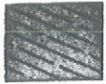


IRRIGATION WATER SOURCES

Data based on 1975 agricultural season



Private groundwater diversions



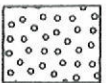
Combined small district and private Boise River diversions



Boise - Kuna Irrigation District (Boise River diversion)



Eagle Island Water Users (Boise River diversion)



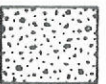
Farmers Union Ditch Co. (Boise River diversion)



Little Pioneer Ditch Co. (Boise River diversion)



Nampa-Meridian Irrigation District (Boise River diversion)



New York Irrigation District (Boise River diversion)



Pioneer Irrigation District (Boise River diversion)



Settlers Irrigation District (Boise River diversion)



Private Boise River tributary diversions



District surface water and supplemental private groundwater diversion

MICROFILMED

SEP 08 1992

Blumberg No. 5119

EXHIBIT

B

IDAHO DEPT OF WATER RESOURCES

Claim No. 63-22227

Twp.4N Rge. 1E
Section 32



Place of Use



1/41/4 Lines

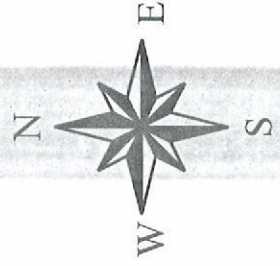


Section Lines



Pt. of Diversion

Prepared by:
Jan Shurte
10-31-05



0 1000 Feet

XXVIII.

That the defendants JOSEPH P. BROWN and RICHARD W. JOHNSON do, and they are hereby awarded the use of the waters of Boise River, diverted from a point on the north bank of said river about four miles above Boise City, through what is known as the Boise valley Water Ditch, for use upon the town lots and lands lying under said ditch for irrigating and domestic purposes, in the following amount and from the following date;

63 0161 25000 inches, from May 1, 1880; and hereby designated as Right No. 1

654	873	990
674	890	991
91	906	1010
92	917	
12	918	1011
3	940	1002
10	976	1017
7	977	1035
9	979	1038
3	980	1074
4	989	
9		

And that said defendants be awarded, for power purposes only, the use of said waters in the following amount from the following date, and it is hereby ordered that the quantity of water so awarded for power purposes shall be used for such purposes only, and after such use shall be returned to Boise River;

63 0162 10000 inches, from July 1, 1877; and hereby designated as Right No. 2. And be adjudged to pay \$273.00 costs in addition to the costs incurred by them.

XXX. XXXIX.

That the defendant WILLIAM P. KERNER do, and he is hereby awarded the use of the waters of Boise River, diverted from said river at a point in the SW 1/4 of Sec. 17, T. 4 N. R. 1 E. B.M., for use upon the N. 1/2 of NE 1/4 and lot 1 of Sec. 15, and SE 1/4 of SE 1/4 of Sec. 12, T. 4 N. R. 2 E. B.M., in the following amount and from the following date;

63 0163 130 inches, from June 1, 1883; and hereby designated as Right No. 3. And be adjudged to pay \$9.10 costs in addition to the costs incurred by him.

XXX. XXXX.

That the defendants PERCE E. LEONARD, DEBRA T. LEONARD, J. S. D. MARVILLE and ESTATE OF ALBERT SHAW, do and they are hereby awarded the use of the waters of Boise River, diverted from a point on the south side of said river in Sec. 15, T. 3 N. R. 2 E. B.M., at a point a short distance east of the NW corner of said section; also at a point on Sec. 9, a short distance west of said section corner, and also a short distance below on said Section 9, all in T. 3 N. R. 2 E. B.M., for use upon an irregular shaped tract of land in lot C, and W. 1/2 of SE 1/4 of Sec. 9, T. 3 N. R. 2 E. B.M., and an irregular tract in the N. 1/2 and the SE 1/4 of Sec. 9, T. 3 N. R. 1 E. B.M., in the following amount and from the following date;

63 0164 175 inches, from June 1, 1866; and hereby designated as Right No. 4. And be adjudged to pay \$12.35 costs in addition to the costs incurred by them.

-1879 relinquished
1906
1855

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 63-22227
Date Received: 9/8/1989
Receipt No: C011305
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

GLEN E STEVENSON Phone: (208)939-2384
4195 N EAGLE RD
MERIDIAN ID USA 83642

DAVE BUICH Phone: (208)939-8466
82 E STATE ST SUITE B
EAGLE ID USA 83616

G GREGORY HALL Phone: (208)939-8466
82 E STATE ST SUITE B
EAGLE ID USA 83616

2. Date of Priority: 05/01/1866

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	02E	9	NW NW	ADA	

5. Description of diverting works:

REINFORCED CONCRETE DIVER. DAM IN RIVER TO EARTHEN LATERALS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.05	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01E	32	SE	NE	IRRIGATION	22
					Section Acres	22
					Total Acres	22

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:

THIS WATER CARRIED THRU SETTLERS CANAL.
P/D S19, T3N, R3E.
TRANS. 940.

Ownership changed per claimant request 11/30/05.

15. Basis of Claim: Decreed

No ✓

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

RECEIVED

NOV 18 2005

Department of Water Resources

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-22225					
63-22227					

RECEIVED

NOV 22 2005

WATER RESOURCES
WESTERN REGION

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 usually attached to your deed or on file with the county).

OR

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

3. Name and Address of Former Owner/Claimant(s)

* see attached exhibit A

4. New Owner/Claimant(s)

DAVE Buich, G. Gregory Hall

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

New Mailing Address

82 E. State St. Suite B

City, State and ZIP Code

Eagle ID 83616

New Telephone Number

208) 939-8466

5. Date you acquired the property

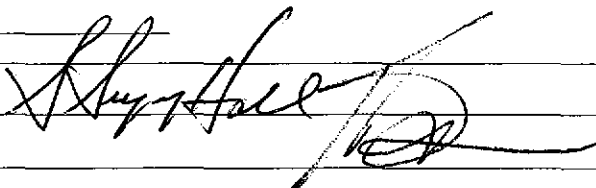
* see attached exhibit A

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

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

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

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



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

For Office Use Only

Received by Western Date 11-22-05 Fee N/A
 Receipted by _____ Date _____ Receipt No. _____
 Processed by Jal AJ Date 11-30-05 WR _____ Date _____

4405 N. Eagle Rd.
Re-recorded to correct legal



Order No.: A0431680A

ADA COUNTY RECORDER J. DAVID NAVARRO AMOUNT 6.00
BOISE IDAHO 03/29/05 04:50 PM
DEPUTY Pam Thompson
RECORDED - REQUEST OF
Title One 105037457

ADA COUNTY RECORDER J. DAVID NAVARRO AMOUNT 6.00 2
BOISE IDAHO 03/04/05 12:29 PM
DEPUTY Bonnie Oberbillig
RECORDED - REQUEST OF
Title One *Re-record* 105056022

WARRANTY DEED

FOR VALUE RECEIVED,

SHERRI D. IRISH, A MARRIED WOMAN, AS HER SOLE & SEPARATE
PROPERTY, AND WAYNE IRISH, HER SPOUSE

The Grantor(s), do(es) hereby grant, bargain sell and convey unto

GERALD GREGORY HALL, A MARRIED MAN, AS HIS SOLE & SEPARATE
PROPERTY

whose current address is *4405 N. EAGLE RD / EAGLE, ID 83616*
3533 N. Holl Dr., Eagle, ID 83616

the Grantee(s), the following described premises, in Ada County, Idaho, TO WIT:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility easements (if any) for the current year, which are not due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: 03/28/05

Sherri D. Irish
SHERRI D. IRISH

Wayne Irish
WAYNE IRISH

STATE OF IDAHO

COUNTY OF ADA *29 ag*

ON THIS ~~28~~ OF MARCH, 2005, BEFORE ME, THE UNDERSIGNED, A NOTARY
PUBLIC PERSONALLY APPEARED WAYNE IRISH AND SHERRI D. IRISH, KNOWN
TO ME OR PROVEN TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE
THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN
INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

[Signature]
AGUNNING
NOTARY PUBLIC
RESIDING AT: EAGLE
MY COMMISSION EXPIRES:

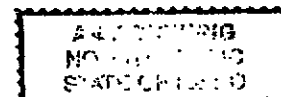


EXHIBIT "A"

A portion of the East Half of the North 2/3 of the South Half of the Northeast Quarter in Section 32, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, described as follows:

Commencing at the Southeast Corner of Section 32, Township 4 North, Range 1 East, Boise Meridian, in Ada County, Idaho; thence

North 0 degrees 01' West along section line 3980.83 feet to a point, THE REAL PLACE OF BEGINNING; thence
South 00 degrees 01' East along section line 419.10 feet to a point; thence
North 59 degrees 26' West 210.87 feet to a point; thence
North 83 degrees 57' West 65.40 feet to a point; thence
North 61 degrees 38' West 108.35 feet to a point; thence
North 82 degrees 08' West 85.96 feet to a point; thence
North 64 degrees 43' West 125.25 feet to a point; thence
North 40 degrees 37' West 126.94 feet to a point; thence
North 52 degrees 58' West 137.11 feet to a point; thence
North 89 degrees 15' East 732.48 feet to THE REAL PLACE OF BEGINNING.

EXCEPT

A tract of land situated in the Northeast Quarter of Section 32, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the Southeast Quarter of Section 32, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho; thence

North 00 degrees 01'00" West 3561.73 feet along the section line to THE REAL PLACE OF BEGINNING; thence
North 59 degrees 26'00" West 210.87 feet; thence
North 83 degrees 57'00" West 65.40 feet; thence
North 61 degrees 38'00" West 108.35 feet; thence
North 82 degrees 08'00" West 85.96 feet; thence
** North 64 degrees 43'00" West 125.25 feet; thence
North 89 degrees 48'18" East 579.24 feet; thence
South 00 degrees 01'00" East 278.29 feet along the section line to THE REAL PLACE OF BEGINNING.
** North 40 degrees 37' 00" West 59.87 Feet, thence

Exhibit "A"

Legal Description

26

4145 N. Eagle Rd

2

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 87/01/04 04:42 PM
DEPUTY NEAVA HANEY
RECORDED - REQUEST OF
Title One
AMOUNT 6.00

2

104083853



Order No.: A0429112
HC/P6

WARRANTY DEED

FOR VALUE RECEIVED,

BRENT I. LAW and SANDRA L. LAW, HUSBAND & WIFE
The Grantor(s), do(es) hereby grant, bargain sell and convey unto
DAVID A. BUICH, A MARRIED MAN, and G. GREGORY HALL, A MARRIED
MAN
whose current address is 3497 N. HOLL DR., EAGLE, ID 83616

the Grantee(s), the following described premises, in Ada County, Idaho, TO WIT:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances EXCEPT: Subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility easements (if any) for the current year, which are not due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: 06/30/04

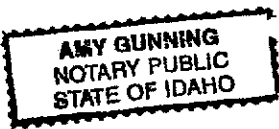
Brent I. Law
BRENT I. LAW

Sandra L. Law
SANDRA L. LAW

STATE OF IDAHO)
)ss.
COUNTY OF ADA)

On this 1ST day of JULY, 2004, before me, the undersigned, a notary public in and for said state, personally appeared BRENT I. LAW & SANDRA L. LAW, known or proven to me on the basis of satisfactory evidence to be the persons whose name is subscribed to the within instrument, and acknowledged to me that they executed the same.

[Signature]
Notary Public
Residing At: EAGLE ID
Comm. Exp: 6/19/06



A portion of the East half of the North two-thirds of the South half of the Northeast quarter of Section 32,
Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Beginning at the quarter corner common to Sections 32 and 33, Township 4 North, Range 1 East, Boise
Meridian; thence along the section line
North 442.38 feet to a P.K. nail; thence leaving said section line at right angles
West 656.0 feet to an iron bar, the True Point of Beginning; thence continuing on in the same
Westerly direction 300 feet to an iron bar; thence
North 726 feet to an iron bar; thence
East 300 feet to an iron bar; thence
South 726 feet to the TRUE POINT OF BEGINNING.



ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 07/20/04 01:49 PM
DEPUTY Nikola Olson
RECORDED - REQUEST OF
Title One
AMOUNT 3.00



QUITCLAIM DEED

FOR VALUE RECEIVED, DAVID A. BUICH, A MARRIED MAN, AS HIS SOLE & SEPARATE PROPERTY, AND G. GREGORY HALL AND SANDRA L. HALL, HUSBAND & WIFE

Does hereby convey, release, remise and forever quit claim unto

KAREN BUICH AND DAVID BUICH, WIFE & HUSBAND

whose current address is: 3497 HOLL DR., EAGLE, ID 83616

the following described premises:

A portion of the East half of the North two-thirds of the South half of the Northeast quarter of Section 32, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Beginning at the quarter corner common to Sections 32 and 33, Township 4 North, Range 1 East, Boise Meridian; thence along the section line

North 442.38 feet to a P.K. nail; thence leaving said section line at right angles

West 656.0 feet to an iron bar, the True Point of Beginning; thence continuing on in the same Westerly direction 300 feet to an iron bar; thence

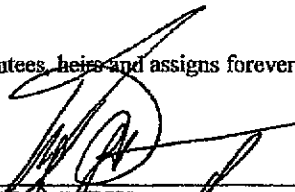
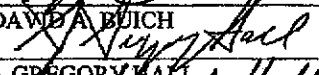
North 726 feet to an iron bar; thence

East 300 feet to an iron bar; thence

South 726 feet to the TRUE POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs and assigns forever.

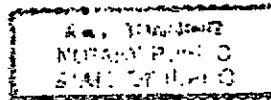
Date: 7/19/04

By: 
DAVID A. BUICH
By: 
G. GREGORY HALL
By: 
SANDRA L. HALL

STATE OF IDAHO
COUNTY OF ADA

ON THIS 19 OF JULY, 2004, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC PERSONALLY APPEARED DAVID A. BUICH, G. GREGORY HALL AND SANDRA L. HALL, KNOWN TO ME OR PROVEN TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.


AGUNNING
NOTARY PUBLIC
RESIDING AT: EAGLE
MY COMMISSION EXPIRES:
06/19/06



16
4305 N. Eagle Rd.

AFTER RECORDING MAIL TO:

Dave Buich and Karen Buich
4305 North Eagle Road
Boise, ID 83713

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 06/18/04 11:46 AM
DEPUTY Bonnie Oberhilling
RECORDED - REQUEST OF
First American
AMOUNT 6.00

2



WARRANTY DEED

File No.: NCS-97236-BOI (eg)

Date: June 16, 2004

For Value Received, **Cheryl K. Josephson**, an unmarried person, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey unto **Dave Buich and Karen Buich, husband and wife, and Gerald Hall and Sandra Hall, husband and wife**, hereinafter referred to as Grantee, whose current address is **4305 North Eagle Road, Boise, ID 83713**, the following described premises, situated in Ada County, Idaho, to wit:

A tract of land situated in the Northeast quarter of Section 32, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the Southeast corner of Section 32, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho; thence

North 0 degrees 01'00" West 3,561.73 along the section line to the REAL PLACE OF BEGINNING; thence

North 59 degrees 26'00" West 210.87 feet; thence

North 83 degrees 57'00" West 65.40 feet; thence

North 61 degrees 38'00" West 108.35 feet; thence

North 82 degrees 08'00" West 85.96 feet; thence

North 64 degrees 43'00" West 125.25 feet; thence

North 40 degrees 37'00" West 59.87 feet; thence

North 89 degrees 48'18" East 579.24 feet; thence

South 00 degrees 01'00" East 278.29 feet along the section line to the REAL PLACE OF BEGINNING.

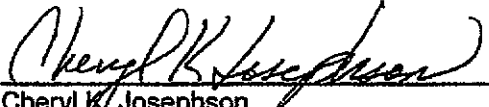
APN: S0532142285

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

APN: 58532142285

Warranty Deed
- continued

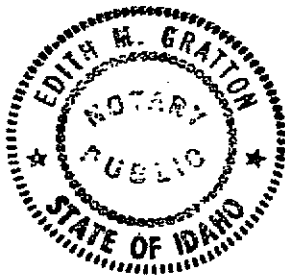
File No.: NCS-97236-801 (eg)
Date: 06/16/2004

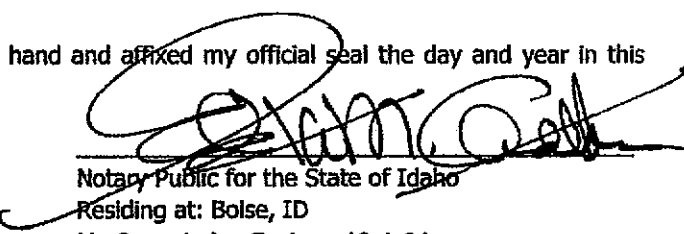

Cheryl K. Josephson

STATE OF Idaho)
SS.
COUNTY OF Ada)

On this 16th day of June, 2004, before me, a Notary Public in and for said State, personally appeared Cheryl K. Josephson, 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.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.




Notary Public for the State of Idaho
Residing at: Boise, ID
My Commission Expires: 10-1-04

234302/DE

2

4255 N. Eagle Rd.



A Pioneer Company
PIONEER TITLE COMPANY
OF ADA COUNTY
8151 W. Rifleman Ave. / Boise, Idaho 8370
(208) 377-2700

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 10/08/03 08:54 AM
DEPUTY Jeanne Hooper
RECORDED - REQUEST OF
Pioneer
AMOUNT 6.00



2

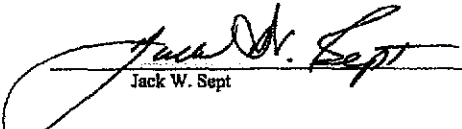
WARRANTY DEED

For Value Received **Jack W. Sept** an unmarried man and **Lola M. Abshire**, an unmarried woman who acquired title as **Lola A. Sept**, formerly husband and wife hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto **David A. Buich and Karen L. ~~Abshire~~ Buich**, husband and wife hereinafter referred to as Grantee, whose current address is 4255 N. Eagle Road, Boise, ID 83713 the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

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 Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: October 2, 2003



Jack W. Sept



Lola M. Abshire

STATE OF IDAHO. County of ADA, ss.

On this 2nd day of October, in the year of 2003, before me the undersigned, notary public personally appeared Jack W. Sept and Lola M. Abshire known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Desiree A. Mayden
Notary Public of IDAHO
Residing at Nampa, Idaho
Commission expires: March 9, 2006

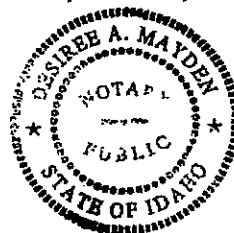


EXHIBIT A

That part of the Southeast quarter of the Northeast quarter of Section 32, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, described as follows:

Beginning at the Southeast corner of said Section 32; thence

North 0 degree 01' West along the East line of said Section 32 a distance of 3561.73 feet and the true point of beginning; thence

North 59 degrees 26' West a distance of 210.87 feet; thence

North 83 degrees 57' West a distance of 65.40 feet; thence

North 61 degrees 38' West a distance of 108.35 feet; thence

North 82 degrees 08' West a distance of 85.96 feet; thence

North 64 degrees 43' West a distance of 125.25 feet; thence

North 40 degrees 37' West a distance of 126.94 feet; thence

North 52 degrees 58' West a distance of 41.35 feet to a point in the West line of the East 656.00 feet of said Northeast quarter thence

South 0 degree 01' East along said West line a distance 515.3 feet more or less to the North line of the South 742.38 feet of said Northeast quarter; thence

East along said North line a distance of 656 feet to the East line of said Section 32; thence

North 0 degree 01' West along said East line 165.04 feet more or less to the TRUE POINT OF BEGINNING.

EXCEPT that portion lying within the right of way for County Road commonly referred to as Eagle Road over and across the East 35 feet of said premises.

7.
E. Jasmine Ln.



ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 03/16/05 04:40 PM
DEPUTY Bonnie Oberblin
RECORDED - REQUEST OF
Title One

AMOUNT 6.00 2



Order No.: A0431681 JG/AG

WARRANTY DEED

FOR VALUE RECEIVED,

N. LUCILE GEARHART, AN UNMARRIED WOMAN

The Grantor(s), do(es) hereby grant, bargain sell and convey unto

M & H DEVELOPMENT, LLC

whose current address is 3533 N. HOLL DR., EAGLE, ID 83616

the Grantee(s), the following described premises, in Ada County, Idaho, TO WIT:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

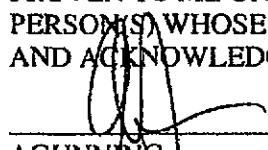
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility easements (if any) for the current year, which are not due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

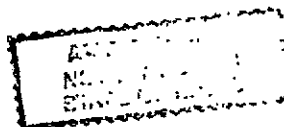
Dated: 03/15/05


N. LUCILE GEARHART

STATE OF IDAHO
COUNTY OF ADA

ON THIS 15TH OF MARCH, 2005, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC PERSONALLY APPEARED N. LUCILE GEARHART, KNOWN TO ME OR PROVEN TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.


AGUNNING
NOTARY PUBLIC
RESIDING AT: EAGLE
MY COMMISSION EXPIRES:
06/19/06
(SEAL)



PARCEL I:

A portion of the East Half of the North two thirds of the South Half of the Northeast Quarter of Section 32, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Beginning at the Quarter corner common to Sections 32 and 33, Township 4 North, Range 1 East, Boise Meridian; thence along the Section line
North 442.38 feet to a P.K. nail; thence leaving said Section line at right angles West 956 feet to an iron bar, the TRUE POINT OF BEGINNING; thence continuing on in the same Westerly direction 71.41 feet to an iron bar; thence
North 726 feet to an iron bar; thence
East 71.61 feet to an iron bar; thence
South 726 feet to the TRUE POINT OF BEGINNING.

PARCEL II:

That part of the Southeast Quarter of the Northeast Quarter of Section 32, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, described as follows:

Beginning at the Quarter corner common to Sections 32 and 33, Township 4 North, Range 1 East, Boise Meridian; thence along the Section line
North 442.38 feet to a P.K. nail; thence leaving said Section line at right angles
West 1,027.41 feet to an iron bar, the TRUE POINT OF BEGINNING; thence continuing on in the same
Westerly direction 300 feet to an iron bar; thence
North 885.15 feet to an iron bar; thence
East 570.16 feet to the center line of a creek; thence in a Southeasterly direction along the center line of said creek 99 feet; thence
South 95 feet to an iron bar; thence
West 371.61 feet to an iron bar; thence
South 726 feet to the TRUE POINT OF BEGINNING.

②
*Re-recorded to correct legal



A0431480 JG

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 03/29/05 04:50 PM
DEPUTY Patti Thompson
RECORDED - REQUEST OF
Title One

AMOUNT 6.00

7.
2

105037458

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 05/04/05 12:29 PM
DEPUTY Bonnie Oberling
RECORDED - REQUEST OF
Title One

AMOUNT 6.00

2

105056023

Re-record

QUITCLAIM DEED

FOR VALUE RECEIVED, SANDRA HALL, SPOUSE OF THE GRANTEE HEREIN

Does hereby convey, release, remise and forever quit claim unto

GERALD GREGORY HALL, A MARRIED MAN, AS HIS SOLE & SEPARATE
PROPERTY

whose current address is: 3533 N. HOLL DR., EAGLE, ID 83616

the following described premises:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs and assigns forever.

Date: 3/25/05

By:

Sandra L. Hall
SANDRA HALL

STATE OF IDAHO
COUNTY OF ADA

ON THIS 26 OF MARCH, 2005, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC
PERSONALLY APPEARED SANDRA HALL, KNOWN TO ME OR PROVEN TO ME ON THE
BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE
SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE
EXECUTED THE SAME.

AGUNNING
NOTARY PUBLIC
RESIDING AT: EAGLE
MY COMMISSION EXPIRES:
06/19/06
(SEAL)

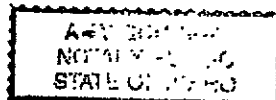


EXHIBIT "A"

A portion of the East Half of the North 2/3 of the South Half of the Northeast Quarter in Section 32, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, described as follows:

Commencing at the Southeast Corner of Section 32, Township 4 North, Range 1 East, Boise Meridian, in Ada County, Idaho; thence

North 0 degrees 01' West along section line 3980.83 feet to a point, THE REAL PLACE OF BEGINNING; thence
South 00 degrees 01' East along section line 419.10 feet to a point; thence
North 59 degrees 26' West 210.87 feet to a point; thence
North 83 degrees 57' West 65.40 feet to a point; thence
North 61 degrees 38' West 108.35 feet to a point; thence
North 82 degrees 08' West 85.96 feet to a point; thence
North 64 degrees 43' West 125.25 feet to a point; thence
North 40 degrees 37' West 126.94 feet to a point; thence
North 52 degrees 58' West 137.11 feet to a point; thence
North 89 degrees 15' East 732.48 feet to THE REAL PLACE OF BEGINNING.

EXCEPT

A tract of land situated in the Northeast Quarter of Section 32, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the Southeast Quarter of Section 32, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho; thence

North 00 degrees 01'00" West 3561.73 feet along the section line to THE REAL PLACE OF BEGINNING; thence
North 59 degrees 26'00" West 210.87 feet; thence
North 83 degrees 57'00" West 65.40 feet; thence
North 61 degrees 38'00" West 108.35 feet; thence
North 82 degrees 08'00" West 85.96 feet; thence
** North 64 degrees 43'00" West 125.25 feet; thence
** North 89 degrees 48'18" East 579.24 feet; thence
South 00 degrees 01'00" East 278.29 feet along the section line to THE REAL PLACE OF BEGINNING.
** North 40 degrees 37' 00" West 59.87 Feet, thence

Exhibit "A"

Legal Description

Exhibit A

Water right number 63-22225, 63-22227

Name address former owner	New Owner	Date acquired
1. Wayne & Sherri Irish 4405 N. Eagle Rd Eagle, Id	Gerald Gregory Hall 82 E. State St Eagle, Id	3/28/05
2. Brent & Sandra Law 4145 N. Eagle Rd Eagle, Id	Dave Buich, Gregory Hall 82 E. State St Eagle, Id	7/01/04
3. Cheryl Josephson 4305 N Eagle Rd Eagle, Id	Dave & Karen Buich Gerald G. & Sandra Hall 82 E. State St Eagle, Id	6/16/04
4. Jack September 4255 N Eagle Rd Eagle, Id	Dave & Karen Buich 82 E. State St Eagle, Id	10/02/03
5. Lucille Gearhart	M&H Development LLC 82 E. State St Eagle, Id	3/15/05

RECEIVED

MAR 15 1995

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: A63-22227

Date Received: 9/ 8/1989

Receipt No: C011305

Received By: *updated 3-17-95*
acre fee paid *KW*

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name:	GLEN STEVENSON	208-939-2384
Address:	4195 NORTH EAGLE ROAD MERIDIAN ID	83642
OR		
Name:	WALLY ORR	208-939-2345
Address:	4405 NORTH EAGLE ROAD MERIDIAN ID	83642
OR		
Name:	FRANK WALTERS	
Address:	P.O. BOX 329 YAKIMA WA	98907
OR		
Name:	JACK SEPT	208-362-3529
Address:	4255 NORTH EAGLE ROAD MERIDIAN ID	83642
OR		
Name:	STEVEN CASE	208-939-0353
Address:	4145 NORTH EAGLE ROAD MERIDIAN ID	83642
OR		
Name:	CHERYL JOSEPHSON	
Address:	4305 NORTH EAGLE ROAD MERIDIAN ID	83642

2. Date of Priority: MAY 1, 1866

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02E	9	NW	NW			ADA

5. Description of diverting works:

REINFORCED CONCRETE DIVER. DAM IN RIVER TO EARTHEN LATERALS

MICROFILMED

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.050		

7. Total Quantity Appropriated is:

0.050 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 77.0 Acre Feet Per Annum.

9. Non-irrigation uses:

NA

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01E	32	SE	NE	IRR	22.0
Section Acres						22.0
Total Acres						22.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

63-230, 63-231, 63-5262, 63-3618, 63-3614

14. Remarks:

THIS WATER CARRIED THRU SETTLERS CANAL.

P/D S19, T3N, R3E.

TRANS. 940.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

FARMERS CO-OP DITCH CO.

Decree Plaintiff

RIVERSIDE IRR. DIST.

vs

Decree Defendant

MACROFILMED

OCT 09 1996

16. Signature(s)

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

Number of attachments:

For Organizations:

I do solemnly swear or affirm that I am President of Settlers' Irrigation District, that I have signed the foregoing document in the space below as President of Settlers' Irrigation District and that the statements contained in the foregoing document are true and correct.

Don Smith
Signature of Authorized Agent

President, Settlers' Irrigation District
Title and Organization

MARCH 13, 1995
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 13th day
of MARCH 19 95

Melinda Anderson
Notary Public

Seal

Residing at Boise

My Commission Expires 1-14-99

RECORDED
OCT 09 1996

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: **A63-22227**
Date Received: 9/ 8/1989
Receipt No: C011305
Received By: _____

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

1. Name: FRANK WALTERS
Address: P.O. BOX 329
YAKIMA WA 98907
- OR
- Name: JACK SEPT 208-362-3529
Address: 4255 NORTH EAGLE ROAD
MERIDIAN ID 83642
- OR
- Name: STEVEN CASE 208-939-0353
Address: 4145 NORTH EAGLE ROAD
MERIDIAN ID 83642
- OR
- Name: GLEN STEVENSON 208-939-2384
Address: 4195 NORTH EAGLE ROAD
MERIDIAN ID 83642
- OR
- Name: WALLY ORR 208-939-2345
Address: 4405 NORTH EAGLE ROAD
MERIDIAN ID 83642
- OR
- Name: CHERYL JOSEPHSON
Address: 4305 NORTH EAGLE ROAD
MERIDIAN ID 83642

2. Date of Priority: MAY 1, 1866

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02E	9	NW	NW			ADA

5. Description of diverting works:

REINFORCED CONCRETE DIVER. DAM IN RIVER TO EARTHEN LATERALS

A63-22227

Page 1

Date: 03/29/94

corrected names #1 & #6 - 1/6/93 - kw
corrected entry of remark 3/29/94

FILED
OCT 09 1986

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.050		

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

A.F.A.

8. Total consumptive use is 77.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NA

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01E	32	SW	NE	IRR	11.0
			SE	NE	IRR	11.0
Section Acres						22.0
Total Acres						22.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
63-230, 63-231, 63-5262, 63-3618, 63-3614

14. Remarks:
THIS WATER CARRIED THRU SETTLERS CANAL.
P/D S19, T3N, R3E.
TRANS. 940.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

FARMERS CO-OP DITCH CO.
Decree Plaintiff

RIVERSIDE IRR. DIST.
vs Decree Defendant

RECORDED
OCT 09 1994

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 Organizations:

I do solemnly swear or affirm that I am _____ of
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____, Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

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 _____

RECORDED
OCT 09 1994

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: A63-22227
Date Received: 9/08/1989
Receipt No: C011305
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANK WALTERS
Address: P.O. BOX 329
YAKIMAAN, WA 98907
OR
Name: JACK SEPT 208-362-3529
Address: 4255 NORTH EAGLE ROAD
MERIDIAN, ID 83642
OR
Name: STEVEN CASE 208-939-0353
Address: 4145 NORTH EAGLE ROAD
MERIDIAN, ID 83642
OR
Name: GLEN STEVENSON 208-939-2384
Address: 4195 NORTH EAGLE ROAD
MERIDIAN, ID 83642
OR
Name: WALLY ORR 208-939-2345
Address: 4405 NORTH EAGLE ROAD
MERIDIAN, ID 83642
OR
Name: JOSEPHSON
Address: 4305 NORTH EAGLE ROAD
MERIDIAN, ID 83642

2. Date of Priority: MAY 01, 1866

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
03N	02E	9	NW NW		ADA

5. Description of diverting works:
REINFORCED CONCRETE DIVER. DAM IN RIVER TO EARTHEN LATERALS

A63-22227

Page 1

Date: 05/08/90

MICROFILMED
SEP 08 1992

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.050		

7. Total Quantity Appropriated is:

0.050 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 77.0 Acre Feet Per Annum.

9. Non-irrigation uses:

NA

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01E	32	SW	NE		IRR	11.0
			SE	NE		IRR	11.0
Section Acres							22.0
Total Acres							22.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

63-230, 63-231, 63-5262, 63-3618, 63-3614

14. Remarks:

THIS WATER CARRIED THRU SETTLERS CANAL.

P/D S19, T3N, R3E.

TRANS. 694.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

FARMERS CO-OP DITCH CO.

Decree Plaintiff

vs

RIVERSIDE IRR. DIST.

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576
Ident. Number A63-2227
Date Received 9-08-89
Receipt Number C011305

940/WR# 63-0161

Handwritten signature/initials

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

Please type or print clearly

1. Name of Claimant (s) Exhibit D Phone () _____

Mailing Address _____ Zip _____

2. Date of Priority (Only one (1) per claim) May 1, 1866

3. Source of water supply (a) Boise River
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 3N Range 2E Section 9,
_____ 1/4 of NW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Ada

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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. Reinforced concrete diversion dam
in river to earthen canal, to earthen lateral ditch system.

MICROFILMED

SEP 08 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.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3/15 to 11/15 amount .05 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .05 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 77 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4N	1E	32			SS	SS													22

Total number of acres irrigated 22

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 _____ No X

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.

Water Right Nos. 63-0230, 63-0231, 63-05262, 63-03618 and 63-03614 or None ()

14. Remarks:

A power of attorney (Exhibit A) provides written authorization for the Chairman of Settlers Irrigation District to file this claim. This water right is evidenced by transfer no. 940 (Exhibit C).

MICROFILMED

SEP 08 1992

Last Name Walters, etc. Ident No. _____

Copies: White -State, Yellow-Claimant

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.

WICHITA, KAN.

SEP 8 0 932

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree X

If applicable provide IDWR Water Right Number 63-0161

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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 4

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

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

Title

of Settlers Irrigation District _____, that I have signed the foregoing

Organization

document in the space below as Chairman _____ of Settlers Irrigation District _____

Title

Organization

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

Signature of Authorized Agent Don Smith

Title and Organization President / Chairman

Date 9/5/89

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 5th day of Sept 19 89

SEAL

Notary Public Zee Ann M. Bicknell

Residing at Presbyterian, etc

My Commission Expires 8-1-93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Walters, etc. Ident. Number _____

MICROFILMED

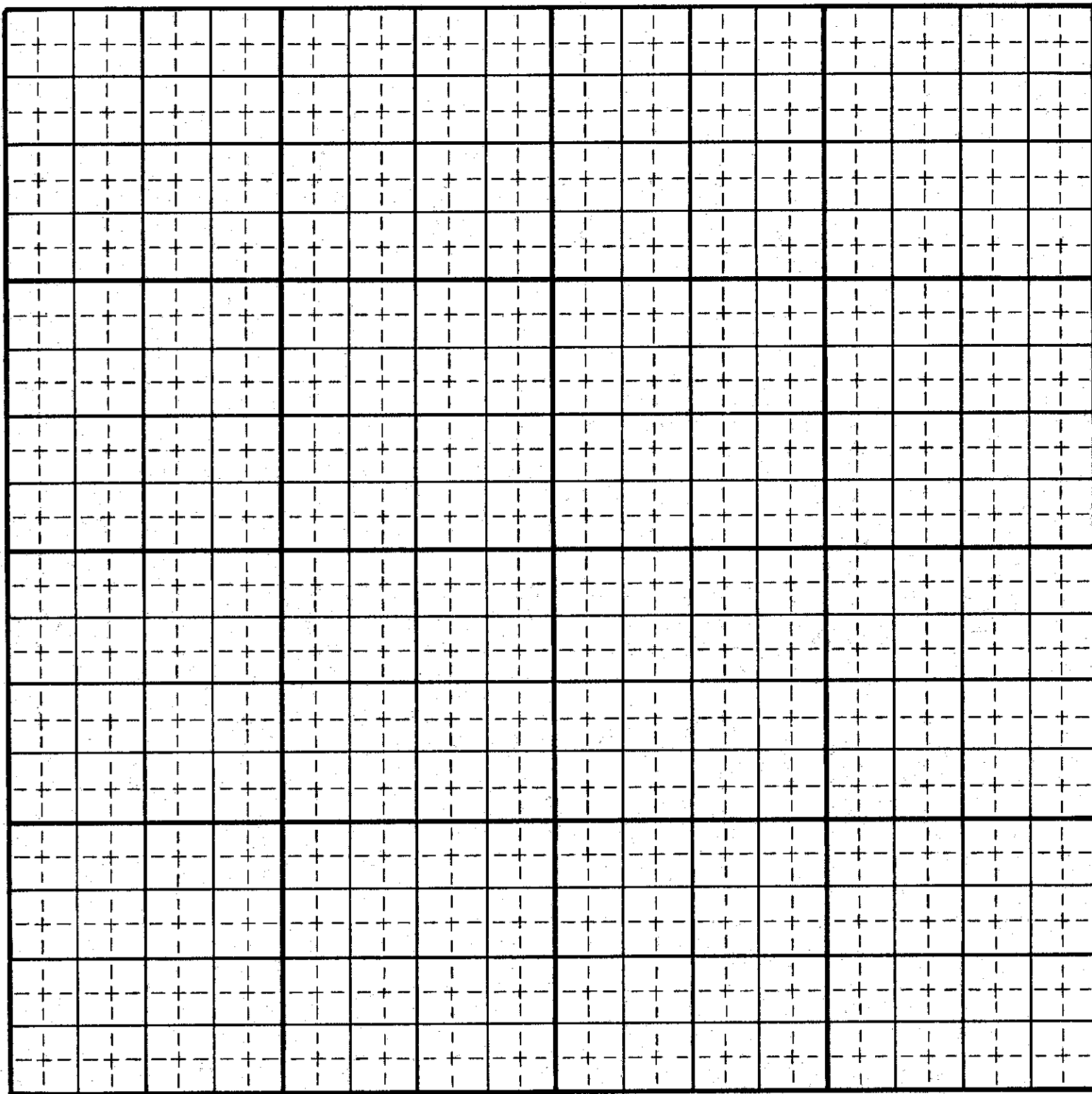
SEP 08 1992

Copies White-State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

SEE EXHIBIT B



MICROFILMED

SEP 08 1992

Last Name Walters, etc.

Ident No. _____

Copies: White-State, Yellow-Claimant

#940
#99

LIMITED POWER OF ATTORNEY

I/We do hereby authorize and appoint Settlers Irrigation District and its duly elected and authorized officers and their agents to take all actions necessary or appropriate to prepare or cause to be prepared Notice of Water Right Claims and to execute and file the same on our behalf with the Idaho Department of Water Resources.

This authorization is limited to those Notice of Water Right Claims which describe and refer to water rights which allow the diversion and delivery of surface water from the Boise River through the Settlers Irrigation District water diversion and delivery system.

8-16-89
Date

Frank E. Walter
Signature

FRANK E WALTER
(Please print full name)

8-16-89
Date

Ada M. Walter
Signature

Ada M WALTER
(Please print full name)

MICROFILMED

SEP 08 1992

EXHIBIT A

740
750

LIMITED POWER OF ATTORNEY

I/We do hereby authorize and appoint Settlers Irrigation District and its duly elected and authorized officers and their agents to take all actions necessary or appropriate to prepare or cause to be prepared Notice of Water Right Claims and to execute and file the same on our behalf with the Idaho Department of Water Resources.

This authorization is limited to those Notice of Water Right Claims which describe and refer to water rights which allow the diversion and delivery of surface water from the Boise River through the Settlers Irrigation District water diversion and delivery system.

8/18/89.
Date

Jack W. Sept
Signature

JACK W. SEPT
(Please print full name)

8/18/89
Date

Lola Abshire Sept
Signature

LOLA ABSHIRE SEPT
(Please print full name)

MICROFILMED

SEP 08 1992

EXHIBIT A

940
990

LIMITED POWER OF ATTORNEY

I/We do hereby authorize and appoint Settlers Irrigation District and its duly elected and authorized officers and their agents to take all actions necessary or appropriate to prepare or cause to be prepared Notice of Water Right Claims and to execute and file the same on our behalf with the Idaho Department of Water Resources.

This authorization is limited to those Notice of Water Right Claims which describe and refer to water rights which allow the diversion and delivery of surface water from the Boise River through the Settlers Irrigation District water diversion and delivery system.

8-16-89
Date

Steven D. Case
Signature

Steven D. CASE
(Please print full name)

8/16/89
Date

Shannon S Case
Signature

Shannon S. Case
(Please print full name)

MICROFILMED

SEP 08 1992

EXHIBIT A

940
990

LIMITED POWER OF ATTORNEY

I/We do hereby authorize and appoint Settlers Irrigation District and its duly elected and authorized officers and their agents to take all actions necessary or appropriate to prepare or cause to be prepared Notice of Water Right Claims and to execute and file the same on our behalf with the Idaho Department of Water Resources.

This authorization is limited to those Notice of Water Right Claims which describe and refer to water rights which allow the diversion and delivery of surface water from the Boise River through the Settlers Irrigation District water diversion and delivery system.

8-10-89
Date

Glen Stevenson
Signature
Glen Stevenson
(Please print full name)

8-10-89
Date

Adelia Stevenson
Signature
Adelia Stevenson
(Please print full name)

MICROFILMED
SEP 08 1992
EXHIBIT A

#940
#4990

LIMITED POWER OF ATTORNEY

I/We do hereby authorize and appoint Settlers Irrigation District and its duly elected and authorized officers and their agents to take all actions necessary or appropriate to prepare or cause to be prepared Notice of Water Right Claims and to execute and file the same on our behalf with the Idaho Department of Water Resources.

This authorization is limited to those Notice of Water Right Claims which describe and refer to water rights which allow the diversion and delivery of surface water from the Boise River through the Settlers Irrigation District water diversion and delivery system.

August 4, 1989
Date

W. H. Orr
Signature
WALLACE D. ORR
(Please print full name)

8/4/89
Date

Martha K Orr
Signature
MARTHA K Orr
(Please print full name)

MICROFILMED

SEP 08 1992

EXHIBIT A

#940
#790

LIMITED POWER OF ATTORNEY

I/We do hereby authorize and appoint Settlers Irrigation District and its duly elected and authorized officers and their agents to take all actions necessary or appropriate to prepare or cause to be prepared Notice of Water Right Claims and to execute and file the same on our behalf with the Idaho Department of Water Resources.

This authorization is limited to those Notice of Water Right Claims which describe and refer to water rights which allow the diversion and delivery of surface water from the Boise River through the Settlers Irrigation District water diversion and delivery system.

Date 8/23/89

Cheryl Kay Josephson
Signature

Cheryl K. Josephson
(Please print full name)

Date 8/23/89

Richard H. Josephson
Signature

RICHARD H. JOSEPHSON
(Please print full name)

MICROFILMED

SEP 08 1992

EXHIBIT A

IRRIGATION WATER SOURCES

Data based on 1975 agricultural season



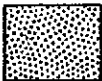
Private groundwater diversions



Combined small district and private Boise River diversions



Boise-Kuna Irrigation District (Boise River diversion)



Eagle Island Water Users (Boise River diversion)



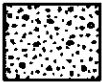
Farmers Union Ditch Co. (Boise River diversion)



Little Pioneer Ditch Co. (Boise River diversion)



Nampa-Meridian Irrigation District (Boise River diversion)



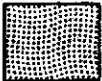
New York Irrigation District (Boise River diversion)



Pioneer Irrigation District (Boise River diversion)



Settlers Irrigation District (Boise River diversion)



Private Boise River tributary diversions



District surface water and supplemental private groundwater diversions

MICROFILMED

SEP 08 1992

Shelving No. 5119

EXHIBIT

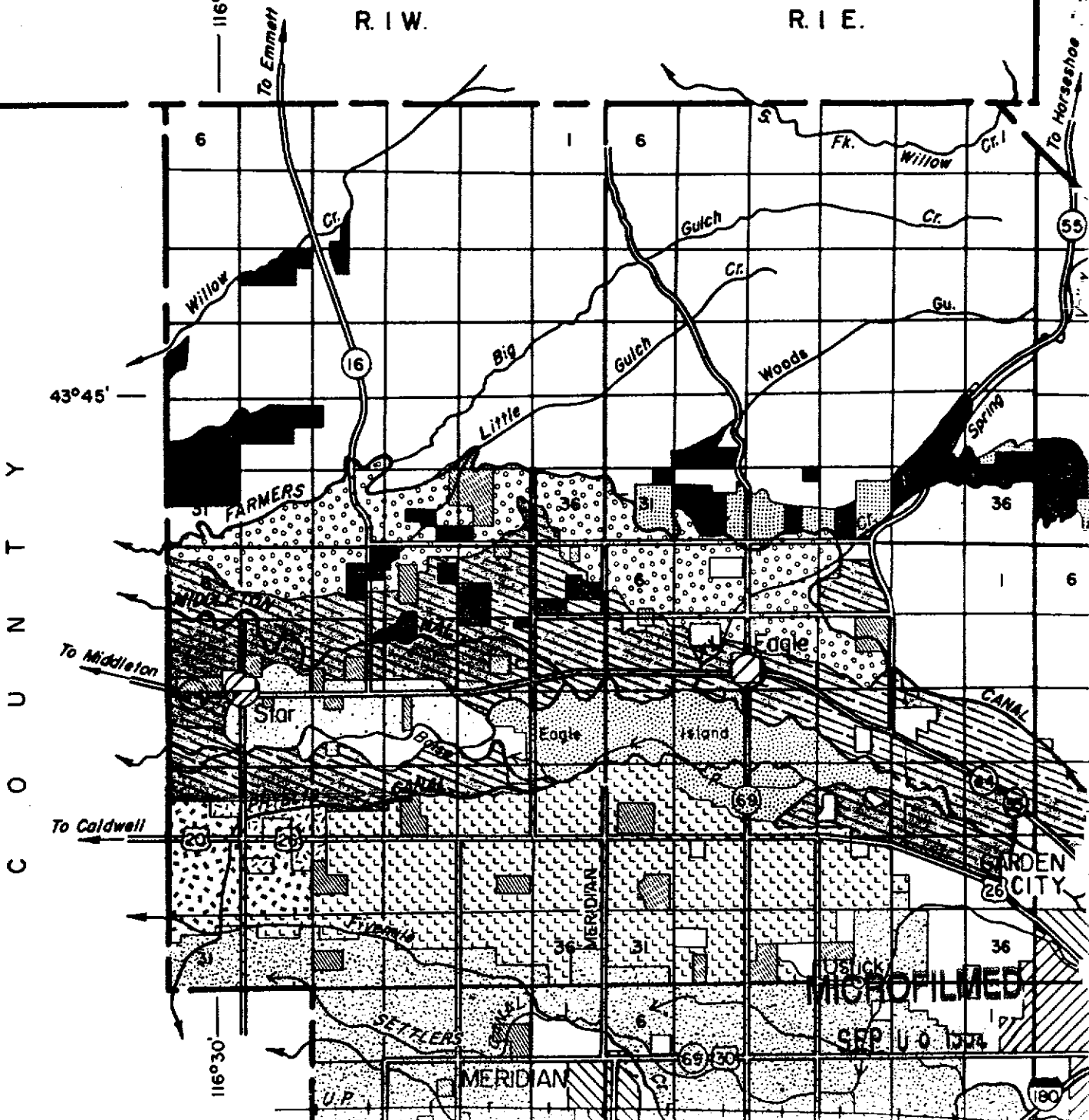
B



G E M C O U N T Y

R. I. W.

R. I. E.



STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 940

THIS IS TO CERTIFY, That Consumers Water Corporation, of Boise, Idaho, is the owner of and using a certain water right for 2500 inches, or 50 cubic feet per second, of the waters of Boise River, with priority of May 1, 1866, decreed to Joseph Perrault and Richard Z. Johnson, by Judge George H. Stewart, of the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Canyon, in the case of

FARMERS CO-OPERATIVE DITCH COMPANY,
A Corporation,
Plaintiff

vs.

RIVERSIDE IRRIGATION DISTRICT, Ltd.,
A Corporation, et al,

Defendants,

said decree bearing date of January 18, 1906 and being appurtenant to the following described lands, to-wit:

Town lots and agricultural lands lying under what is known as the Walling Ditch or Boise Valley Water Ditch, or Consumers Canal, in Sections 11, 12, 13 and 14, Township 3 North, Range 2 East, B. M., and Sections 28, 29, 32, 33 and 34, Township 4 North, Range 2 East, B.M.,

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 5 of Decrees, beginning at Page 410 thereof;

That the said Consumers Water Corporation has become the owner of said water right through mesne conveyance;

And that now, upon the application of the Consumers Water Corporation, through Frank Neitzel, President, of Boise, Idaho, for a Certificate of Transfer of Water Right, made before the State Reclamation Engineer of the State of Idaho, and the said application having been granted, the right to the use of 0.05 cubic feet per second or 2 1/2 miner's inches of the waters of Boise River upon the above described lands is hereby abandoned, and the lands to be irrigated under such right, and to which the water right HEREBY CONFIRMED shall become appurtenant, by this certificate, for irrigation and domestic purposes, are described as follows:

The E 1/2 of the North 2/3 of the S 1/4 of Section 32, T. 4 N., R. 1 E.B.M., in Ada County, EXCEPT easement for road 25 feet in width on and along the entire South side of the above described tract;

EXCEPT commencing at the SE corner of Section 32, T. 4 N., R. 1 E.B.M., in Ada County, Idaho; thence North 0°01' West along Section line 3980.83 feet to a point, the real place of beginning; thence South 00.01'

RECORDED

EXHIBIT C

East along section line 419.10 feet to a point;
thence North 59°26' West 210.87 feet to a point;
thence North 83°57' West 65.40 feet to a point;
thence North 61°38' West 108.35 feet to a point;
thence North 82°08' West 85.96 feet to a point;
thence North 64°43' West 125.25 feet to a point;
thence North 40°37' West 126.94 feet to a point;
thence North 52°58' West 137.11 feet to a point;
thence North 89°15' East 732.48 feet to the real
place of beginning, containing 22 acres, more or
less.

That the said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amount, to-wit:

0.05 cubic feet per second or 2 1/2 miner's inches,
with priority of May 1, 1866.

That the water right hereby transferred has heretofore been conducted to the first above described lands through what is known as the Walling Ditch, or Consumers Canal, with point of diversion in Section 24, Township 3 North, Range 2 East, B. M.,

That the water right hereby transferred will hereafter be conducted to the last above described lands through the Settlers Canal, with point of diversion in the NW1/4 Section 9, Township 3 North, Range 2 East, B. M.,

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 15th day of February, 1960.

GEO. W. CARTER
State Reclamation Engineer

EXHIBIT D

The claimants to this Notice of Claim to a Water Right (Water Right No. 63-0161/Water Right Transfer No. 990 & 940) are:

Names and Addresses

1. Frank Walters
P.O. Box 329
Yakima, WA 98907
2. Jack Sept
4255 North Eagle Road
Meridian, Idaho 83642
Telephone: (208) 362-3529
3. Steven Case
4145 North Eagle Road
Meridian, Idaho 83642
Telephone: (208) 939-0353
4. Glen Stevenson
4195 North Eagle Road
Meridian, Idaho 83642
Telephone: (208) 939-2384
5. Wally Orr
4405 North Eagle Road
Meridian, Idaho 83642
Telephone: (208) 939-2345
6. Cheryl Josephson
4305 North Eagle Road
Meridian, Idaho 83642

MICROFILMED
SEP 08 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

RECEIVED

FEB 21 2006

WATER RESOURCES
WESTERN REGION

IDAHO DEPARTMENT OF WATER RESOURCES

2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

TO

LUCILE GEARHART
4116 NE BOULDER CANYON
MESA, AZ 85207

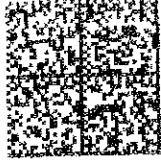
NOT DELIVERED
RETURN TO SENDER
UNDELIVERED
RETURNED

63-22225

63-22227

ADDRESS SERVICE

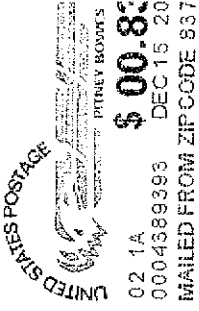
FIRST CLASS



02 1A
0004388393 15
MAILED FROM ZIP

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

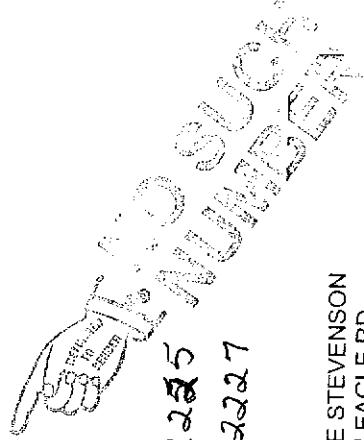
FIRST CLASS



RECEIVED

DEC 20 2005

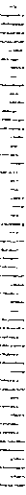
WATER RESOURCES
WESTERN REGION



63-222225
63-222227

GLEN E STEVENSON
4195 N EAGLE RD
MERIDIAN ID 83642

RECEIVED
DEC 13 2005
DEPARTMENT OF
WATER RESOURCES



11/30/2005

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

RIGHT NUMBER: 63-22227

NAME AND ADDRESS: GLEN E STEVENSON
4195 N EAGLE RD
MERIDIAN ID 83642

DAVE BUICH
82 E STATE ST SUITE B
EAGLE ID 83616

G GREGORY HALL
82 E STATE ST SUITE B
EAGLE ID 83616

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.050 CFS

PRIORITY DATE: 05/01/1866

POINT OF DIVERSION:

T03N R02E S9 NWNW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.050 CFS
Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.		

PLACE OF USE: IRRIGATION Within ADA County

T04N R01E S32 SENE 22.0

22 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 26.6 acres in a single irrigation season. Combined Right Nos.: 63-22225 and 63-22227.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is also designated as Right No. 30 in the Boise River Stewart Decree and the Boise River Water Distribution Report.

This right is a split of Right No. 63-161C.

This right is delivered via Settlers Irrigation District canal system.

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



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 14, 2005

LUCILE GEARHART
4116 NE BOULDER CANYON
MESA AZ 85207

RE: Snake River Basin Adjudication (SRBA)
Water Right Nos. 63-22225, 63-22227

Dear Ms. Gearhart:

We have been advised you may be the new owner of the property with the water rights referenced above (see enclosed report).

Before we can modify our records to reflect your ownership for a portion of these water rights, we need to have the enclosed Notice of Change of Water Right Ownership form completed. Please follow the instructions included with this form and return to our office with all of the required information.

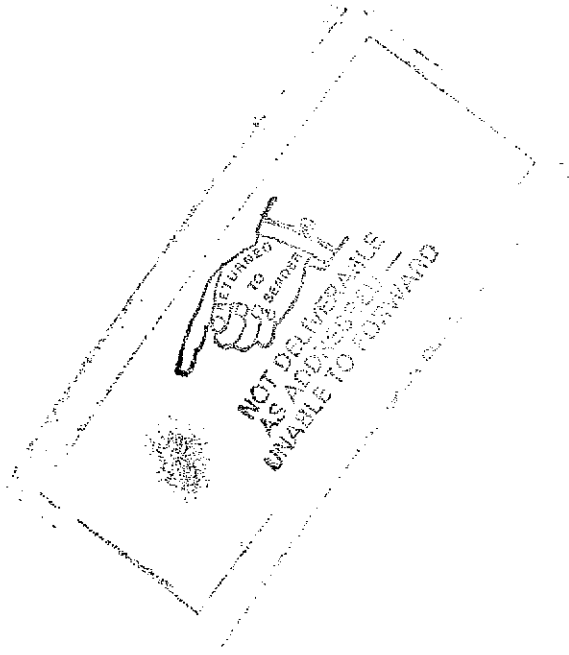
If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

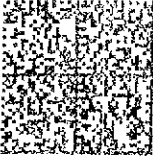
Adjudication Section
Western Region

LH:l
Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGIONAL OFFICE
35 AIRPORT WAY
BOISE, IDAHO 83705



FIRST CLASS



RECEIVED

NOV 10 2005

WATER RESOURCES
WESTERN REGION

FRANK WALTERS
PO BOX 329
YAKIMA WA 98907

63-222225

63-222227

Resent 11-14-05

Lucile Gearhart
4116 NE Boulder Canyon
Mesa AZ 85207



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 9, 2005

DANIEL G GIBSON JR.
19500 HWY 20-26
CALDWELL ID 83605-8770

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 63-22225, 63-22227

Dear Mr. Gibson:

We have been advised you may be the new owner of the property with the water right referenced above (see enclosed report).

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

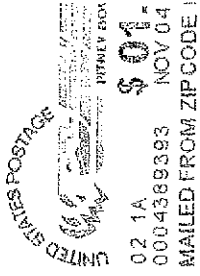
If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

Adjudication Section
Western Region

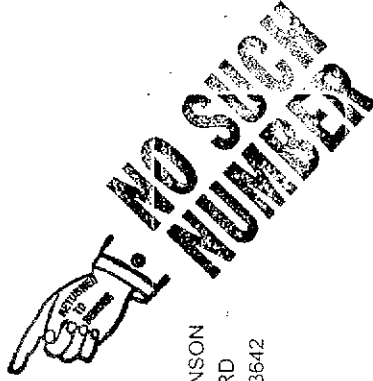
LH:1
Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
35 AIRPORT WAY
BOISE, IDAHO 83705



FIRST CLASS

RECEIVED
NOV 09 2005
WATER RESOURCES
WESTERN REGION



GLEN E STEVENSON
4195 N EAGLE RD
MERIDIAN ID 83642

63-22225
63-22227

Daniel G. Gibson Jr
19500 Hwy 20-26
Caldwell 83605-8770

Resent 11-9-05



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 9, 2005

DAVID BUICH
3497 N HOLL DR
EAGLE ID 83616

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 63-22225, 63-22227

Dear Mr. Buich:

We have been advised you may be the new owner of the property with the water right referenced above (see enclosed report).

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

If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

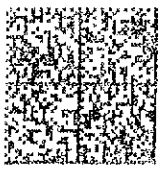
Adjudication Section
Western Region

LH:l
Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
35 AIRPORT WAY
BOISE, IDAHO 83705

UNITED STATES POSTAGE
02 1A \$04.1
0004389393 NOV 04
MAILED FROM ZIP CODE 83705

FIRST CLASS



 **NO SUCH
NUMBER**

JACK SEPT
4255 N EAGLE RD
MERIDIAN ID 83642

RECEIVED
NOV 09 2005
WATER RESOURCES
WESTERN REGION

63-22225
63-22227

sent 11-9-05

David Buick
3497 N. Hill Dr
Eagle 83616



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 9, 2005

BRENT LAW
4888 W CHERRY LN
MERIDIAN ID 83642-5358

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 63-22225, 63-22227

Dear Mr. Law:

We have been advised you may be the new owner of the property with the water right referenced above (see enclosed report).

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

If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

Adjudication Section
Western Region

LH:1
Enclosures

DNR
NT OF WATER RESOURCES
REGIONAL OFFICE
PORT WAY
HO 83705

FIRST CLASS



UNITED STATES POSTAGE
METRIC
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\$ 01.06⁰
NOV 04 2005
MAILED FROM ZIP CODE 83702

RECEIVED

NOV 09 2005

WATER RESOURCES
WESTERN REGION



STEVEN D CASE
4145 N EAGLE RD
MERIDIAN ID 83642

Resent
+ 11-9-05

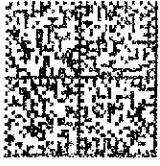
63-222225
63-222227

Brent haw
4888 W Cherry Ln
Meridian 83642-5358

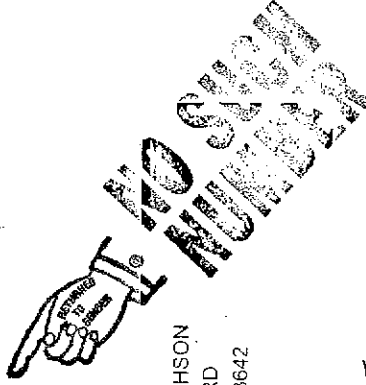
RESS SERVICE
REQUESTED

WESTERN RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

FIRST CLASS



UNITED STATES POSTAGE
FIRST CLASS
\$01.1
02 1A
0004369393 NOV 04
MAILED FROM ZIP CODE 8



CHERYL JOSEPHSON
4305 N EAGLE RD
MERIDIAN ID 83642

RECEIVED
NOV 09 2005
WATER RESOURCES
WESTERN REGION

63-22225

63-22227

4305 N. Eagle Rd
Boise 83713

Resent 11-9-05



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 8, 2005

WAYNE J IRISH
4405 N EAGLE RD
BOISE ID 83713

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 63-22225, 63-22227

Dear Mr. Irish:

We have been advised you may be the new owner of the property with the water right referenced above (see enclosed report).

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

If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

Adjudication Section
Western Region

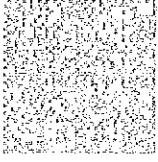
LH:l
Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
735 AIRPORT WAY
BOISE, IDAHO 83705



NO SUCH
NUMBER

FIRST CLASS



UNITED STATES POSTAGE
\$0.01
02 14
0004369393 NOV 04
MAILED FROM ZIP CODE

WALLY ORR
4405 N EAGLE RD
EAGLE ID 83616

63-22225
22227

RECEIVED

NOV 07 2005

WATER RESOURCES
WESTERN REGION

Wayne J. Irish
4405 N Eagle Rd
Boise 83713

Resent 11-8-05

10/31/2005

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

RIGHT NUMBER: 63-22227

NAME AND ADDRESS: WALLY ORR
4405 N EAGLE RD
EAGLE ID 83616

FRANK WALTERS
PO BOX 329
YAKIMA WA 98907

STEVEN D CASE
4145 N EAGLE RD
MERIDIAN ID 83642

GLEN E STEVENSON
4195 N EAGLE RD
MERIDIAN ID 83642

CHERYL JOSEPHSON
4305 N EAGLE RD
MERIDIAN ID 83642

JACK SEPT
4255 N EAGLE RD
MERIDIAN ID 83642

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.050 CFS

PRIORITY DATE: 05/01/1866

POINT OF DIVERSION:
T03N R02E S9 NWNW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.050 CFS
Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.		

PLACE OF USE: IRRIGATION Within ADA County

T04N R01E S32

SENE

22.0

22 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 26.6 acres in a single irrigation season. Combined Right Nos.: 63-22225 and 63-22227.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is also designated as Right No. 30 in the Boise River Stewart Decree and the Boise River Water Distribution Report.

This right is a split of Right No. 63-161C.

This right is delivered via Settlers Irrigation District canal system.

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-22227 V1

WATER RIGHT NUMBER: 63-22227 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CONSUMERS WATER CORP
	BOISE, ID
Original Owner	JOSEPH PERRAULT
	BOISE, ID
Current Owner	WALLY ORR 4405 N EAGLE RD EAGLE, ID 83616 (208)939-2345
Current Owner	FRANK WALTERS PO BOX 329 YAKIMA, WA 98907
Current Owner	STEVEN D CASE 4145 N EAGLE RD MERIDIAN, ID 83642 (208)939-0353
Current Owner	GLEN E STEVENSON 4195 N EAGLE RD MERIDIAN, ID 83642 (208)939-2384
Original Owner	RICHARD Z JOHNSON
	BOISE, ID
Current Owner	CHERYL JOSEPHSON 4305 N EAGLE RD MERIDIAN, ID 83642
Current Owner	JACK SEPT 4255 N EAGLE RD MERIDIAN, ID 83642 (208)362-3529

Priority Date: 05/01/1866

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.050 CFS	
	<u>Total Diversion:</u>	0.050 CFS	

Location of Point(s) of Diversion

BOISE RIVER	NW1/4NW1/4	Sec. 9, Twp 03N, Rge 02E, B.M.
ADA County		

Place of Use

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-22227 V1

IRRIGATION Within ADA County

T04N R01E S32 SENE 22.0

Total Acres: 22

Conditions of Approval:

1. S45 Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.
2. 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.
3. E56 The rights listed below are limited to the irrigation of a combined total of 26.6 acres in a single irrigation season. Combined Right Nos.: 63-22225 and 63-22227.
4. This right is also designated as Right No. 30 in the Boise River Stewart Decree and the Boise River Water Distribution Report.
5. This right is a split of Right No. 63-161C.
6. This right is delivered via Settlers Irrigation District canal system.
7. W54 Use of this right is combined with water from Settlers Irrigation District.

Remarks:Comments:

1. jshurte 10/31/2005 Overlap remarks
- Comment: See explanation of overlap remarks and conditions in 63-22225.

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>
Summary			03/02/2005	lharris	Active
Contacts	10/31/2005 11:35:26 AM	jshurte			Active
Priority Date	10/31/2005 11:36:04 AM	jshurte			Active
POD	10/31/2005 11:36:36 AM	jshurte			Active
Source	10/31/2005 11:36:53 AM	jshurte			Active
POU	10/31/2005 11:37:22 AM	jshurte			Active
Use	10/31/2005 11:55:39 AM	jshurte			Active
Season	10/31/2005 11:56:25 AM	jshurte			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-22227 V1

Quantity	10/31/2005 11:56:58 AM	jshurte		Active
Summary		10/31/2005	jshurte	Active

Water Supply Bank:

IDAHO DEPT OF WATER RESOURCES

Claim No. 63-22227

Twp. 4N Rge. 1E
Section 32

☐

Place of Use

☐

1/41/4 Lines

☐

Section Lines

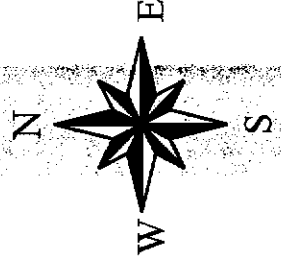


Pt. of Diversion

Prepared by:

Jan Shurte

10-31-05



0 1000 Feet



IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-22225

10/31/2005

1

Water Right #	Type	Twtp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
63-161BA	Claim	04N	01E	32	SW	NE		IRRIGATION	40/60	CHESNEY D LITTLE
63-22225	Claim	04N	01E	32	SW	NE		IRRIGATION	13.3/26.6	FRANK WALTERS <i>OK</i>
63-22226	Claim	04N	01E	32	SW	NE		IRRIGATION	13.3/93.3	JOHN TOLK <i>OK</i> <i>NOT REC.</i>
~~63-161BA~~	~~Water Right~~	~~04N~~	~~01E~~	~~32~~	~~SW~~	~~NE~~		~~IRRIGATION~~		~~CONSUMERS WATER CORP~~
~~63-161C~~	~~Water Right~~	~~04N~~	~~01E~~	~~32~~	~~SW~~	~~NE~~		~~IRRIGATION~~		~~CONSUMERS WATER CORP~~
63-3614B	Claim	04N	01E	32	SW	NE		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT <i>OK</i>
63-3618B	Claim	04N	01E	32	SW	NE		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT <i>OK</i>
63-5262B	Claim	04N	01E	32	SW	NE		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT <i>OK</i>
63-161BA	Claim	04N	01E	32	SE	NE		IRRIGATION	20/60	CHESNEY D LITTLE <i>OK</i> <i>NOT REC</i>
63-22225	Claim	04N	01E	32	SE	NE		IRRIGATION	13.3/26.6	FRANK WALTERS <i>OK</i>
63-22227	Claim	04N	01E	32	SE	NE		IRRIGATION	22/22	WALLY ORR <i>OK</i>
~~63-161AQ~~	~~Water Right~~	~~04N~~	~~01E~~	~~32~~	~~SE~~	~~NE~~		~~IRRIGATION~~		~~CONSUMERS WATER CORP~~
~~63-161BA~~	~~Water Right~~	~~04N~~	~~01E~~	~~32~~	~~SE~~	~~NE~~		~~IRRIGATION~~		~~CONSUMERS WATER CORP~~
~~63-161BE~~	~~Water Right~~	~~04N~~	~~01E~~	~~32~~	~~SE~~	~~NE~~		~~IRRIGATION~~		~~CONSUMERS WATER CORP~~
63-3614B	Claim	04N	01E	32	SE	NE		IRRIGATION FROM STORAGE	35/10964.2	SETTLERS IRRIGATION DISTRICT <i>OK</i>
63-3618B	Claim	04N	01E	32	SE	NE		IRRIGATION FROM STORAGE	35/10964.2	SETTLERS IRRIGATION DISTRICT <i>OK</i>
63-5262B	Claim	04N	01E	32	SE	NE		IRRIGATION FROM STORAGE	35/10964.2	SETTLERS IRRIGATION DISTRICT <i>OK</i>

5/2-RECEIVED

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-161C

WATER RIGHT NUMBER: 63-161C

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	RICHARD Z JOHNSON
	BOISE, ID
Original Owner	CONSUMERS WATER CORP
	BOISE, ID
Original Owner	JOSEPH PERRAULT
	BOISE, ID

Priority Date: 05/01/1866

Basis:

Status: See Remarks

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15	11/15	0.680 CFS	
	<u>Total Diversion:</u>		0.680 CFS	

Location of Point(s) of Diversion

BOISE RIVER	NW1/4NW1/4	Sec. 9,	Twp 03N,	Rge 02E, B.M.
ADA County				

Place of Use

IRRIGATION

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	17							X	X									
04N	01E	26							X										
04N	01E	32			40.0	40.0	40.0	40.0											160.0

Total Acres: 160

Conditions of Approval:Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-161C

1. General THIS WATER CARRIED THRU SETTLERS CANAL.
P/D S19, T3N, R3E.
TRANS. 694.
THIS RIGHT HAS BEEN SPLIT A63-22225 = 0.08 CFS FOR WALTERS, SEPT, CASE,
STEVENSON, ORR AND JOESPHSON, B.A.S. 5/8/90 A63-22226 = 0.30 CFS FOR TOLK AND
LITTLE, B.A.S. 5/8/90 A63-22227 = 0.05 CFS FOR WALTERS, SEPT, CASE, STEVENSON,
ORR AND JOSEPHSON, B.A.S. 5/8/90

Comments:Dates and Other Information:

Claim Received Date: 9/8/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
Water District Number: 63
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>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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(13)
(-5)
XVIII.

That the defendants JOSUAL PHILLIPS and RICHARD M. JOHNSON, and they are hereby awarded the use of the waters of Boise River, diverted from a point on the north bank of said river about four miles above Boise City, through what is known as the Tilling, or Boise Valley Water Ditch, for use upon the town lots and lands lying under said ditch for irrigating and domestic purposes, in the following amount and from the following date;

63 0161 5500 inches, from May 1, 1886; and hereby designated as Right No. 1

454	873	990	And that said defendants be awarded, for power purposes only, the use of said waters in the following amount from the following date, and it is hereby ordered that the quantity of water so awarded for power purposes shall be used for such purposes only, and after such use shall be returned to Boise River;
574	890	991	
901	906	1010	
912	917	1011	
913	918	1002	
920	940	1017	
927	976	1035	
929	977	1038	
933	979	1038	
934	980	1038	
935	989	1038	

63 0162 10000 inches, from July 1, 1887; and hereby designated as Right No. 2. And be adjudged to pay \$875.00 costs in addition to the costs incurred by them.

~~XXX~~. XXXX.

That the defendant WILLIAM P. KENNEDY, be, and he is hereby awarded the use of the waters of Boise River, diverted from said river at a point in the SW 1/4 of Sec. 17, T. 4 N. R. 1 E. B.M., for use upon the E. 1/3 of NE 1/4 and lot 1 of Sec. 15, and SE 1/4 of SE 1/4 of Sec. 12, T. 4 N. R. 2 E. B.M., in the following amount and from the following date;

63 0163 120 inches, from June 1, 1886; and hereby designated as Right No. 3. And be adjudged to pay \$9.10 costs in addition to the costs incurred by him.

~~XXX~~. XXXX.

That the defendants FRANK E. LEONARD, TERA E. LEONARD, J. C. D. MARVILLE and OWEN C. LEONARD, be, and they are hereby awarded the use of the waters of Boise River, diverted from a point on the south side of said river in Sec. 15, T. 3 N. R. 2 E. B.M., at a point a short distance east of the NW corner of said section; also at a point on Sec. 9, a short distance west of said section corner, and also a short distance below on said Section 9, all in T. 3 N. R. 2 E. B.M., for use upon an irregular shaped tract of land in lot C, and W. 1/2 of SE 1/4 of Sec. 9, T. 3 N. R. 2 E. B.M., and an irregular tract in the N. 1/2 and the SE 1/4 of Sec. 9, T. 3 N. R. 1 E. B.M., in the following amount and from the following date;

63 0164 175 inches, from June 1, 1866, and hereby designated as Right No. 4

-1879 relinquished
1906
1866
And be adjudged to pay \$13.25 costs in addition to the costs incurred by them.

Receipt Details for ID C011305

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
9/8/1989 10:08:08 AM	9/8/1989	State	\$12,715.00	Check
Payer		SETTLERS' IRRIGATION DIST		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
8265			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$12,715.00	ADJUDICATION 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	230	F	\$10,675.00	Claim
63	161	G	\$50.00	Claim
63	161	N	\$50.00	Claim
63	22227		\$50.00	Claim
63	22226		\$70.00	Claim
63	22225		\$50.00	Claim
63	161	BG	\$50.00	Claim
63	161	V	\$100.00	Claim
63	161	AX	\$50.00	Claim

63	161	AV	\$50.00	Claim
63	161	Z	\$50.00	Claim
63	161	AJ	\$50.00	Claim
63	161	AL	\$70.00	Claim
63	161	AN	\$50.00	Claim
63	161	BA	\$50.00	Claim
63	161	A	\$50.00	Claim
63	161	T	\$50.00	Claim
63	231		\$50.00	Claim
63	230	C	\$50.00	Claim
63	124	F	\$50.00	Claim
63	124	H	\$50.00	Claim
63	214	A	\$50.00	Claim
63	199	A	\$130.00	Claim
63	124	K	\$50.00	Claim
63	198	A	\$64.00	Claim
63	257		\$90.00	Claim
63	161	AC	\$50.00	Claim
63	230	B	\$50.00	Claim
63	120	H	\$130.00	Claim
63	198	Y	\$70.00	Claim
63	170	A	\$50.00	Claim
63	169	A	\$50.00	Claim
63	161	J	\$50.00	Claim
63	161	Q	\$50.00	Claim
63	161	BW	\$50.00	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

63-22225
22227

2198

Boise 83713

OK JACK SEPT
4255 NORTH EAGLE F
-MERIDIAN ID 83642-

Sent again 6-14-02

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

Return Service Requested

63-22225
22227

8411 Brynwood Dr.

Boise 83104

Sent Again 6-14-02

PRESORTED
FIRST CLASS

STREET AND/OR NUMBER
HAS BEEN CHANGED BY
LOCAL AUTHORITY
ONE YEAR TIME LIMIT
HAS EXPIRED

RECEIVED

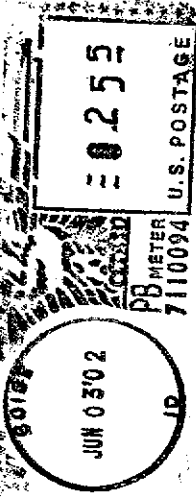
JUN 12 2002

WATER RESOURCES
WESTERN REGION

SEPT255 636422222 IN 08 06/05/02
RETURN TO SENDER

NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER

63720-0098 636422222



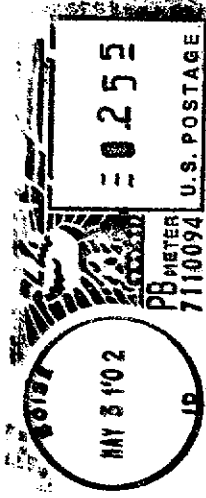
PRESORTED
FIRST CLASS

NOT DELIVERABLE
AS ADDRESSED
UNABLE TO FORWARD
GLEN STEVENSON
4195 NORTH EAGLE RD
MERIDIAN ID 83642

RECEIVED

JUN 07 2002

WATER RESOURCES
WESTERN REGION



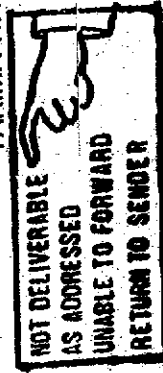
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

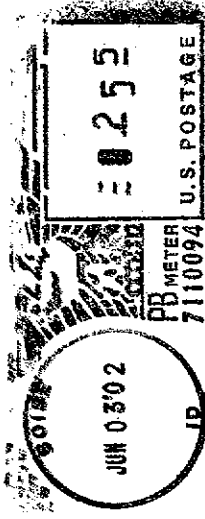
63-22225
22227

(several found)

FRANK WALTERS
PO BOX 329
YAKIMA WA 98907



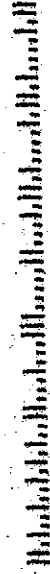
PRESORTED
FIRST CLASS



RECEIVED

JUN 11 2002

WATER RESOURCES
WESTERN REGION



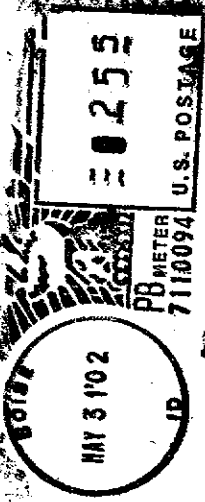
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

63-22225
22227

found

PRESORTED
FIRST CLASS



**NOT DELIVERABLE
AS ADDRESSED,
UNABLE TO FORWARD**

WALLY ORR
4405 NORTH EAGLE RD
MERIDIAN ID 83642

RECEIVED

JUN 06 2002

WATER RESOURCES
WESTERN REGION

83720-0098
83642-7021



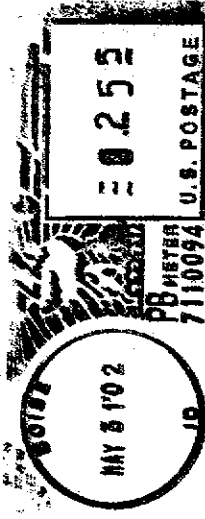
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

63-2225
2227

⊙ - appears to be
unlisted

PRESORTED
FIRST CLASS



NOT DELIVERABLE
AS ADDRESSED,
UNABLE TO FORWARD

CHERYL JOSEPHSON
4305 NORTH EAGLE RD
MERIDIAN ID 83642

RECEIVED

JUN 06 2002

WATER RESOURCES
WESTERN REGION

83720-0098 2225 2227

Return Service Requested

63-2225
2227

Ø bunde watching

60197
MAY 3 1962
19

NOT DELIVERABLE
AS ADDRESSED,
UNABLE TO FORWARD

STEVEN D CASE
4145 N EAGLE RD
MERIDIAN ID 83642

RECEIVED

JUN 06 1967

**WATER RES.
WESTERN REGION**

04-000000-000000

[illegible]

MEMORANDUM

June 22, 1995

TO: SRBA Claims Submitted by Settler's Irrigation District

FROM: KAY WALKER *Kay*

RE: Correspondence prior to June 22, 1995

See File A63-00230F for all correspondence concerning
Settler's claims and claims they submitted for private individuals.

MICROFILMED
OCT 09 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

March 20, 1995

R. KEITH HIGGINSON
DIRECTOR

RE: Notice of Claims to Water Rights Submitted by Settlers Irrigation District

Scott L. Campbell
ELAM & BURKE
P.O. Box 1539
Boise, ID 83701

Dear Mr. Campbell:

We have received the amended claim forms for Rights Nos. A63-00231, A63-00161AC and A63-22227 and our computer records have been updated accordingly.

We are also in receipt of Claims A63-00230B and A63-00231B which were submitted to replace A63-27516; and A63-00231C and A63-00230C which were to replace A63-22192. Since the two additional claims arrived without a filing fee I have used \$100.00 of the fee submitted under Receipt W018420 for these claims so I could update our records. Also, I am once again requesting a copy of "Exhibit D" that was attached to the claim (previously number A63-22192) for Jessie Allen, Earl Holbert, Fred Wilhelm and/or Esther Strain.

I still need to have the original forms of Claims A63-00161Q (Trans. No. 737), A63-00161J (Trans. No. 712), A63-00170A (Trans. No. 736) and A63-00169A (Trans. No. 871) returned to me. Troy and I went over the place of use to be assigned to each of these claims on January 6, 1995, but he did not have the original claim forms in his possession.

I am also awaiting submittal of the claims you were to re-submit for the storage water under Right Nos. 63-03614, 63-03618, and 63-05262. As stated above, I have assigned monies from Receipt No. W018420 to Claims A63-00231C and A63-00231B so Settler's only has an unused balance of \$50.00.

If you have any questions in regard to this letter please feel free to contact me.

Sincerely,

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

cc: Settlers Irrigation District

11/20/95
OCT 09 1995

ELAM & BURKE
A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
Established in 1928

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

SCOTT L. CAMPBELL

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MAR 15 1995

WATER RESOURCES
WESTERN REGION

TELEPHONE
208-343-5454

FACSIMILE
208-384-5844

March 14, 1995

Ms. Kay Walker
Senior Water Resource Agent
State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

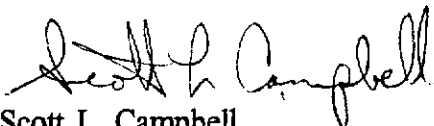
Re: Notice of SRBA Claims to Water Rights

Dear Ms. Walker:

Enclosed please find executed Notices of Claim which were prepared by you on behalf of Settlers' Irrigation District. Please do not hesitate to contact me if you have any questions.

Very truly yours,

ELAM & BURKE
A Professional Association


Scott L. Campbell

SLC:ma
Enclosures

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COMMUNICATION DOCUMENTATION

IDWR Agent: Kay Walker

Date: January 6, 1995

Contact Person: Vicki and Troy at Settlers Irrigation District Office

Nature of Contact: Vicki called and asked if we could meet to discuss my correspondence of 12/22/1994; I went to their office so they could access their records if necessary.

Substance of Communication:

1. We went over the place of use descriptions that need to be added to Claims referencing Transfer Nos. 712, 871, 736, and 737 as discussed under paragraph 2 of my letter. Settler's did not have possession of the original claim forms so we could not insert the information on the forms; Scott Campbell has the original claims so we will have to add the place of use descriptions when the claim forms are brought in. Troy gave me the legal descriptions to be inserted. We did not check the descriptions to see if additional fees will be required.

2. We discussed the amended claim forms that I had sent to Scott with my correspondence (see paragraphs 3 and 4). We went over the reasons for amending the claims so that they knew why the claims were being amended.

3. We discussed the splitting of Claims A63-22192 and A63-27516. I again explained that the priority of the combined claims would require a loss in priority for portions of the combined claims and the splitting would resolve any loss of priority. We also discussed the matter of an additional \$100. fee to submit the "split" claims (see paragraph 5 of 12/22/94 correspondence).

4. Regarding paragraph 6 of my letter: We determined that it was up to Scott to decide if Claim A63-22192 had been underclaimed. I told them how I had printed the claims from our water rights data base and that it appeared that they had only claimed 1/2 of the water that this claim was based on (i.e. Transfer No. 50). They did not know why only 0.20 cfs had been claimed.

5. We discussed paragraph 7 and that Scott had told me these claims would be re-submitted. Again, Scott has the original forms returned in 3/29/94 correspondence. They also inferred that Settler's had decided to go ahead and file these claims even though the Bureau of Reclamation has filed on the same rights.

6. Vicki and Troy said that Scott was checking into getting a map of the district's boundaries pursuant to paragraph 8.

Vicki and Troy said that I could contact them with any other questions that they could help me with, even though they know I have to go through Scott since he is shown as their representative on the claims. I told them they could contact me, too, if they had any questions, since the Judge had lifted the gag order and we could now communicate with claimants.

I also told them I would run a listing of all the claims once we had them in the data base.

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OCT 09 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

December 22, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

RE: Notice of SRBA Claims to Water Rights Submitted by Settlers
Irrigation District

Scott L. Campbell
ELAM & BURKE
P.O. Box 1539
Boise, ID 83701

Dear Mr. Campbell:

I am a little confused as to which claims I am supposed to contact you about and which I am to contact Settler's about so I am going to include all the information, regarding my letter of March 29, 1994, in this correspondence. I hope this is not an inconvenience to you. I will try to keep this letter in the same format as the March 29th letter in order to respond to what has been done so far in regard to the claims and the information I had requested.

It is my understanding that Vicki and Troy are still in possession of the original claims for Rights A63-00161Q (Trans. No. 737), A63-00161J (Trans. No. 712), A63-00170A (Trans. No. 736) and A63-00169A (Trans. No. 871). I still need to have the place of use information attached to each of these claims and the original claims returned to me for data entry. Also, these claims may need additional filing fees if the acres they cover are not included on a claim that has been paid for.

Pursuant to my visit with Vicki and Troy, at Settler's office on August 19, 1994, I have prepared and enclosed amended claims for Rights A63-00161AC (Trans. No. 829) and A63-22227 (Trans. No. 940). I had made notes on these claims that the place of use needed to be modified, so this is what the amended claims are to accomplish.

Enclosed you will find an "amended" version of Claim A63-00231, as per our visit on November 29th. The amended form adds 200 acres to the place of use, as was done to Claim A63-00230F in March of 1992. The 200 acres are located within Twp. 3N, Rge. 1E, Sec. 5 and Twp. 3N, Rge. 1W, Sec. 5. The addition of these lands is the only change I have made to this claim.

Also enclosed are claims A63-00230C and A63-00231C which were combined under No. A63-22192 (Trans. No. 50) when originally submitted. Claims A63-00230B and A63-00231B, which were combined under number A63-27516 (Trans. No. 45), are also enclosed. Since

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one \$50.00 fee was submitted for each of the combined claims we will require an additional \$100.00 for submittal of the "separated" claim forms. The fees submitted for Claims A63-22192 and A63-27516 will be applied to the submittal of two of the "separated" claim forms.

Please note that the amount of water claimed under No. A63-22192 (0.20 cfs) does not match the amounts shown on A63-00230C and A63-00231C. Transfer No. 50 described an amount of 20" of water which would equal 0.40 cfs, which is what the combined amounts of A63-00230C and A63-00231C will be if submitted as prepared. I am not sure why the entire 20" of water was not claimed when A63-22192 was submitted so I have left the amount of water as shown in the water rights data base. If this is not correct, please change the forms to show the amount of water Settlers wants to claim. Also, I have misplaced my copy of "Exhibit D" that was attached to Claim A63-22192. If you have another copy could you please send me one?

In my March 29th correspondence, I returned the claims Settlers had submitted on Rights 63-03614, 63-03618 and 63-05262. These claims were submitted for storage water within federal facilities and I had returned them because the rights had already been claimed by the U.S. Dept. of Interior, Bureau of Reclamation. During your visit on November 29th, you stated that these claims would be pursued. I need to have the original claim forms back to proceed with them. Filing fees for these claims have been submitted under Receipt W018420 (part of the \$294.00 that I had requested).

I am also enclosing a copy of Page 18 of the Adjudications Rules and Regulations which says a map showing the boundaries of the irrigation district must be submitted with their claims. It is my understanding that Settlers were not intending to submit a map, which would be very useful in reviewing their claims. Hopefully this copy of the rules and regulations will persuade them.

Please have Settlers sign the amended and "separated" claim forms in the presence of a notary public and return them to me, along with the other claims mentioned above. Once I have received the signed forms I can update our records. If you find that changes need to be made to any of these forms, please make the changes prior to Settlers signing the forms and I will incorporate those corrections when I update our records. If you have any questions in regard to this letter please feel free to contact me.

Sincerely,



KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

cc: Settlers Irrigation District

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OCT 09 1936

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GLEN STEVENSON 4195 NORTH EAGLE ROAD MERIDIAN ID 83642 (208) 939-2384	05/01/1866	IRRIGATION	03-15 11-15	0.05 CFS	
C	WALLY ORR 4405 NORTH EAGLE ROAD MERIDIAN ID 83642 (208) 939-2345				0.05 CFS	
C	FRANK WALTERS P.O. BOX 329 YAKIMA WA 98907					
C	JACK SEPT 4255 NORTH EAGLE ROAD MERIDIAN ID 83642 (208) 362-3529					
C	STEVEN CASE 4145 NORTH EAGLE ROAD MERIDIAN ID 83642 (208) 939-0353					
C	CHERYL JOSEPHSON 4305 NORTH EAGLE ROAD MERIDIAN ID 83642					
TOTAL DIVERSION: CONSUMPTIVE USE:					0.05 CFS	77.00 AFA

Stage: DECREED

Tributary to: SNAKE RIVER

Water Source: BOISE RIVER

Point(s) of Diversion: T03N R02E S09 NWNW

Place of use Legal Description for: IRRIGATION

NE		SE		SW		NW		SUM	
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt
04N	01E	32							
TOTAL ACRES									22.0
TOTAL ACRES									22.0

POU County: ADA

Non-Irrigation Uses: NA

Other Rights: 63-230, 63-231, 63-5262, 63-3618, 63-3614

Remarks: THIS WATER CARRIED THRU SETTLERS CANAL.
P/D S19, T3N, R3E.
TRANS. 940

per x
visit
8/19/94
w/ Settlers
OCT 09 1998



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 29, 1994

RE: Notice of SRBA Claims to Water Rights Submitted by Settlers
Irrigation District

Scott L. Campbell
ELAM & BURKE
P.O. Box 1539
Boise, ID 83701

Dear Mr. Campbell:

We have completed our initial review of the claims submitted by Settlers Irrigation District. During this review of the claims, we encountered several problems which must be clarified &/or addressed before we can process the information.

The claims submitted on Rights A63-00161Q, A63-00161J, A63-00170A and A63-00169A refer to Water Right Transfers Nos. 737, 712, 736 and 871 respectively. We cannot data enter these claims until we receive further information in regard to the place of use for these rights, so we are returning the original claims to you with this letter. Although the transfers attached to the claims identify legal descriptions of the place of use, they are not specific enough. We must have the number of irrigated acres in each 40-acre tract identified on the claims. To aid you and your clients in completing this, I have attached an ortho-photo quad to each of these claims which I have marked the place of use identified on the transfer for your convenience. Please mark the number of acres in each 40-acre tract on the ortho-photo quads and return the claims and quads to me.

I found that Claim Nos. A63-00161AN, A63-00161A, A63-00161AC, A63-00161BA, A63-00161T, A63-00198A and A63-22227 have been data entered with information contained on the transfer attachments. In reviewing these claims I believe that we need to confirm that the place of use has been accurately described. Copies of these claims and corresponding ortho-photo quads with the place of use marked are enclosed for your review. If you find that the legal descriptions are not correct, amended claims will need to be submitted.

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Enclosed for your files are the yellow copies of Notice of Claims to Water Right Nos. A63-00230 (amended by Settler's Irrigation District on March 18, 1992 to include 200 additional acres; and then renumbered to A63-00230F pursuant to our water right records), and A63-00231. Also enclosed are data entered copies of these claims. I am wondering if Claim A63-00231 should also be amended to include the 200 acres added to A63-00230F. If so, please advise me and I will prepare an amended claim for your convenience.

In reviewing Claims A63-00230F and A63-00231, along with other claims submitted on the original rights, I have found that the claims are in excess of the original decreed amount. Right 63-00230 was decreed for 99.06 cfs and was then split into parts by transfers of portions of the right. Right 63-00231 was decreed for 73.44 cfs and was then split into parts. The claims will be scrutinized when we conduct our field review to avoid showing an expansion of the decreed amounts.

We have received a claim, which we numbered A63-22192 (evidenced by Transfer No. 50), which is a combination of Rights 63-00230C (priority of 10/17/1884) and 63-00231C (priority of 6/1/1891), and a claim which we numbered A63-27516 (evidenced by Transfer No. 45) which is a combination of Rights 63-00230B and 63-00231B. Be advised that since these rights have been combined on one claim form the priority date may be advanced to the priority of the latter of the two rights (6/1/1891).

Enclosed are Claim Nos. A63-03614, A63-03618, and A63-05262 which are for storage of water within federal facilities. The original water rights are in the name of the U.S. Dept. of Interior, Bureau of Reclamation. Claims for these rights have been submitted by the Bureau of Reclamation, resulting in duplicate filings. As you can see, these claims are not included in the breakdown of the fees previously submitted and will require filing fees if pursued.

I did not locate a SRBA claim on Right 63-00287 (old number 85-A) which is for 36" of water to be delivered through Settlers Canal. I have included a listing of the current water right record for your information. A claim should be submitted if Settlers delivers this 36" of water through their system.

Enclosed is a breakdown of the fees submitted under Receipt No. C011305 as shown in our records. Please note that we have not received the correct filing fees for Settler's claims. I have found that some of the claims submitted are for irrigation of lands that are not included under the land list on Claim A63-00230F. Based on review of the claims that I could complete an overlap review on, the filing fees due are \$294.00. There are several claims (as discussed in paragraph 2) that I could not determine if the lands were previously paid for or not. I have also enclosed a summary to show where the additional fees are required.

It would be very helpful for our review of these claims if Settlers would submit a map showing all of the lands currently receiving water

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from their system. We have found using ortho-photo quads for platting this information is helpful.

Please complete the above items, **initial and date any changes or additions** to the claim forms, and return them, with the requested fee, to our office. We will begin our field review of Basin 63 at the end of this summer and these claims need to be in our computer system by then. If you need help in completing the items identified or have any questions concerning this letter, please feel free to contact me. I would be happy to meet with you and/or board members from Settlers, if you would like to call and set up an appointment.

Sincerely,



KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:kw
Enclosures

cc: Settlers Irrigation District

60-800-1400
OCT 09 1994