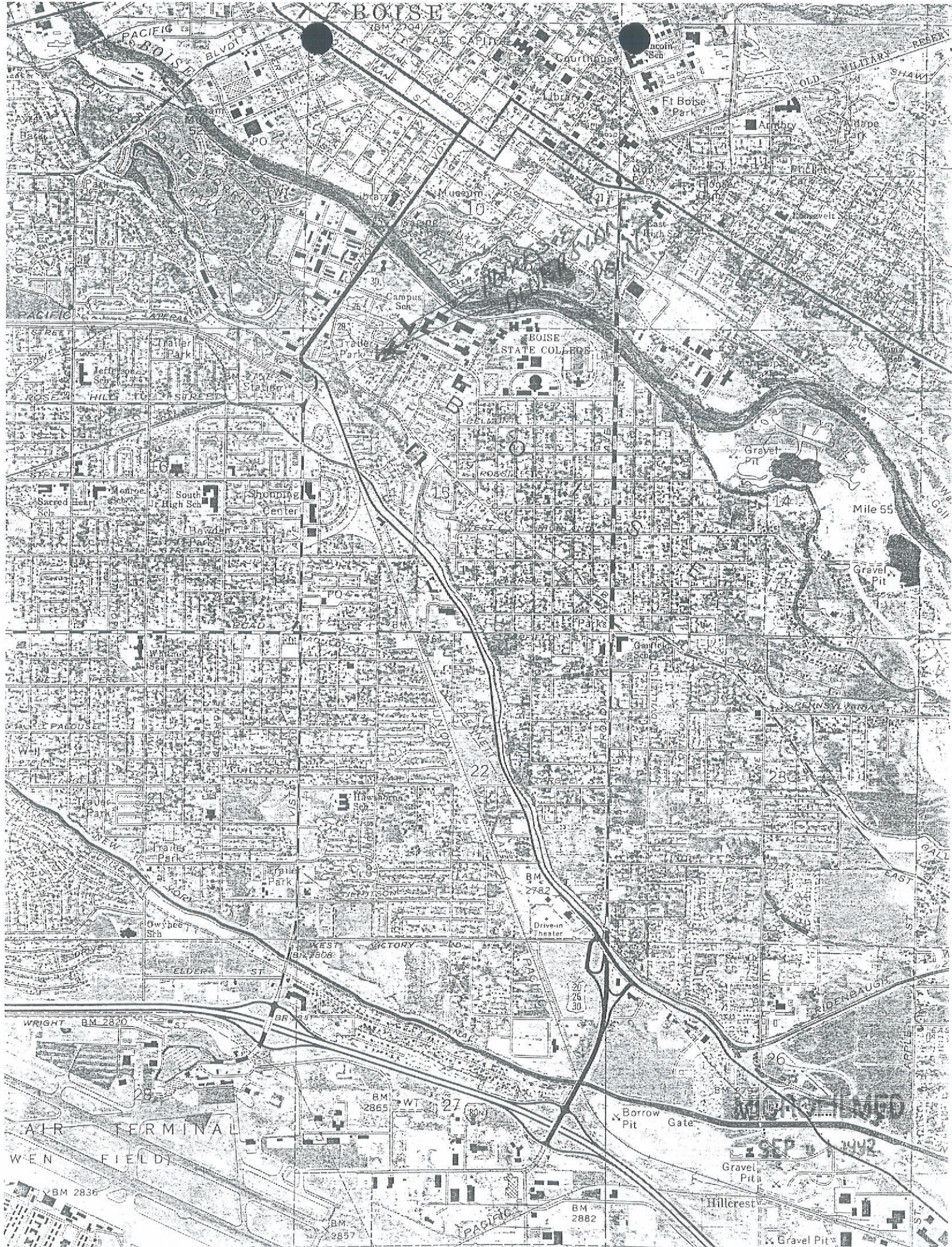
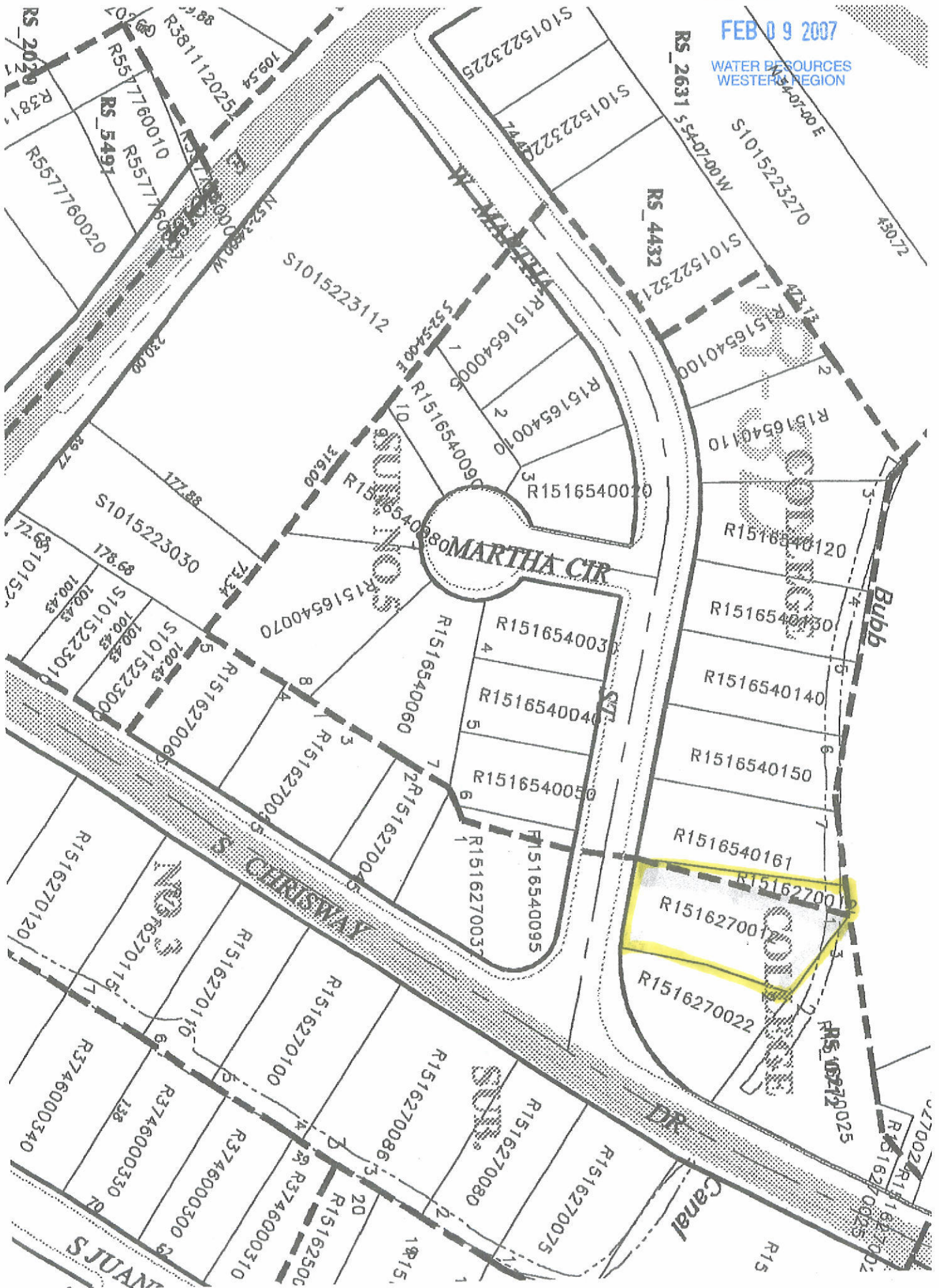
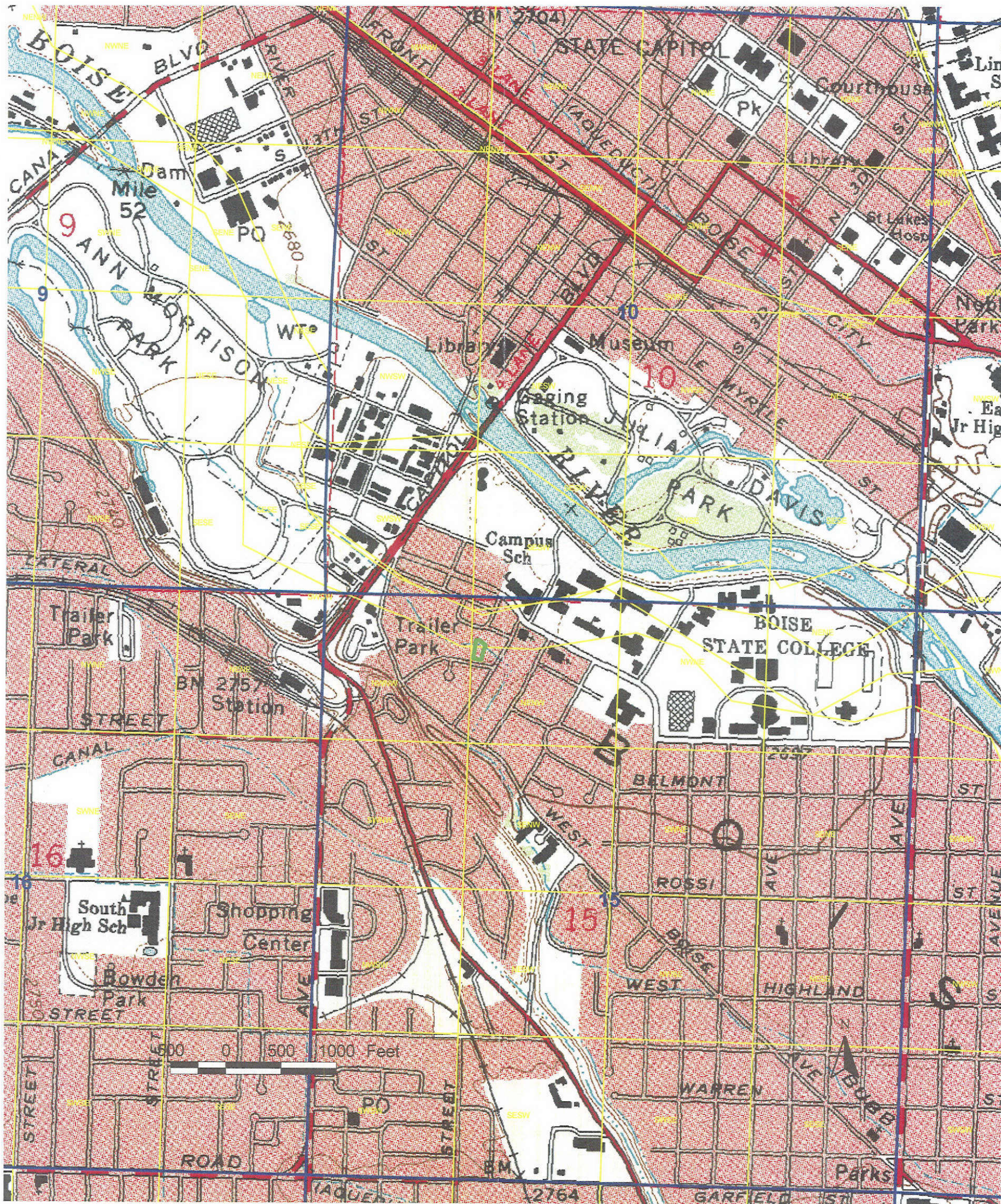




WATER RESOURCES
WESTERN REGION



63-18441



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: A63-18441
Date Received: 9/05/1989
Receipt No: W05740
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BENJAMIN A. THOMPSON 208-342-9224
Address: 1501 MARTHA ST.
BOISE, ID 83706

OR
Name: DOLORES J. THOMPSON 208-342-9224
Address: 1501 MARTHA ST.
BOISE, ID 83706

2. Date of Priority: MAY 01, 1962

3. Source: RIDENBAUGH DRAIN Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02E	15	NW	NW			ADA

5. Description of diverting works:
PUMP IN DRAIN WITH PIPELINE FOR IRRIGATION VIA HOSES.

6. Water is used for the following purposes:

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

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC USE IF LAWN IRRIGATION ONLY FOR TWO LOTS.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02E	15	NW	NW		DOMEST	

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE.

14. Remarks:

BOTH LOTS ARE UNDER SINGLE OWNERSHIP WITH ONE HOME ON EACH LOT.
TOTAL IRRIGATED GROUND FOR BOTH LOTS IS NOT MORE THAN 1/2 ACRE.

15. Basis of Claim: BENEFICIAL USE

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: 1

For Individuals:

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

Signature of Claimant(s):

Debra J. Thompson

Date:

9/5/89

Date:

State of Idaho

County of

AOA

)
) SS.
)

Subscribed and sworn (or affirmed) before me this

5th day

of September 19 89

Jan Shute
Notary Public

Seal

Residing at

Meridian ID

My Commission Expires

9-14-94



BOISE

PACIFIC BLVD

BOISE STATE COLLEGE

Mile 55

MICROFILMED
SEP 1992

AIR TERMINAL
WEN FIELD

Borrow Pit Gate

Gravel Pit

Hillcrest

Gravel Pit

BM 2836

BM 2865

WT 27

BM 2882

BM 2857

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

In Re SRBA

Case No. 39576

Subcase No. 63-18441

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

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

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

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

CLAIMANT(s)/INTERVENOR(s):

Lynette & Harry Adams

OBJECTOR(s):

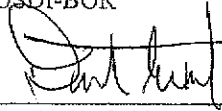
New York Irrigation District

7/5/07 8-9-07
claimant Date

8-13-07
claimant Date

Charles F McDevitt
Charles F McDevitt Date

RESPONDENT(s):
USDI-BOR

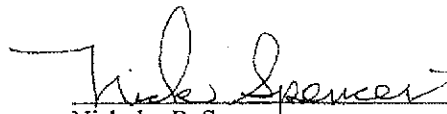
 8/21/07

Date
David W. Gehlert
Trial Attorney

IDWR Concurrence:

 8/1/07

Date
Vicky Music
Senior Water Resource Agent

 8-1-07

Date
Nicholas B. Spencer
Deputy Attorney General
Attorney for IDWR



I certify that on Aug. 21, 2007, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. Copies to:

Charles F McDevitt
420 W Bannock St
PO Box 2564
Boise, ID 83701

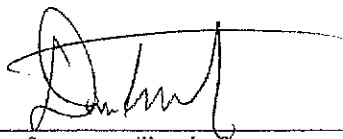
Kendal A McDevitt
405 S Eighth St, Ste 202
Boise, ID 83702

USDI-BOR
US Dept of Justice
Environment & Nat'l Resources
550 West Fort Street, MSC 033
Boise, ID 83724

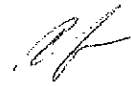
Harry & Lynette Adams
1501 Martha St
Boise, ID 83706

Harry & Lynette Adams
1845 N Wildwood
Boise, ID 83713

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



Signature of person mailing the form



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

RIGHT NUMBER: 63-18441

NAME AND ADDRESS:

HARRY S D ADAMS
1501 MARTHA ST
BOISE ID 83706

LYNETTE M ADAMS
1501 MARTHA ST
BOISE ID 83706

SOURCE:

Source:

WASTE WATER

Tributary:

RIDENBAUGH CANAL

The source of this water right is waste water. The wasting of water may be discontinued at any time.

QUANTITY:

0.040 CFS

0.000 AFY

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE:

05/01/1962

POINT OF DIVERSION:

T03N R02E S15 NENW
Within ADA County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

DOMESTIC

1/01 12/31

0.040 CFS

PLACE OF USE:

DOMESTIC

within ADA County

T03N R02E S15 Lot 4 NENW

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

The quantity of water decreed for this water right is not a determination of historical beneficial use.
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.

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PARCEL NO. R1516270012
PROPERTY IS ALSO KNOWN AS LOT 1, BLK 1, COLLEGE SUB. 3.
Domestic use is for lawn irrigation.

SF3 - 63-18441



U.S. Department of Justice

Environment and Natural Resources Division

DWG:DAJ

90-6-2-63c

David A. Jarvis
Labat-Anderson, Inc.
1961 Stout Street, 8th Floor
Denver, Colorado 80294

Telephone (303) 844-1485
Facsimile (303) 844-1350
E-mail: David.Jarvis2@usdoj.gov

August 21, 2007

via FedEx Mail

Diana R. Delaney, Chief Deputy Clerk
Snake River Basin Adjudication
DISTRICT COURT
253 Third Ave., North
Twin Falls, Idaho 83303-2707

Re: SRBA Case No. 39576
Subcase No. 63-18441

Dear Ms. Delaney:

Enclosed for filing in the above listed subcase is the following document.

1. **STANDARD FORM 5 – STIPULATED ELEMENTS OF A WATER RIGHT.**

Sincerely,

David A. Jarvis
Paralegal

Enclosure



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WARDEN

August 1, 2007

Charles F McDevitt
420 W Bannock St
PO Box 2654
Boise, ID 83701

RE: Subcase Nos. 63-4815, 63-5242 & 63-18441

Dear Mr. McDevitt:

Pursuant to the SRBA District Court hearing held yesterday, enclosed please find documents entitled "Standard Form 5 – Stipulated Elements of A Water Right" (commonly referred to as SF 5s) which have revised recommendations with the waste water remark added.

Please review the recommendations, which are attached to the SF 5s, then sign and date the originals and **initial the changes** on the pages entitled "*Idaho Department of Water Resources Recommended Water Rights Acquired Under State Law*". After you have signed and initialed the originals, please forward the SF 5s to the claimants for each subcase for their signatures and initials, requesting that the documents be sent to Dave Gehlert at the USDI-BOR.

If you have any questions regarding the enclosed documents, please do not hesitate to call me at: 287-4814.

Sincerely,

Becky J. Harvey
Becky J. Harvey
Paralegal

/bh
Enclosures

cc via email: Vicky Music, Western Region

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

RIGHT NUMBER: 63-18441

NAME AND ADDRESS:

HARRY S D ADAMS
1501 MARTHA ST
BOISE ID 83706

LYNETTE M ADAMS
1501 MARTHA ST
BOISE ID 83706

SOURCE:

Source:

WASTE WATER

Tributary:

RIDENBAUGH CANAL

The source of this water right is waste water. The wasting of water may be discontinued at any time.

QUANTITY:

0.040 CFS

0.000 AFY

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE:

05/01/1962

POINT OF DIVERSION:

T03N R02E S15 NENW
Within ADA County

**PURPOSE AND
PERIOD OF USE:**

Purpose of use

Period of use:

Quantity:

DOMESTIC

1/01 12/31

0.040 CFS

PLACE OF USE:

DOMESTIC

within ADA County

T03N R02E S15 Lot 4 NENW

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

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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.

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PARCEL NO. R1516270012

PROPERTY IS ALSO KNOWN AS LOT 1, BLK 1, COLLEGE SUB. 3.

Domestic use is for lawn irrigation.

RECEIVED

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

MAR 16 2007

DEPARTMENT OF
WATER RESOURCES

2007 MAR 14 AM 11 53

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

In Re SRBA

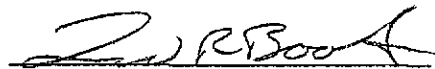
Case No. 39576

) Subcase 63-18441
)
) ORDER GRANTING MOTION TO
) ALTER OR AMEND;
)
) ORDER WITHDRAWING SPECIAL
) MASTER'S REPORT AND
) RECOMMENDATION
)

A *Special Master's Report and Recommendation* was issued in the above-captioned subcase on January 11, 2007, recommending that the water right claim be disallowed. Thereafter, on February 7, 2007, the claimant of the water right, Harry Adams, *pro se*, filed a *Motion to Alter or Amend*. The *Motion* was heard on March 13, 2007. Pursuant to the comments of the participants at the hearing, and good cause appearing, the *Motion to Alter or Amend* is **granted**

Accordingly, the previously issued *Special Master's Report and Recommendation* is hereby **withdrawn**.

Dated March 14, 2007



THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO ALTER OR AMEND AND ORDER WITHDRAWING SPECIAL MASTER'S REPORT & RECOMMENDATION was mailed on March 14, 2007, with sufficient first-class postage to the following:

NEW YORK IRRIGATION DISTRICT

Represented by:
CHARLES F MC DEVITT
420 W BANNOCK ST
PO BOX 2564
BOISE, ID 83701
Phone: 208-343-7500

USDI BUREAU OF RECLAMATION

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

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

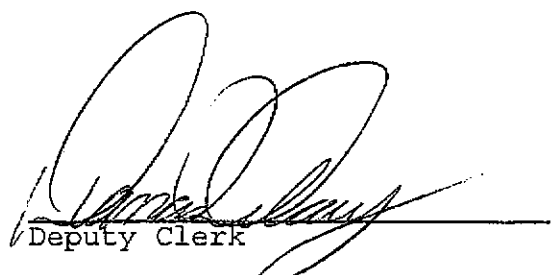
HARRY S D ADAMS
LYNETTE M ADAMS
1501 MARTHA ST
BOISE, ID 83706

HARRY D & LYNETTE ADAMS
1845 N WILDWOOD
BOISE, ID 83713

ORDER

Page 1 3/14/07

FILE COPY FOR 01315 Deputy Clerk



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

RIGHT NUMBER: 63-18441

NAME AND ADDRESS: LYNETTE M ADAMS
1501 MARTHA ST
BOISE ID 83706

HARRY S D ADAMS
1501 MARTHA ST
BOISE ID 83706

~~DOLORES J THOMPSON~~
~~BENJAMIN A THOMPSON~~
~~1501 MARTHA ST~~
~~BOISE ID 83706~~

SOURCE: WASTE WATER

TRIBUTARY: RIDENBAUGH CANAL

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1962

POINT OF DIVERSION:

T03N R02E S15 NENW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1/01 12/31	0.040 CFS

PLACE OF USE: DOMESTIC in ADA County

T03N R02E S15 Lot 4 NENW

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Domestic use is for lawn irrigation.

PARCEL NO. R1516270012

PROPERTY IS ALSO KNOWN AS LOT 1, BLK 1, COLLEGE SUB. 3.

In Re SRBA
Case No. 39576

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

☐ Address change

☐ IC § 42-222 transfer

□ Point of diversion

□ Place of use

☐ Period of use

☐	Nature of use
--------------------------	---------------

☐ Split of water right

☐ Change in ownership

☐ Other

☐ IC § 42-219 license

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on February 16, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court	☐	overnight mail
Snake River Basin Adjudication	XX	regular mail
P.O. Box 2707	☐	hand-delivered
Twin Falls, ID 83303-2707	☐	facsimile

2. Copies to:

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

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

3. Copies to all parties to the subcase:

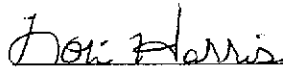
Harry S D Adams	☐	overnight mail
Lynette M Adams	XX	regular mail
1501 Martha St	☐	hand-delivered
Boise ID 83706	☐	facsimile

Benjamin A Thompson	☐	overnight mail
Dolores J Thompson	XX	regular mail
840 W Ivywild Ln	☐	hand-delivered
Boise ID 83706	☐	facsimile

New York Irrigation District
C/O Charles F Mc Devitt
420 W Bannock St
PO Box 2564
Boise ID 83701

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

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



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

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

WESTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

February 16, 2007

HARRY S D ADAMS
LYNETTE M ADAMS
1501 MARTHA ST
BOISE ID 83706

Re: Water Right No. 63-18441

Dear Mr. & Mrs. Adams:

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

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

Sincerely,

Lori Harris
Technical Records Specialist 1
Adjudication Section
Western Region Office

LH:l
Enclosures

cc: Benjamin & Dolores Thompson
New York Irrigation District

RECEIVED

FEB 09 2007

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

WATER RESOURCES
WESTERN REGION

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

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

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
63-18441					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).

OR

- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) BENJAMIN A. THOMPSON, DELORESS. THOMPSON
840 WEST LUXWILDLANE BOISE, ID. 83706

4. New Owner/Claimant(s) HARRY S.D. ADAMS, LYNETTE M. ADAMS
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address 1845 1501 MARTHA ST.

City, State and ZIP Code BOISE, ID. 83706

New Telephone Number (208) 342 3322 (OFFICE)

5. Date you acquired the property

DECEMBER 13, 2005

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

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

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

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

John Adams

(title if applicable)

John Adams

(title if applicable)

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

For IDWR Office Use Only:Received by *AW*Date 2/9/07Receipt Amt. N/A - pendingReceipted by *AW*Date 2-12-07

Receipt No. _____

Processed by *AW* AJDate 2-12-07

WR _____ Date _____



Pioneer Title Co

GOING BEYOND

3525 E. Overland Rd. / Meridian
Idaho 83642 / (208) 888-7230

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 12/15/05 05:03 PM
DEPUTY Bonnie Oberbillig
RECORDED - REQUEST OF
Pioneer

AMOUNT 6.00 2



RECEIVED

FEB 09 2007

WATER RESOURCES
WESTERN REGION

259150
CP / JB

CORPORATE WARRANTY DEED

FOR VALUE RECEIVED,

Federal National Mortgage Association

a corporation duly organized and existing under the laws of The United States of America, grantor, does hereby Grant, Bargain, Sell and Convey unto

Harry S. Adams and Lynette Adams, husband and wife

whose address is: 1501 Martha St., Boise, ID 83706, grantee, the following described real estate, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

SUBJECT TO current years taxes, irrigation district assessment, public utility easements, subdivision, restrictions, U.S. patent reservations, easements of record and easements visible upon the said premises.

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

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its officers this 13th day of December, 2005.

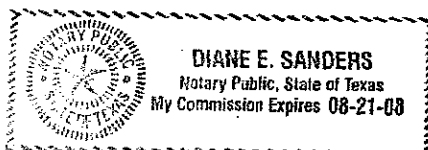
Federal National Mortgage Association

By:

Cheryl D. Young, Vice President

STATE OF TEXAS, County of Dallas, ss.

On this 13 day of December, in the year of 2005, before me the undersigned, a notary public, personally appeared Cheryl D. Young, known or identified to me to be the Vice President of the corporation that executed the instrument or the person/persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.



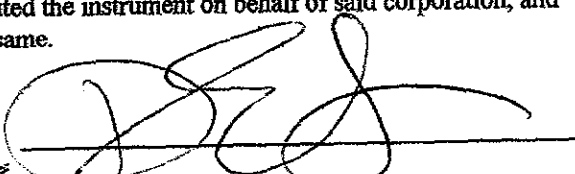

Notary Public of Texas
Residing at
Commission expires:

EXHIBIT A

Parcel A:

Lot 1 and the West 8 feet of Lot 2 in Block 1 of College Subdivision No. 3, according to the official plat thereof, filed in Book 13 of Plats at Page 813, records of Ada County, Idaho.

Parcel B:

A triangular parcel of land located along the East side of Lot 7 in Block 2 of the College Subdivision No. 5, according to the official plat thereof, filed in Book 13 of Plats at Page 877, records of Ada County, Idaho, being more particularly described as follows:

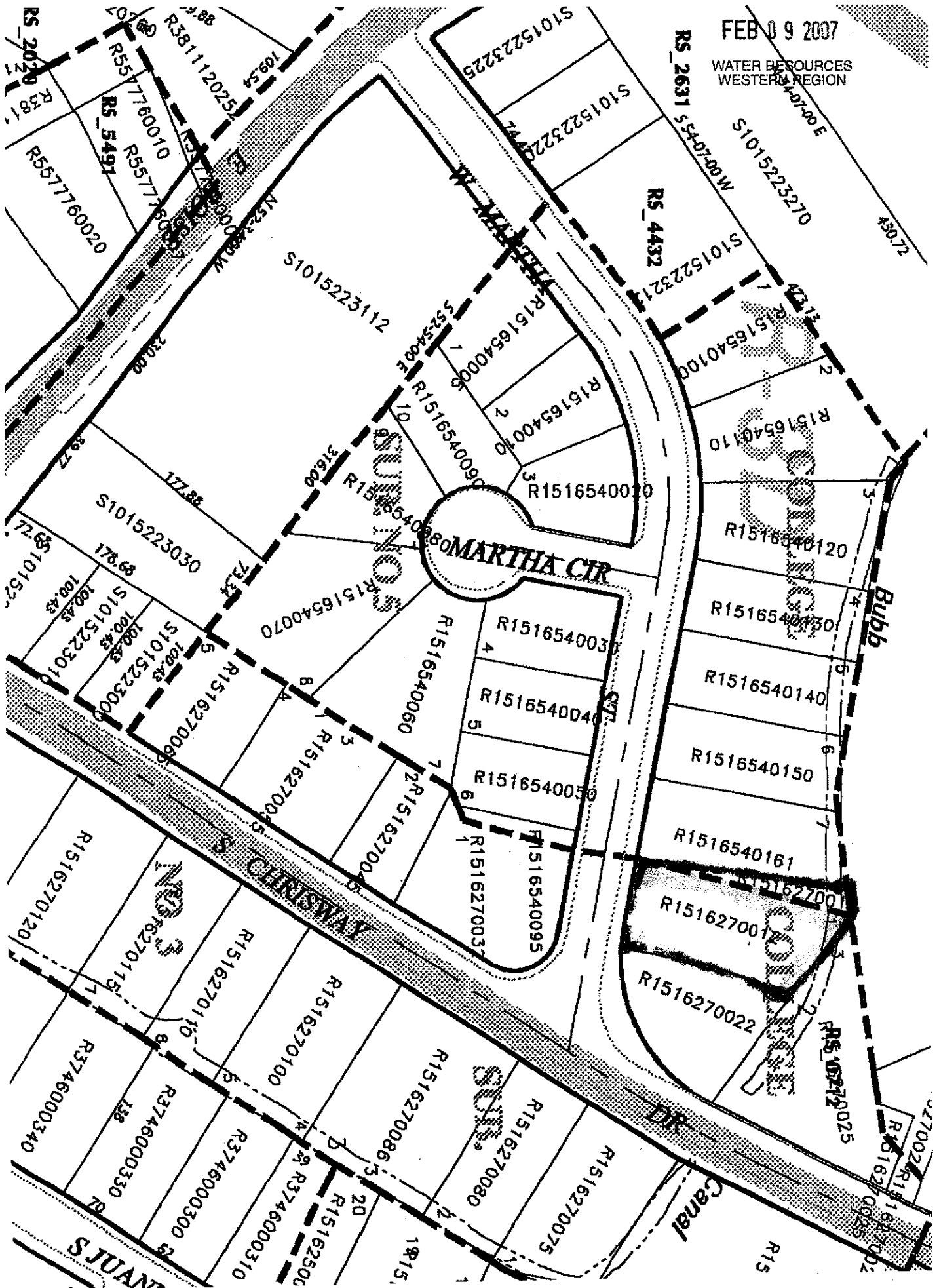
Beginning at the Northeast corner of said Lot 7, said corner being the REAL POINT OF BEGINNING;

Thence on the East boundary of said Lot 7 South $16^{\circ}13'24''$ West a distance of 175.44 feet to the Southeast corner of said Lot 7;

Thence North $08^{\circ}43'53''$ East a distance of 167.30 feet to a point on the North boundary of said Lot 7;

Thence on said North boundary North $82^{\circ}33'37''$ East a distance of 23.82 feet to the Northeast corner of said Lot 7, the REAL POINT OF BEGINNING.

~~WATER RESOURCES
WESTERN REGION~~





Pioneer Title Co.

GOING BEYOND

RECEIVED

FEB 09 2007

3525 E. Overland Rd. / Meridian, Idaho 83642 / (208) 888-7230

WATER RESOURCES
WESTERN REGION

December 13, 2005

Harry S. Adams and Lynette Adams
1501 Martha St.
Boise, ID 83706

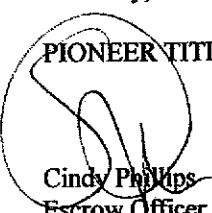
Re: Escrow No.: 259150
Seller: Federal National Mortgage Association
Buyer: Harry S. Adams and Lynette Adams, husband and wife
Property: 1501 Martha St.
Boise, Idaho 83706

The closing of your purchase of the above-noted property has now been completed. Enclosed for your records are your original Warranty Deed and Title Insurance Policy.

We appreciate having had this opportunity to be of service to you. If you have questions or if we can help you again, please feel free to contact us.

Sincerely,

PIONEER TITLE COMPANY OF ADA COUNTY



Cindy Phillips
Escrow Officer

Enclosures

RECEIVED

FEB 07 2007

DEPARTMENT OF
WATER RESOURCES

February 2, 2007

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

In Re SRBA

Case No. 39576

MOTION TO ALTER OR AMEND
THE SPECIAL MASTER'S
RECOMMENDATION
OF JANUARY 11, 2007 ON

Water Right (s): 63 – 18441

We object to the decision disallowing any water rights from claim 63 – 18441. We have been the owners of record of the property at 1501 S Martha Boise, Idaho 83706 since December of 2005. The first time we received any notification about the suit was the January 11, 2007, decision to disallow the water rights on our property. We received no notification of the hearings so that we could have expressed our objection.

Our understanding is that the Canal Company is arguing for denial based on the possible need to be compelled to provide waste water to fulfill our water rights. However, our understanding is that much of the flow through our property is not waste water. The stream flows through our property all year and is the source for seasonal irrigation. According to the ditch rider, the source of most of the volume is from a spring or springs located near the Ridenbaugh Canal between Broadway and Gekeler Avenues.

Our desire is to protect the precedence of our rights (which date from 1962) among other users to whatever water flows in the ditch. We are not in favor of compelling the Canal Company to "create" waste water to meet our needs. We are willing to stipulate to that condition.

Sincerely,



Harry S. D. Adams
Lynette M. Adams

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

In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right (s) : 63-18441

CERTIFICATE OF MAILING

I certify that a true and correct copy of the MOTION TO ALTER OR AMEND THE
SPECIAL MASTER'S RECOMMENDATION of January 11, 2007 for Water Right 63-18441 was
mailed on February 7, 2007, with sufficient first -class postage prepaid to the following:

STATE OF IDAHO
DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
PO BOX 2707
TWIN FALLS, ID 83303-2707

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

NEW YORK IRRIGATION DISTRICT

Represented by:
CHARLES F MC DEVITT
420 W BANNOCK ST
PO BOX 2564
BOISE, ID 83701
PHONE: 208-343-7500

USDI BUREAU OF RECLAMATION

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

CERTIFICATE OF MAILING

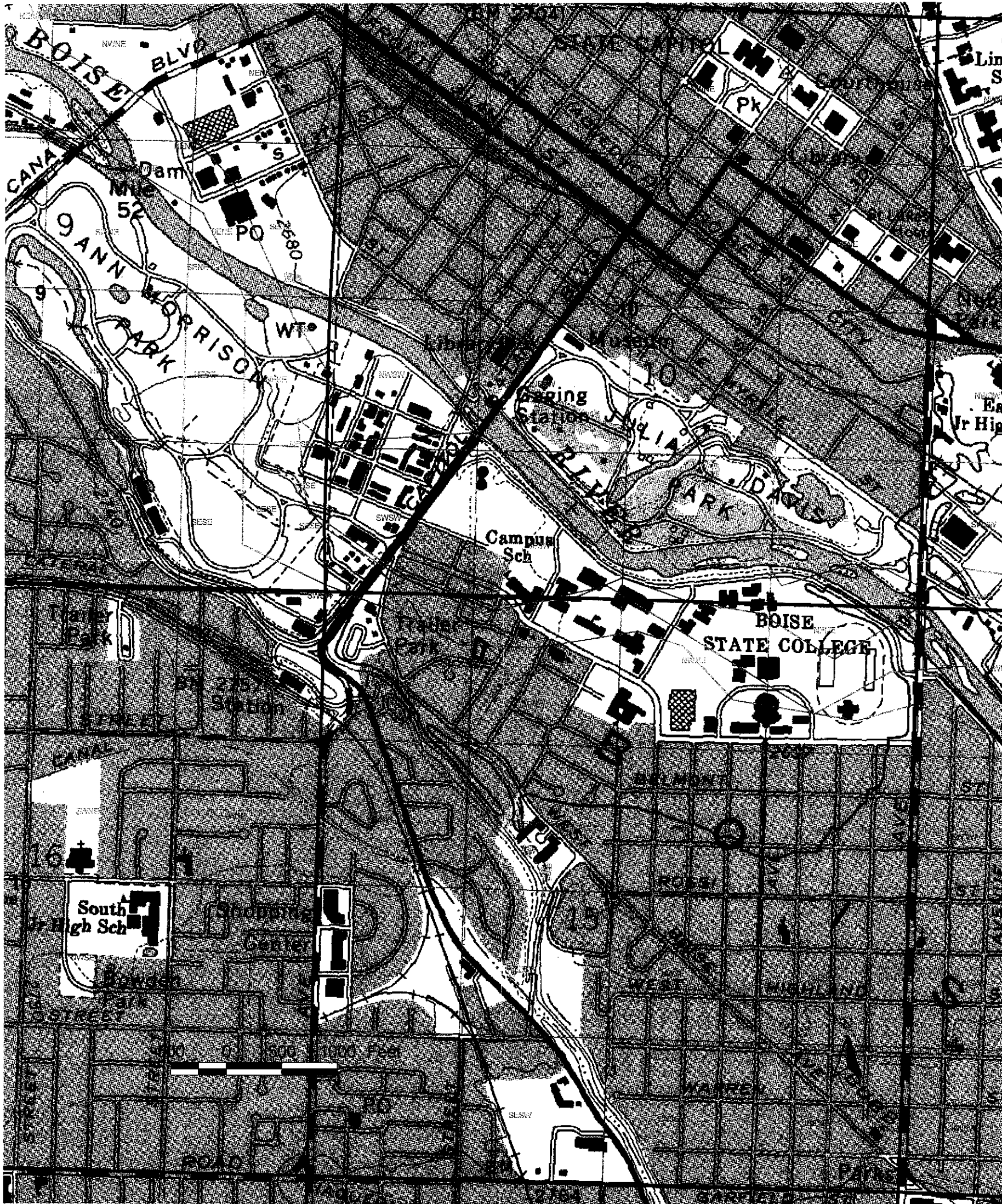
PAGE 1
2/6/07

DOLORES J. THOMPSON
840 WEST IVYWILD LANE
BOISE, ID 83706

A handwritten signature in cursive script, appearing to read "H S Adams", written in dark ink.

HARRY SD ADAMS
LYNETTE M. ADAMS
1501 S MARTHA ST
BOISE, ID 83706
PHONE 208-342-3322
CELL 208-630-4668

63-18441



RECEIVED

JAN 16 2007

DEPARTMENT OF
WATER RESOURCES

2007 JAN 11 AM 8:38

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED *[Signature]*

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: 63-18441
	)	
Case No. 39576	)	SPECIAL MASTER'S REPORT
	)	
	)	FINDINGS OF FACT AND
	)	CONCLUSIONS OF LAW
	)	(Disallow)

I. FINDINGS OF FACT

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

On April 21, 2006, the New York Irrigation District, by and through its attorney Charles F. McDevitt, filed an objection to the *Director's Report*, asserting that the water right should not exist. An initial hearing on the objection was held on December 5, 2006, at which the claimant failed to appear. An *Order to Show Cause* was issued, and a hearing thereon was held on January 9, 2007. Again, the claimant failed to appear. Accordingly, and pursuant to the terms of the *Order to Show Cause*, the objection is hereby **granted**.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein, IT IS RECOMMENDED that the SRBA District Court enter a final order **disallowing** water right claim 63-18441.

Dated December 18, 2006



Theodore R. Booth
Special Master
Snake River Basin Adjudication

RECEIVED

JAN 16 2007

2007 JAN 11 AM 8:30

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED *[Signature]*

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

In Re SRBA

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s): 63-18441

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on January 11, 2007, with sufficient first-class postage prepaid to the following:

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

NEW YORK IRRIGATION DISTRICT

Represented by:
CHARLES F MC DEVITT
420 W BANNOCK ST
PO BOX 2564
BOISE, ID 83701
Phone: 208-343-7500

USDI BUREAU OF RECLAMATION

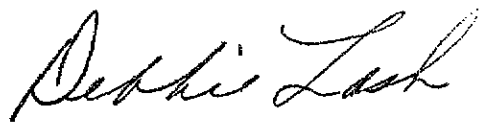
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

CERTIFICATE OF MAILING

PAGE 1
01/11/07

BENJAMIN A THOMPSON
DOLORES J THOMPSON
1501 MARTHA ST
BOISE, ID 83706
Phone: 208-342-9224

HARRY D & LYNETTE ADAMS
1501 S MARTHA ST
BOISE, ID 83706



DEBBIE LASH
Deputy Clerk

RECEIVED

JAN 16 2007

DEPARTMENT OF
WATER RESOURCES

2007 JAN 11 AM 8:38

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)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

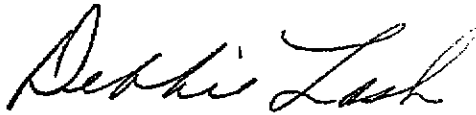
Water Right(s): 63-18441

On January 11, 2007, Special Master THEODORE R. BOOTH issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

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

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

DATED January 11, 2007.


DEBBIE LASH
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 No. 39576)

A. Subcase **63-18441**

(Insert water right number
from the Objection Form)

**STANDARD FORM 2
RESPONSE TO OBJECTION**

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: E. Gail McGarry
United States of America acting through the Department of Interior,
Bureau of Reclamation, Regional Director PN Code-3100
Address: 1150 N. Curtis Rd. Suite 100
Boise, ID 83706 -1234
Daytime Phone: (208) 378-5306

Name & Address of Attorney, if any:

David W. Gehlert (303) 844-1386 Trial Attorney,
Natural Resources Section
Environment and Natural Resource Division
U.S. Department of Justice
1961 Stout Street – 8th Floor
Denver, CO 80294

**C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO
WHICH YOU ARE RESPONDING**

Name: New York Irrigation District
C/O Chas F. McDevitt
McDevitt & Miller LLP
Address: 420 W. Bannock
P.O. Box 2564-83701
Boise, ID 83702

D. I am responding to the objections to the following elements. (Please check the appropriate box (es)).

1. ☐ Name and Address
2. ☒ Source
3. ☐ Quantity
4. ☐ Priority Date
5. ☐ Point(s) of Diversion
6. ☐ Instream Flow Description
7. ☐ Purpose(s) of Use
8. ☐ Period of Year
9. ☐ Place of Use
10. Recommendation
 - ☒ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

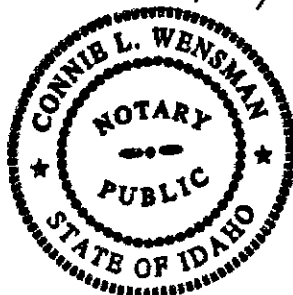
Jerrold D. Gregg, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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

[Signature]
(Signature of person filing response)

[Signature]
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 6/23/06



Notary Public for: Idaho
Residing at: Meridian
My Commission Expires: 10/06/10

INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, 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.

F. CERTIFICATE OF MAILING

I certify that on 6-23, 2006, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original to:

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

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

Name: Benjamin A. & Dolores J. Thompson
Address: 1501 Martha Street
Boise, ID 83706

3. One copy to the party who filed the objection at the following address:

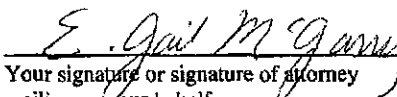
Name: Name: New York Irrigation District
C/O Chas F. McDevitt, McDevitt & Miller LLP
Address: P.O. Box 2564-83701, Boise, ID 83702

4. Copies to:

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

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

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


Your signature or signature of attorney
mailing on your behalf

2006 AUG 16 AM 9:08

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED 

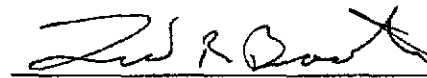
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	) Subcase 63-18441
	)
Case No. 39576	) ORDER GRANTING MOTION TO
	) AMEND STANDARD FORM 1
_____	) OBJECTION

On May 15, 2006, the New York Irrigation District, by and through their attorneys of record McDevitt & Miller, LLP, filed a *Motion to Amend Standard Form 1 Objection*, together with a proposed *Amended Standard Form 1 Objection*. Pursuant to Idaho Rule of Civil Procedure 15(a), and good cause appearing, the *Motion* is hereby granted.

The Clerk of the Court is instructed to file the *Amended Objection*, which shall replace the objection previously filed on April 21, 2006.

Dated August 14, 2006



THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

SCANNED
OCT 05 2006

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO AMEND STANDARD FORM 1 OBJECTION was mailed on August 16, 2006, with sufficient first-class postage to the following:

NEW YORK IRRIGATION DISTRICT

Represented by:
CHARLES F MC DEVITT
420 W BANNOCK ST
PO BOX 2564
BOISE, ID 83701
Phone: 208-343-7500

USDI BUREAU OF RECLAMATION

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

DIRECTOR OF IDWR

PO BOX 83720
BOISE, ID 83720-0098

BENJAMIN A THOMPSON

DOLORES J THOMPSON
1501 MARTHA ST
BOISE, ID 83706
Phone: 208-342-9224

COPY

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

RECEIVED

APR 24 2006

DEPARTMENT OF
WATER RESOURCES

In Re SRBA

)

A. Subcase 63-18441

(Insert water right number)

Case No. 39576

)

)

STANDARD FORM 1
OBJECTION

NAME AND ADDRESS OF PERSON OBJECTING

Name: New York Irrigation District
Address: 6616 Overland Road
Boise, ID 83709
Daytime Phone: 208-378-1023

Name & Address of Attorney, if any:
Chas F. McDevitt & Miller LLP
McDevitt & Miller LLP
420 W. Bannock
P.O. Box 2564-83701
Boise, ID 83702

CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Benjamin A. Thompson
Dolores J. Thompson
Address: 1501 Martha Street
Boise, ID 83706

I object to the following elements as recommended in the Director's Report.

1. ☐ **Name and Address**
Should be: _____
2. ☒ **Source**
Should be: The waste waters claimed belong to the Boise-Kuna Irrigation District.
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.

REASONS SUPPORTING OBJECTIONS(S):

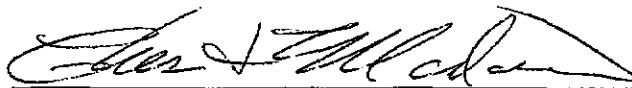
There has been no lawful appropriation of this right. The waste waters belong to the Boise-Kuna Irrigation District and are not available for private development and appropriation. Further, any attempted development of this right constitutes a trespass against the drains of the Boise-Kuna Irrigation District.

VERIFICATION

State of Idaho)
)ss.
County of Ada)

Chas F. McDevitt, duly sworn, upon oath, deposes and says:

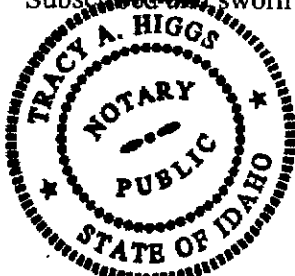
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and(6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.



Chas F. McDevitt
McDEVITT & MILLER LLP

Subscribed and sworn to before me on:

4-21-06 Tracy A. Higgs



Notary Public for State of ID
Residing at: Boise ID
My Commission Expires: 6/2007

CERTIFICATE OF MAILING

I certify that on April 25, 2006, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

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

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

Name: Benjamin A. Thompson
Dolores J. Thompson
Address: 1501 Martha Street
Boise, ID 83706

3. Copies to:

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

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

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

Heather Hule, Legal Assistant
McDEVITT & MILLER LLP

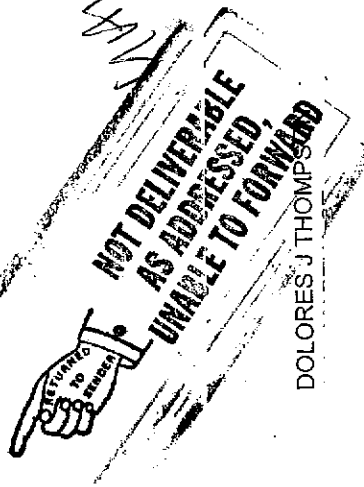
Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

RECEIVED

DEC 21 2005
DEPARTMENT OF
WATER RESOURCES

RECEIVED

DEC 22 2005
WATER RESOURCES
WESTERN REGION



BENJAMIN A THOMPSON
1501 MARTHA ST
BOISE ID 83706

63-1844

[Illegible text]

330



UNITED STATES POSTAGE
000-355491
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000-355491 JUN 06 1977
MAILED FROM ZIP CODE 10101

BENJAMIN A THOMPSON
DOLORES A THOMPSON
1501 MARTHA ST
BOISE ID 83706

RECEIVED TO SENDER
UNDELIVERABLE AS ADDRESSED
RETURNING ORDER ON FILE

1501 Martha
Boise ID 83706

~~63-18841~~
63-18441

RECEIVED

JUN 14 2005

WATER RESOURCES
WESTERN REGION

LESS SERVICE
REQUESTED

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

1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-18441 V1

WATER RIGHT NUMBER: 63-18441 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DOLORES J THOMPSON 1501 MARTHA ST BOISE, ID 83706 (208)342-9224
Current Owner	BENJAMIN A THOMPSON 1501 MARTHA ST BOISE, ID 83706 (208)342-9224

Priority Date: 05/01/1962

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
WASTE WATER	RIDENBAUGH CANAL

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

Location of Point(s) of Diversion

WASTE WATER	NE1/4NW1/4	Sec. 15, Twp 03N, Rge 02E, B.M.
ADA County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	02E	15																	

Conditions of Approval:

1. X01 Domestic use is for lawn irrigation.
2. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.
3. 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.
4. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
5. PARCEL NO. R1516270012
6. J01 PROPERTY IS ALSO KNOWN AS LOT 1, BLK 1, COLLEGE SUB. 3.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-18441 V1

Remarks:Comments:

1. CORR3 2/18/1997 COPIED FROM REMARKS

Comment: BOTH LOTS ARE UNDER SINGLE OWNERSHIP WITH ONE HOME ON EACH LOT. TOTAL IRRIGATED GROUND FOR BOTH LOTS IS NOT MORE THAN 1/2 ACRE.

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: NONE RECEIVED
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>
Priority Date	5/26/2005 3:07:23 PM	segbert			Active
Source	5/26/2005 3:11:49 PM	segbert			Active
Summary			05/26/2005	segbert	Active
POD	5/26/2005 3:41:16 PM	segbert			Active
POU	5/26/2005 3:41:52 PM	segbert			Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	5/26/2005 3:41:16 PM	segbert	(No) 1. Is the basis of this claim a Decree or License?
POU	5/26/2005 3:41:53 PM	segbert	(No) 1. Is the basis of this claim a Decree or License?
POU	5/26/2005 3:42:10 PM	segbert	Updated shape for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-18441 V1

General	5/26/2005 3:07:23 PM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
Source	5/26/2005 3:11:49 PM	segbert	(No) 1. Is the basis of claim Decree or License?
Summary	5/26/2005 3:16:13 PM	segbert	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (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?
POD	5/26/2005 3:26:29 PM	segbert	Updated shape

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-18441

WATER RIGHT NUMBER: 63-18441

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DOLORES J THOMPSON 1501 MARTHA ST BOISE, ID 83706 (208)342-9224
Current Owner	BENJAMIN A THOMPSON 1501 MARTHA ST BOISE, ID 83706 (208)342-9224

Priority Date: 05/01/1962 ✓

Basis: Beneficial Use ✓

Status: Active ✓

<u>Source</u>	<u>Tributary</u>
RIDENBAUGH DRAIN <i>Wastewater</i>	~~BOISE RIVER~~

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

Location of Point(s) of Diversion

RIDENBAUGH DRAIN

ADA County

NE
~~NE~~ 1/4NW1/4

Sec. 15, Twp 03N, Rge 02E, B.M.

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	02E	15					X												
							44												

Conditions of Approval:Remarks:

- General BOTH LOTS ARE UNDER SINGLE OWNERSHIP WITH ONE HOME ON EACH LOT. TOTAL IRRIGATED GROUND FOR BOTH LOTS IS NOT MORE THAN 1/2 ACRE.

Comments:Dates and Other Information:

**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 25.00
- ☐ 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) 63-18441

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: changed source to wastewater per farm

POINT OF DIVERSION

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

Changed to NENW - It was claimed in the wrong qd.

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

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

Description of diverting works

OVERLAP REVIEW

Other water rights with the same point of diversion: _____

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

WATER USES☒ No change☐ Different Uses

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only☒ Incomplete on claim, the total is, Amount _____ CFS _____ AFA☐ Changes found, the new total is, Amount _____ CFS _____ AFA☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)**NON-IRRIGATION USES:**☒ No change☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☐ No Change☐ Changes shown below:

*Changed to NE NW. It was assumed
in the wrong QR*

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

Overlap with other water rights: _____

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

Delivery System Narrative: _____

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

[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

Review
DATE ~~EXAM~~ CONDUCTED: 5-26-05

FIELD EXAMINER: Sandy Eybert

**Land Records**
[\[Previous Search\]](#) [\[New Search\]](#) [\[Print View\]](#)
Property Details for Parcel R1516270012

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General Information

Property Acres: 0.336
Zone Code: R-3D
Primary Code Area: 01-6 Tax Districts
Group Type: SUB
Subdivision: COLLEGE SUB NO 03
Section: 3N2E15

Property Description

PAR #0012 OF LOTS 1/2 BLK 1
 COLLEGE SUB NO 3 & LOT 7
 BLK 2 COLLEGE SUB NO 5
 R1516540160-S #0011-C
 #98055295

Property Address

1501 S MARTHA ST
 BOISE, ID 83706


[Click to View Interactive M](#)
Assessor Links

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- [Administration](#)
- [Information](#)
- [Appraisal](#)
- [Exemptions and Reductions](#)
- [Motor Vehicles](#)
- [Levy Rates](#)

Parcel Valuation Details

Assessment Roll	State Category Code	Acreage	Assessed Value	Valuation Method
Primary	200-RES LOT OR TRACT	0.336	\$47,000	MARKET
Primary	410-RES IMPROVEMENT	0.000	\$97,000	COST

Total Assessed Value: \$144,000

Parcel Valuation History

Assessed value for year 2004 \$144,000
Assessed value for year 2003 \$144,800
Assessed value for year 2002 \$141,900
Assessed value for year 2001 \$141,900
Assessed value for year 2000 \$125,000

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Property Characteristics

Residential
 Land

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Land Records

Characteristics Detail[Go Back to Property](#)

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Residential **Land**

Residential Characteristics 1 for Parcel "R1516270012"

Occupancy Date:	No Date Available
Year Built:	1959
Year Remodel:	0
Effective Age:	0
Construction Class:	4
Number of Bedrooms:	3
Number Bathrooms:	1.0
Number of Fireplaces:	2
Air Conditioning:	Y
Car Storage Sq Ft #1:	0
Car Storage Sq Ft #2:	0
General Purpose Building Sq Ft:	80
Porch Sq Ft:	72
Deck Sq Ft:	0
Deck Covered:	N
Patio Sq Ft:	200
Patio Covered:	Y
Pool Sq Ft:	0
Total Sq Ft:	2248
Main Floor Sq Ft:	2248
Upper Floor Sq Ft:	0
Finished Lower Floor Sq Ft:	0
Unfinished Lower Floor Sq Ft:	0
Finished Basement Floor Sq Ft:	0
Unfinished Basement Floor Sq Ft:	0
Finished Attic Sq Ft:	0
Unfinished Attic Sq Ft:	0

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IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-18441

03/01/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
148C	Claim	03N	02E	15	NW	NW		IRRIGATION	23/871.53	SOUTH BOISE WATER CO
-150	Claim	03N	02E	15	NW	NW		IRRIGATION	23/871.53	SOUTH BOISE WATER CO
185B	Claim	03N	02E	15	NW	NW		IRRIGATION	23/627.69	SOUTH BOISE WATER CO
2392C	Claim	03N	02E	15	NW	NW		IRRIGATION	23/916.53	SOUTH BOISE WATER CO
27213	Claim	03N	02E	15	NW	NW		IRRIGATION	8/104	BOISE STATE UNIVERSITY
27214	Claim	03N	02E	15	NW	NW		IRRIGATION	6/104	BOISE STATE UNIVERSITY
27216	Claim	03N	02E	15	NW	NW		IRRIGATION	8/104	BOISE STATE UNIVERSITY
27217	Claim	03N	02E	15	NW	NW		IRRIGATION	8/104	BOISE STATE UNIVERSITY
2392	Water Right	03N	02E	15	NW	NW		IRRIGATION		DRAINAGE DIST NO 3
3413	Water Right	03N	02E	15	NW	NW		IRRIGATION	2/23	CITY OF BOISE
2576	Claim	03N	02E	15	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
2605	Claim	03N	02E	15	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
2874	Claim	03N	02E	15	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
2954	Claim	03N	02E	15	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
2956	Claim	03N	02E	15	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
2989	Claim	03N	02E	15	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
3164	Claim	03N	02E	15	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
7067	Claim	03N	02E	15	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
7577	Claim	03N	02E	15	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
7998	Claim	03N	02E	15	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
19456	Claim	03N	02E	15	NW	NW		MUNICIPAL		UNITED WATER IDAHO INC
18441	Claim	03N	02E	15	NW	NW		DOMESTIC		DOLORES J THOMPSON
148C	Water Right	03N	02E	15	NW	NW	3	IRRIGATION	0.1/156.5	SOUTH BOISE WATER CO
-215	Water Right	03N	02E	15	NW	NW	3	IRRIGATION		SONORA JOPLIN
2576	Claim	03N	02E	15	NW	NW	3	MUNICIPAL		UNITED WATER IDAHO INC
2605	Claim	03N	02E	15	NW	NW	3	MUNICIPAL		UNITED WATER IDAHO INC
2874	Claim	03N	02E	15	NW	NW	3	MUNICIPAL		UNITED WATER IDAHO INC
2954	Claim	03N	02E	15	NW	NW	3	MUNICIPAL		UNITED WATER IDAHO INC

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-18441

03/01/2005

2

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2956	Claim	03N	02E	15	NW	NW	3	MUNICIPAL		UNITED WATER IDAHO INC
2989	Claim	03N	02E	15	NW	NW	3	MUNICIPAL		UNITED WATER IDAHO INC
3164	Claim	03N	02E	15	NW	NW	3	MUNICIPAL		UNITED WATER IDAHO INC
7067	Claim	03N	02E	15	NW	NW	3	MUNICIPAL		UNITED WATER IDAHO INC
7577	Claim	03N	02E	15	NW	NW	3	MUNICIPAL		UNITED WATER IDAHO INC
7998	Claim	03N	02E	15	NW	NW	3	MUNICIPAL		UNITED WATER IDAHO INC
19456	Claim	03N	02E	15	NW	NW	3	MUNICIPAL		UNITED WATER IDAHO INC

Receipt Details for ID W005440

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
9/5/1989 1:43:51 PM	9/5/1989	Western	\$25.00	Check
Payer		THOMPSON, BEN OR DOLORES		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
9439			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$25.00	ADJUDICATION CLAIM FEE	410162	9337	0 0		6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	18441		\$25.00	Claim

[Print Report](#)

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

Return Service Requested

603-18441

PRESORTED
FIRST CLASS



NOT DELIVERABLE
AS ADDRESSED
UNABLE TO FORWARD

Quest shows:

1501 Martha

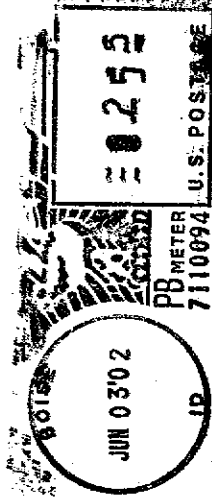
Boise 83106

DOLORES J THOMPSON
BENJAMIN A THOMPSON
1501 MARTHA ST
BOISE ID 83706

RECEIVED

JUN 11 2002

WATER RESOURCES
WESTERN REGION



060725050903706

060725050903706

WATER RIGHT NUMBER - A63-18441

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - LAST NAME - - - - + + - FIRST NAME - - + + - - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
THOMPSON

BENJAMIN A.

1 - 1501 MARTHA ST.

2 -

3 -

CITY- BOISE

STATE- ID ZIP- 83706

PHONE - 208-342-9224

THOMPSON

DOLORES J.

1 - 1501 MARTHA ST.

2 -

3 -

CITY- BOISE

STATE- ID ZIP- 83706

PHONE - 208-342-9224

+ - - PRIORITY DATE - - + + - - - REGION - - - + + - - - STAGE - - - + + - - - STATUS - - - - +
05/01/1962 14 WESTERN J - BENEFICIAL USE

+ - - - - SOURCE - - - - - + + - - - - - TRIBUTARY - - - - - +
RIDENBAUGH DRAIN BOISE RIVER

+ - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

03N 02E 15 NW NW (1) ADA

+ - - - - WATER USE - - - - - +
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME
43 - DOMESTIC 01/01 12/31 0.040

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.040

+ - - - - PLACE OF USE - - - - - +
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY
03N 02E 15 NW NW 43 DOMESTIC (1) ADA

+ - - DIVERSION MEANS - PUMP IN DRAIN WITH PIPELINE FOR IRRIGATION VIA HOSES.

+ - - NON-IRRIGATION USE - DOMESTIC USE IF LAWN IRRIGATION ONLY FOR TWO LOTS.

+ - - OTHER RIGHTS FOR SAME USE - NONE.

+ - - - - REMARKS - - - - - +
BOTH LOTS ARE UNDER SINGLE OWNERSHIP WITH ONE HOME ON EACH LOT.
TOTAL IRRIGATED GROUND FOR BOTH LOTS IS NOT MORE THAN 1/2 ACRE.

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.

WATER RIGHT NUMBER - A63-18441

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - CONDITIONS OF APPROVAL - - - - -
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 09/05/89 SHURTE

+ - - - - COMMENTS - - - - -
NO COMMENTS FOUND

+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 09/05/1989	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- W005440	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	PDU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	- OR		

R1516270018
Lot 1 BIK1
College Sub 3

DATA ENTRY

ENTERED

CHECKED

2/18/97
74 224

Verified By
Topo Map/Ortho-PQ
AGCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (Free Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
JAN 24 1993

CERTIFIED
JAN 26 1993
WATER EXAMINER