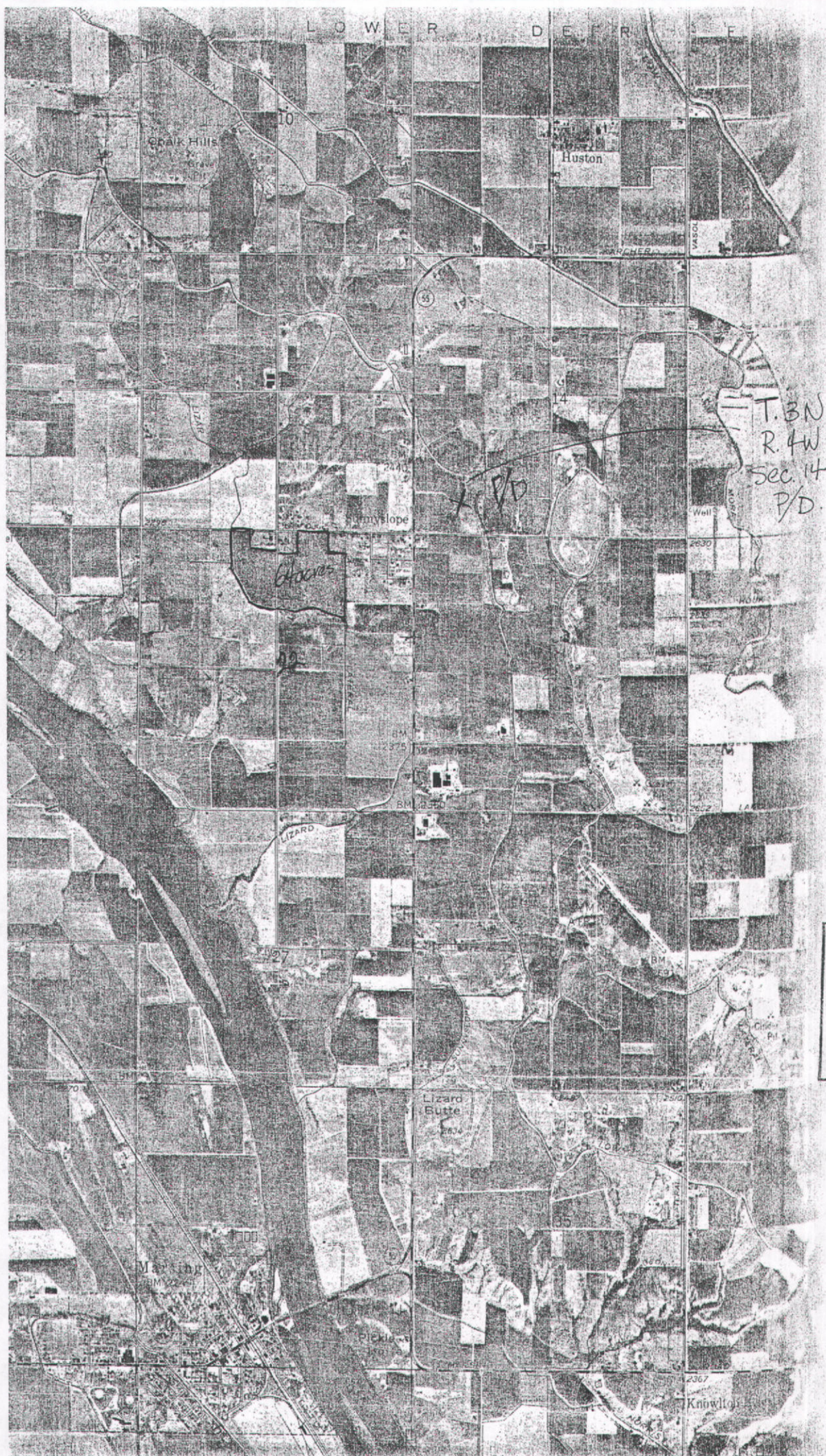




Idaho Department of Water Resources

Claim Number: 63-27265
 Legal: T03N, R04W, S22
 Reviewed By:

● Point of Diversion



Place of Use



Section Lines



Quarter Quarter Lines

1987 Napp Photo



Idaho Department of Water Resources

Claim Number: 63-27265
 Legal: T03N, R04W, S22
 Reviewed By:

● Point of Diversion



Place of Use



Section Lines



Quarter Quarter Lines

1987 Napp Photo



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: A63-27265
Date Received: 4/ 2/1990
Receipt No: W011788
Received By: DE JED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LIZARD PARTNERSHIP 208-459-4821
Address: 14068 SUNNY SLOPE ROAD
CALDWELL ID 83605

2. Date of Priority: MAY 1, 1930

3. Source: SPRING Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	04W	14		SW	SW		CANYON

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	0.240		0.48

7. Total Quantity Appropriated is:
C.F.S. (and/or) 0.48 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	04W	22	NW	NE		IRR	35.0
			SW	NE		IRR	5.0
			NE	NW		IRR	22.0
			SE	NW		IRR	2.0

MICROFILMED

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	64.0
					Total Acres	64.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

IRRIGATION WATER FROM IRRIGATION DISTRICT

14. Remarks:

GENERAL PARTNERS FOR LIZARD PARTNERSHIP ARE: RICHARD A. SYMMS,
JAMES P. MERTZ AND DANIEL T. SYMMS.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576

Ident. Number

463-27265

Date Received

4-2-90

Receipt Number

W011788

RECEIVED

APR 02 1990

Department of Water Resources
Western Regional Office

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

RECEIVED

APR 16 1990

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) LIZARD PARTNERSHIP Phone (208) 459-4821Mailing Address 14068 Sunny Slope Road Zip 83605
Caldwell, Idaho2. Date of Priority (Only one (1) per claim) May 1, 19303. Source of water supply (a) Spring
which is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township 3N Range 4W Section 14,
1/4 of SW 1/4 of SW 1/4, Govt. Lot, B.M., County of Canyon

Additional points of diversion if any: _____

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

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

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

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. _____

MICROFILMED

AUG 02 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

For Irrigation purposes from March 1 to November 15 amount .24 (cfs) or .48 (acre feet)
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) .48 (acre feet)

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

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

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
~~3N~~	~~4W~~	~~22~~		x			x												
3N	4W	22		35	5		22			2									64

Total number of acres irrigated 64

11. In which county (ies) are lands listed above as place of use located? Canyon

12. Do you own the property listed above as place of use? Yes _____ No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
Irrigation water from the Irrigation district or None ()

14. Remarks: General Partners for Lizard Partnership are:
Richard A. Symms, James P. Mertz, and Daniel T. Symms

MICROFILMED

AUG 02 1994

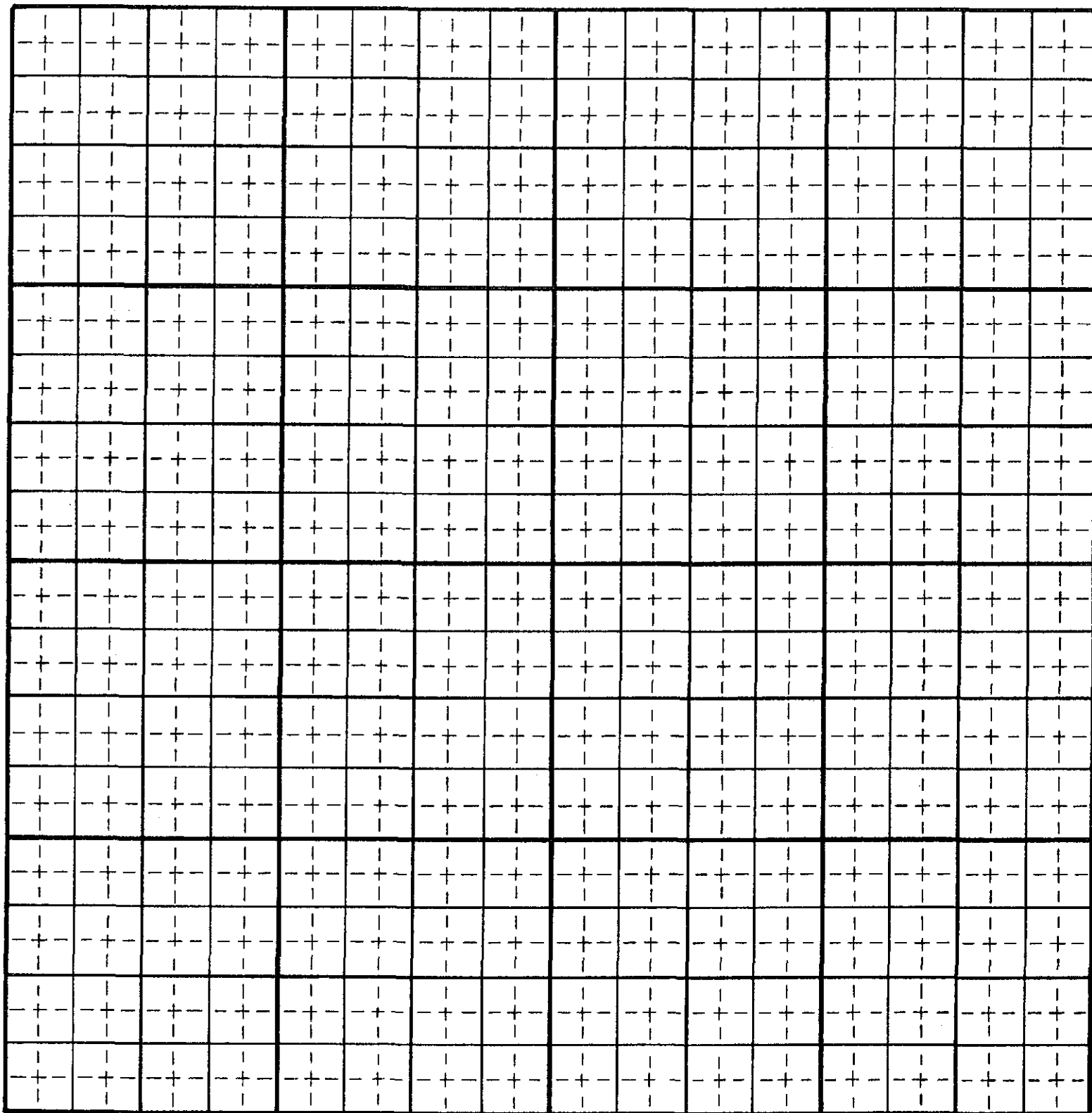
Last Name Lizard Partnership Ident No. _____

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

SEE ATTACHED MAP



MICROFILMED

AUG 02 1994

Last Name Lizard Partnership

Ident No. _____

Copies: White-State, Yellow-Claimant

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

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

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

of Lizard Partnership _____, that I have signed the foregoing
Organization

document in the space below as Partner of Lizard Partnership
Title Organization

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

Signature of Authorized Agent [Signature]

Title and Organization Partner, Lizard Partnership Date 3-29-90

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

Subscribed and sworn (or affirmed) before me this 29th day of March 19 90

SEAL

Notary Public Belle S. Bates

Residing at Caldwell, Idaho

My Commission Expires May 15, 1993

Please Print Name

17. Notice of Appearance:

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

Signature _____

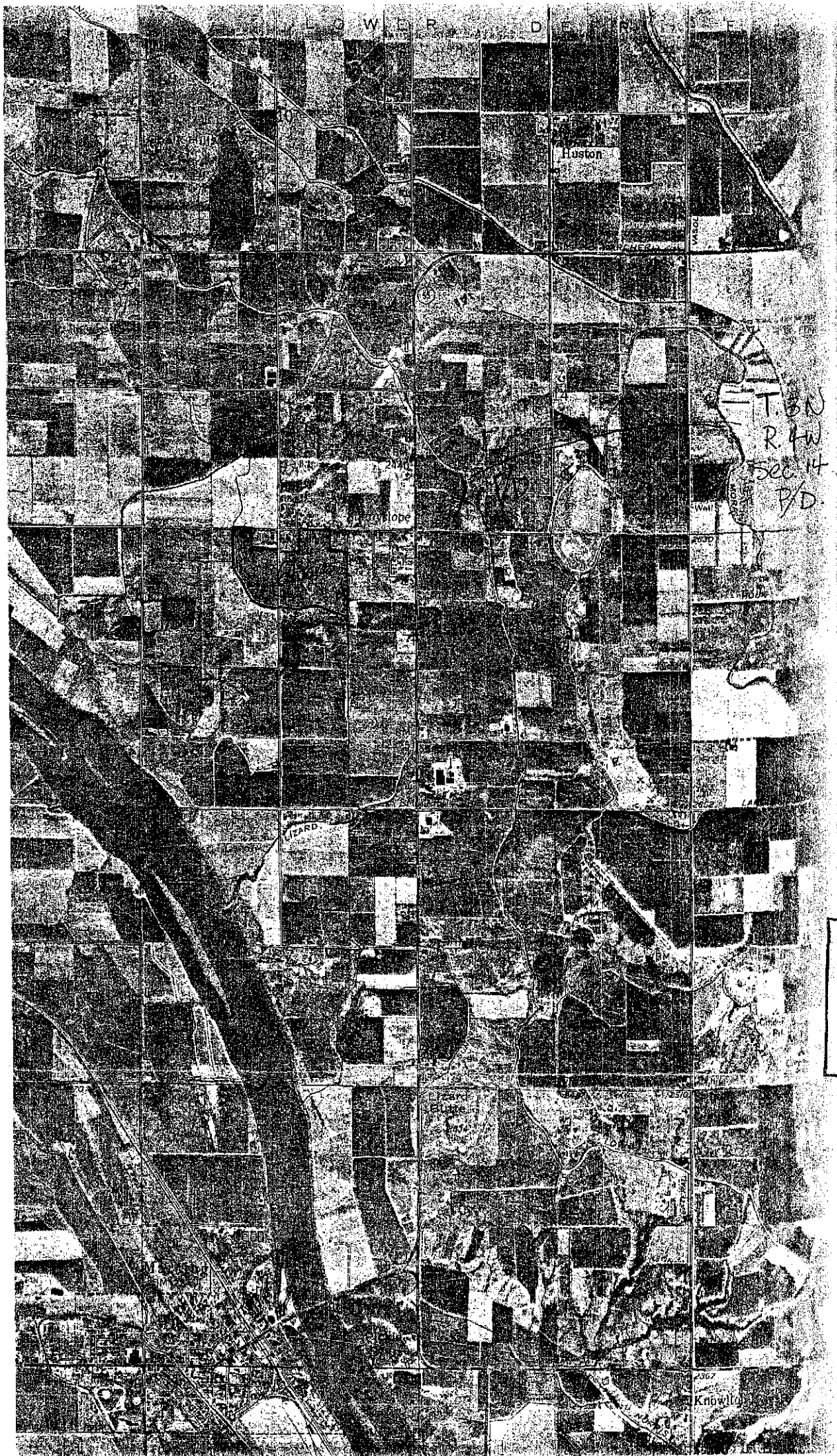
Address _____

Date _____

MICROFILMED
AUG 12 1994

Last Name Lizard Partnership Ident. Number _____

Copies White-State, Yellow-Claimant



T. 3N
R. 4W
Sec 14
P/D.

POOR ORIGINAL

CLAIMANT'S NAME

Asgard Partnership

CLAIM IDENT. NO.

463-

DATE RECEIVED

4/2/90

RECEIPT #

W011788

FEE PAID \$

100.

FEE REQ'D \$

100.YES NO Requi
Info

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☒ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO *
- See Adjudication Memos #1 and #4 to determine if a Permit is required.
3. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☒ YES ☐ NO N/A *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO *
5. Is there a description of the diverting works? ☒ YES ☐ NO ☒ ~~NO~~
6. Are the water uses appropriate for the form? ☒ YES ☐ NO *
- The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.
- Is the period of use included? ☒ YES ☐ NO *
- Is a quantity claimed for each use? ☒ YES ☐ NO *
7. Is a total quantity claimed entered? ☒ YES ☐ NO *
8. If required is a consumptive use entered? ☐ YES ☐ NO N/A *
- Is the consumptive use correct? ☒ YES ☐ NO N/A *
9. Are the non-irrigation uses listed showing # of homes, hd. of stock? ☐ YES ☐ NO *
- If multiple domestic, is single ownership indicated? ☐ YES ☐ NO *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO *assume "yes"*
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO N/A *
15. Is the basis of the claim indicated? ☒ YES ☐ NO *
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed? ☒ YES ☐ NO N/A *
- If yes, compare claim w/existing right and attach proof report noting any differences in comments.
- If no, was water right no. found? ☐ YES ☐ NO *
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim? ☐ YES ☐ NO N/A *
- (If yes, attach a proof report & complete number change)
- NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.
18. If the claimant requested a monthly docket sheet, was the fee paid? ☐ YES ☐ NO N/A *
19. Is the claim signed by the claimant, and is the signature appropriate? ☒ YES ☐ NO *
20. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
21. Was this claim filed on time? ☐ YES ☐ NO *
- (Check ML3 for date mailed-not all were mailed on the planned date)
- If no, was an extension of time filed & approved? ☐ YES ☐ NO *
22. Is the fee enclosed correct? *note fee paid* ☐ YES ☐ NO Exempt ☒ YES ☐ NO *

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AUG 4 1994

23. Is this claim being rejected and returned to claimant? ☒ ☒
24. Can this claim be data entered? ☒ ☒
25. Was claim modified? ☒ ☒
- If yes, do modifications require notification to claimant? ☒
- Note: Modifications made must be explained in comments stating where the information for any changes was found.

Claim reviewed by: RNF Date 2-1-93

Claim data entered by: of Date 2-3-93
AD 4-20-93

IF REQUIRED INFORMATION IS INCOMPLETE SEE INSTRUCTIONS TO DECIDE WHETHER THE CLAIM NEEDS TO BE RETURNED OR IF IT CAN BE MODIFIED. IF IT MUST BE RETURNED INSTRUCTIONS WILL SPECIFY WHICH FORM LETTER TO USE.

Comments: Assume per acre fee paid by
irrigation district until field exam.

RECEIVED

JUN 13 2007

DEPARTMENT OF
WATER RESOURCES

G. Dar Symms
14068 Sunny Slope Road
Caldwell, ID 83607
208-459-4821 tel.
208-459-6932 fax.
Attorney for Objector

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

In Re SRBA	)	A. Subcase 63-27265
	)	
Case No. 39576	)	
	)	STANDARD FORM 1
	)	OBJECTION
_____	)	

Comes now, Symms Fruit Ranch, Inc. (SFR), and objects to the Idaho Department of Water Resources recommendation to disallow the above referenced water right.

B. NAME AND ADDRESS OF PERSON OBJECTING.

Symms Fruit Ranch, Inc.
14068 Sunny Slope Road
Caldwell, Idaho 83607
Telephone: 208-459-4821

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

Lizard Partnership
14068 Sunny Slope Rd.
Caldwell, ID 83607

D. REASON FOR OBJECTION.

SFR objects to the Department's recommendation to disallow the water right because the water right has been used for beneficial use continuously since the priority date.

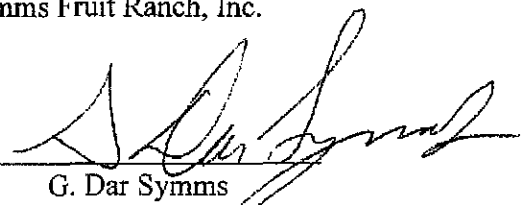
E. REASONS SUPPORTING OBJECTION.

See affidavit of R. A. Symms attached hereto.

Dated this 12TH day of June, 2007.

Symms Fruit Ranch, Inc.

By


G. Dar Symms

Attorney for Objector

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on the 12TH day of June, 2007, I served the original and a true and accurate copy of the foregoing document by U.S. Mail, upon the following as follows:

1. Original to:

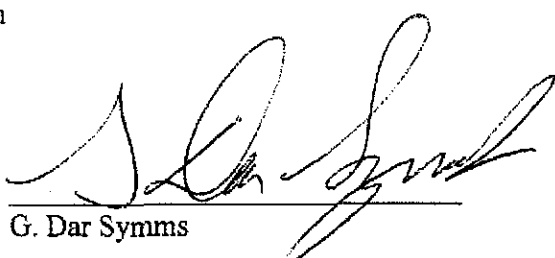
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to

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

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

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


G. Dar Symms



SYMMS FRUIT RANCH, INC.

14068 Sunny Slope Road • Caldwell, Idaho 83607
Telephone: (208) 459-4821 • e-mail: sfr@micron.net
Fax (208) 459-6932

12 June 2007

State of
Kay Walker
Sr. Water Resource Agent
Adjudication Bureau
2735 Airport Way
Boise, ID 83705-5082

Re: Objections to Disallowed Water Rights Nos. 63-27265, 63-28920, 63-28946 and 63-29739.

Dear Ms. Walker:

The original Standard Form 1 Objection has been sent to the Clerk of the District Court and copies have been sent to the IDWR Document Depository, to the Chief, Natural Resources Division of the Office of Attorney General and to the United States Department of Justice as prescribed by the form.

Please advise if anything else is necessary to proceed with Symms Fruit Ranch, Inc's objections to the above referenced disallowed water rights.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. Dar Symms', written over a horizontal line.

G. Dar Symms

RECEIVED

JUN 13 2007

WATER RESOURCES
WESTERN REGION



G. Dar Symms
14068 Sunny Slope Road
Caldwell, ID 83607
208-459-4821 tel.
208-459-6932 fax.
Attorney for Objector

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

In Re SRBA

Case No. 39576

)
)
)
)
)
)

A. Subcase 63-27265

**AFFIDAVIT OF
R. A. SYMMS**

Comes now, R. A. Symms, after first being duly sworn upon oath, and deposes
and states as follows:

1. I am the president of Symms Fruit Ranch, Inc. (SFR) and have worked
there full time since 1961.
2. Attached hereto is a true and accurate copy of an affidavit that I wrote and
swore to in November of 2006.
3. In addition to the statements made therein, John Hogg told me that he used
the above referenced water right since 1930, when the Lizard Partnership
purchased the property from him.

Dated this 11 day of June, 2007.

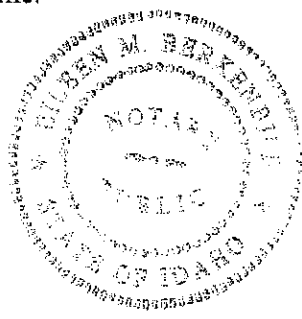
By:

R. A. Symms

State of Idaho

County of Canyon

On this 11 day of June, 2007, before me Eileen M. Berkenhoff, a notary public,
personally appeared R.A. Symms personally known to me to be the person
whose name is subscribed to this instrument, and acknowledged that he executed the
same.



Eileen M. Berkenhoff
Notary Public
My Commission Expires on 7-14-2012

NOV 13 2006

3 November 2006

Ms. Kay Walker
Sr. Water Resource Agent
Water Allocation Bureau
322 East Front Street
P. O. Box 83720
Boise, ID 83720-0098

RECEIVED

NOV 08 2006

WATER RESOURCES
WESTERN REGION

Re: Lizard Water Right 63-27265

Dear Ms. Walker:

I, R. A. Symms, come now, after first being duly sworn upon oath, and depose and state as follows:

1. I am the president of Symms Fruit Ranch, Inc. (SFR) and have worked there full time since 1961. The Lizard property is located in the Sunny Slope area, about one mile from SFR headquarters. I have lived or worked in Sunny Slope all of my life, since 1935, with the exception of about seven years during college and the military; and
2. The above referenced water right has been used since 1930. Prior to our ownership and use of this claim John Hogg used the water from this spring for irrigation.

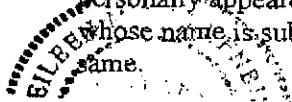
Dated this 3 day of November, 2006.

By: R. A. Symms
R. A. Symms

State of Idaho

County of Canyon

On this 3 day of November, 2006, before me Eileen M. Berkenbile, a notary public, personally appeared R. A. Symms, personally known to me to be the person whose name is subscribed to this instrument, and acknowledged that he executed the same.



Eileen M. Berkenbile



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

WESTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

February 21, 2007

SYMMS FRUIT RANCH INC
ATTN: DICK SYMMS
14068 SUNNY SLOPE RD
CALDWELL ID 83607

RE: Notice of Claims to Water Rights Nos. 63-27265 (Lizard Partnership), 63-28920 (Frances Symms), 63-28946 (Symms Fruit Ranch Inc.) and 63-29739 (Symms Fruit Ranch Inc.)

Dear Mr. Symms:

We received the Evidence of Priority affidavits that you submitted in regard to the above referenced claims on November 3rd, 2006. If you will recall these claims were recommended for disallow because we had not received any Evidence documenting the claimed priority dates. The evidence of priority was submitted so closely to the time our recommendations were to be submitted to the SRBA Court that we did not change our preliminary recommendations and the claims remained as disallowed in our Director's report. Please be advised that if you wish to pursue obtaining decreed rights for these claims, you should file a Standard Form 1 – Objection – with the SRBA Court that will allow us time to conduct a field examination of the water uses and revise our recommendations before the court decrees the claims as disallowed. I have enclosed a Standard Form 1 for your convenience. This form can also be obtained over the internet at www.srba.state.id.us if you need additional forms.

I have enclosed computer-generated reports of each of the above referenced claims for your convenience. The evidence submitted only documents evidence of use since 1961 so the additional time allowed during objection period would also allow you to obtain additional information in regard to evidence of priority if you wish to submit additional evidence.

If you have any questions in regard to this matter, please feel free to contact me at 334-2190. I have recently changed positions within the Department and am now located at our Western Regional office at 2735 Airport Way in Boise.

Sincerely,

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures

NOV 13 2006

3 November 2006

Ms. Kay Walker
Sr. Water Resource Agent
Water Allocation Bureau
322 East Front Street
P. O. Box 83720
Boise, ID 83720-0098

RECEIVED

NOV 08 2006

WATER RESOURCES
WESTERN REGION

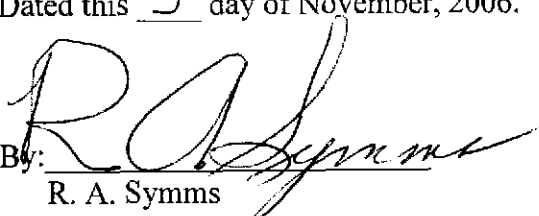
Re: Lizard Water Right 63-27265

Dear Ms. Walker:

I, R. A. Symms, come now, after first being duly sworn upon oath, and depose and state as follows:

1. I am the president of Symms Fruit Ranch, Inc. (SFR) and have worked there full time since 1961. The Lizard property is located in the Sunny Slope area, about one mile from SFR headquarters. I have lived or worked in Sunny Slope all of my life, since 1935, with the exception of about seven years during college and the military; and
2. The above referenced water right has been used since 1930. Prior to our ownership and use of this claim John Hogg used the water from this spring for irrigation.

Dated this 3 day of November, 2006.

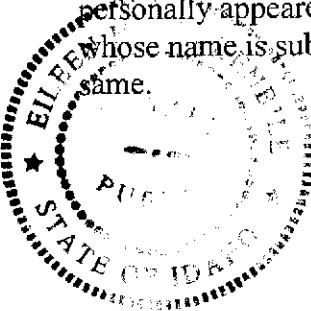
By: 

R. A. Symms

State of Idaho

County of Canyon

On this 3 day of November, 2006, before me Eileen M. Berkenbile, a notary public, personally appeared R. A. Symms, personally known to me to be the person whose name is subscribed to this instrument, and acknowledged that he executed the same.



Eileen M. Berkenbile
Notary Public
My Commission Expires on 7-14-2012

3 November 2006

Ms. Kay Walker
Sr. Water Resource Agent
Water Allocation Bureau
322 East Front Street
P. O. Box 83720
Boise, ID 83720-0098

Re: Lizard Water Right 63-27265

Dear Ms. Walker:

I, R. A. Symms, come now, after first being duly sworn upon oath, and depose and state as follows:

1. I am the president of Symms Fruit Ranch, Inc. (SFR) and have worked there full time since 1961. The Lizard property is located in the Sunny Slope area, about one mile from SFR headquarters. I have lived or worked in Sunny Slope all of my life, since 1935, with the exception of about seven years during college and the military; and
2. The above referenced water right has been used since 1930. Prior to our ownership and use of this claim John Hogg used the water from this spring for irrigation.

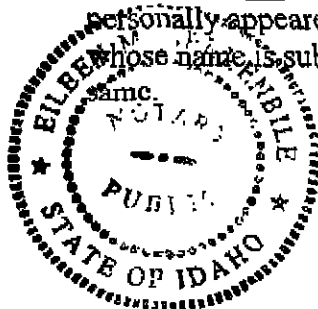
Dated this 3 day of November, 2006.

By: R. A. Symms
R. A. Symms

State of Idaho

County of Canyon

On this 3 day of November, 2006, before me Eileen M. Berkenbile, a notary public, personally appeared R. A. Symms, personally known to me to be the person whose name is subscribed to this instrument, and acknowledged that he executed the same.



Eileen M. Berkenbile
Notary Public
My Commission Expires on 7-14-2012

10-31-06 ^{voice}
left msg. requesting
evidence of priority.
told copies of claims
won't work; need personal
knowledge of priority.
fw

11-3-06 -

Rec'd voice mail from
Dick - doesn't understand
what kind of evidence.

Returned his call on voice
mail relaying that we need
evidence by today such as
affidavit and he would have
to contact Dan & schedule exams.
^{& evidence is submitted.} fw

11-3-06

Phone con w/ Dick Symms -
Will write up an affidavit
& fax in today - also
told him he would
need to set up exams
w/Dan - fw

LIZARD

09/30/2006

RECEIVED

OCT 27 2006

NOTICE OF ERROR
REPLY

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.

DEPARTMENT OF
WATER RESOURCES

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-27265

LIZARD PARTNERSHIP
14068 SUNNY SLOPE RD
CALDWELL ID 83605
Telephone Number: (208) 459-4821

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

ATTACHED IS DOCUMENTATION OF WATER RIGHT

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

ALLOW WATER RIGHT AS CLAIMED

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

N/A

DISAGREE

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

DATE: 25 OCT 2006 SIGNATURE:

R. A. Syms

Please print your name:

R. A. Syms

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

SCANNED

OCT 30 2006

Post-It® Fax Note	7671	Date	10-23	# of pages	8
To	Dick Symms				
From	Kay				
Co/Dept.	IDWR				
Phone #					
Fax #	459-6932				

JUDICIAL DISTRICT OF THE STATE OF IDAHO,
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: A63-27265
Date Received: 4/ 2/1990
Receipt No: W011788
Received By: De J. J.

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

1. Name: LIZARD PARTNERSHIP 208-459-4821
Address: 14068 SUNNY SLOPE ROAD
CALDWELL ID 83605

2. Date of Priority: MAY 1, 1930

3. Source: SPRING Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	04W	14	SW	SW			CANYON

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	0.240		0.48

7. Total Quantity Appropriated is:
C.F.S. (and/or) 0.48 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	04W	22	NW	NE		IRR	35.0
			SW	NE		IRR	5.0
			NE	NW		IRR	22.0
			SE	NW		IRR	2.0

MICROFILMED

A63-27265

Page 1

Date: 04/20/1990

SCANNED

OCT 30 2006

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	64.0
					Total Acres	64.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
IRRIGATION WATER FROM IRRIGATION DISTRICT

14. Remarks:
GENERAL PARTNERS FOR LIZARD PARTNERSHIP ARE: RICHARD A. SYMMS,
JAMES P. MERTZ AND DANIEL T. SYMMS.

15. Basis of Claim: BENEFICIAL USE

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: _____ *R. C. Symms 25 Oct 2006*

For Individuals:

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: _____

09/17/2006

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

RIGHT NUMBER: 63-27265

NAME AND ADDRESS: LIZARD PARTNERSHIP
14068 SUNNY SLOPE RD
CALDWELL ID 83605

SOURCE: SPRING

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.480 AFY

PRIORITY DATE: 05/01/1930

POINT OF DIVERSION:

T03N R04W S14 SWSW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/01 11/15	0.240 CFS 0.48 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T03N R04W S22	NWNE	35.00	T03N R04W S22	SWNE	5.00
T03N R04W S22	NENW	22.00	T03N R04W S22	SENW	2.00

64 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.

No lawful appropriation shown.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

No lawful appropriation shown: There are a number of circumstances in which a claim is proposed to be disallowed on this basis. This is most commonly included for a claim based on beneficial use or posted notice that is proposed to be disallowed because the right claimed is not within an exception to the mandatory permit statute, and beneficial use of water prior to the mandatory permit statute was not confirmed. This is also included where a claim is proposed to be disallowed because the claim is to water that is not public water subject to appropriation. This is also included where a right was determined not to exist in a prior adjudication.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). 63-27265

1. No Change NAME IS SAME
NEW OWNER: _____
No Change ADDRESS
NEW ADDRESS: _____

2. No Change - DATE OF PRIORITY: Completed evidence submitted
Incomplete - Claimant should be asked during the exam when was water first
used and submit proof of date of priority.

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

No evidence of priority date - if
evidence submitted see "protest"
of Boise Project Board of Control submitted
6-19-1997.

3. No Change — SAME SOURCE
Source is different than that claimed:

POI, PII

Source found: _____

4. No Change — POINT OF DIVERSION
Point of diversion is different than the claim and/or new P/D's:

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. No Change - DESCRIPTION OF DIVERTING WORKS
Incomplete description, list below:

6. No Change - WATER USES
Different uses, (list uses found):

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

7. No Change - TOTAL VOLUME

Incomplete on claim, the total is, Amount _____ CFS _____ AFA _____

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

8. No Change - NON-IRRIGATION USES:

Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) See additional attachment

SYSTEM DIAGRAM INCLUDED NA
Shown on GIS Layout

CK IF IN OFFICE EXAM
DATE EXAM CONDUCTED: 9-17-2006

FIELD EXAMINER: Kay Walker

Print Name

Kay Walker
Signature



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. NORDEN

May 5, 2006

LIZARD PARTNERSHIP
14068 SUNNY SLOPE RD
CALDWELL ID 83605

Re: Claim to a Water Right No. 63-27265

Dear Claimants:

In April of 1990, you submitted the above referenced claim in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim for your reference only; this print-out is **NOT** to be returned or re-filed. You have indicated, when this claim was filed, that the water right was based on a "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "**Priority Date**" as shown on the enclosed print-out. This claim 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. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

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

The required evidence supporting the priority date must be submitted by **May 26, 2006**, referencing all documents with the corresponding claim number. If you have any questions not covered by this letter, or the enclosed pamphlet, please feel free to call me at 287-4953.

Sincerely,

Kay Walker
Sr. Water Resource Agent

Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-27265

WATER RIGHT NUMBER: 63-27265

Owner Type Name and Address
 Current Owner LIZARD PARTNERSHIP
 14068 SUNNY SLOPE RD
 CALDWELL, ID 83605
 (208)459-4821

Priority Date: 05/01/1930
 Basis: Beneficial Use
 Status: Active

Source Tributary
 SPRING SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/01 to 11/15	0.240 CFS	0.48 AF
	<u>Total Diversion:</u>		0.48 AF

Location of Point(s) of Diversion
 SPRING SW1/4SW1/4 Sec. 14, Twp 03N, Rge 04W, B.M.
 CANYON County

Place of Use
 IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	04W	22		35.0	5.0		22.0			2.0									64.0

Total Acres: 64

Conditions of Approval:

1. GENERAL PARTNERS FOR LIZARD PARTNERSHIP ARE: RICHARD A. SYMMS, JAMES P. MERTZ AND DANIEL T. SYMMS.

Remarks:

Comments:

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-27265**

03/29/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
7265	Claim	03N	04W	22	NW	NE		IRRIGATION	35/64	LIZARD PARTNERSHIP
7409	Water Right	03N	04W	22	NW	NE		STOCKWATER		DONNA L HILL
7409	Water Right	03N	04W	22	NW	NE		DOMESTIC		DONNA L HILL
7265	Claim	03N	04W	22	SW	NE		IRRIGATION	5/64	LIZARD PARTNERSHIP
7265	Claim	03N	04W	22	NE	NW		IRRIGATION	22/64	LIZARD PARTNERSHIP
1162	Water Right	03N	04W	22	NE	NW		STOCKWATER		KAYE DEVENPORT
7054	Water Right	03N	04W	22	NE	NW		STOCKWATER		PAUL A WILLIS
1162	Water Right	03N	04W	22	NE	NW		DOMESTIC		KAYE DEVENPORT
7054	Water Right	03N	04W	22	NE	NW		DOMESTIC		PAUL A WILLIS
1284	Claim	03N	04W	22	SE	NW		IRRIGATION	8/8	GROWTHLAND PROPERTIES
7265	Claim	03N	04W	22	SE	NW		IRRIGATION	2/64	LIZARD PARTNERSHIP
1284	Claim	03N	04W	22	SE	NW		STOCKWATER		GROWTHLAND PROPERTIES

Receipt Details for ID W011788

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
4/2/1990 2:21:38 PM	4/2/1990	Western	\$100.00	Check
Payer		LIZARD PARTNERSHIP		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1001			
Card Expiration Date	Credit Card Transaction #		

Comment LATE FEE

Fee Detail:

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

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
--------------	-----------------	--------------	--------	------

Print Report

REAL PROPERTY INQUIRY

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+++++
01 6R33451-000- -0 184-00 SCH139+ 01 44,400 62.30
+++++
19 1.96
SYMMS, RICHARD A +
& SYMMS, DANIEL T +
& MERTZ, JAMES P-DBA +
LIZARD PARTNERSHIP +
+
14068 SUNNY SLOPE RD +
CALDWELL ID 83607 +
+++++
22-3N-4W NE + TOTAL 44,400 64.26
W1/2 NE1/4-N OF LIZARD LAT. LESS +
TX 1&8 & LESS 1 AC IN NW COR, + SURVEY INST 9004977
E1/2 NW-N & E OF LAT. LESS SCHOOL + DRAIN DR VALUE APPR BWL
+ CLASS REAP 02 MAN UNIT 0
APRICOT LN, CA + PARCEL 6R03N04W220700 H/O N C/B N
+ PRIOR ACCOUNT 5R33451-000- -0
+ 02 MH on Property NO
MODE:F ACTION: TRAITS INQUIRY TRQK318

ACCOUNT NUMBER R33451000 0 UNIT 001 TOTAL UNITS

SITE APRICOT LN CA SEC/TWN/RNG 22-3N-4W
ASSESSED VALUE 44,400 ACREAGE 64.26
SUB/PARK NAME YEAR/MAKE
CLASS NO BUILDING CLASS SPACE LOT BLOCK
+++++
YR BUILT 0 AIR COND AIR - NONE CARPORT N
STORY NO BLDG HEATING CARPORT SQ FT
FIRST SQ FT 0 EXTERIOR UNKNOWN DECK/PATIO? N
SECOND SQ FT ROOF UNKNOWN POOL? N
BEDS 0 BSMT SQ FT SPA? N
BATHS .00 % BSMT FIN LOT SIZE
FRPLC 0 GARAGE N NEIGHBORHOOD 0
GARAGE SQ FT
+++++
COMMENTS MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO

```



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

July 23, 1997

KEN HENLEY
BOISE PROJ BOARD OF CONTROL
2465 OVERLAND RD
BOISE ID 83705-3173

Re: Objection to Adjudication Claim No. A63-27265

Dear Mr. Henley:

This letter acknowledges receipt of your objection to adjudication claim no. A63-27265. The letter will be placed in the adjudication claim file.

Your objection is filed prematurely and should be refiled with the adjudication court when the director's report for Basin 63 is submitted to the adjudication court. However, your letter will be helpful in developing recommendations.

You submitted \$25.00, which is the filing fee for a protest opposing an administrative water right filing with the department. No fee is required for an objection to an adjudication claim. With this letter, I am requesting that our accounting section return the \$25.00 to you (receipt no. W022616).

Sincerely,

Gary Spackman

GS:st

CC: Debbie Allen
Jan Shurte

DONALD R. LENZ
CHAIRMAN OF THE BOARD

HENRY WEICK
VICE CHAIRMAN OF THE BOARD

KENNETH HENLEY
PROJECT MANAGER

PAUL J. DEVEAU
ASSISTANT PROJECT MANAGER

JUDITH A. JEMMETT
SECRETARY-TREASURER

ELVA FISCHER
ASSISTANT SECRETARY-TREASURER

BOISE PROJECT BOARD OF CONTROL

(FORMERLY BOISE U. S. RECLAMATION PROJECT)

2465 OVERLAND ROAD
BOISE, IDAHO 83705-3173

RECEIVED

JUN 19 1997

WATER RESOURCES
WESTERN REGION

OPERATING AGENCY FOR 167,000
ACRES FOR THE FOLLOWING
IRRIGATION DISTRICTS

NAMPA-MERIDIAN DISTRICT
BOISE-KUNA DISTRICT
WILDER DISTRICT
NEW YORK DISTRICT
BIG BEND DISTRICT

TEL: (208) 344-1141
FAX: (208) 344-1437

June 16, 1997

Gary Spackman
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

Dear Gary:

We would like to protest the Lizard Partnership water right filing A63-27265, located in NW1/4 NE1/4 & SW1/4 NE1/4 & NE1/4 NW1/4 Sec. 22, T. 3N, R. 4W. This water is within the irrigation district boundaries operated by the Boise Project Board of Control.

This water is reclaimed by the Board of Control for private deliveries. All waters within the districts are claimed by the Districts.

If you have any further questions, please call me at 344-1141.

Sincerely,



Ken Henley
Manager BPBC

cc: John Callaway, Watermaster, Div. 4., BPBC

W022616 BB #25- 6/19/97

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: **W022616**

Date: **6/19/1997**
Time: **10:53:58**

Received

From: **BOISE PROJECT BOARD** *of Control*

	Type of Payment		Program A cct	Amount
PROTEST FEE:	A63-27265	62103	229 21 1155	25.00
CHECK	021409			
			Total	\$ 25.00

Region: **WESTERN**

Signature: *DBuffington*



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

July 7, 1995

Re: Claim No(s). A63-27265

A63-27265
LIZARD PARTNERSHIP
14068 SUNNY SLOPE ROAD

CALDWELL ID 83605

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is NOT to be returned or re-filed. You have 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 the historical use of water for a beneficial 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 under a legal requirement to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

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. 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 Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify claims in this area are now being conducted by Department personnel. Please contact this office as soon as possible to schedule a field exam appointment convenient for you.

The required evidence supporting the priority date(s) must be submitted by September 1 1995, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

lh
Enclosures



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, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

*Lizard Partnership
14068 Sunny Side Rd.
Caldwell, ID. 83605*

Dear Claimant(s):

This office is presently processing the Notice of Claim(s) to a Water Right you submitted during the Snake River Basin Adjudication claims filing in your area. However, due to the items checked below, we cannot continue to process this claim(s). We are returning this claim(s) to you to complete items required that were incomplete on your claim form. **ONLY THE ITEMS CHECKMARKED IN THIS LETTER NEED COMPLETION. IF AN ITEM IS NOT CHECKMARKED, IT IS NOT PERTINENT TO THIS CLAIM(S).** Also enclosed is the receipt for the filing fee previously submitted with this claim(s).

_____ Fee - No fee received or inadequate fee received, fee due is _____.
(Filing fees, based on use(s) of water, were due on all claims filed)

_____ Late Notice of Claim - This claim was received on _____ which is after the deadline for filing claims in _____ County. The deadline for this County was _____, and the late fee now due is _____. The enclosed Late Fee Notice explains the late fee and how it is computed.

_____ Item No. 2 - Date of priority - month/day/year that water was first put to use, regardless of ownership. If month or day is unknown, the Dept. will recommend 12/31 of the year designated.

_____ Item No. 3 - Source of Water

_____ Item No. 4 - Point of Diversion - must be shown by quarter-quarter (40 acre tract), section, township and range. Lot and block for subdivision are not acceptable as the legal description for the point of diversion, however, please include this information in the remarks section of your claim. See page two of this letter for additional information.

✓ _____ Item No. 6 - Uses of Water *Please complete "cfs".*

_____ Item No. 9 - Non-Irrigation Uses

_____ Item No. 10 - Place of Use - must be listed by quarter-quarter (40 acre tract), section, township, and range. Lot and block for subdivision are not acceptable as the legal description for the place of use, however, please include this information in the remarks section of your claim. See page two of this letter for additional information.

MICROFILMED

AUG 02 1994

Item No. 12 - Ownership of place of use - It appears that the places of use filed on this claim are owned by separate individuals. This claim form can only be used when the places of use are under single ownership, even when all the uses are from one source. Enclosed are claim forms to be used to file on each separately owned place of use. The claim being returned will need to be modified to show one owner, with the changes initialed and dated. The \$25 fee for this claim has been submitted, however, the additional claims returned need to submit a \$25 fee each.

Item No. 15 - Basis of Claim - Please designate if your water right is based on beneficial use of the water - Beneficial Use, or if it is based upon a previously filed water right - Posted Notice, License, Permit or Decree.

Item No. 16 - Signature - this claim form does require your signature be affixed and notarized by a notary public. Note, the notary public signs below the signature blocks listed in this item.

MAP ENCLOSED: Please mark the location of the well(s) and the location of the place(s) of use on this map. Then return the map with your claim and the additional information requested, if any. We can then determine the quarter-quarter(1/41/4) legal description based on the locations marked on this map.

Other: _____

Please complete the above item(s) on your claim form(s), initial and date any changes or additions, and return the claim(s), with the requested fee(if one was requested), to our office within 30 days from the date of this letter. If the claim(s), or fee requested, is not received within this 30-day period, the claim(s) will be rejected and your fee, if one was paid previously, will be refunded. Please contact our office listed in the address below, within the 30 day time period, either in writing or by phone, to let us know if there is a problem returning the claim(s), or fee, in order to keep this claim(s) valid. If the claim(s) is rejected and fee refunded, due to no response within the 30-days, the claim(s) can be resubmitted up until claims in this area are prepared for court decree. However, at that time the corrected claim(s) along with the regular filing fee that was refunded, and an additional late fee will be required. Please return your claim(s), any other claims, information or fees requested, if any, to the Department of Water Resources, Western Region Office, 2735 Airport Way, Boise, ID 83705.

Feel free to contact this office if you have any questions concerning this letter.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

SO:s

Enclosures

SPECIAL 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.

MICROFILMED

AUG 03 1994

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

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

CIVIL CASE NUMBER: 39576

Ident. Number

463-~~88788~~

Date Received

4-2-90

Receipt Number

W011788

RECEIVED

APR 02 1990

Department of Water Resources
Western Regional Office

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

Please type or print clearly

1. Name of Claimant (s) LIZARD PARTNERSHIP Phone (208) 459-4821
 Mailing Address 14068 Sunny Slope Road Zip 83605
Caldwell, Idaho
2. Date of Priority (Only one (1) per claim) May 1, 1930
3. Source of water supply (a) Spring
 which is tributary to (b) Snake River
4. a. Location of existing point of diversion is: Township 3N Range 4W Section 14,
1/4 of SW 1/4 of SW 1/4, Govt. Lot, B.M., County of Canyon
 Additional points of diversion if any: _____
 b. If instream flow, beginning point of claimed instream flow is:
 Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
 Govt. Lot _____ B.M., County of _____
 ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
1/4, Govt. Lot B.M., County of
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
 including the dates of any changes or enlargements in use, the dimensions of the diversion works as
 constructed and as enlarged and the depth of each well. _____

MICROFILMED

AUG 02 1994

		(both dates are inclusive)		(cfs)	(acre feet)
For	Irrigation	purposes from	March 1 to November 15	amount	or .48
For		purposes from		to amount	or
For		purposes from		to amount	or
For		purposes from		to amount	or

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

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

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

[illegible]

Total number of acres irrigated	64
---------------------------------	----

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
Irrigation water from the Irrigation district or None ()

Richard A. Symms, James P. Mertz, and Daniel T. Symms

MICROFILMED

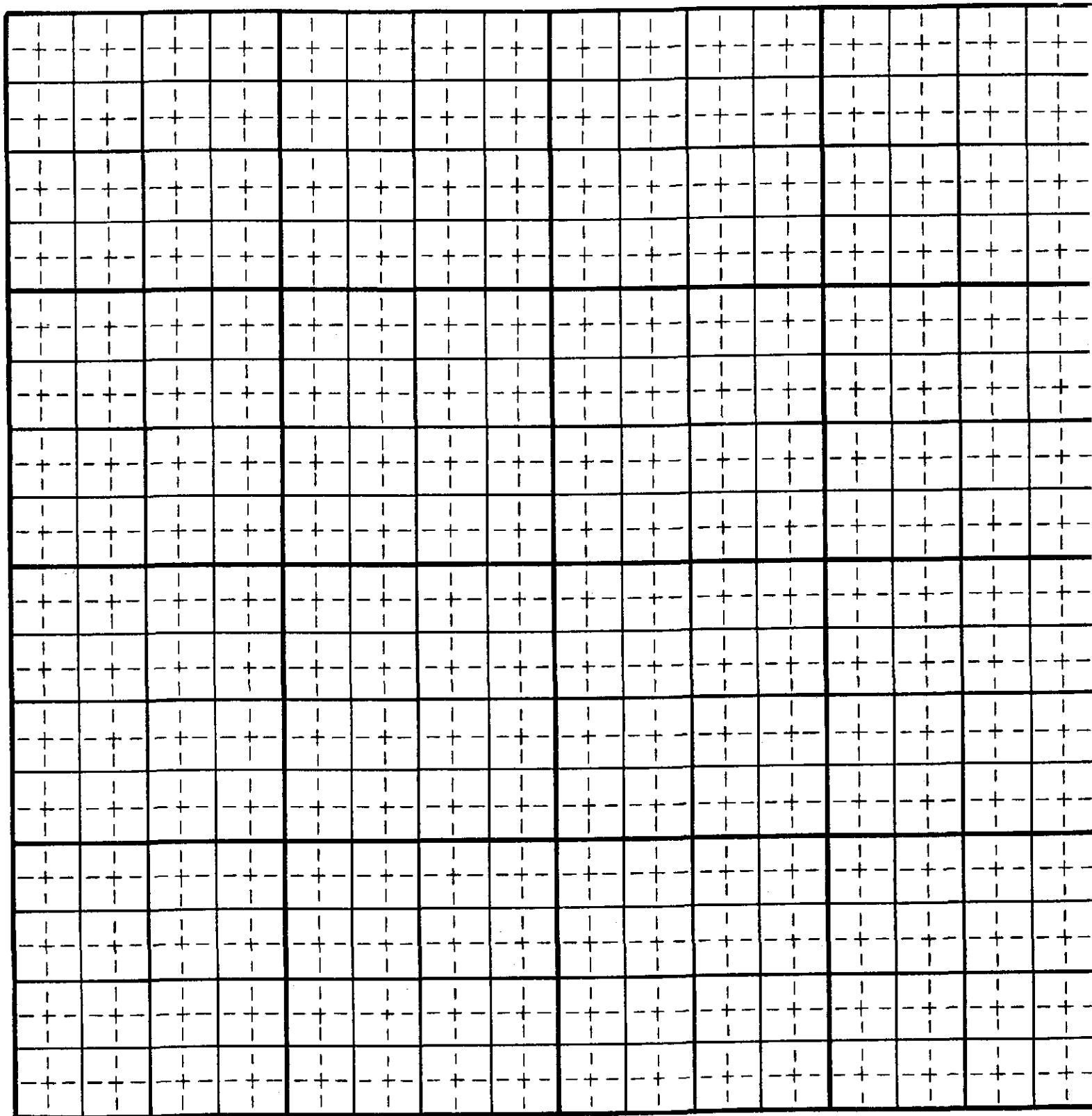
Last Name Lizard Partnership Ident No.

AUG 02 1994
Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

SEE ATTACHED MAP



MICROFILMED

AUG 02 1994

Last Name Lizard Partnership Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

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

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

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

of Lizard Partnership _____, that I have signed the foregoing

document in the space below as Partner _____ of Lizard Partnership _____

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

Signature of Authorized Agent [Signature] _____

Title and Organization Partner, Lizard Partnership _____ Date 3-29-90

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

Subscribed and sworn (or affirmed) before me this 29th day of March 1990

SEAL

Notary Public [Signature] _____

Residing at Caldwell, Idaho _____

My Commission Expires May 15, 1993 _____

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

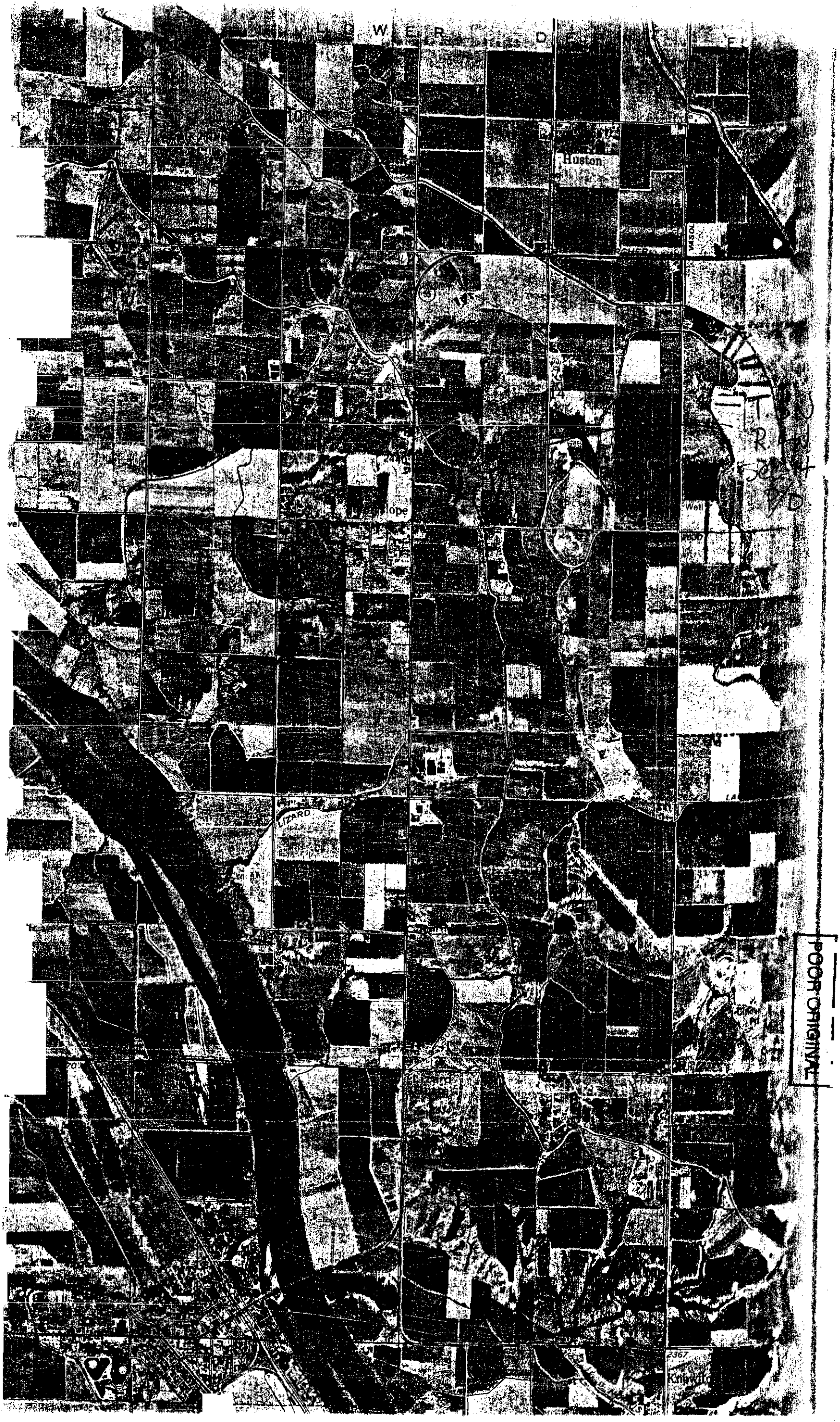
Date _____

MICROFILMED

AUG 02 1994

Last Name Lizard Partnership Ident. Number _____

Copies White-State, Yellow-Claimant



Huston

WASOL

Well

6000

LA

LIZARD

POOR ORIGINAL

367

ADJUDICATION CLAIM CHECKLIST

FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION		FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE		CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	NOTICE OF CLAIM NO. <u>A63-27265</u>
WR ELEMENT								"R" RECORD
PRIORITY*	Y							
PT. OF DIV.								
SOURCE								
PL. OF USE								
DIV. AMOUNT CFS/AF								DATA ENTRY COMPLETED BY DATE
CONSUMPTIVE USE								
NATURE OF USE								FINAL RECOMMENDATION BY DATE
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS								

VERIFICATION CODES
 TOPO MAP/ORTHO PHOTO = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 NAPP PHOTOS = 4
 FIELD EXAM = 5
 OTHER (SEE COMMENTS) = 6

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
 SUBMITTED - YES NO

**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
 CLAIMANT CONTACT CHECKLIST AND ATTACH.

COMMENTS:

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID #: 63-27265 Date: 10-12-00

				NE				NW				SW				SE				Sum
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	3N	4W	22		35	5		22			2									64
GIS					36	6		21			1									64
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Total Claimed Acres: 64

Total GIS Acres: 64

Overlapping POU Claim #'s: _____

COMMENTS:

per claim map

Idaho Department of Water Resources

Claim Number: 63-27265

Legal: T03N, R04W, S22

Reviewed By:

⊙ Point of Diversion



Place of Use

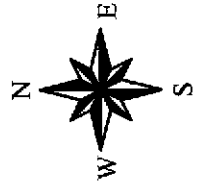
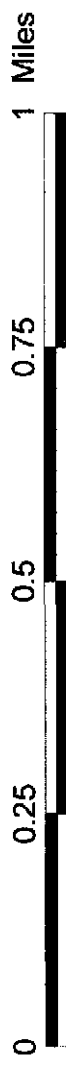
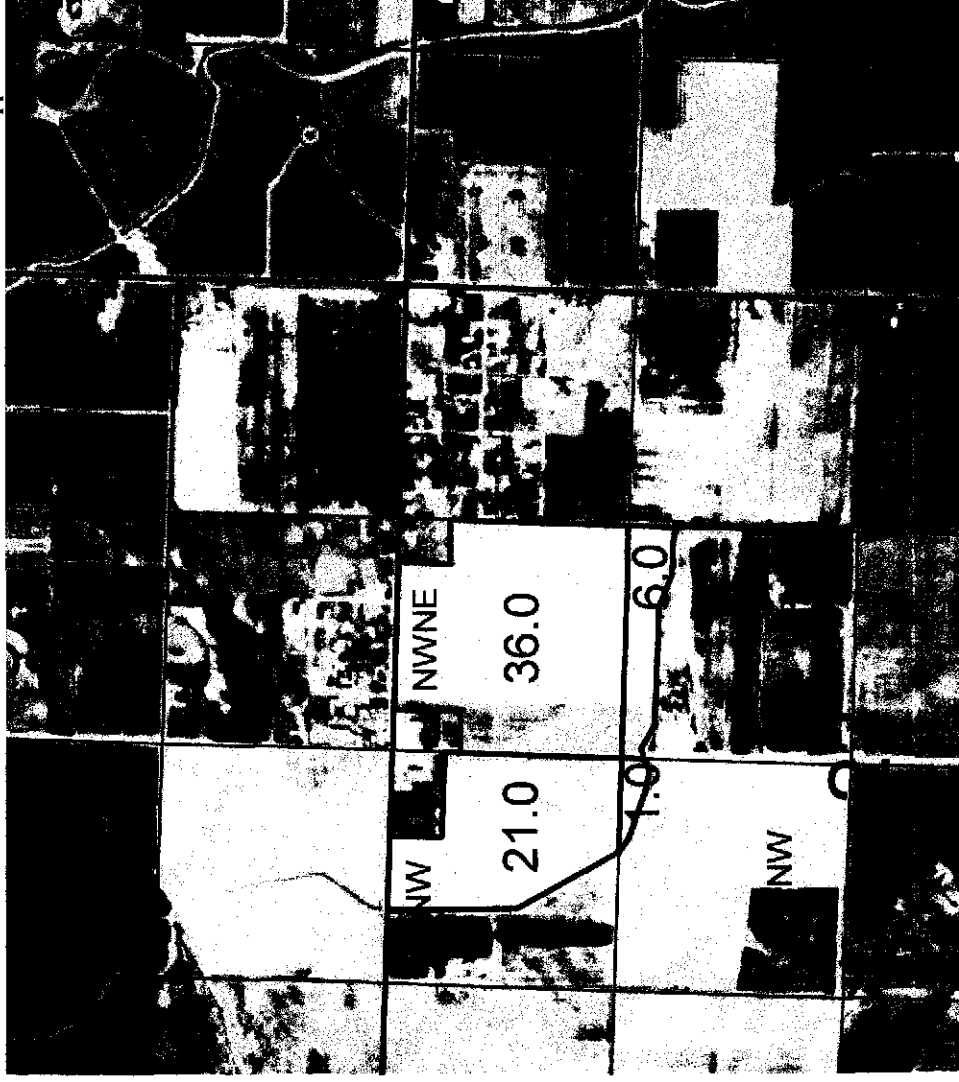


Section Lines



Quarter Quarter Lines

1987 Napp Photo



Idaho Department of Water Resources

Claim Number: 63-27265
Legal: T03N, R04W, S22
Reviewed By:

⊙ Point of Diversion



Place of Use

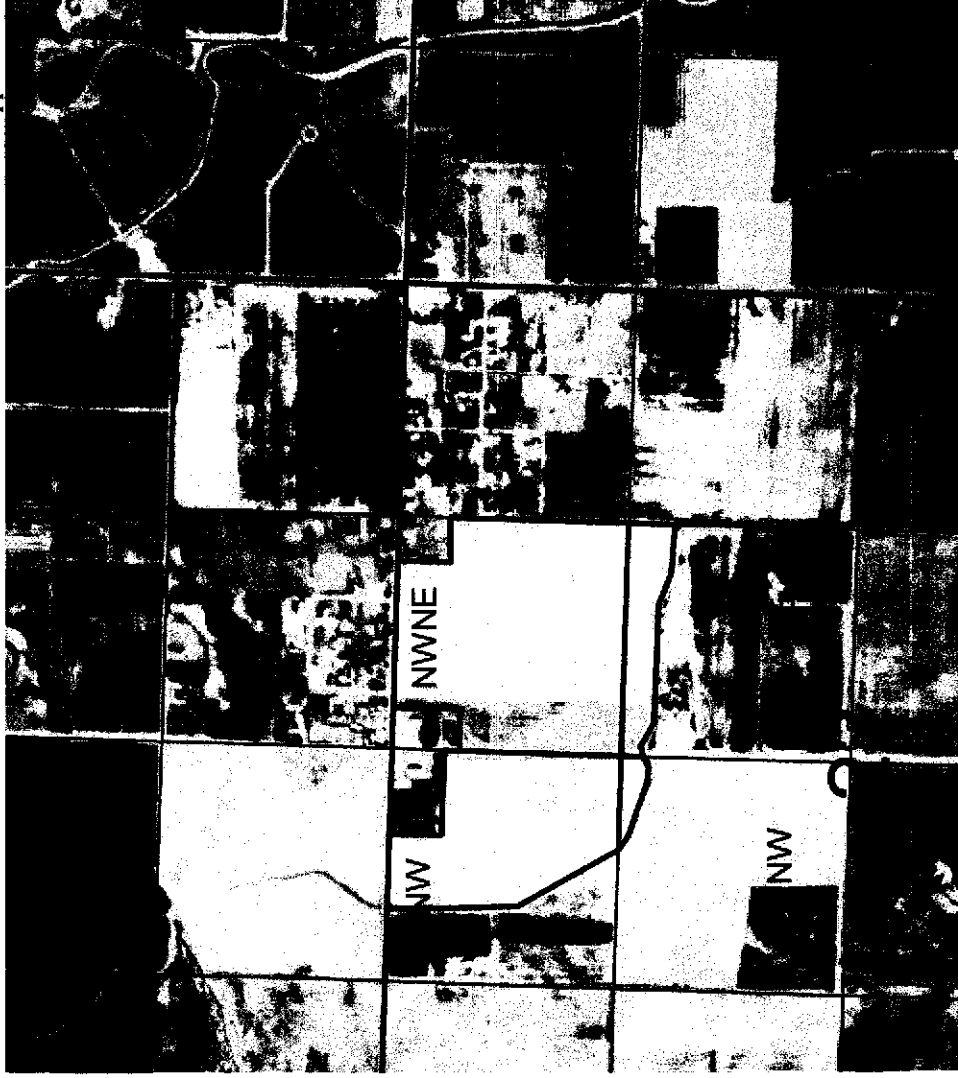


Section Lines



Quarter Quarter Lines

1987 Napp Photo



0 0.25 0.5 0.75 1 Miles

