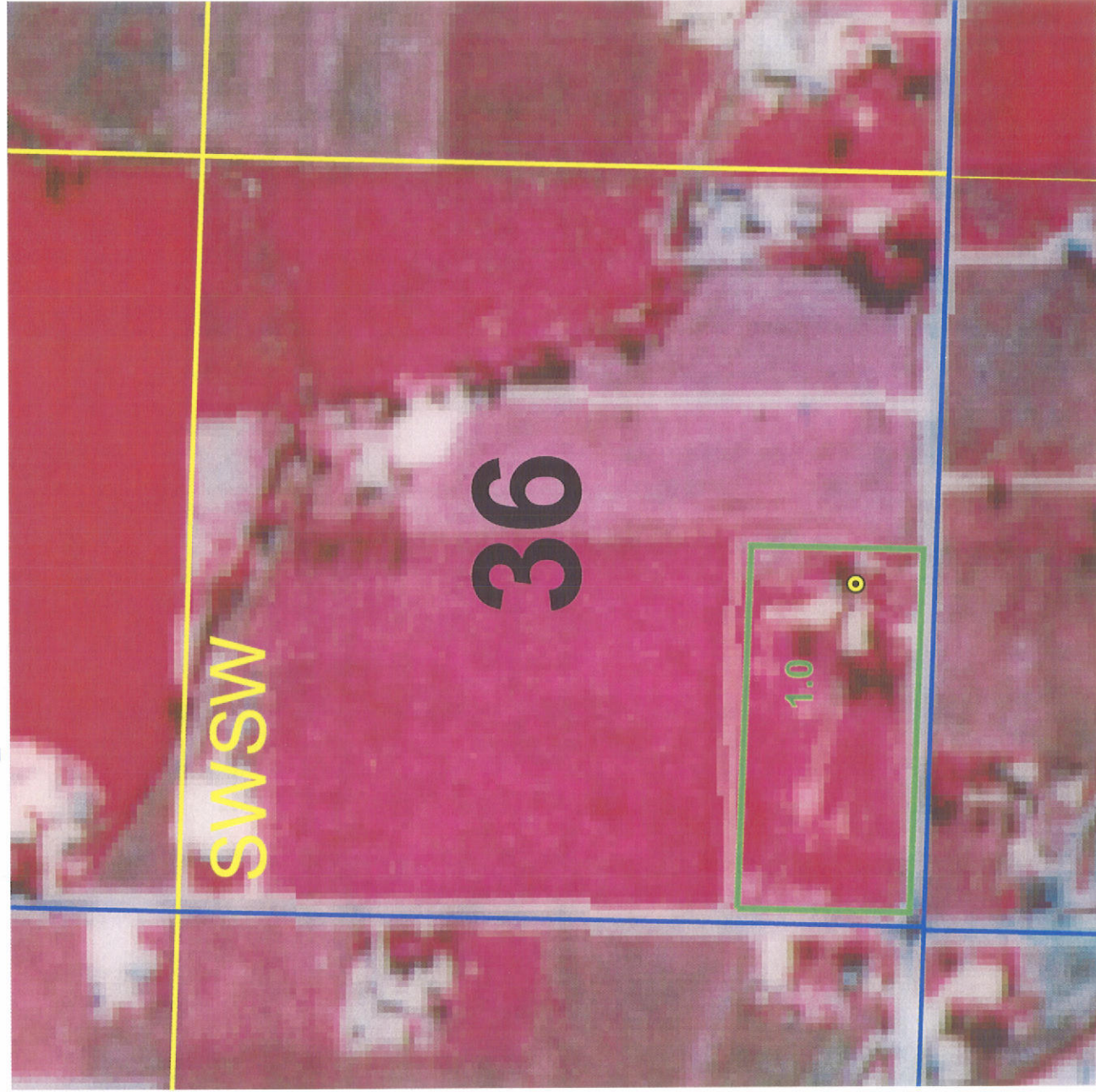


Idaho Department of Water Resources

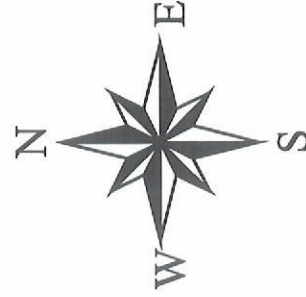
T04N, R01W,
S36

Claim No: 63-18513
Prepared By: Kimberly Brown
Date: November 17, 2003



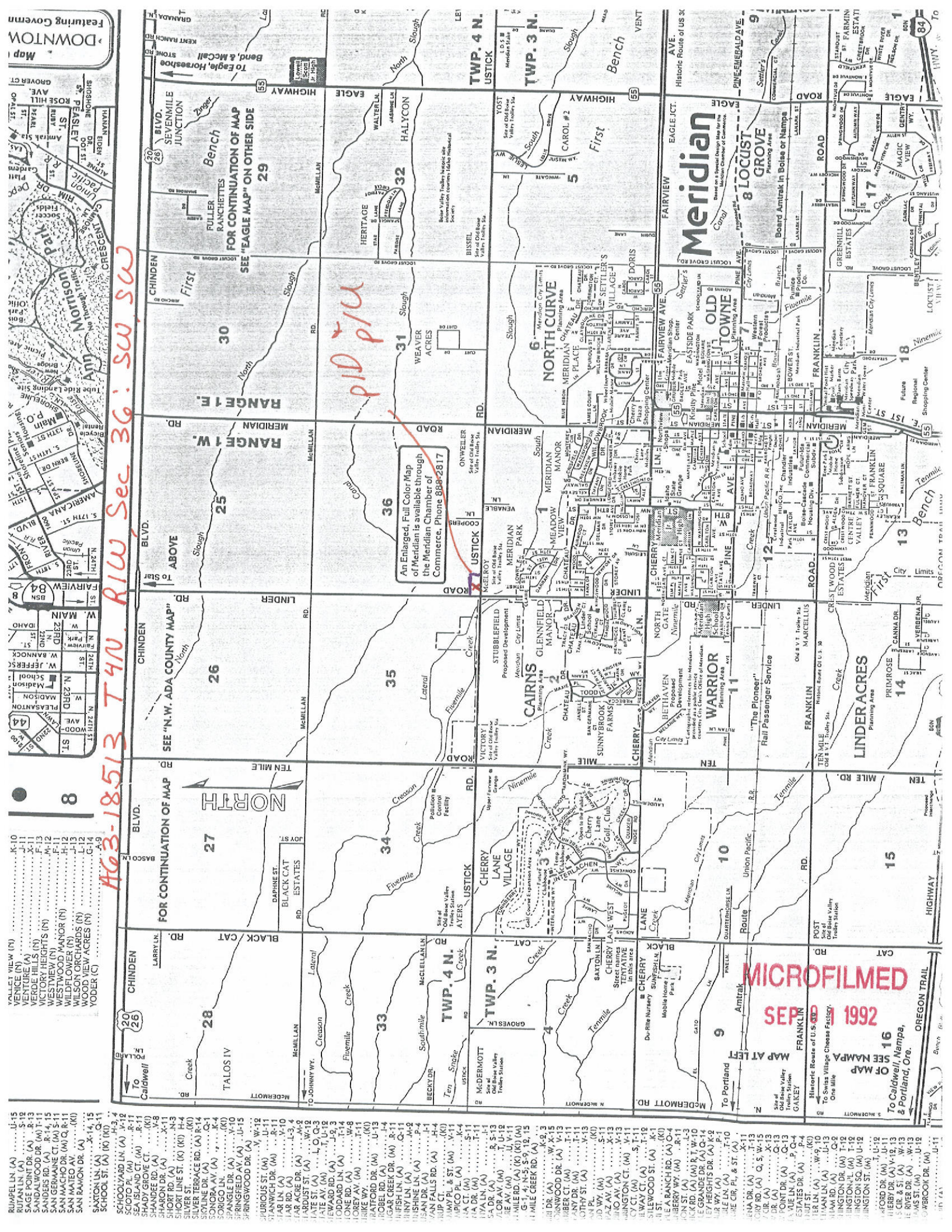
- Point of Diversion
- Place of Use
- Section Lines
- 1/4 1/4

Acres Irrigated = 1.0



1987 NAPP





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: A63-18513
Date Received: 9/06/1989
Receipt No: W005515
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RANNEY ENDICOTT 208-888-4888
Address: 1450 W. USTICK
MERIDIAN, ID 83642

OR
Name: HERBERT ENDICOTT 208-888-4888
Address: 1450 W. USTICK
MERIDIAN, ID 83642

2. Date of Priority: MAY 20, 1915

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01W	36	SW	SW			ADA

5. Description of diverting works:
4" CS W/PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.030		
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOME; S/9 SHEEP, 1 COW, 13 TURKEYS, 48 GEESE, 12 CHICKENS

A63-18513

Page 1

Date: 09/06/89

MICROFILMED
SEP 01 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01W	36	SW	SW		DOMEST	
			SW	SW		IRR	
			SW	SW		STOCK	

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:
NAMPA-MERIDIAN

14. Remarks:
NAMPA-MERIDIAN IRR. PART OF THE 1 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 / 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): Ranny Endicott Date: 9-6-89
Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 6 day

of Sept. 19 89

Linda A. Werner
Notary Public

Seal

Residing at _____ Linda A. Werner
Residing at Boise, Idaho
My Commission Expires December 8, 1994

05/31/2005

RECEIVED

JUN 13 2005

WATER RESOURCES
WESTERN REGION

NOTICE OF ERROR

REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: July 15, 2005

Water right number: 63-18513

HERBERT ENDICOTT
1450 W USTICK
MERIDIAN ID 83642
Telephone Number: (208)888-4888

RANNEY ENDICOTT
1450 W USTICK
MERIDIAN ID 83642
Telephone Number: (208)888-4888

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

1 I AGREE with this proposed recommendation: no changes need to be made.

DATE: 6-7-05 SIGNATURE: Herbert Endicott
Please print your name: Herbert Endicott

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

05/26/2005

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

RIGHT NUMBER: 63-18513
NAME AND ADDRESS: HERBERT ENDICOTT
1450 W USTICK
MERIDIAN ID 83642

RANNEY ENDICOTT
1450 W USTICK
MERIDIAN ID 83642

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.070 CFS

The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/20/1915

POINT OF DIVERSION:

T04N R01W S36 SWSW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.020 CFS
IRRIGATION	03/01 11/15	0.030 CFS
		4.50 AFY
STOCKWATER	01/01 12/31	0.020 CFS

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

PLACE OF USE: DOMESTIC Within ADA County

T04N R01W S36 SWSW

IRRIGATION Within ADA County

T04N R01W S36 SWSW 1.0

STOCKWATER Within ADA County

T04N R01W S36 SWSW

1 ACRES TOTAL

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

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

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

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

EXPLANATORY MATERIAL: Beneficial Use

Use of this right is combined with water from Nampa Meridian Irrigation District.

Parcel No. S0436336110.

Stockwater use is for 9 sheep, 1 cow, 13 turkeys, 48 geese, and 12 chickens.

Idaho Department of Water Resources

**T04N, R01W,
S36**

Claim No: 63-18513
Prepared By: Kimberly Brown
Date: November 17, 2003

● Point of Diversion



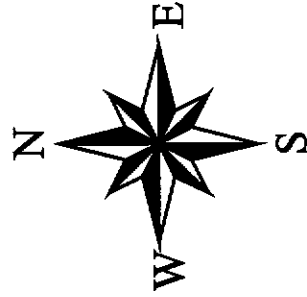
Place of Use



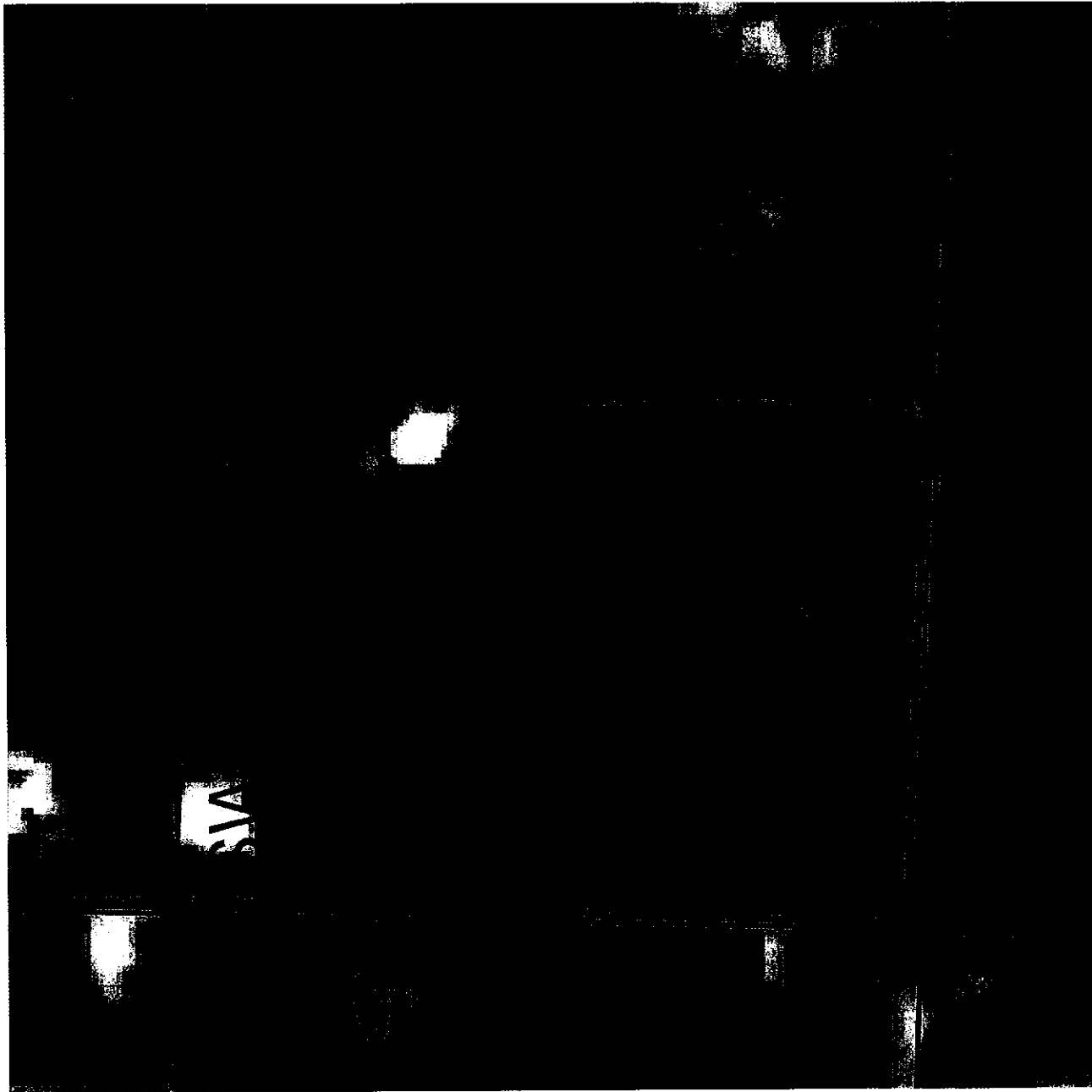
Section Lines

1/4 1/4

Acres Irrigated = 1.0



1987 NAPP



0 0.08 0.16 0.24 0.32 Miles



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-18513

WATER RIGHT NUMBER: 63-18513 ✓

Owner TypeName and Address

Current Owner

HERBERT ENDICOTT ✓

1450 W USTICK

MERIDIAN, ID 83642

(208)888-4888

Current Owner

RANNEY ENDICOTT ✓

1450 W USTICK

MERIDIAN, ID 83642

(208)888-4888

Priority Date: 05/20/1915 ✓

Basis: Beneficial Use ✓

Status: Active

SourceTributary

GROUND WATER ✓

Beneficial UseFrom ToDiversion RateAnnual Volume

DOMESTIC ✓

1/01 to 12/31 ✓

0.020 CFS ✓

IRRIGATION ✓

3/15 to 11/15 ✓

0.030 CFS ✓

STOCKWATER ✓

1/01 to 12/31 ✓

0.020 CFS ✓

4.5 AFA

Total Diversion: 0.070 CFS ✓Location of Point(s) of Diversion

GROUND WATER

SW1/4SW1/4 ✓

Sec. 36, Twp 04N, Rge 01W, B.M. ✓

ADA County ✓

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	01W	36	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
													X						

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	01W	36	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	(paid \$ 51 ⁰⁰ .)
													X						
													1						

STOCKWATER

ADD WB5 - Domestic use is for 1 home; no lawn.

ADD X02 - Stockwater use is for 9 sheep, 1 cow, 13 turkeys, 48 geese, * 12 chickens.

ADD W51 - Use combined with Nampa-Meridian Irr.

ADD Remark - Parcel # 80436336110.

OVER →

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-18513

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	01W	36	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
													X						

ADD 804 - Season of use is 3/1 to 11/15.

Conditions of Approval:

ADD N09 - Quantity of water decreed for this water right for domestic + stockwater use is not a determination of beneficial use.

Remarks:

1. General NAMPA-MERIDIAN IRR. PART OF THE 1 ACRE.

Comments:Dates and Other Information:

Claim Received Date: 9/6/1989
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

N14 - The Quantity for domestic and stockwater uses shall not exceed 13,000 gal/day.

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>
----------------	---------------------------	-----------------	---------------------------	-----------------	---------------

Verification Log:

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

(in office)

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

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$ 51.⁰⁰/₁₀₀
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information None
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☒ Evidence of Priority – if none, talk with claimant 9/10/03-rec'd ev. of priority

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) 63-18513

Owner: Herbert & Ranney Endicott Phone No. (208) 888-4888

Current Address: 1450 W. Ustick, Meridian

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

Accompanied by: N/A

PRIORITY DATE

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

Priority date, per claimant, is: 5/20/1915

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

Source: _____ Tributary to _____

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

POINT OF DIVERSION

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

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

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

Description of diverting works

4" casing with pump and pipeline

OVERLAP REVIEWOther 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

Season of use is 3/1 to 11/15 per new DWR standard.

☐ 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

Add N09 & N14 Remarks

☐ 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:**

(Domestic & Stock)

☒ No change☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

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

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

Overlap with other water rights: None

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

Delivery System Narrative: 4" casing with pump and pipeline

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

FLOW MEASUREMENTS: N/A

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

(OVER)

Domestic use is for 1 house.

Stockwater use is for 9 sheep, 1 cow, 13 turkeys,
48 geese, and 12 chickens.

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

Use combined with water from Nampa-Meridian Irr. District.

The quantity for domestic and stockwater use is not a
determination of beneficial use.

The quantity for domestic and stockwater uses shall
not exceed 13,000 gal/day.

AFTER EXAM THE FILE SHOULD CONTAIN:

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

Parcel # S04 3633 6110.

DATE EXAM CONDUCTED: 11.17.03 (in office)

FIELD EXAMINER: Kimberly Brown

SD-1603-3

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 09/26/03
Time: 09:14:49

Rec/No - W005515 AR/No -
From: - ENDICOTT, RANNEY

Receipt Type - CK Doc/No - 2462
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 09/06/1989

Type Of Payment	Fund	FD	PCA	Obj	Subsid	Fee
ADJUDICATION FEE	9337		410162	6490		51.00

Total Due - 51.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
A6318513	51.00				

(Enter=Continue)

(GOLD7=Selection Screen)

(GOLD8=Cancel)

CONVERSATION MEMO

RE: Water Right No. A63-18513 Evidence of Priority

September 8, 2003

Ranney Endicott called regarding the Evidence of Priority letter that I sent on August 15, 2003. Mrs. Endicott said that she was not sure where she came up with the 1915 priority date. She does know that the house was built in 1911 and that she will be receiving a document from the Assessor's office to send to me. Mrs. Endicott said that she will also speak to a neighbor regarding a possible affidavit.

September 10, 2003

Mrs. Endicott came into the office and was very mad. Since I was out sick, Craig Saxton, Senior Agent, spoke with her. She left various evidence of priority documents with Craig to give to me.

September 11, 2003

Since the evidence of priority documents don't specifically pinpoint 1915 (Deed Record No. 162 is dated 1923 and the "Residential Characteristics" sheet shows that the house was built in 1911), I spoke with Jan Shurte, my supervisor. Based on the multiple documents, Jan said to keep the claimed 1915 priority date.

Kimberly L. Brown
Water Resource Agent

Important Message



Time: 11:16 Date: 9-8
For: Kimberly
From: Bence Endicott
Telephone: 893-9740 ask for
Kitchin

- | | |
|--|---|
| ☐ Telephoned | ☒ Please call |
| ☐ Wants to see you | ☐ Will call again |
| ☐ Returned your call | ☐ URGENT |
| ☐ Was here to see you | |

Message: Re: 63-18513

Taken by: _____

63-18513

State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

RECEIVED

SEP 22 2003

WATER RESOURCES
WESTERN REGION

Dear Kimberly Brown:

In May of 1973, when my husband Herbert and I moved into 1450 W. Ustick Road, we had an artesian well. It had enough pressure to push the water up 3 feet in an inch and half pipe. We diverted it to irrigate our yard and garden in the summer. In the winter, we diverted it to the stock tanks, with the overflow going into the irrigation ditch, which Mr. Warren Watson used to water his stock in the winter, as well.

The artesian quit flowing when Mr Aschenbrenner drilled his well on Meridian Road.

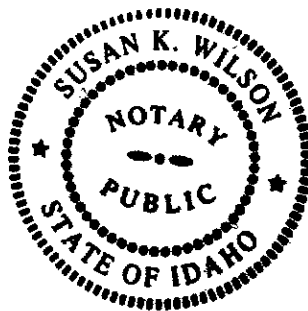
I spoke to Francis Frost, who lived here from 1947 to 1950. He indicated their family used the well to irrigate the yard and very large garden his mother had. The artesian well was a very important selling point for his father.

I hope this is what you were looking for.

I brought papers from the recorder's office in on September 11, and gave them to Greg. I hope they also helped in securing our water rights. He indicated I should write up a paper and send it in as soon as possible.

Sincerely,

Ranney E. Endicott
Ranney E. Endicott



SWilson

exp 9/22/04

RESIDENTIAL CHARACTERISTICS

9/8/2003

Year 2003	Parcel S0436336110	Status Active	Status Date 1/1/1999	Reappraisal Year 2001
--------------	-----------------------	------------------	-------------------------	--------------------------

Property Address
1430 W USTICK RD

MERIDIAN

Section/Township/Range
36/4N/1W

Last Change Date 6/11/2001 User ASENLJR

State Category Code 340	Appraiser Initials RAS	Physical Inspection Date 2/1/2001	Occupancy Date	Year Built 1911	Last Year Remodeled 1984
Dwelling SFD	Inspection Status Entered	% Owner Occupied 100%	Construction Class 4	Market Grade Average	Design Single Level

	Type	Shape	Linear Feet	Sq Feet Finished	Sq Feet Unfinished	Square Feet
Ground Floor:	Brick	Average	0.00			2220
Upper Floor:	None	None	0.00			0
Lower Floor:	None	None	0.00	0	0	0
Attic:				0	0	0
Basement:				0	0	0
Roof Type	Average			Total Square Feet		2,220

Interior			Actual Sale		Asking Sale
Bedroom(s) 3	Bathroom(s) 2.00	Kitchen(s) 1	Date 5/1/1972	Price 30,000	Date
Fireplace(s) 1	Air Conditioning Yes	Central Heating Yes	Code Bldr-Devpr	Sq Ft Price 13.51	Price

Physical Depreciation 32% Functional Obs. 0% Economic Obs. 0%

	Square Feet	Type	Class		Square Feet	Covered
Car Storage 1:	0			Patio	0	No
Car Storage 2:	0			Deck	0	No
General Purpose:	0		N	Porch	0	
Landscape Type:	4			Pool	0	

Area Modifier	3%	LCM	Trend
Special Influence	2,500	Improvement Value	90,903
		Mod Appeal Value	0

Subdivision	Land Size	Land Value
4N 1W 36 S2SW4SW4SW4	1.000	70,200.00

72 0733

Instrument Numbered 106100

This Indenture, Made this 12th day of April in the year of our Lord one thousand nine hundred and twenty three , between

O. Y. Whipple

of Meridian County of Ada State of Idaho

the party of the first part, and

✓ Paul J. Whipple

of Meridian County of Ada State of Idaho

the part y of the second part,

WITNESSETH, That the said part y of the first part, for and in consideration of the sum of

One (and other valuable consideration) - - - - - DOLLARS money

of the United States of America, to him in hand paid by the said part y of the second part, the receipt whereof is hereby acknowledged, he a granted, bargained and sold, and by these presents do ea grant, bargain, sell, convey and confirm unto the said part y of the second part and to his heirs and assigns forever, all the following described real estate, situated in the County of Ada , State of Idaho, to-wit:

*
1923
The West one-fourth ($\frac{1}{4}$) of the Southwest quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) and the East one-half of the East three-fourths ($\frac{1}{2}$ & $\frac{3}{4}$) of the Southwest quarter of the Southwest quarter ($\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$) of Section thirty six in Township four North of Range one West of the Boise Meridian, containing 25 acres of land, more or less, also all water rights, ditches and rights of way appurtenant to said land. This conveyance is made subject to all mortgages, taxes or other encumbrances and is intended to convey said property as the separate estate of the grantor.

together with all and singular the tenements, hereditaments and appurtenances thereunto 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 said property, as well in law as in equity, of the said part y of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the part y of the second part, and to his heirs and assigns forever. And the said part y of the first part, and his heirs, the said premises in the quiet and peaceable possession of the said part y of the second part, his heirs and assigns, against the said part y of the first part, and his heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will WARRANT and by these presents forever DEFEND.

ADA COUNTY, IDAHO

72-0734

IN WITNESS WHEREOF, The said part y of the first part ha s hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of:

Hugh E. McElroy

O. Y. Whipple

(Seal)

(Seal)

(Seal)

(Seal)

STATE OF IDAHO,

COUNTY OF Ada

ss.

On this 12th day of April

in the year 1923, before me Hugh E. McElroy, a Notary Public in and for said County, personally appeared

O. Y. Whipple

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.

(Seal)

Hugh E. McElroy, Notary Public
for Idaho, Residence: Boise, Idaho

STATE OF IDAHO,

COUNTY OF ADA,

ss.

of P. J. Whipple
day of April

at 45

I hereby certify that this deed was filed for record at the request

minutes past 2 o'clock P.M., this 12th

, A. D. 1923 .

Fees, \$ 1.20

Recorder.

2047



Property Master			
09/10/2003			
Year 2003	Parcel # S0436336110	Status Active	Property Type Real
Property Code Area 242		State Parcel # 04N01W366110	

Physical Location	
Address	1450 W USTICK RD MERIDIAN ID 83642-0000
Group Type	SECT
Group #	0436
Description	4N 1W 36
Zoning	RUT
Township/Range/Section	4N 1 36

Contact Information	
Name	ENDICOTT HERBERT E &
Mailing Address	1450 W USTICK RD MERIDIAN ID 83642-5479

Description

S2SW4SW4SW4
SEC 36 4N 1W
#94022066

Additional Contacts

ENDICOTT RANNEY E

Status	State Category Code	Acres	Assessed Value	Assessment Roll	Property Occupancy	Valuation Method
Active	10	3.500	3,700	Primary	Non-Occupancy	INCOME
Active	100	1.000	70,200	Primary	Non-Occupancy	MARKET
Active	190	0.550	0	Primary	Non-Occupancy	INCOME
Active	340		90,900	Primary	Non-Occupancy	COST
			164,800			
			(45,450)	Less Homeowners Exemption		
			119,350			

Estate of Paul J. Whipple

to

Warren C. Van Duzen, et al

Dated July 17th, 1945

Instrument Number 237864

Probate Court Ada County, Idaho

Recorded in Book.....Page.....

Filed Jul 17, 1945.....

No

John Jackson

Probate Judge & Ex-Officio Clerk

IN THE PROBATE COURT OF THE COUNTY OF ADA, STATE OF IDAHO

In the Matter of the Estate

of PAUL J. WHIPPLE,

Deceased.

ORDER CONFIRMING

SALE OF

REAL PROPERTY

JOSIE L. WHIPPLE, Administratrix of the estate of Paul J. Whipple deceased, having filed herein her report and return of sale of real property belonging to said estate, which is more fully set forth in the report and return of sale of real property at private sale, already on file herein, and it further appearing that it is necessary to sell said real property in order to settle the debts, doctor bills, hospital bills, funeral expenses, taxes and expenses of administration of said estate and that it is for the best interest of said estate and the heirs thereunder that said property be sold at private sale, and it further appearing that notice of sale of said real property was posted as required by law in three of the most public places of Ada County, Idaho, and that notice of the sale of said real property was published in the "Idaho Pioneer", a newspaper printed and published in Ada County, Idaho, for more than two weeks, the same being published in three consecutive weekly issues next before the day on and after which said sale was to be made and it appearing that return and account of private sale of said real property and petition for order of confirmation of sale has already been filed herein, and that notice of the hearing of the return of such sale has been posted as required by law for at least ten days prior to the hearing of said return, and it appearing that said sale was legally and fairly conducted and that the bid of Warren C. Van Duzen and Anna B. Van Duzen was the highest and best bid received for said real property and that said bid represents the full, fair, market value of the said property and more than the appraised value of said property, and that said property was appraised within one year prior to the said sale and it appearing that it is for the best interest of said estate that the sale of said property be approved.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, That the sale of the following described real property, to the highest bidders, Warren C. Van Duzen and Anna B. Van Duzen, for the sum of Two Thousand One Hundred and Twenty-Five Dollars (\$2,125.00) be and the same is hereby approved, and said Administratrix is ordered to convey said property to the said Warren C. Van Duzen and Anna B. Van Duzen by Administratrix's Deed, said property being described as follows, to-wit:

The East Three-Eighths (E3/8) of the Southwest One-Fourth (SW1/4) of the Southwest One-Fourth (SW1/4) of Section Thirty-Six (36), Township Four (4) North, Range One (1) West, B.M., Ada County, Idaho, together with all water rights appurtenant thereto or used in connection therewith, being fifteen (15) acres more or less, according to survey thereof.

Done in open County, and dated this 17th day of July, 1945.

State of Idaho,

County of Ada.

ss.

John Jackson
Probate Judge

I hereby certify that the foregoing instrument is a true and correct copy of the original on file in this office.

Dated July 17, 1945.
(COURT SEAL)

John Jackson
Probate Judge and Ex-Officio Clerk

Recorded at the request of Josie L. Whipple at 34 minutes past 12 o'clock P.M., this 17 day of July, 1945.

BOOK 285



Parcel Suffix	Street #	Pre Dir.	Street Name	Street Suffix	Post Dir.	Unit Type	Unit #	City	State	Zip Code	Code Area #	Ass
	1450	W	USTICK	RD				MERIDIAN	Idaho	83642-0000	242	Pri

Year 2002 Master Status: Active Change: A/R 8/1/01 Subdivision: 4N 1W 3E

Primary	☒ Irrigated	☐ Non Irrigated	☐ Meadow/Dry Grazing	☐ Waste	☐ Valuation
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Copy Characteristics

Add Characteristics

Irrigated Land - 010

	Income	Mgmt Expense	Water Cost	Pump Cost	Expense	Net	Cap Rate	Value/Acre	Acres	Total Value
1	0.00	0.00	0.0	0.0	0.0	0.00	.0000	0.00	0.000	0
2	284.40	28.44	30.0	0.0	130.21	95.75	.0907	1055.68	3.500	3,695
3	0.00	0.00	0.0	0.0	0.00	0.00	.0000	0.00	0.000	0
4	0.00	0.00	0.0	0.0	0.00	0.00	.0000	0.00	0.000	0

Irrigated Total 3.500 3,695

	Irrigated Land	Non Irrigated	Meadow	Dry Grazing	Total Acres
Appeal Value	0	0	0	0	4.050
Value	3,695	0	0	0	
Farming Factor	% 0.0	% 0.0	% 0.0	% 0.0	Total Value
Modified Value	3,695	0	0	0	3,695

OK

Cancel

Delete

Notes

Print/View

RESIDENTIAL CHARACTERISTICS

9/10/2003

Year 2003	Parcel S0436336110	Status Active	Status Date 1/1/1999	Reappraisal Year 2001
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Property Address 1450 W USTICK RD	MERIDIAN	Section/Township/Range 36/4N/1W
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Last Change Date 6/11/2001	User ASENGLJR
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State Category Code	Appraiser Initials	Physical Inspection Date	Occupancy Date	Year Built	Last Year Remodeled
340	RAS	2/1/2001		1911	1984
Dwelling	Inspection Status	% Owner Occupied	Construction Class	Market Grade	Design
SFD	Entered	100%	4	Average	Single Level

	Type	Shape	Linear Feet	Sq Feet Finished	Sq Feet Unfinished	Square Feet
Ground Floor:	Brick	Average	0.00			2220
Upper Floor:	None	None	0.00			0
Lower Floor:	None	None	0.00	0	0	0
Attic:				0	0	0
Basement:				0	0	0
Roof Type	Average			Total Square Feet		2,220

Interior			Actual Sale		Asking Sale	
Bedroom(s)	Bathroom(s)	Kitchen(s)	Date	5/1/1972	Date	
3	2.00	1	Price	30,000	Price	
Fireplace(s)	Air Conditioning	Central Heating	Code	Bldr-Devpr		
1	Yes	Yes	Sq Ft Price	13.51		

Physical Depreciation	32%	Functional Obs.	0%	Economic Obs.	0%
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	Square Feet	Type	Class		Square Feet	Covered
Car Storage 1:	0			Patio	0	No
Car Storage 2:	0			Deck	0	No
General Purpose:	0		N	Porch	0	
Landscape Type:	4			Pool	0	

Area Modifier	3%	LCM		Trend	
Special Influence	2,500	Improvement Value	90,903	Mod Appeal Value	0

Subdivision	Land Size	Land Value
4N 1W 36 S2SW4SW4SW4	1.000	70,200.00

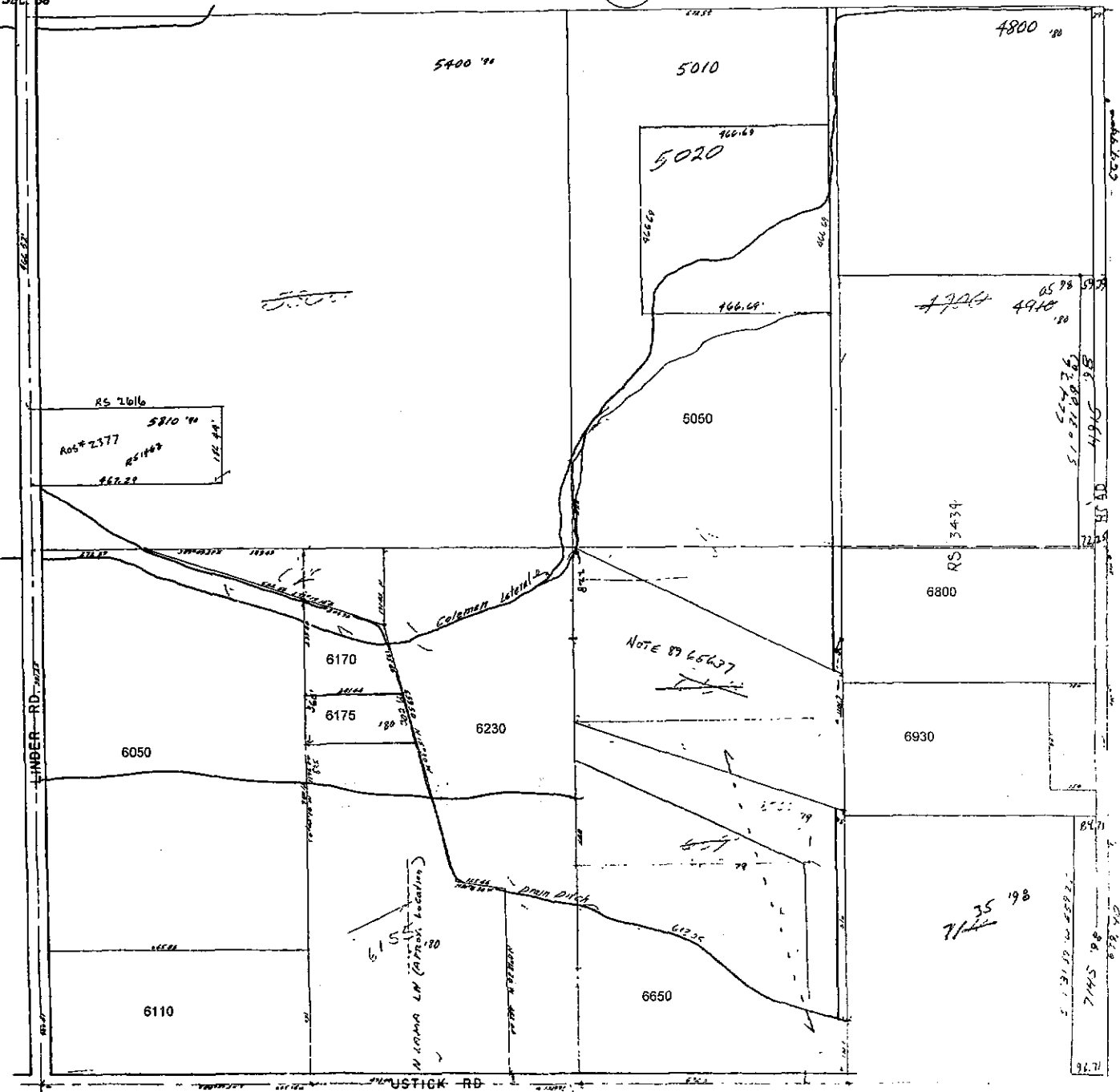
S.W. 1/4 SEC. 36, T. 4N, R. 1W

142

W 1/4 CORNER
SEC. 36

CENTER
SEC. 36

140



SW CORNER
SEC. 36

RETURN TO MAILING

WARRANTY DEED

For Value Received MARY F. PAYTON, formerly MARY F. SHARP, a divorced woman,

the grantor , do es hereby grant, bargain, sell and convey unto

HERBERT E. ENDICOTT and RANNEY E. ENDICOTT, husband and wife,

the grantees , the following described premises, in Ada County Idaho, to-wit:

The S½ of the SW¼ of the SW¼ of the SW¼ of the SW¼ of Section 36, Township 4 North, Range 1 West of B.M., in Ada County, State of Idaho

94022066

ADA CO. RECORDER

J. DAVID NAVARRO

BOISE ID

AMERICAN LAND TITLE CO.

'94 MAR 10 PM 4 15

FEE 3.00
RECORDED AT THE REQUEST OF

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that she is the owner in fee simple of said premises; that they are free from all incumbrances

and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: May 4, 1973

Mary F. Payton

STATE OF IDAHO, COUNTY OF ADA
On this day of May, 1973,
before me, a notary public in and for said State, personally
appeared MARY F. PAYTON, formerly
MARY F. SHARP, a divorced woman,

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that she executed the same.

Notary Public
Residing at Boise, Idaho
Comm. Expires

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at
the request of

at minutes past o'clock m.,
this day of
19, in my office, and duly recorded in Book
of Deeds at page

Ex-Officio Recorder

By Deputy.

Fees \$
Mail to:

INSTRUMENT NO.

INSTRUMENT NUMBERED 260255

This Indenture, Made this 12th day of February in the year of our Lord one thousand nine hundred and forty-seven, between

✓ WARREN C. VAN DUSEN and ANNA B. VAN DUSEN, husband and wife,
of Meridian County of Ada State of Idaho
the parties of the first part, and

✓ HARRY O. FROST
of Meridian County of Ada State of Idaho
the part Y of the second part,

WITNESSETH, That the said part 1es of the first part, for and in consideration of the sum of

TEN DOLLARS AND OTHER GOOD AND VALUABLE CONAIDERATIONS

DOLLARS

lawful money of the United States of America

to them in hand paid by the said part Y of the second part, the receipt whereof is hereby acknowledged, ha ve granted, bargained, and sold and by these presents do grant, bargain, sell, convey and confirm unto the said part Y of the second part and to his heirs and assigns forever, all of the following described real estate, situated in the County of Ada, State of Idaho, to-wit:

The South Half (S $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 36, Township 4 North, Range 1 West of the Boise Meridian, in Ada County, Idaho, together with all water, water rights, ditch and canal rights, belonging thereto or used in connection therewith.

Subject to the taxes, water charges and special assessments for the year 1947.

(U.S.I.R. Stamps \$7.15 Cancelled)

(Feb. 25, 1947

H.O.F.)

together with all and singular the tenements, hereditaments and appurtenances thereunto 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 said property, as well in law as in equity, of the said part 1es of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever. And the said part 1es of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said part 1es of the first part, and their heirs and against all and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS, WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in the presence of

Warren C. Van Dusen (Seal)

Anna B. Van Dusen (Seal)

(Seal)

(Seal)

STATE OF IDAHO,

County of ADA

ss.

On this 12th day of February
in the year 1947, before me, S. E. BLAINE, Notary Public in and for
said State, personally appeared
WARREN C. VAN DUSEN and ANNA B. VAN DUSEN, his wife

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that
they executed the same.

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

(SEAL)

S. E. Blaine
Notary Public in and for the State of Idaho,
Residing at Boise, Idaho.

STATE OF IDAHO, }
County of Ada, } ss.

of Harry Frost
day of February

Fees, \$ 1.20

I hereby certify that this instrument was filed for record at the request

at 45 minutes past 2 o'clock P. M., this 25

, A.D. 1947 .

Handwritten signature

Recorder.

COMPARED

Estate of Paul J. Whipple
to

Warren C. Van Duzen, et ux

Dated March 9th, 1945

Instrument Number 237986

Probate Court Ada County, Idaho
Recorded in Book.....Page.....
Filed Jul 17 1945.....
Ho

John Jackson
Probate Judge & Ex-Officio Clerk

IN THE PROBATE COURT OF THE COUNTY OF ADA, STATE OF IDAHO

In the Matter of the Estate
of PAUL J. WHIPPLE,
Deceased.

ORDER CONFIRMING THE SALE
OF REAL
ESTATE

return of sale and petition for confirmation of sale of real estate having been heretofore filed in the above entitled estate, and the Court having rendered a hearing thereon and having given due notice of said hearing as by law required, set for February 23, 1944, at 10:00 o'clock A.M., and said hearing having been continued to March 9, 1945, and after due hearing and examination of said return, and after hearing the evidence in support thereof, the Court finds therefrom that the following described real estate,

The Westerly twenty-five (25) acres of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Thirty-Six (36) Township Four (4) North, Range One (1) West, Boise Meridian, Ada County, Idaho, and all water rights and ditch rights appurtenant thereto or used in connection therewith, was sold to Warren C. Van Duzen and Anna B. Van Duzen, husband and wife, for the agreed price of Five Thousand Dollars (\$5,000.00) payable Five Hundred Dollars (\$500.00) cash, and the balance to be paid first in the Vendee's assuming and agreeing to pay according to the terms thereof, that certain Federal Land Bank Mortgage now on said real estate, and the balance with interest thereon at the rate of six per cent (6%) per annum, to be payable on or before five years from February 17, 1944, said sum of Five Thousand Dollars, (\$5,000.00) being the highest and best bid therefor, and it further appearing that there is good reason for said sale upon the grounds set forth in Section 15-719, Idaho Code Annotated, and that said sale was regularly and legally made and fairly conducted; that notice of the time, place and terms of said sale were duly given in the manner prescribed by law, and that said notice, posted and published, described said real estate the same as is hereinafter described and were published and posted for the period of time required by law; that said property was duly and regularly appraised within one year immediately prior to the time of such sale and that said price obtained at such sale was at least ninety per cent (90%) of said appraised value and that the price obtained thereat is not disproportionate to the value of the property sold; that a sum exceeding said bid by at least ten per cent (10%) exclusive of the expense of a new sale, can not be obtained, and that this being the time for hearing, pursuant to notice and no person appearing or objecting thereto or showing any reason why said sale should not be made, and that said Administratrix has, in all things, proceeded with and managed said sale in manner required by law as in such cases made and provided, and that all of the requirements of said return and petition are true and no reason appearing for requiring any additional bond from said Administratrix;

NOW, THEREFORE, It is hereby ordered by this Court, that that certain sale of real estate hereinafter more particularly described, to Warren C. Van Duzen and Anna B. Van Duzen, upon the terms and conditions hereinabove set forth, be and the same is hereby confirmed, and that the said Josie L. Whipple be and she is hereby authorized, empowered, and directed, upon receipt of payment as provided under the terms of said sale, or in cash, either to execute to said purchaser a contract of sale according to said terms or in case of cash payment, to execute a deed of conveyance of said real estate to the purchaser

BOOK 285

thereof, said real estate being more particularly described as follows:

The Westerly Twenty-five (25) acres of the Southwest quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Thirty-Six (36) Township Four (4) North, Range One (1) West, Boise Meridian, Ada County, Idaho and all water rights and ditch rights appurtenant to or used in connection therewith.

Done in open Court this 9th day of March, 1945.

John Jackson
Probate Judge

State of Idaho,)
County of Ada.) ss.

I hereby certify that the foregoing instrument is a true and correct copy of the original on file in this office.

Dated July 17, 1945.

(COURT SEAL)

John Jackson
Probate Judge and Ex-Officio Clerk

Recorded at the request of Josie L. Whipple at 35 minutes past 12 o'clock P.M., this 17 day of July, 1945.

Fees: \$1.60

John Jackson
Recorder

COMPARED

BOOK 285



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

August 15, 2003

RANNEY & HERBERT ENDICOTT
1450 W. USTICK
MERIDIAN ID 83642

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-18513

Dear Claimant(s),

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out or re-file it. You indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement.

It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future. Since it is our goal to decree the historical water rights within the Snake River Basin as accurately as possible, field exams are now being conducted by Department water resource agents to verify claims in this area.

The required evidence supporting the priority date(s) requested needs to be submitted by September 12, 2003. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.



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

Respectfully Submitted,

Kimberly L. Brown

Kimberly L. Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-18513

