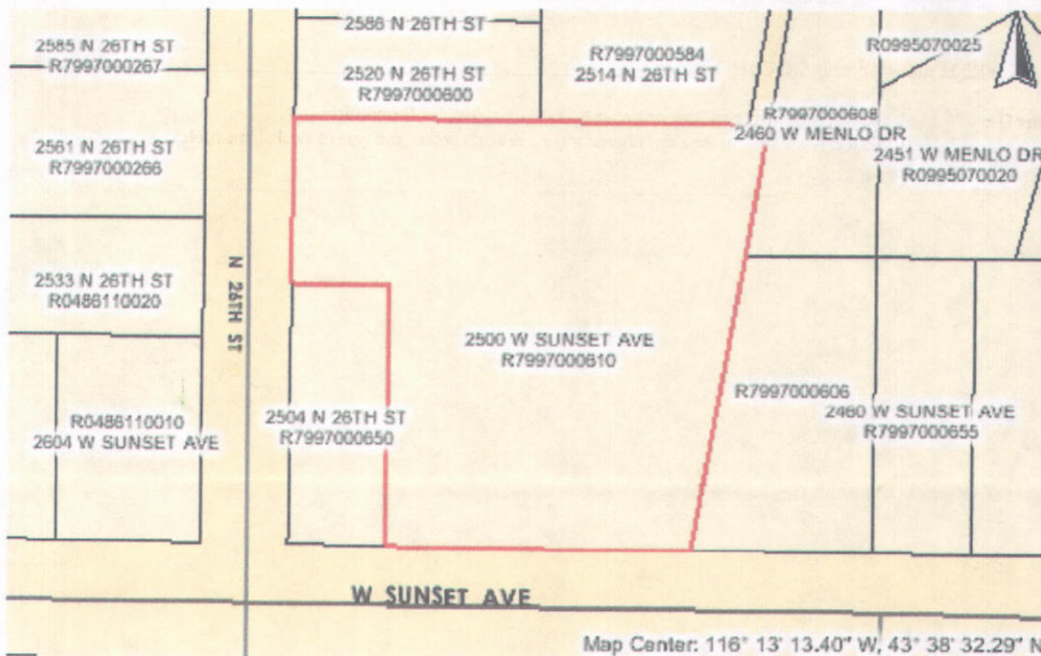
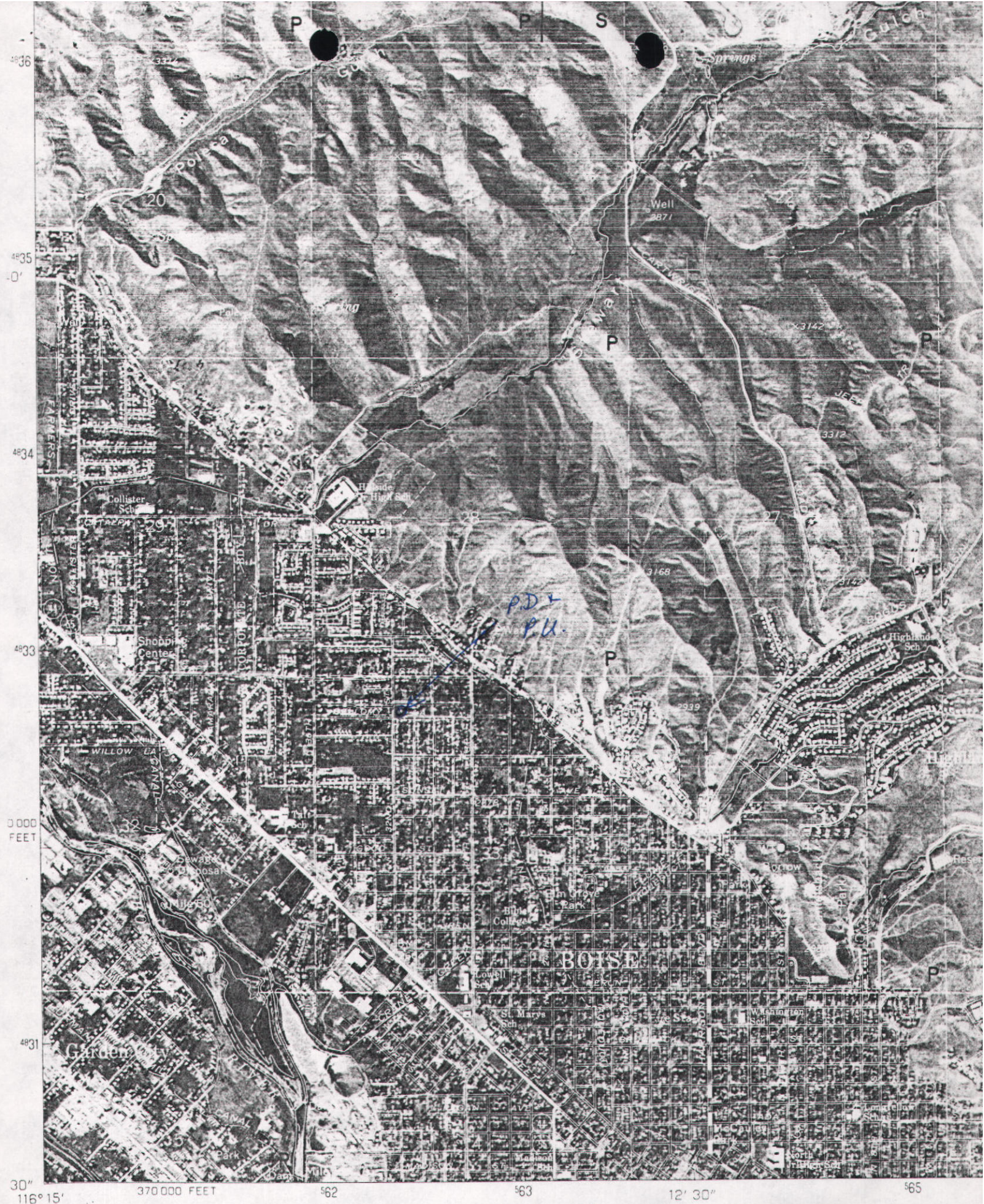






Produced by the Geological Survey
in cooperation with the U.S. Forest Service

Orthophotograph prepared from 1:80,000-scale
aerial photographs taken Sept. 4, 1975

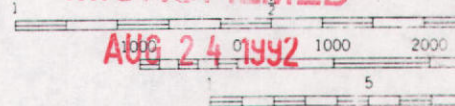
projection and 10,000-foot grid ticks: Idaho coordinate

T4N, R2E

A63-15392

MICROFILMED

AUG 24 1992





State of Idaho
Idaho Department of Water Resources
Western Region

T4N R2E SECTION 33
Water Right (s): 63-15392



1320 0 1320 2640 Feet

TOTAL IRRIGATED ACRES = 0.8



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

GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: November 2005

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 63-15392
Date Received: 5/18/1989
Receipt No: C006894
Received By:

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

1. Name of Claimant(s)

MORGAN BRYANT Phone: (208)343-4677
2500 SUNSET AVE
BOISE ID USA 83702

BONNIE BRYANT Phone: (208)343-4677
2500 SUNSET AVE
BOISE ID USA 83702

2. Date of Priority: 07/01/1945

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	33	NW NE NW	ADA	

5. Description of diverting works:

WELL, 8" CASING, 48' DEEP, 1/2 HP CENTRIFUGAL PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/01	11/01	0.04	

7. Total Quantity Appropriated is:
0.04 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	02E	33	NE	NW	IRRIGATION	0.8
					Section Acres	0.8
					Total Acres	0.8

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:

GREENHOUSE AND LANDSCAPE OPERATION

CHANGE OF OWNERSHIP LG 10/31/05 POU CLAIMED INCORRECTLY OKAY TO CHANGE OWNERSHIP AS PER VICKY.

15. Basis of Claim: Beneficial Use

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

RECEIVED

DEC 09 2004

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
63-9181	63-9181	N			
	63-15392	N			

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

A. The appropriate **FILING FEE**. See instructions for fee amounts.

waived

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)

O.C. LOCKLEAR

4. New Owner/Claimant(s)

MORGAN & BONNIE BRYANT

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

2500 SUNSET AVE

City, State and ZIP Code

BOISE, ID 83702

New Telephone Number

208 343-4677

5. Date you acquired the property

4-1-93

*POU - CLAIMED WRONG - OKAY TO DO C/O AS PER VICKY

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	_____	_____

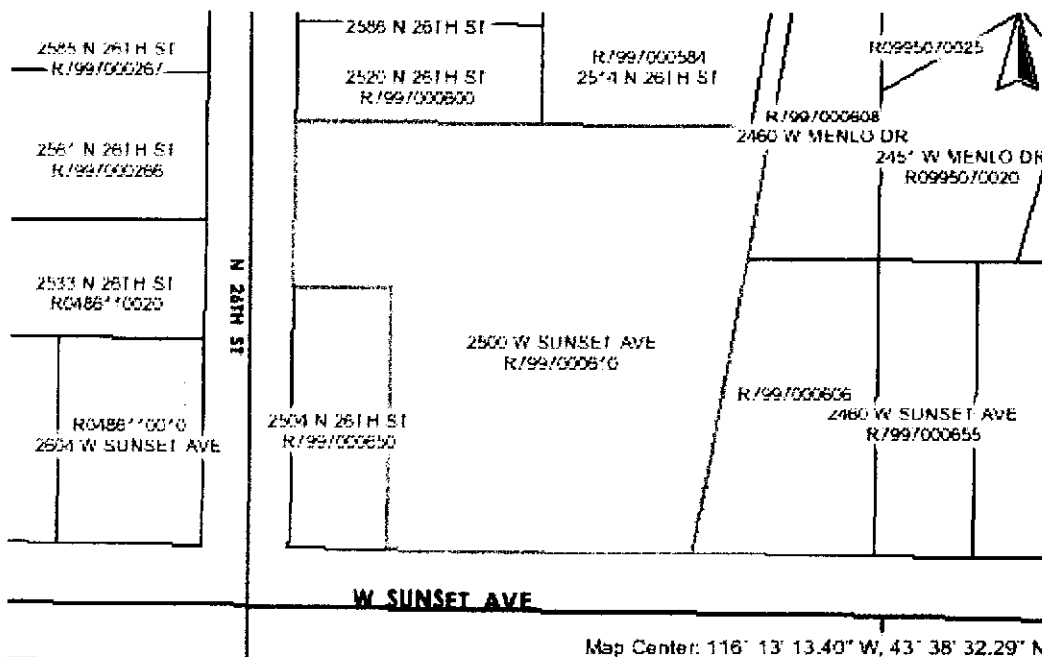
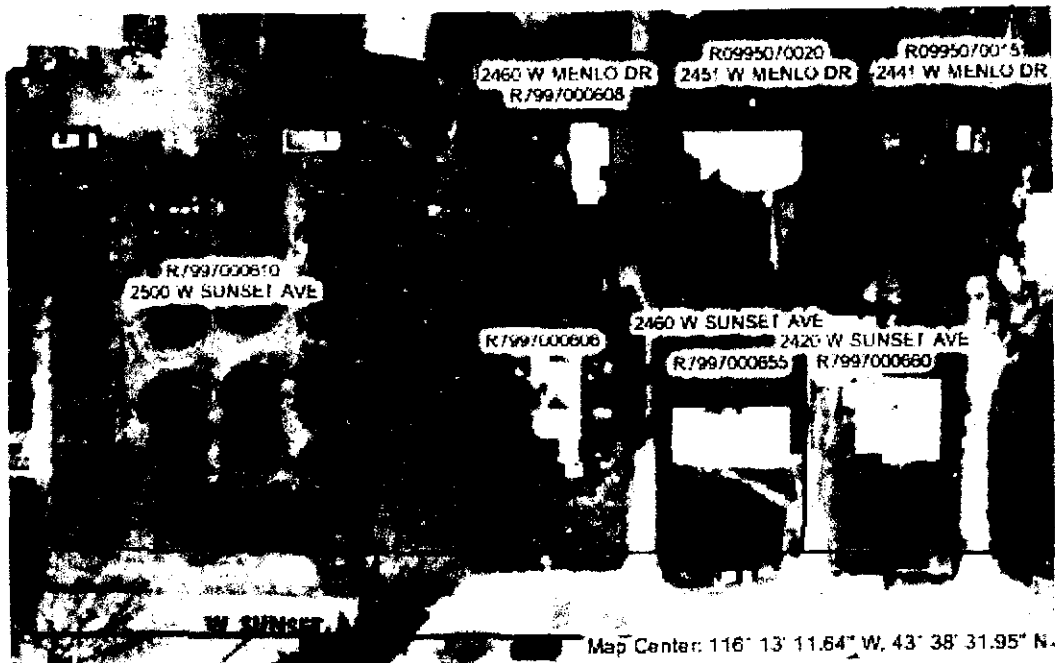
7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

Barrie Bryant

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 _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____



Filed
242

17-17119

17-17119

FOR SALES, OSCAR C. LOCKLEAR, a/k/a Oscar C. Locklear, and MATH J. LOCKLEAR, JR., and MATH J. LOCKLEAR, husband and wife, and a SHERIFF WAGNER, hereinafter referred to as the Grantor, hereby grants, bargains, sells and conveys unto MORGAN BRYANT and ROBERT MCGINNIS BRYANT, whose address is 4804 Collister Drive, Boise, Idaho 83701, hereinafter referred to as the Grantee, the following described premises situated in Ada County, State of Idaho, to-wit:

All of that portion of Tract 34 of the F. B. Smith Senior Estate Subdivision, according to the Plat thereof filed in Book 7 of Plats at Page 319, records of the Ada County Recorder, Ada County, Idaho, lying westerly of the Right of Way of the Boise City Canal Company ditch;

EXCEPTING THEREFROM the following parcel:

Commencing at the SW corner of Lot 34 of F. B. Smith Senior Estate Subdivision; running thence East along the North line of Sunset Boulevard a distance of 50 feet; thence North parallel with the West line of said lot a distance of 132 feet; thence West parallel with the South line of said lot a distance of 50 feet to the West line of said lot; thence South along the West line of said lot a distance of 132 feet to the place of beginning.

And also all of Tract 33 of the F. B. Smith Senior Estate Subdivision according to the Plat thereof filed in Book 7 of Plats at Page 319, records of the Ada County Recorder, Ada County, Idaho, excepting therefrom the following two parcels:

COMMENCING 126.5 feet South of the Northwest Corner of said tract number 33, said point being the West line of said tract and on the East side of 26th Street, the TRUE POINT OF BEGINNING; thence continuing South along the West line of said tract a distance of 150 feet to a point; thence East at right angles 125 feet to a point; thence North and parallel with the West line of said tract 150 feet to a point; thence West parallel with

the North line of said tract and that to the point and to the SECTION 31

beginning at the Northwest corner of said tract number 33, said point being the TRUE POINT OF BEGINNING; thence South along the West line of said tract a distance of 126.55 feet to a point; thence East at right angles 125 feet to a point; thence North and parallel with the West line of said tract 126.55 feet to a point on the North boundary of said tract; thence West along the North boundary of said tract 125 feet to the TRUE POINT OF BEGINNING.

SUBJECT to assessments, reservations and restrictions of record or apparent and taxes and assessments for the year 1993).

TOGETHER with all and singular the tenements, hereditaments, and appurtenances therunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the property, as well in law as in equity.

TO HAVE AND TO HOLD all and singular the property, together with the appurtenances, unto the Grantee, Grantee's successors, heirs and assigns forever.

AND Grantor, and Grantor's heirs shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of Grantee, Grantee's successors, heirs and assigns against Grantor and Grantor's successors, heirs and assigns and against all and every person and persons claiming lawfully claiming the same.

IN WITNESS WHEREOF, Grantor has hereunto executed this deed the 15 day of April, 1993.


O. C. Locklear, a/k/a Oscar C. Locklear and O. C. Locklear, Jr. d/b/a Sunset Nursery

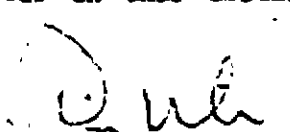

Ruth J. Locklear

1529001721

STATE OF IDAHO)
): ss.
County of Ada)

On this 24 day of April, 1993, before me, a notary public in and for said State, personally appeared O. C. LOCKLEAR, a/k/a Oscar C. Locklear and O. C. Locklear, Jr., and RUTH J. LOCKLEAR, known or identified 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 affixed my official seal, the day and year in this certificate first above written.



Notary Public for Idaho
Residing at Boise, Idaho
My Commission Expires 1-27-97

WARRANTY DEED -3-
LOCKLEAR.WD



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

July 21, 2005

RECEIVED

SEP 16 2005

WATER RESOURCES
WESTERN REGION

Morgan and Bonnie Bryant
Sunset Nursery, Inc.
2520 Sunset Ave.
Boise, ID 83702

RE: Change of ownership for SRBA Claim Nos. 63-9181 and 63-15392

Dear Mr. And Mrs. Bryant,

Several months ago, I talked to Bonnie about the claims referenced above, filed by the Locklears for water rights for the nursery. I sent you a change of ownership form that you completed and sent back to me. You enclosed a Deed of Trust with it.

A Deed of Trust is not a document that conveys property and is not a document we can use to change the ownership of these claims. I am returning the Deed of Trust to you. Please send to me a copy of the Warranty Deed so that these claims can be changed to your name.

Please call if you have additional questions.

Sincerely,

Vicky L. Music
Senior Water Resource Agent
Adjudication Bureau
IDWR/ Western Region

ADA County -

Enclosure: Deed of Trust

Vicky -
This is a copy of the
Warranty Deed supplied by
Pioneer Title Co. Hope
this will do.
Bonnie Bryant

PTC

Pioneer Title Co.

GOING BEYOND

RECEIVED

SEP 16 2005

A Pioneer Company
PIONEER TITLE COMPANY OF ADA COUNTY

WATER RESOURCES
WESTERN REGION

8151 West Rifleman Street / Boise, Idaho 83704 / Telephone (208) 377-2700

FAX COVER SHEET

DATE: 9/8

TIME: _____

TIME: 1am

PHONE: _____

FAX: _____

NUMBER OF PAGES INCLUDING COVER SHEET: _____

RE: _____

MESSAGE: _____

Rebecca Jones ☐	Morgan Kearns ☐	Lela Brooks ☒	Other ☐
(208) 373-3694	(208) 373-3693	(208) 373-3714	

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: A63-15392
Date Received: 5/18/1989
Receipt No: C006894
Received By: CA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: O. C. LOCKLEAR 208-344-4494
Address: 1108 NO. 20TH STREET
BOISE, ID 83702

AND/OR

Name: RUTH LOCKLEAR 208-343-7999
Address: 1108 NO. 20TH STREET
BOISE, ID 83702

2. Date of Priority: JUL 01, 1945

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	02E	33	NW	NE	NW		ADA

5. Description of diverting works:
WELL, 8" CASING, 48' DEEP, 1/2 HP CENTRIFUGAL PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	11/01	0.040		

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

8. Total consumptive use is 2.8 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	33	NE NW		IRR	0.8
Section Acres						0.8
Total Acres						0.8

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:
BOISE CITY CANAL CO. SHARES

14. Remarks:
GREENHOUSE AND LANDSCAPE OPERATION

15. Basis of Claim: BENEFICIAL USE

MICROFILMED
AUG 24 1992

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: -/-

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): OC Locklear Date: 5-18-89

Date: _____

State of Idaho)
County of Ada) SS.

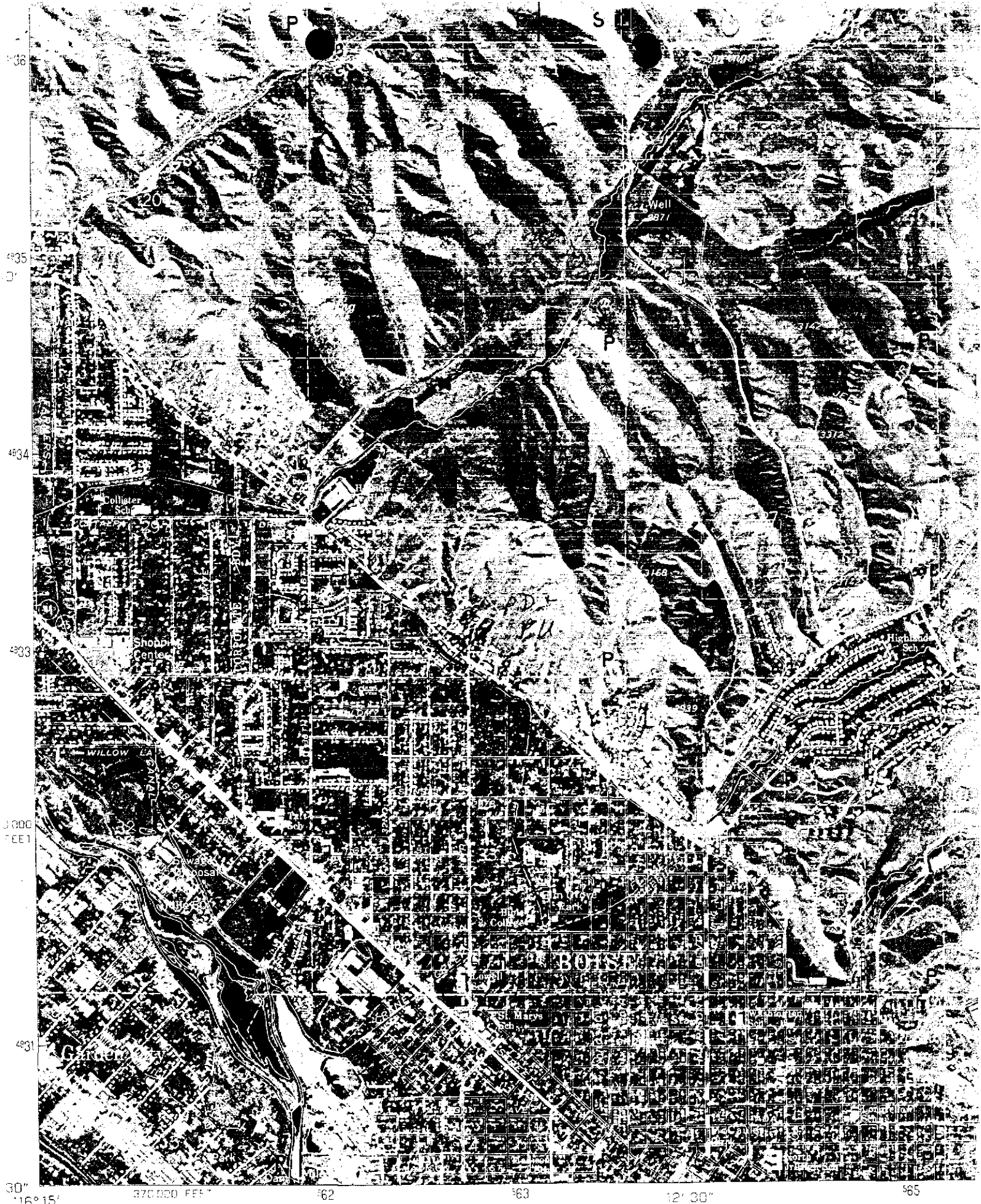
Subscribed and sworn (or affirmed) before me this 18th day
of May 19 89 Carter Fritschle
Notary Public

Seal

Residing at _____

My Commission Expires _____

Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My Commission Expires March 21, 1994

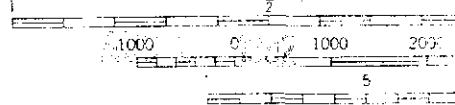


Produced by the Geological Survey
in cooperation with the U.S. Forest Service

Orthophotograph prepared from 1:80,000-scale
aerial photographs taken Sept. 4, 1975

T4N, R2E

A63-15392



ReceiptID	Amount	BasinNumber	SequenceNum	SplitSuffix	Type
C006894	52.00	63	9181		Claim
C006894	51.00	63	15392		Claim
C006894	25.00	63	15394		Claim

Dom rt. in PLACERVILLE, ID

11/01/2005

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

RIGHT NUMBER: 63-15392

NAME AND ADDRESS: MORGAN BRYANT
2500 SUNSET AVE
BOISE ID 83702

BONNIE BRYANT
2500 SUNSET AVE
BOISE ID 83702

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

The rights listed below are limited to a total combined diversion rate of .06 cfs and to a total combined annual diversion volume of 9 AF. Combined Right Nos.: 63-9181 and 63-15392.

PRIORITY DATE: 07/01/1945

POINT OF DIVERSION:

T04N R02E S33 SWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.040 CFS

PLACE OF USE: IRRIGATION Within ADA County

T04N R02E S33 SWNE 0.8

0.8 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 2 acres in a single irrigation season. Combined Right Nos.: 63-9181 and 63-15392.

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 - Beneficial Use

Parcel Nos. R7997000610 and R7997000584.

Use of this right is combined with water from Boise City Canal Co.

Property is also known as The Sunset Nursery.



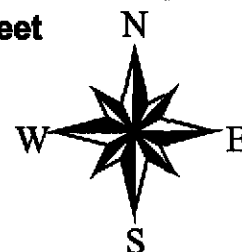
**State of Idaho
Idaho Department of Water Resources
Western Region**

**T4N R2E SECTION 33
Water Right (s): 63-15392**



1320 0 1320 2640 Feet

TOTAL IRRIGATED ACRES = 0.8



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

**GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: November 2005**

MEMORANDUM

TO: CLAIM FILE NO. 63-15392
FROM: VICKY L MUSIC, WATER RESOURCE AGENT, IDWR / WESTERN
REGION
SUBJECT: BASIS FOR RECOMMENDATION, EVIDENCE OF PRIORITY, POU, ETC
DATE: 11/1/2005
CC: NA

I believe this beneficial use claim was claimed incorrectly in the NENW sec 33, T4N R2E, and is properly located at the site of the current Sunset Nursery that is in the SWNE Sec 33. The Locklears also obtained license 63-9181 for the nursery. Hence, I recommended this correctly in the SWNE Sec 33. The Bryants currently own the nursery and a change of ownership has been filed.

The reason I believe this to be the site of the Sunset Nursery is that the priority date of this right is in 1945 while the licensed priority date is for 1978. A 1939 aerial shows activity and the buildings on the site as if for a business. The lots in the NENW appear to be residential and have never been the site of a nursery.

The original b/u claim states it is for a nursery and landscape operation, as does the claim for the licensed right. This b/u claim was for .8 acres, which was most likely for the nursery first developed. The license was for 1.5 acres, the entire site. It is reasonable that the Locklears got the license when they expanded the nursery operation.

The b/u claim also states that Boise City Canal Co shares are used and the canal is adjacent to the nursery site but not the NENW sites.

Lastly, Intrepid could not find reconcile the claimed POU with the field location and could not find the well. Their report states that the claimant had moved, the address does not match the claim and they could not make any determination from the information available. The Bryants owned the nursery at the time of the filed exam and would have been able to provide information to Intrepid if the claim had been correct.

I asked Bonnie Bryant during one of our conversations whether the Locklears has another nursery and she said no. the 1939 aerial provides evidence of priority for the nursery b/u claim.

VLM

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 83-15392**

11/01/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2406	Claim	04N	02E	33	NE	NW		IRRIGATION	40/29248	DRAINAGE DIST NO 2
15392	Claim	04N	02E	33	NE	NW		IRRIGATION	0.8/0.8	MORGAN BRYANT
20040	Claim	04N	02E	33	NE	NW		IRRIGATION	0.9/575.1	BOISE CITY CANAL CO
2406	Water Right	04N	02E	33	NE	NW		IRRIGATION	40/29248	DRAINAGE DIST NO 2
2576	Claim	04N	02E	33	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
2605	Claim	04N	02E	33	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
2874	Claim	04N	02E	33	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
2954	Claim	04N	02E	33	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
2956	Claim	04N	02E	33	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
2989	Claim	04N	02E	33	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
3164	Claim	04N	02E	33	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
7067	Claim	04N	02E	33	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
7577	Claim	04N	02E	33	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
7998	Claim	04N	02E	33	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
19456	Claim	04N	02E	33	NE	NW		MUNICIPAL		UNITED WATER IDAHO INC
4669	Water Right	04N	02E	33	NE	NW		DOMESTIC		PETER M LARSON
15485	Water Right	04N	02E	33	NE	NW		DOMESTIC		TIMOTHY L YODER
16393	Water Right	04N	02E	33	NE	NW		DOMESTIC		JOELLEN G SCHNEIDER
16495	Water Right	04N	02E	33	NE	NW		DOMESTIC		WILLIAM J WALGOMOTT
16806	Water Right	04N	02E	33	NE	NW		DOMESTIC		BENJAMIN REINGOLD
16869	Water Right	04N	02E	33	NE	NW		DOMESTIC		RICHARD G CASTLE
17300	Water Right	04N	02E	33	NE	NW		DOMESTIC		CHARLES RUSSELL WHALE JR
17491	Water Right	04N	02E	33	NE	NW		DOMESTIC		ROBERT E KUEHL
17597	Water Right	04N	02E	33	NE	NW		DOMESTIC		ANN VAN SICKLE
17823	Water Right	04N	02E	33	NE	NW		DOMESTIC		FRANCES E MARLATT
19987	Water Right	04N	02E	33	NE	NW		DOMESTIC		MARY LOU HENSCHIED
20251	Water Right	04N	02E	33	NE	NW		DOMESTIC		E L MABBOTT
20684	Water Right	04N	02E	33	NE	NW		DOMESTIC		RICHARD WAYNE CULVER

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-15392

11/01/2005

2

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
20872	Water Right	04N	02E	33	NE	NW		DOMESTIC		RAYMOND V COX
21671	Water Right	04N	02E	33	NE	NW		DOMESTIC		FAMCO INVESTMENTS



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

October 31, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Morgan and Bonnie Bryant
2500 Sunset Ave
Boise, ID 83702

Re: Notice of Claim to a Water Right No. 63-15392, 63-9181

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

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 21, 2005

Morgan and Bonnie Bryant
Sunset Nursery, Inc.
2520 Sunset Ave.
Boise, ID 83702

RE: Change of ownership for SRBA Claim Nos. 63-9181 and 63-15392

Dear Mr. And Mrs. Bryant,

Several months ago, I talked to Bonnie about the claims referenced above, filed by the Locklears for water rights for the nursery. I sent you a change of ownership form that you completed and sent back to me. You enclosed a Deed of Trust with it.

A Deed of Trust is not a document that conveys property and is not a document we can use to change the ownership of these claims. I am returning the Deed of Trust to you. Please send to me a copy of the Warranty Deed so that these claims can be changed to your name.

Please call if you have additional questions.

Sincerely,

Vicky L. Music
Senior Water Resource Agent
Adjudication Bureau
IDWR/ Western Region

Enclosure: Deed of Trust

DESKTOP REVIEW/VLM

**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
- ☐ 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) 63-15392

Owner: _____ Phone No. _____

Current Address: _____

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

POB CO. shape: owner is Loretta M. Lake
 physical address: 3000 W. 30th St.
BOLHE 83103

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: 1985

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

Source: all 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 claim

OVERLAP REVIEW

Other water rights with the same point of diversion: *none*

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

WATER USES

☒ No change

☐ Different Uses

Use *1RV* From *3/1* To *11/5* Amount *0.3* CFS *3.6* AFA *BAC.*

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

(BAC)(45 AFA) = 3.6 AFA
TOTAL VOLUME - Groundwater only

☐ Incomplete on claim, the total is, Amount *0.3* CFS *3.6* AFA

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

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

NON-IRRIGATION USES:

☒ No change

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

Types _____ Additional comments: _____

PLACE OF USE:

☒ No Change

☐ Changes shown below:

1- POP- 1939 general shows development/nursery
on site.

2- reduced Q to conform to standard.

AFTER EXAM THE FILE SHOULD CONTAIN:

- NA ☒ 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:

11-1-06

FIELD EXAMINER:

Wick Wall

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-15392

WATER RIGHT NUMBER: 63-15392

Owner Type Name and Address

Current Owner RUTH LOCKLEAR
 1108 N 20TH ST
 BOISE, ID 83702
 (208)343-7999

Current Owner O C LOCKLEAR
 1108 N 20TH ST
 BOISE, ID 83702
 (208)344-4494

Priority Date: 07/01/1945 - *OK*

Basis: Beneficial Use

Status: Active

SourceTributary

GROUND WATER

Beneficial UseFrom ToDiversion RateAnnual Volume

IRRIGATION

3/01 to 11/01

0.040 CFS

Total Diversion:

0.040 CFS

Location of Point(s) of Diversion

GROUND WATER

~~NW 1/4 NE 1/4 NW 1/4~~

Sec. 33, Twp 04N, Rge 02E, B.M.

ADA County

*SW NE*Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	02E	33	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	.8

Total Acres: 0.8

Conditions of Approval:Remarks:

1. General *Sunset nursery*
 GREENHOUSE AND LANDSCAPE OPERATION

Comments:Dates and Other Information:



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
ALAN G. LANCE
November 13, 2002

RECEIVED

NOV 19 2002

WATER RESOURCES
WESTERN REGION

O C LOCKLEAR
&/OR RUTH LOCKLEAR
1108 N 20TH STREET
BOISE ID 83702

Re: Water Right Claim No. A63-15392
SNAKE RIVER BASIN ADJUDICATION

Dear MR. and MRS. LOCKLEAR:

As a Deputy Attorney General representing the Idaho Department of Water Resources (IDWR) in the Snake River Basin Water Rights Adjudication (SRBA), I am writing to alert you that it is very important for you to contact IDWR immediately about your water right claim.

IDWR presently is investigating your claim in preparation for filing a recommendation of it with the SRBA Court. IDWR needs additional information from you before it can recommend the claim. If it does not receive that information it may have to recommend to the Court that your claim be "disallowed," which in effect means that the Court would issue an order determining that your water right does not exist.

At this stage of the proceedings IDWR works informally with water right claimants to collect information and rectify any errors in its recommendations. However, once IDWR files its final recommendation of your water right with the Court, the SRBA becomes a formal court proceeding. While mechanisms are still in place in the Court to correct errors, those mechanisms are much more formal, cumbersome, and complicated. Accordingly, it behooves you to contact IDWR now to correct any errors or provide any additional information IDWR may need before IDWR prepares its final recommendation.

November 13, 2002

Page 2

Therefore I ask you to contact Senior Water Resource Agent Ron Howerton, the agent investigating your claim, as soon as possible at IDWR's Western Region Office in Boise. His telephone number is (208) 334-2190.

Thank you for your prompt attention to this matter.

Very truly yours,

A handwritten signature in black ink, reading "Nick Spencer", with a long horizontal flourish extending to the right.

NICHOLAS B. SPENCER
Deputy Attorney General
Idaho Department of Water Resources

NBS/pm

Cc: Ron Howerton



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

July 12, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Re: Water Right Claim No(s). A63-15392
SNAKE RIVER BASIN ADJUDICATION Filings

**O C LOCKLEAR &/or
RUTH LOCKLEAR
1108 NO. 20TH STEET
BOISE ID 83702**

Dear O C and Ruth,

We are currently in the process of reviewing the above referenced claim(s), which were filed during the Snake River Basin Adjudication (SRBA) claims filing. However, due to the problem explained below we may not be able to recommend this claim to the SRBA Court in Twin Falls for decree. A claim profile report is enclosed for your review.

In our first part of our investigation for the above referenced claim(s), IDWR (IDAHO DEPARTMENT OF WATER RESOURCES) hired a contractor "Intrepid Engineering Services, Inc.". Their job was to locate the claimed water source, make contact with the owner if possible and measure the amount of flow for IDWR to help speed up our large amount of fieldwork for beneficial use claims. Beneficial use claims normally have never been investigated by IDWR and thus no license or decreed right exists for these beneficial use claims and we need to verify the claimed elements of the claimed beneficial uses for the court.

"Intrepid" Contractor findings:

They did not find the well for the above claim, thus, no beneficial use.

If you agree that the claimed well source no longer exists and/or has been capped off and/or no longer has any beneficial use, please sign and return the enclosed Request for Withdrawal of Claim form in the enclosed return envelope. Our investigation then will be closed for this claim after we receive your "signed" Withdrawal of Claim form.

However, if you believe our contractor may have missed finding this well source or any replacement well source and/or the claimed beneficial use, then please contact me at 334-2190 ASAP to set up an appointment for a field exam. If I do not get the withdrawal form or hear from you within 30 days of the date of this letter I will assume that our contractor was correct and your claim to beneficial use may not be recommended. It is highly important that you respond.

Sincerely,

Ron Howerton
Ron Howerton

Senior Water Right Agent
Enclosures/Attachment



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Residential**Land****Residential Characteristics 1 for Parcel "R5299000160"**

Occupancy Date:	No Date Available
Year Built:	1904
Year Remodel:	2004
Effective Age:	1950
Construction Class:	4
Number of Bedrooms:	5
Number Bathrooms:	2.0
Number of Fireplaces:	1
Air Conditioning:	Y
Car Storage Sq Ft #1:	504
Car Storage Sq Ft #2:	0
General Purpose Building Sq Ft:	0
Porch Sq Ft:	160
Deck Sq Ft:	0
Deck Covered:	N
Patio Sq Ft:	120
Patio Covered:	Y
Pool Sq Ft:	0
Total Sq Ft:	2830
Main Floor Sq Ft:	1529
Upper Floor Sq Ft:	930
Finished Lower Floor Sq Ft:	0
Unfinished Lower Floor Sq Ft:	0
Finished Basement Floor Sq Ft:	0
Unfinished Basement Floor Sq Ft:	371
Finished Attic Sq Ft:	0
Unfinished Attic Sq Ft:	0

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Residential**Land****Land Characteristics 1 for Parcel "R5299000160"**

Residential Acres:	0.150
Commercial Acres:	0.000
Other Acres:	0.000
MLS Area:	100 - North Boise
Street:	Asphalt/Concrete
Utility:	Not Available
Water Source:	Not Available
Sewer:	Not Available
Sidewalks:	Y
Curb-Gutters:	Y
Topography:	Not Available
View:	Not Available
Water Influence:	None
Water Frontage Feet:	0
Corner:	N

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IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 63



RIGHT ID 63 15392

POD ID 157689

Quad Boise North 1

Claim Type Small

Easting

Northing

GPSID

Diversion Description

WELL, 8" CASING, 48' DEEP, 1/2 HP CENTRIFUGAL PUMP. Claimant has moved. Address doesn't match claim. Cannot make determination from information available.

Assumptions

POD does not exist.

Invoice #

2000-055-01

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missin
Phase-III (Complete w/issues)
Phase-IV (Total Complete)

Linked

Photos

EPE (ft)

Date (M/D/Y)

Time

Flow Rate (CFS)

0.00

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
☐ Half full
☐ More than half full
☐ Full

Diameter 0

Depth 0

☐ Rectangular Channel

Width 0

Depth 0

Flow Calculation

☐ Continuity

Velocity

0

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline 0

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe 0

Width of weir 0

☐ Manning (If used, include photo of representative channel section)

Channel Slope

Channel Description

Concrete lined	.016
Smooth earth	.025
Earth	.033
Rough bed, weeds on sides	.04
Smooth natural stream	.033
Rough natural stream	.1

Pumped System

HP

0

Pressure Head (psi)

Elevation Head (ft)

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

Pump Serial#

New Contact Information



New Contact Comments

Claimant has moved.

This Form and the associated query are the exclusive intellectual property of Intrepid Engineering Services, and may not be copied, modified, or distributed without the express written consent of Intrepid Engineering Servis, Inc.



INTREPID
Engineering Services, Inc. (IESI)
Enabling People and Solutions

RIGHT ID

63 15392

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-15392 Date: 9-29-01

	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	2E	33					.8												.8
GIS								.8												.8
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: .8

Overlapping POU Claim #'s:

Total GIS Acres: .8

COMMENTS:

per claim map - this area on county data includes 4 lots w/ separate owners.