



State of Idaho
Idaho Department of Water Resources
Western Region

T4N R2E SECTION 28
Water Right(s) : 63-31300



1320 0 1320 Feet



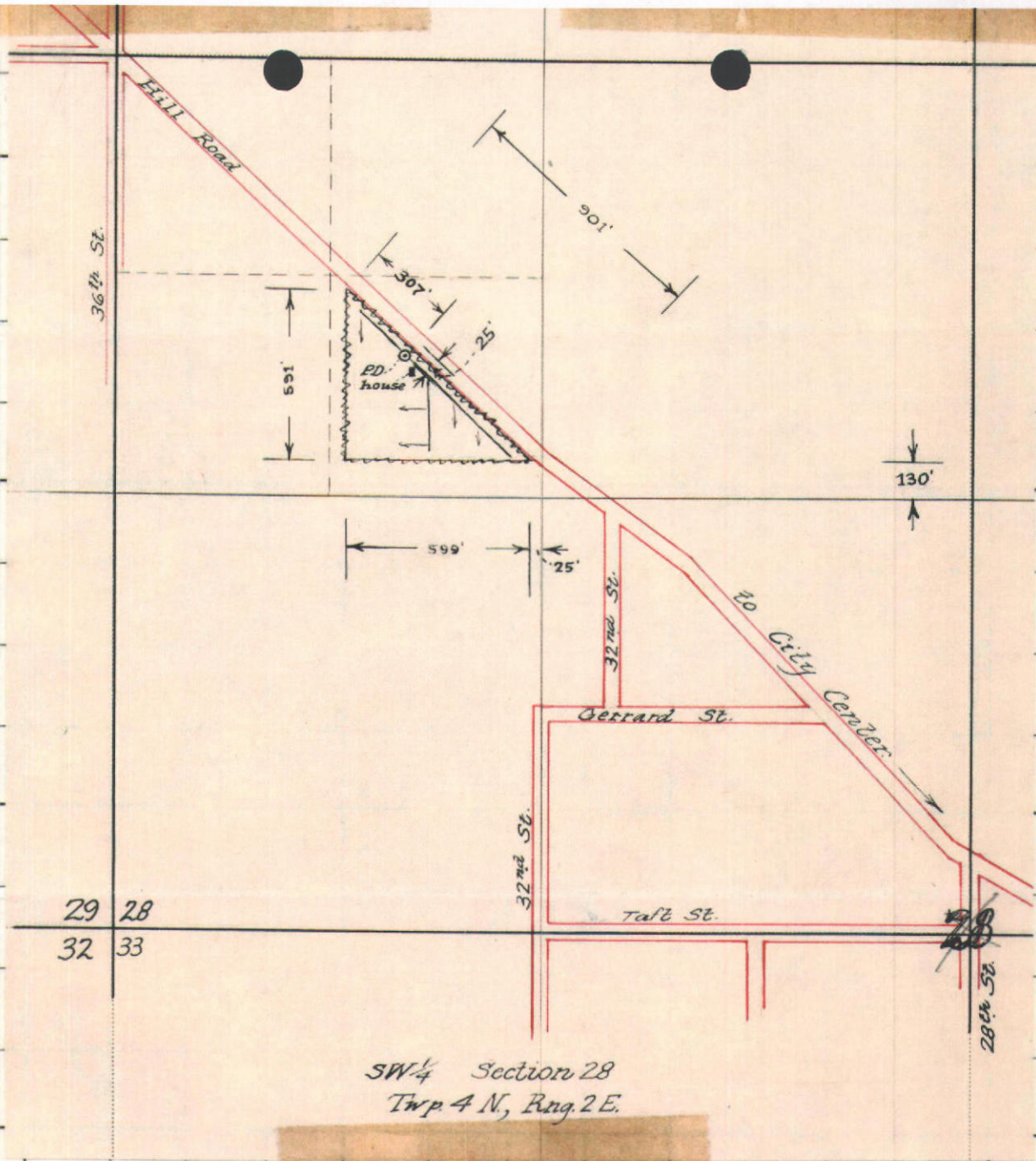
- Point of Diversion
- Place Of Use
- Quarter Quarter Lines
- Section Lines

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared By: Vicky Music
Date: January 2005



63-31300 - 2003 aerial. lot is 1.8 acres of original 4.3 acre parcel that was licensed as 63-2884. Appears that approx 1.5 acres are irrigated.

63-31300 to south is the remainder of 63-2884 and is 2.5 acres. Entire 2.5 acres is irrigated.



Area Irrigated = 4.06 (approx.)

$Q = 19.1''$ (.47 ft. or $5\frac{5}{8}''$ over Triangular Weir)

Crop = Hay, Pasture, Garden, Fruit Trees.

Temp = $57^{\circ}F$

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 63-31300
Date Received: 5/17/1989
Receipt No:
Received By:

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

1. Name of Claimant(s): LILA M RENK IRREVOCABLE LIVING TRUST Phone: (208) 378-0785
C/O BENJAMIN B RENK TRUSTEE
9110 CHELAN
BOISE ID USA 83714
- RICHARD C RENK IRREVOCABLE LIVING TRUST Phone: (208) 378-0785
C/O BENJAMIN B RENK TRUSTEE
9110 CHELAN
BOISE ID USA 83714

2. Date of Priority: 09/18/1951

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	02E	28	NW SW	ADA	

5. Description of diverting works:

WELL, 34' DEEP, 3 HP TURBINE PUMP, MOTOR, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.05	

SCANNED
OCT 05 2006

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	02E	28	NW SW		IRRIGATION	2.5
					Section Acres	2.5
					Total Acres	2.5

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 claim is the result of a split due to change in ownership for a portion of 63-2884. DB 9/21/2001

15. Basis of Claim: License

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

RECEIVED**SEP 04 2001****WATER RESOURCES
WESTERN REGION**

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-2884	463-2884	Y			

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. **N/A**
- 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)

RICHARD C RENK
3311 HILL RD BOISE 83703

4. New Owner/Claimant(s)

see attached
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

City, State and ZIP Code

New Telephone Number

5. Date you acquired the property

8/29/2001 - Trust 2
11/24/1992 - Trust 1

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 <u>Trust 1</u>		
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	<u>.04</u>	<u>1.8 ac</u>
Stock	_____	_____
Domestic	<u>.01</u>	<u>1 home</u>
Other _____	_____	_____
Total	<u>.05</u>	_____

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 <u>Trust 2</u>		
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	<u>.05</u>	<u>2.5</u>
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	<u>.05</u>	_____

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 <u>g</u>	Date <u>9/4/01</u>	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____	AJ Date _____	WR _____ Date _____

Trust 1 : Richard C. and Lila
M. Renk Trust

.01 cfs DOM

.04 cfs IRR

N/C in address or Phone #

Trust 2 : Richard C. and Lila
M. Renk Irrevocable
Living Trust
.05 IRR

c/o Benjamin B Renk,
Trustee

9110 Chelan, Boise 83714

208-378-0785

RECEIVED

SEP 04 2001

WATER RESOURCES
WESTERN REGION

63-2884 → (.1 cfs total)
Split



Richard C + Lila M Renk Trust

Same address

63-31299

1.8 ~~4.5~~ acres

.64 cfs IRR

.01 cfs domestic

.05 total

63-31300

→ Richard C + Lila M Renk Irrevocable

Living TRUST

C/O Benjamin B Renk Trustee

9110 Chelan Boise 83714

208-378-0785

.05 cfs IRR

2.5 ~~4.5~~ acres

(5/17/89)

AFFIDAVIT OF TRUST

STATE OF IDAHO)

:ss.

COUNTY OF ADA)

RICHARD C. RENK AND LILA M. RENK, the undersigned, state and declare:

1. That they are the Grantors and Trustees of the RICHARD C. AND LILA M. RENK Trust created on the 24th day of November, 1992. They presently reside at 3311 Hill Road, Boise, Idaho 83703.
2. That each of the undersigned as parties to the Trust are authorized by the specific provisions of the Powers of the Trustee to act independently of each other.
3. That each of the parties, independently of the other, has the power to transfer the title to each motor vehicle listed below *into* the name of this Trust and *out of* the name of this Trust.
4. Please transfer the ownership of the vehicles described below to the RICHARD C. AND LILA M. RENK TRUST.

Year and Make	Identification Number.
---------------	------------------------

See exhibit "A" attached.

5. The authorized signatures on the title(s) are:
RICHARD C. RENK, Trustee
LILA M. RENK, Trustee.

6. Said Trust is still in full force and effect and has not been amended.

RICHARD C. RENK and LILA M. RENK jointly declare the foregoing statements to be true and correct under penalty of

perjury.

Dated this 24th day of November, 1992 at Boise, Idaho.

Richard C. Renk
RICHARD C. RENK

Lila M. Renk
LILA M. RENK

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

On this 24th day of November, 1992 before me personally appeared **RICHARD C. RENK** and **LILA M. RENK**, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

Lisa M. Allen
Notary Public in and for
The State of Idaho
Residing at Boise, Idaho.
My commission expires 8-6-93.

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

WARRANTY DEED
2001 AUG 29 PM 4:21
AUG 29 PM 4:21

TRUST 2
RECORDED - REQUEST OF

Lingit
clock 9.00
FEE DEPUTY *Mhaph*

101088891

FOR VALUE RECEIVED, RICHARD C. RENK and LILA M. RENK, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto BENJAMIN B. RENK, Trustee of the Richard C. and Lila M. Renk Irrevocable Living Trust, 9110 Chelan Avenue, Boise, Idaho 83714, Grantee, the following described premises, situated in County of Ada, State of Idaho, to wit:

SEE EXHIBIT A

This conveyance shall include the water rights associated with the property currently in the amount of .055 cubic feet per second, excepting that the Grantors reserve the right to use a reasonable amount of the water for their use on the proeprty located at 3311 Hill Road, Boise, Idaho (1.88 acres) as long as the Richard C. and Lila M. Renk Irrevocable Living Trust is in existence.

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

Dated this 29 day of August, 2001.

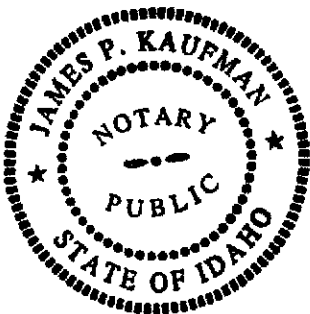
Richard C. Renk
Richard C. Renk

Lila M. Renk
Lila M. Renk

STATE OF IDAHO)
) SS:
County of Ada)

On this 29 day of August, 2001, before me, a Notary Public, personally appeared RICHARD C. RENK and LILA M. RENK, husband and wife, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have set my hand and seal the day and year first above written.



James P. Kaufman
Notary Public for Idaho
Residing at Boise, Idaho
My Commission Expires: 22 Apr 04

EXHIBIT A

Beginning at a point which is 130 feet North and 25 feet West of the center of the Southwest 1/4 of said Section 28, Township 4 North, Range 2 East, Boise Meridian, thence West 629.83 feet; thence North 0°-20' East 190.0 feet; thence East 299.83 feet; thence North 121.89 feet to the Southwest side of the Foot Hill Road; thence South 46°37' E. 454.06 feet to the point of beginning, and containing 2.5 acres more or less.

LESS

Beginning at a point which is 130 feet North and 25 feet West of the center of the Southwest 1/4 of said Section 28, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, and running thence North 46°37' West along the Southerly side of Hill Road a distance of 20 feet; thence Southwesterly to a point 30 feet West of the place of beginning; thence East 30 feet to the point of beginning. To be used for road purposes only.

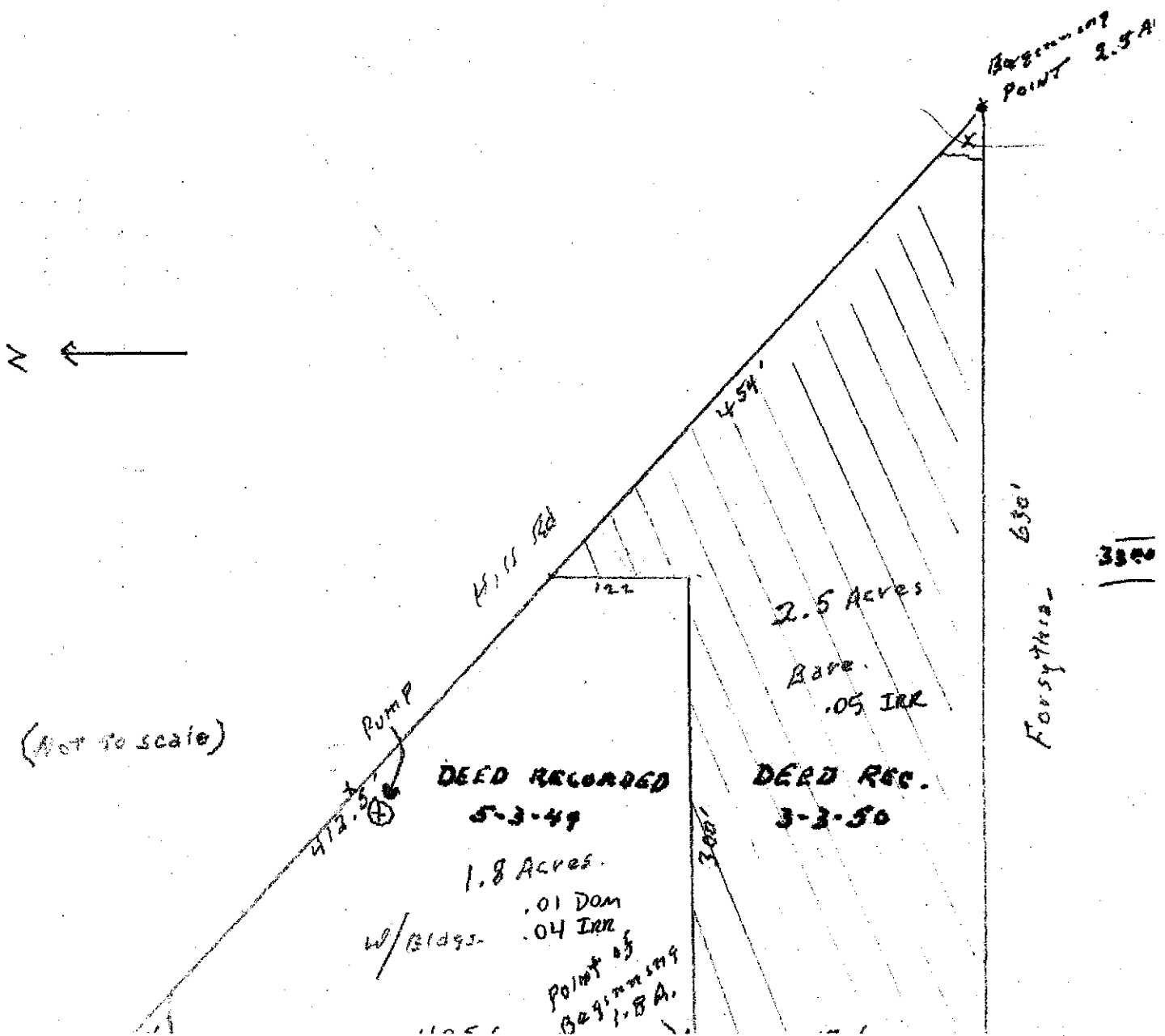
AND

A triangular parcel of land for public right-of-way, located in the Southwest 1/4 of Section 28, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at a point 130.00 feet North and 25.00 feet West of the center of the Southwest 1/4, Section 28, Township 4 North, Range 2 East, Boise Meridian; thence North 89°55'40" West (shown of record to be Due West), 30.00 feet to a point, said point being the REAL POINT OF BEGINNING;

Thence North 48°27'56" East, 20.65 feet to a point; thence North 46°39' West, 15.00 feet to a point; thence South 10°44'15" West, 24.42 feet to the REAL POINT OF BEGINNING.

Beginning at a point which is 135' N. & 25' W. of
 the center of the S.W. 1/4 of Sec. 28. Township
 Range 2.E. Main Meridian. Thence W, 629.83' Thence
 N. 0° 20' E. 190.0', Thence E 299.83'. Thence N. 121.84' to
 the S.W. side of Poplar Rd. Thence S. 46° 37' E. 454.06' to
 point of beginning & containing 2.5 acres more or less.



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: A63-02884
Date Received: 5/17/1989
Receipt No: C006837
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: RICHARD C. RENK
Address: 3311 HILL ROAD
BOISE ID

208-342-9103

83703

2. Date of Priority: SEP 18, 1951

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	02E	28		NW	SW		ADA

5. Description of diverting works:

WELL, 34' DEEP, 3 HP TURBINE PUMP, MOTOR, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.090		
DOMESTIC	01/01	12/31	0.010		

7. Total Quantity Appropriated is:

0.100 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

14.2 Acre Feet Per Annum.

9. Non-irrigation uses:

D/1 HOUSEHOLD, YARD, GARDEN, 3 HEAD CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	02E	28		NW	SW	IRR	4.0

~~MICROFILMED~~
JUL 25 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	4.0
					Total Acres	4.0

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:
NONE

14. Remarks:

AC. IRR.=4.06.

APPROVED BY STATE RECLAMATION ENGINEER, SEPT. 21, 1951 UNDER
PERMIT #G-22383, BOOK #80, RECORDED 10-7-1953, BOOK #8 OF LICENSE
S, #G-5157

15. Basis of Claim: LICENSE

Water Right Number: 22383

~~MICROFILMED~~
JUL 25 1994

Receipt Details for ID C006837

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
5/17/1989 8:54:24 AM	5/17/1989	State	\$54.30	Check
Payer		RENK, RICHARD C./LILA M.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
2845			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$54.30	ADJUDICATION FEE	410162	9337	00		6490

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	2884		\$54.30	Claim

Print Report

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

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 63-311300

2006 DEC 22 AM 8:49

RECEIVED
DISTRICT COURT
TWIN FALLS, IDAHO
FILED

NAME AND ADDRESS: LILA M RENK IRREVOCABLE
RICHARD C RENK IRREVOCABLE
LIVING TRUST
C/O BENJAMIN B RENK TRUSTEE
9110 CHELAN
BOISE, ID 83714

DEPARTMENT OF
WATER RESOURCES

SOURCE: GROUND WATER

This water right does not authorize the diversion of a low
temperature geothermal resource or other geothermal resource.

QUANTITY: 0.05 CFS
11.25 AFY

PRIORITY DATE: 09/18/1951

POINT OF DIVERSION: T04N R02E S28 NWSW Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.05 CFS 11.25 AFY

PLACE OF USE: Irrigation Within Ada County
T04N R02E S28 NWSW 2.5
2.5 Acres Total

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

RECOMMENDATION

DEC 22 2006

David R. Smith
SPECIAL MASTER

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

DEPARTMENT OF
WATER RESOURCES

2006 DEC 22 AM 8:49

LISTING OF SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s): 63-31300

CERTIFICATE OF MAILING

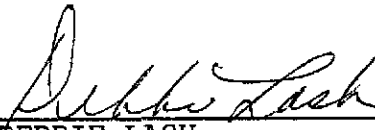
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on December 22, 2006, with sufficient first-class postage prepaid to the following:

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

EDWARDS FAMILY LLC
Represented by:
DANA L. HOFSTETTER
608 WEST FRANKLIN STREET
BOISE, ID 83702
Phone: 208-424-7800

LILA M RENK IRREVOCABLE
RICHARD C & LILA M RENK TRUST
RICHARD C RENK IRREVOCABLE
Represented by:
MICHAEL R. JONES
PO BOX 7743
BOISE, ID 83707

CERTIFICATE OF MAILING


DEBBIE LASH
Deputy Clerk

PAGE 1
12/22/06

RECEIVED

DEC 26 2006

DEPARTMENT OF
WATER RESOURCES

2006 DEC 22 AM 8:49

DIST. CLERK - SRBA
TWIN FALLS CO., ID/610
FILED

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

In Re SRBA

Case No. 39576

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

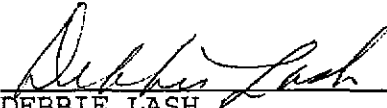
Water Right(s): 63-31300

On December 22, 2006, Special Master THEODORE R. BOOTH issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

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

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

DATED December 22, 2006.


DEBBIE LASH
Deputy Clerk

157-1040

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

In Re SRBA) SPECIAL MASTER'S REPORT
Case No. 39576) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHT 63-31300

I. FINDINGS OF FACT

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

On April 21, 2006, the Edwards Family LLC, by and through its attorney Dana Hofstetter of Hofstetter Law Offices, LLC, filed an objection to the *Director's Report*, asserting that the water right does not authorize diversion of geothermal water from the Stewart Gulch Aquifer. On December 20, 2006, the parties to the subcase filed a *Standard Form 5 – Stipulated Elements of a Water Right*, which resolved the objection. The Idaho Department of Water Resources concurred with the stipulation.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the *Standard Forms 5*, IT IS RECOMMENDED that water right 63-31300 be decreed with the elements as set forth in the attached *Recommendations for Partial Decrees Pursuant to I.R.C.P. 54(b)*.

Dated December 21, 2006

Les RBond

Theodore R. Booth
Special Master
Snake River Basin Adjudication

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

In Re SRBA

Case 39576

Subcase No. 63-31300

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

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

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

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

CLAIMANT(s):

LILA M RENK IRREVOCABLE
LIVING TRUST

RICHARD C RENK IRREVOCABLE
LIVING TRUST

Ernest B. Renk 12/5/06
Authorized representative Date

Ernest B. Renk 12/5/06
Authorized representative Date

OBJECTOR:

EDWARDS FAMILY LLC

Garnette Monnie 12/6/06
Authorized representative Date

Daniel Hapstetter 12/6/06
Attorney for Edwards Family LLC Date

IDWR Concurrence:

Wick Unisic 12/9/06
Water Resource Agent Date

Wick Spencer 12-13-06
FOR Susan Hamlin Nygard Date
Deputy Attorney General

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

RIGHT NUMBER: 63-31300

NAME & ADDRESS: LILA M RENK IRREVOCABLE LIVING TRUST
C/O BENJAMIN B RENK TRUSTEE
9110 CHELAN
BOISE ID 83714

RICHARD C RENK IRREVOCABLE LIVING TRUST
C/O BENJAMIN B RENK TRUSTEE
9110 CHELAN
BOISE ID 83714

SOURCE: GROUND WATER

TRIBUTARY:

This water right does not authorize the diversion of a low temperature geothermal resource or other geothermal resource. *SC pelt*

QUANTITY: 0.050 CFS
11.25 AFY *Ken*

PRIORITY DATE: 09/18/1951

POINT OF DIVERSION: T04N R02E S28 NWSW Within ADA County

*VMM
NBS*

PURPOSE AND PERIOD OF USE:	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	03/01 11/15	0.050 CFS 11.25 AFY

PLACE OF USE: IRRIGATION Within ADA County
T04N R02E S28 NWSW 2.50
2.5 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License
PARCELNO. S0628325711

Right No. 63-31299 is also diverted through point of diversion described above.

This right is split from former right 63-2884

CERTIFICATE OF MAILING

I certify that on December 19, 2006, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. Copies to:

Michael R. Jones
Michael R. Jones PLLC
508 North 13th Street
Boise, ID 83702

Dana Hofstetter
Hofstetter Law Office, LLC
608 West Franklin Street
Boise, ID 83702

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



Signature of person mailing form

HOFSTETTER LAW OFFICE

608 West Franklin Street
Boise, Idaho 83702

Dana@IdahoWaterLaw.com

Dana L. Hofstetter
Attorney at Law

Telephone: (208) 424-7800
Facsimile: (208) 424-8774

December 7, 2006

Via Hand Delivery

Becky Harvey
Idaho Department of Water Resources
322 East Front Street
Boise, Idaho 83702

Re: SRBA Subcase Nos. 63-2697A, 63-3047, 63-5028, 63-5234, 63-16488, 63-31299, 63-31300, 63-31556, 63-31997, and 63-31998

Dear Ms. Harvey:

work flow arranged 12/9/06 by me

Enclosed is an **original** (except for 63-5234 which has 3 originals) of a Standard Form 5 in the above-referenced subcases. Each of the enclosed Standard Form 5s has been executed by each of the respective Claimants and/or their representatives and by the Edwards Family LLC. Please arrange for execution of these documents by the Idaho Department of Water Resources and an appropriate Idaho Deputy Attorney General. Also, as we discussed, once these documents are fully executed, please arrange for filing and service. Thank you for your assistance with this matter.

Sincerely,

HOFSTETTER LAW OFFICE, L.L.C.



Dana L. Hofstetter

Enclosures
3006.3/7217

RECEIVED

OCT 03 2006

2006 OCT -2 AM 11: 52

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA

Case No. 39576

Subcase: 63-31300

ORDER DENYING MOTION TO FILE
AMENDED NOTICE OF CLAIM

ORDER REQUIRING CLAIMANT TO
OBTAIN COUNSEL

I. ORDER DENYING MOTION TO FILE AMENDED NOTICE OF CLAIM

On April 21st, 2006, The Edwards Family LLC, by and through its attorney of record Dana Hofstetter, filed an objection to the above-captioned water right claim. The objection states:

E. REASONS SUPPORTING OBJECTIONS(S): To the extent that this water right authorizes the diversion of water from the Stewart Gulch Geothermal Aquifer it should not exist pursuant to *Silkey v. Tiegs*. Otherwise, the following provision should be listed under "Other Provisions Necessary for Definition or Administration of this Water Right:" The diversion and use of geothermal water is not authorized under this right. Also, the local name for the cold water will should be described.

The objection presents two alternatives, i.e. if the source is the Stewart Gulch Geothermal Aquifer, then the objector asserts that the right should not exist; otherwise, the objector seeks inclusion of additional language.

On May 1, 2006, the Claimant of the above-captioned water right, the Lila M. Renk Irrevocable Living Trust, and the Richard C. Renk Irrevocable Living Trust, through its trustee Benjamin B. Renk, filed a *Response* that addressed the second part of the objection - - agreeing to the inclusion of the additional language. The response did not address the objector's contention that the water right should not exist if it is derived from the Stewart Gulch Geothermal Aquifer.

On September 29, 2006, the Claimant filed a *Standard Form 4 - Motion to File Amended Notice of Claim*. Attached thereto was correspondence seeking to have the initial hearing vacated.

The *Amended Notice of Claim* sought by the Claimant does not really seek to amend the claim; rather it simply reiterates the assertion already made in the response.

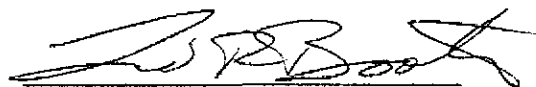
Because the objection seeks to have the water right claim disallowed in the event its source is the Stewart Gulch Geothermal Aquifer, the Claimant's *Motion* to amend the claim, if granted, would not dispose of the objection.

In accordance with the forgoing, the claimant's *Motion* is **denied**. The previously scheduled Initial Hearing, set for December 6th at, 10:00 am is **not** vacated.

II. ORDER REQUIRING CLAIMANT TO OBTAIN LEGAL COUNSEL

This Special Master notes that the *Motion* was filed by the trustee of the Claimant trust. Pursuant to the Idaho Code § 3-104 (unauthorized practice of law), the Claimant trust cannot be represented in court by a non-attorney. Accordingly, the Claimant trust is hereby order to obtain legal representation for any and all further proceedings in this subcase.

Dated October 2, 2006.



THEODORE R BOOTH
Special Master
Snake River Basin Adjudication

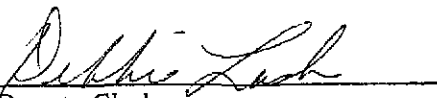
CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER DENYING MOTION TO FILE AMENDED NOTICE OF CLAIM ORDER REQUIRING CLAIMANT TO OBTAIN COUNSEL was mailed October 2, 2006, with sufficient first class mail to the following:

IDWR
P O Box 83720
Boise, Idaho 83720-0098

Lila M Renk Irrevocable
Richard C Renk Irrevocable Living Trust
c/o Benjamin B Renk Trustee
9110 Chelan
Boise, Idaho 83714

Dana Hofstetter
608 West Franklin Street
Boise, Idaho 83702


Deputy Clerk

RECEIVED
APR 24 2006
DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA

Case 39576

A. Subcase 63-31300

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Edwards Family LLC

Address: 4106 Sand Creek Street

Boise, Idaho 83703

Daytime Phone: 208-342-7548

Name & Address of Attorney, if any:

Dana Hofstetter

Hofstetter Law Office, LLC

608 West Franklin Street

Boise, Idaho 83702

208-424-7800

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Lila M Renk Irrevocable Living Trust

Richard C Renk Irrevocable Living Trust

C/O Benjamin B Renk Trustee

Address: 9110 Chelan

Boise, Idaho 83714

SCANNED
OCT 05 2006

D. I object to the following elements as recommended in the Director's Report.
(Please check the appropriate box(es)):

1. ☐ **Name and Address**
Should be: _____
2. ☒ **Source**
Should be: See Section E
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____
10. **I object because:**
 - ☒ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):** To the extent that this water right authorizes the diversion of water from the Stewart Gulch Geothermal Aquifer it should not exist pursuant to *Silkey v. Tiegs*. Otherwise, the following provision should be listed under "Other Provisions Necessary for Definition or Administration of this Water Right:" The diversion and use of geothermal water is not authorized under this right. Also, the local name for the cold water well should be described.

F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Dana L. Hofstetter, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

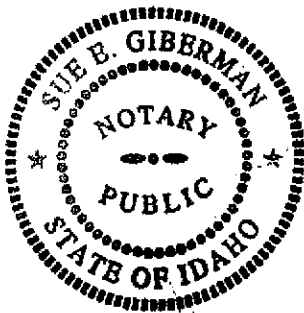
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Signature of person filing objection

Dana L. Hofstetter

Attorney signing in representative capacity

Subscribed and sworn to before me on: April 20, 2006



Sue E. Gibermon
Notary Public for the State of Idaho
Residing at: Boise Idaho
My Commission expires: 2-25-09

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on April 21, 2006, I filed the original with the SRBA Court and mailed copies of this Objection, including all attachments, to the following persons:

1. Original to:
Clerk of the District Court (*via Hand Delivery*)
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707
2. One copy to the claimant of the water right at the following address:

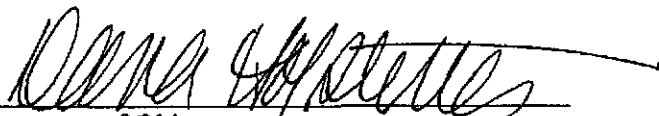
Name: Lila M Renk Irrevocable Living Trust
Richard C Renk Irrevocable Living Trust
C/O Benjamin B Renk Trustee
Address: 9110 Chelan
Boise, Idaho 83714

3. Copies to:

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

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

United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MCS 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf

RECEIVED
05/31/2005

NOTICE OF ERROR
REPLY

JUN 15 2005
WATER RESOURCES
WESTERN REGION

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

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

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

Water right number: 63-31300

LILA M RENK IRREVOCABLE LIVING TRUST
C/O BENJAMIN B RENK TRUSTEE
9110 CHELAN
BOISE ID 83714
Telephone Number: (208)378-0785

RICHARD C RENK IRREVOCABLE LIVING TRUST
C/O BENJAMIN B RENK TRUSTEE
9110 CHELAN
BOISE ID 83714
Telephone Number: (208)378-0785

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 6/10/05 SIGNATURE: Benjamin B Renk
Please print your name: Benjamin B. Renk

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

01/26/2005

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

RIGHT NUMBER: 63-31300
NAME AND ADDRESS: LILA M RENK IRREVOCABLE LIVING TRUST
C/O BENJAMIN B RENK TRUSTEE
9110 CHELAN
BOISE ID 83714

RICHARD C RENK IRREVOCABLE LIVING TRUST
C/O BENJAMIN B RENK TRUSTEE
9110 CHELAN
BOISE ID 83714

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.050 CFS
11.250 AFY

PRIORITY DATE: 09/18/1951

POINT OF DIVERSION:

T04N R02E S28 NWSW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.050 CFS 11.25 AFY

PLACE OF USE: IRRIGATION Within ADA County

T04N R02E S28 NWSW 2.5

2.5 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: License

PARCELNO. S0628325711.

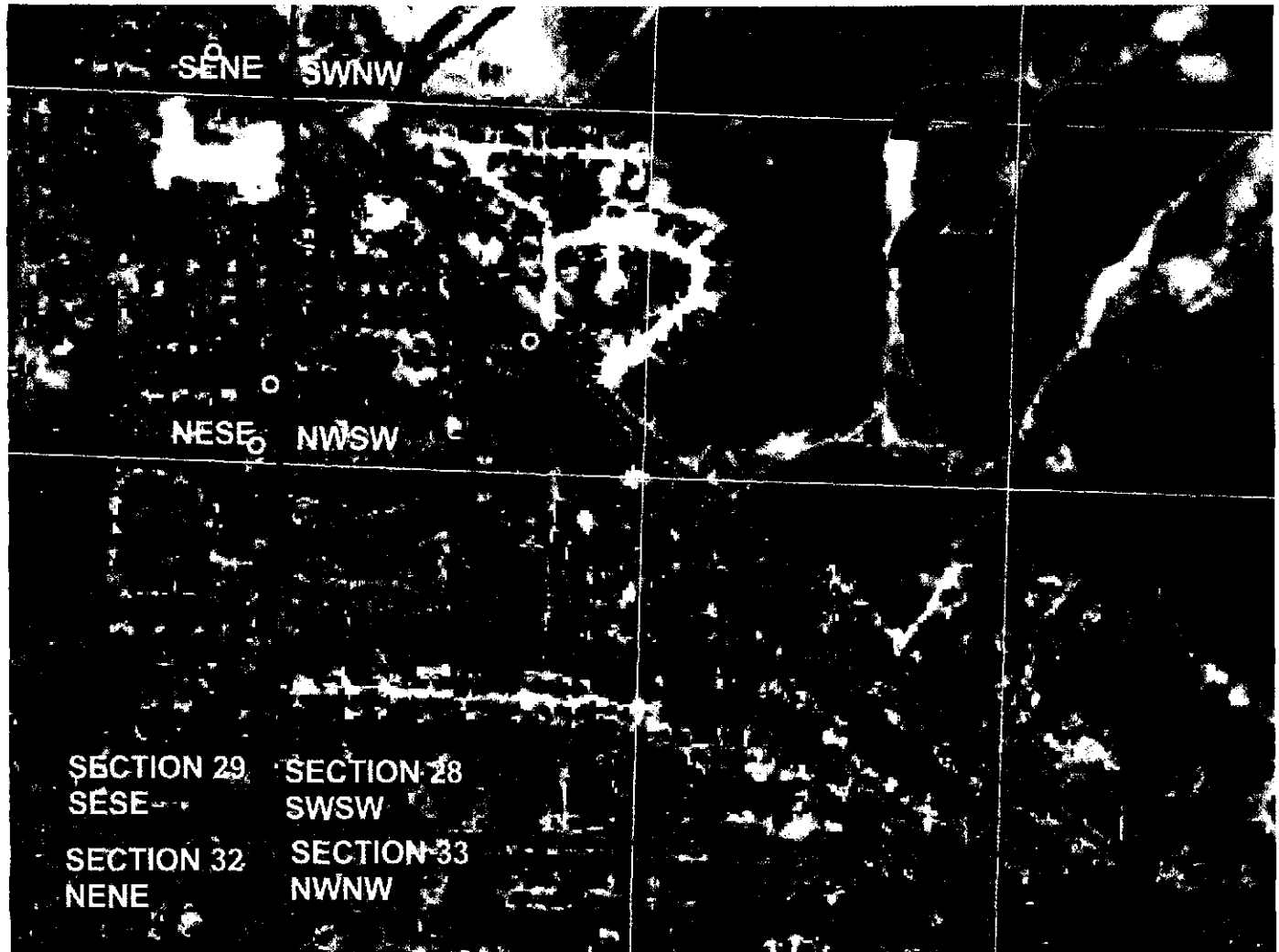
Right No. 63-31299 is also diverted through point of diversion described above.

This right is a split from former right 63-2884.

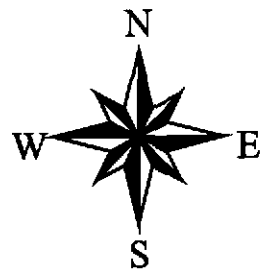


State of Idaho
Idaho Department of Water Resources
Western Region

T4N R2E SECTION 28
Water Right(s) : 63-31300



1320 0 1320 Feet



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

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared By: Vicky Music
Date: January 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31300 V1

WATER RIGHT NUMBER: 63-31300 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	RICHARD C RENK 3311 HILL RD BOISE, ID 83703 (208)342-9103
Current Owner	LILA M RENK IRREVOCABLE LIVING TRUST C/O BENJAMIN B RENK TRUSTEE 9110 CHELAN BOISE, ID 83714 (208)378-0785
Current Owner	RICHARD C RENK IRREVOCABLE LIVING TRUST C/O BENJAMIN B RENK TRUSTEE 9110 CHELAN BOISE, ID 83714 (208)378-0785

Priority Date: 09/18/1951

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.050 CFS	11.25 AF
	<u>Total Diversion:</u>	0.050 CFS	11.25 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4	Sec. 28, Twp 04N, Rge 02E, B.M.
ADA County		

Place of Use

IRRIGATION Within ADA County

T04N R02E S28 NWSW 2.5

Total Acres: 2.5

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

1. Explanatory PARCELNO. S0628325711.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31300 V1

2. Explanatory Right No. 63-31299 is also diverted through point of diversion described above.

3. Explanatory This right is a split from former right 63-2884.

Comments: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>
Contacts	1/26/2005 2:20:52 PM	vmusic			Active
Priority Date	1/26/2005 2:21:24 PM	vmusic			Active
POD	1/26/2005 2:29:14 PM	vmusic			Active
Source	1/26/2005 2:36:22 PM	vmusic			Active
POU	1/26/2005 2:37:07 PM	vmusic			Active
Use	1/26/2005 2:37:56 PM	vmusic			Active
Season	1/26/2005 2:38:36 PM	vmusic			Active
Quantity	1/26/2005 2:39:53 PM	vmusic			Active
Summary			01/26/2005	vmusic	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Source	1/26/2005 2:36:22 PM	vmusic	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	1/26/2005 2:37:08 PM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (Yes) 14. Is a POU remark and/or condition required?
POU	1/26/2005 2:37:27 PM	vmusic	Edited shape boundary

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31300 V1

Quantity	1/26/2005 2:39:54 PM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - 2.5 AC X 4.5 AF = 11.25 AFA
POD	1/26/2005 2:35:56 PM	vmusic	Edited point location
Use	1/26/2005 2:37:57 PM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Contacts	1/26/2005 2:20:52 PM	vmusic	(No) 1. Do you want to schedule an appointment? Comment for 1: DESKTOP REVIEW
Priority Date	1/26/2005 2:21:24 PM	vmusic	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	1/26/2005 2:29:14 PM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (Yes) 10. Is a POD remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31300 V1

Season	1/26/2005 2:38:36 PM	vmusic	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Summary	1/26/2005 2:43:12 PM	vmusic	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-31300

01/26/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
31299	Claim	04N	02E	28	NW	SW		IRRIGATION	1.8/1.8	RICHARD C RENK TRUST
31300	Claim	04N	02E	28	NW	SW		IRRIGATION	2.5/2.5	LILA M RENK IRREVOCABLE LIVING TRI
2820	Water Right	04N	02E	28	NW	SW		IRRIGATION		ROBERT P JONES
2884	Water Right	04N	02E	28	NW	SW		IRRIGATION	4/4	RICHARD C RENK
5119	Water Right	04N	02E	28	NW	SW		IRRIGATION	10/20	JACK P RENCHER
2576	Claim	04N	02E	28	NW	SW		MUNICIPAL		UNITED WATER IDAHO INC
2605	Claim	04N	02E	28	NW	SW		MUNICIPAL		UNITED WATER IDAHO INC
2874	Claim	04N	02E	28	NW	SW		MUNICIPAL		UNITED WATER IDAHO INC
2954	Claim	04N	02E	28	NW	SW		MUNICIPAL		UNITED WATER IDAHO INC
2956	Claim	04N	02E	28	NW	SW		MUNICIPAL		UNITED WATER IDAHO INC
2989	Claim	04N	02E	28	NW	SW		MUNICIPAL		UNITED WATER IDAHO INC
3164	Claim	04N	02E	28	NW	SW		MUNICIPAL		UNITED WATER IDAHO INC
7067	Claim	04N	02E	28	NW	SW		MUNICIPAL		UNITED WATER IDAHO INC
7577	Claim	04N	02E	28	NW	SW		MUNICIPAL		UNITED WATER IDAHO INC
7998	Claim	04N	02E	28	NW	SW		MUNICIPAL		UNITED WATER IDAHO INC
19456	Claim	04N	02E	28	NW	SW		MUNICIPAL		UNITED WATER IDAHO INC

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-31300

01/26/2005

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-2884	Claim	04N	02E	28	NW	SW		GROUND WATER	
63-31299	Claim	04N	02E	28	NW	SW		GROUND WATER	RICHARD C RENK TRUST
63-31300	Claim	04N	02E	28	NW	SW		GROUND WATER	LILA M RENK IRREVOCABLE LIVING TR
63-12	Claim	04N	02E	28	NW	SW		GROUND WATER	THE TERTELING CO INC
63-12A	Claim	04N	02E	28	NW	SW		GROUND WATER	FLORA CO
63-12B	Claim	04N	02E	28	NW	SW		GROUND WATER	THE TERTELING CO INC
63-13	Claim	04N	02E	28	NW	SW		GROUND WATER	THE TERTELING CO INC
63-13A	Claim	04N	02E	28	NW	SW		GROUND WATER	FLORA CO
63-13B	Claim	04N	02E	28	NW	SW		GROUND WATER	THE TERTELING CO INC
63-15	Claim	04N	02E	28	NW	SW		GROUND WATER	THE TERTELING CO INC
63-15A	Claim	04N	02E	28	NW	SW		GROUND WATER	FLORA CO
63-15B	Claim	04N	02E	28	NW	SW		GROUND WATER	THE TERTELING CO INC
63-12	Water Right	04N	02E	28	NW	SW		GROUND WATER	O L MILSTEAD
63-13	Water Right	04N	02E	28	NW	SW		GROUND WATER	O L MILSTEAD
63-15	Water Right	04N	02E	28	NW	SW		GROUND WATER	H W TIEGS
63-2820	Water Right	04N	02E	28	NW	SW		GROUND WATER	ROBERT P JONES
63-2884	Water Right	04N	02E	28	NW	SW		GROUND WATER	RICHARD C RENK
63-5119	Water Right	04N	02E	28	NW	SW		GROUND WATER	JACK P RENCHER
63-9758	Water Right	04N	02E	28	NW	SW		GROUND WATER	DAVID HENDRICKSON



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

September 24, 2001

RICHARD C RENK IRREVOCABLE LIVING TRUST
LILA M RENK IRREVOCABLE LIVING TRUST
C/O BENJAMIN B RENK, TRUSTEE
9110 CHELAN
BOISE ID 83714

Re: Original Notice of Claim to a Water Right No. 63-2884

Renumbered Notice of Claim to a Water Right No. 63-31300

Dear Claimants:

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This Change of Ownership required a split of the original claim resulting in renumbering this claim, using a new water right number to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time. You will be notified of any future action taken on this claim. Also enclosed is a copy of the original claim for your reference.

Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist I
Adjudication Section
Western Region

DB: db

Enclosure

2/28/04 HUN

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

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid
- ☐ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information *WCM*
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☒ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) 63-31300 (*split from 63-2084 (claim)*)

Owner: _____ Phone No. _____

Current Address: _____

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

Accompanied by: _____

PRIORITY DATE

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

Priority date, per claimant, is: _____

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

Source: _____ Tributary to _____

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

POINT OF DIVERSION

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

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

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

Description of diverting works

see licensing exam

OVERLAP REVIEW

Other water rights with the same point of diversion: 63-31299

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

no

WATER USES

☒ No change

☐ Different Uses

Use 18V From 3/1 To 11/15 Amount .05 CFS 11.25 AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME - Groundwater only

☒ Incomplete on claim, the total is, Amount .05 CFS 11.25 AFA

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

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

$$(2.5 \text{ ac})(4.5 \text{ af}) = 11.25 \text{ afa} \quad \text{or} \quad (.05)(1.9935)200 = 25.78$$

NON-IRRIGATION USES:

☐ No change

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

Types _____ Additional comments: _____

PLACE OF USE:

2.5 ac.

☒ No Change

☐ Changes shown below:

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

Overlap with other water rights: 63-31249

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

no

Delivery System Narrative:

see record

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

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

r/c

PUMP # 506 283 25 111

P21 split from 63-2004

FOR SAME POB AS 63-31249

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31300

WATER RIGHT NUMBER: 63-31300

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	RICHARD C RENK 3311 HILL RD BOISE, ID 83703 (208)342-9103
Current Owner	LILA M RENK IRREVOCABLE LIVING TRUST C/O BENJAMIN B RENK TRUSTEE 9110 CHELAN BOISE, ID 83714 (208)378-0785
Current Owner	RICHARD C RENK IRREVOCABLE LIVING TRUST C/O BENJAMIN B RENK TRUSTEE 9110 CHELAN BOISE, ID 83714 (208)378-0785

Priority Date: 09/18/1951

Basis: License

Status: Active

Source

GROUND WATER

3/11/15
Tributary

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.050 CFS	
	<u>Total Diversion:</u>	0.050 CFS	

Location of Point(s) of Diversion

GROUND WATER

NW1/4SW1/4

Sec. 28, Twp 04N, Rge 02E, B.M.

ADA County

Place of UseIRRIGATION Within ADA County

T04N R02E S28 NWSW 2.5

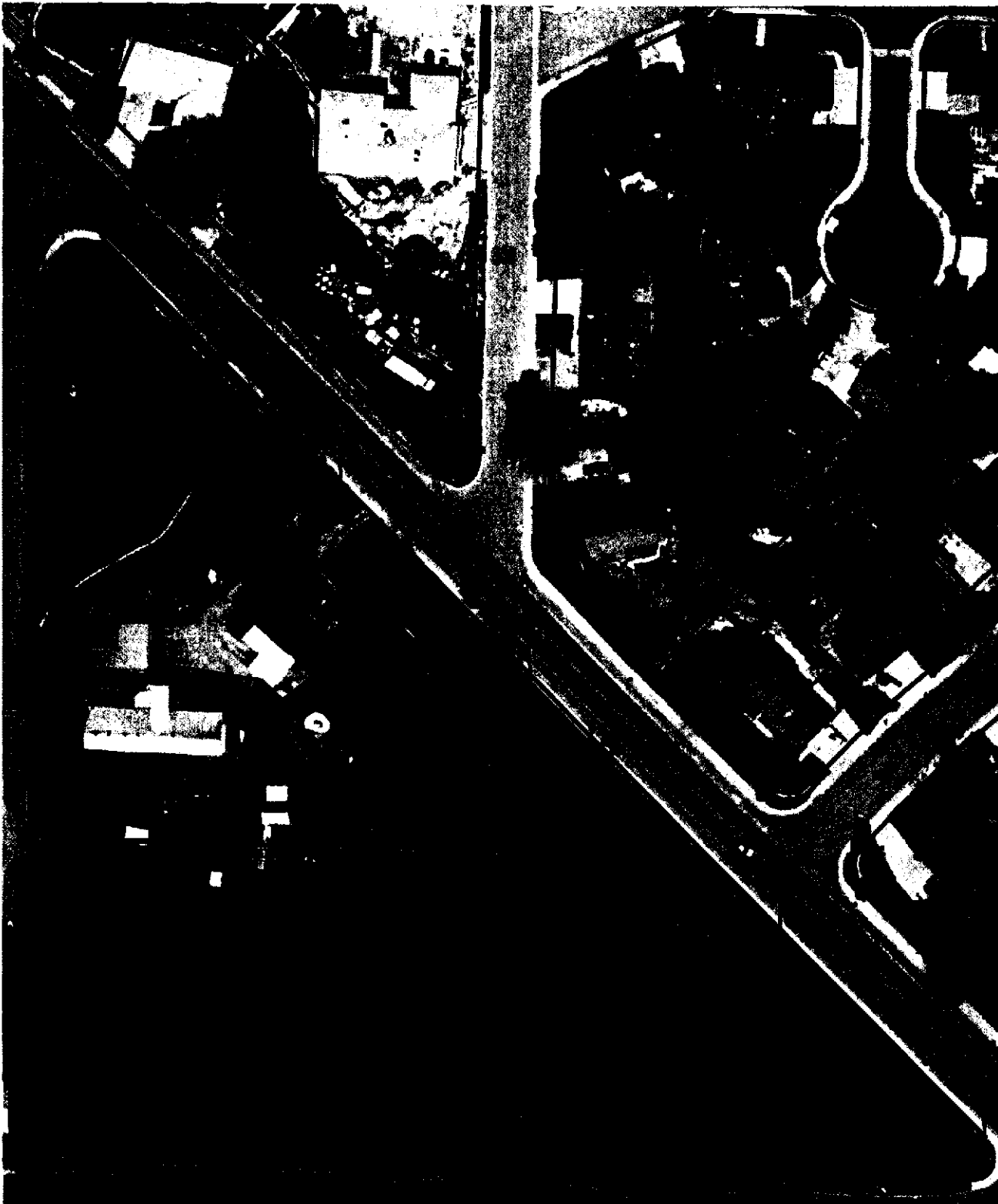
Total Acres: 2.5

Conditions of Approval:Remarks:

- General This claim is the result of a split due to change in ownership for a portion of 63-2884. DB 9/21/2001

Comments:

Parcel # 50628325711



63-31300 - 2003 aerial. lot is 1.8 acres of original 4.3 acre parcel that was licensed as 63-2884. Appears that approx 1.5 acres are irrigated.

63-31300 to south is the remainder of 63-2884 and is 2.5 acres. Entire 2.5 acres is irrigated.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2884

WATER RIGHT NUMBER: 63-2884

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	RICHARD C RENK 3311 HILL RD BOISE, ID 83703 (208)342-9103

Priority Date: 09/18/1951

Basis: License

Status: Parent

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.010 CFS	
IRRIGATION	4/01 to 10/31	0.090 CFS	
	<u>Total Diversion:</u>	0.100 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4	Sec. 28, Twp 04N, Rge 02E, B.M.
ADA County		

Place of Use

IRRIGATION Within ADA County

T04N R02E S28 NWSW 4.0

Total Acres: 4

DOMESTIC same as IRRIGATION

Conditions of Approval:

Remarks:

1. General AC. IRR.=4.06.
APPROVED BY STATE RECLAMATION ENGINEER, SEPT. 21, 1951 UNDER PERMIT #G-22383, BOOK #80, RECORDED 10-7-1953, BOOK #8 OF LICENSE S, #G-5157
2. General This claim has been split. See nos. 63-31299 & 63-31300. DB 9/21/2001

Comments:

THIS IS TO CERTIFY that RICHARD C. RENK
of Boise, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated September 18, 19 51; that Permit No. G-22383
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.1 second feet, was issued thereunder on August 4, 19 53, showing that said works
were completed on the 3rd day of August, 19 53; and that on the 5th
day of September, 19 53,

RICHARD C. RENK
of Boise, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well (subter-
ranean flow), a tributary of, for the purpose of irrigation and domestic
use, under Use Permit No. G-22383 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
8 of Licenses at page 5157, on the 7th day of October, 19 53;
The right hereby confirmed dates from September 18, 19 51;

The Point of Diversion is located
in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, Tp. 4 N., R. 2 E., B. M. County Ada

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 0.1 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N.	2 E.	28	NW $\frac{1}{4}$ SW $\frac{1}{4}$	5	4.06

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
7th day of October, 1953.

REPORT OF ENGINEER

Permit No. G-22583

This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant Richard C. Renk, 3311 Hill Road, Boise, Idaho
2. Source of water supply: Subterranean from a well
3. Location of point of diversion: Is in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 28
T 4 N. R. 2 E. County of Ada
4. Describe works as they exist, giving dimensions and capacities of same: Well, 42' deep, cased to 40' with 8" casing. Casing perforated from 20' to 40'. 4" column to 40' 4 stage, 6" bowls. Static Height, 20', 4' draw down. U.S. Motor # 2056087, 3 HP, 230V, 18A, 60 cycle, 1800 RPM, 1 phase. Deming pump # 31514. Westinghouse Meter # B39087, 240V, 60 cycle, 1 phase. On side of dwelling. Both dwelling and pump use this meter. Pump mounted on 22" square concrete base. This base sits on 3'X6' Concrete slab. Pump house 3'X6', wood frame, composition siding. Delivery to N thru 4" pipe 3 feet to control valve, then thru 4" pipe (via 90 degree elbow to 6'X1'X1 $\frac{1}{2}$ deep concrete sump. 8" buried tile to East and West from sump, to ditches. 130' to East and 20' to West.
5. Water is used for: Irrigation and domestic purposes
6. State whether or not water has been turned into works of diversion: _____
Yes.
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 28, Twp. 4 North, Range 2 East, B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: Accompanied on inspection by Mr. Renk.

Water Temp. 57 degrees F.

Hay, Pasture, Fruit Trees, Garden.

Mr. Renk estimates 5 acres in property.

Richard C. Beak

3311 Hill Road, Boise, Idaho

Permit No. 0-22383

3-5487 law 2-9103 law

Examination for Beneficial Use

County Ada 28 4N 2E

Gravity

Q = .1 c.f.s

3- Well

P.D. = NWSN 28 4N 2E

use = Irrigation

Amount 18' (see in dikes)

.382

50

77.100

Hay, Pasture, fruit trees, Garden.

RECEIVED

SEP 29 1953

Department of Reclamation

42" cases 4
4" casing, 40,
2" bowl.
26' draw down

T = 56°F

U.S. Motor # :
230V, 18A, 60.
1 phase.

Penning

Westinghouse
240V, 60 cycle

Mounted on :
base, concrete

3' x 6' concrete
house, (wood
siding) etc. &

Delivery to M.
83' pipe

valve, then
(draw) to 6' x 1'

concrete running
tile to E and
to section. 2

to E.

14" over + rise
when

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soil, topography, and crops raised.