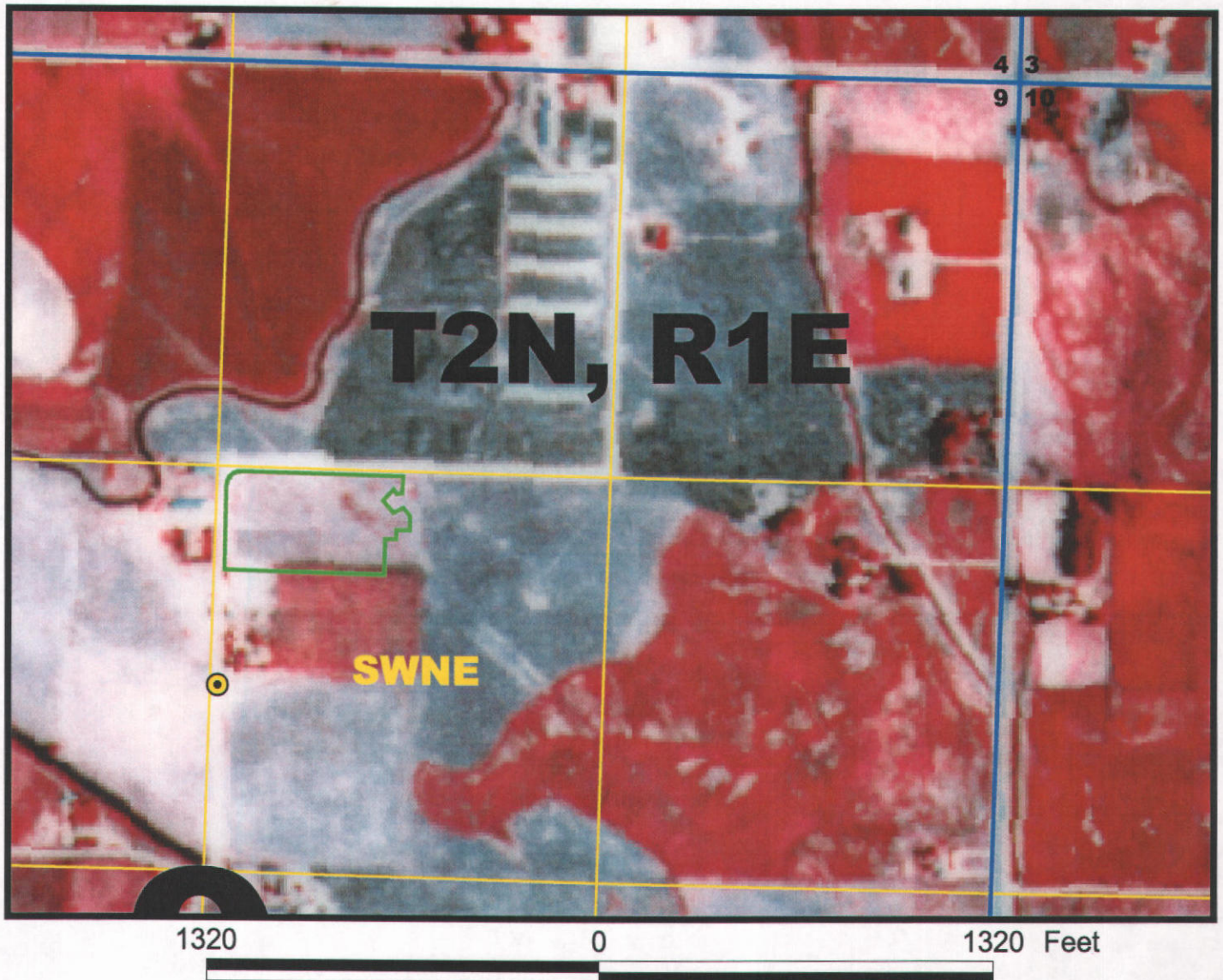




STATE OF IDAHO

Department of Water Resources
Western Region

Water Right(s): 63-31472



Total Irrigated Acres: 4.25

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



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: June 2004

Craig L. Saxton

Split history for Decreed Right 63-09655

Water Right	Claimed	Recommended
63-09655 Lewis	63-09655 Lewis	63-31590 Maul
0.93 cfs	0.93	left over 0.090
47 acres	47	4.9
208.8 vol	208.8	left over 20.0
		63-31591 Greenwell
		0.08
		4.25
		18.9
		Ron did this one
		63-31472 Archuleta
		0.085
		4.25
		19.1
		4.5
		63-31470 Bohlman
		0.19
		9.5
		42.8
		4.5
		63-031462 Welebir
		0.480
		24
		108.0
		4.5

* Diver Rate Per acre = 0.0198
 * Diver Vol Per Acre = 4.443

Sum of claimed CFS =	0.962
Sum of claimed Acreage =	50.8
Sum of claimed Volume =	224

Sum CFS=	0.929
Sum Acre=	46.9
Sum Volume=	208.8

Un-accounted for CFS=	-0.032
Un-accounted for Acreage=	-3.8
Un-accounted for Volume=	-15.2

Un-accounted for CFS=	0.001
Un-accounted for Acre=	0.1
Un-accounted for Vol=	0.0

Recommended splits at 1" per acre and 4.5 Afa per acre to preserve licensed diversion Rate and Volume.

RIGHT	NAME	ACRES	CFS	FACTOR	AFA	FACTOR	SPLITS
63-9655	LEWIS	46.4	0.928	0.02	208.8	4.5	NONE
63-31461	Lewis	19.2	0.384	0.02	86.4	4.5	LEWIS 1ST SPLIT
63-31462	Welebir	27.8	0.556	0.02	125.1	4.5	
63-31469	Lewis	9.7	0.194	0.02	43.7	4.5	LEWIS 2ND SPLIT
63-31470	Bohlman	9.5	0.190	0.02	42.8	4.5	
63-31471	Lewis	5.45	0.109	0.02	24.5	4.5	LEWIS 3RD SPLIT
63-31472	Archuleta	4.25	0.085	0.02	19.1	4.5	
63-31590	Lewis	1.2	0.024	0.02	5.4	4.5	LEWIS 4TH SPLIT
63-31591	Greenwell	4.25	0.085	0.02	19.1	4.5	

NOTES
 The CFS on License
 used round up to 0.93 cfs
 HOWEVER, all prorating
 should reflect 0.02/acre
 just as the 208.8 AFA
 Lic. was prorated at
 4.5 per acre =
 46.4 X 4.5 = 208.8 afa

ATTN: REVIEWER
 PLEASE CHECK THESE
 PRORATED SPLITS
 PRIOR TO ECVR
 RDH 11/4/02

4

Archuleta
lot 131200

SENW

SWNE

9

SWSW

16

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 63-31472
Date Received: 9/7/1989
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RONALD ARCHULETA Phone: (208)888-5604

8200 STEWART RD
MERIDIAN ID USA 83642

PAM ARCHULETA Phone: (208)888-5604

8200 STEWART RD
MERIDIAN ID USA 83642

2. Date of Priority: 12/29/1980

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	01E	9	SE NW	ADA	

5. Description of diverting works:

WELL, PUMP & SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.085	19.1

7. Total Quantity Appropriated is:

0.085 C.F.S. and/or 19.1 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	01E	9	SW	NE	IRRIGATION	4.25
Section Acres						4.25
Total Acres						4.25

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 63-31469. DB 4/10/2002

This claim amended to increase claimed diversion rate and volume as my analysis appears to show an inaccuracy in the originally splitting of the claim 63-31469 (csaxton 5/26/04).

15. Basis of Claim: License

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.

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

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NOTICE OF CLAIM TO A WATER RIGHT
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1. Name of Claimant(s)

RONALD ARCHULETA
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MERIDIAN ID USA 83642

Phone: (208)888-5604

PAM ARCHULETA
8200 STEWART RD
MERIDIAN ID USA 83642

Phone: (208)888-5604

2. Date of Priority: 12/29/1980

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	01E	9	SE NW	ADA	

5. Description of diverting works:

WELL, PUMP & SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.077	17.4

7. Total Quantity Appropriated is:

0.077 C.F.S. and/or 17.4 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	01E	9	SW	NE	IRRIGATION	4.25
					Section Acres	4.25
					Total Acres	4.25

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
63-31469. DB 4/10/2002

15. Basis of Claim: License

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

RECEIVED**APR 05 2002****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, 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
New # → 63-31461					
63-9655	A63-9655	Y			

*Actually purchased
from Lewis.*

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) are 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)

Timothy / Stephanie Welekin
8475 Stewart Rd, Meridian 83642

4. New Owner/Claimant(s)

Ronald / Pam Archuleta
 Name Connector (Check one): [] and, [] or, [X] and/or

New Mailing Address

8200 Stewart Road

City, State and ZIP Code

Meridian, ID 83642

New Telephone Number

(208) 888-5604

5. Date you acquired the property

3/28/1990

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	New # 63-9655 → 63-31461	
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	.09 ~~08~~ cfs	4.5 acres - SWNE
Stock		
Domestic		
Other		
Total	.09 ~~08~~ cfs / 4.5 acres	

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)

Donald R. Dickson

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 g Date 4/5/02 Fee
 Received by Date Receipt No.
 Processed by AJ Date WR Date

4/2002

$$.93\text{cfs} = 0.01978\text{cfs}$$

$$208.80 = 4.44\text{AFA}$$

63-9655 47 acres

63-31461

Lewis

63-31462

Welebirz

SWNE

18.0

Ø

SENE

1.2

27.8

19.2

27.8

.38cfs
84.6AFA

.55cfs
123.4AFA

* Note Lewis probably does not own any more property in the SENE. Rather they probably licensed for more than was actually there. Tax lot info shows Welebirz w/ 24.4 acres. I included all area now taken up w/ road. All property located to the East of the ditch.

63-31469

Lewis

Bohlman

63-31470

SENE

1.2

Ø

SWNE

8.5

9.5

9.7

9.5

.19cfs 42.7AFA

.19cfs 41.9AFA

63-31471

Lewis

Archuleta

63-31472

SENE

1.2

Ø

SWNE

4.25

SWNE 4.25

5.45

4.25

.113cfs

.077cfs 17.4AFA

23.3AFA

* Remaining acres in SENE are Gary Gronwell's (son-in-law)

no ownership change filed.

Licence 63-9656 covers same acres

and should probably be disallowed in the SPBA.

DEVELOPMENT SERVICES
DEPARTMENT
650 Main
Boise, Idaho 83702



BUILDING DIVISION Phone: (208) 383-4423
PLANNING DIVISION (208) 383-4424
ZONING DIVISION (208) 383-4424

November 14, 1989

Mrs. Patricia Lewis
3700 E. Hubbard Road
Meridian, ID 83642

RE: CONDITIONAL USE APPLICATION CONCERNING PARCELS
S1409131200 AND S1409131400

Dear Mrs. Lewis:

I am in receipt of your conditional use application to split the 9.62 acre parcel you own and to allow use of the 5.00 acre parcel as a residential lot. I have determined the following:

1. The 5.00 acre lot (131200) is already a legal lot and is eligible for a single family residence or for transfer of ownership.
2. The same is true of the 9.62 acre parcel. It is now, without the conditional use, eligible for one single family residence.
3. You do however, need the conditional use permit to split the 9.62 acre in half.
4. Conditional use standards require 5.00 acres for a lot created through this process. Each lot you are creating would have 4.81 acres and thus be under the minimum lot size.
5. If you still wish to split the larger lot, you would need to obtain a variance from the Board of County Commissioners. This would require a separate hearing and fee (\$100.00).

Please contact me as soon as possible and let me know what you would like to do.

Sincerely,

A handwritten signature in cursive script, reading "Scott R. Spjute".

Scott R. Spjute
PLANNER II
Ada County Development Services

9015844

WARRANTY DEED

FOR VALUE RECEIVED, EDWARD W. LEWIS and PATRICIA A. LEWIS, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto RONALD R. ARCHULETA and PAMELA H. ARCHULETA husband and wife, the Grantees, whose current address is 6591 South San Bruno, Boise, Idaho, the following described premises, in Ada County, Idaho, to wit:

A tract of land situated in the Southwest Quarter of the Northeast Quarter of Section 9, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Beginning at the East Quarter corner of said Section 9, thence S. 89 degree 46'40"W. along the Center Quarter line, a distance of 1960.92 feet, thence N. 00 degree 01' 02" W. a distance of 983.47 feet to the Real Point Of Beginning:

thence S. 89 degree 34'11" W. a distance of 643.99 feet to a point on the East right-of-way of Stewart Road;

thence N. 00 degree 31' 20" W. a distance of 276.79 feet;

thence N. 44 degree 48' 16" E. along the chord of a 50.00 foot radius curve having a central angle of 90 degree 03'00", a distance of 70.37 feet;

thence N. 89 degree 25' 40" E. along the South right-of-way of Stewart Road, a distance of 596.84 feet;

thence S. 00 degree 01' 02" E. a distance of 327.83 feet to the Real Point of Beginning.

The above described tract of land contains 4.82 acres, more or less.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining;

Subject to all easements, rights of way, restrictions and reservations of record and appearing on the land;

Subject, also, to all taxes and assessments levied and assessed for the current calendar year which are now liens but not yet due nor payable.

TO HAVE AND TO HOLD the said premises, with their appurte-
nances unto the said grantees, their heirs and assigns forever.
And the said Grantors do hereby covenant to and with the said
Grantees that they are the owners in fee simple of said premises;
that they are free from all encumbrances, except current taxes
and assessments, and that they will warrant and defend the same
from all lawful claims whatsoever.

DATED: March 28, 1990

Edward W. Lewis
Edward W. Lewis

Patricia A. Lewis
Patricia A. Lewis

STATE OF IDAHO
County of Ada

On this 28th day of March, 1990, before me, the
undersigned, notary public in and for said State, personally
appeared EDWARD W. LEWIS and PATRICIA A. LEWIS, husband and
wife, known to me to be the persons whose names are subscribed to
the within and foregoing instrument, and acknowledge to me that
they executed the same.

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

Ada County, Idaho ss

Request of

TIME 1:45 P. M.

DATE 3-28-90

JOHN BASTIDA

RECORDER

By [Signature]
Deputy

[Signature]
NOTARY PUBLIC FOR IDAHO
Residing at Boise, Idaho
Commission expires: 6-16-94

6a

DEED OF TRUST, Made this 28th day of March, 1990,
BETWEEN Ronald R. Archuleta and Pamela H. Archuleta, husband and wife,
herein called GRANTOR,

whose address is 6591 So. San Bruno Ave Boise, Idaho

Patricia Lewis, ~~Trustee~~ and Edward W. Lewis and Patricia A. Lewis, husband and wife, herein called BENEFICIARY,
WITNESSETH: That Grantor does hereby irrevocably GRANT, BARGAIN, SELL AND CONVEY TO TRUSTEE
IN TRUST, WITH POWER OF SALE, that property in the County of Ada
State of Idaho, described as follows and containing not more than twenty acres:

See Exhibit "A" attached hereto and
by reference made a part hereof.

TOGETHER WITH the rents, issues and profits thereof, SUBJECT, HOWEVER, to the right, power and authority hereinafter given to and conferred upon Beneficiary to collect and apply such rents, issues and profits,

For the Purpose of Securing payment of the indebtedness evidenced by a promissory note, of even date herewith, executed by Grantor in the sum of Twenty-nine thousand five hundred Dollars, (\$29,500.00),

final payment due April 1, 2005

and to secure payment of all such further sums as may hereafter be loaned or advanced by the Beneficiary herein to the Grantor herein, or any or either of them, while record owner of present interest, for any purpose, and of any notes, drafts or other instruments representing such further loans, advances or expenditures together with interest on all such sums at the rate therein provided. Provided, however, that the making of such further loans, advances or expenditures shall be optional with the Beneficiary, and provided, further, that it is the express intention of the parties to this Deed of Trust that it shall stand as continuing security until paid for all such advances together with interest thereon.

A. To protect the security of this Deed of Trust, Grantor agrees:

1. To keep said property in good condition and repair; not to remove or demolish any building thereon; to complete or restore promptly and in good and workmanlike manner any building which may be constructed, damaged or destroyed thereon and to pay when due all claims for labor performed and materials furnished therefor; to comply with all laws affecting said property or requiring any alterations or improvements to be made thereon; not to commit or permit waste thereof; not to commit, suffer or permit any act upon said property in violation of law; to cultivate, irrigate, fertilize, fumigate, prune and do all other acts which from the character or use of said property may be reasonably necessary, the specific enumerations herein not excluding the general.

2. To provide, maintain and deliver to Beneficiary fire insurance satisfactory to and with loss payable to Beneficiary. The amount collected under any fire or other insurance policy may be applied by Beneficiary upon any indebtedness secured hereby and in such order as Beneficiary may determine, or at option of Beneficiary the entire amount so collected or any part thereof may be released to Grantor. Such application or release shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.

3. To appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of Beneficiary or Trustee; and to pay all costs and expenses, including cost of evidence of title and attorney's fees in a reasonable sum, in any such action or proceeding in which Beneficiary or Trustee may appear.

4. To pay: at least ten days before delinquency all taxes and assessments affecting said property, when due, all encumbrances, charges and liens, with interest, on said property or any part thereof, which appear to be prior or superior hereto; all costs, fees and expenses of this Trust. In addition to the payments due in accordance with the terms of the note hereby secured the Grantor shall at the option, and on demand of the Beneficiary, pay each month 1/12 of the estimated annual taxes, assessments, insurance premiums, maintenance and other charges upon the property, nevertheless in trust for Grantor's use and benefit and for the payment by Beneficiary of any such items when due. Grantor's failure so to pay shall constitute a default under this trust.

5. To pay immediately and without demand all sums expended by Beneficiary or Trustee pursuant to the provisions hereof, with interest from date of expenditure at eight per cent per annum.

6. Should Grantor fail to make any payment to

6. Upon default by Grantor in payment of any indebtedness secured hereby or in performance of any agreement hereunder, all sums secured hereby shall immediately become due and payable at the option of the Beneficiary. In the event of default, Beneficiary shall execute or cause the Trustee to execute a written notice of such default and of his election to cause to be sold the herein described property to satisfy the obligations hereof, and shall cause such notice to be recorded in the office of the recorder of each county wherein said real property or some part thereof is situated.

Notice of sale having been given as then required by law, and not less than the time then required by law having elapsed, Trustee, without demand on Grantor, shall sell said property at the time and place fixed by it in said notice of sale, either as a whole or in separate parcels and in such order as it may determine, at public auction to the highest bidder for cash in lawful money

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 63-31469
Date Received: 9/7/1989
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

EDWARD W LEWIS
3700 E HUBBARD RD
MERIDIAN ID USA 83642

Phone: (208)888-2090

PATRICIA A LEWIS
3700 E HUBBARD RD
MERIDIAN ID USA 83642

Phone: (208)888-2090

2. Date of Priority: 12/29/1980

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	01E	9	SE NW	ADA	

5. Description of diverting works:

WELL, PUMP & SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.19	42.7

7. Total Quantity Appropriated is:

0.19 C.F.S. and/or 42.7 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	01E	9	SE	NW	IRRIGATION	1.2
			SW	NE	IRRIGATION	8.5
					Section Acres	9.7
					Total Acres	9.7

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 63-31461. DB 4/10/2002

15. Basis of Claim: License

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

RIGHT NUMBER: 63-31472

NAME AND ADDRESS: GARY BUTCHER
8200 STEWART RD
MERIDIAN ID 83642

TINA BUTCHER
8200 STEWART RD
MERIDIAN ID 83642

RONALD ARCHULETA
PAM ARCHULETA
8200 STEWART RD
MERIDIAN ID 83642

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.085 CFS
19.100 AFY

PRIORITY DATE: 12/29/1980

POINT OF DIVERSION:

T02N R01E S9 SWNE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.085 CFS 19.10 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within ADA County

T02N R01E S09 SWNE 4.25

4.25 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

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

Water Rights: 63-31472

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following administrative proceeding:

☐

Address change

XX

Substitution of Party

☐

IC § 42-222 transfer

☐

Point of diversion

☐

Place of use

☐

Period of use

☐

Nature of use

☐

Split of water right

☐

Change in ownership

☐

Other

☐

IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

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

DATED: July 17, 2006


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on July 17, 2006, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

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

2. Copies to:

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

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

3. Copies to all parties to the subcase:

Gary Butcher	☐ overnight mail
Tina Butcher	☒ regular mail
8200 Stewart Rd	☐ hand-delivered
Meridian ID 83642	☐ facsimile

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



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

JAMES E. RISCH
Governor

KARL J. DREHER
Director

July 17, 2006

GARY BUTCHER
TINA BUTCHER
8200 STEWART RD
MERIDIAN ID 83642

Re: Water Right No. 63-31472

Dear Mr. & Mrs. Butcher:

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

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

Sincerely,

A handwritten signature in cursive script that reads "Lori Harris".

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region Office

LH:l
Enclosures

RECEIVED

JUL 14 2006

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

WATER RESOURCES
WESTERN REGION

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case 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
63-31472					

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) Ronald & Pamela Archuleta
8200 Stewart Rd Meridian
4. New Owner/Claimant(s) ~~Ronald~~ Gary & Tina Butcher
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 8200 Stewart Rd
- City, State and ZIP Code Meridian ID 83642
- New Telephone Number (208) 859-9536
5. Date you acquired the property 6-5-06

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) Lisa Butcher
(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 JSB Date 7-14-06 Fee N/A
 Received by JSB Date _____ Receipt No. _____
 Processed by JSB AJ Date 7-17-06 WR _____ Date _____



8151 W. Rifleman Ave. / Boise
Idaho 83704 / (208) 377-2700

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 06/09/06 04:03 PM
DEPUTY Patti Thompson
RECORDED - REQUEST OF
Pioneer

AMOUNT 6.00 2



2

271546
TD/cum

WARRANTY DEED

For Value Received

Ronald R Archuleta and Pamela H Archuleta, husband and wife

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Gary D. Butcher and Tina M. Butcher, husband and wife

hereinafter referred to as Grantee, whose current address is 8200 S. Stewart Rd., Meridian, ID 83634
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.

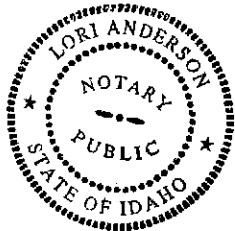
Dated: June 5, 2006

Ronald R Archuleta

Pamela H Archuleta
Pamela H Archuleta

STATE OF IDAHO, County of *Canyon* ~~ADA~~, ss.

On this *6th* day of June, in the year of 2006, before me Tami DeJournett, notary public personally appeared ~~Ronald R. Archuleta~~ and Pamela H. Archuleta known or identified to me to be the person/persons whose name *is* are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Lori Anderson
Tami DeJournett
Notary Public of ID
Residing at Boise
Commission expires: ~~September 11, 2010~~
8-2-08

EXHIBIT A

A tract of land situated in the Southwest quarter of the Northeast quarter of Section 9, Township 2 North Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:
Beginning at the East quarter corner of said Section 9,
Thence South 89°46'40" West along the center quarter line, a distance of 1960.92 feet,
Thence North 00°01'02" West a distance of 983.47 feet to the REAL POINT OF BEGINNING.
Thence South 89°34'11" West a distance of 643.99 feet to a point on the East right-of-way of Stewart Road;
Thence North 00°31'20" West a distance of 276.79 feet;
Thence North 44°48'16" East along the chord of a 50.00 foot radius curve having a central angle of 90 degree 03'00" a distance of 70.37 feet;
Thence North 89°25'40" East along the South right-of-way of Stewart Road, a distance of 596.84 feet;
Thence South 00°01'02" East a distance of 327.83 feet to the REAL POINT OF BEGINNING.

Parcel No. 239-S1409131200

DHA



Pioneer Title Co
GOING BEYOND

8151 W. Rifleman Ave. / Boise
Idaho 83704 / (208) 377-2700

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 06/09/06 04:03 PM
DEPUTY Pat Thompson
RECORDED - REQUEST OF
Pioneer

AMOUNT \$2.00

27



106091840

271546
TJ/cum

WARRANTY DEED

For Value Received

Ronald R Archuleta and Pamela H Archuleta, husband and wife

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Gary D. Butcher and Tina M. Butcher, husband and wife

hereinafter referred to as Grantee, whose current address is 8200 S. Stewart Rd., Meridian, ID 83634
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.

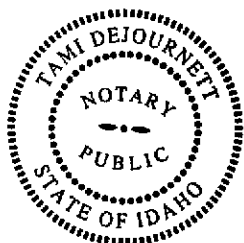
Dated: June 5, 2006

Ronald R Archuleta

Pamela H Archuleta

STATE OF IDAHO, County of ADA, ss.

On this 6th day of June, in the year of 2006, before me Tami DeJournett, notary public personally appeared Ronald R. Archuleta and ~~Pamela H. Archuleta~~ known or identified to me to be the person/persons whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Tami DeJournett
Notary Public of ID
Residing at Boise
Commission expires: September 11, 2010

EXHIBIT A

A tract of land situated in the Southwest quarter of the Northeast quarter of Section 9, Township 2 North Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:
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Thence South 89°46'40" West along the center quarter line, a distance of 1960.92 feet,
Thence North 00°01'02" West a distance of 983.47 feet to the REAL POINT OF BEGINNING.
Thence South 89°34'11" West a distance of 643.99 feet to a point on the East right-of-way of Stewart Road;
Thence North 00°31'20" West a distance of 276.79 feet;
Thence North 44°48'16" East along the chord of a 50.00 foot radius curve having a central angle of 90 degree 03'00" a distance of 70.37 feet;
Thence North 89°25'40" East along the South right-of-way of Stewart Road, a distance of 596.84 feet;
Thence South 00°01'02" East a distance of 327.83 feet to the REAL POINT OF BEGINNING.

Parcel No. 239-S1409131200



05/31/2005

NOTICE OF ERROR
REPLY

RECEIVED

JUL 14 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: 63-31472

RONALD R ARCHULETA
8200 STEWART RD
MERIDIAN ID 83642
Telephone Number: (208)888-²³¹⁹~~5604~~

PAMELA H ARCHULETA
8200 STEWART RD
MERIDIAN ID 83642
Telephone Number: (208)888-²³¹⁹~~5604~~

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

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

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

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

DATE: 7-11-05

SIGNATURE:

Ronald R. Archuleta

Please print your name:

RONALD R. ARCHULETA

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

Craig

Harris, Lori

From: Shurte, Jan
Sent: Wednesday, June 16, 2004 9:00 AM
To: Harris, Lori
Subject: FW: Pending Transfer 71309

-----Original Message-----

From: Curtis, Sharla
Sent: Wednesday, June 16, 2004 7:55 AM
To: Shurte, Jan; Shaff, Don
Subject: Pending Transfer 71309

Transfer 71309 proposes changes to the following rights.

AJC 63-31472

AJC 63-31591

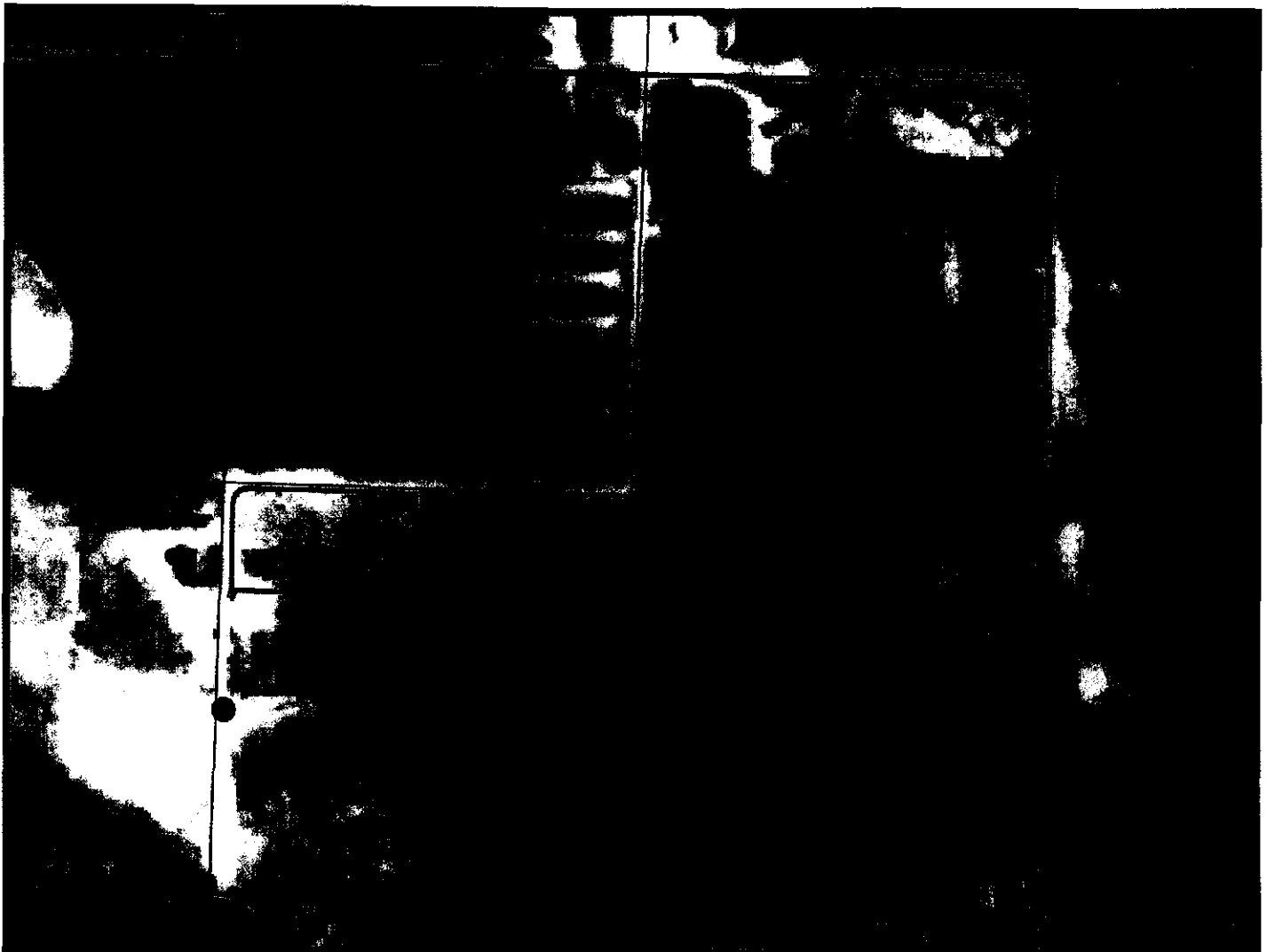
Applicants are adding a point of diversion to serve their acres rather than to continue sharing a well with another party due to conflict.



STATE OF IDAHO

Department of Water Resources
Western Region

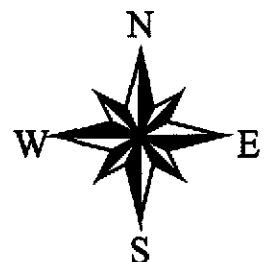
Water Right(s): 63-31472



1320 0 1320 Feet

Total Irrigated Acres: 4.25

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



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: June 2004

06/01/2004

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

RIGHT NUMBER: 63-31472
NAME AND ADDRESS: RONALD ARCHULETA
8200 STEWART RD
MERIDIAN ID 83642

FAM ARCHULETA
8200 STEWART RD
MERIDIAN ID 83642

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.085 CFS
19.100 AFY
PRIORITY DATE: 12/29/1980
POINT OF DIVERSION:

T02N R01E S9 SWNE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.085 CFS 19.10 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within ADA County

T02N R01E S09 SWNE 4.3

4.25 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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31472 V1

WATER RIGHT NUMBER: 63-31472 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	EDWARD W LEWIS 3700 E HUBBARD RD MERIDIAN, ID 83642 (208)888-2090
Original Owner	PATRICIA A LEWIS 3700 E HUBBARD RD MERIDIAN, ID 83642 (208)888-2090
Current Owner	RONALD ARCHULETA 8200 STEWART RD MERIDIAN, ID 83642 (208)888-5604
Current Owner	PAM ARCHULETA 8200 STEWART RD MERIDIAN, ID 83642 (208)888-5604

Priority Date: 12/29/1980

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	03/15 to 11/15	0.085 CFS	19.10 AF
	<u>Total Diversion:</u>	0.085 CFS	19.10 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 9,	Twp 02N,	Rge 01E, 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	
02N	01E	9			4.3														4.3

Total Acres: 4.25

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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31472 V1

Remarks:

1. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:

1. csaxton 6/1/2004 POD

Comment: Licensed POD was listed as SWNE of section 9. For some reason, through the split process of 63-09655 the POD was described incorrectly as the SENW of section 9. Recommend as licensed.

2. csaxton 6/1/2004 Diversion Rate

Comment: This right was licensed for 0.01978 cfs per acre and 47 acres. SRBA review found less acreage than originally licensed. Diversion rate was recommend for 0.02 cfs per acre and there is still extra diversion rate not recommended after distribution of original licensed (63-07855) diversion rate.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	6/1/2004 1:31:28 PM	csaxton			Active
Contacts	6/1/2004 1:35:07 PM	csaxton			Active
Priority Date	6/1/2004 1:35:54 PM	csaxton			Active
POD	6/1/2004 1:36:23 PM	csaxton			Active
Source	6/1/2004 1:57:16 PM	csaxton			Active
POU	6/1/2004 1:57:31 PM	csaxton			Active
Use	6/1/2004 1:58:39 PM	csaxton			Active
Season	6/1/2004 1:59:14 PM	csaxton			Active
Quantity	6/1/2004 2:00:00 PM	csaxton			Active
Summary			06/01/2004	csaxton	Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31472 V1

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	6/1/2004 1:35:08 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: In house Review
Source	6/1/2004 1:57:17 PM	csaxton	(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	6/1/2004 1:57:31 PM	csaxton	(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? (No) 14. Is a POU remark and/or condition required?
Contacts	6/1/2004 1:31:29 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: In house Review
POD	6/1/2004 1:37:37 PM	csaxton	Edited PLS
POU	6/1/2004 1:58:06 PM	csaxton	Edited shape boundary
POD	6/1/2004 1:37:23 PM	csaxton	Edited point location
POD	6/1/2004 1:56:55 PM	csaxton	Edited PLS
Priority Date	6/1/2004 1:35:55 PM	csaxton	(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	6/1/2004 1:36:24 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (No) 5. Can the claimed POD be verified using the water right file? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31472 V1

Use	6/1/2004 1:58:40 PM	csaxton	(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?
Season	6/1/2004 1:59:14 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (No) 5. Can the claimed Period of Use be verified using the water right file? (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? (Yes) 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) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
Quantity	6/1/2004 2:00:00 PM	csaxton	(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? (Yes) 8. Does the parent right have an annual 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 - This right was licensed for 0.01978 cfs per acre and 47 acres. SRBA review found less acreage than originally licensed. Diversion rate was recommend for 0.02 cfs per acre and there is still extra diversion rate not recommended after distribution of original licensed (63-07655) diversion rate.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31472 V1

Summary 6/1/2004 2:02:10 PM csaxton

(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?

**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) *N/A*
- ☒ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information *N/A*
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☒ Evidence of Priority – if none, talk with claimant *N/A*

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-31472

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: Rec as Licensed - see notes in ECUA.
- ☐ 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
			SW	NE	9	2N	1E		Licensing FE Map

Description of diverting works

OVERLAP REVIEWOther water rights with the same point of diversion: N/A

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

WATER USES☐ No change☒ Different UsesUse ITW From 3/15 To 11/15 Amount 0.085 CFS 19.1 AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA☒ Changes found, the new total is, Amount 0.085 CFS 19.1 AFA☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)**NON-IRRIGATION USES:**☒ No change☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

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

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	
2N	1E	9			4.25														4.25

Overlap with other water rights: N/A

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

Delivery System Narrative: Well to sprinkler system

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

AFTER EXAM THE FILE SHOULD CONTAIN:

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

Revis
~~DATE EXAM~~ CONDUCTED: 6-1-04

~~FIELD~~ EXAMINER: *raig J. Soper*

Craig L. Saxton

* Diver Rate Per acre = 0.0198
* Diver Vol Per Acre = 4.443

Sum CF\$=	0.929
Sum Acre=	46.9
Sum Volume=	208.8

Un-accounted for CFS=	0.001
Un-accounted for Acre=	0.1
Un-accounted for Vol=	0.0

Recommended splits at 1" per acre and 4.5 Afa per acre to preserve licensed diversion Rate and Volume.

ReceiptID	Amount	BasinNumber	SequenceNum	SplitSuffix	Type
C011085	25.00	63	20064		Claim
C011085	25.00	63	20065		Claim
C011085	97.00	63	9655		Claim

[illegible]

ATTN: REVIEWER
PLEASE CHECK THESE
PRORATED SPLITS
PRIOR TO ECVR
RDH 11/4/02

Archuleta
lot 131200



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

April 10, 2002

RONALD ARCHULETA
PAM ARCHULETA
8200 STEWART RD
MERIDIAN ID 83642

Re: Original Notice of Claim to a Water Right No. 63-9655

Renumbered Notice of Claim to a Water Right No. 63-31472

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.

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

Sincerely,

Adjudication Section
Western Region

DB: db

Enclosure

Bock, Susan

From: Peppersack, Jeff
Sent: Tuesday, April 02, 2002 5:33 PM
To: Bock, Susan
Subject: RE: double license

Sue,
The right is currently limited (although incorrectly) to 0.02 cfs per acre and 4.5 afa in combination with other rights. Any attempt to use more would violate the conditions of the water right. Any attempt to transfer or utilize elsewhere (water bank) without the companion right would constitute an enlargement of the right. There are no further conditions (or corrections) necessary at this time, but documentation of this discussion may help with the upcoming claim investigation and for review if an application is received. SRBA investigation may find that one of the rights should be disallowed based on no beneficial use; or, the right holder may choose to relinquish one of the rights in favor of the other. I am hesitant to make any changes until SRBA review has been completed to verify actual use and necessary action.

I plan to add a copy of this message to the water right files, you may want to do the same for the claims.

Jeff

-----Original Message-----

From: Bock, Susan
Sent: Tuesday, April 02, 2002 4:29 PM
To: Peppersack, Jeff
Subject: double license

Hi, Jeff.

By means of office day, I got involved with an odd one.

63-9655 was licensed for 47 acres at .02 per acre, G.W. with a 1980 priority date, in the name of Lewis.

63-9686 was licensed for 4 acres at .03 per acre, G.W. priority date 1981, name of Greenwell.

Greenwell is the son-in-law of Lewis. He did not realize that the 63-9655 covered his 4 acre track and thus filed for and received license 63-9686. The Lewis parcel has been subdivided and changes of ownership have been coming in. The neighbors are concerned that Mr. Greenwell will try to divert too much water from the well, try to transfer the 4 acres, or put it in the water bank. Mr. Greenwell has been using the well covered in 63-9655, but would like to know if he can hang on to the 63-9686 right as a back up.

Does either right need to be conditioned so that if he were to try to transfer it would send up a red flag?

Any thoughts would be appreciated as the neighbors will be waiting for my reply.

Thanks, Sue Bock