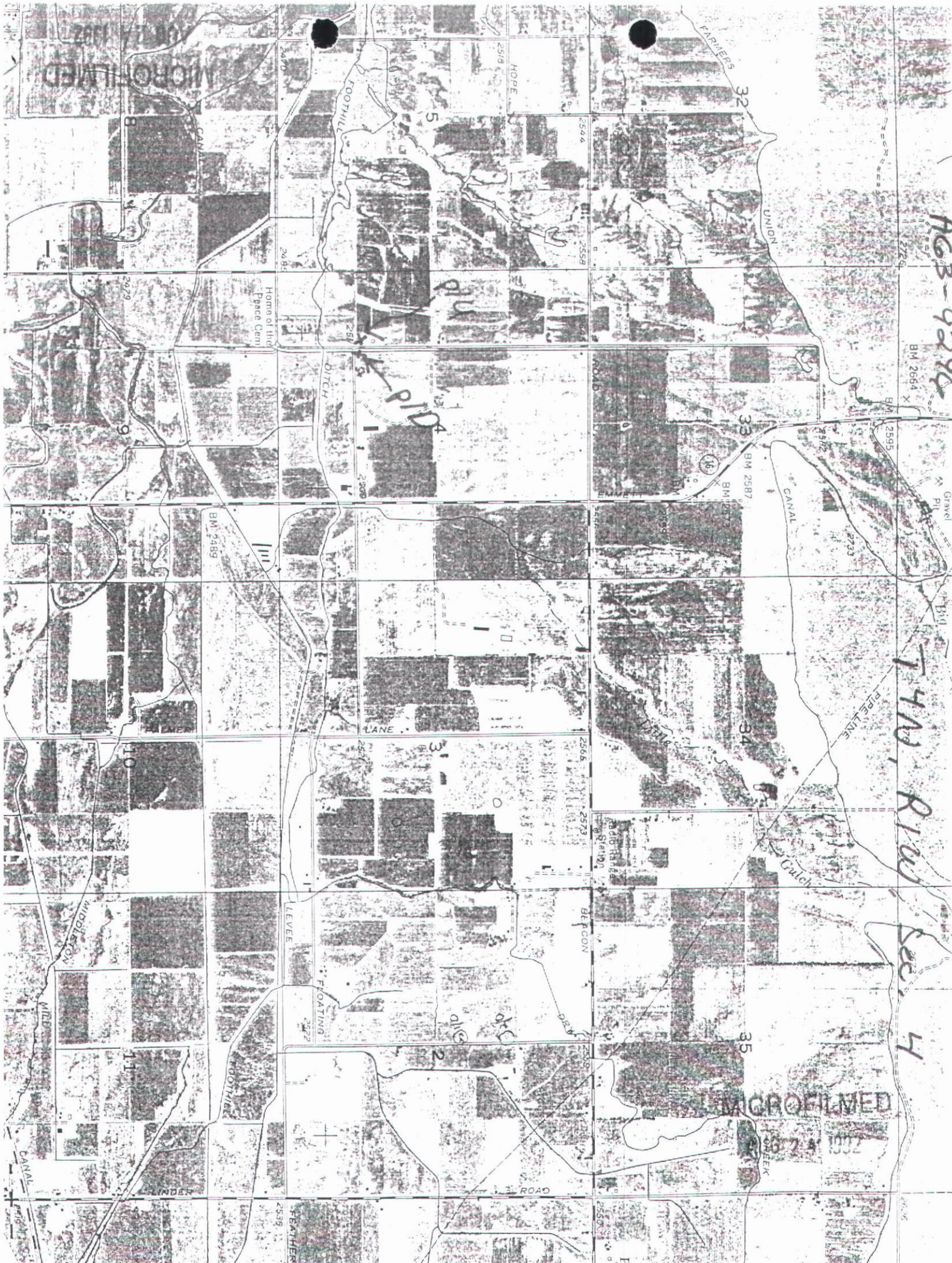




HC3-4274

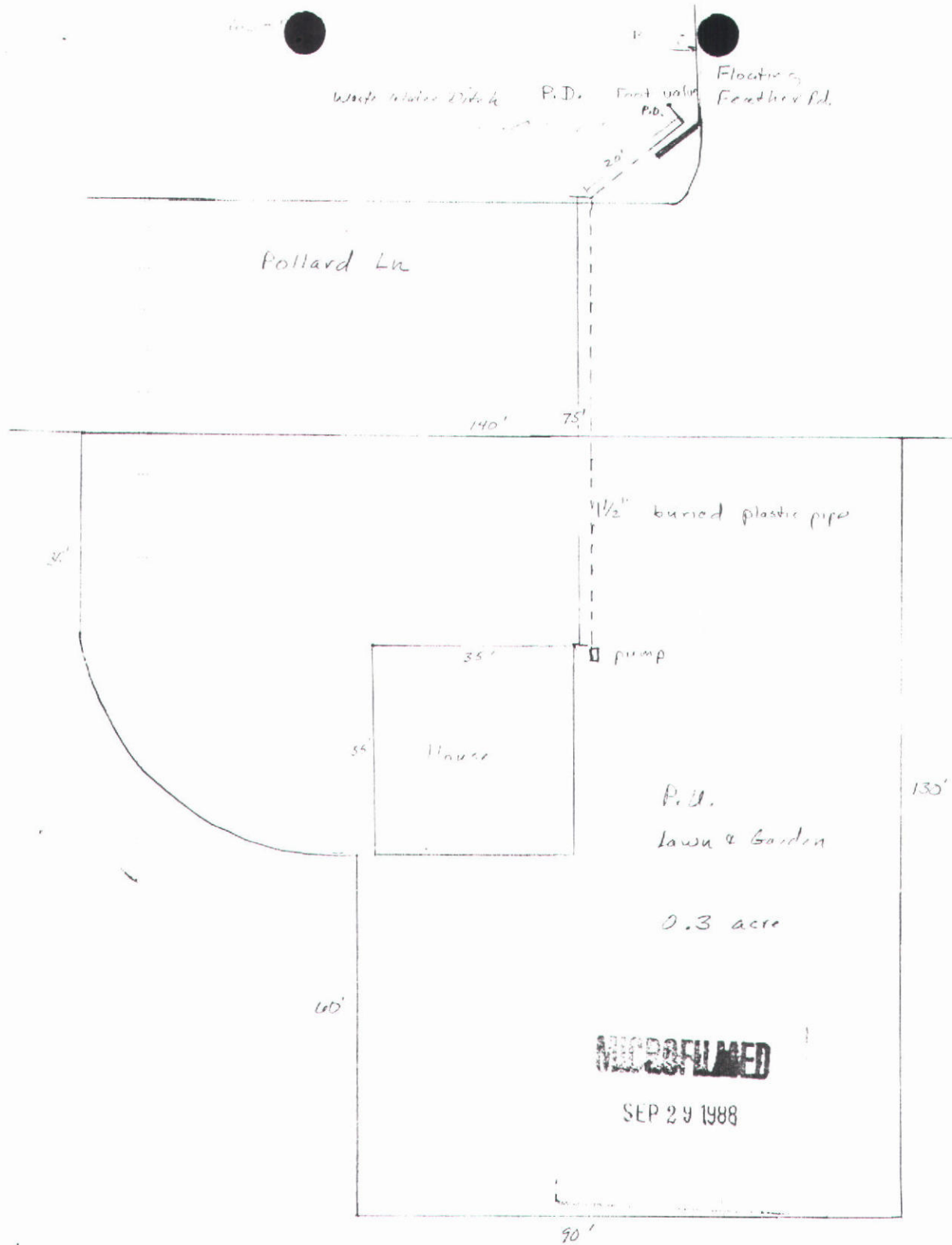
T40 R10 Sec 4

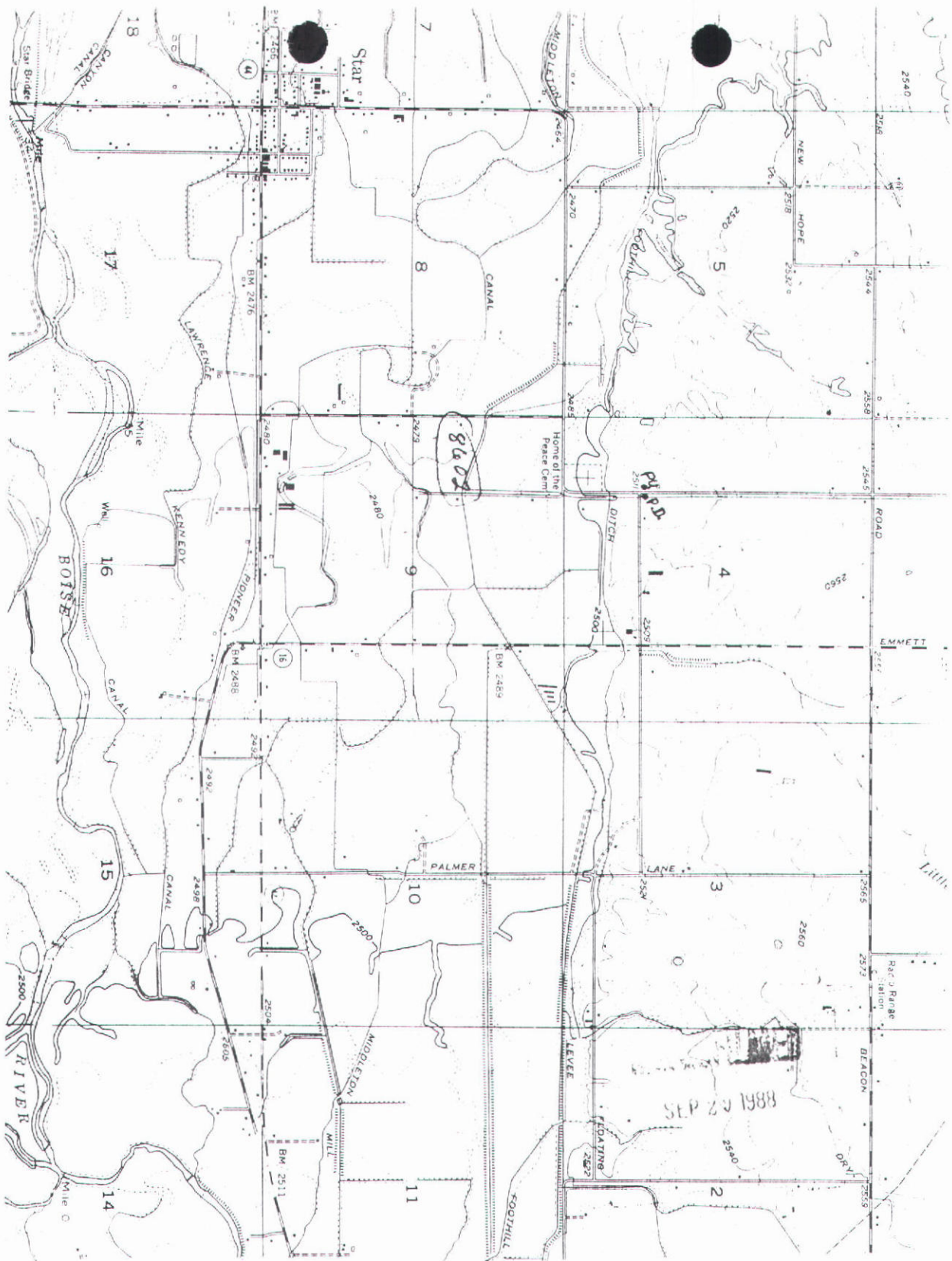
MICROFILMED

AUG 24 1997

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AUG 24 1997



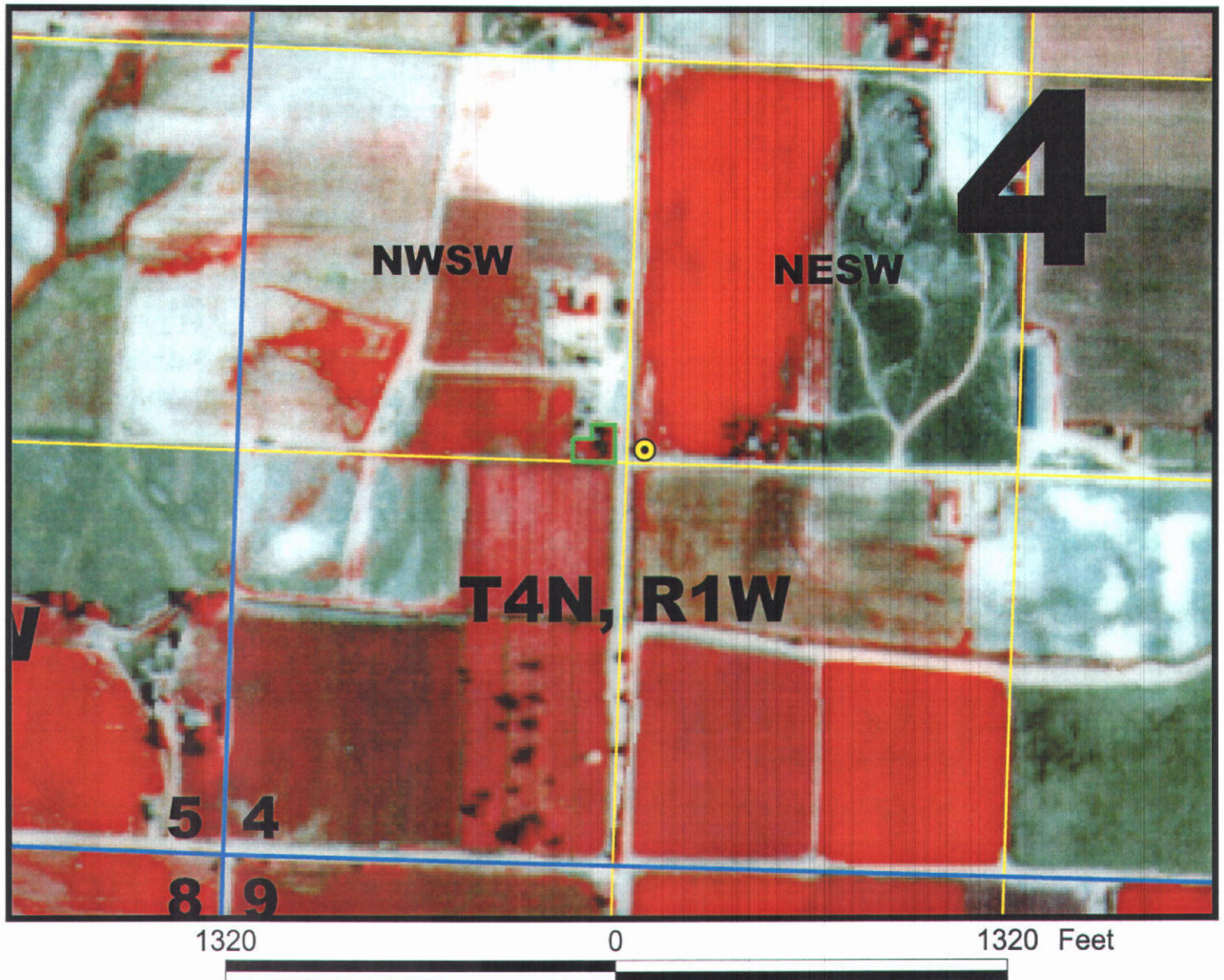




STATE OF IDAHO

Department of Water Resources
Western Region

Water Right(s): 63-09296



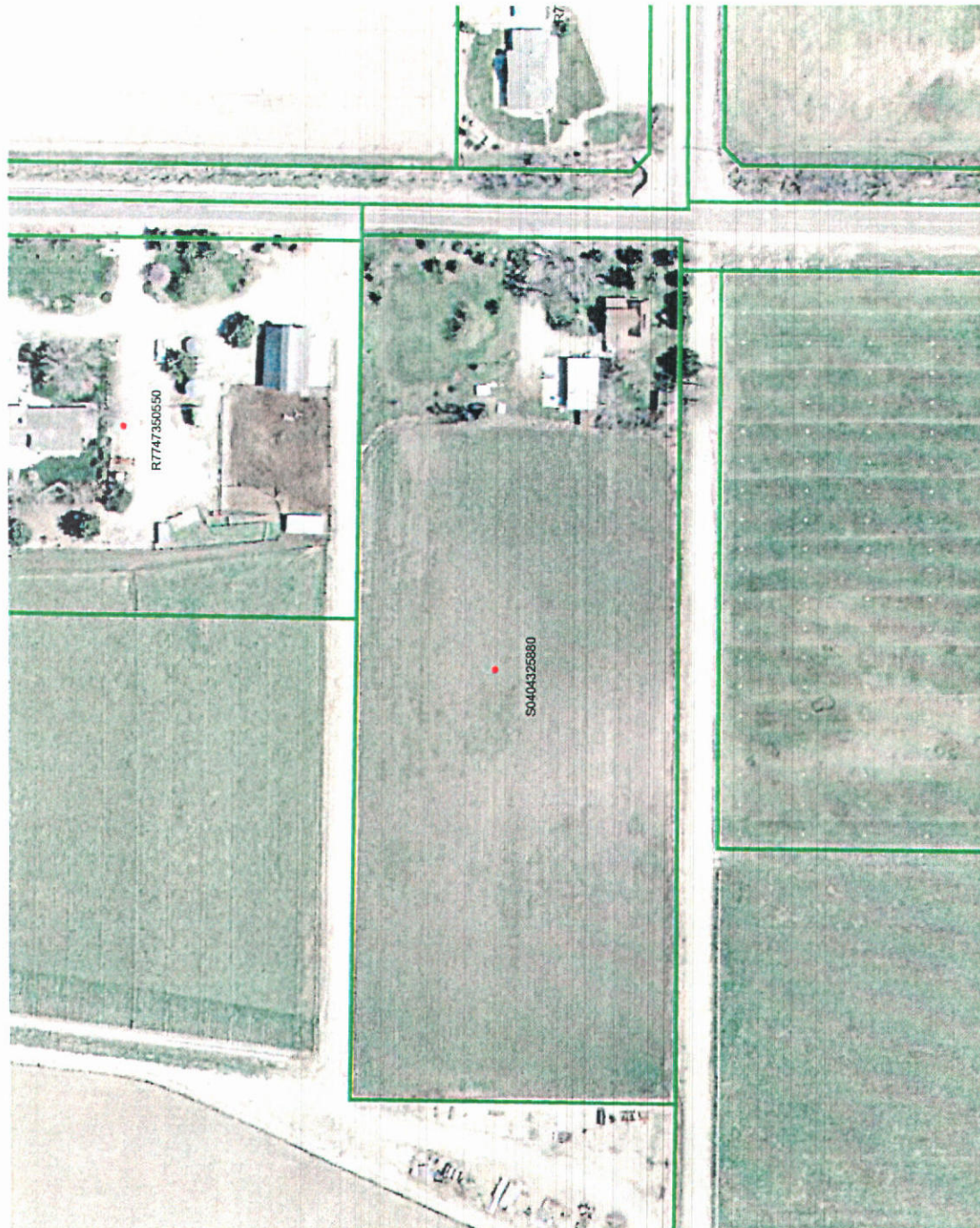
Total Irrigated Acres: 0.3

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

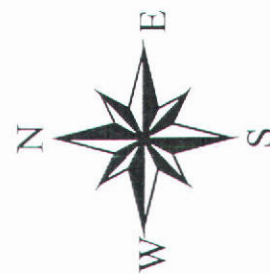


GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: July 2004

Public View



Points
Text Par
Parcels



0.12 Miles

0.06

0

0.06



Idaho Department of Water Resources

1987 Napp Photo

Claim Number: 63-09296

Legal: T4N, R1W, S4

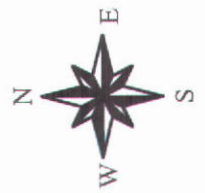
Reviewed By:

● Point of Diversion

Place of Use

Section Lines

Quarter Quarter Lines



Idaho Department of Water Resources

Claim Number: 63-09296
Legal: T4N, R1W, S4
Reviewed By:

● Point of Diversion



Place of Use

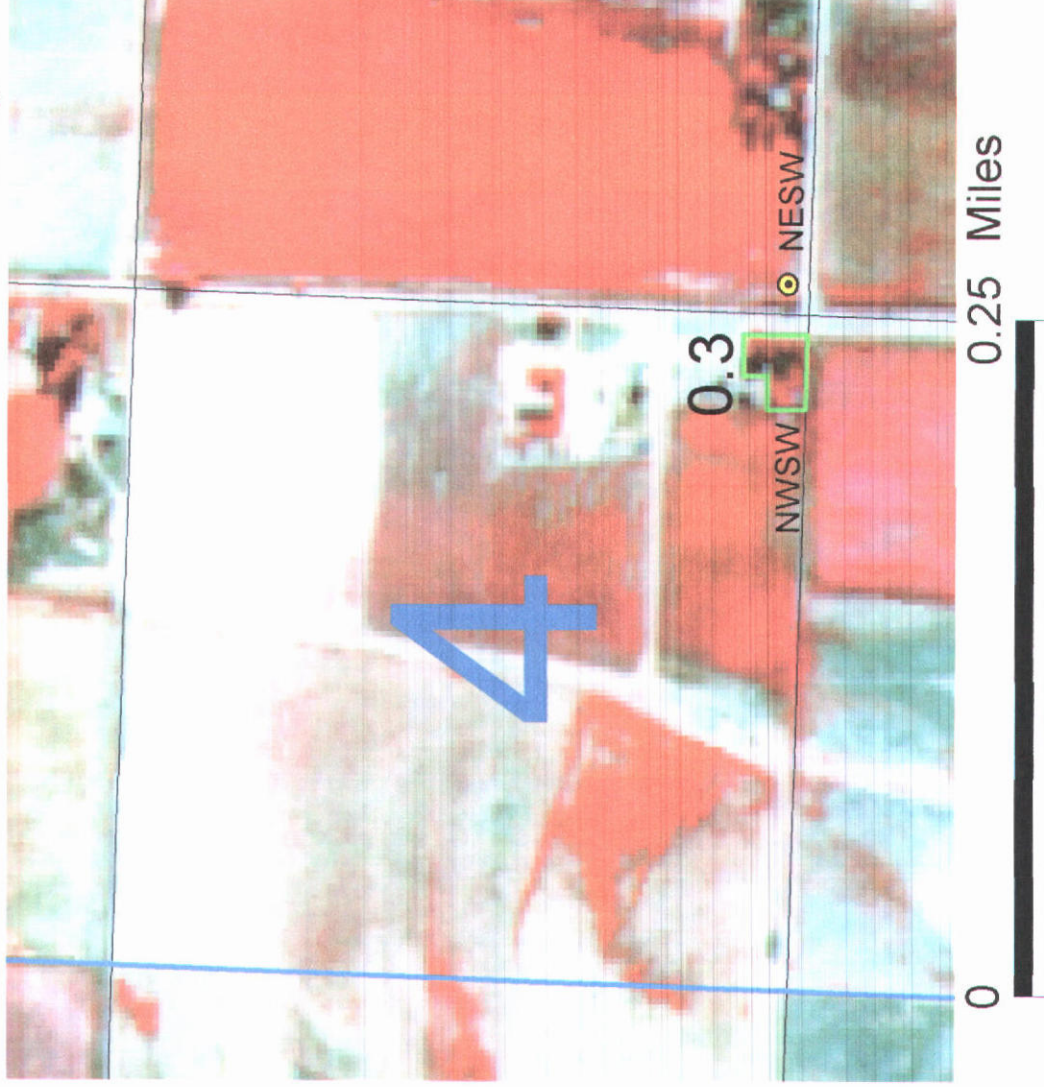


Section Lines



Quarter Quarter Lines

1987 Napp Photo



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

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

CIVIL CASE NUMBER: 39576

Ident. Number 63-9296
Date Received: 5/30/1989
Receipt No: W003030
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CRYSTAL HOLLUMBAUGH Phone:

1995 N POLLARD LN
STAR ID USA 83669

CLAIR HOLLUMBAUGH Phone: (208)286-9033

1995 N POLLARD LN
STAR ID USA 83669

2. Date of Priority: 10/04/1979

3. Source: WASTE WATER Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01W	4	NE SW	ADA	

5. Description of diverting works:

FOOT VALVE, PIPELINE, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.01	1.4

7. Total Quantity Appropriated is:
0.01 C.F.S. and/or 1.4 A.F.A.

8. Total consumptive use:

SCALE

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of	1/4 Lot	Use	Acres
04N	01W	4	NW	SW	IRRIGATION	0.3
Section Acres						0.3
Total Acres						0.3

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

CHANGE OF OWNERSHIP 2/10/05 LG

Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

LESS THAN 1/2 ACRE LAWN IRRIGATION.
| ADDRESS CHANGE BY CLAIMANT LETTER.

15. Basis of Claim: License

12522

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: **A63-09296**
Date Received: 5/30/1989
Receipt No: W003030
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name:	VICKY LEWIS	208-286-7884
Address:	1995 POLLARD LN	
	STAR ID	83669
OR		
Name:	ROBERT LEWIS	208-286-7884
Address:	1995 POLLARD LN	
	STAR ID	83669

2. Date of Priority: OCT 4, 1979

3. Source: WASTEWATER Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01W	4		NE	SW		ADA

5. Description of diverting works:
FOOT VALVE, PIPELINE, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.010		1.40

7. Total Quantity Appropriated is:
0.010 C.F.S. (and/or) 1.40 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01W	4	NW	SW		IRR	0.3

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	0.3
					Total Acres	0.3

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
WELL-IN HOUSE USE

14. Remarks:
LESS THAN 1/2 ACRE LAWN IRRIGATION.
|
ADDRESS CHANGE BY CLAIMANT LETTER.

15. Basis of Claim: LICENSE



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

PHILIP E. BATT
GOVERNOR

December 10, 1998 KARL J. DREHER
DIRECTOR

ROBERT AND VICKY LEWIS
1995 POLLARD LN
STAR ID 83669

Re: Snake River Basin Adjudication (SRBA)
Water Right #63-15505 & A63-09296
Change of Address

Dear Claimants:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your water right(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by December 21, 1998. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

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

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

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

Robert M. Lewis
Claimant Signature

286-7884
Telephone No.

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: A63-09296
Date Received: 5/30/1989
Receipt No: W003030
Received By: LSW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT LEWIS 208-286-7884
Address: RT. 1 BOX 33A
STAR, ID 83669
OR
Name: VICKY LEWIS 208-286-7884
Address: RT. 1 BOX 33A
STAR, ID 83669

2. Date of Priority: OCT 04, 1979

3. Source: WASTEWATER Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01W	4	NE	SW			ADA

5. Description of diverting works:
FOOT VALVE, PIPELINE, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.010		1.40

7. Total Quantity Appropriated is:
0.010 C.F.S. (and/or) 1.40 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01W	4	NW SW		IRR	0.3
Section Acres						0.3
Total Acres						0.3

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
WELL-IN HOUSE USE

14. Remarks:
LESS THAN 1/2 ACRE LAWN IRRIGATION.

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: 1

For Individuals:

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

Signature of Claimant(s): X *Wick Lewis* Date: X 5/30/89
Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 30 day
of May 19 89 *Linda Werner*
Notary Public
Seal

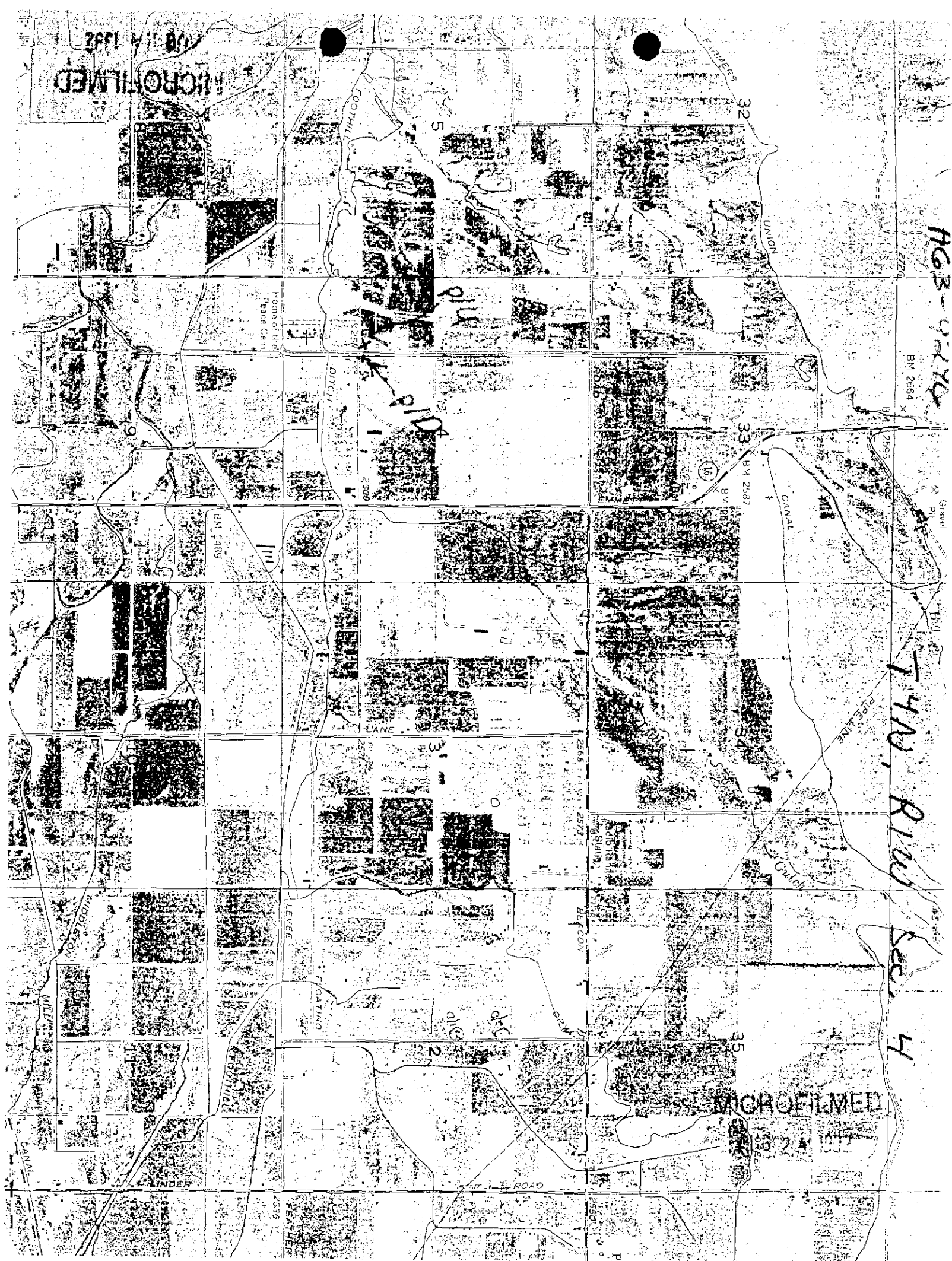
Linda A. Werner
Residing at Residing at Boise, Idaho
My Commission Expires December 8, 1991

BM 2664

5

MICROFILMED

RECEIVED
JUL 11 1961



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-09296

Priority: October 4, 1979 Amount: 0.01 CFS 1.4 AFA

This is to certify, that ROBERT LEWIS

RT. 1 BOX 33A

STAR, ID 83669

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated October 4, 1979, and has submitted proof to the Department of Water Resources on October 14, 1982, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .060 cfs of water from:

WASTEWATER

tributary to BOISE RIVER

source and that a water right has been established as follow:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	03/15 to 11/15	0.01 CFS	1.4 AFA

LOCATION OF POINT OF DIVERSION(S): NESW, Sec. 4, Township 04N, Range 01W
ADA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N	01W	4	NWSW	0.3		0.3

Total number of acres irrigated: 0.3

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Use of water under this water right is subject to control by the watermaster of State Water District No. 63

MAC-205-11111

SEP 23 1988

WATER RIGHT LICENSE

WATER RIGHT NO. 63-09296

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 10th
day of August, 1988.

Director

SEP 29 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Robert Lewis Phone 286-7884

Post office address Route 1, Box 33A, Star, ID 83669

2. Source of water supply Wastewater which is a tributary of Boise River

3. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 4 Township 4N

Range 1W B.M. Ada County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .02 cfs for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .02 cfs 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 pipeline

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 3 years (minimum 1 year — maximum 5 years).

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: _____ horsepower 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: _____

[illegible]

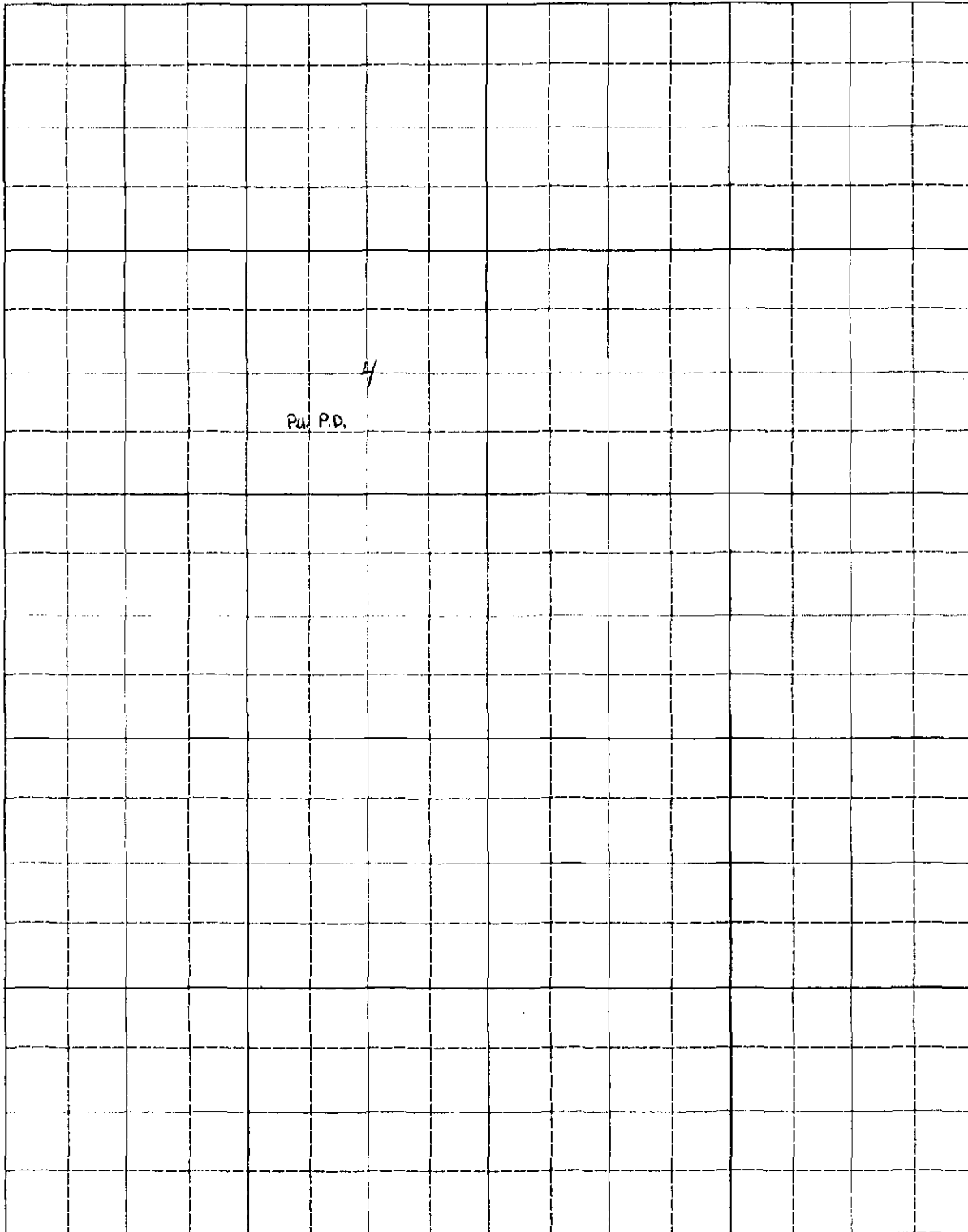
Farmers Union (2 share)

9. a. Who owns the property at the point of diversion
Henry Dixon

Applicant

applicant to make this filing

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



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.

Robert M. Lewis
(Applicant)

Proposed Priority 10/4/79

Received by DBS Date 10/4/79 Time 12:55

Preliminary check by RW4 Fee \$ 20.00 14579

Received by DBS Date 10/4/79

Publication prepared by KK Date 10/18/79

Published in Statesman

Publication dates 10/26 & 11/1/79

Publication approved KK Date 10/13/79

Protests filed by:

Copies of protests forwarded by

Hearing held by

Recommended for approval denial by DBS

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. 63-9296, 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 December 1, 1982.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. Other: (1) The issuance of this permit in no way grants any right-of-way or easement across the land of another. (2) Use of water under this permit is

subject to control by the watermaster of State Water District # 63, Boise River.

(3) A lockable device, subject to the approval of the Department, shall be installed on the diverting works, in a manner that will provide the watermaster suitable control of the diversion.

Witness my hand this 21st day of November, 1979

A. Allen Saylor
Director

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

13-0006

Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:	1/2/83	ji	no appointment made
☒ Telephone call made: (List Telephone No. used)	7-7-86	CF	286-7884
☒ Appointment scheduled for: (Date, time, location)	7-8-86	CF	11:00 AM at house (P.U.)

EXAMINATION

Date 7-8-86 Accompanied by Ted Lewis Total Q measured 0.06 cfs
 If source is surface water, estimate total flow of source 2 cfs
 Methods of measurement Pressure gauge in sprinkler nozzle Meets Permit requirements? Yes

Measurement calculations: 6 "Rainbird type" sprinklers 5/8" nozzles at 45 psi
 $6 \times 4.68 \text{ gpm} = 28.08 \text{ gpm}$ $28.08 \text{ gpm} = 0.06 \text{ cfs}$
 $1.48 \times 245 \times 1.48 = 7.7 \text{ afa}$
 $2 \text{ hp} \times 8.8 \times .8 = 14.08$ $14.08 / 108.5 = .13 \text{ cfs}$
 $5 + 2.31 \times 45 = 108.5$
 1 ac - 4.5 afa allowed

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	2	Jacuzzi	NONE	Centrifugal	NONE	1/2" x 1/2"		

System Description System has 1 1/2" pipe with foot valve in wastewater ditch. Water is drawn from ditch through approx. 100' of 1 1/2" pipe (mostly buried) to 2 hp Jacuzzi pump. Water is distributed with 6 sprinklers to garden ~~to~~ house.
 *Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS		Irrigation requirement =		AFA/Acre	
USE	Q (cfs)	V (afa)	FROM	TO	
Irrigation (lawn & garden)	.02	~~4.5~~ 4.5	3/15	11/15	
Total	.02	4.5	3/15	11/15	

Remarks Water is being used on approx. .3 ac of land since 1 ac is minimum accepted by computer. .02 cfs and 4.5 afa was allowed.

SEP 29 1986

Unter Ankerle

at
ate

Date _____

7-8-86

☒ None
☐ Other

☐ Add P.D., as reflected above

☐ Add P.U., as reflected above

☐ Change P.U. as reflected above

Recommended Amendments:

[illegible]

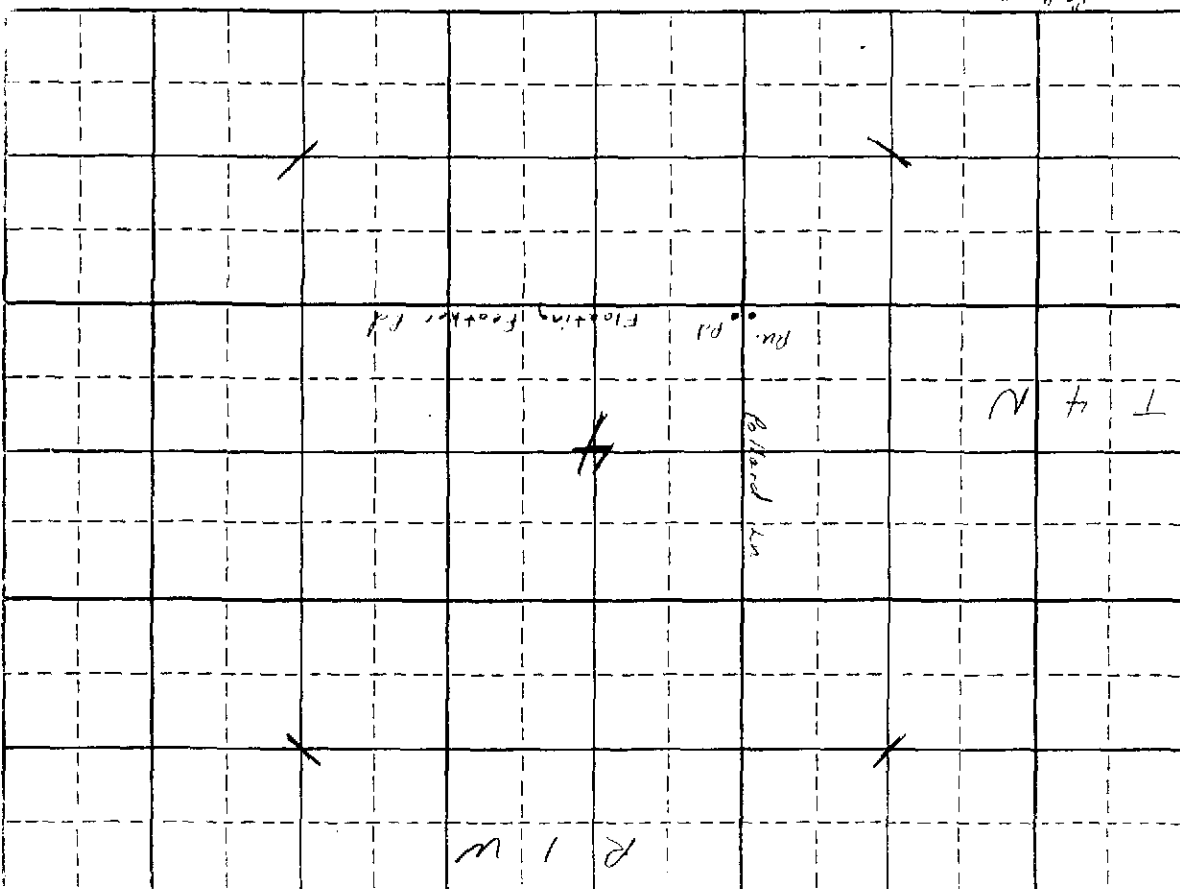
Place(s) of Use

Point(s) of diversion: NE SW Sec 4 T 4N R 1W

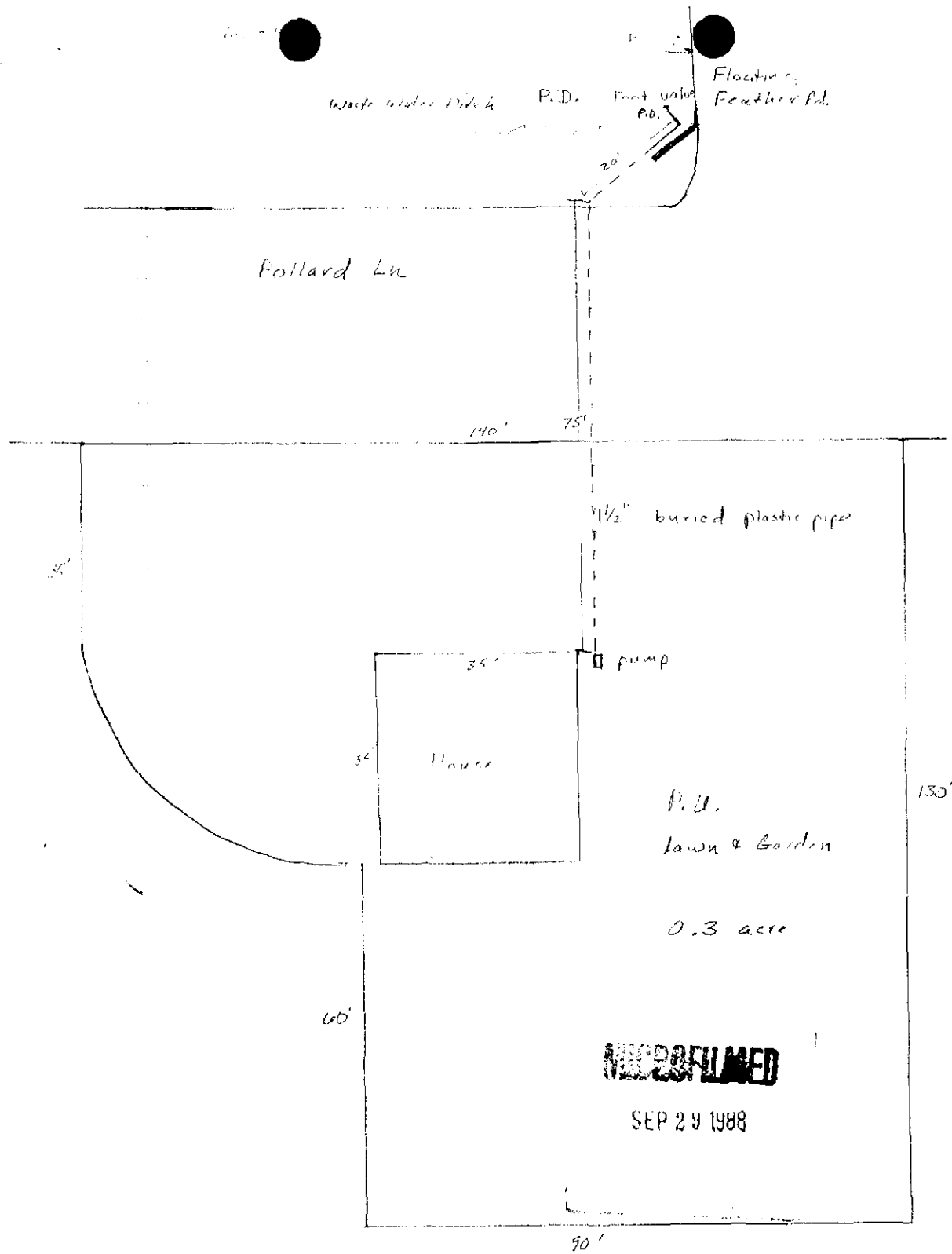
500. А. Н. А. С. И. М. О. В. А.

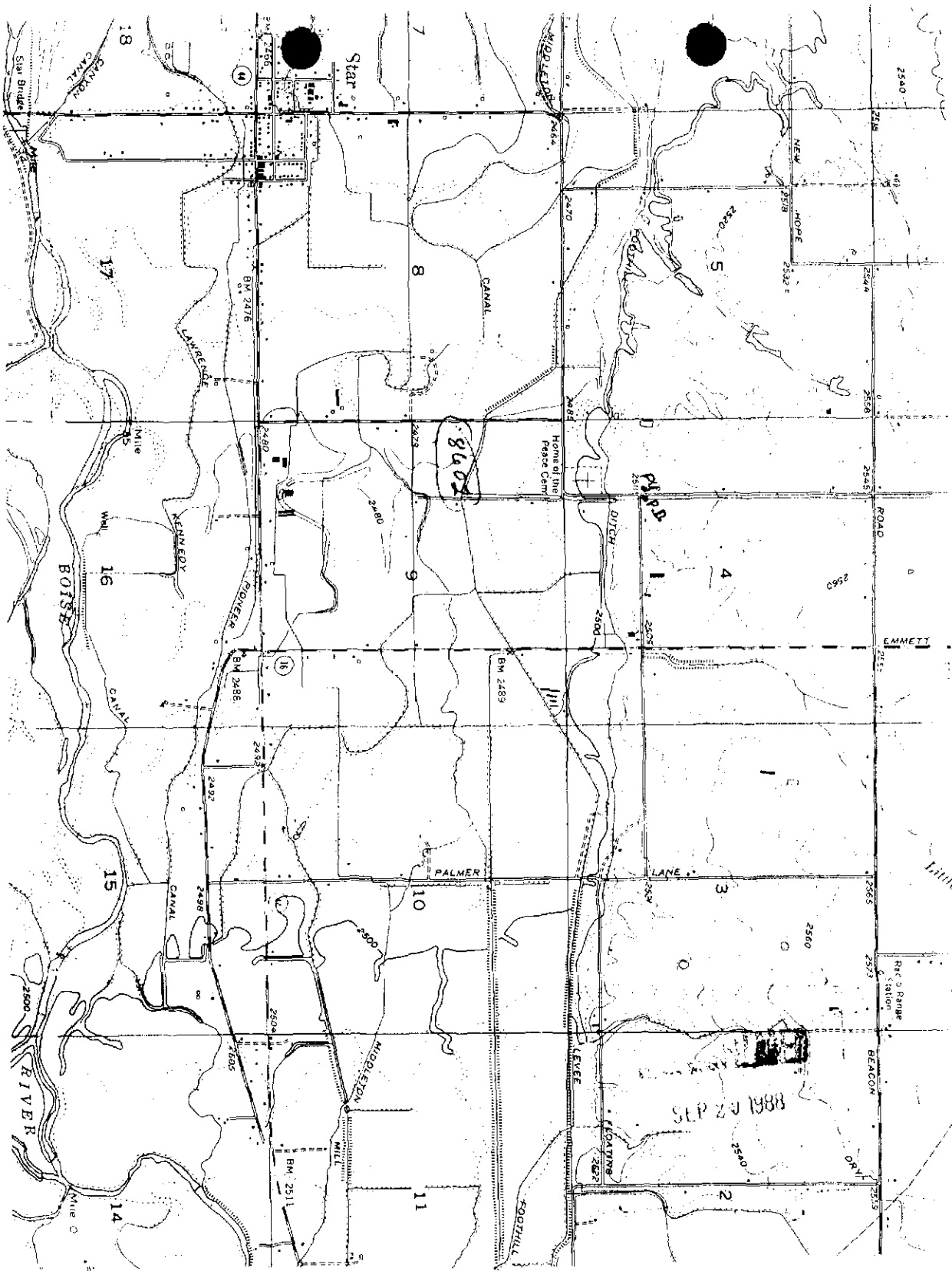
(Include distance from pump to measuring device, if applicable.)

SCHEMATIC DIAGRAM OF SYSTEM

$$\partial_{\bar{z}} \psi = 0$$


MAP (Attach Aerial Photo)





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

DISTRICT COURT - SRBA

TWIN FALLS CO., IDAHO

FILED

In Re SRBA)
)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 63-09296

2007 MAR 6 PM 2 31

NAME AND ADDRESS: CLAIR HOLLIBAUGH
CRYSTAL HOLLIBAUGH
1995 N POLLARD LN
STAR, ID 83669

SOURCE: WASTE WATER TRIBUTARY: BOISE RIVER

QUANTITY: 0.01 CFS
1.40 AFY

PRIORITY DATE: 10/04/1979

POINT OF DIVERSION: T04N R01W S04 NESW Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic	03-15 TO 11-15	0.01 CFS 1.40 AFY

Domestic use is for 0.3 acres of irrigation in association of a home.

PLACE OF USE: Domestic Within Ada County
T04N R01W S04 NWSW 0.3
0.3 Acres Total

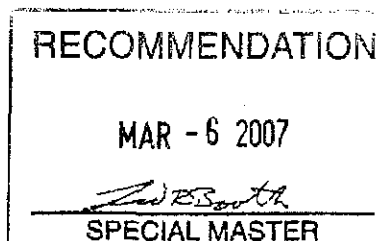
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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 MAR 6 PM 2 31

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)

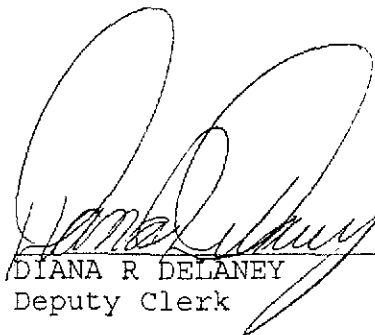
Water Right(s): 63-09296

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 March 06, 2007, with sufficient first-class postage prepaid to the following:

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

CLAIR HOLLIBAUGH
CRYSTAL HOLLIBAUGH
1995 N POLLARD LN
STAR, ID 83669
Phone: 208-286-9033


DIANA R. DELANEY
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
03/06/07

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

2007 MAR 6 PM 2 31

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

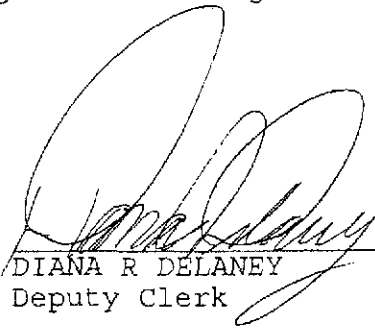
Water Right(s): 63-09296

On March 06, 2007, Special Master THEODORE R. BOOTH issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), 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 March 06, 2007.



DIANA R DELANEY
Deputy Clerk

RECEIVED

MAR 27 2007

DEPARTMENT OF
WATER RESOURCES

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

2007 MAR 6 PM 2 31

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 63-09296

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 21, 2006, the Ada County Drainage District No. 2 (DD#2), by and through its attorney Bryce Farris, filed an objection to the *Director's Report*. On March 6, 2007, on the record at a hearing on an *Order to Show Cause*, the DD#2 withdrew its objection. Accordingly, there are no outstanding objections to this water right claim.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein, IT IS RECOMMENDED that water right 63-09296 be decreed with the elements as set forth in the attached *Recommendations for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated March 6, 2007



Theodore R. Booth
Special Master
Snake River Basin Adjudication

RECEIVED
JAN 31 2007
CLERK OF DISTRICT COURT
TWIN FALLS, IDAHO

RECEIVED
TWIN FALLS CO. CLERK
FILED
2007 JAN 30 PM 12 25

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: 63-09296

) 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. Clair Hollibaugh and Crystal Hollibaugh (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 21, 2006, Ada County Drainage District No. 2, through their attorney of record S. Bryce Farris, filed an objection to the *Director's Report* for this water right claim asserting that the water right claimed should not exist.

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 Ada County Drainage District No. 2 -- seeking disallowance of the claim -- 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 disallowance of the water right claim.** 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', with a stylized flourish at the end.

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:

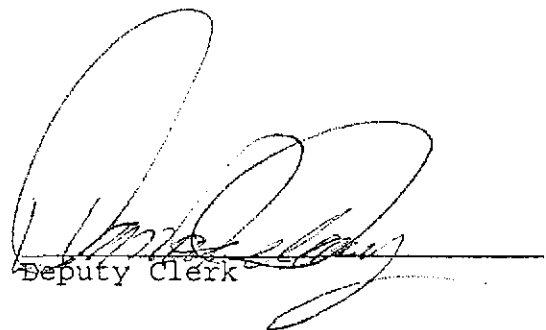
ADA COUNTY DRAINAGE DISTRICT

Represented by:

S. BRYCE FARRIS
455 S THIRD ST
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

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

CLAIR HOLLIBAUGH
CRYSTAL HOLLIBAUGH
1995 N POLLARD LN
STAR, ID 83669
Phone: 208-286-9033



RECEIVED

APR 21 1998

DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA)

Case No. 39576)

A. Subcase 63-9296

(Insert water right no.)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: ADA COUNTY DRAINAGE DISTRICT NO. 2

Address: 455 S. Third Street
Boise, Idaho 83701

Daytime Phone: 208-342-4591

Name & Address of Attorney, if any:

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

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

Name: Crystal Hollibaugh
Clair Hollibaugh

Address: 1995 N Hollard Ln
Star, Idaho 83669

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

1. X **Name and Address**
 Should be: Disallowed. See below.
2. X **Source**
 Should be: Disallowed. See below.
3. X **Quantity**
 Should be: Disallowed. See below.
4. X **Priority Date**
 Should be: Disallowed. See below.
5. X **Point(s) of Diversion**
 Should be: Disallowed. See below.
6. ☐ **Instream Flow Description**
 Should be: N/A
7. X **Purpose(s) of Use**
 Should be: Disallowed. See below.
8. X **Period of Year**
 Should be: Disallowed. See below.
9. X **Place of Use**
 Should be: Disallowed. See below.
10. X **I object because:**

 X This water right should not exist.

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

E. **REASONS SUPPORTING OBJECTION (S):** This claimed water right is within the boundaries of Ada County Drainage District No. 2 ("DD#2") and the source of said claim is a drain which was constructed or enlarged by or for DD#2. Said drain is owned, operated, maintained and controlled by DD#2 and the water within said drain is seepage or waste water that has been developed, captured and/or controlled by DD#2. Therefore, said water is not subject to appropriation, would amount to an impermissible trespass, and this claimed water right should not exist.

F.

VERIFICATION (must be completed)

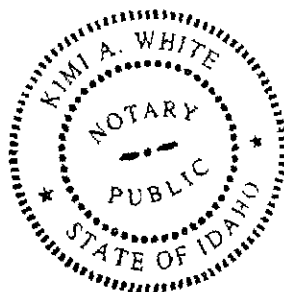
State of Idaho)
) ss.
County of Ada)

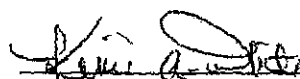
S. Bryce Farris, duly sworn, upon oath, deposes and says:

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


S. Bryce Farris

Subscribed and sworn to before me on: April 20, 2020




Notary Public for Spokane
Residing at: Spokane, Idaho
My Commission Expires: 04/01/20

INSTRUCTIONS FOR MAILING

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

CERTIFICATE OF MAILING

I certify that on April 25th, 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: Crystal Hollibaugh
Clair Hollibaugh

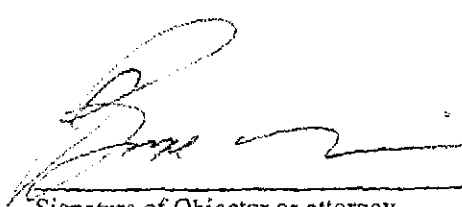
Address: 1995 N. Hollard Lane
Star, Idaho 83699

3. Copies to:

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

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

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



Signature of Objector or attorney
mailing on Objector's behalf

02/10/2005

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

RIGHT NUMBER: 63-9296

NAME AND ADDRESS: CRYSTAL HOLLUMBAUGH
1995 N POLLARD LN
STAR ID 83669

CLAIR HOLLUMBAUGH
1995 N POLLARD LN
STAR ID 83669

SOURCE: WASTE WATER

TRIBUTARY: BOISE RIVER

QUANTITY: 0.010 CFS
1.400 AFY

PRIORITY DATE: 10/04/1979

POINT OF DIVERSION:

T04N R01W S4 NESW Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

03/15 11/15

0.010 CFS

1.40 AFY

Domestic use is for 0.3 acres of irrigation in association of a home.

PLACE OF USE: DOMESTIC Within ADA County

T04N R01W S04 NWSW 0.3

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.

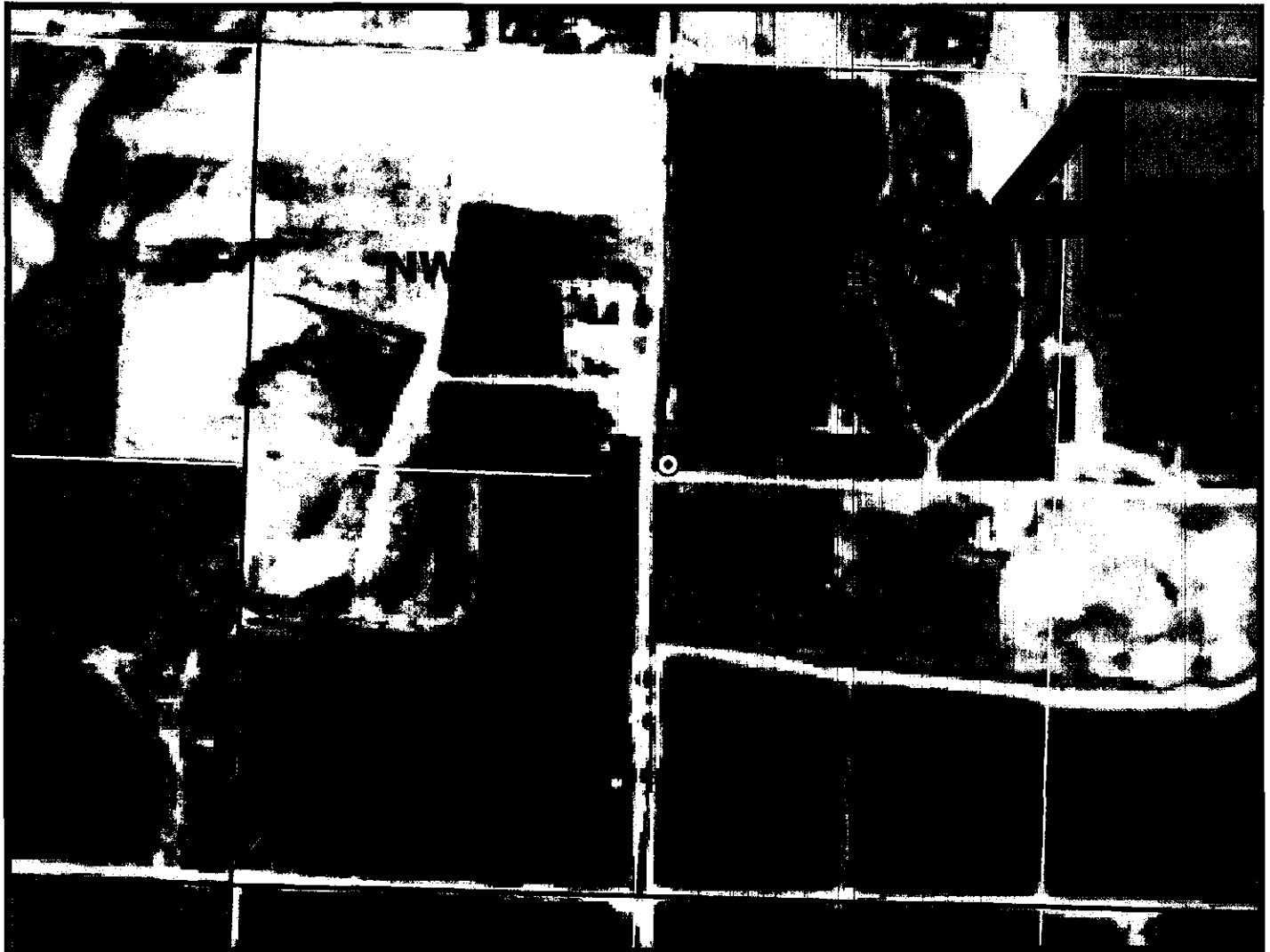
EXPLANATORY MATERIAL: License



STATE OF IDAHO

Department of Water Resources
Western Region

Water Right(s): 63-09296



1320 0 1320 Feet

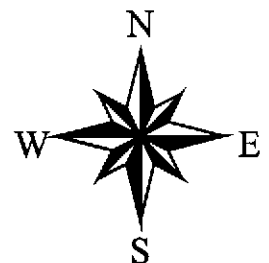
Total Irrigated Acres: 0.3

⊙ Point of Diversion

□ Place of Use

Quarter Quarter Lines

□ Section Lines



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: July 2004

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-9296 V1

WATER RIGHT NUMBER: 63-9296 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	VICKY LEWIS 1995 POLLARD LN STAR, ID 83669 (208)286-7884
Current Owner	CRYSTAL HOLLUMBAUGH 1995 N POLLARD LN STAR, ID 83669
Original Owner	ROBERT LEWIS 1995 POLLARD LN STAR, ID 83669 (208)286-7884
Current Owner	CLAIR HOLLUMBAUGH 1995 N POLLARD LN STAR, ID 83669 (208)286-9033

Priority Date: 10/04/1979

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
WASTE WATER	BOISE RIVER

<u>Beneficial Use</u>	<u>From ____ To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	03/15 to 11/15	0.010 CFS	1.40 AF
	<u>Total Diversion:</u>	0.010 CFS	1.40 AF

Location of Point(s) of Diversion

WASTE WATER	NE1/4SW1/4	Sec. 4, Twp 04N, Rge 01W, B.M.
ADA County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	4																	.3

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. X01 Domestic use is for 0.3 acres of irrigation in association of a home.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-9296 V1

Remarks:Comments:

1. Igagnon 2/10/2005 CHANGE OF OWNERSHIP

Comment: THE DATA IN THE NAME FIELD HAS BEEN CHANGED TO SHOW THAT THIS RIGHT HAS A CHANGE OF OWNERSHIP.

2. csaxton 2/10/2005 SOU/Purpose of Use

Comment: Recommended as domestic because filing fee was only \$25. No S04 shoulder remark needed for domestic use to extend the SOU. Irrigation removed as a purpose of use.

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: OR

Water District Number: 63

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	7/26/2004 11:18:42 AM	csaxton			Active
Priority Date	7/26/2004 11:19:31 AM	csaxton			Active
POD	7/26/2004 11:19:42 AM	csaxton			Active
Source	7/26/2004 1:31:26 PM	csaxton			Active
POU	7/26/2004 1:31:48 PM	csaxton			Active
Use	7/26/2004 1:34:56 PM	csaxton			Active
Quantity	7/26/2004 2:06:08 PM	csaxton			Active
Summary			07/26/2004	csaxton	Active
Season	7/26/2004 2:38:12 PM	csaxton			Active

Verification Log:

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-9296 V1

Use	7/26/2004 1:34:57 PM	csaxton	(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? (Yes) 13. Is a Purpose of Use remark and/or condition required?
Contacts	7/26/2004 11:18:42 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop Review
Priority Date	7/26/2004 11:19:31 AM	csaxton	(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	7/26/2004 11:19:42 AM	csaxton	(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	7/26/2004 1:31:26 PM	csaxton	(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	7/26/2004 1:31:48 PM	csaxton	(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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-9296 V1

Summary	7/26/2004 2:09:32 PM	csaxton	(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?
Quantity	7/26/2004 2:06:08 PM	csaxton	(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 <i>diversion volume limit</i>? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - As licensed.
POD	7/26/2004 2:37:07 PM	csaxton	Edited point location
POU	7/26/2004 2:37:41 PM	csaxton	Edited shape boundary
Season	7/26/2004 2:38:12 PM	csaxton	(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, <i>license or transfer shorter on either the start date or end date than allowable under current IDWR standards</i>? (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?



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

February 10, 2005

Crystal Hollumbaugh
Clair Hollumbaugh
1995 N. Pollard
Star, Idaho 83669

Re: Notice of Claim to a Water Right No. 63-9296

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflect the change in ownership of the land and appurtenant water rights, covered under the original filing.

Please note that the enclosed Notice of Claim to a Water Right is not a final determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed information, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Liberty Gagnon".

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

Enclosure

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

RECEIVED
 JAN 20 2005
 WATER RESOURCES
 WESTERN REGION

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

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

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
63-11392 ✓					
63-015505					
~~63-99996~~					
63-9296 ✓					

GIVE
 FILE TO
 CRAIG When
 Finished

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) ROBERT LEWIS 1995 N. POLK RD IN
VICKY LEWIS STAR IDAHO 83669
4. New Owner/Claimant(s) CLAIR AND OR CRYSTAL HOLLIBAND
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 1995 N. POLK RD IN
- City, State and ZIP Code STAR IDAHO 83669
- New Telephone Number (208) 286-9033
5. Date you acquired the property APRIL 2, 2003



Approved by Grantee

FA-113134/K6

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 04/11/03 11:57 AM
DEPUTY Michelle Turner
RECORDED - REQUEST OF
First American
AMOUNT 9.00



WARRANTY DEED

For Value Received

Robert M. Lewis and Vicky J. Lewis, both unmarried individuals

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

Clair L. Hollibaugh and Crystal D. Hollibaugh, husband and wife

hereinafter referred to as Grantee, whose current address is

1995 North Pollard Lane, Star, ID 83669

the following described premises, to-wit:

See Exhibit "A" Attached Hereto

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

Dated: April 2, 2003.

Robert M. Lewis
Robert M. Lewis

Vicky J. Lewis

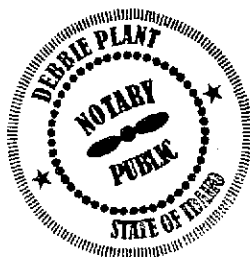
STATE OF Idaho

)
ss.

COUNTY OF Ada

)

On This 4th day of April, in the year 2003, before me, a Notary Public in and for said State, personally appeared Vicky J. Lewis, known or identified to me to be the person(s) whose name(s) is subscribed to the within Instrument, and acknowledged to me that she executed the same.
Robert M. Lewis hc of



Debbie Plant
Notary Public of Idaho
Residing at Moscow
Commission expires: 2-10-09



Approved by Grantee

WARRANTY DEED

For Value Received

Robert M. Lewis and Vicky J. Lewis, both unmarried individuals

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

Clair L. Hollibaugh and Crystal D. Hollibaugh, husband and wife

hereinafter referred to as Grantee, whose current address is

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See Exhibit "A" Attached Hereto

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

Dated: April 2, 2003.

Robert M. Lewis

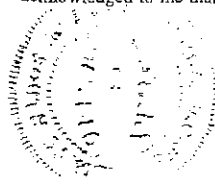

Vicky J. Lewis

STATE OF South Dakota)

ss.

COUNTY OF Pennington)

On This 3rd day of April, in the year 2003, before me, a Notary Public in and for said State, personally appeared Vicky J. Lewis, known or identified to me to be the person(s) whose name(s) is subscribed to the within Instrument, and acknowledged to me that she executed the same.



TAMRA BACKES
MY COMMISSION EXPIRES
AUGUST 29 2007

Tamra Backes (Pioneer Bank+Trust)
Notary Public of South Dakota
Residing at Rapid City
Commission expires: _____

EXHIBIT A

LEGAL DESCRIPTION:

A portion of the Northwest 1/4 Southwest 1/4, Section 4, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, more particularly described as follows: Beginning at the Southeast corner of the Northwest 1/4 Southwest 1/4, Section 4, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho; thence North along the East line of said Northwest 1/4 Southwest 1/4 a distance of 300 feet; thence West along a line parallel to the South line of said Northwest 1/4 Southwest 1/4 a distance of 727 feet; thence South along a line parallel to the East line of said Northwest 1/4 Southwest 1/4 a distance of 300 feet; thence East along the South line of said Northwest 1/4 Southwest 1/4 a distance of 727 feet to the real point of beginning.

Except that portion conveyed in Quitclaim Deed recorded March 24, 1986, as Instrument No. 8614562, records of Ada County, Idaho.

Also Except that portion in Schreiner Subdivision according to the plat thereof, filed in Book 59 of Plats at Page 576.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-11392

WATER RIGHT NUMBER: 63-11392

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROBERT LEWIS
Current Owner	VICKY LEWIS 1995 POLLARD LN STAR, ID 83669 (208) 286-7884

Priority Date: 09/04/1990

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
WASTE WATER	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.020 CFS	2.30 AF
	<u>Total Diversion:</u>	0.020 CFS	2.30 AF

Location of Point(s) of Diversion

WASTE WATER	NE1/4SW1/4	Sec. 4,	Twp 04N,	Rge 01W, B.M.
ADA County				

Place of UseIRRIGATION Within ADA County

T04N R01W S04 NWSW 0.5

Total Acres: 0.5

Conditions of Approval:

1. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
2. R52 This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

Dates and Other Information:

Licensed Date: 9/24/1993

Water District Number: 63

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 63-15505

WATER RIGHT NUMBER: 63-15505

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROBERT LEWIS
Current Owner	VICKY LEWIS 1995 POLLARD LN STAR, ID 83669 (208) 286-7884

Priority Date: 06/01/1915

Basis: Decreed

Status: Active

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

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4	Sec. 4, Twp 04N, Rge 01W, B.M.
ADA County		

Place of UseDOMESTIC Within ADA County

T04N R01W S04 NWSW

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory PARCEL NO. S0404325880

Dates and Other Information:

Decreed Date: 5/8/2001

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 63-9296 V1

WATER RIGHT NUMBER: 63-9296 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROBERT LEWIS
Current Owner	VICKY LEWIS
	1995 POLLARD LN
	STAR, ID 83669
	(208) 286-7884

Priority Date: 10/04/1979

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
WASTE WATER	BOISE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	03/15 to 11/15	0.010 CFS	1.40 AF
	<u>Total Diversion:</u>	0.010 CFS	1.40 AF

Location of Point(s) of Diversion

WASTE WATER	NE1/4SW1/4	Sec. 4, Twp 04N, Rge 01W, B.M.
ADA County		

Place of Use

DOMESTIC Within ADA County

T04N R01W S04 NWSW 0.3

Total Acres: 0.3

Conditions of Approval:

1. C04 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PURPOSE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
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. X01 Domestic use is for 0.3 acres of irrigation in association of a home.

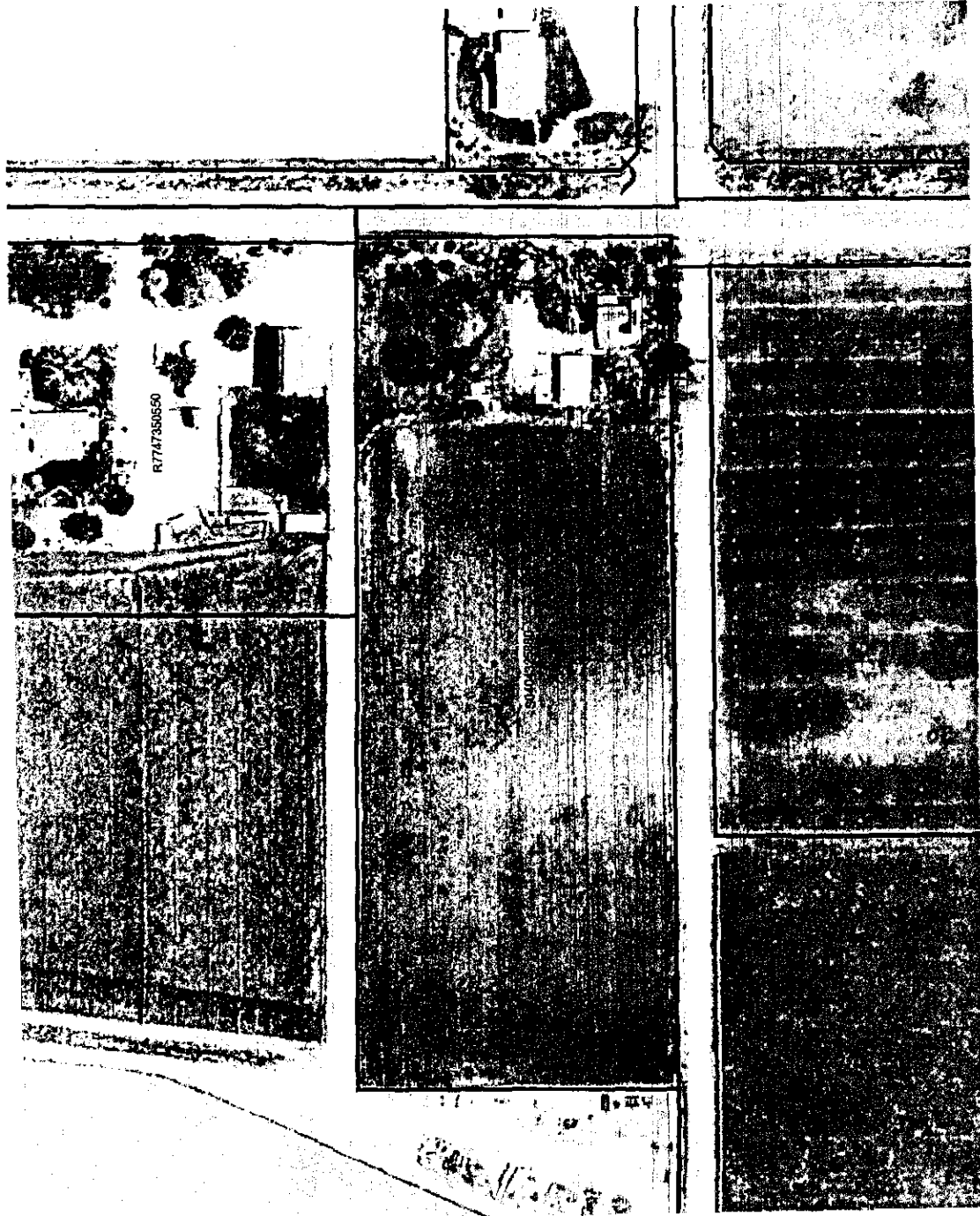
Remarks:

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

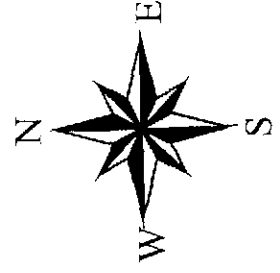
Dates and Other Information:

Water District Number: 63

Public View



Points
Text Par
☐ Parcels



0.12 Miles

0.06

0

0.06



1 K C L B

2 BLOCK

**6
LOT**

N 00°53'21" E
269.80'

UNPLANTED

LOT 3	15'	162	0'00"	LOT
-------	-----	-----	-------	-----

9'58" W 592.13' S 8976.58' E

SOUTHWEST 1/16
CORNER SECTION 4

FOUND 1/2" P/N

WEST

UNPLANTED

Asr# 774735, Scale: 1 inch = 0.80 Inches

Numerical Subdivision Plats - Bk59 Pg5716 SCHREINER SUB

Idaho Department of Water Resources Receipt

Receipt ID W032532

Payment Amount Date Received Region Status
Payment Type Check Number

Payer Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$25.00	OWNERSHIP CHANGES/SECURITY INTERESTS	0229	21	62140	1155
\$25.00	OWNERSHIP CHANGES/SECURITY INTERESTS	0229	21	62140	1155


Signature Line (Dept. Representative)

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-9296

WATER RIGHT NUMBER: 63-9296

Owner Type Name and Address

Current Owner ROBERT LEWIS ✓
 1995 POLLARD LN
 STAR, ID 83669
 (208)286-7884

Current Owner VICKY LEWIS ✓
 1995 POLLARD LN
 STAR, ID 83669
 (208)286-7884

Priority Date: 10/04/1979 ✓

Basis: License ✓

Status: Active ✓

Source

WASTE WATER ✓

Tributary

BOISE RIVER ✓

Beneficial Use

~~IRRIGATION~~
 Domestic

From To

3/15 to 11/15 *OK*Diversion Rate

0.010 CFS ✓

Annual Volume

1.40 AF ✓

Total Diversion:

0.010 CFS ✓

1.40 AF ✓

Location of Point(s) of Diversion

WASTE WATER ✓

NE1/4SW1/4 ✓

Sec. 4, ✓ Twp 04N, ✓ Rge 01W, B.M. ✓

ADA County

Place of Use

IRRIGATION ✓

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	01W	4			.3		.3

Total Acres: 0.3 ✓

Conditions of Approval:

1. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. & DISTRICT.

Remarks:

1. General LESS THAN 1/2 ACRE LAWN IRRIGATION.
 | ADDRESS CHANGE BY CLAIMANT LETTER.

Comments:

- Domestic use is for 0.3 ac of irrigation
 - licensed as irr, but only \$25.00 paid. Cannot
 contact claimant.

C18

Settling expanding soon to 3/4

**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 *only Parish \$25.00*
- ☐ Well logs (if needed) *N/A*
- ☒ Copy of topo or NAPP *no lots*
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information *None*
- ☒ Check POD & POU overlap, see below – include overlapping right for exam *NO overlap*
- ☐ Evidence of Priority – if none, talk with claimant *N/A*

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-09296

Owner: _____ Phone No. _____

Current Address: _____

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

Accompanied by: _____

PRIORITY DATE

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

Priority date, per claimant, is: _____

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

Source: _____ Tributary to _____

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

POINT OF DIVERSION

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

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

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

Description of diverting works

OVERLAP REVIEW

Other water rights with the same point of diversion: _____

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

WATER USES☐ No change☐ Different UsesUse Domestic From 3/15 To 11/15 Amount 0.01 CFS 1.4 AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only 6000☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA☐ Changes found, the new total is, Amount _____ CFS _____ AFA☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)**NON-IRRIGATION USES:**☐ No change☐ Changes Exam found: Domestic # of homes _____ Stock # _____Types _____ Additional comments: Domestic is for 0.3 ac of
It is in association with a home.**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: _____

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

Delivery System Narrative: See Licensing Field Exam

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

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☐ Photographs of POD's and POU *n/A*
- ☐ GPS readings *n/A*
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: *7-26-04*
Review

FIELD EXAMINER: *Craig L. Eyster*

7-23-04: WR 63-15505 AD'd For domestic From GW

: This Right Licensed for 0.3 ac of Irrigation. But Claimant only paid \$25⁰⁰. I called Carter Fritschle and he said recommend as domestic. No 13⁰⁰ per day.

: I call claimant and No one was home.

7-26-04: Right 63-11392 does not need to be added on in AD. POW for 63-11392 looks to be North of licensed POW for this claim. No overlap

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 63-11392

Priority: September 4, 1990 Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 2.3 AF

This is to certify, that ROBERT LEWIS
VICKY LEWIS

1995 POLLARD
STAR ID 83669 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated September 4, 1990; and
has submitted Proof of Beneficial Use on October 8, 1991. An examination indicates
that the works have a diversion capacity of .100 cfs of water from:

WASTE WATER tributary to BOISE RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.02 CFS	2.3 AF

LOCATION OF POINT(S) OF DIVERSION: NESW, Sec. 4, Township 04N, Range 01W
ADA County

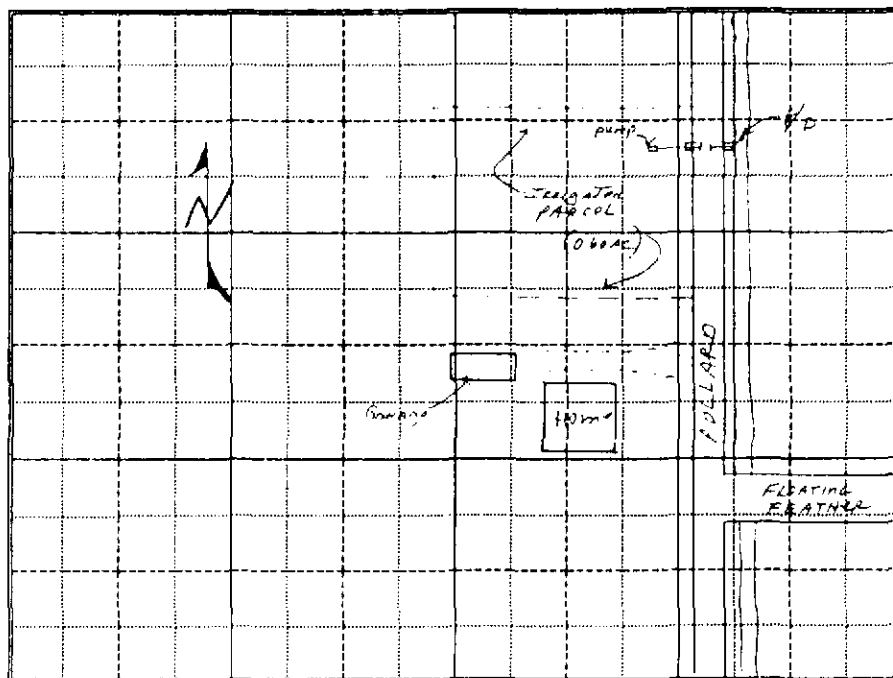
<u>PLACE OF USE:</u> IRRIGATION	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
<u>TWN RGE SEC</u>				
04N 01W 4	NWSW 0.5			0.5

Total number of acres irrigated: 0.5

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 63.

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable.



Scale: 1" = 100'

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	General Elec.	2	OFJ	Jacuzzi	NO TAG

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Sprinkler Pressure Gage						

2. Measurements: Sprinkler Pressure Gage - 30 PSI
(1) 7/2" Ramblerds on Hops.

ReceiptID	Amount	BasinNumber	SequenceNum	SplitSuffix	Type
W003030	25.00	63	15505		Claim
W003030	25.00	63	9296		Claim

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-15505

WATER RIGHT NUMBER: 63-15505

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROBERT LEWIS 1995 POLLARD LN STAR, ID 83669 (208)286-7884
Current Owner	VICKY LEWIS 1995 POLLARD LN STAR, ID 83669 (208)286-7884

Priority Date: 06/01/1915

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4	Sec. 4, Twp 04N, Rge 01W, B.M.
ADA County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	4											X						

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-15505

1. Explanatory PARCEL NO. S0404325880

Comments:

1. SSHERMAN 12/16/1998 ADDRESS CHANGE
Comment: ADDRESS CHANGE BY CLAIMANT LETTER.

Dates and Other Information:

Licensed Date:
Decreed Date: 5/8/2001
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID #: A63-09296 Date: 4-25-01

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	4N	1W	4										0.3							0.3
GIS													0.3							0.3
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 0.3

Total GIS Acres: 0.3

Overlapping POU Claim #'s:

COMMENTS:

Idaho Department of Water Resources

Claim Number: 63-09296

Legal: T4N, R1W, S4

Reviewed By:

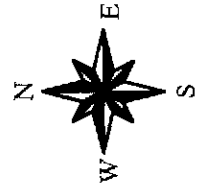
⊙ Point of Diversion

Place of Use

Section Lines

Quarter Quarter Lines

1987 Napp Photo



Idaho Department of Water Resources

1987 Napp Photo

Claim Number: 63-09296

Legal: T4N, R1W, S4

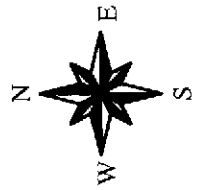
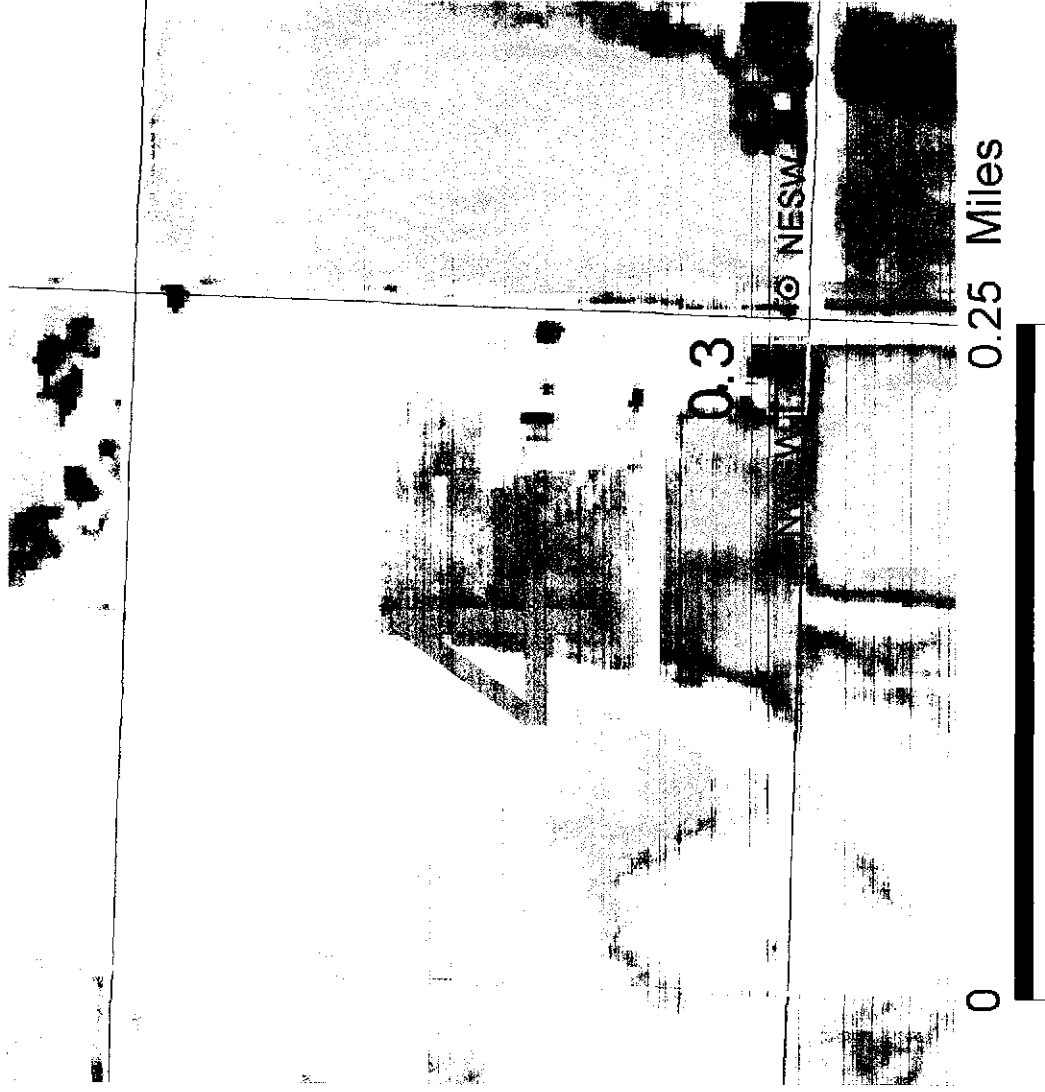
Reviewed By:

⊙ Point of Diversion

Place of Use

Section Lines

Quarter Quarter Lines



IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	VICKY LEWIS	10/04/1979	IRRIGATION	03-15 11-15	0.01 CFS	1.40 AFA
C	ROBERT LEWIS 1995 POLLARD LN STAR ID 83669 (208) 286-7884			TOTAL DIVERSION:	0.01 CFS	1.40 AFA

Water Source:	WASTEWATER	Tributary to:	BOISE RIVER	Stage:	LICENSE
Point(s) of Diversion:	T04N R01W S04	NESW		ADA	County

[illegible]

POU County: ADA

Other Rights: WELL-IN HOUSE USE

Conditions of Approval:
R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 63.

Remarks: GEN LESS THAN 1/2 ACRE LAWN IRRIGATION.

ADDRESS CHANGE BY CLAIMANT LETTER:

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:

Misc: Water District Number: 63 Field Inspection Flag:
Presumption Flag:

Notice to Mailer of Correction in Address

Addressee's Account Number (All numbers, dates, and letters)

63-15505 + A63-09296

☐ No account number on mail

☐ Account number illegible

Addressee's Name

Robert/Vicky Lewis

Old Address (Include apartment or suite number)

RT1 Box 33A

City, State, and ZIP Code

STAR, ID 83669

New Address (Include apartment or suite number)

1995 Pollard Ln

City, State, and ZIP Code

STAR, ID 83669

This card is furnished: ☐ For address correction, as requested (your mailpiece was forwarded).

☐ In place of Form 3579 (see reason for nondelivery below).

The address portion of your mailpiece was not readily detachable. Reason for nondelivery:

☐ Moved, left no address

☐ No such street

☐ No such number

☐ Refused

☐ Attempted, not known

☐ Unclaimed