

Idaho Department of Water Resources

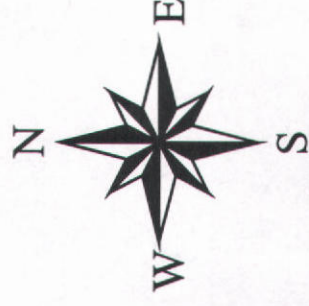


T05N, R01W,
S17

Claim No: 63-8252
Prepared By: Kimberly Brown
Date: October 12, 2004

- Point of Diversion
- Place of Use
- Section Lines
- 1/4 1/4

Acres Irrigated = 5.0



1987 NAPP

Idaho Department of Water Resources

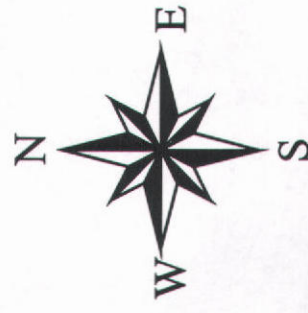
T05N, R01W,
S17

Claim No: 63-8252
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- Point of Diversion
- Place of Use
- Section Lines
- 1/4 1/4

Acres Irrigated = 5.0



1987 NAPP

Basin 63 Parts 1, 2 and 3



Idaho Department of Water Resources
Prepared by: Sandy Egbert

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: A63-08252
Date Received: 5/22/1989
Receipt No: W002953
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN M. WARD 208-375-0523
Address: 3421 PEPPERWOOD
BOISE, ID 83704

AND/OR

Name: LANETA WARD 208-286-7623
Address: 10150 CHAPARRAL RD.
EAGLE, ID 83616

2. Date of Priority: JAN 12, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	01W	17	SW	NE			ADA

5. Description of diverting works:
WELL, 213', 5 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.100		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 23.7 Acre Feet Per Annum.

9. Non-irrigation uses:

A63-08252

Page 1

Date: 08/11/89

MICROFILMED
AUG 24 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	01W	17	SW NE		IRR	5.0
Section Acres						5.0
Total Acres						5.0

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:

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): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

fee: \$55

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

RECEIVED
MAY 22 1989

Ident. Number: A63-08252
Date Received: 5-22-89
Receipt No: W002953
Received By: RAJ

Department of Water Resources
Western Regional Office

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

1. Name: LANETA WARD 208-286-7623
Address: 10150 CHAPARRAL RD.
EAGLE, ID 83616
AND/OR
Name: JOHN M. WARD 208-375-0523
Address: 3421 PEPPERWOOD
BOISE, ID 83704

2. Date of Priority: JAN 12, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	01W	17	SW	NE			ADA

5. Description of diverting works:
WELL, 213', 5 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.100		
DOMESTIC	01/01	12/31	0.040		

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

A.F.A.

8. Total consumptive use is

23.7
17.5 Acre Feet Per Annum.
L.E.W. (as per license)

9. Non-irrigation uses:

A63-08252

Page

1

Date: 05/15/89

WARD

MICROFILMED

AUG 24 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	01W	17	SW NE		IRR	5.0
Section Acres						5.0
Total Acres						5.0

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:

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

Number of attachments: 4 with check

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): Lamont E. Ward Date: 5.19.89
Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 19 day
of May 19 89 Judith A Benton
Notary Public

Seal

Residing at Boise
My Commission Expires 1-20-93

WARD
check #6936
(92-9) 5.19.89

MICROFILMED

AUG 24 1992

1/30/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Laneta + John Ward CLAIM IDENT. NO. A63-08252

DATE RECEIVED 5/22/89 CK # 6936 AMOUNT \$ 55.00

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates?	☒	☐	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.	☒	☐	
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	☒	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	☒	☐	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered?	☒	☐	
Is the consumptive use correct?	☒	☐	
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.	☒	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☒	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	☒	☐	
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	☒	☐	*
18. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
19. Was this claim filed on time, or was an extension granted?	☒	☐	*
20. Is the fee enclosed correct?	☒	☐	*
21. If this claim is based on an existing water right, has the identification number been entered?	☒	☐	
22. Should this claim be receipted and data entered?	☒	☐	

Claim checked by: VH Date: 8-11-89

Claim must be returned to claimant: (Yes) (No)

Claimant must be notified of modifications: (Yes) (No)

Receipt Prepared by: _____ Date: _____
 Claim data entered by: _____ Date: _____
 Sent to claimant by: _____ Date: _____
 Checked by: _____ Date: _____

Comments: _____

MICROFILMED

AUG 24 1992

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

RETURNED TO SENDER
ATTEMPTED NOT KNOWN

AK

this
not at address

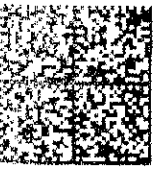
JOHN M WARD
3421 PEPPERWOOD
BOISE ID 83704

63-8252

D

RECEIVED
JUN 20 2005
WATER RESOURCES
WESTERN REGION

FIRST CLASS



02 1A
000432993 JUN 06
MAILED FROM ZIP CODE

UNITED STATES POSTAGE
5N100
NINETEEN

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

RIGHT NUMBER: 63-8252

NAME AND ADDRESS: LANETA WARD
10150 CHAPARRAL RD
EAGLE ID 83616

JOHN M WARD
10150 CHAPARRAL RD
EALGE ID 83616

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.140 CFS
23.700 AFY

PRIORITY DATE: 01/12/1976

POINT OF DIVERSION:

T05N R01W S17 SWNE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY
IRRIGATION	04/01 11/01	0.100 CFS 22.50 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 NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

PLACE OF USE: IRRIGATION Within ADA County

T05N R01W S17 SWNE 5.0

DOMESTIC same as IRRIGATION

5 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: License

PROPERTY IS ALSO KNOWN AS LOT 2, D.L. HANLEY TRACTS.

PARCEL NO: R3432320100.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8252 V1

WATER RIGHT NUMBER: 63-8252 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ELMER K WARD PEARL RT CHAPARREL RD EAGLE, ID 83616
Current Owner	LANETA WARD 10150 CHAPARRAL RD EAGLE, ID 83616 (208)286-7623
Current Owner	JOHN M WARD 10150 CHAPARRAL RD EALGE, ID 83616 (208)286-7623

Priority Date: 01/12/1976

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
---------------	------------------

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.040 CFS	1.20 AF
IRRIGATION	04/01 to 11/01	0.100 CFS	22.50 AF
	<u>Total Diversion:</u>	0.140 CFS	23.70 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 17, Twp 05N, Rge 01W, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	01W	17			5.0														5.0

Total Acres: 5

DOMESTIC same as IRRIGATIONConditions 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 NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8252 V1

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.
3. J01 PROPERTY IS ALSO KNOWN AS LOT 2, D.L. HANLEY TRACTS.
4. PARCEL NO: R3432320100.
5. WB5 Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

Remarks:

Comments:

1. kbrown 10/19/2004 Property Address

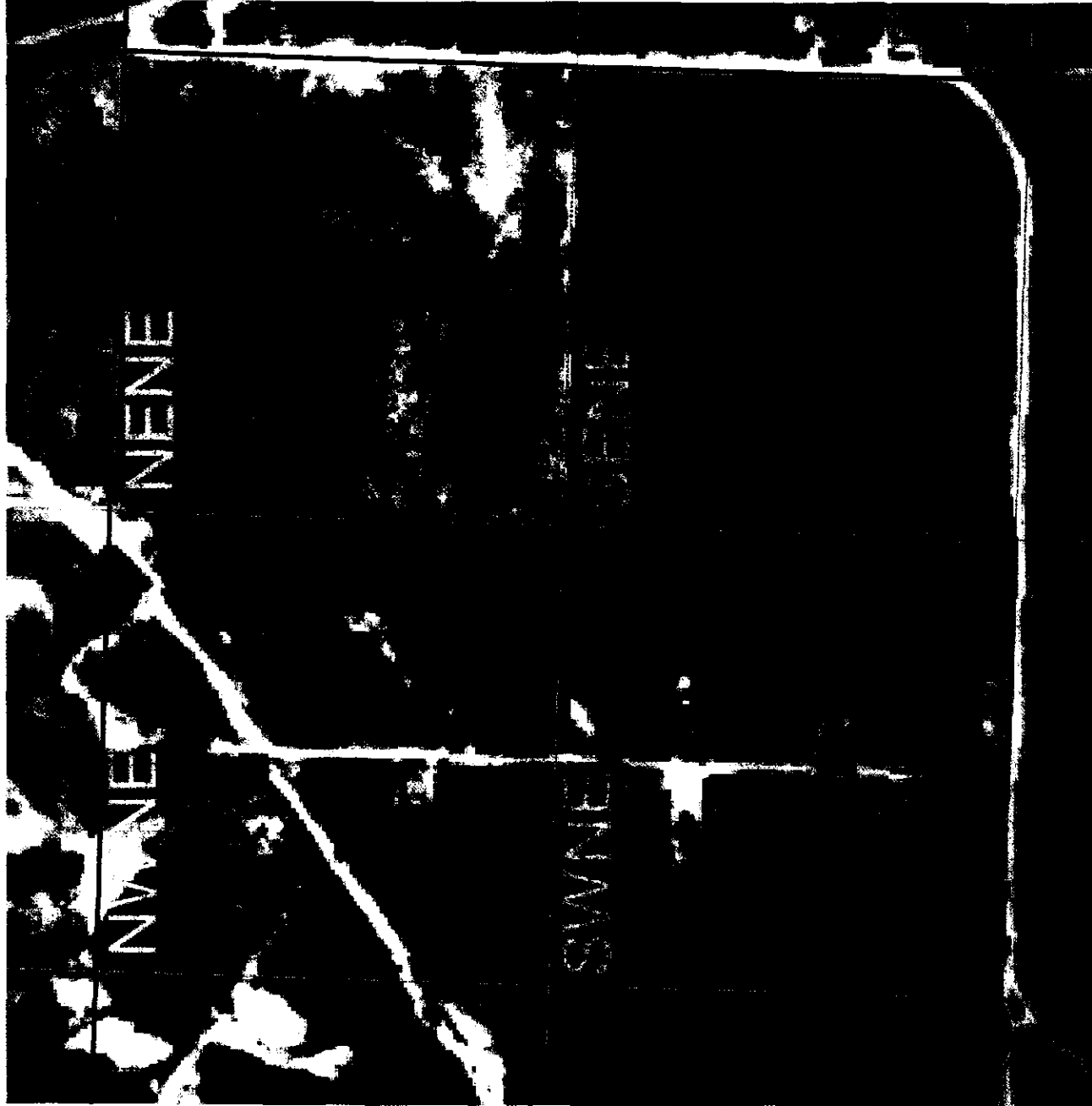
Comment: This property is located on N. Spangler Rd. in Eagle.

2. kbrown 10/19/2004 Overlap

Comment: Water Right No. 63-7623 does not cover Lot 2 of D.L. Hanley Tracts, so there is no overlap.

Water Supply Bank:

Idaho Department of Water Resources



T05N, R01W,
S17

Claim No: 63-8252
Prepared By: Kimberly Brown
Date: October 12, 2004

● Point of Diversion



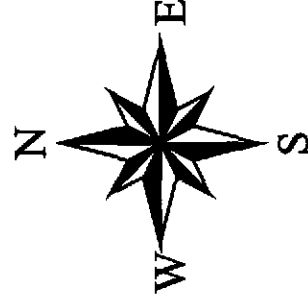
Place of Use



Section Lines

1/4 1/4

Acres Irrigated = 5.0



0 0.1 0.2 0.3 0.4 Miles

1987 NAPP

Idaho Department of Water Resources

T05N, R01W,
S17

Claim No: 63-8252
Prepared By: Kimberly Brown
Date: October 12, 2004

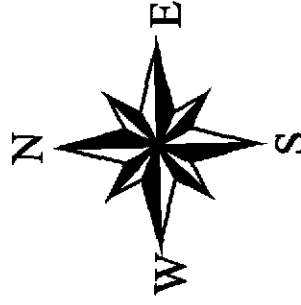
● Point of Diversion

□ Place of Use

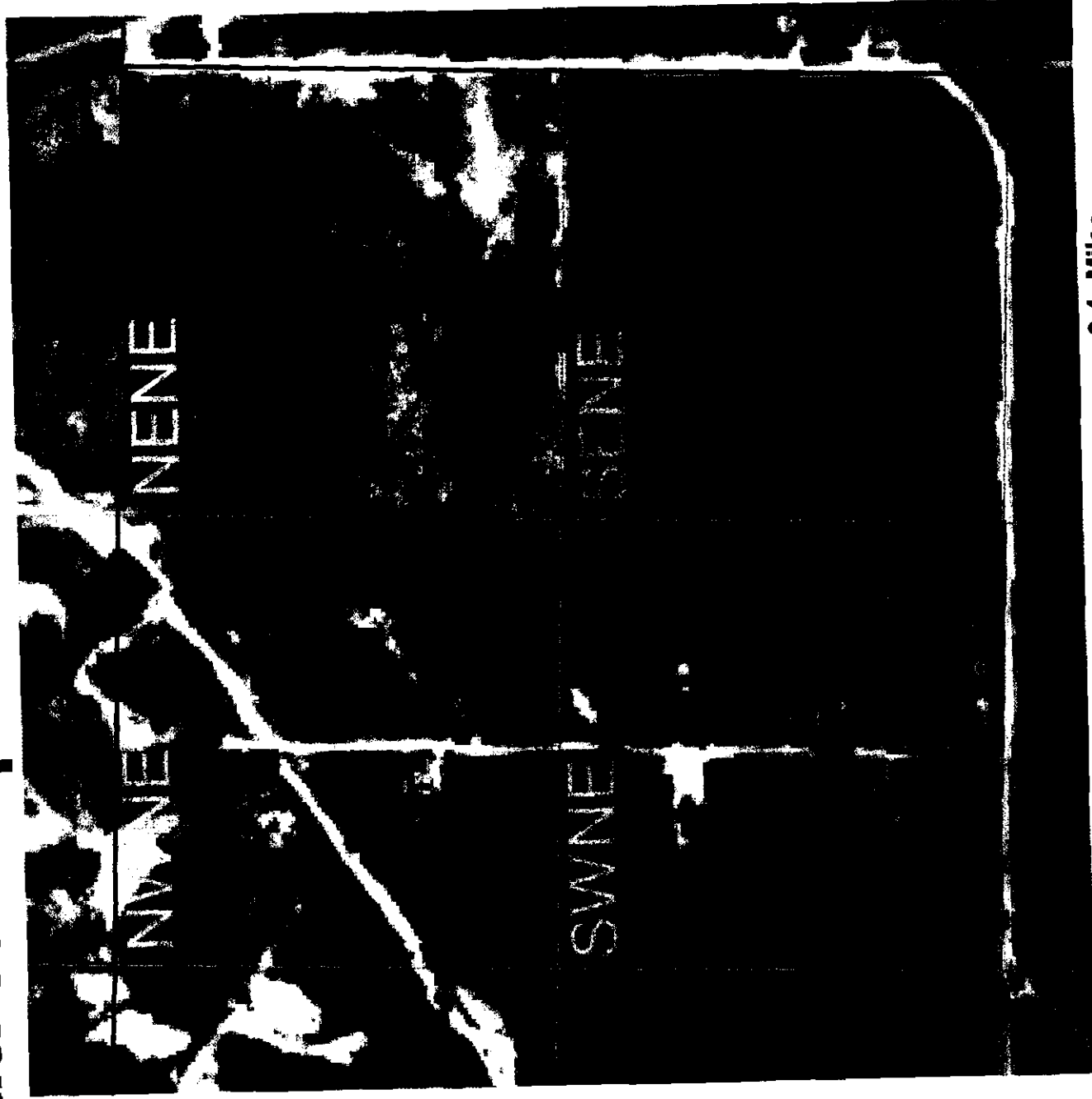
□ Section Lines

1/4 1/4

Acres Irrigated = 5.0



1987 NAPP



0 0.1 0.2 0.3 0.4 Miles

CONVERSATION MEMORANDUM

RE: Snake River Basin Adjudication Water Right No. A63-8252 Notice of Filing of Director's Report

December 23, 2005

Arlene Ward (#855-4783) called and left a message while I was on Christmas break.

December 29, 2005

While I was out sick with the flu, Arlene Ward called and left a message for me to return her call. She told IDWR employee Liberty Gagnon, who took the message, that she thought it was "suspicious" that the first time she called, I was on vacation and that the second time she called, I was sick.

January 5, 2006

I called #855-4783 and left a message for Arlene Ward. I apologized that I was unable to return her call earlier because I was gone on Christmas vacation and then was sick with the flu.

At 2:46 p.m., Arlene Ward, who said she is the wife of John M. Ward and the daughter-in-law of Laneta Ward (86 years old), began the conversation with these two statements, "I don't understand any of this information you sent" and "I don't want this right." When I asked her why she didn't "want this right," she replied, "I'm gonna shoot at you with two barrels" and stated, "There is no creek on this map that is referred to in the letter." Concerning the map, I assumed correctly that she was referring to our 1987 aerial photo (shapefile) depicting the POU and the POD, but I had no idea what "creek" she was referring to because this water right's source is from a well. I asked her if the "letter" she was referring to was the one signed by the director, Karl Dreher (copy attached). As we looked at the letter together, I found no mention of a creek. Arlene Ward could not answer my question of which "creek" she was referring to¹. Her next response was, "It

¹ I later figured out that Arlene Ward may have been referring to Attachment A for Smith Creek as a Water Source in the *Notice of Filing of Director's Report for Basin 63, Part II For Irrigation and Other Water Rights* (see attached copy, p.8). This is the only plausible explanation I can come up with.

sounds like you are trying to take my water right away.” I asked her why she believed we were trying to take her water right away and she would not answer me directly. All she kept referring to was the “18-page document” and how confusing it was² (copy attached). She then started to read what I found to be the third paragraph of the document: “Also included in this Director’s Report are some small domestic and stockwater uses. . . . Some small domestic and stockwater claims were *withheld* (she placed more emphasis on the word “withheld”) from the earlier report . . .” I stopped her from reading any further, apologized that this document was so confusing, and explained that our State office created this document and that it was, basically, a broad collection of information attempting to explain the Adjudication and its processes to the average layperson. I said that three items: this document, the letter signed by our director, Karl Dreher; and the Preliminary Recommendation for every water right claimed in Ada County; recently went out to every water right claimant in this county and that what she needed to focus on right now, was not the 15-page document, but the Preliminary Recommendation. I then proceeded to explain to her that the claim filed in 1976 by Elmer K. and Laneta Ward has not changed in any way, shape, or form; that what they filed for decades before was fully recommended by our department. I also told her that the Wards were given the maximum amount of water for both their domestic use (0.04 cfs) and the irrigation of their 5 acres (0.1 cfs). In response to my last statement, Arlene Ward replied, “Is that good?” Then she said that she and her husband were trying to purchase the property and that they wanted to “change” the water right. When I asked her what she wanted to change, again, she would not answer me directly. After about 5 minutes of trying to understand what she wanted to change, I simply told her that an *Application For Transfer* needs to be submitted to our department whenever a “change” is made to a water right. When she asked how to get one, I told her that I would send her a packet of information and I asked what her current address was. She said to send it to: 1272 N. Shreveport Ave, Meridian 83642. I tried, one more time, to understand what it was that she wanted to “change” and she finally said, “I can’t have pigs . . . because the they won’t allow it, but I want some animals.” I then proceeded to explain that having cows and horses, etc. was covered by

² The 18-page document, which is actually only 15 pages long, is titled the *Notice of Filing of Director’s Report For Basin 63, Part II For Irrigation And Other Water Rights* and was sent out with the mailing she recently received.

the domestic portion of the water right and that it appears that the Wards have obviously had livestock in the past because the Field Report Remarks state that there were a “couple of horses and 3-4 head of beef cattle” on the property in 1977. I told Arlene Ward that I would send her some additional information regarding the domestic/stockwater use connection. In response, Arlene Ward stated, “I’m afraid my water right will expire.” When I asked her why she believed this, she replied, “I saw something in the 18-page document that said my water right is about to expire.” Wanting to know exactly where she read this, I asked her if she would locate the statement in the document. While I waited, Mrs. Ward leafed through the document for several minutes; but was unable to find anything. She then stated that she has until April to do something and that if she doesn’t do anything, then “her” water right will expire. Assuming that she was referring to the April objection deadline, I directed her to Karl Dreher’s letter and read the second paragraph to her: “. . . you have until April 21, 2006 in which to review your water rights . . . and to file any objection to our recommendations.” I explained, once more, that my recommendation reflected exactly what Elmer and Laneta Ward claimed in 1976 and that nothing was changed or taken away, and that if she (her husband, or her mother-in-law) wanted to change any portion of the water right, they would simply need to submit an *Application For Transfer*; which I would send her in the mail the next day.

Kimberly Brown
Senior Water Resource Agent
Western Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 14, 2005

RE: Water Rights in Reporting Area 13, Basin 63
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your water right claim(s) in Basin 63 for the Boise River drainage basin primarily in Ada County. We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended right(s) in your area. Water rights for nearly all domestic and/or stockwater rights were recommended separately in an earlier report, and most of those now have been decreed by the SRBA Court. Irrigation and other rights above Lucky Peak dam were recommended to the Court in 2002 in another report with most of those decreed by the Court.

Note that you have until April 21, 2006, in which to review your water rights or those of other claimants and to file any objection to our recommendations. Information on the other water rights can be found at the county courthouses in Boise, Fairfield, Idaho City, and Mountain Home, and at all the Idaho Department of Water Resources offices (see addresses in enclosures).

If the SRBA Court does not receive an objection to our recommendation from you and no other party objects to your water right, your water right will be decreed later next year as recommended. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions you have about your water right(s) or this adjudication process.

Sincerely,

A handwritten signature in black ink, appearing to read 'Karl J. Dreher', is written over a horizontal line.

Karl J. Dreher
Director

Enclosures

**NOTICE OF FILING OF DIRECTOR'S REPORT
FOR BASIN 63, PART II
FOR IRRIGATION AND OTHER WATER RIGHTS**

The Director of the Idaho Department of Water Resources (IDWR) has filed with the Snake River Basin Adjudication (SRBA) District Court the Director's Report for irrigation and other water rights in Basin 63, Part II. A map of the area covered by this Director's Report is attached to this Notice. This Director's Report contains the Director's recommendation to the SRBA court as to how each of your claimed water rights should be decreed in the SRBA.

This Director's Report includes the Director's recommendation for your water rights claimed in the SRBA. IDWR is providing individual reports like this one to all claimants of irrigation and other water rights in your area. A complete copy of the Director's Report, listing all of these irrigation and other water rights claimed under state law and "dual based" claims by the federal government, is available at the SRBA courthouse in Twin Falls and the locations listed at the end of this Notice. Copies of the report can be made, but you may be charged for copying and mailing.

Also included in this Director's Report are some small domestic and stockwater uses. The Director's Report for most small domestic and stockwater rights for IDWR Basin 63 was sent to the SRBA Court and individual water users on November 5, 1998. Some small domestic and stockwater claims were withheld from the earlier report. If a claim for small domestic and stockwater was withheld from the 1998 report, it is reported in this Director's Report. Additionally, the Director's Report for Basin 63, Part I was sent to the SRBA Court and individual water users on September 30, 2002.

Finally, recommendations for the remaining portions of Basin 63 will be reported in the future. You may need to review the Director's Report for subsequent parts of Basin 63. Claims in which you have an interest may be reported in other parts of the Basin 63 Director's Reports. As the Director files Director's Reports for the remaining water rights in Basin 63, he may also recommend additional general provisions that could apply to your rights. However, you will not receive any Notice of those reports unless you have water right claims that are reported in the subsequent parts. Therefore, the Director advises all claimants with rights included in Basin 63, Part II Director's Report to review future Basin 63 Director's Reports as they are filed with the SRBA Court in order to review the general provisions and water right recommendations, and file objections if you disagree.

INSTRUCTIONS FOR REVIEWING YOUR OWN WATER RIGHT

The enclosed description of your right is only the Director's recommendation to the SRBA Court on your water right. The Court will decide how it will decree your water right. You can agree or disagree with the Director's recommendation. If you agree with the Director's recommendation you do not need to do anything, pending further notice as described below. If you disagree with the Director's recommendation, you need to file an objection as described below.

INSTRUCTIONS FOR REVIEWING THE WATER RIGHTS OF OTHERS

The complete Director's Report contains recommendations to the SRBA Court on your water right and all other irrigation and other rights in your area. The Court will decide how it will decree all water rights. The Director's recommendations in the full report are listed in two sections of the report:

- 1) **List of Recommended Water Rights** -- Water right recommendations are listed numerically by water right number.
- 2) **List of Claims Recommended to Be Disallowed** -- Water rights claims to be disallowed are listed numerically by water right number. A short statement of the reason for IDWR's recommendation for disallowance is provided.

Also included in the complete Director's Report are descriptions of the United States' claims under federal law that have also been claimed under a state law basis. These are called "dual based" claims. While the Director neither investigates nor recommends the federal portion of these claims, a recommendation has been made for the state based portion of the claim.

If you want to review someone else's water right you need to look at the complete Director's Report, which is available at the SRBA courthouse in Twin Falls and the locations listed in this Notice. Copies of the report can be made, but you may be charged for copying and mailing.

INSTRUCTIONS FOR TAKING A WATER RIGHT CLAIM TO COURT

What do I do if I disagree with a recommendation?

If you disagree with any element of the recommendation for your water right or anyone else's water right and want to be heard in court, file an objection with the SRBA Court. Objections must be made on the standard objection form ("Standard Form 1") available from any IDWR office or from the SRBA Court. You may also download a copy of the objection form from the SRBA Web Site at www.srba.state.id.us.

Your objection must be **received** by the SRBA Court on or before **April 21, 2006**.

What do I do if someone else objects to my water right recommendation?

If someone files an objection to your water right, or anyone else's water right, you may file a response to that objection. Responses to objections must be made on the standard response form ("Standard Form 2") available from any IDWR office or from the SRBA Court. You may also download a copy of the response form from the SRBA Web Site at www.srba.state.id.us.

Your response must be **received** by the SRBA Court on or before **June 23, 2006**.

What do I do if I want to participate in the court case on someone else's water right?

If you want to be involved in the court case on any water right in the Director's Report, you must file either an objection or a response by the dates listed above.

What happens if there are no objections to a water right?

After the deadline for filing objections, IDWR will file a list of all water right recommendations with no objections. Upon receipt of that list, the Court will schedule a hearing on whether the water right recommendations should proceed to partial decree. The SRBA Court will hear the uncontested recommendations on or about **July 18, 2006**, at **1:30 P.M.** at the **SRBA Courthouse**. Partial decrees will be issued following this hearing.

How will I know about the proceedings on water right recommendations to which objections were filed?

A notice will be mailed to you for court dates on your water right or for those where you filed an objection or a response. You will not receive notice of court dates on any other water right recommendations.

Additional information regarding water right claims can be found on the SRBA Web Site.

Note: The SRBA Court publishes a monthly Docket Sheet listing all objections and responses filed as well as when Director's Reports are filed. It does not list court dates for individual water right cases, but provides general information helpful to all participants in the SRBA.

The Docket Sheet is available at your county courthouse and all IDWR offices, or you may subscribe by contacting the SRBA Court or IDWR. The annual subscription fee is \$7.50. The Docket Sheet is also available on the SRBA Web Site at www.srba.state.id.us.

**INSTRUCTIONS FOR REVIEWING THE REMAINING WATER RIGHTS IN
BASIN 63**

How will I know when the Director's Reports for the remaining Basin 63 rights are filed?

Claimants can keep track of when future Director's Reports are filed by regularly reviewing the court's docket sheet or periodically inquiring of the court or the Idaho Department of Water Resources as to when such reports are anticipated to be filed. At the present time the Director anticipates filing a Director's Report for Basin 63, Part III sometime during the winter of 2006. These dates may be subject to change.

CHANGES OF ADDRESS OR OWNERSHIP DURING THE SRBA COURT CASE

You must contact your regional IDWR office with your address change or if the ownership of your water right changes. You may download a copy of a change of ownership form from the IDWR Web Site at www.idwr.idaho.gov. Failure to notify IDWR may result in the loss of your water rights.

ADDITIONAL INFORMATION

If you have questions about the SRBA, public information brochures are available at any IDWR office and on the IDWR Web Site at www.idwr.idaho.gov. The IDWR webpage provides information regarding your claims, mapping and other valuable information on the SRBA and IDWR. Maps and aerial photography of this reporting area, as well as assistance in using the maps and the photography, are also available at the IDWR Western regional office in Boise. You are also welcome to call IDWR at any of its offices or the SRBA Court. Additional information regarding water right claims can be found on the SRBA Web Site at www.srba.state.id.us. Finally, you may also want to consider contacting an attorney to assist you.

SNAKE RIVER BASIN ADJUDICATION DISTRICT COURT

253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
(208) 736-3011

IDaho Department of Water Resources

322 East Front Street
Box 83720
Boise, Idaho 83720-0098
(208) 287-6700
(800) 451-4129

IDaho Department of Water Resources Western Region

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

IDaho Department of Water Resources Northern Region

1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 765-1450

IDaho Department of Water Resources Southern Region

1341 Fillmore, Suite 200
Twin Falls, Idaho 83301-3380
(208) 736-3033

IDaho Department of Water Resources Eastern Region

900 North Skyline, Suite A
Idaho Falls, Idaho 83402-3653
(208) 525-7161

Ada County Courthouse

200 W. Front Street
Boise, ID 83702-7300

Boise County Courthouse

415 Main Street
PO Box 126
Idaho City, ID 83631

Camas County Courthouse

501 Soldier Road
PO Box 430
Fairfield, ID 83327

Elmore County Courthouse

150 S. 4th E, Suite 5
Mountain Home, ID 83647

Canyon County Courthouse

1115 Albany St
Caldwell, ID 83605

DEFINITIONS OF THE ELEMENTS OF YOUR WATER RIGHT

RIGHT NUMBER: Your water right is identified by a number assigned by IDWR. The first two digits identify IDWR's administrative basin number; for example, 63.

NAME AND ADDRESS: Your name and address should appear here. IDWR will use the most recent name and address in their records for the water right.

SOURCE: The name and/or type of the source where you divert your water; for example: "groundwater," "unnamed spring," "Common Creek."

QUANTITY: The amount of water recommended in either cubic feet per second (cfs) and/or the volume of water in acre feet per year (AFY).

PRIORITY DATE: The date used to determine the priority of your right in relation to other rights using water from the same source.

POINT OF DIVERSION: The legal location where you divert water from its source; generally described as 1/4 1/4 sections down to a 40-acre tract, or smaller. Other legal descriptions that might be used are: government lots, block, subdivision, parcel numbers, townsite names, mining claim information, homestead entry surveys and other survey information.

PURPOSE OF USE: The general category of the type of use you can make of your water. Typical purposes of use include irrigation, domestic, and stock watering.

PERIOD OF USE: The period of time during the year when you can use the water for your right.

PLACE OF USE: The legal location where you use your water right; generally described as 1/4 1/4 sections down to a 40-acre tract. Other legal descriptions that might be used are: government lots, block, subdivision, parcel numbers, townsite names, mining claim information, homestead entry surveys and other survey information.

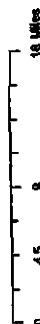
PLACE OF USE FOR IRRIGATION PROJECTS: Pursuant to Idaho Code Sections 42-219(2) and 42-1411(2)(h). IDWR has included GIS mapping for describing the place of use (digital boundary) for water rights meeting certain criteria (i.e. irrigation projects). The **PLACE OF USE** for irrigation projects is reported in digital format and uses GIS technology to particularly identify and display a geographic area encompassing the place of use with the aid of a computer. The GIS data is stored in digital format and contained on a CD-ROM and is properly marked for identification with the water right number. The CD-ROM will be retained by the SRBA Court. IDWR also retains a duplicate of the original CD-ROM. The electronic data contained on the CD-ROM is available for public use and is also accessible through the IDWR Web Site at www.idwr.idaho.gov. *Upon request, IDWR will provide a copy of the CD-ROM with the electronic data to claimants.*

BASIS OF CLAIM: The method that was used to establish your claim. Examples include prior decree, posted notice, beneficial use (historical) method, license, permit.

DUAL BASED CLAIMS: In some cases, the federal government has claimed one right under two theories: a state basis and a federal law basis. Both theories will be reported on one form for that single water right. In most cases, the priority dates are different and will be listed separately. The federal law basis is separately indicated by a remark under the priority date that reads:

*4/17/1926 CLAIMED UNDER FEDERAL RESERVED WATER RIGHT *
THIS WATER RIGHT IS ALSO CLAIMED BASED ON FEDERAL LAW WITH AN APRIL 17, 1926,
DATE OF PRIORITY PURSUANT TO AN EXECUTIVE ORDER SIGNED THE SAME DATE AND
KNOWN AS PUBLIC WATER RESERVE 107.

IDWR does not investigate or make recommendations regarding federal law based claims.

[illegible]

- Streams
Lakes
Cities
Townships

BASIN 63, PART II GENERAL PROVISIONS

The Director of the Idaho Department of Water Resources (IDWR) recommends to the Snake River Basin Adjudication (SRBA) District Court that the following general provisions be included in the decree determining rights to water from Basin 63.

1. The following water rights from the following sources of water in Basin 63 shall be administered separately from all other water rights in Basin 63 in accordance with the prior appropriation doctrine as established by Idaho law:

SEE ATTACHMENT "A"

2. The following water rights from the following sources of water in Basin 63 shall be administered separately from all other water rights in the Snake River Basin in accordance with the prior appropriation doctrine as established by Idaho law:

<u>Water Right No.</u>	<u>Source</u>
------------------------	---------------

NONE

NONE

3. Except as otherwise specified above, all other water rights within Basin 63 will be administered as connected sources of water in the Snake River Basin in accordance with the prior appropriation doctrine as established by Idaho law.

Attachment A for BASIN 63, PART II

WATER SOURCE: Smith Creek and Tributaries

63-95	63-102	63-107	63-3353
63-96B	63-103	63-2598	63-3611
63-97	63-104	63-2916	63-7059
63-100	63-105	63-3334	63-8004
63-101	63-106	63-3335	63-8238

NOTICE OF FILING OF FEDERAL RESERVED WATER RIGHTS CLAIMS IN BASIN 63, PART II

INTRODUCTION

Several claims to federal reserved water rights have been filed in Basin 63, Part II by the United States of America, acting through the agencies identified below, with the Snake River Basin Adjudication (SRBA) District Court, copies of which are attached hereto. The numbers for these federal reserved right claims are as follows:

63-29710	US Air Force
63-29713	Department of Veteran Affairs
63-29714	Department of Veteran Affairs
63-29715	General Services Administration
63-29716	USDI US Geological Survey
63-29762	US Air Force
63-29763	US Air Force
63-29764	US Army Reserve
63-29765	General Services Administration
63-29766	USDI US Geological Survey
63-29768	USDI Fish and Wildlife Service
63-29769	USDI Fish and Wildlife Service
63-29770	USDI Fish and Wildlife Service
63-29771	USDI Fish and Wildlife Service

INSTRUCTIONS FOR TAKING A CLAIM TO COURT

What do I do if I disagree with a federal reserved water right claim?

If you disagree with any element of the claim to the federal reserved water right in Basin 63, Part II and want to be heard in court, file an objection with the SRBA Court. Objections must be made on the standard objection form ("Standard Form 1") available from any IDWR office or from the SRBA Court. You may also download a copy of the objection form from the SRBA Web Site at www.srba.state.id.us.

Your objection to a federal reserved water right in Basin 63, Part II must be **received** by the SRBA Court on or before **April 21, 2006**.

What do I do if I want to participate in the court case on a claim to a federal reserved right?

If you want to be involved in the court case on a claim to a federal reserved right, you must file either an objection or a response to someone else's objection by the dates provided in this notice. Responses must be made on the standard response form ("Standard Form 2") available from any IDWR office or from the SRBA Court. You may also download a copy of the response form from the SRBA Web Site at www.srba.state.id.us.

Your response must be **received** by the SRBA Court on or before **June 23, 2006**.

What happens if there are no objections to the federal reserved water right claim(s)?

An evidentiary hearing on any uncontested federal reserved water rights in Basin 63, Part II will be held. Partial decrees will be issued following this hearing.

How will I know about the proceedings on claims to federal reserved water rights to which objections were filed?

A notice will be mailed to you for court dates on those claims where you filed an objection or a response. You will not receive notice of court dates on any other claims to federal reserved rights for which you did not file an objection or response.

If you have a change in address or ownership of your water rights during the SRBA Court case please contact your regional IDWR office with the change so that the records may be updated.

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Snake River Basin Adjudication

District Court

253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707
(208) 736-3011

Idaho Department of Water Resources

322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098
(208) 287-6700
(800) 451-4129

Idaho Department of Water Resources

Western Region

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Boise, ID 83705-5082
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Northern Region

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(208) 765-1450

Idaho Department of Water Resources
Southern Region

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Twin Falls, ID 83301-3380
(208) 736-3033

Ada County Courthouse

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Boise, ID 83720

Camas County Courthouse

501 Soldier Road
PO Box 430
Fairfield, ID 83327

Canyon County Courthouse

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Caldwell, ID 83605

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Eastern Region

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Boise County Courthouse

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Idaho City, ID 83631

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PLACE OF USE: The legal location where you use your water right; generally described as 1/4 1/4 sections down to a 40-acre tract. Other legal descriptions that might be used are: government lots, block, subdivision, parcel numbers, townsite names, mining claim information, homestead entry surveys and other survey information.

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BASIS OF CLAIM: The method that was used to establish your claim. Examples include prior decree, posted notice, beneficial use (historical) method, license, permit.

IDWR does not investigate or make recommendations regarding federal law based claims.

IMPORTANT MESSAGE

FOR

Kimberly

DATE

12-23-05

TIME

9:02A.M.
P.M.**WHILE YOU WERE OUT**

M

Arlene Ward

OF

PHONE NO.

855-4783

TELEPHONED

PLEASE CALL



CAME TO SEE YOU

WILL CALL AGAIN

WANTS TO SEE YOU

RUSH

RETURNED YOUR CALL

MESSAGE

Re: Directors Report63-8252, it's hermothers property - shedoesn't understandanything...

SIGNED

lg

OfficeMax

OM97295

IMPORTANT MESSAGE

FOR

Kimberly

DATE

12-29-05

TIME

8:26

A.M.
P.M.

WHILE YOU WERE OUT

M

Arlene Ward

OF

PHONE NO.

TELEPHONED

X

PLEASE CALL

CAME TO SEE YOU

WILL CALL AGAIN

WANTS TO SEE YOU

RUSH

RETURNED YOUR CALL

MESSAGE

will call again

SIGNED

LG

OfficeMax

OM97295

CONVERSATION MEMORANDUM

**RE: Snake River Basin Adjudication Water Right No. A63-8252
Preliminary Meeting at Lewis & Clark Middle School Cafeteria**

June 16, 2005

Mrs. Lareta Ward and her son, John M. Ward, attended the Preliminary Meeting for Basin 63 Part 2. Both were questioning why the Remark "The maximum rate of diversion shall not exceed 0.10 cfs for irrigation purposes when combined with Permit No. 63-7623." was removed from the recommendation. I explained that in my review of both their claim, #63-8252, and the Willowbrook Property Owner's Association's claim, #63-7623, I found that Lot 2 (their property) was not covered by the "community well" associated with licensed right 63-7623 and that this remark did not apply to their water use. (The Wards drilled their own well in the 1970s and use it instead of the subdivision's well for domestic purposes and to irrigate their 5 acres.) Therefore, I did not include this remark in my recommendation because it does not apply. Mrs. Ward agreed that they did not use the subdivision's "community" well, but did not want "to give it up" just in case something happened to their individual well in the future. I explained that should something happen to their well, they could drill a new well and they would still retain their original priority date and the other elements of their water right. I also spoke with my supervisor, Jan Shurte, to reassure them that taking the remark off their recommendation was correct and my supervisor agreed with my decision. After conveying all this to the Wards, they agreed with the recommendation.

Kimberly Brown
Senior Water Resource Agent
Western Region

RECEIVED

JUN 16 2005

WATER RESOURCES
WESTERN REGION

Snake River Basin Adjudication
Change in Address of Notice of Claim

Water Right Number(s): 63-8252

Previous Mailing Address: John M. Ward
3421 Pepperwood
Boise, ID 83704

New Mailing Address: John M. Ward (Lazeta & Elmer's son)
10150 Chaparral Rd.
Eagle, ID 83616

Telephone Number: (208) 286-7623

Signature of all Claimant(s): Lazeta E. Ward
Please print your name below your signature.

Please mail or FAX this completed form to the office nearest you:

Adjudication Bureau
Idaho Dept. of Water Resources
1910 Northwest Blvd., Ste. 210
Coeur d'Alene, ID 83814-2615
Ph. 208/769-1450 or
FAX 208/769-1454

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380
Ph. 208/525-7161 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653
Ph. 208/736-3033 or
FAX 208/525-7177

Adjudication Bureau
Idaho Dept. Of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, Id 83720-0098
Ph 208/287-4800
FAX 208/287-6701

10/19/2004

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

RIGHT NUMBER: 63-8252
NAME AND ADDRESS: LANETA WARD
10150 CHAPARRAL RD
EAGLE ID 83616

JOHN M WARD
3421 PEPPERWOOD
BOISE ID 83704

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.140 CFS
23.700 AFY
PRIORITY DATE: 01/12/1976
POINT OF DIVERSION:

T05N R01W S17 SWNE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY
IRRIGATION	04/01 11/01	0.100 CFS 22.50 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 NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

PLACE OF USE: IRRIGATION Within ADA County
T05N R01W S17 SWNE 5.0
DOMESTIC same as IRRIGATION

5 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: License

PARCEL NO: R3432320100.

PROPERTY IS ALSO KNOWN AS LOT 2, D.L. HANLEY TRACTS.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8252

WATER RIGHT NUMBER: 63-8252 ✓

Owner TypeName and Address ✓

Original Owner

ELMER K WARD
PEARL RT CHAPARRAL RD
EAGLE, ID 83616

(deceased)

Current Owner

LANETA WARD
10150 CHAPARRAL RD ✓
EAGLE, ID 83616
(208)286-7623

Current Owner

JOHN M WARD
10150 CHAPARRAL RD
EAGLE, ID 83616
(208)286-7623← (son of
Laneta & Elmer)Property Address:N. Spangler Rd.
Eagle

Priority Date: 01/12/1976 ✓

Basis: License ✓

Status: Active ✓

SourceTributary

GROUND WATER ✓

Beneficial UseFrom ToDiversion RateAnnual Volume

DOMESTIC ✓

1/01 to 12/31 ✓

0.040 CFS ✓

1.2 AF

IRRIGATION ✓

4/01 to 11/01 ✓

0.100 CFS ✓

22.5 AF

Total Diversion:

0.140 CFS

23.7 AFA

Location of Point(s) of Diversion

GROUND WATER

SW1/4NE1/4 ✓

Sec. 17, Twp 05N, 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
05N	01W	17	✓		5.0														5.0

Total Acres: 5 ✓

DOMESTIC same as IRRIGATION

ADD S04 - Season of use is 3/1 to 11/15.

Conditions of Approval:Remarks:

ADD W135 - Domestic use is for 1 (mobile) home.

ADD J01 - Place of use is also known as Lot 2, D.L.
Hanley Tracts.

Parcel No: R3432320100.

* electronic back file available

Field Exam Date 10.6.04

(in office)

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 \$ 55.00 (\$ 50.00 flat fee + \$ 5.00 for 5 acres of irrigation)
- ☐ 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 complete

Claim No(s) A63-8252

Owner: Laneta & John Ward Phone No. 286-7623 / 375-0523

Current Address: 10150 Chaparral Rd. - Eagle / 3421 Pepperwood - Boise

Property Address: ☒ No change NAME IS THE SAME (Laneta Ward)
☐ NEW OWNER
N. Spangler Pl. ☒ No change Address (10150 Chaparral Rd, Eagle)
Eagle ☐ NEW ADDRESS
☐ How long owned property?

Accompanied by: N/A

PRIORITY DATE

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

Priority date, per claimant, is:

1/12/1976

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

Source:

Ground Water

Tributary to

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

POINT OF DIVERSION

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

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

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

Description of diverting works

See Field Report.**OVERLAP REVIEW**Other water rights with the same point of diversion: 63-8190

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

No, 63-8190 has a separate well for lot 5, D.L. Hanley Tracts.**WATER USES**Season of use is 3/1 to 11/15.☐ No change☐ Different Uses

Use Domestic From _____ To _____ Amount _____ CFS 1.2 AFA

Use Irrigation From 3/1 To 11/15 Amount _____ CFS 22.5 AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME - Groundwater only

- ☒ Incomplete on claim, the total is, Amount _____ CFS 23.7 AFA
- ☐ Changes found, the new total is, Amount _____ CFS _____ AFA
- ☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

- ☒ No change
- ☐ Changes Exam found: Domestic # of homes _____ Stock # _____
- Types _____ Additional comments: _____

PLACE OF USE:

- ☒ No Change
- ☐ Changes shown below:

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

Overlap with other water rights: 63-3269, 63-7623, 63-8190

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

No, 63-3269 does not cover domestic use for lot 2 of D.L. Hanley Tracts, 63-7623 does not cover irrigation of lot 2, and 63-8190 covers lot 5 only.

Delivery System Narrative:

Refer to Field Report.

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

FLOW MEASUREMENTS:

N/A

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

(OVER)

Domestic use is for 1 home and does not include irrigation of lawn/garden.

Season of use is 3/1 to 11/15.

Place of use is also known as Lot 2, D.L. Hawley Tracts.

Parcel No: R 34 323 20100.

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: 10.12.04 (in office)

FIELD EXAMINER: Kimberly Brown

overlap review -

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-8252**

10/19/2004

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
7623	Claim	05N	01W	17	SW	NE		IRRIGATION	26/121	WILLOWBROOK PROPERTY OWNERS ASSN INC
8190	Claim	05N	01W	17	SW	NE		IRRIGATION	4/4	STEVE E FRANKS
8252	Claim	05N	01W	17	SW	NE		IRRIGATION	5/5	LANETA WARD
7623	Water Right	05N	01W	17	SW	NE		IRRIGATION	26/121	WILLOWBROOK PROPERTY OWNERS ASSN INC
8190	Water Right	05N	01W	17	SW	NE		IRRIGATION	4/4	DORIS TARTER
8252	Water Right	05N	01W	17	SW	NE		IRRIGATION	5/5	LANETA WARD
8190	Claim	05N	01W	17	SW	NE		STOCKWATER		STEVE E FRANKS
3269	Claim	05N	01W	17	SW	NE		DOMESTIC		WILLOWBROOK PROPERTY OWNERS ASSN
8190	Claim	05N	01W	17	SW	NE		DOMESTIC		STEVE E FRANKS
3269	Water Right	05N	01W	17	SW	NE		DOMESTIC		WILLOWBROOK PROPERTY OWNERS ASSN

No overlap -

- W.R. # 63-8190 covers lot 5, D.L. Hawley Tracts.

- W.R. # 63-7623, which irrigates 121 acres of D.L. Hawley Tracts, does not cover lot 2.

- W.R. # 63-3269, which covers the domestic use of 32 homes in D.L. Hawley Tracts, does not include lot 2.

overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-8252

10/19/2004

1

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-8252	Claim	05N	01W	17	SW	NE		GROUND WATER	LANETA WARD
63-8190	Claim	05N	01W	17	SW	NE		GROUND WATER 1975	STEVE E FRANKS
63-8190	Water Right	05N	01W	17	SW	NE		GROUND WATER 1975	DORIS TARTER
63-8252	Water Right	05N	01W	17	SW	NE		GROUND WATER	LENETA WARD

No overlap - this is a
separate well for lot 5 of
D.L. Hanley Tracts.

**Land Records**
[\[Previous Search\]](#) [\[New Search\]](#) [\[Print View\]](#)
Property Details for Parcel R3432320100

- Main Page
- Property Search
- Online Map
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- Image Documents
- Old interactive map

General Information

Property Acres: 4.850
Zone Code: RR
Primary Code Area: 69 Tax Districts
Group Type: SUB
Subdivision: HANLEY D L TRACTS
Section: 5N1W17



✓ **Property Description**
 LOT 2
 HANLEY D L TRACTS
 #9301369

2002 Ada Tax Lot -

Laneda Ward

✓ **Property Address**
 N SPANGLER PL
 EAGLE, ID 00000

Mail Address: 101 50 Chaparral

[Click to View Interactive Map](#)

Assessor Links

- Assessor Main Page
- Administration
- Information
- Appraisal
- Exemptions and Reductions
- Motor Vehicles
- Levy Rates

Parcel Valuation Details

Assessment Roll	State Category Code	Acreage	Assessed Value	Valuation Method
Primary	150-RES SUB LOT	4.850	\$82,500	MARKET

Total Assessed Value: \$82,500

Parcel Valuation History

Assessed value for year 2004 \$82,500
 Assessed value for year 2003 \$75,000
 Assessed value for year 2002 \$45,600
 Assessed value for year 2001 \$38,000
 Assessed value for year 2000 \$38,000

Ada County Links

- Ada County Home Page
- Commissioners
- Treasurer
- Clerk/Auditor/Recorder
- Development Services
- Human Resources

Property Characteristics

Land

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Land Records

Characteristics Detail

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Land

Land Characteristics 1 for Parcel "R3432320100"

Residential Acres:	4.850
Commercial Acres:	0.000
Other Acres:	0.000
MLS Area:	950 - Star
Street:	None
Utility:	Not Available
Water Source:	Not Available
Sewer:	Not Available
Sidewalks:	N
Curb-Gutters:	N
Topography:	Not Available
View:	Not Available
Water Influence:	None
Water Frontage Feet:	0
Corner:	N

Assessor Links

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- [Administration](#)
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- [Exemptions and Reductions](#)
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ReceiptID	Amount	BasinNumber	SequenceNum	SplitSuffix	Type
W002953	55.00	63	8252		Claim

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-8252 Priority January 12, 1976 Amount .14 cfs

THIS IS TO CERTIFY, that ELMER K. &/or LANETA WARD
of Eagle, Idaho, has complied with the terms and conditions of Permit
No. 63-8252 issued pursuant to Application for Permit dated January 12, 1976,
and has submitted proof to the Department of Water Resources on April 21, 1977
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 .14 cfs of water from a groundwater 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>November 1</u>	at <u>.10</u> cfs and	<u>22.5</u> acre feet
<u>Domestic</u>	from <u>January 1</u> to <u>December 31</u>	at <u>.04</u> cfs and	<u>1.2</u> acre feet
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than .14 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
23.7 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, Twp. 5N,
Rge. 1W, B.M. in the County of Ada

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5N	1W	17			5														5

Total number of acres irrigated 5

The maximum rate of diversion shall not exceed 0.10 cfs for irrigation
purposes when combined with Permit No. 63-7623.

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 14th day of
October, 19 77


Director

State of Idaho
Department of Water Resources

ROUGH DRAFT

WATER RIGHT LICENSE

License of Water Right No. 63-8252 Priority _____ Amount .14 cfs

THIS IS TO CERTIFY, that Elmer K and/or Loretta Ward
of Pearl Mt. Chaparral Rd Eagle Id., has complied with the terms and conditions of Permit
No. 63-8252 issued pursuant to Application for Permit dated _____,
and has submitted proof to the Department of Water Resources on _____,
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 .14 cfs of water from Groundwater,
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>Domestic</u> from <u>1/1</u> to <u>12/31</u> at <u>.04</u> cfs and <u>1.2</u>			
<u>Irrigation</u> from <u>4/1</u> to <u>11/1</u> at <u>.10</u> cfs and <u>22.5</u>			
_____ from _____ to _____ at _____ cfs and _____			

(both dates inclusive)

Subject, however, to the condition that no more than .14 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
23.7 acre feet per year, said waters to be diverted within the SW 1/4 NE 1/4 Sec 17
T 5N R 1W 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	
<u>5N</u>	<u>1W</u>	<u>17</u>			<u>X</u> <u>5</u>														<u>5</u>

Total number of acres irrigated 5

ROUGH DRAFT

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 _____ day of

_____, 19 ____.

Director

1. Name of permit holder Elmer K. &/or Laneta Ward
Post office address Pearl Rt., Chaparral Rd., Eagle, ID Phone 286-7623
Person to contact _____ Phone _____

3. Water will be used for the following purposes:

Other uses:

4. Total amount to be appropriated:

Max Rate of Diversion 0.14 cubic feet per second and annual volume _____ AF/Annum.

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

Other Points of Diversions:

Description of diverting works: 218', 8" casing, 5 hp pump, 5 hp motor

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

1

T
5
N

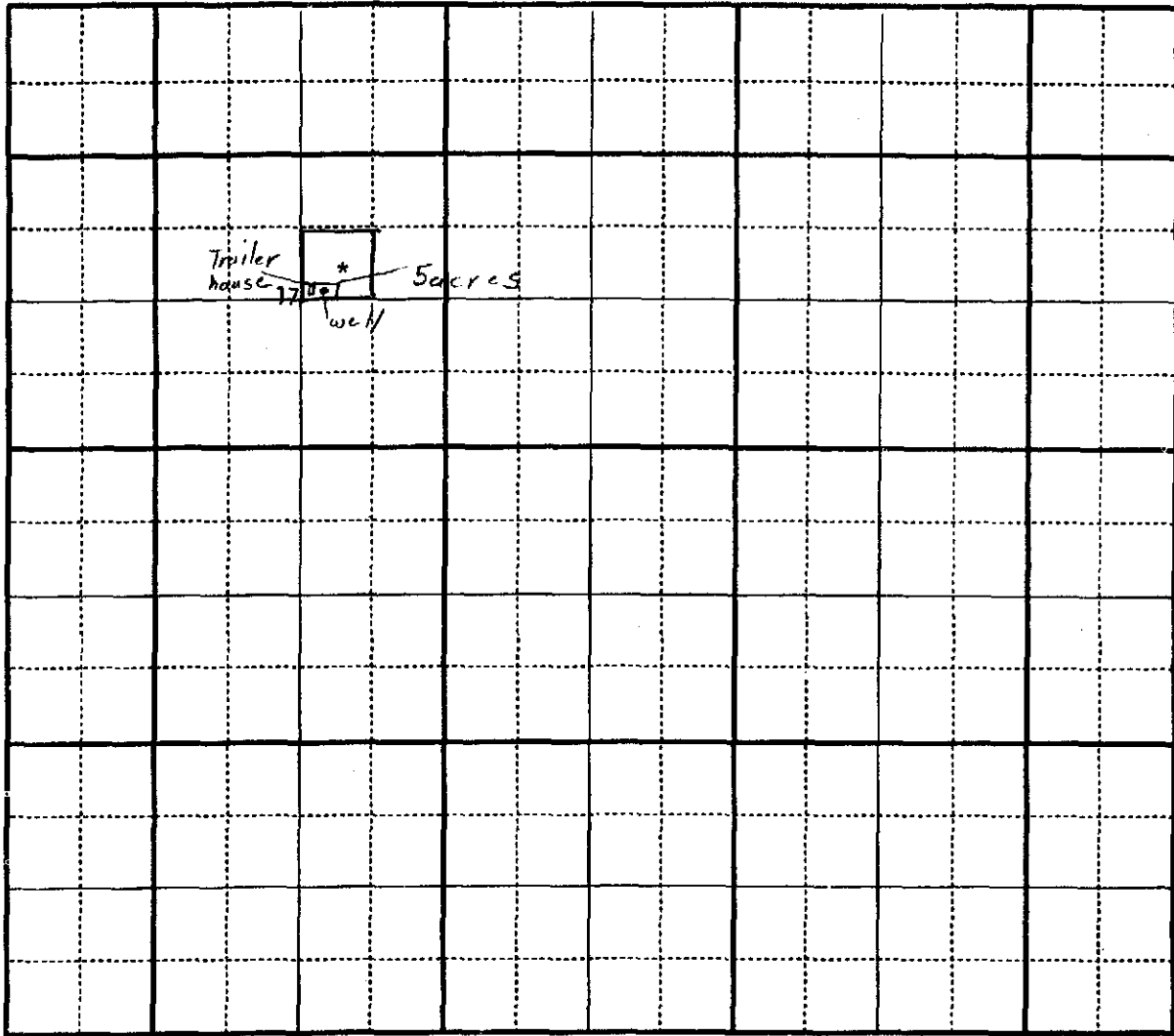


Diagram of System

DATE OF EXAM 5/27-77

ACREAGE

Found 5
Recommended 5

Irrigation Requirement 1.5 Ac Ft/Ac

USE

Irrigation Q = 10 c.f.s. V = 22.5 AF/Ann. from 4/1 to 11/1
Domestic Q = .04 c.f.s. V = 1.2 AF/Ann. from 1/1 to 12/31
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 10 Irr. .04 Domestic Method of measurement sprinkler

Total Q recommended 1.4 Meter No. Type Condition

Total V recommended 23.7

Recommended Amendments:

P.D.
Place of Use
Other
None None

MEASUREMENT, CALCULATION:

12 model 30 SW Rainbirds with 1/8 th inch nozzles
at 65 psi = 10 cfs with .04 for domestic use

SYSTEM DESCRIPTION:

8 well 218 ft deep 5 HP sub pump in a gravel pit
with 1/2 inch pipe. Well seems to be a good one
no problems

REMARKS:

Domestic water for one household with
a couple of horses and 3-4 head of beef cattle

Examiner's Signature G. J. Sisco Date 5/27/77

Checked by Date 6-6-77

Approved by Date

Identification No. _____

Application No. 63 825.2

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

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

APPROVED

1. Name of applicant Elmer K. &/or Laneta Ward Phone: 286-7623
post office address Pearl Rt., Chaparral Rd., Eagle, ID
2. Source of water supply groundwater which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 17 Township 5 N
Range 1 W 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 0.04 for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.10 for Irrigation purpose from April 1 to Nov. 1 (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: **ALLOW: 0.14 cfs**
a. 0.14 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, pipeline and sprinklers

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 6 inches; proposed depth of well is 300 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 5,000.00
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 17 Township 5 N
Range 1 W 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 1.
(5) If water is to be used for other purposes describe: _____

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	
5 N	1 W	17			5														5

Total number of acres to be irrigated 5

c. Describe any other water rights used for the same purposes as described above.

Permit # 63-7623

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

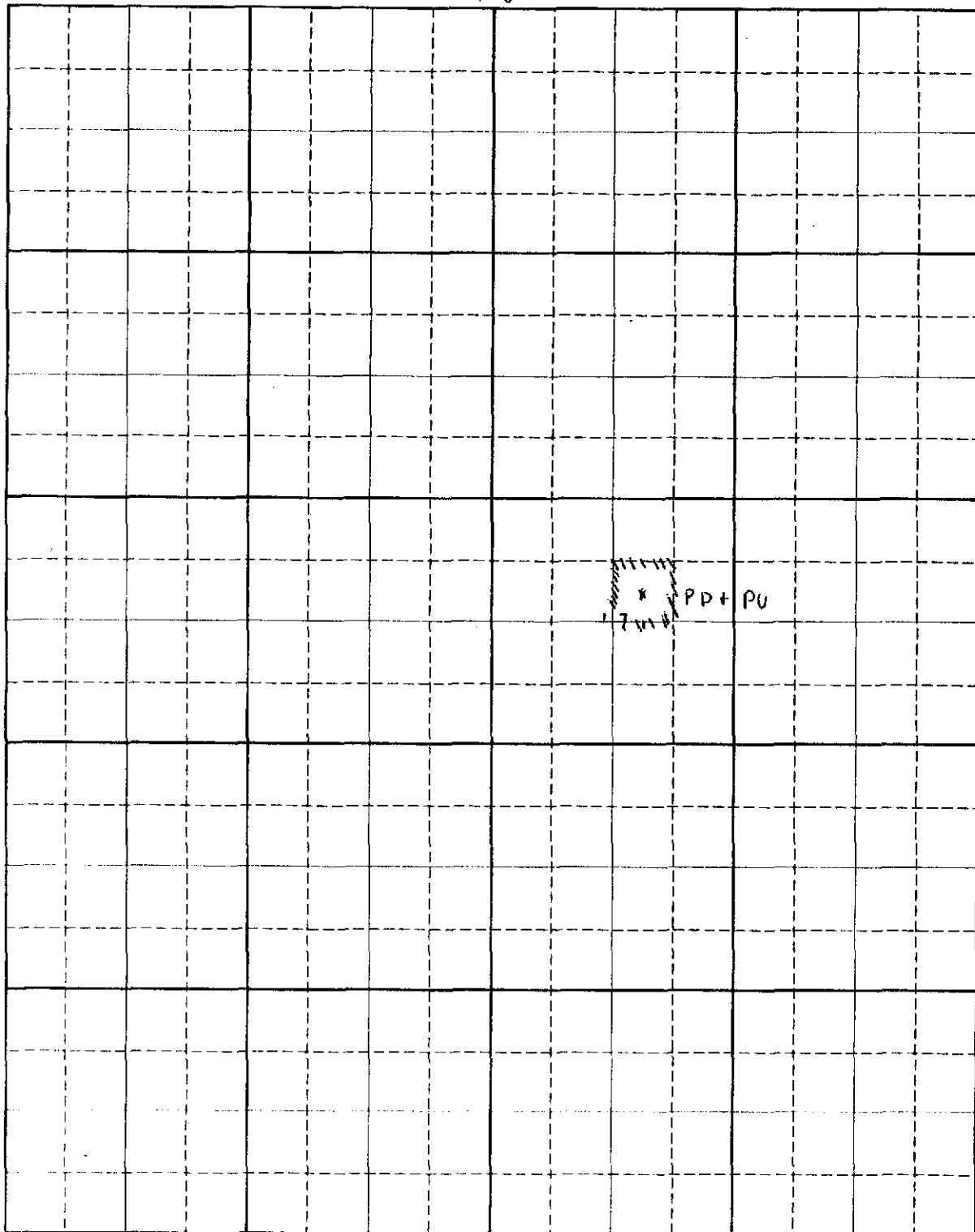
b. Who owns the land to be irrigated or place of use Applicant

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

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

1W



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.

Charles Ward
(Applicant)
Lanette Ward

Proposed priority: 1/12/1976

Received by CLS Date 1-12-76 Time 11:30 AM

Preliminary check by PWS Fee \$ 10.00

Received by CLS Date 1-12-76 # 3622

Publication prepared by CLS Date 1-15-76

Published in Idaho Statesman

Publication dates Jan. 22 & 29

Publication approved CLS Date 2-2-76

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by JH DEB BDF

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. 63-8252, 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 February 1, 19 81.

c. Other: The maximum rate of diversion shall not exceed 0.10 cfs for irrigation purposes when combined with Permit No. 63-7623.

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

Witness my hand this 20 day of February, 19 76.


Director