



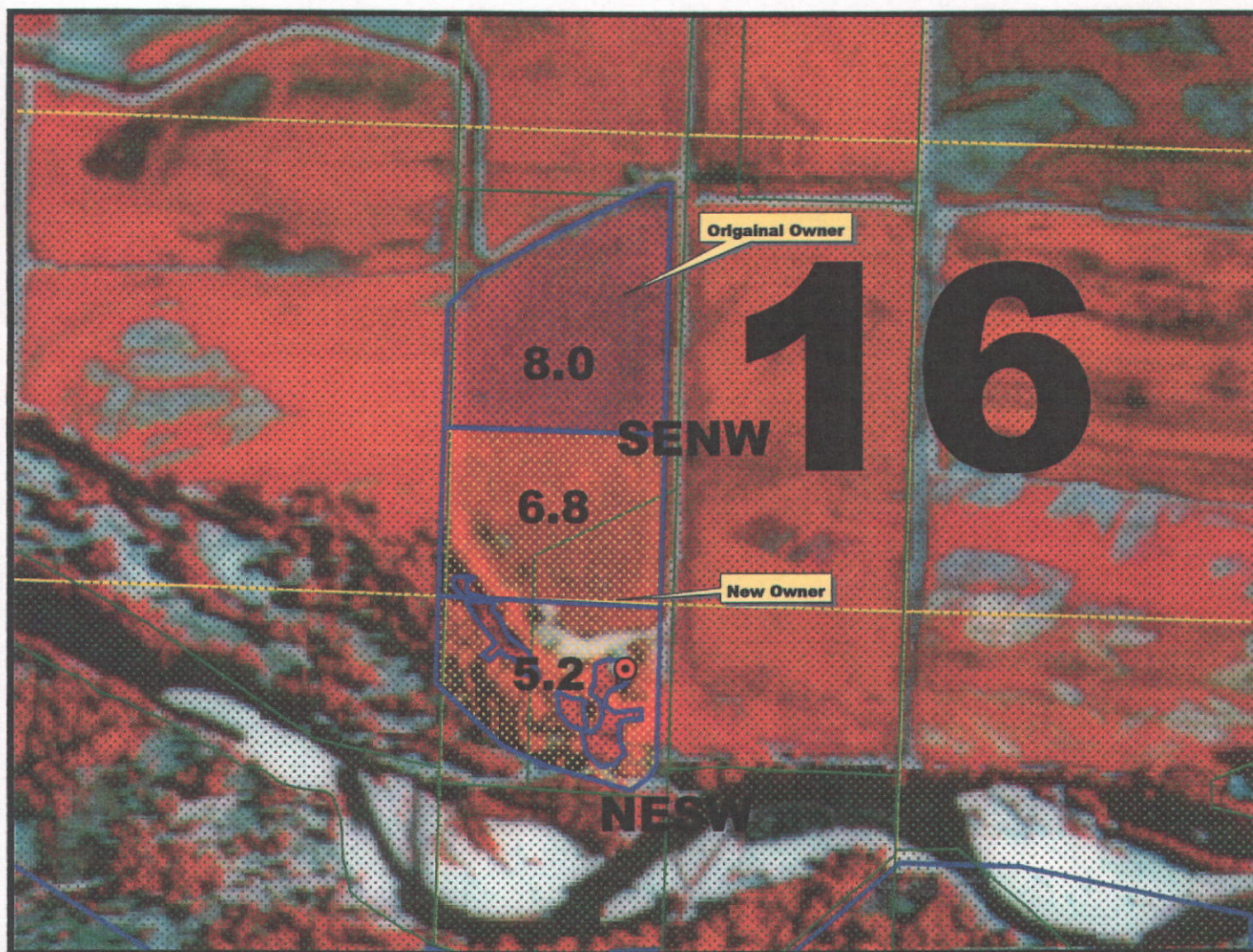
ADA COUNTY ANTI-BOMB
Lead Response Division
General phone: (208) 338-2222
24/7 Tel: (208) 338-2222
Fax: (208) 338-2222





63-31815
63-31816

Change of Ownership Split 1987 Photography



0 1320 Feet



Point of Diversion



Recommended Place of Use per QQ



Ada County Tax Lot Data



Quarter Quarter Lines



Section Lines

Total claimed Acres: N/A



Prepared by: C. Saxton
Date: April 2004

[illegible]

AUG 21 1952

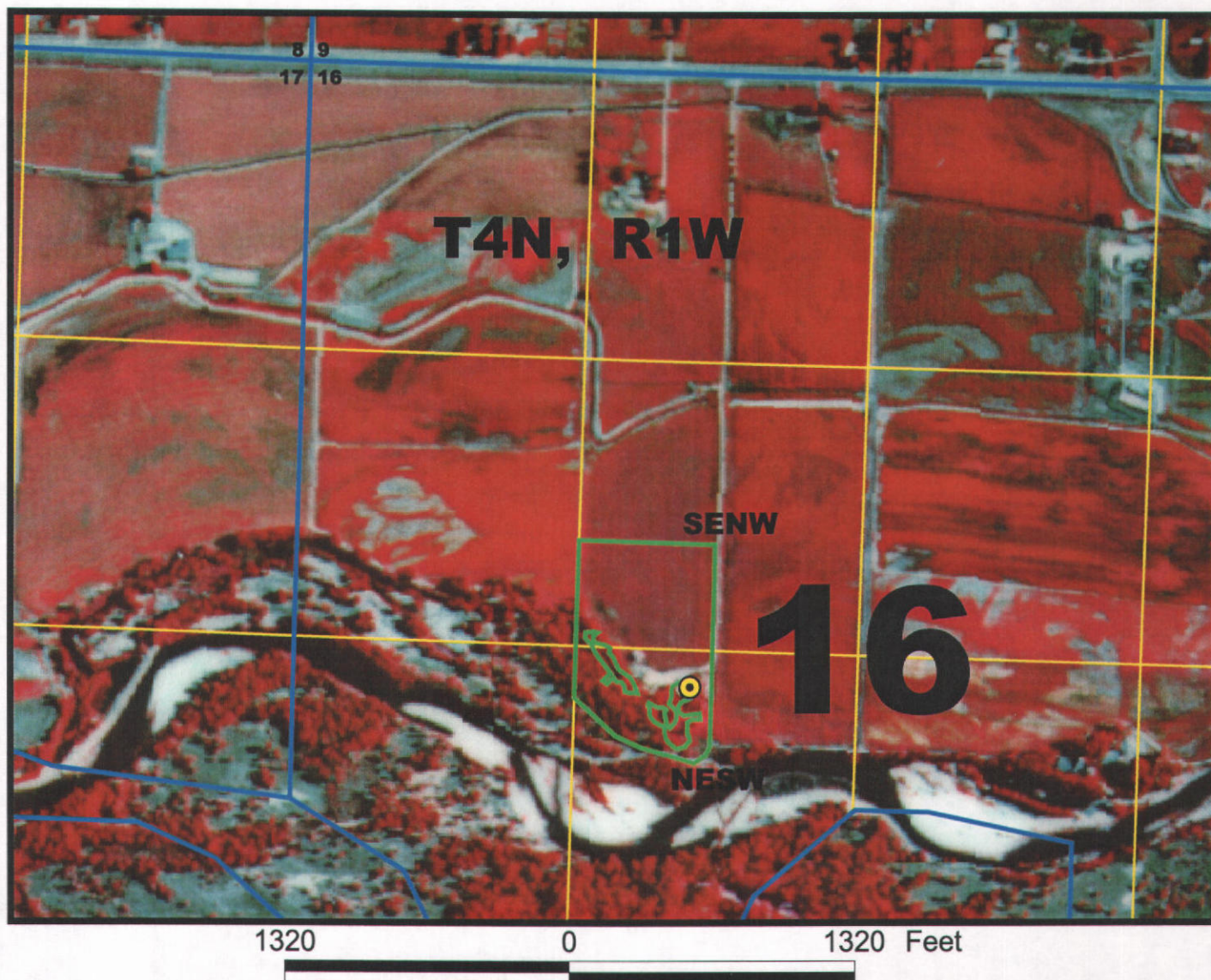
Fairview
Church



STATE OF IDAHO

Department of Water Resources
Western Region

Water Right(s): 63-31876



Total Irrigated Acres: 12.0

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



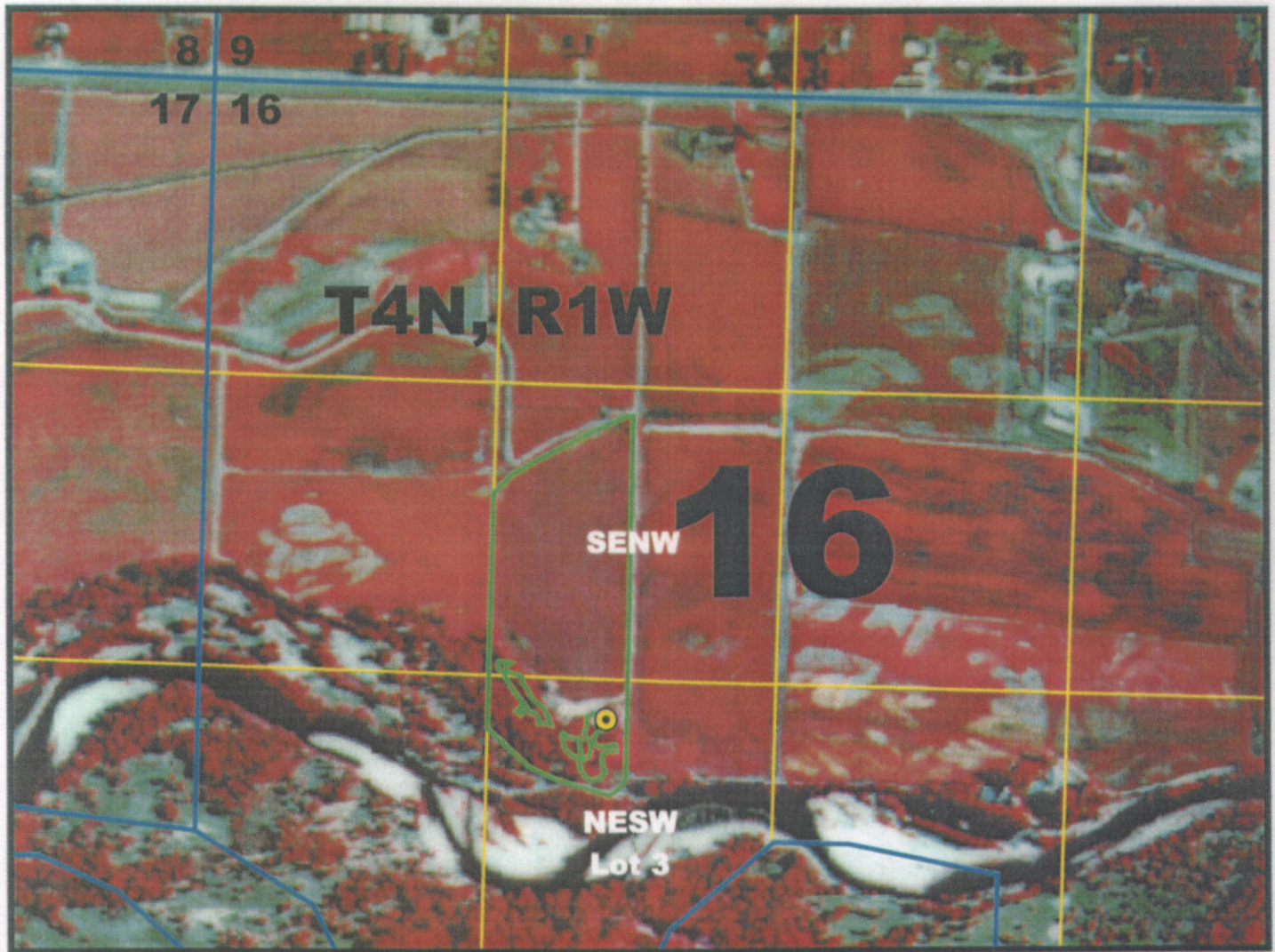
GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: April 2004



STATE OF IDAHO

Department of Water Resources
Western Region

Water Right(s): 63-05233



1320 0 1320 2640 Feet

Total Irrigated Acres: 20.0

-  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: December 2003



Mr. Lewis states that this well, which has an unconfined year
around flow of about $\frac{1}{2}$ cfs, has been flowing steadily since 1937.
He states that he was told by a former IDWR employee that
such wells have grandfather privileges prevent enforcement of
capping requirements.

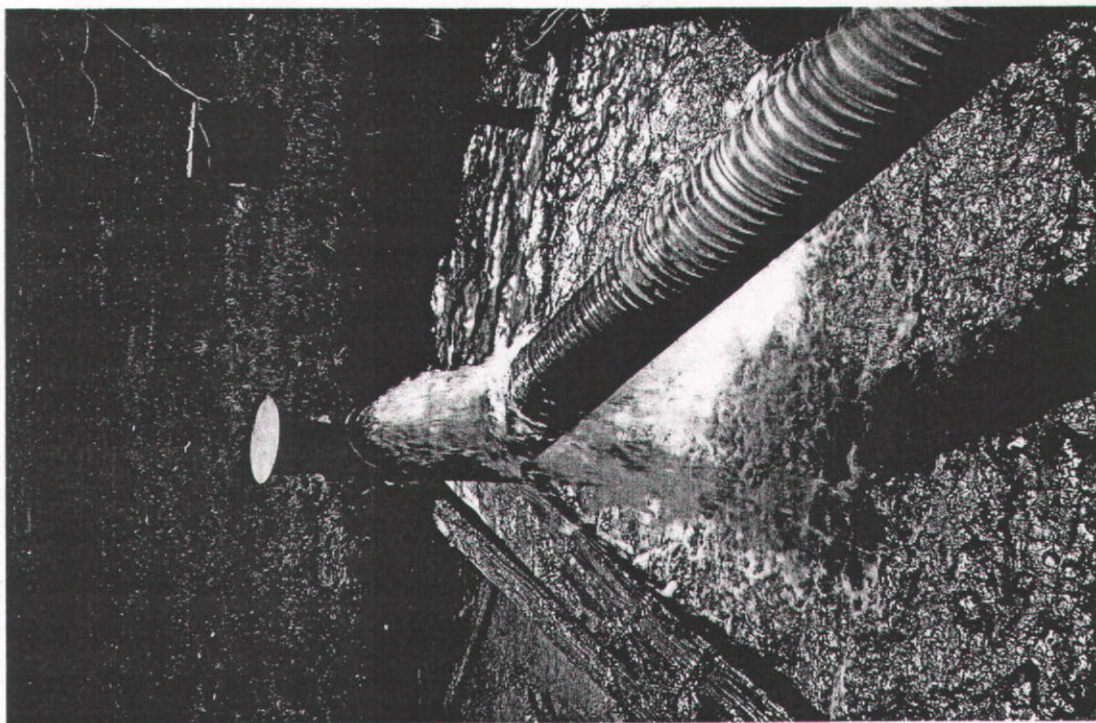
David R. Tuttle

Signature of Dept. Representative & Title

4/7/93

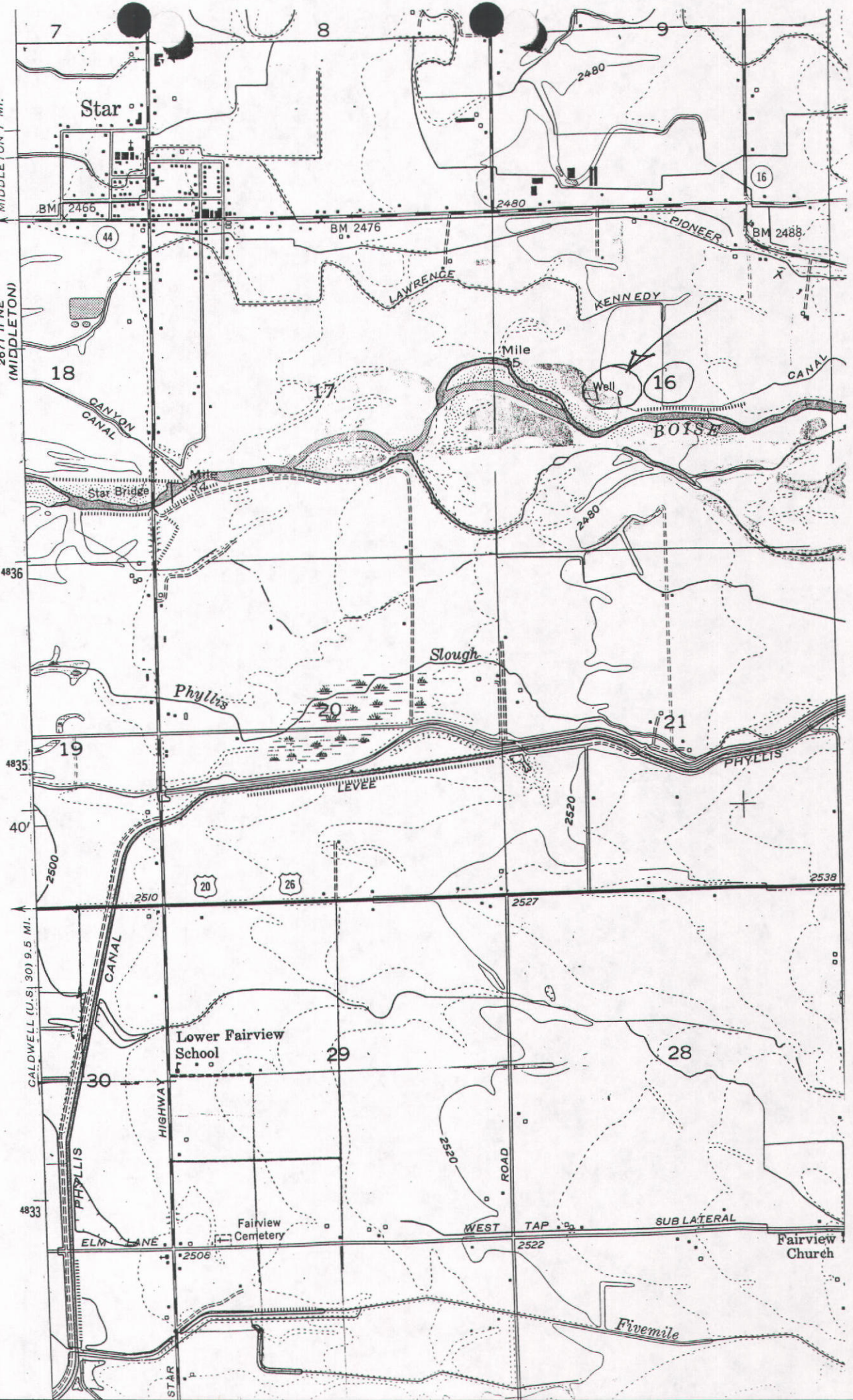
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:



CALDWELL (U.S. 30) 13 MI.
MIDDLETON 7 MI.

2671 II NE
(MIDDLETON)



REMARKS:

Mr. Lewis states the well, which has an uncontaminated year
around flow of about 4 1/2 cfs, has been flowing steadily since 1937.
He states that he was told by a former IDWR employee that
such wells have grandfather privileges prevent enforcement of
capping requirements.

David R. Tuttle

Signature of Dept. Representative & Title

4/7/93

Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:





Idaho Department of Water Resources

Claim Number: 63-05233

Legal: T4N, R1W, S16

Reviewed By:

● Point of Diversion



Place of Use



Section Lines



Quarter Quarter Lines



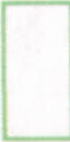
1987 Napp Photo



Water was not enough to do both when you raise trout App 3000 small or 1000 adult.

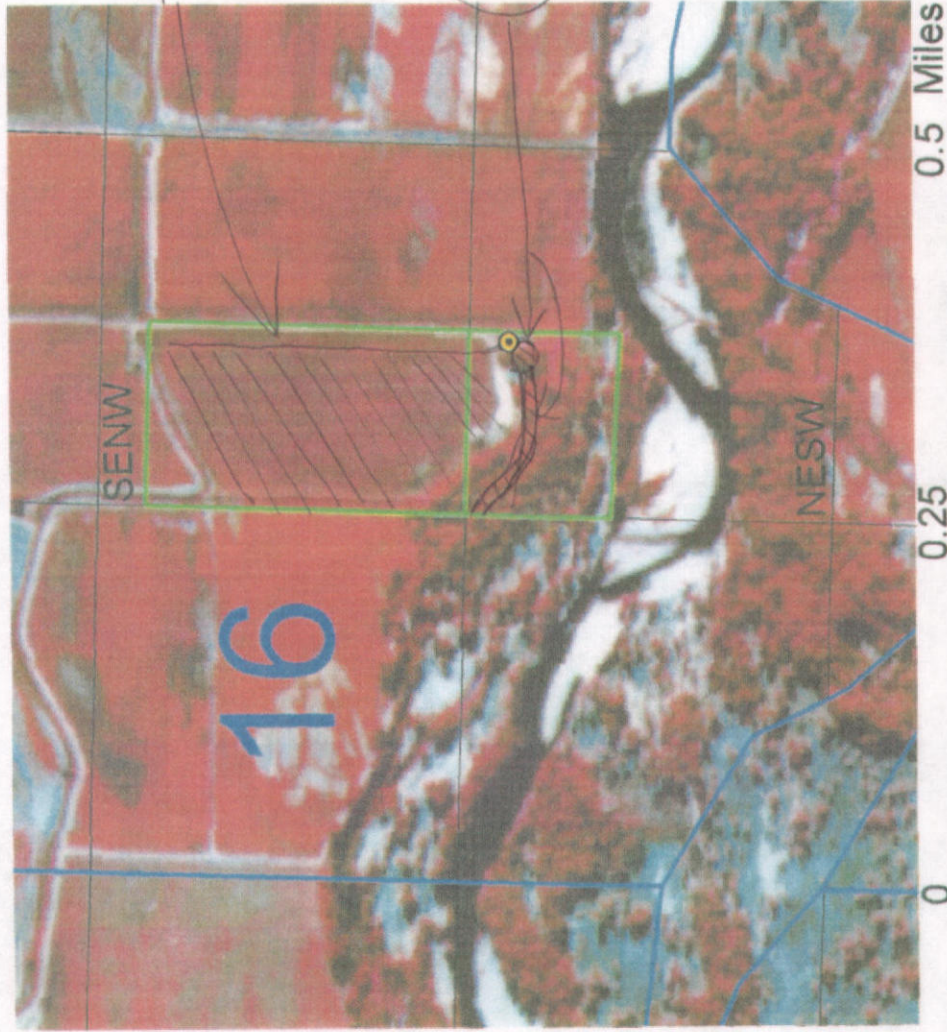
Idaho Department of Water Resources

Claim Number: 63-05233
Legal: T4N, R1W, S16
Reviewed By:

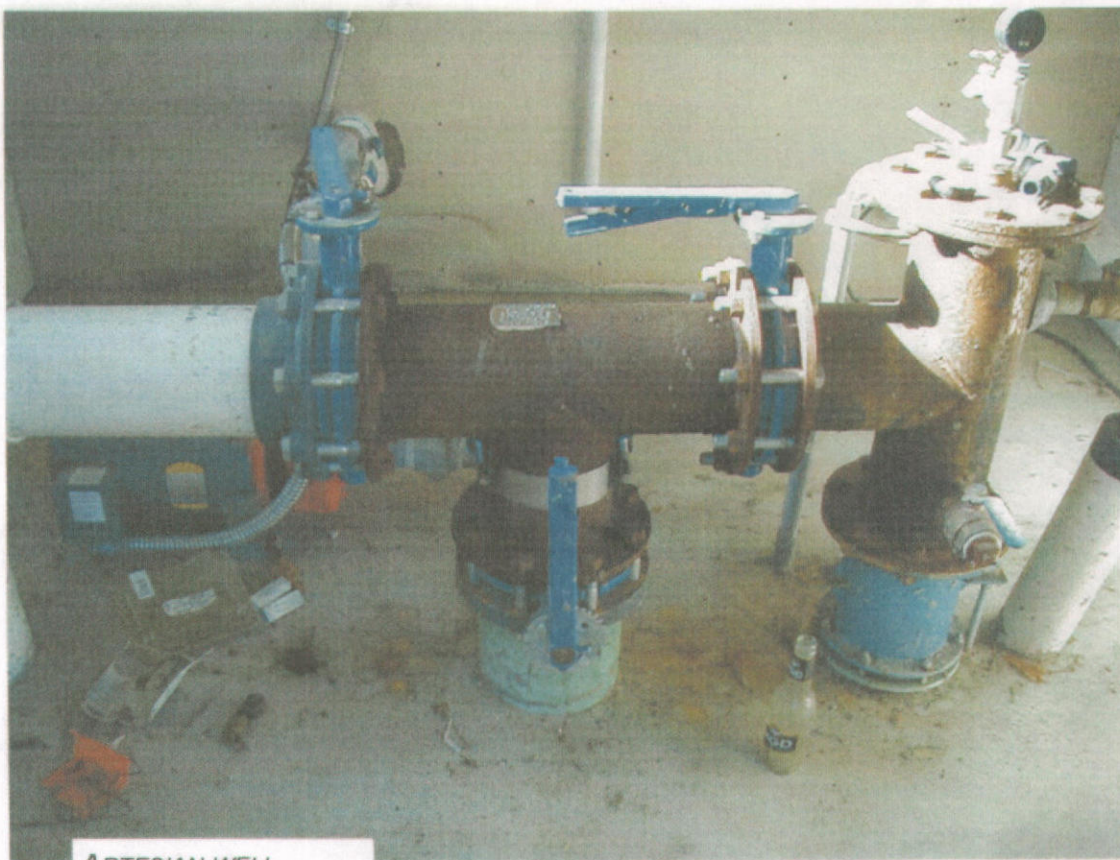
- Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



1987 Napp Photo



There was only enough water to either irrigate land or supply trout ponds not both when you have over 1000 Trout, (adult)



ARTESIAN WELL



OPEN DISCHARGE INTO
FOUNTAIN (CURRENT
CONFIGURATION)

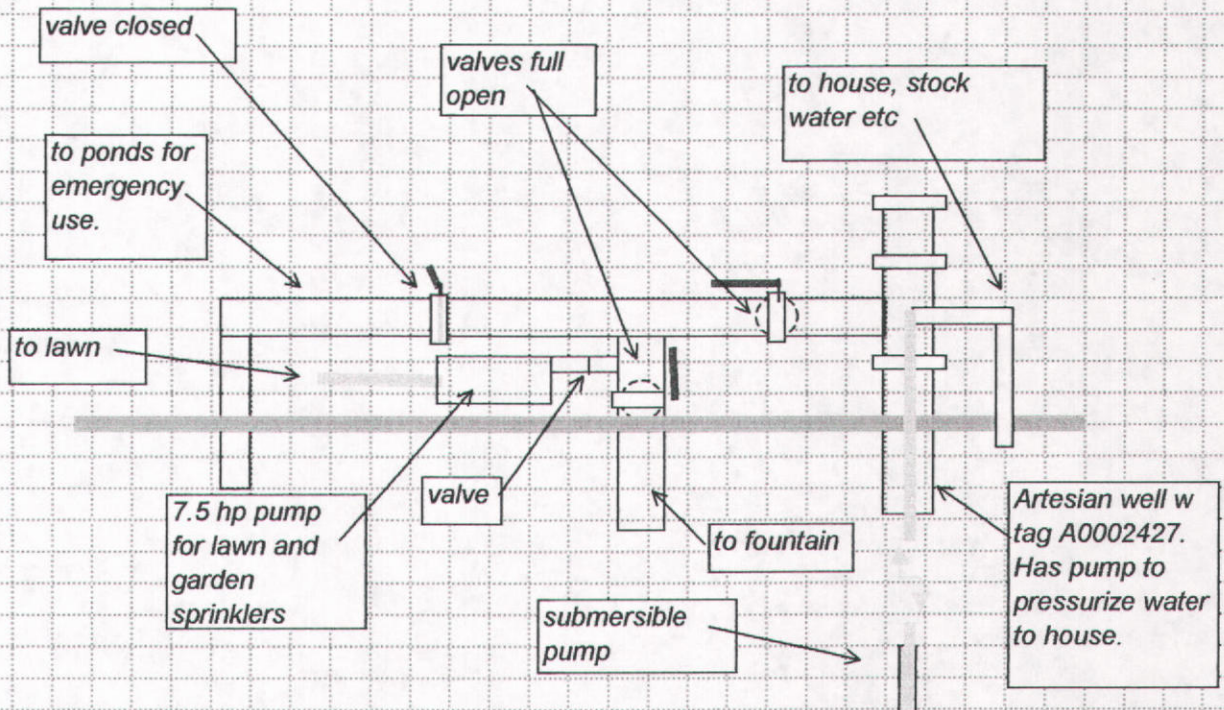
CLAIM A63-05223	WELL PICTURES	11/07/03
ROGER W LEWIS	USR 0301288	
8999 HWY 44	0289988	PHOTOGRAPHED BY:
STAR ID 83669		DARWIN VANDER STELT



CLAIM A63-05223	WELL PICTURES	11/07/03
ROGER W LEWIS	USR 0301288	
8999 HWY 44	0289988	PHOTOGRAPHED BY:
STAR ID 83669		DARWIN VANDER STELT

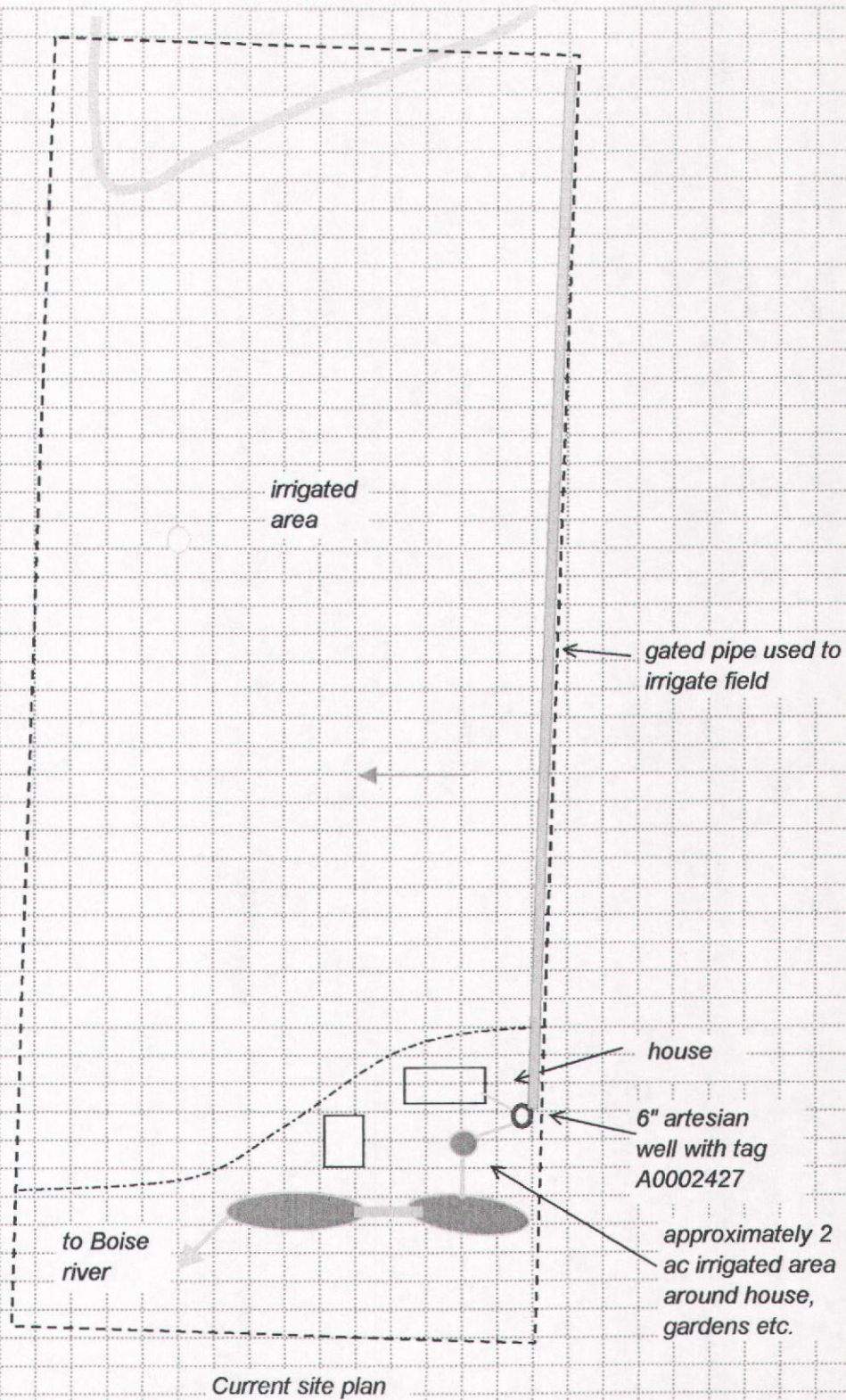
Drawing of diversion la

Here is a detail drawing of the plumbing at the well as currently configured. A submersible pump was installed in this well to provide water for the house and livestock. Artesian flow is what provides the water for the fountain and the fish ponds, and a 7.5 hp pump pressurizes water for the lawns and garden. There is no structure in place at this time to irrigate any of the pasture to the north.



63-05233	POD Coordinates:	
Roger W. Lewis	USR	0301288
8999 Hwy 44		0289988
Star ID 83669	not drawn to scale	

Drawing of diversion layout



63-05233	POD Coordinates:	
Roger W. Lewis	USR	0301288
8999 Hwy 44		0289988
Star ID 83669	not drawn to scale	



Idaho Department of Water Resources

Claim Number: 63-05233
 Legal: T4N, R1W, S16
 Reviewed By:

● Point of Diversion



Place of Use



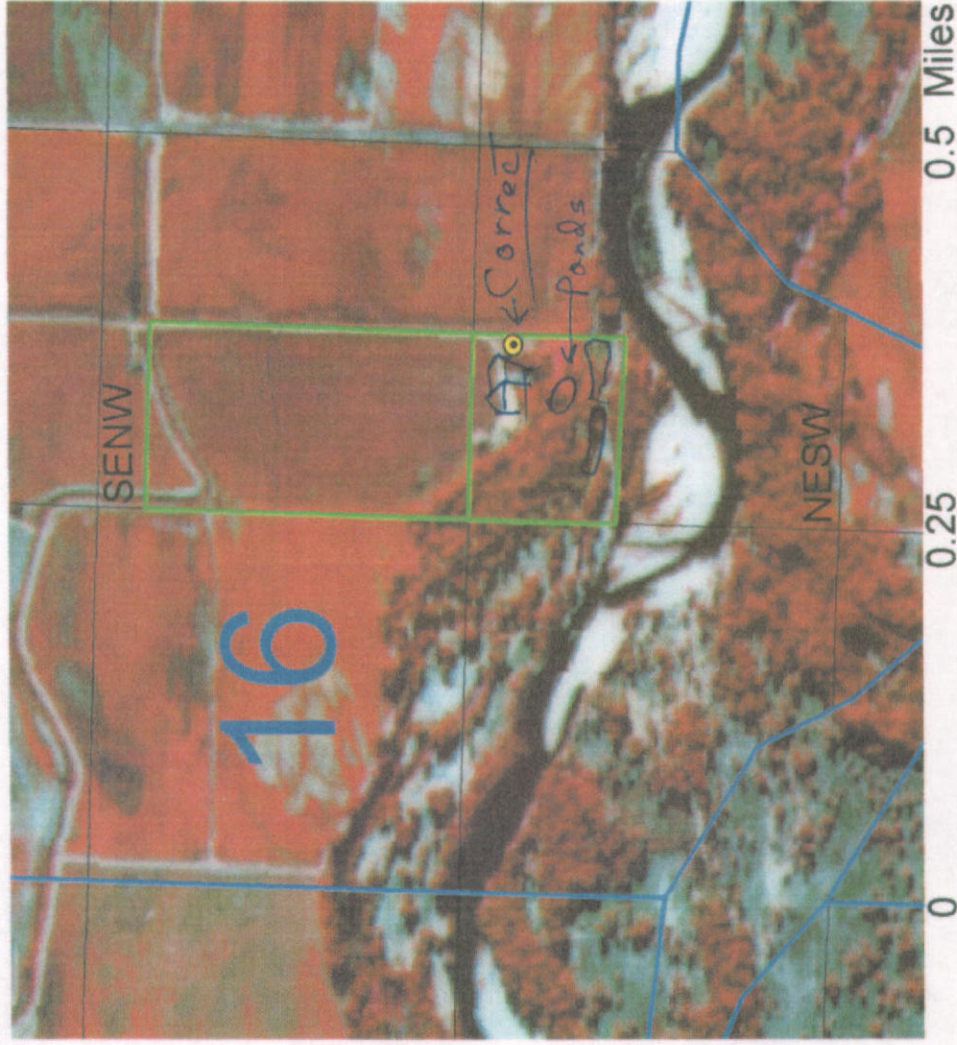
Section Lines



Quarter Quarter Lines



1987 Napp Photo



*Top left elevation shows
 Two different owners
 in the defined pool.
 Should there be two
 C/O's.*

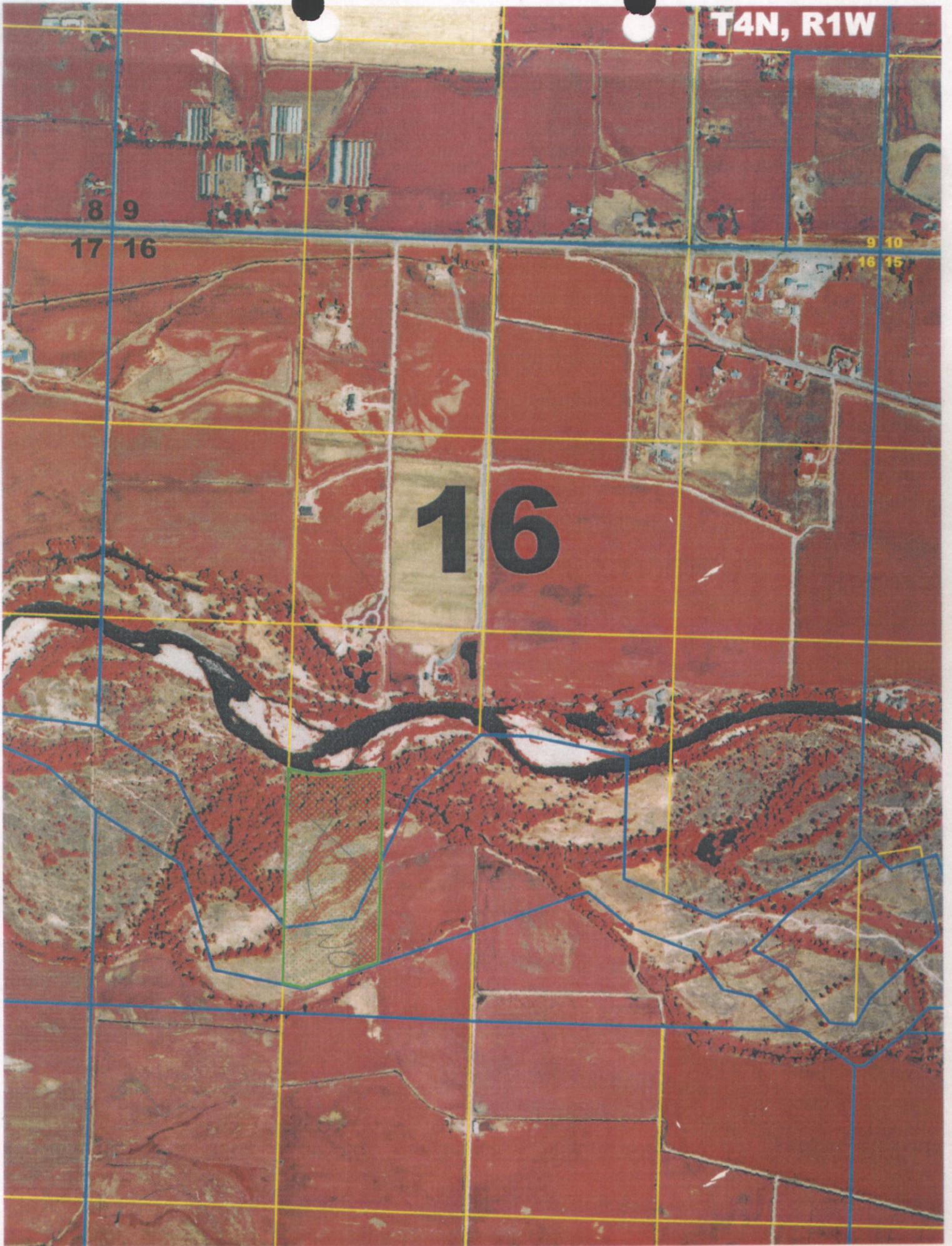
T4N, R1W

8 9

17 16

9 10
16 15

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 63-31876
Date Received: 9/1/1989
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MARY LOU BROWN
899 S CRYSTAL SPRINGS LN
STAR ID USA 83669

Phone: (208) 286-9880

RICHARD E BROWN
899 S CRYSTAL SPRINGS LN
STAR ID USA 83669

Phone: (208) 286-9880

2. Date of Priority: 04/01/1937

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	01W	16	NW	NE	SW 3	ADA	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	11/15	0.24	55.8
STOCKWATER	01/01	12/31	0.03	
FISH PROPAGATION	01/01	12/31	0.45	
FISH PROPAGATION STORAGE	01/01	12/31		1.8
DOMESTIC	01/01	12/31	0.04	
RECREATION STORAGE	01/01	12/31		1.8
DIVERSION TO STORAGE	01/01	12/31	0.45	

7. Total Quantity Appropriated is:
0.24 C.F.S. and/or 55.8 A.F.A.

Handwritten:
42 CFS
See amended
claim signed
9-6-93

8. Total consumptive use:

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

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01W	16	NE	SW	3	FISH PROPAGATION
			NE	SW	3	DIVERSION TO STORAGE
			NE	SW	3	DOMESTIC
			NE	SW		FISH PROPAGATION STORAGE
			NE	SW	3	RECREATION STORAGE
			NE	SW	3	IRRIGATION 5.2
			SE	NW		IRRIGATION 6.8
			NE	SW	3	STOCKWATER
					Section Acres	12
					Total Acres	12

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 63-5233. DB 4/5/2004

Notice of Appearance added by DB 4/5/2004

PRIORITY DATE IS BASED ON CONSULTATION WITH NEIGHBORS ON THEIR RECOLLECTION OF WHEN THE WELL WAS FIRST PUT TO USE.

DAVE TUTHILL MEASURED 200 GPM IN APRIL OF 1993. AMENDMENT BASED ON ORIGINAL STATUTORY CLAIM.

CLAIMANT ESTIMATES THE SIZE OF THE POND AS $35 \times 450 \times 5 / 43560 = 1.8$ AF. STOCKWATER ADDED TO POU, CLAIMED AS WATER USE. 9/3/97 LH

15. Basis of Claim: Statutory Claim

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

RECEIVED

MAR 26 2004

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
63-5233	63-5233	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___

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) Roger and Pat Lewis
8999 Highway 44, Star, Idaho 83669
4. New Owner/Claimant(s) Richard E. and Mary Lou Brown
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 899 South Crystal Springs Lane
 City, State and ZIP Code Star, Idaho 83669
 New Telephone Number (208) 286-9880
5. Date you acquired the property 1997 & 1998

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) Richard Brown
(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.

See attached Notice of Appearance.

For Office Use Only
 Received by CS Date 3-26-04 Fee 0
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5233

WATER RIGHT NUMBER: 63-5233

63-31876

Owner Type Name and Address

Current Owner

RAT LEWIS
8999 HWY 44
STAR, ID 83669
(208)286-7564

Current Owner

ROGER W LEWIS
8999 HWY 44
STAR, ID 83669
(208)286-7564

Brown

Priority Date: 04/01/1937

Basis: Statutory Claim

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
✓ FISH PROPAGATION	1/01 to 12/31	0.470 CFS	
✓ DIVERSION TO STORAGE	1/01 to 12/31	0.002 CFS	
✓ DOMESTIC	1/01 to 12/31	0.040 CFS	
✓ FISH PROPAGATION STORAGE	1/01 to 12/31		1.80 AF
✓ RECREATION STORAGE	1/01 to 12/31	.24 cfs	1.30 AF
✓ IRRIGATION	3/15 to 11/15	~~0.400 CFS~~	
✓ STOCKWATER	1/01 to 12/31	0.030 CFS	

Total Diversion: ~~0.470 CFS~~

.24 total cfs

~~1.80 AF~~

55.8 af total

Location of Point(s) of Diversion

GROUND WATER

L3 (NW1/4NE1/4SW1/4)

Sec. 16, Twp 04N, Rge 01W, B.M.

ADA County

Place of Use✓ FISH PROPAGATION Within ADA County

T04N R01W S16 Lot 3 NESW

✓ DIVERSION TO STORAGE Within ADA County

T04N R01W S16 Lot 3 NESW

✓ DOMESTIC Within ADA County

T04N R01W S16 Lot 3 NESW

✓ FISH PROPAGATION STORAGE Within ADA County

T04N R01W S16 NESW

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5233

POU:

RECREATION STORAGE Within ADA County

T04N R01W S16 Lot 3 NESW

IRRIGATION Within ADA CountyT04N R01W S16 SENW ~~16.0~~ 6.8

T04N R01W S16 Lot 3 NESW 4.0

Total Acres: 20

12 acres total

5.2

STOCKWATER Within ADA County

T04N R01W S16 Lot 3 NESW

Conditions of Approval:Remarks:

1. General PRIORITY DATE IS BASED ON CONSULTATION WITH NEIGHBORS ON THEIR RECOLLECTION OF WHEN THE WELL WAS FIRST PUT TO USE. DAVE TUTHILL MEASURED 200 GPM IN APRIL OF 1993. AMENDMENT BASED ON ORIGINAL STATUTORY CLAIM. CLAIMANT ESTIMATES THE SIZE OF THE POND AS 35X450X5/43560=1.8 AF. STOCKWATER ADDED TO POU, CLAIMED AS WATER USE. 9/3/97 LH

Comments:Dates and Other Information:

Claim Received Date: 9/1/1989
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
---------	--------------------	----------	--------------------	----------	--------

Verification Log:

Element	Date Time Stamp	Reviewer	Log text
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97070867 JG/PD
(0400)

97109062

97109062

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

ALLIANCE TITLE

97DEC31 PM 4 44

WARRANTY DEED

FEE 12⁰⁰ DEP *Shital*
RECORDED AT THE REQUEST OF

FOR VALUE RECEIVED, ROGER W. LEWIS and PATRICIA B. LEWIS, husband and wife, hereinafter referred to as the Grantor, hereby grants, bargains, sells and conveys unto RICHARD BROWN and MARY LOU BROWN, husband and wife, whose address is 899 South Crystal Springs Lane, Star, ID 83699, hereinafter referred to as the Grantee, the following described premises situated in Ada County, State of Idaho, to-wit:

Lot 4 of Block 1 of SPRINGWOOD SUBDIVISION, according to the plat thereof filed and recorded with the Ada County Recorder, Ada County, Idaho and amended by Instrument No. 97041064, records of the Ada County Recorder, Ada County, Idaho.

RESERVING unto Grantor, Grantor's successors, heirs and assigns a permanent non-exclusive easement over Crystal Springs Lane as shown on the Plat of SPRINGWOOD SUBDIVISION for ingress to and egress from the appurtenant property more particularly described below:

A parcel of land located in the west one-half (1/2) of U.S. Government Lot 3 and also lying within the meander lines of the Boise River as originally surveyed by the General Land Office of the Department of the Interior in 1867 (Original Meander Line Survey) all as more particularly described as follows and located in Section 16, T. 4 N., R. 1 W., B.M., Ada County, Idaho:

Commencing at a found aluminum cap marking the northwest corner of Section 16; thence S. 89°32'27" E., a distance of 1,967.30 feet along the north line of Section 16 to a set 5/8ths inch iron pin which bears N. 89°32'27" W., 655.76 feet from a found brass cap marking the north one-quarter (1/4) corner of Section 16; thence S. 0°43'14" W. (formerly S. 0°43'09" W.) a distance of 3,585.56 feet, more or less, along the east boundary of the W1/4W1/4 of Section 16, T. 4 N., R. 1 W., B.M., Ada County, Idaho, to a point which was on the ordinary or natural high water mark of the left (southerly) bank of the Boise River, which point is also on the east line of the west one-half (1/2) of U.S. Government Lot 3 and is also the real point of beginning;

thence along the ordinary or natural high water mark of the left (southerly) bank of the Boise River S. 86°27'10" W., 124.48 feet to a point; thence continuing along that ordinary or natural high water mark S. 79°09'49" W., 76.99 feet to a point; thence continuing along that ordinary or natural high water mark S. 85°31'06" W., 131.89 feet to a point; thence continuing along that ordinary or natural high water mark S. 82°15'39" W., 95.61 feet to a point; thence continuing along that ordinary or natural high water mark N. 86°09'32" W., 105.01 feet to a point; thence continuing along that ordinary or natural high water mark N. 76°08'14" W., 124.81 feet to a point on the west boundary of U.S. Government Lot 3 which is also the west boundary of the $\frac{1}{4}$ E $\frac{1}{4}$ W $\frac{1}{4}$ of Section 16; thence leaving the ordinary or natural high water mark of the left (southerly) bank of the Boise River, S. 0°39'31" W., 1,452.55 feet to a one-half inch iron pin on the former left (southerly) bank of the Boise River according to the Original Meander Line Survey; thence along the Original Meander Line Survey S. 79°26'56" E. (formerly S. 80° E.) 146.92 feet to a point, which point is a one-half inch iron pin; thence continuing along the Original Meander Line Survey N. 70°02'55" E. (formerly N. 69°30' E.) 540.33 feet to a one-half inch iron pin on the East boundary of the $\frac{1}{4}$ E $\frac{1}{4}$ W $\frac{1}{4}$ of Section 16; thence leaving the Original Meander Line Survey and proceeding along the East boundary of the $\frac{1}{4}$ E $\frac{1}{4}$ W $\frac{1}{4}$ of Section 16 N. 0°43'14" E., 702.18 feet to a point on the former right (northerly) bank of the Boise River according to the Original Meander Line Survey, which point is marked by a 5/8ths inch iron pin; thence continuing N. 0°43'14" E., 601.32 feet to a point, which point is the real point of beginning.

The Grantor and the Grantee and their respective successors, heirs and assigns shall have the common use of the easement and each shall use it so as not to unreasonably interfere with the use thereof by the other. The Grantor and the Grantee hereby covenant not to construct any obstructions to the easement. The use of the easement shall be for Grantor, Grantor's successors, heirs and assigns and Grantor's respective tenants, visitors and licensees to at all times hereafter with or without livestock, automobiles or other vehicles or on foot, cross over, pass, repass along and over, and obtain ingress to and egress from the appurtenant property and for all purposes connected with the use of the appurtenant property. Each and all of the provisions of this easement are intended to be and shall be construed

to be covenants running with the land.

This easement shall automatically terminate and be of no further force or effect in the event a public road joins into the appurtenant property permitting access on to that road or in the event there is an easement equivalent in use and width to that reserved here which will permit ingress to and egress from the appurtenant property to a public road. The Grantor and Grantor's successors, heirs and assigns agree upon termination of the easement to execute an instrument in recordable form to confirm the termination of this easement and deliver it to the Grantee or Grantee's successors, heirs and assigns.

SUBJECT to easements, reservations and restrictions of record or apparent.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anyway appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the property, as well in law as in equity.

TO HAVE AND TO HOLD all and singular the property, together with the appurtenances, unto the Grantee, Grantee's successors, heirs and assigns forever.

AND Grantor shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of Grantee, Grantee's successors, heirs and assigns against Grantor and Grantor's successors, heirs and assigns and against all and every person and persons whomsoever lawfully claiming the same.

IN WITNESS WHEREOF, Grantor has hereunto executed this Deed the 31st day of December, 1997.

Roger W. Lewis
Roger W. Lewis

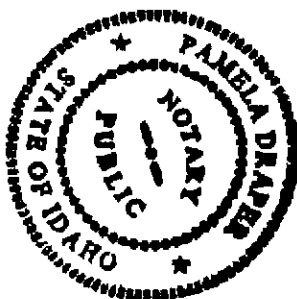
Patricia B. Lewis
Patricia B. Lewis

STATE OF IDAHO

County of Ada

On this 31st day of December, 1997, before me, the undersigned Notary Public in and for said State, personally appeared ROGER W. LEWIS and PATRICIA B. LEWIS, 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 hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Notary Public for Idaho
Residing at Baer
My Commission Expires: 4/6/2003

THIS FORM FURNISHED COURTESY OF:

**ALLIANCE TITLE &
ESCROW CORP.**

READ & APPROVED BY GRANTEE(S):

RB MJB

SPACE ABOVE THIS LINE FOR RECORDING DATA

{0300}

Order No.: 97071381 EBN/PD

WARRANTY DEED

FOR VALUE RECEIVED ROGER W. LEWIS AND PATRICIA B. LEWIS, husband and wife

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto RICHARD E. BROWN AND MARY LOU BROWN, husband and wife
AKA RICHARD BROWN AND MARY LOU BROWN, husband and wife

GRANTEE(S), whose current address is: 899 S. CRYSTAL SPRINGS LANE, STAR, ID 83699
the following described real property in ADA County, State of Idaho, more particularly described as follows, to wit:

As set forth on the attached EXHIBIT "A", which by this reference becomes a part hereof.

98018437

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

ALLIANCE TITLE

'98 FEB 27 PM 5:00

FEE 12⁰⁰ GLP *Draper*
RECORDED AT THE REQUEST OF

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: February 27, 1998

Roger W. Lewis

ROGER W. LEWIS

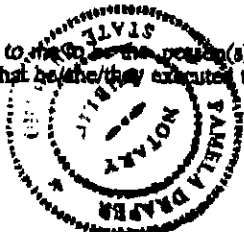
Patricia B. Lewis

PATRICIA B. LEWIS

STATE OF IDAHO
COUNTY OF ADA }

On this 27th day of February, in the year of 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared ROGER W. LEWIS AND PATRICIA B. LEWIS

known or identified to me as the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Signature: _____

Name: PAMELA DRAPER

Residing at: BOISE, IDAHO

My Commission Expires: 04/15/03

EXHIBIT "A"

Lot 3 of Block 1 of SPRINGWOOD SUBDIVISION, according to the Official Plat thereof, filed in Book 73 of Plats at Page(s) 7533 - 7534, and as amended by Affidavit recorded May 28, 1997, as Instrument No. 97041064, records of Ada County, Idaho.

RESERVING unto Grantor, Grantor's successors, heirs and assigns a permanent non-exclusive easement over Crystal Springs Lane as shown on the Plat of SPRINGWOOD SUBDIVISION for ingress to and egress from the appurtenant property more particularly described below:

A parcel of land located in the West Half of U.S. Government Lot 3 and also lying within the meander lines of the Boise River as originally surveyed by the General Land Office of the Department of the Interior in 1867 (Original Meander Line Survey) all as more particularly described as follows and located in Section 16, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho:

COMMENCING at a found aluminum cap marking the Northwest corner of Section 16; thence
 South 89 degrees 32'27" East, a distance of 1,967.30 feet along the North line of Section 16 to a set 5/8ths inch iron pin which bears
 North 89 degrees 32'27" West, 655.76 feet from a found brass cap marking the North Quarter corner of Section 16; thence
 South 00 degrees 43'14" West (formerly South 00 degrees 43' 09" West) a distance of 3,585.56 feet, more or less, along the East boundary of the West Half East Half, West Half of Section 16, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, to a point which was on the ordinary or natural high water mark of the left (Southerly) bank of the Boise River, which point is also on the East line of the West Half of U.S. Government Lot 3 and is also the REAL POINT OF BEGINNING; thence along the ordinary or natural high water mark of the left (Southerly) bank of the Boise River
 South 86 degrees 27'10" West, 124.48 feet to a point; thence continuing along that ordinary or natural high water mark
 South 79 degrees 09'49" West 76.99 feet to a point; thence continuing along that ordinary or natural high water mark
 South 85 degrees 31'06" West 131.89 feet to a point; thence continuing along that ordinary or natural high water mark
 South 82 degrees 15'39" West 95.61 feet to a point; thence continuing along that ordinary or natural high water mark

Continuation of Exhibit A

Order No. 97071381 EBN

North 86 degrees 03'32" West, 105.01 feet to a point; thence continuing along that ordinary or natural high water mark

North 76 degrees 08'14" West, 124.81 feet to a point on the West boundary of U.S. Government Lot 3 which is also the West boundary of the West Half East Half West Half of Section 16; thence leaving the ordinary or natural high water mark of the left (Southerly) bank of the Boise River,

South 00 degrees 39'31" West, 1,452.55 feet to a half inch iron pin on the former left (Southerly) bank of the Boise River according to the Original Meander Line Survey; thence along the Original Meander Line Survey

South 79 degrees 26'56" East (formerly South 80 degrees East) 146.92 feet to a point, which point is a half inch iron pin; thence continuing along the Original Meander Line Survey

North 70 degrees 02'55" East (formerly North 69 degrees 30' East) 540.33 feet to a half inch iron pin on the East boundary of the West Half East Half West Half of Section 16; thence leaving the Original Meander Line Survey and proceeding along the East boundary of the West Half East Half West Half of Section 16

North 00 degrees 43'14" East, 702.18 feet to a point on the former right (Northerly) bank of the Boise River according to the Original Meander Line Survey, which point is marked by a 5/8th inch iron pin; thence continuing

North 00 degrees 43'14" East, 601.32 feet to a point, which point is the REAL POINT OF BEGINNING.

The Grantor and the Grantee and their respective successors, heirs and assigns shall have the common use of the easement and each shall use it so as not to unreasonably interfere with the use thereof by the other. The Grantor and the Grantee hereby covenant not to construct any obstructions to the easement. The use of the easement shall be for Grantor, Grantor's successors, heirs and assigns and Grantor's respective tenants, visitors and licensees to at all times herein-after with or without livestock, automobiles or other vehicles or on foot, cross over, pass, repass along and over, and obtain ingress to and egress from the appurtenant property and for all purposes connected with the use of the appurtenant property. Each and all of the provisions of this easement are intended to be and shall be

Continuation of Exhibit A

Order No. 197071381 EBN

construed to be covenants running with the land.

This easement shall automatically terminate and be of no further force or effect in the event a public road joins into the appurtenant property permitting access on to that road or in the event there is an easement equivalent in use and width to that reserved here which will permit ingress to and egress from the appurtenant property to a public road. The Grantor and Grantor's successors, heirs and assigns agree upon termination of the easement to execute an instrument in recordable form to confirm the termination of this easement and deliver it to the Grantee or Grantee's successors, heirs and assigns.

R.B.
MB
BL
FL

PLAN SHOWING SPRINGWOOD SUBDIVISION

LOCATED IN A PORTION OF THE W 1/2 E 1/2 W 1/2 OF SECTION 16
AND A PORTION OF THE WEST 1/2 OF SECTION 16
LOT 3 SECTION 16, T.4N., R.1E., U.M.
ADA COUNTY, IDAHO 1907

RECORD OF SURVEY NO. 3464, ADAS, 704

UNPLATTED

5.00' 45" 11' W. 3080.23' (5.00' 45" 08' W.)

UNPLATTED

6.00' 58' 31" E. 2285.91'

UNPLATTED

RECORD OF SURVEY NO. 708

UNPLATTED

RECORD OF SURVEY NO. 708

UNPLATTED

RECORD OF SURVEY NO. 708

UNPLATTED

RECORD OF SURVEY NO. 708

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RECORD OF SURVEY NO. 708

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RECORD OF SURVEY NO. 708

UNPLATTED

NOTES

1. RECORD STRIKES AND DISPOSITION STANDARDS IN THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH THE APPLICABLE FORMS REGULATIONS OF ADA COUNTY.
2. ANY RE-SUBDIVISION OF THE PLAT SHALL CONFORM TO THE APPLICABLE REGULATIONS OF ADA COUNTY.
3. ALL LOTS ARE HEREBY DESIGNATED AS BEING A PERMANENT PUBLIC UTILITY, DRAINAGE, HIGHWAY AND STREET CORRIDOR OVER THE PLAT FOR THE PRIVATE USE OF THE ESTATE AND SHALL NOT BE USED FOR ANY OTHER PURPOSE.
4. SUBDIVISION WAS COMPLETED WITH THE DISCLOSURE REQUIREMENTS OF SECTION 31-38B OF THE IDAHO CODE.
5. A TEN (10) FOOT EASEMENT AND EASEMENT EASEMENT IS LOCATED ALONG THE EASTERN BOUNDARY LINE AND A PUBLIC (11) FOOT EASEMENT IS LOCATED ALONG THE WESTERN BOUNDARY LINE.
6. A LOT SHALL NOT BE REDUCED IN SIZE WITHOUT PRIOR APPROVAL FROM THE HEALTH AUTHORITY.
7. NO ADDITIONAL DOMESTIC WATER SUPPLIES SHALL BE INSTALLED BEYOND THE SYSTEM APPROVED IN EASEMENT RESTRICTION.
8. REFERENCE IS MADE TO PUBLIC HEALTH LETTER ON FILE REGARDING EASEMENT RESTRICTIONS.
9. THIS DEVELOPMENT RECOGNIZES SECTION 27-4003 OF THE IDAHO CODE, WHICH PROVIDES THAT ANY LOT WHICH IS NOT A LOT OF THE SAME SIZE AS THAT WHICH WAS ORIGINALLY SUBDIVIDED SHALL BE SUBJECT TO THE SAME RESTRICTIONS AS THE LOT WHICH IT REPLACES.
10. THIS DEVELOPMENT RECOGNIZES THAT THE PROVISIONS OF THE IDAHO CODE SHALL NOT APPLY TO THE PROVISIONS OF ANY OTHER LAW OR ORDINANCE.
11. CRITICAL SPRINGS LANE IS A PRIVATE ROAD AND COMES TO HOSE LOT 10. THE PRIVATE ROAD AND EASEMENT SHALL BE SUBJECT TO THE SAME RESTRICTIONS AS THE PRIVATE ROAD AND EASEMENT.
12. CRITICAL SPRINGS LANE SHALL ALSO BE USED BY THE OWNERS OF LOTS 1 THROUGH 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

CURVE TABLE

STATION	CHORD BEARING	CHORD DISTANCE	CHORD BEARING	CHORD DISTANCE
1	12.72	127.14	12.72	127.14
2	12.72	127.14	12.72	127.14
3	12.72	127.14	12.72	127.14
4	12.72	127.14	12.72	127.14
5	12.72	127.14	12.72	127.14
6	12.72	127.14	12.72	127.14
7	12.72	127.14	12.72	127.14
8	12.72	127.14	12.72	127.14
9	12.72	127.14	12.72	127.14
10	12.72	127.14	12.72	127.14

LEGEND

- 1. INITIAL POINT OF PLAT
- 2. 1/4 SECTION CORNER
- 3. 1/4 SECTION CORNER
- 4. 1/4 SECTION CORNER
- 5. 1/4 SECTION CORNER
- 6. 1/4 SECTION CORNER
- 7. 1/4 SECTION CORNER
- 8. 1/4 SECTION CORNER
- 9. 1/4 SECTION CORNER
- 10. 1/4 SECTION CORNER
- 11. 1/4 SECTION CORNER
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- 94. 1/4 SECTION CORNER
- 95. 1/4 SECTION CORNER
- 96. 1/4 SECTION CORNER
- 97. 1/4 SECTION CORNER
- 98. 1/4 SECTION CORNER
- 99. 1/4 SECTION CORNER
- 100. 1/4 SECTION CORNER

PINNACLE
Engineers, Inc.

DATE: 11/28/97

DISTRICT DIRECTOR

11/28/97

11/28/97

11/28/97

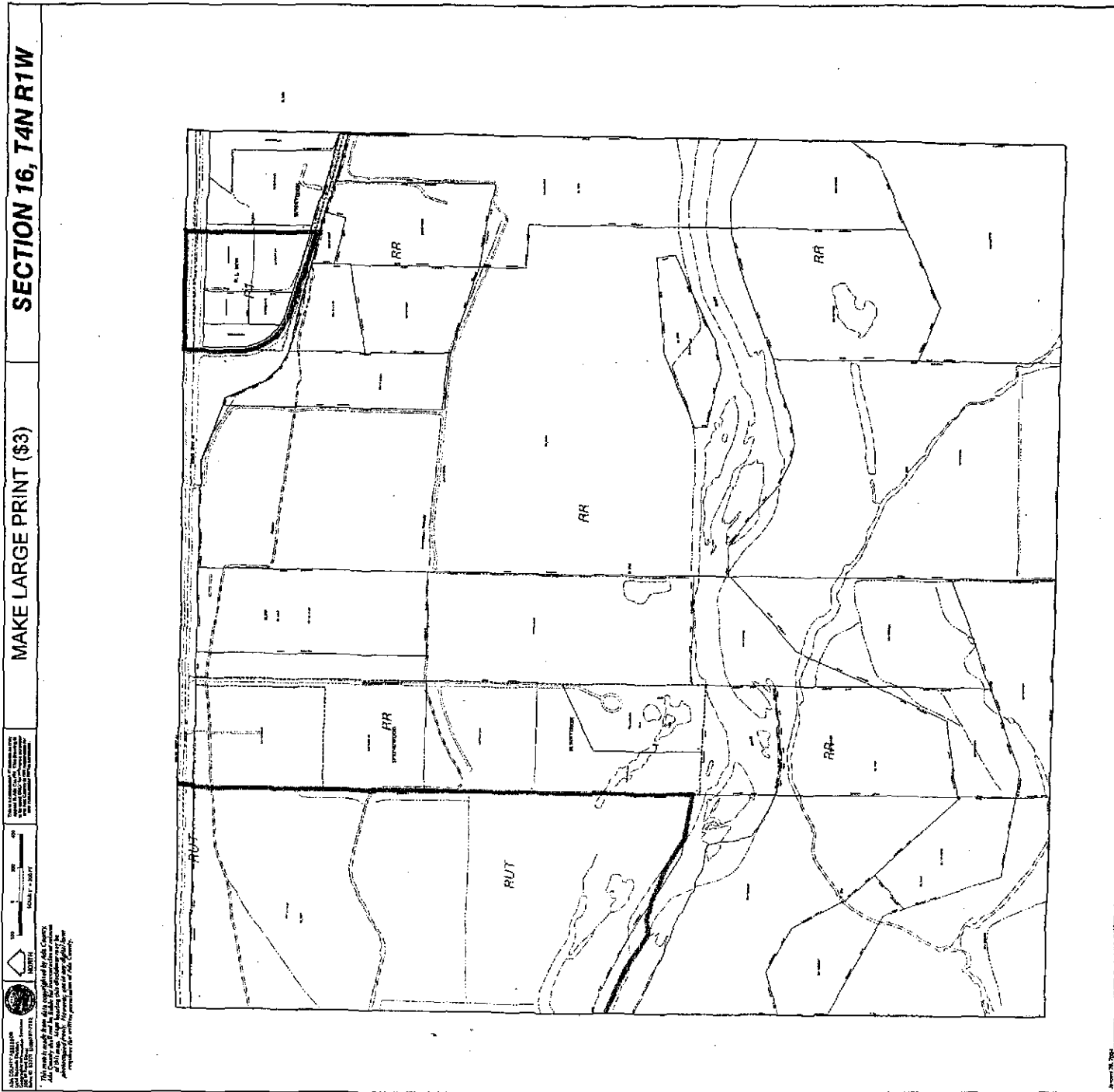
11/28/97

11/28/97

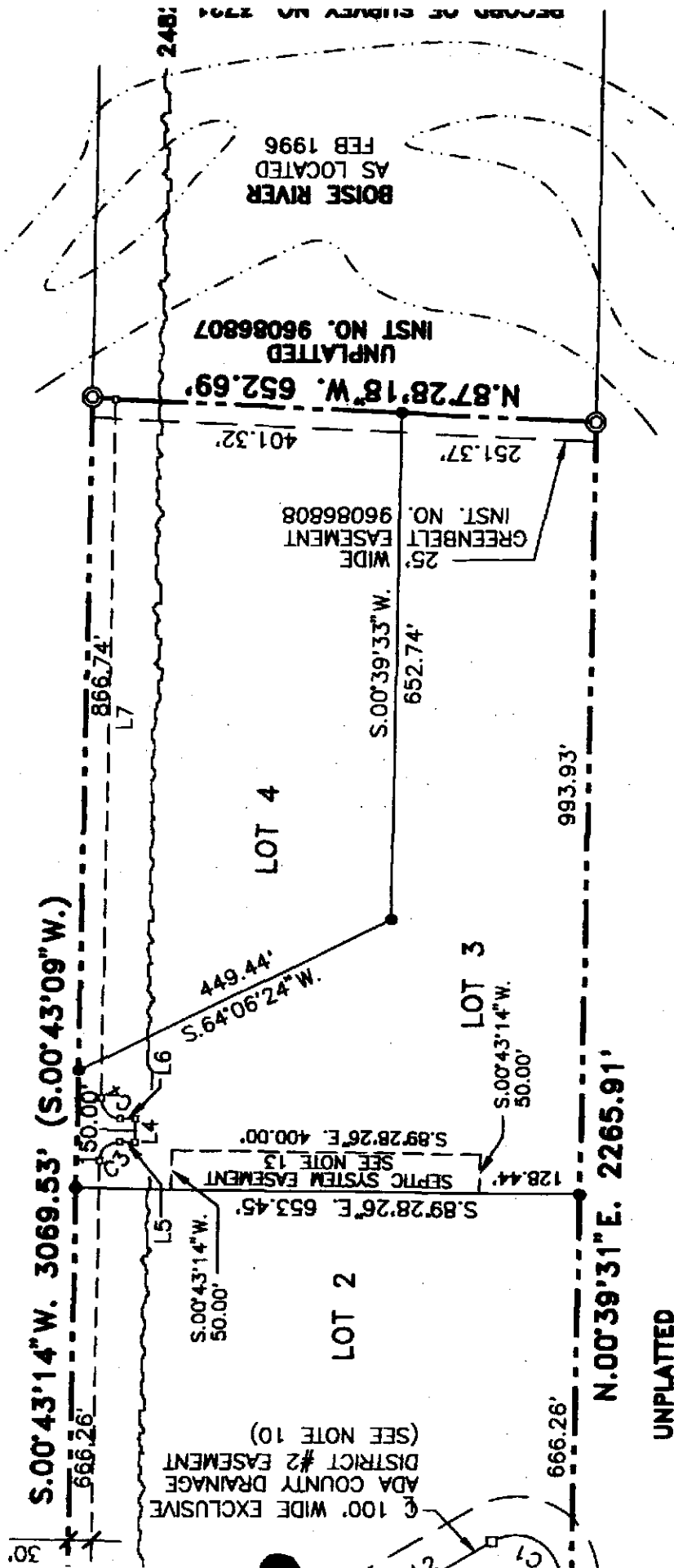
11/28/97

11/28/97

11/28/97



UNPLATTED



RECORD OF SURVEY NO. 706

Numerical Subdivision Plats - Bk73 Pg7533 SPRINGWOOD SUB

inch = 0.96 Inches

STREETS AND DIMENSIONAL STANDARDS IN THIS SUBDIVISION SHALL CONFORM WITH THE APPLICABLE ZONING REGULATIONS OF ADA COUNTY.

SUBDIVISION OF THIS PLAT SHALL CONFORM TO THE REGULATIONS IN EFFECT AT THE TIME OF THE RE-SUBDIVISION OF APPROVAL FOR FILE 95-20-PDR.

ARE HEREBY DESIGNATED AS HAVING A PERMANENT PUBLIC

Asr# 807996, Scale: 1

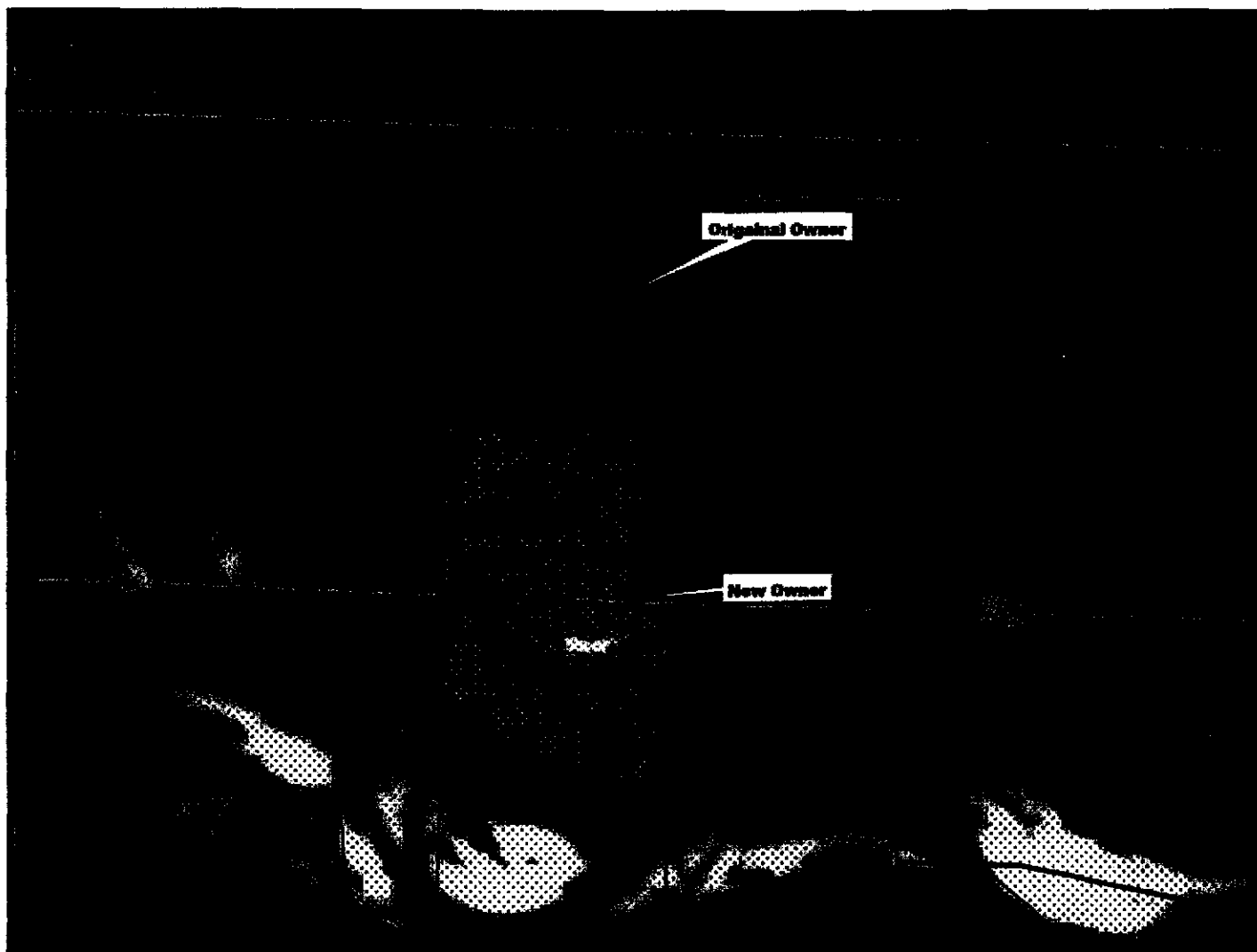
12. LOTS 2 AND 3 OF BLOCK 1 ARE SUBJECT TO A BOISE SETBACK OF 100' UPLAND FROM THE NFIP FLOODWAY LINE. OF THE FLOODWAY LINE IS TO BE DETERMINED BY THE ADA COUNTY DEVELOPMENT SERVICES DIRECTOR.

13. A COMMON USE SEPTIC SYSTEM EASEMENT IS DESIGNATED THE PLAT DRAWING FOR THE USE OF LOT 2 AND LOT 3 BLOCK



63-31815
63-31816

Change of Ownership Split 1987 Photography



0

1320 Feet



Point of Diversion



Recommended Place of Use per QQ



Ada County Tax Lot Data

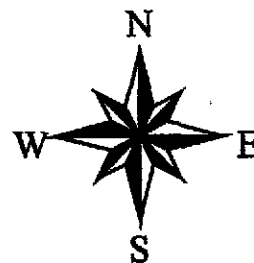


Quarter Quarter Lines



Section Lines

Total claimed Acres: N/A



Prepared by: C. Saxton
Date: April 2004

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: A63-05233
Date Received: 9/ 1/1989
Receipt No: C010785
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: ROGER W LEWIS 208-286-7564
Address: 8999 HIGHWAY 44
STAR ID 83669
OR
Name: PAT LEWIS 208-286-7564
Address: 8999 HIGHWAY 44
STAR ID 83669

2. Date of Priority: APR 1, 1937

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
← 04N	01W	16	NW	NE	SW	3	ADA

5. Description of diverting works:
WELL, WITH PIPE TO IRRIGATION DITCH OR TO POND

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.400		
STOCKWATER	01/01	12/31	0.030		
DOMESTIC	01/01	12/31	0.040		
RECREATION STORAGE	01/01	12/31			1.80
DIVERSION TO STORAGE	01/01	12/31	0.002	0.44	
FISH PROPAGATION	01/01	12/31	0.470	0.44	
for FISH PROP. STORAGE	01/01	12/31			1.80

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

1.80 A.F.A. *Should be Selling Fish to have Fish Propagation Commercial*

8. Total consumptive use is 70.0 Acre Feet Per Annum.

9. Non-irrigation uses:

D/1 HOME S/VARIABLE AMT., RECREATION, TROUT PROP

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01W	16	SE	NW		IRR	16.0
			NE	SW		FIS S	
			NE	SW	3	IRR	4.0
			NE	SW	3	DOMEST	
			NE	SW	3	REC S	
			NE	SW	3	DIV S	
			NE	SW	3	FISH	
			NE	SW	3	STOCK	

Section Acres 20.0

Total Acres 20.0

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:
DITCH-LITTLE PIONEER

14. Remarks:

PRIORITY DATE IS BASED ON CONSULTATION WITH NEIGHBORS ON THEIR RECOLLECTION OF WHEN THE WELL WAS FIRST PUT TO USE.
DAVE TUTHILL MEASURED 200 GPM IN APRIL OF 1993. AMENDMENT BASED ON ORIGINAL STATUTORY CLAIM.
CLAIMANT ESTIMATES THE SIZE OF THE POND AS 35X450X5/43560=1.8 AF.
STOCKWATER ADDED TO POU, CLAIMED AS WATER USE. 9/3/97 LH

15. Basis of Claim: STATUTORY CLAIM

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: A63-05233
Date Received: 9/ 1/1989
Receipt No: C010785
Received By: g

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: ROGER W. LEWIS 208-286-7564
Address: 8999 HIGHWAY 44
STAR ID 83669
OR
Name: PAT LEWIS 208-286-7564
Address: 8999 HIGHWAY 44
STAR ID 83669

2. Date of Priority: APR 1, 1937

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01W	16	NW	NE	SW	3	ADA

5. Description of diverting works:
WELL, WITH PIPE TO IRRIGATION DITCH OR TO POND

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.400		
STOCKWATER	01/01	12/31	0.030		
DOMESTIC	01/01	12/31	0.040		
RECREATION STORAGE	01/01	12/31			1.30
DIVERSION TO STORAGE	01/01	12/31	0.002		
FISH PROPAGATION	01/01	12/31	0.470		
FISH PROP. STORAGE	01/01	12/31			1.80

7. Total Quantity Appropriated is:
0.470 C.F.S. (and/or) 1.80 A.F.A.

8. Total consumptive use is 70.0 Acre Feet Per Annum.

9. Non-irrigation uses:

D/1 HOME S/VARIABLE AMT., RECREATION, TROUT PROP

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01W	16	SE	NW		IRR	16.0
			NE	SW		FIS S	
			NE	SW	3	IRR	4.0
			NE	SW	3	DOMEST	
			NE	SW	3	REC S	
			NE	SW	3	REC FS	
			NE	SW	3	FISH	
						Section Acres	20.0
						Total Acres	20.0

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:

DITCH-LITTLE PIONEER

14. Remarks:

PRIORITY DATE IS BASED ON CONSULTATION WITH NEIGHBORS ON THEIR RECOLLECTION OF WHEN THE WELL WAS FIRST PUT TO USE.

DAVE TUTHILL MEASURED 200 GPM IN APRIL OF 1993. AMENDMENT BASED ON ORIGINAL STATUTORY CLAIM.

CLAIMANT ESTIMATES THE SIZE OF THE POND AS 35X450X5/43560=1.8 AF.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): *Craig Lewis* Date: 6-4-93

Date: _____

State of Idaho)
County of *Ada*) SS.

Subscribed and sworn (or affirmed) before me this 4th day

of *June* 19 *93*

Loni Canner

Notary Public

Seal

Residing at *Boise*

My Commission Expires *6/18/98*

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: A63-05233
Date Received: 9/01/1989
Receipt No: CO10785
Received By: ER

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROGER W. LEWIS 208-286-7564
Address: 8999 HIGHWAY 44
STAR, ID 83669
OR
Name: PAT LEWIS 208-286-7564
Address: 8999 HIGHWAY 44
STAR, ID 83669

2. Date of Priority: APR 01, 1937

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
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5. Description of diverting works:
WELL, WITH PIPE TO IRRIGATION DITCH OR TO POND

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.400		
STOCKWATER	01/01	12/31	0.030		
DOMESTIC	01/01	12/31	0.040		
RECREATION STORAGE	01/01	12/31			1.30
DIVERSION TO STORAGE	01/01	12/31	0.002		

7. Total Quantity Appropriated is:
0.470 C.F.S. (and/or) 1.30 A.F.A.

8. Total consumptive use is 70.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOME S/VARIABLE AMT., RECREATION.

A63-05233

Page 1

Date: 09/01/89

MICROFILMED

AUG 21 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01W	16	SE	NW		IRR	16.0
			NE	SW	3	IRR	4.0
			NE	SW	3	DOMEST	
			NE	SW	3	REC S	
			NE	SW	3	REC FS	
						Section Acres	20.0
						Total Acres	20.0

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:
DITCH-LITTLE PIONEER

14. Remarks:
PRIORITY DATE IS BASED ON CONSULTATION WITH NEIGHBORS ON THEIR
RECOLLECTION OF WHEN THE WELL WAS FIRST PUT TO USE.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s):

Regan W. Lewis

Date: 9-1-89

Date: _____

State of Idaho

County of

ADA

)
) SS.
)

Subscribed and sworn (or affirmed) before me this 1st day

of SEPT. 19 89

Shirley E. Luthy
Notary Public

Seal

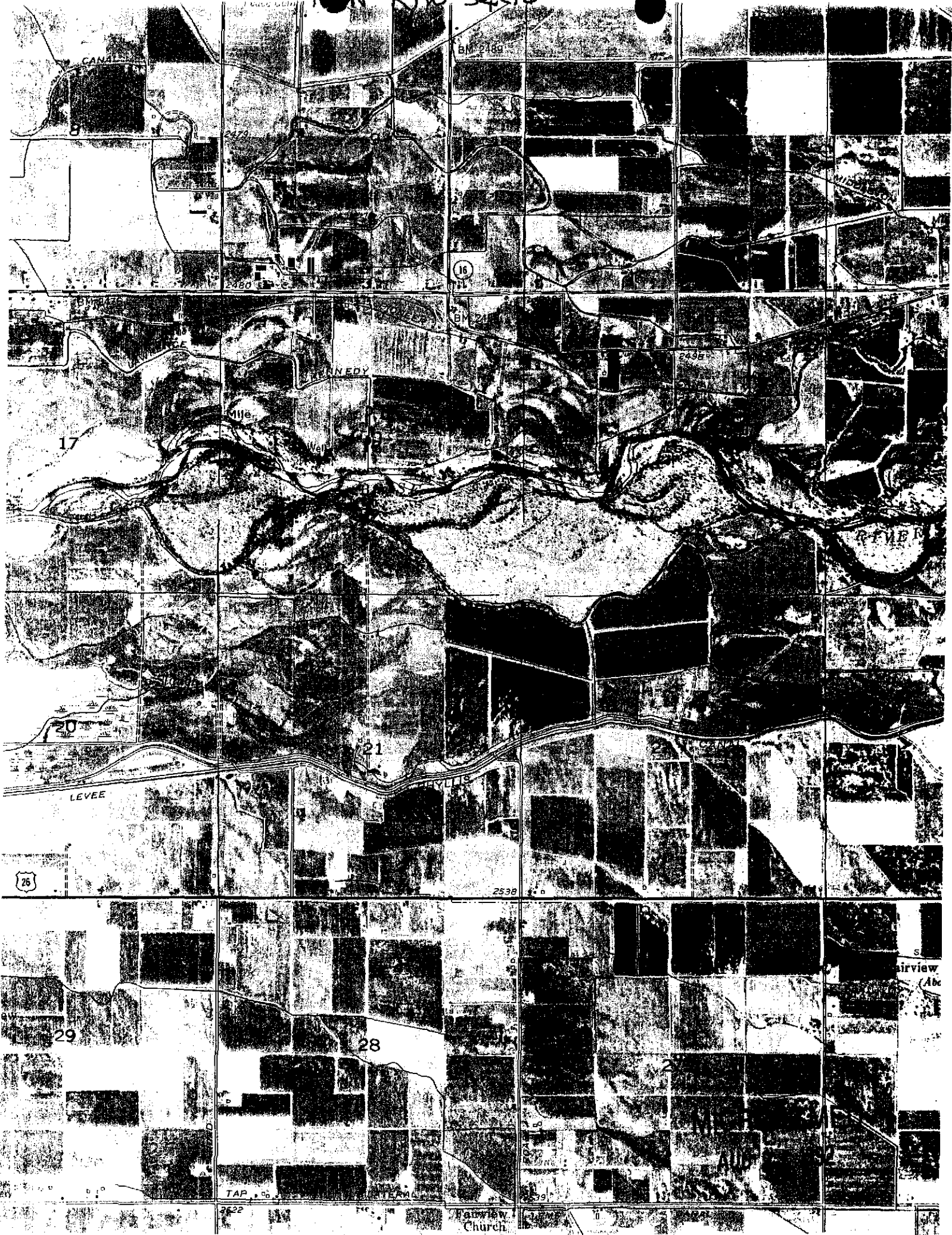
Residing at

BOISE, ID

My Commission Expires

11/08/1994

TON R/W SEC 16



**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that ROGER W. LEWIS
(Name of Claimant)

P.O. Box 297, STAR, ID (Name of Claimant)
(Mailing Address) 83669 (Zip Code) Telephone No. 206-7564

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) April 1, 1937

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs. ft)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	.04 cfs	Use	DOMESTIC	Period of Use From	1/1 To 12/31
Quantity	.70 cfs	Use	IRRIGATION	Period of Use From	3/15 To 11/15
Quantity	.03 cfs	Use	STOCKWATER	Period of Use From	1/1 To 12/31
Quantity	2.00 cfs	Use	DIVERSION TO STORAGE	Period of Use From	1/1 To 12/31
Quantity	1.3 AF	Use	STORAGE FOR RECREATION	Period of Use From	1/1 To 12/31
Quantity	1.3 AF	Use	STORAGE FOR FISH PROPAGATION	Period of Use From	1/1 To 12/31
(4)	2.00 cfs	TOTAL FOUNTAIN IRRIGATION		1/1	12/31
(cfs. ft)	2.00 cfs	TOTAL			

(5) A) Point of diversion: (Location of point where water is diverted from its source)
Lot 3 %, Sec. 16 Twp. 4N Rge. 1W B.M., County of Ada
 Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 6" DRILLED WELL, APPROX 400 FOOT DEPTH, WITH ARTESIAN FLOW OF APPROX. 2.0 CFS. STORAGE IS APP 1.325 A-F POND.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

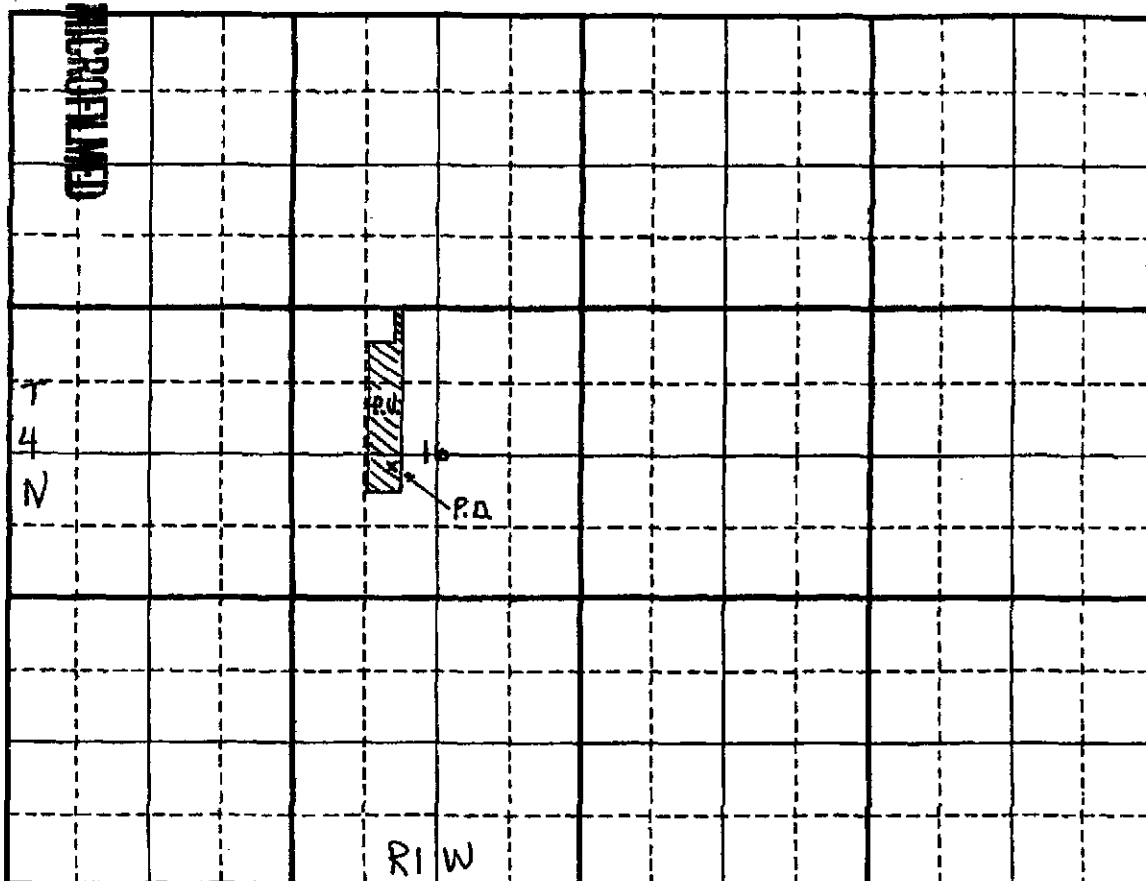
No. of acres 35

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: DOMESTIC FOR ONE HOUSEHOLD, STOCKWATER FOR UP TO 100 HEAD MIXED STOCK, RECREATIONAL USE IS FOR SWIMMING & FISHING. FISH PROPAGATION IS REARING OF TROUT AND SPINEY-RAYED FISH FOR RECREATION.

NOTE: Include here the type and number of stock watered:

If you are claiming water as a member of an organization, list name of organization:

(8) Remarks PRIORITY DATE IS BASED ON CONSULTATION WITH NEIGHBORS
ON THEIR RECOLLECTION OF WHEN THE WELL WAS PUT INTO USE



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 29 day of Jan, 1983.

Roger W. Lewis
(Claimant)

Nancy M. Hathway
Notary Public
Residing at Boise

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by [Signature] Date 6/20/83 Exception filed by: _____ Date _____
Prelim. check by [Signature] Date 1-23-84 Forwarded to claimant by: _____ Date _____
\$30.00 fee received by [Signature] Date 6/22/83 # 32259
Published in Idaho State
Dates 7/26 & 27/84

10/10/2007

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

RIGHT NUMBER: 63-31876

NAME AND ADDRESS: RICHARD E BROWN
899 S CRYSTAL SPRINGS LN
STAR ID 83669

MARY LOU BROWN
899 S CRYSTAL SPRINGS LN
STAR ID 83669

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.450 CFS
55.800 AFY

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

PRIORITY DATE: 04/01/1937

POINT OF DIVERSION:

T04N R01W S16 NWNESE Lot 3 Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
FISH PROPAGATION	01/01 12/31	0.450 CFS
DIVERSION TO STORAGE	01/01 12/31	0.450 CFS
DOMESTIC	01/01 12/31	0.040 CFS
FISH PROPAGATION STORAGE	01/01 12/31	1.80 AFY
RECREATION STORAGE	01/01 12/31	1.80 AFY
IRRIGATION	03/01 11/15	0.240 CFS 55.80 AFY
STOCKWATER	01/01 12/31	0.030 CFS

Domestic use is for 1 home.

PLACE OF USE: IRRIGATION in ADA County

T04N R01W S16 SENW 6.80 T04N R01W S16 Lot 3 NESW 5.20

STOCKWATER in ADA County

T04N R01W S16 Lot 3 NESW

FISH PROPAGATION in ADA County

T04N R01W S16 Lot 3 NESW

FISH PROPAGATION STORAGE in ADA County

T04N R01W S16 NESW

DOMESTIC in ADA County

T04N R01W S16 Lot 3 NESW

DIVERSION TO STORAGE in ADA County

T04N R01W S16 Lot 3 NESW

12 ACRES TOTAL

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

10/10/2007

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

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

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 - Beneficial Use
Stockwater use is for 100 range cattle.
Parcel #: R8079960400

Shurte, Jan

From: Shurte, Jan
Sent: Wednesday, October 10, 2007 10:11 AM
To: Ted Booth
Cc: Shurte, Jan
Subject: 63-31876

Hi Ted,

Still working on the emails. Only 4 to go. The question you had on this one is that the quantity shows .45 cfs for fish propagation and diversion to storage with the overall quantity showing .24 cfs. The total quantity is in error and it should be .45 cfs. Looks like a typo to me.

Thanks,
Jan

10/10/2007

Shurte, Jan

From: Ted Booth [tbooth@srba.state.id.us]
Sent: Tuesday, January 16, 2007 10:44 AM
To: Shurte, Jan
Subject: 63-31876

Jan,

This one has a quantity of .45 cfs for fish propagation and diversion to storage, but the overall quantity of the right is only .24 cfs.

Ted Booth

Eliminate annoying spam!

My mailbox is protected by iHateSpam, the #1-rated spam buster.
<http://www.ihatespam.net>

1/30/2007



05/31/2005

NOTICE OF ERROR

REPLY

RECEIVED

JUN 13 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: 63-31876

RICHARD E BROWN
899 S CRYSTAL SPRINGS LN
STAR ID 83669
Telephone Number: (208) 286-9880

MARY LOU BROWN
899 S CRYSTAL SPRINGS LN
STAR ID 83669
Telephone Number: (208) 286-9880

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

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

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

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

DATE: 6-9-05 SIGNATURE: Richard Brown
Please print your name: Richard Brown

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

05/30/2005

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

RIGHT NUMBER: 63-31876

NAME AND ADDRESS: RICHARD E BROWN
899 S CRYSTAL SPRINGS LN
STAR ID 83669

MARY LOU BROWN
899 S CRYSTAL SPRINGS LN
STAR ID 83669

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.240 CFS
55.80 AFY

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

PRIORITY DATE: 04/01/1937

POINT OF DIVERSION:
T04N R01W S16 NWNESE Lot 3 Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
FISH PROPAGATION	01/01 12/31	0.450 CFS
DIVERSION TO STORAGE	01/01 12/31	0.450 CFS
DOMESTIC	01/01 12/31	0.040 CFS
FISH PROPAGATION STORAGE	01/01 12/31	1.80 AFY
RECREATION STORAGE	01/01 12/31	1.80 AFY
IRRIGATION	03/01 11/15	0.240 CFS
STOCKWATER	01/01 12/31	55.80 AFY
Domestic use is for 1 home.		0.030 CFS

PLACE OF USE: IRRIGATION Within ADA County
T04N R01W S16 SENW 6.8 T04N R01W S16 Lot 3 NESW 5.2
STOCKWATER Within ADA County
T04N R01W S16 Lot 3 NESW
FISH PROPAGATION Within ADA County
T04N R01W S16 Lot 3 NESW
FISH PROPAGATION STORAGE Within ADA County
T04N R01W S16 NESW
DOMESTIC Within ADA County
T04N R01W S16 Lot 3 NESW
RECREATION STORAGE Within ADA County
T04N R01W S16 Lot 3 NESW
DIVERSION TO STORAGE Within ADA County
T04N R01W S16 Lot 3 NESW

12 ACRES TOTAL

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

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

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 - Beneficial Use

Stockwater use is for 100 range cattle.

Parcel #: R8079960400



STATE OF IDAHO

Department of Water Resources
Western Region

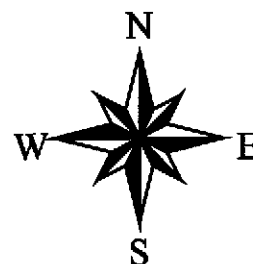
Water Right(s): 63-31876



1320 0 1320 Feet

Total Irrigated Acres: 12.0

- ⊙ 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: April 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

April 6, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RICHARD E BROWN
MARY LOU BROWN
899 E CRYSTAL SPRINGS LN
STAR ID 83669

Re: Original Notice of Claim to a Water Right No. 63-5233

Renumbered Notice of Claim to a Water Right No. 63-31876

Dear Claimant(s):

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.

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your water right. This claim represents a split of the claim filed by a previous owner during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience, as we have had several water right changes to process. 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

MEMORANDUM

Date: April 5, 2004

From: Craig L. Saxton

To: Denise Buffington

RE: Change of Ownership and split of the right

Denise, I received a Notice of Change in Water right Ownership form on March 26th. I checked it out and it looks good. I was hoping you could do the data entry on it and split the claim.

All uses go to the new owner except a portion of the irrigation use.

New Owner:

Richard and Mary Lou Brown 63-31876
12 acres 0.24 cfs, 54afa
all other uses 55.0

Old owner:

Roger and Pat Lewis 63-31875
8 acres and 0.16 cfs, 36afa
Irrigation only

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5233 V1

WATER RIGHT NUMBER: 63-5233 V1

63-31876

Owner Type Name and Address
 Current Owner PAT LEWIS
 8999 HWY 44
 STAR, ID 83669
 (208)286-7564
 Current Owner ROGER W LEWIS
 8999 HWY 44
 STAR, ID 83669
 (208)286-7564

Brawn

Priority Date: 04/01/1937

Basis: Beneficial Use

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
✓ FISH PROPAGATION	01/01 to 12/31	0.450 CFS ✓	
✓ DIVERSION TO STORAGE	01/01 to 12/31	0.450 CFS ✓	
✓ DOMESTIC	01/01 to 12/31	0.040 CFS ✓	
✓ FISH PROPAGATION STORAGE	01/01 to 12/31		1.80 AF ✓
✓ RECREATION STORAGE	01/01 to 12/31		1.80 AF ✓
✓ IRRIGATION	03/01 to 11/15	~~0.400~~ CFS	~~90.00~~ AF
✓ STOCKWATER	01/01 to 12/31	0.030 CFS ✓	55.8 af
<u>Total Diversion:</u>		~~0.450 CFS~~ 0.24 total cfs	91.80 AF 55.8 total AF

Location of Point(s) of Diversion

GROUND WATER

ADA County

L3 (NW1/4NE1/4SW1/4)

Sec. 16, Twp 04N, Rge 01W, B.M.

Place of UseFISH PROPAGATION Within ADA County ✓

T04N R01W S16 Lot 3 NESW

DIVERSION TO STORAGE Within ADA County ✓

T04N R01W S16 Lot 3 NESW

DOMESTIC Within ADA County ✓

T04N R01W S16 Lot 3 NESW

FISH PROPAGATION STORAGE Within ADA County ✓

T04N R01W S16 NESW

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5233 V1

Poll:

RECREATION STORAGE Within ADA County ✓

T04N R01W S16 Lot 3 NESW

IRRIGATION Within ADA County 6.8T04N R01W S16 SENW ~~15.0~~T04N R01W S16 Lot 3 NESW ~~5.0~~Total Acres: ~~20~~ 12 ac total

3.2

STOCKWATER Within ADA County

T04N R01W S16 Lot 3 NESW ✓

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. N09 The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.
3. N14 The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.
4. X01 Domestic use is for 1 home.

Remarks:

1. Explanatory Parcel #: R8079960400
2. Explanatory Stockwater use is for 100 range cattle.

Comments:

1. csaxton 12/26/2003 Diversion Rate

Comment: Diversion Rate recommended as 0.45 cfs based on Dave Tuthills measurement.

2. csaxton 12/26/2003 NCO Send

Comment: Change of ownership solicited.

3. csaxton 12/26/2003 Diversion To Storage

Comment: Diversion to Storage claimed recorded as 0.002 cfs. This seems to be a typo when comparing SRBA with original Statutory claim. Recommend recorded capacity of well as 0.45 cfs.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5233 V1

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	12/26/2003 12:06:35 PM	csaxton			Active
Priority Date	12/26/2003 12:08:05 PM	csaxton			Active
POD	12/26/2003 12:08:25 PM	csaxton			Active
Source	12/26/2003 12:20:23 PM	csaxton			Active
POU	12/26/2003 12:20:48 PM	csaxton			Active
Use	12/26/2003 12:34:06 PM	csaxton			Active
Season	12/26/2003 12:38:31 PM	csaxton			Active
Quantity	12/26/2003 12:45:10 PM	csaxton			Active
Summary			12/26/2003	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	12/26/2003 12:06:37 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Field Exam by Darwin Vander Stelt on 11/7/03 and David Tuthill on April of 1993.
POD	12/26/2003 12:16:57 PM	csaxton	Edited point location
POU	12/26/2003 12:22:56 PM	csaxton	Edited PLS
POU	12/26/2003 12:32:48 PM	csaxton	Edited shape boundary
POU	12/26/2003 12:33:19 PM	csaxton	Edited shape boundary

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5233 V1

Source	12/26/2003 12:20:23 PM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Field Exam by Darwin Vander Stelt on 11/21/03
POU	12/26/2003 12:20:48 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Field Exam by Darwin Vander Stelt on 11/21/03
POU	12/26/2003 12:22:32 PM	csaxton	Edited shape boundary
POU	12/26/2003 12:30:22 PM	csaxton	Edited shape boundary
Use	12/26/2003 12:34:06 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Field Exam by Darwin Vander Stelt on 11/21/03
Quantity	12/26/2003 12:45:10 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (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? (Yes) 12. Is a Quantity remark or condition required? Description for Question 7 - Dave Tuthill did measurement in 1993 Description for Question 10 - IDWR Standard for Irrigation

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5233 V1

Priority Date	12/26/2003 12:08:06 PM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (No) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Affidavits from previous owner.
POD	12/26/2003 12:08:26 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (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?
POU	12/26/2003 12:31:15 PM	csaxton	Edited shape boundary
Summary	12/26/2003 12:59:08 PM	csaxton	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (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? (No) 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?
Season	12/26/2003 12:38:31 PM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (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?

63-31876

Davison, Copple, Copple & Cox, LLP
Attorneys at Law

RECEIVED

MAR 26 2004

WATER RESOURCES
WESTERN REGION

Direct Contact:

Cynthia L. Yee-Wallace

E-Mail: wallace@davisoncopple.com
<http://www.davisoncopple.com>

199 North Capitol Boulevard, #600
Post Office Box 1583
Boise, Idaho 83701

Telephone: (208) 342-3658
Facsimile: (208) 386-9428

March 25, 2004

State of Idaho
Department of Water Resources
IDWR Western Region
2735 Airport Way
Boise, Idaho 83705-5082

Re: Richard E. and Mary Lou Brown

Ladies and Gentlemen:

Enclosed herewith please find the following documents with regard to processing a change in ownership rights for claim number 63-5233 for the property of Richard E. and Mary Lou Brown located in Star, Idaho:

1. State of Idaho Department Of Water Resources Notice Of Change In Water Right Ownership;
2. Springwood Subdivision Plat;
3. Record of Survey No. 706;
4. Warranty Deed from Roger W. Lewis and Patricia B. Lewis to Richard E. Brown and Mary Lou Brown dated February 27, 1998; and
5. Warranty Deed from Roger W. Lewis and Patricia B. Lewis to Richard Brown and Mary Lou Brown dated December 31, 1997.

In accordance with the Notice Of Change Of Water Right Ownership application, this letter

State of Idaho
Department of Water Resources
IDWR Western Region
March 25, 2004
Page 2

shall serve as a formal Notice Of Appearance on behalf of Richard E. and Mary Lou Brown with regard to processing the change in ownership of water rights pertaining to them.

Please review the enclosed documentation and if you have any questions concerning the enclosed or need any additional information, please do not hesitate to contact this office.

Very truly yours,

DAVISON, COPPLE, COPPLE & COX, LLP

By: Cyn Wallace
Cynthia Yee-Wallace, of the firm

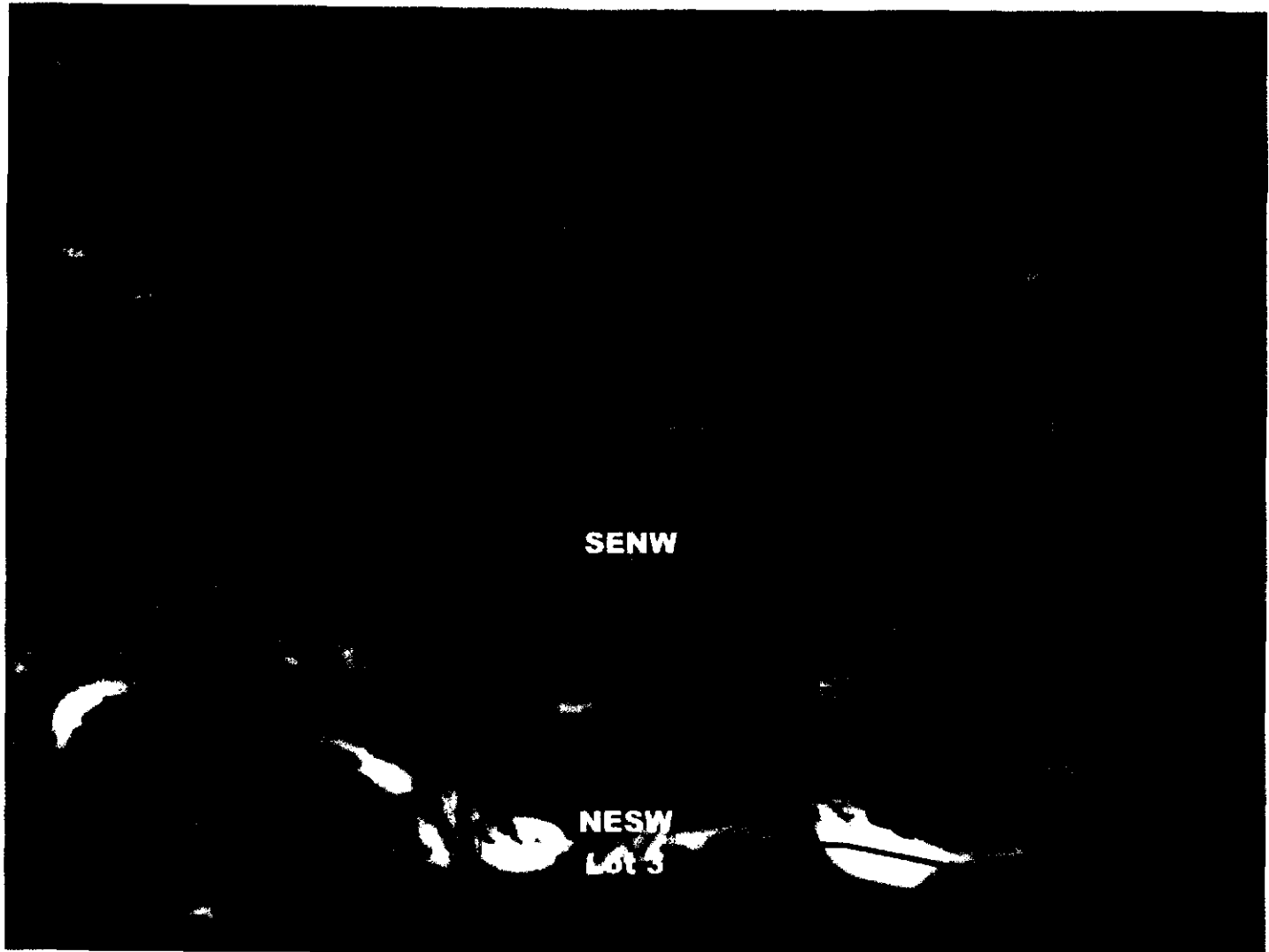
CYW/tak
Enclosures



STATE OF IDAHO

Department of Water Resources
Western Region

Water Right(s): 63-05233



1320 0 1320 2640 Feet

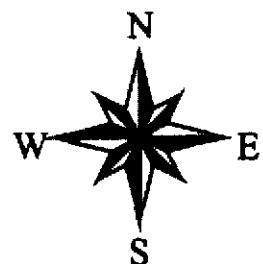
Total Irrigated Acres: 20.0

⊙ 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: December 2003

12/26/2003

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

RIGHT NUMBER: 63-5233
NAME AND ADDRESS: PAT LEWIS
8999 HWY 44
STAR ID 83669
ROGER W LEWIS
8999 HWY 44
STAR ID 83669

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.450 CFS
91.800 AFY

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

PRIORITY DATE: 04/01/1937

POINT OF DIVERSION:

T04N R01W S16 NWNESE Lot 3 Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
FISH PROPAGATION	01/01 12/31	0.450 CFS
DIVERSION TO STORAGE	01/01 12/31	0.450 CFS
DOMESTIC	01/01 12/31	0.040 CFS
FISH PROPAGATION STORAGE	01/01 12/31	1.80 AFY
RECREATION STORAGE	01/01 12/31	1.80 AFY
IRRIGATION	03/01 11/15	0.400 CFS 90.00 AFY
STOCKWATER	01/01 12/31	0.030 CFS

Domestic use is for 1 home.

PLACE OF USE:

FISH PROPAGATION Within ADA County
T04N R01W S16 Lot 3 NESW
DIVERSION TO STORAGE Within ADA County
T04N R01W S16 Lot 3 NESW
DOMESTIC Within ADA County
T04N R01W S16 Lot 3 NESW
FISH PROPAGATION STORAGE Within ADA County
T04N R01W S16 NESW
RECREATION STORAGE Within ADA County
T04N R01W S16 Lot 3 NESW
STOCKWATER Within ADA County
T04N R01W S16 Lot 3 NESW

20 ACRES TOTAL

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

12/26/2003

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

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

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

EXPLANATORY MATERIAL: Beneficial Use

Parcel #: R8079960400

Stockwater use is for 100 range cattle.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5233 V1

WATER RIGHT NUMBER: 63-5233 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PAT LEWIS 8999 HWY 44 STAR, ID 83669 (208)286-7564
Current Owner	ROGER W LEWIS 8999 HWY 44 STAR, ID 83669 (208)286-7564

Priority Date: 04/01/1937

Basis: Beneficial Use

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
FISH PROPAGATION	01/01 to 12/31	0.450 CFS	
DIVERSION TO STORAGE	01/01 to 12/31	0.450 CFS	
DOMESTIC	01/01 to 12/31	0.040 CFS	
FISH PROPAGATION STORAGE	01/01 to 12/31		1.80 AF
RECREATION STORAGE	01/01 to 12/31		1.80 AF
IRRIGATION	03/01 to 11/15	0.400 CFS	90.00 AF
STOCKWATER	01/01 to 12/31	0.030 CFS	
	<u>Total Diversion:</u>	0.450 CFS	91.80 AF

Location of Point(s) of Diversion

GROUND WATER

L3 (NW1/4NE1/4SW1/4)

Sec. 16, Twp 04N, Rge 01W, B.M.

ADA County

Place of Use

FISH PROPAGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01W	16									X								
											L3								

DIVERSION TO STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5233 V1

04N 01W 16				X		
				L 3		

DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N 01W 16									X								
									L 3								

FISH PROPAGATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N 01W 16									X								

RECREATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N 01W 16									X								
									L 3								

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N 01W 16								15.0				5.0					20.0
												L 3					

Total Acres: 20

STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N 01W 16									X								
									L 3								

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 63-5233 V1

2. N09 The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.
3. N14 The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.
4. X01 Domestic use is for 1 home.

Remarks:

1. Explanatory Parcel #: R8079960400
2. Explanatory Stockwater use is for 100 range cattle.

Comments:

1. csaxton 12/26/2003 Diversion Rate

Comment: Diversion Rate recommended as 0.45 cfs based on Dave Tuthills measurement.

2. csaxton 12/26/2003 NCO Send

Comment: Change of ownership solicited.

3. csaxton 12/26/2003 Diversion To Storage

Comment: Diversion to Storage claimed recorded as 0.002 cfs. This seems to be a typo when comparing SRBA with original Statutory claim. Recommend recorded capacity of well as 0.45 cfs.

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	12/26/2003 12:06:35 PM	csaxton			Active
Priority Date	12/26/2003 12:08:05 PM	csaxton			Active
POD	12/26/2003 12:08:25 PM	csaxton			Active
Source	12/26/2003 12:20:23 PM	csaxton			Active
POU	12/26/2003 12:20:48 PM	csaxton			Active
Use	12/26/2003 12:34:06 PM	csaxton			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5233 V1

Season	12/26/2003 12:38:31 PM	csaxton	Active
Quantity	12/26/2003 12:45:10 PM	csaxton	Active
Summary	12/26/2003	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	12/26/2003 12:06:37 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Field Exam by Darwin Vander Stelt on 11/7/03 and David Tuthill on April of 1993.
POD	12/26/2003 12:16:57 PM	csaxton	Edited point location
POU	12/26/2003 12:22:56 PM	csaxton	Edited PLS
POU	12/26/2003 12:32:48 PM	csaxton	Edited shape boundary
POU	12/26/2003 12:33:19 PM	csaxton	Edited shape boundary
Source	12/26/2003 12:20:23 PM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Field Exam by Darwin Vander Stelt on 11/21/03
POU	12/26/2003 12:20:48 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Field Exam by Darwin Vander Stelt on 11/21/03
POU	12/26/2003 12:22:32 PM	csaxton	Edited shape boundary
POU	12/26/2003 12:30:22 PM	csaxton	Edited shape boundary

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5233 V1

Use	12/26/2003 12:34:06 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Field Exam by Darwin Vander Stelt on 11/21/03
Quantity	12/26/2003 12:45:10 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (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? (Yes) 12. Is a Quantity remark or condition required? Description for Question 7 - Dave Tuthill did measurement in 1993 Description for Question 10 - IDWR Standard for Irrigation
Priority Date	12/26/2003 12:08:06 PM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (No) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Affidavits from previous owner.
POD	12/26/2003 12:08:26 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (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?
POU	12/26/2003 12:31:15 PM	csaxton	Edited shape boundary

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5233 V1

Summary	12/26/2003 12:59:08 PM	csaxton	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (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? (No) 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?
Season	12/26/2003 12:38:31 PM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (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?

42-381 50 SHEETS 35 SQUARE
42-382 100 SHEETS 35 SQUARE
42-383 200 SHEETS 35 SQUARE
Mar 22 1964

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5233

WATER RIGHT NUMBER: 63-5233

Owner Type Name and Address
 Current Owner PAT LEWIS *OK maybe*
 8999 HWY 44
 STAR, ID 83669
 (208)286-7564
 Current Owner ROGER W LEWIS *OK*
 8999 HWY 44
 STAR, ID 83669
 (208)286-7564

Priority Date: 04/01/1937 *OK*

Basis: Statutory Claim

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
FISH PROPAGATION	1/01 to 12/31	~~0.470~~ CFS <i>0.45</i>	
DIVERSION TO STORAGE	1/01 to 12/31	~~0.042~~ CFS <i>0.45</i>	
DOMESTIC	1/01 to 12/31	0.040 CFS	
FISH PROPAGATION STORAGE	1/01 to 12/31		1.80 AF
RECREATION STORAGE	1/01 to 12/31		1.30 AF
IRRIGATION	~~3/15~~ to 11/15 <i>3-7</i>	0.400 CFS	90 AF
STOCKWATER	1/01 to 12/31	0.030 CFS	
<u>Total Diversion:</u>		~~0.470~~ CFS <i>0.45</i>	~~1.80~~ AF <i>91.8</i>

This was a Typo - should be 2.0 cfs

Location of Point(s) of Diversion

GROUND WATER

L3 (NW1/4NE1/4SW1/4)

Sec. 16, Twp 04N, Rge 01W, B.M.

ADA County

Place of UseFISH PROPAGATION Within ADA County

T04N R01W S16 Lot 3 NESW ✓

DIVERSION TO STORAGE Within ADA County

T04N R01W S16 Lot 3 NESW ✓

DOMESTIC Within ADA County

T04N R01W S16 Lot 3 NESW ✓

FISH PROPAGATION STORAGE Within ADA County

T04N R01W S16 NESW ✓

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-5233

RECREATION STORAGE Within ADA County

T04N R01W S16 Lot 3 NESW ✓

IRRIGATION Within ADA CountyT04N R01W S16 SENW ~~10.0~~ ^{15.0} T04N R01W S16 Lot 3 NESW ~~4.0~~ ^{5.0}

Total Acres: 20

STOCKWATER Within ADA County

T04N R01W S16 Lot 3 NESW

Conditions of Approval:Remarks:

1. General PRIORITY DATE IS BASED ON CONSULTATION WITH NEIGHBORS ON THEIR RECOLLECTION OF WHEN THE WELL WAS FIRST PUT TO USE. DAVE TUTHILL MEASURED 200 GPM IN APRIL OF 1993. AMENDMENT BASED ON ORIGINAL STATUTORY CLAIM. CLAIMANT ESTIMATES THE SIZE OF THE POND AS $35 \times 450 \times 5 / 43560 = 1.8$ AF. STOCKWATER ADDED TO POU, CLAIMED AS WATER USE. 9/3/97 LH

Comments:Dates and Other Information:

Claim Received Date: 9/1/1989
Owner Name Connector: OR

*N-codes**C18**Parcel: R8079960400*



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 15, 2003

LINDA M BOX
551 S CRYSTAL SPRINGS LN
STAR ID 83699

RE: CHANGE IN OWNERSHIP FOR SNAKE RIVER BASIN ADJUDICATION
(SRBA) 63-05233

Dear Sir or Madam:

It has come to our attention that you may have recently purchased a tract of land in ADA County. According to our records, the property to which I am referring to was most recently owned by Roger and Pat Lewis. The legal description is as follows:

T04N R01W S16 SE1/4 NW1/4
NE1/4 SW1/4

This property was filed on in the Snake River Basin Adjudication (SRBA). IDWR is currently in the processing of reviewing the Adjudication claims in basin 63 part 2. We recommend that if, in fact, you now own the property in question, and do use the water for the purposes claimed, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you have any questions regarding this matter, please call this office at 334-2190.

Respectfully submitted,

Craig L. Saxton
SR Water Resource Agent
Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 15, 2003

RICHARD BROWN
MARY LOU BROWN
899 S CRYSTAL SPRING LN
STAR ID 83669

RE: CHANGE IN OWNERSHIP FOR SNAKE RIVER BASIN ADJUDICATION
(SRBA) 63-05233

Dear Sir or Madam:

It has come to our attention that you may have recently purchased a tract of land in ADA County. According to our records, the property to which I am referring to was most recently owned by Roger and Pat Lewis. The legal description is as follows:

T04N R01W S16 SE1/4 NW1/4
NE1/4 SW1/4

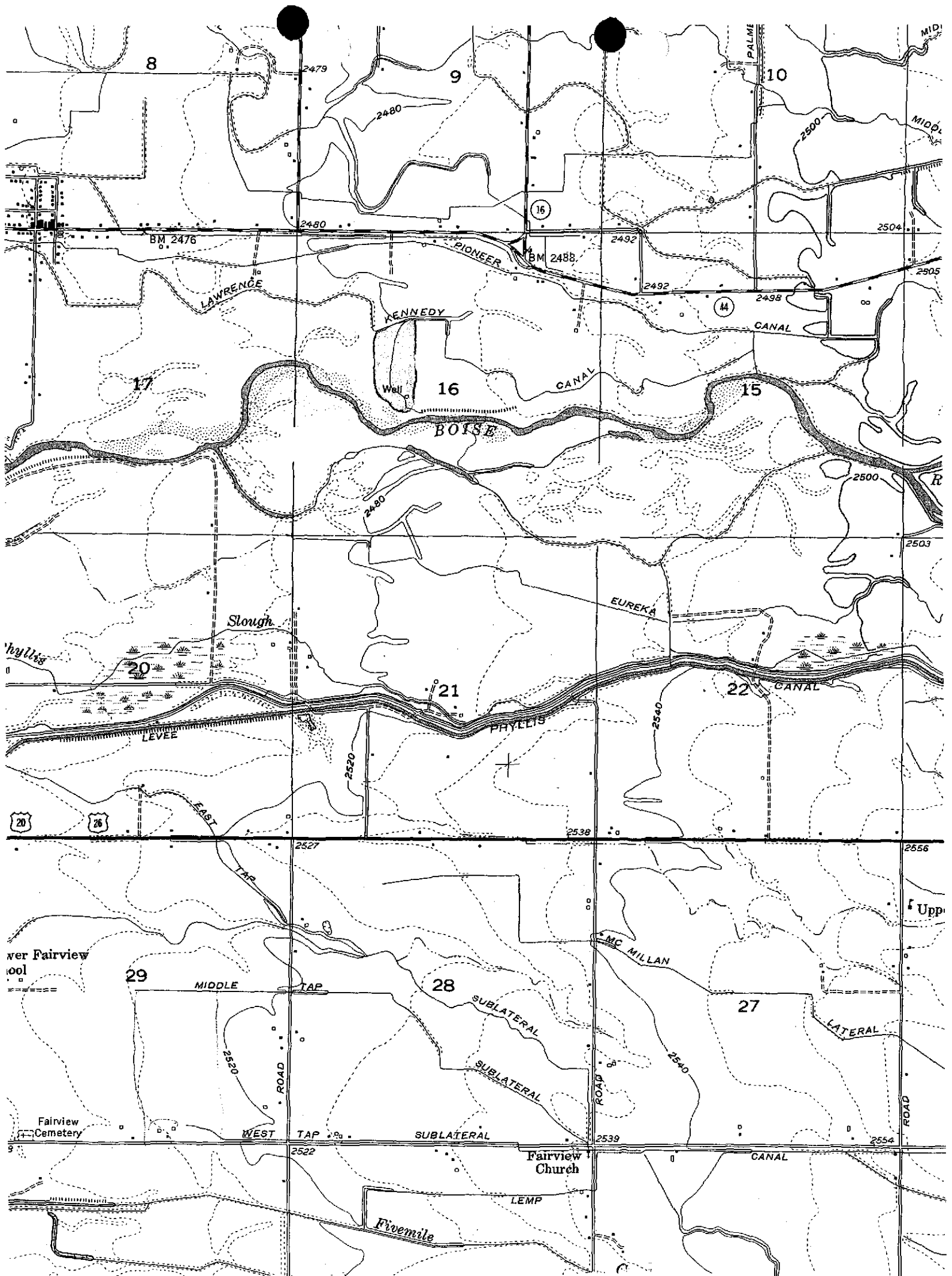
This property was filed on in the Snake River Basin Adjudication (SRBA). IDWR is currently in the processing of reviewing the Adjudication claims in basin 63 part 2. We recommend that if, in fact, you now own the property in question, and do use the water for the purposes claimed, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you have any questions regarding this matter, please call this office at 334-2190.

Respectfully submitted,

Craig L. Saxton
SR Water Resource Agent
Enclosure(s)



CONVERSATION MEMORANDUM

DATE 9/9/93

FILE Art. Well Inv.

NAME OF PARTY Mrs Roger Lewis

EMPLOYEE John Carlson

RE: Asked how reconstruction was going. She indicated
they have been working on valve to put on well hole
she said they have till 1994 or two yrs.

This well has been Repaired
Field inspection & Photos on 11-14-94
RW

State of Idaho
Department of Water Resources

APPLICATION FOR
REPAIR ☒ OR ABANDONMENT () OF A WELL

1. LEGAL CONTACT (Owner or Operator)

Date: 6-4-93
Name: Roger Lewis Phone Number 286 7564
Mailing Address: 8999 HWY 44
City: STAR State ID Zip Code 83669

2. WELL LOCATION

1/4 NE 1/4 SW 1/4, Section 16, Township 4N, Range 1W,
County Ada
Street Address of Well Site: 8999 HWY 44, STAR
Subdivision Name _____ Lot _____, Block _____

3. TYPE OF WELL

☒ Water Supply () Monitoring
() Injection () Other _____
Describe

4. WELL SPECIFICATIONS

Drilling Permit Number old well
Water Right Number A 63-05233
Well Log on File? ☒ Yes () No
Casing Size: 6" Material: Steel Temperature: 55?
Casing Height Above Ground: 2 ft.
Flowing Artesian? ☒ Yes () No
Static Water Level: _____ (Measured) Well Depth: ? (Measured)
Remarks: _____

5. CONDITION OF WELL, REPAIRS REQUIRED

T head was leaking and no shut off valve on the well head.

6. PROPOSED METHODS OF REPAIR OR ABANDONMENT

(This Permit must be approved prior to commencement of operations)

I will remove T head, raise the well height by 2-3 ft. extension to the casing, put a steel elbow above the extension. A flange will be welded to the elbow and a commercial, lever operated butterfly valve bolted to the flange.

7. DATE OF PROPOSED REPAIR OR ABANDONMENT

6-4-94

8. APPLICANT'S SIGNATURE

Roger Lewis

DATE: 6-4-93

Title Owner

(Owner, Firm Representative, Other)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is

Approved

Date

6-21-93

CONDITIONS OF APPROVAL:

1. Pursuant to Section 42-238(4), Idaho Code. All repairs and/or abandonment must meet the requirements of the Department's Rules and Regulations for Well Construction Standards.

Robert B. Whitman
Signature of Authorized Department Representative

Sr WR Agent
Title

Page ~~8~~
02/22/93

PHASE ONE - REPAIR CODE 2 AND 3
NOT ALL OF THE CODE 2 AND 3
COUNTY BY NUMBER 01

21

(63) WESTERN -

COUNTY 01
TWP T04N RGE R01W SEC S16 QTRQTR NESW
IMPORTANCE 4 COUNT MAP NO 362
SURFS_MEMO WELL LEAKED AROUND CASING. WELL WAS ALLOWED TO FLOW A
CONSIDERABLE AMOUNT OF WATER. DIRT.
CONVALVE P CONCASING P REPAIR 3
LEAKAGEMO
OWNER ROGER LEWIS
ADDRESS 8999 HIGHWAY 44 CITY STAR STATE ID
ZIP 83669 USE DOST USE OTHER IR
WELL DEPTH C DEPTH WATER DEPT STATIC 0 CASING T
OTHER C CASING D 06 COMPLETED TEMP
TEMP_D FLOWING Y CONDUCT

3. WELL LOCATION: TWP _____, RGE _____, SEC _____, QTR _____, QTR _____

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. DRILLING PERMIT NO: _____ OTHER APPLICABLE NO: _____

2. OWNER: Rogers Lewis Phone: _____
Address: 8999 Hwy 44 Star

3. WELL LOCATION: Twp 4N, Rge. 1W, Sec. 16, NE 1/4 SW 1/4
County Ada (Provide sketch map and photo on reverse.)

4. DRILLER: ? Lic. No. _____
When Drilled? 1937

5. WELL CONSTRUCTION
Casing Diameter 6 inches Water tight cap? ☐ Yes ☒ No Access Port: ☐ Yes ☒ No
Casing $\geq$ 12 inches above ground? ☒ Yes ☐ No - Describe _____
Depth of Casing ? ft. Method Drilled ?
Condition of Well Casing: ☐ Good ☒ Fair ☐ Poor Describe _____
Control Valve? ☐ Yes ☒ No Pressure Gauge: ☐ Yes ☒ No
Condition of Piping and Valving Pipe casing is corroded but not apparently in poor condition
Auger to a depth of - ft. Evidence of Annular Seal ☐ Yes ☒ No
Are there obvious construction problems that may be a source for contamination or waste of water?
☐ Yes ☒ No (Describe in Remarks and Attach Photo - On Reverse)

6. HYDROLOGIC INFORMATION
Depth to Static Water Flowing ft. Water Temperature 55 °F
Flowing Artesian ☒ Yes ☐ No Pressure: ? (psi)
Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose _____
Water Quality Measurements/Observations (Describe) Good quality

7. WELL USE:
☒ Domestic ☒ Irrigation ☐ Stock
☐ Test ☐ Municipal ☐ Industrial
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used
☒ Other: Fish/Dock Pond

Mr. Lewis states that this well, which has an unconfined year
around flow of about 100 gpm, has been flowing steadily since 1937.
He states that he was told by a former DWR employee that
such wells have grandfather privileges prevent enforcement of
capping requirements.

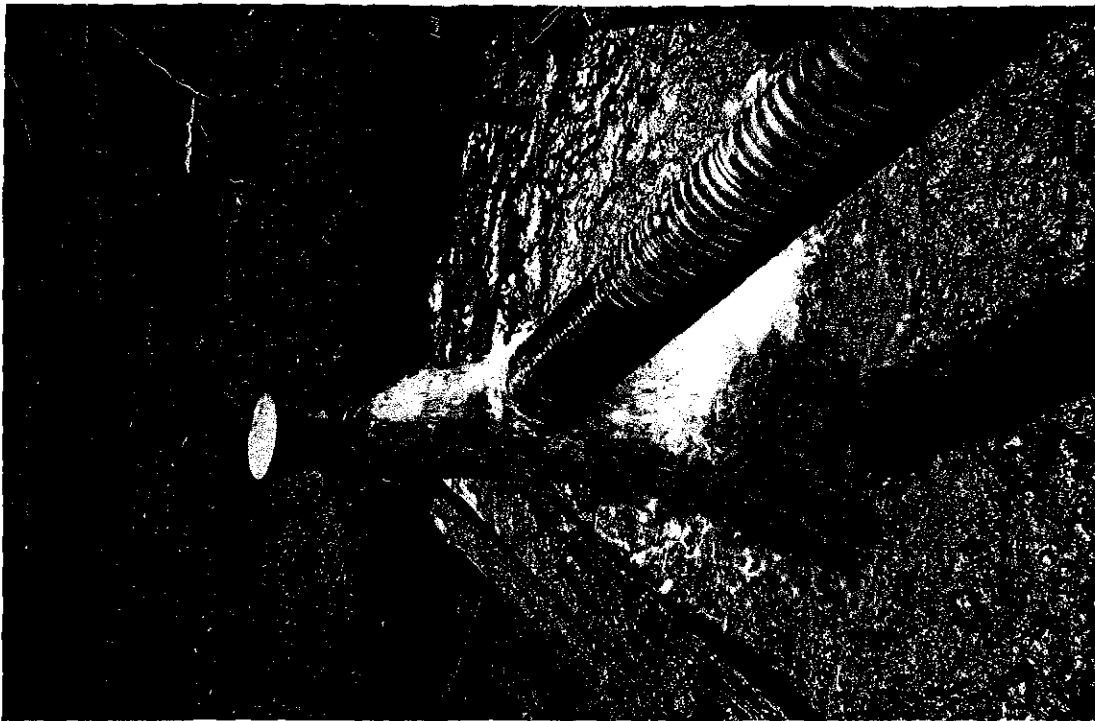
Diana R. Tuttle

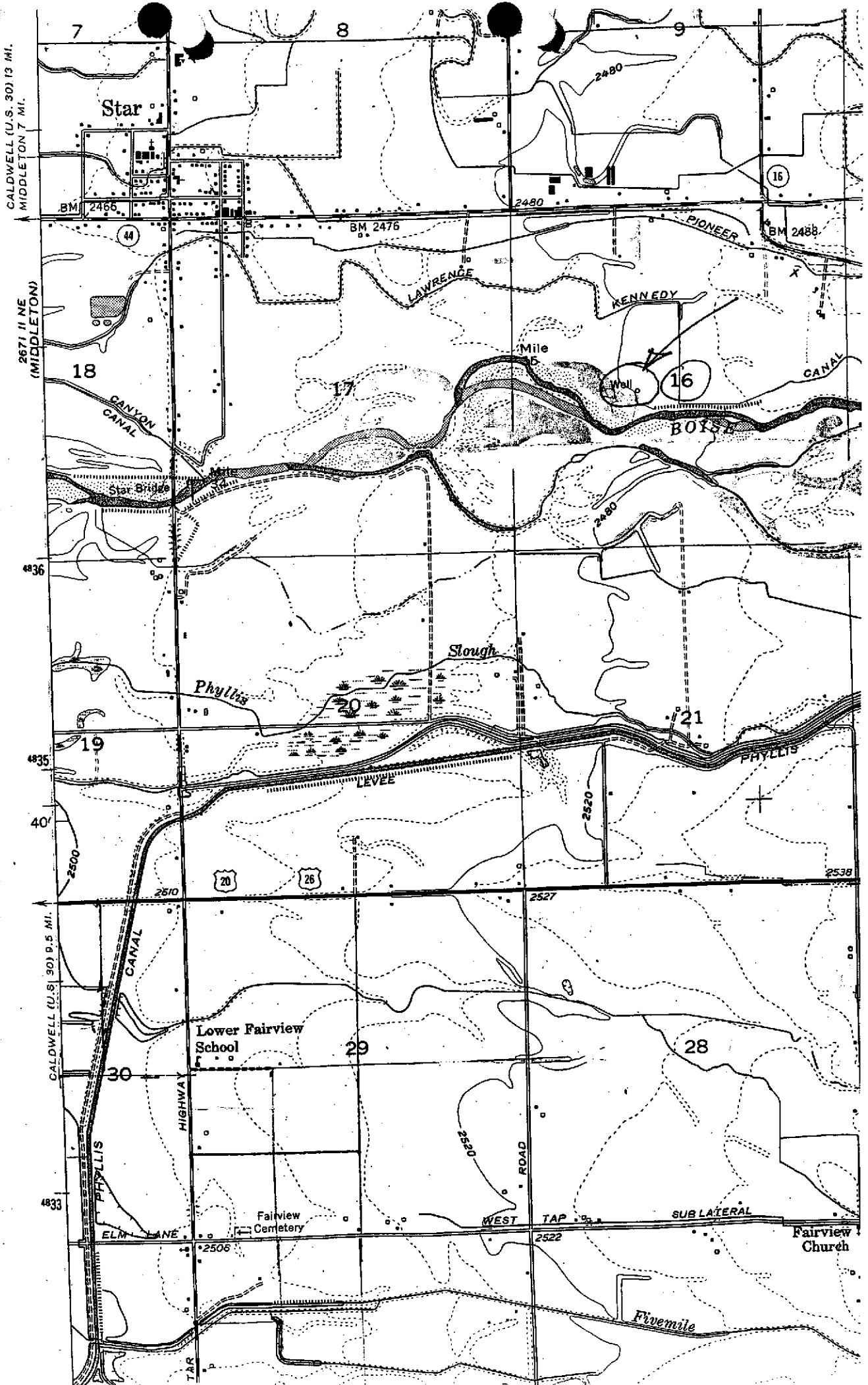
Signature of Dept. Representative & Title

4/7/93

Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:





REMARKS:

Mr. Lewis states the well, which has an unconfined year-round flow of about 4 cfs, has been flowing steadily since 1937. He states that he was told by a former DWR employee that such wells have grandfather privileges prevent enforcement of capping requirements.

David R. Tuttle

Signature of Dept. Representative & Title

4/7/93

Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:







State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 16, 1993

Distribution to: Owners of artesian wells requiring repair or abandonment

RE: Deadline for completion of work, field examination scheduled

Dear Well Owner:

In April of 1993, the Department of Water Resources inspected some two hundred flowing wells to identify problems contributing to waste of the state's groundwater resources. Your well was determined to have an excessive uncontrolled flow, and was required to be repaired.

The purpose of this letter is to notify you that the Department will be doing a follow up inspection the week beginning January 17, 1994 to verify compliance with the required repairs.

If your well has not been repaired, please notify Rob Whitney at 334-2190 or John Carlson at 327-7936 as to when the required repairs will be complete. If your well is inspected, and it has not been repaired, the Director of the Department may order the well to be plugged pursuant to Section 42-1607, Idaho Code. If you have any questions please contact Mr. Carlson or myself.

Sincerely,

ROBERT B. WHITNEY
Sr. Water Resource Agent
Well Construction Regulation

cc: Carlson, Homan, Spackman



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 21, 1993

RE: Application for repair of a well

Dear Well Owner:

Enclosed is the approved application to repair your well as required by this Department. Please carefully review the application and note any special conditions or modifications to the proposed repair procedures that have been added. You may proceed to have the necessary repairs made in accordance with items #5 and #6 upon receipt of the approved application. Additionally, please be advised that some repairs may require the services of a licensed well driller and that a Department representative be present during the repair.

Please submit a written statement to this office that the necessary repairs have been completed in accordance with the approved procedures. Please address any questions to me at this office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Robert B. Whitney', written over a horizontal line.

Robert B. Whitney
Sr. Water Resource Agent
Well Construction Regulation



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 12, 1993

ROGER LEWIS
8999 HIGHWAY 44
STAR ID 83669

Reference: Repair of Leaking Artesian Well

Dear Well Owner:

The Department of Water Resources has inventoried over 12,000 artesian wells in the state and has compiled a list of those wells which are leaking water at excessive rates. State law requires well owners to maintain their wells in a condition that will prevent waste of artesian flows, both above and below the ground level.

Your well located in Twp. 4 N , Rge. 1 W, Sec. 16 NE 1/4 SW1/4 has been documented to be wasting water. The purposes of this letter are to advise you of your obligation to control flows and prevent waste, and to initiate the process for repairing the well.

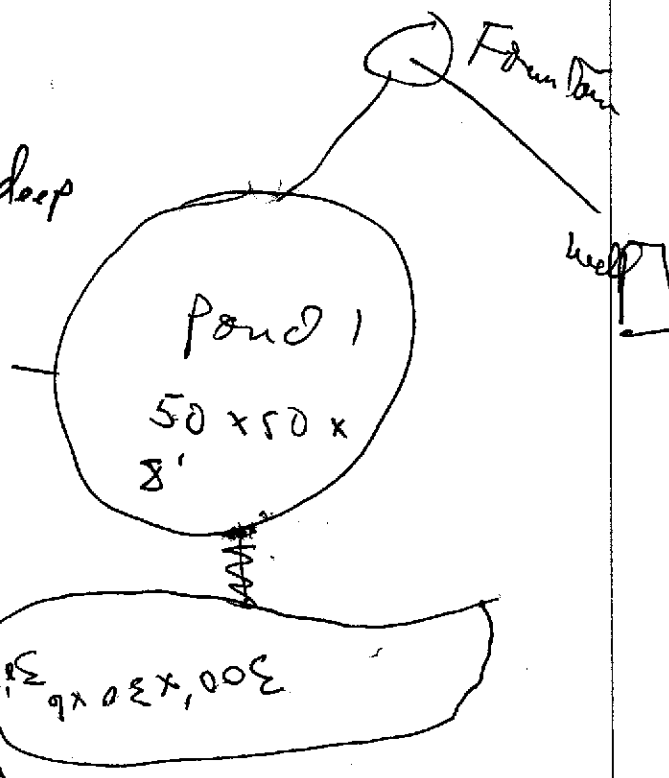
Enclosed is an Application for Repair or Abandonment. This form is designed to assist you as a well owner and the Department in devising a practical plan for the proper repair or abandonment of the leaky well. Please complete this form and return it to this office no later than June 4, 1993. The form must be approved by the Department before any repair work is conducted.

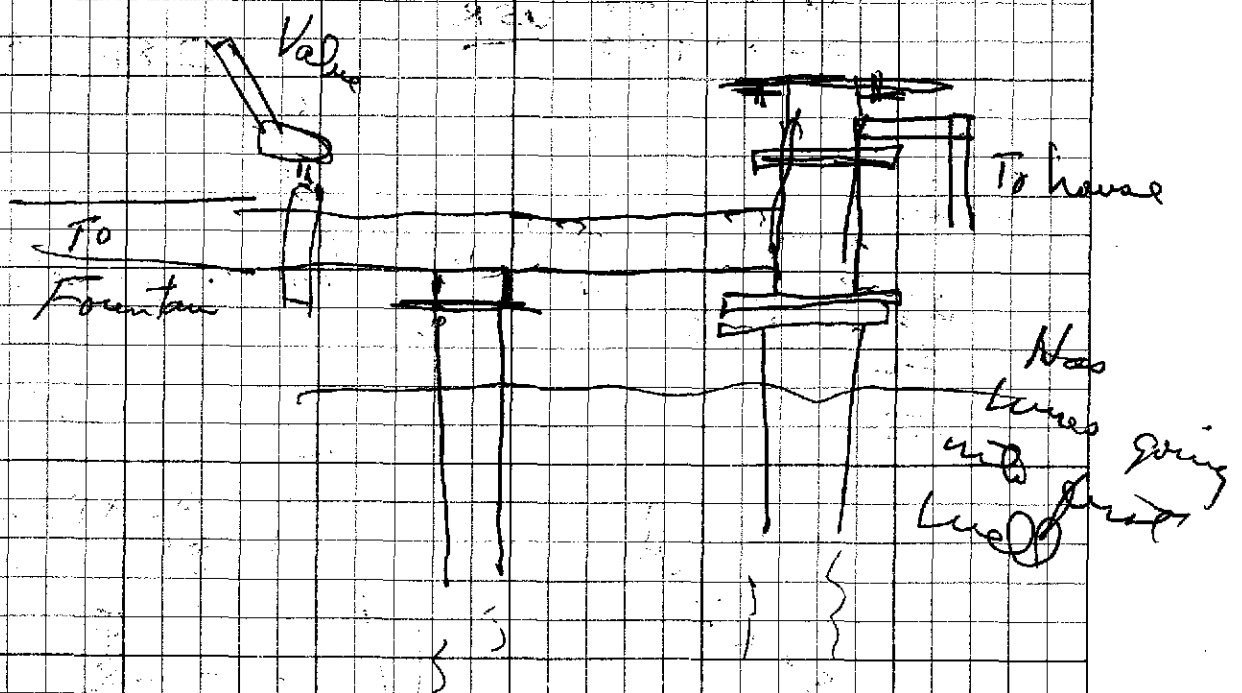
If you have questions or desire technical assistance in the completion of the form, please contact Mr. Rob Whitney of this office at 334-2190 or Mr. John Carlson of our State Office at 327-7936.

Sincerely,

David R. Tuthill, Jr., P.E.
Manager, Western Regional Office

Enclosure: Application for Repair or Abandonment





Affidavit

RECEIVED

DEC 12 2003

WATER RESOURCES
WESTERN REGION

Identification Number A 63-05233

Name: Roger Lewis L23

Address: P.O. Box

City Idaho City State ID Zip 83631

Phone: 392-2223

I am am not the current owner of the property associated with this claim.

If not the current owner of the property, I owned the property from 1970 (date)
to 1997 (date).

Verification of the Priority Date: I have knowledge of the priority date because

Well was drilled in 1937. I have a copy of
records from the Ada County Records. Well has
been used for irrigation and Trout production
since that time. There was never enough water
to do both at the same time.

Verification of the Place of Use: I have shaded the area I irrigated with this water right on the
attached aerial photo.

Verification of other uses: I also used water for Trout farm & domestic

To my knowledge, the facts presented above are true.

Roger Lewis

(date) 12-10-03

(date)

Affidavit

RECEIVED

DEC 12 2003

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WESTERN REGION

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To my knowledge, the facts presented above are true.

Roger Lewis

(date) 12-10-03

(date) _____

Idaho Department of Water Resources

Claim Number: 63-05233

Legal: T4N, R1W, S16

Reviewed By:

☉ Point of Diversion



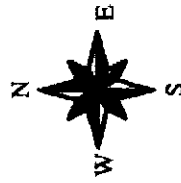
Place of Use



Section Lines



Quarter Quarter Lines



1987 Napp Photo



Water was not enough to do both when you raise trout Apr 3000 small or 1000 adult.

Idaho Department of Water Resources

Claim Number: 63-05233

Legal: T4N, R1W, S16

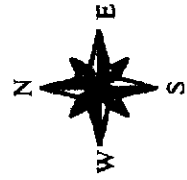
Reviewed By:

☉ Point of Diversion

☐ Place of Use

☐ Section Lines

☐ Quarter Quarter Lines



1987 Napp Photo



There was only enough water to either irrigate land or supply trout ponds not both when you have over 1000 Trout. (adult)

Memo

To: Craig
From: Darwin Vander Stelt

RE: 63-05233

Roger W. Lewis
8999 Hwy 44
Star ID 83669

Documents prepared:

no. pages	Item
2	Pictures
2	Drawing(s)
1	Adjudication Field Report
1	Map showing POD & POU
2	Calculation of flow

This place has been subdivided and at least one change of ownership and possibly 2 and a split should be done. I sent blank affidavits to Roger Lewis in Idaho City, along with a map for him to indicate where he irrigated and how, and I drew in the gated pipe in my drawing as I understood it to work from our phone conversations. Mr Lewis will also say something in the affidavit about his fish farming ventures. I made drawings of the current configuration. Mr Brown, the current owner, is building up the fish population and plans to do something commercial with them eventually. Dick Brown's address is 899 S Crystal Springs Lane, Star, ID 83669. Phone no. is 342-4271 or 286-9880.

Pertinent Info:

Adjudication claim #	63-05233
Name:	Roger W. Lewis 8999 Hwy 44 Star ID 83669 <u>6" well</u>
POD Coordinates:	0301288
USR	0289988
Well Tag(s)	A0002427
Date Visited:	11/17/2003
Date Office write-up:	11/21/2003 & 12/08/2003

11/21/2003

Field Exam 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)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ 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) 63-05233

Owner: Roger W. Lewis

Phone No. 286-7564

Current Address: 8999 Hwy 44

Star ID 83669

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

Accompanied by: Owner representative.

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: 1937 See affidavit from Roger Lewis

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

Source: Groundwater

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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination	
	Lot #								GPS ID	
		NW	NE	SW	16	04N	01W	Ada	A0002427	0301288
										0289988

Description of diverting works

An artesian well has a submersible pump inserted to pressurize water for a house, while artesian flow supplies a fountain and some ponds. A 7.5 HP pump is used to pressurize irrigation water for the lawns.

OVERLAP REVIEW

Other water rights with the same point of diversion: _____

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

WATER USES

- ☒ No change
☐ Different Uses

Use _____ From _____ To _____ Amount _____ CFS _____ AFA
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only

- ☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA
☐ Changes found, the new total is, Amount _____ CFS _____ AFA
☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

- ☒ 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	
04N	01W	16								16	4								20
											F								
											R								
											S								
											etc								

Overlap with other water rights:

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

Delivery system Narrative: see drawing. At present there is a submersible pump in the artesian well to pressurize water for the domestic and stockwater use. Artesian flow supplies the ponds, and is pressurized with a 7.5 hp pump to irrigate the lawns. The former owner attached a gated pipe to the well and irrigated 20 acres by gravity flow. At present there is no provision to irrigate more than 75000 sf of lawn and a garden area.

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size
A0002427					

FLOW MEASUREMENTS: See attached calculation

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

See photos and drawing for explanations of the system.

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

DATE EXAM CONDUCTED: 11/17/2003

FIELD EXAMINER: Darwin VanderStell

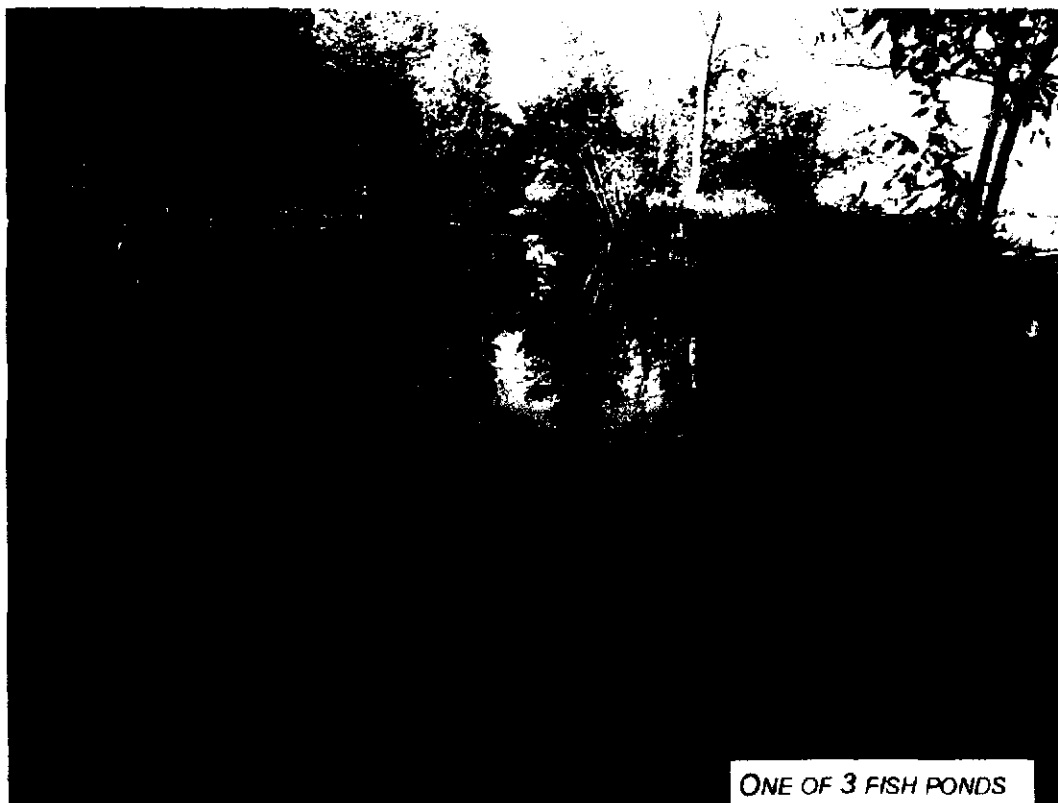


ARTESIAN WELL



OPEN DISCHARGE INTO
FOUNTAIN (CURRENT
CONFIGURATION)

CLAIM A63-05223	WELL PICTURES	11/07/03
ROGER W LEWIS	USR 0301288	
8999 HWY 44	0289988	PHOTOGRAPHED BY:
STAR ID 83669		DARWIN VANDER STELT

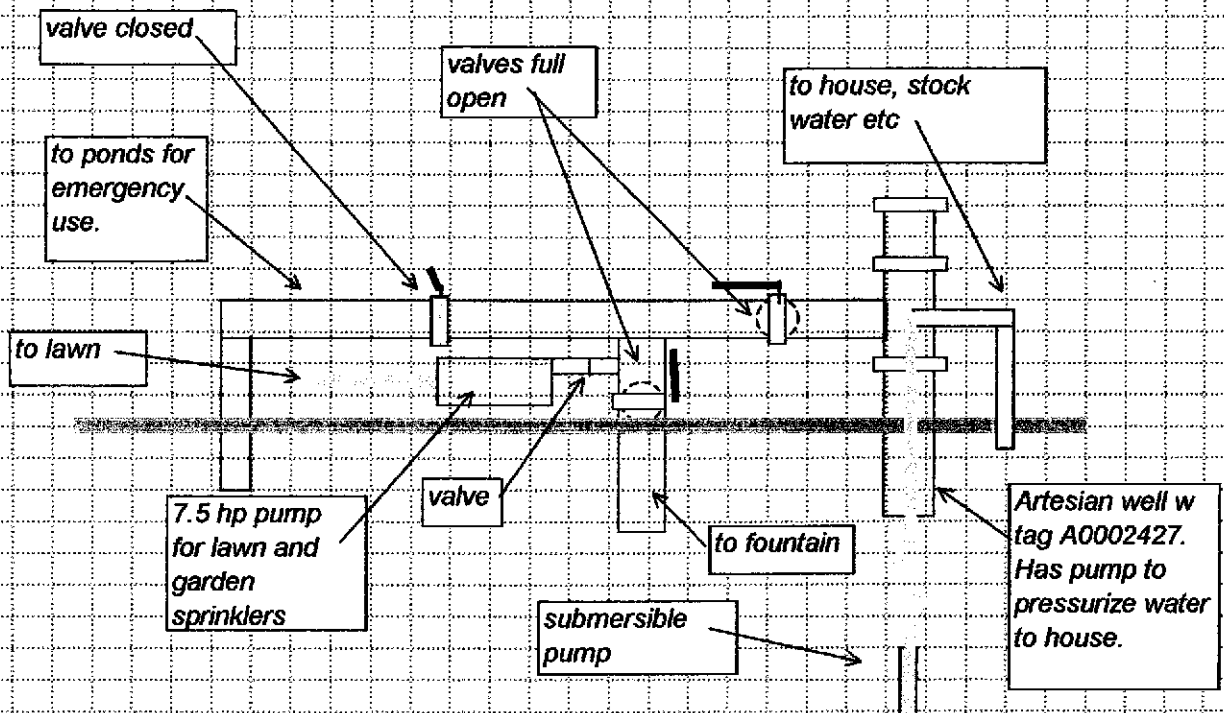


ONE OF 3 FISH PONDS

CLAIM A63-05223	WELL PICTURES	11/07/03
ROGER W LEWIS	USR 0301288	
8999 HWY 44	0289988	PHOTOGRAPHED BY:
STAR ID 83669		DARWIN VANDER STELT

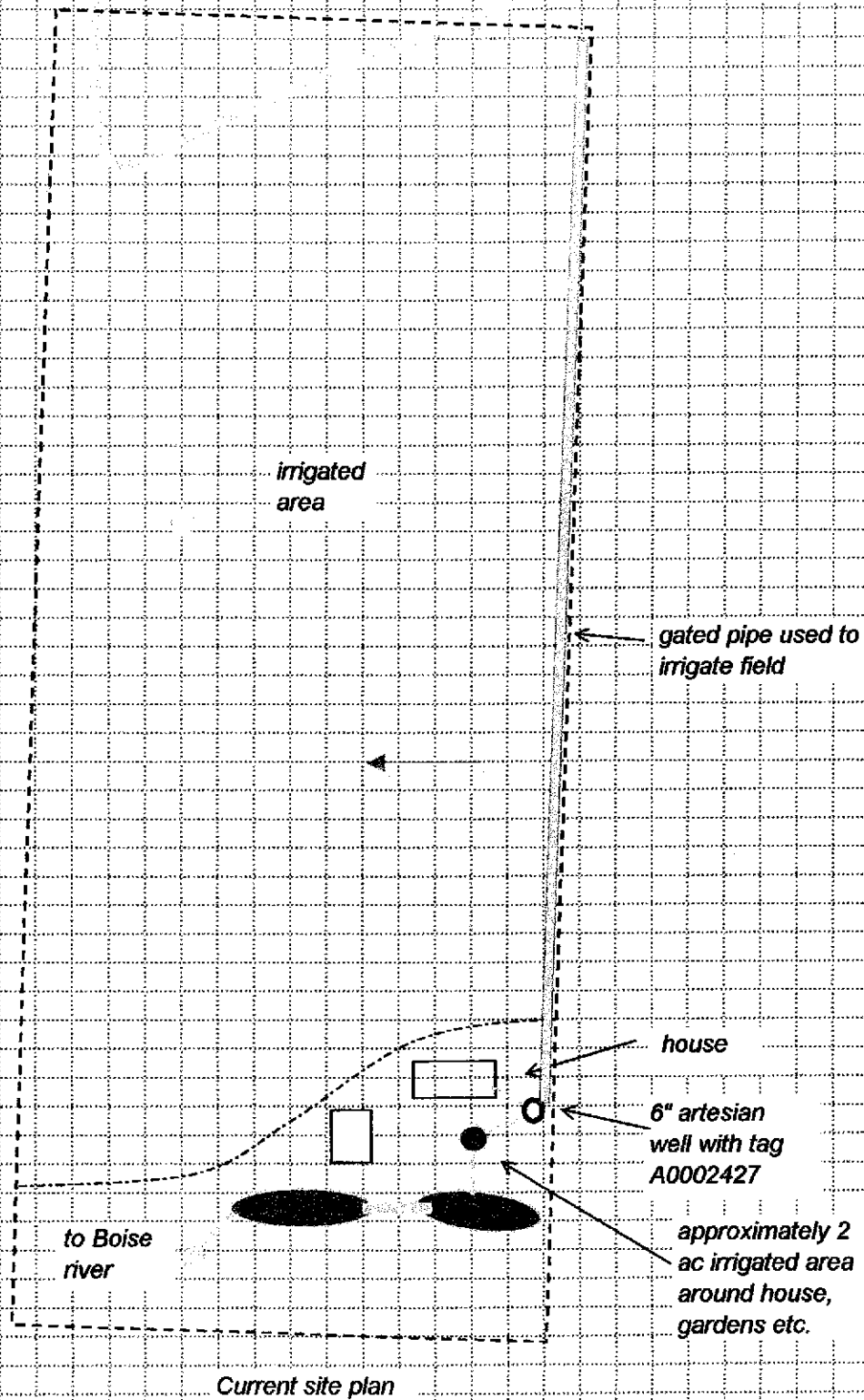
Drawing of diversion la

Here is a detail drawing of the plumbing at the well as currently configured. A submersible pump was installed in this well to provide water for the house and livestock. Artesian flow is what provides the water for the fountain and the fish ponds, and a 7.5 hp pump pressurizes water for the lawns and garden. There is no structure in place at this time to irrigate any of the pasture to the north.



63-05233	POD Coordinates:	
Roger W. Lewis	USR	0301288
8999 Hwy 44		0289988
Star ID 83669	not drawn to scale	

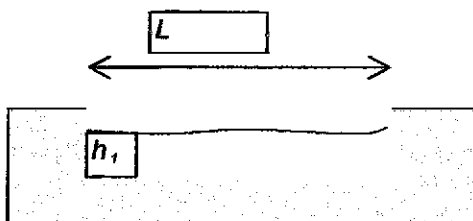
Drawing of diversion layout



63-05233	POD Coordinates:	
Roger W. Lewis	USR	0301288
8999 Hwy 44		0289988
Star ID 83669	not drawn to scale	



Rectangular Wiers



Input

weir length ft (L) 6
upstream head ft (h₁) 0.041666667

Inches to	feet
0.5	0.041666667

Flow formula $Q = 3.33(L - 0.2h_1)h_1^{1.5}$
Source: WATER MEASUREMENT MANUAL Bureau of Reclamation

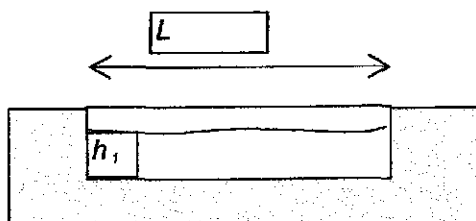
0.168 cfs 75.6758374 GPM

This is a highly inaccurate measurement because there is no free fall of water over the weir. During the irrigation season there is more flow.

Pond Calculations:

Pond 1	L	50	20000 cu. Ft.	
	W	50		
	D	8		
Pond 2	L	300	54000	
	W	30		
	D	6		
Pond 3	L	500	100000	
	W	50		
	D	4		
			174000 cu. Ft.	3.99 acre feet

Rectangular Wiers



Input

weir length ft (L) 6
upstream head ft (h₁) 0.041666667

Inches to	feet
0.5	0.041666667

Flow formula $Q = 3.33(L - 0.2h_1)h_1^{1.5}$
Source: *WATER MEASUREMENT MANUAL* Bureau of Reclamation

0.168 cfs **75.6758374 GPM**

The flow is greatly throttled down currently and this is a highly inaccurate measurement because there is no free fall of water over the weir. During the irrigation season there is more flow.

Pond Calculations:

Pond 1	L	50	
	W	50	
	D	8	20000 cu. Ft.
Pond 2	L	300	
	W	30	
	D	6	54000
Pond 3	L	500	
	W	50	
	D	4	100000 174000 cu. Ft.

3.99 acre feet

Water Measurement in a vertical pipe (trajectory method)

Lawrence and Braunworth (1906) noted that two kinds of flow occur from the end of vertical pipes. With a small rise of water (up to 0.37d) above the end of the pipe, the flow acts like a circular weir. When the water rises more than 1.4d, jet flow occurs. When the rise is between these values, the mode of flow is in transition. Lawrence and Braunworth (1906) determined that when the height of the jet exceeded 1.4 d, as determined by sighting over the jet to obtain the maximum rise, the discharge is given by:

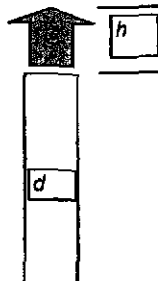
$$Q = 5.01d^{1.99}h^{0.53}$$

where:

Q = rate of flow, gal/min

d = inside diameter of the pipe, in

h = height of jet, in



For Claim No.A 63- 05223

using 12- 3/8 holes in discharge:

d = 1.3 (equivalent diameter)

h = 60

Q= 73.96141 Gal/Min

When the rise of water above the end of the pipe is less than 0.37d, discharge is given by:

$$Q = 6.17d^{1.25}h^{1.35}$$

Idaho Department of Water Resources

Claim Number: 63-05233
Legal: T4N, R1W, S16
Reviewed By:

☉ Point of Diversion

☐

Place of Use

☐

Section Lines

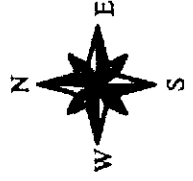
☐

Quarter Quarter Lines

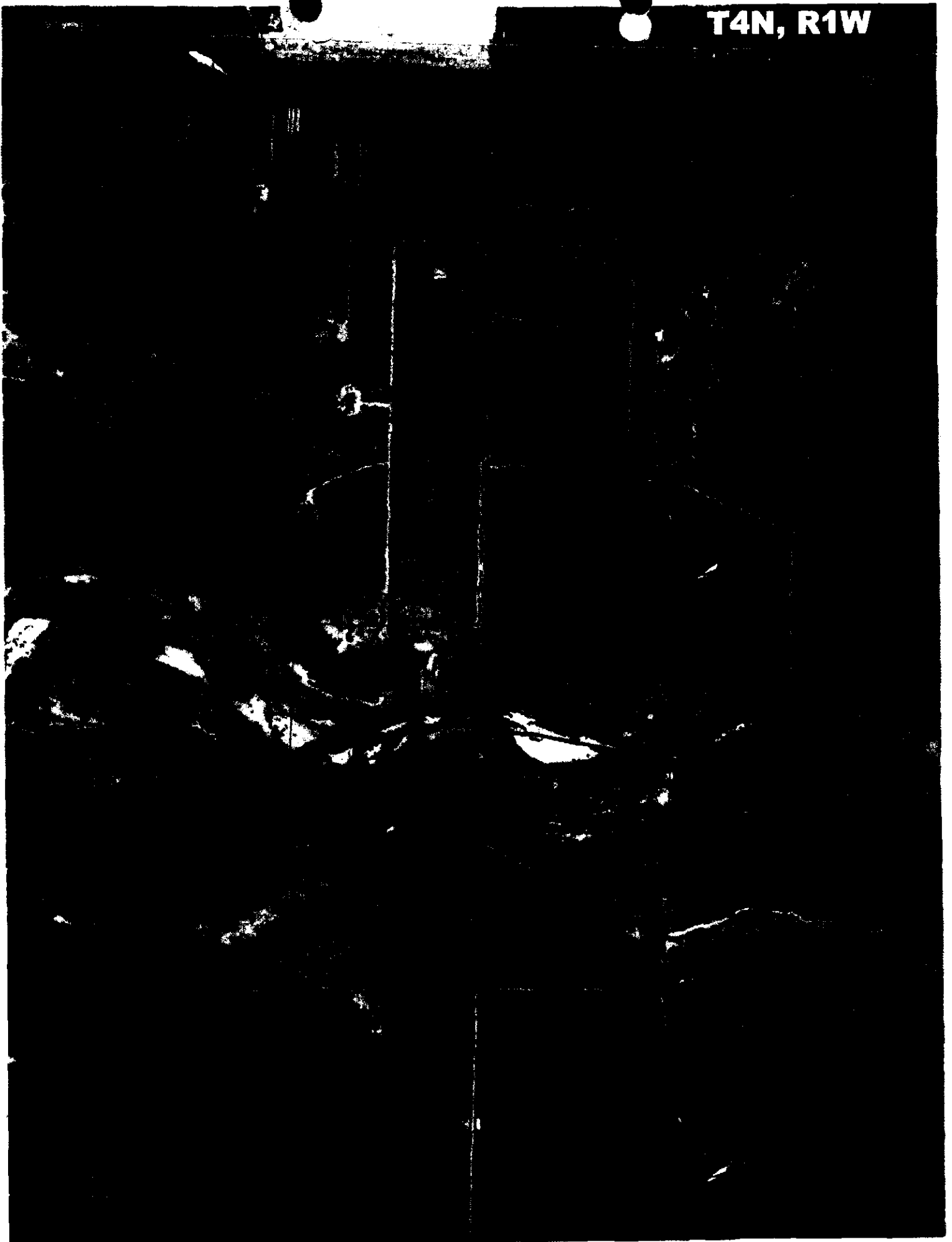
1987 Napp Photo



0 0.25 0.5 Miles



T4N, R1W



TWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID #: A63-05233 Date: 5-09-01

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	4N	1W	16								16	4								20
GIS											17	8								25
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 20

Overlapping POU Claim #'s:

Total GIS Acres: 25

COMMENTS:

map has no outlines - using county data, none of the parcels have Roma/Pat Lewis as owners, therefore, digitized the three parcels in the vicinity of the address on the claims.

