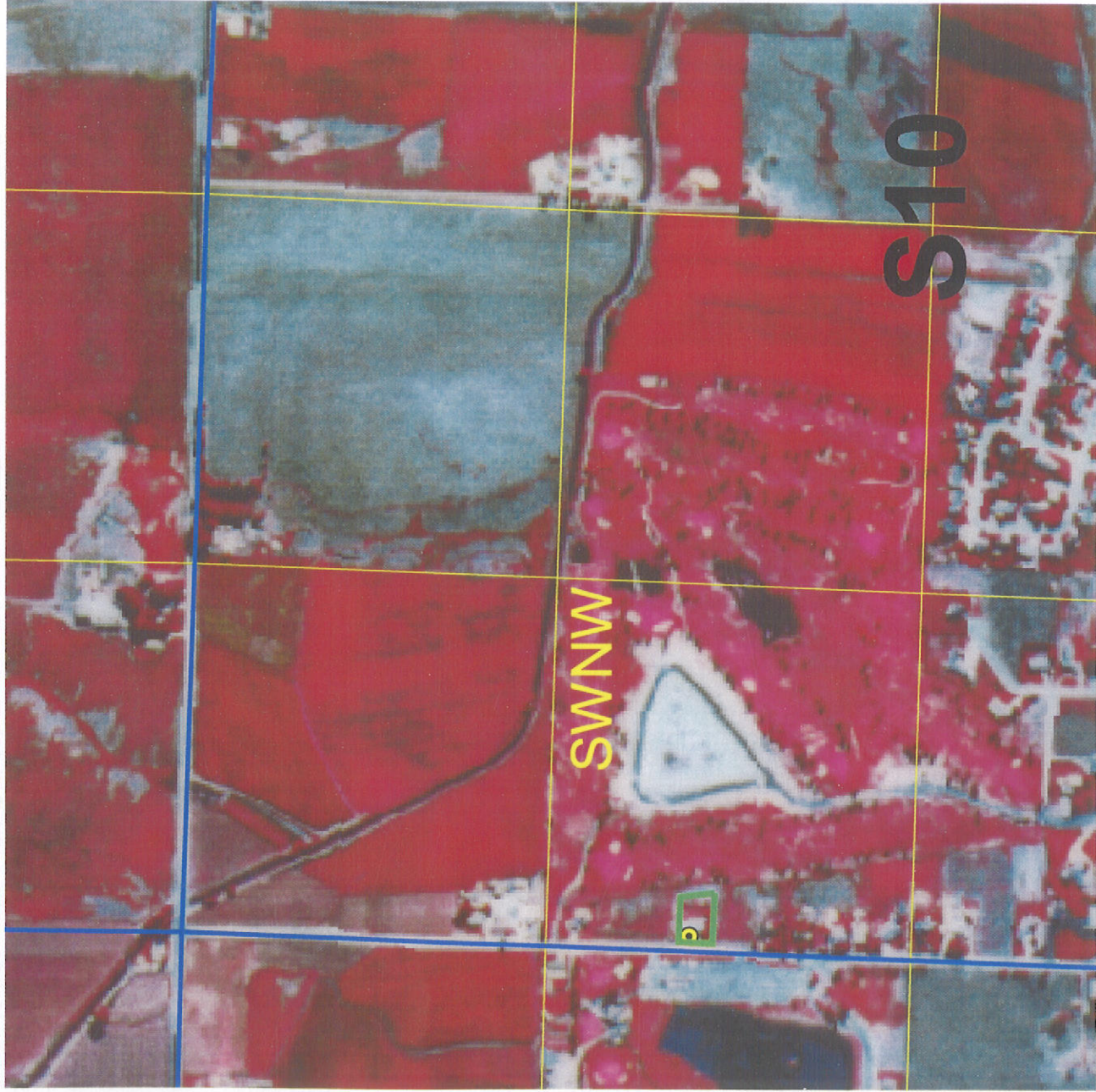


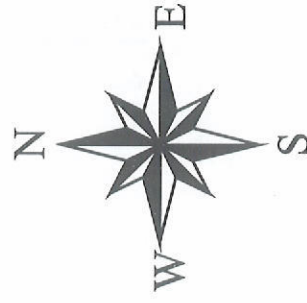
Idaho Department of Water Resources

T04N, R01E,
S10

Claim No: 63-20270
Prepared By: Kimberly Brown
Date: April 28, 2004



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



1987 NAPP

0.8 Miles

0.6

0.4

0.2

0

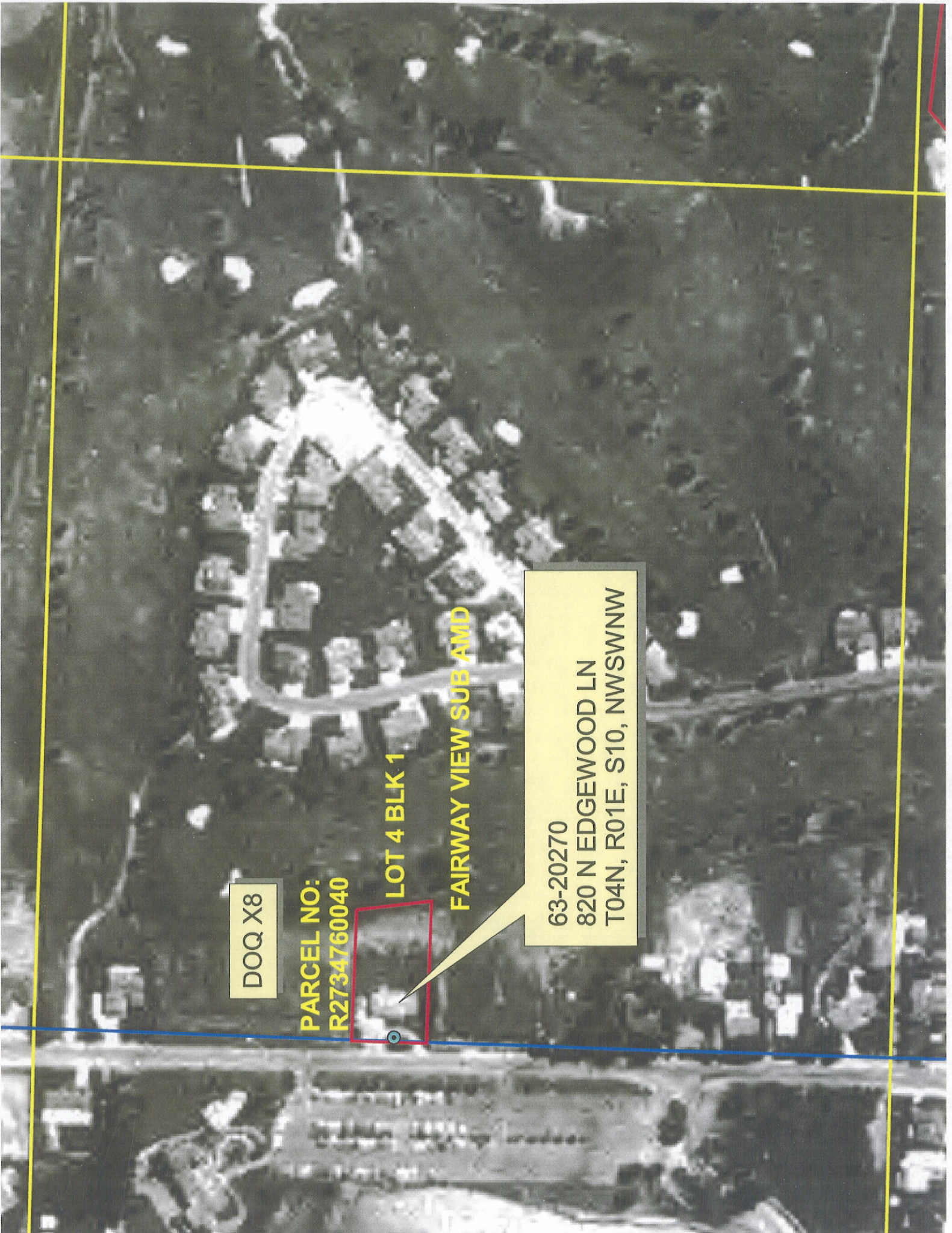
DOQ X8

PARCEL NO:
R2734760040

LOT 4 BLK 1

FAIRWAY VIEW SUB AMD

63-20270
820 N EDGEWOOD LN
T04N, R01E, S10, NWSWNW





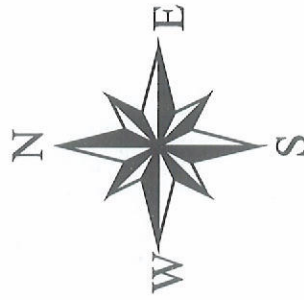
Idaho Department of Water Resources

T04N, R01E,
S10

Claim No: 63-20270
Prepared By: Kimberly Brown
Date: April 28, 2004



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



1987 NAPP

0.8 Miles

0.6

0.4

0.2

0

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: A63-20270
Date Received: 9/07/1989
Receipt No: C011220
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANK C. MARVIN 208-939-6400
Address: 820 N. EDGEWOOD LN.
EAGLE, ID 83616

OR
Name: ALMA N. MARVIN 208-939-6400
Address: 820 N. EDGEWOOD LN.
EAGLE, ID 83616

2. Date of Priority: SEP 01, 1969

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01E	10	SW	NW			ADA

5. Description of diverting works:
WELL, 90'

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	5.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01E	10	SW	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:
PAR. #3780

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: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576

Identification No. AV3-20210

Date Received 9-7-89

Receipt Number 2011220

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

RECEIVED

SEP 07 1989

Filing Fee \$25

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Frank C. or Alma N. Marvin Phone (208) 939-6400

Mailing Address 820 N. Edgewood Ln. Eagle, Idaho Zip 83616

2. Date of Priority (Only one per claim) Sept. 1, 1969 Month/Day/Year

3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____
which is tributary to (b) _____
Name or kind of source

4. Location of point of diversion is: Township Par #3780 of SW4NW4 Sec 10 4N 1E #232375-R 04N01E103780
Range _____

Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.,

County of Ada

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Well - 20 ft

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from Jan. 1 ^{Month/Day} to Dec. 31 ^{Month/Day} amount 5 ^(cfs)

For _____ purposes from _____ to _____ amount _____
(Both dates are inclusive)

7. Total quantity claimed 5 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Domestic, one household

MICROFILMED

SEP 02 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

Par #3780 of SW4NW4 Sec 10 4N 1 E #232375-R 04N01E103780

10. Place of use is: Township: _____ Range _____

Section _____ 1/4 of _____ 1/4, Govt. Lot _____, B.M.,

for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? Ada

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

(X) None or _____

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

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

Number of Attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Frank C. Marvin Date Sept. 7, 1989
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing

document in the space below as _____ of _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of Ada) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 7th day of Sept. 19 89

SEAL

Notary Public Danni Smith

Residing at _____ Danni Smith, Notary Public

My Commission Expires _____ Residing at Boise, Idaho

My Commission Expires _____ My Commission Expires December 5, 1994

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED

SEP 02 1992

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

4/5/1989

SRDA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Marvin

CLAIM IDENT. NO.

A63 - 20270

DATE RECEIVED

9-7-89

CK # 6011220

AMOUNT \$

YES

NO

Required Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☒ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO *
- See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO *
3. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (If required) ☒ YES ☐ NO N/A *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO See below *
5. Is there a description of the diverting works? ☒ YES ☐ NO *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO *
- Is the period of use included? ☒ YES ☐ NO *
- Is a quantity claimed for each use? ☒ YES ☐ NO put 5 cfs! *
7. Is a total quantity claimed entered? ☒ YES ☐ NO *
8. If required is a consumptive use entered? ☒ YES ☐ NO N/A *
- Is the consumptive use correct? ☒ YES ☐ NO N/A *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☒ YES ☐ NO N/A *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO See below *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO N/A put parcel # in remarks *
15. Is the basis of the claim indicated? ☒ YES ☐ NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO N/A *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *
20. Is the fee enclosed correct? ☒ YES ☐ NO Exempt *
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO N/A *
22. Should this claim be data entered? ☒ YES ☐ NO *

Claim checked by:

Kat

Date:

1/4/90

Claim must be returned to claimant:

(Yes) ☒ (No) ☐

Claimant must be notified of modifications:

(Yes) ☐ (No) ☒

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Jodre

Date:

Date:

Date:

Checked by:

Kat

Date:

1/16/90

Comments:

T4N R1E Sec. 10 SWNW

MICROFILMED

SEP 02 1992

06/02/2005

**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: 63-20270

J KENT NYGAARD
820 N EDGEWOOD LN
EAGLE ID 83716
Telephone Number: (208)939-2421

PENNY J NYGAARD
820 N EDGEWOOD LN
EAGLE ID 83716
Telephone Number: (208)939-2421

RECEIVED
JUN 29 2005
WATER RESOURCES
WESTERN REGION

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:

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

DATE: 6-27-05

SIGNATURE:

Please print your name:

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

04/28/2004

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

RIGHT NUMBER: 63-20270

NAME AND ADDRESS: J KENT NYGAARD
820 N EDGEWOOD LN
EAGLE ID 83716

PENNY J NYGAARD
820 N EDGEWOOD LN
EAGLE ID 83716

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

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

PRIORITY DATE: 09/01/1969

POINT OF DIVERSION:

T04N R01E S10 NWSWNW Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.040 CFS

Domestic use is for 1 home.

PLACE OF USE: DOMESTIC Within ADA County

T04N R01E S10 SWNW

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: Beneficial Use

PARCEL NO: R2734760040.

PROPERTY IS ALSO KNOWN AS LOT 4, BLK 1, FAIRWAY VIEW
SUBDIVISION AMD.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-20270 V1

WATER RIGHT NUMBER: 63-20270 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	FRANK C MARVIN 820 EDGEWOOD LN EAGLE, ID 83616 (208)939-6400
Original Owner	ALMA N MARVIN 820 EDGEWOOD LN EAGLE, ID 83616
Current Owner	J KENT NYGAARD 820 N EDGEWOOD LN EAGLE, ID 83716 (208)939-2421
Current Owner	PENNY J NYGAARD 820 N EDGEWOOD LN EAGLE, ID 83716 (208)939-2421

Priority Date: 09/01/1969

Basis: Beneficial Use

Status: Active

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

GROUND WATER

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

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4NW1/4	Sec. 10, Twp 04N, Rge 01E, B.M.
ADA County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	10																	

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-20270 V1

3. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.
4. X01 Domestic use is for 1 home.

Remarks:

1. Explanatory PARCEL NO: R2734760040.
2. Explanatory PROPERTY IS ALSO KNOWN AS LOT 4, BLK 1, FAIRWAY VIEW SUBDIVISION AMD.

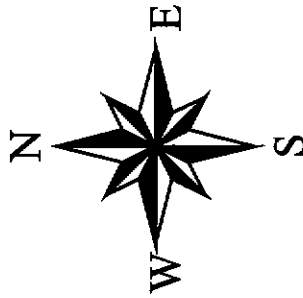
Comments:

Idaho Department of Water Resources

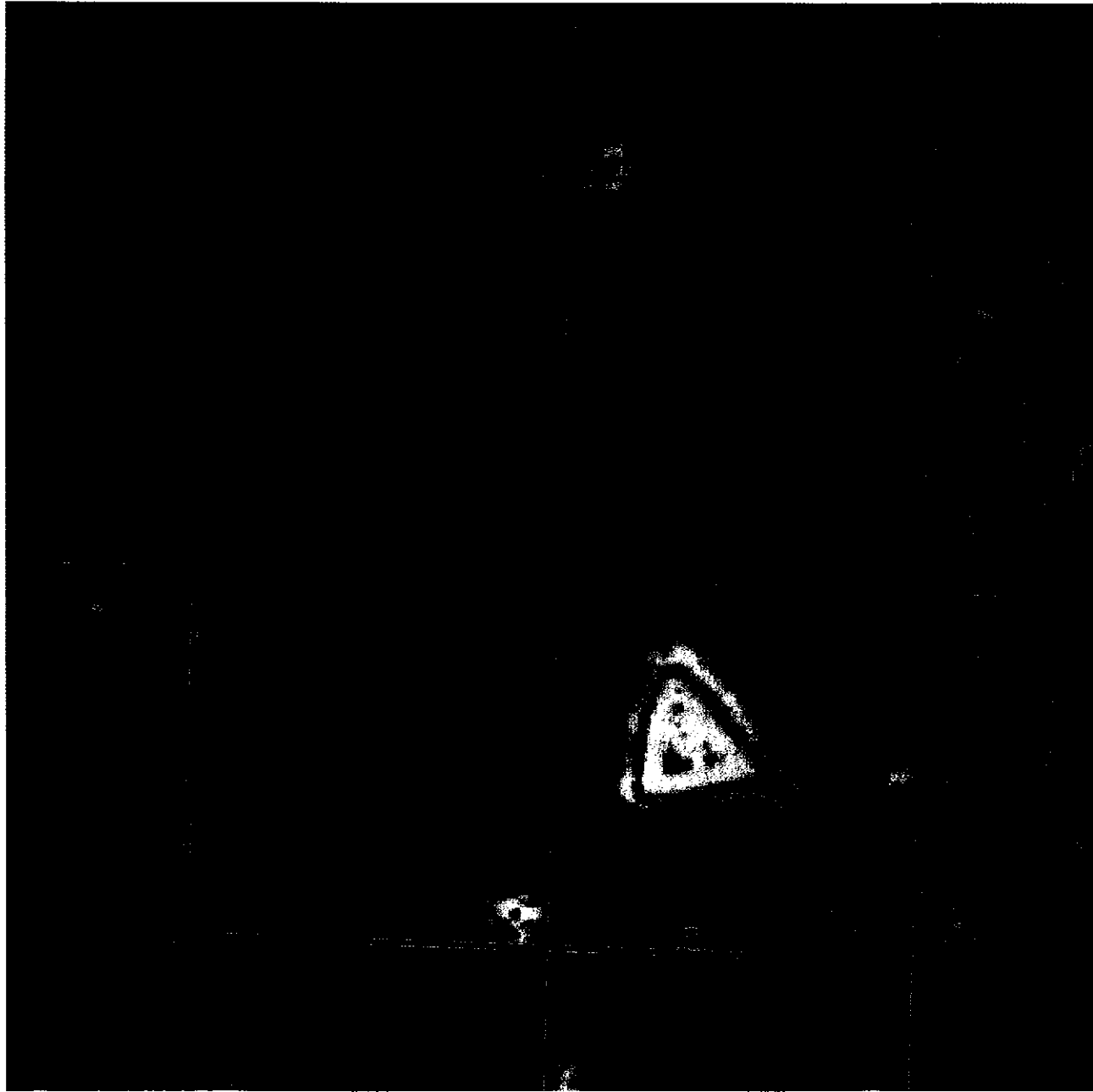
**T04N, R01E,
S10**

Claim No: 63-20270
Prepared By: Kimberly Brown
Date: April 28, 2004

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



1987 NAPP



0.8 Miles

0.6

0.4

0.2

0

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-20270

WATER RIGHT NUMBER: 63-20270

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	FRANK C MARVIN ✓ 820 EDGEWOOD LN EAGLE, ID 83616 (208) 939-6400
Original Owner	ALMA N MARVIN ✓ 820 EDGEWOOD LN EAGLE, ID 83616
Current Owner	J KENT NYGAARD ✓ 820 N EDGEWOOD LN EAGLE, ID 83716 (208) 939-2421
Current Owner	PENNY J NYGAARD ✓ 820 N EDGEWOOD LN EAGLE, ID 83716 (208) 939-2421

Priority Date: 09/01/1969 ✓

Basis: Beneficial Use ✓

Status: ~~Temporary~~ ActiveSource

GROUND WATER ✓

TributaryBeneficial Use

DOMESTIC ✓

From To ✓
01/01 to 12/31 ✓Diversion Rate ✓
0.040 CFS ✓Annual Volume

Total Diversion: 0

0.040 CFS ✓

Location of Point(s) of Diversion

GROUND WATER

ADA County

(not claimed)
(NW 1/4) SW 1/4 NW 1/4 ✓

Sec. 10, Twp 04N, Rge 01E, B.M. ✓

Place of Use

DOMESTIC

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	01E	10			X		

ADD X01 - Domestic use is for 1 home.

Conditions of Approval:

1. X01 DOMESTIC, 1 HOME

ADD J01 - Place of use is also known as
lot 4, Blk. 1, Fairway View Sub
A.M.D.Remarks:

ADD - Parcel No: R2734760040.

ADD N11 & N13 -

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-20270

1. Explanatory PARCEL NO: R2734760040
2. General THE PENDING OWNERSHIP CHANGE UPON THIS CLAIM WILL BE SUBJECT TO THE REVIEW OF REQUESTED INFORMATION REQUIRED & SUBMITTED TO IDWR.
3. Explanatory PROPERTY IS ALSO KNOWN AS LOT 4, BLK 1, FAIRWAY VIEW SUB. AMD.

Comments:

Dates and Other Information:

Claim Received Date: 9/7/1989
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

Field Exam Date 4.27.04

(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? + Amended Claim
- ☒ 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 None
- ☒ Check POD & POU overlap, see below - include overlapping right for exam
- ☒ Evidence of Priority - if none, talk with claimant Not required

CLAIMANT INFORMATION - verify contact information is complete

Claim No(s) 63-20270

Owner: Frank C. & Alma H. Morrin Phone No. (208) 939-6400

Current Address: 820 Edgewood Lane

- ☐ No change NAME IS THE SAME
- ☒ NEW OWNER Penny G. & J. Kent Nygaard # (208) 939-2421
- ☒ 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? de minimis

Priority date, per claimant, is: 09/01/1969

(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

90 ft. deep well**OVERLAP REVIEW**

Other water rights with the same point of diversion:

None

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

WATER USES☒ No change☐ Different Uses

Use _____ 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:None☒ 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:

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 home.

Place of use is also known as Lot 4, Blk. 1,
Fairway View Subdivision AMO.

Parcel No: R2734760040.

The quantity decreed shall not exceed 13,000 gal/day.

The quantity decreed is not a determination of
historical beneficial use.

AFTER EXAM THE FILE SHOULD CONTAIN:

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

DATE EXAM CONDUCTED: 4/28/04 (in office)

FIELD EXAMINER: Kimberly Brown

I am so sorry that this took so long. When I had the pneumonia, I put the papers on a stack, & then I forgot! I am so very sorry.

Penny Nygaard

RECEIVED

APR 26 2004

WATER RESOURCES
WESTERN REGION

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 63-20270
Date Received: 9/7/1989
Receipt No: C011220
Received By:

AMENDED

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

1. Name of Claimant(s)

J KENT NYGAARD
820 N EDGEWOOD LN
EAGLE ID USA 83716

Phone: (208) 939-2421

PENNY J NYGAARD
820 N EDGEWOOD LN
EAGLE ID USA 83716

Phone: (208) 939-2421

2. Date of Priority: 09/01/1969

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01E	10	NW SW NW	ADA	

5. Description of diverting works:

WELL, 90 FT DEEP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	01/01	12/31	0.04	

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

8. Total consumptive use:

9. Non-irrigation uses:
Number of homes: 1

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01E	10	SW	NW	DOMESTIC	

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

PARCEL NO: R2734760040

THE PENDING OWNERSHIP CHANGE UPON THIS CLAIM WILL BE SUBJECT TO THE REVIEW OF REQUESTED INFORMATION REQUIRED & SUBMITTED TO IDWR.

PROPERTY IS ALSO KNOWN AS LOT 4, BLK 1, FAIRWAY VIEW SUB. AMD.

DOMESTIC, 1 HOME

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: _____

For Individuals:

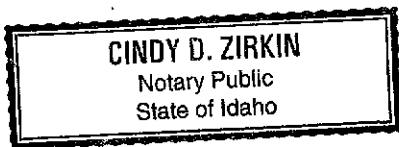
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Kent Nygaard Date: 4-20-04
Penny J. Nygaard Date: 4-22-04

State of Idaho)

County of Ada) S.S.

Subscribed and sworn (or affirmed) before me this 20th
of April 2004



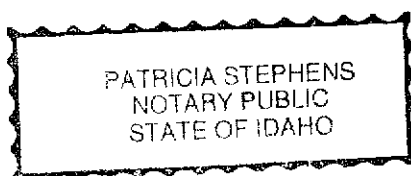
Cindy D. Zirklin
Notary Public
Residing at Meridian, Id.
My commission Expires May 29, 2005

State of Idaho)
County of Ada) S.S.

On this 22 day of APRIL in the year of 2004 before me
~~PATRICIA STEPHENS~~ notary public, personally appeared PENNY J. NYGAARD
known or identified to me, to be the person(s) whose name(s) is (are) subscribed to the within
instrument, and acknowledged to me that he (she) (they) executed the same.

S
E
A
L

Patricia Stephens
Notary Public
My Commission Expires on June 19, 2009



SD-1603-3

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 11/24/03
Time: 08:27:01

Rec/No - C011220 AR/No -
From: - MARVIN, FRANK OR ALMA

Receipt Type - CK Doc/No - 2226
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 09/07/1989

Type Of Payment
ADJUDICATION FEE

Fund	FD	PCA	Obj	Subsid	Fee
9337		410162	6490		25.00

Total Due - 25.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
A6320270	25.00				

(Enter=Continue)

(GOLD7=Selection Screen)

(GOLD8=Cancel)

CONVERSATION MEMORANDUM

RE: Snake River Basin Adjudication Water Right No. 63-20270

November 24, 2003

I spoke with Penny Nygaard regarding the letter Ron Howerton sent on December 19, 2002 in which he included an amended claim, a Change In Water Right Ownership form, and a map. As of this date, we have not received any forms back from the Nygaards. Penny Nygaard confirmed that they are using the well water, even though they are also using city water. I stated that the department would not be able to recommend this claim until we receive the signed amended claim and that I would re-send all three of the documents sent by Mr. Howerton in 2002.

Kimberly L. Brown
Water Resource Agent
Western Region



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

November 24, 2003

J KENT NYGAARD OR
PENNY J NYGAARD
820 N EDGEWOOD LN
EAGLE ID 83716

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 63-08363

Dear Property Owner(s):

Enclosed is an amended claim in your names for your review to sign and return to me, Kimberly Brown, with a notary seal.

Before we can modify our records to reflect your ownership of this water right, we need to also have you complete the enclosed Notice of Change of Water Right Ownership form. Please follow the instructions attached to the form and return to me with all of the required information.

Also enclosed is a map of your property for your review. If the place of use and point of diversion are accurately portrayed, please do not return it. If anything is incorrectly depicted, please contact me or draw the correction on the map and return it with the enclosed documents. For any other questions, please call me at 329-2190.

Sincerely,

Kimberly L. Brown
Water Right Agent
Western Region



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

December 19, 2002

J KENT NYGAARD OR
PENNY J NYGAARD
820 N EDGEWOOD LN
EAGLE ID 83716

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 63-20270

Dear Property Owner(s):

I was advised you were the new owners of the property with the water right referenced above per our telephone conversation December 18, 2002. Enclosed is an amended claim in your names for your review to sign and return to IDAHO DEPARTMENT OF WATER RESOURCES with a notary seal.

Before we can modify our records to reflect your ownership of this water right, we need to also have you complete the enclosed Notice of Change of Water Right Ownership form. Please follow the instructions attached to the form and return to this office with all of the required information.

Also enclosed is a map of your property for your records, if it looks ok do not return. If it doesn't look correct then please contact me or for any other questions regarding this letter, please call me at 334-2190.

Sincerely,

Ron Howerton
Senior Water Agent
Adjudication Section
Western Region

CC: File

Enclosures

COPY

CONVERSATION MEMORANDUM

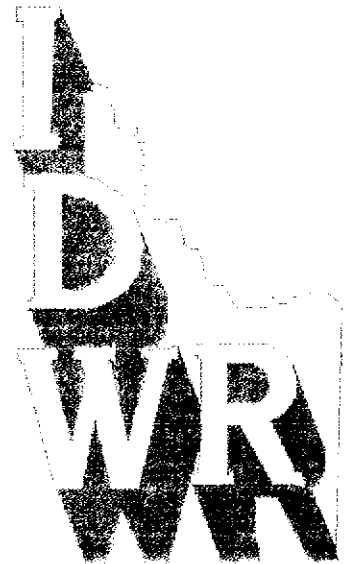
SUBJECT: OWNERSHIP CHANGE

WHOM WITH: J KENT NYGAARD

WATER RIGHTS: 63-20270

SENIOR AGENT: RON HOWERTON

DATE: December 19, 2002



NARRATIVE:

J Kent called to confirm he was the new owner of the above claim to a water right. I questioned if the well is still connected? J Kent says that the well is still connected to the home and is not abandoned. The home is also on municipal water.

J Kent requested that I mail the notice of ownership change for the amended claim both their names to be listed as or.

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 63-20270
Date Received: 9/7/1989
Receipt No: C011220
Received By:

AMENDED

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

1. Name of Claimant(s)

J KENT NYGAARD Phone: (208) 939-2421
820 N EDGEWOOD LN
EAGLE ID USA 83716

OR

PENNY J NYGAARD Phone: (208) 939-2421
820 N EDGEWOOD LN
EAGLE ID USA 83716

2. Date of Priority: 09/01/1989

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01E	10	NW SW NW	ADA	

5. Description of diverting works:

WELL, 90 FT DEEP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	01/01	12/31	0.04	

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

8. Total consumptive use:

COPY

9. Non-irrigation uses:

Number of homes: 1

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01E	10	SW	NW	DOMESTIC	

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

PARCEL NO: R2734760040

THE PENDING OWNERSHIP CHANGE UPON THIS CLAIM WILL BE SUBJECT TO THE REVIEW OF REQUESTED INFORMATION REQUIRED & SUBMITTED TO IDWR.

PROPERTY IS ALSO KNOWN AS LOT 4, BLK 1, FAIRWAY VIEW SUB. AMD.
DOMESTIC, 1 HOME

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: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
) SS.

County of _____)

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

DOQ X8

63-20270
820 N EDGEWOOD LN
T04N, R01E, S10, NWSWNW



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
ALAN G. LANCE

November 13, 2002

RECEIVED

NOV 19 2002

WATER RESOURCES
WESTERN REGION

FRANK C MARVIN
&/OR ALMA N. MARVIN
820 N EDGEWOOD LAND
EAGLE ID 83716

Re: Water Right Claim No. A63-20270
SNAKE RIVER BASIN ADJUDICATION

Dear MR. and MRS. MARVIN:

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

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

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

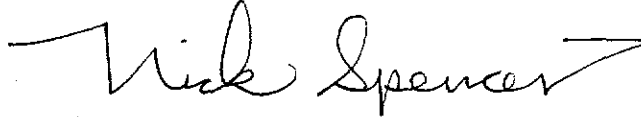
November 13, 2002

Page 2

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

Thank you for your prompt attention to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Nick Spencer", with a long horizontal line extending to the right.

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

NBS/pm

Cc: Ron Howerton



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

August 20, 2002

DIRK KEMPTHORNE
Governor

Re: Water Right Claim No(s). A63-20270
SNAKE RIVER BASIN ADJUDICATION Filings

KARL J. DREHER
Director

**FRANK C MARVIN &/or
ALMA N MARVIN
820 N EDGEWOOD LN
EAGLE ID 83716**

Dear Frank and Alma,

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

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

"Intrepid" Contractor findings:

They did not find the well hooked up to home, on city water, thus, no beneficial use.

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

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

Sincerely,

Ron Howerton
Senior Water Right Agent
Enclosures/Attachment



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 63

RIGHT ID 63 20270
POD ID 193137
Quad Eagle 2
Claim Type Large
Easting 312020
Northing 291585
GPSID A0013251

Diversion Description

WELL, 90'. Hooked up to city water. 820 Edgewood. There is a lightpost in the front yard, the well is located under it, in a brick "base" covered by shrubs. They are currently not using the well, but may in the future. No data on pump size or former diversion rate.

Assumptions

Invoice

2000-055-01

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

Linked

8a Photos\193137d.jpg

Photos

8a Photos\193137c.jpg

EPE (ft)

16

Date (M/D/Y)

12/8/01

Time

11.00

Flow Rate (CFS)

0.00

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

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

Diameter 0

Depth 0

☐ Rectangular Channel

Width 0

Depth 0

Flow Calculation

☐ Continuity

Velocity 0

☐ Orifice

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

Depth of Water above orifice centerline 0

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe 0

Width of weir 0

☐ Manning

(If used, include photo of representative channel section)

Channel Slope

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

Pumped System

HP

Pressure Head (psi)

Elevation Head (ft)

Motor Mfg

Motor Serial #

Pump Type

Submersible

Pump Mfg

Pump Serial#

New Contact Information

New Contact Comments

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



INTREPID

Engineering Services, Inc. (IES)
Enabling People and Solutions

RIGHT ID

63 20270

MARVIN



AJ5856NP

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

DATE: AUG-21-1997
PAGE: A-214

RIGHT NUMBER: 63-20270

NAME & ADDRESS: FRANK C MARVIN
ALMA N MARVIN
820 N EDGEWOOD LN
EAGLE ID 83616

SOURCE: GROUNDWATER

QUANTITY: 5.00 CFS

PRIORITY DATE: 09/01/1969

POINT OF DIVERSION: T04N R01E S10 SWNW

Within ADA County

PURPOSE AND

PERIOD OF USE: PURPOSE OF USE
DOMESTIC D/1 HOME

PERIOD OF USE
01-01 12-31

QUANTITY
5.00 CFS

PLACE OF USE: DOMESTIC Within ADA County
T04N R01E S10 SWNW

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

PAR. #3780

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

Receipt # C011220 \$125 also 2/17/98

Idaho Department of Water Resources

**T04N, R01E,
S10**

Claim No: 63-20270
Prepared By: Kimberly Brown
Date: April 28, 2004

● Point of Diversion

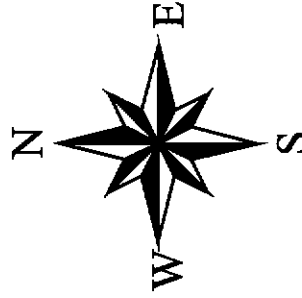


Place of Use

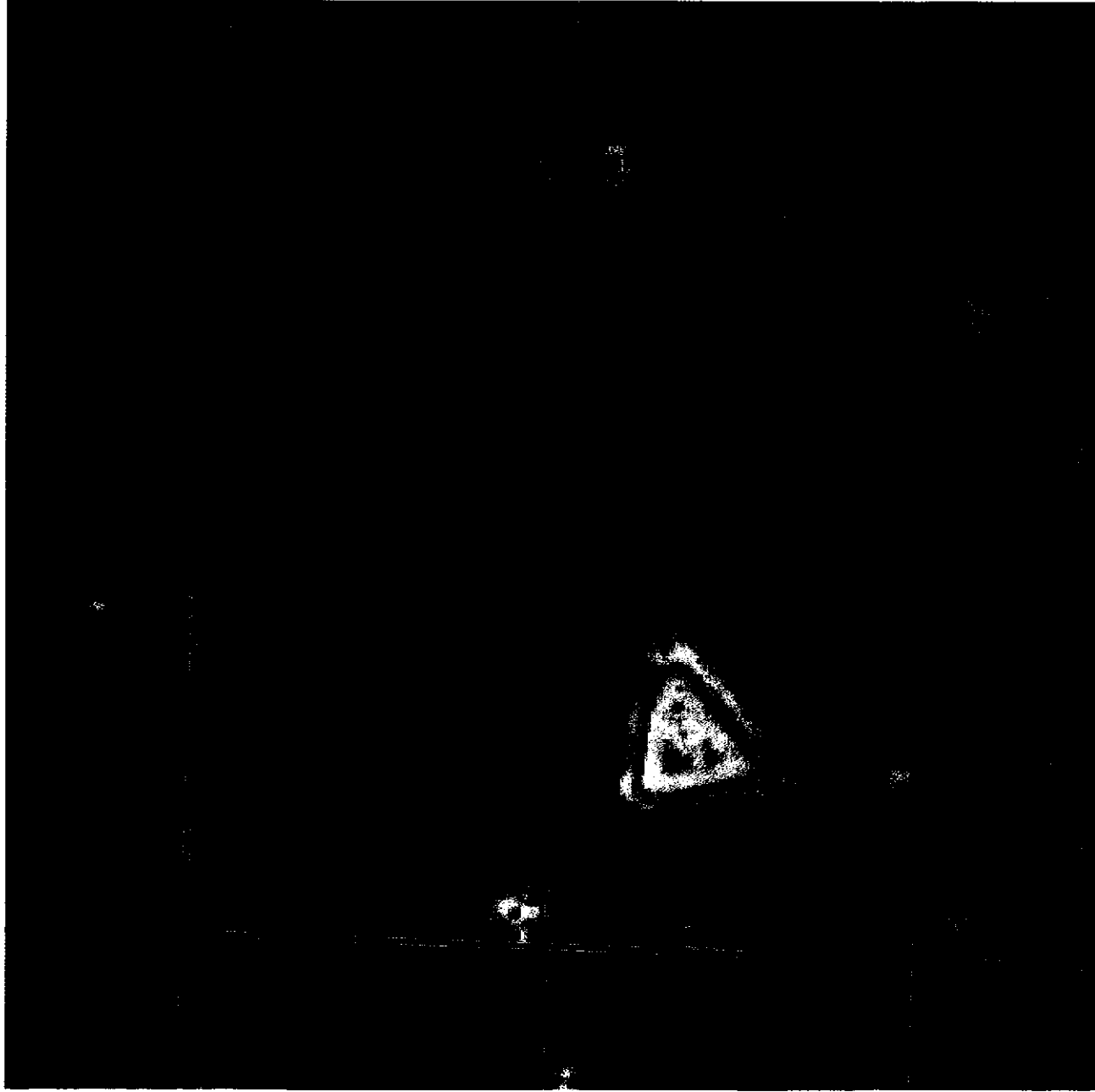


Section Lines

1/4 1/4



1987 NAPP



0.8 Miles

0.6

0.4

0.2

0