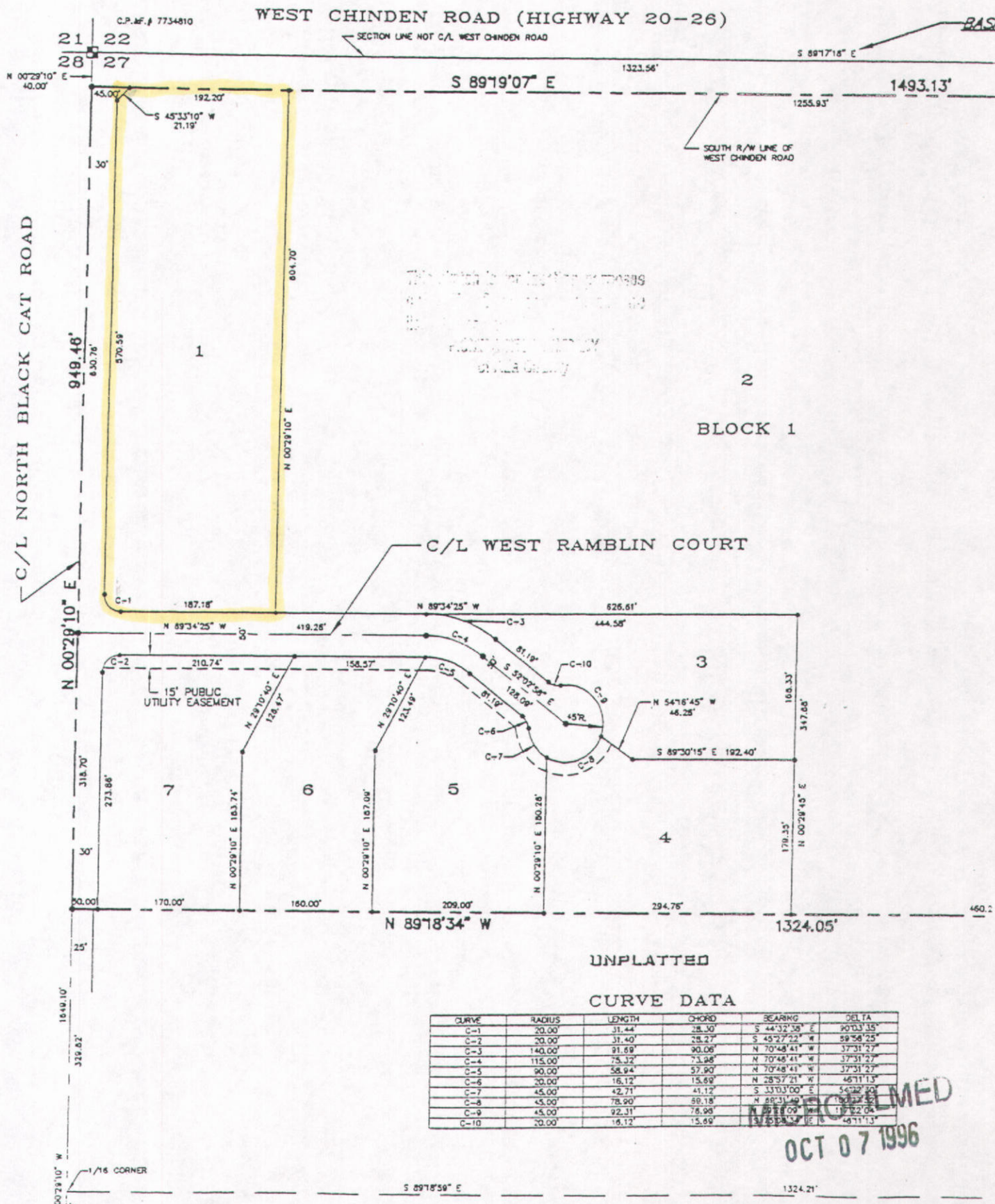


RECEIVED

JUL 19 1996

WATER RESOURCES
WESTERN REGION



Idaho Department of Water Resources

T04N, R01W,
S27

Claim No: 63-32073

Prepared By: Kimberly Brown

Date: March 11, 2005



Place of Use



Section Lines



1/4 1/4



Point of Diversion

Acres Irrigated = 2.5



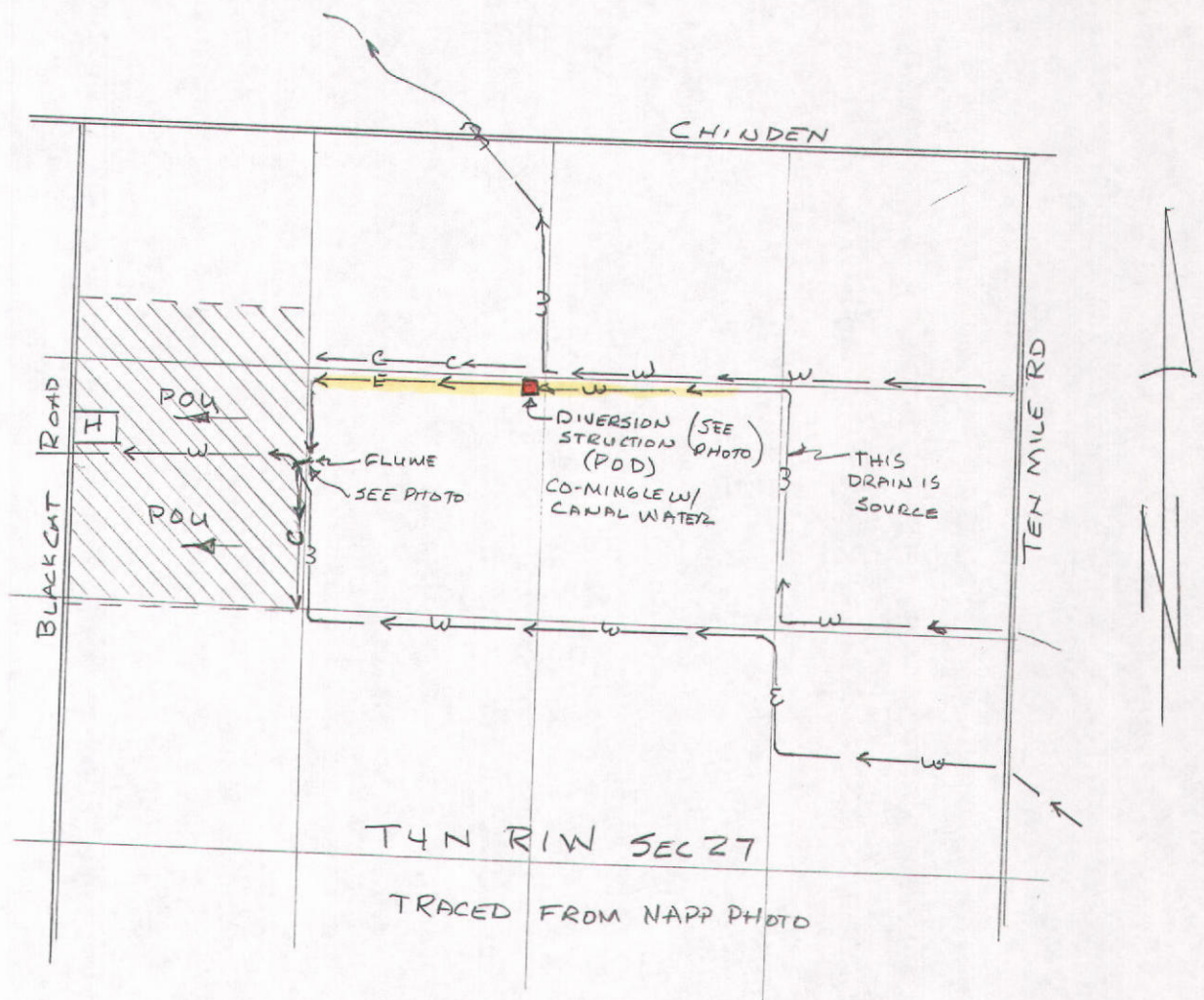
1987 NAPP

0.03 0 0.03 0.06 Miles



FROM #63-18487 (Christensen):

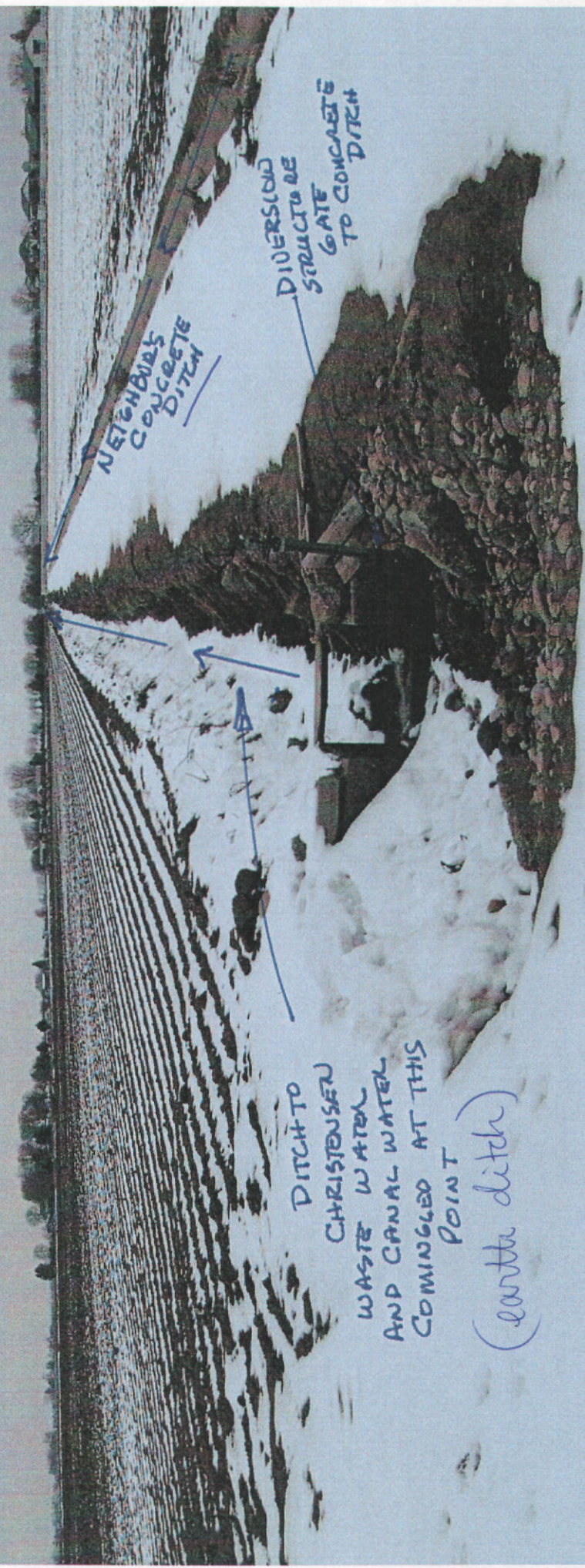
RE: POD location



HILDA CHRISTENSEN
63-18487

W = WASTEWATER DITCH
C = CONCRETE DITCH
E = EARTH DITCH

(*) This diagram is from the #63-18487 field exam → showing that the POD is located in the NE SE NW. This is also verified by the attached photo used in conjunction with the 2003 NAPP image showing the location of the earth ditch and the concrete ditch (also attached).



LOOKING WEST
FROM P.O.D.

02 12 2004

#63-18487 & #63-4979
POD Location
2003 NAPP

← N

SENW



**Land Records**
[\[Previous Search\]](#) [\[New Search\]](#) [\[Print View\]](#)
Property Details for Parcel R7330160010

- [Main Page](#)
- [Property Search](#)
- [Online Map](#)
- [Contact Us](#)
- [Disclaimer](#)
- [Help Index](#)
- [FAQ](#)
- [About Us](#)
- [Image Documents](#)
- [Old interactive map](#)

General Information

Property Acres: 2.870
Zone Code: RUT
Primary Code Area: 242 Tax Districts
Group Type: SUB
Subdivision: RAMBO SUB
Section: 4N1W27

Property Description

LOT 1 BLK 1
 RAMBO SUB
 #99019122 #96021539

**Property Address**

6280 N BLACK CAT RD
 MERIDIAN, ID 83642

[Click to View Interactive M](#)
Assessor Links

- [Assessor Main Page](#)
- [Administration](#)
- [Information](#)
- [Appraisal](#)
- [Exemptions and Reductions](#)
- [Motor Vehicles](#)
- [Levy Rates](#)

Parcel Valuation Details

Assessment Roll	State Category Code	Acreage	Assessed Value	Valuation Method
Primary	150-RES SUB LOT	2.870	\$77,300	MARKET
Primary	370-RES IMPROVEMENT	0.000	\$55,000	COST

Total Assessed Value: \$132,300

Parcel Valuation History

Assessed value for year 2004 \$132,300
 Assessed value for year 2003 \$132,300
 Assessed value for year 2002 \$132,300
 Assessed value for year 2001 \$128,900
 Assessed value for year 2000 \$101,800

Ada County Links

- [Ada County Home Page](#)
- [Commissioners](#)
- [Treasurer](#)
- [Clerk/Auditor/Recorder](#)
- [Development Services](#)
- [Human Resources](#)

Property Characteristics

Residential
 Land

[\[Previous Search\]](#) [\[New Search\]](#) [\[Print View\]](#)

[Contact Us](#) | [Help Index](#) | [Disclaimer](#) | [About Us](#)

(*) This B.U. Field Exam covers Kerry Lawson's
portion of the original claim (#63-4979; which was
later split into #63-32074); but it verifies the POD, use
of water, etc.
for split right
#63-32073.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 63-04979

1. Owner: KERRY LAWSON D & P Farms Phone No. 887-9622

Current Address: 4598 W. RAMBLIN CT. MERIDIAN ID 83642

2. Accompanied by: KERRY LAWSON (#63-32074) EXAM DATE: 4/30/04

Address: (OWNER) (SAME) Phone No. _____

Relationship to Permit Holder: SELF

3. Source: WASTE WATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM NO SITE TAG ESTABLISHED

1. Point(s) of Diversion:

GPS 2302958
1387164

← SAME POD
AS HILDA CHRISTENSEN

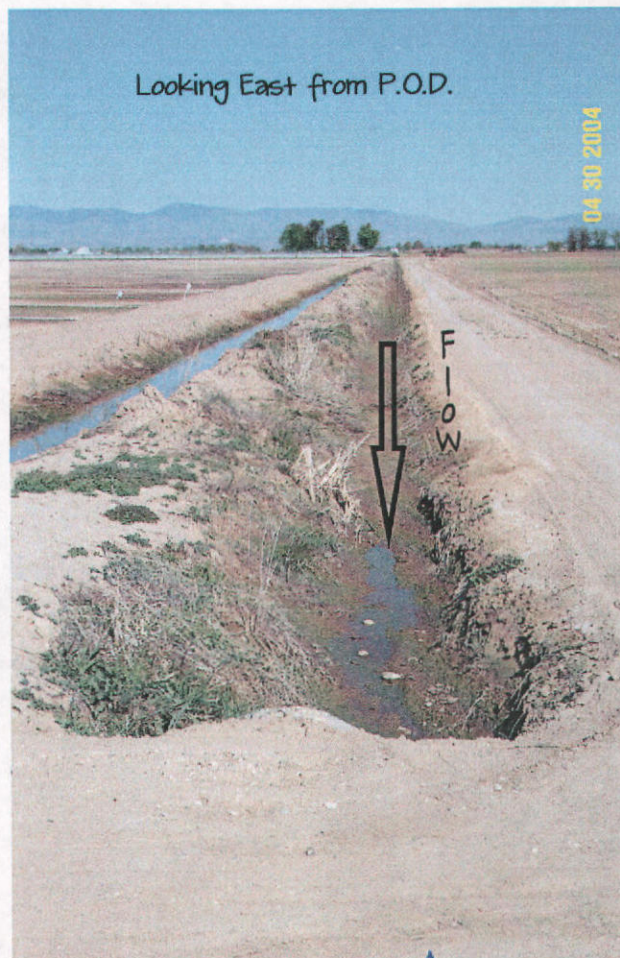
Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	NE	NW	27	4N	1W	ADA	NAPP PHOTO + GPS

2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	1W	27					9.5	19.7											29.2

N/A
to
63-32073



63-4979

↑
drain ditch that carries waste +
diversion



DRAIN
PIPE
FROM THE
FIELD ON
THE EAST

63-4979

PIPED PORTION OF DRAIN
BY THE HOUSE BY THE ROAD



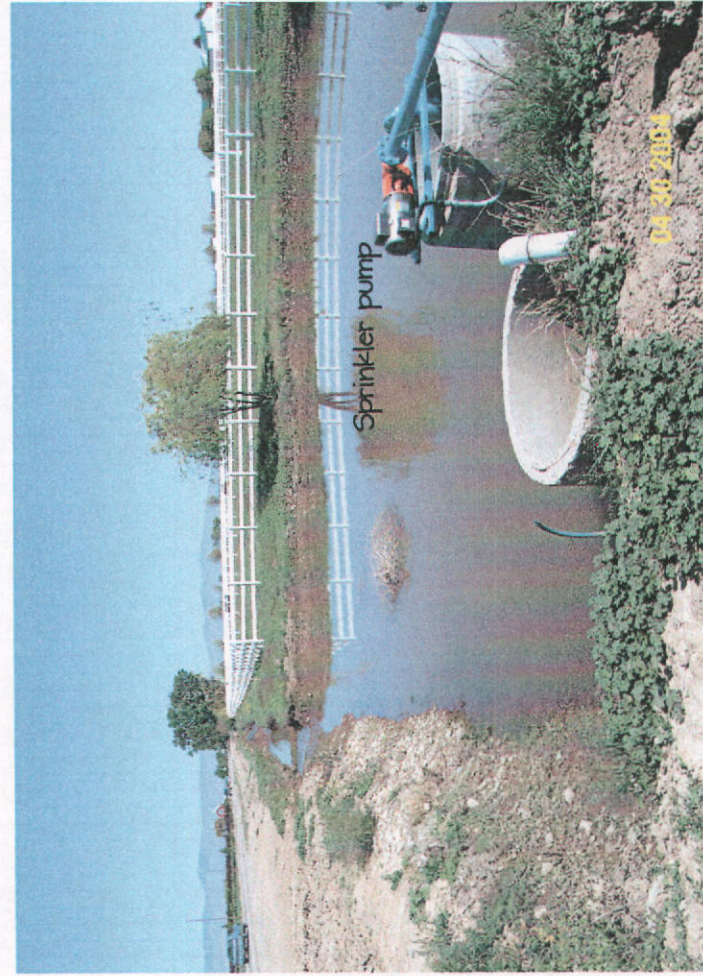
DIVERSION STRUCTURE
DOWN STREAM FROM PID

LAWSON
IRRIGATES
THIS FIELD
FROM CONC.
DITCH
9,5 AC ON
N APP PHOTO

WASTE WATER
CAN GO NORTH
FROM HOLE



LOOKING SOUTH
FROM HOUSE BY
THE ROAD.



63-4979



Idaho Department of Water Resources

Claim Number: 63-04979

Legal: T4N, R1W, S27

Reviewed By:

 Point of Diversion

 Place of Use

 Section Lines

 Quarter Quarter Lines



1987 Napp Photo



0 0.25 0.5 Miles



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 63-32073
Date Received: 4/27/1992
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MERLINDA HAUETER Phone: (208)887-0823
6280 N BLACK CAT RD
MERIDIAN ID USA 83642

PHILIP L HAUETER Phone: (208)887-0823
6280 N BLACK CAT RD
MERIDIAN ID USA 83642

2. Date of Priority: 03/15/1908

3. Source: WASTE WATER Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01W	27	NE NW	ADA	

5. Description of diverting works:

HEADGATE & CEMENT DITCHES, GRAVITY SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.06	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01W	27	NW	NW	IRRIGATION	3
Section Acres						3
Total Acres						3

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 right is a split from former right 63-4979.

15. Basis of Claim: Beneficial Use

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: **A63-04979**
Date Received: 4/27/1992
Receipt No: W014575
Received By: _____

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

1. Name: PHILIP L HAUETER 208-887-0823
Address: 6280 N BLACK CAT RD
MERIDIAN ID 83642
AND
Name: MERLINDA HAUETER 208-887-0823
Address: 6280 N BLACK CAT RD
MERIDIAN ID 83642

2. Date of Priority: MAR 15, 1908

3. Source: WASTE WATER Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01W	27	NE	NW			ADA

5. Description of diverting works:
HEADGATE & CEMENT DITCHES, GRAVITY SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.800		

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

8. Total consumptive use is 140.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01W	27	NE	NW		IRR	10.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01W	27	NW	NW		IRR	30.0
Section Acres							40.0
Total Acres							40.0

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:
SETTLER'S IRRIG. DIST.

14. Remarks:
CLAIMANT PURCHASED PROPERTY IN MAY, 1990. NO LATE FEE.
OWNERSHIP CHANGED BY LH 8/23/96.

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

JUL 19 1996

WATER RESOURCES
WESTERN REGIONDATE OF CLOSING: 1/94

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
 Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
 Lot _____, Block _____, Subdivision/Townsite Rambo.
 If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
 Assigned by IDWR: A63-15940 A63-04979

☐ Name and Address of Former
 Owner/Claimant(s)(Seller): _____

☐ New Owner/Claimant
 (Purchaser): Philip L and Merlinda Haueter

☐ New Mailing Address: 4280 N Black Cat Rd.
Meridian, ID 83642

☐ New Telephone Number: (208) 887 - 0823

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of
 ownership, describe
 proof attached: Deed Platte Map

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New
 Owner/Claimant(s) Philip L Haueter Date 7/18/96
Merlinda Haueter Date 7/18/96

☐ Signature of Former
 Owner/Claimant(s): _____ Date _____
 _____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 8-23-96 By: RH

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 8-23-96 By: RH

Claim Numbers of Split, if any:

MICROFILMED
OCT 07 1996

Original to be mailed to Idaho Department of Water Resources
 Copies to Former Owner and New Owner

RECORDATION REQUESTED BY:

WEST ONE BANK, IDAHO
20 East Fairview
Meridian, ID 83642

WHEN RECORDED MAIL TO:

WEST ONE BANK, IDAHO
20 East Fairview
Meridian, ID 83642

SEND TAX NOTICES TO:

PHILIP L HAUETER and MERLINDA HAUETER
6280 N BLACK CAT RD
MERIDIAN, ID 83642

RECEIVED

JUL 19 1996

WATER RESOURCES
WESTERN REGION

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

**WEST ONE
BANK**

DEED OF TRUST

THIS DEED OF TRUST IS DATED MAY 15, 1995, among PHILIP L HAUETER and MERLINDA HAUETER, HUSBAND AND WIFE, whose address is 6280 N BLACK CAT RD, MERIDIAN, ID 83642 (referred to below as "Grantor"); WEST ONE BANK, IDAHO, whose address is 20 East Fairview, Meridian, ID 83642 (referred to below sometimes as "Lender" and sometimes as "Beneficiary"); and PIONEER TITLE, whose address is 8151 W RIFLEMAN, BOISE, IDAHO 83704 (referred to below as "Trustee").

CONVEYANCE AND GRANT. For valuable consideration, Grantor does hereby irrevocably grant, bargain, sell and convey in trust, with power of sale, to Trustee for the benefit of Lender as Beneficiary, all of Grantor's right, title, and interest in and to the following described real property, together with all existing or subsequently erected or affixed buildings, improvements and fixtures; all easements, rights of way, and appurtenances; all water, water rights and ditch rights (including stock in utilities with ditch or irrigation rights); and all other rights, royalties, and profits relating to the real property, including without limitation all minerals, oil, gas, geothermal and similar matters, located in ADA County, State of Idaho (the "Real Property"):

LOT 1 IN BLOCK 1 OF RAMBO SUBDIVISION, ACCORDING TO THE PLAT THEREOF, FILED IN BOOK 63 OF PLATS AT PAGES 6368 AND 6369, RECORDS OF ADA COUNTY, IDAHO.

The Real Property or its address is commonly known as 6280 N BLACK CAT RD, MERIDIAN, ID 83642.

Grantor presently assigns to Lender (also known as Beneficiary in this Deed of Trust) all of Grantor's right, title, and interest in and to all present and future leases of the Property and all Rents from the Property. In addition, Grantor grants Lender a Uniform Commercial Code security interest in the Rents and the Personal Property defined below.

DEFINITIONS. The following words shall have the following meanings when used in this Deed of Trust. Terms not otherwise defined in this Deed of Trust shall have the meanings attributed to such terms in the Uniform Commercial Code. All references to dollar amounts shall mean amounts in lawful money of the United States of America.

Beneficiary. The word "Beneficiary" means WEST ONE BANK, IDAHO, its successors and assigns. WEST ONE BANK, IDAHO also is referred to as "Lender" in this Deed of Trust.

Credit Agreement. The words "Credit Agreement" mean the revolving credit agreement dated May 15, 1995, with a credit limit in the amount of \$6,400.00, between Grantor and Lender, together with all renewals, extensions, modifications, refinancings, and substitutions for the Credit Agreement. The maturity date of the Credit Agreement is May 15, 2035. **NOTICE TO GRANTOR: THE CREDIT AGREEMENT CONTAINS A VARIABLE INTEREST RATE.**

Deed of Trust. The words "Deed of Trust" mean this Deed of Trust among Grantor, Lender, and Trustee, and includes without limitation all assignment and security interest provisions relating to the Personal Property and Rents.

Existing Indebtedness. The words "Existing Indebtedness" mean the indebtedness described below in the Existing Indebtedness section of this Deed of Trust.

Grantor. The word "Grantor" means any and all persons and entities executing this Deed of Trust, including without limitation PHILIP L HAUETER and MERLINDA HAUETER.

Guarantor. The word "Guarantor" means and includes without limitation any and all guarantors, sureties, and accommodation parties in connection with the Indebtedness.

Improvements. The word "Improvements" means and includes without limitation all existing and future improvements, fixtures, buildings, structures, mobile homes affixed on the Real Property, facilities, additions, replacements and other construction on the Real Property.

Indebtedness. The word "Indebtedness" means all principal and interest payable under the Credit Agreement and any amounts expended or advanced by Lender to discharge obligations of Grantor or expenses incurred by Trustee or Lender to enforce obligations of Grantor under this Deed of Trust, together with interest on such amounts as provided in this Deed of Trust. Specifically, without limitation, this Deed of Trust secures a revolving line of credit, which obligates Lender to make advances to Grantor so long as Grantor complies with all the terms of the Credit Agreement. Such advances may be made, repaid, and remade from time to time, subject to the limitation that the total outstanding balance owing at any one time, not including finance charges on such balance at a fixed or variable rate or sum as provided in the Credit Agreement, any temporary overages, other charges, and any amounts expended or advanced as provided in this paragraph, shall not exceed the Credit Limit as provided in the Credit Agreement. It is the intention of Grantor and Lender that this Deed of Trust secures the balance outstanding under the Credit Agreement from time to time from zero up to the Credit Limit as provided above and any intermediate balance.

Lender. The word "Lender" means WEST ONE BANK, IDAHO, its successors and assigns.

Personal Property. The words "Personal Property" mean all equipment, fixtures, and other articles of personal property now or hereafter owned by Grantor, and now or hereafter attached or affixed to the Real Property; together with all accessions, parts, and additions to, all replacements of, and all substitutions for, any of such property; and together with all proceeds (including without limitation all insurance proceeds and refunds of premiums) from any sale or other disposition of the Property.

Property. The word "Property" means collectively the Real Property and the Personal Property.

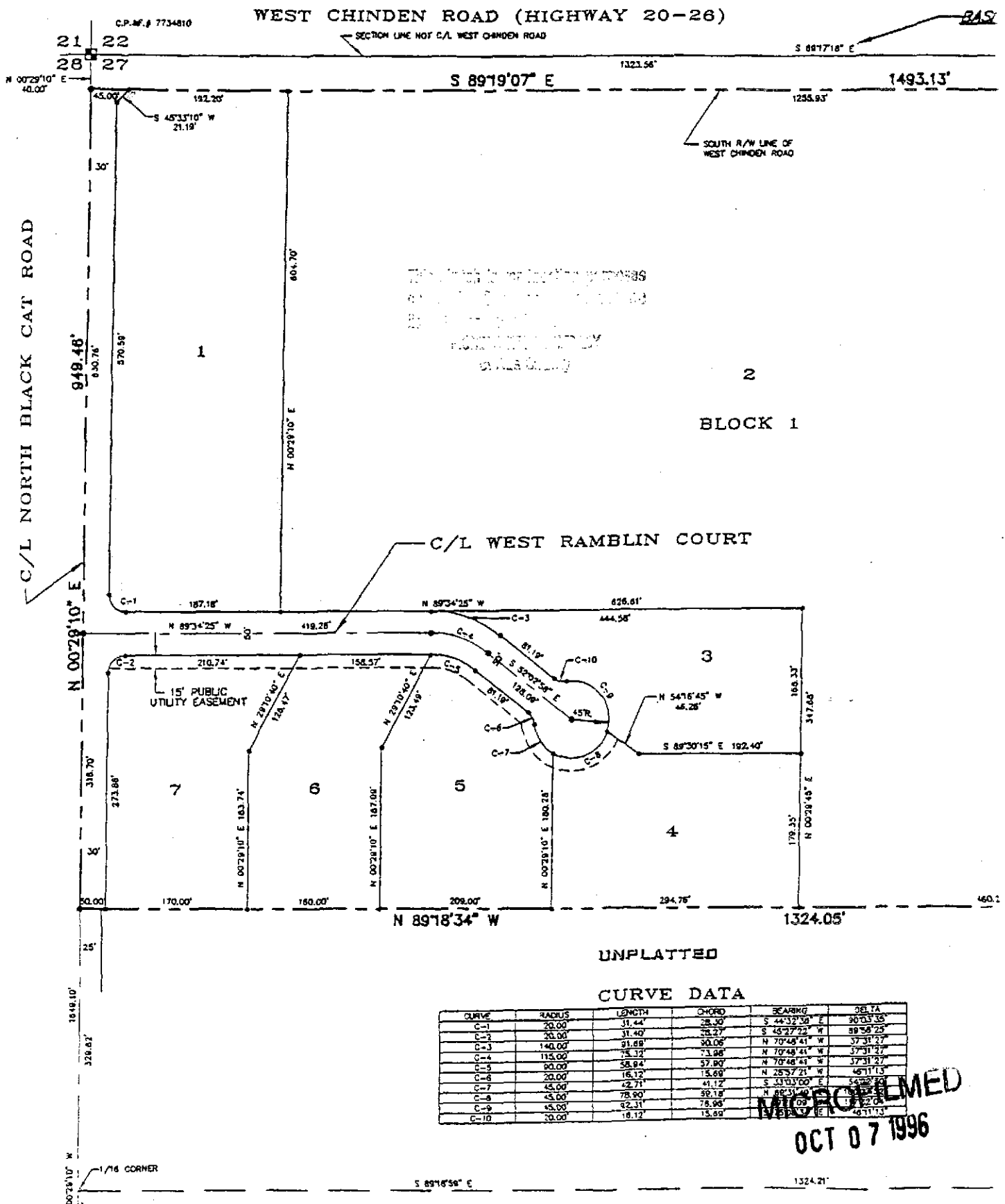
Real Property. The words "Real Property" mean the property, interests and rights described above in the "Conveyance and Grant" section.

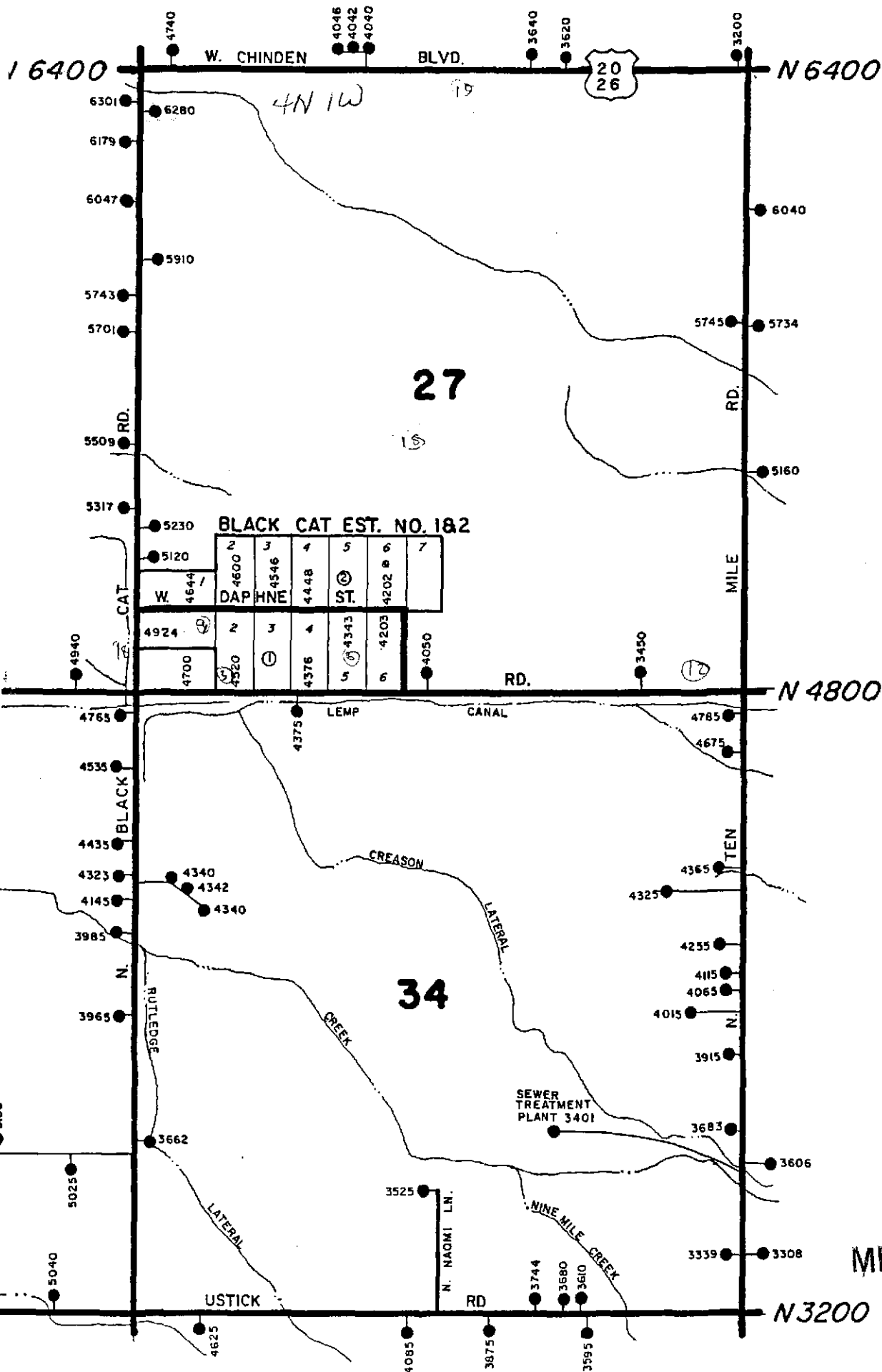
Related Documents. The words "Related Documents" mean and include without limitation all promissory notes, credit agreements, loan agreements, environmental agreements, guaranties, security agreements, mortgages, deeds of trust, and all other instruments, agreements and documents, whether now or hereafter existing, executed in connection with the Indebtedness.

Rents. The word "Rents" means all present and future rents, revenues, income, issues, royalties, profits, and other benefits derived from the Property.

Trustee. The word "Trustee" means PIONEER TITLE and any substitute or successor trustees.

**WATER RESOURCES
WESTERN REGION**





MICROFILMED
OCT 07 1996

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A63-04979
Date Received: 4/27/1992
Receipt No: W014575
Received By: EW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: D AND P FARMS INC. 208-286-7450
Address: 6030 MOON VALLEY RD
EAGLE ID 83616

2. Date of Priority: MAR 15, 1908

3. Source: WASTE WATER Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01W	27	NE	NW			ADA

5. Description of diverting works:
HEADGATE & CEMENT DITCHES, GRAVITY SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.800		

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

8. Total consumptive use is 140.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01W	27	NE	NW		IRR	10.0
			NW	NW		IRR	30.0

MICROFILMED
AUG 20 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	40.0
					Total Acres	40.0

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:
SETTLER'S IRRIG. DIST.

14. Remarks:
CLAIMANT PURCHASED PROPERTY IN MAY, 1990. NO LATE FEE.

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: 0

For Organizations:

I do solemnly swear or affirm that I am President of _____
Title

O & P Farms Inc., that I have signed the foregoing
Organization

document in the space below as President of
Title

O & P Farms, Inc. and that the statements contained in the
Organization
foregoing document are true and correct. Shirley

Signature of Authorized Agent

President D & P Farms Inc.
Title and Organization

April 27, 1992
Date

MICROFILMED

AUG 20 1992

State of Idaho)

County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 27th day

of April 1992

Kathleen A. Walker
Notary Public

Seal

Residing at Boise, Idaho

My Commission Expires 2-14-1993

MICROFILMED

AUG 20 1992

04/26/2005

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

RIGHT NUMBER: 63-32073

NAME AND ADDRESS: MERLINDA HAUETER
6280 N BLACK CAT RD
MERIDIAN ID 83642

PHILIP L HAUETER
6280 N BLACK CAT RD
MERIDIAN ID 83642

SOURCE: WASTE WATER

TRIBUTARY: BOISE RIVER

QUANTITY: 0.050 CFS

PRIORITY DATE: 03/01/1958

POINT OF DIVERSION:

T04N R01W S27 SENW Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.050 CFS

PLACE OF USE: IRRIGATION Within ADA County

T04N R01W S27 NWNW 2.5

2.5 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: Beneficial Use

This right is a split from former right 63-4979.

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

Idaho Department of Water Resources

T04N, R01W,
S27

Claim No: 63-32073

Prepared By: Kimberly Brown

Date: March 11, 2005



Place of Use



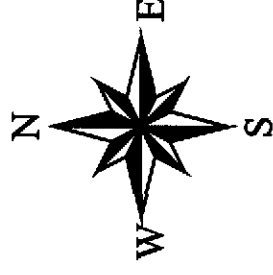
Section Lines



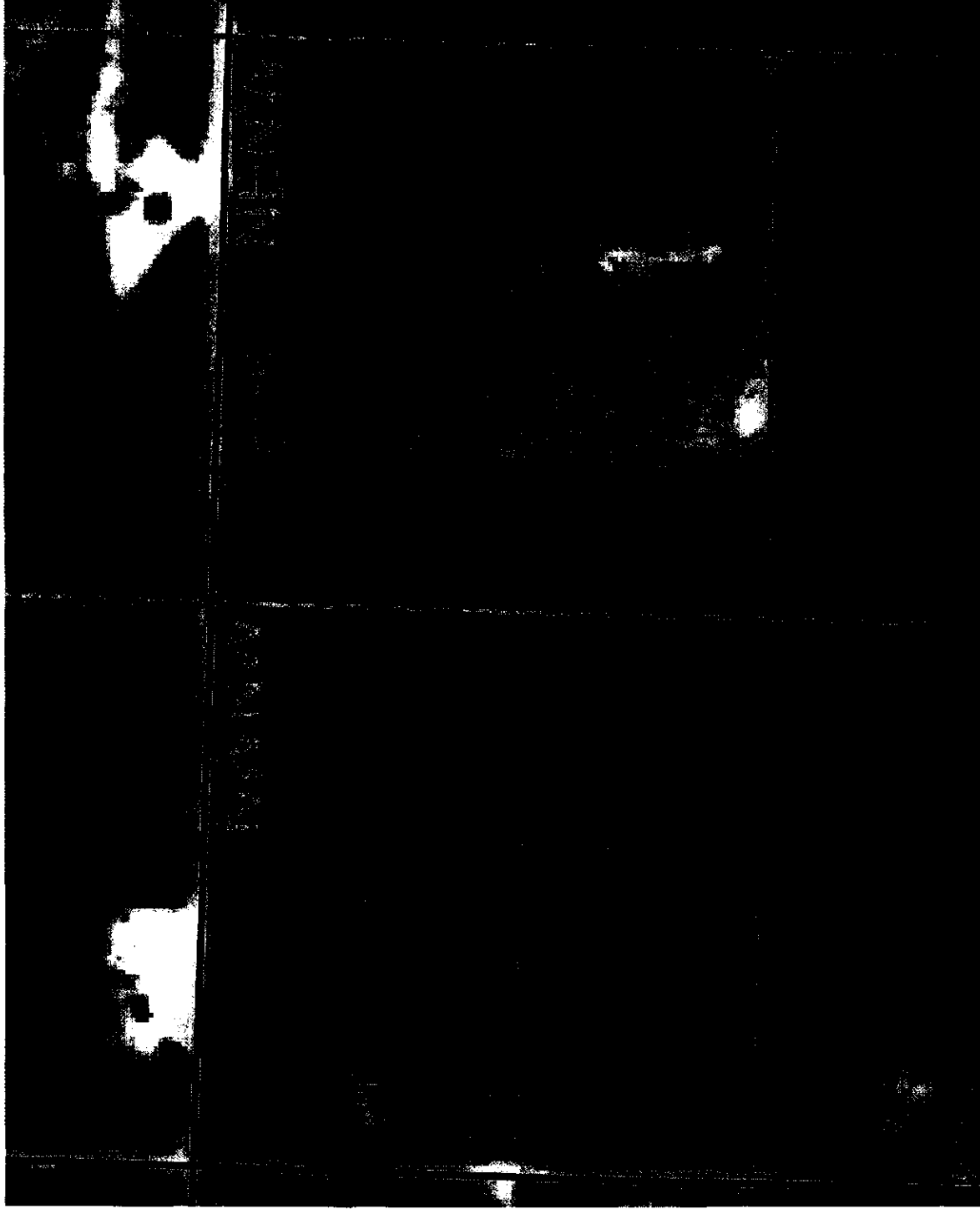
1/4 1/4

● Point of Diversion

Acres Irrigated = 2.5



1987 NAPP



0.03 0 0.03 0.06 Miles



63-32074

Parcel No: R 7330160010.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-32073

1. Explanatory This right is a split from former right 63-4979 (on 3/11/05; due to a

Comments:

mistake when the
Haueters filed a
Change In Ownership form
(7/19/96) that should have
been a split; not an
ownership change of 63-4979.)

Field Exam Date 3.11.05

(in office review)

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 \$ 50.00 originally paid for 63-4379
- ☐ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information None
- ☒ Check POD & POU overlap, see below - include overlapping right for exam
- ☒ Evidence of Priority - if none, talk with claimant

(I am assuming that Settler's paid the remaining \$40.00 for irrigable acres).

CLAIMANT INFORMATION - verify contact information is complete

Claim No(s) A63-32073

Owner: Merlinda & Philip Hauster Phone No. (208) 887-0823

Current Address: 6280 N. Black Cat Rd., Meridian 83642

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER
- ☒ No change Address
- ☐ NEW ADDRESS
- ☒ How long owned property? May 1990

Accompanied by: N/A

PRIORITY DATE

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

Priority date, per claimant, is: 3/15/1908

Affidavit submitted by neighbor, Hilda Christensen Kwallis, on 1/12/05.

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

The affidavit submitted as evidence only goes back to 1958, therefore I am recommending 3/1/1958 as the priority date.

Source: Waste Water Tributary to Boise River

- ☒ 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?

According to this field exam and the field investigation done for #63-18487, the POD

(see enclosed docs). is located in the NESE NW (see enclosed Field Report documents from 63-18487 & 2003 NAPP.

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

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

Description of diverting works

Headgate & cement ditches**OVERLAP REVIEW**Other water rights with the same point of diversion: See POD overlay review sheet.

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

63-3272-32073-32074use same POD**WATER USES**☐ No change☐ Different UsesUse Irrigation From 3/1 To Amount 0.05 CFS AFA 2.5 ACUse _____ From _____ To _____ Amount _____ CFS AFA 0.02 cfsUse _____ From _____ To _____ Amount _____ CFS AFA 0.05 cfs ~~$2.5 \text{ AC} \times 4.5 \text{ af/acre} = 11.25 \text{ af/annum}$ $\text{at } 0.05 \text{ cfs} \times 1.9835 \times 260 \text{ days} = 25.78 \text{ af/annum}$~~ **TOTAL VOLUME - Groundwater only**☒ Incomplete on claim, the total is, Amount _____ CFS _____ AFA volume not applicable -☒ Changes found, the new total is, Amount 0.05 CFS _____ AFA surface water☐ 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:

ArCView and Ada Co. Assessor's Land Records (see file) show that the Haueters own 2.87 acres. When the house, driveway, etc. are removed from irrigable acres, 2.5 acres remains. (#63-15940 covers domestic use up to $\frac{1}{2}$ AC₂)

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	
								2.5											2.5

Overlap with other water rights: See POU overlap sheet

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:
no POU overlap.

Delivery System Narrative: cement ditches, gravity flow

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

FLOW MEASUREMENTS: Drain ditch estimated at 2.02 cfs (see FX conducted for 63-4979).

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

(OVER)

Place of use is also known as lot 1, Blk 1,
Rambo Subdivision.

Use is combined with Settlers Tr. Dist. water.

Parcel No: R7330160010.

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

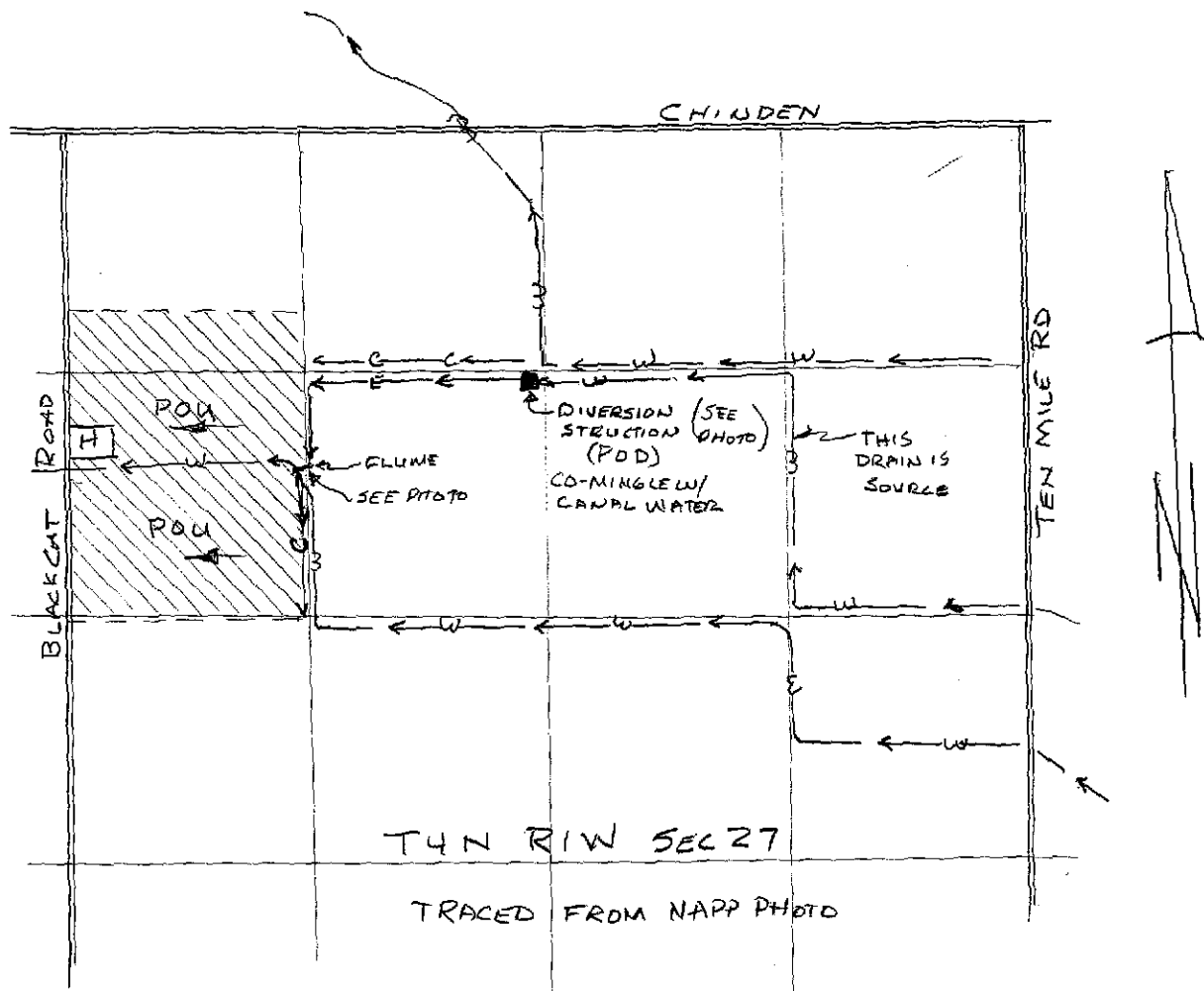
> FX #63-4979 (4/30/04)

DATE EXAM CONDUCTED: 3.11.05 (in office review)

FIELD EXAMINER: Kimberly Brown

FROM #63-18487 (Christensen):

RE: POB location



HILDA CHRISTENSEN
63-18487

W = WASTEWATER DITCH
C = CONCRETE DITCH
E = EARTH DITCH

(*) This diagram is from the #63-18487 field exam → showing that the POB is located in the NE SE NW. This is also verified by the attached photo used in conjunction with the 2003 NAPP image showing the location of the earth ditch and the concrete ditch (also attached).

NEIGHBOR'S
CONCRETE
DITCH

DIVERSION
STRUCTURE
GATE
TO CONCRETE
DITCH

DITCH TO
CHRISTENSEN
WASTE WATER
AND CANAL WATER
COMINGLED AT THIS
POINT

(earthen ditch)

LOOKING WEST
FROM P.O.D.

02-12-2004

WIND CO

overlap review -

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-32073**

03/11/2005

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-22807	Claim	04N	01W	27	NE	NW		GROUND WATER	JOE A SCHWILLING
63-22809	Claim	04N	01W	27	NE	NW		GROUND WATER	JOE A SCHWILLING
63-4979	Claim	04N	01W	27	NE	NW		WASTE WATER BOISE RIVER	D AND P FARMS INC
63-32072	Claim	04N	01W	27	NE	NW		WASTE WATER BOISE RIVER	D AND P FARMS INC
63-32073	Claim	04N	01W	27	NE	NW		WASTE WATER BOISE RIVER	MERLINDA HAUETER
63-32074	Claim	04N	01W	27	NE	NW		WASTE WATER BOISE RIVER	LISA LAWSON
63-18487	Claim	04N	01W	27	NE	NW		WASTE WATER BOISE RIVER	HILDA C CHRISTENSEN
63-26699	Claim	04N	01W	27	NE	NW		WASTE WATER BOISE RIVER	BRAD JANICEK
63-4979	Water Right	04N	01W	27	NE	NW		WASTE WATER BOISE RIVER	GRACE A RAMBO

Same POD is used by -

63-32072

- 32073

- 32074

& (possibly) - 18487 (uses same ditch system)

overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES ADJUDICATION CLAIM POU REVIEW REPORT ADJUDICATION CLAIM NUMBER: 63-32073

03/11/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
161Z	Claim	04N	01W	27	NW	NW	<i>Boise River</i>	IRRIGATION	40/52	THERION E CHRISTENSEN
18487	Claim	04N	01W	27	NW	NW		IRRIGATION	10 acres to south of POU.	HILDA C CHRISTENSEN
12072	Claim	04N	01W	27	NW	NW		IRRIGATION	7/7 <i>1/3 split</i>	D AND P FARMS INC
12073	Claim	04N	01W	27	NW	NW		IRRIGATION	3/3	MERLINDA HAUETER
12074	Claim	04N	01W	27	NW	NW		IRRIGATION	20/30 <i>1/3 split</i>	LISA LAWSON
61BC	Water Right	04N	01W	27	NW	NW		IRRIGATION		CONSUMERS WATER CORP
161Z	Water Right	04N	01W	27	NW	NW		IRRIGATION		CONSUMERS WATER CORP
4979	Water Right	04N	01W	27	NW	NW		IRRIGATION	30/40 <i>parent right</i>	GRACE A RAMBO
1614B	Claim	04N	01W	27	NW	NW		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT
1618B	Claim	04N	01W	27	NW	NW		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT
1262B	Claim	04N	01W	27	NW	NW		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT
15940	Water Right	04N	01W	27	NW	NW		STOCKWATER		PHILIP L HAUETER
15940	Water Right	04N	01W	27	NW	NW		DOMESTIC		PHILIP L HAUETER

2
S0427212750
(no results found for this parcel)

no overlap -

separate POUs.

Water Right Report 63-15940

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PHILIP L HAUETER 6280 N BLACK CAT RD MERIDIAN, ID 83642 (208)887-0823
Original Owner	GRACE A RAMBO 6280 N BLACKCAT RD MERIDIAN, ID 83642 (208)888-2635
Current Owner	MERLINDA HAUETER 6280 N BLACK CAT RD MERIDIAN, ID 83642 (208)887-0823

Status: Active

Tributary

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.020 CFS	
DOMESTIC	1/01 to 12/31	0.040 CFS	<i>internal + e</i>
	Total Diversion:	0.060 CFS	

Internal + external up to
 $\frac{1}{2}$ AC virgate
 of lawn &
 garden)

GROUND WATER NW1/4NW1/4NW1/4 Sec. 27, Twp 04N, Rge 01W, B.M.
ADA County

STOCKWATER

[illegible]

DOMESTIC

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-15940

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory STOCKWATER, 3 HORSES PARCEL NO. S 0427212750

Comments:

1. CORR1 2/7/1997 COPIED FROM REMARKS
Comment: OWNERSHIP CHANGED BY LH 8/23/96.

3/11/05
When I look this
parcel # up on Ada Co.
Assessors Land Records web
site, nothing matches. I
believe the Parcel No. should
be R7330160010.
(see attached sheet-over→)



Land Records

Parcel Search Results

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No results found for S0427212750. [Click here](#) to perform another search.

Assessor Links

- [Assessor Main Page](#)
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**Land Records**
[\[Previous Search\]](#) [\[New Search\]](#) [\[Print View\]](#)
Property Details for Parcel R7330160010

- [Main Page](#)
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General Information

Property Acres: 2.870
Zone Code: RUT
Primary Code Area: 242 Tax Districts
Group Type: SUB
Subdivision: RAMBO SUB
Section: 4N1W27

Property Description

LOT 1 BLK 1
 RAMBO SUB
 #99019122 #96021539

**Property Address**

6280 N BLACK CAT RD
 MERIDIAN, ID 83642

[Click to View Interactive Map](#)
Assessor Links

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Parcel Valuation Details

Assessment Roll	State Category Code	Acreage	Assessed Value	Valuation Method
Primary	150-RES SUB LOT	2.870	\$77,300	MARKET
Primary	370-RES IMPROVEMENT	0.000	\$55,000	COST

Total Assessed Value: \$132,300

Parcel Valuation History

Assessed value for year 2004 \$132,300
Assessed value for year 2003 \$132,300
Assessed value for year 2002 \$132,300
Assessed value for year 2001 \$128,900
Assessed value for year 2000 \$101,800

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Property Characteristics

Residential
 Land

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Land Records

Characteristics Detail[Go Back to Property](#)

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**Residential Characteristics 1 for Parcel "R7330160010"**

Occupancy Date:	No Date Available
Year Built:	1926
Year Remodel:	1958
Effective Age:	1944
Construction Class:	3
Number of Bedrooms:	3
Number Bathrooms:	2.0
Number of Fireplaces:	1
Air Conditioning:	N
Car Storage Sq Ft #1:	0
Car Storage Sq Ft #2:	0
General Purpose Building Sq Ft:	0
Porch Sq Ft:	0
Deck Sq Ft:	0
Deck Covered:	N
Patio Sq Ft:	260
Patio Covered:	Y
Pool Sq Ft:	0
Total Sq Ft:	1402
Main Floor Sq Ft:	1402
Upper Floor Sq Ft:	0
Finished Lower Floor Sq Ft:	0
Unfinished Lower Floor Sq Ft:	0
Finished Basement Floor Sq Ft:	0
Unfinished Basement Floor Sq Ft:	0
Finished Attic Sq Ft:	0
Unfinished Attic Sq Ft:	0

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Receipt Details for ID W014575

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
4/27/1992 1:33:44 PM	4/27/1992	Western	\$50.00	Check
Payer		COMBE FARMS INC.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1570			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FILING FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$50.00	ADJUDICATION FILING FEE	410162	9337	0	0	6490

Refund(s):

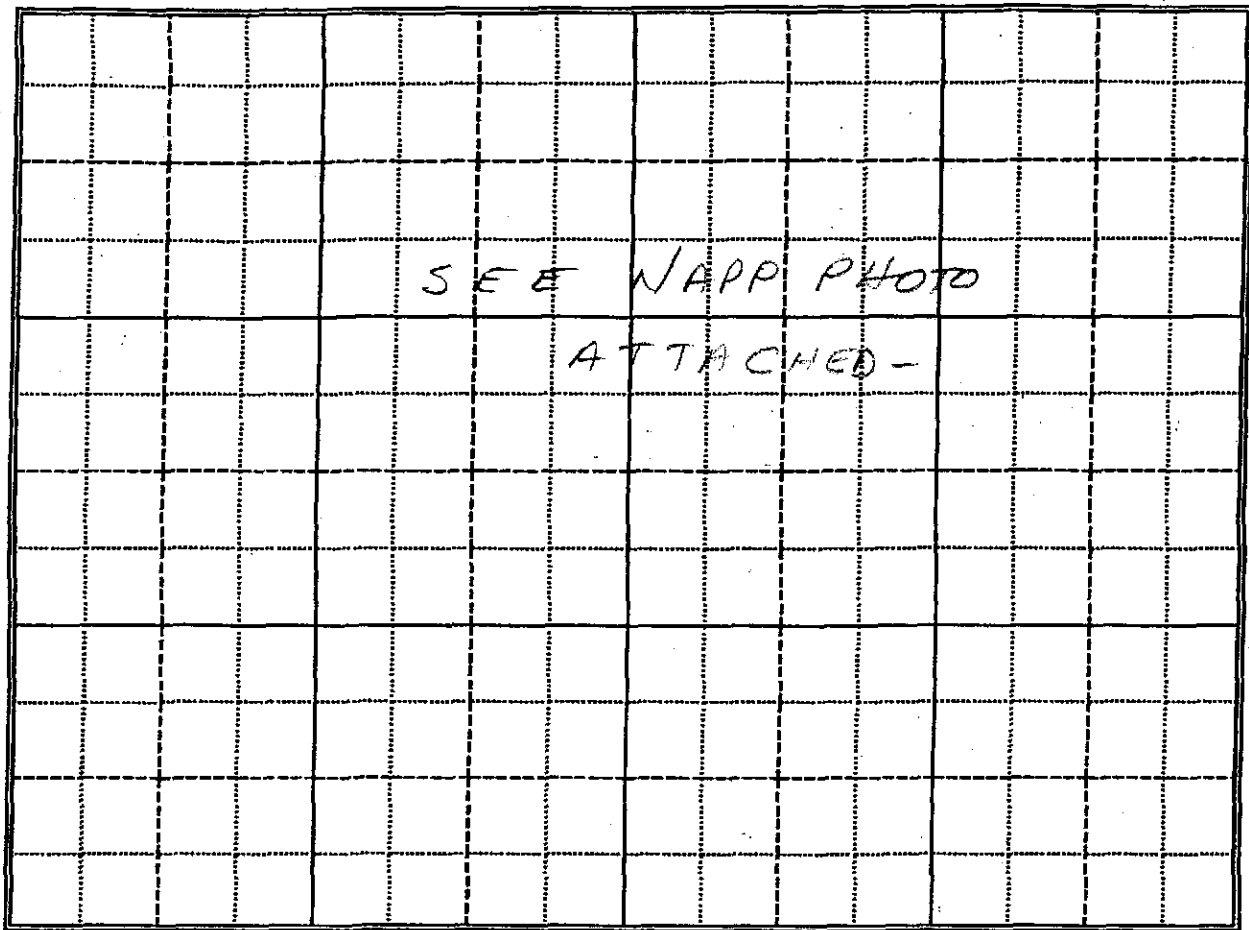
Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	4979		\$50.00	Claim



3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	BALDOR	10	F0209131889	BERKELEY	M 10635 1 1/2" - 4"
	EFF = 83% P.F. = 86%			MODEL B1.5TPM 6.56 IMPERIAL	
	230 VOLTS 46 AMPS				

*Code to correspond with No. on map and aerial photo

3450 RPM
S.F. = 1.15

NORMAL OPERATING
PRESSURE = 60 PSI

IDAHO POWER METER NO 32 695944

K_b = 1.0

IDPWR LOCATION # 04N01W2701

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. **Measurements:** MR. LAWSON STATED THAT HE CAN RUN 2 NELSON 100 BIG GUNS AT 60 PSI. NOZZLE BORE = 0.6" FLOW RATE AT 60 PSI = 81 GPM OR HE CAN RUN 1 @ .60" BORE & 1 @ .75" BORE @ 50 PSI = 115 GPM

@ 50 PSI
= 74 GPM

189 GPM = .42 CFS

162 GPM = .36 CFS

115 #2 81 #1
74 81
189 115

E. NARRATIVE/REMARKS/COMMENTS

Right #63-32074
(m of 3/11/07 of owner)
I MET W/ KERRY LAWSON ON 4/30/04 AT HIS PLACE. HE IS THE CURRENT OWNER OF THIS RIGHT. THE ORIGINAL WATER RIGHT PLACE OF USE WAS FOR 40 ACRES. PART OF THE 1/4 1/4 WAS DEVELOPED INTO A HOUSING SUB DIVISION AND THE PROPERTY OWNERS HAVE NO WAY TO UTILIZE THE WATER. PHILIP + MERLINDA HAUTER USED TO OWN THE LAND WHICH KERRY LAWSON NOW OWNS. MR LAWSON PURCHASED ALL BUT APPROXIMATELY 3.3 AC. LEAVING MR LAWSON WITH APPROX 29.2 ACRES

THIS WASTE WATER RIGHT COMES THRU THE SAME DRAINAGE LINE WATER SYSTEM AS HILDA CHRISTENSEN. PLEASE REFER TO HILDA CHRISTENSEN RIGHT # 63-18487 FOR DITCH SYSTEM. I RE-GPS'D THE POD WITH THE NEWER GPS SETTING. THERE IS NO SITE TAG HERE SINCE THERE IS NOTHING TO FASTEN IT TO.

MR LAWSON ALSO GETS SOME WASTEWATER FROM HIS NEIGHBORS FIELD TO THE EAST. THERE IS A DRAIN ACROSS CHINDEN FROM THE NORTH SIDE WHICH ALSO CONTRIBUTES WATER TO THE DRAINAGE POND. MR. LAWSON HAS A DE-SILTING AND STORAGE POND IN THE NW CORNER OF HIS PROPERTY (SEE PHOTOS) HE PUMPS WATER THRU A PRESSURIZED SPRINKLER USING NELSON 100 BIG GUN PERMANENTLY INSTALLED SPRINKLERS. WITH THIS PUMP, HE CAN RUN 2 OF THESE BIG GUNS. ALL BUT ONE SPRINKLER HAS 0.60" BORE. THE ONE HAS 0.75" COVERING A LARGER AREA. HE CAN RUN A 0.60" & THE 0.75" TOGETHER. SEE CALCULATIONS AT D.2. HE ALSO SURFACE IRRIGATES THE 9.5 AC IN NENW FROM CONCRETE DITCH SEE PHOTO. MR. LAWSON HAS SUBMITTED AN AFFIDAVIT TO SUPPORT THE PRIORITY DATE. HOWEVER THE PERSON WHO PROVIDED THE AFFIDAVIT ONLY COULD GO BACK TO 1958. I DISCUSSED THIS WITH MR LAWSON AND HE IS GOING TO TRY AND GET AN OLDER SIGNATURE.

Have conditions of permit approval been met? ☐ yes ☐ no

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

DRAIN DITCH ESTIMATED AT 202 CFS CARRYING CAPACITY
SEE ATTACHED COMPUTATIONS

FLOW RATE CAPACITY OF PUMP SYSTEM = 136-42 CFS
SEE "D" PREVIOUS PAGE.

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 29.2 \times 4.5 = 131.4$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .36 \times 246 \times 1.9835 = 175.6$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 131.4$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	3/15	11/15	0.36	131.4
Totals:				

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

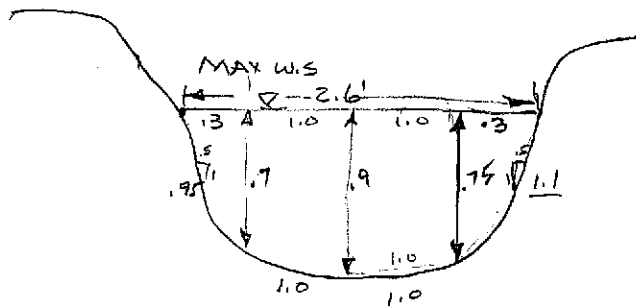
I. AUTHENTICATIONField Examiner's Name Burke H. Scholer Date 5/13/04

Reviewer _____ Date _____

SEAL

COMPUTATION SHEET

BY BHS	DATE 4/30/04	PROJECT KERRY LAWSON	SHEET ____ OF ____
CHKD BY	DATE	FEATURE	
DETAILS FLOW RATE ESTIMATE - DRAIN DITCH			



X-SECTION APPROX.
50' EAST OF POD

APPROXIMATE X-SECTION ON DRAIN DITCH
NEAR P.O.D

AREA =

$$1. \left(\frac{.3 \times .7}{2} \right) + (1.0 \times .8) + (1.0 \times .825) + \left(\frac{.3 \times .75}{2} \right)$$

$$2. .105 + 0.8 + .825 + .1125$$

$$3. A = \underline{1.84} \text{ SQ.FT.}$$

$$\text{VELOCITY} = \frac{1.486}{n} r^{2/3} S^{1/2}$$

$$n = .025$$

$$P = .95 + 1.0 + 1.0 + 1.1 = 4.05$$

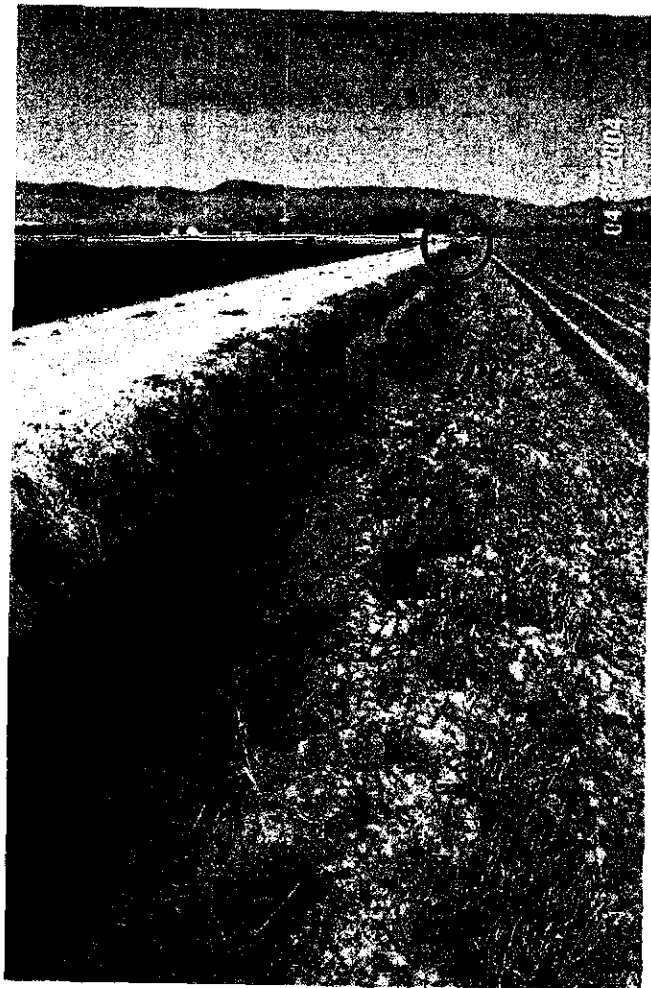
$$r = \frac{A}{P} = \frac{1.84}{4.05} = .45$$

$$S = .001' / \text{FT}$$

$$V = \frac{1.486}{.025} \times .45^{.67} \times .001^{.5} =$$

$$V = \underline{1.10' / \text{SEC}}$$

$$Q = AV = 1.84 \times 1.10 = \underline{2.02} \text{ CFS}$$



Looking West from P.O.D.



63-4979

↑
drain ditch that carries waste +
diverter



DRAIN
PIPE
FROM THE
FIELD ON
THE EAST

63-4979

PIPED PORTION OF DRAIN
BY THE HOUSE BY THE ROAD



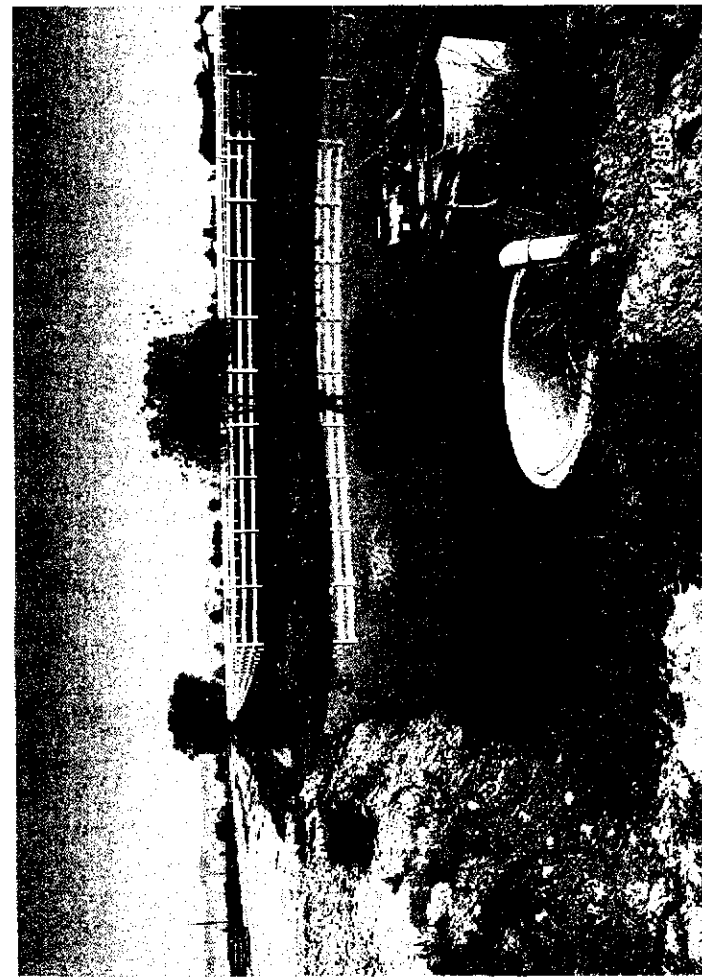
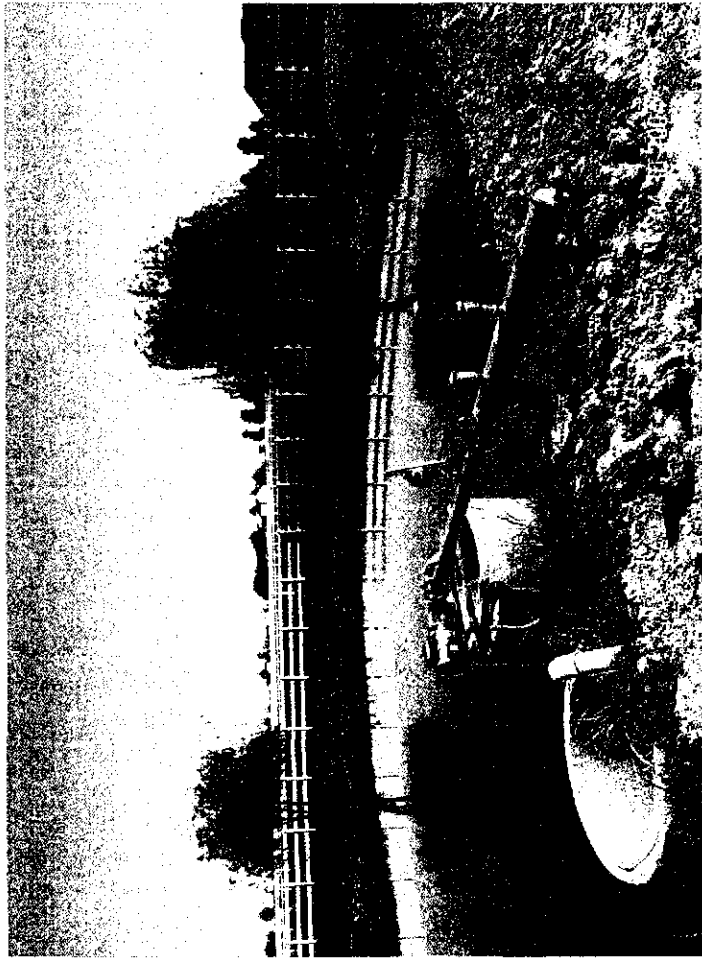
DIVERSION STRUCTURE
DOWN STREAM FROM PDD

LAWSON
IRRIGATES
THIS FIELD
FROM CONC.
DITCH
Q. SAC ON
NAPP PHOTO

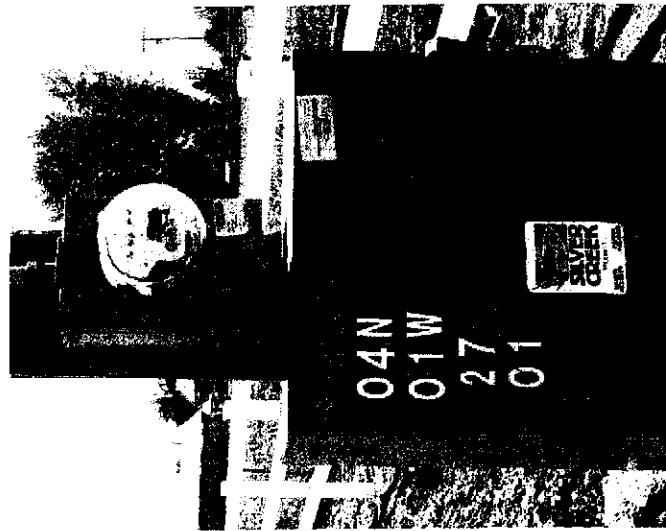
WASTE WATER
CAN GO NORTH
FROM HOLE



LOOKING SOUTH
FROM HOUSE BY
THE ROAD.



63-4979



Idaho Department of Water Resources

Claim Number: 63-04979
Legal: T4N, R1W, S27
Reviewed By:

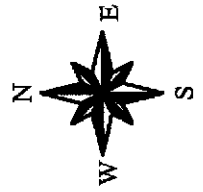
☉ Point of Diversion

Place of Use

Section Lines

Quarter Quarter Lines

1987 Napp Photo



RECEIVED

NOV 12 2003

WATER RESOURCES
WESTERN REGION

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))

A63-04979)
)
)

State of Idaho)
County of Ada)

AFFIDAVIT

Hilda Christensen Kowallis being first duly sworn,
deposes and says: My husband Therion and I
purchased a fifty acre piece of land
at 5910 N. Black Cat Rd from a member
of the Rambo family in 1958. At this
time Grace Rambo was the owner of
40 acres on the South East corner of
Chinden and Black Cat Rd (NE 1/4 NW 1/2 Sec. 27
Twp 04N, Rge 01W, B.M.) Ada County. At this time
Grace had both live and waste water rights
which had been established years prior.
To the best of our knowledge those water
rights have never been contested.

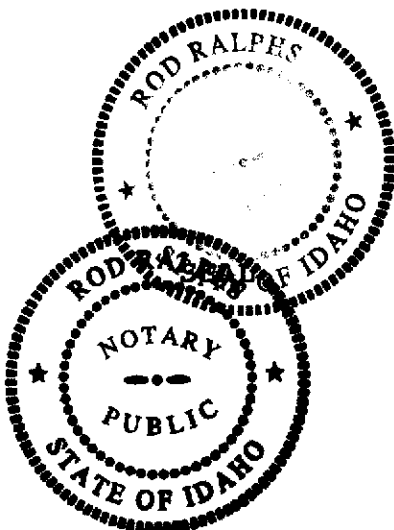
Hilda Christensen Kowallis
(Signature)

Subscribed and sworn to before me this
day 10 of SEPTEMBER, 192005.

[Signature]
(Notary Public)

Residing at MERIDIAN, IDAHO.

My Commission Expires 5-24-03.



63-4979

4N1W

September 4, 2003

Kimberly L. Brown,

We received a letter from the Department of Water Resources concerning 'evidence of priority' for our water right. The documents that I faxed along with this explanation show that we own only lot 1 of block 1 on the land in question. I know that we are still entitled to a water right for our 3-acre section of this land. I am not sure how to go about the process of keeping our original water entitlement, considering the 40 acres of land in question has been split. Please advise. *2.86 acres*

Thank you,

Merlinda Haueter

6280 N. Black Cat. Rd
Meridian, ID 83642
887-0823

A63-4979 - 3.11.05

This should have been
a split to give the ~~113~~
Haueters approximately
3.0 AC of the original
40 AC belonging to D & P
farms. A mistake was
originally made - giving
the entire 40 AC to Haueters.
Fixed by creating 63-32072, -32073,
8 - 32074.

Manufactured by
Alexander Clark Business Forms
10801 Emerald Boise, Idaho (208) 322-0611

Form 42-1409(7)



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 1/94

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____ 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____, BM.
Lot _____ Block _____ Subdivision/Townsite Rambo
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A63-15940 A63-64979
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): _____
- ☐ New Owner/Claimant (Purchaser): Philip L and Merlinda Haueter
- ☐ New Mailing Address: 6280 N Black Cat Rd.
Meridian, ID 83640
- ☐ New Telephone Number: (208) 887 - 0822
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Deed Platte Map
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- ☐ Signature of New Owner/Claimant(s) Philip L Haueter Date 7/18/96
Merlinda Haueter Date 7/18/96
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed: _____

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

18c 1-098

ADA COUNTY, IDAHO
1993

23

Job No. 1158

$$= \frac{36.884}{\text{Total AC}}$$

CONVERSATION MEMORANDUM

RE: Snake River Basin Adjudication Water Right No. A63-32073 (formerly –4979)

August 25, 2003

I spoke with Philip Haueter, who is having difficulty coming up with evidence of priority. He will talk with his neighbors or go to the county courthouse in order to find something.

September 5, 2003

Merlinda Haueter returned my call. She said that Schrimmer (sp.) bought the 40 acres in 1992 from Grace Rambo and he did the splitting of acres. According to Mrs. Haueter, they own 3 acres and live in the original homestead; which they bought in 1994 from D & P Farms. Mrs. Haueter also mentioned that the wastewater comes from a horse ranch; land which is "located right behind" them. The Haueters are still having difficulty coming up with evidence. They will speak with Hilda Christensen, who is their neighbor, has lived in the area a long time, and bought her land from Grace Rambo (the original owner of all their lands).

February 13, 2004

I spoke with Philip Haueter regarding evidence. He said that they purchased the property in January 1994. Since Hilda Christensen's affidavit only goes back to 1958, he would like to find something earlier. Since Paul Combe signed the original Notice of Claim, I suggested that he try to contact him for an affidavit.

Kimberly Brown
Senior Water Resource Agent
Western Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 19, 2003

PHILIP L. & MERLINDA HAUETER
6280 N. BLACK CAT RD.
MERIDIAN, ID 83642

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-04979

Dear Claimant(s),

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out or re-file it. You indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement.

It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future. Since it is our goal to decree the historical water rights within the Snake River Basin as accurately as possible, field exams are now being conducted by Department water resource agents to verify claims in this area.

The required evidence supporting the priority date(s) requested needs to be submitted by September 16, 2003. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above. In addition, please contact me at the Western Region office as soon as possible to set up a field exam.



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

Respectfully Submitted,

Kimberly L. Brown

Kimberly L. Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-04979

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 23, 1996

Re: Notices of Claim to a Water Right Nos. A63-04979, A63-15940

PHILIP L HAUETER
MERLINDA HAUETER
6280 N BLACK CAT RD
MERIDIAN ID 83642

Mr. & Mrs. Haueter:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

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

Sincerely,

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region Office

LH:1

Enclosures

MICROFILMED
OCT 07 1996

Lori Harris



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

July 22, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RUSSELL OR SHEILA HAUETER
PO BOX 409
OROFINO ID 83544

RECEIVED

RE: Snake River Basin Adjudication (SRBA)
Ownership Change

JUL 26 1996

WATER RESOURCES
WESTERN REGION

Dear Mr. & Mrs. Haueter:

I am returning the New Property Owner Notice of Change of Water Right Ownership form and attachments received July 18, 1996.

In a search of our records, we do not find any water rights in the name of James and Sherry Robb, Timberland or Everson within your legal property description. If your water source is from a ditch company or city or community water supplier, they are the ones you need to notify of your new ownership of the property. They do not require the form you sent us.

If you have a spring used for lawn and garden and culinary purposes, you may file a Notice of Claim to a Water Right if you wish provided use of water for your residence initially began before May 20, 1971. If use began after that date, you will need to complete an Application for Permit. I have enclosed forms and instructions for your possible use.

I have also enclosed some general literature about the SRBA that you may find interesting and informative. If you have any questions, please contact me at 208/327-7862 or call our office toll free at 1/800-451-4159 and leave a message for me.

Sincerely,

Sally Sherman
Secretary, Adjudication Bureau
Department of Water Resources

SS:region

Enclosures:

Original Form 42-1409(7) and Attachments
D&S Form w/Instructions
Application for Permit w/Instructions
Newspaper Insert
Water Rights Primer
D&S Quick Guide

MICROFILMED
OCT 07 1996