING SETBACKS AND DIMENSIONAL STANDARDS IN THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH THE APPLICABLE ZONING REGULATION OF ADA COUNTY.
4. ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE REGULATIONS IN EFFECT AT THE TIME OF THE RE-SUBDIVISION.
5. ALL LOTS ARE HEREBY DESIGNATED AS HAVING A PERMANENT PUBLIC UTILITIES, DRAINAGE AND IRRIGATION EASEMENT OVER THE OUTER TEN (10) FEET OF EACH LOT ACCESS EASEMENT. THEREIN, THIS SHALL NOT PRECLUDE THE CONSTRUCTION OF PROPER HARD SURFACE DRIVEWAYS FOR ACCESS TO EACH INDIVIDUAL LOT.
6. EACH SIDE OF COMMON LOT LINES HAVE A FIVE (5) FOOT PERMANENT PUBLIC UTILITIES, IRRIGATION AND DRAINAGE EASEMENT.
7. DEVELOPER AND/OR OWNER(S) TO COMPLY WITH IDAHO CODE, SECTION 31-3805 CONCERNING IRRIGATION USE.
8. MAINTENANCE OF ANY IRRIGATION OR DRAINAGE PIPE OR DITCH CROSSING A LOT IS THE RESPONSIBILITY OF THE LOT OWNER, UNLESS SUCH RESPONSIBILITY IS ASSUMED BY AN IRRIGATION/DRAINAGE DISTRICT.
9. THE ELEVATION OF THE BOTTOM FOOTING FOR HOUSES SHALL BE SET A MINIMUM OF 12 INCHES ABOVE THE HIGHEST KNOWN SEASONAL GROUND WATER ELEVATION.
10. IN ACCORDANCE WITH POLICY 6.3(4) OF THE MERIDIAN COMPREHENSIVE PLAN, A RE-SUBDIVISION PLAN OF THE SAID SUBDIVISION HAS BEEN FILED WITH THE CITY OF MERIDIAN.
11. INDIVIDUAL WATER AND SEWER SERVICES TO BE PROVIDED BY INDIVIDUAL LOT OWNERS ON-SITE.
12. ALL IRRIGATION EASEMENTS ARE FOR THE PRIVATE USE OF LOTS 1, 2, & 3 ZALDIEN ZERUA SUBDIVISION, AND FOR THE TRANSMISSION OF WATERS AND WASTEWATERS TO DOWNSTREAM USERS.

LEGEND

SUBDIVISION BOUNDARY LINE	---
ROAD CENTRELINE	---
SECTION LINE	---
LOT LINE	---
EASEMENT LINE	---
BUILDING SETBACK LINE (B.S.)	---
FOUND REBAR & CAP	o
SET 1/2" x 24" REBAR & CAP LS 3620	o
SET 5/8" x 30" REBAR & CAP LS 3620	o



VICINITY MAP



HEALTH CERTIFICATE

SANITARY RESTRICTIONS OF THIS PLAT ARE HEREBY LIFTED, ACCORDING TO THE LETTER TO BE READ ON FILE WITH THE HEALTH DEPARTMENT OR DISTRICT HEALTH DEPARTMENT.

DATE: *12/1/20*



IRRIGATION CERTIFICATE

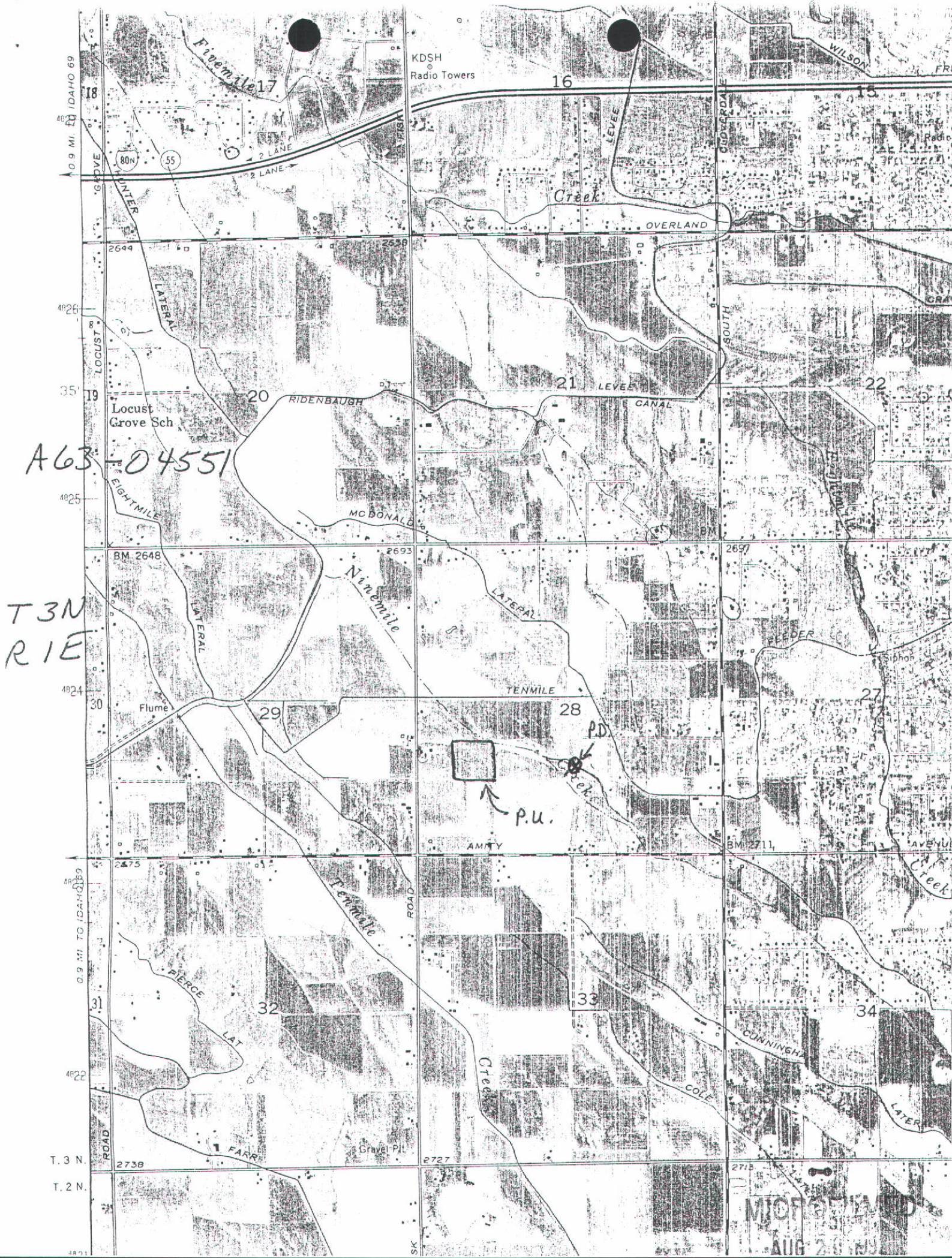
WE, FRANK L. AND CONSTANCE R. STAUTS, HUSBAND AND WIFE, OWNERS OF SAID SUBDIVISION, DO HEREBY STATE THAT THE IRRIGATION WATER RIGHTS APPLICABLE TO THE ASSESSMENTS OBLIGATION OF THE LANDS IN THIS PLAT HAVE NOT BEEN INTERFERED FROM SAID WATER RIGHTS AND WILL BE OBLIGATED FOR ASSESSMENTS FROM ROLUPA AND MERIDIAN IRRIGATION DISTRICT.

Frank & Constance

CONSTANCE R. STAUTS

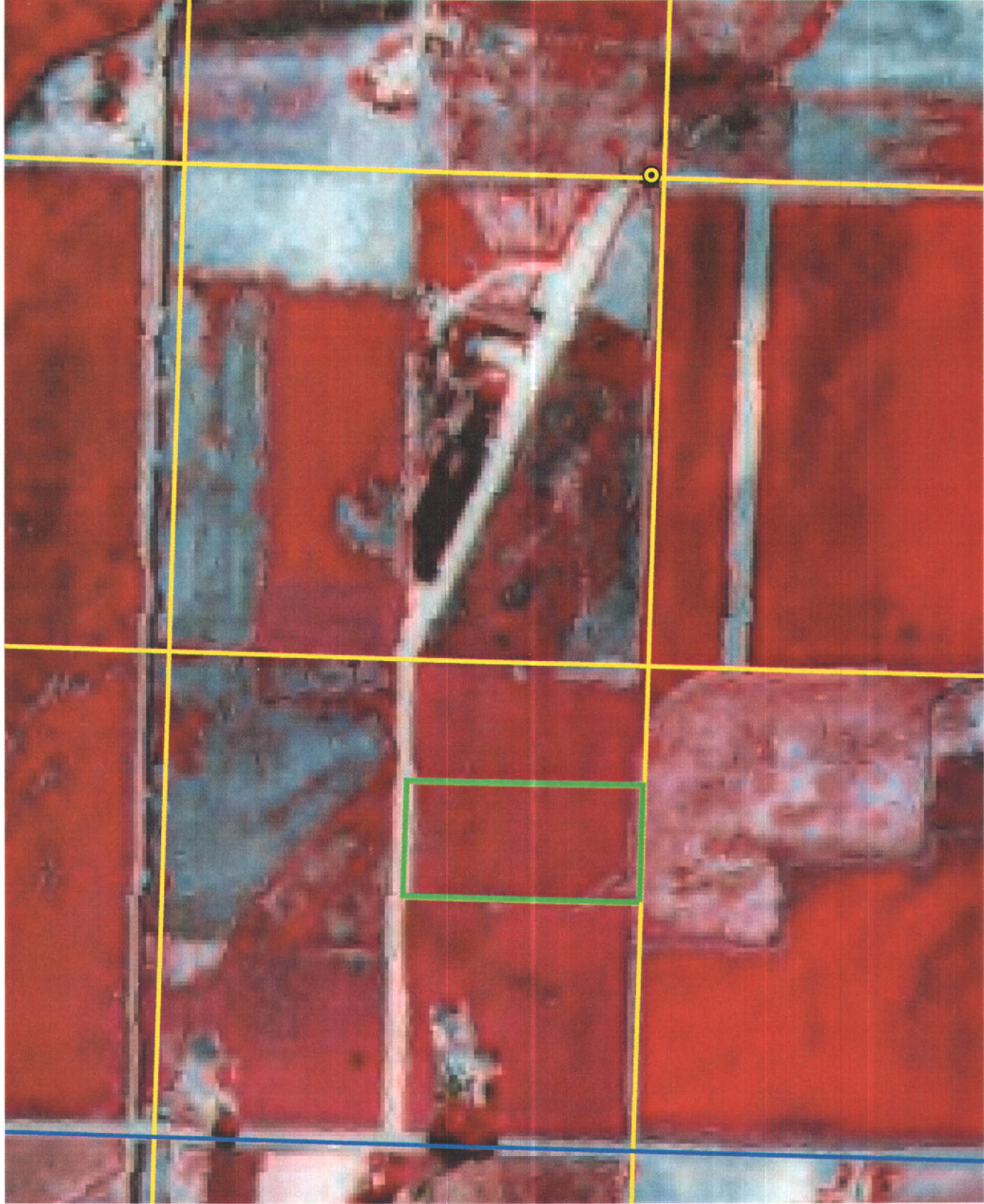
CHM Engineers, Inc.

ENGINEERS/SURVEYORS/PLANNERS
821 N. COLLEGE RD., SUITE 100 TWIN FALLS, IDAHO 83301
PHONE 833-0101 TELEPHONE (208) 734-4488
FAX (208) 734-8049

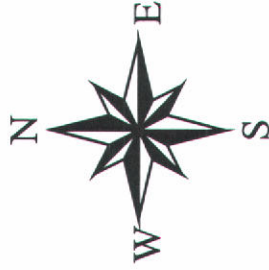


IDAHO DEPARTMENT OF WATER RESOURCES

Claim: 63-31622
Date Prepared: 11-5-03
Prepared By: Gene Gibson



T03N, R01E
S28



● Point of Diversion



1987 NAPP

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 63-31622
Date Received: 8/22/1989
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JUDY DE ANGELI
3405 E ZALDIA LN
MERIDIAN ID USA 83642

Phone: (208)888-4405

PHILIP DE ANGELI
3405 E ZALDIA LN
MERIDIAN ID USA 83642

Phone: (208)888-4405

2. Date of Priority: 03/15/1928

3. Source: NINEMILE CREEK Trib. to: FIVEMILE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
03N	01E	28	SW	NW	SE	ADA	

5. Description of diverting works:

CONCRETE DIVERSION DAM AND HEADGATE, DIRT DITCH TO FIELD

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.5	

7. Total Quantity Appropriated is:
0.5 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
03N	01E	28	NW	SW	IRRIGATION	4.5
Section Acres						4.5
Total Acres						4.5

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:

This claim is the result of a split due to change in ownership for a portion of 63-4551. DH 2/4/2003

Property also known as Lot 2, Block 1, Zaldien Zerua Subdivision.

15. Basis of Claim: Statutory Claim

RECEIVED

DEC 17 2002

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, 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	04551	Y			

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)

see attached

4. New Owner/Claimant(s)

Philip AND/OR Judy DeAngelis

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

New Mailing Address

3405 E. ZALDIA LANE

City, State and ZIP Code

MERIDIAN, ID.

New Telephone Number

(208) 888-4405

5. Date you acquired the property

Feb. 7, 2001

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 <u>63-4551</u>		
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	<u>.09 cfs</u>	<u>4.5 ac</u>
Stock	<u>—</u>	_____
Domestic	<u>—</u>	_____
Other _____	_____	_____
Total	_____	_____

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

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 g Date 12/17/02 Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

63-31622

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4551

WATER RIGHT NUMBER: 63-4551

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHARLENE KUNZ 1861 N RADCLIFFE WY EAGLE, ID 83616-3955 (208)888-1695
Current Owner	VICTOR A KUNZ JR 1861 N RADCLIFFE WY EAGLE, ID 83616-3955 (208)888-1695

DeAngeli portion

Priority Date: 03/15/1928
 Basis: Statutory Claim
 Status: Active

<u>Source</u>	<u>Tributary</u>
NINEMILE CREEK	FIVEMILE CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	~~1,000~~ CFS	.5 cfs
	<u>Total Diversion:</u>	~~1,000~~ CFS	.5 cfs Total

Location of Point(s) of Diversion

NINEMILE CREEK SW1/4NW1/4SE1/4 Sec. 28, Twp 03N, Rge 01E, B.M.
 ADA County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	01E	28																	9.0
																			4.5 ac.
Total Acres: 9																			4.5

Conditions of Approval:Remarks:

- General ADDRESS CHANGE BY CLAIMANT LETTER.

Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4551

Dates and Other Information:

Claim Received Date: 8/22/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: AND
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

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



A Pioneer Company

PIONEER TITLE COMPANY

OF ADA COUNTY

8151 W. Rifleman Ave / Boise, Idaho 83704 / (208) 377-2700

WARRANTY DEED

For Value Received

FRANK L. STAUTS and CONSTANCE R. STAUTS, husband and wife

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

PD

PHILIP L. DE ANGELI and JUDY P. DE ANGELI, husband and wife

hereinafter referred to as Grantee, whose current address is

154 LYNNWOOD, MERIDIAN, ID 83642

the following described premises, to-wit:

LOT 2 IN BLOCK 1 OF ZALDIEN ZERUA SUBDIVISION, ACCORDING TO THE PLAT THEREOF, FILED IN BOOK 81 OF PLATS AT PAGE 8783 AND 8784, RECORDS OF ADA COUNTY, IDAHO.

THIS AGREEMENT IS MADE AND ENTERED INTO THE 7TH DAY OF FEBRUARY, 2001, BY AND BETWEEN FRANK L. STAUTS AND CONSTANCE R. STAUTS, HUSBAND AND WIFE, 4280 SOUTH EAGLE ROAD, MERIDIAN, IDAHO, 83642, HEREINAFTER REFERRED TO AS "STAUTS" AND PHILIP L. DEANGELI AND JUDY P. DEANGELI, HUSBAND AND WIFE, 154 LYNNWOOD CIRCLE, MERIDIAN, IDAHO, 83642, HEREINAFTER REFERRED TO AS "DEANGELI".

A 40 FOOT WIDE VEHICULAR AND UTILITY EASEMENT BEING DESCRIBED AS THE NORTH 40 FEET OF S1/2NW1/4SW1/4, SECTION 28, TOWNSHIP 4 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO.

DEANGELI USE OF SAID EASEMENT SHALL BE LIMITED TO RESIDENTIAL PURPOSES.

ALL GRANTEEES SHALL BE RESPONSIBLE FOR MAINTENANCE OF SAID ROAD.

Philip L. DeAngeli
PHILIP L. DEANGELI

Judy P. DeAngeli
JUDY P. DEANGELI

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

Dated: February 7, 2001.

Frank L. Stauts
FRANK L. STAUTS

Constance R. Stauts, Atty in fact
Constance R. Stauts
CONSTANCE R. STAUTS

STATE OF IDAHO)
)
)
COUNTY OF ADA)

On This day of February, in the year 2001, before me, a Notary Public in and for said State, personally appeared CONSTANCE R. STAUTS, known or identified to me to be the person(s) whose name(s) is subscribed to the within Instrument, and acknowledged to me that she executed the same.

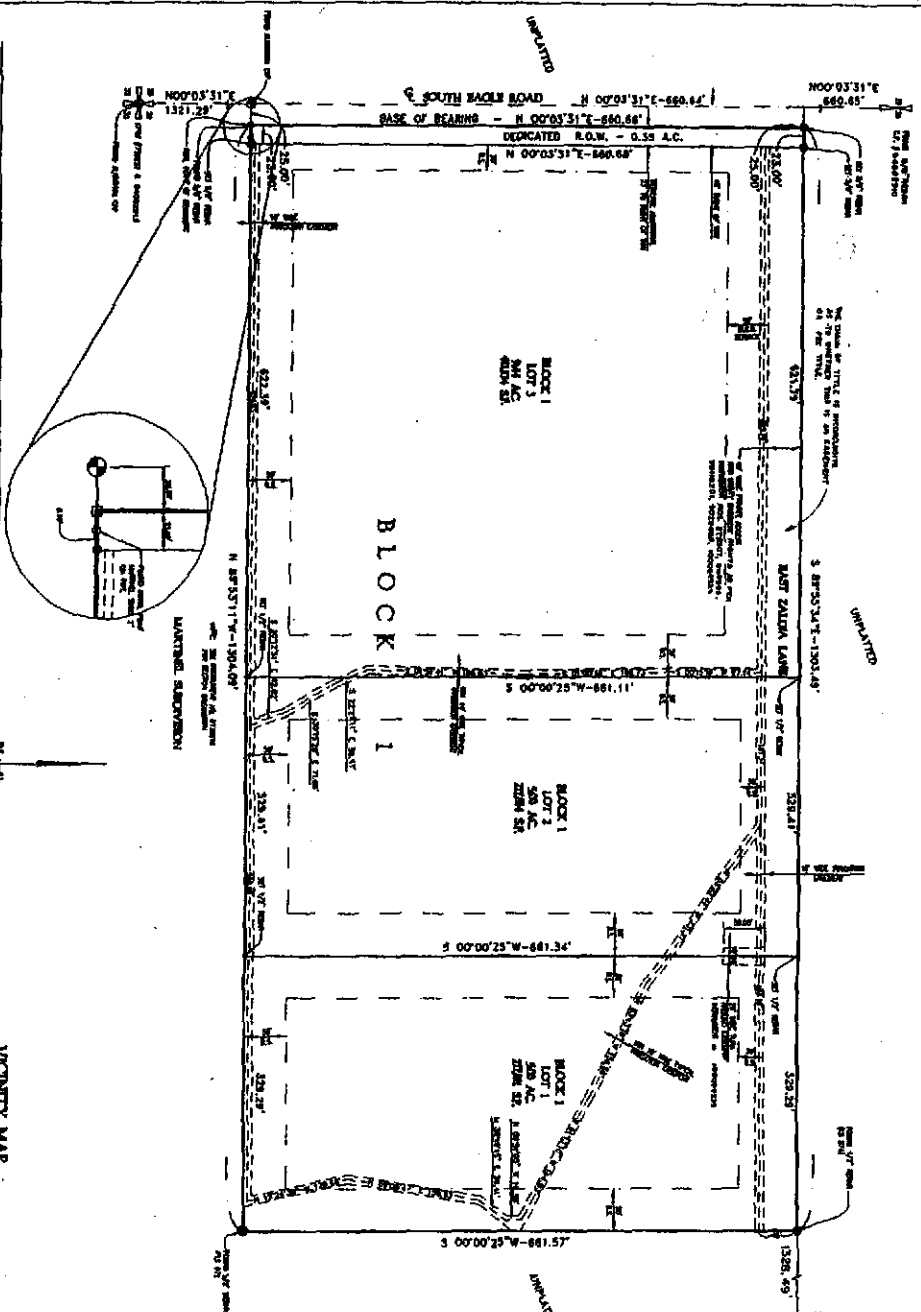
ZALDIEN ZERUA
SUBDIVISION
LOCATED IN THE (WEST 1/2) OF THE
SOUTH 1/2 OF THE NORTH 1/2
OF THE SOUTHWEST 1/4,
SECTION 28
TOWNSHIP 3 NORTH, RANGE 1 EAST,
BOISE MERIDIAN ADA COUNTY, IDAHO
2000

NOTES

1. FIRE PROTECTION SPRINKLERS ARE REQUIRED IN ALL STRUCTURES 1501 TO 3600 SQUARE FEET.
2. THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF THE IDAHO CODE, RIGHT TO FARM ACT, WHICH STATES: "NO AGRICULTURAL OPERATION OR AN APURTANCE TO IT SHALL BE OR BECOME A NUISANCE, PEST OR PUBLIC, BY ANY CHANGE IN THE USE OF THE LAND OR THE SUBSEQUENT NON-AGRICULTURAL ACTIVITIES AFTER THE SAME HAS BEEN IN OPERATION FOR MORE THAN ONE YEAR, UNLESS THE RESULTS FROM THE IMPROPER OR NEGLECTED OPERATION OF ANY AGRICULTURAL OPERATION OR APURTANCE TO IT."
3. BUILDING SETBACKS AND DIMENSIONAL STANDARDS IN THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH THE APPLICABLE ZONING REGULATION OF ADA COUNTY.
4. ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE REGULATIONS IN EFFECT AT THE TIME OF THE RE-SUBDIVISION.
5. ALL LOTS ARE HEREBY DESIGNATED AS HAVING A PERMANENT PUBLIC UTILITIES, DRAINAGE AND IRRIGATION EASEMENT OVER THE OUTER TEN (10) FEET OF EACH LOT THAT IS CONTIGUOUS TO AND PARALLEL WITH ROAD RIGHTS OF WAY AND PRIVATE ACCESS EASEMENTS. HOWEVER, THIS SHALL NOT PRECLUDE THE CONSTRUCTION OF PROPER HARD SURFACE DRIVEWAYS FOR ACCESS TO EACH INDIVIDUAL LOT.
6. EACH SIDE OF COMMON LOT LINES HAVE A FIVE (5) FOOT PERMANENT PUBLIC UTILITIES, IRRIGATION AND DRAINAGE EASEMENT.
7. DEVELOPER AND/OR OWNER(S) TO COMPLY WITH IDAHO CODE, SECTION 31-3805 CONCERNING IRRIGATION USE.
8. MAINTENANCE OF ANY IRRIGATION OR DRAINAGE PIPE OR DITCH CROSSING A LOT IS THE RESPONSIBILITY OF THE LOT OWNER, UNLESS SUCH RESPONSIBILITY IS ASSIGNED BY AN IRRIGATION/DRAINAGE DISTRICT.
9. THE ELEVATION OF THE BOTTOM FOOTING FOR HOUSES SHALL BE SET A MINIMUM OF 12 INCHES ABOVE THE HIGHEST KNOWN SEASONAL GROUND WATER ELEVATION.
10. IN ACCORDANCE WITH POLICY 8.5(V) OF THE MERIDIAN COMPREHENSIVE PLAN, A RE-SUBDIVISION PLAN OF THE SAID SUBDIVISION HAS BEEN FILED WITH THE CITY OF MERIDIAN.
11. INDIVIDUAL WATER AND SEWER SERVICES TO BE PROVIDED BY INDIVIDUAL LOT OWNERS ON-SITE.
12. ALL IRRIGATION EASEMENTS ARE FOR THE PRIVATE USE OF LOTS 1, 2, & 3. IRRIGATION EASEMENTS ARE NOT TO BE USED FOR THE TRANSMISSION OF WATERS AND WASTEWATERS TO DOWNSTREAM USERS.

LEGEND

SUBDIVISION BOUNDARY LINE	---
ROAD CENTERLINE	---
SECTION LINE	---
LOT LINE	---
EASEMENT LINE	---
BUILDING SETBACK LINE (B.S.)	---
FOUND REBAR & CAP	o
SET 1/2" x 24" REBAR & CAP IS 3620	o
SET 5/8" x 30" REBAR & CAP IS 3620	o



HEALTH CERTIFICATE

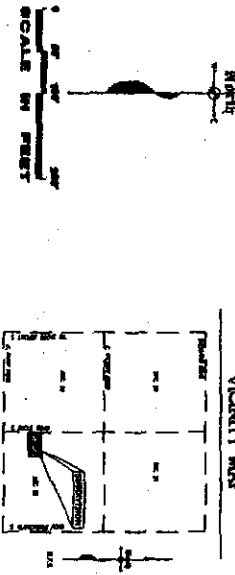
SANITARY RESTRICTIONS OF THIS PLAT ARE HEREBY REPEALED, ACCORDING TO THE LETTER TO BE READ ON FILE WITH THE DISTRICT HEALTH DEPARTMENT, HIS AGENCY LISTING THE CONDITIONS OF APPLICABLE DISTRICT HEALTH DEPARTMENT.

DATE: 10/15/2000
CENTRAL DISTRICT HEALTH DEPARTMENT, IDAHO

IRRIGATION CERTIFICATE

WE, FRANK L. AND CONSTANCE R. STANTS, MARRIAGE AND WIFE, OWNERS OF SAID PROPERTY, DO HEREBY STATE THAT THE IRRIGATION WATER RIGHTS APPLICANT AND THE ASSASSMENTS OBLIGATION OF THE LANDS IN THIS PLAT HAVE NOT BEEN TRANSFERRED FROM SAID LANDS. LOTS WITHIN THE SUBDIVISION WILL BE ENTITLED TO IRRIGATION WATER RIGHTS AND WILL BE OBLIGATED FOR ASSESSMENTS FROM TOWNSHIP AND AGRICULTURAL DISTRICT.

FRANK L. STANTS
CONSTANCE R. STANTS



Engineers, Inc.
ENGINEERS/SURVEYORS/PLANNERS
621 N. COLLEGE RD., SUITE 100 TWIN FALLS, IDAHO 83401
PHONE (208) 735-4485 FAX (208) 735-4485

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: **A63-04551**
Date Received: 8/22/1989
Receipt No: C010087
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: VICTOR A KUNZ JR 208-888-1695
Address: 1861 N RADCLIFFE WAY
EAGLE ID 83616-3955
AND/OR
Name: CHARLENE KUNZ 208-888-1695
Address: 1861 N RADCLIFFE WAY
EAGLE ID 83616-3955

2. Date of Priority: MAR 15, 1928

3. Source: NINEMILE CREEK Trib. to: FIVEMILE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	01E	28	SW	NW	SE		ADA

5. Description of diverting works:
CONCRETE DIVERSION DAM AND HEADGATE, DIRT DITCH TO FIELD

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.000		

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

8. Total consumptive use is 31.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	01E	28	NW	SW		IRR	9.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	9.0
					Total Acres	9.0

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:
NEW YORK IRRIGATION DISTRICT

14. Remarks:
ADDRESS CHANGE BY CLAIMANT LETTER.

15. Basis of Claim: STATUTORY CLAIM



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

May 2, 1996

KARL J. DREHER
DIRECTOR

VICTOR A KUNZ JR OR
CHARLENE KUNZ
1861 N RADCLIFFE WAY
EAGLE ID 83616-3955

RECEIVED
MAY 7 - 1996

Department of Water Resources

Re: Snake River Basin Adjudication (SRBA)
Notice of Claim No. A63-04551
Change of Address

*Record Modified.
to R Record ps 5-8-96.*

Dear Claimants,

IDWR has been notified the address presently in our claim records is incorrect. Although we have reached you at the address above, we need you to confirm this is your correct mailing address. Future notices related to your SRBA claim(s) can be sent only to the address on your claim(s) or as otherwise changed by you. The staff of this agency must avoid relying upon the word of others about your mailing address.

If the address above is correct, please sign your name at the bottom of this letter, and return it to this office. Otherwise, please make the proper corrections, sign, and return this letter. Thank you for your help. We hope to assure that you receive future notices about SRBA matters.

If the ownership of the property to which the water right(s) referenced above apply has changed, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the claim record.

Sincerely,

Adjudication Bureau Staff

SO:ss:region

#####

The address is correct as shown above or as otherwise changed.

Charlene Kunz
Claimant

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 Snake River Basin Adjudication Case
No. 39576**

**) Notice of Filing Director's Report and Supplemental
) Director's Report Part II & III, United States' and Tribal
Non-consumptive Claims.**

**TO: ALL CLAIMANTS OF RIGHTS TO THE USE OF WATER IN THE SNAKE RIVER BASIN
YOU ARE HEREBY NOTIFIED OF THE FOLLOWING:**

**THE DIRECTOR'S REPORT PART II & III FOR THE UNITED STATES' AND TRIBAL NON-CONSUMPTIVE CLAIMS HAS BEEN FILED WITH
THE DISTRICT COURT. A SUPPLEMENTAL DIRECTOR'S REPORT PART II & III HAS ALSO BEEN FILED WITH THE DISTRICT COURT.
THIS NOTICE CONTAINS IMPORTANT INFORMATION ABOUT THE DIRECTOR'S REPORTS, AND DEADLINES AND FURTHER PRO-
CEEDINGS ON THESE WATER RIGHT CLAIMS.**

IMPORTANT NOTICE REGARDING YOUR WATER RIGHT

**THIS CONTAINS YOUR LEGAL NOTICE OF THE DIRECTOR'S REPORTS OF U.S. AND
TRIBAL NON-CONSUMPTIVE CLAIMS IN THE SNAKE RIVER BASIN ADJUDICATION
THESE CLAIMS COULD AFFECT YOUR WATER RIGHT**

50221
Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720

RECEIVED

MAY 03 1996

**WATER RESOURCES
WESTERN REGION**

Presorted
First Class Mail
U.S. Postage Paid
Boise, Idaho
Permit No. 1

MAY 20 1996 12:44 PM/19/96
FORWARDING TIME EXPIRED
KUNZ
1861 N RADCLIFFE WAY
EAGLE ID 83616-3955
RETURN TO SENDER

63-04551✓

**VICTOR A KUNZ JR
CHARLENE KUNZ
4280 S EAGLE RD
MERIDIAN ID 83642**

RECEIVED

APR 20 1995

Department of Water Resources

**MICROFILMED
OCT 87 1996**

NOTICE OF FILING DIRECTOR'S REPORT

DIRECTOR'S REPORT

This Director's Report Part II is a report by the Director of the Idaho Department of Water Resources (IDWR). It contains abstracts of claims by the United States and Indian Tribes to "non-consumptive" water rights (such as instream flows) throughout the Snake River Basin. The abstracts summarize the claims without substantively changing the water right as claimed. The Supplemental Director's Report Part II includes abstracts of claims not included in the Director's Report Part II. The supplemental report also includes abstracts of amended claims, which contain changes to claims previously abstracted in the Director's Report Part II.

The Director's Report Part III contains the claims filed for these water rights, and includes both the claim documents and maps. The Supplemental Director's Report Part III includes claims not included in the Director's Report Part III, as well as amended claims which contain changes to claims included in the Director's Report Part III.

Complete copies of Part II of the reports are available for inspections at all offices of IDWR and at the other locations printed on this notice. Complete copies of Part III of the reports are available for inspection at the State Office of IDWR and the SRBA District Court. Copies of all or a portion of the reports are available from the IDWR State Office subject to payments of costs of mailing and/or copying.

OBJECTIONS TO DIRECTOR'S REPORT

You may file an objection to any portion of the Director's Reports with the SRBA District Court. You must use a court approved objection form that is available from IDWR, which contains instructions for filing the objection. All objections must be **received** by the court on or before October 16, 1995. You must mail a copy of your objection to IDWR and the United States as shown on the objection form. If you are objecting to an abstract of a claim filed by an Indian tribe, you must also mail a copy of the objection to the tribe at the address shown in the report.

RESPONSES TO OBJECTIONS

The United States and the Indian Tribes may but are not required to file a response to an objection to abstracts of their claims with the SRBA District Court.

PARTIAL DECREE OF UNCONTESTED PORTIONS OF DIRECTOR'S REPORT

Those portions of the Director's Report to which no objections are filed will be decreed by the district court after a hearing to be held at 1:30 p.m., May 21, 1996 at the SRBA Courthouse in Twin Falls.

NOTICE OF FURTHER PROCEEDINGS

You will be mailed a notice of further proceedings on an objection to **your water right, your objection, or your response**. You will not be mailed notice of other objections or proceedings on other objections.

Notice of other objections and responses to other objections will be included on a monthly docket sheet distributed by the SRBA District Court. A subscription to the docket sheet may be obtained from the court for a small annual fee (\$7.50 for the calendar year 1995).

IDWR has filed or will file Director's Reports for all other claims within the Snake River Basin, one for each of the reporting areas in the Snake River Basin. Notice of the filing of these reports, and of further proceedings on these reports, will also be included in the docket sheet.

You may be affected by orders and decrees entered by the court in proceedings on other objections and proceeding on other reports. It is **very important that you subscribe to the docket sheet** if you wish to stay informed of these other proceedings. For further information as to documents filed with the court and hearings scheduled before the court in the SRBA, you must inquire at the SRBA District Court.

FURTHER INFORMATION

The court has adopted procedures for the post-report phase of the SRBA, which are set forth in the order of the court entitled "SRBA Administrative Order No. 1." A copy of this order can be obtained from the State Office of IDWR or the SRBA District Court.

If you have questions about the SRBA, please call any office of IDWR listed in this notice. If you have questions concerning your rights and responsibilities as a claimant in the SRBA, please consult your attorney.

R. KEITH HIGGINSON

Director, Idaho Department of Water Resource

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: A63-04551
Date Received: 8/22/1989
Receipt No: C90087
Received By: C4

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VICTOR A. KUNZ, JR. 208-888-1695
Address: 4280 S. EAGLE RD.
MERIDIAN, ID 83642

AND/OR

Name: CHARLENE KUNZ 208-888-1695
Address: 4280 S. EAGLE RD.
MERIDIAN, ID 83642

2. Date of Priority: MAR 15, 1928

3. Source: NINEMILE CREEK Trib. to: FIVEMILE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	01E	28	SW	NW	SE		ADA

5. Description of diverting works:
CONCRETE DIVERSION DAM AND HEADGATE, DIRT DITCH TO FIELD

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.000		

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

8. Total consumptive use is 31.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	01E	28	NW	SW		IRR	9.0
Section Acres							9.0
Total Acres							9.0

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:
NEW YORK IRRIGATION DISTRICT

14. Remarks:

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: -1-

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): [Signature] Date: 8/22/89
Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 22nd day
of August 19 89 Carter Fritschle
Notary Public

Seal

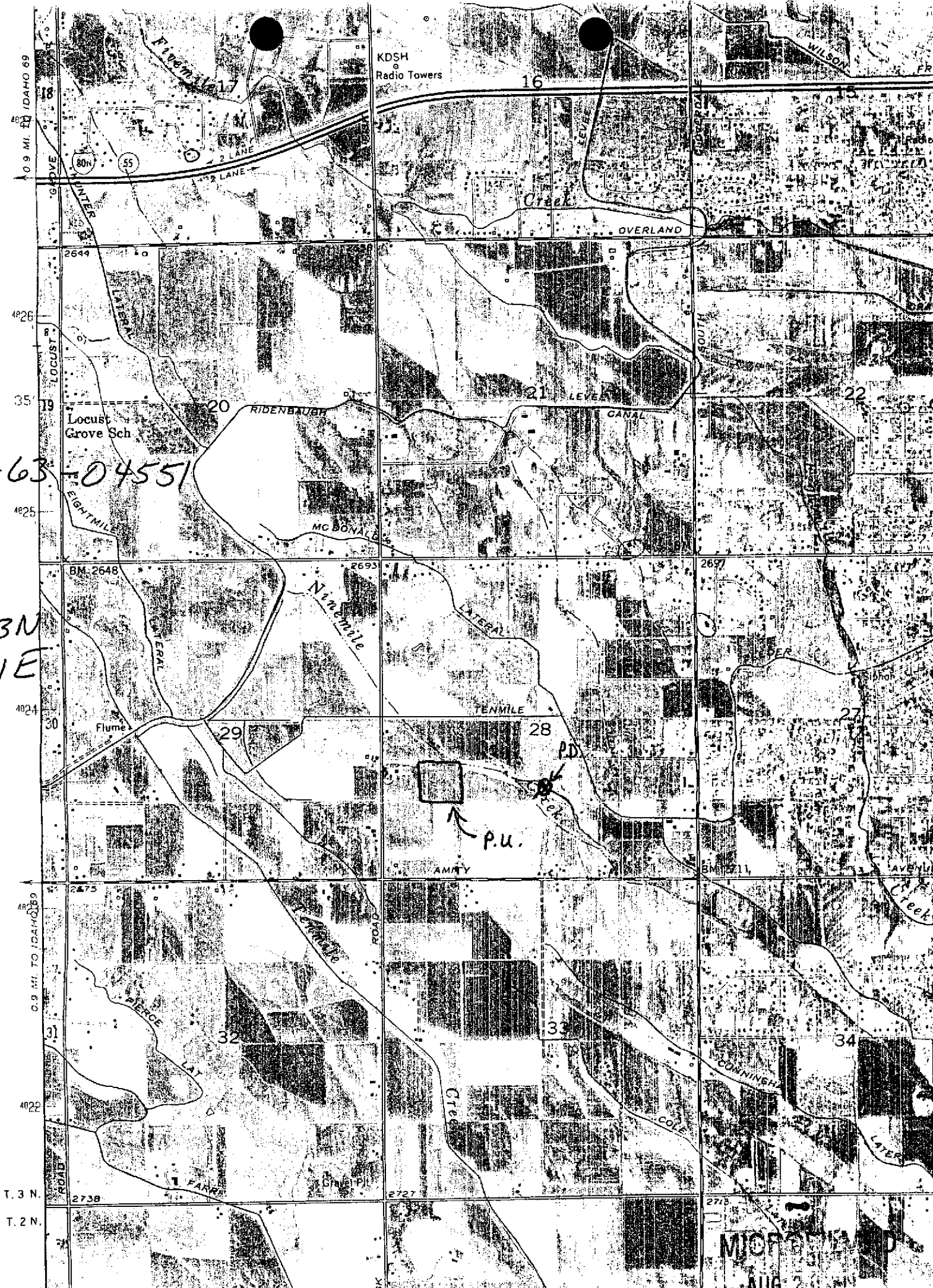
Residing at _____

My Commission Expires _____

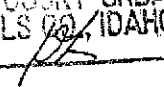
Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My Commission Expires March 21, 1994

A63-04551

T3N
R1E



MICROFILMED
AUG 20 1964

2006 AUG 16 AM 9:08
DISTRICT COURT-SRBA
TWIN FALLS CO, IDAHO
FILED 

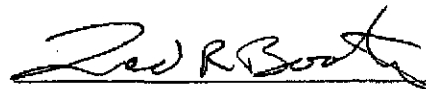
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	) Subcase 63-31622
	)
Case No. 39576	) ORDER GRANTING MOTION TO
	) AMEND STANDARD FORM 1
_____	) OBJECTION

On May 15, 2006, the New York Irrigation District, by and through their attorneys of record McDevitt & Miller, LLP, filed a *Motion to Amend Standard Form 1 Objection*, together with a proposed *Amended Standard Form 1 Objection*. Pursuant to Idaho Rule of Civil Procedure 15(a), and good cause appearing, the *Motion* is hereby **granted**.

The Clerk of the Court is instructed to file the *Amended Objection*, which shall replace the objection previously filed on April 21, 2006.

Dated August 14, 2006



THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO AMEND STANDARD FORM 1 OBJECTION was mailed on August 16, 2006, with sufficient first-class postage to the following:

NEW YORK IRRIGATION DISTRICT

Represented by:
CHARLES F MC DEVITT
420 W BANNOCK ST
PO BOX 2564
BOISE, ID 83701
Phone: 208-343-7500

NAMPA AND MERIDIAN

Represented by:
DANIEL V. STEENSON
455 S THIRD ST
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

USDI BUREAU OF RECLAMATION

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

DIRECTOR OF IDWR

PO BOX 83720
BOISE, ID 83720-0098

JUDY DE ANGELI

PHILIP DE ANGELI
3405 E ZALDIA LN
MERIDIAN, ID 83642
Phone: 208-888-4405

RECEIVED

AUG 15 2006

DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA

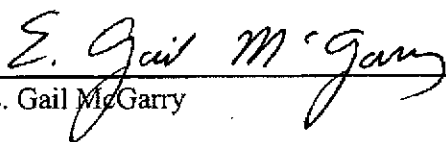
Case No. 39576

) Subcase No. 63-31622

) AMENDED CERTIFICATE OF
) MAILING
)
)
)
)

PLEASE TAKE NOTICE that the Certificate of Mailing on the Standard Form 2 Response to Objection filed by the United States of America acting through the Department of Interior, Bureau of Reclamation, on June 23, 2006, in the above-captioned subcase, contained an error in the mailing address of the claimant of the water right. A true and correct copy of the response has been mailed to the claimant on August 11, 2006, at the following address: Judy and Philip DeAngeli, 3405 E. Zaldia Ln., Meridian, ID 83642.

DATED this 11 day of August, 2006.


E. Gail McGarry

CERTIFICATE OF MAILING

I certify that on August 11, 2006, I mailed the original and copies of this Amended Certificate of Mailing to the following persons:

Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

Copies to:

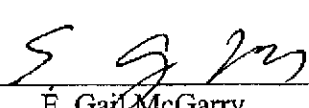
Judy & Philip DeAngeli
3405 E. Zaldia Ln.
Meridian, ID 83642

Nampa & Meridian Irrigation District
c/o Daniel V. Steenson & S. Bryce Farris
Ringert Clark, Chtd
P. O. Box 2773
Boise, ID 83701

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 4449
Boise, ID 83711-4449



E. Gail McGarry

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

In Re SRBA

Case No. 39576

A. Subcase 63-31622

(Insert water right number
from the Objection Form)

**STANDARD FORM 2
RESPONSE TO OBJECTION**

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: E. Gail McGarry
United States of America acting through the Department of Interior,
Bureau of Reclamation, Regional Director PN Code-3100
Address: 1150 N. Curtis Rd. Suite 100
Boise, ID 83706 -1234
Daytime Phone: (208) 378-5306

Name & Address of Attorney, if any:

David W. Gehlert (303) 844-1386 Trial Attorney,
Natural Resources Section
Environment and Natural Resource Division
U.S. Department of Justice
1961 Stout Street - 8th Floor
Denver, CO 80294

**C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO
WHICH YOU ARE RESPONDING**

Name: Nampa & Meridian Irrigation District
Address: c/o Daniel V. Steenson & S. Bryce Farris
Ringert Clark, Chtd
P. O. Box 2773
Boise, ID 83701

D. I am responding to the objections to the following elements. (Please check the appropriate box (es)).

1. ☒ Name and Address
2. ☒ Source
3. ☒ Quantity
4. ☒ Priority Date
5. ☒ Point(s) of Diversion
6. ☐ Instream Flow Description
7. ☒ Purpose(s) of Use
8. ☒ Period of Year
9. ☒ Place of Use
10. Recommendation:
 - ☒ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

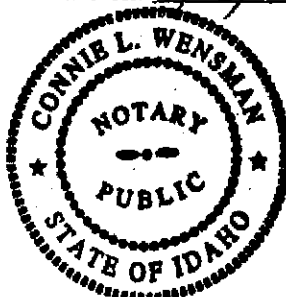
Jerrold D. Gregg, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this response as defined by I.C. §§ 42-1401A (1) and (6) or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

[Signature]
(Signature of person filing response)

[Signature]
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 6/23/06



Notary Public for: Idaho
Residing at: Meridian
My Commission Expires: 10/06/10

INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

F. CERTIFICATE OF MAILING

I certify that on 6-23, 2006, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Judy & Phillip DeAngeli
Address: 5380 W. McMillan Road
Meridian, ID 83642

3. One copy to the party who filed the objection at the following address:

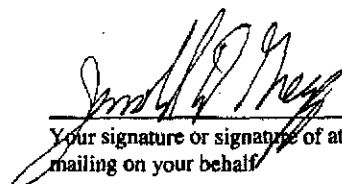
Name: Nampa & Meridian Irrigation District
Address: c/o Daniel V. Steenson & S. Bryce Farris
Ringert Clark, Chtd
P. O. Box 2773
Boise, ID 83701

4. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 4449
Boise, ID 83711-4449


Your signature or signature of attorney
mailing on your behalf

RECEIVED

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

JUNE 6 2006

DEPARTMENT OF
WATER RESOURCES

In Re SRBA

Case No. 39576

A. Subcase 63-31622

(Insert water right number
from the Objection Form)

**STANDARD FORM 2
RESPONSE TO OBJECTION**

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: E. Gail McGarry
United States of America acting through the Department of Interior,
Bureau of Reclamation, Regional Director PN Code-3100
Address: 1150 N. Curtis Rd. Suite 100
Boise, ID 83706 -1234
Daytime Phone: (208) 378-5306

Name & Address of Attorney, if any:
David W. Gehlert (303) 844-1386 Trial Attorney,
Natural Resources Section
Environment and Natural Resource Division
U.S. Department of Justice
1961 Stout Street - 8th Floor
Denver, CO 80294

**C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO
WHICH YOU ARE RESPONDING**

Name: New York Irrigation District
C/O Chas F. McDevitt
McDevitt & Miller LLP
Address: 420 W. Bannock
P.O. Box 2564-83701
Boise, ID 83702

D. I am responding to the objections to the following elements. (Please check the appropriate box (es)).

1. ☐ Name and Address
2. ☒ Source
3. ☐ Quantity
4. ☐ Priority Date
5. ☐ Point(s) of Diversion
6. ☐ Instream Flow Description
7. ☐ Purpose(s) of Use
8. ☐ Period of Year
9. ☐ Place of Use
10. **Recommendation**

- ☒ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **VERIFICATION (Must be Completed)**

State of Idaho)
) ss.
County of Ada)

Jerrold D. Gregg, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

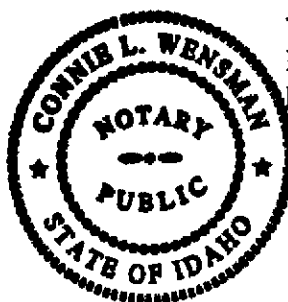
That I am the party/claimant filing this response as defined by I.C. §§ 42-1401A (1) and (6) or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

[Signature]
(Signature of person filing response)

[Signature]
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 6/23/06

Connie Winsman
Notary Public for: Idaho
Residing at: Meridian
My Commission Expires: 10/06/10



INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

F. CERTIFICATE OF MAILING

I certify that on 6-23, 2006, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Current Owner:

Name: Judy & Phillip DeAngeli
Address: 3405 E. Zaldia Ln.
Meridian, ID 83642

3. One copy to the party who filed the objection at the following address:

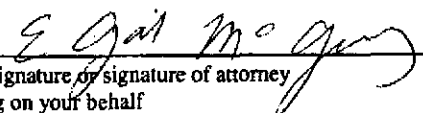
Name: Name: New York Irrigation District
C/O Chas F. McDevitt, McDevitt & Miller LLP
Address: P.O. Box 2564-83701, Boise, ID 83702

4. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 4449
Boise, ID 83711-4449


Your signature or signature of attorney
mailing on your behalf

COPY

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

RECEIVED

APR 24 2006

DEPARTMENT OF
WATER RESOURCES

In Re SRBA) A. Subcase 63-31622
(Insert water right number)
Case No. 39576)
STANDARD FORM 1
OBJECTION

NAME AND ADDRESS OF PERSON OBJECTING

Name: New York Irrigation District
Address: 6616 Overland Road
Boise, ID 83709
Daytime Phone: 208-378-1023

Name & Address of Attorney, if any:
Chas F. McDevitt & Miller LLP
McDevitt & Miller LLP
420 W. Bannock
P.O. Box 2564-83701
Boise, ID 83702

CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Current Owner:

Name: Judy DeAngeli
Philip DeAngeli
Address: 3405 E. Zaldia Ln.
Meridian, ID 83642

Original Owner:

Name: Victor A. Kunz, Jr.
Charlene Kunz
Address: 1861 N. Radcliffe Way
Eagle, ID 83616-3955

I object to the following elements as recommended in the Director's Report.

1. ☐ Name and Address
Should be: _____
2. ☒ Source
Should be: The waste waters claimed belong to the Boise-Kuna Irrigation District.

3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____
10. ☐ **I object because:**
☒ This water right Should not exist.
☐ This water right was not recommended, but Should be recommended with the elements described above.

REASONS SUPPORTING OBJECTIONS(S):

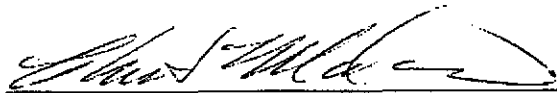
There has been no lawful appropriation of this right. The waste waters belong to the Boise-Kuna Irrigation District and are not available for private development and appropriation. Further, any attempted development of this right constitutes a trespass against the drains of the Boise-Kuna Irrigation District.

VERIFICATION

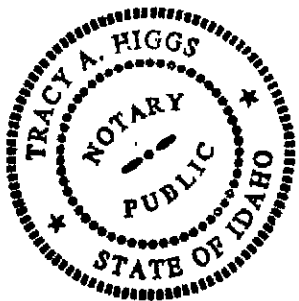
State of Idaho)
)ss.
County of Ada)

Chas F. McDevitt, duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and(6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


Chas F. McDevitt
McDEVITT & MILLER LLP

Subscribed and sworn to before me on: 4-21-06 Tracy A. Higgs



Notary Public for State of ID
Residing at: Boise ID
My Commission Expires: 6/2007

CERTIFICATE OF MAILING

I certify that on April 25, 2006, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Current Owner:

Name: Judy DeAngeli
Philip DeAngeli
Address: 3405 E. Zaldia Ln.
Meridian, ID 83642

Original Owner:

Name: Victor A. Kunz, Jr.
Charlene Kunz
Address: 1861 N. Radcliffe Way
Eagle, ID 83616-3955

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449

Heather Houl Legal Assistant for
Chas F. McDevitt
McDEVITT & MILLER LLP

RECEIVED
JUN 27 1993
DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA)

Case No. 39576)

A. Subcase 63-31622

(Insert water right no.)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: NAMPA & MERIDIAN IRRIGATION DISTRICT

Address: 1503 First Street South
Nampa, Idaho 83651

Daytime Phone: 208-466-7861

Name & Address of Attorney, if any:

Daniel V. Steenson
S. Bryce Farris
Ringert Clark Chartered
P.O. Box 2773
Boise, ID 83701

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTORS'S REPORT

Name: Judy De Angeli
Phillip De Angeli

Address: 3405 E Zaldia Ln
Meridian, Idaho 83642

D. I object to the following elements as recommended in the Director's Report. (Please check the Appropriate box(es)).

1. ☒ **Name and Address**
Should be: Disallowed. See below.
2. ☒ **Source**
Should be: Disallowed. See below.
3. ☒ **Quantity**
Should be: Disallowed. See below.
4. ☒ **Priority Date**
Should be: Disallowed. See below.
5. ☒ **Point(s) of Diversion**
Should be: Disallowed. See below.
6. ☐ **Instream Flow Description**
Should be: N/A
7. ☒ **Purpose(s) of Use**
Should be: Disallowed. See below.
8. ☒ **Period of Year**
Should be: Disallowed. See below.
9. ☒ **Place of Use**
Should be: Disallowed. See below.
10. ☒ **I object because:**
 - ☒ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION (S):** This claimed water right is within the boundaries of Nampa & Meridian Irrigation District ("NMID") and the source of said claim is a drain which was constructed or enlarged by or for NMID. Said drain is owned, operated, maintained and controlled by NMID and the water within said drain is seepage or waste water that has been developed, captured and/or controlled by NMID. Therefore, said water is not subject to appropriation, would amount to an impermissible trespass, and this claimed water right should not exist.

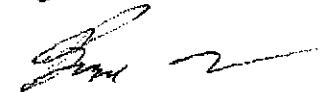
F.

VERIFICATION (must be completed)

State of Idaho)
) ss.
County of Ada)

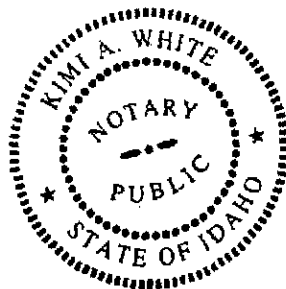
S. Bryce Farris, duly sworn, upon oath, deposes and says:

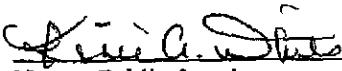
That I am the party/claimant filing this objection, as defined by I. C. §§ 42-1401A (1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.



S. Bryce Farris

Subscribed and sworn to before me on: April 20, 2006





Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 01/01/10

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on April 20th, 2006, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the Claimant of the water right at the following address:

Name: Judy D Angeli
Phillip De Angeli

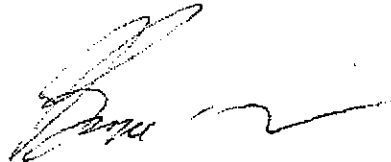
Address: 3405 E. Zaldia Lane
Meridian, Idaho 83642

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449



Signature of Objector or attorney
mailing on Objector's behalf

05/31/2005

NOTICE OF ERROR
REPLY

RECEIVED

JUN 22 2005

WATER RESOURCES
WESTERN REGION

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: 63-31622

JUDY DE ANGELI
3405 E ZALDIA LN
MERIDIAN ID 83642
Telephone Number: (208)888-4405

PHILIP DE ANGELI
3405 E ZALDIA LN
MERIDIAN ID 83642
Telephone Number: (208)888-4405

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:

6-10-05

SIGNATURE:

Phil DeAngeli

Please print your name:

Phil DeAngeli

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

11/06/2003

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

RIGHT NUMBER: 63-31622

NAME AND ADDRESS: JUDY DE ANGELI
3405 E ZALDIA LN
MERIDIAN ID 83642

PHILIP DE ANGELI
3405 E ZALDIA LN
MERIDIAN ID 83642

SOURCE: NINEMILE CREEK

TRIBUTARY: FIVEMILE CREEK

QUANTITY: 0.140 CFS

PRIORITY DATE: 03/15/1928

POINT OF DIVERSION:

T03N R01E S28 SWNWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/01 11/15

QUANTITY
0.140 CFS

PLACE OF USE: IRRIGATION Within ADA County

T03N R01E S28 NWSW 4.5

4.5 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.

EXPLANATORY MATERIAL: Beneficial Use

PROPERTY IS ALSO KNOWN AS LOT 2, BLK 1, Zaldien Zeru Subdivision.

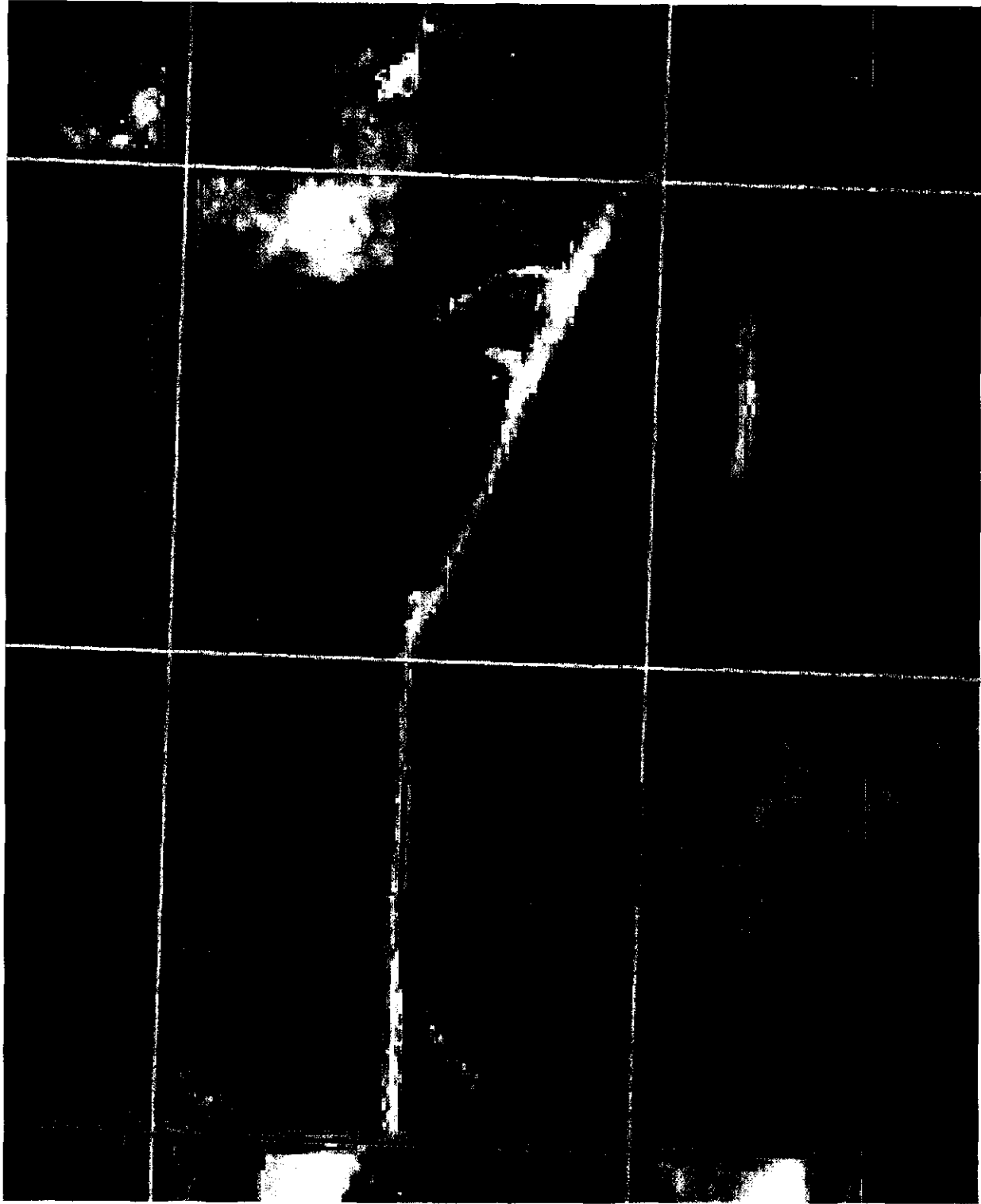
THIS RIGHT IS A SPLIT FROM FORMER RIGHT 63-4551.

IDAHO DEPARTMENT OF WATER RESOURCES

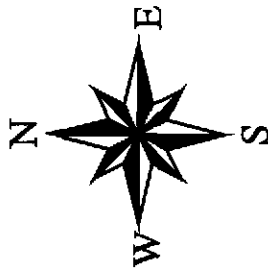
Claim: 63-31622

Date Prepared: 11-5-03

Prepared By: Gene Gibson



T03N, R01E
S28



☉ Point of Diversion

Place of use

Section

1/4 1/4

1987 NAPP

0 0.08 0.16 0.24 0.32 0.4 0.48 Miles



DEPT OF WATER RESOURCES---ATTN. GENE GIBSON
NINEMILE CREEK SW1/4 NW1/4 SE1/4 SEC 28 TWP03N R01
B.M. ADA COUNTY.

DEAR SIR:

I WAS TOLD BY PREVIOUS OWNERS THAT THIS ACERAGE WAS PUT UNDER IRRIGATION
TO SUPPORT THE DAIRY THAT WAS ESTABLISHED IN THE LATE 1920S.
WHEN I MOVED HERE I FOUND OLD DAIRY RECORDS TO SUPPORT THIS.

THANKYOU,
Connie R. Stauts
CONNIE STAUTS
PREVIOUS OWNER AND SUBDIVIDER

RECEIVED
SEP 23 2003
WATER RESOURCES
WESTERN REGION



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 12, 2003

A63-31622
PHILIP DE ANGELI
3405 EAST ZALDIA LANE
MERIDIAN, IDAHO 83642

RE: EVIDENCE OF PRIORITY

Dear Mr. De Angeli:

The Idaho Department of Water Resources has begun its water right review in Basin 63. The Notice(s) of Claim identified with the number shown above in the "address" label and at the "end" of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the priority date.

It is important that each element of the Notice 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.

For your reference, I have provided a printout of your Notice and the pamphlet entitled **"Evidence of Priority"**. The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled **"What Kind of Evidence is Required"** and **"Some examples of Documents Which May Be Evidence of the Priority Date"**.

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

.....
The Department can not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.
.....

Please submit the documentation supporting the priority date by **OCTOBER 12, 2003, referencing all documents with the corresponding Notice number.** If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact me at (208) 334-2190.

Respectfully submitted,

Melvin Gene Gibson
Sr. Water Resource Agent
Adjudication Bureau

Enclosure: Brochure on "Evidence of Priority"
Notice of Claim A63-31622



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

February 4, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

PHILIP DE ANGELI
JUDY DE ANGELI
3405 E ZALDIA LN
MERIDIAN ID 83642

Re: Original Notice of Claim to a Water Right No. 63-4551

Renumbered Notice of Claim to a Water Right No. 63-31622

Dear Claimant(s):

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This Change of Ownership required a split of the original claim resulting in renumbering this claim, using a new water right number to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time.

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your water right. This claim represents a split of the claim filed by a previous owner 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.

Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

Adjudication Section
Western Region

DH: dh

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 25, 2002

RECEIVED

DEC 17 2002

WATER RESOURCES
WESTERN REGION

Philip L. and Judy P. DeAngeli
3405 East Zaldia Lane
Meridian, Idaho 83642

copy of form in file
need Deed? Yes
Legal Description of 1675?

Larry Grimes
334-2190 X

RE: CHANGE IN OWNERSHIP FOR 63-04551

Dear Philip L. and Judy P. DeAngeli:

It has come to our attention that you may have recently purchased a tract of land in Ada County. According to our records, the property to which I am referring to was most recently owned by Victor A. and Charlene Kunz. The legal description is as follows:

T03N R01E S28 NW ¼ SW ¼ = 40 ACRES
9 acres

This property was filed on in the Snake River Basin Adjudication (SRBA). IDWR is currently in the processing of reviewing the Adjudication claims in basin 63. We recommend that if, in fact, you now own the property in question, and do use the water for the purposes claimed, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you have any questions regarding this matter, please call 334-2190.

Respectfully submitted,

M. Gene Gibson

M. Gene Gibson
Sr. Water Resource Agent
Enclosure(s)

call
Bill →

Concrete
9 m i. total creek - 1928
Separate from Nampa mainline
6' W.Y. Canal Right
9 acres of 140 Right from
9 mile creek
split to Shoshone & full out

1989 Kunz bill
claim

CONVERSATION MEMORANDUM

Date: 11-25-02

Employee Initials: JS

File #: 63-4551

Name of Party: CONNIE STANTS 888-7639

I TALKED TO CONNIE AND THEY HAD PURCHASED 20 ACRES FROM THE KUNZ'S. SINCE THAT TIME THEY HAVE SOLD THE TWO BACK LOTS TO THE EAST OFF. EACH OF THE LOTS CONSISTS OF 5 ACRES. THE STANTS 10 ACRES TO THE WEST IS IRRIGATED WITH IRRIGATION DISTRICT WATER AND NOT 9 MILE CREEK.

The Two lots are owned by
1 Philip L. and Judy P. De Angeli
3405 EAST ZALDIA LANE
Meridian, Idaho 83642

2 JAMES AND Helen E. Shoemaker
7885 South Shoemaker lane
Meridian, Idaho 83642

I HAVE SENT BOTH PARTIES A CHANGE OF OWNERSHIP

12-2-02 Philip De Angeli called he will get together with Shoemaker's on ownership TRANS for acres also will call or come in we will set up on-site. Also they need to find proof of priority date. He will ask around about it.



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 25, 2002

Philip L. and Judy P. DeAngeli
3405 East Zaldia Lane
Meridian, Idaho 83642

RE: CHANGE IN OWNERSHIP FOR 63-04551

Dear Philip L. and Judy P. DeAngeli:

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Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you have any questions regarding this matter, please call 334-2190.

Respectfully submitted,

M. Gene Gibson
Sr. Water Resource Agent
Enclosure(s)

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-4551

WATER RIGHT NUMBER: 63-4551

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	VICTOR KUNZ 4280 S EAGLE RD MERIDIAN, ID 83642 (208)888-1695

Priority Date: 03/15/1928

Basis: Statutory Claim

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	1.000 CFS	
	<u>Total Diversion:</u>	1.000 CFS	

Location of Point(s) of Diversion

NINEMILE CREEK	SW1/4SE1/4	Sec. 28, Twp 03N, Rge 01E, B.M.
ADA County		

Place of UseIRRIGATION Within ADA County

T03N R01E S28	NESW	7.0	T03N R01E S28	NWSW	8.0
---------------	------	-----	---------------	------	-----

Total Acres: 15

Conditions of Approval:Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-4551

Dates and Other Information:

Licensed Date:
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Formal Action Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

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

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

CLAIM NO(s). 63-31622

1. No Change NAME IS SAME

NEW OWNER: changed in database
No Change ADDRESS " " " "
NEW ADDRESS:

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

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

Affidavit submitted by prior owner

3. No Change - SAME SOURCE
Source is different than that claimed:

Source found: _____

4. No Change - POINT OF DIVERSION
Point of diversion is different than the claim and/or new P/D's:

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

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

6. No Change - WATER USES
Different uses, (list uses found):

Use IRR From 3-1 To 11-15 Amount .14 CFS AFA
Use From To Amount CFS AFA
Use From To Amount CFS AFA

7. No Change TOTAL VOLUME

Incomplete on claim, the total is, Amount CFS AFA

Changes found, the new total is, Amount CFS AFA

8. No Change NON-IRRIGATION USES:

Changes Exam found:

Domestic # of homes: Stock # List types:

Additional comments:

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

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

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

Reduced flow rate to IDWR standards of .03 cfs
per acre (.135 cfs) rounded off to .14 cfs
changed season of use to (3-1 11-15) from (3-15 11-15)

SYSTEM DIAGRAM INCLUDED NA
Shown on GIS Layout

CK IF IN OFFICE EXAM
DATE EXAM CONDUCTED: 11-5-03

FIELD EXAMINER: GG

Print Name

Signature