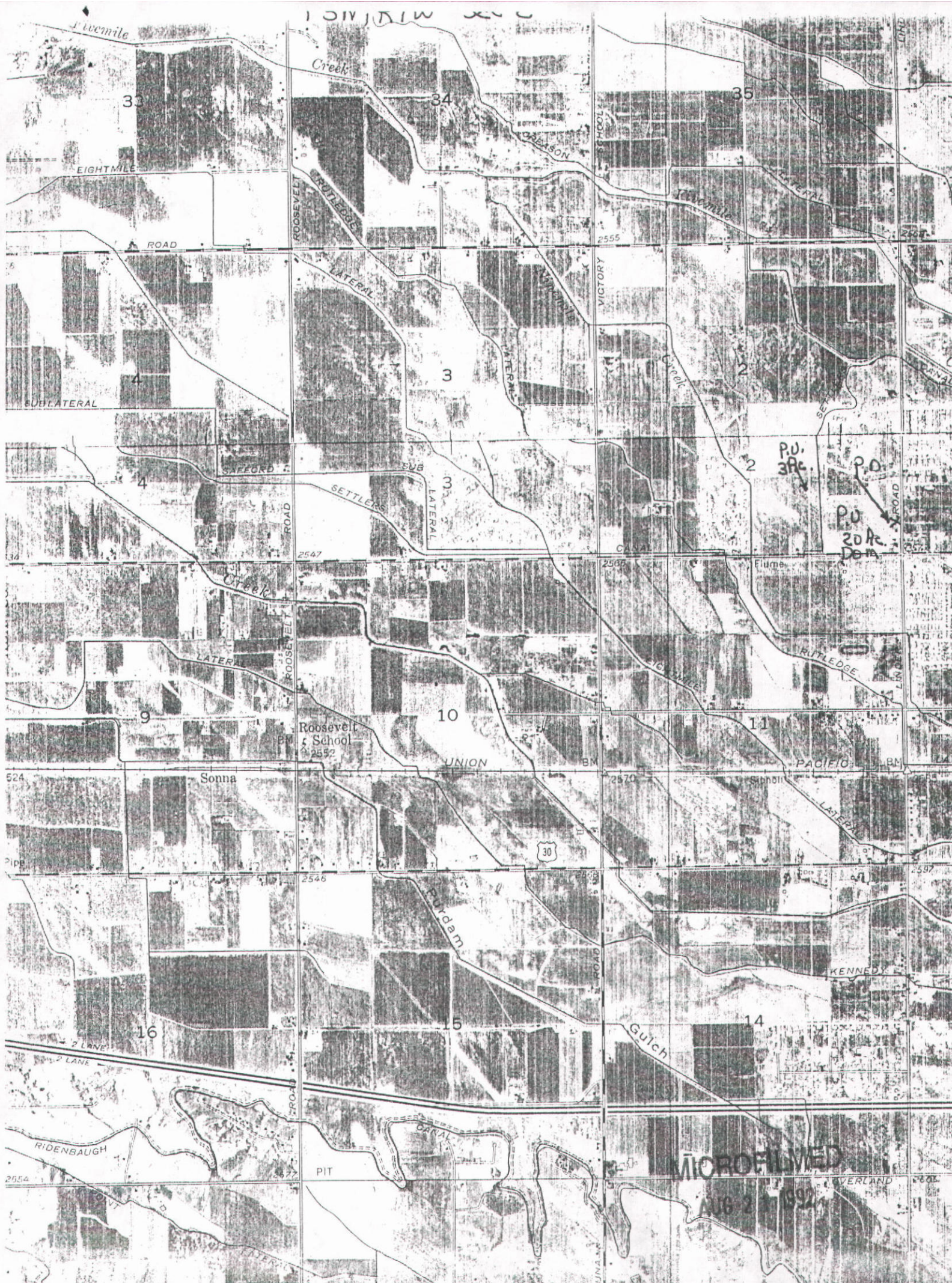


7.5 MINUTE SE





Idaho Department of Water Resources

**T03N, R01W,
S2**

Claim No: 63-7273A

Prepared By: Kimberly Brown

Date: October 20, 2005



Place of Use



Section Lines



1/4 1/4



Point of Diversion

Acres Irrigated = 3.0



300 0 300 600 Feet



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 63-7273A
Date Received: 8/31/1989
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

GLEN NYBORG Phone: (208)888-9692
1660 W CHERRY LN
MERIDIAN ID USA 83642

TERRY G NYBORG Phone: (208)888-3055
1655 LINDER
MERIDIAN ID USA 83642

2. Date of Priority: 10/17/1969

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	01W	2	SE SE SE	ADA	

5. Description of diverting works:

Domestic well for drainage purposes to eliminate water in basements.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.06	
DOMESTIC	01/01	12/31	0.7	

7. Total Quantity Appropriated is:

0.76 C.F.S. and/or 59 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	01W	2	SW	SE	IRRIGATION	3
Section Acres						3
Total Acres						3

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

This right is a split from former right 63-7273.

15. Basis of Claim: License

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 63-7273
Date Received: 8/31/1989
Receipt No: C010762
Received By:

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

1. Name of Claimant(s)

JAMES HUARTE Phone: (208)884-1145
1287 N SANTA ROSA
MERIDIAN ID USA 83642

2. Date of Priority: 10/17/1969

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	01W	2	SE SE SE	ADA	

5. Description of diverting works:

WELL, 80' DEPTH, 12" CASING, W/7.5HP SUBMERSIBLE PUMP, PIPE TO DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/15	0.19	74.2

7. Total Quantity Appropriated is:
0.19 C.F.S. and/or 74.2 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
03N	01W	2	SE SE	IRRIGATION	20
Section Acres					20

Total Acres 20

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 RIGHT AS CLAIMED HERE REPRESENTS A CHANGE FROM THE USES AS LICENSED. THE PURPOSE OF THE WELL WAS ORIGINALLY FOR RELIEF FROM WATER FLOODING THE BASEMENTS WHICH CAME WITH THE IRRIGATION SEAS- ON. THE RIGHT WAS LITTLE USED FOR THE IRRIGATION PURPOSES AS IT WAS LICENSED AND THE WELL IS USUALLY PUMPED FOR 24-HOURS TWICE A MONTH TO PREVENT FLOODING FOR 2 TO 3 HOMES. CONSEQUENTLY THE RIGHT IS BEING CLAIMED FOR DOMESTIC PURPOSES FOR 0.70 CFS AND FOR 0.46 CFS FOR IRRIGATION PURPOSES WITH A TOTAL OF 1.16 CFS DIVERSION RATE AS ORIGINALLY LICENSED. PROPERTY ALSO KNOWN AS VALERI PLACE SUBDIVISION. LAND HAS BEEN DEVELOPED. INTERNAL WATER NOW SUPPLIED BY CITY OF MERIDIAN. AS FAR AS APPLICANT KNOWS, THE BALANCE OF WATER RIGHT IS NOT BEING USED. CLAIM AMENDED PER TRANSFER 4902 APPROVED 5/20/97. FOR TRANSFER CONDITIONS OF APPROVAL AND REMARKS, SEE COPY OF TRANSFER IN ADJUDICATION FILE.

15. Basis of Claim: License

63-7273

Claim should reflect transfer

name - change

USE - 20 acres ^{SESE} wet only from 4/1-10/15 .19cfs 74.2 AFA

Place of use aka. Valeri Place Subdivision

Remarks: Land has been developed. Internal water now supplied by City of Meriden.
As far as applicant knows, the balance of water right is not be used.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4902
WATER RIGHT NO. 63-07273B

RECEIVED

JUN 12 1997

WATER RESOURCES
WESTERN REGION

This is to certify that: JAMES HUARTE
1287 N SANTA ROSA
MERIDIAN ID 83642

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/15	0.19 CFS	74.2 AF

SOURCE

GROUNDWATER

Priority: 10/17/1969

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 2, Township 03N, Range 01W
ADA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	01W	2	SESE	20		20
Total number of acres irrigated:						20

CONDITIONS OF APPROVAL AND REMARKS

1. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
2. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
3. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
4. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
5. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.

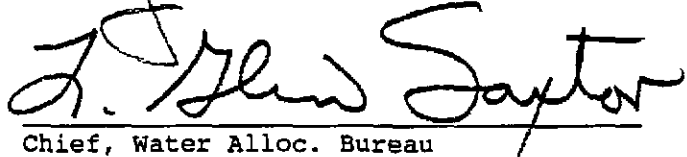
TRANSFER NO. 4902
WATER RIGHT NO. 63-07273B

CONDITIONS OF APPROVAL AND REMARKS

6. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
7. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
8. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
9. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Place of use is also known as Valeri Place Subdivision.

Dated this 20th day of May, 1997.


Chief, Water Alloc. Bureau

MEMORANDUM

TO: FILE NO. 63-07273
FROM: PAM SKAGGS²⁸/STATE OFFICE
SUBJECT: TRANSFER NO. 4902
DATE: March 31, 1997

OK

=====

Transfer No. 4902 changes the point of diversion under a portion of Right No. 63-07273, splitting the right into parts A and B. Irrigation within the transferred portion was confirmed by region review.

The right was licensed with an irregular irrigation season, 04-01 to 10-15 or 197 days, that limits the diversion volume available under this right. The current standard season is 03-15 to 11-15 or 245 days which would expand the diversion volume. The transfer is limited to the licensed irrigation season and the maximum annual diversion volume of 74.2 af. ✓

Recommended conditions include measuring device, future annual reporting, irrigation overlap, supplemental groundwater, right-of-way and standard transfer conditions. ✓

Page 1 of 7STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4902

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant James Huante Phone 70 Georgia Mackley (208) 884-1145
 Post Office address 1287 N. Santa Rosa, Meridian, ID 83642 939-6000

PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Correction of License

2. Describe the reason for the proposed changes Well is currently located on property owned by another party. Said party is willing to have existing point of diversion vacated + point of diversion relocated to property owned by Valeri Place HOA (Linder Falls Sub)

DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>63-072738</u>	<u>10/17/69</u>	<u>189</u>	<u>Irrigation</u>	<u>April 1 to Oct 15</u>
				to
				to
				to

Total amount of water being transferred 189 cubic feet per second and/or 90 acre-feet per annum.

Source of water ground water tributary to

Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	<u>5/E</u>	<u>4/E</u>	<u>3/E</u>	<u>2</u>	<u>3N</u>	<u>10W</u>	<u>ADA</u>	

Lands irrigated or place of use:

wp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
																		<u>20</u>	

Total acres

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

See attached

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☐ Warranty Deed☐ Other _____

3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purpose:

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

ND

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED "Part B"

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount -189 cfs for IRR purposes from 4/1 to 10/15
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

INITIALS 2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	2	3N	1W	Ada	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	1W	2																20	20

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change) "Part A"

Total acres _____

1. amount 971 for IRR purposes from 4/1 to 10/15
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	2	3N	1W	Ada	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	1W	2													40	40	3	20	103

MICROFILMED
JUN 25 1997

* SEE ATTACHMENT D of Applicant's approval of split into

Total acres 103

COPY OF
ORIGINAL
LICENSE
FILED IN
1976

5 of 7

State of Idaho
Department of Water Resources
WATER RIGHT LICENSE

License of Water Right No. 63-7273 Priority Oct. 17, 1969 Amount 1.16 cfs

THIS IS TO CERTIFY, that GLEN NYBORG
of Meridian, Idaho, has complied with the terms and conditions of Permit
No. 63-7273 Issued pursuant to Application for Permit dated October 17, 1969
and has submitted proof to the Department of Water Resources on October 29, 1974
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.16 cfs of water from a ground water source
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use		Rate of Diversion		Annual Volume
<u>Irrigation</u>	from <u>April 1</u>	to <u>Oct. 15</u>	at <u>1.16</u> cfs and	<u>453</u> acre feet or	<u>4.5</u> af per acre
	from _____	to _____	at _____ cfs and		
	from _____	to _____	at _____ cfs and		
(both dates inclusive)					

Subject, however, to the condition that no more than 1.16 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
453 acre feet per year, said waters to be diverted within the NE 1/4 of Sec. 2,
Twp. 3 N, Rge. 1 W, B.M. in the County of Ada

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3 N	1 W	2													40	40	3	40	123

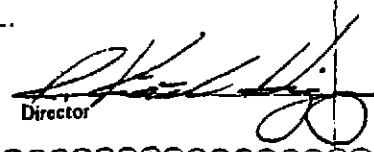
Total number of acres irrigated 123

A measuring device of a type approved by the Department shall be permanently
maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 27 day of
November, 19 76.


Director

009 cfs/ac

MICROFILMED

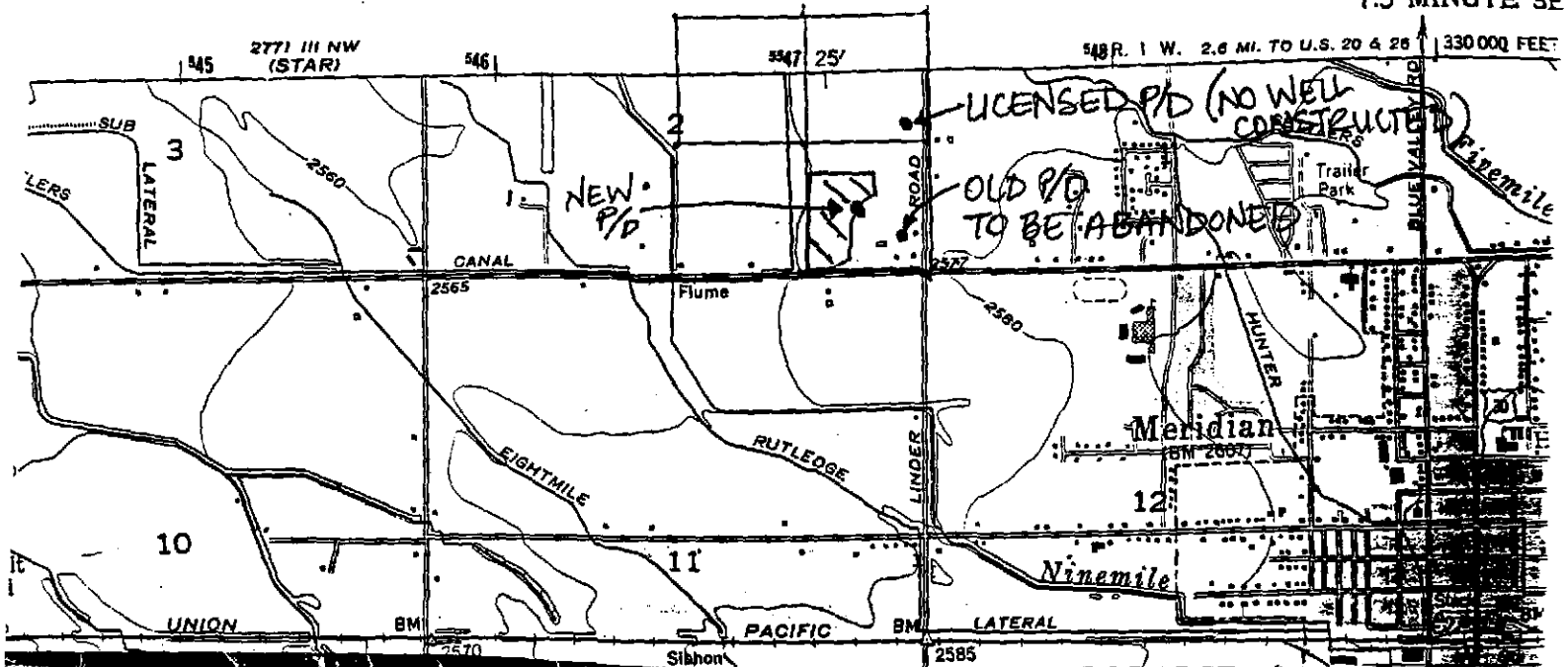
AUG 21 1992

pg 6 of 7

MERIDIAN

ADDITIONAL MAP DETAIL:

7.5 MINUTE SE



The area outlined in green is what was licensed originally for irrigation from the well. (123 acres)
The area in red is what has been claimed by Nyborg's. (23 acres).
This map is dated 1941 so new changes not shown.

PART 3

B. CHANGES IN NATURE OF USE

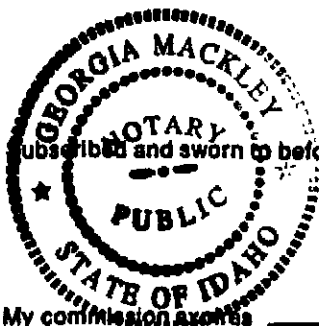
1	New Nature of Use	Amount (cfs/20-ft)	Hours/days/year	Period of Use
				to _____
				to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



X James A. Sharts
(Signature of Applicant)
_____ day of August, 19 96.

Georgia Mackley
(Notary Public)

My commission expires _____

6/20/2000

FOR DEPARTMENT USE ONLY

Transfer contains 7 pages and 3 attachments

Received by gl Date 8/30/96 Protest filed by _____

Prelim. check by gl Fee 100 _____

Receipted by gl W021428 Date 8/30/96 _____

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

PHASE I

LOT 1 IN BLOCK 1

LOTS 1, 2, 4, 5, 6, 8, 10, 11, 12, 15, 17, 18, 19, 20, 21, 24, AND 25 IN BLOCK 2. LOTS 1, 2 AND 7 IN BLOCK 3, AND LOT 1 IN BLOCK 4 OF VALERI PLACE SUBDIVISION NO. 1, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED IN BOOK 83 OF PLATS AT PAGE 6307 AND 8308 AND AMENDED BY AFFIDAVIT RECORDED AUGUST 8, 1984 UNDER INSTRUMENT NO. 94073282 WHICH WAS A RE-RECORDING OF NO. 94072517 RECORDS OF ADA COUNTY, IDAHO.

*Moff all lots sold to
individuals except for
common lots
(#1 Blk 1
#1 Blk 2
#1 Blk 3)
These plus well lot (retained from Smith's sale?)
to be deeded to HOA upon completion.
Then file change in ownership.*

*HAWLEY
JUN 15 2007*

NOTICE OF PROPOSED CHANGE OF
WATER RIGHT NO. 63-07273
TRANSFER NO. 4902

Notice is hereby given that James Huarte of 1287 N Santa Rosa, Meridian, ID 83642, acting on behalf of Valeri Place Homeowners, has applied to the Department of Water Resources to correct and add a point of diversion under the following described water ground water license pursuant to section 42-222 of Idaho Code.

WATER RIGHT AS RECORDED

Right No.	63-07273
Date of Priority	10/17/69
Amount	1.6 cfs
Use	Irrigation
Point of Div	NESE Sec 2, T03N R01W, Ada County
Place of Use	123 acres in SE Sec 2, T03N R01W

Claimed in Snake River Adjudication as 23 acres in S $\frac{1}{4}$ SE S02, and showing a point of diversion in SESESE S02, T03N R01W.

TO BE CHANGED AS FOLLOWS:

Right No.	63-07273B
Amount	0.189 cfs
Point of Div	SESE Sec 2, T03N R01W, Ada County
Place of Use	20 acres in SESE Sec 2, T03N R01W

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705, together with a protest fee of \$25.00, on or before October 7, 1996. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Idaho Statesman on September 19 and 29, 1996

MICROFILMED

JUN 25 1997

TRANSFER REVIEW SHEET
(02-97)

Transfer # 4502

Date Reviewed 03-28-97 *Q2*

Right(s) 63-07273

WRD11 Print Split Summary WRD4 Run POU Comparison Report

B:Change P/D **C:**Add P/D **D:**Change P/U **E:**Change Nature of Use
F:Change Period of Use **G:**Other **H:**Change P/D & Add P/D
I:Change P/D & P/U **J:**Add P/D & Change P/U

Proof of Ownership NA - P/D change only - Chain of HOA authorization provided

Transfer ~~All~~ of Right ~~Portion~~ of Right

Resulting Split(s) A+B

A) 103 Acres .97 cfs 379.0 cfs } 197 Day Season
B) 20 Acres .19 cfs -90 cfs 74.2 cfs } VDR < VTR
123 1.16 453.2

Check Transfer Against Recorded Right

Season/Vol. D/4.5

(1) ☒ Priority (2) ☒ Use (3) ☐ Season (4) ☒ Rate (5) ☐ Volume
- 6095 c/s here

(6) ☒ Source (7) ☐ P/D (8) ☐ P/U (9) ☐ NA Proof/Owner (10) ☒ Map

(11) NA Water District (12) Yes Pertinent Conditions (13) No Expansion
MD Retain season 4 vol.

- ③ Non-Standard season. Volume limited to 197 day season 4-1 to 10-15
- ⑤ Volume limited to 197 day season - $19 \times 197 \times 1.4835 = 74.2 \text{ data} < \text{VIR}$
- ⑦ Change P/D
- ⑧ Split P/D

Supplemental GW - Nampa Meridian IRR District

Expedited Drilling Permit 163-96-1)-8445-200 Approved 10-27-96

Transfer Remarks Valeri Place Subdivision

Conditions R01, 028, R32, 045, 079, T04, T07, T08, T09

Database/Processing Notes

Standard ✓ **Non-Standard**

T files A & B - Clear original

WR_Reports File Hua.HS
File Deleted 4-2-97

Transfer Memo Complete ✓
Database Updated 05-21-97

2 different AF FACTORS



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: N/A

LEGAL DESCRIPTION OF PROPERTY: Township 03N Range 01W
Section 2, SE 1/4 of SE 1/4 of SE 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite ADA COUNTY, ID
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) Assigned by IDWR: A63-07273
- * ☐ Name and Address of Former Owner/Claimant(s)(Seller): Glenn Nyborg
1660 W Cherry LN
Meridian, ID 83642
- * ☐ New Owner/Claimant (Purchaser): James Huante
- * ☐ New Mailing Address: 70 Georgia Mackley
1287 N. Santa Rosa
Meridian, ID
- * ☐ New Telephone Number: (208) 884-1145
- * ☐ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
189 - 20 ACRES - SEE TRANSFER APPLICATION
- * ☐ Attach proof of ownership, describe proof attached: _____
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- * ☐ Signature of New Owner/Claimant(s) James Huante Date 8/16/96
- * ☐ Signature of Former Owner/Claimant(s): _____ Date _____

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

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:
Further Action Taken
Date: _____ By: _____
Final Review and Data-Entry
Date: _____ By: _____
Claim Numbers of Split, if any:

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

DEED IN LIEU OF FORECLOSURE

For value received, KASTLE FALLS SUBDIVISION LIMITED PARTNERSHIP, also known as Kastle Falls Limited Partnership, an Idaho limited partnership, the "Grantor," hereby grants and conveys unto JAMES HUARTE, the "Grantee," whose complete mailing address for purposes of this Deed is c/o John F. Kurtz, Jr., Hawley Troxell Ennis & Hawley, P.O. Box 1617, Boise, Idaho 83701, the following described real property of the Grantor located in Ada County, Idaho, to wit:

Described on EXHIBIT A attached hereto and made a part hereof.

Together with all improvements and fixtures thereon and all easements, rights of ways, rights and privileges belonging to, or with, leading to, connected with or usually had or enjoyed in connection with the said premises, or any part thereof, and all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the rents, issues and profits thereof

hereinafter referred to as the "Subject Property."

TO HAVE AND TO HOLD, unto the said Grantee, his heirs, devisees, personal representatives, successors and assigns, forever.

This Deed is given pursuant to that certain Stipulation and Consent to the Entry of Judgment and Deed in Lieu of Foreclosure By and Between Defendant/Counterclaimant/Cross-Claimant James Huarte and Defendant/Cross-Defendant Kastle Falls Subdivision Limited Partnership in lieu of completion of a

00000000

RECORDED

J. DAVIS

30/50/10

Hawley Troxell

95 JUL 31 11 03

FEE 18.00
RECORDED AT THE REQUEST OF

MICROFILMED

OCT 07 1996

pending foreclosure of Grantee's first mortgage or deed of trust liens (hereinafter called "mortgage liens") and first security interests in and to the Subject Property which are referred to in that certain Judgment and Decree of Foreclosure and Order of Sale dated May 9, 1995 and recorded on May 19, 1995 as Instrument No. 95034017 in the Office of the Recorder of Ada County, Idaho (hereinafter called Grantee's "judgment lien" or "judgment"); provided, however, that Grantee's judgment lien and said mortgage liens and security interests and the obligations secured thereby shall be deemed not to have merged into this Deed, but shall survive the execution, delivery and recording of this Deed, and Grantee expressly reserves and retains his assignment of rents, issues and profits of the Subject Property and the priority of his said liens and security interests in and to the Subject Property for the purpose of protecting Grantee against any third-party liens, interests or claims (including claims of preference in bankruptcy), known or unknown, disclosed or undisclosed, liquidated or unliquidated, of whatever kind or nature, in or to the Subject Property or any part thereof.

Grantor does hereby waive, surrender, relinquish, transfer and convey unto Grantee, and his successors and assigns, Grantor's equity of redemption, statutory right of redemption or right to cure any default or defaults existing with respect to said judgment lien or mortgage liens and security interests or the obligations secured thereby in relation to the Subject Property.

MICROFILMED
OCT 07 1996

Possession of the Subject Property is hereby surrendered and delivered to Grantee coincident with the delivery of this Deed.

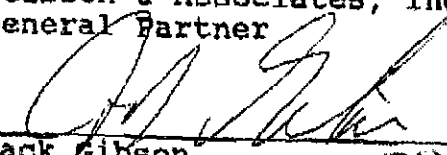
This Deed constitutes an absolute and unconditional grant and conveyance of all of Grantor's right, title, claim and interest in and to the Subject Property, and not a security device of any kind or nature.

It is expressly covenanted and agreed by and between the parties hereto that by accepting delivery of this Deed, Grantee does not release Grantor from liability for the deficiency judgment against Grantor on account of the obligation evidenced or secured by said judgment lien, mortgage liens or security interests provided for in the Stipulation, except as otherwise expressly provided for in said Stipulation. It is further understood that Grantee does not assume any liability arising out of or in connection with the ownership or use of the Subject Property by the Grantor or its predecessors in interest.

IN WITNESS WHEREOF the Grantor has duly executed this instrument effective as of July, ²⁴ 1995.

KASTLE FALLS SUBDIVISION
LIMITED PARTNERSHIP
(also known as Kastle Falls
Limited Partnership),
an Idaho limited partnership

By J. Gibson & Associates, Inc.
General Partner

By: 
Jack Gibson
Its President

MICROFILMED
OCT 07 1996

STATE OF IDAHO

County of Ada

ss.

On this 24 day of July, 1995, before me,
Stephen C. Brown, a Notary Public in and for said
State, personally appeared JACK GIBSON, known or identified to me
to be the President of J. Gibson & Associates, Inc., an Idaho
corporation, the General Partner of KASTLE FALLS SUBDIVISION
LIMITED PARTNERSHIP, also known as Kastle Falls Limited
Partnership, an Idaho limited partnership, and the person who
subscribed said partnership name to the foregoing instrument as
President of said corporate general partner, and acknowledged to
me that he thereby executed the same in the name of said limited
partnership.

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

Stephen C. Brown
Notary Public for Idaho
Residing at Boise, Idaho
My commission expires 1-19-2001

MICROFILMED
OCT 07 1995

PHASE ILOT 1 IN BLOCK 1

LOTS 1, 2, 4, 5, 6, 8, 10, 11, 12, 15, 17, 18, 19, 20, 21, 24, AND 25 IN BLOCK 2, LOTS 1, 2 AND 7 IN BLOCK 3, AND LOT 1 IN BLOCK 4 OF VALERI PLACE SUBDIVISION NO. 1, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED IN BOOK 83 OF PLATS AT PAGE 6307 AND 6308 AND AMENDED BY AFFIDAVIT RECORDED AUGUST 8, 1994 UNDER INSTRUMENT NO. 94073282 WHICH WAS A RE-RECORDING OF NO. 94072517 RECORDS OF ADA COUNTY, IDAHO.

EXHIBIT 1 MICROFILMED
PAGE 1 OF 2 JUL 7 1996

X=0
Y=0

PHASE II

PARCEL A

A PARCEL OF LAND LYING IN A PORTION OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 3 NORTH, RANGE 1 WEST, BOISE MERIDIAN, ADA COUNTY, IDAHO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SECTION CORNER COMMON TO SECTION 1, 12 AND 11, AND THE SAID SECTION 2;

THENCE NORTH 89 DEGREES 33'46" WEST FOR A DISTANCE OF 850.09 FEET ALONG THE SOUTHERLY BOUNDARY OF THE SAID SOUTHEAST QUARTER OF SECTION 2, WHICH IS ALSO THE CENTERLINE OF WEST CHERRY LANE, TO A POINT;

THENCE NORTH 0 DEGREE 26'14" EAST FOR A DISTANCE OF 25.00 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF THE SAID WEST CHERRY LANE, ALSO SAID POINT BEING THE REAL POINT OF BEGINNING;

THENCE CONTINUING NORTH 0 DEGREE 26'14" EAST FOR A DISTANCE OF 362.29 FEET TO A POINT;

THENCE NORTH 16 DEGREES 07'36" EAST FOR A DISTANCE OF 68.17 FEET TO A POINT;

THENCE NORTH 45 06'20" EAST FOR A DISTANCE OF 23.01 FEET TO A POINT;

THENCE SOUTH 89 DEGREES 33'46" EAST FOR A DISTANCE OF 87.92 FEET TO A POINT;

THENCE NORTH 0 DEGREE 26'14" EAST FOR A DISTANCE OF 49.00 FEET TO A POINT;

THENCE SOUTH 89 DEGREES 33'46" EAST FOR A DISTANCE OF 175.00 FEET TO A POINT;

THENCE NORTH 0 DEGREE 26'14" EAST FOR A DISTANCE OF 129.00 FEET TO A POINT;

THENCE NORTH 89 DEGREES 33'46" WEST FOR A DISTANCE OF 32.35 FEET TO A POINT;

THENCE NORTH 0 DEGREE 26'14" EAST FOR A DISTANCE OF 110.00 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF GLENNFIELD MANOR NO. 6, A SUBDIVISION, AS FILED FOR RECORD IN THE OFFICE OF THE ADA COUNTY RECORDER, BOISE, IDAHO, IN BOOK 58 OF PLATS AT PAGES 5627 AND 5628;

THENCE SOUTH 89 DEGREES 33'46" EAST FOR A DISTANCE OF 557.68 FEET ALONG THE SAID SOUTHERLY BOUNDARY OF GLENNFIELD MANOR NO. 6 AND THE SOUTHERLY BOUNDARY OF GLENNFIELD MANOR NO. 7, A SUBDIVISION, AS FILED FOR RECORD IN THE OFFICE OF THE ADA COUNTY RECORDER, BOISE, IDAHO, IN BOOK 59 OF PLATS AT PAGES 5743 AND 5744 TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF NORTH LINDER ROAD;

THENCE SOUTH 0 DEGREE 16'08" WEST FOR A DISTANCE OF 446.20 FEET ALONG THE SAID WESTERLY RIGHT OF WAY LINE OF NORTH LINDER ROAD TO A POINT;

THENCE NORTH 89 DEGREES 33'46" WEST FOR A DISTANCE OF 223.69 FEET TO A POINT;

THENCE SOUTH 0 DEGREE 26'14" WEST FOR A DISTANCE OF 281.09 FEET TO A POINT ON THE SAID NORTHERLY RIGHT OF WAY LINE OF WEST CHERRY LANE;

THENCE ALONG THE SAID NORTHERLY RIGHT OF WAY LINE OF WEST CHERRY LANE THE FOLLOWING COURSES AND DISTANCES:

NORTH 89 DEGREES 33'46" WEST FOR A DISTANCE OF 14.30 FEET TO A POINT;

THENCE SOUTH 89 DEGREES 17'28" WEST FOR A DISTANCE OF 249.97 FEET TO A POINT;

THENCE NORTH 89 DEGREES 33'46" WEST FOR A DISTANCE OF 336.46 FEET TO THE POINT OF BEGINNING.

PARCEL B

A PARCEL OF LAND LYING IN THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 3 NORTH, RANGE 1 WEST, BOISE-MERIDIAN, ADA COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SECTION CORNER COMMON TO SECTIONS 1, 2, 11 AND 12 OF TOWNSHIP 3 NORTH, RANGE 1 WEST, BOISE-MERIDIAN, MARKED BY A BRASS CAP MONUMENT;

THENCE NORTH 0 DEGREE 16'08" EAST ALONG THE SECTION LINE COMMON TO SAID SECTIONS 1 AND 2, SAID LINE ALSO BEING THE CENTERLINE OF NORTH LINDER ROAD, FOR A DISTANCE OF 311.09 FEET;

THENCE NORTH 89 DEGREES 33'46" WEST FOR A DISTANCE OF 150.00 FEET TO THE REAL POINT OF BEGINNING;

THENCE SOUTH 0 DEGREE 16'08" WEST ALONG THE WESTERLY PROPERTY LINE OF THAT PARCEL DESCRIBED IN WARRANTY DEED INSTRUMENT NO. 7501301 OF ADA COUNTY RECORDED FOR A DISTANCE OF 67.88 FEET;

THENCE NORTH 89 DEGREES 33'46" WEST FOR A DISTANCE OF 98.89 FEET;

THENCE NORTH 0 DEGREE 26'14" EAST FOR A DISTANCE OF 67.88 FEET;

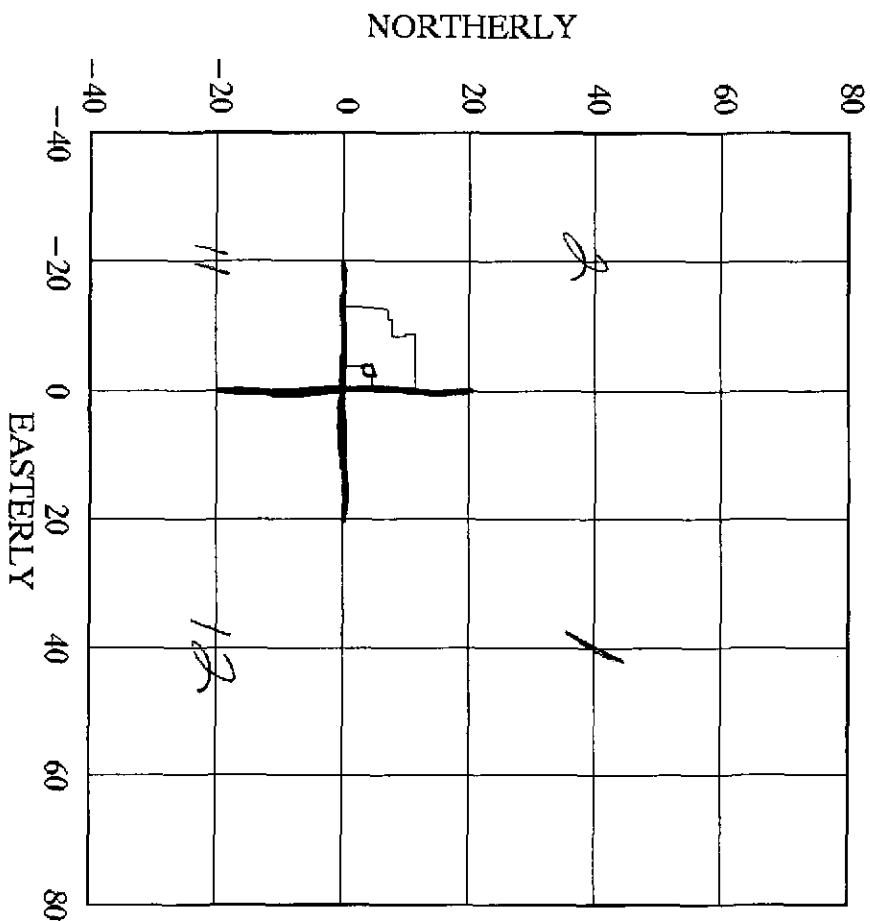
THENCE SOUTH 89 DEGREES 33'46" EAST FOR A DISTANCE OF 98.89 FEET TO THE REAL POINT OF BEGINNING, CONTAINING 6.706 SQUARE FEET, MORE OR LESS.

MICROFILM

OCT 07 1996

EXHIBIT A
PAGE 2 OF 2

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS



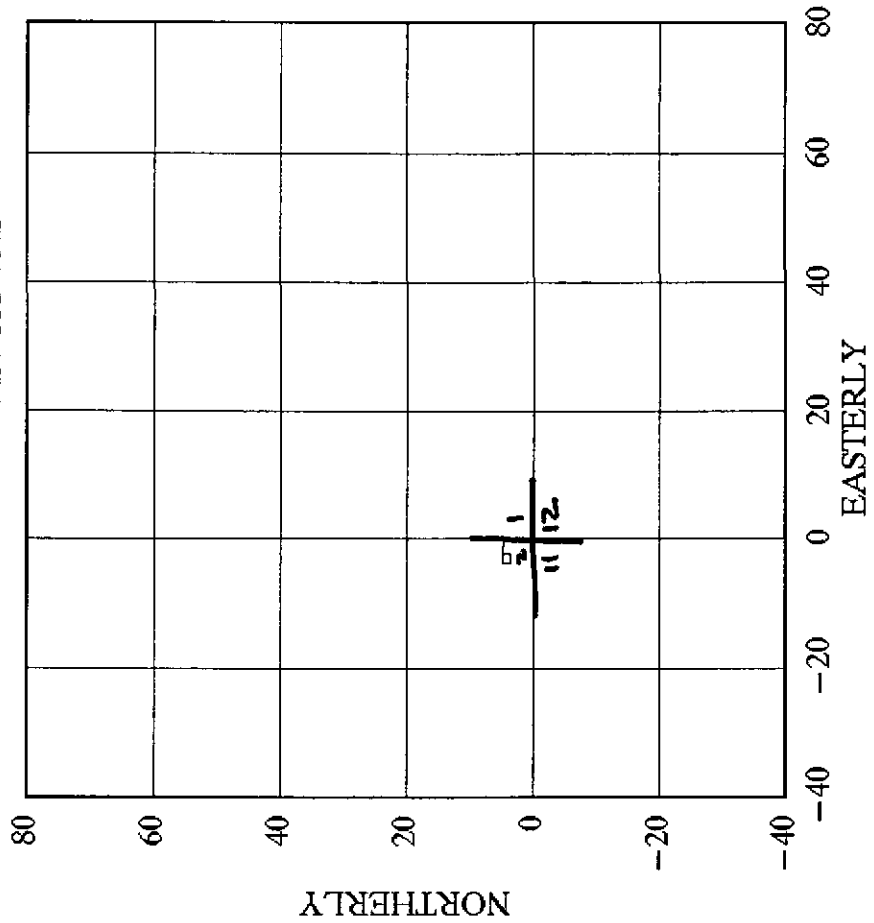
3N 1W 2

NORTHERLY

EASTERLY

MICROFILMED
OCT 07 1996

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS



#2

MICROFILMED
OCT 07 1996

X-COR	Y-COR	ANGLE			BEARING	DIST (FT)
		DEGREES	MINUTES	SECONDS		
0.00	0.00					
-12.88	0.10	89.00	33.00	46.00	NW	850.09
-12.88	0.48	0.00	26.00	14.00	NE	25.00
-12.83	5.97	0.00	26.00	14.00	NE	362.29
-12.55	6.96	16.00	7.00	36.00	NE	68.17
-12.30	7.20	45.00	6.00	20.00	NE	23.01
-10.97	7.19	89.00	33.00	46.00	SE	87.92
-10.96	7.94	0.00	26.00	14.00	NE	49.00
-8.31	7.92	89.00	33.00	46.00	SE	175.00
-8.30	9.87	0.00	26.00	14.00	NE	129.00
-8.79	9.87	89.00	33.00	46.00	NW	32.35
-8.77	11.54	0.00	26.00	14.00	NE	110.00
-0.32	11.48	89.00	33.00	46.00	SE	557.68
-0.36	4.72	0.00	16.00	8.00	SW	446.20
-3.75	4.74	89.00	33.00	46.00	NW	223.69
-3.78	0.48	0.00	26.00	14.00	SW	281.09
-4.00	0.48	89.00	33.00	46.00	NW	14.30
-7.78	0.44	89.00	17.00	28.00	SW	249.97
-12.88	0.48	89.00	33.00	46.00	NW	336.45

MICROFILMED
OCT 07 1996

#2

X-COR	Y-COR	ANGLE			BEARING	DIST (FT)
		DEGREES	MINUTES	SECONDS		
0.00	0.00					
0.02	4.71	0.00	16.00	8.00	NE	311.09
-2.25	4.73	89.00	33.00	46.00	NW	150.00
-2.26	3.70	0.00	16.00	8.00	SW	67.88
-3.75	3.71	89.00	33.00	46.00	NW	98.89
-3.75	4.74	0.00	26.00	14.00	NE	67.88
-2.25	4.73	89.00	33.00	46.00	SE	98.89

MICROFILMED
OCT 07 1996

SD-0604-2 Township: 03N		Range: 01W		Section: 2		Tract: SESE		Lot:			
S	L	STATE		O	S	Max # Records		73			
E	O	Water		W	T	Priority		Use			
L	Tract	T	Right No.	Name		N	AC	G	Date	Code	Desc
-----		-----		-----		-----		-----		-----	
			A63-02388	AMERICA, ACTING THROUG		C		L	08/18/1924	01	IRR
				HAUGRUD, JACK OR G GAR		A					
				BOR		K					
				US DEPT OF INTERIOR		K					
SESE			A63-07273	NYBORG, GLEN		C	20	L	10/17/1969	01	IRR
				NYBORG, TERRY G		C				43	DOMEST
SESE			A63-07273	NYBORG, GLEN		C		L	10/17/1969	01	IRR
				NYBORG, TERRY G		C				43	DOMEST
SESE			A63-18354	NYBORG, GLENN		C		J	10/17/1969	43	DOMEST
				NYBORG, TERRY G		C					
SESE			A63-30181Z1	LARGE CLAIM		C		D	06/01/1864	01	IRR

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED
OCT 07 1998

SD-0604-2 Township: 03N Range: 01W Section: 2 Tract: SESE Lot:										
S	L	STATE	O	S	Max #	Records	11			
E	O	Water	Name	W	T	Priority	Use			
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc
			63-02388	US DEPT OF INTERIOR	C		L	08/18/1924	01	IRR
	SESE		63-07273	NYBORG, GLEN	C	40	L	10/17/1969	01	IRR

(Enter=Continue)

(GOLD 7=This Query)

(Menu _____)

MICROFILMED
OCT 07 1996

INTER-DEPARTMENT MEMO — 1

FROM

DATE 6-27-1996

TO Claim file # A63-07273

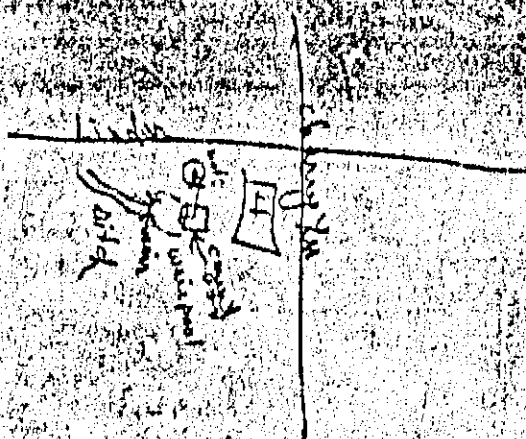
SUBJECT Point of Diversion

Originally, this right's pt. of diversion was licensed in the NESE, T. 2. However, it appears on the map (small w/streets) that it is closer to the SESE corner of the section bounded by Cherry Ln. & Linder Rd. Claimed P.D. is the SESE. This needs to be confirmed at time of SRBA verification. Note: well log also shows NESE. See attached copies of exam & well log.

MICROFILMED
OCT 07 1996
SIGNATURE

Total V recommended	433.0
Recommended Amendment	433.0
P.D.	
Place of Use	
Other	
None	
MEASUREMENT CALCULATION	
To to V x M / C x S x R x A x P x G x U x C x W x I	
SYSTEM DESCRIPTION	
REMARKS	
Examined by	[Signature]
Checked by	[Signature]
Approved by	[Signature]

Diagram of System



Drainage Well

REPORT OF WELL DRILLER
State of Idaho

Beaver
11-69

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

POOR ORIGINAL

WELL OWNER:
Name Walter H. Hager
Address Boise, Idaho
Owner's Permit No.

NATURE OF WORK (check): Replacement well ☐
New well, ☒ Deepened ☐ Abandoned ☐
Water is to be used for: Irrigation

METHOD OF CONSTRUCTION: Rotary ☐ Cable ☒
Dug ☐ Other ☐ (explain)

CASING SCHEDULE: Threaded ☐ Welded ☒
12" Diam. from 0 ft. to 30 ft.
"Diam. from ft. to ft.
"Diam. from ft. to ft.
"Diam. from ft. to ft.
Thickness of casing: Material:
Steel ☒ concrete ☐ wood ☐ other ☐

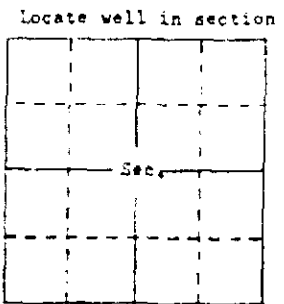
(explain)
PERFORATED? Yes ☒ No ☐ Type of perforator used:

Size of perforations: 1/2" by 14"
perforations from 0 ft. to 30 ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

WAS SCREEN INSTALLED? Yes ☐ No ☒
Manufacturer's name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.
CONSTRUCTION: Well gravel packed? Yes ☐
No ☒ size of gravel Gravel placed from ft. to ft. Surface seal provided? Yes ☐ No ☒ To what depth? ft. Material used in seal:

Did any strata contain unusable water? Yes ☐
No ☒ Type of water:
Depth of strata ft. Method of sealing strata off:

Surface casing used? Yes ☒ No ☐
Cemented in place? Yes ☐ No ☒



LOCATION OF WELL: County
11 Sec. 2 T. 2 N. 2 R. 2 E. 2

Size of drilled hole: 12 in. Total depth of well: 30 ft. Standing water level below ground: 17 ft. Temp. Fahr. Test delivery: gpm or cfs Pump? ☐ Bail ☐ Size of pump and motor used to make test:

Length of time of test: Hrs. Min.
Drawdown: ft. Artesian pressure: ft. above land surface Give flow cfs or gpm. Shutoff pressure: ft. Controlled by: Valve ☐ Cap ☐ Plug ☐ No control ☐ Does well leak around casing? Yes ☐ No ☒

DEPTH FROM FEET	TO FEET	MATERIAL	WATER YES OR NO
0	10	Steel	Yes
10	20	Steel	Yes
20	30	Steel	Yes
30	40	Steel	Yes
40	50	Steel	Yes
50	60	Steel	Yes
60	70	Steel	Yes
70	80	Steel	Yes
80	90	Steel	Yes
90	100	Steel	Yes
100	110	Steel	Yes
110	120	Steel	Yes
120	130	Steel	Yes
130	140	Steel	Yes
140	150	Steel	Yes
150	160	Steel	Yes
160	170	Steel	Yes
170	180	Steel	Yes
180	190	Steel	Yes
190	200	Steel	Yes
200	210	Steel	Yes
210	220	Steel	Yes
220	230	Steel	Yes
230	240	Steel	Yes
240	250	Steel	Yes
250	260	Steel	Yes
260	270	Steel	Yes
270	280	Steel	Yes
280	290	Steel	Yes
290	300	Steel	Yes

Work started:
Work finished:
Well Driller's Statement: This well was drilled under my supervision and this report is true to the best of my knowledge.
Name:
Address:
Signed by:
License No. 47 Date:

Use other side for additional remarks

USGS

MICROFILMED
JUL 97 1996

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A63-07273
Date Received: 8/31/1989
Receipt No: C010762
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GLEN NYBORG 208-888-9692
Address: 1660 W. CHERRY LN.
MERIDIAN, ID 83642

OR

Name: TERRY G. NYBORG 208-888-3055
Address: 1655 LINDER
MERIIDAN, ID 83642

2. Date of Priority: OCT 17, 1969

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	01W	2	SE	SE	SE		ADA

5. Description of diverting works:
WELL, 80' DEPTH, 12" CASING, W/7.5HP SUBMERSIBLE PUMP, PIPE TO DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.460		
DOMESTIC	01/01	12/31	0.700		

7. Total Quantity Appropriated is:
1.160 C.F.S. (and/or) 453.00 A.F.A.

8. Total consumptive use is 80.5 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC FOR DRAINAGE PURPOSES TO ELIMINATE WATER IN BASEMENTS.

A63-07273

Page 1

Date: 08/31/89

MICROFILMED

AUG 21 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	01W	2	SW	SE		IRR	3.0
			SE	SE		IRR	20.0
			SE	SE		DOMEST	
Section Acres							23.0
Total Acres							23.0

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:

DOMESTIC WELL FOR IN-HOUSE USE & NAMPA-MERID. IRR. RIGHTS.

14. Remarks:

THIS RIGHT AS CLAIMED HERE REPRESENTS A CHANGE FROM THE USES AS LICENSED. THE PURPOSE OF THE WELL WAS ORIGINALLY FOR RELIEF FROM WATER FLOODING THE BASEMENTS WHICH CAME WITH THE IRRIGATION SEASON. THE RIGHT WAS LITTLE USED FOR THE IRRIGATION PURPOSES AS IT WAS LICENSED AND THE WELL IS USUALLY PUMPED FOR 24-HOURS TWICE A MONTH TO PREVENT FLOODING FOR 2 TO 3 HOMES. CONSEQUENTLY THE RIGHT IS BEING CLAIMED FOR DOMESTIC PURPOSES FOR 0.70 CFS AND FOR 0.46 CFS FOR IRRIGATION PURPOSES WITH A TOTAL OF 1.16 CFS DIVERSION RATE AS ORIGINALLY LICENSED.

15. Basis of Claim: LICENSE

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

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): *Alena Myberg* Date: 8/31/1989
Date: _____

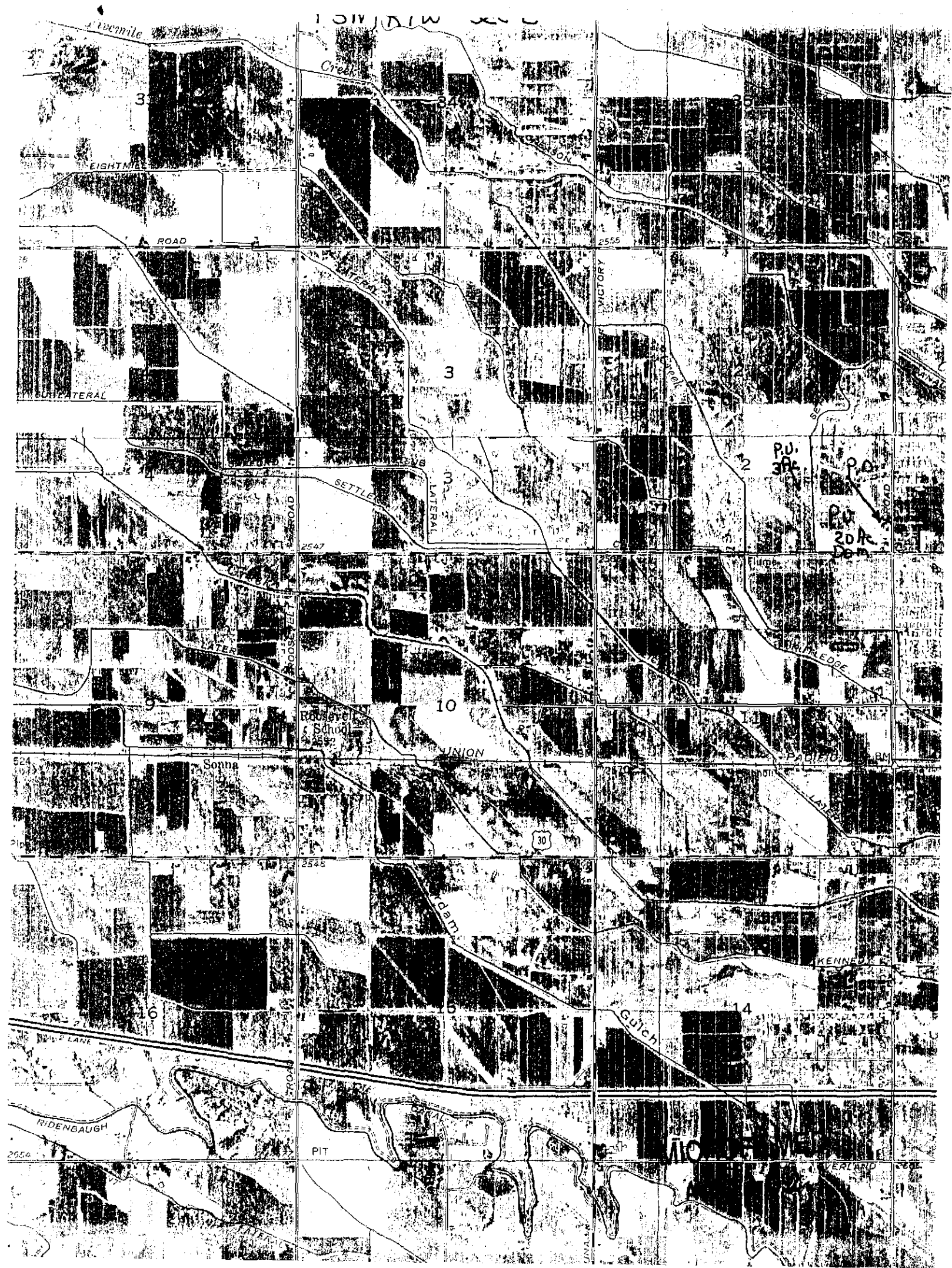
State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 31st day
of August 19 89

Donest E. Luthy
Notary Public

Seal

Residing at Boise, ID
My Commission Expires 11/08/1994



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-7273 Priority Oct. 17, 1969 Amount 1.16 cfs

THIS IS TO CERTIFY, that GLEN NYBORG
of Meridian, Idaho, has complied with the terms and conditions of Permit
No. 63-7273 issued pursuant to Application for Permit dated October 17, 1969,
and has submitted proof to the Department of Water Resources on October 29, 1974,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.16 cfs of water from a ground water source
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>Oct. 15</u>	at <u>1.16</u> cfs and	<u>453</u> acre feet or
	from _____ to _____	at _____ cfs and	<u>4.5</u> af per acre
	from _____ to _____	at _____ cfs and	
(both dates inclusive)			

Subject, however, to the condition that no more than 1.16 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
453 acre feet per year, said waters to be diverted within the NE 1/4 Sec. 2

Twp. 3 N, Rge. 1 W, B. M. in the County of Ada

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3 N	1 W	2													40	40	3	40	123

Total number of acres irrigated 123

A measuring device of a type approved by the Department shall be permanently
maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 27 day of
November, 19 76.

Director

MICROFILMED

AUG 21 1992

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

RECEIVED

DEC 27 2005
DEPARTMENT OF
WATER RESOURCES

RECEIVED

DEC 23 2005

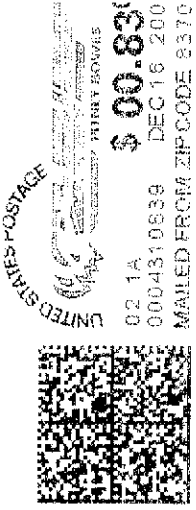
WATER RESOURCES
WESTERN REGION

re: Notice of Filing of
Director's Report

 **ATTEMPTED,
NOT KNOWN**
GLEN NYBORG
1660 W CHERRY LN
MERIDIAN ID 83642

63-7273A

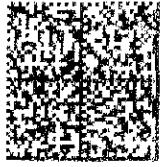
3h lw



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

Handwritten signature

FIRST CLASS



UNITED STATES POSTAGE
02 1A \$00.830
0004310339 DEC 16 2005
MAILED FROM ZIP CODE 83702

*re: Notice of Filing of the
Director's Report*

RECEIVED
DEC 19 2005
DEPARTMENT OF
WATER RESOURCES

RECEIVED
DEC 20 2005
WATER RESOURCES
WESTERN REGION

NOT DELIVERABLE
AS ADDRESSED,
UNABLE TO FORWARD

TERRY G NYBORG
1655 LINDER
MERIDIAN ID 83642

63-7273A

3u lw

11/02/2005 RECEIVED

NOTICE OF ERROR
REPLY

NOV 16 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: November 18, 2005

Water right number: 63-7273A

GLEN NYBORG
1660 W CHERRY LN
MERIDIAN ID 83642
Telephone Number: (208)888-9692

TERRY G NYBORG
1655 LINDER
MERIDIAN ID 83642
Telephone Number: (208)888-3055

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

We are no longer involved in this well or water right. I do not think the well still exists.

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.

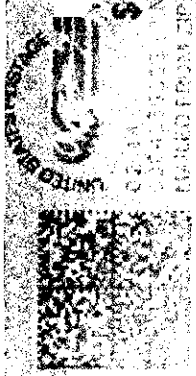
DATE: 11/10/05 SIGNATURE: *Terry G. Nyborg*
Please print your name: Terry G. Nyborg

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

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

Place of use is also known as Valeri Place Subdivision.

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



CLASS

Handwritten initials

Handwritten signature

GLEN NYBORG

TERRY G NYBORG
1655 LINDER
MERIDIAN ID 83642

63-7273A

RECEIVED

NOV 07 2005

WATER RESOURCES
WESTERN REGION

Glen - 5222 W. View Dr - Meridian
Terry - 5160 W. View Dr - Meridian

Resent 11-7-05

10/20/2005

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

RIGHT NUMBER: 63-7273A

NAME AND ADDRESS: GLEN NYBORG
1660 W CHERRY LN
MERIDIAN ID 83642

TERRY G NYBORG
1655 LINDER
MERIDIAN ID 83642

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.030 CFS
11.000 AFY

PRIORITY DATE: 10/17/1969

POINT OF DIVERSION:

T03N R01W S2 SESESE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/15

0.030 CFS
11.00 AFY

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 October 15 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.

PLACE OF USE: IRRIGATION Within ADA County

T03N R01W S02 SWSE 3.0

3 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

Place of use is also known as Glennfield Manor Subdivision.

Property is also known as One Subdivision.

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

Place of use is also known as Valeri Place Subdivision.

Idaho Department of Water Resources

T03N, R01W,
S2

Claim No: 63-7273A
Prepared By: Kimberly Brown
Date: October 20, 2005



Place of Use

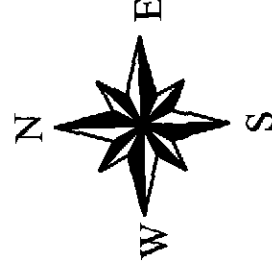


Section Lines

1/4 1/4

☉ Point of Diversion

Acres Irrigated = 3.0



1987 NAPP



Transfer No. 4902

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-7273A

WATER RIGHT NUMBER: 63-7273A ✓

Owner Type Name and Address
Current Owner GLEN NYBORG ✓
 1660 W CHERRY LN
 MERIDIAN, ID 83642
 (208)888-9692
Current Owner TERRY G NYBORG
 1655 LINDER
 MERIDIAN, ID 83642
 (208)888-3055

Priority Date: 10/17/1969 ✓
Basis: License ✓
Status: Active

Source
GROUND WATER ✓

Tributary

CFS FACTOR = 0.009430894

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION ✓	4/01-10/15	03/15 to 11/15	0.03	11.0
~~DOMESTIC~~ ✓	~~01/01 to 12/31~~		~~0.700 CFS~~	
<u>Total Diversion:</u>			~~0.760 CFS~~ ✓	11.0 ~~59.00 AF~~
			0.03	

Location of Point(s) of Diversion

GROUND WATER

SE1/4SE1/4SE1/4 ✓

Sec. 2, Twp 03N, Rge 01W, B.M. ✓

ADA County ✓

Place of Use
IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
✓ 03N	01W	2	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	3.0
																			3.0 ✓

DOMESTIC same as IRRIGATION

Conditions of Approval:

1. P21 This right is a split from former right 63-7273.

Remarks:

ADD W51 - Use is combined with Nampa-Meridian.

Comments:

ADD 001 - Place of use is also known as One Subdivision.
ADD S39 - Season of use is 3/1 to 11/15, (A) Valeri Place Sub.
(A) Glennfield Manor S.

OVER →

Transfer No. 4902-

Transfer No. 4902 changes the point of diversion under a portion of Right No. 63- 7273, splitting the right into parts A & B.

FX-1976

Transfer No. 4902 is based on
license - but
Lori based on claim

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-7273A V1

WATER RIGHT NUMBER: 63-7273A V1

Owner Type
Current Owner
Name and Address
GLEN NYBORG ✓
1660 W CHERRY LN
MERIDIAN, ID 83642
(208)888-9692
Current Owner
TERRY G NYBORG
1655 LINDER
MERIDIAN, ID 83642
(208)888-3055

(23 AC)

Transfer - change FOD
#4902 to
correct license

Priority Date: 10/17/1969 ✓
Basis: License ✓
Status: Active

Source
GROUND WATER ✓

Tributary License - Irr. 1.16 cfs

453 AFA

Beneficial Use
IRRIGATION ✓
DOMESTIC

Lori - 4/01 - 10/15?
From To
03/15 to 11/15
01/01 to 12/31

Diversion Rate
0.060 CFS
0.700 CFS
0.450 CFS
0.96
Total of
claimed
.46 + 23 AC
Lori took
1.16 claimed
÷ 23 AC
× 3 = 1.5
Annual Volume
claimed
× 3 AC
59.00 AF

Location of Point(s) of Diversion
GROUND WATER
ADA County

SE1/4SE1/4SE1/4 ✓

Sec. 2, Twp 03N, Rge 01W, B.M. (Transfer)

~~Lic - NESE (+ Well log)~~

Place of Use
IRRIGATION

Claim - 23 AC only

Twp	Rge	Sec	NE	NW	SW	SE	Totals
03N	01W	2	NE	NW	SW	SE	3.0

40 40 3 40 123

DOMESTIC same as IRRIGATION

Conditions of Approval:

1. P21 This right is a split from former right 63-7273.
2. 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.

Remarks:

④ Hampa - Mer. Irr.

One Subdivision (HOA)
(Linder Falls Subd.)

ADD S39 - Season of use is 3/1 to 11/15.

(in office review)

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$143.00 pd. for 63-7273
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information None
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant N/A

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) A63-7273-AOwner: Terry & Glen Nyborg Phone No. (208) 888-9692Current Address: 1660 W. Cherry Ln., Meridian 83642

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

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? licensed

Priority date, per claimant, is: 10/17/1969

(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? _____

8ESE

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 Field Report.

OVERLAP REVIEW

Other water rights with the same point of diversion: 63-7273B

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

(see POD overlap review sheet)

63-7273 A & B share the same well.

Remove Domestic-

Domestic use was not developed. Plus, it cannot be considered an Accomplished Transfer from irrigation to domestic because city water is being used.

WATER USES

- ☐ No change
- ☐ Different Uses

Use Irrigation From 4/01 To 10/15 Amount 0.03 CFS 11.0 AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

3 AC X AFA FACTOR = 11.048

TOTAL VOLUME - Groundwater only

- ☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA
- ☒ Changes found, the new total is, Amount 0.03 CFS 11.0 AFA
- ☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

Remove Domestic use.

CFS FACTOR = 0.009430894

3 AC
X CFS FACTOR

0.028 cfs
= 0.03 cfs

AFA FACTOR = ~~3.682826829~~ (license)

= 3.67961165
(Transfer)

3 AC
X AF FACTOR

11.04

NON-IRRIGATION USES:

- ☐ No change
- ☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

Domestic use not recommended.

PLACE OF USE:

- ☒ No Change
- ☐ Changes shown below:

Place of use has been subdivided and is also known as:

- 1.) One Subdivision,
- 2.) Valeri Place Subdivision, &
- 3.) Glennfield Manor Subdivision²

There is nothing in the file that depicts this place of use - the shape created is based on guess work.

AFTER EXAM THE FILE SHOULD CONTAIN:

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

DATE EXAM CONDUCTED: 10.20.05 (in office review)

FIELD EXAMINER: Kimberly Brown

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-7273A

10/20/2005

1

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-7273	Claim	03N	01W	2	SE	SE		GROUND WATER	JAMES HUARTE
63-7273A	Claim	03N	01W	2	SE	SE		GROUND WATER	GLEN NYBORG
63-7273B	Claim	03N	01W	2	SE	SE		GROUND WATER <i>diff POU</i>	JAMES HUARTE
63-18354	Claim	03N	01W	2	SE	SE		GROUND WATER <i>Domestic</i>	GLENN NYBORG
63-7273B	Water Right	03N	01W	2	SE	SE		GROUND WATER <i>diff POU</i>	JAMES HUARTE
63-18354	Water Right	03N	01W	2	SE	SE		GROUND WATER <i>Domestic</i>	GLENN NYBORG

A & B share the same well

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-7273A

10/20/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
'273A	Claim	03N	01W	2	SW	SE		IRRIGATION	3/	GLEN NYBORG
'273A	Water Right	03N	01W	2	SW	SE		IRRIGATION	3/103	GLEN NYBORG

no overlap

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-18354

WATER RIGHT NUMBER: 63-18354

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GLENN NYBORG 1660 W CHERRY LN MERIDIAN, ID 83642 (208)888-9692
Current Owner	TERRY G NYBORG 5160 W VIEW DR MERIDIAN, ID 83642 (208) 861-9671

Priority Date: 10/17/1969

Basis: Decreed

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>
DOMESTIC	1/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4SE1/4	Sec. 2, Twp 03N, Rge 01W, B.M.
ADA County		

Place of Use

DOMESTIC

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	01W	2																X	

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. 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.
4. PARCEL NO. S1202449304

SD-1603-3

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 11/03/03
Time: 09:23:10

Rec/No - C010762 AR/No -
From: - NYBORG, GLENN

Receipt Type - CK Doc/No - 546
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 08/31/1989

Type Of Payment	Fund	FD	PCA	Obj	Subsid	Fee
ADJUDICATION FEE	9337		410162	6490		168.00

Total Due - 168.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
A6307273	143.00	A6318354	25.00		

(Enter=Continue)

(GOLD7=Selection Screen)

(GOLD8=Cancel)