

A63-0818



MICROFILMED

AUG 24 1992

NELSON'S RIVER PARKWAY SUBDIVISION - UNIT NO. 2

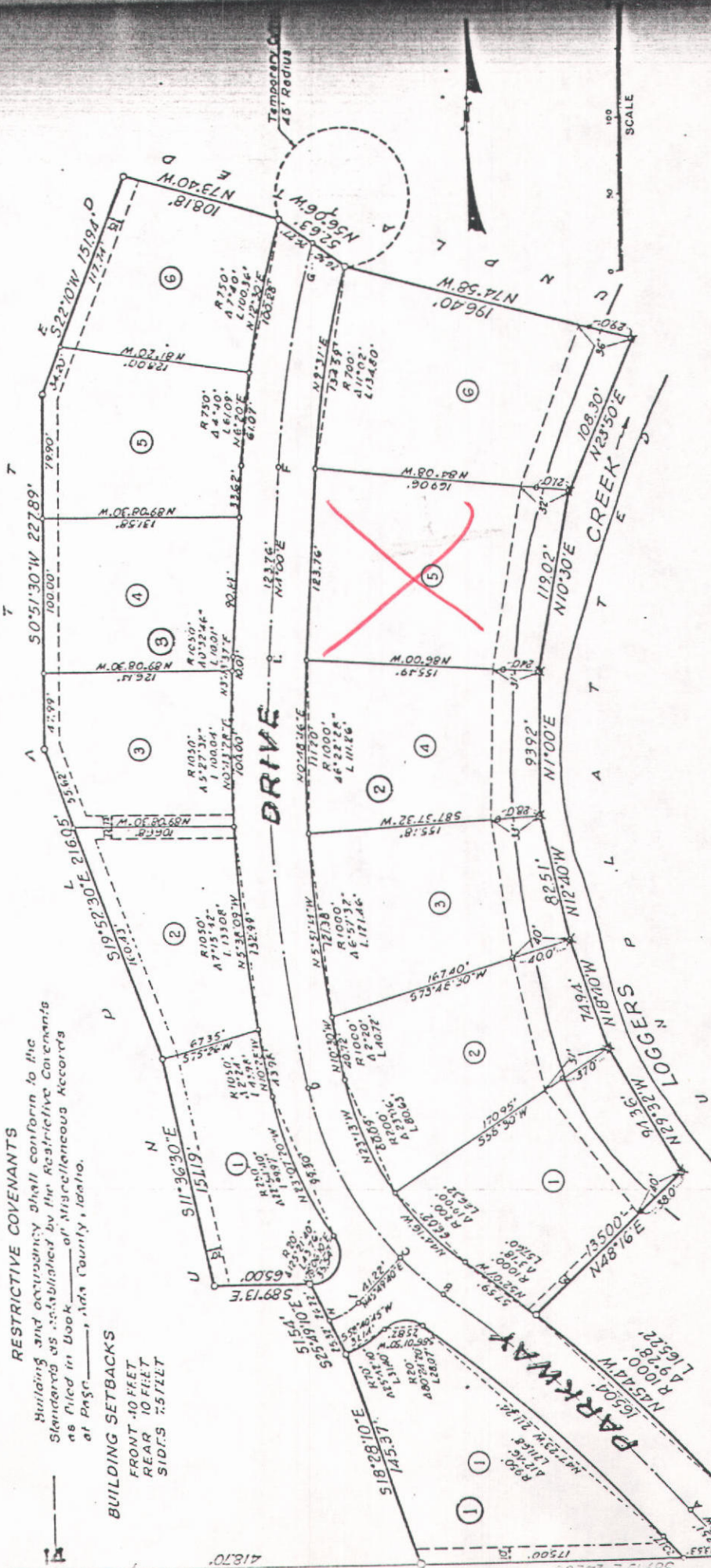
A PORTION OF THE SW 1/4 OF THE SE 1/4 OF SECTION 14, T.3N., R.2E., B.M.,
ADA COUNTY, IDAHO.

RESTRICTIVE COVENANTS

Building and occupancy shall conform to the
Standards as established by the Restrictive Covenants
as filed in Book _____ of Miscellaneous Records
at Page _____, Ada County, Idaho.

BUILDING SETBACKS

FRONT 10 FEET
REAR 10 FEET
SIDES 7.5 FEET



LEGEND

- INITIAL POINT
- Angle points on Boundary 1/2" x 3/4" Iron Bars
- All other points 1/2" x 2 1/2" Iron Bars
- ① Lot Number
- ② Block Number
- Public Utility & Drainage Easements
- Center of Loggers Creek - No Iron Pin Set
- Reference Point - From center of Loggers Creek as measured along property line.

CURVE DATA - STREET &			
NO.	RADIUS	ANGLE	LENGTH
A	975'	12°46'	109.08'
B	225'	9°35'40"	37.68'
C	225'	35°30'20"	65.59'
D	225'	42°00'	86.59'
E	1025'	15°40'	141.02'
F	725'	11°42'26"	71.33'
G	11-1'	27°10'	73.13'

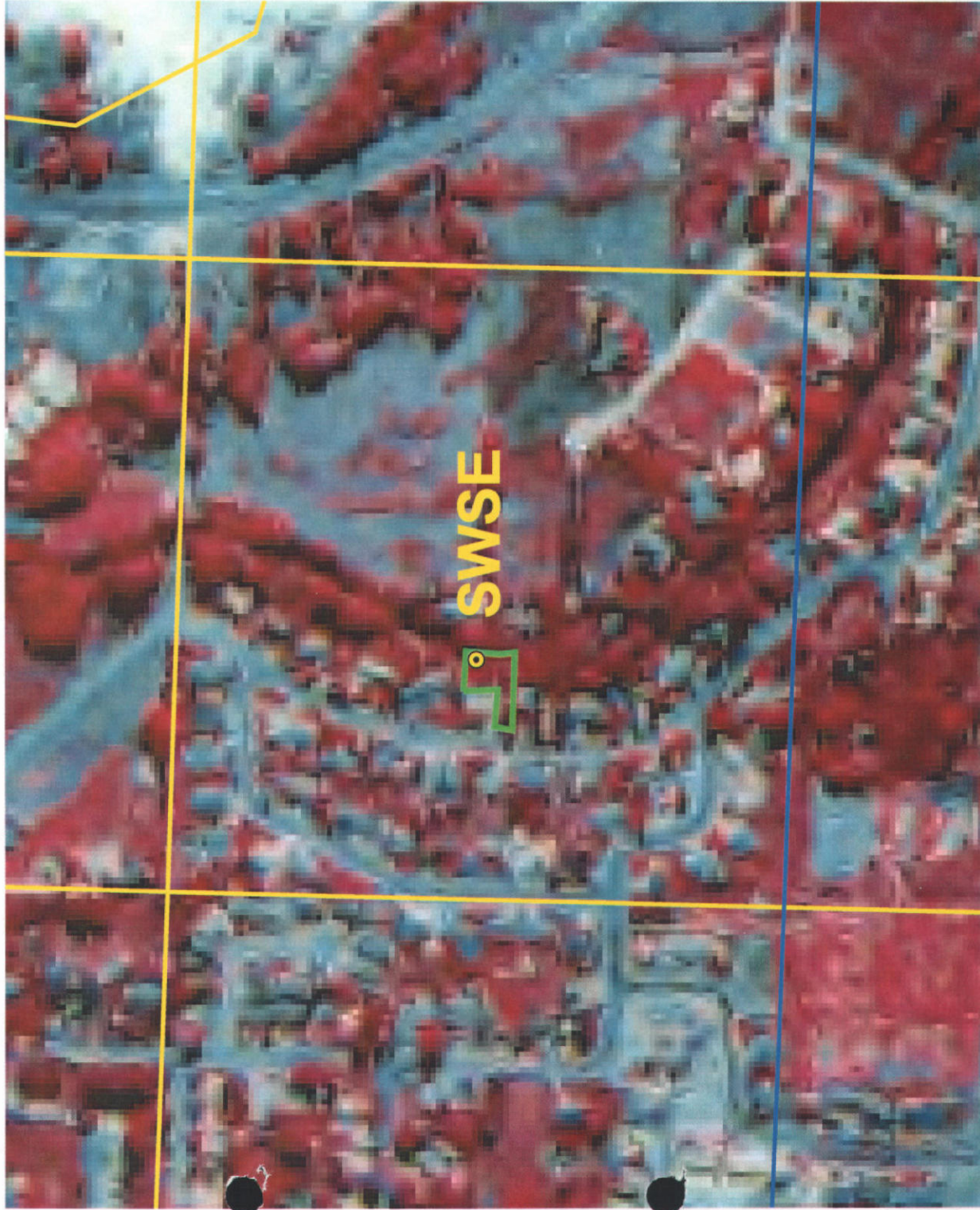
MICROFILMED
AUG 24 1992

IDAHO DEPARTMENT OF WATER RESOURCES

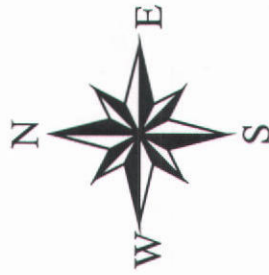
Claim: 63-8118

Date Prepared: 12-3-03

Prepared By: Gene Gibson



T03N, R02E
S14



Point of Diversion



Place of use



Section



1/4 1/4



1987 NAPP

0.42 Miles

0.35

0.28

0.21

0.14

0.07

0

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: A63-08118
Date Received: 6/05/1989
Receipt No: W003098
Received By: ETH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANK F. DAVIS 208-345-4512
Address: 150 PARKWAY DRIVE
BOISE, ID 83706

AND/OR

Name: KATHRYN C. DAVIS 208-345-4512
Address: 150 PARKWAY DRIVE
BOISE, ID 83706

2. Date of Priority: APR 24, 1975

3. Source: UNNAMED DRAIN Trib. to:
LOGGERS CREEK BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02E	14	SW	SE			ADA

5. Description of diverting works:
PUMP IN CREEK TO PIPELINE TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.060		2.25

7. Total Quantity Appropriated is:
0.060 C.F.S. (and/or) 2.25 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A63-08118

Page 1

Date: 06/05/89

SCANNED

OCT 05 2006

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10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	02E	14	SW SE		IRR	1.0
Section Acres						1.0
Total Acres						1.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE

14. Remarks:
AC. IRR.=.5.
PUMP IS IN LOGGERS CREEK. LICENSE AND FIELD EXAM LISTED SOURCE AS
UNNAMED DRAIN.

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): x *Frank Davis* Date: x 6/5/89

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 5 day
of June 19 89

Eldon L. Roush
Notary Public

Seal

Residing at _____

My Commission Expires _____

Eldon L. Roush
Residing at Boise, Idaho
My Commission Expires September 8, 1994



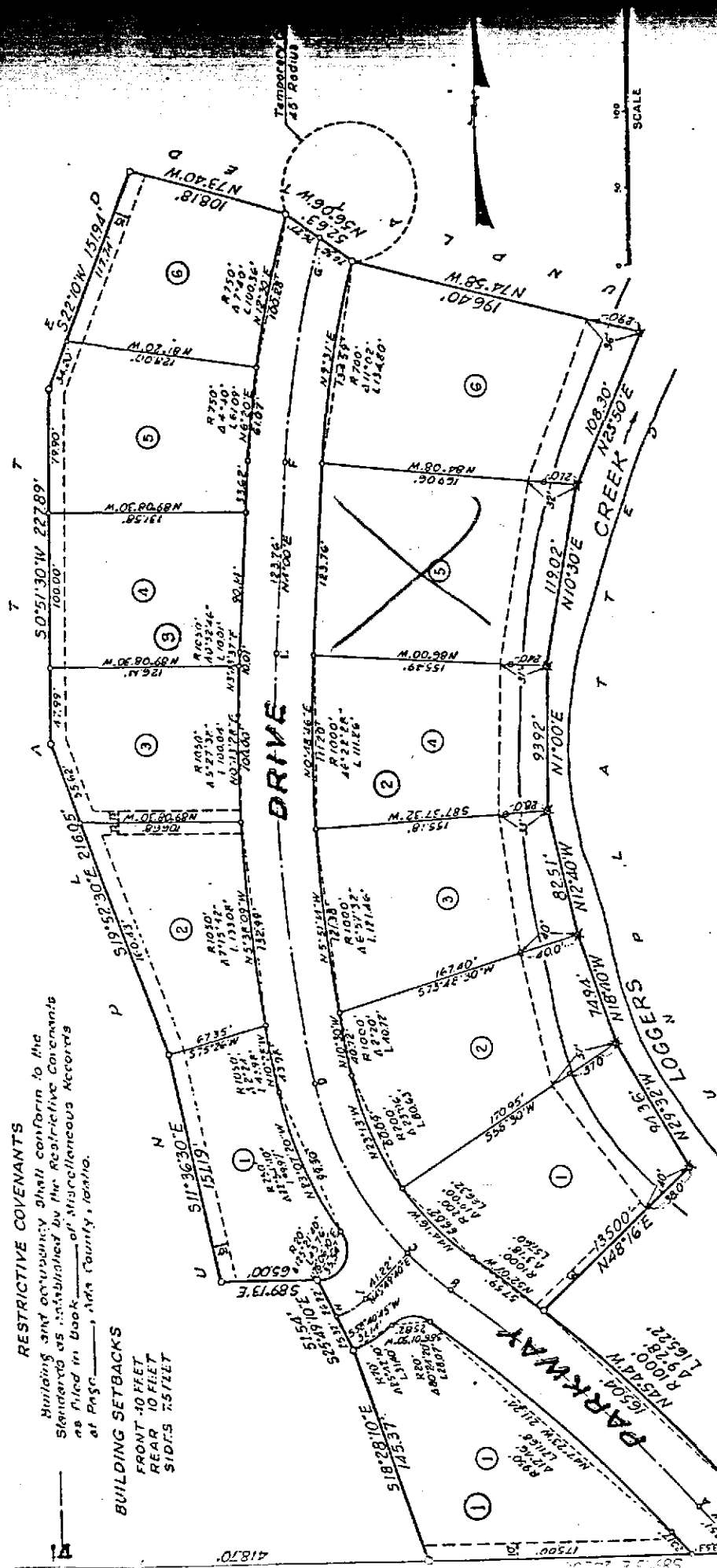
NELSON'S RIVER PARKWAY SUBDIVISION - UNIT NO. 2

A PORTION OF THE SW 1/4 OF THE SE 4 OF SECTION 14, T.3 N., R.2 E., B.M.,
ADA COUNTY, IDAHO.

RESTRICTIVE COVENANTS
Building and occupancy shall conform to the
Standards as established by the Restrictive Covenants
as filed in Book _____ of Miscellaneous Records
at Page _____ of Ada County, Idaho.

BUILDING SETBACKS

FRONT 10 FEET
REAR 10 FEET
SIDES 7.5 FEET



LEGEND -

- INITIAL POINT
- Single points on Boundary 1/2" x 3/4" Iron Bars
- All other points 1/2" x 2 1/2" Iron Bars
- ① Lot Number
- ② Block Number
- Public Utility & Drainage Easements
- * Center of Loggers Creek - No Iron Pin out
- * Reference Points - From center of Loggers Creek as measured along property line.

CURVE DATA - STREET &			
CURVE NO.	RADIUS	ANGLE	LENGTH
A	975'	12°46'	109.08'
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C	225'	3°30'20"	6.559'
D	225'	42°06'	8.639'
E	1025'	15°40'	141.02'
F	775'	11°42'26"	71.33'
G	425'	27°40'	119.3'

MICROFILMED

AUG 24 1992

January 7, 1966

Department of Water Resources

Mr. Bobby D. Fleenor
Chief, Water Rights
State of Idaho
Department of Water Resources
Statehouse 83720

Re: Application No. 63-8118

Dear Mr. Fleenor:

On my original application for water rights it was stated that the supply of water was a drain ditch but this said drain ditch empties into logger creek and the actual point of pumping and usage is downstream on loggers creek with the creek being used as a means of diversion.

Subsequent documents received from you have omitted the above information and make it seem as though my pumping is taking place directly from this drain ditch. I would prefer the final patented water right read as follows:
3. Ada County; additional points of diversion if any (The unnamed drain mentioned under topic 2. is the source of water but the pump is located 474 feet downstream on loggers creek from the confluence of said drain ditch and loggers creek.)

Sincerely,

Dewey H. Cofield

Dewey H. Cofield
150 Parkway Drive
Boise, Idaho 83706

DHC:db

RECEIVED

MAY 17 1975

Department of Water Resources

Identification No. 03-8118

Permit No. 03-8118

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Duway H. &/or Patricia A. Coffield
b) Post Office Address 150 Parkway Drive, Boise, Idaho 83706
2. Permit Number 03-8118
3. Date of Priority that you are prepared to establish May 27, 1975
4. a) Source from which water was appropriated Unnamed drain ditch
b) Location of the point of diversion: SW 1/4 SE 1/4, Section 14
Township 3N, Range 2E, Boise Meridian, Other points of diversion: none
5. a) The amount of water and use to which the water has been applied:
Amount 0.08 cu. ft./sec. for irrigation purposes from April 1 to Oct. 31 Incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ Incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ Incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 0.08 cu. ft./sec. cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: This is a sprinkler system that pumps 25 gallons per minute. The pump manufacturer.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: The unnamed drain ditch empties into Loggers' Creek and 474 ft. downstream from the confluence of these two streams the pump is located.
b) Describe the agreement or understanding by which you take water from the works: none
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) There is a sump located approx. 10 ft. back from Loggers' Creek with a 4" underground pipe filling this sump from Loggers' Creek. A 1 hp. pump provides lift and pressure to 8 electrical solenoid valves which distribute the water selectively to our lot.
b) Describe the type and size of measuring device which you have installed at your point of diversion: no metering device, the volume of the pump controls the flow.
c) Give well driller's name and address and the date the well was completed: none
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: N/A

Exam. by 5-26-75

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AUG 24 1992

FIELD REPORT

2. Source of water supply: Groundwater ☐ Surface water ☒ unnamed drain
Tributary to unnamed drain

AUG 15 1970

Department of Water Resources

Other uses:

- ### Other Points of Diversions:

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

TOTAL ACRES 1000000

Rce. 2E

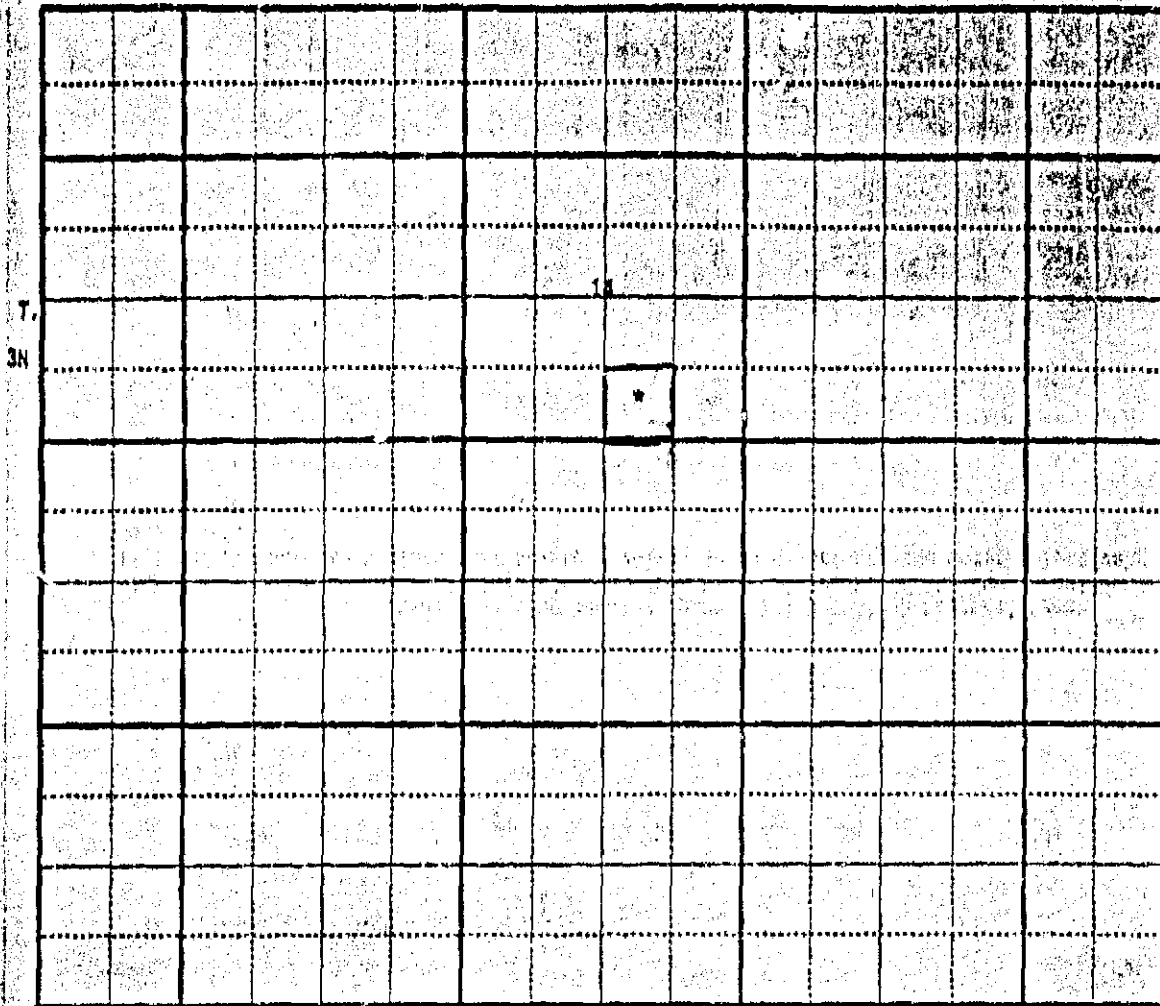


Diagram of System

MICROFILMED
AUG 28 1981

DATE OF EXAM 7/29/76

ACREAGE

Fount. 4.5
Recommended 4.5

Irrigation Requirement 4.5 Ac Ft/Ac

USE

Irrigation Q = 22 c.f.s. V = 4.5 AF/Ann. from 7/1 to 10/31
Domestic Q = c.f.s. V = AF/Ann. from to
Livestock Q = c.f.s. V = AF/Ann. from to

Is water co-mingled? yes no X

Name source
Twp. N/S, Rge. E/W, B.M., Sec. Sub. 1/4 1/4 County

Exchange? yes no X

Name source exchanged with
Twp. N/S, Rge. E/W, B.M., Sec. Sub. 1/4 1/4 County

Point of injection:
Twp. N/S, Rge. E/W, B.M., Sec. Sub. 1/4 1/4 County

Point of exchange:
Twp. N/S, Rge. E/W, B.M., Sec. Sub. 1/4 1/4 County

Total Q measured pump out put is 30 gpm Method of measurement Hand

Total Q recommended 22 Meter No. Type Condition

Total V recommended 4.5 AF/Ann

Recommended Amendments:

P.D.
Place of Use
Other
None

MEASUREMENT CALCULATION:

pump out put is 30 gpm which will run 12 hours per F-15
1360 sprinkler needs 30 gpm = 22.5 c.f.s.

SYSTEM DESCRIPTION:

Ag. motor water system Franklin 1 1/2" motor 20 ft. pump
into 2 solenoid valves to under ground sprinkler system
pump from sump next to loggia ex.

REMARKS:

Examiner's Signature H. L. Linn Date 7/30/76

Checked by HLS Date 8-3-76

Approved by Date

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-8118 Priority April 24, 1975 Amount 0.08 cfs

THIS IS TO CERTIFY, that Dowey J. &/or Patricia A. Colfield
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 63-8118 issued pursuant to Application for Permit dated April 24, 1975
and has submitted proof to the Department of Water Resources on May 17, 1976
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 0.08 cfs of water from an unnamed drain
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. 31</u>	<u>0.08</u> cfs and	<u>2.25</u> acre feet
	from _____	_____ cfs and	_____
	from _____	_____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.08 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
2.25 acre feet per year, said waters to be diverted within the SW 1/4 Sec. 14
Twp. 3 N, Rge. 2 E, B.M. In the County of Ada

Description and location of place of use:

Twp.	Range	Sec.	NEW				NWA				SWW				SSE				Total
			NEW	NWA	SWW	SSE	NEW	NWA	SWW	SSE	NEW	NWA	SWW	SSE	NEW	NWA	SWW	SSE	
3 N	2 E	14																	1

Total number of acres irrigated 1

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-227, 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 7 day of
August, 19 76.

Director

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

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

FILED _____

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 63-08118

2007 APR 13 PM 2 39

NAME AND ADDRESS: JULIE ENGLAND
WILLIAM P MC GLYNN
3058 SELKIRK DR
BOISE, ID 83702

SOURCE: UNNAMED SLOUGH TRIBUTARY: BOISE RIVER

QUANTITY: 0.06 CFS
2.25 AFY

PRIORITY DATE: 04/24/1975

This water right may be diverted only during flood control releases from reservoirs upstream.

POINT OF DIVERSION: T03N R02E S14 SWSE (Rediversion) Within Ada County
SWSE (Rediversion)
SWSE (Injection)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.06 CFS 2.25 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 31 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 R02E S14 SWSE 0.5
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. I.C. SECTION 42-1412(6).

RECOMMENDATION

APR 13 2007

Lawrence B. Smith
SPECIAL MASTER

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 APR 13 PM 2 39

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) SPECIAL MASTER'S REPORT
Case No. 39576) FINDINGS OF FACT AND
CONCLUSIONS OF LAW
FOR WATER RIGHT 63-08118

I. FINDINGS OF FACT

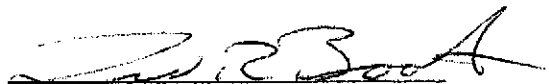
A notice of claim was filed for the above-captioned water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this water right.

On April 20, 2006, the South Boise Water Company, by and through its attorney's Ringert Clark, Chartered, filed an objection to the *Director's Report*, asserting that the water right should only be diverted during flood control releases from upstream reservoirs. An initial hearing on the objection was held on January 23, 2007, at which the claimants failed to appear. An *Order to Show Cause* was issued, and a hearing thereon was held on March 6, 2007, and again the claimants of the water right failed to appear. In accordance with the terms of the *Order to Show Cause*, the objection is hereby **granted**, resulting in a remark under the priority date element of the water right which states: "This water right may be diverted only during flood control releases from reservoirs upstream."

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein, IT IS RECOMMENDED that water right 63-08118 be decreed with the elements as set forth in the attached *Recommendations for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated Friday, April 13, 2007


Theodore R. Booth
Special Master
Snake River Basin Adjudication

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 APR 13 PM 2 40

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)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

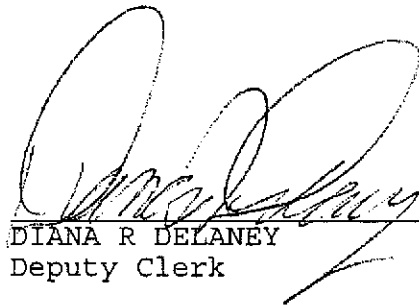
Water Right(s): 63-08118

On April 13, 2007, Special Master THEODORE R. BOOTH issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (A01), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED April 13, 2007.



DIANA R DELANEY
Deputy Clerk

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 APR 13 PM 2 39

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)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 63-08118

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on April 13, 2007, with sufficient first-class postage prepaid to the following:

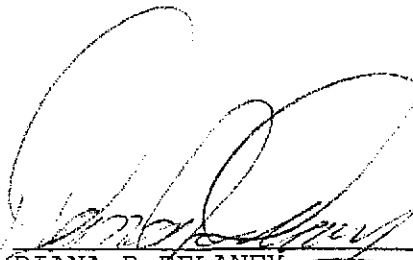
DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

SOUTH BOISE WATER CO
PO BOX 6005
BOISE, ID 83707
Phone: 208-887-1385

JULIE ENGLAND
WILLIAM MCGLYNN
3058 SELKIRK
BOISE, ID 83702

JULIE ENGLAND
WILLIAM P MC GLYNN
3058 SELKIRK DR
BOISE, ID 83702

CERTIFICATE OF MAILING



DIANA R DELANEY
Deputy Clerk

PAGE 1
04/13/07

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

In Re SRBA

Case No. 39576

Subcase No. 63-8118

STANDARD FORM 5

**STIPULATED ELEMENTS OF A
WATER RIGHT**

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT(s):

Julie England
William P McGlynn

OBJECTOR(s):

South Boise Water Company

Julie England April 2, 2007
Julie England Date

William P McGlynn April 2, 2007
William P McGlynn Date

authorized signature Date

STANDARD FORM 5 - 63-8118

IDWR Concurrence:

Sandy Egbert 4-5-07
Sandy Egbert Date
GIS Specialist

Nicholas B. Spencer Date
Deputy Attorney General

CERTIFICATE OF MAILING

I certify that on _____, 2007, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

South Boise Water Co
PO Box 6005
Boise, ID 83707

Ringert Clark Chartered
PO Box 2773
455 S 3rd
Boise, ID 83701-2773

Julie England
William McGlynn
3058 Selkirk Dr
Boise, ID 83702

IDWR Repository
P.O. Box 83720
Boise, ID 83720

Signature of person mailing the form

SF5 Right No. 63-8118

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

RIGHT NUMBER: 63-8118

NAME AND ADDRESS: JULIE ENGLAND
3058 SELKIRK DR
BOISE ID 83702

WILLIAM P MC GLYNN
3058 SELKIRK DR
BOISE ID 83702

BONNIE SCHAFER
KEVIN M ROGERS
140 PARKWAY DR
BOISE ID 83706

SOURCE: UNNAMED SLOUGH

TRIBUTARY: BOISE RIVER

QUANTITY: 0.060 CFS
2.250 AFY

PRIORITY DATE: 04/24/1975

This right may be diverted only during flood control releases from
reservoirs up stream.

POINT OF DIVERSION:

103N R02E S14 SWSE Rediversion Within ADA County
103N R02E S14 SWSE Rediversion Within ADA County
103N R02E S14 SWSE Injection Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/31	0.060 CFS 2 25 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 31 UNDER THIS RIGHT 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 in ADA County

103N R02E S14 SWSE 0.50

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.

SF5 Right No. 63-8118

SF5 Right No 63-8118

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

PROPERTY IS ALSO KNOWN AS LOT 5, BLK 2, NELSONS RIVER PARKWAY
SUBDIVISION NUMBER 2

Source is locally known as loggers Creek

SF5 Right No. 63-8118

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

RIGHT NUMBER: 63-8118

NAME AND ADDRESS: JULIE ENGLAND
3058 SELKIRK DR
BOISE ID 83702WILLIAM F MC GLYNN
3058 SELKIRK DR
BOISE ID 83702BONNIE SCHAFER
KEVIN M ROGERS
140 PARKWAY DR
BOISE ID 83706

SOURCE: UNNAMED SLOUGH

TRIBUTARY: BOISE RIVER

QUANTITY: 0.060 CFS
2.250 AFY

PRIORITY DATE: 04/24/1975

This right may be diverted only during flood control releases from
reservoirs up stream.

POINT OF DIVERSION:

T03N R02E S14 SWSE Rediversion Within ADA County
T03N R02E S14 SWSE Rediversion Within ADA County
T03N R02E S14 SWSE Injection Within ADA CountyPURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/31	0.060 CFS 2.25 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 31 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 in ADA County

T03N R02E S14 SWSE 0.50

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

PROPERTY IS ALSO KNOWN AS LOT 5, BLK 2, NELSONS RIVER PARKWAY
SUBDIVISION NUMBER 2.

Source is locally known as Loggers Creek

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

RIGHT NUMBER: 63-8118

NAME AND ADDRESS: JULIE ENGLAND
3058 SELKIRK DR
BOISE ID 83702

WILLIAM P MC GLYNN
3058 SELKIRK DR
BOISE ID 83702

~~BONNIE SCHAEFFER~~
~~KEVIN M ROGERS~~
~~140 PARKWAY DR~~
~~BOISE ID 83706~~

SOURCE: UNNAMED SLOUGH

TRIBUTARY: BOISE RIVER

QUANTITY: 0.060 CFS
2.250 AFY

PRIORITY DATE: 04/24/1975

POINT OF DIVERSION:

T03N R02E S14 SWSE Rediversion Within ADA County

T03N R02E S14 SWSE Rediversion Within ADA County

T03N R02E S14 SWSE Injection Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/31	0.060 CFS 2.25 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 31 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 in ADA County

T03N R02E S14 SWSE 0.50

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

PROPERTY IS ALSO KNOWN AS LOT 5, BLK 2, NELSONS RIVER PARKWAY
SUBDIVISION NUMBER 2.

Source is locally knows as Loggers Creek

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: 63-8118

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: April 6, 2007


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on April 6, 2007, 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	☐ overnight mail
Snake River Basin Adjudication	☒ regular mail
P.O. Box 2707	☐ hand-delivered
Twin Falls, ID 83303-2707	☐ facsimile

2. Copies to:

Clive Strong	☐ overnight mail
Off ice of the Attorney General	☒ regular mail
P.O. Box 44449	☐ hand-delivered
Boise, ID 83711-4449	☐ facsimile

United States Dept of Justice	☐ overnight mail
Environment & Natural Resource Div	☒ regular mail
550 West Fort Street MSC 033	☐ hand-delivered
Boise ID 83724	☐ facsimile

3. Copies to all parties to the subcase:

Julie England	☐ overnight mail
William P. McGlynn	☒ regular mail
3058 Selkirk Dr.	☐ hand-delivered
Boise ID 83702	☐ facsimile

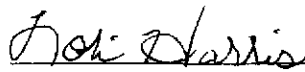
Bonnie Schaeffer	☐ overnight mail
Kevin M. Rogers	☒ regular mail
150 Parkway Dr.	☐ hand-delivered
Boise ID 83706	☐ facsimile

South Boise Water Co.
PO Box 6005
Boise ID 83707

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

Ringert Clark Chartered
455 S 3rd St.
Boise ID 83701-2773

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



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

WESTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

April 6, 2007

JULIE ENGLAND
WILLIAM P MC GLYNN
3058 SELKIRK DR
BOISE ID 87302

Re: Water Right No. 63-8118

Dear Mr. Mc Glynn & Ms. England:

Enclosed is a copy of the above referenced water right, which reflects the change in ownership of the land and appurtenant water rights, covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the Snake River Basin Court as notification of the change.

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

Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

LH:l
Enclosures

cc: Bonnie Schaeffer & Kevin Rogers
South Boise Water Co.
Ringert Clark Chartered

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

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

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

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
63-8118					

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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. 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 or equivalent **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)

Bonnie Schaefer
 150 E Parkway Boise Id. 83706

4. New Owner/Claimant(s)

Julie England and/or William P. McGlynn
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

3058 Selfirk Drive

City, State and ZIP Code

Boise, Idaho 83702

New Telephone Number

(208) 338-0608

RECEIVED

MAR 23 2007

5. Date you acquired the property _____

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

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

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.

7. Signature(s) of New Owner(s) or Claimant(s) _____

Julien England
W. H. H. H. H.

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by *[Signature]*
 Received by _____
 Processed by *[Signature]* AJ

Date 3-23-07
 Date _____
 Date 3-26-07

Receipt Amt. N/A
 Receipt No. _____
 WR _____ Date _____



6045037 05/JS

WARRANTY DEED

For Value Received Bonnie M Schaeffer, a married woman as her sole and separate property, the Grantor, hereby grants, bargains, sells, conveys and warrants unto

William P. McGlynn and Julie M. England, husband and wife,

the grantee, whose current address is 3058 Selkirk Drive, Boise, ID 83702

the following described premises, to wit:

Lot 5, in Block 2 of Nelson's River Parkway Subdivision-Unit No. 2, According to the official Plat thereof, filed in Book 20 of Plats at Page 1352-1353, records of Ada County, Idaho.

Parcel Number: R6026010030

SUBJECT TO: Current General Taxes, a lien in the process of assessments, not yet due or payable. Easements, restrictions, reservations, provisions of record, and assessments, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises, that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated this 10th day of April, 2006.

Bonnie M Schaeffer

STATE OF Idaho)
) ss.
COUNTY OF Ada)

On this 11th day of April, 2006, before me, the undersigned, a Notary Public, in and for said State, personally appeared Bonnie M Schaeffer known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Notary Public:

Residing at:

My commission expires 2/9/07



Egbert, Sandy

To: Harvey, Becky
Subject: RE: 63-8118

Hi Becky,

I talked to Julie a few minutes ago and she didn't know she was supposed to do anything else. I talked her through getting a change of ownership form off our web site and told her to include a copy of her Warranty Deed with the form. She was a little concerned about finding a Warranty Deed but she was going to look through her house papers and see if she could find it. She said she would get the change of ownership form to us today if possible. I gave her my name and number and told her to call back if she had any questions.

Sandy

-----Original Message-----

From: Harvey, Becky
Sent: Friday, March 16, 2007 3:36 PM
To: Egbert, Sandy
Subject: 63-8118

Sandy:

IDWR still has not received a change of ownership on this one. The new claimants are okay with adding the waste water condition but we can't proceed until we get the ownership changed.

Could you call these people and/or send them a change of ownership form? The new owners are: Julie England and Bill McGlynn, phone #338-0608.

Thanks.

Becky

Confidentiality Notice: This e-mail may contain confidential and privileged information exempt from disclosure under applicable law. This message is intended only for the use of the individual or individuals identified above. If you have received this message by mistake, please notify the sender immediately by replying to this message. Please delete the message from your system and do not review, disclose, copy, or distribute any information contained or attached to the message. Thank you.

RECEIVED

JAN 31 2007

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 JAN 30 PM 1 00

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

In Re SRBA

) Subcase: 63-8118

Case No. 39576

) ORDER TO SHOW CAUSE
)
_____)

This matter came before this Special Master pursuant to a *Notice Setting Subcases for Initial Hearing* issued September 26, 2006. Bonnie Schaeffer and Kevin M. Rogers (hereinafter "Claimants") were notified of the hearing via first class mail sent to their last known address. The Claimants failed to appear at the January 23, 2007, initial hearing either in person or through counsel.

On April 20, 2006, South Boise Water Company, through their attorney of record Ringert Clark, filed an objection to the *Director's Report* for this water right claim asserting that the priority date for the water right should include a remark that allows diversions "only during flood control releases from reservoirs up stream."

It is hereby ordered that the Claimants shall appear before this Special Master on **March 6, 2007, at 9 A.M. Mountain Time**, at the Snake River Basin Adjudication Courthouse, 253 3rd Avenue North, Twin Falls, Idaho, or participate by telephone by dialing 1-225-383-1099 participation code 675342, to show cause why the objection filed by South Boise Water Company -- seeking a change to the priority date -- should not be granted. The purpose of the show cause hearing is to provide the Claimants with a final opportunity to oppose the objection despite failing to appear at the initial hearing.

Participation in the show cause hearing is **not mandatory** and failure to appear will not be considered contempt of court. **However, failure to appear will result in the Claimants**

being deemed to have consented to the remedy sought by the objector. If the Claimants participate in the hearing, the Claimants will be expected to notify this Special Master whether they intend to oppose the objection, and accordingly a trial date will be set. In such case, no additional evidence or argument need be presented as subcases(s) will be allowed to proceed to trial as a matter of course. Therefore the parties need not produce testimony or evidence in accordance with I.R.C.P. 6(c)(4).

A copy of this *Order to Show Cause* shall be served upon the Claimants not less than five (5) days prior to the date herein shown, upon which those parties are required to appear before this Special Master and show cause. Service of the *Order to Show Cause* shall be made in accordance with I.R.C.P. 5(b) and 6(c)(2).

IT IS SO ORDERED

Dated January 29, 2007

A handwritten signature in black ink, appearing to read 'T. R. Booth', written over a horizontal line.

THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

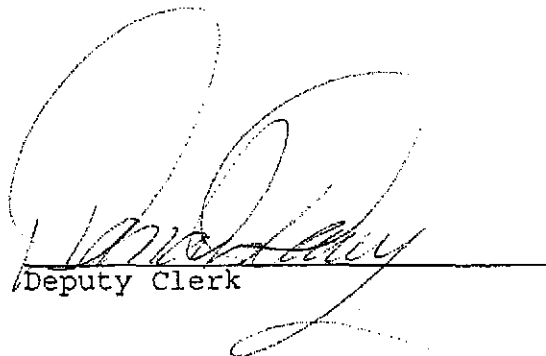
I certify that a true and correct copy of the ORDER TO SHOW CAUSE was mailed on January 30, 2007, with sufficient first-class postage to the following:

SOUTH BOISE WATER CO
PO BOX 6005
BOISE, ID 83707
Phone: 208-887-1385

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

BONNIE SCHAEFFER
KEVIN M ROGERS
150 PARKWAY DR
BOISE, ID 83706

JULIE ENGLAND
WILLIAM MCGLYNN
3058 SELKIRK
BOISE, ID 83702

A large, stylized handwritten signature in dark ink, likely belonging to the Deputy Clerk, is written over a horizontal line. The signature is cursive and somewhat abstract, with a large loop at the top.

Shurte, Jan

SANDY - PLZ. FIVE
IN 63-8118

From: Shurte, Jan
Sent: Monday, January 29, 2007 10:58 AM
To: 'ddelaney@SRBA.STATE.ID.US'
Subject: New contact for 63-8118 Courtesy Copy - No show

Hi Diana,

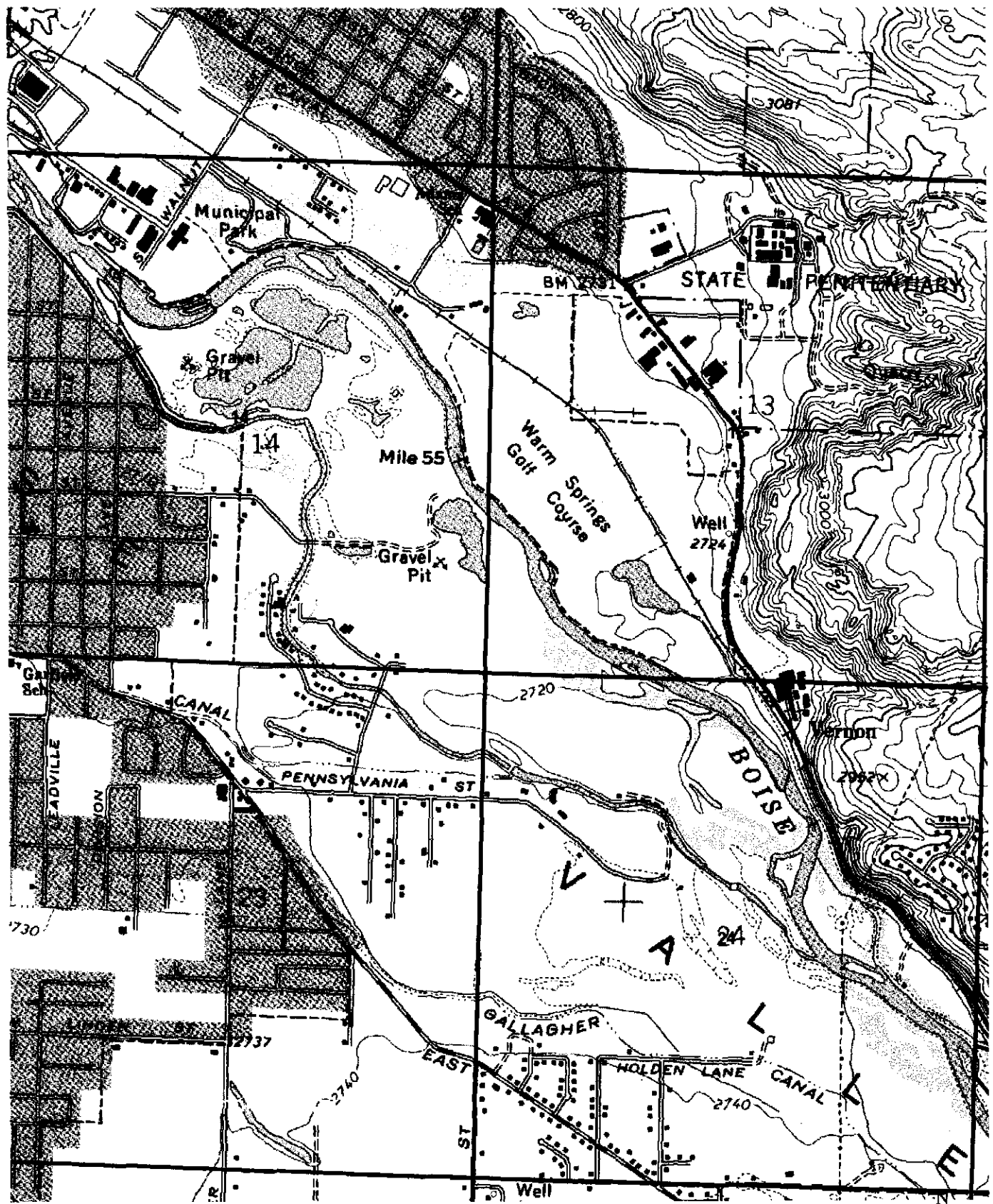
The South Boise Water Co. employee called and gave me the current owner and address for the above objected to water right for a courtesy copy of the Order to Show Cause. The new owners and address are:

William McGlynn & Julie England
3058 Selkirk
Boise ID 83702

It's pretty nice of the Court to send these courtesy copies. We'll see if they respond.

Thanks,
Jan

63-8118



0.3 0 0.3 0.6 0.9 Miles



OCT 05 2006

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

PROPERTY IS ALSO KNOWN AS LOT 5, BLK 2, NELSONS RIVER PARKWAY
SUBDIVISION NUMBER 2.

Source is locally knows as Loggers Creek

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: 63-8118

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: April 28, 2006


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on April 28, 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	☐	overnight mail
Snake River Basin Adjudication	☒	regular mail
P.O. Box 2707	☐	hand-delivered
Twin Falls, ID 83303-2707	☐	facsimile

2. Copies to:

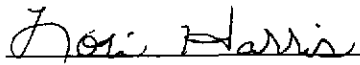
Clive Strong	☐	overnight mail
Off ice of the Attorney General	☒	regular mail
P.O. Box 44449	☐	hand-delivered
Boise, ID 83711-4449	☐	facsimile

United States Dept of Justice	☐	overnight mail
Environment & Natural Resource Div	☒	regular mail
550 West Fort Street MSC 033	☐	hand-delivered
Boise ID 83724	☐	facsimile

3. Copies to all parties to the subcase:

Bonnie Schaeffer	☐	overnight mail
Kevin M Rogers	☒	regular mail
150 Parkway Dr	☐	hand-delivered
Boise ID 83706	☐	facsimile

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


Signature of person mailing this document



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

April 28, 2006

BONNIE SCHAEFFER
KEVIN M ROGERS
150 PARKWAY DR
BOISE ID 83706

Re: Water Right No. 63-8118

Dear Ms. Schaeffer & Mr. Rogers:

Enclosed is a copy of the above referenced water right, which reflects the change in ownership of the land and appurtenant water rights, covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the Snake River Basin Court as notification of the change.

In addition, for your information, we have enclosed a copy of the objection to this water right that was recently filed by South Boise Water Company.

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

Sincerely,

A handwritten signature in cursive script that reads "Lori Harris".

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region Office

LH:l
Enclosures

RECEIVED
APR 20 2006
DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA)

A.

Subcase 63-8118

(Insert water right number)

Case No. 39576)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: South Boise Water Company

Address: P.O. Box 6005

Boise, Idaho

Daytime Phone: 208 887-1385

Name & Address of Attorney, if any:

Ringert Clark

455 South Third Street

Boise, Idaho 83701

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

Name: Frank F. Davis & Kathryn C. Davis

Address: 150 Parkway Drive

Boise, Idaho 83706

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: _____
3. ☐ **Quantity**
Should be: _____
4. ☒ **Priority Date**
Should be: "only during flood control releases from reservoirs up stream"
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 OBJECTIONS(S): During normal river flows the waters in Loggers Creek are diverted under rights held by South Boise Water Company (63-148C, 63-149A) and the Bureau of Reclamation (63-3613, 63-3614, 63-3618). Reclamations flows are administered by the Idaho Department of Fish & Game. Because other pre-existing rights are active during normal flows, there is water available for diversion under right 63-8118 only during flood control releases from reservoirs up stream.

F.

VERIFICATION (must be completed)

State of Idaho)
)ss.
County of Ada)

Evelyn Marie Holder, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

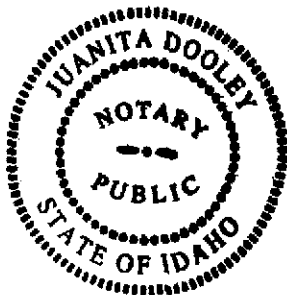
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Evelyn M. Holder
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: _____

4 / 19 / 06



Juanita Dooley
Notary Public for Idaho Power
Residing at: Boise, Id.
My Commission Expires: 9 / 21 / 11

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 March 18, 2006, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

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

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

Name: South Boise Water Company
Address: P.O. Box 6005
Boise, ID 83707

3. Copies to:

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

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

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


Signature of objector or attorney
mailing on Objector's behalf

RECEIVED

MAR 02 2006

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

WATER RESOURCES
WESTERN REGION

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

- I. 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
63-8118	A63-0818	Civil No	39576		

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)

Bonnie Marie Schaeffer
150 Parkway Dr Boise, ID 83706

4. New Owner/Claimant(s)

Bonnie Schaeffer & Kevin M. Rogers

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

New Mailing Address

150 Parkway Dr

City, State and ZIP Code

Boise, ID 83706

New Telephone Number

208 344-3659

5. Date you acquired the property

3/24/05

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

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

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

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

Kenneth Rogers and Husband & Wife
Bonnie Rogers

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 <i>[Signature]</i>	Date <i>3-6-06</i>	Fee <i>N/A</i>	
Received by _____	Date _____	Receipt No. _____	
Processed by <i>[Signature]</i>	Date <i>4-26-06</i>	WR _____	Date _____



ADA COUNTY RECORDS DAVID NAVARRO
BOISE IDAHO 03/25/05 04:38 PM
DEPUTY Vicki Allen
RECORDED - REQUEST OF
Transnation Title

AMOUNT 6.00

2



Escrow No. 0500028742

QUITCLAIM DEED

FOR VALUE RECEIVED

Bonnie M. Schaeffer and Kevin M. Rogers, wife and husband who acquired title as Bonnie M. Schaeffer, an unmarried person

do(es) hereby convey, release and forever quitclaim unto:

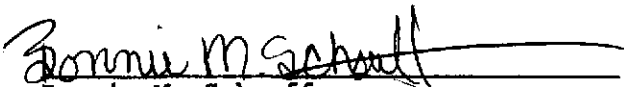
Bonnie M. Schaeffer and Kevin M. Rogers, wife and husband

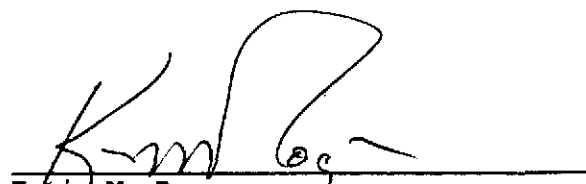
whose current address is: 150 Parkway Drive Boise, Idaho 83706

the following described premises, to-wit:

Lot 5 in Block 2 of NELSON'S RIVER PARKWAY ADDITION UNIT NO. 2, according to the official plat thereof, filed in Book 20 of Plats at Page 1352, records of Ada County, Idaho.

Date: March 18, 2005


Bonnie M. Schaeffer

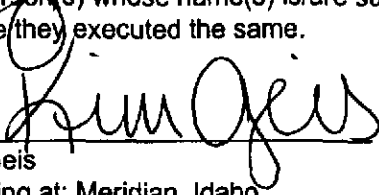

Kevin M. Rogers

Notary Acknowledgment - see page 2

QUITCLAIM DEED - NOTARY ACKNOWLEDGMENT(S):

State of Idaho, County of Ada, ss.

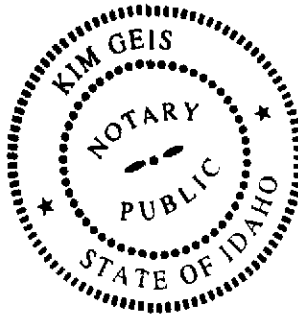
On this 19 day of March in the year of 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared Bonnie M. Schaeffer and Kevin M. Rogers known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Kim Geis

Residing at: Meridian, Idaho

My commission expires: 07/30/2009



ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

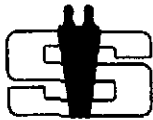
2002 JL 31 PM 4:13

RECORDED - REQUEST OF

FEE 3- DEPUTY

102086829

STEWART



ST 02017625 LF/CG

WARRANTY DEED

READ AND APPROVED
BY *Bonnie M. Schaeffer*

For Value Received JUSTIN W. WILKERSON AND BONNIE SUE WILKERSON, HUSBAND AND WIFE

the Grantor hereby grants, bargains, sells, conveys and warrants unto BONNIE M. SCHAEFFER, AN UNMARRIED PERSON

the Grantee whose current address is: 150 E. PARKWAY DRIVE, BOISE, IDAHO 83706

the following described premises, to-wit:

LOT 5 IN BLOCK 2 OF NELSON'S RIVER PARKWAY SUBDIVISION NO. 2, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED IN BOOK 20 OF PLATS AT PAGES 1352 AND 1353, RECORDS OF ADA COUNTY, IDAHO.

Parcel Number: R6026010030

SUBJECT TO: Current General Taxes, a lien in the process of assessment, not yet due or payable. Easements, restrictions, reservations, provisions of record, and assessments, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: July 31, 2002

Justin W. Wilkerson
JUSTIN W. WILKERSON

Bonnie Sue Wilkerson
BONNIE SUE WILKERSON

State of IDAHO

ss.

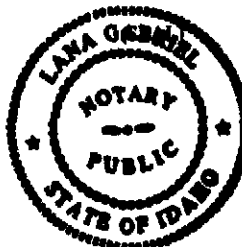
County of ADA

On this 31st day of July, 2002, before me, the undersigned, a Notary Public, in and for said State, personally appeared JUSTIN W. WILKERSON AND BONNIE SUE WILKERSON

known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

David Navarro
Notary Public
Residing at: BOISE, IDAHO
Commission Expires: February 09, 2007
7-11-08



STATE OF IDAHO, COUNTY OF ADA, ss.

I, J. David Navarro, Recorder for Ada County, do hereby certify that the foregoing is a full, true and correct copy of last. No. 102086829 as it appears on record in Book 20 of Plats at Pages 1352 and 1353, Records of Ada County, Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 28th day of February, 2003.

David Navarro
David Navarro, Recorder

Deputy



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 9, 2005

KEVIN ROGERS
BONNIE SCHAEFFER
150 PARKWAY DR
BOISE ID 83706

RE: Snake River Basin Adjudication Water Right No. 63-8118

Kevin and Bonnie,

We have received your Notice of Error Reply form for the above water right on which you indicated you are the new owners of the property. You also submitted a Quit Claim Deed showing the property ownership went from Bonnie to Bonnie and Kevin.

Before we can process your request for a change of ownership we need some additional documentation. First, we need a Change of Ownership form filled out and signed. I have enclosed a Change of Ownership form along with the instructions. Then we need a copy of a Warranty Deed, which includes a legal description of the property and showing Bonnie Schaeffer as the owner.

Please send the requested information to me at the above address. The fee to change an ownership is waived until a Partial Decree is issued, but a Partial Decree for this water right may be issued in the next few months. If you have any questions, please call me at the above number.

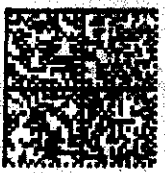
Sincerely,

Sandy Egbert
GIS Specialist
Western Region

PL. OF WAIT
Adjudication
P. O. Box 83720
Boise, ID 83720-0098

WAT

FIRST CLASS



UNITED STATES POSTAGE
PRIMEV BODIES
02 1A
0004310839 DEC 16 2005
MAILED FROM ZIP CODE 83702
\$00.83

RECEIVED

DEC 20 2005

WATER RESOURCES
WESTERN REGION

RECEIVED

DEC 19 2005

DEPARTMENT OF
WATER RESOURCES

FRANK F DAVIS
KATHRYN C DAVIS
150 PARKWAY DR
BOISE ID 83706

63-8118

11/02/2005

NOTICE OF ERROR
REPLY

RECEIVED
DEC 07 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: 63-8118

KATHRYN C DAVIS
150 PARKWAY DR
BOISE ID 83706
Telephone Number: (208)345-4512

FRANK F DAVIS
150 PARKWAY DR
BOISE ID 83706
Telephone Number: (208)345-4512

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

Ownership Change - New Owners Are:
Kevin M. Rogers and *Bonnie Schaeffer*
150 Parkway Dr *150 Parkway Dr*
Boise, ID 83706 *Boise, ID 83706*

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

Telephone (208) 344-3659 *Telephone (208) 344-3659*

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

Bonnie Schaeffer purchased the property in August of 2002. Kevin Rogers married Bonnie Schaeffer in July of 2004. Bonnie Out claim deeded the property to herself and Kevin Rogers on 3/24/05.

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

DATE: *11/24/05* SIGNATURE: *Kevin M. Rogers*
Please print your name: *KEVIN M. ROGERS*

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

Escrow No. 0500028742

QUITCLAIM DEED

FOR VALUE RECEIVED

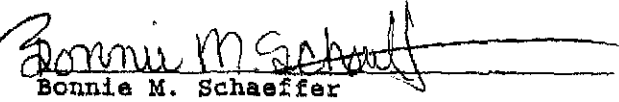
Bonnie M. Schaeffer and Kevin M. Rogers, wife and husband who acquired title as Bonnie M. Schaeffer, an unmarried person

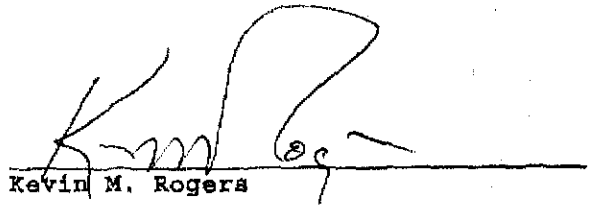
do(es) hereby convey, release and forever quitclaim unto:
Bonnie M. Schaeffer and Kevin M. Rogers, wife and husband

whose current address is: 150 Parkway Drive Boise, Idaho 83706
the following described premises, to-wit:

Lot 5 in Block 2 of NELSON'S RIVER PARKWAY ADDITION UNIT NO. 2, according to the official plat thereof, filed in Book 20 of Plats at Page 1352, records of Ada County, Idaho.

Date: March 18, 2005


Bonnie M. Schaeffer


Kevin M. Rogers

Notary Acknowledgment - see page 2



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 8, 2005

BONNIE M SCHAEFFER
150 E PARKWAY DR
BOISE ID 83706

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 63-8118

Dear Ms. Schaeffer:

We have been advised you may be the new owner of the property with the water right referenced above (see enclosed report).

Before we can modify our records to reflect your ownership for this water right, we need to have the enclosed Notice of Change of Water Right Ownership form completed. Please follow the instructions included with this form and return to our office with all of the required information.

If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

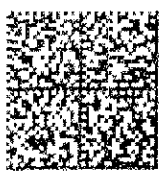
Adjudication Section
Western Region

LH:1
Enclosures

DEPARTMENT OF WATER RESOURCES
EASTERN REGIONAL OFFICE
35 AIRPORT WAY
BOISE, IDAHO 83705

W

FIRST CLASS



UNITED STATES POSTAGE
02 1A
\$ 00.8
0004389393 NOV 04 2
MAILED FROM ZIP CODE 83

RECEIVED

NOV 08 2005

WATER RESOURCES
WESTERN REGION

FRANK F DAVIS
KATHRYN C DAVIS
150 PARKWAY DR
BOISE ID 83705

63-8118

Bonnie M Schaeffer
150 E Parkway Dr
Boise 83706

Resent 11-8-05

ADDRESS SERVICE
REQUESTED

08/11/2005

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

RIGHT NUMBER: 63-8118

NAME AND ADDRESS: KATHRYN C DAVIS
150 PARKWAY DR
BOISE ID 83706

FRANK F DAVIS
150 PARKWAY DR
BOISE ID 83706

SOURCE: UNNAMED SLOUGH

TRIBUTARY: BOISE RIVER

QUANTITY: 0.060 CFS
2.250 AFY

PRIORITY DATE: 04/24/1975

POINT OF DIVERSION:

T03N R02E S14 SWSE Rediversion Within ADA County

T03N R02E S14 SWSE Rediversion Within ADA County

T03N R02E S14 SWSE Injection Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/31	0.060 CFS 2.25 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 31 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 R02E S14 SWSE 0.5

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

PROPERTY IS ALSO KNOWN AS LOT 5, BLK 2, NELSONS RIVER PARKWAY
SUBDIVISION NUMBER 2.

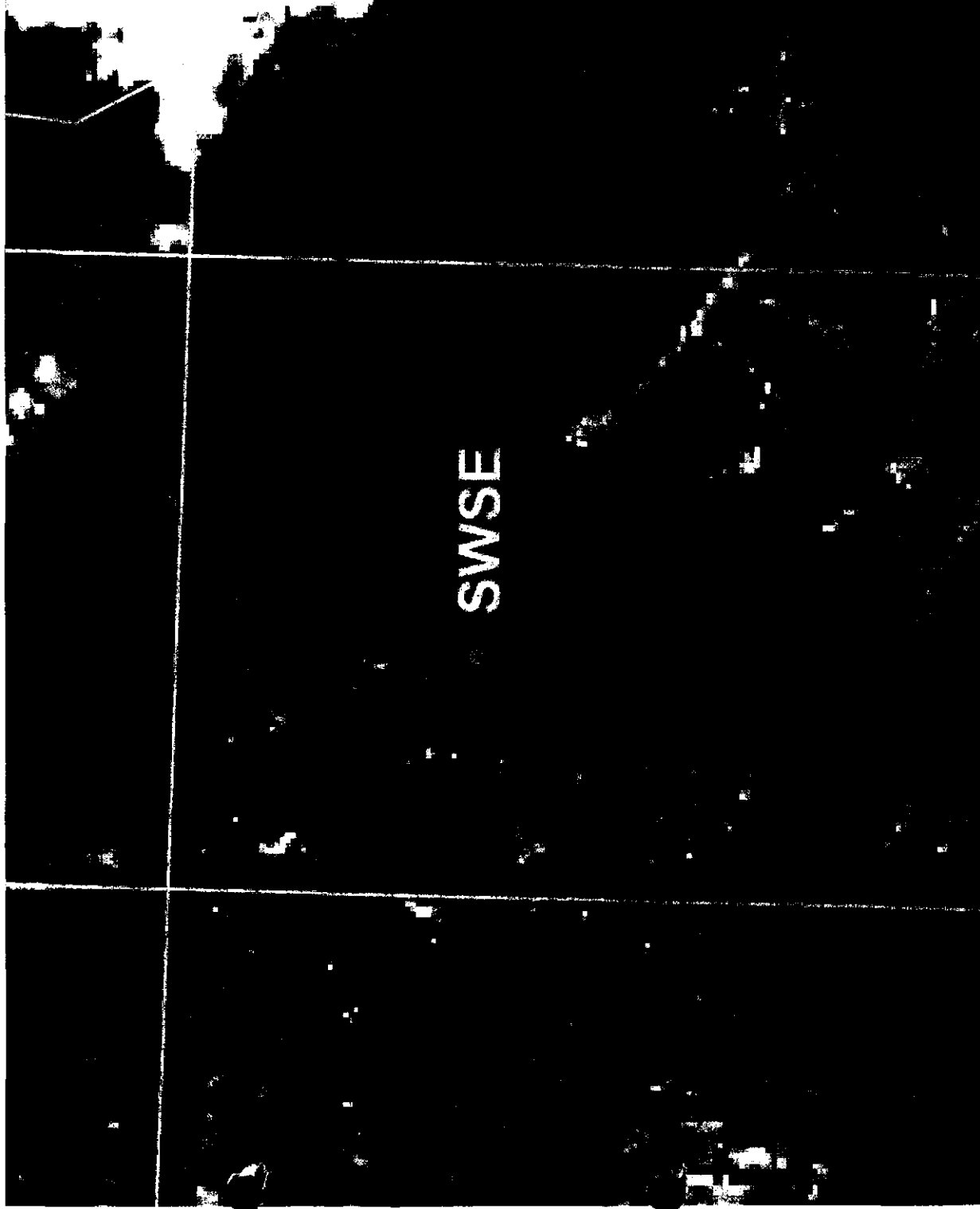
Source is locally known as Loggers Creek

IDAHO DEPARTMENT OF WATER RESOURCES

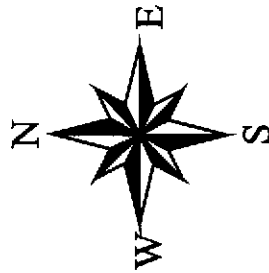
Claim: 63-8118

Date Prepared: 12-3-03

Prepared By: Gene Gibson



T03N, R02E
S14



⑤ Point of Diversion

☐ Place of use

☐ Section

1/4 1/4

1987 NAPP

0.42 Miles

0.35

0.28

0.21

0.14

0.07

0

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8118 V1

WATER RIGHT NUMBER: 63-8118 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	PATRICIA A COFIELD
	BOISE, ID
Current Owner	KATHRYN C DAVIS 150 PARKWAY DR BOISE, ID 83706 (208)345-4512
Original Owner	DEWEY H COFIELD
	BOISE, ID
Current Owner	FRANK F DAVIS 150 PARKWAY DR BOISE, ID 83706 (208)345-4512

Priority Date: 04/24/1975

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED SLOUGH	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	0.060 CFS	2.25 AF
	<u>Total Diversion:</u>	0.060 CFS	2.25 AF

Location of Point(s) of Diversion

UNNAMED SLOUGH	SW1/4SE1/4	Sec. 14, Twp 03N, Rge 02E, B.M.
ADA County	(Rediversion)	
UNNAMED SLOUGH	SW1/4SE1/4	Sec. 14, Twp 03N, Rge 02E, B.M.
ADA County	(Rediversion)	
UNNAMED SLOUGH	SW1/4SE1/4	Sec. 14, Twp 03N, Rge 02E, B.M.
ADA County	(Injection)	

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	02E	14															.5		.5

Total Acres: 0.5

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-8118 V1

Conditions of Approval:

1. S39 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 31 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.
2. J01 PROPERTY IS ALSO KNOWN AS LOT 5, BLK 2, NELSONS RIVER PARKWAY SUBDIVISION NUMBER 2.
3. Source is locally known as Loggers Creek
4. 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: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: AND
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

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>
Priority Date	12/4/2003 10:21:49 AM	ggibson			Active
POD	12/4/2003 11:23:11 AM	ggibson			Active
Source	12/4/2003 11:23:56 AM	ggibson			Active
POU	12/4/2003 11:26:42 AM	ggibson			Active
Use	12/4/2003 11:27:11 AM	ggibson			Active
Season	12/4/2003 11:28:58 AM	ggibson			Active
Quantity	12/4/2003 11:30:27 AM	ggibson			Active
Contacts	12/4/2003 11:46:34 AM	ggibson			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8118 V1

Summary

12/04/2003

ggibson

Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	12/4/2003 11:23:11 AM	ggibson	(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	12/4/2003 11:23:55 AM	ggibson	(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	12/4/2003 11:26:25 AM	ggibson	Edited shape boundary
POU	12/4/2003 11:26:42 AM	ggibson	(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?
Contacts	12/4/2003 11:46:33 AM	ggibson	(No) 1. Do you want to schedule an appointment? Comment for 1: Sufficient information contained in file to make recommendation.
Season	12/4/2003 11:28:57 AM	ggibson	(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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8118 V1

Summary	12/4/2003 11:46:43 AM	ggibson	(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? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Priority Date	12/4/2003 10:21:49 AM	ggibson	(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?
POD	12/4/2003 11:22:31 AM	ggibson	Edited point location
Use	12/4/2003 11:27:10 AM	ggibson	(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?
Quantity	12/4/2003 11:30:26 AM	ggibson	(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 - Calculations taken from field examination conducted during licensing.
POD	12/10/2003 8:44:40 AM	ggibson	Edited point location
POD	12/10/2003 8:45:40 AM	ggibson	Edited point location

Water Supply Bank:

Berry Eshen

336-5508

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

CLAIM NO(s). 63-8118

1. ☐ No Change NAME IS SAME

☒ NEW OWNER: BONNIE M. Schaeffer

No Change ADDRESS

NEW ADDRESS: SENT change of ownership 12-403

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

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

3. ☐ No Change — SAME SOURCE

Source is different than that claimed:

Source found: unnamed slough
~~unnamed drain~~ unnamed drain, topers Creek is used as a
means of conveyance.

4. ☒ No Change — POINT OF DIVERSION

Point of diversion is different than the claim and/or new P/D's:

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

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS

Incomplete description, list below:

6. No Change - WATER USES

Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. No Change - TOTAL VOLUME

Incomplete on claim, the total is, Amount _____ CFS _____ AFA _____

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

8. No Change - NON-IRRIGATION USES:

Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

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

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

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

Period of Use shoulder remark added

SYSTEM DIAGRAM INCLUDED

NA

Shown on GIS Layout

CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 12-4-03

FIELD EXAMINER:

GC
Print Name

[Signature]
Signature



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 4, 2003

Bonnie M. Schaeffer
150 East Parkway Drive
Boise, Idaho 83706

RE: CHANGE IN OWNERSHIP FOR 63-8118

Dear Sir or Madam::

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

T03N R02E S14 SW ¼ SE ¼

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

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

Please submit the Change of Ownership by JANUARY 5, 2004, referencing all documents with the corresponding Notice n umber. If you have any questions not covered by this letter, please feel free to contact me at (208) 334-2190.

Respectfully submitted,

Melvin Gene Gibson
Sr. Water Resource Agent
Adjudication Bureau

Enclosure: Change of Ownership
Notice of Claim A63-8118

**WATER RESOURCES
WESTERN REGION**

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that Dewey H. &/or Patricia A. Cofield

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from April 1 to Oct. 31	at 0.06 cfs and	2.25 acre feet
	from _____ to _____	_____ cfs and	_____
	from _____ to _____	_____ cfs and	_____

(both dates inclusive)

Twp. 3 N, Rge. 2 E, B. M. in the County of Ada

Description and location of place of use:

[illegible]

Total number of acres irrigated 1
2

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 7 day of August 19 76

Director

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Dewey H. &/or Patricia A. Cofield
Post office address 150 Parkway Drive, Boise, ID 83706 Phone 343-5769
Person to contact Barry Tooley Phone _____
2. Source of water supply: Groundwater ☐ Surface water ☒ unnamed drain

Tributary to

3. Water will be used for the following purposes:

Amount 0.06 c.f.s. for Irrigation

_____ AF/Annum

(nature of use)

Department of Water Resources

Period of Use: from April 1 to Oct. 31

(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for

_____ AF/Annum

(nature of use)

Period of Use: from

to

(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for

_____ AF/Annum

(nature of use)

Period of Use: from

†c

(mo.-day) inclusive (mo.-day)

Other uses:

4. Total amount to be appropriated:

Max Rate of Diversion 0.06 cubic feet per second and annual volume _____ AF/Annum.

- 5. Location of Point(s) of Diversion:**

Township 3N N/S. Range 2E E/W. B.M. Section 14 Subdivision SW 1/4 SE 1/4 Ada

County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____

County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____

County

Other Points of Diversions:

Description of diverting works: There is a sump located approx. 10' back from Loggers' Creek with a 4" underground pipe filling this sump from Loggers' Creek. A 1hp pump provides lift and pressure to 8 electrical solenoid valves which distribute the water selectively to our lot.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

4

Rge. 2E

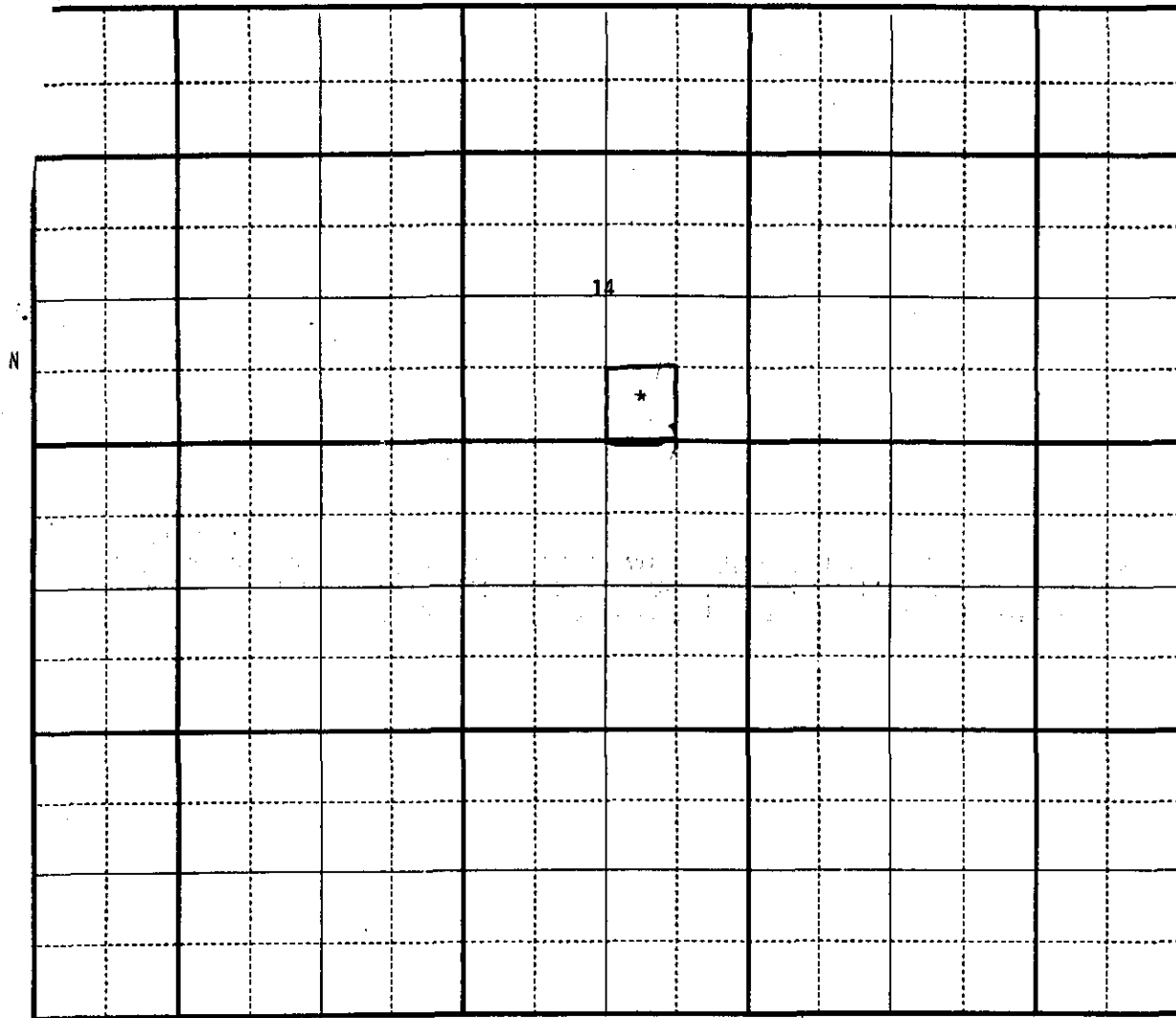


Diagram of System

DATE OF EXAM 7/29/76

ACREAGE

Found .5
Recommended .5

Irrigation Requirement 4.5 Ac Ft/Ac

USE

Irrigation Q = .02 c.f.s. V = 4.5 AF/Ann. from 7/1 to 10/31
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: _____
Twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ County

Exchange? yes _____ no X

Name source exchanged with: _____
Twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ County

Point of injection: _____
Twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ County

Point of exchange: _____
Twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ County

Total Q measured pump out put is 30 gpm = .066 cfs Method of measurement None

Total Q recommended .02 Meter No. _____ Type _____ Condition _____

Total V recommended 4.5 AF/Ann

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None _____

MEASUREMENT CALCULATION:

pump out put is 30 gpm which will run 12 champion F-15
360° sprinkler heads. 30 gpm = .066 cfs

SYSTEM DESCRIPTION:

Aeromotor water system. Franklin 1HP motor on jet pump
into 8 solenoid valves to under ground sprinkler system.
Pump from sump next to logger ex.

REMARKS:

Examiner's Signature [Signature] Date 7/30/76

Checked by [Signature] Date 8-3-76

Approved by _____ Date _____

January 12, 1976

C
Dewey H. Coffield
150 Parkway Drive
Boise, Idaho 83706

Dear Mr. Coffield:

The information regarding the points of diversion under your Permit No. 63-8118 should be included on the proof of beneficial use affidavit that will be sent to you shortly before June 1, 1976. The proof of beneficial use is your final step prior to the issuance of a license for the irrigation of your property.

Normally the source is shown as the name of the stream at the point the water is taken under control, which probably for your project would be Loggers Creek. But, that may be determined when our field examiner visits your project prior to the issuance of a license.

P
Your January 7 request for clarification for your point of diversion has been placed in your file for consideration at the time of final licensing.

If you have any questions, please let us know.

Y
Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Identification No. _____

Application No. 63-8118

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Dewey H. &/or Patricia A. Coffield Phone: 343-5769
post office address 150 Parkway Dr., Boise, ID 83706
2. Source of water supply Unnamed drain which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 14 Township 3 N
Range 2 E B.M. Ada County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.06 for Irrigation purpose from April 1 to Oct. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.06 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. pump and sprinkler system

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years.
b. Estimated construction cost is \$ 600.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

LICENSE ISSUED FOR 0.06 SEC. FL

NOT RECORDED

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

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	2 E	14															$\frac{1}{2}$		$\frac{1}{2}$

Total number of acres to be irrigated $\frac{1}{2}$

c. Describe any other water rights used for the same purposes as described above. NONE

9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks Pump capacity requires this diversion rate. Water will not be used continually.

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

14

T. 3N.

Prop. Place of Use

R. 2E. 13M.

Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Rewey H. Copfield
(Applicant)

Proposed Priority 4-24-1975

Received by P.W.H. Date 4-24-1975 Time 2:45 P.M.

Preliminary check by P.W.H. Fee \$ 10.00

Receipted by Ca Date 4/24/75 H/507

Publication prepared by Ca Date 4/25/75

Published in Idaho Statesman

Publication dates May 1 & May 8

Publication approved Ca Date 5-12-75

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-8118, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 76.

c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this 27 day of _____ May 19 75.


Director