

LOTS 2 AND 3, FELTWELL SUBDIVISION

IN THE

SE 1/4 OF THE NE 1/4, SECTION 29, T.4N., R.2E., B.M.

ADA COUNTY, IDAHO
1962



WILLIAM W. BRIGGS
CONSULTING ENGINEER
BOISE IDAHO

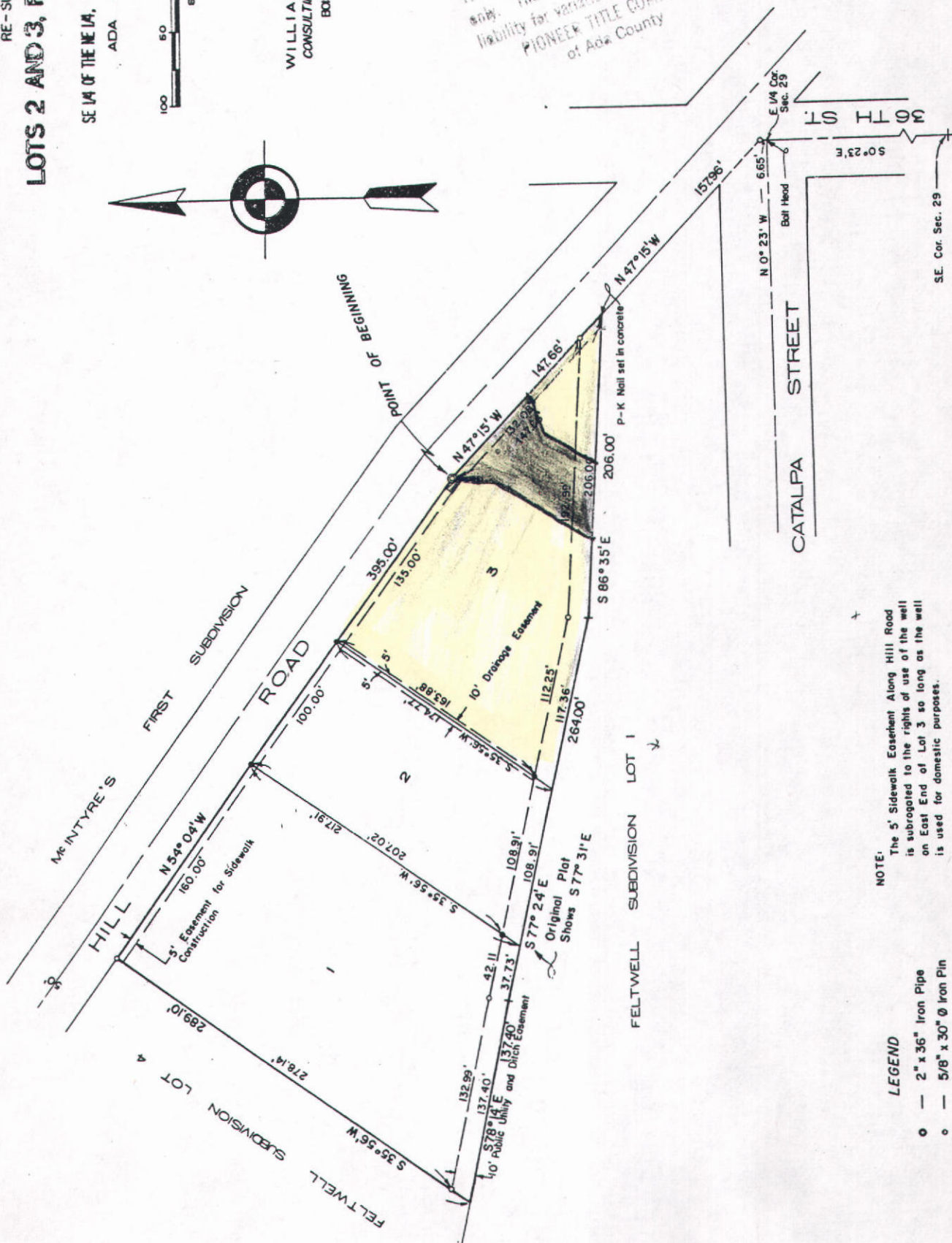
This sketch is for location purposes only. The Company assumes no liability for variations.
PIONEER TITLE COMPANY
of Ada County

Building Setback Distance as follows:

Front Setback - 20 feet
Side Setback - 5 feet
or as specified in Restrictive Covenants,
Ada County Records Fee No. _____

CAPITOL TELECOMP

307 North Tenth Street
BOISE, IDAHO



NOTE:

The 5' Sidewalk Easement Along Hill Road is subrogated to the rights of use of the well on East End of Lot 3 so long as the well is used for domestic purposes.

LEGEND

- — 2" x 36" Iron Pipe
• — 5/8" x 30" Ø Iron Pin
• — 1/2" x 24" Ø Iron Pin



State of Idaho
Idaho Department of Water Resources
Western Region

T4N R2E SECTION 29
Water Right(s) : 63-9812



1320 0 1320 2640 3960 Feet

TOTAL IRRIGATED ACRES < 0.5

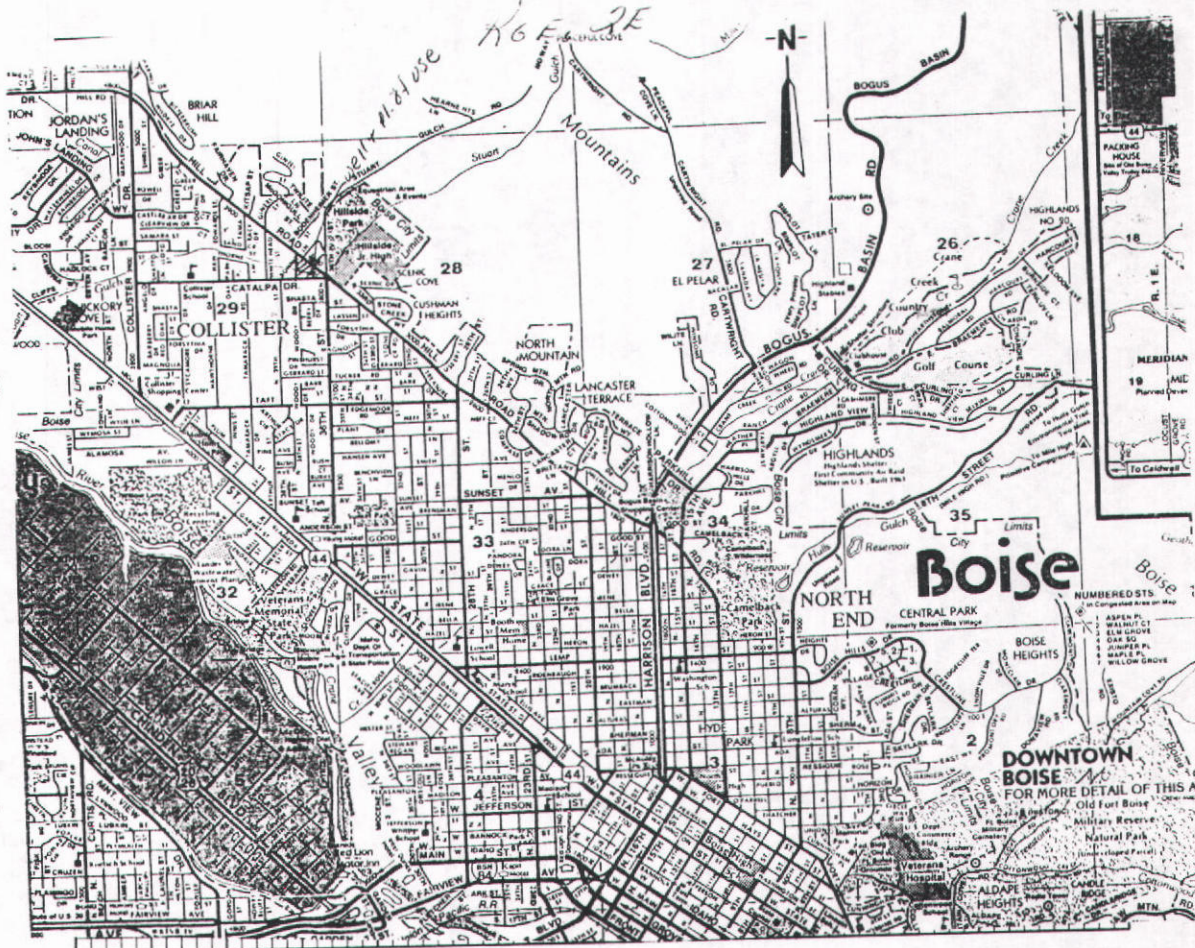


-  Point of Diversion
-  Place Of Use
-  Quarter Quarter Lines
-  Section Lines

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

10. Other water rights on these 1 NONE
11. Other water right diverted from same p.d. NONE

12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached

☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks

15. Recommended Amendments

- ☐ Change P.D. as reflected above
- ☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
- ☐ Add P.U. as reflected above

- ☒ None
- ☐ Other

16. Examiner's/Consultant's Signature

Consultant's License Number

IDWR Director's Authorization to Conduct

Beneficial Use Examination

Date

Date 1/29/85



CONSULTANT SEAL

DEC 6 1984

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 63-9812
Date Received: 5/31/1989
Receipt No: W003062
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BOYD FAMILY TRUST UTA
BEN H OR RUTH M BOYD TRUSTEES
3643 HILL RD
BOISE ID USA 83703

Phone: (208) 336-0060

2. Date of Priority: 08/18/1981

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.02	4.5
DOMESTIC	1/01	12/31	0.08	1.2

7. Total Quantity Appropriated is:

0.1 C.F.S. and/or 5.7 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

SCANNED

OCT 06 2006

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	02E	29	SE	NE	IRRIGATION	1
					Section Acres	1
					Total Acres	1

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:

Ownership changed by DH 1/6/2003

Domestic use is for a duplex.

15. Basis of Claim: License

RECEIVED

DEC 31 2002

WATER RESOURCES
WESTERN REGION

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

RECEIVED

DEC 30 2002

Department of Water Resources

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

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
63-9812	63-9812				

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. *N/A*
- 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) Frank K. Robertson and/or Betty H. Robertson
624 Hillview, Boise, ID 83712
4. New Owner/Claimant(s) Boyd Family Trust U/T/A
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
Ben H. Boyd or Ruth M. Boyd Trustee
New Mailing Address 3643 Hill Road
City, State and ZIP Code Boise, ID 83703
New Telephone Number (208) 336 0060
5. Date you acquired the property June 30, 1990

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

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

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

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

[Signature] Trustee
[Signature] Trustee

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by MM Date 12/31/02 Fee 0
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

WARRANTY DEED

FOR VALUE RECEIVED
WIFE

FRANK K. ROBERTSON AND BETTY H. ROBERTSON, HUSBAND AND

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto BEN H. BOYD AND RUTH
M. BOYD, HUSBAND AND WIFE

GRANTEE(S), whose current address is: 3643 Hill Road Boise, ID 83703
the following described real property in ADA County, State of Idaho,
more particularly described as follows, to wit:

LOT 3 OF RE-SUB OF LOT 2 AND 3 OF FELTWELL SUBDIVISION, ACCORDING TO
THE PLAT THEREOF FILED IN BOOK 18 OF PLATS AT PAGE 1191, RECORDS OF
ADA COUNTY, IDAHO.

EXCEPT THAT PORTION THEREOF CONVEYED TO THE ADA COUNTY HIGHWAY DISTRICT FOR
PUBLIC RIGHT-OF-WAY BY DEED RECORDED UNDER INSTRUMENT NO. 8433091

Ada County, Idaho 86

Request of

PIONEER TITLE CO.

TIME 9:05 A.M.

DATE 7-2-90

JOHN BASTIDA

RECORDER

By C. Hamman

3.00 Deputy

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

Dated: June 26, 1990

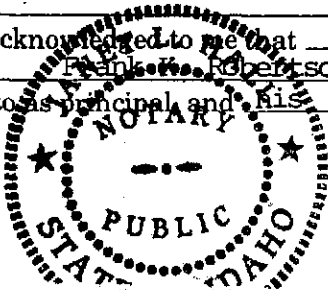
Frank K. Robertson by his attorney in fact Charles L. Robertson Betty H. Robertson by her attorney in fact Charles L. Robertson
FRANK K. ROBERTSON BETTY H. ROBERTSON

ACKNOWLEDGMENT - Attorney in Fact

STATE OF Idaho, County of Ada, ss.

On this 28th day of June, in the year of 1990, before me
Janet L. Hall, a notary public,
personally appeared Charles L. Robertson,
known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in
fact of Frank K. Robertson & Betty H. Robertson

and acknowledged to me that he subscribed the name of Frank K. Robertson & Betty H. Robertson
thereto as principal and his own name as attorney in fact.



Notary Public: [Signature]

Residing at: Boise, Idaho

My Commission Expires: 9/13/91



PIONEER TITLE COMPANY
OF ADA COUNTY

821 West State Street / Boise, Idaho 83702 / (208) 336-6700
888 North Cole Road / Boise, Idaho 83704 / (208) 377-2700

MAY 14 1996

J. DAVID NAVARRO, Clerk
By WENDY K. LEWIS
DEPUTY

SUSAN M. GRAHAM LAW OFFICES
Susan M. Graham
Attorney at Law
104 S. Capitol Blvd.
Boise, Idaho 83702

Client Number: 96-04-17

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF **ADA**

In the matter of the	)	Case No. SP OT 9600232M
	)	
BOYD FAMILY	)	
TRUST	)	REGISTRATION OF TRUST
	)	Under Idaho Code Sections
	)	15-7-101 and 102

It is the desire of the undersigned to register this Trust in the **ADA County** Courthouse, State of Idaho.

1. Name. The name of the Trust to be registered is the THE BOYD FAMILY TRUST.
2. Trustees. The name and current address of each original Trustee and Successor Trustee are as follows:

RUTH M. BOYD, 3643 Hill Road, Boise, Idaho 83703, Original Trustee
BEN H. BOYD, 3643 Hill Road, Boise, Idaho 83703, Original Trustee
BEN HARLAN BOYD, 7703 E. Marietta, Spokane, Washington 99211, Successor Trustee
ROBERT GRAHAM BOYD, 3643 Hill Road, Boise, Idaho 83703, Successor Trustee
3. Registration. The Trust has not been registered or filed elsewhere.
4. Intervivos. This Trust is an intervivos, Revocable Trust.

5. Grantors. The names of the Grantors, or Settlers of the Trust are BEN H. BOYD and RUTH M. BOYD of 3643 Hill Road, Boise, Idaho 83703.

6. Date. The date of the execution of THE BOYD FAMILY TRUST instrument is the 13th day of May, 1996.

7. Powers of Trustee. To carry out the purposes of the Trust created under this Trust Agreement, and subject to any limitations stated elsewhere herein, the Trustee is vested with all of the powers and authority as set forth in the Uniform Trustees' Powers Act, being Chapter 1 of Title 68, Idaho Code, as now in effect and as it may hereafter from time to time be amended.

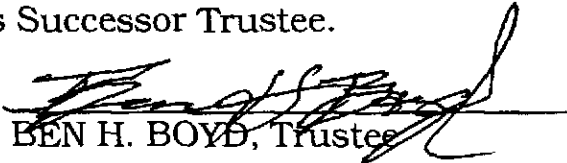
8. Power of Co-Trustees to Act Independently. Notwithstanding any other provision to the contrary, the Grantors specifically authorize either of the original Co-Trustees, namely, BEN H. BOYD and RUTH M. BOYD, during their joint lives and while serving as Co-Trustees, to act independently of the other and have the authority to perform all powers and acts as granted under the BOYD FAMILY TRUST, except as affects an interest in real property, by example, but not limited thereto, to sell, transfer, assign, mortgage, hypothecate or otherwise encumber the real property of the Trust Estate, which will necessitate the concurrence of both original Co-Trustees as long as both are alive. As to separate property of a Grantor, be it real or personal, only a single signature of the Grantor owner of the separate property shall be required as provided under section 2.3 of this Trust.

9. Original Trustees. The original Trustees under this Registration of Trust shall be BEN H. BOYD and RUTH M. BOYD, to serve with all of the obligation, powers, and authority contained within the Trust Agreement.

10. Death, Incapacity or Resignation of Original Trustee. In the event of the death, or incapacity of BEN H. BOYD, or if for any reason whatsoever he ceases to serve as Trustee hereunder, the Grantors nominate and appoint RUTH M. BOYD, to serve as Trustee hereunder without the approval of any Court.

In the event of the death, or incapacity of RUTH M. BOYD, or if for any reason whatsoever she ceases to serve as Trustee hereunder, the Grantors nominate and appoint BEN H. BOYD, to serve as Trustee hereunder without the approval of any Court.

11. Selection of Successor Trustee. Upon the death, resignation or disability of both Grantors, **BEN HARLAN BOYD**, whose current address is 7703 E. Marietta, Spokane, Washington 99211 is appointed to be the sole Trustee. If BEN HARLAN BOYD is not available to serve as Successor Trustee, then **ROBERT GRAHAM BOYD**, whose current address is 3643 Hill Road, Boise, Idaho 83703, shall be appointed as Successor Trustee.

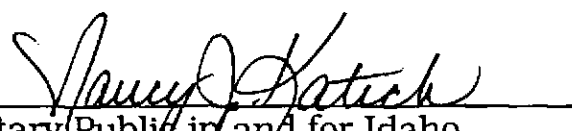

BEN H. BOYD, Trustee


RUTH M. BOYD, Trustee

STATE OF IDAHO)
 : ss.
County of Ada)

On this 13th day of May, 1996 before me personally appeared **BEN H. BOYD** and **RUTH M. BOYD**, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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


Notary Public in and for Idaho
Residing at Boise, Idaho.
My commission expires 8/26/2000.



PLAT SHOWING RE-SUBDIVISION OF LOTS 2 AND 3, FELTWELL SUBDIVISION

IN THE

SE 1/4 OF THE NE 1/4, SECTION 29, T.4N., R.2E., B.M.

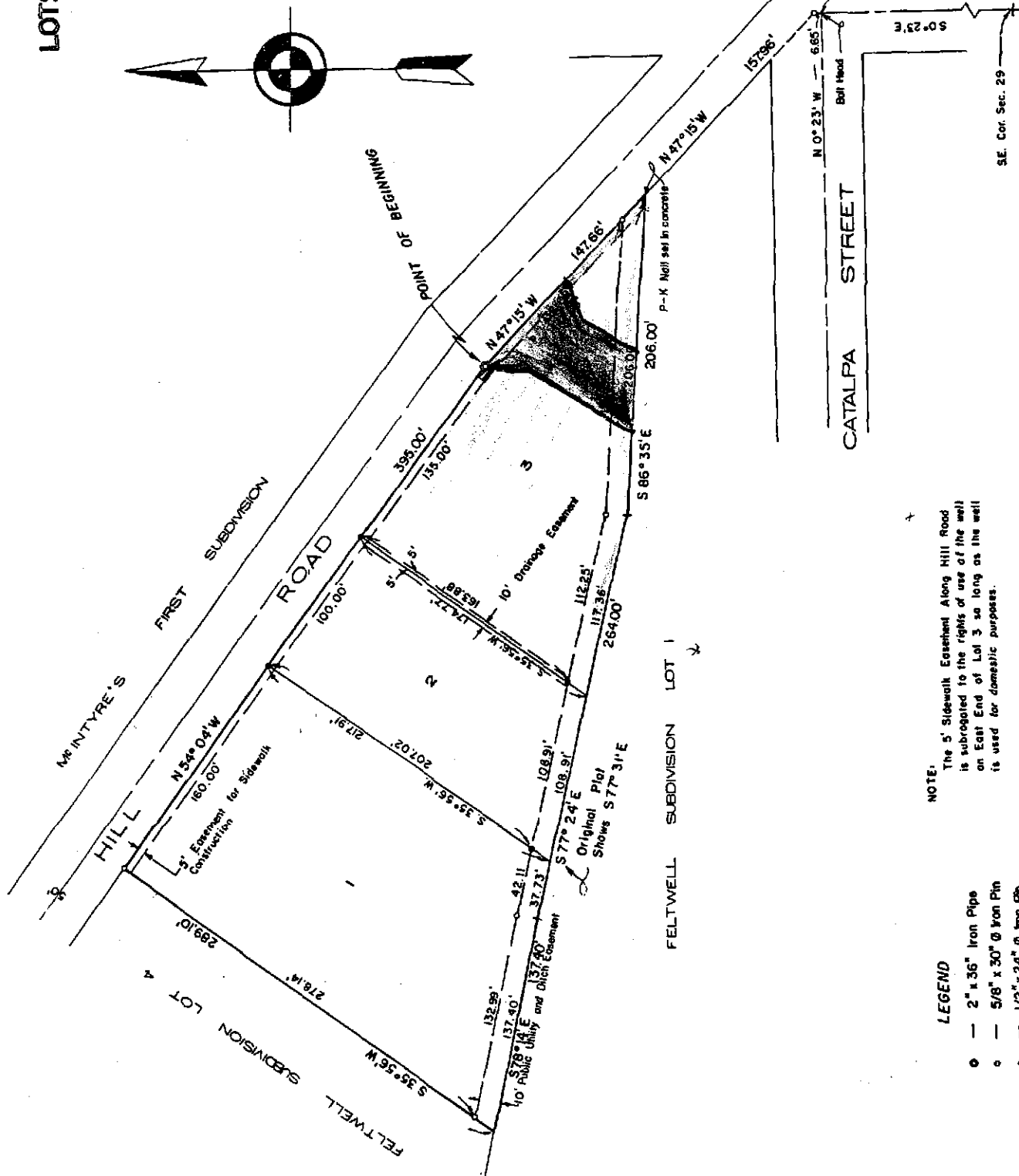
ADA COUNTY, IDAHO
1962



WILLIAM W. BRIGGS
ENGINEER
BOISE
IDAHO

This sketch is for location purposes
only. The Company assumes no
liability for variations.
PIONEER TITLE COMPANY
of Ada County

CAPITOL TITLE COMPANY
307 North York Street
BOISE, IDAHO



NOTE:

The 5' Sidewalk Easement Along Hill Road
is subrogated to the rights of use of the well
on East End of Lot 3 so long as the well
is used for domestic purposes.

LEGEND

- — 2" x 36" Iron Pipe
- — 5/8" x 30" Ø Iron Pin
- — 1/2" x 24" Ø Iron Pin

Building Setback Distance as follows:
Front Setback - 20 feet
Side Setback - 5 feet
or as specified in Restrictive Covenants,
Ada County Records Fee No. _____

ADA COUNTY CONSOLIDATED PROPERTY TAX BILL

BARBARA BAUER, ADA COUNTY TREASURER -- TAX COLLECTOR FOR TAXING DISTRICTS OF ADA COUNTY

O. BOX 2868, BOISE, ID 83701 PH. #(208) 364-2233

COPY TAX BILL

GAL DESCRIPTION:

PAR #0032 OF LOT 3
RESUB OF LOTS 2 & 3
FELTWELL SUB
#0030 B
#9034890

PROPERTY ADDRESS: 03643 W HILL

DELINQUENT TAXES

PHONE (208)
364-2233
FOR AMOUNT
INCLUDING
CURRENT
PENALTY
AND INTEREST.

YEAR HALF

PARCEL NUMBER

R2777510032

TAX YEAR

CODE AREA

BILL NUMBER

95

01-3

28324

MORTGAGE COMPANY REQUESTING YOUR TAX BILL

COUNTRYWIDE TITLE CORP/TA

THIS IS A LISTING OF THE TOTAL AMOUNT YOU PAY EACH TAXING DISTRICT, INCLUDING BONDS, OVERRIDES AND
ADJUSTMENTS IF APPLICABLE. PHONE INDIVIDUAL TAXING DISTRICTS WITH QUESTIONS REGARDING TAXES.

LEVY RANGE	NAME OF TAXING DISTRICT	TAXING DISTRICT PHONE NUMBER	TAXING DISTRICT TOTAL LEVY AMOUNT	TAX AMOUNT BY TAXING DISTRICT
4.27-	SCHOOL DISTRICT #1	338-3400	.006228064	\$656.13
.09-	SCHOOL #1 BOND	338-3400	.000517973	\$54.57
2.81-	SCH #1 OVERRIDE-83	338-3400	.000406304	\$42.80
2.81-	SCH #1 OVERRIDE-88	338-3400	.000656041	\$69.11
	SCH #1 OVERRIDE-95	338-3400	.000413471	\$43.56
.50-	BOISE CITY	384-3725	.005944827	\$626.29
6.35-	ADA COUNTY	364-2333	.003146118	\$331.44
3.32-	ADA JAIL BOND	364-2333	.000110208	\$11.61
6.35-	EMERGENCY MEDICAL	375-7048	.000133449	\$14.06
5.97-	ADA COUNTY HIGHWAY	345-7680	.001119454	\$117.93
1.53-	NW BOISE SEWER BND	344-5991	.000379838	\$40.02

NOTIFICATIONS: THESE AMOUNTS ARE DISTRICT CHARGES OR DELINQUENT BILLS THAT HAVE BEEN CERTIFIED TO THE TAX ROLL

IF YOU HAVE SOLD THIS PROPERTY, OR,
MORTGAGE COMPANY IS RESPONSIBLE
FOR PAYING THIS TAX, PLEASE FORWARD
THIS BILL IMMEDIATELY.

PAYMENTS WILL BE APPLIED TO
MOST DELINQUENT TAXES.

YOUR CANCELED CHECK WILL
SERVE AS YOUR RECEIPT.

TO AVOID PENALTY AND INTEREST,
FULL OR FIRST HALF TAXES MUST
BE PAID IN PERSON OR BE U.S.
POSTMARKED NO LATER THAN:
DEC 20, 1995

IF ANY PORTION OF THE TAX
BECOMES DELINQUENT, YOU WILL
BE CHARGED 2 PERCENT PENALTY
AND 1 PERCENT PER MONTH
INTEREST DATING FROM JANUARY
1st ON ANY FIRST HALF REMAINING
BALANCE. WHEN YOU ARE READY
TO PAY THE BALANCE DUE, CALL
364-2233 FOR THE CORRECT
PAYMENT AMOUNT.

FOR DETAILED INFORMATION
REGARDING TAX LAWS SEE BACK
OF TAX BILL.

TOTAL PROPERTY TAX BILLED
LESS PREPAYMENTS RECEIVED BY
LESS CIRCUIT BREAKER (SENIOR CITIZEN) EXEMPTION
LESS HARDSHIP EXEMPTION
TOTAL TAXES DUE

\$ 2007.52
\$
\$
\$
\$ 2007.52

TOTAL LEVY

.019055747

ASSESSED VALUE

\$ 133900.

AMOUNT OF HOMEOWNERS EXEMPTION:

\$ 28550.

CURRENT YEAR PROPERTY TAX	PRIOR YEAR PROPERTY TAX	% CHANGE PROPERTY TAX
2007.52	\$ 1991.18	0.82

CALL THE ADA CO. ASSESSOR,
(208)364-2400 WITH VALUE QUESTIONS

CURRENT YEAR TAXABLE VALUE	PRIOR YEAR TAXABLE VALUE	% CHANGE TAXABLE VALUE
\$ 105350.	\$ 98450.	7.01

KEEP THIS PORTION
FOR YOUR RECORDS.

BOYD BEN H & RUTH M
3643 HILL RD
BOISE ID 83703

THIS IS A COPY BILL

THE ORIGINAL TAX BILL HAS BEEN
SENT TO YOUR BANK OR MORTGAGE
COMPANY FOR PAYMENT.

THIS COPY IS SENT FOR YOUR
INFORMATION ONLY.

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: A63-09812
Date Received: 5/31/1989
Receipt No: W003062
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANK K. ROBERTSON 208-343-0569
Address: 624 HILLVIEW
BOISE, ID 83712

OR

Name: BETTY H. ROBERTSON
Address: 624 HILLVIEW
BOISE, ID 83712

2. Date of Priority: AUG 18, 1981

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.020		4.50
DOMESTIC	01/01	12/31	0.080		1.20

7. Total Quantity Appropriated is:
0.100 C.F.S. (and/or) 5.70 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	02E	29	SE NE		IRR	1.0
Section Acres						1.0
Total Acres						1.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

Domestic use is for a duplex.

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 _____

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: A63-09812
Date Received: ~~5/11/1989~~ 5/31/89
Receipt No: W003062
Received By: _____

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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BOISE, ID 83712
OR
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04N	02E	29	SE	NE			ADA

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6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.020		4.50
DOMESTIC	01/01	12/31	0.080		1.20

7. Total Quantity Appropriated is:
0.100 C.F.S. (and/or) 5.70 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A63-09812

Page 1

Date: 05/11/89

MICROFILMED
AUG 24 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	02E	29	SE NE		IRR	1.0
Section Acres						1.0
Total Acres						1.0

11. Place of use in counties: ADA

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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): Frank H. Robertson Date: May 25, 1989
Betty H. Robertson Date: May 25 '89

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 25 day

of May 19 89

Robert E. Hwa
Notary Public

Seal

Residing at Meridian, Idaho
My Commission Expires Aug 23, 91

17/30/1989.

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Robertson, Frank & Betty CLAIM IDENT. NO. AL63-09812

DATE RECEIVED 5/31/89 CK # 1951 AMOUNT \$ 25⁰⁰

	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)	☒ N/A	☐	
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?	☒ N/A	☐	
Is the consumptive use correct?	☒ N/A	☐	
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.	☒ N/A	☐	*
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.)	☒ N/A	☐	
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.)	☒ N/A	☐	
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?	☒ Exempt	☐	*
21. If this claim is based on an existing water right, has the identification number been entered?	☒ N/A	☐	
22. Should this claim be receipted and data entered?	☐	☐	

Claim checked by: VH Date: 8-10-89

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

ReceiptID	Amount	BasinNumber	SequenceNum	SplitSuffix	Type
W003062	25.00	63	9812		Claim

RECEIVED

AUG 15 2007
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
AUG 14 2007	
By _____	Clerk
_____	Deputy Clerk

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

) ORDER OF PARTIAL DECREE

Case No. 39576

) For Water Right: 63-09812
)
)
)
)

On June 4, 2007, a *Special Master's Report and Recommendation* was filed for the above-captioned water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report and Recommendation* and wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water right be **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

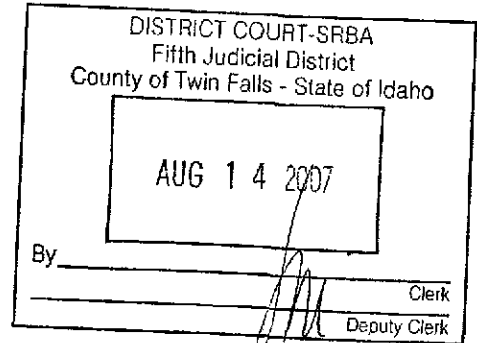
DATED August 14, 2007



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 63-09812



NAME AND ADDRESS: BOYD FAMILY TRUST UTA
BEN H OR RUTH M BOYD TRUSTEES
3645 HILL RD
BOISE, ID 83703

SOURCE: GROUND WATER

THIS WATER RIGHT DOES NOT AUTHORIZE THE DIVERSION OF A LOW
TEMPERATURE GEOTHERMAL RESOURCE OR OTHER GEOTHERMAL RESOURCE.

QUANTITY: 0.10 CFS
5.70 AFY

PRIORITY DATE: 08/18/1981

POINT OF DIVERSION: T04N R02E S29 SENE Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.02 CFS 4.50 AFY
	Domestic	01-01 TO 12-31	0.08 CFS 1.20 AFY

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.

Domestic use is for 2 households in a duplex and does not
include lawn, garden, landscape, or other types of irrigation.

PLACE OF USE: Irrigation Within Ada County
T04N R02E S29 SENE 1.0
1.0 Acres Total

Domestic Within Ada County
T04N R02E S29 SENE

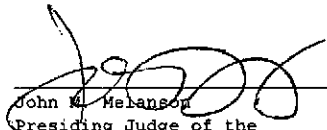
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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).

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

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 W. Melanson
Presiding Judge of the
Snake River Basin Adjudication

2007 AUG 14 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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): 63-09812

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 63-09812 was mailed
on August 14, 2007, with sufficient first-class postage prepaid
to the following:

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

EDWARDS FAMILY LLC
Represented by:
DANA L. HOFSTETTER
608 WEST FRANKLIN STREET
BOISE, ID 83702
Phone: 208-424-7800

BOYD FAMILY TRUST UTA
BEN H OR RUTH M BOYD TRUSTEES
3645 HILL RD
BOISE, ID 83703
Phone: 208-336-0060

JULIE MURPHY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
08/14/07

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

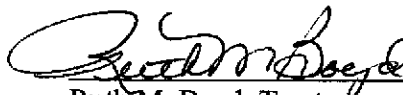
In Re SRBA	)	Subcase No. 63-9812
	)	
Case 39576	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

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

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

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

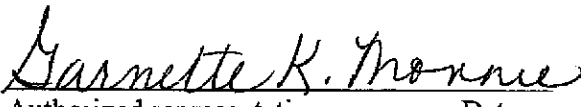
CLAIMANT(s):
BOYD FAMILY TRUST UTA

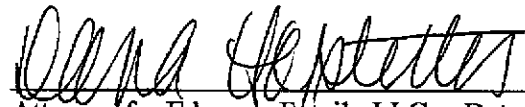
 5/22/07

Ruth M. Boyd, Trustee Date

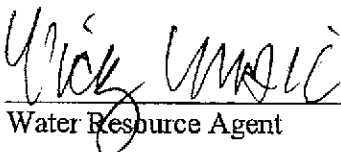
Date

OBJECTOR:
EDWARDS FAMILY LLC


Authorized representative Date
5/22/07

 5/22/07
Attorney for Edwards Family LLC Date

IDWR Concurrence:

 5/30/07
Water Resource Agent Date

Nicholas Spencer Date
Deputy Attorney General

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

RIGHT NUMBER: 63-9812

NAME & ADDRESS: BOYD FAMILY TRUST UIA
BEN H OR RUTH M BOYD TRUSTEES
3645 HILL RD
BOISE ID 83703

SOURCE: GROUND WATER

TRIBUTARY:

This water right does not authorize the diversion of a low temperature geothermal resource or other geothermal resource.

QUANTITY: 0.100 CFS
5.70 AFY

PRIORITY DATE: 08/18/1981

POINT OF DIVERSION: T04N R02E S29 SENE Within ADA County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.020 CFS 4.50 AFY
DOMESTIC	1/01 12/31	0.080 CFS 1.20 AFY

Domestic use is for 2 households in a duplex and does not include lawn, garden, landscape, or other types of irrigation

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

PLACE OF USE: IRRIGATION Within ADA County
T04N R02E S29 SENE 1.00

DOMESTIC Within ADA County
T04N R02E S29 SENE
1 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

PARCEL NO R2777510032

PROPERTY IS ALSO KNOWN AS LOT 3 OF RE-SUB OF LOT 2 AND 3 OF FELTWELL SUBDIVISION

SF5
Right No 63-9812

2007 APR -4 AM 10: 24

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

**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 63-09812
	)	
Case No. 39576	)	ORDER SETTING MANDATORY
	)	SETTLEMENT CONFERENCE;
	)	
	)	ORDER REQUESTING 706 REPORT
	)	FROM IDWR;
	)	
	)	ORDER SETTING DEADLINE FOR
	)	DESIGNATION OF COUNSEL;
	)	
	)	ORDER SETTING STATUS
	)	CONFERENCE

I. ORDER SETTING MANDATORY SETTLEMENT CONFERENCE

The Court recognizes that formal litigation of subcases in the Snake River Basin Adjudication may impose an economic burden on parties. Settlement conferences often provide an opportunity to settle subcases and avoid a trial. These conferences can help open lines of communication, clarify issues, reveal the strengths and weaknesses of each party's legal position, identify areas of agreement and generate options for a mutually agreeable resolution of the dispute.

Each party and IDWR is required to be present with the individual having full settlement authority on every aspect of the contested subcase. Partnerships, corporations, trusts, limited partnerships, unincorporated associations, etc., must have a responsible officer or partner with settlement authority in attendance, in addition to their attorney of record, unless written authority to settle has been given to the attorney and is presented to the Settlement Moderator.

ORDER SETTING MANDATORY SETTLEMENT CONFERENCE;
ORDER REQUESTING 706 REPORT FROM IDWR;
ORDER SETTING DEADLINE FOR DESIGNATION OF COUNSEL;
ORDER SETTING STATUS CONFERENCE
G:\BASIN FOLDERS\Orders\63ORDERS\9812.706, status.doc
Last printed 4/3/2007 5:05:00 PM

Settlement Statement- Each party to this subcase shall submit a confidential "settlement statement" to Settlement Moderator Terrence A. Dolan on or before **Thursday, May 17, 2007, by 5:00 P.M.** The settlement statement should contain a cover letter instructing the Clerk of the Court to simply forward the statement to Special Master Dolan **without filing the document** with the Court. The contents of the settlement statement shall not be disclosed by the Settlement Moderator to the other parties, the Court, or to Special Master Booth except with the express consent of the parties. The settlement statements shall not be filed with the Court or the Special Master and shall be disposed of as Settlement Moderator Dolan deems appropriate. The settlement statement shall contain the following information:

1. Identify the person(s) in addition to counsel of record, who shall attend the session with settlement authority.
2. The claimant shall disclose the legal and factual bases of his claim. (Please limit this disclosure to 5 pages including attachments)
3. The objector shall disclose the legal and factual bases of his objections. (Please limit each disclosure to 5 pages including attachments)
4. The Respondent (if any) shall disclose the legal and factual bases of its response (Please limit each disclosure to 5 pages including attachments)
5. Each party shall summarize the facts that are now settled or resolved and shall summarize those facts that remain in dispute.
6. Parties are encouraged to bring additional documents, maps or other information that may be helpful in the settlement discussions.

Failure to attend or attendance without settlement authority may result in sanctions by the court.

IT IS ORDERED that this subcase shall proceed with a SETTLEMENT CONFERENCE before Settlement Moderator Terrence A. Dolan, as follows:

DATE:	Wednesday, May 23, 2007
TIME:	2:00 PM Mountain Time
LOCATION:	IDWR Western Region Office 2735 Airport Way Boise, Idaho

II. ORDER REQUESTING 706 REPORT FROM IDWR

Pursuant to Idaho Rule of Evidence 706, and Idaho Code § 42-1401B, it is ordered that IDWR shall prepare and serve upon the parties to the subcase and the SRBA Court a report detailing the basis for its recommendation. The deadline for filing this report is **Friday, June 1, 2007**. The report may address any or all of the elements of the water right claim as IDWR deems appropriate, but particular emphasis should be placed upon the disputed element of source, and in particular as it relates to the nature of the objection, which is to the diversion of geothermal water from the Stewart Gulch Geothermal Aquifer.

In accordance with I.R.E. 706, a deposition of IDWR may be taken by any party; and IDWR may be called to testify by any party or by the Court pursuant to I.R.E. 614(a); and IDWR shall be subject to cross-examination by each party.

III. ORDER SETTING DEADLINE FOR DESIGNATION OF COUNSEL

On February 9, 2007, this Special Master issued an *Order Requiring Claimant to be Represented by an Attorney Admitted To Practice Law in Idaho*. In accordance therewith, it is hereby ordered that the claimant shall file with the Court a designation of such attorney no later than **Thursday, May 17, 2007**.

IV. ORDER SETTING STATUS CONFERENCE

A status conference in this subcase will be held on **Tuesday, June 12, 2007 at 11:30 AM Mountain Time** at the Snake River Basin Adjudication Courthouse, 253 3rd Avenue North, Twin Falls, Idaho. Parties may participate by telephone by dialing 225-383-1099 and when prompted entering the code 675342.

Dated April 4, 2007



THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER SETTING MANDATORY SETTLEMENT; DEADLINE FOR 706 REPORT; DEADLINE FOR ATTORNEY AND STATUS CONFERENCE was mailed on April 04, 2007, with sufficient first-class postage to the following:

EDWARDS FAMILY LLC

Represented by:

DANA L. HOFSTETTER

608 WEST FRANKLIN STREET

BOISE, ID 83702

Phone: 208-424-7800

BOYD FAMILY TRUST UTA

BEN H OR RUTH M BOYD TRUSTEES

3645 HILL RD

BOISE, ID 83703

Phone: 208-336-0060

DIRECTOR OF IDWR

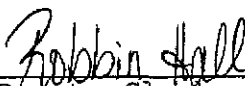
PO BOX 83720

BOISE, ID 83720-0098

ORDER

Page 1 4/04/07

FILE COPY FOR 01268


Deputy Clerk

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

In Re SRBA

Case 39576

A. Subcase 63-9812

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Edwards Family LLC
Address: 4106 Sand Creek Street
Boise, Idaho 83703
Daytime Phone: 208-342-7548

Name & Address of Attorney, if any:

Dana Hofstetter
Hofstetter Law Office, LLC
608 West Franklin Street
Boise, Idaho 83702
208-424-7800

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

Name: Boyd Family Trust UTA
Ben H or Ruth M Boyd Trustees
Address: 3645 Hill Rd
Boise, Idaho 83703

SCANNED
OCT 06 2006

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

1. ☐ **Name and Address**
Should be: _____
2. ☒ **Source**
Should be: See Section E
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____
10. **I object because:**
 - ☒ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

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

F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

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

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

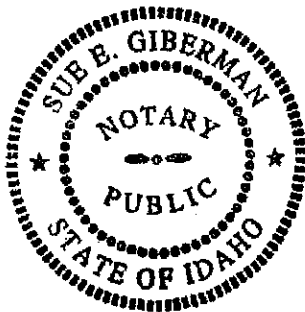
Signature of person filing objection

Dana L. Hofstetter

Attorney signing in representative capacity

Subscribed and sworn to before me on: _____

April 20, 2006



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

INSTRUCTIONS FOR MAILING

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

G. CERTIFICATE OF MAILING

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

1. Original to:

Clerk of the District Court (*via Hand Delivery*)
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

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

Name: Boyd Family Trust UTA
Ben H or Ruth M Boyd Trustees
Address: 3645 Hill Rd
Boise, Idaho 83703

3. Copies to:

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

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

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



Signature of Objector or attorney
mailing on Objector's behalf

11/30/2004

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

RIGHT NUMBER: 63-9812
NAME AND ADDRESS: BOYD FAMILY TRUST UTA
BEN H OR RUTH M BOYD TRUSTEES
3643 HILL RD
BOISE ID 83703

SOURCE: GROUND WATER
QUANTITY: 0.100 CFS
5.700 AFY

TRIBUTARY:

PRIORITY DATE: 08/18/1981

POINT OF DIVERSION:

T04N R02E S29 SENE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.020 CFS 4.50 AFY
DOMESTIC	01/01 12/31	0.080 CFS 1.20 AFY

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.

Domestic use is for 2 households in a duplex and does not include lawn, garden, landscape, or other types of irrigation.

PLACE OF USE: IRRIGATION Within ADA County
T04N R02E S29 SENE 1.0
DOMESTIC Within ADA County
T04N R02E S29 SENE

1 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. R2777510032.

PROPERTY IS ALSO KNOWN AS LOT 3 OF RE-SUB OF LOT 2 AND 3 OF FELTWELL SUBDIVISION.



State of Idaho
Idaho Department of Water Resources
Western Region

T4N R2E SECTION 29
Water Right(s) : 63-9812



1320 0 1320 2640 3960 Feet

A horizontal scale bar with alternating black and white segments. The segments are labeled with the numbers 1320, 0, 1320, 2640, and 3960, representing distances in feet.

TOTAL IRRIGATED ACRES < 0.5



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

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

Adjudication Recommendation Report 63-9812 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	FRANK K ROBERTSON 624 HILLVIEW BOISE, ID 83712 (208)343-0569
Original Owner	BETTY H ROBERTSON 624 HILLVIEW BOISE, ID 83712
Current Owner	BOYD FAMILY TRUST UTA BEN H OR RUTH M BOYD TRUSTEES 3643 HILL RD BOISE, ID 83703

Status: Active

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.020 CFS	4.50 AF
DOMESTIC	01/01 to 12/31	0.080 CFS	1.20 AF
	Total Diversion:	0.100 CFS	5.70 AF

GROUND WATER SE1/4NE1/4 Sec. 29, Twp 04N, Rge 02E, B.M.
ADA County

IRRIGATION

[illegible]

DOMESTIC

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-9812 V1

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. WB5 Domestic use is for 2 households in a duplex and does not include lawn, garden, landscape, or other types of irrigation.

Remarks:

1. Explanatory PARCEL NO. R2777510032.
2. Explanatory PROPERTY IS ALSO KNOWN AS LOT 3 OF RE-SUB OF LOT 2 AND 3 OF FELTWELL SUBDIVISION.
3. 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.

Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	11/30/2004 11:36:17 AM	vmusic			Active
Priority Date	11/30/2004 11:36:53 AM	vmusic			Active
POD	11/30/2004 11:38:28 AM	vmusic			Active
Source	11/30/2004 11:40:06 AM	vmusic			Active
Use	11/30/2004 11:40:31 AM	vmusic			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-9812 V1

POU	11/30/2004 11:47:43 AM	vmusic	Active
Season	11/30/2004 11:51:04 AM	vmusic	Active
Quantity	11/30/2004 11:51:48 AM	vmusic	Active
Summary	11/30/2004	vmusic	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	11/30/2004 11:36:17 AM	vmusic	(No) 1. Do you want to schedule an appointment? Comment for 1: DESKTOP REVIEW
Priority Date	11/30/2004 11:36:53 AM	vmusic	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (Yes) 16. Is a Priority Date remark and/or condition required?
POD	11/30/2004 11:38:29 AM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
POD	11/30/2004 11:39:28 AM	vmusic	Edited point location
Use	11/30/2004 11:40:31 AM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (Yes) 13. Is a Purpose of Use remark and/or condition required?
POU	11/30/2004 11:49:58 AM	vmusic	Edited shape boundary

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-9812 V1

Summary	11/30/2004 11:53:49 AM	vmusic	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (Yes) 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?
POU	11/30/2004 11:50:16 AM	vmusic	Edited shape boundary
Season	11/30/2004 11:51:04 AM	vmusic	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
Quantity	11/30/2004 11:51:48 AM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - SEE LICENSING EXAM
POU	11/30/2004 11:47:44 AM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (Yes) 14. Is a POU remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-9812 V1

Source	11/30/2004 11:40:06 AM	vmusic	(Yes) 1. Is the basis of claim Decree or License?
			(Yes) 4. Does the Decree or License have a source?
			(Yes) 5. Can the claimed source be verified using the water right file?
			(No) 11. Is a Source remark and/or condition required?



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

January 6, 2003

BOYD FAMILY TRUST U/T/A
BEN H OR RUTH M BOYD, TRUSTEES
3643 HILL RD
BOISE ID 83703

Re: Notice of Claim to a Water Right No. 63-9812 & 63-17609

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflects 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 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 again for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

Denise Hatfield
Office Specialist I
Adjudication Section
Western Region Office

DH: dh

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

63-9812

1130 N. Allumbaugh

Boise 83704

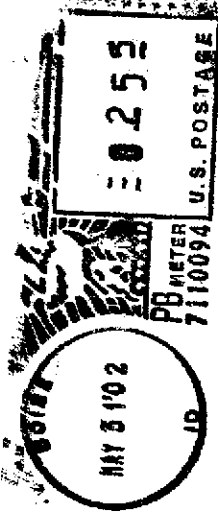
Sent Again 6-14-02

PRESORTED
FIRST CLASS



UNDELIVERABLE AS ADDRESSED
NO FORWARDING ORDER ON FILE

FRANK K ROBERTSON
BETTY H ROBERTSON
624 HILLVIEW
BOISE ID 83712

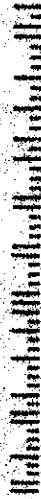


RECEIVED

JUN 07 2002

WATER RESOURCES
WESTERN REGION

DEPT OF WATER RESOURCES 83712



IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-9812

11/30/2004

1

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-9812	Claim	04N	02E	29	SE	NE		GROUND WATER	BOYD FAMILY TRUST UTA
63-15852	Claim	04N	02E	29	SE	NE		GROUND WATER	DONALD T MILLETT
63-16085	Claim	04N	02E	29	SE	NE		GROUND WATER	MARY LOU TAYLOR
63-16585	Claim	04N	02E	29	SE	NE		GROUND WATER	MARY A LUSCOMBE
63-16826	Claim	04N	02E	29	SE	NE		GROUND WATER	DAVID V OLSON
63-19049	Claim	04N	02E	29	SE	NE		GROUND WATER	CHARLES L LEDFORD
63-20087	Claim	04N	02E	29	SE	NE		GROUND WATER	MICHAEL E COEY
63-22386	Claim	04N	02E	29	SE	NE		GROUND WATER	VALERIE BALDWIN
63-5234	Claim	04N	02E	29	SE	NE		GROUND WATER	CAROL J STROPE
63-19085	Claim	04N	02E	29	SE	NE		GROUND WATER	KRISTY A LYNESS
63-19454	Claim	04N	02E	29	SE	NE		GROUND WATER	JOYCE D BROWN
63-26375	Claim	04N	02E	29	SE	NE		GROUND WATER	GORDON WEIGT
63-15657	Claim	04N	02E	29	SE	NE		GROUND WATER	H GENE SENKBEIL
63-19788	Claim	04N	02E	29	SE	NE		GROUND WATER	LAVAR K HOFF
63-15316	Claim	04N	02E	29	SE	NE		GROUND WATER	ELBERTA B MC KEAN
63-16794	Claim	04N	02E	29	SE	NE		GROUND WATER	STEVEN SCHNEIDER
63-16829	Claim	04N	02E	29	SE	NE		GROUND WATER	CHARLES M ETLINGER
63-17611	Claim	04N	02E	29	SE	NE		GROUND WATER	LEE ANNE S WYNN
63-19518	Claim	04N	02E	29	SE	NE		GROUND WATER	FRANK E RIBGY
63-19590	Claim	04N	02E	29	SE	NE		GROUND WATER	DAVID NEAL
63-22970	Claim	04N	02E	29	SE	NE		GROUND WATER	DALE W SHIDELER
63-15208	Claim	04N	02E	29	SE	NE		GROUND WATER	MARJORIE E REIMERS
63-16444	Claim	04N	02E	29	SE	NE		GROUND WATER	JULIAN ACHABAL
63-16840	Claim	04N	02E	29	SE	NE		GROUND WATER	MARY FARRAR
63-19604	Claim	04N	02E	29	SE	NE		GROUND WATER	LUELLA M EMMONS
63-22525	Claim	04N	02E	29	SE	NE		GROUND WATER	J P QUARLES
63-23027	Claim	04N	02E	29	SE	NE		GROUND WATER	MARY ANN TAYLOR

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-9812

11/30/2004

2

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-16445	Claim	04N	02E	29	SE	NE		UNNAMED STREAM BOISE RIVER	JULIAN ACHABAL
63-2661	Water Right	04N	02E	29	SE	NE		GROUND WATER	HAZEL MAY PROHASKA
63-2993	Water Right	04N	02E	29	SE	NE		GROUND WATER	KENNETH D OLSON
63-3047	Water Right	04N	02E	29	SE	NE		GROUND WATER	MAY NELSON
63-4129	Water Right	04N	02E	29	SE	NE		GROUND WATER	ROBERT J REIBER
63-4206	Water Right	04N	02E	29	SE	NE		GROUND WATER	DAN ANDREGG
63-5234	Water Right	04N	02E	29	SE	NE		GROUND WATER	J KINDALL STROPE
63-9812	Water Right	04N	02E	29	SE	NE		GROUND WATER	BETTY H ROBERTSON
63-15852	Water Right	04N	02E	29	SE	NE		GROUND WATER	DONALD T MILLETT
63-16085	Water Right	04N	02E	29	SE	NE		GROUND WATER	MARY LOU TAYLOR
63-16585	Water Right	04N	02E	29	SE	NE		GROUND WATER	RUTH T THRUPP FAMILY TRUST
63-16826	Water Right	04N	02E	29	SE	NE		GROUND WATER	DEBORAH A OLSON
63-22386	Water Right	04N	02E	29	SE	NE		GROUND WATER	VALERIE BALDWIN
63-16998	Water Right	04N	02E	29	SE	NE		GROUND WATER	ISSAC GAYFIELD
63-19085	Water Right	04N	02E	29	SE	NE		GROUND WATER	ROBERT R LYNESS
63-19454	Water Right	04N	02E	29	SE	NE		GROUND WATER	JESSE V BROWN
63-26375	Water Right	04N	02E	29	SE	NE		GROUND WATER	GORDON WEIGT
63-15657	Water Right	04N	02E	29	SE	NE		GROUND WATER	MOLLY A SENKBEIL
63-19788	Water Right	04N	02E	29	SE	NE		GROUND WATER	BARBARA K HOFF
63-15316	Water Right	04N	02E	29	SE	NE		GROUND WATER	ELBERTA B MC KEAN
63-16794	Water Right	04N	02E	29	SE	NE		GROUND WATER	RUTH CAMPBELL SCHNEIDER
63-16829	Water Right	04N	02E	29	SE	NE		GROUND WATER	DORIS A ETLINGER
63-17611	Water Right	04N	02E	29	SE	NE		GROUND WATER	LEE ANNE S WYNN
63-19518	Water Right	04N	02E	29	SE	NE		GROUND WATER	DONNA L RIBGY
63-19590	Water Right	04N	02E	29	SE	NE		GROUND WATER	SONJA NORTON
63-22970	Water Right	04N	02E	29	SE	NE		GROUND WATER	DALE W SHIDELER
63-15208	Water Right	04N	02E	29	SE	NE		GROUND WATER	MARJORIE E REIMERS
63-16444	Water Right	04N	02E	29	SE	NE		NEGROUND WATER	JULIAN ACHABAL
63-16840	Water Right	04N	02E	29	SE	NE		GROUND WATER	KEITH FARRAR
63-19604	Water Right	04N	02E	29	SE	NE		GROUND WATER	EVA L EMMONS
63-22525	Water Right	04N	02E	29	SE	NE		GROUND WATER	J P QUARLES
63-23027	Water Right	04N	02E	29	SE	NE		GROUND WATER	HAROLD D TAYLOR JR
63-16445	Water Right	04N	02E	29	SE	NE		UNNAMED STREAM BOISE RIVER	ROSEMARIE ACHABAL

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-9812

11/30/2004

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
5234	Claim	04N	02E	29	SE	NE		IRRIGATION	2/2	CAROL J STROPE
9812	Claim	04N	02E	29	SE	NE		IRRIGATION	1/1	BOYD FAMILY TRUST UTA
2661	Water Right	04N	02E	29	SE	NE		IRRIGATION	2/2	HAZEL MAY PROHASKA
2993	Water Right	04N	02E	29	SE	NE		IRRIGATION	2/2	KENNETH D OLSON
3047	Water Right	04N	02E	29	SE	NE		IRRIGATION	2/2	MAY NELSON
5234	Water Right	04N	02E	29	SE	NE		IRRIGATION	1/1	J KINDALL STROPE
9812	Water Right	04N	02E	29	SE	NE		IRRIGATION	1/1	BETTY H ROBERTSON
2576	Claim	04N	02E	29	SE	NE		MUNICIPAL		UNITED WATER IDAHO INC
2605	Claim	04N	02E	29	SE	NE		MUNICIPAL		UNITED WATER IDAHO INC
2874	Claim	04N	02E	29	SE	NE		MUNICIPAL		UNITED WATER IDAHO INC
2954	Claim	04N	02E	29	SE	NE		MUNICIPAL		UNITED WATER IDAHO INC
2956	Claim	04N	02E	29	SE	NE		MUNICIPAL		UNITED WATER IDAHO INC
2989	Claim	04N	02E	29	SE	NE		MUNICIPAL		UNITED WATER IDAHO INC
3164	Claim	04N	02E	29	SE	NE		MUNICIPAL		UNITED WATER IDAHO INC
7067	Claim	04N	02E	29	SE	NE		MUNICIPAL		UNITED WATER IDAHO INC
7577	Claim	04N	02E	29	SE	NE		MUNICIPAL		UNITED WATER IDAHO INC
7998	Claim	04N	02E	29	SE	NE		MUNICIPAL		UNITED WATER IDAHO INC
19456	Claim	04N	02E	29	SE	NE		MUNICIPAL		UNITED WATER IDAHO INC
4129	Water Right	04N	02E	29	SE	NE		DOMESTIC		ROBERT J REIBER
4206	Water Right	04N	02E	29	SE	NE		DOMESTIC		DAN ANDREGG
4775	Water Right	04N	02E	29	SE	NE		DOMESTIC		CONNIE LIGHTFIELD
15208	Water Right	04N	02E	29	SE	NE		DOMESTIC		MARJORIE E REIMERS
15316	Water Right	04N	02E	29	SE	NE		DOMESTIC		ELBERTA B MC KEAN
15657	Water Right	04N	02E	29	SE	NE		DOMESTIC		MOLLY A SENKBEIL
15852	Water Right	04N	02E	29	SE	NE		DOMESTIC		DONALD T MILLETT
16085	Water Right	04N	02E	29	SE	NE		DOMESTIC		MARY LOU TAYLOR
16444	Water Right	04N	02E	29	SE	NE		DOMESTIC		JULIAN ACHABAL
16445	Water Right	04N	02E	29	SE	NE		DOMESTIC		ROSEMARIE ACHABAL
16585	Water Right	04N	02E	29	SE	NE		DOMESTIC		RUTH T THRUPP FAMILY TRUST
16794	Water Right	04N	02E	29	SE	NE		DOMESTIC		RUTH CAMPBELL SCHNEIDER
16826	Water Right	04N	02E	29	SE	NE		DOMESTIC		DEBORAH A OLSON
16829	Water Right	04N	02E	29	SE	NE		DOMESTIC		DORIS A ETLINGER
16840	Water Right	04N	02E	29	SE	NE		DOMESTIC		KEITH FARRAR
16998	Water Right	04N	02E	29	SE	NE		DOMESTIC		ISSAC GAYFIELD
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19085	Water Right	04N	02E	29	SE	NE		DOMESTIC		ROBERT R LYNESS
19454	Water Right	04N	02E	29	SE	NE		DOMESTIC		JESSE V BROWN
19518	Water Right	04N	02E	29	SE	NE		DOMESTIC		DONNA L RIBGY
19590	Water Right	04N	02E	29	SE	NE		DOMESTIC		SONJA NORTON
19604	Water Right	04N	02E	29	SE	NE		DOMESTIC		EVA L EMMONS
19788	Water Right	04N	02E	29	SE	NE		DOMESTIC		BARBARA K HOFF
22386	Water Right	04N	02E	29	SE	NE		DOMESTIC		VALERIE BALDWIN
22525	Water Right	04N	02E	29	SE	NE		DOMESTIC		J P QUARLES
22970	Water Right	04N	02E	29	SE	NE		DOMESTIC		DALE W SHIDELER
23027	Water Right	04N	02E	29	SE	NE		DOMESTIC		HAROLD D TAYLOR JR
26375	Water Right	04N	02E	29	SE	NE		DOMESTIC		GORDON WEIGT

Desktop Review/VLM

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

HLM

Prior to Field Exam

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

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-9912

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

See 11/15/15 exam

OVERLAP REVIEW

Other water rights with the same point of diversion: no

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

NA

WATER USES

☒ No change

☐ Different Uses

Use IRR From 3/15 To 11/15 Amount .02 CFS 4.5 AFA 11.6
 Use DOM From 1/1 To 12/31 Amount .08 CFS 1.2 AFA
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA

shoulder remarks needed for 3/1

.1 5.7

TOTAL VOLUME – Groundwater only

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

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

☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

☒ No change

☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:

104 is only .5 ac.

☒ No Change

☐ Changes shown below:

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

Overlap with other water rights: no

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

NA

Delivery System Narrative: see HHSWID 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

review R277510040
Parcel # R277510032
for aka lots of resub re-sub of lot 2 & 3 of Feltwell sub.
Don't use it for a duplex
✓ WBS dom use for internal use & does not
include irrigation
so you shoulder remark

[illegible]

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: _____

FIELD EXAMINER: _____

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-9812

WATER RIGHT NUMBER: 63-9812

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	FRANK K ROBERTSON 624 HILLVIEW BOISE, ID 83712 (208)343-0569
Original Owner	BETTY H ROBERTSON 624 HILLVIEW BOISE, ID 83712
Current Owner	BOYD FAMILY TRUST UTA BEN H OR RUTH M BOYD TRUSTEES 3643 HILL RD BOISE, ID 83703

Priority Date: 08/18/1981

Basis: License

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

DOMESTIC

From To

3/15 to 11/15

1/01 to 12/31

Diversion Rate

0.020 CFS

0.080 CFS

Total Diversion:

0.100 CFS

Annual Volume

4.50 AF

1.20 AF

5.70 AF

Location of Point(s) of Diversion

GROUND WATER

ADA County

SE1/4NE1/4

Sec. 29, Twp 04N, Rge 02E, B.M.

Place of Use

IRRIGATION Within ADA County

T04N R02E S29 SENE 1.0

Total Acres: 1

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:

1. General Domestic use is for a duplex.
2. General Ownership changed by DH 1/6/2003

3/11 - SHP/12 for remark

PARCEL #

aka

SOY for SOY

Dom use doesn't include ir.

L.546-

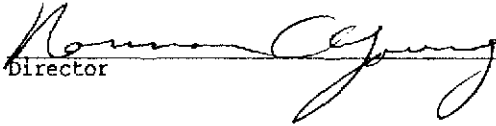
DEC 08 1988

WATER RIGHT LICENSE

WATER RIGHT NO. 63-09812

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 22nd
day of NOVEMBER, 1988.

Acting for the Director



011006-28

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 FRANK K. AND/OR BETTY H. ROBERTSON Phone 343-0569

Post office address 3643 Hill Road, Boise, ID 83703

2. Source of water supply groundwater which is a tributary of _____

3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 29 Township 4N

Range 2E B.M. Ada County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .08 for domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .02 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)

5. Total quantity to be appropriated:

a. .10 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well, pump and pipeline to place
of use _____

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 1 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: SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 29 Township 4N

Range 2E 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 2.

(5) If water is to be used for other purposes describe: _____

[illegible]

Who owns the land to be irrigated or place of use

Who owns the property at the point of diversion

Applicant

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

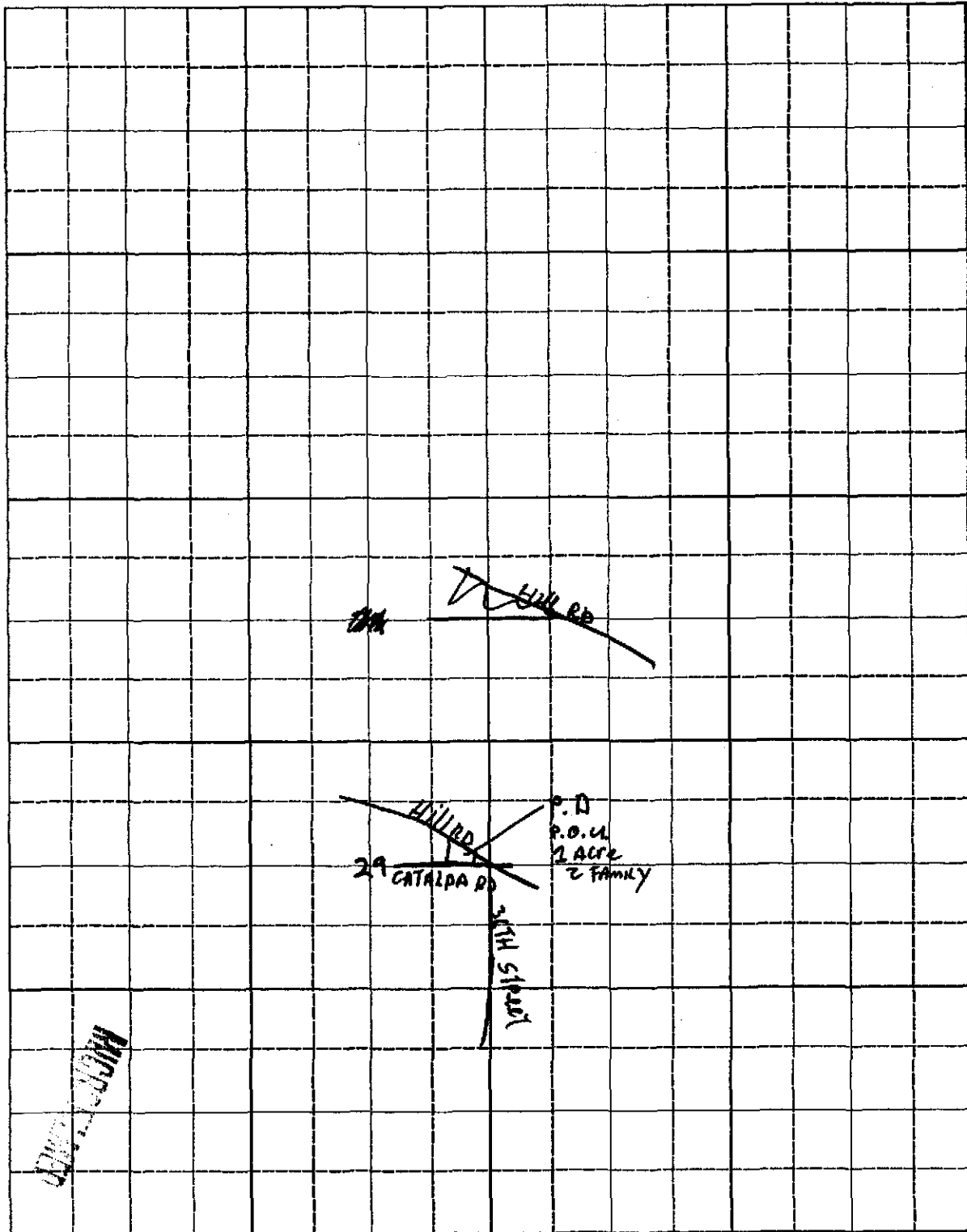
None

I

[illegible]

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

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.

Frank K. Robertson
(Applicant)

Received by Com Date 18 Aug 1981 Time 3:45 pm
Preliminary check by LLS Fee \$ 30 # 10585
Received by Com Date 18 Aug 1981
Publication prepared by LLS Date 8-27-81
Published in The Idaho Statesman
Publication dates Sept. 23-30 1981
Protests filed by: file
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by DOS file

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. 63-9812, 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 November 1, 19 82

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: _____

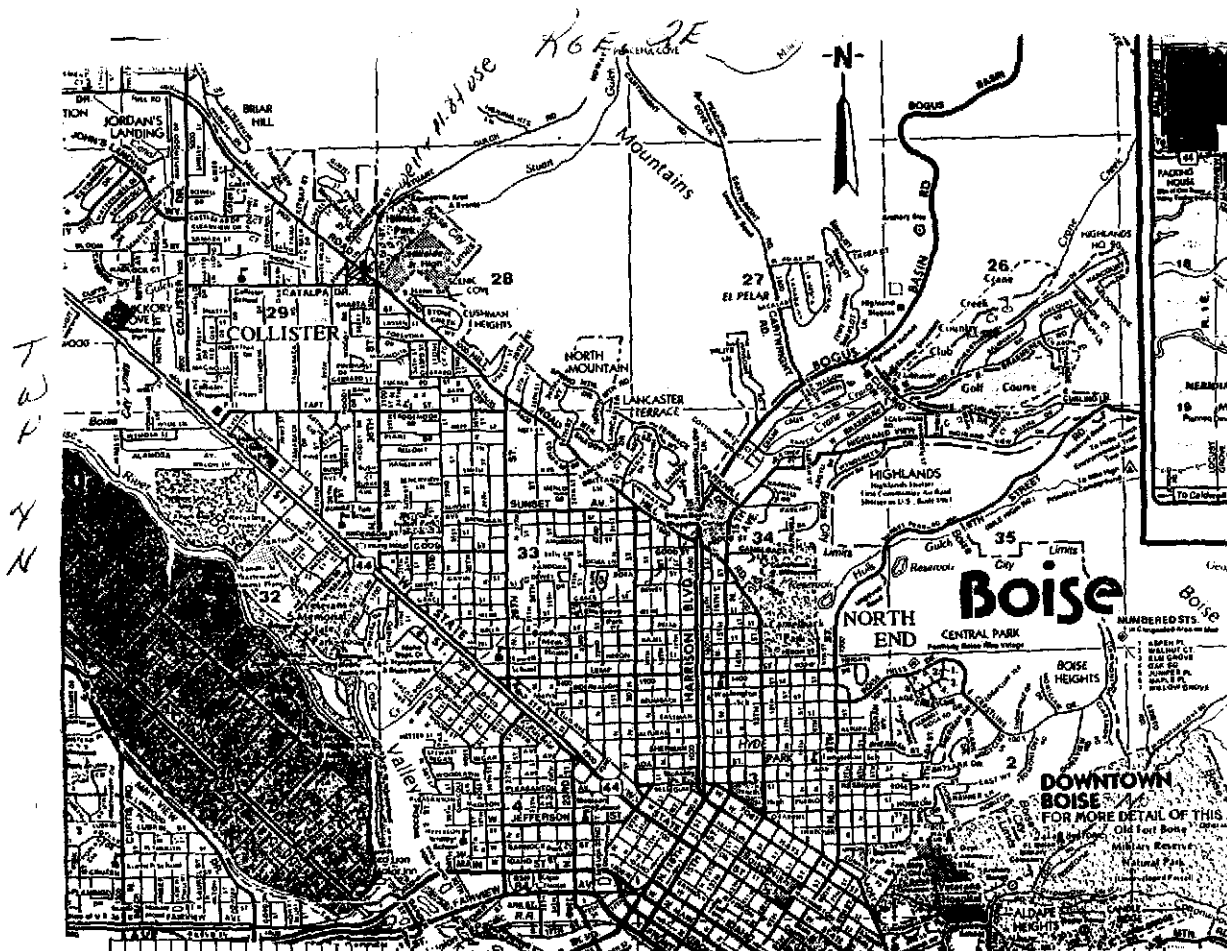
Witness my hand this 23rd day of October, 19 81.

A. Allen Sawyer
Chief, Operations Bureau

MICROFILMED

10. Other water rights on these NONE
11. Other water right diverted from same p.d. NONE

12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached

☒ Aerial Photo of Place of Use Attached
or Map of Irrigated Acreage Attached

14. Remarks

15. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

16. Examiner's/Consultant's Signature

Date 1/29/85

Consultant's License Number

IDWR Director's Authorization to Conduct

Beneficial Use Examination

Date 9/11/84

CONSULTANT SEAL

DEC 6 1984

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

JAN 20 1986

Department of Water Resources

63-9812
Permit No.

1. Measurement Calculations

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

NONE - NO DATA AVAILABLE

- b) Volume Calculations for Irrigation:

$$\begin{aligned} V_{i,r} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1 \times 4.5 = 4.5 \text{ af/farm} \\ V_{d,r} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .02 \times 245 \times 1.9835 = 9.71 \text{ af/farm} \\ V &= \text{Smaller of } V_{i,r} \text{ and } V_{d,r} = 4.5 \text{ af/farm} \end{aligned}$$

- c) Volume Calculations for Other Uses:

Domestic - in house only - 2 - 1.2 af/farm.

2. Overlap Review

- a) Other water rights with same place of use: NONE
- b) Other water rights with same point of diversion: NONE
- c) Analysis:

DEC 06 1988

Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
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- | 6. Beneficial Use | Period of Use | From | To | Rate of Diversion | Q (cfs) | Annual Volume | V (afa) |
|-------------------|---------------|-------|----|-------------------|---------|---------------|---------|
| DOMESTIC | 1/1 | 12/31 | | 0.08 gpd | | 1.3 ag | |
| IRRIGATION | 3/15 | 11/15 | | 0.08 gpd | | 14.5 ag | |

Allowable Maximums: .10 gpd 3.1 g

- [illegible]

- [illegible]

- | 9. Recommended Conditions/Remarks: | 10. Recommended Amendments |
|------------------------------------|----------------------------|
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10. Recommended Amendments
- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
- ☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other
11. Examiner's Signature Don G. Brown
- Checked in Regional Office by 645
- Date 1/30/85
- Date 1/15/86
- Date _____
- Approved in State Office by _____