



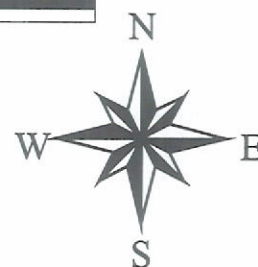


State of Idaho
Idaho Department of Water Resources
Western Region

T4N R2E SECTION 29
Water Right(s) : 63-3407



0 1320 Feet



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

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared By: Vicky Music
Date: September 2004

Idaho Department of Water Resources

Claim Number: 63-03407

Legal: T4N, R2E, S29

Reviewed By:

1987 Napp Photo

● Point of Diversion

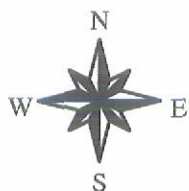
□ Place of Use

□ Section Lines

□ Quarter Quarter Lines



0 0.25 Miles



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: A63-03407
Date Received: 6/15/1989
Receipt No: W003237
Received By: LC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RUTH A. MARKS 208-343-0127
Address: 4517 SHIRLEY AVE.
BOISE, ID 83703

2. Date of Priority: MAR 16, 1964

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	02E	29	NE	NW			ADA

5. Description of diverting works:
60' DEEP, 2 HP MOTOR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.020		2.57
DOMESTIC	01/01	12/31			

7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) 2.57 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	02E	29	NE	NW		IRR	0.5
Section Acres							0.5

10. Place of Use: Continued

Total Acres 0.5

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:
 NONE

14. Remarks:
 AC. IRR.=.5.

15. Basis of Claim: LICENSE
 Water Right Number: 31778

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): Ruth A. Marks Date: 6/15/89

Date: _____

State of Idaho)
County of ADA) ss.

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

of June 19 89

Linda Werner
Notary Public

Seal

Residing at Linda A. Werner
Residing at Boise, Idaho
My Commission ~~Expires~~ Expires December 8, 1994



APR 14 1997

ReceiptID	Amount	BasinNumber	SequenceNum	SplitSuffix	Type
W003237	25.00	63	15703		Claim
W003237	25.00	63	15702		Claim
W003237	25.00	63	15700		Claim
W003237	25.00	63	15699		Claim
W003237	25.00	63	3407		Claim

RECEIVED

APR 24 2016

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 39576

A. Subcase 63-3407

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Edwards Family LLC

Address: 4106 Sand Creek Street

Boise, Idaho 83703

Daytime Phone: 208-342-7548

Name & Address of Attorney, if any:

Dana Hofstetter

Hofstetter Law Office, LLC

608 West Franklin Street

Boise, Idaho 83702

208-424-7800

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

Name: Ruth A Marks

Address: 4517 Shirley Ave

Boise, Idaho 83703

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: _____
2. ☒ Source
Should be: See Section E
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.

E. **REASONS SUPPORTING OBJECTION(S):** To the extent that this water right authorizes the diversion of water from the Stewart Gulch Geothermal Aquifer it should not exist pursuant to *Silkey v. Tiegs*. Otherwise, the following provision should be listed under "Other Provisions Necessary for Definition or Administration of this Water Right:" The diversion and use of geothermal water is not authorized under this right. Also, the local name for the cold water well should be described.

F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Dana L. Hofstetter, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

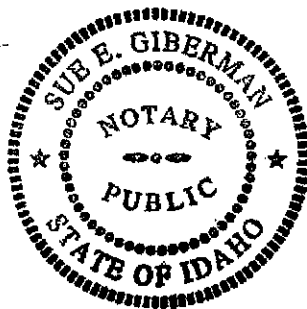
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Signature of person filing objection

Dana L. Hofstetter

Attorney signing in representative capacity

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



Sue E. Giberman
Notary Public for the State of Idaho
Residing at: Boise Idaho
My Commission expires: 2-25-09

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.

G. CERTIFICATE OF MAILING

I certify that on April 21, 2006, I filed the original with the SRBA Court and mailed copies of this Objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court (*via Hand Delivery*)
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: Ruth A Marks
Address: 4517 Shirley Ave
Boise, Idaho 83703

3. Copies to:

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

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

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



Signature of Objector or attorney
mailing on Objector's behalf

02/23/2006

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

RIGHT NUMBER: 63-3407

NAME AND ADDRESS: JANET A FRENCH
4517 SHIRLEY AVE
BOISE ID 83703

~~RUTH A MARKS~~
~~4517 SHIRLEY AVE~~
~~BOISE ID 83703~~

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.020 CFS
2.570 AFY

PRIORITY DATE: 03/16/1964

POINT OF DIVERSION:

T04N R02E S29 NENW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	0.020 CFS 2.57 AFY
DOMESTIC	1/01 12/31	

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Domestic use is for 1 home.

PLACE OF USE: IRRIGATION Within ADA County

T04N R02E S29 NENW 0.50

DOMESTIC same as IRRIGATION

0.5 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: BASIS OF CLAIM - License

PARCEL NO. R9255000345.

PROPERTY IS ALSO KNOWN AS LOT 4, BLK 5, WATTLES SUBDIVISION.

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

In Re SRBA

Case No. 39576

Water Rights: 63-3407

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following administrative proceeding:

- ☐ Address change
- XX** Substitution of Party
- ☐ IC § 42-222 transfer

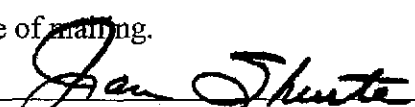
- | | |
|---|--|
| ☐ Point of diversion | ☐ Place of use |
| ☐ Period of use | ☐ Nature of use |
| ☐ Split of water right | ☐ Change in ownership |
| ☐ Other | |

- ☐ IC § 42-219 license

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

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

DATED: February 24, 2006


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on February 24, 2006, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

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

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

2. Copies to:

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

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

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

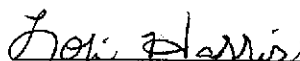
☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Janet A. French
4517 Shirley Ave.
Boise ID 83703

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

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



Signature of person mailing this document

Form 42-24242-1400(6) July, 2000

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

RECEIVED**DEC 28 2005****WATER RESOURCES
WESTERN REGION**

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

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

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
63-3407	63-3407				

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

A. The appropriate **FILING FEE**. See instructions for fee amounts. ☐

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a **USDA Farm Service Agency AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

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

RUTH A. MARKS

4517 SHIRLEY, BOISE, ID 83703

4. New Owner/Claimant(s)

JANET A. FRENCH

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

New Mailing Address

4517 SHIRLEY AVE.

City, State and ZIP Code

BOISE, ID 83703

New Telephone Number

208 336-9927

5. Date you acquired the property

11/8/1991

RECEIVED

DEC 28 2005

Form 42-14842-149(6) July, 2000

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

WATER RESOURCES
WESTERN REGION

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)

Janet A. French
Owner

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 KLB Date 12/28/05 Fee 0
Receipted by _____ Date _____ Receipt No. _____
Processed by LAL AJ Date 2-23-06 WR _____ Date _____



A Pioneer Company

PIONEER TITLE COMPANY
OF ADA COUNTY

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

RECEIVED

DEC 28 2005

WATER RESOURCES
WESTERN REGION

P-109290 SK/MA

WARRANTY DEED
(INDIVIDUAL)

FOR VALUE RECEIVED RUTH A. MARKS, AN UNMARRIED PERSON

Grantor, does hereby grant, bargain, sell and convey unto LAWRENCE EDWIN FRENCH AND JANET A. FRENCH, HUSBAND AND WIFE

the Grantee s, whose current address is: 4517 SHIRLEY STREET, BOISE, ID 83703
the following described real property in ADA County, State of Idaho, more particularly described as follows, to-wit:LOT 4 IN BLOCK 5 OF WATTLES SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS
AMENDED, FILED IN BOOK 11 OF PLATS AT PAGE 591, RECORDS OF ADA COUNTY, IDAHO..

9164003

ADA COUNTY, ID. FOR PIONEER TITLE CO.
J. DAVID NAVARRO
RECORDER BY *R. Wade*

'91 NOV 12 PM 2 37

30

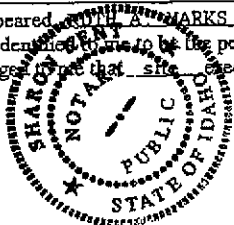
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s, and Grantee s heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances,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

Dated: November 08, 1991

Ruth A. Marks
RUTH A. MARKS

STATE OF IDAHO, County of ADA, ss.

On this 8th day of November, in the year of 1991, before me, THE UNDERSIGNED, a notary public, personally appeared, RUTH A. MARKS, whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



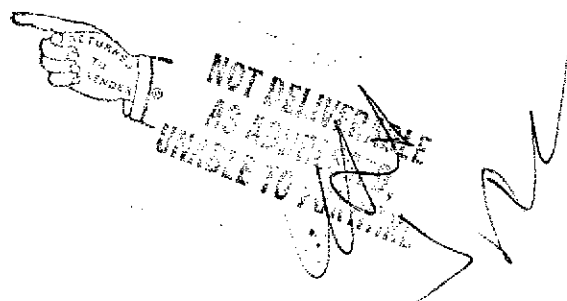
Notary Public: *Sharon Kent*
Residing at: BOISE
My Commission Expires: 4-7-94

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

FIRST CLASS



UNITED STATES POSTAGE
02 1A
0004310839
DEC 16
\$ 00.
MAILED FROM ZIP CODE 8



RUTH A MARKS
4517 SHIRLEY AVE
BOISE ID 83703

63-3407

RECEIVED

DEC 20 2005

WATER RESOURCES
WESTERN REGION

RECEIVED

DEC 19 2005

DEPARTMENT OF
WATER RESOURCES



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 26, 2005

JANET FRENCH
4517 N SHIRLEY
BOISE ID 83703

RE: NOTICE OF CLAIM NO(S): A63-3407

Dear Claimant(s):

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

**RUTH A MARKS
4517 SHIRLEY
BOISE ID 83703**

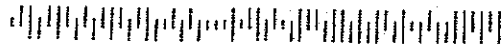
If our current records, as listed above, are not correct please complete the enclosed Change in Ownership form, as appropriate, to correct our records.

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

Sincerely,

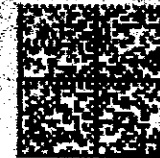
Adjudication Staff
Department of Water Resources
Western Region

LH:1
Enclosures



STATE OF
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

FIRST CLASS



UNITED STATES POSTAGE
02 1A
0004389393
\$ 00
JUN 08
MAILED FROM ZIP CODE

63-3407
No Address Found

RUTH A MARKS
4517 SHIRLEY AVE
BOISE ID 83703

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

Janet French
4517^N Shirley
83703

RECEIVED

JUN 08 2005

WATER RESOURCES
WESTERN REGION

DRESS SERVICE

09/07/2004

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

RIGHT NUMBER: 63-3407

NAME AND ADDRESS: RUTH A MARKS
4517 SHIRLEY AVE
BOISE ID 83703

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.020 CFS
2.570 AFY

PRIORITY DATE: 03/16/1964

POINT OF DIVERSION:

T04N R02E S29 NENW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	0.020 CFS
		2.57 AFY
DOMESTIC	1/01 12/31	

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Domestic use is for 1 home.

PLACE OF USE: IRRIGATION Within ADA County

T04N R02E S29 NENW 0.5

DOMESTIC same as IRRIGATION

0.5 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: License

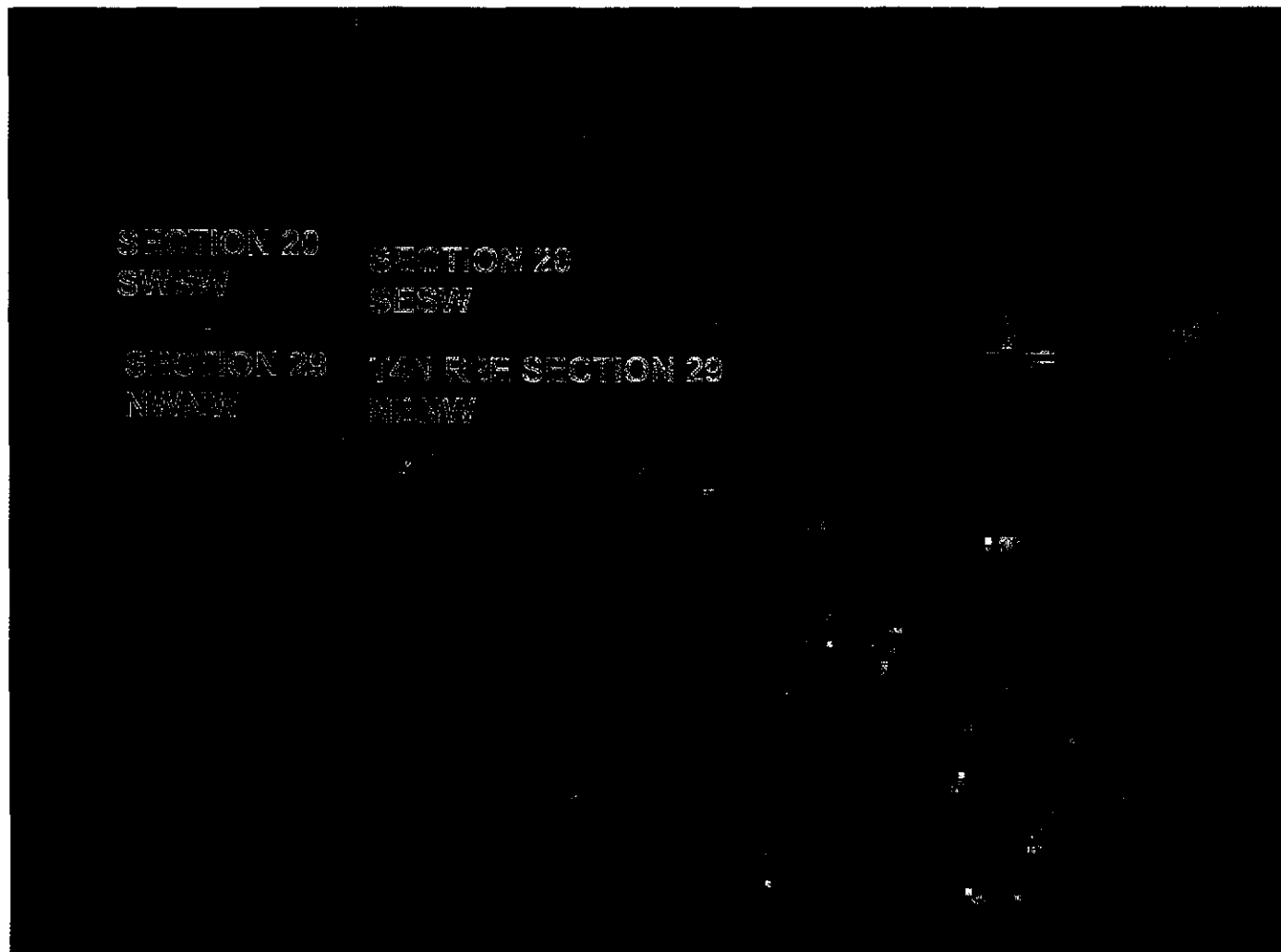
PARCEL NO. R9255000345.

PROPERTY IS ALSO KNOWN AS LOT 4, BLK 5, WATTLES SUBDIVISION.

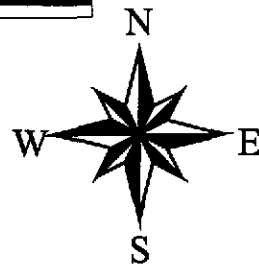


State of Idaho
Idaho Department of Water Resources
Western Region

T4N R2E SECTION 29
Water Right(s) : 63-3407



0 1320 Feet



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

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared By: Vicky Music
Date: September 2004

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3407 V1

WATER RIGHT NUMBER: 63-3407 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RUTH A MARKS 4517 SHIRLEY AVE BOISE, ID 83703 (208)343-0127

Priority Date: 03/16/1964

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	0.020 CFS	2.57 AF
DOMESTIC	1/01 to 12/31		
	<u>Total Diversion:</u>	0.020 CFS	2.57 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4	Sec. 29, Twp 04N, Rge 02E, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	02E	29	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
							.5												.5

Total Acres: 0.5

DOMESTIC same as IRRIGATIONConditions of Approval:

1. C18 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.
2. X01 Domestic use is for 1 home.

Remarks:

1. Explanatory PARCEL NO. R9255000345.
2. Explanatory PROPERTY IS ALSO KNOWN AS LOT 4, BLK 5, WATTLES SUBDIVISION.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3407 V1

3. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 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

Combined Use Limits: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>
Contacts	8/17/2004 3:53:23 PM	vmusic			Active
Priority Date	8/17/2004 3:54:04 PM	vmusic			Active
POD	8/17/2004 3:54:35 PM	vmusic			Active
Source	8/17/2004 3:54:57 PM	vmusic			Active
POU	8/17/2004 3:55:23 PM	vmusic			Active
Use	8/17/2004 3:55:49 PM	vmusic			Active
Season	8/17/2004 3:56:18 PM	vmusic			Active
Quantity	8/17/2004 3:56:55 PM	vmusic			Active
Summary			08/17/2004	vmusic	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	8/17/2004 3:53:25 PM	vmusic	(No) 1. Do you want to schedule an appointment?

Comment for 1: DESKTOP REVIEW

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3407 V1

POD	8/17/2004 3:54:37 PM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Source	8/17/2004 3:54:58 PM	vmusic	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	8/17/2004 3:55:25 PM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	8/17/2004 3:55:50 PM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Summary	8/17/2004 3:57:09 PM	vmusic	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?
Priority Date	8/17/2004 3:54:06 PM	vmusic	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3407 V1

Season	8/17/2004 3:56:20 PM	vmusic	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
Quantity	8/17/2004 3:56:56 PM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - SEE LICENSING EXAM
POD	9/7/2004 10:16:31 AM	vmusic	Edited point location
POU	9/7/2004 10:21:25 AM	vmusic	Edited shape boundary

Desktop Review/VLM

**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
 - ☐ Well logs (if needed)
 - ☐ Copy of topo or NAPP
 - ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
 - ☐ 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 completeClaim No(s) 63-3407Owner: Shirley Ruth Marks Phone No. _____

Current Address: _____

- ☐ No change NAME IS THE SAME
- ☐ NEW OWNER
- ☐ No change Address
- ☐ NEW ADDRESS
- ☐ How long owned property? _____

Add tax lot info indicates owner is
JANET A. FRANCH

Accompanied by: _____

PRIORITY DATE

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

Priority date, per claimant, is: _____

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

Source: _____ 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

see 11/15/15 exam**OVERLAP REVIEW**Other water rights with the same point of diversion: NA -

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

WATER USES☒ No change☐ Different Uses

Use 100 From 4-1 To 11-1 Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

IDWR standard '15
3-15-10 11-15**TOTAL VOLUME – Groundwater only**☐ Incomplete on claim, the total is, Amount _____ CFS _____ 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 _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☒ No Change☐ Changes shown below:

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: NO

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

Delivery System Narrative: SEE LICENSING EXCUM

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

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

C/pump LOT 1 DEM USE IS FOR 1 HOUSE

V/pump 504^v 504 REMARK

V/E LOT 4 BIK 5 WATER SUBDIVISION

DEM / R/P PARTIAL # ~~46004040~~ R9255000345

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3407

WATER RIGHT NUMBER: 63-3407

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RUTH A MARKS 4517 SHIRLEY AVE BOISE, ID 83703 (208)343-0127

Priority Date: 03/16/1964 ✓

Basis: License ✓

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER ✓	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION ✓	4/01 to 11/01	0.020 CFS ✓	2.57 AF
DOMESTIC ✓	1/01 to 12/31 ✓		
	<u>Total Diversion:</u>	0.020 CFS ✓	2.57 AF ✓

Location of Point(s) of Diversion

GROUND WATER ✓	NE1/4NW1/4 ✓	Sec. 29, Twp 04N, Rge 02E, B.M. ✓
ADA County		

✓ Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	02E	29	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	.5

Total Acres: 0.5

✓ DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:

1. General AC. IRR.=.5.

Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3407

Claim Received Date: 6/15/1989

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits: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>
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WATER LICENSE

Water License No 31778/63-3407 Priority March 16, 1964 Amount 0.02 c.f.s.

THIS IS TO CERTIFY, that Ruth A. Marks
of Boise, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated March 16, 1964; that Permit 31778/63-3407 was issued pursuant
to said application; that the proposed works were completed on or about January 20, 1969
with a storage/or carrying capacity of 0.02 c.f.s., said works consisting of well, pump,
2 hp motor,; and that on January 20, 1969,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 2.57
acre feet per season, with a maximum rate of diversion of 0.02 cubic feet per second of the waters
of ground water, tributary of _____,
for the purpose of domestic from January 1 to December 31;
and for irrigation from April 1 to November 1; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, T. 4 N, R. 2 E, B.M., and
other additional points _____, in the County of
Ada; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 2.57 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>4 N</u>	<u>2 E</u>	<u>29</u>					$\frac{1}{4}$												$\frac{1}{4}$

Total number of acres irrigated $\frac{1}{4}$

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described,
as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

13 day of November, 1969.

[Signature]
State Reclamation Engineer

63-3407
31778 63 3407

APPLICATION FOR PERMIT
To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 39900
Permit No. G- 31778
District No.

1. Name of Applicant: Ruth A. Marks
Postoffice address: 4517 Shirley Boise County: Ada State: Idaho
2. Quantity of water claimed: 0.02 cfs
(a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean well
4. Location of point of diversion or well is in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 29
Twp. 4 N , Rge. 2 E , B.M., County of Ada
5. Water is to be used for: Irrigation and domestic
6. If for municipal, industrial or recreational purposes, give:
(a) Point of use of water is in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 29 , Twp. 4 N
Rge. 2 E , B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Electric Pump
8. Estimated cost of works: \$ 2000.00
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are Boise City Canal
(a) 0.02 (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
(b) (cubic feet per second, inches or gallons per minute) is for new lands.

BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

s/ Ruth A. Marks Applicant.

By _____ Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M. March 16, 1964

Returned to applicant for correction:

Corrected application received;

Approval of State Reclamation Engineer

The number of this permit is G— 31778
Recorded in Book 111 Page 31778 Approved March 20, 1964

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before _____ and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before **September 20, 1966**

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before **March 20, 1969**

Witness my hand this 20th day of March, 1964 s/ CARL E. TAPPAN
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho,
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 20th
day of March, 19 64.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

By s/ ROBERT E. SMYLLIE

Governor

Secretary of State.

12.

Twp.	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals
			NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	
4 N	2 E	29		$\frac{1}{2}$			$\frac{1}{2}$ Ac.

Source of supply Sub.
a tributary of ~~NE 1/4 NW 1/4 Sec 29~~
Location of P.D.(s) NE 1/4 NW 1/4 Sec 29 40, 2E

Water is used for irrigation
Quantity of water found _____
How was the measurement made? _____
Measurement calculations _____

Diversion works description and diagram

Berkeley motor & centrifugal Pump, 2 H.P.
Sec. 2 H.P. 2 Valves, 1 1/2" Discharge into 1"
Garden Hose.

Indicate area irrigated in each subdivision on the map. ¹

Total acreage irrigated 1/2 Acre

If water is used for purposes other than irrigation, fully describe how the water is used and what is done with it after the use.

Who represented the permit holder at the examination?

Recommended allowance for licensing 0.02 cfs

Description of required amendments. Comments.

Report checked? _____

Examination date 15 MAY 69 R.M.

Signature _____

D.S.T.

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID #: 63-03407 Date: 4-18-01

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	4N	2E	29					.5												.5
GIS								.5												.5
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: .5

Overlapping POU Claim #'s:

Total GIS Acres: .5

COMMENTS:

Idaho Department of Water Resources

Claim Number: 63-03407

Legal: T4N, R2E, S29

Reviewed By:

1987 Napp Photo

⊙ Point of Diversion

▭ Place of Use

▭ Section Lines

▭ Quarter Quarter Lines



0 0.25 Miles

A horizontal scale bar with a black outline and a white fill, used to indicate distance in miles.